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Washington, Tuesday, March 2, 1943

The President

EXECUTIVE ORDER

WHEREAS

WHEREAS

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE

February 27, 1943

Regulations

TITLE 7—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Part 31—Federal Land Banks

PAYMENTS

Sec. 6 Cash and Fed

Where payments

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Assistant heading

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14 Stat. 12 Stat.

12 U.S.C. [illegible]

W. F. RHEA,

Land Bank Commissioner.

Chapter II—Commodity Credit Corporation

Sec. 6 C.C.C. Wheat Farm

Participation

PART 226—1942 WHEAT LOANS

EXTENSION OF TIME FOR COMPLETING 1942 WHEAT LOANS

Pursuant to the provisions of Title III, Section 302, of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302) and the Act of May 26, 1941 (55 Stat. 203; 7 U.S.C., 1940 ed., Supp. I, 1330) as amended by the Act of December 26, 1941 (55 Stat. 860), and as further

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Federal Farm Loan Board

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Fish canned, FDO 23, Amdt. [illegible]

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amended by the Act of October 2, 1942 (Public No. 729, 77th Congress), Commodity Credit Corporation has authorized the making of loans to producers of 1942 wheat, in accordance with the regulations in this part (1942 C. C. C. Wheat Form 1—Instructions). Such regulations are hereby amended as follows:

Section 228.1(e) *Eligible paper* (7 F.R. 5329) is amended by adding at the end thereof the following language:

Wheat loan documents on 1942 warehoused or farm-stored wheat dated on or prior to January 31, 1943, representative loans made in the area served by the office of the Regional Director of Commodity Credit Corporation located at Minneapolis, Minnesota, as shown in § 228.22 hereof, will be acceptable for purchase upon certification of the Regional Director or his designee.

Dated: January 4, 1943.

[SEAL] J. B. HUTSON, *President.*

[F. R. Doc. 43-3217; Filed, March 1, 1943; 11:27 a. m.]

[Amendment 1 to 1942 C.C.C. Grain Sorghums Form 1—Instructions.]

PART 231—1942 RYE, BARLEY AND GRAIN SORGHUM LOANS

EXTENSION OF TIME FOR COMPLETING 1942 GRAIN SORGHUMS LOANS

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 203; 7 U.S.C., 1940 ed., Sup. 1, 1330), as amended by the Act of December 26, 1941 (55 Stat. 860), and as further amended by the Act of October 2, 1942 (Public No. 729, 77th Congress), Commodity Credit Corporation has authorized the making of loans to producers of 1942 grain sorghums. In accordance with the regulations in this part (1942 C.C.C. Grain Sorghums Form 1—Instructions). Such regulations are hereby amended as follows:

Section 231.4 *Maturity and interest rate* (7 F.R. 5537) is amended by deleting the date "January 31, 1943," appearing at the end of the fourth sentence, and inserting in lieu thereof the date "February 28, 1943."

Dated: January 4, 1943.

[SEAL] J. B. HUTSON, *President.*

[F. R. Doc. 43-3218; Filed, March 1, 1943; 11:27 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 913—MILK IN THE GREATER KANSAS CITY MARKETING AREA

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue and amend orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

- 913.1 Findings and determinations.
- 913.2 Order relative to handling.
- 913.3 Definitions.
- 913.4 Market administrator.
- 913.5 Reports of handlers.
- 913.6 Classification of milk.
- 913.7 Minimum prices.
- 913.8 Application of prices.
- 913.9 Determination of uniform price to producers.
- 913.10 Base ratings.
- 913.11 Payments for milk.
- 913.12 Marketing services.
- 913.13 Expense of administration.
- 913.14 Effective time, suspension or termination of order as amended.
- 913.15 Agents.

AUTHORITY: §§ 913.1 to 913.15, inclusive, issued under 48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.

§ 913.1 *Findings and determinations*—(a) *Findings.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1–900.17, 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid order, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Greater Kansas City marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers of at least 50 percent of the volume of milk covered by this order, as amended, which is marketed within the Greater Kansas City marketing area refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Greater Kansas City marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) the issuance of this order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interest of producers of milk which is produced for sale in the Greater Kansas City marketing area; and

(3) The issuance of this order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order, as amended, and who, during the determined representative period, were engaged in the production of milk for sale in said Greater Kansas City marketing area.

§ 913.2 *Order relative to handling.* It is therefore ordered, that, from and after the effective date hereof, the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of this order, as amended.

Provisions

§ 913.3 *Definitions*—(a) *Terms.* The following terms shall have the following meanings:

(1) "Greater Kansas City marketing area" hereinafter called the "marketing area," means all of the territory in: Jackson County, Missouri; that part of Clay County, Missouri, south of Highway 92 beginning at the Platte County and Clay County line, east to the west section line of section 26 in Washington Township, north to the north section line of said section 26, east to the Clay County and Ray County line; Lee, Waldron, May, and Pettis Townships in Platte County, Missouri; Wyandotte County, Kansas; Shawnee and Mission Townships in Johnson County, Kansas; and Delaware, Leavenworth, and that part of Kickapoo and High Prairie Townships east of the 95th principal meridian in Leavenworth County, Kansas.

(2) "Person" means any individual, partnership, corporation, association, or any other business unit.

(3) "Producer" means any person who, with respect to the regulations applicable to milk to be used for consumption as milk or cream in the marketing area, (i) under supervision of the health departments of Kansas City, Kansas; Leavenworth, Kansas; Excelsior Springs, Missouri; Independence, Missouri; or Kansas City, Missouri; or (ii) under a permit issued by either the Kansas State Board of Health or the Missouri State Board of Health produces milk (a) which is purchased or received in bulk by a handler, other than himself, at such handler's plant from which milk is disposed of as Class I milk or Class II milk in the marketing area, or (b) which a cooperative association causes to be delivered to a plant of a handler or to a plant from which no milk is disposed of as Class I milk or Class II milk in the marketing area, for the account of such cooperative association.

(4) "Handler" means any person who, on his own behalf or on behalf of others, disposes of as Class I milk, or Class II milk in the marketing area all or a portion of the milk purchased or received in bulk by him at his plant from (i) producers, (ii) his own production, and (iii) other handlers. "Handler" shall include any cooperative association with respect to the milk of any producer which such cooperative association causes to be delivered to a plant of a handler or to a plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area for the account of such cooperative association.

(5) "Market administrator" means the person designated pursuant to § 913.4 as the agency for the administration hereof.

(6) "Delivery period" means the current marketing period from the first to, and including, the last day of each month.

(7) "Base" means the quantity of milk calculated for each producer pursuant to § 913.10.

(8) "Cooperative association" means any cooperative association of producers which the Secretary determines (i) to have its entire activities under the control of its members and (ii) to have and to be exercising full authority in the sale of milk of its members.

(9) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246 (1937); 7 U.S.C. 1940 ed. 601 et seq.), as amended.

(10) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

§ 913.4 *Market administrator.* — (a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violation of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 913.13, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his succesor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 913.5 or (ii) made payments pursuant to § 913.11; and

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 913.5 *Reports of handlers*—(a) *Periodic reports.* On or before the 7th day after the end of each delivery period, each handler who purchased or received milk from sources other than his own production or other handlers shall with respect to milk or dairy products which were purchased, received, or produced by such handler during such delivery period report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts at each plant of milk from each producer, the butterfat content, and the number of days on which milk was received from each producer;

(2) The quantity of milk received from each producer in excess of his respective base;

(3) The receipts from such handler's own farm production and the butterfat content;

(4) The receipts of milk, cream, and milk products from handlers who purchase or receive milk from producers and the butterfat content.

(5) The receipts of milk, cream, and milk products from any other source, including receipts of milk and cream completely processed and packaged for distribution to consumers from handlers whose sole source of supply is from such handler's own farm production and the butterfat content;

(6) The respective quantities of milk and milk products, and the butterfat content, which were sold, distributed, or used, including sales to other handlers, for the purpose of classification pursuant to § 913.6;

(7) The sales of milk and Class II products outside the marketing area, listing the market or area in which such milk and such Class II products were sold or disposed of, the date of such sale or disposition, and the plant from which such milk and milk products were supplied; and

(8) Such other information with respect to the use of milk as the marketing administrator may request.

(b) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, upon the request of the market administrator, each handler who purchased or received milk from producers shall submit to the market administrator his producer pay roll for such delivery period which shall show for each producer, (1) the daily and total pounds of milk delivered and the average butterfat content thereof, and (2) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(c) *Reports of handlers whose sole source of supply is from such handler's own farm production or from other handlers.* Handlers whose sole source of supply is from such handler's own farm production or from other handlers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(d) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose disposition of milk the classification depends. Each handler shall keep adequate records of receipts and utilization of milk and milk products and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk and milk products, and, in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk purchased or received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in § 913.11.

§ 913.6 *Classification of milk*—(a) *Basis of classification.* All milk and milk products purchased or received by such handler, including milk of a producer which a cooperative association caused to be delivered to a plant of a handler or to a plant from which no milk is disposed of as Class I milk or Class II milk in the marketing area, for the account of such cooperative association, shall be reported by the handler in the classes set forth in (b) of this section: *Provided,* That (i) milk sold or disposed of by a handler as fluid milk to a nonhandler who distributes fluid milk or cream shall be classified as Class I milk, and cream sold or disposed of by a handler as cream to such nonhandler shall be classified as Class II milk, except for such milk or cream in excess of the amount of milk and cream distributed by such nonhandler; (ii) milk or cream sold or disposed of by a handler to a nonhandler who does not distribute fluid milk or cream shall be classified as Class III milk subject to verification by the market administrator; (iii) milk sold or disposed of as fluid milk by a handler who purchases or receives milk from producers to another handler shall be classified as Class I milk: *Provided,* That if such milk, except milk sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class II milk or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator: *And provided further,* That if such milk was sold or disposed of from a handler's plant located outside the marketing area to another handler who purchases or receives milk from producers, such milk shall be classified at the lowest class usage of such purchasing handler; (iv) cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler shall be classified as Class II milk: *Provided,* That if such cream, sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class III milk, such cream shall be classified accordingly, subject to verification by the market administrator: *And provided further,* That if such cream was sold or disposed of from a handler's plant located outside the marketing area to another handler who purchases or receives milk from producers, such cream shall be classified at the lowest class usage of such purchasing handler; (v) milk or cream sold or disposed of as bulk milk or cream by a handler who receives no milk from producers to another handler who receives milk from producers shall be classified as Class III milk; and (vi) milk sold or disposed of completely processed and packaged for distribution to consumers by a handler who purchases or receives no milk from producers to another handler who purchases or receives milk from producers shall be classified as Class I milk up to the amount of such milk actually sold in the original package by the purchasing handler as bottled Class I milk and the remaining milk shall be classified as Class III milk; and cream sold or disposed of completely processed and packaged for distribution to consumers by a handler who purchases or receives no milk from producers to another handler who purchases or receives milk from producers shall be classified as Class II milk up to the amount of such cream actually sold in the original package by the purchasing handler as bottled Class II milk and the remaining cream shall be classified as Class III milk.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraph (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of milk containing more than 1 percent butterfat, irrespective of whether under the legal standard for milk and unaccounted for butterfat in excess of 3 percent of the total receipts from producers converted to a 3.8 percent milk equivalent, except such milk as is classified as Class II milk and as Class III milk pursuant to (2) and (3) of this paragraph.

(2) Class II milk shall be all milk, except skim milk, used to produce cream, which is disposed of in the form of cream, other than for use in products specified in (3) of this paragraph, flavored milk, creamed cottage cheese, creamed buttermilk, products sold or disposed of in the form of cream testing less than 18 percent butterfat, aerated cream, and eggnog.

(3) Class III milk shall be all milk used to produce butter, cheese (other than creamed cottage cheese), evaporated milk, condensed milk, ice cream, and powdered whole milk; used for starter churning, wholesale baking and candy making purposes; accounted for as salvage from products where the recovery of fat is impossible; and not accounted for but not in excess of 3 percent of the total receipts of butterfat from producers.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification as required in (b) of this section of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Computation of milk in each class.* For each delivery period each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk received as follows: add together the total pounds of milk received from (i) producers, (ii) own farm production, (iii) other handlers, and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: (i) Multiply by its average butterfat test the weight of the milk received from (*a*) producers, (*b*) own farm production, (*c*) other handlers, and (*d*) other sources and (ii) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to pounds the quantity of Class I milk on the basis of 2.15 pounds per quart, (ii) multiply the result by the average butterfat test of such milk, and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to (4) (ii) and (5) (iv) of this paragraph, is less than the total pounds of butterfat received, computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.8 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) Multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.8 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat test, (ii) add together the resulting amounts, (iii) subtract from the total pounds of butterfat computed pursuant to (2) of this paragraph, the total pounds of butterfat in Class I milk, computed pursuant to (3) (ii) of this paragraph, the total pounds of butterfat in Class II milk, computed pursuant to (4) (ii) of this paragraph, and the total pounds of butterfat computed pursuant to (ii) of this subparagraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler), (iv) add together the results obtained in (ii) and (iii) of this subparagraph, and (v) divide the result obtained in (iv) of this subparagraph by 3.8 percent.

(6) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the pounds of milk which were received from other handlers and used in such class.

(ii) Subtract from the remaining pounds of milk in each class the pounds of milk which were received from sources other than producers, own farm production, and other handlers in series beginning with the lowest class.

(iii) If the remaining pounds of Class III milk are less than 10 percent of the sum of the remaining pounds of Class I milk, Class II milk, and Class III milk, subtract pro rata out of the remaining pounds of milk in each class the pounds of milk received from the handler's own farm production, or if the remaining pounds of Class III milk are more than 10 percent of the sum of the remaining pounds of Class I milk, Class II milk, and Class III milk, subtract pro rata out of the remaining pounds of Class I milk and Class II milk 90 percent of the pounds of milk received from the handler's own farm production and subtract from the remaining pounds of Class III milk the remaining pounds of milk received from the handler's own farm production.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in the several classes, as computed pursuant to (6) of (d) of this section, and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to § 913.8 (e), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (6) of (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (6) of (d) of this section, is greater than the receipts of milk from producers, the market administrator, shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

§ 913.7 *Minimum prices*—(a) *Class prices.* Subject to the differentials set forth in (c) and (d) of this section, each handler shall pay producers, at the time and in the manner set forth in § 913.11, for milk purchased or received from them not less than the following prices:

(1) *Class I milk.* The price per hundredweight of Class I milk during each delivery period shall be the price deter-

mined pursuant to (b) of this section, plus 75 cents: *Provided*, That with respect to Class I milk disposed of under a program approved by the Secretary for the sale or disposition of milk to low-income consumers, including persons on relief, the price shall be the price determined pursuant to (b) of this section, plus 30 cents.

(2) *Class II milk.* The price per hundredweight, of Class II milk during each delivery period shall be the price determined pursuant to (b) of this section, plus 50 cents.

(3) *Class III milk.* The price per hundredweight of Class III milk during each delivery period shall be the highest price ascertained by the market administrator to have been quoted for ungraded milk of 3.8 percent butterfat content received during such delivery period by any one of the three following plants: The Meyer Sanitary Milk Company at its plant at Valley Falls, Kansas; the Franklin Ice Cream Company at its plant at Tonganoxie, Kansas; and the Milk Producers' Marketing Company at its plant at Kansas City, Kansas.

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the Class I and Class II prices, set forth in this section, per hundredweight of milk as computed and announced by the market administrator on or before the 5th day of delivery period shall be the arithmetical average of the prices per hundredweight reported to the United States Department of Agriculture as being paid all farmers for milk of 3.5 percent butterfat content delivered f. o. b. plant during the immediately preceding delivery period at the following plants and places:

Borden Co., Mt. Pleasant, Mich.
Carnation Co., Sparta, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., Greenville, Wis.
Borden Co., Black Creek, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Richland Center, Wis
Carnation Co., Oconomowoc, Wis.
Carnation Co., Jefferson, Wis.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Belleville, Wis.
Borden Co., New London, Wis.
White House Milk Co., Manitowoc, Wis
White House Milk Co., West Bend, Wis.

divided by 3.5 and multiplied by 3.8, but in no event shall such basic formula price to be used be less than the following: multiply by 3.8 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the immediately preceding delivery period, and add 20 percent: *Provided*, That such price shall be subject to the following adjustments: (i) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound, or (ii) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot price for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture for the Chicago area during the immediately preceding delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event such price shall be subject to the following adjustments: (i) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 7½ cents per pound, or (ii) subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

(c) *Butterfat differential.* If the average butterfat content of milk purchased or received from producers by any handler during any delivery period is more or less than 3.8 percent, there shall be added or subtracted per hundredweight of such milk for each one-tenth of 1 percent above or below 3.8 percent an amount equal to the Class III price for such delivery period divided by 38.

(d) *Location differential.* (1) If any handler has received milk from any producer at his plant approved by an applicable health authority for the receiving of milk to be disposed of as milk or cream in the marketing area, and located outside the marketing area but more than 30 miles by the shortest highway route from such handler's plant approved by an applicable health authority for the receiving of milk to be sold or disposed of as milk or cream in the marketing area and located within the marketing area, there shall be subtracted with respect to a quantity of milk (but not in exces of the total quantity of milk received from producers by such handler at such plant located outside the marketing area) computed by the market administrator as follows: (i) determine the difference between 105 percent of such handler's total Class I milk and Class II milk received from producers and the total quantity of milk received from producers by such handler at his plant located within the marketing area during the delivery period of the next preceding calendar year when such difference was the greatest; (ii) divide such difference by the number of days in such delivery period; and (iii) multiply by the number of days in the delivery period an amount up to but not exceeding the amount specified for the distance of such plant from such handler's plant located within the marketing area, as follows: not more than 45 miles, 17 cents per hundredweight; for each additional 10 miles or fraction thereof up to 75 miles, an additional 1½ cents per hundredweight; and for each additional 10 miles or fraction thereof beyond 75 miles, an additional ½ cent per hundredweight.

(2) If any handler has received milk from producers at more than one such plant located outside the marketing area, at one of which such plants no facilities for processing or separating milk are maintained and has received no milk from producers at his plant located within the marketing area, there shall be subtracted with respect to a quantity of milk, if received, equal to 105 percent of such handler's total Class I milk and Class II milk received from producers, an amount up to but not exceeding the amount specified for the distance of such plant from such handler's plant located within the marketing area, as follows: not more than 45 miles, 17 cents per hundredweight; for each additional 10 miles or fraction thereof up to 75 miles, an additional 1½ cents per hundredweight; and for each additional 10 miles or fraction thereof beyond 75 miles, an additional ½ cent per hundredweight; such deductions shall first be made on the milk received from producers at such plant located outside the marketing area where no facilities for processing or separating milk are maintained.

§ 913.8 *Application of provisions.* (a) The provisions of §§ 913.6, 913.9, 913.10, 913.11, 913.12, and 913.13 shall not apply to a handler whose sole source of supply is from such handler's own farm production or from other handlers.

(b) If a handler who purchases or receives milk from producers purchases or receives milk or cream in bulk from another handler who purchases or receives no milk from producers and sells or disposes of such milk or cream for other than Class III purposes, the market administrator, in determining the net pool obligation of the handler, pursuant to § 913.9 (a), shall add an amount equal to the difference between (1) the value of such milk or cream according to its utilization by the handler, and (2) the value at the Class III price.

(c) If a handler who purchases or receives milk from producers purchases or receives milk or cream completely processed and packaged for distribution to consumers from another handler who purchases or receives no milk from producers and sells or disposes of such milk or cream not sold at bottled Class I or Class II milk in the original package for other than Class III purposes, the market administrator, in determining the net pool obligation of the handler, pursuant to § 913.9 (a), shall add an amount equal to the difference between (1) the value of such milk or cream according to its utilization by the handler, and (2) the value at the Class III price.

(d) If a handler has sold or disposed of milk or cream, which was received from sources other than producers, his own farm production, or other handlers as Class I milk or Class II milk within the marketing area to persons other than a handler who purchases or receives milk from producers, the market administrator, in determining the net pool obligation of the handler, pursuant to § 913.9 (a), shall add an amount equal to the difference between (1) the value of such milk according to its utilization by the handler, and (2) the value at the Class III price.

(e) If a handler has purchased or received milk or butterfat from sources determined as other than producers, own farm production, or other handlers, the market administrator, in determining the net pool obligation of the handler, pursuant to § 931.9 (a), shall consider such milk or the milk equivalent of such butterfat as Class III milk. If the receiving handler sells or disposes of such milk or butterfat for other than Class III purposes, the market administrator shall add an amount equal to the difference between (1) the value of such milk or butterfat according to its utilization by the handler, and (2) the value at the Class III price. This provision shall not apply to milk or butterfat from sources determined as other than producers or handlers, if such handler can prove to the market administrator that such milk or butterfat was used for purposes which did not violate any regulations issued by the various health authorities in the marketing area.

(f) If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers, own farm production, or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator, in determining the net pool obligation of the handler, pursuant to § 913.9 (a), shall add an amount equal to the value of such milk or butterfat according to its utilization by the handler.

(g) If the shortest highway distance between a handler's plant, approved by an applicable health authority for the receiving of milk to be disposed of as milk or cream in the marketing area and located outside the marketing area and such handler's plant approved by an applicable health authority for the receiving of milk to be sold or disposed of as milk or cream in the marketing area and located within the marketing area, is lessened through a relocation of highways to less than 30 miles, the location differential which applied before the highway distance was lessened shall continue to apply.

§ 913.9 *Determination of uniform price to producers*—(a) *Net pool obligations of handlers.* Subject to the provision of § 913.8, the net pool obligation of such handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows:

(1) Multiply the pounds of milk in each class, computed pursuant to § 913.6, by the class price and add together the resulting values;

(2) Add, if the average butterfat content of all milk received from producers is in excess of 3.8 percent, and deduct, if the average butterfat content of all milk received from producers is less than 3.8 percent, an amount equal to the total value of the butterfat differential applicable pursuant to § 913.7 (c);

(3) Subtract an amount equal to the total value of the location differential applicable pursuant to § 913.7 (d);

(4) Add an amount equal to the total values pursuant to § 913.8 (b), (c), (d), (e), and (f); and

(5) Deduct, if the average butterfat content of all milk purchased or received from producers is in excess of 3.8 percent, and add, if the average butterfat content of all milk purchased or received from producers is less than 3.8 percent, the total value of the butterfat differential applicable pursuant to § 913.11 (c).

(b) *Computation and announcement of the uniform prices.* The market administrator shall compute and announce the uniform price per hundredweight of milk received during each delivery period, in the following manner:

(1) For the delivery periods other than those of April, May, and June of each year: (i) Combine into one total the net pool obligations of all handlers, computed pursuant to (a) of this section, who made the reports prescribed by § 913.5 and who made the payments prescribed by § 913.11;

(ii) Add the amount of the location differentials applicable pursuant to § 913.11 (d);

(iii) Subtract the total amount to be paid pursuant to § 913.11 (a) (1) (ii);

(iv) Add an amount equal to one-half of the cash balance in the producer-settlement fund;

(v) Divide by a figure equal to the total hundredweight of milk delivered by producers less the hundredweight of milk represented pursuant to § 913.11 (a) (1) (ii) and which is included in these computations;

(vi) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. This result shall be known as the uniform price for such delivery period for the milk of producers containing 3.8 percent butterfat; and

(vii) On or before the 10th day after the end of such delivery period, mail to all such handlers and publicly announce (*a*) such of these computations as do not disclose information confidential pursuant to the act; (*b*) the blended price per hundredweight which is the result of these computations; (*c*) the Class III price; and (*d*) the butterfat differentials computed pursuant to § 913.7 (c) and § 913.11 (c).

(2) For the delivery periods of April, May, and June of such year: (i) Combine into one total the net pool obligations of all handlers, computed pursuant to (a) of this section, who made the reports prescribed by § 913.5 and who made the payments prescribed by § 913.11;

(ii) Add the amount of the location differentials applicable pursuant to § 913.11 (d);

(iii) Subtract the total amount to be paid pursuant to § 913.11 (a) (2) (ii);

(iv) Subtract the total amount to be paid pursuant to § 913.11 (a) (2) (iii);

(v) Add an amount equal to one-half of the cash balance in the producer-settlement fund;

(vi) Divide by a figure equal to the total hundredweight of milk delivered by graded producers less the hundredweight of milk represented pursuant to § 913.11 (a) (2) (ii) which is not in excess of the delivered bases of producers and which is included in these computations;

(vii) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. This result shall be known as the uniform price for base milk containing 3.8 percent butterfat received from producers during such delivery period; and

(viii) On or before the 10th day after the end of such delivery period, mail to all such handlers and publicly announce (*a*) such of these computations as do not disclose information confidential pursuant to the act; (*b*) the blended price per hundredweight which is the result of these computations; (*c*) the Class III price; and (*d*) the butterfat differentials computed pursuant to § 913.7 (c) and § 913.11 (c).

§ 913.10 *Base ratings*—(a) *Determination of base.* For the delivery periods of April, May, and June of each year, the base of each producer shall be a quantity of milk calculated by the market administrator in the following manner: multiply the applicable figure computed pursuant to (b) (1), (b) (2), or (b) (3) of this section adjusted by (c) of this section by the number of days during such delivery period on which milk was received from such producer.

(b) *Determination of daily base.* (1) Effective for the delivery periods of April, May, and June of each year, the daily base of each producer, who regularly delivered milk to a handler during the entire next previous delivery periods of October, November, December, and January, shall be computed by the market administrator from reports submitted by the handlers pursuant to § 913.5, or from the best information available in the following manner:

(i) Determine for each producer who regularly delivered milk to a handler during the entire next previous delivery periods of October, November, December, and January, the average daily delivery of milk to a handler for the period from the next previous October 1 to and including January 31.

(2) Effective for the delivery periods of April, May, and June of each year, the daily base of each producer who did not regularly deliver milk to a handler during the entire next previous delivery periods of October, November, December, and January but who began deliveries of milk to a handler subsequent to October 1 and previous to March 1, shall be computed by the market administrator from reports submitted by the handlers pursuant to § 913.5, or from the best information available in the following manner:

(i) Determine for each such producer, the average daily delivery of milk to a

handler, for each delivery period of April, May, and June, and (ii) multiply by 70 percent.

(3) In case a handler who distributes within the marketing area milk of his own production ceases to act as a handler and begins regular deliveries of milk to a handler, the daily base of such producer shall be computed by the market administrator in the following manner: Determine the average daily Class I milk and Class II milk produced and disposed of during the three months next preceding the date of his ceasing to act as a handler.

(c) *Base rules.* (1) In case a producer sells or delivers to a handler milk not of his own production as being milk of his own production, the price to be received by such producer for all milk sold or delivered to a handler by such producer during such delivery period shall be the price for Class III milk for such delivery period pursuant to § 913.7 (a) (3) and such milk shall not be included in the computations pursuant to § 913.10 (b) (1) or § 913.10 (b) (2).

(2) A base of a producer may be transferred to the surviving spouse or a direct heir, upon written request of such spouse or heir to the market administrator on or before the 5th day following the delivery period when such transfer is to be effective and if accompanied by an affidavit with respect to such producer's death.

(3) A landlord who rents on a crop-share basis shall be entitled to the entire daily base to the exclusion of the tenant if the landlord owns the entire herd. Likewise, the tenant who rents on a crop-share basis shall be entitled to the entire daily base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by tenant and landlord, the daily base shall be divided between the joint owners according to the ownership of the cattle, if and when such joint owners terminate the tenant and landlord relationship.

(4) A producer, whether landlord or tenant of a farm, may retain his base when moving his entire herd of cows from one farm to another farm: *Provided* That at the beginning of tenant and landlord relationship the allotted base of each tenant and landlord shall be combined base and may be divided only if such relationship is terminated.

§ 913.11 *Payments for milk*—(a) *Time and method of payment.* On or before the 12th day after the end of each delivery period, each handler shall make payment, after deducting the amount of the payment made pursuant to (b) of this section, for not less than the total value of milk of producers received by such handler during such delivery period, computed according to § 913.9 and subject to the differentials set forth in (c) and (d), respectively, of this section as follows:

(1) For the delivery periods other than those of April, May, and June of each year: (i) To producers, subject to (ii) of this subparagraph, at the uniform price per hundredweight computed pursuant to § 913.9 (b) (1), for the total quantity of milk received from such producers; and (ii) to producers, pursuant to § 913.10 (c) (1), at the price per hundredweight for Class III milk, computed pursuant to § 913.7 (a) (3), for the total quantity of milk received from such producers.

(2) For the delivery periods of April, May, and June of each year: (i) To producers, subject to (ii) of this subparagraph, at the uniform price per hundredweight computed pursuant to § 913.9 (b) (2), for that quantity of milk received from such producers, not in excess of their respective bases:

(ii) To producers pursuant to § 913.10 (c) (1) at the price per hundredweight for Class III milk, computed pursuant to § 913.7 (a) (3), for the total quantity of milk received from such producers; and

(iii) To producers, at the price per hundredweight for Class III milk, computed pursuant to § 913.7 (a) (3), for that quantity of milk received from such producers in excess of their respective bases.

(b) *Half delivery period payments.* On or before the 25th day of each delivery period, each handler shall make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of such delivery period, was received by such handler.

(c) *Butterfat differential.* If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.8 percent, such handler, in making the payments prescribed in (a) of this section, shall add to the prices per hundredweight for such producer for each one-tenth of 1 percent of average butterfat content in milk above 3.8 percent not less than, or shall subtract from such prices for such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.8 percent not more than, an amount computed as follows: add 4 cents to the average price of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and divide the resulting sum by 10.

(d) *Location differentials.* For milk received from producers, at plants approved by any applicable health authority for the receiving of milk to be sold or disposed of as milk or cream in the marketing area and located outside the marketing area but more than 30 miles by the shortest highway route from such handler's plant approved by an applicable health authority for the receiving of milk to be sold or disposed of as milk or cream in the marketing area and located within the marketing area, each handler, in making payments pursuant to (a) (1) of this section shall deduct, with respect to all milk except milk subject to (a) (1) (ii) of this section received from such producers, and in making payments pursuant to (a) (2) of this section, shall deduct, with respect to all base milk except subject to (a) (2) (ii) of this section received from such producers, the amount per hundredweight specified for the distance of such plant located outside the marketing area from such handler's plant located within the marketing area, as follows: Not more than 45 miles, 17 cents per hundredweight; for each additional 10 miles or fraction thereof up to 75 miles, an additional 1½ cents per hundredweight; and for each additional 10 miles or fraction thereof beyond 75 miles, an additional ½ cent per hundredweight.

(e) *Additional payments.* Any handler may make payment to producers in addition to the payments to be made pursuant to (a) of this section: *Provided*, That such additional payments shall be uniform as among all producers for milk of the same grade and quality.

(f) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (g) and (i) of this section and out of which he shall make all payments to handlers pursuant to (h) and (i) of this section: *Provided*, That the market administrator shall offset any payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation, including the payments to producers which are required to be made pursuant to § 913.8, is greater or less than the sum obtained by multiplying the hundredweight of milk of producers by the appropriate prices required to be paid producers by handlers pursuant to (a) (1) and (a) (2) of this section and adding together the resulting amounts, and shall enter such amount on each handler's account as such handler's pool debit or credit, as the case may be, and render such handler a transcript of his account.

(g) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period each handler shall make full payment to the market administrator of any pool debit balance shown on the account rendered, pursuant to (d) of this section, for such delivery period.

(h) *Payments out of the producer-settlement fund.* On or before the 12th day after the end of each delivery period, the market administrator shall pay to each handler the pool credit balance shown on the account rendered, pursuant to (d) of this section, if any, for such delivery period, less any unpaid obligations of the handler. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler, who, on the 12th day after the end of each delivery period, has not received the balance of the payment due him from the market administrator shall be deemed to be in violation of (a) of this section if he reduces his total payments uniformly to all producers by not more than the amount of the reduction in payment from the producer-settlement fund. Nothing in this paragraph shall abrogate the right of a cooperative association to make payment to its member producers in accordance with the payment plan of such cooperative association.

(i) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the producer-settlement fund pursuant to (g) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billings, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (h) of this section the market administrator shall, within 5 days, make such payment to such handler or offset any such payment due to any handler against payments due from such handler. Whenever verification of the market administrator of the payment by a handler to any producer, for milk purchased or received by such handler, discloses payment to such handler, discloses payment to such producer of less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

§ 913.12 *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in (b) of this section, each handler shall deduct 3 cents per hundredweight from the payments made to each producer pursuant to § 913.11 (a) (1) and (a) (2), with respect to all milk of such producer purchased or received by such handler during the delivery period, and shall pay such deductions to the market administrator on or before the 12th day after the end of such delivery period. Such moneys shall be expended by the market administrator for market information to, and for the verification of weights, sampling, and testing of milk received from, said producers.

(b) *Producers' cooperative associations.* In the case of producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing the services set forth in paragraph (a) of this section, each handler shall make the deductions from the payments to be made pursuant to § 913.11 (a) (1) and (a) (2), which are authorized by such producers, and, on or before the 12th day after the end of each delivery period, pay over such deductions to the associations of which such producers are members.

§ 913.13 *Expense of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler who purchased or received milk from producers, with respect to all milk received from producers during the delivery period, shall pay to the market administrator, on or before the 12th day after the end of such delivery period, an amount not exceeding 2 cents per hundredweight, which amount shall be determined by the market administrator, subject to review by the Secretary.

(b) *Suits by the market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expenses set forth in this section.

§ 913.14 *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this order, or any provision hereof, whenever he finds that this order, or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination; *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(1) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary, (ii) from time to time account for all receipts and disbursements and, when so directed by the Secretary, deliver all funds or property on hand together with the books and records of the market administrator, or such person, to such person as the Secretary may direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall liquidate, if so directed by the Secretary, the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 913.15 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C. this 23d day of February 1943, to be effective on and after the 4th day of March 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: February 25, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-3224; Filed, March 1, 1943; 11:27 a. m.]

Chapter X—Food Production Administration

[Amendment 1 to Food Production Order 6[1]]

PART 1215—SEED AND GRASSES

RESTRICTIONS ON TRANSFER OF BERMUDA AND CARPET GRASS SEEDS

Section 1215.1 is amended by adding to paragraph (b) a new subparagraph (4), and by adding a new paragraph (k), as set forth below:

(b) *Restrictions.* * * *

(4) Any person may transfer thresher-run Bermuda grass seed or thresher-run carpet grass seed to an established seed dealer.

(k) *Effective dates of amendments.* (1) Amendment No. 1 (§§ 1215.1 (b) (4) and 1215.1 (k) (1)) to Food Production Order No. 6 shall become effective March 2, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C. this 27th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3219; Filed, March 1, 1943; 11:27 a. m.]

[Food Production Order 9]

PART 1220—OILSEEDS

INVENTORY LIMITATION OF OILSEED MEAL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate production of food to meet war and civilan needs; *It is hereby ordered*, That:

§ 1220.2 *Inventory limitation of oilseed meal*—(a) *Definitions.* For the purposes of this order:

[1] 8 F.R. 903.

(1) "Oilseed meal" means cottonseed oil meal or cake, soybean oil meal or cake, peanut oil meal or cake, and linseed oil meal or cake.

(2) "Fifteen days' supply" means the total tonnage of any oilseed meal which, based on his current method and rate of operation, is needed by a person to fill his manufacturing, sales, or consumption requirements during the period of fifteen days next succeeding the estimated delivery date of oilseed meal covered by a purchase order, such delivery date to be determined by adding to the date of shipment specified in the purchase order therefor the usual number of days required for transit from shipping point to destination.

(3) "Purchase order" means any contract or offer to purchase, any agreement to acquire by exchange, any request for shipment or delivery under existing contracts, or any other action heretofore or hereafter taken by any person to obtain delivery of oilseed meal.

(4) "Delivery date inventory" means that quantity of oilseed meal determined by deducting from the inventory on hand at the time the purchase order is placed the quantity which, based on his current method and rate of operation, the purchaser will use in meeting his manufacturing, sales, or consumption requirements between the date on which the purchase order is placed and the estimated delivery date of such oilseed meal, such delivery date to be determined by adding to the date of shipment specified in the purchase order therefor the usual number of days required for transit from shipping point to destination.

(5) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons," and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing.

(6) "Processor" means any "person" operating a processing plant for producing any oilseed meal.

(7) "Director" means the Director of Food Production, or, in his absence, the Acting Director of Food Production.

(b) *Inventory limitation.* Beginning with the effective date of this order and ending on April 30, 1943, no person, other than a processor, shall (1) place any purchase order for any oilseed meal if the tonnage ordered, taken in conjunction with his delivery date inventory and any other unfilled purchase orders placed by him, would exceed a fifteen days' supply of such oilseed meal, as defined in paragraph (a) hereof, or (2) accept delivery of any oilseed meal to the extent that the tonnage delivered, taken in conjunction with his inventory on hand at the time of delivery, would exceed the total tonnage of such oilseed meal which, based on his current method and rate of operation, is needed by him to fill his manufacturing, sales, or consumption requirements during the next succeeding fifteen-day period: *Provided*, That the foregoing inventory limitation (i) shall not restrict purchases of oilseed meal by any person in minimum carload lots, as determined pursuant to Office of Defense Transportation regulations, if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person, (ii) shall not restrict purchases by any person of oilseed meal in quantities of 1,000 pounds or less if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person, and (iii) shall not restrict purchases by any ranchman of oilseed meal if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such ranchman, and such purchases are necessary for economical use of transportation facilities under Office of Defense Transportation regulations and to provide a readily available supply of oilseed meal for ranch feeding purposes.

(c) *Limitation on sales or deliveries.* Beginning with the effective date of this order and ending on April 30, 1943, no person shall sell or deliver oilseed meal to any person unless the person to whom such oilseed meal is to be sold or delivered shall accompany his purchase order therefor with a certificate in substantially the following form:

The undersigned certifies to his vendor and the Director of Food Production that he is familiar with the provisions of Food Production Order No. 9 issued by the Secretary of Agriculture on February 27, 1943, and that the fulfillment of the purchase order to which this certificate is annexed will not cause his inventory of oilseed meal to exceed the quantity permitted by such Food Production Order No. 9, or such purchase falls under one of the exceptions specified in such Food Production Order No 9.

Purchaser

Date

Address

(d) *Processors' inventories.* Beginning with the effective date of this order and ending on April 30, 1943, if on the last day of any month the inventory of oilseed meal which any processor has acquired by crushing or otherwise exceeds the quantity acquired by crushing or otherwise during the five day period immediately preceding the end of such month or his inventory of oilseed meal on the last day of the corresponding month of the calendar year 1942, whichever quantity is greater (such quantity being hereinafter referred to as the processor's permissible inventory), such processor shall not during the succeeding month acquire any oilseed meal by crushing or otherwise until or unless his inventory of oilseed meal has been reduced to the processor's permissible inventory.

(e) *Records and reports.* Every person subject to this order shall maintain for not less than two years accurate records concerning all sales, purchases, contracts for sale or purchase, and deliveries of oilseed meal affected by this order. Every person subject to this order shall also maintain such other records, execute and file such reports, upon such forms, and submit such information as the Director of Food Production may from time to time request or direct, and within such time as he may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspection at all reasonable times by duly authorized representatives of the Department of Agriculture of his stocks of oilseeds and oilseed meal and of the premises used for crushing, processing, manufacturing, or storing the same; and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Department of Agriculture.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director setting forth all pertinent facts and information and the nature of the relief sought. The Director, upon the basis of such application and other information, may take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any oilseed meal or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the Secretary of Agriculture, and may be deprived of any priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 9.

(j) *Exercise of authority conferred.* The Director of Food Production may delegate any or all of the authority herein conferred upon the Director to such employees of the Department of Agriculture as he may designate.

(k) *Commodity Credit Corporation Oilseed Order No. 6 superseded.* This order supersedes in all respects Oilseed Order No. 6 issued by the Commodity Credit Corporation on December 24, 1942 (7 F.R. 10901), as amended by Amendment No. 1 issued on January 2, 1943 (8 F.R. 44), and as amended by Amendment No. 2 issued on January 14, 1943 (8 F.R. 820), except that, as to violations of said order, as amended, or rights accrued, liabilities incurred, or appeals taken under said order, as amended, prior to the effective date hereof, said Oilseed Order No. 6, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Oilseed Order No. 6, as amended, shall be considered under paragraph (g) hereof.

(l) *Approval by the Bureau of the Budget.* The record keeping and reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., March 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C., this 27th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3166; Filed, February 27, 1943; 11:41 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 23, Amendment 1]

PART 1465—FISH

SALE OF SPECIFIED CANNED FISH

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of canned fish to meet war and essential civilian needs, Food Distribution Order No. 23 (8 F.R. 2250) issued by the Secretary of Agriculture of the United States on February 19, 1943, is hereby amended as follows:

1. By deleting the words and figures "February 28, 1943", wherever the same appear in §§ 1465.11 (a) (2) and 1465.11 (b) (1) of said Food Distribution Order No. 23, and by inserting, in lieu thereof, the words and figures "March 31, 1943."

2. By deleting the last sentence in § 1465.11 (b) (3) of said Food Distribution Order No. 23 and by inserting, in lieu thereof, the following:

The following quota periods are hereby established: Period No. 1 is from March 1, 1942, to February 28, 1943; and Period No. 2 is the month of March 1943.

The provisions of this amendment shall take effect on the date of issuance hereof.

(E.O. 9280, 7 F.R. 10179)

Issued this 27th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3222; Filed, March 1, 1943; 11:28 a. m.]

[Revocation of Food Distribution Order 24]

PART 1425—CANNED AND PROCESSED FOODS

TERMINATION OF ORDER PLACING RESTRICTIONS ON THE MANUFACTURE AND SALE OF CANNED FRUITS AND VEGETABLES

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, *It is hereby ordered*, As follows:

That Food Distribution Order No. 24, order restricting the manufacture and sale of canned fruits and vegetables (8 F.R. 2321), issued by the Secretary of Agriculture of the United States on February 20, 1943, be, and the same is hereby, terminated at 12:01 a. m., e. w. t., March 1, 1943.

With respect to violations of said Food Distribution Order No. 24, or rights accrued, liabilities incurred, or appeals taken under said Food Distribution Order No. 24 prior to the effective time of the termination of said order, said Food Distribution Order No. 24 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

Issued this 27th day of February 1943.

(E.O. 9280, 7 F.R. 10179)

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3220; Filed, March 1, 1943; 11:28 a. m.]

[Food Distribution Order 25]

PART 1433—COCOA BEANS

CONSERVATION AND DISTRIBUTION OF COCOA BEANS AND COCOA PRODUCTS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of cocoa beans and cocoa products to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1433.1 *Restrictions on use of cocoa beans and cocoa products*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "process" means the subjection of cocoa beans to any grinding, pressing, or other operation.

(3) The term "novelty item" means any candy piece manufactured in a special shape commemorating, symbolizing, or representing any holiday, event, person, animal, or object.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions.* (1) Except as otherwise permitted in this order, no person shall process more cocoa beans during any quota period than his quota thereof for that period, such quota and quota period to be determined by the Director from time to time.

(2) Any person who processes cocoa beans shall sell the products resulting from such processing equitably to purchasers and shall neither favor purchasers who buy other products from him nor discriminate against purchasers who do not buy other products from him.

(3) In the event that any person has had, or has, cocoa beans owned by him processed for his account by some other person, he shall, for the purpose of computing his quota hereunder and charges thereto, consider such cocoa beans as though processed by him.

(4) Notwithstanding the foregoing restrictions, any person may, except as provided by the provisions of (b) (5) hereof, process such amount of cocoa beans, without charge to his quota, as may be necessary to provide him or any other person with material to fill actual orders with or for any of the following persons:

(i) The Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, Defense Supplies Corporation, Veterans Administration hospitals and homes, or any other governmental agency designated by the Director, or any other agency of the United States Government for supplies to be delivered to, or for the account of, the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The American National Red Cross or the United Service Organizations, Inc.

(iii) Any person for retail sale through concession restaurants at Army, Navy, Marine Corps, or Coast Guard camps or through outlets not operated for private profit and established primarily for the use of Army, Navy, Marine Corps, or Coast Guard personnel within or on Army, Navy, Marine Corps, or Coast Guard establishments or vessels, including post exchanges, sales commissaries, officers' messes, servicemen's clubs, and ship service stores.

(5) In the event that any person processes any cocoa beans for the purpose of securing material to fill a quota-exempt order of the class mentioned in (b) (4) hereof, and such processing also yields additional and different material not needed to fill such order, such person is accountable for such additional and different material if he subsequently receives another quota-exempt order requiring the use of such material; and he may process other cocoa beans without charge to his quota to supply the material needed to fill such subsequent quota-exempt order only if and to the extent that the quantity of material for which such person is so accountable is insufficient to fill such subsequent quota-exempt order.

(6) All quotas hereunder shall be calculated quantitatively in terms of pounds.

(7) During any quota period, any person who processes cocoa beans may utilize not more than one-tenth of his quota for the preceding quota period, if the

portion of the quota so carried over was not utilized by him during such preceding quota period.

(8) On and after the effective date of this order, no person shall accept delivery of or use, in connection with production for sale, any material produced from cocoa beans for any of the following purposes:

(i) Manufacturing chocolate shot,

(ii) Manufacturing hollow-molded novelty items,

(iii) Manufacturing solid chocolate novelty items,

(iv) Partially or wholly coating novelty items,

(v) Partially or wholly coating miniature candy pieces weighing, when coated, less than 1/60th of a pound, except all-nut (glazed or unglazed), all-peanut, or all-fruit (fresh, dried, or preserved) pieces, and

(vi) Applying chocolate decoration (other than "stringing"), by spray-gun, pastry-bag, or other methods, to chocolate-coated candy pieces.

(9) No person shall deliver any material produced from cocoa beans to any other person with knowledge or reason to believe that such other person is not entitled, pursuant to the provisions of (b) (8) hereof, to accept delivery thereof.

(c) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of cocoa beans and cocoa products and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection, by the Director.

(e) *Applicability of order.* This order applies to all cocoa beans which, on May 11, 1942, were in, or were thereafter brought into, the continental United States (excluding the Canal Zone and Alaska).

(f) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Communications to Department of Agriculture.* All reports required to be filed thereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref. F D–25.

(i) *Conservation Order M–145 superseded.* This order supersedes in all respects Conservation Order M–145 of the War Production Board, as amended December 5, 1942 (7 F.R. 10213) and as supplemented June 25, 1942, (7 F.R. 4761) except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Conservation Order M–145, as amended and supplemented, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M–145, as amended and supplemented, shall be considered under the provisions of (g) hereof.

(E.O. 9280, 7 F.R. 10179)

Issued this 27th day of February 1943

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3221; Filed, March 1, 1943; 11:28 a. m.]

[Director Food Distribution Order 25-1]

PART 1433—COCOA BEANS

QUOTAS AND RECORDS IN CONNECTION WITH COCOA BEANS PRESCRIBED

Pursuant to the authority vested in me by Food Distribution Order No. 25 (*supra*), dated February 27, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1433.2 *Quotas and records in connection with cocoa beans.* (a) The quota of cocoa beans for processing by any person shall be, for the three-month period commencing January 1, 1943, and for each subsequent three-month period until otherwise ordered, 60% of the total amount of cocoa beans processed by such person during the corresponding three-month period of 1941.

(b) Every person who processes cocoa beans shall keep and maintain, for a period of not less than two years, records which, upon examination, will disclose his total monthly inventory of cocoa beans, the amount of cocoa beans processed by him each month, and his monthly use of the products resulting from such processing.

(c) This order shall take effect upon its issuance.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 25)

Issued this 27th day of February 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-3223; Filed, March 1, 1943; 11:28 a. m.]

[Food Directive 4]

PART 1400—DELEGATIONS OF AUTHORITY

RATIONING OF FOOD IN ALASKA AND HAWAII

Pursuant to the authority vested in me by Executive Order No. 9280 of December 5, 1942, and in order to enable the Office of Price Administration to undertake, administer, and enforce rationing programs with respect to food in the territories of Alaska and Hawaii, *It is hereby ordered*, As follows:

§ 1400.4 *Food Directive No. 4; control over food in Alaska and Hawaii.* (a) In order to permit the efficient rationing of all food in the territories of Alaska and Hawaii, all foods located in those territories are hereby declared to be rationed foods for the purposes of Food Directive No. 3 (8 F.R. 2005). The Office of Price Administration is authorized to exercise all the powers delegated to it by Food Directive No. 3, subject to the terms and conditions thereof with respect to all foods in the territories of Alaska and Hawaii.

(b) Neither this Directive No. 4, nor any action taken hereunder by the Office of Price Administration shall relieve any person from complying with the provisions of any order or regulation of the Secretary of Agriculture or of the Director of Food Distribution applicable to Alaska and Hawaii.

(c) This Food Directive No. 4 shall become effective February 27, 1943.

(E.O. 9280; 7 F.R. 10179)

Issued this 27th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3164; Filed, February 27, 1943; 11:41 a. m.]

[Food Distribution Order 14, Amendment 1]

PART 1461—OILSEEDS, FATS AND OILS

RESTRICTIONS ON PURCHASE AND SALE OF PEANUT OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Distribution Order No. 14, § 1461.18 (8 F.R. 1704), is amended by striking out paragraph (b) and inserting in lieu thereof the following:

(b) *Peanut oil reserved for Commodity Credit Corporation.* Notwithstanding existing contracts or commitments, every person who has entered into the Refiner Contract with the Commodity Credit Corporation shall tender to the Commodity Credit Corporation for purchase pursuant to the terms of such Refiner Contract a quantity of crude peanut oil equal to at least twenty-five (25) per centum of the total quantity of crude peanut oil manufactured or received by him on or after February 5, 1943. Crude peanut oil purchased by the Commodity Credit Corporation up to and including a quantity equal to twenty-five (25) per centum of the total quantity of crude peanut oil manufactured or received by each such person on or after February 5, 1943, shall, unless otherwise determined by the Director, not be repurchased by such person, but shall be refined and stored, and insured by him for the account of the Commodity Credit Corporation, as provided in such Refiner Contract.

(E.O. 9280, 7 F.R. 10179)

Issued this 27th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3165; Filed, February 27, 1943; 11:41 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Part 81 and Part 83 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated September 5, 1942 (7 F.R. 8082), as amended by Changes No. 10, January 18, 1943.[1] In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

APPLICABILITY OF REGULATIONS

Section 81.108 (e) is added as follows:

§ 81.108 *Applicability as to various activities.* * * *

(e) *Service commands.* These regulations are applicable to the procurement activities of the service commands. Where procurement is accomplished by a service command at the direction of the chief of a supply service or his duly authorized representative, the directions will contain references to the applicable paragraphs of the procurement regulations where appropriate. In such a case, for the purposes of these regulations, the procurement shall be regarded as procurement by the supply service concerned and the contract will be regarded as a contract of that supply service. In all other cases, the service command accomplishing the procurement shall act independently of any supply service and the term "supply service" and the term "service", as used in these regulations, shall be deemed to refer to the service commands and the term "chiefs of supply services" and "chiefs of services" shall be deemed to refer to the Commanding Generals of the Service Commands.

MISCELLANEOUS PROHIBITIONS

Paragraphs (a) and (b) of § 81.111 are amended and paragraph (c) is added to that section as follows:

Paragraphs (a) and (b) of § 81.111 are

terests of officers or civilian employees and their official duties—(a) *Basic statute.* Section 41 of the United States Criminal Code (18 U.S.C. 93) provides as follows:

> No officer or agent of any corporation, joint-stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint-stock company, association, or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation, joint-stock company, association, or firm. Whoever shall violate the provisions of this section shall be fined not more than $2,000 and imprisoned not more than two years.

(b) *Construction of basic statute.* The general language of section 41 of the United States Criminal Code has been the subject of interpretation from time to time by The Judge Advocate General and by the Attorney General. The Judge Advocate General has been careful to point out that the question of construction presented "involves the construction and application of criminal statutes concerning which the Federal courts alone can speak with final authority." However, the substance of certain of those opinions is set forth as an aid in the construction of the statute:

(1) In 14 Atty. Gen. 483, the Attorney General rendered an opinion concerning the use of a certain Army officer as a Liaison officer between a corporation and the War Department. It appeared that the officer was also an officer and stockholder in the corporation. In holding that the basic statute would be violated if the officer acted in that capacity, the Attorney General stated in part:

> No man can serve two masters. The statute in question is clearly grounded on this assumption. Its manifest purpose is such that any attempt to reconcile it with the proposed employment runs into difficulties. Some of these difficulties are pointed out by The Judge Advocate General of the Army in his opinion on the question. Others are equally apparent.
>
> No matter how high are the motives of the Army Officer who advises, he is likely as a realistic matter to be consciously or unconsciously influenced by the fact that his actions may benefit the corporation of which he is an officer and a stockholder. To a degree his salary as an officer of the corporation would be affected by whether his advice leads the War Department to enter into a procurement contract with his company. To a larger degree his share in the earnings of the corporation as a stockholder would be affected by his advice.

(2) In two recent opinions (SPJGA 210.4 and SPJGA 250.7) rendered respectively on May 22, 1942 and March 28, 1942, The Judge Advocate General concluded that a person holding stock in a corporation may be a "person directly or indirectly interested in the pecuniary costs or contracts of such corporation," within the meaning of the statute. It is to be emphasized, however, that these two opinions relate solely to that issue and do not constitute opinions on what constitutes the "transaction of business" with the corporation within the meaning of the statute. The construction of these words, as contained in the statute, was the subject of an opinion discussed in subparagraph (2) below.

(3) Under date of December 3, 1942 (SPJGA 1942/5702) the opinion of The Judge Advocate General was requested with respect to the employment of a person as head of an agency which would have complete charge of all phases of production of certain items which were purchased by the War and Navy Departments. The prospective head of the agency had been for some years an officer of a corporation which was one of the largest producers of the items with which the agency would be concerned, but at the time of the opinion was on leave of absence without pay. It appeared, however, that under a retirement system established by the corporation he would, if he lived to a specified age, become entitled to certain annual payments. It further appeared that there was an understanding that if the agency were called upon to transact business with the corporation in question, such transactions would be conducted by other officers or employees of the agency and that if questions were presented not capable of final decision by such other officers or employees, such questions would be referred to higher authority for decision. However, it also appeared that the head of the agency would be called upon to determine questions of general policy which would affect the corporation of which he was formerly an officer along with other producers. The Judge Advocate General concluded that section 41 of the Criminal Code would not be violated by the employment of such an individual as head of the agency.

(4) In an opinion dated February 3, 1923, the Acting Judge Advocate General throws further light on what constitutes transacting business within the meaning of section 41 of the Criminal Code. He had been requested to review the law in relation to the interest of the agents or officers of the United States in contracts with the United States with a view to the submission of proposed amendments thereto so as to permit the utilization of leading men in industry in an advisory capacity in connection with the planning and supervision of the procurement of war necessities. The opinion in part reads as follows:

> The statute is to be strictly construed and criminality attaches only when an individual, being an officer, or member of a business concern or directly or indirectly interested in the profits of the concern is employed or acts as agent of the United States for the transaction of business with that concern. The Act contemplates the actual transaction of business. The negotiation of a tentative contract by an agent of the

[1] For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640, 10906, and 8 F.R. 401, 411.

Government with a business concern in which that agent is an officer, member, or in which he is interested, although not binding upon either party until executed, in accordance with statutory authority and an appropriation sufficient for the fulfillment thereof would probably be considered a violation of the statute if the performance of the contract was thereafter entered upon. For this reason, in the preparation of procurement plans, no person should be permitted to have a part as agent for the United States in the negotiation of tentative contracts with a concern of which he is an officer, agent or member, or in which he is pecuniarily interested. • • • it is considered that acting in a solely advisory capacity without actual participation in the negotiation or awarding of a contract or directing the awarding of a contract would not be a violation of Section 41 of the Federal Criminal Code.

(c) *Regulations supplementary to basic statute.* The following regulations supplementary to the statute set forth in paragraph (a) of this section are prescribed:

(1) No officer or employee of the War Department may act as an agent of the United States in advising, recommending, making or approving the purchase of supplies or other property, or in contracting therefor, if he would be admitted to share or receive directly or indirectly any pecuniary profit or benefit from such purchase or contract.

(2) No officer or civilian employee of the War Department shall be in direct charge of the negotiation of, or exercise authority for the final approval of, any contract with any corporation, joint-stock company, association or firm, if at any time during the period subsequent to December 7, 1936 such officer or civilian employee was employed by or engaged in a course of substantial non-Governmental business dealings with such corporation, joint-stock company, association or firm.

CONTRACTS

GENERAL

Section 81.303 (c) is amended as follows:

§ 81.303 *General requirements for contracts.* • • •

(c) All purchase transactions other than those specified in subparagraphs (1) and (2) of paragraph (b) of this section may be evidenced by informal contracts. Such informal contracts will be of the type described in paragraph (a) (2) of this section except that contracts of either of the following classes may be of the type described in paragraph (a) (3) of this section:

(1) Contracts which involve a contract price of less than $100.000 and which require only one payment.

(2) Contracts covering purchases made at public auction, at a produce exchange, or under similar conditions.

AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

Section 81.304 (a) is amended as follows:

§ 81.304 *Definitions*—(a) *Standard forms of contract.* The phrase "standard forms of contract", as used in this section, includes:

(1) Forms of contract which may from time to time be approved for the general use of all supply services by the Chief, Legal Branch, Purchases Division, Headquarters, Services of Supply. The following contract forms are hereby approved for such use.

(i) United States Standard forms of contract, provided they comply with the requirements of §§ 81.322–81.361.

(ii) War Department Contract Form No. 1, Lump Sum Supply Contract. (See § 81.1301.)

(iii) War Department Contract Form No. 2, Lump Sum Construction Contract. (See § 81.1302.)

(iv) War Department Contract Form No. 3, Fixed-Fee Construction Contract. (See § 81.1303.)

(v) War Department Contract Form No. 4, Fixed-Fee Architect-Engineer Contract. (See § 81.1304.)

(vi) War Department Contract Form No. 5, Short-Form Supply Contract (Negotiated). (See § 81.1305.)

(vii) War Department Contract Form No. 6, Offer and Acceptance. (See § 81.1306)

(viii) War Department Contract Form No. 7, Letter Purchase Order. (See § 81.1307)

(ix) War Department Contract Form No. 8, Letter Contract (Supplies). (See § 81.1308)

(x) War Department Contract Form No. 9, Letter Contract (Fixed-Fee Construction). (See § 81.1309)

(xi) War Department Contract Form No. 10, Letter Contract (Lump Sum Construction). (See § 81.1310)

(xii) War Department Contract Form No. 11, War Risk Indemnity Contract. (See § 81.1311)

(xiii) War Department Contract Form No. 12, Fixed-Fee Architect-Engineer-Construction-Management Services Contract. (See § 81.1312)

(xiv) War Department Contract Form No. 13, for contracts with War Supplies Limited. (See § 81.1313)

(2) Forms of contract, devised by a particular supply service to meet the needs of a recurrent situation of a special type, which may from time to time be approved by the Chief, Legal Branch, Purchases Division, Headquarters, Services of Supply, for the general use of that supply service. Any form of contract which was approved for the general use of a particular supply service of any time from July 1, 1942, to November 15, 1942, by the Director, Purchases Division, or the Chief, Legal Branch, Purchases Division, Headquarters, Services of Supply is hereby approved pursuant to this subparagraph (2), provided it complies with the requirements of §§ 81.322–81.361.

• • • • • •

Sections 81.308a, 81.308b, and 81.308d are amended as follows:

§ 81.308a *Supplemental agreements and change orders not involving receipt of consideration.* Approval by the Director, Purchases Division, Headquarters, Services of Supply, will be required for each supplemental agreement or change order which does not involve the receipt by the Government of adequate legal consideration, or which modifies or releases an accrued obligation owing directly or indirectly to the Government including accrued liquidated damages or liability under any surety or other bonds. In every such case the supply service shall submit a full statement of the case and of the action recommended together with a finding by the supply service, adequately supported, that the prosecution of the war would be facilitated by the action recommended. The Director, Purchases Division, will signify his approval by manual execution of the supplemental agreement or change order, where such instrument is submitted, or where such instrument is not submitted, by memorandum, indorsement, letter or telegram in response to the request for approval.

§ 81.308b *Correction of mistakes.* Effecting amendment of contracts with the least possible delay to correct misunderstandings, mistakes, errors and ambiguities will facilitate the prosecution of the war by expediting the procurement program and by giving contractors proper assurance that mistakes, unavoidable in war program as large and extensive as that now in progress, will be corrected expeditiously and fairly. Accordingly, when in accordance with § 81.308a, a statement is submitted to the Director, Purchases Division, Headquarters, Services of Supply, in connection with the approval of a supplemental agreement to correct a misunderstanding, mistake, error or ambiguity in a contract, such statement shall contain a full recital of all the circumstances surrounding the execution of the supplemental agreement and copies of all relevant papers. The evidence submitted shall show that an error or mistake was made or that a misunderstanding or ambiguity exists, in what it consists and how it occurred, and where relevant the true intent of the parties. Approval of the Director, Purchases Division, will not be required in the case of any such supplemental agreement under which the Government receives adequate new legal consideration.

§ 81.308d *Ratification of prior action.* In any case where an existing War Department contract or any section of these Procurement Regulations requires that any action affecting a War Department contract be approved by a contracting officer, chief of a supply service or other representative of the War Department in advance of the taking of such action or that it be so approved in writing by a stated time, such action may be ratified in writing by such officer or representative of the War Department after such action has been taken or after such stated time. Such ratification will take effect retroactively as of the date specified in the written instrument of ratification. In general, cases which are appropriate for the exercise of the authority contained in this paragraph will fall into one of two categories, namely: (a) cases where, in the interest of expediting production and without obtaining the requisite prior approvals, action has been taken in reliance in good faith upon assurances of a person in authority, or (b) cases where the action taken without such assurances was of a nature which would have been approved had approval been sought seasonably. The prosecution of the war will be facilitated by the liberal use of the authority contained in this section.

FORMALITIES IN CONNECTION WITH EXECUTION OF CONTRACTS AND MODIFICATIONS THEREOF

Section 81.309 (b) is amended as follows:

§ 81.309 *Numbering contracts.* • • •

(b) *System.* Contract numbers will be placed in the upper right-hand corner and will consist of the following in the order named:

(1) The capital letter "W", representing the War Department.

(2) Station number representing the station or office as published in Finance Circulars.

(3) In the case of contracts executed within a supply service, or in the case of contracts executed by a service command at the direction of a supply service with funds furnished by the supply service, a letter or letters representing the supply service. In the case of contracts executed within a service command which are to be paid with funds allotted to the service command by the Commanding General, Services of Supply, a letter or letters indicating which portion of the allotment is to be charged. Thus, if the portion of the allotment for Signal Corps Equipment is to be charged, the Signal Corps symbol should be used. The Chief of Finance will be promptly notified of any change in the letter symbol or of the adoption of a new symbol.

(4) A serial number, separated from the above by a hyphen, commencing with the number 1 and continuing in succession indefinitely without regard to the fiscal year. When the serial number reaches the limit of five digits (99,999), a new series will be used beginning with the serial number 1 and followed by the capital letter "A". Should additional series become necessary, they will be distinguished by the capital letters "B", "C", "D", etc., as may be required.

(5) In the case of contracts executed within a service command which are to be paid with funds allotted to the service command by the Commanding General, Services of Supply, some appropriate symbol in parenthesis to indicate the service command. To illustrate, contracts executed within the First Service Command might contain at the end of the contract number the designation "(S. C. 1)".

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MANDATORY AND OPTIONAL CONTRACT PROVISIONS

A note is added to § 81.325 as follows:

§ 81.325 *Anti-discrimination clause.* Every contract, regardless of subject matter or amount, will contain the following clause without deviation:

Anti-discrimination. (a) The Contractor, in performing the work required by this contract, shall not discriminate against any worker because of race, creed, color, or national origin.

(b) The Contractor agrees that the provision of paragraph (a) above will also be inserted in all of its subcontracts. For the purpose of this article, a subcontract is defined as any contract entered into by the contractor with any individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, for a specific part of the work to be performed in connection with the supplies or services furnished under this contract: *Provided, however,* That a contract for the furnishing of standard or commercial articles or raw material shall not be considered as a subcontract.

NOTE: The foregoing clause, prohibiting discrimination against workers because of "national origin," is construed as prohibiting discrimination based on non-citizenship as well as discrimination based on country of origin.

Section 81.329a is added as follows:

§ 81.329a *"Changes" article for supply contracts.* In any case where it is desired to include in a supply contract a provision giving the Contracting Officer power by change order to increase or decrease, within stated percentage limits, the quantity of articles called for by the contract, the following article relating to changes may be used instead of an article in the form set forth in § 81.1301 (b):

ARTICLE • • • *Changes.* Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the Contracting Officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications. There may also be made as above provided (a) changes as to shipment and packing of all supplies and (b) increases or decreases in the quantity of supplies to be furnished hereunder, the total increase or decrease not, however, to exceed ---% of the quantity of supplies deliverable hereunder. If such changes cause an increase or decrease in the amount of work due under this contract, or in the time required for its performance, an equitable adjustment shall be made which adjustment may include in any instance an adjustment (a) in the purchase price, including (but not limited to) any adjustment in unit price fair in the light of any change in volume caused by such order, and (b) in the delivery time or schedule, or in either the price or delivery schedule, and the contract shall be modified in writing accordingly. Any claim for adjustment under this article must be asserted within 30 days from the date the change is ordered: *Provided, however,* That the Contracting Officer, if he determines that the facts justify such action, may receive, consider and adjust any such claim asserted at any time prior to the date of final settlement of the contract. If the parties fail to agree upon the adjustment to be made the dispute shall be determined as provided in Article • • • (Disputes) hereof. But nothing provided in this Article shall excuse the Contractor from proceeding with the contract as changed.

When the article set forth in § 81.1301 (b) is used, the fourth sentence of the article set out above may be used, at the discretion of the Contracting Officer, in lieu of the third sentence of the article set forth in § 81.1301 (b).

Section 81.338 is amended as follows:

§ 81.338 *Plant protection clauses.* In those cases where it is deemed necessary to insert a clause providing for reimbursement for plant protection, the contract will contain an article substantially similar to one of those set forth below. Such an article will not normally be necessary in construction contracts.

Plant protection. The Contractor shall maintain in and about his plant adequate plant protective devices and shall employ such watchmen, guards and other personnel as the Contracting Officer may deem necessary to prevent espionage, sabotage, and other malicious destruction or damage.

Plant protection. (a) The Contractor and each Subcontractor, at his own expense, at all times during the term of this contract, or any subcontract hereunder, shall continue all such precautions for the guarding and protection of his plant, property and work in process, as immediately prior to the date of this contract have been taken by the Contractor or Subcontractor for the protection of the plant, and shall make available such information with respect thereto as the Contracting Officer may request.

(b) The Contractor agrees to furnish the authorized Security and Safety personnel of the War Department with a survey of the existing internal security system at the Contractor's plant. The Contractor agrees, at his own expense, to make the changes set forth in Appendix ---- hereto annexed and made a part hereof to cause his existing internal security system to comply with the regulations of ---------- including the recommendations made by the appropriate War Department Internal Security personnel.
(Chief of Supply Service)

(c) At any time during the term of this contract, the Contracting Officer or his duly authorized representative may require the Contractor or Subcontractor to install and maintain in and about the plant additional potective devices, equipment and personnel. The Contractor and each Subcontractor shall submit promptly to the Contracting Officer or his duly authorized representative, for prior approval as to estimated cost, detailed inventories, including the estimated cost of each item of protective devices or equipment so required to be installed and of installing the same and a detailed estimate of the cost of maintaining any such additional protective devices or equipment and personnel.

(d) The Contractor or Subcontractor shall be reimbursed, upon the submission of a voucher approved by the Contracting Officer or his duly authorized representative, the invoice price of the additional plant protective devices or equipment so required pursuant to Paragraph (c) hereof. In addition the Contractor or Subcontractor shall be reimbursed the reasonable cost of installing such additional plant protective devices or equipment. Such reasonable cost shall include only transportation to the Contractor's or Subcontractor's plant, direct labor, and direct material necessary for the installation of the additional plant protective devices or equipment. The Government shall not be under obligation to make reimbursement of total cost of such additional plant protective devices or equipment and of installing the same in excess of the estimate approved in advance by the Contracting Officer unless payment of such excess shall be approved or ratified by the Contracting Officer as reasonable. If the Contracting Officer and the Contractor or Subcontractor, as the case may be, are able to agree upon the amount of the cost of such additional devices or equipment, such sum shall be the amount to be reimbursed hereunder.

(e) Title to all plant protective devices and equipment added under Paragraph (c) of this Article shall be in the Government. The Contractor or Subcontractor, during the term of this contract or any extension thereof or

during the term of the Subcontract or any extension thereof, at his own expense, shall maintain and keep in good condition and repair all such protective devices and equipment. If such protective devices and equipment are to be installed on premises leased by the Contractor, the Contractor shall take appropriate steps to preserve the Government's right to remove such property pursuant to Paragraph (g) of this Article.

(f) The ---------- or his duly
(Chief of Supply Service)
authorized representative, and authorized plant protection personnel of the War Department, at all times during the performance of this Contract or any extension thereof, or during the term of the Subcontract or any extension thereof, and until after expiration of the right of removal set forth below, shall have access to the Contractor's plant, or the plant of the Subcontractor, in order to inspect, inventory, or remove any of said plant protective devices or equipment required pursuant to Paragraph (c) hereof, and to inspect the premises with respect to compliance with all regulations and requirements concerning plant protection, including any recommendations made by the appropriate War Department Internal Security personnel.

(g) After the completion or termination of this contract and prior to final settlement thereof, the Contractor, or the Subcontractor, as the case may be, shall have the option, exercisable in writing, to purchase at the then value as fixed by the Contracting Officer, or his duly authorized representative, any special plant protective devices or equipment theretofore installed in his plant pursuant to Paragraph (c). Not later than the date of final settlement, the Contractor or Subcontractor shall notify the Contracting Officer in writing to remove any such devices or equipment as to which the option to purchase is not to be exercised, and the Government shall have the right, at any time within 180 days after the receipt of such notice to remove at its own expense any such plant protective devices or equipment.

(h) The Contractor agrees to insert in each of his subcontracts the following provision:

The Subcontractor agrees to be bound by the provisions of Article ---------- of
(This Article)
the prime contract with the Government insofar as they are applicable to this contract. The Price Contractor will reimburse the Subcontractor for the cost of such special devices equipment and personnel as have been or hereafter may be added by the Subcontractor, pursuant to Paragraph (c) of Article ---------- for which reimbursement has not been made by the Government direct to the Subcontractor according to the terms set forth in Paragraph (d) of Article ----------.

(i) For the purpose of this Article, a subcontract is defined as any contract or agreement entered into between the Contractor and any other party, for the performance of all or any part of the work called for under this Contract.

(j) The Contractor, upon the request of the Contracting Officer, shall dismiss any officer or employee whose continued employment is deemed by the Contracting Officer to endanger the safety of the plant. In the event any such officer or employee is reinstated upon request of the Contracting Officer, the Contractor shall be reimbursed the costs incident to such rehiring, including back wages approved by the Contracting Officer.

(k) If guard personnel are members of the Civilian Auxiliary to the Military Police or successor organization, the Contractor shall be reimbursed for such additional cost approved by the Contracting Officer as may be incurred because of compliance with regulations and orders issued by a military commanding officer in charge of the Contractor's plant guards.

Section 81.343 is amended as follows:

§ 81.343 *Rate of wages clause.* All contracts subject to the Davis-Bacon Act will contain the following clause without deviation:

Rate of wages. (In accordance with the act of August 30, 1935, 49 Stat. 1011, as amended by the act of June 15, 1940, 54 Stat. 399 (U.S. Code, title 40, secs. 276a and 276a–1), this article shall apply if the contract is in excess of $2,000 in amount and is for the construction, alteration, and/or repair, including painting and decorating, of a public building or public work within the geographical limits of the States of the Union, the Territory of Alaska, the Territory of Hawaii, or the District of Columbia.)

(a) The contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment, computed at wage rates not less or more than those stated in the specifications (subject to Executive Order Number 9250 and the General Orders and Regulations issued thereunder) regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics; and the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work. The contracting officer shall have the right to withhold from the contractor so much of accrued payments as may be considered necessary by the contracting officer to pay to laborers and mechanics employed by the contractor or any subcontractor on the work the difference between the rates of wages required by the contract to be paid laborers and mechanics on the work and the rates of wages received by such laborers and mechanics and not refunded to the contractor, subcontractors, or their agents.

(b) In the event it is found by the contracting officer that any laborer or mechanic employed by the contractor or any subcontractor directly on the site of the work covered by the contract has been or is being paid a rate of wages less than the rate of wages required by the contract to be paid as aforesaid, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and prosecute the work to completion by contract or otherwise, and the constractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

(c) The regulations of the Secretary of Labor, referred to in article * * * hereof, allow certain "permissible deductions" from the wages required by this article to be paid.

The Article to which cross reference is made in paragraph (c) of the above clause is that contained in § 81.344.

(a) *Minimum wages.* There will be contained in each contract subject to the Davis-Bacon Act (or in the specifications accompanying the contract) a clause substantially as follows:

The minimum wages to be paid laborers and mechanics on this project, as determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the pertinent locality, are as follows:

Classification of laborers and mechanics	Minimum rates of wages per hour

Any class of laborers and mechanics not listed in the preceding paragraph, which will be employed on this contract, shall be classified or reclassified conformably to the foregoing schedule by mutual agreement between the contractor and class of labor concerned, subject to the prior approval of the contracting officer. In the event the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers and mechanics to be used, the question, accompanied by the recommendation of the contracting officer, shall be referred to the Secretary of Labor for final determination. The wages specified in this schedule shall be the maximum wages to be paid, subject, however, to Executive Order No. 9250 and the General Orders and Regulations issued thereunder.

Section 81.346a is added as follows:

§ 81.346a *Overtime rates and shifts.* Every construction contract will contain a clause substantially as follows:

Overtime rates and shifts. Where a single shift is worked, eight hours of continuous employment, except for lunch periods, shall constitute a day's work beginning on Monday and through Friday of each week. When work is required in excess of eight hours in any one day or during the interval from 5:00 p. m. Friday to 7:00 a. m. Monday, such work shall be paid for at 1½ times the basic rate wages. No premium wage or extra compensation shall be paid for work on customary holidays except that time and one-half wage compensation shall be paid for work performed on any of the following days only: New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and either Memorial Day or one other such holiday of greater local importance. Where two or more shifts are worked, five consecutive days of 7½ consecutive hour shifts, from Sunday midnight to Friday midnight shall constitute a regular week's work. The pay for a full shift period shall be a sum equivalent to eight times the basic hourly rate, and for a period less than the full shift shall be the corresponding proportional amount which the time worked bears to the time allocated to the full shift period. Any time worked from Friday midnight to Sunday midnight or in excess of regular shift hours shall be paid for at 1½ times the basic rate of wages. Wherever found to be practicable, shifts should be rotated.

Section 81.352a is added as follows:

§ 81.352a *Provision for liquidated damages.* Except with the permission of the chief of the supply service concerned (which may be granted with respect to contracts individually or by class), or in accordance with general instructions given by him, no contract shall provide for liquidated damages in the event of default. Where a contract provides for liquidated damages and a default takes place, action will be taken promptly on behalf of the Government to enforce any remedies available under the contract. So far as possible, such action will be taken in such manner as will prevent the inequitable accumulation of liquidated damages.

Section 81.353 is amended by adding a sentence at the end as follows:

§ 81.353 *Walsh-Healey Act; representations and stipulations.* * * * In lieu of inserting the foregoing clause the representations and stipulations required by the Walsh-Healey Act and the regulations issued by the Department of Labor pursuant thereto may be incorporated by reference to such Act and such regulations.

Paragraph (h) of the clause quoted in § 81.356 is amended as follows:

§ 81.356 *Assignment of rights; secret, confidential and restricted contracts.* * * *

(h) The contractor agrees that he will obtain from the assignee an agreement signed by such assignee similar to that required by paragraph 51, AR 380–5. In such agreement the assignee shall also agree that, in case of further assignment, it will obtain a similar agreement from such assignee.

Section 81.362 is added as follows:

§ 81.362 *Accident prevention.* Every lump sum construction contract, regardless of subject matter or amount, will contain a clause substantially as follows:

Accident prevention. In order to protect the life and health of employees in the performance of this contract, the contractor will comply with all pertinent provisions of the "Safety Requirements in Excavation—Building—Construction" approved by the Chief of Engineers, December 16, 1941, as revised May 15, 1942, (a copy of which is on file in the office of the contracting officer, and as may be amended, and will take or cause to be taken such additional measures as the contracting officer may determine to be reasonably necessary for this purpose. The contractor will maintain an accurate record of and will report to the contracting officer in the manner and on the forms prescribed by the contracting officer, all cases of death, occupational disease and traumatic injury arising out of or in the course of employment on work under this contract. The contracting officer will notify the contractor of any noncompliance with the foregoing provisions and the action to be taken. The contractor shall, after receipt of such notice, immediately correct the conditions to which attention has been directed. Such notice, when served on the contractor or his representative at the site of the work, shall be deemed sufficient for the purpose aforesaid. If the contractor fails or refuses to comply promptly, the contracting officer may issue an order stopping all or any part of the work. When satisfactory corrective action is taken, a start order will be issued. No part of the time lost due to any such stop order shall be made the subject of claim for extension of time or for excess costs or damages by the contractor.

Every fixed-fee construction contract, regardless of subject matter or amount, will contain a clause substantially similar to the foregoing except that the last sentence will be omitted.

Paragraph 3 is added to Article 4 of § 81.375 as follows:

§ 81.375 *Settlement agreement for use where a lump sum supply contract contains a provision for termination for the convenience of the Government substantially in the form contained in § 81.324* (a) *and permits settlement by negotiation of amount due with respect to uncompleted portion of the contract.* * * *

ARTICLE 4. * * *

(3) All rights to the recovery of excessive profits pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public Law 528, 77th Cong.) as amended by section 801 of the Revenue Act of 1942 (Public Law 753, 77th Congress, approved Oct. 21, 1942) on account of payments made to the contractor hereunder which are allocable to the completed portion of the contract (but not on account of the payments pursuant to subparagraphs b and c of Article 2 of this supplemental agreement).

* * * * *

FOREIGN PURCHASES

Section 81.509 (h) is added as follows:

§ 81.509 *Purchases from Canadian suppliers.* * * *

(h) *Excess profits on contracts with War Supplies Limited.* The correspondence below set forth relative to commitments made by War Supplies Limited is published for necessary action and guidance.

WAR SUPPLIES LIMITED
375 Wellington Street,
Ottawa, Canada.

1205 15th St., NW.
Washington, D. C.
Republic 7660.

JUNE 26, 1941

Honorable R. P. PATTERSON,
Under Secretary of War,
2048, Munitions Building,
Washington, D. C.

DEAR SIR: This will acknowledge with thanks your letter of June 20th, relative to the undertaking contained in our letter of June 16th, 1941, in respect of limitation of profits, and allowance for depreciation and amortization in costs on work for your Department.

I note that any return of excess profits would normally revert to the United States Treasury, and that it would be preferable to modify the contract prior to final payment by properly reducing the contract price. As most contracts will be subject to a continuing audit, we do not anticipate any difficulty in this regard, and in any case, where it becomes apparent to us that the contractor is going to make a profit of more than 10% of cost, we shall immediately report the situation to the Contracting Officer, at the same time sending a copy of such report to the Director of Purchases and Contract, Office of the Under Secretary of War, so that the contract may be properly modified.

In respect of the point raised in the last paragraph of your letter, it is our intention that profits will not be allowed to exceed 10% of the actual cost of fulfilling the contract, and not 10% of the contract price.

Yours sincerely,

WAR SUPPLIES LIMITED.
E. P. TAYLOR,
President.

JULY 3, 1941.

WAR SUPPLIES LIMITED,
1205 Fifteenth Street N.W.,
Washington, D. C.

Attention: The Honorable E. P. Taylor.

GENTLEMEN: Receipt is acknowledged of your letter of June 26, 1941, advising, in connection with your letter of June 16, 1941 and reply thereto from this office date June 20, 1941, that in cases of United States Government contracts with your company where continuing audits prevail and where it becomes apparent to you that a profit in excess of 10% of cost will be made, you shall promptly advise the contracting officer involved, at the same time forwarding a copy of your report to him to the Director of Purchases and Contracts, Office of the Under Secretary of War.

It is noted that the profit proposed to be returned by you will be that in excess of 10% of the actual cost of fulfilling the contract involved rather than that in excess of 10% of the contract price.

The various supply arms and services are being advised of your communication.

Sincerely yours,

ROBERT P. PATTERSON,
Under Secretary of War.

Section 81.510 is added as follows:

§ 81.510 *War production policy for Canada and the United States.* Having regard to the fact that Canada and the United States are engaged in a war with common enemies, the President of the United States and the Canadian War Cabinet have, upon the recommendation of the Joint War Production Committee of Canada and the United States, approved a declaration of policy calling for a combined, all-out war production effort and the removal of any barriers standing in the way of such a combined effort. Such declaration of policy follows.

Victory will require the maximum war production in both countries in the shortest possible time; speed and volume of war output, rather than monetary cost, are the primary objectives.

An all-out war production effort in both countries requires the maximum use of the labor, raw materials and facilities in each country.

Achievement of maximum volume and speed of war output requires that the production and resources of both countries should be effectively integrated, and directed towards a common program of requirements for the total war effort.

Each country should produce these articles in an integrated program of requirements which will result in maximum joint output of war goods in the minimum time.

Scarce raw materials and goods which one country requires from the other in order to carry out the joint program of war production should be so allocated between the two countries that such materials and goods will make the maximum contribution toward the output of the most necessary articles in the shortest period of time.

Legislative and administrative barriers, including tariffs, import duties, customs and other regulations or restrictions of any character which prohibit, prevent, delay or otherwise impede the free flow of necessary munitions and war supplies between the two countries should be suspended or otherwise eliminated for the duration of the war.

The two Governments should take all measures necessary for the fullest implementation of the foregoing principles.

(a) The President of the United States has directed the affected departments and agencies of the Government to abide by the letter and spirit of the foregoing policy so far as lies within their power. It is directed that the chief of each supply service whole-heartedly cooperate in an effort to make such policy effective in action. Manufacturing facilities available in the United States and in Canada should be placed upon an equal basis so far as awards of production orders are concerned, having in mind that time is of the essence and that, other things be-

ing equal, production of essential war materials at the earliest practicable date is the immediate aim of the services of supply.

(b) Under the provisions of the Act of March 3, 1933 (see § 81.502), it has been determined by the Under Secretary of War to be inconsistent with the public interest to limit procurement of essential defense articles to those manufactured, mined or produced within the United States.

(c) Any restrictions heretofore imposed on the placing of orders within the Dominion of Canada, or with War Supplies Limited (a Canadian corporation), are suspended, as are existing requirements for the clearance of orders in Canada or with Canadian corporations.

PROCUREMENT RESPONSIBILITY AND PURCHASE RESPONSIBILITY

In § 81.604 paragraph (a) is amended and paragraph (b) is rescinded as follows:

§ 81.604 *Assignment of procurement and purchase responsibility* • • •

(a) In any given transaction, purchase of any item may be effected by a service other than the service having purchase responsibility; *Provided*, That either

(1) The item is required within a brief period of time and in the judgment of the service requiring the item cannot be provided in such time by the service having purchase responsibility for the item, or

(2) The service having purchase responsibility has, by the issuance of general instructions or by consent granted with respect to the specific transaction, indicated its acquiescence.

(b) [Rescinded]

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INTERDEPARTMENTAL PURCHASES

Sections 81.611 and 81.612 are amended as follows:

§ 81.611 *Purchases from other agencies of the Government.* Property may be acquired from other agencies of the Government either in the manner set forth in § 81.612 or in the manner set forth in § 81.613. Section 81.612 explains the circumstances under which the two procedures can be followed.

§ 81.612 *Purchase of property pursuant to Public Law 670.* The Act of July 20, 1942 (Public Law 670–77th Congress; 31 U. S. C. 686) amended section 7 (a) of the Act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417) to read as follows:

Any executive department or independent establishment of the Government, or any bureau or office thereof, if funds are available therefor and if it is determined by the head of such executive department, establishment, bureau, or office to be in the interest of the Government so to do, may place orders with any other such department, establishment, bureau, or office for materials, supplies, equipment, work, or services, of any kind that such requisitioned Federal agency may be in a position to supply or equipped to render, and shall pay promptly by check to such Federal agency as may be requisitioned, upon its written request, either in advance or upon the furnishing or performance thereof, all or part of the estimated or actual cost thereof as determined by such department, establishment, bureau, or office as may be requisitioned; but proper adjustments on the basis of the actual cost of the materials, supplies, or equipment furnished, or work or services performed, paid for in advance, shall be made as may be agreed upon by the departments, establishments, bureaus, or offices concerned: *Provided*, That the War Department, Navy Department, Treasury Department, Civil Aeronautics Administration, and the Maritime Commission may place orders, as provided herein, for materials, supplies, equipment, work, or services, of any kind that any requisitioned Federal agency may be in a position to supply, or to render or to obtain by contract: *Provided further*, That if such work or services can be as conveniently or more cheaply performed by private agencies such work shall be let by competitive bids to such private agencies. Bills rendered, or requests for advance payments made pursuant to any such order, shall not be subject to audit or certification in advance of payment.

The chiefs of the supply services are authorized pursuant to the foregoing statute to purchase property from other Federal agencies on such terms and conditions as may be mutually agreed upon. This may not be done, however, if the property has been reported to the Procurement Division, Treasury Department as surplus by the holding agency or if the property has been declared surplus to the needs of the holding agency by the Director of the Bureau of the Budget pursuant to section 2 (c) of Executive Order No. 9235 (7 F.R. 6987).

Section 81.613 is added as follows:

§ 81.613 *Purchases of property of other agencies through the Procurement Division, Treasury Department*—(a) *Executive Order No. 9235.* Under date of August 31, 1942 there was issued Executive Order No. 9235 providing for the effective utilization of supplies and equipment by Government agencies (see 7 F.R. 6987). This order provides in part as follows:

2. The Director of the Bureau of the Budget, acting through such assistants as he may designate, shall:

(a) Survey supplies and equipment in possession of Government agencies and the utilization thereof. For this purpose he may require the Government agencies to submit reports and estimates in such form and at such times as he may find necessary: *Provided*, That in making such surveys he shall utilize, subject to the approval of the Secretary of the Treasury, the services and facilities of the Procurement Division of the Treasury Department;

• • • • •

(c) Require, when, in his opinion, such action is necessary or expedient, the transfer from one Government agency to another for permanent or temporary use, of such supplies and equipment as he may determine to be surplus to the needs of one agency and essential to the needs of another agency;

• • • • •

(e) Issue such regulations and directives as may be necessary to effectuate this order.

(b) *Regulation No. 1 of the Director of the Bureau of the Budget.* Under date of November 16, 1942, the Director issued Regulation No. 1 under Executive Order No. 9235. It reads in part as follows:

(c) • • • all equipment or supplies determined to be surplus by the head of an agency • • • having control thereof or by the Director of the Bureau of the Budget shall be declared surplus by submission of Procurement Division Form No. 812, "Declaration of Property" to the Procurement Division, Treasury Department, which will thereupon assume temporary custody thereof. Procedures covering appraisal, rehabilitation, storage, request for transfer, transfer and payment for equipment or supplies transferred under this paragraph will be issued in the form of instructions by the Procurement Division.

2. The Director of the Bureau of the Budget may cause excess equipment and supplies to be declared surplus to the activity having custody thereof without regard to the method by which custody was obtained. Surplus equipment or supplies found in any administrative unit and held by that unit on loan from some other unit will be considered as surplus to the needs of both the unit in possession and the unit accountable therefor.

3. Compliance by the Procurement Division with a request for the transfer of surplus equipment or supplies will be dependent upon the availability to the requesting unit of an appropriation or allocation for the procurement of the equipment or supplies desired, and such other criteria as may be deemed necessary by the Director of the Bureau of the Budget.

(c) *Regulation No. 2 of the Director of the Bureau of the Budget.* Under date of November 16, 1942, the Director issued Regulation No. 2 under Executive Order No. 9235. It reads in part as follows:

1. All equipment and supplies recovered by the Procurement Division, Treasury Department, as surplus to the requirements of any activity shall be transferred to agencies • • • requesting same, in accordance with instructions issued by the Procurement Division, at market or appraisal value at the time of transfer and, except, as provided in paragraph 3 hereof, payment therefor shall be covered into the Treasury as Miscellaneous Receipts.

2. Where the value of equipment and supplies transferred is less than the amount set forth in the justification of the applicable budget schedule, savings shall be set up as a reserve and reported on line 15 (c) of Budget-Treasury Form 2 and described as "savings through purchase of surplus equipment and supplies."

• • • • •

4. The Procurement Division will publish once each month, or more frequently if stock on hand or volume of requests justify, a schedule of items on hand in surplus stores. These schedules will be circulated to all agencies within distribution areas to be served by the surplus stores. No agency shall enter the commercial market for the purpose of procuring any items of equipment or supply contained in the then current surplus schedule without advance clearance from the Procurement Division: *Provided*, That when immediate delivery is required by the public exigency, the articles required may be procured by open market purchase or contract, in accordance with existing law, at the places and in the manner in which such articles are usually bought and sold between individuals.

5. Requests for items listed in such surplus equipment and supply schedules will as a general rule, be honored as received. However, in cases where, before shipment is made, more than one agency requests identical items, priority shall be determined in accordance with criteria as provided for in Regulation 1, Paragraph 3.

6. Equipment and supplies recovered by the Procurement Division, which are of

such a character or in such condition as to be unusable or to preclude rehabilitation, shall be disposed of under regulations prescribed by the Procurement Division.

(d) *Procedure for acquiring property which is surplus to the needs of another agency.* The procedure for the transfer of surplus property has been set forth in Circular Letter No. 675 (November 18, 1942) of the Procurement Division, Treasury Department. It is summarized in the succeeding paragraphs.

(e) *Catalog of available property.* Once each month, and more frequently if necessary, the Procurement Division, will issue catalogs showing the location, description and transfer price of property reported to it as surplus within specified areas. It is the responsibility of the chief of each supply service to see that all stations under his command, which would be interested in obtaining equipment surplus to the needs of other agencies, is supplied with the current catalog relating to the area where the station is located. Such catalogs will; if requested, be mailed directly to any station making a request of the Procurement Division, Treasury Department, Washington, D. C.

(f) *Surplus property not as yet reported.* When information is obtained as to the existence of property surplus to the needs of another Government agency, a supply service should, if it desires such property, communicate with the holding agency and establish definitely that the property is available. If the property has not yet been reported by the holding agency to the Procurement Division, Treasury Department and has not been declared surplus to the needs of the holding agency by the Director of the Bureau of the Budget pursuant to section 2 (c) of Executive Order No. 9235 (see paragraph (a) of this section), the property may be purchased directly from the holding agency pursuant to Public Law No. 670—77th Congress (see § 81.612). If, however, the holding agency desires to effect the transfer through the Procurement Division, Treasury Department, it should be requested to declare the property as surplus on the forms prescribed by the Procurement Division, Treasury Department. The declaration should be forwarded to the Procurement Division, Treasury Department, Washington, D. C. with a statement that the property is wanted by the station concerned. The property should then be requested by the supply service in accordance with paragraph (g) of this section.

(g) *Requests for transfer not to be made directly.* Any supply service desiring to acquire property which has been reported to the Procurement Division, Treasury Department by the holding agency will make the request through the Surplus Property Officer, Purchases Division, Headquarters, Services of Supply. The request will be made on Purchase Authority Form (issued by the Procurement Division, Treasury Department) or on such other document or form as is customarily used for ordinary purchases. Whatever form is used should carry the capitalized heading "Request for transfer of property". The request should contain the following information:

(1) Complete and specific reference to date of Catalog of Available Property in which property appeared. If property has not yet been listed in a catalog there should be substituted the present location of the property, the transferring agency's declaration number, and a complete description of the property.

(2) Shipping instructions or information that the property will be picked up.

(3) The symbol and title of the appropriation, appropriations, or fund from which the costs of acquisition and any transportation charges incident to delivery to the supply service will be paid. The request will be promptly forwarded by the Surplus Property Officer to the Procurement Division, Treasury Department and the requesting supply service will be informed either that the property will be furnished or that it is not available. Direct correspondence by the chiefs of the supply services with the Procurement Division, Treasury Department, is not authorized in this connection.

(h) *Disposition of surplus property to other Government agencies.* It is to be noted that the foregoing paragraphs relate only to the acquisition of property from another Government agency and not to the disposition of surplus property to another Government agency. As to the latter, see § 83.714 (b) et seq.

STATE AND LOCAL TAXES

Section 81.810 is amended as follows:

§ 81.810 *Applicable tax directives.* While the various state and local tax laws are not uniform in their application, as a general rule Government purchases are exempt from such taxes. Neither are such laws uniform in their application to purchases by Government contractors. Information will be published from time to time as to the procedure to be followed with regard to state and local taxes. Information already published is contained in a series of memoranda for the chiefs of the supply services and others as follows:

Alabama	January 12, 1942 (past transactions).
	January 23, 1942 (future transactions) as amended June 12, 1942.
Arkansas	April 15, 1942 (future transactions).
California	December 18, 1942.
Colorado	November 30, 1942.
Georgia	January 30, 1942 (future transactions).
	February 13, 1942 (past transactions).
Illinois	January 23, 1942 (future transactions).
	June 26, 1942 (all manufacturing transactions).
Indiana	February 6, 1942 (transactions occurring on or after January 1, 1942, as amended March 6, 1942 and June 20, 1942).
	February 6, 1942 (transactions prior to January 1, 1942) (revisions pending).
Iowa	October 13, 1942.
Kansas	January 2, 1943.
Michigan	May 1, 1942.
Mississippi	May 5, 1942, as amended June 12, 1942.
Missouri	August 29, 1942 (transactions after February 6, 1942).
	August 29, 1942 (past transactions).
North Dakota	April 27, 1942.
Ohio	May 18, 1942.
Pennsylvania	April 9, 1942
South Dakota	April 7, 1942 (future transactions).
Texas	January 23, 1942 (future transactions).
Utah	September 30, 1942.
Virginia	January 30, 1942 (future transactions).
Washington	April 27, 1942
West Virginia	February 7, 1942 (future transactions as amended April 8, 1942).
Wyoming	April 24, 1942.

WALSH-HEALEY PUBLIC CONTRACTS LAW

In § 81.917 (b) a new subparagraph (8) is added and subparagraphs (8) to (13), inclusive, are renumbered (9) to (14) inclusive.

§ 81.917 *Applicability of Walsh-Healey public contracts law.* • • •

(b) • • •

(8) Article 1 (Insertion of Stipulations) of the aforementioned rulings and interpretations has been amended by adding the words "or incorporated by reference" following the words "the Contracting Officer shall cause to be inserted" in the first paragraph.

(9) Stipulation (c) of Article 1 of the • • •

(10) Article 103 (Overtime) of the • • •

(11) Article 501 (Records of Employment) of the • • •

(12) Articles 601, 602, 1101, and 1201 of the • • •

(13) The following Article has been • • •

(14) By order dated September 2, 1942 • • •.

The item "Work gloves industry" in the index contained in § 81.918 (d) is amended and placed in proper sequence as follows:

§ 81.918 *General instructions.* • • •

(d) • • •

Index	*Sec*
Gloves and mitten industry	81.920

• • • • • •

Section 81.920 is amended as follows:

§ 81.920. *Gloves and mittens industry.* The gloves and mittens industry is defined for the purpose of this determination as that industry which manufactures gloves and mittens (except athletic gloves and mittens) from any material (other than rubber) or from any combination of materials (other than rubber).

Date effective: January 16, 1942, except that learners may be employed at subminimum rates in accordance with the present applicable regulations of the

Administrator of the Wage and Hour Division, on or after January 16, 1943, in the performance of contracts bids for which were solicited or negotiations otherwise commenced by the contracting agency prior to that date.

Wage: 40 cents an hour or $16.00 for a week of 40 hours arrived at either upon a time or piece-work basis. Apprentices and learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division which were adopted by the Secretary of Labor for the purposes of this determination.

WAGE AND SALARY STABILIZATION

Paragraphs (a) to (p), inclusive, of § 81.976 are redesignated §§ 81.976a to 81.976p, inclusive, and the following changes made therein:

Paragraphs (k) and (l) of the regulations of the Director of Economic Stabilization are added as set forth in § 81.976a. Paragraph (a) is added to § 81.976e. Section 81.796m is amended by the incorporation of joint statements of the National War Labor Board and the Commissioner of Internal Revenue, dated November 12, 1942, and December 26, 1942.

Sections 81.976j and 81.976n are amended.

§ 81.976 *Regulations of Economic Stabilization Director approved by the President.* On October 27, 1942, Economic Stabilization Director Brynes issued regulations (Part 4001) (7 F.R. 8748, 10024) pursuant to authority vested in, and with the approval of, the President relative to wages and salaries. These regulations are set forth in §§ 81.976a to 81.976p, inclusive, of this part.

§ 81.976a *Definitions.*

§ 4001.1 *Definitions.* When used in these regulations, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) The term "Act" means the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes."

(b) The term "Board" means the National War Labor Board created by Executive Order No. 9017, dated January 12, 1942.

(c) The term "Commissioner" means the Commissioner of Internal Revenue.

(d) The term "code" means the Internal Revenue Code, as amended as supplemented.

(e) The term "salary" or "salary payments" means all forms of direct or indirect compensation which is computed on a weekly, monthly, annual or other comparable basis, except a wage basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, loans, commissions, fees, and any other remuneration in any form or medium whatsoever (excluding insurance and pension benefits in a reasonable amount).

(f) The term "salary rate" means the rate or other basis at which the salary for any particular work or service is computed either under the terms of a contract or agreement or in conformity with an established custom or usage.

(g) The term "wages" or "wage payments" means all forms of direct or indirect compensation which is computed on an hourly or daily basis, a piece-work basis, or other comparable basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, commissions, loans, fees, and any other remuneration in any form or medium whatsoever (but excluding insurance and pension benefits in a reasonable amount).

(h) The term "insurance and pension benefits in a reasonable amount" means

(1) Contributions by an employer to an employees' trust or under an annuity plan which meets the requirements of section 165 (a) of the Code (for text of this section of the Code see paragraph (a) of this section), and

(2) Amounts paid by an employer on account of premiums on insurance on the life of the employee which amounts are deductible by the employer under section 23 (a) of the Code (for text of this section of the Code, see paragraph (b) of this section), except that if such amounts are includible in the gross income of the employee under the Code, the amount in respect of each employee may not exceed five percent of the employee's annual salary or wages determined without the inclusion of insurance and pension benefits.

(i) The terms "approval by the Board" and "determination by the Board" shall, except as may be otherwise provided in the regulations or orders of the Board, include an approval or determination by an agent of the Board duly authorized to perform such act; and such approval or determination, if subsequently modified or reversed by the Board, shall nevertheless for the purpose of these regulations be deemed to have been continuously in effect from its original date until the first day of the payroll period immediately following the reversal or modification or until such later date as the Board may direct.

(j) The terms "approval by the Commissioner" and "determination by the Commissioner" shall, except as may be otherwise provided in regulations prescribed by the Commissioner, include an approval or determination by an agent of the Commissioner duly authorized to perform such act; and such approval or determination, if subsequently modified or reversed by the Commissioner, shall nevertheless for the purpose of these regulations, be deemed to have been continuously in effect from its original date until the first day of the payroll period immediately following reversal or modification or until such later date as the Commissioner may direct.

(k) The terms "approval by the Secretary of Agriculture" and "determination by the Secretary of Agriculture" shall, except as may be provided in regulations prescribed by the Secretary, include an approval or determination by an agent or agents of the Secretary duly authorized to perform such act.

(l) The term "agricultural labor" shall mean persons working on farms and engaged in producing agricultural commodities whose salary or wage payments are not in excess of $2,400 per annum. The Secretary of Agriculture may by regulation issue such interpretations of this term as he finds necessary.

(a) *Text of section 165 (a) of the Internal Revenue Code.*

(a) *Exemption from tax.* A trust forming part of a stock bonus, pension or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall not be taxable under this supplement and no other provision of this supplement shall apply with respect to such trust or to its beneficiary—

(1) If contributions are made to the trust by such employer, or employees, or both, for the purpose of distributing to such employees or their beneficiaries the corpus and income of the fund accumulated by the trust in accordance with such plan;

(2) If under the trust instrument it is impossible, at any time prior to the satisfaction of all liabilities with respect to employees and their beneficiaries under the trust, for any part of the corpus or income to be (within the taxable year or thereafter) used for, or diverted to, purposes other than for the exclusive benefit of his employees or their beneficiaries;

(3) If the trust, or two or more trusts, or the trust or trusts and annuity plan or plans are designated by the employer as constituting parts of a plan intended to qualify under this subsection which benefits either—

(A) 70 per centum or more of all the employees, or 80 percentum or more of all the employees who are eligible to benefit under the plan if 70 per centum or more of all the employees are eligible to benefit under the plan, excluding in each case employees who have been employed not more than a minimum period prescribed by the plan, not exceeding five years, employees whose customary employment is for not more than twenty hours in any one week, and employees whose customary employment is for not more than five months in any calendar year, or

(B) Such employees as qualify under a classification set up by the employer and found by the Commissioner not to be discriminatory in favor of employees who are officers, shareholders, persons whose principal duties consist of supervising the work of other employees, or highly compensated employees; and

(4) If the contributions or benefits provided under the plan do not discriminate in favor of employees who are officers, shareholders, persons whose principal duties consist in supervising the work of other employees, or highly compensated employees.

(5) A classification shall not be considered discriminatory within the meaning of paragraphs (3) (B) or (4) of this subsection merely because it excludes employees the whole of whose remuneration constitutes "wages" under section 1426 (a) (1) (relating to the Federal Insurance Contributions Act) or merely because it is limited to salaried or clerical employees. Neither shall a plan be considered discriminatory within the meaning of such provisions merely because the contributions or benefits of or on behalf of the employees under the plan bear a uniform relationship to the total compensation, or the basic or regular rate of compensation, of such employees, or merely because the contributions or benefits based on that part of an employee's remuneration which is excluded from "wages" by section 1426 (a) (1) differ from the contributions or benefits based on employee's remuneration not so excluded, or differ because of any retirement benefits created under State or Federal law.

(6) A plan shall be considered as meeting the requirements of paragraph (3) of this subsection during the whole of any taxable year of the plan if on one day in each quarter it satisfied such requirements.

(b) *Extract from section 23 of the Internal Revenue Code.*

Deductions from gross income. In computing net income there shall be allowed as deductions:

(a) *Expenses.*—(1) *In general.* All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered;

* * *

(o) *Charitable and other contributions.* In the case of an individual, contributions or gifts payment of which is made within the taxable year to or for the use of:

(1) The United States, any State, Territory, or any political subdivision thereof or the District of Columbia, or any possession of the United States, for exclusively public purposes;

(2) A corporation, trust, or community chest, fund, or foundation, created or organized in the United States or in any possession thereof or under the law of the United States or of any State or Territory or of any possession of the United States, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benfit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

(3) The special fund for vocational rehabilitation authorized by section 12 of the World War Veterans' Act, 1924, 43 Stat. 611 (U.S.C., Title 38, sec. 440);

(4) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized in the United States or any of its possessions, and if no part of their net earnings inures to the benefit of any private shareholder or individual; or

(5) A domestic fraternal society, order, or association, operating under the lodge system, but only if such contributions or gifts are to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals;

to an amount which in all the above cases combined does not exceed 15 per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary.

(c) *Section 5 (b) of Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation and for other purposes.* Section 5 (b) of Public Law 729 (77th Cong., 2nd Session) provides as follows:

Nothing in this Act shall be construed to prevent the reduction by any private employer of the salary of any of his employees which is at the rate of $5,000 or more per annum.

§ 81.976b *Authority of National War Labor Board.*

§ 4001.2 *Authority of National War Labor Board.* The Board shall, subject to the provisions of sections 1, 2, 3, 4, 8, and 9 of Title II of Executive Order No. 9250, of October 3, 1942, have authority to determine whether any:

(a) Wage payments, or

(b) Salary payments to an employee totaling in amount not in excess of $5,000 per annum where such employee

1. In his relations with his employer is represented by a duly recognized or certified labor organization, or

(2) Is not employed in a bona fide executive, administrative or professional capacity as made in contravention of the Act, or any rules, orders or regulations promulgated thereunder. Any such determination by the Board made under rulings and orders issued by it that a payment is in contravention of the Act, or any rulings, orders, or regulations promulgated thereunder, shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Board made pursuant to the authority conferred on it shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings.

§ 81.976c *Rules, orders and regulations of National War Labor Board.*

§ 4001.3 *Rules, orders and regulations of Board.* The Board may make such rulings and issue such orders or regulations as it deems necessary to enforce and otherwise carry out the provisions of these regulations.

§ 81.976d *Authority of the Commissioner of Internal Revenue.*

§ 4001.4 *Authority of the Commissioner of Internal Revenue.* The Commissioner shall have authority to determine, under regulations to be prescribed by him, with the approval of the Secretary of the Treasury, whether any salary payments other than those specified in paragraph (b) of § 4001.2 of these regulations are made in contravention of the Act, or any regulations or rulings promulgated thereunder. Any such determination by the Commissioner, made under such regulations, that a payment is in contravention of the Act, or any rulings or regulations promulgated thereunder, shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulations, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Commissioner made pursuant to the authority conferred on him shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings. No increase in a salary rate approved by the Commissioner shall result in any substantial increase of the level of costs or shall furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

§ 81.976e *Rules and regulations of Commissioner of Internal Revenue.*

§ 4001.5 *Rules and regulations of Commissioner.* The Commissioner may prescribe such regulations with the approval of the Secretary of the Treasury, and make such rulings as he deems necessary, to enforce and otherwise carry out the provisions of these regulations.

(a) *Provisions with respect to wages and salaries of Agricultural labor.* On November 30, 1942, Economic Stabilization Director Byrnes issued amended regulations bearing section numbers 4001.5a, 4001.5b, 4001.5c and 4001.5d (7 F.R. 10024), with the approval of the President, conferring upon the Secretary of Agriculture the authority to determine whether any salary or wage payments to agricultural labor receiving not in excess of $2,400 per annum are made in contravention of the Stabilization Act of October 2, 1942. The text of these sections is omitted.

§ 81.976f *Salary increases.*

§ 4001.6 *Salary increases.* In the case of a salary rate of $5,000 or less per annum existing on the date of the approval of these regulations by the President and in the case of a salary rate of more than $5,000 per annum existing on October 3, 1942, no increase shall be made by the employer except as provided in regulations, rulings, or orders promulgated under the authority of these regulations. Except as herein provided, any increase made after such respective dates shall be considered in contravention of the Act and the regulations, rulings, or orders promulgated thereunder from the date of the payment if such increase is made prior to the approval of the Board or the Commissioner, as the case may be.

In the case, however, of an increase made in accordance with the terms of a salary agreement or salary rate schedule and as a result of

(a) Individual promotions or reclassifications,

(b) Individual merit increases within established salary rate ranges,

(c) Operation of an established plan of salary increases based on length of service,

(d) Increased productivity under incentive plans,

(e) Operation of a trainee system, or

(f) Such other reasons or circumstances as may be prescribed in orders, rulings, or regulations, promulgated under the authority of these regulations,

no prior approval of the Board or the Commissioner is required. No such increase shall result in any substantial increase of the level of costs or shall furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

§ 81.976g *Decreases in salaries of less than $5,000.*

§ 4001.7 *Decreases in salaries of less than $5,000.* In the case of a salary rate existing as of the close of October 3, 1942, under which an employee is paid a salary of less than $5,000 per annum for any particular work, no decrease shall be made by the employer below the highest salary rate paid for such work between January 1, 1942, and September 15, 1942, unless to correct gross inequities or to aid in the effective prosecution of the war. Any decrease in such salary rate after October 3, 1942, shall be considered in contravention of the Act and the regulations, rulings, or orders promulgated thereunder if such decrease is made prior to the approval of the Board or the Commissioner, as the case may be.

§ 81.976h *Decreases in salaries of over $5,000.*

§ 4001.8 *Decreases in salaries of over $5,000.* In the case of a salary rate existing as of the close of October 3, 1942, under which an employee is paid a salary of $5,000 or more per annum, no decrease in such rate made by the employer shall be considered in contravention of the Act and the regulations promulgated thereunder (see section 5 (b) of the Act set forth in § 81.976a (c)): *Provided, however,* That if by virtue of such decrease the new salary paid to the employee is less than $5,000 per annum, then the validity of such decrease below $5,000 shall be determined under the provisions of § 4001.7 of these regulations.

§ 81.976i *Limitation on certain salaries.*

§ 4001.9 *Limitation on certain salaries.* (a) No amount of salary (exclusive of any amounts allowable under paragraphs (b) and

(c) of this section) shall be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year which, after reduction by the Federal income taxes on the amount of such salary, would exceed $25,000. The amount of such Federal income taxes shall be determined (1) by applying to the total amount of salary (exclusive of any amounts allowable under paragraphs (b) and (c) of this section) paid or accrued during the taxable year, undiminished by any deductions, the rates of taxes imposed by Chapter I of the Code (not including section 466) as if such amount of salary were the net income (after the allowance of credits applicable thereto), the surtax net income, and the Victory tax net income, respectively, and (2) without allowance of any credits against any of such taxes.

(b) In any case in which an employee establishes that his income from all sources is insufficient to meet payments customarily made to charitable, educational or other organizations described in section 23 (o) of the Code (for text of this section of the Code see § 81.976a (b)), without resulting in undue hardship, then an additional amount sufficient to meet such payments may be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year even though it exceeds the amount otherwise computed under paragraph (a).

(c) In any case in which an employee establishes that, after resorting to his income from all sources, he is unable, without disposing of assets at a substantial financial loss resulting in undue hardship, to meet payments for the following:

(1) Required payments (excluding accelerated payments) made by the employee during the taxable year on any life insurance policies on his life which were in force on October 3, 1942.

(2) Required payments (excluding accelerated payments) made by the employee during the taxable year on any fixed obligations for which he was obligated on October 3, 1942.

(3) Federal income taxes of the employee for prior taxable years, which are paid during the taxable year, not including Federal income taxes on the allowance under paragraph (a) for any prior year, an additional amount sufficient to meet such payments may be paid or authorized to be phid to or accrued to the account of any employee or received by him during the taxable year, even though it exceeds the amount otherwise computed under paragraph (a).

(d) In the case of an individual who is an employee of more than one person, the aggregate of the salaries received by such individual shall, under such circumstances as may be set forth in regulations promulgated under the authority of these regulations, be treated as if paid by a single employer.

(e) Unless payment thereof is required under a bona fide contract in effect on October 3, 1942, no amount of salary shall be paid or authorized to be paid to or accrued to the account of any employee or received by him after October 3, 1942, and before January 1, 1943, if the total salary paid, authorized, accrued or received for the calendar year 1942 exceeds the amount of salary which would otherwise be allowable under paragraph (a) of this section and also exceeds the total salary paid, authorized, accrued or received for the calendar year 1941.

(f) Except as provided in paragraph (e) of this section, the provisions of this section shall be applicable to salary paid or accrued after December 31, 1942, regardless of when authorized and regardless of any contract or agreement made before or after such date.

§ 81.976j *Effect of unlawful payments.*

§ 4001.10 *Effect of unlawful payments.* (a) If any wage or salary payment is made in contravention of the Act or the Regulations, Rulings or Orders promulgated thereunder as determined by the Board, the Commissioner or the Secretary of Agriculture, as the case may be, the entire amount of such payment shall be disregarded by the Executive Department and all other agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulation, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses of any contract made by or on behalf of the United States. The term "law or regulations" as used herein includes any law or regulation hereafter enacted or promulgated. In the case of wages or salaries decreased in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the amount of the wage or salary paid or accrued. In the case of wages or salaries increased in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the amount of the wage or salary paid or accrued and not merely an amount representing an increase in such wage or salary. In the case of a salary in excess of the amount allowable under § 4001.9 of these regulations which is paid or accrued to an employee during his taxable year in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the full amount of such salary and not merely the amount representing the excess over the amount allowable under such § 4001.9.

(b) Payments made or received in violation of any regulations, rulings or orders promulgated under the authority of the Act are subject to the penal provisions of the Act.

§ 81.976k *Exempt employers.*

§ 4001.11 *Exempt employers.* The provisions of §§ 4001.6, 4001.7 and 4001.8 of these regulations shall apply only in the case of an employer who employs more than eight individuals.

§ 81.976l *Salary allowances under Internal Revenue Code.*

§ 4001.12 *Salary allowances under Internal Revenue Code.* No provision of these regulations shall preclude the Commissioner from disallowing as a deduction in computing Federal income tax any compensation paid by an employer (regardless of the number of employees and of the amount paid to any employee) in excess of a "reasonable allowance" in accordance with the provisions of section 23 (a) of the Code (for text of this section of the Code see § 81.976a (b)).

§ 81.976m *Statutory salaries and wages.*

§ 4001.13 *Statutory salaries and wages.* These regulations shall be applicable to any salary or wages paid by the United States, any State, Territory or possession, or political subdivision thereof, the District of Columbia, or any agency or instrumentality of any one or more of the foregoing, except where the amount of such salary or wages is fixed by statute.

Joint Statement of November 12, 1942, of the National War Labor Board and the Commissioner of Internal Revenue: Procedure for Wage and Salary Adjustments by State Governments and Subdivisions and Agencies Thereof.

Adjustments in salaries or wages of State, county or municipal employees which require the approval of the Board or of the Commissioner will be deemed approved upon certification by the State or local agency authorizing the adjustment that such adjustment is necessary to correct maladjustments, or to correct inequalities or gross inequities as contemplated by Executive Order No. 9250. Such a certificate, briefly describing the nature and amount of the adjustment, and setting forth the necessary facts, will be accepted by the Board of Commissioners, as the case might be, as satisfactory evidence of the facts and of the propriety of the adjustment, subject to the right of the Board or the Commissioner to reopen the matter and to request further information pertaining to the propriety of the adjustment. Modification by the Board or by the Commissioner of action taken by a governmental official or agency acting pursuant hereto will not be retroactive. The certificate prescribed herein, together with four copies thereof, should be filed promptly with the committee established by joint action of the National War Labor Board and the Commissioner of Internal Revenue, namely the Joint Committee on Salaries and Wages, Room 5426, Department of Labor Building, Washington, D. C., which will forward the same to the Board or the Commissioner, as the case may require.

The certification procedure will not apply to any adjustment which would raise salaries or wages beyond the prevailing level of compensation for similar services in the area or community. In exceptional cases where such an adjustment is sought, and in all cases where the agency seeks an adjustment other than by the certification procedure, application for approval should be filed with the appropriate Regional Office of the National War Labor Board or of the Commissioner of Internal Revenue as the case may be.

Joint Statement of December 26, 1942, of the National War Labor Board and the Commissioner of Internal Revenue: Procedure for Wage and Salary Adjustments by State, County, and Municipal Governments and Agencies Thereof.

Since the November 12, 1942, announcement of procedure was made, a multitude of certificates of wage or salary adjustments have been received from state and local agencies. In the course of a detailed examination of the facts set forth in these certificates, neither the Board nor the Commissioner has had occasion to question any adjustments made by any of the state or local agencies. In the light of this experience, which indicates that statutory budgetare controls are operating to keep salary and wage movements of state and local agencies within very narrow bounds, the Board and the Commissioner have determined to make the following changes in procedure effective forthwith:

(1) In all cases where an adjustment in wages or salaries by a State, county or municipal agency is necessary to correct maladjustments, inequalities or gross inequities as contemplated by Executive Order No. 9250 and would not raise salaries or wages above the prevailing level of compensation for similar services in the area or community, the adjustments will be deemed approved without the necessity of filing certificates for the information of the Board or Commissioner.

(2) In all other cases, the state or local agency is requested to take the matter up with the Joint Committee on Salaries and Wages, Department of Labor Building, Washington, D. C. This Committee, with the approval of the Economic Stabilization Director, has been established by the Board and the Commissioner, and has been authorized to advise state and local agencies in these cases whether or not the particular adjustments are in accordance with the national stabilization policy. While the Committee in the performance of its functions will not attempt to exercise any legal sanctions, Congress, in the Act of October 2, 1942, clearly intended that all employers and all employees would be covered by the national stabilization policy and since millions of public employees are engaged in the same kind of work as private employees, the duty of public employers to conform to that policy is as plain as that of private employers. The way in which governmental agencies have been cooperating with the Board and the Commissioner to date indicates their desire to discharge that duty to the same extent as is required of non-governmental employers.

§ 81.976n *Territories and possessions.*

§ 4001.14 *Territories and possessions.* The Board, the Commissioner or the Secretary of Agriculture, as the case may be, shall have the authority to exempt from the operation of these regulations any wages or salaries paid in any Territory or possession of the United States where deemed necessary for the effective administration of the Act and these regulations.

§ 81.976o *Regulations of Economic Stabilization Director.*

§ 4001.15 *Regulations of Economic Stabilization Director.* The Director shall have authority to issue such regulations as he deems necessary to amend or modify these regulations.

§ 81.976p *Effect of Executive Order No. 9250.*

§ 4001.16 *Effect of Executive Order No. 9250.* To the extent that the provisions of Executive Order No. 9250, dated October 3, 1942, are inconsistent with these regulations, such provisions are hereby superseded.

Section 81.977c is amended as follows:

§ 81.977c *Regional offices.*

§ 1001.3 *Regional offices.* The Commissioner of Internal Revenue may establish such regional offices as he shall deem necessary for the effective administration of the provisions of this Treasury Decision.

(a) The Commissioner of Internal Revenue has established the following Salary Stabilization Regional Offices:

Detroit: 14th Floor, Penobscot Building, Detroit, Michigan. Jurisdiction: Michigan.

Los Angeles: Suite 770, Subway Terminal Building, Los Angeles, California. Jurisdiction: Sixth Collection District of California, and Arizona.

New York: 253 Broadway, Fourth Floor, New York, New York. Jurisdiction: New York and the Fifth Collection District of New Jersey.

Philadelphia: Suite 1313, Market Street, National Bank Building, Philadelphia, Pennsylvania. Jurisdiction: Pennsylvania and New Jersey with the exception of the Fifth Collection District of New Jersey.

San Francisco: Room 918, 100 McAllister Street Building, San Francisco, California. Jurisdiction: First Collection District of California, Nevada, Utah and Hawaii.

Chicago: Fourth Floor, 208 South La Salle Street, Chicago, Illinois. Jurisdiction: Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Indiana.

Boston: Rooms 301-4, 1 State Street, Boston, Massachusetts. Jurisdiction: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island.

Cleveland: Williamson Building, 215 Euclid Avenue, Cleveland, Ohio. Jurisdiction: Ohio and Kentucky.

Atlanta: Rooms 717-720, William Oliver Building, Atlanta, Georgia. Jurisdiction: South Carolina, Georgia, Florida, Alabama and Tennessee.

Seattle: Room 312, Smith Tower Annex, Seattle, Washington. Jurisdiction: Washington, Oregon, Idaho, Montana, Wyoming and Alaska.

Kansas City: R. A. Long Building, Kansas City, Missouri. Jurisdiction: Kansas, Missouri, Iowa, Nebraska and Colorado.

Dallas: Tower Petroleum Building, Dallas, Texas. Jurisdiction: Mississippi, Louisiana, Texas, New Mexico, Arkansas and Oklahoma.

Washington, D. C.: Room 2529, Internal Revenue Building, Washington, D. C. Jurisdiction: Maryland, Delaware, Virginia, West Virginia, North Carolina, District of Columbia, and Puerto Rico.

Paragraphs (a) and (b) are added to § 81.977p as follows:

§ 81.977p *Commissioner's approval required.*

§ 1002.13 * * *

(a) Where an employer has numerous employees on a weekly salary basis and who receive stipulated salaries for a week comprised of 48 hours of work, without provision for overtime compensation, approval by Commissioner of Internal Revenue is required to increase weekly salaries on a pro rata hourly basis for all hours worked in excess of 48. Likewise, approval of the Commissioner is required to effect a pro rata hourly reduction of the weekly salaries under the same circumstances (letter of Commissioner of Internal Revenue dated December 22, 1942).

(b) Where an employer has numerous employees who receive stipulated salaries per week of 40 hours of work with provision for time and one-half compensation for all hours worked in excess of 40 per week, approval of Commissioner of Internal Revenue is required to increase the base weekly salary for 40 hours of work but not for pro rata overtime (letter of Commissioner of Internal Revenue dated December 22, 1942).

Paragraphs (a) and (b) are added to § 81.977q as follows:

§ 81.977q *Commissioner's approval not required.*

§ 1002.14 * * *

(a) *Bonuses.* The Commissioner of Internal Revenue has stated that his approval of bonuses to be paid in 1942 to salaried employees within his jurisdiction is not required where:

(1) The amount to be paid in 1942 is not greater than the amount paid to the same employee or an employee occupying the same position in 1941.

(2) Before October 3, 1942, the employer has entered into an enforceable contract with the employee to pay him, in 1942, (i) a bonus of a specified amount or, (ii) a bonus calculated in a specified manner, the amount of which was determinable on or before October 3, 1942.

(3) It has been the settled policy of the employer over a period of at least two years to pay bonuses calculated on a fixed percentage of the salary of each of the employees of any group, provided the fixed percentage is not increased in 1942. An increase in the amount of any employee's bonus due to an increase in his salary during 1942, without any change in the percentage, will not be in violation of this rule.

(4) The bonus or other additional compensation is based on a fixed percentage of an employee's individual sales, provided the rate of such payment was fixed before October 3, 1942. All other types of bonus payments require the approval of the Commissioner. Applications for approval of bonus payments, where required, should be made before making payment and should be filed on forms which may be secured from any of the Salary Stabilization Regional Offices listed in paragraph (a) of § 81.977c.

(b) *Salary schedules.* The salary schedules for nonmanual employees contained in Construction Contract Board Form 5 used by the Office of the Chief of Engineers have been ruled by the Commissioner of Internal Revenue to be salary rate schedules within the meaning of § 1002.14 of the Regulations and salary increases and promotions within the limits of these schedules may be made without prior approval of the Commissioner, for employees who come within the jurisdiction of the Commissioner. Prior approval, however, must be obtained in any case where salary increases are made beyond the limits set forth in such schedules (letter of Commissioner of Internal Revenue dated December 22, 1942).

Section 81.977ll is added immediately following § 81.977kk:

§ 81.977ll *Delegation by Commissioner of Internal Revenue to Secretary of War.* By letter dated December 24, 1942 the Commissioner of Internal Revenue delegated to the Secretary of War the authority to administer the provisions of Executive Order No. 9250, General Regulations of the Director of Economic Stabilization and the Salary Stabilization Regulations as they relate to salary adjustments, which come under the jurisdiction of the Commissioner of Internal Revenue, of all civilian employees employed by the War Department within the continental limits of United States and Alaska, the Army Exchange Service and Government-owned, privately-operated facilities of the War Department. The full text of the letter follows:

DECEMBER 24, 1942.

MY DEAR MR. SECRETARY: Reference is made to your letter dated December 1, 1942, addressed to the Secretary of the Treasury, wherein it is suggested that an arrangement be adopted so that the Secretary of War may have the authority to administer the provisions of Executive Order No. 9250, General Regulations of the Director of Economic Stabilization and the Salary Stabilization Regulations, as they relate to salary adjustments which come under the jurisdiction of this office, of all civilian positions of the War Department within the continental United States and Alaska. The delegation of authority would also cover salary adjustments for personnel under the Army Exchange Service and in Government owned, privately operated plants. It is further requested that the authority delegated be exercised on behalf of the Secretary of War by the Wage Administration Section in the Civilian Personnel Division, Headquarters, Services of Supply. Under the plan suggested the Wage Administration Section would have authority to act on cases covered by the policies of this office and will present to the Commissioner of Internal Revenue a request for a decision on any case not so covered. There was attached to your letter a Wage Administration Manual for ungraded civilian jobs.

In accordance with your request, there is hereby delegated to the Secretary of War, as the agent of the Commissioner, to be exercised on his behalf by the Wage Administration Section within the Civilian Personnel Division, Headquarters, Services of Supply (hereinafter referred to as the War Department Agency) authority to rule upon all applications for salary adjustments (insofar as approval thereof has been made a function of the Commissioner of Internal Revenue) covering civilian employees within the continental limits of the United States and Alaska, employed by the War Department, the Army Exchange Service and Government owned, privately operated facilities of the War Department.

This delegation is subject to the following conditions:

1. The War Department Agency, without making initial ruling thereon, may refer to the Commissioner of Internal Revenue for decision any case which in the opinion of the agency presents doubtful and disputed questions of sufficient importance to warrant direct action by the Commissioner.

2. The War Department Agency shall transmit to the Commissioner of Internal Revenue copies of its rulings and rules of procedure as they are issued and such additional data and reports as the Commissioner may from time to time deem necessary.

3. Any ruling by the War Department Agency shall be final, subject to

(a) the Commissioner's ultimate power to review rulings on his own initiative;

(b) the right of any aggrieved party to take an appeal to the Commissioner from the ruling of the War Department Agency within a period of ten days after the date of such ruling. An appeal shall be filed with the War Department Agency to be forwarded to the Commissioner for action.

Any ruling by the War Department Agency shall be deemed to be the act of the Commissioner of Internal Revenue, unless and until reversed or modified by him, and any such reversal or modification shall take effect from the date recited in the order of modification or reversal.

4. Any ruling of the War Department Agency under this delegation of authority shall be effective from the date of the receipt of the application for salary adjustment and in no case should the War Department Agency issue a ruling which would have a retroactive effect; except, however, in those cases where a salary adjustment was made in good faith and consistent with the provisions of Executive Order No. 9250, prior to the date of this letter, retroactive approval may be made if the application for approval is filed with the War Department Agency on or before January 15, 1943.

5. The "Government owned, privately operated facilities of the War Department" which are to be subject to the terms of this delegation shall be only those which are named in lists furnished from time to time to the Commissioner of Internal Revenue by the War Department Agency. The Commissioner of Internal Revenue may at any time, upon at least seven days' notice to the War Department Agency, strike from the list any facility if the Commissioner of Internal Revenue believes that the policies of the Executive Order No. 9250, the regulations promulgated by the Economic Stabilization Director and those of the Commissioner of Internal Revenue require that the Commissioner of Internal Revenue act directly upon the wage and salary adjustments of such facility.

Since the Wage Administration Section in the Headquarters, Services of Supply, has the technical staff and has made the necessary preparation to apply the provisions of the Executive Order No. 9250 and the regulations throughout the War Department, it is believed that the foregoing delegation of authority will aid in the expeditious handling of the salary adjustment program.

Very truly yours,

GUY T. HELVERING,
Commissioner.

Section 81.979a is amended by adding at the end thereof reference to Alaska as follows:

§ 81.979a *National War Labor Board Regions; geographical jurisdictions and addresses.* * * *

Region X: California, Washington, Oregon, Nevada, Arizona. 1355 Market St., San Francisco, Calif.

Alaska. (See § 81.980w, National War Labor Board General Order No. 23.)

Sections 81.979c and 81.979d are added as follows:

§ 81.979c *Extension of authority of National War Labor Board Regional Directors: Bonuses.* On December 17, 1942, the National War Labor Board delegated to its Regional Directors authority to pass on such bonus payments which require Board approval. The Regional Directors were authorized to approve the payment of gifts or bonuses not permissible under General Order No. 10 (§ 81.980j) only in exceptional cases where non-payment "would be grossly inequitable and would result in a manifest injustice."

§ 81.979d *Extension of authority of National War Labor Board Regional Directors: Voluntary wage and salary adjustments.* On December 24, 1942, the National War Labor Board granted to its Regional Directors authority to make final decisions on all voluntary wage or salary (over which the NWLB has jurisdiction) adjustment cases involving employers of not more than 100 employees subject to the NWLB's procedure which provides, for appeal to a tripartite regional panel from an adverse ruling by a Regional Director. The decisions of these panels are final, subject to the right of any panel member to request Board review and the Board's right of review on its own motion.

In § 81.980 paragraphs (a) to (p) inclusive are redesignated §§ 81.980a to 81.980p inclusive and the following changes made therein:

Section 81.980 is amended as follows:

§ 81.980 *General Orders of National War Labor Board.* From time to time the National War Labor Board issues general orders establishing procedures and regulations for the administration and interpretations of such portions of Executive Order No. 9250 as are administered by the National War Labor Board, as well as interpretations of such general orders. The full text of such general orders and interpretations is set forth in the succeeding paragraphs which are designated §§ 81.980a to 81.980y, inclusive.

Paragraph (a) is redesignated § 81.980b and amended as follows:

§ 81.980a *General Order No. 1.* * * *

(a) *General Order No. 1–A.*

General Order No. 1 issued by the National War Labor Board on October 7, 1942, shall apply also to salaries subject to the jurisdiction of the Board. (For definition of such salaries, see General Order No. 9, October 30, 1942, at § 81.980i.)

Paragraph (b) is redesignated § 81.980b as follows:

§ 81.980b *General Order No. 2.* * * *

Paragraph (c) is redesignated § 81.980c and subparagraphs (1), (2), and (3) are redesignated paragraphs (a), (b), and (c) of that section as follows:

§ 81.980c *General Order No. 3.* * * *

(a) *Interpretation No. 1 of General Order No. 3.* * * *

(b) *Interpretation No. 2 of General Order No. 3.* * * *

(c) *Interpretation No. 3 of General Order No. 3.* * * *

Paragraph (d) is redesignated § 81.980d and subparagraphs (1), (2), (3), and (4) are redesignated paragraphs (a), (b), (c), and (d) of that section as follows:

§ 81.980d *General Order No. 4.* * * *

(a) *Intrepretation No. 1 of General Order No. 4.* * * *

(b) *Intrepretation No. 2 of General Order No. 4.* * * *

(c) *General Order No. 4–A.* * * *

(d) *General Order No. 4–B.* * * *

Paragraph (e) is redesignated § 81.980e, paragraphs (b), (c), and (d) are added as follows:

§ 81.980e *General Order No. 5.*

Wage adjustments may be made in the rates of individual employees, without approval of the National War Labor Board, if they are incident to the application of the terms of an established wage agreement or to established wage rate schedules covering the work assignments of employees and are made as a result of:

(a) Individual promotions or reclassifications.

(b) Individual merit increases within established rate ranges.

(c) Operation of an established plan of wage increases based upon length of service.

(d) Increased productivity under piecework or incentive plans.

(e) Operation of an apprentice or trainee system.

The Board further finds that adjustments of wages made under this order should not result in any substantial increase of the level of costs and shall not furnish a basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

(a) *Interpretation No. 1 of General Order No. 5.* * * *

(b) *The reduction or acceleration of the time intervals* in a length of service schedule constitutes a substantial change in the essential character of the schedule and, therefore, may not be made without Board approval.

(c) *Where a length of service schedule contains several steps,* the starting or minimum step may not be eliminated without Board approval even though the other steps in the schedule including the top step, or maximum rate, are left unaffected.

(d) *A wage rate schedule* is "established" within the meaning of General Order No. 5 where prior to October 3, 1942, minimum and maximum rates were fixed for the particular job or classification. A salary rate schedule is "established" where prior to October 27, 1942, minimum and maximum rates for the particular salaried job or classification were fixed. The minimum and maximum rates may have been fixed either in writing or by custom or practice adhered to for a substantial length of time prior to October 3, in the case of wages, or October 27, in the case of salaries. No definite rule of thumb has been formulated by the National War Labor Board to determine whether or not the rates have been adhered to for sufficient length of time but the Board has indicated that if the rates have been adhered to for a year prior to the proposed adjustments that would be sufficient. Whether any lesser period should be allowed will depend on the circumstances of each case.

Paragraph (f) is redesignated § 81.980f and amended as follows:

§ 81.980f *General Order No. 6.* * * *

(a) *General Order No. 6–A.*

General Order No. 6, issued by the National War Labor Board on October 20, 1942, shall apply also to salaries subject to the jurisdiction of the Board. (For definition of such salaries, see General Order No. 9, October 30, 1942, at § 81.980i.)

Paragraph (g) is redesignated § 81.980g as follows:

§ 81.980g *General Order No. 7.* * * *

Paragraph (h) is redesignated § 81.980h as follows:

§ 81.980h *General Order No. 8.* * * *

Paragraph (i) is redesignated § 81.980i and paragraphs (a) and (b) are added as follows:

§ 81.980i *General Order No. 9.* * * *

(a) *The straight time weekly or monthly rate* being paid before an increase takes effect, and which, if paid over a period of 52 weeks would not exceed $5,000 a year is the basis of determining whether a salary is less than $5,000 for the purposes of General Order No. 9.

(b) *A "duly recognized or certified labor organization"* as set forth in subparagraph I (a) of General Order No. 9 means a labor organization representing some or all of the employees affected by the proposed adjustment which (1) is recognized by the employer as the representative of such employees in matters affecting wages or (2) has been certified by an appropriate government authority (a state agency or the National War Labor Relations Board) as the exclusive bargaining agent for some or all of the employees affected by the proposed adjustment.

Paragraph (j) is redesignated § 81.980j and paragraph (a) is added to that section as follows:

§ 81.980j *General Order No. 10.* * * *

(a) *General order 10–A.*

A bonus payment made by an employee severing his employment for the immediate purpose of entering the armed forces of the United States does not require the approval of the National War Labor Board.

Paragraph (k) is redesignated § 81.980k as follows:

§ 81.980k *General Order No. 11.* * * *

Paragraph (l) is redesignated § 81.980l as follows:

§ 81.980l *General Order No. 12.* * * *

On November 25, 1942, the National War Labor Board determined that General Order No. 12 applies to employees of the District of Columbia.

Paragraph (m) is redesignated § 81.980m and amended as follows:

§ 81.980m. *General Order No. 13.*

(Note: This general order was repealed by General Order No. 13–A issued on December 14, 1942 (see paragraph (a) of this section). It is set forth here merely for purposes of reference.)

WAGE STABILIZATION IN BUILDING

(a) As provided in Title III, section 3, of Executive Order 9250 the Wage Adjustment Board of the Building Construction Industry established by the Secretary of Labor's Administrative Order No. 101 shall continue to perform the duty ascribed to it by that Order as amended by Supplement No. 1 and by the Wage Stabilization Agreement of May 22, 1942, between the Building and Construction Trades Department of the American Federation of Labor and several Government agencies. As provided in the agreement rates are to be revised above the July 1, 1942, levels only where those rates are inadequate because:

(1) They were fixed at a time so long before July 1, 1942, as to be out of line with the general wage then prevailing;

(2) They were applicable in a locality where changing conditions in the building construction industry require a revision of wage rates; or

(3) They do not sufficiently take into account any abnormal changes in conditions.

(b) In the performance of this duty the Wage Adjustment Board shall take no action which is inconsistent with the terms of Executive Order No. 9250.

(c) Any recommendation of the Wage Adjustment Board directed to the parties for a change in wage rates shall be transmitted to the National War Labor Board and shall become a final order of the National War Labor Board seven days after filing unless in the interim the National War Labor Board determines that the recommendation should be stayed for the purpose of review or should be put into operation subject to review. If the National War Labor Board assumes review, it shall enter its order confirming the recommendation of the Wage Adjustment Board or remanding the case to the Wage Adjustment Board for further consideration. The Wage Adjustment Board may refer to the National War Labor Board or the National War Labor Board may bring up on its own motion, any recommendation of the Wage Adjustment Board directed to the parties in order to determine whether the action is inconsistent with the terms of Executive Order No. 9250.

(d) Unless and until otherwise ordered this order shall apply only to wage adjustments in contracts which were entered into prior to November 5, 1942, or, which are otherwise excluded from the operation of Maximum Price Regulation 251 of the Office of Price Administration.

(a) *General Order No. 13–A.*

General Order No. 13 (Wage Stabilization in Building) of November 14, 1942 is hereby revoked. In its place the following order is adopted:

(a) Title III, section 3 of Executive Order No. 9250 of October 3, 1942, provides: "The National War Labor Board shall permit * * * the Wage Adjustment Board for the Building Construction Industry * * * to continue to perform its functions * * * except insofar as any of them is inconsistent with the terms of this order."

Pursuant thereto, the Wage Adjustment Board shall continue to perform the duty ascribed to it by Administrative Order No. 101 of the Secretary of Labor as amended by Supplement No. 1 and by the Wage Stabilization Agreement of May 22, 1942, between the Building and Construction Trades Department of the American Federation of Labor and several Government Agencies, all in accordance with the further provisions of this order.

(b) Applications for approval of revision of rates subject to the Wage Stabilization Agreement of May 22, 1942, which revision would otherwise require the approval of the National War Labor Board, shall be submitted for approval to the Wage Adjustment Board for the Building Construction Industry.

(c) In applying the provisions of Paragraphs (a), (b), and (c) of the said Agreement of May 22, 1942, the Wage Adjustment Board, in ruling upon such applications for approval shall, as directed by Title III, Section 3, of Executive Order No. 9250, take no action inconsistent with the terms of said Executive Order, or with the National War Labor Board's Wage Stabilization Policy of November 6, 1942, or any other General Order or policy of the National War Labor Board heretofore or hereafter announced thereunder.

(d) (1) Any unanimous ruling by the Wage Adjustment Board hereunder shall be deemed to be a final ruling of the National War Labor Board, subject to the provisions of paragraph 3 below.

(2) Any ruling with respect to which a member of the Wage Adjustment Board has cast a dissenting vote shall (subject to the provisions of paragraph 3 below) become a final ruling of the National War Labor Board, unless within seven (7) days after such ruling the member casting the dissenting vote refers the ruling to the National War Labor Board for review. Such a reference shall be accompanied by a full statement of the reasons for the dissent. The National War Labor Board shall thereupon determine whether the ruling should be stayed for the purpose of review or should be put into operation subject to review.

(3) All rulings by the Wage Adjustment Board hereunder shall be subject to the National War Labor Board's ultimate power of review on its own initiative. Any reversal or modification of such a ruling shall not be retroactive and shall allow the parties a period of two (2) weeks after the date of the National War Labor Board's order within which to comply with such order.

(e) The Wage Adjustment Board shall transmit monthly to the Division of Review, Analysis and Research of the National War Labor Board, copies of its rulings made hereunder and such additional data and reports as said Division or the National War Labor Board may from time to time deem necessary.

(f) Each application submitted hereunder for ruling to the Wage Adjustment Board shall state whether it is intended to make the proposed increase, if approved, the basis of an application to the Office of Price Administration for an adjustment of maximum prices or of a petition for an amendment of the regulations establishing those prices.

(1) If the application does not state that price relief will be sought, the Wage Adjustment Board shall rule finally upon the application subject only to the War Labor Board's ultimate power of review above set forth.

(2) If the application states that price relief will be sought, there shall be submitted with the application a statement describing the relationship between the proposed increase and the price situation and what the effect would be if wages were increased without price relief. A copy thereof shall be sent with the application to the Office of Price Administration together with such additional forms as the Office of Price Administration may require to be filled out and which have been supplied for that purpose by said Office to the Wage Adjustment Board.

(i) Copies of rulings in such cases, approving or disapproving the application shall be transmitted by the Wage Adjustment Board to the Office of Price Administration as well as to the applicants.

(ii) If the application in such case is approved, the ruling of the Wage Adjustment Board shall state that it will become effective only on final approval by the National War Labor Board, and when so required by Executive Order No. 9250, by the Economic Stabilization Director.

(g) In the case of contracts executed after October 30, 1942, if the application states that a price adjustment (of either a lump, sum or cost plus contract) will be sought, a copy of such application shall be transmitted by the Wage Adjustment Board to the government agency at whose instance the project is being constructed, if such government agency has been excluded from the coverage of the Office of Price Administration's MPR No. 251.

Paragraph (n) is redesignated § 81.980n and paragraphs (a) and (b) are added as follows:

§ 81.980n *General Order No. 14* * * *

(a) *Appeals Committee.* The standing Tripartite Appeals Committee consists of:

For the War Department: Col. W. F. Volandt, assistant chief of staff, Army Air Forces, and Col. Ralph L. Hart, executive assistant to the Chief of Field Services, Ordnance Department.

For labor: John Brophy, director of Industrial union councils of the CIO, and Fred Hewett, editor of the International Association of Machinists (AFL) Journal.

For industry: Clarence Skinner, Washington manager of the Automotive Parts and Equipment Manufacturers Association, and Henry S. Woodbridge, Assistant to the president of the American Optical Co.

(b) *Government-owned, privately-operated facilities.* The following Government-owned, privately-operated facilities are embraced within the delegation to the War Department Agency:

Government-owned, privately-operated Ordnance Facilities

Alabama Ordnance Works #1 and 2—Sylacauga, Alabama
Allegany Ordnance Plant—Cumberland, Maryland.
Arkansas Ordnance Plant—Jacksonville, Arkansas
Badger Ordnance Works—Baraboo, Wisconsin
Baytown Ordnance Works—Baytown, Texas.
Bluebonnet Ordnance Plant—McGregor, Texas
Buckeye Ordnance Works—Ironton, Ohio.
Cactus Ordnance Works—Dumas, Texas.
Cherokee Ordnance Works—Danville, Pennsylvania.
Chickasaw Ordnance Plant—Millington, Tennessee
Coosa River Ordnance Plant—Talladega, Alabama.
Cornhusker Ordnance Plant—Grand Island, Nebraska
Denver Ordnance Plant—Denver, Colorado.
Des Moines Ordnance Plant—Des Moines, Iowa.
Dixie Ordnance Works—P. O. Box 1643, Monroe, Louisiana.
Dixon Gun Plant—Houston, Texas.
Eau Claire Ordnance Plant—Eau Claire, Wisconsin.
Evansville Ordnance Plant—Evansville, Indiana.
Elwood Ordnance Plant—Joliet, Illinois.
Gadsden Ordnance Plant—Gadsden, Alabama
Gopher Ordnance Works—St. Paul, Minnesota.
Green River Ordnance Plant—Dixon, Illinois
Gulf Ordnance Plant—Aberdeen, Mississippi.
Holston Ordnance Works—Kingsport, Tennessee.
Hoosier Ordnance Plant—Charlestown, Indiana.
Illinois Ordnance Plant—Carbondale, Illinois.
Indiana Ordnance Works—Charlestown, Indiana.
Iowa Ordnance Plant—Burlington, Iowa.
Jayhawk Ordnance Works—Pittsburgh, Kansas.
Kankakee Ordnance Works—Joliet, Illinois.
Kansas Ordnance Plant—Parsons, Kansas.
Kentucky Ordnance Works—Paducah, Kentucky.
Keystone Ordnance Works—Meadville, Pennsylvania.
Kingsbury Ordnance Plant—LaPorte, Indiana.
Kings Mill Ordnance Plant—Kings Mill, Ohio.
Lake City Ordnance Plant—Independence, Missouri.
Lake Ontario Ordnance Works—Youngstown, New York.
Lone Star Ordnance Plant—Texarkana, Texas.
Longhorn Ordnance Works—Marshall, Texas.
Louisiana Ordnance Plant—Shreveport, Louisiana.
Lowell Ordnance Plant—Lowell, Massachusetts.
Maumelle Ordnance Works—Little Rock, Arkansas
Milwaukee Ordnance Plant—Milwaukee, Wisconsin.
Missouri Ordnance Works—Louisiana, Missouri.
Morgantown Ordnance Works—Morgantown, West Virginia.
Nebraska Ordnance Plant—Fremont, Nebraska.
New River Ordnance Plant—Pulaski, Virginia
New York Ordnance Works—Baldwinsville, New York.
Oak Ordnance Plant—Decatur, Illinois.
Ohio River Ordnance Works—Henderson, Kentucky.
Oklahoma Ordnance Works—Tulsa, Oklahoma
Ozark Ordnance Works—El Dorado, Arkansas
Pantex Ordnance Plant—Amarillo, Texas.
Pennsylvania Ordnance Works—Williamsport, Pennsylvania
Pilgrim Ordnance Works—West Hanover, Massachusetts.
Plum Brook Ordnance Works—Sandusky, Ohio.
Radford Ordnance Works—Radford, Virginia.
Ravena Ordnance Plant—Apco, Ohio.
St. Louis Ordnance Plant—St. Louis, Missouri
Sangamon Ordnance Plant—Springfield, Illinois.
Scioto Ordnance Plant—Marion, Ohio.
Sunflower Ordnance Works—Lawrence, Kansas.
Twin Cities Ordnance Plant—Minneapolis, Minnesota.
Utah Ordnance Plant—Salt Lake City, Utah.
Vigo Ordnance Plant—Terre Haute, Indiana.
Volunteer Ordnance Plant—Chattanooga, Tennessee.
Wabash River Ordnance Works—Newport, Indiana.
Weldon Spring Ordnance Works—Weldon Springs, Missouri.
West Virginia Ordnance Works—Point Pleasant, West Virginia.
Wolf Creek Ordnance Plant—Milan, Tennessee.
Government Plant No. 1—Martin—Omaha, Nebraska.
Government Plant No. 2—North American—Kansas City, Kansas.
Government Plant No. 3—Douglas—Tulsa, Oklahoma.
Government Plant No. 4—Consolidated Ft. Worth, Texas.
Government Plant No. 5—Douglas—Oklahoma City, Oklahoma.
Government Plant No. 6—Bell—Marietta, Georgia.
Government Plant No. 7—Fisher Body—Cleveland, Ohio.
Government Plant No. 8—Douglas—Chicago, Illinois.
Modification Center No. 1—Douglas—Daggett, California.
Modification Center No. 2—Consolidated—Tucson, Arizona.
Modification Center No. 3—Lockheed—Dallas, Texas.
Modification Center No. 4—North American—Kansas City, Kansas.
Modification Center No. 5—Curtiss-Wright—Buffalo, N. Y.
Modification Center No. 6—Republic—Evansville, Indiana.
Modification Center No. 7—Bell—Niagara Falls, New York.
Modification Center No. 8—Martin—Omaha, Nebraska.
Modification Center No. 9—Vultee—Louisville, Kentucky.
Modification Center No. 10—United Airlines—Cheyenne, Wyoming.
Modification Center No. 11—Northwest Airliner—Vandalia, Ohio.
Modification Center No. 12—Northwest Airlines—St. Paul Minnesota.

Non-manual employees employed on the following fixed-fee engineers projects are embraced within the delegation to the War Department Agency.

ENGINEERS PROJECTS

Projects	*Nearest city*
Ainsworth Airfield	Ainsworth, Nebr.
Alabama Ordnance Works	Sylacauga, Ala.
Alexandria Q. M. Depot	Alexandria, Va.
Allegany Ordnance Works	Cumberland, Md.
American Locomotive Co	Schenectady, N. Y.
Anacostia—Dalecarlia Reproduction Plant	Washington, D. C.
Anniston Ordnance Depot	Anniston, Ala.
Arlington Hall Station	Arlington, Va.
Atlanta Ordnance Motor Base	Atlanta, Ga.
Atterbury, Camp	Columbus, Ind.
Badger Ordnance Works	Baraboo, Wis.
Bartholomew County Airfield	Reed Valley, N. J.
Belle Meade Q. M. Depot	Beltsville, Md.
Beltsville Air Support Command Base	Accotink, Va.
Belvoir, Fort	Big Springs, Tex
Big Springs Army Airfield	Indianapolis, Ind
Billings General Hospital	Louisville, Ky.
Bowman Field	Morganfield, Ky.
Breckenridge, Camp	Bruning, Nebr.
Bruning Airfield	South Point, Ohio.
Buckeye Ordnance Works	Buffalo, N. Y.
Buffalo Modification Center #5	Arlington, Va.
Building 703–705 Columbia Pike	Butler, Pa.
Butler General Hospital	Etter, Tex.
Cactus Ordnance Works	Camp Springs, Md.
Camp Springs Airfield	

ENGINEERS PROJECTS—Continued

Projects	*Nearest city*
Lowell Ordnance Depot	Lowell, Mass
Madison Barracks	Grenada, Miss.
Malden Basic Flying School	Malden, Mo.
Marietta Aircraft Assembly Plant	Atlanta, Ga.
Marshall Plant	New Martinsville, W. Va.
Maury Plant	Columbia, Tenn.
Memphis Airfield	Memphis, Tenn.
Memphis Q. M. Depot	Memphis, Tenn.
Milwaukee Ordnance Plant	Milwaukee, Wis.
Missouri Ordnance Works	Louisiana, Mo.
Monmouth, Fort	Red Bank, N. J
Monticello Internment Camp	Monticello, Ark
New Martinsville Ordnance Works	Morgantown, W. Va.
National Park College Airfield	Forest Glen, Md.
New Orleans Port of Embarkation	New Orleans, La.
Newport News Staging Area	Newport News, Va.
New York Ordnance Works	Baldwinsville, N. Y.
Niagara Falls Modification Center #7	Niagara Falls, N. Y.
Niagara Falls Plant	Niagara Falls, N. Y.
Oklahoma City Aircraft Assembly Plant	Oklahoma City, Okla.
Oklahoma Ordnance Works	Choteau, Okla.
Orangeburg Staging Area	Orangeburg, N. Y
Ozark Ordnance Works	El Dorado, Ark.
Paris Airfield	Paris, Tex.
Pennsylvania Ordnance Works	Allentown, Pa.
Pentagon Building	Arlington, Va.
Phillips, Camp	Salina, Kans.
Pierre Airfield	Pierre, S. Dak.
Pine Bluff Arsenal	Pine Bluff, Ark.
Pollock Air Support Command Base	Pollock, La.
Port Newark	Newark, N. J.
Portage Ordnance Depot	Ravenna, Ohio.
Potomac River Emergency Railroad Crossing	Arlington, Va.
Pueblo Ordnance Depot	Pueblo, Colo.
Radford Ordnance Works	Radford, Va.
Reading Airfield	Reading, Pa.
Red River Ordnance Depot	Texarkana, Tex.
Redstone Ordnance Plant	New Boston, Tex.
Richmond Holding and Reconsignment Point	Hopewell, Va.
Richmond Q M Depot	Richmond, Va.
Rocky Mountain Arsenal	Laborn, Colo.
Rome Army Air Depot	Rome, N. Y.
Russell City Airfield	Russell City, Calif.
Ruston Internment Camp	Ruston, La.
St. Louis Ordnance Plant	St. Louis, Mo.
St. Louis Plant	St. Louis Ill.
St. Paul Ford Plant	St. Paul, Minn.
St Paul Modification Center #12	St. Paul, Minn.
Savannon Ordnance Plant	Illiopolis, Ill.
Scioto Ordnance Plant	Marion, Ohio.
Scribner Airfield	Scribner, Nebr.
Seneca Ordnance Depot	Kendia, N. Y.
Selman Field	Monroe, La.
Seymour Airfield	Seymour, Ind
Shenango Personnel Replacement Depot	Transfer, Pa
Sibert, Camp	Gadsden, Ala.
Sioux City Airfield	Sioux City, Iowa.
Stout Field	Indianapolis, Ind.
Sturgis Airfield	Sturgis, Ky.
Sunflower Ordnance Plant	Geneva, Pa.
Terre Haute Ordnance Depot	Eudora, Kans.
Topeka Army Airfield	Terre Haute, Ind
Topeka General Hospital	Topeka, Kans.
Tucson Modification Center #2	Topeka, Kans.
Tuskegee Army Flying School	Tucson, Ariz.
Twin Cities Ordnance Plant	Tuskegee, Ala
Valley Forge General Hospital	St Paul, Minn.
Van Dorn, Camp	Phoenixville, Pa
Victory Ordnance Plant	Centerville, Miss.
	Decatur, Ill.

ENGINEERS PROJECTS—Continued

Projects	*Nearest city*
Carteret Ordnance Motor Reception Park	Carteret, N. J.
Castle Island Terminal	Boston, Mass.
Chaffee, Camp	Fort Smith, Ark.
Chanute Field	Rantoul, Ill
Cherokee Ordnance Works	Danville, Pa.
Chicago Aircraft Assembly Plant	Chicago, Ill.
Chickasaw Ordnance Works	Millington, Tenn.
Clarksville Airfield	Clarksville, Tenn.
Cleveland Aircraft Assembly Plant	Cleveland, Ohio.
Colorado Springs Airfield	Colorado Springs, Colo
Como Internment Camp	Como, Miss.
Congaree Ground Air Support	Congaree, S. C.
Connecticut Ordnance Plant	Connecticut, Mass.
Daggett, Modification Center #1	Daggett, Calif.
Del Valle Airfield	Del Valle, Tex
Detroit Tank Arsenal	Detroit, Mich
Dickson Gun Plant	Houston, Tex
Dix, Fort	Wrightstown, N. J.
Dix, Fort Airfield	Wrightstown, N. J.
Dixie Ordnance Works	Sterlington, La
Dyersburg Airfield	Dyersburg, Tenn
Eastabogan Air Base	Eastabogan, Ala.
Edgewood Arsenal	Edgewood, Md.
Evansville Ordnance Plant	Evansville, Ind.
Fairmont Airfield	Fairmont, Nebr
Fall Creek Ordnance Plant	Indianapolis, Ind.
Fort Crook Modification Center #6	Fort Creek, Nebr
Fort Worth Parts Plant	Fort Worth, Tex
Fostoria Plant	Fostoria, Ohio
Gainesville Airfield	Gainesville, Tex
Gary Armor Plate Plant	Gary, Ind
George Field	Lawrenceville, Ill
Glenview Airfield	Glenview, Minn
Gopher Ordnance Works	Rosemount, Minn
Great Falls Army Airfield	Great Falls, Mont
Green River Ordnance Plant	Grand Island, Nebr.
Greenwood Airfield	Great Falls, Mont.
Grenada Air Support Command Base	Ambry, Ill
Haan, Camp	Greenwood, Miss.
Hadden Hall Alterations	Grenada, Miss
Hale, Camp	Riverside, Calif
Harrison, Fort Benjamin	Atlantic City, N. J
Hawthorne Army Depot	Indianapolis, Ind
Holabird Quarters 2nd Army	Memphis, Tenn
Howze, Camp	Kingsport, Tenn
Huntsville Arsenal	Huntsville, Ala
Indiana Ordnance Works	Gainesville, Tex
Jackson General Hospital	Charlestown, Ind
Jayhawk Ordnance Works	Jackson, Miss
Jersey City Q. M. Sub Depot	Baxter Springs, Kans
Kankakee Ordnance Works	Sewerville, N. J
Kansas City Aircraft Assembly Plant	Joliet, Ill
Kansas City Q. M. Depot	Kansas City, Kans
Kelly Field	Kansas City, Mo
Kennedy General Hospital	Memphis, Tenn
Kentucky Ordnance Works	Paducah, Ky.
Keystone Ordnance Works	Geneva, Pa.
Kingsbury Ordnance Plant	LaPorte, Ind
Kodak Optical Works	Rochester, N. Y
La Junta Airfield	La Junta, Colo.
Lake City Ordnance Plant	Independence, Mo
Lake Ontario Ordnance Works	Middletown, N. Y.
Langley Field	Hampton, Va
Lawton Air Station	Seattle, Wash.
Lee, Fort	Chamberlayne, Pa.
Lexington Ordnance Depot	Lexington, Ohio
Louisiana Ordnance Plant	Minden, La
Louisville Ordnance Depot	Louisville, Ky.

ENGINEERS PROJECTS—Continued

Projects	*Nearest city*
Vigo Ordnance Plant	Terre Haute, Ind.
Volunteer Ordnance Works	Chattanooga, Tenn.
Wabash River Ordnance Works	Newport, Ind.
Walnut Ridge Airfield	Walnut Ridge, Ark.
Walterboro Airfield	Walterboro, S. C.
Washington, Fort	Silesia, Md.
West Virginia Ordnance Works	Point Pleasant, W. Va.
Woodrow Wilson General Hospital	Staunton, Va.
Wright Field	Dayton, Ohio.

Paragraph (o) is redesignated § 81.980o as follows:

§ 81.980o *General Order No. 15.*

* * *

Paragraph (p) is redesignated § 81.980p and paragraph (a) is added as follows:

§ 81.980p *General Order No. 16.*

* * *

(a) Adjustments under this order of wage and salary rates of females employed in facilities embraced within the delegation provided for in General Order No. 14 (§ 81.980n) should be reported to the Wage Administration Section within the Civilian Personnel Division, Headquarters, Services of Supply, instead of as provided in clause (1) above.

Sections 81.980q to 81.980y, inclusive, are added as follows:

§ 81.980q *General Order No. 17.*

(a) The National War Labor Board authorizes the Office of Price Administration in establishing area pay scales for its local board clerks to apply in each area the appropriate area pay scale set forth in the instructions contained in its Field Administrative Letter No. 7, Revised, Supplement Number 1; *Provided, however,* That before any such pay scale is made effective it must be certified by the Regional Director of the National War Labor Board that the pay scale appropriate to the area has been properly chosen in accordance with the provisions of said instructions.

(b) Upon approval by the Regional Director the new rates shall apply to all new appointments, promotions, demotions, transfers, and replacements, but they shall not be applied to reduce the rates of pay of present employees in their present positions.

(c) The Office of Price Administration shall file with the Board's appropriate Regional Office copies of any proposed changes in area pay scales, and shall supply any other information or reports the Boards may require.

(d) The Regional Director is hereby authorized to approve such proposed changes in area pay scales, when so filed, unless he finds them inconsistent with Executive Order 9250 and the policies and orders of the National War Labor Board. His action on such proposed changes shall be subject to the review provided in the Board's "Procedure in Cases of Voluntary Applications for Wage Adjustments by Private Employers."

§ 81.980r *General Order No. 18.*

(a) The National War Labor Board hereby delegates to the Secretary of the Navy, to be exercised in his behalf by the Office of the Assistant Secretary of the Navy (hereinafter referred to as "The Navy Department Agency"), power to rule upon all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board), covering civilian employees within the continental limits of the United States and Alaska, employed directly by the Navy Department (but excluding persons employed in government owned, privately operated facilities of the Navy Department), all in accordance with the further provisions of this order.

(b) In the performance of its duties hereunder the Navy Department Agency shall comply with the terms of Executive Order No. 9250, dated October 3, 1942, and all General Orders and policies of the National War Labor Board, heretofore or hereafter, announced thereunder. The Navy Department Agency, without making an initial ruling thereon, may refer to the Board for decision by the Board, any case which in the opinion of the Agency presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Navy Department Agency shall transmit to the Review and Analysis Division of the National War Labor Board copies of its rulings and rules of procedure, if any, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Navy Department Agency or the Secretary of the Navy, hereunder shall be final, subject to the National War Labor Board's ultimate power to review rulings on its own initiative.

(e) Any ruling by the Navy Department Agency or the Secretary of the Navy hereunder shall be deemed to be the act of the National War Labor Board, unless and until reversed or modified by the Board. Any such order of reversal or modification shall allow a period of two weeks from the date of the Board's order within which to comply with the order.

§ 81.980s *General Order No. 19.*

(a) The Board of Governors of the Federal Reserve System and any of the twelve Federal Reserve Banks, which proposes to make adjustments in the salaries or wages of their employees not fixed by statute, which would otherwise require the prior approval of the National War Labor Board, may make such adjustment on certification to the Board that the adjustment is necessary to correct maladjustments, or to correct inequalities, or gross inequities, as defined in the Board's Statement of Wage Policy of November 6, 1942, and any other General Order or policy heretofore or hereafter announced thereunder.

(b) A certificate by the official authorizing the adjustments, stating the nature and amount of such adjustment and briefly setting forth the facts meeting the foregoing requirements will be accepted by the Board as sufficient evidence of the propriety of the adjustment, subject to review by the Board. Modification by the Board of adjustments made pursuant hereto shall not be retroactive.

(c) In the case of adjustments made hereunder by any of the twelve Federal Reserve Banks, the certificate above mentioned shall, prior to transmittal to the Joint Committee hereafter described, be transmitted to and shall be subject to the approval of the Board of Governors of the Federal Reserve System.

(d) The certificate prescribed herein, together with four (4) copies thereof, shall be filed promptly with the Committee established by joint action of the National War Labor Board and the Commissioner of Internal Revenue, namely, the Joint Committee on Salaries and Wages, Room 5406, Department of Labor Building, Washington, D. C., which will forward the same to the Board or Commissioner, as the case may require.

(e) The certification procedure shall not apply to any adjustment which would raise salaries or wages beyond the prevailing level of compensation for similar services in the area or community. In exceptional cases where such an adjustment is sought, and in all cases where an adjustment is sought other than by the certification procedure, application for approval shall be filed with the appropriate regional office of the National War Labor Board.

§ 81.980t *General Order No. 20.*

(a) The United States Employment Service or any of its state administrative offices which proposes to make adjustments in the salaries or wages of its employees not fixed by statute, which would otherwise require the prior approval of the National War Labor Board, may make such adjustment on certification to the Board that the adjustment is necessary to correct maladjustments or to correct inequalities or gross inequities, as defined in the Board's Statement of Wage Policy of November 6, 1942, and any other General Order or policy heretofore or hereafter announced thereunder.

(b) A certificate by the appropriate official of the United States Employment Service stating the nature and amount of such adjustment, and briefly setting forth the facts meeting the foregoing requirement, will be accepted by the Board as sufficient evidence of the propriety of the adjustment, subject to review by the Board. Modification by the Board of adjustments made by the United States Employment Service or one of its state administrative offices acting pursuant hereto shall not be retroactive.

(c) The certificate prescribed herein, together with four copies thereof, shall be filed promptly with the committee established by joint action of the National War Labor Board and the Commissioner of Internal Revenue, namely, the Joint Committee on Salaries and Wages, Room 5406, Department of Labor Building, Washington, D. C., which will forward the same to the Board or the Commissioner, as the case may require.

(d) The certification procedure shall not apply to any adjustment which would raise salaries or wages beyond the prevailing level of compensation for similar services in the area or community. In exceptional cases where such an adjustment is sought, application for approval shall be filed with the appropriate Regional Office of the National War Labor Board.

§ 81.980u *General Order No. 21.*

(a) The National War Labor Board hereby delegates to the Secretary of the Interior, to be exercised on his behalf by the Special Adviser on Labor Relations to the Secretary of the Interior (hereinafter referred to as the Interior Department Agency), the power to approve or disapprove all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board) covering employees of the Interior Department within the continental limits of the United States and Alaska whose wages or salaries are not fixed by statute, all in accordance with the further provisions of this order.

(b) In the performance of its duties hereunder the Interior Department Agency shall comply with the terms of Executive Order 9250, dated October 3, 1942 and any other General Order or policy of the National War Labor Board heretofore or hereafter issued thereunder. The Interior Department Agency, without making an initial ruling thereon may refer to the Board, for decision by the Board, any case which in the opinion of the agency presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Interior Department Agency shall transmit to the Review and Analysis Division of the National War Labor Board copies of its rulings, and rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Interior Department Agency hereunder shall be deemed to be the act of the National War Labor Board and shall be final subject to the National War Labor Board's ultimate power to review rulings on its own initiative, and to reverse or modify the same. Any such order of reversal or modification shall not be retroactive and shall allow the Interior Department Agency a period of two weeks from the date of the Board's order, within which to comply with the order.

(e) Nothing herein contained shall be construed as affecting the advisory duties and functions of the following Wage Boards heretofore constituted by order of the Secretary of the Interior and any similar Boards so constituted in the future:

(1) Boulder Canyon Project Wage Board.
(2) Columbia Basin Project Wage Board.
(3) Central Valley Project Wage Board.
(4) Parker Dam Power Project Wage Board.
(5) Boulder City Experiment Station Wage Board.

§ 81.980v *General Order No. 22.*

(a) No clause contained in any labor agreement, commonly known as an "escalator clause," relating to wages or salaries subject to the jurisdiction of the National War Labor Board, regardless of when the agreement was made, which provides for an adjustment in wage rates after October 3, 1942 because of changes in the cost of living, shall be enforced, where such adjustment would result in excess of fifteen percent above the average straight time hourly rates or equivalent salary rates prevailing on January 1, 1942.

(b) Adjustments within the fifteen percent limit must be submitted for approval by the Board in the usual manner.

§ 81.980w *General Order No. 23.*

(a) The National War Labor Board hereby delegates to the Territorial Representative of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor power to rule upon all questions and disputes concerning, and all applications for approval of, wage and salary adjustments (insofar as salary adjustments are within the jurisdiction of the National War Labor Board) within the Territory of Alaska, except as otherwise provided in General Orders of the National War Labor Board.

(b) In the performance of his duties, the Territorial Representative shall comply with the terms of Executive Order No. 9250 dated October 3, 1942, the National War Labor Board's wage stabilization policy, and all applicable General Orders and regulations of the National War Labor Board.

(c) An appeal may be taken from any ruling of the Territorial Representative to the National War Labor Board Advisory Board for Alaska, hereinafter called the Alaska Advisory Board. The Alaska Advisory Board shall consist of nine (9) members, to be appointed by the National War Labor Board. Three of its members shall be representatives of the public, three of employers, and three of employees. Six members, two of whom shall be from each group, shall constitute a quorum.

(d) It shall be the duty of the Territorial Representative to transmit copies of all rulings to the Alaska Advisory Board which shall have the power to review on its own initiative all rulings of the Territorial Representative.

(e) Any ruling of the Alaska Advisory Board shall be final, subject to the National War Labor Board's ultimate power to review rulings on its own initiative or on the request of any member of the Alaska Advisory Board. No action of the National War Labor Board with respect to rulings of the Alaska Advisory Board will be retroactive.

§ 81.980x *General Order No. 24.*

(a) The National War Labor Board hereby delegates to the Secretary of Agriculture, to be exercised on his behalf by the Director of Personnel of the Department of Agriculture (hereafter referred to as Agriculture Department Agency), the power to approve or disapprove all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board) covering employees of the Department of Agriculture, and employees of instrumentalities of the Department of Agriculture, within the continental limits of the United States and Alaska whose wages and salaries are not fixed by statute, including

(1) Employees and members of Agricultural Conservation Committee.

(2) Employees under cooperative agreements.

(3) Employees of agencies under supervision of the Farm Credit Administration, and

(4) Persons engaged in the administration of marketing agreements, orders, and licenses.

all in accordance with the further provisions of this order.

(b) In the performance of its duties hereunder, the Agriculture Department Agency shall comply with the terms of Executive Order 9250, dated October 3, 1942 and any General Order or policy of the National War Labor Board heretofore or hereafter issued thereunder. The Agriculture Department Agency, without making an initial ruling thereon, may refer to the Board, for decision by the Board, any case which, in the opinion of the Agency presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Agriculture Department Agency shall transmit to the Review and Analysis Division of the National War Labor Board monthly reports of its rulings, and copies of its rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Agriculture Department Agency hereunder shall be deemed to be the act of the National War Labor Board and shall be final, subject to the National War Labor Board's ultimate power to review rulings on its own initiative, and to reverse or modify the same. Any such order or reversal or modification shall not be retroactive and shall allow the Agriculture Department Agency a period of two weeks from the date of the Board's order, within which to comply with the order.

§ 81.980y *General Order No. 25.*

(a) The National War Labor Board hereby delegates to the Board of Directors of the Tennessee Valley Authority the power to approve or disapprove all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board) of employees of the Tennessee Valley Authority, in accordance with the further provisions of this order.

(b) In the performance of its duties hereunder the Board of Directors of the Tennessee Valley Authority shall comply with Executive Order 9250, dated October 3, 1942, and all regulations heretofore or hereafter issued thereunder, and with the declaration of wage policy of the National War Labor Board, dated November 6, 1942. The Board of Directors of the Tennessee Valley Authority, without making an initial ruling thereon may refer to the National War Labor Board, for decision by the Board, any application which in its opinion presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Board of Directors of the Tennessee Valley Authority shall transmit to the Review and Analysis Division of the National War Labor Board copies of its rulings, and rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Board of Directors of the Tennessee Valley Authority hereunder shall be deemed the act of the National War Labor Board and shall be final, subject to the National War Labor Board's right to review rulings on its own motion, and to reverse or modify the same. Any such reversal or modification shall not be retroactive and shall allow the Tennessee Valley Authority a period of two weeks for compliance.

Sections 81.981, 81.981a, 81.981b and 81.981c are added as follows:

§ 81.981 *Interpretations of National War Labor Board.* From time to time the National War Labor Board interprets Executive Order No. 9250 and specific provisions of the Order. Such interpretations are helpful in determining the applicability of the Order to various types of situations. Where such interpretations are pertinent to a specific provision of the Executive Order or to one of the NWLB's General Orders, the interpretation will be found under the appropriate paragraph of the Procurement Regulations. Where, however, the interpretations are of a general nature they will be set forth in the succeeding sections which are designated §§ 81.981a, 81.981b, and 81.981c.

§ 81.981a *Overtime compensation; 48 hour week.*

Question: Where the custom and practice in an establishment has been for employees to be paid overtime compensation for all hours in excess of 48 hours per week and to receive pro rata reductions from their weekly salaries in the event they work less than 48 hours per week, may the payment of such additional compensation and the decreases in salaries be continued without the approval of the National War Labor Board?

Answer: Yes. (Letter of General Counsel of NWLB dated December 19, 1942.)

§ 81.981b *Overtime compensation; no limitation in number of hours per week.*

Question: Where an employee is hired for a stipulated weekly salary without any limitation on the number of hours to be worked, may the employer pay overtime without the approval of the National War Labor Board?

Answer: No, unless the Company is under the Fair Labor Standards Act which provides that all employees engaged in interstate commerce or the production of goods for interstate commerce shall be paid time and one-half for all hours in excess of 40 hours per week. Executive Order 9250 does not affect the operation of the Fair Labor Standards Act or of the Walsh-Healey Act. (Letter of General Counsel of NWLB dated December 19 1942.)

§ 81.981c *Overtime compensation, 40 hour week.*

Question: Where an employee is paid for a 40-hour week, with a provision that overtime be paid for all hours over 40 hours per week, with no provision that there be any reduction if less than 40 hours per week are worked, may the amount of salary be reduced

well-established War Department policy

connection with War Department con-

(d) ART 4. *Inspection.* (a) All material and workmanship shall be subject to inspec-

(k) ART. 11. *Labor.* (a) (Insert [¶ 346] § 81.346)).

§ 81.1312 *W. D. Contract Form No.*

for any week in which less than 40 hours are worked, without the approval of the National War Labor Board?

Answer: No. (Letter of General Counsel of NWLB dated December 19, 1942.)

Sections 81.1113 to 81.1116, inclusive, are added as follows:

§81.1113 *Procedure for handling litigation involving cost-plus-a-fixed-fee contractors*—(a) *General.* It is of the utmost importance that The Judge Advocate General be promptly notified of the institution of all suits in which the interests of the United States are involved including all suits against cost-plus-a-fixed-fee contractors and subcontractors. This will make it possible to take steps to remove suits instituted in state courts to the federal courts and to take all other steps necessary to protect the interests of the Government. Likewise it is essential that the information furnished be full and complete and not fragmentary.

(b) *Procedure.* The following procedure is prescribed with respect to litigation involving cost-plus-a-fixed-fee contractors and subcontractors:

(1) Such contractors should be advised immediately upon receipt of process in any action filed against them to furnish a copy of all papers to the contracting officer or appropriate War Department representative. This will be in addition to any similar requirement of any outstanding insurance policy.

(2) Teletype, radio, or telegraphic notification of such suit should be sent immediately to The Judge Advocate General, Washington, D. C., by the War Department representative in charge of the project or activity out of which the suit arises, giving all pertinent facts concerning the suit. In the usual case, these facts will include the court in which the suit has been filed, the names of parties to the suit, the date of service of process, a statement of the alleged cause of action, the amount sued for, the date on which answer to the suit must be filed, a statement of the principal defense to the suit which the defendant may raise, and a statement as to whether the amount sued for is fully covered by insurance and if so, whether or not the insurance carrier will accept full responsibility for the defense of the suit.

(3) Copies in triplicate of all suit papers and a statement of available facts will be forwarded immediately to The Judge Advocate General, Washington, D. C. If a board of inquiry is convened to investigate, or acts on the case, copies of all reports of the board's proceedings and findings will be included in the papers transmitted. Since The Judge Advocate General, has the duty of maintaining all War Department legal liaison with the Department of Justice and other Government departments, the chief of the supply service concerned, upon request of The Judge Advocate General, will immediately transmit to his office any information in his possession that may be requested. Requests for Government representation will not be made to the Department of Justice by War Department field representatives but will be made directly to The Judge Advocate General. Violations of this well-established War Department policy have caused confusion and prevented proper co-ordination in the handling of litigation with the Department of Justice.

(4) The agreement for representation to be signed by the cost-plus-a-fixed-fee contractor or other defendant, three copies of which will be forwarded to The Judge Advocate General, Washington, D. C., will read as follows:

> The undersigned hereby requests the Attorney General of the United States to designate counsel to defend on behalf of the undersigned the action entitled ---------- v. ----------. It is further understood that by assuming the defense of said action, the obligations of the United States under United States Contract No. -------- are not altered or increased; it is further agreed that such representation will not be construed as a waiver or estoppel of any rights which any interested party may have under said contract.

§ 81.1114 *Track; scaling of loaded railroad cars.* Provisions should not be inserted in construction or supply contracts in which payment for the materials or supplies is based on "railroad weights." The result of inserting such a provision is frequently to require railroads to incur unnecessary delay and expense in arriving at such weights, sometimes necessitating back-hauling for track-scaling. The railroads through territorial weighing bureaus enter into agreements with many of the shippers under which the railroads accept the invoice-weight of the shipper subject to periodical checks and test weights. This avoids the necessity for track-scaling the car. All reference to "railroad weights" will be omitted from requests for quotations or estimates and from the resulting contracts or orders for all materials and supplies including coal. Particular care should be taken to insure that the words "railroad weights" do not appear in the Schedule of Supplies (Schedule A) of future contracts or in any "Instructions to Bidders" or Purchase Conditions. In lieu of the words "railroad weights", there will be inserted the words "weights acceptable to railroad for freight charge purposes." Outstanding construction and supply contracts containing the words "railroad weights" should be amended to change those words to the wording indicated above. Reference is made to War Department Circular No. 284, 1942 for the terms of the War Department Traffic Weight Agreement entered into by the War Department with representatives of certain carriers.

§ 81.1115 *Reports of criminal conduct in connection with War Department contracts.* (a) There has been set up in the Criminal Division of the Department of Justice a special unit whose duty it is to take appropriate action as expeditiously as possible in all cases in which criminal conduct is shown to exist in connection with contracts entered into by the Government with business concerns in connection with the war program.

(b) The Under Secretary of War desires that a report be made to his office of any instances of criminal conduct in connection with War Department contracts. A report of such an instance should contain a full statement of the facts indicating criminal conduct. Such reports to the Under Secretary of War should be transmitted through channels to the Director, Purchases Division, Headquarters, Services of Supply, for submission to the Office of the Under Secretary.

§ 81.1116 *Ordering of spare parts.* The chief of each supply service will adopt definite policies with respect to the ordering of spare parts for use in connection with all equipment purchased.

(a) Every order providing for the delivery of air-cooled engines of 32 horsepower and under, or for units of which such engines are a component part, shall provide for delivery simultaneously with the first shipment of engines of not less than 10% of the total engine spare parts called for in such order. Such order shall further provide for the subsequent delivery of spare parts so that when 20% of the engines have been delivered at least 30% of all such spare parts will likewise have been delivered and so that deliveries of spare parts shall thereafter parallel deliveries of engines.

FORMS OF CONTRACTS

The introductory paragraph preceding § 81.1301 is amended and War Department Contract Form No. 13 is added in proper sequence as follows:

The contract forms contained in § 81.1301 et seq. [listed in the Table of Contents below] are approved for use for War Department purchases, subject to §§ 81.322–81.361, inclusive. It should be noted that many of the contract articles are set out by reference to said sections. In preparing contracts the standard clauses contained in the articles referred to will be set out only if, and to the extent that, their inclusion is required by the provisions of the sections referred to. There will be set out such of the other clauses contained in §§ 81.322–81.361, not expressly referred to in the form, as are required for any particular contract. In certain cases it will be necessary to make certain editorial changes in the clauses contained in §§ 81.322–81.361, so that certain words or phrases used throughout the contract will be in conformity.

War Depart. Contract Form No.	Description	Section
• •	• •	•
13	War Supplies Limited	81.1313
• •	• •	•

Section 81.1301 (c) is amended as follows:

§ 81.1301 *W. D. Contract Form No. 1*

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(c) ART. 3. *Extras.* Except as otherwise herein provided, no charge for extras will be allowed unless the same have been ordered in writing by the Contracting Officer and the price stated in such order.

(NOTE: For alternative form of this article see Procurement Regulation 3, paragraph 329–A. (§ 81.329a)).

(d) ART. 4. *Inspection.* (a) All material and workmanship shall be subject to inspection and test at all times and places and, when practicable, during manufacture. In case any articles are found to be defective in material or workmanship, or otherwise not in conformity with the specification requirements, the Government shall have the right to reject such articles, or require their correction. Rejected articles, and/or articles requiring correction, shall be removed by and at the expense of the Contractor promptly after notice so to do. If the Contractor fails to promptly remove such articles and to proceed promptly with the replacement and/or correction thereof, the Government may, by contract or otherwise replace and/or correct such articles and charge to the Contractor the excess cost occasioned the Government thereby, or the Government may terminate the right of the Contractor to proceed as provided in Article 5 of this contract, the Contractor and surety being liable for any damage to the same extent as provided in said Article 5 for terminations thereunder.

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Section 81.1302 is amended as follows:

§ 81.1302 *W. D. Contract Form No. 2.*

• • • • • • •

(l) ART. 9. *Delays, damages.* If the contractor refuses or fails to prosecute the work, or any separable part thereof, with such diligence as will insure its completion within the time specified in article 1, or any extension thereof, or fails to complete said work within such time, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been delay. In such event the Government may take over the work and prosecute the same to completion, by contract or otherwise, and the contractor and his sureties shall be liable to the Government for any excess cost occasioned the Government thereby. If the contractor's right to proceed is so terminated, the Government may take possession of and utilize in completing the work such materials, appliances, and plant as may be on the site of the work and necessary therefor; *Provided,* That the right of the contractor to proceed shall not be terminated under this article because of any delays in the completion of the work due to unforeseeable causes beyond the control and without the fault or negligence of the contractor, including, but not restricted to acts of God, or of the public enemy, acts of the Government (including, but not restricted to any preference, priority or allocation order), acts of another contractor in the performance of a contract with the Government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather or delays of subcontractors due to such causes, if the contractor shall within 10 days from the beginning of any such delay (unless the contracting officer, with the approval of the Secretary of War or his duly authorized representative, shall grant a further period of time prior to the date of final settlement of the contract) notify the contracting officer in writing of the causes of delay, who shall ascertain the facts and the extent of the delay and extend the time for completing the work when in his judgment the findings of fact justify such an extension, and his findings of fact thereon shall be final and conclusive on the parties hereto, subject only to appeal within 30 days, by the contractor to the Secretary of War or his duly authorized representative, whose decision on such appeal as to the facts of delay and the extension of time for completing the work shall be final and conclusive on the parties hereto.

• • • • • • •

(k) ART. 11. *Labor.* (a) (Insert [¶ 346] § 81.346))

(b) (Insert [¶ 346–A] (§ 81.346a))

(c) (Insert [¶ 345] (§ 81.345))

(aa) ART. 27 *Accident prevention.* (Insert [¶360] (§ 81.360))

(bb) ART. 28 *Definitions.*

• • • • • • •

(cc) ART. 29 *Alterations.*

• • • • • • •

Articles X and XI of § 81.1303 are amended as follows:

§ 81.1303 *W. D. Contract Form No. 3.*

• • • • • • •

ART X *Labor.*

• • • • • • •

4 Insert [¶346 A] (§ 81.346a)

• • • • • • •

ART XI *Accident prevention.* (Insert [¶360] (§ 81.360))

In § 81.1304 the following changes are made. Paragraph 2 of Article III–E is deleted and a cross reference to § 81.359 is substituted therefor; Articles III–K and III–T are amended.

§ 81.1304 *W. D. Contract Form No. 4.*

• • • • • • •

ART III E *Reimbursement for expenditures.*

• • • • • • •

o Reimbursement under this Article shall include all actual expenditures directly chargeable to the work and services provided herein performed at the Architect-Engineer's home office, its field office, or elsewhere. (Insert [¶359] (§ 81.359))

3 No salary, wages or • • •

ART. III–K *Changes in work or services.*

1. The Contracting Officer may at any time by written order issue additional instructions, require additional work or services or direct the omission of work or services covered by this contract. If such changes cause a material increase or decrease in the amount or character of the work and services to be done under this contract an equitable adjustment of the amount of the fixed fee to be paid the Architect-Engineer shall be made and the contract shall be modified in writing accordingly. Any claim for adjustment under this Article must be asserted within 10 days from the date the change is ordered (unless the Contracting Officer, with the approval of the Secretary of War or his duly authorized representative, shall grant a further period of time prior to the date of final settlement of the contract). Nothing provided in this Article shall excuse the Architect-Engineer from proceeding with the prosecution of the work so changed. There shall be no adjustment in the amount of the fixed fee as provided herein, nor any claim therefor because of any errors and/or omissions made in computing the estimated cost of the work under this contract or where the actual cost varies from the estimated cost.

• • • • • • •

ART. III–T *Accident prevention.* (Insert [360] (§ 81.360))

• • • • • • •

In § 81.1312 the following changes are made. Article VII is amended; subparagraph *e* of paragraph 3 in Article XI is deleted and cross reference to § 81.359 is substituted; and Article XXI is deleted and cross reference to § 81.360 is substituted.

§ 81.1312 *W. D. Contract Form No. 12.*

• • • • • • •

ART. VII. *Changes.* 1. The Contracting Officer may at any time by written order issue additional instructions, require additional work or services or direct the omission of work or services covered by this contract. If such changes cause a material increase or decrease in the amount or character of the work and services to be done under this contract an equitable adjustment of the amount of the fixed fee to be paid the Architect-Engineer shall be made and the contract shall be modified in writing accordingly. Any claim for adjustment under this Article must be asserted with 10 days from the date the change is ordered (unless the Contracting Officer, with the approval of the Secretary of War or his duly authorized representative, shall grant a further period of time prior to the date of final settlement of the contract). Nothing provided in this Article shall excuse the Architect-Engineer from proceeding with the prosecution of the work so changed. There shall be no adjustment in the amount of the fixed fee as provided herein, nor any claim therefor because of any errors and/or omissions made in computing the estimated cost of the work under this contract or where the actual cost varies from the estimated cost.

• • • • • • •

ART XI. *Cost of the work*

• • • • • • •

GENERAL

3 *Reservations by Government.*

• • • • • • •

e. (Insert § 81.359)

• • • • • • •

ART XXI. (Insert § 81.360)

• • • • • • •

Section 81.1313 is added as follows:

§ 81.1313 *War Department Contract Form No. 13.*

Contract No. ------

CONTRACT

(Supplies)

WAR DEPARTMENT

WAR SUPPLIES LIMITED

Contract for: Amount $------

Place

The Finance Officer, United States Army, ----------, ----------, ---------- is designated as the officer to make payments in accordance with this contract.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to Procurement Authority---------- available balance of which is sufficient to cover cost of same. This contract is authorized by the following laws:

This contract, entered into this ------ day of ----------, 19--, by The United States of America, hereinafter called the Government, represented by the Contracting Officer executing this contract, and War Supplies Limited, a corporation organized and existing under the laws of the Dominion of Canada, hereinafter called the Contractor, with its principal office of the city of Ottawa, Province of Ontario, witnesseth that the parties hereto do mutually agree as follows:

ART. 1. *Standard of payment.* All prices, costs and amounts set out or referred to in this contract are in United States Dollars.

ART. 2. *Scope of this contract.* (Insert [¶ 1301.1] (§ 81.1301 (a))

ART. 3. *Changes.* (Insert [¶ 1301.2] (§ 81.1301 (b)))

ART. 4 *Extras.* (Insert [¶ 1301.3] (§ 81.1301 (c)))

ART. 5. *Inspection.* (a) All material and workmanship shall be subject to inspection and test at all times and places and, when practicable, during manufacture. In case any articles are found to be defective in material or workmanship, or otherwise not in conformity with the specification requirements, the Government shall have the right to reject such articles, or require their correction. Rejected articles, and or articles requiring correction, shall be removed by and at the expense of the Contractor promptly after notice so to do. If the Contractor fails to promptly remove such articles and to proceed promptly with the replacement and/or correction thereof, the Government may, by contract or otherwise replace and or correct such articles and charge to the Contractor the excess cost occasioned the Government thereby, or the Government may terminate the right of the Contractor to proceed as provided in Article 6 of this contract, the Contractor being liable for any damage to the same extent as provided in said Article 6 for terminations thereunder.

(b) If inspection and test, whether preliminary or final, are made on the premises of the Contractor or subcontractor, the Contractor shall furnish, without additional charge, all reasonable facilities and assistance for the safe and convenient inspections and tests required by the inspectors in the performance of their duty. All inspections and tests by the Government shall be performed in such a manner as not to unduly delay the work. Special and performance tests shall be as described in the specifications. The Government reserves the right to charge to the Contractor any additional cost of inspection and test when articles are not ready at the time inspection is requested by the Contractor.

(c) Final inspection and acceptance of materials and finished articles will be made after delivery, unless otherwise stated. If final inspection is made at a point other than the premises of the Contractor or subcontractor, it shall be at the expense of the Government except for the value of samples used in case of rejection. Final inspection shall be conclusive except as regards latent defects, fraud, or such gross mistakes as amount to fraud. Final inspection and acceptance or rejection of the materials or supplies shall be made as promptly as practicable, but failure to inspect and accept or reject materials or supplies shall not impose liability on the Government for such materials or supplies as are not in accordance with the specifications. In the event public necessity requires the use of materials or supplies not conforming to the specifications, payment therefor shall be made at a proper reduction in price.

ART. 6. *Delays-damages.* (Insert [¶ 352] (§ 81.352))

ART 7 *Responsibility for supplies tendered.* (Insert [¶ 1301.6] (§ 81.1301 (f)))

ART. 8. *Increase or decrease.* Unless otherwise provided herein, no increase or decrease in the total number of articles contracted for under Article 2 hereof, will be accepted, without the prior written approval of the Contracting Officer. (or insert [¶ 329] (§ 81.329))

ART. 9 *Payments.* (Insert [¶ 1301.8] (§ 81.1301 (h)))

ART. 10. *Officials not to benefit.* (Insert [¶ 322] (§ 81.322))

ART. 11. *Covenant against contingent fees.* (Insert [¶ 323] (§ 81.323))

ART. 12. *Disputes.* (Insert [¶ 326] (§ 81.326))

ART. 13. *Termination for convenience of Government.* (Insert [¶ 324] (§ 81.324 (a)))

ART. 14. *Assignment of claims.* (Insert [¶ 355] (§ 81.355))

ART. 15 *Notice of shipments.* (Insert [¶ 328] (§ 81.328))

ART. 16. *Patents.* The Contractor shall hold and save the Government, its officers, agents, servants, and employees harmless from liability of any nature or kind, including costs and expenses, for or on account of any invention, article, or appliance patented under the laws of Canada, manufactured or used in the performance of this contract, including their use by or for the Government.

The Government shall hold and save the Contractor, its representatives, agents, and subcontractor harmless from all liability under judgments by courts of competent jurisdiction, that may be obtained against the Contractor, its representatives, agents, and subcontractors, because of the use of any invention patented under the laws of the United States, specifically prescribed and authorized in writing by the Government as necessary for the performance of this contract, or the use of any invention patented under the laws of the United States which necessarily flows from the nature of the thing being produced or procured under this contract, but not otherwise: *Provided*, That such United States Letters Patent so used are not owned or controlled by the Canadian Government, the Contractor, its representatives, subcontractors, or persons in privity with the Contractor; and *Provided further*, That immediate notice of any demand, liability, or legal proceedings arising from such use is given in writing by the Contractor to the Contracting Officer, and reserving to the Government the right to intervene in any such demand or proceeding and in its discretion to defend same or make settlement thereof, and the Contractor shall furnish all information in its possession and all assistance of its employees, representatives, or agents requested by the Government.

ART 17 *Patent licenses.* (a) The Contractor agrees to, and does hereby, in consideration of the terms and in consideration of payments to be made by the Government under this contract, grant unto the Government a non-exclusive irrevocable, non-transferable, royalty-free license to make, have made, and use for governmental (military, naval, and national defense) purposes, and to sell in accordance with law, material embodying any and all inventions made or actually reduced to practice in carrying out the work contemplated by this contract, which are owned or controlled by the contractor, any subcontractor or by any person in privity with them or either of them, whether patented or unpatented. The contractor agrees to make to the Government, prior to final settlement under this contract, a complete disclosure of all inventions made or developed during the fulfillment of this contract and to designate in writing which of the said inventions have been or will be covered by applications for United States letters patent filed or caused to be filed by the Contractor, its representatives, subcontractors, or persons in privity with the Contractor. As to all of such inventions that are not covered or to be covered by applications for United States letters patent as aforesaid, the Contractor agrees that the Government shall have the right to file, prosecute, and act upon applications for United States letters patent thereon; that the Contractor will secure the execution of the necessary papers and do all things requisite to protect the Government's interest in prosecuting such applications to a final issue.

ART. 18. *Subcontractor.* It is understood and agreed that the supplies and materials to be furnished under this contract will be manufactured and/or supplied by the ---------- at its factory located (Name of subcontractor)
at ---------- The performance (City in which plant is located)
of any of the work by any other subcontractor is prohibited, except by the specific approval of the Contracting Officer in advance.

ART. 19. *Governing Laws.* This contract will be construed according to the laws of the United States of America.

ART. 20. *Definitions.* (a) The term "Secretary of War" as used herein shall include the Under Secretary of War, and the term "his duly authorized representative" shall mean any person or board authorized by the Secretary of War to act for him other than the Contracting Officer.

(b) The term "Contracting Officer" as used herein shall include his duly appointed successor or his authorized representative.

ART. 21. *Alterations.* The following changes were made in this contract before it was signed by the parties hereto:

It witness hereof, the parties hereto have executed this contract as of the day and year first above written.

THE UNITED STATES OF AMERICA
By ----------

(Official Title)

Two witnesses:

Contractor

(Business Address)

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

DECLARATION OF SERVICEABLE PROPERTY AS SURPLUS AND DISPOSITION THEREOF

In § 83.714 (8 F.R. 64) paragraph (c) is amended and paragraph (g) is added as follows:

§ 83.714 *Disposition.* * * *

(c) *Transfer upon request of Procurement Division, Treasury Department.* Upon request from the Procurement Division, Treasury Department, property so held for transfer may be transferred to another federal agency. The Procurement Division, Treasury Department, will charge the receiving agency with the transfer price of the property in conformance with established procedure governing the issuance of Vouchers for Adjustments between Appropriations and/or Funds (Form No. 1080).

* * * * *

(g) *Inapplicability of these paragraphs to acquisition of surplus property.* The foregoing paragraphs relate to the *disposition* of surplus property and not to the *acquisition* of property which is surplus to the needs of other agencies. On the latter subject see § 81.612 et seq.

(Sec. 5a National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601–622)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-1569; Filed, January 30, 1943; 9:59 a. m.]

Chapter IX—Transport

PART 93—TRANSPORTATION OF INDIVIDUALS

RAILROAD SLEEPING-CAR ACCOMMODATIONS

Sections 93.15 to 93.21, inclusive, are hereby rescinded and the following substituted therefor.

Sec.
93.15 When and to whom furnished; allowances.
93.16 Physically disabled persons.
93.17 Insane.
93.18 Attendants with remains.
93.19 Charter of sleeping cars or parlor cars.
93.20 Procedure; receipt for accommodations furnished.
93.21 Accommodations at variance with transportation requests.

AUTHORITY: §§ 93.15 to 93.21 issued under R.S. 161; 5 U.S.C. 22.

SOURCE: These regulations are also contained in AR 55-125, January 9, 1943, the particular paragraphs being shown at the end of sections.

§ 93.15 *When and to whom furnished; allowances*—(a) *General.* (1) When sleeping-car accommodations are authorized herein, the transportation requests will be issued for the accommodations authorized, from starting point to destination unless only coach accommodations are available at the beginning or end of the journey. See AR 55-110,[1] and AR 55-145.[2]

(2) The carrier will furnish a tourist car or other sleeping car at tourist rates for parties of 15 or more persons.

(b) *Standard accommodations.* (1) The following named persons, when traveling under orders, are entitled at public expense to a lower berth in a standard sleeping car, or a seat in a pullman or parlor car.

(i) Officers, including officers of the Women's Army Auxiliary Corps, Army nurses, warrant officers, and civilian employees when traveling on duty with troops.

(ii) Officers, including officers of the Women's Army Auxiliary Corps, and warrant officers ordered to a hospital, post, camp, or station, or transferred from one to another, for the purpose of undergoing medical or dental treatment; also when returned therefrom to their last previous duty stations upon completion of the treatment. See 9 Comp. Gen. 505.

(iii) Cadets, United States Military Academy, aviation cadets, and noncommissioned officers of first, second, and third grades when traveling individually, or included in parties of nine persons or less (in counting the party there will be included cadets, United States Military Academy, aviation cadets, noncommissioned officers of all grades, other enlisted men, applicants for enlistment and rejected applicants for enlistment but not officers, officers of the Women's Army Auxiliary Corps, or warrant officers).

(iv) Army nurses.

(v) Members of the Reserve Officers' Training Corps while traveling, except by organizations, to and from camps of instruction, when not paid travel allowances.

(vi) Relative accompanying remains under the provisions of §§ 93.6 (a) (2) and 93.6 (b) (3) (i).

(vii) Officers, including officers of the Women's Army Auxiliary Corps, and warrant officers not in a mileage status, traveling without troops, except that they are entitled to a separate compartment for night railway travel in foreign countries. See AR 45-4870.[3]

(viii) Civilian candidates, Citizens' Military Training Camps, when transportation is furnished by the United States.

(ix) Cadets discharged from the United States Military Academy when traveling from the academy to their homes.

(2) Wives, dependent children, and dependent fathers and mothers whose transportation is authorized by § 93.1, are entitled to berths in a standard sleeping car or seats in a pullman or parlor car on the following basis, regardless of the accommodations to which the individual changing station may be entitled under these regulations:

(i) One lower berth for:

Wife alone.
Dependent father.
Dependent mother.
Child alone.
Wife and child under 6 years of age.
Wife and female child over 6 years of age.
Two children, same sex.
Two children, opposite sex, both under 6 years of age

(ii) One section, or separate lower and upper berths for:

Wife and one child, male, over 6 years of age.
Wife and two children.
Two children, opposite sex, one or both over 6 years of age

(iii) When the number of children exceeds two, accommodations for the additional children will be provided on the basis prescribed above for the first two children.

(iv) If a lower berth is not available, one upper berth may be furnished to each individual.

(v) The foregoing allowance is based on the dependents of the individual traveling together at the same time. If the dependents travel separately and the total allowance becomes exhausted through being furnished the accommodations and/or by claiming monetary allowance in lieu thereof (see AR 55-120[4] and § 93.1) no further accommodations may be furnished.

(vi) When the cost of the total allowance of berths for the dependents equals or exceeds the cost of a compartment, stateroom, or drawing room, the latter may be furnished in lieu of berths, if desired. In other cases a compartment, stateroom, or drawing room may be furnished upon deposit with the issuing transportation officer of the excess cost thereof.

(vii) The excess cost of a compartment, stateroom, or drawing room will be collected on the basis of the difference between the commercial rate therefor and the commercial rate for the allowance of berths, these rates being ascertained from the carrier's agents.

(viii) The amount deposited will be disposed of as prescribed in AR 55-120,[4] making reference to the serial numbers of all transportation requests involved.

(3) In certain cases, as prescribed in (c) (1) and (2) below, standard accommodations may be furnished when tourist accommodations are not available.

(c) *Tourist accommodations; when journey exceeds 12 hours and is scheduled to terminate after midnight, or when journey involves spending night on train—(1) Nine persons or less (see (d) below).* (i) Noncommissioned officers below the third grade (in counting the party there will be included aviation cadets, noncommissioned officers of all grades, other enlisted men, applicants for enlistment, but not officers and warrant officers) are entitled to a separate berth each in a tourist sleeping car, except as provided in (3) below, an upper, if available; otherwise a lower. See (4) below.

(ii) Enlisted men other than aviation cadets and noncommissioned officers, and/or applicants for enlistment and/or rejected applicants for enlistment (in counting the party, there will be included aviation cadets, noncommissioned officers of all grades, other enlisted men, applicants for enlistment and rejected applicants for enlistment, but not officers and warrant officers) are entitled to accommodations in a tourist sleeping car, except as provided in (3) below, on the following basis:

(*a*) One person traveling individually will be furnished an upper berth, if available; otherwise a lower. See (4) below.

(*b*) Parties of two to nine persons, both inclusive, will be furnished accommodations on the basis of two persons in a lower berth; the "odd-number" person, if any, to be furnished an upper. If an upper is not available for the "odd-number" person, he will be furnished a lower. See (4) below.

(2) *Ten persons, or more (not counting officers and warrant officers in party) (see (d) below).* Cadets, United States Military Academy, enlisted men (including aviation cadets and all noncommissioned officers) and/or applicants for enlistment, and/or rejected applicants for enlistment are entitled to accommodations in a tourist sleeping car, except as provided in (3) below, on the basis of two persons in a lower berth. The "odd-number" person, if any, is entitled to an upper berth. If there are more than a sufficient number of persons to occupy all the lower berths of an entire car on the basis of two persons in a berth, then the remaining persons will be furnished an upper berth each in the same car until its capacity is reached. Each additional car will be

[1] Administrative regulations of the War Department relative to transportation requests.

[2] Administrative regulations of the War Department relative to transportation of troops

[3] Army Regulations of the War Department relative to deductions for land-grant travel and for transportation furnished.

[4] Administrative regulations of the War Department relative to transportation of individuals.

filled in the same manner. In special train movements one upper berth will be left unassigned for the use of the pullman conductor. See (4) below, and § 93.19. When tourist sleeping cars containing drawing rooms are furnished by the carriers, the drawing room will be used as a section; that is, one lower berth and one upper berth. For example: When a party of 49 enlisted men is traveling in tourist sleeping cars of the twelve-section, one-drawing-room type, they will be furnished a transportation request for 18 lower and 13 upper tourist berths.

First car:
- 1 lower berths for 26 men
- 13 upper berths for 13 men

Second car: 5 lower berths for 10 men

Total: 18 lower berths and 13 upper berths for 49 men

When special tourist sleeping cars of the drawing-room type are furnished, the sofa in the drawing room of a car will be used on the basis of one upper berth if the use of the sofa will obviate the operation of an additional sleeping car.

(3) *Standard accommodations in lieu of tourist.* Whenever tourist-car berths are not available, standard-car berths will be furnished under the same conditions and on the same basis as set forth in (1) and (2) above. See also (4) below.

(4) *Alternative allowances.* The alternative allowances, upper or lower berths; tourist or standard accommodations) provided for in (1), (2), and (3) above contemplate furnishing the most economical accommodations available on the train (and connecting trains en route) and authorized. The higher cost berths and accommodations will be utilized only to the extent that those of lower cost are not available. See § 93.20.

(d) *Women's Army Auxiliary Corps enrolled personnel.* (1) The enrolled personnel of the Women's Army Auxiliary Corps shall be distributed in seven grades corresponding to the seven enlisted grades shall receive the sleeping and parlor car accommodations now provided for enlisted men, without dependents, in the corresponding enlisted grades in the Regular Army. See sec. 4, act October 26, 1942 (sec. VI, Bull. 54, W.D., 1942).

(2) In movements involving both enrolled members of the Women's Army Auxiliary Corps and enlisted men of the Army, sleeping and parlor car space will be determined and allotted on the basis of that which would be required if each group were traveling alone.

(e) *Transportation of aliens (as distinguished from alien enemies) and other persons evacuated from military areas.* The lowest class of transportation by the facility used will be furnished aliens (as distinguished from alien enemies) or other persons evacuated from military areas pursuant to the provisions of Executive Order No. 9066 (sec. II, Bull. 10, W.D., 1942), except that where transportation is by rail carriers and the journey involves spending two nights or more on the train, sleeping-car accommodations, tourists whenever available, otherwise standard, will be furnished for the entire distance from point of origin to destination only for all children under 14 years of age and females who may be included in a movement. In such cases the accommodations will be furnished on the following basis: A mother with her child or children under 14 years of age or a woman in charge of a child or children under 14 years of age, as prescribed for a wife and child or children in § 93.15 (b) (2). Other women 50 years of age and over, a separate lower berth for each. Other females 14 years of age and over, and under 50 years, two persons to a lower berth until all available lower berths in the car are used and the remainder of such females in an upper berth each in the same car until the capacity of the car is reached. Where lower berths or a sufficient number thereof are not available, one upper berth will be furnished each individual to the extent that lower berths are not available on the foregoing basis. [Par. 2]

§ 93.16 *Physically disabled persons.* (a) Except as set forth in (b) and (c) below, physically disabled persons (including prisoners of war, or alien enemies, and other evacués under Executive Order No. 9066) will be furnished one lower berth each, tourist if restricted thereto under these regulations, and if available, otherwise standard, except that where the condition of the patient warrants and daylight sleeping-car or parlor-car schedules are available and adequate, each patient will be furnished a separate seat in such sleeping car or parlor car. Attendants will be provided for such physically disabled persons whenever the responsible medical officer determines necessary. Regardless of rank, grade, or class, attendants will be furnished accommodations in the same car with physically disabled person(s), upper berth if restricted thereto, otherwise a lower or a separate seat in a sleeping car or parlor car.

(b) Whenever a physically disabled person may be expected to be noisy, ill-mannered, unpresentable, or otherwise objectionable to the public, or is in such physical condition as to require exclusive accommodations, the responsible medical officer will furnish the transportation officer issuing the transportation request a certificate, in duplicate, stating that the condition of the person requires exclusive accommodations. Attendants will be provided at all times for such physically disabled persons. Accommodations will be furnished for such physically disabled persons and their attendants in parlor cars or in compartments or drawing rooms in sleeping cars, where the total number of persons (physically disabled persons and attendants) in one movement is 49 or less. The responsible medical officer will determine in each case the number of attendants required, the class of accommodations required (that is, compartments or drawing room), and the total number of persons (physically disabled persons and attendants), not less than two, to occupy each compartment or drawing room. A statement of this determination will be included by the medical officer in the above-mentioned certificate furnished the transportation officer, who will note the transportation request number on the original thereof and forward to the disbursing officer designated to pay the carrier's bill.

(c) Where the total number of persons (physically disabled persons and attendants) in one movement is 50 or more, application will be made to the Chief of Transportation for instructions in accordance with AR 55-130.[1] The provisions of (a) and (b) above will apply, depending upon the condition of the physically disabled persons. The medical officer will give due consideration to the use of special sleeping cars if feasible and more economical. If special sleeping cars are used, one lower berth will be furnished each physically disabled person. See (a) above. Attendants in special sleeping cars will be furnished berth accommodations in the same car on the basis prescribed in these regulations. [Par. 3]

§ 93.17 *Insane.* (a) Whenever transportation is required for any person (including prisoners of war, alien enemies, and other evacués under Executive Order No. 9066) who is insane or who is undergoing observation for insanity or mental disorders, the responsible medical officer will furnish the transportation officer issuing the transportation request a certificate, in duplicate, as to the condition of the person. Attendants will be provided at all times for such mental cases. Accommodations will be furnished for such mental cases and their attendants in parlor cars or in compartments or drawing rooms in sleeping cars where the total number of persons (mental cases and attendants) in one movement is 49 or less. The medical officer will determine in each case the number of attendants required, the class of accommodations required (that is, compartments or drawing rooms), and the total number of persons (mental cases and attendants), not less than two, to occupy each compartment or drawing room. A statement of this determination will be included by the medical officer in the above-mentioned certificate furnished the transportation officer who will note the transportation request number on the original thereof and forward to the disbursing officer designated to pay the carrier's bill.

(b) *Fifty persons or more.* The analogous provisions of § 93.16 (c) will apply. [Par. 4]

§ 93.18 *Attendants with remains.* Attendants accompanying remains will be furnished the authorized accommodations to which entitled, except that transportation requests for parlor-car or sleeping-car accommodations will not be furnished for officer attendants traveling in a mileage status. [Par. 8]

§ 93.19 *Charter of sleeping cars or parlor cars.* Special sleeping cars or parlor cars will be chartered only when the expense does not exceed the cost of berths and seats authorized to be furnished. [Par. 11]

§ 93.20 *Procedure; receipts for accommodations furnished.* Travelers will be informed of the pertinent requirements of AR 55-110. Whenever the face of the transportation request is indorsed by the transportation officer, "Tourist whenever available" (AR 55-110) the traveler will be instructed to indorse over his signature in the space provided on the back of the request a statement as to the points between which tourist accommodations are furnished. In case tourist accommodations become available en route and the transportation request cannot be indorsed on account of its having been lifted by the agent or by the first conductor (there having been a change of conductors), then the traveler will promptly forward the statement to the transportation officer issuing the request for transmittal to the disbursing officer designated to pay the carrier's bill. The statement will also cite the serial number of the transportation request. Travelers will be instructed to advise the transportation officer promptly whenever the accommodations used are less than those called for by the request. [Par. 12]

§ 93.21 *Accommodations at variance with transportation request.* Procurement from a carrier on a transportation request of excess space of a lower class than that called for by the request is prohibited, even though no additional cost to the Government is involved; for example, two lower tourist berths in lieu of a double berth in a standard sleeping car or seats in a parlor car in lieu of berths. [Par. 13]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3151; Filed, February 27, 1943; 10:44 a. m.]

[1] Administrative regulations of the War Department relative to transportation of troops and other groups; general.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial No. 2157]

PART 202—ACCOUNTS, RECORDS, AND REPORTS

FORM OF REPORT OF FINANCIAL AND OPERATING STATISTICS FOR DOMESTIC AIR CARRIERS

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C. on the 18th day of February 1943.

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 407 (a) thereof, and finding its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder; *It is ordered,* That the form of Report of Financial and Operating Statistics for Domestic Air Carriers, C. A. B. Form 2780, as amended, be and the same is further amended as set forth in Amendment No. 2 attached hereto.[1]

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3236; Filed, March 1, 1943; 11:54 a. m.]

[1] Filed with the Division of the Federal Register.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50822]

PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

VESSEL SUPPLIES

Article 464 of the Customs Regulations of 1937 amended to indicate more clearly the limitations of exemption from duty and internal-revenue tax when vessels are making a voyage in ballast (this document affects 19 CFR 8.62).

The Customs Regulations of 1937 are hereby amended as follows:

Paragraph (d) (4) of article 464 (§ 8.62 (b) (4)), as redesignated by T. D. 49658 (3 F.R. 1808), is amended to read as follows:

§ 8.62 *Exemption from customs duties and internal-revenue tax.* * * *

(b) * * *

(4) Departing in ballast from the port at which the withdrawal is made for a foreign port, a port on the opposite coast of the United States, a port in one of the possessions of the United States (or if the port of withdrawal is in a possession of the United States, for a foreign port, the United States, or another possession of the United States) for the purpose of lading passengers or cargo at the port of destination for transportation in a class of trade specified in section 309 (a), Tariff Act of 1930, as amended, for which class of trade the vessel is suitable and seaworthy at the time of leaving the port of withdrawal and from which it is not diverted prior to such lading. (Sec. 5 (a), 52 Stat. 1080; 19 U.S.C. 1309 (a))

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: February 26, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3189; Filed, February 27, 1943; 4:10 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA General Order 60-6]

PART 702—PRIVATE WAR HOUSING

CONSERVATION OF MATERIAL IN PRIVATE WAR HOUSING

The Joint Declaration of Policy of the War Production Board and the National Housing Agency regarding war housing, dated December 11, 1942, provides, among other things, for the conservation of critical materials incorporated into housing projects and the withdrawal or recapture of excessive quotas. The purpose of this general order is to implement those provisions with respect to private war housing.

Sec.

702.20 Application for priority assistance or authority to begin construction.
702.21 Application for amendment of preference rating order or request for authentication of purchase orders.
702.22 Amendments to war housing critical list and war housing construction standards.
702.23 Cessation of issuance, revision, and recapture of preference rating orders and authorities to begin construction.

AUTHORITY: §§ 702.20 to 702.23, inclusive, issued under E.O. 9070, 7 F.R. 1529.

§ 702.20 *Application for priority assistance or authority to begin construction.* (a) Applications for priority assistance or authority to begin construction shall be acted upon favorably by the Federal Housing Administration after the effective date of this general order only if the proposed construction, remodeling, or rehabilitation conforms to the applicable provisions of the War Housing Critical List approved December 12, 1942 and the War Housing Construction Standards approved January 21, 1943. Where any such application is submitted on Form PD-105 (Revised 2-10-43), such application shall not be acted upon favorably by the Federal Housing Administration after the effective date of this general order unless the applicant agrees that there shall not be installed in the project covered by such application any materials of metal and any critical materials other than those materials listed in such application and approved by the War Production Board for use in the project, whether such materials are taken from stock, secured with or without priority assistance, or obtained by gift, loan, or otherwise.

§ 702.21 *Application for amendment of preference rating order or request for authentication of purchase orders.* (a) Requests for extension of the term of a preference rating order, requests for the issuance of an allotment under the Controlled Materials Plan, requests for the authentication of an order for the purchase of materials included in a preference rating order, or any other request for amendment of a preference rating order, shall be acted upon favorably by the Federal Housing Administration after the effective date of this general order only if the proposed construction, remodeling, or rehabilitation conforms to the applicable provisions of the War Housing Critical List approved December 12, 1942 and the War Housing Construction Standards approved January 21, 1943; except that any such request may be acted upon favorably by the Federal Housing Administration after the effective date of this general order without conforming the proposed construction, remodeling, or rehabilitation to the applicable provisions of such War Housing Critical List and such War Housing Construction Standards if:

(1) The person making the request proves to the satisfaction of the Federal Housing Administration that it is not practicable to conform part or all of the project to the applicable provisions of such War Housing Critical List and such War Housing Construction Standards; and

(2) The Federal Housing Administration requires the conformance of as much of the project as is practicable, in the opinion of the Federal Housing Administration, to the applicable provisions of such War Housing Critical List and such War Housing Construction Standards; and

(3) Either (i) the person making any such request has performed work in connection with the project, prior to the effective date of this general order, other than such pre-construction activities as completing arrangements for or securing architectural services, surveys, options to purchase real or personal property, or permanent or construction financing, or (ii) the person making any such request has performed work in connection with the project, after the effective date of this general order but prior to the date of making such request, other than such pre-construction activities as completing arrangements for or securing architectural services, surveys, options to purchase real or personal property, or permanent or construction financing, and the Federal Housing Administration determines that it would result in an undue hardship to conform such project to the applicable provisions of such War Housing Critical List and War Housing Construction Standards because of special circumstances involved in the particular case.

In determining the extent to which it is practicable to conform any project as provided herein, the Federal Housing Administration shall be guided by the principle that, for the duration of the war, it is absolutely essential to conserve critical materials to the utmost in order to spread the supply of such materials over the largest possible number of housing units.

§ 702.22 *Amendments to War Housing Critical List and War Housing Construction Standards.* (a) Any amendment to the War Housing Critical List approved December 12, 1942, and the War Housing Construction Standards approved January 21, 1943, adopted after the effective date of this general order shall be made applicable to each war housing project construction of which is begun after the effective date of such amendment; and, with respect to any war housing project construction of which has begun prior to the effective date of such amendment, such project shall be conformed to such amended War Housing Critical List and War Housing Construction Standards only in accordance with the principles and policies contained in this general order.

§ 702.23 *Cessation of issuance, revision, and recapture of preference rating orders and authorities to begin construction.* (a) Where the Office of the Administrator of the National Housing Agency determines that the established quota for any Housing Critical Area is excessive, the Office of the Administrator will revise or withdraw the excessive portion of the unissued quota of such Housing Critical Area and, if the excessive quota is only related to a portion of the Housing Critical Area, the Office of the Administrator will revise or withdraw only unissued quota which was intended for use in such portion of such Housing Critical Area.

(b) If the established quota for any Housing Critical Area remains excessive after action has been taken as provided in § 702.23 (a) hereof, the Federal Housing Administration shall:

(1) Inform the owners of affected projects of the circumstances which require curtailment in the construction of private war housing and request that such owners immediately offer for recapture such portion of their preference rating orders or authorities to begin construction as they will not use in view of the changed conditions. Upon receipt of this information, the Federal Housing Administration shall proceed to recapture such units in accordance with prescribed procedures.

(2) If the established quota for any Housing Critical Area remains excessive after taking the action provided in §§ 702.23 (a) and 702.23 (b) (1) hereof, the Federal Housing Administration will recommend to the War Production Board the revision or recapture of as many and as large a part of each of the issued preference rating orders and authorities to begin construction as is practicable in order to conform the housing program as nearly as possible to the revised requirements. In determining the practicability of recommending the revision or recapture of issued preference rating orders and authorities to begin construction the Federal Housing Administration shall be guided by the following considerations:

(i) It is absolutely essential to conserve critical materials to the utmost in order to spread the supply of such materials over the largest possible number of housing units for the duration of the war;

(ii) It shall be considered practicable to revise or recapture any preference rating order or authority to begin construction where the person holding such order or authority has performed no work in connection with the project, at the time the Federal Housing Administration pursuant to determination of an excessive quota in the area recommends in accordance with § 702.23 (b) (2) hereof the revision or recapture of any such order or authority in question, other than such pre-construction activities as completing arrangements for or securing architectural services, surveys, options to purchase real or personal property, or permanent or construction financing: *Provided, however,* That upon the concurrence of the Regional Representative of the Office of the Administrator, the Federal Housing Administration may refrain from recommending such revision or recapture if it is determined that such action would result in an undue hardship.

(c) All revisions or recaptures as provided for in § 702.23 (b) (2) shall generally be considered in reverse order (except to the extent that some other order is necessary) of the chronological dates upon which the preference rating orders and authorities to begin construction were issued in the Housing Critical Area, or if the excess quota is related to only a portion of such Housing Critical Area, then such revisions or recaptures shall generally be considered in reverse order (except to the extent that some other order is necessary) of the chronological dates upon which the preference rating orders and authorities to begin construction were issued embracing projects in such portion of the Housing Critical Area.

(d) For the purpose of this § 702.23, applications in process with the Federal Housing Administration which have not been certified as eligible will be handled in the manner prescribed for the revision or withdrawal of unissued quota, and applications which have been certified as eligible but upon which the Federal Housing Administration has received no advice of issuance of the preference rating orders or authorities to begin construction, the Federal Housing Administration will handle in the same manner as issued preference rating orders or authorties to begin construction.

The effective date of this general order shall be February 27, 1943.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 43-3127; Filed, February 26, 1943; 12:14 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5233]

PART 3—INCOME TAX UNDER THE REVENUE ACT OF 1936

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

INCOME IN RESPECT OF DECEDENTS

Amending Regulations 103 by changing §§ 19.42–1 and 19.43–1 thereof and by inserting therein §§ 19.126–1, 19.126–2, 19.126–3, and 19.126–4, and making such amendments apply to Regulations 101, 94, and 86, in order to make such Regulations 103, 101, 94, and 86 conform to section 134 of the Revenue Act of 1942, relating to income in respect of decedents.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.], 101 [Part 9, Title 26, Code of Federal Regulations, 1939 Sup.], 94 [Part 3, Title 26, Code of Federal Regulations], and 86 to section 134 of the Revenue Act of 1942 (Public Law 753, Seventy-seventh Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.42–1 of such Regulations 103 the following:

SEC. 134. INCOME IN RESPECT OF DECEDENTS. (Revenue Act of 1942, Title I.)

(a) *General rule.* The last sentence of section 42 (a) (relating to inclusion in gross income of amounts accrued up to death of taxpayer) is amended to read as follows: "In the case of the death of a taxpayer whose net income is computed upon the basis of the accrual method of accounting, amounts (except amounts includible in computing a partner's net income under section 182) accrued only by reason of the death of the taxpayer shall not be included in computing net income for the period in which falls the date of the taxpayer's death."

* * * * *

(f) *Effective date of amendments.* The amendments made by subsections (a) and (b) of this section shall be applicable with respect to taxable years beginning after December 31, 1942, and the amendments made by subsections (c), (d), and (e) of this section shall be applicable with respect to taxable years ending after December 31, 1942.

(g) *Taxable years before 1943.* In case the taxable period in which falls the date of the death of the decedent began after December 31, 1933, and before January 1, 1943, the tax for such taxable period shall be computed as if provisions corresponding to the provisions of sections 42 (a) and 43 of the Internal Revenue Code, as amended by subsections (a) and (b) of this section, were a part of the Revenue Act of 1934, the Revenue Act of 1936, the Revenue Act of 1938, or the Internal Revenue Code, whichever is applicable to such taxable period. * * * The provisions of this paragraph shall not be applicable unless there are filed with the Commissioner (in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, and at the time prescribed by such regulations) signed consents made under oath by the fiduciary representing the estate and by each such person (or if any such person is no longer in existence or is under disability, by his legal representative) that with respect to such amounts the tax of the estate, or the tax of such person, as the case may be, shall be computed under the provisions of this paragraph for each taxable period ending on or after the date of the death of the decedent and the tax of the decedent shall be computed under such provisions for the taxable period of the decedent in which falls the date of his death. * * * [For retroactive effect of amendment made by this subsection, see § 19.126–4.]

PAR. 2. Section 19.42–1 of Regulations 103, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended as follows:

A. By inserting immediately after the heading the following: "(a) *In general.*"

B. By striking out the third sentence.

C. By inserting at the end thereof the following new paragraph:

(b) *Last taxable year of decedent.* If the taxable year in which falls the date of the death of a taxpayer began on or after January 1, 1943, then there shall be included in computing net income for such year only amounts properly includible under the approved method of accounting followed by the taxpayer, or, if the taxpayer followed no such method, only amounts received during such year. However, if the taxpayer followed the accrual method of accounting, amounts accrued only by reason of his death shall not be included in computing net income for such year, except that, if the taxpayer was a member of a partnership, his share of the partnership income for the partnership year ending with its dissolution on account of his death shall be included in computing his net income. The approved accounting practice of the partnership in computing its income shall not be changed by reason of the taxpayer's death. Thus, if the partnership computed its income on the basis of cash receipts and disbursements, the partnership income for the year ending with the dissolution, a distributive share of which is included in the taxpayer's income, shall be so computed. If the partnership used the accrual of accounting, its income shall be computed according to such practice. For example, if a law partnership keeping its books on the accrual method of accounting is entitled to certain contingent fees which are accrued only upon the completion of the cases involved, such partnership will compute its income for the year ending with its dissolution on account of the death of the taxpayer without accruing, on account of the death of the partner at such time, any such contingent fees in uncompleted cases. Under section 126, any distribution by the partnership to the estate or or a beneficiary of the deceased partner out of such fees will be income to such estate or person.

There must also be included in computing net income for the taxable year in which falls the date of death of a taxpayer the gain described in section 44 (d), relating to gain upon the disposition of installment obligations, except as otherwise provided in that section. (See § 19.44–5.) This amount must be included in computing net income regardless of the method of accounting followed by the taxpayer.

If the taxable year in which falls the date of the death of a taxpayer began before January 1, 1943, the above provisions are applicable if the executor, administrator, or other personal representative of the taxpayer and the persons who acquire as beneficiaries of his estate or by reason of his death his right to receive any income make the election provided in section 134 (g) of the Revenue Act of 1942 and § 19.126–4 of these regulations to have the amendments made by section 134 of the Revenue Act of 1942 apply to the law in effect for such taxable year. For method of computing, and limitations with respect to, credit or refund of any overpayment which is a result of such election, see § 19.126–4 (c). If the executor, administrator, or other personal representative and such persons do not make such election, then there shall be included in computing net income for such taxable year, in addition to the amounts described above, all amounts accrued up to the date of the taxpayer's death which are not otherwise properly includible in respect of such taxable year or a prior taxable year, regardless of the fact that the decedent may have kept his books and made his return on the basis of cash receipts and disbursements.

PAR. 3. There is inserted immediately preceding § 19.43–1 of Regulations 103 the following:

SEC. 134. INCOME IN RESPECT OF DECEDENTS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Deductions and credits.* The last sentence of section 43 (relating to deductions and credits accrued up to death of taxpayer) is amended to read as follows: "In the case of the death of a taxpayer whose net income is computed upon the basis of the accrual method of accounting, amounts (except amounts includible in computing a partner's net income under section 182) accrued as deductions and credits only by reason of the death of the taxpayer shall not be allowed in computing net income for the period in which falls the date of the taxpayer's death."

* * * * *

(f) *Effective date of amendments.* The amendments made by subsections (a) and (b) of this section shall be applicable with respect to taxable years beginning after December 31, 1942, and the amendments made by subsections (c), (d), and (e) of this section shall be applicable with respect to taxable years ending after December 31, 1942.

(g) *Taxable years before 1943.* In case the taxable period in which falls the date of the death of the decedent began after December 31, 1933, and before January 1, 1943, the tax for such taxable period shall be computed as if provisions corresponding to the provisions of sections 42 (a) and 43 of the Internal Revenue Code, as amended by subsections (a) and (b) of this section, were a part of the Revenue Act of 1934, the Revenue Act of 1936, the Revenue Act of 1938, or the Internal Revenue Code, whichever is applicable to such taxable period. * * * The provisions of this subsection shall not be applicable unless there are filed with the Commissioner (in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, and at the time prescribed by such regulations) signed consents made under oath by the fiduciary representing the estate and by each such person (or if any such person is no longer in existence or is under disability, by his legal representative) that with respect to such amounts the tax of the estate, or the tax of such person, as the case may be, shall be computed under the provisions of this subsection for each taxable period ending on or after the date of the death of the decedent and the tax of the decedent shall be computed under such provisions for the taxable period of the decedent in which falls the date of his death. * * * [For retroactive effect of amendment made by this subsection, see section 19.126–4.]

Par. 4. Section 19.43–1 of Regulations 103 is amended by striking out paragraph (b) and by inserting in lieu thereof the following paragraph:

(b) The provisions of paragraph (a) are in general applicable with respect to the taxable year during which the taxpayer dies if such taxable year begins on or after January 1, 1943. However, if the taxpayer followed the accrual method of accounting, there shall be included in computing net income for such year no amount accrued solely by reason of his death other than his distributive share of the losses of a partnership for the year ending with the dissolution of the partnership on account of his death. No change in the accounting practice of the partnership shall be made because of the taxpayer's death when the income and losses of the partnership are computed for the year ending with the dissolution of the partnership on account of the partner's death. If the taxpayer dies during a taxable year beginning before January 1, 1943, these same provisions are applicable only if the executor, administrator, or other personal representative of the taxpayer and the persons who acquire as beneficiaries of his estate or by reason of his death his right to receive any income elect as provided in

section 134 (g) of the Revenue Act of 1942 and § 19.126–4 of these regulations to have the amendments made by section 134 of the Revenue Act of 1942 apply to the law in effect for such taxable year. For method of computing, and limitations with respect to, assessment and collection of any deficiency which is a result of such election, see § 19.126–4 (c). If the executor, administrator, or other personal representative and such persons do not so elect, then there shall also be allowed as deductions and credits for such taxable year all amounts (except deductions under section 23 (o) accrued up to the date of the death of the taxpayer which are not otherwise allowable with respect to such taxable year or a prior taxable year, regardless of the fact that the decedent may have been required to keep his books and make his return on the basis of cash receipts and disbursements.

PAR. 5. There is inserted immediately after § 19.125–9 of Regulations 103 the following:

SEC. 134. INCOME IN RESPECT OF DECEDENTS. (Revenue Act of 1942, Title I.)

* * * * *

(e) The Internal Revenue Code is amended by inserting after section 125 the following new section:

SEC. 126. INCOME IN RESPECT OF DECEDENTS. (a) *Inclusion in gross income.*—(1) *General rule.* The amount of all items of gross income in respect of a decedent which are not properly includible in respect of the taxable period in which falls the date of his death or a prior period shall be included in the gross income, for the taxable year when received, of:

(A) the estate of the decedent, if the right to receive the amount is acquired by the decedent's estate from the decedent;

(B) the person who, by reason of the death of the decedent, acquires the right to receive the amount, if the right to receive the amount is not acquired by the decedent's estate from the decedent; or

(C) the person who acquires from the decedent the right to receive the amount by bequest, devise, or inheritance, if the amount is received after a distribution by the decedent's estate of such right.

(2) *Income in case of sale, etc.* If a right, described in paragraph (1), to receive an amount is transferred by the estate of the decedent or a person who receives such right by reason of the death of the decedent or by bequest, devise, or inheritance from the decedent, there shall be included in the gross income of the estate or such person, as the case may be, for the taxable period in which the transfer occurs, the fair market value of such right at the time of such transfer, plus the amount by which any consideration for the transfer exceeds such fair market value. For the purposes of this paragraph, the term "transfer" includes sale, exchange, or other disposition, but does not include a transfer to a person pursuant to the right of such person to receive such amount by reason of the death of the decedent or by bequest, devise, or inheritance from the decedent.

(3) *Character of income determined by reference to decedent.* The right, described in paragraph (1), to receive an amount shall be treated, in the hands of the estate of the decedent or any person who acquired such right by reason of the death of the decedent, or by bequest, devise, or inheritance from the decedent, as if it had been acquired by the estate or such person in the transaction by which the decedent acquired such right; and the amount includible in gross income under paragraph (1) or (2) shall be considered in the hands of the estate or such person to have the character which it would have had in the hands of the decedent if the decedent had lived and received such amount.

(b) *Allowance of deductions and credit.* The amount of any deduction specified in section 23 (a), (b), (c), or (m) (relating to deductions for expenses, interest, taxes, and depletion) or credit specified in section 31 (foreign tax credit), in respect of a decedent which is not properly allowable to the decedent in respect of the taxable period in which falls the date of his death, or a prior period, shall be allowed:

(1) *Expenses, interest, and taxes.*—In the case of a deduction specified in section 23 (a), (b), or (c) and a credit specified in section 31, in the taxable year when paid.—

(A) to the estate of the decedent; except that

(B) if the estate of the decedent is not liable to discharge the obligation to which the deduction or credit relates, to the person who, by reason of the death of the decedent or by bequest, devise, or inheritance acquires, subject to such obligation, from the decedent an interest in property of the decedent.

(2) *Depletion.* In the case of the deduction specified in section 23 (m), to the person described in subsection (a) (1) (A), (B), or (C) who, in the manner described therein, receives the income to which the deduction relates, in the taxable year when such income is received.

(c) *Deduction for estate tax.*

(1) *Allowance of deduction.* A person who includes an amount in gross income under subsection (a) shall be allowed, for the same taxable year, as a deduction an amount which bears the same ratio to the estate tax attributable to the net value for estate tax purposes of all the items described in subsection (a) (1) as the value for estate tax purposes of the items of gross income or portions thereof in respect of which such person included the amount in gross income (or the amount included in gross income, whichever is lower) beara to the value for estate tax purposes of all the items described in subsection (a) (1).

(2) *Method of computing deduction.* For the purposes of paragraph (1):

(A) The term "estate tax" means the tax imposed upon the estate of the decedent under section 810 or 860, reduced by the credits against such tax, plus the tax imposed upon the estate of the decedent under section 935, reduced by the credits against such tax.

(B) The net value for estate tax purposes of all the items described in subsection (a) (1) shall be the excess of the value for estate tax purposes of all the items described in subsection (a) (1) over the deductions from the gross estate in respect of claims which represent the deductions and credit described in subsection (b).

(C) The estate tax attributable to such net value shall be an amount equal to the excess of the estate tax over the estate tax computed without including in the gross estate such net value.

(f) *Effective date of amendments.* The amendments made by subsections (a) and (b) of this section shall be applicable with respect to taxable years beginning after December 31, 1942, and the amendments made by subsections (c), (d), and (e) of this section shall be applicable with respect to taxable years ending after December 31, 1942.

(g) *Taxable years before 1943.* In case the taxable period in which falls the date of the death of the decedent began after December 31, 1933, and before January 1, 1943, the tax for such taxable period shall be computed as if provisions corresponding to the provisions of section 42 (a) and 43 of the Internal Revenue Code, as amended by subsections (a) and (b) of this section, were a part of the Revenue Act of 1934, the Revenue Act of 1936, the Revenue Act of 1938, or the Internal Revenue Code, whichever is applicable to such taxable period. In the case of the estate of such a decedent and of each person who acquires by reason of the death of such decedent or by bequest, devise, or inheritance from such decedent the right to receive the amount of items of gross income of the decedent which upon the application of the preceding sentence are not properly includible in respect of the taxable period in which falls the date of the decedent's death or a prior period, the tax for each taxable period ending on or after the date on which the decedent died shall be computed by including in gross income the amounts with respect to such decedent which would be includible, and by allowing as deductions and credits the amounts with respect to such decedent which would be allowable, if provisions corresponding to the provisions of the section inserted in the Internal Revenue Code by subsection (e) of this section were a part of the law applicable to such taxable period. The provisions of this subsection shall not be applicable unless there are filed with the Commissioner (in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, and at the time prescribed by such regulations) signed consents made under oath by the fiduciary representing the estate and by each such person (or if any such person is no longer in existence or is under disability, by his legal representative) that with respect to such amounts the tax of the estate, or the tax of such person, as the case may be, shall be computed under the provisions of this subsection for each taxable period ending on or after the date of the death of the decedent and the tax of the decedent shall be computed under such provisions for the taxable period of the decedent in which falls the date of his death. If such consent is filed after the time for the filing of the return with respect to any such taxable period, the deficiency resulting from the failure to compute the tax for such taxable period in accordance with such consent shall be paid on the date of the filing of the consent with the Commissioner, or on the date prescribed for the payment of the tax for the taxable period, whichever is later, and the period of limitations provided in sections 275 and 276 of the Internal Revenue Code or a corresponding provision of a prior revenue law on the making of assessments and the beginning of distraint or a proceeding in court for collection shall with respect to such deficiency include one year immediately after the date the consent was filed, and such assessment and collection may be made notwithstanding any provision of the internal revenue laws or any rule of law which would otherwise prevent such assessment and collection. The period within which claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, with respect to any overpayment resulting from the failure to compute the tax for any such taxable period (except the taxable period of the decedent in which falls the date of his death) in accordance with such consent shall include one year immediately after the date of the filing of the consent, and credit or refund may be allowed or made notwithstanding any provision of the internal revenue laws or any rule of law which would otherwise prevent such credit or refund, but no interest shall be allowed or paid with respect to any such overpayment. The provisions of section 322 (b) (2) and (3) of the Internal Revenue Code or a corresponding provision of a prior revenue law shall not apply to the refund of any such overpayment. If the application of this subsection to the taxable period of the decedent in which falls the date of his death results in a deficiency for such taxable period, and if

the income tax of the decedent for such period was deducted in computing the net estate of the decedent under Chapter 3 of the Internal Revenue Code or under a corresponding title of a prior revenue law, and if at the time such deficiency is assessed credit or refund of any resulting overpayment in respect of the taxes imposed by such Chapter 3 or corresponding title upon such net estate is prevented by any provision of the internal revenue laws or by any rule of law, then the amount of such deficiency which is assessed and collected shall be reduced by the amount of such resulting overpayment under such Chapter 3 or corresponding title which would be credited or refunded if credit or refund thereof were not so prevented. This subsection shall not be deemed to change any provision of law limiting the allowance of refund or credit with respect to overpayments for the taxable period of the decedent in which falls the date of his death, and no interest shall be allowed or paid with respect to any overpayment resulting from the application of this subsection to such taxable period. If the application of this subsection to the taxable period of the decedent in which falls the date of his death results in an overpayment for such taxable period, and if such overpayment was included as part of the income tax of the decedent which was deducted in computing the net estate of the decedent under Chapter 3 of the Internal Revenue Code or under a corresponding title of a prior revenue law, and if, at the time such overpayment is credited or refunded the assessment and collection of deficiencies in respect of the taxes imposed by such Chapter 3 or corresponding title upon such net estate is prevented by any provision of the internal revenue laws or by any rule of law, then the amount of such overpayment which is credited or refunded shall be reduced by the amount of the resulting deficiencies under such Chapter 3 or corresponding title which would be assessable if the assessment and collection thereof were not so prevented.

§ 19.126–1 *Inclusion in gross income of income in respect of a decedent.* The gross income for the taxable year of a decedent beginning on or after January 1, 1943, in which falls the date of his death, is computed upon the basis of the method of accounting followed by such decedent, even though amounts to which he is entitled as gross income are not includible under such method in computing net income for such taxable year or any prior taxable year. (See § 19.42–1) Such amounts include all the accrued income of a decedent who reported his income on the basis of cash receipts and disbursements, and, in the case of a decedent who reported his income under the accrual method of accounting, such amounts include contingent items which were not accrued by the decedent and, under § 19.42–1, all items (except the amount of partnership income includible under section 182) which were accrued in the last taxable year of the decedent solely by reason of his death. For example, if the decedent who reported income on the basis of the accrual method of accounting was a member of a partnership which kept its books on the basis of cash receipts and disbursements, the decedent would be entitled at the date of his death to his distributive share of the accrued income of the partnership, although there would be included in his gross income only his distributive share of the partnership income computed on the basis of cash receipts and disbursements. Furthermore, if his partnership agreement had provided for the sale to the other partners upon his death of his right to the partnership assets in return for a payment of a certain sum by the surviving partners to his estate, the gain on such sale, accrued solely by reason of his death, would not be included in computing his net income.

Under section 126 (a) (1), all such amounts to which a decedent is entitled as gross income and which are not includible in computing his net income for his last taxable year or any prior taxable year shall be included, when received, in the gross income of the estate of the decedent or of the person receiving such amounts if such amounts are received in a taxable year ending after December 31, 1942 by the estate of the decedent or by a person entitled to such amounts by bequest, devise, or inheritance from the decedent or by reason of the death of the decedent. These amounts are included in the income of the estate and such persons when received by them, regardless of whether or not they report income on the basis of cash receipts and disbursements.

The persons who are placed with respect to such amounts in the same position as the decedent are the decedent's estate (which in the great majority of cases will be the one who receives such amounts) and, if the estate does not collect such amounts but distributes the right to receive such amounts to the heir, next of kin, legatee, or devisee who inherited or was bequeathed or devised such right, such heir, next of kin, legatee, or devisee. Thus, if the decedent who kept his books on the basis of cash receipts and disbursements was entitled at the date of his death to a large salary payment to be made in equal annual installments over five years, and his estate after collecting two installments distributed the right to the remaining installment payments to the residuary legatee of the estate, the estate must include in its gross income the two installments received by it, and the legatee must include in his gross income each of the three installments received by him.

Also placed in the same position as the decedent with respect to such amounts are those who acquire the right to such amounts by reason of the death of the decedent. An example of the application of this provision is the case of a decedent who owned a defense bond, with his wife as coowner or beneficiary, and who died before the payment of such bond. The entire amount accruing on the bond and not includible in income by the decedent, not just the amount accruing after the death of the decedent, would be treated as income to his wife when the bond is paid. Another example is the case of a partner whose partnership agreement provided that upon his death his interest in certain partnership assets would pass to the surviving partners in exchange for payments to be made by them to his widow. Upon his death, the payments by the surviving partners must be included in the widow's income to the extent they exceed the adjusted basis of such assets in the hands of the decedent immediately prior to his death. This gain was not includible in the partner's income since it was not received by the partner (for the purposes of the cash receipts and disbursements method of accounting) and was accrued only by reason of his death (for the purposes of the accrual method of accounting). If the payments are to be made to the widow as trustee for minor children, and if the right to receive such payments is transferred to the children upon their majority, the children are within the provisions of section 126 (a) (1) as receiving the right to such payments by reason of the death of the decedent, and must include such payments when received in their income to the extent the payments represent the gain on the sale.

Since section 126 provides for the treatment of such amounts as income to the estate and other persons placed in the same position as the decedent with respect to such amounts, the provisions of section 113 (a) (5) with respect to the basis of property acquired by bequest, devise, or inheritance do not apply to these amounts in the hands of the estate and such persons. Furthermore, section 126 only applies to the amount of items of gross income in respect of a decedent, and items which are excluded from his gross income under section 22 (b) or section 116 are not within the provisions of section 126.

If the right to receive an amount of income in respect of a decedent is transferred by the estate or the person entitled to such amount by bequest, devise, or inheritance, or by reason of the death of the decedent, the fair market value of such right at the date of the transfer shall be included in the income of the estate or of such person, plus the amount by which any consideration received on such transfer exceeds the fair market value of such right. Thus, upon a sale of such right, the fair market value of the right or the amount received upon the sale, whichever is greater, is included in income. Similarly, if the right to receive the income is disposed of, as by gift or bequest, the fair market value of such right at the time of such disposition must be included in the gross income of the donor, testator, or other transferor. However, if the person to whom such right is transferred is a person described in section 126 (a) (1) as being entitled to such right by bequest, devise, or inheritance from the decedent or by reason of the death of the decedent, such fair market value of the right is not included in the income of the transferor. Examples of such transfers are those by the estate to a specific legatee of such right or to the residuary legatee. Another example is the case of a trust to which is bequeathed the right of the decedent to certain payments of income. If the trust terminates and the right to such payments is transferred to the beneficiary, the trust does not include the fair market value of the right to receive such payments in its income, but such payments are included in the income of the beneficiary under the provisions of section 126 (a) (1). Under section 126 (a) (1), the transferee in each of the above examples must include the

amount, when received, in his income, and if he transfers the right to receive such amount to a person not entitled to such right by bequest, devise, or inheritance from the decedent or by reason of his death, then he must include in his income the fair market value of the right at the time of such transfer.

The right to receive an amount of income in respect of a decedent shall be treated in the hands of the estate or the person entitled to receive such amount by bequest, devise, or inheritance from the decedent or by reason of his death as if it had been acquired in the transaction by which the decedent acquired such right, and shall be considered as having the same character it would have had if the decedent had lived and received such amount. The estate or such person is placed in the same position with respect to the nature of this income as the position the decedent enjoyed. Thus, if the income would have been capital gain to the decedent, if he had lived and had received it, from the sale of property held for more than six months, the income when received, or its fair market value if transferred, shall be treated in the hands of the estate or of such person as gain from the sale of the property, held for more than six months, in the same manner as if such person had held the property for the period the decedent held it, and had made the sale. Similarly, if the income is interest on United States obligations owned by the decedent, such income shall be treated as interest on United States obligations in the hands of the person receiving it, for the purpose of determining the credit provided by section 25 (a) (1) and (2), as if such person owned the obligations with respect to which such interest is paid. If the amount would have constituted earned income to the decedent, as in the case of the accrued wages of a decedent who reported income on the basis of cash receipts and disbursements, such amount shall constitute earned income to the person including such amount in his gross income to the same extent as if he had engaged in place of the decedent in the transaction in which the amount was earned. Such earned income would be included with the other earned income of such person, in determining his earned income credit, and such aggregate would of course be subject to the limitations on such credit. The estate is not allowed any credit for such income which is treated as earned income in its hands, since there is no provision in Supplement E of chapter 1 of the Internal Revenue Code allowing such a credit in the case of an estate. If the amounts are compensation for personal services rendered over a period of 36 months or more, and would be within the provisions of section 107 if the decedent had lived and included such amounts in his gross income, section 107 applies. That is, the tax attributable to the inclusion of this amount in the gross income of the person receiving it shall not exceed the aggregate of the taxes of the decedent which would be attributable to such amount if it had been received by the decedent in equal portions in each of the months included in the period in which the personal services were rendered. Similarly, the provisions of sections 105 and 106, relating to the tax attributable to the sale of certain oil or gas property and to certain claims against the United States, apply to any amount included in gross income, the right to which was obtained by the decedent by a sale or claim within the provisions of those sections. The tax attributable to the inclusion of this amount in the gross income of the person receiving it shall not exceed 30 percent of such amount.

§ 19.126–2 *Allowance of deductions and credit in respect of decedent.* Under section 126 (b), the expenses, interest, and taxes described in section 23 (a), (b), and (c) for which the decedent, dying in a taxable year beginning after December 31, 1942, was liable, which were not properly allowable as a deduction in his last taxable year or any prior taxable year, are allowed when paid (a) as a deduction by the estate, or (b) if the estate was not liable to pay such obligation, as a deduction by the person who by bequest, devise, or inheritance from the decedent or by reason of the death of the decedent acquires subject to such obligation an interest in property of the decedent. Similar treatment is given to the foreign tax credit provided by section 31. For the purposes of (b) above, the right to receive an amount of gross income in respect of a decedent is considered property of the decedent; on the other hand, it is not necessary for a person, otherwise within the provisions of (b), to receive the right to any income in respect of the decedent. Thus, if the right to income in respect of a decedent, receivable by reason of the death of the decedent by a person other than the estate, is subject to an income tax imposed during the life of the decedent by a foreign country, which tax must be satisfied out of such income, such person is entitled to the credit provided in section 31 when he pays this obligation. If the decedent, who reported income on the basis of cash receipts and disbursements, owned real property on which no income had accrued, but on which accrued taxes had become a lien, and if such property passed directly to the heir of the decedent in a jurisdiction in which real property does not become a part of a decedent's estate, the heir, upon paying such taxes, may take the same deduction under section 23 (c) that would be allowed to the decedent if, while alive, he had made such payment.

However, the deduction for percentage depletion is allowable only to the person who receives the income in respect of the decedent to which the deduction relates, whether or not such person receives the property from which such income is derived. Thus, if the income results from payments on units of mineral sold by the decedent, who reported income on the basis of cash receipts and disbursements, the deduction for depletion, computed on such number of units as if the person receiving such income had the same economic interest as the decedent, shall be allowed to such person regardless of whether or not he receives any interest in the mineral property other than such income. If the decedent did not compute his deduction for depletion on the basis of percentage depletion, any deduction for depletion to which the decedent was entitled at the date of his death would be allowable in computing his net income for his last taxable year, and there can be no deduction in respect of the decedent by any other person for such depletion.

§ 19.126–3 *Deduction for estate tax attributable to income in respect of decedent.* Section 126 (c) provides that the estate or person required to include in gross income any amount in respect of a decedent may deduct that portion of the estate tax on the decedent's estate which is attributable to the inclusion in the decedent's estate of the right to receive such amount. This deduction is determined by first ascertaining the net value in the decedent's estate of the items which are included under section 126 in computing the income of the persons described in that section, that is, the excess of the value included in the gross estate of the items of gross income in respect of the decedent over the deductions from the gross estate for claims which represent the deductions and credit in respect of the decedent described in section 126 (b). The portion of the estate tax (the sum of the basic estate tax and the additional estate tax, reduced by the credits against such taxes) attributable to the inclusion in the gross estate of such net value is the excess of the estate tax over the estate tax computed without including such net value in the gross estate. The estate and each person receiving income in respect of the decedent may deduct as his share of such portion of the estate tax an amount which bears the same ratio to such portion as the value in the gross estate of the right to the income included by the estate or such person in gross income bears to the value in the gross estate of all the items of gross income in respect of the decedent. Section 126 (c) is illustrated by the following example:

Example. X, an attorney who kept his books on the basis of the cash receipts and disbursements method of accounting, was entitled at the date of his death to a fee for services rendered in a case not completed at the time of his death, which fee was valued in his estate at $1,000, and to accrued interest on bonds which was valued at $500. In all, $1,500 was included in his gross estate in respect of income described in section 126 (a) (1). There were deducted as claims against his estate $150 for business expenses for which his estate was liable, and $50 for taxes accrued on certain property he owned, in all, $200, for claims which represent the deductions described in section 126 (b) which are allowable as deductions to his estate or to the beneficiaries of his estate. His gross estate is $185,000, and his net estate, computed without deducting any specific exemption, is $170,000, on which the total basic and additional estate tax (reduced by credits against such tax) is $23,625. In the year following the death of X, his estate collected the fee in the amount of $1,200, which amount is included in the income of the estate. The estate may deduct, in computing its net income for such year, $260 on account of the estate tax attributable to such income, computed as follows:

(a) (1) Value of income described in section 126 (a) (1) included in computing gross estate	$1,500
(2) Deductions in computing gross estate for claims representing deductions described in section 126 (b)	200
(3) Net value of items described in section 126 (a) (1)	1,300
(b) (1) Estate tax (basic and additional estate taxes, less credits against such taxes)	23,625
(2) Less: Estate tax computed without including $1,300 (item (a) (3)) in gross estate	23,235
(3) Portion of estate tax attributable to net value of income items	390
(c) (1) Value in gross estate of income received by estate in taxable year	1,000
(2) Value in gross estate of all income items described in section 126 (a) (1) (item (a) (1) above)	1,500
(3) Part of estate tax deductible upon receiving the $1,200 fee $\frac{\$1,000}{\$1,500}$ of $390	260

Although $1,200 was later collected as the fee, only the $1,000 actually included in the gross estate is used in the above computations. However, to avoid distortion, section 126 (c) provides that if the value included in the gross estate is greater than the amount finally collected, only the amount collected shall be used in the above computations. Thus, if the amount collected as the fee were only $500, the estate tax deductible on the receipt of such amount would be $\frac{\$500}{\$1,500}$ of $390, or $130.

§ 19.126–4 *Income in respect of decedent dying in taxable year beginning before 1943; tax of decedent*—(a) *In general.* If the last taxable year of the decedent began before January 1, 1943, then, under the law applicable to such taxable year before the enactment of the Revenue Act of 1942 all income in respect of such decedent was includible in his gross income for such taxable year, unless properly includible in gross income for a prior taxable year. (See § 19.42–1) Section 134 (g) of the Revenue Act of 1942 gives the estate of the decedent and those persons entitled upon his death to receive amounts of income not includible in the income of the decedent under his method of accounting (but includible in his income under the provisions of section 42) the right to elect to have such amounts treated for tax purposes under the amendments made by the Revenue Act of 1942, that is, to exclude from the gross income of the decedent for his last taxable year any such amounts not includible therein under his method of accounting, and to include such amounts when received in the gross income of the estate and of the other persons entitled to such amounts by bequest, devise, and inheritance and by reason of the death of the decedent. The election to have these amounts treated in this manner is made by the filing of consents to such treatment by the fiduciary of the estate and by all such persons.

(b) *Consents; tax of estate and persons filing consents.* For the purposes of the election provided by section 134 (g) of the Revenue Act of 1942, the consents must be filed by the fiduciary of the estate and by each person who received any right to income in respect of the decedent by bequest, devise or inheritance from the decedent or by reason of the death of the decedent. Ordinarily, the persons who must file such consents are the administrator or the executor of the estate, the residuary beneficiary of the estate, the trustees and beneficiaries of any trust the corpus of which includes such right to income, every other specific beneficiary of such right, and every person who receives any such right by survivorship, such as the surviving joint tenants of any right to income held in joint tenancy and the surviving co-owners or beneficiaries of any defense bonds owned by the decedent on which there is accrued interest not includible in his gross income under his method of accounting. If any such person is not in existence or is under legal disability, the consent may be made by his legal representative.

All of such consents with respect to any one decedent shall be filed at the same time with the Commissioner of Internal Revenue, Washington, D. C. The consents must be filed not later than one year after the time prescribed for filing the return for the last taxable year of the decedent (not including any extension of time for such filing) or January 1, 1944, whichever is later.

The executor, administrator, or other fiduciary of the estate (or if there is no such fiduciary, the principal beneficiary of the estate) must submit, under oath, a statement accompanying the consents and containing the following information:

(1) A list of all the items included in the gross income of the decedent for his last taxable year which would not be includible therein if the amendments made by section 134 (a) of the Revenue Act of 1942 were applicable to the revenue law in effect for such taxable year. (See § 19.42–1)

(2) The amount included in gross income with respect to each of such items, the aggregate of such amounts, the value included in the gross estate of the decedent with respect to each such item for the purposes of the estate tax, and the aggregate of such values.

(3) A list of all the items, allowed as deductions and credits in computing the net income of the decedent for his last taxable year, which would not be allowable as deductions and credits if the amendments made by section 134 (b) of the Revenue Act of 1942 were applicable to the revenue law in effect for such taxable year. (See § 19.43–1)

(4) The amount allowable as a deduction or credit with respect to each such item listed in (3), the aggregate of such amounts, the amount of the deductions for estate tax purposes from the gross estate of the decedent in respect of claims which are founded upon that portion of such items as are described in section 126 (b), and the aggregate of such deductions.

(5) The names and addresses of every person entitled by bequest, devise or inheritance from the decedent or by reason of the death of the decedent to receive any amount listed in (1).

(6) The names and addresses of every person entitled by bequest, devise or inheritance from the decedent or by reason of the death of the decedent to receive any property subject to an obligation of the decedent for which a deduction or credit described in § 19.126–2 is allowable.

Each consent shall be made under oath and shall contain the following:

(i) The name and address of the person filing the consent, and the collection district in which he files his return.

(ii) The name and address of the decedent, the date of his death, the period covered by his last income tax return, and the collection district in which such return was filed.

(iii) A list of all the items (at face value) of income in respect of the decedent to which the person filing the consent was entitled by bequest, devise or inheritance from the decedent or by reason of the death of the decedent. If the person filing the consent is the fiduciary of the estate of the decedent, the list shall set forth every item (at face value) of income in respect of the decedent acquired by the estate from the decedent. If any items listed on the consent were collected before the time the consent was filed, or if the right to receive any such items was transferred before such time to any person not entitled to such right by bequest, devise or inheritance, or by reason of the death of the decedent, then the list must show the amount collected in respect of each such item, or its fair market value at the time it was transferred, any consideration received for the transfer, and the date of such collection or transfer.

(iv) A list of all the items in respect of the decedent for which such person may claim deductions and credits described in § 19.126–2, showing the face value of such items, the property received by bequest, devise or inheritance from the decedent or by reason of the death of the decedent subject to the obligation for which any such deduction is allowed, and, if any such obligation has been paid, the amount and date paid.

(v) A recomputation of the net income and of the tax of the person filing the consent, made (*a*) for each taxable year in which any item described in (iii) was collected, or in which the right to any such item was transferred to a person not entitled to such right by bequest, devise or inheritance from the decedent or by reason of the death of the decedent, (*b*) for each taxable year in which any item listed in (iv) was paid, or would otherwise be allowed as a deduction or credit under § 19.126–2, and (*c*) for each taxable year in which there is a carry-over or carry-back of any item from any taxable year described in subdivisions (*a*) and (*b*). Such recomputation shall be made under the provisions of §§ 19.126–1, 19.126–2, and 19.126–3 by including in gross income the income in respect of the decedent which is includible under section 126 (a) and by allowing as deductions and credits the deductions and credits which are allowable under section 126 (b) and (c) when section 126 is made applicable to such taxable year and when the amendments made by section 134 (a) and (b) of the Revenue Act of 1942 are made applicable to the law in effect for the last taxable year of the decedent (see §§ 19.42–1 and 19.43–1). This recomputation shall be made only for taxable years the returns for which were due prior to the date the consent is filed. The increase or decrease in tax for each such taxable year as a result of such recomputation shall be shown, as well as the aggregate of such increases and the aggregate of such decreases.

(vi) An unqualified statement by the person filing the consent agreeing that his tax for each taxable year ending on or after the date the decedent died and the tax of the decedent for his last taxable year shall be computed under the provisions of section 134 (g) of the Revenue Act of 1942.

A payment equal to the excess of the aggregate of the increases over the aggregate of the decreases in tax set out in subdivision (v) on the consent must accompany the filing of the consent. The period of limitations for assessing or collecting the increase in tax upon such recomputation for each such previous year includes one year immediately after the filing of the consents, and such assessment and collection may be made whether or not any period of limitation or any rule of law (such as a previous judicial determination of the tax liability for such year) would otherwise prevent such collection or assessment. Interest on the increase in tax for each previous taxable year is measured from the date prescribed by law for the payment of the tax for such previous taxable year. If the aggregate of the decreases in tax exceeds the aggregate of the increases in tax, the taxpayer may file claim for credit or refund of such excess, and the period of limitation for filing such claim includes one year immediately after the filing of the consents. Such credit or refund may be made whether or not any period of limitations or any rule of law would otherwise prevent such credit or refund. The amount of such credit or refund will not be limited by section 322 (b) (2) or (3). No interest will be allowed with respect to any such credit or refund.

The person filing his consent must compute his tax for each taxable year, the return for which is due on or after the date the consent is filed, under the provisions of section 126 as if the amendments made by section 134 (a) and (b) were effective with respect to the revenue law applicable to the taxable year in which the decedent died. (See §§ 19.42–1, 19.43–1, 19.126–1, 19.126–2, and 19.126–3.)

(c) *Tax for last taxable year of decedent if consents filed.* If the consents described in subsection (b) are properly filed, the tax of the decedent for his last taxable year computed as if the amendments made by section 134 (a) and (b) of the Revenue Act of 1942 were applicable to the revenue law in effect for such taxable year of the decedent. See §§ 19.42–1 and 19.43–1. However, no interest shall be allowed with respect to any credit or refund of any overpayment for such taxable year resulting from the application of these amendments. Furthermore, credit or refund of any such overpayment is only allowed subject to the provisions of section 322, and nothing in section 134 of the Revenue Act of 1942 makes any change in any provision of law which limits the allowance of credit or refund of an overpayment for the last taxable year of the decedent. Thus, if the claim for the credit or refund of an overpayment, caused by the application of section 134 (g) of the Revenue Act of 1942, is not filed within three years after the return for the last taxable year of the decedent was filed or two years after the last payment of tax for such taxable year was made, then no refund is allowable. If the claim is filed within such period, the refund which may be made must not exceed the portion of the tax paid within the period, preceding the filing of the claim for credit or refund, prescribed by section 322 (b) (2). For example, the last taxable year of the decedent began in 1939, the return for such year was filed on March 15, 1940, and the tax shown on the return was paid on that date. Later, a deficiency of $1,000 was assessed, and this amount was paid in full on December 31, 1941. The application of section 134 (g) to such taxable year results in an overpayment of $5,000, and claim for credit or refund of such overpayment is filed on December 15, 1943 (within two years after the payment of tax on December 31, 1941). The credit or refund which is allowed for such taxable year is limited under section 322 (b) (2) to $1,000, the portion of the tax paid within three years before the claim is filed. If the executor or other personal representative of the decedent had contested the deficiency paid on December 31, 1941, before the Board, or had previously sued for refund, and the tax liability for the decedent's last taxable year had been finally determined, no credit or refund could be allowed or made for such taxable year by reason of an overpayment resulting from the application of section 134 (g) of the Revenue Act of 1942.

In cases in which the decedent had more deductions subject to the amendment made by section 134 (b) of the Revenue Act of 1942 than income subject to the amendment made by section 134 (a) of such Revenue Act, a deficiency for his last taxable year may result from the retroactive application of such amendments under section 134 (g) of that Act. Since the estate and the beneficiaries, in the filed consents, agree to the redetermination of the tax of the decedent for his last taxable year, such tax will be assessed and collected notwithstanding the prior running of any period of limitations or any other rule of law which would otherwise bar such assessment and collection.

Since the income tax of the decedent for his last taxable year was deductible as a claim against his estate in determining the estate tax, any overpayment of income tax for his last taxable year may have been an improper deduction from his gross estate. Therefore, if any such overpayment is determined for such taxable year by reason of the application of section 134 of the Revenue Act of 1942, the estate tax must then be recomputed by disallowing any deduction of such overpayment of income tax, and upon this recomputation a deficiency in estate taxes may be determined. If at the time any credit or refund of such overpayment in income tax is allowed or made, the assessment and collection of the deficiency in estate taxes are barred by any provision of the internal revenue laws or by any rule of law, then the amount of such deficiency in estate taxes is deducted from the amount which would otherwise be refunded or credited.

Similarly, if there was a deficiency in income tax for the last taxable year of the decedent, by reason of the application of section 134 (g) of the Revenue Act of 1942, then the deduction for income tax of the decedent in computing his net estate for estate tax purposes may have been too small, and an overpayment of estate taxes may have resulted. If credit or refund of this overpayment is barred at the time the deficiency in income taxes is assessed, the amount of the deficiency in income taxes shall be reduced by the amount of any such overpayment in estate taxes.

PAR. 5. There is inserted immediately after § 19.22 (k)–1 of Regulations 103 the following:

[SEC. 22. GROSS INCOME.]

SEC. 134. INCOME IN RESPECT OF DECEDENTS (Revenue Act of 1942, Title I.)

* * * * * * *

(c) *Cross reference.* Section 22 (relating to definition of gross income) is amended by inserting at the end thereof the following:

(1) *Income of decedents.* For inclusion in gross income of certain amounts which constituted gross income in respect of a decedent, see section 126.

* * * * * * *

(f) *Effective date of amendments.* The amendments made by subsections (a) and (b) of this section shall be applicable with respect to taxable years beginning after December 31, 1942, and the amendments made by subsections (c), (d), and (e) of this section shall be applicable with respect to taxable years ending after December 31, 1942.

* * * * * * *

PAR. 7. There is inserted immediately preceding the quotation of section 23 (x) which precedes § 19.23 (x)–1 of Regulations 103 the following:

[SEC. 23. DEDUCTIONS FROM GROSS INCOME.]

[In computing net income there shall be allowed as deductions:]

SEC. 134. INCOME IN RESPECT OF DECEDENTS. (Revenue Act of 1942, Title I.)

* * * * * * *

(d) *Deductions of estate.* Section 23 (relating to deductions) is amended by inserting at the end thereof the following:

(w) *Deductions of estate, etc., on account of decedent's deductions.*

(1) In the case of a person described in section 126 (b), the amount of the deductions in respect of a decedent to the extent allowed by such subsection.

(2) In the case of a person described in section 126 (a), the amount of the deductions in respect of a decedent to the extent allowed by section 126 (c).

* * * * * * *

(f) *Effective date of amendments.*—The amendments made by subsections (a) and (b) of this section shall be applicable with respect to taxable years beginning after December 31, 1942, and the amendments made by subsections (c), (d), and (e) of this section shall be applicable with respect to taxable years ending after December 31, 1942.

* * * * * * *

PAR. 8. The foregoing provisions of paragraphs 1, 2, 3, 4, and 5 of this Treasury decision relative to cases involving decedents who died during taxable years which began before January 1, 1943 are hereby made applicable to all such cases in which the decedent died during a taxable year which began after December 31, 1933 and before January 1, 1939. Upon proper compliance by the estate, beneficiaries, and survivors of the decedent with the provisions of section 134 (g) of the Revenue Act of 1942 and with the provisions of paragraph 5 of this Treasury decision, provisions corresponding to the provisions of section 126 of the Internal Revenue Code, inserted therein by section 134 (e) of the Revenue Act of 1942, shall be considered a part of the Internal Revenue Code and of the Revenue Acts of 1938, 1936, and 1934 applicable to taxable years of such estate, beneficiaries, and survivors ending on or after the date of such decedent's death, the amendment to the last sentence of section 42 (a) of the Internal Revenue Code made by section 134 (a) of the Revenue Act of 1942 shall be considered an amendment to the last sentence of section 42 of the Revenue Act of 1938, 1936, or 1934, whichever is applicable to the last taxable year of the decedent, and the amendment to section 43 of the Internal Revenue Code made by section 134 (b) of the Revenue Act of 1942 shall be considered an amendment to the last sentence of section 43 of the Revenue Act of 1938, 1936, or 1934, whichever is applicable to the last taxable year of the decedent. The amendments to §§ 19.42–1 and 19.43–1 made in paragraphs 2 and 4 of this Treasury decision shall also be considered amendments to the corresponding provisions of articles 42–1 and 43–1 of Regulations 101, 94, and 86.

(Sec. 134 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.), secs. 42, 43, and 62, Internal Revenue Code (53 Stat., 24, 32, 26 U.S.C., 1940 ed., 42, 43, 62), and sections 42, 43, and 62 of the Revenue Acts of 1938, 1936, and 1934 (52 Stat., 473, 480, 26 U.S.C., Sup., 42, 43, 62; 49 Stat., 1666, 1673, 26 U.S.C., Sup., 42, 43, 62; 48 Stat., 694, 700, 26 U.S.C., 42, 43, 62))

[SEAL] GUY T. HELVERING,
Commissioner.

Approved: February 26, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3215; Filed, March 1, 1943; 11:02 a. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 3—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY

DETERMINATION UNDER EXECUTIVE ORDER TO THE SHIPBUILDING AND SHIP REPAIR INDUSTRY

Wage stabilization agreements for the shipbuilding and ship repair industry which stabilize, among other things, overtime compensation practices in that industry have been in operation since April 1941. Orders temporarily staying the application of Executive Order 9240 (7 F.R. 7159) to work subject to these agreements, which have previously been issued by me pursuant to Executive Order 9248 (7 F.R. 7419), at the request of the Chairman of the Shipbuilding Stabilization Committee of the War Production Board, expire March 2, 1943. These agreements have been approved by the Government departments and agencies concerned with shipbuilding and ship repair work. The Shipbuilding Stabilization Committee which administers these stabilization agreements, entitled "Zone Standards Agreements for the Shipbuilding and Ship Repair Industry" and the "Pacific Coast Repair Agreements," has informed me that the agreements are operating satisfactorily in the shipbuilding and ship repair industry and has made application for a determination that the provisions of Executive Order 9240 shall not apply to the shipbuilding and ship repair industry. The Navy Department, Maritime Commission, and War Department, which are parties to the stabilization agreements, have concurred in the application.

Upon investigation, it appears that these wage stabilization agreements approved by a Government department or agency are operating satisfactorily to stabilize overtime practices in the industry.

Now, therefore, by virtue of the power vested in me by Executive Order 9248, *It is ordered*, That the provisions of Executive Order 9240, entitled "Regulations Relating to Overtime Wage Compensation," shall not apply after March 2, 1943, to the shipbuilding and ship repair industry.

Dated: February 25, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-3216; Filed, March 1, 1943; 11:20 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1711]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of DeBardeleben Coal Corporation for permission to absorb an increase of 65 cents per car in switching and weighing charges in delivery of locomotive fuel from its Hull Mine to the Illinois Central Railroad.

On October 23, 1942, the DeBardeleben Coal Corporation, a code member in District No. 13, filed an original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, with the Bituminous Coal Division, requesting permission to absorb increased switching and weighing charges from the minimum prices applicable to its shipments of coals produced at its Hull Mine (Mine Index No. 44) in District No. 13, for locomotive fuel use to the Illinois Central Railroad.

The Schedule of Effective Minimum Prices for District No. 13 for All Shipments Except Truck permits the DeBardeleben Coal Corporation to absorb a weighing and switching charge of $10.73 per car on coals produced at its Hull Mine for shipment as locomotive fuel to the Illinois Central Railroad. Petitioner alleges that this weighing and switching charge was increased six per cent, or 65 cents per car, that is, by 50 cents per car in the switching charge and 15 cents per car in the weighing charge, in Ex Parte #148 before the Interstate Commerce Commission, effective April 11, 1942; and that it should be permitted to absorb this increase in order to place the Hull coals for shipment off line to the Illinois Central Railroad on a competitive delivered basis with Alabama mines served directly by that railroad.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth.

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, It is ordered, That, pending further order in the above-entitled matter, temporary relief is granted as follows: commencing forthwith § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*), footnote 3, is amended as follows:

The Hull Mine (Mine Index No. 44) may reduce the price listed above when for delivery as locomotive fuel to the Illinois Central Railroad by absorbing the actual weighing and switching charges but not to exceed $11.38 per car.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3154; Filed, February 27, 1943; 11:05 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 20]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION PROCEDURE, AMENDMENT

Section 808.6 *Application procedure* is hereby amended by adding the following new paragraph:

§ 808.6 *Application procedure.* • • •

(f) *Certain associations; multiple consignors.* Any association organized pursuant to the Export Trade Act (U.S.C. Title 15, section 61) may, upon specific authorization from the Office of Exports, file in the name of the association one combined application for freight space on Form BEW-138, subject to the following conditions:

(1) The association shall obtain from each member a statement to be filed with the Office of Exports in the following form properly filled out:

This is to certify that the undersigned _____ company, of_____ (City) and _____ (State) is a member of the _____ Association.

The undersigned and its subsidiary companies agree that in the event the Office of Exports, Board of Economic Warfare, determines to authorize the Association to obtain an assignment of shipping space for all the members of the Association, it will:

(1) Accept such part of the total space allocated to the Association as the Executive Secretary of the Association shall allocate to it.

(2) Ship only to such consignees as are approved by the Office of Exports, Board of Economic Warfare.

(3) Not file individual applications for shipping space.

This agreement is effective as of _____ 1943, and may be revoked upon thirty (30) days written notice to the Office of Exports, Board of Economic Warfare.

_____
(Signature)

(2) The combined application for freight space shall contain the names of the members represented thereby, together with their particular consignees, ultimate consignees and purchasers.

(3) The tonnage allotted by the Office of Exports upon certification of the application shall be divided by the association among the members represented by such certified application.

(4) The association shall notify the Office of Exports and the War Shipping Administration of the particular commodity and amount thereof each member proposes to ship against the certified application.

(5) The members shall then book their proposed shipments directly with the ship operator under the serial number assigned to the certified application.

(6) When the shipments have cleared port, the members shall notify the association of the amount of the commodity shipped, the consignee thereof and the carrier vessel.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 26, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-8162; Filed February 27, 1943; 11:39 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1095—COMMUNICATIONS

[General Conservation Order L-204 as Amended Feb. 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of materials for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1095.20 *General Conservation Order L-204*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorporated or not.

(2) "Telephone set" means an assemblage of apparatus including a telephone transmitter and a telephone receiver together with its immediately associated devices and wiring (including a wire intercommunicating set which does not employ electronic tubes as an essential part of such set and is employed in intercommunicating systems operated independently of public telephone systems) for use in wire telephone communication. It shall not include any telephone set or auxiliary devices contained on List A attached.

(3) "Manufacturer" means any person who manufactures or assembles telephone sets. It shall not include any person to the extent that he is engaged in the repair or reconditioning of used telephone sets.

(4) [Revoked Feb. 27, 1943]

(b) *General restrictions.* (1) No manufacturer shall produce telephone sets on or after the 27th day of February 1943, except wire intercommunicating telephone sets:

(i) To fill an order bearing a preference rating of AA-3 or higher for a maintenance replacement or for an extension of an existing wire intercommunicating set or system.

(ii) To fill an order bearing a preference rating of AA-1 or higher for a new installation of a wire intercommunicating system.

(c) *Records.* All manufacturers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production and sales of telephone sets.

(d) *Reports.* Each manufacturer affected by this order shall file such reports and questionnaires with the War Production Board as may from time to time be required by the Director General for Operations.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or, who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority control, and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All reports to be filed, and other communications concerning this order should be addressed to: War Production Board, Communications Division, Washington, D. C. Ref: L-204.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

[NOTE: List A added Feb. 27, 1943]

Jacks and plugs.
Switching keys.
Extension bells.
Loud-ringing bells.
Connecting blocks.
Protectors.
Station drop and line wiring and cabling.
Head and chest telephone sets.
Telephone test sets for use in connection with the construction and maintenance of wire communication plant.
Explosion proof sets for use in mines, and in locations in munitions plants and other essential industries where the use of a standard telephone set would give rise to danger of explosion.
Telephone sets, of special design, required for use on shipboard or in connection with underwater and flying operations and for gas masks.
"Push-to-talk" handsets, that is, hand sets having a selector device which permits the use of either the transmitter or the receiver or both, for use by the armed services.
Portable telephone sets and sound powered telephone sets used by the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the Forest Service, and on the Alcan Highway.
Any telephone set assembled in connection with a coin collecting device for use as a public pay station.
Outdoor telephone sets which are so designed as to employ a minimum of critical materials consistent with the essential service requirements.
Any telephone set specially treated to meet climatic conditions and for use outside the continental United States of America ordered by or for the account of any of the governmental agencies or governments listed below, or any telephone set for use in combat or for combat equipment, ordered by or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, the Civil Aeronautics Administration; or

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its dominions, crown colonies and protectorates, and Yugoslavia; or

(3) Any other country, including those of the Western Hemisphere, now or hereafter designated, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States". (Lend-Lease Act).

[F. R. Doc. 43-3141; Filed, February 27, 1943; 10:29 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-123 as Amended Feb 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of general industrial equipment for defense, for private account and export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.1 *General Limitation Order L-123*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "General industrial equipment" means new equipment of the kinds listed, from time to time, in list A. General industrial equipment shall be deemed to be new when it has not been delivered to any person acquiring it for use.

(3) "Manufacturer" means any person producing general industrial equipment.

(4) "Distributor" means any person in the business of distributing general industrial equipment.

(5) "Order" means any commitment or other arrangement for the delivery of general industrial equipment, whether by purchase, lease, rental, or otherwise.

(6) "Approved order" means:

(i) Any order for general industrial equipment bearing a preference rating of A-1-c or higher.

(ii) Any order for general industrial equipment for the Army, the Navy, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, and the Office of Scientific Research and Development.

(iii) Any order for general industrial equipment which the Director General for Operations authorizes for delivery pursuant to paragraph (b) (2) hereof.

(b) *Restrictions on acceptance of orders for, and production and distribution of general industrial equipment*—(1) *General restrictions.* (i) No person shall accept any order for general industrial equipment or commence production of any general industrial equipment in fulfillment of any order, whether accepted or not; unless such order is an approved order.

(ii) No person shall deliver, and no person shall accept delivery of, any general industrial equipment, except pursuant to an approved order: *Provided, however*, That the provisions of this paragraph (b) (1) shall not prohibit the production and delivery, prior to October 1, 1942, of general industrial equipment in fulfillment of an order accepted prior to August 27, 1942 and bearing a preference rating of A-9 or higher; and *Provided further*, That nothing in this order shall prevent shipment of general industrial equipment from any manufacturer to any distributor to fill approved orders actually received by such distributor or to replace general industrial equipment delivered by such distributor to fill an approved order nor shall this order limit the right of a manufacturer legally to extend any preference rating certificate to secure material for the production of approved orders for general industrial equipment.

(2) *Authorization for orders on books.* Manufacturers or distributors may apply for authorization to commence production of, or to deliver, orders now on their books which are not approved orders, by filing with the War Production Board, a list in triplicate, plainly marked Ref: L-123, of all such orders, together with the name of the purchaser or lessee, the date of the order, the number of pieces of equipment or machinery, the rating assigned, the preference rating certificate number, if any (or blanket preference rating order and serial number), a description of the machinery, the value of the machinery, the specified delivery date, the extent of completion of the order, and the expected use to which the machinery will be put. The Director General for Operations may thereupon authorize the production or delivery of any such orders, or the assignment of preference ratings thereto.

(c) *Non-applicability to repair or maintenance.* (1) The provisions of paragraph (b) shall not apply to any order for, or delivery of, maintenance or repair parts, (i) in an amount not exceeding $1,000 for any single piece of general industrial equipment to be repaired or maintained; or (ii) in any amount for the repair of general industrial equipment when there is an actual breakdown or suspension of operations of such piece of equipment because of damage, wear and tear, destruction or failure of parts, or the like, and the essential repair or maintenance parts are not otherwise available.

(2) [Revoked February 27, 1943]

(d) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time

to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Applicability of other orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, acquire, fabricate or process in any manner, any raw materials, semi-fabricated parts, or finished parts in contravention of terms of any regulation of the War Production Board, effective at the date of any of the transactions specified in this paragraph.

(f) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after May 26, 1942. No person shall be held liable for damages or penalties for default under any contract or order which shall result directly or indirectly from his compliance with the terms of this order.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: L–123.

(i) *Records and reports.* All manufacturers and distributors affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for general industrial equipment. All persons affected by this order shall execute and file with the Director General for Operations, War Production Board, such reports and questionnaires as said Director shall from time to time request.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

NOTE: List A, amended February 27, 1943.

1. Conveying machinery (and any important component part thereof) used for the mechanical handling of materials; except (i) farm elevators included within the provisions of Order L–26, as amended, (ii) machinery or parts used on board ship in the operation of any vessel, or used in the operation of aircraft, tanks, ordnance, or similar combat equipment, (iii) power and hand lift trucks, (iv) cranes, hoists and platform elevators, (v) construction mixers, pavers, graders, drag lines and power shovels, and similar construction machinery, (vi) cars and car dumpers, (vii) steel mill tables, (viii), sintering conveyors, (ix) metal pig conveyors, (x) underground mining machinery (other than slope conveyors); and (xi) conveying machinery covered by any order authorized by the Director General for Operations under Order L–193.

2. Mechanical power transmission equipment (and any important component part thereof) of the following kinds (except (i) equipment or parts used in the operation of any vessel, or in the operation of aircraft, tanks, ordnance or similar combat equipment or (ii) equipment covered by any order authorized by the Director General for Operations under Order L–193):

(a) Open and enclosed gearing for transmitting more than ¼ horse power; except marine propulsion gears, gears used as an integral part of a machine, gears built into a turbine, and gears used on household manually powered, automotive, or farm machinery;

(b) Mechanical drives and parts thereof for transmitting more than ¼ horse power; except belting, drives used as an integral part of a machine and drives used on household, manually powered, automotive, or farm machinery.

3. [Revoked Feb. 27, 1943]

4. Turbo blowers, except turbo blowers covered by the provisions of Limitation Order L–163.

5. Industrial compressors and vacuum pumps, mechanically operated, all types except "Critical Compressors" as defined in General Limitation Order L–100, and units having a displacement of less than one cubic foot per minute.

6. [Revoked Feb. 27, 1943]

7. [Revoked Feb. 27, 1943]

8. Stationary steam engines, except marine engines and steam engine generator sets.

9. Air washers.

10. Heat exchangers, except (i) heat exchangers for domestic use, (ii) heat exchangers covered by the provisions of Limitation Order L–172 (ii) surface condensers, (iv) unit heaters, (v) unit ventilators, (vi) blast heating surfaces not enclosed in a pressure vessel, and (vii) convectors designed and used solely for comfort heating of building spaces or for processes requiring heat. "Surface Condenser" means any device consisting of a shell and bare tubes, including auxiliary air removal equipment when such auxiliary equipment is purchased with and used on said device, which condenses exhaust steam from a steam driven prime mover for the purpose of maintaining a minimum absolute exhaust pressure.

11. Industrial dust collectors.

12. [Revoked Feb. 27, 1943]

13. Portable (platform type) elevators and steel platforms. "Portable (platform type) elevator" means any device mounted on wheels or casters with either power operated or hand operated lift, used primarily to elevate and lower material for the purpose of tiering or stacking; and "steel platform" means any steel platform or skid, with or without box tops or enclosures, standing on legs or legs and wheels, designed for use in handling material in conjunction with hand or power operated lift trucks, portable (platform type) elevators, lift jacks or other similar devices.

14. [Revoked Feb. 27, 1943]

15. [Revoked Feb. 27, 1943]

16. [Revoked Feb. 27, 1943]

17. Safety switches and knife switches, single and double throw, two, three and four pole, rated 60 amperes and higher, 600 volts and below.

18. Circuit breakers, thermal and magnetic trip, manually and electrically operated, rated 50 to 575 amperes, inclusive, 600 volts and below.

19. Lifting magnets, circular type, 18 inches in diameter and larger; and lifting magnet controllers.

20. Dynamometers, electric type; and rotary converters.

21. Electric motors, rated less than one horsepower; except motors used in the operation of passenger automobiles, truck, truck trailers, passenger carriers and off-the-highway motor vehicles, as defined in Order L–158, or in the operation of stationary automotive type engines.

INTERPRETATION 1

General industrial equipment shall be considered to be delivered, within the meaning of this order, prior to May 26, 1942, when the machinery or equipment has been placed in the hands of a common or contract carrier for shipment to the purchaser prior to May 26 1942. (Issued June 13, 1942.)

INTERPRETATION 2

Paragraph (a) (2) defines "general industrial equipment" to mean new equipment of the kinds listed, from time to time, in List A to the order. Such equipment is deemed to be new when it has not been delivered to any person acquiring it for use. Paragraph (b) imposes restrictions on the acceptance of orders for, and commencement of production and deliveries of, general industrial equipment.

Paragraph (c) provides an exemption from the restrictions of paragraph (b) for any order or delivery of maintenance and repair parts in an amount not exceeding $1,000 for any single piece of general industrial equipment to be repaired or maintained; or in any amount for the repair of general industrial equipment when there is an actual breakdown or suspension of operations of such piece of equipment. The exemption provided in paragraph (c) is intended for such repair or maintenance parts to be used to repair or maintain any existing equipment, i. e., equipment which has been delivered for use to a user and requires repair or maintenance. The exemption is not intended to apply to spare parts for new equipment nor is it limited to the repair or maintenance of equipment delivered after the date of the order. (Issued December 14, 1942.)

[F. R. Doc. 43–3140; Filed, February 27, 1943; 10:29 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended Feb. 27, 1943]

§ 3175.1 *CMP Regulation 1*—(a) *Purpose and scope.* The purpose of this regulation is to define the rights and obligations under the Controlled Materials Plan of persons outside of the Claimant Agencies and the War Production Board. This regulation and other CMP regulations to be issued from time to time implement the "Controlled Materials Plan" which was published by the War Production Board, for informational purposes only, under date of November 2, 1942. In case of any inconsistency between such publication (or any other descriptive literature which may be published from time to time) and any CMP regulation, the provisions of the CMP regulation shall govern. Other CMP regulations contain, or will contain, provisions regarding such matters as inventory restrictions, preference ratings, warehouses, dealers, maintenance, repair and operating supplies, construction and facilities, and reports.

(b) *Definitions.* The following definitions shall apply for the purposes of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I attached.

(2) "Controlled Materials Division" means the Steel Division, the Copper Division or the Aluminum Division of the War Production Board.

(3) "Industry Division" means the Division, Bureau, or other unit of the War Production Board which is charged with supervision over the operations of a particular industry. The term also includes any other government agency which, by arrangement with the War Production Board, may perform similar functions with respect to a particular industry.

(4) "Claimant Agency" means the following government offices and such others as may be designated from time to time. (Identifying symbols are indicated in parentheses.)

War Department (W)—except Ordnance which is identified by the symbol (O).
Navy Department (N)
Maritime Commission (M).
Aircraft Resources Control Office (Agent for Army Air Forces and Bureau of Aeronautics of United States Navy) (C).
Office of Lend-Lease Administration (L).
Board of Economic Warfare (E).
Office of Civilian Supply (S).
Department of Agriculture (A).
Office of Defense Transportation (T).
Office of Rubber Director (R).
Facilities Bureau of the War Production Board (F).
Petroleum Administration for War (P).
National Housing Agency (H).
Office of War Utilities Director (U).

The symbol (D) will be used in lieu of Claimant Agency symbols to identify certain programs covering items destined for the Dominion of Canada.

(5) "Allotment" means (i), a determination by the Requirements Committee of the War Production Board of the amount of controlled materials which a Claimant Agency may receive during a specified period, or (ii) a further determination pursuant thereto by a Claimant Agency, Industry Division, prime consumer or secondary consumer, as to the portion of its allotment of controlled materials which may be received by one of its prime consumers or secondary consumers, as the case may be.

(6) "Prime consumer" means any person who receives an allotment of controlled material from a Claimant Agency or an Industry Division.

(7) "Secondary consumer means any person who receives an allotment of controlled material from a prime consumer or another secondary consumer.

(8) "Class A product" means any product which is not a Class B product (as defined in subparagraph (9) below), and which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such steel, copper or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(9) "Class B product" means any product listed in the "Official CMP Class B Product List" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(10) "Program" means a plan specifying the total amount of an item or class of items to be provided in a specified period of time.

(11) "Authorized program" means a program specifically authorized by the Requirements Committee or by a Claimant Agency or Industry Division within the limits of its allotment.

(12) "Production schedule" means a plan specifying the total amount of an item or class of items to be produced by an individual consumer in a specified period of time.

(13) "Authorized production schedule" means a production schedule specifically authorized within the limits of an authorized program by a Claimant Agency or by an Industry Division with respect to a prime consumer, or specifically authorized by a prime or secondary consumer with respect to a secondary consumer producing products for it as required to meet an authorized production schedule.

(14) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(15) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph (s) of this regulation or which is specifically designated to be such an order by any regulation or order of the War Production Board.

(c) *General allotment procedure*—(1) *Allotments by Requirements Committee to Claimant Agencies.* The Requirements Committee of the War Production Board will distribute the available supply of controlled materials by making allotments to the Claimant Agencies or Industry Divisions for each quarter, designating the amount of each form of controlled material available, during the quarter, to each Claimant Agency or Industry Division for allotment to its prime and secondary consumers.

(2) *Allotments by Claimant Agencies to prime consumers producing Class A products.* Each Claimant Agency will distribute the allotments received by it by making further allotments to the prime consumers who produce Class A products for it. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to the secondary consumers producing Class A products as parts or sub-assemblies for it. A prime consumer producing Class A products for several Claimant Agencies shall obtain separate allotments from each. A Claimant Agency, may, in particular cases, make allotments through an Industry Division.

(3) *Allotments by Industry Divisions to producers of Class B products.* Unless otherwise specifically directed, allotments to producers of Class B products will be made only by Industry Divisions, both in the case of Class B products which are end-products and in the case of Class B products which are incorporated in other products whether Class A or Class B. Allotments made by the Requirements Committee may be made available to the Industry Divisions for this purpose by the Claimant Agencies. Each Industry Division will make allotments to the prime consumers producing Class B products under its jurisdiction. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to secondary consumers producing Class A products for it. A manufacturer of several Class B products coming under the jurisdiction of different Industry Divisions shall obtain separate allotments from each. A consumer producing Class B products is always a prime consumer with respect to such production.

(4) *Allotments by prime and secondary consumers.* Each prime consumer receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized production schedule, and shall allot the remainder to his secondary consumers producing Class A products for him, to cover their requirements for controlled materials. Allotments by secondary consumers to secondary consumers supplying them may be made in the same fashion. A secondary consumer producing Class A products for several other consumers shall obtain separate allotments from each.

(5) *Advance allotments.* Advance allotments by Claimant Agencies or Industry Divisions to prime consumers may be made within specified limits before receipt of allotments from the Requirements Committee in order to assure fulfillment of long term programs and schedules. Prime consumers receiving such advance allotments may, in turn, make allotments to their secondary consumers, and secondary consumers may make further allotments, in the same manner as in the case of ordinary allotments but no consumer shall make any allotment in advance of receiving his own allotment.

(6) *Allotment numbers.* (i) Allotments to prime consumers shall be identified by allotment numbers consisting of a Claimant Agency letter symbol and nine digits. The Claimant Agency symbol is indicated after the name of each Agency in paragraph (b) (4) of this regulation. The first four digits identify the authorized program of the Claimant Agency. The next three digits identify the authorized production schedule of the prime consumer. The last two digits indicate the quarter for which the allotment is valid, instead of indicating the month as originally provided prior to amendment of this regulation. The numerical identification of months, as previously prescribed, is retained; months are numbered consecutively beginning with January 1942 (not 1943). Each quarter will be identified by the first month in the quarter. Thus, 16 will denote the second quarter of 1943, 19 will denote the third quarter, etc. However, if an allotment is made under the monthly system prescribed prior to amendment of this regulation, and bears the number of the second or third month in a quarter, it will nevertheless represent the entire quarter. Thus, 16, 17 or 18 will denote the second quarter of 1943, and 19, 20, or 21 will denote the third quarter of 1943. Orders placed by consumers with controlled materials producers (as distinct from allotments to consumers) are to be identified by month number instead of quarterly number, as provided in paragraph (s) (3).

(ii) Allotments to secondary consumers shall be identified by an abbreviated allotment number consisting only of a major program identification and the quarterly identification number. The major program identification shall consist of the Claimant Agency letter symbol followed by the first digit only of the program number (omitting the last three digits of the program number and the entire schedule number). For example, in the case of an allotment to a prime consumer, designated W-2045-687-16, the allotment to a secondary consumer will be simply W-2-16 denoting an allotment for major program number 2 of the War Department for delivery of controlled materials in the second quarter of 1943.

(d) *Bills of materials, applications for allotments and other information serving as basis for allotments.* (1) The basis for an allotment to a consumer shall be his actual requirements for controlled materials in connection with the fulfillment of an authorized production schedule. The production schedule shall be authorized as provided in paragraph (n) of this regulation. Information as to requirements shall be in the form of a bill of materials, an application for allotment and/or other information as provided below in this paragraph (d).

(2) A bill of materials shows the amounts of controlled materials required by a consumer and his secondary consumers, irrespective of time of delivery and inventory, for production of one unit or a specified number of units of his product. Bills of materials shall be prepared in the manner specified in "General Instructions on Bills of Materials," on forms CMP-1, CMP-2 and CMP-3 or on such other forms as may be prescribed. No consumer shall be required to furnish a bill of materials on any form which is not officially prescribed (as indicated by a Bureau of Budget number), but in cases where another form is in use which gives the same information as the official form, the Claimant Agency, Industry Division or consumer to whom a bill of materials is to be furnished may accept it on such other form.

(3) An application for allotment shows the aggregate amount of each form of controlled material required (after taking inventories into account to the extent required by CMP Regulation No. 2) by a consumer and his secondary consumers during each month of a quarter for his entire production of a specified product or class of products for the same customer, in the case of Class A products, or for all customers (unless otherwise directed) in the case of Class B products. Applications are to be made by manufacturers of Class A products on Form CMP-4A as issued by the appropriate Claimant Agency, and by manufacturers of Class B products on Form CMP-4B as issued by the War Production Board, or on such other forms as may be prescribed. Although allotments are to be made by quarters instead of months, applications for allotments shall show monthly requirements where required by the application forms, so that information as to over-all requirements may be compiled on a monthly basis by the Claimant Agencies and the Controlled Materials Divisions.

(4) A bill of materials or application for allotment shall *not* include controlled materials required for manufacture of Class B products which will be incorporated in the product with respect to which the bill of material or application is submitted, although information as to the number or value of such Class B products is to be given in bills of materials to the extent required by the instructions.

(5) Requirements for maintenance, repair or operating supplies shall *not* be included in bills of materials or applications for allotment. Requirements for such purposes are to be obtained separately as provided in CMP Regulation No. 5.

(6) Bills of materials and applications for allotments shall be filed with the Claimant Agency, Industry Division or other consumer by whom the allotment is to be made, as indicated in paragraph (c) of this regulation. Bills of materials shall be filed only when and as called for by such Claimant Agency, Industry Division or other consumer. Manufacturers of Class A products shall file applications for allotments only when and as called for by the Claimant Agency or other consumer for whom they make their products. Manufacturers of Class B products who will require controlled materials from controlled materials producers during the second quarter of 1943 (or whose secondary consumers will require the same) must file applications for allotments on Form CMP-4B not later than February 9, 1943, or by such other date as may be designated or approved by the appropriate Industry Division (or in special cases by a Claimant Agency). Those manufacturers of Class B products who will obtain their requirements of controlled materials for the second quarter of 1943 entirely from warehouses or retailers, and whose secondary consumers will do the same, need not file any applications for allotments. Procedures for obtaining controlled materials from warehouses or retailers, and limitations on the amount which may be obtained will be provided in CMP Regulation No. 4. Manufacturers of Class A products who sell them for use as maintenance, repair or operating supplies, or deliver them to distributors, shall obtain special allotments on Form CMP-4B as provided in paragraph (k-1) of this regulation.

(7) Each person making an allotment may require such other information in lieu of, or in addition to, a bill of materials or application for allotment as is required to enable him to make the allotment requested or to furnish any bill of materials, application for allotment or other information that may be required of him. If the consumer from whom such other information is requested is of the opinion that compliance with such request would be unreasonably burdensome he may appeal for relief as provided in paragraph (z) of this regulation.

(8) Any consumer making an allotment may waive the furnishing of a bill of materials or application for allotment, or both, if he has other information as to actual requirements of his secondary consumers (taking into account the inventory restrictions of CMP Regulation No. 2) which is sufficiently accurate and detailed to enable him to make the allotment and to furnish any bill of materials, application for allotment or other information that may be required of him.

(e) *Responsibility for statements of requirements, including those of secondary consumers; duty to correct overstatements.* (1) The furnishing of any bill of materials, application for allotment or other information as to requirements by a consumer, shall constitute a representation by him to the person to whom it is furnished, to the appropriate Claimant Agency and to the War Production Board, that the statements contained therein are complete and accurate, to the best of his knowledge and belief, not only with respect to such consumer's own requirements but also with respect to those of his secondary consumers.

(2) Any person who ascertains that he has substantially overstated (whether by inadvertence or otherwise) his requirements, or those of his secondary consumers, for any form of controlled material, shall immediately report such error to the person to whom the statement of requirements was furnished. If he has already received an allotment based on such overstatement, he shall immediately cancel or reduce the same (or an equivalent amount of other allotments received for the same authorized production schedule) to the extent of such excess, and report such cancellation or reduction to the person from whom the allotment was received; or, if he is unable for any reason to make such cancellation, he shall immediately make a full report to the person from whom he received the allotment, and shall send a copy of such report to the appropriate Claimant Agency or Industry Division, if the allotment was received from another consumer.

(3) If any consumer receives any statement of requirements which he knows or has reason to believe to be substantially excessive (whether by inadvertence or otherwise), he shall withhold any allotment based thereon (either entirely or in an amount sufficient to correct the maximum excess) until satisfied that the statement is not excessive or that it has been appropriately modified. If unable to obtain sufficient information or an appropriate modification, he shall promptly report the matter to the appropriate Claimant Agency or Industry Division. Failure to withhold allotments or to make such report shall be deemed participation in the offense.

(4) If, after making any allotment, a consumer ascertains or has reason to believe that the allotment was substantially in excess of actual requirements, he shall either (i) correct the excess by cancelling or reducing the allotment or other allotments made by him to the same consumer, or (ii) report the matter promptly to the appropriate Claimant Agency or Industry Division. Failure to make such correction or report shall be deemed participation in the offense.

(5) An inadvertent overstatement of requirements shall be deemed substantially excessive for purposes of subparagraphs (2), (3), and (4) of this paragraph (e) if, but only if, it exceeds actual requirements by either (i) one-third or more of actual requirements or (ii) the minimum mill quantity specified in Schedule IV attached, whichever is less.

(f) *Forms in which controlled materials are allotted.* Each allotment, whether made by a Claimant Agency, an Industry Division or a prime or a secondary consumer, shall specify the form of the controlled material allotted. Allotments of steel shall be in terms of (1) carbon steel (including wrought iron), and (2) alloy steel, without further breakdown. Allotments of copper and aluminum shall be broken down as indicated in Schedule I. A consumer may make allotments only in the same forms of controlled materials in which he has received his allotment.

(g) *Allotments by consumers.* (1) No consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(2) No consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any secondary consumers supplying the latter).

(3) No consumer shall make any allotment for the production of Class B products and no person shall accept any allotment from a consumer for the production of Class B products.

(4) No consumer who has received his allotment for an authorized production schedule shall place any delivery order (other than small orders placed pursuant to paragraph (l) of this regulation) for any Class A product required to fulfill said schedule, unless concurrently therewith or prior thereto, he makes an allotment to the person with whom the order is placed, in the amount required by such person to fill said order (taking such person's inventory into account to the extent required by CMP Regulation No. 2); *Provided, however,* That if he purchases a Class A product from a distributor under the conditions specified in paragraph (k-1) of this regulation, he need make no allotment but must charge his own allotment as provided in paragraph (v) of this regulation.

(h) *Methods of allotment.* (1) A consumer may make an allotment to his secondary consumer by either:

(i) Executing and returning one of the copies of the application (Form CMP-4A, or such other form as may be prescribed) furnished to the consumer by his secondary consumer or, in the event an application has been waived, by indicating on the prescribed application form the controlled materials allotted and executing and delivering such form to the secondary consumer;

(ii) Placing on or affixing to his delivery order for one or more Class A products the short form of allotment (Form CMP-5) set out in Schedule II attached hereto, subject to the accompanying instructions; or

(iii) Telegraphing the information required under subdivision (i) or (ii) above and confirming the same with the appropriate written form.

(2) Every consumer shall place on each allotment made by him the allotment number which is on the related allotment received by him, except that if the full allotment number described in subdivision (i) of paragraph (c) (6) of this regulation is on the allotment received by him, he need only place on related allotments made by him the abbreviated allotment number described in subdivision (ii) of paragraph (c) (6). If a consumer places a delivery order for which he has made an allotment by separate instrument, he shall place the appropriate number on said order.

(i) *Method of cancelling or reducing allotments.* A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If such cancellation or reduction is not practicable, he may make equivalent cancellations or reductions with respect to other allotments received by him for the same production schedule. If he deems such course of action impracticable, he shall immediately report to the appropriate Claimant Agency or Industry Division for instructions.

(j) *Assignment of allotments.* No consumer shall transfer or assign any allotment in any way unless:

(1) Delivery orders placed with him, in connection with which the allotment was made to him, have been trans-

ferred or assigned to another consumer;

(2) The authorized production schedules of the respective consumers have been duly adjusted; and

(3) The transfer or assignment is approved in writing by the person who made the allotment.

(k) *Grouping of allotment and authorized production schedules by major programs.* A consumer operating under several authorized production schedules may combine in a single allotment to a secondary consumer requirements for any number of different production schedules which are identified by the same major program number as provided in paragraph (c) (6) (ii), and he may authorize a single production schedule for the secondary consumer in connection with such allotment. If the secondary consumer has filed separate applications, and the consumer making the allotment acts on such applications separately, the secondary consumer may nevertheless treat such allotments and authorized productio schedules bearing the same major program number as a single allotment and a single authorized production schedule.

(k–1) *Special provisions regarding Class A products sold to distributors or as maintenance, repair or operating supplies.* (1) A distributor of Class A products who receives physical delivery thereof may, unless otherwise specifically ordered, buy and sell the same without making or receiving allotments. A manufacturer of Class A products selling them directly or indirectly to such distributors may obtain an allotment for such manufacture from the appropriate Industry Division pursuant to application on Form CMP–4B in the same manner as if they were Class B products. If physical delivery is made directly by the manufacturer to a distributor's customer, the latter (unless he is also a distributor) shall make an allotment directly to the manufacturer in the same manner and subject to the same conditions as if the distributor had no part in the transaction.

(2) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies (except items directly purchased and programmed by a Claimant Agency) shall, unless otherwise specifically ordered, obtain allotments for such manufacture in the same manner as provided in subparagraph (1) of this paragraph (k–1) for delivery to distributors. Applications pursuant to said subparagraph (1) and this subparagraph (2) may be combined in a single application on Form CMP–4B.

(3) A manufacturer who also sells purchased Class A products to round out his line, which do not represent more than 10% of his total sales, shall be deemed the manufacturer of such products and not a distributor for purposes of this paragraph (k–1).

(l) *Placing of orders for Class A products requiring small quantities of controlled material, without making allotments.* (1) A person requiring any Class A product in a quantity constituting a "small order," as defined in subparagraph (2) of this paragraph (l), and who is entitled to obtain such product by using an allotment number, may, in lieu of making an allotment, place on his order the applicable allotment number followed by the symbol SO; *Provided, however,* That no person shall subdivide his requirements for Class A products into small orders for the purpose of coming within this provision.

(2) As used in this paragraph (l), "small order" means a delivery order for a Class A product placed with the manufacturer thereof by a consumer, where the aggregate amounts of controlled material required to fill such order, together with all delivery orders for the same Class A product placed by the same consumer with the same manufacturer calling for delivery during the same month, do not exceed the following:

Carbon steel (including wrought iron)	1 ton
Alloy steel	400 lbs.
Copper and copper base alloys	100 lbs.
Aluminum	20 lbs.

(3) A manufacturer of Class A products who receives small orders may obtain his requirements of controlled materials to fill the same by placing authorized controlled material orders (as provided in paragraph (s) of this regulation and in CMP Regulation No. 4 regarding warehouses and distributors of controlled materials) in the same manner as if he had received an allotment therefor, except that, in lieu of an allotment number, he shall use the symbol SO. Use of such symbol shall constitute a representation, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that the controlled materials ordered are required for the production of Class A products which will be delivered on small orders, or to replace in inventory Class A products so delivered. If it is impracticable to keep exact accounts of the amounts of controlled material required for small orders, a reasonable estimate may be made.

(4) No manufacturer of Class A products receiving a small order for such products shall be required to furnish his customer with a bill of materials, application for allotment or equivalent information with respect thereto, other than a statement, if requested, that the controlled materials required come within the limits of a small order.

(m) *Relationship between allotments and authorized production schedules.* Every allotment made by a consumer must include or be accompanied by authorization of a production schedule with respect to the products to be supplied to him, and no consumer shall authorize a production schedule for a secondary consumer unless he concurrently allots the controlled materials required to fulfill the schedule; provided, however, that this paragraph shall not apply to any delivery order bearing a symbol (such as a small order bearing the symbol SO) which may be placed without making an allotment as expressly permitted by any regulation or order of the War Production Board.

(n) *Manner of authorizing production schedules.* (1) A production schedule for each prime consumer producing a Class A product shall be authorized by the appropriate Claimant Agency on Form CMP–4A, or such other form as may be prescribed. A Claimant Agency may, in particular cases, authorize a production schedule through an Industry Division.

(2) A production schedule for each secondary consumer producing a Class A product shall be authorized by the consumer for whom such Class A product is to be produced, on the form on which the related allotment is made; provided, however, that the delivery date specified on a delivery order shall constitute an authorization of the minimum production schedule required to permit delivery on such date.

(3) A production schedule for each consumer producing a Class B product shall be authorized by the appropriate Industry Division (or in special cases by a Claimant Agency) on Form CMP–4B, or such other form as may be prescribed.

(4) A consumer receiving allotments from several persons shall obtain separate authorized production schedules from each.

(5) Prior to authorizing a production schedule, a Claimant Agency, Industry Division or consumer may furnish a tentative production schedule to be used as a basis in submitting requirements, but such action shall not constitute authorization of a schedule.

(o) *Compliance with authorized production schedules.* (1) Each consumer receiving an authorized production schedule shall fulfill the same unless prevented by circumstances beyond his control, except that a manufacturer of Class B products need not produce more than required to fill orders bearing preference ratings.

(2) No consumer who has received an authorized production schedule shall exceed such schedule in any month, except that (i) a deficiency in meeting an authorized production schedule during any month may be made up in any subsequent month or months, (ii) production authorized for any month may be completed at any time after the 15th of the preceding month and, (iii) where a delivery order calls for deliveries, in successive months, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders, the consumer may produce (and his customer may order) in the first month the minimum practicable quantity which may be made without such interference. A person shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling, or otherwise processing, or acquiring raw materials or parts, exceeds the practicable working minimum required to meet the authorized production schedule.

(3) In case a Claimant Agency authorizes a production schedule permitting production of a Class A product in a quantity different from the quantity called for in the related contract between the Claimant Agency and the prime consumer, the lesser of the two quantities shall govern, but the appropriate officer of the Claimant Agency should be promptly notified.

(p) *Protection of production schedules for Class A products.* (1) No person shall accept an allotment for the manufacture of a Class A product, regardless of the accompanying preference rating, if he does not expect to be able to fulfill the related authorized production schedule, subject to unexpected contingencies and to any period of grace which may be specified by the person who offers the allotment and the authorized schedule.

(2) No person who has accepted an allotment and an authorized production schedule for a Class A product shall thereafter accept any delivery order (except an order rated AAA) for any Class A, Class B or other product manufactured by him, regardless of the accompanying preference rating or allotment number or symbol, unless he expects that, subject to unexpected contingencies, he can fill the order without interfering with the fulfillment of such previously accepted authorized production schedule.

(3) A person making Class B products to fill unrated or low rated orders must accept higher rated orders to the extent, and subject to the exceptions, provided in Priorities Regulation No. 1, unless he is also making a Class A product on an authorized production schedule, with which such higher rated orders would interfere contrary to the provisions of subparagraph (2) above.

(4) If a person whose allotment or delivery order is rejected pursuant to this paragraph (p) is unable to find another supplier who is in a position to accept it, he should report the facts to the appropriate Claimant Agency or Industry Division. The War Production Board (or the appropriate Claimant Agency if only orders bearing its symbol are involved, or if all Claimant Agencies concerned have stipulated a single Claimant Agency for the purpose) may make exceptions to the provisions of this paragraph (p) where necessary to assure the filling of orders bearing high preference ratings.

(5) The provisions of Priorities Regulation No. 1 with respect to the acceptance and filling of rated orders and the sequence of deliveries shall remain applicable except as otherwise specifically provided in this regulation, CMP Regulation No. 3, or any other applicable regulation or order of the War Production Board.

(q) *Reconciliation of conflicting schedules.* In any case where, for any reason, a manufacturer of Class A or Class B products is unable to fulfill conflicting authorized production schedules which he has accepted from different persons, he shall immediately report to the appropriate Industry Division for directions, except that such report shall be made to a Claimant Agency if all conflicting schedules bear its symbol or if all Claimant Agencies whose schedules conflict have stipulated a single Claimant Agency for such purposes.

(r) *Alternative procedure for simultaneous allotments.* A prime or secondary consumer who has several secondary consumers in different degrees of remoteness and finds it impracticable to determine the exact allotments to be made to each of his immediate secondary consumers, for their needs and those of their secondary consumers, may, at his option, make simultaneous direct allotments to each secondary consumer, of all degrees of remoteness, by adopting the following procedure:

(1) The consumer who is to make the allotment (hereafter in this paragraph (r) called the originating consumer) shall maintain a complete list of all secondary consumers making Class A products for incorporation in his product. He shall keep this list current at all times by requiring each of his immediate secondary consumers to report promptly to him any change with respect to the source of each secondary consumer's Class A purchased products.

(2) Immediately upon receiving an allotment, the originating consumer shall notify each secondary consumer on the list (either directly or through intervening secondary consumers) of the authorized schedule for which the allotment has been made to him. Such notice shall *not* include an allotment number. It shall identify the product to be delivered by the secondary consumer to whom the notice is sent and state the quantity to be delivered and the time when delivery is required.

(3) Promptly upon receipt of such preliminary notice, each secondary consumer shall report to the originating consumer directly (not through intervening secondary consumers), the amount of each form of controlled material required by him each month in order to make the deliveries indicated. Each such secondary consumer shall include only his own requirements of controlled materials, *not* those of his secondary consumers. No form is prescribed for such statement.

(4) The originating consumer shall then determine the total requirements of all his secondary consumers under the schedule, checking the list to make certain that a preliminary statement of requirements has been received from each secondary consumer.

(5) If such summary shows that the aggregate requirements of the originating consumer and all his secondary consumers for each form of controlled material do not exceed the allotment made to him for the schedule he may then allot directly to each secondary consumer on the list the amount indicated in the preliminary statement of requirements. No form is prescribed for such allotment, and it may be made by telegram, but it must include the allotment number required by paragraph (c) (6) (ii) of this regulation and a statement substantially as follows: "This allotment is made in accordance with the alternative procedure for simultaneous allotments provided in paragraph (r) of CMP Regulation No. 1." Such allotment shall constitute authorization of a production schedule for the secondary consumer in the amount specified in the notice sent to him pursuant to subparagraph (2) of this paragraph (r). If aggregate requirements do not exceed his allotment, the originating consumer shall be under no obligation to check the accuracy of the preliminary statements received from his secondary consumers before making allotments to them, but otherwise he and his secondary consumers shall remain subject to the provisions of paragraph (e) of this regulation regarding responsibility for statements of requirements.

(6) If the summary shows that the aggregate requirements of the originating consumer and all his secondary consumers exceed the allotment made to him with respect to any form of controlled material, the originating consumer shall not make any allotment or place any authorized controlled material order for the production schedule covered by his allotment until and unless:

(i) Requirements have been revised by himself or by one or more of his secondary consumers to the extent necessary to eliminate such excess, or

(ii) With the express permission of the appropriate Claimant Agency or Industry Division after he has reported the facts to it, he withholds an amount sufficient to cover all adjustments which must be made in the requirements of his secondary consumers in order to bring them within his allotment.

(s) *Placement of orders with controlled materials producers.* (1) A delivery order placed with a controlled materials producer for controlled material shall be deemed an authorized controlled material order if, but only if, it complies with the provisions of this paragraph (s) or is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board.

(2) A consumer who has received an allotment may place an authorized controlled material order with any controlled materials producer, unless otherwise specifically directed. An allotment to a prime consumer may include a direction to place delivery orders for controlled materials with one or more designated controlled materials producers. In such event the consumer shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment

which he has received, no consumer shall impose any such restriction in any allotment made by him.

(3) Every authorized controlled material order must be identified by an endorsement including an allotment number or symbol. Unless another form of endorsement is specifically prescribed by an applicable order or regulation of the War Production Board, such endorsement shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

The undersigned certifies, subject to the criminal penalties of Section 35 (A) of the U. S Criminal Code, that he has received an allotment or allotments of controlled materials (or delivery orders not requiring allotments) authorizing him, pursuant to CMP Regulation No. 1, to place an authorized controlled material order in the amount herein indicated for delivery in the month specified, and that he is authorized to use the allotment number -------

The allotment number included in such endorsement shall be the abbreviated allotment number prescribed by paragraph (c) (6) (ii) of this regulation, including, as the last two digits, the number of the month in which delivery is requested as distinct from the number identifying the quarter for which the allotment received is valid. For example, if a consumer receives an allotment bearing the number W-2-16 and places an authorized controlled material order calling for delivery in May 1943, the order shall bear the number W-2-17. The endorsement on an authorized controlled material order placed pursuant to paragraph (l) (3) of this regulation, pertaining to small orders, shall include the symbol SO followed by the number of the month in which delivery is requested, and need not include any of the allotment numbers appearing on the small orders received by the person placing the authorized controlled material order. Orders for controlled materials required for maintenance, repair and operating supplies shall, in lieu of the above endorsement, bear the endorsement prescribed by CMP Regulation No. 5, which includes the symbol MRO without additional digits specifying the month of delivery.

(4) A delivery order for controlled material must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III attached, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(5) Controlled materials required for fulfillment of a production schedule which has not yet been authorized may be ordered for delivery before July 1, 1943, under applicable priorities regulations and orders (as the same may be modified from time to time), without placing an authorized controlled material order. Authorized controlled material orders shall, however, take precedence over other orders to the extent provided in CMP Regulation No. 3 regarding preference ratings.

(6) A delivery order placed by a consumer before he has received his allotment and authorized production schedule may be converted into an authorized controlled material order either by furnishing a copy of the order conforming to the requirements of this paragraph (s) or by furnishing in writing the requisite information clearly identifying the order and bearing the certification required by subparagraph (3) of this paragraph (s).

(s-1) *General restriction on placement of authorized controlled material orders.* In order to prevent congestion of orders calling for delivery of controlled materials in the early portions of each quarter, no consumer shall (unless previously authorized in writing by the appropriate Controlled Materials Division) place authorized controlled material orders (with controlled materials producers or other suppliers) requesting delivery of the same controlled material either (i) in the first month of any quarter in an amount exceeding one-third of the aggregate amount of such controlled material for which he has received allotments for the quarter as of the time of placing his order, or (ii) in the first two months of any quarter in an amount exceeding two-thirds of such aggregate; *Provided*, That, in the case of aluminum, during the second quarter of 1943, the limitations shall be 30% for the first month and 63% for the first two months. No consumer shall, however, be required by the provisions of this paragraph (s-1) to reduce a delivery order below the minimum mill quantity specified in Schedule IV attached. In no event shall a consumer request delivery in a greater amount or on an earlier date than required to fill his authorized production schedule, or in an amount so large or on a date so early that receipt of such amount on the requested date would result in his having an inventory of controlled materials in excess of the limitations prescribed by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board.

(t) *Controlled materials producers.*—(1) Each controlled materials producer shall comply with such production directives as may be issued from time to time by the appropriate Controlled Materials Division.

(2) A controlled materials producer shall accept authorized controlled material orders in the order in which received by him except:

(i) He may reject orders for less than the minimum mill quantities specified in Schedule IV attached, but shall not discriminate between customers in rejecting or accepting such orders.

(ii) In any case where he is of the opinion that the filling of the order would substantially reduce his over-all production owing to the large or small size of the order, unusual specifications, or otherwise, he shall apply to the appropriate Controlled Materials Division which may direct that the order be placed with another supplier or take other appropriate action.

(iii) He shall refuse any order for shipment of any product in any month if such order, together with all his authorized controlled material orders already on hand for delivery during that month and any orders carried over from the preceding month, plus such amounts as he may be directed by the Controlled Materials Division to deliver or set aside for delivery to warehouses or nonintegrated mills or otherwise, total 110% of the production of such product specified in his production directive, or, if no production directive is currently in effect with respect to such product, total 105% of his expected production. As soon as such limits of 110% and 105% respectively have been reached, each controlled materials producer shall promptly notify the appropriate Controlled Materials Division in writing.

(iv) He shall reject orders to the extent required by specific direction of the Controlled Materials Division.

(3) No controlled materials producer shall, after March 31, 1943, make any delivery of controlled material except:

(i) A delivery made to fill an authorized controlled material order;

(ii) A delivery which is completed before July 1, 1943, and which is made in compliance with applicable priorities regulations and orders;

(iii) A delivery made pursuant to a specific direction of the Director of the Controlled Materials Division.

A controlled materials producer's use of controlled material produced by him (except use in processing which does not convert the same into any form or shape other than one specified with respect to such controlled material on Schedule I) shall be deemed a delivery for the purposes of this paragraph (t).

(4) A controlled materials producer shall make delivery on each authorized controlled material order as close to the requested delivery date as is practicable in view of the need for maximum production and compliance with production schedules. If it is not practicable to make delivery during the month requested, delivery may be made:

(i) After the 15th of the preceding month, provided such delivery does not interfere with delivery on authorized controlled material orders designating shipment in such preceding month or earlier months, and provided production to meet such delivery would not violate any production directive in effect; or

(ii) As early as practicable in the month following the month requested: *Provided that*, In such case, the controlled materials producer shall promptly notify the customer of such delay. If such delay will interfere with the customer's authorized production schedule, the customer should immediately apply to the appropriate Controlled Materials Division for relief.

(5) If, after accepting an authorized controlled material order, the producer cannot make delivery before the end of the month following the month in which delivery is requested, he shall promptly notify the appropriate Controlled Materials Division in writing stating the allotment number, the name of the customer and the material covered by the order, but he shall not thereafter fill the order unless specifically directed to do so.

(6) All directions to controlled materials producers affecting production and distribution of controlled materials shall be issued by and through the Controlled Materials Divisions.

(7) If the controlled material delivered pursuant to an authorized controlled material order varies from the exact amount specified in the authorized controlled material order, the making and acceptance of such delivery shall not be deemed a violation of this regulation or any other CMP Regulation by the controlled materials producer or his customer, provided such variation does not exceed the commercially recognized shipping tolerance, or allowance for excess or shortage.

(8) An authorized controlled material order shall not constitute an allotment of controlled material to the controlled materials producer with whom it is placed. If such producer requires delivery after March 31, 1943 of controlled materials from other controlled materials producers, to be processed by him and sold to his customers in another form or shape constituting a controlled material, such delivery may be made or accepted only pursuant to a specific direction as provided in subparagraph (3) (iii) of this paragraph (t).

(u) *Restrictions on use of allotments or materials or products obtained by allotments.* (1) No consumer shall use an allotment, or any controlled material or Class A product obtained pursuant to an allotment for any purpose except:

(i) To fulfill the authorized production schedule for which the allotment was received or to fulfill any other authorized production schedule of the same consumer, within the same plant or operating unit, which schedule is identified by the same Claimant Agency letter symbol.

(ii) For any purpose specifically authorized or directed by the Director General for Operations, or by the appropriate Claimant Agency where only such Agency's schedules are affected or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected; or

(iii) To restore to a practicable working minimum his inventory of such material or product if the same has been depleted in fulfilling such production schedule or such purpose, subject, however, to the inventory limitations of CMP Regulation No. 2; or

(iv) As permitted or required by Priorities Regulation No. 13, pertaining to special sales, or any other applicable regulation of the War Production Board.

(2) The provisions of subparagraph (1) of this paragraph (u) shall not require physical segregation of inventories provided the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product. A consumer who is operating under several authorized production schedules need not maintain separate records of the production obtained from the allotment for each schedule provided that his records show that his use of material for his respective schedules is substantially proportionate to the amounts of material allotted for each, and that his aggregate production of any product does not exceed his aggregate authorized production schedules for that product.

(v) *Adjustments on account of controlled materials or Class A products obtained without use of allotments.* Each consumer shall promptly reduce, in the manner provided in paragraph (i) of this regulation, any allotment received by him, to the extent that, either before or after receiving the allotment, he fills a substantial portion of any of his requirements covered by the allotment through the acquisition of controlled materials or Class A products in any other manner than by use of the allotment, including without limitation:

(1) Transactions covered by preference ratings (including preference ratings assigned on PRP Certificates or otherwise);

(2) Transactions not affected by preference ratings;

(3) Purchases from warehouses or retailers pursuant to CMP Regulation No. 4 or otherwise;

(4) Purchases pursuant to Priorities Regulation No. 13 or otherwise, from persons not regularly engaged in the business of selling the material or product;

(5) Purchases on small orders pursuant to paragraph (l) of this regulation;

(6) Purchases of second-hand materials or products.

For purposes of this paragraph (v), a "substantial portion" of requirements covered by an allotment shall mean an amount of controlled materials which is either in excess of 25% of the material allotted or is greater than the minimum mill quantity of such material specified in Schedule IV attached.

(w) *Adjustments for changes in requirements.* If a consumer's requirements for controlled materials or Class A products are increased after he receives his allotment, he should apply for an additional allotment from the person who made the same. If his requirements decrease, for any reason, he shall promptly cancel or reduce his allotment in the manner provided in paragraph (i) of this regulation.

(x) *Other War Production Board regulations and orders.* Nothing in this regulation (or any other CMP regulation) shall be construed to relieve any person from complying with any applicable priorities regulation or any order of the War Production Board (including orders in the "E," "L," "M" and "P" series). In case compliance by any person with the provisions of any such regulation or order would prevent fulfillment of an authorized production schedule, he should immediately report the matter to the appropriate Industry Division, and to the Claimant Agency whose schedule is affected. The Director General for Operations will thereupon take such action as is deemed appropriate, but unless and until otherwise expressly authorized or directed by the Director General for Operations, such person shall comply with the provisions of such regulation or order.

(y) *Records and reports.* (1) Each consumer making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct secondary consumers. Such records shall be kept separately by abbreviated allotment numbers, as provided in paragraph (c) (6) (ii) of this regulation, and shall include separate entries under each number for each customer, Claimant Agency or Industry Division from whom allotments are received under such number.

(2) Each controlled materials producer shall report to the appropriate Controlled Materials Division, on the forms and for the periods prescribed, such information on production, consumption and distribution of controlled materials as may be prescribed by the appropriate Controlled Materials Division.

(3) Each prime or secondary consumer and each controlled materials producer shall retain for two years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products, segregated and available for inspection by representatives of the War Production Board, or Claimant Agencies, or filed in such manner that they can be readily segregated and made available for such inspection.

(z) *Appeals and applications for relief.* (1) Any person who is subject to any requirement of any regulation, direction, order or other action under the Controlled Materials Plan, may appeal for relief by filing a letter in triplicate with the appropriate authority specified below in this paragraph (z), setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph (z) or as otherwise specifically directed, an appeal by a producer of Class A products should be filed with the appropriate Claimant Agency, and an appeal by a producer of Class B products should be filed with the appropriate Industry Division, unless the matter affects only production schedules of a single Claimant Agency or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected, in which case the appeal should be filed with such Claimant Agency.

(3) An appeal concerning the operations of a controlled materials producer (whether filed by such producer, by a consumer, or by a Claimant Agency) shall be filed with the appropriate Controlled Materials Division.

(4) A producer of Class B products may apply for permission to be treated as a producer of Class A products. A producer of Class A products making a large variety of items which are sold to many

customers and whose allotments originate from several Claimant Agencies, may make application to be treated as a producer of Class B products, but such permission will not be granted with reference to component parts or sub-assemblies, unless the necessary adjustments in bills of materials which include such component parts or sub-assemblies can be made without difficulty. Application for reclassification should be filed with the CMP Division, War Production Board, Washington, D. C., and may be filed either directly by the producer or by a Claimant Agency on his behalf.

(5) In case of any disagreement between any persons as to the interpretation of any provisions of this regulation or any other regulation, direction, or order under the Controlled Materials Plan, the matter should be referred to the Inquiry and Service Branch, CMP Division, War Production Board, Washington, D. C.

(aa) *Penalties.* Any person who willfully purports to make any allotment of controlled materials or to place authorized controlled material orders in excess of the amount allotted to him, or violates any other provision of this regulation, or any other regulation, direction or order under the Controlled Materials Plan, or who knowingly or willfully makes any false or fraudulent statement or representation with respect to requirements for controlled materials or in any other matter under the jurisdiction of any agency of the United States under the Controlled Materials Plan, is guilty of a crime and, upon conviction, may be punished by a fine up to $10,000 or by imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries or allotments of controlled material or from making or obtaining any further deliveries of or from processing or using, any material under priorities control, and may be deprived of priorities assistance.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE I

STEEL

Carbon Steel

Forms and shapes.
Bars, cold finished.
Bars, hot rolled.
Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bar.
Pipe.
Plates
Rails and track accessories
Sheets and strip.
Steel castings
Structural shapes and piling.
Tin plate, terne plate, and tin mill black plate.
Tubing
Wheels, tires and axles.
Wire rods, wire and wire products.

Alloy Steel

Forms and shapes
Bars, cold finished.
Bars, hot rolled.
Ingots, billets, blooms, slabs, tube rounds, sheet bar.
Pipe.
Forms and shapes—Continued.
Plates and structural shapes.
Sheets and strip.
Steel castings.
Tubing.
Wheels, tires and axles.
Wire rods wire, and wire products.

NOTE: Steel in any of the above forms and shapes constitute controlled materials, but allotments of steel are made in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown.

COPPER

Brass Mill Copper Base Alloy Products

Forms and shapes.
Ammunition cups, discs and slugs.
Sheet and strip (other than cups and discs)
Rods, bars, and wire (including extrude. shapes not including slugs).
Tubing and pipe.

Brass Mill Copper Products

Forms and shapes.
Plate, sheets and strip.
Rods, bars and extruded shapes (excluding wire bars and ingot bars).
Tube and pipe.

Wire Mill Copper Products

Forms and shapes.
Wire and cable (including copper content of insulated wire and cable)

Foundry Copper and Copper Base Alloy Products

Forms and shapes.
Castings.

NOTE. Allotments of copper are made in the forms and shapes specified above.

ALUMINUM

Forms and shapes.
Rod, bar, wire and cable.
Rivets.
Forgings, pressings and impact extrusions.
Castings.
Shapes, rolled or extruded.
Sheet, strip, plate and foil.
Tubing.
Ingot and powder

NOTE: Allotments of aluminum are made in the forms and shapes specified above.

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Specific information with respect to coding and definitions may be found in "General Instructions on Bills of Materials."

SCHEDULE II—SHORT FORM OF ALLOTMENT

Allotment number	Controlled Material Products allotted		

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1

INSTRUCTIONS FOR USE OF SHORT FORM OF ALLOTMENT—Form CMP-5

The above short form of allotment may be used by any consumer for the purpose of making an allotment to a secondary consumer producing Class A products for him.

The short form of allotment must be either placed on or physically attached to the delivery order calling for delivery of the Class A products. If it is attached the delivery order number or other identification must be indicated on the form.

The form must be followed by the signature of an authorized official of the consumer making the allotment, but need not be separately signed if it is placed on the delivery order in such a position that the signature of the delivery order by such an authorized official clearly applies to the allotment as well as to the order itself.

The size of the form may be varied, but all information called for by the form must be supplied and the general arrangement and wording of the form must be followed.

Under the heading "Controlled Material Products Allotted" the person making the allotment must designate the forms which are allotted. These must be shown in the breakdown prescribed in Schedule I of CMP Regulation No. 1, and must be within the allotments received by such consumer for the same forms. Additional columns may be added depending on the number of forms of controlled material allotted. A sample form follows:

Allotment number	Controlled Material Products allotted			
	Carbon steel	Copper base alloy tubing and pipe	Copper plate sheets and strip	Aluminum castings
N-1-16	*Tons* 100	*Lbs* 10,000	*Lbs* 8,000	*Lbs* 100

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1.

SCHEDULE III.—*Time for Placing Authorized Controlled Material Orders*

[NOTE: The item "Copper" was amended Feb. 27, 1943]

NOTE: Delivery orders may be placed in advance of receiving allotments, and converted into authorized controlled material orders on receipt of allotments, as provided in paragraph (8) (6) of CMP Regulation No. 1.

STEEL

Product	*Number of days in advance of first day of month in which shipment is required*
Alloy steel (including stainless steel):	
Hot rolled bars and semi-finished	75
Bars—cold finished	105
Sheet and strip—hot and cold rolled	105
Plates—hot rolled	75
Tool steel:	
Hot rolled products	90
Cold finished products	120
Cold finished bars:	
Carbon bars—standard sizes, grades and sections	70
Carbon bars—furnace treated at hot mills or special section, odd sizes or special grades	100
Alloy bars	105
Plates and shapes:	
Carbon steel plates	30
Carbon steel structural shapes	45
Alloy steel plates and shapes	75
Pipe	30
Sheet and strip:	
Sheet—hot rolled—16-gauge and heavier	30
Sheet—hot rolled—17-gauge and lighter	45
Sheet—cold rolled—galvanized—long terne	45
Strip—hot rolled (low carbon)	30
Strip—cold rolled (low carbon)	45

SCHEDULE III.—*Time for Placing Authorized Controlled Material Orders*—Continued

Product	*Number of days in advance of first day of month in which shipment is required*
Sheet and strip—Continued.	
High carbon cold rolled strip (over .25 carbon) and other long processed special carbon hot rolled and cold rolled sheets and hot and cold rolled strip (including electrical grade)	60
Hot rolled carbon bars and semi-finished:	
Except for carbon bars heat treated and annealed	30
Carbon bars heat treated and annealed	60
Tin mill products	30
Tubing:	
Carbon steel—hot finished	30
Carbon steel—cold drawn:	
1½" and larger	45
Under 1½"	75
Alloy steel—hot finished	90
Alloy steel—cold drawn:	
1½" and larger	110
Under 1½"	120
Steel castings:	
Providing patterns are available:	
Weight per casting:	
500 pounds and under	30
Over 500 pounds to 5000 pounds	45
Over 5000 pounds to 30,000 pounds	60
Over 30,000 pounds	75
Wire and wire products:	
Hot rolled wire rods	30
Merchant trade products	30
Manufacturing wires:	
Low carbon .0475" and heavier	45
Low carbon under .0475"	60
High carbon (0.40 carbon and higher) .0475" and heavier	45
Under .0475" to .021"	60
Under .021"	75
Wire rope and strand:	
¾" dia. and over	75
9/16" dia. and under	105
Welded wire-reinforcing fabric	45
COPPER	
Brass mill copper and copper base alloy products:	
Copper and non-refractory alloys	45
Refractory alloys	60
Wire and cable products:	
Bare wire and cable	35
Weatherproof wire and cable	35
Magnet wire	35
Rubber insulated building wire	35
Paper and lead cable	40
Varnished cambric cable	35
Asbestos cable (type H-F)	60
Rubber insulated wire and cable (Mold or lead cured)	45
Foundry copper and copper base alloy products:	
Castings (rough castings, not machined—assuming patterns are available)	
Small simple castings to fit 12" by 16" flask	7
Large intricate and centrifugal castings	14
ALUMINUM	
All forms and shapes	45

* * * * *

Where no time is specified in Schedule III for placing orders for a particular form or shape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer, provided that no producer shall discriminate between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division.

SCHEDULE IV.—*Minimum Mill Quantities*

STEEL

Product	*Size and grade for shipment at one time, to one destination*
Alloy steel (other than stainless):	
Standard grades and sections:	
Rounds, squares 3" and under	5 net tons.
Hexagon and flats—all sizes	5 net tons.
Stainless steel:	
Standard grades and sections	Product of one ingot.
Tool steel	500 pounds.
Cold finished bars	3 net tons.
Hot rolled carbon bars and semi-finished:	
Round bars up to 3" incl., and squares, hexagons, half rounds, ovals, half ovals, etc., of approximate equivalent sectional area	5 net tons.
Round bars over 3" to 8" (including squares within this range)	15 net tons.
Flat bars, all sizes	5 net tons.
Hot rolled carbon bars and semifinished—Continued.	
Bar size shapes (angles, tees, channels and zees under 3")	5 net tons.
Forging billets, blooms and slabs	Product of one ingot.
Rerolling billets, slabs, sheet bars, skelp	25 gross tons.
Plates and shapes:	
Plates:	
Continuous strip mill production	10 net tons
Sheared mill, universal mill or bar mill production	3 net tons
Structural shapes	5 net tons.
Pipes	(1)
Sheet and strip:	
Sheets—hot and cold rolled	5 net tons.
Strip—hot and cold rolled	3 net tons.
Tin mill products (one gauge)	5,000 pounds.
Tubing:	
Carbon and alloy steel—cold drawn:	
O. D. (inches):	
Up to ¾" inclusive	1,000 feet.
Over ¾" to 1½" inclusive	800 feet.
Over 1½" to 3" inclusive	600 feet.
Over 3" to 6" inclusive	400 feet.
Over 6"	250 feet.
Wire and wire products:	
Hot rolled wire rods	5 net tons.
Merchant trade products (Assorted Merchant Products)	5 net tons
Manufacturing wires (wires for further fabrication):	
Low carbon	1 net ton.
High carbon (0.40 carbon and higher) .0475" and heavier	1 net ton.
Under .0475" to .021"	1,000 pounds.
Under .021"	500 pounds.
Wire rope and strand	1,000 ft.
Welded wire reinforcing fabric	lengths. (1)
Rails and track accessories:	
Guard rail clamps, clip bolts, nut locks, S-irons, rail braces	3 net tons.
Track spikes, track bolts, screw spikes, rail clips, gage rods	5 net tons.
Rail anchors	15 net tons.

SCHEDULE IV.—*Minimum Mill Quantities*—Continued

COPPER

Product	*Size and grade for shipment at one time, to one destination*
Brass mill products	200 pounds.
Wire mill products	300 pounds.
ALUMINUM	
Sheet and strip	500 pounds.
Tubing	250 pounds.
Extrusions	200 pounds.
Wire, rod and bar	200 pounds.
Rivets	50 pounds.

[1] Published carload minimum (mixed sizes and grades).

[2] Full rolls of manufacturer's standard stock sizes

[F. R. Doc. 43-3146; Filed, February 27, 1943; 10:31 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, as Amended Feb. 27, 1943]

PREFERENCE RATINGS UNDER THE CONTROLLED MATERIALS PLAN

§ 3175.3 *CMP Regulation 3*—(a) *Purpose and scope.* The purpose of this regulation is to define the operation of preference ratings under the Controlled Materials Plan.

(b) *Definitions.* The following definitions shall apply for the purpose of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Production material" means, with respect to any person, material or products (including fabricated parts and sub-assemblies) which will be physically incorporated into his product, and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line, if such items do not represent more than 10% of his total sales. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation 5.

(2) "Allotment number or symbol" means:

(i) An allotment number or symbol placed on a delivery order as provided in paragraphs (f) and (g) of this regulation, or as provided in CMP Regulation 1 or CMP Regulation 5; or

(ii) A number or symbol placed on a delivery order pursuant to any other regulation or order of the War Production Board if, but only if, it is expressly stated that such number or symbol shall constitute an "allotment number or symbol" for purposes of this regulation.

(c) *Superiority of ratings with allotment numbers or symbols over other ratings of equal grade.* A delivery order bearing a preference rating with an allotment number or symbol shall (unless otherwise ordered by the Director General for Operations) be deemed superior in rating, for purposes of Priori-

tles Regulation 1, to any delivery order bearing a rating of the same grade without an allotment number or symbol, but shall not be superior to another order bearing a rating of a higher grade. For example, a rating of AA-2X with an allotment number or symbol is superior to another rating of AA-2X without an allotment number or symbol, but is inferior to any rating of AA-1 with or without an allotment number or symbol.

(d) *Preference ratings with allotment numbers for production schedules*—(1) *Prime consumers.* In each case when an allotment is made to a prime consumer making Class A or Class B products, and his production schedule is authorized by a Claimant Agency or an Industry Division, a preference rating will be assigned to such schedule for use with the allotment number applicable to the schedule.

(2) *Secondary consumers.* In each case when an allotment is made to a secondary consumer making Class A products and his production schedule is authorized by the consumer making the allotment, the consumer making the allotment shall apply or extend to such production schedule the same rating as he has received for his own related production schedule for use with the appropriate allotment number, except as otherwise provided in paragraph (h) of this regulation.

(3) *Use of ratings received for authorized production schedules.* A prime or secondary consumer who has received a preference rating for an authorized production schedule as provided in this paragraph (d) may use said rating, with the appropriate allotment number, only to acquire production materials in the minimum practicable amounts required to fulfill such schedules, or to replace production materials in his inventory, subject to the restrictions of paragraph (c) (2) of Priorities Regulation 3. He may not use such rating for any other purpose.

(e) *No extension of customers' ratings by prime consumers making Class B products.* A prime consumer who manufactures Class B products and has received an authorized production schedule for such manufacture, accompanied by a preference rating to be used with his allotment number, shall not extend any other rating received by him from a customer, except that if a delivery to be made by him is rated AAA, he may extend said rating to the extent necessary to obtain production material required to fill his AAA order, but may not extend the same for purposes of replenishing his inventory.

(f) *Use of allotment numbers and symbols on delivery orders.* (1) Each prime or secondary consumer shall place on each rated delivery order for production materials, required to fulfill his authorized production schedule of Class A or Class B products, his allotment number with the certification provided in paragraph (g) of this regulation.

(2) A person placing a rated order for maintenance, repair or operating supplies under CMP Regulation 5 shall place thereon the allotment symbol MRO with the certification required by said regulation.

(3) A person placing a rated small order for Class A products pursuant to paragraph (l) of CMP Regulation 1 shall place thereon his allotment number and the symbol SO as required by said regulation, with the certification provided in paragraph (g) of this regulation.

(4) A dealer, distributor, jobber or other person who receives a rated order bearing an allotment number or symbol for any material (other than a controlled material) or product, which is *not* manufactured by him (or which is manufactured by him, but for the manufacture of which he has received no authorized production schedule), may extend the rating to the extent permitted by Priorities Regulation No. 3, with the same allotment number or symbol, using the form of certification prescribed in paragraph (g) of this regulation. If he places a single rated order to which he extends ratings bearing different allotment numbers or symbols, he shall include a statement indicating all the allotment numbers or symbols extended and the amount of the delivery order (in quantity or dollar value) represented by each. He may, if he prefers, extend the rating without any allotment number or symbol.

(5) No person shall place any allotment number or symbol on any delivery order except as provided in the foregoing provisions of this paragraph (f) or as specifically provided in any other regulation or order of the War Production Board.

[NOTE: Subparagraph (5) formerly designated (4); the second sentence revoked Feb. 27, 1943]

(g) *Form of certification.* Any person when placing an allotment number or symbol on a rated delivery order pursuant to this regulation or CMP Regulation No. 1 shall accompany or endorse the same with a certification in substantially the following form (in lieu of the certification provided in Priorities Regulation No. 3) signed manually or as provided in Priorities Regulation No. 7:

Preference rating ------- Allotment number or symbol ------- The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is authorized under CMP Regulation No. 3 to apply or extend the above preference rating and allotment number or symbol to the delivery of the items covered by the attached delivery order.

[NOTE: The second line of the above paragraph amended by the addition of "or symbol" Feb. 27, 1943]

An allotment number shall consist of the appropriate Claimant Agency letter symbol followed by the major program number (consisting of one digit only as provided in paragraph (c) (6) (ii) of CMP Regulation No. 1). If the order is placed in connection with an allotment of controlled materials by the purchaser to the seller, the two digits denoting the quarter for which the allotment is valid shall be added as provided in said regulation.

(h) *Use of existing ratings.* (1) A person who has not yet received his allotment and CMP rating for a particular production schedule may apply and extend other preference ratings for such production to the extent permitted by existing Priorities Regulations and Orders (including, in the case of PRP Units, Priorities Regulation 11A regarding transition from PRP to CMP).

(2) Notwithstanding the provisions of paragraph (d) of Priorities Regulation No. 12, regarding compulsory extension of downward reratings, any prime or secondary consumer who receives a rating with an authorized production schedule may, in lieu of using said rating, continue to apply or extend any ratings previously received which he is authorized to use, under existing priorities regulations or orders, for deliveries to be made to him during the second quarter of 1943; and, in authorizing production schedules for his secondary consumers to whom he has already applied or extended a rating previously received by him, he may extend the appropriate allotment number for use with such previously received rating instead of with the rating which he has received under the Controlled Materials Plan.

(i) *Construction and facilities.* Preference ratings assigned for construction or facilities may be applied or extended in the manner and subject to the restrictions provided in CMP Regulation No. 6.

(j) *Effect of preference ratings on deliveries of controlled materials.* (1) Authorized controlled material orders placed with controlled materials producers shall be accepted and filled by such producers as provided in CMP Regulation No. 1 without regard to any preference ratings applicable to such delivery orders and in preference to all other delivery orders, except as may be otherwise specifically directed. To the extent that controlled materials producers are able to fill orders other than authorized controlled material orders, they shall fill such orders until July 1, 1943, in accordance with preference ratings as provided in Priorities Regulation 1 and subject to any other applicable regulations or orders of the War Production Board.

(2) Authorized controlled material orders placed pursuant to applicable CMP Regulations, with persons who are not controlled materials producers, shall be filled by them without regard to any preference ratings applicable to such delivery orders and in preference to all other delivery orders, except as otherwise specifically provided in applicable regulations or orders of the War Production Board, and except that an authorized controlled material order placed with any such person which is rated AAA shall take precedence over other authorized controlled material orders.

(k) *Effect of ratings on conflicting production and delivery schedules for Class A and Class B products.* Manufacturers of Class A and Class B products must comply with the requirements of paragraph (p) of CMP Regulation 1 with respect to the rejection of orders in excess of capacity, and, in the event they are unable to fulfill all orders which they have accepted, they must report for instructions as provided in paragraph (q) of CMP Regulation 1 but until and unless otherwise instructed, they shall fill orders in accordance with preference ratings as provided in Priorities Regulation No. 1 and paragraph (c) of this regulation.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc 43 3147; Filed, February 27, 1943; 10:31 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Feb. 27, 1943]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* The purpose of this regulation is to specify the procedure to be followed by warehouses and distributors in marketing controlled materials under the Controlled Materials Plan after March 31, 1943 (or February 15, in the case of copper). This regulation does not provide the means by which such persons obtain controlled materials, which will be governed by other regulations or orders.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means steel—both carbon (including wrought iron) and alloy—in any of the forms and shapes constituting a controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of receiving steel for sale or resale and who does not process the material so sold otherwise than by performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, or pipe threading; but a person who, in connection with any sale, forms, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Deliveries of steel by distributors on authorized controlled material orders.* (1) Subject to the provisions of paragraph (d) of this regulation, no distributor shall deliver any steel from stock after March 31, 1943, except to fill authorized controlled material orders.

(2) Each distributor shall, to the extent of his available stocks, fill authorized controlled material orders, after March 31, 1943, subject to the following:

(i) A distributor shall reject any authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of 40,000 pounds, or more, of steel unless such order includes 10 or more individual items—each item to be of a different specified quality, length or cross-section, and no item of which shall weigh more than 8,000 pounds—or unless all items covered by the order consist of oil country tubing, oil country casing, or oil country drill pipe;

(ii) A distributor who is of the opinion that the filling of any authorized controlled material order calling for delivery of steel would deplete his stocks to a point where his function in the distribution of controlled materials would be seriously impaired, may apply to the War Production Board for authority to reject such order and may delay filling the same until such application is acted upon. The War Production Board may authorize rejection of the order or direct that it be filled, in whole or in part, or take other appropriate action.

(d) *Deliveries of steel by distributors on other orders.* After March 31, 1943, a distributor may fill delivery orders for steel other than authorized controlled material orders, as follows:

(1) Orders in amounts of $10 or less;

(2) Orders bearing preference ratings of AA-5 or higher on which delivery is made prior to July 1, 1943, subject, however, to the same quantity restrictions contained in paragraph (c) (2) (i) of this regulation with respect to deliveries on authorized controlled material orders;

(3) Orders calling for delivery of carbon steel which are authorized under Food Production Order 3 of the Secretary of Agriculture;

(4) Orders calling for delivery of not more than the following amounts of each product classification and type indicated below, to the same customer, at the same destination, during any calendar quarter:

[Quantities in pounds per quarter]

	Carbon (including wrought iron)	Alloy (other than stainless)	Stainless
Structural shapes and piling	8,000	------	------
Plates	8,000	2,000	300
Hot rolled bars, including concrete reinforcing bars	6,000	2,000	300
Cold finish bars	4,000	2,000	300
Tool steel, including drill rod	300	300	------
High carbon spring steel	300	------	------
Tool steel bits	6	------	------
Mechanical tubing	[1] 1,000	------	300
Pressure tubing	[1] 2,000	------	------
Sheets and strip, hot rolled	6,000	------	------
Sheets and strip, cold reduced	6,000	------	300
Sheets and strip, galvanized	6,000	------	------
Sheets and strip, all other, including black plate	6,000	------	------
Pipe	4,000	------	------
Wire and wire products	4,000	------	100
Tin and terneplate	2,000	------	------

[1] Feet.

Provided, however, That each order placed under this subparagraph (4) shall be accompanied by or endorsed with a certificate, signed manually, or as provided in Priorities Regulation No. 7, in substantially the following form:

The undersigned hereby certifies to the distributor with whom this order is placed and to the War Production Board, subject to the criminal penalties provided in section 35 (A) of the United States Crimina Code, that receipt of the steel covered by this order, together with all other steel received by, or on order for delivery to, the undersigned, from all sources, during the same quarter, will not exceed the limits specified in paragraph (d) (4) of CMP Regulation No. 4

A distributor shall be entitled to rely on such certificate unless he knows or has reason to believe it to be false.

(5) No person who obtains any steel pursuant to subparagraph (4) of this paragraph (d) shall obtain steel from any sources in the same calendar quarter in amounts aggregating more than the amounts therein specified.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy.

(2) "Wire mill product" means bare or insulated wire or cable for electrical conduction made from copper or copper base alloy.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, or other person engaged in the business of distributing brass mill products or wire mill products to industry or trade otherwise than as a controlled materials producer.

(f) *Delivery of brass mill or wire mill products from warehouse stocks.* (1) A warehouse may fill an authorized controlled material order, or an order bearing a preference rating of AA-5 or higher for brass mill or wire mill products, from his stocks, provided that,

(i) Such order does not require delivery of more than 500 pounds (copper or alloy weight) of any item to any one destination, at any one time; and

(ii) Such order is accompanied by or endorsed with a certificate, signed manually or as provided in Priorities Regulation No. 7, in substantially the following form:

The undersigned hereby certifies to the warehouse with whom this order is placed and to the War Production Board, subject to the criminal penalties provided in section 35 (A) of the United States Criminal Code, that the amount of each item of brass mill or wire mill products covered by this order, together with all other amounts of such item received by, or on order for delivery to the undersigned, at any one destination from warehouse stock, during the same month, does not exceed 2,000 pounds, and that such items will not be used by the undersigned for any purpose in violation of any order of the War Production Board.

A warehouse shall be entitled to rely on such certificate unless he knows or has reason to believe it to be false.

(2) No person who obtains any item of brass mill or wire mill products pursuant to this paragraph (f) shall accept deliveries of the same item at any one destination aggregating more than 2,000 pounds, during any one calendar month, from warehouse stocks.

(3) No warehouse shall deliver any brass mill or wire mill products from stock after February 15, 1943, except as provided in subparagraph (1) of this paragraph (f), nor shall any warehouse make any delivery if he has knowledge or reason to know that acceptance thereof would constitute a violation of subparagraph (2) of this paragraph (f).

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who is specifically authorized by the War Production Board to engage in the business of receiving aluminum for sale or resale.

(h) *Deliveries of aluminum by distributors on authorized controlled material orders.* (1) Each distributor shall, to the extent of his available stocks, fill authorized controlled material orders, except that a distributor shall reject any authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of more than 500 pounds of any gage, alloy and size of aluminum sheet, or more than 300 pounds of any alloy, shape and size of aluminum wire, rod or bar, or more than 200 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes: *Provided, however,* That any distributor shall be entitled to fill an authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of 2,000 pounds or less of any gage, alloy and size of aluminum sheet, 1,000 pounds or less of any gage, alloy and size of aluminum wire, rod or bar, or 500 pounds or less of any alloy, size and shape of aluminum tubing, extrusions or structural shapes, if such distributor shall first have requested the mill supplying him to fill such order and such mill shall have advised such distributor to fill the same from his stock. Such request and advice may be made verbally but shall be confirmed in writing.

(2) A distributor may fill orders other than authorized controlled material orders, calling for delivery of aluminum required for essential maintenance, repair or operating supplies, in the amount, and subject to the limitations, provided in paragraph (c) (2) of CMP Regulation No. 5.

General Provisions Applicable to Steel, Brass Mill Products, Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate allotment number as required by paragraph (s) (3) of CMP Regulation No. 1.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided,* That the person placing the order furnishes to the distributor or warehouse, within seven days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within seven days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the 15th day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the War Production Board, Compliance Division, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

INTERPRETATION 1

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire, without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders. (Issued Feb. 27, 1943)

[F. R. Doc. 43-3148; Filed, February 27, 1943; 10:31 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 1 of CMP Regulation 4]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3175.4 CMP Regulation No. 4:

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire, without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3149; Filed, February 27, 1943, 10:31 a. m.]

PART 3190—GROCERS AND VARIETY BAGS

[Limitation Order L-261]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of raw materials and facilities entering into the production of paper bags, and the following order is deemed necessary and appropriate in the public interest and to promote national defense:

§ 3190.1 *Limitation Order L-261*—(a) *Definitions.* For the purpose of this order:

(1) "Grocers and variety bags" means unused, pasted, open-mouth single-wall paper bags of the types commonly, but not exclusively, used in retail stores and in service establishments such as dry cleaners and laundries for packaging or protecting articles sold or serviced therein.

(2) "Stock grocers and variety bags" means grocers and variety bags manufactured by the bag maker for his stock.

(3) "Manufacture for stock" means manufacture of bags for the bag maker's general line as distinguished from manufacture of any particular bag which (i) is not in the bag maker's general line, (ii) is made to order, on a special run, for a particular customer, and (iii) is not intended to be sold, out of that run, to any other customer.

(4) "Bag maker" means any person engaged in the business of manufacturing stock grocers and variety bags for sale or for his use as a bag user.

(5) "Bag dealer" means any dealer, jobber, or other person who buys stock grocers and variety bags for resale.

(6) "Bag user" means any person who uses stock grocers and variety bags for packaging goods sold or serviced by him.

(b) *Restrictions on manufacture for stock.* On and after March 1, 1943, no bag maker shall manufacture, for stock, any grocers and variety bag which does not conform with the specifications set out in Schedule A attached to this order.

(c) *Special authorization for additional stock bags.* Any bag maker may apply to the War Production Board for special authorization to manufacture, for stock, any other grocers and variety bag which (1) in relation to its projected end usage, will represent a paper saving over any comparable bag permitted under paragraph (b) above and (2) is in sufficient demand to warrant its manufacture for stock by the bag maker. Such application shall be made by the bag maker by letter setting forth the relevant facts, including:

(i) The bag specifications (class, usage, shape, size, paper grade);

(ii) His production, if any, thereof during the preceding 12-month period or season (if a seasonal bag, indicate length of season in months);

(iii) His estimated average production thereof during the next 12-month period or season;

(iv) An explanation of the expected paper saving.

If authorization for such bag is granted by the Director General for Operations, the bag maker may then manufacture it, for stock, in accordance with the terms of the authorization.

(d) *Exception for bags for export.* The restrictions of paragraph (b) above shall not apply to the manufacture, for stock, of any grocers and variety bags to be exported by the bag maker to any point outside the 48 States, the District of Columbia, and Canada, except that the paper used in manufacturing any such bags shall be no heavier than the paper permitted, under Schedule A, for the most nearly comparable grocers and variety bags.

(e) *Inventory restrictions*—(1) *Bag dealers and bag users.* On and after March 1, 1943, no bag dealer and no bag user shall at any time accept any delivery of stock grocers and variety bags which will increase his total inventory of such bags to more than 1½ carloads (exclusive of bags then in transit to him), except in the following cases:

(i) Where, at such time, the total amount of his reasonably anticipated requirements for the next 45 days is more than 1½ carloads, he may increase his total inventory to the amount of such requirements (with a ½ car leeway, where necessary to round out a full car).

(ii) Where, at such time, his inventory of any particular item or items is less than the amount of his reasonably anticipated requirements for the next 45 days, he may increase his inventory of that item or items to the amount of such requirements (with a ½ car leeway, where necessary to round out a full car).

(2) *Bag makers.* On and after March 1, 1943, no bag maker shall at any time accept any delivery of paper, for his use in manufacturing stock grocers and variety bags, which will increase his total inventory of paper for that purpose to more than 2 carloads (exclusive of paper then in transit to him), except in the following cases:

(i) Where, at such time, the total amount of his reasonably anticipated requirements for the next 60 days is more than 2 carloads, he may increase his total inventory to the amount of such requirements (with a ½ car leeway, where necessary to round out a full car).

(ii) Where, at such time, his inventory of any particular size, sizes, grade, or grades of paper is less than the amount of his reasonably anticipated requirements for the next 60 days, he may increase his inventory of that size, sizes, grade or grades to the amount of such requirements (with a ½ car leeway, where necessary to round out a full car).

(3) *Inventories of multiple-unit organizations.* Any bag maker who manufactures stock grocers and variety bags at more than one location may, at his option, apply the inventory restrictions of this paragraph (e) either to the inventory of each such location separately or to the collective inventory of all such places. The same type of option may be exercised by any bag dealer who deals in such bags at more than one location and by any bag user who uses such bags at more than one location.

(f) *Restrictions on delivery.* No person shall deliver paper to any bag maker or deliver stock grocers and variety bags to any person with knowledge or reason to believe that acceptance of such delivery is not permitted under this order.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(h) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time.

(i) *Records, audits, inspection.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records of the operations or transactions to which this order applies; *Provided, however,* That any bag user who customarily receives 1 carload of stock grocers and variety bags, or less, per month is not required to establish any special records of bag inventories as long as his monthly acceptances of such bags remain below that amount. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref.: L-261.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A TO ORDER L-261

SPECIFICATIONS FOR STOCK GROCERS AND VARIETY BAGS

(1) *General.* This schedule contains the type, size, and paper specifications for manufacturing stock grocers and variety bags. Subject to the tolerance specified below, the type and size of specifications are mandatory. The paper grade specifications shall be observed insofar as practicable in the light of paper procurement and paper production conditions and other relevant considerations.

(2) *Capacity tolerance.* The "Minimum capacity" specified in Column 5 of the Table below is subject to a maximum deficiency of 2% to compensate for errors caused by wear and tear of machine parts.

(3) *Dimension tolerance.* The dimensions specified in Columns 6, 7, and 8 of the Table below are approximate and may be varied slightly as manufacturing conditions require, provided the cubic capacity (where specified) is not decreased and provided, further, the total sheet area of the paper used is not increased more than 5%.

(4) *Measuring and computing.* Sketches illustrating the methods for measuring bags and computing cubic capacity are attached as Exhibits 1-4 to this Schedule.

(5) *Paper*—(a) *"Normal basis weight"* is computed on the basis of 100# kraft, 500 sheets (24" x 36") to the ream. Subject to the variables provided for in paragraph (1) above, kraft paper used in manufacturing any bag below shall be no heavier than the normal basis weight or weights specified in Column (9) of the Table below for that bag.

(b) Such weight or weights may be appropriately increased when sulphite paper (bleached or unbleached) is used.

(c) A double asterisk (**) after a normal basis weight figure signifies that bleached and unbleached kraft and bleached and unbleached sulphite grades of paper may be used for the particular bag. A single asterisk (*) after a normal basis weight figure signifies that only unbleached kraft grade of paper may be used for that particular bag. (With respect to the basis weights specified for Grocers self-opening (automatic) and square bags, the figures marked with a double asterisk (**) represent Popular Weight lines and the figures marked with a single asterisk (*) represent Heavy Weight lines.)

(d) In no case, may a bag maker manufacture any bag, for stock, from more than one weight of the same grade of paper. Bleached, unbleached, M. G., M. F., machine-striped, and embossed papers shall be considered different grades. However, papers shall not be considered to be different in grade merely because they are different in color.

(e) When M. F. unbleached kraft paper is used, it shall have a minimum average bursting strength of 80% of the normal basis weight of the paper and an Elmendorf tearing strength of 170% of the normal basis weight of the paper, in the machine direction. This specification does not apply to other paper grades.

(6) *"SWS" symbol.* The symbol "SWS" shall be placed by the bag maker on the label or wrapper of each bundle of stock grocers and variety bags manufactured on and after March 1, 1943. Such symbol shall constitute a representation by the bag maker to the War Production Board that the bags in that bundle comply with the specifications of this Schedule or of any special authoriza-

tion, issued under this order L-261. The symbol "SS", when placed on any such bag, shall constitute a like representation. Such symbol "SS" shall be replaced by the symbol "SWS" when the bag maker has occasion to replace his existing stock of "SS" dies.

(7) *Specifications table.* The specific type, size, and paper specifications are as follows:

Class (1)	Normal usage (2)	Type: Shape (3)	Size (4)	Size: Minimum capacity (cu. in.) (5)	Face (F) or Tube (T) width (in.) (6)	Bottom (B) or Tuck (T) width (in.) (7)	Bag length (in.) (8)	Paper: Normal basis weight (lbs.) and kraft (9)
Groceries	General	Self-opening (automatic)	½ lb.	20	(F) 3	(B) 1¾	5⅝	30***
			1 lb.	51	3½	2⅛	8 5/16	30***
			2 lb.	83	4⅛	2⅝	9 5/16	30***
			3 lb.	119	4¼	2⅞	10 5/16	30***
			4 lb.	151	5¼	3⅛	10 5/16	40*
			5 lb.	191	6¼	3⅛	10 5/16	40*
			8 lb.	240	6¼	3 13/16	12 13/16	40*
			10 lb.	350	7¼	4⅛	13 5/16	40*
			12 lb.	433	7¼	4⅛	15 5/16	40*
			20 lb.	693	8¼	5 5/16	16 13/16	40*
			25 lb.	770	8¼	5 5/16	17 13/16	40*
		Square	½ lb.	59	(F) 3	(T) 1 5/16	7 13/16	30***
			1 lb.	83	3	2 5/16	8 13/16	30***
			2 lb.	151	3½	2 5/16	9 13/16	30***
			3 lb.	191	4	2 5/16	10 13/16	30***
			4 lb.	304	4½	3 5/16	11 13/16	30***
			5 lb.	350	5 1/16	3 5/16	12 13/16	30***
			8 lb.	483	5 1/16	3 5/16	15 13/16	40*
			10 lb.	693	6¼	4⅛	17 13/16	40*
			12 lb.	770	6¼	4⅛	19 13/16	40*
			20 lb.	1,386	7½	5 5/16	25 13/16	50*
			25 lb.	1,540	7½	5 5/16	28 13/16	50*
		Sack (satchel-bottom)	5 lb.	770	7½	4⅞	19 13/16	40***
			10 lb.	1,540	9½	5 5/16	25 13/16	50*
			20 lb.	2,772	11½	6⅞	31 13/16	60*
			25 lb.	3,080	11½	6⅞	37 13/16	60*
			50 lb.	5,544	14½	8⅝	49 13/16	70*
		Flat	3 lb.	231	7 11/16	(T) 1 5/16	10 13/16	30***
			5 lb.	385	8 11/16	2 5/16	12 13/16	30***
			7 lb.	539	10 11/16	2 5/16	15 13/16	30***
			10 lb.	770	12 5/16	2 5/16	17 13/16	30***
			20 lb.	1,540	15 5/16	2 5/16	25 13/16	40***
Variety	Candy	Self-opening (automatic)	¼ lb.	20	(F) 3	(B) 1¾	5⅝	30***
			½ lb.	51	3½	2⅛	8 5/16	30***
			1 lb.	83	4⅛	2⅝	9 5/16	30***
			2 lb.	151	5¼	3⅛	10 5/16	40*
		Flat	¼ lb.	20	(F) 4 5/16	(T) 1 5/16	6 7/16	30***
			½ lb.	30	5 5/16	2 5/16	7 7/16	30***
			1 lb.	51	6 5/16	2 5/16	8 7/8	30***
			2 lb.	83	(F) 7 5/16	(T) 2 5/16	10 7/8	30***
		Sack (satchel-bottom)	¼ lb. candy	20	(T) 1½	(B) 1¼	5⅝	40* 60
			½ lb. candy	30	1¾	1¼	6⅝	40* 60
			½ lb. standard	50	2	1½	7⅝	40* 60
			1 lb.	80	(F) 3	(B) 1¾	9⅝	50* 70
			2 lb.	151	3½	2⅛	12⅝	50* 70
			5 lb.	385	4 5/16	2⅝	18 5/16	60* 70
			10 lb.	770	5 5/16	3⅛	25 13/16	60* 70
			25 lb.	1,925	7½	4⅝	37 13/16	70*
			50 lb.	3,850	9½	5⅝	49 13/16	70*
Garments		Flat	½ lb.	54	(F) 2 5/16	(T) 1 5/16	8⅞	30***
			1 lb.	54	2 5/16	1 5/16	8⅞	30***
			2 lb.	54	(F) 2 5/16	(T) 1 5/16	8⅞	30***
Pants		Flat	30 lb.	54	(F) 1⅝		36	25**
Laundry (hotel)		Flat	30 lb.		(F) 1⅝		30	25**
Liquor bottles		Square	1 pt.	14 x 26	(F) 3⅜	(T) 2¼	11½	35*
			1 qt.		(F) 3⅜	(T) 3	16¼	35*
Notions		Flat			(F) 4		6¼	25**
					6¼		7½	25**
					7½		10½	25**
					8½		11	25**
Millinery		Flat			(F) 10		13	25**
					12		15	25**
					15		17	25**
					21		24	25**
Shipping		Sack (satchel-bottom, handle)		805	(T) 1½	(B) 4⅝	17¾	70*
				1,186	17	5¾	17¾	70*
Extra heavy duty (export)		Self-opening (automatic)	1 lbs.	51	(F) 3½	(B) 2¼	6⅝	50*
			2 lbs.	83	4¼	2⅝	8 5/16	50*
			3 lbs.	119	4¾	2⅞	9 5/16	50*
			4 lbs.	151	5	3⅛	10 5/16	50*
			5 lbs.	191	5¼	3⅛	10 5/16	50*
			8 lbs.	304	6¼	3 13/16	12 13/16	60*
			10 lbs.	350	6¾	4⅛	13 5/16	60*
			12 lbs.	433	7 5/16	4 5/16	15 5/16	60*
			16 lbs.	693	8¼	4 13/16	16 13/16	60*
			20 lbs.	770	8¼	5 5/16	17 13/16	60*

* The sheet area of this bag (paper width multiplied by tube length) shall be no less than that of the square grocers bag of the corresponding size (in lbs.).

EXHIBIT 1 — SELF-OPENING (AUTOMATIC) BAGS
METHOD OF MEASUREMENT AND COMPUTATION OF CUBIC CAPACITY

General

1. Position of bag: Face (with thumb notch) to the front—bottom and seam to rear.

2. Point of measurement: Dimension lines in diagram.

3. Equipment: Scale graduated in sixteenth of inches.

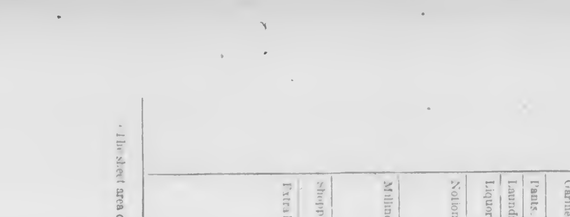

Face width (A): Measure across the front of the folded bag just above the top of the bottom fold.

Bottom width (C): Spread the bag so that the tucks normally behind the face are fully extended outward. Press the bag flat and measure full width as close to the bottom fold as possible. Subtract from this measurement the face width.

Bag length (D): Measure along center of the front face of the bag, from the lower bottom fold to the top of the serrated edge of the rear face.

Cubic capacity: (A × C × D) is the product of the face width, bottom width and the bag length.

EXHIBIT 2.—SQUARE BAGS
METHOD OF MEASUREMENT AND COMPUTATION OF CUBIC CAPACITY

General

1. Position of bag: Face with lip, bottom fold, and seam to rear.

2. Point of Measurement: Dimension lines in diagram.

3. Equipment: Scale graduated in sixteenths of inch

Face width (A): Measure across the front of the folded bag just above the top of the bottom fold.

Tuck width (C): Spread the bag so that the tucks normally behind the face are fully extended outward. Press the bag flat and measure full width as close to the bottom fold as possible. Subtract from this measurement the face width.

Bag length (D): Measure along center of the front face of the bag, from the lower bottom fold to the top of the serrated edge of the front face.

Cubic capacity: [A × C × (D − ½C)] is the product of face width, tuck width and the bag length minus one-half the tuck width

EXHIBIT 3. FLAT BAGS
METHOD OF MEASUREMENT

General

1. Position of bag: Face with lip, bottom fold, and seam to rear.

2. Point of Measurement: Dimension lines in diagram.

3. Equipment: Scale graduated in sixteenths of inch.

Face width (A): Measure across the front of the folded bag just above the top of the bottom fold.

Bag length (D): Measure along center of the front face of the bag, from the lower bottom fold to the top of the serrated edge of the front face

EXHIBIT 4.—SACKS (SATCHEL-BOTTOM)
METHOD OF MEASUREMENT AND COMPUTATION OF CUBIC CAPACITY

General

1. Position of bag: Face thumb notch, bottom, and seam to rear.

2. Point of measurement: Dimension lines in diagram

3. Equipment: Scale graduated in sixteenths of inch.

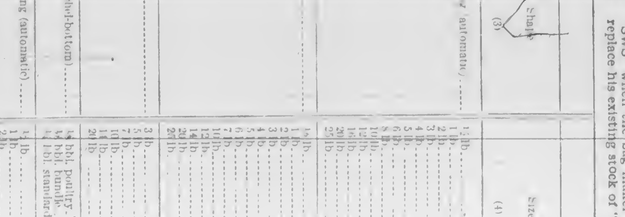

Face (A): 1. Tube width: Measure across the front of bag just above the top of the bottom fold. 2. Capacity width: Computed by subtracting bottom width from tube width.

Bottom (C): Measure along center from the lower fold of the bottom to its upper fold.

Bag length (D): Measure along center of the rear face of the bag, from the lower bottom fold, with the bottom resting on the opposite face to the thumb notch, to the top of the serrated edge of the rear face.

Cubic capacity: [(A—C) × C × D] is the product of capacity width (tube width minus bottom width), bottom width, and the bag length

[F. R. Doc. 43-3142; Filed, February 27, 1943; 10:29 a. m.]

PART 3200—CHARCOAL

[General Preference Order M-289]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of charcoal for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3200.1 *General Preference Order M-289*—(a) *Definitions.* (1) "Charcoal" means an amorphous form of artificial carbon obtained by incomplete combustion of wood, either hardwood or soft-

wood, by the destructive distillation process, or in kilns or pits, in the form of lumps, briquettes, granular, braize or powdered.

(2) "Producer" means any person who produces charcoal and includes any sales agent for any producer or group of producers.

(3) "Distributor" means any person who purchases charcoal for resale.

(4) "Supplier" means a producer or distributor.

(b) *Restriction on deliveries.* (1) No supplier shall deliver any charcoal to any person except as specifically authorized or directed by the Director General for Operations. No person shall accept delivery of any charcoal which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions with respect to deliveries to be made by suppliers in each calendar month will so far as practicable be issued by the Director General for Operations prior to the commencement of such month (in the normal case on Form PD–602 filed pursuant to paragraph (f) (1)), but the Director General for Operations may at any time issue directions with respect to deliveries to be made.

(3) In the event that any supplier, after receiving notice from the Director General for Operations with respect to a delivery of charcoal which he is authorized or directed to make to any specific customer, shall be unable to make such delivery either because of receipt of notice of cancellation from such customer or otherwise, such suppher shall forthwith give notice of such fact to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–289, and shall not, in the absence of specific authorization or direction from the Director General for Operations sell or otherwise dispose of the charcoal which he is unable to deliver as aforesaid.

(c) *Restrictions on use.* (1) No producer shall use charcoal except as specifically authorized or directed by the Director General for Operations.

(2) No person shall use charcoal received by him for a purpose or purposes contrary to the purpose or purposes certified in the certificate furnished by him pursuant to paragraph (e) (1) hereof.

(3) The Director General for Operations may from time to time issue directions with respect to the use or uses which may or may not be made of charcoal to be delivered or then on hand.

(d) *Exceptions to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraphs (b) (1) and (c) (1) hereof, specific authorization of the Director General for Operations shall not be required for:

(i) Delivery by any supplier to any one person in any calendar month of not more than 1,000 lbs.

(ii) Delivery of charcoal by any producer in any calendar month to one or more persons where the quantity of charcoal produced in such month by such producer does not exceed 12 tons.

(iii) Use by any producer in any calendar month of not more than 1,000 lbs.

(2) In no event shall aggregate deliveries by any producer in any calendar month pursuant to paragraph (d) (1) (i) hereof, exceed one percent of the deliveries which such producer is specifically authorized or directed to make during such month.

(3) No supplier shall make any delivery of charcoal pursuant to paragraph (d) (1) (i) hereof if such delivery will prevent any delivery which he has been specifically authorized or directed to make.

(e) *Certification of customer's use.* (1) No person shall accept delivery from any supplier in any calendar month of more than 1,000 lbs. of charcoal (nor shall any supplier deliver to any one person in any calendar month more than such quantity) unless the person seeking delivery shall have filed with such supplier, in duplicate, a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier, pursuant to War Production Board Order No. M–289, that:

I. The _____ tons of charcoal hereby ordered for delivery in _____ 194–, (month) will be used for the following purpose or purposes only _____

[For instructions see paragraph (e) (2) hereof.]

II. The undersigned's use of charcoal in corresponding month of the year 1942 for each such purpose was

Purpose A _____ Tons
Purpose B _____ Tons

[If purchase is for resale, specify under section II quantity resold by undersigned in corresponding month of 1942.]

_____ Name of Purchaser

By _____ Duly Authorized Official

_____ Date _____ Title

Such certificates shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of charcoal by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(2) In filling out section I of the certificate referred to in paragraph (e) (1) hereof, applicant shall specify use or uses in terms of the following:

Copper
Bronze
Brass
Powder (black)
Iron
Meat curing
RR dining cars
Steel
Ferro silicon
Ferro manganese
High carbon ferro chromium
Legume inoculants
Sodium cyanide
Activated carbon
Tobacco curing
Glass
Carbon bisulfide
Case hardening compounds
Poultry and stock feed
Heat treating
Fuel for drying foundry cores
Heating railroad cars
Domestic accounts
Others (specify)
Resale

If charcoal ordered is for more than one use, indicate each one separately and state quantity ordered for each use. If purchase is for resale, applicant will specify "resale", followed by statement of use or uses (in terms of the uses specified in this paragraph) to which charcoal will be put by his customer.

(3) One of the duplicate originals of each certificate received by a supplier pursuant to paragraph (e) (1) hereof, shall be retained by such supplier. The second copy shall be transmitted by such supplier to the War Production Board with his application (on Form PD–602) for authorization to make delivery.

(f) *Applications and reports.* (1) Each supplier requiring authorization to make delivery of charcoal during any calendar month beginning with April, 1943 (and each producer seeking authorization to use charcoal), shall file application on or before the 20th day of the preceding month. Application for authorization to make delivery of (or use) charcoal in March, 1943, shall be filed as many days as possible in advance of the proposed date of delivery or use. The application shall be made on Form PD–602 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–602 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared of which three shall be filed with the War Production Board, Washington, D. C., Ref: M–289, the fourth being retained for applicant's files. At least one of the copies filed with the War Production Board shall be manually signed by the applicant by a duly authorized official. A separate set of Form PD–602 shall be filed for each grade of charcoal for which authorization to deliver is sought.

(iii) In the heading, under name of chemical, specify "Charcoal", followed by grade of charcoal in terms of the following: lump, briquettes, granular, braize or powdered; under WPB Order No., specify "M–289"; indicate month and year during which deliveries covered by the application are to be made; under unit of measure, specify tons; under name of company, specify applicant's name and indicate address of plant or warehouse from which shipment will be made.

(iv) In Column 1 list names of customers from whom orders for delivery during the month to which the application relates have been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand total for all sheets on last sheet, which is the only one that need be certified. It is not necessary, however, to list the name of any customer to whom not more than 1,000 lbs. of charcoal is to be delivered in such month, but in lieu thereof, applicant should state in Column 1 "Total small order deliveries (estimated)" and in Column 4, specify the total estimated quantity so to be delivered.

(v) A producer requiring permission to use a part or all of his own production of charcoal shall list his own name on Form PD–602 as a customer, specifying quantity required and product use.

(vi) Supplier will specify in Column 1A the use to which the charcoal will be put by his customer, as indicated by the certificate filed with applicant by the customer pursuant to paragraphs (e) (1) and (e) (2) hereof. If the charcoal ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of charcoal ordered for each use.

(vii) Leave Column 6 blank.

(viii) In Column 7 specify quantity used by customer in corresponding month of 1942 for each purpose for which charcoal is ordered, or if customer is a distributor, quantity resold by customer in such corresponding month.

(ix) A producer whose entire production is sold through a single sales agent, acting jointly for such producer or for such producer and other producers, need not list the customers to whom delivery is to be made by such sales agent. It will be sufficient to list in Column 1 the name of the sales agent and to list in Column 1A "resale". In any case, however, each producer shall report production, deliveries and stocks as required by Table II, Columns 8 and 16 inclusive.

(2) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions with respect to preparing and filing Form PD–602.

(g) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Notification of customers.* Each supplier shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give notice shall not excuse any such person from complying with the terms hereof.

(3) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of charcoal shall apply, not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M–289.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3143; Filed, February 27, 1943; 10:30 a. m.]

PART 3204—POTASH

[General Preference Order M–291]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of potash for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3204.1 *General Preference Order M–291.*—(a) *Definitions.* (1) "Potash" means the following primary potash salts: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash.

(2) "Potassium oxide" (hereinafter referred to as "K_2O") means the highly caustic oxide of potassium. As such it does not exist commercially but is used as a standard unit of measure in determining the relative value of potash salts.

(3) "Muriate of potash" means the chloride salt of potassium. In commerce it is offered in two grades: muriate of potash containing 48 to 52 per cent K_2O, and high grade muriate of potash containing 58 to 62.7 per cent K_2O.

(4) "Sulfate of potash" means commercial potassium sulfate, a potash salt containing approximately 48 per cent or more K_2O, chiefly as sulfate. It does not include recrystallized salt.

(5) "Sulfate of potash-magnesia" means a potash and magnesia salt containing from approximately 18 to 25 per cent K_2O and 18 to 25 per cent sulfate of magnesia.

(6) "Run-of-mine potash" (also known as manure salts and kainit) means potash salts containing a high percentage of chlorides and containing more than 18 and less than 48 per cent K_2O.

(7) "Producer" means any person engaged in the production of potash and includes any person who has potash produced for him pursuant to toll agreement.

(8) "Distributor" means any person who, for his own account or as agent or broker for any producer, sells potash in any form. The term includes importers but does not include any manufacturer (including any fertilizer manufacturer) to the extent that he uses potash as one of his raw materials, any person who purchases potash exclusively for sale at retail, or any governmental agency which delivers fertilizers to farmers.

(9) "Supplier" means a producer or distributor.

(10) "Period" means one of the three periods specified in paragraphs (a) (11), (a) (12) and (a) (13).

(11) "Period One" means April 1, 1943 through May 31, 1943.

(12) "Period Two" means June 1, 1943 through March 31, 1944

(13) "Period Three" means April 1, 1944 through May 31, 1944.

(b) *Restrictions on deliveries and use.* (1) On and after April 1, 1943 no supplier shall deliver potash to any person, and no person shall accept delivery of potash from a supplier except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to quantities of potash which may be received in any period will be issued by the Director General for Operations as soon as possible after the receipt of the applications called for by paragraph (e) (1) hereof. Thereafter, after persons so authorized to receive potash have placed with producers or distributors their orders for potash within the totals provided in such authorizations and such producers and distributors have made application pursuant to paragraph (e) (3) to make delivery to such persons, the Director General for Operations will issue to each producer or distributor authorizations with respect to deliveries to be made. The Director General for Operations may, however, at any time, at his discretion, and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of potash to be delivered or then on hand. Insofar as authorizations or directions relate to the quantities of particular grades of mixed fertilizer to be manufactured from potash or to the quantity of potash to be made available for direct application to the soil, such authorizations or directions will so far as practicable be issued in conformity with needs for grades of mixed fertilizer or for potash as determined by the Director of Food Production of the Department of Agriculture.

(3) Each person specifically authorized to accept delivery of potash shall use such material for the purpose authorized and only for such purpose except as otherwise specifically directed by the Director General for Operations.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the Director General for Operations shall not be required for:

(1) Acceptance of delivery by any person from all sources in any period of not more than one ton of potash for each month of such period, in terms of K_2O content;

(2) Delivery by any supplier in any period to any person who shall have furnished to such supplier a certificate in substantially the following form:

The undersigned hereby certifies that the potash hereby ordered to be delivered in Period _____ [Insert One, Two or Three] does not, taken with all other potash delivered or to be delivered from all sources

in such period, exceed one ton for each month of such period, in terms of K_2O content.

Name of purchaser

By ---------- ----------
Authorized official Title

Date

The above certificate shall constitute a representation to (but shall not be filed with) the War Production Board. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of such potash by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate;

(3) Delivery by any supplier to any person in any period prior to the receipt of any specific authorization or direction of the Director General for Operations with respect to deliveries to be made in such period of not more than 20% of the quantity of any potash salt delivered by such supplier to such person during the corresponding period in the 12 months ending March 31, 1943. Any person delivering or receiving potash delivered in any period pursuant to this paragraph (c) (3) shall charge the amount so delivered or received against the amount which he is or may be specifically authorized or directed to deliver or receive in such period, and against any amount which may be delivered or received pursuant to paragraphs (c) (1) and (c) (2);

(4) Delivery by any supplier to any person, and acceptance of delivery by any person from any supplier, of any undelivered balance under any contract which provides for completion of delivery prior to April 1, 1943;

(5) Delivery by any supplier to any person, and acceptance of delivery by any person from any supplier, of any potash which such supplier has been directed by specific direction of the Director General for Operations to deliver to such person prior to May 1, 1943.

(d) *Transportation and storage directions.* For the purpose of conserving transportation and storage facilities, the Director General for Operations may issue directions to any person respecting deliveries or storage of potash which may or may not be made, and respecting form of transportation and shipping routes.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of potash in any period, whether for own consumption or resale, shall file application therefor on Form PD-600 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Division, Washington, D. C., Ref: M-291, the fourth to be retained for applicant's files.

(iii) The date when such applications shall be filed with the War Production Board will be as follows:

(a) Where the application is for authorization to accept delivery of potash in Period One: on or before March 7, 1943.

(b) Where the application is for authorization to accept delivery of potash in Period Two: on or before May 1, 1943.

(c) Where the application is for authorization to accept delivery of potash in Period Three: on or before March 1, 1944.

(iv) In the heading, under "name of chemical" specify "Potash"; under "WPB Order No.", specify "M-291"; under heading "Indicate Unit of Measure", specify "Short Tons of Potash Salt" (not K_2O content). Do not specify supplier.

(v) In heading at top of Table I, specify "Period ----------" [One, Two or Three], not month.

(vi) In Columns 1 and 11, specify particular potash salt as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia, run-of-mine potash, and also indicate in each case per cent of K_2O content.

(vii) In Column 2 indicate quantity in short tons of each salt requested (not K_2O content).

(viii) In Column 3, applicant will specify his primary product in terms of the following:

Fertilizers
Potassium bitartrate
Potassium carbonate
Potassium chlorate
Potassium cyanide
Potassium hydroxide
Potassium nitrate
Potassium perchlorate
Potassium permanganate
Potassium phosphates
Other chemical (specify)
Resale (as potash) subject to further authorization.

(ix) In Column 4 applicant will specify ultimate use of product (where, for example, the primary product called for in Column 3 is "Potassium carbonate" the ultimate use of product might be "optical glass"), and will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer. Where the Form PD-600 is an application for potash for resale (as potash) pursuant to further authorization, applicant will leave Column 4 blank. Where primary product called for in Column 3 is potassium chlorate or potassium perchlorate, specify "Order M-171" in Column 4 and omit further statement of use.

(x) Leave blank Columns 13 to 15c, inclusive.

(xi) In heading at top of Column 16 "Estimated stocks end current month", strike out "end current month" and insert "beginning period ----------" [specify number of period to which application relates]. In Column 16, specify estimated amount of inventory of each potash salt listed in Column 11, including any amounts estimated to be undelivered as of the beginning of such period pursuant to the contracts or directions referred to in paragraphs (c) (4) and (c) (5).

(xii) Leave blank Tables III and IV in their entirety.

(2) On or before the 7th day following the commencement of each period, each person who has applied for authorization to accept delivery of potash during such period pursuant to paragraph (e) (1) hereof, shall file a single copy of PD-600 with War Production Board, Chemicals Division, Washington, D. C., Ref: M-291, subject to the following special instructions:

(i) In the heading, under "name of chemical" specify "Potash"; under "WPB Order No.", specify "M-291"; under heading "Indicate Unit of Measure", specify "Short Tons of Potash Salt" (not K_2O content). Do not specify supplier.

(ii) Tables I, III and IV should be left blank in their entirety.

(iii) In Column 11 (Table II) specify particular potash salt as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash, and in each case, per cent of K_2O content.

(iv) Leave blank Columns 13 to 15c, inclusive, and strike out heading at top of Column 16 "Estimated stocks end current month", and substitute for that heading "Stocks beginning period ----------" [insert number of period in which report is filed]. In Column 16, specify amount of inventory of each potash salt listed in Column 11, including any amounts undelivered at the beginning of such period pursuant to the contracts or directions referred to in paragraphs (c) (4) and (c) (5).

(3) Each supplier seeking authorization to make delivery of potash during any period shall file application therefor on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Division, Washington, D. C., Ref: M-291, the fourth to be retained for supplier's files.

(iii) The date when such application shall be filed with the War Production Board will be as follows:

(a) Where the application relates to Period One: on or before April 7, 1943.

(b) Where the application relates to Period Two: on or before July 7, 1943.

(c) Where the application relates to Period Three: on or before April 7, 1944.

(iv) In the heading, under "name of chemical", specify "Potash"; under "WPB Order No.", specify "M-291"; in heading "This schedule is for deliveries to be made during the month of ----------", substitute the word "period" for word "month", and indicate "One, Two, or Three", as the case may be; under heading "Indicate unit of measure", specify short tons of potash salt (not K_2O content).

(v) In Column 1 indicate the name of each customer to whom supplier proposes to make delivery of potash in the period to which application relates. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. It is not necessary, however, to list the names of customers to whom, in such period, applicant proposes to make small order deliveries pursuant to paragraph (c) (1) and (c) (2) hereof, but applicant must specify in Column 1 "Total small order deliveries (estimated)" and in Column 4 must state the estimated quantity.

(vi) In Column 3 specify particular potash salt which applicant proposes to deliver as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash, and in each case, the per cent of K_2O content.

(vii) Leave blank Columns 5 to 16, inclusive, except for any remarks considered pertinent, which may be listed in Column 7.

(4) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Notification of customers.* Producers shall as soon as practicable notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(3) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of potash shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M-291.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3144; Filed, February 27, 1943; 10:30 a. m.]

PART 3209—PUBLIC SANITATION SERVICES—MAINTENANCE, REPAIR AND OPERATING SUPPLIES

[Preference Rating Order P-141]

§ 3209.1 *Preference Rating Order P-141.*—(a) *Definitions.* For the purposes of this order:

(1) "Operator" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories or possessions, or any such operator located in the Dominion of Canada to whom and in whose name a copy of this order has been specifically issued, engaged in, or constructing facilities for the purpose of engaging in, supplying public sanitation services (but not including manufacturers of public sanitation products) whether or not such operator has applied the preference ratings herein assigned.

(2) "Material" means any commodity, equipment, accessory, part assembly, or product of any kind.

(3) "Maintenance" means the upkeep of an operator's property and equipment in sound working condition.

(4) "Repair" means the restoration of an operator's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like, have made such property or equipment unfit or unsafe for service.

(5) "Operating supplies" means:

(i) Material which is essential to the operation of the services specified above and which is generally carried in an operator's inventory and charged to operating expense accounts.

(ii) Material for an addition to or an expansion of property or equipment including minor extensions of sewer laterals, provided that such an addition, or expansion, shall not include any work order, job, or project, in which the cost of material shall exceed $1,500 in the case of underground construction and $500 in the case of other construction and provided further that no single construction project shall be subdivided into parts in order to come below these limits.

(6) Material for "operating supplies", "maintenance" and "repair" includes only material which is essential to minimum service standards, and does not include material for the improvement of an operator's property or equipment through the replacement of material which is still usable in the existing installation, with material of a better kind, quality or design.

(7) "Supplier" means any person with whom a purchase order or contract has been placed for delivery of material to an operator, or to another supplier.

(8) "Calendar quarterly period" means the quarterly period commencing on the first day of the first, fourth, seventh and tenth months of the calendar year and ending, respectively, on the last day of the third, sixth, ninth, and twelfth months of the calendar year, or the operator's customary accounting period closest to such period.

(9) "Inventory" means all new or salvaged material in the operator's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, appliances and merchandising supplies, and material in the operator's possession which is segregated for use in additions and expansions specifically authorized under paragraph (c) (2) of this order, or by an operative order in the P-19 series, or by an operative preference rating certificate issued by the War Production Board.

(b) *Assignment of preference ratings.* Subject to the terms of this order, the following preference ratings are hereby assigned:

(1) *Operators.* (i) AA-2X to deliveries to an operator of material required by him for maintenance or repair, and to deliveries of operating supplies.

(ii) Subject to the provisions of paragraph (e) (2), AA-5 to deliveries to an operator of material required by him for protection against sabotage, air raids, or other hostile acts, provided such protection is directed by an authorized Federal or State agency.

(iii) Subject to the provisions of paragraph (e) (2), deliveries to an operator, of material required by him for the construction of collection facilities necessary to serve rated projects or to serve rated equipment, are assigned the same rating as is assigned to such project or to the delivery of such equipment; except that where such project or such equipment is assigned two or more ratings, deliveries to an operator of items containing copper, or iron, or steel, are assigned the highest rating which is assigned by the project or equipment rating order to deliveries of items containing the like metal, and in the case of all other items, such deliveries to an operator are assigned the lowest rating which is assigned to such project or equipment.

(iv) AA-1 to deliveries, to an operator of material required by him for repair of facilities following an actual breakdown thereof, or to make reasonable advance provision for such repair, provided that such AA-1 rating shall not be applied to more than 30 percent of the material in any class which can be scheduled for delivery in each calendar quarterly period under the provisions of paragraph (f) of this order.

(c) *Revocation or amendment.* This order may be revoked or amended at any time as to any operator or any supplier. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the rating to any other deliveries shall thereafter be made by the operator or supplier affected by such revocation.

(d) *Restrictions on use of rating.* The preference ratings hereby assigned shall not be applied or extended by an operator or supplier to obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of a less scarce material or by change of design.

(e) *Application and extension of ratings.* (1) The ratings assigned by this order may be applied and extended by an operator or supplier either:

(i) In accordance with Priorities Regulation No. 3 as amended: *Provided, however,* That in no case may the ratings assigned in paragraphs (b) (1) (ii) and (b) (1) (iii) hereof be applied or extended until approval has been granted pursuant to paragraph (e) (2) hereof, or

(ii) By endorsement of the following statement on the original and all copies of each purchase order or contract for material, the delivery of which is rated by this order, and delivery of a copy of such order or contract to any supplier;

Rating ------ Material to be delivered pursuant to paragraph (b) ------ of Preference

Rating Order P-141—Public Sanitation Services—Maintenance, Repair and Operating Supplies, with the terms of which I am familiar.

(Name of operator or supplier)

(Signature of designated official)

(2) In addition to the requirements of paragraph (c) (1), an operator, in order to apply the preference ratings assigned by paragraphs (b) (1) (ii) and (b) (1) (iii), to segregate material from inventory for the uses described in such paragraphs, or to accept delivery of material for such uses, must, unless otherwise directed, communicate with the Governmental Division, War Production Board, Washington, D. C., Ref: P-141, supplying in detail the following information or such other information as may be from time to time required:

(i) The operator's job number relating to the proposed construction.

(ii) A description of the project or equipment to be served, including the location, an estimate of maximum rate of flow to be provided for, and the population served, as well as other pertinent information.

(iii) A description of the proposed construction, including a print of construction showing size of sewers, capacity of pumps, and other equipment, the location of manholes, drop manholes, size and location of treatment plants and important control valves as well as other information relevant thereto.

(iv) A statement of relationship to military needs, war production, public health or safety.

(v) A copy of the customer's project or equipment preference rating order or certificate. (Such copies of orders or certificates are not required when operator's applications accompany the customer's project applications.)

(vi) A statement explaining whether service can be rendered in any other way or by any other operator, with the use of smaller quantities of critical materials.

(vii) An estimate of the total cost of the operator's project.

(viii) A list of material required for the construction, giving the estimated weight of each material with the estimated cost, classified as indicated in the instructions for revised Form PD-200. (Such list should indicate materials in inventory not to be replaced, materials to be purchased from the excess stocks of other operators, materials to be obtained or replaced, without priorities assistance, and materials expected to be obtained or replaced with priorities assistance.)

The Director General for Operations will notify the operator whether and to what extent the application is approved and no operator shall apply such preference ratings, segregate material from inventory for the uses described in paragraphs (b) (1) (ii) and (b) (1) (iii), or accept delivery of material for such uses without such approval.

(3) In addition to the records required to be kept under Priorities Regulation No. 1, the operator, and each supplier placing or receiving any purchase order, or contract rated hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(f) *Restrictions on deliveries, withdrawals and inventory.* (1) No operator shall, in placing orders, schedule for delivery to him in any calendar quarterly period, any material (whether or not rated pursuant to this order) to be used as operating supplies or for maintenance or repair or for any other purposes (except material to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P-19 series, or by an operative preference rating certificate issued by the War Production Board) the aggregate dollar volume of which shall exceed 25 percent of the aggregate dollar volume of withdrawals of items of materials of the same class from inventory during the calendar year 1940.

(2) No operator shall at any time accept deliveries (whether or not rated pursuant to this order) of any item of material to be used as operating supplies or for maintenance or repair or for any other purpose (except material to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P-19 series, or by an operative preference rating certificate issued by the War Production Board) until such operator's inventory of items of the same class has been reduced to a practical working minimum. Such inventory shall, in no case, exceed the aggregate dollar volume of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the operator's inventory was taken.

(3) No operator shall

(i) During any calendar quarterly period, make withdrawals from inventory of any item of material to be used as operating supplies for maintenance or repair or for any other purpose (except to segregate such material for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P-19 series, or by an operative preference rating certificate issued by the War Production Board), the aggregate dollar volume of which shall exceed the aggregate dollar volume of withdrawals of such items of materials of the same class during the corresponding quarter of 1940, or at the operator's option, 25 percent of the aggregate dollar volume of withdrawals of such items of materials of the same class during the calendar year 1940.

(ii) Construct an addition to, or an expansion of, property or equipment, and no operator shall, in the case of contract construction, accept delivery of material for such purposes unless:

(*a*) Such addition or expansion is specifically authorized by the Director General for Operations, or

(*b*) Such addition or expansion is an extension less than 250 feet in length (including house connection and any portion built by or for a customer) of a line to serve a new building where the foundation, under the main part of the structure, was completed prior to July 1, 1942, or

(*c*) Such addition or expansion is not an extension of a line to customer premises and requires an expenditure of material having a dollar value of less than $1,500 in the case of underground construction and $500 in the case of other construction: *Provided, however,* That no single work order, job, or project, shall be subdivided into parts to come below these limits.

(4) Notwithstanding the provisions contained in paragraphs (f) (1), (2) and (3), an operator may:

(i) In any calendar quarterly period, increase the aggregate dollar volume of scheduled deliveries of material for the maintenance and repair of, and for operating supplies for, collection, treatment, pumping and disposal facilities, and withdrawals of material for such use over the limits prescribed in paragraphs (f) (1) and (f) (3) respectively, proportionately to the increase in load on the system in the preceding calendar quarterly period over the load on the system in the calendar quarterly period of 1940 corresponding to such preceding calendar quarterly period;

(ii) Schedule for delivery in any calendar quarterly period items of material which will increase the aggregate dollar volume of inventory of material for the maintenance and repair of, and for operating supplies for, collection, treatment, pumping and disposal facilities over the aggregate dollar volume of material in inventory on the most recent date during the calendar year 1940 on which the operator's inventory was taken, proportionately to the increase in load on the system during the preceding calendar quarterly period of 1940 corresponding to such preceding calendar quarterly period;

(iii) In order to provide material for unavoidable and emergency situations in cases where the inventory of a class of material exceeds a practical working minimum, accept in any calendar quarterly period deliveries of any item of material within such a class in which he considers his inventory deficient; such deliveries, however, not to exceed 5 percent of the dollar volume of withdrawals of material of the same class in the calendar year 1940;

(iv) In any calendar quarterly period schedule for delivery, or accept delivery of, or make withdrawals in such period of, material necessary for the maintenance or repair of the operator's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, fire, flood, or other climatic conditions: *Provided,* That if the restrictions in paragraphs (f) (1), (2) or (3) as modified by the provisions of paragraphs (f) (4) (i), (ii), (iii), are exceeded because of the scheduling or acceptance of such deliveries, or because of such withdrawals, a full report thereof together with reasons therefor shall be made immediately to the Director General for Operations;

(v) In any calendar quarterly period schedule for delivery, or accept delivery of, items of material in any class (as such class is indicated in War Production Board inventory report forms) having in the aggregate a dollar value not more than the dollar value of material of the same class taken from the operator's inventory for delivery to other operators or suppliers, and of such material so taken for delivery to any person pursuant to Priorities Regulation No. 13, and of such material taken for delivery to any person to whom a special sale of war material would be permissible under paragraphs (c) (2) (i) and (c) (2) (iv) of Priorities Regulation No. 13, to the extent that such takings have reduced the operator's inventory of items of material of the same class below a practical working minimum which shall in no case exceed the limits set up in paragraph (f) (2) hereof; and

(vi) In any calendar quarterly period withdraw from inventory items of material in any class (as such class is indicated in War Production Board inventory report forms) having in the aggregate a dollar value not more than the dollar value of usable material of the same class salvaged from plant during the current calendar quarterly period.

(5) The Director General for Operations may, on the application of any operator, authorize such operator to exceed the restrictions on deliveries, withdrawals, and inventory set forth in this paragraph (f). Nothing herein contained shall be construed to affect in any way, any specific authorizations or approvals issued by the Director General for Operations pursuant to Preference Rating Order P-46 prior to February 24, 1943.

(6) The provisions of paragraphs (f) (1), (f) (2), and (f) (3) (i) shall not apply to fuel or chemicals for sewage treatment.

(g) *Sales of material from excess inventory.* Any operator may sell to any other operator, material from the seller's inventory in excess of the practical working minimum, *Provided,* That (1) a preference rating of AA-5 or higher, assigned by this order, or by any preference rating certificate or order, or (2) a specific direction issued by the Director General for Operations, is applied or extended to the operator selling such material; and any such sale shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(h) *Audits and reports.* (1) Each operator and each supplier who applies the preference ratings hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each operator and each such supplier shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request. No such reports shall be filed until such time as the proper forms are prescribed by the War Production Board.

(3) Each operator shall maintain a continuing record of inventory and of segregated material in his possession.

(i) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order must be addressed to the Governmental Division, War Production Board, Washington, D. C., Ref: P-141 unless otherwise directed.

(j) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3145; Filed, February 27, 1943; 10:30 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-237]

SUPER GAS CO., INC.

Super Gas Company, Inc., a corporation doing business at 789 Amboy Avenue, Fords, New Jersey, is engaged in the marketing of motor fuel. From March 19, 1942 to July 22, 1942, the Company delivered to Super Gas Company, Inc., Service Station, 789 Amboy Avenue, Fords, New Jersey, which it owns and operates, a total of approximately 100,435 gallons in excess of the amount permitted to be delivered to this service station in accordance with the monthly quota provisions of Limitation Order L-70.

These wilful violations of Limitation Order L-70 have impeded and hampered the war effort of the United States by diverting motor fuel to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.237 *Suspension Order S-237.* (a) During each of the months of March, April and May, 1943, Super Gas Company, Inc., its successors and assigns, shall not deliver or cause to be delivered, directly or indirectly, any motor fuel, as defined in Limitation Order L-70, to any service station in excess of 25 per cent of the average monthly gallonage delivered to such service station by Super Gas Company, Inc., during the period of August 1942 through December 1942.

(b) During the months of March, April and May, 1943, Super Gas Company, Inc., its successors and assigns, shall not accept from any source the delivery of any motor fuel, as defined in Limitation Order L-70, at the Super Gas Service Station owned and operated by it located at 789 Amboy Avenue, Fords, New Jersey.

(c) Nothing contained in this order shall be deemed to relieve Super Gas Company, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations except in so far as the same may be inconsistent with the provisions hereof.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3193; Filed, February 27, 1943; 5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-248]

SID MACK CO.

The Sid Mack Company, 2350 West Beaver Street, Jacksonville, Florida, is a partnership composed of Sidney Mack and Uly Mack in the business of acting as a plumbing supply establishment. From May 27, 1942 to October 1, 1942 the Sid Mack Company, in wilful violation of Limitation Order L-79, made numerous sales and deliveries of new metal plumbing and heating equipment to ultimate consumers on orders which did not bear any preference ratings and did not contain the certifications required by Limitation Order L-79. The Sid Mack Company, furthermore, on September 16, 1942 and October 2, 1942 applied preference ratings of A-10 under Preference Rating Order P-84 in order to purchase 10,000 feet of new galvanized pipe when the Company did not have A-10 rated orders from its customers to support most of this amount. This constituted wilful violations of Preference Rating Order P-84 and Priorities Regulation No. 3.

These violations have impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing: *It is hereby ordered,* That:

§ 1010.248 *Suspension Order S-248.* (a) Sidney Mack and Uly Mack, individually or doing business as the Sid Mack Company or otherwise, their or its successors and assigns, are hereby prohibited from accepting deliveries of, receiving, delivering, selling, transferring, trading, or dealing in any new metal plumbing or heating equipment as defined in Limitation Order L-79, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Sidney Mack and Uly Mack, individually or doing business as the Sid Mack Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 2, 1943, and shall expire on September 2, 1943.

Issued this 27th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3194; Filed, February 27, 1943; 5:00 p. m.]

PART 933—COPPER

[Supplementary Order M-9-b, as Amended March 1, 1943]

§ 933.3 *Supplementary Order M-9-b*—(a) *Definitions.* For the purposes of this supplementary order:

(1) "Scrap" means all copper or copper-base alloy materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(2) "Copper clad steel scrap" means all copper or copper-base alloy clad or coated steel materials or objects in which the cladding or coating amounts to 3% or more by weight and which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(3) "Copper" means copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes, or copper shot or other forms produced by a refiner.

(4) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Alloy ingot" means an alloy ingot or other shape for remelting which has been cast primarily from copper-base alloy or scrap.

(6) "Brass mill scrap" means that scrap which is a waste or by-product of industrial fabrication of products of brass mills.

(7) "Brass mill" means any person who rolls, draws or extrudes castings of copper or copper-base alloys; it does not include a mill which rerolls, redraws or reextrudes products produced from refinery shapes or castings of copper or copper-base alloys.

(8) "Foundry" means any person casting copper or copper-base alloy shapes or forms suitable for ultimate use without rolling, drawing, extruding, or forging. The process of casting includes the removal of gates, risers and sprues, and sand blasting, tumbling or dipping, but does not include any further machining or processing.

(9) "Scrap dealer" means any person regularly engaged in the business of buying and selling scrap.

(10) "Public utilities" means any person furnishing telephone, telegraph or electric light and power services to the public or city, suburban or inter-city electrically operated public carrier transportation.

(b) *Delivery or acceptance of scrap, copper clad steel scrap or alloy ingots.* Notwithstanding any preference rating, no person shall deliver or accept the delivery of any scrap, copper clad steel scrap or alloy ingots except in accordance with the following directions:

(1) Brass mill scrap shall be delivered only to a scrap dealer or to a brass mill; a scrap dealer who accepts delivery of brass mill scrap shall in turn deliver such scrap only to a brass mill or another scrap dealer.

(2) No. 1 or No. 2 copper scrap shall be delivered only to a scrap dealer, or to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of No. 1 or No. 2 copper scrap.

(3) Copper clad steel scrap and unreloadable fired artillery cases, cartridge cases or bullet jackets, which have been manufactured from copper, copper-base alloys or copper clad steel, in excess of ten (10) pounds, or copper base alloy scrap containing 0.1% or more of beryllium by weight, shall be delivered only to persons specifically authorized or directed by the Director General for Operations to receive such deliveries.

(4) Scrap other than that specified in paragraphs (b) (1) through (3) above shall be delivered only to a scrap dealer, or to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of scrap.

(5) Alloy ingots shall be delivered only to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of alloy ingots.

(6) No person shall accept delivery of alloy ingots, copper clad steel scrap or unreloadable fired artillery cases, cartridge cases or bullet jackets, which have been manufactured from copper, copper-base alloys or copper clad steel, in excess of ten (10) pounds, or of copper base alloy scrap containing 0.1% or more of beryllium by weight, except as specifically authorized by the Director General for Operations.

(7) A person other than a brass mill or dealer shall accept a delivery of scrap, other than that specified in paragraph (b) (6) above, only pursuant to a specific authorization of the Director General for Operations.

(8) A brass mill shall accept no delivery of scrap other than brass mill scrap without the specific authorization of the Director General for Operations.

(9) A scrap dealer shall accept delivery of scrap only if:

(i) Such scrap is not of a kind or grade specified in paragraph (b) (6) above, and

(ii) Such scrap dealer shall during the preceding 60 days, have sold or otherwise disposed of scrap to an amount at least equal in weight to the scrap inventory of such scrap dealer on the date of acceptance of delivery of scrap (which inventory shall exclude such delivery), and

(iii) Such scrap dealer shall have filed with the Bureau of Mines, College Park, Maryland, by the 10th of each month, Form PD-249, and

(iv) Such scrap dealer shall have supplied such other information as the Director General for Operations may from time to time require.

(c) *Melting or processing of scrap, copper clad steel scrap or alloy ingots.* (1) No person other than a brass mill shall melt or process scrap, copper clad steel scrap or alloy ingots, without the specific authorization of the Director General for Operations.

(2) No brass mill shall melt or process any scrap other than brass mill scrap, without the specific authorization of the Director General for Operations.

(3) Any person accepting a delivery of scrap, copper clad steel scrap or alloy ingots shall use such scrap, copper clad steel scrap or alloy ingots only for the purposes for which acceptance of such delivery is authorized by the Director General for Operations.

(d) *Delivery to or acceptance of copper by foundries and makers of alloy ingots.* Notwithstanding any preference rating, no person shall deliver any copper to a foundry or to a maker of alloy ingots, and no foundry or maker of alloy ingots shall accept any such delivery, except as specifically authorized by the Director General for Operations.

(e) *Authorization*—(1) *Basis of authorization.* Authorization to receive deliveries of, melt or process copper, scrap, copper clad steel scrap, or alloy ingots will be given by the Director General for Operations to assure the satisfaction of the most essential war requirements.

(2) *Application for authorization.* (i) Any person desiring to obtain an authorization, pursuant to this order, to accept the delivery of, melt or process copper, alloy ingot, scrap or more than ten (10) pounds of unreloadable fired artillery cases, cartridge cases or bullet jackets which have been manufactured from copper or copper base alloys, should make application on Form PD-59, Copper Division, War Production Board, by the 5th of each month.

(ii) Any person applying for an authorization to accept delivery of copper clad steel scrap or more than ten (10) pounds of unreloadable fired artillery cases, cartridge cases or bullet jackets which have been manufactured from copper clad steel must furnish the Director General for Operations with a letter setting forth the kind and grade of material, the tonnage, the period during which deliveries must be received, and the end use into which products produced out of such material will go.

(3) *Proof of authorization*—(i) *Refined copper.* Any foundry or ingot maker authorized to purchase specified amounts of refined copper under the terms of an allocation certificate must submit the allocation certificate issued to him to his supplier at the time of placing his order. If the order is placed with a dealer, the allocation certificate must be surrendered to the dealer. If the order is placed with a refiner, the allocation certificate must be endorsed by the refiner, specifying the quantity of refined copper which the refiner will deliver.

(ii) *Alloy ingot, scrap or copper clad steel scrap.* Any person authorized to purchase specified amounts of alloy ingot, scrap or copper clad steel scrap may notify his supplier of his right to make a purchase by endorsing on, or attaching to, each contract or purchase order placed by him under the terms of the authorization, a certification in the following form signed by an official duly authorized for such purpose:

Certification: The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to purchase the items shown on this purchase order pursuant to Allocation Certificate, Serial No. ——— for the month of ——— ——— and that receipt of these items, together with all other orders placed by him, will not result in his receiving more alloy ingot, scrap or copper clad steel scrap, than he has been authorized to receive for the month indicated by such purchase order pursuant to said Allocation Certificate.

Name of purchaser	Address
Signature and title of duly authorized official	Date

The person receiving the certification shall be entitled to rely on such certification unless he knows or has reason to believe it to be false. Each person supporting a purchase order by such a certification must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such purchases, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(f) *Disposal of scrap or copper clad steel scrap, generated through fabrication or accumulated through obsolescence.* No person shall use, melt, or dispose of any scrap or copper clad steel scrap generated in his plant through fabrication or accumulated in his operations through obsolescence, in any way other than by sale or delivery to a person authorized to accept such delivery, without the specific authorization of the Director General for Operations. In no event shall any person keep on hand more than thirty days' accumulation of scrap or copper clad steel scrap unless such accumulation aggregates less than one ton. All persons generating scrap or copper clad steel scrap through fabrication or accumulating scrap or copper clad steel scrap through obsolescence, in excess of five hundred pounds in any calendar month, shall report on Form PD-226 on or before the 5th day of the following month, to the War Production Board, Ref: M-9-b, setting forth inventory of scrap and copper clad steel scrap at the beginning of the previous calendar month, accumulations and sales during such month, inventory at the end of such month and such other information as the Director General for Operations may request from time to time. Nothing herein contained shall prohibit any public utility from using in its own operations wire or cable which has become scrap by obsolescence provided the lengths of such wire or cable are in excess of five feet and the quantity of such material so used by such public utility in any calendar month does not exceed five tons or such other amount as the Director General for Operations may specifically authorize.

(g) *Toll agreement.* No person shall deliver scrap, copper clad steel scrap or alloy ingots and no person shall accept same for converting, remelting or other processing under any existing or future toll agreement, conversion agreement or other form of agreement by which title remains vested in the person delivering the scrap, copper clad steel scrap or alloy ingots or causing the scrap, copper clad steel scrap or alloy ingots to be delivered, or which agreement is contingent upon return of processed material in any quantities, equivalent or otherwise, to the person delivering or causing the scrap, copper clad steel scrap or alloy ingots to be delivered, unless and until such an agreement shall have been approved by the Director General for Operations. Any person desiring to have such an agreement approved must furnish the War Production Board a letter setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of same, the estimated tonnage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the processed material is to be used, and any other pertinent data that would justify such approval.

(h) *Restriction on acceptance of copper-base alloys or castings, including alloy ingots, made therefrom.* No person shall knowingly accept delivery of copper-base alloys or castings, including alloy ingots, made therefrom, which have been obtained by melting and processing scrap or copper clad steel scrap delivered to a melter or processor contrary to the provisions of this order.

(i) *Specific directions.* The Director General for Operations may from time to time issue specific directions to any person as to the source, destination, amount, or grade of scrap, copper clad steel scrap or alloy ingots to be delivered, acquired or used by such person.

(j) *Reports.* In addition to the reports specified in this order, each ingot maker shall file by the 5th of each month, Form PD-751, Ingot Makers Report of Copper Base Alloy Ingot and each foundry shall file by the 5th of each month, Form PD-59-B, Copper Foundries: Monthly Report of Copper Base Alloy Ingot Inventory.

(k) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed Copper Division, War Production Board, Ref: M-9-b, Washington, D. C.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3229; Filed, March 1, 1943; 11:32 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 3 to Supp. Order M-15-b, as Amended Dec. 28, 1942]

Supplementary Order No. M-15-b, as amended December 28, 1942, (§ 940.3) is hereby amended in the following respects:

1. By amending paragraph (c) (3) to read as follows:

(3) *Limitation on consumption to fill war orders.* (i) The Director General for Operations or the Rubber Director may from time to time, by special directives issued pursuant to this paragraph (c) (3) (i), limit the consumption of crude rubber, latex, reclaimed rubber, scrap rubber or balata by any person to fill war orders to such extent and in such manner as may be provided by such special directives.

(ii) No person shall consume more crude rubber, latex, reclaimed rubber, scrap rubber or balata to fill any war order than is required for delivery within sixty days from the date such crude rubber, latex, reclaimed rubber, scrap rubber or balata is consumed under the delivery dates specified in the purchase order placed with him.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3230; Filed, March 1, 1943; 11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 to Priorities Reg. 11, as Amended Feb. 20, 1943]

SUPPLIES

I. *Cranes, monorails, and similar equipment.* The question has arisen as to whether PRP ratings authorized for maintenance, repair and operating supplies can be used to purchase cranes, monorails and similar equipment having a value of over $200 as minor items of capital equipment under the definition of supplies contained in Priorities Regulation No. 11 [§ 944.32].

The definition of supplies was changed by amendment issued February 20, 1943, but this amendment made no change in the meaning of the words "minor items of productive capital equipment."

The important points to note are that under the definition of "supplies" it is only minor items of productive capital equipment which may be included but that even production materials which are needed for plant expansion or plant construction are not included. In general, cranes and monorails are acquired either to replace existing equipment or for plant expansion. If such equipment is to be used for plant expansion it does not come within the definition of "supplies" regardless of the cost. In this connection expansion of facilities within a plant is considered plant expansion. If, on the other hand, the equipment is required for replacement purposes or for minor relocation of plant machinery and equipment, then the question of cost becomes important in determining whether

the item can be classified as minor capital equipment.

In general, items costing less than $200 may be classified as minor. Items costing over $500 would not be classed as minor within the definition. Between these two figures judgment would have to be exercised taking into consideration the size of the plant, the nature of the equipment and similar factors. In case of doubt, application should be made on a PD-1A Form for a rating for the needed equipment.

II. *Effect of CMP Regulation No. 5.* Attention is called to paragraph (h) of Priorities Regulation No. 11A, which provides that, in general, CMP Regulation No. 5 shall control with respect to maintenance, repair and operating supplies to be delivered after March 31, 1943. The definition of "maintenance, repair and operating supplies" under CMP Regulation No. 5 limits minor items of productive capital equipment to those not exceeding $500 in cost, but also includes minor capital additions not exceeding $500 in cost (excluding cost of labor in each case). Thus, there may be some items which will constitute maintenance, repair or operating supplies under CMP Regulation No. 5 but which do not come within the definition of "supplies" under Priorities Regulation No. 11.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R Doc 43-3231; Filed, March 1, 1943; 11:33 a m.]

PART 1288—POWER, STEAM AND WATER AUXILIARY EQUIPMENT

[Revocation of Schedule III to Limitation Order L-154]

FEED WATER HEATERS

Section 1288.4 *Schedule III to Limitation Order L-154*, issued November 21, 1942, is hereby revoked. This revocation shall not affect, in any way, any liabilities or penalties accrued or incurred under said section prior to the revocation.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R Doc. 43-3233; Filed, March 1, 1943; 11:33 a m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule I to General Preference Order M-207 as Amended March 1, 1943]

MALE WORK CLOTHING

§ 3045.2 *General Preference Order M-207*—(a) *Definitions.* For the purposes of this schedule:

(1) "Male work clothing" shall mean any garments designed for male workers' wear while engaged in their occupations and of the type customarily sold as one of the following:

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
Blanket-lined overall jumpers or coats
One-piece work suits.
Work pants.
Work breeches.
Cossack jackets.
Work shirts.
Work aprons.
Oilskin jackets, coats, hats or apron overalls
Lined work coats.
Doctors', dentists', internes' or orderlies' gowns, suits or coats.
Druggists' coats.
Slaughter house workers' coats.
Butchers', fish handlers' or dairy workers' coats or apron sets.
Cooks' coats.
Safety garments made expressly to meet particular safety needs and to conform with safety codes.
Shop and work caps.

(2) "Work clothing textiles" shall mean

(i) Cotton waistbands, cotton trouser curtains, cotton sewing thread and the following fabrics made wholly of cotton, except as hereinafter expressly provided, either in the gray, original mill or regular finish or converted state, including seconds but excluding all cuts of less than twenty (20) yards as produced in the ordinary course of fabric manufacture:

Denims.
White back, 28" to 29" width basis:

Regular finish weight basis	*or*	*Shrunk weight basis*
1.60 yard		11 ounce.
1.78 yard		10 ounce.
2.00 yard		9 ounce.
2.20 yard		8 ounce.
2.45 yard		2.20 yard.
3.00 yard		2.70 yard

Denim stripes, 28" to 29" with basis
2.20 yard---------- 8 ounce.
Pin checks:
38" to 40"—2.40 to 2.85 yard, regular finish weight basis.
Chambrays:
36" 3.90 yard, fine yarn, regular finish weight basis.
Coverts:
36" 3.90 yard, fine yarn, regular finish weight basis.
36" 3.20 yard, coarse yarn, regular finish weight basis.
36" 1.65 yard, shrunk weight basis.
36" 2.00 yard, shrunk weight basis.
36" 2.40 yard, shrunk weight basis.
Whipcords:
36" 1.65 yard, shrunk weight basis.
36" 1.45 yard, shrunk weight basis
36" 1.35 yard, shrunk weight basis.
Cottonades
36" 1.65 yard, shrunk weight basis
36" 1.45 yard, shrunk weight basis
Woven shirting flannels:
Plains and fancies.
36" 3.00 yard, regular finish weight basis.
36" 2.30 yard, regular finish weight basis.
Blanket linings:
54" to 56" 16 ounce maximum weight, made of cotton or of cotton and reused wool.
Moleskins:
Finished weight basis:
30" 7¾ to 8¼ ounce, plain ground
36" 9½ to 10 ounce, plain ground.
30" 8¾ to 9¼ ounce, plain ground.
30" 7½ to 7¾ ounce, black and white.
30" 8 to 8½ ounce, black and white
30" 8¾ to 9¼ qunce, black and white.
Warp sateen:
54", not lighter than 1.30 yard
Corduroys:
36" 12 to 13 ounce thickset, finished weight basis.
Suedes:
Gray width and weight basis:

	Finished widths
40 to 40½" 1.60 to 1.65 yard--	35 to 36"
40 to 40½" 3.00 yard--------	35 to 36"

Poplins:
Gray width and weight basis:
38 to 39" 2.50 yard---------- 35 to 36"
38 to 39" 2.85 yard---------- 35 to 36"
38 to 39" 3.25 yard---------- 35 to 36"

	Finished Widths
Drills:	
Gray width and weight basis:	
30" 72 to 76 sley. 48 to 60 pick 2.50 yard----------	28 to 29"
37" 68x40, 2.75 yard.	
Twills:	
Gray width and weight basis:	
39" minimum count 88x42, 1.60 and 1.90 yard------	35 to 36"
30" 88x56 2.10 to 2.20 yard----	23"
31 32" 1.90 yard	
39" 2.00 yard not less than 170 threads per sq. in-----	35 to 36"
39" 2.50 yard not less than 170 threads per sq. in-----	35 to 36"
39" 68x76 4.00 yard.	
Jeans:	
Gray width and weight basis:	
38 to 39" 96x64 2.85 yard----	35 to 36"
Print cloth yarn fabrics:	
Gray width and weight basis:	
36" 20x16 21.00 yard.	
36" 28x24 15.00 yard.	
36" 32x28 13.90 yard.	
38½" 44x36 8.60 yard.	
38½" 44x40 8.20 yard.	
38½" 60x48 6.25 yard.	
38½" 64x60 5.35 yard.	
40" 80x92 3.50 yard for use in oilskin processing only.	
Sheetings:	
36" 48x48 2.85 yard.	
40" 48x48 2.85 yard.	
40" 64x68 3.15 yard.	
40" 48x44 3.75 yard.	
40" 44x40 5.50 yard.	

Any sheeting over 46" not exceeding 76 picks per inch, produced on looms normally weaving wide bed sheeting.

(ii) Pro rata widths of like count and weight to the above constructions, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for economical use in the manufacture of male work clothing.

(3) "Work clothing processor" shall mean:

(i) A person who purchases work clothing textiles for manufacturing, or to be manufactured for his account, into male work clothing for sale or rental, and any Federal, State, County, or Municipal institution engaged in the manufacture of male work clothing.

(ii) The manufacturer of waistbands or trouser curtains, to be used in male work clothing, for sale to a manufacturer of male work clothing.

(iii) The converter or finisher of work clothing textiles who bleaches, finishes or processes work clothing textiles for sale to a processor of male work clothing as defined in subparagraph (a) (3) (i).

(4) "Inventory" shall mean the total quantity of work clothing textiles or of work clothing textiles in process of manufacture into male work clothing or of male work clothing owned by any work clothing processor and held by him in any mill, warehouse, place of storage or manufacturing plant.

(b) *Manufacture of denims.* The denims specified in paragraph (a) (2) (i) which are manufactured after October 31, 1942, and which are sold and delivered pursuant to the application of the rating assigned in paragraph (c) shall be woven 36 to 37" wide *pro rata*, to the extent that loom width permits.

(c) *Assignment of preference rating.* Purchase or manufacturing orders for work clothing textiles placed by work clothing processors are hereby assigned a preference rating of A-2.

(d) *Restrictions on use of work clothing textiles.* Notwithstanding the provisions of paragraph (c) (1) of General Preference Order M-207, no work clothing processor shall use any full length pieces of first quality or run-of-mill twills, drills or jeans heavier than 39"—4.00 yards in the manufacture of pocketings, waistbands or trouser curtains.

(e) *Application of preference rating.* Any work clothing processor, in order to apply the preference rating assigned by paragraph (c) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is applied, a certificate in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of male work clothing or otherwise disposed of only as permitted in General Preference Order No. M-207 and or Schedule I thereto

---------- ----------
(Name of work clothing processor) (Address)

By---------- ----------
(Signature and title of duly authorized officer) (Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(f) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14):

(1) No manufacturer of the following garments of male work clothing:

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
One-piece work suits.
Work pants other than of cotton moleskin or cotton corduroy.
Work breeches.
Work shirts other than of cotton flannel or cotton suede.
Work aprons.
Doctors', dentists', internes' or orderlies' gowns, suits or coats.
Druggists' coats.
Slaughter house workers' coats.
Butchers', fish handlers' or dairy workers' coats or apron sets.
Cooks' coats.
Safety garments as defined in paragraph (a) (1)

shall after August 22, 1942 hold in his inventory a total quantity of work clothing textiles for such garments, such textiles in process of manufacture into such garments and such completed garments in excess of such a total quantity as will be delivered out of his inventory within 150 days after the receipt of any delivery of such textiles to his inventory.

(2) No manufacturer of waistbands or trouser curtains and no converter or finisher of work clothing textiles shall after August 22, 1942, hold in his inventory any work clothing textiles, except cotton suedes, cotton corduroys and cotton moleskins, in excess of the total quantity of such textiles, including such textiles in process, which will be delivered out of his inventory within 90 days.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3226; Filed, March 1, 1943; 11:32 a. m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule II[1] to General Preference Order M-207 as Amended March 1, 1943]

WORK GLOVES

§ 3045.3 *Schedule II to General Preference Order M-207*—(a) *Definitions.* For the purposes of this schedule: (1) "Work gloves" shall mean any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.

(2) "Work glove textiles" shall mean cotton sewing thread and the following cotton fabrics, either in the gray, regular, converted or processed state, including seconds, but excluding all cuts of less than 20 yards as produced in the ordinary course of manufacture, and including pro rata widths of like count and weight, provided such other width fabrics, wider or narrower, are produced for the purpose of utilizing maximum productive width of looms or augmenting the supply of square yardage in fabric widths suitable for economical use in the manufacture of work gloves:

Mitten flannel:
6 ounces per linear yard 4 harness, 34 inches.
7 ounces per linear yard, 4 harness, 34 inches.
8 ounces per linear yard, 4 harness, 34 inches.
9 ounces per linear yard, 4 harness, 34 inches.
10 ounces per linear yard, 4 harness, 34 inches.
10 ounces per linear yard, 5 harness, 34 inches.
12 ounces per linear yard, 5 harness, 34 inches.
12 ounces per linear yard, 4 harness, 34 inches.
13 ounces per linear yard, 5 harness, 34 inches.
Colored stripe mitten flannel:
5½ ounces per linear yard, 4 harness, 34 inches.
5½ ounces per linear yard, 4 harness, 37 inches.
6 ounces per linear yard, 4 harness, 34 inches.
7 ounces per linear yard, 4 harness, 34 inches.
8 ounces per linear yard, 4 harness, 34 inches.
9 ounces per linear yard, 4 harness, 34 inches.
Knitted jersey:
8 ounces per square yard, partially napped, for duplexing only.
Knitted jersey—Continued.
9 ounces per square yard, plain knit, minimum 22 gauge.
10½ ounces per square yard, plain knit and cut presser, cut presser minimum 20 gauge.
13 ounces per square yard, plain knit and cut presser, cut presser minimum 20 gauge.
Cotton tubing:
12 yards to pound—2¼ inches wide.
15 yards to pound—not over 2 inches wide.
17 yards to pound—not over 1¾ inches wide.
Twill:
37" 84 to 88 42 to 44—2.85 yard.
Sheeting:
40" 44 40—5.50 yard.
Print cloth:
38½" 44 40—8.20 yard.
38½" 60 48—6.25 yard.
Osnaburg:
40" 32 28—3.55 yard.

(3) "Work glove processor" shall mean:

(i) A person who purchases work glove textiles for manufacturing, or to be manufactured for his account, into work gloves for sale or rental, and any Federal, state, county or municipal institution engaged in the manufacture of work gloves.

(ii) The converter or finisher of work glove textiles who bleaches, finishes, or processes work glove textiles for sale to a processor of work gloves as defined in paragraph (a) (3) (i).

(4) "Inventory" shall mean the total quantity of work glove textiles, such textiles in process of manufacture into work gloves and work gloves owned by any work glove processor and held by him in

[1] NOTE: The item "print cloth" was added March 1, 1943.

[1] NOTE: The item "Shop and Work Caps" was added to list in paragraph (a) (1) and the items "Denims" "Drills" and "Print Cloth Yarn Fabrics" were amended March 1 1943.

any mill, warehouse, place of storage or manufacturing plant.

(b) *Assignment of preference rating.* Purchase or manufacturing orders for work glove textiles placed by work glove processors are hereby assigned a preference rating of A-2.

(c) *Application of preference rating.* Any work glove processor, in order to apply the preference rating assigned by paragraph (b) to deliveries of materials to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is applied, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of work gloves or otherwise disposed of only as permitted in General Preference Order M-207 and or Schedule II thereto.

(Name of work glove processor) _____ (Address) _____

By _____ (Signature and title of duly authorized officer) _____ (Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Each person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(d) *Restriction on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14):

(1) No work glove manufacturer shall after August 22, 1942, hold in his inventory a total quantity of work glove textiles or work gloves, except such textiles as are intended for the manufacture of work gloves for seasonal use, and such work gloves for seasonal use, in excess of such total quantity as will be delivered out of his inventory within 90 days.

(2) No converter or processor of work glove textiles who bleaches, finishes or processes work glove textiles for resale to a manufacturer of work gloves shall after August 22, 1942, hold in his inventory a total quantity of work glove textiles in excess of such a total quantity as will be delivered out of his inventory within 60 days after the receipt of any delivery of such textiles to his inventory.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3227; Filed, March 1, 1943; 11:33 a. m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule III to General Preference Order M-207, as Amended March 1, 1943]

HOSPITAL CLOTHING

§ 3045.4 *Schedule III to General Preference Order M-207*—(a) *Definitions.* For the purposes of this schedule:

(1) "Hospital clothing" shall mean any patients' gown, or uniforms for nurses or hospital personnel, of the type customarily sold as such, but shall not include any "male work clothing" as defined in Schedule I to General Preference Order M-207.

(2) "Hospital clothing textiles" shall mean:

(i) Cotton sewing thread and the following fabrics made wholly of cotton either in the gray, original mill or regular finish, or converted state, including seconds but excluding all cuts of less than 20 yards as produced in the ordinary course of fabric manufacture.

Carded sheetings:
36" 48 48, 2.85 yards.
37" 48 48, 4.00 yards
40" 48 44, 3.75 yards.
40" 48 44, 3.25 yards.
40" 48 48, 2.85 yards.
40" 56 60, 3.60 yards.
40" 64 68, 3.15 yards.
Carded print cloth:
39" 64 60, 4.25 yards.
39" 68 72, 4.75 yards.
39" 80 80, 4.00 yards.
40" 80 92, 3.50 yards.
Carded drills:
30" 72 48, 2.85 yards.
Carded jeans:
38" to 39", 96 64, 2.85 yards.
Carded or combed poplins:
37" to 38", 2.50 to 4.00 yards.
Carded or combed broadcloths:
37" to 38", 3.25 to 4.20 yards.
Carded colored chambrays—plains and fancies:
35" to 37", 80 to 84 Sley, 60 to 64 Pick, 3.50 to 3.80 yards.
Seersuckers (carded):
36" to 40", 2.90 to 4.50 yards.
Frock cloth (carded):
36" to 39", 2.00 to 2.35 yards.

(ii) Pro rata widths of like count and weight to the above constructions.

(3) "Hospital clothing processor" shall mean:

(i) A person who purchases hospital clothing textiles for manufacturing, or to be manufactured for his account, into hospital clothing for sale or rental, and any Federal, state, county or municipal institution engaged in the manufacture of hospital clothing,

(ii) The converter or finisher of hospital clothing textiles who bleaches, finishes or processes hospital clothing textiles for sale to a processor of hospital clothing as defined in paragraph (a) (3) (i).

(4) "Inventory" shall mean the total quantity of hospital clothing textiles or of hospital clothing textiles in process of manufacture into hospital clothing or of hospital clothing owned by any hospital clothing processor and held by him in any mill, warehouse, place of storage or manufacturing plant.

(b) *Assignment of preference rating.* Purchase or manufacturing orders for hospital clothing textiles placed by hospital clothing processors are hereby assigned a preference rating of A-2.

(c) *Application of preference rating.* Any hospital clothing processor, in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is applied, a certificate in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATE

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of hospital clothing or otherwise disposed of only as permitted in General Preference Order No. M-207 and or Schedule III thereto.

(Name of hospital clothing processor) _____ (Address) _____

By _____ (Signature and title of authorized officer) _____ (Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Such person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(d) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14):

(1) No manufacturer of hospital clothing shall after November 21, 1942, hold in his inventory a total quantity of hospital clothing textiles for such garments, such textiles in process of manufacture into such garments, and such completed garments in excess of such a total quantity as will be delivered out of his inventory within ninety days.

(2) No converter or finisher of hospital clothing textiles who purchases gray goods for bleaching, finishing, or processing into hospital clothing textiles for sale to a hospital clothing manufacturer shall after November 21, 1942, hold in his inventory any hospital clothing textiles in excess of the total quantity of such textiles, including such textiles in process, which will be delivered out of his inventory within ninety (90) days.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. D. Doc. 43-3228; Filed, March 1, 1943; 11:33 a. m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule IV to General Preference Order M-207]

WOMEN'S WORK CLOTHING

Section 3045.5 *Schedule IV to General Preference Order M-207* is hereby amended to read as follows:

§ 3045.5 *Schedule IV to General Preference Order M-207*—(a) *Definitions.* For the purposes of this schedule:

(1) "Women's work clothing" shall mean any garment designed especially for and to be sold as female workers' wear while engaged in industrial and agricultural occupations, of the following types, manufactured subject to the provisions of Limitation Order L-85 and the special restrictions hereinbelow set forth applicable to such types:

(i) Work dress of wrap around or coat style manufactured in accordance with the following restrictions:

(a) No pockets other than two plain pockets.
(b) No flaps on pockets.
(c) No contrasting trimming, stitching, binding or piping.
(d) No embroidered trim.
(e) No pleated, shirred or tucked trimming.

(ii) Work jackets, work shirts, work overalls, work coveralls, work slacks, and bench type work aprons, manufactured in accordance with the following restrictions:

(a) No pockets other than two plain pockets.
(b) No flaps on pockets.
(c) No contrasting trimming, stitching, binding or piping.
(d) No embroidered trimming.
(e) No pleated, shirred or tucked trimming.
(f) No cuffs or simulated cuffs.

(iii) Work caps or head coverings of cap or triangular scarf design made only to meet safety needs or to conform with safety codes.

(iv) Work skirts of a plain or not-more-than-six gored design manufactured in accordance with the following restrictions:

(a) No pockets other than one plain pocket.
(b) No flaps on pocket.
(c) No contrasting stitching, trimming, binding or piping.
(d) No embroidered trim.

(2) "Women's work clothing textiles" shall mean

(i) Cotton sewing thread and the following fabrics made wholly of carded cotton, either in the gray, original mill, regular finish, or converted state, including seconds, but excluding cuts of less than 20 yards as produced in the ordinary course of fabric manufacture;

Denims:
White back, 28" to 29" width basis:

Regular finish weight basis	*Shrunk weight basis*
2.20 yard	2.00 yard
3.00 yard	2.70 yard

Denims:
Light weight, 35" to 36", 2.70 yard.
Pin checks:
38", 2.65 yard.
Sheetings, Gray:
40" 48/48, 2.85 yard.
Twills, Gray:
37", 2.35 yard.
37", 2.85 yard.
Print cloth, Gray:
38½, 64 x 60, 5.35 yard (for use only in work shirts, work caps and head coverings).

(ii) Pro rata widths of same count and weight to the above constructions.

(3) "Women's work clothing processor" shall mean:

(i) A person who purchases women's work clothing textiles for manufacturing, or to be manufactured for his account, into women's work clothing for sale or rental, and any Federal, state, county or municipal institution engaged in the manufacture of women's work clothing,

(ii) The converter or finisher of women's work clothing textiles who bleaches, finishes or processes women's work clothing textiles for sale to a processor of women's work clothing as defined in paragraph (a) (3) (i).

(b) *Assignment of preference rating.* Purchase or manufacturing orders for women's work clothing textiles placed by women's work clothing processors are hereby assigned a preference rating of A-2.

(c) *Revocation of preference rating heretofore assigned.* The preference rating of A-2 assigned by this schedule as heretofore issued to orders for certain textile fabrics placed by women's work clothing processors is hereby revoked with respect to the undelivered portions of orders for any such textile fabrics which do not fall within the definitions of "women's work clothing textiles" as herein contained.

(d) *Restrictions on use of textiles secured pursuant to rating.* Notwithstanding the provisions of paragraph (c) (1) of General Preference Order M-207, no women's work clothing processor shall use or process any textile fabrics secured pursuant to the application of the rating assigned by this schedule as heretofore or as presently issued:

(1) In the manufacture of any garments which do not fall within the definition of "women's work clothing" as herein contained, except that any such fabrics which have on March 1, 1943, been cut may be manufactured into garments falling within such definition as contained in this schedule as heretofore issued; or

(2) By dyeing, printing or finishing them in any shades other than bleached or plain shades; or

(3) In the manufacture of any women's work clothing which is not visibly stamped, or labeled by machine stitching, on the outside of the garment (or in the center inside neck) with the following marking:

Manufactured for use by female industrial and agricultural workers.

(e) *Application of preference rating.* Any women's work clothing processor in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase order placed by him to which the rating is applied, a certificate in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an officer duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of women's work clothing or otherwise disposed of only as permitted in General Preference Order M-207 and or Schedule IV thereto.

(Name of Purchaser) _____

By _____ (Signature and title of Officer) _____

(Address) _____

(Date) _____

(f) *Restrictions on inventory.* (1) No manufacturer of women's work clothing shall hold in his inventory a total quantity of women's work clothing textiles, such textiles in process of manufacture into women's work clothing and women's work clothing in excess of such a total quantity as will be delivered out of his inventory within 90 days.

(2) No converter or finisher of women's work clothing textiles shall hold in his inventory any women's work clothing textiles in excess of the total quantity of such textiles, including such textiles in process, which will be delivered out of his inventory within 90 days.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3225; Filed, March 1, 1943; 11:33 a. m.]

PART 3144—WOODEN CONTAINERS FOR FRESH FRUITS AND VEGETABLES

[Limitation Order L-232]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials entering into the manufacture of wooden containers for defense, for private account and for export; and the following order is deemed necessary and

appropriate in the public interest and to promote the national defense:

§ 3144.1 *General Limitation Order L–232—(a) Definitions.* For the purpose of this order:

(1) "Wooden container" means any box, case, crate, hamper, round stave basket, splint basket, climax basket, till basket, or berry cup which (i) is made wholly or partially of lumber, veneer, or plywood, and (ii) is of a type customarily used for packing fresh fruits and vegetables for sale and/or shipment.

(2) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations[1] of The Secretary of Agriculture issued under the United States Standard Container Act of 1928,[2] "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations[3] of The Secretary of Agriculture issued under the United States Standard Container Act of 1916,[4] as amended.

(b) *Restrictions.* On and after March 4, 1943,

(1) No person shall commercially manufacture or assemble any wooden container which does not conform with the specifications of Schedule A of this order;

(2) No person shall commercially manufacture any wooden parts designed for any wooden container which, when assembled, will not conform with those specifications;

(3) No manufacturer, dealer in or commercial user of wooden containers shall imprint, or cause to be imprinted or stamped, on wooden containers for fresh fruits or vegetables any names, words or figures not required by law, or dye, stain or otherwise color such containers. This restriction shall not prohibit the attachment of paper or other separate labels.

(c) *Exceptions.* The restrictions of paragraph (b) above shall not apply to:

(1) The manufacture or assembly of wooden containers by any person from wooden parts cut to size by him before March 4, 1943: *Provided*, Such manufacture or assembly is completed by May 31, 1943;

(2) The assembly of wooden containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943: *Provided*, Such assembly is completed by May 31, 1943;

(3) The manufacture or assembly of wooden containers, or the manufacture of wooden parts for wooden containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, or the Department of Agriculture (for Lend-Lease purposes): *Provided*, The government agency's specifications require wooden containers which do not comply with paragraph (b);

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies: *Provided*, The government agency's specifications require wooden containers which do not comply with paragraph (b): *And provided further*, Such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L–232. The material ordered herewith is for that purpose only.

Company_____
By_____
Title_____ Date_____

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref.: L–232.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A—SPECIFICATIONS FOR WOODEN CONTAINERS.

TABLE I—HAMPERS, BASKETS, BERRY CUPS

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

	Type (1)	Dry capacity (2)
1.	Hampers	½, ⅝, 1 bu.
2.	Round stave baskets	½, 1 bu.
3.	Splint baskets (square-braid only)	8, 12, 16 qts.
4.	Splint baskets (square-braid and slab only)	24 qts.
5.	Climax baskets	4 12 qts.
6.	Till baskets (oblong only)	2, 4 qts.
7.	Till baskets (square only)	3 qts.
8.	Berry cups	½, 1 pt., 1 qt.

TABLE II—OTHER WOODEN CONTAINERS

(a) Specifications for the inside dimensions of wooden containers, other than those subject to Table I above, are set out under paragraph (d) below. "Inside depth" and "inside width" of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. "Inside length" of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to 1/8" under or up to 1/4" over the specified inside lengths is allowed. A tolerance of up to 1/8", plus or minus, in the specified inside depths and inside widths is allowed for shrinkage and mismanufacture.

(c) No cleats may be so used as to increase the inside dimensions, except where an asterisk appears in column (1) below, in which event cleats 3/8", 1/2", 5/8", 11/16", or 3/4" thick may be so used, and except where otherwise specified in any footnote under paragraph (d) below.

(d) Specifications for wooden containers subject to this table are as follows (the designation in column (1) is merely for identification and shall not be construed as restricting usage):

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box	*10½	11½	18.
2. Apple box	11	12½	16.
3. Apple box	11	13	17.
4. Apricot lug	4⅞	12½	16.
5. Artichoke box	9¾	11	20⅝.
*6. 4-basket crate	4¼	16	16.
*7. 4-basket crate	4½	16	16.
*8. 4-basket crate	4¾	16	16.
*9. 4-basket crate	5	16	16.
*10. Fruit box	3	11½	16.
*11. Fruit box	4½	11½	16.
*12. Fruit box	5½	11½	16.
13. Lug box	6 11/16	13½	16.
*14. L. A. lug box	5¾	13½	16.
*15. Lug box	4¾	13¾	16.
*16. Lug box	3¾	13½	21¼.
17. Berry crate	2 9/16	13½	18.
18. Berry crate	3	13½	18.
19. Berry crate	3½ or 3⅝	13½	18.
20. Berry crate	9 or 9½	9	18.
21. Berry crate	7½	11	22.
22. Berry crate	9	11	22.
23. Berry crate	3¾	11½	14.
*24. Cherry lug	3¾	11½	14.
*25. Cherry, apricot, prune lug	3¾	10½	14.
26. Cranberry box	9¼	10½	15.

*The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

[1] U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

[2] 45 Stat. 685; 15 U.S.C. 257.

[3] U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

[4] 39 Stat. 673; 15 U.S.C. 251.

[5] 45 Stat. 930; 15 U.S.C. 251.

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
27. Cranberry box	9½	11	13 13/16.
28. Fig box	1⅞	11	16.
29. Fig crate	1⅞	16	16.
30. Lemon box	9⅞	13	25.
31. Lime box	6	12	12.
32. California orange box	11½	11½	24.
33. Florida orange box	12	12	24.
34. ½ Florida orange box	9½	9½	19.
35. Pear box	8½	11½	18.
36. ½ Pear box	5½	11½	18.
37. Pear lug	6½	13½	20⅝.
38. Pineapple crate	10½	12	33.
39. California asparagus crate	10⅝	(9 or 9½ top 11 bottom	17 5/16 or 18.
40. Eastern asparagus crate	12⅝	(9¼ top 10½ bottom	17¼.
41. Avocado box	4½	13½	16.
42. Pony cantaloupe crate	11	11	22.
43. Standard cantaloupe crate	12	12	22.
44. Jumbo cantaloupe crate	13	13	22.
45. Standard honey dew crate	6¾	16	22.
46. Jumbo honey dew crate	7¾	16	22.
47. Persian melon crate	6¾	12	22.
48. Persian melon crate	7¾	14	22.
49. Cauliflower crate	8½	18	21⅝ to 22.
50. L. I. cauliflower crate	12⅞	14½	23.
51. Celery crate	20	11	20⅝.
52. Celery crate	9¾	16	20⅝.
53. Celery crate	5⅞	18	12⅝.
54. Celery crate, hearts	8	8	12⅝.
55. L. A. crate	13	17½	21⅝ to 22.
56. Special L. A. crate	13¾	17½	21⅝ to 22.
57. ½ Vegetable crate	9	13	21⅝ to 22.
58. Vegetable crate	8	12	22.
59. Eastern lettuce crate	7½	16	19.
60. Pepper crate	13⅜	11	22.
61. Bushel box	12	12	15.
62. Rhubarb box	9	11½	24⅝.
63. Rhubarb box	3 13/16	11½	24⅝.
64. Sweet potato crate	12 5/16	12 5/16	14 13/16 top, 15 1/16 bottom.

*The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

[F. R. Doc. 43-3234; Filed, March 1, 1943; 11:33 a. m.]

PART 3199—MALTED GRAINS AND MALT SYRUPS

[Conservation Order M-288]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of malted grains and malt syrups for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3199.1 *Conservation Order M–288—(a) Definitions.* For the purpose of this order:

(1) "Brewer" means any person engaged in the commercial manufacture of malt beverages in the continental United States.

(2) "Malt beverage" means beer, ale, stout, porter, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted grain with or without other food products, and with hops or hop extracts.

(3) "Malted grain" means barley, wheat, rye, or any other grain, which has been steeped in water, germinated, and dried.

(4) "Malt syrup" means any syrup or extract derived from malted grain, in whole or in part.

(5) "Minimum carload" means a rail shipment of such minimum quantity as the Office of Defense Transportation may establish as the minimum permitted carload in General Order 18, Revised (Code of Federal Regulations, Title 49, Chapt. II, Part 500, subpart C, 7 F.R.8337), as it may be amended or modified from time to time.

(6) "Use" of malted grain, means infusion into a mash; of malt syrup, it means introduction into the brewing process.

(7) "Quota period" means March 1 through May 31, 1943, inclusive, and each following three-month period.

(8) "Base period" means a period beginning and ending one year prior to the beginning and ending of the corresponding quota period.

(b) *Restrictions on use.* (1) No brewer, except as permitted in paragraph (b) (2), shall use during any quota period, in the manufacture of malt beverages, more than 93% of the quantity of malted grain, and more than 93% of the quantity of malt syrup, which he used for such purpose during the corresponding base period.

(2) Notwithstanding the limitations of paragraph (b) (1), any brewer whose total permitted use of malted grain, calculated pursuant to paragraph (b) (1), during the twelve calendar months beginning March 1, 1943, would not exceed 70,000 bushels, may use:

(i) During the twelve calendar months beginning March 1, 1943, not over 70,000 bushels of malted grain.

(ii) During any quota period, not over 100% of the malted grain which he used during the corresponding base period: *Provided, however*, That the use quota of a brewer having more than one plant shall be determined pursuant to paragraph (b) (1), and not this paragraph, unless the combined quotas of all his plants is less than 70,000 bushels.

(3) Except for the purpose of determining whether a brewer's permitted use of malt syrup and malted grain is governed by paragraph (b) (1) or paragraph (b) (2), the quotas assigned to a brewer having more than one plant shall be deemed assigned to each plant separately.

(c) *Restrictions on delivery.* (1) Except as permitted in paragraph (c) (2), no brewer may accept delivery of malted grain or malt syrup if his inventory is or by reason of such delivery would become in excess of the maximum permitted by paragraph (d).

(2) Nothing in this order shall be construed to require delivery of less than a minimum carload. Notwithstanding the limitations of paragraph (c) (1), any brewer having in his possession or under his control less than his permitted inventory of malted grain may accept delivery of a minimum carload of such grain.

(d) *Restrictions on inventory.* (1) On and after March 1, 1943, and except as authorized in paragraphs (c) (2), (d) (2), (d) (3), and (d) (4), no brewer shall permit his inventory of malted grain or brewer's malt syrup to exceed at any time 10% of the quantity of each such product used by him in the manufacture of malt beverages during 1942.

(2) Notwithstanding the restrictions of paragraph (d) (1), any brewer shall be permitted an inventory of malted grain not exceeding 4,000 bushels.

(3) On and after March 1, 1943, notwithstanding the restrictions of paragraph (d) (1), a brewer who is also engaged in the business of producing malted grain or brewer's malt syrup shall be permitted an inventory of each of such products not exceeding at any time during any month the maximum inventory of each of such products which he maintained at any time during the corresponding month of 1942.

(4) Any brewer having an inventory in excess of that permitted by this order is not required by this order to dispose of the excess and may retain it and use it at any time as permitted in paragraph (b).

(e) *Transfer of quotas.* Use and inventory quotas may be carried over from one quota period to another quota period only with the specific permission of the Director General for Operations. Application for such permission shall be made by letter setting forth the pertinent facts, the relief requested, and the reasons why such relief should be granted.

(f) *Existing contracts.* The fulfillment of existing contracts for the sale of malted grains and brewer's malt syrup is permissible only to the extent that such fulfillment does not violate the quota or inventory restrictions imposed by this order.

(g) *Miscellaneous provisions—(1) Applicability of regulations and orders.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations and orders of the War Production Board, as amended from time to time.

(2) *Reports.* All manufacturers of malted grain and brewer's malt syrup shall file with the Beverages and Tobacco

Division, War Production Board, Washington, D. C., a monthly report of production and disposition of such products on Form PD–816. The first reports submitted pursuant to the requirements of this paragraph shall cover January and February, 1943 operations, and shall be filed on or before March 10, 1943. In addition, all persons affected by this order shall file such other reports as the Director General for Operations may from time to time require.

(3) *Records.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, usage, and sales.

(4) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the Beverages and Tobacco Division, War Production Board, Washington, D. C. Ref. M–238.

(7) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3235; Filed, March 1, 1943; 11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 137,[1] Amendment 25]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.91, a new paragraph (t) is added as set forth below:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(t) (1) *Baltimore, Maryland.* Within the corporate limits of the City of Baltimore, Maryland the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.7 cents per gallon.

(2) *Washington, D. C.* Within the Washington, D. C. tank wagon area the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 14.2 cents per gallon.

* * * * * * *

This Amendment No. 25 shall become effective the 26th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3135; Filed, February 26, 1943; 4:23 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 71]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (c) (1) (viii) (*a*) is amended to read as follows:

(*a*) The maximum prices at the receiving tank for black oils produced in the fields designated below shall be:

Field:	Price per barrel
Black Mountain	$0.55
Byron	.70
Circle Ridge	.65
Dallas and Derby	.55
Frannie, light	.85
Frannie, heavy	.62
Garland	$0.60
Grass Creek, heavy	.65
Hamilton Dome	.60
Hudson (Lander)	.725
Maverick Springs	.6625
Notches	.75
Oregon Basin	.65
Pilot Butte	.80
South Casper Creek	.65
Poison Spider	.65
Spindletop	.65
Shoshone	.65
Salt Creek, Tensleep	.8285
Sheep Creek	.65

2. Section 1340.159 (c) (1) (viii) (*b*) is hereby revoked.

This amendment shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3133; Filed, February 26, 1943; 4:23 p. m.]

PART 1340—FUEL

[RPS 88,[2] Amendment 78]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (3), new subdivisions (xx) and (xxi) are added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * * (c) *Specific prices.* * * * (3) *Distillate fuel oils.* * * *

(xx) *Baltimore, Maryland.* Within the corporate limits of the City of Baltimore, Maryland, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	6.9
At the seller's yard for delivery into the buyer's tank wagons	7.15
Tank wagon deliveries to resellers	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	9.7
Tank wagon deliveries to consumers in quantities of less than 25 gallons	10.7

(xxi) *Washington, D. C.* Within the Washington, D. C. tank wagon area maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
At the seller's yard for delivery into the buyer's tank wagons	8
Tank wagon deliveries to resellers	10.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.2
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.7

This Amendment No. 78 shall become effective the 26th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3136; Filed, February 26, 1943; 4:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 310 Under § 1499.3 (b) of GMPR]

B. B. CHEMICAL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1746. *Approval of maximum prices for sales of certain products manufactured by the B. B. Chemical Company, Cambridge, Massachusetts.* (a) The maximum prices for sales by the B. B. Chemical Company, Cambridge, Massachusetts of the following products manufactured by that company delivered prior to the effective date of this Order, shall be the prices set forth below:

Product:	Maximum p... per gallon
93–7 cement	$4.57
25–10 cement	3.94

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1260, 1457.

[2] 7 F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 5854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 8586, 8701, 8741, 8829, 8938, 8948, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1260, 1457, 1512, 1518, 1642, 1709, 2023, 2105, 2267, 2119, 2334, 2349, 2273, 2400.

Product—Continued	Maximum price per gallon
25–72 cement	$4.45
33–15 cement	3.93
10–32 Sealant	4.14
25–71 cement	4.80
25–7 lt. cement	4.45
1043 adhesive	3.44
10–63 cement	4.18

The above prices are for deliveries in five gallon drums, f. o. b. Cambridge, Massachusetts.

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of the most closely comparable product by the B. B. Chemical Company shall apply to each maximum price set forth in paragraph (a).

(c) The prices established by this order shall not be used as the basis for the calculation of maximum prices for the sale of the same or similar commodities under any maximum price regulation in which reference might be made to the prices established herein.

(d) This Order No. 310 may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3134; Filed, February 26, 1943; 4:23 p. m.]

PART 1300—PROCEDURE

[Procedural Reg. 9,[1] Amendment 4]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation 9 is amended in the following respects:

1. Section 1300.605 (c) is amended to read as follows:

(c) The State Director may, at the request of the appellant, order that a hearing be held on the appeal. The hearing shall be conducted by the State Director or a presiding officer designated by him. The presiding officer shall preside at the hearing, administer oaths and affirmations, and rule on the admission and exclusion of evidence.

2. Section 1300.605 (d) is renumbered as § 1300.605 (f) and a new § 1300.605 (d) is added to read as follows:

(d) Notice of any hearing to be held pursuant to this regulation shall be served on the respondent not less than three days prior to such hearing. The notice shall state the time and place of the hearing and the purpose for which the hearing is to be held.

3. Section 1300.605 (e) is renumbered as § 1300.605 (g) and a new § 1300.605 (e) is added to read as follows:

(e) Any hearing held pursuant to this regulation shall be conducted in such manner as will permit the respondent to present evidence and argument to the fullest extent compatible with fair and expeditious determination of the issues raised in the hearing. To this end:

(1) The respondent shall have the right to be represented by counsel of his own choosing.

(2) The rules of evidence prevailing in courts of law or equity shall not be controlling.

(3) The presiding officer, having due regard to the need for expeditious decision, shall afford reasonable opportunity for cross examination of witnesses.

4. Section 1300.611 (b) is amended to read as follows:

(b) *Region II.* New York: Binghamton, New York, Albany, Buffalo, Rochester, Syracuse; New Jersey: Camden, Newark, Trenton; Pennsylvania: Altoona, Harrisburg, Philadelphia, Pittsburgh, Scranton, Williamsport; Maryland: Baltimore; Delaware: Wilmington; Washington, D. C.: Washington, D. C.

5. Section 1300.611 (h) is amended to read as follows:

(h) *Region VIII.* Arizona: Phoenix; California: Fresno, Los Angeles, San Francisco, San Diego; Nevada: Reno; Oregon: Portland; Washington: Seattle.

This amendment shall become effective March 5, 1943.

(Pub. law 507, 77th Cong.; W.P.B. directive No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3172; Filed, February 27, 1943; 11:52 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 14]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1315.201 (a) (32) and 1315.807 (a) are revoked; §§ 1315.151 and 1315.1198 are amended, as follows:

§ 1315.151 *Territorial limitations.* Ration Order No. 1A shall be effective throughout the forty-eight states of the United States and the District of Columbia.

§ 1315.1198 *Effective date of Ration Order No. 1A.* (a) Ration Order No. 1A (§§ 1315.151 to 1315.1198, inclusive) shall become effective December 1, 1942.

(b) Ration Order No. 1A (§§ 1315.151 to 1315.1198, inclusive) supersedes War Production Board Supplementary Order No. M–15–c, as amended, and the revised tire rationing regulations, as amended: *Provided, however,* That any violations which occurred or rights or liabilities which have arisen prior to the effective date of this Ration Order No. 1A shall be governed by the orders, regulations, and amendments thereto, in effect at the time such violations occurred or such rights or liabilities arose; *And provided, further,* That the revised tire rationing regulations, as amended, shall remain in full force and effect in the territories and possessions of the United States until superseded by regulations or orders issued by the Office of Price Administration.

This amendment shall become effective March 1, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3173; Filed, February 27, 1943; 11:52 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,* Amendment 26]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

§ 1394.8206b (a) (2) is amended to read as follows:

(a) Every distributor shall deposit in his account all gasoline coupons or other evidences (including checks) received by him: *Provided,* That a distributor shall not deposit:

* * * * * *

(2) Any Class A coupon before it has become valid or more than fifteen (15) days after the date of expiration of such coupons, except that Class A book coupons numbered "3" may be deposited on or before March 20, 1943.

This amendment shall become effective March 5, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3174; Filed, February 27 1943; 11:52 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 14]

FIREWOOD

Firewood is the principal domestic heating fuel in the States of Washington and Oregon and in the northern part of the State of Idaho. The rationing of fuel oil has recently been extended to most of this area, and if labor and trans-

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8796; 8 F.R. 856, 1838, 2030.

[1] 7 F.R. 9160, 9392, 9724.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1695, 2098, 2213, 2288.

portation shortages continue to affect the coal supply in the area, the demand for firewood will increase.

Higher wage scales and more attractive employment opportunities have drawn manpower from firewood and coal mining operations in the Pacific Northwest to shipbuilding and other war industries. At the same time, the influx of labor to meet the needs of industry has swelled the population, particularly in the urban centers. These factors have created a serious uncertainty as to the adequacy of firewood supplies, which uncertainty is aggravated by the demands of the armed forces for fuel. Although intensive efforts are being made, there can be no positive assurance of adequate supplies of coal and fuel oil, and the scarcity of those fuels will intensify the demand for firewood.

In view of these circumstances, it is desirable to obtain all pertinent data respecting the supply and distribution of firewood in the affected area through registration and monthly reports of dealers, and, at the same time, to permit the Regional Administrator, wherever he finds that conditions in a particular locality so require, to issue orders for the purpose of assuring a fair distribution of the available supply among consumers.

§ 1394.9201 *Rationing of firewood.* Under the authority vested in the Office of Price Administration and the Price Administrator by Executive Order No. 9125 issued by the President on April 7, 1942, by Directive No. 1 and Supplementary Directive No. 1-U of the War Production Board issued January 24, 1942, and February 10, 1943, respectively, Ration Order No. 14 (Firewood), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1394.9201 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 597, 77th Cong.; Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-U, 8 F.R. 1835; E.O. 9125, 7 F.R. 2719.

RATION ORDER NO. 14—FIREWOOD

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SECTION 1.1 *This order applies only in "limitation area."* Except as otherwise expressly provided, this order applies only within the States of Washington and Oregon and the following counties in the State of Idaho: Boundary, Bonner, Kootenai, Benewah, Latah, Nez Perce, Shoshone, Clearwater, Lewis and Idaho (hereafter called the "limitation area").

SEC. 1.2 *Dealers required to register.* (a) Any person who customarily delivers a total of more than four (4) cords of firewood a month from any place or places within the Limitation Area to consumers within or without the limitation area, or from any place or places without the Limitation Area to consumers within the limitation area, is a dealer.

(b) Every dealer shall register, within the registration period fixed by the Regional Administrator, by filing a dealer registration certificate on Form OPA R-1404. The dealer shall furnish all the information required by the form and file the form, in duplicate, in person or by mail, with the district office of the Office of Price Administration for the area in which he has a place of business. Every dealer who delivers firewood into the limitation area from a place of business outside the limitation area shall register at the district office in the limitation area nearest to his place of business.

(c) Every dealer shall make a separate registration for each place of business in the limitation area from which deliveries of firewood are made and for each place of business outside the limitation area from which deliveries of firewood into the limitation area are made.

(d) Upon approval of the dealer's registration, one copy of the dealer registration certificate will be returned to him appropriately marked.

(e) No dealer may deliver firewood to any person unless he has properly filled in and filed a dealer registration certificate.

SEC. 1.3 *Dealers required to report.* On or before the fifth day of each month, beginning with the 5th day of April, 1943, every registered dealer shall file, in person or by mail, with the district office, or offices, at which he is registered, a report on Form OPA R-1408 furnishing the information for the preceding month required by the form.

SEC. 1.4 *Regional Administrator may establish delivery and other restrictions.* Whenever the Regional Administrator finds that conditions affecting the supply or distribution of firewood in a locality or localities in the limitation area so require, he may issue an order, effective in such locality or localities, and for such period, as may be stated in the order. Such orders may be issued from time to time and may contain any one or more of the following provisions:

(a) Prohibiting dealers from delivering firewood to any consumer, and consumers from accepting any delivery of firewood, where the consumer has in his possession more than thirty (30) days' requirements of firewood and other fuel for heating, hot water, or cooking purposes. The order shall not, however, prohibit any single delivery of firewood by means of a transportation facility, generally used in such delivery, which brings the total amount of fuel in the consumer's possession to more than thirty (30) days' (but not more than sixty (60) days') requirements;

(b) Allocating or giving priorities to deliveries of firewood, upon such conditions as he may designate;

(c) Directing that dealers accept orders for and deliver dry wood to the extent that they have dry wood on hand, before accepting orders for or making deliveries of green wood.

SEC. 1.5 *Certain government agencies not affected.* Nothing in this order or in any order issued by the Regional Administrator shall be construed to limit the quantity of firewood which may be acquired by or for the account of:

(a) The Army, Navy, Maritime Commission, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Commission for Aeronautics, Office of Scientific Research and Development, and Office of Lend-Lease Administration, of the United States; or

(b) Any government agency or other person acquiring firewood for export to and for consumption or use in any foreign country.

SEC. 1.6 *Prohibited acts.* (a) Regardless of any agreement or commitment, no person shall deliver or receive a delivery of firewood except in accordance with this order and with any order issued hereunder by the Regional Administrator.

(b) No person shall make any false or misleading statement or entry in any document or record required to be filed or kept under this order or any order issued hereunder by the Regional Administrator.

(c) No person shall offer, solicit, attempt or agree to do any act in violation of this order or any order issued hereunder by the Regional Administrator.

SEC. 1.7 *Suspension orders.* Any person who violates this order or any order issued hereunder by the Regional Administrator may, by suspension order issued by the Administrator of the Office of Price Administration or the Regional Administrator, or under the authority of either of them, be prohibited from receiving any deliveries of, or selling or using or otherwise disposing of, any firewood or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator or Regional Administrator, or of such person as either of them may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

SEC. 1.8 *Terms explained.* (a) When used in this order, the term:

"Consumer" means any person who uses firewood or who acquires firewood for his own use;

"Dealer" means any person who customarily delivers a total of more than four (4) cords of firewood a month from any place or places within the Limitation Area to consumers within or without the Limitation Area, or from any place or places without the Limitation Area to consumers within the Limitation Area;

"Delivery" means any transfer of possession, directly or indirectly;

"Firewood" means any wood or wood products commonly known as firewood, including forest cordwood, slabwood; mill ends, edgings or other millwaste; kindling wood, shavings, hogged fuel, and sawdust, including sawdust pressed into logs or bricks;

"Person" means any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing;

"Regional Administrator" means the Regional Administrator of the Office of Price Administration for Region VIII.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall include the feminine and neuter.

Effective Date

This ration order shall become effective March 1, 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3175; Filed, February 27, 1943; 11:52 a. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[Rev. MPR 125,[1] Amendment 1]

NONFERROUS FOUNDRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1395.12 to read as set forth below:

§ 1395.12 *Applications for adjustment and petitions for amendment.* • • •

(c) *Petition for amendment of Maximum Price Regulation No. 125.*[2] Petitions for the amendment of Maximum Price Regulation No. 125 filed with the Office of Price Administration prior to February 1, 1943, may be treated by the Office of Price Administration as applications for adjustment under paragraph (a) of this section and, in appropriate cases, the Office of Price Administration may adjust any maximum price involved in such petition by an order effective as of May 11, 1942 or such subsequent date as the Price Administrator deems proper.

This amendment shall become effective this 5th day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3176; Filed, February 27, 1943; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 305 Under § 1499.3 (b) of GMPR]

STEEL & TIN PRODUCTS COMPANY

Approval of maximum prices for one gallon oyster cans.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1741 *Authorization to Steel & Tin Products Company for sale of one gallon oyster cans.* (a) On and after the effective date of this Order No. 305 specific authorization is hereby given to Steel & Tin Products Company, of Baltimore, Maryland, to sell and deliver one gallon oyster cans at a price not to exceed $71.30 per thousand packed in bags, and $72.80 per thousand packed in cartons, f. o. b. Baltimore, Maryland. Any person may buy and receive or offer to buy and receive such cans at such maximum prices from Steel & Tin Products Company.

(b) This Order No. 305 may be revoked or amended at any time by the Office of Price Administration.

(c) This order shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3177; Filed, February 27, 1943; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 307 Under § 1499.3 (b) of GMPR]

GENERAL MILLS INC.

General Mills Inc., of Minneapolis, Minnesota made application for an authorization of a maximum price for the sale of tapioca flour per 100 pounds f. o. b. Minneapolis, Minnesota. Due consideration has been given to the application and it appears from the facts alleged that this commodity cannot be priced for the seller under § 1499.2(b) of the General Maximum Price Regulation. For reasons set forth in an opinion in support of this order, issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1499.3(b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1743 *Approval of a maximum price for sales of tapioca flour per 100 pounds f. o. b. New York, New York by General Mills Inc.* (a) General Mills Inc., Chamber of Commerce Building, Minneapolis, Minnesota, may sell and deliver, and any person may buy and receive from General Mills Inc., tapioca flour at a maximum price not to exceed $6.50 per 100 pounds.

(b) This Order No. 307 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 307 (§ 1499.1743) shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3178; Filed, February 27, 1943; 11:53 a. m.]

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Supplement 1]

FOOD RATIONING FOR INSTITUTIONAL USERS

§ 1305.203 *Average point values of processed foods, December use factor, and allowance per person—*(a) *Average point values (to be used in determining opening inventory and December use of processed foods).*

Class of processed foods	*Average point-value per pound*
Canned and bottled; dry peas, beans and lentils	11
Frozen	13
Dried and dehydrated fruits, soups and soup mixtures	18

(b) *December use factors (for determining percentage reduction of December use of rationed foods).*

Rationed food	*December use factor (percent)*
Processed foods	80
Sugar:	
1. If month used in determining the base under this order was after April 1942	100
2. If month used in determining the base was April 1942 or earlier	60
Coffee:	
1. If month used in determining the base under this order was after August 1942	100
2. If month used in determining the base was August 1942 or earlier	85

(c) *Allowance per person.*

Rationed food	*Allowance per person (points)*
Processed foods	.6
Sugar	.03
Coffee	.013

This supplement shall become effective 12:01 a. m. on March 1, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 5, 8 F.R. 2251)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3182; Filed, February 27, 1943; 3:54 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1271.

[2] 7 F.R. 3203, 3990, 7249, 8878, 8948, 10780; 8 F.R. 1271.

[1] 8 F.R. 2195, 2348.

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Amendment 2]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 3.2 (f) (1) is amended to read as follows:

(1) The amount in pounds in each of the following classes is determined:

(i) Canned and bottled; dry peas, beans and lentils;

(ii) Frozen;

(iii) Dried and dehydrated fruits, soups and soup mixtures.

This amendment shall become effective 12:01 a. m., March 1, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M, and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 6, 8 F.R. 2251)

Issued this 27th day of February 1943.

PRENTISS BROWN,
Administrator.

[F. R. Doc. 43-3181; Filed, February 27, 1943; 3:54 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 296,[1] Amendment 1]

FLOUR FROM WHEAT, SEMOLINA AND FARINA

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraphs III (b) and III (c) (iii) and paragraph V of § 1351.1666. *Appendix A*, are amended to read as set forth below:

§ 1351.1666 *Appendix A.* * * * *

III. *Maximum prices for cake flour and other soft wheat bakery flour packed in 98 pound cotton bags, in carload quantities, delivered at specified destinations.* * * *

(b) At destinations in the following States: Kentucky, Tennessee, Alabama, Mississippi, Georgia, Florida, North Carolina, and South Carolina, the maximum prices for cake flour and other soft wheat bakery flour shall be $9.25 per barrel for cake flour, $8.10 per barrel for other soft wheat bakery flour with an ash content of .41% or less, and $7.60 per barrel for other soft wheat bakery flour with an ash content greater than .41%, plus such one of the following rail charges as results in the lowest delivered price: (i) the lowest carload proportional rail rate from Memphis, Tennessee; Cairo, Illinois; or Evansville, Indiana, to the destination; or (ii) the lowest carload proportional rail rate from Louisville, Kentucky, or Cincinnati, Ohio, to the destination, applicable on billing originating in Ohio and Indiana.

(c) At destinations in all states except those mentioned in paragraphs (a) and (b) hereof, the maximum prices shall be computed as follows:

* * * * * *

(iii) For flour milled in any state other than those mentioned in subparagraphs (i) and (ii) hereof, the maximum prices shall be $9.60 per barrel for cake flour, $8.45 per barrel for other soft wheat bakery flour with an ash content of .41% or less, and $7.95 per barrel for other soft wheat bakery flour with an ash content greater than .41%, less the charge at the lowest flat domestic carload rail rate from the milling point to New York City, plus the charge at the lowest flat domestic carload rail rate from the milling point to the destination: *Provided*, That, at or within twenty-five miles of the milling point, the maximum price for carload quantities shall be the price obtained by deducting the transportation charge to New York City as directed in this subparagraph (iii) and then adding 20¢ per barrel.

* * * * *

V. *Maximum prices for family flours in carload quantities, packed in 98 pound cotton sacks, delivered at specified destinations.* The maximum prices for family flour in carload quantities, packed in 98 pound cotton sacks delivered at destinations in the various states and the District of Columbia, shall be as follows:

	Per barrel
Colorado, east of the Rocky Mountains	$7.25
Montana, Wyoming	7.50
Colorado, except east of the Rocky Mountains, Kansas, Nebraska, New Mexico, North Dakota, South Dakota	7.75
Oregon, Washington	8.00
Idaho	8.10
Arizona, Oklahoma, Utah	8.25
Iowa, Missouri	8.40
Texas	8.45
Arkansas, Minnesota	8.50
Nevada	8.75
Illinois	8.80
Indiana	8.90
Michigan, Ohio, Wisconsin	9.00
Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	9.20
California, New Jersey, New York	9.25
The New England States	9.30
Florida, Kentucky, Louisiana	9.80
Tennessee	10.05
Alabama, Georgia, Mississippi, South Carolina	10.15
North Carolina	10.25

This amendment shall become effective March 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3184; Filed, February 27, 1943; 3:54 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 40]

FUEL OIL RATIONING REGULATIONS

Subparagraph (4) of § 1394.5653 (f) is amended by inserting the phrase "or on such dates, not later than April 1, 1943, fixed for such purpose by any Regional Administrator for the region, or any part thereof, under his jurisdiction", after the phrase "on January 14, 15 or 16, 1943"; and subparagraph (3) of § 1394.5707 (b) is amended by inserting the phrase "or on such date, not later than April 1, 1943, fixed for such purpose by any Regional Administrator for the region, or any part thereof, under his jurisdiction" after the phrase "January 18, 1943"; subparagraph (4) of said paragraph (b) is amended by inserting the phrase "or on such dates, not later than April 1, 1943, fixed for such purpose by any Regional Administrator for the region, or any part thereof, under his jurisdiction" after the phrase "on January 22 or 23, 1943"; subparagraph (7) of said paragraph (b) is amended by inserting the phrase "or on such date, not later than April 1, 1943, fixed for such purpose by any Regional Administrator for the region, or any part thereof, under his jurisdiction", after the phrase "January 25, 1943"; and subparagraph (8) of said paragraph (b) is amended by inserting the phrase "or on such dates, not later than April 1, 1943, fixed for such purpose by any Regional Administrator for the region, or any part thereof, under his jurisdiction" after the phrase "on January 29, or 30, 1943".

This amendment became effective on February 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive 1–0, as amended, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3185; Filed, February, 1943; 3:54 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 41]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In §§ 1394.5255 (a) and 1394.5270 (c) the phrase "Form OPA R–1100 (Revised)" is amended to read "Form OPA R–1100 or Form OPA R–1100 (Revised)"; in § 1394.5260 (a) the phrase "Form OPA R–1101 (Revised)" is amended to read "Form OPA R–1101 or Form OPA R–1101 (Revised)"; in §§ 3194.5266 (a), 1394.5267, 1394.5268 (b), paragraphs (e) and (f) of § 1394.5269, §§ 1394.5402 (c), 1394.5403 (c), paragraphs (c) and (d) of § 1394.5451, §§ 1394.5452 (a), 1394.5603 (c), and 1394.5652 (a) the phrase "March 1, 1943" is amended to read "March 16, 1943"; in the text of paragraph (f) of § 1394.5653 the phrase "February 28, 1943" is amended to read "March 15, 1943", and in subparagraph (4) of said paragraph (f) the phrase "March 15 or 16, 1943" is amended to read "March

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348.

[1] 8 F.R. 158, 612.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 1316, 1235, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 1466, 2194, 535, 439, 444, 607, 608, 977, 1203, 1282, 1681, 1636, 859, 2432.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10780, 10707, 11118, 11071, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1235, 1282, 1466, 1681, 1636, 1859, 2194, 2432.

30 or 31, 1943"; in paragraph (a) of § 1394.5707 the phrase "March 1, 1943"; is amended to read "March 16, 1943"; in paragraph (b) of said section the phrase "February 28, 1943" is amended to read "March 15, 1943", and in subparagraph (3) of said paragraph (b) the phrase "March 23, 1943" is amended to read "April 8, 1943", in subparagraph (7) of said paragraph (b) the phrase "March 27, 1943" is amended to read "April 12, 1943", and in subparagraph (8) of said paragraph (b) the phrase "March 30, 1943" is amended to read "April 15, 1943".

This amendment shall become effective on February 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1–0; 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3186; Filed, February 27, 1943; 3:54 p. m.]

PART 1412—SOLVENTS

[MPR 295,[1] Amendment 2]

WEST COAST ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1412.165 (g) (1), item (1), "Raw materials, in the case of molasses, not to exceed an amount computed on the basis of $18.00 per ton of 48% sugar content," is amended to read "Raw materials."

A new subparagraph (9) is added to § 1412.162 (a), and §§ 1412.165 (a) and 1412.165 (b) are amended, as set forth below:

§ 1412.162 *Definitions.* (a) When used in this regulation, the term:

* * * * * *

(9) "Premium grade pure ethyl alcohol" means ethyl alcohol of acidity as acetic acid not exceeding 0.0014 gms. per 100 cc, containing non-volatile material not over 0.0025 gms. per 100 cc, having no foreign odor in either dilute or concentrated form, and testing not less than 40 minutes permanganate time determined by the following method: A glass stoppered cylinder is thoroughly cleaned, rinsed with distilled water and then with the alcohol to be tested. If the cylinder has been previously used in this test, it should be cleaned with strong hydrochloric acid to remove the oxides of manganese formed in testing previous samples. A 50 cc portion of the alcohol to be tested is introduced, the cylinder and contents cooled to approximately 15° Centigrade, and 2 cc of freshly prepared potassium permanganate solution containing 0.2 gm. per liter is added by means of a pipette, the exact time being noted. The contents are mixed at once by inverting the stoppered cylinder, which is then placed out of bright light and kept at 15° to 16° C until the test is finished. The number of minutes required for the complete disappearance of the pink color is the permanganate time of the alcohol.

* * * * * *

§ 1412.165 *Appendix A: Maximum prices for West Coast ethyl alcohol.* The following maximum prices are established for sales of West Coast ethyl alcohol of 188–191.6 proof, except where otherwise specified:

(a) *Sales by manufacturers in quantities of 50 gallons or more.* All prices listed in this paragraph are f. o. b. manufacturer's production point.

(1) *Heavy tonnage formulae*—(i) *Sales in tank cars or tank trucks.*

	Per gallon
CD12	$0.455
CD13	.455
CD14	.455
SD1	.455
SD2B	.43
SD3A	.435
SD12A	.43
SD23A	.45
SD23G	.485
SD23H	.45
Proprietary name solvent	.465

(ii) *Sales other than in tank cars or tank trucks.* For sales other than in tank cars or tank trucks, the following amounts per gallon may be added to the maximum prices established in subdivision (i) of this subparagraph:

Container	C. L.	L. C. L. Over 950 gallons	L. C. L. 50–950 gallons
Drums (50–55 gallons)	$0.08	$0.10	$0.13
Half drums (25–35 gallons)	.11	.13	.16
Barrels (50–55 gallons)	.15	.17	.20
Half barrels (25–35 gallons)	.22	.24	.27
5-gallon metal containers	.18	.20	.23
Containers of less than 5 gallons	.23	.25	.28

For sales in intermediate size containers not listed above, there may be added the per gallon differential for the next larger size container of the same general type, plus or minus the per gallon difference in cost between the container being used and the next larger size container.

(2) *Undenatured ethyl alcohol and other formulae of denatured ethyl alcohol*—(i) *Sales in tank cars or tank trucks, (a)* Undenatured (including pure) ethyl alcohol—$.43 per gallon. Premium grade pure ethyl alcohol—$.45 per gallon.

(b) Other formulae. The maximum price per gallon for denatured ethyl alcohol of a formula not listed in paragraph (a) above shall be a price determined as follows:

To the maximum tank car price for 100 gallons of SD2B ethyl alcohol, add 115 per cent of the net cost of the denaturants added to 100 gallons of undenatured ethyl alcohol to prepare the formula being priced; divide this total by the number of gallons of denatured ethyl alcohol thus obtained; round the figure so obtained to the nearest half cent, and add one cent. The resulting figure is the maximum tank car or tank truck price per gallon of the formula of denatured ethyl alcohol being priced.

"Net cost of the denaturants" means the delivered cost to the manufacturer of the denaturants actually used. Such "net cost" shall be determined in accordance with the accounting procedures in use by the manufacturer on September 30, 1942, for computing costs of material used, and shall not exceed the maximum delivered price to such manufacturer for such denaturants as established by any applicable regulation issued by the Office of Price Administration.

(ii) *Sales other than in tank cars or tank trucks.* For sales other than in tank cars or tank trucks, the following amounts per gallon may be added to the maximum prices established in subdivision (i) of this subparagraph:

Container	C. L.	L. C. L. Over 950 gallons	L. C. L. 50–950 gallons
Drums	$0.08	$0.115	$0.145
Half drums	.11	.145	.175
Barrels	.15	.185	.215
Half barrels	.22	.255	.285
5-gallon metal container	.21	.245	.275
Other 5-gallon container	.41	.445	.475
1 gallon	.60	.635	.665

For sales in other size containers not listed above, there may be added the per gallon differential for the next larger size container of the same general type, plus or minus the per gallon difference in cost between the container being used and the next larger size container.

(3) *Undenatured and denatured ethyl alcohol of proof higher than 191.6.* For sales of undenatured (including pure) ethyl alcohol of higher than 191.6 proof and formulae of denatured ethyl alcohol based on ethyl alcohol of higher than 191.6 proof the following amounts per gallon may be added to the maximum prices established in paragraphs (1) and (2) above:

	Per gallon
Over 191.6 and less than 199.5 proof	$0.01
199.5–200 proof	.045

(b) *Denatured ethyl alcohol sold on a toll basis.* Where denatured ethyl alcohol, made with denaturants furnished by the buyer, is sold by a manufacturer, the buyer shall pay the freight on the denaturants to the denaturing plant, and the manufacturer may charge for every gallon of undenatured ethyl alcohol supplied, the maximum prices established in this regulation for undenatured ethyl alcohol of the same type and proof sold in the same quantity in identical containers and, in addition 1½¢ per gallon of denatured ethyl alcohol thus produced.

* * * * * *

This amendment shall become effective March 1, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 11115; 8 F.R. 129.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3188; Filed, February 27, 1943; 4:03 p. m.]

PART 1315—ADMINISTRATION

[Ration Order 1A, Amendment 12]

TIRES, TUBES, RECAPPING AND CAMELBACK

Correction

In § 1315.804 (d) (2) appearing on page 2349 of the issue for Wednesday, February 24, 1943, the word "thread," wherever it appears, should read "tread."

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

RAILWAY BRIDGE NEAR TAVARES, FLA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the special regulations governing the operation of the Seaboard Air Line Railway Company bridge across Dead River, connecting Lake Eustis and Lake Harris, near Tavares, Florida are hereby amended as follows:

§ 203.434 *Dead River, Fla.; bridge of Seaboard Air Line Railway Company near Tavares, Fla.* (a) The owner of, or agency controlling, the bridge will not be required to open the drawspan of the above-named bridge between the hours of 8:00 p. m. and 1:00 p. m. the following day, except as provided in paragraph (c).

(b) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw between the hours of 1:00 p. m. and 8:00 p. m. thirty (30) minutes advance notice shall be given [illegible]

stream sides of the bridge, in a manner that it can easily be read at any time, a copy of these regulations, together with a notice stating exactly how the representative specified in paragraph (b) may be reached. [Regs. February 15, 1943 (CE 823 (Dead R.—Tavares, Fla.) (mile 3)—SPEON)]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3150; Filed, February 27, 1943; 10:44 a. m.]

PART 204—DANGER ZONE REGULATIONS

ABERDEEN PROVING GROUND, MARYLAND

Pursuant to the provisions of Chapter XIX of the Army Act approved July 9, 1918 (40 Stat. 892; 33 U.S.C. 3), the restricted area defined in § 204.30 (a) (1) (7 F.R. 2404) is hereby redefined; the description of the restricted area being amended as follows:

§ 204.30 *Chesapeake Bay—(a) United States Army Proving Ground Reservation, Aberdeen, Md.—(1) Restricted area defined.* The following indicates the limits of the waters of or adjacent to the Aberdeen Proving Ground, Maryland, and inside of which boundaries will lie the restricted area known as the Aberdeen Proving Ground, Maryland.

Beginning at a point on the westerly side of Chesapeake Bay, at the south side of the mouth of Swan Creek, Harford County, Maryland, the most northerly point of the reservation known as Plum Point; thence southeasterly along the low water mark on the shore of Chesapeake Bay to and across the north entrance of Spesutie Narrows to and thence along the low water mark on the north shore of Spesutie Island to Locust Point; thence along straight line from Locust Point to Turkey Point for a distance of approximately 1,400 yards; thence following a line parallel with and 1,000 yards from the low water mark on the easterly shore of Spesutie Island to a point 1,000 yards due southeast of Sandy Point; thence approximately south [illegible]

ing the reservation boundary line to shore of Bush River, and along its western shore to Fairview Point; thence northeast in a straight line across Bush River to concrete monument No. 64, located on the eastern shore of Bush River, south of Chelsed; thence along the eastern shore of Bush River northerly to the mouth of Sod Run; thence by a broken line along the boundary of the reservation to Swan Creek; and thence in a straight line to Plum Point. (The above description may be traced on Coast and Geodetic Chart No. 1226).

[Regs. February 19, 1943 (CE 671.1 (Aberdeen Proving Ground)—SPEON)]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3139; Filed, February 27, 1943; 10:22 a. m.]

Chapter III—Coast Guard: Inspection and Navigation

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by Rules 7, 12, R.S. 4233, as amended; sec. 1, Rule 7, 28 Stat. 646; sec. 1, 29 Stat. 54–55, 34 Stat. 136; sec. 2, 30 Stat. 102, 38 Stat. 381; sec. 14, 35 Stat. 428; sec. 15, 38 Stat. 1184; sec. 2, 23 Stat. 118, as amended; 54 Stat. 163, 166; R.S. 4405, as amended (33 U.S.C. 316, 321, 256, 474, 157, 152, 365, 46 U.S.C. 2, 526, 526p, 375), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation regulations are prescribed:

PART 304—TOWING OF BARGES

Section 304.5 is amended to read as follows:

§ 304.5 *Reporting violations.* Any violation of the regulations in this part shall be reported in writing as soon as practicable to the district Coast Guard officer most convenient to the officer or other person who may witness the violation.

[illegible]

equally spaced and in such number as to mark distinctly the entire length and course of the line, the intervals between lights where the line crosses navigable channels to be not more than 30 feet.

Part 312 is amended by inserting a new center heading to follow § 312.33 and to read as follows: "Unauthorized Use of Lights; Unnecessary Whistling"

PART 322—PILOT RULES FOR THE GREAT LAKES

Section 322.17 is amended to read as follows:

§ 322.17 *Lights for boats navigating only on the River St. Lawrence.* The lights for boats of all kinds navigating only on the River St. Lawrence as far east as Montreal shall be the same as required by law for vessels navigating the Great Lakes, and as required by the rules of the Commandant, for ferryboats, rafts, canal boats, and watercraft propelled by hand power, horsepower, or by the current of the river.

Section 322.18 is amended by changing the last undesignated paragraph thereof to read as follows:

§ 322.18 *Lights for ferryboats.* * * *

Merchant marine inspectors in charge in districts having ferryboats shall, whenever the safety of navigation may require, designate for each line of such boats a certain light, white or colored, which shall show all around the horizon, to designate and distinguish such lines from each other, which light shall be carried on a flagstaff amidships, 15 feet above the white range lights.

PART 323—ANCHORAGE AND NAVIGATION REGULATIONS; ST. MARY'S RIVER, MICHIGAN

Section 323.31 is amended by changing the first undesignated paragraph thereof to read as follows:

§ 323.31 *Small craft.* Motorboats as defined by section 1 of an Act of Congress approved April 25, 1940 (54 Stat. [illegible]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

PREMIUM WAIVERS AND TOTAL DISABILITY

Section 10.3444 is being added as follows:

§ 10.3444 *National Service Life Insurance issued pursuant to section 602 (d) (3) (A), National Service Life Insurance Act, as amended.* In any case where a veteran has National Service Life Insurance in force by the payment of premiums in a sum in excess of $5,000 and his application for waiver of premiums under section 602 (n) is denied because of a finding that he became totally disabled prior to the issuance of the insurance and is entitled to waiver of premiums under section 602 (d) (3), National Service Life Insurance Act, as amended, he will be advised of his right to surrender any of such insurance in excess of $5,000 and obtain a policy of insurance in the amount allowable under section 602 (d) (3) of the National Service Life Insurance Act, as amended, that is, an amount of insurance not in excess of $5,000, which together with any other United States Government Life Insurance or National Service Life Insurance then in force, will not exceed in the aggregate $10,000. He will also be advised that he may continue the remaining National Service Life Insurance in force by the payment of premiums. Application for gratuitous insurance must be made within the statutory time limit. (March 1, 1943.)

(38 U.S.C.A. 802 (d) (3))

[SEAL]

FRANK T. HINES,
Administrator.

[F. R. Doc. 43-3154; Filed, February 27, 1943; 11:16 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

[illegible]

§ 25.1-6 *Approved lights.* Six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941, navigation lights installed, fitted, or replaced on motorboats shall be of an approved type: *Provided,* That navigation lights installed, fitted, or replaced on a motorboat prior to the termination of the aforesaid period may be continued in service on said motorboat provided they are of such character, and so located, arranged, and illuminated as to comply with the requirements in this part: *Provided further,* That any such navigation lights temporarily removed and later placed in the position from which removed on any such motorboat shall not be considered as an installation, fitting or replacement.

Section 25.2-1 (b) is amended to read as follows:

§ 25.2-1 *Where required.* * * *

(b) Whistles or other sound-producing mechanical devices which comply with the requirement in effect on April 24, 1940, may be continued in service until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

Section 25.4-2 is amended to read as follows:

§ 25.4-2 *Existing equipment.* All life preservers, buoyant cushions, or ring buoys which are permitted by § 25.4-1 and which comply with the requirements of the regulations in effect on April 24, 1941, may be continued in service until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

Section 25.5-2 is amended to read as follows:

§ 25.5-2 *Existing equipment.* Motorboats having on board fire extinguishers of the type which complied with the requirements in effect on April 24, 1941, and which are in good and serviceable condition are not required to carry approved fire extinguishers until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

[illegible]

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3188; Filed, February 27, 1943; 4:03 p. m.]

PART 1315—ADMINISTRATION

[Ration Order 1A, Amendment 12]

TIRES, TUBES, RECAPPING AND CAMELBACK

Correction

In § 1315.804 (d) (2) appearing on page 2349 of the issue for Wednesday, February 24, 1943, the word "thread," wherever it appears, should read "tread."

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

RAILWAY BRIDGE NEAR TAVARES, FLA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the special regulations governing the operation of the Seaboard Air Line Railway Company bridge across Dead River, connecting Lake Eustis and Lake Harris, near Tavares, Florida are hereby amended as follows:

§ 203.434 *Dead River, Fla.; bridge of Seaboard Air Line Railway Company near Tavares, Fla.* (a) The owner of, or agency controlling, the bridge will not be required to open the drawspan of the above-named bridge between the hours of 8:00 p. m. and 1:00 p. m. the following day, except as provided in paragraph (c).

(b) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw between the hours of 1:00 p. m. and 8:00 p. m., thirty (30) minutes advance notice shall be given to the draw tender, who will be on duty at the bridge. Upon receipt of such notice, the said draw tender, or an authorized representative of the owner of, or agency controlling, the bridge, in compliance therewith, shall arrange for the prompt opening of the draw.

(c) The drawspan shall be opened daily between the hours of 7:00 a. m. and 8:00 a. m., and 5:00 p. m. and 6:00 p. m. to allow the passage of United States Coast Guard Reserve patrol boats operating in connection with Leesburg Army Air Base. In the event of an emergency which requires additional opening for passage of United States Coast Guard Reserve boats, the drawspan will be promptly opened upon receipt of notice given the bridge tender by the United States Coast Guard Reserve representative.

(d) The owner of, or agency controlling, the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in a manner that it can easily be read at any time, a copy of these regulations, together with a notice stating exactly how the representative specified in paragraph (b) may be reached. [Regs. February 15, 1943 (CE 823 (Dead R.—Tavares, Fla.) (mile 3)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3150; Filed, February 27, 1943; 10:44 a. m.]

PART 204—DANGER ZONE REGULATIONS

ABERDEEN PROVING GROUND, MARYLAND

Pursuant to the provisions of Chapter XIX of the Army Act approved July 9, 1918 (40 Stat. 892; 33 U.S.C. 3), the restricted area defined in § 204.30 (a) (1) (7 F.R. 2404) is hereby redefined; the description of the restricted area being amended as follows:

§ 204.30 *Chesapeake Bay—(a) United States Army Proving Ground Reservation, Aberdeen, Md.—(1) Restricted area defined.* The following indicates the limits of the waters of or adjacent to the Aberdeen Proving Ground, Maryland, and inside of which boundaries will lie the restricted area known as the Aberdeen Proving Ground, Maryland.

Beginning at a point on the westerly side of Chesapeake Bay, at the south side of the mouth of Swan Creek, Harford County, Maryland, the most northerly point of the reservation known as Plum Point; thence southeasterly along the low water mark on the shore of Chesapeake Bay to and across the north entrance of Spesutie Narrows to and thence along the low water mark on the north shore of Spesutie Island to Locust Point; thence along straight line from Locust Point to Turkey Point for a distance of approximately 1,400 yards; thence following a line parallel with and 1,000 yards from the low water mark on the easterly shore of Spesutie Island to a point 1,000 yards due southeast of Sandy Point; thence approximately southwest in a straight line to a point approximately 1,250 yards S. 10°30' W. from Bear Point; thence approximately 9,275 yards S. 51°04' W. to a point in Chesapeake Bay about 1,700 yards due east from Taylor Island Point; thence southwesterly in a straight course, except such variations as may be necessary to include all of Pooles Island to the southwesterly point of Pooles Island, thence in a northwesterly direction to the most southwesterly point of Spry Island, including all of Spry Island; thence northwesterly in a straight line to extreme southerly island off Lower Island Point; thence northwesterly in a straight line through Brier Point to a point in Seneca Creek where this line intersects a straight line which passes through monuments No. 124 and No. 125 on westerly part of Carroll Island; thence northeasterly in a straight line passing through Marshy Point, at the junction of Dundee Creek and Saltpeter Creek, to the intersection of the center line of Reardon Inlet with Gunpowder River, except such variations as may be necessary to exclude any and all parts of the point of land on the westerly side of Gunpowder River about one mile south of Oliver Point; thence northerly along the center line of Reardon Inlet to its intersection with the southeasterly line of the right of way of the Pennsylvania Railroad; thence northeast along the Pennsylvania Railroad following the reservation boundary line to shore of Bush River, and along its western shore to Fairview Point; thence northeast in a straight line across Bush River to concrete monument No. 64, located on the eastern shore of Bush River, south of Chelsea; thence along the eastern shore of Bush River northerly to the mouth of Sod Run; thence by a broken line along the boundary of the reservation to Swan Creek; and thence in a straight line to Plum Point. (The above description may be traced on Coast and Geodetic Chart No. 1226).

[Regs. February 19, 1943 (CE 671.1 (Aberdeen Proving Ground)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3139; Filed, February 27, 1943; 10:22 a. m.]

Chapter III—Coast Guard: Inspection and Navigation

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by Rules 7, 12, R.S. 4233, as amended; sec. 1, Rule 7, 28 Stat. 646; sec. 1, 29 Stat. 54–55, 34 Stat. 136; sec. 2, 30 Stat. 102, 38 Stat. 381; sec. 14, 35 Stat. 428; sec. 15, 38 Stat. 1184; sec. 2, 23 Stat. 118, as amended; 54 Stat. 163, 166; R.S. 4405, as amended (33 U.S.C. 316, 321, 256, 474, 157, 152, 365, 46 U.S.C. 2, 526, 526p, 375), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation regulations are prescribed:

PART 304—TOWING OF BARGES

Section 304.5 is amended to read as follows:

§ 304.5 *Reporting violations.* Any violation of the regulations in this part shall be reported in writing as soon as practicable to the district Coast Guard officer most convenient to the officer or other person who may witness the violation.

Section 304.10 *Accidents sustained or caused by barges in tow* is deleted.

PART 312—PILOT RULES FOR INLAND WATERS

Section 312.15 is amended by changing the last undesignated paragraph thereof to read as follows:

§ 312.15 *Ferryboats.* • • •

Merchant marine inspectors in charge in districts having ferryboats shall, whenever the safety of navigation may require, designate for each line of such boats a certain light, white or colored, which will show all around the horizon, to designate and distinguish such lines from each other, which light shall be carried on a flagstaff amidships, 15 feet above the white range lights.

Section 312.24 is amended by changing the first sentence thereof to read as follows:

§ 312.24 *Lights to be displayed on pipe lines.* Pipe lines attached to dredges and either floating or supported on trestles shall display by night one row of amber lights not less than 8 feet nor more than 12 feet above the water, about equally spaced and in such number as to mark distinctly the entire length and course of the line, the intervals between lights where the line crosses navigable channels to be not more than 30 feet.

Part 312 is amended by inserting a new center heading to follow § 312.33 and to read as follows: "Unauthorized Use of Lights; Unnecessary Whistling"

PART 322—PILOT RULES FOR THE GREAT LAKES

Section 322.17 is amended to read as follows:

§ 322.17 *Lights for boats navigating only on the River St. Lawrence.* The lights for boats of all kinds navigating only on the River St. Lawrence as far east as Montreal shall be the same as required by law for vessels navigating the Great Lakes, and as required by the rules of the Commandant, for ferryboats, rafts, canal boats, and watercraft propelled by hand power, horsepower, or by the current of the river.

Section 322.18 is amended by changing the last undesignated paragraph thereof to read as follows:

§ 322.18 *Lights for ferryboats.* • • •

Merchant marine inspectors in charge in districts having ferryboats shall, whenever the safety of navigation may require, designate for each line of such boats a certain light, white or colored, which shall show all around the horizon, to designate and distinguish such lines from each other, which light shall be carried on a flagstaff amidships, 15 feet above the white range lights.

PART 323—ANCHORAGE AND NAVIGATION REGULATIONS; ST. MARY'S RIVER, MICHIGAN

Section 323.31 is amended by changing the first undesignated paragraph thereof to read as follows:

§ 323.31 *Small craft.* Motorboats as defined by section 1 of an Act of Congress approved April 25, 1940 (54 Stat. 163; 46 U.S.C. 526), shall be considered amenable to the provisions of §§ 323.2 to 323.5, inclusive, 323.7, 323.29, and 323.30. Sail vessels under 10 gross tons shall be considered amenable to the provisions of §§ 323.2 to 323.5, inclusive, and 323.7.

PART 332—PILOT RULES FOR WESTERN RIVERS

Section 332.14 is amended by changing the last undesignated paragraph thereof to read as follows:

§ 332.14 *Lights for ferryboats.* • • •

Merchant marine inspectors in charge in districts having ferryboats shall, whenever the safety of navigation may require, designate for each line of such boats a certain light, white or colored, which shall show all around the horizon, to designate and distinguish such lines from each other, which light shall be carried on a flagstaff amidships, 15 feet above the white range lights.

R. R. WAESCHE,
Commandant.

FEBRUARY 26, 1943.

[F. R. Doc. 43-3138; Filed, February 27, 1943; 9:54 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

PREMIUM WAIVERS AND TOTAL DISABILITY

Section 10.3444 is being added as follows:

§ 10.3444 *National Service Life Insurance issued pursuant to section 602 (d) (3) (A), National Service Life Insurance Act, as amended.* In any case where a veteran has National Service Life Insurance in force by the payment of premiums in a sum in excess of $5,000 and his application for waiver of premiums under section 602 (n) is denied because of a finding that he became totally disabled prior to the issuance of the insurance and is entitled to waiver of premiums under section 602 (d) (3), National Service Life Insurance Act, as amended, he will be advised of his right to surrender any of such insurance in excess of $5,000 and obtain a policy of insurance in the amount allowable under section 602 (d) (3) of the National Service Life Insurance Act, as amended, that is, an amount of insurance not in excess of $5,000, which together with any other United States Government Life Insurance or National Service Life Insurance then in force, will not exceed in the aggregate $10,000. He will also be advised that he may continue the remaining National Service Life Insurance in force by the payment of premiums. Application for gratuitous insurance must be made within the statutory time limit. (March 1, 1943.)

(38 U.S.C.A. 802 (d) (3))

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-3155; Filed, February 27, 1943; 11:16 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS: APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4429, 4430, 4433, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167, 54 Stat. 1028 (46 U.S.C. 375, 391a, 392, 404, 407, 408, 411, 481, 489, 367, 526–526t, 463a), and Executive Order 9083 dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation regulations and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam More Than 65 Feet in Length

PART 25—REQUIREMENTS FOR ALL MOTORBOATS EXCEPT THOSE OF OVER 15 GROSS TONS CARRYING PASSENGERS FOR HIRE

Section 25.1–6 is amended to read as follows:

§ 25.1–6 *Approved lights.* Six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941, navigation lights installed, fitted, or replaced on motorboats shall be of an approved type: *Provided,* That navigation lights installed, fitted, or replaced on a motorboat prior to the termination of the aforesaid period may be continued in service on said motorboat provided they are of such character, and so located, arranged, and illuminated as to comply with the requirements in this part: *Provided further,* That any such navigation lights temporarily removed and later placed in the position from which removed on any such motorboat shall not be considered as an installation, fitting or replacement.

Section 25.2–1 (b) is amended to read as follows:

§ 25.2–1 *Where required.* • • •

(b) Whistles or other sound-producing mechanical devices which comply with the requirement in effect on April 24, 1940, may be continued in service until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

Section 25.4–2 is amended to read as follows:

§ 25.4–2 *Existing equipment.* All life preservers, buoyant cushions, or ring buoys which are permitted by § 25.4–1 and which comply with the requirements of the regulations in effect on April 24, 1941, may be continued in service until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

Section 25.5–2 is amended to read as follows:

§ 25.5–2 *Existing equipment.* Motorboats having on board fire extinguishers of the type which complied with the requirements in effect on April 24, 1941, and which are in good and serviceable condition are not required to carry approved fire extinguishers until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

PART 26—REQUIREMENTS FOR MOTOR VESSELS EXCEPT THOSE OF MORE THAN 15 GROSS TONS CARRYING PASSENGERS FOR HIRE

Section 26.2–1 is amended to read as follows:

§ 26.2–1 *Number and type required.* After April 24, 1941, all motor vessels shall carry an approved life preserver for each person on board: *Provided,* That all life preservers, ring buoys or wooden life floats on board vessels which are of a character that met the requirements of the regulations in effect on April 24, 1941, may be continued in service until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

Section 26.3–7 is amended to read as follows:

§ 26.3–7 *Existing equipment.* Motor vessels having on board portable fire extinguishers of the type which complied with the requirements in effect on April 24, 1941, and which are in good and serviceable condition are not required to carry approved fire extinguishers until six months after the termination of the Unlimited National Emergency proclaimed by the President May 27, 1941.

Subchapter F—Marine Engineering

PART 55—PIPING SYSTEMS

Section 56.19–3(s)(2) is amended to read as follows:

§ 55.19–3 *Detail requirements; piping systems.* * * *

(s) * * *

(2) Steel valves and fittings shall be tested by their manufacturer to a hydrostatic pressure in accordance with the requirements of tables P–10 and P–11. Bronze, cast iron or malleable iron valves and fittings for steam service or other services at temperatures exceeding 150° F. shall be tested by their manufacturer to a hydrostatic pressure of not less than 2½ times their steam working pressure. Bronze valves and fittings for high-pressure hydraulic or air services at temperatures not exceeding 150° F. shall be tested by their manufacturer to a hydrostatic pressure of not less than 1½ times their hydraulic or air working pressure.

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.4a, reading as follows is added to Part 153:

§ 153.4a *Construction of life floats.* During the emergency, life floats installed after March 31, 1943, on all vessels operating on ocean or coastwise waters shall comply with the following requirements:

(a) *General provisions; approval.* (1) The standard specifications for balsa wood life floats are set forth in paragraph (d) to enable manufacturers to produce equipment which fully meets the approval requirements by strict adherence to all details of the standard specification.

(2) Manufacturers who desire to manufacture life floats shall submit fully dimensioned drawings and material specifications in quadruplicate in order that they may be considered for approval. After the plans and specifications have been examined and any necessary adjustments made, strength, freeboard, and capacity tests shall be conducted in accordance with paragraph (b).

(b) *General characteristics of life floats.* Every life float shall conform to the following general requirements:

(1) Construction, materials, and workmanship shall at least be equivalent to that of the standard type.

(2) It shall be effective and stable floating either side up.

(3) It shall have a life line securely becketed around the outside of the life float, festooned in bights approximately 3 feet in length, with a seine float in each bight, and extra life lines or pendants shall be fitted approximately 18 inches apart.

(4) It shall be of such strength that it can be launched or dropped from a height of 60 feet into the water flat, sidewise, and endwise without damage to the body, or other damage affecting the serviceability of the float for the purpose intended.

(5) After the drop tests, the buoyancy of the life float shall be determined, and then be tested in fresh water for 48 hours while loaded with a weight giving a downward gravitational pull of 40 pounds for each person of capacity, the weight being out of water, or equivalent. The life float shall be reversed in the water at the end of the first 24 hours of this test. At the expiration of the test the buoyancy shall be again determined. Inability to support the test weight of 40 pounds for each person of capacity, or a decrease in the buoyancy of the life float of over 10 percent, shall be considered cause for rejection. Rigging and canvas cover may be removed and inspected for interior damage.

(6) It shall not be allowed a capacity of persons in excess of that established by actual demonstration.

(7) Every life float shall have a brass plate affixed thereon by the builder and bearing his name, the serial number of the float, the date of construction, dimensions, and number of persons the float is certified to carry. A blank space shall be provided for the inspector's initials, port, and the letters "M. I. N".

(8) In addition to the name plate, the number of persons allowed to be carried shall be stenciled in a conspicuous place on the life float.

(c) *Factory inspection.* (1) An inspector shall examine the construction of life floats at the place where they are built, and, after he has satisfied himself that they are constructed in accordance with the approved plans and specifications, he shall stamp the initials of his name, port, and the letters "M. I. N." on a blank space on the name plate, and this stamp shall be satisfactory evidence that the life float has been constructed in accordance with said plans and specifications.

(2) One float of each size and type manufactured shall be selected at random from each group of approximately 30 and drop-tested from a height of 60 feet. The first one selected from the first group is to be drop-tested flat, the one selected from the second group is to be drop-tested sidewise, and the one selected from the third group is to be drop-tested endwise, so that out of 90 floats manufactured, three floats will have been drop-tested from a height of 60 feet, one flat, one endwise, and one sidewise. After the drop test, the float shall be subjected to a buoyancy test of 40 pounds downward gravitational pull for each person of capacity.

(3) Reports concerning each test shall be forwarded to Headquarters and shall include the name of the inspector who conducted the test, the number stamped on the float tested, date and location of test, together with pertinent details of results.

(d) *Standard type balsa wood life floats*—(1) *Types and capacities.* Balsa wood life floats shall be of the elliptical or rectangular types, as illustrated by Figure 1 and Figure 2, respectively, and shall be furnished in 10, 15, 25, 40, or 60 persons capacities.

(2) *Balsa wood.* Balsa wood shall be of the genus Ochroma; weight not more than 12 pounds nor less than 8½ pounds per cubic foot when thoroughly dry; thickness, 2 inches and over, to average not less than 2½ inches, with not more than 50 percent of 2 inches thickness admitted; width, 3 inches and over, to average not less than 5 inches; length, 3 feet and over, to average not less than 5 feet, with not more than 40 percent of 3-foot lengths admitted. It shall be sound, square edge, kiln dried to a moisture content not exceeding 12 percent, and shall be free from rot, dote, large or unsound knots, wormholes, and other injurious defects; except that one sound, tight knot, not over 1¼ inches in diameter and 150 scattered pin wormholes or their equivalent, will be allowed in every 5 square feet, surface measure, provided the pin wormholes do not exceed 1/32 inch in diameter and that there shall be no concentrations of more than 40 pin wormholes in any square foot of surface area. Pith which does not exceed 1 inch in diameter and which does not appear on the surface of the piece shall not be considered a defect. Boxed pith less than 1 inch in diameter shall not be considered a defect.

(3) *Joint and seam arrangement.* The balsa wood pieces composing each layer shall be as large as practicable in order to keep the number of pieces and the number of seams and butts to a minimum, but no layer shall be less than 2 inches in thickness. The pieces shall be so arranged in adjacent layers that butts and seams are staggered in order to give maximum rigidity to the whole and to minimize all channels through which water might penetrate. The grain of the wood shall be so laid as to give minimum end grain on the outside surface of the finished body. The use of small pieces for filling purposes in the interior of the body is prohibited. The use of small pieces for fairing purposes on the exterior of the body will be permitted, provided that the grain complies with the above requirement and that the pieces are thoroughly glued in place as hereinafter specified. All butted ends shall be square and smooth. All sides shall be smooth and straight. All butts and seams shall be tightly fitted.

(4) *Gluing.* Before assembling the various pieces, all end grain of each piece which will form part of a butt or seam shall be given a copious coat of urea formaldehyde or phenol resin waterproof glue. This coat of glue shall be allowed to dry before assembly proceeds. The parts then shall be assembled with a copious coat of the waterproof glue applied to each mating surface of each piece which forms part of a butt or seam. The body shall then be clamped until the glue is dry.

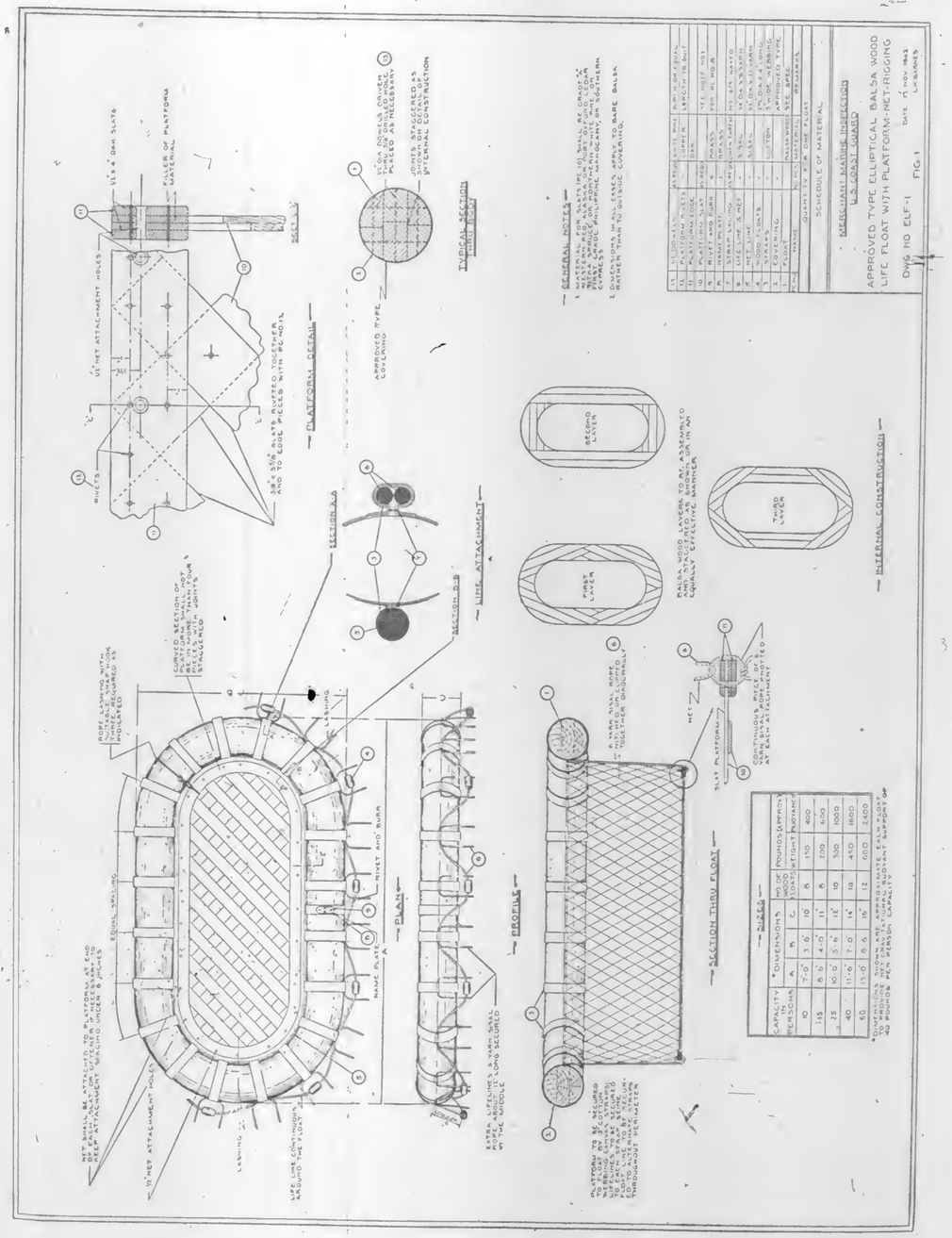

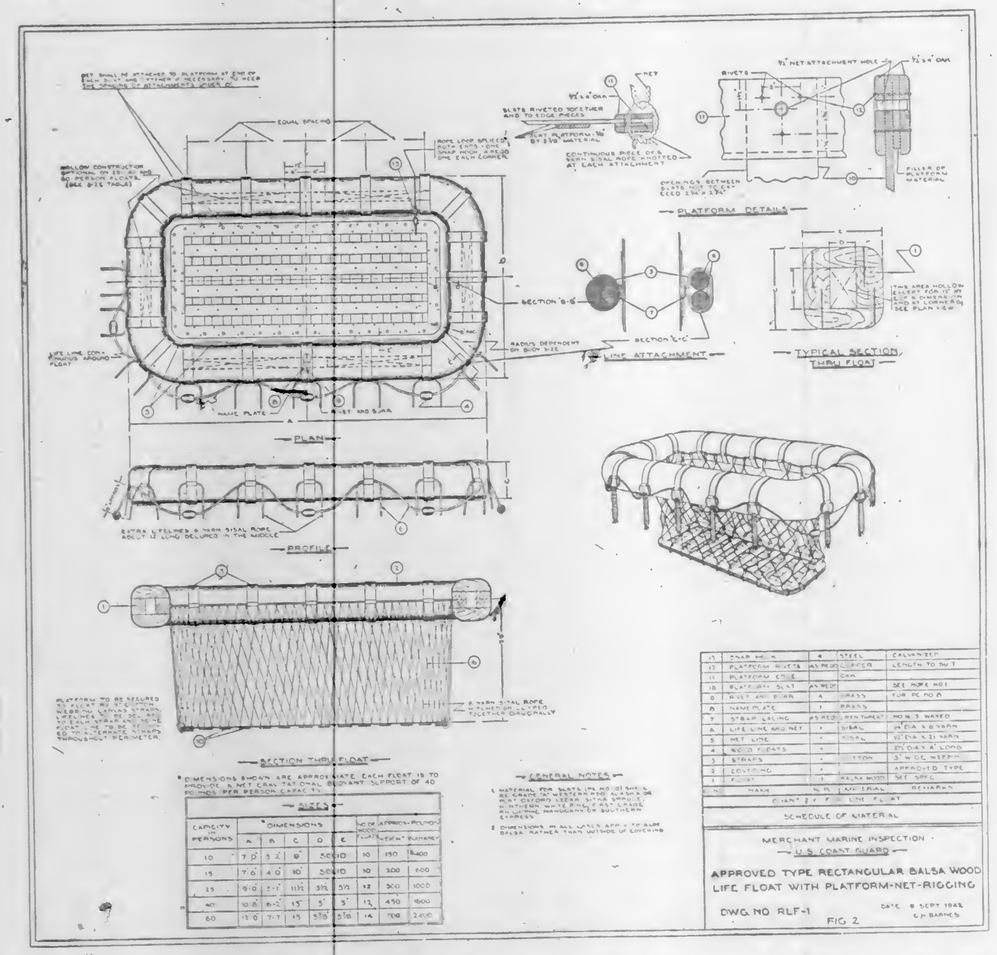

(5) *Doweling and smooth finish.* The rough body shall then be worked down to its approximate final form and then be doweled as necessary to thoroughly secure all pieces. Dowels shall extend through the entire body of the life float. They shall be of white pine, birch, douglas fir, or equal, ½ inch diameter, and be driven through a ⅜ inch diameter bored hole. Before driving a dowel, the dowel and its hole for the entire length shall be thoroughly coated with waterproof glue. After the glue has dried, the body shall be worked down to its final form. It shall be as smooth as practicable. If any gaps are found to exist in butts or seams, they shall be filled with shims glued in. The entire exterior of the body shall then be given a coat of waterproof glue, which shall be allowed to dry.

(6) *Muslin wrapping.* The body shall then be tightly wound with a continuous band of unbleached muslin, 4 7/10 ounces per square yard. This band shall be about 8 inches wide and shall be applied with an overlap of ½ its width, so that the final covering is 2 layers thick. As it is applied, the body shall be given a coat of waterproof glue, and care shall be taken that the glue thoroughly penetrates the muslin. After the wrapping is completed, the life float shall be again coated with 2 coats of water-resisting spar varnish. Alternate methods of treating and covering the exterior surface will be considered if the methods have been found satisfactory.

(7) *Intent of subparagraphs (2) to (6), inclusive.* The intent of the foregoing is to produce a compact monolithic structure without channels or opening through which water may penetrate the interior, and that it shall not only be waterproof at its exterior surface without the aid of further covering but that each piece of which it is constructed shall be a unit which will localize within itself any absorption due to exterior damage. Every effort shall be directed to this result during construction.

(8) *Covering.* The body shall be covered with a spirally wound covering of No. 10 cotton canvas having a width of 8 inches wrapped in waterproof glue with an overlap of 4 inches on each wrap. The canvas cover shall be given one coat of light gray canvas preservative paint.

(9) *Straps.* The straps shall be 3-inch cotton tape or webbing having a breaking (tensile) strength of not less than 750 pounds for the 10- and 15-person sizes, and not less than 1,500 pounds for the 25-, 40-, and 60-person sizes.

(10) *Thread.* All thread used in the construction of life floats shall be No. 16, 3-cord linen or No. 10, 6-cord, glazed finish, heavy cotton thread.

(11) *Platform, net, and rigging.* The platform, netting, and rigging shall be in general accordance with Figure 1 or 2. Care shall be taken that the platform and netting will readily pass through the life float when it is launched, regardless of which side of the life float strikes the water. All parts of the platform, including surfaces, edges, and rivets, shall be smooth and present no cutting edges, points, or splinters which might be dangerous to a barefooted person. The platform shall be finished in natural wood and painted with two coats of water-resisting spar varnish.

(12) *Life line and pendants.* The life line around the life float shall be festooned in bights not longer than 3 feet, with a seine float in each bight. The extra life lines or pendants shall be fitted approximately 18 inches apart.

(13) *Marking.* Each life float shall be fitted with a name plate in accordance with paragraph (b) (7) and be stenciled with the number of persons allowed in accordance with paragraph (b) (8).

Section 153.10 is amended by changing the introductory paragraph to read as follows, and by the addition of a new paragraph (c) to read as follows:

§ 153.10 *Construction of life preservers.* The following provisions are, during the emergency, applicable as alternative details of construction for life preservers to those provided in §§ 28.4–1 to 28.4–10, inclusive, 37.6–1 to 37.6–7, inclusive, 59.55, 60.48, 76.52, 94.52, and 113.44, of this chapter:

* * * * *

(c) *Kapok.* The kapok shall be raw, having the physical qualities of that grown in Java. This definition shall include vegetable fibers having properties similar to Java kapok. The kapok shall contain less than 5% by weight, of sticks, seeds, dirt, or other foreign matter, and shall be free from objectionable odor and from adulteration with other fiber. The kapok, after first having been submerged 12 inches deep in fresh water for 48 hours, shall have a buoyancy in fresh water of at least 51 pounds per cubic foot when compressed to a density of 3 pounds per cubic foot.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

Lifeboats

20'0" x 6'0" x 2'6" metallic lifeboat (180 Cu. Ft.) (Dwg. No. NL–18–12–P, dated 30 October 1942), manufactured by Neptune Boat & Davit Co., Inc., New Orleans, La.

16'0" x 5'6" x 2'4½" metallic lifeboat (125 Cu. Ft.) (Dwg. No. L. B. 125, Revised 12 December 1942), manufactured by Neptune Boat & Davit Co., Inc., New Orleans, La.

28'0" x 9'9½" x 4'1½" metallic motor-propelled lifeboat (680 Cu. Ft.) (Dwg. No. 2413), manufactured by Welin Davit & Boat Corporation, Perth Amboy, N. J.

Lifeboat Skates

Skates for lifeboats (Dwg. Nos. 143 and 143A, dated January 1943), manufactured by R. C. Cowles, Baltimore, Md.

Davits

Welin-Maclachlan Gravity Davit, Type 48/21 (Dwg. No. 2397, dated 6 October 1942) (Maximum working load of 10,500 pounds per arm, of which 3,348 pounds is allowed on nesting bracket), manufactured by Welin Davit & Boat Corporation, Perth Amboy, N. J.

Welin-Maclachlan Gravity Davit, Type 40/19 (Dwg. No. 2412, dated 6 October 1942) (Maximum working load of 9,040 pounds per arm, of which 4,018 is allowed on nesting bracket), manufactured by Welin Davit & Boat Corporation, Perth Amboy, N. J.

Life Floats

10-, 15-, 25-, 40-, and 60-person elliptical balsa wood life floats (Dwg. No. G–298 dated 25 November 1942), manufactured by C. C. Galbraith & Son, Inc., New York, N. Y.

Lifeboat Bilge Pumps

Lifeboat bilge pump (Dwg. No. 2403, dater 13 October 1942), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

Lifesaving Nets

Steel lifesaving net, Type No. 6M–L, manufactured by H. K. Metalcraft Manufacturing Co., New York, N. Y.

Steel lifesaving net (Dwg. No. M–310, dated 3 February 1943), manufactured by American Chain Ladder Co., Inc., New York, N. Y.

Ring Life Buoys

30" balsa wood ring life buoy (Dwg. No. S. R.–B–30, dated 2 November 1942), (Approval No. B–175), manufactured by Seaway Manufacturing Company, New Orleans, La.

Water Lights

Delta automatic floating electric water light, Type A–2051 (Dwg. No. A–2051, dated 26 September 1942), manufactured by Delta Electric Company, Marion, Ind.

Contour-A-Form automatic floating electric water light (Dwg. No. A) manufactured by Contour-A-Form Equipment Co., New York, N. Y.

Gas Mask

Gas mask No. BM–1408 (BM–1408 canister, BM–1408F face piece, and BM–1408 canister harness), manufactured by Davis Emergency Equipment Co., Inc., Newark, N. J. (Approved for use against ammonia vapors only.)

Fire Extinguisher

DuGas Models 15M and 30M dry chemical carbon dioxide cartridge type fire extinguishers, manufactured by DuGas Engineering Corporation, Chicago, Ill.

Daytime Distress Signals

V-K Mark 1 Daytime Distress Signal manufactured by Van Kerner Chemical Arms Corporation, New York, New York.

R. R. WAESCHE,
Commandant.

FEBRUARY 26, 1943.

[F. R. Doc. 43–3137; Filed, February 27, 1943; 9: 54 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 28,[1] Supp. 2]

PART 306—GENERAL AGENTS AND AGENTS

BONDING OF SHIPS' PERSONNEL RECEIVING ADVANCES FOR ACCOUNT OF WAR SHIPPING ADMINISTRATION

Section 306.61, as amended January 29, 1943, is amended to read as follows:

§ 306.61 *Bonding of ships' personnel.* From and after March 15, 1943 no moneys or property shall be advanced to a Master or purser, and no money shall be advanced to any other member of the ships' personnel for the account of the War Shipping Administration, unless such person is under a bond indemnifying the United States against loss of such moneys or property caused, solely or in part, by the dishonesty or lack of care of any such person in the performance of the duties of any position covered by the bond.

Section 306.62 is amended to read as follows:

§ 306.62 *Amount of bond and advances.* Such bonds shall be in an amount deemed by the agents to be sufficient to cover, as nearly as possible, the value of all moneys and property that may be advanced to any one person filling a bonded position hereunder at any one time; *Provided*, That no bond shall be required to provide indemnity in excess of $25,000 with respect to any one position, unless moneys in excess of that amount are advanced to the person filling such position, in which case the amount of the indemnity of the bond shall be in an amount at least equivalent to the amount of the moneys advanced.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

FEBRUARY 27, 1943.

[F. R. Doc. 43–3190; Filed, February 27, 1943; 4:17 p. m.]

[General Order 29,[2] Supp. 1]

PART 341—SHIP WARRANT RULES AND REGULATIONS

SUSPENSION OF RATE CEILINGS

General Order 29 (§ 341.75) is amended by striking out the word

[1] 8 F.R. 446.
[2] 8 F.R. 1597.

"March" and inserting in lieu thereof the word "April".

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

FEBRUARY 26, 1943.

[F. R. Doc. 43-3132; Filed, February 26, 1943; 3:52 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 10A]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART G—SIGHTSEEING, CHARTER AND OTHER SPECIAL SERVICES

Pursuant to Executive Orders 8989, 9156, and 9294, and in order to conserve and providently utilize vital transportation equipment, material and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order ODT 10, as amended (§§ 501.38–501.42[1]), is hereby revised to read as follows: *It is hereby ordered*, That:

Sec
501.38 Definitions
501.39 Applicability.
501.40 Certain charter service and other special services prohibited.
501.41 Sightseeing service prohibited.
501.42 Special or general permits.
501.43 Notice of changes in operations of regulated motor carriers.
501.44 Communications.

AUTHORITY: §§ 501.38 to 501.44, inclusive, issued under E.O. 8989, 9156, 9294; 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221.

§ 501.38 *Definitions.* As used in this order (§§ 501.38 to 501.44) or in any order, permit, or regulations issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, any educational institution, any school district, any school board, or any other political, governmental or legal entity;

(b) "Bus" means any rubber-tired vehicle used in the transportation of passengers, having a capacity of ten (10) or more passengers;

(c) "Common carrier" means any person which holds itself out to the general public to engage in the transportation of passengers by bus for compensation;

(d) "Charter service" means the transportation by bus by a common carrier, whether or not for compensation, of:

(1) Any passenger or group of passengers who, pursuant to a common purpose or under a single contract or arrangement, acquires the right to use or to occupy, exclusively, the bus in which such passenger or passengers are transported; or

[1] 7 F.R. 3786, 5950, 6060.

(2) Any passenger or passengers to whom individual tickets have been sold or with or for whom other individual transportation arrangements have been made, from or to any point or over any route, not regularly served by the common carrier facilities and the established scheduled services of the person performing such transportation;

(e) "Other special services" means the transportation by bus, whether or not for compensation, of a passenger or passengers by a person not a common carrier or performed other than as a common carrier;

(f) "Sightseeing service" means the transportation of passengers by bus, whether or not for compensation, or by any other rubber-tired vehicle propelled or drawn by mechanical power, if performed for compensation, for the primary purpose of permitting or enabling any passenger or passengers to see places or objects of general or special interest, whether or not the services of a driver or operator are provided with the vehicle;

(g) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.39 *Applicability.* This order shall be applicable only within the continental United States.

§ 501.40 *Certain charter service and other special services prohibited.* No person shall engage in charter service or other special services except:

(a) In the transportation hereinafter specified when such transportation cannot readily be performed by existing facilities and established scheduled services of common carriers of passengers operating over regular routes between fixed termini, to wit: The transportation of:

(1) Military or naval personnel of the United States, or of State military forces organized pursuant to section 61 of the National Defense Act, as amended, if such transportation is furnished on written request of the commanding officer of such personnel;

(2) Persons participating in organized recreational activities of any military or naval establishment, to or from such establishment, if such transportation is furnished on written request of the commanding officer of such establishment;

(3) Registrants to or from examining or induction stations on the written request of an authorized official engaged in the administration of the Selective Service System;

(4) Patients to or from clinics for medical attention, if such transportation is furnished on written request of an authorized official of the United States Public Health Service or of a State board of health;

(5) Students, teachers, and other school employees from their homes to their schools for the purpose of permitting such persons to attend a regular daily session of school, or from such schools to their homes after such attendance, provided that no such person shall be so transported in excess of one round-trip on any one calendar day;

(6) Employees en route between their homes and their places of work;

(7) Children under eighteen (18) years of age and their attendants, from their homes to summer camps, for the purpose of permitting such children to attend such camps for periods in excess of one day, or from such camps to their homes after such periods of attendance: *Provided, however*, That such service may be given only after written application showing the necessity therefor has been filed with and approved in writing by a Regional Office of the Office of Defense Health and Welfare Services, Division of Recreation;

(8) Persons en route between their homes and their places of regular weekly worship for the purpose of attending religious services and returning from such attendance;

(9) Civilians from their homes for purposes of evacuation, in the interest of their safety or to serve military purposes, or to their homes after evacuation, pursuant to orders of governmental or military authorities;

(10) Passengers of common carriers by railroad or by air en route on an established scheduled service operated over a regular route between fixed termini by any such carrier, if such transportation is furnished upon the written request of any such carrier and is furnished in lieu of and as a substitute for such established scheduled service of such carrier which has been temporarily discontinued or interrupted as a result of adverse weather conditions, an act of God, a catastrophe, accident, or other emergency not within the control of such carrier.

(b) In the transportation of:

(1) Insane, mentally disordered or mentally incompetent persons, prisoners, or others under the custody of authorized agents of the United States Government or of the District of Columbia or of any State or municipality, and their custodians, guards, and other necessary attendants, if such transportation is furnished upon written request of an authorized officer of the law or other official charged with the custody of such persons;

(2) A jury, its official custodians and other authorized court attendants, if such transportation is furnished upon written request of the presiding judge of the court in which such jury is serving;

(3) Persons transported in buses owned and operated by the Department of War, the Department of the Navy, or the United States Maritime Commission;

(4) Persons transported in accordance with, within the scope of, and pursuant to a transportation plan, arrangement or contract specifically approved in writing by the Office of Defense Transportation.

§ 501.41 *Sightseeing service prohibited.* No person shall perform any sightseeing service.

§ 501.42 *Special or general permits.* The provisions of this order shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances.

§ 501.43 *Notice of changes in operations of regulated motor carriers.* Every person engaged in charter service, sightseeing service, or other special services on the effective date of this order, who was required by law to file tariffs of rates, charges, rules, or practices, forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the operations, rules, regulations, and practices of such person which may be necessary to accord with the provisions of this order, together with a notice describing the operations which will be or have been discontinued or suspended in compliance with the provisions of such tariffs or supplements, and a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

§ 501.44 *Communications.* Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., or to the nearest regional office of the Division of Local Transport, and should refer to "General Order ODT 10A".

This General Order ODT 10A shall become effective March 15, 1943. General Order ODT 10, as amended, is hereby revoked as of the effective date hereof.

Issued at Washington, D. C., this 1st day of March 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-3214; Filed, March 1, 1943; 10:59 a. m.]

[Revocation of General Permit ODT 6-10]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART E—LOCAL DELIVERY CARRIERS

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

Pursuant to Executive Order 8989, General Permit O.D.T. 6-10 (§ 521.2010, 8 F.R. 2290), is hereby revoked, effective February 27, 1943.

Issued at Washington, D. C., this 27th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-3158; Filed, February 27, 1943; 11:13 a. m.]

[Exemption Order ODT 21-6]

PART 521—CONSERVATION OF MOTOR EQUIPMENT: EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART M—CERTIFICATES OF WAR NECESSITY

TESTING EQUIPMENT

Pursuant to Executive Orders 8989, 9156, and 9294: *It is hereby ordered*, That:

§ 521.3505 *Exemption of commercial motor vehicles used exclusively in testing.* Any commercial motor vehicle used exclusively in testing tires, tubes, fuels, lubricants, coolants, parts, or equipment by the United States or any agency thereof, the District of Columbia, a State or any agency or political subdivision thereof, or by any person designated, authorized, required, or requested to conduct such tests by the military or naval forces of the United States, or State military forces organized pursuant to Section 61 of the National Defense Act, as amended; any commercial motor vehicle used exclusively in the course of training military or naval personnel in the proper maintenance or servicing of motor vehicles or other equipment of the armed forces, and any commercial motor vehicle used exclusively for the experimental testing of synthetic or natural rubber tires by manufacturers or producers of such tires is hereby exempted from the provisions of General Order ODT 21, as amended.

This exemption order (§ 521.3505) shall become effective on March 1, 1943.

(E.O. 8989, 9156, 9294; 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221; Gen. Order O.D.T. 21, 7 F.R. 7100, 9006, 9437, 10025, 8 F.R. 551)

Issued at Washington, D. C., this 27th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-3159; Filed, February 27, 1943; 11:13 a. m.]

[Exemption Order ODT 23-1A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT: EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART O—LIMITATION ON SPEED OF MOTOR VEHICLES

TESTING EQUIPMENT

Pursuant to Executive Orders 8989 and 9156, Exemption Order ODT 23-1 is hereby superseded, and *It is hereby ordered*, That:

§ 521.3600 *Exemption of motor vehicles used in testing.* (a) Any motor vehicle used in testing tires, tubes, fuels, lubricants, coolants, parts, or equipment by the United States or any agency thereof, the District of Columbia, a State or any agency or political subdivision thereof, or by any person designated, authorized, required, or requested to conduct such tests by the military or naval forces of the United States or State military forces organized pursuant to section 61 of the National Defense Act, as amended; any motor vehicle used in the course of training military or naval personnel in the proper maintenance or servicing of motor vehicles or other equipment of the armed forces, and any motor vehicle used exclusively for the experimental testing of synthetic or natural rubber tires by manufacturers or producers of such tires is hereby exempted from the provisions of General Order ODT 23 during the periods such motor vehicle is being so used: *Provided*, There is displayed on such motor vehicle during such operations a triangular pennant (approximately 13 x 19 x 19 inches in size) made of a dual thickness of No. 275 white linen (drill) or similar material edged with ¼ inch red cotton bias binding or its equivalent, and upon both sides of which is inscribed in blue the letter "V" (not less than 7½ inches in height) followed by the word "EMERGENCY" (in letters approximately 1 inch in height). Beneath the letter "V" there shall appear in blue lettering the legend "Authorized by the Office of Defense Transportation" (in letters approximately ⅛ inch in height). Such pennant shall be displayed at the front of such motor vehicle by attachment to the front bumper or brackets and centered so that it is approximately midway between the two headlights. It shall be attached by the method most suitable to the particular vehicle and in such a manner as not to interfere with the safe operation of the vehicle but so attached that it can be seen plainly by the public when the vehicle is in operation on any public highway.

(b) The provisions of this exemption order (§ 521.3600) shall not be so construed or applied as to permit any person to drive or operate, or cause, permit, suffer, or allow to be driven or operated, any motor vehicle at a rate of speed which is in excess of the applicable speed limit duly prescribed by other competent public authority.

This exemption order (ODT 23-1A) shall become effective on March 1, 1943.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 23, 7 F.R. 7694; Exemption Order O.D.T. 23-1, 7 F.R. 9089)

Issued at Washington, D. C., this 27th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-3160; Filed, February 27, 1943; 11:13 a. m.]

[Suspension Order ODT 15, Rev. 3]

PART 522—DIRECTION OF TRAFFIC MOVEMENT: EXCEPTIONS, SUSPENSIONS AND PERMITS

SUBPART E—TRANSPORTATION OF COAL BETWEEN UNITED STATES PORTS ON THE ATLANTIC OCEAN

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to § 502.37 of General Order ODT 15, Revised, *It is hereby ordered*, That:

§ 522.627 *Suspension of provisions of paragraph* (b) § 502.31 *of General Order ODT 15, Revised.* All provisions of paragraph(s), § 502.31 of General Order ODT 15, Revised, shall be and the same are hereby further suspended until April 1, 1943.

Issued at Washington, D. C., this 26th day of February 1943.

JOSEPH B. EASTMAN,
Director

[F. R. Doc. 43-3161; Filed, February 27, 1943; 11:13 a. m.]

TITLE 50—WILDLIFE

Chapter III—International Fisheries Commission

PART 301—PACIFIC HALIBUT FISHERIES

REGULATIONS ADOPTED

Regulations of the International Fisheries Commission adopted pursuant to the Pacific Halibut Fishery Convention between the United States of America and the Dominion of Canada, signed January 29, 1937.

Sec.
301.1 Regulatory areas.
301.2 Limit of catch in each area.
301.3 Length of closed season.
301.4 Issuance of licenses and conditions limiting their validity.
301.5 Retention of halibut taken with other fish under permit.
301.6 Issuance of permits and conditions limiting their validity.
301.7 Statistical return by vessels.
301.8 Statistical return by dealers.
301.9 Closed small halibut grounds.
301.10 Dory gear prohibited in Areas 1 and 2.
301.11 Set nets prohibited.
301.12 Responsibility of master.
301.13 Supervision of unloading and weighing.
301.14 Previous regulations superseded.

AUTHORITY: §§ 301.1 to 301.14, inclusive, issued under 50 Stat. 1351.

§ 301.1 *Regulatory areas.* (a) The convention waters shall be divided into the following areas, all directions given being magnetic.

(b) Area 1 shall include all convention waters southeast of a line running northeast and southwest through Willapa Bay Light on Cape Shoalwater, as shown on Chart 6185, published in July, 1939, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46° 43′17″ N., longitude 124° 04′ 15″ W.

(c) Area 2 shall include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1 and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in June, 1940, by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11′57″ N., longitude 136° 38′18″ W., thence south one-quarter east and is exclusive of the areas closed to all halibut fishing in § 301.9 of these regulations.

(d) Area 3 shall include all the convention waters off the coast of Alaska that are between Area 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52°49′30″ N., longitude 169°07′00″ W., according to Chart 8802, published in January, 1942, by the United States Coast and Geodetic Survey, and that are south of the Alaska Peninsula and of the Aleutian Islands and shall also include the intervening straits or passes of the Aleutian Islands.

(e) Area 4 shall include all convention waters which are not included in Areas 1, 2, and 3, and in those areas defined in § 301.9 of these regulations.

§ 301.2 *Limit of catch in each area.* (a) The catch of halibut to be taken during the halibut fishing season of the year 1943 from Area 2 shall be limited to approximately 23,000,000 pounds of salable halibut, and from Area 3 to approximately 27,500,000 pounds of salable halibut, the weights in each or any such limit to be computed as with heads off and entrails removed.

(b) The catch of halibut to be taken from each area during the halibut fishing season of the year 1943 shall also be limited to halibut weighing 5 pounds or over as computed with heads off, entrails removed or to halibut weighing 5 pounds 13 ounces or over as computed with heads on, entrails removed and the possession of any halibut of less than the above weights by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) The International Fisheries Commission shall as early in the said year as is practicable determine the date on which it deems each limit of catch defined in paragraph (a) of this section will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and fishing for or catching of halibut in the area or areas to which such limit applies shall at that date be prohibited until after the end of the closed season as defined and modified in § 301.3 of these regulations, except as provided in § 301.5 thereof and in Article I of the Convention, and provided that if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date, it may substitute another date.

§ 301.3 *Length of closed season.* (a) Under the authority of Article I of the aforesaid Convention the closed season as therein defined shall be modified so as to end at 12 midnight of the 15th day of April of the year 1943 and of each year thereafter and shall begin at 12 midnight of the 30th day of November of each year unless an earlier date is determined upon for any area under the provisions of paragraph (b) of this section of these regulations: *Provided*, That the International Fisheries Commission may fix any date subsequent to the 1st day of November as the commencement of the closed season regardless of the catch which it deems will be attained by such date.

(b) Under authority of Article I of the Convention, the closed season as therein defined shall begin in each area on the date on which the limit is reached as provided in paragraph (c) of § 301.2 of these regulations and the closing of such area or areas shall be taken to have been duly approved unless before the said date either the President of the United States of America or the Governor General of Canada shall have signified his disapproval, (the burden of proving any such signification being upon the person alleging it) and provided that the closing date of Area 2 or of Area 3, whichever shall be later, shall apply to Area 4, and that the closure of Area 2 shall apply to Area 1.

(c) Nothing contained in these regulations shall prohibit the fishing for species of fish other than halibut or prohibit the International Fisheries Commission from conducting fishing operations as provided for in Article I of the Convention.

§ 301.4 *Issuance of licenses and conditions limiting their validity.* (a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of the United States or of Canada for the carriage of freight, must be licensed by the International Fisheries Commission, provided that vessels of less than five net tons or vessels which do not use set lines or bottom nets or trawls, need not be licensed unless they shall require a permit as provided in § 301.5 of these regulations.

(b) Each licensed vessel shall carry this license on board at all times while at sea whether it is validated for halibut fishing or endorsed with a permit as provided in § 301.6 of these regulations and this license shall at all times be subject to inspection by authorized officers of either of said Governments or by representatives of the International Fisheries Commission.

(c) The license shall be issued without fee by the customs officers of either of said Governments or by representatives of the International Fisheries Commission. A new license may be issued by the officer accepting statistical return at any time to vessels which have furnished proof of loss of the license fierein previously issued, or when there shall be no further space for record thereon, providing the receipt of statistical return shall be shown on the new form for any halibut or other species taken during or after the voyage upon which loss occurred. The old license form shall be forwarded in each case to the International Fisheries Commission.

(d) The license of any vessel shall be validated before departure from port for each fishing operation for which statistical returns are required. This validation of a license shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of § 301.7 of these regulations have been complied with for all landings and all fishing operations since issue of the license: *Provided*, That if the master or operator of any vessel shall fail to comply with the provisions of § 301.7 of these regulations, the license of such vessel may be validated by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(e) No license shall be valid for halibut fishing in more than one area, as defined in § 301.1 of these regulations, during any one trip nor shall it be revalidated for halibut fishing in another such area while the vessel has any halibut on board.

(f) The license shall not be valid for halibut fishing in any area closed to halibut fishing or for the possession of halibut in any area closed to halibut fishing except while in actual transit to or within a port of sale.

(g) The license shall not be valid for halibut fishing in any area while a permit endorsed thereon is in effect, nor shall it be validated while halibut taken under such permit is on board.

(h) The license of any vessel shall not be valid for the possession of any halibut in any area other than that for which validated, if such vessel is in possession of baited gear, except in those waters included within a twenty-five mile radius of Cape Spencer Light, Alaska.

§ 301.5 *Retention of halibut taken with other fish under permit.* (a) There may be retained in possession on any vessel which shall have a permit as provided in § 301.6 of these regulations such halibut as is caught incidentally to fishing by that vessel in any area that is closed to halibut fishing under § 301.2 of these regulations with set lines (of the type commonly used in the Pacific coast halibut fishery) for other species, not to exceed at any time one pound of halibut for each seven pounds of salable fish of other species not including salmon or tuna, and such halibut may be said as the catch of said vessel, the weight of all fish to be computed as with heads off and entrails removed.

(b) The catch of halibut taken and retained under such permit shall be limited to halibut weighing 5 pounds or over as computed with heads off, entrails removed or to halibut weighing 5 pounds 13 ounces or over as computed with heads on, entrails removed and the possession of any halibut of less than the above weights by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) Halibut retained under such permit shall not be landed or otherwise removed or be received by any person, firm or corporation from the catching vessel until all halibut on board shall have been reported to a customs, fishery or other authorized officer of either of said Governments nor shall any vessel receive it for transportation unless it shall be reported to the said officer prior to departure from port, and no halibut or other fish shall be landed or removed or be received from the catching vessel except under such supervision as the said officer may deem advisable.

(d) Halibut retained under such permit shall not be purchased or held in possession by any person other than the master, operator or crew of the catching vessel in excess of the proportion herein allowed until such excess whatever its origin shall have been forfeited and surrendered to the customs, fishery or other authorized officers of either of said Governments. In forfeiting such excess, the vessel shall be permitted to surrender any part of its catch of halibut, provided that the amount retained shall not exceed the proportion herein allowed.

(e) Permits for the retention and landing of halibut in the year 1943 shall become invalid at 12 midnight of the 30th day of November of said year.

§ 301.6 *Issuance of permits and conditions limiting their validity.* (a) Any vessel which shall be used in fishing for other species than halibut in any area closed to halibut fishing under § 301.2 of these regulations must have a license and a permit if it shall retain, land or sell any halibut caught incidentally to such fishing or possess any halibut of any origin during such fishing, as provided in § 301.5 of these regulations.

(b) The permit shall be shown by endorsement of the issuing officer on the face of the halibut license form held by said vessel and shall show the area for which the permit is issued.

(c) The permit shall terminate at the time of first landing thereafter of fish of any species and a new permit shall be secured before any subsequent fishing operation for which a permit is required.

(d) A permit shall not be issued to any vessel which shall have halibut on board taken while licensed to fish in an open area unless such halibut shall be considered as taken under the issued permit and as thereby subject to forfeiture when landed if in excess of the amount permitted in § 301.5 of these regulations.

(e) A permit shall not be issued to, or be valid if held by, any vessel which shall fish with other than set lines of the type commonly used in the Pacific coast halibut fishery.

(f) The permit of any vessel shall not be valid unless the permit is granted before departure from port for each fishing operation for which statistical returns are required. This granting of a permit shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of Section 7 of these regulations have been complied with for all landings and all fishing operations since issue of the license or permit: *Provided*, That if the master or operator of any vessel shall fail to comply with the provisions of Section 7 of these regulations, the permit of such vessel may be granted by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

§ 301.7 *Statistical return by vessels.* (a) Statistical return as to the amount of halibut taken during fishing operations must be made by the master or operator of any licensed vessel and as to the amount of halibut and other species by the master or operator of any vessel operating under permit as provided for in §§ 301.5 and 301.6 of these regulations, within 48 hours of landing, sale or transfer of halibut or of first entry thereafter into a port where there is an officer authorized to receive such return, except that when operating within any area in which the catch is not limited in amount by these regulations the master or operator of a licensed vessel shall make statistical returns at such times as are required by the customs officers or the International Fisheries Commission, but shall at all times keep with the license form such records as are necessary to make such return.

(b) The statistical return must state the port of landing and the amount of each species taken within the area defined in these regulations, for which the vessel's license is validated.

(c) The statistical return must include all halibut landed or transferred to other vessels and all halibut held in possession on board and must be full, true and correct in all respects herein required. A copy of each return must be forwarded to the International Fisheries Commission at such times as the latter shall require.

(d) The master or operator and/or any person engaged on shares in the operation of any vessel licensed or holding a permit under these regulations may be required by the International Fisheries Commission or by any officer of either of said Governments authorized to receive such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. Validation of a license or issuance of a permit after such sworn return is made shall be provisional and shall not render the license or permit valid in case the return shall later be shown to be false or fraudulently made.

(e) The master or operator of any vessel holding a license or permit under these regulations shall keep an accurate log of all fishing operations including therein date, locality, amount of gear used, and the amount of halibut taken daily in each such locality. This log record shall be open to inspection of representatives of the International Fisheries Commission authorized for the purpose.

(f) The master, operator and/or any other person engaged on shares in the operation of any vessel licensed under these regulations may be required by the International Fisheries Commission or by any officer of either of said Governments to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

§ 301.8 *Statistical return by dealers.* (a) All persons, firms or corporations that shall buy halibut or receive halibut for any purpose from fishing or transporting vessels or other carrier shall keep and on request furnish to customs officers or to any enforcing officer of either of said Governments or to representatives of the International Fisheries Commission, records of each purchase or receipt of halibut, showing date, locality, name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut and other species landed with the halibut.

(b) All records of all persons, firms or corporations concerning the landing, purchase, receipt and sale of halibut and other species landed therewith shall be open at all times to inspection of any enforcement officer of either of said Governments or of any authorized representative of the International Fisheries Commission. Such persons, firms or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

(c) The possession by any person, firm or corporation of halibut which such person, firm or corporation knows to have been taken by an unlicensed vessel or a vessel without a permit when such license or permit is required, is prohibited.

§ 301.9 *Closed small halibut grounds.* (a) The following areas have been found to be populated by small immature halibut and are hereby closed to all halibut fishing and the possession of halibut of any origin is prohibited therein during fishing for other species:

(b) First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated: From the north extremity of Cape Ulitka, Noyes Island, approximately latitude 55° 33'48" N., longitude 133°43'35" W., to the south extremity of Wood Island, approximately latitude 55°39'44" N., longitude 133°42'29" W.; thence to the east extremity of Timbered Islet, approximately latitude 55°41'47" N., longitude 133°47'42" W.; thence to the true west extremity of Timbered Islet, approximately latitude 55°41'46" N., longitude 133°48'01.3" W.; thence southwest three-quarters south six miles and five-eighths miles to a point approximately latitude 55°34'16" N., longitude 134°14'40" W.; thence southeast by south twelve and one-half miles to a point approximately latitude 55°22'23" N., longitude 134°12'48" W., thence northeast thirteen and seven-eighths miles to the southern extremity of Cape Addington, Noyes Island, latitude 55°26'11" N., longitude 133°49'12" W.; and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from Chart 8157, as published by the United States Coast and Geodetic Survey at Washington, D. C., in June, 1929, and Chart 8152, as published by the United States Coast and Geodetic Survey at Washington, D. C., in March, 1933, and reissued March, 1939, except for the point of Cape Addington which shall be determined from Chart 8150, as published by the United States Coast and Geodetic Survey in December, 1923, provided that the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

(c) Second, that area lying in the waters off the north coast of Graham Island, British Columbia, within the following boundary: from the northwest extremity of Wiah Point, latitude 54°06'50" N., longitude 132°19'18" W., true north five and one-half miles to a point approximately latitude 54°12'20" N., longitude 132°19'18" W.; thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time) of the highest point of Tow Hill, Graham Island, latitude 54°04'24" N., longitude 131°48'00" W.; thence southeast to the said highest point of Tow Hill. The points on the shoreline of the above mentioned island shall be determined from Chart 3754, published at the Admiralty, London, April 11, 1911, provided that the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

§ 301.10 *Dory gear prohibited in Areas 1 and 2.* The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of these regulations is prohibited in Areas 1 and 2.

§ 301.11 *Set nets prohibited.* It is prohibited to take or to retain halibut with a set net of any kind or to have in possession any halibut while using any such net for other species of fish, nor shall any license or permit held by any vessel under these regulations be valid during the use or possession on board of any such net.

§ 301.12 *Responsibility of master.* Wherever in these regulations any duty is laid upon any vessel, it shall be the personal responsibility of the master or operator of said vessel to see that said duty is performed and he shall personally be responsible for the performance of said duty. This provision shall not be construed to relieve any member of the crew of any responsibility with which he would otherwise be chargeable.

§ 301.13 *Supervision of unloading and weighing.* The unloading and weighing of the halibut of any vessel licensed or holding a permit under these regulations shall be under such supervision as the customs or other authorized officer may deem advisable in order to assure the fulfilment of the provisions of these regulations.

§ 301.14 *Previous regulations superseded.* These regulations shall supersede all previous regulations adopted pursuant to the Convention between the United States of America and the Dominion of Canada for preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed January 29, 1937, except as to offenses occurring prior to the approval of these regulations. Any determination made by the International Fisheries Commission pursuant to these regulations shall become effective immediately.

EDWARD W. ALLEN,
Chairman.
A. J. WHITMORE,
CHARLES E. JACKSON,
L. W. PATMORE,
Secretary.

Approved: February 15, 1943.

FRANKLIN D ROOSEVELT

[F. R. Doc. 43-3152. Filed, February 27, 1943; 10:20 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1874-FD]

SOUTHERN COAL CO., INC.

ORDER OF THE DIRECTOR

In the matter of the application of Southern Coal Company, Incorporated, for permission to receive sales agents' commissions and distributors' discounts on coal sold by it to Heritage Coal and Stoker Company.

Upon the basis of the findings of fact and conclusions of law set forth in the Opinion of the Director filed simultaneously herewith, wherein it appears that the affiliation or relationship which presently exists between petitioner, Southern Coal Company, Incorporated, a registered distributor, (Registration No. 8561) and the Heritage Coal and Stoker Company of Chicago, Illinois, does not prohibit the allowance of distributors' discounts or sales agents' commissions which petitioner is entitled to accept or retain on coal sold by petitioner to Heritage Coal and Stoker Company; and pursuant to § 304.19 (c) of the Rules and Regulations for the Registration of Distributors, Rule 10 of section II of the Marketing Rules and Regulations and the provisions of the Bituminous Coal Act of 1937;

It is hereby determined that the acceptance or retention of distributors' discounts or sales agents' commissions on coal sold by petitioner, Southern Coal Company, Incorporated to Heritage Coal and Stoker Company, otherwise permitted by the Bituminous Coal Act of 1937 and the Rules and Regulations issued thereunder, are not prohibited by § 304.19 (c) of the Rules and Regulations for the Registration of Distributors, Rule 10 of section II of the Marketing Rules and Regulations, and that the relief prayed in the petition, as amended, should be granted.

It is so ordered.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3153. Filed, February 27, 1943; 11:05 a. m.]

[Docket No. B-197]

CAMP CREEK COAL CO.

ORDER GRANTING APPLICATION, ETC.

In the matter of Andrew J. Fry and J. C. Fry, individually and as co-partners, doing business under the name and style of J. C. Fry and A. J. Fry (also known as Camp Creek Coal Company), Code Member.

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the division for disposition of proceedings without formal hearing, revoking code membership and canceling hearing.

A complaint dated October 13, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act" having been duly filed on October 14, 1941 by the Bituminous Coal Producers Board for District No. 8 (the "Complainant"), alleging that Andrew J. Fry and J. C. Fry, individually and as co-partners, doing business under the name and style of J. C. Fry and A. J. Fry (also known as Camp Creek Coal Company) operating a mine designated as Mine Index No. 2421 located in Wayne County, West Virginia, District No. 8, willfully violated the provisions of the Act, the Bituminous Coal Code (the "Code"), rules and regulations respectively promulgated thereunder by the Bituminous Coal Division, and the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck, as more fully set forth in the complaint;

The complaint herein and Notice of and Order for Hearing issued January 13, 1942, having been duly served on said code member on January 23, 1942, and hearing herein having been postponed by Order issued March 2, 1942, to a time and place to be thereafter designated by an appropriate order;

Said code member having filed with the Division on February 19, 1942, an application dated February 17, 1942 (the "Application") for the disposition of this compliance proceeding without formal hearing, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division;

Notice dated March 3, 1942, of the filing of the Application having been published in the FEDERAL REGISTER on March 4, 1942, pursuant to said § 301.132 and copies thereof having been duly mailed to interested parties including the complainant herein, and said Notice of Filing having provided that interested parties desiring to do so might within fifteen (15) days from the date of said Notice, file recommendations or requests for informal conferences in respect to said Application and it appearing that no such recommendations or requests have been filed with the Division;

It appearing from the application that the applicants admit wilfully committing the violations alleged in the complaint herein by selling, delivering and offering to sell on various dates between May 25, 1941 and June 8, 1941, to the Ann Arbor Railroad Company, Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers, for use as railroad locomotive fuel, 350 tons of Size Group 7, or 5" x 2" egg coal produced by the applicants at their mine located in Wayne County, West Virginia, and designated as Mine Index No. 2421, at a price of $1.85 per net ton, f. o. b. said mine, whereas the effective minimum price established for such coal was $2.30 per net ton f. o. b. said mine at the time said transactions occurred; and it further appearing from the Application that applicants represent that to the best of their knowledge and belief they have not committed any violations of the Act, the Code, or rules and regulations thereunder other than those admitted and particularly described in the Application;

It further appearing from the Application that the applicants consent to the entry by the Director of an order cancelling and revoking code membership, or of an order directing them to cease and desist from violations of the Code and rules and regulations thereunder, or of an order revoking their code membership and also enjoining and restraining them from violations of the Code and regulations made thereunder, upon any reclassification of their code membership;

It further appearing from the Application that the applicants consent to the imposition of a tax in the amount of $313.85, payment of which shall be required as a condition precedent to the reinstatement of code membership of the applicants and which the applicants agree to pay to the United States Government immediately upon being served with the order revoking their code membership.

Now, therefore, pursuant to the authority vested in the Division by said section 4 II (j) of the Act, authorizing it to adjust complaints and to compose the differences of the parties thereto, and upon the Application of the applicants for disposition hereof without formal hearing and upon evidence in the possession of the Division; *It is hereby found* That:

Andrew J. Fry and J. C. Fry, individually and as co-partners doing business under the name and style of J. C. Fry and A. J. Fry (also known as Camp Creek Coal Company) filed with the Division their acceptance of code membership dated January 18, 1940, which became effective as of January 18, 1940, and ever since have been and now are code members engaged in the business of mining and producing bituminous coal at mine designated as Mine Index No. 2421, located in Wayne County, West Virginia, in District No. 8.

Said Andrew J. Fry and J. C. Fry, as aforesaid, during the period May 25, 1941 to June 8, 1941, wilfully violated the provisions of the Act, the Code, Rules and Regulations and Schedule of Effective Minimum Prices thereunder, by offering to sell, selling and delivering approximately 350 tons of Size Group 7, 5" x 2" egg coal produced at their mine designated as Mine Index No. 2421, to the Ann Arbor Railroad Company, Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers, for use as railway locomotive fuel at a price of $1.85 per net ton f. o. b. said mine for rail shipments, whereas the effective minimum price for said coal was $2.30 per net ton f. o. b. said mine for rail shipments as stated and set forth in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck.

Now, therefore, on the basis of the above findings and said admissions and the consent of Andrew J. Fry and J. C. Fry, contained in their Application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the Division;

It is ordered That the Application be, and the same hereby is granted;

It is further ordered That pursuant to section 5 (b) of the Act, the membership of Andrew J. Fry and J. C. Fry, individually and as co-partners, doing business under the name and style of A. J. Fry and J. C. Fry (also known as Camp Creek Coal Company) in the Code be, and the same hereby is, revoked and cancelled, said revocation and cancellation to become effective fifteen (15) days from the date of service of a copy hereof on said applicants;

It is further ordered That prior to the reinstation of Andrew J. Fry or J. C. Fry, individually or both of them as co-partners, doing business under the name and style of A. J. Fry and J. C. Fry (also known as Camp Creek Coal Company) to membership in the Code, there shall be paid to the United States a tax in the amount of $313.85 as provided in section 5 (c) of the Act;

It is further ordered That upon any reinstation of code membership of Andrew J. Fry or J. C. Fry, individually or as co-partners, they and each of them, their representatives, servants, agents, officers, employees, attorneys, receivers, successors, assigns and all persons acting or claiming to act in their behalf or interest, shall cease and desist and they are hereby permanently enjoined and restrained from violating the Bituminous Coal Act, the Bituminous Coal Code and rules and regulations issued thereunder;

It is further ordered That the hearing herein heretofore postponed by Order dated March 2, 1942, to a time and place to be thereafter designated by appropriate order be, and the same hereby is, cancelled;

It is further ordered That upon any failure to comply with the restraining provisions of this order, the Division may apply to any Circuit Court of Appeals of the United States having jurisdiction for the enforcement thereof or take other appropriate action.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3202. Filed, March 1, 1943; 10:48 a. m.]

[Docket No. B-198]

CAMP CREEK COAL CO.

ORDER GRANTING APPLICATION, ETC.

In the matter of Andrew J. Fry (also known as Andrew J. Fry, doing business as Camp Creek Coal Company), Code Member.

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the division ... disposition of proceeding without ... hearing, revoking code member... hearing.

... October 13, 1941, ... provisions of sections ... of the Bituminous ... Act" ... having been ... October 14, 1941, by the ... Coal Producers Board for ... (the "Complainant") al... Andrew J. Fry (also known as ... doing business as Camp ... Company), a code member ... operating the Camp ... Mine Index ... Wayne County, West ... Districting ... willfully violated ... Bituminous ... Code, the Code ... and regu... respectively, promul... Division ... mum ... schedule ... Notice ... the ... dated ... Said ... the Division ... application ... Rules ... the Division ... Notice, ... March 2, 1... ... 1938, ... ever since has been ... a code member engaged in the ... 4, 1942 pursuant to § 301 ... copies thereof having been ... interested parties including the ... plainant thereto; and said ... having provided that interested parties ... desiring to do so might within fifteen (15) days from the date of said notice file recommendations or requests for ... informal conference in respect to said ... application and it appearing that no such recommendations or requests have been filed with the Division;

It appearing from the application that the applicant admits willfully committing the violations alleged in the complaint hereinby selling, delivering, and offering to sell on various dates between May 25, 1941 and June 8, 1941, inclusive, to the Ann Arbor Railway Company, Norman B. Putnam and Frank C. Nicodemus, Jr., Receivers, for use as railway locomotive fuel 350 tons of Size Group 7 or 5" x 2" chestnut coal produced by the applicants at his mine located in Wayne County, West Virginia, and designated as Mine Index No. 2539, at a price of $1.85 per net ton f. o. b. said mine, whereas the effective minimum price established for such coal was $2.30 per net ton f. o. b. said mine at the time said transactions occurred; and it further appearing from the application that the applicant is the best of his knowledge and belief has not committed any violations of the Act, the Code, or rules and regulations thereunder other than those admitted and particularly described in the application;

It further appearing from the application that the applicant consents to the entry by the Director of an Order cancelling and revoking his code membership, or to an Order directing him to cease and desist from violations of the Code and rules and regulations thereunder, or to an Order revoking applicant's code membership and also enjoining and restraining him from violations of the Code and regulations made thereunder, upon any restoration of his code membership;

It further appearing from the application that the applicant consents to the imposition of a tax in the amount of $313.95, payment of which shall be required as a condition precedent to the restoration of code membership of the applicant and which the applicant agrees to pay to the United States Government immediately upon being served with the order revoking his code membership:

Now, therefore, pursuant to the authority vested in the Division by said section 4 II (j) of the Act, authorizing it to adjust complaints and to compose the differences of the parties thereto and upon the application of the code member for disposition thereof without formal hearing and upon evidence in the possession of the Division; It is hereby found ...

... Fry (Also known as Andrew ... Fry, doing business as Camp Creek ... Coal Company) filed with the Division ... compliance of ... code membership dated ... March 2, 1938, ... which became effective as ... June 15, 1938, ...

... producing bi... designated as ... No. 2420 located in Wayne ... Virginia, in ... J. Fry, during the period ... inclusive, ... June 8, ... the Division ... of the ... dated ... and ... Coal Company ... code membership ... Bank C... Mine ... at a rate of $1 ... mine ... effective minimum ... $2.30 per ... rail shipments ... in the Schedule of Effective ... Prices for Districts ... 8 for ... ments Except ...

Now, therefore, on the basis of the above findings and upon the consent of Andrew J. Fry contained in his application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the Division;

It is ordered, That the application ... and the same hereby is ... granted;

It is further ordered, That pursuant to section 4 II (b) of the Act the membership of Andrew J. Fry (also known as Andrew J. Fry, doing business as Camp Creek Coal Company) in the Code, be and the same hereby is revoked and cancelled, said revocation and cancellation to become effective fifteen (15) days from the date of service of a copy hereof on said applicant;

It is further ordered, That prior to the restoration of Andrew J. Fry (also known as Andrew J. Fry, doing business as Camp Creek Coal Company), to membership in the Code, there shall be paid to the United States a tax in the amount of $313.95 as provided in section 5 (c) of the Act;

It is further ordered, That upon any restoration of Andrew J. Fry to membership in the code said Andrew J. Fry, his representatives, servants, agents, officers, employees, attorneys, successors, assigns and all persons acting or claiming to act in his behalf or interest shall cease and desist, and they are hereby permanently enjoined and restrained from violating the Bituminous Coal Act, the Bituminous Coal Code and rules and regulations issued thereunder;

It is further ordered, That the hearing herein heretofore postponed by Order dated March 2, 1942, to a time and place to be thereafter designated by appropriate order be, and the same hereby is, cancelled;

It is further ordered, That upon any failure to comply with the restraining provisions of this Order the Division may apply to any Circuit Court of Appeals of the United States having jurisdiction for the enforcement hereof, or take other appropriate action.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3210; Filed, March 1, 1943; 10:45 a. m.]

[Docket No. B-193]

BOOTH, INC.

ORDER GRANTING APPLICATION ETC.

In the matter of Booth, Inc., Registration No. 0928, Registered Distributor.

Order granting application for disposition of compliance proceeding without formal hearing, suspending registration and cancelling bearing.

A Notice of and Order for Hearing has been issued on February 13, 1943, pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors to determine whether or not the registration of Booth, Inc., as a registered distributor should be suspended or revoked for the reason that said registrant has failed to file with the Division an Application for Registration as a registered distributor of coal for the period beginning April 1, 1943, as required by section 4 II (d) of the Act and section 304.4 of the Rules and Regulations for the Registration of Distributors.

Booth, Inc., is a corporation organized and existing under the laws of the State of West Virginia, and is engaged in the business of distributing bituminous coal.

That said Booth, Inc., filed with this Division an Application dated October 17, 1940, for registration as a registered distributor and Certificate of Registration No. 0928 was issued authorizing said corporation to act as a registered distributor, and that said corporation has ever since been and is now acting as a registered distributor.

That on various dates between May 25, 1941 and June 7, 1941, both dates inclusive, the Distributor wilfully violated the provisions of the Act, the Code and rules and regulations thereunder, while acting as sales agent for code member producers as follows, to wit:

(a) Substitution of 41[illegible] tons of 2" x 6" ... coal produced at the [illegible] Mine (Mine Index No. 2431) of Left Fork Coal Co., Inc., a code member in District ... railway fuel orders obtained from the Ann Arbor Railway Company, specifying ...

6" resultant mine run coal, and sale of said coal to said railway company at the price of $1.85 per net ton f. o. b. said mine, the applicable mine price for such egg coal being $2.30 per net ton f. o. b. the mine, and receiving and retaining unauthorized sales agent's commissions in the sum of $[illegible] on said sale;

(b) Substitution of 413.9 tons of 2" x 6" egg coal produced at the Camp Creek Coal Company Mine (Mine Index No. 2420) of A. J. Fry, a code member in District No. 8, on railway fuel orders obtained from Ann Arbor Railway Company specifying 6" resultant mine run coal, and sale of said coal to said railway company at the price of $1.85 per net ton f. o. b. said mine, the applicable mine price for such egg coal being $2.30 per net ton f. o. b. the mine, and accepting and retaining unauthorized sales agent's commissions in the sum of $61.94 on said sale; and

(c) Substitution of 300 tons of 2" x 6" egg coal produced at the Fry Mine (Mine Index No. 2431) of J. C. Fry and Andrew J. Fry, co-partners, doing business under the name and style of J. C. Fry and A. J. Fry, a code member in District No. 8, on railway fuel orders obtained from the Ann Arbor Railway Company specifying 6" resultant mine run coal and sale of said coal to said railway company at the price of $1.85 per net ton f. o. b. said mine, the applicable mine price for such egg coal being $2.30 per net ton f. o. b. the mine, and accepting and retaining unauthorized sales agent's commissions in the sum of $[illegible] on said sale, and

(d) Substitution of 193.5 tons of 2" x 6" egg coal produced at the Fry Mine (Mine Index No. 2431) of J. C. Fry and Andrew J. Fry, co-partners doing business under the name and style of J. C. Fry and A. J. Fry, a code member in District No. 8, on railway fuel orders obtained from the Ann Arbor Railway Company specifying 6" resultant mine run coal and sale of said coal to said railway company at the price of $1.85 per net ton f. o. b. said mine, the applicable mine price for such egg coal being $2.30 per net ton f. o. b. the mine, and accepting and retaining unauthorized sales agent's commissions in the sum of $[illegible] on said sale;

all as set forth in the Notice of and Order for Hearing herein, dated February 13, 1943, resulting in violations of Rule 1 (C) of section XI and Rule 9 of section II of the Marketing Rules and Regulations, and paragraphs (b) and (d) of the Distributor's Agreement;

Now, therefore, upon the above findings and the admissions of the distributor as set forth in said application;

It is ordered, That the registration of the distributor as a registered distributor be and the same hereby is suspended for a period of ten (10) days from the date of service hereof upon the distributor and that said distributor, its officers, representatives, agents, employees, and all persons acting for said distributor be and they hereby are prohibited from accepting or receiving from code members, their agents and representatives, any discount, (except) or indirectly, on coal purchased by it, them, or any of them, during said period of suspension: *Provided, however*, That if the distributor shall not have complied with the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors at least five days before the expiration of said period of suspension, said suspension shall continue in full force and effect for all five (5) days after the affidavit required by said § 304.15 shall have been filed with the Division:

And provided further, That the distributor be, and it is hereby required to refund to the Left Fork Fuel Company, Inc., $62.02, to A. J. Fry, $61.94, and to J. C. Fry and Andrew J. Fry, $85.13, the unauthorized sales agency commissions accepted and returned from said code members; and a statement by the distributor that such refunds have been made shall accompany any affidavit which may be filed by said distributor pursuant to said § 304.15.

It is further ordered, That the distributor, during such period of suspension shall in all other respects continue fully to observe, abide by, and remain subject to all pertinent and applicable provisions of the Act, the Bituminous Coal Code, the Marketing Rules and Regulations, the Rules and Regulations for the Registration of Distributors, the Distributor's Agreement, and all applicable orders of the Division and that the effect of such suspension shall not be evaded directly or indirectly by the use of any device.

It is further ordered, That in the event that the distributor shall violate any of its agreements set forth in said application, or fail to comply with this Order, this matter may be reopened and such action taken and orders entered herein as to the Director may seem just and proper under the circumstances and the jurisdiction of this matter is hereby expressly reserved for this purpose.

It is further ordered, That the hearing heretofore set in this matter and subsequently postponed to a place and date to be determined thereafter by an appropriate order herein be, and the same hereby is, cancelled.

Dated: February 28, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3211; Filed, March 1, 1943; 10:45 a. m.]

[Docket No. B-193]

W. W. BRIDGES AND BLACK DIAMOND COAL MINING CO.

ORDER ADVANCING DATE OF HEARING

In the matter of W. W. Bridges, Receiver, Black Diamond Coal Mining Company, Code Member.

The above-entitled matter having heretofore scheduled for hearing at 10 a. m. on March 13, 1943, at a hearing room of the Bituminous Coal Division at the Circuit Court Room, Madisonville, Kentucky, by Notice of and Order for Hearing entered herein on February 3, 1943, and

The Director deeming it advisable to advance the date of said hearing by one day;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, advanced from March 13, 1943 to March 12, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court Room, Madisonville, Kentucky.

It is further ordered, That the said Notice of and Order for Hearing entered

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hereof shall in all other respects remain in full force and effect.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. [illegible]; Filed, March 1, 1943; 10:45 a. m.]

orders, and rules and regulations promulgated thereunder; and particularly Rule 13 (A) of section II of the Marketing Rules and Regulations, have been committed by Brown Fuel Company, the code member above mentioned therein;

the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other

Standards Act of 1938, I. L. Metcalfe, Acting Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Gustav S. Johnson from Industry Committee No. 55 for the Miscellaneous

hereof shall in all other respects remain in full force and effect.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3211; Filed, March 1, 1943; 10:54 a. m.]

[Docket No. B-370]

BROWN FUEL COMPANY

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937, as amended (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division, on November 4, 1942, referred to District Board No. 3 information in its possession bearing on whether violations of the Act, the Code, orders, and rules and regulations promulgated thereunder, and particularly Rule 13 (A) of section II of the Marketing Rules and Regulations, have been committed by Brown Fuel Company, the code member above mentioned hereinafter referred to as the "Code Member") a corporation, Uniontown, Pennsylvania, whose code membership became effective as of July 7, 1937, operator of the Henshaw Mine, Mine Index No. 77 located in Barbour County, West Virginia, District No. 3, in connection with sales, for rail shipment, of coal produced at the aforesaid mine contrary to the provisions of Rule 13 (A) of section II of the Marketing Rules and Regulations as follows:

By allowing or paying directly or indirectly sales agency commissions, pursuant to sales agency contracts entered into after August 8, 1940, appointing the sales agents indicated below, on sales of coal produced at its said mine and sold through said sales agents and delivered to various purchasers after January 1, 1941, as follows:

Sales agent	Date of sales agency contract	Period of sales agency	Sales by Code Member	Commissions allowed	Allowable commissions
Eastern Coal & Coke Company	Aug. 11, 1940	Jan. 1 to Aug. 31, 1941	13,405 tons	$1,340 25	$1,340 25
MacQuown Fuels	Oct. 16, 1940	June 22 to Dec. 31, 1941	9,460 tons	1,183 91	1,183 91
A. K. Althouse & Company	Jan. 30, 1941	Feb. 3 to May 31, 1941	1,278 tons	158 13	158 13

which commissions as allowed or paid, directly or indirectly, were in excess of the maximum discounts which said sales agents could have received if they had purchased said coal as distributors under the schedule of due and reasonable maximum discounts for distributors established pursuant to section 4 II (d) of the Act and that such commissions so allowed and paid, directly or indirectly, resulted in a violation of Rule 13 (A) of section II of the Marketing Rules and Regulations by said code member by reason of the fact that no applications, pursuant to said Rule, were approved by the Division permitting said code member to allow and pay said commissions.

C. District Board No. 3 by letter dated January 21, 1943, notified the Division that it does not intend to institute compliance proceedings against the code member in this matter.

D. Section 6 (a) of the Act provides in part that in the event that a district board shall fail for any reason to take action authorized or required by this Act, then the Division may take such action in lieu of the district board.

E. District Board No. 3 having failed to take action as authorized or required by the Act on the matters hereinabove described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provided pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

(1) whether the code member has willfully violated Rule 13 (A) of section II of the Marketing Rules and Regulations; and

(2) whether in the event that the code member is found to have violated the Act, the Code, and orders, rules and regulations promulgated thereunder, and particularly Rule 13 (A) of section II of the Marketing Rules and Regulations, a cease and desist order should be entered, revoking the code membership of said Brown Fuel Company, or directing said code member to cease and desist from violating the Act, the Code and orders, rules and regulations promulgated thereunder.

It is hereby ordered, That pursuant to section 6 (a) and 6 (b), and other provisions of the Act, a hearing be held at 10 a. m. at the offices of the Division in the Federal Building, [illegible] determine whether the code member has willfully violated Rule 13 (A) in the respects hereinabove described, and whether the code member has violated the Act, the Code, and orders, rules and regulations promulgated thereunder, and particularly Rule 13 (A) of section II of the Marketing Rules and Regulations, and whether the code member and the code member's right to an exemption from the tax imposed by section 3520 (b) (1) of the Internal Revenue Code, should be revoked or an order should be entered directing the code member to cease and desist from violating the Act, the Code, and orders, rules and regulations of the Division promulgated thereunder.

It is further ordered, That Joseph A. Huston, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties hereto and to all persons or entities having an interest in such proceeding. Any person or entity eligible [illegible] § 301.173 of the Rules and Regulations Governing Practice and Procedure before the Division in Proceedings Instituted Pursuant to Section 5 (b) of the Act, may file a petition for intervention not later than [illegible] before the date set for hearing.

Notice is also hereby given that any application, pursuant to Rule 6 of the Rules of Practice and Procedure before the Division for the disposition of the above-entitled proceeding without a hearing, must be filed not later than [illegible] after receipt by the respondent of Notice of Hearing.

Notice is hereby given that any motion setting forth [illegible] be filed not later than [illegible] before the date set for hearing.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3212; Filed, March 1, 1943; 10:54 a. m.]

By virtue of the authority vested in the President by the act of June 25, 1910, 36 Stat. 847 (U. S. C., title 30, sec. 141), and pursuant to Executive Order No. 9337 of April 24, 1942, it is ordered as follows:

Executive Order No. 6910 of November 4, 1929, withdrawing public lands in California, pending a resurvey, is hereby revoked.

This order shall become effective as of the date of the official filing of the plat of resurvey of the lands involved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 18, 1943.

[F. R. Doc. 43-3204; Filed, March 1, 1943; 10:13 a. m.]

Standards Act of 1938, I. L. Metcalfe Mullins, Administrator of the Wage and Hour Division, United States Department of Labor;

Do hereby accept the resignation of Mr. Claude C. Johnson from Industry Committee No. 55 for the Miscellaneous Textile Division, Mr. Straw will be replaced by Mr. Albert E. Barnett of Nashville, Tennessee, as representative for the public on said committee.

Signed at New York, New York this 16th day of February 1943

I. MARCELLUS MULLINS,
Administrator.

[F. R. Doc. 43-3213; Filed, March 1, 1943; 11:12 a. m.]

[Administrative Order 1557]

MISCELLANEOUS TEXTILE INDUSTRY, STRAW, AND RELATED PRODUCTS INDUSTRY

Appointment of Industry Committee

Pursuant to the provisions of the Fair Labor Standards Act of 1938, I. L. Metcalfe Mullins, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. William Bosworth, Committee Member from Industry Committee No. 55 for the Miscellaneous Textile Division, Straw, and Related Products Industry, and do appoint in his stead Mr. Albert E. Barnett of Nashville, Tennessee, as representative for the public on said committee.

Signed at New York, New York this 16th day of February 1943

I. MARCELLUS MULLINS,
Administrator.

[F. R. Doc. 43-3214; Filed, March 1, 1943; 11:12 a. m.]

[Administrative Order 184]

TEXTILE, LEATHER, FUR, STRAW, AND RELATED PRODUCTS INDUSTRIES

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE 55

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Boris Shishkin from Industry Committee No. 55 for the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries, and do appoint in his stead Mr. Marten E. Estey of Washington, D. C. as representative for the employees on such committee.

Signed at New York, New York this 27th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-3196; Filed, March 1, 1943; 9:32 a. m.]

[Administrative Order 185]

TEXTILE, LEATHER, FUR, STRAW, AND RELATED PRODUCTS INDUSTRIES

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE 55

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Albert E. Barnett from Industry Committee No. 55 for the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries, and do appoint in his stead Mr. Nathan L. Silverstein of Bloomington, Indiana, as representative for the public on such committee.

Signed at New York, New York this 27th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-3197; Filed, March 1, 1943; 9:32 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof. Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591)

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724)

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203)

Glove Findings and Determination of, February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748)

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530)

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829)

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 1, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Allen Manufacturing Company, 317 W. Adams Street, Chicago, Illinois; Skirts; 5 learners (T); March 1, 1944.

Forel Clothes, 1010 Race Street, Philadelphia, Pennsylvania; Men's clothing; 5 learners (T); March 1, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

M. M. Bernstein & Sons, 312 Penn Avenue, Scranton, Pennsylvania; Ladies' undergarments; 50 learners (E); September 1, 1943.

Flyer Garment Company, 101–103 N. 4th Street, Ft. Smith, Arkansas; Reversible collar or sport shirts, funeral clothing; 10 learners (T); March 1, 1944.

Johnson & Company, 100 S. Minnesota Avenue, St. Peter, Minnesota; Work garments; 10 learners (T); March 1, 1944. (This certificate replaces the one issued to you bearing the expiration date of November 23, 1943.)

Little Tots Dress Company, Incorporated, 123 Pike Street, Port Jervis, New York; Infants' dresses and creepers; 8 learners (T); March 1, 1944.

Quakertown Clothing Manufacturing Company, 10th & Juniper Streets, Quakertown, Pennsylvania; Pants; 10 percent (T); March 1, 1944.

Rebecca Schwartz Dress Company, 263 Chapel Street, New Haven, Connecticut; Cotton pajamas and house dresses; 10 learners (T); March 1, 1944.

Seaford Garment Company, Phillips Street, Seaford, Delaware; Sport shirts; 10 percent (T); March 1, 1944.

Edward Shuwall & Company, Incorporated, Bowman & Dewey Streets, Dickson City, Pennsylvania; Children's dresses; 50 learners (E); September 1, 1943.

H. B. Spoont, 12–18 E. Coal Street, Shenandoah, Pennsylvania; Slacks, coveralls, shirts and bathrobes; 20 learners (E); September 1, 1943.

Sunbury Manufacturing Company, Incorporated, (2nd & Spruce Streets, Sunbury, Pennsylvania; Dresses, blouses, slacks and pajamas; 10 percent (T); March 1, 1944.

Tamaqua Garment Company, 135 W. Broad Street, Tamaqua, Pennsylvania; Ladies' sportswear; 41 learners (E); July 1, 1943.

Topkis Brothers Company, 217 French Street, Wilmington, Delaware; Government shorts, sport shirts and jackets; 10 percent (T); March 1, 1944.

United Mills, Incorporated, Mt. Gilead, North Carolina; Ladies' slips; 10 learners (T); March 1, 1944.

Hosiery Industry

H. W. Anthony Company, Walnut Street, Strausstown, Pennsylvania; Full-fashioned hosiery; 5 learners (T); March 1, 1944.

Gold Seal Hosiery Company, Incorporated, 1003 Spain Street, New Orleans, Louisiana; Seamless hosiery; 3 learners (T); March 1, 1944.

Reamstown Hosiery Mills, Reamstown, Pennsylvania; Full fashioned hosiery; 2 learners (T); March 1, 1944.

Salem Full Fashioned Hosiery Mills, Incorporated, Maple Street, Salem, Virginia; Full fashioned hosiery; 42 learners (E); September 1, 1943.

Textile Industry

Liberty Lace and Netting Works, 900 East 229th Street, New York, New York; Mosquito bars, camouflage veilings and dress goods; 3 percent (T); March 1, 1944.

Plaza Mill, Main Street, Beavertown, Pennsylvania; Rayon cloth; 3 percent (T); March 1, 1944.

Cigar Industry

General Cigar Company, Incorporated, Fifth & Hickory Streets, Mt. Carmel, Pennsylvania; Cigars, 51 learners (E); Hand cigar makers for a learning period of 960 hours at 75% of the applicable minimum wage until August 21, 1943. (Corrected certificate)

Signed at New York, N. Y., this 27th day of February, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3198; Filed, March 1, 1943; 9:32 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 1, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Nord-Buffum Pearl Button Company, 101 South Carolina Street, Louisiana, Missouri; Pearl Buttons; 3 learners (T); Cutter and finished button sorter for a learning period of 480 hours, at the rate of 30¢ per hour for the first 320 hours and 35¢ per hour for the last 160 hours. Automatic machine operator and blank button sorter for a learning period of 160 hours at the rate of 30¢ per hour until September 1, 1943.

Polly Prentiss, Incorporated, N. Main Street, Sumter, South Carolina; Chenille robes and bedspreads; 70 learners (E); Chenille Machine Operators for a learning period of 320 hours at 30¢ per hour until September 1, 1943.

Signed at New York, N. Y., this 27th day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3199; Filed, March 1, 1943; 9:32 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4317]

GRAPHIC ARTS CLUB OF CHARLOTTE, INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of February, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 9, 1943, at two o'clock in the afternoon of that day (Eastern Standard Time), in Federal Court Room, Federal Building, Charlotte, North Carolina.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-3163; Filed, February 27, 1943; 11:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 11 Under MPR 163]

HOWARD MANUFACTURING CORPORATION

AUTHORIZATION OF MAXIMUM PRICES

Order No. 11 under § 1410.119 of Maximum Price Regulation No. 163—Woolen or Worsted Civilian Apparel Fabrics.

The Howard Manufacturing Corporation of Brooklyn, New York, made application under § 1410.119 of Maximum Price Regulation No. 163 for authorization to determine maximum prices for its base and decorated fabric, range 1100. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered*:

(a) On and after March 1, 1943, Howard Manufacturing Corporation may sell and any person may buy from the Howard Manufacturing Corporation the fabric specified hereinbelow at prices not in excess of the following applicable maximum prices:

Style and Specification	Maximum price (per yard)
Range No. 1100, Men's wear stock dyed worsted, 100% wool; "64's" in quality, 13-13½ in weight, 60 inches in finished width, 58 picks and 66 ends per finished yards, 2-32 warp and filling yarn etc.	$3.00

(b) If discretions are added to such fabric, the maximum price therefor

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[illegible] 2617

order [illegible]

accordance [illegible]

paragraph [illegible] Maximum Price Regulation

(c) The maximum [illegible] in paragraph (a) of this [illegible] subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 11 may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3171; Filed, February 27, 1943; 11:53 a. m.]

[Amendment 1 to Order 20 Under MPR 188]

NATIONAL CARBON COMPANY, INC.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 20 under § 1499.158 of Maximum Price Regulation No. 188 — Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, paragraphs (a) and (b) are amended to read as follows:

(a) National Carbon Company, Inc., Carbide and Carbon Building, New York City, is authorized to sell and deliver to the Signal Corps, Army of the United States, and to any person who holds a contract or subcontract under which the batteries are to be supplied for the ultimate use of the Signal Corps, Army of the United States, the following new dry cell radio batteries at prices per unit, f. o. b. factory, no higher than those set forth below:

BA-39	$3.41
BA-40	2.49

(b) The authorization granted by this Order No. 20 is confined to deliveries prior to July 1, 1943.

This Amendment No. 1 shall become effective March 1, 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3169; Filed, February 27, 1943; 11:54 a. m.]

[Order 177 Under MPR 188]

MORTON MANUFACTURING COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 177 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for [illegible]

Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a maximum price for a certain shower stall for the Morton Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188: *It is hereby ordered that:*

(a) The Morton Manufacturing Company of 5105–43 West Lake Street, Chicago, Illinois, may sell and deliver, and any person may buy and receive, from the Morton Manufacturing Company, the article described in paragraph (b) below at a price not more than $23.66 each, f. o. b. Chicago, Illinois.

(b) The article covered by this Order No. 177 is a shower stall with an overall dimension of 34" x 34" x 75" of which the back and side walls are made of masonite and finished inside and outside with baked enamel, with a top frame and a curtain rod of sheet steel with baked enamel finish, complete with plumbing fixtures and shower curtain but not including a precast cement receptor base.

(c) This Order No. 177 is subject to the condition that the Morton Manufacturing Company submit to the Office of Price Administration within a period of ninety days following the effective date an analysis of the actual cost of manufacturing during that period, of the shower stall involved.

(d) This Order No. 177 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 177 shall become effective March 1, 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3169. Filed, February 27, 1943; 11:53 a. m.]

[Order 178 Under MPR 188]

WARWICK FURNITURE MANUFACTURING CORP.

APPROVAL OF MAXIMUM PRICE

Order No. 178 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the Warwick Furniture Manufacturing Corporation of certain upholstered furniture.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Warwick Furniture Manufacturing Corporation, of 1013–1021 Broadway, New York, New York, is authorized to sell and deliver the following articles at prices no higher than those set forth below:

No.	Item	Maximum prices base cover grade	Maximum prices most expensive cover grade
500	Sofa	$57 25	$74 75
500	Low chair	33 00	43 50
500	Barrel chair	35 00	45 50
501	Sofa	52 50	70 00
501	Arm chair	32 00	42 50
501	High chair	33 50	44 00
502	Sofa	55 00	74 50
502	Arm chair	32 50	43 00
502	High chair	35 00	45 50
503	Sofa	54 50	71 00
503	Arm chair	31 25	41 75
503	High chair	32 50	43 00
504	Sofa	55 50	73 50
504	Arm chair	32 50	43 00
504	High chair	33 50	44 00
505	Sofa	50 50	68 00
505	Arm chair	29 00	39 50
505	High chair	32 50	43 00
506	Sofa	66 50	81 00
506	Arm chair	40 00	50 50
506	High chair	40 00	50 50

The maximum prices for an article in cover grades other than those set forth above shall be determined in accordance with the Warwick Furniture Manufacturing Corporation's grading system, filed with the Office of Price Administration, Washington, D. C., February 3, 1943.

(b) Within 120 days after the effective date of this Order No. 178, the Warwick Furniture Manufacturing Corporation shall file with the Secretary of the Office of Price Administration, a detailed profit and loss statement, and a breakdown of actual unit costs of manufacture for the 90 days immediately following the effective date of this Order No. 178.

(c) This Order No. 178 shall be subject to adjustment if the Warwick Furniture Manufacturing Corporation's actual operating figures for the 90-day period mentioned in paragraph (b) hereof, show that the costs are substantially different from the projected costs upon which the maximum prices established in this Order No. 178 have been based, and this Order No. 178 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 178 shall become effective on the 1st day of March 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3170; Filed, February 27, 1943; 11:53 a. m.]

[Order 20 Under MPR 152]

C. S. KALE CANNING CO.

DENIAL OF PETITION FOR ADJUSTMENT OF MAXIMUM PRICES

Order No. 20 under Maximum Price Regulation No. 152—Canned Vegetables. Denial of petition for adjustment of maximum prices filed by C. S. Kale Canning Company, Everson, Washington.

On October 20, 1942, the C. S. Kale Canning Company filed a petition pursuant to Procedural Regulation No. 1 and Procedural Regulation No. 6 issued by the Office of Price Administration for specific authorization to adjust maximum prices established under Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing for its general commercial trade of snap beans in No. 2 and No. 10 cans and the packing of No. 10 cans of snap beans which Applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and Executive Order No. 9250 and pursuant to Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is hereby ordered*, That

(a) The petition of C. S. Kale Canning Company for adjustment of its maximum prices for sales to its general commercial trade of snap beans packed in No. 2 and No. 10 size cans and for sales to the Quartermaster Depots of the United States Army of snap beans packed in No. 10 size cans as established under Maximum Price Regulation No. 152 be and is hereby denied.

(b) Any contract entered into by C. S. Kale Canning Company at the price requested in its petition under Procedural Regulation No. 6 shall be revised in accordance with the terms of this order, and any payment made to the C. S. Kale Canning Company in excess of the maximum prices established shall be refunded to the purchaser and within 30 days after the date on which this order was mailed to him, the applicant shall file a statement with the Office of Price Administration to the effect that such contracts were revised in accordance with the terms of this order, and wherever required refunds were made.

(c) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended shall apply to terms used herein.

(e) This order shall become effective on February 27, 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3187; Filed, February 27, 1943; 3:54 p. m.]

[Order 165 Under MPR 120]

LEWIS MATHIE

ORDER GRANTING ADJUSTMENT

Correction

The effective date in paragraph (e) of the document appearing on page 2403 of the issue for Thursday, February 25, 1943, should read "February 25, 1943".

[Amendment 1 to Order 6 Under MPR 136 as Amended]

THE CENTRAL TOOL COMPANY

APPROVAL OF MAXIMUM PRICES

Correction

The second heading in the first column of the table of the document appearing in the issue for Thursday, February 25, 1943, should read "Vernier 1-10,000.".

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-798]

EMPIRE GAS AND FUEL CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of February, A. D., 1943.

In the matter of Empire Gas and Fuel Company, $100 par 6% cumulative preferred stock; $100 par 6½% cumulative preferred stock; $100 par 7% cumulative preferred stock, $100 par 8% cumulative preferred stock

The Chicago Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities of Empire Gas and Fuel Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Monday, April 5, 1943 at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officers herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3129; Filed, February 26, 1943; 2:12 p. m.]

[File Nos. 70-663, 70-677]

AMERICAN UTILITIES SERVICE CORP., ET AL.

NOTICE OF FILING AND ORDER CONSOLIDATING AND RECONVENING HEARING AND DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of February 1943

In the matter of American Utilities Service Corporation, File No. 70-663

In the matter of Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg, File No. 70-677

Notice is hereby given that on February 18, 1943, Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg ("The purchasers") filed an application with the Commission pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 9 (a) (2) and 10 thereof. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

The purchasers propose to purchase from American Utilities Service Corporation ("American"), a registered holding company, all 2,000 shares, par value $100 per share, of the issued and outstanding common stock of Northwestern Wisconsin Electric Company ("Northwestern"), an electric utility company, for the aggregate purchase price of approximately $265,000 in cash. Northwestern is a Wisconsin corporation operating in the States of Wisconsin and Minnesota.

Applicants state that they own the following percentages of the outstanding stock of certain other public utilities located in the State of Wisconsin:

	Wisconsin Power and Light Company	Wisconsin Public Service Corporation	Eastern Wisconsin Electric Company	Northern States Power Company (Wisconsin)
	(Common)	(Common)	(Common)	(Common)
Walter M. Jensen	1	1	1	1
John A. Larson	1	1	1	1
Frank N. Dahlberg	1	1	1	1
Oscar G. Dahlberg	1	1	1	1
Fred E. Dahlberg	1	1	1	1
Carl Dahlberg	1	1	1	1
Total	6	6	6	6

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission; and

It appearing to the Commission that on January 11, 1943, American filed a declaration with this Commission under sections 12 (c) and 12 (d) of the Act and Rule U-42 and Rule U-44 promulgated thereunder, proposing to sell to the said purchasers all of the issued and outstanding common stock of Northwestern for the aggregate purchase price of approximately $265,000 in cash, and

It further appearing that under date of January 18, 1943, the Commission issued its Notice of Filing and Order for Hearing of said declaration of said American; and a public hearing having been held on February 5, 1943 for the purpose of taking evidence on the issues involved under sections 12 (c) and 12 (d) of the Act; and the hearing having been adjourned subject to the call of the trial examiner; and

It further appearing to the Commission that the foregoing matters under File Nos. 70-663 and 70-677 are related to and involve common questions of law and fact, that evidence offered in respect to each of said matters will have a bearing on the other matter; and that substantial savings in time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that the evidence adduced in each matter may stand as evidence in the other for all purposes; and

It further appearing to the Commission that it is presently appropriate and conducive to an orderly disposition of these proceedings that the hearing under File No. 70-663 be reconvened and that certain matters relating to File No. 70-677 as more particularly specified hereinafter be now taken up and considered; and

It appearing that the Trial Examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so;

It is hereby ordered, That the proceedings herein involved be consolidated for hearing and that the hearing in the above entitled matter be reconvened on March 10, 1943, at 10:00 o'clock in the forenoon of that day, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day, the hearing room clerk in Room 518 will inform the parties as to the exact room in which said hearing will be held.

Notice is hereby given of said reconvened and consolidated hearing to the above named declarants and applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobinger, an officer of the Commission, be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as the Trial Examiner heretofore designated to preside at such hearing.

It is further ordered, That without limiting the scope of the issues presented by these proceedings, some of which have heretofore been raised in the previous hearing, attention will be directed at the reconvened and consoli-

Specified Building Materials and Consumers' Goods Other Than Apparel

Authorization of a maximum price for a certain shower stall for the Morton Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188: *It is hereby ordered that:*

(a) The Morton Manufacturing Company of 5105-43 West Lake Street, Chicago, Illinois, may sell and deliver, and any person may buy and receive, from the Morton Manufacturing Company, the article described in paragraph (b) below at a price not more than $23.66 each, f. o. b. Chicago, Illinois.

(b) The article covered by this Order No. 177 is a shower stall with an overall dimension of 34" x 34" x 75" of which the back and side walls are made of masonite and finished inside and outside with baked enamel, with a top frame and a curtain rod of sheet steel with baked enamel finish, complete with plumbing fixtures and shower curtain but not including a precast cement receptor base.

(c) This Order No. 177 is subject to the condition that the Morton Manufacturing Company submit to the Office of Price Administration within a period of ninety days following the effective date an analysis of the actual cost of manufacturing during that period, of the shower stall involved.

(d) This Order No. 177 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 177 shall become effective March 1, 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3169; Filed, February 27, 1943; 11:53 a. m.]

[Order 178 Under MPR 188]

WARWICK FURNITURE MANUFACTURING CORP.

APPROVAL OF MAXIMUM PRICE

Order No. 178 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the Warwick Furniture Manufacturing Corporation of certain upholstered furniture.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Warwick Furniture Manufacturing Corporation of 1013-1021 Broadway, New York, New York is authorized to sell and deliver the following articles at prices no higher than those set forth below:

No.	Item	Maximum price to dealer	Maximum price to consumer
500	Sofa	$ [illegible]	$ [illegible]
500	Love chair	[illegible]	[illegible]
500	Harvard chair	[illegible]	[illegible]
501	Sofa	[illegible]	[illegible]
501	Arm chair	[illegible]	[illegible]
501	High chair	[illegible]	[illegible]
502	Sofa	[illegible]	[illegible]
502	Arm chair	[illegible]	[illegible]
502	High chair	[illegible]	[illegible]
503	Sofa	[illegible]	[illegible]
503	Arm chair	[illegible]	[illegible]
503	High chair	[illegible]	[illegible]
504	Sofa	[illegible]	[illegible]
504	Arm chair	[illegible]	[illegible]
504	High chair	[illegible]	[illegible]
505	Sofa	[illegible]	[illegible]
505	Arm chair	[illegible]	[illegible]
505	High chair	[illegible]	[illegible]
506	Sofa	[illegible]	[illegible]
506	Arm chair	[illegible]	[illegible]
506	High chair	[illegible]	[illegible]

The maximum prices for an article in cover grades other than those set forth above shall be determined in accordance with the Warwick Furniture Manufacturing Corporation's grading system, filed with the Office of Price Administration, Washington, D. C., February 3, 1943.

(b) Within 120 days after the effective date of this Order No. 178, the Warwick Furniture Manufacturing Corporation shall file with the Secretary of the Office of Price Administration, a detailed profit and loss statement, and a breakdown of actual unit costs of manufacture for the 90 days immediately following the effective date of this Order No. 178.

(c) This Order No. 178 shall be subject to adjustment if the Warwick Furniture Manufacturing Corporation's actual operating figures for the 90-day period mentioned in paragraph (b) hereof, show that the costs are substantially different from the projected costs upon which the maximum prices established in this Order No. 178 have been based, and this Order No. 178 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 178 shall become effective on the 1st day of March 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3170; Filed, February 27, 1943; 11:53 a. m.]

[Order 20 Under MPR 152]

C. S. KALE CANNING CO.

DENIAL OF PETITION FOR ADJUSTMENT OF MAXIMUM PRICES

Order No. 20 under Maximum Price Regulation No. 152—Canned Vegetables. Denial of petition for adjustment of maximum prices filed by C. S. Kale Canning Company, Everson, Washington.

On October 20, 1942, the C. S. Kale Canning Company filed a petition pursuant to Procedural Regulation No. 1 of Procedural Regulation No. 6 issued by the Office of Price Administration for specific authorization to adjust maximum prices established under Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant [illegible] general commercial trade of snap beans in No. 2 and No. 10 cans and the packing of No. 10 cans of snap beans which Applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and Executive Order No. 9250 and pursuant to Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is hereby ordered*, That:

(a) The petition of C. S. Kale Canning Company for adjustment of its maximum prices for sales to its general commercial trade of snap beans packed in No. 2 and No. 10 size cans and for sales to the Quartermaster Depots of the United States Army of snap beans packed in No. 10 size cans as established under Maximum Price Regulation No. 152 be and is hereby denied.

(b) Any contract entered into by C. S. Kale Canning Company at the price requested in its petition under Procedural Regulation No. 6 shall be revised in accordance with the terms of this order, and any payment made to the C. S. Kale Canning Company in excess of the maximum prices established shall be refunded to the purchaser and within 30 days after the date on which this order was mailed to him, the applicant shall file a statement with the Office of Price Administration to the effect that such contracts were revised in accordance with the terms of this order, and wherever required refunds were made.

(c) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(e) This order shall become effective on February 27, 1943.

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3187; Filed, February 27, 1943; 3:54 p. m.]

[Order 165 Under MPR 120]

LEWIS MATHIE

ORDER GRANTING ADJUSTMENT

Correction

The effective date in paragraph (e) of the document appearing on page 2403 of the issue for Thursday, February 25, 1943, should read "February 25, 1943."

[Amdt. 1 to Order 6 Under MPR 136 Amdt. 1]

THE CENTRAL TOOL COMPANY

APPROVAL OF MAXIMUM PRICES

Correction

The second heading in the first column of the table in the document appearing in the issue for Thursday, February 25, 1943 should read "Vernier 4 10 000".

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-]

EMPIRE GAS AND FUEL CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of February, A. D. 1943

In the matter of Empire Gas and Fuel Company, $100 par 6% cumulative preferred stock; $100 par 6½% cumulative preferred stock; $100 par 7% cumulative preferred stock; $100 par 8% cumulative preferred stock.

The Chicago Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities of Empire Gas and Fuel Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Monday, April 5, 1943 at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officers herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3129; Filed, February 26, 1943; 2:12 p. m.]

[File Nos. 70-663, 70-677]

AMERICAN UTILITIES SERVICE CORP., ET AL.

NOTICE OF FILING AND ORDER CONSOLIDATING AND RECONVENING HEARING AND DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of February 1943

In the matter of American Utilities Service Corporation, File No. 70-663

In the matter of Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg, File No. 70-677

Notice is hereby given that on February 18, 1943 Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg ("The purchasers") filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 9 (a) (2) and 10 thereof. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

The purchasers propose to purchase from American Utilities Service Corporation ("American"), a registered holding company, all 2,000 shares, par value $100 per share) of the issued and outstanding common stock of Northwestern Wisconsin Electric Company ("Northwestern"), an electric utility company, for the aggregate purchase price of approximately $265,000 in cash. Northwestern is a Wisconsin corporation operating in the States of Wisconsin and Minnesota.

Applicants state that they own the following percentages of the outstanding stock of certain other public utilities located in the State of Wisconsin:

	Clam River Dam Co.	Polk Burnett Light and Power Co.	Dahlberg Light and Power Co.	Winter Electric Light and Power Co.
	Percent	*Percent*	*Percent*	*Percent*
Walter M. Jensen	13	5	1	1
John A. Larson	13	.....	3	.....
Frank N. Dahlberg	13	4	10	25
Oscar G. Dahlberg	2	.....	4	2
Fred E. Dahlberg	2	.....	15	15
Carl Dahlberg	.....	.....	9	15
Total	43	9	42	58

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission; and

It appearing to the Commission that on January 11, 1943, American filed a declaration with this Commission under sections 12 (c) and 12 (d) of the Act and Rule U-42 and Rule U-44 promulgated thereunder, proposing to sell to the said purchasers all of the issued and outstanding common stock of Northwestern for the aggregate purchase price of approximately $265,000 in cash; and

It further appearing that under date of January 18, 1943 the Commission issued its Notice of Filing and Order for Hearing of said declaration of said American; and a public hearing has been held on February 5, 1943 for the purpose of the [illegible] evidence on the issues involved under sections 12 (c) and 12 (d) of the Act, and the hearing has been adjourned subject to the call of the trial examiner, and

It further appearing to the Commission that the foregoing matters under File Nos. 70-663 and 70-677 are related to and involve common questions of law and fact, that evidence offered in respect to each of said matters will have a bearing on the other matter; and that substantial savings in time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that the evidence adduced in each matter may stand as evidence in the other for all purposes; and

It further appearing to the Commission that it is presently appropriate and conducive to an orderly disposition of these proceedings that the hearing under File No. 70-663 be reconvened and that certain matters relating to File No. 70-677 as more particularly specified hereinafter be now taken up and considered; and

It appearing that the Trial Examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so;

It is hereby ordered, That the proceedings herein involved be consolidated for hearing and that the hearing in the above entitled matter be reconvened on March 10, 1943, at 10:00 o'clock in the forenoon of that day, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day, the hearing room clerk in Room 318 will inform the parties as to the exact room in which said hearing will be held.

Notice is hereby given of said reconvened and consolidated hearing to the above named declarants and applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobinger, an officer of the Commission, be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as the Trial Examiner heretofore designated to preside at such hearing.

It is further ordered, That without limiting the scope of the issues presented by these proceedings, some of which have heretofore been raised in the previous hearing, attention will be directed at the reconvened and consoli-

dated hearing to a consideration of the

The declarant, General Gas & Elec- [illegible] designated to preside at such hearing is hereby authorized to exercise all the

holding company outside of said system, it should be required to recapitalize in order to effectuate a fair and equitable

ing electric, gas, and water service in north central, central, and southern portions of Indiana.

(iv) Cumulative Prior Lien Stock, $100 par value, 7% series and 6% series;

(v) Cumulative Class A Preferred

dated hearing to a consideration of the following matters and questions:

1. Whether the consideration to be paid by the proposed purchasers for the outstanding common stock of Northwestern is fair and reasonable.

2. The amount of interest to be acquired by each of the purchasers in the securities of Northwestern and whether the interests to be acquired are to be held by the purchasers as individuals, or whether any partnership, syndicate or similar agreement exists or is contemplated.

3. Whether or not the acquisition of the proposed securities by these purchasers will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and whether such acquisition will tend towards interlocking relation or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

4. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors and consumers.

5. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and Rules, Regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3128; Filed, February 26, 1943; 2:12 p. m.]

[File No. 70-679]

GENERAL GAS & ELECTRIC CORPORATION

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of February 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than March 10, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as amended, may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration which is on file in the office of said commission for a statement of the transactions therein proposed which are summarized below:

The declarant, General Gas & Electric Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a quarterly dividend on its $5 Prior Preferred stock for the quarter ending March 15, 1942. The declaration indicates that the amount of such regular dividend applicable to the total outstanding shares of such stock is $75,000. Of this amount approximately $40,125 is applicable to the 32,110.9 shares held by the public, the balance of the shares being held by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company and parent of General Gas & Electric Corporation. It is indicated in the declaration that these Trustees intend to deliver to General Gas & Electric Corporation a waiver of payment at this time of any dividend on their holdings of this stock and that a copy of such waiver is to be subsequently filed as part of the instant declaration.

The declaration has designated section 12 (c) of the Act and Rule U-46 as being applicable to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3130; Filed, February 26, 1943; 2:12 p. m.]

[File No. 812-309]

AMERICAN GOLD, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of February, A. D. 1943.

An application having been filed by American Gold, Inc., a registered investment company, under and pursuant to the provisions of section 6 (c) and section 6 (d) of the Investment Company Act of 1940, for an order exempting it from the provisions of section 8 (b) of said Act relating to the filing of a registration statement with the Commission, section 30 (a) of said Act relating to the filing of annual reports with the Commission, section 30 (b) of said Act relating to the filing of semi-annual, quarterly and interim reports with the Commission, section 30 (d) of said Act relating to reports to stockholders, and such other provisions of the Investment Company Act of 1940 as, in the opinion of the Commission, may be proper;

It is ordered, Pursuant to section 40 (a) of said Act that a hearing on the aforesaid application be held on the 22nd day of March, 1943, at 10 o'clock, A. M., Pacific War Time, at the subregional office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such time and place as the officer hereinafter designated may determine;

It is further ordered, That John G. Clarkson, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3160; Filed, February 27, 1943; 3:01 p. m.]

[File Nos. 59-52, 31-524]

NIAGARA HUDSON POWER CORP., ET AL.

NOTICE OF RECONVENING OF HEARING IN BUFFALO, NEW YORK

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of February, 1943.

In the matter of Niagara Hudson Power Corporation and its subsidiary companies, File No. 59-52; Buffalo, Niagara and Eastern Power Corporation, File No. 31-524.

Hearings having been held in the above consolidated proceedings relating to Niagara Hudson Power Corporation and its subsidiary companies, pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935; and to the application of Buffalo, Niagara and Eastern Power Corporation for an order exempting it as a holding company pursuant to section 3 (a) (1) of said Act; and said hearings having been heretofore scheduled to reconvene on March 2, 1943 at the offices of this Commission in Philadelphia, Pennsylvania;

Notice is hereby given that the reconvening of said hearings is postponed from March 2, 1943 to March 9, 1943 at 10 a. m. and that said hearings will then be reconvened in Room 410 of the United States Post Office Building (sometimes referred to as the Federal Building) in the City of Buffalo, New York, so as to afford stockholders and other interested parties in that area a convenient opportunity to appear and to be heard.

Notice is further given that at said reconvened hearing the evidence to be received shall be confined to the issues heretofore raised in said consolidated proceedings, relating to Buffalo, Niagara and Eastern Power Corporation, so that the record shall be completed, for submission to the Commission, with respect to: (1) Buffalo, Niagara and Eastern Power Corporation's application pursuant to section 3 (a) (1) of said Act; (2) whether the Commission should require that Buffalo, Niagara and Eastern Power Corporation be eliminated from the holding company system of Niagara Hudson Power Corporation; and (3) whether, if Buffalo, Niagara and Eastern Power Corporation is to continue as a

holding company outside of said system, it should be required to recapitalize in order to effectuate a fair and equitable distribution of voting power and remove undue or unnecessary complexities, if any exist.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3179; Filed, February 27, 1943; 3:01 p. m.]

[File Nos. 34-7, 52-21]

MIDLAND UTILITIES CO. ET AL.

NOTICE OF FILING AND ORDER FOR CONSOLIDATION AND HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of February 1943.

In the matter of Midland Utilities Company, File No. 34-7.

In the matter of Hugh M. Morris, Trustee of the Estate of Midland United Company and Jay Samuel Hartt and Clarence A. Southerland, trustees of the Estate of Midland Utilities Company, File No. 52-21.

Notice is hereby given that an application, as amended, for approval of a Plan of Reorganization for Midland United Company and its subsidiary, Midland Utilities Company, both of which are debtors in reorganization proceedings instituted in the District Court of the United States for the District of Delaware under section 77B of the Bankruptcy Act, has been filed, pursuant to section 11(f) of the Public Utility Holding Company Act of 1935, by Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company:

Midland United Company ("United") is a public utility holding company organized under the laws of the State of Delaware on December 26, 1928. It directly, or indirectly, owns all of the common stock of Midland Utilities Company ("Utilities"). The corporate relationships of the companies involved and their direct and indirect subsidiaries may be indicated as follows:

Midland United Company (77 B):
- Indiana Hydro-Electric Power Co.
- Indiana Industrial Land Co.
- Midland Stock Transfer Co.
- M. U. Securities Corporation.
- Public Service Company of Indiana, Inc.
  - South Construction Co., Inc.
  - White River Corporation.
  - Union City Electric Co.
- Midland Utilities Co. (77-B).
  - Chicago, South Shore and South Bend R. R. (Ind.).
  - Chicago, South Shore and South Bend Railroad (Mich.).
  - Indiana and Kensington Railroad Co.
  - Michigan City Terminal, Incorporated.
  - Indiana Service Corporation.
  - Northern Indiana Public Service Co.
  - Berrien Gas and Electric Co.
  - Shore Line Shops, Incorporated.

The principal operating subsidiaries controlled directly by United are:

(a) Public Service Company of Indiana, Inc. ("Public Service Indiana"), which is engaged principally in rendering electric, gas, and water service in north central, central, and southern portions of Indiana.

(b) Indiana Hydro-Electric Power Company, which owns two hydro-electric plants, located near Monticello, Indiana, and approximately 80 miles of transmission lines. The properties are operated by Northern Indiana Public Service Company under a lease expiring May 1, 1958.

Utilities is a public utility holding company organized under the laws of the State of Delaware on June 11, 1923. Its principal operating subsidiaries are:

(a) Northern Indiana Public Service Company ("Northern Indiana") which supplies electric, gas and water service in the northern part of the State of Indiana.

(b) Chicago, South Shore and South Bend Railroad ("South Shore") which operates an electric interurban railroad between South Bend, Indiana, and downtown Chicago, and a motor coach line between Michigan City, Indiana, and Benton Harbor, Michigan.

(c) Indiana Service Corporation ("Indiana Service") which principally supplies electric and transportation service primarily in Fort Wayne, Indiana, and vicinity.

On June 9, 1934, United filed its petition in the United States District Court for the District of Delaware ("Court"), to reorganize under the provisions of section 77B of the Bankruptcy Act. On the same day Utilities filed its petition in the same proceeding and also asked leave to reorganize. Hugh M. Morris has been appointed Trustee of the Estate of United ("United Trustee"), and has registered as a holding company under the Public Utility Holding Company Act of 1935 ("Act"). On October 24, 1938, the Court appointed Clarence A. Southerland and Jay Samuel Hartt successor trustees of the Estate of Utilities ("Utilities Trustees"). They also have registered as a holding company under the Act.

All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the plan therein proposed, which is summarized as follows:

1. The plan affects the following securities of:

(a) *United.* (i) Promissory notes held by Commonwealth Edison Company, The Peoples Gas Light & Coke Company, and Public Service Company of Northern Illinois (collectively called "Chicago Operating Companies");

(ii) $6 Preferred, Series 1 ($100 Liquidating Value) Stock;

(iii) $3 Convertible Preferred, Series A ($50 Liquidating Value) Stock;

(iv) Common Stock—no par value;

(v) Common Stock Warrants.

(b) *Utilities.* (i) Promissory notes held by Northern Indiana, the Chicago Operating Companies, The Peoples Gas Light & Coke Company Service Annuity Trust ("Service Annuity Trust"), Continental Illinois National Bank & Trust Company of Chicago ("Continental Bank");

(ii) Promissory notes held by United;

(iii) 6% Gold Debentures, Series A, due September 1, 1938 ("Debentures");

(iv) Cumulative Prior Lien Stock, $100 pary value, 7% series and 6% series;

(v) Cumulative Class A Preferred Stock, $100 par value, 7% series and 6% series;

(vi) Common Stock—no par value.

2. The cash and securities to be issued and distributed pursuant to the terms of the Plan of Reorganization will be in full satisfaction and discharge of all claims and litigation pending between all parties, except as otherwise expressly provided in the Plan. More specifically, the issuance of securities pursuant to the plan will be in full setttlement of (a) all intercompany claims between United and Utilities; (b) all claims of the Continental Bank against United and Utilities; (c) all claims of Service Annuity Trust against United and Utilities; (d) all claims of the Chicago Operating Companies against United and Utilities; and (e) all claims of the holders of the Debentures arising out of the alleged violation of the negative pledge clause of the Debenture Agreement, dated September 1, 1928, between Utilities and Illinois Merchants Trust Company, as Trustee ("Debenture Agreement") or otherwise.

3. No provision is made for participation in the estate of Utilities by any of its prior lien stockholders, preferred stockholders, or common stockholders.

4. There is no provision made in the Plan of Reorganization for participation in the Estate of United by any of its common stockholders.

5. All assets owned by United and Utilities held as collateral by secured creditors (Continental Bank, Service Annuity Trust, and Chicago Operating Companies), will be transferred, assigned and delivered to the United Trustee and Utilities Trustees, respectively.

6. United and Utilities will each release the Continental Bank from all counter claims which they have asserted against the bank.

7. The assets of Utilities (including all the collateral and monies which will be returned to Utilities), after payment of all fees and expenses as allowed by the Court, will be distributed as follows:

(a) The Debenture Holders will receive, as a class, in full liquidation of any and all claims:

(i) 912,141.5 shares of the common stock of Northern Indiana. Utilities owns 2,153,525 shares, or approximately 98.7% of the common stock of Northern Indiana, all but 69,500 shares of which are subject to pledge; 912,141.5 shares are equal to approximately 43.75% of Utilities' holdings and will carry approximately 43.2% of the voting power of Northern Indiana;

(ii) 24,955.6 shares of the common stock of South Shore. Utilities owns 62,389 shares, or approximately 80% of the common stock of South Shore, 55,880 shares of which are subject to pledge; 24,955.6 shares are equal to approximately 40% of Utilities' holdings, and will carry approximately 32% of the voting power of South Shore;

(iii) 40% of certain other assets of Utilities—primarily cash and cash items

of $701,440.95, as of December 31, 1942, investments in the common stock of West Ohio Gas Company, demand notes of the Metropolitan District Realty Trust, and certain other items stated to be worthless.

The form and manner of the distribution to the Debenture Holders will be determined, subject to the approval of this Commission, by (i) the Debenture Holders' Committee for Midland Utilities Company acting under a Deposit Agreement dated July 15, 1934 ("Emerich Committee"); and (ii) the Protective Committee of the Holders of Midland Utilities Company Debentures acting under Letters of Authorization Received from Debenture Holders ("Magill Committee").

In the election of the first board of directors of Northern Indiana and of South Shore, nominees of the Debenture Holders shall be elected members of the Board of Directors of each company in such number as shall afford the Debenture Holders the same representation as that to which they would be entitled on the basis of cumulative voting in a general election of directors.

(b) Northern Indiana will receive 69,500 shares of its common stock in full satisfaction of its claims against Utilities.

(c) The following claims will be settled, in cash, on the following bases:

(i) Certain small claims totalling $784.42 will be paid in full;

(ii) The following will be paid 25% of the amount of their following claims:

(A) Four direct and indirect subsidiaries of Utilities—$11,788.19;

(B) Trustees of Service Annuity Trust (for Midland operating subsidiaries)—$75,511.81;

(C) Trustees of the Casualty Group (for Midland operating subsidiaries)—$51,724.68;

(iii) Gary Electric & Gas Company ("Gary") will be paid 40% of $34,356.69, all of which will be distributed, pro rata, to Gary's public stockholders in liquidation of that company.

(d) All the remaining assets of Utilities will be transferred to a common law trust ("Midland Liquidating Trust") to be established for the liquidation of assets, and which will be described hereafter.

8. The assets of United (including all its assets now held as collateral which are to be returned to United), after payment of all fees and expenses as allowed by the Court, will be distributed as follows:

(a) The United preferred stockholders will receive:

(i) 490,974$^{10}/_{100}$ shares of the common stock of Public Service Indiana, which will be distributed on the basis of one share for each share of United $3 preferred stock and two shares for each share of United $6 preferred stock. (These shares constitute approximately 44% of the outstanding common stock and 39% of the voting power of Public Service Indiana.)

(ii) One trust share of the Midland Liquidating Trust for each share of United $3 preferred stock and two trust shares for each share of United $6 preferred stock.

(b) Small claims in the total amount of $32,093.16 will be paid, in cash, in full.

(c) A claim of $85,000 by Henry Van Aalderen will be settled, if possible, for a nominal amount, or tried to conclusion.

(d) All remaining assets of United will be transferred to the Midland Liquidating Trust.

9. For the purpose of consummating the Plan of Reorganization, there will be created, as a common law trust, the Midland Liquidating Trust.

(a) The initial Trustees of the Midland Liquidating Trust are to be: (1) Willis D. Gale, Vice President of Commonwealth Edison Company and also of Public Service Company of Northern Illinois; (2) William C. Freeman, Vice President of The Middle West Corporation; and (3) Max Swiren, attorney for Hugh M. Norris, Trustee of Midland United Company. Provision is made for the appointment of successor Trustees in case of resignation, death, or inability to act on the part of any of the Trustees. The Trustees and their successors are to serve without compensation, except that Max Swiren and his successor will be entitled to such reasonable compensation as may be determined by the other two Trustees, subject to the approval of this Commission.

(b) Immediately upon formation of the Midland Liquidating Trust, the Trustees thereof are to register as a holding company under the Public Utility Holding Company Act of 1935 and shall forthwith consent to the entry of orders by this Commission in accordance with the provisions of Sections 11 (b) (1) and 11 (b) (2) of such Act. The Midland Liquidating Trust will have a term of five years, which may be extended beyond the five-year period, but in no event beyond December 31, 1952.

(c) The assets of the Midland Liquidating Trust upon its creation will consist of:

(i) 1,172,753.5 shares of the common stock of Northern Indiana, which shares represent approximately 56.25% of the holdings of Utilities and will carry approximately 55.5% of the voting power of Northern Indiana.

(ii) 37,433.4 shares of the common stock of South Shore, which shares represent approximately 60% of the holdings of Utilities and will carry approximately 48% of the voting power of South Shore.

(iii) All the holdings of Utilities in Indiana Service, which consist of:

(a) 728,840.73 shares (98.7%) of common stock;

(b) $2,739,000 principal amount of demand notes plus interest thereon of $1,266,877.40 (as of December 31, 1942).

(iv) The balance of the contract obligation of Chicago & Calumet District Transit Co., Inc., stated to be $813,750.00 (as of December 31, 1942).

(v) The remaining portion of the assets of Utilities after partial distribution of the Estate to the Debenture Holders and others, as stated above.

(vi) The remaining portion of the assets of United after partial distribution of the Estate to the Preferred Stockholders and others, as noted above.

(d) The Midland Liquidating Trust will issue Trust Certificates for fixed principal amounts in five series, lettered "A" to "E", respectively. Any equity in the Trust property will be represented by Trust Shares. Trust Certificates "A" to "D", respectively, will bear interest at 2% per annum. Series "E" Trust Certificates, together with the Trust Shares, will not bear interest. After payment in full, out of the net proceeds of the liquidation of the Midland Liquidating Trust, of the principal and interest on Series "A" to "D" Trust Certificates, respectively, the balance of the net proceeds will be distributed, as follows: (1) one-half of the net proceeds will be distributed, pro rata, upon Series "E" Trust Certificates, in full payment thereof, and one-half will be distributed among the holders of the Trust Shares until an aggregate of $788,000 shall have thus been paid; (2) all the remaining net proceeds of the Midland Liquidating Trust will then be distributed among the holders of the Trust Shares.

(e) Upon consummation of the Plan of Reorganization as outlined above, the Trustees of Midland Liquidating Trust shall deliver, to the following parties, the following Trust Certificates, and pay the following amounts of cash:

(i) *Continental Bank:*
(a) $1,000,000 in cash.
(b) A Series "A" Trust Certificate in the principal amount of $1,360,000.
(c) A Series "C" Trust Certificate in the principal amount of $270,000.
(d) A Series "E" Trust Certificate in the principal amount of $270,000.
(ii) *Service Annuity Trust:*
(a) $373.68 in cash.
(b) A Series "B" Trust Certificate in the principal amount of $1,082,000.
(c) A Series "C" Trust Certificate in the principal amount of $124,000.
(d) A Series "E" Trust Certificate in the principal amount of $124,000.
(iii) *Commonwealth Edison:*
(a) $408.55 in cash.
(b) A Series "D" Trust Certificate in the principal amount of $1,405,000.
(iv) *Peoples Gas:*
(a) $748.47 in cash.
(b) A Series "D" Trust Certificate in the principal amount of $1,115,000.
(b) *Public Service Company of Northern Illinois ("Public Service Illinois"):*
(a) $842.98 in cash.
(b) A Series "D" Trust Certificate in the principal amount of $478,000.

The United Preferred Stockholders will receive, as noted above, one Trust Share for each share of United $3 Preferred Stock, and two Trust Shares for each share of United $6 Preferred Stock.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such amended plan, either as filed or as modified, or any other plans which may be proposed by any person having a bona fide interest in the reorganization, in accordance with the provisions of section 11 (f) of the Act; and

It further appearing that, on August 26, 1937, an application was filed by the Debenture Holders' Committee for Midland Utilities Company, acting under a Deposit Agreement dated July 15, 1934 ("Emerich Committee"), for a report as to a Plan of Reorganization for Midland Utilities Company, pursuant to Section 11 (g) of the Public Utility Holding Company Act of 1935 (File No. 34-7); and

A hearing having been held on such application (as File No. 34-7) and the matter having been continued subject to call; and

The Commission, on July 5, 1940, having entered its Notice of and Order for Further Hearing (File No. 34-7) wherein it was ordered that the evidence adduced at such hearing would be used in connection with the consideration of the said proposed plan of reorganization, or any other plan of reorganization of Midland Utilities Company which may be the subject of an application filed pursuant to the Public Utility Holding Company Act of 1935; and

It appearing that the foregoing plan, filed as File No. 34-7, is related to, and that the evidence offered in respect to such matter may have a bearing upon the amended application for approval of the Plan of Reorganization for Midland United Company and Midland Utilities Company filed by Hugh M. Morris, Trustee of Midland United Company and filed as File No. 52-21, and that substantial saving of time and expense will result if the matters are consolidated;

It is ordered, That the proceeding filed as File No. 34-7 be and hereby is consolidated with the amended application filed as File No. 52-21.

It is further ordered, That hearing on such plans, as amended, under the applicable provisions of said Act and rules of the Commission will be held on April 12, 1943, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.; on such day the Hearing Room Clerk in Room 318 will advise as to the room where such hearing will be held. Said hearings will continue thereat from time to time.

It is further ordered, That, on April 26, 1943, at 10:00 a. m., c. w. t., the hearing will be convened in Room 630, Bankers Building, 105 W. Adams Street, Chicago, Illinois.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the issues to be considered in this consolidated proceeding, particular attention will be directed at said hearing, in respect to the amended Plan of Reorganization filed by Hugh M. Morris, Trustee of the Estate of Midland United Company, to the following matters and questions:

(1) Whether the proposed amended plan is fair and equitable to the persons affected.

(2) Whether the proposed amended plan is feasible.

(3) To what extent, if any, the proposed amended plan should be modified or amended to render it feasible and fair and equitable to the persons affected.

(4) Whether the various transactions proposed in connection with the amended plan meet the requirements of applicable sections of the Public Utility Holding Company Act of 1935, particularly sections 7, 10, 11, and 12 thereof, and the Rules and Regulations promulgated thereunder, and of the Bankruptcy Act as amended, including (but without limitation) the proposals as to the following matters:

(a) The surrender to the United Trustee and the Utilities Trustees of the United collateral and the Utilities collateral held by the secured creditors.

(b) The partial distribution of the assets of United and of Utilities, and the receipt thereof by the persons other than the Midland Liquidating Trust, specified in the amended Plan of Reorganization.

(c) The creation of the Midland Liquidating Trust and the terms and provisions of such Trust.

(d) The transfer of the assets of United and of Utilities, which will remain after partial distribution of such assets, to the Midland Liquidating Trust, and the receipt of such assets by the Midland Liquidating Trust.

(e) The issuance of Trust Certificates and Trust Shares by the Midland Liquidating Trust, and their receipt by the Trust Certificate Holders and Trust Share Holders of the Midland Liquidating Trust.

(f) The provision that the distribution to the Debenture Holders of Utilities is to be determined by the Emerich Committee and the Magill Committee, subject to the approval of this Commission.

(g) The provision determining the manner in which the first Board of Directors of Northern Indiana and of South Shore are to be elected.

(h) The provision designating Willis D. Gale, William C. Freeman, and Max Swiren, as the initial Trustees of the Midland Liquidating Trust.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing copy of this order, by registered mail, to Hugh M. Morris, Trustee of the Estate of Midland United Company, Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, the Debenture Holders' Committee for Midland Utilities Company, acting under a Deposit Agreement, dated July 15, 1934 ("Emerich Committee"), the Protective Committee of the holders of Midland Utilities Company debentures acting under Letters of Authorization ("Magill Committee"), the Committee for the Protection of 6% and 7% Prior Lien Stockholders of Midland Utilities Company, the Protective Committee for the Midland United Company Stockholders, The Middle West Corporation, and The United Gas Improvement Company not less than thirty days prior to the date hereinbefore fixed as the date of the hearing; and that Hugh M. Morris, Trustee of the Estate of Midland United Company, shall serve notice of the hearing aforesaid by mailing copy of this order by registered mail to all parties of record in the reorganization proceedings, No. 1073, in the United States District Court for the District of Delaware, not less than fifteen days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to subsidiaries of said Midland United Company and Midland Utilities Company, the security holders of said Midland United Company and Midland Utilities Company and of the subsidiaries thereof, consumers of said companies, States, municipalities and political subdivisions of States within which are located any of the utility assets of Midland United Company and Midland Utilities Company and all subsidiaries thereof or under the laws of which any of such companies are incorporated, all state Commissions, state securities commissions, and all agencies, authorities, judicial bodies, or instrumentalities of the United States of America and of one or more States, municipalities or other political subdivision having jurisdiction over Midland United Company and Midland Utilities Company or any subsidiaries thereof or over any of the businesses, affairs, or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not later than fifteen days prior to the date hereinbefore fixed as the date of hearing.

It is further ordered, That Hugh M. Morris, Trustee of the Estate of Midland United Company, and Jay Samuel Hartt and Clarence A. Southerland, Trustees of the Estate of Midland Utilities Company, on or before March 19, 1943, mail to all known security holders of Midland United Company and Midland Utilities Company, respectively, at their last known addresses, copies of this Notice of and Order for Hearing, and that such trustees have available copies of the amended Plan of Reorganization to be forwarded to such security holders of their respective estates as may request a copy.

It is further ordered, That any persons desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of this Commission on or before April 1, 1943, his request or application therefor as provided in Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3203; Filed, March 1, 1943; 10:17 a. m.]

[File Nos. 59-8, 70-676]

THE COMMONWEALTH & SOUTHERN CORPORATION AND ITS SUBSIDIARY COMPANIES, ET AL.

NOTICE OF AND ORDER RECONVENING HEARING FOR LIMITED PURPOSE, AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 27th day of February 1943.

In the matter of The Commonwealth & Southern Corporation and its Subsidiary Companies, Respondents File No. 59-8; Transportation Securities Corporation, the Commonwealth & Southern Corporation, File No. 70-676.

The Commission having by order dated March 6, 1940, instituted proceedings under section 11 (b) (1) of the Act, involving The Commonwealth & Southern Corporation and its subsidiaries (File No. 59-8) and hearings having been held from time to time in said proceedings; and

Respondents having filed an Answer in the section 11 (b) (1) proceedings stating, among other things, that The Commonwealth & Southwestern Corporation contemplated the disposition of the non-utility assets of its non-utility subsidiaries as rapidly as possible; and

The Commonwealth & Southern Corporation and its non-utility subsidiary, Transportation Securities Corporation, having recently filed an application in connection with the proposed disposition of the investment (consisting of all the outstanding common stock) of Transportation Securities Corporation in Springfield Transportation Company, which latter company owns and operates a bus transportation business in Springfield, Illinois, and a hearing on said application (File No. 70-676) having been set for March 8, 1943; and

The Commission deeming it appropriate in the public interest that said proceedings (Files No. 59-8 and 70-676) be consolidated and that consolidated hearings be held with respect thereto; and

It further appearing to the Commission that cause should be shown why an order should not be entered at this time under section 11 (b) (1) of the Act requiring The Commonwealth & Southern Corporation to divest itself of all its interest, direct or indirect, in Transportation Securities Corporation and its subsidiaries.

It is ordered, That the said proceedings (File No. 59-8 and File No. 70-676) be, and they hereby are consolidated, and that a consolidated hearing be held on March 8, 1943, at 10:00 a. m. E. W. T. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania in such room as the Hearing Room Clerk in Room 318 will at that time advise; and

It is further ordered, That at said consolidated hearing, in addition to the matters specified for consideration in our Notice of Filing and Order for Hearing of February 22, 1943, File No. 70-676, cause shall be shown why an order should not be entered at this time by the Commission directing The Commonwealth & Southern Corporation to divest itself of all its interest, direct or indirect, in Transportation Securities Corporation and its subsidiaries.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to The Commonwealth & Southern Corporation and its subsidiary companies and to any other person whose participation in such proceeding may be in the public interest or in the interest of investors. Any person desiring to be heard should file with the Secretary of this Commission on or before March 6, 1943, his request therefor, as provided in Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of this Commission serve notice of the entry of this order by mailing a copy thereof by registered mail to The Commonwealth & Southern Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER, and by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3200; Filed, March 1, 1943; 10:14 a. m.]

[File No. 70-678]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of February 1943.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Milwaukee Electric Railway & Transport Company, a wholly owned subsidiary of Wisconsin Electric Power Company, and by Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company, and

Notice is further given that any interested person may, not later than March 17, 1943, at 4:00 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below.

(1) The Milwaukee Electric Railway & Transport Company proposes to purchase for cash at par from Wisconsin Electric Power Company 8,000 shares of its own common capital stock having a par value of $100 per share or an aggregate par value of $800,000 and to retire the stock so to be purchased by it;

(2) Wisconsin Electric Power Company proposes to sell to The Milwaukee Electric Railway & Transport Company the said 8,000 shares of the common capital stock of The Milwaukee Electric Railway & Transport Company for the consideration above specified.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3202; Filed, March 1, 1943; 10:14 a. m.]

[File No 31-494]

MANUFACTURERS TRUST CO.

ORDER MODIFYING PREVIOUS ORDER AND GRANTING LIMITED EXTENSION OF EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of February, A. D. 1943.

Manufacturers Trust Company, the owner of all of the capital stock of Utility Service Company, a registered holding company, and of more than ten per centum of the voting securities of New England Public Service Company, also a registered holding company, having filed an application for an additional extension of the exemption granted it pursuant to section 3 (a) (4) of the Public Utility Holding Company Act of 1935 by our orders of April 20, 1939, May 17, 1941, and February 26, 1942; a hearing having been held on said application after appropriate notice, and the Commission having considered the record and issued a Memorandum Opinion based thereon;

It is ordered; That Manufacturers Trust Company be and it is hereby exempted until July 15, 1943, from all of the provisions of said Act applicable to it as a holding company with respect to its direct ownership of the voting securities of Utility Service Company and New England Public Service Company, and with respect to its indirect ownership of the voting securities of The Marion-Reserve Power Company and Eastern Minnesota Power Corporation and New England Public Service Company. If on or prior to July 15, 1943, it has disposed of its interest in the common stock of The Marion-Reserve Power Company we will, upon appropriate application, further extend its exemption with respect to its interest in Utility Service Company, New England Public Service Company and Eastern Minnesota Power Corporation; jurisdiction is retained for that purpose;

It is further ordered, That all the provisions contained in the next to the last paragraph of our order in the above styled and numbered matter dated May 17, 1941, relating to the exemption of Manufacturers Trust Company with respect to its direct and indirect ownership of the voting securities of New England Public Service Company not in conflict with the terms of this order remain in full force and effect until the further order of this Commission.

By the Commission:

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3201; Filed, March 1, 1943; 10:14 a. m.]

WAR PRODUCTION BOARD.

ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

NOTICE TO BUILDERS AND SUPPLIERS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 27, 1943.

CURTIS E. CALDER, *Director General for Operations.*

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	42455	War Relocation Authority, Washington, D. C.	Poston, Yuma Counties, Ariz.	2-24-43
P-19-h	37973	War Relocation Authority, Washington, D. C.	Eden, Idaho	2-24-43
P-19-h	34783	War Relocation Authority, Washington, D. C.	Jerome, Drew and Chicot Counties, Ark.	2-23-43
P-19-h	34782	War Relocation Authority, Washington, D. C.	Rohwer, Dasha Co., Ark.	2-23-43
P-19-h	31664	War Relocation Authority, Washington, D. C.	Tule Lake, Newell, Siskiyou and Modoc Counties, Calif.	2-23-43
P-19-h	35972	War Relocation Authority, Washington, D. C.	Delta, Millard Counties, Utah	2-23-43

[F. R. Doc. 43-3192; Filed, February 27, 1943; 5:00 p. m.]

ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

NOTICE TO BUILDERS AND SUPPLIERS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 27, 1943.

CURTIS E. CALDER, *Director General for Operations.*

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19	8813	F. W. A., Washington, D. C.	Annapolis, Kitsap County, Wash.	2-26-43
P-19-h	49281	Young Men's Christian Association, New York, N. Y.	Blytheville City Hall, Blytheville, Mississippi County, Ark.	2-26-43
P-19-a	13251	F. W. A., Washington, D. C.	El Campo, Tex. (WPW 41-250)	2-26-43
P-19-b	27402	F. W. A., Washington, D. C.	Sitka, Alaska (WPW 50-106)	2-24-43

[F. R. Doc. 43-3191; Filed, February 27, 1943; 5:00 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 43

Washington, Wednesday, March 3, 1943

Regulations

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Association

PART 402—LOAN SERVICE DIVISION

[Bulletin 178]

MISCELLANEOUS AMENDMENTS

The fourth paragraph of § 402.25–25[1] which reads as follows:

§ 402.25–25 *Losses over $100; home owner cases.* * * *

Recommendations (a) and (b) shall not be made in any case where the amount of the loss is in excess of $300, is hereby revoked.

The first paragraph of § 402.25–27[1] is amended to read as follows:

§ 402.25–27 *Restoration referred to Reconditioning Section; home owner cases over $300.* * * *

In cases where the amount of the loss is in excess of $300 and the Regional Manager directs the loss proceeds to be used in the restoration of the security property under the supervision of the Reconditioning Section, the Control Supervisor shall so advise the home owner and the case shall be referred to the Reconditioning Supervisor, together with one copy of Form 115.

(Effective February 26, 1943)

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 43-3252; Filed, March 1, 1943; 2:21 p. m.]

PART 407—TREASURY DIVISION

[Bulletin 180]

SIGNATORIES

Section 407.15[2] shall be amended to read as follows:

§ 407.15 *Signatories.* The Regional Treasurer and the Assistant Regional Treasurer in each Regional Office are authorized, individually, to sign checks drawn on the Regional Working Fund maintained with the Treasurer of the United States for their respective region. All checks in excess of $1,000 drawn on such accounts shall be countersigned by the Regional Manager, an Assistant Regional Manager, a Deputy Assistant Regional Manager or an Assistant to the Regional Manager.

(Effective Feb. 1, 1943)

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 43-3253; Filed March 1, 1943; 2:21 p. m.]

[1] 7 F.R. 6990.
[2] 7 F.R. 3958.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T.D. 5234]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to certain sections[1] of

[1] Sec. 105 (c) (1)	Nondeductibility of excess-profits tax.
Sec. 105 (c) (2)	Nondeductibility of excess-profits tax.
Sec. 122	Deduction allowable to purchasers for State and local retail sales taxes.
Sec. 123	Deduction for stock and bond losses on securities in affiliated corporations.
Sec. 124 (a)	Deduction for bad debts; general rule.
Sec. 125	Corporate contributions to United States, etc., or for charitable use outside United States deductible.
Sec. 127 (a)	Deduction for medical, dental, etc., expenses.
Sec. 127 (c)	Charitable deductions.
Sec. 128	Deduction of certain amounts paid to cooperative apartment corporation.
Sec. 158 (b)	Deduction denied if foreign tax credit chosen.

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FEDERAL REGISTER

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the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended to read as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.23 (c)–1 the following:

SEC. 105. TAX ON CORPORATIONS. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Nondeductibility of excess-profits tax.* (1) Section 23 (c) (1) (B) (relating to taxes not deductible in computing net income) is amended to read as follows:

(B) war-profits and excess-profits taxes imposed by Title II of the Revenue Act of 1917, Title III of the Revenue Act of 1918, Title III of the Revenue Act of 1921, section 216 of the National Industrial Recovery Act, section 702 of the Revenue Act of 1934, or Subchapter E of Chapter 2, or by any such provisions as amended or supplemented;

(2) Section 23 (c) (2) (relating to special rules for deduction of excess-profits tax) is repealed.

* * * * *

SEC. 122. DEDUCTION ALLOWABLE TO PURCHASERS FOR STATE AND LOCAL RETAIL SALES TAXES. (Revenue Act of 1942, Title I.)

Section 23 (c) (relating to deduction for taxes) is amended by inserting at the end thereof the following new paragraph:

(3) *Retail sales tax.* In the case of a tax imposed by any State, Territory, District, or possession of the United States, or any political subdivision thereof, upon persons engaged in selling tangible personal property at retail, which is measured by the gross sales price or the gross receipts from the sale or which is a stated sum per unit of such property sold, or upon persons engaged in furnishing services at retail, which is measured by the gross receipts for furnishing such services, if the amount of such tax is separately stated, then to the extent that the amount so stated is paid by the purchaser (otherwise than in connection with the purchaser's trade or business) to such person such amount shall be allowed as a deduction in computing the net income of such purchaser as if such amount constituted a tax imposed upon and paid by such purchaser.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 158. FOREIGN TAX CREDIT. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Deduction denied if credit chosen.* Section 23 (c) (1) (C) (relating to deduction from gross income for taxes) is amended to read as follows:

(C) income, war-profits, and excess-profits taxes imposed by the authority of any foreign country or possession of the United States, if the taxpayer chooses to take to any extent the benefits of section 131.

(c) The amendments made by subsections (a) and (b) shall be applicable with respect to taxable years beginning after December 31, 1940.

* * * * *

PAR. 2. Section 19.23 (c)–1, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended as follows:

A. By inserting immediately before the first sentence the following heading: "(a) *In general.*"

B. By striking out "and section 702 of the Revenue Act of 1934" in the third sentence and inserting "section 702 of the Revenue Act of 1934, and, with respect to taxable years beginning after December 31, 1941, subchapter E of chapter 2" in lieu thereof.

C. By inserting "and before January 1, 1942," immediately after "December 31, 1940," in the fourth sentence.

D. By striking out the fifth sentence and inserting in lieu thereof the following:

Income, war-profits, and excess-profits taxes imposed by the authority of any foreign country or possession of the United States are, for taxable years beginning prior to January 1, 1941, deductible from gross income in cases where the taxpayer does not signify in his return his desire to have to any extent the benefits of section 131 (relating to credit for taxes of foreign countries or possessions of the United States). Such taxes are, for taxable years beginning after December 31, 1940, deductible from gross income for any taxable year in cases where the taxpayer does not choose to take to any extent for such taxable year the benefits of section 131. (See the last sentence of section 131 (a).)

E. By inserting at the end thereof the following new paragraphs:

(b) *State and local sales taxes.* For taxable years beginning after December 31, 1941, amounts representing sales taxes paid by a purchaser of services or tangible personal property are deductible by such purchaser as taxes, provided they are not paid in connection with his trade or business. The fact that, under the law imposing it, the incidence of the sales tax does not fall on the purchaser is immaterial. The requirement of section 23 (c) (3) that the amount of the tax must be separately stated will be deemed complied with where it clearly appears that the tax was added to the sales price and collected or charged as a separate item. It is not necessary, for the purposes of this section, that the purchaser be furnished with a sales slip, bill, invoice, or other statement on which the tax is separately stated. Where the law imposing the sales tax for which the taxpayer seeks a deduction contains a prohibition against the seller absorbing the tax, or a provision requiring a posted notice stating that the tax will be added to the quoted price, or a requirement that the tax be separately shown in advertisements or separately stated on all bills and invoices, it is presumed that the amount of the sales tax was separately stated at the time paid by the purchaser.

As used in this section the term "sales tax" means a tax imposed by any State, Territory, District, or possession of the United States, or any political subdivision thereof upon persons engaged in selling tangible personal property at retail, which is measured by the gross sales price or the gross receipts from the sale, or which is a stated sum per unit of such property sold. The term also includes a tax imposed by such authorities upon persons engaged in furnishing services at retail, which is measured by the gross receipts for furnishing such services.

PAR. 3. Section 19.23 (c)–4, as added by Treasury Decision 5086, is amended by striking out the word "The" at the beginning of the section and inserting in lieu thereof the following: "With respect to taxable years beginning after December 31, 1940, and before January 1, 1942, the".

PAR. 4. There is inserted immediately preceding § 19.23 (g)–1 the following:

SEC. 123. DEDUCTION FOR STOCK AND BOND LOSSES ON SECURITIES IN AFFILIATED CORPORATIONS. (Revenue Act of 1942, Title I.)

(a) *Stock losses.*

(1) *In general.* Section 23 (g) (relating to capital losses) is amended by inserting at the end thereof the following:

"(4) *Stock in affiliated corporation.* For the purposes of paragraph (2) stock in a corporation affiliated with the taxpayer shall not be deemed a capital asset. For the purposes of this paragraph a corporation shall be deemed to be affiliated with the taxpayer only if:

(A) at least 95 per centum of each class of its stock is owned directly by the taxpayer; and

(B) more than 90 per centum of the aggregate of its gross incomes for all taxable years has been from sources other than royalties, rents, dividends, interest, annuities, or gains from sales or exchanges of stocks and securities; and

(C) the taxpayer is a domestic corporation.

(2) *Technical amendment.* Section 23 (g) (3) is amended by inserting before "subsection" the following "paragraph (2) of".

(b) *Bond, etc., losses.* For losses on bonds, etc., of affiliated corporations, see amendment made to section 23 (k) by section 124 of this Act.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. There is inserted immediately after § 19.23 (g)–1 the following:

§ 19.23 (g)–2 *Loss on stock of affiliate.* If, for any taxable year beginning after December 31, 1941, a taxpayer is a domestic corporation and is affiliated, within the definition in section 23 (g) (4), with another corporation, the stock in such affiliated corporation owned by the taxpayer is not considered to be a "capital asset" of the taxpayer for the purpose of determining the loss from the worthlessness of such stock within the provisions of section 23 (g) (2) and § 19.23 (g)–1. For the purposes of section 23 (g) (2), section 23 (g) (4), § 19.23 (g)–1, and this section, a corporation shall be deemed to be affiliated with the taxpayer only if all the following factors are present:

(a) The taxpayer owns directly at least 95 percent of each class of the stock of such corporation,

(b) More than 90 percent of the aggregate of the gross incomes of such corporation for all the taxable years during which it has been in existence has been from sources other than royalties, rents, dividends, interest, annuities, or gains from sales or exchanges of stocks and securities, and

(c) The taxpayer is a domestic corporation.

Example. Corporation P, a domestic manufacturing corporation which makes its income tax returns on the calendar year basis, owns 100 percent of each class of the stock of Corporation S, and, in addition, 4 percent of the common stock (the only class of stock) of Corporation R which it acquired in 1936. Corporation S, a domestic manufacturing corporation which makes its income tax returns on the calendar year basis, owns 96 percent of the common stock of Corporation R which it acquired in 1934. It is established that the stock of Corporation R, which has from its inception derived all its gross income from manufacturing operations, became worthless during 1942. Since Corporation P does not own directly at least 95 percent of the stock of Corporation R, and therefore for the purposes of section 23 (g) (4) and this section is not affiliated with Corporation R, the stock of such corporation is a capital asset. Any loss upon such stock, under section 23 (g) (2), will be considered to be a loss from the sale or exchange of a capital asset. Since such stock was held for more than six months, such loss shall be considered a long-term capital loss under section 117. (See also section 117 (d).) Since Corporation R is deemed to be affiliated with Corporation S for the purposes of section 23 (g) (4) and this section, the stock of Corporation R is not a "capital asset" in the hands of Corporation S for the purposes of section 23 (g) (2) and § 19.23 (g)–1. Consequently, in computing the net income of Corporation S for 1942, any loss upon such stock, under section 23 (f), will be deducted as an ordinary loss and will not be circumscribed by the provisions of section 23 (g) or section 117.

With respect to losses for taxable years beginning after December 31, 1941, on bonds and similar securities, as defined in section 23 (k) (5), of a corporation affiliated with the taxpayer, as provided in such section, see § 19.23 (k)–4.

PAR. 6. There is inserted immediately preceding § 19.23 (k)–1 the following:

SEC. 124. DEDUCTION FOR BAD DEBTS, ETC. (Revenue Act of 1942, Title I.)

(a) *General rule.* Section 23 (k) (relating to bad debts and securities becoming worthless) is amended to read as follows:

(k) *Bad debts.*

(1) *General rule.* Debts which become worthless within the taxable year; or (in the discretion of the Commissioner, a reasonable addition to a reserve for bad debts); and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt, in an amount not in excess of the part which becomes worthless within the taxable year, as a deduction. This paragraph shall not apply in the case of a taxpayer, other than a bank, as defined in section 104, with respect to a debt evidenced by a security as defined in paragraph (3) of this subsection. This paragraph shall not apply in the case of a taxpayer, other than a corporation, with respect to a non-business debt, as defined in paragraph (4) of this subsection.

(2) *Securities becoming worthless.* If any securities (as defined in paragraph (3) of this subsection) become worthless within the taxable year and are capital assets, the loss resulting therefrom shall, in the case of a taxpayer other than a bank, as defined in section 104, for the purposes of this chapter, be considered as a loss from the sale or exchange, on the last day of such taxable year, of capital assets.

(3) *Definition of securities.* As used in paragraphs (1), (2), and (4) of this subsection the term "securities" means bonds, debentures, notes, or certificates, or other evidences of indebtedness, issued by any corporation (including those issued by a government or political subdivision thereof), with interest coupons or in registered form.

(4) *Non-business debts.* In the case of a taxpayer, other than a corporation, if a non-business debt becomes worthless within the taxable year, the loss resulting therefrom shall be considered a loss from the sale or exchange, during the taxable year, of a capital asset held for not more than 6 months. The term "non-business debt" means a debt other than a debt evidenced by a security as

defined in paragraph (3) and other than a debt the loss from the worthlessness of which is incurred in the taxpayer's trade or business.

(5) *Securities of affiliated corporations.* Bonds, debentures, notes or certificates, or other evidences of indebtedness issued with interest coupons or in registered form by any corporation affiliated with the taxpayer shall not be deemed capital assets for the purposes of paragraph (2) and paragraph (1) shall apply with respect to such debt except that no such deduction shall be allowed under such paragraph with respect to any such debt which is recoverable only in part. For the purposes of this paragraph a corporation shall be deemed to be affiliated with the taxpayer only if:

(A) at least 95 per centum of each class of its stock is owned directly by the taxpayer; and

(B) more than 90 per centum of the aggregate of its gross incomes for all taxable years has been from sources other than royalties, rents, dividends, interest or annuities or gains from sales or exchanges of stock and securities; and

(C) the taxpayer is a domestic corporation.

* * * * *

(d) *Effective date of amendments.* The amendments made by this section adding the last sentence of section 23 (k) (1) and adding section 23 (k) (4) shall be effective only with respect to taxable years beginning after December 31, 1942; the amendment inserting section 23 (k) (5) and amendments related thereto shall be applicable only with respect to taxable years beginning after December 31, 1941; and the other amendments made by this section shall be effective with respect to taxable years beginning after December 31, 1938.

* * * * *

PAR. 7. There is inserted in lieu of §§ 19.23 (k)–1 to 19.23 (k)–5, inclusive, the following:

§ 19.23 (k)–1 *Bad debts.* (a) Bad debts may be treated in either of two ways:

(1) By a deduction from income in respect of debts which become worthless in whole or in part, or

(2) By a deduction from income of an addition to a reserve for bad debts.

Taxpayers were given a similar option for 1921 to select either of the methods mentioned for treating such debts. (See article 151, Regulations 62.) While ascertainment of worthlessness and charge-off during the taxable year (which were prerequisite to deduction of a bad debt under the law at that time) are no longer required for the allowance of a debt which becomes worthless in a taxable year beginning after December 31, 1938, the method used in the return for 1921 must be used in returns for all subsequent years unless permission is granted by the Commissioner to change to the other method. A taxpayer filing a first return of income may select either of the two methods subject to approval by the Commissioner upon examination of the return. If the method selected is approved, it must be followed in returns for subsequent years, except as permission may be granted by the Commissioner to change to another method. Application for permission to change the method of treating bad debts shall be made at least 30 days prior to the close of the taxable year for which the change is to be effective. (See also § 19.23 (k)–5)

(b) If, from all the surrounding and attending circumstances, the Commissioner is satisfied that a debt is partially worthless, the amount which has become worthless during the taxable year shall be allowed as a deduction in computing net income. Before a taxpayer may deduct a debt in part, he must be able to demonstrate to the satisfaction of the Commissioner the amount thereof which is uncollectible and the part thereof which has become worthless during the taxable year. If a debt becomes wholly worthless during the taxable year, the amount thereof which has not been allowed as a deduction for any prior taxable year shall be allowed as a deduction for the taxable year. There should accompany the return a statement of facts substantiating any deduction claimed for bad debts. Any amount subsequently received on account of a bad dept or on account of a part of such debt previously allowed as a deduction for income tax purposes, must be included in gross income for the taxable year in which received, except to the extent excludible from gross income under the provisions of section 22 (b) (12), as added by section 116 of the Revenue Act of 1942. In determining whether a debt is worthless in whole or in part the Commissioner will consider all pertinent evidence, including the value of the collateral, if any, securing the debt and the financial condition of the debtor. Partial deductions will be allowed with respect to specific debts only.

Where the surrounding circumstances indicate that a debt is worthless and uncollectible and that legal action to enforce payment would in all probability not result in the satisfaction of execution on a judgment, a showing of these facts will be sufficient evidence of the worthlessness of the debt for the purpose of deduction. Bankruptcy is generally an indication of the worthlessness of at least a part of an unsecured and unpreferred debt. In bankruptcy cases a debt may become worthless before settlement in some instances, and in others only when a settlement in bankruptcy shall have been had. In either case the mere fact that bankruptcy proceedings instituted against the debtor are terminated in a later year, confirming the conclusion that the debt is worthless, will not authorize shifting the deductions to such later year. If a taxpayer computes his income upon the basis of valuing his notes or accounts receivable at their fair market value when received, which may be less than their face value, the amount deductible for bad debts in any case is limited to such original valuation.

(c) Where banks or other corporations which are subject to supervision by Federal authorities (or by State authorities maintaining substantially equivalent standards) in obedience to the specific orders of such supervisory officers charge off debts in whole or in part, such debts shall, to the extent charged off during the taxable year, be conclusively presumed, for income tax purposes, to have become worthless or worthless only in part during the taxable year, as the case may be. But no such debt shall be so conclusively presumed to be worthless or worthless only in part, as the case may be, if the amount so charged-off is not claimed as a deduction by the taxpayer at the time of filing the return for the taxable year in which such charge-off takes place. If a taxpayer does not claim a deduction in its return for such a totally or partially worthless debt for the year in which such charge-off takes place, but claims such deduction for the taxable year in which the debt becomes worthless or partially worthless, as the case may be, then such charge-off will be deemed to have been involuntary and the deduction shall be allowed for the year in which the debt becomes worthless or partially worthless, as the case may be.

(d) The provisions of paragraphs (a) and (b) of this section apply to all taxpayers, except that (1) they do not apply in the case of a taxpayer, other than a corporation, with respect to a non-business debt as defined in paragraph (4) of section 23 (k) of the Code; (2) no deduction on account of worthlessness shall be allowed with respect to any debt of the type enumerated in section 23 (k) (5) of the Code which is recoverable only in part; and (3) in the case of taxpayers other than banks as defined in section 104, the term "debts" as used in such subdivisions means obligations to pay fixed or determinable sums of money which are not evidenced by securities as defined in § 19.23 (k)–4.

§ 19.23 (k)–2 *Examples of bad debts.* Worthless debts arising from unpaid wages, salaries, rents, and similar items of taxable income will not be allowed as a deduction unless the income such items represent has been included in the return of income for the year for which the deduction as a bad debt is sought to be made or for a previous year. Only the difference between the amount received in distribution of the assets of a bankrupt and the amount of the claim may be deducted as a bad debt. The difference between the amount received by a creditor of a decedent in distribution of the assets of the decedent's estate and the amount of his claim may be considered a worthless debt. A purchaser of accounts receivable which become worthless is entitled to deduct them, the amount of deduction to be based upon the price he paid for them and not upon their face value.

§ 19.23 (k)–3 *Uncollectible deficiency upon sale of mortgaged or pledged property.* If mortgaged or pledged property is lawfully sold (whether to the creditor or another purchaser) for less than the amount of the debt and the portion of the indebtedness remaining unsatisfied after such sale is wholly or partially uncollectible, the mortgagee or pledgee may deduct such amount (to the extent that it constitutes capital or represents an item the income from which has been returned by him) as a bad debt for the taxable year in which it has become wholly or partially worthless. In addition, if the creditor buys in the mortgaged or pledged property, loss or gain is realized measured by the difference between the amount of those obligations of the debtor which are applied to the purchase or bid price of the property (to the extent that such obligations constitute capital or represent an item the income from which has been returned by him) and the fair market value of the property. The fair market value of the property shall be presumed to be the amount for which it is bid in by the taxpayer in the absence of clear and convincing proof to the contrary. If the creditor subsequently sells the property so acquired, the basis for determining gain or loss is the fair market value of the property at the date of acquisition.

Accrued interest may be included as part of the deduction only if it has previously been returned as income.

§ 19.23 (k)–4 *Worthless bonds and similar obligations.* Except as otherwise provided in section 23 (k) (5), no deduction is allowable under section 23 (k) (1) to any taxpayer (other than a bank as defined in section 104) with respect to a debt evidenced by a security which has become worthless in whole or in part. If a security is a capital asset and becomes worthless during the taxable year, a deduction for the loss resulting therefrom is allowable under section 23 (k) (2) to a taxpayer other than a bank. Such a loss, however, is made subject to the limitations provided in section 117 with respect to sales or exchanges. For the purposes of computing the net income of any taxpayer, other than a bank as defined in section 104, such a loss is to be considered as being sustained from the sale or exchange of the security on the last day of the taxable year, irrespective of when during the taxable year such security actually became worthless. Except in the case of a bank as defined in section 104, no deduction is allowable under section 23 (k) with respect to a debt evidenced by a security, as defined in section 23 (k) (3), which is recoverable only in part.

As used in section 23 (k) (2), the term "security" means a bond, debenture, note, or certificate, or other evidence of indebtedness to pay a fixed or determinable sum of money, which has been issued at any time by a domestic or foreign corporation (including that issued by any government or political subdivision thereof), either in registered form or accompanied by interest coupons.

A bond issued by an individual, if it has become worthless, may be treated as a bad debt. A bond (whether or not a security) of an insolvent corporation secured only by a mortgage from which on foreclosure nothing is realized for the bondholders is regarded as having become worthless not later than the year of the foreclosure sale, and no deduction is allowable in computing a bondholder's income for a subsequent year.

A taxpayer (other than a dealer in bonds or other similar obligations) possessing debts evidenced by bonds or other similar obligations cannot deduct from gross income any amount merely on account of market fluctuation. If, however, due, for instance, to the financial condition of the debtor, or conditions other than market fluctuation, the taxpayer will recover upon maturity none or only a part of the debt evidenced by the bonds or other similar obligations (which bonds or other obligations are not securities as defined in this section) and he so demonstrates to the satisfaction of the Commissioner, he may deduct in computing net income the uncollectible part of the debt evidenced by the bonds or other similar obligations. A bank as defined in section 104 may deduct such uncollectible part of the debt even though the evidence of the debt is a security as defined in this section.

The application of section 23 (k) to deductions for worthless bonds and similar obligations which are securities may be illustrated by the following examples:

Example 1. On February 1, 1938, A, an individual, who is not a dealer in corporate bonds, purchased bonds of the X Corporation bearing interest coupons payable semiannually, for which he paid $3,000. During the calendar year 1939 (his taxable year) the bonds became worthless. A is entitled to a deduction of $2,000 in computing his net income for 1939. The computation of the amount of the deduction is the same as the computation in the example under § 19.23 (g)–1.

Example 2. If the facts in example 1 are the same except that because of the financial condition of the X Corporation the debt evidenced by its bonds became recoverable only in part, no deduction is allowable to A under either section 23 (k) (1) or (2) with respect to the uncollectible part of such debt.

Under section 23 (k) (5), bonds, debentures, notes or certificates, or other evidences of indebtedness to pay a fixed or determinable sum of money, issued with interest coupons or in registered form by any corporation affiliated with the taxpayer, shall not be deemed capital assets of the taxpayer for the purposes of section 23 (k) (2) or as a debt (evidenced by a security) for the purposes of this section; and the provisions of section 23 (k) (1) and of paragraphs (a) and (b) of § 19.23 (k)–1 shall apply with respect to such debts except that no deduction shall be allowed to the taxpayer with respect to any such debt which is recoverable only in part. For the purposes of this section, a corporation is deemed to be affiliated with the taxpayer only if the taxpayer owns at least 95 percent of each class of the stock of such corporation, if more than 90 percent of the aggregate of the gross incomes of such corporation for all taxable years has been from sources other than royalties, rents, dividends, interest, or annuities, or gains from the sales or exchanges of stocks and securities and if the taxpayer is a domestic corporation. The provisions of the two preceding sentences shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.23 (k)–5 *Reserve for bad debts.* Taxpayers who have established the reserve method of treating bad debts and maintained proper reserve accounts for bad debts, or who, in accordance with § 19.23 (k)–1, adopt the reserve method of treating bad debts, may deduct from gross income a reasonable addition to a reserve for bad debts in lieu of a deduction for specific bad debt items.

What constitutes a reasonable addition to a reserve for bad debts must be determined in the light of the facts, and will vary as between classes of business and, with conditions of business prosperity. It will depend primarily upon the total amount of debts outstanding at the close of the taxable year, those arising currently as well as those arising in prior taxable years, and the total amount of the existing reserve. In case subsequent realizations upon outstanding debts prove to be more or less than estimated at the time of the creation of the existing reserve, the amount of the excess or inadequacy in the existing reserve should be reflected in the determination of the reasonable addition necessary in the taxable year. A taxpayer using the reserve method should make a statement in his return showing the volume of his charge sales (or other business transactions) for the year and the percentage of the reserve to such amount, the total amount of notes and accounts receivable at the beginning and close of the taxable year, and the amount of the debts which have become wholly or partially worthless and have been charged against the reserve account.

§ 19.23 (k)–6 *Non-business bad debts.* In the case of a taxpayer, other than a corporation, if a non-business bad debt becomes entirely worthless within a taxable year beginning after December 31, 1942, the loss resulting therefrom shall be treated as a loss from the sale or exchange of a capital asset held for not more than six months. Such a loss is subject to the limitations provided in section 117 with respect to gains and losses from the sale and exchange of capital assets. A loss with respect to such a debt will be treated as sustained only if and when the debt has become totally worthless, and no deduction shall be allowed for a non-business debt which is recoverable in part during the taxable year. Nor are the provisions of this subdivision applicable in the case of a loss resulting from a security as defined in section 23 (k) (3). A non-business debt is a debt, other than a debt the loss from the worthlessness of which is incurred in the taxpayer's trade or business and other than a debt evidenced by a security as that term is defined in section 23 (k) (3). The question whether a debt is one the loss from the worthlessness of which is incurred in the taxpayer's trade or business is a question of fact in each particular case. The determination of this question is substantially the same as that which is made for the purpose of ascertaining whether a loss from the type of transaction covered by section 23 (e) is "incurred in trade or business" under paragraph (1) of that section.

The character of the debt for this purpose is not controlled by the circumstances attending its creation or its subsequent acquisition by the taxpayer or by the use to which the borrowed funds are put by the recipient, but is to be determined rather by the relation which the loss resulting from the debt's becoming worthless bears to the trade or business of the taxpayer. If that relation is a proximate one in the conduct of the trade or business in which the taxpayer is engaged at the time the debt becomes worthless, the debt is not a non-business debt for the purposes of this amendment.

To illustrate: A, an individual engaged in the grocery business and who makes his income tax returns on the calendar year basis, extends credit on an open account to B in 1941.

(1) In 1942 A sells the business but retains the claim against B. The claim subsequently becomes worthless in A's hands. A's loss is controlled by the non-business debt provisions. While the original consideration was advanced by A in his trade or business, the loss was not sustained as a proximate incident to the conduct of any trade or business in which he was engaged at the time the claim became worthless.

(2) In 1942 A sells the business to C but sells the claim against B to the taxpayer, D. The claim subsequently becomes worthless in D's hands, at a time when D is not engaged in a trade or business incident to the conduct of which a loss from the worthlessness of such a claim would be a proximate result. D's loss is controlled by the non-business debt provisions, even though the original consideration was advanced by A in his trade or business.

(3) In 1942 A dies, leaving the business, including the accounts receivable, to his son, C, the taxpayer. The claim against B becomes worthless in C's hands. C's loss is not controlled by the non-business debt provisions. While C did not advance any consideration for the claim or acquire it in carrying on his trade or business, the loss was sustained as a proximate incident to the conduct of the trade or business in which he was engaged at the time the debt became worthless.

(4) In 1942, A dies, leaving the business to his son, C, but the claim against B to his son, D, the taxpayer. The claim against B becomes worthless in D's hands at a time when D is not engaged in a trade or business incident to the conduct of which a loss from the worthlessness of such a claim would be a proximate result. D's loss is controlled by the non-business debt provisions, even though the original consideration was advanced by A in his trade or business.

(5) In 1942 A dies and while his executor, C, is carrying on the business, the claim against B becomes worthless. The loss sustained by A's estate is not controlled by the non-business debt provisions. While C did not advance any consideration for the claim on behalf of the estate or acquire it in carrying on a trade or business in which the estate was engaged, the loss was sustained as a proximate incident to the conduct of the trade or business in which the estate was engaged at the time the debt became worthless.

(6) In 1942, A, in liquidating the business, attempts to collect B's claim but finds that it has become worthless. A's loss is not controlled by the non-business debt provisions, since a loss incurred in liquidating a trade or business is a proximate incident to the conduct thereof.

The provisions of this section with respect to non-business debts are applicable only to taxable years beginning after December 31, 1942.

PAR. 8. There is inserted immediately preceding § 19.23 (q)–1 the following:

SEC. 127. DEDUCTION FOR MEDICAL, DENTAL, ETC., EXPENSES. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Charitable deductions.* Section 23 (o) (relating to deduction for charitable and other contributions) is amended by striking the period at the end of the next to the last sentence and by inserting in lieu thereof the following: "or of subsection (x)."

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 9. Section 19.23 (o)–1 is amended by inserting at the end of the first paragraph thereof the following:

For taxable years beginning after December 31, 1941, for computation of deductions for charitable contributions where the taxpayer also has an allowable deduction for medical expenses see § 19.23 (x)–1.

PAR. 10. There is inserted immediately preceding § 19.23 (q)–1 the following:

SEC. 125. CORPORATE CONTRIBUTIONS TO UNITED STATES, ETC., OR FOR CHARITABLE USE OUTSIDE UNITED STATES DEDUCTIBLE. (Revenue Act of 1942, Title I.)

The first sentence of section 23 (q) (relating to allowance of corporate charitable contributions) is amended to read as follows: "In the case of a corporation, contributions or gifts payment of which is made within the taxable year to or for the use of:

"(1) The United States, any State, Territory, or any political subdivision thereof or the District of Columbia, or any possession of the United States, for exclusively public purposes; or

"(2) A corporation, trust, or community chest, fund, or foundation, created or organized in the United States or in any possession thereof or under the law of the United States, or of any State or Territory, or of the District of Columbia, or of any possession of the United States, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or for the prevention of cruelty to children (but in the case of contributions or gifts to a trust, chest, fund, or foundation, payment of which is made within a taxable year beginning after the date of the cessation of hostilities in the present war, as proclaimed by the President, only if such contributions or gifts are to be used within the United States or any of its possessions exclusively for such purposes), no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

to an amount which does not exceed 5 per centum of the taxpayer's net income as computed without the benefits of this subsection."

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 11. Section 19.23 (q)–1 is amended as follows:

A. By striking the first sentence and inserting in lieu thereof the following sentences:

A corporation may deduct from its gross income, for taxable years beginning after December 31, 1938, and before January 1, 1940, contributions or gifts to organizations described in section 23 (q), prior to its amendment by the Revenue Act of 1939; for taxable years beginning after December 31, 1939, and before January 1, 1942, contributions or gifts to organizations described in section 23 (q), as amended by the Revenue Act of 1939; and for taxable years beginning after December 31, 1941, contributions or gifts to organizations described in section 23 (q) as amended by the Revenue Act of 1942 (see § 19.22 (b) (4)–1 for definition of "political subdivision"). Where payment is made in a taxable year beginning after December 31, 1941, and prior to a taxable year beginnnig after the date of the cessation of hostilities in the present war, as proclaimed by the President, the charitable deduction prescribed is allowable to corporations even though the gifts or contributions are used outside of the United States or its possessions.

B. By striking from the second sentence the following: "that section" and inserting in lieu thereof the following: "the applicable law".

PAR. 12. There is inserted immediately preceding section 24 the following:

SEC. 127. DEDUCTION FOR MEDICAL, DENTAL, ETC., EXPENSES. (Revenue Act of 1942, Title I.)

(a) *Allowance of deduction.* Section 23 (relating to deductions from gross income) is amended by inserting at the end thereof the following new subsection:

(x) *Medical, dental, etc., expenses.* Except as limited under paragraph (1) or (2), expenses paid during the taxable year, not compensated for by insurance or otherwise, for medical care of the taxpayer, his spouse, or a dependent specified in section 25 (b) (2) (A) of the taxpayer. The term "medical care," as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance).

(1) A husband and wife who file a joint return may deduct only such expenses as exceed 5 per centum of the aggregate net income of such husband and wife, computed without the benefit of this subsection, and the maximum deduction for the taxable year shall be not in excess of $2,500 in the case of such husband and wife.

(2) An individual who files a separate return may deduct only such expenses as exceed 5 per centum of the net income of the taxpayer, computed without the benefit of this subsection, and the maximum deduction for the taxable year shall be not in excess of $2,500 in the case of the head of a family, and not in excess of $1,250 in the case of all other such individuals.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.23 (x)–1 *Medical, dental, etc., expenses.* Section 23 (x) permits, for taxable years beginning after December 31, 1941, a deduction from gross income of payments for certain medical expenses. The deduction is allowable only to individuals and only with respect to medical expenses actually paid during the taxable year, regardless of when the incident or event which occasioned the expenses occurred and regardless of the method of accounting employed by the taxpayer in making his income tax return. If the medical expenses are incurred but not paid during the taxable year, no deduction can be taken for such year. Thus, if an expenditure was incurred in December, 1942, but not paid until January, 1943, no deduction can be taken for the year 1942.

The expenses paid must be for medical care of the taxpayer, his spouse, or a dependent of the taxpayer (see § 19.25–6 for description of dependents), not compensated for by insurance or otherwise. Where reimbursement, from insurance or otherwise, for medical expenses is not received until a taxable year subsequent to the year in which allowable medical expenses were paid, the reimbursement so received must be included in the gross income of the taxpayer for the taxable year received to the extent attributable to (and not in excess of) deductions allowed under section 23(x) for any prior taxable year (see section 22 (b) (5)). Where during the year for which the deduction is taken payments are made for medical care which are not compensated for during such year but for which compensation is received in a subsequent year, the portion of the compensation so received which is attributable to the deduction taken is that proportion of such compensation which the amount of the deduction bears to the total amount of the payments made in the prior year not compensated for during such prior year.

It is unnecessary for the purposes of this section that the spouse or dependent of the taxpayer for whom the medical expenses are paid be such at the time of payment, or at the time they were incurred. Thus, payments made in June, 1942 by A, for medical services rendered B, his wife, in 1941 may be deducted by A for 1942 even though prior to payment for that year B died or secured a divorce; and payments made in July, 1942 by C for medical services rendered D in 1941 may be deducted by C for 1942 even though C and D were not married until June, 1942.

Only such medical expenses are deductible as exceed 5 percent of the net income computed without the deduction for medical expenses. Where a taxpayer has allowable deductions in the taxable year for both charitable contributions and medical expenses the allowable deductions for charitable contributions should be computed first, without regard to deduction for medical expenses, and thereafter the deduction for medical expenses should be calculated (see §19.23 (o)–1). The maximum deduction allowable for medical expenses paid in any one taxable year is $2,500 in the case of the head of a family or a husband and wife filing a joint return. In all other cases, the maximum is $1,250.

The term "medical care" as used in this section and in section 23 (x) includes amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance). Payments for hospitalization insurance, or for membership in an association furnishing cooperative or so-called free-choice medical service, or group hospitalization and clinical care are amounts which may be deducted. Amounts paid for operations or treatments affecting any portion of the body, including obstetrical expenses and expenses of X-rays or therapy treatments are deemed to be for the purpose of affecting any structure or function of the body and are therefore deductible. Amounts expended for illegal operations or treatments or illegally procured drugs are not deductible. Allowable deductions under section 23 (x) will be confined strictly to expenses incurred primarily for the prevention or alleviation of a physical or mental defect or illness. Thus, payments for expenses for hospital, nursing (including nurses' board where paid by the taxpayer), medical, laboratory, surgical, dental and other diagnostic and healing services, for drugs and medical and dental supplies (including artificial teeth or limbs), and for ambulance hire and travel primarily for and essential to the rendition of the medical services or to the prevention or alleviation of a physical or mental defect or illness, are deductible.

In connection with claims for deductions under section 23 (x), the taxpayer shall furnish the name and address of each person to whom payment for medical expenses was made and the amount and the approximate date of the actual payment thereof in each case. If payment was in kind then such fact shall be so reflected. Claims for deduction must be substantiated, when requested by the Commissioner, by a statement from the individual or entity to which payment for medical expenses was paid showing the nature of the service rendered, to or for whom rendered, the amount paid therefor, and the date of the actual payment thereof, and by such other information as the Commissioner may deem necessary.

The application of section 23 (x) and this section may be illustrated by the following example:

Example. Taxpayer A, divorced from B in December 1941 and having one dependent child, had net income for 1942 of $3,000 before deduction of medical expenses. During 1942 he paid $300 for medical care, of which $100 was for treatment of his dependent child and $200 for an operation in September 1941 on B, his wife at the time of the operation. In 1942 he received a payment of $50 for health insurance covering B's illness during 1941.

The deduction allowable under section 23 (x) for the calendar year 1942 is $100 computed as follows:

Payment for medical care in 1942	$300
Less: Amount of insurance received in 1942	50
Payment for medical care in 1942 not compensated for during 1942	250
Less: 5 percent of $3,000 (net income before deduction of medical expenses	150
Excess, allowable as deduction for 1942	100

Assuming in the above example that in 1943, A brings suit and receives $150 upon a hospital insurance policy covering the expenses incurred by B in 1941, the amount included in taxable income for 1943 is $90, computed as follows (see section 22 (b) (5)):

Compensation received in 1943	$150
Less: Portion thereof attributable to the deduction allowed for prior year 1942: 100 (deduction for 1942) / 250 (payments not compensated for in 1942) × $150 (compensation received in 1943)	60
Amount to be excluded from gross income for 1943	90
Taxable income for 1943	60

SEC. 128. DEDUCTION OF CERTAIN AMOUNTS PAID TO COOPERATIVE APARTMENT CORPORATION. (Revenue Act of 1942, Title I.)

Section 23 (relating to deductions from gross income) is amended by inserting at the end thereof the following new subsection:

(z) *Amounts representing taxes and interest paid to cooperative apartment corporation.*

(1) *In general.* In the case of a tenant-stockholder (as defined in paragraph (2)), amounts, not otherwise deductible, paid or accrued to a cooperative apartment corporation within the taxable year, if such amounts represent that proportion of the real estate taxes on the apartment building and the land on which it is situated, allowable as deductions under subsection (c), paid or incurred by the corporation, or of the interest paid or incurred by the corporation on its indebtedness contracted in the acquisition, construction, alteration, rehabilitation, or maintenance of such apartment building or in the acquisition of the land on which the building is located, which the stock of the corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including that held by the corporation.

(2) *Definitions.* For the purposes of this subsection:

(A) *Cooperative apartment corporation.* The term "cooperative apartment corporation" means a corporation:

(i) Having one and only one class of stock outstanding,

(ii) All of the stockholders of which are entitled, solely by reason of their ownership of stock in the corporation, to occupy for dwelling purposes apartments in a building owned or leased by such corporation, and who are not entitled, either conditionally or unconditionally, except upon a complete or partial liquidation of the corporation, to receive any distribution not out of earnings and profits of the corporation, and

(iii) 80 per centum or more of the gross income of which for the taxable year in which the taxes and interest described in paragraph (1) are paid or incurred is derived from tenant-stockholders.

(B) *Tenant-stockholders.* The term "tenant-stockholder" means an individual who is a stockholder in a cooperative apartment corporation, and whose stock is fully paid-up in an amount not less than an amount shown to the satisfaction of the Commissioner as bearing a reasonable relationship to the portion of the value of the corporation's equity in the building and the land on which it is situated which is attributable to the apartment which such individual is entitled to occupy.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.23 (z)–1 *Amounts representing taxes and interest paid to cooperative apartment corporation.* A tenant-stock-

holder may, for taxable years beginning after December 31, 1941, deduct from his gross income amounts paid or accrued within his taxable year to a cooperative apartment corporation representing certain taxes or interest paid or incurred by such corporation. Such amounts are not allowable as a deduction unless they represent the tenant-stockholder's proportionate share of the real estate taxes on the apartment building and the land on which it is situated, allowable as deductions under section 23 (c), paid or incurred by the cooperative apartment corporation prior to the close of the taxable year of the tenant-stockholder, or of the interest paid or incurred by the corporation prior to such time on its indebtedness contracted in the acquisition, construction, alteration, rehabilitation, or maintenance of such apartment building or in the acquisition of the land on which the building is situated.

The deduction allowable under section 23 (z) shall not exceed the amount of the tenant-stockholder's proportionate share of the taxes and interest described therein. In case a tenant-stockholder pays or incurs all or a part of his proportionate share of such taxes and interest to the corporation, the amount so paid or incurred representing taxes and interest is allowable as a deduction if the requirements of section 23 (z) are otherwise satisfied. As used in this section the tenant-stockholder's proportionate share is that proportion which the stock of the cooperative apartment corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including that held by the corporation. If a tenant-stockholder pays or incurs to the corporation an amount on account of such taxes and interest and other items, such as maintenance, overhead expenses, and curtailment of mortgage indebtedness, the amount representing such taxes and interest is an amount which bears the same ratio to the total amount of the tenant-stockholder's payment or liability as the rate used for in the total amount of the tenant-stockholder's proportionate share of such taxes and interest bears to the total amount of the tenant-stockholder's proportionate share of the taxes, interest, and other items on account of which such payment is made or liability incurred. No deduction is allowable under section 23 (z) for that part of amounts representing the taxes or interest described therein as to which the tenant-stockholder is entitled to receive a [illegible]

either to occupy the apartment or to a lease of the apartment. The fact that the right to continue to occupy the apartment is dependent upon the payment of charges to the corporation in the nature of rentals or assessment is immaterial. None of the stockholders of the corporation shall be entitled, either conditionally or unconditionally, except upon a complete or partial liquidation of the corporation, to receive any distribution other than out of earnings or profits of the corporation. It is a prerequisite to the allowance of a deduction under section 23 (z) that at least 80 percent of the gross income of the corporation for the taxable year of the corporation in which the taxes and interest are paid or incurred is derived from tenant-stockholders.

The term "tenant-stockholder" means an individual who is a stockholder in a cooperative apartment corporation as defined in section 23 (z), and whose stock is fully paid up in an amount at least equal to an amount shown to the satisfaction of the Commissioner as bearing a reasonable relationship to the portion of the fair market value, as of the date of the original issuance of the stock, of the corporation's equity in the building and the land on which it is situated which is attributable to the apartment which such individual is entitled to occupy.

The application of section 23 (z) may be illustrated by the following examples:

Example 1. The X Corporation is, and at all times since 1940 has been, a cooperative apartments at a total cost of $200,000. The of section 23 (z). In 1940 it purchased a site and constructed thereon a building with 10 apartments at a total cost of $200 000 The fair market value of the land and building was likewise $200 000 at the time of completion of the building. Each apartment is of equal value. Upon completion of the building, the X Corporation mortgaged the land and building for $100,000, and sold its total authorized capital stock consisting of 1,000 shares of common stock for $100,000. The stock was purchased by 10 individuals, who each paid $10,000 for 100 shares. Each certificate for the shares provides that the holder thereof is entitled to a lease of a particular apartment in the building for a specified term of years. Each lease provides that the tenant shall pay his proportionate part of the corporation's expenses. In 1942 the original owner of 100 shares of the common stock of the X Corporation sold it to Arnold Smith, a gain of [illegible]

Total shares of stock of X Corporation outstanding		1,000
Proportion of outstanding stock of X Corporation owned by A		1/10
Expenses incurred by X Corporation:		
Real estate taxes	$4,000	
Interest	5,000	
Maintenance	3,000	
Other expenses	1,800	$13,800
Amount paid by A representing his proportionate part of such expenses (1/10 of $13,800)		1,380
A's proportionate share of real estate taxes and interest based on his stock ownership (1/10 of $9,000)		900
A's proportionate share of total corporate expenses based on his stock ownership (1/10 of $13,800)		1,380
Amount of A's payment representing real estate taxes and interest (900/1380 of $1,380)		900
A's allowable deduction		900

Since the stock which A acquired by gift was fully paid up by his donor in an amount equal to the portion of the fair market value, as of the date of the original issuance of the stock, of the corporation's equity in the land and building which is attributable to Apartment No. 1, the requirement of section 23 (z) in this regard is satisfied. The fair market value at the time of the gift of the corporation's equity attributable to the apartment is immaterial.

Example 2. The facts are the same as in example 1 except that the building constructed by the X Corporation contained, in addition to the 10 apartments, business space on the ground floor, which the corporation rented at $2,400 for the calendar year 1941; the corporation deducted the $2,400 from its expenses in determining the amount of the expenses to be prorated among its tenant-stockholders; the amount paid by A to the corporation in 1942 is $1,140 instead of $1,380; and more than 80 percent of the gross income of the corporation for 1941 was derived from tenant-stockholders. A is entitled under section 23 (z) to a deduction of $743.48 in computing his net income for 1942. The deduction is computed as follows:

Expenses incurred by X Corporation	$15,200
Less rent from business space	2,400
Expenses to be prorated among tenant-stockholders	12,800
Amount paid by A representing his proportionate part of such expenses (1/10 of $12,800)	1,280
A's proportionate share of real estate taxes and interest based on his stock ownership (1/10 of $9,000)	900
A's proportionate share of total corporate expenses based on his stock ownership (1/10 of $12,800)	1,280
Amount of A's payment representing real estate taxes and interest (900/1280 of $1,280)	900
A's allowable deduction	743.48

Total amount paid by A	$1,000.00
A's proportionate share of real estate taxes and interest based on his stock ownership (1/10 of $9,000)	900.00
A's proportionate share of total corporate expenses based on his stock ownership (1/10 of $13,800)	1,380.00
Amount of A's payment representing real estate taxes and interest (900/1380 of $1,000)	652.17
A's allowable deduction	652.17

Since the portion of A's payment allocable to real estate taxes and interest is only $652.17, that amount instead of $900 is allowable as a deduction in computing A's net income for 1942.

(Secs. 105 (c) (1), 105 (c) (2), 122, 123, 124 (a), 125, 127 (a), 127 (c), 128, and 158 (b) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.) and sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed., 62))

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved March 1, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3317; Filed March 2, 1943; 11:32 a. m.]

[T. D. 5235]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE

Regulations 103 amended to conform to section 165 of the Revenue Act of 1942, relating to mutual insurance companies other than life or marine.

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) to section 165 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. Section 19.101-1, as amended by Treasury Decision 5171 approved October 29, 1942, is further amended as follows:

A. By striking out paragraph (a) of the third paragraph and inserting in lieu thereof the following:

When a mutual insurance company has established its right to exemption under section 101 (11) of the Code or a corresponding provision of a prior income tax law it need not thereafter make a return of income or any further showing with respect to its status under the law, unless it changes the character of its organization or operations or unless the gross amount received during the taxable year (beginning after December 31, 1941) from interest, dividends, rents, and premiums (including deposits and assessments) exceeds $75,000.

PAR. 2. There is inserted immediately preceding § 19.101 (11)-1 the following:

SEC. 165. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE. (Revenue Act of 1942, Title I.)

(a) *Exempt companies.* Section 101 (11) is amended to read as follows:

(11) Mutual insurance companies or associations other than life or marine (including interinsurers and reciprocal underwriters) if the gross amount received during the taxable year from interest, dividends, rents, and premiums (including deposits and assessments) does not exceed $75,000;

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 3. Section 19.101 (11)-1 is amended as follows:

A. By inserting immediately after the words "under section 101 (11)" appearing in the first paragraph the following: "for taxable years beginning prior to January 1, 1942".

B. By inserting immediately after the words "in section 101 (11)" appearing in the second paragraph the following: "for taxable years beginning prior to January 1, 1942".

C. By adding at the end thereof a new paragraph as follows:

For taxable years beginning after December 31, 1941 an insurance company or company [illegible]

SEC. 206. COMPUTATION OF GROSS INCOME. The gross income of insurance companies subject to the tax imposed by section 201 or 204 shall not be determined in the manner provided in section 119.

SEC. 165. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Taxable companies.* Section 207 (relating to taxation of mutual insurance companies other than life) is amended to read as follows:

SEC. 207. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE.

(a) *Imposition of tax.* There shall be levied, collected, and paid for each taxable year upon the income of every mutual insurance company (other than a life or a marine insurance company and other than an interinsurer or reciprocal underwriter) a tax computed under paragraph (1) or paragraph (2) whichever is the greater and upon the income of every mutual insurance company (other than a life or a marine insurance company) which is an interinsurer or reciprocal underwriter, a tax computed under paragraph (3):

(1) If the corporation surtax net income is over $3,000 a tax computed as follows:

(A) *Normal tax.* A normal tax on the normal-tax net income, computed at the rates provided in section 13 or section 14 (b), or 30 per centum of the amount by which the normal-tax net income exceeds $3,000, whichever is the lesser; plus

(B) *Surtax.* A surtax on the corporation surtax net income, computed at the rates provided in section 15 (b), or 20 per centum of the amount by which the corporation surtax net income exceeds $3,000, whichever is the lesser.

(2) If for the taxable year the gross amount of income from interest, dividends, rents, and net premiums, minus dividends to policy holders, minus the interest which under section 22 (b) (4) is excluded from gross income, exceeds $75,000, a tax equal to the excess of—

(A) 1 per centum of the amounts so computed, or 2 per centum of the excess of the amount so computed over $75,000, whichever is the lesser, over

(B) the amount of the tax imposed under Subchapter E of Chapter 2

(3) In the case of an interinsurer or reciprocal underwriter, if the corporation surtax net income is over $[illegible] a tax computed as follows:

(A) *Normal tax.* A normal tax on the corporation net income, computed at the rates provided in section 13 or section 14 (b), on the amounts of the excess of the amount by which the [illegible]

To illustrate: A, an individual engaged in the grocery business and who makes his income tax returns on the calendar year basis, extends credit on an open account to B in 1941.

(1) In 1942 A sells the business but retains the claim against B. The claim subsequently becomes worthless in A's hands. A's loss is controlled by the non-business debt provisions. While the original consideration was advanced by A in his trade or business, the loss was not sustained as a proximate incident to the conduct of any trade or business in which he was engaged at the time the claim became worthless.

(2) In 1942 A sells the business to C but sells the claim against B to the taxpayer, D. The claim subsequently becomes worthless in D's hands, at a time when D is not engaged in a trade or business incident to the conduct of which a loss from the worthlessness of such a claim would be a proximate result. D's loss is controlled by the non-business debt provisions, even though the original consideration was advanced by A in his trade or business.

(3) In 1942 A dies, leaving the business, including the accounts receivable, to his son, C, the taxpayer. The claim against B becomes worthless in C's hands. C's loss is not controlled by the non-business debt provisions. While C did not advance any consideration for the claim or acquire it in carrying on his trade or business, the loss was sustained as a proximate incident to the conduct of the trade or business in which he was engaged at the time the debt became worthless.

(4) In 1942, A dies, leaving the business to his son, C, but the claim against B to his son, D, the taxpayer. The claim against B becomes worthless in D's hands at a time when D is not engaged in a trade or business incident to the conduct of which a loss from the worthlessness of such a claim would be a proximate result. D's loss is controlled by the non-business debt provisions, even though the original consideration was advanced by A in his trade or business.

(5) In 1942 A dies and while his executor, C, is carrying on the business, the claim against B becomes worthless. The loss sustained by A's estate is not controlled by the non-business debt provisions. While C did not advance any consideration for the claim on behalf of the estate or acquire it in carrying on a trade or business in which the estate was engaged, the loss was sustained as a proximate incident to the conduct of the trade or business in which the estate was engaged at the time the debt became worthless.

(6) In 1942, A, in liquidating the business, attempts to collect B's claim but finds that it has become worthless. A's loss is not controlled by the non-business debt provisions, since a loss incurred in liquidating a trade or business is a proximate incident to the conduct thereof.

The provisions of this section with respect to non-business debts are applicable only to taxable years beginning after December 31, 1942.

PAR. 8. There is inserted immediately preceding § 19.23 (o)–1 the following:

SEC. 127. DEDUCTION FOR MEDICAL, DENTAL, ETC., EXPENSES. (Revenue Act of 1942, Title I.)

* * * * * * *

(c) *Charitable deductions.* Section 23 (o) (relating to deduction for charitable and other contributions) is amended by striking the period at the end of the next to the last sentence and by inserting in lieu thereof the following: "or of subsection (x)."

* * * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 9. Section 19.23 (o)–1 is amended by inserting at the end of the first paragraph thereof the following:

For taxable years beginning after December 31, 1941, for computation of deductions for charitable contributions where the taxpayer also has an allowable deduction for medical expenses see § 19.23 (x)–1.

PAR. 10. There is inserted immediately preceding § 19.23 (q)–1 the following:

SEC. 125. CORPORATE CONTRIBUTIONS TO UNITED STATES, ETC., OR FOR CHARITABLE USE OUTSIDE UNITED STATES DEDUCTIBLE. (Revenue Act of 1942, Title I.)

The first sentence of section 23 (q) (relating to allowance of corporate charitable contributions) is amended to read as follows: "In the case of a corporation, contributions or gifts payment of which is made within the taxable year to or for the use of:

"(1) The United States, any State, Territory, or any political subdivision thereof or the District of Columbia, or any possession of the United States, for exclusively public purposes; or

"(2) A corporation, trust, or community chest, fund, or foundation, created or organized in the United States or in any possession thereof or under the law of the United States, or of any State or Territory, or of the District of Columbia, or of any possession of the United States, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or for the prevention of cruelty to children (but in the case of contributions or gifts to a trust, chest, fund, or foundation, payment of which is made within a taxable year beginning after the date of the cessation of hostilities in the present war, as proclaimed by the President, only if such contributions or gifts are to be used within the United States or any of its possessions exclusively for such purposes), no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

to an amount which does not exceed 5 per centum of the taxpayer's net income as computed without the benefits of this subsection."

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 11. Section 19.23 (q)–1 is amended as follows:

A. By striking the first sentence and inserting in lieu thereof the following sentences:

A corporation may deduct from its gross income, for taxable years beginning after December 31, 1938, and before January 1, 1940, contributions or gifts to organizations described in section 23 (q), prior to its amendment by the Revenue Act of 1939; for taxable years beginning after December 31, 1939, and before January 1, 1942, contributions or gifts to organizations described in section 23 (q), as amended by the Revenue Act of 1939; and for taxable years beginning after December 31, 1941, contributions or gifts to organizations described in section 23 (q) as amended by the Revenue Act of 1942 (see § 19.22 (b) (4)–1 for definition of "political subdivision"). Where payment is made in a taxable year beginning after December 31, 1941, and prior to a taxable year beginnnig after the date of the cessation of hostilities in the present war, as proclaimed by the President, the charitable deduction prescribed is allowable to corporations evcn though the gifts or contributions are used outside of the United States or its possessions.

B. By striking from the second sentence the following: "that section" and inserting in lieu thereof the following: "the applicable law".

PAR. 12. There is inserted immediately preceding section 24 the following:

SEC. 127. DEDUCTION FOR MEDICAL, DENTAL, ETC., EXPENSES. (Revenue Act of 1942, Title I.)

(a) *Allowance of deduction.* Section 23 (relating to deductions from gross income) is amended by inserting at the end thereof the following new subsection:

(x) *Medical, dental, etc., expenses.* Except as limited under paragraph (1) or (2), expenses paid during the taxable year, not compensated for by insurance or otherwise, for medical care of the taxpayer, his spouse, or a dependent specified in section 25 (b) (2) (A) of the taxpayer. The term "medical care," as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance).

(1) A husband and wife who file a joint return may deduct only such expenses as exceed 5 per centum of the aggregate net income of such husband and wife, computed without the benefit of this subsection, and the maximum deduction for the taxable year shall be not in excess of $2,500 in the case of such husband and wife.

(2) An individual who files a separate return may deduct only such expenses as exceed 5 per centum of the net income of the taxpayer, computed without the benefit of this subsection, and the maximum deduction for the taxable year shall be not in excess of $2,500 in the case of the head of a family, and not in excess of $1,250 in the case of all other such individuals.

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SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.23 (x)–1 *Medical, dental, etc., expenses.* Section 23 (x) permits, for taxable years beginning after December 31, 1941, a deduction from gross income of payments for certain medical expenses. The deduction is allowable only to individuals and only with respect to medical expenses actually paid during the taxable year, regardless of when the incident or event which occasioned the expenses occurred and regardless of the method of accounting employed by the taxpayer in making his income tax return. If the medical expenses are incurred but not paid during the taxable year, no deduction can be taken for such year. Thus, if an expenditure was incurred in December, 1942, but not paid until January, 1943, no deduction can be taken for the year 1942.

The expenses paid must be for medical care of the taxpayer, his spouse, or a dependent of the taxpayer (see § 19.25–6 for description of dependents), not compensated for by insurance or otherwise. Where reimbursement, from insurance or otherwise, for medical expenses is not received until a taxable year subsequent to the year in which allowable medical expenses were paid, the reimbursement so received must be included in the gross income of the taxpayer for the taxable year received to the extent attributable to (and not in excess of) deductions allowed under section 23(x) for any prior taxable year (see section 22 (b) (5)). Where during the year for which the deduction is taken payments are made for medical care which are not compensated for during such year but for which compensation is received in a subsequent year, the portion of the compensation so received which is attributable to the deduction taken is that proportion of such compensation which the amount of the deduction bears to the total amount of the payments made in the prior year not compensated for during such prior year.

It is unnecessary for the purposes of this section that the spouse or dependent of the taxpayer for whom the medical expenses are paid be such at the time of payment, or at the time they were incurred. Thus, payments made in June, 1942 by A, for medical services rendered B, his wife, in 1941 may be deducted by A for 1942 even though prior to payment for that year B died or secured a divorce; and payments made in July, 1942 by C for medical services rendered D in 1941 may be deducted by C for 1942 even though C and D were not married until June, 1942.

Only such medical expenses are deductible as exceed 5 percent of the net income computed without the deduction for medical expenses. Where a taxpayer has allowable deductions in the taxable year for both charitable contributions and medical expenses the allowable deductions for charitable contributions should be computed first, without regard to deduction for medical expenses, and thereafter the deduction for medical expenses should be calculated (see §19.23 (o)–1). The maximum deduction allowable for medical expenses paid in any one taxable year is $2,500 in the case of the head of a family or a husband and wife filing a joint return. In all other cases, the maximum is $1,250.

The term "medical care" as used in this section and in section 23 (x) includes amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance). Payments for hospitalization insurance, or for membership in an association furnishing cooperative or so-called free-choice medical service, or group hospitalization and clinical care are amounts which may be deducted. Amounts paid for operations or treatments affecting any portion of the body, including obstetrical expenses and expenses of X-rays or therapy treatments are deemed to be for the purpose of affecting any structure or function of the body and are therefore deductible. Amounts expended for illegal operations or treatments or illegally procured drugs are not deductible. Allowable deductions under section 23 (x) will be confined strictly to expenses incurred primarily for the prevention or alleviation of a physical or mental defect or illness. Thus, payments for expenses for hospital, nursing (including nurses' board where paid by the taxpayer), medical, laboratory, surgical, dental and other diagnostic and healing services, for drugs and medical and dental supplies (including artificial teeth or limbs), and for ambulance hire and travel primarily for and essential to the rendition of the medical services or to the prevention or alleviation of a physical or mental defect or illness, are deductible.

In connection with claims for deductions under section 23 (x), the taxpayer shall furnish the name and address of each person to whom payment for medical expenses was made and the amount and the approximate date of the actual payment thereof in each case. If payment was in kind then such fact shall be so reflected. Claims for deduction must be substantiated, when requested by the Commissioner, by a statement from the individual or entity to which payment for medical expenses was paid showing the nature of the service rendered, to or for whom rendered, the amount paid therefor, and the date of the actual payment thereof, and by such other information as the Commissioner may deem necessary.

The application of section 23 (x) and this section may be illustrated by the following example:

Example. Taxpayer A, divorced from B in December 1941 and having one dependent child, had net income for 1942 of $3,000 before deduction of medical expenses. During 1942 he paid $300 for medical care, of which $100 was for treatment of his dependent child and $200 for an operation in September 1941 on B, his wife at the time of the operation. In 1942 he received a payment of $50 for health insurance covering B's illness during 1941.

The deduction allowable under section 23 (x) for the calendar year 1942 is $100 computed as follows:

Payment for medical care in 1942	$300
Less: Amount of insurance received in 1942	50
Payment for medical care in 1942 not compensated for during 1942	250
Less: 5 percent of $3,000 (net income before deduction of medical expenses	150
Excess, allowable as deduction for 1942	100

Assuming in the above example that in 1943, A brings suit and receives $150 upon a hospital insurance policy covering the expenses incurred by B in 1941, the amount included in taxable income for 1943 is $90, computed as follows (see section 22 (b) (5)):

Compensation received in 1943	$150
Less: Portion thereof attributable to the deduction allowed for prior year 1942: 100 (deduction for 1942) / 250 (payments not compensated for in 1942) × $150 (compensation received in 1943)	= 60
Amount to be excluded from gross income for 1943	90
Taxable income for 1943	60

SEC. 128. DEDUCTION OF CERTAIN AMOUNTS PAID TO COOPERATIVE APARTMENT CORPORATION. (Revenue Act of 1942, Title I.)

Section 23 (relating to deductions from gross income) is amended by inserting at the end thereof the following new subsection:

(z) *Amounts representing taxes and interest paid to cooperative apartment corporation.*

(1) *In general.* In the case of a tenant-stockholder (as defined in paragraph (2)), amounts, not otherwise deductible, paid or accrued to a cooperative apartment corporation within the taxable year, if such amounts represent that proportion of the real estate taxes on the apartment building and the land on which it is situated, allowable as deductions under subsection (c), paid or incurred by the corporation, or of the interest paid or incurred by the corporation on its indebtedness contracted in the acquisition, construction, alteration, rehabilitation, or maintenance of such apartment building or in the acquisition of the land on which the building is located, which the stock of the corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including that held by the corporation.

(2) *Definitions.* For the purposes of this subsection:

(A) *Cooperative apartment corporation.* The term "cooperative apartment corporation" means a corporation:

(i) Having one and only one class of stock outstanding,

(ii) All of the stockholders of which are entitled, solely by reason of their ownership of stock in the corporation, to occupy for dwelling purposes apartments in a building owned or leased by such corporation, and who are not entitled, either conditionally or unconditionally, except upon a complete or partial liquidation of the corporation, to receive any distribution not out of earnings and profits of the corporation, and

(iii) 80 per centum or more of the gross income of which for the taxable year in which the taxes and interest described in paragraph (1) are paid or incurred is derived from tenant-stockholders.

(B) *Tenant-stockholders.* The term "tenant-stockholder" means an individual who is a stockholder in a cooperative apartment corporation, and whose stock is fully paid-up in an amount not less than an amount shown to the satisfaction of the Commissioner as bearing a reasonable relationship to the portion of the value of the corporation's equity in the building and the land on which it is situated which is attributable to the apartment which such individual is entitled to occupy.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.23 (z)–1 *Amounts representing taxes and interest paid to cooperative apartment corporation.* A tenant-stock-

holder may, for taxable years beginning after December 31, 1941, deduct from his gross income amounts paid or accrued within his taxable year to a cooperative apartment corporation representing certain taxes or interest paid or incurred by such corporation. Such amounts are not allowable as a deduction unless they represent the tenant-stockholder's proportionate share of the real estate taxes on the apartment building and the land on which it is situated, allowable as deductions under section 23 (c), paid or incurred by the cooperative apartment corporation prior to the close of the taxable year of the tenant-stockholder, or of the interest paid or incurred by the corporation prior to such time on its indebtedness contracted in the acquisition, construction, alteration, rehabilitation, or maintenance of such apartment building or in the acquisition of the land on which the building is situated.

The deduction allowable under section 23 (z) shall not exceed the amount of the tenant-stockholder's proportionate share of the taxes and interest described therein. In case a tenant-stockholder pays or incurs all or a part of his proportionate share of such taxes and interest to the corporation, the amount so paid or incurred representing taxes and interest is allowable as a deduction if the requirements of section 23 (z) are otherwise satisfied. As used in this section the tenant-stockholder's proportionate share is that proportion which the stock of the cooperative apartment corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including that held by the corporation. If a tenant-stockholder pays or incurs to the corporation an amount on account of such taxes and interest and other items, such as maintenance, overhead expenses, and curtailment of mortgage indebtedness, the amount representing such taxes and interest is an amount which bears the same ratio to the total amount of the tenant-stockholder's payment or liability, as the case may be, as the total amount of the tenant-stockholder's proportionate share of such taxes and interest bears to the total amount of the tenant-stockholder's proportionate share of the taxes, interest, and other items on account of which such payment is made or liability incurred. No deduction is allowable under section 23 (z) for such part of amounts representing the taxes or interest described therein as is deductible by a tenant-stockholder under any other provision of the Internal Revenue Code.

In order to qualify as a "cooperative apartment corporation" under section 23 (z), the corporation shall have only one class of stock outstanding. Each stockholder of the corporation shall be entitled to occupy for dwelling purposes an apartment in a building owned or leased by such corporation. The stockholder is not required to occupy the apartment. The right as against the corporation to occupy the apartment is sufficient. Such right shall be conferred on each stockholder solely by reason of his ownership of stock in the corporation, that is, the stock shall entitle the owner thereof either to occupy the apartment or to a lease of the apartment. The fact that the right to continue to occupy the apartment is dependent upon the payment of charges to the corporation in the nature of rentals or assessment is immaterial. None of the stockholders of the corporation shall be entitled, either conditionally or unconditionally, except upon a complete or partial liquidation of the corporation, to receive any distribution other than out of earnings or profits of the corporation. It is a prerequisite to the allowance of a deduction under section 23 (z) that at least 80 percent of the gross income of the corporation for the taxable year of the corporation in which the taxes and interest are paid or incurred is derived from tenant-stockholders.

The term "tenant-stockholder" means an individual who is a stockholder in a cooperative apartment corporation as defined in section 23 (z), and whose stock is fully paid up in an amount at least equal to an amount shown to the satisfaction of the Commissioner as bearing a reasonable relationship to the portion of the fair market value, as of the date of the original issuance of the stock, of the corporation's equity in the building and the land on which it is situated which is attributable to the apartment which such individual is entitled to occupy.

The application of section 23 (z) may be illustrated by the following examples:

Example 1. The X Corporation is, and at all times since 1940 has been, a cooperative apartments at a total cost of $200,000. The of section 23 (z). In 1940 it purchased a site and constructed thereon a building with 10 apartments at a total cost of $200,000. The fair market value of the land and building was likewise $200,000 at the time of completion of the building. Each apartment is of equal value. Upon completion of the building, the X Corporation mortgaged the land and building for $100,000, and sold its total authorized capital stock, consisting of 1,000 shares of common stock, for $100,000. The stock was purchased by 10 individuals, who each paid $10,000 for 100 shares. Each certificate for 100 shares provides that the holder thereof is entitled to a lease of a particular apartment in the building for a specified term of years. Each lease provides that the lessee shall pay his proportionate part of the corporation's expenses. In 1940 the original owner of 100 shares of the common stock of the X Corporation and of the lease to Apartment No. 1 made a gift of the stock and lease to A, an individual. The taxable year of A and of the X Corporation is the calendar year. The corporation computes its net income on the accrual basis, while A computes his net income on the cash basis. In 1941 the X Corporation incurred expenses aggregating $13,800, namely, $4,000 for the real estate taxes on the land and building, $5,000 for the interest on the mortgage, $3,000 for the maintenance of the building, and $1,800 for other expenses. In 1942, A pays the X Corporation $1,380, representing his proportionate part of the expenses incurred by the corporation. The entire gross income of the X Corporation for 1941 was derived from tenant-stockholders. A is entitled under taxes on the land and building, $5,000 for computing his net income for 1942. The deduction is computed as follows:

Shares of stock of X Corporation owned by A		100
Shares of stock of X Corporation owned by 9 other tenant-stockholders		900
Total shares of stock of X Corporation outstanding		1,000
Proportion of outstanding stock of X Corporation owned by A		1/10
Expenses incurred by X Corporation:		
Real estate taxes	$4,000	
Interest	5,000	
Maintenance	3,000	
Other expenses	1,800	$13,800
Amount paid by A representing his proportionate part of such expenses (1/10 of $13,800)		1,380
A's proportionate share of real estate taxes and interest based on his stock ownership (1/10 of $9,000)		900
A's proportionate share of total corporate expenses based on his stock ownership (1/10 of $13,800)		1,380
Amount of A's payment representing real estate taxes and interest (900/1380 of $1,380)		900
A's allowable deduction		900

Since the stock which A acquired by gift was fully paid up by his donor in an amount equal to the portion of the fair market value, as of the date of the original issuance of the stock, of the corporation's equity in the land and building which is attributable to Apartment No. 1, the requirement of section 23 (z) in this regard is satisfied. The fair market value at the time of the gift of the corporation's equity attributable to the apartment is immaterial.

Example 2. The facts are the same as in example 1 except that the building constructed by the X Corporation contained, in addition to the 10 apartments, business space on the ground floor, which the corporation rented at $2,400 for the calendar year 1941; the corporation deducted the $2,400 from its expenses in determining the amount of the expenses to be prorated among its tenant-stockholders; the amount paid by A to the corporation in 1942 is $1,140 instead of $1,380; and more than 80 percent of the gross income of the corporation for 1941 was derived from tenant-stockholders. A is entitled under section 23 (z) to a deduction of $743.48 in computing his net income for 1942. The deduction is computed as follows:

Expenses incurred by X Corporation	$13,800
Less rent from business space	2,400
Expenses to be prorated among tenant-stockholders	11,400
Amount paid by A representing his proportionate part of such expenses (1/10 of $11,400)	1,140
A's proportionate share of real estate taxes and interest based on his stock ownership (1/10 of $9,000)	900.00
A's proportionate share of total corporate expenses based on his stock ownership (1/10 of 13,800)	1,380.00
Amount of A's payment representing real estate taxes and interest (900/1380 of $1,140)	743.48
A's allowable deduction	743.48

Since the portion of A's payment allocable to real estate taxes and interest is only $743.48, that amount instead of $900 is allowable as a deduction in computing A's net income for 1942.

Example 3. The facts are the same as in example 2 except that the amount paid by A to the X Corporation in 1942 is $1,000 instead of $1,140. A is entitled under section 23 (z) to a deduction of $652.17 in computing his net income for 1942. The deduction is computed as follows:

Total amount paid by A	$1,000.00
A's proportionate share of real estate taxes and interest based on his stock ownership (1/10 of $9,000)	900.00
A's proportionate share of total corporate expenses based on his stock ownership (1/10 of $13,800)	1,380.00
Amount of A's payment representing real estate taxes and interest (900/1380 of $1,000)	652.17
A's allowable deduction	652.17

Since the portion of A's payment allocable to real estate taxes and interest is only $652.17, that amount instead of $900 is allowable as a deduction in computing A's net income for 1942.

(Secs. 105 (c) (1), 105 (c) (2), 122, 123, 124 (a), 125, 127 (a), 127 (c), 128, and 158 (b) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.) and sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed., 62))

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved March 1, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3317; Filed March 2, 1943; 11:32 a. m.]

[T. D. 5235]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE

Regulations 103 amended to conform to section 165 of the Revenue Act of 1942, relating to mutual insurance companies other than life or marine.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 165 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. Section 19.101-1, as amended by Treasury Decision 5177, approved October 29, 1942, is further amended as follows:

A. By striking out paragraph (a) of the third paragraph and inserting in lieu thereof the following:

(a) Mutual insurance companies shall submit copies of the policies or certificates of membership, and, in addition thereto, for taxable years beginning prior to January 1, 1942, if any substantial amount of income is claimed to be held for the payment of losses or expenses, shall submit a statement based upon a reliable table of loss experience demonstrating that the amount so held for the payment of losses is reasonably necessary, and in the case of expenses, shall submit a statement based upon reliable statistics showing that the expenses were incurred or that in all probability they will be incurred;

B. By inserting in the first sentence in the fifth paragraph after the word "organization" the first time it appears therein, the following: "(other than a mutual insurance company)".

C. By inserting after the fourth sentence in the fifth paragraph the following:

When a mutual insurance company has established its right to exemption under section 101 (11) of the Code or a corresponding provision of a prior income tax law it need not thereafter make a return of income or any further showing with respect to its status under the law, unless it changes the character of its organization or operations or unless the gross amount received during the taxable year (beginning after December 31, 1941) from interest, dividends, rents, and premiums (including deposits and assessments) exceeds $75,000.

PAR. 2. There is inserted immediately preceding § 19.101 (11)-1 the following:

SEC. 165. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE. (Revenue Act of 1942, Title I.)

(a) *Exempt companies.* Section 101 (11) is amended to read as follows:

(11) Mutual insurance companies or associations other than life or marine (including interinsurers and reciprocal underwriters) if the gross amount received during the taxable year from interest, dividends, rents, and premiums (including deposits and assessments) does not exceed $75,000;

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 3. Section 19.101 (11)-1 is amended as follows:

A. By inserting immediately after the words "under section 101 (11)" appearing in the first paragraph the following: "for taxable years beginning prior to January 1, 1942".

B. By inserting immediately after the words "in section 101 (11)" appearing in the second paragraph the following: "for taxable years beginning prior to January 1, 1942".

C. By adding at the end thereof a new paragraph as follows:

For taxable years beginning after December 31, 1941 an insurance company is exempt from taxation under this chapter if it is a mutual company or association (other than life or marine) or an interinsurer or reciprocal underwriter and if the gross amount received during the taxable year from interest, dividends, rents, and premiums (including deposits and assessments) does not exceed $75,000. Such a company is not required to file income-tax returns or pay income taxes.

PAR. 4. There is inserted immediately after § 19.204-3 the following:

SEC. 205. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as a credit against the tax of a domestic insurance company subject to the tax imposed by section 201, 204, or 207, to the extent provided in the case of a domestic corporation in section 131, and in the case of the tax imposed by section 201 or 204 "net income" as used in section 131 means the net income as defined in this Supplement.

SEC. 206. COMPUTATION OF GROSS INCOME.

The gross income of insurance companies subject to the tax imposed by section 201 or 204 shall not be determined in the manner provided in section 119.

SEC. 165. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Taxable companies.* Section 207 (relating to taxation of mutual insurance companies other than life) is amended to read as follows:

SEC. 207. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE.

(a) *Imposition of tax.* There shall be levied, collected, and paid for each taxable year upon the income of every mutual insurance company (other than a life or a marine insurance company and other than an interinsurer or reciprocal underwriter) a tax computed under paragraph (1) or paragraph (2) whichever is the greater and upon the income of every mutual insurance company (other than a life or a marine insurance company) which is an interinsurer or reciprocal underwriter, a tax computed under paragraph (3):

(1) If the corporation surtax net income is over $3,000 a tax computed as follows:

(A) *Normal tax.* A normal tax on the normal-tax net income, computed at the rates provided in section 13 or section 14 (b), or 30 per centum of the amount by which the normal-tax net income exceeds $3,000, whichever is the lesser; plus

(B) *Surtax.* A surtax on the corporation surtax net income, computed at the rates provided in section 15 (b), or 20 per centum of the amount by which the corporation surtax net income exceeds $3,000, whichever is the lesser.

(2) If for the taxable year the gross amount of income from interest, dividends, rents, and net premiums, minus dividends to policy holders, minus the interest which under section 22 (b) (4) is excluded from gross income, exceeds $75,000, a tax equal to the excess of—

(A) 1 per centum of the amounts so computed, or 2 per centum of the excess of the amount so computed over $75,000, whichever is the lesser, over

(B) the amount of the tax imposed under Subchapter E of Chapter 2.

(3) In the case of an interinsurer or reciprocal underwriter, if the corporation surtax net income is over $50,000 a tax computed as follows:

(A) *Normal tax.* A normal tax on the normal-tax net income, computed at the rates provided in section 13 or section 14 (b), or 48 per centum of the amount by which the normal-tax net income exceeds $50,000, whichever is the lesser; plus

(B) *Surtax.* A surtax on the corporation surtax net income, computed at the rates provided in section 15 (b), or 32 per centum of the amount by which the corporation surtax net income exceeds $50,000, whichever is the lesser.

(4) *Gross amount received over $75,000 but less than $125,000.* If the gross amount received during the taxable year from interest, dividends, rents, and premiums (including deposits and assessments) is over $75,000 but less than $125,000, the amount ascertained under paragraph (1), paragraph (2) (A), and paragraph (3) shall be an amount which bears the same proportion to the amount ascertained under such paragraph, computed without reference to this paragraph, as the excess over $75,000 of such gross amount received bears to $50,000.

(5) *Foreign mutual insurance companies other than life or marine.* In the case of a foreign mutual insurance company (other than a life or marine insurance company), the net income shall be the net income from sources within the United States and the

gross amount of income from interest, dividends, rents, and net premiums shall be the amount of such income from sources within the United States.

(6) *No United States insurance business.* Foreign mutual insurance companies (other than a life or marine insurance company) not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations.

(b) *Definition of income, etc.* In the case of an insurance company subject to the tax imposed by this section—

(1) *Gross investment income.* "Gross investment income" means the gross amount of income during the taxable year from interest, dividends, rents, and gains from sales or exchanges of capital assets to the extent provided in section 117;

(2) *Net premiums.* "Net premiums" means gross premiums (including deposits and assessments) written or received on insurance contracts during the taxable year less return premiums and premiums paid or incurred for reinsurance. Amounts returned where the amount is not fixed in the insurance contract but depends upon the experience of the company or the discretion of the management shall not be included in return premiums but shall be treated as dividends to policyholders under paragraph (3);

(3) *Dividends to policyholders.* "Dividends to policyholders" means dividends and similar distributions paid or declared to policyholders. The term "paid or declared" shall be construed according to the method regularly employed in keeping the books of the insurance company;

(4) *Net income.* The term "net income" means the gross investment income less—

(A) *Tax-free interest.* The amount of interest which under section 22 (b) (4) is excluded for the taxable year from gross income:

(B) *Investment expenses.* Investment expenses paid or accrued during the taxable year. If any general expenses are in part assigned to or included in the investment expenses, the total deduction under this subparagraph shall not exceed one-fourth of 1 per centum of the mean of the book value of the invested assets held at the beginning and end of the taxable year plus one-fourth of the amount by which net income computed without any deduction for investment expenses allowed by this subparagraph, or for tax-free interest allowed by subsection (b) (4) (A), exceeds 3¾ per centum of the book value of the mean of the invested assets held at the beginning and end of the taxable year;

(C) *Real estate expenses.* Taxes and other expenses paid or accrued during the taxable year exclusively upon or with respect to the real estate owned by the company, not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed, and not including any amount paid out for new buildings, or for permanent improvements or betterments made to increase the value of any property. The deduction allowed by this paragraph shall be allowed in the case of taxes imposed upon a shareholder of a company upon his interest as shareholder, which are paid or accrued by the company without reimbursement from the shareholder, but in such cases no deduction shall be allowed the shareholder for the amount of such taxes;

(D) *Depreciation.* A reasonable allowance, as provided in section 23 (l), for the exhaustion, wear and tear of property, including a reasonable allowance for obsolescence;

(E) *Interest paid or accrued.* All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from taxation under this chapter.

(F) *Capital losses.* Capital losses to the extent provided in section 117 plus losses from capital assets sold or exchanged in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders. Capital assets shall be considered as sold or exchanged in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders to the extent that the gross receipts from their sale or exchange are not greater than the excess, if any, for the taxable year of the sum of dividends and similar distributions paid to policyholders, losses paid, and expenses paid over the sum of interest, dividends, rents, and net premiums received. In the application of section 117 (e) for the purposes of this section, the net capital loss for the taxable year shall be the amount by which losses for such year from sales or exchanges of capital assets exceeds the sum of the gains from such sales or exchanges and whichever of the following amounts is the lesser:

(i) the corporation surtax net income (computed without regard to gains or losses from sales or exchanges of capital assets); or

(ii) losses from the sale or exchange of capital assets sold or exchanged to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders.

(c) *Rental value of real estate.* The deduction under subsection (b) (4) (C) or (b) (4) (D) of this section on account of any real estate owned and occupied in whole or in part by a mutual insurance company other than life or marine, shall be limited to an amount which bears the same ratio to such deduction (computed without regard to this subsection) as the rental value of the space not so occupied bears to the rental value of the entire property.

(d) *Amortization of premium and accrual of discount.* The gross amount of income during the taxable year from interest, the deduction provided in subsection (b) (4) (A), and the credit allowed against net income in section 26 (a) shall each be decreased by the appropriate amortization of premium and increased by the appropriate accrual of discount attributable to the taxable year on bonds, notes, debentures or other evidences of indebtedness held by a mutual insurance company other than life or marine. Such amortization and accrual shall be determined (1) in accordance with the method regularly employed by such company, if such method is reasonable, and (2) in all other cases, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary.

(e) *Deductions of foreign corporations.* In the case of a foreign corporation the deductions allowed in this section shall be allowed to the extent provided in Supplement I in the case of a foreign corporation engaged in trade or business within the United States.

(f) *Double deductions.* Nothing in this section shall be construed to permit the same item to be twice deducted.

(g) *Credits under section 26.* For the purposes of this section, in computing normal tax net income and corporation surtax net income, the credits provided in section 26 shall be allowed in the manner and to the extent provided in sections 13 (a) and 15 (a).

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.207–1 (1942) *Tax on mutual insurance companies other than life or marine.* All mutual insurance companies other than life or marine (including foreign insurance companies carrying on an insurance business within the United States) not specifically exempt under the provisions of section 101 (11) as amended, are subject to the tax imposed by section 207 (a) on their investment income or on their gross income, whichever tax is the greater, except interinsurers and reciprocal underwriters which are taxed only on their investment income. For the alternative tax, in lieu of the tax imposed by section 207 (a) (1) or (3), where the net long-term capital gain for any taxable year exceeds the net short-term capital loss, see section 117 (c) (1) and the regulations thereunder.

The taxable income of mutual insurance companies other than life or marine differs from the taxable income of other corporations. (See section 207 (a) (2) and section 207 (b).) Such companies are entitled, in computing normal-tax net income and corporation surtax net income, to the credits provided in section 26 in the manner and to the extent provided in sections 13 (a) and 15 (a). The gross amount of income during the taxable year from interest, the deductions under section 207 (b) (4) (A) for wholly tax-exempt interest, and the credit under section 26 (a) for partially tax-exempt interest, are decreased by the appropriate amortization of premiums and increased by the appropriate accrual of discount attributable to the taxable year on bonds, notes, debentures or other evidences of indebtedness held by a mutual insurance company other than life or marine. (See section 207 (d) and § 19.207–6 (1942).)

All provisions of the Internal Revenue Code and of these regulations not inconsistent with the specific provisions of section 207, are applicable to the assessment and collection of the tax imposed by section 207 (a) and mutual insurance companies other than life or marine are subject to the same penalties as are provided in the case of returns and payment of income tax by other corporations. The return shall be on Form 1120M.

Foreign mutual insurance companies other than life or marine not carrying on an insurance business within the United States are not taxable under section 207 (a), but are taxable as other foreign corporations. See section 231.

Mutual insurance companies other than life or marine, except interinsurers or reciprocal underwriters, with corporation surtax net incomes of over $3,000 or with gross amounts of income from interest, dividends, rents, and net premiums, minus dividends to policyholders, minus wholly tax-exempt interest of over $75,000, are subject to a tax computed under section 207 (a) (1) or section 207 (a) (2) whichever is the greater. The tax under section 207 (a) (1) is computed upon normal-tax net income and corporation surtax net income at the rates provided in section 13 or section 14 (b) and in section 15 (b). The tax under section 207 (a) (2) is a tax equal to the excess of 1 percent of the gross amount of income from interest, dividends, rents, and net premiums, minus dividends to policyholders, minus wholly tax-exempt interest, over the amount of the tax imposed under Subchapter E of Chapter 2.

Under section 207 (a) (1), companies with normal-tax net incomes of between $3,000 and $6,153.86, and with corporation surtax net incomes of between $3,000 and $6,000, pay a normal tax, at the rate of 30 percent, and a surtax, at the rate of 20 percent, on that portion of the normal-tax net income and the corporation surtax net income, respectively, in excess of $3,000. Under section 207 (a) (2), companies with gross amounts of income from interest, dividends, rents, and net premiums, minus dividends to policyholders, minus wholly tax-exempt interest, of between $75,000 and $150,000, pay a tax equal to the excess of 2 percent of that portion in excess of $75,000, over the amount of the tax imposed under Subchapter E of Chapter 2.

Interinsurers and reciprocal underwriters with corporation surtax net incomes of over $50,000 are taxed under section 207 (a) (3) upon normal-tax net income and corporation surtax net income at the rates provided in section 13 or section 14 (b) and in section 15 (b). Under section 207 (a) (3) interinsurers and reciprocal underwriters with normal-tax net incomes and corporation surtax net incomes of between $50,000 and $100,000 pay a normal tax, at the rate of 48 percent, and a surtax, on the rate of 32 percent, on that portion of the normal-tax net income and the corporation surtax net income, respectively, in excess of $50,000.

Section 207 (a) (4) provides for an adjustment of the amount computed under section 207 (a) (1), section 207 (a) (2) (A), and section 207 (a) (3) where the gross amount received during the taxable year from interest, dividends, rents, and premiums (including deposits and assessments) is over $75,000 and less than $125,000. The adjustment reduces the tax otherwise computed under those sections to an amount which bears the same proportion to such tax as the excess over $75,000 bears to $50,000.

The application of section 207 (a) (1), (2), (3), and (4) may be illustrated by the following examples:

Example 1. The X Company, a mutual casualty insurance company, for the taxable year 1942 has a corporation surtax net income of $3,500 and due to partially tax-exempt interest of $600, a normal-tax net income of $2,900. The gross amount of income of the X Company from interest, dividends, rents, net premiums, minus dividends to policyholders, minus wholly tax-exempt interest is $150,000. Its excess profits net income is $2,900. It is not subject to normal tax under section 207 (a) (1) for the taxable year 1942 as its normal-tax net income does not exceed $3,000. Its surtax is 20 percent of $500 ($3,500—$3,000) or $100 since that amount is less than $350, the surtax computed at the rate provided in section 15 (b). It has no normal tax and, therefore, its total tax under section 207 (a) (1) is the surtax of $100. Its excess profits net income is less than $5,000 and, therefore, there is no excess profits tax and the tax under section 207 (a) (2) is 1 percent of $150,000 or $1,500. Since the tax under section 207 (a) (2) exceeds the tax under section 207 (a) (1) the tax under section 207 (a) is $1,500, namely, that imposed by section 207 (a) (2).

Example 2. If, in the above example the normal-tax net income, corporation surtax net income, and excess profits tax net income were each less than $2,900, the gross amount received from interest, dividends, rents, and premiums (including deposits and assessments) was $90,000 and the gross amount of income from interest, dividends, rents, and net premiums, minus dividends to policyholders, minus wholly tax-exempt interest was $70,000 the X Company would be required to file an income tax return but due to section 207 (a) no income tax would be imposed.

Example 3: The Y Company, a mutual fire insurance company, for the taxable year 1942 has a normal-tax net income of $6,000, a corporation surtax net income of $7,000 and an adjusted excess profits net income of $1,000. The gross amount received from interest, dividends, rents, and premiums (including deposits and assessments) is $120,000 and the gross amount of income from interest, dividends, rents, and net premiums, minus dividends to policyholders, minus wholly tax-exempt interest is $100,000. Under section 207 (a) (1), without application of section 207 (a) (4), the normal tax would be 30 percent of $3,000, or $900 (since this is less than $920, the tax computed at the rates provided in section 14 (b)); and the surtax would be 10 percent of $7,000, or $700 (since this is less than $800, the tax computed at 20 percent of the excess of the surtax net income over $3,000). The combined tax of $1,600 would then be reduced by applying section 207 (a) (4), since the gross receipts are between $75,000 and $125,000. The final tax under section 207 (a) (1) would be 90 percent of $1,600 or $1,440, since the $45,000 (the excess of $120,000 over $75,000) is 90 percent of $50,000. The excess profits tax on the adjusted excess profits net income of $1,000 at the rate of 90 percent is $900 (this being less than the 80 percent limitation under section 710 (a) (1) (B)). Under the provisions of section 710 (a) of the Code, after applying section 710 (a) (4), the excess profits tax is $810 (90 percent of $900) since $45,000 (the excess of $120,000 over $75,000) is 90 percent of $50,000. Under section 207 (a) (2) (A), without reference to section 207 (a) (4), the tax is 2 percent of $25,000 (the excess of $100,000 over $75,000), or $500, since this is less than $1,000, 1 percent of $100,000. Applying section 207 (a) (4) reduces this to $450, or 90 percent of $500. Since $450 is less than the amount of the excess profits tax of $810 there is no tax under section 207 (a) (2) and the tax under section 207 (a) (1) is applicable. The Y Company would accordingly pay a combined normal tax and surtax of $1,440 and an excess profits tax of $810 or a total of $2,250.

Example 4. The Z Exchange, an interinsurer, for the taxable year 1942 has a corporation surtax net income of $60,000 and, due to partially tax-exempt interest of $12,000, a normal-tax net income of $48,000. The gross amount received from interest, dividends, rents, and premiums (including deposits and assessments) is $2,700,000. The Z Exchange is not subject to normal tax under section 207 (a) (3) for the taxable year 1942 as its normal-tax net income is less than $50,000. Its surtax is 32 percent of $10,000 ($60,000—$50,000) or $3,200 since that amount is less than $9,600, the surtax computed at the rate provided in section 15 (b). Since it has no normal tax and is not subject to the tax imposed by section 207 (a) (2) nor entitled to the adjustment provided in section 207 (a) (4), its total tax under section 207 (a) is $3,200.

§ 19.207–2 (1942) *Net premiums.* Net premiums are one of the items used, together with interest, dividends, and rents, less dividends to policyholders and wholly tax-exempt interest, in determining tax liability under section 207 (a) (2). They are also used in section 207 (b) (4) (F) in determining the limitation on certain capital losses and in the application of section 117 (e). The term "net premiums" is defined in section 207 (b) (2) and includes deposits and assessments, but excludes amounts returned to policyholders which are treated as dividends under section 207 (b) (3).

§ 19.207–3 (1942) *Dividends to policyholders.* "Dividends to policyholders" is one of the deductions used, together with wholly tax-exempt interest, in determining tax liability under section 207 (a) (2). They are also used in section 207 (b) (4) (F) in determining the limitation on certain capital losses and in the application of section 117 (e). The term "dividends to policyholders" is defined in section 207 (b) (3) as dividends and similar distributions paid or declared to policyholders. It includes amounts returned to policyholders where the amount is not fixed in the insurance contract but depends upon the experience of the company or the discretion of the management. Such amounts are not to be treated as return premiums under section 207 (b) (2). Similar distributions include such payments as the so-called unabsorbed premium deposits returned to policyholders by factory mutual fire insurance companies. The term "paid or declared" is to be construed according to the method of accounting regularly employed in keeping the books of the insurance company, and such method shall be consistently followed with respect to all deductions (including dividends and similar distributions to policyholders) and all items of income.

If the method of accounting so employed is the cash receipts and disbursements method the deduction is limited to the dividends and similar distributions actually paid to policyholders in the taxable year. If, on the other hand, the method of accounting so employed is the accrual method the deduction, or a reasonably accurate estimate thereof, for dividends and similar distributions declared to policyholders for any taxable year will, in general, be computed as follows:

To dividends and similar distributions paid during the taxable year add the amount of dividends and similar distributions declared but unpaid at the end of the taxable year and deduct dividends and similar distributions declared but unpaid at the beginning of the taxable year.

If an insurance company on the accrual basis does not use the above method in determining the deduction for dividends and similar distributions declared to policyholders it must submit with its return a full and complete explanation of the method actually used. For the rule as to when dividends are considered paid, see § 19.27 (b)–2 (*d*).

§ 19.207–4 (1942) *Net income and deductions*—(a) *In general.* The net income of a mutual insurance company other than life or marine is its gross investment income, namely, the gross amount of income during the taxable year from interest, dividends, rents, and

gains from sales or exchanges of capital assets to the extent provided in section 117, less the deductions provided in section 207 (b) (4) for wholly tax-exempt interest, investment expenses, real estate expenses, depreciation, interest paid or accrued, and capital losses. In addition to the limitations on deductions relating to real estate owned and occupied by a mutual insurance company other than life or marine provided in section 207 (c), the adjustment for amortization of premium and accrual of discount provided in section 207 (d), and the limitation on the deduction for investment expenses where general expenses are allocated to investment income provided in section 207 (b) (4) (B), mutual insurance companies other than life or marine are subject to the limitation on deductions relating to wholly tax-exempt income provided in section 24 (a) (5). Such companies are not entitled to the net operating loss deduction provided in section 23 (s), since section 208 was repealed by section 163 (b) (2) of the Revenue Act of 1942.

(b) *Wholly tax-exempt interest.* Interest which in the case of other taxpayers is excluded from gross income by section 22 (b) (4) but included in the gross investment income of a mutual insurance company other than life or marine by section 207 (b) (1) is allowed as a deduction from gross investment income by section 207 (b) (4) (A).

(c) *Investment expenses.* The deduction allowed by section 207 (b) (4) (B) for investment expenses is the same as that allowed life insurance companies by section 201 (c) (7) (B) except that provision is made for both the cash and accrual method of accounting. (See § 19.201–7 (c).)

(d) *Taxes and expenses with respect to real estate.* The deduction allowed by section 207 (b) (4) (C) for taxes and expenses with respect to real estate owned by the company is the same as that allowed life insurance companies by section 201 (c) (7) (C) except that provision is made for both the cash and accrual method of accounting. (See § 19.201–7 (d).)

(e) *Depreciation.* The deduction allowed by section 207 (b) (4) (D) for depreciation is the same as that allowed life insurance companies by section 201 (c) (7) (D). (See § 19.201–7 (e).)

(f) *Interest paid or accrued.* The deduction allowed by section 207 (b) (4) (E) for interest on indebtedness is the same as that allowed other corporations by section 23 (b). (See § 19.23 (b)–1.)

(g) *Capital losses.* The deduction for capital losses under section 207 (b) (4) (F) includes not only capital losses to the extent provided in section 117 but in addition thereto losses from capital assets sold or exchanged to provide funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders. Losses in the latter case may be deducted from ordinary income while the deduction for losses under section 117 is limited to the gains. (See section 117 (d) (1).)

Capital assets are considered as sold or exchanged to provide for the funds or payments specified in section 207 (b) (4) (F), to the extent that the gross receipts from the sale or exchange of such assets are not greater than the excess, if any, for the taxable year of the sum of dividends and similar distributions paid to policyholders, and losses and expenses paid over the sum of interest, dividends, rents, and net premiums received. If, by reason of a particular sale or exchange of a capital asset, gross receipts are greater than such excess, the gross receipts and the resulting loss should be apportioned and the excess included in capital losses subject to the provisions of section 117. Capital losses actually used to reduce net income in any taxable year may not again be used in a succeeding taxable year as an offset against capital gains in that year and for that purpose a special rule is set forth for the application of section 117 (e).

The application of section 207 (b) (4) (F) may be illustrated by the following examples:

Example 1. The X Company, a mutual fire insurance company, in the taxable year 1942 sells capital assets in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders. The gross receipts from the sale are $60,000 resulting in losses of $20,000. It pays dividends to policyholders of $150,000, losses of $25,000, and expenses of $25,000. It receives interest of $50,000, dividends of $5,000, rents of $4,000, and net premiums of $66,000. The excess of the sum of dividends, losses and expenses paid ($200,000) over the sum of interest, dividends, rents, and net premiums received ($125,000) is $75,000. As the gross receipts from the sale of capital assets ($60,000) do not exceed such excess ($75,000), the losses of $20,000 are allowable as a deduction from gross investment income.

Example 2. If in the above example the gross receipts were $76,000 and the last capital asset sold, for the purpose therein specified, resulted in gross receipts of $2,000 and a loss of $500 the losses allowable as a deduction from gross investment income would be $19,750. The last sale made the gross receipts of $76,000 exceed by $1,000 the excess ($75,000) of the sum of dividends, losses, and expenses paid ($200,000) over the sum of interest, dividends, rents, and net premiums received ($125,000). The gross receipts and the resulting loss from the last sale is apportioned on the basis of the ratio of the excess of $1,000 to the gross receipts of $2,000 or 50 percent. 50 percent of the loss of $500 is deducted from the total loss of $20,000. The remaining gross receipts of $1,000 and the proportionate loss of $250 should be reported as capital losses under section 117.

Example 3. If in example (1) the X Company had a corporation surtax net income of $9,750 and, under the provisions of section 117, had capital losses of $18,000 and capital gains of $10,000, the net capital loss for the taxable year 1942 in applying section 117 (e) for the purposes of section 207 (b) (4) (F), would be $8,000. This is determined by subtracting from total losses of $38,000 ($18,000 capital losses under section 117 plus $20,000 other capital losses under section 207 (b) (4) (F)) the sum of capital gains of $10,000 and losses from the sale or exchange of capital assets sold or exchanged to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders of $20,000. Such losses of $20,000 are added to capital gains of $10,000 since they are less than corporation surtax net income, computed without regard to gains or losses from sales or exchanges of capital assets, of $29,750 ($9,750 corporation surtax net income plus $20,000 other capital losses under section 207 (b) (4) (F) plus the portion of capital losses allowable under section 117 of $10,000 minus capital gains under section 117 of $10,000).

§ 19.207–5 (1942) *Real estate owned and occupied.* The limitation in section 207 (c) on the amount allowable as a deduction for taxes, expenses, and depreciation upon or with respect to any real estate owned and occupied in whole or in part by a mutual insurance company other than life or marine is the same as that provided in the case of life insurance companies by section 201 (d). (See § 19.201–8.)

§ 19.207–6 (1942) *Amortization of premium and accrual of discount.* Section 207 (d) makes provision for the appropriate amortization of premium and the appropriate accrual of discount, attributable to the taxable year, on bonds, notes, debentures or other evidences of indebtedness held by a mutual insurance company other than life or marine. Such amortization and accrual is the same as that provided for life insurance companies by section 201 (e) and shall be determined in accordance with the regulations thereunder, see § 19.201–9, except that in determining the premium and discount of a mutual insurance company other than life or marine the basis provided in section 113 shall be used in lieu of the acquisition value.

(Sec. 165 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.), and sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed. 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 1, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

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[T. D. 5236]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL AND MUTUAL MARINE INSURANCE COMPANIES

Regulations 103, amended to conform to sections 124 (b), 160 (d) and 164 of the Revenue Act of 1942, relating to insurance companies other than life or mutual and mutual marine insurance companies.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to sections 124 (b), 160 (d) and 164 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.204 (c)–1 the following:

SEC. 124. DEDUCTION FOR BAD DEBTS, ETC. (Revenue Act of 1942, Title I.)

* * * * * *

(b) *Insurance companies.* Section 204 (c) (6) relating to deductions allowed insurance companies other than life or mutual) is amended to read as follows:

(6) Debts in the nature of agency balances and bills receivable which become worthless within the taxable year;

* * * * * *

(d) *Effective date of amendments.* * * * and the other amendments made by this section [including the amendment made by section 124 (b)] shall be effective with respect to taxable years beginning after December 31, 1938.

* * * * * *

PAR. 2. The last sentence of § 19.204 (b)–1 is amended to read as follows:

Gain or loss from agency balances and bills receivable not admitted as assets on the underwriting and investment exhibit will be ignored, excepting only such agency balances and bills receivable as have been allowed as deductions for worthless debts or, having been previously so allowed, are recovered during the taxable year.

PAR. 3. There is inserted in the second paragraph of § 19.204 (c)–1 after the word "desire" the following: ", or for taxable years beginning after December 31, 1940, chooses,"

PAR. 4. There is inserted immediately after § 19.203–1 the following:

SEC. 204. INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL [AND MUTUAL MARINE INSURANCE COMPANIES] [AS AMENDED BY SECS. 204, 228 (a), REV. ACT 1939; SECS. 124 (b), 160 (d), 164, REV. ACT 1942].

(a) *Imposition of Tax.*

(1) *In general.* There shall be levied, collected, and paid for each taxable year upon the normal-tax net income and upon the corporation surtax net income of every insurance company (other than a life or mutual insurance company) and every mutual marine insurance company taxes at the rates specified in section 13 or section 14 (b) and in section 15 (b).

(2) *Normal-tax and corporation surtax net income of foreign insurance companies other than life or mutual and foreign mutual marine.* In the case of a foreign insurance company (other than a life or mutual insurance company) and a foreign mutual marine insurance company, the normal-tax net income shall be the net income from sources within the United States minus the credit provided in section 26 (a), the credit provided in section 26 (b), and the credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in section 26 (e) and the corporation surtax net income shall be the net income from sources within the United States minus the credit provided in section 26 (b) (computed by limiting such credit to 85 per centum of the net income reduced by the credit for income subject to the tax imposed by Subchapter E of Chapter 2 in lieu of 85 per centum of the adjusted net income so reduced), and minus the credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in section 26 (e).

(3) *No United States insurance business.*—Foreign insurance companies (other than a life or mutual insurance company) and foreign mutual marine insurance companies not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations.

(b) *Definition of income, etc.* In the case of an insurance company subject to the tax imposed by this section:

(1) *Gross income.* "Gross income" means the sum of (A) the combined gross amount earned during the taxable year, from investment income and from underwriting income as provided in this subsection, computed on the basis of the underwriting and investment exhibit of the annual statement approved by the National Convention of Insurance Commissioners, and (B) gain during the taxable year from the sale or other disposition of property, and (C) all other items constituting gross income under section 22;

(2) *Net income.* "Net income" means the gross income as defined in paragraph (1) of this subsection less the deductions allowed by subsection (c) of this section;

(3) *Investment income.* "Investment income" means the gross amount of income earned during the taxable year from interest, dividends, and rents, computed as follows:

To all interest, dividends and rents received during the taxable year, add interest, dividends and rents due and accrued at the end of the taxable year, and deduct all interest, dividends and rents due and accrued at the end of the preceding taxable year;

(4) *Underwriting income.* "Underwriting income" means the premiums earned on insurance contracts during the taxable year less losses incurred and expenses incurred;

(5) *Premiums earned.* "Premiums earned on insurance contracts during the taxable year" means an amount computed as follows:

From the amount of gross premiums written on insurance contracts during the taxable year, deduct return premiums and premiums paid for reinsurance. To the result so obtained add unearned permiums on outstanding business at the end of the preceding taxable year and deduct unearned premiums on outstanding business at the end of the taxable year. For the purposes of this subsection, unearned premiums shall include life insurance reserves, as defined in section 201 (c) (2), pertaining to the life, burial, or funeral insurance, or annuity business of an insurance company subject to the tax imposed by this section and not qualifying as a life insurance company under section 201 (b);

(6) *Losses incurred.* "Losses incurred" means losses incurred during the taxable year on insurance contracts, computed as follows:

To losses paid during the taxable year, add salvage and reinsurance recoverable outstanding at the end of the preceding taxable year, and deduct salvage and reinsurance recoverable outstanding at the end of the taxable year. To the result so obtained add all unpaid losses outstanding at the end of the taxable year and deduct unpaid losses outstanding at the end of the preceding taxable year;

(7) *Expenses incurred.* "Expenses incurred" means all expenses shown on the annual statement approved by the National Convention of Insurance Commissioners, and shall be computed as follows:

To all expenses paid during the taxable year add expenses unpaid at the end of the taxable year and deduct expenses unpaid at the end of the preceding taxable year. For the purpose of computing the net income subject to the tax imposed by this section there shall be deducted from expenses incurred as defined in this paragraph all expenses incurred which are not allowed as deductions by subsection (c) of this section.

(c) *Deductions allowed.* In computing the net income of an insurance company subject to the tax imposed by this section there shall be allowed as deductions:

(1) All ordinary and necessary expenses incurred, as provided in section 23 (a);

(2) All interest as provided in section 23 (b);

(3) Taxes as provided in section 23 (c);

(4) Losses incurred as defined in subsection (b) (6) of this section;

(5) *Capital losses.* Capital losses to the extent provided in section 117 plus losses from capital assets sold or exchanged in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders. Capital assets shall be considered as sold or exchanged in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders to the extent that the gross receipts from their sale or exchange are not greater than the excess, if any, for the taxable year of the sum of dividends and similar distributions paid to policyholders in their capacity as such, losses paid, and expenses paid over the sum of interest, dividends, rents, and net premiums received. In the application of section 117 (e) for the purposes of this section, the net capital loss for the taxable year shall be the amount by which losses for such year from sales or exchanges of capital assets exceeds the sum of the gains from such sales or exchanges and whichever of the following amounts is the lesser:

(A) the corporation surtax net income (computed without regard to gains or losses from sales or exchanges of capital assets); or

(B) losses from the sale or exchange of capital assets sold or exchanged to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders.

(6) Debts in the nature of agency balances and bills receivable which become worthless within the taxable year;

(7) The amount of interest earned during the taxable year which under section 22 (b) (4) is excluded from gross income;

(8) A reasonable allowance for the exhaustion, wear and tear of property, as provided in section 23 (l);

(9) Charitable, and so forth, contributions, as provided in section 23 (q);

(10) Deductions (other than those specified in this subsection) as provided in section 23;

(11) Dividends and similar distributions paid or declared to policyholders in their capacity as such. The term "paid or declared" shall be construed according to the method of accounting regularly employed in keeping the books of the insurance company.

(d) *Deductions of foreign corporations.* In the case of a foreign corporation the deductions allowed in this section shall be allowed to the extent provided in Supplement I in the case of a foreign corporation engaged in trade or business within the United States.

(e) *Double deductions.* Nothing in this section shall be construed to permit the same item to be twice deducted.

(f) *Credits under section 26.* For the purposes of this section, in computing normal tax net income and corporation surtax net income, the credits provided in section 26 shall be allowed in the manner and to the extent provided in sections 13 (a) and 15 (a).

§ 19.204–1 *Tax on insurance companies other than life or mutual and mutual marine insurance companies.* All insurance companies (other than life or mutual or foreign insurance companies not carrying on an insurance business within the United States) and all mutual marine insurance companies are subject to the tax imposed by section 204. The term "insurance companies" as used in this section and §§ 19.204–2 and 19.204–3 means only those companies subject to the tax imposed by section 204. For what constitutes an insurance company, see § 19.3797–7. The net income of insurance companies is defined in section 204 and differs from the net income of other corporations. All provisions of the Internal Revenue Code and of these regulations not inconsistent with the specific provisions of section 204 are applicable to the assessment and collection of the tax imposed by section 204 (a), and insurance companies are subject to the

same penalties as are provided in the case of returns and payment of income tax by other corporations. Since section 204 provides that the underwriting and investment exhibit of the annual statement approved by the National Convention of Insurance Commissioners shall be the basis for computing gross income and since the annual statement is rendered on the calendar year basis, the returns under section 204 shall be made on the basis of the calendar year and shall be on Form 1120. Insurance companies are entitled, in computing normal-tax net income and corporation surtax net income, to the credits provided in section 26 in the manner and to the extent provided in sections 13 (a) and 15 (a).

Foreign insurance companies not carrying on an insurance business within the United States are not taxable under section 204 but are taxable as other foreign corporations. (See section 231.)

Insurance companies are subject to both normal tax and surtax. The normal tax shall be at the rate specified in section 13 (b) if the company has a normal-tax net income of more than $25,000, or at the rate specified in section 14 (b) if it has a normal-tax net income of not more than $25,000. For what constitutes normal-tax net income, see § 19.13–5. The surtax shall be at the rate specified in section 15 (b) (1) if the company has a corporation surtax net income of not more than $25,000, at the rate specified in section 15 (b) (2) if it has a corporation surtax net income of more than $25,000 and not more than $50,000, or at the rate specified in section 15 (b) (3) if it has a corporation surtax net income of more than $50,000. For what constitutes corporation surtax net income, see § 19.15–2. For alternative tax where the net long-term capital gain for any taxable year exceeds the net short-term capital loss, see section 117 (c) and the regulations thereunder.

§ 19.204–2 *Gross income of insurance companies other than life or mutual and mutual marine insurance companies.* Gross income as defined in section 204 (b) means the gross amount of income earned during the taxable year from interest, dividends, rents, and premium income, computed on the basis of the underwriting and investment exhibit of the annual statement approved by the National Convention of Insurance Commissioners, as well as the gain derived from the sale or other disposition of property, and all other items constituting gross income under section 22. (See section 22 (a), (b), and (c) and sections 28 and 334.) It does not include increase in liabilities during the year on account of reinsurance treaties, remittances from the home office of a foreign insurance company to the United States branch, borrowed money, or gross increase due to adjustments in book value of capital assets. The underwriting and investment exhibit is presumed clearly to reflect the true net income of the company, and in so far as it is not inconsistent with the provisions of the Internal Revenue Code will be recognized and used as a basis for that purpose. All items of the exhibit, however, do not reflect an insurance company's income as defined in the Code. By reason of the definition of investment income, miscellaneous items which are intended to reflect surplus but do not properly enter into the computation of income, such as dividends declared to shareholders in their capacity as such, home office remittances and receipts, and special deposits, are ignored. Gain or loss from agency balances and bills receivable not admitted as assets on the underwriting and investment exhibit will be ignored, excepting only such agency balances and bills receivable as have been allowed as deductions for worthless debts or, having been previously so allowed, are recovered during the taxable year. In computing "premiums earned on insurance contracts during the taxable year" the amount of the unearned premiums shall include (1) life insurance reserves as defined in section 201 (c) (2) and § 19.201–4 pertaining to the life, burial, or funeral insurance, or annuity business of an insurance company subject to the tax imposed by section 204 and not qualifying as a life insurance company for return premiums and (2) liability for return premiums under a rate credit or retrospective rating plan based on experience, such as the "War Department Insurance Rating Plan", and which return premiums are therefore not earned premiums. In computing "losses incurred" the determination of unpaid losses at the close of each year must represent actual unpaid losses as nearly as it is possible to ascertain them.

§ 19.204–3 *Deductions allowed insurance companies other than life or mutual and mutual marine insurance companies.* The deductions allowable are specified in section 204 (c) and by reason of the provisions of section 204 (c) (10) include deductions (other than those specified in section 204 (c)) as provided in section 23. The deductions, however, are subject to the limitation provided in section 24 (a) (5). The net operating loss deduction allowed by section 23 (s) is computed under section 122 and the regulations thereunder. In computing net operating loss or net income of insurance companies for the purposes of section 122 "gross income" shall mean gross income as defined in section 204 (b) (1) and the allowable deductions shall be those allowed by section 204 (c) with the exceptions and limitations set forth in section 122 (d). In addition to the deduction for capital losses provided in section 117, insurance companies are allowed a deduction for losses from capital assets sold or exchanged in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders. A special rule is provided for the application of the five year capital loss carry-over provisions of section 117 (e). The deduction is the same as that allowed mutual insurance companies other than life or marine, see section 207 (b) (4) (F) and the regulations thereunder. Insurance companies are also allowed a deduction for dividends and similar distributions paid or declared to policyholders in their capacity as such. The deduction is the same as that allowed mutual insurance companies other than life or marine, see section 207 (b) (3) and the regulations thereunder.

Among the items which may not be deducted are income and profits taxes imposed by the United States, income and profits taxes imposed by any foreign country or possession of the United (in cases where the company chooses to claim to any extent a credit for such taxes), taxes assessed against local benefits, decrease during the year due to adjustments in the book value of capital assets; decrease in liabilities during the year on account of reinsurance treaties, dividends paid to shareholders in their capacity as such, remittances to the home office of a foreign insurance company by the United States branch, and borrowed money repaid.

In computing net income of insurance companies, losses sustained during the taxable year from the sale or other disposition of property are deductible subject to the limitation contained in section 117 (d) (1). The graduated percentage reduction of gains and losses contained in section 117 (b) does not apply in the case of insurance companies but they are entitled to the alternative taxes provided in section 117 (c).

(Secs. 124 (b), 160 (d) and 164 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.), and sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed. 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 1, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–3319; Filed, March 2, 1943; 11:32 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

PART 903—MINIMUM WARTIME WORKWEEK OF 48 HOURS

GENERAL POLICY FOR INTERPRETATION AND APPLICATION OF EXECUTIVE ORDER, ETC.

By virtue of authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9301 establishing a minimum wartime workweek of 48 hours, and by Executive Orders Nos. 9139 and 9279, I hereby prescribe the following regulations:

Sec.
903.1 General policy for interpretation and application of Executive Order.
903.2 Application to areas and activities.
903.3 Delegation of authority.
903.4 Minimum wartime workweek.
903.5 Extension of workweek in designated areas and activities.
903.6 Restriction upon hiring of workers.
903.7 Exclusions.
903.8 Definitions.

AUTHORITY: §§ 903.1 to 903.8, inclusive, issued under E.O. 9139, 9279, 9301, 7 F.R. 2919, 10177, 8 F.R. 1825.

§ 903.1 *General policy for interpretation and application of Executive Order.* Executive Order No. 9301 shall be so construed and applied as best to effectuate its fundamental purpose, which is to aid in meeting the manpower requirements of our armed forces and our expanding war production program by a fuller utilization of our available manpower. Effectuation of this purpose requires that in situations of labor shortage employers do not hire new workers when their manpower needs can effectively be met by a fuller utilization of their current labor force, and that workers who can be released by an extension of the workweek are released under circumstances which will permit and facilitate their effective utilization elsewhere in the war effort.

§ 903.2 *Application to areas and activities.* The Chairman of the War Manpower Commission will from time to time by order designate areas and activities as subject to the provisions of Executive Order No. 9301. Regional Manpower Directors may designate additional areas and activities within their respective regions as subject to the provisions of Executive Order No. 9301, if they find and by appropriate public notice so declare, that such action will aid in alleviating labor shortages which are impeding the war effort. Unless and until an area or activity has been so designated, employers therein will not be required to extend their workweek.

§ 903.3 *Delegation of authority.* Regional and Area Manpower Directors are authorized and directed to determine all questions arising within their respective regions and areas with respect to the interpretation and application of these regulations, in conformity with such procedures and instructions as the Executive Director of the War Manpower Commission may issue in implementation thereof.

§ 903.4 *Minimum wartime workweek.* "Minimum wartime workweek" as used in these regulations means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases "Minimum wartime workweek" means the greatest number of hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

§ 903.5 *Extension of workweek in designated areas and activities.* If the workweek applicable to any worker employed in any plant, factory or other place of employment in an area or an activity designated as subject to the provisions of Executive Order No. 9301, is less than the minimum wartime workweek, such workweek shall be extended to the minimum wartime workweek as follows:

(a) Whenever extension of such workweek to the minimum wartime workweek would not involve the release of any workers, the affected employer shall proceed promptly to extend the workweek to the minimum wartime workweek.

(b) Whenever the regional or area manpower director or a designated representative of either determines that extension of such workweek to the minimum wartime workweek would involve the release only of workers who can be promptly placed in suitable employment with other employers, the affected employer will be notified of such determination and thereupon shall proceed promptly to extend the workweek to the minimum wartime workweek.

(c) If extension of such workweek to the minimum wartime workweek would involve the release of some workers and the regional or area manpower director or designated representative has not determined and notified the employer that such workers can promptly be placed in suitable employment with other employers, the workweek shall not be extended except as authorized below. On or before April 1, 1943, the affected employer shall submit to the regional or area manpower director or the designated representative of either director a statement as to the number of workers whose release would be involved and their occupational classification, together with a proposed schedule for the timing of such releases. The regional or area manpower director or designated representative will authorize a schedule for the extension of the workweek to the minimum wartime workweek and for the release of workers in terms of labor market needs and the employer shall thereupon proceed to extend the workweek in accordance with such schedule.

§ 903.6 *Restriction upon hiring of workers.* No employer shall hire any worker in an area or activity designated as subject to the provisions of Executive Order No. 9301, if the employer has failed in any manner to comply with the provisions of § 903.5 of these regulations in the plant, factory or other place of employment in which the worker would be employed.

§ 903.7 *Exclusions.* No provision of these regulations shall be construed or applied so as to require the extension of a workweek

(a) In any establishment or other place of employment in which less than eight workers are regularly employed;

(b) In any establishment or place of employment principally engaged in agriculture;

(c) Of persons in the employ of any State or any political subdivision thereof, or any instrumentality of any one or more of the foregoing;

(d) Of youth under the age of sixteen years; or

(e) Of individuals who on account of other employment, household responsibilities, or physical limitations, are not available for full time work.

§ 903.8 *Definitions.* As used in these regulations:

(a) "Workweek" means the number of hours within a period of seven successive days, beginning with the same calendar day each week, during which workers are normally required to be on duty.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

PAUL V. MCNUTT,
Chairman.

FEBRUARY 22, 1943.

[F. R. Doc. 43–3247; Filed, March 1, 1943; 12:53 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 130, 2d Ed.]

PART 605—GENERAL ADMINISTRATION [1]

MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 605.32 to read as follows:

§ 605.32 *Information not confidential as to certain persons.* No information shall be confidential as to the persons designated in this section, and any information may be disclosed or furnished to or examined by such persons, namely:

(1) The registrant, or any person having written authority from the registrant.

(2) The members and clerical and stenographic employees of the local board, medical advisory board, or board of appeal, the examining physician or examining dentist, and the government appeal agent or associate government appeal agent, dealing with the registrant's case; proper representatives of the State Director of Selective Service or the Director of Selective Service; United States attorneys and their duly authorized representatives.

(3) The Veterans' Administration, but only under the procedure hereinafter set out in this subparagraph. The Veterans' Administration will send requests to the State Director of Selective Service, marked for the attention of the local board concerned. The State Director of Selective Service will immediately forward the request to the proper local board, where a copy will be made of the record requested. Such copy will be signed by a clerk or member of the local board and the words "This is certified as a true copy" will be stamped or written thereon. A notation will be made on

[1] 6 F.R. 6832; 7 F.R. 9862.

the original record stating that a copy thereof was mailed to the Veterans' Administration on a given date and signed by the person certifying the copy. The local board will mail the true copy of the record direct to the Veterans' Administration, will write the "C-number" appearing in the request at the top of the copy of the record, will make a notation on the carbon copy of the Veterans' Administration letter of request showing the date of mailing of the true copy, signed by the person complying with the request, and will forward such carbon copy to the State Director of Selective Service for clearance of their notation of the receipt of the original request. In view of the fact that these requests are made because of a claim for benefits due to disability or death of the registrant while in the armed forces, the local board shall expedite requests of this nature.

(4) Any other government official or employee, but only to the extent that such other government official or employee is specifically authorized in writing by the State Director of Selective Service or the Director of Selective Service.

2. Amend § 605.40 to read as follows:

§ 605.40 *Availability of information that is not confidential.* (a) The clerk who is in charge of a record shall read or point out information in any portion thereof which is not confidential to any person who requests such information, if he can do so without interfering with his other duties.

(b) The Immigration and Naturalization Service of the Department of Justice is authorized to use the offices of the Selective Service System to obtain certain nonconfidential information with respect to the record of individual aliens. The request for such information will be sent to the State Director of Selective Service who will refer it to the proper local board for completion of the reverse side thereof. The local board will return the completed request through the State Director of Selective Service to the official of the Immigration and Naturalization Service from whom it was received.

(c) Except as specifically provided in these regulations or by written authority of the Director of Selective Service, no person shall be entitled to search or handle any record.

3. Amend § 605.41 to read as follows:

§ 605.41 *Furnishing lists of registrants prohibited.* Lists of registrants shall not be furnished for any purpose except (1) in the administration of the selective service law and then only when specifically authorized by the Director of Selective Service or (2) as provided in § 605.44.

4. Amend the regulations by adding a new section to be known as § 605.42 to read as follows:

§ 605.42 *Furnishing information relative to quotas and calls prohibited.* Information concerning quotas or calls shall not be examined by or disclosed or furnished to anyone except when required in the administration of the Selective Service System and then only in compliance with the provisions of these regulations.

5. Amend the regulations by adding a new section to be known as §605.43 to read as follows:

§ 605.43 *Furnishing information relative to registrants forwarded to induction station prohibited.* Information concerning the names or the total number of men forwarded to the induction station on any call or during any period of time shall not be examined by or disclosed or furnished to anyone except when required in the administration of the Selective Service System and then only in compliance with the provisions of these regulations.

6. Amend the regulations by adding a new section to be known as § 605.44 to read as follows:

§ 605.44 *Dissemination of information relative to inducted men.* Upon request of local publication agencies, the local board should, or, upon its own motion, the local board may, after the delivery list (Form 151) has been returned from the induction station, prepare a list showing the name, address, and the branch of the service of each registrant who was accepted and inducted and may post such list or furnish it to news services, newspapers, and radio stations. Under no circumstances should such list include registrants rejected at the induction station. Such list should be prepared at a time and in a manner which will not unduly interfere with the normal operations of the local board.

7. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 1, 1943.

[F. R. Doc. 43-3274; Filed, March 1, 1943; 4:31 p. m.]

PART 623—CLASSIFICATION PROCEDURE

[Amendment 131, 2d Ed.]

CLASSIFICATION AND CHANGE IN CLASSIFICATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. 8545, 5 F.R. 3779, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 623.61[1] to read as follows:

§ 623.61 *Classification and change of classification.* * * *

(b) After each local board meeting, a copy of the Local Board Action Report (Form 110), listing the registrants who have been classified or whose classification has been changed, shall be posted and kept permanently posted in a conspicuous place in the office of the local board. A copy shall also be sent to the government appeal agent. When a person is unable to ascertain the current classification of a registrant from the posted copy of the Local Board Action Report (Form 110), an employee of the local board, upon request, shall consult the Classification Record (Form 100) and furnish to the person making inquiry the current classification of such registrant.

2. The foregoing amendment to the Selective Service Regulations shall be effectively immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 1, 1943.

[F. R. Doc. 43-3275; Filed, March 1, 1943; 4:31 p. m.]

[1] 6 F.R. 6611; 7 F.R. 68, 808, 6517, 9607.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 933—COPPER

[Conservation Order M-9-c as Amended Feb. 26, 1943[1]]

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.4 *Conservation Order M-9-c*—(a) *Restrictions on manufacture of items appearing on Combined List and on List A-2.* (1) No manufacturer of any item on the Combined List attached, or of parts (including repair parts[2]) for any such item, may, if such item or parts contain copper products or copper base alloy products, continue their manufacture on or after December 26, 1942 by means of processing, assembling or finishing.

(2) No manufacturer of any item on List A-2 attached, or of parts (including repair parts[1]) for any such item, may, if such item or parts contain copper products or copper base alloy products, continue their manufacture by means of processing, assembling or finishing on or after the governing date set forth opposite such item in Column 2 of List A-2.

(b) *Restrictions on manufacture of articles not appearing on Combined List and List A-2 out of inventory on hand on February 28, 1942 and June 30, 1942.* (1) During the period from December 25, 1942 to and including January 15, 1943, a manufacturer of any article omitted from the Combined List and List A-2 or excepted from those lists, or of parts (including repair parts[1]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing,

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after February 28, 1942; or

(ii) Unless such articles or parts are being manufactured, processed, assembled or finished to fill a purchase order, existing or prospective,[3] bearing a preference rating of A-1-k or higher; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized by the Director General for Operations, pursuant to an application made on Form PD-426, or otherwise, to manufacture, process, assemble or finish the article or parts in question with the copper products or copper base alloy products being used.

(2) After January 15, 1943, a manufacturer of any article omitted from the Combined List and List A-2 or excepted from those lists, or of parts (including repair parts[2]) for such anarticle, may not continue the manufacture thereof by means of processing, assembling or finishing,

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured, processed, assembled or finished to fill a purchase order, existing or prospective,[3] bearing a preference rating of AA-4 or higher; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized by the Director General for Operations, pursuant to an application on Form PD-426, or otherwise, to manufacture, process, assemble or finish the article or parts in question with the copper products or copper base alloy products being used.

The provisions of this paragraph (b) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the Combined List and List A-2 or excepted from those lists; or to the manufacturing, processing, assembling or finishing of any machinery omitted from the Combined List and List A-2 or excepted from those lists, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on or before February 28, 1942 (with respect to manufacturing, processing, assembling or finishing during the period from December 25, 1942 to and including January 15, 1943) or on or before June 30, 1942 (with respect to manufacturing, processing, assembling or finishing after January 15, 1943) are bushings, bearings, nuts, bolts, screws, washers and wire weighing in the aggregate less than 5% of the total weight of the article or part.

(c) *Applicability of order to certain Governmental agencies.* The prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper base alloy products in the manufacturing, processing, assembling or finishing of any item or article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard applicable to the contract, subcontract or purchase order.

(d) *General restrictions on manufacture.* (1) No manufacturer may continue the manufacture of any article omitted from the Combined List and List A-2 or excepted from such lists, or of parts (including repair parts) for such an article, if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material is practicable; and no manufacturer may continue the manufacture of any article omitted from the Combined List and List A-2 or excepted from such lists, or of parts (including repair parts) for such an article, if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy than is necessary for the article's proper operation.

(2) (i) The use of copper products or copper base alloy products for plating any item on the Combined List or List A-2 or for plating any parts (including repair parts) of such an item, is prohibited unless such plating is expressly stated to be permissible on said lists.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the Combined List and List A-2 or excepted from such lists and the plating of parts (including repair parts) for such an article, is permitted provided:

(a) That such plating is not for decorative purposes or part of a decoration or as an undercoating for lead or silver plating, and

(b) That the use of, or the normal wear on such article or parts, would make impracticable any other form of coating.

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34) as amended from time to time.

(f) *Special provisions.* (1) The foregoing provisions of this amended order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3 effective March 28, 1942; and all other uses in those industries of copper products, copper base alloy products, copper scrap and copper base alloy scrap are, in the quarter from October 1, 1942 to December 31, 1942, limited to 70% of the aggregate usage of such products and scrap in the last calendar quarter of 1940, and in each subsequent calendar quarter limited to 60% of such aggregate usage in the corresponding quarter of the year 1940; *Provided*, That, for electrotyping and rotogravure, 33⅓% of the allowable usage shall be in the form of copper or copper base alloy printing scrap during the month of February 1943, 50% of the allowable usage shall be in such form during the month of March 1943, and 75% of the allowable usage shall be in such form in each month after March 1943; *And further provided*, That for copper plate engraving of calling cards, greeting cards, social and business stationery and other similar articles, 100% of the allowable usage for the engraving of such plates shall be (i) of copper products or copper base alloy products which were in the possession of the engraver using them on December 31, 1942 or (ii) of copper scrap or copper base alloy scrap (old engraved plates), and in either event the engraver shall sell and deliver as scrap to a scrap dealer before the end of each calendar quarter beginning with the first calendar quarter of 1943, three pounds of copper or copper base alloy scrap in the form of old engraved plates for each one pound of copper products or copper base alloy products which he engraved for use in printing calling cards, greeting cards, social and business stationery and other similar articles during said calendar quarter. Nothing contained in this paragraph (f) (1) of this amended order shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products contained in pararagraph (a) and the Combined List of this amended order.

(2) No person shall deliver, install or cut any copper or copper base alloy insect screening (i) unless such screening is to be delivered to, installed for or cut on the order of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting

[1] This document is a restatement of Amend. 1 to Order M-9-c as amended January 20, 1943 which appeared in the FEDERAL REGISTER of February 27, 1943, page 2475, and reflects the order in its completed form as of February 26, 1943.

[2] See footnote 2 on p. 2642.

[3] Priorities Regulation No. 1, § 944.14, prohibits you from making more than a practicable minimum working inventory of articles or parts to fill prospective orders carrying particular ratings.

as agent of any such corporation (except Defense Plant Corporation), or (ii) unless such delivery, installation or cutting shall be with the specific authorization of the Director General for Operations. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Washington, D. C., Ref.: M–9–c. The foregoing shall not apply to used or second hand insect screening or to insect screening in rolls of less than 25 feet in length. Nothing contained in this paragraph (f) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening and screens with copper products or copper base alloy products contained in paragraph (a) and the Combined List of this order.

(g) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order.

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of paragraphs (a), (d) or (f) (1) of this order shall be made by filing Form PD–167 Revised with the War Production Board, Washington, D. C., Ref.: M–9–c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the Director General for Operations.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington, D. C., Ref.: M–9–c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply irrespective of whether such items, articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. Insofar as any other order of the War Production Board or of the Office of Production Management may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of items, articles or parts or the sale and delivery of such items, articles or parts, the limitation of such other order shall be observed.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order shall not apply to the installation of any item or article, or part (including a repair part) therefor, for the ultimate consumer on his premises when any manufacturing, processing, assembling or finishing of such an item, article or part is incidental to such installation and is done on such premises. The foregoing does not in any way affect, revoke or modify the provisions of Supplementary Conservation Order M–9–c–4 which prohibits the installation of certain types of copper and copper base alloy pipe, tube, fittings and building material under certain circumstances or of any other order restricting installation.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (1) hereof) shall not apply to the manufacture, processing, assembling or finishing of repair parts to make a specific repair of a used article or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and any manufacturing, processing, assembling or finishing done by him is for the purpose of making a specific repair; nor shall the restrictions of this order (other than those contained in paragraph (d) (1) hereof) apply to the manufacture, processing, assembling or finishing of repair parts to make a specific repair of a used article or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than one pound in excess of the copper or copper base alloy scrap derived from the article being repaired, and all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Supplementary Order M–9–b and provided any manufacturing, processing, assembling or finishing done by him is for the purpose of making a specific repair.

(8) *Copper products or copper base alloy products not controlled by order.* On and after the original issuance dates of the orders listed in this subparagraph, the provisions of this order shall not apply to the manufacture of the following items or articles and parts (including repair parts) therefor, even though they contain copper products or copper base alloy products, since these items or articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M–9–c–1.

Fire protective equipment governed by General Limitation Order L–39.

Motorized fire apparatus governed by General Limitation Order L–43.

Bronze paste, bronze ink and bronze leaf and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M–9–c–3.

Jewelry governed by Supplementary Conservation Order M–9–c–2.

Musical instruments governed by Supplementary Limitation Order L–37–a.

Water meters governed by Schedule I of Limitation Order L–154.

Self-contained drinking water coolers governed by Schedule I of Limitation Order L–126.

The provisions of this order do not apply to attaching finished slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to manufacturing, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy; the provisions of this order do apply to manufacturing, processing and finishing watch and clock cases and all other parts of watches and clocks, and to assembling watches and clocks except under the conditions mentioned in this sentence.

(9) *Definitions.* For the purposes of this order:

(i) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(ii) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(iii) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(iv) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(v) "Manufacturer" means a person who manufactures, processes, assembles or finishes.

Issued this 26th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

COMBINED LIST

[Combined List as amended Feb. 26, 1943]

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (d) (1) of this order.

AUTOMOTIVE, TRAILER [1] AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L–106 governing the use of copper and copper base alloy in the manufacture of automative parts entering into the production of, or as replacement parts for, passenger automobiles, motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles.

Ambulance hardware.
Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Garage and automotive repair equipment.
Heaters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hearse hardware.
Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hub and gas-tank caps.
Lights, lamps, headlamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Miscellaneous fittings and trim.
Motorcycles (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Motor-driven scooters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Mouldings.
Rear-view mirrors and hardware.

BUILDING SUPPLIES AND HARDWARE

(Excluding supplies and hardware for ships, boats and aircraft)

Air-conditioning equipment until January 1, 1943 (except for essential food storage, food transportation and industrial processing, and except for repair parts containing not more than 4 lbs. of copper products or copper base alloy products for use in "black out" plants). After December 31, 1942, see List A–2.
Blinds, including fixture fittings and trimmings.
Builders' finish hardware, including hinges, except in those parts of plants where the use of non-sparking metal is necessary to prevent a hazard in the production or use of explosives. For locks see under "Miscellaneous" on this list.
Conduits.
Decorative hardware—including house numbers.
Door knockers, checks, pulls, and stops.
Doors, door and window frames, sills and parts, including door handles and knobs.
Elevators and escalators (except when the only copper products or copper base alloy products used are for bearings, worm gears and parts necessary for conducting electricity).
Gravel stops and snow guards.
Grilles.
Gutters, leaders, downspouts, expansion joints, and accessories thereto.
Hangers and tracks for private garages.
Incinerator hardware and fittings.
Insect screens and screening.
Letter boxes and mail chutes.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Ornamental metal work.
Pile butt protection.
Plumbing and heating supplies:
  Bands on pipe covering.
  Cistern and low-water floats.
  Fixture fittings and trimmings (See "Plumbing fixture fittings and trim" on List A–2).
  Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by Order L–185).
  Pipe, tube, tubing, and fittings for piping systems.
  Shower rods, and pans (See "Plumbing fixture fittings and trim" on List A–2).
  Shower heads (See "Plumbing fixture fittings and trim" on List A–2).
  Sinks and drainboards.
  Toilet floats (See "Plumbing fixture fittings and trim" on List A–2).
  Towel racks.
Push, kick, switch, floor, and all other device plates.
Roof, roofing, roofing nails, flashing valleys, and other roofing items.
Sheet, roll, and strip for building construction.
Shelves.
Stair and threshold treads.
Termite shields.
Terrazzo strips, reglets, and mouldings.
Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except when the only copper products or copper base alloy products used are for valves, controls and parts necessary for conducting electricity).
Ventilators and skylights.
Water containers for humidification.
Weatherstripping and insulation.

BURIAL EQUIPMENT

Burial vaults.
Caskets and casket hardware. See also Order L–64.
Memorial tablets.
Morticians' supplies.

(See also "Boxes, • • •" under "Miscellaneous" on this list.)

CLOTHING AND ACCESSORIES

Insignia. (See "Insignia" on List A–2 and on the Military Exemption List.)

DRESS ACCESSORIES

(See also Order L–68)

Buckles. (See "Slide fasteners • • • buckles • • •" on List A–2 and the Military Exemption List.)
Buttons. (See "Slide fasteners • • • buttons • • •" and "Mattress buttons" on List A–2.)
Dress ornaments.
Handbag fittings.
Metal cloths.

FURNISHINGS AND EQUIPMENT

(For homes, offices, institutions, hotels, apartment hotels, apartment houses, stations, clubs, fraternal organizations, union buildings, churches, synagogues, temples, restaurants and stores)

Andirons, screens, and fireplace fittings.
Candlesticks.
Cooking and table utensils.
Counters.
Curtain fasteners, rods, and rings.
Cuspidors.
Fans (See also Order L–176)
Furniture.
Furniture Hardware.
Hollow-ware.
Mud scrapers.
Portable heaters.
Stoves and ranges (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity). For additional restrictions see "Gas stoves and ranges for household use" on List A–2.
Table flatware (except that until January 1, 1943, table flatware may be manufactured, processed, assembled or finished if made according to Fed. Spec. RR–T–56.) After December 31, 1942, see List A–2.
Timers, for stoves and ranges.
Trays.
Upholsterers' supplies, including nails and tacks.
Vases, pitchers, bowls, and artcraft.
Washing tubs and washing boilers.
Waste baskets, hat trees, humidors, and similar items.

INDUSTRIAL MACHINERY

Pulp and paper manufacturing:
  Beater bars and beaters.
  Head boxes.
  Jordan bars.
  Refiner bars.
  Save-alls (except for screens).
  Stock and water lines.

JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to—
  Advertising specialties.
  Atomizers (see also List A–2).
  Bar fittings.
  Book ends.
  Cosmetic containers.
  Lighters.
  Napkin rings.
  Picture frames.
  Smokers' accessories, including ash trays.
  Souvenirs.

PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, buses, and trailers, but excluding locomotives)

All items under heading "Furnishings and Equipment".
Air conditioning equipment for passenger cars until January 1, 1943 (except for essential repairs, and except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). On and after December 31, 1942, see List A–2.
Bands on pipe covering.
Decorative, general, and finish hardware, and ornamental metal work.
Door knockers, checks, pulls and stops.
Doors and windows, door and window frames and window sills.
Drinking water reservoirs.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Pipe, tube, tubing, and fittings for plumbing and heating (except for essential repairs).
Shower rods, heads and pans.
Sinks and drainboards.
Screens and screening.
Towel and luggage racks.
Water containers for humidification.
Weatherstripping and insulation.

MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L–39 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Barrel hoops.
Badges.

[1] See also under "Passenger Transportation Equipment" on this list.

MISCELLANEOUS—continued

Bar and counter equipment and fittings.
Barber shop equipment and supplies.
Barrel hooks.
Bathroom accessories as defined in Order L–30.
Beauty parlor equipment and supplies.
Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L–126 or under any schedule of Order L–38).
Bicycles, and similar vehicles. (See also Order L–52).
Binoculars, including opera glasses.
Bird and pet cages and stands.
Bottle coolers.
Boxes, cans, jars and other containers, including burial urns.
Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals or, until January 1, 1943, are adjustable stencils for addressing or identifying commercial products). For adjustable stencils after December 31, 1942, see the item "Adjustable stencils" on List A–2.
Cabinets.
Canes
Carpet rods.
Cash registers.
Chimes and bells (except for bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Clips.
Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.
Clock and watch cases.
Cooking utensils (except for commercial processing in canneries and factories).
Cutlery, including pocket knives.
Dishwashing machines and domestic garbage grinders.
Dispensers, hand, for hand lotions, paper products, soap and straws.
Dog collars and other similar harness and equipment for pets.
Domestic ice refrigerators as defined in Order L–7.
Domestic laundry equipment as defined in Order L–6 and scrubbing boards, clothes line pulleys and reels.
Domestic mechanical refrigerators as defined in Order L–5.
Domestic vacuum cleaners as defined in Order L–13.
Electric blankets.
Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.
Flashlights and electric lanterns used by railroad brakemen (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Floats for liquid level control.
Flower pots, boxes and holders for same.
Flower shears.
Food dispensing utensils, devices and machines.
Fountain pens.
Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V, V–a and XII of Order L–42).
Furniture grommets.
Games as defined in Order L–81.
Garden tools and equipment.
Hair curlers, hair brushes and combs, shoe horns and button hooks.
Health supplies, except the following:
Acoustic aids,
Anaesthesia apparatus and supplies,
Atomizers (medical use only),
Diagnostic equipment and supplies,

MISCELLANEOUS—continued

Hypodermic syringes and needles,
Infant incubators,
Instruments,
Laboratory equipment and supplies,
Medicinal chemicals (limited to medical use only),
Operating room supplies and equipment,
Ophthalmic products and instruments,
Physical therapy equipment (limited to medical use only),
Respirators, resuscitators and iron lungs,
Rubber hospital sundries,
Splints and fracture equipment,
Sterilizers, blanket and solution warmers,
Surgical and orthopaedic appliances (including artificial limbs and arms but not including arch supports which are listed on List A–2),
Sutures and suture needles, and
X-Ray equipment and supplies.
Home and commercial electrical appliances, as defined in Order L–65.
Hooks, including hat and coat hooks.
Ice cream freezers for use in the home.
Kitchen utensils, devices and machines.
Kitchen, household and miscellaneous articles, as defined in Order L–30.
Lace tips.
Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.
Lamps, electric until January 1, 1943 (except for industrial, hospital or office and then not for standards, shades, shade holders, and stems). After December 31, 1942, see List A–2. The term "Lamps" as used here does not include electric light bulbs, but see "Electric light bulbs" above.
Lamps, other than electric (except for industrial, hospital or office use and then only when the only copper products or copper bas alloy products used are for valves, controls, and wicks).
Lawn sprinklers, mowers, seeders and rollers.
Livestock and poultry equipment (except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and thermostats other than wafer thermostats, and for plating wafer thermostats).
Locks (except pin tumbler and disc tumbler cylinder assemblies; essential interior working parts of Type 88, Type 97 and Type 114 locks; levers, tubes and centers for secure lever locks; interior working parts of railway car door locks and railway switch padlocks; keys for pin tumbler and disc tumbler locks; and postal locks when manufactured by the Mail and Equipment Section of the United States Post Office).
Luggage fittings, trim and harware.
Manicure implements.
Match and pattern plates, matrices, and flasks.
Medals, including decorations.
Mirrors.
Motion picture and projection equipment (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions).
Name, identification and medal plates.
Non-operating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.
Package handles and holders.
Paint (except for ship bottoms).
Pencils, mechanical.
Phonographs or other record players.
Photographic equipment and accessories (except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office, and except for X-ray equipment).
Pins.

MISCELLANEOUS—continued

Pleasure boat fastenings, fittings, hardware, and motors.
Pole-line hardware.
Powder, except for non-decorative uses.
Printing rollers (except to the extent that an equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers).
Radio receiving sets for private use (except for replacement vacuum tubes).
Razors operated by electricity (except for repair parts).
Reclaimers for heating water.
Reflectors (except for electroplating of glass reflectors in connection with silvering when the reflectors are to be used in street and highway illumination, or for traffic signals, flood lights, searchlights and hospital operating room lights).
Refrigerator display cases.
Saddlery hardware and harness fittings.
Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L–190.)
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.
Signs, including street signs. (See also Order L–29.)
Slot, game and vending machines, including parking meters.
Soda fountain equipment.
Sporting goods, and fishing and hunting equipment and supplies.
Staples for fastening cartons and containers.
Stationery supplies:
Desk accessories. (See also Order L–73.)
Office supplies. (See also Order L–73.)
Pencils. (See also Order L–113.)
Pens and penholders.
Statues.
Sundials.
Telescopes.
Tent poles and parts.
Thermos jugs and bottles.
Toys.
Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L–42.)
Umbrellas.
Valve handles.
Valves over 2-inch size (except seats, discs, stems, yoke sleeves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical).
Voting machines.
Weather vanes.
Weight reducing and exercising machines.
Wool.

LIST A–2

[List A–2 as amended Feb. 26, 1943]

The manufacturing, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited after the governing date if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such

LIST A–2—Continued

an exception is governed by paragraphs (b) and (d) (1) of this order.

	Governing date
Adjustable stencils	Dec. 31, 1942
Air conditioning equipment and refrigeration equipment ((i) except for repair parts containing not more than 4 pounds of copper products or copper base alloy products for use in "black out" plants; (ii) except for essential food storage, food transportation, food processing, and industrial processing and then only when the copper products or copper base alloy products used are for capillary tubing, bulbs, screens, gaskets, small moving parts, bellows, bearings which use not over 2 pounds of copper each, tube connections and fittings ¾" or less (outside diameter), and finned tubing used in water cooled refrigeration condensers; and (iii) except for essential repairs of railroad passenger cars)	Dec. 31, 1942
Arch supports	Feb. 26, 1943
Atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs)	Dec. 31, 1942
Blow torches, gasoline and alcohol, (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block)	Jan. 20, 1943
Blow torches, kerosene (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block)	Feb. 28, 1943
Brushes (except the type used in electric motors and generators)	Dec. 31, 1942
Cement flooring and composition flooring	Dec. 26, 1942
Change making, coin counting and sorting machines	Feb. 28, 1943
Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)	Dec. 26, 1942
Daubers for shoe polish	Feb. 26, 1943
Electrolytic devices for the removal and prevention of scale in boilers	Dec. 31, 1942
Expansion bolts and caulking anchors	Feb. 28, 1943
Gas heater and stove installation connections	Feb. 26, 1943
Gas stoves and ranges for household use (except when each valve contains not more than ½ ounce of copper base alloy and each control contains not more than 1½ ounces of copper base alloy and the stove or range contains no other copper or copper base alloy whatever)	Aug. 7, 1942
Hand saw screws, nuts and washers for attaching saw blades to the handle	Dec. 26, 1942
Hammers	Dec. 31, 1942
Insignia	Feb. 26, 1943
Lamps, electric (except for non-portable lamps for use in hospitals or in industry, otherwise than in offices, and then only when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)	Dec. 31, 1942
Lanterns	Sept. 7, 1942
Linoleum stripping	Feb. 26, 1943
Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under "Building Supplies and Hardware" on the Combined List	Dec. 31, 1942
Loose-leaf binders	Dec. 26, 1942
Mattress buttons and furniture glides	Feb. 26, 1943
Pipe, tube, tubing and fittings for water supply and distribution systems and installations (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use on board ship and in chlorine gas equipment). This takes the place of Interpretation No. 4 of Order M–9–c	Dec. 26, 1942
Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V, V–a and XII of Order L–42 or any schedules or orders taking their place, or are permitted by a specific authorization of the Director General for Operations granted pursuant to such a schedule or order)	Dec. 26, 1942
Putty and scraping knives	Feb. 26, 1943
Sash balances	Feb. 26, 1943
Screens for oil wells and water wells	Jan. 20, 1943
Seismograph loading pole couplings	Feb. 28, 1943
Shower curtains	Dec. 26, 1942
Slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets, garter trimmings, hose supporters, loops, personal hardware, pin fasteners, staples, slides, trouser trimmings, rivets, burrs and tacks for use on wearing apparel	Feb. 26, 1943
Sound equipment attachments for motion picture projection machines (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions)	Dec. 31, 1942
Table flatware (except for a copper-silver strike)	Dec. 31, 1942
Tokens	Feb. 26, 1943
Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting Fig. 8 or grooved trolley wire (unless used for carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material	Jan. 20, 1943
Tying devices for laundry	Feb. 26, 1943

MILITARY EXEMPTION LIST

Air conditioning and refrigeration equipment (except for comfort use).
Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.
Bells (for use on board ship until Feb. 28, 1943).
Binoculars.
Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).
Boxes, cans, jars and other containers (for radio and communication equipment and for powder charges).
Carbonated beverage dispensing units for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Conduits and pipe (for radio and electrical communication equipment).
Chronometer and watch cases.
Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA–3 or higher only.
Dishwashing machines.
Fans (parts necessary for conducting electricity, only).
Field ranges and ski stoves.
Floats for liquid level control (for use in aircraft and on board ship).
Furniture hardware (for use within magnetic circle on board ship).
Hammers.
Hoists, for handling powder, projectiles and explosives (for use on board ship).
Hot water heaters, tanks and coils for hospital, laundry and bakery projects.
Insect screens but only when made with screening manufactured prior to Feb. 26, 1943.
Insignia (but only rank, branch and "U. S." Insignia for the Armed Forces when produced to fill purchase orders rated AA–3 or higher) until June 1, 1943.
Kitchen utensils, devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts).
Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).
Lanterns, gasoline (generators, valves and controls, only).
Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Lights, lamps and accessories (for use in aircraft and on board ship).
Locks and latches (for use on board ship).
Motion picture and projection equipment.
Name, identification and medal plates of a gauge of .03125 inch or less (for use in aircraft and on board ship).
Paint (for ship bottoms and flying boat hull bottoms).
Photographic equipment and accessories.
Pins or hinges (for use on board ship).
Prescription scales (health supplies).
Reflectors (for use on board ship, in aircraft searchlights, and recognition lights and hospital operating room lights and therapeutic lights).
Safety lamps, flame type (for use on board ship and for use in other places where there is danger of explosion).

MILITARY EXEMPTION LIST—Continued

Shells and caps for electric sockets (for use in aircraft and on board ship).
Slide fasteners for use on jungle clothing and equipment; and sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs for use on jungle clothing and equipment, and for use on leather, canvas, webbing and duck for field clothing and equipment, being produced on a rating of AA-3 or higher.
Soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Sound equipment attachments for motion picture projection machines.
Table flatware made according to Fed. Spec. RR-T-56 until March 31, 1943.
Telescopes.
Unions and union fittings (for use on board ship).
Valve handles (for use within magnetic circle on board ship).
Valves (for use on board ship).

[F. R. Doc. 43-3250; Filed, March 1, 1943; 3:08 p. m.]

PART 1068—CANS

[Conservation Order M-81, as Amended Feb. 18, 1943[1]]

§ 1068.1 *Conservation Order M-81*—(a) *Definitions.* (1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M-200.

(2) "Tinplate" means any sheet steel coated with tin and includes "primes", "seconds", "waste-waste" (except "electrolytic waste-waste"), and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 29-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack", unless particularly specified, means the quantity, by area measurement, of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base ~~period~~ specified.

[1] This document is a restatement of Amend. 1 to Order M-81 as amended January 13, 1943 which appeared in the FEDERAL REGISTER of February 20, 1943, page 2232, and reflects the order in its completed form as of February 18, 1943.

(b) *Restrictions upon manufacture, sale, and delivery of cans.* (1) No person shall sell or deliver any can except under a purchase order or contract validated by a delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any can which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall manufacture any can smaller than 5 gallons, with ears, bails, or handles.

(c) *Restrictions upon purchase, acceptance of delivery, and use of cans.* (1) No person shall, during the calendar year 1943 (or the seasonal year 1942–1943, when specified), purchase, accept delivery of, or use for packing a product any can except to the extent permitted in Schedules I, II, and III, attached to this order: *Provided, however,* That a jobber or retail store may obtain and sell cans in conformity with the provisions of this order.

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, sizes of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall obtain except for products for which a seasonal year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M-104.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to the extent specifically permitted in the schedules attached to this order.

(d) *Exceptions.* (1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of the following cans:

(i) Cans for packing any product which is not to be sold.

(ii) Fiber or paper bodied cans with ends made of waste, for packing any food product for human consumption, and antiseptic or medicinal powders.

(iii) Cans for packing any product not listed in the schedules attached to this order, when such cans were completely manufactured on or before December 9, 1942, or when all the component parts for such cans were cut to individual size or were partially assembled before said date: *Provided,* That this paragraph (d) (1) (iii) shall not apply when such cans can be used for any products otherwise permitted by this order, and provided that this paragraph (d) (1) (iii) shall not apply to open-top sanitary cans.

(iv) Cans for packing any product not listed in the schedules attached to this order, when such cans are to be delivered pursuant to a letter of intent approved by, or a purchase order or contract negotiated for or with the Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States.

(2) Notwithstanding the restrictions pertaining to the size of cans or the materials from which cans may be manufactured, but subject to quota restrictions imposed by this order, a person may use for packing any product listed in the schedules attached to this order, any cans which were completely manufactured on or before December 9, 1942, or any cans for which all component parts were lithographed, cut, or otherwise prepared for assembly, on or before said date.

(3) No certificate shall be required for the sale or delivery of cans to any purchaser who has already filed a certificate with his seller under Conservation Order M-81.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref.: M-81.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *1942 Calendar year pack.* Until December 31, 1942, no person packing on a calendar year basis shall purchase, accept delivery of, or use any can for packing any product except in accordance with Conservation Order M-81, as amended June 27, 1942, (including amendments thereto).

Issued this 18th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

(Name of Seller)

pursuant to this or future purchase orders or contracts, in violation of terms of such order.

Date.....

(Legal name of Purchaser)

By.....

(Authorized Official)

(Title of Official)

(Address of Purchaser)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CANS

Note: Paragraph (2) of the introduction and item 57 amended February 18, 1943.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any Government Agency. The designation "for Operations," to be set aside in this Schedule I, means for the United States Government or for packing only the quantity of product required to be packed under Order M-86, as amended from time to time.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the double asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers, and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed	M-86	10	1.25 tin	1.25 tin.
2. Apple sauce including sauce from crabapples	M-86	2-10	1.25 tin	1.25 tin.
3. Apricots. Whole apricots not to be packed	M-86	2½-10	1.25 tin	1.25 tin.
4. Blackberries, black raspberries, boysenberries, loganberries, and youngberries, packed as berries. Quota applicable to each kind of berries respectively.	100% 1942 pack of specified non-seasonal soups.	2-2½-10	1.50 tin	1.50 tin.
5. Blueberries or huckleberries	M-86	10	1.50 tin	1.50 tin.
6. Cherries other than white	100% 1942	2-2½-10	1.50 tin	1.50 tin.
7. Fruit cocktail, consisting of any combination of fruits listed in this schedule I and grapes; provided that the combination, by drained weight, shall consist of not more than the specified percentage, by weight, of any fruit listed in this Schedule I, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 7 percent of the fruit cocktail.	80% 1942	2-2½-10	1.25 tin	1.25 tin.*
8. Figs	Unlimited	2-2½-10	1.25 tin	1.25 tin.
9. Fruits for salad	Unlimited	(2½-10	1.25 tin	1.25 tin.*
10. Grapefruit segments		(5 gal. reusable	1.25 tin	1.25 tin.
11. Grapefruit juice		10-2	1.25 tin	1.25 tin.*
12. Orange juice	M-86	2-3 cyl-10	1.25 tin	1.25 tin.
13. Orange—grapefruit juice blend, consisting of at least 40 percent orange juice	M-86	2-3 cyl-10	1.25 tin	1.25 tin.
14. Peaches, yellow (clingstone), halves, slices or cubes	Unlimited	2½-10	1.25 tin	1.25 tin.
15. Peaches (freestone), halves, slices, or cubes. Not to be packed in California	Unlimited	2½-10	1.25 tin	1.25 tin.
16. Pears, halves, slices, or cubes	Unlimited	2-2½-3 cyl-10	1.25 tin	1.25 tin.
17. Pineapple, sliced, crushed, or tidbits. Spears not to be packed	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
18. Pineapple juice	100% 1942	2½-10	1.50 tin	1.50 tin.
19. Plums, yellow or green	50% 1942	2½-10	1.50 tin	1.50 tin.
20. Prunes, fresh Italian. Not to be packed in cans smaller than No. 10	25% 1940-41	2½-10	1.25 tin	1.25 tin.
21. Olives, ripe. Not to exceed 50 percent of permitted pack may be in cans smaller than No. 10. (Quota applicable only to olives from 1942 crop.)				
VEGETABLES AND VEGETABLE PRODUCTS				
22. Asparagus, green. White asparagus not to be packed	Unlimited	2-2½-10	1.25 tin	1.25 tin.*
23. Beans, green or wax	Unlimited	2-2½-10	1.25 tin	1.25 tin.*
24. Fresh shelled beans, including lima beans	Unlimited	2½-10	1.25 tin	1.25 tin.*
25. Beets, without tops or roots	M-86	2-2½-10	1.25 tin	1.25 tin.*
26. Carrots, without tops or roots	M-86	2-2½-10	1.25 tin	1.25 tin.*
27. Corn, fresh, sweet, cut	Unlimited	2-10-2 vacuum (307 x 406) for vacuum pack. 2-10-2 can (307 x 306) for vacuum pack.	1.25 tin*	1.25 tin.*
28. Peas, green	Unlimited	1 picnic	1.25 tin*	1.25 tin.*
29. Pumpkin and squash	M-86	2½-10	1.25 tin	1.25 tin.*
30. Soups: *Seasonal:* Limited to soups which shall contain not less than 7 percent, by weight, of dry solids from any one or more of the following fresh unfrozen vegetables: asparagus, peas, spinach, tomatoes.	Unlimited	1 picnic	1.25 tin	1.25 tin.*
Nonseasonal: Limited to the following kinds of soup which shall contain not less than the specified percentage, by weight of dry solids from fresh, but not frozen vegetables listed in Schedules I or II, provided that no person shall use for packing such soups, more than 35 percent by weight, of the tonnage of vegetables which he packed in 1942.	75% of total 1942 pack of specified non-seasonal soups.	1 picnic	1.25 tin	1.25 tin.*
Chicken, chicken gumbo, chicken noodle, gumbo créole, consommé, and bouillon—6 percent.				
Chicken broth, vegetable, vegetable-vegetarian, pepper pot, ox-tail, mock turtle, country style chicken, and corn chowder—10 percent.				
Beef broth, and beef noodle—12 percent.				
31. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens.	80% 1942	2-2½-10	1.25 tin	1.25 tin.*
32. Tomatoes	Unlimited	2-2½-10	1.25 tin	1.25 tin.
33. Tomato paste, from fresh tomatoes, containing not less than 26% (percent) by weight, dry tomato solids.	Unlimited	(2½-10	1.25 tin	1.25 tin.*
	125% 1942 pack	(5 gal. reusable	1.25 tin	1.25 tin.
		10-2	1.25 tin	1.25 tin.*
		(2½-10	1.25 tin	1.25 tin.*
34. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity, 1040) or more than 25 percent by weight, dry tomato solids.	Unlimited	(5 gal. reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 1 picnic	1 picnic	1.25 tin	1.25 tin.*

SCHEDULE I—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
VEGETABLES AND VEGETABLE PRODUCTS—con				
35. Tomato sauce, from fresh tomatoes, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	Unlimited (25% 1942 pack of sizes 8Z and 1 picnic.)	{2–10 (5 gal reusable	1.25 tin 1.25 tin	1.25 tin*. 1.25 tin.
		8Z–1 picnic	1.25 tin	1.25 tin*.
36. Tomato catsup, from fresh tomatoes, not less than 25 percent, (specific gravity 1.11) by weight, total dry solids.	M–86	2½–3–cyl–10	1.25 tin	1.25 tin*.
37. Tomato juice, which may contain not more than 30 percent of other vegetable juices.	Unlimited	2–3–cyl–10	1.25 tin	1.25 tin*.
NOTE.—When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5 gal. or larger.				
FISH AND SHELLFISH				
(Processed, and in hermetically sealed cans)				
38. Clams, soft, hard, or razor	Unlimited	½ flat (307 x 201.25)—1 picnic (211 x 400)—1 tall (301 x 411)—2 (307 x 409)—10 (603 x 700).	1.25 tin*	1.25 tin*.
39. Crabmeat	Unlimited	½ flat (307 x 201.25).	1.25 tin*	1.25 tin*.
40. Fish flakes. Dried fish flakes not to be packed.	Unlimited	300 (300 x 407)—2 (307 x 409).	1.25 tin*	1.25 tin*.
41. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
42. Fish roe	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
43. Herring, Atlantic Sea, by whatever name known including sardines.	Unlimited	¾ Drawn (304 x 508 x 105)—¾ three piece (308 x 412 x 112)—300 (300 x 407). ¼ drawn (300.5 x 404 x 014.5).		
Packed in oil			1.25 tin*	1.25 tin*.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
44. Herring, Pacific	Unlimited	1 tall (301 x 411)	1.25 tin*	1.25 tin*.
45. Herring, river (alewives)	Unlimited	300 (300 x 407)—2 (307 x 409).	1.25 tin*	1.25 tin*.
46. Mackerel	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
47. Menhaden	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
48. Mullet	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
49. Mussels	Unlimited	1 picnic (211 x 400)—2 (307 x 409)—10 (603 x 700).	1.25 tin*	1.25 tin*.
50. Oysters. No 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited	1 picnic (211 x 400) 1 tall (301 x 411)–2 (307 x 409).	1.25 tin*	1.25 tin*.
51. Pilchards, by whatever name known including sardines.	Unlimited	8Z short (211 x 300)–½ oblong (308 x 508 x 103)–300 (300 x 407)–1 oval (607 x 406 x 108).	1.25 tin*	1.25 tin*.
Packed in oil			1.25 tin*	1.25 tins*.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
52. Salmon	Unlimited	½ flat (307 x 200.25) (307 x 201.25)–1 flat (401 x 210.5)–(401 x 211) 1 tall (301 x 411).	1.25 tin	1.25 tin*.

SCHEDULE I—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
VEGETABLES ANK VEGETABLE PRODUCTS—con				
53. Shad	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
54. Shrimp	Unlimited	1 picnic (211 x 400) 5 (502 x 510).	1.25 tin*	1.25 tin*.
55. Squid	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
56. Tuna, bonito, and yellowtail	Unlimited	½ tuna (307 x 113)–1 tuna (401 x 205.5)–4 lb. tuna (603 x 408).	1.25 tin*	1.25 tin.*
DAIRY PRODUCTS				
57. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.525, page 2444, and § 18.530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974.	100% 1942	14 oz	1.25 tin	1.25 tin.
58. Evaporated milk,[1] as defined by the Federal Security Administrator. Federal Register, July 2, 1940, § 18.520, page 2444.	Unlimited 90% 1942	10 (8 lb.) 6 oz.–14½ oz.	1.25 tin 1.25 tin	1.25 tin. 1.25 tin.
FISH AND SHELLFISH				
(For refrigerated shipment, fresh)				
59. Oysters. Until Apr. 30, 1943	Unlimited	1 gal	CTB	CTB.

[1] During 1943 a person's pack of evaporated milk in 6 oz. cans shall not exceed 80% of his 1942 pack of 6 oz. cans.

SCHEDULE II—FOOD CANS

NOTE: Paragraph (2) and items 1 and 5 amended; items 17 to 20 added February 18, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
MEATS AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon	None	{24 oz 14 lb	1.25 tin*	1.25 tin**.
2. Beef, veal, mutton, and pork; corned, roast, or boiled, and containing not less than 85 percent meat, by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered.		Any size	1.25 tin*	1.25 tin**.

SCHEDULE II—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
MEAT AND MEAT PRODUCTS—continued				
3. Brains	100% 1942	10¾ oz.	1.25 tin*	1.25 tin**.
4. Meat products as follows:				
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(1)	300 (300 x 407)	1.25 tin*	1.25 tin*.
b. Meat loaf, containing not less than 90 percent meat, by uncooked weight and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.	(1)	7 oz.	1.25 tin*	1.25 tin**.
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	(1)	3 oz.	1.25 tin*	1.25 tin**.
(Processed and in hermetically sealed cans)				
d. Sausage in casings, containing no cereal or similar substance, and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight:				
Vienna Sausage	(1)	4 oz.	1.25 tin*	1.25 tin**.
Sausage in oil, lard or rendered pork fat.	(1)	No. 5	1.25 tin*	1.25 tin**.
e. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.	(1)	24 oz.	1.25 tin*	1.25 tin**.
f. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	(1)	12 oz.	1.25 tin*	1.25 tin**.
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.	(1)	3¼ oz.	1.25 tin*	1.25 tin**.
5. Tongue	50% 1942	6 oz.	1.25 tin*	1.25 tin**.
6. Turkey, boned, and chicken, boned	None	1 lb.	1.25 tin*	1.25 tin**.

[1] 100% of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product f.

SCHEDULE II—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
MISCELLANEOUS FOODS				
7. Baby foods:				
Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used; provided that no person shall use, for packing baby foods, more than 35 percent, by weight, of the frozen fruits and vegetables which he used for this purpose during 1942. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	100% 1942	202 BF (202 x 214).	1.50 tin	1.50 tin.
Milk formulas and soybean milk liquid	100% 1942	14½ oz.	1.25 tin	1.25 tin.
Milk formulas, dry or powdered	100% 1942	1 lb.	0.50 tin	OTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
		10	0.50 tin	OTB.
8. Dehydrated vegetables	None	5 gal.	0.50 tin	0.50 tin.
9. Grape juice and grape pulp	100% 1942	5 gal. reusable.	1.50 tin	1.50 tin.
10. Citrus pulp and citrus peel	100% 1942	5 gal. reusable.	1.25 tin	1.25 tin.
11. Honey	100% 1942 pack of size 60 lb.	60 lb. reusable.	1.25 tin	1.25 tin.
12. Goat's milk	100% 1942	14½ oz.	1.25 tin	1.25 tin.
13. Milk, skimmed, dry or powdered	None	50 lb	0.50 tin	0.50 tin.
14. Milk, whole, dry or powdered	100% 1942	1 lb.-2½ lb.-5 lb.	0.50 tin	0.50 tin**.
15. Special food products; limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	See product column			
16. Baking powder. Until June 30, 1943	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942.	6-oz. to 32-oz., inclusive.	Fiber	Blackplate.
17. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal, and edible blends of such oils.	50% 1942 pack of size 5 gal.	5-gal reusable.	1.25 tin	1.25 tin.
18. Citrus concentrates	None	10	1.25 tin	1.25 tin.
19. Butter and oleomargarine	None	10	1.25 tin	1.25 tin*.
20. Maple syrup, limited to syrup made by the evaporation of maple sap, containing not more than 35 percent water and weighing not less than 11 pounds to the gallon.	Unlimited	1-gal	Frozen tinplate.	Frozen tinplate.

[1] 100% of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product f.

PART 1068—CANS

[Conservation Order M-81 as Amended Feb. 18, 1943]

§ 1068.1 *Conservation Order M-81*—(a) *Definitions.* (1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M-200.

(2) "Tinplate" means any sheet steel coated with tin and includes "primes", "seconds", "waste-waste" (except "electrolytic waste-waste"), and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 29-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack", unless particularly specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

[1] This document is a restatement of Amend. 1 to Order M-81 as amended January 13, 1943 which appeared in the FEDERAL REGISTER of February 20, 1943, page 2232, and reflects the order in its completed form as of February 18, 1943.

No person shall manufacture any can smaller than 5 gallons, with ... liver any can which he knows ... reason to believe will be used in ... of any provision of this order.

(2) No person shall manufacture any can smaller than 5 gallons, with ... bails, or handles.

(c) *Restrictions upon purchase ... acceptance of delivery, and use of cans.* ... 1943 on the basis ... 1943 when ... delivery of, or use for packing a product ... except to the extent ... in Schedules I, II, and III ... this order. *Provided, however,* ... packer or retail dairy may ... cans as authorized ... of this order.

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, size of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall be ... except for products for which a ... year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M-104.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to the extent specifically permitted in the schedules attached to this order.

(d) *Exceptions.* (1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of the following cans:

(i) Cans for packing any product which is not to be sold.

(ii) Fiber or paper bodied cans with ends made of waste, for packing any food product for human consumption, and antiseptic or medicinal powders.

(e) *Miscellaneous provisions.*—(1) *... plicability of priorities regulations.* ... order and all transactions ... thereby are subject to all applicable ... visions of the priorities regulations ... the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from ... provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref: M-81.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *1942 Calendar year pack.* Until December 31, 1942, no person packing on a calendar year basis shall purchase, accept delivery of, or use any can for packing any product except in accordance with Conservation Order M-81, as amended June 27, 1942, including amendments thereto.

Issued this 18th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

(Name of Seller)

(Address of Seller)

pursuant to this or future purchase orders or contracts, in violation of terms of such order.

Date .....

(Legal name of Purchaser)

By .....

(Authorized Official)

(Title of Official)

(Address of Purchaser)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CANS

NOTE: Paragraph (2) of the introduction and item 57 amended February 18, 1943.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any order of the Director General for Operations, to be set aside for purchase by a Government Agency. The designation "M-86" indicates that cans may be used for packing only the quantity of product required to be set aside by Order M-86, as amended from time to time.

(2) All products listed in this schedule may be packed to the extent available, in 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate, wherever the double asterisk appears. All persons using cans marked with the asterisk are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears, and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers, and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples, apples not to be packed.	Whole	M-86	10	1.25 tin	1.25 tin
2. Apple sauce including sauce from crabapples.		M-86	2 10	1.25 tin	1.25 tin
3. Apricots.	Whole	M-86	2½ 10	1.25 tin	1.25 tin
4. Blackberries, Black raspberries, loganberries, boysenberries, and youngberries, when packed as berries. Quota applies to packs of these berries respectively.		M-86	2 2½ 10	1.50 tin	1.50 tin
5. Blueberries or huckleberries.		M-86	10	1.50 tin	1.50 tin
6. Cherries other than white.		10% of 1942	2 2½ 10	1.50 tin	1.50 tin
7. Cherries, white.		10% of 1942	2 2½ 10	1.25 tin	1.25 tin
8. Fruit salad consisting of any combination of fruits listed in this schedule I and grapes, provided that the combination, by drained weight, shall consist of not more than 10 percent grapes. Fruits listed in Schedule II may not be used in fruit salad. Fruit salad may be packed from No. 10 or larger cans, to the extent of 7 percent of the fruit packed.		Unlimited	2 10	1.25 tin	1.25 tin
9. Figs		M-86	10	1.25 tin	1.25 tin
10. Grapefruit segments		M-86	2	1.25 tin	1.25 tin
11. Grapefruit juice		Unlimited	2-46 10	1.25 tin	1.25 tin

SCHEDULE I—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
VEGETABLES AND VEGETABLE PRODUCTS—con				
35. Tomato sauce, from fresh tomatoes, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.057) by weight, dry tomato solids, and not less than 19.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients	Unlimited / 25% 1942 pack of sizes 8Z and 1 picnic	(2-10 / 5 gal reusable	1.25 tin / 1.25 tin	1.25 tin*. / 1.25 tin.
		8Z–1 picnic	1.25 tin	1.25 tin*.
36. Tomato catsup, from fresh tomatoes, not less than 25 percent, (specific gravity 1.11) by weight, total dry solids	M–86	2½–3–cyl–10	1.25 tin	1.25 tin*
37. Tomato juice, which may contain not more than 30 percent of other vegetable juices.	Unlimited	2–3–cyl–10	1.25 tin	1.25 tin*.
NOTE.—When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5 gal. or larger				
FISH AND SHELLFISH				
(Processed, and in hermetically sealed cans)				
38. Clams, soft, hard, or razor	Unlimited	½ flat (307 x 201.25) –1 picnic (211 x 400)–1 tall (301 x 411)–2 (307 x 409)–10 (603 x 700).	1.25 tin*	1.25 tin*.
39. Crabmeat	Unlimited	½ flat (307 x 200.25).	1.25 tin*	1.25 tin*.
40. Fish flakes. Dried fish flakes not to be packed.	Unlimited	300 (300 x 407)–2 (307 x 409).	1.25 tin*	1.25 tin*.
41. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
42. Fish roe	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
43. Herring, Atlantic Sea, by whatever name known including sardines.	Unlimited	¾ Drawn (304 x 508 x 105)–¾ three piece (308 x 112 x 112)–300 (300 x 407). ¼ drawn (300.5 x 404 x 014.5).		
Packed in oil			1.25 tin*	1.25 tin*.
Packed in mustard or tomato sauce	Unlimited	1 tall (301 x 411)	1.25 tin	1.25 tin.
44. Herring, Pacific	Unlimited	300 (300 x 407)–2 (307 x 409).	1.25 tin*	1.25 tin*.
45. Herring, river (alewives)	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
46. Mackerel	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
47. Menhaden	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
48. Mullet	Unlimited	1 picnic (211 x 400)–2 (307 x 409)–10 (603 x 700).	1.25 tin*	1.25 tin*
49. Mussels	Unlimited	1 picnic (211 x 400) / 1 tall (301 x 411)–2 (307 x 409).	1.25 tin*	1.25 tin*.
50. Oysters. No 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out drained weight. No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can	Unlimited	8Z short (211 x 300)–⅓ oblong (308 x 508 x 103)–300 (300 x 407)–1 oval (607 x 406 x 109).	1.25 tin*	1.25 tin*.
51. Pilchards, by whatever name known including sardines.	Unlimited			
Packed in oil			1.25 tin*	1.25 tins*.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
52. Salmon	Unlimited	½ flat (307 x 200.25) (307 x 201.25)–1 flat (401 x 210.5) (401 x 211)–1 tall (301 x 411).	1.25 tin	1.25 tin*.

SCHEDULE I—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
VEGETABLES AND VEGETABLE PRODUCTS—con				
53. Shad	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
54. Shrimp	Unlimited	1 picnic (211 x 400) / 5 (502 x 510).	1.25 tin*	1.25 tin*.
55. Squid	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
56. Tuna, bonito, and yellowtail	Unlimited	½ tuna (307 x 113)–1 tuna (401 x 205.5)–4 lb. tuna (603 x 408).	1.25 tin*	1.25 tin.*
DAIRY PRODUCTS				
57. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.525, page 2444, and § 18.530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974.	100% 1942	14 oz	1.25 tin	1.25 tin.
58. Evaporated milk,[1] as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.530, page 2444.	Unlimited / 99% 1942	10 (8 lb.) / 6 oz.–11½ oz.	1.25 tin / 1.25 tin	1.25 tin. / 1.25 tin.
FISH AND SHELLFISH				
(For refrigerated shipment, fresh)				
59. Oysters. Until Apr. 30, 1943	Unlimited	1 gal	CTB	CTB.

[1] During 1943 a person's pack of evaporated milk in 6 oz. cans shall not exceed 80% of his 1942 pack of 6 oz. cans.

SCHEDULE II—FOOD CANS

NOTE: Paragraph (2) and items 1 and 5 amended; items 17 to 20 added February 18, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
MEATS AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon	None	(24 oz. / 1 lb.	1.25 tin*	1.25 tin**.
2. Beef, veal, mutton, and pork; corned, roast, or boiled, and containing not less than 85 percent meat, by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered		Any size	1.25 tin*	1.25 tin**.

SCHEDULE II—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
MEAT AND MEAT PRODUCTS—continued				
3. Brains	100% 1942	10½ oz	1.25 tin*	1.25 tin**.
4. Meat products as follows:				
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(1)	300 (300 x 407)	1.25 tin*	1.25 tin*.
b. Meat loaf, containing not less than 60 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.	(1)	7 oz	1.25 tin*	1.25 tin**.
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	(1)	3 oz	1.25 tin*	1.25 tin**.
(Processed and in hermetically sealed cans)				
d. Sausage in casings, containing no cereal or similar substance, and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight:				
Vienna Sausage	(1)	4 oz	1.25 tin*	1.25 tin**
Sausage in oil, lard or rendered pork fat.	(1)	No. 5	1.25 tin*	1.25 tin**
e. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.	(1)	24 oz	1.25 tin*	1.25 tin**
f. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	(1)	12 oz	1.25 tin*	1.25 tin**
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.	(1)	3¼ oz	1.25 tin*	1.25 tin**.
5. Tongue	50% 1942	6 oz	1.25 tin*	1.25 tin**
6. Turkey, boned, and chicken, boned	None	1 lb	1.25 tin*	1.25 tin**.

[1] 100% of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product f.

SCHEDULE II—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
MISCELLANEOUS FOODS				
7. Baby foods:				
Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used; provided that no person shall use, for packing baby foods, more than 35 percent, by weight, of the frozen fruits and vegetables which he used for this purpose during 1942. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	100% 1942	202 BF (202 x 214).	1.50 tin	1.50 tin.
Milk formulas and soybean milk liquid	100% 1942	14½ oz	1.25 tin	1.25 tin.
Milk formulas, dry or powdered	100% 1942	1 lb	0.50 tin	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
8. Dehydrated vegetables	None	(10 / 5 gal	0.50 tin	CTB. / 0.50 tin.
9. Grape juice and grape pulp	100% 1942	5 gal. reusable	1.50 tin	1.50 tin.
10. Citrus pulp and citrus peel	100% 1942	5 gal. reusable	1.25 tin	1.25 tin.
11. Honey	100% 1942 pack of size 60 lb.	60 lb. reusable	1.25 tin	1.25 tin.
12. Goat's milk	100% 1942	14½ oz	1.25 tin	1.25 tin.
13. Milk, skimmed, dry or powdered	None	50 lb	0.50 tin	0.50 tin.
14. Milk, whole, dry or powdered	100% 1942	1 lb.–2½ lb.–5 lb.	0.50 tin	0.50 tin**.
15. Special food products; limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	See product column			
16. Baking powder. Until June 30, 1943	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942.	6-oz. to 32-oz., inclusive.	Fiber	Blackplate.
17. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal, and edible blends of such oils.	50% 1942 pack of size 5 gal.	5-gal reusable	1.25 tin	1.25 tin.
18. Citrus concentrates	None	10	1.25 tin	1.25 tin.
19. Butter and oleomargarine	None	10	1.25 tin	1.25 tin*.
20. Maple syrup, limited to syrup made by the evaporation of maple sap, containing not more than 35 percent water and weighing not less than 11 pounds to the gallon.	Unlimited	1-gal	Frozen tinplate	Frozen tinplate.

[1] 100% of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product f.

SCHEDULE III—NON-FOOD CANS

NOTE: Items 23, 26, 29, 31, and 32 amended, and item 37 added February 18, 1943.

(1) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule III, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) Whenever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, Special Coated Manufacturers' Terneplate, may be substituted for making any part or fitting of the can which is required to be soldered.

(3) No compound containing crude rubber, latex, or synthetic rubber as defined in Order M-15-b, shall be used in the manufacture of cans for packing any product listed in this Schedule III

Product	Packing period	Capacity	Can materials: Body	Can materials: Ends
1. Abrasives, sand and grading and buffing compounds. Not to be packed in	100% 1942	Any size	Blackplate	Blackplate.
2. Acetic nitro-hydrochloric, sulfur chloride	100% 1942	1 lb	Blackplate	Blackplate.
3. Lubricating oils, friction tape, fats, fatty acids, fatty bases	100% 1942	2 lb–5 lb	0.50 tin	CTP.
4. Ammonia, anhydrous, liquefied	100% 1942	1 lb	SCMT	Blackplate.
5. Bromine	100% 1942	Any size	0.50 tin	CTP.
6. Calcium carbide	100% 1942	2 lb–10 lb	Blackplate	Blackplate.
7. Calcium cyanide	100% 1942	1 lb–25 lb	SCMT	Blackplate.
8. Carbon bisulphide	100% 1942	1 lb	SCMT	Blackplate.
9. Carbon tetrachloride	100% 1942	1 qt–1 gal	Blackplate	Blackplate.
10. Cements and dressings, liquid and soft, for leather, linoleum, tiles, roofs, and rubber. Not to be packed in	100% 1942	1 qt–1 gal	Blackplate	Blackplate.
11. Cements, rubber, solvent or latex	100% 1942	1 lb	SCMT	Blackplate.
12. Chloropicrin, bromacetone, methylchloroacetone, and perchlon	100% 1942	Any size	1.25 tin	1.25 tin.
13. Chloroform and ether	100% 1942	1 lb	Blackplate	Blackplate.
14. Chromic acid cutter containers	100% 1942	1 qt–1 gal	SCMT	SCMT.
15. Fire extinguisher fluid, limited to chlorinated hydrocarbon type	100% 1942	1 qt–1 gal	Blackplate	Blackplate.
16. Graded assembling compounds	100% 1942	1 qt–1 gal	SCMT	SCMT.
17. Glues and adhesive, liquid	100% 1942	1 qt–5 gal	SCMT	SCMT.
18. Grain immigrant, liquid	100% 1942	1 qt–1 gal	Blackplate	Blackplate.
19. Graphite, with liquid content	100% 1942	10 lb–25 lb	Blackplate	Blackplate.
20. Greases, lubricating	50% 1942	8 oz–12 oz, 1 lb–2 lb, 5 lb–10 lb., 35 lb.–50 lb	Blackplate	Blackplate.
21. Inks, printing, duplicating, and lithographing. Slip cover style cans (cans used upon cans which hold the indicated weights of water.	50% 1942	13 oz	Blackplate	Blackplate.
22. Lye. Until June 30, 1943	50% 1942	12 oz	Blackplate	Blackplate.
22a. Drain cleaners, until June 30, 1943	50% 1942	10 oz	Blackplate	Blackplate.
23. Toilet bowl cleaners, limited to cleaners containing not less than 70% bisulphate of soda, until June 30, 1944	100% 1942	5 lb	1.50 tin	1.50 tin.
24. Nicotine sulphate	100% 1942	1 lb	Blackplate	Blackplate.
25. Nitric acid, fuming, outer containers	100% 1942	1 qt	0.50 tin	0.50 tin.
26. Oils, essential, distilled or cold pressed	100% 1942	5 gal	0.50 tin	0.50 tin.
27. Oils, transformer	Unlimited	1 gal	1.25 tin	1.25 tin.
28. Paints, copper bottom or anti-fouling	50% 1942	1 gal	Fibre	Blackplate (Sets of bottoms to be made from frozen blackplate or blackplate rejects.)
29. Paints: Oil or oleoresinous, ready mixed, semi-paste, including but not limited to white lead in oil and colors in oil.		1 qt	Fibre	Fibre bottom, blackplate ring. Plug made from waste blackplate recovered in manufacture of ends for 1-gal. fibre bodied paint cans.
Pigmented primers				
30. Pharmaceuticals	100% 1942	1 lb	SCMT	SCMT.
31. Shoe polish, leather dressing, and saddle soap. Until June 30, 1943	50% 1942	Any size	Frozen blackplate and blackplate rejects.	
32. Soap, paste limited to mechanic's hand soap	50% 1942	3-lb	Frozen blackplate and blackplate rejects.	
33. Sodium and potassium metals	100% 1942	1 lb	Blackplate	Blackplate.
34. Sodium peroxide, outer container	100% 1942	1 oz	Blackplate	Blackplate.
35. Soldering pastes and boiler sealing compounds	100% 1942	Any size	Blackplate	Blackplate.
36. Hazardous chemicals, for shipment by Express, when a metal can is required by Interstate Commerce Commission Regulations and no alternate package is permitted.	100% 1942	Any size	Blackplate	Blackplate.
37. Ointment and salve	Unlimited	¼-oz, ½-oz, 1-oz	Limited to frozen tinplate and frozen blackplate and blackplate rejects.	

INTERPRETATION 1

[NOTE: Interpretation 1 issued Feb. 22, 1943.]

Frozen tinplate, terneplate or blackplate means only tinplate, terneplate or blackplate which, since prior to December 9, 1942, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate, having been produced for the account of a can manufacturer) because it had been so processed or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified, without qualifications, in the "Can Material" columns of the schedules attached to the said order.

[F. R. Doc. 43-3251; Filed, March 1, 1943; 3:08 p. m.]

PART 3063—FOOTWEAR

[Conservation Order M-217, as Amended Feb. 19, 1943[1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3063.1 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time, except Priorities Regulation 17, which shall be inapplicable to footwear.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running in a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks), and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accomplished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) "Padded sole house slippers" means slippers having conventional padded soles where the outsole is made of fabric, imitation leather or split leather not over 2½ ounces in weight and is directly stitched to the upper or to a platform cover.

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers, and
Athletic,

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range; *Provided*, That:

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser controlled by the manufacturer, the applicable price range shall be the retail price range.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent.

(12) "Civilian footwear" as used in paragraph (i) means boots, shoes, slippers and other foot coverings made in whole or in part of leather or with rubber soles, not including rubber footwear.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of size 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and padded sole house slippers with cloth uppers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in goodyear welt footwear other than work shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one piece uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except in stitchdowns, in other children's shoes up to and including size 3 and in safety and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(*a*) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(*b*) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams,

(c) Design stitching solely to permit direct, non-stop, stitching between cutouts.

(xix) Any strippings, braidings, pintuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over 1⅜ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over 2⅛ inches in height, using size 4B as the standard.

(xxvii) Metal spikes, on golf shoes.

(xxviii) Caulk or storm welting.

(xxix) Rawhide or other leather laces, except on work shoes.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge	.045	minimum, 50 carbon steel.
21 gauge	.032	minimum, 50 carbon steel.
19 gauge	.040	minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high-cut laced boots 10 inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots.

(4) No person shall put into process any leathers or fabrics for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather and perforations as a result of antiqueing, or the use of embossed leather or genuine reptiles of the colors permitted in paragraph (f) (1) below but having slight variations in shade caused by normal finishing of such leather.

(5) No person shall put into process for the manufacture of footwear any leather or fabric except leather or fabric finished or dyed in accordance with paragraph (f) below: *Provided, however*, That nothing contained in this paragraph (c) (5) shall prevent any person from using:

(i) Any solid color white cattle hide, turftan (as defined below) or bluejacket blue (as defined below) leather finished prior to March 16, 1943;

(ii) Any other solid color leather finished prior to October 16, 1942;

(iii) Any solid color turftan or bluejacket blue fabric acquired by the manufacturer prior to February 20, 1943; or

(iv) Any other solid color fabric dyed prior to September 13, 1942 and acquired by the manufacturer prior to February 16, 1943.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf) or upper leather splits gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide upper leather, or grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less) for the manufacture of house slippers or romeos.

(8) No person shall put into process any leather outsoles for the manufacture of footwear having raised or flat seam moccasin type vamps or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles: *Provided, however*, That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels 1¼ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber

[1] This document is a restatement of Amendment 1 to Order M-217 as Amended February 13, 1943 which appeared in the FEDERAL REGISTER of February 20, 1943 page 2236, and reflects the order in its consolidated form as of February 19, 1943.

soles for the manufacture of men's sandals.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942: *Provided, however,* That this paragraph shall not prevent correction of patterns to the extent necessary to remove features prohibited by this order.

The Director General for Operations may make exceptions to this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's gold, silver, satin or brocade evening slippers.

(3) No person shall put into process any leather or fabric for the manufacture of any footwear for the special purpose of retail display.

(e) *Exceptions to paragraphs* (c) *and* (d) *above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other nonskid or soundproofing features covering not more than 25% of the area of the bottom of the sole).

(2) Special types of footwear made for the physically deformed or malmed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' soft sole footwear.

(6) Footwear the uppers of which are made of shearlings not reserved for military use under General Conservation Order M-94.

(f) *Restriction on tanning and dyeing.* (1) No person shall finish any leather for use as upper leather except in the following colors (subject to unavoidable deviations in shade normally experienced in finishing leathers):

Black
White, except in cattle hide leathers.
Army russet and town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of the United States, Inc.

(2) No person shall color any leather or dye any fabric for use in shoe uppers except in the colors mentioned in paragraph (f) (1) above, (subject to unavoidable deviations in shade normally experienced in tanning and dyeing).

(3) No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (f) (1) above.

(4) The restrictions in this paragraph shall not apply to the dyeing of fabrics for use in padded sole house slippers.

(g) *General exceptions.* The prohibitions and restrictions of this order shall not apply to footwear to be delivered to, or for the account of, the Army or Navy of the United States (excluding Post Exchanges and Ships' Service Stores), the United States Naval Academy at Annapolis, Md., the United States Military Academy at West Point, New York, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the War Shipping Administration; or to, or for the account of, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, and Yugoslavia; or on any contract or purchase order placed by any agency of the United States Government for footwear to be delivered to, or for the account of, the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to custom-made footwear delivered for personnel of the Army or Navy of the United States.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear, the leather or fabric for which was put into process on or after October 31, 1942, unless such footwear is manufactured in conformity with this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between former customers who meet such person's regularly established prices, terms and credit requirements, or between former customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(i) *Restrictions on production of lines of footwear.* (1) Except on specific authorization of the Director General for Operations, no person shall in any six (6) months' period beginning March 1, 1943, complete the manufacture of more civilian footwear within any line than permitted in the table shown below:

Description	*Maximum permitted amount or percentage per line*
House slippers	75% of number manufactured from July 1, 1942 to December 31, 1942, inclusive
All others	100% of number manufactured from July 1, 1942 to December 31, 1942, inclusive

(2) Except on specific authorization of the Director General for Operations, no person shall manufacture any line of civilian footwear not manufactured by him in the period from July 1st, 1942 to December 31st, 1942.

(3) *Exceptions:* Notwithstanding the provisions of paragraphs (i) (1) or (i) (2)

(i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

(iii) The manufacture of civilian footwear in a line not manufactured in the period from July 1, 1942 to December 31, 1942, may be completed if such footwear was put into process prior to February 19, 1943.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

[NOTE: Paragraphs (j) through (n) formerly designated (i) through (m).]

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: M-217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Effective dates.* The effective dates of the respective amended paragraphs of this order are as follows: Paragraphs (a), (b) (6) through (b) (9), (c) (4), (c) (5), (d) (1), (e) (3), (e) (5), (e) (6), (f) (2), (f) (3), (f) (4) and (g), February 13, 1943; paragraphs (j), (k), (l), (m), (n), and (o), February 19, 1943; paragraphs (b) (10), (b) (11), (b) (12) and (i), March 1, 1943; paragraph (f) (1), March 15, 1943; paragraph (c) (7), March 31, 1943; paragraph (c) (8), May 31, 1943; all other amended paragraphs, April 30, 1943.

Conservation Order M-217 as issued September 10, 1942 shall remain in full force and effect except as superseded on the effective dates, as stated above, of the foregoing amended paragraphs.

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3063.1 (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

[F. R. Doc. 43-3273; Filed, March 1, 1943; 4:05 p. m.]

PART 3123—FLOOR FINISHING AND FLOOR MAINTENANCE MACHINES AND INDUSTRIAL VACUUM CLEANERS

[Amendment 1 of Limitation Order L-222 as Amended Jan. 14, 1943]

Section 3123.1 *Limitation Order L-222,* (8 F.R. 909) is hereby amended by adding the following subparagraph (6) to paragraph (b) after subparagraph (5) of paragraph (b).

(6) *Special quotas.* Notwithstanding the restrictions of paragraph (b) of this order, the Director General for Operations may from time to time specifically authorize one or more manufacturers to commence fabrication, to fabricate, or to assemble specified quantities of machines, repair parts and supplies of any type restricted by paragraph (b), or to perform any combination of the foregoing operations.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3272; Filed, March 1, 1943; 4:05 p. m.]

PART 933—COPPER

[Amendment 1 to Conservation Order M-9-c,[1] as Amended Feb. 26, 1943]

Section 933.4 *Conservation Order M-9-c* is hereby amended:

[1] 8 F.R. 1104, 2475.

By amending the lines under "Miscellaneous" on the combined list which now read as follows:

Dishwashing machines and domestic garbage grinders.

to be and read as follows:

Dishwashing machines (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-248 or by a specific authorization of the Director General for Operations granted pursuant to such order) and domestic garbage grinders.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3282; Filed, March 2, 1943; 9:58 a. m.]

PART 1072—SOLE LEATHER

[Supplementary Order M-80-h]

§ 1072.9 *Supplementary Order M-80-h.* Pursuant to paragraph (b) (1) of Order M-80 as amended to August 5, 1942, which this order supplements, each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside during March, 1943, and during each subsequent month until otherwise directed, at least 25% of the quantity of manufacturers bends produced by him for his own account, or produced for his account by others, during that period. The weight and quality of said portion set aside shall be proportionately equal, as nearly as can be, to those of the manufacturers bends not so set aside.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3283; Filed, March 2, 1943; 9:58 a. m.]

PART 1206—HORSEHIDE

[Supplementary Order M-141-d]

Pursuant to paragraph (c) (1) of Order M-141, as amended to November 4, 1942, which this order supplements, the Director General for Operations hereby determines that:

§ 1206.5 *Supplementary Order M-141-d.* During March 1943 and during each subsequent month until otherwise directed, no tanner shall put in process and no converter shall cause to be put in process for his account:

(a) More than 100% of his basic monthly quota of wet salted horsehide fronts.

(b) More than 80% of his basic monthly quota of horsehide butts.

(c) More than 80% of his basic monthly quota of horsehide shanks.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3284; Filed, March 2, 1943; 9:58 a. m.]

PART 3036—COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

[Limitation Order L-182, as Amended March 2, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of commercial cooking and food and plate warming equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3036.1 *General Limitation Order L-182.*—(a) *Definitions.* For the purposes of this order:

(1) "Commercial cooking and food and plate warming equipment" means equipment using coal, wood, oil, gas or other non-electric fuel, or equipment attached to any steam or hot water system, designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It includes, but is not limited to, such items as bakers, broilers, fryers, griddles, grills, hot plates, ovens (except built-in types), ranges, roasters, steamers, toasters, urns and warmers, but does not include cooking appliances for household use.

(2) "Ultimate consumer" means any person who uses commercial cooking and food and plate warming equipment for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale.

(3) "New commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has never been used by an ultimate consumer.

(4) "Used commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has been used by an ultimate consumer.

(b) *Restrictions on manufacture.* (1) From and after October 1, 1942, no manufacturer of commercial cooking and food and plate warming equipment shall put into process in the manufacture of such equipment, including finished units and parts thereof, during any calendar quarter, any iron and steel in excess of 6¼% of the iron and steel put into process in the manufacture of finished units of such equipment by him during the calendar year, 1941, *except* that in addition to the quotas set forth in this paragraph, any manufacturer may put any iron or steel into the process of manufacture of any such equipment for delivery to or for the account of the Army, Navy, the Maritime Commission, the War Shipping Administration of the United States or the Defense Plant Corporation.

(2) No iron or steel may be used in the manufacture of any equipment listed on Schedule I, except in the manufacture of repair and replacement parts thereof as limited in paragraph (b) (1).

(c) *Restrictions on delivery.* Regardless of the terms of any contract, sale, other commitment or any preference rating, no person shall make or accept

physical delivery of any new or used commercial cooking and food and plate warming equipment, except that:

(1) Any person may make or accept physical delivery of any such equipment on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration of the United States, or the Defense Plant Corporation.

(2) Any person may make or accept physical delivery of any such equipment pursuant to specific authorization of the Director General for Operations on Form PD–638A. Applications under this order and Order L–248 may be made on a single Form PD–638A.

(3) Any manufacturer may make physical delivery of any such equipment to any dealer or distributor of such equipment, or to any ultimate consumer, from whom he has received a written order or contract which bears a certification substantially as follows, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7; and any such dealer, distributor or ultimate consumer may accept such delivery:

I certify that I have received specific authority from the Director General for Operations of the War Production Board to accept delivery of the equipment listed hereon; that I have knowledge of and am in compliance with Limitation Orders L–182 and or L–248; and, further, that authorization was received by me on the following Form(s) PD 638–A:

(List number or numbers)

Firm name

Signature and title of officer

Such certification shall constitute a representation to the Director General for Operations, War Production Board, as well as to the manufacturer of the facts certified therein.

No manufacturer shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(4) Any ultimate consumer may make physical delivery of any such equipment to any manufacturer, dealer or distributor of such equipment, and such manufacturer, dealer, or distributor may accept such delivery; and

(5) Any such equipment actually in transit on September 30, 1942, may be delivered to its immediate destination.

[NOTE: Paragraphs (4) and (5) were formerly designated (3) and (4).]

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial cooking and food and plate warming equipment.

(e) *Reports.* Every manufacturer, dealer and distributor of any commercial cooking and food and plate warming equipment shall execute and file with the War Production Board on or before the tenth day of each calendar quarter a report on Form PD–638 (Revised), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L–248 may be made on a single Form PD–638.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the Priorities Regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other order issued, or to be issued after September 30, 1942, limits the production or delivery of commercial cooking and food and plate warming equipment to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein. After September 30, 1942, General Limitation Orders No. L–79 and No. L–83 shall not apply to commercial cooking and food and plate warming equipment.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal by letter to the War Production Board, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref: L–182.

(j) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using materials under priority control and may be deprived of priorities assistance.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE 1

Barbecue machines.
Chicken singers.
Chop suey ranges (ranges with built-in kettles—water and sewer connections).
Cruller fryers.
Cup warmers.
Dish warmers.
Egg boilers.
Nut blancher ovens.
Nut fryers.
Nut roasters.
Oyster stoves.
Peanut roasters.
Plate warmers.
Potato chip fryers.
Roll warmers.
Rotisseries (revolving spit barbecue machine).
Sausage warmers.
Waffle irons.
Warming ovens.

[F. R. Doc 43-3285; Filed, March 2, 1943; 9:57 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L–211, Schedule 3 as Amended March 2 1943]

BARBED WIRE, WIRE FENCE, WIRE NETTING AND WIRE FLOORING

§ 3102.4 *Schedule 3 to Limitation Order L–211*—(a) *Restrictions on barbed wire.* (1) No person shall produce, fabricate or deliver barbed wire except two point barbed wire of 14 gauge strands and 16 gauge barbs, or two or four point barbed wire of 12½ gauge strands and 14 gauge barbs, the spacing of the barbs in each style to be not less than four inches.

(2) No person shall produce or fabricate in any calendar quarter commencing April 1, 1943 a greater tonnage of barbed wire of 12½ gauge strands and 14 gauge barbs than barbed wire of 14 gauge strands and 16 gauge barbs.

(3) No person shall supply barbed wire except on 80 rod spools.

(b) *Restrictions on wire fence, wire netting and wire flooring.* No person shall produce, fabricate or deliver woven or welded wire fence, wire netting or wire flooring, except in the styles, specifications and in the length of rolls set forth in List 1 attached hereto.

(c) *Restrictions on use of copper.* No person shall add any copper to steel to be used in the production of wire for fabrication of barbed wire, woven or welded wire fence, wire netting or wire flooring.

(d) *Restrictions on galvanizing.* No person shall apply any zinc coating to barbed wire, or woven or welded wire fence in excess of the weights specified in Weight A, Table IV, Federal Specification QQ–W–461, issued June 16, 1941 except that half gauges shall take the weight classification of the next heavier gauge specified.

(e) *Acceptance of delivery.* No person shall accept delivery of material which he knows or has reason to believe was produced, fabricated or delivered in violation of the provisions of paragraphs (a), (b), (c), or (d).

(f) *General exceptions.* The provisions of paragraphs (a), (b), (c), (d), and (e) shall not apply to material:

(1) The production, fabrication, delivery or acceptance of which is specifically permitted by the Director General for Operations, or

(2) Which has been produced or fabricated before November 12, 1942, or which before such date has been processed in such manner and to such extent that processing to conform to such provisions would be impracticable, or

(3) To be purchased by or for the account of any of the following, to the extent that such material is called for by the specifications applicable to the contract, subcontract, or purchase order:

(i) The Army or Navy of the United States, the United States Maritime Commission, and the War Shipping Administration;

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(iii) The government of any country listed above, or any other country, including those in the Western Hemisphere, where the contract or purchase order is placed by any agency of the United States Government, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(g) *Exception to restriction on length of rolls.* The restrictions as to length of rolls contained in paragraphs (a) and (b) shall not be applicable to deliveries on preference ratings assigned by the Board of Economic Warfare, deliveries on Lend-Lease orders, or to deliveries by any person to the ultimate consumer.

(h) *Records.* Each producer or fabricator owning or possessing material excepted by the provisions of paragraph (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST 1

POULTRY FENCE—10 ROD ROLLS ONLY

Style*	Inches between stays	Filler wire gauge	Top-bottom wire gauge
1047	6	14½	11
1147	6	15½	12½
1347	6	15½	12½
2047	6	15½	12½

HOG AND CATTLE FENCE—20 ROD ROLLS ONLY

726	6	14½	11
726	6	12½	10
832	6	14½	11
832	12	12½	10
939	12	12½	10
939	12	12½	10

WIRE NETTING—150 FOOT ROLLS ONLY

Height	Mesh	Wire gauge
48"	2"	20
12"	1"	20

WIRE FLOORING—100 FOOT ROLLS ONLY

30"	1" x 2"	14

*The classification of styles of woven or welded wire fence is designated by numbers in accordance with recognized trade practice. The last two digits of such numbers refer to the height of the fence and the first digit (or two digits) refer to the number of horizontal bars or line wires. For example: Style 1948 means a fence having 19 line wires and a height of 48 inches.

[F. R. Doc. 43-3286; Filed, March 2, 1943; 9:57 a. m.]

PART 3171—COMMERCIAL DISHWASHERS

[Limitation Order L–248]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3171.1 *General Limitation Order L–248*—(a) *Definitions.* For the purposes of this order:

(1) "Commercial dishwasher" means any mechanical device designed for washing dishes, cutlery, glassware and kitchen utensils in establishments where food is prepared for consumption or sale on the premises; *Provided*, That "commercial dishwasher" does not include any dishwasher for domestic use.

(2) "Ultimate consumer" means any person who uses a commercial dishwasher for washing dishes, cutlery, glassware and kitchen utensils.

(3) "New commercial dishwasher" means any commercial dishwasher which has never been used by an ultimate consumer.

(4) "Used commercial dishwasher" means any commercial dishwasher which has been used by an ultimate consumer.

(5) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Restrictions on manufacture.* No manufacturer of commercial dishwashers shall put into process in the manufacture of such dishwashers, including finished units and parts thereof, during any calendar quarter, a weight of metal in excess of six and one quarter percent (6¼%) of the weight of metal put into process in the manufacture of finished commercial dishwashers by him during the calendar year 1941 except that in addition to the quotas set forth in this paragraph any manufacturer may put any weight of metal into process in the manufacture of any such dishwashers for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States.

(c) *Restrictions on delivery.* Regardless of the terms of any contract, sale, other commitment or any preference rating, no person shall make or accept physical delivery of any new or used commercial dishwashers except that:

(1) Any person may make or accept physical delivery of any such dishwasher on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States;

(2) Any person may make or accept physical delivery of any such dishwasher pursuant to specific authorization of the Director General for Operations on Form PD–638A (Revised). Applications under this order and Order L–182 may be made on a single Form PD–638A;

(3) Any manufacturer may make physical delivery of any such dishwasher to any dealer or distributor of such dishwashers, or to any ultimate consumer, from whom he has received a written order or contract which bears a certification substantially as follows signed by an authorized official, either manually or as provided in Priorities Regulation No. 7; and any such dealer, distributor or ultimate consumer may accept such delivery:

I certify that I have received specific authority from the Director General for Operations of the War Production Board to accept delivery of the equipment listed hereon; that I have knowledge of and am in compliance with Limitation Orders L–182 and or L–248; and, further, that authorization was received by me on the following Form(s) PD–638A:

(List number or numbers)

Firm Name

Signature & Title of Officer

Such certification shall constitute a representation to the Director General for Operations, War Production Board, as well as to the manufacturer of the facts certified therein.

No manufacturer shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue;

(4) Any ultimate consumer may make physical delivery of any such dishwasher to any manufacturer, dealer or distributor of such dishwashers; and such manufacturer, dealer, or distributor may accept such delivery;

(5) Any such dishwasher actually in transit on March 2, 1943, may be delivered to its immediate destination; and

(6) Any such dishwasher manufactured in accordance with an appeal granted prior to March 2, 1943, may be physically delivered to the person specified in the appeal, and such person may accept delivery of such dishwasher.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial dishwashers.

(e) *Simplified practices.* No person shall manufacture, fabricate or assemble any commercial dishwasher except in accordance with the following practices: *Provided, however,* That this restriction shall not apply in cases where appeals have been granted prior to March 2, 1943.

(1)

Maximum capacity (dishes per hour)	Maximum content (pounds)		Maximum motor size (h. p.)
	Iron and steel	Copper base alloy	
1,500	500	18	¾
3,240	900	22	2
5,000	1,150	35	3

(2) Body (hood and tanks) shall be manufactured of not heavier than 14 gauge black iron or 14 gauge galvanized iron.

(3) No thermostatic controls shall be used.

(4) Spray pipes, feed pipes, and other piping shall be galvanized iron.

(5) To the extent that copper base alloy castings are permitted by this order, the alloy shall be of a type and grade in the production of which the use of refined copper or refined tin is not necessary.

(6) No metal other than iron, steel or copper base alloy shall be used, except zinc or coating or spraying, and metal necessary for assembling or installing.

(f) *Exceptions from simplified practices.* None of the restrictions in paragraph (e) shall apply to commercial dishwashers manufactured to specifications of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships.

(g) *Reports.* Every manufacturer, dealer and distributor of any commercial dishwasher shall execute and file with the War Production Board on or before the tenth day of each calendar quarter a report on Form PD–638 (Revised), which may be obtained from the nearest field office of the War Production Board. Reports under this order and order L–182 may be made on a single Form PD–638.

(h) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(i) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits the production or delivery of commercial dishwashers to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating the grounds of the appeal.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., REF: L–248.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using, materials under priority control and may be deprived of priorities assistance.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3267; Filed, March 2, 1943; 9:57 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 7]

OPTIONAL STANDARD FORM OF CERTIFICATION

§ 3175.7 *CMP Regulation 7.* (a) A certification in substantially the following form may (but need not) be used in lieu of any other certification required by any CMP regulation to be endorsed on a delivery order or to be furnished therewith:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Such certification shall be signed manually or as provided in Priorities Regulation No. 7.

(b) If the applicable CMP regulation requires an allotment number or symbol, preference rating or other identification to be included in a certification, such identification shall be placed on the delivery order if the above form of certification is used.

Issued this 2nd day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3279; Filed, March 2, 1943; 9:58 a. m.]

PART 3176—VALVES AND VALVE PARTS

[Limitation Order L–252, as Amended March 2, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of steel, copper, and other critical materials used in the manufacture of valves and valve parts, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3176.1 *Limitation Order L–252—(a) Definitions.* Wherever used in this order:

(1) "Producer" means any person who manufactures valves and valve parts.

(2) "Valves" means gate, globe, angle, cross, lift check, angle check, or swing check valves (including variations of those types, such as the valves generally referred to as quick opening, blow off, hose end, Y-type and hydraulic), except drilling through and flow line valves for oil production service. This definition does not include valves of the types generally referred to as "specialties".

(3) "Valve parts" means parts for valves as defined above.

(4) "Put into process" means to process, machine, or fabricate or in any other manner alter any material by physical or chemical means.

(b) *Limitations.* Except as specifically authorized by the Director General for Operations, no producer shall after May 1, 1943, put into process or cause to be put into process, any material to be incorporated into valves or valve parts, except for the manufacture of valves and valve parts which conform to the specifications contained in the Appendix attached to and a part of this order, or for the manufacture of:

(1) Valves

(i) The bodies or bonnets of which were cast or forged before May 1, 1943;

(ii) Ordered for use as part of the equipment of aircraft or watercraft other than pleasure craft; or

(iii) For the conduction of liquid or gas having chemical or physical properties which render the use of valves described in the Appendix dangerous or impractical; and

(2) Valve parts for repair of valves which are completed on May 1, 1943, or which are produced thereafter in accordance with the provisions of paragraph (b) (1) of this order.

(c) *Restricted deliveries.* Except as specifically authorized by the Director General for Operations:

(1) No producer shall sell or make delivery of any valves or valve parts manufactured in violation of the terms of this order, and

(2) No person shall knowingly purchase or accept delivery of any valve or valve part produced in violation of this order.

(d) *Order superseded.* The provisions of this order supersede the provisions of Schedule No. 1 of Limitation Order L–42.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable priorities regulations.

(f) *Records.* Each producer shall retain in his files for a period of two years records showing his inventory and production of all valves, including those for the manufacture of which material was put into process subsequent to May 1, 1943. These records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Shipbuilding Division, War Production Board, Washington, D. C., Ref.: L–252.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX

[Paragraphs 6 (b) and (c) of Part 3 of the Appendix are amended March 2, 1943]

Specifications for Valves and Valve Parts

The following specifications govern the manufacture of valves and valve parts. These specifications do not purport to contain any recommendations regarding the most efficient or safe use of any valve or valve parts covered herein.

Certain of the terms used in this appendix (including the terms valves and valve parts) are defined in the body of this order, L–252. In addition, certain exceptions are made, and certain obligations imposed upon producers and others. You should, therefore, be thoroughly familiar with the body of the order before reading this appendix.

PART 1

Iron Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Iron valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1 and in the particular sizes, specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classifications in pounds per square inch		Gates (inches)			Globe and angle (inches)		Lift check (inches)		Swing check (inches)		
Steam	Water	Screwed	Flanged	Hub	Screwed	Flanged	Screwed	Flanged	Screwed	Flanged	Hub
25	50		4 to 72	4 to 72							
	100		4 to 72	4 to 72							
125	150 to 200	2 to 6	2 to 72	2 to 72	2 to 4	2 to 10	2 to 4	3 to 6	2 to 6	2 to 24	4 to 24
150	250	1¼ to 3	1 to 3		1¼ to 3	1 to 3	¼ to 3		1¼ to 3		
250	500	2 to 4	2 to 24		2 to 4	2 to 6			2 to 4	2 to 12	
300		1¼ to 3	1 to 3		1¼ to 3	1 to 3			1¼ to 3		
	800	2 to 6	2 to 12							3 to 12	

The primary pressure classification designates a class of valves and does not necessarily mean that all sizes in a given class carry the primary pressure classification. American Standards Association standards and manufacturers practice frequently reduce the pressure ratings as size increases, and may not always rate valves for both steam and water.

In sizes 3" and smaller the 150# and 300# primary pressure classification valves are included as substitutes for brass valves. Flanged valves may be rated in accordance with the American Flange Standard used.

NOTE: Other valve end connections in common use on the date of issuance of this order, including among others, the types known as Victaulic, Dresser, and Universal, may be manufactured, but only in accordance with the specifications listed in Table 1. For the purposes of this order, "common use" means use by at least ten companies.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

¼	4	24
⅜	5	30
½	6	36
¾	8	42
1	10	48
1¼	12	54
1½	14	60
2	16	66
2½	18	72
3	20	

2 *General requirements for iron valves.* (a) End flanges shall conform to American Standards Association standards for corresponding pressure classes, except that for 150# and 300# valves when made of malleable iron as substitutes for brass valves, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP–2 may be used. Flanges may be furnished to the American Gas Association flange standard for low pressure gas service.

(b) Face to face of flanged valves, size 4" and larger, shall comply with American Petroleum Institute standard #5–G–1 and American Standards Association standard B–16.10 for the pressure classes and types which these standards cover.

(c) Valves for 150# primary steam rating and lower shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Nickel alloy.

(d) Valves for 250# primary steam rating and higher shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Chrome iron.

(e) Bonnet bolts or studs shall be carbon steel.

(f) Nuts for bonnet bolting shall be carbon steel.

(g) Handwheels shall be of ferrous metal either cast or otherwise fabricated, or of suitable non-metallic material.

(h) All extension stems, couplings and gear housings shall be of ferrous metal.

(i) Spot facing or back facing on iron valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

3. *Iron gate valves.* (a) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(b) Discs for solid wedge gates 4" and larger and for split wedge or double disc gates 5" and larger, shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class. Discs for non-rising stem valves may be provided with brass or bronze bushing for stem thread.

(c) Bonnet bushing for backseating shall not be provided in outside screw and yoke valves.

(d) Packing gland flange bolts or studs shall be carbon steel.

(e) Nuts for packing gland flange bolts or studs shall be carbon steel.

(f) For valve 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

4. *Iron globe, angle, and cross valves.* (a) "Plug" type discs shall not be used for primary pressure 125# classification; but no manufacturer shall make more than one design of metal to metal seat in this class.

(b) Discs for valves 4" and larger shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(c) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(d) Bonnet bushing for back seating shall not be provided.

(e) Packing gland flange bolts or studs shall be carbon steel.

(f) Nuts for packing gland flange bolts or studs shall be carbon steel.

(g) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

(h) Cross valves shall not be manufactured.

5. *Iron check valves.* (a) Discs for valves 4" and larger shall be either all iron, or iron or steel with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(b) Nuts for attaching swing check disc to hinge or arm shall be carbon steel, or malleable iron.

(c) The hinge or arm for valves 2" and larger shall be of ferrous metal and may be bronzed bushed.

PART 2

Brass or bronze gate, globe, angle, cross, and check valves and valve parts

1. *Standard size schedule: Brass or bronze valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classifications in lbs. per sq. in.	Sizes[1] screwed end (inches)	Sizes flanged end (inches)	Sizes solder end (inches)
150 Steam	¼ to 2	----------	¼ to 2
125 Steam	¼ to 2	----------	¼ to 2
150 Steam	¼ to 2	1 to 2	¼ to 2
200 Steam	¼ to 2	1 to 2	¼ to 2
300 Steam	¼ to 2	1 to 2	¼ to 2
Hydraulic 1000 & Higher	⅜ to 2	----------	¼ to 1¼

[1] The primary steam rating in no way regulates the pressure at which these valves should be rated for other fluids, but restricts the classes to those mentioned.

[2] Only globe and angle valves may be made in the ⅛" size.

[3] These valves are rated 1500.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

⅛	½	1¼
¼	¾	1½
⅜	1	2

2. *General requirements for brass or bronze valves.* (a) Check valves shall be horizontal lift and vertical lift or swing check types only. Angle type prohibited.

(b) Spot facing on end connecting flanges is prohibited.

(c) 150# primary pressure classification and lower shall have integral seats.

(d) 150# primary pressure classification and lower shall have brass, bronze, or non-metallic disc only, and plug type discs shall not be use l in globe and angle valves.

(e) 200# primary pressure classification and higher shall have manufacturer's standard seating materials comprising any of the following:

Non-metallic disc.
Brass or bronze.
Chrome iron.
Nickel alloy.

(f) Union bonnet rings and union rings for valve ends shall be malleable iron or steel.

(g) Stuffing box packing nuts shall be malleable iron or steel.

(h) Handwheels and valve handles shall be ferrous metal, either cast or otherwise fabricated; or suitable non-metallic material.

(i) End flanges shall conform to:

1. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 150#-SP-2.

2. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 300#-SP-2.

(Depending upon rated pressure of the valve.)

(j) Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade A or American Society for Testing Materials B-62 or EA-B62 brass or bronze for all valve pressure castings in valves in primary pressure classifications of 125#, 150# and 200#. Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade B or American Society for Testing Materials B-61 brass or bronze for all valve pressure castings in valves in primary classifications of 300# or higher. Bonnets 200# and higher pressure classification may be made of a "cast bearing bronze."

(k) Cross valves shall not be manufactured.

PART 3

Steel Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

NOTE: These limitations do not apply for primary ratings higher than 1500#. Moreover, these limitations do not apply for valves for temperatures exceeding 1000 degrees F. or below minus 50 degrees F. Furthermore, these limitations do not apply to drilling through or flow line valves for oil production service.

The term "stainless" is used in this Part 3 of this appendix to describe any of the iron base alloys such as 12% chrome, or 18-8 chrome nickel whose primary characteristics are resistance to corrosive attack, or elevated temperature, or both.

1. *Standard size schedule: Steel valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2 which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classification in lbs. per sq. in.	Gate (inches)			Globe and angle (inches)			Horizontal and angle check (inches)			Swing check (inches)		
	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded
150	2 to 4	2 to 24	----------	2 to 4	2 to 8	----------	----------	----------	----------	2 to 4	2 to 8	----------
300	2 to 4	2 to 24	----------	2 to 4	2 to 12	----------	----------	2 to 8	----------	2 to 4	2 to 12	----------
600	¾ to 2	½ to 24	¾ to 24	⅛ to 2	½ to 14	⅛ to 14	¾ to 2	½ to 14	⅛ to 14	½ to 2	1¼ to 14	1¼ to 14
900	----------	3 to 18	¾ to 18	----------	3 to 14	3 to 14	----------	3 to 14	3 to 14	----------	3 to 14	3 to 14
1500	¾ to 2	1½ to 14	¾ to 14	¾ to 2	1½ to 14	¼ to 14	¾ to 2	1½ to 14	¼ to 14	----------	----------	----------

(b) Detail of permitted sizes.

TABLE 2

(Sizes in inches)

⅛	2	10
¼	2½	12
⅜	3	14
½	4	16
¾	5	18
1	6	20
1¼	8	24
1½		

2. *General requirements for steel valves.* (a) Valves covered by items 3, 4, and 5, which follow, shall be in accordance with American Petroleum Institute standard 600A for gate valves, and with American Standards Association B16e for all types, except as modified by the specifications set forth in this part 3 of this appendix.

(b) Face to face of flange end valves shall comply with American Petroleum Institute standard 5-G-1 and American Standard Association B16.10 for the types covered by these standards.

(c) Discs of valves 5" and larger shall be made of the same material as the valve body, with seating material laid on or attached.

(d) Handwheels 24" diameter and smaller shall be malleable iron, or fabricated steel.

(e) Raised contact faces on flanges shall be serrated (concentric or spiral) or smooth at manufacturer's option.

(f) Cross valves shall not be manufactured.

3. *150 lb. Pressure class: Steel valves.* (a) End flange faces shall have American Standards Association 1/16" raised face.

(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme corrosion or temperature conditions they may be 4% to 6% chrome, ½% molybdenum. For minus 50 degrees F. (subzero service), carbon steel shall be heat treated to give impact value of 10 foot pounds minimum Charpy keyhole at minus 50 degrees F.

(c) Seating materials shall be any of the following:

Carbon steel
Brass or bronze.
12% chrome iron.

(d) Bonnet bushing for back seating shall not be provided, but backseating shall be included.

(e) Stems shall be carbon steel, brass or bronze.

(f) Bonnet bolting shall be carbon steel having physical properties equal to American Society for Testing Materials A96, Class A, except that when carbon steel having Class A physicals is not obtainable, manganese steels of the SAE 1300 Series or equal may be used.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

(h) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(i) Bonnet gaskets shall be asbestos composition sheet.

4. *300 lb. Pressure class: Steel valves.* (a) End flange faces shall be American Standards Association 1/16" raised face, or American Petroleum Institute octagonal ring joint groove providing the groove is cut in the basic flange thickness.

(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme corrosion or temperature conditions they may be 4% to 6% chrome, ½% molybdenum. For minus 50 degrees F. (sub-zero service), carbon steel shall be treated to give impact value of 10 foot pounds minimum Charpy keyhole at minus 50 degrees F.

(c) The seating materials shall be any of the following:

Same material as body.
Brass or bronze.
12% chrome iron.
Nickel copper alloy.
Hard facing.

(d) Stems shall be any of the following:

Brass or bronze.
12% chrome iron.

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class B physical properties minimum.

2. For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials A193, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class C physical properties minimum.

(g) Bonnet bolt nuts shall be semi-finished carbon steel; normalized or quenched.

5. *600 lb., 900 lb. & 1500 lb. Pressure classes: Steel valves.* (For 600 lb. and 1500 lb. general purpose valves, see paragraph 6)

(a) End flange faces shall be either American Standards Association octagonal ring joint groove or American Petroleum Institute octagonal ring joint groove, or ¼" American Standards Association large male face.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, ½% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) The seating materials shall be of any of the following:

Same material as body.
Stainless (See definition in note under heading of Part 3).
Nickel copper alloy.
Hard facing.

(d) Stems shall be the following:

Stainless (See definition in note under heading of Part 3).

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class B physical properties minimum.

2. For temperature over 850 degrees F., Grade B14 steel per American Society for Testing Materials A193, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class C physical properties minimum.

(g) Bonnet bolt nuts shall be semi-finished carbon steel, normalized or quenched.

6. *General purpose steel valves: 600 lb. & 1500 lb.—2" and smaller.* (a) End connections shall be:

1. Flanged American Standards Association standard with ¼" large male face.
2. Screwed end.
3. Socket welding end.

The 600 lb. class flanged end valves may be made with 150-lb. American Standards Association steel flange diameter, drilling, and or facing.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, ½% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) Seating materials shall be any of the following:

Same material as body.
Brass or bronze.
Stainless. (See definition in note under heading of Part 3.)
Nickel copper alloy.
Hard facing.

[F. R. Doc. 43-3280; Filed, March 2, 1943; 9:57 a. m.]

PART 3202—CONTAINERBOARD

[Conservation Order M-290]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of containerboard and of essential containers; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3202.1 *Conservation Order M-290—*(a) *Definitions.* For the purposes of this order:

(1) "Mill" means a congregation of pulp preparation, roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(2) "Containerboard" means kraft or jute containerboard suitable for the manufacture of corrugated or solid fibre containers.

(3) "Kraft containerboard" means any grade of containerboard suitable for the manufacture of corrugated or solid fibre containers and containing 50% or more virgin sulphate wood pulp.

(4) "Jute containerboard" means any other grade of paperboard commonly used as a liner, corrugating medium, or filler stock in the manufacture of corrugated or solid fibre boxes. This includes, but is not limited to, the grades commonly known in the industry as jute, straw, chestnut, container chip, and "bogus" corrugating materials.

(5) "Container-manufacturer" means any person who manufactures corrugated or solid fibre shipping containers from any kind or type of containerboard.

(6) "V-boxes" means shipping containers of the types designated as V-1, 2 and 3, in Army Specifications O. Q. M. G. No. 93, dated December 2, 1942, and of the similar types described in Navy Department Specifications 53B11 (INT.) and in Agricultural Marketing Administration Specifications FSC-1742-B.

(7) "Production month" means any calendar month, commencing April 1943, for which a reserve production is required to be set aside pursuant to paragraph (b) below.

(8) "Reserve production" means the amount, in tons, of kraft containerboard or jute containerboard production which a mill is required to set aside during a production month.

(9) "Unreserved production" means the balance, in tons, of a mill's kraft containerboard or jute containerboard production during that production month.

(b) *Restrictions on mills—*(1) *Establishment of reserve production.* During each month, commencing March 1943, every mill shall compute its projected supply of kraft containerboard and its projected supply of jute containerboard for the next month (which shall constitute the production month) and report to the War Production Board as provided for in paragraph (e) below. Each such projected supply shall be computed by adding the following amounts (kraft containerboard and jute containerboard shall be computed separately):

(i) Estimated total tonnage of inventory expected to be on hand on the 1st day of said production month;

(ii) Estimated total tonnage expected to be produced during said production month (if this advance estimate proves to be less than the amount actually produced during said production month, the difference shall be included as "overage" in the projected supply for the second succeeding production month);

(iii) Any overage from the second preceding production month, as provided for in paragraph (b) (1) (ii) above (this item will not be relevant until the June production month).

After making such computation, the mill shall reserve facilities sufficient to produce and ship during said production month, at the direction of the Director General for Operations, a reserve production consisting of 25% of the total tonnage of its projected supply of kraft containerboard and 25% of the total tonnage of its projected supply of jute containerboard for said production month.

(2) *Allocation.* By appropriate form of notice to the interested parties, the Director General for Operations may:

(i) Allocate all or any part of any mill's reserve production to any container-manufacturers for use in manufacturing V-boxes;

(ii) Allocate all or any part of the remainder of any mill's reserve production, not allocated for V-boxes, to any container-manufacturers for use in manufacturing other containers for governmental or essential civilian requirements;

(iii) Direct the mill to produce the allocated quantities, in such grades as may be specified, and ship them to designated container-manufacturers.

(3) *Delivery—*(i) *Priority sequence.* Deliveries pursuant to direction under paragraph (b) (2) above shall take precedence over all other orders (rated or unrated) for container board. Where the directions specify any particular priority, sequence, or delivery dates for any allocated orders, the mill shall deliver accordingly. Where the directions do not specify, the mill may then arrange the sequence of deliveries with the container-manufacturers concerned. In case of dispute, deliveries shall be made in the sequence of the receipt of the orders involved.

(ii) *Refusal.* A mill may refuse to produce or deliver as directed only for the reasons specified for the refusal of rated orders in § 944.2 (b) (3) of Priorities Regulation No. 1 as amended. In the event of any such refusal, the mill shall promptly notify the War Production Board by telegram explaining the case. The amount of reserve production involved shall be kept available for further specific direction or release from the Director General for Operations, and shall not be released by the operation of paragraph (b) (4) below.

(iii) *Inability.* Any mill which, for any reason, is unable to produce or deliver as directed, shall promptly notify the War Production Board by telegram explaining the case. The amount of reserve production involved shall be kept available for further specific direction or release by the Director General for Operations, and shall not be released by the operation of paragraph (b) (4) below.

(4) *Release.* If, on or before the 5th day of any production month, a mill does not receive from the Director General for Operations directions as to the disposition of such reserve (or has received directions as to a part but not the remainder), it may employ the same (or such remainder) free of the restrictions of paragraph (b) (1) above.

(5) *Relation to other reserve productions.* The reserve production required by this order shall be in addition to any other reserve production required by Order M-241 (§ 3096.1) or any other order of the War Production Board.

(6) *Distribution of unreserved production.* If the amount of any mill's unreserved production is less than the total amount required for delivery during the production month, in fulfillment of contracts and commitments made before March 2, 1943, the mill shall prorate the unreserved production substantially equally among all such contracts and commitments and shall deliver accordingly. Such a pro rata share for any container-manufacturer shall be in addition to any deliveries made to him pursuant to allocation directions. Individual pro rata amounts may be varied to the minimum extent necessary to provide customary selling and shipping units.

(c) *Restriction on container-manufacturers.* No container-manufacturer shall use any reserve-production containerboard except in the manufacture of:

(1) V-boxes;

(2) Such other containers as may be authorized by the Director General for Operations by notice to the container-manufacturer.

(d) *Allocation applications by container-manufacturers:*

(1) *For V-boxes.* On or before March 9, 1943, and on or before the first day of each month thereafter, each container-manufacturer who plans to manufacture V-boxes during the next succeeding production month shall submit Form PD-820 in triplicate, to the War Production Board, setting out his expected production. In addition, any such container-manufacturer may include, in said Form PD-820, a request for an allocation of containerboard to be used by him in the manufacture of V-boxes during the next succeeding production month, provided, he has filed his orders therefor with his supplying mill or mills and has identified such orders as being intended for such use and as orders which he will report to the War Production Board on Form PD-820.

(2) *For other containers.* On or before March 15, 1943, and on or before the 10th day of each month thereafter, any container-manufacturer may apply on Form PD-821 in triplicate, to the War Production Board for an allocation of containerboard for use in manufacturing containers (other than V-boxes) for governmental or essential civilian requirements, provided all of following conditions exist:

(i) He cannot manufacture such containers from his existing or prospective containerboard supply without interrupting or eliminating the production of other essential containers;

(ii) The persons ordering such containers cannot readily obtain them from other sources;

(iii) His prospective supply of containerboard for the coming production month is to be curtailed as a result of the operation of paragraph (b) above; and

(iv) He has made diligent but unsuccessful effort to obtain replacement of such reduction from other available suppliers.

(e) *Supply reports by mills (Form PD-819).* On or before March 15, 1943, and on or before the 10th day of each month thereafter, each mill shall report the following on Form PD-819 in triplicate;

(1) His projected supply of kraft containerboard and/or his projected supply of jute containerboard for the subsequent production month;

(2) The orders received from container-manufacturers for delivery, during the subsequent production month, of containerboard identified as being intended for use in manufacturing V-boxes.

(f) *Other reports.* Any person affected by this order shall file such other reports and questionnaires as the War Production Board may from time to time request.

(g) *Dual-function organizations.* Where any organization engages in both mill and container-manufacturer functions, the provisions hereof applicable to mills shall apply separately to its mill operations, and the provisions hereof applicable to the container-manufacturers shall apply separately to its container-manufacturer operations.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(i) *Records, audit, inspection.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All such records shall, upon request, be sumbitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Divisions, Washington, D. C. Ref: M-290.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 2d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3281; Filed, March 2, 1943; 9:57 a. m.]

PART 1075—CONSTRUCTION

[Preference Rating Order P-19-h]

To: _____. Name of builder_____.

Address: _____. Expiration date_____.

§ 1075.9 *Preference Rating Order No. P-19-h; material entering into the rated project.* For the purpose of facilitating the acquisition of certain material in the public interest and to promote the national defense, a preference rating is hereby assigned to deliveries to the above-named builder, upon the following terms:

(a) *Definitions.* (1) "Builder" means the specific person to whom this order is addressed as above.

(2) "Supplier" means any person with whom a contract or purchase order has been placed for the delivery of construction material and other material.

(3) "Construction material" means any commodity, equipment, accessory, part, assembly or product of any kind which will be physically incorporated in the rated project.

(4) "Other material" means (a) any tool, machinery or equipment which will be physically located in the rated project and which will be used in the manufacturing or processing of goods or products or the performing of services therein, and (b) any material which will be used at the location and in connection with the construction of the rated project, including but not limited to hand tools, repair parts for construction machinery, forms, scaffolding and the like, but not including fuel or construction machinery.

(5) "Application" means the builder's application on Form PD-200 or other appropriate form, an original of which is attached hereto and made a part hereof.

(6) "Rated project" means:

(b) *Assignment of preference rating.* Preference ratings are assigned as follows to deliveries to the builder by his suppliers of construction material and other material appearing on the application as approved, subject to the following conditions:

(c) *Restrictions.* (1) The builder is bound by the representations, certifications and agreements made by him in the application and any misrepresentations therein contained or any violation thereof shall constitute a violation of this order and grounds for its immediate cancellation.

(2) The builder shall not incorporate into the rated project any construction material of the type which he is required to enumerate in the application, other than as specifically set forth in the application as finally approved.

(3) The builder shall not apply the rating to obtain delivery of construction material or other material on earlier dates than required for the completion on schedule of the rated project. In no event may he apply the preference rating to purchase orders and contracts placed by him after the expiration of this order.

(d) *Application and extension of preference rating.* Ratings assigned by paragraph (b) may be applied or extended in accordance with the provisions of Priorities Regulation 3.

(e) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, the builder shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all purchase orders or contracts to which the preference rating hereby assigned has been applied, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(f) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref: P-19-h, Serial No. _____.

(g) *Violations.* Any person who wilfully violates any provision of this order or any agreement contained in the application, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(h) *Revocation or amendment.* This order may be revoked or amended at any time.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(j) *Effective date.* This order shall take effect on the _____ day of _____, and unless sooner revoked shall continue in effect until the expiration date specified in the heading hereof.

Issued this 1st day of March, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3232; Filed, March 1, 1943; 11:33 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 63,[1] Amendment 8]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (ii) in paragraph (m) (2) in § 1315.110 is amended; two new subparagraphs (3) and (4) are added to paragraph (m) in § 1315.110; in paragraph (n) in §§ 1315.110 and 1315.111 the words "except where it is specifically provided that the increase in this paragraph (n) shall not apply," are substituted for the words "on and after April 25, 1942,"; as set forth below;

§ 1315.110 *Appendix A: Maximum retail prices for manufacturers' brands of new rubber tires and tubes.* * * *

(m) * * *

(2) United States Rubber Company: * * *

(ii) Maximum prices for the following sizes in the following brands of truck tires shall be:

(a) FEDERAL SPECIAL SERVICE AND GILLETTE SPECIAL SERVICE

Size	Ply	Maximum price
8.25-20	12	$83.20
9.00-20	12	99.50
10.00-20	14	125.65
11.00-20	14	154.90

(b) U. S. SPECIAL SERVICE CON-TRAK-TOR

8.25-20	12	$83.20
12.00-24 (11.25-24 O.M.)	16	210.55

(c) U. S. ROYAL FLEETWAY RAYON

8.25-20	10	$76.45
9.00-20	10	91.10
10.00-20	12	115.55
10.00-22	12	121.75
11.00-20	12	136.65

(d) FISK CON-TRAK-TOR

8.25-20	12	$83.20
9.00-20	12	100.90
10.00-20	14	125.65
11.00-20	14	154.90
11.00-24	14	162.80
12.00-24	16	210.55
13.00-24	16	232.20
14.00-24	20	331.90
18.00-24	20	610.85

(e) FISK ROAD GRADER

Size	Ply	Maximum price
7.00-20 F. B	10	$56.90
7.00-24 F. B	10	68.45
7.50-24 F. B	10	74.40
9.00-24 F. B	10	89.25
12.00-24 D. C	8	102.55
13.00-24 D. C	8	115.45

(f) FISK TRAILER TYPE

7.50-15	10	$55.35
8.25-15	12	79.00
9.00-15	12	85.85
10.00-15	14	102.75

(g) FISK EARTH MOVER

14.00-20	16	$221.55
18.00-24	16	488.55
18.00-24	20	544.70

(h) FISK TIMBER SERVICE

8.25-20	12	$83.20
9.00-20	12	105.70
10.00-20	14	136.10

(i) FISK TRANSPORTATION RAYON

10.00-22	12	$121.75
11.00-20	12	136.65

(3) The Dayton Rubber Manufacturing Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

(i) THOROBRED

Size	Ply	Maximum price
8.25-15	12	$79.00

(ii) THOROBRED MUD AND SNOW

7.00-20 (32 x 6)	10	$49.45
7.50-20 (34 x 7)	10	70.45
11.00-20	12	129.50

(4) The Polson Rubber Company: Maximum prices for passenger-car tubes marked "Type B" shall be as follows:

(i) Heavy Duty Red-Type B and Heavy Duty Black-Type B, CD-16 size, $1.95.

(ii) Maximum prices for other sizes of the same brands and for other brands marked "Type B" shall be calculated on the basis of the $1.95 price in accordance with the procedure set forth in paragraphs (h) and (i), respectively, using consumer list prices in effect November 25, 1941, for the same brands without the "Type B" marking to determine relationships.

(iii) Notwithstanding the provisions of subdivisions (i) or (ii), maximum prices for tubes marked "Type B" in all sizes and weights which are listed on the Exhibit C filed with the Office of Price Administration by The Polson Rubber Company shall be: CD-16 size, $1.47; other such sizes and weights computed as provided in subdivision (ii) but on the basis of the $1.47 price: *Provided*, That the 16% increase provided in paragraph (n) shall not apply to tubes priced under this subdivision (iii).

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3237; Filed, March 1, 1943; 12:17 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Revocation of MPR 212[1]]

FROZEN FRUITS, BERRIES AND VEGETABLES AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this order of

[1] 7 F.R. 1323, 2132, 3036, 3791, 5708, 6048, 6215, 7364 8948, 9888; 3 F.R. 2120.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R 6831, 7173, 8948.

revocation to Maximum Price Regulation No. 212 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 212 (§§ 1341.251 to 1341.269, inclusive) is hereby revoked.

This order shall be effective as of November 6, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R.[1] 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3238, Filed, March 1, 1943; 12:17 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,[1] Amendment 4]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this Amendment No. 4 to Maximum Price Regulation No. 268 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (c) is added to § 1351.1103a; a new section, § 1351.1103b, is added; the table in paragraph (a) of § 1351.1116 is amended by the addition of item No. 12; subparagraph (8) is added to paragraph (c) of § 1351.1116; all to read as set forth below:

§ 1351.1103a *How certain retailers calculate "net cost" in special cases.* • • •

(c) *Eggs; when candled and graded by a retailer.* When a retailer purchases "assorted eggs" and then candles and grades such eggs into the retail grades and sizes or weight classes set forth in § 1351.1116 (c) (8) of this regulation, he shall calculate a maximum price weekly for each resulting grade and size or weight class using as his "net cost" the lowest maximum price established by Maximum Price Regulation No. 333 which would apply to sales to a retailer of eggs of that particular grade and size or weight class delivered on the Monday of the week in which calculations are made to a receiving point located in the same city, town, village or hamlet as the customary receiving point for the eggs of the retailer pricing hereunder: *Provided, however,* That before eggs which have been graded by the retailer as extra large grade AA or large grade AA may be sold as such, they must be certified as such by the United States Department of Agriculture.

§ 1351.1103b *Additional charges allowed retailers in special cases—(c) Eggs; addition allowed for packaging in retail cartons.*[1] When a retailer purchases eggs in containers other than retail cartons of one dozen or a half-dozen each and then packages and sells such eggs in retail cartons of one dozen or a half-dozen each, or, when he purchases eggs in such retail cartons of one dozen or a half-dozen which he has furnished to his supplier, he may increase by whichever of the following amounts is applicable his maximum-price calculated under this regulation for eggs sold in such packages:

(1) One cent for each retail carton of a half-dozen eggs.

(2) Two cents for each retail carton of one dozen eggs.

(3) The resulting amount shall be the retailer's maximum price for such packaged eggs. In no case may a retailer make any additions under this paragraph when the person from whom he has purchased the eggs has made a charge for packaging.

§ 1351.1116 *Appendix A: Figures to be used by retailers in determining maximum prices under § 1351.1103 of this regulation.* (a) • • •

Food commodity[1]	Day of the week on which retailer must calculate maximum prices	Figures to be multiplied by net cost of item in determining maximum prices under this regulation					
		Independent retailer with annual volume			Class 4 Chain retailer with annual volume under $250,000	Class 5 Any retailer (chain or independent) with annual volume of $250,000 or more	Unit of sale for which base maximum selling price must be calculated
		Class 1 under $20,000	Class 2 $20,000 but less than $50,000	Class 3 $50,000 but less than $250,000			
• •	• •	•	•	•	•	•	•
12. Eggs	Thursday	1.17	1.17	1.15	1.14	1.12	1 dozen

[1] Separate price must be computed for each grade, kind and variety. The retailer's supplier must show the grade, kind and variety on the invoice.

• • • • • •

(c) *Definitions.* • • •

(8) "Eggs" or "shell hen eggs" means all shell eggs of the fowl known as the domestic or barnyard hen used for human consumption. Maximum prices shall be calculated and posted for each grade and size or weight class of eggs. The grade and size or weight class shall be clearly posted with the maximum price. Eggs shall be sold at retail only in retail grades. Retail grades of eggs are: grade AA, grade A, grade B, grade C, "assorted eggs", dirty, and checked. Sizes and weight classes are: jumbo, extra large, large, medium, small. The specifications and standards for grades, quality, and sizes and weight classes of shell eggs promulgated by the United States Department of Agriculture in the publications entitled "Specifications for Official United States Standards for Quality of Individual Shell Eggs" and "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs", including any amendments thereto or revisions thereof heretofore or hereafter to be issued, shall be the specifications and standards for grades and sizes or weight classes of all shell hen eggs sold at retail for which maximum prices are established by this regulation. "Assorted eggs" means edible shell hen eggs which have not been graded, have a net weight of not less than 43 pounds per case or equivalent, and contain a total of not more than 20% of dirty and checked eggs.

This amendment shall become effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3239; Filed, March 1, 1943; 12:18 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Ration Order 2A,[1] Amendment 25]

AUTOMOBILE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1360.324 is added to read as follows:

§ 1360.324 *Territorial scope.* On and after March 6, 1943, Rationing Order No. 2A shall apply only in the territories and possessions of the United States, except that any violations which occurred, or rights or liabilities which arose under Rationing Order No. 2A shall be governed by those provisions of Rationing Order No. 2A, and amendments to it, which were in effect at the time that the violations occurred or the rights or liabilities arose.

This amendment shall become effective March 6, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3240; Filed, March 1, 1943; 12:18 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[Supplement 1 to Ration Order 4A[1]]

TYPEWRITERS

§ 1398.154 *Dealers, wholesalers and manufacturers shall file inventory reports.*[1] Every dealer, wholesaler, and manufacturer shall file a separate inventory report (on OPA Form R-406) for each of his places of business for the months of February, April, and July 1943 and as often thereafter as the Office of Price Administration may require. The inventory shall be taken on the last day of the month and the report shall be mailed on or before the tenth day of the month following to the Central Inventory Unit, Office of Price Administration, Empire State Building, New York City.

This Supplement 1 (§ 1398.154) to Ration Order 4A shall become effective March 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Directive No. 1, Supplementary Directive No. 1-D, Conversion Order No. L-54-a, 7 F.R. 562, 1792, 2130)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3241; Filed, March 1, 1943; 12:18 p. m.]

PART 1419—EXPLOSIVES

[MPR 191,[1] Amendment 3]

COTTON LINTERS AND HULL FIBERS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

A new paragraph (d) is added to § 1419.1 as set forth below:

§ 1419.1 *Maximum prices for cotton linters and hull fibers.* • • •

(d) The following maximum prices, f. o. b. seller's shipping point are established for off-grade cotton linters which have been released by the War Production Board under General Preference Order M-12 as unsuited for chemical uses:

(1) Sales by cottonseed oil mills—$.0323 per pound.

(2) Sales by persons other than cottonseed mills—$.0355 per pound.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3242; Filed, March 1, 1943; 12:19 p. m.]

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*Copies may be obtained from Office of Price Administration.

[1] Reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] 7 F.R. 9184, 8 F.R. 322, 1747.

[1] 7 F.R. 1542, 1047, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049, 6052, 6424, 6601, 6775, 6964, 7149, 7808, 8895, 9118, 9228; 8 F.R. 28, 363, 1138, 1365.

[2] 7 F.R. 10866; 8 F.R. 1065, 1588.

[1] 7 F.R. 6000, 6150, 7093, 8218, 8948.

PART 1499—COMMODITIES AND SERVICES

[Amendment No. 121 to Supplementary Regulation 14[1] of GMPR[2]]

CHELSEA CIGARETTES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.* Subparagraph (76) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(76) *Chelsea cigarettes "20s"*—(i) *Maximum prices of jobbers and wholesalers for Chelsea cigarettes "20s".* A jobber or wholesaler may sell and deliver and any person may buy and receive Chelsea cigarettes packed 20 to a package at a price not in excess of $6.81 per thousand or the manufacturer's list price, whichever is the lower, less discounts and allowances customarily given in March 1942 by such jobber or wholesaler on his sales of other cigarettes of the same price class to purchasers of the same class. A jobber or wholesaler may add to such price the amount of any state or local tax applicable to the particular quantity of cigarettes sold and paid or payable by him to the proper taxing authorities or to any prior vendor.

(ii) *Maximum prices for sellers at retail for Chelsea cigarettes "20s."* A seller at retail may sell and deliver and any person may buy and receive Chelsea cigarettes packed 20 to a package at a price not in excess of the particular retailer's maximum price established under § 1499.2 for his sales of other cigarettes of the same price class to a purchaser of the same class. A retailer may add to such price the amount of any state or local tax applicable to the particular quantity of cigarettes sold and paid or payable by him to the proper taxing authorities or to any prior vendor.

(iii) *Notification.* On and after March 6, 1943, any seller of Chelsea cigarettes packed 20 to a package (other than a retailer), at or before his first delivery thereof to a purchaser, shall supply such purchaser with a written or printed notice as follows:

The Office of Price Administration has authorized ceiling prices for sales of Chelsea cigarettes "20s." The ceiling price for jobbers and wholesalers is $6.81 per thousand cigarettes or the manufacturer's list price, whichever is the lower, less their March 1942 customary discounts and allowances on sales of other cigarettes of the same price class to purchasers of the same class. The ceiling price for a retailer is his maximum price for sales of other cigarettes of the same price class to purchasers of the same class. Applicable state and local taxes may be added to such ceiling prices. Jobbers and wholesalers are required to supply purchasers with a copy of this notice at or before their first delivery of such cigarettes to the purchaser. The Office of Price Administration requires you to keep this notice for examination.

(iv) *Applicability.* The provisions of this subdivision shall be applicable to the forty-eight states of the United States and to the District of Columbia.

(v) This Amendment No. 121 may be revoked or amended by the Price Administrator at any time.

This Amendment No. 121 shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3243; Filed, March 1, 1943; 12:18 p. m.]

PART 1305—ADMINISTRATION

[General Ration Order 3B]

RATION BANKING; EXEMPT AGENCIES

Preamble: Nationwide ration bank facilities were provided by the Office of Price Administration to civilians on January 27, 1943.

A large portion of the rationed commodities now, or soon to be, covered by ration banking will be acquired by the armed forces of the United States and certain other exempt governmental agencies. No limitation has been placed upon the quantity of rationed commodities which may be acquired by these exempt agencies. Nevertheless, purchases by such agencies are facilitated, and the effective control of the rationed commodity is promoted, by having their purchases made through a modified form of ration banking. The agencies involved and the Office of Price Administration have agreed on the extension of ration banking to them.

Accordingly, pursuant to the authority vested in the Administrator by Public Laws 421, 507, and 729, 77th Cong., by Executive Order No. 9125, issued by the

[1] 7 F.R. 5486, 5709, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7916, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2274, 2343.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5193, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204, 1317, 2029, 2110.

President on April 7, 1942: *It is hereby ordered*, That:

Sec.
1305.501 Ration orders exempt certain agencies.
1305.502 Ration orders permit exempt accounts.
1305.503 Only exempt agencies may use exempt accounts.
1305.504 Opening exempt accounts.
1305.505 Exempt accounts differ from ordinary ration accounts.
1305.506 Evidence must be deposited.
1305.507 Certain activities may not use exempt accounts.
1305.508 Territorial limitation.
1305.509 Terms explained.

AUTHORITY: §§ 1305.501 to 1305.509, inclusive, issued pursuant to Pub. Laws 421, 507, and 729, 77th Cong.; Executive Order No. 9125, issued by the President on April 7, 1942; W.P.B. Dir. No. 1, 7 F.R. 562.

§ 1305.501 *Ration orders exempt certain agencies.* Various ration orders issued by the Office of Price Administration authorize certain agencies of the United States to acquire rationed commodities without any limitation on the quantities acquired. Such agencies are called, for the purpose of this order, "exempt agencies", and are designated as exempt agencies in such ration orders. These agencies may acquire various rationed commodities in the manner prescribed in the respective ration orders. However, an agency is an exempt agency as to a rationed commodity only if a ration order authorizes it to acquire that commodity without restriction as to quantity.

§ 1305.502 *Ration orders permit exempt accounts.* Various ration orders require and others permit exempt agencies and their establishments to open ration bank accounts. Such accounts are called "exempt accounts." The conditions under which these accounts may be used for the acquisition of any rationed commodity are prescribed by the ration order covering that commodity. This order contains the general rules under which exempt accounts may be opened and maintained.

§ 1305.503 *Only exempt agencies may use exempt accounts.* Only exempt agencies and their establishments may draw and issue checks upon an exempt account, and they may do so only for the purposes permitted and with the effects prescribed by the ration order authorizing such account. No person shall draw or issue a check upon an exempt account unless authorized by the exempt agency or the establishment maintaining that account.

§ 1305.504 *Opening exempt accounts.* Exempt agencies and their establishments may open exempt accounts at any convenient bank by filing with the bank a list of authorized signatures and by satisfying the bank as to the identity of the agency and establishment.

§ 1305.505 *Exempt accounts differ from ordinary ration accounts.* Exempt accounts operate in most respects in the same way as ordinary ration bank accounts. They differ from such ordinary ration bank accounts as follows:

(a) *Unlimited drawing privileges.* To the extent that there is no limit placed upon the quantity of a rationed commodity which may be acquired by an exempt agency, there is no limit on the amount of the ration checks which may be drawn by that agency for that commodity. To that extent, exempt agencies have unlimited drawing privileges, and no balance is required between debits and credits.

(b) *Separate accounts may be permitted.* Certain exempt agencies need separate accounts for their debits and credits, and upon request by such an agency the Office of Price Administration will grant permission to maintain such separate accounts.

(c) *Special checks permitted.* In addition to ration checks, which will be the same as those used in ordinary ration bank accounts, special ration checks may be issued by exempt agencies for use in unusual circumstances, in such form as authorized by agreement between the respective exempt agencies and the Office of Price Administration. These checks will be drawn against separate accounts and may be signed by any person authorized by the issuing agency to sign checks against such accounts, and the authorized signature of such special ration checks need not be registered with the bank on which they are drawn.

(d) *Other provisions may be made.* Other special provisions governing exempt accounts may be made by agreement between the exempt agency and the Office of Price Administration.

§ 1305.506 *Evidences must be deposited.* All ration checks and other evidences received by an exempt agency or any establishment of an exempt agency for which an exempt account is maintained shall be deposited by it in that account.

§ 1305.507 *Certain activities may not use exempt accounts.* An exempt agency may forbid any one or more of its activities, such as a post exchange or a ship's service department ashore, from opening or using an exempt account. Any activity forbidden by an exempt agency from doing so may not open or use an exempt account; however, any such activity may open and use an account, other than an exempt account, if permitted to do so by a ration order. Any account opened by any such activity shall include the exact designation of such activity in the title of its account.

§ 1305.508 *Territorial limitation.* The territorial application of this order is covered by General Ration Order No. 4.[1]

§ 1305.509 *Terms explained.* When used in this order, unless the context requires otherwise:

(a) "Check" means a ration check or special ration check drawn by an exempt agency or establishment against its exempt account and made payable to the account of a named person.

"Establishment" means any branch, division, location or activity of an exempt agency.

"Exempt account" means a ration bank account opened by an exempt agency or any of its establishments.

"Exempt agency" is a governmental agency or other person designated as an "exempt agency", in a ration order issued by the Office of Price Administration.

(b) Other terms used in this order shall have the meaning assigned to them by § 1305.493 of General Ration Order 3A.

This order shall become effective March 1, 1943.

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3254; Filed, March 1, 1943; 3:43 p. m.]

[1] 8 F.R. 1963.

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Amendment 3]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. A new Article XXV and section 25.1 are added to read as follows:

Article XXV: Obtaining Rationed Foods for Service to Military and Naval Personnel Messed Under the Command of an Officer

SEC. 25.1 *Obtaining rationed foods for service to Military and Naval personnel messed under the command of an officer.* (a) Whenever an institutional user needs, or has used, rationed foods in the preparation of food which he will serve, or has served, to Army, Navy, Marine Corps or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer, the officer in command or other officer authorized by the Army, Navy, Marine Corps or Coast Guard, may issue ration checks to him or to his supplier for the amount of rationed foods needed or used for such purpose.

(b) If rationed foods have been, or will be, served to such Army, Navy, Marine Corps or Coast Guard personnel and, for any reason, ration checks cannot be used, the officer in command (or other authorized officer) may issue an emergency acknowledgment to the institutional user or to his supplier instead of a ration check. The emergency acknowledgment may be in any form, but must show the name and address of the person to whom it is issued, the amount of rationed foods for which it is issued (in points for processed foods, and in pounds for sugar and coffee), the date of issuance and the name and address of the activity or organization to which the emergency acknowledgment must be sent for replacement by a ration check. The person who issues the acknowledgment must sign his name, state his rank and the name and address of the activity or organization to which he is attached. The emergency acknowledgment may be sent by the institutional user to the activity or organization designated thereon for that purpose. That activity or organization shall, upon receipt of an acknowledgment, issue a ration check for the amount of each rationed food for which such acknowledgment was issued.

(c) If an institutional user is about to serve or has served food to such Army, Navy, Marine Corps or Coast Guard personnel, and does not have sufficient rationed foods and will not be able to obtain ration checks in time to acquire rationed foods needed by him, he may obtain from the Board, upon application on OPA Form R-315, certificates for the amounts needed for such service, or to replace the amount of rationed foods used in such service. He shall, nevertheless, obtain ration checks pursuant to paragraph (a) or (b). Within five (5) days after receipt of such ration checks he shall issue to the Board certified ration checks in the same amounts as the certificates obtained by him. If he has no account, he shall surrender to the Board all ration checks received pursuant to paragraph (a) or (b). However, if the certificate for a rationed food was in a larger amount than the check surrendered for that food, the difference shall be treated as excess inventory. If the check surrendered is for a larger amount than the certificate, the Board shall issue to him a certificate for the difference.

(d) The weight of any substitute or substance, including but not limited to chicory, cereal, peas or beans mixed, blended or compounded, or to be mixed, blended or compounded by the institutional user with the roasted coffee used, or to be used, shall not be included in the amount of any ration check or acknowledgment issued pursuant to this section.

This amendment shall become effective 12:01 a. m. March 1, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 5, 8 F.R. 2251)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3255; Filed, March 1, 1943; 3:40 p. m.]

[1] 8 F.R. 2195, 2348.

*Copies may be obtained from the Office of Price Administration.

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Amendment 4]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 23.1 (b) is amended to read as follows:

(b) Ration bank accounts may be opened for post exchanges and ship service departments ashore.

2. Section 23.1 (c) is added to read as follows:

(c) If, during March 1943, post exchanges or ship service departments ashore are unable, for any reason, to use ration checks to acquire rationed foods for institutional use, the person in charge may use an emergency acknowledgment instead of a ration check for that purpose. Such emergency acknowledgment may be in any form but must show the name and address of the person to whom it is issued, the name and address of the post exchange or ship service department ashore, the amount of rationed foods for which it is issued (in points for processed foods, and in pounds for sugar and coffee), and the date of issuance. The person who issues the acknowledgment must sign his name and state his rank or position. The post exchange or ship service department ashore named thereon must exchange the emergency acknowledgment, upon presentation, for a ration check, after ration bank accounts have been opened on which it may draw ration checks.

This amendment shall become effective 12:01 a. m., March 1, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 5, 8 F.R. 2251)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3256; Filed, March 1, 1943; 3:42 p. m.]

[1] 7 F.R. 7782, 8936, 8948, 11111; 8 F.R. 1584.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,[1] Amendment 4]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1315.1568 the title of paragraph (d) is amended, and in that paragraph subparagraph (6) is amended, a new subparagraph (7) is added and subparagraphs (7), (8), (9), (10), (11), (12), (13) and (14) are redesignated subparagraphs (8), (9), (10), (11), (12), (13), (14) and (15), respectively, and a new subdivision (i) is added, all as set forth below:

§ 1315.1568 *Appendix A: Articles covered by the regulation.* * * *

(d) Coated fabrics and finished products made of coated fabrics, including but not limited to:

* * * * * *

(6) Hospital sheeting and blankets.
(7) Pillow cases.

* * * * * *

(i) The following sanitary treated items:

(1) Baby bibs.
(2) Baby pants.
(3) Crib sheets.
(4) Diaper and utility bags.
(5) Diaper covers.
(6) Mattress covers and coveralls.
(7) Nursery hospital sheeting.
(8) Nursery seat rings.

This amendment shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3257; Filed, March 1, 1943; 3:41 p. m.]

[1] 8 F.R. 867.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300,[1] Amendment 3]

MAXIMUM MANUFACTURERS PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Two new §§ 1315.1755a and 1315.1755b are added; a new sentence is added to paragraph (a) of § 1315.1753; in § 1315.1754 a new paragraph (a) is added and paragraphs (a), (b), (c) and (d) are redesignated (b), (c), (d) and (e), respectively; a new sentence is added to the text of § 1315.1755; paragraph (a) of § 1315.1756 is amended; in paragraph (b) of § 1315.1764 two new sentences are inserted before subparagraph (1), a new footnote 2 is added in subdivision (i) of subparagraph (1), a new footnote 3 is added to inferior subdivision (a) of subparagraph (2) (i) and a new footnote 4 is added to inferior subdivision (b) of subparagraph (2) (i); three new sentences are added to the text of § 1315.1765; footnote 2 to § 1315.1768 is redesignated footnote 5; in paragraph (a) of § 1315.1769 a new subparagraph (1) is added, subparagraph (1) is amended and redesignated as subparagraph (2) and subparagraphs (2), (3), (4), (5), (6) and (7) are redesignated (3), (4), (5), (6), (7), and (8), respectively; the clause in § 1315.1770 beginning with the word "except" and ending with the words "March 1, 1943" is revoked; paragraphs (b), (d), (g) and (j) of § 1315.1771 are amended and in § 1315.1772 four new footnotes 5, 6, 7 and 8 are added to Table I and footnotes 6 and 7 to Table II are revoked, all as set forth below:

§ 1315.1753 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which have not been changed substantially since December 1, 1941*—(a) *Applicability of this section.* This section is applicable to all manufacturers of rubber drug sundries, except distributors of rubber drug sundries.

* * * * * *

[1] 8 F.R. 867.

§ 1315.1754 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which are not covered by § 1315.1753*—(a) *Applicability of this section.* This section is applicable to all manufacturers of rubber drug sundries, except distributors of rubber drug sundries.

* * * * *

§ 1315.1755 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which cannot be priced under § 1315.1753* or *§ 1315.1754.* This section is applicable to all manufacturers of rubber drug sundries, except distributors of rubber drug sundries.

* * * * *

§ 1315.1755a *Maximum distributors' prices for rubber drug sundries, other than victory line.* This section is applicable only to distributors, as defined in paragraph (a) (1) of § 1315.1769. The maximum prices for sales by such persons of rubber drug sundries, other than victory line, shall be determined as follows: The distributor shall multiply the maximum price for the sale of the rubber drug sundry being priced to him by a certain percentage. This percentage shall be determined as follows:

(a) The distributor shall use the first applicable of the following rubber drug sundries, which he offered for sale on December 1, 1941, in determining this percentage.

(1) The rubber drug sundry which is the same as the rubber drug sundry being priced.

(2) The rubber drug sundry which is the same as the rubber drug sundry being priced, except for differences which do not result in a change in the price at which the distributor purchases the article.

(3) The rubber drug sundry which has the same use as the rubber drug sundry being priced. If there is more than one rubber drug sundry which has the same use as the rubber drug sundry being priced, the distributor shall use that one of those rubber drug sundries which is most like the rubber drug sundry being priced in design, construction and the price line in which it is sold.

(b) The distributor shall then determine the price at which on December 1, 1941, he was offering to sell that rubber drug sundry to a purchaser of the same class as the person to whom he is selling the rubber drug sundry being priced.

(c) The distributor should then determine the percentage by dividing this selling price by the price in effect to him on December 1, 1941, for the rubber drug sundry selected in accordance with the provisions of paragraph (a). If there was no price in effect to the distributor for that rubber drug sundry on December 1, 1941, the selling price shall be divided by the last price in effect to the distributor for that rubber drug sundry before December 1, 1941.

§ 1315.1755b *Maximum distributors' prices for rubber drug sundries, other than victory line, which cannot be priced under § 1315.1755a.* The maximum distributors' price for any rubber drug sundry, other than victory line, which cannot be priced under § 1315.1755a shall be a price in line with the level of prices established by this regulation determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this section shall file with the Office of Price Administration in Washington, D. C., an application setting forth: (a) A description of the rubber drug sundry for which a maximum price is sought, including the brand name and the producer; (b) a statement of the facts which make it impossible for him to use the method for determining the maximum price set forth in § 1315.1755a; (c) his proposed percentage mark-up; and (d) a statement of the reasons why he believes the use of this mark-up will result in prices in line with the level of maximum prices established by this regulation. Such authorization will be in writing and will prescribe a method of determining the maximum price for some or all of the rubber drug sundries, other than victory line, offered for sale by the applicant which cannot be priced under § 1315.1755a.

§ 1315.1756 *Terms and conditions of sale.* (a) The maximum prices established by this regulation shall not be increased by any charges for the extension of credit, unless (1) the manufacturer during December, 1941, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of the same or similar types of commodities, and (2) the amount charged for the extension of credit is not in excess of the charge the manufacturer had in effect during December, 1941, for extension of credit involving the same amount and term.

* * * * *

§ 1315.1764 *Notification.* (a) * * *

(b) *Notification of maximum retail and wholesale prices of rubber drug sundries other than victory line.* This paragraph requires notification by the manufacturer of maximum retail and wholesale prices for rubber drug sundries, other than victory line. This requirement is not applicable to sales of rubber drug sundries to a distributor or to a manufacturer who only finishes, assembles or packages rubber drug sundries or does any combination of these functions. In such case, the distributor or the manufacturer who only finishes, assembles or packages rubber drug sundries or does any combination of these functions, is required to give the notification and calculate the maximum wholesale and retail price.

(1) * * *

(i) * * *

Kind of seller:	*Percentage by which the manufacturer's base price is to be multiplied—per cent*
* * * * *	
Seller at retail, except a mail order house	[2] 233⅓

[2] a. Whenever the retail price, calculated in this manner, results in a price which is less than 5 cents, the maximum retail price shall be 5 cents. This rule shall not be used for those multiples of a commodity which are normally sold by retailers at a price which, when figured on a unit basis, is lower than the price per unit charged by them when they sell the commodity singly. For example, if the retail price for a particular nipple, calculated in the manner set forth in the text, is 3½ cents each and retailers normally sell that nipple at 5 cents each and three for 10 cents, the maximum retail price would be 5 cents each and three for 10 cents.

b. Whenever the retail price, calculated in the manner set forth in the text, results in a price which is 5 cents or over and involves a fractional cent, the maximum retail price shall be the nearest cent.

(2) * * *

(i) * * *

(*a*) * * * The manufacturer will then calculate the maximum retail price by multiplying the base price by 233⅓ percent.[3]

(*b*) * * * The manufacturer will then calculate the maximum retail price by multiplying the base price by 210 percent.[4]

§ 1315.1765 *Marking of rubber drug sundries by the manufacturer.* This section requires that the manufacturer mark rubber drug sundries sold by him in a certain manner. This requirement is not applicable to sales of rubber drug sundries to a distributor or to a manufacturer who only finishes, assembles or packages rubber drug sundries, or does any combination of these functions. In such case, the distributor or the manufacturer, who only finishes, assembles or packages, or does any combination of these functions, is required to mark or cause the rubber drug sundry to be marked in the manner set forth in this section.

* * * * *

§ 1315.1769 *Definitions.* (a) * * *

(1) "Distributor" means a person who purchases rubber drug sundries, which are not finished, packaged or assembled by him, from a manufacturer and who either resells them primarily to wholesalers or resells them to persons other than ultimate consumers under his own brand, provided that such person sells rubber drug sundries which the producer thereof does not sell directly to wholesalers or retailers.

(2) "Manufacturer" means any person engaged in the production of rubber drug sundries, any person who finishes, assembles or packages rubber drug sundries and sells them primarily to persons other than ultimate consumers, or any distributor of rubber drug sundries.

* * * * *

§ 1315.1771 *Appendix A: Definition of rubber drug sundries.* * * *

(b) The following baby supplies:

Breast pumps.
Breast shields.
Feeding nipples.
Infant bottle combinations.
Nipple shields.
Nursery bottle caps.
Pacifiers.
Teething rings.

* * * * *

(d) Rubber dental supplies and rubber parts of dental instruments and equipment, including but not limited to:

Dental dams.
Dental separating strips and mouth props.
Orthodontia bands.
Plaster bowls.
Rubber parts of abrasive wheels, cut-off wheels, polishing cups, polishing discs, polishing points and soft rubber wheels.
Rubber denture, denture suction and model formers.

* * * * *

(g) The following hospital and surgical supplies:

Air mattresses and pillows.
Obstetricians' aprons.
Operating cushions.
Patients' bibs and throws.
Surgeons' aprons.
Urologists' aprons.

* * * * *

(j) The following miscellaneous rubber articles and rubber parts:

Acid bottles, rubber.
Blood pressure bags, bulbs and tubing.
Blood transfusion connectors.
Brain surgery caps.
Caps and closures.
Colonic bags.
Colostomy outfits.
Crutch parts.
Dilators.
Cushions—ear, elbow and heel.
Evacuators.
Foot appliances and parts—corrective, rubber.
Funnels, rubber.
Hagner bags.
Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory).
Insufflators.
Intravenous connectors.
Medicine droppers and bulbs.
Microscope covers.
Orsat bags.
Orthopedic pads and parts, rubber.
Parts for medical, surgical, veterinary and mortuary instruments.
Parts for acoustic aids.
Prostatic bags.
Prosthetic devices and parts, rubber.
Rubber bands and cushions for artificial limbs.
Rubber suppositories.
Sinus pads and bags.
Spatulas, rubber.
Splint cushions.
Thermapeutic applicators.
Thermometer cases, rubber.
Tourniquets.
Truss parts.
Umbilical belts.
Urinals, individual wear.
Veterinary sleeves.
X-ray sheets, gloves, aprons and cooling hose.

All other rubber articles and parts for medical, surgical, orthopedic, pharmaceutical and laboratory purposes, provided that rubber is the component material of chief weight.

§ 1315.1772 *Appendix B: Maximum manufacturers' prices for victory line rubber drug sundries.* * * *

Table I—Maximum Manufacturers' Prices for Victory Line Rubber Drug Sundries

* * * * *

Hot water bottles:

* * * * *

Consumer grade—colored [5]	—(molded)
* * *	
Consumer grade—black [6]	—(molded)
Combination syringes (molded) equipped with 4' 8" regular flow tubing, stopper, shut-off and screw sockets: [7]	
Consumer grade—colored [8]:	
* * *	
Consumer grade—black [9]:	
* * *	
Combination syringe attachment sets—to include 4' 8" regular flow tubing, stopper, shut-off and screw sockets: [7]	
* * *	

This amendment shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3258; Filed, March 1, 1943; 3:41 p. m.]

[5] A "colored hot water bottle" is one made in any color but black. In addition, such a bottle may only bear a brand name, which the manufacturer placed on bottles that he sold on December 1, 1941, at a net price of $0.36 or more and which the manufacturer has not reported for use on black bottles. Also, a "colored hot water bottle" must not bear a brand name which was placed on it by a mold, which either bore a different brand name on January 16, 1943, or which was not used by the manufacturer December 1, 1941, without written permission from the Office of Price Administration. If a hot water bottle, made in any other color but black, bears a brand name which is not permitted to be used for a "colored hot water bottle" as defined in this footnote, the maximum price for that hot water bottle shall be the same as the maximum price for a "black hot water bottle." "Net price" as used in this footnote, means the lowest price arrived at after deducting the federal excise tax on rubber products and all discounts except cash discount. The term "black hot water bottle" is defined in footnote 6. The manufacturer is required to report the brand names he uses for "colored hot water bottles" in accordance with the provisions of paragraph (b) of § 1315.1703.

[6] A "black hot water bottle" is one which is made in no other color but black. The manufacturer is required to report the brand names he uses for black bottles in accordance with the provisions of paragraph (b) of § 1315.1763. Once a brand name has been reported for use on a black bottle, it may not be used on a colored bottle.

[7] If a combination syringe or combination syringe attachment set includes an accessory which is not listed in the table, the maximum price of that combination syringe or combination syringe attachment set shall be determined by adding to the maximum price listed for the combination syringe or combination syringe attachment set, as the case may be, without that accessory, the maximum price of the unlisted accessory. The maximum price of the unlisted accessory shall be determined in the same manner that the maximum prices for rubber drug sundries, other than victory line, are determined, and marked separately on the unit of sale container in which the combination syringe or combination syringe attachment set is sold at retail.

[8] Whether a combination syringe shall be priced as "colored" or "black" depends upon whether the hot water bottle, which is part of the combination syringe, would be priced as "colored" or "black" if sold separately.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 301,[1] Amendment 3]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[*]

Paragraph (a) of § 1315.1780 is amended; paragraph (a) of § 1315.1786 is amended; in § 1315.1794 the clause beginning with the word "except" and ending with the words "March 1, 1943" is revoked; paragraphs (b), (d), (g) and (i) of § 1315.1795 are amended and in § 1315.1796 a new sentence is added to footnote 1 to Table I, all as set forth below:

§ 1315.1780 *Terms and conditions of sale.* (a) The maximum prices established by this regulation shall not be increased by any charges for the extension of credit, unless (1) the seller during December, 1941, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of the same or similar types of commodities, and (2) the amount charged for the extension of credit is not in excess of the charge in effect during December, 1941, for extensions of credit involving the same amount and term.

* * * * *

§ 1315.1786 *Records.* * * *

(a) *Records of purchases.* The seller must preserve all invoices showing purchases by him of rubber drug sundries produced after January 31, 1943.

* * * * *

§ 1315.1795 *Appendix A: Definition of rubber drug sundries.* * * *

(b) The following baby supplies:

Breast pumps.
Breast shields.
Feeding nipples.
Infant bottle combinations.
Nipple shields.
Nursery bottle caps.
Pacifiers.
Teething rings.

* * * * *

(d) Rubber dental supplies and rubber parts of dental instruments and equipment, including but not limited to:

Dentals dams.
Dental separating strips and mouth props.
Orthodontia bands.
Plaster bowls.
Rubber parts of abrasive wheels, cut-off wheels, polishing cups, polishing discs, polishing points and soft rubber wheels.
Rubber denture, denture suction and model formers.

* * * * *

(g) The following hospital and surgical supplies:

Air mattresses and pillows.
Obstetricians' aprons.
Operating cushions.
Patients' bibs and throws.
Surgeons' aprons.
Urologists' aprons.

* * * * *

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 873.

(i) The following miscellaneous rubber articles and rubber parts:

Acid bottles, rubber.
Blood pressure bags, bulbs and tubing.
Blood transfusion connectors.
Brain surgery caps.
Caps and closures.
Colonic bags.
Colostomy outfits.
Clutch parts.
Dilators.
Cushions—ear, elbow and heel.
Evacuators.
Foot appliances and parts—corrective, rubber.
Funnels, rubber.
Hagner bags.
Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory).
Insufflators.
Intravenous connectors.
Medicine droppers and bulbs.
Microscope covers.
Orsat bags.
Orthopedic pads and parts, rubber.
Parts for medical, surgical, veterinary and mortuary instruments.
Parts for acoustic aids.
Prostatic bags.
Prosthetic devices and parts, rubber.
Rubber bands and cushions for artificial limbs.
Rubber suppositories.
Sinus pads and bags.
Spatulas, rubber.
Splint cushions.
Thermapeutic applicators.
Thermometer cases, rubber.
Tourniquets.
Truss parts.
Umbilical belts.
Urinals, individual wear.
Veterinary sleeves.
X-ray sheets, gloves, aprons and cooling hose.

All other rubber articles and parts for medical, surgical, orthopedic, pharmaceutical and laboratory purposes, provided that rubber is the component material of chief weight.

§ 1315.1796 *Appendix B: Maximum wholesalers' and retailers' prices for victory line rubber drug sundries.* * * *

Table I—Maximum Wholesalers' and Retailers' Prices for Victory Line Rubber Drug Sundries[1]

* * * * *

This amendment shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3259; Filed, March 1, 1943; 3:41 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 13]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1315.201 (a) (11), 1315.201 (a) (12), 1315.201 (a) (13), 1315.607 (b) (2), 1315.804 (c) (3) and 1315.804 (c) (4) are amended; in § 1315.506 (a) (1) (i) the word "passenger-type" is deleted, and in § 1315.602 (e) the phrase "or an allotment of used passenger-type tires" is deleted; §§ 1315.509 (d) and 1315.607 (b) (1) are revoked:

§ 1315.201 *Definitions.* (a) For the purpose of this Ration Order No. 1A:

* * * * *

(11) "Grade I," as applied to tires, means a passenger-type tire other than a Grade II or Grade III tire.

(12) "Grade II," as applied to tires, is limited to passenger-type tires and means: (i) A new tire for which the Office of Price Administration has established a maximum price of less than 85 percent of the maximum price for tires set forth in paragraphs (a), (b), (f), and (n) of §§ 1315.110 and 1315.111 of Revised Price Schedule No. 63 issued by the Office of Price Administration, (ii) a damaged new tire which is serviceable either with or without repair, (iii) a new tire found to be defective in the manufacturer's final inspection and upon which tire the manufacturer has placed a permanent special identification mark to indicate its defective condition, (iv) a new tire removed from the wheel of a vehicle, from which tire the mold marks have disappeared by reason of wear, (v) a new tire manufactured prior to January 1, 1938, or (vi) a tire manufactured principally from reclaimed rubber as specified by the War Production Board.

(13) "Grade III," as applied to tires, means a used or recapped passenger-type tire.

* * * * * *

§ 1315.607 *Form of certificates to be issued.* * * *

(b) *By a State director or district manager.* * * *

(2) *For allotment of tires or tubes.* OPA Form R-2 (Revised) authorizing an applicant to acquire an allotment of Grade I and II tires, Grade III tires or passenger-type tubes.

* * * * * *

§ 1315.804 *Dealer and manufacturer transfers.* * * *

(c) *Tires or tubes.* * * *

(3) *Permitted replenishment of tires or tubes.* Subject to the provisions of subparagraph (1) of this paragraph any dealer or manufacturer may, in exchange for a properly endorsed replenishment portion (Part B) of a certificate or receipt transfer to another dealer or manufacturer the number of tires or tubes authorized by the certificate or receipt in accordance with the table below:

If Part B Calls For—	*Dealer or manufacturer may replenish with—*
Any size Grade I tire	Any size Grade I, II or III tire.
Any size Grade II tire	Any size Grade II or III tire.
Any size Grade III tire	Any size Grade III tire.
Any size Grade I or II tire only	Any size Grade I or II tire.
Any size truck-type tire	Any size truck-type tire.
Any size tractor-type tire	Any size tractor, truck, implement-type or Grade III tire.
Any size implement-type tire	Any size tractor implement or Grade III tire.
Any size passenger tube	Any size passenger tube.
Any size truck tube	Any size truck tube.

(4) *Allotment of Grade III tires.* Any manufacturer or dealer may, in exchange for a certificate on OPA Form R-2 (Revised) transfer the number of Grade III tires authorized thereon to a dealer. No manufacturer or wholesaler who has a supply of Grade III tires of the size ordered may refuse to transfer them to a dealer who presents a certificate for an allotment of Grade III tires if the dealer's order is accompanied with cash or its equivalent. If the manufacturer or wholesaler has the size ordered but does not have the quantity ordered, he shall transfer the quantity he has on hand and fill the balance of the order as instructed by the dealer. If the manufacturer or wholesaler does not have the size ordered, he shall transfer Grade III tires of a different size if the dealer requests him to do so. A manufacturer or wholesaler shall fill all accepted orders for Grade III tires received on one day before filling any orders received on any subsequent day.

* * * * * *

This amendment shall become effective March 1, 1943, but § 1315.509 (d) shall remain in effect until March 15, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 27th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3183; Filed, February 27, 1943; 3:55 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Rev. MPR 130,[1] Amendment 2]

STANDARD NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1347.283 (a) (2) is amended to read as follows:

(2) The maximum price for shipments to destinations in Zone 4, exclusive of conversion charges, super standard differential and merchants' markups as set

* * * When used in this Table I the words "colored" and "black" have the meanings given to them by footnotes 5 and 6, respectively, to Table I in Maximum Price Regulation No. 300—Maximum Manufacturers' Prices for Rubber Drug Sundries.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2152.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9251, 10255, 8 F.R. 1566.

forth in paragraphs (b), (c) and (d) of this section respectively, shall be $55.00, hereinafter referred to as the "base price."

This amendment shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3260; Filed, March 1, 1943; 3:42 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237,[1] Amendment 10]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this Amendment No. 10 to Maximum Price Regulation No. 237 has been issued and filed with the Division of the Federal Register.*

1. The table in Appendix A, § 1351.518 is amended so that the dates opposite the food products, "Cereals, breakfast", "Rice",—"Sugar, cane and beet", and "Vegetables, canned", under the column entitled "Last date for determining new maximum prices under this regulation" shall read "April 15, 1943" instead of "November 30, 1942" as it now reads for "Cereals, breakfast", "Rice", and "Sugar, cane and beet" and instead of "February 10, 1943" as it now reads for "Vegetables, canned".

2. The table in Appendix A, § 1351.518 is amended so that the dates opposite the food products, "Cereals, breakfast", "Rice", "Sugar, cane and beet", and "Vegetables, canned" under the column entitled "Last date for filing new maximum prices with appropriate OPA District or State Offices" shall read "April 25, 1943" instead of "December 10, 1942" as it now reads for "Cereals, breakfast", "Rice", and "Sugar, cane and beet", and instead of "February 20, 1943" as it now reads for "Vegetables, canned".

3. The table in Appendix B, § 1351.519 is amended so that the dates opposite the food products numbers 1 to 14 inclusive under the column entitled "Last date for determining new maximum prices under this regulation" shall read "April 15, 1943" instead of "February 10, 1943" as it now reads for "Fruit, dried", "Lard", "Dry edible beans", "Coffee", "Oils, cooking and salad", "Shortening, hydrogenated", "Shortening, other", "Corn meal", "Canned citrus fruits and juices", "Evaporated and condensed milk", "Pure maple syrup and pure cane syrup", and instead of "March 10, 1943" as it now reads for "Fish, processed", "Flour and flour mixes" and "Macaroni and noodle products".

4. The table in Appendix B, § 1351.519 is amended so that the dates opposite the food products numbers 1 to 14 inclusive under the column entitled "Last date for filing new maximum prices with appropriate OPA District or State Offices" shall read "April 25, 1943" instead of "February 20, 1943" as it now reads for "Fruit, dried", "Lard", "Dry edible beans", "Coffee", "Oils, cooking and salad", "Shortening, hydrogenated", "Shortening, other", "Corn meal", "Canned citrus fruits and juices", "Evaporated and condensed milk", "Pure maple syrup and pure cane syrup", and instead of "March 20, 1943" as it now reads for "Fish, processed", "Flour and flour mixes", and "Macaroni and noodle products".

This amendment shall become effective on March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-3261; Filed, March 1, 1943; 3:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237,[1] Amendment 11]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 237 is amended in the following respects:

1. Section 1351.501a is added to read as follows:

§ 1351.501a *Exempt wholesalers.* This regulation shall not apply to wagon-wholesalers. A wagon-wholesaler is a wholesaler who distributes food products from an inventory stocked in trucks or other conveyances, to independent retail outlets or to commercial, industrial and institutional users. Such conveyances must be under the supervision of driver-salesmen who make delivery at the time and point of sale. This wholesaler is a wagon-wholesaler only for the food he sells in this way.

2. In § 1351.519, item 12 is amended and items 15 and 16 are added to read as follows:

§ 1351.519 *Appendix B:*

[Figures to be used by wholesale distributors in determining new maximum prices under § 1351.503 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food products	Last date for determining new maximum prices under this regulation	Last date for filing new maximum prices with appropriate OPA District or State offices	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation		
			Class 1, retail-owned cooperative	Class 2, cash and carry	Class 3, service and delivery
*	*	*	*	*	*
12. Syrups	Apr. 15, 1943	Apr. 25, 1943	1.07	1.10	1.11[2]
*	*	*	*	*	*
15. Peanut butter	Apr. 15, 1943	Apr. 25, 1943	1.11[2]	1.14	1.19
16. Vinegar	Apr. 15, 1943	Apr. 25, 1943	1.12	1.16	1.21

3. Section 1351.519 (2) (l) is amended to read as follows:

(l) Syrups shall mean all edible molasses, sorghum, cane, maple and corn syrup and blends thereof.

4. Section 1351.519 (2) (o) is added to read as follows:

(o) Peanut butter shall mean all spreads of ground peanuts irrespective of the size of granules or pieces of peanuts contained therein.

5. Section 1351.519 (2) (p) is added to read as follows:

(p) Vinegar shall meal all vinegar, including but not limited to pure cider vinegar, distilled vinegar, malt vinegar, wine vinegar, and tarragon vinegar.

This amendment shall become effective on March 6, 1943, except as to sales of Item No. 15, Peanut butter, in § 1351.519 which becomes effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3262; Filed, March 1, 1943; 3:41 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10071; 8 F.R. 373, 569, 1200, 2106.

[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569, 1200, 2106.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238,[1] Amendment 11]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of this amendment No. 11 to Maximum Price Regulation No. 238 has been issued and filed with the Division of the Federal Register.*

1. The table in Appendix A, § 1351.618 is amended so that the column entitled "Last date for filing new maximum prices with appropriate local war price and rationing board" is eliminated, and so that the dates opposite the food products, "Cereals, breakfast", "Rice", "Sugar, cane and beet", and "Vegetables, canned" under the column entitled "Last date for determining new maximum prices under this regulation" shall read "May 1, 1943" instead of "December 31, 1942" as it now reads for "Cereals, breakfast", "Rice", and "Sugar, cane and beet", and instead of "March 10, 1943" as it now reads for "Vegetables, canned".

2. The table in Appendix B, § 1351.619 is amended so that the dates opposite the food products numbers 1 to 14, inclusive, under the column entitled "Last date for determining new maximum prices under this regulation" shall read "May 1, 1943" instead of "March 10, 1943" as it now reads.

3. Paragraph (c) of § 1351.602 and paragraph (b) of § 1351.606 are revoked, §§ 1351.602 (b), 1351.603 (b), 1351.604, 1351.604a (b) (3), 1351.605, 1351.611 (a), 1351.618 (3) (c), 1351.619 (3) (c) are amended and § 1351.606 (c) is redesignated § 1351.606 (b) and is amended, all to read as set forth below:

§ 1351.602 *How a retailer calculates his maximum price for food products listed in Appendix A.* • • •

(b) If a retailer uses this resulting amount as his new maximum price he must write such maximum price in ink on the invoice used in figuring it, before making any sales at his new price.*

§ 1351.603 *How a retailer calculates his maximum price for food products listed in Appendix B.* • • •

(b) The resulting amount shall be the retailer's maximum price for the particular item, but before making any sales at this new price he must write the price in ink on the invoice used in figuring it. All invoices used for calculating prices must be segregated or identified and preserved to be presented upon demand.

§ 1351.604 *How a retailer may recalculate a new maximum price if his "net cost" increases before the final date for calculating.* If, after calculating any maximum price, a retailer, before the final date set opposite the name of the food product in Appendix A or B for the calculation of a maximum price, purchases a customary quantity of the same item from a customary supplier at a higher "net cost" than he used in calculating his maximum price, he may calculate a new maximum price on the basis of his new "net cost". Before making any sales at this new price, he must write the price in ink on the invoice used in figuring it.

§ 1351.604a *Addition allowed retailers in special cases.* • • •

(b) *Additions allowed for packaging certain food products purchased in bulk.* • • •

(3) The resulting amount shall be the retailer's new maximum price for such item and must be calculated in accordance with the provisions of § 1351.606 of this Maximum Price Regulation No. 238.

§ 1351.605 *Maximum prices set under this regulation cannot be changed.* A maximum price for any item of a food product calculated by a retailer and properly recorded on the invoice he used in figuring his maximum price shall be his maximum price for that item from that time forward. However, where a retailer recalculates his maximum price under § 1351.604 of this regulation, such recalculated price shall be his maximum price for that item from and after the date that the recalculated price is recorded on the invoice.

§ 1351.606 *Final dates for calculating maximum prices.* • • •

(b) *Calculating of maximum prices by an operator of more than one retail outlet.* Whenever the maximum prices of a food product calculated under this regulation would be identical for more than one retail outlet of the same class owned or operated by the same persons, calculations and records may be made by the central or pricing office for all such outlets which will have an identical maximum price. Such calculations and records need be kept by such person only in the office in which they were made up.

§ 1351.611 *Records.* (a) On the same day as the retailer calculates any new maximum price under this regulation and records his price upon the invoice he shall record on his base period record, required in § 1499.11 of the General Maximum Price Regulation, any new maximum price. The record of the old maximum price shall not be destroyed.

• • • • • • • •

§ 1351.618. *Appendix A.*

3. *Additional instructions.* • • •

c. Adjustments may be made as soon as this regulation becomes effective but before making any sales at new prices, the retailer must write his maximum price in ink on the invoice he used in figuring it. If the retailer's net cost on a food product increases before the final date for calculation of new maximum prices under this regulation, he may calculate a new maximum price, but must record the new price in ink on the invoice used in figuring it. If more than one maximum price is computed on any item, the price in effect on the final date for determining new prices under this regulation shall be the permanent maximum price from that date forward.

§ 1351.619 *Appendix B.* • • •

3. *Additional instructions.* • • •

c. New ceilings must be calculated as soon as this regulation becomes effective and, before making any sales, record must be made on the invoice used in figuring the maximum prices. If the retailer's net cost on a food product increases before the final date for calculating new maximum prices under this regulation, he may calculate a new maximum price based on his last invoice cost, but must also record his new price on the invoice he used in figuring it, before making any sales. The maximum price on any item in effect on the final date for determining new maximum prices under this regulation shall be the permanent maximum price from that date forward.

This amendment shall become effective on March 1, 1943.

(Pub. Laws 421 and 429, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3263; Filed, March 1, 1943; 3:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238,[1] Amendment 12]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation 238 is amended in the following respects:

1. In § 1351.619, item 12, is amended and items 15 and 16 are added to read as follows:

§ 1351.619 *Appendix B:*

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532, 1116, 2106.

[Figures to be used by retail distributors in determining new maximum prices under § 1351.603 of this regulation. New maximum prices are required after the effective date of this regulation)]

Food product*	Last day for determining new maximum prices under this regulation	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation				
		Independent retailer with annual volume			Class 4, chain retailer with annual volume under $250,000	Class 5, any retailer (including independent with annual volume $250,000 or more)
		Class 1, under $20,000	Class 2, $20,000 but less than $50,000	Class 3, $50,000 but less than $250,000		
12. Syrups	May 1, 1943	1.28	1.28	1.28	1.24	1.21
15. Peanut butter	May 1, 1943	1.32	1.32	1.32	1.31	1.31
16. Vinegar	May 1, 1943	1.39	1.39	1.34	1.27	1.29

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532, 1116, 2106.

2. Section 1351.619 (2) (1) is amended to read as follows:

(1) Syrups shall mean all edible molasses, sorghum, cane, maple and corn syrup and blends thereof.

3. Section 1351.619 (2) (o) is added to read as follows:

(o) Peanut butter shall mean all spreads of ground peanuts irrespective of the size of granules or pieces of peanuts contained therein.

4. Section 1351.619 (2) (p) is added to read as follows:

(p) Vinegar shall mean all vinegar, including but not limited to pure cider vinegar, distilled vinegar, malt vinegar, wine vinegar, and tarragon vinegar.

This amendment shall become effective on March 6, 1943, except as to sales of Item No. 15, Peanut butter, in § 1351.619 which becomes effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3264; Filed, March 1, 1943; 3:41 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 249,[1] Amendment 4]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS AT WHOLESALE

Mincemeat.	Glazed or candied fruits and peels.
Plum pudding.	Stuffed dried fruits.
Fig pudding.	Dried figs.
Date pudding.	Pitted and macerated dates and date products.
Christmas cookies.	Bottled eggnog.
Fruit cake.	Bottled Tom and Jerry batter.
Holiday candy.	
Chocolate covered cherries.	
Sweet apple cider.	

A statement of the considerations involved in the issuance of the amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 249 is amended in the following respects:

1. The title to Maximum Price Regulation No. 249 is amended to read as set forth above.

2. Subparagraph (7) of § 1351.762 (a) is revoked.

3. Paragraph (m) of § 1351.764 is revoked.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3265; Filed, March 1, 1943; 3:40 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8702, 9898, 10014, 10993.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 250,[1] Amendment 4]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS AT RETAIL

Mincemeat.	Glazed or candied fruits and peels.
Plum pudding.	Stuffed dried fruits.
Fig pudding.	Dried figs.
Date pudding.	Pitted and macerated dates and date products.
Christmas cookies.	Bottled egg nog.
Fruit cake.	Bottled Tom and Jerry batter.
Holiday candy.	
Chocolate covered cherries.	
Sweet apple cider.	

A statement of the considerations involved in the issuance of the amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 250 is amended in the following respects:

1. The title to Maximum Price Regulation No. 250 is amended to read as set forth above.

2. Subparagraph (7) of § 1351.863 (a) is revoked.

3. Paragraph (m) of § 1351.865 is revoked.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3266; Filed, March 1, 1943; 3:40 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 255,[1] Amendment 5]

PERMITTED INCREASES FOR WHOLESALERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed	Tortillas.
Frozen fruits, berries and vegetables.	Potato chips.
Fruit preserves, jams and jellies.	Raisin filled or topped biscuits and crackers.
Apple butter.	Fig bars.
Canned apples.	Bakers' fillings for fruit pie and pastry.
Apple sauce.	Peanut candy.
Apple juice.	Honey (extracted).
Canned boned chicken and turkey.	Canned chili con carne.
Maple sugar.	Shoestring potatoes.
Fountain fruits.	Julienne potatoes.
Tamales.	Pretzels.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.	Nut topping.
	Canned chicken and noodle dinner.
	Canned chicken a la king.
	Canned homestyle chicken.

A statement of the considerations involved in the issuance of Amendment No. 5 to Maximum Price Regulation No. 255 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 255 is amended in the following respect:

1. Section 1351.703 (d) (13) is hereby revoked.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3267; Filed, March 1, 1943; 3:40 p. m.]

[1] 7 F.R. 8705, 9898, 10014, 10994.

*7 F.R. 8860, 10471, 10472, 8 F.R. 1266, 2106.

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 256, Amendment 3]

PERMITTED INCREASES FOR RETAILERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.	Canned homestyle chicken.
Frozen fruits, berries and vegetables.	Raisin filled or topped biscuits and crackers.
Fruit preserves, jams and jellies.	Fig bars.
Apple butter.	Peanut candy.
Canned apples.	Honey (extracted).
Apple sauce.	Canned chili con carne.
Apple juice.	Shoestring potatoes.
Canned boned chicken and turkey.	Julienne potatoes.
Maple sugar.	Pretzels.
Fountain fruits.	Nut topping.
Tamales.	Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Tortillas.	
Potato chips.	
Canned chicken and noodle dinner.	
Canned chicken a la king.	

A statement of the considerations involved in the issuance of Amendment No. 3 to Revised Maximum Price Regulation No. 256 has been issued and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 256 is amended in the following respect:

1. Section 1351.203 (b) (13) is hereby revoked.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3268; Filed, March 1, 1943; 3:40 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supp. Amendment 15 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

1. Subparagraph (3) of paragraph (b) of §§ 1388.11, 1388.61, 1388.111, 1388.161 1388.211, 1388.261, 1388.311, 1388.361, 1388.411, 1388.461, 1388.511, 1388.561, 1388.611, 1388.661, 1388.711, 1388.761,

[1] 7 F.R. 8893, 10473, 8 F.R. 1266, 2106.

1388.811, 1388.861, 1388.911, 1388.961, 1388.1011, 1388.1651, 1388.1701, 1388.1751, 1388.1801, 1388.2051, 1388.3051, 1388.4051, 1388.5051, 1388.6051, 1388.7051, 1388.8051, 1388.31, 1388.131, 1388.231, 1388.281, 1388.381, 1388.581, 1388.681, 1388.781, and 1388.881 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, and 62, respectively, is amended, subparagraph (4) of the said paragraph (b) is designated as subparagraph (5), and the said paragraph (b) is amended by the addition to the said paragraph (b) of a new subparagraph (4), as follows:

§ ——— *Scope of regulation.* • • •

(b) • • •

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation.

(4) Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided*, That this maximum rent regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: and *Provided, further*, That this maximum rent regulation does apply to an underlying lease of any entire structure or premises which was entered into after ———[1] and prior to the effective date of this maximum rent regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however*, That this maximum rent regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

2. Sections 1388.14, 1388.64, 1388.114, 1388.164, 1388.214, 1388.264, 1388.314, 1388.364, 1388.414, 1388.464, 1388.514, 1388.564, 1388.614, 1388.664, 1388.714, 1388.764, 1388.814, 1388.864, 1388.914, 1388.964, 1388.1014, 1388.1654, 1388.1704, 1388.1754, 1388.1804, 1388.2054, 1388.3054, 1388.4054, 1388.5054, 1388.6054, 1388.7054, 1388.8054, 1388.34, 1388.134, 1388.234, 1388.284, 1388.384, 1388.584, 1388.684, 1388.784, and 1388.884 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, and 62, respectively, are amended by the addition to the said sections of a new paragraph (i) as follows:

§ ——— *Maximum rents.* • • •

(i) For housing accommodations with a maximum rent established, prior to March 1, 1943, under the first paragraph of section ———[2] (e) as that paragraph appeared in this maximum rent regulation prior to such date,[3] the rent on March 1, 1943, or, if the accommodations were not rented on that date, the last rent prior thereto, but in no event more than the maximum rent established under such first paragraph of section ———[2] (e). The Administrator may order a decrease in the maximum rent as provided in section ———[2] (c) (8).

3. The first unnumbered paragraph of § 1388.15, 1388.65, 1388.115, 1388.165, 1388.215, 1388.265, 1388.315, 1388.365, 1388.415, 1388.465, 1388.515, 1388.565, 1388.615, 1388.665, 1388.715, 1388.765, 1388.815, 1388.865, 1388.915, 1388.965, 1388.1015, 1388.1655, 1388.1705, 1388.1755, 1388.1805, 1388.2055, 1388.3055, 1388.4055, 1388.5055, 1388.6055, 1388.7055, 1388.8055, 1388.35, 1388.135, 1388.235, 1388.285, 1388.385, 1388.585, 1388.685, 1388.785, and 1388.885 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, and 62, respectively, is amended, paragraph (a) of the said sections is amended by the addition to the said paragraph (a) of a new subparagraph (8), paragraph (c) of the said sections is amended by the addition to the said paragraph (c) of new subparagraphs (7) and (8), and the first paragraph of paragraph (e) of the said sections is revoked, as follows:

§ ——— *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on ———,[1] the difference in the rental value of the housing accommodations by reason of such change: *Provided, however*, That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on ———:[1] *Provided*, That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant. In cases involving construction due consideration shall be given to increased costs of construction, if any, since ———.[1] In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on ———.[1]

(a) • • •

(8) There has been, since ———,[1] either (i) a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on ———,[1] or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

• • • • • •

(c) • • •

(7) There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) or (c) (8) of this section.

(8) The maximum rent is established under section ———[4] (i) and is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on ———,[1] taking into consideration any increased occupancy of such accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant: *Provided* That no decrease shall be ordered below the rent on ———.[1]

• • • • •

4. Subparagraph (4) of paragraph (a) of §§ 1388.16, 1388.66, 1388.116, 1388.166, 1388.216, 1388.266, 1388.316, 1388.366, 1388.416, 1388.466, 1388.516, 1388.566, 1388.616, 1388.666, 1388.716, 1388.766, 1388.816, 1388.866, 1388.916, 1388.966, 1388.1016, 1388.1656, 1388.1706, 1388.1756, 1388.1806, 1388.2056, 1388.3056, 1388.4056, 1388.5056, 1388.6056, 1388.7056, 1388.8056, 1388.36, 1388.136, 1388.236, 1388.286, 1388.386, 1388.586, 1388.686, 1388.786, and 1388.886 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, and 62, respectively, is amended to read as follows:

§ ——— *Restrictions on removal of tenant.* • • •

(a) • • •

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling.

• • • • •

This Supplementary Amendment No. 15 to Maximum Rent Regulations for Housing Accommodations Other than Hotels and Rooming Houses shall become effective March 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3269; Filed, March 1, 1943; 3:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[5] Amendment 44]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[6]

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.21 (a) is amended to read as follows:

(a) Whenever the provisions of this order impose or confer duties, obligations, rights or privileges upon an establishment or registering unit, such duties, obligations, rights and privileges shall be considered as being conferred or imposed upon the person owning such establishment or registering unit with respect thereto. Whenever reference is made to an act done or to be done, or to property owned, by an establishment or a registering unit, it shall be deemed to refer to an act done or to be done, or to property owned, by the person owning such establishment or unit in its behalf.

2. Section 1407.21 (c) (9) is amended to read as follows:

(9) "Industrial user" means an establishment which uses sugar in the production, manufacture, or processing of any product other than sugar if the product is not to be used in the preparation or service of food or beverages which the establishment or its owner serves to consumers.

3. Section 1407.21 (c) (10) is amended to read as follows:

(10) "Institutional use", "institutional user", "institutional user establishment" and "opening inventory" have the respective meanings given to such terms by General Ration Order 5; *Provided*, That, for the purpose of this order, the term "institutional user establishment" shall be deemed to include any place where an institutional use of sugar is authorized by General Ration Order 5.

4. Section 1407.43 (a) is amended to read as follows:

(a) The jurisdiction of each local rationing board shall extend to every consumer, registering unit, and establishment registered or required to be registered with it.

5. Section 1407.76 is revoked.

6. Section 1407.81 is amended to read as follows:

§ 1407.81 *Registering unit.* As used in §§ 1407.81 to 1407.94, the term "registering unit" refers only to the industrial users which are included within such registering unit.

7. Section 1407.82 is amended to read as follows:

§ 1407.82 *Prohibited deliveries.* (a) On and after April 23, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person shall make deliver of sugar to any registering unit or any institutional user and no registering unit or institutional user shall accept delivery of sugar from any person except upon the surrender to such person by the registering unit or institutional user pursuant to this order of a certificate having a total weight value equal to the quantity of sugar so delivered; except that any sugar which at the time of registration of the registering unit has been included in its present inventory pursuant to § 1407.84 or any sugar which has been included, or was required to be included, in the opening inventory of an institutional user establishment pursuant to General Ration Order 5, may be received without the surrender of certificates.

(b) Deliveries of sugar from one institutional user establishment to another institutional user establishment of the same owner are governed by General Ration Order 5.

8. Section 1407.83 (e) is added to read as follows:

(e) The registration on OPA Form No. R-310 of any establishment whose sugar base has been established solely on an institutional use of sugar by the registering unit or its owner and that part of a sugar base which has been established on an institutional use of sugar by the registering unit or its owner shall be deemed cancelled as of March 1, 1943. A registering unit whose sugar base has been established in part on an institutional use of sugar by the registering unit or its owner shall before making application for an allotment, amend its registration by filing a new OPA Form R-310, excluding from its sugar base all sugar so used.

9. The text of § 1407.84 is designated as paragraph (a) and a new paragraph (b) is added to read as follows:

(b) The present inventory, as adjusted, of a registering unit shall be reduced by the amount of sugar declared or required to be declared by the owner as a part of the opening inventory of an institutional user establishment pursuant to General Ration Order 5.

10. Section 1407.85 (c) is revoked.

11. Paragraphs (d), (e) and (f) of § 1407.85 are redesignated (c), (d) and (e) respectively.

12. Section 1407.85 (f) is added to read as follows:

(f) For each period commencing on or after March 1, 1943, there shall not be included in the sugar base of a registering unit any sugar of which the registering unit or its owner made an institutional use.

13. Section 1407.86 (a) is amended to read as follows:

(a) A registering unit which uses sugar for any purpose or product not enumerated in § 1407.241, Schedule A, and which has established a sugar base by registration on OPA Form R-310, is eligible for an amount of sugar for each of such products or purposes which is known as an allotment. The amount of an allotment for each period for which application is made shall be the applicable percentage specified in § 1407.242, Schedule B, of the sugar base.

14. Section 1407.86 (b) is amended to read as follows:

(b) Application for an allotment made during the registration period shall be for the period from the date of registration to June 30, 1942. All subsequent applications shall be for consecutive two month periods, the first of which shall commence on July 1, 1942. Applications shall be made not later than the 5th day of the first month of the period for which the application is being made and not earlier than the 15th day of the month preceding the period. The board, however, to prevent loss of fresh fruits, veg-

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[1] The applicable date is to be inserted for each maximum rent regulation. The respective date to be inserted in each maximum rent regulation is as follows: Nos. 1, 7, 9, 25, 39, 41, January 1, 1941; Nos. 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 19, 20, 24, 26, 33, April 1, 1941; Nos. 10, 16, 27, 37, 52, July 1, 1941; Nos. 47, 55, October 1, 1941; Nos. 28, 35, 43, 45, 49, 51, 53, 57, 60, 62, March 1, 1942.

[2] The applicable section number is to be inserted for each maximum rent regulation. The respective section number to be inserted for each maximum rent regulation is as follows: § 1388.15, No. 1; § 1388.65, No. 2; § 1388.115, No. 3; § 1388.165, No. 4; § 1388.215, No. 5; § 1388.265, No. 6; § 1388.315, No. 7; § 1388.365, No. 8; § 1388.415, No. 9; § 1388.465, No. 10; § 1388.515, No. 11; § 1388.565, No. 12; § 1388.615, No. 13; § 1388.665, No. 14; § 1388.715, No. 15; § 1388.765, No. 16; § 1388.815, No. 17; § 1388.865, No. 18; § 1388.915, No. 19; § 1388.965, No. 20; § 1388.1015, No. 24; § 1388.1655, No. 25; § 1388.1705, No. 26; § 1388.1755, No. 27; § 1388.1805, No. 28; § 1388.2055, No. 33; § 1388.3055, No. 35; § 1388.4055, No. 37; § 1388.5055, No. 39; § 1388.6055, No. 41; § 1388.7055, No. 43; § 1388.8055, No. 45; § 1388.35, No. 47; § 1388.135, No. 49; § 1388.235, No. 51; § 1388.285, No. 53; § 1388.385, No. 55; § 1388.585, No. 57; § 1388.685, No. 52; § 1388.785, No. 60; and § 1388.885, No. 62.

[3] Prior to March 1, 1943, this paragraph provided as follows:

Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

See footnote 4 on p. 2675.

[4] The applicable section number is to be inserted for each maximum rent regulation. The respective section number to be inserted for each maximum rent regulation is as follows: § 1388.16, No. 1; § 1388.66, No. 2; § 1388.116, No. 3; § 1388.166, No. 4; § 1388.216, No. 5; § 1388.266, No. 6; § 1388.316, No. 7; § 1388.366, No. 8; § 1388.416, No. 9; § 1388.466, No. 10; § 1388.516, No. 11; § 1388.566, No. 12; § 1388.616, No. 13; § 1388.666, No. 14; § 1388.716, No. 15; § 1388.766, No. 16; § 1388.816, No. 17; § 1388.866, No. 18; § 1388.916, No. 19; § 1388.966, No. 20; § 1388.1016, No. 24; § 1388.1656, No. 25; § 1388.1706, No. 26; § 1388.1756, No. 27; § 1388.1806, No. 28; § 1388.2056, No. 33; § 1388.3056, No. 35; § 1388.4056, No. 37; § 1388.5056, No. 39; § 1388.6056, No. 41; § 1388.7056, No. 43; § 1388.8056, No. 45; § 1388.36, No. 47; § 1388.136, No. 49; § 1388.236, No. 51; § 1388.286, No. 53; § 1388.386, No. 55; § 1388.586, No. 57; § 1388.686, No. 52; § 1388.786, No. 60; and § 1388.886, No. 62.

[5] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8656, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433.

[6] Copies may be obtained from the Office of Price Administration.

etables, eggs, or dairy products, or for other purposes authorized by the Office of Price Administration, may permit the application to be made at any time during the month preceding such period and in such cases may permit the application to be made for a period not to exceed one additional month. The board, in its discretion, may permit an application to be made at any time after the time specified herein, but in such case the board shall reduce the allotment by the amount allocable to the expired portion of the period, in the proportion which the number of days which have elapsed bears to the total number of days in the period: *Provided, however,* That the board shall not reduce the March-April, 1943, allotment of a registering unit which is required under the provisions of paragraph (e) of § 1407.83, to amend its registration if the application for such allotment is made not later than the 20th day of March, 1943.

15. Section 1407.92 (a) is amended by deleting the line "Class 1—Meals or food services."

16. Section 1407.93a is added to read as follows:

§ 1407.93a *Ration banking by industrial users.* (a) The owner of a registering unit may open an account for that registering unit. If such registering unit is composed of more than one establishment, the owner may, at his option, open a separate account for each establishment, or for any group of establishments, in such registering unit. However, if an account is opened for any establishment in a registering unit, all other establishments in the registering unit must be served by an account or accounts.

(b) Each account shall be opened in the name of the owner, who shall designate the establishment or establishments to be served. All accounts shall be opened in accordance with General Ration Order No. 3A.

(c) An owner of a registering unit may transfer ration credits from one account to another by the issuance of a check without the delivery of sugar, if these accounts are carried for establishments in the same registering unit.

17. Section 1407.94 (d) is amended to read as follows:

(d) Each registering unit shall preserve for a period of two years at its office records showing by months the amounts of sugar received by the registering unit and the person from whom received, the use made of such sugar for each product and purpose listed in § 1407.241, Schedule A, and § 1407.242, Schedule B, and the amount of each product processed.

18. Section 1407.95 is added to read as follows:

§ 1407.95 *Institutional users.* An institutional user shall get allotments of sugar and use sugar only as provided in General Ration Order 5.

19. Section 1407.140 (e) is amended to read as follows:

(e) A depositor who has received stamps, certificates or checks from a registering unit or institutional user establishment may issue to it a check in weight value equal to the sugar which he has not delivered against such stamps, certificates or checks, but which he is then authorized to deliver to such registering unit or institutional user establishment against such stamps, certificates or checks.

20. Section 1407.141 (e) is added to read as follows:

(e) As used in this section the term "registering unit" includes establishments registered under General Ration Order 5 as Group II and III institutional user establishments.

21. Section 1407.142 (c) is added to read as follows:

(c) As used in this section the term "registering unit" includes establishments registered under General Ration Order 5 as Group II and III institutional user establishments.

22. Section 1407.144 (e) is amended by deleting the words "or institutional".

23. Section 1407.144 (g) is added to read as follows:

(g) This section shall not apply to the transfer of an institutional user establishment. Transfers of institutional user establishments are governed by General Ration Order 5.

24. Section 1407.145 (b) is amended by deleting the words "or registering unit".

25. Section 1407.146 (b) is amended to read as follows:

(b) Any person in possession of sugar which he holds as bailee or on which he has a lien or to which he has title for security purposes only, shall, upon acquiring title to such sugar or upon foreclosing his lien or the interest of the debtor therein, report such fact in writing to the State Director having jurisdiction over the area in which his principal business office is located. The report shall also state the manner in which possession of the sugar was acquired, the amount thereof, and the disposition proposed to be made of it. Such sugar may thereafter be disposed of by such person but only as follows: (1) It may be delivered in the manner provided by paragraph (a) of this section. (2) It may be delivered to a primary distributor without the receipt of stamps or certificates. (3) It may be delivered to a consumer, registering unit or institutional user establishment upon receipt of stamps or certificates as prescribed by Rationing Order No. 3 and the stamps or certificates thus received shall be surrendered to the State Director for cancellation within five days of receipt. (4) A registering unit owned by such person may use such sugar subject to the provisions of paragraph (b) of § 1407.91. An institutional user may use such sugar only upon the surrender of stamps or certificates equal in weight value to such sugar to the State Director having jurisdiction over the area in which his principal business office is located.

26. Section 1407.146 (c) is amended to read as follows:

(c) If a person in possesion of sugar which he holds as bailee or on which he has a lien or to which he has title for security purposes only, acquires title to such sugar or forecloses his lien or the interest of the debtor therein, the debtor or other person whose title or other interest was so acquired or foreclosed, or a person to whom the right to such sugar had been transferred pursuant to Rationing Order No. 3 may obtain certificates in weight value equal to the amount of such sugar: *Provided,* That such certificates may be obtained only by an institutional user establishment registered under General Ration Order 5, a registering unit or a registered consumer. Applications shall be made by the institutional user establishment, registering unit or registered consumer to the State Director having jurisdiction over the area in which the establishment, unit or consumer is registered on OPA Form No. R-315. The application shall state facts which establish compliance with the requirements of this paragraph and include such other information as the State Director may require. If the State Director determines that the applicant is entitled to certificates pursuant to this paragraph, the State Director shall instruct the board with which the applicant is registered to issue such certificates.

27. Section 1407.147a (c) is added to read as follows:

(c) "Registering unit" as used in this section includes all institutional user establishments registered under General Ration Order 5.

28. Section 1407.147b (b) is amended to read as follows:

(b) A registering unit or institutional user establishment recovering lost or stolen sugar for which it has obtained a certificate pursuant to § 1407.147a shall report such fact in writing to the State Director having jurisdiction over the area in which the registering unit or institutional user establishment is registered. The report shall also state the amount of such sugar and the disposition proposed to be made of it. Such sugar may thereafter be disposed of by such registering unit or institutional user establishment but only in the manner provided by subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1407.146.

29. Section 1407.147b (c) is amended to read as follows:

(c) An insurer or carrier recovering lost or stolen sugar shall report such fact in writing to the State Director having jurisdiction over the area in which its principal office is located. The report shall also state the amount of such sugar and the disposition proposed to be made of it. Such sugar may thereafter be disposed of by such person but only in the manner provided by subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1407.146.

30. Section 1407.148 (b) is amended by inserting after the phrase "by a registering unit" the words "or institutional user establishment".

31. Section 1407.149 is amended to read as follows:

§ 1407.149 *Drop shipments.* Any registering unit from which delivery of sugar is requested, if the parties so agree, may direct the registering unit or the institutional user requesting delivery to take the sugar from the premises of a third party or may direct the third party to deliver the sugar. In such event the registering unit from which delivery of sugar was requested shall surrender to the third party as authority for the delivery any stamps or certificates received from the registering unit or the institutional user to which the sugar is delivered.

32. Section 1407.150 is revoked.

33. Section 1407.163 is amended to read as follows:

§ 1407.163 *New establishments and ineligible establishments desiring sugar.* (a) Any person desiring to obtain sugar for an establishment (other than an institutional user establishment) not eligible for registration pursuant to Rationing Order No. 3 may petition the board having jurisdiction over the area in which the principal business office of the owner is, or will be, located, for registration and assignment to such establishment of a sugar base, allotment, provisional allowance or allowable inventory, as the case may be. The petition shall be made on OPA Form No. R-315. The board may not grant or deny the petition but shall follow the procedure set forth in § 1407.161 with regard to petitions for adjustment.

(b) Establishments referred to in this section include those which commenced operations using sugar subsequent to April 20, 1942.

34. Section 1407.169 (e) is amended to read as follows:

(e) Notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, and except as otherwise authorized by the Office of Price Administration or provided in Rationing Order No. 3, or General Ration Order 5, no consumer, institutional user or industrial user shall deliver sugar.

35. Section 1407.170 (b) is amended to read as follows:

(b) The Collector of Customs may deliver sugar received by him to a registering unit or an institutional user establishment upon receipt of certificates in weight value equal to the sugar delivered or an authorization by the Office of Price Administration to such registering unit or institutional user establishment authorizing it to take delivery of such sugar. Certificates received by the Collector of Customs shall be delivered, at least once each calendar month, to the State Director having jurisdiction over the area in which such point of entry is located. Authorizations received by the Collector of Customs shall be delivered, at least once each calendar month, to the Office of Price Administration.

36. Section 1407.170 (d) is amended to read as follows:

(d) Applications for authorization to take sugar from the Collector of Customs shall be made to the Office of Price Administration by the registering unit or institutional user on OPA Form No. R-315 or such other form of application as shall be approved by the Office of Price Administration and shall include such information as the Office of Price Administration may require. Such authorization shall not be deemed to increase the allotment of the registering unit or institutional user.

37. Section 1407.204a is added to read as follows:

§ 1407.204a *Saving clause.* No provision of any amendment to Rationing Order No. 3 (unless such amendment otherwise expressly provides) effecting the dissolution of registering units, resulting in the amendment or cancellation of registrations, placing persons or establishments once subject to Rationing Order No. 3 under another order, or removing limitations or restrictions theretofore imposed by Rationing Order No. 3 from persons, establishments, or registering units shall be deemed to (1) excuse the failure to discharge or perform any duty or obligation or (2) condone any acts or omissions to act, by any person, establishing, or registering unit prior to the effective date of such amendment.

38. Section 1407.205 is amended to read as follows:

§ 1407.205 *Prohibited deliveries.* Notwithstanding the terms of any contract, agreement or commitment, regardless of when made, on and after June 19, 1942, except as otherwise expressly permitted in Rationing Order No. 3, deliveries of sugar shall be made only by and to, and accepted only by and from institutional user establishments registered under General Ration Order 5, registered consumers, registering units and primary distributors.

39. Section 1407.242 is amended by deleting the line "(a) Meals or food services------ 50."

This amendment shall become effective March 1, 1943.

(Pub. Law 421, 77th Cong., W. P. B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3278; Filed, March 1, 1943; 4:50 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Supplement 1 to Ration Order 13[1]]

PROCESSED FOODS

§ 1407.1102 *Supplement 1 to Ration Order 13.* The following supplement to Ration Order 13, which is annexed to and made a part of § 1407.1101, is hereby issued:

(a) Processed foods shall have the point values set forth in the Official Tables of Point Values[2] (OPA Form R-1313 and the supplement thereto) which follow and which are made a part hereof:

(b) The industrial user allotment factors which are referred to in section 6.6 (c) of Ration Order 13 are as follows:

(1) Canned and bottled processed foods, and dry beans, peas and lentils—2.5;

(2) Dried and dehydrated processed foods, including dried and dehydrated soups and soup mixtures—5.1;

(3) Frozen processed foods—3.3.

This supplement shall become effective 12:01 a. m. March 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3276; Filed, March 1, 1943; 4:40 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 22]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The chapter title which read "Institutional Users" is amended to read "Institutional and Industrial Users" and the chapter title which read "Industrial Users" is deleted, the headnote to § 1407.1092 which read "Allotment percentage for institutional users." is amended to read "Allotment percentage for Class A industrial users"; § 1407.971, paragraph (f) of § 1407.992, paragraphs (c), (d), (e), and (f) of § 1407.995, § 1407.996, paragraphs (c), (d), and (e) of § 1407.998, §§ 1407.1004, 1407.1005, 1407.1007, and 1407.1008, and 1407.1026, and paragraph (a) of § 1407.1034, are revoked; paragraphs (g), (k), (l), and (p) of § 1407.952, § 1407.953, paragraph (a) of § 1407.990, paragraphs (a) and (b) of § 1407.995, paragraphs (a) and (b) of § 1407.997, paragraphs (a) and (b) of § 1407.998, paragraphs (a) and (b) of § 1407.999, paragraphs (a), (b), and (c) of § 1407.1000, paragraphs (a), (b), and (c) of § 1407.1001, paragraph (b) of § 1407.1002, paragraphs (a) and (b) of § 1407.1003, §§ 1407.1006, 1407.1015, and 1407.1017, paragraph (e) of § 1407.1020, paragraph (e) of § 1407.1032, paragraphs (b) and (d) of § 1407.1042, § 1407.1047, § 1407.1050, sub-paragraph (3) of paragraph (c) of § 1407.1056, § 1407.1061, and § 1407.1070 are amended to read as follows; new paragraph (d) to § 1407.1000, new paragraphs (d), (e), and (f) to § 1407.1001, new § 1407.1009, new § 1407.1055a, new

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[1] 8 F.R. 1840, 2288.

[2] Filed with the Division of the Federal Register as part of the original document.

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072, 8 F.R. 28, 167, 566, 621, 978, 1286, 1316, 1366, 1631, 1741, 2026, 2027, 2032, 2154, 2346, 2433.

paragraph (c) to § 1407.1065, and new § 1407.1089 are added as set forth below:

Definitions

§ 1407.952 *Definitions.* When used in Ration Order No. 12 the term:

* * * * *

(g) "Compounder" means a person, other than a consumer, institutional user, or industrial user, who mixes or blends coffee with any substitute or substance including but not limited to chicory, cereal, peas, or beans for the purpose of transfer.

* * * * *

(k) "Industrial establishment" means an establishment which uses coffee in the production, manufacture, or processing of soluble coffee or any product other than coffee or in the preparation of food or beverages not served by it or its owner to individuals. It does not include an establishment which only blends, mixes, or compounds coffee with substitutes or substances including but not limited to chicory, cereal, beans, or peas. A person owning an industrial establishment is, with respect to the ownership and operation of such establishment, an industrial user. With respect to coffee used by him in the preparation of beverages which he does not serve to individuals, an industrial user is sometimes designated in Ration Order No. 12 a Class A industrial user. With respect to other uses of coffee by him, an industrial user is sometimes designated in Ration Order No. 12 a Class B industrial user.

(l) "Institutional establishment," "institutional user establishment," and "institutional user" have the respective meanings given to such terms by General Ration Order 5.

* * * * *

(p) "Registering unit" means the institutional establishment or group of institutional establishments, as defined prior to March 1, 1943, selected by the owner thereof to be treated as a single unit for the purposes of Ration Order No. 12 and which was so registered by him.

* * * * *

Jurisdiction

§ 1407.953 *Jurisdiction of boards.* For the purposes of Ration Order No. 12 each board shall have jurisdiction over each consumer and each institutional user establishment registered with it, and over each retailer, wholesaler, institutional user, and industrial user whose principal business office is located within the area assigned to the board.

Retailers and Wholesalers

§ 1407.990 *Compounders of coffee; reports.* (a) On and after November 22, 1942, no person, other than a consumer or institutional or Class A industrial user, shall blend, compound, or mix coffee with substitutes or substances, including but not limited to chicory, cereal, peas, or beans, unless he shall first notify the Office of Price Administration, Washington, D. C., of his intention to engage in such practice.

Institutional and Industrial Users

§ 1407.995 *Dissolution of registering units and registration of Class A industrial users.* (a) Every registering unit registered under Ration Order No. 12 is dissolved as of March 1, 1943.

(b) Every Class A industrial user who, prior to March 1, 1943, had registered establishments owned by him as one or more institutional registering units under Ration Order No. 12, shall, between March 1 and March 10, 1943, inclusive, file with the board having jurisdiction over the area in which his principal business office is located a statement specifying (1) the aggregate initial inventories of such establishments as required to be reported by him at the time he registered such establishments; (2) the aggregate allotments to which such establishments were entitled as registering units under Ration Order No. 12; (3) the aggregate allowable inventories, if any, of such establishments; (4) that part of the aggregate roasted coffee bases of such establishments which resulted from the use by such establishments of roasted coffee in the preparation of beverages not served by him to individuals; and (5) a list of all establishments in which he uses roasted coffee in the preparation of beverages not served by him to individuals, together with the addresses of such establishments and designation of the boards at which such establishments were registered pursuant to Ration Order No. 12. The filing of such a statement shall constitute his registration as a Class A industrial user.

§ 1407.997 *Allowable inventory of coffee for institutional or Class A industrial users.* (a) Any institutional or Class A industrial user who roasts green coffee used by him in the preparation of food or beverages is permitted a working inventory of coffee which shall be known as his allowable inventory.

(b) The allowable inventory of such an institutional or Class A industrial user shall be equal to three times the amount of roasted coffee roasted by him and used by him in the preparation of food or beverages in September 1942. In computing the allowable inventory there shall be deducted from the weight of the coffee included in such inventory, the weight of any substitutes or substances, including but not limited to chicory, cereal, beans, or peas, compounded, blended, or mixed by him with said coffee.

§ 1407.998 *Roasted coffee base of Class A industrial user.* (a) The roasted coffee base of a Class A industrial user owning establishments registered by him pursuant to Ration Order No. 12 as one or more institutional registering units shall be equal to that part of the aggregate roasted coffee bases of such establishments resulting from the use by such establishments of roasted coffee in the preparation of beverages not served by him to individuals.

(b) A person desiring to become a Class A industrial user may petition the Office of Price Administration, Washington, D. C., for assignment to him of a roasted coffee base. The petition shall state the name and address of such person, the location or proposed location and description of the establishments owned by him at which he intends to use roasted coffee as a Class A industrial user, the petitioner's inventory of coffee on the date of his application, the estimated average monthly use the petitioner will make of roasted coffee as a Class A industrial user, whether or not the petitioner roasts green coffee, and any other information the petitioner deems pertinent. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent. Upon assignment of a base to such a person he may receive allotments pursuant to § 1407.999: *Provided, however,* That upon assignment of a base to such a Class A industrial user prior to April 30, 1943, he shall receive an allotment in an amount equal to 80 per cent of such base, reduced by an amount which bears the same proportion to the allotment as the number of days which have elapsed since March 1, 1943, bears to 61.

§ 1407.999 *Allotment.* (a) A Class A industrial user who has established a roasted coffee base shall receive, as provided in Ration Order No. 12, an amount of roasted coffee which is known as an allotment.

(b) The amount of the allotment for each period shall be the applicable percentage, specified in § 1407.1092, of the roasted coffee base of such Class A industrial user.

§ 1407.1000 *Application for allotment certificates.* (a) Application to the Board for allotment certificates shall be made by a Class A industrial user, as provided in this section, for consecutive two-month periods, the first of which shall commence on May 1, 1943: *Provided, however,* That where the industrial establishments owned by such industrial user were, prior to March 1, 1943, registered as institutional registering units pursuant to Ration Order No. 12, such industrial user may apply for and receive an allotment certificate for the period from March 1 to April 30, 1943, inclusive, in the same manner as and to the same extent that he was authorized, by the applicable regulations in effect prior to March 1, 1943, to apply for and receive it. Application shall be made not later than the 5th day of the first month of the period for which the application is being made and not earlier than the 15th day of the month preceding the period. The board, in its discretion, may permit an application to be made at any time after the time specified herein but in such case the board shall reduce the allotment by an amount which bears the same proportion to the allotment as the number of days which have elapsed from the start of the period bears to the total number of days in the period.

(b) A Class A industrial user who is not an institutional user and who does not roast green coffee in connection with his Class A industrial use, and whose initial inventory is greater than the aggregate of the allotments received by him or by registering units owned by him pursuant to Ration Order No. 12, shall not apply for an allotment certificate as a Class A industrial user for any period until such initial inventory has been reduced, by the crediting of all such prior allotments, below the amount of his allotment for such period.

(c) A Class A industrial user, who is not also an institutional user, and who roasts green coffee for a Class A industrial use by him, whose initial inventory is greater than his allowable inventory plus the aggregate of the allotments received by him or by registering units owned by him pursuant to Ration Order No. 12, shall not apply for an allotment certificate as a Class A industrial user for any period until such initial inventory has been reduced, by the crediting of all such prior allotments, below the amount of his allotment for such period.

(c) A Class A industrial user, who is an institutional user, who is assigned a roasted coffee base pursuant to § 1407.998 (b) shall not apply for an allotment certificate as a Class A industrial user for any period until the inventory reported by him in his application pursuant to said section has been reduced, by the crediting of prior allotments, below the amount of his allotment for such period.

§ 1407.1001 *Amount for which allotment certificate is to be issued.* (a) Upon proper written application therefor a certificate shall be issued to a Class A industrial user in a weight value equivalent to his allotment except as provided in paragraphs (b), (c), or (d) of this section and subject to any adjustments required by Ration Order No. 12.

(b) The amount of the allotment certificate issued for the allotment period from May 1 to June 30, 1943, inclusive, to a Class A industrial user who does not roast green coffee in connection with his Class A industrial use, shall be the allotment for such period minus that portion of his initial inventory, as reported by him pursuant to § 1407.995, which has not already been charged against prior allotments received by such Class A industrial user pursuant to Ration Order No. 12, as reported by him pursuant to § 1407.995: *Provided, however,* That where such portion of his initial inventory exceeds his allotment for said period the first certificate issued to such Class A industrial user shall be of a weight value equal to the difference between his initial inventory and the aggregate of his allotments including the allotment for the period for which the certificate is issued.

(c) The amount of the allotment certificate issued for the allotment period from May 1 to June 30, 1943, inclusive, to a Class A industrial user who roasts green coffee in connection with his Class A industrial use shall be the allotment for such period, minus the amount, if any, by which any portion of his initial inventory, as reported by him pursuant to § 1407.995, which has not already been charged against prior allotments received by such Class A industrial user pursuant to Ration Order No. 12, exceeds his allowable inventory: *Provided, however,* That where such portion of his initial inventory exceeds his allowable inventory plus such allotment, the first certificate issued to such Class A industrial user shall be of a weight value equal to the difference between his initial inventory and the amount of his allowable inventory plus the aggregate of his allotments including the allotment for the period for which the certificate is issued.

(d) Notwithstanding anything to the contrary contained in this section, a Class A industrial user who is also an institutional user shall not have any part of his initial inventory charged against his allotments as a Class A industrial user. (Any amount remaining to be charged against allotments of registering units owned by him will be included in his opening inventory as an institutional user under General Ration Order 5.)

(e) The amount of the allotment certificate issued for the period from March 1 to April 30, 1943, inclusive, to a Class A industrial user who is also an institutional user, and who has been assigned a roasted coffee base pursuant to § 1407.998 (b), shall be the allotment for such period which he is entitled to receive pursuant to § 1407.998 (b).

(f) A Class A industrial user, who is not also an institutional user, and who is assigned a roasted coffee base pursuant to § 1407.998 (b) shall report to the board the amount of the inventory specified by him on his petition pursuant to said section. The amount of the allotment certificate issued for the period from March 1 to April 30, 1943, inclusive, to such a Class A industrial user shall be the allotment for such period (which he is entitled to receive pursuant to § 1407.998 (b)) minus the amount of roasted coffee reported by him to the board as his inventory pursuant to this paragraph: *Provided, however,* That when such inventory exceeds such allotment, the first certificate issued to such Class A industrial user shall be of a weight value equal to the difference between such inventory and the aggregate of his allotments including the allotment for the period for which the certificate is issued.

§ 1407.1002 *Adjustments.* * * *

(b) Any institutional or Class A industrial user who acquires roasted coffee without the surrender of evidences, shall, within five days of such acquisition, report to the State Director (1) the amount of roasted coffee so acquired, (2) the name and address of the person from whom such roasted coffee was acquired, and (3) the way in which and the date when such roasted coffee was acquired. Such institutional or Class A industrial user may use such roasted coffee only upon the issuance or surrender by him of appropriate evidences to the State Director.

§ 1407.1003 *Restriction on use.* (a) No Class A industrial user shall, in any allotment period, use more coffee for any purpose for which allotment certificates may be obtained by him than the amount of his Class A industrial user allotment for said period plus the unused portion of any prior allotments received pursuant to Ration Order No. 12, by him or by registering units owned by him, to the extent that such allotments were based upon the usage by him or by such registering units of roasted coffee in the preparation of beverages not served by him to individuals: *Provided, however,* That a Class A industrial user may use any part of a Class A industrial user allotment at any time after a certificate for such allotment has been issued to him.

(b) No Class A industrial user shall use roasted coffee allotted to him as a Class A industrial user, or allotted, pursuant to Ration Order No. 12, to him or to registering units owned by him, to the extent that such allotments were based upon the usage by him or by such registering units of roasted coffee in the preparation of beverages not served by him to individuals, for any purpose other than the preparation by him of beverages which will not be served by him to individuals.

§ 1407.1006 *Late registration.* A Class A industrial user eligible to register pursuant to § 1407.995 between March 1 and March 10, 1943, inclusive, but who has not done so, may register thereafter at the office of the board. Such Class A industrial user shall not be issued any certificates for any allotment periods or partial periods that may have elapsed.

§ 1407.1009 *Ration banking by industrial users and institutional user roasters.* (a) Notwithstanding anything contained in Ration Order No. 12 or any other ration order of the Office of Price Administration, each institutional and each Class A industrial user who roasts green coffee in connection with his operations as an institutional or Class A industrial user shall open at least one account for the institutional or industrial establishments at which green coffee is roasted by him.

(b) Any other industrial user may open an account for his establishment.

(c) A Class A industrial user may, at his option, open a separate account for each Class A industrial user establishment or for any group of Class A industrial user establishments owned by him, but if he opens an account for one of his Class A industrial user establishments he shall open an account or accounts for all such establishments owned by him.

(d) A Class B industrial user may, at his option, open a separate acount for each Class B industrial user establishment or for any group of Class B industrial user establishments owned by him, but if he opens an account for one of his Class B industrial user establishments he shall open an account or accounts for all such establishments owned by him.

(e) Each account shall be carried in the name of the institutional or industrial user who shall designate the establishment or establishments for which such account is opened. All accounts shall be opened in accordance with General Ration Order No. 3A, and, in the case of an institutional user, in accordance with General Ration Order 5.

(f) A Class A industrial user may transfer ration credits from one of his Class A industrial user accounts to another of his Class A industrial user accounts, and a Class B industrial user from one of his Class B industrial user accounts to another of his Class B industrial user accounts, by the issuance of a check without the transfer of coffee.

(g) A certificate received by a Class A industrial user as an allotment for the period from March 1 to April 30, 1943, inclusive, for a registering unit owned by

Petitions for Adjustment; New Business

business on March 1, 1943, and the point

or other document entitling its holder to

him or received by him for such use prior to March 1, 1943, may not be deposited by him an any account other than a Class A industrial user account opened by him.

§ 1407.1015 *Restrictions on use of coffee.* No industrial user shall roast any green coffee in connection with or for use in connection with the production, manufacture, or processing of any products, other than of beverages or of products to be transferred to the Army, Navy, Marine Corps, or Coast Guard or to any persons specified in § 1407.991 (c), without petitioning the Office of Price Administration, Washington, D. C., for permission to do so and obtaining such permission. The petition shall state the name and address of the petitioner; the purposes for which he intends to use the coffee he seeks permission to roast; the amount of roasted coffee so used by him in each month of 1941, and, if he was not in business during the entire year of 1941, the amount of roasted coffee so used by him in each month of 1942; the amount of green coffee the petitioner seeks permission to roast; his inventory of coffee on the date of his application; the amount of the allotment or allotments, if any, which he is entitled to receive as an institutional user, pursuant to General Ration Order 5, or as a Class A industrial user, pursuant to Ration Order No. 12; and any other facts deemed pertinent by such industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

* * * * *

§ 1407.1017 *Class B industrial users—non-roasters.* A Class B industrial user who does not roast green coffee in the production, manufacture, or processing of products, may petition the Office of Price Administration, Washington, D. C., for allotments of roasted coffee. The petition shall state the name and address of the petitioner; the purposes for which roasted coffee is used or is desired to be used by him; the amount of roasted coffee so used by him in each month of 1941, and, if he was not in business during the entire year of 1941, the amount of roasted coffee so used by him in each month of 1942; the amount of allotments being sought; the amount of the allotment or allotments, if any, which he is entitled to receive as an institutional user, pursuant to General Ration Order 5, or as a Class A industrial user, pursuant to Ration Order No. 12; and any other facts deemed pertinent by such Class B industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

* * * * *

Certificates and Coffee Stamps

§ 1407.1020 *Nature and validity of certificates and coffee stamps.* * * *

(e) A person receiving coffee stamps or certificates from a retailer, wholesaler, or institutional or industrial user may, if requested by the person surrendering the coffee stamps or certificates, transfer to such person a quantity of roasted coffee equal to the weight value of the coffee stamps and certificates so received, plus an additional quantity of roasted coffee equal to either: (1) an amount, not in excess of ten percent of the weight value of the coffee stamps or certificates so received, required to make a total quantity equal to a carload or (2) an amount not in excess of 23 pounds, required to permit a transfer in shipping packages customarily used by the transferor. The person acquiring roasted coffee in a quantity greater than the weight value of the coffee stamps and certificates surrendered by him shall be charged with such excess and shall surrender to the transferor coffee stamps or certificates in weight value equal to such excess within 15 days after such acquisition.

* * * * *

§ 1407.1032 *Use of checks by depositors and nondepositors.* Notwithstanding anything to the contrary contained in Ration Order No. 12:

* * * * *

(c) A depositor who has received coffee stamps, certificates, or checks from a retailer, wholesaler, institutional user, or industrial user may issue to him a check in weight value equal to the roasted coffee which he has not transferred against such coffee stamps, certificates, or checks, but which he is then authorized to transfer to such retailer, wholesaler, institutional user, or industrial user against such coffee stamps, certificates, or checks.

* * * * *

Transfer and Acquisition of Green Coffee

§ 1407.1042 *Disposition of purchase warrants, certain certificates, and ration credits by roasters.* * * *

(b) Every institutional or Class A industrial user who roasts green coffee shall retain in his possession, until further order by the Office of Price Administration, all certificates which, on or prior to March 1, 1943, cease to authorize the acquisition of roasted coffee. In April 1943 each such institutional and Class A industrial user shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), (1) a statement specifying the weight value of the certificates retained by him pursuant to this paragraph, and (2) a check in a weight value which, when added to the weight value of the certificates retained by him pursuant to this paragraph, shall be equal to 84 percent of the weight of the green coffee roasted by him between November 22, 1942, and March 31, 1943, inclusive. In every month subsequent to April 1943 each such institutional and Class A industrial user shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), a check equal in weight value to 84 percent of the weight of the green coffee roasted by him during the month for which such report is made.

* * * * *

(d) If a person issues a check to the Office of Price Administration pursuant to paragraph (c) of this section, he shall, within three months thereafter, issue to the Office of Price Administration, Washington, D. C., a check equal in weight value to the difference in weight value between the check he was required to issue pursuant to paragraph (a) or (b) of this section, and the check he actually issued: *Provided, however,* That no such additional check need be issued on account of any deficiency in the weight value of a check due to the surrender or issuance of evidences to the board pursuant to § 1407.985, or to the fact that an institutional or Class A industrial user was not issued certificates for the amount by which his initial inventory exceeded his allowable inventory.

Transfers Permitted Without the Surrender of Coffee Stamps, Certificates, or Purchase Warrants and Irrespective of Restrictions on the Acquisition of Green Coffee

§ 1407.1047 *Coffee included in initial inventory.* Any coffee included in the initial inventory of a person, or which has been included, or was required to be included, in the opening inventory of an institutional user establishment pursuant to General Ration Order 5, may be transferred to said person or establishment without the surrender of evidences or purchase warrants and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12.

* * * * *

§ 1407.1050 *Transfers between establishments owned by same person.* Any person may transfer coffee, without the surrender of evidences, between establishments owned by him except between institutional establishments which are registered separately pursuant to General Ration Order 5.

* * * * *

§ 1407.1055a *Limitation on application of §§ [407.1054 and 1407.1055.* Notwithstanding anything to the contrary contained in §§ 1407.1054 and 1407.1055, the provisions of those sections shall not apply to institutional establishments.

§ 1407.1056 *Disposal of damaged coffee and undamaged coffee mingled therewith or coffee in a bag, package, or other container damaged while in transit by common carrier.* * * *

(c) * * * (3) An institutional or Class A industrial user may use such roasted coffee subject to the provisions of § 1407.1002 (b).

* * * * *

§ 1407.1061 *Disposal of roasted coffee acquired without coffee stamps or certificates.* Any person who acquires roasted coffee without the surrender of coffee stamps or certificates, pursuant to § 1407.1060, may thereafter, if an institutional or Class A industrial user, use such roasted coffee subject to the provisions of § 1407.1002 (b) or may transfer such roasted coffee only upon surrender to him of appropriate coffee stamps or certificates, except as otherwise expressly permitted by Ration Order No. 12. Such coffee stamps or certificates shall, within five days after each such transfer, be surrendered for cancellation to the State Director of the State in which such person resides or in which his principal business office is located.

* * * * *

Petitions for Adjustment; New Business

§ 1407.1065 *Petitions for adjustment of base, allotment, inventory, or allowable inventory.* * * *

(c) No institutional user may petition for adjustment of his roasted coffee base or allotment pursuant to this section.

* * * * *

Reports and Records

§ 1407.1070 *By institutional and industrial users.* Every institutional user and every industrial user shall maintain a record showing by months, the amounts of green and roasted coffee acquired by him and the names and addresses of the persons from whom such coffee was acquired, the amount of green coffee roasted by him, and, in the case of a Class B industrial user, the amount of coffee used by him in products transferred by him.

* * * * *

Enforcement

§ 1407.1089 *Saving clause.* No provision of any amendment to Ration Order No. 12 (unless such amendment otherwise expressly provides) effecting the dissolution of registering units, resulting in the amendment or cancellation of registrations, placing persons or establishments once subject to Ration Order No. 12 under another order, or removing limitations or restrictions theretofore imposed by Ration Order No. 12 from persons, establishments, or registering units shall be deemed to (1) excuse the failure to discharge or perform any duty or obligation or (2) condone any acts or omissions to act, by any person, establishment, or registering unit, prior to the effective date of such amendment.

This amendment shall become effective 12:01 a. m. on March 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3277; Filed, March 1, 1943; 4:40 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,[1] Amendment 2]

PROCESSED FOODS

A rationale for this amendment has been issued herewith and has been filed with the Division of the Federal Register.[2]

Ration Order 13 is amended in the following respects:

1. Section 4.4 (a) is amended to read as follows:

(a) As part of his registration, a wholesaler must report, on OPA Form R-1310, his inventory of processed foods (by items and sizes) at the opening of business on March 1, 1943, and the point value of his inventory of processed foods (by items and sizes) at the close of business on March 31, 1943. If he has more than one wholesale establishment, his registration must include a report of the total point value of his inventory at all these establishments. His inventory at the end of each month must then be reported in his report for that month.

2. Section 6.1 (a) is amended to read as follows:

(a) An "industrial user establishment" is any place at which "processed foods" are used in producing or manufacturing for sale or "transfer" any product which is not a processed food. (For example, a bakery at which canned peaches are used in baking peach pies, for sale or transfer, is an industrial user establishment. Canned peaches are processed foods, but peach pie is not.) A place at which processed foods are used in producing other processed foods is a "processor establishment" and not an industrial user establishment. (An example of this would be the use of canned peaches for making canned fruit salad, since both canned peaches and canned fruit salad are processed foods.) Moreover, a place, such as a restaurant, at which processed foods are used in the preparation for service and the service of meals, would be an "institutional user establishment," and not an industrial user establishment. (An "institutional user" may obtain processed foods allotments, and may use processed foods, only in accordance with the provisions of General Ration Order 5.)

3. Section 6.7 (b) is amended to read as follows:

(b) His allotment is computed in the same way as that of an industrial user who registered on time. However, unless he shows good cause for his failure to register on time, his allotment is to be reduced in proportion to the part of the allotment period which had elapsed at the time he registered.

4. Section 6.10 is added, to read as follows:

SEC. 6.10 *Dry beans, peas and lentils, and dried and dehydrated soups and soup mixtures are included in classes of processed foods.* (a) Whenever this order refers to processed foods by classes, the class of canned and bottled processed foods includes dry beans, peas and lentils, and the class of dried and dehydrated processed foods includes dried and dehydrated soups and soup mixtures.

5. Section 9.5 (c) is amended to read as follows:

(c) *When points must be given up.* The transferor must get the points from the transferee, and the transferee must give them up, at or before the time when the transfer is made. However, if the transfer is made through shipment by railroad or any other public carrier, the transferor may arrange to have the carrier get the points for him from the transferee, at the time of actual delivery, or to have the points obtained for him by anyone in exchange for the bill of lading or other document entitling its holder to take possession of the processed foods. Where transfer is made by delivery at a time when the transferor or his authorized agent or the transferee or his authorized agent are not present, the points may be given up later, but not more than seventy-two hours after the delivery.

6. Section 9.5 (e) (4) is amended to read as follows:

(4) *General.* Points may be transferred freely between establishments of the same type operated by the same person, and points of one of those establishments may be used to get processed foods for another of them. However, this rule does not apply to the movement of points between institutional user establishments, which is covered by the provisions of General Ration Order 5.

7. Section 10.4 (b) is amended to read as follows:

(b) This rule does not apply to the movement of stocks between "institutional user establishments", which is covered by the provisions of General Ration Order 5.

8. Section 10.9 is amended to read as follows:

SEC. 10.9 *Processed foods may be transferred to prospective buyers for sampling, point-free and may be used for sampling and demonstration.* (a) A processor may deliver processed foods to prospective buyers (other than consumers) for sampling, without getting points. However, he may not deliver in this way more than one-fortieth of one percent of the total amount of processed foods produced or imported by him.

(b) A retailer or "wholesaler" who acquires processed foods from a processor may sample some of them in order to check grades and quality, and may use some of them to demonstrate them to prospective purchasers other than consumers. However, he may not use for this purpose more than one-tenth of one percent of the total amount of processed foods acquired by him. A wholesaler shall attach to his monthly report to the Washington Office on OPA Form R-1310 a statement accounting for the amount of processed foods used by him for sampling or demonstration to prospective purchasers.

9. Section 10.12 is added, to read as follows:

SEC. 10.12 *Processors may transfer point free to allow for spoilage.* (a) In any case in which a processor makes a money allowance to his transferee to cover spoilage of the processed foods transferred, he may, in order to allow for spoilage, transfer to his transferee, without receiving points, processed foods in an amount not exceeding the same percentage of the total amount transferred that the money allowance made is of the total price paid. However, such transfer may not, in any event, exceed one-fourth of one percent of the total amount transferred.

(b) If the actual spoilage of processed foods transferred by a processor exceeds one-fourth of one percent, the transferee may return the spoiled foods to the processor and receive points for the dif-

[1] Copies may be obtained from the Office of Price Administration.
[2] 8 F.R. 1840, 2288.

receive an advance of points under sec-

the point value of the processed foods

Army, Navy, Marine Corps or Coast

Customs Collector's statement, any re-

cates, transfer to such person a quantity

within three months thereafter, issue to

ference between the amount spoiled and any allowance already made. However, if he does not return the spoiled processed foods, he may receive points for that difference only if and to the extent that the processor makes a money adjustment for the spoiled processed foods.

(c) The processor must keep a record of the name and address of each person to whom such point-free transfers and point returns are made, the dates thereof, and the amounts of such transfers and returns.

10. Section 14.4 (b) is amended to read as follows:

(b) *Spoiled processed foods.* No adjustment, other than that provided in section 10.12 are granted for processed foods which spoiled. Spoiled processed foods not covered in section 10.12 may be replaced only by exchanging them for other processed foods of equal point value. However, a "processor" must account, in his monthly report to the Washington office, for processed foods which spoiled in his hands, or which he took back in an exchange.

11. Section 14.4 (c) is revoked.

12. Section 14.6 is added, to read as follows:

SEC. 14.6 *Dry beans, peas and lentils may be acquired for use as seed.*

(a) Any person who needs dry beans, peas, or lentils for use as seed may apply, on OPA Form R–315, for a certificate for the number of points needed to acquire them. The application must be made to the Board for the place where he lives, and must show:

(1) The name and address of the applicant;

(2) The reasons why he needs the dry beans, peas or lentils;

(3) The amount needed.

He must also give any other information which the board may require. If the board finds that the dry beans, peas or lentils will be used for seed, it shall issue a certificate for the number of points needed to acquire them.

13. Section 19.4 is added, to read as follows:

SEC. 19.4 *General ration order 5 governs whenever inconsistent with this order.* (a) If any provision of this order is inconsistent with the provisions of General Ration Order 5, the provisions of General Ration Order 5 shall govern, and shall supersede the provisions of this order to the extent that they are inconsistent.

14. Article XXII, containing sections 22.1, 22.2, and 22.3, is added, to read as follows:

Article XXII: Exports

SEC. 22.1 *Processed foods may be exported point-free.* (a) Any "person" who exports "processed foods" to any foreign country or to any territory or possession of the United States (other than the District of Columbia) need not receive points for the export.

SEC. 22.2 *Points may be obtained to acquire processed foods for export.*

(a) A person who needs points with which to "acquire" processed foods for export to any foreign country or to any territory or possession of the United States (other than the District of Columbia), may apply, on OPA Form R–315, to the district office (or, where there is none, to the State office) for the place where his principal business office is located. The application must show:

(1) His name and business address;

(2) The port (or other shipping point) from which they will be shipped, and the method of shipment;

(3) The name and address of the person to whom the foods are to be exported; and

(4) The number of points needed.

He must also give any other information which the district (or State) office may request. However, military or naval information which is secret in nature need not be disclosed.

(b) If the district (or State) office finds that the processed foods will be acquired for export, it shall issue a "certificate" for the number of points needed.

(c) No person may use processed foods acquired for a certificate issued under this section, for any purpose other than export to a foreign country or to a territory or possession of the United States (other than the District of Columbia). However, if he is unable to export them, he may dispose of them by sale or transfer in the way a "retailer" is permitted to do so under this order. Immediately after such a sale or transfer, he must give up to the district (or State) office all points received for them.

SEC. 22.3 *Exporter must account for all processed foods exported.* (a) Any person who exports processed foods (other than a consumer who acquired them with his "stamps") must submit a copy of a Shippers' Export Declaration (Commerce Form 7525) to the Office of Price Administration within seven days after the export. The declaration must contain a list of the processed foods exported and must contain a signed statement by an authorized customs official that, to the best of his knowledge and belief, those processed foods were exported by such person. A "processor", or a "wholesaler" who did not receive an advance of points under section 22.2 must mail the declaration to the "Washington Office" along with his report for the month in which he exported the processed foods. Any other person must send the declaration to the district (or State) office.

(b) If the foods were consigned to an agency of the United States and no Shippers' Export declaration was filed at the time of the shipment the exporter may submit, instead of the Declaration, a bill of lading, manifest, or other satisfactory evidence that the foods were actually exported.

(c) A person who received an advance of points under section 22.2 must account to the district (or State) office within thirty days for all the points he received. At that time he must return any points which he did not use to acquire processed foods for export. If, within that time, he exported all the processed foods which he acquired with the points received, he need only submit the declaration or other evidence of export.

(d) A retailer or wholesaler who exported processed foods and who did not receive an advance of points under section 22.2 may, when he submits the declaration or other evidence of export, apply on OPA Form R–315 for points equal to the point value of the processed foods he exported. If the district (or State) or the Washington office finds that the stated amount of processed foods was exported by the applicant and that he has not already received points with which to acquire or replace them, it shall issue a certificate to him for the number of points of processed foods which he exported.

(e) An agency of the United States which has exported processed foods need not submit a declaration or other evidence of export, and need not account for an advance of points under section 22.2.

15. A new Article XXIII, containing sections 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7 and 23.8, is added to read as follows:

SEC. 23.1 *Exempt agencies may acquire processed foods.* (a) Nothing in this order restricts the amounts of "processed foods" which may be "acquired" by the Army, Navy, Marine Corps or Coast Guard of the United States or by the War Shipping Administration, Office of Lend-Lease Administration or Food Distribution Administration. (These agencies are referred to in this order as "exempt agencies" and are exempt agencies for the purpose of General Ration Order 3B.) In addition, the Army Exchange Service, to the extent it acquires processed foods for export to a foreign country or a territory or possession of the United States (except the District of Columbia), and ships' service departments afloat, are exempt agencies under this order and General Ration Order 3B, and may acquire processed foods without restriction as to quantity.

SEC. 23.2 *How exempt agencies acquire processed foods.* (a) Each of the agencies listed in Section 23.1 is authorized to open one or more exempt ration bank accounts of the type described in General Ration Order 3B. Processed foods may be "transferred" to and acquired by these agencies only in exchange for points in the form of ration checks equal to the point value of the processed foods transferred. However, processed foods may be transferred between or within these agencies without the surrender of points.

(b) Any "person" who transfers processed foods to any of these agencies must, at or before the time of delivery, submit to it an invoice or other statement for the points payable on account of the transfer. The ration check must be sent to the transferor at the time of delivery or as soon as practicable thereafter.

(c) If for any reason a ration check cannot be used when one of these agencies acquires processed foods, an emergency acknowledgment shall be given to the transferor, instead of a check. This acknowledgment may be in any form, but must show the name of the agency, the name and address of the activity within the agency for which the processed foods are acquired, the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a ration check.

the point value of the processed foods acquired, and the date of acquisition. The acknowledgment must be signed by an authorized officer or employee of the agency, and must show his official title or rank. A person to whom such an acknowledgment is given may not exchange it at a "board" or use it to acquire processed foods but must send it to the agency activity designated thereon, and a ration check for the amount of processed foods transferred shall be given to him in exchange for the acknowledgment.

SEC. 23.3 *Post exchanges and ships' service departments ashore may acquire processed foods for points.* (a) Processed foods may be transferred to and acquired by Army exchanges, post exchanges of the Marine Corps, and ships' service departments ashore of the Navy and Coast Guard, and other similar activities designated by the respective exempt agencies, only in exchange for points in the form of ration checks equal to the point value of the processed foods transferred, without regard to who transfers them. However, Army exchanges, post exchanges, ships' service departments ashore, and similar designated activities, may not open ration bank accounts with unlimited drawing privileges of the type described in General Ration Order 3B. Points needed by these activities for the acquisition of processed foods will be issued to them in accordance with arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department, and the Bureau of Naval Personnel of the Navy Department, the Coast Guard and the Marine Corps. (The issuance of points for use by Army exchanges, post exchanges and ships' service departments ashore for the acquisition of processed foods for institutional use is covered by General Ration Order 5.)

(b) Points may be transferred freely without a transfer of processed foods among ration bank accounts maintained for Army exchanges, among accounts maintained for post exchanges, among accounts maintained for ships' service departments ashore of the Navy, and among accounts maintained for ships' service departments ashore of the Coast Guard.

(c) During March 1943, Army exchanges, Post Exchanges, Ships' Service Departments Ashore, and similar designated activities, may, if ration checks are unavailable, use emergency acknowledgments to acquire processed foods, in the way described in section 23.2 (c). An emergency aknowledgment issued under this section may not be used by the person to whom it was issued to acquire processed foods, but must be exchanged for a ration check at the activity designated thereon.

SEC. 23.4 *Sales commissaries, post exchanges and ships' service departments ashore may transfer processed foods for points.* (a) Army exchanges, post exchanges, ships' service departments, ashore, sales commissaries, commissary stores and any other activity of the Army, Navy, Marine Corps or Coast Guard and the Food Distribution Administration may transfer processed foods only in exchange for points in the same way as "retailers" are permitted to make transfers under this order. However, they are not required to register as retailers, "wholesalers", or "processors".

(b) All points so received by Army exchanges, post exchanges, ships' service departments ashore, sales commissaries, commissary stores, or any other activity of the Army, Navy, Marine Corps or Coast Guard or by the Food Distribution Administration must be deposited in the ration bank accounts maintained for them. These points may then be used to acquire other processed foods.

SEC. 23.5 *Veterans' administration may apply for certificates to acquire processed foods.* (a) The veterans' Administration may apply to any District or State Office, or to the Washington Office, for certificates to acquire processed foods. Upon such application, one or more certificates will be issued to permit the acquisition of the amount of processed foods needed.

SEC. 23.6 *Industrial users may replenish processed foods used in transfers to exempt agencies.* (a) Any "industrial user" who transfers to any exempt agency any products which he manufactured after February 28, 1943, in the manufacture of which he used processed foods, may apply to and obtain from his board a "certificate" equal in point value to the processed foods used by him in such products. The application shall be made on OPA Form R–315 and shall set forth the nature and amount of the products, the time when the products were manufactured, the date when such products were transferred and the amount of processed foods used by him in such products. The application shall be accompanied by such evidence of transfer to the exempt agency as the board may require. If a certificate is issued under this section, the industrial user's allotment for the allotment period in which it is issued shall be considered increased by the amount of the certificate.

SEC. 23.7 *Ships' stores for ocean-going vessels*—(a) *The owner of the vessel must get a statement from the collector of the customs.* Any person who operates an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise, or intercoastal trade, and who needs processed foods as ships' stores, must get a statement signed by the Collector of the Customs (or his deputy) authorizing the operator of the vessel (or his agent) to acquire a specified amount of processed foods as ships' stores.

(b) *Acquisition of the processed foods by the owner of the vessel.* The operator of the vessel (or his agent) may, without giving up points, acquire processed foods up to the amount shown on the Customs Collector's statement, by giving the statement to the person from whom he acquired the processed foods.

(c) *Transfer of processed foods to the owner of the vessel.* In exchange for the Customs Collector's statement, any retailer, wholesaler, or processor may, without getting points, transfer processed foods to the operator of the vessel (or his agent) up to the amount specified on the statement. A retailer or wholesaler may then exchange the Customs Collector's statement for a certificate, at his board. He must attach to the statement a signed receipt, invoice, or other evidence to prove the transfer of the processed foods. If the board is satisfied that the processed foods were transferred as ships' stores, it shall issue a certificate to the retailer or wholesaler for the number of points needed to replace the processed foods transferred. A processor must send the Customs Collector's statement and the attached receipt or other evidence with his monthly report (on Form OPA R–1305) to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C.

SEC. 23.8 *Governmental investigatory agencies may acquire processed foods needed in their investigations.* (a) An investigatory agency of the United States or of any State or local government which needs processed foods in order to perform its inspections or investigations may apply for points to acquire them. The application must be in writing, on an official letterhead of the agency (if any is available), and must state the name of the agency, the purpose for which points are needed, the period during which they are needed, and the number of points required. An agency of the United States may make its application to the Washington Office, or to any district or State office. An agency of a State or local government shall apply to the district office (or, where there is none, to the State office). If the district, State, or Washington Office finds that points are needed in order to carry on the investigatory activities of the agency, it shall issue one or more certificates for the number of points required.

(b) The Food and Drug Administration of the Federal Security Agency (which is hereby designated an exempt agency for this purpose) may open one or more exempt ration book accounts of the type described in General Ration Order 3B. However, it may issue ration checks against those accounts only to acquire processed foods which are needed for inspection or investigation.

(c) Any government agency which acquires processed foods under this section may, after they have served the purpose for which they were acquired, dispose of them to any federal, state or local institution without receiving points for them. The institution which receives the processed foods shall report in writing the amount received and the date on which it was received to the district (or State) office for the area in which it is located. Its allotment shall not be regarded as increased by such acquisition.

This amendment shall become effective 12:01 a. m. on March 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.C. 9230, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562;

Condiment sauces (other than those con-

notice of and order for hearing in the

It is further ordered, That D. C.

CIVIL AERONAUTICS BOARD.

OFFICE OF ALIEN PROPERTY CUSTO-

territory or possession of the United [illegible] ported processed [illegible]

Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3270; Filed, March 1, 1943; 3:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,[1] Amendment 3]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Section 1.1 (a) is amended to read as follows:

(a) The following foods called "processed foods," are covered by this order:

(1) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(2) All frozen fruits and vegetables;

(3) All dried and dehydrated fruits and soups;

(4) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this order are listed in Appendix A (section 30.1). The foods listed in Appendix A are not "processed foods" as that term is used.

2. Section 21.1 (a) (10) is amended to read as follows:

(10) "Processed foods" means:

(i) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(ii) All frozen fruits and vegetables;

(iii) All dried and dehydrated fruits and soups;

(iv) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this order are listed in Appendix A (section 30.1). The foods listed in Appendix A are not "processed foods" as that term is used.

3. Section 21.1 (a) (12) (iii) is amended to read as follows:

(iii) Sorts, washes, and dries or dehydrates fruits; or

Appendix

4. Appendix A is added as set forth below:

Appendix A. The following foods are not "processed foods" as that term is used in this order:

Artichoke paste.
Bitters.
Bouillon cubes and powders.
Bread or cake with raisins including brown bread.
Candied fruits.
Cane syrups.
Capers.
Cereals.
Chocolate syrup.
Condiment sauces (other than those containing a base of tomato products).
Corn syrup.
Date and nut bread.
Dehydrated vegetables (hermetically packed).
Dried mushrooms (hermetically packed).
Frozen fruits and vegetables in containers over ten (10) pounds.
Fruit and vegetable dyes and flavoring extracts, fruit syrups and similar products (other than full strength or concentrated fruit or vegetable juices).
Fruit and vegetable juices in containers over one (1) gallon.
Fruit cakes.
Fruit flavoring bases prepared for use in the further manufacture of products for human consumption and consisting of a combination of fruit juice with one or more of the following added ingredients: aciduent, citrus oil, fruit extract or other flavoring material.
Fruit puddings.
Gravy mixes.
Health foods with wheat, gluten or other cereal or flour base.
Hearts of palm and hearts of artichokes.
Horseradish.
Jams, jellies, marmalades, fruit butters, and other similar preserves.
Maraschino cherries.
Marrons and nesselrode.
Meat stews even though containing some vegetables.
Milk.
Mincemeat.
Molasses and bead molasses.
Mustard.
Nuts, nut meats and nut milks.
Olives.
Peanut butter.
Peppers and pimentos.
Pickles; relishes; pickled onions, tomatoes and watermelon; cocktail onions, mushrooms and oranges; and spiced cantaloupe and watermelon.
Popcorn.
Potato salad.
Root and ginger beer extracts.
Soft drinks containing less than 25%, by weight of natural fruit juices.
Soya bean milk and soya bean oil.
Soy sauce.
Spaghetti, macaroni, noodles or similar paste products packed in hermetically sealed containers, even though mixed or combined with added vegetable sauces.
Spices.
Vegetable seasonings including liquid and salts.

This amendment shall become effective 12:01 a. m. on March 1, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3271; Filed, March 1, 1943; 3:42 p. m.]

Notices

DEPARTMENT OF LABOR.

Bituminous Coal Division.

[Docket No. A-1759]

KISTLER COAL COMPANY

ORDER CONTINUING TEMPORARY RELIEF, ETC.

Order continuing temporary relief terminating conditionally final relief and notice of and order for hearing in the matter of the petition of the Kistler Coal Company, code member in District No. 14, for revision of certain price classifications and minimum prices for coals produced from the Rock Island Mine.

An original petition was filed with this Division on November 23, 1942, by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting revision of the price classifications and minimum prices for the coals in Size Group Nos. 4, 6, 7, 8, 9 and 18 produced from the Rock Island Mine, Mine Index No. 203, of the Kistler Coal Company, located in Subdistrict No. 6 of District No. 14 for shipments by both rail and truck.

On December 26, 1942, a memorandum opinion and order granting temporary relief and conditionally providing for final relief was issued in this matter (8 F.R. 348) temporarily establishing the price classifications and minimum prices requested by petitioner for the coals of the Rock Island Mine, Mine Index No. 203 of the Kistler Coal Company in Size Group Nos. 4, 6, 7, 8, 9 and 18. This order further provided that the relief granted therein would become final within sixty (60) days from the date thereof unless it should otherwise be ordered.

The Bituminous Coal Consumers' Counsel, on February 9, 1943, filed with the Division an intervention and answer in opposition to temporary and final relief pending public hearing contending that the allegations contained in the original petition were not sufficient to warrant the final relief prayed for by petitioner and praying that the order of December 26, 1942, providing for conditionally final relief, be rescinded until after a public hearing upon the petition.

In view of the issue raised by the intervention and answer of the Bituminous Coal Consumers' Counsel, it appears that no permanent relief should be granted in this matter without a hearing. However, no sufficient reason having been advanced by the Bituminous Coal Consumers' Counsel to warrant termination of the temporary relief heretofore granted by the order entered herein on December 26, 1942, it is deemed advisable to continue such temporary relief in effect pending final disposition of this proceeding.

Now, therefore, it is ordered, That the price classifications and minimum prices temporarily established for the coals of the Rock Island Mine, Mine Index No. 203 of the Kistler Coal Company, by the order entered in this matter on December 26, 1942, be, and they hereby are, continued in effect pending further order herein.

It is further ordered, That the permanent relief conditionally provided for by the order entered in this matter on December 26, 1942, be, and it hereby is, terminated.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 18, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, at the Sebastian County Courthouse, Fort Smith, Arkansas.

[1] Copies may be obtained from the Office of Price Administration.
8 F.R. 1840, 2288.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing; to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 13, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the original petition.

The matter concerned herewith is in regard to the petition of the Kistler Coal Company for revision of certain price classifications and minimum prices for coals produced from its Rock Island Mine, Mine Index No. 203, located in Subdistrict No. 6 of District No. 14 for all shipments except truck and for truck shipments as follows:

FROM

	Size groups					
	4	6	7	8	9	18
All shipments except truck	J	K	K	K	L	O
Truck shipments (in cents per net ton)	485	435	435	435	410	310

TO

	Size groups					
	4	6	7	8	9	18
All shipments except truck	D	E	E	E	E	J
Truck shipments (in cents per net ton)	475	475	475	475	450	375

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3208; Filed, March 1, 1943; 10:45 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 300 and 499]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the petition of Pan American Airways, Inc., for rehearing, reargument and reconsideration of the Board's order dated August 31, 1942, fixing the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith in the petitioner's transpacific services.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on March 8, 1943, 10:00 a. m. (eastern war time) in Conference Room No. 3, Department of Commerce Auditorium, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Herbert K. Bryan.

Dated Washington, D. C., March 1, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3288; Filed, March 2, 1943; 10:19 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. 230]

TENNESSEE GAS AND TRANSMISSION COMPANY

ORDER POSTPONING DATE OF HEARING

FEBRUARY 27, 1943.

It appearing to the Commission that:

Pursuant to its orders of October 31, 1942, December 2, 1942, and December 11, 1942, a public hearing was begun on January 18, 1943, in the above-entitled proceeding, which hearing continued from time to time until February 2, 1943, upon which day the hearing was adjourned by the Commission's Trial Examiner to reconvene on March 10, 1943, at 9:45 a. m., in the hearing room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.;

The Commission, upon its own motion and for good cause shown, *orders*, That:

The hearing in the above-entitled proceeding begun on January 18, 1943, pursuant to the orders of October 31, 1942, December 2, 1942, and December 11, 1942, and adjourned by the Commission's Trial Examiner on February 2, 1943, to March 10, 1943, at 9:45 a. m., in the hearing room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., is hereby postponed until June 1, 1943, at the same hour and place as herein designated.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-3314; Filed, March 2, 1943; 10:44 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 934]

ESTATE OF JOSEPH JANVIER WOODWARD

In re: Estate of Joseph Janvier Woodward, deceased; File D-38-365; E.T. sec. 764.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity-Philadelphia Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pa.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Dr. Lino Gay	Italy.
Person or persons, names unknown, entitled to receive the estate of Gaio Gay, who died a resident of Italy	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dr. Lino Gay and person or persons, names unknown, entitled to receive the estate of Gaio Gay, who died a resident of Italy, and each of them, in and to the trust fund established under the will of Joseph Janvier Woodward, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3289; Filed, March 2, 1943; 10:07 a. m.]

[Vesting Order 935]

ESTATE OF HELEN BASTIEN

In re: Estate of Helen Bastien, also known as Helen Berry, deceased; File No. D-28-1667; E.T. sec. 528.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Adam Schuck	Germany.
George Schuck	Germany.
Victor Hoffman	Germany.
Marie Walter	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Adam Schuck, George Schuck, Victor Hoffman, and Marie Walter, and each of them, in and to the Estate of Helen Bastien, also known as Helen Berry, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3290; Filed, March 2, 1943; 10:11 a. m.]

[Vesting Order 936]

ESTATE OF MARIE S. BEIL

In re: Estate of Marie S. Beil, deceased; File F-28-2076; E.T. sec. 727.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Martha Hueneke	Germany.
Hedwig Gaebler	Germany.
Marie Hobelsberger	Germany.
Freida Heintz	Germany.
Walter Feld	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha Hueneke, Hedwig Gaebler, Marie Hobelsberger, Freida Heintz and Walter Feld, and each of them, in and to the Estate of Marie S. Beil, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States;

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3291; Filed, March 2, 1943; 10:11 a. m.]

[Vesting Order 937]

TRUST UNDER WILL OF ALBERT BENDHEIM

In re: Trust under will of Albert Bendheim, deceased; File F-9-100-28-4424; E.T. sec. 1483.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur J. Cohen, Esq., 61 Broadway, New York, New York, Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Bertha Baer	44 Mylinstrasse, Frankfort A. M. Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bertha Baer in and to a trust estate created under the Will of Albert Bendheim, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3292; Filed, March 2, 1943; 10:11 a. m.]

[Vesting Order 938]

ESTATE OF KATHERINA BERNARD

In re: Estate of Katherina Bernard, deceased; File No. D-28-1868; E. T. sec. 1653.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Valtin Petry	Germany.
Eva Schneider	Germany.
Angela Shemer	Germany.
John Petry	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Valtin Petry, Eva Schneider, Angela Shemer and John Petry, and each of them, in and to the Estate of Katherina Bernard, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3293; Filed, March 2, 1943; 10:11 a. m.]

[Vesting Order 939]

ESTATE OF DANIELE CEVA

In re: Estate of Daniele Ceva, also known as Dan Ceva and D. Ceva, deceased; File D-38-350; E.T. sec. 510.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bank of America National Trust and Savings Association, Trustee and Co-Executor, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Shasta;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Aurelia Traverso	Italy.
Paulino Traverso	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Aurelia Traverso and Paulino Traverso, and each of them, in and to the Estate of Daniele Ceva, also known as Dan Ceva and D. Ceva, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3294; Filed, March 2, 1943; 10:11 a. m.]

[Vesting Order 940]

ESTATE OF ROSE C. COVARRUBIAS

In re: Estate of Rose C. Covarrubias, deceased; File D-57-46; E. T. sec. 948.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely, Rose Maurocordato, whose last known address is Rumania;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Rose Maurocordato in and to the Estate of Rose C. Covarrubias, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit

the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3295; Filed, March 2, 1943; 10:11 a. m.]

[Vesting Order 941]

ESTATE OF ANNA DVORAK

In re: Estate of Anna Dvorak, deceased; File D–6–151; E.T. sec. 2667.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Register of Wills and Clerk of Orphans' Court, City-County Building, Pittsburgh, Pennsylvania, Depositary, acting under the judicial supervision of Orphans' Court of Allegheny County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals	*Last known address*
Franz Bohm	Germany (Austria).
Johan Bohm	Germany (Austria).
Theresa Bohm	Germany (Austria).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Franz Bohm, Johan Bohm and Theresa Bohm, and each of them, in and to the estate of Anna Dvorak, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3296; Filed, March 2, 1943; 10:10 a. m.]

[Vesting Order 942]

ESTATE OF JOHANNA B. FREGIN

In re: Estate of Johanna B. Fregin, deceased; File D–28–1630; E. T. sec. 432.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely

Nationals:	*Last known address*
Ernest Fregin	Germany.
Gertrude Shewe	Germany.
Erle Fregin	Germany.
Paul Voss	Germany.
Otto Voss	Germany.
Minna Bandomer	Germany.
Conrad Gutzmer	Germany.
Greta Gutzmer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ernest Fregin, Gertrude Shewe, Eric Fregin, Paul Voss, Otto Voss, Minna Bandomer, Conrad Gutzmer, Greta Gutzmer, and each of them, in and to the Estate of Johanna B. Fregin, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3315; Filed, March 2, 1943; 10:15 a. m.]

[Vesting Order 943]

ESTATE OF LINA HARDER

In re: Estate of Lina Harder, deceased; File F–28–968, E. T. sec. 167.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Marion Caroline Recknagel	Germany
Lina Pfaff	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marion Caroline Recknagel and Lina Pfaff, and each of them, in and to the Estate of Lina Harder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3297; Filed, March 2, 1943; 10:10 a. m.]

[Vesting Order 944]

ESTATE OF ERNEST HIPPE

In re: Estate of Ernest Hippe, deceased; File F–28–3734; E. T. sec. 1704.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Hugo Hippe	Germany
Hans Drescher	Germany.
Erich Drescher	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hugo Hippe, Hans Drescher and Erich Drescher, and each of them, in and to the Estate of Ernest Hippe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Proper Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should de determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, aserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated" enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3298; Filed, March 2, 1943; 10:10 a. m.]

[Vesting Order 945]

ESTATE OF MARGARET M. HOLBRITTER

In re: Estate of Margaret M. Holbritter, deceased; File No. D–28–1614; E. T. sec. 356.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Elizabeth Muller	Germany.
Margaret Weber	Germany.
Margaret Meidinger	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elizabeth Muller, Margaret Weber and Margaret Meidinger and each of them in and to the Estate of Margaret M. Holbritter, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3299; Filed March 2, 1943; 10:10 a. m.]

[Vesting Order 946]

ESTATE OF JACOB HORNER

In re: Estate of Jacob Horner, deceased; File D–28–1967; E. T. sec. 1999.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adele Berkel and Herman B. Forman, Executors acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Rosel Pauli	Germany.
Margareta Trabold	Germany.
The child or children of Appolonia Vath, (names unknown).	Germany.
Konrad Horner	Germany.
Hilda Horner	Germany.
Monika Schmidt	Germany.
Agathe Klingler	Germany.
Ella Horner	Germany.
Gregor Horner	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rosel Pauli, Margareta Trabold, the child or children of Appolonia Vath (names unknown), Konrad Horner, Hilda Horner, Monika Schmidt, Agathe Klingler, Ella Horner and Gregor Horner, and each of them, in and to the estate of Jacob Horner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3300; Filed, March 2, 1943; 10:10 a. m.]

[Vesting Order 947]

ESTATE OF PAOLO ISOLA

In re: Estate of Paolo Isola, deceased; File D–38–310; E: T. sec. 254.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Hudson County Orphans' Court, acting under the judicial supervision of the Hudson County Orphans' Court of Hudson County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Teresa Isola	Genoa, Italy.
Louisa Isola	Genoa, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Teresa Isola and Louisa Isola and each of them in and to the Estate of Paolo Isola, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3301; Filed, March 2, 1943; 10:09 a. m.]

[Vesting Order 948]

TRUST ESTATE OF MEIER KATTEN

In re: Trust Estate of Meier Katten, deceased; File F–28–11586; E. T. sec. 1309.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carolyn Katten Loewy and Hazel Katten Loewy, Trustees acting under the judicial supervision of Superior Court of the State of California, in and for the County of San Joaquin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Lina Chambre Meyer	Germany.
Bertha Lion Strauss	Germany.
Sanshen Katten Lowenstein	Germany.
Klara Chambre	Germany.
Lina Lyon Hermann	Germany.
Simon Hoexter	Germany.
Adolf Katten	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever, of Lina Chambre Meyer, Bertha Lion Strauss, Sanshen Katten Lowenstein, Klara Chambre, Lina Lyon Hermann, Simon Koexter, and Adolph Katten, and each of them, in and to the Trust Estate of Meier Katten, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY.
Alien Property Custodian.

[F. R. Doc. 43-3302; Filed, March 2, 1943; 10:09 a. m.]

[Vesting Order 949]

ESTATE OF CLARA MEYER

In re: Estate of Clara Meyer, deceased; File D–9–100–28–1788; E. T. sec. 925.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Margaret A. Weber, Executrix, acting under the judicial supervision of the Surrogate Court of Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Martha Bruch	Germany
Helene Bruch	Germany
Dora Fischer	Germany
Ida Muller	Germany.
Elizabeth Von Bodecker also known as Elisabeth Von Bodecker	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha Bruch, Helene Bruch, Dora Fischer, Ida Muller, Elizabeth Von Bodecker also known as Elisabeth Von Bodecker, and each of them, in and to the estate of Clara Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3303; Filed, March 2, 1943; 10:09 a. m.]

[Vesting Order 950]

ESTATE OF HENRY MEYER

In re: Estate of Henry Meyer, deceased; File D–28–2048; E.T. sec. 2309.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anna Steffens, Administratrix, acting under the judicial supervision of the Morris County Orphans' Court, Morristown, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Diedrich Wulbers	Germany.
Christine Zickler	Germany.
Herman C. Wulbers	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Diedrich Wulbers, Christine Zickler and Herman C. Wulbers and each of them in and to the Estate of Henry Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3304; Filed, March 2, 1943; 10:09 a. m.]

[Vesting Order 951]

ESTATE OF TOYOKO MIYAZAKI

In re: Estate of Toyoko Miyazaki, minor; File—D–39–1499; (ET sec. 307).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Seattle-First National Bank, Guardian of the Estate of Toyoko Miyazaki, acting under the judicial supervision of the Superior Court of the State of Washington, County of King, Seattle, Washington;

(2) Such property and intgrests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National:	*Last known address*
Toyoko Miyazaki	Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Toyoko Miyazaki in and to her estate under guardianship of Seattle First National Bank, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3305; Filed, March 2, 1943; 10:08 a. m.]

[Vesting Order 952]

ESTATE OF CHARLES OPELTAL

In re: Estate of Charles Opeltal, deceased; File D–28–3382; E. T. sec. 1154.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Mila Mikolajewitsch, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Mila Mikolajewitsch in and to the Estate of Charles Opeltal, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3306; Filed, March 2, 1943; 10:08 a. m.]

[Vesting Order 953]

ESTATE OF ANNA PAPE

In re: Estate of Anna Pape, deceased; File D–28–1851; E. T. sec. 1458.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Martha Moebius, Administratrix, of the estate of Anna Pape, deceased, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey,

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Frieda Meyer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frieda Meyer in and to the Estate of Anna Pape, deceased,

to be held, used, administered, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3307; Filed, March 2, 1943; 10:08 a. m.]

[Vesting Order 954]

ESTATE OF FRED SABIGAI

In re: Estate of Fred Sabigai, deceased; File 9–100–017–4556.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gottlieb Key, Administrator, c. t. a., of the estate of Fred Sabigai deceased, acting under the judicial supervision of Probate Court of Wood County, Bowling Green, Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known Address*
Lina Guse	Germany.
Gustav Sabigai	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lina Guse, Gustav Sabigai and each of them, in and to the estate of Fred Sabigai, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3308; Filed, March 2, 1943; 10:08 a. m.]

[Vesting Order No. 955]

ESTATE OF CHRISTIANA SCHMIDT

In re: Estate of Christiana Schmidt, deceased; File D–28–2024; E.T. sec. 2124.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert C. Hausmann, 3935 North Percy Street, Philadelphia, Pennsylvania, Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
William F. Gall	Germany.
Karoline Schaefer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of William F. Gall and Karoline Schaefer, and each of them, in and to the estate of Christiana Schmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3309; Filed, March 2, 1943; 10:08 a. m.]

[Vesting Order 956]

ESTATE OF KURT E. SUESSKIND

In re: Estate of Kurt E. Suesskind, deceased; File No. F–28–14256; E. T. Sec. 88).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Paul Suesskind whose last known address is Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paul Suesskind in and to the Estate of Kurt E. Suesskind, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3310; Filed, March 2, 1943; 10:08 a. m.]

[Vesting Order 957]

ESTATE OF MADELEINE ELISE VAN WAGENEN

In re: Estate of Madeleine Elise Van Wagenen, deceased; File D–28–1627; E. T. sec. 421.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph H. Ahlsweh, Administrator, c. t. a., acting under the judicial supervision of the County Judge's Court, in and for Pinellas County, Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany namely,

Nationals:	*Last known address*
Wilhelmina Ahlsweh Broichsitter, or her issue.	Germany.
Else Von Fabrice	Germany.
Helmut Beck	Germany.
Elizabeth Hartman	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelmina Ahlsweh Broichsitter, or her issue, Else Von Fabrice, Helmut Beck and Elizabeth Hartman and each of them in and to the Estate of Madeleine Elise Van Wagenen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3311; Filed, March 2, 1943; 10:07 a. m.]

[Vesting Order 958]

TRUST UNDER WILL OF SIMON WACHTEL

In re: Trust created under the will of Simon Wachtel, deceased; D-28-4538; E. T. sec. 1271.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Colorado National Bank, Trustee, acting under the judicial supervision of the County Court, City and County of Denver, Denver, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Oscar Wachtel	Germany.
Hilda Falk	Germany.
Otto Wachtel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Oscar Wachtel, Hilda Falk, and Otto Wachtel, and each of them in and to a Trust created under the will of Simon Wachtel, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3312; Filed, March 2, 1943; 10:07 a. m.]

[Vesting Order 959]

ESTATE OF LOUIS ZIEGEL

In re: Estate of Louis Ziegel, deceased; File D-28-1994; E. T. sec. 2094.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The First National Bank of Boston, A. Francis Hayden and Mrs. Matilda K. Ziegel, Co-Trustees, acting under the judicial supervision of the Probate Court of the State of Massachusetts, in and for Norfolk County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Johanna Holz Newburg (Newberg)	Germany.
Werner Holz	Germany.
Elizabeth Holz	Germany.
Richard Holz	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanna Holz Newburg (Newberg), Werner Holz, Elizabeth Holz and Richard Holz and each of them in and to the Trust Estate created under the Will of Louis Ziegel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Dated: February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3313; Filed, March 2, 1943; 10:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under MPR 143]

THE POLSON RUBBER COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 1 Under Maximum Price Regulation No. 143[1]—Wholesale Prices for New Rubber Tires and Tubes. Maximum wholesale prices for passenger-car tubes marked "Type B" of brands of The Polson Rubber Company.

Pursuant to paragraph (e) in § 1315.1501 and for the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) *Sale by The Polson Rubber Company to The Firestone Tire and Rubber Co.* The maximum wholesale prices on the sale or delivery by The Polson Rubber Company to The Firestone Tire and Rubber Company of passenger-car tubes marked "Type B" of brands of The Polson Rubber Company shall be the prices on Polson's dealer list for comparable tubes less the following chain of discounts: 10%—10%—5%—5%, increased by a dollar amount equal to the Defense Supplies Corporation pool charges which The Polson Rubber Company has paid on such tubes.

(b) *Subsequent sales.* The maximum wholesale prices on all sales or deliveries at wholesale other than that covered by paragraph (a), of passenger-car tubes marked "Type B" of brands of The Polson Rubber Company shall be calculated as follows:

(1) For any seller who sold or offered for sale during March, 1942, passenger-car tubes of brands of The Firestone Tire and Rubber Company, apply to the maximum retail price established by Revised Price Schedule No. 63,[2] apart from the 16% increase provided in paragraph (n) of § 1315.110, for the Type B Polson tube all discounts from consumer list prices which the seller had in effect on March 1, 1942 for a purchaser of the same class on the brand of Firestone tubes which has a maximum retail price on the 6.00-16 size nearest to the maximum retail price of the 6.00-16 size of the brand of Type B Polson tubes being priced, and increase the resultant price by a dollar amount equal to 16% of the maximum retail price for the Type B Polson tube.

(2) For any seller who did not sell or offer for sale during March, 1942, passenger-car tubes of brands of The Firestone Tire and Rubber Company, calculate a price under subparagraph (1) using, in place of the brand of Firestone tubes called for in that subparagraph, the brand of tubes which the seller did sell or offer for sale during March, 1942, which is most comparable to such Firestone brand.

(c) *Notification.* The Firestone Tire and Rubber Company shall notify or cause to be notified in writing every person who buys for resale at wholesale tubes marked "Type B" of brands of The Polson Rubber Company, of the method set forth in this Order for determining maximum wholesale prices on such Type B tubes.

(d) This order shall supersede any different maximum prices for passenger-car tubes marked "Type B" of brands of The Polson Rubber Company which may be established by the provisions of paragraphs (a) to (d) of § 1315.1501 of Maximum Price Regulation No. 143. All other provisions of Maximum Price Regulation No. 143 shall remain applicable to the tubes covered by this order.

(e) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 1 shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3244; Filed, March 1, 1943; 12:17 p. m.]

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[1] 7 F.R. 3664, 5712, 8948, 9890; 8 F.R. 320

[2] 7 F.R. 1323, 2132, 3036, 3791, 5[illegible] 6848 6215, 7364, 8948, 9888, 8 F.R. 2110.

Regional Office, Region I.

[Amendment 3 to Emergency Order 4 Under Ration Order 11]

FUEL OIL SHORTAGE IN CONNECTICUT

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (a) and (b) (3) are amended to read as follows:

(a) *Findings.* The Regional Administrator finds that in the State of Connecticut, as the result of the continuing inadequacy of the supply of fuel oils of grades Nos. 2, 3 and 4, including Diesel oil and gas oil, there exists an emergency in the transportation and distribution of such fuel oils which endangers the public health, the public welfare and the war effort.

(b) *Scope of order.* * * *

(3) This emergency order shall be effective in the State of Connecticut.

Effective date of amendment No. 3. Amendment No. 3 to Emergency Order No. 4 shall become effective at 12:01 a. m., February 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 25th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3245; Filed, March 1, 1943; 12:17 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 43-139]

OKLAHOMA POWER AND WATER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of February, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than March 6, 1943 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application as filed or as amended may become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Oklahoma Power and Water Company, a subsidiary of The Middle West Corporation, a registered holding company, proposes to prepay $100,000 principal amount of its 5% Unsecured Promissory Notes aggregating $412,000 and due August 1, 1943, as heretofore extended, to the payee, Sand Springs Home, Sand Springs, Oklahoma, and to extend the maturity of the principal amount of $312,000, so that payments will be made upon principal at the rate of $4,000 monthly from September 1, 1943 to August 1, 1947 and at the rate of $5,000 monthly from September 1, 1947 to August 1, 1949, and to issue two Unsecured Promissory Notes in the amounts of $172,000 and $140,000, respectively, as evidence of the amount due. Oklahoma Power and Water Company also proposes to prepay $100,000 principal amount of collateral notes held by Harris Trust and Savings Bank, The Chase National Bank of the City of New York, City National Bank and Trust Company of Chicago, American National Bank and Trust Company of Chicago, National Bank of Tulsa, First National Bank and Trust Company (Tulsa, Oklahoma), and First National Bank and Trust Company (Oklahoma City, Oklahoma) due July 27, 1944 in the aggregate principal amount of $1,575,000, and to cancel $420,000 principal amount of its First Mortgage 5% 20 Year Gold Bonds, Series B due February 1, 1949, and $80,000 principal amount of its First Mortgage 5% 20 Year Gold Bonds, Series A due February 1, 1948, previously deposited with said banks as collateral.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3316; Filed March 2, 1943; 11:19 a. m.]

WAR MANPOWER COMMISSION.

[General Order 5]

MINIMUM WARTIME WORKWEEK

DESIGNATION OF CERTAIN AREAS

Designation of certain areas as subject to provisions of Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9301, establishing a minimum wartime workweek of 48 hours and in accordance with the provisions of § 903.2 (*supra*) of the Regulations prescribed by me on February 22, 1943, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Akron, Ohio	Manitowoc, Wis.
Baltimore, Md.	Mobile, Ala.
Bath, Maine	New Britain, Conn.
Beaumont, Tex.	Ogden, Utah
Bridgeport, Conn.	Panama City, Fla.
Brunswick, Ga.	Pascagoula, Miss.
Buffalo, N. Y.	Portland, Oreg.
Charleston, S. C.	Portsmouth, N. H.
Cheyenne, Wyo.	San Diego, Calif.
Dayton, Ohio	Seattle, Wash.
Detroit, Mich.	Somerville, N. J.
Elkton, Md.	Springfield, Mass.
Hampton Roads, Va.	Sterling, Ill.
Hartford, Conn.	Washington, D. C.
Las Vegas, Nev.	Waterbury, Conn.
Macon, Ga.	Wichita, Kans.

PAUL V. MCNUTT,
Chairman.

FEBRUARY 22, 1943.

[F. R. Doc. 43-3248; Filed, March 1, 1943; 12:53 p. m.]

[General Order 6]

MINIMUM WARTIME WORKWEEK

DESIGNATION OF CERTAIN ACTIVITIES

Designation of certain activities as subject to provisions of Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9301, establishing a minimum wartime workweek of 48 hours, and in accordance with the provisions of § 903.2 (*supra*) of the regulations prescribed by me on February 22, 1943, I hereby designate the following activities as subject to the provisions of Executive Order No. 9301:

I. The mining (including the development of ore properties), dressing, and beneficiating (milling) of the following non-ferrous metals and their ores:

Aluminum.
Antimony.
Arsenic.
Beryllium.
Chrome.
Cobalt.
Columbium.
Copper.
Lead.
Magnesium.
Manganese.
Mercury.
Molybdenum.
Silver.
Tantalum.
Tin.
Titanium.
Tungsten
Uranium.
Vanadium.
Zinc.
Zirconium.
All other non-ferrous metals and their ores.

II. (a) All logging operations.

(b) All operations of all

Sawmills.
Planing mills.
Veneer mills.
Plywood mills.
Cooperage-stock mills.
Cooperage establishments.
Shingle mills.
Wooden box factories.
Wood pulp mills.

PAUL V. MCNUTT,
Chairman.

FEBRUARY 26, 1943.

[F. R. Doc. 43-3249; Filed, March 1, 1943; 12:53 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 44

Washington, Thursday, March 4, 1943

The President

EXECUTIVE ORDER 9307

AMENDING EXECUTIVE ORDER NO. 8384 OF MARCH 29, 1940, PRESCRIBING REGULATIONS RELATING TO ANNUAL LEAVE OF GOVERNMENT EMPLOYEES

By virtue of and pursuant to the authority vested in me by section 7 of the act of March 14, 1936, entitled "An Act to provide for vacations to Government employees, and for other purposes" (49 Stat. 1161), as amended by the act of December 17, 1942 (Public Law 806—77th Congress), Executive Order No. 8384 of March 29, 1940,[1] prescribing regulations relating to the annual leave of Government employees is hereby amended as follows:

1. Section 1 (f) of the said Executive order is amended to read as follows:

"'Accumulated leave' means the unused annual leave not exceeding sixty days, or not exceeding ninety days in case unused annual leave has accumulated during the national emergency declared by the President on September 8, 1939, is included, which has accrued during years prior to the current year in accordance with the provisions of section 2 of these Regulations."

2. Section 2 of the said Executive order is amended to read as follows:

"(a). Permanent employees who have been employed continuously for one year or more and who do not contemplate leaving the service during the current calendar year shall be entitled to current annual leave with pay at any time during such calendar year not in excess of twenty-six days.

"(b). In addition to current annual leave employees may be granted accumulated leave in accordance with the following subsections.

"(c). That part of any current annual leave which is not used by an employee in any calendar year shall be accumulated and be available for succeeding years to the extent that it does not exceed sixty days.

"(d). Upon the accumulation of the sixty days of leave provided for in the preceding subsection, employees may accumulate not to exceed thirty additional days of leave during the national emergency declared by the President on September 8, 1939. Such additional accumulation shall not exceed fifteen days in any calendar year and shall apply only to annual leave which has accrued after September 8, 1939, and has not been used. Such additional leave as may be accumulated by the employee under this subsection shall continue to be available to the employee after the emergency shall have ceased to exist. Departments and agencies having employees subject to the annual leave regulations prescribed by the said Executive Order No. 8384, as herein amended, shall take such steps as may be necessary to adjust the leave records of such employees retroactively so as to make this subsection effective as of September 8, 1939."

This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 3, 1943.

[F. R. Doc. 43-3361; Filed, March 3, 1943; 11:22 a. m.]

[1] 3 F R 1253.

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 263]

MILITARY CONTACT FLIGHTS

ORDER EXTENDING EXPIRATION DATE FOR WAIVER OF CERTAIN REQUIREMENTS

Extending the expiration date for waiver of certain requirements concerning contact flight above 3,500 feet on civil airways by military aircraft from February 26, 1943, to April 26, 1943.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 26th day of February, 1943.

Effective February 26, 1943, Special Regulation Serial Number 252 is amended by striking the words "Febru-

(Continued on next page)

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THE PRESIDENT

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FEDERAL REGISTER

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Telephone information: DIstrict 0525.

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ary 26, 1943" and inserting in lieu thereof the words "April 26, 1943."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-3368; Filed, March 3, 1943; 11:43 a. m.]

[Orders, Serial No. 2[illegible]8]

PART 202—ACCOUNTS, RECORDS AND REPORTS

UNIFORM SYSTEM OF ACCOUNTS FOR DOMESTIC AIR CARRIERS

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C. on the 18th day of February, 1943.

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 407 (a) and 407 (d) thereof, and finding its action necessary to carry out the provisions of said Act, and to exercise its powers and perform its duties thereunder;

It is ordered, That the Uniform System of Accounts for Domestic Air Carriers (CAB Form 2780 Manual), as amended, be and the same is further amended as set forth in Amendment No. 5 attached hereto.[1]

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-3369; Filed, March 3, 1943; 11:47 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Dockets No. A-56 and No. A-59]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER AMENDING AND CLARIFYING MEMORANDUM OPINION, ETC.

Order amending and clarifying the memorandum opinion and order of the Acting Director dated August 4, 1942 in the matter of the petition of District Board 15, praying for changes in the schedule of effective minimum prices for District 15, for all shipments except truck, by amending (1) price instruction 11 (d) and (2) the special price instruction appearing in the schedule of delivered differentials, page 12 of the schedule, and in the matter of the petition of District Board No. 15, requesting modification of the schedule of effective minimum prices for District No. 15, for all shipments except truck, by amending the effective minimum prices for code members in District No. 15 on shipments of off line railroad locomotive fuel to the Chicago and Great Western Railroad and Chicago, Rock Island and Pacific Railroad.

The memorandum opinion and order of the Acting Director entered in the above entitled matters on August 4, 1942, (7 F.R. 6065) inter alia, at page 6067, modified price instruction (11) (iv) as set forth in § 335.1 (*Price instructions and exceptions*—(a) *Price instructions*) to read as follows:

The maintenance of the delivered differentials as provided above shall be subject to the limitation that the maximum reduction of the schedule price shall not exceed 60 cents: *Provided*, That only those mines in the various production groups for which f. o. b. mine prices are listed into a given market area shall be permitted any absorption privileges. Those production groups not having listed f. o. b. mine prices into a specifically named market area shall be considered "unpriced coals".

The foregoing price instruction, as modified, has occasioned some confusion regarding the application of minimum prices upon coals produced in production groups other than Production Group 3 in District No. 15 for shipment by rail to destinations in certain market areas in the State of Iowa. In § 335.7 (*General prices; domestic, commercial and industrial coal schedule*), minimum prices are listed for coals, in the various size groups, for shipment by rail from mines in Production Group No. 3, to destinations in Market Areas 47 to 50, 53 to 55, 57, 59, 63 to 66, and 68. The special price instruction set forth at the top of page 24, said schedule reads as follows:

The prices below are based on the lowest published freight origin group rate from Production Group No. 3. To certain indicated destinations to which there are no published freight origin group rates from Production Group No. 3, prices are based on the lowest published freight origin group rate from Production Group No. 2. Mines in other production groups may adjust these f. o. b. mine prices in accordance with the schedule of delivered differentials shown in § 335.6. For f. o. b. mine prices to all other destinations in these Market Areas, see last table in this section.

A similar price instruction set forth at the top of the last table in § 335.7, states with respect to the minimum prices listed in that table that:

These prices are based on the lowest published freight origin group rate from Production Group No. 3. Mines in other Production Groups may adjust these f. o. b. mine prices in accordance with the schedule of delivered differentials shown in § 335.6.

Since the minimum prices listed in the last two tables in § 335.7 apply only to shipments of coals originating in Production Group 3, and in some few instances Production Group 2, the minimum prices for mines in other production groups have heretofore been computed in accordance with the schedule of delivered differentials shown in § 335.6, as authorized by the special price instructions set forth above. However, in view of the wording of price instruction (11) (iv), as modified by the order entered in Docket Nos. A-56 and A-59 on August 4, 1942 (7 F.R. 6065), the question has arisen as to whether or not mines in production groups, other than Production Group No. 3, in District No. 15, in the absence of listed f. o. b. mine prices into specifically named market areas in the State of Iowa, may continue to compute minimum prices pursuant to the authority granted in the special price instructions.

The modification of price instruction (11) (iv) in § 335.1, effected by the order entered in Docket Nos. A-56 and A-59, on August 4, 1942, was in no way intended to limit or restrict the computation of minimum prices for the coals of mines in production groups other than Production Group No. 3, when for shipment by rail to destinations in the State of Iowa. No reference is made in the above-mentioned order to the special price instructions appearing at the top of the last two tables in § 335.7. Nor are such price instructions in any way terminated or modified by that order. However, in view of the possibilities of misinterpretations thereof in the application of minimum prices to District 15 coals, it is deemed advisable to amend and clarify the above-mentioned order to specifically exclude from the provisional portion of price instruction (11) (iv), as modified, shipments of coal moving by rail from production groups in District No. 15 to destinations in Market Areas 47 to 50, 53 to 55, 57, 59, 63 to 66, and 68 in the State of Iowa.

Now, therefore, it is ordered, That the memorandum opinion and order of the Acting Director, entered in the above-mentioned matters on August 4, 1942 (7 F.R. 6065), be, and the same hereby is, amended by the insertion of the following paragraph and accompanying footnote, in lieu of the paragraph designated (3) set forth on page 6067 of said FEDERAL REGISTER:

The maintenance of the delivered differentials as provided above shall be subject to the limitation that the maximum reduction of the schedule price shall not exceed 60 cents: *Provided*,[1] That only those mines in the various production groups for which f. o. b. mine prices are listed into a given market area shall be permitted any absorption privileges. Those production groups not having listed f. o. b. mine prices into a specifically named market area shall be considered "unpriced coals".

Dated: March 1, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3337; Filed, March 1, 1943; 1:17 p. m.]

[1] This proviso does not apply in connection with coals shipped by rail from mines in those production groups in District No. 15, not having listed f. o. b. mine prices to Market Areas 47 to 50, 53 to 55, 59, 63 to 66, and 68 in the State of Iowa.

[1] Filed with the Division of the Federal Register.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1 as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1047—PETROLEUM MATERIAL CONSERVATION

[Conservation Order M-68-c as Amended March 3, 1943]

Whereas the Congress of the United States has declared a "state of war between the United States and the Imperial Japanese Government," and has further adopted joint resolutions "declaring that a state of war exists between" the Government of Germany and the Government of Italy "and the Government and people of the United States"; and

Whereas the prosecution of this war requires the immediate increased use in emergency activities of vast quantities of steel, non-ferrous metals, rubber, and other critical materials; and

Whereas, it is imperative, in the public interest and to prosecute the war effort, to conserve the supply of such materials and direct the distribution thereof into vital emergency operations; and

Whereas, conservation of material by means of the restrictions hereinafter ordered on the use of such material in the marketing of petroleum is necessary in order to maintain the distribution of petroleum and petroleum products to the military and naval forces and to certain essential defense facilities;

Now, therefore, it is ordered, That:

§ 1047.4 *Conservation Order M-68-c*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Marketing" means the operation of all facilities (other than petroleum terminal or terminal storage facilities or marine, rail, pipeline or truck facilities used to transport petroleum) for distributing or dispensing petroleum (excluding natural gas), including without limitation the operation of service stations, substations, bulk plants, warehouses, wholesale depots, or facilities operated by "consumer accounts".

(3) "Petroleum" means petroleum, petroleum products, and associated hydrocarbons including but not limited to natural gas.

(4) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(5) "Structure" means any building, physical construction or portion thereof, used in marketing, but not including equipment used therein.

(6) "Equipment" means dispensing pumps and storage tanks (including skid tanks) having a capacity of more than 65 gallons used in marketing.

(7) "Advertising material" means any material (other than non-metallic material) used for such display or advertising purposes as are incident to marketing.

(8) Subject to subparagraph (10), "maintenance" means the upkeep of a structure or equipment in a sound working condition with a minimum expenditure of material.

(9) Subject to subparagraph (10) "repair" means the restoration of a structure or equipment to a sound working condition when such structure or equipment has been rendered unsafe or unfit for further service by wear and tear, damage, destruction or failure of parts or similar causes.

(10) The terms "maintenance" and "repair" do not include any of the following:

(i) The replacement of an item or part thereof where such replacement is carried on the books as a fixed asset;

(ii) The use of material for the improvement of a structure or equipment through the replacement of material in the existing installation, unless the item or part thereof which is replaced is beyond economic repair or has been rendered unusable by fire or other hazard or natural cause;

(iii) The use of material for additions to or expansion of a structure or equipment;

(iv) The use of material for a purpose which could not properly be charged on the books to "maintenance", "repair", or the equivalent in the established method of bookkeeping.

(11) "Farm" means any plot of land at least 10 acres of which are used for agricultural purposes for profit.

(12) "Supplier" means any person, other than an ultimate consumer, supplying petroleum directly or indirectly.

(c) *Conservation of material used in marketing.* Subject to the exceptions in paragraph (d) hereof, no person shall construct, reconstruct, expand or remodel any structure or install equipment or advertising material, and no person shall construct, equip or locate any tank truck or trailer where such tank truck or trailer is used or is to be used to deliver petroleum into the fuel supply tanks of passenger motor vehicles. Subject to the exceptions in paragraph (d) hereof, no person shall deliver or otherwise supply, or cause to be delivered or otherwise supplied, any material which he knows, or has reason to believe, is intended for such uses.

(d) *Exceptions.* The provisions of paragraph (c) hereof, shall not apply in the following instances:

(1) To any case where material is to be used by a person for the maintenance or repair of any structure or equipment.

(2) To any case where actual physical work of construction, reconstruction expansion, or remodeling of any structure or the installation of equipment or advertising material had commenced prior to January 14, 1942: *Provided*, That such work of construction, reconstruction, expansion, remodeling, or installation must

then have been scheduled for completion and be actually completed on or before May 15, 1942.

(3) To any case where a structure or equipment is to be used exclusively for the official requirements of the armed forces of the United States.

(4) To any case where advertising material which was completely fabricated, but not necessarily assembled, on or before March 30, 1942, is to be installed.

(5) To any case where there occurs a transfer of title to or rights in any structure or equipment, which transfer does not involve the construction, reconstruction, expansion, or remodeling of such structure or the installation of equipment.

(6) To any case where equipment is to be installed as a replacement of equipment the repair of which cannot be effected on the premises: *Provided*, That: (i) in the case of storage tanks having a capacity of more than 65 gallons, the capacity of the tank which is to be installed does not exceed the capacity of the tank which is to be replaced; (ii) in the case of dispensing pumps, the pump which is to be installed is of the same type and design as the pump which is to be replaced.

(7) To any case (i) where any used dispensing pump is to be installed as a replacement of a dispensing pump which was manufactured not less than nine years prior to the date of such installation and which is beyond economic repair; (ii) where any dispensing pump, which was not removed from the stock of the manufacturer of such pump subsequent to November 1, 1942, is to be installed as a "drum" or "barrel" pump as these terms are known to the trade; (iii) where any used dispensing pump is to be installed at any location from which such dispensing pump had been previously removed for safekeeping or is to be installed as a replacement of a pump of the same type and design which had been removed from such location for safekeeping: *Provided*, That any person installing a dispensing pump pursuant to this subparagraph shall keep a record showing the date and location of the removal, the type and design of the pump removed, the date of the new installation and the type and design of the newly installed pump.

(8) To any case where equipment is to be installed to distribute petroleum to machinery or vehicles used directly in physical construction work on any project having a project rating higher than A-2: *Provided*, That such equipment shall be withdrawn from the location of the project upon the completion thereof and shall thereafter be subject to the provisions of this order.

(9) To any case where equipment is to be installed (i) to contain, distribute or dispense fuel oil classified as grade No. 1, 2, 3, 4, 5 or 6 (including Bunker "C" fuel oil, kerosene, range oil, or gas oils) to stationary consuming facilities: *Provided*, That such equipment is not installed at any structure for use in carrying out marketing functions regularly performed by a service station, substation, bulk plant, warehouse, or wholesale depot; or (ii) to contain, distribute or dispense butane, propane, propylene, butene or any combination or dilution thereof commonly known as liquefied petroleum gas.

(10) To any case where used equipment which was completely fabricated on or before January 14, 1942 is to be installed on a farm and is used exclusively to dispense petroleum to machinery or vehicles used directly in operations on such farm: *Provided*, (i) That no supplier shall have any interest, legal or equitable, in such equipment and that no restrictions, other than those required by law, are imposed directly or indirectly on the use of such equipment by oral or written contract, agreement, understanding or by any means or device whatsoever whereby the use of such equipment is limited to the dispensing of petroleum of any supplier or suppliers; and (ii) That any person for whom such equipment is installed shall return any drums (of not less than 42 gallons capacity used for containing petroleum on such farm) owned by a supplier to such supplier and shall offer any other drums (of not less than 42 gallons capacity used for containing petroleum on such farm) for sale to suppliers at a price not exceeding the maximum price prescribed for such drums by the Office of Price Administration.

(11) To any case where the Director General for Operations has determined that the construction, reconstruction, expansion or remodeling of any structure, the installation of equipment or advertising material, or the equipping or locating of any tank truck or trailer is necessary and appropriate in the public interest and to promote the war effort. Application for such a determination shall be made by letter and filed with the District Director of Marketing, Office of Petroleum Coordinator for War at:

(i) 122 East 42nd Street, New York, New York, if the material is to be used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, or Florida, or the District of Columbia.

(ii) Suite 1336, 120 South LaSalle Street, Chicago, Illinois, if the material is to be used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(iii) 245 Mellie Esperson Building, Houston, Texas, if the material is to be used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(iv) 320 First National Bank Building, Denver, Colorado, if the material is to be used in the States of Montana, Wyoming, Colorado, Utah or Idaho.

(v) 855 Subway Terminal Building, Los Angeles, California, if the material is to be used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

Information to be submitted in such application shall be in accordance with OPC Form PD-215 (Revised), issued by the Office of Petroleum Coordinator for War.

(e) *Required certification.* Any person, acquiring any material for use in the construction, reconstruction, expansion, or remodeling of any structure or any equipment or advertising material for installation purposes, shall endorse on all copies of each purchase order or contract for such material which are placed with any person, a statement in the following form signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

> The material which is ordered in this purchase order (or contract) is to be used in conformity with the provisions of Conservation Order No. M-68-c, as amended, with the terms of which order the undersigned is familiar.
>
> ---
> Name of person
>
> By ---
> Signature of duly authorized official

Such endorsement shall constitute a representation to the War Production Board and the person with whom the purchase order or contract is placed that the material obtained under such purchase order or contract will be used in accordance with the provisions of this order. Such person shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. No person shall, in the absence of such endorsement, deliver or otherwise supply, or cause to be delivered or otherwise supplied, any material which he knows, or has reason to believe, is intended for uses restricted by paragraph (c) of this order.

(f) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to any Department or agency of the United States in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(g) *Revocation or amendment.* This order may be revoked or amended at any time as to any person. In the event of revocation, deliveries shall be made in accordance with the provisions of any applicable preference rating order without further restrictions, unless such deliveries have been specifically restricted.

(h) The provisions of this order shall be applicable to deliveries of material by any person located in the United States, its territories and possessions to any other person located in the United States, its territories and possessions, but not elsewhere. The provisions of this paragraph supersede Interpretation No. 1 of this order, issued February 7, 1942.

(i) *Administration of order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may extend, amend, modify or revoke Conservation Order M-68-c (§ 1047.4), as such order may have been amended from time to time; and may take such measures with respect to any exception to such order as he may deem necessary or appropriate; and may take such measures as he may deem necessary or appropriate with respect to any violation accrued or incurred under such order.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3365; Filed, March 3, 1943; 11:33 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Schedule II to Limitation Order L-42, as Amended March 3, 1943]

GREY CAST IRON, MALLEABLE IRON AND BRASS AND BRONZE PIPE FITTINGS—SIMPLIFICATION

§ 1076.3 *Schedule II to Limitation Order L-42*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, processes or fabricates pipe fittings.

(2) "Pipe fitting" means any threaded or flanged pipe fitting made from grey cast iron, malleable iron, brass or bronze, except:

(i) Those known as hydraulic or high pressure pipe fittings;

(ii) Those known as cast or forged steel fittings; or

(iii) Those known as brazed or soldered brass or bronze fittings, whether screwed or flanged at any outlet.

(b) *Simplified practices.* Pursuant to Limitation Order No. L-42 the sizes and types set forth in the Appendix hereto are hereby established for grey cast iron, malleable iron and brass or bronze pipe fittings.

(c) *Effective date of simplified practices; exceptions.* On and after March 1, 1942, no grey cast iron, malleable iron or brass or bronze pipe fittings which do not conform to the sizes and standards established by paragraph (b) hereof (and set forth in the Appendix hereto) shall be produced or delivered by any producer or accepted by any person from any such producer, except with the express permission of the Director General for Operations: *Provided, however*, That the foregoing shall not prohibit the delivery by any producer of such pipe fittings as were in his stock in finished form on March 1, 1942 or which had, on said date, been cast, machined or otherwise processed in such manner that their manufacture in conformity with this Schedule would be impractical, nor the receipt of such pipe fittings from such producer: *Provided further*, That the foregoing restrictions shall not apply to any grey cast iron, malleable iron and brass and bronze pipe fittings produced under specific contract or subcontract for use as part of the equipment of vessels other than pleasure craft or of air craft.

(d) *Records covering excepted pipe fittings.* Each producer shall retain in his files records showing his inventory of excepted pipe fittings (by types and sizes) as of March 1, 1942, and such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX TO SCHEDULE II, LIMITATION ORDER L-42, PLUMBING AND HEATING DIVISION, WAR PRODUCTION BOARD

NOTE: (1) *Abbreviations.* SWP stands for steam working pressure; WWP, for water working pressure.

(2) *Sizes.* The fittings listed herein are designated by the nominal pipe size of the pipe with which the fittings are intended to be used. All dimensions are in inches. Reducing tees, three-way reducing elbows, and reducing Y branches, are designated by size in the following order: (1) largest size on the run, (2) opposite size, (3) size of outlet or inlet. Reducing double Y branches are designated by (1) size of run openings, and (2) size of inlets. The last size given for circulating boiler fittings is the inside opening of the boiler end of the fitting. In the case of fittings with side outlets the size of the outlet is given last. The second dimension given for flanges is the outside diameter of the flange.

(3) *Threads.* All fittings have right hand threads, except where otherwise specified.

(4) *Column Markings.* Where columnar spaces are provided, an X in the applicable box indicates that the size specified in the heading is to be retained.

TABLE 1. GREY CAST IRON PIPE FITTINGS—STRAIGHT

[For reducing and other fittings identified by two or more dimensions see table 2]

Kind	Nominal Pipe size																
	⅛	¼	⅜	½	¾	1	1¼	1½	2	2½	3	3½	4	5	6	8	10
SCREWED FITTINGS																	
125 lb SWP, Standard																	
90° elbows		X	X	X	X	X	X	X	X	X	X	X	X	X	X		
90° elbows, right and left hand					X	X	X	X	X								
45° elbows, pitched					X	X	X	X									
45° elbows		X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Tees		X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Crosses					X	X	X	X	X	X	X	X	X	X	X		
45° Y bends					X	X	X	X	X	X	X	X	X	X	X		
Caps				X	X	X	X	X	X	X	X	X	X	X	X		
Flange unions, standard, gasket type				X	X	X	X	X	X	X	X	X	X	X	X		
250 lb SWP, short pattern:																	
90° elbows		X	X	X	X	X	X	X	X	X	X	X	X	X	X		
45° elbows				X	X	X	X	X	X	X	X	X	X	X	X		
Tees		X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Plugs, bushings, locknuts, and floor flanges (see table 5)																	
Drainage fittings																	
90° elbows								X	X	X	X	X	X	X	X		
90° elbows, long turn								X	X	X	X	X	X	X	X		
90° elbows, extra long turn								X	X	X	X	X					
90° elbows, with 2-inch side outlet													X	X	X		
90° elbows, with 2-inch heel outlet													X	X	X		
90° street elbows								X	X	X	X	X	X	X	X		
60° elbows								X	X	X	X	X	X	X	X		
45° elbows								X	X	X	X	X	X	X	X		
45° elbows, long turn								X	X	X	X	X	X	X	X		
45° street elbows								X	X	X	X	X	X	X	X		
22½° elbows								X	X	X	X	X	X	X	X		
11¼° elbows								X	X	X	X	X	X	X	X		
Three-way elbows								X	X	X	X	X	X	X	X		
Tees								X	X	X	X	X	X	X	X		
Basin tees								X	X	X	X	X	X	X	X		
90° Y branches, tee pattern								X	X	X	X	X	X	X	X		
90° Y branches, long turn, tee pattern								X	X	X	X	X	X	X	X		
90° double Y branches, tee pattern								X	X	X	X	X	X	X	X		
90° double Y branches, long turn, tee pattern								X	X	X	X	X	X	X	X		
45° Y branches								X	X	X	X	X	X	X	X		
45° double Y branches								X	X	X	X	X	X	X	X		
P traps								X	X	X	X	X	X	X	X		
Bath P traps								X	X	X	X	X	X	X	X		
Running traps								X	X	X	X	X	X	X	X		
Roof connections								X	X	X	X	X	X	X	X		
Tucker connections								X	X	X	X	X	X	X	X		
Couplings								X	X	X	X	X	X	X	X		
	1¼	1½	2	2½	3	3½	4	5	6	8	10	12	14	16	18	20	24
FLANGED FITTINGS																	
125 lb SWP:																	
90° elbows		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
90° elbows, long radius			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
90° base elbows, square or round base			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
45° elbows		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Side outlet elbows			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Tees, standard or regular sweep		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Crosses			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
45° laterals			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
250 lb SWP:																	
90° elbows			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
90° base elbows, round base			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
45° elbows			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Tees, standard or regular sweep			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Crosses			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
45° laterals			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
STRING-LEE FITTINGS																	
175 lb WWP, American Standard:																	
90° elbows, flanged, screwed					X	X	X	X	X	X	X	X	X	X	X	X	X
Tees, flanged, screwed, screwed					X	X	X	X	X	X	X	X	X	X	X	X	X
Tees, flanged, screwed, flanged					X	X	X	X	X	X	X	X	X	X	X	X	X
125 lb SWP, and 175 lb WWP:																	
90° elbows, short turn, flanged, screwed				X	X	X	X	X	X	X	X	X	X	X	X	X	X
45° elbows, short turn, flanged, screwed				X	X	X	X	X	X	X	X	X	X	X	X	X	X

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC

Screwed, 125 lb SWP Standard

90° reducing elbows

Right hand	
[illegible]	[illegible]

Pitcher

[illegible]	[illegible]

Reducing tees

[illegible]	[illegible]

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

Screwed, 125 lb SWP, Standard—Continued

Reducing tees—Continued

4 x 1¼ x 4	6 x 6 x 4
4 x 1½ x 4	6 x 6 x 3
4 x 1 x 4	6 x 6 x 2½
3 x 3 x 4	6 x 6 x 2
2½ x 2½ x	6 x 6 x 1½
2 x 2 x 1	6 x 6 x 1¼
5 x 5 x 4	6 x 6 x 1
5 x 5 x 3	6 x 5 x 5
5 x 5 x 2½	6 x 5 x 4
5 x 5 x 2	6 x 5 x 3
5 x 5 x 1½	6 x 5 x 2½
5 x 5 x 1¼	6 x 5 x 2
5 x 5 x 1	6 x 4 x 6
5 x 4 x 5	6 x 4 x 5
5 x 4 x 4	6 x 4 x 4
5 x 2 x 5	6 x 3 x 6
4 x 4 x 5	6 x 2½ x 6
6 x 6 x	6 x 2 x 6

5 x 5 x 6	8 x 8 x 5
4 x 4 x 6	8 x 8 x 4
8 x 8 x 6	6 x 6 x 8

Reducers—concentric

¾ x 1	3 x 2½
1 x ¾	3 x 2
1 x 1½	4 x 3
1¼ x 1	4 x 2½
1½ x 1¼	4 x 2
2 x 1½	5 x 4
2 x 1¼	6 x 5
2 x 1	6 x 4
2½ x 2	8 x 6

Return bends

Close pattern, right hand		Open pattern				Wide pattern, right hand	
		Right hand		Right and left			
Size	Center to center	Size	Center to center	Size	Center to center	Size	Center to center
½	1¼	¾	1¾	1	2½	1	3
¾	1½	1	2	1¼	3	1¼	4
1	1¾	1¼	2½	1½	3½	1½	4½
1¼	2¼	1½	3	2	4½	2	6
1½	2½	2	3½	2½	5½	2½	6½
2	3¼	2½	4	3	6½		

Screwed flanges and blind flanges

1 x 4¾	6 x 11
1¼ x 4¾	8 x 13
1½ x 5	10 x 16
2 x 6	12 x 19
2½ x 7	14 x 21
3 x 7½	16 x 23½
3½ x 8½	18 x 25
4 x 9	20 x 27½
5 x 10	24 x 32

Reducing screwed flanges

1 x 5	3 x 10
1 x 6	4 x 10
1¼ x 6	2 x 11
1½ x 6	2½ x 11
1½ x 7	3 x 11
2 x 7	4 x 11
1½ x 7½	5 x 11
2 x 7½	3 x 13½
2½ x 7½	4 x 13½
3 x 8½	5 x 13½
1½ x 9	6 x 13½
2 x 9	4 x 16
2½ x 9	8 x 16
3 x 9	8 x 19
3½ x 9	10 x 19

Screwed, 250 lb SWP, Short Pattern

Reducing tees

¾ x ¾ x ½	1½ x 1½ x 1
1 x 1 x ¾	1½ x 1½ x ¾
1 x 1 x ½	2 x 2 x 1½
1¼ x 1¼ x 1	2 x 2 x 1¼
1¼ x 1¼ x ¾	2 x 2 x 1
1¼ x 1¼ x ½	2 x 2 x ¾

Screwed flanges and blind flanges

1½ x 6⅜	5 x 11
2 x 6½	6 x 12½
2½ x 7½	8 x 15
3 x 8¼	10 x 17½
3½ x 9	12 x 20½
4 x 10	

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

Screwed, 125 lb SWP, Standard—Continued

Reducing tees—Continued

5 x 5 x 6	8 x 8 x 5
4 x 4 x 6	8 x 8 x 4
8 x 8 x 6	6 x 6 x 8

Reducers—concentric

¾ x 1	3 x 2½
1 x ¾	3 x 2
1 x 1½	4 x 3
1¼ x 1	4 x 2½
1½ x 1¼	4 x 2
2 x 1½	5 x 4
2 x 1¼	6 x 5
2 x 1	6 x 4
2½ x 2	8 x 6

Screwed, 250 lb SWP, Short Pattern—Continued

Reducing screwed flanges

2 x 8¼	4 x 12½
2½ x 8¼	5 x 12½
3 x 10	6 x 15
4 x 11	

(For iron plugs, bushings, locknuts, and floor flanges see table 5)

Screwed Drainage Fittings

90° reducing elbows

1½ x 1¼	2 x 1¼

Three-way reducing elbows

1¼ x 1¼ x 1½	1¼ x 1½ x 2

Reducing tees

1½ x 1½ x 1¼	3 x 3 x 2
1½ x 1¼ x 1¼	3 x 3 x 1½
2 x 2 x 1¼	4 x 4 x 3
2½ x 2½ x	4 x 4 x 2

90° reducing Y branches, tee pattern

1½ x 1½ x 1¼	3 x 3 x 1½
1½ x 1¼ x 1¼	3 x 3 x 1¼
2 x 2 x 1½	4 x 4 x 3
2 x 2 x 1¼	4 x 4 x 2
2 x 1½ x 2	4 x 4 x 1½
2 x 1½ x 1¼	5 x 5 x 4
2½ x 2½ x 2	6 x 6 x 5
3 x 3 x 2	6 x 6 x 4

90° reducing Y branches, long turn, tee pattern

1½ x 1½ x 1¼	3 x 3 x 2
2 x 2 x 1½	3 x 3 x 1½
2 x 2 x 1¼	4 x 4 x 3
2½ x 2½ x 2	4 x 4 x 2
2½ x 2½ x	4 x 4 x 1½
3 x 3 x 2½	5 x 5 x 4
3 x 3 x 2	6 x 6 x 5
4 x 4 x 3	6 x 6 x 4
4 x 4 x 2½	8 x 8 x 6
4 x 4 x 2	8 x 8 x 5
5 x 5 x 4	8 x 8 x 4
6 x 6 x 5	6 x 6 x 8
6 x 6 x 4	8 x 8 x 6

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

Screwed Drainage Fittings—Continued

90° reducing double Y branches, tee pattern

1½ x 1¼	3 x 1½
2 x 1½	4 x 2
2 x 1¼	4 x 1½
3 x [illegible]	[illegible]

90° reducing double Y branches, long turn, tee pattern

1½ x 1¼	2 x 1¼
2 x 1½	3 x 2

45° reducing Y branches

1½ x 1½ x 1¼	4 x 4 x 3
2 x 2 x 1½	4 x 4 x 2
2 x 2 x 1¼	4 x 4 x 1½
2 x 1½ x 1½	5 x 5 x 4
2½ x 2½ x 1½	6 x 6 x 5
3 x 3 x 2½	6 x 6 x 4
3 x 3 x 2	8 x 8 x 6
4 x 4 x 3	8 x 8 x 4

45° reducing double Y branches

[illegible]	3 x 2

Reducing tees

[illegible]	4 x 2½ x 3″
[illegible]	4 x 2 x 3½″
[illegible]	3½ x 3½ x 4″
[illegible]	3½ x 3 x 4″
[illegible]	3½ x 2½ x 4″
[illegible]	3½ x 2 x 4″
[illegible]	5 x 5 x 3½″
[illegible]	5 x 4 x 3½″
[illegible]	5 x 4 x 3″
[illegible]	5 x 4 x 2½″
[illegible]	5 x 4 x 2″
[illegible]	5 x 4 x 1½″
[illegible]	5 x 3½ x 5″
[illegible]	5 x 3½ x 4″
[illegible]	5 x 3 x 3″
[illegible]	5 x 3 x 3½″
[illegible]	5 x 2½ x 5″
[illegible]	5 x 2½ x 4″
[illegible]	6 x 1½ x 5″
[illegible]	5 x 1¼ x 5″
[illegible]	4 x 3½ x 5″
[illegible]	4 x 3 x 5″
[illegible]	4 x 2½ x 5″
[illegible]	3½ x 3½ x 5″
[illegible]	3½ x 3 x 5″
[illegible]	3 x 3 x 5″
[illegible]	6 x 6 x 3½″
[illegible]	6 x 5 x 6″
[illegible]	6 x 5 x 3½″
[illegible]	6 x 5 x 1¼″
[illegible]	6 x 3½ x 6″
[illegible]	6 x 3½ x 5″
[illegible]	6 x 3 x 5″
[illegible]	6 x 3 x 4″
[illegible]	6 x 1½ x 6″
[illegible]	6 x 1¼ x 6″
[illegible]	5 x 4 x 6″
[illegible]	5 x 3½ x 6″
[illegible]	4 x 3½ x 6″
[illegible]	8 x 8 x 3½″
[illegible]	8 x 8 x 3″
[illegible]	8 x 8 x 2½″
[illegible]	8 x 8 x 2″
[illegible]	8 x 6 x 6″
[illegible]	8 x 6 x 5″
[illegible]	8 x 6 x 4″
[illegible]	8 x 5 x 5″
[illegible]	8 x 4 x 8″
[illegible]	8 x 2 x 8″
4 x [illegible] x 3½″	6 x 5 x 8″

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

Screwed Drainage Fittings—Continued

Reducing crosses

1¼ x 1¼ x 1 x 1″	3½ x 3 x 2 x 2″
1½ x 1¼ x 1 x 1″	3½ x 3 x 1½ x 1½″
2 x 2 x 1 x 1″	3½ x 3 x 1¼ x 1¼″
2 x 1½ x 1¼ x 1¼″	4 x 4 x 3½ x 3½″
2 x 1½ x 1 x 1″	4 x 4 x 3 x 3″
2½ x 2½ x 2 x 2″	4 x 4 x 2½ x 2½″
2½ x 2½ x 1½ x 1½″	4 x 4 x 2 x 2″
2½ x 2½ x 1¼ x 1¼″	4 x 4 x 1½ x 1½″
2½ x 2½ x 1 x 1″	4 x 4 x 1¼ x 1¼″
2½ x 2 x 2 x 2″	4 x 4 x 1 x 1″
2½ x 2 x 1½ x 1½″	4 x 3½ x 2½ x 1″
2½ x 2 x 1¼ x 1¼″	4 x 3½ x 2 x 2″
2½ x 2 x 1 x 1″	4 x 3½ x 1½ x 1½″
2½ x 1½ x 1½ x 1″	4 x 3½ x 1¼ x 1¼″
2½ x 1½ x 1¼ x 1¼″	5 x 5 x 4 x 4″
3 x 3 x 2½ x 2½″	5 x 5 x 3½ x 3½″
3 x 3 x 2 x 2″	5 x 5 x 3 x 3″
3 x 3 x 1½ x 1½″	5 x 5 x 2½ x 2½″
3 x 3 x 1¼ x 1¼″	5 x 5 x 1½ x 1½″
3 x 3 x 1 x 1″	5 x 5 x 1¼ x 1¼″
3 x 2½ x 2 x 2″	5 x 4 x 2½ x 2″
3 x 2½ x 1½ x 1½″	5 x 5 x 2 x 2″
3 x 2½ x 1¼ x 1¼″	6 x 6 x 4 x 4″
3 x 2½ x 1 x 1″	6 x 6 x 3½ x 3½″
3½ x 3½ x 3 x 3″	6 x 6 x 3 x 3″
3½ x 3½ x 2½ x 2½″	6 x 6 x 2½ x 2½″
3½ x 3½ x 2 x 2″	6 x 6 x 2 x 2″
3½ x 3½ x 1½ x 1½″	6 x 6 x 1½ x 1½″
3½ x 3½ x 1¼ x 1¼″	8 x 8 x 6 x 6″
3½ x 3½ x 1 x 1″	
3½ x 3 x 2½ x 2½″	

Increasers

2 x 1½	4 x [illegible]	6 x 4
3 x 2	5 x 4	
4 x 3	6 x 5	

Flanged, 125 lb SWP

90° reducing elbows

2 x 1½	5 x 3	10 x 6
2½ x 2	6 x 5	12 x 10
3 x 2½	6 x 4	12 x 8
3 x 2	6 x 3	12 x 6
4 x 3	8 x 6	14 x 12
4 x 2½	8 x 5	16 x 12
4 x 2	8 x 4	
5 x 4	10 x [illegible]	

90° reducing elbows, long radius

3 x 2½	6 x 5	10 x 8
3 x 2	6 x 4	12 x 10
4 x 3	8 x 6	
5 x 4	8 x 5	

Taper reducers

2½ x 1½	5 x 2½	12 x 10
3 x 2½	6 x 5	12 x 8
3 x 2	6 x 4	12 x 6
3 x 1½	6 x 3	14 x 12
3½ x 3	6 x 2½	14 x 10
4 x 3½	6 x 2	14 x 8
4 x 3	8 x 6	14 x 6
4 x 2½	8 x 5	16 x 14
4 x 2	8 x 4	16 x 12
5 x 4	10 x 8	16 x 10
5 x 3	10 x 6	

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

Flanged, 125 lb SWP—Continued

Eccentric reducers

3 x 2	6 x 5	12 x 8
4 x 3	6 x 4	12 x 10
5 x 4	8 x 6	

Reducing tees—standard or regular sweep

2 x 2 x 1½	4 x 4 x	8 x 5 x 5
2½ x 2½ x	6 x 6 x 5	8 x 4 x 5
3 x 3 x 2½	6 x 6 x 4	8 x 4 x 6
3 x 3 x 2	6 x 6 x 3	6 x 6 x 8
3 x 3 x 1½	6 x 6 x 2½	10 x 10 x 8
3 x 2½ x 3	6 x 6 x 2	10 x 10 x 6
3 x 2½ x 2½	6 x 5 x 6	10 x 10 x 5
3 x 2 x 3	6 x 5 x 5	10 x 10 x 4
3 x 2 x 2	6 x 5 x 4	10 x 10 x 3
2½ x 2½ x	6 x 4 x 6	10 x 8 x 10
4 x 4 x 3	6 x 4 x 5	10 x 8 x 8
4 x 4 x 2½	6 x 4 x 4	10 x 8 x 6
4 x 4 x 2	6 x 4 x 3	8 x 8 x 10
4 x 4 x 1½	6 x 3 x 6	12 x 12 x 10
4 x 3 x 4	6 x 3 x 5	12 x 12 x 8
4 x 3 x 3	6 x 3 x 4	12 x 12 x 6
4 x 3 x 2	6 x 2 x 6	12 x 12 x 5
4 x 2½ x 4	8 x 8 x 6	12 x 12 x 4
4 x 2½ x 3	8 x 8 x 5	12 x 10 x 12
4 x 2½ x 2½	8 x 8 x 4	12 x 10 x 10
4 x 2 x 4	8 x 8 x 3	12 x 10 x 8
4 x 3 x 4	8 x 8 x 2½	12 x 10 x 6
4 x 3 x 3	8 x 6 x 8	12 x 8 x 12
4 x 3 x 2	8 x 6 x 5	12 x 8 x 8
4 x 2½ x 4	8 x 6 x 4	12 x 8 x 6
4 x 2½ x 3	8 x 6 x 3	10 x 10 x 12
4 x 2½ x 2½	8 x 5 x 8	10 x 10 x 8
4 x 2 x 4	8 x 5 x 6	10 x 10 x 6
4 x 2 x 3	8 x 5 x 5	10 x 10 x 5
4 x 2 x 2	8 x 5 x 4	10 x 10 x 4
5 x 4 x 3	8 x 4 x 8	10 x 8 x 10
5 x 4 x 2½	8 x 4 x 6	10 x 8 x 8
5 x 3 x 3	8 x 4 x 5	10 x 8 x 6
	8 x 4 x 4	8 x 8 x 12
	8 x 4 x 2½	8 x 8 x 10
	8 x 4 x 1	8 x 8 x 8
	8 x 3 x 8	8 x 8 x 6
	8 x 3 x 6	8 x 6 x 12
	8 x 3 x 5	8 x 6 x 10
	8 x 3 x 4	8 x 6 x 8
	8 x 3 x 3	8 x 6 x 6
	8 x 3 x 2½	8 x 6 x 5

Flanged, 250 lb SWP

90° reducing elbows

2½ x 2	5 x 3	8 x 4
3 x 2½	6 x 5	10 x 8
4 x 3	6 x 4	10 x 6
4 x 2½	8 x 6	10 x 5
5 x 4	8 x 5	

Taper reducers

2½ x 2	5 x 4	8 x 5
3 x 2½	6 x 5	8 x 4
4 x 3	6 x 4	10 x 8
4 x 2½	6 x 3	10 x 6
4 x 2	6 x 2½	10 x 5
5 x 4	6 x 2	10 x 4
5 x 3	8 x 6	

Reducing tees—standard or regular sweep

2½ x 2½ x 2	5 x 5 x 2½	8 x 8 x 2
2½ x 2 x 2	5 x 5 x 2	8 x 6 x 8
3 x 3 x 2½	5 x 4 x 5	8 x 6 x 6
3 x 3 x 2	5 x 4 x 4	10 x 10 x 8
3 x 2½ x 3	6 x 6 x 5	10 x 10 x 6
3 x 2½ x 2½	6 x 6 x 4	10 x 10 x 5
3 x 2 x 3	6 x 6 x 3	10 x 10 x 4
3 x 2 x 2	6 x 6 x 2½	10 x 8 x 10
4 x 4 x 3	6 x 6 x 2	10 x 8 x 8
4 x 4 x 2½	6 x 5 x 6	10 x 8 x 6
4 x 4 x 2	6 x 5 x 5	10 x 8 x 5
4 x 3 x 4	8 x 8 x 6	10 x 5 x 10
4 x 3 x 3	8 x 8 x 5	10 x 5 x 8
4 x 3 x 2	8 x 8 x 4	10 x 5 x 6
5 x 5 x 4	8 x 8 x 3	10 x 5 x 5
5 x 5 x 3	8 x 8 x 2½	8 x 8 x 12
		8 x 8 x 10
		8 x 8 x 8
		8 x 8 x 6
		8 x 6 x 12
		8 x 6 x 10
		8 x 6 x 8
		8 x 6 x 6
		8 x 6 x 5
		8 x 5 x 12
		8 x 5 x 10
		8 x 5 x 8
		8 x 5 x 6
		8 x 5 x 5
		8 x 4 x 12
		8 x 4 x 10
		8 x 4 x 8
		8 x 4 x 6
		8 x 4 x 5
		8 x 4 x 4
		8 x 3 x 12
		8 x 3 x 10
		8 x 3 x 8
		8 x 3 x 6
		8 x 3 x 5
		8 x 3 x 4
		8 x 3 x 3
		8 x 2½ x 12
		8 x 2½ x 10
		8 x 2½ x 8
		8 x 2½ x 6
		8 x 2½ x 5
		8 x 2½ x 4
		8 x 2½ x 3
		8 x 2½ x 2½
		8 x 2 x 12
		8 x 2 x 10
		8 x 2 x 8
		8 x 2 x 6
		8 x 2 x 5
		8 x 2 x 4
		8 x 2 x 3
		8 x 2 x 2
		8 x 1½ x 12
		8 x 1½ x 10
		8 x 1½ x 8
		8 x 1½ x 6
		8 x 1½ x 5
		8 x 1½ x 4
		8 x 1½ x 3
		8 x 1½ x 2
		8 x 1½ x 1½
		8 x 1 x 12
		8 x 1 x 10
		8 x 1 x 8
		8 x 1 x 6
		8 x 1 x 5
		8 x 1 x 4
		8 x 1 x 3
		8 x 1 x 2
		8 x 1 x 1½
		8 x 1 x 1

TABLE 2A. GREY CAST IRON PIPE FITTINGS

[Table 2A added March 3, 1942]

Lapped Joint, 125 lb. SWP

Lapped joint flanges

2 x 6	5 x 10	14 x 21
2½ x 7	6 x 11	16 x 23½
3 x 7½	8 x 13½	18 x 25
3½ x 8½	10 x 16	20 x 27½
4 x 9	12 x 19	24 x 32

Lapped Joint, 250 lb. SWP

Lapped joint flanges

2 x 6½	5 x 11	14 x 21
2½ x 7½	6 x 12½	16 x 23½
3 x 8¼	8 x 15	18 x 25
3½ x 9	10 x 17½	20 x 30½
4 x 10	12 x 20½	24 x 36

TABLE 3. MALLEABLE IRON PIPE FITTINGS—STRAIGHT

[For reducing and other fittings identified by two or more dimensions see table 4]

Kind	Nominal pipe size																	
	⅛	¼	⅜	½	¾	1	1¼	1½	2	2½	3	3½	4	5	6	8	10	12
FITTINGS																		
150 lb SWP, standard, banded																		
90° elbows	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
90° street elbows	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
45° elbows	x	x	x	x	x	x	x	x	x	x	x	--	x	---	---	---	---	---
45° street elbows	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
Tees		x	x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
Service tees			x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
Crosses		x	x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
45° Y bends				x	x	x	x	x	x	x	x	x	x	---	---	---	---	---
Couplings		x	x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
Couplings, right and left				x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
Caps		x	x	x	x	x	x	x	x	x	x	x	x	x	x	---	---	---
150 lb SWP, standard, plain																		
90° elbows	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Side outlet elbows		x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Tees	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Four way tees		x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Couplings	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Caps	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Extension pieces																		
Drop elbows, female		x	x	x	x	---	---	---	---	---	---	---	---	---	---	---	---	---
Waste nuts	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
250 and 300 lb SWP, including AAR [1]																		
90° elbows		A	A	A	A	A	A	A	A	A	A	A	x	x	x	x	x	x
90° street elbows		x	x	A	A	A	A	A	A	A	A	A	x	x	x	x	x	x
45° elbows		A	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---
45° street elbows				A	A	A	A	A	A	A	A	A	x	x	x	x	x	x
Tees		A	A	A	A	A	A	A	A	A	A	A	x	x	x	x	x	x
Crosses		A	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---
Couplings		A	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---
Caps				A	A	A	A	A	A	A	A	A	---	---	---	---	---	---
Plugs, bushings, locknuts, and floor flanges (see table 5)																		
Rating fittings, ball pattern:																		
90° elbows, right hand				x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
90° elbows, side outlet, right hand				x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Tees, right hand				x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Tees, right, left, right					x	x	x	x	x	---	---	---	---	---	---	---	---	---
Tees, side outlet, right hand																		
Tees, side outlet, right, left, right; side outlet right					x	x	x	x	x	---	---	---	---	---	---	---	---	---
Crosses, right hand					x	x	x	x	x	---	---	---	---	---	---	---	---	---
Crosses, right, right, right, left						x	x	x	x	---	---	---	---	---	---	---	---	---
Crosses, side outlet, right hand																		
Crosses, side outlet, right, right, right, left; side outlet right hand					x	x	x	x	x	---	---	---	---	---	---	---	---	---
Floor flanges, square, right hand					x	x	x	x	x	---	---	---	---	---	---	---	---	---
Ornaments, ball, male, right hand					x	x	x	x	x	---	---	---	---	---	---	---	---	---
Ornaments, ball, male, left hand					x	x	x	x	x	---	---	---	---	---	---	---	---	---
Ornaments, ball, female, right hand																		
GROUND JOINT UNIONS AND UNION FITTINGS																		
150 lb SWP																		
Unions, female		x	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---
Unions, male and female		x	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---
90° elbows with female union		x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
90° elbows with male union		x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Tees with female union on run		x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
Tees with male union on run																		
200 lb SWP																		
90° elbows with female union		x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
90° elbows with male union		x	x	x	x	x	x	x	x	---	---	---	---	---	---	---	---	---
250 lb SWP																		
Unions, female		x	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---
Unions, male and female		x	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---
300 lb SWP, including AAR unions and union fittings [2]																		
Unions, female	x	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
Unions, male and female		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
90° elbows with female union		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
90° elbows with male union		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
45° elbows with female union		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
45° elbows with male union		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
Tees with female union on run		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
Tees with male union on run		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
Tees with female union on outlet		A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
Tees with male union on outlet																		
GASKET-TYPE UNIONS AND UNION FITTINGS																		
150 lb SWP																		
Unions, female		x	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---
90° elbows with female union		x	x	x	x	x	x	x	x	x	x	---	---	---	---	---	---	---
THREE-PART FLANGE UNIONS [3]																		
200 lb SWP																		
Unions, female	---	---	---	---	---	---	---	---	---	---	---	---	---	x	x	x	x	---
300 lb SWP																		
Unions, female	---	---	---	---	---	---	x	x	x	x	x	x	x	x	x	---	---	---

[1] Sizes ¼ to 6 inches, inclusive are for 300 lb. SWP, sizes 8 to 12 inches, inclusive, for 250 lb SWP.
Sizes identified by a capital A may be made to conform with specifications of the Association of American Railroads.
[2] A flange union with a separate bolting ring on one half to facilitate alignment of the bolt holes.

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.

150 lb SWP, Standard, Banded

90° reducing elbows

¼ x ⅛	1¼ x ½
⅜ x ¼	1½ x 1¼
⅜ x ⅛	1½ x 1
½ x ⅜	1½ x ¾
½ x ¼	2 x 1½
¾ x ½	2 x 1¼
¾ x ⅜	2 x 1
¾ x ¼	2½ x 2
1 x ¾	2½ x 1½
1 x ½	3 x 2½
1 x ⅜	3 x 2
1¼ x 1	4 x 3
1¼ x ¾	

90° reducing street elbows

½ x ⅜	1½ x 1¼
¾ x ½	1½ x 1
1 x ¾	1½ x ¾
1¼ x 1	2 x 1½
1¼ x ¾	

Reducing tees

¼ x ¼ x ⅛	1½ x 1¼ x ½
¼ x ¼ x ⅜	1½ x 1 x 1½
⅜ x ⅜ x ¼	1½ x 1 x 1¼
⅜ x ⅜ x ⅛	1½ x 1 x 1
½ x ¼ x ¼	1½ x ¾ x 1½
½ x ¼ x ⅜	1½ x 1½ x 1½
½ x ½ x ¼	1¼ x 1¼ x 1½
½ x ½ x ⅜	1 x 1 x 1½
½ x ½ x ⅛	2 x 2 x 1½
¾ x ¼ x ½	2 x 2 x 1¼
¾ x ¾ x ¼	2 x 2 x 1
¾ x ¾ x ⅜	2 x 2 x ¾
¾ x ¾ x ⅛	2 x 2 x ½
¾ x ½ x ½	2 x 1½ x 2
¾ x ½ x ¼	2 x 1½ x 1¼
¾ x ½ x ⅜	2 x 1¼ x 2
¾ x ½ x ⅛	2 x 1¼ x 1¼
1 x 1 x ½	2 x 1 x 2
1 x 1 x ¾	2 x ¾ x 2
1 x 1 x ½	2 x ½ x 2
1 x 1 x ¼	1½ x 1½ x 1
1 x ¾ x 1	1¼ x 1¼ x 2
1 x ¾ x ¾	1 x 1 x 2
1 x ¾ x ½	2½ x 2½ x 2
1 x ¾ x ¼	2½ x 2½ x 1½
1 x ½ x 1	2½ x 2½ x 1¼
1 x ½ x ¾	2½ x 2½ x ¾
1 x ½ x ½	2½ x 2 x 2½
¾ x ¾ x 1	2½ x 2 x 2
1¼ x 1¼ x 1	2½ x 1½ x 2½
1¼ x 1¼ x ¾	2½ x 1½ x 2
1¼ x 1 x ¾	2 x 2 x 2½
1¼ x 1 x 1¼	3 x 3 x 2½
1¼ x ½ x 1	3 x 3 x 2
1¼ x ½ x ¾	3 x 3 x 1½
1¼ x ½ x ½	3 x 3 x 1¼
1¼ x ¼ x ½	3 x 3 x 1
1¼ x ¾ x ¼	3 x 3 x ¾
1¼ x ¾ x 1	3 x 2½ x 2½
1¼ x ¾ x ¾	3 x 2½ x 2
1¼ x ½ x 1¼	3 x 2 x 3
1¼ x ½ x 1	3 x 2 x 2
1¼ x ½ x ¾	2½ x 2½ x
1 x 1 x 1½	4 x 4 x 3
1¼ x ¾ x 1¼	4 x 4 x 2½
1½ x 1½ x 1¾	4 x 4 x 2
1½ x 1½ x 1	4 x 4 x 1½
1½ x 1¼ x ¾	4 x 3 x 4
1½ x 1¼ x 1½	3 x 3 x 4
1½ x 1¼ x 1¼	6 x 6 x 4
1½ x 1¼ x 1	6 x 6 x 3
1½ x 1¼ x ¾	6 x 6 x 2

Reducing service tees

1 x 1 x ¾	1½ x 1¼ x 1½
1¼ x 1 x 1¼	1½ x 1 x 1½
1¼ x 1 x 1	2 x 2 x 1
1¼ x ¾ x 1¼	2 x 1½ x 2
1 x 1 x 1¼	

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

150 lb SWP, Standard, Banded—Continued

Reducers

¼ x ⅛	1 x ⅜
⅜ x ¼	1 x ½
⅜ x ⅛	1¼ x 1
½ x ⅜	1¼ x ¾
½ x ¼	1¼ x ½
½ x ⅛	1½ x 1¼
¾ x ½	1½ x 1
¾ x ⅜	1½ x ¾
¾ x ¼	1½ x ½
1 x ¾	2 x 1½
1 x ½	2 x 1¼

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

150 lb SWP, Standard, Banded—Continued

Reducers—Continued

2 x 1	3 x 1
2 x ¾	3½ x 3
2 x ½	3½ x 2½
2¼ x 2	3½ x 2
2½ x 1½	4 x 3½
2½ x 1¼	4 x 3
2½ x 1	4 x 2½
3 x 2½	4 x 2
3 x 2	4 x 1½
3 x 1½	5 x 4
3 x 1¼	6 x 4

Return bends

Close pattern		Medium pattern		Open pattern	
Size	Center to center	Size	Center to center	Size	Center to center
⅜	1	½	1¼	½	1½
½	1¼	¾	1½	¾	2
¾	1½	1	1¾	1	2½
1	1¾	1¼	2¼	1¼	3
1¼	2¼	1½	2½	1½	3½
1½	2½	2	3	2	4
2	3			2½	4½
				3	5
				4	6

150 lb SWP, Standard, Plain

Reducers

¼ x ⅛	¾ x ¼
⅜ x ¼	1 x ¾
⅜ x ⅛	1 x ½
½ x ⅜	1 x ¾
½ x ¼	1¼ x 1
½ x ⅛	1¼ x ¾

300 lb SWP, Including AAR Sizes [1]

90° reducing elbows

¼ x ⅛	1¼ x ¾
*⅜ x ¼	*1½ x 1¼
*⅜ x ⅛	*1½ x 1
½ x ⅜	*2 x 1½
*½ x ¼	2 x 1¼
*¾ x ½	*2½ x 2
*1 x ¾	*3 x 2½
*1¼ x 1	

Reducing tees

¼ x ¼ x ⅛	1¼ x 1 x 1
¼ x ¼ x ⅜	1¼ x ¾ x 1¼
⅜ x ⅜ x ¼	*1½ x 1¼ x 1¼
⅜ x ⅜ x ⅛	*1½ x 1½ x 1
½ x ¼ x ½	*1½ x 1½ x ¾
½ x ¼ x ⅜	*1½ x 1½ x 1½
½ x ½ x ¼	*1½ x 1¼ x 1½
½ x ½ x ⅜	*2 x 2 x 1½
½ x ½ x ⅛	*2 x 2 x 1¼
¾ x ¼ x ½	*2 x 2 x 1
¾ x ¾ x ¼	*2 x 2 x ¾
¾ x ¾ x ⅜	*2 x 2 x ½
¾ x ¾ x ⅛	*2 x 1½ x 2
¾ x ½ x ½	*2½ x 2½ x 2
¾ x ½ x ¼	*2½ x 2½ x 1½
¾ x ½ x ⅜	*2½ x 2 x 2½
¾ x ½ x ⅛	*3 x 3 x 2½
1 x 1 x ½	*3 x 3 x 2
1 x 1 x ¾	3 x 3 x 1½
1 x 1 x ½	*3 x 2½ x 3
1 x 1 x ¼	4 x 4 x 3
1 x ¾ x 1	4 x 4 x 2½
1 x ¾ x ¾	4 x 4 x 2
1 x ¾ x ½	
1 x ½ x 1	
1 x ½ x ¾	
1 x ½ x ½	
1¼ x 1 x ¾	
1¼ x 1 x ½	
1¼ x ¾ x 1	
1¼ x ¾ x ¾	
1¼ x ¾ x ½	
1¼ x ½ x ¾	
1¼ x ½ x ½	

[1] Sizes identified by an asterisk (*) may be made to conform with specifications of the Association of American Railroads.

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

300 lb SWP, Including AAR Sizes—Continued

Reducers

*¾ x ⅜	*1½ x ¾
*¾ x ½	*1½ x 1
¾ x ¼	*2 x 1¼
*¾ x ⅛	*2 x 1½
*1 x ½	*2 x 1
*1 x ¾	*2 x ¾
*1 x ¼	*2 x 1½
*1 x ⅛	*2½ x 2
1 x ⅜	2½ x 1½
1 x ½	*3 x 2½
*1¼ x 1	*3 x 2
*1¼ x ¾	*3 x 1½
*1¼ x ½	4 x 3
*1½ x 1¼	4 x 2½
*1½ x 1	4 x 2

Return bends

Size	Center to center
1	1¾
1	2½
1	3
1¼	3
1¼	3½
1¼	4
1½	3½
1½	4
2	4
2	5
2	6

(For plugs, bushings, locknuts and floor flanges see table 5.)

300 lb SWP, Ground Joint Union Fittings and Unions, Including AAR Sizes [1]

Reducing tees with female union on run, and Reducing tees with male union on run

*1 x 1 x ⅜	*1 x 1 x ¾
*1 x 1 x ½	

Air pump unions

*1 x ¾	*2 x 1
*1¼ x 1	*2 x 1¼
*1½ x 1¼	*2 x 1½

Circulating Boiler Fittings—Gasket or Ground Joint Type

90° elbows with unions
90° elbows without unions
Couplings with unions
Couplings without unions

⅛ x ⅛ x 1	¾ x ¾ x 1
¾ x ½ x 1	

TABLE 4A. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.

[Table 4A added March 3, 1943]

Screwed, 125 lb. SWP

Screwed flanges and blind flanges

1 x 4½	3 x 7½	8 x 13½
1¼ x 4⅝	3½ x 8½	10 x 16
1½ x 5	4 x 9	12 x 19
2 x 6	5 x 10	
2½ x 7	6 x 11	

Reducing screwed flanges

1 x 5	1½ x 9	4 x 11
1 x 6	2 x 9	5 x 11
1¼ x 6	2½ x 9	5 x 13½
1½ x 6	3 x 9	4 x 13½
1½ x 7	3½ x 9	5 x 13½
2 x 7	3 x 10	6 x 13½
1½ x 7½	4 x 10	6 x 16
2 x 7½	2 x 11	8 x 16
2½ x 7½	2½ x 11	8 x 19
3 x 8½	3 x 11	10 x 19

Screwed, 250 lb. SWP

Screwed flanges and blind flanges

1½ x 6⅛	3½ x 9	8 x 15
2 x 6½	4 x 10	10 x 17½
2½ x 7⅛	5 x 11	12 x 20½
3 x 8¼	6 x 12½	

TABLE 4A. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

[Table 4A added March 3, 1943]

Reducing screwed flanges

2 x 8¼	4 x 11	6 x 15
2½ x 8¼	4 x 12½	
3 x 10	5 x 12½	

Lapped Joint, 125 lb. SWP

Lapped joint flanges

1 x 4¼	3½ x 8½	12 x 19
1¼ x 4⅝	4 x 9	14 x 21
1½ x 5	5 x 10	16 x 23½
2 x 6	6 x 11	18 x 25
2½ x 7	8 x 13½	20 x 27½
3 x 7½	10 x 16	24 x 32

Lapped Joint, 250 lb. SWP

Lapped joint flanges

1 x 4⅞	3½ x 9	12 x 20½
1¼ x 5¼	4 x 10	14 x 23
1½ x 6⅛	5 x 11	16 x 25½
2 x 6⅝	6 x 12½	18 x 28
2½ x 7¼	8 x 15	20 x 30½
3 x 8¼	10 x 17½	24 x 36

TABLE 5. IRON PLUGS, BUSHINGS, LOCKNUTS AND FLOOR FLANGES

Plugs

Kind	Nominal pipe size													
	1/8	1/4	3/8	1/2	3/4	1	1 1/4	1 1/2	2	2 1/2	3	3 1/2	4	5	6	8
Square head																
Cored				x	x	x	x	x	x	x	x	x	-	---	---	---
Solid	x	x	x	x	x	x	x	x	x	x	x	x	-	---	-	---
Bar																
Cored		-			-			---	-	-	-		x	x	x	x
Solid													x	x	x	x
Countersunk		x	x	x	x	x	x	x	x	x	x	x	x	---	-	---

Hexagon bushings

1 1/4 x 1/8	2 1/2 x 1/2
1/8 x 1/4	2 1/2 x 3/4
3/8 x 1/8	2 1/2 x 1
3/8 x 1/4	3 x 1 1/4
1/2 x 3/8	3 x 1 1/2
1/2 x 1/4	3 x 2
3/4 x 1/2	3 x 2 1/2
3/4 x 3/8	3 1/2 x 2
3/4 x 1/4	3 1/2 x 2 1/2
1 x 3/4	3 1/2 x 3
1 x 1/2	4 x 3
1 x 3/8	4 x 2 1/2
1 1/4 x 1	4 x 2
1 1/4 x 3/4	4 x 1 1/2
1 1/4 x 1/2	4 x 1 1/4
1 1/4 x 3/8	4 x 1
1 1/2 x 1 1/4	5 x 4
1 1/2 x 1	5 x 3
1 1/2 x 3/4	5 x 2 1/2
1 1/2 x 1/2	5 x 2
2 x 1 1/2	6 x 5
2 x 1 1/4	6 x 4
2 x 1	6 x 3 1/2
2 x 3/4	6 x 3
2 x 1/2	6 x 2 1/2
2 x 3/8	6 x 2
2 x 1/4	8 x 6
12 1/2 x 2	8 x 5
2 1/2 x 1 1/4	8 x 4
2 1/2 x 1 1/2	8 x 3 1/2
2 1/2 x 1	8 x 3
2 1/2 x 3/4	

†Malleable iron or steel. Others, cast iron, malleable iron, or steel.

Face bushings

*1/4 x 1/8	12 x 3
3/8 x 1/8	12 x 3 1/2
3/8 x 1/4	12 1/2 x 2
1/2 x 1/8	12 1/2 x 1 1/2
1/2 x 1/4	12 1/2 x 1 1/4
1/2 x 3/8	13 x 2 1/2
3/4 x 1/8	13 x 2
3/4 x 1/4	13 1/2 x 3
3/4 x 3/8	14 x 2 1/2
3/4 x 1/2	14 x 3 1/2
1 x 1/8	14 x 3
1 x 1/4	15 x 2
1 x 3/8	15 x 4
1 x 1/2	15 x 3
1 x 3/4	16 x 5
1 1/4 x 1/2	16 x 4
1 1/4 x 3/4	16 x 3
1 1/4 x 1	18 x
1 1/2 x 1/2	
1 1/2 x 3/4	
1 1/2 x 1	
1 1/2 x 1 1/4	
2 x 1/2	
2 x 3/4	
2 x 1	
2 x 1 1/4	
2 x 1 1/2	

*Malleable iron or steel. Others, cast iron, malleable iron, or steel

Hexagon locknuts

Kind	Nominal pipe size											
	1/4	3/8	1/2	3/4	1	1 1/4	1 1/2	-	2 1/2	3	3 1/2	4
Cast iron	-	x	x	x	x	x	x	x	x	x	---	x
Malleable iron	x	x	x	x	x	x	x	x	---	---	---	---

Round floor flanges

*1/4 x 2 13/16	1 x 4
*3/8 x 3	1 1/4 x 4
1/2 x 3 1/2	1 1/2 x 4 1/2
3/4 x 3 1/2	2 x 5 1/2

*Cast iron. Others, cast iron and malleable iron

Eccentric bushings

1 1/2 x 3/4	2 1/2 x 1 1/4	3 x 1	4 x 2	5 x 2
1 1/4 x 1/2	2 1/2 x 1 1/4	3 x 2 1/2	4 x 1 1/2	6 x 4
1 1/2 x 3/4	2 1/2 x 1	3 1/2 x 2	4 x 1 1/4	6 x 3
1 1/2 x 1/2	2 1/2 x 3/4	3 1/2 x 2 1/2	4 x 1	6 x 2 1/2
2 x 1 1/4	2 1/2 x 1/2	3 1/2 x 1 1/2	5 x 4	6 x 2
2 x 1	3 x 2	3 1/2 x 1 1/4	5 x 3 1/2	
2 x 3/4	3 x 1 1/2	4 x 3	5 x 3	
2 x 1/2	3 x 1 1/4	4 x 2 1/2	5 x 2 1/2	

TABLE 6. BRASS OR BRONZE SCREWED FITTINGS—STRAIGHT

[For reducing and other fittings identified by two or more dimensions see table 7]

Kind	Nominal pipe size											
	1/8	1/4	3/8	1/2	3/4	1	1 1/4	1 1/2	2	2 1/2	3	4
FITTINGS												
125 lb. SWP, standard:												
90° elbows	x	x	x	x	x	x	x	x	x	---	---	---
90° street elbows	x	x	x	x	x	x	x	x	x	x	x	x
45° elbows	x	x	x	x	x	x	x	x	x	---	---	---
45° street elbows	x	x	x	x	x	x	x	x	x	x	x	x
Tees	x	x	x	x	x	x	x	x	x	x	x	x
Crosses	x	x	x	x	x	x	x	x	x	---	---	---
45° Y bends			x	x	x	x	x	x	x	x	x	x
Couplings	x	x	x	x	x	x	x	x	x	x	---	---
Couplings, right and left	x	x	x	x	x	x	x	x	x	x	x	x
Caps		x	x	x	x	x	x	x	x	x	x	---
250 lb. SWP:												
90° elbows	---	---	x	x	x	x	x	x	x	x	x	x
45° elbows	---	---	x	x	x	x	x	x	x	x	x	x
Tees	---	---	x	x	x	x	x	x	x	x	x	x
Crosses	---	---	x	x	x	x	x	x	x	x	x	x
Couplings	---	---										
Plugs, bushings, locknuts, and floor flanges (see table 8)												
UNIONS AND UNION FITTINGS												
125 lb SWP:												
Unions, female	---	x	x	x	x	x	x	x	x	x	---	---
150 lb SWP:												
Unions, female	---	x	x	x	x	x	x	x	x	x	---	---
200 lb SWP:												
Unions, female	x	x	x	x	x	x	x	x	---	---	---	---
Unions, female, octagon end	x	x	x	x	x	x	x	x	---	---	---	---
Union elbows, female	x	x	x	x	x	x	x	---	---	---	---	---
250 lb SWP:												
Unions, female	---	x	x	x	x	x	x	---	---	---	---	---
300 lb SWP:												
Unions, female	---	x	x	x	x	x	x	---	---	---	---	---

TABLE 7. BRASS OR BRONZE SCREWED FITTINGS—REDUCING, ETC.

125 lb SWP, Standard

90° reducing elbows

1/4 x 1/8	1 1/4 x 3/4
3/8 x 1/4	1 1/4 x 1
3/8 x 1/8	1 1/2 x 1
1/2 x 3/8	2 x 1 1/2
1/2 x 1/4	2 x 1 1/4
3/4 x 1/2	2 x 1
1 x 3/4	2 1/2 x 2
1 x 1/2	3 x 2
1 1/4 x 1	4 x 3

Reducing tees

1/4 x 1/4 x 1/8	1 x 1/4 x 1
1/4 x 1/4 x 3/8	1 x 1/4 x 1/2
1/4 x 1/4 x 1/2	1 x 1/4 x 3/4
1/4 x 1/4 x 3/4	1 x 1/4 x 1
1/4 x 1/4 x 1	1 x 1/2 x 1/4
3/8 x 1/8 x 1/4	1 x 1/2 x 3/8
3/8 x 1/4 x 1/8	1 x 1/2 x 1/2
3/8 x 1/4 x 1/4	1 x 1/2 x 3/4
3/8 x 1/4 x 1/2	1 x 1/2 x 1
3/8 x 3/8 x 1/4	1 x 1/2 x 1 1/4
3/8 x 3/8 x 1/2	1 x 3/4 x 1/4
1/2 x 1/4 x 1/8	1 x 3/4 x 3/8
1/2 x 1/4 x 1/4	1 x 3/4 x 1/2
1/2 x 1/4 x 3/8	1 x 3/4 x 3/4
1/2 x 3/8 x 1/4	1 x 3/4 x 1
1/2 x 3/8 x 3/8	1 x 3/4 x 1 1/4
1/2 x 1/2 x 1/4	1 x 1 x 1/4
1/2 x 1/2 x 3/8	1 x 1 x 1/2
3/4 x 1/4 x 1/4	1 x 1 x 3/4
3/4 x 1/4 x 3/8	1 x 1 x 1
3/4 x 1/4 x 1/2	1 x 1 x 1 1/4
3/4 x 3/8 x 1/4	1 x 1 x 1 1/2
3/4 x 3/8 x 3/8	1 1/4 x 1/4 x 1/8
3/4 x 3/8 x 1/2	1 1/4 x 1/4 x 1/4
3/4 x 1/2 x 1/4	1 1/4 x 1/4 x 3/8
3/4 x 1/2 x 3/8	1 1/4 x 1/4 x 1/2
3/4 x 1/2 x 1/2	1 1/4 x 3/8 x 1/4
1/2 x 1/2 x 3/4	1 1/4 x 3/8 x 3/8
1 x 1 x 3/4	1 1/4 x 3/8 x 1/2
1 x 1 x 1/2	1 1/4 x 1/2 x 1/4
1 1/4 x 1 x 3/4	1 1/4 x 1/2 x 3/8
1 1/4 x 1 x 1	1 1/4 x 1/2 x 1/2
1 1/4 x 1 x 1/2	1 1/4 x 3/4 x 1/4
1 1/4 x 1 1/4 x 1	1 1/4 x 3/4 x 3/8
1 1/4 x 1 1/4 x 1/2	1 1/4 x 3/4 x 1/2
1 1/4 x 1 1/4 x 3/4	1 1/4 x 3/4 x 3/4
1 1/2 x 1/2 x 1/4	1 1/4 x 3/4 x 1
1 1/2 x 1/2 x 3/8	1 1/4 x 1 x 1/2
1 1/2 x 1/2 x 1/2	1 1/4 x 1 x 3/4
1 1/2 x 3/4 x 1/4	1 1/4 x 1 x 1
1 1/2 x 3/4 x 3/8	1 1/4 x 1 x 1 1/4
1 1/2 x 3/4 x 1/2	1 1/4 x 1 x 1 1/2
1 1/2 x 3/4 x 3/4	1 1/4 x 1 1/4 x 3/4
1 1/2 x 1 x 1/2	1 1/4 x 1 1/4 x 1
1 1/2 x 1 x 3/4	1 1/4 x 1 1/4 x 1 1/2
1 1/2 x 1 x 1	1 1/2 x 1/2 x 1/4
1 1/2 x 1 x 1 1/4	1 1/2 x 1/2 x 3/8
1 1/2 x 1 1/4 x 1/2	1 1/2 x 1/2 x 1/2
1 1/2 x 1 1/4 x 3/4	1 1/2 x 3/4 x 1/4
1 1/2 x 1 1/4 x 1	1 1/2 x 3/4 x 3/8
1 1/2 x 1 1/4 x 1 1/4	1 1/2 x 3/4 x 1/2
2 x 1/2 x 1/4	1 1/2 x 3/4 x 3/4
2 x 1/2 x 3/8	1 1/2 x 1 x 1/2
2 x 1/2 x 1/2	1 1/2 x 1 x 3/4
2 x 3/4 x 1/4	1 1/2 x 1 x 1
2 x 3/4 x 3/8	1 1/2 x 1 x 1 1/4
2 x 3/4 x 1/2	1 1/2 x 1 x 1 1/2
2 x 3/4 x 3/4	1 1/2 x 1 1/4 x 1/2
2 x 1 x 1/2	1 1/2 x 1 1/4 x 3/4
2 x 1 x 3/4	1 1/2 x 1 1/4 x 1
2 x 1 x 1	1 1/2 x 1 1/4 x 1 1/4
2 x 1 1/4 x 1/2	1 1/2 x 1 1/4 x 1 1/2
2 x 1 1/4 x 3/4	2 x 1/2 x 1/4
2 x 1 1/4 x 1	2 x 1/2 x 3/8
2 x 1 1/4 x 1 1/4	2 x 1/2 x 1/2
2 x 1 1/2 x 1/2	2 x 3/4 x 1/4
2 x 1 1/2 x 3/4	2 x 3/4 x 3/8
2 x 1 1/2 x 1	2 x 3/4 x 1/2
2 x 1 1/2 x 1 1/4	2 x 3/4 x 3/4
2 x 1 1/2 x 1 1/2	2 x 1 x 1/2
2 1/2 x 2 x 1/2	2 x 1 x 3/4
2 1/2 x 2 x 3/4	2 x 1 x 1
2 1/2 x 2 x 1	2 x 1 x 1 1/4
2 1/2 x 2 x 1 1/4	2 x 1 x 1 1/2
2 1/2 x 2 x 1 1/2	2 x 1 1/4 x 1/2
3 x 2 x 1/2	2 x 1 1/4 x 3/4
3 x 2 x 3/4	2 x 1 1/4 x 1
3 x 2 x 1	2 x 1 1/4 x 1 1/4
3 x 2 x 1 1/4	2 x 1 1/4 x 1 1/2
3 x 2 x 1 1/2	2 1/2 x 2 x 1/2
3 x 2 1/2 x 1	2 1/2 x 2 x 3/4
3 x 3 x 1/2	2 1/2 x 2 x 1
3 x 3 x 3/4	2 1/2 x 2 x 1 1/4
3 x 3 x 1	2 1/2 x 2 x 1 1/2
3 x 3 x 1 1/4	3 x 2 x 1/2
3 x 3 x 1 1/2	3 x 2 x 3/4
3 x 3 x 2	3 x 2 x 1
4 x 4 x 3	3 x 2 x 1 1/4
4 x 4 x 2	3 x 2 x 1 1/2

Reducing tees

1/4 x 3/4 x 1/2	1 x 3/4 x 1
3/8 x 3/8 x 1/4	1 x 3/4 x 1 1/4
3/8 x 1/4 x 3/8	1 x 3/4 x 1 1/2
3/8 x 1/4 x 1/2	1 x 1 x 1/2
1/2 x 1/2 x 1/4	1 x 1 x 3/4
1/2 x 1/2 x 3/8	1 x 1 x 1
1/2 x 1/2 x 3/4	1 x 1 x 1 1/4
3/4 x 1/2 x 1/4	1 x 1 x 1 1/2
3/4 x 1/2 x 1/2	1 1/4 x 1 x 3/4
3/4 x 3/4 x 1/2	1 1/4 x 1 x 1
1 x 1 x 3/4	1 1/4 x 1 x 1 1/4
1 x 1 x 1/2	1 1/4 x 1 1/4 x 1/2
1 1/4 x 1 1/4 x 3/4	1 1/4 x 1 1/4 x 3/4
1 1/2 x 1 1/2 x 3/4	1 1/4 x 1 1/4 x 1
1 1/2 x 1 1/2 x 1	1 1/4 x 1 1/4 x 1 1/2
1 1/2 x 1 1/2 x 1 1/4	1 1/2 x 1/2 x 1/4
2 x 2 x 1 1/2	1 1/2 x 1/2 x 3/8
2 x 2 x 1 1/4	1 1/2 x 1/2 x 1/2
2 x 2 x 1	1 1/2 x 3/4 x 1/4
2 x 2 x 3/4	1 1/2 x 3/4 x 3/8
2 x 2 x 1/2	1 1/2 x 3/4 x 1/2
2 1/2 x 2 1/2 x 2	1 1/2 x 3/4 x 3/4
3 x 3 x 2	1 1/2 x 1 x 1/2
	1 1/2 x 1 x 3/4
	1 1/2 x 1 x 1
	1 1/2 x 1 x 1 1/4
	1 1/2 x 1 x 1 1/2
	1 1/2 x 1 1/4 x 1/2
	1 1/2 x 1 1/4 x 3/4
	1 1/2 x 1 1/4 x 1
	1 1/2 x 1 1/4 x 1 1/4
	1 1/2 x 1 1/4 x 1 1/2
	2 x 1/2 x 1/4
	2 x 1/2 x 3/8
	2 x 1/2 x 1/2
	2 x 3/4 x 1/4
	2 x 3/4 x 3/8
	2 x 3/4 x 1/2
	2 x 3/4 x 3/4
	2 x 1 x 1/2
	2 x 1 x 3/4
	2 x 1 x 1
	2 x 1 x 1 1/4
	2 x 1 x 1 1/2
	2 x 1 1/4 x 1/2
	2 x 1 1/4 x 3/4
	2 x 1 1/4 x 1
	2 x 1 1/4 x 1 1/4
	2 x 1 1/4 x 1 1/2
	2 1/2 x 2 x 1/2
	2 1/2 x 2 x 3/4
	2 1/2 x 2 x 1
	2 1/2 x 2 x 1 1/4
	2 1/2 x 2 x 1 1/2
	3 x 2 x 1/2
	3 x 2 x 3/4
	3 x 2 x 1
	3 x 2 x 1 1/4
	3 x 2 x 1 1/2
	3 x 2 1/2 x 1
	3 x 3 x 1/2
	3 x 3 x 3/4
	3 x 3 x 1
	3 x 3 x 1 1/4
	3 x 3 x 1 1/2
	3 x 3 x 2
	4 x 3 x 1/2
	4 x 3 x 3/4
	4 x 3 x 1
	4 x 3 x 1 1/4
	4 x 3 x 1 1/2
	4 x 3 x 2
	4 x 3 x 2 1/2
	4 x 4 x 3

TABLE 7. BRASS OR BRONZE SCREWED FITTINGS—REDUCING, ETC.—Continued

125 lb SWP, Standard—Continued

Reducing tees—Continued

1 1/4 x 1 1/2 x 1	2 x 2 x 1
1 1/2 x 1 1/2 x 3/4	2 x 2 x 1 1/4
1 1/2 x 1 1/2 x 1	2 x 2 x 1 1/2
1 1/2 x 1 1/4 x 1 1/4	2 x 1 1/2 x 2
1 1/2 x 1 1/4 x 1 1/2	2 x 1 1/2 x 1 1/2
1 1/2 x 1 1/4 x 1	1 1/2 x 1 1/2 x 2
1 1/2 x 1 x 1 1/4	2 1/2 x 2 1/2 x 2
1 1/2 x 1 x 1 1/2	2 1/2 x 2 x 2
1 1/4 x 1 x 1	2 x 2 x 2 1/2
1 1/2 x 3/4 x 1 1/2	3 x 3 x 2 1/2
1 1/4 x 1 1/4 x 1 1/2	3 x 3 x 2
2 x 1 1/4	4 x 4 x 3
2 x 1	4 x 4 x 2

Reducers

1/4 x 1/8	1 1/4 x 3/4
3/8 x 1/4	1 1/2 x 1 1/4
3/8 x 1/8	1 1/2 x 1
1/2 x 3/8	1 1/2 x 3/4
1/2 x 1/4	2 x 1 1/2
3/4 x 1/2	2 x 1 1/4
3/4 x 3/8	2 x 1
3/4 x 1/4	2 1/2 x 2
1 x 3/4	3 x 2 1/2
1 x 1/2	3 x 2
1 1/4 x 1	4 x 3

Return bends

Close pattern		Open pattern	
Size	Center to center	Size	Center to center
1/4	1	1/2	1 1/2
3/4	1 1/4	3/4	2
1	1 1/2	1	2 1/2
		1 1/4	3
		1 1/2	3 1/2
		2	4

TABLE 7. BRASS OR BRONZE SCREWED FITTINGS—REDUCING, ETC.—Continued

150 lb SWP

Companion flanges

1 x 4 1/4	2 1/2 x 7
1 1/4 x 3 3/4	3 x 7 1/2
1 1/2 x 5	4 x 9
2 x 6	6 x 11

90° reducing elbows

1/4 x 3/8	1 1/4 x 3/4
3/8 x 1/4	1 1/4 x 1
1/2 x 3/8	1 1/2 x 1
1/2 x 1/4	2 x 1 1/2
3/4 x 1/2	2 x 1 1/4
1 x 3/4	2 x 1
1 x 1/2	2 1/2 x 2
1 1/4 x 1	3 x 2

Reducing tees

1/2 x 1/2 x 3/8	3/4 x 1/2 x 3/4
3/4 x 3/4 x 1/2	1 x 1 x 3/4
3/4 x 3/4 x 3/8	1 x 1 x 1/2
3/4 x 1/2 x 3/4	1 x 3/4 x 1
3/4 x 1/2 x 1/2	1 x 3/4 x 3/4

Reducing tees—Continued

3/4 x 3/4 x 1	1 1/2 x 1 1/4 x 1 1/4
1 1/4 x 1 1/4 x 1	1 1/4 x 1 1/4 x 1
1 1/4 x 1 1/4 x 3/4	1 1/2 x 1 x 1 1/2
1 1/4 x 1 1/4 x 1 1/2	1 1/2 x 1 1/4 x 1 1/2
1 1/4 x 1 x 1 1/4	2 x 2 x 1 1/2
1 1/4 x 1 x 1	2 x 2 x 1 1/4
1 1/4 x 3/4 x 1 1/4	2 x 2 x 1
1 x 1 x 1 1/4	2 x 2 x 3/4
1 1/2 x 1 1/2 x 1 1/4	2 x 2 x 1/2
1 1/2 x 1 1/2 x 1	2 1/2 x 2 1/2 x 2
1 1/2 x 1 1/4 x 1 1/2	3 x 3 x 2

(For plugs, bushings, locknuts and floor flanges see table 8)

TABLE 8. BRASS OR BRONZE PLUGS, BUSHINGS, LOCKNUTS AND FLOOR FLANGES

Plugs

Kind	Nominal pipe size											
	1/4	3/8	1/2	3/4	1	1 1/4	1 1/2	2	2 1/2	3	3 1/2	4
Square head												
Cored			x	x	x	x	x	x	x	x	---	x
Solid	x	x	x	x	x	x	x	x	x	x	---	x
Countersunk			x	x	x	x	x	x	x	x	---	x

Hexagon bushings

1/4 x 1/8	1 1/4 x 3/4
3/8 x 1/4	1 1/2 x 1 1/4
3/8 x 1/8	1 1/2 x 1
1/2 x 3/8	1 1/2 x 3/4
1/2 x 1/4	2 x 1 1/2
3/4 x 1/2	2 x 1 1/4
3/4 x 3/8	2 x 1
3/4 x 1/4	2 x 3/4
1 x 3/4	2 1/2 x 2
1 x 1/2	2 1/2 x 1 1/2
1 x 3/8	2 1/2 x 1 1/4
1 x 1/4	2 1/2 x 1
1 1/4 x 1	3 x 2
1 1/4 x 3/4	3 x 1 1/2
1 1/4 x 1/2	4 x 3

Hexagon bushings—Continued

3 x 1 1/2	4 x 2 1/2
3 x 1 1/4	4 x 2
4 x 3	4 x 1 1/2

Face bushings

3/4 x 1/2	1 x 1/2
3/8 x 1/4	1 1/4 x 1
1/2 x 3/8	1 1/2 x 1 1/4
1/2 x 1/4	2 x 1 1/2
3/4 x 1/4	2 1/2 x 1 1/2
3/4 x 1/2	
1 x 3/4	

Hexagon locknuts

Kind	Nominal pipe size											
	1/8	1/4	3/8	1/2	3/4	1	1 1/4	1 1/2	2	2 1/2	3	4
Locknuts, hexagon	x	x	x	x	x	x	x	x	x	x	x	x

Round floor flanges

1/4 x 2 1/2	1 x 3 5/16
3/8 x 2 1/2	1 1/4 x 4
1/2 x 3	1 1/2 x 4 3/8
3/4 x 3 1/4	2 x 5

[F. R. Doc. 43-3362; Filed, March 3, 1943; 11:32 a. m.]

PART 1125—CASKETS, SHIPPING CASES AND BURIAL VAULTS

[Limitation Order L-64, as Amended March 3, 1943]

Section 1125.1 General Limitation Order L-64, is hereby amended to read as follows:

§ 1125.1 *General Limitation Order L-64*—(a) *Definitions.* For the purposes of this order:

(1) "Casket" means a container in which it is intended to place a human corpse for interment.

(2) "Burial vault" means a container in which it is intended to place a casket containing a human corpse for interment, and shall include burial boxes.

(3) "Shipping case" means a container in which it is intended to place a casket containing a human corpse for shipment and to which handles have been been attached in accordance with railroad shipping regulations.

(4) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not, engaged in the production, upholstering, finishing or lining of caskets, shipping cases or burial vaults or parts made specifically for incorporation into caskets, shipping cases or burial vaults.

(5) "Metal liner" means a metal container which is inserted into a wooden casket in order to provide hermetical sealing.

(6) "Metal" means metal or metallic substances in any form except metallic substances contained in powders, sprays, paints and pastes (see Conservation Orders M-1-g and M-9-c-3).

(7) "Joining hardware" means screws, hinges, nails, tacks, catches, escutcheons, bolts, arms and attaching plates for handles, devices for removable handles and other small hardware for joining and similar essential purposes, but does not include lid (panel) supports, top supports, lid irons to hold the foot lid in place on the ogee, hand hold covers, apron support and throw out devices, lid (panel) braces, eyelets and fasteners for attaching interior linings and corner body braces.

(8) "Handle hardware" means hardware attached to the outside of a casket or shipping case for carrying purposes, but does not include arms and attaching plates for handles, and devices for removable handles.

(9) "Design" means the construction essentials of a casket which distinguish that casket from another casket. For the purposes of this order, two or more

caskets identical in every respect other than species of wood, size, handle hardware, interior linings, upholstery, textile coverings or color of wood finishes shall be considered one design. Two or more caskets identical in every respect but containing different contours of moldings, pilasters or corners shall be considered two or more designs.

(10) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production of caskets.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of caskets, or process, fabricate, work on or assemble any caskets containing any metal, except

(i) Handle hardware for caskets consisting of

(*a*) Assemblies of bars, ears, arms or tips containing antimony, lead, aluminum or zinc which were completely fabricated and assembled prior to March 28, 1942; and

(*b*) Handle arms containing antimonial lead fabricated on or after March 28, 1942 in compliance with the provisions of Conservation Order M–38–c, as amended, or any appeal granted under that order, provided, that not more than three pounds shall be used per casket;

(ii) Nameplates manufactured from secondary antimonial lead weighing not more than 14 ounces; and

(iii) Iron or steel contained in

(*a*) Any part, the manufacture or assembly of which has been specifically authorized by the granting of an appeal from this order, or from any other order provided that such authorization was granted after June 30, 1942;

(*b*) Lid (panel) supports, top supports, lid irons to hold the foot lid in place on the ogee, hand hold covers, apron support and throw out devices, lid (panel) braces, and corner body braces, which were completely fabricated prior to March 3, 1943;

(*c*) Handle hardware for caskets consisting of assemblies of bars, ears, arms and tips which were completely fabricated and assembled prior to September 24, 1942;

(*d*) Joining hardware not exceeding three pounds per casket whether or not the casket contains handle hardware assemblies or antimonial lead handle arms of the types specified in paragraphs (b) (1) (i) and (b) (1) (iii) (*c*) of this order: *Provided*, That not more than one catch each is used on the head lid (panel) and foot of the top of basic or half couch caskets, nor more than two catches are used on hinged top caskets, nor more than one set of spring fasteners are used on a basic casket.

(2) On and after May 1, 1943, no manufacturer shall

(i) Cut a portion out of the body of the casket so as to make a dropside style;

(ii) Cut the ogee top so as to make a full couch style;

(iii) Cut panels on basic and half couch caskets except at center of panel or two inches or less off center of panel in length;

(iv) Use backing strips or filler strips on base moldings;

(v) Attach handles on the ends of a casket;

(vi) Use any interior fitting except what is known as basic or regular, half couch or hinged top fittings; or

(vii) Process or fabricate parts for elliptic end caskets.

(3) On and after May 1, 1943, no manufacturer shall process, fabricate, work on, assemble, finish or upholster any caskets, or parts for caskets, which do not conform to the specifications contained in Schedule A attached to this order, except that plastic caskets produced from molds or forms completed prior to March 3, 1943 need not conform to the specifications on size of caskets contained in Schedule A but shall conform to all other specifications contained in Schedule A.

(4) On and after May 1, 1943, no manufacturer shall process, fabricate, work on or assemble more designs of caskets than the following:

(i) Twelve designs of adult caskets (five feet six inches or more in inside bottom length);

(ii) One design of children's caskets (less than five feet six inches in inside bottom length);

(iii) One additional institution or hospital design (including both children and adults' sizes);

(iv) One design of still born containers; and

(v) Any other designs specifically authorized by the Director General for Operations pursuant to an application for permission to manufacture, fabricate or assemble substitute designs in place of designs produced on or after May 1, 1943.

(c) *Restrictions on production of metal liners.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of metal liners or produce any metal liners containing any metal, except

(i) Lead to be used for gaskets;

(ii) Lead to be used for soldering purposes, provided that such lead shall not contain more than 16% of tin by weight;

(iii) Any iron or steel, the manufacture or assembly of which has been specifically authorized by the granting of an appeal prior to March 3, 1943;

(iv) Not more than fifty pounds per metal liner of iron and steel or galvanized steel not exceeding 26 standard gauge in thickness, provided that any manufacturer who possessed in his inventory prior to March 28, 1942, iron and steel, galvanized steel, terne sheet, or copper bearing steel exceeding 26 standard gauge in thickness may use more than fifty pounds of such steel per metal liner.

(2) No person shall use a metal liner except when hermetical sealing is required

(i) To comply with federal, state or local government laws and regulations for the transportation or interment of a human corpse; or

(ii) In fulfillment of preferred orders.

(3) On and after March 3, 1943, no manufacturer or jobber shall sell or otherwise dispose of a metal liner to any person unless such person furnishes the manufacturer or jobber with a certificate in substantially the following form, manually signed by that person or his authorized agent:

CERTIFICATION

The undersigned purchaser hereby certifies to _____ (name of seller) _____ (address), and to the War Production Board that the metal liners received by reason of this sale will be used by the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration or to comply with federal, state or local government laws and regulations which require hermetic sealing for the transportation or interment of a human corpse.

_____ (Name of Purchaser)

_____ (Address)

By _____ (Signature of Purchaser or duly authorized agent)

_____ (Date)

(d) *Restriction on the production of shipping cases.* (1) Except in fulfillment of preferred orders no manufacturer shall process, fabricate, work on or assemble any metal for use in the production of shipping cases, or process, fabricate, work on or assemble any shipping cases containing any metal except iron and steel in

(i) Joining hardware, provided that the total amount of iron and steel does not exceed two pounds per shipping case; and

(ii) Handle hardware, provided that the total amount of iron and steel does not exceed three and one-half pounds per shipping case.

(2) No manufacturer shall use more than one coat of nitrocellulose lacquer, either spray or brush, on joining hardware or handle hardware for shipping cases.

(3) On and after May 1, 1943, except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any shipping case, or parts for shipping cases, which do not conform to the specifications contained in Schedule A, attached to this Order.

(e) *Restrictions on production of burial vaults.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of burial vaults, or process, fabricate, work on or assemble any burial vaults containing any metal, except

(i) Iron and steel contained in joining hardware, provided that the total amount of iron and steel does not exceed two pounds per burial vault; and

(ii) Iron and steel for reinforcing purposes not exceeding fifteen pounds for a concrete vault made of six or more sections or ten pounds for a concrete vault made of less than six sections, *Provided*, That no manufacturer shall process, fabricate, work on or assemble any concrete burial vault containing any iron or steel for reinforcing purposes after April 30, 1943.

(2) No manufacturer shall use more than one coat of nitrocellulose lacquer, either spray or brush, on joining hardware for burial vaults.

(3) No manufacturer shall procure or acquire any iron and steel for use as reinforcing material in the production of concrete burial vaults except from other manufacturers of concrete burial vaults.

(4) A manufacturer of concrete burial vaults may sell iron and steel for use as reinforcing material in the production of concrete burial vaults to other manufacturers of concrete burial vaults, and any such sale shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(f) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of caskets, metal liners, shipping cases and burial vaults inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of caskets, metal liners, shipping cases and burial vaults as permitted by this order.

(g) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports.* (1) Each manufacturer affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(2) Within 5 days after May 1, 1943, each manufacturer of caskets shall file with the War Production Board a catalogue illustration, photograph, snap shot (post card size) or sketch of each design which he proposes to produce under paragraph (b) (4) showing the casket closed and no lining, except that head lid lining may be shown. Each design shall be identified by the factory catalogue number or other distinguishing identification which may be placed on the reverse side of each illustration submitted, together with the manufacturer's name and address.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any appeal from the provisions of this order must be made on Form PD–500 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington D. C., Ref.: L–64.

(m) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(n) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director, General for Operations limits the use of any material in the production of caskets, metal liners, shipping cases or burial vaults to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Restrictions on size	Maximum dimensions (shown in inches)					Maximum inside dimensions of wood burial vaults and shipping cases used with caskets specified (shown in inches)			Net amount of lumber which may be contained in finished product (shown in board feet)		
	Length		Width		Height						
	Inside bottom edge	Over-all outside length	Inside top edge	Over-all outside width	Over-all outside height	Length	Width	Depth	Casket proper	Burial box	Shipping case
Institution caskets	72	78	22	24¾	16	81	26½	17	46	66	69
Octagon and flaring square caskets without base and rail moldings	72	78	22	24¾	20	81	26½	21	55	71	74
Octagon and flaring square caskets with base and rail moldings	72	80	22	26½	20	84	28½	21	63	73	77
Vertical square caskets	75	80	22	26½	20	84	28½	21	67	73	77

During any calendar quarter a manufacturer may make not more than 10 percent of his total unit production of caskets with dimensions exceeding those specified in this schedule, and a sufficient number of burial vaults and shipping cases to fit such extra size caskets. Burial boxes and shipping cases exceeding these dimensions may be produced for plastic caskets manufactured in accordance with paragraph (b) (3). Extra size caskets, burial vaults and shipping cases may contain an additional net amount of lumber of 21½ board feet for each three inches of additional length, and three board feet for each two inches of additional width.

Extra size caskets may be made in only three designs in addition to an institution or hospital casket design.

	Caskets	Burial vaults and shipping cases
Restrictions on lumber, laminated lumber and plywood.	Not more than 1" thick, except: (1) 1½" for ogee molding provided no backing strips used on ogee. (2) 2" for combined side and base or rail molding.	Not more than 1" thick before milling operations. Not more than 1 thickness of wood on any part. No outside moldings, except: (1) top battens not exceeding 5" in width. (2) corner cleats not exceeding 2½" in width, and (3) 2 skids not exceeding 1" in width and thickness, respectively.
Finishing restrictions	Not more than: One coat of stain. One coat of wood filler, and One coat of sealing primer Not more than: Two coats of varnish or similar coating material for transparent finishes or Two coats of varnish or similar coating material for artificial grain finishes or Two coats of enamel for opaque finishes. Not more than: Two different colors of transparent finishes for each design and Two different colors of opaque finishes for each design Two colors of artificial grain finishes may be used in place of transparent finishes, if desired.	Not more than 1 coat of varnish, paint or similar coating material. No nitrocellulose lacquers
Restrictions on linings and covering materials.	No material for covering or lining a casket which contains silk or wool, except woolen broadcloth with 100% fine noils, waste, reprocessed or reused wool filling and 50% cotton warp. No materials in counter linings (upholstery) except wood wool, excelsior, cotton and cotton fabric. Maximum quantities of lining materials per casket 12 yds. with hinged top fitting, 9 yds. with half couch fitting and 6½ yds. with basic fitting. A manufacturer may increase the amount of yards used in the above fittings by 10% when used in extra size caskets. No rayon lining material in the foot half of basic or half couch caskets. No rayon materials as a bed covering in any casket. No aprons on basic caskets. No plus effects on lids (panels) or ogees on any casket. No foot rolls in any casket	Not Applicable

[F. R. Doc. 43–3363; Filed, March 3, 1943; 11:32 a. m.]

PART 3062—CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

[Conservation Order M-216-a, as Amended March 3, 1943]

§ 3062.2 *Conservation Order M-216-a*—(a) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following described vehicles which have not been sold and delivered under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies, finance agencies or other persons throughout the United States:

(i) Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

(ii) Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor (or any chassis on which a bus body is to be mounted), and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Producer" means any person who manufactures or has in the past manufactured any reserve vehicles, including body builders, and who now or hereafter has any such reserve vehicles in his possession or under his control.

(3) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(4) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(5) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(6) "Finance agency" means any person regularly engaged in the business of financing or making loans on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who now or hereafter has any lien or claim against any such reserve vehicle as security for a loan or other financing arrangement.

(7) "Consumer" means a person who accepts delivery of a reserve vehicle to be put into operation.

(8) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(b) *Establishment of Standard Delivery Operations applicable to reserve vehicles.* The Standard Delivery Operations to be performed on reserve vehicles prior to delivery, set forth in Schedule 1 to this order, and made part hereof, are hereby adopted for the proper conditioning of such vehicles before the same are put into operation.

(c) *Restrictions on delivery of reserve vehicles.* On and after March 15, 1943, no producer, distributor, dealer, sales agency, finance agency, or other person having possession of a reserve vehicle may make delivery of the same to a consumer without first performing on such vehicle all of the Standard Delivery Operations set out in Schedule 1 to this order. In no case may any such vehicle be operated under its own power until the Standard Delivery Operations numbered 1 to 13 inclusive have been performed upon it, or towed until Standard Delivery Operations numbered 1 and 2 have been performed on it.

(d) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: Order M-216a.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE 1—STANDARD DELIVERY OPERATIONS FOR RESERVE VEHICLES

[Schedule 1, amended March 3, 1943.]

The Standard Delivery Operations set out in this Schedule 1 are established in order that new passenger automobiles and new commercial motor vehicles may be put in proper mechanical condition for operation. All of these Operations must be performed on vehicles prior to delivery.

These Standard Delivery Operations are identical with those established by the Office of Price Administration in Amendment No. 8 to Revised Price Schedule No. 85, entitled "Passenger Automobiles," and in Supplementary Regulation No. 14, as amended.

VEHICLES TO WHICH STANDARD DELIVERY OPERATIONS ARE APPLICABLE

The reserve vehicles to which these Standard Delivery Operations apply are those new passenger automobiles and new commercial motor vehicles which are held for rationing under orders of the War Production Board and the Office of Price Administration. As to new passenger automobiles these are General Conservation Order M-130, effective June 8, 1942, and Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, as amended; and as to new commercial motor vehicles, General Conservation Order M-100, effective March 9, 1942, as amended. These reserve vehicles are more particularly defined as follows:

"Reserve vehicles" means any of the following described vehicles which have not been sold and delivered under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies or other persons throughout the United States:

1. Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis but not including ambulances, hearses and station wagons.

2. Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, (or any chassis on which a bus body is to be mounted) and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

GENERAL INSTRUCTIONS

1. Under no circumstances should a reserve vehicle be operated, under its own power, until the Standard Delivery Operations numbered 1–13 inclusive have been performed upon it.

2. With respect to change of location of reserve vehicles in storage, the following conditioning operations must be performed:

Before being towed by crane truck or rigid bar, Items Nos. 1 a, b; and 2 b.

Before being towed by loose linkage (rope or chain), Items Nos. 1 a, b; and 2 b, e, f, g.

STANDARD DELIVERY OPERATIONS

Item No. 1. *Tires.* a. If tires are unmounted, inspect the rims and remove all rust. Mount tires and inflate them to tire manufacturer's recommended pressure.

b. If tires are mounted, inflate them to tire manufacturer's recommended pressure.

Item No. 2. *Brake system and front wheel lubricant.* a. Remove all wheels and drums and thoroughly clean rust from all braking surfaces. Also examine anchor pins to make sure their bearings are free so that springs return shoes to released position. *Do not work brake pedal* with brake drums off.

b. Repack front wheel bearings with new lubricant if necessary.

c. Check hydraulic master cylinder fluid level, adding approved fluid if necessary. See that filler cap vent is open.

d. Inspect brake system for leaks and repair any defects.

e. Work brake pedal several times to make sure system is operating. Jack up each wheel (if blocks were removed) and apply brakes. Check to see that they operate and their release fully so wheel can turn freely with no drag.

f. Check brake pedal-floor clearance and adjust if necessary.

g. With respect to conditioning vacuum booster, electric, and compressed air brake equipment, follow equipment manufacturer's recommendations.

NOTE: Remove outside body and window coverings. Protect upholstery while conditioning vehicle. If another location is required for remaining work, vehicle must not be run under its own power until ready for preliminary road test. (See General Instructions above.)

Item No. 3. *Fuel system.* a. Replace gasoline tank drain plug.

b. Thoroughly clean fuel line; fuel pump sediment bowl and filter screen, and carburetor. Reinstall.

c. Check all fuel connections, including carburetor flange nuts or cap screws.

d. Put gasoline in tank, adding ½ pint of SAE-10 engine oil to each 5 gallons of gasoline. Replace filler cap, making sure vent is free.

e. Check accelerator, throttle and choke linkages, idle and wide open positions.

f. Remove seal from air cleaner; and add oil if necessary.

Item No. 4. *Ignition system.* a. Clean and adjust spark plugs. Leave them out so cylinders can be lubricated later.

b. Check distributor, adjust points, clean rotor and contact points.

c. Lubricate cam and rocker bearing surface.

d. Clean wire connections and push wires firmly into their sockets in distributor and coil.

Item No. 5. *Valve compartment* (overhead valve engines). a. Remove cover and remove oil soaked rags if any.

b. Spray valve mechanism with suitable light oil. Leave cover off for observation of valve action later.

Item No. 6. *Seals.* a. Remove seal from oil pipe opening.

b. Remove seals from oil filler tube, crankcase breather tube, and any other opening. Clean and replace covers.

Item No. 7. *Clutch.* a. Remove block used to keep clutch disengaged and make sure there is correct amount of free pedal movement at top of travel.

Item No. 8. *Preparing engine for service.* a. Tighten all cooling system, heater hose and defroster connections, replacing any defective hose. If cooling system was stored full, add sufficient coolant to make up for evaporation. If cooling system was stored empty, close drain cocks and replace drain plugs. Fill with clean water and check for leaks.

b. Drain oil from crankcase.

[1] c. Drop oil pan, thoroughly clean pan, inside of crankcase and pump screen. Replace pan using new gasket.

d. Fill crankcase with flushing oil. Pour 2 ounces of SAE-10 engine oil into each spark plug hole. Leave spark plugs out.

e. Lubricate generator, starter, and water pump.

f. Clean battery carrier, repainting if necessary. Install securely a fully charged battery (spec. grav. of 1.280 or above at 60 degrees F.; water level ¼" to ⅜" above plates). Clean cables and connections, tighten, and coat terminals with vaseline or approved corrosion preventive. Test battery hookup by turning on headlights (ammeter should show discharge).

g. With ignition switch off and clutch disengaged crank engine for 30 seconds with starter in order to exercise reciprocating parts and bearings. While cranking engine listen carefully for indications of trouble. Remedy any trouble (such as engine failing to turn over or starter being stuck) before proceeding further. Reinstall spark plugs using new gaskets if necessary.

h. Start engine (clutch disengaged) and run at idle speed for five minutes.

i. Adjust automatic choke control if necessary.

j. Set engine idle speed according to manufacturer's recommendations.

k. Turn off engine. Drain flushing oil immediately from crankcase.

[1] l. If engine oil filter is sealed type, replace it with a new one. If it is replaceable element type, clean out filter chamber and install new element.

m. Fill crankcase to correct level with engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate. Start engine and run at idle speed.

Item No. 9. *While engine is running,* check the following items for proper operations, making all necessary adjustments and repairs:

a. All instruments (oil, gas, temperature, and ammeter).

b. Windshield wipers, with blades installed.

c. Horn.

d. Every switch position of every light on vehicle.

e. Heater, climatizer, defroster.

f. Clear lighter, radio, clock and other accessories.

[2] g. Automatic top on convertibles.

h. Charging rate and voltage and current regulator.

i. Manifold heater valve.

j. Inspect all water hose connections, oil and fuel lines for leakage.

k. Check and if necessary adjust valve tappets according to vehicle manufacturer's recommendations.

Item No. 10. *After shutting off engine,* perform the following operations: Before any sediment in coolant has time to settle, make the following check of the cooling system:

a. If coolant carries little or no anti-freeze, completely drain entire cooling system, examining coolant for presence of rust or other foreign matter.

b. If coolant carries a considerable amount of anti-freeze, drain a quart from bottom of radiator. If liquid is clear return sample to radiator.

c. If coolant shows rusty and dirty, completely drain entire cooling system, reverse flush radiator and engine block to remove sediment, using a combination water-air flushing nozzle. (Follow manufacturer's recommendations with respect to thermostats and water pumps before flushing the block.)

d. Fill cooling system (if not already done) with clean water and rust inhibitor, adding anti-freeze according to seasonal requirements. Watch for leaks at hose ends and pump, and correct any that develop.

e. While engine is still hot, tighten cylinder head nuts in recommended order.

f. Tighten manifold studs.

g. Tighten bolts at connection between exhaust manifold and pipe to muffler.

h. Replace valve compartment cover (overhead valve engines).

i. Check all belt adjustments and replace belts if necessary.

Item No. 11. *Lubrication.* a. Lubricate every fitting and check the lubricant level of every reservoir according to vehicle manufacturer's lubrication chart, excepting those taken care of above. Flush out all gear boxes in which rust inhibitor was used during storage. Fill to correct level with new lubricant.

b. While lubricating, inspect under side of chassis and body for loose or damaged parts, and make any necessary adjustments or replacements.

Item No. 12. *Check, and if needed tighten,* the following items:

a. Nuts on spring U-bolts.

b. All steering connections.

[2] c. Front and rear sway eliminator or stabilizer bolts.

d. Body bolts.

e. Front and rear bumper bolts.

f. Gas tank straps.

g. Shock absorber bolts.

Item No. 13. *Front end and wheels.* a. Check front wheel toe-in.

b. Test steering adjustments and connections. Check amount of wheel turn to stop on left and right.

c. Check steering wheel for correct amount of play.

Item No. 14. *Preliminary road test.*

NOTE: Before road test, remove any stickers that obstruct vision, and wash windshield.

Road test every vehicle by driving it at least 3 miles and checking the operation of the following items:

a. All gear positions, and operation of gear shift lever.

b. Accelerator.

c. Service brakes.

d. Hand brake.

e. All instruments: oil, gas, temperature, ammeter, speedometer, and odometer.

f. Set spark advance or octane selector at correct adjustment for economical performance idling, pick-up in each forward gear, and ping in acceleration.

g. Springs and shock absorbers.

h. Locate squeaks, rattles, and unusual noises.

i. Special equipment such as overdrive, 2-speed axles, hill-holding devices, and transmissions other than conventional type.

j. Note any other items upon which work needs to be done.

Item No. 15. *Return vehicle to shop* and do the following operations:

a. Focus headlights.

b. Do any work on clutch service brakes and hand brake for which road test showed need.

c. Reinspect all water hose connections, oil and fuel lines for leakage.

d. Clean fuel filters at carburetor and fuel pump.

e. Make necessary repairs or adjustments of any other items which road test showed to need attention.

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[1] Items 8 c and 8 l must be performed unless the manufacturer files a statement with the Automotive Division of the War Production Board, and with its dealers, stating that failure to perform these items on vehicles of its own manufacture will not impair their operation as new vehicles.

[2] Not applicable to trucks.

f Check all tire pressures again and if necessary replace valve core and inspect inner tube and tire casing.

Item No. 16 *Final road test.* a. Make further road tests if necessary to see that all equipment is operating satisfactorily.

b Check for leaks under engine, transmission, and rear axle.

c Clean and remove rust and dirt from engine and its accessories and other chassis parts. Touch up with paint of appropriate color if originally painted.

Item No. 17. *Body* a Remove wax or grease from interior chrome, clean upholstery, carpets and floor mats and repair any damaged places. Use solvent cleaner which will not damage finish or upholstery.

b Remove plugs or screening from holes in floorboards or dash.

c Check and lubricate front seat adjustment.

d Check operation of all windows, ventipanes, cowl ventilator and sun visors. Clean windows and windshield inside and outside and repair any defects.

e Check operation of all doors from inside and outside, trunk lid, hood, and glove compartment.

f Check operation of all keys and locks on doors, glove compartment and trunk.

g Check and clean tools in kit.

h Re-cement any sponge rubber seal-strips which may have pulled loose, replacing any which have deteriorated.

i Inspect paint finish and repair or touch up any defects or damage.

j Clean and polish vehicle body and chrome trim.

NOTE: Owner should drain engine crankcase at about 250 miles and refill to the full mark with a good grade of engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate.

TRUCK TRAILER EQUIPMENT

With respect to truck trailer equipment, the following conditioning operations must be performed when conditions show work to be necessary:

Items Nos. 1 a, b; 2 a, b, d, g; 9 d; 11 a, b; 12 a, b, d; 14 c, g, h j; 15 b, e f; 16 a; and 17 i, j.

DIESEL ENGINES

With respect to diesel engines, follow manufacturer's instructions where they are at variance with corresponding operations for gasoline engines and equipment.

[F. R. Doc. 43-3366; Filed, March 3, 1943; 11:33 a. m.]

PART 3189—FURNITURE

[General Limitation Order L-260, as amended March 3, 1943 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3189.1 *General Limitation Order L-260*—(a) *Definitions.* For the purposes of this order:

(1) "Furniture" means all items commonly classified as furniture and including all items contained on Schedule A attached to this order, as amended from time to time. It shall not include items listed on Schedule B attached to this order, as amended from time to time.

(2) "Essential metal parts" means nails, brads, tacks, screws, bolts, nuts, hanger bolts, rivets, staples, washers and burrs, button molds, hinges (except hinge mechanisms for sofa beds) catches, strapping, top fasteners, drawer clips, shelf supports, domes and glides, bed fasteners, bed packing hooks, corrugated fasteners, table locks, table cleats, mirror clips, angle braces, caps for leg tops of folding chairs, expansion shells, operating hardware for venetian blinds and venetian blind center supports for head rails and tilt rails.

(3) "Non-essential metal parts" means any hardware or parts containing any metal specifically intended for incorporation into furniture other than essential metal parts.

(4) "Metal parts manufacturer" means any person engaged in the business of manufacturing or assembling hardware or metal parts specifically intended for incorporation into furniture, whether or not he also manufactures furniture.

(5) "Furniture manufacturer" means any person engaged in the business of manufacturing or assembling furniture, whether or not he also manufactures metal parts for furniture.

(6) "Pattern" means any piece of furniture having its own identification mark and selling price, except that for the purposes of this order, two or more pieces of furniture identical in every respect other than color, finishing materials, fabric, leather, or other outer covering or cover but having the same selling price shall be considered to be one pattern. Two or more pieces of furniture identical in every respect other than in their method of joining or their content of essential metal parts, shall be considered to be one pattern, whether or not they have the same selling prices. Two or more pieces of furniture identical in every respect but cut in different woods or veneers or containing different trims other than handles, shall be considered two or more patterns regardless of whether they carry identical identification marks and selling prices. Similarly, a suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Preferred order" means any order, contract, or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(8) "Cost value" means cost computed in accordance with the method of accounting consistently used by a furniture manufacturer for bookkeeping and financial statement purposes.

(9) "Pattern base period" means the month of September, 1941.

(10) "Metal parts base period" means the calendar year 1941, except that in the case of a furniture manufacturer whose fiscal year did not end on December 31, 1941, it means his fiscal year ending at any time between June 1, 1941 and May 31, 1942, inclusive.

(11) "Consume" when applied to essential metal parts means to use such parts in the production or packing of furniture or to supply such parts with furniture shipped in knock-down form.

(b) *Restrictions on production and acquisition of non-essential metal parts.* (1) On and after March 1, 1943, no metal parts manufacturer shall accept delivery of any iron or steel intended for the fabrication of non-essential metal parts.

(2) On and after March 26, 1943, no metal parts manufacturer shall process, fabricate, work on or assemble any non-essential metal parts.

(3) On and after April 12, 1943, no furniture manufacturer shall accept delivery of any non-essential metal parts.

(c) *Restrictions on essential metal parts.* (1) During the period beginning February 23, 1943 and ending June 30, 1943, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than 25% of the total cost value of essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).

(2) During the three months period beginning July 1, 1943, and during each three months period thereafter, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than 12½% of the total cost value of essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).

(3) The restrictions contained in paragraphs (c) (1) and (c) (2) of this order shall not apply to venetian blinds.

(4) On and after June 1, 1943, no furniture manufacturer shall consume in the production of venetian blinds more essential metal parts than 9 ounces per blind plus 2 ounces per blind for venetian blinds measuring 45" or more in width.

(d) *Restrictions on patterns.* (1) On and after July 1, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale more patterns than 35% of the total number of patterns offered for sale by him during the pattern base period, or 24 patterns, whichever is greater.

(2) On and after March 15, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale any pattern which had not been offered for sale by him prior to that date.

(3) The restrictions contained in this paragraph (d) shall not apply to venetian blinds.

(e) *Preferred order exemption.* The restrictions contained in this order shall not apply to preferred orders.

(f) *Special authorization exemption.* The Director General for Operations may grant specific authorizations to furniture manufacturers for relief from the provisions of paragraphs (b) (3), (d) (1), and (d) (2) of this order.

(g) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) On or before March 27, 1943, each furniture manufacturer shall file with the War Production Board a report on Form PD-798, stating the cost value of essential metal parts consumed by him during the metal parts base period and the number of patterns offered for sale by him during the pattern base period.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations limits the use of any material in the production of wood furniture to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-260.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Venetian blinds.
Barber and beauty shop furniture.
Store display equipment and show cases.
Frames to be used in the production of furniture.

SCHEDULE B

Metal office furniture and equipment as covered by Limitation Order L-13-a, as amended.
Metal household furniture as defined in Limitation Order L-62, as amended.
Bedding products as defined in Limitation Order L-49, as amended.
Hospital, medical, dental and related equipment as covered by List A of Conservation Order M-126, as amended.
Refrigerators.
Wooden lockers for offices and factories.
Wooden shelving.
Wooden factory and industrial equipment.
Furniture specifically designed for use in offices.
Wooden filing cabinets.
Baby cribs, high chairs, toilet chairs, toilet seats, and bathinettes.

[F. R. Doc. 43-3364; Filed, March 3, 1943; 11:32 a. m.]

[1] NOTE: The effect of this amendment is to change the report date for Form PD-798 in paragraph (g) (2).

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120,[1] Correction to Amendment 36]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

In § 1340.212 (b) (5) and § 1340.215 (b) (4) of Maximum Price Regulation No. 120 the date "January 31, 1943" is corrected to read "February 14, 1943".

This correction to Amendment No. 36 shall be effective as of February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3320; Filed, March 2, 1943; 12:08 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 291,[2] Amendment 1]

CERTAIN SYRUPS AND MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New §§ 1351.1378 and 1351.1379 are added all as set forth below:

§ 1351.1378 *Maximum prices for the syrups and molasses subject to this regulation packed in containers other than tin cans*—(a) *Procedure for calculating maximum prices.* A person shall calculate his maximum price for an item of syrup or molasses subject to the regulation packed in containers other than tin cans in the following manner:

(1) Determine the size of the can container which is closest in net content to the container other than a tin can;

(2) Take the maximum price for the corresponding case of this size of container;

(3) Deduct from this maximum price the total cost of cans, case and labels;

(4) Divide the resulting figure by the number of units of contents (ounces, pounds, pints or the like) in the case;

(5) Multiply the resulting figure by the number of units of contents (ounces, pounds, pints or the like) in the case for which he is determining his price;

(6) Add to the figure obtained in (5) above the total cost of the new containers, case, labels, to obtain the maximum price for the case packed in the container other than a tin can, except as provided below.

(7) Where the container other than tin for which a person is calculating a maximum price is a glass container, the following sums may be added for direct packing labor costs:

(i) Not more than 4¢ per case for that size of glass container which corresponds in net volme to the No. 10 tin can, providing that the net contents of the case of glass containers is equal to or in excess of 5 gallons.

(ii) Not more than 4½¢ per case for those sizes of glass containers which correspond in net volume to the No. 5 can, the No. 2½ can, or the No. 1½ can respectively: *Provided*, That the net contents of the case of glass containers is equal to or in excess of 5 gallons.

(iii) Where the net contents of the case of glass containers is less than 5 gallons, not more than that portion of the sum allowed in (i) of (ii) above which is equal to the proportion which the net contents of the case of glass containers bears to 5 gallons.

Example No. I: Where a packer now packs a 110 liquid ounce glass jar, 6 jars to the case, he may add 4¢ per case for direct labor because the 110 liquid ounce glass jar corresponds to the No. 10 tin can, and further six 110 ounce glass jars have a net content which is equal to or in excess of 5 gallons.

Example No. II. Where a packer now packs a 55 liquid ounce glass jar, 12 jars to the case, he may add 4½¢ per case because the net contents of the glass jar corresponds to the No. 5 tin can and the net contents of the case is equal to or in excess of 5 gallons.

Example No. III: Where a packer now packs a 13 liquid ounce glass jar, 24 jars to the case, he may add 2.1938¢ per case for direct packing labor costs. This sum is arrived at as follows: The 13 liquid ounce jar corresponds to the No. 1½ tin can. The packer is therefore permitted to add 4.5¢ per case for direct packing labor if the net contents of the case is equal to or exceeds 5 gallons or 640 liquid ounces. The net contents of the case can be determined by multiplying the net volume of one jar 13 ounces by the number of jars in the case, 24. Thus 13 x 24 = 312 liquid ounces. This is less than 5 gallons or 640 liquid ounces. The packer is therefore entitled to only that part of 4.5¢ which is equal to the percent that the net contents of the case 312 ounces, bears to 5 gallons, 640 ounces. To determine this portion, the packer must divide the net contents of the case by the number of liquid ounces in 5 gallons.

$$\frac{4875}{640)\ 312.000}$$

The net contents of this case is .4875 of 5 gallons. The amount the packer is entitled to add for direct labor costs is equal to this portion of 4.5¢. Thus the packer multiplies 4875 by 4.5 (.4875 × 4.5 = 2.19375) and gets the sum of 2.1938¢, the amount given above in the first sentence.

(8) The figure obtained by adding the allowance provided in (7) above to the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4337, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8943, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284.

[2] 7 F.R. 11002.

figure resulting from (6) above, is the maximum price for the appropriate case packed in glass containers.

(9) All the above calculations shall be carried to the fourth decimal of a cent.

(b) *Fractions of a cent.* In determining the sales price for cases of such other containers, the seller shall adjust fractions of one-half cent or more to the next higher cost, and fractions of less than one-half cent to the next lower cent.

(c) *Report of prices.* A person, within ten days after determining his maximum price under the provisions of this section, shall furnish to the Office of Price Administration, Washington, D. C., the following information in a signed statement:

(1) The kind, brand and grade of the item for which a maximum price is determined;

(2) The size of the newly priced container, the net content thereof by weight or volume, and the number of containers in the case;

(3) The size of the tin container used as a base, the net content thereof by weight or volume, and the number of containers in the case;

(4) The maximum price or prices determined for each class of purchasers to which he sells;

(5) The figures showing the actual calculation of such maximum price.

(d) *Notification of the new maximum price.* Any person who determines the maximum price for an item of syrup or molasses in accordance with the provisions of this section shall accompany the first delivery of each such product to the purchaser with a statement in writing in which he shall state:

(1) The maximum price in the new container and that the price charged is at or below the maximum price;

(2) That the maximum price to such purchaser is determined in accordance with this section.

(e) *Maximum resale prices for an item of syrup or molasses packed in containers other than tin cans.* Each purchaser for resale, at wholesale or retail, shall determine his maximum resale price for the time of syrup or molasses in the new container pursuant to Maximum Price Regulations Nos. 237 and 238,[1] as amended.

(f) *Adjustment of maximum prices.* Any price determined pursuant to this section shall be subject to adjustment at any time by the Office of Price Administration.

§ 1351.1379 *Maximum prices for items for which no price has been established.* (a) The maximum price for any item of syrup or molasses subject to the provisions of this regulation which is to be sold and for which a maximum price cannot be established pursuant to this Maximum Price Regulation No. 291, shall be determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a description of the grade of syrup or molasses, the size of the container and the number of containers in the case of the item for which a price is sought; and (2) the factory door cost of such item. The "factory door cost" shall include all direct and indirect costs and expenses chargeable to the production of the item, but shall not include costs and expenses chargeable to administration, selling, advertising or transportation.

(b) Until the Office of Price Administration shall fix a maximum price for such item of syrup or molasses, the applicant's maximum price for such item shall be that which has been established pursuant to the provisions of the General Maximum Price Regulation.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3323; Filed, March 2, 1943; 12:08 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 291,[1] Amendment 2]

CERTAIN SYRUP AND MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (f) is added to § 1351.1368; § 1351.1369 is redesignated as § 1351.1380, all to read as set forth below:

§ 1351.1368 *Maximum prices for Georgia cane syrup.* * * *

(f) *Producer-packers' maximum prices for Georgia cane syrup sold at wholesale and at retail.* (1) Producer-packers' maximum delivered prices for Georgia cane syrup on sales directly to retail stores shall be as follows:

$5.24 per case of 6 No. 10 cans.
$5.52 per case of 12 No. 5 cans.
$5.60 per case of 24 No. 2½ cans.
$6.36 per case of 48 No. 1½ cans.
$3.23 per case of 24 No. 1½ cans.

(2) Producer-packers' maximum prices for Georgia cane syrup on sales directly to retail stores when the purchaser takes delivery at the plant or farm shall be as follows:

$4.96 per case of 6 No. 10 cans.
$5.24 per case of 12 No. 5 cans.
$5.52 per case of 24 No. 2½ cans.
$6.08 per case of 48 No. 1½ cans.
$3.10 per case of 24 No. 1½ cans.

(3) Producer-packers' maximum delivered prices for Georgia cane syrup on sales directly to "domestic consumers" shall be as follows:

$6.02 per case of 6 No. 10 cans.
$6.34 per case of 12 No. 5 cans.
$6.66 per case of 24 No. 2½ cans.
$7.30 per case of 48 No. 1½ cans.
$3.71 per case of 24 No. 1½ cans.

"Domestic consumer" means a person who buys Georgia cane syrup for personal use. The term does not include any industrial, commercial, governmental or institutional consumers.

(4) Producer-packers' maximum prices for Georgia cane syrup on sales directly to "domestic consumers" when the purchaser takes delivery at the plant or farm, shall be as follows:

$5.70 per case of 6 No. 10 cans
$6.02 per case of 12 No. 5 cans
$6.34 per case of 24 No. 2½ cans
$6.98 per case of 48 No. 1½ cans
$3.56 per case of 24 No. 1½ cans

(5) All established discounts and other allowances including those for prompt payment shall be continued.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-3324; Filed, March 2, 1943; 12:08 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 291,[1] Amendment 3]

CERTAIN SYRUPS AND MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1351.1351; a new paragraph (c) is added to § 1351.1353; a new paragraph (b) is added to § 1351.1355; a new § 1351.1369 is added, all to read as set forth below:

§ 1351.1351 *Kinds of syrups and molasses covered by the regulation.* * * *

(c) *Blends of syrup containing Georgia cane syrup.* Blends of syrup containing Georgia cane syrup are blends which contain at least 5%[2] by volume of "Georgia cane syrup" as defined in paragraph (b) above.

§ 1351.1353 *Maximum prices for syrups and molasses.* * * *

(c) Packers' maximum prices for sales and deliveries of blends of Georgia cane syrup and other syrups are listed in § 1351.1369.

§ 1351.1355 *Exempt sales.* * * *

(b) *Sales of blends of syrups containing Georgia cane syrup by persons other than packers at wholesale and retail.* Maximum prices for sales of blends of syrups containing Georgia cane syrups by persons other than packers, at wholesale and retail are established in Maximum Price Regulation No. 237[3] and 238,[4] respectively.

§ 1351.1369 *Packers' maximum prices for blends of syrups containing at least 5% Georgia cane syrup by volume.* A packer of blends containing Georgia cane syrup means any person who customarily stores, repacks or reloads various syrups and blends or mixes them with Georgia cane syrup with or without processing the component syrups.

(a) Packers' maximum prices for blends containing Georgia cane syrup delivered in the "Southern Zone" shall be as follows:

Range No.	Percent of Georgia cane syrup in blend type	6 No. 10 cans	12 No. 5 cans	24 No. 2½ cans	48 No. 1½ cans	24 No. 1½ cans
1	At least 5 but not more than 10	$3.32	$3.57	$3.82	$4.07	$2.08
2	More than 10 but not more than 15	3.47	3.72	3.97	4.22	2.16
3	More than 15 but not more than 20	3.52	3.77	4.02	4.27	2.18
4	More than 20 but not more than 25	3.67	3.92	4.17	4.42	2.26
5	More than 25 but not more than 30	3.71	3.96	4.21	4.46	2.28
6	More than 30 but not more than 35	3.86	4.11	4.36	4.61	2.35
7	More than 35 but not more than 40	3.91	4.16	4.41	4.66	2.38
8	More than 40 but not more than 45	4.06	4.31	4.56	4.81	2.45
9	More than 45 but not more than 50	4.10	4.35	4.60	4.85	2.47
10	More than 50 but not more than 55	4.25	4.50	4.75	5.00	2.55
11	More than 55 but not more than 60	4.30	4.55	4.80	5.05	2.58
12	More than 60	4.56	4.81	5.06	5.31	2.71

(1) The "Southern Zone" includes the states of Georgia, Alabama, Florida, North Carolina, South Carolina, Louisiana, Mississippi, and Arkansas.

(b) Packers' maximum prices for blends containing Georgia cane syrup delivered in all places outside the "Southern Zone" shall be the following f. o. b. Cairo, Georgia, prices, plus the lowest available freight rate to point of destination:

Range No.	Percent of Georgia cane syrup in blend type	6 No. 10 cans	12 No. 5 cans	24 No. 2½ cans	48 No. 1½ cans	24 No. 1½ cans
1	At least 5 but not more than 10	$3.07	$3.32	$3.57	$3.82	$1.95
2	More than 10 but not more than 15	3.22	3.47	3.72	3.97	2.03
3	More than 15 but not more than 20	3.27	3.52	3.77	4.02	2.05
4	More than 20 but not more than 25	3.42	3.67	3.92	4.17	2.13
5	More than 25 but not more than 30	3.46	3.71	3.96	4.21	2.15
6	More than 30 but not more than 35	3.61	3.86	4.11	4.36	2.22
7	More than 35 but not more than 40	3.66	3.91	4.16	4.41	2.25
8	More than 40 but not more than 45	3.81	4.06	4.31	4.56	2.32
9	More than 45 but not more than 50	3.85	4.10	4.35	4.60	2.34
10	More than 50 but not more than 55	4.00	4.25	4.50	4.75	2.42
11	More than 55 but not more than 60	4.05	4.30	4.55	4.80	2.45
12	More than 60	4.31	4.56	4.81	5.06	2.58

(c) All of the above prices in this § 1351.1369 shall be for carload lots to the wholesale and chain store warehouse trade, and to commercial, industrial, institutional or governmental users. If the packer has established any differentials for other classes of purchasers or for smaller or larger quantity sales, he shall continue such differentials. All discounts and other allowances, including those for prompt payment, shall also be continued.

(d) *Change of percentage of Georgia cane syrup in blend resulting in a change of range number and price.* Whenever a packer desires to change the range number within which an established blend of syrup which he is packing falls by increasing or decreasing the amount of Georgia cane syrup in the blend, he shall proceed as follows:

(1) If he wishes to increase the amount of Georgia cane syrup in the blend so that the new blend comes within one of the higher range numbers established in paragraph (a) or (b) of this section and consequently commands a higher maximum price, he must increase the total percentage of Georgia cane syrup in the blend by not less than 5% by volume, for each higher range number pursuant to which he wishes to price the new blend. This increase in the percentage of Georgia cane syrup shall be over and above the amount of Georgia cane syrup which he packed in each blend of syrup on or prior to the effective date of this amendment and which he reported to the Office of Price Administration pursuant to paragraph (e) of this section.

Example No. 1: If a packer at or prior to the effective date of this amendment, packed a blend in Range 4, containing 23% of Georgia cane syrup and now desires to increase the amount of Georgia cane syrup in his blend so that he may price pursuant to Range No. 5—more than 25% but not more than 30%—he must add 5% to the 23% and pack a blend containing at least 28% of Georgia cane syrup.

Example No. 2: If the above packer desires to go to Range No. 6—that is, a blend containing over 30% but not more than 35%—he must add 10% to the 23% and pack a blend containing at least 33% of Georgia cane syrup.

(2) If he wishes to decrease the amount of Georgia cane syrup in the blend, so that the new blend comes within one of the lower range numbers and consequently commands a lower maximum price, he may not decrease the total percentage of Georgia cane syrup in the blend by more than 5% by volume for each lower range number pursuant to which he wishes to price the new blend. This decrease shall be below the amount of Georgia cane syrup which he has packed in each blend of syrup on or prior to the effective date of this amendment and which he has reported to the Office of Price Administration pursuant to paragraph (e) of this section.

Example No. 1: If a packer at or prior to the effective date of this amendment, packed a blend in Range 4, containing 23% syrup and now wishes to decrease the amount of Georgia cane syrup in the blend so that he is required to price pursuant to Range 3—more than 15% but not more than 20% of Georgia cane syrup—he may not reduce the amount of Georgia cane syrup in the blend more than 5% and must put at least 18% of Georgia cane syrup, by volume, in his blend.

Example No. 2: If the above packer desires to change the above 23% blend and price his new blend pursuant to Range No. 2—that is, a blend containing more than 10% but not more than 15% of Georgia cane syrup—he may not reduce the percentage of Georgia cane syrup in the new blend more than 10% and must put at least 13% of Georgia cane syrup, by volume, in his new blend.

(3) In no event shall a packer who increases the percentage of Georgia cane syrup in his blend and prices the new blend pursuant to subparagraph (1) of this paragraph, increase the blend by less than the amount provided in said subparagraph. The increase so provided shall determine the minimum amount of Georgia cane syrup in the blend. If he desires to alter the percentage of Georgia cane syrup in the blend he is now pricing pursuant to subparagraph (1) to insure uniformity, he shall do so only by increasing the amount of Georgia cane syrup, but may never decrease it. If he adds less than the percentage of Georgia cane syrup provided in subparagraph (1), he may not increase his maximum price despite the fact that such increase may actually bring the blend within the higher range specified in paragraphs (a) and (b) of this section.

(4) In no event shall a packer who decreases the amount of Georgia cane syrup in his blend and prices pursuant to a lower number range decrease the percentage of Georgia cane syrup by more than 5% for each lower range to which he goes. The decrease so provided shall determine the minimum amount of Georgia cane syrup in the blend. If he desires to alter the amount of Georgia cane syrup in the blend he is now pricing pursuant to subparagraph (2) to insure uniformity, he may do so by increasing the amount of Georgia cane syrup, but may never decrease it. If he decreases the percentage by more than 5% per range, he shall be deemed to have decreased it by 10% and be required to price at the next lower range than the one in which the percentage of Georgia cane syrup in the blend actually places it.

(e) *Reports.* Within 30 days after the effective date of this amendment, or within 30 days after a person starts packing any blend of syrup containing Georgia cane syrup, he shall report to the Sugar and Confectionary Section of the Office of Price Administration, Washington, D. C., the exact percentage of Georgia cane syrup which he packed

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[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569, 1200, 2106.

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532, 1116, 2196.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 11002.

[2] Any blends containing less than 5% Georgia cane syrup by volume remain under the General Maximum Price Regulation.

[3] 7 F.R. 11002.

[4] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569, 1200, 2106.

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532, 1116, 2106.

in his blend on the effective date of the amendment or prior thereto when he last packed such blend, or if he did not pack Georgia cane syrup in blends at that time or prior thereto, the exact percentage which he packed when he began packing such blends.

(1) Any packer who desires to change the percentage of Georgia cane syrup pursuant to paragraph (d) of this section, shall report to the Sugar and Confectionary Section of the Office of Price Administration, Washington, D. C., at or prior to the time that he first makes such change in his blend, (1) the brand name and percentage of Georgia cane syrup in the blend from which he is changing, (2) the amount of Georgia cane syrup in that blend at the effective date of this amendment which he reported pursuant to this paragraph (e), (3) the amount of Georgia cane syrup which he now intends to pack in the blend, and (4) a statement that he has complied with the provisions of paragraph (d) of this section.

(f) *Prohibition against addition of credit or commission charges.* The maximum prices established by this section shall not be increased (1) by any charges for the extension of credit; or (2) by commissions or any other charges.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-3325; Filed, March 2, 1943; 12:08 p m.]

PART 1420—BREWERY AND DISTILLERY PRODUCTS

[MPR 193,* Amendment 5]

DOMESTIC DISTILLED SPIRITS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraphs (8) through (13) inclusive are added to § 1420.10 (a); § 1420.14 is redesignated § 1420.12a and a new § 1420.14, Appendix B, is added, as set forth below:

§ 1420.10 *Definitions.* (a) • • •

(8) "Class I retailer off-premise licensee" shall mean a retailer off-premise licensee whose gross sales of domestic and imported liquors, wines and beers during the calendar year 1941 totalled $300,000 or more.

(9) "Class II retailer off-premise licensee" shall mean a retailer off-premise licensee whose gross sales of domestic and imported liquors, wines and beers during the calendar year 1941 totalled less than $300,000.

(10) "Container size" shall mean the particular weight or unit in which domestic whiskey is sold to the ultimate consumer in accordance with the regulations of the Federal Alcohol Administration.

(11) "New York City metropolitan territory" shall mean the geographical area within the counties of Bronx, Kings, Manhattan, Nassau, Queens, Richmond, Suffolk, and Westchester in the State of New York.

(12) "Packaged domestic whiskey" shall mean any and all whiskey produced in the continental United States which is sold in containers having a capacity of one wine gallon or less.

(13) "Retailer off-premise licensee" shall mean a person licensed under the statutes of the State of New York to sell liquors and wines to the ultimate consumer for consumption off the premises of the licensee.

• • • •

§ 1420.14 *Appendix B: Maximum prices for sales of packaged domestic whiskey by retailer off-premise licensees in the New York City metropolitan territory.* The maximum prices for sales of packaged domestic whiskey by retailer off-premise licensees in the New York City metropolitan territory shall be the retailer off-premise licensee's maximum prices established under § 1420.13; or

(a) *Alternative maximum prices.* If the retailer off-premise licensee in the New York City metropolitan territory shall elect to establish an alternative maximum price for sales of any particular brand, type and container size of packaged domestic whiskey he shall determine such maximum price as follows:

(1) The retailer off-premise licensee shall determine his net cost per case for his largest single purchase of the particular brand, type and container size in question in February, 1943, or if no purchase of the particular commodity in question was made in that month, such net cost in the nearest preceding month in which a purchase of the commodity was made during the period from July 19, 1942 through January 31, 1943. "Net cost" shall not include the amount of the increased Federal excise tax of November 1, 1942, and it shall mean the net price paid by the seller for the particular commodity in question delivered at his customary receiving point less all discounts allowed him, except the discount for prompt payment. No charge or cost for local unloading or local trucking shall be included.

(2) Multiply the net cost per case determined in accordance with subparagraph (1) by:

(i) 1.10 in the case of Class I retailer off-premise licensees; or

(ii) 1.20 in the case of Class II retailer off-premise licensees.

(3) Add to the resulting figure at 2 (i) or (ii) as the case may be the amount of any new tax or increase in an existing tax incident to the sale, processing or use of domestic whiskey which is imposed upon the seller or any prior vendor after March 31, 1942 with respect to the particular quantity of domestic whiskey to be priced hereunder by any statute of the United States, statute of the State of New York, or ordinance of any subdivision thereof within the New York City metropolitan territory: *Provided*, That the amount of such tax shall have been paid or shall have accrued and be payable by such seller to the proper taxing authorities or to any prior vendor.

(4) Divide the resulting figure at (3) as computed by the Class I or Class II retailer off-premise licensee as the case may be, by the number of individual containers of the particular brand, type and container size within the case. Adjust the figure thus arrived at to the next higher even cent if the fraction is ½ cent or over and to the next lower even cent if the fraction is less than ½ cent.

(5) Multiply the resulting figure at (4), as computed by the Class I or Class II retailer off-premise licensee as the case may be, by the percentage rate of any sales tax or similar tax imposed upon the seller by any ordinance of any subdivision of the State of New York within the New York City metropolitan territory. The resulting figure shall be rounded off to the nearest full cent in accordance with the practice of the seller in March, 1942, and added to the amount determined at (4): *Provided*, That the amount of such tax shall be separately stated and collected by the seller.

(6) The resulting figure at (5) shall be such retailer's maximum price per unit for sales of the particular brand, type and container size of packaged domestic whiskey in question, and such maximum price shall be applicable to such retailer's floor stocks of the particular commodity priced hereunder as well as to new purchases of such commodity, subject to the provisions of paragraphs (b) and (c).

(b) *Reports.* Within five days after establishing a maximum price for any brand, type and container size of packaged domestic whiskey under paragraph (a), the retailer off-premise licensee shall file with the District Office of the Office of Price Administration, 525 Fifth Avenue, New York City, New York, a report of the establishment of such maximum price. Such report shall set forth the classification of such licensee; a description of the commodity priced; his net cost per case for the commodity in question; the date of the purchase by reference to which his net cost is determined; the name of his supplier; his former maximum price for the commodity in question; his new maximum price established under paragraph (a); and the method of his computations under paragraph (a).

(c) *Maximum prices cannot be changed.* (1) On and after the date of filing the report required at paragraph (b) the maximum price established by the retailer off-premise licensee for the particular brand, type and container size of packaged domestic whiskey in question shall not be changed unless an adjustment thereof is required for the addition of new or increased taxes in accordance with paragraph (a) (3); or unless a change is required by written notification from the District Office of the Office of Price Administration, New York City, New York.

(2) If a retailer off-premise licensee in the New York City metropolitan territory does not establish a maximum price under paragraph (a) within 90 days from the effective date of this amendment, his maximum prices established under § 1420.13 shall not be altered except as provided in that section.

(d) *Classification of retailer off-premise licensees.* (1) Each retailer off-premise licensee shall determine his classification by reference to his gross sales of liquors, wines and beers for twelve months during the calendar year 1941. If such gross sales totalled $300,000 or more, he shall be a Class I retailer off-premise licensee for the purpose of this amendment. If such sales totalled less than $300,000, he shall be a Class II retailer off-premise licensee for the purposes of this amendment.

(2) If the retailer off-premise licensee cannot determine his classification by reference to such gross sales for 12 months during the calendar year 1941, such retailer shall determine his classification by reference to his gross sales during the earliest twelve month period commencing after January 1, 1941.

(3) Where the retailer's classification is determined by reference to any period of time after November 1, 1942, such retailer shall deduct from the amount of the gross sales made after such date the amount of the increase in the Federal excise tax which became effective on November 1, 1942 paid by the retailer to the proper taxing authorities or to any prior vendor.

(4) If the retailer off-premise licensee cannot determine his classification because he has not engaged in business for a 12 month period prior to the effective date of this amendment, such retailer's classification shall be determined upon application to the District Office of the Office of Price Administration, New York City, New York. Such application shall contain appropriate facts with reference to which applicant's classification may be established. The Price Administrator or any duly authorized officer of the Office of Price Administration in the District Office of the Office of Price Administration, New York City, shall by order establish the classification of such retailer.

This amendment shall become effective March 8, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-3321; Filed, March 2, 1943; 12:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 308 Under § 1499.3 (b) of GMPR]

MCKESSON & ROBBINS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1744 *Approval of maximum prices for sales of Pyrinate A-200*—(a) *Maximum prices.* Maximum prices for sales by any seller of one ounce jars of Pyrinate A-200 are established as follows:

(1) *Sales other than sales on prescription.*

	Per dozen
Sales to wholesalers	$2.63
Sales to U. S. Government or to institutions	2.98
Sales to retailers	3.50
	Per jar
Sales at retail	.45

(2) *Sales on prescription.* The maximum prices established by subparagraph (1) of this paragraph shall not apply to sales on prescription of Pyrinate A-200. The maximum price for a sale on prescription of Pyrinate A-200 shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that no report of the maximum price so determined need be filed as required by that section.

(b) *Discounts and allowances.* Any seller making sales of Pyrinate A-200 shall apply to the maximum prices established for such sales in paragraph (a) all quantity differentials, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts, and allowances which were in effect in March, 1942 on sales of Soretone by such seller or if such seller did not sell Soretone in March, 1942, on sales of the antiseptic ointment most comparable to Pyrinate A-200 which such seller sold in March, 1942.

(c) *Definitions.* When used in this order the term:

(1) "Pyrinate A-200" refers to a parasiticidal ointment containing an extract of pyrethrum flowers manufactured by McKesson & Robbins, Inc. of Bridgeport, Connecticut.

(2) "Soretone" refers to an antiseptic liniment manufactured by McKesson & Robbins, Inc., Bridgeport, Connecticut.

(d) *Marking packages with retail ceiling price.* On and after June 1, 1943, McKesson & Robbins, Inc., shall mark the carton in which it packages each one ounce jar of Pyrinate A-200 as follows:

Ceiling price 45 cents

This legend shall be printed or stamped in letters at least one quarter as large as those used for the name of the product on the container to be sold by the seller at retail to the ultimate consumer, when it is not sold on prescription, and the type shall be sufficiently bold and the words shall be printed or stamped in a color which sharply contrasts with the background so that the words are clearly legible. No retailer, except a person making a sale on prescription, shall make sales of Pyrinate A-200 unless the package is marked with the ceiling price as required by this paragraph.

(e) *Notification of maximum prices*—(1) *By McKesson & Robbins, Inc. to wholesalers.* McKesson & Robbins, Inc. shall supply to each wholesaler before or at the time of its first delivery of Pyrinate A-200 to such wholesaler a written notification of maximum prices as follows:

OPA has authorized us to charge wholesalers not more than $2.63 per dozen, less customary discounts and allowances for one ounce jars of Pyrinate A-200

Wholesaler's maximum prices for sales of one ounce jars of Pyrinate A-200 to retailers are established at $3.50 per dozen, less customary discounts and allowances

Retailer's maximum prices for sales of one ounce jars of Pyrinate A-200 are established at 45 cents per jar, less customary discounts and allowances

OPA requires that you keep a copy of this notice for examination.

(2) *By McKesson & Robbins, Inc. to retailers.* McKesson & Robbins Inc. shall supply a written notification to each retailer before or at the time of its first delivery of Pyrinate A-200 to such retailer. Such notification shall read as follows:

OPA has authorized us to charge retailers no more than $3.50 per dozen, less customary discounts and allowances, for one ounce jars of Pyrinate A-200

Retailers' maximum price for sales of one ounce jars of Pyrinate A-200 are established at 45¢ per jar, less customary discounts and allowances.

OPA requires you to keep a copy of this notice for examination.

(f) All prayers of the applicant not granted herein are denied.

(g) This Order No. 308 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-3326; Filed, March 2, 1943; 12:10 p m.]

PART 1499—COMMODITIES AND SERVICES

[Order 309 Under § 1499.3 (b) of GMPR]

DOW CHEMICAL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1745 *Approval of maximum prices for sales of Palatone and Cyclotene by the Dow Chemical Company.* (a) Maximum prices for sales by the Dow Chemical Company of Midland, Michigan of Palatone and Cyclotene are established as set forth below:

(1) *Palatone.*

	Per lb., f. o. b. seller's shipping point, in 4 lb. ground glass stoppered bottles
5 lbs. or less	$22.60
6 to 20 lbs. inclusive	22.00
21 lbs. and over	21.50

(2) *Cyclotene.*

5 lbs. or less	$25.80
6 to 20 lbs. inclusive	24.90
21 lbs. and over	24.30

(b) *Definitions.* (1) "Palatone" is the trade name of the Dow Chemical Company for methyl hydroxy pyrone.

*Copies may be obtained from the Office of Price Administration

*7 F.R. 6006, 8940, 8947, 8948, 10068; 8 F.R. 1632.

(2) "Cyclotene" is the trade name of the Dow Chemical Company for methyl cyclo pentenolone.

(c) *Report.* At such time as the rate of production of either Palatone or Cyclotene by the Dow Chemical Company reaches a rate of 1,000 lbs. per year, Dow Chemical Company shall submit its then current cost figures for the production of such product.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 309 may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective March 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3327; Filed, March 2, 1943, 12:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 115 to Supp. Reg. 14[1] to GMPR]

IMPORTED WHISKEYS IN NEW YORK METROPOLITAN AREA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (71) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(71) *Sales of packaged imported whiskey by retailer off-premise licensees in the New York City metropolitan territory.* The maximum prices for sales of packaged imported whiskey by retailer off-premise licensees in the New York City metropolitan territory shall be the retailer off-premise licensee's maximum prices established under § 1499.2; or

(i) *Alternative maximum prices.* If the retailer off-premise licensee in the New York City metropolitan territory shall elect to establish an alternative maximum price for sales of any particular brand, type and container size of packaged imported whiskey he shall determine such maximum price as follows:

(a) The retailer off-premise licensee shall determine his net most per case for his largest single purchase of the particular brand, type and container size in question in February, 1943, or if no purchase of the particular commodity in question was made in that month, such net cost in the nearest preceding month in which a purchase of the commodity was made during the period from July 19, 1942 through January 31, 1943. "Net cost" shall not include the amount of the increased Federal excise tax of November 1, 1942, and it shall mean the net price paid by the seller for the particular commodity in question delivered at his customary receiving point less all discounts allowed him, except the discount for prompt payment. No charge or cost for local unloading or local trucking shall be included.

(b) Multiply the net cost per case determined in accordance with subdivision (a) by:

(1) 1.075 in the case of Class I retailer off-premise licensees; or

(2) 1.15 in the case of Class II retailer off-premise licensees.

(c) Add to the resulting figure at (b) (1) or (2) as the case may be the amount of any new tax or increase in an existing tax incident to the sale, processing or use of imported whiskey which is imposed upon the seller or any prior vendor after March 31, 1942 with respect to the particular quantity of imported whiskey to be priced hereunder by any statute of the United States, statute of the State of New York, or ordinance of any subdivision thereof within the New York City metropolitan territory: *Provided*, That the amount of such tax shall have been paid or shall have accrued and be payable by such seller to the proper taxing authorities or to any prior vendor.

(d) Divide the resulting figure at (c), as computed by the Class I or Class II retailer off-premises licensee as the case may be, by the number of individual containers of the particular brand, type and container size within the case. Adjust the figure thus arrived at to the next higher even cent if the fraction is $\frac{1}{2}$ cent or over and to the next lower even cent if the fraction is less than $\frac{1}{2}$ cent.

(e) Multiply the resulting figure at (d), as computed by the Class I or Class II retailer off-premise licensee as the case may be, by the percentage rate of any sales tax or similar tax imposed upon the seller by any ordinance of any subdivision of the State of New York within the New York City metropolitan territory. The resulting figure shall be rounded off to the nearest full cent in accordance with the practice of the seller in March, 1942, and added to the amount determined at (d): *Provided*, That the amount of such tax shall be separately stated and collected by the seller.

(f) The resulting figure at (e) shall be such retailer's maximum price per unit for sales of the particular brand, type and container size of packaged imported whiskey in question, and such maximum price shall be applicable to such retailer's floor stocks of the particular commodity priced hereunder as well as to new purchases of such commodity, subject to the provisions of subdivisions (ii) and (iii).

(ii) *Reports.* Within five days after establishing a maximum price for any brand, type and container size of packaged imported whiskey under subdivision (i), the retailer off-premise licensee shall file with the District Office of the Office of Price Administration, 525 Fifth Avenue, New York City, New York, a report of the establishment of such maximum price. Such report shall set forth the classification of such licensee; a description of the commodity priced; his net cost per case for the commodity in question; the date of the purchase by reference to which his net cost is determined; the name of his supplier; his former maximum price for the commodity in question; his new maximum price established under subdivision (i); and the method of his computations under subdivision (i).

(iii) *Maximum prices cannot be changed.* (a) On and after the date of filing the report required at subdivision (ii) the maximum price established by the retailer off-premise licensee for the particular brand, type and container size of packaged imported whiskey in question shall not be changed unless an adjustment thereof is required for the addition of new or increased taxes in accordance with subdivision (i) (c); or unless a change is required by written notification from the District Office of the Office of Price Administration, New York City, New York.

(b) If a retailer off-premise licensee in the New York City metropolitan territory does not establish a maximum price under subdivision (i) within 90 days from the effective date of this Amendment, his maximum prices established under § 1499.2 shall not be altered under the provisions of this amendment.

(iv) *Definitions.*

"Class I retailer off-premise licensee" shall mean a retailer off-premise licensee whose gross sales of domestic and imported liquors, wines and beers during the calendar year 1941 totalled $300,000 or more

"Class II retailer off-premise licensee" shall mean a retailer off-premise licensee whose gross sales of domestic and imported liquors, wines and beers during the calendar year 1941 totalled less than $300,000

"Container size" shall mean the particular weight or unit in which imported whiskey is sold to the ultimate consumer in accordance with the regulations of the Federal Alcohol Administration.

"New York City metropolitan territory" shall mean the geographical area within the counties of Bronx, Kings, Manhattan, Nassau, Queens, Richmond, Suffolk, and Westchester in the State of New York.

"Packaged imported whiskey" shall mean any and all whiskey produced outside of the Continental United States or its territories and possessions, and which is sold in the continental United States in containers having a capacity of one wine gallon or less.

"Retailer off-premise licensee" shall mean a person licensed under the statutes of the State of New York to sell liquors and wines to the ultimate consumer for consumption off the premise of the licensee.

(v) *Classification of retailer off-premise licensees.* (a) Each retailer off-premise licensee shall determine his classification by reference to his gross sales of liquors, wines and beers for twelve months during the calendar year 1941. If such gross sales totalled $300,000 or more, he shall be a Class I retailer off-premise licensee for the purposes of this amendment. If such sales totaled less than $300,000, he shall be a Class II retailer off-premise licensee for the purposes of this amendment.

(1) If the retailer off-premise licensee cannot determine his classification by reference to such gross sales for 12 months during the calendar year 1941, such retailer shall determine his classification by reference to his gross sales during the earliest twelve month period commencing after January 1, 1941.

(A) Where the retailer's classification is determined by reference to any period of time after November 1, 1942, such retailer shall deduct from the amount of the gross sales made after such date the amount of the increase in the Federal excise tax which became effective on November 1, 1942 paid by the retailer to the proper taxing authorities or to any prior vendor.

(2) If the retailer off-premise licensee cannot determine his classification because he has not engaged in business for a 12-month period prior to the effective date of this amendment, such retailer's classification shall be determined upon application to the District Office of the Office of Price Administration, New York City, New York. Such application shall contain appropriate facts with reference to which applicant's classification may be established. The Price Administrator or any duly authorized officer of the Office of Price Administration in the District Office of the Office of Price Administration, New York City, New York, shall by order establish the classification of such retailer.

This amendment shall become effective March 8, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3322; Filed, March 2, 1943; 12:09 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A[1], Amendment 15]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.653 (b) is amended as follows:

(b) *Review by hearing commissioner.* Any person against whom an order has been issued after February 28, 1943, pursuant to the provisions of paragraph (a) may within fifteen (15) days after the effective date thereof, appeal from such order by filing a statement of objections to the order with the board which issued it. Within three (3) days after receipt of the statement the board shall forward it, together with a copy of the notice instituting such proceedings, a copy of the record, if any, and a copy of the board's order to the hearing commissioner having jurisdiction over the area in which the board is located. Within five (5) days after receipt of such statement from the board, the hearing commissioner shall notify the respondent and the regional attorney in the region in which the board is located of the time and place set for the hearing. The appeal shall be heard and determined pursuant to the provisions of § 1300.169 of Procedural Regulation No. 4 and amendments thereto: *Provided*, That the provisions applicable to requests for hearing and review, stay orders and appeals pursuant to the provisions of §§ 1315.653 and 1315.655 in effect before March 1, 1943, shall govern the review, rights to appeal and appeals pending from orders issued pursuant to this paragraph before such date, and all provisions of such sections before such date are continued in effect for this purpose.

2. Paragraphs (c), (d) and (e) of § 1315.653 are revoked.

3. Section 1315.655 is revoked.

4. Section 1315.656 is amended as follows:

§ 1315.656 *Authority of regional administrators and State directors to revoke certificates.* (a) The several regional administrators of the Office of Price Administration within their respective regions, and such State directors (as defined in Procedural Regulation No. 9) as may be designated by the regional administrators for that purpose, are authorized to determine whether any certificate-holder who has not yet exchanged the certificate for the commodity described was entitled to receive such certificate on the basis of facts submitted in applying for his certificate. Upon notification to the holder of such proceeding, the certificate shall become null and void pending final determination of its validity in the manner provided in paragraph (b).

(b) In any such case the State director or regional administrator shall receive and consider any evidence presented by the holder of the certificate and may require him to appear for examination and to produce such witnesses or evidence as such officer may deem material. If such officer determines that the certificate-holder was not entitled to receive the certificate, he may order it surrendered to him within forty-eight (48) hours after the certificate-holder receives such order. The certificate-holder may appeal from an adverse decision upon such redetermination pursuant to Procedural Regulation No. 9.

This amendment shall become effective March 2d, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1, 7 F.R. 9121)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3346; Filed, March 2, 1943; 5:09 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 319,[1] Amendment 1]

CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1351.1907 is hereby amended to read as set forth below:

§ 1351.1907 *Producers' wrappers must show retailer's maximum price for sale to consumer.* Wherever a producer sells a commodity listed in Appendix A hereof in a wrapper or other packaging materials after having calculated or reported his maximum price thereon, he shall print on the face of said wrapper or other packaging material the maximum price of the retailer for sales to ultimate consumers calculated in accordance with § 1351.1904, inserting it in the following statement: "Ceiling price ------".

Provided, That where the producer has on hand a supply of wrappers or other packaging materials procured at any time prior to the effective date of this amendment and which bears with or without description, a price of the commodity not exceeding the retailer's maximum price for sales to ultimate consumers as herein specified, he may exhaust his present supply before procuring wrappers or other packaging materials bearing the precise statement above specified.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5426, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8859, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9629, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10533, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1000, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1430, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2213, 2354, 2274, 2343, 2346.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5734, 5733, 6058, 6081, 6037, 6216, 6615, 6704, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8681, 9001, 8942, 9435, 9515, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 535606, 1585, 1628, 1629, 1839, 2030, 2348, 2152.

[1] 8 F.R. 1808.

This amendment shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3344; Filed, March 2, 1943; 4:58 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 319,[1] Amendment 2]

CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1351.1904 is hereby amended to read as set forth below:

§ 1351.1904 *Maximum prices of retailers for sales to ultimate consumers.* The maximum price for every retailer for sales of a commodity listed in Appendix A hereof to ultimate consumers shall be the figure resulting from multiplying the maximum price of his producer for sales to retailers by 125 per cent. If the figure resulting contains a fraction of one-half cent or more, the retailer shall adjust it to the next higher cent, or if less than one-half cent, to the next lower cent.

This amendment shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3345; Filed, March 2, 1943; 4:58 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[2] Amendment 44]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1394.5507 (a), 1394.5508 and 1394.5803 are amended; as set forth below:

Expiration and Revocation of Rations

§ 1394.5507 *Coupons, other evidences and delivery receipts property of Office of Price Administration; summary revocations.* (a) All coupon sheets, coupons, acknowledgments of delivery, inventory coupons, exchange certificates, export certificates and delivery receipts shall be and remain, when issued, the property of the Office of Price Administration. Such Office may, whenever it deems it to be in the public interest to do so, revoke, withhold the use of, or refuse to issue any ration, and may require the surrender and return of any coupon sheet, coupon, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate or delivery receipt.

* * * * *

§ 1394.5508 *Authority of regional administrators, State directors and district managers to cancel and require the surrender of rations.* (a) The several regional administrators of the Office of Price Administration within their respective regions, and such State directors and district managers as may be designated by the regional administrators for that purpose, are, except where an administrative suspension order may be obtained in accordance with Procedural Regulation No. 4, authorized to determine whether any ration holder was entitled to receive the ration issued to him.

(b) In any case where a district manager, State director or regional administrator is authorized pursuant to paragraph (a) of this section to review or redetermine the right of any ration holder to receive or retain any ration, such officer shall receive and consider any evidence presented by the holder of the ration and may require him to appear for examination and to produce such witnesses or evidence as such officer may deem material. If such officer determines that such ration holder was not entitled to receive or is not entitled to retain the ration issued to him, such officer may order that any coupons or other evidences or delivery receipts be cancelled and surrendered. Within forty-eight (48) hours of receiving notice requiring the surrender of any coupons or other evidences or delivery receipts pursuant to such review or redetermination, the person holding the coupons or other evidences or delivery receipts shall surrender them pursuant to such notice. Any person may appeal from an adverse decision upon such review or redetermination pursuant to Procedural Regulation No. 9.

Enforcement

§ 1394.5803 *Suspension orders.* An administrative suspension order may be obtained in accordance with Procedural Regulation No. 4 against any person who violates Ration Order No. 11.

This amendment shall become effective on March 2d, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1–O, 7 F.R. 8418; Executive Order 9125, 7 F.R. 2719)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3341; Filed, March 2, 1943; 4:57 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C; Amendment 28]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 5C is amended in the following respects:

1. Section 1394.8105 (b) is amended to read as follows:

(b) Any person against whom an order has been issued after February 28, 1943, pursuant to the provisions of paragraph (a) of this section may, within fifteen (15) days after the effective date thereof, appeal from such order by filing a statement of objections to the order with the board which issued it. Within three (3) days after the receipt of the statement the board shall forward it, together with a copy of the notice instituting such proceedings, a copy of the record, if any, and a copy of the board's order to the hearing commissioner having jurisdiction over the area in which the board is located. Within five (5) days after the receipt of the statement the hearing commissioner shall notify the respondent and the regional attorney in the region in which the board is located of the time and place set for the hearing. The appeal shall be heard and determined pursuant to the provisions of § 1300.169 of Procedural Regulation No. 4[3] and amendments thereto: *Provided*, That the provisions applicable to requests for hearing and review, stay orders and appeals pursuant to the provisions of paragraphs (b), (c) and (d) of this section in effect before March 1, 1943, shall govern review, rights to appeal, and appeals pending from orders issued pursuant to this section before such date, and all provisions of such paragraphs before such date are continued in effect for this purpose.

2. Section 1394.8105 (c) is revoked.

3. Section 1394.8105 (d) is revoked.

4. Section 1394.8107 is revoked.

5. Section 1394.8109 is revoked.

6. Section 1394.8111 (b) is amended to read as follows:

(b) Such review and any order by such officer withholding, modifying or revoking such a ration and any appeal from such an order shall be made pursuant to the provisions of paragraph (b) of § 1394.8114.

7. Section 1394.8114 is added to read as follows:

§ 1394.8114 *Authority of regional administrators and State directors to cancel and require the surrender of coupons and coupon books.* (a) The several regional administrators of the Office of Price Administration within their respective regions, and such State directors as may be designated by the regional administrators for that purpose, are authorized to determine whether any ration holder was entitled to receive the ration issued to him.

(b) In any case where a State director or Regional administrator is authorized by any provision of Ration Order No. 5C to review or redetermine the right of any ration holder to receive or retain any ration, such officer shall receive and consider any evidence presented by the holder of the ration and may require him to appear for examination and to produce such witnesses or evidence as such officer may deem material. If such officer determines that such ration holder was not entitled to receive or is not entitled to retain the ration issued to him, such officer may order that any coupons or coupon books be cancelled and surrendered. Within forty-eight (48) hours of receiving notice requiring the surrender of any coupons or coupon books pursuant to such review or redetermination, the person holding the coupons or coupon books shall surrender them to the officer from whom he received such notice. Any person may appeal from an adverse decision upon such review or redetermination pursuant to Procedural Regulation No. 9.[3]

8. Section 1394.8115 is added to read as follows:

§ 1394.8115 *Effect of revocation of § 1394.8109 and saving provisions.* (a) No proceedings instituted pursuant to the provisions of paragraphs (a) and (b) of § 1394.8109 in which no order has been made before March 1, 1943, shall be abated by the revocation of such section. Unless the hearing administrator directs that such proceedings shall continue to be governed by the former provisions of paragraphs (a) and (b) of § 1394.8109, such proceedings, if based upon a charge that any provision of Ration Order No. 5A or 5C has been violated, shall be transferred to the hearing commissioner of the Office of Price Administration having jurisdiction over the area in which such proceedings were instituted, and all further proceedings therein shall be governed by the provisions of Procedural Regulation No. 4.[3] Such proceedings, if based upon a charge that a ration holder was not entitled to receive the ration issued, shall be governed by the provisions of § 1394.8114.

(b) No orders issued pursuant to the provisions of § 1394.8109 before March 1, 1943, and no rights to appeal and no appeals from such orders shall be abated by the revocation of such section. The procedure which was formerly applicable shall govern appeals from such orders and the provisions establishing such procedure are continued in effect for this purpose.

9. Section 1394.8302 is amended to read as follows:

§ 1394.8302 *Suspension orders.* Any person who violates this Ration Order No. 5C may, by administrative suspension order, be prohibited from receiving any transfers or deliveries of, or selling or using or otherwise disposing of, any gasoline, tire or passenger automobile. Proceedings for the issuance of suspension orders shall be instituted and governed pursuant to the provisions of Procedural Regulation No. 4.

This amendment shall become effective March 2, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3347; Filed, March 2, 1943; 5:09 p. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[Rev. MPR 125,[1] Amendment 2]

NONFERROUS FOUNDRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1395.2 (d) is amended by inserting after the word "until", the date "April 1, 1943" and deleting the date "March 1, 1943."

This amendment shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3340; Filed, March 2, 1943; 4:57 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[2] Amendment 23]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

1. Section 1407.974 is revoked.

2. Paragraphs (a), (b), and (c) of § 1407.991 are amended to read as follows:

(a) Any person who requires roasted coffee for the purpose of transfer to any person specified in § 1407.991a (a) or paragraph (c) (1) or (c) (2) of this section pursuant to a written contract with such person, may apply in writing to the board for certificates authorizing the acquisition of the quantity of roasted coffee so required. Such application shall include or be accompanied by a statement of the date of contract, the number or other designation of the contract, and the quantity of roasted coffee required in order to perform the contract. Such roasted coffee shall be used only for the purpose of performing the contract. A person who receives a certificate or certificates pursuant to this paragraph in order to fulfill a contract with any person specified in § 1407.991a (a) shall, within ten days of the delivery by him to the person with whom such contract is made of roasted coffee in an amount equal to the weight value of the certificates received, surrender or issue evidences to the board in weight value equal to the weight value of the certificates so received.

(b) Any retailer or wholesaler who on or after November 22, 1942, transfers roasted coffee to any of the persons (other than any agency specified in § 1407.991a (a)) and for the purposes specified in paragraph (c) of this section, without receiving coffee stamps or certificates therefor, may, if he has not obtained a certificate with respect thereto pursuant to paragraph (a) of this section, apply in writing to the board for certificates authorizing the acquisition of an equivalent amount of roasted coffee.

(c) The persons and purposes included within the provisions of this section are the following:

(1) Any agency of the United States or foreign government, other than any agency specified in § 1407.991a (a), for export to any foreign country.

(2) Veterans' Administration.

(3) Any person, other than any agency specified in § 1407.991a (a), for transfer to any territory or possession of the United States other than the District of Columbia.

(4) Any person, other than any agency specified in § 1407.991a (a), operating an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise, or intercoastal trade, as ships' stores for consumption aboard such vessel.

3. Section 1407.991a is added to read as follows:

§ 1407.991a *Ration banking by exempt agencies.* (a) The Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, United States Maritime Commission, Office of Lend-Lease Administration, Food Distribution Administration, Ships' Service Departments Afloat, and Army Exchange Service (to the extent that it acquires roasted coffee for export to a foreign country or for transfer to any territory or possession of the United States other than the District of Columbia) are exempt agencies for the purpose of General Ration Order 3B and are referred to as exempt agencies in Ration Order No. 12. Nothing in Ration Order No. 12 restricts the amount of coffee which exempt agencies may acquire.

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*Copies may be obtained from the Office of Price Administration

[1] 8 F.R. 1808.

[2] 7 F.R. 8480, 8708, 8897, 9216, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1292, 1207, 1365, 1282, 1366, 1318, 1388, 1813, 1895, 2093, 2213, 2288, 2353, 2431.

[2] 8 F.R. 1744, 2035.

[3] 7 F.R. 8796; 8 F.R. 856, 1838, 2030.

[1] 8 F.R. 1744, 2035.

[2] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1286, 1316, 1366, 1631, 2026, 2027, 2032, 2154, 2346, 2433.

(b) Each exempt agency is authorized to open one or more exempt accounts, of the type described in General Ration Order 3B, and, except as otherwise provided in Ration Order No. 12, no exempt agency shall acquire roasted coffee except upon the issuance by it of a ration check equal in weight value to the weight of the roasted coffee transferred to it: *Provided, however,* That roasted coffee may be transferred between or within exempt agencies without the issuance of a check.

(c) Notwithstanding the provisions of § 1407.1021 (a), an exempt agency shall issue an appropriate check to the person who transfers roasted coffee to it at the time such roasted coffee is delivered to it or as soon as practicable thereafter.

(d) Notwithstanding any provision to the contrary in Ration Order No. 12, if for any reason a check cannot be used when an exempt agency acquires roasted coffee, an emergency acknowledgment issued by the exempt agency shall authorize the transfer of roasted coffee to it. An emergency acknowledgment may be in any form, but shall be signed by an authorized officer or employee of the exempt agency, shall specify his official title or rank, and shall state (1) the name of the agency, (2) the name and address of the activity within the agency for which such roasted coffee is acquired, (3) the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a ration check, (4) the amount of roasted coffee acquired, and (5) the date of its acquisition. An emergency acknowledgment shall not authorize the transfer of roasted coffee to the person to whom it is issued, nor shall it be valid for deposit. A person to whom an emergency acknowledgment is issued shall send it to the activity of the exempt agency designated thereon, and a ration check for the amount of roasted coffee transferred shall be issued to him in exchange for the emergency acknowledgment.

4. Section 1407.1015 is amended by deleting the phrase "to the Army, Navy, Marine Corps, or Coast Guard or" and by inserting after the phrase "§ 1407.991" the phrase "or § 1407.991a (a)."

5. Section 1407.1018 is amended by deleting the phrase "the Army, Navy, Marine Corps, or Coast Guard or" and by inserting after the phrase "§ 1407.991" the phrase "or § 1407.991a (a)."

6. Section 1407.1049 is amended to read as follows:

§ 1407.1049 *Transfers to certain persons.* Any person may transfer without the surrender of coffee stamps or certificates and irrespective of any restriction on the transfer or acquisition of coffee imposed by Ration Order No. 12, coffee to any of the persons enumerated in § 1407.991 (c), subject, however, to the provisions of § 1407.991. The Veterans' Administration and agencies specified in § 1407.991a (a) may acquire green coffee irrespective of any restriction on the transfer or acquisition of green coffee imposed by Ration Order No. 12.

7. Section 1407.1084 is amended to read as follows:

§ 1407.1084 *Army, Navy, Marine Corps, and Coast Guard Post Exchanges, Commissaries, and Ships' Service Stores*—(a) *Ration banking.* Army Exchanges, Post Exchanges of the Marine Corps, and Ships' Service Departments Ashore of the Navy and Coast Guard, and other similar activities designated by the respective exempt agencies, which transfer roasted coffee, shall open ration bank accounts but may not open exempt accounts of the type described in General Ration Order 3B. Ration credits necessary for the acquisition of roasted coffee by such Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, and similar activities will be created as a result of arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department and the Bureau of Naval Personnel of the Navy Department, the Marine Corps, and the Coast Guard. Ration credits may be transferred, by the issuance of checks and without the transfer of coffee, between accounts maintained for Army Exchanges, between accounts maintained for Post Exchanges, between accounts maintained for Ships' Service Departments Ashore of the Navy, and between accounts maintained for Ships' Service Departments Ashore of the Coast Guard. (Establishing ration credits for use by Army Exchanges, Post Exchanges, and Ships' Service Departments Ashore for the acquisition of roasted coffee for institutional use is covered by General Ration Order 5.)

(b) *Acquiring and transferring roasted coffee.* Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, and Commissary Stores, and any other activity of the Army, Navy, Marine Corps, and Coast Guard and the Food Distribution Administration may transfer roasted coffee and shall, with respect to such transfers, be governed by the provisions of Ration Order No. 12 governing transfers of roasted coffee by retailers and wholesalers. Such Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, or any other activity of the Army, Navy, Marine Corps, or Coast Guard, or the Food Distribution Administration may acquire roasted coffee for such purpose only upon the issuance by it of appropriate ration checks: *Provided, however,* That during the month of March 1943, Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities may, if ration checks are unavailable, issue emergency acknowledgments, as described in § 1407.991a (d). The person to whom such emergency acknowledgment is issued shall not use it to acquire coffee, but shall exchange it for a ration check at the activity designated thereon. Coffee stamps and certificates surrendered to Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, or any other activity of the Army, Navy, Marine Corps, or Coast Guard or to the Food Distribution Administration shall be deposited in the accounts maintained for them and, except as provided in § 1407.1032 (f), the ration credits created by such deposit may then be used to acquire roasted coffee.

This amendment shall become effective March 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1–R; Food Dir. 3, 8 F.R. 2005)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3339; Filed, March 2, 1943; 4:57 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Ration Order 9,[1] Amendment 3]

HEATING STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 2 to Ration Order No. 9 is amended to read as follows:

Amendment No. 2 to Ration Order No. 9 shall become effective as follows:

As to §§ 1432.13 (c), 1432.14, 1432.14a, 1432.15 (a), 1432.16, 1432.16a, 1432.17, 1432.18, 1432.31, 1432.32 and 1432.33, it shall become effective March 2, 1943; and

As to §§ 1432.1 and 1432.44, it shall become effective on March 15, 1943.

This Amendment 3 shall become effective on March 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Directive No. 1–S, 7 F.R. 10668, E.O. 9125, 7 F.R. 2719)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3343; Filed, March 2, 1943; 4:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 276 Under § 1499.3 (b) of GMPR]

CHATHAM MANUFACTURING COMPANY

An opinion in support of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.1712 (a) is amended to read as follows:

(a) On and after March 2, 1943, the maximum prices at which Chatham Manufacturing Company of Elkin, North Carolina, may sell, deliver and offer for sale the following blankets shall be:

(1) No. 215–A, 72" x 84", 3½ pound, single woven, composed of 25% warp 2 15's mohair worsted yarn, balance woolen filling yarn, $1.775 per pound finished.

(2) No. 216–A, 72" x 90", 4⅓ pound, double woven, composed of 36% warp 2 15's mohair worsted yarn, balance woolen filling yarn, $2.30 per pound finished.

This amendment shall become effective March 2d, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7571)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3342; Filed, March 2, 1943; 4:57 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10720; 8 F.R. 1318, 2433.

Chapter XIII—Petroleum Administration for War

[Interpretation 3 of Conservation Order M–68, as Amended]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

§ 1515.5 *Interpretation 3 of Conservation Order M–68, as amended.*—(a) *Definitions.* (1) "Chapel Hill Field" means the surface overlying the Paluxy sand formation or the Rodessa or Petit limestone formation in what is commonly called the Chapel Hill Field, located in the east central part of Smith County, Texas.

(2) The definitions of Conservation Order M–68 (§ 1047.1 of Chapter IX), as amended, shall apply in this interpretation.

(b) Pursuant to paragraph (k) of Conservation Order M–68 (§ 1047.1 of Chapter IX), as amended, the following official interpretation of such order is hereby issued by the Deputy Petroleum Administrator for War:

Chapel Hill Field is a condensate field under the terms of Conservation Order M–68 (§ 1047.1 of Chapter IX), as amended.

Therefore, in the Chapel Hill Field, any person may use material to drill, complete or provide additions to any well other than an exploratory well only in accordance with an exception issued pursuant to paragraph (c) (10) of Conservation Order M–68 (§ 1047.1 of Chapter IX), as amended, or in accordance with an exception, dated prior to January 14, 1942, issued pursuant to paragraph (c) (9) of Conservation Order M–68 (§ 1047.1 of Chapter IX).

Any application for an exception to Conservation Order M–68 (§ 1047.1 of Chapter IX), as amended, to use material to drill, complete or provide additions to any well in the Chapel Hill Field shall be made by filing a letter in quadruplicate or a telegram with the Director of the Natural Gas and Natural Gasoline Division, Petroleum Administration for War, Interior Building, Washington, D. C., Ref: M–68. Where the information required by OPC Form PD–214, Revised, has not been supplied previously, such information shall be included in the application for exception.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-3348; Filed, March 2, 1943; 4:33 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 2, Supp. 4,[1] (Amendment 1)]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

UNIFORM VOYAGE CHARTER FOR PRIVATE CARRIAGE OF DRY CARGOES

§ 303.5 *Uniform voyage charter for private carriage of dry cargoes.* "Warshipvoy 3/1/43" is amended by striking out the words and figures "March 1st, 1943" in paragraph (a) and inserting in lieu thereof the words and figures "March 22, 1943"; and by adding the following new paragraphs:

(f) The form of cargo receipt set out in paragraph (a) is to be adapted to the requirements for description of the particular cargo.

(g) Negotiable bills of lading issued pursuant to Clause H of Part I shall be in the form prescribed by General Order 16 and Supplements thereto (Warshiplading or Warshipshortblading), upon which the following clause shall be prominently placed:

Subject to all of the terms, provisions, conditions and exceptions of Warshipvoy charter dated ----------

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

MARCH 2, 1943.

[F. R. Doc. 43-3338; Filed, March 2, 1943; 4:15 p. m.]

[1] 8 F.R. 2400.

Notices

WAR DEPARTMENT.

[Air Raid Protection Regulations 1]

HEADQUARTERS, MILITARY DISTRICT OF WASHINGTON, WASHINGTON, D. C.

AIR RAID PROTECTION

Governing blackout, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, within the Military District of Washington (comprising the District of Columbia, the Counties of Arlington and Fairfax and the City of Alexandria in the State of Virginia, and the Counties of Montgomery, Prince Georges, and that part of Charles lying north of Mattawoman Creek in the State of Maryland).

Pursuant to an order of Lieutenant General Hugh A. Drum, Commanding General, Eastern Defense Command and First Army, dated January 9, 1943, the attached regulations are hereby promulgated, effective February 17, 1943, and all persons entering or remaining in the District of Columbia, and the Counties of Arlington and Fairfax and the City of Alexandria in the State of Virginia, and the Counties of Montgomery, Prince Georges, and that part of Charles lying north of Mattawoman Creek in the State of Maryland must comply herewith.

Pursuant to said order, enforcement of these regulations is under the direction and control of the undersigned.

JOHN T. LEWIS,
Brigadier General, U. S. Army, Commanding the Military District of Washington.

JANUARY 27, 1943.

SECTION I—DEFINITIONS

1. *Period of blackout.* The period of time beginning with the blackout (Blue) signal, (or the air raid (Red) signal if there has been no preceding blackout (Blue) signal) and continuing during hours of darkness or until the all clear (White) signal. (See also pars. 19, 20 and 21.)

2. *Period of air raid.* The period of time beginning with the air raid (Red) signal and ending with the blackout (Blue) signal, following the air raid (Red) signal. (See also pars. 19 and 20.)

3. *Warning district.* The basic territorial division of an air defense region for the issuance of air warning signals.

4. *Area of blackout or air raid alarm.* The warning district or districts in and for which a period of blackout (Blue) signal or air raid (Red) signal is in effect.

5. *Hours of darkness.* The time from a half hour after sunset to a half hour before sunrise the following morning between October 1 and April 30, inclusive, and from one hour after sunset until one-half hour before sunrise the following morning between May 1 and September 30, inclusive.

6. *Civilian defense authorities.* Officials or bodies of a state or political subdivision thereof or of the District of Columbia authorized by legislation, regulation or order to administer matter pertinent to the subject matter of these regulations.

7. *Service Command.* The Commanding General of the Service Command, SOS, in which the affected area is located, or of the Military District of Washington, or his authorized representative.

8. *Director of Civilian Defense.* The Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereof, or his authorized representative.

9. *Persons.* Individuals (including officials and employees of the United States, or of any state or territory, or of any political subdivision thereof), partnerships, associations, corporations (municipal, public or private), or any

organized groups of individuals whether incorporated or not.

10. *Persons in control of lighting.* a. With respect to light sources attached to publicly or privately owned real property of any character, the persons entitled, as owners or tenants, to occupy or enter such property or parts thereof;

b. With respect to light sources attached to road vehicles, boats,[1] railroad trains,[1] street cars,[1] and aircraft, the persons in control of the operation of such conveyances;

c. With respect to light sources not attached to real property or to the conveyances described in the foregoing paragraph b, the persons in possession or entitled to possession thereof;

d. With respect to all light sources, individuals who, by reason of relationship as licensee or guest may light or extinguish lights; and

e. Employees, agents and representatives of the persons described in the foregoing paragraphs a to d, inclusive, whose duties include the lighting or extinguishing of lights, and all persons having authority to supervise or direct such employees, agents or representatives.

11. *Public way.* Streets, highways, avenues, boulevards, alleys, and other public thoroughfares, but not including sidewalks or other ways for use primarily by pedestrians.

12. *Road Vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn upon a public way, not operated on rails, including all such devices motivated by mechanical means, or by animal or human power.

13. *Motor vehicle.* Any road vehicle which is self-propelled.

14. *Boat.* Any means of transportation by water.

15. *Railroad train.* Any means of transportation by rail, except street cars.

16. *Street car.* Any vehicle or train of vehicles operating on rails at or above ground level (including elevated trains and subway trains while operating in the open), primarily for the purpose of transporting persons, principally on or over public ways lying within one municipality or metropolitan area as defined by the United States Bureau of Census.

SECTION II—AIR WARNING SIGNAL SYSTEM

17. *Transmission of signals.* The air warning signals described in paragraphs 18, 19, 20 and 21 shall be issued, sounded, or announced only upon the order or the authorization of the fighter command to the district warning center which is operated by civilian defense authorities. The fighter command is responsible only that the district warning center receives the order or authorization for the giving of such signals. Civilian defense authorities are responsible for the transmission of such signals from the district warning center through their alarm warning systems to the public.[2] In the case of practice blackouts or practice air raids, such air warning signals shall be issued, sounded, or announced only upon the order or authorization of the Commanding General, Military District of Washington to civilian defense authorities.

18. *Yellow signal.* This is a confidential preliminary caution signal not to be given by audible public alarm. It indicates the *possibility* of an air raid in the warning district so warned. This signal shall be transmitted by civilian defense authorities only to such key persons, essential industries, railroads, and places within such warning district as such authorities deem essential to initiate proper steps to insure timely blackout or air raid precautions.

19. *Mobilization and blackout (Blue) signal.* This is an audible warning signal indicating the *probability* of an air raid in the warning district so warned. This signal will be a long note (approximately two minutes) at steady pitch of sirens, horns, or whistles. Upon the sounding of this signal, within such warning district, civilian defense forces will mobilize or remain mobilized; if during hours of darkness, lighting will be extinguished or obscured except as permitted by paragraphs 24 to 37, inclusive, and pedestrians and traffic may continue or resume movement.

20. *Air raid (Red) signal.* This is an audible public warning signal indicating the *proximity* of enemy aircraft and the *imminence* of an air raid in the warning district so warned. This signal (approximately two minutes) will be a series of short blasts of horns or whistles or a warbling or fluctuating sound of varying pitch of a siren. Upon the sounding of this signal, in addition to the actions required by the mobilization and blackout (Blue) signal, as contained in paragraph 19 above, within such warning district blackout shall be completed by extinguishing or obscuring all lights, except as permitted by paragraphs 24 to 35, inclusive, and pedestrians, vehicles and other conveyances shall comply with the requirements of paragraphs 38 to 42, inclusive.

21. *All clear (White) signal.* This signal is a public signal indicating All Clear in the district so warned. This signal may be transmitted by radio, telephone, police, by turning on street lights which have been extinguished on the Blue signal, or other available means. This signal may also be given by horns, whistles, or sirens, as specified by local civilian defense authorities: *Provided, however,* That such audible signal shall not be the same as the mobilization and blackout (Blue) signal and the air raid (Red) signal, as provided in paragraphs 19 and 20 above, and shall not resemble said signals so as to be confused therewith. Where such audible signal is used, as provided above, in a metropolitan area, embodying two or more municipalities, such signal shall be first coordinated by the Military District of Washington or service commands within which such area is located. When an All Clear (White) signal follows a Yellow signal without an intervening mobilization and blackout (Blue) or air-raid (Red) signal, it shall not be an audible signal but shall be transmitted only in the manner provided for the Yellow signal, as in paragraph 18 above.

NOTE: Ordinarily, a Yellow Signal shall precede a Blue Signal and a Blue Signal shall precede a Red Signal. However, if sufficient time is not available for these signals to be separated by at least five (5) minutes, the Yellow Signal and or the Blue Signal may be omitted, so that a Blue Signal may be given without a prior Yellow Signal and a Red Signal may be given without a prior Yellow and or Blue Signal. A Blue Signal shall follow every Red Signal, after an interval of not less than five (5) minutes and may in turn be followed by a White Signal or by another Red Signal. Upon the sounding of a Blue Signal, pedestrians and vehicles should give consideration to movement to places of safety in anticipation of an air raid (Red) Signal. The same action shall be required upon a Blue Signal whether it precedes or follows a Red Signal, that is, a return to a status of blackout rather than a condition of air raid; this will permit traffic and pedestrians to resume movement but maintain the blackout condition indicating that raiders have passed the areas so warned but that a condition of blackout is still required in anticipation of another Red Signal upon the approach of a new wave of raiders or a return of the original raiders. The sequence of signals in such case would be Blue, Red, Blue. Red, Blue. A White Signal may follow a Yellow Signal or a Blue Signal, but will not follow a Red Signal without an intermediate Blue Signal. A White Signal shall not be given within ten (10) minutes of a preceding Blue Signal. The All-Clear (White) Signal will not be given until the probability of attack no longer exists.

SECTION III—PROHIBITED LIGHTING

22. *Prohibited lighting.* During the period and in the area of blackout occurring during hours of darkness, persons in control of lighting shall cause all lights[4] visible from the outside to be extinguished or blacked-out as promptly as possible, except as permitted in paragraphs 24 to 37, inclusive.

a. In Coastal Dimout Areas designated as such, the goal or time objective for the completion of all blackout measures shall be five (5) minutes.

b. In all other parts of the Military District of Washington of the Eastern Military Area, all blackout measures shall be completed as near five (5) minutes as possible but in any event not to exceed fifteen (15) minutes.[5]

23. *Unattended lighting.* At all times during hours of darkness, occupants of premises and operators of road vehicles and other conveyances shall not have any unattended lighting, except as permitted in paragraphs 24 to 35. Lighting shall be considered unattended unless a competent individual, who is a member, employee, or guest of the household or business establishment of the occupier, or who is the operator or occupant of a road vehicle or other conveyance, or who, by arrangement with any such individual has undertaken responsibility for said lighting, can blackout as provided in paragraph 22 above.[1]

SECTION IV—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT AND DURING PERIODS OF AIR RAID

24. *General.* During the periods and in the areas of blackout or air raid, during hours of darkness, whether attended or not, lighting is permitted as provided in paragraphs 25 to 35, inclusive.

25. *Lights in buildings and residences.* a. In building interiors a small amount of controlled illumination, sufficient to permit reasonable facility of movement without necessitating complete obscuration of doors and windows, is permitted only when the indoor incandescent lamps or lighting units are installed in accordance with the directions contained in subparagraph *b* below and which:—

(1) Are marked "Indoor Blackout—War Department Standard" (See W. D. Specifications—Blackout of Buildings) or

(2) Conform to the following requirements:

(*a*) Watts—not more than fifteen (15);

(*b*) Bulb coating—opaque except for circular aperture on bulb end;

(*c*) Circular aperture—maximum diameter of one (1) inch;

(*d*) Color of aperture—orange or orange-red,[3] or

(3) Conform to the following requirements:

(*a*) Watts—not more than twenty-five (25).

(*b*) Circuit—230 volt bulb used on 115 volt circuit.

(*c*) Bulb coating—opaque except for circular aperture on end of bulb.

(*d*) Circular aperture—maximum diameter of one (1) inch.

(*e*) Color of aperture—clear or frosted.

b. All indoor blackout lights, permitted as above, shall be installed in accordance with the following directions:

(1) In any room, only one unit is permitted to each two hundred square feet of floor area or a fraction thereof.

(2) Units shall be spaced not less than ten feet apart in any direction.

(3) In corridors, one row of units is permitted at a spacing of not less than fifteen feet.

(4) Units shall be placed at least three feet from any window, exterior door, or other opening.

(5) Units shall not be pointed toward any window, exterior door, or other opening.

(6) Units may be installed at any height when openings are covered in the usual manner with drawn window shades, drapes, blinds, or one thickness of newspaper, or whenever each unit has a shade which screens the unit from outside observation above the horizontal.

(7) Units shall be located above the tops of such openings, when exterior openings are not covered and when units are not otherwise shaded from outside observation above the horizontal.

c. Interior red exit lights are permitted in all public buildings, with the restriction that each exit light shall be so located or shielded as to screen direct light from falling on windows or doors, and that it shall be equipped with one lamp of not more than 15 watts.

26. *Emergency motor vehicles.* Emergency motor vehicles, as defined in paragraph 41, may move during periods stated in paragraph 24 above, using only headlights (on low or depressed beam) and normal tail lights and license plate lights.[2]

27. *Traffic signals and traffic signs.* Traffic signals, traffic signs, fire and police box markers and other illuminated signal devices, complying with War Department Specifications "Traffic Control During Blackouts," are permitted during periods stated in paragraph 24 above.[4]

28. *Street lighting luminaires.* Street lighting luminaires complying with War Department Specification "Street Lighting During Blackouts," are permitted during periods stated in paragraph 24 above.[5]

29. *Flashlights, lanterns and flares.* Flashlight, lanterns and flares complying with War Department Specification "Flashlights, Lanterns and Flares," are permitted during periods stated in paragraph 24 above. Pending the availability of specified filters or automatic cut-offs, flashlights not so equipped may be used provided the light is filtered through (a) three thicknesses of newspaper, or (b) one thickness of newspaper and one sheet of red cellophane. Flashlights shall not be pointed above the horizontal. Pending the availability of lanterns complying with the above specification, lanterns equipped with red or orange globes may be used to mark excavations or other dangerous obstructions.

30. *Water navigation lights.* During the periods as stated in paragraph 24, the following water navigation lights are permitted:

a. Lights on fixed or floating structures except such as are specified by the United States Navy as not essential to indicate safe channels of navigation.

b. Lights on boats to the extent required by the United States Navy.

31. *Aeronautical lights.* During the periods as stated in paragraph 24, the following aeronautical lights are permitted:

a. Flood lights and runway approach lights only at those fields and only to the extent necessary to expedite clearing the air of flights.

b. Position lights on aircraft in flight as required by the Civil Aeronautics Administration.

c. Obstruction lights, except such as are specified by the Military District of Washington as not essential.

d. Beacon lights as specifically authorized by the Military District of Washington. (Otherwise beacon lights shall comply with the provisions of paragraph 22.)

32. *Thermal processes.* During the periods specified in paragraph 24, light emitted from industrial processes, such as furnace glow in glass, pottery and cement works, iron foundries, steel mills, and coke works, is permitted: *Provided however,* That such light shall be shielded, obscured, reduced in intensity or otherwise treated to as great an extent as may be practicable in order to reduce to a minimum the light visible from the outside. Steam or smoke shall be reduced to the minimum.

33. *Railroad lights.* During the periods as specified in paragraph 24 above, all railroad lights on rolling stock and fixed installations are permitted provided they comply with "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

34. *Lighting of military necessity.* All lights of the armed forces necessarily used in active defense measures are permitted during the periods stated in paragraph 24.

35. *Specially authorized lights.* Any lights specifically authorized by the Military District of Washington are permitted during such period and to such extent as the Commanding General thereof may deem appropriate.

SECTION V—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT BUT PROHIBITED DURING PERIODS OF AIR RAID

36. *Special permitted lights.* During the period and in the area of blackout (Blue), but not during the period of air raid (Red), (1) street lights and traffic signals, (2) lights in military and naval installations and manufacturing plants or other facilities essential to the war effort, and (3) lights in railroad classification yards, are permitted, provided such three classes of lights comply with the following conditions:

a. That such lights comply with dimout regulations in effect in such area, or, in the absence of such regulations, if they do not contribute materially to skyglow; and

b. That such lights shall be extinguished or blacked out within one (1) minute from the sounding of the air raid (Red) signal when such signal follows a blackout (Blue) signal.

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[1] See pars. 12 to 16, incl.

[2] Section II hereof supersedes certain provisions of O. C. D. pamphlet, "Air Raid Warning System."

[3] Local civilian defense authorities should maintain records of the time of beginning and ending of sounding of all audible air warning signals.

[4] This prohibition applies to lights of every description, electrical, gas, oil, or any other source, including matches, cigarette lighters etc. It prohibits lights that are blue or any other color except as specifically permitted.

[5] Although fifteen minutes are allowed outside of the Coastal Dimout Area (due to the fact that lighting is not already substantially reduced), five minutes is the ultimate goal to be attained in all areas. It should be recognized that it may not always be possible to give fifteen minutes' warning and in fact a Red signal may at times be required without a prior Blue signal; hence an effort should be made to blackout in as short a period as possible.

[1] It is to be noted that the provisions of this paragraph, requiring that lighting be attended, apply every night whether or not there is a period of air raid or a period of blackout.

[2] Blue is prohibited for blackout lights.

[3] It is anticipated that the provisions of this paragraph will be superseded when standard blackout lighting equipment meeting War Department Specifications or substitute equipment as approved by proper military authority is available and is provided for all the emergency motor vehicles in any specified city or metropolitan area. In Coastal Dimout Areas, headlights must also comply with Dimout Regulations.

[4] See also War Department Specification "Luminescent Materials."

[5] See also paragraph 34 for street lighting permitted during periods of blackout (Blue) but prohibited during periods of air raid (Red).

37. *Lights on road vehicles and other conveyances.*[1] During the period and in the area of blackout (Blue), but not during the period of air raid (Red):

a. All moving motor vehicles are permitted to use headlights (on low or depressed beam) and normal tail lights and license plate lights.

b. Street cars, elevated trains and subway trains operating above ground level are permitted to use normal exterior and interior lights.

c. Road vehicles other than motor vehicles are permitted to use normal lights.

SECTION VI—MOVEMENT OF VEHICLES AND OTHER CONVEYANCES; PEDESTRIANS

38. *General.* During the period and in the area of air (Red) alarm:

a. All road vehicles, except emergency vehicles as defined in paragraph 41, shall be immediately stopped (except as provided in paragraphs 39 and 40) and parked so that roadway space shall be left for the passage of traffic, and all lights shall be extinguished. Occupants shall leave said vehicles as soon as parked and shall take shelter, except that occupants of road vehicles carrying property which must be guarded may remain in said parked vehicles.

b. Street cars shall be stopped at loading points or other safe and convenient locations, and passengers shall be discharged and take shelter. All exterior and interior lights shall be extinguished.

c. Ridden or herded animals shall clear the public way for the passage of traffic.

d. Boats shall comply with regulations issued by the United States Navy.

e. Movement of railroad trains and personnel shall be in accordance with the provisions of "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

39. *Bridges and tunnels.* During the period and in the area of air raid (Red) alarm, road vehicles, other than emergency vehicles, and street cars shall not enter bridges, viaducts, or tunnels and, if already there, shall proceed to the end or exit thereof and as far beyond as necessary to park in accordance with the preceding paragraph 38a.

40. *Vehicles transporting dangerous materials.* Vehicles transporting explosives, gasoline, or other dangerous combustibles shall, upon the signal for an air raid (Red), proceed forthwith, where possible, to a place more than one hundred (100) feet from the nearest habitation or business premises and there park as provided in paragraph 38a. Vehicles so proceeding may use headlights (low or depressed beam), normal tail lights, and license plate lights.

41. *Emergency vehicles.* The term "Emergency Vehicles" shall mean the following road vehicles:

a. Vehicles of, or acting under orders of, or traveling with the express permission of, the armed forces of the United States and her allies;

b. Vehicles of fire departments and governmental police agencies;

c. Ambulances and official rescue cars and other vehicles converted to such use in emergency service;

d. Public utility repair vehicles operating in emergency service;

e. Vehicles in emergency service identified by insignia prescribed by the director of civilian defense. In exceptional cases vehicles without such identifying insignia will be permitted to move as emergency vehicles provided the appropriate civilian defense authorities are satisfied that the use of such vehicles is necessary in the performance of emergency duties.

42. *Pedestrians.* Upon the signal for an air raid (Red), all persons shall immediately take shelter in the nearest building in which they are legally permitted to enter or in the designated shelter area most convenient to them, except those required for the performance of their official duties as follows:

a. Uniformed members of the armed forces of the United States and her allies, and of the State Guards.

b. Members of fire departments and governmental police agencies.

c. Persons as authorized by civilian defense authorities who wear arm-bands or carry identification cards with insignia prescribed by the director of civilian defense, or persons wearing arm-bands authorized for the Aircraft Warning Service; provided all such persons are required to move in the performance of their emergency duties.

SECTION VII—RADIO

43. *Radio stations* will be silenced at such time and for such periods as may be ordered by fighter command[2] as follows:

a. Radio stations operating on frequencies between three thousand (3,000) and thirty thousand (30,000) kilocycles will not be silenced.

b. Radio stations operating on frequencies below three thousand (3,000) and above thirty thousand (30,000) kilocycles will be ordered silenced when the tactical situation warrants, except as follows:

(1) During periods of blackout and air raid, special broadcast messages on selected frequencies may be made under the specific direction and control of the Military District of Washington.[3]

(2) Army and Navy stations may operate to a necessary minimum when necessity dictates as determined by the local commander.

(3) Police, fire and other special emergency radio stations may remain in operation upon the following basis:

(*a*) Each transmission will not exceed thirty (30) seconds.

(*b*) Transmissions will be at intervals of not less than two (2) minutes.

(*c*) The normal call letter will be omitted.

(*d*) The intelligence transmitted will not disclose identity or location of station.

SECTION VIII—PRACTICE BLACKOUTS AND PRACTICE AIR RAIDS

44. *Practice blackouts and practice air raids* may be conducted by federal, state and local authorities in such area, at such times, and to such extent as may be authorized by the Military District of Washington in which the area is located. The Commanding General, Military District of Washington may excuse from such practice blackouts or practice air raids, for such periods and to such extent as he may determine, any military or naval installation, manufacturing plant or other facility essential to the war effort, provided the said Commanding General, Military District of Washington has ascertained that such installation, plant, or facility is prepared to and is proficient in blackout, or for such other reasons as he may deem appropriate.

SECTION IX—FALSE BLACKOUTS OR AIR RAIDS

45. *False blackouts or air raids.* No person shall order, utter, publish, sound, or otherwise simulate or cause to be ordered, uttered, published, sounded, or otherwise simulated, any air warning signal unless ordered or authorized to do so by the fighter command or, in the case of practice blackouts or practice air raids, as authorized by the Military District of Washington, or for the testing of air warning equipment on Saturdays between twelve (12) o'clock noon and five (5) minutes following, as authorized by the civilian defense authorities.

SECTION X.—ILLEGAL USE OF INSIGNIA

46. Illegal use of insignia. No person shall wear, exhibit, display, use, manufacture, sell, or offer for sale for any purpose, or cause to be worn, exhibited, displayed, used, manufactured, sold, or offered for sale for any purpose, any armband, badge, emblem, uniform, pennant, card, or other identification or credential embodying the insignia prescribed by the director of civilian defense or prescribed for the aircraft warning service, or any simulation or adaptation of such insignia, except in accordance with rules and regulations of the director of civilian defense or the aircraft warning service.

SECTION XI. ENFORCEMENT AND PENALTIES

47. Any person who violates any regulation contained herein is subject to the penalties provided by Title 18, Section 97A, United States Code,[4] and to immediate exclusion from the Eastern Military Area by the Commanding General, Eastern Defense Command and First Army. In addition, if two or more persons conspire to violate said Section 97A, United States Code, and one or more persons do any act to effect the object of such conspiracy each of said parties will be subject to the penalties provided by Title 18, section 88, United States Code.[4] In case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

48. The United States Coordinator of Civilian Defense for the Metropolitan Area and civilian defense authorities within the District of Columbia, the Counties of Arlington and Fairfax and the City of Alexandria in the State of Virginia, and the Counties of Montgomery, Prince Georges, and that part of Charles lying north of Mattawoman Creek in the State of Maryland, with their consent, are designated as the principal agencies to assist in the enforcement of these regulations.

49. These regulations shall not in any way modify the Dimout Regulations heretofore or hereafter prescribed for the Coastal Dimout Area of the Military District of Washington.

50. These regulations shall apply to persons in, or performing or permitting acts in the Military District of Washington, which embraces the District of Columbia and the Counties of Arlington and Fairfax and the City of Alexandria in the State of Virginia and the Counties of Montgomery, Prince Georges, and that part of Charles lying north of Mattawoman Creek in the State of Maryland, and shall become effective on February 17, 1943.

[F. R. Doc. 43-3349; Filed, March 3, 1943; 9:50 a. m.]

[Air Raid Protection Regulations 1]

HEADQUARTERS FIRST SERVICE COMMAND, BOSTON, MASS.

AIR RAID PROTECTION

Governing blackout, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, within the First Service Command (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut).

Pursuant to an order of Lieutenant General Hugh A. Drum, Commanding General, Eastern Defense Command and First Army dated January 9, 1943, the attached regulations are hereby promulgated, effective February 17, 1943, and all persons entering or remaining in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut must comply herewith.

Pursuant to said order, enforcement of these regulations is under the direction and control of the undersigned.

SHERMAN MILES,
Major General, U. S. Army,
Commanding the First Service Command.

JANUARY 27, 1943.

SECTION I—DEFINITIONS

1. *Period of blackout.* The period of time beginning with the blackout (Blue) signal, (or the air raid (Red) signal if there has been no preceding blackout (Blue) signal) and continuing during hours of darkness or until the all clear (White) signal. (See also pars. 19, 20 and 21.)

2. *Period of air raid.* The period of time beginning with the air raid (Red) signal and ending with the blackout (Blue) signal, following the air raid (Red) signal. (See also pars. 19 and 20.)

3. *Warning district.* The basic territorial division of an air defense region for the issuance of air warning signals.

4. *Area of blackout or air raid alarm.* The warning district or districts in and for which a period of blackout (Blue) signal or air raid (Red) signal is in effect.

5. *Hours of darkness.* The time from a half hour after sunset to a half hour before sunrise, the following morning between October 1 and April 30, inclusive, and from one hour after sunset until one-half hour before sunrise the following morning between May 1 and September 30, inclusive.

6. *Civilian defense authorities.* Officials or bodies of a state or political subdivision thereof or of the District of Columbia authorized by legislation, regulation or order to administer matters pertinent to the subject matter of these regulations.

7. *Service command.* The Commanding General of the Service Command, SOS, in which the affected area is located, or of the Military District of Washington, or his authorized representative.

8. *Director of Civilian Defense.* The Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereof, or his authorized representative.

9. *Persons.* Individuals (including officials and employees of the United States, or of any state or territory, or of any political subdivision thereof), partnerships, associations, corporations (municipal, public or private) or any organized groups of individuals whether incorporated or not.

10. *Persons in control of lighting.* a. With respect to light sources attached to publicly or privately owned real property of any character, the person entitled, as owners or tenants, to occupy or enter such property or parts thereof;

b. With respect to light sources attached to road vehicles,[5] boats,[5] railroad trains,[5] street cars,[5] and aircraft, the persons in control of the operation of such conveyances;

c. With respect to light sources not attached to real property or to the conveyances described in the foregoing paragraph b, the persons in possession or entitled to possession thereof;

d. With respect to all light sources, individuals who, by reason of relationship as licensee or guest, may light or extinguish lights; and

e. Employees, agents and representatives of the persons described in the foregoing paragraphs a to d, inclusive, whose duties include the lighting or extinguishing of lights, and all persons having authority to supervise or direct such employees, agents or representatives.

11. *Public way.* Streets, highways, avenues, boulevards, alleys, and other public thoroughfares, but not including sidewalks or other ways for use primarily by pedestrians.

12. *Road vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn upon a public way, not operated on rails, including all such devices motivated by mechanical means, or by animal or human power.

13. *Motor vehicle.* Any road vehicle which is self-propelled.

14. *Boat.* Any means of transportation by water.

15. *Railroad train.* Any means of transportation by rail, except street cars.

16. *Street car.* Any vehicle or train of vehicles operating on rails at or above ground level (including elevated trains and subway trains while operating in the open), primarily for the purpose of transporting persons, principally on or over public ways lying within one municipality or metropolitan area as defined by the United States Bureau of Census.

SECTION II—AIR WARNING SIGNAL SYSTEM[6]

17. *Transmission of signals.* The air warning signals described in paragraphs 18, 19, 20 and 21 shall be issued, sounded, or announced only upon the order or the authorization of the fighter command to the district warning center which is operated by civilian defense authorities. The fighter command is responsible only that the district warning center receives the order or authorization for the giving of such signals. Civilian defense authorities are responsible for the transmission of such signals from the district warning center through their alarm warning systems to the public.[6] In the case of practice blackouts or practice air raids, such air warning signals shall be issued, sounded, or announced only upon the order or authorization of the service command to civilian defense authorities.

18. *Yellow signal.* This is a confidential preliminary caution signal not to be given by audible public alarm. It indicates the *possibility* of an air raid in the warning district so warned. This signal shall be transmitted by civilian defense authorities only to such key persons, essential industries, railroads, and places within such warning district as such authorities deem essential to initiate proper steps to insure timely blackout or air raid precautions.

19. *Mobilization and blackout (Blue) signal.* This is an audible warning signal indicating the *probability* of an air raid in the warning district so warned. This signal will be a long note (approximately two minutes) at steady pitch of sirens, horns, or whistles. Upon the

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[1] In Coastal Dimout Areas, such lights must also comply with Dimout Regulations.

[2] Consideration is given to visibility prior to imposing radio silences.

[3] The selected frequencies will be announced by the Military District of Washington. Persons having radio receivers should keep them tuned to one of the selected frequencies during periods of blackout or air raid. No broadcasts on any frequency are authorized during periods of blackout or air raid except as authorized by the Military District of Washington on the selected frequencies.

[4] This section provides a penalty of a fine not to exceed $5,000, or imprisonment for not more than one (1) year, or both, for each offense.

[5] This section provides a penalty of a fine not to exceed $10,000, or imprisonment for not more than two (2) years, or both, for each offense.

[6] See pars. 12 to 16, incl.—References.

[6] Section II hereof supersedes certain provisions of O. C. D. pamphlet, "Air Raid Warning System."

[6] Local civilian defense authorities should maintain records of the time of beginning and ending of sounding of all audible air warning signals.

sounding of this signal, within such warning district, civilian defense forces will mobilize or remain mobilized; if during hours of darkness, lighting will be extinguished or obscured except as permitted by paragraphs 24 to 37, inclusive, and pedestrians and traffic may continue or resume movement.

20. *Air raid (Red) Signal.* This is an audible public warning signal indicating the *proximity* of enemy aircraft and the *imminence* of an air raid in the warning district so warned. This signal (approximately two minutes) will be a series of short blasts of horns or whistles or a warbling or fluctuating sound of varying pitch of a siren. Upon the sounding of this signal, in addition to the actions required by the mobilization and blackout (Blue) signal, as contained in paragraph 19 above, within such warning district blackout shall be completed by extinguishing or obscuring all lights, except as permitted by paragraphs 24 to 35, inclusive, and pedestrians, vehicles and other conveyances shall comply with the requirements of paragraphs 38 to 42, inclusive.

21. *All clear (White) signal.* This signal is a public signal indicating All Clear in the district so warned. This signal may be transmitted by radio, telephone, police, by turning on street lights which have been extinguished on the Blue signal, or other available means. This signal may also be given by horns, whistles, or sirens, as specified by local civilian defense authorities: *Provided, however,* That such audible signal shall not be the same as the mobilization and blackout (Blue) signal and the air raid (Red) signal, as provided in paragraphs 18 and 20 above, and shall not resemble said signals so as to be confused therewith. Where such audible signal is used, as provided above, in a metropolitan area, embodying two or more municipalities, such signal shall be first coordinated by the service command or service commands within which such area is located. When an All Clear (White) signal follows a Yellow signal without an intervening mobilization and blackout (Blue) or air-raid (Red) signal it shall not be an audible signal but shall be transmitted only in the manner provided for the Yellow signal, as in paragraph 18 above.

NOTE: Ordinarily, a Yellow Signal shall precede a Blue Signal and a Blue Signal shall precede a Red Signal. However, if sufficient time is not available for these signals to be separated by at least five (5) minutes, the Yellow Signal and or the Blue Signal may be omitted, so that a Blue Signal may be given without a prior Yellow Signal and a Red Signal may be given without a prior Yellow and or Blue Signal. A Blue Signal shall follow every Red Signal, after an interval of not less than five (5) minutes and may in turn be followed by a White Signal or by another Red Signal. Upon the sounding of a Blue Signal, pedestrians and vehicles should give consideration to movement to places of safety in anticipation of an air raid (Red) Signal. The same action shall be required upon a Blue Signal whether it precedes or follows a Red Signal, that is, a return to a status of blackout rather than a condition of air raid; this will permit traffic and pedestrians to resume movement but maintains the blackout condition indicating that raiders have passed the area so warned but that a condition of blackout is still required in anticipation of another Red Signal upon the approach of a new wave of raiders or a return of the original raiders. The sequence of signals in such case would be Blue, Red, Blue, Red, Blue. A White Signal may follow a Yellow Signal or a Blue Signal, but will not follow a Red Signal without an intermediate Blue Signal. A White Signal shall not be given within ten (10) minutes of a preceding Blue Signal. The All-Clear (White) Signal will not be given until the probability of attack no longer exists.

SECTION III—PROHIBITED LIGHTING

22. *Prohibited lighting.* During the period and in the area of blackout occurring during hours of darkness, persons in control of lighting shall cause all lights [1] visible from the outside to be extinguished or blacked-out as promptly as possible, except as permitted in paragraphs 24 to 37, inclusive.

a. In Coastal Dimout Areas designated as such, the goal or time objective for the completion of all blackout measures shall be five (5) minutes.

b. In all other parts of the First Service Command of the Eastern Military Area, all blackout measures shall be completed as near five (5) minutes as possible but in any event not to exceed fifteen (15) minutes.[2]

23. *Unattended lighting.* At all times during hours of darkness, occupants of premises and operators of road vehicles and other conveyances shall not have any unattended lighting, except as permitted in paragraphs 24 to 35. Lighting shall be considered unattended unless a competent individual, who is a member, employee, or guest of the household or business establishment of the occupier, or who is the operator or occupant of a road vehicle or other conveyance, or who, by arrangement with any such individual has undertaken responsibility for said lighting, can black out as provided in paragraph 22 above.[3]

SECTION IV—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT AND DURING PERIODS OF AIR RAID

24. *General.* During the periods and in the areas of blackout or air raid, during hours of darkness, whether attended or not, lighting is permitted as provided in paragraphs 25 to 35, inclusive.

25. *Lights in buildings and residences.* a. In building interiors a small amount of controlled illumination, sufficient to permit reasonable facility of movement without necessitating complete obscuration of doors and windows, is permitted only when the indoor incandescent lamps or lighting units are installed in accordance with the directions contained in subparagraph b below and which:

(1) Are marked "Indoor Blackout—War Department Standard" (See W. D. Specifications—Blackout of Buildings) or

(2) Conform to the following requirements:

(a) Watts—not more than fifteen (15).

(b) Bulb coating—opaque except for circular aperture on bulb end;

(c) Circular aperture—maximum diameter of one (1) inch;

(d) Color of aperture—orange or orange-red,[4] or

(3) Conform to the following requirements:

(a) Watts—not more than twenty-five (25).

(b) Circuit—230 volt bulb used on 115 volt circuit.

(c) Bulb coating—opaque except for circular aperture on end of bulb.

(d) Circular aperture—maximum diameter of one (1) inch.

(e) Color of aperture—clear or frosted.

b. All indoor blackout lights, permitted as above, shall be installed in accordance with the following directions:

(1) In any one room, only one unit is permitted to each two hundred square feet of floor area or a fraction thereof.

(2) Units shall be spaced not less than ten feet apart in any direction.

(3) In corridors, one row of units is permitted at a spacing of not less than fifteen feet.

(4) Units shall be placed at least three feet from any window, exterior door, or other opening.

(5) Units shall not be pointed toward any window, exterior door, or other opening.

(6) Units may be installed at any height when openings are covered in the usual manner with drawn window shades, drapes, blinds, or one thickness of newspaper, or whenever each unit has a shade which screens the unit from outside observation above the horizontal.

(7) Units shall be located above the tops of such openings, when exterior openings are not covered and when units are not otherwise shaded from outside observation above the horizontal.

c. Interior red exit lights are permitted in all public buildings, with the restriction that each exit light shall be so located or shielded as to screen direct light from falling on windows or doors, and that it shall be equipped with one lamp of not more than 15 watts.

26. *Emergency motor vehicles.* Emergency motor vehicles, as defined in paragraph 41, may move during periods stated in paragraph 24 above, using only headlights (on low or depressed beam) and normal tail lights and license plate lights.[4]

27. *Traffic signals and traffic signs.* Traffic signals, traffic signs, fire and police box markers and other illuminated signal devices, complying with War Department Specifications "Traffic Control During Blackouts," are permitted during periods stated in paragraph 24 above.[2]

28. *Street lighting luminaires.* Street lighting luminaires complying with War Department Specification "Street Lighting During Blackouts," are permitted during periods stated in paragraph 24 above.[3]

29. *Flashlights, lanterns and flares.* Flashlights, lanterns and flares complying with War Department Specification "Flashlights, Lanterns and Flares," are permitted during periods stated in paragraph 24 above. Pending the availability of specified filters or automatic cutoffs, flashlights not so equipped may be used provided the light is filtered through (a) three thicknesses of newspaper, or (b) one thickness of newspaper and one sheet of red cellophane. Flashlights shall not be pointed above the horizontal. Pending the availability of lanterns complying with the above specification, lanterns equipped with red or orange globes may be used to mark excavations or other dangerous obstructions.

30. *Water navigation lights.* During the periods as stated in paragraph 24, the following water navigation lights are permitted:

a. Lights on fixed or floating structures except such as are specified by the United States Navy as not essential to indicate safe channels of navigation.

b. Lights on boats to the extent required by the United States Navy.

31. *Aeronautical lights.* During the periods as stated in paragraph 24, the following aeronautical lights are permitted:

a. Flood lights and runway approach lights only at those fields and only to the extent necessary to expedite clearing the air of flights.

b. Position lights on aircraft in flight as required by the Civil Aeronautics Adminstraton.

c. Obstruction lights except such as are specified by the service command as not essential.

d. Beacon lights as specifically authorized by the service command. (Otherwise beacon lights shall comply with the provisions of paragraph 22.)

32. *Thermal processes.* During the periods specified in paragraph 24, light emitted from industrial processes, such as furnace glow in glass, pottery and cement works, iron foundries, steel mills, and coke works, is permitted: *Provided however,* That such light shall be shielded, obscured, reduced in intensity or otherwise treated to as great an extent as may be practicable in order to reduce to a minimum the light visible from the outside. Steam or smoke shall be reduced to the minimum.

33. *Railroad lights.* During the periods as specified in paragraph 24 above, all railroad lights on rolling stock and fixed installations are permitted provided they comply with "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

34. *Lighting of military necessity.* All lights of the armed forces necessarily used in active defense measures are permitted during the periods stated in paragraph 24.

35. *Specially authorized lights.* Any lights specifically authorized by the service command are permitted during such period and to such extent as he may deem appropriate.

SECTION V—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT BUT PROHIBITED DURING PERIODS OF AIR RAID

36. *Special permitted lights.* During the period and in the area of blackout (Blue), but not during the period of air raid (Red), (1) street lights and traffic signals, (2) lights in military and naval installations and manufacturing plants or other facilities essential to the war effort, and (3) lights in railroad classification yards, are permitted, provided such three classes of lights comply with the following conditions:

a. That such lights comply with dimout regulations in effect in such area, or, in the absence of such regulations, if they do not contribute materially to skyglow; and

b. That such lights shall be extinguished or blacked out within one (1) minute from the sounding of the air raid (Red) signal when such signal follows a blackout (Blue) signal.

37. *Lights on road vehicles and other conveyances.*[4] During the period and in the area of blackout (Blue), but not during the period of air raid (Red):

a. All moving motor vehicles are permitted to use headlights (on low or depressed beam) and normal tail lights and license plate lights.

b. Street cars, elevated trains and subway trains operating above ground level are permitted to use normal exterior and interior lights.

c. Road vehicles other than motor vehicles are permitted to use normal lights.

SECTION VI—MOVEMENT OF VEHICLES AND OTHER CONVEYANCES; PEDESTRIANS

38. *General.* During the period and in the area of air raid (Red) alarm:

a. All road vehicles, except emergency vehicles as defined in paragraph 41, shall be immediately stopped (except as provided in paragraphs 39 and 40) and parked so that roadway space shall be left for the passage of traffic, and all lights shall be extinguished. Occupants shall leave said vehicles as soon as parked and shall take shelter, except that occupants of road vehicles carrying property which must be guarded may remain in said parked vehicles.

b. Street cars shall be stopped at loading points or other safe and convenient locations, and passengers shall be discharged and take shelter. All exterior and interior lights shall be extinguished.

c. Ridden or herded animals shall clear the public way for the passage of traffic.

d. Boats shall comply with regulations issued by the United States Navy.

e. Movement of railroad trains and personnel shall be in accordance with the provisions of "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

39. *Bridges and tunnels.* During the period and in the area of air raid (Red) alarm, road vehicles, other than emergency vehicles, and street cars shall not enter bridges, viaducts, or tunnels and, if already there, shall proceed to the end or exit thereof and as far beyond as necessary to park in accordance with the preceding paragraph 38a.

40. *Vehicles transporting dangerous materials.* Vehicles transporting explosives, gasoline, or other dangerous combustibles shall, upon the signal for an air raid (Red), proceed forthwith, where possible, to a place more than one hundred (100) feet from the nearest habitation or business premises and there park as provided in paragraph 38a. Vehicles so proceeding may use headlights (low or depressed beam), normal tail lights, and license plate lights.

41. *Emergency vehicles.* The term "emergency vehicles" shall mean the following road vehicles:

a. Vehicles of, or acting under orders of, or traveling with the express permission of, the armed forces of the United States and her allies;

b. Vehicles of fire departments and governmental police agencies;

c. Ambulances and official rescue cars and other vehicles converted to such use in emergency service;

d. Public utility repair vehicles operating in emergency service;

e. Vehicles in emergency service identified by insignia prescribed by the director of civilian defense. In exceptional cases vehicles without such identifying insignia will be permitted to move as emergency vehicles provided the appropriate civilian defense authorities are satisfied that the use of such vehicles is necessary in the performance of emergency duties.

42. *Pedestrians.* Upon the signal for an air raid (Red) all persons shall immediately take shelter in the nearest building in which they are legally permitted to enter or in the designated shelter area most convenient to them, except those required for the performance of their official duties as follows:

a. Uniformed members of the armed forces of the United States and her allies, and of the State Guards.

b. Members of fire departments and governmental police agencies.

c. Persons as authorized by civilian defense authorities who wear arm-bands

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[1] This prohibition applies to lights of every description, electrical, gas, oil, or any other source, including matches, cigarette lighters, etc. It prohibits lights that are blue or any other color except as specifically permitted.

[2] Although fifteen minutes are allowed outside of the Coastal Dimout Area (due to the fact that lighting is not already substantially reduced), five minutes is the ultimate goal to be attained in all areas. It should be recognized that it may not always be possible to give fifteen minutes' warning and in fact a Red Signal may at times be required without a prior Blue Signal; hence an effort should be made to black out in as short a period as possible.

[3] It is to be noted that the provisions of this paragraph, requiring that lighting be attended, apply every night whether or not there is a period of air raid or a period of blackout.

[4] Blue is prohibited for blackout lights.

[1] It is anticipated that the provisions of this paragraph will be superseded when standard blackout lighting equipment meeting War Department Specifications or substitute equipment as approved by proper military authority is available and is provided for all the emergency motor vehicles in any specified city or metropolitan area. In Coastal Dimout Areas, headlights must also comply with Dimout Regulations.

[2] See also War Department Specification "Luminescent Materials."

[3] See also paragraph 36 for street lighting permitted during periods of blackout (Blue) but prohibited during periods of air raid (Red).

[4] In Coastal Dimout Areas, such lights must also comply with Dimout Regulations.

or carry identification cards with insignia prescribed by the director of civilian defense, or persons wearing arm-bands authorized for the Aircraft Warning Service; provided all such persons are required to move in the performance of their emergency duties.

SECTION VII—RADIO

43. Radio stations will be silenced at such time and for such periods as may be ordered by fighter command[1] as follows:

a. Radio stations operating on frequencies between three thousand (3,000) and thirty thousand (30,000) kilocycles will not be silenced.

b. Radio stations operating on frequencies below three thousand (3,000) and above thirty thousand (30,000) kilocycles will be ordered silenced when the tactical situation warrants, except as follows:

(1) During periods of blackout and air raid, special broadcast messages on selected frequencies may be made under the specific direction and control of the service command.[2]

(2) Army and Navy stations may operate to a necessary minimum when necessity dictates as determined by the local commander.

(3) Police, fire and other special emergency radio stations may remain in operation upon the following basis:

(a) Each transmission will not exceed thirty (30) seconds.

(b) Transmissions will be at intervals of not less than two (2) minutes.

(c) The normal call letter will be omitted.

(d) The intelligence transmitted will not disclose identity or location of station.

SECTION VIII—PRACTICE BLACKOUTS AND PRACTICE AIR RAIDS

44. *Practice blackouts and practice air raids* may be conducted by federal, state and local authorities in such area, at such times and to such extent as may be authorized by the service command in which the area is located. The service command may excuse from such practice blackouts or practice air raids, for such periods and to such extent as he may determine, any military or naval installation, manufacturing plant or other facility essential to the war effort, provided the said service command has ascertained that such installation, plant, or facility is prepared to and is proficient in blackout, or for such other reasons as he may deem appropriate.

SECTION IX—FALSE BLACKOUTS OR AIR RAIDS

45. *False blackouts or air raids.* No person shall order, utter, publish, sound, or otherwise simulate or cause to be ordered, uttered, published, sounded, or otherwise simulated, any air warning signal unless ordered or authorized to do so by the fighter command or, in the case of practice blackouts or practice air raids, as authorized by the service command, or for the testing of air warning equipment on Saturdays between twelve (12) o'clock noon and five (5) minutes following, as authorized by the civilian defense authorities.

SECTION X—ILLEGAL USE OF INSIGNIA

46. *Illegal use of insignia.* No person shall wear, exhibit, display, use, manufacture, sell, or offer for sale for any purpose, or cause to be worn, exhibited, displayed, used, manufactured, sold, or offered for sale for any purpose, any arm-band, badge, emblem, uniform, pennant, card, or other identification or credential embodying the insignia prescribed by the director of civilian defense or prescribed for the aircraft warning service, or any simulation or adaptation of such insignia, except in accordance with rules and regulations of the director of civilian defense or the aircraft warning service.

SECTION XI—ENFORCEMENT AND PENALTIES

47. Any person who violates any regulation contained herein is subject to the penalties provided by Title 18, section 97A, United States Code,[3] and to immediate exclusion from the Eastern Military Area by the Commanding General, Eastern Defense Command and First Army. In addition, if two or more persons conspire to violate said section 97A, United States Code, and one or more persons do any act to effect the object of such conspiracy, each of said parties will be subject to the penalties provided by Title 18, section 88, United States Code.[4] In the case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

48. The First Regional Office of the Office of Civilian Defense and civilian defense authorities within the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut, with their consent, are designated as the principal agencies to assist in the enforcement of these regulations.

49. These regulations shall not in any way modify the Dimout Regulations heretofore or hereafter prescribed for the Coastal Dimout Area of the First Service Command.

50. These regulations shall apply to persons in, or performing or permitting acts in the First Service Command, which embraces the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut, and shall become effective on February 17, 1943.

[F. R. Doc. 43-3350; Filed, March 3, 1943; 9:49 a. m.]

[1] Consideration is given to visibility prior to imposing radio silences.

[2] The selected frequencies will be announced by the service command. Persons having radio receivers should keep them tuned to one of the selected frequencies during periods of blackout or air raid. No broadcasts on any frequency are authorized during periods of blackout or air raid except as authorized by the service command on the selected frequencies.

[3] This section provides a penalty of a fine not to exceed $5,000, or imprisonment for not more than one (1) year, or both, for each offense.

[4] This section provides a penalty of a fine not to exceed $10,000, or imprisonment for not more than two (2) years, or both, for each offense.

[Air Raid Protection Regulations 1]

HEADQUARTERS SECOND SERVICE COMMAND, GOVERNORS ISLAND, NEW YORK

AIR RAID PROTECTION

Governing blackout, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, within the Second Service Command (New York, New Jersey, and Delaware).

Pursuant to an order of Lieutenant General Hugh A. Drum, Commanding General, Eastern Defense Command and First Army, dated January 9, 1943, the attached regulations are hereby promulgated, effective February 17, 1943, and all persons entering or remaining in the States of New York, New Jersey, and Delaware must comply herewith.

Pursuant to said order, enforcement of these regulations is under the direction and control of the undersigned.

T. A. TERRY,
Major General, U. S. Army,
Commanding the Second Service Command.

JANUARY 27, 1943.

SECTION I—DEFINITIONS

1. *Period of blackout.* The period of time beginning with the blackout (Blue) signal, (or the air raid (Red) signal if there has been no preceding blackout (Blue) signal) and continuing during hours of darkness or until the all clear (White) signal. (See also pars. 18, 20 and 21.)

2. *Period of air raid.* The period of time beginning with the air raid (Red) signal and ending with the blackout (Blue) signal, following the air raid (Red) signal. (See also pars. 19 and 20.)

3. *Warning district.* The basic territorial division of an air defense region for the issuance of air warning signals.

4. *Area of blackout or air raid alarm.* The warning district or districts in and for which a period of blackout (Blue) signal or air raid (Red) signal is in effect.

5. *Hours of darkness.* The time from a half-hour after sunset to a half-hour before sunrise the following morning between October 1 and April 30, inclusive, and from one hour after sunset until one-half hour before sunrise the following morning between May 1 and September 30, inclusive.

6. *Civilian defense authorities.* Officials or bodies of a State or political subdivision thereof or of the District of Columbia authorized by legislation, regulation or order to administer matters pertinent to the subject matter of these regulations.

7. *Service Command.* The Commanding General of the Service Command, SOS, in which the affected area is located, or of the Military District of Washington, or his authorized representative.

8. *Director of Civilian Defense.* The Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereof, or his authorized representative.

9. *Persons.* Individuals (including officials and employees of the United States, or of any State or Territory, or of any political subdivision thereof), partnerships, associations, corporations (municipal, public or private), or any organized groups of individuals whether incorporated or not.

10. *Persons in control of lighting.* a. With respect to light sources attached to publicly or privately owned real property of any character, the persons entitled, as owners or tenants, to occupy or enter such property or parts thereof;

b. With respect to light sources attached to road vehicles,[1] boats,[1] railroad trains,[1] street cars,[1] and aircraft, the persons in control of the operation of such conveyances;

c. With respect to light sources not attached to real property or to the conveyances described in the foregoing paragraph b, the persons in possession or entitled to possession thereof;

d. With respect to all light sources, individuals who, by reason of relationship as licensee or guest, may light or extinguish lights; and

e. Employees, agents and representatives of the persons described in the foregoing paragraphs a to d, inclusive, whose duties include the lighting or extinguishing of lights, and all persons having authority to supervise or direct such employees, agents or representatives.

11. *Public way.* Streets, highways, avenues, boulevards, alleys, and other public thoroughfares, but not including sidewalks or other ways for use primarily by pedestrians.

12. *Road vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn upon a public way, not operated on rails, including all such devices motivated by mechanical means, or by animal or human power.

13. *Motor vehicle.* Any road vehicle which is self-propelled.

14. *Boat.* Any means of transportation by water.

15. *Railroad train.* Any means of transportation by rail, except street cars.

16. *Street car.* Any vehicle or train of vehicles operating on rails at or above ground level (including elevated trains and subway trains while operating in the open), primarily for the purpose of transporting persons, principally on or over public ways lying within one municipality or metropolitan area as defined by the United States Bureau of Census.

SECTION II—AIR WARNING SIGNAL SYSTEM[2]

17. *Transmission of signals.* The air warning signals described in paragraphs 18, 19, 20 and 21 shall be issued, sounded, or announced only upon the order or the authorization of the fighter command to the district warning center which is operated by civilian defense authorities. The fighter command is responsible only that the district warning center receives the order or authorization for the giving of such signals. Civilian defense authorities are responsible for the transmission of such signals from the district warning center through their alarm warning systems to the public.[3] In the case of practice blackouts or practice air raids, such air warning signals shall be issued, sounded, or announced only upon the order or authorization of the service command to civilian defense authorities.

18. *Yellow signal.* This is a confidential preliminary caution signal not to be given by audible public alarm. It indicates the *possibility* of an air raid in the warning district so warned. This signal shall be transmitted by civilian defense authorities only to such key persons, essential industries, railroads, and places within such warning district as such authorities deem essential to initiate proper steps to insure timely blackout or air raid precautions.

19. *Mobilization and blackout (Blue) signal.* This is an audible warning signal indicating the *probability* of an air raid in the warning district so warned. This signal will be a long note (approximately two minutes) at steady pitch of sirens, horns, or whistles. Upon the sounding of this signal, within such warning district, civilian defense forces will mobilize or remain mobilized; if during hours of darkness, lighting will be extinguished or obscured except as permitted by paragraphs 24 to 37, inclusive, and pedestrians and traffic may continue or resume movement.

20. *Air raid (Red) signal.* This is an audible public warning signal indicating the *proximity* of enemy aircraft and the *imminence* of an air raid in the warning district so warned. This signal (approximately two minutes) will be a series of short blasts of horns or whistles or a warbling or fluctuating sound of varying pitch of a siren. Upon the sounding of this signal, in addition to the actions required by the mobilization and blackout (Blue) signal, as contained in paragraph 19 above, within such warning district blackout shall be completed by extinguishing or obscuring all lights, except as permitted by paragraphs 24 to 35, inclusive, and pedestrians, vehicles and other conveyances shall comply with the requirements of paragraphs 38 to 42, inclusive.

21. *All clear (White) signal.* This signal is a public signal indicating All Clear in the district so warned. This signal may be transmitted by radio, telephone, police, by turning on street lights which have been extinguished on the Blue signal, or other available means. This signal may also be given by horns, whistles, or sirens, as specified by local civilian defense authorities, *Provided, however,* That such audible signal shall not be the same as the mobilization and blackout (Blue) signal and the air raid (Red) signal, as provided in paragraphs 19 and 20 above, and shall not resemble said signals so as to be confused therewith. Where such audible signal is used, as provided above, in a metropolitan area, embodying two or more municipalities, such signal shall be first coordinated by the service command or service commands within which such area is located. When an All Clear (White) signal follows a Yellow signal without an intervening mobilization and blackout (Blue) or air raid (Red) signal, it shall not be an audible signal but shall be transmitted only in the manner provided for the Yellow signal, as in paragraph 18 above.

NOTE: Ordinarily, a Yellow Signal shall precede a Blue Signal and a Blue Signal shall precede a Red Signal. However, if sufficient time is not available for these signals to be separated by at least five (5) minutes, the Yellow Signal and or the Blue Signal may be omitted, so that a Blue Signal may be given without a prior Yellow Signal and a Red Signal may be given without a prior Yellow and or Blue Signal. A Blue Signal shall follow every Red Signal, after an interval of not less than five (5) minutes and may in turn be followed by a White Signal or by another Red Signal. Upon the sounding of a Blue Signal, pedestrians and vehicles should give consideration to movement to places of safety in anticipation of an air raid (Red) Signal. The same action shall be required upon a Blue Signal whether it precedes or follows a Red Signal, that is, a return to a status of blackout rather than a condition of air raid; this will permit traffic and pedestrians to resume movement but maintains the blackout condition indicating that raiders have passed the area so warned but that a condition of blackout is still required in anticipation of another Red Signal upon the approach of a new wave of raiders or a return of the original raiders. The sequence of signals in such case would be Blue, Red, Blue, Red, Blue. A White Signal may follow a Yellow Signal or a Blue Signal, but will not follow a Red Signal without an intermediate Blue Signal. A White Signal shall not be given within ten (10) minutes of a preceding Blue Signal. The All Clear (White) Signal will not be given until the probability of attack no longer exists.

SECTION III—PROHIBITED LIGHTING

22. *Prohibited lighting.* During the period and in the area of blackout occurring during hours of darkness, persons in control of lighting shall cause all lights[4] visible from the outside to be extinguished or blacked-out as promptly as possible, except as permitted in paragraphs 24 to 37, inclusive.

a. In Coastal Dimout Areas designated as such, the goal or time objective for the completion of all blackout measures shall be five (5) minutes.

b. In all other parts of the Second Service Command of the Eastern Military Area, all blackout measures shall be completed as near five (5) minutes as possible but in any event not to exceed fifteen (15) minutes.[5]

[1] See pars. 12 to 16, incl.

[2] Section II hereof supersedes certain provisions of O. C. D. pamphlet, "Air Raid Warning System."

[3] Local civilian defense authorities should maintain records of the time of beginning and ending of sounding of all audible air warning signals.

[4] This prohibition applies to lights of every description, electrical, gas, oil, or any other source, including matches, cigarette lighters, etc. It prohibits lights that are blue or any other color except as specifically permitted.

[5] Although fifteen minutes are allowed outside of the Coastal Dimout Area (due to the fact that lighting is not already substantially reduced), five minutes is the ultimate goal to be attained in all areas. It should be recognized that it may not always be possible to give fifteen minutes' warning and in fact a Red Signal may at times be required without a prior Blue Signal; hence an effort should be made to blackout in as short a period as possible.

23. *Unattended lighting.* At all times during hours of darkness, occupants of premises and operators of road vehicles and other conveyances shall not have any unattended lighting, except as permitted in paragraphs 24 to 35. Lighting shall be considered unattended unless a competent individual, who is a member, employee, or guest of the household or business establishment of the occupier, or who is the operator or occupant of a road vehicle or other conveyance, or who, by arrangement with any such individual has undertaken responsibility for said lighting, can blackout as provided in paragraph 22 above.[1]

SECTION IV—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT AND DURING PERIODS OF AIR RAID

24. *General.* During the periods and in the areas of blackout or air raid, during hours of darkness, whether attended or not, lighting is permitted as provided in paragraphs 25 to 35, inclusive.

25. *Lights in buildings and residences.* a. In building interiors a small amount of controlled illumination, sufficient to permit reasonable facility of movement without necessitating complete obscuration of doors and windows, is permitted only when the indoor incandescent lamps or lighting units are installed in accordance with the directions contained in subparagraph (b) below and which.—

(1) Are marked "Indoor Blackout—War Department Standard" (See W. D. Specifications—Blackout of Buildings) or

(2) Conform to the following requirements:

(*a*) Watts—not more than fifteen (15);

(*b*) Bulb coating—opaque except for circular aperture on bulb end;

(*c*) Circular aperture—maximum diameter of one (1) inch;

(*d*) Color of aperture—orange or orange-red,[2] or

(3) Conform to the following requirements:

(*a*) Watts—not more than twenty-five (25).

(*b*) Circuit—230 volt bulb used on 115 volt circuit.

(*c*) Bulb coating—opaque except for circular aperture on end of bulb.

(*d*) Circular aperture—maximum diameter of one (1) inch.

(*e*) Color of aperture—clear or frosted.

b. All indoor blackout lights, permitted as above, shall be installed in accordance with the following directions:

(1) In any one room, only one unit is permitted to each two hundred square feet of floor area or a fraction thereof.

(2) Units shall be spaced not less than ten feet apart in any direction.

(3) In corridors, one row of units is permitted at a spacing of not less than fifteen feet.

(4) Units shall be placed at least three feet from any window, exterior door, or other opening.

(5) Units shall not be pointed toward any window, exterior door, or other opening.

(6) Units may be installed at any height when openings are covered in the usual manner with drawn window shades, drapes, blinds, or one thickness of newspaper, or whenever each unit has a shade which screens the unit from outside observation above the horizontal.

(7) Units shall be located above the tops of such openings, when exterior openings are not covered and when units are not otherwise shaded from outside observation above the horizontal.

c. Interior red exit lights are permitted in all public buildings, with the restriction that each exit light shall be so located or shielded as to screen direct light from falling on windows or doors, and that it shall be equipped with one lamp of not more than 15 watts.

26. *Emergency motor vehicles.* Emergency motor vehicles, as defined in paragraph 41, may move during periods stated in paragraph 24 above, using only headlights (on low or depressed beam) and normal tail lights and license plate lights.[3]

27. *Traffic signals and traffic signs.* Traffic signals, traffic signs, fire and police box markers and other illuminated signal devices, complying with War Department Specifications "Traffic Control During Blackouts" are permitted during periods stated in paragraph 24 above.[4]

28. *Street lighting luminaires.* Street lighting luminaires complying with War Department Specification "Street Lighting During Blackouts," are permitted during periods stated in paragraph 24 above.[5]

29. *Flashlights, lanterns and flares.* Flashlights, lanterns and flares complying with War Department Specification "Flashlights, Lanterns and Flares," are permitted during periods stated in paragraph 24 above. Pending the availability of specified filters or automatic cut-offs, flashlights not so equipped may be used provided the light is filtered through (a) three thicknesses of newspaper, or (b) one thickness of newspaper and one sheet of red cellophane. Flashlights shall not be pointed above the horizontal. Pending the availability of lanterns complying with the above specification, lanterns equipped with red or orange globes may be used to mark excavations or other dangerous obstructions.

30. *Water navigation lights.* During the periods as stated in paragraph 24, the following water navigation lights are permitted:

a. Lights on fixed or floating structures except such as are specified by the United States Navy as not essential to indicate safe channels of navigation.

b. Lights on boats to the extent required by the United States Navy.

31. *Aeronautical lights.* During the periods as stated in paragraph 24, the following aeronautical lights are permitted:

a. Floodlights and runway approach lights only at those fields and only to the extent necessary to expedite clearing the air of flights.

b. Position lights on aircraft in flight as required by the Civil Aeronautics Administration.

c. Obstruction lights, except such as are specified by the service command as not essential.

d. Beacon lights as specifically authorized by the service command. (Otherwise beacon lights shall comply with the provisions of paragraph 22.)

32. *Thermal processes.* During the periods specified in paragraph 24, light emitted from industrial processes, such as furnace glow in glass, pottery and cement works, iron foundries, steel mills, and coke works, is permitted: *Provided however*, That such light shall be shielded, obscured, reduced in intensity or otherwise treated to as great an extent as may be practicable in order to reduce to a minimum the light visible from the outside. Steam or smoke shall be reduced to the minimum.

33. *Railroad lights.* During the periods as specified in paragraph 24 above, all railroad lights on rolling stock and fixed installations are permitted provided they comply with "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

34. *Lighting of military necessity.* All lights of the armed forces necessarily used in active defense measures are permitted during the periods stated in paragraph 24.

35. *Specially authorized lights.* Any lights specifically authorized by the service command are permitted during such period and to such extent as he may deem appropriate.

SECTION V—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT BUT PROHIBITED DURING PERIODS OF AIR RAID

36. *Special permitted lights.* During the period and in the area of blackout (Blue) but not during the period of air raid (Red), (1) street lights and traffic signals, (2) lights in military and naval installations and manufacturing plants or other facilities essential to the war effort, and (3) lights in railroad classification yards, are permitted, provided such three classes of lights comply with the following conditions:

a. That such lights comply with dimout regulations in effect in such area, or, in the absence of such regulations, if they do not contribute materially to sky-glow; and

b. That such lights shall be extinguished or blacked out within one (1) minute from the sounding of the air raid (Red) signal when such signal follows blackout (Blue) signal.

37. *Lights on road vehicles and other conveyances.*[1] During the period and in the area of blackout (Blue), but not during the period of air raid (Red):

a. All moving motor vehicles are permitted to use headlights (on low or depressed beam) and normal tail lights and license plate lights.

b. Street cars, elevated trains and subway trains operating above ground level are permitted to use normal exterior and interior lights.

c. Road vehicles other than motor vehicles are permitted to use normal lights.

SECTION VI—MOVEMENT OF VEHICLES AND OTHER CONVEYANCES; PEDESTRIANS

38. *General.* During the period and in the area of air raid (Red) alarm:

a. All road vehicles, except emergency vehicles as defined in paragraph 41, shall be immediately stopped (except as provided in paragraphs 39 and 40) and parked so that roadway space shall be left for the passage of traffic, and all lights shall be extinguished. Occupants shall leave said vehicles as soon as parked and shall take shelter, except that occupants of road vehicles carrying property which must be guarded may remain in said parked vehicles.

b. Street cars shall be stopped at loading points or other safe and convenient locations, and passengers shall be discharged and take shelter. All exterior and interior lights shall be extinguished.

c. Ridden or herded animals shall clear the public way for the passage of traffic.

d. Boats shall comply with regulations issued by the United States Navy.

e. Movement of railroad trains and personnel shall be in accordance with the provisions of "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

39. *Bridges and tunnels.* During the period and in the area of air raid (Red) alarm, road vehicles, other than emergency vehicles, and street cars shall not enter bridges, viaducts, or tunnels and, if already there, shall proceed to the end or exit thereof and as far beyond as necessary to park in accordance with the preceding paragraph 38a.

40. *Vehicles transporting dangerous materials.* Vehicles transporting explosives, gasoline, or other dangerous combustibles shall, upon the signal for an air raid (Red) proceed forthwith, where possible, to a place more than one hundred (100) feet from the nearest habitation or business premises and there park as provided in paragraph 38a. Vehicles so proceeding may use headlights (low or depressed beam), normal tail lights, and license plate lights.

41. *Emergency vehicles.* The term "Emergency Vehicles" shall mean the following road vehicles:

a. Vehicles of, or acting under orders of, or traveling with the express permission of, the armed forces of the United States and her allies;

b. Vehicles of fire departments and governmental police agencies;

c. Ambulances and official rescue cars and other vehicles converted to such use in emergency service;

d. Public utility repair vehicles operating in emergency service;

e. Vehicles in emergency service identified by insignia prescribed by the director of civilian defense. In exceptional cases vehicles without such identifying insignia will be permitted to move as emergency vehicles provided the appropriate civilian defense authorities are satisfied that the use of such vehicles is necessary in the performance of emergency duties.

42. *Pedestrians.* Upon the signal for an air raid (Red), all persons shall immediately take shelter in the nearest building in which they are legally permitted to enter or in the designated shelter area most convenient to them, except those required for the performance of their official duties as follows:

a. Uniformed members of the armed forces of the United States and her allies, and of the State Guards.

b. Members of fire departments and governmental police agencies.

c. Persons as authorized by civilian defense authorities who wear arm bands or carry identification cards with insignia prescribed by the director of civilian defense, or persons wearing arm bands authorized for the Aircraft Warning Service; provided all such persons are required to move in the performance of their emergency duties.

SECTION VII—RADIO

43. *Radio stations* will be silenced at such time and for such periods as may be ordered by fighter command[2] as follows:

a. Radio stations operating on frequencies between three thousand (3,000) and thirty thousand (30,000) kilocycles will not be silenced.

b. Radio stations operating on frequencies below three thousand (3,000) and above thirty thousand (30,000) kilocycles will be ordered silenced when the tactical situation warrants, except as follows:

(1) During periods of blackout and air raid, special broadcast messages on selected frequencies may be made under the specific direction and control of the service command.[3]

(2) Army and Navy stations may operate to a necessary minimum when necessity dictates as determined by the local commander.

(3) Police, fire and other special emergency radio stations may remain in operation upon the following basis:

(a) Each transmission will not exceed thirty (30) seconds.

(b) Transmissions will be at intervals of not less than two (2) minutes.

(c) The normal call letter will be omitted.

(d) The intelligence transmitted will not disclose identity or location of station.

SECTION VIII—PRACTICE BLACKOUTS AND PRACTICE AIR RAIDS

44. *Practice blackouts and practice air raids* may be conducted by Federal, State and local authorities in such area, at such times, and to such extent as may be authorized by the service command in which the area is located. The service command may excuse from such practice blackouts or practice air raids, for such periods and to such extent as he may determine, any military or naval installation, manufacturing plant or other facility essential to the war effort, provided the said service command has ascertained that such installation, plant, or facility is prepared to and is proficient in blackout, or for such other reasons as he may deem appropriate.

SECTION IX.—FALSE BLACKOUTS OR AIR RAIDS

45. *False blackouts or air raids.* No person shall order, utter, publish, sound, or otherwise simulate or cause to be ordered, uttered, published, sounded, or otherwise simulated, any air warning signal unless ordered or authorized to do so by the fighter command or, in the case of practice blackouts or practice air raids, as authorized by the service command, or for the testing of air warning equipment on Saturdays between twelve (12) o'clock noon and five (5) minutes following, as authorized by the civilian defense authorities.

SECTION X.—ILLEGAL USE OF INSIGNIA

46. *Illegal use of insignia.* No person shall wear, exhibit, display, use, manufacture, sell, or offer for sale for any purpose, or cause to be worn, exhibited, displayed, used, manufactured, sold, or offered for sale for any purpose, any arm band, badge, emblem, uniform, pennant, card, or other identification or credential embodying the insignia prescribed by the director of civilian defense or prescribed for the Aircraft Warning Service, or any simulation or adaptation of such insignia, except in accordance with rules and regulations of the director of civilian defense or the Aircraft Warning Service.

SECTION XI—ENFORCEMENT AND PENALTIES

47. Any person who violates any regulation contained herein is subject to the penalties provided by Title 18, section 97A, United States Code,[4] and to immediate exclusion from the Eastern Military Area by the Commanding General, Eastern Defense Command and First Army. In addition, if two or more persons conspire to violate said section 97A, United States Code, and one or more persons do any act to effect the object of such conspiracy, each of said parties will be subject to the penalties provided by Title 18, section 88, United States

[1] It is to be noted that the provisions of this paragraph, requiring that lighting be attended, apply every night whether or not there is a period of air raid or a period of blackout.

[2] Blue is prohibited for blackout lights.

[3] It is anticipated that the provisions of this paragraph will be superseded when standard blackout lighting equipment meeting War Department Specifications or substitute equipment as approved by proper military authority is available and is provided for all the emergency motor vehicles in any specified city or metropolitan area. In Coastal Dimout Areas, headlights must also comply with Dimout Regulations.

[4] See also War Department Specification "Luminescent Materials."

[5] See also paragraph 34 for street lighting permitted during periods of blackout (Blue) but prohibited during periods of air raid (Red).

[1] In Coastal Dimout Areas, such lights must also comply with Dimout Regulations.

[2] Consideration is given to visibility prior to imposing radio silences.

[3] The selected frequencies will be announced by the service command. Persons having radio receivers should keep them tuned to one of the selected frequencies during periods of blackout or air raid. No broadcasts on any frequency are authorized during periods of blackout or air raid except as authorized by the service command on the selected frequencies.

[4] This section provides a penalty of a fine not to exceed $5,000, or imprisonment for not more than one (1) year, or both, for each offense.

Code.[1] In the case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

48. The Second Regional Office of the Office of Civilian Defense and civilian defense authorities within the States of New York, New Jersey, and Delaware, with their consent, are designated as the principal agencies to assist in the enforcement of these regulations.

49. These regulations shall not in any way modify the Dimout Regulations heretofore or hereafter prescribed for the Coastal Dimout Area of the Second Service Command.

50. These regulations shall apply to persons in, or performing or permitting acts in the Second Service Command, which embraces the States of New York, New Jersey, and Delaware, and shall become effective on February 17, 1943.

[F. R. Doc. 43-3351; Filed, March 3, 1943; 9:50 a. m.]

[Air Raid Protection Regulations 1]

HEADQUARTERS THIRD SERVICE COMMAND, BALTIMORE, MARYLAND

AIR RAID PROTECTION

Governing blackout, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, within the Third Service Command. (Pennsylvania, Maryland and Virginia.)

Pursuant to an order of Lieutenant General Hugh A. Drum, Commanding General, Eastern Defense Command and First Army, dated January 9, 1943, the attached regulations are hereby promulgated, effective February 17, 1943, and all persons entering or remaining in the States of Pennsylvania, Maryland and Virginia must comply herewith.

Pursuant to said order, enforcement of these regulations is under the direction and control of the undersigned.

MILTON A. RECKORD,
Major General, U. S. Army.
Commanding the Third
Service Command.

JANUARY 27, 1943.

SECTION I—DEFINITIONS

1. *Period of blackout.* The period of time beginning with the blackout (Blue) signal (or the air raid (Red) signal if there has been no preceding blackout (Blue) signal) and continuing during hours of darkness or until the all clear (White) signal. (See also pars. 19, 20 and 21.)

2. *Period of air raid.* The period of time beginning with the air raid (Red) signal and ending with the blackout (Blue) signal, following the air raid (Red) signal. (See also pars. 19 and 20.)

3. *Warning district.* The basic territorial division of an air defense region for the issuance of air warning signals.

[1] This section provides a penalty of a fine not to exceed $10,000, or imprisonment for not more than two (2) years, or both, for each offense.

4. *Area of blackout or air raid alarm.* The warning district or districts in and for which a period of blackout (Blue) signal or air raid (Red) signal is in effect.

5. *Hours of darkness.* The time from a half hour after sunset to a half hour before sunrise the following morning between October 1 and April 30, inclusive, and from one hour after sunset until one-half hour before sunrise the following morning between May 1 and September 30, inclusive.

6. *Civilian defense authorities.* Officials or bodies of a state or political subdivision thereof or of the District of Columbia authorized by legislation, regulation or order to administer matters pertinent to the subject matters of these regulations.

7. *Service command.* The Commanding General of the Service Command, SOS, in which the affected area is located, or of the Military District of Washington, or his authorized representative.

8. *Director of Civilian Defense.* The Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereof, or his authorized representative.

9. *Persons.* Individuals (including officials and employees of the United States, or of any state or territory, or of any political subdivision thereof), partnerships, associations, corporations (municipal, public or private), or any organized groups of individuals whether incorporated or not.

10. *Persons in control of lighting.* a. With respect to light sources attached to publicly or privately owned real property of any character, the persons entitled, as owners or tenants, to occupy or enter such property or parts thereof;

b. With respect to light sources attached to road vehicles,[2] boats,[2] railroad trains,[2] street cars,[2] and aircraft, the persons in control of the operation of such conveyances;

c. With respect to light sources not attached to real property or to the conveyances described in the foregoing paragraph b, the persons in possession or entitled to possession thereof;

d. With respect to all light sources, individuals who, by reason of relationship as licensee or guest, may light or extinguish lights; and

e. Employees, agents and representatives of the persons described in the foregoing paragraphs a to d, inclusive, whose duties include the lighting or extinguishing of lights, and all persons having authority to supervise or direct such employees, agents or representatives.

11. *Public way.* Streets, highways, avenues, boulevards, alleys, and other public thoroughfares, but not including sidewalks or other ways for use primarily by pedestrians.

12. *Road vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn upon a public way, not operated on rails, including all such devices motivated by mechanical means, or by animal or human power.

[2] See paragraphs 12 to 16, inclusive.

13. *Motor vehicle.* Any road vehicle which is self-propelled.

14. *Boat.* Any means of transportation by water.

15. *Railroad train.* Any means of transportation by rail, except street cars.

16. *Street car.* Any vehicle or train of vehicles operating on rails at or above ground level (including elevated trains and subway trains while operating in the open), primarily for the purpose of transporting persons, principally on or over public ways lying within one municipality or metropolitan area as defined by the United States Bureau of Census.

SECTION II—AIR WARNING SIGNAL SYSTEM[3]

17. *Transmission of signals.* The air warning signals described in paragraphs 18, 19, 20 and 21 shall be issued, sounded, or announced only upon the order or the authorization of the fighter command to the district warning center which is operated by civilian defense authorities. The fighter command is responsible only that the district warning center receives the order or authorization for the giving of such signals. Civilian defense authorities are responsible for the transmission of such signals from the district warning center through their alarm warning systems to the public.[4] In the case of practice blackouts or practice air raids, such air warning signals shall be issues, sounded, or announced only upon the order or authorization of the service command to civilian defense authorities.

18. *Yellow signal.* This is a confidential preliminary caution signal not to be given by audible public alarm. It indicates the *possibility* of an air raid in the warning district so warned. This signal shall be transmitted by civilian defense authorities only to such key persons, essential industries, railroads, and places within such warning district as such authorities deem essential to initiate proper steps to insure timely blackout or air raid precautions.

19. *Mobilization and blackout (Blue) signal.* This is an audible warning signal indicating the *probability* of an air raid in the warning district so warned. This signal will be a long note (approximately two minutes) at steady pitch of sirens, horns, or whistles. Upon the sounding of this signal, within such warning district, civilian defense forces will mobilize or remain mobilized; if during hours of darkness, lighting will be extinguished or obscured except as permitted by paragraphs 24 to 37, inclusive, and pedestrians and traffic may continue or resume movement.

20. *Air raid (Red) signal.* This is an audible public warning signal indicating the *proximity* of enemy aircraft and the *imminence* of an air raid in the warning district so warned. This signal (approximately two minutes) will be a series of short blasts of horns or whistles or a warbling or fluctuating sound of varying pitch of a siren. Upon the sounding of this signal, in addition to the actions required by the mobilization and blackout (Blue) signal, as contained in paragraph 19 above, within such warning district blackout shall be completed by extinguishing or obscuring all lights, except as permitted by paragraphs 24 to 35, inclusive, and pedestrians, vehicles and other conveyances shall comply with the requirements of paragraphs 38 to 42, inclusive.

[3] Section II hereof supersedes certain provisions of O. C. D. pamphlet "Air Raid Warning System."

[4] Local civilian defense authorities should maintain records of the time of beginning and ending of sounding of all audible air warning signals.

21. *All clear (White) signal.* This signal is a public signal indicating All Clear in the district so warned. This signal may be transmitted by radio, telephone, police, by turning on street lights which have been extinguished on the Blue signal, or other available means. This signal may also be given by horns, whistles, or sirens, as specified by local civilian defense authorities: *Provided, however,* That such audible signal shall not be the same as the mobilization and blackout (Blue) signal and the air raid (Red) signal, as provided in paragraphs 19 and 20 above, and shall not resemble said signals so as to be confused therewith. Where such audible signal is used, as provided above, in a metropolitan area, embodying two or more municipalities, such signal shall be first coordinated by the service command or service commands within which such area is located. When an All Clear (White) signal follows a Yellow signal without an intervening mobilization and blackout (Blue) or air raid (Red) signal, it shall not be an audible signal but shall be transmitted only in the manner provided for the Yellow signal, as in paragraph 18 above.

NOTE: Ordinarily, a Yellow Signal shall precede a Blue Signal and a Blue Signal shall precede a Red Signal. However, if sufficient time is not available for these signals to be separated by at least five (5) minutes, the Yellow Signal and/or the Blue Signal may be omitted, so that a Blue Signal may be given without a prior Yellow Signal and a Red Signal may be given without a prior Yellow and/or Blue Signal. A Blue Signal shall follow every Red Signal, after an interval of not less than five (5) minutes and may in turn be followed by a White Signal or by another Red Signal. Upon the sounding of a Blue Signal, pedestrians and vehicles should give consideration to movement to places of safety in anticipation of an air raid (Red) Signal. The same action shall be required upon a Blue Signal whether it precedes or follows a Red Signal, that is, a return to a status of blackout rather than a condition of air raid; this will permit traffic and pedestrians to resume movement but maintains the blackout condition indicating that raiders have passed the area so warned but that a condition of blackout is still required in anticipation of another Red Signal upon the approach of a new wave of raiders or a return of the original raiders. The sequence of signals in such case would be Blue, Red, Blue, Red, Blue. A White Signal may follow a Yellow Signal or a Blue Signal, but will not follow a Red Signal without an intermediate Blue Signal. A White Signal shall not be given within ten (10) minutes of a preceding Blue Signal. The All-Clear (White) Signal will not be given until the probability of attack no longer exists.

SECTION III—PROHIBITED LIGHTING

22. *Prohibited lighting.* During the period and in the area of blackout occurring during hours of darkness, persons in control of lighting shall cause all lights[1] visible from the outside to be extinguished or blacked-out as promptly as possible, except as permitted in paragraphs 24 to 37, inclusive.

a. In Coastal Dimout Areas designated as such, the goal or time objective for the completion of all blackout measures shall be five (5) minutes

b. In all other parts of the Third Service Command of the Eastern Military Area, all blackout measures shall be completed as near five (5) minutes as possible but in any event not to exceed fifteen (15) minutes.[2]

23. *Unattended lighting.* At all times during hours of darkness, occupants of premises and operators of road vehicles and other conveyances shall not have any unattended lighting, except as permitted in paragraphs 24 to 35. Lighting shall be considered unattended unless a competent individual, who is a member, employee, or guest of the household or business establishment of the occupier, or who is the operator or occupant of a road vehicle or other conveyance, or who, by arrangement with any such individual has undertaken responsibility for said lighting, can blackout as provided in paragraph 22 above.[3]

SECTION IV—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT AND DURING PERIODS OF AIR RAID

24 *General.* During the periods and in the areas of blackout or air raid, during hours of darkness, whether attended or not, lighting is permitted as provided in paragraphs 25 to 35 inclusive.

25. *Lights in buildings and residences.* a. In building interiors a small amount of controlled illumination, sufficient to permit reasonable facility of movement without necessitating complete obscuration of doors and windows, is permitted only when the indoor incandescent lamps or lighting units are installed in accordance with the directions contained in subparagraph b below and which:

(1) Are marked "Indoor Blackout—War Department Standard" (See W. D. Specifications—Blackout of Buildings) or

(2) Conform to the following requirements:

(a) Watts—not more than fifteen (15);

(b) Bulb coating—opaque except for circular aperture on bulb end;

(c) Circular aperture—maximum diameter of one (1) inch;

(d) Color of aperture—orange or orange-red,[4] or

(3) Conform to the following requirements:

(a) Watts—not more than twenty-five (25).

(b) Circuit—230 volt bulb used on 115 volt circuit.

(c) Bulb coating—opaque except for circular aperture on end of bulb.

(d) Circular aperture—maximum diameter of one (1) inch.

(e) Color of aperture—clear or frosted.

b. All indoor blackout lights, permitted as above, shall be installed in accordance with the following directions:

(1) In any one room, only one unit is permitted to each two hundred square feet of floor area or a fraction thereof.

(2) Units shall be spaced not less than ten feet apart in any direction.

(3) In corridors, one row of units is permitted at a spacing of not less than fifteen feet.

(4) Units shall be placed at least three feet from any window, exterior door, or other opening.

(5) Units shall not be pointed toward any window, exterior door, or other opening.

(6) Units may be installed at any height when openings are covered in the usual manner with drawn window shades, drapes, blinds, or one thickness of newspaper, or whenever each unit has a shade which screens the unit from outside observation above the horizontal.

(7) Units shall be located above the tops of such openings, when exterior openings are not covered and when units are not otherwise shaded from outside observation above the horizontal.

c. Interior red exit lights are permitted in all public buildings, with the restriction that each exit light shall be so located or shielded as to screen direct light from falling on windows or doors, and that it shall be equipped with one lamp of not more than 15 watts.

26. *Emergency motor vehicles.* Emergency motor vehicles, as defined in paragraph 41, may move during periods stated in paragraph 24 above, using only headlights (on low or depressed beam) and normal tail lights and license plate lights.[5]

27. *Traffic signals and traffic signs.* Traffic signals, traffic signs, fire and police box markers and other illuminated signal devices, complying with War Department Specifications "Traffic Control During Blackouts," are permitted during periods stated in paragraph 24 above.[6]

28. *Street lighting luminaires.* Street lighting luminaires complying with War

[1] This prohibition applies to lights of every description, electrical, gas, oil, or any other source, including matches, cigarette lighters, etc. It prohibits lights that are blue or any other color except as specifically permitted.

[2] Although fifteen minutes are allowed outside of the Coastal Dimout Area (due to the fact that lighting is not already substantially reduced), five minutes is the ultimate goal to be attained in all areas. It should be recognized that it may not always be possible to give fifteen minutes' warning and in fact a Red signal may at times be required without a prior Blue signal; hence an effort should be made to blackout in as short a period as possible.

[3] It is to be noted that the provisions of this paragraph, requiring that lighting be attended, apply every night whether or not there is a period of air raid or a period of blackout.

[4] Blue is prohibited for blackout lights.

[5] It is anticipated that the provisions of this paragraph will be superseded when standard blackout lighting equipment meeting War Department Specifications or substitute equipment as approved by proper military authority is available and is provided for all the emergency motor vehicles in any specified city or metropolitan area. In Coastal Dimout Areas, headlights must also comply with Dimout Regulations.

[6] See also War Department Specification "Luminescent Materials."

Department Specification "Street Lighting During Blackouts," are permitted during periods stated in paragraph 24 above.[1]

29. *Flashlights, lanterns and flares.* Flashlights, lanterns and flares complying with War Department Specification "Flashlights, Lanterns and Flares," are permitted during periods stated in paragraph 24 above. Pending the availability of specified filters or automatic cutoffs, flashlights not so equipped may be used provided the light is filtered through (a) three thicknesses of newspaper, or (b) one thickness of newspaper and one sheet of red cellophane. Flashlights shall not be pointed above the horizontal. Pending the availability of lantern complying with the above specification, lanterns equipped with red or orange globes may be used to mark excavations or other dangerous obstructions.

30. *Water Navigation lights.* During the periods as stated in paragraph 24, the following water navigation lights are permitted:

a. Lights on fixed or floating structures except such as are specified by the United States Navy as not essential to indicate safe channels of navigation.

b. Lights on boats to the extent required by the United States Navy.

31. *Aeronautical lights.* During the periods as stated in paragraph 24, the following aeronautical lights are permitted:

a. Floodlights and runway approach lights only at those fields and only to the extent necessary to expedite clearing the air of flights.

b. Position lights on aircraft in flight as required by the Civil Aeronautics Administration.

c. Obstruction lights, except such as are specified by the service command as not essential.

d. Beacon lights as specifically authorized by the service command. (Otherwise beacon lights shall comply with the provisions of paragraph 22.)

32. *Thermal processes.* During the periods specified in paragraph 24, light emitted from industrial processes, such as furnace glow in glass, pottery and cement works, iron foundries, steel mills, and coke works, is permitted: *Provided however,* That such light shall be shielded, obscured, reduced in intensity or otherwise treated to as great an extent as may be practicable in order to reduce to a minimum the light visible from the outside. Steam or smoke shall be reduced to the minimum.

33. *Railroad lights.* During the periods as specified in paragraph 24 above, all railroad lights on rolling stock and fixed installations are permitted provided they comply with "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

34. *Lighting of military necessity.* All lights of the armed forces necessarily used in active defense measures are permitted during the periods stated in paragraph 24.

35. *Specifically authorized lights.* Any lights specifically authorized by the service command are permitted during such period and to such extent as he may deem appropriate.

SECTION V—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT BUT PROHIBITED DURING PERIODS OF AIR RAID

36. *Special permitted lights.* During the period and in the area of blackout (Blue), but not during the period of air raid (Red), (1) street lights and traffic signals, (2) lights in military and naval installations and manufacturing plants or other facilities essential to the war effort, and (3) lights in railroad classification yards, are permitted, provided such three classes of lights comply with the following conditions:

a. That such lights comply with dimout regulations in effect in such area, or, in the absence of such regulations, if they do not contribute materially to skyglow; and

b. That such lights shall be extinguished or blacked out within one (1) minute from the sounding of the air raid (Red) signal when such signal follows a blackout (Blue) signal.

37. *Lights on Road Vehicles and Other Conveyances.*[2] During the period and in the area of blackout (Blue), but not during the period of air raid (Red):

a. All moving motor vehicles are permitted to use headlights (on low or depressed beam) and normal tail lights and license plate lights.

b. Street cars, elevated trains and subway trains operating above ground level are permitted to use normal exterior and interior lights.

c. Road vehicles other than motor vehicles are permitted to use normal lights.

SECTION VI—MOVEMENT OF VEHICLES AND OTHER CONVEYANCES; PEDESTRIANS

38. *General.* During the period and in the area of air raid (Red) alarm:

a. All road vehicles, except emergency vehicles as defined in paragraph 41, shall be immediately stopped (except as provided in paragraphs 39 and 40) and parked so that roadway space shall be left for the passage of traffic, and all lights shall be extinguished. Occupants shall leave said vehicles as soon as parked and shall take shelter, except that occupants of road vehicles carrying property which must be guarded may remain in said parked vehicles.

b. Street cars shall be stopped at loading points or other safe and convenient locations, and passengers shall be discharged and take shelter. All exterior and interior lights shall be extinguished.

c. Ridden or herded animals shall clear the public way for the passage of traffic.

d. Boats shall comply with regulations issued by the United States Navy.

e. Movement of railroad trains and personnel shall be in accordance with the provisions of "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

39. *Bridges and tunnels.* During the period and in the area of air raid (Red) alarm, road vehicles, other than emergency vehicles, and street cars shall not enter bridges, viaducts, or tunnels and, if already there, shall proceed to the end or exit thereof and as far beyond as necessary to park in accordance with the preceding paragraph 38 a.

40. *Vehicles transporting dangerous materials.* Vehicles transporting explosives, gasoline, or other dangerous combustibles shall, upon the signal for an air raid (Red), proceed forthwith, where possible, to a place more than one hundred (100) feet from the nearest habitation or business premises and there park as provided in paragraph 38 a. Vehicles so proceeding may use headlights (low or depressed beam), normal tail lights, and license plate lights.

41. *Emergency vehicles.* The term "emergency vehicles" shall mean the following road vehicles:

a. Vehicles of, or acting under orders of, or traveling with the express permission of, the armed forces of the United States and her allies;

b. Vehicles of fire departments and governmental police agencies;

c. Ambulances and official rescue cars and other vehicles converted to such use in emergency service;

d. Public utility vehicles operating in emergency service;

e. Vehicles in emergency service identified by insignia prescribed by the director of civilian defense. In exceptional cases vehicles without such identifying insignia will be permitted to move as emergency vehicles provided the appropriate civilian defense authorities are satisfied that the use of such vehicles is necesarry in the performance of emergency duties.

42. *Pedestrians.* Upon the signal for an air raid (Red), all persons shall immediately take shelter in the nearest building in which they are legally permitted to enter or in the designated shelter area most convenient to them, except those required for the performance of their official duties as follows:

a. Uniformed members of the armed forces of the United States and her allies, and of the State Guards.

b. Members of fire departments and governmental police agencies.

c. Persons as authorized by civilian defense authorities who wear arm bands or carry identification cards with insignia prescribed by the director of civilian defense, or persons wearing arm bands authorized for the Aircraft Warning Service; provided all such persons are required to move in the performance of their emergency duties.

SECTION VII—RADIO

43. *Radio stations* will be silenced at such time and for such periods as may be ordered by fighter command[2] as follows:

a. Radio stations operating on frequencies between three thousand (3,000) and thirty thousand (30,000) kilocycles will not be silenced.

b. Radio stations operating on frequencies below three thousand (3,000) and above thirty thousand (30,000) kilocycles will be ordered silenced when the tactical situation warrants, except as follows:

(1) During periods of blackout and air raid, special broadcast messages on selected frequencies may be made under the specific direction and control of the service command.[3]

(2) Army and Navy stations may operate to a necessary minimum when necessity dictates as determined by the local commander.

(3) Police, fire and other special emergency radio stations may remain in operation upon the following basis:

(a) Each transmission will not exceed thirty (30) seconds.

(b) Transmissions will be at intervals of not less than two (2) minutes.

(c) The normal call letter will be omitted.

(d) The intelligence transmitted will not disclose identity or location of station.

SECTION VIII—PRACTICE BLACKOUTS AND PRACTICE AIR RAIDS

44. *Practice blackouts and practice air raids* may be conducted by federal, state and local authorities in such area, at such times, and to such extent as may be authorized by the service command in which the area is located. The service command may excuse from such practice blackouts or practice air raids, for such periods and to such extent as he may determine, any military or naval installation, manufacturing plant or other facility essential to the war effort, provided the said service command has ascertained that such installation, plant, or facility is prepared to and is proficient in blackout, or for such other reasons as he may deem appropriate.

SECTION IX—FALSE BLACKOUTS OR AIR RAIDS

45. *False blackouts or air raids.* No person shall order, utter, publish, sound, or otherwise simulate or cause to be ordered, uttered, published, sounded, or otherwise simulated, any air warning signal unless ordered or authorized to do so by the fighter command or, in the case of practice blackouts or practice air raids, as authorized by the service command, or for the testing of air warning equipment on Saturdays between twelve (12) o'clock noon and five (5) minutes following, as authorized by the civilian defense authorities.

SECTION X—ILLEGAL USE OF INSIGNIA

46. *Illegal use of insignia.* No person shall wear, exhibit, display, use, manufacture, sell, or offer for sale for any purpose, or cause to be worn, exhibited, displayed, used, manufactured, sold, or offered for sale for any purpose, any arm-band, badge, emblem, uniform, pennant, card, or other identification or credential embodying the insignia prescribed by the director of civilian defense or prescribed for the aircraft warning service or any simulation or adaptation of such insignia, except in accordance with rules and regulations of the director of civilian defense or the aircraft warning service.

SECTION XI—ENFORCEMENT AND PENALTIES

47. Any person who violates any regulation contained herein is subject to the penalties provided by Title 18, section 97A, United States Code[4] and to immediate exclusion from the Eastern Military Area by the Commanding General, Eastern Defense Command and First Army. In addition, if two or more persons conspire to violate said section 97A, United States Code, and one or more persons do any act to effect the object of such conspiracy, each of said parties will be subject to the penalties provided by Title 18, section 88, United States Code.[4] In the case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

48. The Third Regional Office of the Office of Civilian Defense and civilian defense authorities within the states of Pennsylvania, Maryland, and Virginia, with their consent, are designated as the principal agencies to assist in the enforcement of these regulations.

49. These regulations shall not in any way modify the Dimout Regulations heretofore or hereafter prescribed for the Coastal Dimout Area of the Third Service Command.

50. These regulations shall apply to persons in, or performing or permitting acts in the Third Service Command, which embraces the states of Pennsylvania, Maryland, and Virginia, and shall become effective on February 17, 1943.

[F. R. Doc. 43-3352: Filed, March 3, 1943; 9:50 a. m.]

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[1] See also paragraph 34 for street lighting permitted during periods of blackout (Blue) but prohibited during periods of air raid (Red).

[2] In Coastal Dimout Areas, such lights must also comply with Dimout Regulations.

[2] Consideration is given to visibility prior to imposing radio silences.

[1] The selected frequencies will be announced by the service command. Persons having radio receivers should keep them tuned to one of the selected frequencies during periods of blackout or air raid. No broadcasts on any frequency are authorized during periods of blackout or air raid except as authorized by the service command on the selected frequencies.

[2] This section provides a penalty of a fine not to exceed $5,000, or imprisonment for not more than one (1) year, or both, for each offense.

This section provides a penalty of a fine not to exceed $10,000, or imprisonment for not more than two (2) years, or both, for each offense.

[Air Raid Protection Regulations 1]

HEADQUARTERS, FOURTH SERVICE COMMAND,
ATLANTA, GEORGIA

AIR RAID PROTECTION

Governing blackout, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, within the Fourth Service Command (North Carolina, South Carolina, Georgia, and that part of Florida within the Eastern Military Area).

Pursuant to an order of Lieutenant General Hugh A. Drum, Commanding General, Eastern Defense Command and First Army, dated January 9, 1943, the attached regulations are hereby promulgated, effective February 17, 1943, and all persons entering or remaining in the States of North Carolina, South Carolina, Georgia, and that part of Florida within the Eastern Military Area, must comply herewith.

Pursuant to said order, enforcement of these regulations is under the direction and control of the undersigned.

WM. BRYDEN,
Major General, U. S. Army,
Commanding the Fourth Service Command.

JANUARY 27, 1943.

SECTION I—DEFINITIONS

1. *Period of blackout.* The period of time beginning with the blackout (Blue) signal, (or the air raid (Red) signal if there has been no preceding blackout (Blue) signal) and continuing during hours of darkness or until the all clear (White) signal. (See also pars. 19, 20 and 21.)

2. *Period of air raid.* The period of time beginning with the air raid (Red) signal and ending with the blackout (Blue) signal, following the air raid (Red) signal. (See also pars. 19 and 20.)

3. *Warning district.* The basic territorial division of an air defense region for the issuance of air warning signals.

4. *Area of blackout or air raid alarm.* The warning district or districts in and for which a period of blackout (Blue) signal or air raid (Red) signal is in effect.

5. *Hours of darkness.* The time from a half hour after sunset to a half hour before sunrise the following morning between October 1 and April 30, inclusive, and from one hour after sunset until one-half hour before sunrise the following morning between May 1 and September 30, inclusive.

6. *Civilian defense authorities.* Officials or bodies of a state or political subdivision thereof or of the District of Columbia authorized by legislation, regulation or order to administer matters pertinent to the subject matter of these regulations.

7. *Service command.* The Commanding General of the Service Command, SOS, in which the affected area is located, or of the Military District of Washington, or his authorized representative.

8. *Director of Civilian Defense.* The Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereof, or his authorized representative.

9. *Persons.* Individuals (including officials and employees of the United States, or of any state or territory, or of any political subdivision thereof), partnerships, associations, corporations (municipal, public or private), or any organized groups of individuals whether incorporated or not.

10. *Persons in control of lighting.* a. With respect to light sources attached to

publicly or privately owned real property of any character, the persons entitled, as owners or tenants, to occupy or enter such property or parts thereof;

b. With respect to light sources attached to road vehicles, boats, railroad trains, street cars,[1] and aircraft, the persons in control of the operation of such conveyances;

c. With respect to light sources not attached to real property or to the conveyances described in the foregoing paragraph b, the persons in possession or entitled to possession thereof;

d. With respect to all light sources, individuals who, by reason of relationship as licensee or guest, may light or extinguish lights; and

e. Employees, agents and representatives of the persons described in the foregoing paragraphs a to d, inclusive, whose duties include the lighting or extinguishing of lights, and all persons having authority to supervise or direct such employees, agents or representatives.

11. *Public way.* Streets, highways, avenues, boulevards, alleys, and other public thoroughfares, but not including sidewalks or other ways for use primarily by pedestrians.

12. *Road vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn upon a public way, not operated on rails, including all such devices motivated by mechanical means, or by animal or human power.

13. *Motor vehicle.* Any road vehicle which is self-propelled.

14. *Boat.* Any means of transportation by water.

15. *Railroad train.* Any means of transportation by rail, except street cars.

16. *Street car.* Any vehicle or train of vehicles operating on rails at or above ground level (including elevated trains and subway trains while operating in the open), primarily for the purpose of transporting persons, principally on or over public ways lying within one municipality or metropolitan area as defined by the United States Bureau of Census.

SECTION II—AIR WARNING SIGNAL SYSTEM[2]

17. *Transmission of signals.* The air warning signals described in paragraphs 18, 19, 20 and 21 shall be issued, sounded, or announced only upon the order or the authorization of the fighter command to the district warning center which is operated by civilian defense authorities. The fighter command is responsible only that the district warning center receives the order or authorization for the giving of such signals. Civilian defense authorities are responsible for the transmission of such signals from the district warning center through their alarm warning systems to the public. In the case of practice blackouts or practice air raids, such air warning signals shall be issued, sounded, or announced only upon the order or authorization of the service command to civilian defense authorities.

18. *Yellow signal.* This is a confidential preliminary caution signal not to be given by audible public alarm. It indicates the *possibility* of an air raid in the warning district so warned. This signal shall be transmitted by civilian defense authorities only to such key persons, essential industries, railroads, and places within such warning district as such authorities deem essential to initiate proper steps to insure timely blackout or air raid precautions.

19. *Mobilization and blackout (Blue) signal.* This is an audible warning signal indicating the *probability* of an air raid in the warning district so warned. This signal will be a long note (approximately two minutes) at steady pitch of sirens, horns, or whistles. Upon the sounding of this signal, within such warning district, civilian defense forces will mobilize or remain mobilized; if during hours of darkness, lighting will be extinguished or obscured except as permitted by paragraphs 24 to 37, inclusive, and pedestrians and traffic may continue or resume movement.

20. *Air raid (Red) signal.* This is an audible public warning signal indicating the *proximity* of enemy aircraft and the *imminence* of an air raid in the warning district so warned. This signal (approximately two minutes) will be a series of short blasts of horns or whistles or a warbling or fluctuating sound of varying pitch of a siren. Upon the sounding of this signal, in addition to the actions required by the mobilization and blackout (Blue) signal, as contained in paragraph 19 above, within such warning district blackout shall be completed by extinguishing or obscuring all lights, except as permitted by paragraphs 24 to 35, inclusive, and pedestrians, vehicles and other conveyances shall comply with the requirements of paragraphs 38 to 42, inclusive.

21. *All clear (White) signal.* This signal is a public signal indicating All Clear in the district so warned. This signal may be transmitted by radio, telephone, police, by turning on street lights which have been extinguished on the Blue signal, or other available means. This signal may also be given by horns, whistles, or sirens, as specified by local civilian defense authorities: *Provided, however,* That such audible signal shall not be the same as the mobilization and blackout (Blue) signal and the air raid (Red) signal, as provided in paragraphs 19 and 20 above, and shall not resemble said signals so as to be confused therewith. Where such audible signal is used, as provided above, in a metropolitan area, embodying two or more municipalities, such signal shall be first coordinated by the service command or service commands within which such area is located. When an *all clear* (White) signal follows a Yellow signal without an intervening mobilization and blackout (Blue) or air raid (Red) signal, it shall not be an audible signal but shall be transmitted only in the manner provided for the Yellow signal, as in paragraph 18 above.

NOTE: Ordinarily, a Yellow Signal shall precede a Blue Signal and a Blue Signal shall precede a Red Signal. However, if sufficient time is not available for these signals to be separated by at least five (5) minutes, the Yellow Signal and or the Blue Signal may be omitted, so that a Blue Signal may be given without a prior Yellow Signal and a Red Signal may be given without a prior Yellow and/or Blue Signal. A Blue Signal shall follow every Red Signal, after an interval of not less than five (5) minutes and may in turn be followed by a White Signal or by another Red Signal. Upon the sounding of a Blue Signal, pedestrians and vehicles should give consideration to movement to places of safety in anticipation of an air raid (Red) Signal. The same action shall be required upon a Blue Signal whether it precedes or follows a Red Signal, that is, a return to a status of blackout rather than a condition of air raid; this will permit traffic and pedestrians to resume movement but maintains the blackout condition indicating that raiders have passed the area so warned but that a condition of blackout is still required in anticipation of another Red Signal upon the approach of a new wave of raiders or a return of the original raiders. The sequence of signals in such case would be Blue, Red, Blue, Red, Blue. A White Signal may follow a Yellow Signal or a Blue Signal, but will not follow a Red Signal without an intermediate Blue Signal. A White Signal shall not be given within ten (10) minutes of a preceding Blue Signal. The All-Clear (White) Signal will not be given until the probability of attack no longer exists.

SECTION III—PROHIBITED LIGHTING

22. *Prohibited lighting.* During the period and in the area of blackout occurring during hours of darkness, persons in control of lighting shall cause all lights visible from the outside to be extinguished or blacked-out as promptly as possible, except as permitted in paragraphs 24 to 37, inclusive.

a. In Coastal Dimout Areas designated as such, the goal or time objective for the completion of all blackout measures shall be five (5) minutes.

b. In all other parts of the Fourth Service Command of the Eastern Military Area, all blackout measures shall be completed as near five (5) minutes as possible but in any event not to exceed fifteen (15) minutes.[5]

23. *Unattended lighting.* At all times during hours of darkness, occupants of premises and operators of road vehicles and other conveyances shall not have any unattended lighting, except as permitted in paragraphs 24 to 35. Lighting shall be considered unattended unless a competent individual, who is a member, employee, or guest of the household or business establishment of the occupier, or who is the operator or occupant of a road vehicle or other conveyance, or who, by arrangement with any such individual has undertaken responsibility for said lighting, can blackout as provided in paragraph 22 above.[1]

SECTION IV—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT AND DURING PERIODS OF AIR RAID

24. *General.* During the periods and in the areas of blackout or air raid, during hours of darkness, whether attended or not, lighting is permitted as provided in paragraphs 25 to 35, inclusive.

25. *Lights in buildings and residences.* a. In building interiors a small[3] amount of controlled illumination, sufficient to permit reasonable facility of movement without necessitating complete obscuration of doors and windows, is permitted only when the indoor incandescent lamps or lighting units are installed in accordance with the directions contained in subparagraph b below and which:

(1) Are marked "Indoor Blackout—War Department Standard" (See W. D. Specifications—Blackout of Buildings) or

(2) Conform to the following requirements:

(a) Watts—not more than fifteen (15);

(b) Bulb coating—opaque except for circular aperture on bulb end;

(c) Circular aperture—maximum diameter of one (1) inch;

(d) Color of aperture—orange or orange-red,[3] or

(3) Conform to the following requirements:

(a) Watts—not more than twenty-five (25).

(b) Circuit—230 bulb used on 115 volt circuit.

(c) Bulb coating—opaque except for circular aperture on end of bulb.

(d) Circular aperture—maximum diameter of one (1) inch.

(e) Color of aperture—clear or frosted.

b. All indoor blackout lights, permitted as above, shall be installed in accordance with the following directions:

(1) In any one room, only one unit is permitted to each two hundred square feet of floor area or a fraction thereof.

(2) Units shall be spaced not less than ten feet apart in any direction.

(3) In corridors, one row of units is permitted at a spacing of not less than fifteen feet.

(4) Units shall be placed at least three feet from any window, exterior door, or other opening.

(5) Units shall not be pointed toward any window, exterior door, or other opening.

(6) Units may be installed at any height when openings are covered in the usual manner with drawn window shades, drapes, blinds, or one thickness of newspaper, or whenever each unit has a shade which screens the unit from outside observation above the horizontal.

(7) Units shall be located above the tops of such openings, when exterior openings are not covered and when units are not otherwise shaded from outside observation above the horizontal.

c. Interior red exit lights are permitted in all public buildings, with the restriction that each exit light shall be so located or shielded as to screen direct light from falling on windows or doors, and that it shall be equipped with one lamp of not more than 15 watts.

26. *Emergency motor vehicles.* Emergency motor vehicles, as defined in paragraph 41, may move during periods stated in paragraph 24 above, using only headlights (on low or depressed beam) and normal tail lights and license plate lights.[3]

27. *Traffic signals and traffic signs.* Traffic signals, traffic signs, fire and police box markers and other illuminated signal devices, complying with War Department Specifications "Traffic Control During Blackouts," are permitted during periods stated in paragraph 24 above.[4]

28. *Street lighting luminaries.* Street lighting luminaries complying with War Department Specification "Street Lighting During Blackouts," are permitted during periods stated in paragraph 24 above.[5]

29. *Flashlights, lanterns and flares.* Flashlights, lanterns and flares complying with War Department Specification "Flashlights, Lanterns and Flares," are permitted during periods stated in paragraph 24 above. Pending the availability of specified filters or automatic cutoffs, flashlights not so equipped may be used provided the light is filtered through (a) three thicknesses of newspaper, or (b) one thickness of newspaper and one sheet of red cellophane. Flashlights shall not be pointed above the horizontal. Pending the availability of lanterns complying with the above specification, lanterns equipped with red or orange globes may be used to mark excavations or other dangerous obstructions.

30. *Water navigation lights.* During the periods as stated in paragraph 24, the following water navigation lights are permitted:

a. Lights on fixed or floating structures except such as are specified by the United States Navy as not essential to indicate safe channels of navigation.

b. Lights on boats to the extent required by the United States Navy.

31. *Aeronautical lights.* During the periods as stated in paragraph 24, the following aeronautical lights are permitted:

a. Flood lights and runway approach lights only at those fields and only to the extent necessary to expedite clearing the air of flights.

b. Position lights on aircraft in flight as required by the Civil Aeronautics Administration.

c. Obstruction lights, except such as are specified by the service command as not essential.

d. Beacon lights as specifically authorized by the service command. (Otherwise beacon lights shall comply with the provisions of paragraph 22.)

32. *Thermal processes.* During the periods specified in paragraph 24, light emitted from industrial processes, such as furnace glow in glass, pottery and cement works, iron foundries, steel mills, and coke works, is permitted: *Provided, however,* That such light shall be shielded, obscured, reduced in intensity or otherwise treated to as great an extent as may be practicable in order to reduce to a minimum the light visible from the outside. Steam or smoke shall be reduced to the minimum.

33. *Railroad lights.* During the periods as specified in paragraph 24 above, all railroad lights on rolling stock and fixed installations are permitted provided they comply with "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department September 3, 1942.

34. *Lighting of military necessity.* All lights of the armed forces necessarily used in active defense measures are permitted during the periods stated in paragraph 24.

35. *Specially authorized lights.* Any lights specifically authorized by the service command are permitted during such period and to such extent as he may deem appropriate.

SECTION V—LIGHTING PERMITTED DURING PERIODS OF BLACKOUT BUT PROHIBITED DURING PERIODS OF AIR RAID

36. *Special permitted lights.* During the period and in the area of blackout (Blue), but not during the period of air raid (Red), (1) street lights and traffic signals, (2) lights in military and naval installations and manufacturing plants or other facilities essential to the war effort, and (3) lights in railroad classification yards, are permitted, provided such three classes of lights comply with the following conditions:

a. That such lights comply with dimout regulations in effect in such area, or, in the absence of such regulations, if they do not contribute materially to skyglow; and

b. That such lights shall be extinguished or blacked out within one (1) minute from the sounding of the air raid (Red) signal when such signal follows a blackout (Blue) signal.

37. *Lights on road vehicles and other conveyances.*[6] During the period and in the area of blackout (Blue), but not during the period of air raid (Red):

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[1] See paragraphs 12 to 16, inclusive.

[2] Section II hereof supersedes certain provisions of O. C. D. pamphlet, "Air Raid Warning System."

[3] Local civilian defense authorities should maintain records of the time of beginning and ending of sounding of all audible air warning signals.

[4] This prohibition applies to lights of every description, electrical, gas, oil, or any other source, including matches, cigarette lighters, etc. It prohibits lights that are blue or any other color except as specifically permitted.

[5] Although fifteen minutes are allowed outside of the Coastal Dimout Area (due to the fact that lighting is not already substantially reduced), five minutes is the ultimate goal to be attained in all areas. It should be recognized that it may not always be possible to give fifteen minutes' warning and in fact a Red signal may at times be required without a prior Blue signal; hence an effort should be made to blackout in as short a period as possible.

[1] It is to be noted that the provisions of this paragraph, requiring that lighting be attended, apply every night whether or not there is a period of air raid or a period of blackout.

[2] Blue is prohibited for blackout lights.

[3] It is anticipated that the provisions of this paragraph will be superseded when standard blackout lighting equipment meeting War Department Specifications or substitute equipment as approved by proper military authority is available and is provided for all the emergency motor vehicles in any specified city or metropolitan area. In Coastal Dimout Areas, headlights must also comply with Dimout Regulations.

[4] See also War Department Specification "Luminiscent Materials."

[5] See also paragraph 34 for street lighting permitted during periods of blackout (Blue) but prohibited during periods of air raid (Red).

[6] In Coastal Dimout Areas, such lights must also comply with Dimout Regulations.

a. All moving motor vehicles are permitted to use headlights (on low or depressed beam) and normal tail lights and license plate lights.

b. Street cars, elevated trains and subway trains operating above ground level are permitted to use normal exterior and interior lights.

c. Road vehicles other than motor vehicles are permitted to use normal lights.

SECTION VI—MOVEMENT OF VEHICLES AND OTHER CONVEYANCES; PEDESTRIANS

38. *General.* During the period and in the area of air raid (Red) alarm:

a. All road vehicles, except emergency vehicles as defined in paragraph 41, shall be immediately stopped (except as provided in paragraphs 39 and 40) and parked so that roadway space shall be left for the passage of traffic, and all lights shall be extinguished. Occupants shall leave said vehicles as soon as parked and shall take shelter, except that occupants of road vehicles carrying property which must be guarded may remain in said parked vehicles.

b. Street cars shall be stopped at loading points or other safe and convenient locations, and passengers shall be discharged and take shelter. All exterior and interior lights shall be extinguished.

c. Ridden or herded animals shall clear the public way for the passage of traffic.

d. Boats shall comply with regulations issued by the United States Navy.

e. Movement of railroad trains and personnel shall be in accordance with the provisions of "Rules and Regulations for Railroads During Blackout or Air Raid Alarms within the Eastern Defense Command," approved by the War Department, September 3, 1942.

39. *Bridges and tunnels.* During the period and in the area of air raid (Red) alarm, road vehicles, other than emergency vehicles, and street cars shall not enter bridges, viaducts, or tunnels and, if already there, shall proceed to the end or exit thereof and as far beyond as necessary to park in accordance with the preceding paragraph 38a.

40. *Vehicles transporting dangerous materials.* Vehicles transporting explosives, gasoline, or other dangerous combustibles shall, upon the signal for an air raid (Red), proceed forthwith, where possible, to a place more than one hundred (100) feet from the nearest habitation or business premises and there park as provided in paragraph 38 a. Vehicles so proceeding may use headlights (low or depressed beam), normal tail lights, and license plate lights.

41. *Emergency vehicles.* The term "Emergency Vehicles" shall mean the following road vehicles:

a. Vehicles of, or acting under orders of, or traveling with the express permission of, the armed forces of the United States and her allies;

b. Vehicles of fire departments and governmental police agencies;

c. Ambulances and official rescue cars and other vehicles converted to such use in emergency service;

d. Public utility repair vehicles operating in emergency service;

e. Vehicles in emergency service identified by insignia prescribed by the director of civilian defense. In exceptional cases vehicles without such identifying insignia will be permitted to move as emergency vehicles provided the appropriate civilian defense authorities are satisfied that the use of such vehicles is necessary in the performance of emergency duties.

42. *Pedestrians.* Upon the signal for an air raid (Red), all persons shall immediately take shelter in the nearest building in which they are legally permitted to enter or in the designated shelter area most convenient to them, except those required for the performance of their official duties as follows:

a. Uniformed members of the armed forces of the United States and her allies, and of the State Guards.

b. Members of fire departments and governmental police agencies.

c. Persons as authorized by civilian defense authorities who wear arm-bands or carry identification cards with insignia prescribed by the director of civilian defense, or persons wearing arm-bands authorized for the Aircraft Warning Service; provided all such persons are required to move in the performance of their emergency duties.

SECTION VII—RADIO

43. *Radio stations* will be silenced at such time and for such periods as may be ordered by fighter command[1] as follows:

a. Radio stations operating on frequencies between three thousand (3,000) and thirty thousand (30,000) kilocycles will not be silenced.

b. Radio stations operating on frequencies below three thousand (3,000) and above thirty thousand (30,000) kilocycles will be ordered silenced when the tactical situation warrants, except as follows:

(1) During periods of blackout and air raid, special broadcast messages on selected frequencies may be made under the specific direction and control of the service command.[2]

(2) Army and Navy stations may operate to a necessary minimum when necessity dictates as determined by the local commander.

(3) Police, fire and other special emergency radio stations may remain in operation upon the following basis:

(a) Each transmission will not exceed thirty (30) seconds.

(b) Transmissions will be at intervals of not less than two (2) minutes.

(c) The normal call letter will be omitted.

(d) The intelligence transmitted will not disclose identity or location of station.

[1] Consideration is given to visibility prior to imposing radio silences.

[2] The selected frequencies will be announced by the service command. Persons having radio receivers should keep them tuned to one of the selected frequencies during periods of blackout or air raid. No broadcasts on any frequency are authorized during periods of blackout or air raid except as authorized by the service command on the selected frequencies.

SECTION VIII—PRACTICE BLACKOUTS AND PRACTICE AIR RAIDS

44. *Practice blackouts and practice air raids* may be conducted by federal, state and local authorities in such area, at such times, and to such extent as may be authorized by the service command in which the area is located. The service command may excuse from such practice blackouts or practice air raids, for such periods and to such extent as he may determine, any military or naval installation, manufacturing plant or other facility essential to the war effort, provided the said service command has ascertained that such installation, plant, or facility is prepared to and is proficient in blackout, or for such other reasons as he may deem appropriate.

SECTION IX.—FALSE BLACKOUTS OR AIR RAIDS

45. *False blackouts or air raids.* No person shall order, utter, publish, sound, or otherwise simulate or cause to be ordered, uttered, published, sounded, or otherwise simulated, any air warning signal unless ordered or authorized to do so by the fighter command or, in the case of practice blackouts or practice air raids, as authorized by the service command, or for the testing of air warning equipment on Saturdays between twelve (12) o'clock noon and five (5) minutes following, as authorized by the civilian defense authorities.

SECTION X—ILLEGAL USE OF INSIGNIA

46. *Illegal use of insignia.* No person shall wear, exhibit, display, use, manufacture, sell, or offer for sale for any purpose, or cause to be worn, exhibited, displayed, used, manufactured, sold, or offered for sale for any purpose, any armband, badge, emblem, uniform, pennant, cards, or other identification or credential embodying the insignia prescribed by the director of civilian defense or prescribed for the aircraft warning service, or any simulation or adaptation of such insignia, except in accordance with rules and regulations of the director of civilian defense or the aircraft warning service.

SECTION XI—ENFORCEMENT AND PENALTIES

47. Any person who violates any regulation contained herein is subject to the penalties provided by Title 18, section 97A, United States Code,[3] and to immediate exclusion from the Eastern Military Area by the Commanding General, Eastern Defense Command and First Army. In addition, if two or more persons conspire to violate said section 97A, United States Code, and one or more persons do any act to effect the object of such conspiracy, each of said parties will be subject to the penalties provided by Title 18, section 88, United States Code.[4] In the case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

[3] This section provides penalty of a fine not to exceed $5,000, or imprisonment for not more than one (1) year, or both, for each offense.

[4] This section provides a penalty of a fine not to exceed $10,000, or imprisonment for not more than two (2) years, or both for each offense.

48. The Fourth Regional Office of the Office of Civilian Defense and civilian defense authorities within the states of North Carolina, South Carolina, Georgia, and that part of Florida within the Eastern Military Area, with their consent, are designated as the principal agencies to assist in the enforcement of these regulations.

49. These regulations shall not in any way modify the Dimout Regulations heretofore or hereafter prescribed for the Coastal Dimout Area of the Fourth Service Command.

50. These regulations shall apply to persons in, or performing or permitting acts in the Fourth Service Command, which embraces the states of North Carolina, South Carolina, Georgia, and that part of Florida within the Eastern Military Area, and shall become effective on February 17, 1943.

[F. R. Doc. 43-3353; Filed, March 3, 1943; 9:49 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1870]

DISTRICT BOARD 1

ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of District Board No. 1 requesting permission to mix coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting permission to mix coals of certain mines in District No. 1; and

It appearing that no final determination should be made at this time with respect to the relief requested in the original petition filed herein; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter temporary relief be and the same hereby is granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck is supplemented to include the matter appearing in "Supplement R" annexed hereto and made a part hereof.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 16, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 10, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 1 requesting that the Schwab Coal Co. be permitted to mix the coals produced at its Schwab Mine, Mine Index No. 2010, with those produced by Sommerville Coal Co. at its Flannigan No. 1 Mine, Mine Index No. 2081, and to ship such mixture from Patton, Pennsylvania, via the New York Central Railroad and the Pennsylvania Railroad; and further requesting that John H. Matthews be permitted to purchase and to mix the coal produced by J. W. Larson at his Larson's Mine, Mine Index No. 1654, with those produced by the said Matthews at his Nos. 1, 2 and 3 Mines, Mine Index Nos. 685, 3204 and 2886, respectively, and to ship such mixture from Grampian, Pennsylvania, on the Pennsylvania Railroad.

Dated: March 1, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3333; Filed, March 2, 1943; 1:16 p. m.]

[Docket No. B-259]

H. L. WYATT AND BILL KEYS

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

In the matter of H. L. Wyatt and Bill Keys, individually and as copartners, doing business under the name and style of H. L. Wyatt and Bill Keys, code members.

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that code members wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, and pursuant to sections 4 II (j) and 5 (b) and other provisions of the Bituminous Coal Act of 1937;

It is ordered, That H. L. Wyatt and Bill Keys, individually and as copartners, doing business under the name and style of H. L. Wyatt and Bill Keys, code members, operating the Wyatt and Keys Mine, designated as Mine Index No. 2020 in District 8, Cumberland County, Tennessee, their agents, representatives, employees, successors, or assigns, and any persons acting or claiming to act for or on their behalf, cease and desist from violating the Order of the Director in General Docket No. 19, dated October 9, 1940, or from otherwise violating the provisions of the Act, the Code and the rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this Order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or take other appropriate action as authorized by the Act.

Dated: March 1, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3334; Filed, March 2, 1943; 1:16 p. m.]

[Docket No. B-310]

SOUTHWESTERN ILLINOIS COAL CORPORATION

ORDER GRANTING AMENDED APPLICATION, ETC.

Order granting amended application filed pursuant to § 301.132 of the Rules of Practice and Procedure, terminating code membership, providing for payment of tax for restoration of code membership and to cease and desist upon restoration.

A complaint dated August 5, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on August 7, 1942, by the Bituminous Coal Producers Board for District No. 10, a district board (the "Complainant"), with the Bituminous Coal Division (the "Division") alleging that the Southwestern Illinois Coal Corporation, a code member (the "Code Member"), whose address is 1317 Fletcher Trust Building, Indianapolis, Indiana, wilfully violated the provisions of the Act, the Bituminous Coal Code (the "Code") and orders, rules and regula-

tions promulgated thereunder, as more fully set forth in the complaint; and

The complaint herein, dated August 5, 1942, having been duly served on the Code Member on August 15, 1942; and

An application of the Code Member for the disposition of this proceeding without formal hearing, dated August 24, 1942, having been duly filed with the Division on August 26, 1942, and having been denied on September 2, 1942; and

An amended application of the Code Member for the disposition of this proceeding without formal hearing dated September 22, 1942, and a verified statement dated October 13, 1942 in clarification of said amended application having been duly filed with the Division as of November 12, 1942; and

Notice of the filing of said amended application, dated November 21, 1942, having been published in the FEDERAL REGISTER on November 24, 1942, pursuant to said § 301.132, and a conformed copy thereof having been duly mailed to the Complainant herein; and

Said notice of filing having provided that interested parties desiring to do so might, within fifteen (15) days from the date of said notice, file recommendations or requests for informal conferences with respect to said amended application, and it appearing that no such recommendations or requests have been filed with the Division within said 15-day period; and

It appearing from said amended application that the Code Member admits that it wilfully violated the Act, the Code, and regulations thereunder and consents to the entry of orders therein as follows:

(1) Wilfully violated section 4 Part II (e) of the Act and Part II (e) of the Code by selling on April 1, 1939, and loading and delivering during the period October 1, 1940, to December 31, 1940, both dates inclusive, 2,556.2 net tons of 1¼" washed screenings coal produced by it at its Streamline Mine, located in District No. 10, to the National Lead Company of Carondolet, Missouri, at less than the minimum price established therefor by the Division, upon the basis of which violations the Code Member consents to the entry of a cease and desist order;

(2) Wilfully violated section 4 Part II (e) of the Act and Part II (e) of the Code by selling on April 1, 1939 and loading and delivering during the period from January 1, 1941 to and including February 5, 1941, 1519 net tons of 1¼" washed screenings coal produced by it at its Streamline Mine, located in District No. 10, to the National Lead Company, Carondolet, Missouri, at less than the minimum price established therefor by the Division, upon the basis of which the Code Member consents to an order of revocation of its Code Membership, and agrees to the payment of $829.37 to the United States within fifteen (15) days after the entry of said order of revocation, as a condition precedent to the restoration of said Code Membership; and

It further appearing in said amended application that the Code Member represents that it has not to the best of its knowledge committed any violations of the Act, the Code, or regulations thereunder, other than those violations admitted and more particularly described in said amended application;

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act, authorizing it to adjust complaints of violations and to compose the differences of the parties thereto and upon the amended application of the Code Member, dated September 22, 1942, for disposition without formal hearing of the charges contained in the complaint herein which was filed with the Division as of November 12, 1942, pursuant to said § 301.132 of the Rules of Practice and Procedure, and upon evidence in the possession of the Division, it is hereby found that:

A. Southwestern Illinois Coal Corporation is a corporation organized and existing by virtue of the laws of the State of Indiana, with its principal place of business at 1317 Fletcher Trust Building, Indianapolis, Indiana, and is qualified to do business in the State of Illinois, and is engaged in the business of mining and producing bituminous coal;

B. Southwestern Illinois Coal Corporation filed with the Division on June 21, 1937, its Code Acceptance dated June 14, 1937. Said Code Acceptance became effective as of June 21, 1937, and Southwestern Illinois Coal Corporation is now a Code Member in District No. 10 operating the Streamline Mine, Mine Index No. 165, located in Perry County, Illinois, in District No. 10;

C. Southwestern Illinois Coal Corporation wilfully violated the Act, the Code, and rules and regulations, as follows:

(1) Southwestern Illinois Coal Corporation wilfully violated section 4 Part II (e) of the Act and Part II (e) of the Code by selling on April 1, 1939, and loading and delivering during the period October 1, 1940 to December 31, 1940, both dates inclusive, 2556.2 net tons of 1¼" washed screenings coal produced at its Streamline Mine located in District No. 10, to the National Lead Company, Carondolet, Missouri, at less than the applicable minimum price of $1.40 per net ton established therefor by the Division;

(2) Southwestern Illinois Coal Corporation wilfully violated section 4 Part II (e) of the Act and Part II (e) of the Code by selling on April 1, 1939, and loading and delivering during the period from January 1, 1941 to and including February 5, 1941, 1519 net tons of 1¼" washed screenings coal produced at its Streamline Mine located in District No. 10, to the National Lead Company, Carondolet, Missouri, at less than the applicable minimum price of $1.40 per net ton established therefor by the Division;

D. The amount of tax imposed by section 5 (b) of the Act, with respect to the coal described in paragraph C (2) hereof amounting to 1519 net tons, and required to be paid as a condition precedent to restoration of membership of Southwestern Illinois Coal Corporation in the Code, is $829.37, which amount is 39 per cent of the aggregate of the effective minimum prices of such coal f. o. b. the said Streamline Mine.

Now, therefore, on the basis of the above findings and the said admissions and the consent filed by Southwestern Illinois Coal Corporation, pursuant to § 301.132 of the Rules of Practice and Procedure.

It is ordered, That the aforesaid amended application of Southwestern Illinois Coal Corporation be and the same hereby is granted; and

It is further ordered, That, pursuant to section 5 (b) of the Act, the membership of Southwestern Illinois Coal Corporation in the Code be and the same hereby is revoked and cancelled, said revocation and cancellation to become effective fifteen (15) days from the date hereof; and

It is further ordered, That prior to restoration of Southwestern Illinois Coal Corporation to membership in the Code, there shall be paid to the United States a tax in the amount of $829.37 as provided in section 5 (c) of the Act; and

It is further ordered, That Southwestern Illinois Coal Corporation, its representatives, servants, agents, officers, employees, attorneys, receivers, and successors or assigns, and all persons acting or claiming to act on its behalf, or in its interest, cease and desist, and they hereby are permanently enjoined and restrained from violating the Act, the Code, and the rules and regulations issued thereunder, and that the provisions hereof shall continue in full force and effect in respect to Southwestern Illinois Coal Corporation, its representatives, servants, agents, officers, employees, attorneys, receivers, and successors or assigns, and all persons acting or claiming to act on its behalf or in its interest upon any restoration of Southwestern Illinois Coal Corporation to membership in the Code pursuant to section 5 (c) of the Act.

It is further ordered, That the Division, upon any failure to comply with this order, may apply to the Circuit Court of Appeals of the United States having jurisdiction for the enforcement thereof, or take other appropriate action.

Dated: February 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3335; Filed, March 2, 1943; 1:17 p. m.]

[Docket No. A-1744]

DISTRICT BOARD 11

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for slurry produced at Mine Index Nos. 63, 101, 108 and 112 in District No. 11.

A hearing in the above-entitled matter having been heretofore scheduled to be held on March 8, 1943, and it appearing appropriate that the said hearing should be postponed;

Now, therefore, It is ordered, That the hearing in the above-entitled matter heretofore scheduled to be held on March 8, 1943, be and it hereby is postponed until 10 o'clock in the forenoon of April 5, 1943, at the place and before the officers heretofore designated.

Dated: February 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3336; Filed, March 2, 1943; 1:17 p. m.]

[Docket No. B-358]

REED COAL MINING COMPANY

ORDER POSTPONING HEARING

The above entitled matter having been heretofore scheduled for hearing on March 15, 1943, at 10:00 a. m. at a hearing room of the Bituminous Coal Division, at the Community Room, City Hall, Altoona, Pennsylvania, pursuant to an Order issued in the above-entitled matter on February 6, 1943; and

The Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the said hearing in the above-entitled matter be, and the same hereby is, postponed from March 15, 1943, at 10:00 a. m., to a time and place to be hereafter designated by an appropriate order.

Dated: March 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3358; Filed, March 3, 1943; 10:39 a. m.]

FARMERS ELEVATOR SERVICE CO.

ORDER SUPPLEMENTING ORDER

In the matter of the registration of the Farmers Elevator Service Company, Ralston, Iowa, as a bona fide and legitimate farmers' cooperative organization.

The above-named registrant having certified to the Division that the farmers' cooperative organization listed below is a member of registrant and a bona fide and legitimate farmers' cooperative organization:

It is ordered, That the list attached to the order herein dated September 5, 1941, as amended, be, and it is hereby further amended to include therein the name of the farmers' cooperative organization listed below:

Name:	*Address*
Union Produce Company	Ossian, Iowa.

Dated: March 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R. Doc. 43-3359; Filed March 3, 1943; 10:39 a. m.]

MINERS' COAL DISTRIBUTING CO., ET AL.

NOTICE OF APPLICATION FOR REGISTRATION

An application for registration as distributor has been filed by each of the following and is under consideration by the Director:

Name and Address	*Date application filed*
Morris Golin, D B/A Miners' Coal Distributing Co., 49 Westminster St., Providence, R. I.	Feb. 19, 1940
Plattsburg Coal Co., Inc., Plattsburg, N. Y.	Feb. 11, 1943
Roslyn Fuel Co., (Thos. H. Settle) Bluefield, W. Va.	Feb. 12, 1943

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the rules and regulations for the registration of distributors, is invited to furnish such information to the Division on or before March 29, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: March 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3360; Filed, March 3, 1943; 10:39 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

SEAMLESS HOSIERY INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

In the matter of the determination of the prevailing minimum wage in the Seamless Hosiery Industry.

Whereas the prevailing minimum wage determination for the Seamless Hosiery Industry, issued by the Secretary of Labor on July 28, 1937, pursuant to the provisions of section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), otherwise known as the Walsh-Healey Public Contracts Act, as amended March 12, 1942, provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of that Act, for the manufacture and furnishing of seamless hosiery, shall be 36 cents an hour or $14.40 for a week of 40 hours, arrived at either upon a time or piece-work basis, provided that learners and handicapped workers may be employed in accordance with the regulations of the Administrator of the Wage and Hour Division issued under the Fair Labor Standards Act of 1938; and

Whereas the minimum wage required to be paid by seamless hosiery manufacturers subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on February 15, 1943, pursuant to the Wage Order of the Administrator of the Wage and Hour Division for the Seamless Hosiery Industry; and

Whereas it appears that substantially all employees subject to the Seamless Hosiery Wage Determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that the Wage Order of the Administrator has, therefore, the effect of establishing 40 cents an hour as the prevailing minimum wage in the Seamless Hosiery Industry.

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before March 23, 1943, why the Seamless Hosiery Wage Determination of the Secretary should not be amended by increasing the prevailing minimum wage from 36 cents an hour to 40 cents an hour.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C., and should be filed with the Administrator not later than March 23, 1943.

Dated: March 2, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-3354; Filed, March 3, 1943; 10:08 a. m.]

HANDKERCHIEF INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

In the matter of the determination of the prevailing minimum wage in the Handkerchief Industry.

Whereas the Secretary of Labor on January 10, 1938, pursuant to the provisions of section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U. S. C. Supp. III, 35), otherwise known as the Walsh-Healey Public Contracts Act, determined the prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to said Act, for the manufacture or supply of handkerchiefs to be 35 cents an hour or $14 for a week of 40 hours, arrived at either upon a time or piece-work basis; and

Whereas the minimum wage required to be paid by manufacturers of handkerchiefs subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on February 15, 1943, pursuant to the Wage Order of the Administrator of the Wage and Hour Division for the Handkerchief Industry; and

Whereas it appears that substantially all employees subject to the Handkerchief Wage Determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that the Wage Order of the Administrator has, therefore, the effect of establishing 40 cents an hour as the prevailing minimum wage in the Handkerchief Industry; and

Whereas it appears desirable for the purpose of coordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act (1) to amend the Handkerchief Wage Determination of the Secretary to provide that learners may be employed at subminimum rates in accordance with the pres-

ent applicable regulations of the Administrator of the Wage and Hour Division (Reg. Title 29, chapter V, Part 522), and (2) to clarify the Handkerchief Wage Determination of the Secretary by adopting the following definition of the Handkerchief Industry contained in the aforementioned Wage Order of the Administrator of the Wage and Hour Division:

The manufacture of men's, women's, and children's handkerchiefs, plain or ornamented, from any material.

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before March 23, 1943, why the Handkerchief Wage Determination of the Secretary should not be amended by

(1) Increasing the prevailing minimum wage from 35 cents an hour to 40 cents an hour.

(2) Providing that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division, and

(3) Adopting the definition of the Handkerchief Industry contained in the Wage Order of the Administrator of the Wage and Hour Division.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C., and should be filed with the Administrator not later than March 23, 1943.

Dated: March 2, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-3335; Filed, March 3, 1943; 10:08 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 11 Under MPR 126]

BUDD WHEEL COMPANY

ORDER GRANTING IN PART AND DENYING IN PART

Order No. 11 under Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services—Docket No. 3136-183.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The Budd Wheel Company of Detroit, Michigan is hereby authorized to sell to the United States or any agency thereof, or to any dealer, the following nuts to meet service requirements only, at prices not in excess of the maximum prices set forth below:

Cap nuts for a Budd type wheel

Part No.		*Price*
10708-9 (Plated) 43808-9 (Painted)	Inner nut	$.12
37891-2 (Plated) 43811-2 (Painted)	Outer nut	.07
37888-9 (Plated) 43803-4 (Painted)	Front nut	.07

(b) To the extent that the application for adjustment filed by the Budd Wheel Company has not been granted by this order, the application is denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 3, 1943.

(Pub. Laws. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3328; Filed, March 2, 1943; 12:09 p. m.]

[Order 179 Under § 1499.158 of MPR 188]

EMANUEL SCHRECK

APPROVAL OF MAXIMUM PRICES

Order No. 179 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by Emanuel Schreck of five new styles of umbrellas.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Emanuel Schreck, 16 West 46th Street, New York, New York, is authorized to sell and deliver the following umbrellas manufactured by him at prices, f. o. b. New York, New York, no higher than those set forth below:

	Each
Style #1 10-Rib Umbrella	$1.375
Style #3 10-Rib Umbrella	1.75
Style #4 10-Rib Umbrella	2.85
Style #5 16-Rib Umbrella	3.25
Style #7 10-Rib Umbrella	2.39

(b) This Order No. 179 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 179 to Maximum Price Regulation 188 shall become effective March 3, 1943.

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3329; Filed, March 2, 1943; 12:11 p. m.]

[Order 180 Under MPR 188]

ELECTRIC CORPORATION OF AMERICA

APPROVAL OF MAXIMUM PRICES

Order No. 180 Under § 1499.156 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by Electric Corporation of America, 222 West Monroe Street, Chicago, Illinois, of a new toy.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Electric Corporation of America, 222 West Monroe Street, Chicago, Illinois, is authorized to sell and deliver its new game, designated in its application of January 13, 1943, as "Air-Craft Carrier", at prices, f. o. b. Chicago, Illinois, no higher than those set forth below:

	Per unit.
To jobbers	23½¢
To chain stores	25¢

(b) This Order No. 180 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 180 shall become effective on the 3d day of March 1943.

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3330; Filed, March 2, 1943; 12:09 p. m.]

[Order 181 Under MPR 188]

JEWETT ASSOCIATES

APPROVAL OF MAXIMUM PRICES

Order No. 181 under § 1499.158 of maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Maximum prices for sales of a new shopping cart.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1499.158 of Maximum Price Regulation No. 188, and § 1499.3 (c) of General Maximum Price Regulation, *It is ordered:*

(a) This Order No. 181 sets maximum prices for sales of a new shopping cart designated as "Shopinette" manufactured by Jewett Associates, 18 Letchworth Street, Buffalo, New York. This order applies to all sales of the shopping cart in the forty-eight states and the District of Columbia. As to sales at wholesale and retail, the country is divided into two zones, western and eastern. The western zone includes Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jefferson Davis, Presidio, Brewster, Terrell, Pecos, and Reeves. The rest of the country is in the eastern zone.

(1) For sales by the manufacturer to jobbers, the maximum price is $1.89. For sales by the manufacturer to retailers, the maximum price is $2.07. These prices are f. o. b. factory.

(2) For sales at wholesale by persons other than Jewett Associates the maximum prices are:

In the eastern zone	$2.36
In the western zone	2.51

The wholesale prices are f. o. b. seller's city.

(3) For sales at retail the maximum prices are:

In the eastern zone	$3.45
In the western zone	3.60

(b) To every shopping cart to be shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price for sales in the zone to which the cart is to be shipped. For example, if the cart is to be shipped to a jobber in the eastern zone, the tag or label should state "Retail Ceiling Price $3.45."

(c) The manufacturer shall notify every person who buys from it of the maximum price set by this Order No. 181 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form. For example, the following statement on an invoice to a jobber in the eastern zone would be sufficient: "Your ceiling price, as set by an OPA order, is $2.35 f. o. b. your city."

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(e) This Order No. 181 shall become effective March 3, 1943.

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3331; Filed, March 2, 1943; 12:09 p. m.]

[Order 182 Under MPR 188 [1]]

NELSON CEMENT STONE CO., INC.

APPROVAL OF MAXIMUM PRICE

Order No. 182 under § 1499.158 of Maximum Price Regulation No. 188 [1]—Manufacturer's Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Maximum prices for sales of a new fireplace grate manufactured by Nelson Cement Stone Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 182 sets temporary maximum prices for sales of a new fireplace grate manufactured by Nelson Cement Stone Co., Inc., 25 Hayward Street, East Braintree, Massachusetts. It applies only to the grate which has been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after April 1, 1943.

Listed below are the maximum prices for sales by the manufacturer, wholesalers, and retailers. The prices listed may be charged only if the manufacturer attaches to the grate the written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales by the manufacturer, wholesalers, and retailers, shall be computed by deducting 15% from the prices listed below.

(1) For sales by the manufacturer to jobbers, the maximum price is $4.50, f. o. b. factory.

(2) For sales at wholesale by persons other than the manufacturer, the maximum price is $6.00, f. o. b. the seller's city.

(3) For sales at retail, the maximum price is $9.00.

(b) The maximum prices set forth in paragraph (a) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

"Nelson Cement Stone Co., Inc., 25 Hayward Street, East Braintree, Massachusetts, the manufacturer of this grate, warrants to the retailer and to any person buying from him that it is fit for burning coal or wood in a fireplace." If the manufacturer desires to do so, he may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate by the manufacturer and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following form would be sufficient: "Retail Ceiling Price $9.00." The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him of the maximum price set by this Order No. 182 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown or attached to the invoice, or packed with the merchandise.

(e) This Order No. 182 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(g) This Order No. 182 shall become effective on the 3d day of March 1943, and shall terminate on the 1st day of April 1943.

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3332; Filed, March 2, 1943; 12:10 p. m.]

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980.

WAR PRODUCTION BOARD.

PROJECT AT CHICAGO, ILL.

AMENDMENT OF CONSTRUCTION ORDER

Preference Rating Order P-55, Serial No. 7071-000090—378. Name of builder: Karban Development Company; Address: 706 W. 95th Street, Chicago, Illinois; Project: Chicago, Illinois.

The revocation issued January 2, 1943, of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect, as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire March 15, 1943.

Issued March 3, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3367; Filed, March 3, 1943; 11:33 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 45

Washington, Friday, March 5, 1943

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

RECRUITMENT AND PLACEMENT

Section 18.4 *Recruitment and placement* issued as amended, on September 26, 1942 (7 F.R. 7723), October 27, 1942 (7 F.R. 8841) and on February 2, 1943 (8 F.R. 1703) is amended to read as follows:

§ 18.4 *Recruitment and placement*—(a) *Procedure in filling vacancies.* * * *

(5) Applications for employment in any position in the Government service subject to these regulations, whether by original appointment or transfer, filed with any department or agency of the executive branch of the Government, shall be promptly transmitted to the Commission or its representatives. A person calling at any department or agency located at Washington, D. C., in connection with obtaining employment shall not be asked to complete an application by such department or agency, except as may be provided for under subparagraph (4) of this paragraph, or except when the person is presently employed or has been formerly employed in the Federal service, and the appointing officer of the department or agency submits an immediate recommendation for the transfer or reemployment of such person. Under the latter circumstances, an application may be taken and forwarded to the Commission, together with C. S. C. Standard Form No. 46, Request for Transfer or Reinstatement.

By the United States Civil Service Commission.

[SEAL] LUCILLE FOSTER MCMILLIN,
Acting President.

FEBRUARY 26, 1943.

[F. R. Doc. 43-3395; Filed, March 4, 1943; 11:57 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1818]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 1082.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Belle Valley Mine, Mine Index No. 1082 of C. G. Stiehl (Belle Valley Coal Company); and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.4 (*Price groups*) is amended by adding thereto Supplement R–I, and § 330.10 (*Special prices*—(a) (2) *Railroad locomotive fuel prices*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before

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Telephone information: District 0525.

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WAR SHIPPING ADMINISTRATION:	
Requisitioned vessel Virgil ex Caribe ex Kovad; deposit on account	2766

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since railroad locomotive fuel Price Exceptions 1-D, 2-C and 3-B in § 330.10 (a) (3) in Schedule of Effective Minimum Prices for District No. 10 for all Shipments Except Truck and Price Exception 61 established by the Order of the Director, dated May 8, 1942, 7 F.R. 4225, in Docket Nos. A-49, A-98 and A-125 are applicable to the coals of all other mines in Price Group No. 20 of District No. 10 for which minimum prices have been established for all shipments except truck and since no reason has been advanced for denying the application of these Price Exceptions to the coals of Mine Index No. 1082, the relief granted herein makes the said price exceptions applicable to the coals of Mine Index No. 1082.

Dated: February 2, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R-I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
20	Strahl, C. G. (Belle Valley Coal Co.)	Belle Valley	[1] 1082	21	Belleville	IC

[1] Mine Index No. 1082 shall be included in Price Group 20 and shall take the same f. o. b. mine prices as other mines in Price Group 20, Schedule No. 1, District No. 10, For All Shipments Except Truck, in size groups 1 to 13 inclusive, in size group 26 and 27 and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however,* That these f. o. b. mine prices apply on board transportation facilities at Belleville, Illinois.

§ 330.10 *Special prices* (a) (2) *Railroad locomotive fuel prices*—Supplement R-II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
20	Strahl, C. G. (Belle Valley Coal Co.)	Belle Valley	[1] 1082	21	Belleville	IC

[1] The railroad locomotive fuel prices shall be: 6 x 14 lump run, $1.75; mine run, $1.70; screenings, $1.40; and railroad locomotive fuel price exceptions 1-D, 2-C, 1-B, and 1-A shall apply.

[F. R. Doc. 43-3356; Filed, March 3, 1943; 10:39 a. m.]

[Docket No. A-1819]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10, for establishment of price classifications and minimum prices for Mine Index No. 1617.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Schoper No. 2 Mine, Mine Index No. 1617, of Standard Coal Mining and Converters Corporation; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.4 (*Price groups*) is amended by adding thereto Supplement R-I, § 330.10 (*Special prices*—(a) (2) *Railroad locomotive fuel prices*) is amended by adding thereto Supplement R-II, and § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since railroad locomotive fuel Price Exceptions 1-B, 2-B, and 3-A in § 330.10 (a) (3) in Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck are applicable to the coals of all other mines in Price Group No. 13 of District No. 10 for which minimum prices have been established for all shipments except truck and since no reason has been advanced for denying the application of these price exceptions to the coals of Mine Index No. 1617, the relief granted herein makes the said price exceptions applicable to the coals of Mine Index No. 1617.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R-I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
13	Standard Coal Mining and Converters Corporation.	Schoper No. 2	[1] 1617	44	Benld, Ill.	C&NW.

[1] Mine Index No. 1617 shall be included in Price Group 13 and shall take the same f. o. b. mine prices as other mines in Price Group 13, Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however,* That these f. o. b. mine prices apply on board transportation facilities at Benld, Illinois.

§ 330.10 *Special prices* (a) (2) *Railroad locomotive fuel prices*—Supplement R-II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
13	Standard Coal Mining and Converters Corporation.	Schoper No. 2	[1] 1617	44	Benld, Ill.	C&NW.

[1] The railroad locomotive fuel price shall be: Mine run, $1.95; modified mine run, $2.00; and screenings, $1.40; and railroad locomotive fuel price exceptions 1-B, 2-B and 3-A shall apply.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	26	27
SECTION NO. 5																				
MACOUPIN COUNTY																				
Standard Coal Mining & Converters Corporation.	1617	Schoper No. 2	6	225	220	215	205	200	195	170	150	155	150	150	150	120	110	55	130	120

[F. R. Doc. 43-3357; Filed, March 3, 1943; 10:39 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 132, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

PHYSICAL EXAMINATION BY EXAMINING PHYSICIAN

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. 8545, 5 F.R. 3779, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 623.33 to read as follows:

§ 623.33 *Physical examination by examining physician.*[1] * * *

(c) The examining physician may report to the local board that a registrant is suffering from a condition listed in the List of Defects (Form 220) basing his report upon one or more of the following: (1) the physical examination of the registrant while he is before him; (2) his personal professional knowledge of the registrant's physical condition; (3) an acceptable affidavit from a reputable physician to the effect that such physician has personal professional knowledge of the registrant's physical condition, provided such affidavit is filed with the local board; or (4) an official statement from a Government or State agency concerning the physical condition of the registrant (including a statement concerning a registrant who has been cared for in St. Elizabeth's Hospital, Washington, D. C., or in a Veterans' Administration Facility), provided such statement is filed with the local board.

* * * * * *

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

MARCH 3, 1943.

[1] 6 F.R. 6611; 7 F.R. 68, 2088, 3745, 6517; 8 F.R. 2093.

[F. R. Doc. 43-3378; Filed, March 3, 1943; 4:13 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 21]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

1. In the column headed "Shipping Priority Rating" the shipping priority ratings assigned to the commodities listed below (at every place where said commodities appear in said section) are deleted and in the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group	Shipping priority rating
Clay and clay products:			
Closet bowls and water closet sets (include tanks)	4332.60	None	
Lavatories, sinks, etc. (include urinals and bidets)	4333.60	None	
Grains and preparations:			
Paddy or rough rice	1654.60	None	

2. In the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General License Group
Chemicals (see also medicinals):		
Acetylsalicylic Acid (aspirin) in bulk—see Medicinals	8135.30	None
Acetylsalicylic Acid (aspirin) in tablet form—see Medicinals	8127.92	None
Tannic Acid	8903.98	None

Licensed shipments of the commodities set forth above under "1" and "2" for which Office of Defense Transportation

permits have been issued or which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of this amendment, may be exported under the previous general license provisions.

This amendment shall become effective March 9, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 3, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-3396; Filed, March 4, 1943; 12:01 p. m.]

[Amendment 22]

PART 802—GENERAL LICENSES

SHIPMENTS NOT EXCEEDING A SPECIFIED VALUE

Paragraph (c) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the following:

Acetylsalicylic acid (aspirin).
Ascorbic acid.
Atabrin (all forms and conversions).
Nicotinic acid and amide.
Plasmochin (all forms and conversions).
Pyridoxine hydrochloride.
Riboflavin.
Sulfonamides (include all sulfa drugs).
Tannic acid.
Thiamin chloride.

Licensed shipments of the above commodities for which Office of Defense Transportation permits have been issued or which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of this amendment, may be exported under the previous general license provisions.

This amendment shall become effective March 9, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 3, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-3397; Filed, March 4, 1943; 12:01 p. m.]

[Amendment 23]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS

Paragraph (c) of § 804.2 *Applications for licenses* is hereby amended by deleting from the list of numbered commodity groups contained therein the following:

Commodity	*Schedule B No.*
92. Aluminum	6300.00 thru 6305.00
93. Aluminum manufactures	6307.00 thru 6309.98
94. Copper	6401.00 thru 6439.00
95. Brass and Bronze	6440.00 thru 6479.98

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 3, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-3398; Filed, March 4, 1943; 12:01 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 933—COPPER

[Limitation Order L-106, as Amended March 4, 1943]

Section 933.9 *Limitation Order L-106* is amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of copper and copper base alloy products entering into the production of automotive parts and components thereof, for defense, for private account and for export; the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.9 *Limitation Order L-106*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(2) "Light motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(3) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Truck trailer" means a complete semi-trailer or full trailer for the transportation of property or persons, or the chassis therefor.

(5) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(6) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Copper" means unalloyed copper metal, including unalloyed copper metal produced from scrap.

(9) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds forty percent (40%) of the total weight of the alloy. It shall include alloy metal produced from scrap.

(10) "Copper products" means products made of copper, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingots, castings, forgings, powder or anodes, or fabricated to any greater extent.

(11) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingots, castings, forgings, powder or anodes, or fabricated to any greater extent.

(12) "Less critical material" means material essential to the War Program, the supplies of which are less critical according to the Material Substitutions and Supply List issued periodically by the Conservation Division of the War Production Board.

(13) "Automotive part" or "parts" means parts entering into the production of, or as replacement parts for, passenger automobiles, light motor trucks, medium and/or heavy motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles (including components entering into such parts).

(14) "Producer" means any individual, partnership, association, corporation or other organization engaged in the production of automotive parts.

(c) *General restrictions.* (1) No producer shall use any copper products or copper base alloy products in the production of automotive parts other than in the following:

(i) *Radiators.* Water courses and tanks of copper alloy containing not more than seventy-one (71) per cent copper.

(ii) *Cooling system control devices.* Thermostat bellows of copper alloy containing not more than eighty-five (85) per cent copper; seats and valves for thermostats and pressure type radiator sealing caps of copper alloy containing not more than seventy-four (74) per cent copper.

(iii) *Electrical equipment.* Only parts functioning as electrical conductors in the following assemblies: coils; distributors; generators; instruments; lamp bulbs; starting motors; signaling devices; switches; wiring (including bulk or spooled primary wire, spark plug wire, battery cable and magnet wire); battery terminals of copper alloy containing not more than seventy-one per cent (71%) copper; solenoids, relays and regulators (non-current carrying parts for solenoids, relays and regulators which must be non-magnetic may be made from copper alloy containing not more than 71% copper); electric motors for windshield wipers and defrosters; electric motors for heaters for passenger carriers and trucks only; electric motors for ventilators for passenger carriers only; actuating devices for passenger carriers, trucks and truck trailers only; refrigeration units for trucks and truck trailers only. Heavy duty truck and bus type brush holders.

(iv) *Tubing, tube fittings and actuating parts.* For pneumatic and electro-pneumatic systems in motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles only, such as brake systems, gauges, door operating mechanisms, air steering mechanisms, air gear shift mechanisms, air clutch and winch control mechanisms, air operated gasoline throttle control, windshield wipers, interlocks, heating and ventilating controls, signal horns and directional signals, where condensation and corrosion make substitution of less critical material impractical. Inserts (or ferrules) for brake, oil and fuel line tube fittings only, where less critical material is impractical.

(v) *Bearings, bushings, thrust washers* and similar parts which require oil, grease or water lubrication: *Provided,* That the use of Copper or Copper Base Alloy shall be reduced by substitution of steel-backed for solid-bronze bushings in all cases where load characteristics and diameter, length or wall thickness, make such substitution practicable.

(vi) *Carburetor and fuel pump parts.* Those parts having metering, seating, filtering or anti-friction characteristics such as jets, nozzles, seats, metering rods, floats, screens, springs and bearings; drill plugs, where non-corrosive metal is required to facilitate removal for cleaning.

(vii) *Plating.* For parts in connection with carburizing steel; where substituted for solid copper and copper base alloys; for protection from corrosion due to electrolysis where other material cannot be used, as in hydraulic brake parts which come in contact with brake fluid.

(viii) *Gaskets.* Spark plug gaskets (internal only); washers or solid gaskets where proper sealing is not possible with the use of less critical material; water hole grommets for gaskets where size prohibits the use of less critical material from a manufacturing standpoint, or where design provides insufficient sealing with less critical material.

(ix) *Transmissions, including synchromesh, fluid coupling, hydromatic and pneumatic types.* Fluid coupling seal bellows, transmission gear synchronizer cones, thrust washers, thrust plates and rivets.

(x) *Brazing materials.* For joining functional parts of multiple-piece construction.

(xi) *Powdered copper.* For briquetted bearings.

(xii) *Used as a minor alloying element in alloys other than copper base alloys.* In ferrous alloys; bearing metals; zinc die castings for carburetors and fuel pumps; aluminum alloys for pistons.

(xiii) *Clutch facings and brake linings.* Only in the form of grindings or brass chips for medium and heavy motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles; except that in clutch facings for such vehicles, copper in the form of wire may be used only where a less critical material is impractical.

(xiv) *Speedometers, tachometers, heat indicators and oil gauges.* Frames, capillaries, bulbs, bushings, bearings, magnet cups, reset pawls, springs, speed cups, sectors, gears, shoes, links, washers, pins, bourdon tubes.

(xv) *Miscellaneous.* Tire inner tube valve parts; small stampings in door locks, keys and lock tumblers; fuel filter screens.

(2) Whenever copper products or copper base alloy products are used in the production of any Automotive Part, as permitted by paragraph (c) (1) above, such copper products or copper base alloy products shall be reduced to the minimum practical gauge, size and grade of copper or copper base alloy product necessary for the proper operation of the part. No producer may use copper products or copper base alloy products in the production of any automotive part, as permitted by paragraph (c) (1) above, where the use of any less critical material is practicable.

(3) Whenever Limitation Order L-158, as amended, or Conservation Order M-9-c, as amended, or any other order of the War Production Board, imposes limitations upon the manufacture, sale or delivery of automotive parts more restrictive than provided in this order, the provisions of such other order shall apply.

(d) *Army and Navy exemptions.* The prohibitions and restrictions contained in this order shall not apply to the use of Copper Products or Copper Base Alloy Products in the manufacture of automotive parts produced under contracts or orders for delivery to, or for the account of, the Army or Navy of the United States where such use is required by the specifications (including performance specifications) of the prime contract.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, material specifications, purchases, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref: L-106.

(k) *Effective date.* This amended order shall take effect March 10, 1943.

Issued this 4th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3362; Filed, March 4, 1943; 9:28 a. m.]

PART 933—COPPER

[General Preference Order M-9-a as Amended March 4, 1943]

Whereas the national defense requirements have created a shortage of copper, copper base alloys and products thereof, as hereinafter defined, for defense, for private account, and for export, and it is necessary in public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof: *Now, therefore, it is hereby ordered:*

§ 933.2 *General Preference Order M-9-a*—(a) *Definitions.* For the purpose of this order:

(1) "Copper" means copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes, or copper shot or other forms produced by a refiner.

(2) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(3) "Refiner" means any person who produces copper, as hereinbefore defined, from copper-bearing material or scrap by any process of electrolysis or fire refining; "refiner" also includes any person who has such copper produced for him under toll agreement.

(4) "Dealer" means one who receives physical delivery of copper and sells or holds the same for sale without change in form.

(5) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy.

(6) "Wire mill product" means bare or insulated wire or cable for electrical conduction made from copper or copper base alloy.

(7) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, or other person engaged in the business of distributing brass mill products or wire mill products to industry or trade.

(b) *Allocation of copper*—(1) *Deliveries of copper by dealers or refiners.* No delivery of copper shall be made by any dealer or refiner except upon presentation by the person requesting the delivery of an allocation certificate duly issued by the Director General for Operations (hereinafter called the Director); except that notwithstanding the foregoing, copper of foreign origin imported under

bond or drawback agreement may be re-exported by a refiner pursuant to an export license duly issued by the Office of Export Control, Board of Economic Warfare.

(2) *Applications for allocations.* All persons who require copper shall make application on Form PD–59 to the Copper Division, War Production Board, for allocation certificates entitling them to specified amounts of copper to be delivered to them by refiners or dealers.

(3) *Basis of allocation.* Allocation of copper will be made by the Director to assure the satisfaction of the most essential requirements. After the satisfaction of such requirements, the residual supply may be allocated by the Director for other necessary uses to the extent possible.

(4) *Acceptance of delivery.* No person shall accept the delivery of any copper if he has reason to believe such delivery would be in violation of this order.

(c) *Deliveries of brass mill products or wire mill products.* Except as expressly authorized or directed by the Director:

(1) No brass mill or wire mill shall fill any order which has not been approved on a Form PD–59D.

(2) No warehouse shall deliver or cause to be delivered from his stocks any brass mill product or wire mill product except as permitted by Controlled Materials Plan Regulation No. 4.

(3) No person shall accept the delivery of any brass mill product or wire mill product if he has reason to believe such delivery would be in violation of this order.

(d) *Deliveries of foundry products of copper base alloy ingots.* Deliveries of foundry products and copper base alloy ingots shall be made only in accordance with the provisions of Supplementary Copper Order No. M–9–b.

(e) *Toll agreements.* (1) No person shall process any copper, brass mill product, or wire mill product acquired prior to July 1, 1942, under any existing or future toll agreement, conversion agreement, or other form of agreement by which title remains vested in a person other than the one processing the material, or which agreement is contingent upon repurchase of such materials in any quantities equivalent or otherwise by the person delivering the material, unless and until such an agreement shall have been approved by the Director. Any person desiring to have such an agreement approved must file with the War Production Board, a statement setting forth the names of the parties to such agreement, the material involved as to kind and grade (except copper scrap for which provision is made under Supplementary Copper Order No. M–9–b), the form of the same, the estimated tonnage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the copper, copper base alloy or copper product is to be used, and any other pertinent data that would justify such approval.

(2) All refiners who are parties to toll agreements for the refining of copper (who have not already filed the information with the Director) must file with the War Production Board, a statement setting forth the names of the parties to such agreement, the material involved, whether blister, scrap or in other form, the estimated tonnage involved, the estimated rate of delivery, and the duration of the contract. A like statement must be filed with reference to any new agreement or amendment to existing or new agreements within ten days after the effective date of such new agreement or amendment respectively.

(f) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed War Production Board, Ref: M–9–a, Washington, D. C.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 4th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43 3384; Filed, March 4, 1943; 9:28 a. m.]

PART 1115—FUEL OIL

[Revocation of Preference Rating Exclusion Order M–144]

Section 1115.2 *Preference Rating Exclusion Order M–144* hereby is revoked as of this 3d day of March 1943.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3379; Filed, March 3, 1943; 4:49 p. m.]

PART 3026—PETROLEUM PRODUCTS

[Preference Rating Exclusion Order M-201]

The fulfillment of the requirements for the defense of the United States has created a shortage in certain petroleum products which will result, in certain areas, in a shortage in the supply of such petroleum products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3026.1 *Preference Rating Exclusion Order M–201*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including, but not limited to, natural gas.

(3) "Restricted products" means those products of petroleum which may from time to time be specified in Exhibit "A" hereof and which are not excepted, in whole or in part, from the provisions of this order by Exhibit "B" hereof.

(c) *Exclusion of restricted products from certain provisions of priorities regulations and orders.* (1) Notwithstanding the provisions of any regulation, order, direction or certificate heretofore issued by the Director General for Operations or the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management, deliveries of restricted products may be made by any person to any person for any purpose without regard to any preference rating assigned to the purchase, sale or delivery of such restricted products. No person shall require the application of a preference rating assigned by any regulation, order, direction or certificate to the purchase, sale or delivery of restricted products and, except as provided in paragraph (c) (2) hereof, no such purchase, sale or delivery of restricted products shall be deemed to bear any preference rating whatsoever.

(2) No preference rating shall be assigned to any purchase, sale or delivery of restricted products (other than to a purchase, sale or delivery of fuel oil for use in ocean-going vessels) by any regulation, order, direction or certificate hereafter issued by or under the authority of the Director General for Operations, except by or pursuant to a regulation or order hereafter issued by the Director General for Operations specifically assigning the rating and excepting the transaction from the provisions of this order.

(d) *Excepted products.* The provisions of this order do not apply to any product of petroleum specified in Exhibit "B" hereof.

(e) *Applications and communications.* Applications for a specific assignment of a preference rating and exception from the provisions of this order shall be made on Form PD–1A accompanied by a letter in triplicate stating the reasons for such exception. Any such application shall be addressed to the Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: M–201. All communications concerning this order shall be similarly addressed.

(f) *Violations.* Any person who willfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) § 1115.2 *Preference Rating Exclusion Order M–144* is hereby revoked.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

The following are specified restricted products:

(1) Liquefied petroleum gas: propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(2) Aviation gasoline: any liquid fuel (including components thereof), except Diesel fuel, used for aircraft propulsion which meets current provisional or permanent United States Army or Navy specifications for aircraft fuels.

(3) Motor fuel: any liquid fuel (including components thereof) suitable for use in the propulsion of motor vehicles or motor boats.

(4) Lubricating oil: any finished or unfinished, distilled or residual liquid fraction of petroleum used for lubrication which does not contain in excess of 50% (by weight) of additives or blending compounds.

(5) Fuel oil: any liquid petroleum product commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, or 6, Bunker "C" fuel oil, Diesel fuel, kerosene, range oil, gas oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(6) Lubricating grease: any lubricant manufactured from petroleum and a soap, organic salt or ester of any fatty oil or fatty acid.

(7) Asphalt: asphalt of petroleum origin and all asphaltic products of petroleum origin, including road oils.

EXHIBIT B

The following are specified excepted products:

(None, as of March 3, 1943.)

[F. R. Doc. 43-3381; Filed, March 3, 1943; 4:49 p. m.]

PART 3123—FLOOR FINISHING AND FLOOR MAINTENANCE MACHINES AND INDUSTRIAL VACUUM CLEANERS

[Limitation Order L–222, as Amended March 1, 1943 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials used in the manufacture of floor finishing and floor maintenance machines and industrial vacuum cleaners; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3123.1 *Limitation Order L–222*—(a) *Definitions.* For the purpose of this order:

[1] This document is a restatement of Amendment 1 of L–222 as amended January 14, 1943 which appeared in the FEDERAL REGISTER of March 3, 1943, page 2655, and reflects the order in its completed form as of March 1, 1943.

(1) "Floor finishing or floor maintenance machines" means any motorized or hand-powered mechanical device, designed for the purpose of floor finishing or maintenance. The term includes, but is not limited to, the types of machines on List A attached to this order as amended from time to time, and excludes independent motor-operated vacuum producing units, floor sanding machines and machines specifically designed for the manipulation of wet cement.

(2) "Floor finishing" and "floor maintenance" include, but are not limited to, the operations of grinding, staining, sealing, scraping, oiling, waxing or polishing floors or decks, and the collection and removal of dust, grime, oil, reclaimable materials or refuse from floors or decks, either separately or in conjunction with the operations of washing, scraping, sterilizing and wiping floors or decks.

(3) "Floor sanding machines" means machines used for the smoothing of floors or decks, other than stone or tile floors, by the use of abrasives such as, but not limited to, sandpaper and steel wool.

(4) "Vacuum cleaners" means machines in which a combination of a motor operated vacuum producer (stationary or portable), an air impeller line, and a portable tool with attachments is used for the collection and removal by suction of dust, oil, reclaimable materials or refuse, in either the wet or dry state.

(5) "Industrial vacuum cleaners" means all vacuum cleaners other than those designed primarily for household use, exclusive of motor-operated vacuum producing units incorporated in floor sanding, floor finishing or floor maintenance machines.

(6) "Blowers" means machines in which a combination of a motor operated air pressure producer, an air impeller line, and a portable tool with attachments is used for the removal of dust, materials or refuse by air pressure.

(7) "New machines" means machines which have neither been used nor sold, rented or lent for the purpose of being used for floor sanding, floor finishing, floor maintenance or vacuum cleaning, and also machines which have been used solely for demonstration or trial loans.

(8) "Supplies" means replaceable items, such as, but not limited to, polishing brushes, cleaning brushes, sanding drums and discs, stones, hoses and bags, which are expended in the operations of floor sanding, floor finishing, floor maintenance, and vacuum cleaning.

(9) "Manufacturer" means any person engaged in the fabrication or assembly of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, or of parts designed specifically for such machines, and includes wholesaling or retailing subsidiaries or divisions of such a person.

(10) "Distributor" means any person engaged in the business of selling, renting or lending new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, other than a manufacturer.

(b) *Restrictions on production*—(1) *Floor sanding machines.* No manufacturer shall fabricate or assemble any new floor sanding machines or parts for such new machines except as follows:

(i) On and before January 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor sanding machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor sanding machines within the time limits set by paragraphs (b) (1) (ii) and (b) (1) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor sanding machines.

(iii) On and before March 15, 1943, but not thereafter, a manufacturer may assemble new floor sanding machines.

(2) *Floor finishing or floor maintenance machines.* No manufacturer shall fabricate or assemble any new floor finishing or floor maintenance machines or parts for such new machines, except as follows:

(i) On and before February 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor finishing or floor maintenance machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor finishing or floor maintenance machines within the time limits sets by paragraphs (b) (2) (ii) and (b) (2) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor finishing or floor maintenance machines.

(iii) On and before April 15, 1943, but not thereafter, a manufacturer may assemble new floor finishing or floor maintenance machines.

(3) *Industrial vacuum cleaners.* No manufacturer shall fabricate any parts for new industrial vacuum cleaners except as follows:

(i) On and before March 1, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new industrial vacuum cleaners, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts within the time limit set by paragraph (b) (3) (ii) of this order.

(ii) On and before June 1, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new industrial vacuum cleaners, provided that if the Director General for Operations shall fix a production quota for such manufacturer, the number of machines for the assembly of which such manufacturer fabricates parts shall not exceed such production quota. Whenever production quotas are assigned by the Director General for Operations, he will take

into consideration the number of machines already completed and the number of machines needed to be completed to meet, but not to exceed, the total requirements for such machines as determined by the Standard Products Committee.

(4) *Repair parts other than supplies.* (i) During the calendar quarter commencing January 1, 1943, and during any calendar quarter thereafter, no manufacturer shall fabricate repair parts having an aggregate manufacturing cost in excess of two per cent of that manufacturer's billed sales of new floor sanding machines, new floor finishing and floor maintenance machines, and new industrial vacuum cleaners during the calendar year of 1941.

(5) *Supplies.* Except as otherwise specifically provided, the restrictions of paragraph (b) of this order shall not apply to supplies other than suction attachments used in the conversion of portable industrial blowers to industrial vacuum cleaners.

(6) *Special quotas.* Notwithstanding the restrictions of paragraph (b) of this order, the Director General for Operations may from time to time specifically authorize one or more manufacturers to commence fabrication, to fabricate, or to assemble specified quantities of machines, repair parts and supplies of any type restricted by paragraph (b), or to perform any combination of the foregoing operations.

(c) *Restrictions on transfer.* (1) No manufacturer or distributor shall sell, rent, lend or deliver any of the following types of new machines without authorization on Form PD–722:

(i) Drum type floor sanding machines making an eight-inch path or wider.

(ii) Disc type floor sanding machines making a twelve-inch path or wider.

(iii) Drum type floor finishing or floor maintenance machines making an eight-inch path or wider.

(iv) Disc type floor finishing or floor maintenance machines making a twelve-inch path or wider.

(v) Industrial vacuum cleaners.

Such authorizations shall expire thirty days after the date of their issuance unless served in the interim upon the supplier named therein. Within five days after their expiration, all expired authorization forms shall be returned for cancellation to the War Production Board, Service Equipment Division, Washington, D. C., Ref: L–222.

(2) Nothing in this paragraph shall be construed to prohibit the sale, rental, loan, or delivery of new machines from one manufacturer or distributor to fill an order, or part of an order received by the latter for such machines if the filling of the order has been authorized on Form PD–722.

(d) *Procedure for authorization.* All persons making application for the authorization required by paragraph (c) hereof shall make such application on Form PD–722.

(e) *Applicability of other orders and priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(2) Nothing in this order shall be construed to permit the production of any machines whose production is prevented by any other orders or regulations of the War Production Board, including § 1174.1 *Limitation Order L–91*, and § 1176.1 *Conservation Order M–126*, as amended from time to time.

(f) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, leases, and rentals.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(2) On or before January 28, 1943, for the month of December, and on or before the 15th day of each month thereafter for the preceding month, each manufacturer or distributor of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners shall file a monthly report on Form PD–723.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Communications.* All reports to be filed hereunder, or communications concerning this order, should be addressed to: War Production Board, Service Equipment Division, Washington, D. C., Ref: L–222.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

Terrazzo grinders.
Waxing and polishing machines.
Disc type scrubbers, either wet or dry.
Drum type scrubbers, either wet or dry.
Combination scrubbers and water pickup
Drum type sweepers.
Drum type scarifying machines
Disc type scarifying machines.

[F. R. Doc. 43-3330; Filed, March 3, 1943; 4:49 p. m.]

PART 3178—INTERNAL COMBUSTION AIR-COOLED ENGINES

[Limitation Order L–254]

The fulfillment of requirements for the defense of the United States having created a shortage of critical materials entering into the manufacture of internal combustion air-cooled engines for defense, for private account, and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3178.1 *Limitation Order L–254*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to the provisions of applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Air-cooled engine" means an internal combustion air-cooled engine, except air-cooled aircraft propulsion engines and air-cooled engines of two or more cylinders which are an integral part of the structure of motorcycles.

(2) "Basic engine model" means an engine manufactured by any of the producers enumerated in Schedule A, as the same may be amended from time to time by the Director General for Operations, as listed by model designation under the name of each producer, specifying the number of cylinders and the piston displacement in cubic inches for each such model.

(3) "Engine parts" means any part produced to be used in the assembly or maintenance of an air-cooled engine, including specified engine parts.

(4) "Specified engine part" means an engine part enumerated in paragraph 3 of Schedule B to this order, as the same may be amended from time to time by the Director General for Operations.

(5) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or assembly of air-cooled engines, specified engine parts or engine parts.

(c) *Limitations on production of air-cooled engines.* On and after March 15, 1943, no producer shall manufacture or assemble any air-cooled engine except a basic engine model, enumerated in Schedule A, in which the specified engine parts conform to the Standard Specifications prescribed in Schedule B, or shall manufacture any specified engine parts which do not conform to said specifications.

(d) *Exemptions as to production, existing inventories, and engine parts.* (1) Notwithstanding the provisions of paragraph (c), producers may manufacture, assemble and deliver air-cooled engines produced pursuant to contracts entered into prior to March 15, 1943.

(2) Nothing in this order shall prohibit a producer from using in the production of air-cooled engines existing inventories of engine parts or specified engine parts, which, on March 15, 1943, have been completely fabricated or processed to the point where other use is impracticable.

(3) Nothing in this order shall prohibit a producer from manufacturing engine parts, including specified engine parts, for the maintenance and repair of air-cooled engines.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales of air-cooled engines and engine parts.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board may require from time to time.

(g) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C. Ref.: Order L–254.

Issued this 4th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

BASIC ENGINE MODELS OF AIR-COOLED ENGINES

The following are established as basic engine models for air-cooled engines as designated by the Producer's symbols:

Producer	Basic engine model and symbol	Number of cylinders	Piston displacement
			cu. in.
Briggs & Stratton Corp., Milwaukee, Wis.	L	1	4.71
	N	1	6.28
	J	1	6.28
	A	1	8.95
	B	1	14.21
	ZZ	1	22.97
Continental Motors Corp., Muskegon, Mich.	L123	1	4.2
Cushman Motor Works, Lincoln, Nebr.	M50	1	13.53
	M70	1	14.88
Delco Appliance Division General Motors Corp., Rochester, N. Y.	2H12	1	3.0
	4H12	1	8.0
	7H12	1	9.7
	10F3	1	15.2
The Hart-Carter Company, Lauson Division, New Holstein, Wis.	LJ	1	2.65
	RLA	1	4.7
	RSC	1	5.9
	RTC	1	6.28
	TLC	1	8.94
	PA	1	17.8
Hercules Corporation, Port Chester, N. Y.	B	1	4.7
	BR	1	9.4
	HRU	1	9.4
	HTR	2	18.8
Jacobsen Manufacturing Co., Racine, Wis.	Queen	1	4.7
	King	1	6.9
Johnson Motors, Division Outboard Marine & Mfg. Co., Waukegan, Ill.	X512	1	6.958
	X518	1	6.958
	X719	1	6.958
	X720	1	6.958
Klaklacker Corporation, Cedarburg, Wis.	KB-3G	1	7.5
	KB-6A	2	15.0
Novo Engine Company, Lansing, Mich.	CA-33	1	33.0
D. W. Onan & Sons, Minneapolis, Minn.	IC	1	8.95
	IB	1	16.3
	OTC	2	24.35
Wisconsin Motor Corp., Milwaukee, Wis.	AB	1	13.5
	AK	1	17.8
	AFH	1	23.0
	AHH	1	41.3
	VE4	4	91.9
	VF4	4	107.8
	AP4	4	154.0
Lawrence Engineering & Research Corp., Linden, N. J.:			
The following engines are exempted from the standard specifications listed in Schedule B	20A	2	20.3
	30C-2	2	30.3
	30C-3	3	30.3
	30U	3	30.3
	75-B	6	75.3

SCHEDULE B

STANDARD SPECIFICATIONS FOR AIR-COOLED ENGINES, SPECIFIED ENGINE PARTS, AND ENGINE PARTS

1. *Painting and plating for air-cooled engines, specified engine parts, and engine parts.* (a) Rust, grease, oil and other foreign matter should be thoroughly removed from all surfaces to be painted or plated so that the metal exhibits excellent adhesion characteristics.

(b) All exposed surfaces shall be painted with a single coat of rust-inhibiting primer and one cross-coat of semi-gloss olive drab enamel that shall have a dry film thickness of 1.0 to 1.5 mils. The primer and the enamel shall conform to Ordnance Tentative Specification TAC–ES–No 680a dated November 20, 1942, Class 101 and Class 440 respectively. For application, the primer and the enamel should be reduced with a thinner as specified in paragraph C–6b of the above-mentioned specification.

(c) Parts which will be exposed to the elements and which cannot be painted after assembly must receive a single coat of rust-inhibiting primer previous to assembly. Ferrous bolts and nuts, if not painted, shall be corrosion-proofed by any method approved by the producer. Bolt heads and nuts which will be exposed to the elements need not be so treated if they are painted in the final finishing.

(d) All zinc base die castings which will be exposed to the elements must be dichromated.

(e) Copper and brass parts need not be painted or otherwise protected.

(f) The foregoing Painting and Plating Specifications are not applicable to air-cooled engines produced for civilian uses. These shall be finished to meet the producer's commercial standards.

2. *Minimum performance requirements.* (a) Air-cooled engines upon delivery shall develop at least eighty-five per cent (85%) of the producer's published brake horsepower, corrected for standard conditions of atmospheric pressure and temperature.

(b) Test methods to establish the requirement of paragraph (a) above may be determined by the producer.

3. *Specified engine parts*—(a) *Air cleaners.* A producer shall equip any one basic engine model produced by him with but one model of air cleaner which must be of the oil-bath type.

(b) *Automatic chokes.* Automatic chokes shall be used on carburetors only where remote control equipment is specified.

(c) *Carburetors.* A producer shall equip any one basic engine model produced by him with but one model of suction feed and one model of float feed carburetor.

(d) *Removable caps and plugs.* All gasoline tank caps, oil filler caps and drain plugs shall be fastened to the engine by a chain or equivalent fastening.

(e) *Gasoline tanks.* A producer shall equip any one basic engine model produced by him with one size of gasoline tank assembly and fittings, conforming to the following specifications:

Horsepower of engine	Capacity of tank	Specified spare
	Qts.	
5 to 10	4	Not less than #24 Terne Plate.
11 to 5	5	Not less than #24 Terne Plate.
6 to 10	8	Not less than #24 Terne Plate.
11 to 19	24	Not less than #20 Terne Plate.
20 to 32	58	Not less than #20 Terne Plate.

(f) *Mufflers.* A producer shall equip any one basic engine model produced by him with but one model of muffler.

(g) *Spark plugs.* All spark plugs used on basic engine models shall be either of the following sizes:

14 millimeters.
18 millimeters.

(h) *Starters.* Rope starters shall be used on all single and twin cylinder basic engine models, except where remote control is specified, or the engine is to be used on a scooter.

4. *Manuals describing parts and maintenance of air-cooled engines.* (a) All manuals describing engine parts and maintenance, furnished with basic engine models, shall be published only in one size, six inches in width by nine inches in length, and shall be properly indexed.

(b) Illustrations in such manuals shall be reproduced from either line drawings or photographs, exploded when necessary to illustrate either the isometric or plan view. Producers may select whichever method is best suited to their facilities, but only one method shall be used.

(c) Each assembly or sub-assembly best serviceable as a unit shall be listed or illustrated. Such assemblies and sub-assemblies shall be held to the lowest practical

number. Individual parts shall be listed where practical repair procedure requires the use of individual parts.

[F. R. Doc. 43-3383; Filed, March 4, 1943; 9:28 a. m.]

PART 3208—CRITICAL COMMON COMPONENTS

[General Scheduling Order M-293]

Corrections

The table in the schedule under General Scheduling Order M-293, appearing on page 2472 of the issue for Saturday, February 27, 1943, is corrected as follows:

In item 3*b*, under Aircraft Production Board, etc., the second entry under Ceramic was omitted and should read:

Short reach shielded type.

The form of item 3*a*, under General Industrial Equipment Division, should be:

a Speed changers:	
1. Enclosed units (excluding ship propulsion).	
Worm gear speed reducers	
Helical and or herringbone speed reducers	
2. Industrial gears (unmounted).	
Worm and worm wheels	

In columns 2 and 3, item 7*a* under General Industrial Equipment Division, footnotes "3" should read "4".

In item 11, under General Industrial Equipment Division, "PD–900" should be inserted in column 1.

The reading of item 1, under Safety and Technical Equipment Division, should read:

1. Extinguishers, carbon dioxide

The form of item 2*b*, under Tools Division, should be:

b. Metal cutting tools	
Machine broachers, flat and spline.	
Threading chasers, die heads, and collapsible taps.	
High speed taper shank drills, 1" diameter and larger.	
Ground gear hobs, 48 pitch and finer.	
Ground multiple thread milling cutters or hobs.	

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 121,[1] Amendment 11]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 121 is amended in the following respects:

1. Section 1340.248 (a) (2) is amended to read as follows:

(2) "Miscellaneous solid fuels" or "miscellaneous solid fuel" means anthracite other than that produced in the State of Pennsylvania; semianthracite; lignite; all coke, including low temperature coke and petroleum coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; packaged coal; and sea coal used for foundry facings.

2. Section 1340.249 (d) (4) is added to read as follows:

(4) A producer of briquettes or packaged coal made from bituminous coal, in computing the maximum prices for the sale of such briquettes or packaged coal under paragraphs (a), (b) or (c) of this section or under any order issued prior to March 1, 1943 granting an adjustment, may add to the prices determined under those paragraphs or established by such order the difference between (i) the cost of the last purchase of such coal in the year 1942 and (ii) the current cost of such coal: *Provided*, That the amount so added shall not be more than the difference between (iii) the maximum price for such bituminous coal on May 18, 1942, and (iv) the maximum price for such coal at the time of the computation.

This amendment shall become effective this 3d day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3370; Filed, March 3, 1943; 3:08 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 79]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.159 (c) (6) is amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(6) *Residual fuel oils.* (i) The maximum price in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for all residual and residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above, including but not limited to Nos. 5 and 6 fuel oils, Bunker C, Navy Grade, residual diesel fuel oils, residum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy fuel oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy Special fuel oil, Mirando and Mirando type crude when sold as No. 5, or other residual fuel oil, or as a heavy gas enrichment oil shall be not more than 30 cents per barrel in excess of the maximum prices that would otherwise govern under § 1340.159 (b) (1) to (3) and (b) (7) except that at the refineries and ocean terminals designated in Table I of subdivision (ii) the prices there specified shall be the maximum prices. Sellers who charged the increases in price authorized by Amendments Nos. 4, 10 and 27 to Revised Price Schedule No. 88 on their sales of residual fuel oil as defined in this paragraph during the March 26, 1942 to January 9, 1943 period shall not be deemed to have exceeded their maximum prices because of such additional charges.

(ii) *Maximum prices of residual fuel oils and blends thereof with distillate fuel oils, of the A. P. I. gravities indicated below and otherwise meeting current commercial standard specifications for fuel oils, except Navy Special fuel oils and all diesel fuel oils—(a) Price tables to determine maximum prices f. o. b. refineries and tanker terminals in bulk lots. (Price areas for each table are defined below such table.)*

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5868, 5988, 5983, 6057, 6187, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2152, 2334, 2349, 2273, 2350, 2501.

*Copies may be obtained from the Office of Price Administration.

TABLE II—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES, SEABOARD TANKER TERMINALS, AND RIVER TANKER TERMINALS AT ALBANY, N. Y. AND ON THE MISSISSIPPI RIVER UP TO AND INCLUDING BATON ROUGE, LOUISIANA

[Dollars per 42-gallon barrel]

A. P. I. gravity range	Price Area AA	Price Area BB	Price Area CC	Price Area DD	Price Area EE	Price Area FF	Price Area GG	Price Area HH	Price Area II
9.9 and below ° A. P. I.	BP+1	BP	BP	BP	BP	BP	BP	BP	BP
10.0–12.9 ° A. P. I.	BP+1	BP+0.05	BP	BP	BP	BP+0.05	BP+0.05	BP	BP
13.0–15.9 ° A. P. I.	BP+1	BP+0.12	BP+0.06	BP+0.09	BP+0.20	BP+0.20	BP+0.16	BP+0.10	BP+0.14
16.0–19.9 ° A. P. I.	BP+1.21	BP+0.29	BP+0.12	BP+0.18	BP+0.40	BP+0.35	BP+0.27	BP+0.20	BP+0.28
20.0–24.9 ° A. P. I.	BP+0.36	BP+0.41	BP+0.18	BP+0.27	BP+0.50	BP+0.38	BP+0.30	BP+0.30	BP+0.42
25.0 and above ° A. P. I.	BP+0.42	BP+0.47	BP+0.21	BP+0.32	BP+0.70	BP+0.57	BP+0.44	BP+0.35	BP+0.50

1 BP = Base Price which is to be determined as follows: If a refiner has an established maximum price under other provisions of this price schedule for fuel oil meeting No. 6 Commercial Standard Specifications, then his maximum price shall be the refiner's or terminal operator's established price for such No. 6 fuel oil to the class of purchasers which he established hereunder and in the trade area in which the particular refiner is located.

If a refiner or terminal operator has an established maximum price for fuel oil of the maximum price for which is established by this subdivision (ii), he may file a tentative price with the Petroleum Branch of the Office of Price Administration in Washington, D. C. within 15 days after or within 15 days after the initial sales of any grade of fuel oil meeting No. 6 Commercial Standard Specifications. Such tentative price shall be effective in accordance with § 1340.159 (b) (7).

If a seller cannot establish a base price in accordance with § 1340.159 (b) (7) of the provisions of this price schedule for fuel oil meeting No. 6 Commercial Standard Specifications, then his maximum price shall be the refiner's or terminal operator's established price for such No. 6 fuel oil to the class of purchasers which he established hereunder and in the trade area in which the particular refiner is located.

If no established maximum price for fuel oil meeting No. 6 Commercial Standard Specifications has been established hereunder by such refiner or terminal operator, then he shall file a tentative maximum price at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with § 1340.159 (b) (7).

For gravities higher than 9.9° A. P. I. gravity, such refiner's or terminal operator's maximum price or prices at a particular delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum prices therefor.

If a refiner or terminal operator has no established maximum price or prices at a particular delivery point under other provisions of this price schedule for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with § 1340.159 (b) (7).

(b) Maximum delivered prices, in bulk lots, of those refiners and tanker terminal operators whose f. o. b. maximum prices are established by Tables I and II. If a refiner or terminal operator has an established maximum price or prices under other provisions of this price schedule for fuel oil meeting No. 6 Commercial Standard Specifications, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum prices therefor.

If a refiner or terminal operator has no established maximum price or prices for fuel oil of 9.9° A. P. I. gravity and below at that point, he shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

For gravities higher than 9.9° A. P. I. gravity, such refiner's or terminal operator's maximum price or prices at a particular delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum prices therefor.

If a refiner or terminal operator has no established maximum price or prices for fuel oil of 9.9° A. P. I. gravity and below at that point, he shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

(Footnote continued on page 2758)

TABLE I—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES, SEABOARD TANKER TERMINALS, AND RIVER TANKER TERMINALS AT ALBANY, N. Y. AND ON THE MISSISSIPPI RIVER UP TO AND INCLUDING BATON ROUGE, LOUISIANA

[Dollars per 42-gallon barrel]

A. P. I. gravity range	Price Area A	Price Area B	Price Area C	Price Area D	Price Area E	Price Area F	Price Area G	Price Area H	Price Area I	Price Area J	Price Area K	Price Area L
9.9 and below ° A. P. I.	0.85	0.80	0.74	0.85	1.00	1.43	1.47	1.68	1.68	1.89	2.10	1.85
10.0–12.9 ° A. P. I.	0.90	0.85	0.85	0.85	1.00	1.43	1.47	1.68	1.68	1.89	2.10	1.85
13.0–15.9 ° A. P. I.	1.02	0.97	0.97	0.97	1.14	1.50	1.55	1.80	1.80	2.01	2.22	2.09
16.0–19.9 ° A. P. I.	1.24	1.19	1.20	1.21	1.42	1.67	1.73	1.86	1.95	2.07	2.28	2.21
20.0–24.9 ° A. P. I.	1.32	1.27	1.27	1.27	1.50	1.71	1.79	1.89	2.00	2.10	2.31	2.27
25.0 and above ° A. P. I.	1.42	1.37	1.37	1.37	1.60	1.81	1.89	1.99	2.10	2.20	2.41	2.37

A. P. I. gravity range	Price Area M	Price Area N	Price Area O	Price Area P	Price Area Q	Price Area R	Price Area S	Price Area T	Price Area U	Price Area V
9.9 and below ° A. P. I.	1.65	1.70	1.50	1.15	1.10	0.95	0.73	0.75	0.80	1.26
10.0–12.9 ° A. P. I.	1.65	1.70	1.50	1.15	1.10	0.95	0.73	0.75	0.80	1.26
13.0–15.9 ° A. P. I.	1.77	1.82	1.74	1.27	1.30	1.15	0.92	0.95	0.96	1.36
16.0–19.9 ° A. P. I.	1.97	2.02	1.92	1.51	1.51	1.35	1.04	1.10	1.07	1.46
20.0–24.9 ° A. P. I.	2.01	1.96	1.96	1.51	1.46	1.55	1.16	1.25	1.18	1.56
25.0 and above ° A. P. I.	2.07	2.02	1.92	1.57	1.52	1.65	1.22	1.32	1.24	1.61

A comprises Kansas, excluding, however, the area within a radius of 25 miles of Kansas City, Missouri.

B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle area north of the area hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall and Childress).

C comprises New Mexico and Texas Panhandle (which is defined hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall and Childress).

D comprises Texas Gulf Coast ports and Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge.

E comprises the area within a radius of 25 miles of Kansas City, Missouri.

F comprises that part of Missouri within a radius of twenty-five miles of St. Louis, Missouri, and the following counties of Illinois: St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Hendrian, Lawrence, Crawford, Jasper.

G comprises the following counties of Kentucky: Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham; and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

H comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter and LaPorte; and the State of Michigan.

I comprises the area within a radius of 25 miles of Indianapolis, Indiana; the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs and the following counties of Kentucky: Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup and Boyd.

J comprises the following counties of Michigan: Wayne and Monroe; the following counties of Ohio: Lucas, Wood, Hancock, Putnam and Allen.

K comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, Columbiana, and the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans, and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other Pennsylvania counties west thereof, West Virginia, and Kentucky.

L comprises the following counties of Ohio: Erie, Huron, Sandusky, Seneca, Wyandot, Crawford, Richland, Ashland, Wayne, Holmes, Tuscarawas, Carroll, Harrison, Jefferson, Belmont, Monroe, Noble, Washington, Morgan, Perry, Muskingum, Guernsey, Coshocton, Knox, Licking, Fairfield, Hocking, Vinton, Jackson, Pike, Ross, Pickaway, Fayette, Clinton, Highland, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs.

M comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (except those counties of New York specifically mentioned in other areas), Pennsylvania (except those counties of Pennsylvania specifically mentioned in other areas), New Jersey, Delaware, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida east of the Apalachicola River, Alabama, Mississippi (Gulf Coast ports), Louisiana (Gulf Coast ports, Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge, and Texas Gulf ports.

N comprises Mississippi (excluding, however, Gulf Coast ports), Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Kansas (excluding, however, the area within a radius of 25 miles of Kansas City, Missouri and St. Louis, Missouri), Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Nebraska, and Wyoming.

O comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter and LaPorte; and the State of Michigan.

P comprises the following counties of Illinois: Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Lake, Carroll, Ogle, Whiteside, Lee, Rock Island, Henry, Bureau, Putnam, Stark, Marshall, Peoria, Knox, Mercer, Henderson, Warren, Hancock, McDonough, Fulton, Schuyler, Tazewell, Mason, Cass, Menard, Logan, Sangamon, Macoupin, Montgomery, Christian, Shelby, Moultrie, Douglas, Edgar, Clark, Coles, Cumberland, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Bond, Clinton, Washington, Jefferson, Marion, Clay, Wayne, Hamilton, White, Edwards, Wabash, Hendrian, Lawrence, Crawford, Jasper.

Q comprises the following counties of Kentucky: Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham; and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

R comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter and LaPorte; and the State of Michigan.

S comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, Columbiana, and the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans, and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other Pennsylvania counties west thereof, West Virginia, and Kentucky.

T comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, Columbiana, and the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans, and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other Pennsylvania counties west thereof, West Virginia, and Kentucky.

U comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (except those counties of New York specifically mentioned in other areas), Pennsylvania (except those counties of Pennsylvania specifically mentioned in other areas), New Jersey, Delaware, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida east of the Apalachicola River, Alabama, Mississippi (Gulf Coast ports), Louisiana (Gulf Coast ports, Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge, and Texas Gulf ports.

V comprises Colorado.

W comprises Eastern Montana which is defined hereby as the portion of Montana east of the western boundaries of the counties of Blaine, Phillips, Valley, Roosevelt, Sheridan, Stillwater and Carbon.

X comprises Western Montana which is defined hereby as the portion of Montana west of the eastern boundaries of the counties of Hill, Chouteau, Judith Basin, Wheatland, Sweetgrass and Park, Idaho.

Y comprises Utah.

Z comprises the area within a 25 mile radius of Kansas City, Missouri.

and below and such higher gravity fuel oil established under Tables I or II for refineries or ocean terminals located in the price area where the delivery is made.

(c) *Maximum f. o. b. shipping point and delivery point prices for all sellers other than those refiners and tanker terminal operators covered by inferior subdivision (a) and (b) above.* If a seller other than a refiner or ocean terminal operator has an established maximum price or prices under other provisions of this price schedule at a particular shipping or delivery point for fuel oil meeting No. 6 commercial standard specification, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum price or prices thereunder for such No. 6 fuel oil at such point.

If a seller has no established maximum price or prices at a particular shipping or delivery point under other provisions of this price schedule for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price or prices at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with § 1340.159 (b) (7).

For gravities higher than 9.9° A. P. I. gravity, a seller's maximum price or prices at a particular shipping or delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Tables I or II for refineries or ocean terminals located in the price area where the delivery is made.

(d) If a refiner, ocean terminal operator, or other seller had an established maximum price or prices under other provisions of this price schedule at a particular shipping or delivery point for residual fuel oil or blends thereof with distillate fuel oils which either meets No. 5 fuel oil commercial standard specifications, or has a lower viscosity than No. 5 commercial standard specifications, his maximum price for such fuel oil at such point shall be either the price or prices which he is permitted to charge under (*a*), (*b*) and (*c*) of this subdivision (ii) or the price or prices established under other provisions of this Price Schedule, whichever is higher.

(iii) *Diesel oil.*—(*a*) *Louisiana and Texas Gulf Coast.* The maximum price for residual diesel oil of below 28° A. P. I. gravity ship's bunkers (ex lighterage) on the Lousiana and Texas Gulf Coast shall be $1.35 per barrel.

(*b*) *California.* The maximum prices, exclusive of taxes, f. o. b. refineries and tanker terminals for Pacific Standard No. 300 fuel oil having a viscosity of not less than 25 and not more than 60 seconds Saybolt Furol (at 122° F.) and of Pacific Standard No. 400 fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (at 122° F.) when sold to consumers or refiners in bulk lots for delivery by tank car, motor transport or pipelines shall be as follows:

Area	P. S. No. 300 fuel oil	P. S. No. 400 fuel oil
Fresno County	$0.95	$0.85
Kings County	.95	.85
San Luis Obispo County [1]	.95	.85
Tulare County	.95	.85
Santa Barbara County	.95	.85
Kern County	.90	.85
Ventura County	.90	.85
Los Angeles County	.95	.85
Orange County	.95	.85
Riverside County	.95	.85
San Bernardino County	.95	.85
San Francisco Bay area	1.00	.90

[1] Maximum f. o. b. refinery and tanker terminal prices at Port San Luis shall be the maximum prices established hereunder at the San Francisco Bay area.

(v) *Reporting requirements.* The following sections of this amendment contain reporting provisions which have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942:

(*a*) § (*ii*) (*a*), *Table II—Report of Base Price.* Base prices established by each refiner must be reported to the Petroleum Price Branch of the Office of Price Administration in Washington, D. C.

(*b*) § (*ii*) (*a*), *Table II—Report of Tentative Maximum Price.* A refiner who cannot establish a base price shall file a tentative price with the Petroleum Price Branch of the Office of Price Administration, in accordance with § 1340.159 (b) (7).

(*c*) § (*ii*) (*b*)—*Report of Tentative Maximum Price.* A refiner or terminal operator who has no established maximum price, or prices, at a particular delivery point shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

(*d*) § (*ii*) (*c*)—*Report of Tentative Maximum Price.* A seller, other than a refiner or ocean terminal operator who has no established maximum price or prices, at a particular delivery point shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

This amendment shall become effective March 3d, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3371; Filed, March 3, 1943; 3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 45]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.85 (c) is amended to read as follows:

(c) There shall not be included in the computation of the sugar base any sugar used in products which were delivered to the Army or Navy or to any of the persons or agencies enumerated on April 21, 1942, in paragraph (b) of § 1407.183.

2. Section 1407.182 is amended to read as follows:

§ 1407.182 *Deliveries of sugar to exempt agencies.* (a) The Army, Navy, Marine Corps, or Coast Guard of the United States and the Food Distribution Administration, Maritime Commission, War Shipping Administration and Office of Lend-Lease Administration are known as exempt agencies for the purpose of General Ration Order 3B and are authorized to open one or more exempt accounts under the provisions of General Ration Order 3B. In addition, the Army Exchange Service, to the extent it acquires sugar for export to a foreign country or a territory or possession of the United States other than the District of Columbia, and Ships' Service Departments Afloat, are exempt agencies under this order and General Ration Order 3B. Sugar may be delivered to and accepted by these agencies only in exchange for a check of weight value equal to the amount of sugar delivered except that sugar may be delivered by one exempt agency to another exempt agency without the exchange of stamps, certificates, or checks.

(b) An exempt agency shall issue a check in the proper amount to the person making delivery at the time of delivery or as soon as practicable thereafter.

(c) If, for any reason, a check cannot be used when sugar is delivered to an agency listed in paragraph (a), an emergency acknowledgment shall be given to the person making the delivery at the time of delivery instead of a check. This acknowledgment may be in any form but shall set forth the name of the agency, the name and address of the activity within the agency to which the sugar is to be delivered, the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a check, the weight value of the check to be issued for the delivery, and date of delivery. The acknowledgment must be signed by an authorized officer or employee of the agency, and must state his official title or rank. A person to whom such an acknowledgment is given may not change it at a Board or use it to acquire sugar but shall send it to the agency activity designated thereon, and the agency shall issue to him a check equal in weight value to the sugar delivered in exchange for the acknowledgment.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845. 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433.

*Copies may be obtained from the Office of Price Administration.

3. Section 1407.183 is amended to read as follows:

§ 1407.183 *Deliveries of sugar to certain persons and agencies.* (a) A registering unit which at any time after registration delivers sugar to any of the persons or agencies enumerated in paragraph (b) and (c) except those agencies which are also listed in § 1407.182 (a) as exempt agencies, or delivers sugar to and for consumption in any territory or possession of the United States other than the District of Columbia, or delivers sugar to any ocean-going vessel operating in foreign, coastwise, or intercoastal trade as ship stores for consumption aboard such vessel, may deliver such sugar without receiving stamps or certificates therefor. If certificates, stamps or emergency acknowledgments were not received, the registering unit may apply to the Board for a certificate in weight value equal to the amount of sugar delivered. The application shall be made on OPA Form No. R-315, which shall be accompanied by receipts, bills of lading, and such other detailed evidence including affidavits as substantiates such deliveries, and in the case of a delivery to a vessel as aforesaid the application must be accompanied by a statement signed by the Collector of Customs or his deputy authorizing the owner of the vessel or his agent to take delivery of sugar as ship stores in an amount equal to that for which application is being made. In a proper case the board shall grant the application.

(b) The persons and agencies included within the provisions of this section are the Army, Navy, Marine Corps, or Coast Guard of the United States, and the Food Distribution Administration, Maritime Commission, War Shipping Administration and any government agency or other person when such government agency or person, in one transaction, acquires sugar or products containing sugar for export to and consumption or use in any foreign country, or in any territory or possession of the United States, other than the District of Columbia, and when such sugar or products containing sugar so acquired in such transaction exceeds the value of $25.00.

(c) The following persons and agencies are also included within the provisions of this section: Panama Canal, Coast and Geodetic Survey, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, Veterans Administration and Office of Scientific Research and Development.

4. Section 1407.184a is added to read as follows:

§ 1407.184a *Deliveries of sugar to Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar agencies.* (a) Sugar may be delivered to and accepted by Army Exchanges, Post Exchanges of the Marine Corps and Ships' Service Departments Ashore of the Navy and Coast Guard, and other similar activities designated by the respective exempt agencies, only in exchange for checks equal in weight value to the sugar delivered. Army Exchanges, Post Exchanges and Ships' Service Departments Ashore, and similar designated activities, are authorized to open accounts, but may not open exempt accounts of the type described in General Ration Order 3B. Certificates to be deposited by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities to establish ration credits shall be issued to them in accordance with arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department, the Bureau of Naval Personnel of the Navy Department, the Marine Corps, and the Coast Guard. (The issuance of certificates to establish ration credits for Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities for the delivery of sugar for institutional use is governed by General Ration Order 5.)

(b) Ration credits may be transferred by check without the delivery of sugar between accounts maintained for Army Exchanges, between accounts maintained for Post Exchanges of the Marine Corps, between accounts maintained for Ships' Service Departments Ashore of the Navy, and between accounts maintained for Ships' Service Departments Ashore of the Coast Guard.

(c) During March 1943, Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities, may, if checks are unavailable, use emergency acknowledgements to acquire sugar, in the way described in § 1407.182 (c). An emergency acknowledgment given under this section may not be used by the person to whom it was given to acquire sugar, but must be exchanged for a check at the agency activity designated thereon.

5. Section 1407.185 is amended to read as follows:

§ 1407.185 *Products containing sugar delivered to Army Exchanges and similar agencies.* (a) The Army Exchange Service of the United States War Department is authorized to issue checks to replace sugar in products delivered to Army Exchanges on or after July 15, 1942. Each check shall be issued to the registering unit which used sugar in the production, manufacture or processing of the products thus delivered or of materials used therein. The weight value of the check thus issued to a registering unit shall not exceed the amount of sugar used by such registering unit in such products or materials.

(b) The Bureau of Naval Personnel of the Navy Department is authorized to issue checks to replace sugar in products delivered to Ships' Service Departments Ashore at Navy or Coast Guard stations. The United States Marine Corps is authorized to issue checks to replace sugar in products delivered to Post Exchanges at Marine Corps barracks or Marine Corps bases. Such authorizations shall apply with respect to products delivered on or after December 7, 1942. Each check shall be issued to the registering unit which used sugar in the production, manufacture or processing of the products thus delivered or of materials used therein. The weight value of a check thus issued to a registering unit shall not exceed the amount of sugar used by such registering unit in such products or materials.

(c) The total weight value of checks issued by any agency pursuant to this section, in any period specified by the Office of Price Administration, shall not exceed the amount allocated, for the purposes of this section, by the Office of Price Administration to such agency for such period.

6. Section 1407.185a is added to read as follows:

§ 1407.185a *Deliveries of sugar by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore.* (a) Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, Commissary Stores, and any other activity of the Army, Navy, Marine Corps or Coast Guard and the Food Distribution Administration may deliver sugar only upon the receipt of stamps, certificates or checks in the same way that retailers or wholesalers are permitted to make deliveries of sugar under this order. However, they are not required to register as retailers or wholesalers.

(b) All stamps, certificates or checks so received by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, Commissary Stores or any other activity of the Army, Navy, Marine Corps or Coast Guard or by the Food Distribution Administration, shall be deposited in the accounts maintained for such agencies.

This amendment shall become effective March 2, 1943.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3372; Filed, March 3, 1943, 3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 1 to Fourth Revised Zoning Order 1[1] Under Rationing Order 3[2]]

SUGAR RATIONING REGULATIONS

ORDER ESTABLISHING ZONES

Pursuant to § 1407.168 the Fourth Revised Zoning Order No. 1 is amended in the following respects:

[1] 8 F.R. 2152.

[2] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556 10845; 8 F.R. 166, 262, 445, 620, 1028, 1288, 2026, 2153, 2432, 2433.

1. Section 1407.281 (d) is amended to read as follows:

(d) Confectioners' sugar in bulk may be delivered, shipped or transferred from Zone 4 to any point in Zone 5 except that part of Tennessee located in Zone 5, from Zone 6 to that part of Tennessee located in Zone 5 and any point in Zone 7, and from Zone 4 or Zone 6 to any point within the corporate limits of the City of Bristol, whether located in the State of Tennessee or in the State of Virginia.

2. Section 1407.281 (e) is redesignated § 1407.281 (f).

3. Section 1407.281 (e) is added to read as follows:

(e) Until April 28, 1943, sugar in two and five pound packages which are clearly labeled to show that the sugar therein may be used during the Passover Holiday by members of the Jewish faith observing the orthodox Jewish dietary regulations for that holiday, may be delivered, shipped or transferred from any zone to any point in any other zone.

This amendment shall become effective March 3, 1943.

(Pub. Law. 421, 77th Cong.; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; § 1407.168 of Rationing Order No. 3)

Issued this 3d day of March 1943.

HAROLD B. ROWE,
Director,
Food Rationing Division.

[F. R. Doc. 43-3373; Filed, March 3, 1943; 3:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 118 to Supp. Reg. 14 to GMPR]

PETROLEUM TRANSPORTED BY BARGE ALONG GULF INTRACOASTAL WATERWAY

Correction

The table included in § 1499.73 (a) (74) of the document appearing on page 2275 of the issue for Tuesday, February 23, 1943 should read as follows:

Rate in cents per net ton for

From	To	Type of service	Minimum carge: 10,000 barrels	Minimum carge: 15,000 barrels
[illegible]	[illegible]	(Towing only	7.70	3.90
		(Towing only	7.70	4.50
		(Towing only	7.70	2.80
		(Towing only	7.70	4.20

PART 1499—COMMODITIES AND SERVICES

[Order 29 Under Supp. Reg. 15 of GMPR]

CHRISPENS TRUCK LINE, INC.

Correction

The first table of the document appearing on page 2508 of the issue for Saturday, February 27, 1943, should read as follows:

TRUCKLOAD RATES

	Without protective service	With protective service
FROM CHICAGO, ILLINOIS		
To:		
Cincinnati, Ohio	30	34.
Cleveland, Ohio	32	33 Pack. hse. prod. 37 Fresh, frozen canned meats and fish.
Dayton, Ohio	28	32.
Lima, Ohio	28	32.
Toledo, Ohio	29	32.
TO CHICAGO, ILLINOIS		
From:		
Middletown, Franklin, Ohio	23	
Cleveland, Ohio		33 Pk. hse. prod. and supplies 37 Fr. or frozen meats and/or fish.
Cincinnati, Ohio	29	

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

APPLICATION FOR BENEFITS AND REPORT BY INSURER

Revision of §§ 10.3300 and 10.3301.

§ 10.3300 *Form of application for benefits.* In accordance with the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942, the form of application for benefits to be executed by the insurer while in the active military service, who is the owner and holder of a policy of life insurance, or by a person designated by the insured, or by a beneficiary if the insured is outside the continental United States, Alaska and the Panama Canal Zone, is hereby prescribed as follows:

Veterans' Administration
Insurance Form 380
Revised February 1943

Form Approved
Budget Bureau No. 76-R006.1

APPLICATION FOR BENEFITS

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT AMENDMENTS OF 1942

Use an application (and copy) for each insurance policy, or certificate of membership, to be brought under the provisions of the Act.

Send this application to the insurance company, association, or society.

Send copy of application to the Veterans Administration, Washington, D. C.

To _____
(Name of insurance company, Association, or Society, etc.)
Address _____
(Principal Place of Business or Office where Premiums are Paid)
Face amount of insurance $_____
Effective date of insurance _____
Policy number _____

The insured under the above identified policy issued by the above named insurer, hereby makes application to have said policy protected in accordance with the provisions of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942, and to that end agrees to such modifications of the terms of the policy as may be required to give the act full force and effect with respect to such policy. The insured further agrees that the United States shall be protected in the amount of any premiums and interest guaranteed on the above numbered policy. Any amount paid by the United States to the insurer on account of this policy will become a debt due the United States to be collected by deduction from any amount due the insured by the United States or as otherwise authorized by law.

1. Name of insured _____ (First) (Middle) (Last)
2. Home address _____
   Address to which premium notices are sent _____
3. Date of birth _____ 4. Place of birth _____
5. Date of last entrance into active service _____
6. Identification number _____ Branch of Service: Army__ Navy__ Marine Corps__ Coast Guard__
7. Due date of last premium paid on policy _____
8. Name and address of office or person to whom paid _____
9. Next premium will be due and payable on _____
10. For period of (State whether weekly, monthly, quarterly, semiannually or annually) _____
11. Is there any indebtedness on this policy due the insurer? Answer ("Yes" or "No"). If "Yes", give date of last loan _____, and amount $_____, to the best of your information and belief.
12. Is the policy pledged or assigned to any person, firm, corporation, etc., other than the insurer, as security for an indebtedness? Answer ("Yes" or "No"). If "Yes", give the date _____, amount $_____, and name and address of assignee.
13. Give the name and address of person, firm, corporation, etc., who is now in possession of the policy _____
14. Have you made a similar application to have another policy (or policies) protected by the provisions of the Act? Answer ("Yes" or "No"). If "Yes," give the following information about each policy.

Name of insurer _____
Amount of insurance _____

Application by the insured must be witnessed by the insured's Commanding Officer, or by a commissioned officer of equal or higher rank than the insured. If the insured is on detached service, the application may be witnessed by the person who has custody of the insured's service record. The undersigned witnessing officer does hereby certify that the insured is on active duty in the military service of the United States.

Signed at _____ this _____ 194__.

_____
(Signature of witnessing officer)

_____
(Signature of insured)

Rank _____ Organization _____
Rank _____ Organization _____

If this application is made by a person designated by the insured or by a beneficiary if the insured is outside the continental United States, Alaska and the Panama Canal Zone, it must be signed both in the name of the insured and by the agent or the beneficiary in his own name. When application is made by person designated by the insured, the instrument or other writing authorizing such action must be attached to the application executed by the agent.

Evidence that the insured is in the military service will be procured by the Veterans Administration. (March 6, 1943) [54 Stat. 1185; 50 U.S.C.A. 547]

§ 10.3301 *Form of report by insurer.* In accordance with the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942, a report by the insurer of the receipt and filing of an application for benefits made by the insured will be executed and delivered to the Veterans Administration in form and substance as follows:

Veterans' Administration
Insurance Form 381
Revised February 1943

REPORT BY INSURER

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT AMENDMENTS OF 1942

A report on each policy will be made by the insurer to the Veterans' Administration, Insurance Service, Washington, D. C., immediately upon receipt of an application from the insured.

From: _____
Name and address of company: _____
To: Veterans' Administration, Insurance Service, Washington, D. C. The insurer hereby reports the receipt of an application from insured for protection of his policy under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942.

1. Date of insured's application: _____
2. Date received by insurer: _____
3. Policy No. _____
4. Name of insured: _____
5. Home address: _____
6. Effective date of insurance: _____
7. Face amount of insurance, $_____
8. Date of birth: _____
9. Place of birth: _____
10. Plan of insurance: _____
11. Age at issue: _____
12. Amount of anuual premium: $_____
13. Due date of last premium paid on policy: _____
14. Due date of first premium to be protected under Article IV: _____
15. If application for insurance was signed subsequent to October 6, 1942, give the date on which contract was made and first premium paid: _____
16. Furnish statement of the cash surrender value on the basis of a policy free of indebtedness, as of the due date of the first premium to be guaranteed. If the cash surrender value includes an amount other than the published cash or loan value of the policy, itemize amounts.
17. Furnish statement of all indebtedness, if any, due the insurer under this policy, with interest calculated to the due date of the first premium to be guaranteed. Itemize amounts.
18. What rate of interest is provided by the policy for policy loans? _____?
19. If it appears that the policy has been assigned to a person, firm, or corporation other than the insurer, give a statement of the facts as shown by the records of your office.
20. Does the policy, application for insurance, certificate of membership, constitution, by-laws or other governing rules and regulations of the insurer contain any provision regarding service by the insured with the military or naval forces of the United States, travel or residence in the tropics or in foreign countries; or any restriction or limitation of coverage in event the insured engages in aviation, submarine service or any other specified hazardous duty, occupation, or activity? (A) As to primary death benefit (Answer "Yes" or "No") (B) As to any benefits in addition to the primary death benefit (Answer "Yes" or "No") If "Yes" as to either, attach hereto a copy of the provision unless a copy has already been furnished to the Veterans Administration.
21. Is the premium on this policy (exclusive of any benefits in addition to the primary death benefit) at the standard rate as published by the insurer? (Answer "Yes" or "No") If "No", give facts about the additional premium:
22. What information does the insurer have about present whereabouts of policy?
23. Name of beneficiary as shown on records at home office of insurer at this time.

The insurer hereby certifies the above to be a correct statement regarding the policy as shown on the records at its principal office or place where such records are maintained.

It is understood and agreed that before any dividend is paid or any loan or settlement of any kind or character is made by the insurer while the policy is under the protection of the Act the written consent of the Veterans Administration will be obtained.

Under section 402 of the Act Amendments of 1942 the insurer is deemed to have agreed to such modification of the policy as may be required to give the Act full force and effect with respect to such policy.

Signed at _____
this _____ 19__.

_____
(Name of company, association, or organization)

By _____
(Name and official capacity)

(March 6, 1943) [54 Stat. 1105; 50 U.S.C.A. 547]

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-3392; Filed, March 4, 1943; 11:17 a. m.]

TITLE 47—COMMUNICATIONS

Chapter I—Federal Communications Commission

PART 2—GENERAL RULES AND REGULATIONS

USEFUL RADIO SPECTRUM

The Commission on March 2, 1943, effective immediately, amended § 2.5 to read as follows:

§ 2.5 *Useful radio spectrum.* "Useful radio spectrum" means the total number of frequencies or wavelengths which may be used for the transmission of energy, communications or signals by radio.[1] (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

Frequency in kilocycles	Designation	Abbreviation
10 to 30, inclusive	Very low	VLF
Above 30 to 300, inclusive	Low	LF
Above 300 to 3,000, inclusive	Medium	MF
Above 3,000 to 30,000, inclusive	High	HF
Above 30,000 to 300,000 inclusive	Very high	VHF
Above 300,000 to 3,000,000 inclusive	Ultra high	UHF
Above 3,000,000 to 30,000,000 inclusive	Super high	SHF

[1] At the present development of the art the useful radio spectrum is considered to extend from 10 kilocycles to 30,000,000 kilocycles or 30,000 meters to 0.01 meter. These frequencies are classified into bands with designations and abbreviations as follows:

This range may be extended as progress of the art warrants.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3401; Filed, March 4, 1943; 12:04 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 112]

PART 95—CAR SERVICE

FREE TIME ON CERTAIN FRUITS AND VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of March, A. D. 1943.

It appearing that certain shippers of fresh or green fruits or vegetables in refrigerator cars have been moving cars from one point of delivery within the switching limits of a city or town to other points of delivery within such limits, and thereby delaying the unloading and increasing the free time for unloading under the demurrage rules; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic: *It is ordered*, That:

§ 95.305 *Free time on fresh or green fruits or vegetables in refrigerator cars.* (a) The maximum free time allowed at destination on any refrigerator car loaded with fresh or green fruits or vegetables as defined in Service Order No. 70, as amended, shall be 48 hours, computed from the first 7:00 a. m. after the first notice and placement on any hold or inspection track or unloading track, or constructive placement on an other-than-public-delivery track, until car is unloaded, provided that the time between receipt of an order to move a car from one location to another and placement of the car at the new location shall not be counted against the car, except that any period of time between 7:00 a. m. of the day an order to move a car is received and the hour such order is received shall be counted as one day. The provisions of this order shall apply whether the car is reconsigned or reshipped to other points within the switching limits of the destination. For purposes of this order the destination shall be any point of railroad delivery within the switching limits of the city or town at which the car is unloaded. The operation of all rules relating to free time in demurrage tariffs (other than port demurrage tariffs) in so far as the provisions thereof are inconsistent with this order are suspended, except the provision for eliminating Sundays and legal holidays in computing free time. This order shall not affect demurrage rule No. 8 of Agent B. T. Jones' I.C.C. 3722, or similar rules in other demurrage tariffs relating to the cancelation or refunding

of demurrage under emergency conditions. Nothing in this order shall be construed to amend or modify the provisions of Service Order No. 70, as amended. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

(b) Each of said railroads, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3393; Filed, March 4, 1943; 11:42 a. m.]

[Service Order 113]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON FLAT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of March, A. D. 1943.

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent delay and shortage of railroad equipment and congestion of traffic: *It is ordered,* That:

§ 95.501 *Demurrage charges on flat cars.* (a) After expiration of the free time allowed, the demurrage charges on heavy duty flat cars of 151,000 pounds or over marked capacity shall be $2.20 per car per day or fraction thereof for the first two days, $5.50 for the third day, and $15.00 per car per day for each succeeding day or fraction thereof, these cars not to be included in an average agreement. After expiration of the free time allowed, the demurrage charges on all other flat cars shall be $2.20 per car per day or fraction thereof for the first two days, $5.50 for the third day, and $11.00 per car per day for each succeeding day or fraction thereof, these cars when held for loading or unloading to be included in the patrons' average agreement if one is in effect, but the $5.50 per day and $11.00 per day charges may not be offset or reduced by credits earned on other cars. The operation of all rules in Agent B. T. Jones' I. C. C. 3722, or similar demurrage tariffs (other than port demurrage tariffs), insofar as the provisions thereof are inconsistent with this order, are suspended except to the extent that such rules exempt private cars from demurrage while on the tracks of the owner or lessee. This order shall not affect demurrage rule No. 8 of Agent B. T. Jones' I. C. C. 3722, or similar rules in other demurrage tariffs, relating to the cancelation or refunding of demurrage under emergency conditions. This order shall not apply to special type cars of AAR mechanical designations "LF" or "LFA". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

(b) Each of said railroads, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3394; Filed March 4, 1943; 11:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-368]

SOUTHWEST COAL SALES

NOTICE OF AND ORDER FOR HEARING

In the matter of Thos. S. Laser, an individual, operating as Southwest Coal Sales, registered distributor, Registration No. 5414.

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act") and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

A. Whether Thos. S. Laser, a Registered Distributor, Registration No. 5414 operating as Southwest Coal Sales (hereinafter sometimes referred to as the "Distributor") whose address is 1002 Foshay Tower, Minneapolis, Minnesota, has violated any provisions of section 4 II (l) of the Act, the Marketing Rules and Regulations, pertinent orders of the Division, and the Distributor's Agreement (the "Agreement") dated August 4, 1939, filed by said Thos. S. Laser in connection with his application for registration and more particularly whether said Distributor:

1. Accepted and retained commissions, while acting as subsales agent for the Rainbow Coal Company, a Code Member located in District No. 14, on approximately 5,076.65 net tons of various sizes of coal produced at said Code Member's Rainbow Mine (Mine Index No. 3184) and sold to various purchasers during the period October 18, 1940, to October 29, 1941, inclusive, in excess of the commissions provided in the sub-agency contract between the Distributor and said Code Member, no modification of said sub-agency contract having been reduced to writing and filed with the Statistical Bureau as required by Rule 4 of section II of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

2. Accepted and retained commissions, while acting as sub-sales agent for the Harding Coal Company, a Code Member, located in District No. 14, on approximately 5,611.90 net tons of various sizes of coal produced at said Code Member's Harding Mine (Mine Index No. 47) and sold to various purchasers during the period November 20, 1940, to November 14, 1941, inclusive, in excess of the commissions provided in the sub-agency contract between the Distributor and said Code Member, no modification of said sub-agency contract having been reduced to writing and filed with the Statistical Bureau, as required by Rule 4 of section II of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

3. Purchased for resale and resold, during the period November 19, 1940, to January 7, 1942, inclusive, to various purchasers in St. Paul and Minneapolis, Minnesota, and Huron, South Dakota, approximately 782.35 net tons of various sizes of coal produced at their respective mines by Watson Coal Company, Mine Index No. 117, Crescent Coal Company, Mine Index No. 131, J. M. Bates Coal Company, Mine Index No. 103 and Smokeless Coal Company, Mine Index No. 90, and accepted and retained discounts thereon in excess of the maximum distributors' discounts prescribed by Order of the Division issued in General Docket No. 12 on June 19, 1940, Prescribing Due and Reasonable Maximum Discounts, resulting in violations of paragraph (a) of the Agreement.

4. Granted 2 per cent discounts from effective minimum prices to the purchasers of approximately 436.25 net tons of coal produced at their respective mines by Crescent Coal Company, Mine Index No. 131, Carbon Coal Company, Mine Index No. 16, Smokeless Coal Company, Mine Index No. 90, New Union Coal Company, Mine Index No. 77 and Rainbow Coal Company, Mine Index No. 184, purchased for resale from said producers and resold to S. Brand Coal Co. and A. A. Carlstrom & Son, both of St. Paul, Minnesota, during the period October 21, 1940 to July 7, 1941, which discounts were prohibited by section 4 II (l) 4 of the Act and Rule 4 of section XIII of the Marketing Rules and Regulations, resulting in violations of paragraphs (b), (c) and (e) of the Agreement.

5. Granted adjustments for alleged substandard quality or preparation to various purchasers during the period November 14, 1940 to July 21, 1941, inclusive, which adjustments had the effect of reducing the sales prices below the effective minima, on approximately 481.50 net tons of various sizes of coal produced at their respective mines by said Carbon Coal Company, Crescent Coal Company, New Union Coal Company, Rainbow Coal Company and by Paris Purity Coal Company, Mine Index No. 43, without reporting such adjustments to the Statistical Bureau as required by section X of the Marketing Rules and Regulations, resulting in violations of paragraphs (b) and (e) of the Agreement.

6. Granted discounts from the effective minimum prices during the period October 8 to November 7, 1940, inclusive, to the Pittsburg Coal Company of Wisconsin (a non-registered distributor at that time) on approximately 297.15 net tons of coal produced at their respective mines by said Rainbow Coal Company, New Union Coal Company, Carbon Coal Company and by Boyd Excelsior Coal Company, Mine Index No. 13, which had the effect of reducing the sales prices on said coal below the effective minima, resulting in violations of paragraph (b) of the Agreement.

7. Prepaid freight charges, during the period August 27 to October 15, 1941, inclusive, on approximately 155.90 net tons of coal produced by the said Harding Coal Company, and by Boyd-Sicard Coal Company, Mine Index No. 14, and sold to Allen Edwards Fuel Company, Minneapolis, Minnesota, which prepayment of freight was prohibited by Rule 1 (J), section VII of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

8. During the period October 1, 1940, to December 27, 1941, while acting as subsales agent of the said Harding Coal Company, (a Code Member) sold to various purchasers approximately 8080.45 net tons of various sizes of coal produced by said Code Member and failed to file copies of the invoices, spot orders, commitments, and contracts, relating to said coal as required by Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

9. During the period October 7, 1940, to December 31, 1941, while acting as sub-sales agent for the said Rainbow Coal Company (a Code Member), sold to various purchasers approximately 11,866.15 net tons of various sizes of coal produced by said Code Member and failed to file copies of the invoices, spot orders, commitments, and contracts, relating to said coal as required by Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

B. Whether the registration of said Thos. S. Laser, Registered Distributor, Registration No. 5414 should be revoked or suspended or other appropriate order entered.

It is, therefore, ordered, That a hearing pursuant to Section 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether the aforementioned Thos. S. Laser has committed violations in the respects heretofore described and whether the registration of said Distributor, should be revoked or suspended, or other appropriate penalties imposed be held at 10 a. m., Room 428, United States Post Office, Minneapolis, Minnesota, April 14, 1943.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Distributor and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of said Distributor with reference to the matters hereinbefore described, shall be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on said Distributor, and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Distributor so failing of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application or applications pursuant to section 301.132 of the Rules of Practice and Procedure for the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Distributor of this Notice of and Order for hearing.

All persons are hereby notified that the hearing the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: March 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3386; Filed, March 4, 1943; 10:57 a. m.]

[Docket Nos. A-1730, A-1741; A-1730, Part II, A-1869]

DISTRICT BOARD 7

MEMORANDUM OPINION, ETC

In the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7—Dockets Nos. A-1730, A-1741.

In the matter of the petition of District Board No. 7 for a change in the territorial boundary between districts Nos. 7 and 8, in Nicholas County, West Virginia—Dockets Nos. A-1730, Part II, A-1869.

Memorandum opinion and order reopening dockets Nos. A-1730 and A-1741, severing docket No. A-1730, Part II, consolidating dockets Nos. A-1730, Part II, and A-1869 and notice of and order for hearing.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with the Division in Docket No. A-1730, by District Board No. 7, requesting, among other things, that minimum prices and price classifications be established for the coals produced at the Imperial No. 2 Mine, Mine Index No. 322, of Imperial Smokeless Coal Company. This petition was consolidated with that filed by this party in Docket No. A-1741, and temporary and conditionally final relief was granted in such consolidated matter, by an order issued therein on December 7, 1942, which became final on February 5, 1943.

A petition of intervention was filed in this consolidated matter by District Board No. 8, requesting that the relief prayed for with respect to the said Imperial No. 2 Mine be denied and that the temporary relief granted by said order dated December 7, 1942, be modified, with respect to the said Imperial No. 2 Mine, by granting temporary and conditionally final relief establishing price classifications and minimum prices for this mine in the Schedules of Effective Minimum Prices for District No. 8 for All Shipments Except Truck and For Truck Shipment.

In support of its requests, District Board 8 alleged in its petition of intervention that the establishment of price classifications and minimum prices for the coals of the Imperial No. 2 Mine would be ineffectual for the reason that this mine is located in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was filed with the Division by District Board No. 7, requesting that the boundaries and limits of District No. 7 be altered to include within District No. 7 that part of Nicholas County, West Virginia, lying south and east of the Gauley River and west of Panther Creek (extended from the head thereof on a line due south to the Greenbrier County line). This petition was assigned Docket No. A-1869.

In this petition it is alleged that the production of low volatile coals in Nicholas County, West Virginia, has resulted in a pattern of distribution and in competitive relationships, which should be

reflected in the coordinated effective minimum f. o. b. mine prices for these coals. The petitioner requested that this result should be accomplished by a redesignation of the boundaries and limits of District No. 7 as described above.

District Board No. 3 has intervened generally in this matter.

It appears from the allegations contained in the petition of intervention filed in consolidated Dockets Nos. A–1730 and A–1741 by District Board No. 8, and in the original petition and petition of intervention filed in Docket No. A–1869 by District Boards Nos. 7 and 3, respectively, that these matters raise similar issues upon which the interested parties should have an opportunity to be heard, and that these matters should be consolidated for purposes of hearing.

Therefore, it is ordered, That that portion of consolidated Dockets Nos. A–1730 and A–1741 relating to the coals produced by Imperial Smokeless Coal Company, at the Imperial No. 2 Mine, Mine Index No. 322, be and the same hereby is, reopened for further hearing, and that said reopened portion of Dockets Nos. A–1730 and A–1741, be, and the same hereby is, severed from said consolidated Dockets Nos. A–1730 and A–1741, and designated as Docket No. A–1730, Part II.

It is further ordered, That said Docket No. A–1730, Part II, and Docket No. A–1869 be, and the same hereby are consolidated for the purposes of hearing.

It is further ordered, That a hearing in Dockets Nos. A–1730, Part II, and A–1869 under the applicable provisions of said Act and the rules of the Division be held on March 25, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 20, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of these petitions.

The matter concerned herewith is in regard to the petition of intervention filed in Dockets Nos. A–1730 and A–1741 by District Board No. 8, that portion of the original petition filed in Docket No. A–1730 which has been designated as Docket No. A–1730, Part II, and the original petition and petition of intervention filed in Docket No. A–1869 by District Boards Nos. 7 and 3, respectively, which relate (1) to the establishment of price classifications and minimum prices for shipment by both rail and truck for the coals produced by Imperial Smokeless Coal Company, at the Imperial No. 2 Mine, Mine Index No. 322, and (2) to the request that the boundaries and limits of District No. 7 be altered to include within District No. 7 that part of Nicholas County, West Virginia, lying south and east of the Gauley River and west of Panther Creek (extended from the head thereof on a line due south to the Greenbrier County line).

Dated: March 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3387; Filed, March 4, 1943; 10:58 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940, (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3629).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 4, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

A. Brash & Brother, 327 W. Baltimore Street, Baltimore, Maryland; Men's trousers and riding breeches; 10 percent (T); March 4, 1944.

Hosiery Industry

Pilot Full Fashion Mills, Incorporated, Valdese, North Carolina; Full-fashioned hosiery; 5 percent (T); March 4, 1944.

Signed at New York, N. Y., this 2d day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3385; Filed, March 4, 1943; 10:06 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 5817, 5818]

CENTRAL RADIO TELEGRAPH CO.

ORDER DISMISSING PROCEEDINGS

In the matter of Central Radio Telegraph Company. Applications for renewal of coastal telegraph license and marine relay license of Station WLF, Rogers City, Michigan.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2nd day of March 1943;

It appearing, That by Notice dated March 2, 1940, the Commission designated the above-entitled applications for hearing; and

It further appearing, That licenses have been issued by the Commission,

subject to any action taken in these proceedings, for the period ending February 1, 1945; and

It further appearing, That, because of the war emergency, a hearing would serve no useful purpose at the present time;

It is ordered, That the proceedings in Docket Nos. 5817 and 5818 be, and they are hereby, dismissed;

It is further ordered, That the references to the pendency of these proceedings in the coastal telegraph license and marine relay license issued to Station WLF, be, and they are hereby, deleted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3400; Filed March 4, 1943; 12:04 p. m.]

[Docket No 6336]

NORTHWESTERN BELL TELEPHONE CO.

ORDER POSTPONING HEARING

In the matter of Northwestern Bell Telephone Company. Increased charges for Interstate Telephone Exchange Service in Iowa.

At a session of the Federal Communications Commission held in its offices in Washington, D. C. on the 2nd day of March 1943;

The Commission having under consideration its order of June 26, 1942, herein, and a proposal by the Northwestern Bell Telephone Company for an indefinite postponement of further proceedings herein on the basis of its continuing in effect the lower rates and charges which have been in effect during the suspension period provided by the Commission's order of June 26, 1942, and subsequent orders herein, such lower charges not to be increased by Northwestern Bell Telephone Company except after six months' notice thereof in writing to the Commission; and all formal proceedings herein to be indefinitely continued until further order of the Commission upon not less than ninety days' notice to the parties of any hearings herein;

It is ordered, That on the basis of, and pursuant to, such proposal, the hearing herein now scheduled for March 18, 1943, be, and it is hereby, continued until further order of the Commission.

It is further ordered, That the Northwestern Bell Telephone Company be and it is hereby authorized to file amendments to its Tariff F. C. C. No. 20, cancelling Supplements Nos. 1, 2, and 3 of said tariff, and revising pages 14, 15, 22, 25, 26, 27, 29, 87, and 88 of its Tariff F. C. C. No. 20 to show therein the rates and regulations contained in said Supplements, without an expiration date.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc 43-3399; Filed, March 4, 1943; 12:04 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-674]

NORTH AMERICAN COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2nd day of March 1943.

The North American Company, a registered holding company, has filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U–43 of the General Rules and Regulations promulgated thereunder, regarding a proposal to pay a dividend on its common stock in the common capital stock of The Detroit Edison Company having a par value of $20 per share, owned by The North American Company, at the rate of one share of such stock of The Detroit Edison Company on each fifty shares of the outstanding common stock of The North American Company. In lieu of certificates for fractions of shares of stock of The Detroit Edison Company, cash will be paid at the rate of 38 cents for each 1 50th of a share of such stock of The Detroit Edison Company, this rate being based on the approximate market price of $19.00 per share as of February 11, 1943, the date the proposed dividend was declared.

Said declaration having been filed on the 12th day of February 1943, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said Act by the issuance of a "Notice Regarding Filing Subject to Rule U-23" on February 18, 1943 and of an "Amended Notice Regarding Filing Subject to Rule U-23" on February 23, 1943, and the Commission not having received a request for hearing with respect to said declaration within the period specified in such amended notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (d) and Rule U-43 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3374; Filed, March 3, 1943; 3:12 p. m.]

[File No. 812-314]

LEHMAN CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of March, A. D. 1943.

The Lehman Corporation having duly filed an application pursuant to section 10 (f) of the Investment Company Act of 1940 for an order of exemption from the provisions of said section so as to permit applicant to exercise its right as a shareholder to purchase its aliquot portion of 105,176 shares of common stock to be issued by Philip Morris & Co. Ltd., Incorporated notwithstanding that Lehman Brothers, one of the principal underwriters of the securities, is the investment adviser of the applicant and that one or more directors of the applicant are affiliated persons of Lehman Brothers;

It is ordered, That a hearing on the aforesaid application be held on March 5th at 10 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceedings may be in public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3375; Filed, March 3, 1943; 3:12 p. m.]

[File No. 59-55]

COMMUNITY GAS AND POWER COMPANY, ET AL.

NOTICE AND ORDER SPECIFYING CERTAIN ISSUES TO BE CONSIDERED AT RECONVENED HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 2nd day of March, A. D. 1943.

In the matter of Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, respondents.

The Commission by order dated September 24, 1942 having instituted pro-

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ceedings against Community Gas and Power Company, American Gas and Power Company and the subsidiary companies thereof under sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Public Utility Holding Company Act of 1935; hearings having been held thereon from time to time, and the trial examiner having directed that said hearings be reconvened on March 9, 1943 at 10 o'clock A. M., E. W. T. at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It appearing appropriate at this time to consider what action should be taken by the Commission pursuant to sections 11 (b) (1), 11 (b) (2), 12 (c) and 13 of said Act on the basis of the record already adduced and to be adduced at such reconvened hearing:

It is ordered, That without limiting the scope of issues to be considered in said proceedings, evidence will be adduced and consideration will be given at the reconvening of the hearing to the following issues:

1. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (1) of said Act requiring that Community Gas and Power Company and American Gas and Power Company shall sever the relationships of each of them with Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, Bangor Gas Company, Lowell Gas Light Company, and American Utilities Associates, by disposing or causing the disposition of their direct and indirect ownership, control and holdings of securities issued and properties owned, controlled or operated by each of the companies above listed.

2. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (2) of said Act requiring that the existence of Community Gas and Power Company be terminated and that said company be dissolved.

3. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (2) of said Act requiring that the existence of American Utilities Associates be terminated and that American Utilities Associates be dissolved.

4. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (2) of said Act requiring that American Gas and Power Company change its present corporate structure consisting of secured debentures, indebtedness owed to subsidiary companies, and common stock, by eliminating such secured debentures and such indebtedness and setting up a corporate structure consisting of one class of stock, namely common stock.

5. Whether the Commission should enter forthwith an order pursuant to section 12 (c) of said Act requiring that American Gas and Power Company shall not acquire, retire or redeem any of its outstanding debentures except pursuant to a declaration notifying the Commission of the proposed transactions, which has become effective in accordance with the procedure specified in Rule U-23, and pursuant to the order of the Commission with respect to such declaration under the applicable provisions of said Act, and that in accordance with Rule U-100, the exemptions provided by Rule U-24 (b) (4) and (5) be withdrawn as applied to such transactions.

6. Whether the Commission should enter forthwith an order pursuant to section 13 of said Act, rescinding as of a date sixty days after the entry of said rescinding order, the order of the Commission dated November 19, 1938, which granted approval of Public Utilities Management Corporation as a mutual service company, and requiring that after sixty days from the entry of said rescinding order, unless pursuant to further order of the Commission, Public Utilities Management Corporation shall make no charges to and receive no payments from Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, St. Augustine Gas Company, Lowell Gas Light Company, and Bangor Gas Company, or any of them, except for services rendered prior to said date.

Notice of the issues thus to be considered is hereby given to the respondents, to all other persons participating in said proceedings, and to any other person whose participation in said proceedings may be in the public interest or for the protection of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3376; Filed, March 3, 1943; 3:12 p. m.]

[File No. 1-1864]

BOYD-WELSH, INC.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of March, A. D. 1943.

In the matter of Boyd-Welsh, Inc., common stock, no par value.

The St. Louis Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, of Boyd-Welsh, Inc.; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, April 12, 1943, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3377; Filed, March 3, 1943; 3:12 p. m.]

WAR SHIPPING ADMINISTRATION.

REQUISITIONED VESSEL VIGIL EX CARIBE EX KOURA

NOTICE OF DEPOSIT ON ACCOUNT OF JUST COMPENSATION

Notice is hereby given that, pursuant to section 1, of the Act of June 6, 1941 (Public Law 101—77th Congress) and Executive Order 9054 of February 7, 1942, as amended by Executive Order 9244 of September 16, 1942, the War Shipping Administrator, on November 30, 1942, deposited $55,000.00 on account of just compensation for the former Finnish vessel Vigil ex Caribe ex Koura, which was requisitioned by the War Shipping Administrator on March 7, 1942, at New York, New York.

The attention of interested parties is invited to the provisions of said section 1 concerning claims against the vessel which existed at the time of requisition.

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR., *Secretary.*

MARCH 4, 1943.

[F. R. Doc. 43-3391; Filed, March 4, 1943; 10:59 a. m.]

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THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 8 NUMBER 46

Washington, Saturday, March 6, 1943

The President

EXECUTIVE ORDER 9308

REVOKING THE DESIGNATION OF GASTONIA, NORTH CAROLINA, AS A CUSTOMS PORT OF ENTRY IN CUSTOMS COLLECTION DISTRICT NUMBER 15 (NORTH CAROLINA)

By virtue of the authority vested in me by section 1 of the act of August 1, 1914, 38 Stat. 609, 623 (U.S.C., title 19, sec. 2), it is ordered that the designation of Gastonia, North Carolina, as a customs port of entry in Customs Collection District Number 15 (North Carolina), be, and it is hereby, revoked, effective this date.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 3, 1943.

[F. R. Doc. 43-3408; Filed, March 4, 1943; 2:00 p. m.]

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 20-3, Civil Air Regulations]

PART 20—PILOT CERTIFICATES

AIRMAN IDENTIFICATION CARD

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 2d day of March 1943.

Effective March 2, 1943, Part 20 of the Civil Air Regulations is amended as follows:

1. By amending § 20.37 to read as follows:

§ 20.37 *Airman identification card.* An airman identification card shall be a part of a pilot certificate and shall be kept in the personal possession of the pilot at all times when piloting aircraft. Such card shall be issued by the Administrator and contain the pilot's fingerprints, picture, and signature or shall be a document satisfactory to the Administrator issued by the Army, Navy, Marine Corps, or Coast Guard identifying the pilot as a member thereof.

2. By amending the table of contents to conform to this amendment.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-3480; Filed, March 5, 1943; 11:10 a. m.]

[Amendment 60-8, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

MILITARY INSIGNIA

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 2d day of March 1943.

Effective March 2, 1943, Part 60 of the Civil Air Regulations is amended as follows:

By striking § 60.322 and inserting in lieu thereof the following:

§ 60.322 *Military insignia.* No aircraft, other than aircraft of the national-defense forces of the United States, shall be operated with emblems, insignia, or markings of the national-defense forces unless written authorization for such use is obtained from the War or Navy Departments.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-3481; Filed, March 5, 1943; 11:10 a. m.]

[Amendment 60-9, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

CORRECTIONS OF CROSS REFERENCES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 2d day of March 1943.

Effective March 2, 1943, Part 60 of the Civil Air Regulations is amended as follows:

1. By striking the reference "60.5843" as it appears in §§ 60.107 and 60.109 and inserting in lieu thereof "60.58430".

2. By striking the reference "§§ 60.58420 and 60.5843" as it appears in

(Continued on next page)

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FEDERAL REGISTER

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§ 60.108 and inserting in lieu thereof "§§ 60.58421 and 60.58430".

3. By striking the reference "§ 60.322" as it appears in § 60.951 (c) and inserting in lieu thereof "§ 20.37".

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-3482; Filed, March 5, 1943; 11:10 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4819]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN INDUSTRIAL RUBBER COMPANY, ETC., ET AL.

§ 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.72 (m 10) *Offering deceptive inducements to purchase—Sample, offer or order conformance.* In connection with offer, etc., in commerce, of respondents' recapped automobile tires, and among other things, as in order set forth, supplying to respondents' sales agents or representatives, for display to prospective purchasers, samples purporting to represent the tires sold by respondents, when such purported samples are not in fact truly representative of respondents' products; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American Industrial Rubber Company, etc., et al., Docket 4819, March 2, 1943]

§ 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation.* In connection with offer, etc., in commerce, of respondents' recapped automobile tires, and among other things, as in order set forth, representing, directly or by implication, (1) that only those tire casings are used by respondents for recapping purposes which are of high quality and free from serious defects; and (2) that tire casings used by respondents for recapping purposes are carefully examined, tested, or repaired, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American Industrial Rubber Company, etc., et al., Docket 4819, March 2, 1943]

§ 3.6 (h) *Advertising falsely or misleadingly—Fictitious or misleading guarantees:* § 3.72 (k 10) *Offering deceptive inducements to purchase—Results guarantee.* In connection with offer, etc., in commerce, of respondents' recapped automobile tires, and among other things, as in order set forth, representing, directly or by implication, that respondents' tires are "guaranteed" for six months, or any other designated period of time, when the purported guarantee is in fact only an agreement by respondents to supply a second tire at half price should the original tire prove defective; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American Industrial Rubber Company, etc., et al., Docket 4819, March 2, 1943]

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (u) *Advertising falsely or misleadingly—Quality:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., in commerce, of respondents' recapped automobile tires, and among other things, as in order set forth, representing, directly or by implication, (1) that it is only in exceptional or rare instances that respondents' tires fail to render satisfactory service; and (2) that respondents' tires are of high quality, or that they will render satisfactory service, when such tires are in fact of inferior quality and will not render such service; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American Industrial Rubber Company, etc., et al., Docket 4819, March 2, 1943]

In the Matter of American Industrial Rubber Company, a Corporation, Trading and Doing Business as Nu-Tred Tire Agency, Champion Rubber Company, L. & S. Tire Distributors, and Harvester Tire Sales, and Harold Trilling, Manny G. Tenenbaum, Olin K. Lewis, and E. F. Smith, Individually.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of certain of the respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that certain of the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, American Industrial Rubber Company, a corporation, trading as Nu-Tred Tire Agency, Champion Rubber Company, L. & S. Tire Distributors, and Harvester Tire Sales, or trading under any other name, its officers, and Harold Trilling, Manny G. Tenenbaum, and Olin K. Lewis, individually, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondents' recapped automobile tires in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to respondents' sales agents or representatives, for display to prospective purchasers, samples purporting to represent the tires sold by respondents, when such purported samples are not in fact truly representative of respondents' products.

2. Representing, directly or by implication, that only those tire casings are used by respondents for recapping purposes which are of high quality and free from serious defects.

3. Representing, directly or by implication, that tire casings used by respondents for recapping purposes are carefully examined, tested, or repaired, when such is not the fact.

4. Representing, directly or by implication, that respondents' tires are "guaranteed" for six months, or any other designated period of time, when the purported guarantee is in fact only an agreement by respondents to supply a second tire at half price should the original tire prove defective.

5. Representing, directly or by implication, that it is only in exceptional or rare instances that respondents' tires fail to render satisfactory service.

6. Representing, directly or by implication, that respondents' tires are of high quality, or that they will render satisfactory service, when such tires are in fact of inferior quality and will not render such service.

It is further ordered, That said respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

Service of the complaint not having been obtained upon the respondent E. F. Smith: *It is further ordered,* That this proceeding be closed as to the said E. F. Smith, without prejudice to the right of the Commission, should the facts so warrant, to reopen the case and resume trial thereof in accordance with its regular procedure.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-3488; Filed, March 5, 1943; 11:19 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Bituminous Coal Division

[Docket No. A-1817]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices; and for a change in shipping points for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and for a change in the shipping points and Freight Origin Group numbers for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I and T–III, and § 328.42 (*General prices for low volatile coals*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith the shipping points and Freight Origin Group numbers appearing in the aforesaid Supplement R for certain mines are effective in place of the shipping points and Freight Origin Group numbers heretofore established for said mines.

No relief is granted herein for the coals of the Cutshin No. 13 Mine, of Cutshin Coal Company, for the reason that this mine is a successor of Arnold Sally, Mine Index No. 3950 for which price classifications and minimum prices were established for rail and truck shipments in Docket No. A–1165.

Prices for truck shipments are established in Supplement T for the coals produced at the Helton and Vance Mine, Mine Index No. 3113 of Helton and Vance (Ira Helton). In Docket No. A–1743 prices for truck shipments for the coals in the Upper Banner Seam of Helton and Vance (Ira Helton) were requested but not established since the former were considered successors of R. L. Reedy (Reedy Coal Company), Mine Index No. 2246, who was priced for truck shipment in the original Schedule of Effective Minimum Prices for Truck Shipments and for rail prices and classifications in Dockets Nos. A–1489 and A–1502. An investigation reveals that R. L. Reedy (Reedy Coal Company) is operating Mine Index No. 2246 and Helton and Vance (Ira Helton) are operating Mine Index No. 3113. Accordingly Mine Index No. 2246 is no longer assigned to Helton and Vance (Ira Helton).

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group numbers: For destinations other than Great Lakes — 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27
5878	B. & W. Coal Co. (H. G. Copeland).	B. & W. No. 2	Bon Air No. 2	6	Crawford, Tenn.	T. C	210	P	P	M	L	K	J	M	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)
110	Clear Branch Mining Co., The.	Clear Branch	Elkhorn No. 3	1	Ligon, Ky	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	H	(†)	(*)	(*)	(*)	(*)
638	Clover Darby Coal Company.	Jubilee	Darby	2	Darby, Ky.[1]	L&N	80	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)	(*)	(*)
5845	Coker, C. H. (Mill Creek Coal Co.).	Mill Creek	Glen Mary	6	Mill Creek, Tenn.	B. R. R	73	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
5877	Combs, A. B	Combs No. 2	Hazard No. 5-A	3	Combs, Ky	L&N	100	O	O	N	M	K	H	K	F	F	M	(†)	(†)	(†)	(†)	(†)	(†)
2066	Dobbs, Noah	Noah Dobbs	No. 3	6	Stanley Jct., Tenn.[2]	Tenn	71	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)
5852	Erwin, R. H	Coop No. 1	Sewanee	6	Crab Orchard, Tenn	T. C	72	P	P	M	L	K	J	M	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)
5754	Evans Elkhorn Coal Co. (George E. Evans, Jr.)	Evans No. 3	Elkhorn No. 1	1	Garrett, Ky	C&O	61	H	H	H	G	E	E	E	B	C	H	(†)	(†)	(†)	(†)	(†)	C
3083	Greene, A. M	Wilton-Jellico #51	Jellico	6	Woodbine, Ky.[1]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)
1762	Griffis & Morrow (O. D. Griffis).	Indian Head	No. 3	6	Cumberland Falls, Ky.	CNO&TP	171	O	O	M	L	H	F	H	D	E	K	(†)	(†)	(†)	(†)	(†)	(†)
1764	Griffis & Morrow (O. D. Griffis).	Old Flat Rock	No. 3	6	Cumberland Falls, Ky.	CNO&TP	171	O	O	M	L	H	F	H	D	E	K	(†)	(†)	(†)	(†)	(†)	(†)
993	Hignite, Frank & Tom Gilliam (Frank Hignite).	Hignite & Gilliam	Jellico	6	Habersham, Tenn	L&N	140	E	E	D	C	C	C	E	B	C	G	(†)	(†)	(†)	(†)	(†)	(†)
603	Kelley's Creek Colliery Co	Buff Lick	Cedar Grove	4	Ward, W. Va	KC&NW	125	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	K	(†)	(*)	(*)	(*)	(*)	(*)
3	Leckie Collieries Co	Freeburn	Freeburn	8	Leckieville, Ky.[4]	N&W	130	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(*)	(*)	(*)	(*)
31	Lewis, Lon (Jenson Coal Co.)	Jenson	Straight Creek	6	Pineville, Ky.[3]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)
5887	Lick Branch Coal Co. (Oscar Elliott).	Lick Branch	Harlan	2	Harlan, Ky	L&N	80	O	O	L	K	F	D	D	D	H	(†)	(†)	(†)	(†)	(†)	(†)	C
437	Peerless Darby Coal Company, Inc.	Darby	No. 5	2	Splint, Ky	L&N	80	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(*)	(*)	(*)	(*)
2965	Puckett Creek Coal Corporation.	Puckett Creek Coal Corp.	No. 5	7	St. Charles, Va.[4]	L&N & Son	204	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)
3817	Rennebaum Coal Company	Rennebaum No. 2	Buckeye Springs	6	Bryson Mountain, Tenn.	L&N & Son	113	(*)	(*)	M	L	K	H	K	H	(*)	L	(†)	(†)	(†)	(†)	(†)	(†)
3469	Rock Creek Coal Co., Inc	Rock Creek	Jordan	6	Habersham, Tenn.	L&N	140	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	P	(†)	(†)	(†)	(†)	(†)	(†)

[1] Denotes new shipping point. Shipping point at Closplint, Ky., shall no longer be applicable.
[2] Denotes new shipping point. Shipping point at Oneida, Tenn., shall no longer be applicable.
[3] Denotes new shipping point. Shipping point at Grays, Ky., shall no longer be applicable.
[4] Denotes new shipping point. Shipping point at Alley, Ky., shall no longer be applicable.
[5] Denotes new shipping point. Shipping point at Greenco, Ky., shall no longer be applicable.
[6] Denotes new shipping point and Freight Origin Group. Shipping point at Pennington, Va. on L&N Railroad in Freight Origin Group No. 201 shall no longer be applicable.
[7] Denotes change in seam designation.
†Indicates no classification effective for these size groups.
*Indicates previously classified these size groups.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Sub-district No.	Shipping point	Railroad	Freight origin Group No.	Price classifications by size group numbers: For destinations other than Great Lakes — 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27
5868	Russell, John	Russell Coal Co.	No. 5 Block	8	East Lynn, W. Va.	N. & W	130	Q	Q	O	L	L	J	L	H	G	M	(†)	(†)	(†)	(†)	(†)	(†)
1770	Stephens & Stephens (George Stephens).	Stephens	No. 3	6	Cumberland Falls, Ky.	C. N. O. & T. P.	171	O	O	M	L	H	F	H	D	E	K	(†)	(†)	(†)	(†)	(†)	(†)
5855	True & Sutton (Ernest True).	Coop. No. 2	Sewanee	6	Crab Orchard, Tenn.	T. C	72	P	P	M	L	K	J	M	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)
5900	Van Buren Coal & Lumber Company.	Potts Creek	Sewanee	6	Crossville, Tenn.	T. C	72	P	P	M	L	K	J	M	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)
5879	Walker, Clint	Pleas-Jellico	Jellico	6	Williamsburg, Ky.	L. & N	111	H	H	H	F	E	E	C	E	B	C	G	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump under 3" and egg 3" x 3"	Egg 2" x 4", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	3/4" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
FLOYD COUNTY, KY.											
Evans Elkhorn Coal Company (George E. Evans, Jr.).	Evans No. 3	5754	Elkhorn No. 1	305	285	245	250	235	235	185	180
GREENUP COUNTY, KY.											
Blevins & Blevins (Dan Blevins).	Hamilton	5859	Clod	285	265	230	240	225	220	170	165
Delawder, Marting	Hales	5866	Clod	285	265	230	240	225	220	170	165
Picklesimer, Columbia & Robert Spaulding (Columbus Picklesimer).	Picklesimer (Room No. 3).	5865	Clod	285	265	230	240	225	220	170	165
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Hickey Coal Co., G. C	Hickey No. 3	5892	Mason	270	250	235	225	220	225	185	180
Lick Branch Coal Co. (Oscar Elliott).	Lick Branch	5887	Harlan	290	270	245	250	230	235	195	190
Peerless Darby Coal Company, Inc.	Darby	437	No. 5	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Wheeler, Frank	Wheeler	5893	Harlan	290	270	245	250	230	235	195	190
SUBDISTRICT NO. 3—HAZARD											
PERRY COUNTY, KY.											
Combs, A. B	Combs No. 2	5877	Hazard No. 5-A	295	275	240	245	225	230	170	165
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
WHITLEY COUNTY, KY.											
Evans, Albert	Reeves Branch No. 2	5899	River Gem	295	275	240	250	235	240	165	160
Walker, Clint	Pleas-Jellico	5879	Jellico	305	285	245	260	235	235	190	185
CUMBERLAND COUNTY, TENN.											
Erwin, R. H	Coop. No. 1	5852	Sewanee	270	250	225	230	205	215	155	150
Jaffry, Arthur	Last Chance	5890	Bon Air No. 2	270	250	225	240	205	215	155	150
True & Sutton (Ernest True)	Coop. No. 2	5855	Sewanee	270	250	225	230	205	215	155	150
Van Buren Coal & Lumber Company.	Potts Creek	5900	Sewanee	270	250	225	230	205	215	155	150
Woody, Millard	A. H. Rose	5876	Bon Air No. 2	270	250	225	230	205	215	155	150
OVERTON COUNTY, TENN.											
B. & W. Coal Co. (H. G. Copeland)	B. & W. No. 2	5878	Bon Air No. 2	270	250	225	230	205	215	155	150
SCOTT COUNTY, TENN.											
Coker, C. H. (Mill Creek Coal Company).	Mill Creek		Glen Mary								150

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump under 3" and egg 3" x 3"	Egg 2" x 4", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	3/4" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 7—VIRGINIA											
RUSSELL COUNTY, VA.											
Helton & Vance (Ira Helton)	Helton & Vance	[3]113	Upper Banner	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
SUBDISTRICT NO. 8—WILLIAMSON											
WAYNE COUNTY, W. VA.											
Russell, John	Russell Coal Co.	5868	No. 5 Block	265	245	225	230	205	215	165	160

*Indicates previously classified these size groups.
†Indicates change in seam designation.
[3] Mine Index No. 2246, assigned in Docket No. A-1743, is no longer applicable.

§ 328.42 *General prices for low volatile coals*—Supplement T–II

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine	Mine index No.	Seam	All lump	Egg: Larger than 3" top	Stove: 3" top size	Nut or pea: 1¼" top or less	Screened M/R	Straight M/R	1¼" screenings	¾" screenings
				1	2	3	4	5	6	7	8
SUB-DISTRICT NO. 9—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS—TAZEWELL COUNTY, VA.											
Lowe, E. L. & Sons (E. L. Lowe)	Grimsley	5867	Red Ash	325	325	320	270	300	235	175	170

CANNEL COAL

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–III

Code member index	Mine	Mine index No.	Seam	Lump	Egg	Chips	Machine cuttings
SUBDISTRICT NO. 5—LOGAN—LOGAN COUNTY, W. VA.							
Depue Coal Company, c/o P. L. Depue.	Switzer	457		$2.15	$2.95	$2.15	$1.90

[F. R. Doc. 43-3398, Filed, March 4, 1943, 10:57 a. m.]

[Docket No. A-1841]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for Mine Index No. 159.

Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, an original petition and amendment thereto having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Mine Index No. 159 in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 *(Alphabetical list of code members)* is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the amended petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

The amended petition requests that there be established for shipments from Mine Index No. 159 to Waynetown in Market Area 32 an adjustment of 5 cents less than the adjustment heretofore established for shipments from Mine Index No. 288 to this destination. Because the freight rate from Mine Index No. 159 to Waynetown is the same as the freight rate from Mine Index No. 288 to this destination, however, Mine Index No. 159 is accorded the same adjustment for shipments to Waynetown as have been established for Mine Index No. 288.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
159	Davis, Clyde	Davis	V	1-A	71	10	Petersburg	NYC.

Mine Index No. 159 shall be included in Price Group 10 and shall take the same f. o. b. mine prices as other mines in Mine Index No. 10, Price Schedule No. 11, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices, on account of difference in freight rates, as have been established for Mine Index No. 288 in Freight Origin Group No. 71, except to the following destinations in Market Area No. 32 where the amount of adjustment shall be, Clinton, Indiana 47 cents per ton, Montezuma, Parke County, Indiana 47 cents per ton. Mine Index No. 159 shall be included in Freight Origin Group No. 71 and shall take the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District 11 For All Shipments Except Truck, as are shown for Mine Index Nos. 105 and 288.

[F. R. Doc. 43-3390; Filed, March 4, 1943; 10:57 a. m.]

[Docket No. A-1834]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for the coals of Mine Index No. 1201.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of prices and minimum prices for the coals produced by Moren Coal Mine, Mine Index No. 1201, of Moren Coal Company (R. M. Winters), for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 *(Price groups)* is amended by adding thereto Supplement R–I, and § 330.10 *(Special prices—(a) (2) Railroad locomotive fuel prices)* is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R–I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
5	Moren Coal Company (R. M. Winters)	Moren	1201	135	Pittsburg	MP

Shipping point, Marion, Illinois. Freight Origin Group No. 142 is no longer applicable

§ 330.10 *Special prices*—(a) (2) *Railroad locomotive fuel prices*—Supplement R–II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
5	Moren Coal Co. (R. M. Winters)	Moren	1201	135	Pittsburg	MP.

Shipping point, Marion, Illinois, Freight Origin Group No. 142 is no longer applicable.
The railroad fuel prices shall be: Mine Run $2.15—Screenings $1.75 and railroad locomotive fuel price exceptions 2-H, 6A and 6A shall apply.

[F. R. Doc. 43-3389; Filed, March 4, 1943; 10:57 a. m.]

[Docket No. A-1519]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF

Order granting relief in the matter of the petition of District Board No. 13 for the establishment of minimum prices for coal sold for domestic stoker use in District No. 13.

A petition having been filed with the Bituminous Coal Division on June 26, 1942, by the Bituminous Coal Producers Board for District No. 13, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of price classifications and minimum prices for coal produced and shipped for domestic stoker use from Mine Index Nos. 3, 4, 6, 7, 8, 9, 11, 13, 14, 17, 18, 19, 21, 22, 23, 29, 77, 78, and 1306, all located in Subdistrict 1 of District No. 13;

A hearing in this matter having been held, pursuant to appropriate orders, before Edward J. Hayes, duly designated Examiner of the Division, at a hearing room thereof, Washington, D. C., at which hearing interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which the Bituminous Coal Consumers' Counsel appeared;

The parties having waived the preparation and filing of the examiner's report, and the record in this proceeding having thereupon been submitted to the undersigned;

The undersigned having made findings of fact, conclusions of law, and having rendered an opinion in this matter which are filed herewith;

Now, therefore, it is ordered, That fifteen (15) days from the date hereof, § 333.1 (b) *(Price instructions and exceptions)* in the schedule of effective minimum prices for District 13 for all shipments except truck be, and it hereby is, amended by adding thereto the following price exception:

When mines in Subdistrict 1 listed herein specially prepare coals included in Size Group 18, and such coals are sold and applied for stoker use, the prices listed herein for Size Group 18 coals into the respective market areas shall be increased 35 cents per net ton: *Provided*, Such stoker coals shall have a top size not larger than 1½" and a bottom size with a maximum of ½" and a minimum of ⅛"; and *Provided further*, The actual size of the stoker coal is specified in all notices, lists, reports or other documents.

Dated: March 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3495; Filed, March 5, 1943; 11:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

GENERAL REVISION OF EXPORT REGULATIONS

Correction

In the table on page 1530 of the issue of Thursday, February 4, 1943, the Department of Commerce numbers under "Office supplies, misc.", beginning with "Fountain pen parts", should read:

Fountain pen parts (include holders and nib assemblies and parts)	9312.00
Ink, other, n. e. s.	9320.00
Ink, writing	9321.00
Ink, printing and lithographic	9322.00
Paste and mucilage, n. e. s.	9391.00
Pen points, metallic (report gold in 6997)	9315.00
Pencil leads	9305.30
Pencil parts	9305.50
Pencils, mechanical, of plastic materials (cellulose acetate, nitrocellulose and synthetic resin)	9301.00
Pencils, mechanical, of other materials, n. e. s.	9302.00
Pencils, not mechanical, of black lead	9304.10
Pencils, not mechanical, other, n. e. s.	9304.20
Penholders and parts, n. e. s.	9319.00
Typewriter ribbons	9395.00
Office supplies, n. e. s. (including paper clips, binders, inkstands, dictaphone records, file fasteners, thumb tacks, & pencil sharpeners)	9399.00

[Amendment 24]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

SPACE ALLOCATION FOR SHIPMENT OF COMMODITIES

Part 808—Procedure relating, etc., is hereby amended in the following particulars:

1. Section 808.3 *Space allocation*, etc., is amended to read as follows:

§ 808.3 *Space allocation for shipment of commodities weighing less than 2240 pounds.* (a) An exporter, shipping directly or through an agent, may make not more than one shipment weighing less than 2240 pounds on a single vessel to each port of call of such vessel, until such exporter or his agent has applied on Form BEW–138 and obtained shipping space for more than one such proposed shipment.

(b) Bookings for shipments weighing less than 2240 pounds are to be made by the exporter or his agent directly with the ship operator without the submission of an application or compliance with the procedure set forth in §§ 808.5 to 808.7, both inclusive, of this subchapter, except when application is made on Form BEW–138 as provided above in paragraph (a) and except as specifically otherwise provided in this Part. All such bookings are subject to the control of the War Shipping Administration and the Office of Exports who will fix the total amount of space on each ship which will be available for the carriage of such small shipments. Such available space will then be allocated in accordance with the priority ratings fixed by the Office of Exports, as provided in Part 809 of this subchapter.

2. The following new section is to be inserted between §§ 808.3a and 808.4:

§ 808.3b *Split shipments.* Where the entire quantity of a commodity or commodities is ready to be shipped at the same time the exporter or his agent may not split such commodity or commodities into shipments weighing less than 2240 pounds in order to arrange direct booking with the ship operator. Nothing herein contained shall prohibit the exporter or his agent from making partial or periodic shipments under § 804.2 (d) of this subchapter.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4351; Delegation of Authority No. 40, 8 F.R. 1038)

Dated: March 4, 1943.

A. N. ZIEGLER, *Acting Chief of Office, Office of Exports.*

[F. R. Doc. 43-3444; Filed, March 5, 1943; 10:59 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1 as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 4 to Supplementary Order M–15–b, as Amended Dec. 28, 1942]

Supplementary Order No. M–15–b, as amended December 28, 1942, (§ 940.3) is hereby amended in the following respects:

1. By amending paragraph (a) (13) to read as follows:

(13) "Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the Mimusops genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; but does not mean or include scrap balata or reclaimed balata; or Massaranduba balata and Peruvian F. A. Q. white balata which were not in deresinated form prior to March 5, 1943.

Issued this 5th day of March 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-3490; Filed, March 5, 1943; 11:35 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63 as Amended March 5, 1943]

§ 1042.1 *General Imports Order M–63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M–63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the Director General for Operations, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by Director General for Operations.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD–222C, addressed to the War Production Board, Ref.: M–63, Washington, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any material subject to this order after the governing date unless such bank or person has received either a copy of the authorization issued by the Director General for Operations, or, if the transaction comes within the exceptions set forth in paragraph (b) (4), an affidavit stating the facts which show the exception.

(4) *Exceptions.* Unless otherwise directed by the Director General for Operations, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) To materials imported by mail where the value of the shipment is less than $100.00; or

(v) To materials consigned as gifts or as samples, or for use as samples, or imported for personal use, where the value of each consignment or shipment is less than $200.00; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States.

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on, the governing date and which, on December 28, 1942, was in transit to a point within the continental United States.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials*— (1) *Transfer to Governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by Director General for Operations.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the Director General for Operations. Any such person may make application in duplicate for such an authorization on Form PD–222A, which form shall be addressed to the War Production Board. Ref.: M–63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Any material on List II or List III, which is imported after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the Director General for Operations which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD–222B in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M–63, Washington, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington, D. C., Ref.: M–63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

Issued this 5th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST I

NOTE: List I was amended March 5, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import Class No.	Governing date
Albarco logs	N. S. C.	1/18/43
Albarco lumber	N. S. C.	1/18/43
Alpaca, llama, and vicuna hair	3535 000–3535 400 inc.	7/2/42
Asphalt	5078 100	7/2/42
	5079 100	7/2/42
Beef and mutton tallow—includes oleo stock	5204 000	7/2/42
Beef and mutton tallow (medicinal)—includes oleo stock	0036 400	5/22/42
Brazilian pebble (quartz crystals), unmanufactured	5120 400	10/6/42
Brazilian pebble (quartz crystals), manufactured and semimanufactured in blanks, slabs, bars, etc	N. S. C.	10/6/42
Bristles hog and pig	0617, 000	[1] 3/14/42
	0979, 100	[2] 3/14/42
Cacahuananche oil	N. S. C.	1/18/43
Cacahuananche seeds	N. S. C.	3/5/43
Castor beans [3]	2231 000	4/8/42
Cinchona bark or other bark from which quinine may be extracted	2201 000	5/22/42
Cod oil	0834 000	5/22/42
Coir fiber	3400 000	11/23/42
Coir yarn	3420 000	11/23/42
Coir manufactures, other than pile rugs, floor coverings, mattings, etc	N. S. C.	11/23/42
Columbium ore (columbite) or concentrates	6270, 300	4/8/42
Cottonseed oil, crude, refined	1423, 100	5/22/42
	1423, 200	5/22/42
Dividivi pods	2320, 140	7/2/42
Dividivi, hemlock, and chestnut Extracts	2347 000	7/2/42
Jaxseed (linseed)	2253, 000	5/22/42
Goose down	N. S. C.	7/2/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5730, 100	4/8/42
Crystalline, Yuk	5730, 500	12/28/41
Crystalline, crucible lump and chip graphite	5730, 610	4/8/42
Crystalline, dust and other crystalline lump and chip graphite	5730, 630	4/8/42
Hemp (Cannabis Sativa type only), unmanufactured:		
Hackled, including "line of hemp"	3263 000	9/11/42
Not hackled	3263, 200	9/11/42
Tow	3263, 300	9/11/42
Hides and skins:		
Deer, buck or doe	0253, 100	9/11/42
Horse, mane and tail hair, raw and drawn, including switches	3604 000	3/14/42
	3684, 100	3/14/42
Ipecac, crude and advanced in value or condition	2220, 450	[4] 1/18/43
	2220, 470	[4] 1/18/43
Lac, crude, seed, button and stick	2105, 000	1/18/42
Lard oil	N. S. C.	3/5/43
Lard (including rendered pork fat)	0630, 000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0036, 100	3/5/43
Linseed oil, and combinations and mixtures in chief value of such oil	2254, 000	5/22/42
Mangrove extract (including Philippine cutch)	2242, 000	7/2/42
Muru muru nut oil	N. S. C.	8/21/42
Myrobalan fruit and extract	2304, 000	7/2/42
	2345, 500	7/2/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808, 950	5/22/42
Oleo oil	0036, 200	8/21/42
Peanut (ground nut) oil	1427, 000	5/22/42
Pyrethrum, or insect flowers	2202, 000	10/21/42

[1] Moved from List III 3/5/43.
[2] Moved from List II 11/23/42.
[3] Moved from List II 10/6/42.
[4] Moved from List III 3/5/43.

Material	Commerce import Class No.	Governing date
Pyrethrum, or insect flowers, advanced in value or condition	2220 310	10/21/42
Quebracho extract	2241 000	7/2/42
Rapeseed	2277 000	11/23/42
Red squill	2210 650	10/21/42
Retenone bearing roots (cube root (timbo or barbasco), derris and tuba), crude and advanced	2210 280	5/1/42
	2210 300	5/1/42
	2220 300	5/1/42
	2220 370	5/1/42
Rubber seed	2250 500	7/2/42
Rubber seed oil	N. S. C.	7/2/42
Rutile	6270 100	12/28/41
Sesame oil, edible and inedible	1428 200	7/21/42
	2249 000	7/21/42
Sunflower oil, edible and denatured	1421 000	5/22/42
	2247 000	5/22/42
Sunflower seed	2240 000	5/22/42
Tantalum ore (tantalite)	6270 100	4/8/42
Tara	2320 250	7/2/42
Tucum oil	N. S. C.	8/21/42
Valonia beards and valonia extract	2307 000	7/2/42
Vermiculite	2345, 500	7/2/42
Wattle extract	2345, 500	7/2/42
Whale oil (other than sperm)	0803 500	5/22/42
Wool grease, including degras or brown wool grease (all grades)	0813, 200	5/22/42
	0813, 300	5/22/42
	0813, 400	5/22/42
Zirconium ore	6270, 500	12/28/41

[4] Moved from List III 3/5/43.

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II was amended March 5, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semimanufactures:		
Sisal cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417 010	1/18/43
	3417, 110	1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	1/18/43
Cords and twines of agave fibers	N. S. C.	1/18/43
Fabrics woven of agave fiber	N. S. C.	9/11/42
Other manufactures of agave fibers	N. S. C.	1/18/43
Aluminum scrap	6002 200	6/1/42
Antimony	6600 000	12/28/41
	6601 100	12/28/41
	6601 150	12/28/41
	6601 180	12/28/41
	6301 210	12/28/41
Asbestos, unmanufactured (containing in Rhodesia or Union of South Africa)	5501 010	1/13/42
	5501 020	1/13/42
	5501 090	1/13/42
	5502 200	1/13/42
	5502 500	1/13/42
	5502 600	1/13/42
	5502 700	1/13/42
	5502 800	1/13/42
	5502 900	1/13/42
Babassu nuts and kernels	2239 130	4/8/42
	2239 170	4/8/42
Babassu nut oil	2277 100	4/8/42
Balsa wood:		
Logs	4029, 100	6/1/42
Sawed boards, planks, deals and sawed timber	4118 000	6/1/42
Beryl ore or beryllium ore	6270 000	6/4/42
Beryllium oxide, carbonate and other beryllium salts	5301 [illegible]	5/4/42
Cashew nut roasted oil	2277 500	4/8/42

Material	Commerce import Class No.	Governing date
Cashew nut shell oil	2260.050	4/8/42
Castor oil	2260.020	4/8/42
Cattle, ox, and calf tail hair including switches	3696.100	7/2/42
Chrome ore (chromite)	6213.100	12/28/41
	6213.300	12/28/41
	6213.500	12/28/41
Coconut oil	2242.500	1/13/42
Cohune nuts and kernels	N.S.C.	4/8/42
Cohune nut oil	N.S.C.	9/11/42
Copper	6401.800	12/28/41
	6417.100	3/14/42
	6430.000	3/14/42
	6418.300	6/1/42
Copper and brass scrap	6401.900	12/28/41
	6418.100	7/2/42
	6453.000	6/1/42
	6760.020	6/1/42
Copra	2292.000	1/13/42
Corn or maize oil (edible)	1422.000	5/22/42
Corundum and emery in grains, or ground, pulverized, or refined	5470.010	5/22/42
Corundum ore	5460.000	5/22/42
Cotton linters, munitions or chemical grades only (Grades 3-6 according to Department of Agriculture Classification)	N.S.C.	4/8/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N.S.C.	8/21/42
Balloon fabric, type HH	N.S.C.	8/21/42
Balloon fabric, type SS	N.S.C.	8/21/42
Cotton rope for spinning mules	N.S.C.	11/23/42
Decating apron fabric	N.S.C.	11/23/42
English spun combed cotton yarn, single or plied, 18 counts of 68's and finer	N.S.C.	11/23/42
Filter cloth	N.S.C.	11/23/42
Grey tracing cloth fabric	N.S.C.	11/23/42
Lithograph moleskin cloth	N.S.C.	11/23/42
Printers molleton	N.S.C.	11/23/42
Tracing cloth	3970.000	8/21/42
Typewriter ribbon fabric	N.S.C.	8/21/42
Cottonseed hull fiber	N.S.C.	7/21/42
Flax, unmanufactured (all types):		
Hackled, including "dressed line"	3261.000	7/2/42
Not hackled:		
Valued less than $340 per ton	3262.500	4/8/42
Valued $340 or more per ton	3262.600	4/8/42
Noils	3262.700	4/7/42
Tow	3262.800	4/8/42
Straw	3262.900	4/8/42
Glycerine, crude and refined	4290.060	5/22/42
	4291.100	5/22/42
Goat and kid skin furs	0711.400	7/21/42
Hides and skins:		
Buffalo hides, dry and wet	0203.000	1/13/42
	0203.100	1/13/42
Cabretta skins or hair sheep skins	0295.000	7/2/42
Calf, dry and wet	0207.000	1/13/42
	0208.000	1/13/42
Cattle hides, dry and wet	0201.000	1/13/42
	0202.000	1/13/42
Goat and kidskins, dry and wet	0241.000	7/2/42
	0242.000	7/2/42
Kip, dry and wet	0205.000	1/13/42
	0206.000	1/13/42
Shearlings (includes dry and greensalted skins)	0231.300	8/17/42
Iron and steel scrap, fit only for remanufacture	6004.000	6/1/42
	6004.100	6/1/42
Istle or Tampico fiber, manufactured in whole or in part (dressed)	3410.010	3/5/43
Istle or tampico fiber manufactures (including all istle products)	N.S.C.	11/23/42
Istle or tampico fiber, unmanufactured (including istle waste)	3405.000	3/14/42
Jute, unmanufactured	3241.000	10/6/42
Jute butts, unmanufactured	3242.000	10/6/42
Kapok	3403.000	7/2/42
Kyanite and sillimanite	5930.950	12/28/41
Lead	6504.000	12/28/41
	6505.000	1/9/42
	6505.100	12/28/41
	6506.100	1/9/42
	6506.500	1/9/42
	6506.900	6/1/42
	6507.000	1/9/42
	6509.000	1/9/42
Loofa (Luffa) sponges	N.S.C.	8/21/42
Magnesium, metallic and scrap	6760.310	6/1/42
Magnesite or cantala, unmanufactured	3409.200	1/18/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.100	7/21/42
Mahogany furniture and prefabricated parts thereof	N.S.C.	3/5/43
Mahogany logs	4031.000	7/2/42
Mahogany, rough (not further manufactured than sawed)	4202.100	7/21/42

[1] Moved from List I 3/5/43.

Material	Commerce import Class No.	Governing date
Mercury-bearing ores and concentrates	N.S.C.	4/8/42
Mercury or quicksilver (metallic)	6662.000	12/28/41
Meshita fiber	N.S.C.	10/6/42
Metallic beryllium, caesium, lithium, and potassium	6380.870	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6740.190	6/1/42
Mica	5560.700	3/14/42
	5560.800	3/14/42
	5560.910	3/14/42
	5560.920	3/14/42
	5560.930	3/14/42
	5560.940	3/14/42
	5560.950	3/14/42
	5560.960	3/14/42
	5560.970	3/14/42
	5560.980	3/14/42
	5560.990	3/14/42
	5561.000	3/14/42
	5561.700	7/21/42
	5561.800	3/14/42
	5561.810	3/14/42
	5561.820	3/14/42
	5561.830	3/14/42
	5561.850	3/14/42
	5561.900	3/14/42
	5564.000	3/14/42
	5564.200	3/14/42
Milkweed	N.S.C.	1/18/43
Nutgalls or gall nuts	2810.000	3/11/42
Oiticica oil	2255.600	4/8/42
Ouricury (uricury) nuts and kernels	2239.610	5/22/42
	2239.620	5/22/42
Ouricury (uricury) oil, inedible and edible	2257.500	5/22/42
	2257.530	5/22/42
Palm nut kernels	2236.500	3/14/42
Palm kernel oil	2248.000	3/14/42
Palm oil	2243.000	1/13/42
Punga fiber	N.S.C.	3/5/43
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	8102.000	3/5/43
Quinine alkaloid	8103.200	3/5/43
Other salts and derivatives of quinine	8103.300	3/5/43
Cinchonidine and its salts	8103.400	3/5/43
Cinchonine and its salts	8103.500	3/5/43
Quinidine and its salts	8103.600	3/5/43
Totaquine and totaquine compounds	N.S.C.	3/5/43
Rapeseed oil, denatured and not denatured	2246.000	5/22/42
	2253.000	1/13/42
Shellac, unbleached and bleached	2107.200	3/14/42
	2108.000	3/14/42
Silk:		
Cocoons	3703.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3799.000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702.000	10/21/42
Silk waste	3704.000	10/21/42
Wild silk or tussah	3702.100	10/21/42
Silver,		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819.500	7/21/42
Bullion, refined	6819.600	7/21/42
Coin, foreign	6819.800	7/21/42
Sweepings and scrap, including silver sulphides	6819.900	7/21/42
Semiprocessed items, valuable chiefly for silver content	N.S.C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N.S.C.	7/21/42
Sisal and henequen, unmanufactured	3401.000	1/18/43
Sperm oil, crude, refined or otherwise processed	0803.000	5/22/42
	0803.100	5/22/42
Talc, steatite (magnesium silicate), containing not to exceed 1½% lime and 1½% ferric oxide:		
Crude and unground	N.S.C.	11/23/42
Ground, washed, powdered, or pulverized	N.S.C.	11/23/42
Tin:		
Alloys, chief value tin, n.s.p.f. (including alloy scrap)	6551.900	6/1/42
Bars, blocks, pigs, grain or granulated	6551.300	6/1/42
Metallic scrap (except alloyed scrap)	6551.500	6/1/42
Tin-plate scrap	6740.050	7/2/42

Material	Commerce import Class No.	Governing date
Tung oil (China wood oil)	2241.000	1/13/42
Tungsten ore and concentrates	6232.000	12/28/41
Urena lobata fiber	N.S.C.	10/6/42
Vanadium ore	6260.000	12/28/41
Wool, apparel, finer than 44's	3520.000	10/1/42
	3521.100	10/1/42
	3521.200	10/1/42
	3521.300	10/1/42
	3522.000	10/1/42
	3523.100	10/1/42
	3523.200	10/1/42
	3523.300	10/1/42
	3526.000	10/1/42
	3527.100	10/1/42
	3527.200	10/1/42
	3527.300	10/1/42
	3528.000	10/1/42
	3529.100	10/1/42
	3529.200	10/1/42
	3529.300	10/1/42
Wool (apparel, finer than 40's but not finer than 44's)	3513.000	7/2/42
	3514.100	7/2/42
	3514.200	7/2/42
	3514.300	7/2/42
	3524.000	7/2/42
	3525.100	7/2/42
	3525.200	7/2/42
	3525.300	7/2/42
Yucca fiber	N.S.C.	3/5/43
Zinc base alloys, value chiefly of zinc, including "Kirksite"	N.S.C.	3/5/43
Zinc, blocks, pigs, or slabs	6558.200	12/28/41
Zinc, dross and skimmings	6558.100	1/18/43
Zinc, old and worn out, fit only for remanufacture	6558.000	1/18/43

N.S.C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce Statistical Classification of Imports.

List III

Note: List III was amended March 5, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import Class No.	Governing date
Alewives and other pickled or salted fish, n.s.p.f.	(0073.300-0073.900 inc.	7/2/42
Alfalfa seed	2401.000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067.000	7/2/42
Anchovies, in oil or in oil and other substances	0064.200	1/18/43
	0064.300	1/18/43
Annatto and annatto extracts	2320.000	7/2/42
Argols, tartar and wine lees, and crude calcium tartrate	8329.000	7/2/42
	8330.000	7/2/42
	8390.013	7/2/42
Balata, Massarunduba	N.S.C.	3/5/43
Balata, Peruvian, F.A.Q., white	N.S.C.	3/5/43
Balsams, crude, not containing alcohol (except Canada balsam)	2141.000	7/2/42
	2141.300	7/2/42
	2141.400	7/2/42
	2141.500	7/2/42
	2141.600	7/2/42
Bananas, green or ripe	1301.000	7/2/42
Barley malt	1050.000	7/2/42
Baskets and bags of wood, straw, etc.	4221.000	7/2/42
	4221.200	7/2/42
	4221.500	7/2/42
	4221.600	7/2/42
	4221.900	7/2/42
Beans, dried	1192.000	7/2/42
Beef and veal, pickled or cured	0029.000	7/2/42
Beef, canned, including corned beef	0028.000	7/2/42
Beeswax	0972.000	7/2/42
	0972.100	7/2/42
	0974.000	7/2/42
Blood, dried	8505.000	7/2/42
Bone black, bone char, and blood char	0990.130	7/2/42

Material	Commerce import Class No.	Governing date
Bones, crude	0911.200	7/2/42
Bones, ground, ash, dust, meal and flour	0911.300	7/2/42
Boxwood logs	4033.000	7/2/42
Bran; shorts; and other wheat by-product feeds	1181.000	7/2/42
Brazil or cream nuts	1356.000	7/2/42
	1357.000	7/2/42
Broomcorn	2936.000	11/23/42
Butter	0944.000	7/2/42
Cacao butter (cocoa butter)	3420.000	7/2/42
Camel's hair cloth	3560.000	1/18/43
Canary seed	2452.000	7/2/42
Candelilla wax	2252.000	7/2/42
Carnauba wax	2251.000	7/2/42
Caroa fiber	4602.800	7/2/42
Caroa manufactures	N.S.C.	1/18/43
Caroa yarn	N.S.C.	10/6/42
Casein or lactarene	0943.000	7/2/42
Cashew nuts and kernels	1377.000	4/8/42
Cassia buds, unground	1533.000	10/6/42
Cassia, cassia vera, unground	1533.100	10/6/42
Cassia, cassia buds and cassia vera, ground	1550.070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8509.100	1/18/43
Cheese	(0045.100-0046.900 inc.	7/2/42
Chick peas and garbanzos, dried	1200.000	7/2/42
Chicle, crude and refined or advanced	2131.000	7/2/42
	2189.300	7/2/42
China clay or Kaolin	5360.000	8/21/42
Cinnamon and chips of, unground	1526.000	10/6/42
Cinnamon and chips of, ground	1550.030	10/6/42
Cocoa beans or cacao beans	1501.300	7/2/42
Cocoa powder, unsweetened and sweetened	1502.100	1/18/43
	1502.300	1/18/43
	1502.400	1/18/43
	1351.000	10/21/42
Coconuts, in the shell	1379.000	10/21/42
Coconut meat, shredded and desiccated or similarly prepared	1511.000	7/2/42
Coffee, raw or green; roasted or processed	1511.100	7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260.120	7/21/42
Cotton	1031.000	7/2/42
Corn, cracked	1090.180	7/2/42
Cotton linters, other than munitions, & chemical grades (Grades 1-2 according to Department of Agriculture Classification)	N.S.C.	7/2/42
Cotton, raw (all staple length)	3001.000	7/2/42
	3003.600	7/2/42
	3003.700	7/2/42
	3003.800	7/2/42
Cotton waste	3005.100	7/2/42
	3005.200	7/2/42
	3005.310	7/2/42
	3005.330	7/2/42
	3005.350	7/2/42
	3005.600	7/2/42
	3230.380	7/2/42
	3230.390	7/2/42
Cotton—Merino waste	9850.002	7/2/42
Crabs, fresh or frozen, prepared or preserved	0086.400	7/2/42
	0086.500	7/2/42
Dog food	1150.700	7/2/42
	1150.800	7/2/42
Egg albumen, dried	0094.000	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n.s.p.f.	0095.000	3/5/43
Eggs (chicken), whole, in the shell	0085.100	7/2/42
Eggs, dried	0090.000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n.s.p.f.	0091.000	3/5/43
Eggs of poultry other than chicken, whole, in the shell	0088.500	3/5/43
Egg yolks, dried	0092.000	3/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n.s.p.f.	0093.000	3/5/43
Ergot	2210.330	10/6/42
Fatty acids, not specifically provided for, derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260.220	5/22/42
Linseed oil	2260.210	7/21/42
Soybean oil	2260.230	7/21/42
Other, not elsewhere specified	2260.240	7/21/42
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified	2260.250	7/21/42
Fish scrap and fish meal	8509.700	7/2/42

Material	Commerce import Class No.	Governing date
Floor coverings:		
Carpets and carpeting, mats, rugs, art squares, etc., of wool, n.s.p.f.	(3660.000-3670.570 inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3960.100	10/21/42
Pile mats and floor coverings of rattan	3960.300	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3963.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton	3963.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n.e.s.	3963.600	10/21/42
Fluorspar	5301.000	7/2/42
	5301.100	7/2/42
Garlic	1205.000	7/2/42
Ginger root unground, not preserved or candied	1536.100	10/6/42
Ginger root, ground, not preserved or candied	1550.080	10/6/42
Glue, except glue size and fish glue (value—under 40¢ lb.)	0940.100	7/2/42
Goat and kid hair except Angora (mohair) and Cashmere	3696.200	7/2/42
Grapefruit and pomeloes	1302.060	7/2/42
Grapes, fresh (other than hothouse)	1318.500	7/2/42
Guano	8504.000	7/2/42
Gum arabic or senegal (Acacia gum)	2161.000	10/21/42
Gum ghatti	N.S.C.	10/21/42
Gum kadaya (karaya) and talka	2163.000	10/21/42
Gum tragacanth	2162.000	10/21/42
Gums, n.e.s., used in manufacture of chewing gum	N.S.C.	3/5/43
Hempseed	2238.000	5/22/42
Hempseed oil	2260.030	7/21 42
Herring (including sprats, pilchards and anchovies), all types	(0070.000-0070.900 inc.	7/2/42
Hibiscus cannabinus or ferox	N.S.C.	7/2/42
Hide cuttings, raw	0930.500	7/2/42
Hides and skins:		
Horse, colt, and ass	0211.100	7/2/42
	0211.300	7/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Sheep and lamb skins, except shearlings, cabrettas, etc.:		
Pickled skins, not split, no wool	0234.000	7/2/42
Pickled fleshers, split, flesh side	0234.100	7/2/42
Pickled skivers, split, grain side	0234.200	7/2/42
Slats, dry, no wool	0231.700	7/2/42
Other wooled, (wool on) except shearlings	0231.500	7/2/42
Honey	1654.800	7/2/42
Hydrocenated or hardened oils and fats, vegetable or animal	2260.100	7/21/42
Ilmenite (including ilmenite sand)	6270.100	7/2/42
Iodine	8300.060	7/2/42
	8380.620	7/2/42
Iron ore	6001.000	7/2/42
Kola nuts	2210.490	7/2/42
Lamb and sheep fur, except Caracul and Persian lamb	0711.300	7/21/42
Leather, unmanufactured	(0300.100-0345.900 inc.	7/2/42
Leche caspi (including crude sorva gum)	2170.000	3/5/43
Lentils	1199.000	7/2/42
Limaloe oil or Ilois de Rose	2280.270	7/2/42
Limes	1304.000	7/2/42
Lobsters, canned and not canned	0083.000	7/2/42
	0084.000	7/2/42
Lupines	1199.100	7/2/42
Mace, unground	1540.000	10/6/42
Mace, ground	1550.090	10/6/42
Mace, Bombay or wild, unground	1549.200	10/6/42
Mace, Bombay or wild, ground	1550.100	10/6/42
Mangrove bark	2320.180	7/2/42
Maté	2210.370	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770.900	10/6/42
Meats, canned, n.e.s., and prepared or preserved meats, n.s.p.f. (include liver paste; also include mutton)	0632.900	10/21/42
Meat extracts, including fluid	0096.000	7/2/42
Melons	1330.420	7/2/42
	1330.430	7/2/42
Milk, condensed and evaporated	0040.000	7/2/42
	0040.100	7/2/42
	0040.700	7/2/42
Mohair (Angora goat hair)	(3530.000-3530.400 inc.	7/2/42
Mohair tops	3560.100	1/18/43
Mohair yarns	(3570.300-3570.600 inc.	1/18/43
Molasses and sugar sirup, edible and inedible	(1630.480-1640.100 inc.	7/2/42
Monazite sand and other thorium ore	5930.300	7/2/42
Muru muru nuts and kernels	2239.630	5/22/42
	2239.640	5/22/42
Nitrates, Sodium and Potassium	8506.000	7/2/42
	8527.500	7/2/42
	8527.600	7/2/42
Nitrogenous material, n.s.p.f. (including hoof meal and horn meal)	8509.800	1/18/43
Nutmegs, unground	1539.040	10/6/42
Nutmegs, ground	1550.110	10/6/42
Oats, hulled and unhulled	1041.000	7/2/42
	1041.100	7/2/42
Offal, edible	0023.600	7/2/42
Oil cake and oil cake meal:		
Coconut or copra	1111.000	3/5/43
Soybean	1112.000	3/5/43
Cottonseed	1144.000	7/2/42
Linseed	1115.000	3/5/43
Peanut	1119.000	7/2/42
Rapeseed	1119.500	7/2/42
Other, n.s.p.f.	1119.900	7/2/42
Oleo stearin	0036.300	7/2/42
Onions, edible	1208.100	7/2/42
Orange flower or neroli oil	2280.280	1/18/43
Orange oil (including mandarin)	2277.000	1/18/43
Orange oil, terpeneless (including mandarin)	2277.100	1/18/43
Ouricury (uricury) wax	2252.300	7/2/42
Paper base stock:		
Rags for paper stock	4091.000	7/2/42
Waste hanging, gunny cloth and bags	4092.000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n.e.s.	4092.900	7/2/42
Peaches, green, ripe, or in brine	1330.440	7/2/42
Pears, green, ripe or in brine	1330.460	7/2/42
Peas, dried and split	1197.000	7/2/42
	1198.000	7/2/42
Peppers	1210.050	7/2/42
Piassava fiber	3409.350	7/2/42
Piassava fiber manufactured in whole or in part (dressed cut to length, etc.)	3410.050	3/5/43
Pigeons, racing or fancy	0895.500	7/2/42
Pigeons, other	N.S.C.	7/2/42
Pimento (allspice), unground	1543.000	10/6/42
Pimento (allspice), ground	1550.130	10/6/42
Pony fur skins, undressed	0721.000	1/18/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	0030.900	7/2/42
	0031.900	7/2/42
Quebracho wood	2305.000	7/2/42
Rice, broken	1059.200	7/2/42
Rye	1044.000	7/2/42
Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere specified, or from fatty acids thereof	2260.260	7/21/42
Sausage casings, sheep, lamb and goat only	9034.100	7/2/42
Sausage casings, other	0035.500	7/2/42
Sesame seed	2231.000	5/22/42
Soap (except Castile) and soap powder	(8712.200-8710.900 inc.	7/2/42
Soap bark or quillaya	2210.820	7/2/42
Sugar, cane	(1610.750-1610.000 inc.	7/2/42
Syrups and extracts for use in the manufacture of beverages	N.S.C.	3/5/43
Tallow, vegetable	2250.000	7/2/42
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	0975.000	7/2/42
	8509.600	
Tanning extracts, not specially provided for	2345.900	7/2/42
Tapioca, tapioca flour, and cassava (including mandioca flour)	1228.000	7/2/42
Tea, not specially provided for	1521.000	7/21/42
Textile waste, not elsewhere specified (incl. jute thread and flax, etc.)	9850.905	7/2/42
Tobacco, unmanufactured	(2601.000-2610.000 inc.	7/2/42
Tonka beans	1546.000	7/2/42
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n.e.s.	3560.500	1/18/43
Tucum nuts and kernels	2239.650	5/22/42
	2239.660	5/22/42
Tuna fish, fresh or frozen	0058.000	7/2/42
Turtles	0086.200	7/2/42
Vanilla beans	1545.000	7/2/42
Vegetable ivory or tagua nuts	2911.000	7/2/42

Material	Commerce Import Class No.	Governing date
Vegetable oil foots, other than olive	N. S. C.	7/21/42
Vegetable soapstock	N. S. C.	7/21/42
Wattle bark	2599.000	7/2/42
Wool, advanced, n. e. s.	3560.900	1/18/43
Wool, apparel, 40's or coarser	3509.000–3509.300 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	3514.000–3523.000	7/2/42
Wool, carpet	3501.000–3502.300 inc.	7/2/42
Wool mungo	3553.900	11/23/42
Wool noils and wastes	3550.000–3553.700 inc.	7/2/42
Wool press cloth waste	9850.003	7/2/42
Wool rags	3554.000	11/23/42
Wool shoddy and wool extract	3553.800	11/23/42
Wool tops	3540.400	1/18/43
Wool yarns and yarns of other hair	3574.300–3574.600 inc.	1/18/43
Yarns wholly or in chief value of Angora rabbit hair	3573.100–3573.500 inc.	1/18/43

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order. (Issued June 30, 1942.)

INTERPRETATION 2

The following official interpretation is hereby issued by the Director General for Operations with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

[F. R. Doc. 43-3491; Filed, March 5, 1943; 11:35 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Interpretation 2 of General Imports Order M-63 as amended]

The following official interpretation is hereby issued by the Director General for Operations with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship.

Issued this 5th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3492; Filed, March 5, 1943; 11:35 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a, as Amended March 5, 1943]

Pursuant to General Imports Order M-63, as amended, which this order supplements, *It is hereby ordered*, That:

§ 1042.2 *Supplemental General Imports Order M-63-a.* Until further order of the Director General for Operations, the provisions of General Imports Order M-63, as amended June 2, 1942, and thereafter, shall not apply to materials on List III of said order which are located in, and are the growth, production, or manufacture of, and are transported into the continental United States overland, by air, or by inland waterway from, Canada, Mexico, Guatemala, or El Salvador, except with respect to materials listed on Schedule A attached hereto.

Issued this 5th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

[NOTE: Schedule A amended March 5, 1943]

	Commerce import class No.	Effective date
Material:		
Canary seed	2452.000	Dec. 14, 1942
Chicle, crude and refined or advanced	2131.000	Dec. 14, 1942
	2189.300	Dec. 14, 1942
Chickpeas and garbanzos, dried	1200.000	Mar. 5, 1943
Coffee: raw or green	1511.000	Mar. 5, 1943
roasted or processed	1511.100	Mar. 5, 1943
Molasses, edible and inedible	1630.480–1640.000 inc.	Dec. 14, 1942
Oil cake and oil cake meal:		
Coconut or copra	1111.000	Mar. 5, 1943
Soybean	1112.000	Mar. 5, 1943
Cottonseed	1114.000	Dec. 14, 1942
Linseed	1115.000	Mar. 5, 1943
Peanut	1119.600	Dec. 14, 1942
Hempseed	1119.700	Dec. 14, 1942
Other, n. s. p. f.	1119.900	Dec. 14, 1942
Sesame seed	2234.000	Nov. 26, 1942
Syrups and extracts for use in the manufacture of beverages	N. S. C.	Mar. 5, 1943

[F. R. Doc. 43-493; Filed, March 5, 1943; 11:35 a. m.]

PART 3075—COPPER CHEMICALS

[General Preference Order M-227, as Amended March 5, 1943]

Section 3075.1 *General Preference Order M-227* is hereby amended to read:

§ 3075.1 *General Preference Order M-227*—(a) *Definitions.* (1) "Copper chemicals" means copper sulfate, copper carbonate, copper oxide, copper nitrate, copper chloride and copper cyanide. The term includes copper chemicals in both cupric and cuprous form.

(2) "Supplier" means any producer or distributor.

(3) "Producer" means any person engaged in the production of any copper chemical and includes any person who has any such chemical produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases any copper chemical for purpose of resale without change in form.

(5) "Quarter" means calendar quarter.

(b) *Restrictions on delivery and use.* (1) No supplier shall deliver or use any copper chemical, and no person shall accept delivery of any copper chemical from any supplier, except as specifically authorized by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted will, so far as practicable, be issued by the Director General for Operations prior to the commencement of the quarter to which such authorizations or directions relate. The Director General for Operations may also in advance of each quarter issue directions with respect to use by suppliers in such quarter, but he may issue directions at any time to any person respecting use which may or may not be made of copper chemicals to be delivered or then on hand. Applications for copper chemicals not filed in advance of the quarter to which they relate at the times and in the manner provided by paragraph (d) (1) hereof, will not be approved in the absence of a showing of special circumstances.

(3) Each person authorized to accept delivery of copper chemicals shall use the same for the purpose authorized and only for such purpose except as otherwise specifically directed by the Director General for Operations.

(4) Copper chemicals allocated for inventory shall not be used or redelivered except as otherwise specifically directed by the Director General for Operations.

(5) Deliveries specifically authorized or directed to be made in any quarter by the Director General for Operations where the authorization or direction does not specify dates or order of shipment, may be made by any supplier in such quarter, without regard to preference ratings applicable to particular orders.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1), no specific authorization or direction of the Director General for Operations shall be required for:

(1) Delivery by any supplier to any one person in any quarter, or the acceptance of delivery by any one person in any quarter from any supplier, of not more than 1500 lbs. of copper sulfate or of not more than 300 lbs. each of copper carbonate, copper oxide, copper nitrate, copper chloride or copper cyanide; *Provided, however,* That the aggregate quantity of any copper chemical which any supplied may deliver in any quarter pursuant to this paragraph (c) (1) shall not exceed the quantity which the Director General for Operations shall have specifically authorized such supplier to deliver in such quarter under this paragraph (c) (1), on application filed by such supplier pursuant to subparagraph (d) (2) (vi) hereof.

(2) Delivery by any supplier to any person who shall have filed with him prior to such delivery a certificate in substantially the following form (which certificate may be endorsed upon or attached to the purchase order):

The undersigned hereby certifies to the War Production Board and to his supplier that the copper chemicals hereby ordered will be *used, or resold for use* [strike out inapplicable word or words] only for soil treatment or as an insecticide or fungicide in connection with the cultivation of agricultural crops, or in the manufacture of animal medicinals.

Name of Purchaser.

By ---
Authorized Official.

Date.

Title.

Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of any copper chemical by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(3) Acceptance of delivery by any person from any supplier solely for use, or for resale for use, for soil treatment or as an insecticide or fungicide in connection with the cultivation of any agricultural crop or in the manufacture of animal medicinals; provided that such person has filed with his supplier from whom delivery is accepted, a certificate in substantially the form set out in paragraph (c) (2).

(d) *Applications and reports.* (1) Each person requiring authorization to accept delivery of any copper chemical in any quarter, whether for own consumption or resale (and each supplier requiring authorization to use any copper chemical in any quarter) shall file application therefor on Form PD-600. Such form shall be prepared in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at the local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-227, one forwarded to the supplier and the fifth retained as a file copy by the applicant. At least one of the copies forwarded to the War Production Board shall be signed by applicant by a duly authorized official.

(iii) The three copies required to be forwarded to the War Production Board shall be sent in sufficient time to be received not later than the 5th day of the last month of the preceding quarter. The copy to be forwarded to supplier shall be sent in sufficient time to be received by supplier, if supplier is a producer, not later than such 5th day of the last month of the preceding quarter, or if supplier is a distributor, not later than the 1st day of such last month. Applications covering the second quarter of 1943 shall be submitted not later than March 15, 1943, if supplier is a producer, or if supplier is a distributor, not later than March 12, 1943.

(iv) Under heading "Name of chemical", specify "Copper chemicals"; under "WPB Order No.", specify "M-227"; under heading "Indicate unit of measure", specify "pounds".

(v) In heading at top of Table I, specify "First quarter", "second quarter", etc., as the case may be, and insert year.

(vi) In Columns 1, 11 and 19 specify copper sulfate, copper carbonate, copper oxide, copper nitrate, copper chloride or copper cyanide and in each case indicate the percentage by weight of copper content.

(vii) In Columns 3, 20 and 22, applicant must specify his primary product in terms of the following:

Water treatment
Wire drawing
Electro plating
Mining
Catalyst
Gas sweetener
Anti-fouling paints
Preservatives
Dyes and pigments
Mildew-proofing
Agriculture
Other (specify)
Resale (as copper chemicals)
Inventory (as copper chemicals)

(viii) In Column 4, except where purchase is for resale or inventory, specify the ultimate use to which the product manufactured by applicant will be put, in the terms of the following:

Heat pads
Synthetic rubber
Petroleum
Electric batteries
Textiles
Lumber
Paint
Wood pulp
Pharmaceuticals
Pyrotechnics
Ceramics
Glazes
Porcelain enamel
Spot remover
Paper
Glass
Water
Other (specify)

Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer and, where purchase is by government agency, will also indicate specification number, if any.

(2) Each supplier requiring authorization to make delivery of any copper chemical during any quarter shall file application therefor on or before the 10th day of the last month of the quarter preceding the quarter to which the application relates, except that applications for deliveries in the second quarter of 1943 may be filed on or before March 20, 1943. The application shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at the local offices of the War Production Board.

(ii) Four copies shall be prepared of which three shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-227, the fourth copy to be retained for supplier's files. At least one of the three copies filed with War Production Board will be signed by the supplier by a duly authorized official.

(iii) Each supplier who has filed application on Form PD-600 specifying himself as his supplier, shall list his own name as a customer on Form PD-601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading, under "Name of chemical", specify "Copper chemicals"; under "WPB Order No.", specify "M-227"; under "Name of company", state name and mailing address; under "Indicate unit of measure", specify "pounds"; and state the quarter and year during which deliveries covered by your application are to be made.

(v) In Column 1 insert names of customers for the delivery to whom it is necessary to obtain specific authorization, except as provided in the next two subparagraphs. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(vi) Names of customers to whom supplier proposes to make small order deliveries during the next quarter pursuant to paragraph (c) (1) of this order need not be listed, but supplier shall insert in Column 1 "Total proposed small order deliveries" and in Column 4 shall state the quantity.

(vii) Names of customers to whom deliveries are to be made by a distributor during the next quarter pursuant to paragraph (c) (2) for use, or resale for use, for soil treatment or as an insecticide or fungicide or in the manufacture of animal medicinals, need not be listed, but insert in Column 1 "Agricultural deliveries pursuant to paragraph (c) (2)" and in Column 4 state the quantity. Where the deliveries for Agricultural purposes pursuant to paragraph (c) (2) are to be made by a producer (as opposed to a distributor), the names of customers to whom such deliveries are to be made must be listed in Column 1.

(viii) In Columns 3 and 8, specify particular copper chemical, in terms of chemicals listed in paragraph (d) (1) (vi) hereof, and in each case indicate the percentage, by weight, of copper content.

(ix) The supplier may, if he wishes, leave Column 5 blank.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M-227.

Issued this 5th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3494; Filed, March 5, 1943; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulations, Supp. Amendment 16]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraph (7) of paragraph (a) and subparagraph (6) of paragraph (c) of §§ 1388.15, 1388.65, 1388.115, 1388.165, 1388.215, 1388.265, 1388.315, 1388.365, 1388.415, 1388.465, 1388.515, 1388.565, 1388.615, 1388.665, 1388.715, 1388.765, 1388.815, 1388.865, 1388.915, 1388.965, 1388.1015, 1388.1655, 1388.1705, 1388.1755, 1388.1805, 1388.2055, 1388.3055, 1388.4055, 1388.5055, 1388.6055, 1388.7055, 1388.8055, 1388.35, 1388.135, 1388.235, 1388.285, 1388.385, 1388.585, 1388.685, 1388.785, and 1388.885 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, and 62, respectively, are amended to read as follows:

§ ——— *Adjustments and other determinations.* • • •

(a) • • •

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

• • • • •

(c) • • •

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

• • • • •

This Supplementary Amendment No. 16 to Maximum Rent Regulations for Housing Accommodations Other than Hotels and Rooming Houses shall become effective March 4, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3416; Filed, March 4, 1943; 2:42 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 27]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.8209 is revoked; paragraph (c) of § 1394.8153 is amended; a new § 1394.8209 is added, and a new paragraph (x) is added to § 1394.8352, as set forth below:

Restrictions on Transfers

§ 1394.8153 *Transfers to consumers in exchange for coupons.* • • •

(c) *Bulk coupons.* Transfer may be made in exchange for bulk coupons as follows:

(1) The transferor must require surrender, at the time of transfer, of bulk coupons having a value in gallons equal to the number of gallons of gasoline transferred, except:

(i) When any delivery of gasoline is made in the absence of the transferor or his agent, by barge, pipe line, tank car, or other carrier, or in the absence of the transferee or his agent, coupons need not be surrendered simultaneously with delivery, but must be forwarded by the transferee to the transferor within seven (7) days after delivery;

(ii) When any delivery of gasoline is made to a consumer from any terminal or storage facility which has been listed upon a schedule issued in accordance with § 1510.34 of Petroleum Directive 59,[2] the transferee may forward to the transferor within fifteen (15) days after receipt of such delivery an amount of coupons or other evidences equal in gallonage value to the amount of gasoline so delivered, or, when transfer is made on a temperature adjustment basis, equal in gallonage value to the adjusted quantity of gasoline so delivered.

Restrictions on Transfers Between Dealers and Distributors

§ 1394.8209 *Absentee deliveries; Third party deliveries.* (a) Where a distributor elects to make delivery of gasoline during hours when the transferee is not open for business, the transferee shall, where the exact amount of delivery is known in advance, mail or deliver coupons or other evidences (or, if he is a depositor, issue his check) to the distributor in advance, or, at the discretion of the distributor, within twenty-four (24) hours of delivery, equal in gallonage value to the amount, or adjusted amount, of the delivery.

(b) Where delivery of gasoline to a dealer or intermediate distributor is made by common or contract carrier or by pipe line, or where the billing for gasoline transferred is not received by the transferee at the same time as or prior to receipt of the transfer by him, the transferee shall, where the exact amount of the delivery is known in advance, mail or deliver in advance to his distributor coupons or other evidences (or, if he is a depositor, issue his check) equal in gallonage value to the amount, or adjusted amount, of the delivery, or may, at the discretion of the transferor forward such coupons or other evidences or issue such check to the transferor within five (5) days after receipt of such delivery.

(c) Where any delivery of gasoline is made to a dealer or distributor from any terminal or storage facility which has been listed upon a schedule issued in accordance with § 1510.34 of Petroleum Directive 59, the transferee may forward to the transferor within fifteen (15) days after receipt of such delivery an amount of coupons or other evidences, or a ration check, equal in gallonage value to the number, or adjusted number, of gallons so delivered.

Effective dates

§ 1394.8352 *Effective dates of amendments.* • • •

(x) Amendment No. 27 (§§ 1394.8153 (c) and 1394.8209) to Ration Order No. 5C shall become effective March 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3418; Filed, March 4, 1943; 2:42 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431.

[2] 7 F.R. 7759.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order No. 11,[1] Amendment 42]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1394.5351, 1394.5353 (a), 1394.5354 (a) are amended; in § 1394.5402, paragraphs (a) and (c) are amended; in § 1394.5551, paragraph (b) is amended, and in paragraph (c) the phrase "paragraph (d)" is amended to read "paragraph (e)"; and § 1394.5552 (e) is amended; as set forth below:

Domestic Cooking and Lighting Rations

§ 1394.5351 *Persons entitled to rations for domestic cooking and lighting.* The owner, or the person controlling the use, of oil burning equipment designed and used for domestic cooking or lighting may obtain a ration for such purpose.

§ 1394.5353 *Determination of allowable ration for domestic cooking.* (a) Subject to the provisions of paragraph (b) of this section, the allowable ration for all units of cooking equipment used for domestic cooking for a single family shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required (and in "Area A." where application is made prior to March 16, 1943, during the three (3) month period beginning February 1, 1943): *Provided,* That where the commencement date of the ration required is on or after March 10, 1943 (or in "Area A" on or after April 1, 1943), the allowable ration shall be the amount of fuel oil needed during the six (6) month period beginning with the date on which the ration is required.

• • • • •

§ 1394.5354 *Determination of allowable ration for domestic lighting.* (a) Subject to the provisions of paragraph (b) of this section, the allowable ration for all units of lighting equipment providing domestic lighting for a single family, shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required (and in "Area A", where application is made prior to March 16, 1943, during the three month period beginning February 1, 1943): *Provided,* That where the commencement date of the ration required is on or after March 10, 1943 (or in "Area A" on or after April 1, 1943), the allowable ration shall be the amount of fuel oil needed during the six (6) month period beginning with the date on which the ration is required.

• • • • •

Miscellaneous Uses

§ 1394.5402 *Rations for miscellaneous uses.* (a) The owner, or the person controlling the use, of any oil-burning equipment used for a necessary purpose not otherwise specified in this Ration Order No. 11 (or any person requiring fuel oil for any necessary purpose other than the operation of oil-burning equipment) may obtain a ration for such purpose.

• • • • •

(c) The allowable ration shall, except as provided in paragraph (d) of this section, be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required (in "Area A", where application is made prior to March 16, 1943, during the three (3) month period beginning February 1, 1943), except that where the commencement date of the ration required for any domestic, institutional or agricultural purpose is on or after March 10, 1943 (or in "Area A" on or after April 1, 1943), the allowable ration shall be the amount of fuel oil needed during the six (6) month period beginning with the date on which the ration is required: *Provided,* That the allowable ration shall not exceed the amount used for such purpose during the corresponding period of the preceding year unless the applicant shows good cause for the increased requirements.

• • • • •

Renewal of Rations and Issuance of Further Rations

§ 1394.5551 *Renewal of rations.* • • •

(b) Subject to the provisions of paragraph (d), an application for a further ration for use upon or after expiration of the current ration shall be made and passed upon in the same manner as an original application except:

(1) Where such application is made prior to the expiration of a ration for purposes other than heat or hot water, or both, except the applications mentioned in subparagraph (2) of this paragraph, the further ration shall be determined for the three (3) month period beginning with the date of the application, and the coupon sheets, or other evidences, or delivery receipts, shall be validated for the period commencing upon the expiration of the current ration and expiring three (3) months from the date of the application.

(2) Where prior to the expiration date of the current ration application is made on Form OPA R-1103 (except for the purpose specified in § 1394.5402 (d)) or OPA R-1103A and the commencement date of the further ration requested is on or after March 10, 1943 (or in "Area A" on or after April 1, 1943), such ration shall be determined for the six (6) month period beginning with the date of the application, and the coupon sheets, or other evidences, or delivery receipts shall be validated for the period commencing on the expiration of the current ration and expiring six (6) months from the date of the application.

§ 1394.5552 *Further rations for use prior to expiration date of current ration.* • • •

(e) No further ration shall be granted under this section which would permit the applicant to obtain fuel oil in excess of the maximum gallonage to which he would be entitled under §§ 1394.5353, 1394.5354 or paragraph (d) of § 1394.5402.

This amendment shall become effective on March 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3417; Filed, March 4, 1943; 2:42 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 869, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 21]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respect:

Section 1407.960 is revoked.

This amendment shall become effective March 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1–R)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3419; Filed, March 4, 1943; 2:42 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 331, Amendment 1]

SOYBEANS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1439.201 is amended to read as follows:

§ 1439.201 *Prohibition against sales of soybeans above maximum prices.* On and after the effective date of this regulation regardless of any contract or other obligation, no person shall sell or deliver and no person in the course of trade or business shall buy or receive soybeans at a price higher than the maximum prices permitted by this regulation, and no person subject to this regulation shall agree, offer, solicit, or attempt to do any of the foregoing: *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of soybeans otherwise covered by this regulation if prior to the effective date of this regulation such soybeans have been sold to a buyer and have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such buyer. But any resales of such last mentioned soybeans which are so in transit at the effective date of this regulation shall be subject to this regulation.

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3420; Filed, March 4, 1943; 2:42 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1286, 1316, 1366, 1631, 1741, 2026, 2027, 2032, 2151.

PART 1499—COMMODITIES AND SERVICES

[Order 311 Under § 1499.3 (b) of GMPR]

GOTHAM HOSIERY COMPANY

Gotham Hosiery Company, Inc. of New York, New York, made application for an authorization to determine the maximum price which it may charge for its style number 1995 women's mercerized cotton hosiery. Due consideration has been given the application and it appears that this hosiery cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in the opinion supporting this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and in accordance with Revised Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1747 *Approval of maximum prices for style number 1995 women's cotton mercerized cotton hosiery manufactured by Gotham Hosiery Company, Inc.* (a) On and after March 4, 1943, the maximum price at which Gotham Hosiery Company, Inc. may sell, deliver and offer for sale its style number 1995 women's mercerized cotton hosiery shall be $15.00 per dozen f. o. b. point of shipment. Any person may buy and receive and offer to buy and receive such hosiery at $15.00 per dozen from the Gotham Hosiery Company, Inc.

(b) The maximum selling price set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 311 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 311 (§ 1499.1747) shall become effective March 4th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3421; Filed, March 4, 1943; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 312 Under § 1499.3 (b) of GMPR]

COOK COFFEE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1748 *Authorization of maximum price for sale of New Orleans blend, a coffee compound by Cook Coffee Company directly to consumers.* (a) On and after February, 1943 the maximum price for sales of New Orleans blend, coffee compound by Cook Coffee Company having its principal place of business at Detroit, Michigan, shall be 28¢ per pound and 42¢ per 1½ pounds. This price shall include delivery directly to consumers.

(b) This Order No. 312 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 312 (§ 1499.1748) shall become effective March 4th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3422; Filed, March 4, 1943; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 11 Under § 1499.18 (c) as Amended, of GMPR]

STEPHEN S. RICHARDS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1511 *Adjustment of maximum prices for sale by Stephen S. Richards, Cotuit, Massachusetts, of oyster barrels.* (a) Stephen S. Richards, Cotuit, Massachusetts may sell and any person may buy oyster barrels with one head for 80¢ delivered, and with two heads for 85¢ delivered.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 11 shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3424; Filed, March 4, 1943; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 206 under § 1499.18 (b) of GMPR]

GULF STATES CREOSOTING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§1499.1806 *Adjustment of maximum prices for creosote treated wooden conduit sold by Gulf States Creosoting Company.* (a) The maximum prices for creosote treated wooden conduit sold by Gulf States Creosoting Company, Hattiesburg, Mississippi, shall be as follows:

	Per lineal foot
2" bore—treated conduit	$ .095
3" bore—treated conduit	.115
3½" bore—treated conduit	.145

(b) This order may be revoked or amended at any time.

(c) This Order No. 206 (§ 1499.1806) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This order shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3423; Filed, March 4, 1943; 2:45 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 223,[1] Amendment 3]

NORTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1382.153 is amended to read as follows:

§ 1382.153 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3435; Filed, March 4, 1943; 4:38 p. m.]

PART 1389—APPAREL

[MPR 332,[2] Amendment 1]

SIMPLIFIED MEN'S AND BOYS' SHIRTS AND PAJAMAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 332 is amended in the following respects:

1. Section 1389.502 (a) (3) (ii) is amended to read as follows:

(ii) *Savings which constitute the reduction in cost.* The saving in each of these items of cost must be figured separately in computing the amount of the reduction in cost. These savings shall be determined (*a*) by the reduction in yardage at the current cost of the material used in the simplified garment, (*b*) by the current cost of trimmings eliminated, (*c*) by the cost at current rates of the direct and indirect labor operations which have been eliminated or decreased, and (*d*) by the current cost of the boxing and other supplies reduced or eliminated. The measure of each saving shall be based on a comparison with the yardage taken, trimmings used, labor employed and boxing and other supplies used for the comparable unsimplified garment put into process by the manufacturer prior to November 25, 1942. These savings may be reasonably estimated by a manufacturer and this estimate may be used to establish his cost reduction for all simplified garments delivered prior to April 15, 1943. For all simplified garments delivered on or after April 15, 1943, the savings shall be computed on the basis of his cost records and his experience in producing simplified garments. The amount determined from this computation shall replace the previously estimated amount and shall thereafter constitute his reduction in cost.

2. Section 1389.505 (a) (1) is amended to read as follows:

(1) *Labeling or marking.* On and after March 1, 1943, a manufacturer must not deliver any simplified garment unless it has a label attached or other mark placed thereon which shall clearly bear the symbol "–R–". However, if the garment had been put into process before that date, the symbol "–R–" may be placed upon the box. No person shall remove any such label or mark from the garment before it is delivered to the ultimate consumer.

3. Section 1389.505 (b) is amended by inserting a period after the phrase "a statement in the following form containing the seller's maximum price for the garment delivered" and adding the sentence "However, if the delivery is made before March 20, 1943, the statement may be forwarded at any time before that date."

4. Section 1389.505 (b) is further amended by inserting a period after the sentence "Under each of the following headings, list the items sold" and adding the sentence "However, the information to be supplied under these headings may be given, instead, on the invoice or any other document which is sent at the same time as this notice."

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3436; Filed, March 4, 1943; 4:38 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7445, 8945; 8 F.R. 121.

[2] 8 F.R. 2350.

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[Amendment 1 to Petroleum Administrative Order 1, as Amended Feb. 1, 1943]

Section 1545.1 (Petroleum Administrative Order No. 1, as amended February 1, 1943), Schedule "A" (8 F.R. 1470) is hereby amended to read as follows:

SCHEDULE A

DISTRICT ONE—ZONE ONE

March (Remaining days) 1943

[Quotas expressed in barrels per day]

Supplier:	*Gasoline*
American Bitumuls Co.	------
American Mineral Spirits Co.	------
Atlantic Refining Co.	2,544
Cities Service Oil Co.	3,210
Crown Central Petroleum Corp.	36
Gulf Oil Corp.	4,841
Hartol Products Corp.	866
Jenney Manufacturing Co.	549
Jones & Co.	------
Maritime Petroleum Corp.	------
Pacific Oil Co.	------
Pan-American Petroleum and Transport Co.	3,990
Petroleum Heat & Power Co.	------
Quincy Oil Co.	271
Richfield Oil Corp.	2,169
Royal Petroleum Corp.	------
Shell Oil Co., Inc.	3,679
Sinclair Refining Co.	999
Socony-Vacuum Oil Co.	10,979
Standard Oil Co. of N. J.	5,046
State Fuel Co.	------
Sun Oil Co.	3,892
Texas Co.	4,613
Tide Water Associated Oil Co.	4,462
Valvoline Oil Co.	125
White Fuel Corp.	------
Wyatt, Inc.	------

SCHDULE A

DISTRICT ONE—ZONE TWO

March (Remaining days) 1943

[Quotas expressed in barrels per day]

Supplier:	*Gasoline*
Alleghany Refiners, Inc.	3
American Mineral Spirits Co.	------
Ashland Oil & Refining Co.	------
Asiatic Petroleum Co.	------
Atlantic Refining Co.	10,687
Bradford Penn Refining Corp.	7
Central Petroleum Co.	------
Cities Service Oil Co.	4,505
Continental Oil Co.	840
Crown Central Petroleum Co.	361
First National Oil Corp.	369
Frontier Fuel Oil Corp.	------
Gulf Oil Corp.	9,845
Hambleton Terminal Corp.	54
Hartol Products Corp.	1,111
Hess Brothers	------
Home Fuel Oil Co.	------
Maritime Petroleum Corp.	------
Pan-American Petroleum and Transport Co.	6,528
Patterson & Co., Inc.	------
Pennsylvania Refining Co.	------
Petrol Corp.	------
Petroleum Heat & Power Co., Inc.	------
Pure Oil Co.	775
Quaker State Oil Refining Co., Penn.	39
Richfield Oil Corp.	4,162
Royal Petroleum Corp.	521
Shell Oil Co., Inc.	5,143
Sinclair Refining Co.	3,664
Socony-Vacuum Co., Inc.	14,354
Sonneborn Sons, Inc.	2
Standard Oil Co. of N. J.	20,566
Sun Oil Co.	10,305
Texas Co.	13,231
Tide Water Associated Oil Co.	7,645
United Refining Co.	-- --
Valvoline Oil Co.	------

SCHEDULE A

SCHEDULE A

expressed or manifestly incompatible with the intent thereof;

requirements have been approved by the

December 5, 1942, and to assure an ade-

(i) Equipment in good order for the

SCHEDULE A

DISTRICT ONE—ZONE THREE

March (Remaining days) 1943

[Quotas expressed in barrels per day]

Supplier:	*Gasoline*
American Bitumuls Co	----
Arkansas Fuel Oil Co	475
Ashland Oil & Refining Co	176
Atlantic Refining Co	1,058
Cities Service Oil Co	311
Continental Oil Co	1,014
Elk Refining Co	4
Gulf Oil Corp	3,060
Pan-American Petroleum & Transport Co	5,274
Patterson & Co., Inc	----
Pennzoil Co	----
Petrol Corp	1,241
Petroleum Heat & Power Co., Inc	----
Pure Oil Co	928
Quaker State Oil Refining Corp. of Penn	----
Republic Oil Refining Co	354
Richfield Oil Corp	2,160
Royal Petroleum Corp	----
Shell Oil Co., Inc	1,498
Sinclair Refining Co	857
Standard Oil Co. of N. J	10,136
Sun Oil Co	1,056
Texas Co	3,882
Tide Water Associated Oil Co	464
Valvoline Oil Co	----
Viking Distributing Co	29

SCHEDULE A

DISTRICT ONE—ZONE FOUR

March (Remaining days) 1943

[Quotas expressed in barrels per day]

Supplier:	*Gasoline*
Arkansas Fuel Oil Co	809
Atlantic Refining Co	945
Continental Oil Co	317
Elk Refining Co	----
Gulf Oil Corp	4,212
Pan-American Petroleum & Transport Co	1,890
Pure Oil Co	2,135
Republic Oil Refining Co	775
Richfield Oil Corp	4
Riverside Terminal Co	281
Shell Oil Co	2,290
Sinclair Refining Co	1,897
Standard Oil Co. of N. J	8,530
Texas Co	3,704

SCHEDULE A

DISTRICT ONE—ZONE FIVE

March (Remaining days) 1943

[Quotas expressed in barrels per day]

Supplier:	*Gasoline*
Arkansas Fuel Oil Corp	504
Atlantic Refining Co	1,123
Belcher Oil Co	----
Continental Oil Co	54
Gulf Oil Corp	6,068
Orange State Fuel Oil Corp	1,422
Pan American Petroleum & Transport Co	2,334
Pure Oil Co	4,669
Republic Oil Refining Co	644
Shell Oil Co., Inc	1,934
Sinclair Refining Co	3,034
Socony-Vacuum Oil Co., Inc	----
Southeastern Oil Co	156
Standard Oil Co. of Ky	7,328
Standard Oil Co. of N. J	----
Sun Oil Co	1,055
Texas Co	4,330

SCHEDULE A

DISTRICT ONE—ZONE SIX

March (Remaining days) 1943

[Quotas expressed in barrels per day]

Supplier:	*Gasoline*
Allegany Refining Co	55
Ashland Oil & Refining Co	1,579
Atlantic Refining Co	5,484
Bradford Penn Refining Co	226
Canfield Oil Co	29
Carbide & Carbon Chemicals Corp	504
Cities Service Oil Co	1,014
Continental Oil Co	20
Continental Refining Co	166
Elk Refining Co	437
First National Oil Corp	----
Freedom Oil Co	359
Frontier Fuel Oil Corp	320
Gulf Oil Corp	6,200
Hambleton Terminal Corp	468
Kendall Refining Co	1,223
Pan American Petroleum and Transport Co	3,610
Pennsylvania Refining Co	306
Pennzoil Co	1,907
Pure Oil Co	650
Quaker State Oil Refining Corp. of Penn	1,629
Republic Oil Refining Co	260
Richfield Oil Corp	798
Shell Oil Co., Inc	269
Sinclair Refining Co	1,734
Socony-Vacuum Oil Co	5,038
Sonneborn Sons, Inc	122
Standard Oil Co. of N. J	8,010
Sun Oil Co	3,252
Texas Co	3,008
Tide Water Associated Oil Co	1,003
United Refining Co	735
Valvoline Oil Co	566
Waverly Oil Co	170
Wolf's Head Oil Refining Co., Inc	102
Viking Distributors	116

This amendment shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-3407; Filed, March 4, 1943; 1:46 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 26]

PART 1410—LIVESTOCK AND MEATS

PURCHASE AND SALE OF LIVESTOCK

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of meat and meat products to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1410.3 *Purchase and sale of livestock*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "livestock" means cattle, calves, hogs, sheep, and lambs.

(3) The term "dealer" means any person who buys livestock for the purpose of resale. A person who buys livestock for the purpose of dairy, wool or meat production, or for breeding, feeding or finishing, and who keeps such livestock not less than thirty (30) days shall not be considered a dealer.

(4) The term "agent" means any person who buys or sells livestock on a commission or agency basis, either as an employee or agent of the buyer or seller.

(5) The term "producer" means any person who owns any livestock, in whole or in part, and is engaged in dairy, wool or meat production, or in the business of breeding, feeding or finishing such livestock.

(6) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Permits.* No dealer or agent shall buy or sell livestock without first securing a permit from the Director or from such person or agency as he may designate. Such dealers or agents shall agree to keep the records prescribed in paragraph (c) hereof as a condition of obtaining a permit. Any dealer or agent who is registered at a posted stockyard under the provisions of the Packers and Stockyards Act, 1921,[1] shall not be required to obtain a permit to buy or sell at such stockyard.

(c) *Records.* (1) Every dealer, agent, and producer shall keep a record of each purchase and each sale of livestock. Such records shall include the date of each purchase or sale, the name and address of the buyer and seller, and the number, kind, weight, and price paid for the livestock. All such records shall be maintained for at least two years, or for such other periods of time as the Director may designate. Records kept by dealers or agents shall be in the form prescribed by the Director.

(2) Records of dealers or agents at posted stockyards, kept in compliance with the Packers and Stockyards Act, 1921,[1] and the regulations issued thereunder, shall, with respect to purchases or sales at such stockyards, be considered as meeting the requirements of (c) (1) hereof.

(3) Sales or purchases made by a dealer or producer through an agent shall be recorded as sales to or purchases from such agent.

(4) As of the effective date of this order, dealers shall prepare and keep on file an inventory of the livestock on hand, including the number, kind, and estimated weight. (These record-keeping

[1] 42 Stat. 159 (1921); 7 U.S.C. 1940 ed. 181

requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(d) *Reports.* Every person subject to this order shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(e) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his livestock and the premises used in his business, and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by the Director.

(f) *Applicability of order.* The provisions of this order shall apply only to purchases and sales of livestock within the continental limits of the 48 states and the District of Columbia.

(g) *Violations.* Any dealer or agent who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States, may be prohibited from receiving or making further deliveries of any livestock; and such further action may be taken against him as the Director deems appropriate, including the suspension or revocation of his permit, and including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington D. C. Ref: FD–26.

(j) *Effective date.* This order shall become effective at 12:00 o'clock midnight on March 31, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 5th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3504; Filed, March 5, 1943; 11:54 a. m.]

[Food Distribution Order 27]

PART 1410—LIVESTOCK AND MEATS

PERMIT REQUIRED FOR SLAUGHTER

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of beef, veal, pork, lamb, and mutton to meet war and essential civilian needs, *It is hereby ordered*, as follows:

§ 1410.4 *Sanitary and other restrictions on slaughter of livestock.*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "meat" means the carcasses of cattle, calves, sheep, lambs, and swine (hereinafter also called beef, veal, mutton, lamb, and pork, respectively) and any processed or unprocessed edible part, excluding, however, offal, oils, lards, rendering fats, raw leaf, casings, by-products not ordinarily used for human consumption, and skins of swine when prepared for use in leather, glue and gelatin.

(2) The term "deliver" means to transfer physical possession of meat to any other person. The transfer of meat by a slaughterer, who also qualifies as an authorized processor, to a unit or department of the slaughterer for use in the preparation, manufacture, or production of any product for delivery to a governmental agency under a contract to sell or deliver to that agency, or the use of meat for such a product, shall be deemed a delivery to the governmental agency.

(3) The term "livestock" means four types of meat animals, singly or collectively, namely: (i) Cattle, (ii) calves, (iii) hogs and pigs, and (iv) sheep and lambs.

(4) The term "local slaughterer" means any person who in 1941 slaughtered livestock with a total live weight in excess of 300,000 pounds and who is not registered with the Office of Price Administration as a slaughterer in accordance with Meat Restriction Order 1, as amended.[1]

(5) The term "butcher" means any person, other than a farm slaughterer, as defined herein, who slaughters livestock and who in 1941 did not slaughter livestock with a total live weight of more than 360,000 pounds.

(6) The term "farm slaughterer" means any person who is chiefly engaged in producing agricultural products as the resident operator of a farm, who slaughters livestock, and who in 1941 did not deliver meat from the slaughter of livestock with a live weight of more than 10,000 pounds.

(7) The term "minimum sanitary facilities" means a structure that is reasonably fly and rodent proof with ample light and ventilation, which has concrete or comparably sanitary floors with adequate drainage system, and is provided with clean water, and which, together with all equipment, is in a clean and orderly condition. Such structure must be a reasonable distance from stables, barnyard, hoglot, refuse heap, privy, or other source of fly breeding or contamination.

(8) The term "adequate facilities" means:

(i) Equipment in good order for the proper skinning and dressing of animals and rendering of fat or tallow, and

(ii) Storage and other equipment for retaining or preserving edible or inedible by-products to insure against spoilage.

(9) The term "slaughter" means to kill livestock for the purpose of obtaining meat. The person who owns the livestock, in whole or in part, at the time of slaughter shall be deemed to be the slaughterer.

(10) The term "governmental agency" means the Food Distribution Administration, United States Department of Agriculture (including, but not restricted to the Federal Surplus Commodities Corporation), the Army, Navy, Marine Corps, and Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans Administration, and any other agency which the Director finds is directly essential to the war effort and which is designated by him: *Provided, however*, That post exchanges, service men's clubs, ship service stores, sales commissaries, and similar organizations shall not be deemed part of the Army, Navy, Marine Corps, or Coast Guard of the United States.

(11) The term "authorized processor" means any person who processes meat and who is under contract to sell or deliver to a governmental agency products prepared, in whole or in part, from meat, or any meat processor who is authorized by the Director to purchase meat.

(12) The term "person" means any individual, partnership, corporation, association, other business entity, or any State or agency thereof.

(13) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(b) *Permits required by local slaughterer, butcher, or farm slaughterer.* (1) Notwithstanding the terms of any contract, agreement, or commitment, no local slaughterer or butcher shall slaughter any livestock, and no farm slaughterer shall slaughter any livestock for delivery of meat, unless he has a valid and effective permit, issued under this order, at the time of such slaughter, except that a farm slaughterer may deliver meat from livestock slaughtered for home consumption upon obtaining a permit subsequent ot such slaughter authorizing such delivery.

(2) Permits for slaughter or for delivery after slaughter as provided in paragraph (b) (1), shall not be issued until the applicant has filed an application on a form approved by the Director containing the information required by such form. Application forms shall be obtained from, and filed with, the agency designated by the Director in the city or county in which such slaughter is to take place.

(c) *Sanitary or other facilities required for permit to slaughter.* (1) No local slaughterer or butcher shall be eligible for a permit to slaughter unless the agency designated by the Director to is-

[1] 7 F.R. 7839; 8217; 8524; 9247; 9250; 9639; 10258; 10621; 10704; 8 F.R. 179; 375; 926; 1204; 1279; 2274; 2498.

sue permits deems that he has first provided at least minimum sanitary facilities for such slaughter. Compliance with sanitary requirements for Federal, State, county, or city inspection shall be considered as compliance with this requirement.

(2) No local slaughterer, butcher, or farm slaughterer shall deliver, or offer for delivery, any meat or products prepared in whole or in part from meat which is diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

(3) No local slaughterer or butcher shall be eligible for a permit to slaughter unless the agency designated by the Director to issue permits deems that he has first provided adequate facilities for the conservation and preservation of all edible and the principal inedible by-products.

(d) *Restrictions on slaughter of livestock.* (1) No local slaughterer shall slaughter in any one month, in addition to his deliveries to governmental agencies and authorized processors for delivery to governmental agencies, more livestock of each type than his quota of each type for the month.

(2) No butcher shall slaughter in any one month more livestock than his quota for the month, except that he may slaughter any livestock which he has raised or produced in whole or substantial part for consumption by himself or his household of any meat produced therefrom.

(3) No farm slaughterer shall slaughter in any calendar quarter more livestock for the delivery of meat produced therefrom than his quota for the quarter. If his quota is established on the basis of the calendar year, he shall not slaughter more livestock for delivery of meat produced therefrom than his quota for the year.

(e) *Quotas for the slaughter of livestock.* (1) The swine quota for each local slaughterer in any one month shall be a percentage of the total live weight of swine that he slaughtered in the corresponding month of 1941.

(2) The quota of cattle, calves, or sheep, including lambs, for each local slaughterer in any one month shall be a percentage of the quantity of meat produced by his slaughter of each type in the corresponding month of 1941.

(3) The quota for each butcher in any one month shall be his choice of (i) the number of each type of livestock which he slaughtered in the corresponding month of 1941, or (ii) the total live weight of livestock which he slaughtered in the corresponding month of 1941.

(4) The quota for any calendar quarter for any farm slaughterer who furnishes a record of his slaughter in 1941 shall be his choice of (i) the number of each type of livestock which he slaughtered in the corresponding quarter of 1941 and from which any meat was delivered, or (ii) the total live weight of livestock which he slaughtered in the corresponding quarter of 1941 and from which any meat was delivered. The local agency issuing the slaughter permit may authorize transfer of such slaughter quotas from one quarter to the immediately preceding quarter or next succeeding quarter.

(5) The quota for any calendar year for any farm slaughterer who does not furnish a record of his slaughter in 1941 shall be his choice of (i) 300 pounds of meat, or (ii) any part of the meat produced from three head of livestock, which may include not more than one head of cattle.

(6) Nothwithstanding any other provisions of this paragraph (e), the quotas for any local slaughterer, butcher, or farm slaughterer shall be reduced during as many successive quota periods immediately following March 31, 1943, as necessary to make the amounts of such reductions equal the amounts by which the Office of Price Administration determines that his deliveries during the period between October 1, 1942, and March 31, 1943, have exceeded the amounts permitted under Meat Restriction Order No. 1, as amended. Such amounts may be calculated on the same basis as the quotas are calculated.

(7) The percentages to be used in the determination of quotas for local slaughterers referred to in paragraphs (e) (1) and (e) (2) shall be 80 percent for the month of April 1943, and shall be such percentages for succeeding months as shall be established by the Director in accordance with the level of civilian meat allocations established from time to time by the Secretary.

(8) The Director is authorized to adjust the percentages or quotas for any class of slaughterers in any area where he determines that the total quantity of meat available is insufficient to fill ration requirements and that the quantity of livestock available for slaughter exceeds the quantity that may be slaughtered within the quotas of all classes of slaughterers.

(9) The Director may issue regulations authorizing regional agencies to adjust the quotas for any butcher or farm slaughterer, or authorizing State or county agencies, including State or County USDA War Boards, to adjust the quotas for any farm slaughterer, in the following cases:

(i) In any area in which the Director determines that adjustments for butchers or farm slaughterers are needed because the total quantity of meat available is insufficient to fill ration requirements and that the quantity of livestock available for slaughter exceeds the quantity that may be slaughtered within the quotas of all classes of slaughterers, or

(ii) In any instance in which the slaughter of any butcher or farm slaughterer in the corresponding period of 1941 was not normal for him.

(f) *Markings required on meat.* (1) Each accessible wholesale cut of meat whether in the entire carcass or detached therefrom, when delivered by a local slaughterer, butcher, or farm slaughterer, shall be marked in a plain and conspicuous manner one or more times with the letter "P" and the permit number assigned. After a permit has been obtained, any slaughterer under Federal, State, county, or city inspection who has been assigned an establishment number may use such number in lieu of his permit designation. Any farm slaughterer who delivers meat directly to an individual or household by whom the meat is to be consumed may comply with this requirement by attaching to such meat a tag bearing his permit number.

(2) In the case of veal carcasses delivered with the skin on, the mark shall be placed on the hind shanks and brisket.

(3) Such marking as prescribed in paragraphs (f) (1) and (f) (2) shall be done in letters at least ¼ inch in height and width. It shall be done with a pencil approved for Kosher marking or with a stamp or stencil and marking fluid conforming to the approved formula for violet branding fluid, which is as follows:

	Ounces
Water	3.5
Grain Alcohol—95%	2.5
Cane Sugar	1.0
Methyl Violet	0.1

The methyl violet is dissolved in the alcohol and a portion of the water; the sugar is dissolved in the remaining portion of the water and added to the methyl violet solution. Thorough stirring facilitates solution of the methyl violet.

(g) *Records and reports.* Every person subject to this order shall keep an accurate record by quota periods of the numbers, live weight, or meat production of livestock slaughtered, as specified in his quota, and shall maintain such other records and shall execute and file such reports upon such forms as the Director may request or direct, and within such time as he may prescribe. This record keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of meat and of the premises used in his business, and all his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(i) *Territorial scope.* The provisions of this order shall apply only to operations conducted within any of the 48 States or the District of Columbia.

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition, in writing (in triplicate), for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(k) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or who wilfully conceals a material fact concerning a matter within the scope of this order, may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including the suspension or the revocation of his permit, and including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(l) *Communications to Director.* All communications concerning this order shall, unless otherwise directed, be addressed to Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref.: FD–27.

(m) *Effective date.* This order shall become effective at 12:00 o'clock midnight on March 31, 1943.

Issued this 5th day of March 1943.

(E.O. 9280, 7 F.R. 10179)

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3505; Filed, March 5, 1943; 11:54 a. m.]

[Food Distribution Order 28]

PART 1410—LIVESTOCK AND MEATS

RESTRICTIONS ON DELIVERY OF MEAT

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of meat to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1410.2 *Meat required to be set aside, allocation and restrictions on sale and delivery of*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "meat" means the carcasses of cattle, calves, sheep, lambs, or swine (hereinafter referred to as beef, veal, mutton, lamb, and pork, respectively) slaughtered or processed in an establishment having Federal inspection pursuant to the Act of March 4, 1907, 34 Stat. 1260, as amended, 21 U. S. C. 1940 ed. 71, and as extended by Public Law 602, 77th Cong., 2nd Sess., Approved June 10, 1942, 56 Stat. 351, or any processed or unprocessed edible product or by-product, cut or trimming thereof, or any edible product produced in whole or in part from such animals regardless of how prepared or packaged excluding, however, oils, lard, rendering fats, raw leaf, by-products not ordinarily used for human consumption, and skins when prepared for use in leather, glue, or gelatin.

(2) The term "reserved meat" means all meat required to be set aside and reserved pursuant to the provisions of this order.

(3) The term "dressed carcass" means a carcass dressed in accordance with normal trade custom and in the following state:

(i) In the case of beef, with the kidney knob in;

(ii) In the case of veal, with the hide off;

(iii) In the case of pork, with the leaf fat and kidney out, the jowls on and the head off; and

(iv) In the case of lamb and mutton, with pluck out.

(4) The term "slaughterer" means any person who owns cattle, calves, sheep, lambs, or swine, in whole or in part, at the time they are slaughtered in an establishment having Federal inspection under the provisions of the Act of March 4, 1907, 34 Stat. 1260, as amended, 21 U.S.C. 1940 ed. 71, and as extended by Public Law 602, 77th Cong., 2d Sess., approved June 10, 1942, 56 Stat. 351.

(5) The term "conversion weight" means the dressed weight equivalent of the meat derived from the slaughter of cattle, calves, sheep, lambs, and swine determined as prescribed in paragraph (c) hereof.

(6) The term "authorized processor" means any person who processes meat and who is under contract to sell or deliver to a governmental agency products prepared, in whole or in part, from meat, or any meat processor who is authorized by the Director to purchase reserved meat.

(7) The term "person" means an individual, partnership, corporation, association, or other business entity.

(8) The term "governmental agency" means the Food Distribution Administration, United States Department of Agriculture (including but not restricted to the Federal Surplus Commodities Corporation), the Army, Navy, Marine Corps, and Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans Administration, and any other agency which the Director finds is directly essential to the war effort and which is designated by him: *Provided, however*, That post exchanges, service men's clubs, ship service stores, sales commissaries, and similar organizations shall not be deemed part of the Army, Navy, Marine Corps, or Coast Guard of the United States.

(9) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions.* (1) Each slaughterer shall set aside, reserve, and hold for delivery to governmental agencies or authorized processors such quantities, types, cuts, and grades of meat during such periods of time as may be determined and specified from time to time by the Director. All such meat so set aside, unless and until released, shall be subject to allocation by the Director among governmental agencies and authorized processors. Except as otherwise provided herein, all sales or deliveries of meat reserved pursuant to this order shall be made only in accordance with such allocations.

(2) Orders to set aside and reserve meat or orders allocating reserved meat pursuant to the provisions hereof may be made by the Director in the form of general orders or written notices to the individual slaughterers. In the absence of an allocation by the Director to or among specific governmental agencies or authorized processors, slaughterers may sell the reserved meat to any governmental agency or to any authorized processor: *Provided, however*, That no reserved meat shall be sold to any authorized processor unless such processor shall furnish a certificate in conformity with the provisions of paragraph (b) (3) hereof.

(3) Each authorized processor who purchases any reserved meat for use in fulfillment of a contract with a governmental agency shall, for each specific purchase, furnish to the slaughterer from whom he buys such reserved meat a certificate signed by an authorized official in substantially the form attached hereto as Exhibit A which shall constitute a certification to the Director that such authorized processor is familiar with the terms of this order (as originally issued or subsequently amended) and with all orders of the Director issued pursuant hereto (as they may be amended from time to time) and that the purchase of the reserved meat has been authorized by Food Distribution Order 28, or by the Director pursuant to such order and that he will use the reserved meat purchased from the slaughterer, or an amount of meat equivalent thereto, other than reserved meat, in the fulfillment of contracts with governmental agencies. No slaughterer shall, however, be entitled to rely on any such certificate if he knows or has reasonable cause to believe it to be false.

(4) The Director may, by general orders or by written notices to individual slaughterers, give instructions with respect to the selection and to the manner of processing, cutting, and packaging of reserved meat, or he may authorize any governmental agency to issue such instructions.

(5) Notwithstanding any of the provisions hereof, the Director may at any time, by general orders or written notices, release any or all of the reserved meat whether such meat is held by slaughterers or by authorized processors. Upon receipt of notice from the Director that reserved meat is released, the slaughterer or authorized processor may dispose of the meat so released without regard to any of the restrictions contained in this order.

(6) All reserved meat shall be stored in such a manner as to maintain the quality thereof.

(7) The provisions of any order or instruction issued by the Director pursuant to the provisions hereof shall be observed without regard to the rights of creditors, existing contracts, or payments made thereunder. No order or instruction shall, however, be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with any governmental agency, but any meat required to be delivered after the effective date of such order or instruction of the Director to any governmental agency pursuant to a preexisting contract may be used as a credit against the amount of meat required to be set aside and reserved pursuant to the provisions thereof.

(c) *Method of computing conversion weight.* (1) The conversion weight of the meat production of any slaughterer

derived from the slaughter of swine, for any period specified by the Director, shall be determined either by the method set forth in paragraph (c) (2), or by computing the average purchase weight of the total number of swine slaughtered (less condemnations) and multiplying the total live purchase weight of such swine by the appropriate conversion factor set forth below for the weight range within which the average falls:

Average live weight range:	Conversion factor
200 lbs. and under	0.55
201–240 lbs.	.57
241–300 lbs.	.59
301 lbs. and over	.61

(2) The conversion weight of the meat production of any slaughterer, for any period specified by the Director, shall be determined by multiplying the weight of all carcasses, or the cuts and trimmings thereof, derived from the slaughter of cattle, calves, sheep, lambs, and, at the option of the slaughterer, swine, by the appropriate conversion factor set forth in the table appearing in paragraph (c) (3).

(3) The conversion weight of meat required to be set aside pursuant to the provisions of this order shall be computed by multiplying the weight of the carcasses, cuts, trimmings, canned meats, and other products prepared, in whole or in part, from meat by the appropriate conversion factor set forth in the following table:

CONVERSION WEIGHT TABLE

Type of reserved meat	Description of product	Conversion factor (multiplier)	
		Not boned	Boned
Beef	Dressed carcasses and cuts, not boned, fresh (chilled) or frozen	1.00	
	Boned beef and trimmings, fresh (chilled) or frozen		1.41
	Cured other than dried—not boned		.95
	Cured other than dried—boned		1.34
	Dried (including smoked)		2.20
	Edible by-products fresh (chilled) or frozen		1.00
Veal	Dressed carcasses hide off, and cuts, not boned, fresh (chilled) or frozen		1.00
	Dressed carcasses hide on, fresh (chilled) or frozen		.90
	Boned, fresh (chilled) or frozen		1.41
	Edible by-products fresh (chilled) or frozen		1.00
Lamb and mutton	Dressed carcasses pluck out, and cuts, not boned, fresh (chilled) or frozen		1.00
	Dressed carcasses pluck in, fresh (chilled) or frozen		.90
	Boned, fresh (chilled) or frozen		1.41
	Telescoped carcass lambs (shanks off)		1.03
	Telescoped carcass sheep (shanks off, kidney out)		1.05
	Edible by-products fresh (chilled) or frozen		1.00
Pork	Dressed carcasses (with cutting fats on), fresh (chilled) or frozen		.83
	Cuts:	Not boned	Boned
	Fresh (chilled)	1.00	1.15
	Wiltshire sides, fresh or cured	1.00	
	Cured	1.00	1.10
	Smoked	1.10	1.20
	Cooked	1.20	1.45
	Pork loins	1.00	1.33
	Fatted, skinless hams and shoulders	1.00	1.33
	Fatted, skinless picnics	1.00	1.45
	Trimmings		
	Fresh (chilled) or frozen		1.00
	Edible by-products fresh (chilled) or frozen		1.00
Canned Meats Produced from Reserved Meats.	Chopped Ham	1.28	
	Luncheon Meat	1.35	
	Corned Pork	2.22	
	Bulk Pork Sausage	1.00	
	Tushonka	1.80	
	Issue Bacon	1.18	
	Sliced Bacon	1.25	
	Dehydrated Pork (10% maximum moisture content)	4.75	
	Dehydrated Beef (10% maximum moisture content)	5.00	
Other Products Prepared in whole or in part from Meat.	Net weight (determined on the basis of the manufacturing formulas) of cuts and trimmings of beef, veal, lamb and mutton	1.41	
	Net weight (determined on the basis of the manufacturing formulas) of pork	1.10	
	Net weight (determined on the basis of the manufacturing formulas) of edible animal by-products	1.00	

(4) The Director may at any time by general order modify or change the methods of computing conversion weights, or the conversion weight factors specified herein.

(d) *Records and reports.* Each slaughterer shall keep all certificates furnished under paragraph (b) (3) of this order and shall maintain and keep such other records as the Director may require for a period of two years or for such further periods as the Director may designate, and shall submit such information as the Director may from time to time request or direct and within such times as he may prescribe.

(e) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of meat and of the premises used in his business, and all his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(f) *Territorial scope.* The provisions of this order shall apply only to the operations of slaughterers conducted within any of the 48 States or the District of Columbia.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition the Director in writing (in triplicate) for relief, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action by the Director shall be final.

(h) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or who wilfully conceals a material fact concerning a matter within the scope of this order may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Food Distribution Administration, Livestock and Meats Branch, Meat Purchase Division, 5 South Wabash Avenue, Chicago, Illinois, Ref: FD–28.

(j) *Delegation of authority.* The Director is hereby designated and empowered to administer the provisions of this order.

(k) *Effective date.* This order shall become effective on the date of its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 5th day of March, 1943

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

EXHIBIT A—AUTHORIZED PROCESSOR'S CERTIFICATE

Certificate required by paragraph (b) (3) of Food Distribution Order 28, 7 CFR § 1410.2 (b) (3). One copy of this certificate is to be delivered to each slaughterer from whom the authorized processor purchases reserved meat and one copy is to be retained by the processor. A certificate shall be given for each specific purchase of reserved meat.

Date

Processor's Name

Processor's Address

Government agency and contract number or

Authorization permit number

In accordance with paragraph (b) (3) of Food Distribution Order 28 of the Secretary of Agriculture to assure an adequate supply and efficient distribution of meat to meet war and essential civilian needs, the undersigned hereby certifies, and this shall constitute a certification to the Director of Food Distribution, United States Department of Agriculture, that the undersigned processor is familiar with the terms of Food Distribution Order 28 (as originally issued or subsequently amended) and all orders of the Director of Food Distribution issued pursuant thereto (as they may be amended) and that the purchase of reserved meat from

Name of Slaughterer

Address of Slaughterer

has been authorized by Food Distribution Order 28, or by the Director, and that the authorized processor will use the reserved meat purchased or an amount of meat equivalent thereto, other than reserved meat, in fulfillment of contracts with governmental agencies.

Legal Name of Authorized Processor

By

Title of Person Executing Certificate

Section 35a of the United States Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any Department or agency of the United States as to any matter within its jurisdiction.

[F. R. Doc. 43-3506; Filed, March 5, 1943; 11:54 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 31]

PART 304—LABOR

DEFERMENT OF PERSONNEL ABOARD AMERICAN PANAMANIAN AND HONDURAN FLAG MERCHANT VESSELS

Registration and reports relating to deferment of licensed and unlicensed personnel aboard American, Panamanian and Honduran flag merchant vessels owned by or under bareboat or time charter to the War Shipping Administration.

Whereas, by virtue of Executive Order No. 9054 dated February 7, 1942, establishing the War Shipping Administration, as amended by Executive Order dated September 16, 1942, the Administrator of the War Shipping Administration was empowered to perform, among others, the functions of controlling the operation and use of all ocean vessels under the flag or control of the United States (except (1) combatant vessels of the Army, Navy, and Coast Guard; fleet auxiliaries of the Navy; and transports owned by the Army and Navy; and (2) vessels engaged in transportation under the control of the Director of the Office of Defense Transportation) and to issue such directives concerning shipping operations as he may deem necessary or appropriate; and

Whereas, the War Manpower Commission under the authority conferred upon it by Executive Order No. 9139 and Executive Order No. 9279 has directed the War Shipping Administration to maintain accurate and current records of all persons engaged and becoming engaged in active ocean-going service including coastal and offshore shipping, in order, among other things,

(1) To make accurate and current reports to local boards of the Selective Service System upon the activities of such persons, and

(2) To initiate and pursue appeals to appeal boards regarding such persons so as to insure the continuous deferment thereof, and

(3) To furnish the War Manpower Commission with such reports regarding such persons so that the number of such persons shall not exceed current requirements and are fully utilized in such service; and

Whereas, the fulfillment of the obligations imposed upon the War Shipping Administration by the aforesaid direction of the War Manpower Commission requires the registration of all licensed and unlicensed personnel employed aboard American, Panamanian and Honduran flag vessels owned by, or bareboat or time chartered to the War Shipping Administration, *Now, therefore, it is hereby ordered,* That:

§ 304.11 *Merchant seamen, registration for employment on American, Panamanian, or Honduran flag vessels.* On each occasion, after the effective date of this order, that licensed or unlicensed personnel terminate their employment aboard any American, Panamanian or Honduran flag vessel, owned by or under bareboat or time charter to the War Shipping Administration, and engaged in coastal, intercoastal, or offshore shipping, they shall, prior to or at the time of seeking employment aboard the same or any other such vessel at a continental port of the United States, report and register at one of the following places in such manner as the War Shipping Administration, through the Recruitment and Manning Organization, shall from time to time prescribe:

(a) If a member of a union which is a signatory to the Statements of Policy with the War Shipping Administration, at the hiring hall of such union,

(b) If a member of such a union which, however, does not maintain an adequate or a suitable hiring hall or other facilities for such registration at such port, then at the Regional or Port Office of the Recruitment and Manning Organization of the War Shipping Administration at such port,

(c) If not a member of such a union, then at the Regional or Port Office of the Recruitment and Manning Organization of the War Shipping Administration at such port.

The War Shipping Administration through the Recruitment and Manning Organization shall issue instructions as to the manner and place of reporting and registration by such licensed and unlicensed personnel in any cases not specifically covered by paragraphs (a), (b) and (c) hereof.

§ 304.12 *Personnel reports for Selective Service System and Naval Reserve by agents and general agents operating American, Panamanian and Honduran flag vessels.* Agents and general agents operating American, Panamanian and Honduran flag merchant vessels owned by or under bareboat or time charter to the War Shipping Administration shall cause to be maintained and transmitted records for the Selective Service System and with respect to the United States Naval Reserve of active licensed and unlicensed personnel employed aboard such vessels operated by such agents and general agents in accordance with instructions hereafter issued by the War Shipping Administration, through the Recruitment and Manning Organization and the Division of Operations.

§ 304.13 *Effective date.* This order shall become effective on March 15, 1943.

[SEAL] - E. S. LAND,
Administrator.

FEBRUARY 26, 1943.

[F. R. Doc. 43-3429; Filed, March 4, 1943; 3:14 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

POSTPONEMENT OF EFFECTIVE DATE

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 3d day of March, A. D. 1943.

Upon consideration of Rule 18 of Tariff Circular MF No. 3 and various petitions for postponement of the effective date of said rule, and good cause appearing therefor;

It is ordered, That the effective date of Rule 18 of Tariff Circular MF No. 3 (§ 187.42) be, and it is hereby, postponed from April 1, 1943, until April 1, 1944.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3489; Filed, March 5, 1943; 11:25 a. m.]

Chapter II—Office of Defense Transportation

[Exemption Order ODT 23-2A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART O—LIMITATION ON SPEED OF MOTOR VEHICLES

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

Pursuant to Executive Orders 8989 and 9156, Exemption Order ODT 23–2 is hereby superseded, and: *It is hereby ordered,* That:

§ 521.3601 *Exemption of motor vehicle furnishing expedited transportation service for armed forces and certain government agencies.* (a) Any motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Ship-

ping Administration, is hereby exempted from the provisions of General Order ODT 23 (7 F.R. 7694) during the period such vehicle is being so operated: *Provided*, (1) There is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located, and (2) there is prominently displayed on such motor vehicle during such operation, in accordance with directions of such military or naval forces, United States Maritime Commission, or War Shipping Administration, distinctive marking showing that such motor vehicle is being operated in expedited service pursuant to this exemption order (§ 521.3601).

(b) Nothing contained in this exemption order (§ 521.3601) shall be construed to allow or permit any motor vehicle to be driven or operated within the continental limits of the United States at a rate of speed which is in excess of the applicable speed limit duly prescribed by competent public authority.

(E.O. 8989, 9156; 6 F.R. 6725; 7 F.R. 3349; Gen. Order ODT 23, 7 F.R. 7694)

This exemption order (ODT 23–2A) shall become effective on March 5, 1943.

Issued at Washington, D. C., this 3rd day of March 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F R Doc 43-3445; Filed, March 5, 1943; 11:11 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-78]

TECUMSEH COAL CORP.

ORDER POSTPONING HEARING

In the matter of the petition of Tecumseh Coal Corporation for revision of the effective minimum prices for the coals of Mine Index No. 105, District No. 11, in Size Groups 17 to 25, inclusive, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

District Board No. 11 and The Enos Coal Mining Company, intervenors, having requested that the hearing in the above-entitled matter, heretofore scheduled to be held on March 9, 1943, be postponed, and having shown good cause therefor;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from March 9, 1943 until 10 o'clock in the forenoon of April 6, 1943, at the place heretofore designated.

It is further ordered, That Charles O. Fowler is designated to preside at such hearing vice Charles S. Mitchell.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3502; Filed, March 5, 1943; 11:49 a. m.]

[Docket No. B-355]

RED TOP COAL COMPANY, INC.

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore, by Order of the Director, dated February 4, 1943, scheduled for hearing at 10 o'clock in the forenoon of March 9, 1943 at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same hereby is, postponed from 10 o'clock in the forenoon of March 9, 1943 to 10 o'clock in the forenoon of March 15, 1943 at the place aforesaid and before the officer or officers previously designated to preside.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3503; Filed, March 5, 1943; 11:49 a. m.]

Bureau of Reclamation.

MEDFORD AND SAMS VALLEY PROJECTS, OREGON

FIRST FORM RECLAMATION WITHDRAWAL

JANUARY 27, 1943.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal as provided in Section 3, Act of June 17, 1902 (32 Stat. 388).

MEDFORD AND SAMS VALLEY PROJECTS

Willamette Meridian, Oregon

Township 34 South, Range 1 West:
Section 2—Lot 3, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$;
Section 10—$E\frac{1}{2}E\frac{1}{2}$;
Township 33 South, Range 1 East:
Section 14—$SW\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
Section 20—$SW\frac{1}{4}SE\frac{1}{4}$; $E\frac{1}{2}SE\frac{1}{4}$;
Section 24—$NW\frac{1}{4}SW\frac{1}{4}$;
Section 30—$E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$;
Section 32—$N\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$;
Township 34 South, Range 1 East:
Section 2—$S\frac{1}{2}SW\frac{1}{4}$;
Section 10—$W\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
Section 14—$NE\frac{1}{4}NE\frac{1}{4}$;
Township 33 South, Range 2 East:
Section 30—Lot 4.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: February 11, 1943.
FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

FEBRUARY 22, 1943

[F. R. Doc. 43-3427; Filed, March 4, 1943; 2:56 p. m.]

MEDFORD AND SAMS VALLEY PROJECTS, OREGON

FIRST FORM RECLAMATION WITHDRAWAL

JANUARY 27, 1943.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in Section 3 of the Act of June 17, 1902 (32 Stat. 388).

MEDFORD AND SAMS VALLEY PROJECTS

Willamette Meridian, Oregon

Township 33 South, Range 1 West:
Section 20—$W\frac{1}{2}NE\frac{1}{4}$;
Section 28—$SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}$;
Section 32—$N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$;
Section 34—$N\frac{1}{2}$, $N\frac{1}{2}SE\frac{1}{4}$.

Respectfully,

JOHN C. PAGE.
Commissioner.

I concur: February 11, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

FEBRUARY 20, 1943.

[F. R. Doc. 43-3428; Filed, March 4, 1943; 2:56 p. m.]

CIVIL AERONAUTICS BOARD.

[Order, Serial No. 2165]

PAN AMERICAN AIRWAYS, INC., AND PAN AMERICAN-GRACE AIRWAYS, INC.

USE OF CONTINUOUS WHITE LIGHT AS REAR POSITION EQUIPMENT

Order permitting Pan American Airways, Inc., and Pan American-Grace Airways, Inc., to use continuous white light as rear position equipment in scheduled operations.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 1st day of March, 1943.

Whereas Pan American Airways, Inc., and Pan American-Grace Airways, Inc., have requested the Board to permit them, for a period of six months, to use a continuous white rear position light instead of the flashing rear position light required by § 15.2015 of the Civil Air Regulations; it appearing that:

These companies cannot obtain and install on all of their aircraft used in scheduled operations the rear position lights required by § 15.2015 of the Civil Air Regulations until on or about August 31, 1943; it further appearing that:

Pan American Airways, Inc., conducts only very limited operations over the civil airways and that Pan American-Grace Airways, Inc., operates entirely outside the continental limits of the United States;

Now, therefore, it is ordered, That for the period commencing March 1, 1943, and terminating on August 31, 1943, Pan American Airways, Inc., and Pan American-Grace Airways, Inc., are not required to maintain the rear position lights required by § 15.2015 of the Civil Air Regulations if during such period they maintain the continuous white rear position light required by § 15.2014 of the Civil Air Regulations.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3483; Filed, March 5, 1943; 11:10 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4836]

AMOGEN COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of March, A. D. 1943.

In the matter of J. R. Hodges, individually and trading under the style and firm name of Amogen Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. section 41),

It is ordered, That Lewis C. Russell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, April 16, 1943, at ten o'clock in the forenoon of that day (central standard time) in Room 527, Post Office Building, San Antonio, Texas.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 43-3484; Filed, March 5, 1943; 11:19 a. m.]

[Docket No. 4886]

THE COLRAN INSTITUT

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of March, A. D. 1943.

In the matter of Delmar M. Randall, an individual, doing business as The Colran Institute and Mervyon E. Randall, an individual.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Lewis C. Russell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, April 9, 1943, at ten o'clock in the forenoon of that day (central standard time) in Hearing Room, County Court House, Sanderson, Texas.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 43-3485; Filed, March 5, 1943; 11:19 a. m.]

[Docket No. 4905]

FREEDOM CHEMICAL COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of March, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Lewis C. Russell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 22, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 532, Old Post Office Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 43-3486; Filed, March 5, 1943; 11:19 a. m.]

[Docket No. 4911]

C. F. LUSK COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of March, A. D., 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Lewis C. Russell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, March 25, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 532, Old Post Office Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By direction of the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 43-3487; Filed, March 5, 1943; 11:19 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 339]

GIACOMO AND DOMENI GUERRINI

Re: Certain real property in Oakland, California, owned by Giacomo Guerrini and Domeni Guerrini.

Vesting Order Number 339 of November 6, 1942 (7 F. R. 11032) is hereby amended as follows and not otherwise:

1. By deleting the words "his wife," immediately following the phrase "all right, title, interest and estate, both legal and equitable, of Giacomo Guerrini and Domeni Guerrini," in the property description.

2. By inserting in parentheses the name "Domenico" immediately following the name "Domeni" where it appears in the title of and property description contained in said vesting order.

All other provisions of such Vesting Order Number 339 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-3402; Filed, March 4, 1943; 12:40 p. m.]

[Amendment to Vesting Order 426]

M. HENSOLDT AND SONS, INC.

Whereas, pursuant to Vesting Order Number 426 of December 1, 1942, (8 F.R. 34) the undersigned vested, among other things, all of the capital stock of M. Hensoldt & Sons, Inc., a New York corporation, New York, New York, and certain claims against said corporation;

Whereas, the amount of stock of said corporation outstanding was stated in said order to be 300 shares but is in fact only 3 shares;

Whereas, the owner of the shares of stock and certain of the claims vested was described in said order as M. Hensoldt & Sons, Inc., Wetzlar, Germany; and

Whereas, the correct designation of the owner of such shares and claims is M. Hensoldt & Soehne, Optische Werke A. G. (Wetzlar, Germany);

Now, therefore, Vesting Order Number 426 of December 1, 1942, is hereby amended as follows and not otherwise:

1. By substituting the figure "3" for the figure "300" appearing in subparagraph (a) of said order.

2. By substituting "M. Hensoldt & Soehne, Optische Werke A. G. (Wetzlar, Germany), a German corporation" for "M. Hensoldt & Sons, Inc., a German corporation, Wetzlar, Germany" appearing in subparagraph (a) of said order.

3. By substituting "M. Hensoldt & Soehne, Optische Werke A. G. (Wetzlar, Germany)" for "M. Hensoldt & Sons, Inc., Wetzlar, Germany" wherever the latter appears in subparagraphs (b) and (c) of said order.

All other provisions of such Vesting Order Number 426 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3403; Filed, March 4, 1943; 12:39 p. m.]

[Amendment to Vesting Order 757]

ESTATE OF ALEXANDER G. ROVALDY

Whereas, pursuant to Vesting Order Number 757 of January 23, 1943 (8 F.R. 1250), the undersigned vested certain interests of enemy nationals in and to the Estate of Alexander G. Rovaldy, deceased; and

Whereas, the name of one of such nationals was designated in such order as Antonio Rovaldy; and,

Whereas, it has been determined that the correct name of said national is Antonia Rovaldy;

Now, therefore, Vesting Order Number 757 of January 23, 1943, is hereby amended as follows and not otherwise:

By substituting the name "Antonia Rovaldy" for the name Antonio Rovaldy" wherever the latter appears in such order.

All other provisions of such Vesting Order Number 757 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc. 43-3404; Filed, March 4, 1943; 12:39 p. m.]

[Vesting Order 822]

AGNES LINSENER AND KLARA JAHN

Re: Certain real property in New York, together with a bank account, owned by Agnes Linsener and Klara Jahn.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Agnes Linsener and Klara Jahn are citizens of and reside in Germany and are nationals of a designated enemy country (Germany);

2. Finding that Agnes Linsener and Klara Jahn are the owners of an undivided one-half interest in the real property, and of the personal property, described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Agnes Linsener and Klara Jahn, and each of them, in and to that certain real property situated at 142 East 34th Street, Borough of Manhattan, City, County and State of New York, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Agnes Linsener and Klara Jahn, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of said Agnes Linsener and Klara Jahn, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or to either of them, by Bankers Trust Company, New York, New York, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in said Bankers Trust Company in the name of Peaslee, Brigham and Albrecht, Special Atty's Account, held for Agnes Linsener and Klara Jahn,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance and safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control to the extent deemed necessary or advisable from time to time by the undersigned of the real property described in said Exhibit A.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Re: Certain interests of Agnes Linsener and Klara Jahn in the real property situated at 142 East 34th Street, New York, New York, and in the bank account in the Bankers Trust Company, New York, New York, in the name of Peaslee, Brigham and Albrecht, Special Atty's Account.

All that certain lot, piece or parcel of land situate, lying and being in the City of New York, bounded and described as follows:

Beginning at a point on the southerly side of Thirty-fourth Street distant one hundred and fifteen (115) feet easterly from the corner formed by the intersection of the southerly side of Thirty-fourth Street with the easterly side of Lexington Avenue; running thence southerly parallel with Lexington Avenue one hundred and twenty-nine feet six inches; thence easterly, parallel with Thirty-fourth Street fourteen feet; thence southerly parallel with Lexington Avenue to the boundary lines between lands now or lately belonging to Annie M. Ihlseng and W. T. Black; thence southeasterly to a point distant sixty feet eight inches northerly from the northerly side of Thirty-third Street on a line at right angles with said street and distant one hundred and forty-eight feet easterly from the easterly side of Lexington Avenue on a line at right angles with said avenue; thence northerly parallel with Lexington Avenue thirty-eight feet one inch to the centre line of the block between Thirty-third and Thirty-fourth Streets; thence westerly along the said centre line, thirteen feet; thence northerly parallel with Lexington Avenue ninety-eight feet nine inches to the southerly side of Thirty-fourth Street; thence westerly along the southerly side of Thirty-fourth Street twenty feet to the point or place of beginning; the easterly and westerly walls of the dwelling house standing upon said premises being party walls.

Being the same premises conveyed to Carl Damschinsky by George H. Barnes, by deed dated December 19, 1893, and recorded in the office of the Register of the City and County of New York on the 19th day of December, 1893, in Block Series (Conveyances), Section 3, Liber 25, Page 396, and indexed under Block number 889 on the Land Map of the City of New York, and being the same premises devised and bequeathed by the Last Will and Testament of the said Carl Damschinsky, who died on or about March 13, 1928, and whose said Last Will and Testament was duly admitted to probate (P1138-1928) by the Surrogate's Court of the State of New York, County of New York, on the 18th day of June, 1928, and which was filed and recorded in the office of the Clerk of said Court, in Liber 1389 of Wills, at page 481 et seq.

[F R Doc. 43-3405; Filed, March 4, 1943; 12:39 p. m.]

[Vesting Order 823]

JUSHIRO KIUCHI

Re: Real property located in the City of Yonkers, County of Westchester and State of New York, owned by Jushiro Kiuchi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Jushiro Kiuchi is a citizen of and resides in Japan and is a national of a designated enemy country (Japan);

2. Finding that Jushiro Kiuchi is the owner of the real property referred to in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Jushiro Kiuchi and of such of his heirs, devisees, successors or assigns who are nationals of designated enemy countries, and of any other nationals of any and all designated enemy countries, in and to the real property located in the City of Yonkers, County of Westchester, State of New York, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national or nationals of a designated enemy country (Japan) or countries;

4. Determining that to the extent that such nationals, or any of them, are persons not within a designated enemy country, the national interest of the United States requires that such persons, and each of them, be treated as nationals of the aforesaid designated enemy country (Japan) or countries;

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Re: Real property located in the City of Yonkers, County of Westchester and State of New York, owned by Jushiro Kiuchi.

All those certain lots, pieces or parcels of land situated, lying and being in the City of Yonkers, County of Westchester, State of New York, known and designated as lots numbers Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), of Plot number Thirty (30), on a certain map entitled "Map of Colonial Heights, Section A," made by George H. Rogers, Civil Engineer and Surveyor, Tuckahoe, New York, which map was filed in the Office of the Register of the County of Weschester on the 6th day of July, 1907, as map number 1736.

Subject to covenants and restrictions of record.

Subject to agreements with Yonkers Electric Light and Power Co., and the New York Telephone Co., as set out in Liber 1837, CP 471, and in Liber 1949, CP 334.

[F. R. Doc. 43-3406; Filed, March 4, 1943; 12:40 p. m.]

[Vesting Order 810]

PATENT APPLICATION OF I. G. FARBENINDUSTRIE, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie, A. G., a German corporation, is a national of a foreign country (Germany);

2. Finding that I. G. Farbenindustrie, A. G. is the owner of the property described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

United States patent application, Serial Number 251,044, filing date, January 14, 1939, inventor, W. Starck et al, title, Aqueous Emulsions and a Process of Preparing Them,

is property in which a national of a foreign country (Germany) has an interest;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3446; Filed, March 5, 1943; 11:01 a. m.]

[Vesting Order 811]

TRADE-MARK "GEISHA" AND REGISTRATION THEREOF OWNED BY NOZAKI BROS. & CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Nozaki Bros. & Co., hereinafter referred to as Nozaki, is a corporation of Japan doing business at Yokohama, Japan, and is a national of a foreign country (Japan);

2. Finding that Nozaki Bros. & Co., Ltd., is the owner of the property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

The trade-mark registered in the United States Patent Office on October 3, 1933 under the number 306 862 (the title to which stands of record in the name of Nozaki Bros. & Co. Ltd., of Yokohama, Japan) and the registration thereof, together with the good will of the business in the United States and all its possessions to which the trade-mark is appurtenant and any and all indicia of such good will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment) and any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good will and trade-mark and registration thereof, including without limitation all accrued royalties payable or held with respect to said trade-mark and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

is property in which a national of a foreign country (Japan) has an interest;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3447; Filed, March 5, 1943; 11:01 a. m.]

[Vesting Order 815]

CONTRACT RIGHTS OF JENS EINAR VANG GRANO

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Jens Einar Vang Grano, whose last known address is Horsholm, Fredericksborg, Denmark, is a national of a foreign country (Denmark);

2. Finding that said Jens Einar Vang Grano has an interest in the agreement referred to in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

The interest of Jens Einar Vang Grano, his heirs, executors, administrators and assigns, in, to and under an agreement between him and Corning Glass Works, a New York corporation, executed in May 1935 and relating to United States Patent Application Serial No. 5,477 which has matured into United States Letters Patent No. 2,088,262, including all accrued royalties and other monies payable or held with respect to said interest and all damages for breach of the agreement, together with the right to sue therefor,

is property payable or held with respect to patents or rights related thereto in which an interest is held by, and such property is itself an interest held therein by, a national of a foreign country (Denmark);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3448; Filed, March 5, 1943; 11:02 a. m.]

[Vesting Order 970]

TRUST UNDER WILL OF ADOLPH G. ASBRAND

In re: Trust under the will of Adolph G. Asbrand, deceased; File D–28–4678: E. T. sec. 1308.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Asbury Park National Bank & Trust Company, substituted trustee, acting under the judicial supervision of the Monmouth County Orphans' Court, Freehold, Monmouth County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Jacob Asbrand	Germany
Wilhelm Asbrand	Germany
Anna Heerdt (nee Trapp)	Germany
Bertha Ruppel (nee Trapp)	Germany
Friedrich Trapp	Germany
Carl Trapp	Germany
Jacob Trapp	Germany
Friedricka Trapp	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Jacob Asbrand, Wilhelm Asbrand, Anna Heerdt (nee Trapp), Bertha Ruppel (nee Trapp), Friedrich Trapp, Carl Trapp, Jacob Trapp and Friedricka Trapp, and each of them, in and to the Trust Estate created under the Last Will and Testament of Adolph G. Asbrand, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3449; Filed, March 5, 1943; 10:54 a. m.]

[Vesting Order 971]

ESTATE OF BERTHA BAER

In re: Estate of Bertha Baer, deceased; File D–9–100–28–1792; E. T. sec. 1127.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Louis Baer and Victor Gaertner, as executors of the estate of Bertha Baer deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Hedwig Baer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hedwig Baer in and to the Estate of Bertha Baer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3450; Filed, March 5, 1943; 10:54 a. m.]

[Vesting Order 972]

ESTATE OF CHARLES H. BARNER

In re: Estate of Charles H. Barner, deceased; File D–28–2082; E. T. sec. 2419.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor and Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Shasta;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Louise Fiefstuck	Germany.
Dora Brocker	Germany.
Maria Hagelmann	Germany.
Frieda Barner Hellman	Germany.
Anna Barner Hilsberg	Germany.
Emma Barner Schroder	Germany.
Heitschen Barner	Germany.
August Griepenstrah	Germany.
Wilhem Griepenstrah	Germany.
Herman Griepenstrah	Germany.
Karl Griepenstrah	Germany.
Nationals—Continued	*Last known address*
Frieda Griepenstrah	Germany.
Person or persons, names unknown, entitled to receive the estate of Auguste Vaje, who died a resident of Germany	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Louise Fiefstuck, Dora Brocker, Maria Hagelmann, Frieda Barner Hellman, Anna Barner Hilsberg, Emma Barner Schroder, Heitschen Barner, August Griepenstrah, Wilhem Griepenstrah, Herman Griepenstrah, Karl Griepenstrah, Frieda Griepenstrah, and Person or persons, names unknown, entitled to receive the estate of Auguste Vaje, who died a resident of Germany and each of them in and to the Estate of Charles H. Barner, deceased, and in and to the Trust Estate created under the Will of Charles H. Barner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof, shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3451; Filed, March 5, 1943; 10:54 a. m.]

[Vesting Order 973]

GUARDIANSHIP ESTATE OF CHRISTINA BURSHITZ

In re: Guardianship Estate of Christina Burshitz, minor; file D–28–1973; E. T. sec. 1980.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Clerk of Orphans' Court, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address:*
Christina Burshitz	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christina Burshitz in and to the Guardianship Estate of Christina Burshitz, minor,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3452; Filed, March 5, 1943; 10:54 a. m.]

[Vesting Order 974]

ESTATE OF CARLO CASERTA

In re: Estate of Carlo Caserta, deceased: File D–38–320; E. T. sec. 420.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ralph B. McCord, Register of Wills and Clerk of the Orphans' Court of Erie County, Pennsylvania, acting under the judicial supervision of the Orphans' Court of Erie County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Angela Gaglione Caserta	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Angela Gaglione Caserta in and to the Estate of Carlo Caserta, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3453; Filed, March 5, 1943; 10:54 a. m.]

[Vesting Order 975]

ESTATE OF CORNELIA S. CRANE

In re: Estate of Cornelia S. Crane, deceased; File No. D–38–418; E. T. sec. 1762.

Under the authority of the Trading with the Enemy act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Hanover Bank and Trust Company, Lawrason Riggs and John O. Crane, Executors, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address:*
Teresa Crane	Rome, Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Teresa Crane in and to the Estate of Cornelia S. Crane, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3454; Filed, March 5, 1943; 10:54 a. m.]

[Vesting Order 976]

ESTATE OF LORENZO DOMINICI

In re: Estate of Lorenzo Dominici, deceased; file D–38–372: E. T. sec. 977.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Commissioner of Finance of Westchester County, White Plains, New York, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Alessandro Dominici	Italy.
Amata Dominici	Italy.
John Dominici, the name "John" being fictitious, the true name being unknown	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alessandro Dominici, Amata Dominici and John Dominici, the name "John" being fictitious, the true name being unknown, and each of them, in and to the Estate of Lorenzo Dominici, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3455; Filed, March 5, 1943; 10:55 a. m.]

[Vesting Order 977]

ESTATE OF LENA FRISCHKE

In re: Estate of Lena Frischke, deceased; File D–28–1957; E. T. sec. 2015.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl Frischke, Executor of the estate of Lena Frischke, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York, and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Willie Frischke	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Willie Frischke, in and to the Estate of Lena Frischke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3456; Filed, March 5, 1943; 10:55 a. m.]

[Vesting Order 978]

ESTATE OF HELENE GAYER

In re: Guardianship Estate of Helene Gayer, a minor; File No. F–28–14574; E. T. sec. 1262.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, as substituted Guardian of the Estate of Helene Gayer, a minor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National	*Last known address*
Helene Gayer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helene Gayer, in and to her estate under guardianship of Land Title Bank and Trust Company, guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3457; Filed, March 5, 1943; 10:55 a. m.]

[Vesting Order 979]

ESTATE OF LUCY HARTFORD

In re: Estate of Lucy Hartford, deceased; File D–9–100–38–1007; E. T. sec. 2178.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by a national, of a designated enemy country, Italy, namely, Instituti Riuniti Di S. Girolamo Della Carita (named in the will as Refugio Majetti), whose last known address is Italy;

And determining that—

(3) If such national is a corporation not within a designated enemy country, the national interest of the United States requires that such corporation be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Instituti Riuniti Di S. Girolamo Della Carita (named in the will as Refugio Majetti) in and to the Estate of Lucy Hartford, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3458; Filed, March 5, 1943; 10:55 a. m.]

[Vesting Order 980]

TRUST UNDER WILL OF EMMA E. HICKS

In re: Trust under will of Emma Endicott Hicks, deceased; File D–28–2018; E.T. sec. 2091.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Boston Safe Deposit and Trust Company, of Boston, Massachusetts, Trustee, acting under the judicial supervision of the Probate Court, Norfolk County, Massachusetts; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Anna Sillem	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Sillem in and to a trust created under the will of Emma Endicott Hicks, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3459; Filed, March 5, 1943; 10:55 a. m.]

[Vesting Order 981]

ESTATE OF SALVATORE JANNOTTI

In re: Estate of Salvatore Jannotti, also known as Salvatore Jannotta, also known as Salvatore Ianotta; File D–9–100–38–380; E. T. sec. 986.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Stefano Ciaramelli, Administrator, acting under the judicial supervision of the Surrogate's Court, County of Kings, New York.

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Antonio Jannotta	Italy.
Maria Giovanna Grosso, formerly Maria Giovanna Ciaramelli	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Antonio Jannotta and Maria Giovanna Grosso, formerly Maria Giovanna Ciaramelli and each of them, in and to the Estate of Salvatore Jannotti, also known as Salvatore Jannotta, also known as Salvatore Ianotta, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3460; Filed, March 5, 1943; 10:56 a. m.]

[Vesting Order 982]

ESTATE OF FRED KENT

In re: Estate of Fred Kent, deceased; File F–66–19; E. T. sec. 410.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Wachovia Bank and Trust Company, Surviving Trustee, acting under the judicial supervision of the Superior Court of Buncombe County, North Carolina;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last-known address*
Carolyn Kent di Robliant	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carolyn Kent di Robliant in and to the trust estate created under the will of Fred Kent, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3461; Filed, March 5, 1943; 10:56 a. m.]

[Vesting Order 983]

ESTATE OF KATHERINA KIRZ

In re: Estate of Katherina Kirz, deceased, also known as Catharine Kirz and Katherine Kirz; File D–28–1963; E. T. sec. 2017.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Germantown Trust Company, Executor, acting under the judicial supervision of the Orphan's Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Elise Weber	Germany.
Katherine Rott	Germany.
Marie Haubert	Germany.
Barbara Gier	Germany.
Philipp Mueller	Germany.
Josef Mueller	Germany.
Agnes Steffens	Germany.
Peter Steffens	Germany.
Hermann Flammersfeld	Germany.
Katharina Flammersfeld Port	Germany.
Elisa Zimmermann	Germany.
Nikolaus Kirz	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elise Weber, Katherine Rott, Marie Haubert, Barbara Gier, Philipp Mueller, Josef Mueller, Agnes Steffens, Peter Steffens, Hermann Flammersfeld, Katharina Flammersfeld Port, Elisa Zimmermann and Nikolaus Kirz, and each of them, in and to the Estate of Katherina Kirz, deceased, also known as Catharine Kirz and Katherine Kirz,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3462; Filed, March 5, 1943; 10:56 a. m.]

[Vesting Order 984]

ESTATE OF KARL LEIBINGER

In re: Estate of Karl Leibinger, deceased; File D–28–1985 E. T. Sec. 2062.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louise Bohner, Administratrix, d. b. n. c. t. a. acting under the judicial supervision of the Orphans Court of Blair County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known Address*
Theresa Dettle	Germany.
Karl Raichle	Germany.
Frederika Beck	Germany.
Louisa Krieg	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Theresa Dettle, Karl Raichle, Frederika Beck and Louisa Krieg and each of them, in and to the estate of Karl Leibinger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be

held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3463; Filed, March 5, 1943; 10:56 a. m.]

[Vesting Order 985]

ESTATE OF CHRISTINE LINDEMAN

In re: Estate of Christine Lindeman, deceased; File No. D–28–1847; E. T. sec. 1681.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Heinrich Lindemann	Germany.
Eduard Lindeman	Germany.
Johann Patz	Germany.
Heinrich Patz	Germany.
Minna Patz	Germany.
Dora Behrens	Germany.
Wilhelm Lutgens	Germany.
Heinrich Gathmann	Germany.
Olga Lutgens Braeutigam	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claims of any kind or character whatsoever of Heinrich Lindemann, Eduard Lindeman, Johann Patz, Heinrich Patz, Minna Patz, Dora Behrens, Wilhelm Lutgens, Heinrich Gathmann and Olga Lutgens Braeutigam, and each of them, in and to the Estate of Christine Lindeman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc. 43-3464; Filed, March 5, 1943; 10:56 a. m.]

[Vesting Order 986]

WASHINGTON A. LITTLE

In re: Trust under the Will of Washington A. Little, deceased—File D–28–2416; E. T. sec. 3329.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by York County National Bank, Trustee, acting under the judicial supervision of the Orphans' Court of York County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Rebecca W. Singer	Germany.
The child or children, names unknown, of Rebecca W. Singer, resident of.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rebecca W. Singer, and the child or children, names unknown, of Rebecca W. Singer, resident of Germany and each of them in and to the trust estate created under the Will of Washington A. Little, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3465; Filed, March 5, 1943; 10:56 a. m.]

[Vesting Order 987]

JULIA MILEWSKI

In re: Estate of Julia Milewski, deceased—File F–9–100–55–81; E. T. sec. 148.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Louis Stephen Milewski, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Louis Stephen Milewski in and to the Estate of Julia Milewski, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3466; Filed, March 5, 1943; 10:57 a. m.]

[Vesting Order 988]

FRANK MORDINO

In re: Estate of Frank Mordino, deceased—File D–38–1004; E. T. sec. 2045.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M Huston, Register of Wills and Clerk of Orphans' Court, City-County Building, Pittsburgh, Pennsylvania, Depositary, acting under the judicial supervision of Orphans' Court of Allegheny County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Elvira Mordino, whose last known address is Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elvira Mordino in and to the estate of Frank Mordino, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3467; Filed, March 5, 1943; 10:57 a. m.]

[Vesting Order 989]

FREDERICKA OEHLSCHLAEGER

In re: Estate of Fredericka Oehlschlaeger, deceased—File D–28–1714; E. T. sec. 682.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Citizens Savings Bank at Paducah, Executor and Trustee, acting under the judicial supervision of the County Court of McCracken County, Kentucky;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
John Bohnenberger	Germany.
Rosina Schibly	Germany.
Jake Bohnenberger	Germany.
Marie Reichstatter Burkhart	Germany.
Fredericka Bott	Germany.
Barbara Hartman (Harman)	Germany.
Fritz Bohnenberger	Germany.
Adolph Kohlstetter	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of John Bohnenberger, Rosina Schibly, Jake Bohnenberger, Marie Reichstatter Burkhart, Fredericka Bott, Barbara Hartman (Harman), Fritz Bohnenberger and Adolph Kohlstetter and each of them in and to the trust created under the Will of Fredericka Oehlschlaeger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3468; Filed, March 5, 1943; 10:57 a. m.]

[Vesting Order 990]

PAUL PETROVSKY

In re: Estate of Paul Petrovsky, deceased—File D–9–100–34–88; E. T. sec. 1823.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sidonia Kozulek, executrix of the estate of Paul Petrovsky, deceased, acting under the judicial supervision of the Surrogate's Court, Richmond County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Nicholaus Petrovsky	Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Nicholaus Petrovsky in and to the Estate of Paul Petrovsky, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy county" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3469; Filed, March 5, 1943; 10:57 a. m.]

[Vesting Order 991]

FOSCA PILASTRI

In re: Estate of Fosca Pilastri, deceased—File F-38-384; E. T. sec. 1706.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Foschina Pilastri	Italy.
Adelina Pilastri (Infant)	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act of otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Foschina Pilastri and Adelina Pilastri (Infant), and each of them, in and to the Estate of Fosca Pilastri, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3470; Filed, March 5, 1943; 10:57 a. m.]

[Vesting Order 992]

AUGUST A. SCHAIBLY

In re: Estate of August A. Schaibly, deceased—File D-28-6565; E. T. sec. 2364.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben F. Englander, Administrator C. T. A., D. B. N., acting under the judicial supervision of the County Court of the City and County of Denver, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Bertha Muhlberger	Germany.
Frida Gatter	Germany.
Friderike Haus	Germany.
Friderich Gatter, Jr.	Germany.
Emilie Rau	Germany.
Klara Schweitzer	Germany.
Karl Schaible, Sr.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Bertha Muhlberger, Frida Gatter, Friderike Haus, Friderich Gatter, Jr., Emilie Rau, Klara Schweitzer and Karl Schaible, Sr., and each of them in and to the Estate of August A. Schaibly, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3471; Filed March 5, 1943; 10:58 a. m.]

[Vesting Order 993]

ESTATE OF ANNIE GARDNER TAYLOR

In re: Estate of Annie Gardner Taylor, deceased; File D-28-2394; E. T. sec. 3218.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Annie Taylor Burum, Executrix, acting under the judicial supervision of the District Court of the United States for the District of Columbia.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Emily von Muller	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emily von Muller in and to the estate of Annie Gardner Taylor, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3472; Filed, March 5, 1943; 10:58 a. m.]

[Vesting order 994]

ESTATE OF THOMAS DELLA TORRE

In re: Estate of Thomas della Torre, deceased; File D-38-1168; E. T. sec. 3261.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The South Carolina National Bank of Charleston and A. Burnet Rhett, Executors, acting under the judicial supervision of the Probate Court for Charleston County, Charleston, South Carolina;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany and Italy, namely,

Nationals:	*Last known address*
Ariprand Thurn	Germany.
Prince Raymond della Torre and Tasso	Italy.

And determining that—

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ariprand Thurn and Prince Raymond della Torre and Tasso, and each of them, in and to the Estate of Thomas della Torre, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3473; Filed, March 5, 1943; 10:58 a. m.]

[Vesting Order 995]

TRUST UNDER WILL OF FREDERICK WELLINGHAUS

In re: Trust u/w Frederick Wellinghaus, deceased; File D-28-1997; E. T. sec. 2101.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity Union Trust Company, 755 Broad Street, Newark, New Jersey, Trustee of the Trust u/w Frederick Wellinghaus, deceased, acting under the judicial supervision of Essex County Orphans Court, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Heinrich Wellinghaus	Germany.
Ludwig Wellinghaus	Germany.
Charlotte Broermann	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Wellinghaus, Ludwig Wellinghaus and Charlotte Broermann and each of them, in and to the trust created under the Will of Frederick Willinghaus, deceased,

to be held, used, administered, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3474; Filed, March 5, 1943; 10:58 a. m.]

[Vesting Order 996]

ESTATE OF JULIUS FEIBELMANN

In re: Estate of Julius Feibelmann, deceased; File D–66–105; E. T. sec. 1934.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter B. Solinger, 113 West 57th Street, New York, New York, and Richard Loeb, 33 West 55th Street, New York, New York, Executors, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Otto Feibelmann	Germany.
Frida Kahn	Germany.
Irma Kahn	Germany.
Otto Kahn	Germany.
Sofie May	Germany.
Ida Wehnert	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Otto Feibelmann, Frida Kahn, Irma Kahn, Otto Kahn, Sofie May and Ida Wehnert, and each of them, in and to the estate of Julius Feibelmann, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property-Custodian.

[F. R. Doc. 43-3475; Filed, March 5, 1943; 11:01 a. m.]

[Vesting Order 997]

ESTATE OF ULISSE FRISSORA

In re: Estate of Ulisse Frissora, deceased, in Chancery Proceedings entitled: McDowell County National Bank in Welch and Joe D. Bary, Administrators of the Estate of Ulisse Frissora, deceased, Plaintiffs, vs: Marianna Frissora, Giovannina Frissora and the other heirs-at-law of Ulisse Frissora, deceased, and the distributees of his estate, whose names are unknown, Defendants; File D–38–344; E. T. sec. 416.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by McDowell County National Bank and Joe D. Bary, Administrators, and Quinto Bary, Receiver, acting under the judicial supervision of the Circuit Court of McDowell County, West Virginia, in Chancery proceedings entitled; McDowell County National Bank in Welch and Joe D. Bary, Administrators of the Estate of Ulisse Frissora, deceased, Plaintiffs, vs: Marianna Frissora, Giovannina Frissora and other heirs-at-law of Ulisse Frissora, deceased, and the distributees of his estate, whose names are unknown, Defendants,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Marianna Frissora	Italy.
Giovannina Frissora	Italy.
Ginevera Frissora	Italy.
Other heirs-at-law and distributees, names unknown, of Ulisse Frissora, deceased	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character of Marianna Frissora, Giovannina Frissora, Ginevera Frissora and Other heirs-at-law and distributees, names unknown, of Ulisse Frissora, deceased and each of them in and to the Estate of Ulisse Frissora, deceased, including cash and other assets in possession of the McDowell County National Bank in Welch and Joe D. Bary, Administrators, and cash, stock of automobile parts, accounts receivable and other assets of the business known as "City Garage and Parts Company" in possession of Quinto Bary, manager and receiver, all of which property and estate are under the judicial supervision of said Court in the above entitled Chancery Proceedings,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3476; Filed, March 5, 1943; 11:01 a. m.]

[Vesting Order 998]

ESTATE OF HARTWIG NEUMOND

In re: Estate of Hartwig Neumond, deceased; file D–28–1978; E. T. sec. 1968.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, Ancillary Administrator, 17 aBttery Place, New York, New York, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Dr. Guenther Sparr, Domiciliary Administrator of the Estate of Hartwig Neumond, deceased.	Germany.
Heirs, devisees, or next of kin (names unknown) of Hartwig Neumond, deceased.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dr. Guenther Sparr, Domiciliary Administrator of the Estate of Hartwig Neumond, deceased, and the heirs, devisees, or next of kin (names unknown) of Hartwig Neumond, deceased, and each of them, in and to the estate of Hartwig Neumond, deceased, in process of administration by William J. Topken, Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3477; Filed, March 5, 1943; 11:01 a. m.]

[Vesting Order 999]

TRUST UNDER WILL OF ERNEST O. PATZ

In re: Trust under will of Ernest O. Patz, deceased; File D–28–1722; E. T. sec. 43.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Scarsdale National Bank and Trust Company, of 8 East Parkway, Scarsdale, Westchester County, New York, Trustee, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York, and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Liddy Patz	Germany.
Johanna Patz	Germany.

And determining that—

If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Liddy Patz and Johanna Patz and each of them in and to the Trust Estates created under the Last Will and Testament of Ernest O. Patz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3478; Filed, March 5, 1943; 11:01 a. m.]

[Vesting Order 1000]

ESTATE OF GERTRUD SCHNEIDERS

In re: Estate of Gertrud Schneiders, deceased; File F–28–574; E. T. sec. 3520.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Raymond D. Knight, Barnett National Bank Building, Jacksonville, Florida; Frank Taylor, the Florida National Bank of Jacksonville, Jacksonville, Florida; Samuel C. Taylor, 101 East Bay Street, Jacksonville, Florida, Co-Executors, acting under the judicial supervision of the County Judge's Court in and for Duval County, State of Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Joseph Krein	Germany.
Gertrud Holzem	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Joseph Krein and Gertrud Holzem, and each of them, in and to the estate of Gertrud Schneiders, deceased,

to be held, used, adminstered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3479; Filed, March 5, 1943; 11:01 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 6 Under § 1375.9 (c) of Revised Maximum Export Price Regulation]

GEIGY COMPANY, INC.

ORDER GRANTING PETITION FOR RELIEF

Order No. 6 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Docket No. ME 3–25.

Order No. 6 under § 1375.9 (c) of the Revised Maximum Export Price Regulation.

On February 2, 1943, Geigy Company, Inc., 89–91 Barclay Street, New York, New York, filed a petition for relief from the provisions of § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Geigy Company, Inc., is authorized to invoice directly to its distributor's customers in Ecuador, merchandise at a price equal to 20 per cent above its maximum export price to its distributor for those goods.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 6 shall become effective March 4, 1943.

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3412; Filed, March 4, 1943; 2:45 p. m.]

[Revised Order 28 Under MPR 120]

SHAY COAL COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 28 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120–81.

Order No. 28 under Maximum Price Regulation No. 120 is revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith and in the opinion accompanying the original Order No. 28, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced at the Shay No. 2 Mine, (Mine Index No. 169), at the Shay No. 4 Mine (Mine Index No. 213) and at the Shay No. 5 Mine (Mine Index No. 206) of the Shay Coal Company, Kingwood, West Virginia, located in Preston County, West Virginia, District No. 3, for all shipments except truck, may be sold at prices not to exceed $2.50 per net ton in Size Group 6, $2.50 per net ton in Size Group 7 and $2.35 per net ton in Size Group 9.

(b) This Revised Order No. 28 may be revoked or amended by the Price Administrator at any time.

(c) All prayers of the petition not granted herein are denied.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Revised Order No. 28 shall become effective March 4, 1943.

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3411; Filed, March 4, 1943; 2:45 p. m.]

[Order 183 Under MPR 188]

ROUND OAK COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 183 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Authorization of a maximum price of the Fluemaster Chimney Furnace for the Round Oak Company.

For the reasons set forth in an opinion which has been issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Round Oak Company, Dowagiac, Michigan, may sell and deliver and any person may buy and receive from the Round Oak Company, Round Oak Fluemaster Chimney Furnaces, Series 5000 F. L. C.—1 Regular Model For Coal, at $65.50 each, f. o. b., Dowagiac, Michigan.

(b) The maximum price set forth in paragraph (a), above, shall be subject to a discount of one percent if payment by the purchaser is made before the tenth of the month following that in which shipment is made.

(c) The Round Oak Company shall not reduce the services rendered in connection with the sales of the item described in paragraph (a), above, from the services it rendered or would have rendered to purchasers of the same class of its regular line of furnaces on March 1, 1942, without a corresponding reduction in the maximum price established in paragraph (a) above.

(d) The maximum price established under paragraph (a), above, shall be reduced at the same time and to the same extent that the royalty fee paid by the Round Oak Company is at any time reduced.

(e) Within five days after a reduction in the amount of the royalty fee the Round Oak Company pays on its sales of the item described in paragraph (a), above, the Round Oak Company shall report to the Office of Price Administration, Building Materials Branch, Washington, D. C., the amount of the reduction and the date it became effective.

(f) All prayers in the application not herein granted are denied.

(g) This Order No. 183 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 183 shall become effective March 4, 1943.

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3415; Filed, March 4, 1943; 2:44 p. m.]

[Order 2 Under MPR 208]

LITTLE ROCK TENT AND AWNING COMPANY

GRANTING ADJUSTMENT OF MAXIMUM PRICES

Order No. 2 under § 1389.213 of Maximum Price Regulation 208—Staple Work Clothing—Docket No. GF3–1714.

An opinion in support of this order is filed simultaneously herewith. For the reasons stated in the opinion, *It is ordered:*

(a) Little Rock Tent and Awning Company of Little Rock, Arkansas, may sell and deliver, and any person may buy and receive from it, staple work clothing of the lot numbers listed below at the prices indicated below:

S–15HV overall (2.10 weight mill finish denim)	$17.00
S–1048 pant (2.50 weight sanforized sun-tan drill)	18.50
S–738 shirt (2.85 weight sanforized sun-tan drill)	13.00

(b) The permission granted to Little Rock Tent and Awning Company is subject to the following conditions:

(1) This permission applies to garments which are the same (except for simplification) as the garments sold under corresponding lot numbers during or before March 1942.

(2) All discounts and trade practices, including practices relating to shipping and shipping charges, which were in effect during March 1942, shall apply to sales and deliveries under this order.

(3) Little Rock Tent and Awning Company shall notify every purchaser of staple work clothing priced under this order as follows:

The Office of Price Administration permitted us on February —, 1943, to increase our prices for certain work clothing as follows:

Garment	Lot No.	Old price	New price
Overalls	S–15HV	$16.53	$17.00
Pants	S–1048	18.14	18.50
Shirts	S–738	12.85	13.00

These amounts represent only cost increases which we were unable to absorb, and they were granted with the understanding that retail prices would not be increased. The Office of Price Administration has not permitted you or any other seller to raise your maximum prices for sales of work clothing.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 208 apply to terms used in this order.

This Order No. 2 shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-3413; Filed, March 4, 1943; 2:44 p. m.]

[Order 1 Under MPR 327]

METALS RESERVE COMPANY

APROVAL OF MAXIMUM PRICE

Order No. 1 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) On and after March 4, 1943, the Metals Reserve Company may sell and deliver, and any person may buy and receive from the Metals Reserve Company, the following specified grades of unmanufactured asbestos originating in Rhodesia or the Union of South Africa at prices not in excess of the maximum prices set forth in the following table:

Kind	Grade	Maximum price, per short ton f. o. b. cars, shipside
Crude	CAG #1	$330
Crude	CAG #2	256
Crude	CAG #3	149
Crude	CAG #4	101
Spinning	B-1	140
Spinning	B-3 or D-3	124
	3 DM-1	118
	M-1	117
Shingle	MS	147
Shingle	S	186

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3409; Filed, March 4, 1943; 2:44 p. m.]

[Order 36 Under RPS 6]

ATLANTIC STEEL COMPANY

ORDER GRANTING EXCEPTION

Correction

In the second undesignated paragraph of the document appearing on page 2516 of the issue for Saturday, February 27, 1943, the reference to § 1306.7 (e) should be to § 1306.7 (c).

[Amendment 1 to Order 5, RPS 41]

BOSTON, BREMERTON, NORFOLK AND PHILADELPHIA NAVY YARDS

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 5 under Revised Price Schedule No. 41—Steel Castings—Docket No. 3041–10.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250 and in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration, Amendment No. 1 to Order No. 5 under Revised Price Schedule No. 41 is hereby issued, revising subheading and paragraph (a) of said order to read as set forth below:

Adjustment of maximum prices of the Boston, Bremerton, Norfolk and Philadelphia Navy Yards on sales of steel castings. (a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41, the Boston Navy Yard, the Bremerton Navy Yard, the Norfolk Navy Yard and the Philadelphia Navy Yard may sell and deliver steel castings to any person for use in the performance of contracts with the United States or any agency thereof, or subcontracts under any such contract, at prices not in excess of the costs of the Navy Yard producing and selling such steel castings: *Provided*, That said costs shall be determined in accordance with the accounting instructions prescribed by the Bureau of Supplies and Accounts and in effect on the effective date of this Order. Any person may buy and receive steel castings for said uses from the Boston Navy Yard, the Bremerton Navy Yard, the Norfolk Navy Yard or the Philadelphia Navy Yard at prices not in excess of those above provided for.

This Amendment No. 1 to Order No. 5 under Revised Price Schedule No. 41 shall be retroactively effective to the date of Revised Price Schedule No. 41, November 15, 1941.

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3410; Filed, March 4, 1943; 2:44 p. m.]

[Order 5 Under MPR 121]

JOHNSON COAL CUBING COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 5 under Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities—Docket No. 3121–34.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.247 (b) of Maximum Price Regulation No. 121, *It is ordered:*

(a) The maximum prices the Johnson Coal Cubing Company, Inc., Detroit, Michigan, shall charge for packaged coal and briquettes which it manufactures shall not be more than 40 cents per net ton higher than the maximum prices established for such coal and briquettes under § 1340.249 of Maximum Price Regulation No. 121, as amended.

(b) Within thirty days from the effective date of this order, the said Johnson Coal Cubing Company, Inc., shall inform all persons purchasing its coal of the adjustments granted in this Order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.248 of Maximum Price Regulation No. 121, as amended, shall apply to the terms used herein.

(f) This Order No. 5 shall become effective this 4th day of March 1943.

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3431; Filed, March 4, 1943; 4:38 p. m.]

[Order 6 Under Rev. MPR 125]

BRIGGS MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 6 under Revised Maximum Price Regulation No. 125—Nonferrous Castings. Adjusting maximum prices of Briggs Manufacturing Company—Docket No. 3125–11.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The provisions of §§ 1395.3 and 1395.4 of Revised Maximum Price Regulation No. 125 shall have no application to the Briggs Manufacturing Company of Detroit, Michigan, hereinafter referred to as "the applicant".

(b) The applicant may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant at prices not higher than the following:

(1) On the first sale of a nonferrous casting on or after February 1, 1943, the maximum price for that casting shall be the price determined by the application of the applicant's pricing formula to the applicant's most honest estimates of the variable elements in the applicant's formula applied to the particular casting whose maximum price is being determined: *Provided*, That if the actual production of such casting discloses that the actual yield is greater than the estimated yield, the price of the castings so produced shall be reduced by substituting the actual yield for the estimated yield in the applicant's pricing formula and recomputing the price using the original estimates for all other elements.

(2) On subsequent sales of a nonferrous casting whose maximum price has previously been determined under subparagraph (1) of this paragraph or a casting of the same class, the maximum price shall be the maximum price as determined under subparagraph (1) of this paragraph on such first sale without regard to the proviso therein set out: *Provided*, That if actual production of such casting discloses that the actual yield is greater than the estimated yield when the casting was originally priced under subparagraph (1) of this paragraph, the price of the castings so produced shall be reduced by substituting for the estimated yield in the applicant's pricing formula the actual yield on the castings which are being priced and recomputing the price using the original estimates for all other elements.

(c) When used in this order, the term "the applicant's pricing formula" means the revised pricing formula of the Briggs Manufacturing Company of Detroit, Michigan, set forth on pages six and seven of its petition for amendment of Maximum Price Regulation No. 125, filed with the Office of Price Administration on January 21, 1943 and assigned Docket Number 3125–11; Except, that metal cost shall be estimated at not more than current metal prices.

(d) All prayers in the applicant's petition for amendment of Maximum Price Regulation No. 125, Docket Number 3125–11, not granted herein, are hereby denied.

(e) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 6 shall become effective as of February 1, 1943.

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3432; Filed, March 4, 1943; 4:38 p. m.]

[Order 184 Under MPR 188]

BISHOP PRODUCTS CO.

ORDER GRANTING ADJUSTMENT

Order No. 184 under § 1499.161 (a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel.

Granting an adjustment of maximum prices for sales of hassocks and glider replacement cushions by Bishop Products Company.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Bishop Products Company, Cleveland, Ohio may sell and deliver the articles listed herein at prices no higher than those set forth below:

Item:	*Maximum price*
5801	$0.94
5802	.94
5809	1.55
5810	1.57
5813	1.90
5818	2.03
5823	2.29
5824	2.35
5832	2.85
5835	2.88
5839	3.10
5842	3.04
5850	3.53
5852	3.65
5853	3.83
5854	3.75
5856	3.65
5856	3.69
5862	4.40
5863	4.53
5864	4.58
5868	4.89
5874	5.53
5881	6.67
5888	6.55
5889	8.43
5895	1.76
5896	2.22
5803	1.237
5804	1.235
5812	1.825
5815	2.094
5816	2.10
5817	2.094
5819	2.35
5821	2.24
5826	2.45
5829	2.72
5838	3.03
5840	$2.65
5841	3.10
5845	3.30
5848	3.60
5869	5.27
3160	6.81
3190	7.81
3174	7.12
3176	8.09

(b) Bishop Products Company, shall send to each customer with each first delivery of an item the maximum price of which has been adjusted by paragraph (a) hereof a notice reading as follows:

The Office of Price Administration has granted Bishop Products Company permission to increase its maximum prices as shown on the table below but since these prices have been adjusted only to the extent of bringing them in line with those of competitors, you are not permitted to increase your maximum prices. (Set forth table of old and adjusted maximum prices.)

(c) All prayers of this application not granted herein are denied.

(d) This Order No. 184 may be revoked or amended by the Administrator at any time.

(e) This Order No. 184 shall become effective March 5, 1943:

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3433; Filed, March 4, 1943; 4:39 p. m.]

[Order 202 Under MPR 188]

SONOTONE CORPORATION

APPROVAL OF MAXIMUM PRICE

Order No. 202 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of a maximum price for sales of an adapter manufactured by Sonotone Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The maximum price for all sales of an adapter described in an application dated December 31, 1942 and manufactured by Sonotone Corporation, Elmsford, New York, is $.65 per unit

(b) This Order No. 202 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 202 shall become effective on the 4th day of March 1943.

Issued this 4th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3434; Filed, March 4 1943; 4:38 p. m.]

[Rev. Order 3 Under MPR 225]

WESTERN ELECTRIC COMPANY, INCORPORATED

ORDER GRANTING ADJUSTMENT

Revised Order No. 3 under Maximum Price Regulation No. 225—Printing and Printed Paper Commodities.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, Order No. 3 under Maximum Price Regulation No. 225 is hereby revised as amended, as set forth below:

(a) *Adjustment of certain maximum prices.* A maximum price may be calculated according to this paragraph for the resale of any commodity purchased by the Western Electric Company, Incorporated, through its central purchasing organization for which the actual cost of acquisition (calculated on the basis of the accounting method used in March, 1942 by Western Electric Company, Incorporated) determined as of November 4, 1942, exceeds the maximum price established by Maximum Price Regulation No. 225 for the resale of the commodity. Western Electric Company, Incorporated, may sell such a commodity at a price no higher than the price determined by adding the dollar margin received by Western Electric Company, Incorporated, on the resale of such commodity in March, 1942 to the actual cost of acquisition (calculated as above) as of November 4, 1942, or to the supplier's maximum price for the sale of the commodity to Western Electric Company, Incorporated, whichever is lower.

(b) *Determination of certain maximum prices.* A maximum price may be determined according to this paragraph for the resale by the Western Electric Company, Incorporated, of a commodity which cannot be priced under paragraph (a) above, which is not manufactured by Western Electric Company, Incorporated, which did not appear in a price list in effect in March, 1942 issued by the headquarters pricing organization of Western Electric Company, Incorporated, or by the regional distributing house seeking to establish such a maximum price.

(i) *Items to appear in price list of headquarters pricing organization.* If the commodity being priced is to be included in a price list issued by the headquarters pricing organization of Western Electric Company, Incorporated, the maximum price shall be determined in accordance with § 1347.454 (b) of Maximum Price Regulation No. 225.

(ii) *Regional price list items and non-price list items.* If the commodity being priced is not to be included in a price list of the headquarters pricing organization, the maximum price shall be determined by applying to the actual cost of acquisition (calculated on the basis of the accounting method used in March, 1942 by Western Electric Company, Incorporated) the percentage mark-up ("pricing factor") prescribed by the headquarters pricing organization of Western Electric Company, Incorporated, for use in March, 1942 in pricing commodities of the same class as that being priced.

(c) *Reports.* The Western Electric Company, Incorporated shall submit reports as required by § 1347.454 (b) of Maximum Price Regulation No. 225 with respect to maximum prices established under (b) (i), and shall submit such reports in connection with the purchase and resale of the commodities covered by paragraphs (a) and (b) (ii) of this Revised Order No. 3 as may be required from time to time by the Office of Price Administration.

(d) *Amendment of order.* This Revised Order No. 3 may be revoked or amended by the Administrator at any time.

This Revised Order No. 3 shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 4th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3430; Filed, March 4, 1943; 4:39 p. m.]

Regional Office, Region I.

[Emergency Order 1, Amendment 3, Under Ration Order 11]

KEROSENE SHORTAGE IN NEW ENGLAND AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (f) of Emergency Order No. 1 is amended to read as follows:

(f) *Effective period.* Emergency Order No. 1 shall terminate at 12:00 p. m., March 9, 1943, unless extended by further order.

Effective Date of Amendment 3. Amendment 3 to Emergency Order No. 1 shall be effective February 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–0, 7 F.R. 8418, E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 27th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3414; Filed, March 4, 1943; 2:44 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 7–651, 7–652, 7–655, 7–656, 7–657, 7–658, 7–659, 7–660, 7–661, 7–662, 7–663, 7–664, 7–666, 7–667, 7–668, 7–669, 7–670]

LOS ANGELES STOCK EXCHANGE

ORDER REOPENING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of March, A. D. 1943.

In the matter of applications by the Los Angeles Stock Exchange to extend unlisted trading privileges to: Boeing Airplane Company, $5 par common stock, File No. 7–651; the Borden Company, $15 par common stock, File No. 7–652; Crown Zellerbach Corporation, $5 par common stock, File No. 7–655; Deere and Company, common stock, no par value, File No. 7–656; The Electric Auto-Lite Company, $5 par common stock, File No. 7–657; Great Northern Railway Company, $6 non-cumulative preferred, no par value, File No. 7–658; Interlake Iron Corporation, common stock, no par value, File No. 7–659; Newport News Shipbuilding and Dry Dock Company, $1 par common stock, File No. 7–660; Phelps Dodge Corporation, $25 par capital stock, File No. 7–661; Phillips Petroleum Company, capital stock, no par value, File No. 7–662; Pullman Incorporated, capital stock, no par value, File No. 7–663; Southern Railway Company, $100 par 5% non-cumulative preferred stock, File No. 7–664; Texas Gulf Sulphur Company, common stock, no par value, File No. 7–666; Union Pacific Railroad Company, $100 par common stock, File No. 7–667; The Western Union Telegraph Company, $100 par common stock, File No. 7–668; The White Motor Company, $1 par common stock, File No. 7–669; Wilson and Company, Incorporated, common stock, no par value, File No. 7–670.

The Los Angeles Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F–1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission having found, after hearing, that the applicant had failed to establish that there existed in its vicinity sufficiently widespread public distribution of these securities and sufficient public trading activity therein to render the requested extension of unlisted trading privileges necessary or appropriate in the public interest or for the protection of investors;

The applicant having requested an opportunity to introduce additional evidence with respect to these securities; and

The Commission deeming it necessary for the protection of investors that a hearing be held for the introduction of such evidence at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, March 29, 1943, at the office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Charles R. Burr, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to per-

form all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3425; Filed, March 4, 1943; 2:56 p. m.]

[File No. 59-58]

INDIANA SERVICE CORP., ET AL.

ORDER REMOVING HEARING TO CHICAGO, ILLINOIS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of March 1943.

In the matter of Indiana Service Corporation, Clarence A. Southerland and Jay Samuel Hartt, trustees of the estate of Midland Utilities Company, respondents.

The Commission having, on October 16, 1942, issued its Notice of and Order Instituting Proceedings Under sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, and naming as respondents therein Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company, and Indiana Service Corporation, subsidiary thereof; and public hearings having been held thereon at the offices of the Securities and Exchange Commission in Philadelphia, Pennsylvania, and such hearings having been continued to March 15, 1943; and

Clarence A. Sutherland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, having filed a petition requesting that the next session of the hearing be held in Chicago, Illinois; and

The Commission having considered the petition, and the representations made therein; and it appearing that such petition is appropriate and that the next session of the hearing should be held in Chicago, Illinois, on March 15, 1943:

It is ordered, That the continued hearing in this matter, scheduled to be held on March 15, 1943, at the offices of the Securities and Exchange Commission, Philadelphia, Pennsylvania, be held on March 15, 1943, at 10 a. m., c. w. t., at the offices of the Securities and Exchange Commission, Room 630 Bankers Building, 105 West Adams Street, Chicago, Illinois, before the same Trial Examiner heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3426; Filed, March 4, 1943; 2:56 p. m.]

WAR PRODUCTION BOARD.

DALE HOLLOW RESERVOIR FLOOD CONTROL PROJECT, TENNESSEE

AMENDMENT TO CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Flood Control Project, Dale Hollow Reservoir, Tennessee.

The revocation of preference rating issued on January 23, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except materials which, in addition to those already at the site, are necessary for such further construction as may be permitted under paragraph (3) of said revocation order, as amended from time to time.

Issued March 4, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3442; Filed, March 4, 1943; 5:09 p. m.]

MASSILLON, FLOOD CONTROL PROJECT, OHIO

AMENDMENT TO CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Flood Control Project, Massillon, Ohio.

The revocation of preference rating issued on January 6, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except materials which, in addition to those already at the site, are necessary for such further construction as may be permitted under paragraph (3) of said revocation order, as amended from time to time.

Issued March 4, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3437; Filed, March 4, 1943; 5:10 p. m.]

PADUCAH FLOOD CONTROL PROJECT, KENTUCKY

AMENDMENT TO CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Flood Control Project, Paducah, Kentucky.

The revocation of preference rating issued on January 6, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except materials which, in addition to those already at the site, are necessary for such further construction as may be permitted under paragraph (3) of said revocation order as amended from time to time.

Issued March 4, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3438; Filed, March 4, 1943; 5:10 p. m.]

COUNTY ROAD BETWEEN AJO & SONOYTA, ARIZONA

CANCELLATION OF STOP CONSTRUCTION ORDER

Builder: Arizona State Highway Commission, Phoenix, Arizona. Project: County Road between Ajo & Sonoyta (Mex.) Bit. Surf. Identified as: Arizona FLH 18 (2).

The stop construction order issued on December 19, 1942 on the above identified project is hereby cancelled, provided that surfacing on this project shall be of the same type as the extension of the same road through the Organ Pipe Cactus National Monument now being completed.

Issued March 4, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3439; Filed, March 4, 1943; 5:09 p. m.]

CINCINNATI FLOOD CONTROL PROJECT, OHIO

AMENDMENT TO CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Flood Control Project, Cincinnati, Ohio.

The revocation of preference rating issued on January 6, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except materials which, in addition to those already at the site, are necessary for such further construction as may be permitted under paragraph (3) of said revocation order as amended from time to time.

Issued March 4, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3440; Filed, March 4, 1943; 5:09 p. m.]

CENTER HILL RESERVOIR FLOOD CONTROL PROJECT, TENNESSEE

AMENDMENT TO CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Flood Control Project, Center Hill Reservoir, Tennessee.

The revocation of preference rating issued on January 23, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except materials which, in addition to those already at the site, are necessary for such further construction as may be permitted under paragraph (3) of said revocation order as amended from time to time.

Issued March 4, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3441; Filed, March 4, 1943; 5:09 p. m.]

JOHN MARTIN RESERVOIR FLOOD CONTROL PROJECT, COLORADO

AMENDMENT TO REVOCATION OF CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Flood Control Project, John Martin Reservoir, Colorado.

The revocation of preference rating issued on January 6, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except materials which, in addition to those already at the site, are necessary for such further construction as may be permitted under paragraph (3) of said revocation order as amended from time to time.

Issued March 4, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3443; Filed, March 4, 1943; 5:09 p. m.]

Reference

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MAR TO 43

FEDERAL REGISTER

VOLUME 8 NUMBER 47

Washington, Tuesday, March 9, 1943

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

REVIEW OF APPLICATIONS FOR PRIORITY ASSISTANCE

DELEGATION OF AUTHORITY TO PRESIDENT OF COMMODITY CREDIT CORPORATION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such order, there is hereby delegated to the President of Commodity Credit Corporation, or such employees of Commodity Credit Corporation as may be designated by him, the authority to approve all applications for priority assistance and to recommend priority ratings relating to non-food materials to be used in connection with those aspects of the food program administered by Commodity Credit Corporation, whenever in his judgment the granting of such priority assistance or rating is necessary or appropriate to effectuate the purposes of the food program, and, otherwise, to deny such applications. Such denial shall be final.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F.R. Doc. 43-3642; Filed, March 8, 1943; 11:50 a.m.]

Chapter III—Bureau of Entomology and Plant Quarantine (Agricultural Research Administration)

[B.E.P.Q. 526]

PART 301—DOMESTIC QUARANTINE NOTICES

MEXICAN FRUITFLY REGULATIONS MODIFIED; HARVESTING SEASON EXTENDED

§ 301.64-5d *Administrative instructions modifying the restrictions of the Mexican fruitfly quarantine by extending the harvesting season on oranges and grapefruit.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the third proviso of § 301.64, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 64], it having been determined by me that a modification may be safely made without increasing the risk of spread of the Mexican fruitfly, § 301.64-5 (a) [paragraph (a) of regulation 5 supplemental to this quarantine] is hereby modified effective March 1, 1943, to extend the harvesting season for oranges and grapefruit for the Texas counties of Brooks, Cameron, Hidalgo, and Willacy, and that part of Jim Wells County under regulation, to the close of May 31 for the year 1943, *Provided*, That sterilization of the fruit as a condition of interstate movement from the above counties may be required as provided in § 301.64-4 (e) [paragraph (e) of Regulation 4].

The host-free period for oranges and grapefruit, under this modification, will begin June 1 and continue through August 31, 1943, inclusive in the above-named counties.

The harvesting season normally closes, under the regulations, on April 30, except that in the counties of Dimmit, La Salle, and Webb, the grapefruit harvest season closes on the last day of February, and no extension is made as to that season in these three counties.

(7 CFR § 301.64-5; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Effective March 1, 1943.

Done at Washington, D. C. this 27th day of February 1943.

[SEAL] P. N. ANNAND,
Chief.

[F.R. Doc. 43-3606; Filed, March 6, 1943; 3:52 p.m.]

Chapter IX—Food Distribution Administration[1]

PART 900—GENERAL REGULATIONS UNDER THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

RULES OF PRACTICE AND PROCEDURE GOVERNING PROCEEDINGS TO FORMULATE MARKETING AGREEMENTS AND MARKETING ORDERS

By virtue of the authority vested in the Secretary of Agriculture by Public

[1] Formerly, Chapter IX, Agricultural Marketing Administration.

(Continued on p. 2815)

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Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), the following amendments to Title 7, Chapter IX, Part 900, Code of Federal Regulations, as published in the FEDERAL REGISTER on December 20, 1941 (6 F.R. 6570 *et seq.*), as amended (7 F.R. 3350), are hereby promulgated:

1. Section 900.2 (e) and (f) are amended to read as follows:

§ 900.2 *Definitions.* * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

2. Section 900.51 (e) and (f) are amended to read as follows:

§ 900.51 *Definitions.* * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

3. Section 900.101 (e) and (f) are amended to read as follows:

§ 900.101 *Definitions.* * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

4. Section 900.200 (e) and (f) are amended to read as follows:

§ 900.200 *Definitions.* * * *

(e) The term "Director" means the Director of Food Distribution of the Department or any officer or employee of the Food Distribution Administration to whom the Director has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(f) The term "Administration" means the Food Distribution Administration of the Department.

5. The regulations in this part are further amended in that wherever the word "Administrator" appears there shall be substituted in lieu thereof the word "Director."

6. Section 900.12 is amended to read as follows:

§ 900.12 *Director's report—(a) Preparation.* As soon as practicable following the termination of the period allowed for the filing of written arguments or briefs, the Director shall cause to be prepared for his signature and shall file with the hearing clerk a report. Such a report shall be prepared by the personnel of the Administration through which such marketing agreement or marketing order, or both, if executed or issued, would be administered.

(b) *Contents.* The Director's report shall include: (1) a preliminary statement containing a description of the history of the proceedings, a brief explanation of the major issues developed at the hearing, and proposed conclusions with respect to such issues; and (2) a proposed marketing agreement or marketing order, as the case may be, based upon the evidence introduced at the hearing, if it is concluded that such an agreement or order should be proposed.

(c) *Exceptions.* If, after examination of the report which has been prepared for his signature, the Director is of the opinion that the marketing agreement or marketing order proposed in said report differs substantially from the marketing agreement or marketing order upon which the hearing was held, and that the execution or issuance of the proposed marketing agreement or marketing order, or both, as the case may be, will give rise to a substantial controversy (by virtue of the variance between the proposed marketing agreement or marketing order and the marketing agreement or marketing order upon which the hearing was held) between the Department and the persons who will become subject to such agreement or order, notice of the Director's report and opportunity to file exceptions thereto shall be given. If the Director determines that such opportunity be given, he shall, immediately following the filing of his report with the hearing clerk, give notice thereof (together with notice of the date fixed by the Director for the filing of exceptions thereto) in the same manner as hereinbefore provided in § 900.4 (relating to the giving of notice of the hearing). Within a period of time (to be fixed by the Director, but not to exceed 20 days) after the filing of the report with the hearing clerk, any interested person may then file exceptions to the Director's proposed marketing agreement or marketing order, or both, as the case may be, and a brief in support of such exceptions. Any such person shall transmit his exceptions, in writing, to the hearing clerk, referring, where practicable, to the related pages of the transcript and suggesting appropriate changes in the proposed marketing agreement or marketing order.

7. Section 900.13 is amended to read as follows:

§ 900.13 *Submission to Secretary.* The hearing clerk, immediately following the filing of the Director's report, shall transmit to the Secretary the record of the proceedings. Such record shall include: all motions and requests filed with the hearing clerk and rulings thereon; the transcript of testimony taken at the hearing, together with the exhibits filed therein; any written arguments or briefs that may have been filed in connection with the hearing; and the Director's report: *Provided, however,* That if the Director provides that opportunity be given to file exceptions to his proposed marketing agreement or marketing order, as provided in § 900.12 (c), he shall, immediately following the termination of the period for the filing of exceptions to the Director's proposed marketing agreement or marketing order, cause to be prepared (by the personnel of the appropriate division of the Administration) for his signature, and shall file with the hearing clerk such revision of the Director's report as he shall deem to be appropriate in view of the exceptions. Promptly upon the filing of the revision of the Director's report or upon notification by the Director that no revision will be made, the hearing clerk shall transmit to the Secretary the record of the proceedings. Such record shall include: all motions and requests filed with the hearing clerk and rulings thereon; the transcript of the testimony taken at the hearing, together with the exhibits filed therein; any written arguments or briefs that may have been filed in connection with the hearing; the Director's report; such exceptions and briefs in support thereof as may have been filed pursuant to § 900.12 (c); a statement containing an analysis of such exceptions filed; and the Director's revised report, if any revision is made.

8. Section 900.69 (d) is amended to read as follows:

§ 900.69 * * *

(d) *Effective date of filing.* Any document or paper, except a petition filed pursuant to § 900.52, required or authorized under these rules to be filed shall be deemed to have been filed when it is postmarked, or when it is received by the hearing clerk. Any petition filed under § 900.52 shall be deemed to be filed when it is received by the hearing clerk.

Done at Washington, D. C. this 17th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved:

FRANKLIN D. ROOSEVELT,
The President of the United States.

THE WHITE HOUSE, *March 4, 1943.*

[F. R. Doc. 43-3604, Filed, March 6, 1943, 3:32 p. m.]

Chapter X—Food Production Administration

[Food Production Order 3,[1] Amendment 5]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Changes are made in §§ 1202.217, 1202.224, and 1202.228 of Food Production Order 3.

[1] 7 F.R. 9647, 8 F.R. 946, 1089.

Section 1202.217 is amended by deleting therefrom subparagraph (4) of paragraph (b).

Section 1202.224 is amended by deleting the last sentence in paragraph (a) thereof. Paragraph (a) is thereby amended to read as follows:

§ 1202.224 *Form of certificate.* (a) In cases where the county farm rationing committee authorizes an applicant to purchase Schedule I equipment, it shall immediately issue to the applicant a purchase certificate for the transfer of such Schedule I equipment. The certificate shall be issued on Form MR–22. All purchase certificates shall be non-transferable. Such certificates, which shall be prepared in triplicate, shall be numbered serially; all numbers shall be accounted for; and the serial number of each certificate shall be placed upon the appropriate application. The original and one copy of the certificate shall be given or mailed to the applicant and the remaining copy shall be attached to the application. Each purchase certificate shall show the date of its issuance and expiration, or any extension thereof.

Section 1202.228 is amended to read as follows:

§ 1202.228 *Action by dealer.* (a) Upon the surrender to him of a purchase certificate and copy thereof, the dealer shall ascertain that the original and copy have been properly signed by the purchaser and shall not honor such certificate unless it and the copy are so signed. Immediately upon delivering Schedule I equipment pursuant to a purchase certificate surrendered to him, the dealer shall sign and date the certificate and copy thereof in the space provided and shall thereupon mail the original of such purchase certificate to the issuing county farm rationing committee or the issuing State board. If delivery of the Schedule I equipment specified in any such purchase certificate is not made before the expiration date specified on such purchase certificate, the dealer shall, immediately following such expiration date, return the original and the copy of such purchase certificate to the issuing county farm rationing committee or the issuing State board.

§ 1202.243 *Effective dates of amendments.* * * *

(e) This Amendment No. 5 (§§1202.217, 1202.224, and 1202.228) to Food Production Order No. 3 shall become effective this 9th day of March 1943.

Done at Washington, D. C. this 6th day of March, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3569; Filed, March 6, 1943; 11:59 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Regulation 1]

PART 1595—FOOD PRIORITIES

FOOD PRIORITIES

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to supply war and other acute emergency needs, *It is hereby ordered* as follows:

§ 1595.1 *Food priorities*—(a) *Definitions.* When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity and includes the States or any subdivisions thereof and the United States and any department, agency, or instrumentality thereof.

(2) The term "food" means all commodities and products, simple, mixed, or compound, or complements to such products, that are or may be eaten or drunk by either humans or animals, irrespective of other uses to which such commodities or products may be put, and at all stages of processing from the raw commodity to the product thereof in a vendible form for immediate human or animal consumption, and including all starches, sugars, vegetable and animal fats and oils.

(3) The term "emergency order" means:

(i) Any contract or purchase order for food to be delivered to the Army, Navy, Coast Guard, or Marine Corps of the United States; to any person feeding, under contract (directly or indirectly), personnel of the Army, Navy, Coast Guard, or Marine Corps of the United States (to the extent necessary to feed such personnel); to the United States Maritime Commission; and to the War Shipping Administration; or for food to be delivered, under a contract or purchase order placed by an agency of the United States, to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided,* That any contract or purchase order of the foregoing for food

(*a*) Which is the subject of any ration order issued by the Office of Price Administration, or

(*b*) Which is the subject of any food order issued by the Secretary of Agriculture requiring quantities of food to be set aside for delivery to any of the agencies or persons named in this paragraph (a) (3) (i), shall not be an emergency order under this paragraph (a) (3) (i); or

(ii) Any contract or purchase order for food to which the Director assigns a priority rating under this regulation.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Assignment of priority ratings.* The Director may assign priority ratings to contracts, purchase orders, or deliveries concerning food by means of priority rating certificates or at his discretion, by other means. Such ratings may be assigned to deliveries under accepted contracts or purchase orders and also to purchase orders which have not been placed or accepted at the time application is made for such rating. The Director may also issue specific orders as to particular deliveries without assigning ratings thereto, and such orders shall take precedence over all priority ratings issued hereunder.

(c) *Certain emergency orders rated FR–10.* Every emergency order as defined in paragraph (a) (3) (i) hereof is hereby assigned a priority rating of FR–10. This automatic assignment of priority ratings does not apply to contracts or purchase orders for foods which are the subject of ration orders issued by the Office of Price Administration or orders issued by the Secretary of Agriculture requiring food to be set aside for delivery to the Government agencies or persons named in paragraph (a) (3) (i). However, priority ratings may be assigned by the Director to contracts or purchase orders for such food under paragraph (b) hereof.

(d) *Duration of priority ratings.* Unless an emergency order, other than an order rated FR–10 under paragraph (c) hereof, is placed with or delivered to a person for acceptance within 15 days following the date of issuance of such rating or within such other period of time as may be specified by the Director, on the food priority rating certificate or otherwise, such rating shall expire and be without force and effect. All priority ratings may be revoked at any time by the Director.

(e) *Extension of priority ratings.* (1) Priority ratings assigned to contracts or purchase orders of or deliveries to an agency or person named in paragraph (a) (3) (i) hereof, may be extended to the suppliers or subsuppliers of any person required to deliver pursuant to such emergency orders to the extent authorized by the contracting officer of such agency or person, such authorization to be given in writing. Priority ratings assigned to other contracts, purchase orders, or deliveries may not be extended to any suppliers or subsuppliers unless the Director specifically authorizes such extension.

(2) Any person authorized to extend priority ratings may do so:

(i) On the written contract or purchase order by endorsing on or attaching to each contract or purchase order placed by him to which the rating is to be extended a certification in substantially the form provided in Appendix A hereof, signed by an official duly authorized for such purpose; and

(ii) On a purchase order placed by telegraph, by including in the telegram a certification substantially as follows:

Ratings indicated are certified pursuant to Food Distribution Regulation No. 1,

and a copy of such telegram signed by a duly authorized official shall, in every case, be furnished to the addressee thereof.

(3) The person receiving the certification and rating shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Each person extending a rating or filling an order bearing an extended rating shall maintain at his regular place of business all the records prescribed in paragraph (n) hereof.

(4) Unless the person authorized to extend a priority rating places his order

to which such rating is extended, or delivers such order to a person for acceptance, within fifteen days following the date upon which such extension is authorized or within such other period of time as may be specified by the Director or the contracting officer of an agency or person named in paragraph (a) (3) (i), hereof, such extended rating shall expire and be without force and effect.

(5) No person shall duplicate in whole or in part purchase orders which he has placed with one or more suppliers for delivery of food to which he has extended a rating in such manner that the amount of the food ordered exceeds the amount to which he is authorized to extend the rating, even though he intends to cancel or reduce his purchase orders to the authorized amount prior to completion of delivery.

(6) No priority rating may be extended to any material other than food.

(f) *Sequence of priority ratings.* Priority ratings under this regulation shall be referred to and designated as Food Priority Ratings and shall have the following order of precedence: FR–1, FR–2, FR–3, FR–4, FR–5, FR–6, FR–7, FR–8, FR–9, FR–10.

(g) *Set aside quantities of food.* Unless specifically authorized by the Director, no person shall fill any emergency order by delivering the set aside portion of any food required by any order of the Secretary of Agriculture to be set aside, except to the agency or agencies named in the order requiring the food to be set aside.

(h) *Compulsory acceptance of emergency orders.* Emergency orders must be accepted and filled in preference to any other contracts or purchase orders for food, except that such order need not be accepted:

(1) If delivery on schedule thereunder would be impossible by reason of the requirements of previously accepted orders bearing higher or equal priority ratings, unless acceptance is specifically required by the Director;

(2) If the person seeking to place such orders is unwilling or unable to meet regularly established prices and terms of sale or payment; however, there shall be no discrimination against such orders in establishing such prices or terms; or

(3) If the food ordered is of a kind which is not usually sold by the person to whom such order is offered and which is not capable of being produced by such person without substantial alteration of, or addition to, such person's facilities, unless such person has a supply of such food in sufficient quantity to fill such order.

(i) *Sequence of deliveries.* (1) Every delivery under an emergency order shall be made in preference to deliveries under all other contracts or purchase orders whenever and to the extent necessary to meet the delivery schedule provided in the food priority rating certificate covering such delivery. Deliveries bearing no priority rating or lower priority rating shall be deferred to the extent necessary to assure those deliveries bearing higher priority ratings, even though such deferment may cause defaults under other contracts or purchase orders. Each person who has emergency orders on hand must so schedule his production and deliveries that deliveries thereunder will be made on the dates required, giving precedence in the case of unavoidable delay to deliveries bearing the higher rating.

(2) The sequence of deliveries under emergency orders bearing the same priority rating shall be determined by the respective dates on which the emergency orders are placed, the emergency order placed first in point of time having precedence over other emergency orders. If emergency orders bearing the same priority rating are placed on the same day and it is impossible to deliver all the quantities specified on schedule, the sequence of deliveries shall be determined by the delivery dates specified in the respective priority rating certificate by which priority ratings were assigned to such orders.

(j) *Rejected orders and deferred deliveries.* When an emergency order has been rejected in violation of this regulation or when deliveries under emergency orders have been unreasonably or improperly deferred, the person seeking to place such order or the person entitled to delivery may file with the Director a report, setting forth the facts in connection with the rejection or the deferment. The Director may thereupon take such action as he deems appropriate, including the imposition of penalties as provided in paragraph (r) hereof.

(k) *Allocations.* When specific allocations of a food are made by the Secretary of Agriculture or the Director by allocation orders, such allocations shall, unless otherwise provided by the Secretary or Director (as the case may be), be made without regard to any priority ratings which have been assigned to deliveries under particular contracts or purchase orders and shall prevail over any such priority ratings.

(l) *Use of food obtained under priority rating.* Any person who obtains a delivery of any food by a priority rating or pursuant to an order of the Director must use such food for the purpose for which it was obtained. If it cannot be used for such purpose for any reason, such person shall redeliver the food to the person who originally delivered it to him. If and to the extent that such person is not able to use or dispose of such food, he shall file with the Director a report describing the same so that such food can be redistributed.

(m) *Existing contracts.* The requirements of this regulation shall be observed without regard to existing contracts or any rights accrued or payment made thereunder.

(n) *Records and reports.* Every person participating in a transaction involving food to which any priority rating issued hereunder applies shall keep and preserve accurate records sufficient to show the following details concerning all transactions (priority and nonpriority) in such food: (1) a copy of contracts or purchase orders and invoices or sales slips, (2) the dates on which all purchase orders were accepted or rejected, (3) the delivery dates requested and the dates of actual delivery, (4) a description of the food involved, (5) a record of delivery by classes, types, quantities, and values, (6) the names of parties involved in each transaction, (7) the priority rating, if any, assigned or extended to the purchase order or contract, (8) the names of persons, if any, to whom the priority rating is extended and the quantity of food received under each extension, (9) the priority rating certificate, if any, (10) and such other information as may be required by the Director. The records required above may be kept by preserving the usual business papers and records insofar as they provide the information required. If the emergency order is accepted and delivered on time, the above records need cover only the period between the acceptance of the order and delivery and must be preserved for a period of two years. If the emergency order is rejected or delivery is deferred, the required records must cover the period beginning with the receipt of the order and ending two months after the rejection or deferment, and must be preserved for a period of two years. Each person also shall execute and file reports and submit other information requested by the Director within the time period specified by him. (This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(o) *Audits and inspections.* All books, records, and accounts of any person participating in any transaction to which any priority rating issued hereunder applies, shall, upon request, be submitted to audit and inspection by the Director.

(p) *Illegal use of priority rating.* No person shall claim or assert any priority rating for any contract or purchase order unless such contract or order is rated under paragraphs (b), (c), or (s) hereof.

(q) *Petition for relief from hardship.* Any person affected by this regulation who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(r) *Violations.* Any person who wilfully violates any provision of this regulation or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this regulation or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, may be deprived of priorities assistance, and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(s) *Priorities regulations of the War Production Board superseded.* This regulation supersedes all priorities regulations of the War Production Board in so far as such priorities regulations apply to food except that as to preference ratings heretofore assigned to contracts or orders or as to violations of said priorities regulations or rights accrued, liabilities incurred, or appeals taken under any of said priorities regulations prior to the effective date hereof, such priorities regulations shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. All preference ratings for food under the War Production Board priorities regulations not heretofore placed with any person shall expire and be without force and effect 15 days after the effective date of this regulation.

(t) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this regulation shall, unless otherwise directed, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FDR-1.

(u) *Territorial scope.* The provisions of this regulation shall apply to all persons in the United States, its territories and possessions, and the District of Columbia.

(v) *Effective date.* This regulation shall be effective March 6, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of March, 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

APPENDIX A—FORMS

1. Any contract or purchase order bearing a priority rating of FR–10, conferred by paragraph (c) of Food Distribution Regulation No. 1 (7 C.F.R. § 1595.1 (c)) may contain substantially the following language:

This purchase order (contract) carries an automatic priority rating of FR–10 under the terms of paragraph (c) of Food Distribution Regulation No. 1. That regulation requires that this purchase order (contract) be given priority in acceptance and delivery over other purchase orders or contracts without priority ratings.

2. Any contract or purchase order to which a priority rating is issued by the Director under paragraph (b) of Food Distribution Regulation No. 1 (7 C.F.R. § 1595.1 (b)) may contain substantially the following language:

This purchase order (contract) bears a priority rating of FR— under authorization No. ------ issued to ---------- by the Director of Food Distribution. Delivery on this order (contract) must be made in accordance with the provisions of Food Distribution Regulation No. 1. The purchaser certifies that this order is within the quantity authorized and that the authorization does not expire until ----------.

3. The person authorized by this regulation to permit extensions of priority ratings issued under paragraph (e) of Food Distribution Regulation No. 1 (7 C.F.R. § 1595.1 (e)) may do so by the use of substantially the following language:

This priority rating of FR— may be extended to any ---------- to the extent necessary to obtain food to fill this order (contract), in accordance with the provisions of Food Distribution Regulation No. 1. This authorization of extension shall expire ----------.

4. Any person using an extended priority rating under paragraph (e) of Food Distribution Regulation No. 1 (7 C.F.R. § 1595.1 (e)) on any written contract or purchase order shall attach substantially the following certificate:

CERTIFICATE

The undersigned purchaser hereby represents to the seller and to the Secretary of Agriculture that he is entitled to extend the priority rating indicated opposite the item shown on this purchase order (contract) and that such extension is in accordance with Food Distribution Regulation No. 1, with the terms of which the undersigned is familiar and has been duly authorized according to the provisions of such regulation.

---------- Name

---------- Address

By ----------
Duly authorized officer

Date ----------

[F. R. Doc. 43–3505; Filed, March 6, 1943; 3:32 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MARKING OF SHIPPING CONTAINERS BY CONTRACTORS

Sections 81.363 and 81.1106a are hereby added as follows:

§ 81.363 *Marking of shipping containers.* Each supply contract will contain substantially the following provision (see § 81.1106a):

Marking of shipping containers. The contractor will follow any directions set forth in the contract specifications concerning the marking of containers in which the supplies are to be shipped. If the contract specifications contain no such directions, the contractor will follow such instructions on the matter as he may from time to time receive from the contracting officer.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup 601–622) [Services of Supply Memorandum No. S5–43–43, February 23, 1943]

§ 81.1106a *Marking of containers—(a) Limitations on marking of containers.* The following regulations for the marking of all boxes, crates, and other containers to be used in making deliveries to War Department agencies are prescribed:

(1) Markings showing contents, quantity, cubage and weight will be stenciled or printed on the container on the upper two-thirds of one surface; except that in the case of containers of ten or more cubic feet, such markings may be made on the upper two-thirds of two surfaces.

(2) All contract data markings will be limited to a maximum area of 42 square inches and will be placed on one surface of the container; except that in the case of containers of ten or more cubic feet, such markings may be made on two surfaces of the container.

(3) Service color and oversea markings will be placed on containers when required and as directed by the chief of the supply service concerned.

(4) On less-than-carload shipments, the name and address of both consignor and consignee will be placed on one or two surfaces of the container in an area not to exceed 28 square inches. This information may be placed with the contract data markings either in adjoining spaces or on the same label.

(5) Markings or labels required by law, governmental regulations (for example, or inflammables, explosives, etc.), or by carrier tariff, and additional markings required by the various supply services will be placed on one surface. This surface will, if practicable, be the surface containing the contract data markings.

(6) The markings on boxes, crates, and other containers will be limited so far as practicable to the markings referred to in subparagraphs (1) through (5) above.

(7) All markings other than those referred to in subparagraph (5) above will be confined to two surfaces of the box, crate, or container. The markings referred to in subparagraph (5) will also be placed on the same two surfaces if practicable, but may if necessary be placed on a third surface.

(b) *Oversea markings.* The one-third of a surface which is not used (see paragraph (a) (1) of this section) will be reserved for oversea markings.

(c) *Irregular containers.* Markings on barrels, drums, and other containers which are not rectangular in shape will be applied in such a manner as to carry out so far as practicable the intent of the instructions contained in paragraph (a) of this section.

(d) *Trade names, brands, and other advertising matter.* Trade names, brands and other advertising matter will be limited to the area or the label containing the contract data.

(e) *Marking by contractors.* The supply services will provide either in the contract specifications or by instructions to contracting officers for the marking by contractors of containers in conformance with the principles set forth in the preceding paragraphs. (See § 81.363.) (Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601–622.) [Services of Supply Memorandum No. S5–43–43, February 23, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–3553; Filed, March 6, 1943; 9:56 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

Correction

In the document appearing on page 2531 of the issue for Tuesday, March 2, 1943, the paragraph following the introductory language under "Miscellaneous Prohibitions" should read as follows:

"§ 81.111 *Conflicts between outside interests of officers or civilian employees and their official duties* * * *"

The effective date in the second paragraph of § 81.920 on page 2537 should read "January 16, 1943."

Reference to § 81.796m in the second paragraph of the introductory language under "Wage and Salary Stabilization" on page 2538 should be to § 81.976m. In § 81.976a on page 2538, paragraph (d) of the quoted § 4001.1 should read as follows:

(d) The term "code" means the Internal Revenue Code, as amended and supplemented.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 263]

DELTA AIR CORPORATION

WAIVER OF CERTAIN REQUIREMENTS

Waiver of the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to Delta Air Corporation.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of March 1943.

Having had under consideration the regular use of the new Monroe Airport near Monroe, Louisiana, in scheduled air transportation, the Board finds that:

1. A new airport has been constructed on the site of the Selman Airport, Monroe, Louisiana, which is adequate for regular use by aircraft operated in scheduled air transportation, being located in level terrain and having 3 unobstructed runways, the shortest of which is 5000 feet;

2. First pilots serving in air transportation for Delta Air Corporation on routes touching Monroe, Louisiana, have had an opportunity to become familiar with the new Monroe Airport through constant examination from the air so that compliance with the provisions of the Civil Air Regulation requiring the first pilot to have landed at least once at such airport may not be required in the interest of safety if the familiarity of the first pilot with the new Monroe Airport is sufficiently demonstrated as hereinafter provided:

Now, therefore, It is ordered, That: Any first pilot listed in the Delta Air Corporation's Airman Operations Specifications on February 28, 1943, who is qualified as competent to operate an aircraft in scheduled air transportation between Atlanta, Georgia, and Fort Worth, Texas, on February 28, 1943, may pilot aircraft in scheduled transportation for said carrier into and out of the new Monroe Airport, Monroe, Louisiana, upon furnishing evidence satisfactory to a representative of the Administrator of the pilot's thorough familiarity with the form and condition of the airport and with the location and nature of any obstructions in the vicinity.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43–3629; Filed, March 8, 1943; 10:37 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATION, SECURITIES EXCHANGE ACT OF 1934

REPORTS TO BE MADE BY CERTAIN EXCHANGE MEMBERS, BROKERS AND DEALERS

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 17 and 23 (a) thereof, hereby amends paragraph (c) of sec. 240.17A–5 [Rule X–17A–5] (7 F.R. 9917, 10918) to read as follows:

§ 240.17A–5 *Reports to be made by certain exchange members, brokers and dealers.* * * *

(c) *Use of certain statements filed with the Securities and Exchange Commission, State commissions and National Securities Exchanges.* (1) Any member, broker, or dealer who is subject to the provisions of paragraph (a) hereof may file in lieu of the report required by that paragraph a copy of any financial statement which he is, or has been, required to file with any national securities exchange of which he is a member, or with any agency of any State as a condition of doing business in securities therein, *Provided,* That (i) the copy so included reflects his financial condition as of a date not more than forty-five (45) days prior to the filing thereof with the Commission; and (ii) the report, as filed with this Commission, meets the requirements of this rule and Form X–17A–5 and contains the information called for by that form.

(2) At the request of any member, broker, or dealer who is (i) an investment company registered under the Investment Company Act of 1940, or (ii) a sponsor or depositor of such a registered investment company who effects transactions in securities only with, or on behalf of, such registered investment company, the Commission will accept any statement of his financial condition filed pursuant to sections 13 or 15 (d) of the Securities Exchange Act of 1934 or section 30 of the Investment Company Act of 1940 and the rules and regulations promulgated thereunder as a filing pursuant to this rule. Such a filing shall be deemed to satisfy the requirements of this rule for any calendar year in which such a financial statement is filed, *Provided,* That the statement as filed meets the requirements of the other rules under which it is filed with respect to time of filing and content.

Effective March 5, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–3552; Filed, March 5, 1943; 4:31 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 22—TRADING WITH THE ENEMY

TRANSPORTATION OF ENEMY ALIENS ON AMERICAN VESSELS AND AIRCRAFT

Pursuant to section 3 (b) of the Trading-with-the-enemy Act of October 6, 1917 (40 Stat. 412; 50 U.S.C., App., 3b) and section XXVII of Executive Order 2729–A, of October 12, 1917, the following regulations relating to the transportation of subjects or citizens of an enemy nation or an ally-of-an-enemy nation by American vessels or by American aircraft are hereby issued by the Secretary of State and all previous regulations inconsistent therewith are revoked.

Sec.
22.1 Definitions.
22.2 General license for transportation.
22.3 Reservation of power to withdraw the general license.
22.4 Travel without license prohibited.
22.5 Issuance of licenses by diplomatic and consular officers.

Sec.
22.6 Advance notice regarding persons who have applied for passage.
22.7 Provisions regarding stateless persons and persons who may have dual nationality.
22.8 Applications for required licenses not covered by General License No. 1.
22.9 Temporary suspension of permit to enter the United States.
22.10 Requests to American agencies not to carry persons whose carriage would endanger the rights and interests of the United States.
22.11 Licenses granted not to include permission to travel over or through the Panama Canal Zone.

AUTHORITY: § 22.1 to 22.11, inclusive, issued under 40 Stat. 412; 50 U.S.C., App. 3b, E.O. 2729–A.

§ 22.1 *Definitions.* For the purpose of these regulations:

(a) The term "United States" shall be deemed to mean all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof.

(b) The term "person" shall be deemed to mean any citizen of the United States, whether within the United States or within any foreign country; any person within the United States; any individual, or any partnership, association, corporation, or other organization which is organized under the laws of the United States, or which has its principal place of business within the United States, or which is owned or controlled, directly or indirectly, by one or more persons subject to the jurisdiction of the United States; or any agent, subsidiary, affiliate, or other person owned or controlled, directly or indirectly, by any person subject to the jurisdiction of the United States.

(c) The term "enemy" shall be deemed to mean:

(1) Any individual or any partnership or other body of individuals, of any nationality, resident within the territory of any nation with which the United States is at war (including that occupied by the military and naval forces thereof) or resident outside of the United States and doing business within such territory, or any corporation incorporated within such territory of any nation with which the United States is at war or incorporated within any country other than the United States and doing business within such territory.

(2) The government of any nation with which the United States is at war, or any political or municipal subdivision thereof, or any officer, official, agent, or agency thereof.

(3) Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation with which the United States is at war, wherever resident or wherever doing business, as the President may designate by proclamation, if he deems that the safety of the United States or the successful prosecution of the war shall so require.

§ 22.2 *General license for transportation.* A general license is hereby granted, authorizing for the purpose of section 3 (b) of the Trading-with-the-enemy Act:

(a) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, from any point within the United States to any point outside of the United States: *Provided*, That such citizen or subject has a valid permit to depart, a valid exit visa, a valid border-crossing identification card issued on or after December 7, 1941, or a valid re-entry permit issued with the concurrence of the Secretary of State as to destination, or that he is exempted under § 58.23 of title 22 of the Code of Federal Regulations (6 F.R. 5927) from the necessity of obtaining a permit to depart: *Provided further, however*, That if such citizen or subject has obtained a permit to depart, an exit visa, a border-crossing identification card, or a re-entry permit, the license hereby granted shall extend only to transportation to the destination for which such documents were granted, or to the destination specified therein.

(b) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, who has a valid permit to enter the United States issued on or after December 7, 1941 or who is exempted under § 58.44 or § 58.45 of title 22 of the Code of Federal Regulations (6 F.R. 5930) from the necessity of obtaining a permit to enter: *Provided*, That such transportation shall be from a point outside of the United States to a point within the United States in the ordinary course of the alien's journey and shall not include travel over or through the Panama Canal Zone, or over or through any restricted military or naval area, unless permission to travel through the Panama Canal Zone or other such restricted area shall have been procured from the appropriate authorities of the United States.

(c) The transportation within the United States of any citizen or subject of an enemy nation, or ally-of-an-enemy nation, whose transportation has been authorized by the Attorney General or the Secretary of War under Proclamations 2525 (6 F.R. 6321), 2526 (6 F.R. 6323), and 2527 (6 F.R. 6324), and rules and regulations issued thereunder.

§ 22.3 *Reservation of power to withdraw the general license.* A general license issued under § 22.2 may be withdrawn with respect to the carriage of any citizen or subject of an enemy nation or ally-of-an-enemy nation, or any class thereof, by order of the Secretary of State; and nothing in these regulations shall be construed as exempting any alien from the necessity of complying with any other laws, regulations, or requirements relating to travel to or from the United States.

§ 22.4 *Travel without license prohibited.* Unless a license has been granted by or on behalf of the Secretary of State, no American transportation company, firm, corporation, concern, person, or individual shall transport by water, land, or air, from any point outside of the United States to any other point, any person who is a citizen or subject of a nation with which the United States is at war, or a citizen or subject of any nation allied with a nation with which the United States is at war, or any national included in the Proclaimed List.[1]

§ 22.5 *Issuance of licenses by diplomatic and consular officers.* Diplomatic and consular officers in independent countries of the Western Hemisphere may, without reference to the Department of State, issue licenses for transportation to persons who are residents of the country to which they are accredited and who are subject to the restrictions of the Trading-with-the-enemy Act, for travel within that country, only if they are satisfied that the travel of that person is not prejudicial to the interests of the United States.

§ 22.6 *Advance notice regarding persons who have applied for passage.* Each American transportation company, firm, corporation, concern, person, or individual shall, unless it is not deemed feasible, submit in advance to the appropriate diplomatic mission or consulate a list of persons who have applied for passage from any point outside of the United States to any other point. The diplomatic mission will determine whether such lists should be submitted and, if so, whether they should be submitted to the mission or to a consulate, adopting appropriate measures to avoid duplication. If submission of such a list is not deemed feasible, some other procedure should be adopted to insure that the mission or consulate will be informed in advance of all requests for passage by aliens. The Department of State is to be informed of the procedure adopted.

[1] Proclaimed List of Certain Blocked Nationals, promulgated pursuant to Proclamation 2497 of July 17, 1941, and revised and supplemented from time to time (22 CFR, ch. III).

§ 22.7 *Provisions regarding stateless persons and persons who may have dual nationality.* (a) Care should be exercised in determining for licensing purposes the status of persons claiming to be stateless. All aliens 14 years of age or older, who at the present time are stateless but who at the time they became stateless were citizens or subjects of Germany, Italy, Japan, Hungary, Rumania, or Bulgaria, or who were citizens or subjects of an ally of these countries, shall be considered, for licensing purposes under the Trading-with-the-enemy Act, as being enemy nationals or ally-of-enemy nationals.

(b) Care should also be exercised in determining, for licensing purposes, the nationality of persons who may have dual nationality.

§ 22.8 *Applications for required licenses not covered by General License No. 1.* In a case which is not covered by General License No. 1 of July 8, 1942 (7 F.R. 5368) but one in which a license for travel is nevertheless required, the transportation agency will execute the application for license on form ET–1, copy of which is obtainable from the Secretary of State. This form may be transmitted by the transportation agency to the diplomatic or consular officer at the intended originating transportation point, for transmission to the Department of State; or it may be transmitted by the transportation agency direct to the Department. Such applications, with the exception of those covering travel from one point in an independent country of the Western Hemisphere to another point in the same country, outlined in § 22.5 hereof, will be considered by the Department before a license is granted. The diplomatic or consular officer at the intended originating transportation point will be notified of the Department's decision. If a license is granted by the Department, the diplomatic or consular officer, if he believes the circumstances warrant, may temporarily suspend the license and immediately forward a full report to the Department.

§ 22.9 *Temporary suspension of permit to enter the United States.* In the case of an enemy national or ally-of-enemy national, where an advisory approval has been given for the issuance of a permit to enter the United States and where the diplomatic or consular officer issuing such permit knows or has reason to believe that the transportation of such alien by an American transportation line would be prejudicial to the interests of the United States, a full report shall be forwarded to the Department of State and issuance of the permit to enter shall be held in abeyance; or the permit, if previously issued, shall be taken up and held for possible cancelation, as the Secretary of State may decide to withdraw the applicability of General License No. 1 to such case in accordance with § 22.3 of these regulations.

§ 22.10 *Requests to American agencies not to carry persons whose carriage would endanger the rights and interests of the United States.* In the case of a person who is not on the Proclaimed List, or a person who is not an enemy national or an ally-of-enemy national, a request may be made by the diplomatic or consular officer to American agencies not to carry such person if it appears that his carriage would endanger the rights and interests of the United States or if, after reasonable investigation, it is concluded that he is a member of any party, organization, association, society, union, club, clique, or faction which engages in subversive political activities or in the dissemination of propaganda advocating the establishment in an American republic of a form of government not in conformity with the form of government existing under the constitution of such republic, or which attempts to extend to any country of the Western Hemisphere any political system contrary to that now existing in such country. Any attempt on the part of such party, organization, association, society, union, club, clique, or faction to extend its system to any portion of this hemisphere should be considered as dangerous to the peace and safety of the United States and prejudicial to the defense of the Western Hemisphere. The Department of State should be informed of such cases as soon as they arise.

§ 22.11 *Licenses granted not to include permission to travel over or through the Panama Canal Zone.* Licenses granted under the regulations in this part will not include permission to travel over or through the Panama Canal Zone or over or through any other restricted military or naval area. Either the transportation agency or the alien concerned must procure such permission from the appropriate military or naval authorities.

SUMNER WELLES,
Acting Secretary of State.

MARCH 5, 1943.

[F. R. Doc. 43–3507; Filed, March 5, 1943; 12:21 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1835]

PART 334—MINIMUM PRICE SCHEDULES, DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for the coals of the No. 2 Mine of the Greenwood Coal Company.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the No. 2 Mine, Mine Index No. 623, of the Greenwood Coal Company, in Subdistrict 5 of District No. 14, for all shipments except truck and for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR RAIL SHIPMENTS

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group																
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Greenwood Coal Company (V. E. Thornton).	623	No. 2	5	Excelsior, Ark	MV	15	-----	-----	C	-----	-----	-----	-----	-----	-----	-----	-----	L	-----	B	-----	-----	-----	P	-----	-----

FOR TRUCK SHIPMENTS

§ 334.24 *General prices for shipment into all market areas*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member	Mine index No.	Mine name	Sub-district No.	County
Greenwood Coal Company (V. E. Thornton)	623	No. 2	5	Sebastian, Arkansas

Prices and size group Nos.																		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
-----	-----	415	-----	---	---	---	---	--	---	---	330	--	165	---	---	----	310	---	-----

[F. R. Doc. 43-3496; Filed, March 5, 1943; 11:50 a. m.]

[Docket No. A-1802]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group													
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Fateley, J. O.[1] (Wyattside Coal Company)	780	Wyattside	3	Bevier, Mo	CB&Q	11	A	A	A	A	A	C	C	C	C	A	C	A	A	A	A
Lovell Coal Co.[1] (C. L. Dale)	1150	Lovell	3	Moberly, Mo	Wab	III	A	A	A	A	A	C	C	C	C	A	C	A	A	A	A
Perkins, A. G.[1]	1285	Saindiego	3	Moberly, Mo	Wab	III	A	A	A	A	A	C	C	C	C	A	C	A	A	A	A

[1] Previously classified as truck mine. A is Market Area list price as listed in Price Schedule No. 2. C minus 10 cents from list price.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Production group No.	County	3" lump	3" Up	10" x 12"	10" x 10"	3" x 3"	3" x 1¼"	3" x 1"	1¼" x 1"	Mine run	3" x 0	1¼" x ¾"	1¼" x ¼" (R)	1¼" x 0(W)	1¼" x 0(R)	¼" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Custom Coal Company	1661	Custom #1	1	Barton, Mo	270	270	270	270	240	230	205	220	230	205	180	165	-------	145	45
Elm Branch Coal Company (L. L. Hughes)	1662	No. 2	1	Barton, Mo	270	270	270	270	240	230	205	220	230	205	180	165	-------	145	45
Jonnum Coal Company (O. O. Jonnum)	1663	Jonnum #2	1	Crawford, Kans	270	270	270	270	240	230	205	220	230	205	180	165	-------	145	45
Lyman, Pearl	1657	Lyman (Hume-Sinclair Dumps).	2	Bates, Mo	260	260	260	260	235	220	205	200	220	195	195	180	-------	160	45
Mayer, P. J	1659	Mayer	2	Henry, Mo	260	260	260	260	235	220	205	200	220	195	195	180	-------	160	45

[F. R. Doc. 43-3497; Filed, March 5, 1943; 11:50 a. m.]

[Docket No. A-1839]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15 for all shipments except truck and for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Product group No.	Shipping point	Railroad	Freight Origin Group No.	Price classification by size group														
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Cooperative Coal Co. (T. A. Orick)	121	Elkins	3	November, Mo.	C B&Q	120	B	B	B	B	C	C	C	C	A	C	A	A	----	A	A
Elm Branch Coal Company (H. L. Hudgens)	1662	No. 2	1	Mulberry, Mo.	K C S	142	A	A	A	A	A	A	A	A	A	A	A	A	----	A	A
Puritan Coal Company (Emil F. Fernetti)	1660	Puritan	1	Garland, Kans.	S L-S F	116	A	A	A	A	A	A	A	A	A	A	A	A	---	A	A

[1] Previously classified as truck mine.

A to Margin Area 64 price as listed in Price Schedule No. 2.
B, minus 5 cents from list price.
C, minus 10 cents from list price.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Production group No.	County	3" Lump	1½" Up	1¼" x 1½"	10" x 1¼"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¼" x ⅝"	1¼" x ¼" (R)	1¼" x 0 (W)	1¼" x ¼ (E)	⅜" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Kinser Brothers (Frank Kinser)	1670	Kinser	2	Linn, Kansas	260	260	260	260	235	220	205	200	220	195	195	180	----	160	45
Puritan Coal Company (Emil F. Fernetti)	1660	Puritan	1	Burlton, Kansas	270	270	270	270	245	230	215	220	230	205	180	165	----	145	45

[F. R. Doc. 43-3498; Filed, March 5, 1943; 11:49 a. m.]

[Docket No. A-1847]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the Green Raney Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Green Paney Mine, Mine Index No. 176, of Gus D. Raney, in Subdistrict 6 of District No. 18 for shipment by truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 338.2 (*Code member price index*) is amended by adding thereto Supplement T-I and § 338.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief is granted herein with respect to petitioner's request that the boundaries of District No. 18 be revised to include therein all coal producing counties in the State of New Mexico, except Colfax County, for the reason that such relief was heretofore granted by the order issued in Docket No. 898-FD on October 23, 1940, 5 F.R. 4318.

No relief is granted herein with respect to petitioner's request that the boundaries of District No. 18 be revised to include therein all coal producing counties in the State of Arizona for the reason set forth in the Memorandum Opinion and Order Severing Docket No. A-1847, Part II, From Docket No. A-1847, and Notice of and Order for Hearing in Docket No. A-1847, Part II.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18 and supplements thereto.

FOR TRUCK SHIPMENTS

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 18:

§ 338.2 *Code member price index*—Supplement T-I

Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine	Mine index No.	County	Sub-district price group	Prices section	
					Rail	Truck
Raney, Gus D.	Green Raney	176	Catron, N. M.	6	------	338.21

§ 338.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T-II

Insert the following code member's name, mine name, mine index number, and county under Sub-District No. 6, and the following prices:

Code member and mine name	Mine index No.	County	Size groups						
			2	6	8	9	12	14	15
SUB-DISTRICT NO. 6									
Raney, Gus D., Green Raney	176	Catron, N. M.	315	305	315	240	185	160	80

[F. R. Doc. 43-3499; Filed, March 5, 1943; 11:51 a. m.]

[Docket No. A-1848]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 18.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 18 for Truck Shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 338.2 (*Code member price index*) is amended by adding thereto Supplement T-I, and § 338.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18 and supplements thereto.

FOR TRUCK SHIPMENTS

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 18:

§ 338.2 *Code member price index*—Supplement T-I

Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine	Mine index No.	County	Subdistrict price group	Prices section	
					Rail	Truck
Harris, Edward	Bloomfield	175	McKinley, N. M.	1	------	0338.21
Mashie, Tom	No. 2	177	San Juan, N. M.	10	------	0338.21

§ 338.1 *General prices in cents per net ton for shipment into all market areas*—Supplement T-II

Insert the following code member's name, mine name, mine index number, and county under Sub-Districts 1 and 10, and the following prices:

Code member and mine name	Mine index No	County	Size groups									
			1	2	4	6	8	9	10	11	12	15
SUB-DISTRICT NO. 1												
Harris, Edward, Bloomfield	177	McKinley, N. M.	465	440	415	365	315	----	----	295	185	340
SUB-DISTRICT NO. 10												
Mashie, Tom, No. 2	177	San Juan, N. M.	390	340	----	----	215	190	140	115	----	240

[F. R. Doc. 43-3500; Filed, March 5, 1943; 11:50 a. m.]

[Docket No. A-1838]

PART 343—MINIMUM PRICE SCHEDULE, DISTRICT NO. 23

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Beaver Coal Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Beaver Coal Mine (Mine Index No. 175) of code member Wallace Martin in Subdistrict K of District No. 23; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 343.4 (*Code member price index*) is amended by adding thereto Supplement T–I, and § 343.21 (*General prices*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleading in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 5, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 23

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 343, Minimum Price Schedule for District No. 23 and supplements thereto.

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 23.

FOR TRUCK SHIPMENTS

§ 343.4 *Code member price index*—Supplement T–I

Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Sub-district price group	Prices section	
					Rail	Truck
Martin, Wallace	Beaver Coal	175	Coos, Oregon	"K"	-------	§ 341.21

Insert under Sub-District "K" in proper alphabetical order the following code member's name, mine name, mine index number, county, and minimum prices:

§ 343.21 *General prices*—Supplement T–II

Code member name	Mine	Mine index No.	County	Size groups			
				2	10	14	24
SUB-DISTRICT "K"							
Martin, Wallace	Beaver Coal	175	Coos, Oregon	475	375	275	225

[F. R. Doc. 43-3501; Filed, March 5, 1943; 11:50 a. m.]

[Docket No. A–1689]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

MEMORANDUM OPINION, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition filed by Byrnes Coal Company, a code member in District No. 1, requesting permission to mix and load certain coals; and of the petition filed by Walnut Run Coal Company, a code member in District No. 1, requesting permission to mix and load certain coals.

An original petition, pursuant to section 4, Part II (d) of the Bituminous Coal Act of 1937, was duly filed with the Bituminous Coal Division (the "Division") by Byrnes Coal Company, a copartnership consisting of O. R. Byrnes, L. G. Byrnes and M. A. Byrnes, a code member, (the "petitioners") which operates the Byrnes No. 2 mine, Mine Index No. 75, and one of the Mines of Walnut Run Coal Company, Mine Index No. 74, located in Cambria County, Pennsylvania, in District No. 1. This petition requested that the petitioners be permitted (a) to load coal in railroad cars on the sidetrack of Walnut Run Coal Company, Mine Index No. 74 and (b) to mix such coal with other coal loaded on said sidetrack of Walnut Run Coal Company.

It appears that the above-named petitioners are lessees of the Walnut Run Coal Company, and that the said M. A. Byrnes is also a partner in Walnut Run Coal Company.

Subsequently, an amended petition was filed in the above-entitled matter by Walnut Run Coal Company, a partnership composed of M. A. Byrnes and William F. Dill, Barnesboro, Pennsylvania, a code member, who operate the Byrnes No. 1 Mine, Mine Index No. 74, located in District No. 1. This amended petition requested permission for Walnut Run Coal Company (1) to mix coals produced by this petitioner with those produced by Byrnes Coal Co. at the Byrnes No. 2 Mine, Mine Index No. 75, in the "D" seam and by Scalese Brothers, at the Sunshine Mine, Mine Index No. 492, in the "E" seam; and (2) to ship such mixture from Siding No. 6134 of the Walnut Run Coal Company on the Pennsylvania Railroad. This petitioner also requests that pending final disposition of the matter, a preliminary or temporary order be entered granting the relief prayed for.

It appears from the petition that Byrnes Coal Company and Scalese Brothers are lessees of the Walnut Run Coal Company, that all the coal involved herein is owned in fee by the Walnut Run Coal Company, and is classified as "G" in Size Group 3 for rail shipment.

Petitions of intervention have been filed by Bituminous Coal Consumers' Counsel and District Board No. 1. In his petition of intervention, the Bituminous Coal Consumers' Counsel requested that if relief be granted permitting the sale of the coals involved herein as a mixture, the following provision be included in any temporary or final relief orders: "When such mixture is sold the invoices shall properly identify the coal." District Board No. 1 intervened urging that the requested relief be granted.

Upon the basis of the allegations contained in the amended petition, it appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, and that the following action is deemed necessary in order to effectuate the purposes of the Act.

Therefore, It is ordered, That pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 15, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Rail road	Freight origin group No.	1	2	3	4	5
75	Byrnes Coal Co.	Byrnes #2	16	D	Barnesboro, Pa	P R R	45	(†)	(†)	G	(†)	(†)
492	Scalese Bros. (T. J. Scalese)	Sunshine	16	E	Barnesboro, Pa	P R R	45	(†)	(†)	G	(†)	(†)
74	Walnut Run Coal Co.	Byrnes #1	16	E	Barnesboro, Pa	P R R	45	(†)	(†)	G	(†)	(†)

† Indicates no classifications effective for these size groups.

NOTE: When the coals from Mines with Index Nos. 74, 75 and 492 are loaded into the same car, Siding 1644 of the Walnut Run Coal Company at Barnesboro, Pa., the minimum price applicable to the mixture shall be the price of the coal in the mixture which has the highest price classification (Classification "G" in Size Group 3). When such mixture is sold, the invoices shall properly identify the coal.

[F. R. Doc. 43-3554; Filed, March 6, 1943; 11:26 a. m.]

[Dockets Nos. A–1831 and A 1843]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

MEMORANDUM OPINION, ETC.

Memorandum opinion and order granting motion to amend petition, amending petition, consolidating petitions, granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, were duly filed with this Division by District Board No. 2, (the "Petitioner"), requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2 and requesting changes in shipping points for the coals of certain other mines also located in District No. 2.

A motion was filed by the petitioner on January 20, 1943 with this Division in Docket No. A–1831, requesting that the original petition filed therein be amended by (1) deleting therefrom the proposal that Shaw Siding, Pennsylvania, on the Pennsylvania Railroad, be established as a shipping point for the coals produced at the Sturgiss No. 2 Mine, Mine Index No. 380, of the Pennsylvania Coal Company (Myers Nobel) and inserting in lieu thereof, Sackett, Pennsylvania, on the Baltimore & Ohio Railroad, as a shipping point for said coals; and by (2) adding to said petition a proposal that the shipping point heretofore established for the coals produced at the Rider Strip Mine, Mine Index No. 449, of the said Pennsylvania Coal Company (Myers Nobel) at Fairchance, Pennsylvania, on the Baltimore & Ohio Railroad, be deleted and that there be established in lieu thereof, Rich Hill Siding, Outcrop, Pennsylvania, and Sackett, Pennsylvania, on the Baltimore & Ohio Railroad as shipping points for the coals of this mine.

It appears that a reasonable showing of necessity has been made for the granting of relief in the manner hereinafter set forth; that no petitions of intervention and motions in opposition to the granting of said motion have been filed with the Division; that the original petition, as amended, filed in Docket No. A–1831 and the original petition filed in Docket No. A–1843 should be consolidated; and that the following action is deemed necessary to effectuate the purposes of the Act.

Now, therefore, It is ordered, That said motion be and the same hereby is, granted, and that the original petition filed in Docket No. A–1831 be, and the same hereby is, amended in accordance therewith.

It is further ordered, That the said petitions be, and the same hereby are, consolidated.

It is further ordered, That pending final disposition of the above entitled matter, temporary relief is granted as follows: Commencing forthwith § 322.7 (*Alphabetical list of Code members*) is amended by adding thereto Supplements R–I and R–II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.														
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
380	Ermmio, Chauncey [1] (Lockrone Fuel Co.)	Ermmio #1	Pittsburgh	3	New Geneva, Pa	Monch	30	(†)	(†)	(†)	(†)	(†)	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2626	Mineral Coal Mining Co. (Clyde A. Marsh)	Mapel Grove (D)	U. Mercer	1	Raymilton, Pa	NYC	101	J	J	H	H	H	H	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2624	Primrose Mining Co. (Monro Lemon)	Primrose #1 (S)	Pittsburgh	7	Midway, Pa	PRR	74	X	X	C	C	F	F	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
424	Wheeling & [illegible] C. T. [2]	Burdett	Brookville	1	Raymilton, Pa	NYC	101	J	J	H	H	H	H	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)	(†)

[1] Indicates change in ownership only.
[illegible] Indicates [illegible] for this size group.

NOTE: In § 322.9 (e) in Minimum Price Schedule add the mine index numbers in the groups shown: Group No. 2, 2624; Group No. 7, 380; Group No. 19, 424, 2626.

§ 322.7 *Alphabetical list of code members*—Supplement R–II

Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Freight origin group No.	Size group Nos.													
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	B&O			80	(1)	(1)	(1)	(1)	E	E	E	E	E	(1)	(1)	(1)	E	E	E	
	B&O																			
	B&O			90	(1)	(1)	(1)	(1)	E	E	E	E	E	(1)	(1)	(1)	(1)	(1)	(1)	
	B&O																			

(1)Indicates no classification effective for this size group.

NOTE: § 322.9 (c) for minimum prices schedule and the mine index numbers in group shown. Group No. 7, 380, 499.

[Docket No. A–1634]

PART 328—MINIMUM PRICE SCHEDULE
DISTRICT NO. 8

FINDINGS OF FACT, ETC.

Findings of fact, conclusions of law, memorandum opinion and order in the matter of petitions of District Board No. 8 for a change in price classifications and minimum prices for rail, lake and truck shipments for the coals produced by High Point #1 Mine (Mine Index No. 241) of High Point Coal Company, a code member.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on September 12, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by District Board 8. The petition requested a change in price classifications for coals produced by High Point Coal Company, a code member in District 8, operating the High Point No. 1 Mine (Mine Index No. 241), located in Caryville, Campbell County, Tennessee. On October 28, 1942, District Board 8 filed a motion to amend its petition so as to include additional size groups. No objection having been made thereto, the motion is hereby granted. The petition, as amended, requests changes in price classifications and minimum prices as follows:

Rail—Size Groups 1 to 8, inclusive, from "B" to "A"; Size Groups 11 to 14, inclusive, from "B" to "A".

Lake—Size Groups 1 to 6, inclusive, from "B" to "A".

Truck—Size Group 1, from $3.25 to $3.35; Size Group 2, from $3.05 to $3.15; Size Group 4, from $2.55 to $2.60.

Pursuant to appropriate orders, and after due notice to interested persons, a hearing was held on October 29, 1942, before Edward J. Hayes, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Petitioner and Bituminous Coal Consumers' Counsel appeared. All parties waived the preparation and filing of a report by the Examiner, and the matter was thereupon submitted to me for consideration.

The High Point No. 1 Mine (Mine Index No. 241) of the High Point Coal Company operates in the Peewee seam, and is located in Campbell County, Tennessee, Southern Appalachian Subdistrict of District 8. This mine is adjacent to or in the near vicinity of certain other mines operating in the Peewee seam,[1] which were classified "A" in the size groups in question for rail and lake shipment, and for which the effective minimum prices in Size Groups 1, 2, and 4 for truck shipment were established at $3.35, $3.15, and $2.60 per ton f. o. b. the mine.

[1] Sun Mine (Mine Index No. 453) of the Sun Coal Company; Southern Collieries Mine (Mine Index No. 433) of the Southern Collieries, Inc.; Clinchmore Mine (Mine Index No. 119) of the Clinchmore Coal Mining Company.

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Mine Index No.	Code member Index	Mine	Seam	Base sizes											
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack	
				1	2	3	4	5	6	7	8	9	10	11	
	ALLEGHENY COUNTY														
339	Campbell, Charles E.	Maud	Pittsburgh	295	285	275	255	255	235	220	240	210	200	190	
347	Evanko Coal Company (Joseph Evanko).	Evanko	Pittsburgh	295	285	275	260	255	235	230	240	200	190	180	
2922	Gross, Peter	Gross	Pittsburgh	315	305	295	270	245	215	240	240	215	205	200	
3069	Snyder, Frank Coal Co. (Frank Snyder).	York # 2	Pittsburgh	295	285	275	255	235	215	230	240	210	200	190	
	FAYETTE COUNTY														
2919	Cottom, William H.	Cottom	Sewickley	295	285	275	260	240	220	250	230	215	210	195	
3080	Ermilio, Chimney J. (Lockross Fuel Co.).	Ermilio # 1	Pittsburgh	310	300	290	270	250	240	255	240	225	220	195	
	LAWRENCE COUNTY														
2925	Mahoning Valley Sand Company.	Mavasco # 4	M. Kitt	320	310	300	275	270	255	245	245	205	195	175	
	MERCER AND TENANGO COUNTIES														
3926	Mineral Coal Mining Co. (Clyde A. Marsh).	Mapel Grove (D)	U. Mercer	345	330	310	295	290	275	275	260	205	195	180	
429	Wheeling & Sons, C. T.	Burdett	Brookville	345	330	310	295	290	275	275	260	205	195	180	

[1] Indicates change in ownership only.

[F. R. Doc. 43–3555; Filed, March 6, 1943; 11:25 a. m.]

respectively by the order of the Director in General Docket No. 15. The petition requests that the price classifications and effective minimum prices of the High Point No. 1 coals should be advanced to the price classifications and minimum prices of similarly sized coals produced by these Peewee seam mines, and particularly by the Sun Mine, which is owned by the same interests which own the High Point No. 1 Mine.

The position of District Board 8 is that the High Point No. 1 coals are comparable to and of equal market value with the coals in the same size groups produced by all other mines operating in the Peewee seam.[1] In support of its position District Board 8 adduced uncontradicted evidence that the coals of the High Point No. 1 Mine in the size groups involved, are used exclusively in the domestic market and that in structure, appearance, size and burning characteristics, are identical with the coals produced by all other mines operating in the Peewee seam.

According to W. P. Neekamp, a member of the Classification and Price Committee of District Board 8, the lower classification of High Point No. 1 coals was based on the recommendation of the Southern Appalachian Coal Operators' Association and on the then available information which showed some slight variation in size consist. Neekamp further testified that recent investigations by the Price and Classification Committee, a comparison of analyses, and an examination of realization data and the general market history of these coals indicate that the High Point No. 1 coals are of the same quality and characteristics as and are of equal value with similarly sized coals produced from the Peewee seam, and that there is no information indicating any variations or faults in the Peewee seam. He maintained also that the structure, appearance, size and burning characteristics of the High Point No. 1 mine coals which make for its market acceptability in domestic markets, are identical with those of the other Peewee seam coals and that the variation in size consist has no effect on their respective market values. O. W. Robinson, President of High Point Coal Company and Sun Coal Company, explained, further, that the slightly higher screening percentages in High Point No. 1 coals were, in large measure, caused by the loading facilities of the High Point No. Mine which have produced excessive breakage. The testimony of R. H. McCormick, Vice President and Sales Manager of the Kearns Coal Company, exclusive sales agent for the High Point and Sun Mines, to the effect that the coals in these mines are both marketed under the "Sun-Ra" trademark, are sold interchangeably, and from October 1, 1940 to the date of the hearing had the same sales realization, confirms the contention of District Board 8 that there should be no differential between effective minimum prices for the domestic sizes of the High Point No. 1 Mine and those produced from the other Peewee seam mines.[2]

From all of the evidence presented herewith, I am satisfied that the coals of the Peewee seam are all of comparable quality and characteristics, and of equal market value, and that the classification of High Point No. 1 coals, which apparently was erroneously made, was based upon the inadequate information available at the time of such classification. I am aware in this case that an increase in minimum prices will result in increased maximum prices applicable for rail shipment in all of the size groups except Size Group 1. I have, however, had occasion recently to hold that the increase in minimum prices will not be denied because it may result in an increase in maximum prices.[3] The underlying principle which guides the Division in determining the propriety of a revision of prices is whether the revision is necessary to effectuate the standards set forth in the Act. During this present period of emergency, when undue rises in the prices of commodities and the consequent tendencies toward inflation must be avoided, the Division has a duty and is enjoined to consider with great care such applications as may be presented for revision. The Division has generally relied, and will continue to rely, in matters of classification upon the information and experience which the District Boards have. For that reason, however, the District Boards have the serious duty of scrutinizing with redoubled care and attention, all applications for revision of minimum prices which may result in increased maximum prices. It is expected that the Boards will conscientiously scrutinize all requests for reclassification with infinite care.

In reliance upon the petition of District Board 8, the evidence adduced at the hearing in support thereof, and in view also of the fact that no objection to the request of District Board 8 was expressed at the hearing, I am of the opinion that the coals of High Point No. 1 Mine are comparable to and of equal value with the coals produced by other mines operating in the Peewee seam, and that in order for minimum prices for these coals to be just and equitable, to reflect as nearly as possible relative market values, and to preserve as nearly as may be existing fair competitive opportunities, the classification of the coals of the High Point No. 1 Mine should be advanced to the classification of the coals produced by such other Peewee seam mines. I find that, upon the basis of the entire record in this proceeding, such classification complies with the standards set forth in section 4 II (a) and (b) of the Act, and is required to effectuate the policy and purpose thereof.

Now, therefore, It is ordered, That effective fifteen (15) days from the date hereof, § 328.11 (*High Volatile Coals—Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*)[4] is amended by adding thereto Supplement T,[5] which supplements are hereinafter set forth and hereby made a part hereof.

Dated: February 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[1] This includes, in addition to the mines mentioned in footnote 1 above, the mine of the Peewee Coal Company, Incorporated, which also operates in the Peewee seam. It is significant that by order of the Director dated September 10, 1941 (6 F.R. 4729), the coals of this mine in the same size groups were given the same classifications and prices as the coals of the above-mentioned mines, despite the protest of the Peewee Coal Company, Incorporated, and after a hearing on its petition which alleged that its coals were comparable to and of equal value with the coals of the High Point No. 1 Mine. See *In the Matter of the Petition of District Board No. 8*, etc., Dockets A–446 and A–446, Part II.

[2] Comparison of gross realization for block and egg coals of the High Point No. 1 and Sun Mines for the period from October 1940 to June 1942, indicates that the average per ton realization for the High Point No. 1 Mine was slightly higher than that for the Sun Mine.

[3] *In the matter of the Petition of Kentucky Cardinal Coal Corporation*, etc., Docket A–1478.

[4] By order of the Director in General Docket No. 21, (7 F.R. 6943), effective October 1, 1942, and therefore, subsequent to the filing of the petition herein, it was provided, *inter alia*, that minimum prices for truck shipment be increased 20 cents per net ton. The petition is hereby amended in accordance therewith and the relief herein granted will reflect such increases.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *High volatile coals—Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group numbers: For destinations other than Great Lakes																		For Great Lakes cargo only													
								1/2	3/4	5/6	7	8	9	10	11/12/13/14	15/16/17	18/19/20/21	22	23	24	25	26	27	1/2	3/4	5/6	7	8	9	10	16/17	18/19/20	22	24	25	26	27
241	High Point Coal Company	No. 1	Pee Wee	6	Caryville, Tenn.	Sou	40	A	A	A	A	A	(*)	(*)	A	(*)	(*)	(†)	(†)	(*)	(*)	(†)	(†)		A	A	A	A	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†		

*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 3" over 4" x 6"	Lump 3" and under, over 3" x 6"	Lump 3" and under	Egg 3" x 1" over 2" x 5"	Stove 3" and under, not 2" and under	Straight mine run	3" and under slack	34" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
CAMPBELL COUNTY, TENN.											
High Point Coal Company	No. 1	241	Pee Wee	335	335	(*)	280	(*)	(*)	(*)	(*)

*Indicates previously classified these size groups.

[F. R. Doc. 43-3556; Filed, March 6, 1943; 11:25 a. m.]

[Docket No. A-1845]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 914.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Wheelhouse Mine, Mine Index No. 914 of Wheelhouse Coal Company; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 (*Price groups*) is amended by adding thereto Supplement R–I, and § 330.10 (*Special prices*—(a) (2) *Railroad locomotive fuel prices*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since railroad locomotive fuel Price Exceptions 1–F and 2–A in § 330.10 (*Special prices*—(a) (3) *Exceptions*) in Price Schedule, Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck are applicable to the coals of all other mines in Price Group 25 of District No. 10 for which minimum prices have been established for all shipments except truck and since no reason has been advanced for denying the application of these Price Exceptions to the coals of Mine Index No. 914, the relief granted herein makes the said Price Exceptions applicable to the coals of Mine Index No. 914.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classification, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R–I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
25	Wheelhouse Coal Co.	Wheelhouse	914	42	Rushville	C.B.&Q.

Mine Index No. 914 shall be included in Price Group 25 and shall take the same f.o.b. mine prices as other mines in Price Group 25, Schedule No. 1, District No. 10, For All Shipments Except Truck, and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel; *Provided, however*, That these f.o.b. mine prices apply on board transportation facilities at Rushville, Illinois.

§ 330.10 *Special prices*—(a) (2) *Railroad locomotive fuel prices*—Supplement R–II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
25	Wheelhouse Coal Co.	Wheelhouse	914	42	Rushville	C.B.&Q.

The railroad locomotive fuel price shall be: Mine Run—$2.00, Screenings—$1.40, and railroad locomotive fuel price exceptions 1–F, 2–A shall apply.

[F. R. Doc. 43-3557; Filed, March 6, 1943; 11:25 a. m.]

[Docket No. A-1855]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of minimum prices for the Lindsey Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced for truck shipment by the Lindsey Mine (Mine Index No. 1622) of H. J. Lindsey in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 5—SCHUYLER COUNTY																		
Lindsey, H. J.	1622	Lindsey	2	260	255	250	240	235	230	175	170	165	160	160	160	130	120	65

[F. R. Doc. 43-3558; Filed, March 6, 1943; 11:24 a. m.]

[Docket No. A-1851]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of minimum prices for rail shipments by the Phillips Mine of Shaw Mining Co. (Harry C. Shaw).

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced for rail shipment by the Phillips Mine (Mine Index No. 1353) of Shaw Mining Co. (Harry C. Shaw) in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practices and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas—Supplement T*

Mine Index No.	Code member	Mine	Seam	Prices and size group												
				1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16
	PERRY COUNTY																
1377	Hobbs, Carl	Hobbs No. 2	V	255	250	245	235	230	225	185	190	180	175	155	145	80	60

[F. R. Doc. 43-3505; Filed, March 6, 1943; 11:24 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 89]

OAKLAND PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 89 will consist of fire suppression, fighting forest fires, field planting, forest stand improvement and betterment of truck trails, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Service Headquarters.

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Oakland Project to be work of national importance, to be known as Civilian Public Service Camp No. 89. Said camp, located at Oakland, Garrett County, Maryland, will be the base of operations for forestry work in the States of Maryland and West Virginia, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E may be assigned to said camp in lieu of their induction for military service.

LEWIS B. HERSHEY,
Director.

FEBRUARY 23, 1943.

[F. R. Doc. 43-3508; Filed, March 5, 1943; 1:52 p. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of codemembers*—Supplement R

Mine Index No.	Code member	Mine	Seam	Sub-district	Freight origin group	Prices	Shipping point	Railroad
1563	Shaw Mining Co. (Harry C. Shaw)	Phillips	V	B-6	20	11	Boomville	Sou.

Mine Index No. 1563 shall be included in Price Group 11 and shall take the same prices as other mines in Price Group 11 in Price Schedule No. 11, for All Shipments by Truck. Mine Index No. 1563 shall take the same adjustments in f. o. b. mine prices and freight rates as have been established for Mine Index No. 87 and other mines in Freight Origin Group 20 of the Boomville Sub-district having the same freight rate. Mine Index No. 1563 shall be accorded the same prices for headrights (set as shown in § 331.10 in Minimum Price Schedule, District No. 11, for All Shipments Except Truck, as accorded Mine Index No. 87.

[F. R. Doc. 43-3509; Filed, March 6, 1943; 11:25 a. m.]

[Docket No. A-1860]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for Mine Index No. 1377.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Hobbs No. 2 Mine, Mine Index No. 1377 of Carl Hobbs; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[Amendment 133, 2d Ed.]

PART 622—CLASSIFICATION

REGISTRANTS BETWEEN 38 AND 45 YEARS OF AGE

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.45 to read as follows:

§ 622.45 *Class IV–H: Formerly deferred because of an age group not acceptable for military service.* No registrant shall hereafter be placed in Class IV–H. The classification of all such registrants now eligible or who, before May 1, 1943, become eligible for classification into Class II–C or Class III–C shall be immediately reopened and they shall be classified in Class II–C or Class III–C. The classification of all other registrants now in Class IV–H shall be reopened and they shall be classified anew as soon as possible after May 1, 1943.

2. Amend the regulations by adding a new section to be known as §622.81 to read as follows:

§ 622.81 *Identifying classified registrants over 38 years of age and under 45 years of age.* Whenever a classified registrant has reached or hereafter reaches the 38th anniversary of the day of his birth and has not attained the 45th anniversary of the day of his birth, he shall be identified in all records by following his classification with the letter "(H)." For example: If such registrant is in Class I–A, he shall be identified thus, 'Class I–A(H).'' If such registrant is in Class II–B, he shall be identified thus, 'Class II–B(H).'' If such registrant is in Class III–C, he shall be identified thus, 'Class III–C(H).'' If such registrant is in Class IV–F, he shall be identified thus, "Class IV–F(H)." The identification "(H)" shall be used for each such registrant regardless of his classification.

3. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 5, 1943.

[F. R. Doc. 43-3570; Filed, March 6, 1943; 12:45 p. m.]

[Amendment 134, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

CLASSES NOT REQUIRING PHYSICAL EXAMINATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C. Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (a), (b), and (c) of § 623.21 to read as follows:

§ 623.21 *Consideration of classes not requiring physical examination.* (a) Upon undertaking to classify any registrant, it should first be determined whether he should be classified in Class I–C. If the registrant is not classified in Class I–C, it should next be determined whether he should be classified in Class IV–A.

(b) If the registrant is not classified in Class I–C or Class IV–A under paragraph (a) of this section, the local board shall next determine whether he should be classified in Class IV–C on the ground that he is a neutral alien who has filed DSS Form 301 or on the ground that there is no possibility of his being accepted for training and service because of his nationality or ancestry. Otherwise no consideration will be given to Class IV–C at this time.

(c) If the registrant is not classified in Class I–C or Class IV–A under paragraph (a) of this section and is not classified in Class IV–C under paragraph (b) of this section, consideration shall next be given to the following classes in the order listed, and the registrant shall be classified in the first class for which grounds are established:

Class IV D	Class III A
Class IV B	Class II–C
Class III C	Class II–B
Class III–B	Class II A

* * * * *

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 5, 1943.

[F. R. Doc. 43-3571; Filed, March 6, 1943; 12:45 p. m.]

[Amendment 135, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

CLASSIFICATION AND CHANGE OF CLASSIFICATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive; E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 623.61 to read as follows:

§ 623.61 *Classification and change of classification.* * * *

(c) When the local board classifies or changes the classification of a registrant, it shall record such classification on the Selective Service Questionnaire (Form 40) and the Classification Record (Form 100). Such classification shall also be entered in Section II on the Report of Physical Examination and Induction (Form 221) when the registrant is classified following physical examination by the examining physician or when such physical examination has been waived. If the registrant has been denied a claim for a classification in Class I–A–O or Class IV–E, the local board shall enter on each copy of the Report of Physical Examination and Induction (Form 221) opposite Item 27 (a), a statement to that effect.

* * * * *

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B HERSHEY,
Director.

MARCH 6, 1943.

[F. R. Doc. 43-3572; Filed, March 6, 1943; 12:45 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 23]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS

Correction

Item 94 of the document appearing on page 2750 of the issue for Friday, March 5, 1943, should read as follows:

"94 Copper---------- 6401 00 thru 6439 98"

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Revocation of Preference Rating Order P-46 as Amended Oct. 10, 1942]

§ 978.1 *Preference Rating Order P-46.* Preference Rating Order P-46 (7 F.R. 8181) as amended October 10, 1942 is hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG.
Director,
Office of War Utilities.

[F. R. Doc. 43-3547; Filed, March 5, 1943; 4:46 p. m.]

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Revocation of Supplementary Preference Rating Order P-46-a, as Amended]

§ 978.2 *Preference Rating Order P-46-a.* Preference Rating Order P-46-a, as amended, (7 F.R. 8184) is

hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3548; Filed, March 5, 1943; 4:46 p. m.]

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Revocation of Supplementary Preference Rating Order P-46-b, as Amended]

§ 978.3 *Preference Rating Order P-46-b.* Preference Rating Order P-46-b, as amended (7 F.R. 10549) is hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3549; Filed, March 5, 1943; 4:46 p. m.]

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Revocation of Supplementary Preference Rating Order P-46-c, as Amended]

§ 978.4 *Preference Rating Order P-46-c.* Preference Rating Order P-46-c, as amended (7 F.R. 10549), is hereby revoked and shall be superseded by Utilities Order U-1 (8 F.R. 2383).

Issued this twenty-fourth day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3550; Filed, March 5, 1943; 4:46 p. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-b, as Amended March 6, 1943]

WAREHOUSES AND DEALERS

Supplementary Order M-21-b (§ 962.3) is hereby amended to read as follows:

§ 962.3 *Supplementary Order M-21-b*—(a) *Definitions.* For the purpose of this supplementary order:

(1) "Warehouse" means any person who receives physical delivery of iron or steel from a producer for sale or resale in the form received; but does not include any structural shape, plate, or sheet fabricator unless his warehouse sales during 1940 represented at least 25 percent of the total tonnage of iron or steel products handled by him during that year.

(2) "Dealer" means any person who receives physical delivery of iron or steel from a warehouse for sale or resale in the form received.

(3) "Delivery" includes deliveries on consignment.

(4) "Minimum carload" means a carload weighing not less than 40,000 lbs.

(b) *Schedule A products.* With respect to the iron or steel products listed in Schedule A hereto:

(1) *Quota restrictions.* No warehouse shall accept from any person during any calendar quarter deliveries except within the limits of the quota established for such warehouse by the Director General for Operations. Such quota shall be computed on the base tonnage herein described. The base tonnage of any Schedule A product classification is the tonnage of such product classification shipped by the warehouse from stock during the first calendar quarter of 1941. The quota of the warehouse in each calendar quarter is the percentage of such base tonnage shown in columns 2 or 3 of Schedule A. No warehouse which, during 1940, purchased more than 25 percent of its tonnage of any product classification in a grade invoiced as less than prime quality, may, during any calendar quarter, purchase prime quality iron or steel products of the same classification from all producers in an amount greater than one-fourth of the tonnage of such prime quality material purchased from all producers during 1940. The base tonnage or the quota may be changed from time to time by the Director General for Operations.

(2) *Preference rating.* The Director General for Operations will issue to each warehouse for which a quota may be established pursuant to paragraph (b) (1), and which has reported monthly on form PD-83, a certificate assigning a preference rating of A-1-k to deliveries of iron or steel to such warehouse, within the limits of such quota. No person may deliver Schedule A products to any warehouse, and no warehouse may accept such deliveries, unless such warehouse shall have filed with such person a copy of its A-1-k preference rating certificate. Such preference rating may be changed from time to time by the Director General for Operations.

(3) *Reports.* Each warehouse unless specifically exempted shall file with the Bureau of the Census, Washington, D. C., on or before the 15th day of each month, a report on form PD-83 Revised, or in such other form as may from time to time be prescribed by the Director General for Operations.

(4) *Supplementary quota.* In addition to the quarterly quota provided for in paragraph (b) (1), any warehouse may during the calendar quarter ending March 31, 1943, accept deliveries of any steel product classification in an amount which, when added to its total receipts of such product classification during the calendar year 1942 will not exceed the total quota assigned for such product classification for the period January 1, 1942 to March 31, 1943; however, in no event shall a warehouse accept deliveries which, when added to its total receipts of all Schedule A product classifications during the calendar year 1942, result in an excess over its total quota for all product classifications for the period January 1, 1942 to March 31, 1943.

(c) *Schedule B products.* With respect to the iron and steel products listed in Schedule B hereto:

(1) *Quota restrictions.* No producer shall make to a warehouse, and no warehouse shall accept from any producer during any calendar quarter, deliveries for stock except within the limits of the quota which such warehouse is entitled to receive from such producer. Such quota shall be computed on the base tonnage herein described. Except for wire and wire products, the base tonnage of all Schedule B product classifications is the tonnage of such product classification shipped by the producer to the warehouse stock during the corresponding calendar quarter of 1940. The base tonnage for wire and wire products is the tonnage shipped by the producer to the warehouse stock during the corresponding calendar quarter of the period July 1, 1940 to June 30, 1941. By written notice delivered to the producer on or before March 31 of any year, the warehouse may change the base tonnage of any Schedule B product classification for that year to one-fourth of the annual base tonnage provided for above; but the base tonnage cannot thereafter be changed for any subsequent calendar quarter during that year. The quota which each producer may deliver to each warehouse in each calendar quarter following December 31, 1942, is the percentage of such base tonnage shown in column 3 of Schedule B herein. The base tonnage or the quota may be changed from time to time by the Director General for Operations. Any warehouse whose base tonnage of all Schedule B products with any producer for the calendar year is 120,000 pounds or less may accept its annual quota from such producer at any time during the calendar year, provided that not more than two minimum carloads are accepted in any calendar quarter. After approval by the Steel Division, War Production Board, on Form PD-83-e Revised, the base tonnage and quota of a warehouse for any product classification may be transferred from one producer to another.

(2) *Preference rating.* A preference rating of A-3 is assigned to deliveries of each product classification from any producer to a warehouse up to the percentage of the base tonnage shown in column 2 of Schedule B herein. Shipment of Schedule B products to any warehouse may be increased to the percentage shown in column 3 of Schedule B only if the warehouse through the use of Form PD-83-g is able to develop ratings higher than A-3 for additional tonnage. Where the amount of all Schedule B products assigned the A-3 rating in any calendar quarter is less than one minimum carload for the haul in question but more than one-half of such minimum carload, such rating may be applied up to one minimum carload.

(3) *Reports.* Each producer making deliveries of Schedule B products to a warehouse shall file with the Steel Division, War Production Board, on or before July 15, 1942, and quarterly thereafter, a report on form PD-83-f Revised, or in such other form as may from time to time be authorized by the Director General for Operations.

(4) *Deliveries to warehouses and dealers by persons other than producers.* A preference rating of A-3 is assigned to deliveries of Schedule B products from persons other than producers and their agents to warehouses and dealers who handled such products in 1940; *Provided, however,* That a dealer may not use this rating to purchase any Schedule B product from a warehouse stock during a calendar quarter in quantities greater than would be obtained by applying the percentage shown in column 2 of Schedule B herein to his total purchases of such product from such warehouse stock during the corresponding calendar quarter of the base period established for such product in paragraph (c) (1) above.

(d) *Limitations on deliveries by warehouses and dealers.* (1) No warehouse or dealer shall deliver steel or iron products on any preference rated order unless such order is accompanied, in addition to the preference rating certification required by Priorities Regulation No. 3, by the appropriate group classification as prescribed by General Preference Order M-21 with respect to purchase orders placed with producers.

(2) Except as hereinafter provided, or with the specific permission of the Director General for Operations, no warehouse or dealer shall deliver steel or iron products except on an order bearing a preference rating of AA-5 or higher; *Provided, however,* That

(i) A warehouse or dealer may deliver carbon steel or iron products on an order certified for essential repair or maintenance purposes and bearing a preference rating of A-10 or higher: *Provided,* That deliveries of the following carbon steel or iron products in this manner by any warehouse or dealer during any calendar quarter do not exceed the amounts indicated below:

Tool steel products—3% of quarterly quota for such products.
All other carbon steel or iron products—Whichever is the greater of (A) 5% of the quarterly quota for all such products, or (B) an aggregate of 150 tons of all such products (but not more than the quarterly quota for all such products).

(ii) A warehouse or dealer may deliver flat rolled carbon steel or iron products which were received by him, or which have been accumulated from warehouse shearings, in sizes not greater than those specified below on an order bearing a preference rating of A-1-k or higher:

PLATES

Gauge	Width	Length
⅜" and lighter	Under 72"	Under 120".
Over ⅜" but under 1"	Under 48"	Under 120".

SHEETS

Gauge	Width	Length
⅜" through 16 gauge	Under 60"	Under 60".
Lighter than 16 gauge	Any	Under 72".

(iii) A warehouse or dealer may deliver black or galvanized welded pipe up to and including 3½" O. D. standard pipe size, wrought iron pipe, oil country tubular goods rated under Order P-98-b, pressure tubing, wire rope and strand, woven or welded wire fence, poultry netting, barbed wire, wire (except stainless or alloy wire), water well casing, or posts and gates on an order bearing a preference rating of A-10 or higher.

(iv) A warehouse or dealer may deliver nails, staples, or bale ties on lower rated or unrated orders, and may deliver formed roofing and siding on lower rated or unrated orders for maintenance and repair purposes.

(v) A warehouse or dealer may deliver any carbon steel or iron products pursuant to Food Production Order 3 of the Secretary of Agriculture.

(3) No warehouse or dealer shall make a delivery to any one customer to one destination at any one time or against any one order from warehouse stock in quantities representing 40,000 lbs. or more except with the specific approval of the Director General for Operations, unless such delivery includes ten or more different items, each item to be of a specific quality, length, or cross-section, and no item of which shall weigh more than 8,000 lbs.: *Provided, however,* That the provisions of this paragraph (d) (3) do not apply to deliveries of oil country tubular goods rated under Order P-98-b.

(4) A warehouse or dealer called upon under the terms of Priorities Regulation No. 1, as amended, to deliver from stock at any one time one or more items weighing 8,000 lbs. each or more, which delivery would seriously deplete the warehouse inventory of such item or items, thereby impairing the service which the warehouse or dealer must render to all other buyers, may appeal to the Director General for Operations for relief from any part of such delivery.

(5) The limitations on deliveries set forth in this paragraph (d) may be changed from time to time by the Director General for Operations.

(e) *Special instructions.* The Director General for Operations may from time to time issue specific directions to warehouses or dealers requiring them to earmark stocks or to make deliveries during specified periods in fulfillment of contracts, commitments, or purchase orders for particular purposes or to particular persons. Such directions will be made primarily to insure satisfaction of all war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations without regard to any preference ratings assigned to particular contracts, commitments, or purchase orders, and without regard to any quota established under paragraphs (b) or (c).

(f) *Extensions of higher ratings.* The provisions of Priorities Regulation No. 3 or of any preference rating certificate or order heretofore or hereafter issued to the contrary notwithstanding, no rating higher than A-1-k on Schedule A products or higher than A-3 on Schedule B products shall be extended by a warehouse for deliveries to stock except on form PD-83-g and in accordance with the following:

(1) *For deliveries of Schedule A products to warehouses having a quarterly quota of Schedule A products amounting to 500 tons or less.* (i) For the purposes of extension, preference ratings received on the sale of one or more product classifications representing the same type of steel (carbon, stainless or alloy) may be grouped.

(ii) Except as permitted by paragraph (f) (3), extension of a rating higher than A-1-k for any type of steel shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A-1-k an accumulated total weight of such type of steel not less than the following:

	Pounds
Carbon steel, all products	40,000
Stainless steel, all products	6,000
Alloy steel, all products	20,000

(2) *For deliveries of Schedule A products to all other warehouses and for deliveries of all Schedule B products to warehouses.* (i) For the purposes of extension, the rating received by the warehouse for each product classification and type of steel as shown in Schedule C shall be separately accumulated.

(ii) Except as permitted by paragraph (f) (3), extension of a rating higher than A-1-K for any Schedule A product classification or higher than A-3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A-1-k or A-3 as the case may be, an accumulated total weight of such product classification and type not less than the minimum shown in Schedule C.

(3) As to iron or steel specialty products (such as wire rope and strand, spring wire, manufacturers' wire, and music wire) extension of a rating higher than A-1-k for any Schedule A product classification or higher than A-3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension shipped from stock on ratings higher than A-1-k or A-3, as the case may be, 1,000 pounds or more of such specialty item.

(4) The rating to be extended to the delivery of any product classification shall be the lowest rating received on shipments within the accumulated total.

(5) An amount of each product listed in paragraph (d) (2) (iii) or (iv) equal to the amount obtained through the use of preference ratings higher than A-1-k shall be reserved for a period of 90 days following the date of receipt by the warehouse for delivery on orders rated higher than A-1-k, except when otherwise specifically ordered by the Director General for Operations. If such material is not sold at the end of 90 days on ratings higher than A-1-k, it may then be sold on other purchase orders, subject to the provisions of this or other orders of the War Production Board.

(6) Consolidated ratings established pursuant to this paragraph (f) must be based solely on deliveries from one location, and deliveries pursuant to such

consolidated ratings must be made to the same location.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

[Base tonnage—shipments from warehouse stock, first calendar quarter of 1941, as approved on Form PD-83-a]

Product classification (Column 1)	Quota percent of base tonnage: States of California, Oregon, and Washington (Column 2)	Quota percent of base tonnage: All other states (Column 3)
1. Ingots, blooms, billets, slabs, tube rounds, sheet and tin bars	120	100
2. Structural shapes and piling	120	100
3. Plates (universal and sheared)	135	125
4. Rails—over 60 lbs.	100	100
5. Rails—all other	100	100
6. Tie plates and track accessories, including track spikes	100	100
7. Hot rolled bars, carbon, including hoops and bands	130	110
9. Hot rolled bars, alloy	120	100
10. Cold finished bars, carbon and alloy	130	110
11b. Tubes (mechanical and pressure)	130	110
12. Wire rods (for wire drawing only)	0	0
14. Black plate	80	60
16. Sheets and strip, hot rolled	120	100
17. Sheets and strip, cold reduced	80	60
19. Sheets and strip, all other (including long ternes)	80	60
20. Tool steel, including drill rod	130	110
21. Wheels and axles	100	100
22. Forgings, armor plate, and ordnance	100	100
23. Forgings, all other (rough forgings only)	100	100
24. Steel castings (rough castings only)	100	100
25. Skelp	100	100
26. All other	100	100

SCHEDULE B

[Base tonnage—for all products except Classification 13, shipments from producers to warehouse stock during corresponding calendar quarter of 1940. For Classification 13, shipments from producers to warehouse stock during corresponding calendar quarter of the period July 1, 1940 to June 30, 1941. On specific election of the warehouse pursuant to paragraph (c) (1) of the order, the quarterly base tonnage may be changed to one-fourth of total shipments to stock during the base period provided above.]

Product classification (Column 1)	Percent of base tonnage rated A-3 (Column 2)	Quota as % of base tonnage (maximum which may be shipped) (Column 3)
8. Hot rolled bars, concrete reinforcing	50	120
11a. Pipe and tubes (all kinds except mechanical and pressure tubing and cast iron soil pipe and fittings)	100	120
13. Wire and wire products:		
a. Wire rope and strand, bale ties, nails, staples	140	140
b. Wire, woven fence wire, poultry netting, barbed wire	100	120
c. Fence posts and gates	0	0
15. Tin and terne plate (short ternes)	10	20
18. Galvanized sheets and strip (including formed roofing and siding)	100	120

SCHEDULE C

[Minimum size orders of steel for warehouse stock to which a rating higher than A-1-k may be extended]

Schedule A products	Type of steel (pounds): Carbon	Alloy	Stainless
1. Ingots, blooms, billets, slabs, tube rounds, and sheet and tin bars	40,000	20,000	------
2. Structural shapes and piling	40,000	20,000	------
3. Plates (universal and sheared)	40,000	20,000	6,000
4. Rails—over 60 lbs.	40,000	------	------
5. Rails—all other			
6. Tie plates and track accessories, including track spikes			
7. Hot rolled bars, carbon, including hoops and bands	40,000	------	------
9. Hot rolled bars, alloy	------	20,000	6,000
10. Cold finished bars, carbon and alloy	20,000	10,000	6,000
11b. Tubing (mechanical and pressure)	40,000	10,000	2,000
12. Wire rods (for wire drawing only)	No quotas	------	------
14. Black plate	40,000	------	------
16. Sheets and strip, hot rolled	40,000	20,000	6,000
17. Sheets and strip, cold reduced	20,000	10,000	6,000
19. Sheets and strip, all other including long ternes	20,000	10,000	------
20. Tool steel, including drill rod	1,000	1,000	------
21. Wheels and axles	40,000	20,000	------
22. Forgings, armor plate and ordnance	20,000	20,000	------
23. Forgings, all other (rough forgings only)	20,000	20,000	------
24. Steel castings (rough castings only)	20,000	20,000	2,000
25. Skelp	40,000	------	------
26. All other	40,000	20,000	6,000

[Minimum size orders of steel for warehouse stock to which a rating higher than A-3 may be extended]

Schedule B products	Type of steel (pounds): Carbon	Alloy	Stainless
8. Hot rolled bars, concrete reinforcing	40,000	------	------
11a. Pipe and tubes (all kinds except mechanical and pressure tubing, and cast iron soil pipe and fittings)	40,000	------	------
13. Wire and wire products:			
a. Wire rope and strand, bale ties, nails, staples	40,000	------	2,000
b. Wire, woven fence wire, poultry netting, barbed wire			
c. Fence posts and gates	No quotas	------	------
15. Tin and terne plate (short ternes)	40,000	------	------
18. Galvanized sheet and strip (including formed roofing and siding)	40,000	------	------

[F. R. Doc. 43-3563; Filed, March 6, 1943; 11:31 a. m.]

PART 1028—DOMESTIC COOKING APPLIANCES

[Supplementary Limitation Order L-23-b, as Amended March 6, 1943]

DOMESTIC ELECTRIC RANGES

Section 1028.3 *Supplementary Limitation Order L-23-b* is hereby amended to read as follows:

§ 1028.3 *Supplementary Limitation Order L-23-b—*(a) *Definitions.* For the purposes of this order:

(1) "Domestic electric range" means any range or cooking stove designed primarily for home use, having as functional parts electric heating elements of a total rated wattage of 2½ kilowatts or over.

(2) "New domestic electric range" means any domestic electric range which has never been used by an ultimate consumer, including but not limited to, any such range which has been used after May 2, 1942, merely for demonstration purposes.

(3) "Manufacturer" means any person engaged in the business of manufacturing or assembling any domestic electric range or parts (including repair parts) specifically intended for incorporation therein.

(4) "Distributor" means any person engaged in the business of selling domestic electric ranges to one or more dealers for resale.

(5) "Dealer" means any person engaged in the business of making sales at retail of domestic electric ranges to the public.

Any person who acts in more than the single capacity of manufacturer, distributor or dealer as defined in paragraphs (a) (3), (a) (4) and (a) (5) of this order shall for the purposes of this order be deemed a manufacturer, distributor or dealer, depending upon the capacity in which he acts in each specific transaction he engages in.

(6) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of domestic electric ranges by one person to any other person, but shall not include:

(i) Transfers of title merely for security purposes;

(ii) Transfers of domestic electric ranges to and from warehouses where no substantial change in right, title or ownership to such domestic electric ranges is affected;

(iii) Transfers to and from carriers in order to effect the transfers specified in this paragraph.

(7) "Repair or replacement part" means any part for a domestic electric range which is not intended for use in the manufacture or assembly of any new domestic electric range.

(8) "Preferred order" means any purchase order, contract or subcontract for delivery of domestic electric ranges, or parts (including repair parts) for such ranges, to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Prohibition of manufacture.* On and after March 6, 1943, no manufacturer shall produce or assemble any new domestic electric range or any part for such range other than a repair or replacement part.

(c) *Restrictions on transfer of new domestic electric ranges.* (1) On and after March 6, 1943, no manufacturer, distributor or dealer shall transfer any new domestic electric range, except

(i) Manufacturers may transfer new domestic electric ranges to other manufacturers;

(ii) Distributors may transfer new domestic electric ranges to other distributors or manufacturers;

(iii) Dealers may transfer new domestic electric ranges to other dealers, distributors or manufacturers;

(iv) Dealers may transfer any new domestic electric ranges to ultimate consumers in accordance with paragraph (c) (2) of this order;

(v) Pursuant to specific authorization of the Director General for Operations on Form PD-556 pursuant to an application filed on said form.

(2) Any transfer of a new domestic electric range to an ultimate consumer pursuant to paragraph (c) (1) (iv) of this order may be made only if the transferee personally or by an authorized official (either manually or as provided in Priorities Regulation No. 7) shall sign a certificate in writing in substantially one of the following forms, either on a separate document or on the bill of sale or on any other document normally used in connection with transfers of new domestic electric ranges:

(i) I hereby certify in accordance with the provisions of Limitation Order L-23-b that I require a new domestic electric range to replace a domestic electric range which is worn out, damaged beyond repair or destroyed.

By ----------

(ii) I hereby certify in accordance with the provisions of Limitation Order L-23-b that no other cooking equipment is available, that my premises are wired for the installation of a domestic electric range, and that electric utility service facilities for range operation have been installed.

By ----------

Any such certificate shall constitute a representation to the War Production Board and to the transferor. A dealer may not transfer any new domestic electric range pursuant to such a certificate if he knows or has reason to believe that the certificate is false.

(d) *Repair and replacement parts.* (1) No manufacturer may produce any repair or replacement parts except heating units, thermostats, switches, relays, lead-in and connection wires, handles and hinges, and components of such parts, provided that no copper or copper base alloy is used except to conduct electricity. The production of heating units for repair or replacement purposes and the use of electrical resistance material in such units shall conform to the restrictions of Limitation Order L-65, as amended.

(2) No manufacturer shall produce any type of repair or replacement part if such production will result in his having more parts of such type in his inventory than the number of parts of such type which he sold during the preceding six calendar months.

(3) Except in fulfillment of preferred orders, no manufacturer shall sell or deliver any repair or replacement part unless a similar used part has been delivered to him in exchange therefor (notwithstanding the provisions of Copper Conservation Order M-9-b), or unless he has received a certificate in writing (which shall constitute a representation to the manufacturer and to the War Production Board) in substantially the following form, signed by a distributor, dealer or other person engaged in the business of repairing domestic electric ranges or parts for such ranges, or by an authorized official, either manually or as provided in Priorities Regulation No. 7:

I hereby certify in accordance with the provisions of Limitation Order L-23-b that I have disposed of, through scrap channels, a used part of similar kind and size for each repair or replacement part to be delivered to me under this purchase order.

---------- (Signature)

By ----------

A manufacturer may rely on such certificate unless he knows or has reason to believe it to be false.

(e) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations limits the use of any materials in the production of domestic electric ranges or repair or replacement parts to a greater extent than the limits imposed by this Order, the restrictions in such other order shall govern unless otherwise specified therein.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(h) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of domestic electric ranges, or parts for such ranges, including repair or replacement parts, inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(i) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

(j) *Audit and inspection.* All reports required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-23-b.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3564; Filed March 6, 1943; 11:30 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-170, as Amended March 6, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.10 *Limitation Order L-170—*(a) *Applicability of priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Protection of production schedules.* Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA-3.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment; *Provided,* That:

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding $2,500 for the period November 1, 1942, to September 30, 1943, inclusive; and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the Director General for Operations.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calen-

dar year 1941 exceeded $10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $750,000 but did not exceed $10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed $750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof, any subsidiary of such a subsidiary, any parent company, and any subsidiary or parent of such a parent company.

(7) "Supplier" means any person engaged in the manufacture (for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware, grain bins and corn cribs (other than those made of iron and steel), and hand tools and water storage tanks.

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes, and water pump cylinders. No item listed on Schedule A (except to the extent provided in paragraph (g) (5) hereof) shall be deemed a repair part, except that items of harness hardware may be deemed repair parts to the extent actually sold for repair or replacement purposes.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed; and except that, as to silos (item 296 of Schedule A), the base production shall be the total weight of iron and steel entering into the production of such items.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form; except that, as to silos (Item 296 of Schedule A), weight means the total weight of iron and steel entering into the production of such items.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *General restrictions on production for domestic use (including "concentration of production").* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during the period November 1, 1942, to September 30, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that:

(*a*) Wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election;

(*b*) As to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater; and

(c) Any producer, instead of conforming to his quota percentages for the items of attachments as indicated respectively in Schedule A, may at his option manufacture not more than an aggregate of 30% of his total base production of such attachments, and the total permissible weight thus determined may be distributed among all or any one or more of such items of attachments at his election: *Provided*, That once such option is made, it shall apply to all attachments to be produced.

(ii) Manufacture for sale in the continental United States, a total quantity of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 100% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota:

(4) No producer, whose quota of any item of farm machinery and equipment has been increased by reason of the amendment to Schedule A dated March 6, 1943, shall manufacture such increase over his former Schedule A quota.

(i) Except to the extent that it exceeds the weight of all quantities of such item both specifically authorized pursuant to paragraph (c) (2) hereof as an increase in his quota, and authorized on any appeal granted him prior to March 6, 1943, and

(ii) Unless such producer certifies to the War Production Board within 15 days after such date that he intends to manufacture his total quota of all such items, including such increase, such certification to be in substantially the following form:

The undersigned company hereby certifies that, except as indicated below, it intends to produce prior to September 30, 1943, its total quotas of all items listed on Schedule A of Order L-170, including all amendments and appeals, in accordance with paragraph (c) (4) of that order. Quantities of items within such quotas not intended to be so produced will be reported promptly in accordance with paragraph (c) (3) thereof.

Company

By ---

Date ---

(d) *General restrictions on production for export.*—(1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to September 30, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B-1, B-3, B-4 and B-6, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To any foreign country listed respectively on Schedule B-2 and B-5, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of that quantity obtained by multiplying the quota percentage designated on the applicable Schedule for such country by one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 to that country;

(iii) To Canada a quantity by units of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B-7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B-7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940; or

(iv) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

(2) Except as to items destined for Canada (Schedule B-7) and for territories and possessions of the United States (Schedule B-6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the Director General for Operations specific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: *Provided*, That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

As to any portion of any such producer's export quota, as established by paragraph (d) (1) above, which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his export quota.

(3) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(e) *Further restrictions on production.*—(1) *Restrictions on production for specific periods.* The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific direction, no producer affected thereby shall, notwithstanding the provisions of this Order L-170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) *Items containing iron and steel.* No person shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes) to make any of the following items:

Barnyard stock tanks.	Hog troughs.
Bee hives.	Laying nests.
Butter churns.	Livestock feeders.
Butter molds.	Marking poles.
Canopies for electric brooders	Milk stools.
	Neck yokes.
Cattle stalls.	Poultry feeders.
Corn cribs.	Singletrees.
Doubletrees.	Stanchions.
Farm gates.	Stock pens.
Grain bins.	Thills.
Grit boxes.	Tongues.
Guide handles.	Weaners.
Hobbles (all types).	

Provided, however, That nothing in this subparagraph (e) (2) shall be deemed to prevent the manufacture or processing of cattle stalls, stanchions or stock pens solely from rerolled rail steel plus strapping and essential hardware.

(f) *Overproduction under Order L-26.* Any items of farm machinery and equipment or attachments and repair parts which have been manufactured and or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: *Provided*, That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) *Exceptions.*—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M-25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M-208 or any other applicable M or L order);

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the Director General for Operations for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder) and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota under paragraph (c) (1) (iii) of Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Warfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated

and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(4) The restrictions of this Order L-170 shall not apply to the manufacture by any person of any of the following items of farm machinery and equipment:

Bee hives.
Farm gates.
Feed trucks.
Grit boxes.
Hog troughs.
Laying nests.
Livestock feeders.
Milk stools
Poultry feeders.
Poultry waterers (other than those made from iron and steel).

Provided, however, That such items are made entirely (except for nails and essential strappings and fastenings) from any one or more of the following materials:

Glass or other ceramic products
Plain concrete.
Fibre board
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by conservation order M-25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of conservation order M-208 or any other applicable M or L order).

(5) Any producer of any of the following items listed in Group 17 of Schedule A:

Feed carriers.
Litter carriers.
Track for feed and litter carriers.
Hay carriers.
Track for hay carriers.
Cattle stalls and fittings.
Cattle stanchions and fittings

may consider not more than 30% of his base production of each such item as "repair parts" rather than "farm machinery and equipment". The value of such 30% may be added to his total repair parts quota established pursuant to paragraph (c) (1) (ii) hereof, and should be so reported on such forms as are filed pursuant to paragraph (m) hereof. His production quota for the remaining 70% shall be determined by multiplying his applicable Schedule A quota percentage for the particular item by 70% of his base production thereof.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from the Director General for Operations.

(1) No person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes, horseshoe nails and harness hardware) which he knows or has reason to know will not be used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A-9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) No distributor shall keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(2) Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

No materials shall be used which are prohibited by M Orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations.

(2) The Director General for Operations may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD-629.

(3) Each producer shall file by the 10th day of each month a report on Form PD-630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD-387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B-1, B-2, B-3, B-4, B-5, B-6, and B-7).

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington, D. C. Ref.: L-170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L-26, and Supplementary Limitation Orders L-26-a and L-26-b, and all amendments thereto and appeals granted thereunder.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

[NOTE: Schedule A was amended in its entirety March 6, 1943]

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

Quotas for repair parts are determined according to the provisions of paragraph (c) (1) (ii). Quotas for new machinery and equipment including attachments are expressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket.

Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L-170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item	Class of producer "A"	"B"	"C"
	Percent	Percent	Percent
DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)			
1 One row, one horse corn planters	0	0	34
2 One row, one horse corn and cotton planters	0	0	34
3 One row, two horse corn and cotton planters	0	0	50
4 Two row, corn planters	3	75	75
5 Two row, corn and cotton planters	0	19	75
6 Three row, corn planters	11	75	100
7 Three row and over, corn and cotton planters	0	0	0
DIVISION 2: PLANTERS (TRACTOR MOUNTED)			
8 One row, corn planters			
9 One row, corn and cotton planters			
10 Two row, corn planters	15	15	15
11 Two row, corn and cotton planters			
12 Three row and over, corn planters			
13 Three row and over, corn and cotton planters			75
DIVISION 3: POTATO PLANTERS			
14 Horse or tractor drawn	0	15	75
DIVISION 4: TRANSPLANTERS			
15 Horse or tractor drawn	11	0	84
16 Hand			
DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)			
17 One row	8	75	100
18 Two row			
19 Three row and over			
DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)			
20 One row	19	19	19
21 Two row			
22 Three row and over			
DIVISION 7: BEET DRILLS			
23 Horse or tractor drawn	13	100	100
DIVISION 8: GRAIN DRILLS			
24 One horse, 3 or 5 disc drills	0	0	22
25 Fertilizer drills, horse or tractor drawn	3	75	75
26 Plain drills, horse or tractor drawn			
DIVISION 9: BROADCAST SEEDERS			
27 Wheeled, horse or tractor	0	0	0
28 Endgate	0	32	75
29 Hand, wheelbarrow and other	0	0	75
DIVISION 10: GARDEN PLANTERS			
30 Hand	0	11	11
31 Horse or tractor drawn	0	47	100
DIVISION 11: FERTILIZER DISTRIBUTORS			
32 Horse or tractor drawn	0	0	15
DIVISION 12: LIME SPREADERS (SOWERS)			
33 Wheeled type, horse or tractor drawn	0	0	17
34 Endgate type	0	100	100
35 Truck body type	0	0	50

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

Item	Class of producer "A"	"B"	"C"
	Percent	Percent	Percent
36 Four wheeled, horse or tractor drawn	0	19	37
37 Two wheeled, tractor drawn			
DIVISION 13: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY			
38 Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)			
39	0	0	25
40	0	0	25
DIVISION 14: ATTACHMENTS			
41 Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 2: PLOWS AND LISTERS

Item	Class of producer "A"	"B"	"C"
	Percent	Percent	Percent
DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)			
42 Walking, one horse, Sod Bott	0	0	11
43 Walking, one horse, all other	0	0	15
44 Walking, two horse and over	0	0	0
45 Hillside, (to lap land on furrow)	0	0	0
DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)			
47 One bottom, tractor drawn	5	100	100
48 Two bottom, tractor drawn	0	0	0
49 Three bottom, tractor drawn	0	26	26
50 Four bottom, tractor drawn	0	0	0
51 Five bottom, and larger, tractor drawn	0	0	0
52 Two bottom, tractor mounted	0	83	83
53 Three bottom, tractor mounted	0	8	8
DIVISION 3: DISC PLOWS (HORSE DRAWN)			
54 Single disc and larger	0	0	0
DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)			
55 One disc, tractor drawn	0	0	0
56 Two disc, tractor drawn	0	83	83
57 Three disc, tractor drawn	0	8	8
58 One disc, tractor mounted	0	0	0
59 Two disc, tractor mounted			
60 Four disc, tractor drawn			
61 Five disc, tractor drawn			
62 Six disc and larger, tractor drawn	0	75	75
DIVISION 5: ONE WAY DISC PLOWS OR LISTERS			
63 One way plows	0	0	0
DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN)			
(Middlebusters without planting attach.)			
64 One row, horse or tractor drawn	0	0	19
65 Two row, horse or tractor drawn			
66 Three row and larger, horse or tractor drawn			
DIVISION 7: LISTERS (TRACTOR MOUNTED)			
(Middlebuster without planting attach.)			
67 One row, tractor mounted	0	0	19
68 Two row, tractor mounted			
69 Three row and larger, tractor mounted			

1 Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: PLOWS AND LISTERS—Continued

Item		Class of producer "A"	"B"	"C"
		Percent	*Percent*	*Percent*
	DIVISION 8: SUBSOIL PLOWS			
70	Horse drawn	0	0	0
71	Tractor drawn	0	0	0
72	Tractor mounted	0	0	0
	DIVISION 9: PLOW STOCKS			
73	Single or double stocks	0	0	22
	DIVISION 10: OTHER PLOWS AND LISTERS			
	(List each item separately)			
74		0	0	34
75		0	0	34
76		0	0	34
	DIVISION 11: ATTACHMENTS			
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

	DIVISION 1: HARROWS			
78	Spike tooth harrow sections, horse or tractor drawn	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn	0	34	100
80	Disc harrows, horse or tractor drawn	16	100	100
81	Disc harrows, tractor mounted	33	33	33
	DIVISION 2: SMOOTH LAND ROLLERS			
82	Smooth land rollers, not including lawn rollers	0	0	0
	DIVISION 3: SOIL PULVERIZERS AND PACKERS			
83	Soil pulverizers and packers	0	0	19
	DIVISION 4: STALK CUTTERS			
84	Stalk cutters	0	0	50
	DIVISION 5: RIDGE BUSTERS			
85	Ridge busters, horse or tractor drawn	0	0	14
86	Ridge busters, tractor mounted			
	DIVISION 6: OTHER HARROWS AND ROLLERS			
	(List each item separately)			
87		0	0	30
88		0	0	30
89		0	0	30
	DIVISION 7: ATTACHMENTS			
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

	DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)			
91	One horse, all types	0	0	15
92	One row, walking, two horse	0	0	65
93	One row, riding, two horse	2	90	100
94	Two row and over, riding	0	0	0
95	Beet cultivator	20	100	100
96	Field cultivator	0	0	62
96a	Field cultivator and tiller, tractor mounted	9	9	9
97	Hand cultivator, not including blade and tined hoes, rakes and similar equipment	0	0	35

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS

Item		Class of producer "A"	"B"	"C"
		Percent	*Percent*	*Percent*
	DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)			
98	One row	40	40	40
99	Two row			
100	Three and four row			
101	Five row and over			
	DIVISION 3: ROTARY HOES			
102	Rotary hoes, horse or tractor drawn	0	0	75
	DIVISION 4: WEEDERS			
103	Rod weeders, horse or tractor drawn	0	0	55
104	Tooth weeders, horse or tractor drawn	0	0	95
104a	Tooth weeders, tractor mounted	15	15	15
	DIVISION 5: OTHER CULTIVATORS AND WEEDERS			
	(List each item separately)			
105		0	0	40
106		0	0	40
	DIVISION 6: ATTACHMENTS			
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	DIVISION 1: POWER SPRAYERS			
108	Power sprayers	0	0	95
109	Traction sprayers	0	0	21
	DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)			
110	Compressed air	0	0	28
111	Knapsack self contained			
112	Trombone, pump type			
113	Bucket pump type, single cylinder			
114	Bucket pump type, double cylinder			
115	Atomizing, single action (1 qt. and larger cap.)			
116	Atomizing, continuous (1 qt. and larger cap.)			
	DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 6 GALS. OR MORE)			
117	Barrel pump type with complete equipment	0	0	36
118	Wheelbarrow type with complete equipment			
	DIVISION 4: SPRAY PUMPS (POWER)			
119	Spray pumps, power	0	0	23
	DIVISION 5: WEED AND PEAR BURNERS			
120	Weed and pear burners	0	20	100
	DIVISION 6: DUSTERS			
121	Power dusters	0	0	55
122	Traction dusters	0	0	75
123	Hand dusters (agricultural only)	0	18	100
	DIVISION 7: ORCHARD HEATERS			
124	Orchard heaters	0	0	65
	DIVISION 8: ATTACHMENTS			
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 6: HARVESTING MACHINERY

Item		Class of producer "A"	"B"	"C"
		Percent	*Percent*	*Percent*
	DIVISION 1: COMBINES (HARVESTER THRESHERS)			
126	Width of cut, 6 feet and under			
127	Width of cut, over 6 feet including 10 feet	30	30	30
128	Width of cut, over 10 feet			
	NOTE: Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940–1941 average annual production of these items.			
	DIVISION 2: GRAIN AND RICE BINDERS			
129	Grain binders (ground drive)			
130	Grain binders (power take-off drive)	21	100	100
131	Rice binders	43	75	75
	DIVISION 3: CORN BINDERS			
132	Corn binders (row binder) horse or tractor drawn	26	100	100
	DIVISION 4: CORN PICKERS			
33	One row, mounted type			
34	Two row, mounted type	45	45	45
135	One row, pull type			
136	Two row, pull type	45	100	100
	DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)			
137	Field ensilage harvesters, row type	14	75	75
	DIVISION 6: POTATO DIGGERS			
138	Walking plow type	0	0	52
139	Horse or tractor	0	0	42
	DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)			
140	Horse or tractor, row type	0	0	71
	DIVISION 8: BEET LIFTERS			
141	Horse or tractor	32	100	100
	DIVISION 9: OTHER HARVESTING MACHINERY			
	Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pers, cock beet loaders, peanut diggers, cotton harvesters. (List each item separately).			
142		0	0	51
143		0	0	51
144		0	0	51
	DIVISION 10: ATTACHMENTS			
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 7: HAYING MACHINERY

	DIVISION 1: MOWERS (GROUND-DRIVE)			
146	Horse or tractor drawn (ground-drive)	11	100	100
	DIVISION 2: MOWERS (POWER TAKE-OFF DRIVE)			
147	Tractor mtd. or semi-mtd. (power take-off drive)	36	36	36
	DIVISION 3: RAKES			
148	Sulky, dump	17	100	100
149	Side delivery incl. comb. side rakes and tedders	27	100	100
150	Sweep	0	0	47
	DIVISION 4: HAY LOADERS			
151	Hay loaders	18	100	100
	DIVISION 5: STACKERS			
152	Stackers (stationary type)	0	0	51
152a	Combination stacker-loaders	0	0	75

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 7: HAYING MACHINERY—Continued

Item		Class of producer "A"	"B"	"C"
		Percent	*Percent*	*Percent*
	DIVISION 6: PICK-UP BALERS			
153	Pick-up hay balers	0	45	75
	DIVISION 7: OTHER HAYING MACHINERY			
	Other haying machinery, including, but not limited to, field bale loaders, field hay choppers (list each item separately):			
154		0	0	41
155		0	0	41
156		0	0	41
	DIVISION 8: ATTACHMENTS			
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

	DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)			
158	Threshers, width of cylinder under 28 inches	0	0	48
159	Threshers, width of cylinder 28 inches and over			
	DIVISION 2: STATIONARY PEA AND BEAN THRESHERS			
160	Stationery pea and bean threshers	0	0	41
	DIVISION 3: PEANUT PICKERS			
161	Peanut pickers	0	0	75
	DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)			
162	Ensilage cutters (silo fillers)	0	0	92
	DIVISION 5: FEED CUTTERS (HAND AND POWER)			
163	Feed cutters, hand and power	0	0	30
	DIVISION 6: CORN SHELLERS			
164	Corn shellers, hand	0	0	48
165	Power corn shellers, spring (2, 4, 6, and 8 hole)	0	0	0
166	Power corn shellers, cylinder (150 bu. & under)	0	0	22
167	Power corn shellers, cylinder (over 150 bu.)	15	100	100
	DIVISION 7: CORN HUSKERS AND SHREDDERS			
168	Combination corn husker-shredders	0	0	66
169	Corn huskers	0	0	66
170	Corn shredders	0	0	66
	DIVISION 8: STATIONARY HAY BALERS			
171	Horse	0	0	0
172	Engine or belt power	0	0	75
	DIVISION 9: FEED GRINDERS AND CRUSHERS			
173	Hand	0	0	65
174	Power, burr type	0	0	51
175	Hammer and roughage mills	0	38	100
	DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)			
176	Cleaners and graders (corn and grain)	0	0	12
	DIVISION 11: POTATO SORTERS AND GRADERS			
177	Potato sorters and graders	0	0	44
	DIVISION 12: MAPLE SIRUP EVAPORATORS			
178	Complete sets of pans, not including furnaces	0	0	53
179	Furnaces	0	0	20

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 13: CANE SIRUP EVAPORATORS	*Percent*	*Percent*	*Percent*
180	Complete sets of pans, not including furnaces	0	0	58
181	Furnaces	0	61	100
	DIVISION 14: CANE MILL (FARM SIZE)			
182	Cane mills (farm size)	0	0	32
	DIVISION 15: CIDER MILLS AND FRUIT PRESSES			
183	Cider mills and fruit presses	0	6	23
	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, leaf thinners, fruit, nut and vegetable graders, sorters, washers and sackers. (List each item separately.)			
184		0	0	21
185		0	0	21
186		0	6	21
	DIVISION 17: ATTACHMENTS			
187	Attachments for all items in Groups 8 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 9: FARM ELEVATORS AND BLOWERS

	DIVISION 1: ELEVATORS (PORTABLE)			
188	Elevators, portable	0	0	100
	DIVISION 2: ELEVATORS (STATIONARY)			
189	Elevators, stationary	0	0	26
	DIVISION 3: BLOWERS (GRAIN AND FORAGE			
190	Blowers (grain and forage)	0	85	100
	DIVISION 4: ATTACHMENTS			
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 10: TRACTORS

	DIVISION 1: TRACTORS, WHEEL TYPE			
192	Tractors, wheel, special purpose, under 30 h. p.			
193	Tractors, wheel, special purpose, 30 and over h. p.	25	25	25
194	Tractors, wheel, all purpose, under 30 h. p.			
195	Tractors, wheel, all purpose, 30 and over h. p.			
	DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)			
196	Garden tractors (including motor tillers)	0	0	27
	DIVISION 3: ATTACHMENTS			
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 11: ENGINES

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: ENGINES (UNDER 1 H. P.)	*Percent*	*Percent*	*Percent*
198	Air cooled	0	0	0
	DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)			
199	Air cooled	0	30	100
200	Water cooled	4	100	100
	DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)			
201	Air cooled	0	24	75
202	Water cooled	24	100	100
	DIVISION 4: ENGINES (TEN OR MORE BUT UNDER 20 H. P.)			
203	Water cooled	0	0	0
	DIVISION 5: ATTACHMENTS			
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 12: FARM WAGONS AND TRUCKS

	DIVISION 1: WAGONS			
205	Wagons, farm without boxes	0	0	73
	DIVISION 2: TRUCKS			
206	Trucks, farm (not motortrucks)	0	80	100
	DIVISION 3: WAGON BODIES			
207	Wagon or truck boxes, farm	0	0	57
	DIVISION 4: FARM SLEIGHS			
208	Sleighs and bobsleds	0	0	25
	DIVISION 5: TRAILERS (FARM)			
209	Trailers, farm	0	0	0
	DIVISION 6: OTHER TRANSPORTING EQUIPMENT (Not motortrucks—list each item separately)			
210		0	0	25
211		0	0	25
	DIVISION 7: ATTACHMENTS			
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 13: DOMESTIC WATER SYSTEM

	DIVISION 1: DEEP WELL			
213	Deep well, reciprocal	0	0	68
214	Deep well jet pumps	0	0	34
	DIVISION 2: SHALLOW WELL			
215	250-499 gals. per hour	0	0	53
216	500 gals. per hour and over	0	0	33

GROUP 13: DOMESTIC WATER SYSTEM—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 3: POWER PUMPS	*Percent*	*Percent*	*Percent*
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure	0	6	75
	DIVISION 4: WATER WELL CASING			
218	Water well casing (fabricated by other than pipe mills)	85	85	85
	DIVISION 5: ATTACHMENTS			
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 14: FARM PUMPS AND WINDMILLS

	DIVISION 1: PUMPS, WATER			
220	Pitcher pumps	0	49	100
221	Hand and windmill pumps	0	48	100
	DIVISION 2: WINDMILLS			
222	Windmill heads	0	38	100
223	Windmill towers	0	34	100
	DIVISION 3: PUMP JACKS			
224	Pump jacks	0	0	76
	DIVISION 4: [Deleted Jan. 19, 1943]			
225	[Deleted Jan. 19, 1943].			
	DIVISION 5: ATTACHMENTS			
226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 15: IRRIGATION EQUIPMENT

	DIVISION 1: IRRIGATION PUMPS			
227	Turbine pumps, 0 to 1,200 G. P. M.	0	0	31
228	Turbine pumps 1,200 G. P. M. and up, belt driven	0	0	13
229	Centrifugal pumps	0	0	26
230	Hydraulic rams	0	0	49
	DIVISION 2: DISTRIBUTION EQUIPMENT			
231	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines)	0	8	33
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds	0	0	57
	DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT (List each item separately)			
233		0	0	18
234		0	0	18
235		0	0	18
	DIVISION 4: ATTACHMENTS			
236	Attachments for all items in Group 15 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: MILKING MACHINES	*Percent*	*Percent*	*Percent*
237	Milking machines	0	32	75
	DIVISION 2: FARM CREAM SEPARATORS			
238	Farm cream separators, capacity 250 lbs. per hr. or less	0	7	100
	DIVISION 3: FARM CREAM SEPARATORS			
239	Farm cream separators, capacity 251 lbs. to 800 lbs. per hour	7	75	75
	DIVISION 4: FARM CREAM SEPARATORS			
240	Farm cream separators, capacity 801 lbs. to 1,500 lbs. per hour	0	0	0
	DIVISION 5: FARM MILK COOLERS			
241	Immersion type	0	0	71
242	Surface or tubular type	0	0	65
	DIVISION 6: FARM BUTTER MAKING EQUIPMENT			
243	Butter churns (See Paragraph (e) (2) of L-170)	0	0	22
244	Butter molds (See Paragraph (e) (2) of L-170)			
	DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT			
	Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately.)			
245	Milk pails	75	75	75
246	Milk strainers			
247		40	40	40
248				
	DIVISION 8: ATTACHMENTS			
249	Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 17: BARN AND BARNYARD EQUIPMENT

	DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS			
250	Feed carriers (See Para. (g) (5) of L-170)	0	0	25
251	Litter carriers (See Para. (g) (5) of L-170)	0	0	25
252	Truck for feed & litter carriers (See Para. (g) (5) of L-170)	0	0	100
253	Deleted Feb. 12, 1943.			
	DIVISION 2: HAY UNLOADING EQUIPMENT			
254	Hay carriers (See Para. (g) (5) of L-170)	0	0	72
255	Track for hay carriers (See Para. (g) (5) of L-170)	0	0	100
256	Hay forks, harpoon and grapple	0	0	56
257	Pulleys and fittings	0	0	92
	DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT			
258	Cattle stalls and fittings (See Para. (e) (2) and (g) (5) of L-170)	0	8	75
259	Livestock pens (See Para. (e) (2) of L-170)	0	27	75
	DIVISION 4: CATTLE STANCHIONS			
260	Cattle stanchions and fittings (See Para. (e) (2) and (g) (5) of L-170)	0	0	59
	DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS			
261	Livestock drinking cups	0	36	100
262	Outside livestock watering bowls	0	0	65

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Item		Class of producer "A"	Class of producer "B"	Class of producer "C"
		Percent (100)	Percent (100)	Percent (100)
	DIVISION 6: OTHER FARM POULTRY EQUIPMENT			
290	Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately.)	50	50	50
291	Leg bands	50	50	50
292				
	DIVISION 9: ATTACHMENTS			
293	Attachments for all items in Group 18 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

Item		Class of producer "A"	Class of producer "B"	Class of producer "C"
		Percent (100)	Percent (100)	Percent (100)
	DIVISION 1: BEE-KEEPERS' SUPPLIES	100	100	100
294	Beekeepers' supplies (except bee hives)	--	--	--
295	Deleted February 12, 1943			
	DIVISION 2: SILOS			
296	Silos (total weight of iron and steel) (NOTE: Number of units limited to 1940 or 1941 production, whichever was greater.)	0	0	40
	DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)			
297	Horse shoes (including mule shoes) (NOTE: Calks and nails are considered as repairs.)	0	100	100
	DIVISION 4: HARNESS HARDWARE			
298	Harness hardware	31	31	31
	DIVISION 5: POWER SHEEP SHEARING MACHINES			
299	Power sheep shearing machines	100	100	100
	DIVISION 6: ELECTRIC FENCE CONTROLLERS			
300	Electric fence controllers	0	0	70
301	Electric fence accessories			
	DIVISION 7: DELETED FEBRUARY 12, 1943			
302 thru 308 inc.	Deleted February 12, 1943			
	DIVISION 8: FARM WOOD-SAWING MACHINES			
309	Farm wood-sawing machines	0	0	15
	DIVISION 9: FARM GATES			
310	Deleted February 12, 1943			
	DIVISION 10: FARM LIGHTING PLANTS			
311	Farm lighting plants	0	0	0
	DIVISION 11: ATTACHMENTS			
312	Attachments for all items in group 19 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 17: BARN AND BARNYARD EQUIPMENT—Continued

Item		Class of producer "A"	Class of producer "B"	Class of producer "C"
		Percent (100)	Percent (100)	Percent (100)
	DIVISION 6: BARNYARD STOCK TANKS			
283	Barnyard stock tanks (See Para. (6) (2) of L-170)			
284	Deleted Feb. 12, 1943			
	DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS			
285	Deleted Feb. 12, 1943		0	50
286	Feed cookers		0	37
287	Tank heaters			
	DIVISION 8: BARN DOOR TRACK AND HANGERS			
288	Barn door track	0	0	100
289	Barn door hangers			
	DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT			
	Including but not limited to ventilating equipment, livestock dipping tanks, hog waterers, dairy scales, cattle and horse clippers, and bull staffs. (List each item separately.)			
270	Hog waterers	80	80	80
271	Hog rings	125	125	125
272	Livestock identifications	75	75	75
273a				
273b		30	30	30
273c				
	DIVISION 10: ATTACHMENTS			
273	Attachments for all items in Group 17 expressed in terms of net shipping weight in pounds	(1)		(1)

GROUP 18: FARM POULTRY EQUIPMENT

Item		Class of producer "A"	Class of producer "B"	Class of producer "C"
		Percent (100)	Percent (100)	Percent (100)
	DIVISION 1: INCUBATORS			
274	Incubators, 1,000-egg capacity and smaller	0	0	52
275	Incubators, over 1,000-egg capacity	0	0	35
	DIVISION 2: FLOOR BROODERS			
276	Oil	0	8	100
277	Coal	100	160	100
278	Gas	0	0	71
279	Wood	137	137	137
280	Electric	0	9	100
	DIVISION 3: BATTERY BROODERS (HEATED)			
281	Three deck and smaller (heated)	0	0	36
282	Four deck (heated)	0	0	75
283	Five deck (heated)			
	DIVISION 4: GROWING AND LAYING BATTERIES			
284	Growing	0	0	43
285	Laying	0	0	0
	DIVISION 5: POULTRY FEEDERS			
286	Deleted February 12, 1943			
	DIVISION 6: POULTRY WATERERS			
287	Poultry waterers (iron and steel only)		100	100
	DIVISION 7: LAYING NESTS AND GRIT BOXES			
288	Deleted February 12, 1943			
289	Deleted February 12, 1943			

(1) Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

[NOTE: The heading of this Schedule was amended March 6, 1943]

SCHEDULE OF EXPORT QUOTAS BY GROUPS OF COUNTRIES AND QUOTA PERCENTAGES COVERING THE SHIPMENT OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS FOR THE PERIOD OF NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

(Quotas shown are expressed as a percentage of one-half the total weight of shipments made to all the countries in the particular group during the calendar years 1940 and 1941.)

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain	Scotland
Northern Ireland	Wales

Schedule B-2

Country:	Quota percentage
Australia	180
Union of South Africa	90
Egypt and Sudan	65
British India	65
Palestine	118
Liberia	118
Iran	118
Turkey	[1] 0
French Oceania and Free French Areas thereof	118
British East Africa	118
Other British West Africa	118
New Zealand	170
No. & So. Rhodesia	90
Gold Coast	118
Arabia	118
U. S. S. R.	118
Mauritius	[1] 0
Belgian Congo	118
Madagascar	118
French Cameroun	118
Ethiopia	118
Syria	118
Gozo	[1] 0
Ceylon	118
Nigeria	118
Iraq	118
China	[1] 0
Iceland	300
British Oceania	118
Cyprus	118
Malta	118
Falkland Islands	118

[1] Subject to appeal under paragraph (o).

Schedule B-3

Quota Percentage=39%

Argentine	Haiti
Chile	Nicaragua
Dominican Republic	Peru
Guatemala	Venezuela
Mexico	Brazil
Paraguay	Costa Rica
Uruguay	Ecuador
Bolivia	Honduras
Colombia	Panama Republic
Cuba	Salvador

Schedule B-4

Quota Percentage=61%

Mozambique	Angola
Portugal	Labrador
Switzerland	French West Indies
Newfoundland	Sweden
Fire	Greenland
Spain	

Schedule B-5

Country:	Quota percentage
British Guiana	70
Bermuda	70
Barbados	70
Trinidad	70
Surinam	70
Jamaica	70
Curacao	70
British Honduras	70
Other British West Indies	70

Schedule B-6

Quota Percentage=37%

Alaska	Hawaii
Virgin Islands	Puerto Rico

Schedule B-7

[NOTE: The heading of this Schedule was amended March 6, 1943]

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR AND THE PERIOD NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

(Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.)

Group I—Seeding and Fertilizing Machinery:	Quota percentage
Grain Drill (Plain)	22
Grain Drill (Press)	0
Corn Planter and Drill	25
Potato Planter	20
Manure Spreader	30
Other Planting and Seeding (including Beet Drills and Transplanter)	20
Group II—Plows:	
Walking Plow—1 furrow	33
Tractor Plow	22
Disc Plow	0
Harrow Plow—One Way Disc—Tiller	32
All other Plows (including Integral)	31
Group III—Tillage and Cultivating Machinery:	
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
All other Cultivators (including Beet, Tobacco, and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mower	30
Hayloader	35
Side Rake and Tedder	25
Dump Rake	25
Pick-up Baler and Hay	100
All other Haying Machines (including Hay forks, knives, etc.)	25
Group V—Harvesting Machinery:	
Horse Drawn Grain Binder	0
Tractor Grain Binder	0
Corn Binder	25
Combine—Reaper, Thresher	33
Swather	20
Stationary Thresher	0
Potato Digger	25
Corn Sheller	25
Corn Picker (150 units Mfgr. designated later)	
Other Harvesting Equipment, including Beet Lifters)	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper	50
Ensilage Cutter	35
Hammer Mill	7
Grain Loader or Elevator	25
Group VII—Farm Power:	
Wheel Tractor	24
Stationary Engine	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears	60
Farm Truck	60
Group IX—Dairy Equipment:	
Milking Machine Complete	100
Cream Separator	84
Churn	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster	50
Sprayer Pump	54
Group XI—Domestic Water System:	
Well or Cistern Pump	50
Pump Jack	50
Windmill Head	50
Domestic Water Pressure System	25
Group XII—Barn and Barnyard Equipment	0
Group XIII—Miscellaneous Equipment:	
Incubator	40
Brooder (Floor Type)	40
Wheel Barrow (Wood Only)	53
Sheep Shearers and Animal Clippers	239
Attachments and Repair Parts	150

[INTERPRETATION 1]

In order to clarify the classification of producers under paragraphs (b) (3), (4), (5) and (6) of § 1029.10 *Limitation Order L-170*, resulting from transfers of quotas pursuant to § 944.28 (Interpretation of Limitation and Conservation Orders with respect to the Assignability of Quotas), the following official interpretation is hereby issued with respect to said § 1029.10:

(1) Whenever a producer's total farm equipment business has been or may be sold as a going concern, continuing, in the hands of the purchaser, to make substantially the same product at the same plant and with substantially the same personnel (other than executive officers), the classification of the purchaser shall be based upon his total net sales (including those of affiliates) of all products during 1941, plus total sales of farm machinery and equipment and repair parts by the acquired company during 1941. However, if the purchaser uses the acquired company's 1940 base production under paragraph (b) (12) of Order L-170, then, for purposes of the purchaser's classification, sales of the acquired company during 1940, rather than 1941, must be used.

(2) Any other arrangement whereby a producer purports, or has purported, to assign to another person his quota (or a portion thereof) for the production of farm machinery and equipment or repair parts is invalid, unless specifically authorized for the period covered by Order L-170 by the Director General for Operations pursuant to an appeal, which should be made jointly. If such an appeal is granted, the classification of the assignee, unless otherwise directed, will be based upon his total net sales (including those of affiliates) of all products during 1941, plus the 1941 sales of that portion of the assignor's farm machinery and equipment or repair parts business acquired by the assignee. If the assignee is authorized to use the assignor's 1940 base production of such portion, then, for purposes of the assignee's classification, sales of the assignor during 1940, rather than 1941, must be used.

(3) Assignments of quota specifically authorized by appeal under Limitation Order L-26 for the period ending October 31, 1942, are not recognized for the period covered by Order L-170. Accordingly, a new appeal should be made in each case where the assignee wishes to continue producing pursuant to an assignment of quota authorized under Order L-26. Appeals by any such assignee and his classification are governed by § 944.28 and paragraph (2) above. (Issued December 12, 1942.)

[F. R. Doc. 43-3566; Filed, March 6, 1943; 11:30 a. m.]

PART 1193—COTTON FABRIC PRODUCTION

[Limitation Order L-99 as Amended March 6, 1943]

1. Part 1193 (formerly "Bag Osnaburg and Bag Sheetings") is amended to read "Cotton Fabric Production".

2. Section 1193.1 *Limitation Order L-99* is amended to read as follows:

§ 1193.1 *Limitation Order L-99*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Operation of looms producing cotton fabrics.* Unless specifically authorized by the Director General for Operations, no person who on January 2, 1943, or thereafter, operated looms or had looms assigned to operate upon the constructions of cotton fabrics listed in column 1 shall operate such looms except in accordance with the following requirements:

(1) The percentages stated in Column 2 of the looms operating on or assigned to the constructions listed in Column 1 may produce only the constructions specified in Column 3.

(2) The restrictions of paragraph (b) (1) shall be effective on the dates specified in Column 4.

1	2	3	4
Looms producing or assigned to produce the constructions listed below on January 2, 1943, or thereafter, and which may produce only the constructions specified in Column 3.	Percentages of looms referred to in Column 1 to produce constructions specified in Column 3.	Constructions to be produced by looms specified in Column 1.	Effective dates.
Osnaburgs (Constructions designated in lines 1 through 7 of Form WPB 658-B (12-31-42)).	100%	40" 40/28 2.05 yd 36" 40/28 7 oz. 36" 32/28 2.85 yd. 36" 24 to 26 slay, 16 to 20 pick 3.30 yd. 40" 32/28 3.55 yd. 30" 40/30 7 oz. pro rata widths of like count and weight.	Apr. 20, 1943
Class A Sheetings (Constructions designated in lines 12 through 15 of Form WPB 658-B (12-31-42)).	100%	36" 48-44 2.55 yd 40" 48-44 2.85 yd 40" 48-44 2.50 yd pro rata widths of like count and weight.	April 20, 1943
Class B Sheetings (Constructions designated in lines 16 through 21 of Form WPB 658-B (12-31-42)).	100%	40" 48-40 3.25 yd 40" 48-40 3.75 yd 37" 48-44 4.00 yd 40" 44-40 4.25 yd 31" 48-44 5.40 yd pro rata widths of like count and weight.	Apr. 20, 1943
Class C Sheetings (Constructions designated in lines 22 through 33 of Form WPB 658-B (12-31-42)).	100%	36" 64-64 3.30 yd 36" 60-52 or 56-56 4.00 yd 36" 48-40 or 44-40 5.50 yd 36" 44-40 or 40-40 6.05 to 6.15 yd 40" 64-64 3.15 yd 40" 60-52 or 56-56 3.60 yd 40" 44-40 5.30 yd 40" 56-48 4.30 yd 40" 36-60 5.55 yd pro rata widths of like count and weight. Bandoleer and Navy Mattress Cover Sheeting in lowest pickage consistent with specifications.	Apr. 20, 1943
39" 80 x 80 4.00 yd Print Cloth (Constructions designated in line 75 and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	50%	39" 80 x 80 4.00 yd pro rata widths of like count and weight.	
39" 80 x 80 4.00 yd Print Cloth (Constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	25%	39" 68 x 64 4.85 yd pro rata widths of like count and weight.	June 4, 1943
39" 80 x 80 4.00 yd Print Cloth (Constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	25%	38½" 64 x 56 5.50 yd. pro rata widths of like count and weight.	June 4, 1943
39" 68 x 72 4.75 yd Print Cloth (Constructions designated in line 76, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100%	39" 68 x 64 4.85 yd pro rata widths of like count and weight.	Apr. 20, 1943
38½" 64 x 60 5.35 yd Print Cloth (Constructions designated in line 77, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100%	38½" 64 x 56 5.50 yd pro rata widths of like count and weight.	Apr. 20, 1943
38½" 60 x 48 6.25 yd Print Cloth (Constructions designated in line 78, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100%	38½" 60 x 48 6.25 yd pro rata widths of like count and weight.	

(c) *Exceptions.* (1) Any authorization pursuant to an appeal granted prior to March 6, 1943 may be carried out in accordance with the terms of the authorization.

(2) The restrictions of paragraph (b) shall not require the manufacture of any construction of higher pick than specified in column 1 of said paragraph, unless the Director General for Operations hereafter specifically so directs. Any person affected by this paragraph (c) (2) shall immediately report such fact to the War Production Board.

(3) Any loom which on March 6, 1943 was operating to meet specifications for the production of fabric under an unfilled contract or sub-contract for delivery of such fabric to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, may continue such operation to the extent necessary to fill such contract or sub-contract prior to July 1, 1943.

(d) *Distribution of osnaburgs, Class A and Class B sheetings.* No manufacturer of osnaburgs, Class A or Class B sheetings shall sell or deliver such fabric, (other than irregulars, seconds or cuts under 40 yards in length up to a combined total not exceeding six (6%) per cent of the manufacturer's production of osnaburgs, Class A and Class B sheetings) except to fill defense orders or as specifically authorized by the Director General for Operations.

(e) *Reports and records.* All persons operating looms on the production of cotton textile fabrics shall file with the War Production Board quarterly production reports on Form WPB 658-A, B, C, D and E, and other reports as may hereafter be required. All persons affected by this order shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref., L-99.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3565; Filed March 6, 1943; 11:30 a. m.]

PART 3034—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS, MEDIUM AND HEAVY TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-180 as Amended March 6, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3034.1 *Limitation Order L-180*—(a) *Certain orders hereby superseded.* This order, Limitation Order L-180, supersedes Supplementary Limitation Order L-4-b, issued April 25, 1942, and Limitation Order L-35, issued January 22, 1942, as amended.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of automotive replacement storage batteries without regard to purchase orders or contracts placed with them for other materials on ratings lower than A-2.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck tractor, truck trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks:* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20-hour rate 80° F.
Group	Group	
I	1M	80
I	1H	90
I		100
I		90
I	2L	100
(F-116) (11E-125)	2ME	110
11HF (Ford)		100
(11-115)	(2M-105, 2H-110)	110
11S	3L	110
III	3M (3H-133)	124
(Special 12 Volt)		45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity 20 hour rate Size F		Volts	Container sizes					
				Long		Wide		High	
	Minimum	Maximum		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
				For batteries with double insulation					
Size A	135	145	6	16	16¾	7¼	7¾	9¼	11
Size B	180	220	6	16¾	20	7¼	7¾	9¼	11
Size C	200	240	6	21	22	10¾	11¾	12	13½
Size D	240	280	6	21	22	10¾	11¾	12	13½
Size E	105	115	12	13	18	7¼	8	9¼	11
Size F	135	145	12	16	16¾	7¼	7¾	9¼	11
Size G	180	220	12	20¾	21	8	9	9¼	11
Size H	200	240	12	20¾	21	9	10	9¼	11
Size I	240	280	12	20¾	21	10¾	11¾	9¼	11
	For batteries with single insulation								
Size J	135	205	6	16	16¾	6¾	7¾	9	13½
Size K	180	220	6	16¾	20	6¾	7¾	9¼	11¼
Size L	180	195	12	20¾	21	8	6	9¼	11
Size M	150	170	12	20¾	21	9	10	9¼	11
Size N	180	200	12	20¾	21	10¾	11¾	9¼	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand on August 29, 1942, provided:

(i) No additional material is required;

(ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) No producer shall, during any calendar quarter of 1943, manufacture automotive replacement storage batteries in excess of the number (hereinafter referred to as "quota") obtained by multiplying the percentage shown below for that calendar quarter of 1943 by the total number of such batteries sold by him during the calendar year 1941:

Calendar Quarter of 1943:	Percentage of 1941 sales
January 1 to March 31	22½
April 1 to June 30	22½
July 1 to September 30	30
October 1 to December 31	25

(2) Notwithstanding subparagraph (1) of this paragraph (f), a producer may, in addition to the quotas permitted thereby,

(i) Manufacture during the second, third and fourth calendar quarters of 1943 that number of replacement batteries by which he failed to reach his full quota during the next preceding calendar quarter provided that this additional production does not exceed 5% of the number of replacement batteries sold by him during the calendar year 1941; and, in addition,

(ii) Manufacture during the first, second and third calendar quarters of 1943 not in excess of 5% of the number of such batteries sold by him during the calendar year 1941, provided he deducts such number from his quota for the next succeeding calendar quarter of 1943;

And Provided further, That in no event shall any producer manufacture during the calendar year 1943 a number of such replacement batteries in excess of 100% of the number of such batteries which he sold during the calendar year 1941.

(g) *Restrictions on inventories of producers of automotive replacement batteries.* (1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

(h) *General restrictions*—(1) *Certificate of compliance required.* No distributor shall order and no distributor or producer shall deliver replacement batteries to a distributor unless each order (or written confirmation thereof, if such order is placed by telephone or telegraph) is accompanied by a certificate in the following form:

Certificate of Compliance with Order L–180

The quantity of replacement batteries on the attached purchase order does not exceed the quantity which I am entitled to order under the provisions of Limitation Order L–180, with the terms of which I am familiar.

(Signed) _____
Firm, partnership or corporation
By _____
Title of individual
_____
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the seller as part of his records.

(2) *Return of used batteries.* On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (2) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(3) *Consumer's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

[Certificate amended March 6, 1943.]

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will, within thirty days after receiving the replacement battery here ordered, dispose of through scrap channels a used automotive battery (excepting in the event of the loss or theft of such battery) of similar size for each replacement battery delivered to me.

(Signed) _____
Vehicle Owner or Operator
_____
Address

Date _____

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(4) *Electric fence user's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell or deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that the consumer purchases the battery for use in connection with an electric fence or other piece of farm machinery which had formerly been operated in whole or in part by dry cell batteries, and provided further that the producer or distributor secures from the consumer, for each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) the consumer's signature to a certificate to be supplied by the producer or distributor, in the following form:

Electric Fence or Farm Equipment User's Certificate

I hereby certify that the battery purchased by me under this date is for use in connection with an electric fence or other farm equipment; that I have previously not used a storage battery for this purpose and, therefore, have no used battery to turn in.

(Signed) _____
Purchaser
_____
Address

Date _____

(i) *General restrictions on inventories.* (1) No distributor shall accept delivery of any replacement batteries and/or rebuilt batteries, which in combination with his existing inventory will aggregate more than a ninety (90) day supply. In any month a ninety (90) day supply means the aggregate number of replacement batteries and rebuilt batteries sold during the corresponding month in 1942 plus the number sold in the next two (2) succeeding months in 1942.

(2) No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels.

(3) The provisions of this paragraph (i) shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Puerto Rico or the Virgin Islands.

(j) *Exceptions to applicability of this order.* The limitations and prohibitions contained in this order shall not be applicable to the manufacture, sale or delivery of replacement batteries under contract or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

On or before February 15, 1943, each producer shall file with the Automotive Division of the War Production Board, Form PD–766 reporting total shipments of automotive replacement storage batteries for the years 1941 and 1942. On or before the 15th day of April, July, and October, 1943 and the 15th day of January 1944, each producer shall file Form PD–765 reporting its shipments of automotive replacement storage batteries during the preceding calendar quarter.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(o) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal by letter to the War Production Board, Automotive Division, Ref: L–180, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: L–180.

(q) [Revoked January 5, 1943.]

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3567; Filed March 6, 1943; 11:30 a. m.]

PART 3062—CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

[Conservation Order M–216–b]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of new passenger automobiles and commercial motor vehicles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3062.3 *Conservation Order M–216–b*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following described vehicles which have not been sold and delivered to a consumer under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies, finance agencies or other persons, throughout the continental United States:

(i) *Reserve new passenger automobiles.* Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, including taxis, but not including ambulances, hearses and station wagons.

(ii) *Reserve new commercial motor vehicle.* Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, (or any chassis on which a bus body is to be mounted), and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Standard equipment" means equipment stated to be standard equipment by the manufacturer as of October 15, 1941.

(3) "Producer" means any person who manufactures or has in the past manufactured any reserve vehicles, including body builders, and who now or hereafter has any such reserve vehicles in his possession or under his control.

(4) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(5) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(6) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(7) "Finance agency" means any person regularly engaged in the business of financing or making loans on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who now or hereafter has any lien or claim against any such reserve vehicle as security for a loan or other financing arrangement.

(8) "Consumer" means a person who accepts delivery of a reserve vehicle to be put into operation.

(9) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(c) *Restrictions on rebuilding reserve new passenger automobiles and removing of equipment.* (1) No person shall convert any reserve new passenger automo-

bile to any other model or type of conveyance except pursuant to the terms of section 2.10 of Ration Order No. 2B or any subsequent similar order of the Office of Price Administration.

(2) No person shall remove from any reserve new passenger automobile any standard equipment, or shall remove any other part or accessory the removal of which will impair the operating efficiency of such vehicle, except pursuant to the terms of section 2.10 of Ration Order No. 2B or any subsequent similar order of the Office of Price Administration.

(d) *Restrictions on removing equipment from reserve new commercial motor vehicles.* No person shall remove from any reserve new commercial motor vehicle any standard equipment, or shall remove any other part or accessory the removal of which will impair the operating efficiency of such vehicle.

(e) *Exceptions as to removal of batteries and tires.* The provisions of paragraphs (c) and (d) above shall not be taken to prohibit the removal from any reserve vehicle of:

(1) An electric storage battery: *Provided, however,* That when the vehicle from which the battery has been removed is delivered to a consumer, the same battery or a new battery of at least equal quality and capacity and in first class condition shall be installed by the person making delivery of the vehicle.

(i) Any battery so removed need not be considered as part of the battery inventory of the sales agency as the same is defined in Limitation Order L–180, as amended.

(2) Rubber tires, casings or tubes: *Provided, however,* That the removal is made for storage or in exchange for rubber tires, casings or tubes upon authorization pursuant to Ration Order 1A or any subsequent similar order of the Office of Price Administration. When the vehicle from which tires, casings and tubes have been removed is delivered to a consumer tires, casings and tubes shall be replaced on the vehicle by the person making delivery unless such person has been authorized pursuant to Ration Order 1A or any subsequent similar order of the Office of Price Administration to mount other tires, casings and tubes on such vehicle.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C. Reference: Order M–216–b.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3568; Filed March 6, 1943; 11:31 a. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 2 to Suspension Order S–129]

C. W. SAUNDERS

Paragraph (c) of § 1010.129 *Suspension Order No. S–129*, issued October 31, 1942 and amended December 16, 1942, is hereby amended to read as follows:

(c) Except as specifically authorized by the Director General for Operations, neither C. W. Saunders nor any other person shall order, purchase, accept delivery of, withdraw from inventory or secure in any other manner, or use any material or construction plant in order to continue or complete construction of any of the houses at the following locations: 721 and 725 West Manchester Boulevard, Inglewood, California; 1018 East 66th Street, Inglewood, California; 1211–1221 West Burbank Boulevard, Burbank, California; 4810 West 98th Street, Inglewood, California; 933–945 Fir Avenue, Inglewood, California; 4805 West 104th Street, Lennox, California; 4519 and 4521 West 104th Street, and 10334 Mansel Avenue, Lennox District, California; 10016 and 10020 Inglewood Avenue, Lennox, California; 1508 South Bronson Avenue, Los Angeles, California.

Issued this 6th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3607; Filed, March 6, 1943; 4:57 p. m.]

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[General Preference Order E–1–b, as Amended March 8, 1943]

General Preference Order E–1–b (§ 997.2) is hereby amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of machine tools for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 997.2 *General Preference Order E–1–b*—(a) *Definitions.* For the purposes of this order:

(1) "Machine tool" means any nonportable, power driven metal working machine listed on Exhibit A hereto attached, excluding any light power driven tool defined in Limitation Order L–237, having a list price on October 15, 1942, of $350 or less.

The term "machine" as used in this order means a machine tool. Each machine tool includes not only the basic machine but also all fixtures, equipment and tooling covered by the original purchase order which are required to be delivered with the machine to make it usable in production for the purposes intended, but does not include any replacements, or spare parts or equipment, or extra tooling, ordered by the purchaser.

(2) "Producer" means any individual, partnership, association, corporation or other form of enterprise engaged in producing machine tools.

(3) "Service purchasers" means those whose preference rating certificates show that the preference rating applied to such delivery was assigned thereto by an original Preference Rating Certificate PD–3, PD–3A, or PD–4, by a Preference Rating Order P–19–h, and also those whose purchase orders show that they are direct purchase orders for machine tools placed by the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau, rated in accordance with procedures authorized for them to use in place and stead of using Form PD–3A: *Provided,* That such purchase orders call for delivery to a Supply Arm or Bureau of the Army or Navy or to the United States Maritime Commission, or to one of their prime contractors, or to a subcontractor of such a prime contractor.

(4) "Foreign purchasers" means those whose purchase orders show that the machine is to be delivered to or for the account of a foreign country, other than Canada, or a subdivision, agency, or instrumentality thereof.

(5) "Other purchasers" means all purchasers other than service purchasers and foreign purchasers, whose purchase orders have been assigned a preference rating of A–10 or higher. Other purchasers include Canadian purchasers except those who are service purchasers by reason of their purchasing machines for use on direct United States prime contracts or subcontracts.

(6) "Class" when used herein means one of the foregoing three classes of purchasers: namely, service purchasers, foreign purchasers, or other purchasers.

(7) "Size" may include all of those dimensions or variations of a particular type of machine which can be used interchangeably for production purposes. Size classification shall remain the same as heretofore used by each producer unless he is specifically permitted or directed to use a different classification by the Director General for Operations. Producers may apply for such permission by writing to the Tools Division, War Production Board, Ref: E–1–b.

(b) *Delivery of machine tools until May 1, 1943.* Notwithstanding any other provisions of this order, schedules of production and delivery of machine tools to be delivered prior to May 1, 1943, shall be maintained as now established subject only to schedule changes hereafter ordered by diversion orders or by other

specific direction from the Director General for Operations. After May 1, 1943 the preferences heretofore accorded to the Air Services and other Preferred Customers by Amendment 3 to General Preference Order E–1–b, issued November 5, 1942, shall no longer remain in effect but every producer shall schedule his production and deliveries according to the provisions of this order.

(c) *Allocation of production to service purchasers and to foreign purchasers and other purchasers.* (1) Except as provided in subparagraphs (2), (3) and (4) of this paragraph (c), each producer shall schedule his production for each calendar month so as to deliver 75 percent of his production of each size of each type of machine which he produces in that month to service purchasers, and each producer shall schedule his production for each calendar month so as to deliver 25 percent of his production of each size of each type of machine which he produces in that month, in the aggregate, to foreign purchasers and other purchasers.

(2) A producer may schedule for delivery to service purchasers more than 75 percent of his production of any size of a type of machine in the months of May, June or July to the extent that he has failed to receive purchase orders from foreign purchasers and from other purchasers for machines of such size and type prior to March 1, 1943.

(3) A producer may likewise schedule for delivery to foreign purchasers and other purchasers more than 25 percent of such production of any size of a type of machine in the months of May, June or July to the extent that he has failed to receive purchase orders from service purchasers for machines of such size and type prior to March 1, 1943.

(4) Similarly, a producer may schedule deliveries to service purchasers in excess of 75 percent of his production in the months of August, September or October 1943 to the extent that he has failed to receive purchase orders from foreign purchasers and other purchasers prior to June 1, 1943, and he may schedule deliveries to foreign purchasers and other purchasers in excess of 25 percent of his production in the months of August, September or October 1943 to the extent that he has failed to receive purchase orders from service purchasers prior to June 1, 1943.

(5) In preparing his schedules of deliveries for a given month a producer shall fix the dates of his deliveries to service purchasers, to foreign purchasers, and to other purchasers within such month so that each class will receive its quota of machines equitably in point of time within the month.

(d) *Distribution of 75 percent of production among service purchasers.* Deliveries of 75 percent of each producer's production shall be scheduled among service purchasers as follows:

(1) Service purchasers are hereby subdivided into seven groups, consisting of the following, and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Army Medical Department, the Chemical Warfare Service, the Bureau of Yards and Docks, the Marine Corps, and the Transportation Service of the Services of Supply, together with any other corps, department, bureau or service of the Army or Navy not heretofore specifically designated as a separate group, and their respective prime contractors and subcontractors.

(2) (i) Each producer shall determine the number of purchase orders on his books for each size of a given type of machine from each of the seven service purchaser groups as of March 1, 1943 or, at the producer's option, the nearest date within ten days prior or subsequent to March 1, 1943 on which the producer may have compiled his record of orders.

No order shall be deemed a purchase order placed on a producer's book unless the purchaser has placed a firm order accompanied by specifications or other description of the machine in sufficient detail to enable the producer to place the machine in his production schedule, together with such priority information as is required for scheduling by paragraph (g) of this order.

(ii) He shall then deduct from such respective numbers for each service group the number of machines of such size and type which he estimates he will deliver to purchasers in such service group during the month of March 1943. He shall *not* deduct deliveries scheduled to be made during April 1943. The figure resulting from such deduction shall be termed the "net backlog" of each such service group.

(iii) He shall then distribute the number of machines of such size and type allocated in each of the months of May, June and July 1943 to all service purchasers pursuant to paragraph (c) (1) among each of the seven service purchaser groups according to each group's quota. The quota for each service group of such size and type shall be the ratio of

(*a*) Net backlog of such service group of such size and type to

(*b*) The total of all net backlogs of such size and type of all the service groups,

multiplied by the total number of machines of such size and type allocated for that month to all service purchasers. An example of the calculation required by this paragraph (d) (2) is attached to this order, marked "Illustration of paragraph (d) (2)."

(3) Quotas for each service group for August, September and October 1943 shall be determined in the same manner as prescribed by paragraph (d) (2), based, however, on purchase orders on the producer's books as of June 1, 1943 after deducting therefrom the number of machines which the producer estimates he will deliver to service purchasers in each group during both the months of June and July 1943.

Similarly, quotas for each service group for November and December 1943 and January 1944 shall be determined in the same manner as prescribed by paragraph (d) (2), based, however, on purchase orders on the producer's books as of September 1, 1943 after deducting therefrom the number of machines which the producer estimates he will deliver to service purchasers in each group during both the months of September and October 1943.

(4) Commencing with May 1943, and each month thereafter, the producer shall deliver to each service group the number of machines of that size and type equal to its quota for that month, to the extent that he has orders from purchasers in such group requiring delivery in the month being scheduled.

(5) No producer shall schedule delivery of any machine tool manufactured by him earlier than the date on which the purchaser requires delivery thereof, unless all required delivery dates on other purchase orders are being met.

If a producer does not have on hand on March 1, 1943 rated purchase orders from a particular service group requiring delivery in any of the months of May, June or July 1943 equal to its quota for that month, such "unabsorbed quota" shall be scheduled for delivery to the service group having the lowest number of unfilled orders on the producer's books.

Similarly, if a producer does not have on hand on June 1, 1943 rated purchase orders from a particular service group calling for delivery in any of the months of August, September or October 1943 equal to its quota for that month, such "unabsorbed quota" shall be scheduled for delivery to the service group having the lowest number of unfilled orders on the producer's books.

(6) A purchase order which has been scheduled as provided in paragraph (d) (5) of this order shall represent an addition to the quota of the group of which the purchaser in question is a member and such purchase order shall not thereafter be affected by receipt of a purchase order from a member of any other group, irrespective of the urgency standing of the latter.

(7) In preparing his schedules of deliveries for a given month for service purchasers, a producer shall fix the dates of his deliveries to the different groups so that each group will receive its quota of machines equitably in point of time within the month.

(e) *Distribution of 25 percent of machine tools among foreign purchasers and other purchasers.* Foreign purchasers and other purchasers shall be treated as one group, and each producer shall schedule his orders for each size of each type for delivery each month within such group's aggregate 25 percent of production for that month, in accordance with the sequence of deliveries determined as hereinafter specified in paragraph (h), subject, however, to the order of the Director General for Operations freezing delivery schedules to foreign and

other purchasers until July 1, 1943, contained in letter of January 30, 1943, which order remains in full force and effect.

(f) *Treatment of fractions.* Where the number of machines which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole machine. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole machine) for any one month, and such fraction is less than one-half, it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half, and there is only one remaining machine to which such fractions can apply, such machine shall be allotted to the group having the largest quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(g) *Necessity for preference ratings.* (1) No purchase order for any machine tool shall be placed in production schedules, and no machine tool shall be sold or delivered, whether by a producer or distributor, unless a preference rating of A-10 or higher has been assigned thereto by a Preference Rating Certificate PD-1A, by a Preference Rating Certificate PD-3 or PD-3A, by a Preference Rating Certificate in the PD-408 or PD-311 series, by a Preference Rating Order P-19-h, or by a direct purchase order of the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau, endorsed according to procedures authorized for them to use in place and instead of using Form PD-3A. In placing the endorsement required by Priorities Regulation No. 3 on the purchase order there must also be included therein or set forth in a separate endorsement on the purchase order:

(i) The urgency standing of the purchaser, if any;

(ii) The required delivery date of the machine;

(iii) A statement as to whether the purchaser is a "service purchaser," a "foreign purchaser," or an "other purchaser," and

(iv) In the case of service purchasers, the Supply Arm or Bureau of the Army or Navy, or the Maritime Commission, which placed the prime contract, the number of the prime contract, the name of the prime contractor;

(v) In the case of foreign purchasers, the foreign country for which the machine is purchased; and

(vi) In the case of other purchasers, a statement as to the product or production program for which the machine is to be used.

In addition to making the endorsement upon his purchase order as required, any person placing such an order shall furnish to the producer a photostatic copy (or another copy accompanied by his signed statement that it is a true copy) of the preference Rating Certificate PD-1A, PD-3, PD-3A, PD-408, PD-311 or Preference Rating Order P-19-h: *Provided*, That where the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau has issued its direct purchase order for a machine tool and rated the same in accordance with procedures authorized for them to use in place and instead of issuing Form PD-3A, no copy of any preference rating certificate shall be required.

Reproduction of any of the foregoing preference rating certificates or orders for the foregoing purposes is hereby permitted.

(h) *Operation of Numerical Master Preference List, and preference ratings.* (1) The Numerical Master Preference List, Exhibit B attached to this order, herein called "the list," shall determine the sequence of deliveries as between service purchasers as hereinafter set forth, but shall have no effect upon foreign purchasers or other purchasers.

(2) The sequence of deliveries among each group of service purchasers within its respective quota shall be determined without regard to preference ratings as follows:

(i) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall be preferred to and shall take precedence over deliveries to service purchasers who are not on the list.

(ii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, both on the list, deliveries shall be made according to their respective urgency standings specified on such list. The highest urgency standing in each group is No. 1.

(iii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, neither of whom is on the list, the sequence of deliveries shall be determined by the respective dates on which the producer receives the photostatic or certified copy of the preference rating certificate, or if a direct purchase order of the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau rated by them in accordance with procedures authorized for them to use instead and in place of using Form PD-3A, the order properly endorsed under such procedure.

The delivery for which such copy of the certificate or properly endorsed order was first received takes precedence.

(iv) A delivery to a subcontractor who is not specifically named on the list shall take the urgency standing of his prime contractor; the urgency standing of the prime contractor must be endorsed in writing on the subcontractor's preference rating certificate by an officer designated for such purpose by the supply arm or bureau concerned.

(v) In the event that the urgency standing shown on the copy of the preference rating certificate differs from the urgency standing shown for the contract in question on the Numerical Master Preference List, Revision No. 5, the latter shall govern.

(3) The sequence of deliveries among foreign purchasers and other purchasers within the portion of production allocated to such purchasers shall be determined as follows:

(i) As between deliveries which have conflicting required delivery dates and which bear different preference ratings, delivery shall be made according to the preference ratings of the respective purchasers.

(ii) As between deliveries which have conflicting required delivery dates and which bear the same preference rating, the sequence of deliveries shall be determined by the respective dates on which the producer received the photostatic or certified copy of the preference rating certificate. The delivery for which the preference rating certificate was first received takes precedence.

(i) *Additions to list.* Additions to, withdrawals from, and other changes may be made in the Numerical Master Preference List from time to time by the Director General for Operations or such other official as may be specifically authorized by him. Where it is desired to assign an urgency standing between existing urgency standings, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standing 792.1 will be scheduled after 792 and before 793.

(j) *Revision of schedules for May and subsequent months.* On or before April 1, 1943 each producer shall determine the May, June and July 1943 quotas for the various groups of purchasers in accordance with the provisions of this order, and shall also revise his schedules of deliveries for each type of machine to the extent that he can do so without seriously interrupting his production line. In revising such schedules he shall give full effect to all WPBL-1588's, diversion orders, and other specific directions heretofore issued by the Director General for Operations which have scheduled specific machines during May or any subsequent month. On or before July 1, 1943 he shall determine the August, September and October 1943 quotas and revise his schedules accordingly; and on or before October 1, 1943 he shall do likewise with respect to November and December 1943 and January 1944 schedules.

The rescheduling of orders necessitated by E-1-b as amended March 8, 1943 shall be reported on Form PD-670, which shall be identified under "Remarks" as follows: "E-1-b amendment of March 8, 1943" (or on Form PD-671 which shall be identified on line 22 in an identical manner). Upon filing the last Form PD-670 (or PD-671) affecting deliveries scheduled for May, June and July 1943 which result from the initial rescheduling required to be done by April 1, 1943, the producer shall certify to the Tools Division, War Production Board, Ref: E-1-b, in writing, that the rescheduling required thereby and the reporting thereof have been completed.

After May 1, 1943 each producer shall make delivery of machines in accordance with his revised schedules.

(k) *Postponement of new purchase orders.* Unless the Director General for Operations specifically orders otherwise, and notwithstanding any other provisions of this order, no higher preference rating or urgency standing shall operate to postpone or in any way affect any delivery under a purchase order already scheduled where such delivery is to be made within sixty days of receipt of such higher preference rating or urgency standing.

(l) *Replacement parts.* Nothing in this order shall be construed to prohibit the delivery by any producer of repair and replacement parts for machine tools in accordance with applicable regulations and orders of the War Production Board concerning maintenance, repair and replacement items.

(m) *Deliveries to distributors for inventory.* No distributor is permitted to purchase any machine tools for purposes of inventory or stock, and no producer shall deliver any machine tool to any distributor where he knows or has reason to believe that such distributor is buying such machine tool for inventory or for stock.

(n) *Changes in schedules.* Notwithstanding any other provision of this order, the Director General for Operations may direct or change any schedule of production or delivery of machine tools, allocate any order for machine tools to any other producer, divert or otherwise direct the delivery of any machine tool to any other person.

(o) *Reports.* Every producer shall file reports on Form PD-669, PD-670 and PD-671, and WPB-417 or WPB-1440, in accordance with the instructions on such forms and such supplemental instructions as may be given in respect thereto.

(p) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(q) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(r) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: E-1-b.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

All types of the following:
Ammunition machinery.
Bending machines.

All types of the following—Continued.
Bending rolls.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die sinkers.
Draw benches.
Drilling machines.
Duplicators.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear cutting machines.
Gear finishing machines.
Grinding machines.
Hammers.
Headers.
Honing machines.
Keyseaters.
Lapping machines.
Lathes.
Levelers.
Marking machines.
Milling machines.
Nibbling machines.
Oil grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishers.
Presses.
Profilers.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Sawing machines.
Screw and bar machines.
Shapers.
Shearing machines.
Slotters.
Swagers.
Tapping machines.
Thread rollers.
Threading machines.
Tube reducers.
Upsetters.

Illustration of Paragraph (d) (2) of E-1-b

ILLUSTRATION OF PRODUCER'S WORK SHEET FOR DETERMINING SERVICE GROUP QUOTAS FOR MAY, JUNE AND JULY

Producer's name _____
(a) Production scheduled:
May—100
June—52
July—156
Type and size of machine _____

(b) Service quota (75 percent of production except as changed by (c) (2) and (c) (3) of E-1-b):
May—75
June—39
July—117

Item	Total service	Bureau of Ships	Bureau of Ordnance	Ordnance Department	Air Forces	Miscellaneous branches and Bureaus	Maritime Commission	Signal Corps
1. Firm orders March 1	400	40	45	100	185	10	10	5
2. Expected deliveries in March	75	0	4	0	65	0	4	0
3. Net backlog (line 1 minus line 2)	325	40	41	100	120	10	6	5
4. Proportion of total services' deliveries (net backlog of individual services divided by total net backlog for all services, line 3)	325/325	40/325	41/325	100/325	120/325	10/325	6/325	5/325
5. Service quotas (total service, (b), times line 4).								
May	(b) 75	9	10	23	28	2	2	1
June	(b) 39	5	5	12	15	1	1	0
July	(b) 117	14	15	36	43	4	3	2

NOTE: This is illustrative only; a separate computation for each type and size of machine to be scheduled must be made. The producer may mail copies of such work sheets to Control Records Branch, Tools Division War Production Board, for comment or assistance.

[F. R. Doc. 43-3636; Filed, March 8, 1943; 11:25 a. m.]

PART 1138—ANTIMONY

[General Preference Order M-112, as Amended March 8, 1943]

Section 1138.1 *General Preference Order M-112* is hereby amended to read as follows:

§ 1138.1 *General Preference Order M-112*—(a) *Definitions.* For the purposes of this order:

(1) "Antimony" means and includes:

(i) Ores and concentrates, including beneficiated or treated forms, containing antimony, commercially recognized;

(ii) Antimony metal, otherwise known as "regulus" and the element antimony in commercially pure form;

(iii) Liquidated antimony, sometimes known, respectively, as "needle antimony", "crude antimony", or "crudum", which is in any case the result of separating antimony sulphide from antimony ores by fusion, without essential chemical change;

(iv) Any alloy containing 50 per cent or more by weight of antimony, as defined in (i), (ii), and (iii) above;

(v) Chemical compounds which result from the primary processing of antimony ores and concentrates;

(vi) Mixtures or fusions (including frits) containing antimony oxide.

(b) *Deliveries and allocations*—(1) *Restrictions on deliveries.* Hereafter no person shall deliver or accept delivery of antimony except pursuant to specific authorization by the Director General for Operations; *Provided*, That until further order and in the absence of a specific direction to the contrary by the

Director General for Operations the following deliveries of antimony and the receipt of such deliveries are permitted:

(i) Antimony ores or concentrates in amounts totaling not more than 50 tons of contained antimony during any one calendar month, by any person who produced such ores or concentrates from mines located within the continental United States or Alaska;

(ii) Antimony in any of the forms specified in paragraph (a) of this order, to any person in lots of 2240 pounds or less (contained antimony) provided that the total quantity of contained antimony which any person may receive in one calendar month from all sources of supply pursuant to the authorization contained in this paragraph (b) (1) (ii) shall be limited to 2240 pounds.

(iii) To the Metals Reserve Company or to any other Corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., Section 606 (b)), or to any duly authorized agent of any such Corporation.

(2) *Allocations.* The Director General for Operations will from time to time allocate the supply of antimony and specifically direct the manner and quantities in which deliveries to particular persons and for particular uses shall be made or withheld. The Director may also require any person seeking to place a purchase order for antimony to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(c) *Applications and reports.* (1) Unless otherwise ordered or specifically directed by the Director General for Operations, no person shall be entitled to receive an allocation of antimony unless not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the War Production Board and with each supplier with whom he may place a purchase order for antimony an application for such material on form PD-381, and in addition, shall have filed with the War Production Board a report on form PD-380, or such other form as said Board may from time to time prescribe.

(2) Any person who on the first day of any calendar month has in his possession or under his control a quantity of antimony in excess of 2240 pounds (contained antimony), shall file a report with the War Production Board on form PD-380, on or before the 20th day of such month, whether or not such person applies for an allocation of antimony for delivery during the succeeding month.

(3) Failure by any person to file an application pursuant to the provisions of paragraph (c) (1) of this order may be construed as notice to the Director General for Operations and to all suppliers of antimony that such person does not desire an allocation of antimony for the succeeding month.

(d) *Special directions.* The Director General for Operations may from time to time issue specific directions with respect to the kind and quantity of antimony, including antimony in the inventory of a person on March 8, 1943, which may be used in the manufacture or composition of any product or material, and the Director may also in his discretion, require the use of antimony-bearing lead scrap, secondary antimony-bearing lead alloys or any other practicable substitute in lieu of antimony, in the production of any materials or products.

(e) *Restrictions on use of antimony in certain products.* No person shall use antimony in any form, including the antimony content of any alloy, scrap or secondary material, in the preparation, processing or manufacture of:

(1) White inorganic pigments for non-ceramic enamels, paints, lacquers, or printing inks, except as a reinforcing or chemical agent not to exceed 2% by weight of pure pigment contained.

(2) Toys or decorative or ornamental objects or parts thereof.

(f) *Exceptions to paragraph (e).* The prohibitions and restrictions contained in paragraph (e) of this order shall not apply to the use of antimony in any product or part thereof which is being produced for purchase by or for the account of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, or the Coast Guard, where the use of antimony to the extent employed, is required by the specifications (including performance specifications) of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, or the Coast Guard applicable to the contract, subcontract, or purchase order.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *General Imports Order M-63 unaffected.* Nothing contained in this order shall be construed as altering or modifying in any way the provisions of General Imports Order M-63 applicable to antimony.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Antimony Branch, Tin and Lead Division, War Production Board, Washington, D. C., Reference M-112.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3637; Filed, March 8, 1943; 11:25 a. m.]

PART 1218—QUARTZ CRYSTALS

[General Conservation Order M-146, as Amended March 8, 1943]

Section 1218.1 *General Conservation Order M-146* is hereby amended to read as follows:

§ 1218.1 *Conservation Order M-146*—(a) *Definitions.* For the purpose of this order:

(1) "Quartz crystals" means naturally occurring crystalline quartz having a transparent interior, each single crystal of which weighs not less than 50 grams. The term includes any piece cut from quartz crystals provided such piece weighs not less than 50 grams. The term does not include blanks, other semi-fabricated and fabricated forms, or scrap.

(2) "Blank" means a semi-fabricated piece of quartz crystal which has not been finished for final use as a radio oscillator or filter, telephone resonator, optical part, or other finished item. The term includes wafers.

(3) "Scrap" means that part of any quartz crystal remaining after a piece or pieces have been cut therefrom, if such remnant is of a size less than 50 grams in weight.

(4) "Supplier" means any person who imports or produces from domestic sources quartz crystals for the purpose either of his own fabrication or of sale to others, or who sells quartz crystals to others.

(5) "Fabricator" means any person who fabricates blanks or other semi-fabricated or fabricated forms from quartz crystals.

(6) "Put into fabrication" means the first change by the fabricator in the form of quartz crystals from that form in which such crystals were received by him.

(7) "Fabricate" means cut, saw, file, grind, polish, or otherwise change the form, shape, or characteristics. The term includes mounting or installing in holders.

(8) "Implements of war" means:

(i) Combat end products complete for tactical operations, including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles;

(ii) Parts, assemblies, and materials to be physically incorporated in any of the foregoing items;

(iii) Facilities or equipment used to manufacture any of the foregoing items, produced for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or for any foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Restrictions on fabrications.* (1) On and after March 8, 1943, no person shall fabricate quartz crystals or blanks except in the manufacture of:

(i) Radio oscillators and filters or other products for use in implements of war,

(ii) Radio oscillators and filters for use in radio systems to be owned, used, and operated by Federal agencies, or by commercial airlines,

(iii) Telephone resonators,

(iv) Optical parts for use in implements of war.

(v) Radio oscillators and filters and optical parts to be used in the replacement of parts which are defective, cracked, or broken, provided the equipment or instruments requiring such parts are implements of war or are needed solely in activities directly connected with defense, public health, welfare, or security, or

(vi) Radio oscillators and filters to be exported to any foreign country for use in radio systems owned, used, and operated by a governmental department or agency of such foreign country or for use by a commercial airline operating in such foreign country.

(2) On and after March 8, 1943 no person shall fabricate radio oscillators, radio filters, or optical parts from scrap except as specifically authorized in writing by the Director General for Operations. Application for such authorization shall be made by letter in triplicate.

(c) *Restrictions on purchase, receipt, and use.* On and after March 8, 1943, no person shall purchase or receive (unless for the purpose of selling or delivering to others), and no person shall use

(1) Quartz crystals or blanks, except for fabrication as permitted under the provisions of paragraph (b), or

(2) Fabricated forms of quartz crystals, except for purposes for which fabrication of quartz crystals is permitted under the provisions of paragraph (b): *Provided, however,* That the restrictions of this paragraph (c) (2) shall not apply to fabricated forms of quartz crystals which were already mounted or installed in holders on May 18, 1942, or to fabricated forms of quartz crystals, the purchase, receipt, or use of which has been specifically authorized by the Director General for Operations.

(d) *Special directions.* The Director General for Operations at his discretion may at any time issue special directions to any person with respect to the use, fabrication to final product, delivery, acceptance of delivery, or placing of orders by such person of or for quartz crystals, blanks, or semi-fabricated or fabricated forms thereof, or special directions to any fabricator with respect to the types and sizes of semi-fabricated and fabricated forms of quartz crystals which he may or must fabricate, and the grades and types of quartz crystals which he may or must use in the fabrication of such blanks or fabricated forms of quartz crystals.

(e) *Reports*—(1) *Stocks and inventories.* Every person who, on the 18th day of May, 1942, or on the last day of any calendar month thereafter has title to or is in possession or control of twenty-five (25) pounds or more of quartz crystals, or more than ten (10) pieces in the form of blanks or in other semi-fabricated or fabricated forms thereof, which have not been mounted or installed in holders, shall, on or before the close of business on the 5th day of the succeeding month, report to the War Production Board, in duplicate, on Form PD-484.

(2) *Fabrication.* Every person who fabricates quartz crystals or blanks during any calendar month shall report to the War Production Board in duplicate on Form PD-484 on or before the 5th day of the succeeding calendar month.

(3) *Other reports.* All persons affected by this order shall file such other reports as may be requested from time to time by the Director General for Operations.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref: M-146.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3638; Filed, March 8, 1943; 11:25 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 1 of CMP Regulation 1 [1]]

The following interpretation is hereby issued by the Director General for Operations with respect to § 3175.1, CMP Regulation No. 1, as amended February 27, 1943.

Questions have arisen as to what constitutes discrimination between customers within the meaning of paragraphs (s) (4) and (t) (2) (i) of CMP Regulation No. 1. These provisions prohibit producers of controlled materials from discriminating between customers in rejecting or accepting orders which are filed later than the prescribed time or which call for deliveries of less than the minimum mill quantities. These provisions mean that, in similar situations, different customers must receive similar treatment. A controlled materials producer who has rejected a late order or small order from one customer, is not prohibited from accepting such an order from another customer if the difference in treatment of the two orders is based in good faith on differences in the practicability of filling the orders in view of the nature of the material ordered, the condition of the production schedule at the time the orders are received, or similar factors.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3639; Filed, March 8, 1943; 11:25 a. m.]

[1] 8 F.R. 2565.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Brass Mill Direction 1]

BRASS MILL WAREHOUSE DIRECTION

The following direction is issued pursuant to paragraph (i) of CMP Regulation No. 4 (§ 3175.4), to all warehouses distributing brass mill products:

(a) The provision contained in paragraph (f) (1) (i) of CMP Regulation No. 4 restricting deliveries of brass mill products to 500 pounds (copper or alloy weight) of any item to any one destination, at any one time, shall not apply to deliveries of the following copper or copper base alloy items:

(1) Condenser tubes.

(2) A single straight length of rod, tube, pipe, sheet or strip.

(3) Welding rod, delivered prior to April 1 1943.

Orders for such items must, however, be accompanied by, or endorsed with, the form of certification required by paragraph (f) (1) (ii) of the regulation or the form of certification provided in CMP Regulation No. 7, and, the 2,000 pound monthly limitation provided in paragraph (f) (2) of the regulation shall continue to apply to deliveries of such items.

(b) Warehouses in specific instances may apply to the War Production Board for authorization to make, and for the purchaser to accept, delivery of brass mill products in excess of the quantities stated in paragraph (f) (1) of CMP Regulation No. 4. Such application should be directed to the War Production Board Washington, D. C., Reference: Copper Division, Brass Mill Branch.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3640; Filed, March 8, 1943; 11:25 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Wire Mill Direction 1]

WIRE MILL WAREHOUSE DIRECTION

The following direction is issued pursuant to paragraph (i) of CMP Regulation No. 4, (§ 3175.4) to all warehouses distributing wire mill products:

(a) The provision contained in paragraph (f) (1) (i) of CMP Regulation No. 4, restricting deliveries of wire mill products to 500 pounds (copper or alloy weight) of any item to any one destination, at any one time, shall not apply to deliveries of wire and cable, sizes 4/0 and larger, in full reels not exceeding 1,000 feet each.

Orders for such items must, however, be accompanied by, or endorsed with, the form of certification required by paragraph (f) (1) (ii) of the regulation or the form of certification provided in CMP Regulation No. 7, and, the 2,000 pound monthly limitation provided in paragraph (f) (2) of the regulation shall continue to apply to deliveries of such items.

(b) Warehouses in specific instances may apply to the War Production Board for authorization to make, and for the purchaser to accept, delivery of wire mill products in excess of the quantities stated in paragraph (f) (1) of CMP Regulation No. 4. Such application should be directed to the War Production Board, Washington, D. C., Reference: Copper Division, Wire Mill Branch.

Issued this 8th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3641; Filed, March 8, 1943; 11:25 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. Ration Order 3,[1] Amendment 1]

RATION BANKING: BANKS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1305.411 (c) (5) (iv) is amended to read as follows:

(iv) Each separate evidence shall be deemed to be a separate item, except that, in the case of coupons or stamps required by order of the Office of Price Administration either to be affixed to a card or sheet or to be enclosed in a sealed envelope, each card or sheet bearing, or each sealed envelope containing, stamps or coupons shall be deemed one item. A deposit slip shall not be deemed an item.

This amendment shall become effective March 5, 1943.

(Pub. Laws 431, 507, and 729, 77th Cong.; Executive Order No. 9125, 7 F.R. 2719; W.P.B. Dir. No. 1)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3515; Filed, March 5, 1943; 3:22 p. m.]

PART 1305—ADMINISTRATION

[Gen. Ration Order 7]

METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

Preamble: Several ration orders issued by the Office of Price Administration require that ration stamps and coupons be affixed to gummed sheets or cards before they may be surrendered or deposited. However, the supply of gummed sheets and cards has been seriously depleted and they are now and will continue to be unavailable for general use. It is necessary, therefore, to provide an alternative means by which ration stamps and coupons may be surrendered and deposited. This general ration order provides the alternative procedure. Ration stamps and coupons may, where gummed sheets are unavailable, be enclosed in sealed envelopes, and when enclosed may be used in the same way as if they were affixed to gummed sheets or cards. The gummed sheets which are available are being reserved for use in the gasoline rationing program. That program is, therefore, not affected by this order.

§ 1305.204 *General Ration Order 7.* Under the authority vested in the Administrator by Executive Orders No. 9125 and 9280, issued by the President on April 7, 1942 and December 5, 1942, respectively, Directive No. 1, issued by the War Production Board on January 24, 1942, and Supplementary Directives thereto, and Food Directives No. 1, 3 and 5, issued by the Secretary of Agriculture, General Ration Order 7 (Method of surrender and deposit of ration stamps and coupons), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1305.204 issued under Pub Law 671, 76th Cong., as amended by Pub Laws 89, 421 and 507, 77th Cong., E.O. 9125 7 F.R. 2719, E.O. 9280, 7 F.R. 10179, WPB Dir 1, Supp. Dir. 1E, 1M, 1O, 1R, and 1T, 7 F.R. 562 2965, 7234, 8418, 9684, and 8 F.R. 1727, respectively, and Food Directives 1, 3 and 5, 8 F.R 827, 2005, and 2251, respectively.

GENERAL RATION ORDER 7—METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

SECTION 1.1 *This order governs method of surrendering or depositing stamps or coupons where gummed sheets are not available.* (a) Whenever any ration order of the Office of Price Administration (other than Ration Order 5C) requires that stamps or coupons be affixed to gummed sheets or cards (OPA Form R-120, and R-304), and that stamps or coupons be surrendered or deposited only in that form, the requirement shall be deemed satisfied if the procedure set forth in this Order for enclosing them in sealed envelopes is followed.

SEC. 1.2 *Stamps or coupons may be enclosed in sealed envelopes.* (a) Any person who is required to affix stamps or coupons to gummed sheets or cards for surrender or deposit, may enclose them in sealed envelopes instead. Only stamps or coupons of the same type and value, and with the same validity period, may be enclosed in the same envelope. No more than 500 stamps or coupons may be enclosed in any one envelope.

SEC. 1.3 *Envelopes must be signed and must contain information as to enclosed stamps or coupons.* (a) Any person who encloses stamps or coupons in a sealed envelope, pursuant to Sec. 1.2, must write in ink on its face the number and type of stamps or coupons enclosed, their total value, the commodity for which the stamps or coupons are used (for example, sugar, coffee, processed foods), and his name and address. In addition, he must sign his name across the sealing flap of the envelope in such a way that the edge of the flap is crossed by a continuous stroke of the pen. His signature on the envelope shall constitute a certification as to the truth of the statements written on it.

(b) Stamps or coupons enclosed in a sealed envelope bearing the information required by paragraph (a), may be surrendered or deposited, and must be accepted, in that form, for the same purposes and with the same effect as if they were affixed to gummed sheets or cards.

SEC. 1.4 *Value of stamps or coupons in sealed envelopes need not be verified by person who receives them.* (a) A person who receives stamps or coupons enclosed in sealed envelopes in accordance with this order, need not verify the information stated on the envelope with respect to the contents, but may accept the envelope on the basis of the statements thereon. However, no person shall accept such an envelope if he knows or has reason to believe that the statements written on it are not true.

(b) When stamps or coupons enclosed in a sealed envelope are deposited, the contents of the envelope shall be subject to the verification required by the Office of Price Administration pursuant to General Ration Order 3 and 3A.

SEC. 1.5 *A person who receives a sealed envelope containing stamps or coupons must endorse it before surrendering or depositing it.* (a) A person who receives stamps or coupons enclosed in a sealed envelope must write his name and address on the back of the envelope before surrendering or depositing it. No envelope may be accepted unless it bears the signature and address of the person transferring it.

SEC. 1.6 *Envelopes may be opened only by certain persons.* (a) No person may open a sealed envelope in which stamps or coupons are enclosed in accordance with this order, or remove the stamps or coupons from the envelope, except:

(1) The person who originally enclosed the stamps or coupons in the envelope, and whose signature is written on it;

(2) The bank at which the envelope is deposited, for verification pursuant to General Ration Order 3 or 3A;

(3) A public official acting in the performance of his official duties.

This order shall become effective March 5, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3514; Filed March 5, 1943; 3:22 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 336]

RETAIL CEILING PRICES FOR PORK CUTS

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 336 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and will effectuate the purposes of said Act and Executive Order.

§ 1364.1001 *Maximum prices for fresh and processed pork cuts at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: Issued under Pub. Laws 421 and 729, 77th Cong.; Executive Order 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 336—RETAIL CEILING PRICES FOR PORK CUTS

ARTICLE I—GENERAL PROVISIONS

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3 When the new ceiling prices take effect.
4 What pork products you may sell.
5 Sales to eating places.
6 Post your ceiling prices.
7 Records, sales slips and receipts.
8 Licensing and registration.
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ARTICLE II—SPECIAL PROVISIONS

11 How you figure the annual gross sales of your store in most cases.
12 How you figure the annual gross sales of your store in special cases.
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14 Transfers of business or stock in trade
15 Retail sales taxes.
16 Certain stores in "Class 3 and 4," which may, upon certain conditions, use the prices of stores in "Class 1 and 2"

ARTICLE III—ZONES AND CEILING PRICE LIST

17 Description of zones.
18 O. P. A. List of Retail Ceiling Prices for Pork Cuts.

Article I—General Provisions

SECTION 1 *What this regulation does.* This regulation fixes dollar-and-cents ceiling prices on all retail sales of fresh and processed pork cuts made on and after April 1, 1943. The United States is divided into 11 zones and different ceiling prices are fixed for sales made in each zone and for sales made by different classes of retail stores. Your ceiling prices depend on the zone where your store is and its class. A store includes any place where pork cuts are sold at retail.

SEC. 2 *Your ceiling prices.* (a) You will find your ceiling prices on your "O. P. A. List of Retail Ceiling Prices for Pork Cuts" (Article III, section 18). A copy of the list for your zone and class will be attached to this regulation or may be obtained from your local War Price and Rationing Board or from your local O. P. A. office. (If you are a "Class 3 and 4" store, you should obtain your copy from the national office of O. P. A. in Washington, D. C.)

(b) *Your zone.* You can find out from your local War Price and Rationing Board or your O. P. A. office what zone your store is in. The zones are fixed by Article III of this regulation.

(c) *Your class.* Your store is in "Class 1 and 2" if its annual gross sales are less than $250,000 and if it is not a "chain store." Otherwise, it is in "Class 3 and 4."

(d) Your store is a "chain store" if it is one of a group of four or more stores owned by one person which have combined annual gross sales of $500,000 or more. If you are in doubt whether your store is in "Class 1 and 2," consult the directions given in sections 11, 12, and 13.

SEC. 3 *When the new ceiling prices take effect.* On April 1, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of pork cuts. On and after April 1, 1943, you must not sell any pork cut at a price higher than the ceiling price fixed by this regulation.

SEC. 4 *What pork products you may sell.* On and after April 1, 1943, the only pork products you may sell are (1) those fresh or frozen and processed pork cuts which are given dollar-and-cents prices

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 865.

*Copies may be obtained from the Office of Price Administration.

under this regulation and (2) the following pork products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation, namely, pork sausage, canned pork, pork variety meats or offal (including temple meat cutlets, brains, chitterlings, liver, plucks, kidneys, tongues, lips, snouts, ears, hearts, cheek and head meat, stomachs, weasand meat and heads), and quick-frozen cuts which are sold and delivered to you in the individual packages in which you sell them.

SEC. 5 *Sales to eating places.* Your ceiling prices for sales to hotels, restaurants, institutions and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 148. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80% or more of your total sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the pork cut to be eaten by themselves or their families.

SEC. 6 *Post your ceiling prices.* Beginning April 1, 1943, you must post at your store your "O.P.A. List of Retail Ceiling Prices for Pork Cuts." This list must be put up in a place in your store where customers can easily see it and read it. You can get your copy for posting from your War Price and Rationing Board or from your local O. P. A. office. (If you are a "Class 3 and 4" store, you should obtain your copy from the national office of O.P.A. in Washington, D. C.) You may, if you wish, underline on the list you post those cuts which you carry. If you display any pork cut, as in your show case, you must put on it your ceiling price for that cut.

SEC. 7 *Records, sales slips and receipts.* After April 1, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you charge for pork cuts. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name and weight of each pork cut sold and the price you received for it.

SEC. 8 *Licensing and registration.* The licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation shall apply to every person making sales subject to this regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. No person whose license is suspended may sell any such commodity during the period of suspension.

SEC. 9 *Indirect price increases.* The price limitations set forth in this regulation shall not be evaded directly or indirectly by you; and you shall not require the purchaser to buy at any price other food products as a condition of selling pork cuts.

SEC. 10 *Prohibitions.* On and after April 1, 1943, the date this regulation takes effect, if you sell or deliver any pork cut at a price higher than your ceiling price, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

Article II—Special Provisions

SECTION 11. *How you figure the annual gross sales of your store in most cases.* (a) To find your annual gross sales, take your gross sales for the calendar year 1942. Include all sales, whether of foods or not, as shown on your books. A Federal Income Tax Return will be accepted as good evidence of your gross sales for all or any part of the calendar year 1942 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating it as a separate retailer.

(b) If you were not in operation during the entire year 1942, you must divide your total gross sales from the time you began operation up to March 1, 1943 by the number of weeks you were in operation. This will give your weekly average gross sales. Multiply this figure by 52 and take the result as your "annual gross sales."

SEC. 12 *How you figure the annual gross sales of your store in special cases—* (a) *Department stores.* If you operate a department store, that is, a store in which the greater volume of business is in the sale of general merchandise and not foods, and you sell foods in a separate department, then you must find in what class your store falls by using only the gross annual sales of your food department.

(b) *Stores in which more than one retailer operates.* (1) If you sell foods in a retail store in which more than one retailer sells a complete line of the same general class of food, you will be treated as operating a separate retail store of your own and you must find its class by using your own separate sales.

(2) If you sell food in a retail store in which there are other food retailers, none of whom sells a complete line of the same general class of food, you must find your annual gross sales by taking the combined annual gross sales of all the food retailers in that store.

SEC. 13 *How to find your annual gross sales if you are a new retailer.* If you open a retail store after March 1, 1943, which is not a chain store, you must consider yourself a "Class 1 and 2" retailer and figure your ceiling prices accordingly. But after you have been in operation for three months you must determine again what class your store is in. To do this, take your gross sales for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in order to find in what class your store falls. If you then find that your store no longer falls in "Class 1 and 2," it is in "Class 3 and 4," and you must take the ceiling prices for "Class 3 and 4" stores in your zone.

SEC. 14 *Transfers of business or stock in trade.* If you acquire in any manner the business, assets or stock in trade of any store subject to this regulation after March 31, 1943, and you carry on the business or continue to deal in pork cuts in a store, separate from any other store previously owned or operated by you, then your ceiling prices should be the same as those of the former owner as if no transfer had taken place; unless as a result of the transfer the business changes from one class of stores to another, in which case your ceiling prices shall be those fixed for the class to which the store belongs after the transfer. You must keep all records sufficient to verify your ceiling prices. The former owner shall either preserve and make available, or turn over, to you all records of transactions prior to your acquiring the store which are necessary to enable you to comply with the record provisions of this regulation.

SEC. 15 *Retail sales taxes.* Any tax upon, or incident to, a sale at retail of pork cuts covered by this regulation which is imposed by any statute of any state or subdivision thereof may be collected by you in addition to the ceiling price, if the statute does not prohibit you from stating and collecting the tax separately from the purchase price.

SEC. 16 *Certain stores in "Class 3 and 4" which may, upon certain conditions, use the prices of stores in "Class 1 and 2."* (a) If your store is in "Class 3 and 4," and does business in the manner outlined below, you may request permission under paragraph (b) to use the ceiling prices for "Class 1 and 2" stores:

(1) Most of your sales in your grocery department are made by sales clerks who assist customers in selecting, collecting and wrapping merchandise; and

(2) Your store generally offers to all its customers the services of (i) taking orders over the telephone, and (ii) carrying monthly charge accounts, and (iii) providing free delivery service; and

(3) The general level of your prices for meat and grocery products is as high or higher than that maintained for such products by "Class 1 and 2" stores in the same community and is generally higher than the level of prices charged for similar products by "Class 3 and 4" stores; and

(4) The total gross margin on all sales in your store, if you are not a "chain store," was more than 21% in your fiscal year 1941; or, if you are a "chain store," the total gross margin on the combined sales of all stores in your chain was more than 21% in your fiscal year 1941. If you were not in operation in 1941, your gross margin for the most recent fiscal year, or if you were not in operation for a year, for the most recent fiscal period, must be more than 21%.

(b) If your store does business in the way set forth above and you want to sell at the ceiling prices for "Class 1 and 2" stores you must by April 1, 1943, file with your State or District O.P.A. office a request to use such ceiling prices. This request must be filed on a form which you may get from such O.P.A. office. If you have filed this form, you may on the effective date of this regulation, use the ceiling prices of "Class 1 and 2" stores. However, O.P.A. reserves the right to withdraw this permission, and if you receive a notice to such effect you must from that time forward use the ceiling prices for stores in "Class 3 and 4."

Article III—Zones and Ceiling Price List

SECTION 17. *Description of Zones.*

ZONE 1 Washington, Oregon, California and Nevada.

ZONE 2 Idaho, Montana, Wyoming, Utah and Arizona.

ZONE 3 Colorado and New Mexico.

ZONE 4 North Dakota, Oklahoma and Texas.

All that portion of Wisconsin north and west of and including the counties of Iron, Price, Taylor, Rusk, Barron and Polk.

All that portion of Minnesota north of and including the counties of Chisago, Anoka, Sherburne, Stearns, Meeker, Kandiyohi, Swift and Big Stone.

All that portion of South Dakota north and west of and including the counties of Roberts, Grant, Day, Brown, Edmunds, Walworth, Potter, Hyde, Buffalo, Brule, Lyman and Gregory.

All that portion of Nebraska west of and including the counties of Keyapaha, Rock, Loup, Custer, Dawson, Phelps and Harlan.

All that portion of Kansas west and south of and including the counties of Phillips, Rocks, Ellis, Rush, Barton, Ellsworth, Saline, Dickinson, Norris, Lyon, Osage, Franklin and Miami.

All that portion of Missouri south and west of and including the counties of Cass, Johnson, Pettis, Cooper, Moniteau, Cole, Gallaway, Montgomery, Warren, Franklin, Washington, St. Francois, Madison, Wayne and Butler.

ZONE 4-A: All that portion of Wisconsin south and west of and including the counties of St. Croix, Dunn, Chippewa, Clark, Jackson, Monroe, Vernon, and Crawford.

All that portion of Minnesota south of and including the counties of Washington, Ramsey, Hennepin, Wright, McLeod, Renville, Chippewa, and Lac qui Parle.

All that portion of South Dakota south and east of and including the counties of Deuel, Codington, Clarke, Spink, Faulk, Hand, Jerauld, Aurora and Charles Mix.

All that portion of Nebraska east of and including the counties of Boyd, Holt, Garfield, Valley, Sherman, Buffalo, Kearney and Franklin.

All that portion of Kansas east and north of and including the counties of Smith, Osborne, Russell, Lincoln, Ottawa, Clay, Geary, Wabaunsee, Shawnee, Douglas and Johnson.

All that portion of Missouri west and north of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Boone, Howard, Saline, Lafayette and Jackson.

Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

ZONE 5: All that portion of Michigan west of and including the counties of Marquette and Menominee.

All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.

The following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

All that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair and Monroe.

The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, City of St. Louis and Jefferson.

The following counties in Indiana: Lake, Newton, Benton, and Warren.

ZONE 6: The following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa and Berrien.

Indiana except the counties of Lake, Newton, Benton and Warren.

All that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

The following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin and Pemiscot.

All that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg and Todd.

The following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

The State of Arkansas.

All that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of Pointe Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin and Iberia.

ZONE 7: The Lower Peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

The State of Ohio.

The following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

All that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland and Fayette.

All that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan and Mingo.

All that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler and Logan.

All that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

All that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette and Lamar.

All that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo and Issaquena.

ZONES 8 AND 9—NORTH: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, District of Columbia and Maryland.

All of New York except the counties of Erie, Niagara, Cattaraugus and Chautauqua.

All of Pennsylvania east of and including the counties of McLean, Elk, Jefferson, Indiana, Cambria, and Somerset.

ZONES 8 AND 9—SOUTH: Virginia, North Carolina, South Carolina and Georgia.

All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming and McDowell.

All that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie and Hamilton.

All that portion of Alabama south of and including the counties of DeKalb, Marshall, Blount, Jefferson, Tuscaloosa and Pickens.

All that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption and Saint Mary.

All that portion of Florida north of and including the counties of Pasco, Sumter, Lake and Volusia.

ZONE 10: All that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough and Pinellas.

SEC. 18.—*O.P.A. list of retail ceiling prices for pork cuts*

[Price per pound]

NOTE 1. *Reduction for Oily Pork Cuts.* The ceiling price for a pork cut which comes from an oily hog carcass is lower than the ceiling price listed below for that pork cut. The ceiling prices one cent a pound lower for all hams, fat back, and dressed hogs from oily hogs. The ceiling price is four cents a pound lower for all shoulders, shoulder cuts, pork loins, bellies, and slab bacon from oily hogs.

NOTE 2. *Slices of Picnics and Bone-in Hams.* Slices from picnics and bone-in hams shall be center slices only and shall not be more than 20% of the weight of the picnic or bone-in ham.

NOTE 3. *Center Cut Pork Chops.* Center cut pork chops shall be not more than 33⅓% of the weight of the pork loin.

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4
1A Smoked ham, whole or shank half:																		
1. Regular bone in	$0.40	$0.38	$0.40	$0.38	$0.38	$0.37	$0.37	$0.36	$0.37	$0.36	$0.38	$0.36	$0.38	$0.37	$0.39	$0.37	$0.39	$0.
2. Regular boneless	.44	.43	.44	.42	.43	.41	.42	.40	.42	.40	.42	.41	.43	.41	.43	.41	.44	.
3. Regular boneless and fatted	.52	.50	.52	.50	.50	.49	.49	.47	.50	.48	.50	.48	.50	.49	.51	.49	.51	.
4. Skinned bone in	.43	.41	.42	.41	.41	.39	.40	.38	.40	.38	.40	.39	.41	.39	.41	.40	.42	.
5. Skinned boneless	.48	.46	.47	.45	.46	.44	.45	.43	.45	.43	.45	.44	.46	.44	.46	.45	.47	.
6. Skinned boneless and fatted	.56	.54	.55	.53	.54	.52	.53	.51	.53	.51	.53	.51	.54	.52	.54	.52	.55	.
1B Smoked ham, round half or butt half:																		
1. Regular bone in	.41	.39	.41	.39	.39	.38	.38	.37	.38	.37	.39	.37	.39	.38	.40	.38	.40	.
2. Regular boneless	.45	.43	.45	.43	.44	.42	.43	.41	.43	.41	.43	.42	.44	.42	.44	.42	.45	.
3. Regular boneless and fatted	.52	.51	.53	.50	.52	.49	.50	.48	.51	.48	.51	.49	.52	.49	.52	.50	.53	.
4. Skinned bone in	.44	.42	.43	.42	.42	.40	.41	.39	.41	.40	.41	.40	.42	.40	.42	.41	.43	.
5. Skinned boneless	.49	.47	.48	.47	.47	.45	.46	.44	.46	.45	.47	.45	.47	.45	.47	.46	.48	.
6. Skinned boneless and fatted	.57	.55	.55	.55	.55	.53	.54	.52	.54	.53	.55	.53	.55	.53	.56	.54	.56	.
1C Smoked ham, slices:																		
1. Regular bone in	.59	.57	.59	.56	.57	.54	.55	.53	.56	.53	.56	.54	.57	.54	.57	.55	.58	.
2. Regular boneless	.60	.58	.60	.57	.58	.56	.57	.54	.57	.55	.58	.55	.58	.56	.59	.56	.60	.
3. Regular boneless and fatted	.71	.68	.70	.67	.69	.66	.67	.64	.68	.65	.68	.65	.69	.66	.69	.66	.70	.
4. Skinned bone in	.63	.60	.63	.60	.61	.58	.59	.57	.60	.57	.60	.57	.61	.58	.61	.59	.62	.
5. Skinned boneless	.65	.62	.64	.62	.63	.60	.61	.59	.62	.59	.62	.59	.63	.60	.63	.60	.64	.
6. Skinned boneless and fatted	.76	.73	.75	.72	.74	.71	.72	.69	.72	.69	.73	.70	.74	.71	.74	.71	.75	.
2A Ready to eat and cooked hams (except boneless and fatted cooked hams), whole or shank half:																		
1. Regular bone in	.43	.42	.43	.42	.42	.40	.41	.39	.41	.39	.41	.40	.42	.40	.42	.41	.43	.
2. Regular boneless	.48	.46	.48	.46	.47	.45	.45	.44	.46	.44	.46	.44	.47	.45	.47	.45	.47	.
3. Regular boneless and fatted	.56	.54	.56	.54	.55	.53	.53	.51	.54	.52	.54	.52	.55	.53	.55	.53	.56	.
4. Skinned bone in	.46	.45	.46	.44	.45	.43	.44	.42	.44	.42	.44	.43	.45	.43	.46	.44	.46	.
5. Skinned boneless	.52	.50	.51	.49	.50	.48	.49	.47	.49	.47	.50	.48	.50	.49	.51	.49	.51	.
6. Skinned boneless and fatted	.64	.58	.60	.58	.59	.57	.58	.56	.58	.56	.58	.56	.59	.57	.59	.57	.60	.
2B Ready to eat and cooked hams (except boneless and fatted cooked hams), round half or butt half:																		
1. Regular bone in	.44	.43	.44	.43	.43	.41	.42	.40	.42	.40	.42	.41	.43	.41	.43	.42	.44	.
2. Regular boneless	.49	.48	.49	.47	.48	.46	.47	.45	.47	.45	.47	.45	.48	.46	.48	.46	.49	.
3. Regular boneless and fatted	.57	.56	.57	.55	.54	.53	.55	.53	.53	.53	.53	.53	.54	.53	.54	.53	.55	.
4. Skinned bone in	.47	.46	.47	.45	.46	.44	.45	.43	.45	.43	.44	.43	.46	.44	.46	.45	.47	.
5. Skinned boneless	.54	.51	.53	.51	.51	.50	.50	.48	.51	.49	.51	.49	.51	.50	.52	.50	.52	.
6. Skinned boneless and fatted	.62	.60	.61	.59	.59	.57	.59	.57	.59	.57	.60	.57	.59	.57	.59	.57	.60	.
2C Ready to eat and cooked hams (except boneless and fatted cooked hams), butt half:																		
1. Regular bone in	.44	.43	.44	.43	.43	.41	.42	.40	.42	.40	.42	.41	.43	.41	.43	.42	.44	.
2. Regular boneless	.49	.48	.49	.47	.48	.46	.47	.45	.47	.45	.47	.45	.48	.46	.48	.46	.49	.
3. Regular boneless and fatted	.57	.56	.57	.55	.54	.53	.55	.53	.53	.53	.53	.53	.54	.53	.54	.53	.55	.
4. Skinned bone in	.47	.46	.47	.45	.46	.44	.45	.43	.45	.43	.44	.43	.46	.44	.46	.45	.47	.
5. Skinned boneless	.54	.51	.53	.51	.51	.50	.50	.48	.51	.49	.51	.49	.51	.50	.52	.50	.52	.
6. Skinned boneless and fatted	.62	.60	.61	.59	.59	.57	.59	.57	.59	.57	.60	.57	.59	.57	.59	.57	.60	.
3A Fresh ham, whole (fresh, frozen or cured):																		
1. Regular bone in	.39	.37	.39	.37	.38	.36	.36	.34	.37	.35	.37	.35	.39	.37	.38	.36	.39	.
2. Regular boneless	.43	.41	.43	.41	.42	.40	.40	.38	.41	.39	.41	.39	.43	.41	.42	.40	.43	.
3. Regular boneless and fatted	.51	.48	.50	.48	.49	.46	.48	.45	.48	.46	.49	.46	.50	.48	.50	.47	.51	.
4. Skinned bone in	.42	.40	.42	.39	.40	.38	.39	.37	.39	.37	.41	.38	.42	.39	.41	.39	.42	.
5. Skinned boneless	.47	.44	.47	.44	.45	.43	.44	.42	.44	.42	.45	.42	.47	.44	.46	.44	.47	.
6. Skinned boneless and fatted	.54	.52	.54	.51	.53	.50	.51	.49	.52	.49	.52	.50	.54	.51	.53	.51	.54	.
3B Fresh ham, shank half (fresh, frozen or cured):																		
1. Regular bone in	.38	.36	.38	.36	.37	.35	.35	.33	.36	.34	.36	.34	.38	.36	.37	.35	.38	.
2. Regular boneless	.43	.40	.42	.40	.41	.39	.40	.38	.40	.38	.41	.38	.42	.40	.42	.39	.43	.
3. Regular boneless and fatted	.49	.47	.49	.47	.48	.45	.47	.44	.47	.45	.49	.47	.48	.46	.49	.47	.50	.
4. Skinned bone in	.41	.39	.41	.38	.39	.37	.38	.36	.38	.36	.39	.37	.41	.38	.40	.38	.41	.
5. Skinned boneless	.46	.45	.46	.43	.44	.42	.43	.41	.43	.41	.44	.42	.46	.43	.45	.42	.46	.
6. Skinned boneless and fatted	.53	.50	.53	.50	.51	.49	.50	.48	.50	.48	.51	.48	.53	.50	.52	.49	.53	.
3C Fresh ham, round half (fresh, frozen or cured):																		
1. Regular bone in	.40	.38	.40	.38	.38	.36	.37	.35	.37	.35	.38	.36	.40	.38	.39	.37	.40	.
2. Regular boneless	.45	.42	.44	.42	.43	.41	.42	.39	.42	.40	.42	.40	.44	.42	.44	.41	.45	.
3. Regular boneless and fatted	.52	.50	.51	.49	.50	.48	.49	.46	.49	.47	.50	.47	.51	.49	.51	.48	.52	.
4. Skinned bone in	.43	.41	.42	.40	.41	.39	.40	.38	.40	.38	.41	.39	.42	.40	.42	.40	.43	.
5. Skinned boneless	.48	.45	.46	.45	.46	.44	.45	.43	.45	.43	.46	.44	.48	.45	.47	.45	.48	.
6. Skinned boneless and fatted	.55	.52	.53	.52	.54	.51	.52	.50	.53	.50	.53	.51	.55	.52	.54	.52	.55	.
3D Fresh ham, slices (fresh, frozen or cured):																		
1. Regular bone in	.44	.42	.44	.42	.42	.40	.41	.39	.41	.39	.42	.41	.44	.42	.43	.41	.44	.
2. Regular boneless	.49	.47	.48	.46	.47	.45	.45	.44	.46	.44	.47	.45	.48	.46	.48	.47	.49	.
3. Regular boneless and fatted	.57	.54	.56	.54	.55	.53	.53	.51	.54	.51	.54	.52	.56	.54	.54	.54	.57	.
4. Skinned bone in	.47	.45	.47	.45	.45	.43	.44	.42	.44	.42	.45	.43	.47	.45	.46	.45	.47	.
5. Skinned boneless	.53	.50	.52	.50	.51	.49	.49	.47	.50	.48	.50	.48	.52	.51	.51	.50	.52	.
6. Skinned boneless and fatted	.61	.58	.60	.58	.59	.57	.57	.55	.58	.55	.58	.56	.60	.58	.59	.57	.61	.
4A Picnics, whole or shank:																		
1. Bone in	.37	.36	.37	.35	.36	.34	.35	.33	.35	.33	.35	.34	.36	.34	.36	.34	.36	.
2. Boneless	.42	.41	.42	.40	.41	.39	.40	.38	.40	.38	.40	.39	.41	.39	.41	.39	.41	.
3. Boneless and fatted	.50	.48	.50	.48	.48	.47	.47	.45	.48	.46	.48	.46	.48	.47	.49	.47	.49	.
4B Picnics, round, butt:																		
1. Bone in	.36	.37	.38	.36	.37	.35	.35	.34	.36	.34	.36	.35	.37	.35	.37	.35	.37	.
2. Boneless	.43	.42	.43	.41	.42	.40	.41	.39	.41	.39	.41	.40	.42	.40	.42	.40	.43	.
3. Boneless and fatted	.51	.50	.51	.50	.50	.49	.48	.47	.49	.47	.49	.47	.50	.49	.50	.49	.51	.
4C Cooked picnics, whole:																		
1. Bone in	.56	.53	.55	.52	.53	.51	.51	.49	.52	.49	.52	.50	.53	.51	.53	.51	.54	.
2. Boneless	.63	.60	.62	.60	.60	.58	.59	.56	.59	.57	.61	.57	.60	.58	.61	.58	.63	.
3. Boneless and fatted	.74	.71	.74	.71	.72	.69	.70	.67	.70	.68	.71	.68	.72	.69	.72	.69	.74	.
4D Fresh picnics, whole (fresh, frozen or cured):																		
1. Bone in	.36	.34	.36	.34	.35	.33	.33	.31	.34	.32	.34	.32	.36	.34	.35	.33	.36	.
2. Boneless	.41	.39	.41	.39	.40	.37	.38	.36	.39	.36	.39	.37	.41	.39	.40	.38	.41	.
3. Boneless and fatted	.48	.45	.48	.45	.46	.44	.45	.43	.45	.43	.46	.44	.48	.45	.47	.44	.48	.

SEC. 18.—*O.P.A. list of retail ceiling prices for pork cuts*—Continued

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4
4E Fresh picnics, shank half (fresh, frozen or cured):																		
1. Bone in	$0.35	$0.33	$0.35	$0.33	$0.34	$0.32	$0.33	$0.31	$0.33	$0.31	$0.34	$0.32	$0.35	$0.33	$0.34	$0.32	$0.35	$0.33
2. Boneless	.40	.38	.40	.38	.39	.37	.37	.35	.38	.36	.38	.36	.40	.38	.39	.37	.40	.38
3. Boneless and fatted	.47	.44	.47	.44	.45	.43	.44	.42	.44	.42	.45	.42	.47	.44	.46	.43	.47	.44
4C Fresh picnics, round half (fresh, frozen or cured):																		
1. Bone in	.37	.35	.37	.32	.35	.33	.34	.32	.34	.32	.35	.33	.37	.32	.36	.34	.37	.35
2. Boneless	.42	.40	.39	.37	.40	.38	.39	.37	.39	.37	.40	.38	.39	.37	.41	.39	.42	.40
3. Boneless and fatted	.49	.47	.46	.43	.46	.45	.46	.44	.46	.44	.47	.45	.46	.43	.48	.46	.49	.47
4D Fresh picnics, slices (fresh, frozen or cured):																		
1. Bone in	.41	.39	.40	.38	.39	.37	.37	.36	.35	.36	.38	.37	.40	.38	.39	.35	.41	.39
2. Boneless	.46	.44	.46	.44	.44	.42	.43	.41	.43	.41	.44	.42	.46	.44	.45	.42	.46	.44
3. Boneless and fatted	.54	.51	.53	.51	.52	.50	.50	.48	.51	.49	.51	.49	.53	.51	.52	.50	.54	.51
4A Ready to eat and cooked picnics (except cooked boneless and fatted cooked picnics), whole or shank half:																		
1. Bone in	.41	.39	.40	.39	.39	.38	.38	.37	.38	.37	.39	.37	.39	.38	.40	.38	.40	.39
2. Boneless	.46	.44	.46	.44	.45	.43	.43	.42	.44	.42	.44	.42	.45	.43	.45	.43	.45	.44
3. Boneless and fatted	.57	.54	.56	.54	.53	.51	.51	.49	.52	.50	.52	.50	.53	.51	.53	.51	.53	.51
4B Ready to eat and cooked picnics (except cooked boneless and fatted cooked picnics), round half or butt half:																		
1. Bone in	.42	.40	.41	.40	.40	.39	.39	.37	.39	.38	.40	.39	.40	.39	.41	.39	.41	.40
2. Boneless	.47	.43	.47	.46	.44	.43	.44	.43	.45	.43	.45	.43	.46	.44	.46	.44	.47	.45
3. Boneless and fatted	.55	.53	.55	.53	.54	.52	.53	.51	.53	.51	.53	.51	.54	.52	.54	.53	.55	.52
4C Ready to eat and cooked picnics (except cooked boneless and fatted picnics), slices:																		
1. Bone in	.60	.58	.60	.57	.58	.56	.56	.54	.57	.54	.59	.58	.58	.56	.59	.56	.60	.57
2. Boneless	.68	.66	.68	.65	.66	.63	.64	.62	.65	.62	.65	.63	.66	.63	.67	.64	.67	.65
3. Boneless and fatted	.80	.77	.80	.77	.78	.75	.76	.73	.77	.74	.77	.74	.78	.75	.78	.75	.79	.76
7 Virginia hams:																		
1. Whole or half	.62	.60	.62	.60	.60	.59	.59	.58	.59	.58	.60	.58	.60	.58	.61	.59	.61	.60
2. Sliced	.70	.67	.70	.67	.68	.65	.67	.64	.67	.65	.67	.65	.68	.65	.68	.66	.69	.67
8 Prosciutto hams:																		
1. Whole or half	.59	.58	.59	.58	.58	.56	.56	.55	.57	.55	.57	.56	.58	.56	.58	.57	.59	.57
2. Sliced	.67	.64	.67	.64	.65	.62	.64	.61	.64	.62	.64	.62	.65	.62	.65	.63	.66	.64
9A Bellies or slab bacon, whole or piece:																		
1. Fresh with rine	.31	.30	.31	.30	.29	.28	.28	.27	.28	.27	.29	.28	.31	.30	.30	.29	.31	.30
2. Fresh derined	.35	.34	.35	.34	.33	.32	.32	.31	.32	.31	.33	.32	.35	.34	.34	.33	.35	.34
3. Smoked with rine	.38	.37	.38	.37	.37	.35	.35	.34	.36	.34	.36	.35	.37	.35	.37	.36	.38	.36
4. Smoked derined	.42	.41	.42	.41	.41	.39	.39	.38	.40	.38	.40	.39	.41	.39	.41	.40	.42	.40
9B Bellies or slab bacon, store sliced:																		
1. Fresh with rine	.35	.33	.31	.30	.33	.32	.32	.30	.32	.30	.32	.31	.33	.32	.34	.32	.34	.33
2. Fresh derined	.39	.38	.36	.34	.38	.36	.36	.34	.36	.35	.37	.35	.38	.36	.38	.36	.39	.37
3. Smoked with rine	.43	.41	.39	.38	.41	.40	.40	.38	.40	.38	.41	.39	.41	.40	.42	.40	.42	.41
4. Smoked derined	.48	.46	.44	.42	.46	.44	.44	.42	.45	.43	.45	.43	.46	.44	.46	.44	.47	.45
10A Boston butts, whole or piece:																		
1. Fresh, frozen, or cured	.42	.40	.42	.39	.41	.38	.39	.37	.40	.37	.41	.38	.42	.37	.41	.39	.42	.40
2. Smoked	.44	.42	.44	.42	.43	.41	.41	.40	.42	.40	.42	.40	.44	.39	.44	.40	.43	.42
3. Ready to eat	.48	.46	.48	.45	.46	.45	.45	.43	.45	.44	.46	.44	.46	.45	.47	.45	.47	.45
10B Boston butts, store sliced:																		
1. Fresh, frozen, or cured	.47	.45	.47	.45	.45	.43	.44	.42	.44	.42	.45	.43	.47	.45	.46	.44	.47	.45
2. Smoked	.50	.48	.49	.47	.48	.46	.47	.45	.47	.45	.47	.46	.48	.46	.48	.46	.49	.47
3. Ready to eat	.54	.52	.53	.52	.52	.50	.51	.49	.51	.49	.51	.50	.52	.50	.52	.51	.53	.51
11 Pork shoulders, fresh, frozen or cured, whole only:																		
1. Skinned bone in	.39	.37	.39	.36	.37	.35	.36	.34	.36	.34	.37	.35	.39	.36	.38	.36	.39	.37
2. Skinned boneless	.44	.42	.44	.41	.42	.40	.41	.39	.41	.39	.42	.40	.44	.41	.43	.40	.44	.42
3. Skinned boneless and fatted	.48	.46	.48	.45	.47	.44	.45	.42	.46	.43	.48	.46	.48	.46	.48	.46	.49	.47
4. Regular	.36	.34	.36	.34	.35	.33	.33	.31	.34	.32	.34	.32	.36	.34	.35	.33	.36	.34
5. Rough neck bone in	.35	.33	.34	.32	.33	.31	.31	.30	.32	.30	.33	.31	.34	.32	.33	.31	.35	.33
6. Rough neck bone out	.35	.33	.35	.33	.34	.32	.32	.31	.33	.31	.33	.31	.35	.33	.34	.32	.35	.33
12 Pork shoulders smoked, whole only:																		
1. Skinned bone in	.40	.38	.39	.38	.38	.37	.37	.35	.37	.36	.37	.35	.38	.37	.38	.37	.39	.37
2. Skinned boneless	.45	.43	.44	.43	.43	.42	.42	.40	.42	.41	.43	.41	.43	.41	.43	.42	.44	.42
3. Skinned boneless and fatted	.50	.48	.50	.48	.49	.47	.48	.46	.48	.46	.48	.46	.49	.47	.49	.47	.50	.48
4. Regular	.37	.36	.37	.36	.36	.34	.35	.33	.35	.33	.35	.34	.36	.34	.36	.35	.37	.35
5. Rough neck bone in	.36	.34	.35	.34	.34	.33	.33	.32	.35	.32	.35	.33	.35	.33	.35	.33	.36	.34
6. Rough neck bone out	.36	.35	.36	.35	.35	.33	.34	.32	.34	.32	.34	.33	.35	.33	.35	.34	.36	.34
13 Pork shoulder cooked:																		
1. Skinned bone in	.44	.42	.43	.42	.42	.41	.41	.39	.41	.40	.42	.40	.42	.41	.42	.41	.43	.42
2. Skinned boneless	.48	.47	.48	.46	.47	.45	.46	.44	.46	.44	.46	.45	.47	.45	.47	.45	.48	.46
3. Skinned boneless and fatted	.55	.53	.55	.53	.54	.52	.53	.51	.53	.51	.53	.51	.54	.52	.54	.52	.55	.53
14A Boneless butts (whole or pieces):																		
1. Fresh, frozen, or cured	.49	.46	.49	.46	.47	.45	.46	.44	.46	.44	.47	.44	.49	.46	.48	.45	.49	.46
2. Smoked	.54	.52	.54	.52	.53	.51	.52	.50	.52	.50	.52	.50	.53	.51	.53	.51	.54	.52
3. Ready to eat	.59	.57	.59	.57	.58	.56	.56	.54	.57	.55	.57	.55	.58	.56	.58	.56	.59	.57
14B Boneless butts (store sliced):																		
1. Fresh, frozen, or cured	.55	.53	.54	.52	.53	.51	.51	.49	.52	.50	.53	.50	.53	.51	.53	.51	.55	.53
2. Smoked	.60	.59	.60	.59	.59	.58	.57	.56	.58	.57	.58	.57	.59	.58	.59	.58	.59	.58
3. Ready to eat	.66	.64	.66	.64	.65	.63	.64	.61	.64	.62	.64	.62	.65	.63	.65	.63	.66	.64
14A Boneless loins (Canadian bacon), whole or piece:																		
1. Fresh, frozen, or cured	.54	.52	.53	.52	.52	.51	.51	.49	.51	.50	.52	.50	.53	.52	.53	.51	.53	.52
2. Smoked	.65	.63	.64	.63	.63	.61	.62	.60	.62	.60	.62	.61	.63	.61	.63	.62	.64	.62
3. Ready to eat	.70	.69	.70	.68	.69	.67	.67	.66	.68	.66	.68	.66	.69	.67	.69	.67	.70	.68
14B Boneless loins (Canadian bacon), store sliced:																		
1. Fresh, frozen, or cured	.61	.58	.60	.58	.59	.57	.57	.55	.58	.55	.58	.55	.60	.58	.60	.58	.61	.58
2. Smoked	.73	.70	.73	.70	.71	.69	.70	.67	.70	.67	.70	.68	.71	.69	.72	.69	.72	.70
3. Ready to eat	.79	.76	.79	.76	.77	.76	.76	.73	.76	.74	.77	.74	.77	.75	.75	.75	.79	.76
16 Briskets (whole):																		
1. Fresh or frozen	.24	.23	.24	.22	.22	.21	.21	.20	.21	.20	.22	.21	.24	.22	.23	.22	.24	.23
2. Cured	.26	.24	.25	.24	.24	.22	.22	.21	.23	.21	.23	.22	.24	.22	.24	.23	.25	.23
3. Smoked	.32	.30	.31	.30	.30	.28	.29	.27	.29	.27	.29	.28	.30	.28	.30	.29	.31	.30
17 Fat back (whole or piece):																		
1. Fresh, cured, or frozen	.22	.21	.22	.21	.21	.19	.19	.18	.20	.19	.20	.19	.22	.21	.21	.20	.22	.21
2. Smoked	.26	.25	.26	.24	.25	.23	.23	.22	.23	.22	.24	.23	.25	.23	.25	.23	.26	.24

SEC. 18.—*O.P.A. list of retail ceiling prices for pork cuts*—Continued

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4
18A Pork loins (whole):																		
1. Fresh or frozen	$0.40	$0.37	$0.39	$0.37	$0.38	$0.36	$0.37	$0.35	$0.37	$0.35	$0.38	$0.36	$0.39	$0.37	$0.39	$0.36	$0.40	$0.37
2. Cured	.40	.38	.40	.38	.39	.36	.37	.35	.38	.36	.38	.36	.39	.36	.39	.37	.40	.38
3. Smoked	.47	.44	.46	.44	.45	.43	.44	.41	.44	.42	.44	.42	.45	.43	.45	.43	.46	.44
18B Pork loins, rib end:																		
1. Fresh or frozen	.36	.35	.33	.32	.35	.33	.34	.32	.34	.32	.34	.33	.36	.34	.35	.34	.36	.35
2. Cured	.38	.35	.34	.32	.36	.34	.35	.33	.35	.33	.35	.34	.36	.34	.36	.34	.37	.36
3. Smoked	.43	.41	.40	.38	.41	.39	.40	.38	.40	.38	.41	.39	.41	.39	.42	.40	.42	.40
18C Pork loins, loin end:																		
1. Fresh or frozen	.40	.37	.39	.37	.38	.36	.37	.34	.37	.35	.38	.35	.39	.37	.39	.36	.40	.37
2. Cured	.40	.38	.40	.37	.39	.36	.37	.35	.38	.35	.38	.36	.39	.36	.39	.37	.40	.37
3. Smoked	.47	.44	.46	.44	.45	.42	.44	.41	.44	.41	.44	.42	.45	.42	.45	.43	.46	.43
18D Pork loins, center cut																		
Fresh or frozen	.44	.42	.44	.42	.42	.41	.41	.39	.41	.40	.42	.40	.44	.42	.43	.41	.44	.42
2. Cured	.43	.43	.45	.43	.43	.41	.42	.40	.42	.40	.42	.41	.43	.41	.44	.42	.44	.42
3. Smoked	.52	.50	.52	.50	.50	.48	.49	.47	.49	.47	.50	.47	.50	.48	.51	.49	.51	.49
19 Baked bacon (derined, smoked)																		
1. Standard grade A	.49	.47	.49	.47	.47	.46	.46	.45	.46	.45	.47	.45	.47	.46	.45	.46	.46	.45
2. Standard grade B	.44	.43	.43	.42	.42	.41	.41	.40	.41	.40	.42	.40	.42	.41	.41	.40	.41	.40
3. Standard grade C	.42	.41	.42	.40	.40	.39	.39	.38	.39	.38	.40	.38	.40	.39	.39	.38	.41	.39
4. Sliced jowl butts	.32	.31	.32	.31	.30	.29	.29	.28	.29	.28	.30	.29	.30	.29	.31	.30	.31	.30
5. Sliced regular plates	.31	.30	.31	.30	.30	.29	.28	.27	.29	.28	.29	.28	.30	.29	.30	.29	.31	.30
6. Bacon, end slices	.28	.27	.28	.27	.27	.26	.25	.24	.26	.25	.26	.25	.27	.26	.27	.26	.28	.27
7. Sliced Canadian bacon	.77	.75	.77	.75	.76	.74	.74	.72	.75	.73	.75	.73	.76	.74	.76	.74	.77	.75
20A Spare ribs:																		
1. Fresh or frozen	.30	.27	.30	.27	.28	.26	.27	.24	.27	.25	.28	.25	.30	.27	.29	.26	.30	.27
2. Cured	.30	.28	.30	.28	.29	.27	.27	.26	.28	.26	.28	.26	.29	.27	.29	.27	.30	.28
4. Smoked	.38	.36	.37	.35	.36	.34	.35	.33	.35	.33	.35	.33	.36	.34	.36	.34	.37	.35
20B Barbecue spare ribs (brisket bone off):																		
1. Fresh or frozen	.32	.30	.32	.30	.31	.29	.29	.28	.30	.28	.30	.28	.32	.30	.31	.29	.32	.30
2. Cured	.34	.32	.33	.31	.32	.30	.31	.29	.31	.29	.31	.29	.32	.30	.32	.30	.33	.31
3. Smoked	.41	.39	.41	.38	.39	.37	.38	.36	.38	.36	.39	.36	.39	.37	.40	.37	.40	.38
4. Barbecued	.48	.45	.47	.45	.46	.44	.45	.42	.45	.43	.45	.43	.46	.44	.46	.44	.47	.44
20C Hocks																		
1. Fresh or frozen	.26	.24	.25	.24	.24	.22	.23	.21	.23	.21	.24	.22	.25	.24	.25	.23	.26	.24
2 Cured	.27	.25	.27	.25	.25	.24	.24	.22	.24	.23	.25	.23	.25	.24	.26	.24	.26	.25
3. Smoked	.31	.29	.31	.29	.29	.28	.28	.26	.28	.27	.29	.27	.29	.28	.30	.28	.30	.28
20D Knuckles																		
1. Fresh or frozen	.21	.20	.21	.19	.19	.18	.18	.17	.18	.17	.19	.18	.21	.19	.20	.19	.21	.20
2. Cured	.22	.21	.22	.20	.21	.19	.19	.18	.20	.18	.20	.19	.21	.19	.21	.20	.22	.20
3. Smoked	.26	.24	.26	.24	.25	.23	.23	.22	.24	.22	.24	.22	.25	.23	.25	.23	.26	.24
20E Pig's feet																		
1. Fresh or frozen	.12	.11	.11	.10	.10	.09	.09	.08	.09	.08	.10	.09	.11	.10	.11	.10	.12	.11
2 Vinegar pickled	.20	.18	.20	.18	.18	.17	.17	.16	.17	.16	.17	.16	.18	.17	.18	.17	.19	.18
20F Tails:																		
1 Fresh or frozen	.20	.18	.19	.18	.18	.17	.17	.15	.17	.16	.18	.16	.19	.18	.19	.17	.20	.18
2. Cured	.21	.20	.21	.19	.19	.18	.18	.17	.18	.17	.19	.17	.19	.18	.20	.18	.20	.19
3. Smoked	.25	.23	.25	.23	.23	.22	.22	.20	.22	.21	.23	.21	.23	.22	.24	.22	.24	.23
20G Neck bones:																		
1 Fresh, cured br frozen	.12	.11	.11	.10	.10	.09	.09	.08	.09	.08	.10	.09	.11	.10	.11	.10	.12	.11
20H Bacon skins:																		
1. Fresh, frozen or cured	.11	.10	.10	.09	.09	.08	.08	.07	.08	.07	.09	.08	.10	.09	.10	.09	.11	.10
2. Smoked	.13	.12	.13	.12	.11	.10	.10	.09	.10	.09	.11	.10	.11	.10	.12	.11	.12	.11
20I Blade butts:																		
1 Fresh, frozen or cured	.33	.31	.32	.30	.31	.29	.30	.28	.30	.28	.30	.29	.32	.30	.32	.30	.33	.31
20J Back bones:																		
1. Fresh, frozen or cured	.10	.09	.10	.09	.09	.08	.07	.06	.08	.07	.08	.07	.10	.09	.09	.08	.10	.09
20K Semiboneless loins:																		
1 Fresh, frozen or cured	.53	.50	.52	.50	.51	.48	.50	.47	.50	.47	.50	.48	.52	.50	.52	.49	.53	.50
20L Pork tenderloins:																		
1 Fresh, frozen, or cured	.60	.57	.59	.57	.58	.55	.56	.54	.57	.54	.57	.55	.59	.57	.58	.56	.60	.57
20M Pork tenderloin tips:																		
1. Fresh, frozen or cured	.55	.53	.55	.53	.53	.51	.52	.50	.52	.50	.53	.51	.55	.53	.54	.52	.55	.53
21 Dry salt bellies:																		
1. Fresh, cured or frozen	.27	.26	.27	.25	.25	.24	.24	.22	.24	.23	.25	.23	.27	.25	.26	.24	.27	.26
2. Smoked	.31	.29	.30	.29	.29	.27	.28	.26	.28	.26	.28	.26	.29	.27	.29	.28	.30	.29
22 Plates and jowls—fresh, frozen or cured:																		
1. Clear plates	.20	.19	.20	.18	.18	.17	.17	.16	.17	.16	.18	.17	.20	.18	.19	.18	.20	.19
2. Regular plates	.22	.20	.21	.20	.20	.19	.19	.17	.19	.18	.20	.18	.21	.20	.21	.19	.22	.20
3. Jowl butts	.20	.19	.20	.18	.18	.17	.17	.16	.17	.16	.18	.17	.20	.18	.19	.18	.20	.19
4. Square jowl butt	.22	.21	.22	.21	.21	.19	.19	.18	.20	.18	.20	.19	.22	.21	.22	.20	.22	.21
23 Plates and jowls smoked																		
1. Clear plates	.24	.23	.24	.22	.22	.21	.21	.20	.21	.20	.22	.20	.22	.21	.23	.21	.24	.22
2. Regular plates	.26	.24	.26	.24	.24	.23	.25	.21	.23	.22	.23	.22	.24	.23	.25	.23	.25	.24
3. Jowl butts	.24	.23	.24	.22	.22	.21	.21	.20	.21	.20	.22	.20	.22	.21	.23	.21	.24	.22
4 Square jowl butt	.29	.27	.28	.27	.27	.25	.26	.24	.26	.24	.26	.25	.27	.25	.27	.26	.28	.26
24A Cooked ham and shoulder, boneless and fatted (whole)																		
1 Regular ham	.59	.56	.59	.58	.58	.56	.57	.55	.57	.55	.57	.55	.58	.56	.58	.56	.59	.57
2 skinned ham	.63	.61	.63	.61	.62	.60	.61	.59	.61	.59	.61	.59	.62	.56	.62	.60	.63	.61
3 Picnics	.54	.52	.54	.52	.53	.51	.52	.50	.52	.50	.52	.50	.53	.51	.53	.51	.54	.52
4. Skinned shoulder	.55	.53	.55	.53	.54	.52	.53	.51	.53	.51	.53	.51	.54	.52	.54	.52	.55	.53
24B Cooked ham and shoulder, boneless and fatted (sliced)																		
1. Regular ham	.88	.85	.88	.84	.86	.82	.84	.81	.84	.81	.85	.82	.86	.82	.86	.83	.87	.84
2. Skinned ham	.94	.91	.94	.90	.92	.88	.90	.87	.91	.87	.91	.88	.92	.88	.92	.89	.93	.90
3. Picnics	.81	.77	.80	.77	.78	.75	.77	.74	.77	.74	.77	.74	.78	.75	.79	.76	.80	.77
25A Cooked and smoked ham, boneless and fatted (whole)																		
1. Regular ham	.61	.59	.61	.59	.60	.58	.58	.56	.59	.57	.59	.57	.60	.58	.60	.58	.61	.58
2. Skinned ham	.65	.63	.65	.63	.64	.62	.63	.61	.63	.61	.63	.61	.64	.62	.64	.62	.65	.63
3. Picnics	.56	.55	.56	.55	.54	.52	.53	.51	.53	.51	.54	.52	.54	.52	.55	.53	.55	.53
25B Cooked and smoked ham, boneless and fatted (sliced)																		
1. Regular ham	.91	.87	.90	.87	.88	.85	.87	.83	.87	.84	.88	.84	.88	.85	.89	.85	.90	.86
2. Skinned ham	.97	.94	.97	.93	.95	.91	.93	.90	.94	.90	.94	.91	.95	.91	.95	.92	.96	.93
3. Picnics	.83	.80	.82	.79	.81	.77	.79	.76	.79	.76	.80	.77	.81	.77	.81	.78	.82	.79

SEC. 18.—*O.P.A. list of retail ceiling prices for pork cuts*—Continued

	Zone 1		Zone 2		Zones 3 and 4		Zone 4a		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4	1–2	3–4
26A Baked and barbecued ham, boneless and fatted (whole):																		
1. Regular ham	$0.65	$0.63	$0.65	$0.63	$0.64	$0.62	$0.63	$0.60	$0.63	$0.61	$0.63	$0.61	$0.64	$0.62	$0.64	$0.62	$0.64	$0.62
2. Skinned ham	.70	.67	.69	.67	.68	.66	.67	.65	.67	.65	.68	.66	.68	.66	.68	.66	.69	.67
3. Picnic	.61	.58	.60	.58	.59	.57	.58	.56	.58	.56	.58	.56	.59	.57	.59	.57	.60	.58
4. Skinned shoulder	.60	.58	.60	.58	.58	.56	.57	.55	.58	.55	.58	.56	.58	.56	.59	.57	.59	.57
26B Baked and barbecued ham, boneless and fatted (sliced):																		
1. Regular ham	.97	.93	.96	.94	.95	.91	.93	.89	.93	.90	.94	.90	.95	.91	.95	.91	.96	.92
2. Skinned ham	1.03	1.00	1.03	.99	1.01	.97	.99	.96	1.00	.96	1.00	.96	1.01	.97	1.02	.98	1.02	.99
3. Picnics	.90	.86	.89	.86	.88	.84	.86	.82	.86	.83	.87	.83	.88	.84	.88	.85	.89	.86
27A Dried and cooked specialties (whole or piece):																		
1. Virginia bacon	.47	.46	.47	.45	.45	.44	.44	.43	.44	.43	.45	.43	.45	.44	.46	.44	.46	.45
2. Virginia sides	.43	.41	.42	.41	.41	.40	.40	.38	.40	.39	.40	.39	.41	.40	.41	.40	.42	.41
3. Virginia jowls	.33	.32	.33	.32	.31	.30	.30	.29	.30	.29	.31	.30	.31	.30	.32	.31	.32	.31
4. Virginia shoulder	.52	.51	.52	.50	.50	.49	.49	.48	.50	.48	.50	.48	.50	.49	.51	.49	.51	.50
5. Capicolli butts	.71	.69	.70	.69	.69	.67	.68	.66	.68	.66	.68	.67	.69	.67	.69	.68	.70	.68
27B Dried and cooked specialties (store sliced):																		
1. Virginia bacon	.53	.51	.52	.50	.51	.49	.50	.47	.50	.48	.50	.48	.51	.49	.51	.49	.52	.50
2. Virginia sides	.48	.46	.48	.46	.46	.44	.45	.43	.45	.43	.45	.44	.46	.44	.47	.45	.47	.45
3. Virginia jowls	.37	.36	.37	.35	.35	.34	.34	.32	.34	.33	.35	.33	.35	.34	.36	.34	.36	.35
4. Virginia shoulder	.59	.57	.58	.56	.57	.55	.56	.53	.56	.54	.56	.54	.57	.55	.57	.55	.58	.56
5. Capicolli butts	.79	.77	.78	.76	.78	.75	.76	.74	.77	.74	.77	.74	.78	.75	.78	.75	.79	.76
28 Loin ribs:																		
1. Fresh, frozen or cured	.30	.29	.30	.28	.28	.27	.27	.25	.28	.26	.28	.26	.30	.28	.29	.27	.30	.29
2. Cured	.32	.30	.31	.29	.30	.28	.28	.27	.29	.27	.29	.27	.30	.28	.30	.28	.31	.29
3. Smoked	.39	.37	.39	.36	.37	.35	.36	.34	.36	.34	.36	.34	.37	.35	.37	.35	.38	.36
29 Dressed hogs (whole, half or quarter):																		
1. Packer style	.2400	.2400	.2375	.2375	.2275	.2275	.2175	.2175	.2200	.2200	.2250	.2250	.2375	.2375	.2325	.2325	.2400	.2400
2. Shipper style	.2300	.2300	.2275	.2275	.2175	.2175	.2075	.2075	.2100	.2100	.2150	.2150	.2275	.2275	.2225	.2225	.2300	.2300

Effective Date

This regulation shall become effective April 1, 1943.
Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3509; Filed, March 5, 1943; 3:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 313 Under § 1499.3 (b) of GMPR]

INTERNATIONAL VITAMINS CORPORATION

Order No. 313—Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1749 *Approval of maximum prices for sales of "Improved Olvitum"*—(a) *Sales by International Vitamin Corporation*—(1) *Maximum prices.* The maximum prices for sales by International Vitamin Corporation, New York, New York, of "Improved Olvitum" are established as set forth below:

Size of package (capsules)	Maximum price per dozen packages	
	To wholesalers	To retailers
[illegible]	$8.50	$10.00
[illegible]	27.20	32.00
[illegible]	64.60	76.00
[illegible]	244.80	288.00

(2) *Discounts, allowances, and price differentials.* International Vitamin Corporation shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Improved Olvitum" all quantity differentials, discounts for different classes of wholesalers, trade practices, cash discounts, credit terms, practices relating to the payment of transportation costs, and any other customary allowances which were in effect in March 1942 on its sales of "Olvitum."

(b) *Sales by wholesalers*—(1) *Maximum prices.* The maximum prices for sales by wholesalers of "Improved Olvitum" are established as set forth below:

Size of package:	Maximum price per dozen packages
25 capsules	$10.00
100 capsules	32.00
250 capsules	76.00
1,000 capsules	288.00

(2) *Discounts, allowances, and price differentials.* Any wholesaler making sales of "Improved Olvitum" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of shipping charges, and any other customary allowances which were in effect in March 1942 on sales by the wholesaler of "Improved Olvitum" or on sales of the vitamin product most nearly comparable to "Olvitum" if the wholesaler did not sell "Olvitum" in March 1942.

(c) *Sales by retailers*—(1) *Maximum prices.* The maximum prices for sales by retailers of "Improved Olvitum" are established as set forth below:

Size of package:	Maximum price per package
25 capsules	$1.23
100 capsules	3.98
250 capsules	8.69
1,000 capsules	30.98

(2) *Discounts for purchasers of different classes.* Any retailer making sales of "Improved Olvitum" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all discounts for purchasers of different classes which were in effect in March 1942 on sales by the retailer of "Olvitum" or on sales of the vitamin product most nearly comparable to "Improved Olvitum" if the retailer did not sell "Olvitum" in March 1942.

(d) *Marking package with retail ceiling price.* International Vitamin Corporation shall mark each package of "Improved Olvitum" sole by it after May 1, 1943, as indicated below:

Size of package:	Marked as follows
25 capsules	"Ceiling Price $1.23"
100 capsules	"Ceiling Price 3.98"
250 capsules	"Ceiling Price 8.69"
1,000 capsules	"Ceiling Price 30.98"

These words shall be printed or stamped in letters clearly legible and at least one quarter as large as those used for the name of the product on the package in which "Improved Olvitum" is customarily sold to the ultimate consumer.

(e) *Notification of maximum prices*—(1) *By International Vitamin Corporation.* International Vitamin Corporation shall supply a written notification to each wholesaler before or at the time of its first delivery of "Improved Olvitum" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Im-

proved Olvitum" to wholesalers, subject to all customary cash discounts and allowances:

Size of package:	*Maximum price per dozen packages*
25 capsules	$8.50
100 capsules	27.20
250 capsules	64.60
1,000 capsules	244.80

Wholesalers are authorized to establish the following maximum prices for sales of "Improved Olvitum," subject to all customary cash discounts and allowances:

Size of package:	*Maximum price per dozen packages*
25 capsules	$10.00
100 capsules	32.00
250 capsules	76.00
1,000 capsules	288.00

Retailers' maximum prices for sales of "Improved Olvitum" are established as follows, less customary discounts and allowances, as marked upon each package:

Size of package:	*Maximum price per package*
25 capsules	$1.23
100 capsules	3.98
250 capsules	8.60
1,000 capsules	30.98

OPA requires that you keep a copy of this notice for examination.

(ii) *By International Vitamin Corporation to retailers.* International Vitamin Corporation shall supply a written notification to each retailer before or at the time of its first delivery of "Improved Olvitum" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Improved Olvitum," subject to all customary cash discounts and allowances:

Size of package:	*Maximum price per dozen packages*
25 tablets	$10.00
100 tablets	32.00
250 tablets	76.00
1,000 tablets	288.00

Retailers are authorized to establish the following ceiling prices for sales of "Improved Olvitum":

Size of package:	*Ceiling price each*
25 tablets	$1.23
100 tablets	3.98
250 tablets	8.60
1,000 tablets	30.98

OPA requires that you keep a copy of this notice for examination.

(f) *Definitions.* When used in this order the term:

(1) "Improved Olvitum" means a vitamin preparation manufactured by International Vitamin Corporation, each capsule of which contains at least the following amounts of specific vitamin substances:

Vitamin A	5,000 U. S. P. Units.
Vitamin B_1	500 U. S. P. Units.
Vitamin B_2 (G)	1.0 mg.
Vitamin B_6	.2 mg.
Pantothenic Acid	1.0 mg.
Niacin Amide	20.0 mg.
Vitamin C	600 U. S. P. Units.
Vitamin D	1,000 U. S. P. Units.

(2) "Olvitum" means a vitamin preparation manufactured by International Vitamin Corporation, each capsule of which contains at least the following amounts of specific vitamin and mineral substances:

Vitamin A	10,000 U. S. P. Units.
Vitamin B_1	250 U. S. P. Units.
Vitamin B_2 (G)	.5 mg.
Vitamin C	500 U. S. P. Units.
Vitamin D	1,000 U. S. P. Units.

(3) "Wholesaler" means any person who buys "Improved Olvitum" and resells it, without substantially changing its form, to retailers.

(4) "Retailer" means any person who buys "Improved Olvitum" and resells it directly to consumers.

(g) International Vitamin Corporation shall submit to the Office of Price Administration in Washington, D. C., such reports as may from time to time be required.

(h) This Order No. 313 may be revoked or amended by the Price Administrator at any time.

(i) This Order No. 313 (§ 1499.1749) shall become effective on March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3520; Filed March 5, 1943; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 314 Under § 1499.3 (b) of GMPR]

FOREST CITY PRODUCTS, INC.

Order No. 314—Maximum Price Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

Forest City Products, Incorporated of Cleveland, Ohio made application for an authorization to determine the maximum price it may charge for its branded item CRO-PAX Shu-hose. Due consideration has been given the application and it appears that this commodity cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in the opinion supporting this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and in accordance with Revised Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1750 *Approval of maximum price for CRO-PAX Shu-hose manufactured by Forest City Products, Incorporated.* (a) On and after March 6, 1943, the maximum price at which Forest City Products, Incorporated, may sell, deliver and offer for sale CRO-PAX Shu-hose shall be $2.16 per dozen pairs. Any person may buy and receive and offer to buy and receive CRO-PAX Shu-hose at $2.16 per dozen pairs from Forest City Products, Incorporated.

(b) The maximum selling price set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 314 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 314 (§ 1499.1750) shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-3511; Filed, March 5, 1943; 3:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 315 Under § 1499.3 (b) of GMPR]

CLIMAX INDUSTRIES, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1751 *Approval of maximum prices for Climax Crumbleless Wallpaper Cleaner.* (a) On and after March 6, 1943 any person may sell and deliver Climax Crumbleless Wallpaper Cleaner packaged in 30 ounce glass containers at prices not in excess of those hereinafter set forth:

To:	
Wholesalers	$1.86 per dozen.
Retailers	$2.14 per dozen.
Retail	$0.23 each.

(b) The prices set forth above shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable than those which were in effect during March 1942 on sales of the above commodity in a 40 ounce can.

(c) Climax Industries, Inc., Cleveland, Ohio, shall supply each wholesaler, before or at the time of its first delivery of the above commodity in 30 ounce glass containers to such wholesaler, a written statement as follows:

The OPA has authorized us to charge the following maximum price for Climax Crumbleless Wallpaper Cleaner, in 30 ounce jars subject to all customary discounts, allowances and freight practices.

$1.86 per dozen

Your maximum prices, subject to customary discounts, allowances and freight practices are authorized to be as follows:

To Retailers: $2.14 per dozen.

OPA requires that you keep this notice for examination.

(d) Climax Industries, Inc., shall place on each 30 ounce glass container a legible notice reading as follows:

Retail Ceiling Price 23 cents each.

(e) This Order No. 315 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 315 (§ 1499.1751) shall become effective March 6, 1943.

(Pub. Laws 421 and 729; 77th Cong., E.O. No. 9250, 7 F.R. 7871)

Issued this 5th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3512; Filed, March 5, 1943; 3:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 207 Under § 1499.18 (b) of GMPR]

PREMIER DENTAL PRODUCTS CO.

Order No. 207 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2943.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1807 *Granting adjustment of maximum prices for sales by Premier Dental Products Co.* (a) Premier Dental Products Co., 1001 Chestnut Street, Philadelphia, Pennsylvania, may sell and deliver certain dental supplies purchased from the Midwest Dental Mfg. Company, at prices no higher than those set forth below, subject to discounts, allowances and terms no less favorable than those customarily granted by it:

Contra angles	$5.40
Right angles	4.80
Dorott H. P.	12.60
Parts 65, 66x, 76	1.09
Part 77A	.13
E heads	2.00
Part No. 6	.42
Part No. 33x	.54

(b) Premier Dental Products Co. shall send to each customer with each first delivery of dental equipment on which adjustment of maximum prices has been made pursuant to this Order No. 207, a complete list of adjusted maximum prices and a notice reading as follows:

The Office of Price Administration has granted Premier Dental Products Co. permission pursuant to Order No. 207 under section 18 (b) of the General Maximum Price Regulation, to increase its maximum prices to those specified in the price lists accompanying this order. Since these are the standard wholesale prices for this commodity, you will not be permitted to increase maximum prices for your sales because of such increased maximum prices established for Premier Dental Products Co.

(c) This Order No. 207 (§ 1499.1807) may be revoked or amended by the Administrator at any time.

(d) This Order No. 207 (§ 1499.1807) is incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.

(e) This Order No. 207 (§ 1499.1807) under § 1499.18 (b) of the General Maximum Price Regulation shall become effective the 6th day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3518; Filed, March 5, 1943; 3:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 208 Under § 1499.18 (b) of GMPR]

FALL RIVER GAS WORKS COMPANY

Order No. 208 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2953.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with §§ 1499.18 (b) and 1499.18 (c) as amended, *It is ordered:*

§ 1499.1808 *Denial of petition for amendment and application for adjustment of maximum prices of coal gas and water gas by Fall River Gas Works Company, Fall River, Massachusetts.* (a) The petition for amendment of the Fall River Gas Company of Fall River, Massachusetts, also considered as application for adjustment by the Administrator, filed December 10, 1942, and assigned Docket No. GF3-2953, requesting permission to increase maximum prices of water gas and coal gas tars sold by the petitioner is hereby denied.

This Order No. 208 shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3513; Filed, March 5, 1943; 3:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 209 under § 1499.18 (b) of GMPR]

STERLING WATER TREATMENT COMPANY

Order No. 209 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2035.

For the reasons set forth in an opinion issued simultaneouly herewith, *It is ordered:*

§ 1499.1809 *Denial of application for adjustment of maximum price of Sterling Water Treatment Compound sold by the Sterling Water Treatment Company of Cleveland, Ohio.* (a) The application of the Sterling Water Treatment Company of Cleveland, Ohio, filed September 2, 1942, and assigned docket number GF3-2035, requesting permission to increase the maximum price of a water treatment compound known under the name of Sterling Water Treatment Compound is denied.

(b) This Order No. 209 (§ 1499.1809) shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3519; Filed, March 5, 1943; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 151 Under § 1499.18 (c) of GMPR]

WESTERN ELECTRIC CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.151 *Maximum prices for the sale of certain commodities by Western Electric Company, Incorporated.*—(a) *Adjustment of certain maximum prices.* A maximum price may be calculated according to this paragraph for the resale of any commodity purchased by the Western Electric Company, Incorporated, through its central purchasing organization for which the actual cost of acquisition (calculated on the basis of the accounting method used in March, 1942, by Western Electric Company, Incorporated) determined as of November 4, 1942, exceeds the maximum price established by the General Maximum Price Regulation for the resale of the commodity. Western Electric Company, Incorporated, may sell such a commodity at a price no higher than the price determined by adding the dollar margin received by Western Electric Company, Incorporated, on the resale of such commodity in March, 1942, to the actual cost of acquisition (calculated as above) as of November 4, 1942, or to the supplier's maximum price for the sale of the commodity to Western Electric Company, Incorporated, whichever is lower.

(b) *Determination of certain maximum prices.* A maximum price may be determined according to this paragraph for the resale by the Western Electric Company, Incorporated, of a commodity which cannot be priced under paragraph (a) above, which is not manufactured by Western Electric Company, Incorporated, which did not appear in a price list in effect in March 1942, issued by the headquarters' pricing organization of Western Electric Company, Incorporated, or by the regional distributing house, seeking to establish such a maximum price, and which was not delivered in March, 1942, by this particular regional distributing house.

(i) *Items to appear in price list of headquarters pricing organization.* If the commodity is to be included in a price list issued by the headquarters pricing organization of Western Electric Company, Incorporated, the maximum price shall be determined and reported in accordance with § 1499.3 (a) of the General Maximum Price Regulation.

(ii) *Regional price list items and non-price list items.* If the commodity being priced is not to be included in a price list of the headquarters pricing organization, the maximum price shall be determined by applying to the actual cost of acquisition (calculated on the basis of the accounting method used in March, 1942, by Western Electric Company, Incorporated) the percentage mark-up ("pricing

factor") prescribed by the headquarters pricing organization of Western Electric Company, Incorporated, for use in March, 1942, in pricing commodities of the same class as that being priced.

(c) *Reports.* The Western Electric Company, Incorporated, shall submit such reports as may be required from time to time by the Office of Price Administration.

(d) *Effective period.* This revised order shall remain effective, with respect to the commodities covered by the General Maximum Price Regulation on the date on which the revised order is issued, notwithstanding the subsequent issuance of specific regulations which operate to remove particular commodities from the operation of the General Maximum Price Regulation. This revised order may be revoked or amended by the Administrator at any time.

(e) *Incorporation of this revised order into Supplementary Regulation No. 14.* This Revised Order No. 151 (§ 1499.151) is incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This revised order shall become effective on March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3516; Filed, March 5, 1943; 3:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 17 Under § 1499.29 of GMPR]

CATALIN CORP. OF AMERICA

Order No. 17 under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3-3121. In part granting and in part denying Adjustment in price to Catalin Corporation of America.

For reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.417 *Adjustment of maximum prices for sales of cresylic acid by the Catalin Corporation of America.* (a) Notwithstanding anything to the contrary contained in the General Maximum Price Regulation, Catalin Corporation of America, Matawan, New Jersey, may sell and deliver cresylic acid produced by it at Matawan, New Jersey, from raw materials in its possession, or in the possession of a common carrier consigned to Catalin Corporation, or in the possesison of a warehouseman or other operator of storage facilities subject to the control of Catalin Corporation, prior to March 1, 1943, to any person pursuant to allocation by the War Production Board at prices not in excess of those set forth below, f. o. b. Catalin Corporation's plant, Matawan, New Jersey:

Type of shipment:	*Maximum price per gallon*
Tank cars	$1.00
Barrels and drums, containers included	1.10

(b) Any contract entered into by the Catalin Corporation with reference to cresylic acid subject to this order, at the prices requested in the application shall be revised in accordance with the terms of this order. Any payment accepted by Catalin Corporation under such contract in excess of the applicable maximum price established by this order shall be refunded to the purchaser.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 17 (§ 1499.417) shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. No. 9250, 7 F.R. 7671)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3517; Filed, March 5, 1943; 3:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 30 Under Supp. Reg. 15 of GMPR]

PAUL VALENTE

Order No. 30 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-2226.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1330 *Adjustment of maximum prices for contract carrier services sold by Paul Valente.* (a) Paul Valente of Milo, Maine may sell and deliver contract carrier services in connection with the transportation of groceries and grocery supplies from Dover-Foxcroft, Maine to various points within a seventy-five mile radius for the Great Atlantic & Pacific Tea Company of Portland, Maine at a rate not to exceed $50.00 per car of 40,000 pounds with a pro rata rate over 40,000 pounds.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 30 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 30 (§ 1499.1330) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 30 (§ 1499.1330) shall become effective March 6, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3510; Filed, March 5, 1943; 3:24 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Temporary MPR 30]

PULPWOOD CUT FROM THE STUMP IN THE SOUTHEASTERN STATES

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of pulpwood cut from the stump in the southeastern states.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

§ 1347.1002 *Maximum prices for pulpwood cut from the stump in the southeastern states.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Temporary Maximum Price Regulation No. 30 (Pulpwood Cut from the Stump in the Southeastern States) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.1002 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

TEMPORARY MAXIMUM PRICE REGULATION NO. 30—PULPWOOD CUT FROM THE STUMP IN THE SOUTHEASTERN STATES

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3 Maximum prices.
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SECTION 1 *Definitions.* (a) When used herein the term—

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Mill" means a paper mill, board mill, pulp mill or similar consumer of pulpwood.

(3) "Pulpwood" means any wood sold for manufacture into woodpulp.[1]

(4) "Cord" means the unit by cubic feet or feet board measure, in which any particular seller made deliveries of, or had in contracts for the delivery of pulpwood, in the period February 27, 1943 to March 4, 1943.

(5) "Sale" or "sell" includes any sale, delivery or transfer of pulpwood, and any contract or agreement to do any of the foregoing.

(6) "The Southeastern States" include the States of Kentucky, Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Louisiana, Texas, Arkansas and Mississippi.

(7) "Roadside" means the side of a public highway maintained by Federal, state, or county authority.

(8) "Prior to the period February 27, 1943 to March 4, 1943," means the six months prior to February 27, 1943.

SEC. 2. *Prohibitions.* (a) On and after March 5, 1943, regardless of any contract or arrangement of any kind to the contrary notwithstanding, no person shall sell or deliver pulpwood cut from the stump in the Southeastern States, and no person shall buy or receive such pulpwood in the course of trade or business at prices in excess of those set forth in section 3 below.

(b) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 3. *Maximum prices for pulpwood cut from the stump in the Southeastern States.*—(a) A seller's maximum price per cord for pulpwood cut from the stump in the Southeastern States shall be the highest price which he charged per cord for deliveries in or prior to the period February 27, 1943 to March 4, 1943, or the highest price which he had charged in a firm contract existing during that period even though the contract called for later delivery. Maximum prices are established on the basis of the types of delivery points listed below in this paragraph. (A delivery point means a point at which the price is set.) The maximum price at any one of the delivery points becomes the seller's maximum price for all deliveries at a similar point to all buyers, whether or not delivery in that particular way was previously made to that buyer. The types of delivery points are as follows:

Delivered millyard
F.o.b. or f.a.s. railway cars
F.o.b. or f.a.s. trucks
F.o.b. or f.a.s. vessel
At a roadside

(b) If a seller made no such deliveries of or had no such contracts for deliveries for the same kind of pulpwood at one or more of said points in or prior to said period, then his maximum price at such point or points shall be the highest price at which he made a delivery or had a contract at another of the points mentioned above, less the actual transportation and loading costs incurred by him in moving the wood from the roadside to the delivery point involved in such highest priced delivery, and plus the actual transportation and loading costs he will incur in the delivery which he wishes to make. The seller's maximum price thus established shall thereafter be his maximum price for all deliveries to the same type of pricing point.

(c) If a seller cannot determine his maximum prices under paragraphs (a) or (b) of this section, he shall communicate this fact to the nearest regional office of the Office of Price Administration, together with a statement of the reasons why he cannot ascertain his said maximum price. Such regional office of the Office of Price Administration shall thereupon assist the seller to ascertain his maximum price under paragraphs (a) or (b) or, if this cannot be done, will proceed to establish a maximum price for such seller, which price shall be a price in line with prices generally prevailing in the period February 27, 1943 to March 4, 1943, and in line with the prices paid by the seller's prospective buyers in said period, or in the nearest five-day period thereto in which said buyers received deliveries of wood.

SEC. 4. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 5. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, delivery, purchase or receipt of or relating to pulpwood, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

SEC. 6. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 7. *Amendments.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

This Temporary Maximum Price Regulation No. 30 shall become effective on March 5, 1943, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight, May 4, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3541; Filed, March 5, 1943; 4:57 p. m.]

[1] "Woodpulp" includes any pulped fibre material which has been produced either mechanically or chemically from any fibrous cellulose raw material and from which, by a suitable process of manufacture, paper, paperboard, rayon, nitrocellulose, plastics, and any related products can be made, and also sidorun paper or paperboard in rolls when sold for manufacture into any of the aforesaid paper products, or any related products.

[2] 7 F.R. 8961.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 292,[1] Amendment 2]

SALES OF CITRUS FRUITS BY PACKERS, BROKERS, AUCTION MARKETS, TERMINAL SELLERS AND INTERMEDIATE SELLERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1351.1403 (d) is amended to read as follows:

(d) *Freight and refrigeration services performed by packers and common carriers.* Freight to be used in calculating any base price or maximum price under this regulation shall include actual costs or charges for pre-cooling, initial icing and refrigeration services and shall mean freight by common or contract carrier. In determining actual costs and charges for pre-cooling, initial icing and refrigeration services incurred by any person, such actual costs and charges may be included as part of freight regardless of whether the services are performed by a common carrier, a packer or any other person. If a packer or any other person performs the pre-cooling, initial icing or refrigeration services such costs shall be calculated on the basis of the lowest available common or contract carrier rate for similar services. If citrus fruit is imported by any mode of transportation other than common or contract carrier, freight shall be computed at lowest available common or contract carrier rates. Freight shall not include trucking or unloading but shall include actual charges for unloading cars for sales at a terminal market.

2. In § 1351.1403 (e), a proviso is added to read as follows:

(e) *Fractions of a cent.* * * * *Provided,* That any maximum price stated in terms of a fraction of a cent in § 1351.1416 hereof shall not be rounded to the nearest cent.

3. Section 1351.1404 (a), (c), and (h) are amended to read as follows:

§ 1351.1404 *Definition of a maximum price for packers, brokers, auction markets, terminal markets, terminal sellers and commission merchants.* (a) For the purposes of this regulation:

(1) A "packer" is any person who grades, sizes, packs or otherwise prepares citrus fruits for shipment to a terminal market or any other wholesale receiving point. A person who has citrus fruit packed for him shall be deemed to be a packer and the point of shipment shall be deemed to be a packing house.

(2) A "broker" is a person who acts as an agent for the sale of citrus fruits and who does not customarily warehouse, storage or otherwise distribute citrus fruits. The term "broker" shall not include a salaried representative of a packer or any other person.

(3) An "auction market" is a market in which competitive bids are made for

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 135, 543.

the purchase of citrus fruits and which market charges a fee for its services.

(4) A "terminal seller" is a person who receives or purchases citrus fruits, whether for his own account or for the account of another person, customarily sells ex track, ex truck or ex shipping shed, at the terminal market, and who does not customarily warehouse nor deliver beyond the terminal market area.

(5) A "commission merchant" is a person who receives citrus fruits on consignment from a packer or any other seller and who performs the customary wholesale functions of unloading cars, warehousing, and selling through such warehouse in less than carlots.

* * * * *

(e) The maximum price for sales of citrus fruits by an auction market shall be the packer's maximum price for direct sales, delivered at the market, multiplied by 1.015, plus the usual auction charge or fee, computed on the basis of such delivered maximum price.

* * * * *

(h) Every sale of citrus fruits by a packer, broker, auction market or terminal seller, to an intermediate seller, shall be accompanied by a notification in writing to the intermediate seller, showing the maximum price for such sale, which price shall be called the "base price" in such notice. The "base price" so reported shall be the maximum price determined under the foregoing paragraphs of this section, whether or not such maximum price was paid, except that in the event of a direct sale by a packer, or a sale by a packer through a broker, on an f. o. b. packing house basis, the "base price" so reported shall be the maximum price for such sale on a delivered basis at the purchaser's customary receiving point. Every sale of citrus fruits by a commission merchant to an intermediate seller shall be accompanied by a notification in writing to the intermediate seller showing the packer's maximum price for direct sales delivered at the commission merchant's customary receiving point, which price shall be called the "base price" in such notice. The "base price" so reported shall be the packer's maximum price for direct sales delivered at the commission merchant's customary receiving point whether or not such maximum price was paid.

4. Section 1351.1416 is amended to read as follows:

§ 1351.1416 *Appendix A: Maximum prices for packers, f. o. b. packing house.* (a) Oranges, tangerines, and Temple oranges.

[Maximum prices in dollars per unit]

Item No.	State or area	Variety	Seasons (all dates inclusive)	Standard wooden box: Packed wrapped	Standard wooden box: Packed 2 layers wrapped	Standard wooden box: Packed unwrapped	Standard wooden box: Blind pack	Standard wooden box: Market pack	Standard wooden box: Loose	Bruce boxes packed unwrapped: 1⅗ bushel	Bruce boxes packed unwrapped: ⅘ bushel	½ strap box	⅘ bushel standard nailed box	Fiberboard boxes: 1⅗ bushel corrugated box	Fiberboard boxes: ⅘ bushel corrugated box	1 bushel basket	Bags: 1⅗ bushel	Bags: ½ box	Bags: ¼ box	Bags: 8 pounds	Bags: 6 pounds	Bulk: 1⅗ bushel	Bulk: Per lb. maximum prices*
1	California, Arizona	All (including tangerines).	Nov. 16 to Apr. 30	3.43	3.40	3.38	3.40	2.68	2.41														
			May 1 to Nov. 15	3.99	3.96	3.94	3.96	3.13	2.97														
2	Florida: Indian River	Tangerines	Beginning to Dec. 31			4.00				3.96	2.05	2.14	2.09	4.15	2.19	2.63						3.68	
			Jan. 1 to Feb. 28			3.72				3.68	1.92	2.00	1.95	3.87	2.05	2.46						3.40	.04
			Mar. 1 to end			3.92				3.88	2.03	2.11	2.05	4.07	2.16	2.58						3.60	
3	Florida: Indian River	Temples	Beginning to Nov. 15			3.68				3.94	2.05	2.13	2.08	4.13	2.18	2.62						3.66	
			Nov. 16 to Feb. 28			4.14				4.10	2.13	2.21	2.16	4.29	2.26	2.72						3.82	.04
			Mar. 1 to end			4.28				4.24	2.20	2.28	2.23	4.44	2.33	2.81						3.96	
4	Florida: Indian River	Oranges	Beginning to Nov. 15	3.39	3.35	3.31				3.27				3.46		2.29	3.17	1.64	.84	.35	.22	2.97	
			Nov. 16 to Feb. 28	3.54	3.50	3.46				3.42				3.61		2.29	3.32	1.71	.88	.36	.24	3.12	.035
			Mar. 1 to end	3.69	3.65	3.61				3.57				3.76		2.39	3.47	1.79	.92	.38	.25	3.27	
5	Florida: Interior	Tangerines	Beginning to Dec. 31			3.64				3.60	1.89	1.97	1.91	3.79	2.01	2.41						3.32	
			Jan. 1 to Feb. 28			3.38				3.34	1.75	1.83	1.78	3.53	1.88	2.24						3.06	.04
			Mar. 1 to end			3.52				3.54	1.85	1.93	1.88	3.73	1.98	2.37						3.26	
6	Florida: Interior	Temples	Beginning to Nov. 15			3.68				3.64	2.05	2.13	2.08	4.13	2.18	2.62						3.66	.04
			Nov. 16 to Feb. 28			3.88				3.84	1.90	1.98	1.93	3.93	2.03	2.43						3.36	
			Mar. 1 to end			4.04				4.00	2.08	2.16	2.11	4.19	2.21	2.66						3.72	
7	Florida: Interior	Oranges	Beginning to Nov. 15	3.39	3.35	3.31				3.27				3.46		2.29	3.17	1.64	.84	.35	.22	2.97	
			Nov. 16 to Feb. 28	3.69	3.65	3.61				3.57				3.76		2.39	3.47	1.79	.92	.38	.25	3.27	.035
			Mar. 1 to end	3.45	3.41	3.37				3.33				3.52		2.24	3.23	1.67	.86	.34	.23	3.03	
8	Texas	Tangerines	Beginning to Nov. 15			3.62				3.58	2.02	2.10	2.05	4.07	2.15	2.58						3.60	
			Nov. 16 to Mar. 15			3.70				3.66	1.91	1.99	1.94	3.85	2.04	2.46						3.38	.04
			Mar. 16 to end			4.02				3.98	2.07	2.15	2.10	4.17	2.20	2.65						3.70	
9	Texas	Temples	Beginning to Nov. 15			3.96				3.92	2.04	2.12	2.07	4.11	2.17	2.61						3.64	
			Nov. 16 to Feb. 28			3.74				3.70	1.93	2.01	1.96	3.89	2.06	2.47						3.42	.04
			Mar. 1 to end			4.04				4.00	2.09	2.17	2.12	4.19	2.22	2.66						3.72	
10	Texas	Oranges	Beginning to Nov. 15	3.36	3.32	3.28				3.24				3.43		2.18	3.14	1.62	.84	.34	.22	2.94	
			Nov. 16 to Feb. 28	3.14	3.10	3.06				3.02				3.21		2.04	2.92	1.51	.78	.32	.21	2.72	.035
			Mar. 1 to end	3.46	3.42	3.38				3.34				3.53		2.24	3.24	1.67	.86	.35	.23	3.01	

*Maximum price per pound to be used in computing maximum prices for any container not listed in the table above. For any oranges, tangerines, or temple oranges which are sold in containers other than those specifically set forth above, the maximum price shall not exceed the bulk price per pound stated above.

(b) Grapefruit.

[Maximum prices in dollars per unit]

Item No.	State or area	Variety	Seasons all dates inclusive	Standard wooden box: Packed wrapped	Standard wooden box: Packed 2 layers wrapped	Standard wooden box: Packed unwrapped	Standard wooden box: Market pack	Standard wooden box: Loose	Bruce box packed unwrapped: 1⅗ bushel	1⅗ bushel fiberboard corrugated box	Bags: 1⅗ bushel	Bags: ½ box	Bags: ¼ box	Bags: 10 pound	Bulk: 1⅗ bushel	Bulk: Per 1 pound[1]
1	California, Arizona	White	June 1 to Oct. 31	2.82	2.80	2.77	2.31	2.04								.03
			Nov. 1 to May 31	2.28	2.26	2.23	1.85	1.50								.02
2	Arizona	Pink	All	2.52	2.50	2.47	2.04	1.84								.025
3	Florida, Indian River	White seeded	Beginning to Nov. 15	2.92	2.85	2.81			2.79	2.96	2.69	1.40	.72	.37	2.49	
			Nov. 16 to Feb. 28	2.60	2.53	2.49			2.47	2.64	2.37	1.24	.64	.33	2.17	.03
			Mar. 1 to end	2.88	2.76	2.72			2.70	2.87	2.60	1.35	.70	.36	2.40	
4	Florida, Indian River	Pink seeded	Beginning to Nov. 15	3.27	3.20	3.16			3.14	3.31	3.04	1.57	.81	.41	2.84	
			Nov. 16 to Feb. 28	2.95	2.88	2.84			2.82	2.99	2.72	1.41	.73	.37	2.52	.035
			Mar. 1 to end	3.18	3.11	3.07			3.05	3.22	2.95	1.53	.79	.40	2.75	
5	Florida, Indian River	White seedless	Beginning to Nov. 15	3.40	3.33	3.29			3.27	3.44	3.17	1.64	.84	.43	2.97	
			Nov. 16 to Feb. 28	3.08	3.01	2.97			2.95	3.12	2.85	1.48	.76	.39	2.65	.035
			Mar. 1 to end	3.32	3.25	3.21			3.19	3.36	3.09	1.60	.82	.42	2.89	
6	Florida, Indian River	Pink seedless	Beginning to Nov. 15	3.51	3.44	3.40			3.38	3.55	3.28	1.69	.87	.44	3.08	
			Nov. 16 to Feb. 28	3.19	3.12	3.08			3.06	3.23	2.96	1.53	.79	.40	2.76	.04
			Mar. 1 to end	3.42	3.35	3.31			3.20	3.46	3.19	1.65	.85	.43	2.99	
7	Florida Interior	White seeded	Beginning to Nov. 15	2.63	2.56	2.52			2.50	2.67	2.40	1.25	.65	.33	2.30	
			Nov. 16 to Feb. 28	2.31	2.24	2.20			2.18	2.35	2.08	1.09	.57	.29	1.88	.025
			Mar. 1 to end	2.54	2.47	2.43			2.41	2.58	2.31	1.20	.63	.32	2.11	
8	Florida Interior	Pink seeded	Beginning to Nov. 15	2.82	2.75	2.71			2.69	2.86	2.59	1.35	.70	.36	2.39	
			Nov. 16 to Feb. 28	2.50	2.43	2.39			2.37	2.54	2.27	1.19	.62	.32	2.07	.03
			Mar. 1 to end	2.73	2.66	2.62			2.60	2.77	2.50	1.30	.68	.34	2.30	
9	Florida Interior	White seedless	Beginning to Nov. 15	2.82	2.75	2.71			2.69	2.86	2.59	1.35	.70	.36	2.39	
			Nov. 16 to Feb. 28	2.50	2.43	2.39			2.37	2.54	2.27	1.19	.62	.32	2.07	.03
			Mar. 1 to end	2.73	2.66	2.62			2.60	2.77	2.50	1.30	.68	.34	2.30	
10	Florida Interior	Pink seedless	Beginning to Nov. 15	3.06	2.99	2.95			2.93	3.10	2.83	1.47	.76	.39	2.63	.03
			Nov. 16 to Feb. 28	2.74	2.67	2.63			2.61	2.78	2.51	1.31	.68	.35	2.31	
			Mar. 1 to end	2.97	2.90	2.86			2.84	3.01	2.74	1.42	.74	.37	2.54	
11	Texas	White	Beginning to Nov. 15	2.61	2.54	2.50			2.48	2.65	2.38	1.24	.65	.33	2.18	
			Nov. 16 to Feb. 28	2.29	2.22	2.18			2.16	2.33	2.06	1.08	.57	.29	1.86	
			Mar. 1 to end	2.52	2.45	2.41			2.39	2.56	2.29	1.20	.63	.32	2.09	.025
12	Texas	Pink seeded	Beginning to Nov. 15	2.79	2.72	2.68			2.66	2.83	2.56	1.33	.69	.35	2.36	
			Nov. 16 to Feb. 28	2.47	2.40	2.36			2.34	2.51	2.24	1.17	.61	.31	2.04	.03
			Mar. 1 to end	2.70	2.63	2.59			2.57	2.74	2.47	1.29	.67	.34	2.27	
13	Texas	Pink seedless	Beginning to Nov. 15	3.03	2.96	2.92			2.90	3.07	2.80	1.45	.75	.38	2.60	
			Nov. 16 to Feb. 28	2.71	2.64	2.60			2.58	2.75	2.48	1.29	.67	.34	2.28	.03
			Mar. 1 to end	2.94	2.87	2.83			2.81	2.98	2.71	1.41	.73	.37	2.51	
14	Texas	Ruby red	Beginning to Nov. 15	3.37	3.30	3.26			3.24	3.41	3.14	1.62	.84	.42	2.94	
			Nov. 16 to Feb. 28	3.05	2.98	2.94			2.92	3.09	2.82	1.46	.76	.38	2.62	.035
			Mar. 1 to end	3.28	3.21	3.17			3.15	3.32	3.05	1.58	.82	.41	2.85	

[1] Maximum price per pound to be used in computing maximum prices for any container not listed in the table above. For any grapefruit which are sold in containers other than those specifically set forth above, the maximum price shall not exceed the bulk price per pound stated above.

(c) Lemons.

Variety	Seasons	Standard wooden box: Packed wrapped	Packed unwrapped	Blind pack	Market pack	Loose	Bulk per pound
California, All	(Nov. 1–Apr. 30	4.86	4.76	4.81		3.51	*.05
	(May 1–Oct. 31	5.35	5.25	5.30		4.00	.065

*For lemons sold in containers other than those specified above the maximum prices shall not exceed more than 5 cents per lb. for the season Nov. 1–Apr. 30 and 5½ cents per lb. for the period May 1–Oct. 31.

This amendment shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250)

Issued this 5th day of March 1943.

Approved by:
GROVER B. HILL,
Acting Secretary of Agriculture.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3545; Filed, March 5, 1943; 4:58 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 43]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5302, paragraph (b) is amended by inserting the phrase "Except as provided in paragraph (c) of this section" before the words "the applicant", and a new paragraph (c) is added to said section; the text of § 1394.5304 is designated § 1394.5304 (a) and amended by inserting the phrase "Except as provided in paragraph (b) of this section" before the phrase "the allowable ration", and a new paragraph (b) is added thereto; and a new paragraph (d) is added to § 1394.5851; as set forth below:

Auxiliary Rations

§ 1394.5302 *Application for auxiliary rations.* * * *

(c) In the case of an application for an auxiliary ration for a purpose specified in § 1394.5303 (c), to be used in a private dwelling or in premises other

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10539, 10531, 10780, 10707, 11118, 11071, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1235, 1282, 1456, 1681, 1636, 1859, 2194, 2432.

than a private dwelling heated by a space heater, the Board may dispense with the certification required in paragraph (b) of this section if it finds that such certification cannot be obtained without unreasonable difficulty or expense: *Provided*, That the provisions of this paragraph shall not apply to applications for use in premises other than a private dwelling heated by a space heater unless a ration was issued to the applicant for use in such space heater.

* * * * *

§ 1394.5304. *Same; determination of allowable auxiliary ration.* * * *

(b) Where the Board dispenses with a certification pursuant to § 1394.5302 (c), the allowable auxiliary ration for the period during which it is needed shall be the percentage of the allowable ration for the entire heating year equal to the difference between the percentages shown on the last column of Table VII opposite the beginning and end of such period.

* * * * *

§ 1394.5851 *Tables:* * * *

(d) *Table VII: Percentage of allowable ration for entire heating year allowable as auxiliary ration, referred to in* § 1394.5304 (b), (by thermal zones).

Dates for which application for auxiliary ration is made (inclusive)							Percentage of allowable ration for entire heating year
				Area A			
Thermal zone A	Thermal zone B	Thermal zone C	Thermal zone D	Thermal zone A	Thermal zone B	Thermal zone C	
Oct. 1–Oct. 2	Oct. 1–Oct. 2	Oct. 1–Oct. 3	Oct. 1–Oct. 6	Oct. 1–Oct. 2	Oct. 1–Oct. 4	Oct. 1–Oct. 3	0
Oct. 3–Oct. 12	Oct. 3–Oct. 16	Oct. 4–Oct. 24	Oct. 7–Nov. 2	Oct. 3–Oct. 24	Oct. 5–Oct. 26	Oct. 4–Oct. 5	1
Oct. 13–Oct. 28	Oct. 17–Nov. 2	Oct. 25–Nov. 6	Nov. 3–Nov. 10	Oct. 25–Nov. 5	Oct. 27–Nov. 6	Oct. 6–Nov. 4	2
Oct. 29–Nov. 7	Nov. 3–Nov. 10	Nov. 7–Nov. 14	Nov. 11–Nov. 18	Nov. 6–Nov. 13	Nov. 7–Nov. 16	Nov. 5–Nov. 13	3
Nov. 8–Nov. 16	Nov. 11–Nov. 19	Nov. 15–Nov. 22	Nov. 19–Nov. 25	Nov. 14–Nov. 20	Nov. 17–Nov. 25	Nov. 14–Nov. 22	4
Nov. 17–Nov. 24	Nov. 20–Nov. 27	Nov. 23–Nov. 29	Nov. 26–Dec. 2	Nov. 21–Nov. 27	Nov. 20–Dec. 1	Nov. 23–Nov. 28	5
Nov. 25–Dec. 1	Nov. 28–Dec. 4	Nov. 30–Dec. 5	Dec. 3–Dec. 7	Nov. 28–Dec. 3	Dec. 2–Dec. 9	Nov. 29–Dec. 5	6
Dec. 2–Dec. 9	Dec. 5–Dec. 9	Dec. 6–Dec. 10	Dec. 8–Dec. 13	Dec. 4–Dec. 9	Dec. 10–Dec. 16	Dec. 6–Dec. 11	7
Dec. 10–Dec. 15	Dec. 10–Dec. 15	Dec. 11–Dec. 16	Dec. 13–Dec. 16	Dec. 10–Dec. 14	Dec. 17–Dec. 23	Dec. 12–Dec. 18	8
Dec. 16–Dec. 22	Dec. 16–Dec. 21	Dec. 17–Dec. 21	Dec. 17–Dec. 21	Dec. 15–Dec. 20	Dec. 24–Dec. 29	Dec. 19–Dec. 24	9
Dec. 23–Dec. 27	Dec. 22–Dec. 27	Dec. 22–Dec. 26	Dec. 22–Dec. 25	Dec. 21–Dec. 25	Dec. 30–Jan. 5	Dec. 25–Dec. 31	10
Dec. 28–Jan. 3	Dec. 28–Jan. 1	Dec. 27–Dec. 31	Dec. 26–Dec. 30	Dec. 26–Jan. 2	Jan. 6–Jan. 11	Jan. 1–Jan. 6	11
Jan. 4–Jan. 9	Jan. 2–Jan. 7	Jan. 1–Jan. 5	Dec. 31–Jan. 4	Jan. 3–Jan. 7	Jan. 12–Jan. 17	Jan. 7–Jan. 11	12
Jan. 10–Jan. 15	Jan. 8–Jan. 12	Jan. 6–Jan. 9	Jan. 5–Jan. 10	Jan. 8–Jan. 12	Jan. 18.–Jan. 25	Jan. 12–Jan. 17	13
Jan. 16–Jan. 20	Jan. 13–Jan. 17	Jan. 10–Jan. 15	Jan. 11–Jan. 15	Jan. 13–Jan. 18	Jan. 26–Feb. 2	Jan. 18–Jan. 23	14
Jan. 21–Jan. 26	Jan. 18–Jan. 23	Jan. 16–Jan. 20	Jan. 16–Jan. 21	Jan. 19–Jan. 23	Feb. 3–Feb. 9	Jan. 24–Jan. 29	15
Jan. 27–Jan. 31	Jan. 24–Jan. 29	Jan. 21–Jan. 24	Jan. 22–Jan. 27	Jan. 24–Jan. 29	Feb. 10–Feb. 17	Jan. 30–Feb. 5	16
Feb. 1–Feb. 5	Jan. 30–Feb. 3	Jan. 25–Jan. 29	Jan. 28–Feb. 2	Jan. 30–Feb. 4	Feb. 18–Feb. 26	Feb. 6–Feb. 11	17
Feb. 6–Feb. 11	Feb. 4–Feb. 8	Jan. 30–Feb. 4	Feb. 3–Feb. 8	Feb. 5–Feb. 10	Feb. 27–Mar. 4	Feb. 12–Feb. 19	18
Feb. 12–Feb. 16	Feb. 9–Feb. 12	Feb. 5–Feb. 9	Feb. 9–Feb. 13	Feb. 11–Feb. 16	Mar. 6–Mar. 13	Feb. 20–Feb. 28	19
Feb. 17–Feb. 22	Feb. 13–Feb. 17	Feb. 10–Feb. 14	Feb. 14–Feb. 18	Feb. 17–Feb. 23	Mar. 14–Mar. 21	Mar. 1–Mar. 6	20
Feb. 23–Feb. 28	Feb. 18–Feb. 23	Feb. 15–Feb. 19	Feb. 19–Feb. 22	Feb. 24–Feb. 28	Mar. 22–Mar. 31	Mar. 7–Mar. 13	21
Mar. 1–Mar. 7	Feb. 24–Mar. 1	Feb. 20–Feb. 25	Feb. 23–Feb. 27	Mar. 1–Mar. 8	Apr. 1–Apr. 12	Mar. 14–Mar. 23	22
Mar. 8–Mar. 14	Mar. 2–Mar. 8	Feb. 26–Mar. 3	Feb. 28–Mar. 3	Mar. 9–Mar. 16	Apr. 13–Apr. 23	Mar. 24–Apr. 3	23
Mar. 15–Mar. 21	Mar. 9–Mar. 16	Mar. 4–Mar. 10	Mar. 5–Mar. 9	Mar. 17–Mar. 26	Apr. 24–May 4	Apr. 4–Apr. 13	24
Mar. 22–Mar. 29	Mar. 17–Mar. 24	Mar. 11–Mar. 17	Mar. 10–Mar. 17	Mar. 27–Apr. 5	May 5–May 18	Apr. 14–Apr. 26	25
Mar. 30–Apr. 8	Mar. 25–Apr. 1	Mar. 18–Mar. 25	Mar. 18–Mar. 25	Apr. 6–Apr. 19	May 19–June 11	Apr. 27–May 12	26
Apr. 9–Apr. 17	Apr. 2–Apr. 13	Mar. 26–Apr. 4	Mar. 26–Apr. 3	Apr. 20–May 4	June 12–June 30	May 13–June 11	27
Apr. 18–Apr. 28	Apr. 14–Apr. 26	Apr. 5–Apr. 16	Apr. 4–Apr. 12	May 5–May 31	July 1–July 31	June 12–June 30	28
Apr. 29–May 31	Apr. 27–May 31	Apr. 17–Apr. 29	Apr. 13–Apr. 30	June 1–Sept. 17	Aug. 1–Sept. 19	July 1–July 15	29
June 1–Sept. 30	June 1–Sept. 30	Apr. 30–Sept. 30	May 1–Sept. 30	Sept. 18–Sept. 30	Sept. 20–Sept. 30	July 16–Sept. 30	30

This amendment shall become effective on March 11, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive 1–O, as amended, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3542; Filed, March 5, 1943; 4:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 127, to Supp. Reg. 14,[1] to GMPR[2]]

BEEF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (79) is added to paragraph (a) of § 1499.73 to read as follows:

(79) *Beef.* The Office of Price Administration, or any duly authorized representative thereof, may by order establish specific maximum prices for sales of beef at retail in any area or locality. Any order establishing maximum prices issued under the authority of this provision will supersede the General Maximum Price Regulation with respect to the sales of beef subject to such order.

This amendment shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3544; Filed, March 5, 1943; 4:58 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6477, 6473, 6674, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7558, 7511, 7536, 7535, 7739 7671, 7812, 7914, 7946, 8237, 8024, 7199, 7351, 7356, 7524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8956, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 569, 863, 980, 1030, 876, 878, 1121, 1139, 1590, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1975, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343, 2346, 2507, 2665.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155 10454; 8 F.R 371 1204, 1317, 2029, 2110, 2346.

PART 1312—LUMBER AND LUMBER PRODUCTS

[Rev. MPR 109,[1] Amendment 2]

AIRCRAFT LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1312.358 (b) (2) is amended. Footnote 1 of Table 1, § 1312.361 is corrected, and in Table 3, § 1312.361, the headnote is amended as set forth below:

§ 1312.358 *Delivered prices.* * * *

(b) *How to figure transportation costs.* * * *

(2) If the lumber is remanufactured after leaving the original shipping point, the total addition for transportation may not be greater than the estimated weight times the rate from the original shipping point to the purchaser via the remanufacturing plant. The addition must be figured at the milling-in-transit rate, if such a rate is applicable and results in a lower total cost of transportation.

§ 1312.361 *Appendix A: Maximum prices for aircraft lumber per MBM.*

Table 1. *Maximum prices f. o. b. original shipping point, rough, green, for Army-Navy aeronautical specifications for Sitka spruce (AN–S–6),[1] red spruce (AN–S–6),[1] white spruce (AN–S–6),[1] noble fir (AN–F–6),[1] Western hemlock (AN–H–4).[1]*

* * * * *

[1] These specifications refer to the Army-Navy Aeronautical Specifications dated April 24 1942, as amended July 31, 1942.

* * * * *

Table 3. *Maximum prices f. o. b. original shipping point, rough, green, aircraft lumber conforming to U. S. Treasury Department, Procurement Division, specifications.* * * *

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-3574; Filed, March 6, 1943; 2:33 p. m.]

[1] 7 F.R. 1238 2543, 5667, 8585, 8948, 10[illegible]; 8 F.R. 270.

PART 1340—FUEL

[Correction to Amendment 35 to MPR 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

The maximum prices shown in § 1340.233 (b) (1) for Size Group 26 coals produced in Sub-Districts "A," "C," and "L" are corrected so as to read $3.70, $3.35, and $3.35, respectively.

This correction shall be effective as of February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3576; Filed, March 6, 1943; 2:32 p. m.]

PART 1340—FUEL

[MPR 120,[2] Amendment 46]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1340.210 (a), the period at the end of subparagraph (10) is changed to a comma and a new clause is added, and a new subdivision (i) is added, to read as set forth below:

§ 1340.210 *Maximum price instructions.* (a) * * *

(10) * * *, except as otherwise provided in subdivision (i) below for the services indicated therein.

(i) The following special rule shall govern the compensation for distributors' service rendered in connection with lake or tidewater shipments of bituminous coal:

(*a*) Services rendered by a distributor in connection with bituminous coal shipments by lake or tidewater (e. g. assembling cargoes, chartering vessels, etc.) shall be deemed to constitute special services within the meaning of this paragraph, only if:

(*i*) The service charge does not exceed the weighted average of service charges made by him during October 1941 for similar transactions (e. g. for similar f. a. s., or f. o. b. dock or f. o. b. vessel transactions, as the case may be), or (if he had no similar transactions during that month) does not exceed the service charge which has been authorized pursuant to this subparagraph (10) (i) for similar transactions of a competing distributor.

(*ii*) The distributor has filed with the Office of Price Administration, Solid Fuels Branch, Washington, D. C., two copies of an application for permission to make a service charge for such transactions and has received such permission, and

(*iii*) The distributor separately identifies in his invoice the amount of the service charge authorized pursuant to this paragraph.

(*b*) The Office of Price Administration may approve, reject or modify a service charge proposed in an application filed pursuant to this paragraph (10) (i); approval shall be effective for all similar transactions of the applicant. Such application shall include on a form copied from the sample Form reproduced below:

(*i*) The purchase costs (showing discounts, allowances, or commissions), resale prices and service charges in October 1941 for the tonnages involved, such tonnages to be specifically identified by origin, grade, size, and name and address of persons from whom purchased; and the type of transaction (e. g., f. a. s., f. o. b. dock, f. o. b. vessel), and the capacity in which each transaction was handled by the applicant and the person selling to him;

(*ii*) The weighted average service charge per ton for each type of transaction, and

(*iii*) A breakdown, for each type of transaction, of the service elements involved in the total service rendered, together with a cents-per-ton allocation, insofar as practicable, of the total service charge to each such service element:

Form approved
Budget Bureau No. 68-R349

OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR PERMISSION TO MAKE A SERVICE CHARGE ON LAKE OR TIDEWATER SHIPMENTS

BITUMINOUS COAL DISTRIBUTORS

Distributor's Name: ---------- Date: ----------

Address: ----------

Lake and Tidewater Shipments

PART A—PRICE, SERVICE CHARGE & TYPE OF TRANSACTION—BITUMINOUS COAL HANDLED, OCTOBER 1941

(All units per net ton)

Line No.	FOB mine prior to resale		Resale price fob mine	Total tons sold	Service charge per ton	Total service charge (Col. 4 times Col. 5)	Type of transaction
	Price before any discounts, allowances, commissions	Amount of discounts, allowances, commissions					
	1	2	3	4	5	6	7
1							
2							
•							
•							
8							
9							
•							
•							

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284

[2] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4709, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497.

PART B.—IDENTITY OF OCTOBER 1941 BITUMINOUS COAL TRANSACTIONS

Line No.	Origin of coal purchased: Mine district No.	Mine name	Mine index No.	Grade and size[2]	Name and address of persons from whom tonnage was purchased as reported on each numbered line of PART A	Capacity in which handled: By person from whom purchased	By applicant
	1	2	3	4	5	6	7
1							
2							
•							
•							
8							
9							
•							
•							

[1] The entries should correspond line for line with the entries in Part A.
[2] Give specific size dimensions in inches and fractions of inches or mesh including both top and bottom size of double screened coals.

PART C—WEIGHTED AVERAGE SERVICE CHARGE PER TON—OCTOBER 1941

F. A. S._____: F. O. B. Dock_____: F. O. B. Vessel_____: Other (specify)_____:

NOTE: For each type of transaction shown in PART A, Column 7, compute the weighted average service charge by dividing the total of the service charges for each type as shown in PART A, Column 6, by the total net tons sold for such transactions as shown in PART A, Column 4.

PART D—ALLOCATION OF SERVICE CHARGES

Line No.	Service Elements and Charges by Type of Transaction[1]: Service elements	F. A. S. transactions	Charges	F. O. B. dock transactions	Charges	F. O. B. vessel transactions	Charges	Others (Specify)	Charges
1	Assembling cargoes								
2	Chartering vessels								
•									
•									
8									
9									
•									
•									
	Total.[2]	XXXX		XXXX		XXXX			

[1] Under each type of transaction check (x) the appropriate Service Elements and enter the charges therefor.
[2] The total charge for each type of transaction should not exceed the weighted average shown in PART C for each type of transaction

These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall be effective as of March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3575; Filed, March 6, 1943; 2:32 p. m.]

PART 1340—FUEL

[RPS 88,[1] Correction to Amendment 69]

PETROLEUM AND PETROLEUM PRODUCTS

Section 1340.157 (b) of Amendment No. 69 to Revised Price Schedule No. 88 is corrected, and in § 1340.159 (e) (2) (iii) (*b*), the second sentence under the heading *Instructions and footnotes* in OPA Form No. 652:171 is corrected, as set forth below:

[1] 7 F.R. 1107, 1371, 1798, 1799, 3116, 2132, 2304, 2352, 2634, 2945, 3552, 3482, 3524, 3576, 3895 3963, 4483, 4653, 4854, 5857, 5481, 5857, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8586, 8701, 8741, 8829, 8938, 9130; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2152, 2334, 2349, 2273, 2350.

§ 1340.157 • • •

(b) "Petroleum products" means:

All grades of gasoline, including natural gasoline and blending naphthas; also special hydrocarbon fractions utilized in the manufacture of gasoline or the components thereof.

Liquefied petroleum gases.

Tractor distillates and similar distillate type motor fuels other than gasoline.

Kerosene, including range oil or stove oil.

Distillate burning, heating or fuel oils.

Diesel fuel oils.

Residual burning, heating or fuel oils.

Lubricating oils, including motor, aviation and stock oils (neutrals, bright stocks, steam refined stocks and other stock oils) and all greases and industrial lubricating oils except core oils and core washing oils.

Naphthas, solvents, mineral spirits and other petroleum fractions when sold as antifreeze preparations.

For the time being industrial naphthas and solvents, and specialty products (such as household oils and spot removers) are excluded from the list of petroleum products subject to Revised Price Schedule No. 88.

§ 1340.159 • • •
(e) • • •
(2) • • •
(iii) • • •
(*b*) • • •.

Where new ingredients are used these should be listed in Column 1 of Part C following the list of original ingredients.

This corection shall be effective as of February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3577; Filed, March 6, 1943; 2:33 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 329,[1] Amendment 1]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (1) is added to § 1351.402 (a); a new paragraph (g) is added to § 1351.404; and a new § 1351.415 is added, as set forth below:

§ 1351.402 *Maximum prices for purchases of "milk" from producers.* (a) • • •

(1) Maximum prices for purchases of "milk" from producers for resale as fluid milk in the Atlanta Regional area are modified and adjusted in § 1351.415 below.

• • • • • •

§ 1351.404 *Definitions.* When used in this regulation, the term:

• • • • • •

(g) "Atlanta Regional area" means the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

§ 1351.415 *Adjusted maximum prices for purchases of "milk" from producers in the Atlanta Regional area.* (a) The maximum price for each grade of "milk" purchased from a producer for resale as fluid milk in the Atlanta Regional area shall be the highest price each purchaser from a producer paid that producer for "milk" of the same grade received during January 1943, or the following, whichever is higher:

The highest price for each grade of "milk" such purchaser from a producer paid that producer for "milk" of the same grade received during March 1942 plus 10¢ per cwt. for each full ¼¢ increase over March 1942 in the purchaser's maximum resale price for standard fluid sweet milk in quart container sizes. The "increase" in resale prices means the increase since March 1942 in the highest price, before discounts and allowances, charged any purchaser either at retail or at wholesale. He shall use the rate of increase at retail in calculating his increased buying price to producers if retail sales made up the greater part of his total volume of sales during January 1943; if not, he shall use the rate of increase applicable to wholesale sales.

(b) If the purchaser's maximum price cannot be determined under paragraph (a) of this section, his maximum price shall be the weighted average price he paid to producers for the lowest priced 60% (by volume) of "milk" of the same grade received during January 1943, *or* the following, whichever is higher:

The weighted average price such purchaser paid to producers for the lowest priced 60% (by volume) of "milk" of the same grade received during March 1942 plus 10¢ per cwt. for each full ¼¢ increase over March 1942 in the purchaser's maximum resale price for standard fluid sweet milk in quart container sizes. The "increase" in resale prices means the increase since March 1942 in the highest price, before discounts and allowances, charged any purchaser either at retail or at wholesale. He shall use the rate of increase at retail in calculating his increased buying prices to producers if retail sales made up the greater part of his total volume of sales during January 1943; if not, he shall use the rate of increase applicable to wholesale sales.

(c) On or before March 22, 1943, each purchaser of "milk" from a producer for resale as fluid milk in the Atlanta Regional area shall calculate and notify each such producer of his adjusted maximum purchasing price as determined under the foregoing paragraphs (a) and (b).

(d) On or before April 5, 1943, such purchaser shall file a report with the Regional Office of the Office of Price Administration, Atlanta, Georgia, showing: his adjusted maximum purchasing price, as determined under the foregoing paragraphs (a) and (b), and the factors upon which it is based.

This amendment to Maximum Price Regulation No. 329 shall become effective March 6, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3578; Filed, March 6, 1943; 2:32 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,[1] Amendment 24]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subdivision (vi) is added to § 1351.151 (b) (15), to read as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* • • •
(b) • • •
(15) • • •

(vi) The maximum prices for sales of the above tallows and greases to the Federal Surplus Commodity Corporation, in non-returnable tierces, shall be the prices set forth above, plus 1¢ per pound.

• • • • • •

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3579; Filed March 6, 1943; 2:33 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 337]

FROZEN LAKE SMELTS

In the judgment of the Price Administrator the prices of frozen Lake smelts have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has ascertained and given due consideration to the prices of frozen Lake smelts prevailing between October 1, 1941, and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 337 is hereby issued.

AUTHORITY: §§ 1364.1101 to 1364.1111, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1364.1101 *Sales by processors of frozen Lake smelts at higher than maximum prices prohibited.* (a) On or after March 12, 1943, regardless of any contract, agreement, or other obligation, no processor shall sell or deliver any frozen Lake smelts, and no person in the course of trade or business shall buy or receive any Lake smelts from a processor at prices higher than the maximum prices set by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1364.1102 *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

§ 1364.1103 *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of frozen Lake smelts to a purchaser if prior to March 12, 1943, such frozen Lake smelts have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.1104 *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export frozen Lake Smelts shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1364.1105 *Conditional agreement.* No seller of frozen Lake smelts shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.1111; in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.1106 *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(a) Every person making a purchase or sale of frozen Lake smelts in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after March 11, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete

[1] 7 F.R. 1309, 1436, 2132, 3430, 3821, 4229, 4344, 4484, 5635, 7665, 7666, 7977, 8204, 8653, 8802, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10666, 11069; 8 F.R. 1200, 1972.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2038.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, and a description of the type of frozen Lake smelts.

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.1107 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to frozen Lake smelts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by changing the grade or style of processing or the packaging of frozen Lake smelts.

§ 1364.1108 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violations of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or of its principal office in Washington, D. C.

§ 1364.1109 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [1] issued by the Office of Price Administration.

§ 1364.1110 *Definitions.* When used in this maximum price regulation the term:

"Dressed smelts" means beheaded and eviscerated smelts.

"Frozen Lake smelts" means natural or artificially frozen fish of the genus osmerus mordax, where the same are caught in the Great Lakes or adjoining streams.

"Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

"Price per pound" means the price per 16 ozs. of frozen smelts.

"Processor" means a person who preserves smelts by natural or artificial freezing.

"Whole" means whole smelts.

Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.1111 *Processors' maximum prices for frozen lake smelts.* (a) The prices set forth below are maximum prices per pound packed in the usual container f. o. b. shipping point nearest freezer's warehouse. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials.

"Whole" per pound @ $.08.
"Dressed" per pound @ $.16.

(b) For other types of frozen Lake smelts not listed in paragraph (a) the maximum price shall be determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

This regulation shall become effective March 12, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3580; Filed, March 6, 1943; 2:46 p. m.]

[1] 7 F.R. 8961.

PART 1381—SOFTWOOD LUMBER

[MPR 164,[1] Amendment 2]

RED CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1381.11 is amended by adding paragraph (e) as set forth below.

§ 1381.11 *Appendix A: Maximum prices for red cedar shingles.* * * *

(e) When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls shingles by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases mills may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne shipments, and has been forced to ship by rail because of a lack of water carrier facilities;

(2) Where the mill prior to December 7, 1941, shipped shingles to the particular final destination, principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(3) Where a mill's rail connections have been abandoned since December 7, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received by the applicant.

This Amendment No. 2 (§ 1381.11) to Maximum Price Regulation No. 164, Red Cedar Shingles, shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3581; Filed, March 6, 1943; 2:33 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4541, 8384, 8943.

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 143 under § 1499.3 (b) of GMPR]

RAMSEY PACKAGE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, paragraphs (a) and (b) of § 1499.1159 of Order No. 143 are hereby amended to read as follows:

§ 1499.1159 *Temporary approval of maximum prices for sale by Ramsey Package Company of "Ramsey's Victory Tub."* (a) On January 28, 1943 and for a period of 120 days thereafter, the Ramsey Package Company, Suffolk, Virginia, may sell and deliver, and any person may purchase from said company, in any quantity, the "Ramsey's Victory Tub", constructed according to the specifications set forth herein, at a price not higher than $3.00 per dozen, f. o. b. factory, free delivery by truck within 50 miles of the factory. The specifications of the Ramsey's Victory Tub" are as follows:

The "Ramsey's Victory Tub" is a one bushel export tub, made of solid fiber, with five piece stitched veneer bottom, or solid wooden bottom, two wooden hoops and two fiber hoops and a flat or crown cover consisting of a solid fiber base with two double crossed veneer slats and a veneer hoop.

(b) The price set forth in paragraph (a) of this order, as amended, shall continue to be applicable until the Office of Price Administration withdraws its approval or establishes a different price: *Provided, however,* That the Ramsey Package Company shall submit to the Office of Price Administration a complete statement of its costs and profits in the manufacture of "Ramsey's Victory Tub" for each of the three 30 day periods immediately following the effective date of this order, as amended. Such statements shall be submitted within 10 days from the end of the 30 day period covered thereby.

This amendment shall be effective as of January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3588; Filed, March 6, 1943; 2:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 316 Under § 1499.3 (b) of GMPR]

J. B. ROBINSON

Order No. 316—Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1752 *Authorization of maximum prices for sales of "Nutco", "Kokomix" and "Chocolate Fudge Substitute" by J. B. Robinson, 1020 Woodland Avenue, Cleveland, Ohio, by wholesalers and by retailers.* (a) On and after March 8, 1943, the maximum selling prices for the following commodities for sale by J. B. Robinson, 1020 Woodland Avenue, Cleveland, Ohio, shall be:

	Per lb.
"Nutco" in 25 lb. containers	$0.15
"Kokomix" in 1 lb. packages or 100 lb. containers	0.15
"Chocolate Fudge Substitute" in 1 lb. containers	0.145

f. o. b. manufacturer's factory shipping point, subject to a discount of 2% for prompt payment.

(b) Sellers at wholesale are authorized to determine their maximum delivered selling prices for each of the commodities listed in paragraph (a) by adding to their net cost a mark-up of 20% of such net cost.

(c) Sellers at retail are authorized to determine their maximum delivered selling prices for each of the commodities listed in paragraph (a) by adding to their net cost a mark-up of 30% of such net cost.

(d) "Net cost" shall mean the price paid for delivery of a customary quantity of the commodity from the customary supplier and by the customary mode of transportation, if any. Local drayage, hauling, loading or unloading shall not be included in net cost.

(e) If the computations as determined by the provisions of paragraphs (b) and (c) result in a fraction of one cent the price may be increased to the next higher cent if the fraction is one-half cent or more, and the price shall be decreased to the next lower cent if the fraction is less than one-half cent.

(f) J. B. Robinson and sellers at wholesale shall apply the same discounts, allowances and/or trade practices to the sale of the commodities named in this order as they customarily apply to comparable commodities of the same type unless a change in these discounts, allowances and/or trade practices results in a lower selling price.

(g) On and after March 8, 1943, J. B. Robinson shall supply a written notification to each of the purchasers from him before or at the time of the first delivery of each of the products listed in paragraph (a) to such purchasers, and for a period of three months thereafter shall include with each shipping unit a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notification for each type of purchaser may be prepared separately for each of the listed items or may refer to all the listed items, and shall include the following appropriate statements:

Notification from J. B. Robinson to Wholesalers

The OPA has authorized us to charge the following prices for the products listed:

	Per lb.
"Nutco" in 25 lb. containers	$0.15
"Kokomix" in 1 lb. and/or 100 lb. containers	0.15
"Chocolate Fudge Substitute" 1 lb. containers	0.145

f. o. b. our factory shipping point, subject to a discount of 2% for prompt payment. Sellers at wholesale are authorized to determine their maximum delivered selling prices for these products by adding to their "net cost" for each a mark-up of 20% of such "net cost." Sellers at retail are authorized to determine their maximum delivered selling prices for these products by adding to their "net cost" for each a mark-up of 30% of such "net cost". A notification to retailers is included in every shipping unit of each item. If your initial sale of these items is less than a shipping unit, wholesalers are required to provide such retailers with a copy of the retailer notification so inclosed.

"Net cost" shall mean the price paid for delivery of a customary quantity of the item from the customary supplier and by the usual mode of transportation, if any. Local hauling, loading or unloading shall not be included in the "net cost." Each individual ceiling price determined by any reseller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires you to keep this notice for examination.

Notification from J. B. Robinson to Retailers

Retailers are authorized to determine their maximum delivered selling price for "Nutco", "Kokomix", and/or "Chocolate Fudge Substitute", by adding to their "net cost" for each a mark-up of 30% of such "net cost". "Net cost" shall mean the price paid for delivery of a customary quantity of the item from the customary supplier and by the usual mode of transportation, if any. Local hauling, loading and unloading shall not be included in "net cost." Such ceiling prices shall be figured to the next cent (raise one-half cent fractions to the next even cent). OPA requires you to keep this notice for examination.

(h) This Order No. 316 may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3586; Filed, March 6, 1943; 2:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 318 Under § 1499.3 (b) of GMPR]

WISHNICK-TUMPEER, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1754 *Approval of maximum prices for Extendex C.* (a) On and after March 8, 1943 Wishnick-Tumpeer, Incorporated, 295 Madison Avenue at 41st Street, New York City, may sell and deliver a rubber extender known as Extendex C, and any person may buy Extendex C at prices not in excess of those hereinafter set forth:

In quantities of 30,000 pounds or more 25¢ per pound—f. o. b. Chicago, Illinois.

In quantities of less than 30,000 pounds 28¢ per pound—f. o. b. Chicago, Illinois.

(b) The prices set forth above shall be subject to terms by each seller thereof which are no less favorable than those which were in effect during March 1942, with respect to sales by Wishnick-Tumpeer, Incorporated of products distributed through the same channels as Extendex C.

(c) This Order No. 318 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 318 (§ 1499.1754) shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3587; Filed, March 6, 1943; 2:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 122 to Supp. Reg. 14 [1] to GMPR [2]]

MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6965, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 7203, 7230, 7249, 7365, 7400, 7401, 7453, 7510, 7511, 7538, 7565, 7536, 7604, 7671, 7739, 7612, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8653, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9043, 9196, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9900, 9900, 9901, 10069, 10111, 10022, 10151, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005, 8 F.R. 276, 437, 535, 494, 589, 863, 1139, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 2346, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7813, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 2029, 2110, 2346.

In § 1499.73 (a) (43) (i) (*b*) a new sentence is added to the text of the first paragraph as set forth below:

§ 1499.73 * * *
(a) * * *
(43) * * *
(i) * * *
(*b*) * * *

If the seller's maximum prices for sales in less than tank car lots cannot be determined under the above provisions in the inferior subdivision (*b*) the seller's maximum prices for such sales in less than tank car lots, shall be the highest price to each class of purchasers established by his most closely competitive seller under this inferior subdivision (*b*) for the same type of molasses packed in the same type and size of container.

* * * * * * *

(*b*) *Effective dates.* * * *

(114) Amendment No. 122 (§ 1499.73 (a) (43)) to Supplementary Regulation No. 14 shall become effective March 12, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3582; Filed, March 6, 1943; 2:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 123 to Supp. Reg. 14[1] to GMPR[2]]

BREAD CRUMBS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (77) is hereby added to paragraph (a) of § 1499.73 of the General Maximum Price Regulation as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * * *

(77) *Bread crumbs.* The maximum prices for the sale of bread crumbs shall be as follows:

(i) The maximum price or billing charge of every producer and of every other person for the sale or delivery of bread crumbs produced at a given production plant to any person other than an ultimate consumer or for the delivery of such bread crumbs to his distribution outlet shall be 10 cents per pound plus (*a*) his actual cost of packaging materials, if any, and (*b*) his actual or estimated actual transportation charges, if any.

(ii) The maximum price of every person or distribution outlet for the sale or delivery of bread crumbs to an ultimate consumer shall be 12.5 cents per pound plus (*a*) his actual costs of packaging materials, if any, plus (*b*) his actual or estimated actual transportation charges, if any.

(iii) If the figure resulting contains a fraction of one-half cent or more, it may be adjusted to the next higher cent, or if less than one-half cent, to the next lower cent.

(iv) When used in this subparagraph (77) the term

(*a*) "Producer" means any person, firm or corporation operating a producing plant at which he manufactures or produces bread crumbs whether or not he also bakes the bread from which the crumbs are produced.

(*b*) "Ultimate consumer" is any person purchasing bread crumbs for use in prepared foods. However, it does not include cafes, cafeterias, hotels and all other eating places purchasing bread crumbs for use in prepared foods sold or distributed to their customers and all institutions, public or private, purchasing bread crumbs for use in prepared foods for sale or distribution to their customers or inmates.

(*c*) "Billing charge" is the charge or entry as a part of the bookkeeping system of debits and credits made between different departments, branches or units of one concern or between different units of an affiliated group of concerns or organizations for services rendered or commodities produced by one and furnished or delivered by another.

(*d*) "Distribution outlet" means a department, branch or unit of one concern or a unit of an affiliated group of concerns or organizations which department, branch or unit performs a function equivalent to that of any other person in selling bread crumbs to ultimate consumers and which concern, concerns or organizations also deals in bread crumbs at other levels of distribution.

(*e*) "Bread crumbs" is the commodity heretofore known to the trade as such.

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3583; Filed, March 6, 1943; 2:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 124 to Supp. Reg. 14 to GMPR[2]]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (vii) of § 1499.73 (a) (1) is redesignated subdivision (viii) of § 1499.73 (a) (1); subdivisions (*b*), (*c*), (*j*), and (*k*) of subdivision (ii) of § 1499.73 (a) (1) are revoked; and a new subdivision (vii) is added to § 1499.73 (a) (1), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream.* * * *

(vii) *Maximum prices for approved fluid milk sold and delivered in the Atlanta Regional area.* This subdivision (vii) establishes maximum prices for "approved fluid milk" sold and delivered within certain specified areas of Alabama, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. Maximum prices are established for specified types of wholesale and retail sales of approved fluid milk sold and delivered in glass and paper containers of one quart or less.

This subdivision (vii) fixes adjusted maximum prices for all counties in the State of Mississippi. However, certain counties in the States of Alabama, Georgia, North Carolina, South Carolina, Tennessee, and Virginia have been specifically excepted from this area adjustment.

Specific exception is made of retail sales of approved fluid milk by a hotel, restaurant, soda fountain, cafe, bar, or other eating establishment, such sales remaining in all respects subject to the provisions of the General Maximum Price Regulation.

A formula is provided by which persons who sold premium milk during January 1943 may determine a premium to be added to the prices specified for standard approved fluid milk.

A specific method is provided for the determination of maximum prices for sales and deliveries of approved fluid milk to the Army and Navy. "Army" and "Navy" are defined as including post exchanges, officers' messes, ships' stores ashore, and other related activities. The method of pricing provided for sales to the Army and Navy is applicable to any sale involving the delivery of milk at any point within the boundaries of the Atlanta Regional area, which comprises the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. Such sales are covered by this subdivision (vii), whether made by sellers whose plants are located within the Atlanta Regional area, or outside thereof.

This area adjustment does not fix out-of-store or home-delivered retail prices in container sizes less than one quart, because any person who engages in the sale, distribution, or transportation of milk has been prohibited by Food Distribution Order No. 11, issued by the Secretary of Agriculture on January 21, 1943 from using container sizes of less than one quart in making sales of these types.

This subdivision (vii) establishes maximum prices for fluid sweet milk only. It is not applicable to buttermilk, chocolate milk, or other flavored milks, such products remaining subject in all respects to the provisions of the General Maximum Price Regulation.

The adjusted maximum prices authorized by this Amendment supersede the sellers' former ceiling prices as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation or under any supplementary or adjustment order issued by the Office of Price Administration.

(*a*) *Maximum prices for sales other than Army or Navy sales.* The maximum prices set forth below are the maximum prices for approval fluid milk sold and delivered to persons other than the Army or Navy in the respective size and type containers set forth, in the areas specified, before application of the seller's customary allowances, discounts, or other price differentials, which customary allowances, discounts, or other price differentials must be maintained in accordance with the provisions of § 1499.2 *General provisions* of the General Maximum Price Regulation.

(*1*) *Mississippi.* The maximum price for approval fluid milk sold and delivered by any person at wholesale or retail in glass and paper containers of one quart or less in Mississippi shall be a price determined either under Pricing Method No. 1 or Pricing Method No. 2 set forth below. [Any seller may choose either Pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943 shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 *General provisions* of the General Maximum Price Regulation.

(*i*) *Pricing Method No. 1* [Mississippi]. The maximum prices established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum price] or the following prices, whichever are lower:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	14	15	8	9	4	5
Retail out-of-store	16	17	----	----	----	----
Retail home-delivered	16	17	----	----	----	----

⅓ quart container sizes: the seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Provided: That any seller electing to use Pricing Method No. 1, set forth above, shall, on or before March 16, 1943, report such election and the price so determined to the Mississippi State Office of the Office of Price Administration, Tower Building, Jackson, Mississippi. [This report should be in letter form—no specific form being required].

(*ii*) *Pricing Method No. 2* [Mississippi].

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	13	14	7	8	3¾	4½
Retail out-of-store	15	16	----	----	----	----
Retail home-delivered	15	16	----	----	----	----

Except: That no seller may establish an adjusted retail price under Pricing Method No. 2 which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price, under this pricing method, of not more than 14¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(*2*) *Georgia.* (*i*) The maximum price for approved fluid milk sold and delivered in glass and paper containers of one quart or less in the State of Georgia [with the exception of those counties set forth in subdivision (*ii*) below] by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	14	15	8	9	4	5
Retail out-of-store	16	17	----	----	----	----
Retail home-delivered	16	17	----	----	----	----

Except: That no seller may establish an adjusted retail price under the above pricing method [Georgia] which exceeds the maximum retail price established under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

⅓ quart container sizes: The seller shall adjust his maximum *wholesale* price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(*ii*) *Counties in Georgia not covered above.* The maximum prices for the sale of approved fluid milk in the following counties shall be the established maximum prices under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties:

Bartow	Glynn
Ben Hill	Gordon
Bryan	Liberty
Camden	McIntosh
Chatham	Monroe
Cobb	Stephens
DeKalb	Troup
Fulton	

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6755, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 430, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2041, 2343, 2354, 2274, 2343, 2346.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9416, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774 6775 6776, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 767[1], 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8959, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 1201, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10331, 10480, 10584, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 278, 439, 535, 494, 589, 863, 1139, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2346, 2507.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

(3) *Alabama*—(i) *Zone I—Alabama.* Zone I shall include the following counties in Alabama:

Baldwin	Lamar
Bibb	Lauderdale
Blount	Lawrence
Calhoun	Limestone
Chambers	Madison
Cherokee	Marion
Clay	Marshall
Cleburne	Morgan
Colbert	Pickens
Cullman	Randolph
DeKalb	Saint Clair
Escambia	Shelby
Etowah	Talladega
Fayette	Tuscaloosa
Franklin	Walker
Houston	Winston
Jackson	

The maximum price for approved fluid milk sold and delivered in glass and paper containers by any person at wholesale or retail in Zone I of Alabama shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts	Cts
Wholesale	14	15	8	9	4	5
Retail out-of-store	16	17	----	----	----	----
Retail home-delivered	16	17	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price under the General Maximum Price Regulation of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Zone II—Alabama.* Zone II shall include the following counties in Alabama:

Autauga	Geneva
Barbour	Greene
Bullock	Hale
Butler	Henry
Chilton	Lowndes
Choctaw	Macon
Clarke	Marengo
Coffee	Monroe
Conecuh	Montgomery
Coosa	Perry
Covington	Pike
Crenshaw	Sumter
Dale	Tallapoosa
Dallas	Washington
Elmore	Wilcox

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II—Alabama—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	15	16	8	9	4½	5¼
Retail out-of-store	17	18	----	----	----	----
Retail home-delivered	17	18	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General Provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipality of Blackstone, Nottoway County: The maximum prices for the sale of approved fluid milk in the municipality of Blackstone, Nottoway County, shall be the established maximum prices as determined under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such municipality.

Municipality of Suffolk:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	16	17	8	9	4¼	5
Retail out-of-store	17	18	...	...	...	...
Retail home-delivered	17	18	...	...	...	...

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 13¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 15¢ per quart.

⅓ quart container sizes: The seller shall adjust his maximum *wholesale* price for quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

(iii) *Zone III—Alabama.* Zone III shall include the following counties in Alabama:

Jefferson	Mobile
Lee	Russell

The maximum prices for the sale of approved fluid milk in Zone III—Alabama—shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(4) *Virginia*—(i) *Zone I—Virginia [Except the municipalities of Suffolk and Blackstone].* Zone I shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties [excepting the municipality of Blackstone, Nottoway County, and the municipality of Suffolk] in Virginia:

Amelia	Nottoway
Brunswick	Prince George
Greensville	Southampton
Isle of Wight	Sussex
Lunenburg	Surry
Nansemond	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	13	14	7	8	3¾	4¼
Retail out-of-store	15	16	----	----	----	----
Retail home-delivered	15	16	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General Provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipality of Blackstone, Nottoway County: The maximum prices for the sale of approved fluid milk in the municipality of Blackstone, Nottoway County, shall be the established maximum prices as determined under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such municipality.

Municipality of Suffolk:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	16	17	8	9	4¼	5
Retail out-of-store	17	18	...	...	...	...
Retail home-delivered	17	18	...	...	...	...

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the Geenral Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 13¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 15¢ per quart.

⅓ quart container sizes: The seller shall adjust his maximum *wholesale* price for quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

(ii) *Zone II—Virginia [Except Richmond, South Boston, Halifax, and Danville].* Zone II shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties in Virginia, excepting, however, the Natoaca District of Chesterfield County, which is included in Zone IV, and Richmond, South Boston, Halifax, and Danville:

Albemarle	Culpeper
Buckingham	Cumberland
Caroline	Essex
Charles City	Fauquier
Charlotte	Fluvanna
Chesterfield [all districts except Natoaca]	Goochland
	Greene
	Halifax

Hanover	New Kent
Henrico	Northumberland
King and Queen	Orange
King George	Pittsylvania
King William	Powhatan
Lancaster	Prince Edward
Loudoun	Prince William
Louisa	Rappahannock
Madison	Richmond
Mecklenburg	Spotsylvania
Middlesex	Stafford
Nelson	Westmoreland

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	14	15	8	9	4	5
Retail out-of-store	16	17	----	----	----	----
Retail home-delivered	16	17	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢ per quart.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipality of Suffolk:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	15	16	8	9	4	5
Retail out-of-store	16	17	----	----	----	----
Retail home-delivered	16	17	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 12¢.

(iii) *Zone III—Virginia [Except Lynchburg, Covington, Clifton Forge, and Altavista].* Zone III shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties, excepting, however, Lynchburg, Covington, Clifton Forge, and Altavista, in Virginia:

Alleghany	Grayson
Amherst	Henry
Appomattox	Lee
Bedford	Patrick
Bland	Roanoke
Botetourt	Rockbridge
Buchanan	Russell
Campbell	Scott
Carroll	Smyth
Craig	Tazewell
Dickenson	Washington
Floyd	Wise
Franklin	Wythe
Giles	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone III—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	14	15	7	8	3¾	4¼
Retail out-of-store	15	16	----	----	----	----
Retail home-delivered	15	16	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

Municipalities of Lynchburg, Covington, Clifton Forge, and Altavista:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	14	15	7	8	3¾	4¼
Retail out-of-store	15	16	----	----	----	----
Retail home-delivered	15	16	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 14¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iv) *Zone IV—Virginia.* Zone IV shall include Dinwiddie County and the Natoaca District of Chesterfield County in Virginia.

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone IV—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	15	16	8	9	5	6
Retail out-of-store	17	18	----	----	----	----
Retail home-delivered	17	18	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 14¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for

Except: That no seller may establish an

retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(v) Zone V—Virginia [Except Staunton, Waynesboro, and Harrisonburg]. Zone V shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties in Virginia, excepting, however, Staunton, Waynesboro, and Harrisonburg:

Augusta	Page
Bath	Rockingham
Clarke	Shenandoah
Frederick	Warren
Highland	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone V—Virginia—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	12	13	7	8	3½	4½
Retail out-of-store	14	15	----	----	----	----
Retail home-delivered	14	15	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted maximum retail price under this pricing method of not more than 12¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

The municipalities of Staunton, Waynesboro, and Harrisonburg:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	13	14	7	8	3½	4½
Retail out-of-store	14	15	----	----	----	----
Retail home-delivered	14	15	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds his maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 11¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 13¢.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(vi) Zone VI—Virginia. Zone VI shall include the following counties, together with all cities, towns, and municipalities located within the geographical boundaries of such counties, in Virginia:

Accomac	Montgomery
Arlington	Norfolk
Elizabeth City	North Hampton
Fairfax	Princess Anne
Gloucester	Pulaski
James City	Warwick
Mathews	York

The maximum prices for the sale of approved fluid milk in Zone VI—Virginia—shall be the established maximum prices as determined under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(5) North Carolina—(i) Zone I—North Carolina. Zone I shall include the following counties in North Carolina:

Beaufort	Lenoir
Brunswick	New Hanover
Carteret	Onslow
Craven	Pamlico
Dare	Pender
Hyde	Tyrrell
Jones	Washington

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—North Carolina—by any person at wholesale or retail shall be a price determined under either Pricing Method No. 1 or Pricing Method No. 2, as set forth below. [Any seller may choose either Pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943, shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 *General provision* of the General General Maximum Price Regulation.

(A) Pricing Method No. 1 [Zone I—North Carolina]. The maximum prices established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum prices], or the following prices, whichever are lower:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	16	17	9	10	4½	5½
Retail out-of-store	18	19	----	----	----	----
Retail home-delivered	18	19	----	----	----	----

Provided: That any seller electing to use Pricing Method No. 1, as set forth above, shall, on or before March 16, 1943, report such election and the price so determined to the North Carolina State Office of the Office of Price Administration, Post Office Box No. 2718, Raleigh, North Carolina. [This report should be in letter form, — no specific form being required.]

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(B) Pricing Method No. 2 [Zone I—North Carolina].

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	15	16	8	9	4¼	5¼
Retail out-of-store	17	18	----	----	----	----
Retail home-delivered	17	18	----	----	----	----

Except: That no seller whose established maximum retail price under the General Maximum Price Regulation is 15¢ or more per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 1¢ per quart. No retailer whose established maximum retail price under the General Maximum Price Regulation is 14¢ or less per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 2¢ per quart.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) Zone II—North Carolina. Zone II shall include the following counties in North Carolina:

Alamance	Durham
Anson	Edgecombe
Bladen	Forsyth
Bertie	Franklin
Cabarrus	Gaston
Camden	Gates
Caswell	Granville
Chatham	Greene
Chowan	Guilford
Columbus	Hertford
Cumberland	Hoke
Currituck	Johnston
Davidson	Lee
Duplin	Martin

Mecklenburg	Rowan
Montgomery	Richmond
Moore	Stanly
Nash	Sampson
Northampton	Scotland
Orange	Union
Pasquotank	Vance
Perquimans	Warren
Pitt	Wake
Randolph	Wayne
Robeson	Wilson
Rockingham	

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone II [North Carolina] by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	15	16	8	9	4¼	5¼
Retail out-of-store	17	18	----	----	----	----
Retail home-delivered	17	18	----	----	----	----

Except: That no seller whose established maximum retail price under the General Maximum Price Regulation is 15¢ or more per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 1¢ per quart. No retailer whose established maximum retail price under the General Maximum Price Regulation is 14¢ or less per quart may put into effect an adjusted retail price under this pricing method which exceeds such established maximum retail price by more than 2¢ per quart.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) Zone III—North Carolina. Zone III shall include the following counties in North Carolina:

Alexander	Lincoln
Alleghany	McDowell
Ashe	Macon
Avery	Madison
Buncombe	Mitchell
Burke	Polk
Caldwell	Rutherford
Catawba	Stokes
Cherokee	Surry
Clay	Swain
Cleveland	Transylvania
Davie	Watauga
Graham	Wilkes
Haywood	Yadkin
Henderson	Yancey
Iredell	Person
Jackson	

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone III—North Carolina—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	13	14	7	8	3½	4½
Retail out-of-store	15	16	----	----	----	----
Retail home-delivered	15	16	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds his maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢ per quart.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iv) Zone IV—North Carolina. Zone IV shall include the following counties in North Carolina:

Halifax	Harnett

The maximum prices for the sale of approved fluid milk in Zone IV shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(6) Tennessee—(i) Zone I—Tennessee. Zone I shall include the following counties in Tennessee:

Anderson	Lawrence
Blount	Lincoln
Campbell	Loudon
Carter	McMinn
Claiborne	Marion
Cocke	Meigs
Coffee	Monroe
Franklin	Polk
Giles	Rhea
Grainger	Roane
Greene	Scott
Hamblen	Sequatchie
Hamilton	Sevier
Hancock	Sullivan
Hawkins	Unicoi
Jefferson	Union
Johnson	Washington
Knox	Wayne

The maximum price for approved fluid milk sold and delivered in glass and paper containers in Zone I—Tennessee—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	13	14	7	8	3½	4½
Retail out-of-store	15	16	----	----	----	----
Retail home-delivered	15	16	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢ per quart.

⅓ quart container sizes: The seller shall adjust his maximum wholesale price for ⅓ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) Zone II—Tennessee.[1] Zone II shall include the following counties in Tennessee:

Bedford	Lauderdale
Benton	Lewis
Bledsoe	McNairy
Cannon	Macon
Carroll	Madison
Cheatham	Marshall
Chester	Maury
Clay	Montgomery
Crockett	Moore
Cumberland	Morgan
Davidson	Obion
Decatur	Overton
DeKalb	Perry
Dickson	Pickett
Dyer	Putnam
Fayette	Robertson
Fentress	Rutherford
Gibson	Smith
Grundy	Stewart
Hardeman	Sumner
Hardin	Tipton
Haywood	Trousdale
Henderson	Van Buren
Henry	Warren
Hickman	Weakley
Houston	White
Humphreys	Williamson
Jackson	Wilson
Lake	

The maximum prices for approved fluid milk sold and delivered in glass and paper containers in Zone II—Tennessee—by any person at wholesale or retail shall be:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Wholesale	13	14	7	8	3½	4½
Retail out-of-store	14	15	----	----	----	----
Retail home-delivered	14	15	----	----	----	----

Except: That no seller may establish an adjusted retail price under this pricing method

[1] *Shelby County.* Maximum wholesale and retail prices for fluid milk and for bulk sales to stores, hotels, restaurants, and institutions in Shelby County, Tennessee are set forth in inferior subdivision (p) of subdivision (1) and (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 [Amendment No. 95 to Supplementary Regulation No. 14].

which exceeds the maximum retail price as determined under § 1499.2, *General provisions*, of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 10¢ per quart may put into effect an adjusted retail price under this pricing method of not more than 12¢.

½ Quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(iii) *Bradley County [Tennessee].* The maximum prices for the sale of approved fluid milk in Bradley County shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such county.

(7) *South Carolina:* The maximum price for approved fluid milk sold and delivered in glass and paper containers of one quart or less within the State of South Carolina [with the exception of Colleton, Horry, and Orangeburg counties] by any person at wholesale or retail shall be a price determined under either Pricing Method No. 1 or Pricing Method No. 2 set forth below. [Any seller may choose either pricing Method No. 1 or Pricing Method No. 2, but may not use both methods.] However, any person entering the business of selling approved fluid milk at wholesale or retail after March 5, 1943 shall be limited to Pricing Method No. 2. A person taking over an established business shall be subject to the same maximum prices as his transferor, in accordance with § 1499.5 *General provisions* of the General Maximum Price Regulation.

(i) (*A*) *Pricing Method No. 1* [South Carolina]. The maximum price established by the seller under the General Maximum Price Regulation [if such seller has, prior to March 6, 1943, established such maximum price] or the following prices, whichever are lower:

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*
Wholesale	15	16	8	9	4½	5
Retail out-of-store	17	18	----	----	----	----
Retail home-delivered	17	18	----	----	----	----

Except: That any seller electing to use Pricing Method No. 1, as set forth above, shall, on or before March 16, 1943, report such election and the price so determined to the South Carolina State Office of the Office of Price Administration, Liberty Life Building, Columbia, South Carolina. [This report should be in letter form,—no specific form being required.]

½ quart container sizes: The seller shall adjust his maximum *wholesale* price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries. The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(*B*) *Pricing Method No. 2* [South Carolina].

	Quart		Pint		Half pint	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*
Wholesale	14	15	8	9	4	5
Retail out-of-store	16	17	----	----	----	----
Retail home-delivered	16	17	----	----	----	----

Except: That no seller may establish an adjusted retail price under Pricing Method No. 2 which exceeds the maximum retail price as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation by more than 2¢ per quart.

Example: A retailer having an established glass container price of 12¢ per quart may put into effect an adjusted retail price, under this pricing method, or not more than 14¢.

½ quart container sizes: The seller shall adjust his maximum wholesale price for ½ quart container sizes, as determined under § 1499.2 *General provisions* of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales other than out-of-store sales or home-deliveries: The maximum prices for retail sales, other than out-of-store sales or home-deliveries, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(ii) *Colleton, Horry, and Orangeburg counties* [South Carolina]. The maximum prices for the sale of approved fluid milk in Colleton, Horry, and Orangeburg counties shall be the maximum prices established under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties.

(*b*) *Sales to the Army and Navy.* (1) The maximum price for approved fluid milk sold and delivered to the Army and Navy in glass and paper containers of one quart or less by any person at any point in the Atlanta Regional Area, which includes the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, shall be:

Where the plant of the seller is located in the Atlanta Regional Area: An amount equal to the maximum wholesale price established for the area wherein such plant is situated, or where the area of the plant's location is one not subject to the provisions of this Supplementary Regulation No. 14, then an amount equal to the seller's established maximum wholesale price for any class of wholesale purchaser for the particular size and type of container, plus (*i*) a premium of one-half cent per quart, or a proportionate amount for a part of a quart; or (*ii*) at the election of such seller, the actual transportation cost from seller's plant to point of delivery, not to exceed lowest common carrier rates: *Provided*, That, in the event the seller elects to add the transportation costs in lieu of one-half cent per quart premium, he shall, within ten days after entering into any contract with the Army or Navy, or after the making of the first delivery to an Army or Navy destination where no contract has been entered into, file with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, a statement, setting forth: the price established; the transportation charges added, together with the method of computation of the price established and the transportation charges; location of seller's plant; and place of delivery of such milk. [This report should be in letter form—no specific form being required].

Where the plant of the seller is located outside the Atlanta Regional Area. An amount equal to the seller's established maximum wholesale price for any class of wholesale purchaser under the General Maximum Price Regulation or any applicable supplementary or adjustment order issued by the Office of Price Administration, plus (*i*) a premium of one-half cent per quart; or (*ii*) at the election of such seller, the actual transportation costs from the seller's plant to point of delivery not to exceed the lowest common carrier rates: *Provided*, That any seller making sales or deliveries pursuant to this paragraph, regardless of the method of computation used by him, shall, within ten days after entering into an Army or Navy contract providing for deliveries within the Atlanta Regional area, or, after the making of the first delivery to an Army or Navy destination within such area, file with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, a statement, setting forth: the price established, the transportation charges added, if any, together with the method of computation of the price established and the transportation charges, location of seller's plant; and the place of delivery of such milk. [This report should be in letter form—no specific form being required].

(2) *Completion of contracts entered into prior to March 6, 1943.* Any person who has, prior to March 6, 1943, entered into a contract to make deliveries to the Army or Navy at prices properly established under appropriate regulations or orders issued by the Office of Price Administration may, until the expiration date of such contract, deliver and accept payment in accordance with the terms thereof without regard to the provisions of this area adjustment: *Provided, however*, That any such seller shall, on or before March 16, 1943, file with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, a statement, setting forth: the terms of such contract; the dates of execution and termination, together with the method of computing the contract prices; the location of seller's plant; and the place of delivery of such milk.

Upon the expiration of any such contract or a renewal thereof, the maximum prices fixed by the foregoing paragraph (*1*) shall be applicable to sales and deliveries to the Army or Navy.

(c) *Premium milk.* (1) A person who sold premium milk during January 1943 shall determine the maximum price for such milk as follows:

Take the highest price [before all discounts or quantity differentials have been deducted] at which he sold each different kind, grade, quality, or quantity of premium milk during January 1943 at wholesale, out-of-retail-store, or delivered-to-the-home, respectively.

Next, subtract from each of those prices the highest price [before discounts or quantity differentials have been deducted] at which he sold other approved fluid milk during January 1943 in containers of the same size and type at wholesale, out-of-retail-store, or delivered-to-the-home. The differentials thus obtained shall be the premium for each size and type of container and type of sale. These premiums may then be added to the specific maximum prices for non-premium milk fixed by this area adjustment: *Provided*, That the seller, on or before April 5, 1943, shall file a report with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, showing:

(i) The total quantity, expressed in quarts, of approved fluid milk sold by such seller during January 1943;

(ii) The types of premium milk sold by such seller during January 1943;

(iii) The differential at which he sold each type of such milk during January 1943; and

(iv) The total quantity, expressed in quarts, of each type of premium milk which he sold during January 1943.

The Atlanta Regional Office of the Office of Price Administration, Atlanta, Georgia, may correct the prices so reported and shall revise any such prices if the differential reported is higher than that generally prevailing during January 1943 in the local market area or an adjoining area.

(2) A seller of approved fluid milk who did not sell premium milk, or who sold only premium milk during January 1943, may not add any premium to the maximum prices established under this area adjustment unless he first files an application in writing with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, for permission to sell such premium milk at prices requested, and has been granted a price at which to sell such premium milk under an appropriate order issued by such regional office.

(3) No seller of fluid milk who during January 1943 sold premium milk may add any premium to the maximum prices established pursuant to this subdivision if he increases the volume of premium milk sold in any calendar month more than 5% above the volume of such premium milk sold by him during January 1943, unless he shall first file an application with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, for permission to increase the volume of such premium milk sales, and has been granted such permission under an appropriate order issued by such Regional Office.

Any application filed pursuant to the foregoing subdivisions (2) or (3) shall contain the following:

(i) If the application is made by a seller who sold premium milk during January 1943, it shall contain a copy of the report required by the foregoing subdivision (c) (*1*);

(ii) A description of the different types of premium milk sold in the area in which the applicant desires to establish maximum prices for premium milk, or in which the applicant desires to increase the volume of premium milk which he sells, as the case may be. If no premium milk is sold in the area served by the seller, the application shall so state;

(iii) The maximum prices of such premium milk established pursuant to the foregoing inferior subdivision (c) by the applicant or other sellers of premium milk in the area served by the applicant;

(iv) A specific description of the kind, grade, and quality of the premium milk or milks concerning which the application is made;

(v) A full and complete statement of the reasons justifying the application for classifying such milk as premium milk, or for an increase in the volume of sale of an already established premium milk, as the case may be. It shall include a full statement showing that a denial of the application will result in substantial hardship to the applicant, and that a shortage or threatened shortage of a type of milk necessary to a standard of living consistent with the prosecution of the war will result from such denial;

(vi) If the applicant was not selling premium milk during January 1943, the application shall show the total quantity of approved fluid milk, expressed in quarts, sold by him in January 1943, together with the quantity of premium milk which the applicant proposes to sell and the premium, expressed in cents per quart, which he desires to add to the maximum price established pursuant to this subdivision. If the applicant was not in the business of selling fluid milk during January 1943, he shall additionally show the total quantity of approved fluid milk, expressed in quarts, sold by him during the last calendar month preceding the application.

(*d*) *Calculations.* (1) On single sales at retail wherein the adjusted maximum price results in a fraction of a cent, the seller may adjust the price upward to the full cent if the fraction is ½¢ or more, and shall decrease the price to the lowest even cent if the fraction is less than ½¢. On sales of more than one unit, where the unit price is expressed in a fraction of a cent, the exact price established by the applicable subdivision shall be multiplied by the number of units. If the computation results in a fraction of a cent, the total shall be adjusted up or down to the nearest full cent, and, in such adjustment, a half-cent may be adjusted upward to the nearest full cent. Home-deliveries shall be considered multiple unit sales unless separate collections are made for single units delivered.

(*e*) *Exempt sales under this area adjustment.* (1) The provisions of this subdivision (vii) shall not be applicable to retail sales of approved fluid milk by a hotel, restaurant, soda fountain, bar, café, or other similar eating establishment. Such sales remain subject in all respects to the provisions of the General Maximum Price Regulation.

(2) The provisions of this subdivision (vii) shall not apply to buttermilk, chocolate milk, or other flavored milks. Such sales remain subject in all respects to the general provisions of the General Maximum Price Regulation.

(3) The maximum prices fixed by this subdivision (vii) are not applicable to sales and deliveries to the Army or Navy under a contract entered into prior to March 6, 1943, during the term thereof.

(*f*) *Adjustment of maximum prices.* The Atlanta Regional Office of the Office of Price Administration may, upon application of any seller, or on its own motion, adjust any maximum price established under this subdivision (vii) of Supplementary Regulation No. 14 where it appears:

(1) That a shortage in the supply of approved fluid milk in a particular locality exists or threatens to exist;

(2) That such a local shortage will be substantially reduced or eliminated by adjusting the maximum price of such seller and of like sellers; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Such applications shall be filed in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

(*g*) *Definitions.* For purposes of this subparagraph (1):

(1) "Approved fluid milk" means fluid cows' milk, raw or pasteurized, at least satisfying the minimum butterfat content and sanitary and health requirements for fluid milk sold for human consumption in the particular area wherein it is delivered, including standards set by purchasing officers for sales to the Army or Navy.

(2) "Sales to the Army or Navy" means sales to the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores ashore, officers' messes, and stores operated as Army canteens, post exchanges, or ships' activities.

(3) "Atlanta Regional Area" means the territory lying within the geographic boundaries of the following States: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

(4) "Premium milk" means certified milk, homogenized milk whose Vitamin D content has been artificially increased, and any other approved fluid milk for which the particular seller customarily charged a premium during January 1943 in excess of such seller's established maximum price for his standard approved fluid milk, or any other such milk as may be classified as premium milk by any order issued by the Atlanta Regional Office of the Office of Price Administration pursuant to an application duly filed in accordance with the provisions of this subdivision (vii).

Amendment No. 124 to Supplementary Regulation No. 14 shall become effective on March 6, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3584; Filed, March 6, 1943; 2:46 p. m.]

[1] 7 F.R. 8961.

PART 1499—COMMODITIES AND SERVICES

[Amendment 125 to Supp. Reg. 14[1] to GMPR[2]]

"MEMPHIS, TENN., AREA," DEFINITION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (1) (viii) (r) is amended to read as follows:

(r) "Memphis, Tennessee area" means all of the area included in Shelby County, Tennessee.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3585; Filed, March 6, 1943; 2:32 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 343]

SALT CURED HERRING

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for processors of salt cured herring.

Pursuant to the above authority, the Price Administrator has established prices in this regulation that are generally fair and equitable and will effectuate the purposes of the Act, and will promote more equitable distribution of salt cured herring through normal trade channels.

The maximum prices established herein are not below the average prices of salt cured herring in the year 1941.

Determination of prices established herein has been made after consulting and advising with representative members of the industry which will be affected by the regulation.

A statement of considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.*

§ 1364.1152 *Maximum processors' prices for salt cured herring.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 343 (Salt Cured Herring), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.1152, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 343—SALT CURED HERRING

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ARTICLE I—MAXIMUM PROCESSORS' PRICES, PROHIBITION AND SCOPE OF REGULATION

SECTION 1 *Maximum processors' prices for salt cured herring.* (a) The prices set forth below are maximum prices f. o. b. the shipping point nearest the processor's warehouse. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes. Actual storage may be added for sales made after September 1.

Mild cured, in bulk, per 1000 fish	$15.40
Mild cured, in usual baskets per 250 fish	4.10
Fully cured, in usual tubs per 300 fish	6.80
Fully cured, in usual baskets per 250 fish	5.15

(b) For container sizes, or types and styles of pack of salt cured herring not listed in paragraph (a) the price shall be the price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C. and accompanied by sworn statements showing costs and usual differentials.

SEC. 2 *Sales of salt cured herring at higher than maximum prices prohibited.* (a) On or after March 6, 1943, regardless of any contract, agreement, or other obligation, no processor shall sell or deliver any salt cured herring and no person in the course of trade or business shall buy or receive any salt cured herring at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 3 *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

SEC. 4 *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of salt cured herring to a purchaser, if prior to March 6, 1943, such salt cured herring have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

SEC. 5 *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation[1] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export salt cured herring shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

ARTICLE II—LIMITATION, RECORD KEEPING, ENFORCEMENT AND AMENDMENT

SEC. 6 *Conditional agreement.* No seller of salt cured herring shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by Sec. 1 in the event that this regulation is amended or is determined by a court to be invalid, or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

SEC. 7 *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(a) Every processor making a sale and every person making a purchase of salt cured herring in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after March 6, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchaser or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the style of pack, and the container size of salt cured herring.

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

SEC. 8 *Evasion.* The price limitation set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to salt cured herring alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by changing the grade, size, name, container or style of processing salt cured herring.

SEC. 9 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violations of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any Act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or of its principal office in Washington, D. C.

ARTICLE III—MISCELLANEOUS

SEC. 10 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 11 *Definitions.* (a) When used in this maximum price regulation the term:

"Fully cured" means herring that have been cured and are re-packed with additional salt treatment and stored for sale after May.

"Mild cured" means herring that have been cured by salt treatment for sale during the months of March, April and May.

"Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

"Processor" means a person who cures herring by salt treatment in the usual form.

"Salt cured herring" means fish (Alewives) caught in streams joining the Atlantic Ocean that have been beheaded, eviscerated, and preserved by salt treatment.

Effective date. This regulation shall become effective March 6, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3610; Filed, March 6, 1943; 5:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 5 to Supplement 1[1] to Ration Order 11]

FUEL OIL RATIONING REGULATIONS

A new subparagraph (5) is added to § 1394.9101 (a), as set forth below:

§ 1394.9101 *Designation of unit value in gallons of fuel oil.* (a) * * *

(5) The value of one unit represented by coupons numbered "5" on Class 1 coupon sheets, and the value of ten units represented by coupons numbered "5" on Class 2 coupon sheets are hereby fixed as:

(i) Ten (10) gallons and one hundred (100) gallons, of fuel oil, respectively, in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Oregon, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida (east of the Apalachicola River), the District of Columbia, Washington, Kentucky, and those parts of the States of Kansas, Missouri, Illinois, Indiana and Ohio which lie in Thermal Zone C;

(ii) Eleven (11) gallons and one hundred and ten (110) gallons, of fuel oil, respectively, in the States of North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, and those parts of the States of Kansas, Missouri, Illinois, Indiana and Ohio which lie in Thermal Zone B.

(b) *Effective dates.* * * *

(5) Amendment No. 5 to Supplement No. 1 (§ 1394.9101) shall become effective on March 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3608; Filed, March 6, 1943; 5:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 48]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. In § 1394.5201 (b) (1) the phrase "March 18, 1943" is amended to read "March 11, 1943."

2. In § 1394.5201 (b) (2) the phrase "March 13, 1943" is amended to read "March 8, 1943."

This amendment shall become effective March 6, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3609; Filed, March 6, 1943; 5:08 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Rev. MPR 218,[1] Amendment 3]

EASTERN WOODEN MINE MATERIAL AND INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1426.53 and 1426.54 (b) (1) are amended as set forth below:

§ 1426.53 *Maximum prices.* The maximum prices, except for pit posts, are established f. o. b. the railroad loading-out point nearest to the mill in the direction of the normal route of shipment to destination. The maximum prices for pit posts are established delivered to the buyer's mine.

The maximum prices are as follows:

* * * * * * *

§ 1426.54 (b) *Transportation addition.* (1) No matter how delivery is made, whether by rail, private trucking, contract or common carrier trucking, or any combination of these, the only permissible addition for delivery is the weight of the material times the applicable carload freight rate from the nearest rail loading-out point in the direction of normal route of shipment to destination. Where mine material is brought in and shipped out of a treatment plant at treatment-in-transit rates, the transit rate shall be used rather than the carload rate.

* * * * * * *

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3613; Filed, March 6, 1943; 5:08 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2041, 2343, 2354, 2274, 2346, 2507

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5575, 5783, 5784, 6007, 6053, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9436, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1024, 1317, 2029, 2110, 2346.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[1] 7 F.R. 8708.

[2] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 962., 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7149, 7367, 8948, 9824, 8 F.R. 493, 1028.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 28[1] Amendment 2]

CERTAIN PERISHABLE FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1439.251 is amended to read as follows:

§ 1439.251 *Purposes of this regulation.* The purposes of this regulation are to establish maximum prices for sales and deliveries of each kind, variety, and type of the following fresh fruits and vegetables whether imported or domestic:

(a) Tomatoes; (b) Cabbages; (c) Carrots; (d) Snap beans; (e) Green peas; perishable fruits and vegetables listed above are referred to in this regulation as "listed commodities."

2. Section 1439.253 (c) is added to read as follows:

(c) Any regional office of the Office of Price Administration, or such other offices as may be authorized by the appropriate regional office, may by order adjust for the duration of this regulation any maximum price established by this regulation for any seller, or group of sellers, in any area or locality within its jurisdiction whenever it appears that the maximum price established for such seller, or group of sellers is higher or lower than the maximum prices generally prevailing in the region and thereby disrupts, or threatens to disrupt, the normal distribution of any listed commodity. When adjusted, the maximum prices shall be fixed in line with those generally prevailing in the region.

3. Section 1439.254 (a) is amended so that the date therein appearing as February 18, 1942 shall read February 18, 1943.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS BROWN,
Administrator.

Approved by:
CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3615; Filed, March 6, 1943; 5:09 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 29,[2] Amendment 1]

CERTAIN PERISHABLE FRUITS AND VEGETABLES (LETTUCE AND SPINACH)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1439.304(c) is added to read as follows:

(c) Any regional office of the Office of Price Administration, or such other offices as may be authorized by the appropriate regional office, may by order adjust for the duration of this regulation any maximum price established by this regulation for any seller, or group of sellers, in any area or locality within its jurisdiction whenever it appears that the maximum price established for such seller, or group of sellers, is higher or lower than the maximum prices generally prevailing in the region and thereby disrupts, or threatens to disrupt, the normal distribution of any listed commodity. When adjusted, the maximum prices shall be fixed in line with those generally prevailing in the region.

2. Section 1439.305(a) is amended so that the date therein appearing as February 25, 1942 shall read February 20, 1943.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:
CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3612; Filed, March 6, 1943; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 129 to Supp. Reg. 14[1] to GMPR[2]]

TRANSPORTATION OF FLUID MILK BY MOTOR TRUCK

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subpargaraph (73) of § 1499.73 (a) is hereby revoked.

This amendment shall become effective as of March 1, 1943.

(Pub. Law Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3616; Filed March 6, 1943; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 317 Under § 1499.3 (b) to GMPR]

H. J. HEINZ AND CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1753 *Authorization of maximum prices for sales of Heinz Brand frozen baked beans (17½ ounce package) and Heinz Brand baked beans with molasses sauce (3 quart glass jar) by H. J. Heinz and Company and by retailers—*(a) *Heinz Brand quick-frozen baked beans (17½ ounce package).* (1) *Sales by H. J. Heinz and Company.* On and after March 8, 1943, the maximum prices in sales by H. J. Heinz and Company, having its principal place of business at Pittsburgh, Pennsylvania, of Heinz Brand frozen baked beans shall be:

$1.85 per dozen delivered to retailers in Zone No. 1.
$1.93 per dozen delivered to retailers in Zone No. 2.
$2.02 per dozen delivered to retailers in Zone No. 3.
$1.98 per dozen delivered to retailers in Zone No. 4.
$2.07 per dozen delivered to retailers in Zone No. 5.
$2.07 per dozen delivered to retailers in Zone No. 6.
$2.07 per dozen delivered to retailers in Zone No. 7.

(2) *Sales by retailers.* Retailers shall determine their maximum prices for Heinz Brand frozen baked beans by adding to their net cost of this item a profit margin of 36% of net cost. However, the maximum selling prices per package so determined shall not exceed:

Zone No. 1	$0.21
Zone No. 2	.22
Zone No. 3	.23
Zone No. 4	.22
Zone No. 5	.24
Zone No. 6	.24
Zone No. 7	.24

"Net cost" for any retailer shall be his invoice price for Heinz Brand frozen baked beans delivered to his customary receiving point in a customary quantity of this type of item by the customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for unloading or local trucking shall be included.

(b) *Heinz Brand baked beans with molasses sauce; sales by H. J. Heinz and Company.* On and after March 8, 1943, the maximum prices in sales by H. J. Heinz and Company of Heinz Brand baked beans with molasses sauce shall be $6.90 per dozen delivered in Zone No. 1. For deliveries to zones other than Zone No. 1, H. J. Heinz and Company shall add in each case the freight differential for that zone which it has customarily added in the past for this type of item.

(c) The zones referred to in this order are the zones now established by H. J. Heinz and Company in fixing selling prices. They are indicated on the accompanying diagram.

(d) H. J. Heinz and Company shall give the same discounts, cold storage allowances, and other allowances which it gives on other baked bean items handled by it when making sales of Heinz Brand frozen baked beans and Heinz Brand baked beans with molasses sauce. No seller shall change any of these discounts if the change results in a higher selling price.

(e) On and after March 8, 1943, H. J. Heinz and Company shall supply a written notification to each retailer before or at the time of the first delivery of Heinz Brand frozen baked beans to that retailer. Except for the proper insertions, the written notification shall read as follows:

Notification from H. J. Heinz and Company to Retailers

OPA has authorized us to charge retailers in your area the following price for the 17½ ounce package of Heinz Brand frozen baked beans: $_____ per dozen delivered to you, subject to all customary discounts and other allowances. OPA authorizes retailers to establish selling prices for this item by adding to their net cost to the retailer 36% of that net cost. "Net cost" means the invoice cost at your customary receiving point, less all discounts other than for prompt payment, and excluding charges for local hauling. These ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). However, your ceiling price for this item per package must not exceed $_____ per package. OPA requires that you keep this notice for examination.

(f) This Order No. 317 may be revoked or amended at any time by the Price Administrator.

(g) This Order No. 317 (§ 1499.1753) shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3617; Filed, March 6, 1943; 5:09 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 24, Supp. 2]

PART 310—MERCHANT MARINE TRAINING

MISCELLANEOUS AMENDMENTS

General Order No. 24 (Emergency Regulations Governing the Appointment and Training of Cadets in the United States Merchant Marine Cadet Corps) is amended, effective March 1, 1943, by striking out all of §§ 310.47 (b) and (e), 310.54 (d) and 310.55 (a) and inserting in lieu therof the following:

§ 310.47 *General requirements.* * * *

(b) A candidate must be not less than 17 years and six months of age nor more than 23 years of age on the date his application is approved.

* * * * *

(e) A candidate may be admitted to a Basic School or the Academy for preliminary training at an age of not less than 17 years and six months, but will not be assigned to a merchant vessel until he has reached his eighteenth birthday. In the event a candidate does not execute oath as Cadet within four months of the date of approval of his application, his name may be removed from the eligible list at the discretion of the Supervisor. In no event shall a candidate's name remain on the eligible list for a period exceeding six months.

§ 310.54. *Eligibility lists.* * * *

(d) The names of candidates over 17 years and nine months of age shall neither be placed on the eligible lists nor shall they be appointed Cadets until they have been enrolled and have received training in the United States Maritime Service. A favorable recommendation from the Superintendent of the particular United States Maritime Service Training Station at which a candidate received training, must be obtained before his name is placed on the eligible list. Any candidate over 17 years and nine months of age whose application was received prior to March 1, 1943, and who executes oath as Midshipman, Merchant Marine Reserve of the United States Naval Reserve, before May 1, 1943, shall be exempt from the provisions of this section, providing he is ordered to report for preliminary training by May 1, 1943.

§ 310.55 *Appointments and assignments.* (a) A successful candidate, who has passed the Naval Reserve physical examination, shall be appointed a Cadet by the Supervisor and assigned by the District Instructor to preliminary training and basic Naval Science classes at a designated Basic School or the Academy. Appointments shall be made in accordance with state and territory quotas which are based on comparative populations as determined from the last census. The Supervisor may, however, appoint, not to exceed a total of ten Cadets each month, from all states or territories whose quotas are filled, providing the Superintendent of a Maritime Service Training Station certifies that such candidates have been outstanding during their period of training as apprentice seamen.

(E.O. 9198, July 11, 1942; 7 F.R. 5383)

E. S. LAND,
Administrator.

MARCH 5, 1943.

[F. R. Doc. 43-3546; Filed, March 5, 1943; 4:54 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 112, Corrected]

PART 95—CAR SERVICE

FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3rd day of March, A. D. 1943.

It appearing that certain shippers of fresh or green fruits or vegetables in refrigerator cars have been moving cars from one point of delivery within the switching limits of a city or town to other points of delivery within such limits, and thereby delaying the unloading and increasing the free time for unloading under the demurrage rules; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.305 *Free time on fresh or green fruits or vegetables in refrigerator cars.* (a) The maximum free time allowed at destination on any refrigerator car loaded with fresh or green fruits or vegetables as defined in Service Order No. 70, as amended, shall be 48 hours, computed from the first 7:00 a. m. after the first notice and placement on any hold or inspection track or unloading track, or constructive placement on an other-than-public-delivery track, until car is unloaded, provided that the time between receipt of an order to move a car from one location to another and placement of the car at the new location shall not be counted against the car, except that any period of time between 7:00 a. m. of the day an order to move a car is received and the hour such order is received shall be counted as one day. The provisions of this order shall apply whether the car is reconsigned or reshipped to other points within the switching limits of the destination. For purposes of this order the destination shall be any point of railroad delivery within the switching limits of the city or town at which the car is unloaded. The operation of all rules relating to free time in demurrage tariffs (other than port demurrage tariffs) insofar as the provisions thereof are inconsistent with this order are suspended, except the provision for eliminating Sundays and legal holidays in computing free time. This order shall not affect demurrage rule No. 8 of Agent B. T. Jones I.C.C. 3722, or similar rules in other demurrage tariffs, relating to the cancelation or refunding of demurrage under emergency conditions. Nothing in this order shall be construed to amend or modify the provisions of Service Order No. 70, as amended. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(b) Each railroad, on or before the effective date of this section, and upon

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*Copies may be obtained from Office of Price Administration.

[1] 8 F.R. 2396, 2499.

[2] 8 F.R. 2499

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9106, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1139, 1590, 1142, 1279, 1383, 1589, 14551, 1460, 1633, 1467, 1813, 1894, 19478, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343, 2346, 2507, 2665.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein, and establish the substitute provisions above set forth.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-3634; Filed, March 8, 1943; 11:32 a. m.]

[Service Order 113, corrected]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON FLAT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of March, A. D. 1943.

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent delay and shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.501 *Demurrage charges on flat cars.* (a) After expiration of the free time allowed, the demurrage charges on heavy duty flat cars of 151,000 pounds or over marked capacity shall be $2.20 per car per day or fraction thereof for the first two days, $5.50 for the third day, and $15.00 per car per day for each succeeding day or fraction thereof, these cars not to be included in an average agreement. After expiration of the free time allowed, the demurrage charges on all other flat cars shall be $2.20 per car per day or fraction thereof for the first two days, $5.50 for the third day, and $11.00 per car per day for each succeeding day or fraction thereof, these cars when held for loading or unloading to be included in the patrons' average agreement if one is in effect, but the $5.50 per day and $11.00 per day charges may not be offset or reduced by credits earned on other cars. The operation of all rules in Agent B. T. Jones' I.C.C. 3722, or similar demurrage tariffs (other than port demurrage tariffs), insofar as the provisions thereof are inconsistent with this order, are suspended except to the extent that such rules exempt private cars from demurrage while on the tracks of the owner or lessee. This order shall not affect demurrage rule No. 8 of Agent B. T. Jones' I.C.C. 3722, or similar rules in other demurrage tariffs, relating to the cancelation or refunding of demurrage under emergency conditions. This order shall not apply to special type cars of AAR mechanical designation "LF" or "LFA". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(b) Each railroad, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein, and establish the substitute provisions above set forth.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-3635; Filed, March 8, 1943; 11:32 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

ORDER PRESCRIBING FORM FOR PERSONS FURNISHING CARS OR PROTECTIVE SERVICE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 12th day of February, A. D. 1943.

In the matter of annual reports from persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, and the corresponding section of the Code of Federal Regulations, the following order was issued:

§ 120.70 *Form prescribed for persons furnishing cars or protective service.* (a) All persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies within the scope of section 20 of Part I of the Interstate Commerce Act and owning 1,000 cars or more, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form B-1, which is hereby approved and made a part of this order.[1]

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 13, 54 Stat. 917; 49 U.S.C. 20 (6))

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-3633; Filed, March 8, 1943; 11:32 a. m.]

[1] Form filed as part of the original document.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter Q—Alaska Commercial Fisheries

PART 201—ALASKA FISHERIES: GENERAL REGULATIONS

MISCELLANEOUS AMENDMENTS

§ 201.21b *Native fishing rights.* No trap shall be established in any site in which any Alaskan native or natives has or have any rights of fishery, by virtue of any grant or by virtue of aboriginal occupancy, by any person other than such native or natives, but this section shall not be construed as permitting any exercise of such rights contrary to any of the provisions of these regulations. Any native or natives claiming such rights may petition the Secretary of the Interior for a hearing with respect to the validity of such claim, and prior to any such determination such claimant and any interested parties desiring to appear in opposition to such claim shall have an opportunity to be heard.

PART 204—BRISTOL BAY AREA SALMON FISHERIES

Section 204.2 is hereby amended to read as follows:

§ 204.2 *Districts open to salmon fishing.* Commercial fishing for salmon is prohibited except within the following-described districts:

(a) *Hagemeister district.* Waters of Hagemeister Strait from 161 degrees 40 minutes west longitude to 160 degrees 38 minutes west longitude.

(b) *Nushagak district.* Waters of Nushagak Bay within a line from Point Protection to Etolin Point.

(c) *Kvichak-Naknek district.* Waters of Kvichak Bay within a line from Etolin Point to Middle Bluff Light on the eastern side of Kvichak Bay.

Section 204.6 is hereby amended to read as follows:

§ 204.6 *Districts open to stake and set nets.* Commercial fishing for salmon with stake nets or set or anchored gill nets shall be limited to beach areas between high and low water marks, exclusive of bars or flats that at low tide are not connected by exposed land to the shore or places not covered at high tide, and shall be confined to the following places:

(a) *Nushagak district.* Along the beach, except on the west side of Nushagak Bay from a point 2 statute miles south of Bradford Point to Coffee Point, and except along the east side of that bay from a point 2,500 yards southeast of Ekuk Bluff Light to Etolin Point.

(b) *Kvichak Bay.* Along the beach on the southeast shore of the bay from Prosper Creek to Coffee Creek.

(c) *Naknek Bay.* Along the beach on the north side of the bay from a point 1,200 yards above the drift gill net prohibitive markers to a point 1,500 yards outside such markers, and along the beach on the south side of the bay from a point 1,200 yards above the drift gill net prohibitive markers to a point 3,000 yards outside such markers.

Section 204.12 is hereby amended to read as follows:

§ 204.12 *Opening date for red-salmon fishing.* Prior to 6 o'clock antemeridian June 25 in each year commercial fishing for salmon with nets of mesh less than 8½ inches stretched measure between knots, is prohibited.

Section 204.13 is hereby amended to read as follows:

§ 204.13 *Closed seasons, salmon fishing.* Commercial fishing for salmon is prohibited in the period from 6 o'clock antemeridian July 25, to 6 o'clock antemeridian August 3.

Section 204.14 *Open season, red-salmon fishing, Ugashik*, is hereby revoked and deleted.

Section 204.20 is hereby amended to read as follows:

§ 204.20 *Waters closed to salmon fishing.* All commercial fishing for salmon is prohibited as follows:

(a) *Nushagak Bay.* All waters northward of a line from a marker 2 statute miles below Bradford Point to a marker on the opposite shore at Nushagak Point: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted to the old prohibitive line from Snag Point to the old village on the east bank.

(b) *Kvichak Bay.* All waters above a line extending across Kvichak Bay from the Squaw Creek Light to a marker on the opposite side at Coffee Creek Point: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted on the southeast shore from Prosper Creek to Coffee Creek.

(c) *Naknek Bay.* All waters within 1 statute mile of the mouth of the Naknek River: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted on each side of the bay to a point 1,200 yards above the drift gill net prohibitive markers.

PART 208—KODIAK AREA FISHERIES

Salmon Fishery

A new section, to be known as § 208.17 is hereby inserted, following § 208.16, to read as follows:

§ 208.17 *Closed season, Karluk fishery.* All commercial fishing for salmon in the waters between Cape Karluk and the former site of the Uyak Post Office is prohibited in the period from 6 o'clock antemeridian July 26 to 6 o'clock antemeridian August 9.

Herring Fishery

Section 208.24 *Closed seasons, herring fishing*, is hereby revoked and deleted.

Section 208.25 is hereby amended to read as follows:

§ 208.25 *Herring catch limitations; exceptions.* In the period from July 1 to October 15, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 200,000 barrels, upon the basis of 250 pounds per barrel, in the waters of Shelikof Strait southeast of a line extending down the middle of the Strait from the latitude of Point Banks to the latitude of Cape Alitak and in all contiguous waters, including the waters of Kupreanof and Raspberry Straits eastward to the western extremity of Whale Island and the waters of Shuyak Strait. In the period from October 16 of one year to June 30 of the succeeding year the total take of herring in these waters for commercial purposes, except for bait and except by gill nets, shall not exceed 10,000 barrels, upon the basis of 250 pounds per barrel, of which not more than 2,000 barrels shall be taken in the period October 16 to November 15, both dates inclusive, and not more than 4,000 barrels shall be taken in any succeeding 30-day period.

PART 209—COOK INLET AREA FISHERIES

Salmon Fishery

Section 209.2 is hereby amended to read as follows:

§ 209.2 *Open seasons, salmon fishing.* (a) Between the latitude of the established stream marker marking the south limit of the closed area around the mouth of Kasilof River at approximately 60 degrees 22 minutes 23 seconds north latitude to the latitude of Anchor Point Light, exclusive of all waters adjacent to Kalgin Island, commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian May 25 and after 6 o'clock postmeridian August 4 in each year: *Provided*, That this prohibition shall not apply to the use of gill nets from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 10.

(b) South of the latitude of Anchor Point Light commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian May 25 and after 6 o'clock postmeridian August 8 in each year: *Provided*, That this prohibition shall not apply to the use of beach seines or gill nets from 6 o'clock antemeridian August 22 to 6 o'clock postmeridian September 10.

(c) North of the latitude of the marker marking the south limit around the mouth of Kasilof River as described herein under paragraph (a), including all waters adjacent to Kalgin Island, commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian June 25 and after 6 o'clock postmeridian August 4 in each year: *Provided*, That this prohibition shall not apply (1) after 6 o'clock antemeridian May 25 to the use of gear having mesh not less than 8½ inches stretched measure between knots, or to gill nets of which not to exceed 35 fathoms in use by any individual or on any boat may have mesh less than 8½ inches stretched measure between knots, and (2), from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 10 to the use of gill nets.

PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

Salmon Fishery

Section 211.10 is hereby amended to read as follows:

§ 211.10 *Closing dates for salmon fishing.* Commercial fishing for salmon, other than trolling, is prohibited during the remainder of each calendar year after 6 o'clock postmeridian August 5: *Provided*, That this prohibition shall not apply to trolling and gill netting through August 22 in the waters along the western coast from the outer point on the north shore of Granite Bay (known as Granite Bay Point) to the light on the south shore of the entrance to Port Nellie Juan.

Herring Fishery

Section 211.14 is hereby amended to read as follows:

§ 211.14 *Herring catch limitations, June 24 to August 20.* In the period from June 24 to August 20, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 25,000 barrels, upon the basis of 250 pounds per barrel, in the waters of the Prince William Sound area which includes all territorial coastal and tributary waters of the Gulf of Alaska between Cape Fairfield on the west and Point Whitshed on the east.

Section 211.15 is hereby amended to read as follows:

§ 211.15 *Herring catch limitations, August 21 to October 15.* In the period from August 21 to October 15, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 50,000 barrels, upon the basis of 250 pounds per barrel in the waters of the Prince William Sound area which includes all territorial coastal and tributary waters of the Gulf of Alaska between Cape Fairfield on the west and Point Whitshed on the east. In the period from October 16 of one year to June 23 of the succeeding year the taking of herring for commercial purposes, except for bait and except by gill nets, is prohibited.

Clam Fishery

Section 211.28 is hereby amended to read as follows:

§ 211.28 *Maximum take of razor clams from certain central bars.* Within the section bounded on the west by Strawberry Point Channel, on the north by a line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from

the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes is prohibited for the remainder of the open season from January 1 to June 30 after a combined total of 800,000 pounds, including shells, or 20,000 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

PART 212—COPPER RIVER AREA FISHERIES

Section 212.18 is hereby amended to read as follows:

§ 212.18 *Maximum take of razor clams from certain central bars.* Within the section bounded on the west by Strawberry Point Channel, on the north by a line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes is prohibited for the remainder of the open season from January 1 to June 30 after a combined total of 800,000 pounds, including shells, or 20,000 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

PART 220—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

Herring Fishery

Section 220.3 is hereby amended to read as follows:

§ 220.3 *Herring catch limitation; exceptions.* In the period from June 1 to September 30, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 100,000 barrels, upon the basis of 250 pounds per barrel: *Provided, however*, That not more than 75,000 barrels shall be taken from the waters along the west coast of Baranof Island, including the coasts of adjacent small islands, from Point Kakul on the north to Cape Ommaney on the south, and along the southeast coast of Baranof Island between Cape Ommaney and Patterson Point.

A new section, to be known as § 220.10c is hereby inserted, following § 220.10b, to read as follows:

§ 220.10c *Herring fishing restricted in Chatham Strait.* All commercial fishing for herring, except for bait and except by gill nets, is prohibited in the waters of Chatham Strait and contiguous waters along the western shore of Admiralty Island between Point Gardner and a point at 57 degrees 40 minutes north latitude.

Shrimp Fishery

Section 220.16 is hereby amended to read as follows:

§ 220.16 *Closed season, shrimp fishing.* Commercial fishing for shrimp is prohibited in the period from February 1 to April 15, both dates inclusive, in each year.

Section 220.17 is hereby amended to read as follows:

§ 220.17 *Protection of small shrimp.* Not more than 25 percent of the number of shrimp in any box or container taken at any time for commercial purposes shall be less than 3 inches in length, measured from the tip of the horn to the tip of the tail.

PART 222—SOUTHEASTERN ALASKA AREA, ICY STRAIT DISTRICT, SALMON FISHERIES

Section 222.3 is hereby amended to read as follows:

§ 222.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

Section 223.3 is hereby amended to read as follows:

§ 223.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

PART 224—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

Section 224.3 is hereby amended to read as follows:

§ 224.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

PART 227—SOUTHEASTERN ALASKA AREA, CLARENCE STRAIT DISTRICT, SALMON FISHERIES

Section 227.3 is hereby amended to read as follows:

§ 227.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in lenght.

PART 228—SOUTHEASTERN ALASKA, SOUTH PRINCE OF WALES ISLAND DISTRICT, SALMO FISHERIES

Section 228.12 is hereby amended to read as follows:

§ 228.12 *Areas open to salmon traps.*

* * *

(r) *Ship Islands, Cordova Bay.* Within 300 yards west of the southern extremity of the eastern large island of the Ship Islands group at 54 degrees 53 minutes 39 seconds north latitude, 132 degrees 30 minutes 06 seconds west longitude.

PART 229—SOUTHEASTERN ALASKA AREA, SOUTHERN DISTRICT, SALMON FISHERIES

Section 229.3 is hereby amended to read as follows:

§ 229.3 *Total aggregate length of gill nets.* The total aggregate length of gill nets on any salmon-fishing boat, or in use by such boat, shall not exceed 250 fathoms hung measure. No gill net shall be less than 50 fathoms in length.

Section 229.8 is hereby amended to read as follows:

§ 229.8 *Closed seasons, salmon fishing.* Commercial fishing for salmon, other than trolling, is prohibited prior to 6 o'clock antemeridian July 15, from 6 o'clock postmeridian August 16 to 6 o'clock antemeridian October 5, and for the remainder of each calendar year after 6 o'clock postmeridian October 25.

The amendments contained in this document shall be in full force and effect immediately from and after the date of their publication in the FEDERAL REGISTER.

(Sec. 1, 44 Stat. 752; 48 U.S.C. 221)

OSCAR L. CHAPMAN,
Assistant Secretary.

FEBRUARY 24, 1943.

[F. R. Doc. 43-3600; Filed, March 6, 1943; 2:55 p. m.]

Chapter IV—Office of the Coordinator of Fisheries

[Order 1787]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN TERRITORY OF ALASKA

Whereas, by Executive Order No. 9280 of December 8, 1942 (7 F.R. 10179), the President conferred upon the Secretary of Agriculture full responsibility and control over the Nation's food program in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs; and

Whereas, by Food Directive No. 2 of February 8, 1943 (CFR Title 7, Chapter 11, Part 1400) (8 F.R. 1777), the Secretary of Agriculture delegated to me, among other things, the right to exercise all of the powers conferred upon him by paragraph (b) of section 1 of Executive Order No. 9280, in so far as it relates to the production of fishery commodities and products; and

Whereas, by Food Directive No. 2, the Secretary of Agriculture authorized me to exercise these powers through such agencies and officers of the Department of the Interior or of the office established by Executive Order No. 9204 of July 21, 1942 (7 F.R. 5657), as I may designate; and

Whereas it is deemed imperative to effectuate a program designed to facilitate the production of an adequate supply of canned salmon in the Territory of Alaska with a minimum utilization of critical material, manpower and shipping facilities; and

Whereas representatives of practically the entire salmon canning industry in the Territory of Alaska have indicated their willingness to join in such cooperative agreements as may be practicable and feasible in order to pool their operating facilities in an industry concentration program designed to minimize factors that tend to affect production adversely; and

Whereas in the exercise of the powers conferred upon me, I have designated the Office of Fishery Coordination, established by Executive Order No. 9204, to execute, administer, regulate, and enforce the provisions of this order affecting the salmon canning industry in the Territory of Alaska; *Now, therefore, it is hereby ordered:*

§ 401.1 *Salmon canning industry in the Territory of Alaska*—(a) *Jurisdiction.* Complete control and authority over the salmon canning industry in the Territory of Alaska solely for the purposes herein specified shall be vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Salmon" means any fish of the following species: Red or sockeye (*Oncorhynchus nerka*); pink or humpback (*Oncorhynchus gorbuscha*); silver, medium red, or coho (*Oncorhynchus kisutch*); chum or keta (*Oncorhynchus keta*); king, chinook, or spring (*Oncorhynchus tschawytscha*); steelhead or steelhead trout (*Salmo gairdneri*).

(3) "Line" means the assembly of canning machinery operated in connection with each filling machine. The filling of cans by hand shall be construed to be a line.

(4) "Fishery Coordinator" means the Secretary of the Interior.

(5) "Nucleus plant" means a plant for the canning of salmon for commercial purposes which may be operated during the year 1943 under the terms of this order.

(6) "Canning salmon for commercial purposes" means the process of packing salmon for the purpose of sale in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(c) *Salmon canning for commercial purposes prohibited in the Territory of Alaska except as herein provided.* No person shall engage in canning salmon for commercial purposes in the Territory of Alaska, including all coastal and tributary waters thereof over which the United States has jurisdiction, after the effective date of this order and prior to January 1, 1944, unless specifically authorized by this order or by the order of the Fishery Coordinator, and upon compliance with such directions, orders, and regulations as he may from time to time prescribe. Until otherwise ordered by the Fishery Coordinator, any person named in Schedule A hereof may engage in canning salmon, during the period herein prescribed, in the nucleus plant set forth opposite his name in the schedule. No person named in Schedule A, unless otherwise ordered by the Fishery Coordinator, shall operate, either singly or in conjunction with any other person, in the nucleus plant so assigned to such person or persons more than the number of lines set forth in the schedule opposite the name of such nucleus plant.

SCHEDULE A

I—BRISTOL BAY

Name of person	Nucleus plant	Number of lines
(1) Pacific American Fisheries, Inc., Naknek and Pacific American Fisheries, Inc., Nornek.	Pacific American Fisheries, Inc., Naknek.	3
(2) Nakat Packing Corp., Kvichak, and Intercoastal Packing Co., Floating.	Nakat Packing Corp., Kvichak.	3
(3) Libby, McNeill & Libby, Koggiung, and Libby, McNeill & Libby, Libbyville.	Libby, McNeill & Libby, Koggiung.	4
(4) Alaska Packers Assn., Naknek (NN), and Alaska Packers Assn., Naknek (M).	Alaska Packers Assn., Naknek (NN).	4
(5) Alaska Packers Assn., Kogglung (J), and Alaska Packers Assn., Coffee Creek (X).	Alaska Packers Assn., Koggiung (J).	
(6) Red Salmon Canning Co., Naknek, and Alaska Salmon Co. (2 canneries), Peterson Point.	Red Salmon Canning Co., Naknek.	4
(7) Columbia River Packers Assn., Naknek, and Libby, McNeill & Libby, Libbyville.	Columbia River Packers Assn., Naknek.	3
(8) Pacific American Fisheries, Inc., Snag Point.	Pacific American Fisheries, Inc., Snag Point.	1
(9) Libby, McNeill & Libby Ekuk, and Columbia River Packers Assn., Combine Creek.	Libby, McNeill & Libby, Ekuk.	3
(10) Alaska Packers Assn., Clark Point, and Alaska Salmon Co., Wood River.	Alaska Packers Assn., Clark Point.	3
(11) Red Salmon Canning Co., Ugashik, and Alaska Packers Assn., Ugashik.	Red Salmon Canning Co., Ugashik.	1

II—ALASKA PENINSULA

(1) Pacific American Fisheries, Inc., Squaw Harbor; Alaska Pacific Salmon Co., Sand Point; Alaska Native Consolidated Canning Co., Sand Point.	Pacific American Fisheries, Inc., Squaw Harbor.	8
(2) P. E. Harris & Co., False Pass; Pacific American Fisheries, Inc., King Cove.	P. E. Harris & Co., False Pass.	2
(3) P. E. Harris & Co., False Pass; Pacific American Fisheries, Inc., King Cove.	Pacific American Fisheries, Inc., King Cove.	3
(4) Peninsula Packing Co., Port Moller; Pacific American Fisheries, Inc., Port Moller.	Peninsula Packing Co., Port Moller.	1

III—CHIGNIK

(1) Alaska Packers Assn., Chignik; Chignik Packing Co., Chignik.	Alaska Packers Assn., Chignik.	2

IV—KODIAK—AFOGNAK

(1) Pacific American Fisheries, Inc., and Alaska Packers Assn., Alitak Bay; Far North Packing Co., Moser Bay.	Pacific American Fisheries, Inc., and Alaska Packers Assn., Alitak.	2
(2) San Juan Fishing and Packing Co., Uganik; Uganik Fisheries, Inc., Uganik.	San Juan Fishing & Packing Co., Uganik.	2
(3) Kodiak Fisheries Co., Port Bailey.	Kodiak Fisheries Co., Port Bailey.	2

SCHEDULE A—Continued

IV—KODIAK—AFOGNAK—Continued

Name of person	Nucleus plant	Number of lines
(4) Kodiak Fisheries Co., Shearwater.	Kodiak Fisheries Co., Shearwater.	1
(5) Frank McConachy Co., Inc., Kodiak.	Frank McConachy Co., Inc., Kodiak.	1
(6) Washington Fish & Oyster Co., Port Williams.	Washington Fish & Oyster Co., Port Williams.	1
(7) Grimes Packing Co., Onzinkie.	Grimes Packing Co., Onzinkie.	1
(8) Parks Canning Co., Uyak Bay; Alaska Red Salmon Packers, Carmel.	Parks Canning Co., Uyak Bay.	1
(9) Sandvik Hand Cannery, Uganik.	Sandvik Hand Cannery, Uganik.	1

V—COOK INLET

(1) Libby, McNeill & Libby, Kenai.	Libby, McNeill & Libby, Kenai.	2
(2) Emard Packing Co., Anchorage.	Emard Packing Co., Anchorage.	2
(3) General Fish Co., Anchorage.	General Fish Co., Anchorage.	1
(4) Kodiak Island Fish, Trading & Packing Co., Seldovia.	Kodiak Island Fish, Trading & Packing Co., Seldovia.	1
(5) Cook Inlet Packing Co., Seldovia.	Cook Inlet Packing Co., Seldovia.	1
(6) Fidalgo Island Packing Co., Port Graham.	Fidalgo Island Packing Co., Port Graham.	1
(7) Snug Harbor Packing Co., Snug Harbor.	Snug Harbor Packing Co., Snug Harbor.	1
(8) Alaska Year Round Canneries, Seldovia.	Alaska Year Round Canneries, Seldovia.	1
(9) Port Chatham Packing Company, Portlock.	Port Chatham Packing Co., Portlock.	1
(10) Alfred Jones, Homer.	Alfred Jones, Homer.	1
(11) Berry Packing Company, Kenai.	Berry Packing Co., Kenai.	1

VI—RESURRECTION BAY

(1) Hagen & Company, Seward.	Hagen & Co., Seward.	1

VII—PRINCE WILLIAM SOUND

(1) New England Fish Co., Cordova; Central Alaska Packing Co., Shepard Point; W. R. Gilbert Co., Whitshed; G. P. Halferty, Inc., Cordova; Pioneer Sea Foods, Cordova.	New England Fish Co., Cordova; Pioneer Sea Foods, Cordova.	2 1
(2) Copper River Packing Co., Port Nellie Juan; Ellamar Packing Co., Ellamar.	Copper River Packing Co., Port Nellie Juan.	2
(3) San Juan Fishing & Packing Co., Port San Juan; Port Ashton Packing Co., Port Ashton.	San Juan Fish & Packing Co., Port San Juan.	2
(4) Herman J. Soniag, Dayville.	Herman J. Soniag, Dayville.	1
(5) Copper River Cooperative Company.	Copper River Cooperative Co.	1
(6) Crystal Falls Fish Company, Mountain Slough.	Crystal Falls Fish Co., Mountain Slough.	
(7) Gulf Packing Company, Cordova.	Gulf Packing Co., Cordova.	1

VIII—YAKUTAT

(1) Libby, McNeill & Libby, Yakutat.	Libby, McNeill & Libby, Yakutat.	2

SCHEDULE A—Continued

IX—ICY STRAIT

Name of person	Nucleus plant	Number of lines
(1) Burnett Inlet Salmon Co., Elfin Cove; Cape Cross Salmon Co., Pelican City.	Burnett Inlet Salmon Co., Elfin Cove.	1
(2) Icy Strait Salmon Co., Hoonah.	Icy Strait Salmon Co., Hoonah.	0
(3) Astoria & Puget Sound Canning Co., Excursion Inlet; Pacific American Fisheries, Excursion Inlet.	Astoria & Puget Sound Canning Co., Excursion Inlet.	3
(4) Haines Packing Co., Letnikof Cove.	Haines Packing Co., Letnikof Cove.	1
(5) Juneau Packing Company, Idaho Inlet.	Juneau Packing Co., Idaho Inlet.	1

X—WESTERN DISTRICT

(1) Sitka Fish Company, Sitka.	Sitka Fish Co., Sitka.	1
(2) Todd Packing Co., Todd.	Todd Packing Co., Todd.	1
(3) New England Fish Co., Chatham; Hood Bay Canning Co., Hood Bay.	New England Fish Co., Chatham.	2
(4) Superior Packing Co., Tenakee; Salt Sea Fisheries, Tenakee.	Superior Packing Co., Tenakee.	2
(5) P. E. Harris & Co., Hawk Inlet	P. E. Harris & Co., Hawk Inlet.	2

XI—EASTERN DISTRICT

(1) Libby, McNeill & Libby, Taku.	Libby, McNeill & Libby, Taku.	1
(2) P. E. Harris & Co., Kake.	P. E. Harris & Co., Kake.	2
(3) Douglas Fisheries Inc., Douglas.	Douglas Fisheries Inc., Douglas.	1
(4) Burnett Inlet Salmon Co. Saginaw Bay	Burnett Inlet Salmon Co., Saginaw Bay.	1
(5) Sebastian Stuart Fish Co., Tyee.	Sebastian Stuart Fish Co., Tyee.	1
(6) Pacific American Fisheries, Inc., Petersburg.	Pacific American Fisheries, Inc., Petersburg.	2
Dean C. Kayler, Scow Bay; Alaska Glacier Sea Food, Petersburg; Fidalgo Island Packing Co., Pillar Bay	Fidalgo Island Packing Co., Pillar Bay.	2

XII—WEST COAST DISTRICT

(1) Hydaburg Canning Co., Hydaburg.	Hydaburg Canning Co. Hydaburg.	1
(2) Nakat Packing Corp., Waterfall.	Nakat Packing Corp., Waterfall.	2
(3) Peratrovich & Son Packing Co., Klawock; Craig Packing Co., Craig.	Peratrovich & Son Packing Co., Klawock.	1
(4) Libby, McNeill & Libby, Craig; New England Fish Co., Noyes Island.	Libby, McNeill & Libby, Craig.	2
(5) Bellingham Canning Co., Klawock.	Bellingham Canning Co., Klawock.	1

XIII—KETCHIKAN-WRANGELL

(1) Northern Packing Co., Ketchikan; Wards Cove Packing Co., Wards Cove; Balcom-Payne Co., Ketchikan.	Wards Cove Packing Co., Wards Cove.	2
(2) P. E. Harris & Co., Rose Inlet; P. E. Harris & Co., Sunny Point; Beegle Packing Co., Ketchikan.	P. E. Harris & Co., Sunny Point.	2
(3) New England Fish Co., Ketchikan; Libby, McNeill & Libby, George Inlet.	New England Fish Co., Ketchikan.	2

SCHEDULE A—Continued

XIII—KETCHIKAN-WRANGELL—Continued

Name of person	Nucleus plant	Number of lines
(4) Fidalgo Island Packing Co., Ketchikan; Nakat Packing Corp., Union Bay; Nakat Packing Corp., Hidden Inlet.	Fidalgo Island Packing Co., Ketchikan; Nakat Packing Corp., Hidden Inlet.	2
(5) Annette Island Canning Co., Metlakatla; Balcom-Payne Co., Ketchikan.	Annette Island Canning Co., Metlakatla.	3
(6) Pacific American Fisheries, Inc., Kaasan.	Pacific American Fisheries, Inc., Kaasan.	2
(7) Whiz Packing Co., Ketchikan; Ketchikan Packing Co., Ketchikan; Independent Salmon Canneries, Ketchikan.	Ketchikan Packing Co., Ketchikan.	2
(8) A. R. B. Packing Co., Wrangell; Alaska Co., Wrangell; Burnett Inlet Salmon Co., Burnett Inlet.	Farwest Alaska Co., Wrangell.	2

(d) *Restrictions applicable to specific persons named in Schedule A.* (1) Each of the nucleus plants designated in Schedule A as "Alaska Packers Association, Koggiung (j)," "Libby, McNeil and Libby, Ekuk," and "Alaska Packers Association, Clark Point," shall operate one of the lines assigned to it at a rate not exceeding 150 cans per minute.

(2) Each of the nucleus plants designated in Schedule A as "Astoria and Puget Sound Canning Company, Excursion Inlet," and "Haines Packing Co., Letnikof Cove," shall operate one of the lines assigned to it exclusively for the packing of one-half pound cans.

(3) The nucleus plant designated in Schedule A as "P. E. Harris and Co., False Pass" shall not be operated after July 9, 1943, and the nucleus plant designated in Schedule A as "Pacific American Fisheries, Inc., King Cove" shall not be operated on or before July 9, 1943.

(e) *Agreements between persons named in Schedule A.* (1) Duplicate copies of all agreements entered into between persons named in Schedule "A" providing for the use in common of nucleus plants, lines, and other facilities, must be filed with the Office of Fishery Coordination, Department of the Interior, when required by the Fishery Coordinator. The Fishery Coordinator may review any agreement and shall have the right to disapprove it if its terms and conditions are deemed not to be in the public interest.

(2) Where any persons named in Schedule "A" are unable to reach a mutually fair and equitable agreement providing for the use in common of nucleus plants, lines, and other facilities, the Fishery Coordinator shall have the right, after reviewing all of the pertinent facts submitted by the interested persons and other available information, to prescribe an agreement which will protect adequately the rights of the persons affected thereby.

(f) *Petition for relief.* (1) Any person subject to this order who finds that compliance herewith is impracticable and would tend to create an unreasonable burden without facilitating the production of canned salmon in the Territory of Alaska may file with the Fishery Coordinator a petition in writing for appropriate relief. Such petition should be filed in triplicate and contain a full showing of all the pertinent facts and the nature of the relief sought. The Fishery Coordinator shall thereupon take such action on the petition as he may deem appropriate, and any decision rendered shall be final and binding upon the petitioner.

(2) Any person not named in Schedule A of this order who believes that his name should properly be included therein may file with the Fishery Coordinator a petition in writing for appropriate relief. The petition should conform with the requirements prescribed in the preceding paragraph (1) and any decision rendered by the Fishery Coordinator shall likewise be final and binding upon the petitioner.

(g) *Custom canning.* Any person, owning salmon, who hires a person designated in Schedule A to can the salmon for commercial purposes shall not be deemed to be engaged in canning salmon for commercial purposes within the meaning of this order, but the person who performs such services shall be deemed to be so engaged.

(h) *Audits and inspections.* Every person subject to this order shall, upon the request of the Fishery Coordinator or his duly authorized representative, permit inspections at all reasonable times of the stocks of canned salmon and the facilities used in his business, and shall also make available for inspection and audit all of his books, records, and accounts.

(i) *Records and reports.* Every person subject to this order shall maintain the books, records, and accounts of his business for at least two years after December 31, 1943 (or for such other periods of time as the Fishery Coordinator may provide), and shall execute and file such reports and submit such information as the Fishery Coordinator may deem necessary to accomplish the purpose of this order.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or Agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, and such further action may be taken against him as the Fishery Coordinator deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Office of Fishery Coordination, United States Department of the Interior, Washington, D. C.

(l) *Fishing regulations.* The provisions of this order are not to be construed as permitting fishing for salmon in violation of any order or regulation promulgated by the Department of the Interior.

(m) *Orders and regulations.* The Fishery Coordinator may issue such directions, orders, or regulations as he may deem necessary to accomplish the purposes of this order.

(n) *Authority of Deputy Fishery Coordinator.* For the purpose of this order, the functions, duties, and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator.

(o) *Effective date.* This order shall become effective immediately.

Issued this 3d day of March 1943.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-3573; Filed, March 5, 1943; 5:06 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-354]

HOMER MICHAEL

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore, by order of the Director, dated February 6, 1943, scheduled for hearing at 10 o'clock in the forenoon of March 11, 1943, at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, It is ordered, That the hearing in the above-entitled matter be, and the same hereby is, postponed from 10 o'clock in the forenoon of March 11, 1943 to 10 o'clock in the forenoon of March 18, 1943 at the place aforesaid and before the officer or officers previously designated to preside.

Dated: March 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3562; Filed, March 6, 1943; 11:24 a. m.]

[Docket No. B-350]

EARL M. READ

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore, by Order of the Director, dated February 6, 1943, scheduled for hearing on March 13, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, It is ordered, That the hearing in the above-entitled matter be, and the same hereby is, postponed from 10 o'clock in the forenoon of March 13, 1943, to 11 o'clock in the forenoon of March 16, 1943, at the place and before the officer heretofore designated.

Dated: March 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3561; Filed, March 6, 1943; 11:24 a. m.]

[Docket No. 1516-FD]

STONE MINING COMPANY, INC.

ORDER REOPENING MATTER AND NOTICE OF AND ORDER FOR HEARING

The above-entitled proceeding having been instituted upon a complaint duly filed with the Bituminous Coal Division (the "Division") on January 13, 1941, by the Bituminous Coal Producers Board for District No. 11, alleging that Stone Mining Company, Inc., a code member, had wilfully violated the Bituminous Coal Act of 1937 (the "Act"), the Bituminous Coal Code (the "Code"), or rules and regulations promulgated thereunder, and praying that the Division enter an order directing the said code member to cease and desist from violations of the Code and minimum prices established thereunder, and take such other and further action as the Division may deem just and proper; and

A hearing on the complaint having been scheduled by Notice of and Order for Hearing, entered herein on January 31, 1941 and said hearing having been held before a duly authorized Examiner of the Division on March 10, 1941, after which hearing opportunities were given to the said code member to file briefs and to request oral argument before the Director; and

The Examiner's Report in this matter having been waived by the parties and thereafter the Director having issued herein on August 22, 1941 an Order enjoining and restraining the said code member, its officers, representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act in its behalf or interest from selling coal produced by the said code member at less than the applicable effective minimum prices established therefor, contrary to the said Act or any rules or regulations promulgated thereunder; and

Information in the possession of the Division indicating that the said code member has failed to comply with the Bituminous Coal Act and rules and regulations thereunder, in that it or its agents, servants, employees, officers, or representatives or persons acting or claiming to act in its behalf or interest, have sold coal produced by such persons at prices less than the applicable minimum prices established for such coal in disregard of the said Order entered herein on August 22, 1941; and

It appearing necessary in the proper administration of the Act to reopen the above-entitled matter pursuant to the provisions of section 5 (b) of the Act;

Now, therefore, it is ordered, That the above-entitled matter be, and it hereby is, reopened for the purpose of taking evidence to determine whether the above-named code member, its officers, representatives, agents, servants, employees, attorneys, or persons acting or claiming to act in its behalf or interest, have failed to comply with the said order entered herein on August 22, 1941, and whether, upon the basis of the violations alleged in the complaint as well as upon the indicated violations hereinafter referred to, an order should be entered herein revoking the membership of such code member in the Code and its right to an exemption from the taxes imposed by section 3 (b) of the Act (section 3520 of the Internal Revenue Code).

It is further ordered, That a hearing with respect to any failure to comply with the said Order dated August 22, 1942, shall be held on March 18, 1943, at 10 o'clock a. m. at a hearing room of the Bituminous Coal Division at Daviess Circuit Court Owensboro, Kentucky.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence and to continue said hearing from time to time and to such places as he may direct by announcement at said hearing, or any adjourned hearing, or by subsequent notice and to prepare and submit proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Stone Mining Company, Inc., and to all other parties herein, and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in proceedings instituted pursuant to section 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date herein set for hearing on the reopened matter.

The matter concerned herewith is in regard to whether the Stone Mining Company, Inc., or its officers, representatives, agents, servants, employees, attorneys, or all persons acting or claiming to act in its behalf or interest, failed to comply with the order entered herein on August 22, 1941, in that said persons sold approximately 5314.96 net tons of coal produced at the S & S Mine, Mine Index No. 810, in District No. 11, operated by or on behalf of Stone Mining Company, Inc., to the McCurdy Hotel, Evansville, Indiana, during the period from March 1, 1941 to September 30, 1942, at prices ranging from $1.12 to $1.75 per net ton f. o. b. destination, whereas the applicable minimum price for such coal ranged from $1.40 per net ton to $1.70 per net ton, to which price there should have been added a cost as nearly

as practicable to the actual charge for transportation, handling, or incidental charges of whatsoever kind or character from the mine to the point where such charges were assumed and directly paid by the purchaser as required by Price Instruction No. 5 of the Schedule of Effective Minimum Prices for District No. 11, for Truck Shipments.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3630; Filed, March 8, 1943; 10:53 a. m.]

[Docket No. B-280]

KIRKPATRICK COAL CO.

ORDER EXTENDING TIME, ETC.

Order extending time within which to file application based upon admissions for disposition of compliance proceeding without formal hearing, extending time to file answer, and postponing hearing.

In the matter of Kirkpatrick Coal Company, registered distributor, registration No. 5103.

The above-entitled matter having been heretofore scheduled for hearing on March 17, 1943, at a hearing room of the Bituminous Coal Division (the "Division"), at Room 306 Post Office Building, Memphis, Tennessee, by a Notice of and Order for Hearing issued herein on February 9, 1943; and

An application dated February 26, 1943 having been filed on March 1, 1943 with the Division by the said registered distributor, requesting that (1) the time within which it may file with the Division an application pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division for disposition of this proceeding without formal hearing, be extended until March 15, 1943; (2) the time within which it may file its answer herein be extended to April 1, 1943; and (3) that the hearing herein be postponed to a time hereafter to be determined by the Director after the said answer has been filed; and

It appearing to the Director that good cause having been shown for the granting of said application in part as hereinafter provided:

Now, therefore, it is ordered, That the time within which the said registered distributor may file its application in the above-entitled matter, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division, be, and the same hereby is, extended to and including March 15, 1943; and

It is further ordered, That the time within which the said registered distributor may file its answer in the above-entitled matter be, and the same hereby is, extended to and including March 19, 1943; and

It is further ordered, That the said hearing in the above-entitled matter be, and the same hereby is, postponed to a time and place to be hereafter designated by an appropriate order; and

Notice is hereby given that the above-entitled matter may, in the discretion of the Director, be rescheduled for hearing at any time after March 19, 1943 upon ten days written notice.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3631; Filed, March 8, 1943; 10:53 a. m.]

General Land Office.

[Public Land Order 93]

UTAH

ORDER WITHDRAWING PUBLIC LAND FOR USE IN CONNECTION WITH PROSECUTION OF WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C. title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use in connection with the prosecution of the war:

SALT LAKE MERIDIAN

T. 16 S., R. 14 E., Sec. 9, SW¼NE¼.

The area described contains 40 acres.

The order of the Secretary of the Interior of May 7, 1935, establishing Utah Grazing District No. 7, is hereby modified to the extent necessary to permit the use of the land as herein provided.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 27, 1943.

[F. R. Doc. 43-3627; Filed, March 8, 1943; 10:21 a. m.]

[Air-Navigation Site Withdrawal 199]

UTAH

ORDER WITHDRAWING LAND FOR AIRPORT

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), and section 1 of the act of June 28, 1934, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands in Utah are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, as a site for an airport and access road, the reservation to be known as Air-Navigation Site Withdrawal No. 199:

SALT LAKE MERIDIAN

T. 7 N., R. 17 W.,
Sec. 6, lots 1, 2, 3, 4, 5, 6, S½NE¼, SE¼NW¼, and NE¼SW¼.

The areas described aggregate 418.34 acres.

This order shall take precedence over, but shall not rescind or revoke, the order of the Secretary of the Interior dated April 8, 1935, establishing Grazing District No. 1, Utah.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 22, 1943.

[F. R. Doc. 43-3628; Filed, March 8, 1943; 10:21 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 8, 1943. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Division of the Apparel Industry

Anthracite Shirt Company, 1 South Franklin Street, Shamokin, Pennsylvania; Work shirts and dress shirts; 10 percent (T); March 8, 1944.

The Berkley Company, N. E. Cor. 11th & Washington Avenue, Philadelphia, Pennsylvania; Neckwear, mattress covers, wool shirts, cotton shirts; 10 learners (T); March 8, 1944. (This certificate replaces the one you now have for five learners bearing the expiration date of February 8, 1944.)

Michael Berkowitz Co., Inc., Uniontown, Pennsylvania; Men's shirts and pajamas; 10 percent (T); March 8, 1944.

Crystal Springs Shirt Corporation, Crystal Springs, Mississippi; Men's shirts; 10 percent (T); March 8, 1944.

The Fitz Overall Company, 832 Commercial Street, Atchison, Kansas; Overalls, and jackets, pants and blankets, lined jackets; 10 learners (T); March 8, 1944.

Franklin Frocks, Incorporated, Trevorton, Pennsylvania; Rayon wash dresses; 58 learners (E); September 8, 1943.

James S. Fuller, Incorporated, 45 Pine Grove Avenue, Kingston, New York; Men's dress Army and Navy shirts; 10 learners (T); March 8, 1944.

Gem Undergarment Company, Incorporated, Slatedale, Pennsylvania; Ladies' slips; 10 percent (T); March 8, 1944.

Parkesburg Dress Company, Parkesburg, Pennsylvania; Ladies' cotton dresses; 10 learners (T); March 8, 1944.

Practical Frocks, Incorporated, 1004 Elizabeth Avenue, Elizabeth, New Jersey; Cotton housecoats and dresses; 10 percent (T); March 8, 1944.

Reliance Manufacturing Company, South Magnolia Street, Laurel, Mississippi; Navy shirts, work shirts and pants; 70 learners (E); July 8, 1943.

Reliance Manufacturing Company, Mobile and Grady Streets, Montgomery, Alabama; U. S. Navy shirts, work shirts; 50 learners (E); July 8, 1943.

Smith Brothers Manufacturing Company, 4th and Francis Streets, St. Joseph, Missouri; Overalls, work pants, wool Army pants and work coats; 10 percent (T); October 26, 1943. (This certificate replaces the one stating "no learners may be employed on Government work.")

Southland Manufacturing Company, 741 Florida Avenue, Jacksonville, Florida; Shirts and pants; 10 percent (T); March 8, 1944.

The Spaide Shirt Co., 165 Brugh Avenue, Butler, Pennsylvania; Field jackets, batik blouses, wool shirts; 10 percent (T); March 8, 1944.

Stephens Garment Company, 122-124 Railroad Street, Toccoa, Georgia; Army and work trousers; 10 percent (T); March 8, 1944.

Topps Manufacturing Company, Rochester, Indiana; Coveralls, work pants and shirts; 10 percent (T); March 8, 1944.

Victory Manufacturing Company, Englewood, Tennessee; Children's shirts and sportswear; 22 learners (E); July 8, 1943.

Louis Zupnick, New Freedom, Pennsylvania; Children's dresses; 8 learners (T); March 8, 1944.

Gloves Industry

Gloversville Knitting Company, Beaver Street, Gloversville, New York; Knit wool gloves; 5 learners (T); March 8, 1944.

Hosiery Industry

Athens Hosiery Mills, Incorporated, Telico Avenue, Athens, Tennessee; Seamless hosiery; 5 percent (T); March 8, 1944.

Commonwealth Hosiery Mills, Randleman, North Carolina; Seamless hosiery; 5 percent (T), March 8, 1944.

Thomas Mills, Incorporated, 319 Mallory Street, High Point, North Carolina; Seamless hosiery; 5 percent (T); March 8, 1944.

Propper-McCallum Hosiery Company, Incorporated, 136 West Street, Northampton, Massachusetts; Full-fashioned hosiery; 5 percent (T); March 8, 1944.

Knitted Wear Industry

Leininger Knitting Mills, Orwigsburg, Pennsylvania; Underwear and outerwear; 5 learners (T); March 8, 1944.

Textile Industry

Aristocrat Narrow Fabric Company, 5600 Tacony Street, Philadelphia, Pennsylvania; Tapes and webbings; 3 learners (T); March 8, 1944.

Cleveland Silk Mills, Incorporated, 38th Street, Cleveland, Tennessee; Rayon; 20 learners (E); September 8, 1943.

Dwight Manufacturing Company, Alabama City, Alabama; Cotton; 3 percent (T); March 8, 1944.

Cigars Industry

General Cigar Company, Shenandoah, Pennsylvania; Cigars; 42 learners (E); Hand cigar makers for a learning period of 960 hours and packers for a learning period of 320 hours at 75% of the applicable minimum wage until September 7, 1943.

Signed at New York, N. Y., this 6th day of March, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3624; Filed, March 8, 1943; 9:33 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

LOUIS GALLET KNITTING MILLS AND HILLSDALE MFG. CO.

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 8, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

Name and address of firm, product, number of learners. Learning period, learner wage, learner occupations, expiration date

Louis Gallet Knitting Mills, Penn-Craft, East Millsboro, Pennsylvania; Knitted outerwear; 10 learners (E); Operator on hand knitting machine for a learning period of 160 hours at 30¢ per hour until June 8, 1943.

Hillsdale Manufacturing Company, Frankfort, Indiana; Canvas leggings; 90 learners (E); Machine operator for a learning period of 320 hours at 30¢ per hour until September 8, 1943.

Signed at New York, N. Y., this 6th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3625; Filed, March 8, 1943; 9:33 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4876]

BERLOU MANUFACTURING COMPANY

CORRECTED ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of March, A. D. 1943.

In the matter of Bernhardt Peterson, individually and trading as Berlou Manufacturing Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That Lewis C. Russell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 16, 1943, at ten o'clock in the forenoon of that day (eastern

standard time) in Room 17, Federal Building, Marion, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] A. N. Ross,
Acting Secretary.

[F. R. Doc. 43-3632; Filed, March 8, 1943; 11:06 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[General Order 47]

Delegation of Authority To Act for the Administrator

Authorization of Director for Alaska

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125,[1] Executive Order No. 9280,[2] Food Distribution Administration Food Directive No. 3, and Food Directive No. 4, War Production Board Directive No. 1 and all applicable supplemenetary directives thereto now or hereafter issued, the following order is prescribed.

(a) The Director of the Office of Price Administration for the Territory of Alaska is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all food and all other material in the Territory of Alaska;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

(c) The authority delegated hereby shall not include the power or authority to ration farm machinery and equipment. As used herein the term farm machinery and equipment shall have the same meaning as is given it in paragraph (b) of War Production Board Supplementary Directive No. 1-K.

Issued and effective this 5th day of March 1943.

Prentiss M. Brown,
Administrator.

[F. R. Doc. 43-3526; Filed, March 5, 1943; 3:25 p. m.]

[General Order 48]

Delegation of Authority to Act for the Administrator

Authorization of Director for Hawaii

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125,[1] Executive Order No. 9280,[2] Food Distribution Administration Food Directive No. 3, and Food Directive No. 4, War Production Board Directive No. 1 and all applicable supplementary Directives thereto now or hereafter issued, the following order is prescribed:

(a) The Director of the Office of Price Administration for the Territory of Hawaii is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all food and all other material in the Territory of Hawaii;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

(c) The authority delegated hereby shall not include the power or authority to ration farm machinery and equipment. As used herein the term farm machinery and equipment shall have the same meaning as is given it in paragraph (b) of War Production Board Supplementary Directive No. 1-K.

Issued and effective this 5th day of March 1943.

Prentiss M. Brown,
Administrator.

[F. R. Doc. 43-3528; Filed, March 5, 1943; 3:25 p. m.]

[Administrative Exception Order 1 Under Ration Orders 6 and 13]

Willmark Service System, Inc.

Order Granting Exception

Administrative Exception Order No. 1 Under General Ration Order 6 (War Ration Book Two) and Ration Order 13 (Processed Foods).

The Willmark Service System, Inc., is a business enterprise engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the client's salesclerks. The method used involves the making of a complete purchase of an article and observing the actions of the salesclerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client in a way to prevent revealing to the client's employees the identity of the individual making the test. The corporation, through its employees, normally makes 31,000 test purchases of processed food each year. The Willmark Service System, Inc., requests authority to secure ration currency to enable it to continue to make test purchases of processed foods in the course of its business.

The granting of the request in this and all similar cases would not defeat or impair the effectiveness of the policy of the ration order because it would not increase the quantity of processed foods withdrawn from civilian supply.

It is hereby ordered, That Willmark Service System, Inc., of 250 West 57th Street, New York, New York, is authorized to receive from the Office of the Executive Officer for Rationing, Office of Price Administration, Washington, D. C., War Ration Book Two which its employees may use to make purchases of processed foods in the manner otherwise permitted by Ration Order 13.[1] Willmark Service System, Inc., must open a processed foods ration bank account at a bank in which it has a dollar checking account, in accordance with the provisions of General Ration Order 3A.[2]

As soon as practical after making a purchase of processed foods, Willmark Service System, Inc., shall return the processed foods to the client from whom the rationed commodity was purchased. Upon the return of the processed foods, the client shall issue to the Willmark Service System, Inc., a ration check for the points represented by the stamps given for the processed foods so returned. The Willmark Service System, Inc., shall deposit in its processed foods ration bank account all such ration checks and, at the end of each ration period, all unused blue ration stamps that were valid during the concluded period. Willmark Service System, Inc., shall not use the War Ration Books Two issued to it under this to acquire processed foods from any person who does not have a processed foods ration bank account. Within 10 days after the end of each ration period, Willmark Service System, Inc., must issue to the Executive Officer for Rationing, Office of Price Administration, Washington, D. C., a certified ration check equal in value to the total processed foods points available to the Willmark Service System, Inc., for use (in purchasing processed foods) during that ration period. Willmark Service System, Inc., will be held strictly accountable for any discrepancy between the processed food points available to it for use during any ration period and the points represented by the certified ration check which it must surrender to the Office of Price Administration after the close of the period. The Willmark Service System, Inc., and each of its clients shall keep complete records of the transactions entered into under this order and the records shall show the points received, the processed foods purchased and returned, the ration checks issued, and the date of each transaction. The only stamps in War Ration Book Two valid at the present time are the blue stamps. When the red stamps are validated for the rationing of other commodities, Willmark Service System, Inc., must open a ration bank account for those commodities. Willmark Service System, Inc., must deposit in that ration bank account, at the end of each ration period, the red ration stamps that were valid during the concluded period. Within 10 days after the end of each ration period (for the commodities for which the red stamps will be used) Willmark Service System, Inc., must issue to the Executive Officer for Rationing, Office of Price Administration, Washington, D. C., a certified ration check equal in value to the total point value of the red stamps, valid for that ration period, in the War Ration Books Two issued to Willmark Service System, Inc. Willmark Service System, Inc., will be held strictly accountable for any discrepancy between the points for any ration period, represented by the red stamps in the War Ration Book Two issued to them, and the points represented by the certified check drawn on its commodity ration bank account and surrendered to the Office of Price Administration after the close of the period.

It is hereby further ordered, That any other person similarly situated may be authorized on similar conditions to open a ration bank account and to be issued War Ration Books Two. Such authority may be granted in writing by the Director of the Food Rationing Division, Office of Price Administration, Washington, D. C.

This order shall become effective March 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub Laws 89, 421, 507 and 729, 77th Cong; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive No. 1, 7 F.R. 562)

Issued this 5th day of March 1943.

Paul M. O'Leary,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-3527; Filed, March 5, 1943; 3:22 p. m.]

[Order 5 Under Rev. MPR 125]

Forest Hill Foundry Company

Adjustment of Maximum Price

Order No. 5 under Revised Maximum Price Regulation No. 125—Nonferrous Castings—Docket No. 3125-5.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Forest Hill Foundry Co. of Newark, New Jersey may sell and deliver to the persons specified below and said persons may buy and receive from The Forest Hill Foundry Co. of Newark, New Jersey the nonferrous castings described and listed adjacent to their names at prices not higher than those specified:

Customers	Castings	Price in cents per pound
Acme Gauge & Instrument Co.	All cored castings	32
	All uncored castings	31½
Anaconda Wire & Cable Co.	All bronze castings	32½
Franklin Machine Products Co.	All copper castings	36
	Gun metal shapes	47
	All castings	31½
Mueller Steam Specialty Co., Inc.	All bonnets	30
	All other castings	32½
	85-5-5-5 Bushings	26½
	All other 85-5-5-5 castings	31½
E & H Bearing & Manufacturing Co.	8-10-2 and 80-10-10 castings	34
American Gas Accumulator Co.	Patterns No. 234; 359; 1084; 2359; 2361	30½
	74; 101; 270; 272; 273; 574; 1226; 1260; 1261; 1262; 1264; 1884; 2288; 2455; 2456; 2308; 2309; 2482	31½
	60; 62; 82; 97; 1265; 2286; 2287; 2289; 2465; 2466; 975; 976	32½
	107; 228; 232; 239; 274; 1132; 1250; 1265; 1814; 1815; 1817; 1822	33½
	271; 410; 2468; 2469	34½
	1263	41½
	270; 272; 273—if gas tight	37½

(b) The maximum prices established by this Order No. 5 need not be reduced to comply with § 1395.15 (b) of Revised Maximum Price Regulation No. 125.

(c) All of the prayers of the petition not granted herein are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 5 shall become effective as of May 11, 1942.

Issued this 5th day of March 1943.

Prentiss M. Brown,
Administrator.

[F. R. Doc. 43-3522; Filed, March 5, 1943; 3:21 p. m.]

[Order 1 Under MPR 149]

Bauer and Black Division of the Kendall Company

Approval of Maximum Price

Order No. 1 Under § 1315.21a (e) of Maximum Price Regulation No. 149—Mechanical Rubber Goods.

On November 13, 1942, the Bauer and Black Division of the Kendall Company of Chicago, Illinois, asked for approval of a proposed method of determining maximum prices for various special tapes. On December 2, 1942, Amendment No. 3 to Maximum Price Regulation No. 149 was issued. This amendment became effective on December 8, 1942. Provision is made in this amendment for specific authorization of methods of determining maximum prices for articles which cannot be priced under any other provision of the regulation. Accordingly, the company's letter of November 13, 1942, has been treated as an application under that provision (paragraph (e) of § 1315.21a) of the regulation. Due consideration has been given to the application and an opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) This Order No. 1 is applicable to any pressure sensitive adhesive tape produced by the Bauer and Black Division of the Kendall Company, hereinafter referred to as the "manufacturer", the maximum price of which cannot be determined under paragraph (a) of § 1315.21a of Maximum Price Regulation No. 149.

(b) The maximum price of such tape shall be determined as follows: The manufacturer shall first determine the direct costs of the tape being priced. The direct costs are the sum total of direct labor and direct materials costs. These costs shall be determined in accordance with provisions of paragraph (a) (2) of § 1315.21a of Maximum Price Regulation No. 149. The manufacturer shall then determine his maximum price by multiplying this figure by 200%. *Provided,* That the maximum price shall not exceed 125% of total costs. Total costs shall be determined by using the bases and rates that the manufacturer used in determining those costs on October 1, 1941, at the volume of production in his plant on that date.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

Prentiss M. Brown,
Administrator.

[F. R. Doc. 43-3521; Filed, March 5, 1943; 3:24 p. m.]

[Amendment 1 to Order 36 Under MPR 188]

John Bruno

Authorization of Maximum Price

Amendment No. 1 to Order No. 36 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Authorization of a maximum price for crushed limestone manufactured by John Bruno.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 36, issued pursuant to § 1499.161 (a) of Maximum Price Regulation No. 188, is hereby amended to read as set forth below:

(a) On and after January 2, 1943, John Bruno, an individual located at Mechanicville, New York, is authorized

[1] 7 F.R. 2719.
[2] 7 F.R. 10179.

[1] 8 F.R. 1840, 2288.
[2] 8 F.R. 1130, 1449, 1963.

to sell, deliver and invoice crushed limestone to the West Virginia Pulp and Paper Company at Mechanicville, New York, at a price not in excess of $2.67 per net ton delivered.

(b) All prayers in the petition not granted herein are denied.

(c) John Bruno shall submit such reports to the Office of Price Administration as it may from time to time require.

(d) This Amendment No. 1 to Order No. 36 may be revoked or amended by the Price Administrator at any time.

(e) This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3525; Filed, March 5, 1943; 3:34 p. m.]

[Order 185 Under MPR 188]

E. S. SAUL COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 185 under § 1499.158 of Maximum Price Regulation No. 188[1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by E. S. Saul Company, 4500 Maynard Avenue, Seattle, Washington, of wood platform for single bed, child's play yard and floor, and child's full-sized crib.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) E. S. Saul Company, Seattle, Washington, may sell and deliver the articles listed herein at prices f. o. b. Seattle, Washington, no higher than those set forth below:

	Unpainted
#6000—Wood Platform for Single Bed	$3.90
#6001—Child's Play Yard and Floor	3.65
#6002—Child's Full-sized Crib	5.65

The above prices shall be subject to a 20% discount to jobbers and wholesalers, and terms 2% 20 days.

(b) This Order No. 185 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 185 shall become effective on the 6th day of March 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3531; Filed, March 5, 1943; 3:20 p. m.]

[Order 189 Under MPR 188]

WILLIAM E. SEITZ

APPROVAL OF MAXIMUM PRICE

Order No. 189 under § 1499.158 of Maximum Price Regulation No. 188[1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of a maximum price for sales by William E. Seitz of two furlough bags.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) William E. Seitz, Fourth and Brown Streets, Philadelphia, Pennsylvania, is authorized to sell and deliver a 15" Furlough Bag, manufactured by it, at a price no higher than $18.00 per dozen.

(b) William E. Seitz, Fourth and Brown Streets, Philadelphia, Pennsylvania, is authorized to sell and deliver a 18" Furlough Bag, manufactured by it, at a price no higher than $21.00 per dozen.

(c) This Order No. 189 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 189 to Maximum Price Regulation No. 188 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3532; Filed, March 5, 1943; 3:24 p. m.]

[Order 190 Under MPR 188]

FOLDING BAG COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 190 under § 1499.158 of Maximum Price Regulation No. 188[1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of a maximum price for sales by Folding Bag Company of its furlough bag.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is ordered:*

(a) Folding Bag Company, 1 Beekman Street, New York, New York, is authorized to sell and deliver a 16" Furlough Bag, manufactured by it, at a price no higher than $18.00 per dozen.

(b) This Order No. 190 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 190 to Maximum Price Regulation No. 188 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3533; Filed, March 5, 1943; 3:21 p. m.]

[Order 191 Under MPR 188]

THE LUCE CORPORATION

APPROVAL OF MAXIMUM PRICE

Order No. 191 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum price for sale by The Luce Corporation of wooden bedsteads.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Luce Corporation, 50 Wealthy Street, S. W., Grand Rapids, Michigan, is authorized to sell and deliver the wood bedstead described in letter of December 11 to the Office of Price Administration, Washington, D. C. at a price no higher than $9.44 F. O. B. factory. This price shall be subject to The Luce Corporation's customary discounts, allowances and price differential in effect during March, 1942.

(b) This Order No. 191 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 191 shall become effective on the 6th day of March 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3534; Filed, March 5, 1943; 3:22 p. m.]

[Order 2 Under MPR 193]

MARYLAND SPRINGS DISTILLERY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 2 under Maximum Price Regulation No. 193—Domestic Distilled Spirits.

Authorization of maximum price for "My Own" brand of domestic whiskey manufactured by Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery.

Edwin M. Fleischmann etc. doing business as Maryland Springs Distillery have made application under § 1420.13 (c) of Maximum Price Regulation No. 193 for determination of maximum prices for their "My Own Private Blend of Straight Whiskey," a brand of domestic whiskey hereinafter called "My Own" brand.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(a) On and after March 6, 1943, Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery, Havre De Grace, Maryland, may sell and deliver to any person and any person may buy and receive from Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery, "My Own" brand of domestic whiskey in cases of 12 bottles, each bottle containing ⅕ gallon of such whiskey, at prices not in excess of $22.84, f. o. b. distillery, plus the amount of $4.18, being the amount of the increased Federal excise tax of November 1, 1942.

(b) Any wholesaler and jobber may sell or deliver to any person and any person may buy and receive from such wholesaler or jobber "My Own" brand of domestic whiskey in cases of 12 bottles, each bottle containing ⅕ gallon of such whiskey, at prices not in excess of those computed by the wholesaler or jobber as follows:

(1) Add to the amount of $22.84, freight charges, if any, at the rate applicable in March 1942 from the distillery or freight base point from which shipment is made to the receiving point of the particular wholesaler or jobber.

(2) Add to the resulting figure at (1) the amount of any tax incident to the sale, delivery, processing or use of the domestic whiskey to be priced hereunder which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof in effect in March, 1942: *Provided*, That the amount of such tax has been paid or shall have accrued and shall be payable by the seller to the proper taxing authorities or to any prior vendor.

(3) Multiply the resulting figure at (2) by 1.18, or, in those states or subdivisions thereof where the markup of vendors of distilled spirits is fixed by a statute or ordinance in effect in March, 1942, by a figure which will produce a selling price for the particular vendor in accordance with the requirements of such statute or ordinance.

(4) Add to the resulting figure at (3) both the sum of $4.18, being the amount of the increased Federal excise tax of November 1, 1942; and the amount of any new or increased tax incident to the sale, processing or use of domestic whiskey which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof which became effective after March 31, 1942: *Provided*, That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authorities or to any prior vendor. The resulting amount shall be the particular wholesaler's or jobber's maximum price for "My Own" brand of domestic whiskey in cases of 12 bottles, each bottle containing ⅕ gallon of such whiskey.

(c) Any retailer may sell and deliver to any person and any person may buy and receive from such retailer "My Own" brand of domestic whiskey in bottles containing ⅕ gallon each of such whiskey at prices no higher than those computed by the retailer as follows:

(1) Multiply the resulting figure at (b) (3), as computed by the particular wholesaler or jobber from whom the retailer purchases such commodity, by 1.40, or, in those states or subdivisions thereof where the markup of vendors of distilled spirits is fixed by a statute or ordinance in effect in March, 1942, by a figure which will produce a selling price for the particular vendor in accordance with the requirements of such statute or ordinance.

(2) Add to the resulting figure at (1) the sum of $4.18, being the amount of the increased Federal excise tax of November 1, 1942; and the amount of any new or increased tax incident to the sale, processing and use of the domestic whiskey to be priced hereunder which is imposed upon the seller by any statute or ordinance of any State of subdivision thereof which became effective after March 31, 1942; *Provided*, That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authorities or to any prior vendor.

(3) Divide the resulting figure at (2) by the figure 12. The retailer shall adjust the figure thus arrived at to the next higher even cent if the fraction is ½ cent or over, and to the next lower even cent if the fraction is less than ½ cent.

(4) Multiply the resulting figure at (3) by the percentage rate of any State or local sales tax or similar tax imposed upon the retailer by any statute or ordinance of any State or subdivision thereof; *Provided*, That the amount thereof was separately stated and collected by the retailer in March, 1942, and the retailer now continues to state and collect the amount thereof separately. The resulting figure shall be rounded off to the nearest full cent in accordance with the practice of the seller in March, 1942, and added to the amount determined at (3). The resulting amount shall be the particular retailer's maximum price for "My Own" brand of domestic whiskey in bottles containing ⅕ gallon of such whiskey.

(d) On or before the first delivery of this commodity after the effective date hereof, Edwin M. Fleischmann, Betty S. Fleischmann and Mary Louise Lamm, doing business as Maryland Springs Distillery, shall notify all purchasers who buy for sale at wholesale of their maximum price established under paragraph (a), and shall make a separate statement of the amount of the increased Federal excise tax of November 1, 1942. Such notification shall be accomplished by attaching a true and exact copy of this order to the invoice issued by the seller in connection with the particular transaction. No notification shall be required after the first notification to any particular purchaser.

(e) On or before the first delivery of this commodity after the effective date hereof, all wholesalers and jobbers of this commodity shall notify retailer purchasers thereof of the wholesaler's or jobber's maximum price as established under paragraph (b); and they shall notify such retailers of the method for the computation of the retailer's maximum price as follows:

Our maximum price for "My Own" brand of domestic whiskey and the method whereby we have computed your maximum price for that brand is as follows:

1. Our maximum price per case of 12 fifths	$_____
2. Subtract increased Federal excise tax of November 1, 1942	$_____
3. Subtract increased State or local taxes after March 31, 1942	$_____
4. Base for computation of retailer's maximum price	$_____
5. Line 4 multiplied by 1.40 or statutory markup	$_____
6. Add increased Federal excise tax	$_____
7. Add increased State or local tax	$_____
8. Total	$_____
9. Divide line 8 by the figure 12	$_____
10. Add State or local sales tax or similar tax per bottle (if separately stated and collected by retailer in March, 1942 and which retailer now separately states and collects)	$_____
11. Retailer's maximum price per fifth	$_____

The figure at line 11 is your maximum price, including all taxes, per ⅕ gallon bottle for "My Own" brand of domestic whiskey in accordance with OPA Order No. 2 under Maximum Price Regulation No. 193. OPA requires you to keep this notice for examination.

No notification shall be required after the first notification unless the seller's maximum price shall be adjusted for a permitted tax increase pursuant to the provisions hereof.

(f) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 2 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3535; Filed, March 5, 1943; 3:20 p. m.]

[Order 7 Under RPS 20]

BELMONT SMELTING & REFINING WORKS, INC.

ORDER GRANTING EXCEPTION

Order No. 7 Under Revised Price Schedule No. 20, as Amended—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended,

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980.

[1] 7 F.R. 6872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980.

Executive Order No. 9250 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) Belmont Smelting & Refining Works, Inc. of Brooklyn, New York, may pay and any person may charge Belmont Smelting & Refining Works, Inc. the premiums for No. 1 Copper Wire, No. 1 Tinned Copper Wire, No. 1 Heavy Copper, or No. 2 Copper Wire and Mixed Heavy Copper in briquettes, provided for in § 1309.71(f)(1)(i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this Order No. 7 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 shall become effective March 6, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3523; Filed, March 5, 1943; 3:23 p. m.]

[Order 11 Under RPS 28]

UNITED DISTILLERS PRODUCTS CORP.

ADJUSTMENT OF MAXIMUM PRICE

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1335.159 (g) of Revised Price Schedule No. 28, *It is hereby ordered:*

(a) The price of $1.60 reported by United Distillers Products Corporation, Amston, Connecticut, under § 1335.159 (g) for sales of ethyl alcohol produced by it during October, November, and December, 1942, is hereby disapproved.

(b) The maximum price for the sale of ethyl alcohol of 188 proof or higher whether undenatured or denatured, produced during October, November, and December, 1942 by United Distillers Products Corporation, Amston, Connecticut, and sold to the Defense Supplies Corporation shall be $1.20 per wine gallon, f. o. b. plant.

(c) If United Distillers Products Corporation has made any deliveries of ethyl alcohol produced by it during October November, and December, 1942 at prices higher than $1.20 per wine gallon, the United Distillers Products Corporation shall make refund or adjustment for the excess of such prices over $1.20.

(d) This Order No. 11 shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3524; Filed, March 5, 1943; 3:22 p. m.]

[Order 71 Under RPS 64]

MASCOT STOVE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 71 under Revised Price Schedule No. 64[1]—Domestic Cooking and Heating Stoves. Approval of maximum prices for Mascot Stove Company, Chattanooga, Tennessee.

On January 27, 1943, the Mascot Stove Company, Chattanooga, Tennessee completed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for two new models of coal heaters, designated in the application as models 530 and 430.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Mascot Stove Company may sell, offer to sell, transfer or deliver its new model coal heaters at prices no higher than the following:

[F. o. b. factory to dealers]

Model 539	$55.00
Model 430	$31.00

subject to discounts, allowances, and terms no less favorable than those in effect under Revised Price Schedule No. 64 for the comparable models 1922 and 24, respectively.

(b) This Order No. 71 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 71 shall become effective on the 6th day of March, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3529; Filed March 5, 1943; 3:21 p. m.]

[Order 72 Under RPS 64]

KNOX STOVE WORKS

APPROVAL OF MAXIMUM PRICE

Order No. 72 under Revised Price Schedule No. 64[1]—Domestic Cooking and Heating Stoves.

On January 23, 1943, the Knox Stove Works, Knoxville, Tennessee, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model coal and wood range, designated in the application as model K.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Knox Stove Company may sell, offer to sell, transfer or deliver its model K coal and wood range at a price no higher than $44.00 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model G as established under Revised Price Schedule No. 64.

(b) This Order No. 72 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 72 shall become effective on the 6th day of March, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3530; Filed, March 5, 1943; 3:24 p. m.]

[Rev. General Order 32, Amendment 1]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR IN REGION 8

General Order 32 is amended in the following respects:

1. Paragraph (c) is redesignated paragraph (d).

2. A new paragraph (c) is added to read as follows:

(c) *Delegation to certain Regional Administrators.* (i) The Regional Administrator for the VIIIth Region is hereby authorized to exercise within his region the functions, duties, powers and authority conferred upon the Price Administrator, for the purpose of establishing specific maximum prices for sales of beef at retail pursuant to § 1499.73 (a) (79) of Supplementary Regulation No. 14.

This amendment shall become effective March 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3543; Filed, March 5, 1943; 4:58 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221.

[2] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

[Rev. Order 44 Under MPR 120]

TREASURE COAL COMPANY

APPROVAL OF MAXIMUM PRICES

Revised Order No. 44 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-186.

Order No. 44 is revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith and in the opinion accompanying the original Order No. 44, and pursuant to the authority vested in the administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulations No. 120, *It is ordered:*

(a) Coals in Size Group 11 produced by Treasure Coal Company, Inc., Bartonville, Illinois, at its Treasure Mine (Mine Index No. 812) in District No. 10 may be sold and purchased for shipment by truck or wagon at prices not to exceed the following price per net ton f. o. b. the mine:

Size group:	*Maximum price*
11	$2.50

(b) Within thirty (30) days from the effective date of this order, Treasure Coal Company, Inc. shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustment granted in this order does not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Revised Maximum Price Regulation No. 122.

(c) This Revised Order No. 44 may be revoked or amended by the price administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Revised Order No. 44 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3592; Filed, March 6, 1943; 2:29 p. m.]

[Order 166 Under MPR 120]

ATLAS COAL CORPORATION, ET AL.

ORDER GRANTING ADJUSTMENT

Order No. 166 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket Nos. 1120-149-P; 1120-154-P; 1120-155-P; 1120-156-P and 3120-225. Granting adjustment to Atlas Coal Corporation, Ben Hur Coal Company, Coalton Coal Company, Starr Coal, Inc., and Warden Pullen Coal Company.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coals produced by Atlas Coal Corporation at its Atlas Mine (Mine Index No. 8), Ben Hur Coal Company at its Blackstone Mine (Mine Index No. 16), Coalton Coal Company at its Coalton Mine (Mine Index No. 34), Starr Coal, Inc., at its Starr Mine (Mine Index No. 121), and Warden Pullen Coal Company at its Warden Mine (Mine Index No. 133), all of Henryetta, Oklahoma and operating the foregoing mines in District No. 15, may be sold and purchased for shipment by rail, at prices not to exceed the following prices per net ton, f. o. b. the mine:

Size group:	*Maximum price*
1	$4.00
2	3.75
3	3.75
4	3.35
10	2.00

(b) Within thirty (30) days from the effective date of this order, each of the said petitioners, Atlas Coal Corporation, Ben Hur Coal Company, Coalton Coal Company, Starr Coal, Inc., and Warden Pullen Coal Company shall notify all persons purchasing its coal of the adjustment granted to it in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 166 may be revoked or amended by the administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 166 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3593; Filed, March 6, 1943; 2:29 p. m.]

[Order 167 Under MPR 120]

EDWARD TOMAJKO

ORDER GRANTING ADJUSTMENT

Order No. 167 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-326.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Edward Tomajko, Adamsburg, Pennsylvania, at his Adamsburg Mine, Mine Index No. 2, in District No. 2, may be sold and purchased for shipment by truck at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size group:	*Maximum price*
7	$3.25
8	2.75

(b) Within thirty (30) days from the effective date of this order, the said Edward Tomajko shall notify all persons purchasing its coal of the adjustment granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 167 may be revoked or amended by the administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 167 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3594; Filed, March 6, 1943; 2:29 p. m.]

[Order 168 Under MPR 120]

MOSS & MCCORMACK COAL COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 168 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 1120-63-P.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Moss McCormack Coal Company, Inc., Birmingham, Alabama, at its Carbon Mine (Mine Index No. 76), District No. 1, may be sold and purchased for shipment by rail f. o. b. the mine at prices per net ton not to exceed the following:

Size group	6	12	17	18
Maximum price	$3.55	$3.65	$3.55	$3.45

(b) Coals produced by Moss & McCormack Coal Company, Inc., Birmingham, Alabama, at its Howard Mine (Mine Index No. 43), District No. 13, may be sold and purchased for shipment

by rail f. o. b. the mine at prices per net ton not to exceed the following:

Size group	1, 2	12, 14, 15, 16	17	18
Maximum price	$3.10	$3.20	$3.15	$3.10

(c) Within thirty (30) days from the effective date of this order, the said Moss & McCormack Coal Company, Inc. shall notify all persons purchasing its coals of the adjustments granted in paragraphs (a) and (b) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Revised Maximum Price Regulation No. 122.

(d) This Order No. 168 may be revoked or amended by the Administrator at any time;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 168 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3595; Filed, March 6, 1943; 2:29 p. m.]

[Order 192 Under MPR 188]

BEH AND COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 192 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

Approval of maximum price for sale by Beh and Company of outdoor furniture.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Beh and Company, 1150 Broadway, New York, New York, is authorized to sell and deliver the following articles at prices no higher than those set forth below:

No. 100 table and bench set	$7.07
No. 101 table and bench set	8.18
No. 102 table and bench set	11.16
No. 103L table and bench set	16.50
No. 104H table and bench set	21.00
No. 110 terrace table	4.69
No. 111 terrace table	5.45
No. 112 octagon table	5.46
No. 113 octagon table	6.20
No. 114 terrace table	2.82
No. 115 umbrella	6.29
No. 116 umbrella table	7.77
No. 120 orchard bench	9.00
No. 121 curved tree bench	3.21
No. 122 curved tree bench	4.52
No. 123 curved tree bench	6.07
No. 125 chair with wheels	11.10
No. 127 chaise lounge	13.62
No. 129 garden refreshment bar	20.89

These prices shall be subject to Beh and Company's customary allowances, discounts and price differentials in effect during March 1942.

(b) This Order No. 192 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 192 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3596; Filed, March 6, 1943; 2:30 p. m.]

[Order 193 Under MPR 188]

FERUM COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 193 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

Approval of maximum price for sale by the Ferum Company of a wooden machinist tool box.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Ferum Company of 112–114 Charlton Street, New York, New York, is authorized to sell and deliver the wooden machinist tool box described in its letter dated December 19, 1942, to the Office of Price Administration, Washington, D. C., at a price no higher than $10.75 f. o. b. New York, New York.

This price shall be subject to the Ferum Company's customary discounts, allowances, and price differentials in effect during March, 1942.

(b) This Order No. 193 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 193 shall become effective on the 8th day of March 1943.

Issued this 6th day of March 1943.

PRENTISS BROWN,
Administrator.

[F. R. Doc. 43-3597; Filed, March 6, 1943; 2:31 p. m.]

[Order 194 Under MPR 188 [1]]

NAYLON MANUFACTURING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 194 under § 1499.158 of Maximum Price Regulation No. 188 [1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales of a new indoor clothes dryer manufactured by Naylon Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 194 sets maximum prices for sales of a new indoor clothes dryer designated as the Naylon Wall Rack, manufactured by Naylon Manufacturing Company, 33 North Mac Questen Parkway, Mount Vernon, New York.

(1) For sales by the manufacturer to retailers, the maximum price is $.20 each, f.o.b. factory.

(2) For sales at retail, the maximum price is $.35 each.

(b) Before delivery of a dryer to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states that the retail ceiling price of the dryer is $.35. The tag or label shall not be detached until the dryer has been delivered to the consumer.

(c) At or before the time of the first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from it of the maximum price set by this order for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) This Order No. 194 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 194 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3598; Filed, March 6, 1943; 2:30 p. m.]

[Order 200 Under MPR 188]

A. G. VOGT

APPROVAL OF MAXIMUM PRICES

Order No. 200 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

Approval of a maximum price for sales by A. G. Vogt of a plastic knit-aid.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) A. G. Vogt, 1826 Wellesley Drive, Toledo, Ohio, is authorized to sell and deliver his plastic knit-aid at prices f. o. b. Toledo, Ohio, no higher than those set forth below:

	Each
To jobbers	$0.25
To retailers	.33

(b) This Order No. 200 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 200 shall become effective on the 8th day of March 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3599; Filed, March 6, 1943; 2:29 p. m.]

[Order 2 Under MPR 327]

PACIFIC MINERALS CO., LTD.

CERTAIN NONMETALLIC MINERALS

For the reasons set forth in the Opinion issued simultaneously herewith, *It is hereby ordered,* That:

(a) On and after January 25, 1943, the Pacific Minerals Co., Ltd., Richmond, California, may sell and deliver, and any person may buy and receive from the Pacific Minerals Co., Ltd., its blue black slate roofing granules at prices not in excess of $13.00 a ton f. o. b. cars, Placerville, California.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 shall become effective March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3591; Filed, March 6, 1943; 2:31 p. m.]

[Order 1 Under MPR 186]

HARPER BOX AND LUMBER COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 1 under § 1377.110 (d) of Maximum Price Regulation No. 186—Western Wooden Agricultural Containers.

Pursuant to the provisions of § 1377.110 (d) of Maximum Price Regulation 186, Western Wooden Agricultural Containers, Harper Box and Lumber Co. has shown by letter that it is located within 5 miles of San Pedro, California, one of the designated cities, and that at least 66 percent of its total 1942 box production was industrial boxes, and that it is entitled to qualify as a metropolitan mill and, as such, make the special addition of $5.00 per thousand feet to the basic price on local sales of shook. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1377.110 (d) of Maximum Price Regulation 186, it is hereby ordered that the Harper Box and Lumber Co. Los Angeles, California, be permitted to make a special addition of not more than $5.00 per M feet to the basic price on local sales of shook.

This order shall be effective as of March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3589; Filed, March 6, 1943; 2:31 p. m.]

[Order 2 Under MPR 186]

PEIN BOX AND CRATE COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 2 under § 1377.110 (d) of Maximum Price Regulation No. 186—Western Wooden Agricultural Containers. Special addition for local sales of shook by metropolitan factories.

Pursuant to the provisions of § 1377.110 (d) of Maximum Price Regulation 186, Western Wooden Agricultural Containers, Pein Box and Crate Company, has shown by letter that it is located within 5 miles of Portland, Oregon, one of the designated cities, and that at least 66 percent of its total 1942 box production was industrial boxes, and that it is entitled to qualify as a metropolitan mill and, as such, make the special addition of $5.00 per thousand feet to the basic price on local sales of shook. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1377.10 (d) of Maximum Price Regulation 186: *It is hereby ordered,* That the Pein Box and Crate Company, Portland, Oregon, be permitted to make a special addition of not more than $5.00 per M feet to the basic price on local sales of shook.

This Order shall become effective as of March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3590; Filed, March 6, 1943; 2:31 p. m.]

[Order 186 Under MPR 188]

VEEP COMPANY, INC.

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by the Veep Company, Inc., of a new game.

Order No. 156 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Veep Company, Inc., Hanover, New Hampshire, is authorized to sell and deliver its new game, "Du-Ration", at prices, f. o. b. Hanover, New Hampshire, no higher than those set forth below:

To jobbers	$0.96 per unit.
To retailers	1.20 per unit.

(b) This Order No. 186 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 186 shall become effective on the 6th day of March 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3621; Filed, March 5, 1943; 3:42 p. m.]

[Order 187 Under MPR 188]

STEVEN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 187 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Steven Manufacturing Company, of a new kaleidoscope.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Steven Manufacturing Company, 2408 Gothland, Saint Louis, Missouri, is authorized to sell and deliver its new kaleidoscope, described in its application of November 13, 1942, at prices, f. o. b. Saint Louis, Missouri, no higher than those set forth below:

To jobbers	$2.85 per dozen.
To chain stores	3.24 per dozen.
To department stores	3.42 per dozen.
To other retailers	4.00 per dozen.

(b) This Order No. 187 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 187 shall become effective on the 6th day of March, 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3622; Filed, March 5, 1943; 3:42 p. m.]

[Order 188 Under MPR 188]

FRITTS-SCHWARZWAELDER, INC.

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Fritts-Schwarzwaelder, Inc. of new toy gliders.

Order No. 188 Under § 1499.188 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155, 8 F.R. 537, 1815, 1980.

Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Fritts-Schwarzwaelder, Inc., 302 Pearl Street, New York, New York, is authorized to sell and deliver its new toy gliders, described in its application of January 20, 1943, at prices to retailers, f. o. b. New York, New York, no higher than those set forth below:

No. 200—72¢ per dozen boxes (each box containing 5 gliders).
No. 200—36¢ per dozen boxes (each box containing 2 gliders).
No. 201—72¢ per dozen boxes (each box containing 4 gliders).
No. 202—72¢ per dozen boxes (each box containing 1 glider).

(b) This Order No. 188 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 188 shall become effective on the 6th day of March 1943.

Issued this 5th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3623; Filed, March 5, 1943; 3:42 p. m.]

[Rev. Gen. Order 32, Amendment 2]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

1. Paragraph (a) (1) is amended to read as follows:

(1) Applications for adjustment of maximum prices pursuant to § 1499.18a of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or pursuant to § 1499.18 (d) of the General Maximum Price Regulation or §§ 1393.8a or 1393.8, (b) of Maximum Price Regulation No. 154, as amended, (Ice) or §§ 1499.114 or 1499.115a of Maximum Price Regulation No. 165, as amended, (Services) or with respect to sales at retail under § 1389.118 (c) of Maximum Price Regulation No. 177, as amended, (Men's and Boy's Tailored Clothing) or with respect to applications for local adjustment of maximum prices pursuant to § 1439.253a of Temporary Maximum Price Regulation No. 28 and § 1439.304 of Temporary Maximum Price Regulation No. 29.

2. Paragraph (b) (1) is amended to read as follows:

(1) Applications for adjustment of maximum prices pursuant to § 1499.18a of the General Maximum Price Regulation, or any identical provision of any maximum price regulation or pursuant to § 1499.18 (d) of the General Maximum Price Regulation, or §§ 1393.8a or 1393.8 (b) of Maximum Price Regulation No. 154, as amended, (Ice) or §§ 1499.114 or 1499.115a of Maximum Price Regulation No. 165, as amended, (Services) or with respect to sales at retail under § 1389.118 (c) of Maximum Price Regulation No. 177, as amended, (Men's and Boy's Tailored Clothing), or with respect to applications for local adjustment of maximum prices pursuant to § 1439.253a of Temporary Maximum Price Regulation No. 28 and § 1439.304 of Temporary Maximum Price Regulation No. 29.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3620; Filed, March 6, 1943; 5:09 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-675]

SUPERIOR WATER, LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 3rd day of March, A. D. 1943.

In the matter of Superior Water, Light and Power Company, Northern Power Company, and American Power & Light Company.

Notice is hereby given that a joint declaration and application has been filed with this Commission under the Public Utility Holding Company Act of 1935 by American Power & Light Company ("American"), a registered holding company under the Act, and a subsidiary of Electric Bond and Share Company, likewise a registered holding company, and by Superior Water, Light and Power Company ("Superior"), and Northern Power Company ("Northern"), utility subsidiaries of American.

All interested persons are referred to said document, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

The declaration and application proposes (a) the issuance by Superior to American of Common stock in exchange for the common stock of Northern, (b) the merger of Northern into Superior, and (c) the issuance of certain securities for cash to be applied by Superior in discharge of its presently outstanding debt and preferred stock.

Superior requests an order, pursuant to paragraph (a) (5) of Rule U-50, exempting the proposed issuance and sale of securities from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 and seeks to have its application for such exemption acted upon prior to its application for exemption of the proposed sale of the bonds and debentures from the requirements of section 6 (a) pursuant to section 6 (b) of the Act.

The merger of Northern into Superior and the financing of the merged company has, according to the filing, been expressly authorized by the Public Service Commission of Wisconsin (the State in which Superior and Northern are organized and doing business) and would be finally consummated through the series of steps set forth below:

(1) American would contribute to the capital of Northern the principal of $794,000 of open account indebtedness of Northern to American, which contribution would be credited by Northern to its capital surplus as of December 31, 1942;

(2) As of December 31, 1942, Northern would, by appropriations from surplus, increase its depreciation reserve to $148,867.39, such amount being calculated by using the rates prescribed in an order of the Public Service Commission of Wisconsin certifying depreciation rates for Northern under a 4% compound-interest method;

(3) Northern would eliminate a deficit in earned surplus as of December 31, 1942, by a charge to the capital surplus to be created in the manner referred to in (1) above;

(4) American, as the owner of all of the issued and outstanding stock of Northern, consisting of 250 shares of $100 par value common stock, except 3 shares held by directors, which 3 shares American has an option to purchase, would transfer or cause to be transferred to Superior all of the stock of Northern in exchange for 5,000 shares of the $100 par value common stock of Superior;

(5) Northern would then be merged into Superior and the latter would issue and sell (a) $2,500,000 principal amount of first mortgage bonds, 3⅜% Series due 1973, (b) $1,000,000 principal amount of 4% Sinking Fund Debentures due 1958, such debentures to be retired over the life thereof through the operation of a sinking fund created for their retirement, and (c) 1,000 shares of $100 par value common stock. Such bonds and debentures would be sold privately to Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, at approximately the principal amount, and the 1,000 shares of common stock would be sold privately to American at par;

(6) Superior would apply the proceeds from the sale of such bonds, debentures and common stock to (a) the prepayment of the principal of, and accrued interest on, its presently outstanding $1,600,000 principal amount of notes held by Guaranty Trust Company of New York, (b) the payment of the principal of, and accrued interest on, $1,636,000 open account indebtedness of Superior to American and evidenced by an overdue note, (c) the payment of the redemption price of par and accrued dividends, plus a premium of $5 a share, on the shares of Superior's presently outstanding $100 par value 7% preferred stock held by the public, and (d) the payment to American of $172,926.50 asserted to be the cost to American of 1,663 shares of Superior's 7% preferred stock now held by American, plus accrued dividends thereon.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration and applications shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration and application under the applicable provisions of said Act and rules of the Commission thereunder be held on March 17th, 1943, at 10:00 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration shall become effective and such application be granted. Notice is hereby given of said hearing to American Power & Light Company, Superior Water, Light and Power Company, Northern Power Company and to all interested persons, said notice to be given to said declarants and applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, Without limiting the scope of issues presented by said declaration and application, otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issuance and sale of the common stock, bonds and debentures are solely for the purpose of financing the business of Superior;

(2) Whether the proposed issuance and sale of common stock, bonds and debentures have been expressly authorized by the State Commission of the State in which Superior is organized and doing business;

(3) Whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in any order granting an exemption of the issue and sale by Superior of common stock, bonds and debentures from the provisions of section 6 (a) of the Act;

(4) Whether it is appropriate in the public interest or for the protection of investors or consumers that the proposed issue or sale of the bonds and debentures be exempted from the requirements of paragraphs (b) and (c) of Rule U-50; and, if so, whether such exemption should be granted prior to the entry of any orders with respect to such bonds and debentures under section 6 (b) or any other applicable section of the Act;

(5) Whether the proposed redemption of securities of Superior is in conformance with the applicable sections of the Act and whether it is necessary to enter any orders pursuant to section 12 (c) or section 12 (f) of the Act with respect to such transactions;

(6) Whether the proposed capital contribution by American to Northern is in the public interest and the interest of investors and consumers;

(7) Whether the acquisition by Superior of the common stock of Northern and the acquisition by American of additional common stock of Superior will be in conformance with the applicable standards of section 10;

(8) The propriety of the proposed accounting treatment of the transactions on the books of Superior and American;

(9) Whether in any other respect the terms and conditions of the proposed transactions are detrimental to the public interest or the interest of investors or consumers, or will tend to circumvent the provisions of the Act, or the rules, regulations, or orders thereunder; and the extent to which terms and conditions should be imposed to insure adequate protection of such interests in compliance with the applicable provisions of the Act.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before March 12, 1943, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the first issue to be considered at the hearing herein ordered is issue (4) relative to competitive bidding.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3536; Filed, March 5, 1943; 4:31 p. m.]

[File No. 70-673]

MAINE AND NEW BRUNSWICK ELECTRICAL POWER CO., LTD., AND MAINE PUBLIC SERVICE CO.

NOTICE REGARDING FILINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of March 1943.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Maine Public Service Company, a registered holding company, and its subsidiary company, Maine and New Brunswick Electrical Power Company, Limited; and

Notice is further given that any interested person may, not later than March 19, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declarations or applications, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations or applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Maine Public Service Company and Maine and New Brunswick Electrical Power Company, Limited, propose to reduce the interest rate from six per cent to three per cent upon all the outstanding notes of Maine and New Brunswick Electrical Power Company, Limited, in the aggregate principal amount of $440,000. The aforesaid notes are owned by its parent, Maine Public Service Company, and pledged by the parent under an indenture securing its First Mortgage and Collateral Trust Bonds 3¾% Sinking Fund Series due 1972.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3537; Filed March 5, 1943; 4:31 p. m.]

[File No. 70-654]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE, ET AL.

NOTICE OF FILING OF AMENDMENT AND ORDER RECONVENING HEARING AND DESIGNATING A NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of March 1943.

In the matter of Public Service Company of New Hampshire, The Twin State Gas and Electric Company, and New England Public Service Company.

Public Service Company of New Hampshire ("Public Service"), the Twin State Gas and Electric Company ("Twin State") and New England Public ("Twin State") and New England Public Service Company ("Nepsco"), the last named being a registered holding company, having on December 17, 1942, filed their joint applications and declarations pursuant to sections 6, 7, 8, 10 and 12 of the Act; and

The Commission by its notice of and order for hearing dated the 26th day of December 1942 (Holding Company Act Release No. 4012), having given notice of the filing of such applications and declarations and having ordered a hearing thereon; a hearing on said applications and declarations pursuant to said notice having been held on January 12th and 13th, 1943; and said hearing having been continued subject to the call of the trial examiner;

Notice is hereby given that Public Service, Twin State and Nepsco having filed, on March 2, 1943, an amendment

(designated as "Amendment No. 3") to said applications and declarations which changes the nature of the transactions originally proposed as follows:

Applicants and declarants strike from said applications and declarations all action proposed to be taken with respect to (1) the sale by Twin State and the acquisition by Public Service of Twin State's New Hampshire properties, (2) the sale by Nepsco and the acquisition by Public Service of certain securities as set out in the original notice of filing and order for hearing, (3) the issue and sale of common stock and unsecured notes, and all other action originally proposed by applicants and declarants except the issue and sale of bonds by Public Service and the redemption of its presently outstanding bonds as hereinafter specified.

All interested persons are referred to said amendment which is on file in the office of this Commission for a statement of the transactions now proposed to be effected which are summarized as follows:

Public Service, in lieu of the issuance of $22,000,000 of Bonds and $2,500,000 of unsecured notes, now proposes by said amendment to issue and sell for cash $20,500,000 principal amount of its First Mortgage Bonds, Series A, 3¼% to be dated January 1, 1943, and to be due January 1, 1973 (hereinafter called the "Bonds"), said Bonds to be issued under and secured by an indenture of mortgage to Old Colony Trust Company, as Trustee. It is further proposed that the Bonds will be sold under a firm commitment to underwriters or investors to be selected by competitive bidding under Rule U-50.

Public Service further proposes to apply the proceeds from the sale of the Bonds as follows: (a) to redeem and retire its presently outstanding Bonds in the aggregate principal amount of $18,929,000; (b) to pay its then outstanding bank loans aggregating $1,000,000; (c) to reimburse its treasury (in part) for the cost of making additions and extensions and (d) to provide funds in the nature of working capital; and

It appearing to the Commission that the hearing previously continued should be reconvened for the purpose of taking any additional testimony necessitated by such amendment; and

It appearing that the trial examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so.

It is hereby ordered, That the hearing in the above-entitled matter be reconvened on March 11, 1943 at 10 o'clock in the forenoon of that day, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day, the hearing room clerk in room 318 will inform the parties as to the exact room in which said hearing will be held.

Notice is hereby given of said reconvened hearing to the above-named declarants and applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobinger an officer of the Commission, be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as a trial examiner heretofore designated to preside at such hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3538; Filed, March 5, 1943; 4:31 p. m.]

[File No. 1-2894]

CARSON HILL GOLD MINING CORPORATION

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of March, A. D. 1943.

The Carson Hill Gold Mining Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its $1 Par Capital Stock from listing and registration on the San Francisco Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 13, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3539; Filed, March 5, 1943; 4:31 p. m.]

[File No. 1-2923]

ANGLO AMERICAN MINING CORPORATION, LTD.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of March, A. D. 1943.

The Anglo American Mining Corp., Ltd., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its $1 Par Common Stock, and its Class "B" Stock from listing and registration on the San Francisco Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 13, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3540; Filed March 5, 1943, 4:31 p. m.]

[File No. 70-680]

PANHANDLE EASTERN PIPE LINE CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of March 1943.

In the matter of Panhandle Eastern Pipe Line Company, Illinois Natural Gas Company and Michigan Gas Transmission Corporation.

Notice is hereby given that a joint declaration or application, or both, has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Illinois Natural Gas Company ("Illinois") and by Michigan Gas Transmission Corporation ("Michigan"), both wholly-owned subsidiaries of Panhandle Eastern Pipe Line Company, ("Panhandle Eastern") and by Panhandle Eastern, which is a subsidiary of Columbia Oil & Gasoline Corporation, which in turn is a subsidiary of Columbia Gas & Electric Corporation, a registered holding company and a subsidiary of The United Corporation, also a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Panhandle Eastern acquired all of the stock and debt of Michigan in February 1942 (under the order of the Commission dated January 21, 1942, File No. 70-387) and all of the stock of Illinois, upon liquidation of Panhandle Illinois Pipe Line Company, in June 1938.

Panhandle Eastern now proposes to take over all of the assets and liabilities of these two wholly owned subsidiaries, Illinois and Michigan, and to surrender to Illinois and Michigan, for cancellation, all of their respective stock and indebtedness, Illinois and Michigan will then be dissolved.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective and said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder be held on March 22, 1943 at 11:00 a. m., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings, shall notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before March 18, 1943.

It is further ordered, That Charles E. Moore or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration or application, particular attention will be directed at the hearing, to the following matters and questions:

1. The amounts at which Panhandle Eastern proposes to record the net assets to be acquired from Michigan and Illinois.

2. The nature of the economies, estimated by Panhandle Eastern at $100,000 annually, that will result from the proposed consolidation.

3. Whether the consideration to be paid, including all fees, commissions and other remuneration to whomsoever paid in connection with the proposed transactions, is fair and reasonable.

4. Whether the proposed acquisitions are detrimental to the carrying out of the provisions of Section 11 of the Act or to the proper functioning of the holding company system or otherwise detrimental to the public interest or the interest of investors or consumers, or will tend to circumvent the provisions of the Act, or the Rules, regulations or orders thereunder.

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to Panhandle Eastern Pipe Line Company, Illinois Natural Gas Company and Michigan Gas Transmission Corporation, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3603; Filed, March 6, 1943; 2:55 p. m.]

[File No. 1-2888]

JOSLYN MFG. AND SUPPLY CO.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of March, A. D. 1943.

In the matter of Joslyn Mfg. and Supply Co., common stock, $5 par value.

The Joslyn Mfg. and Supply Co., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, $5 Par Value, from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 13, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3602; Filed, March 6, 1943; 2:55 p. m.]

[File No. 54-46]

LONE STAR GAS CORP., ET AL.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of March 1943.

In the matter of Lone Star Gas Corporation, Lone Star Gas Company, Community Natural Gas Company, Texas Cities Gas Company, The Dallas Gas Company, Council Bluffs Gas Company, and Lone Star Gasoline Company.

A plan having been filed by Lone Star Gas Corporation and certain of its subsidiary companies under section 11 (e) and all other applicable sections of the Public Utility Holding Company Act of 1935 proposing a reorganization of the holding-company system of Lone Star Gas Corporation; and

Such plan having included, among other things, a declaration pursuant to section 11 (g) of said Act and Rule U-62 promulgated under said Act, regarding the solicitation of consents of stockholders to the plan; and

The Commission having approved said plan on October 22, 1942 (Holding Company Act Release No. 3865), subject to certain conditions and reservations; and having as a condition to such approval reserved jurisdiction under section 11 (g) of said Act to pass upon the material to be used by the applicant companies in solicitating consents of stockholders to the plan; and

Lone Star Gas Corporation having submitted the solicitation material to be used by it in soliciting consents of stockholders for its dissolution; and

The Commission deeming it appropriate in the public interest and in the interests of investors and consumers to permit the said declaration, as amended by the said solicitation material, to become effective:

It is hereby ordered, That the said declaration, as amended, be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3601; Filed, March 6, 1943; 2:55 p. m.]

[File No. 812-312]

COMMONWEALTH SECURITIES, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 6th day of March, A. D. 1943.

An application having been filed by Commonwealth Securitjes, Incorporated, a registered management closed-end investment company, under and pursuant to section 23 (c) (3) and Rule N-23C-1 (c) adopted thereunder for an order permitting said company to purchase within one year after the date of such order a maximum of 6,500 shares of its outstanding preferred stock at prices approved by the management.

It is ordered, That a hearing on the aforesaid application be held on March 16, 1943 at 10 o'clock, e. w. t. in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa.

It is further ordered, That Willis Monty, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to Commonwealth Securities, Incorporated, and to any other persons whose participation in such proceeding may be in the public interest and for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3626; Filed, March 8, 1943; 10:21 a. m.]

WAR PRODUCTION BOARD.

GILA RIVER, PINAL COUNTY, ARIZONA

AMENDMENT TO PARTIAL REVOCATION

Preference Rating P-19-h, Serial No. 38812. Builder: War Relocation Authority, Washington, D. C. Project: Gila River, Pinal County, Arizona.

The description of the project in partial revocation, issued on February 27, 1943, of the above serially numbered preference rating order, is hereby amended to read as follows:

All school units except as set forth in revised plans identified as War Relocation Authority, Gila River War Relocation Project, G-IV-546 and G-IV-547 dated January 29, 1943.

Issued this 5th day of March, 1943.

CURTIS E. CALDER,
Director, General for Operations.

[F. R. Doc. 43-3551; Filed, March 5, 1943, 4:46 p. m.]

MAR 12 43

FEDERAL REGISTER

VOLUME 8 NUMBER 48

Washington, Wednesday, March 10, 1943

The President

EXECUTIVE ORDER 9309

CONTROLLING GOVERNMENT REQUESTS FOR THE SELECTIVE SERVICE DEFERMENT OF FEDERAL EMPLOYEES

By virtue of the authority vested in me by the Constitution and statutes (including the Selective Training and Service Act of 1940, as amended) as President of the United States, and in order to further the prosecution of the war by conserving and most effectively utilizing manpower and by systematizing the handling of necessary selective service occupational deferment of employees in the Executive branch of the Federal Government, it is ordered as follows:

I. LIMITATIONS ON RIGHT TO REQUEST OCCUPATIONAL DEFERMENT

1. No agency shall request the selective service deferment of any employee on occupational grounds except in accordance with the provisions of this Order. No employee shall initiate a request for his own deferment on occupational grounds or advocate the making of such a request on his own behalf.

2. No such request shall be made unless it is determined, in the manner herein provided, that the employee's civilian services are essential in that the loss thereof would substantially impair activities essential to the war effort (including necessary supporting activities and the maintenance of the national health, safety, and interest). In determining whether such an employee's services are thus essential, consideration shall be given to all relevant factors, including the actual effectiveness of the employee, the difficulty of replacing him, his age, his qualifications, his assignment to duties outside the continental United States and the length of his service in the position he occupies or in positions with comparable duties.

3. No such request shall be made for a period longer than is deemed to be absolutely necessary nor for a period of more than six months.

II. ESTABLISHMENT OF COMMITTEES

1. The Chairman of the War Manpower Commission (hereinafter referred to as the Chairman) shall designate with the approval of the President a chairman and two members of a War Manpower Commission committee to be known as the Review Committee on Deferment of Government Employees (hereinafter referred to as the Review Committee). Such Committee shall be subject to the supervision and direction of the Chairman.

2. The head of each agency shall designate a Committee on Deferment of Government Employees (hereinafter referred to as an Agency Committee), of three to five members possessing a comprehensive view of the needs of the agency. For the purposes of this Order the Government of the District of Columbia shall be deemed to be an agency. Each Agency Committee shall be subject to the supervision and direction of the head of the agency.

3. When authorized by the Review Committee, the head of any agency may also designate regional committees whenever the number and geographical distribution of the personnel of the agency make such action desirable. Within their respective areas such regional committees shall have the authority and responsibility of an Agency Committee; and as used in this Order the term "Agency Committee" shall include a regional committee established under this section.

III. DESIGNATION OF KEY POSITIONS

1. Each Agency Committee, with the approval of the head of the agency, shall submit to the Review Committee for its approval a list of those positions in the agency deemed necessary to carry out activities essential to the war effort or to necessary supporting activities. All such positions approved by the Review Committee shall be known as "key positions." The Review Committee, either on its own motion or upon recommendation made by the Agency Committee and approved by the head of the agency, may revise the list of key positions of that agency as conditions warrant.

2. Key positions shall be limited to positions involving serious difficulty of replacement because a scarcity of available qualified personnel exists and because any incumbent of the position must have had, in order to perform the duties effectively, an extended period of training

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FEDERAL REGISTER

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or specialized experience. The designation of key positions shall be further governed by the following criteria:

a. The work is of a responsible administrative, executive, or supervisory character in activities directly related to the war effort, or to the essential maintenance of orderly government (including the maintenance of the health, morale, and security of the nation); or

b. The work is a part of the actual production, transportation, or handling of war materials, equipment, or commodities, or of the maintenance or operation of war equipment, or of the transportation of war personnel; or

c. The work is of a professional, semi-professional, or highly specialized character, requiring extended training, in an occupation where a known scarcity of manpower exists; or

d. The work usually requires male employees because of peculiar circumstances or requisite physical abilities, including the occupations of seamen, investigatory agents, forest rangers, border patrolmen, prison guards, and other comparable occupations wherein replacement within necessary age limits is difficult.

IV. REQUESTS FOR DEFERMENT

1. In accordance with the provisions of this Order, and subject to the limitations set forth in Part I hereof, an Agency Committee may, in cases not covered by the Replacement Schedule procedure set forth in paragraph 5 of this Part, prepare and submit to the appropriate local selective service board a request for the occupational deferment of—

a. Any employee of the agency who occupies a key position and whose civilian services are essential within the meaning of paragraph 2 of Part I hereof.

b. Any employee of the agency not occupying a key position whose civilian services are essential within the meaning of paragraph 2 of Part I hereof, if unusual and special circumstances, such as the employee's unique fitness for the work or unique familiarity with a specific project in the course of completion make such deferment request necessary. No request for deferment shall be made under this subparagraph except with the prior specific approval of the Review Committee.

2. Subject to the conditions set forth in this Order, the Agency Committees shall make all requests for selective service occupational deferment of employees of their respective agencies, and shall prepare and submit such requests to local selective service boards in accordance with selective service regulations.

3. In preparing the prescribed selective service form for submitting a request for occupational deferment to the local selective service board, the Agency Committee shall enter on such form the words "Government Request," and shall also indicate thereon the name of the agency and the subordinate part thereof in which the registrant is employed.

4. In any case in which a Government request for deferment is denied by a local selective service board, the Agency Committee concerned shall at once file an appeal from such action. The appeal shall stay the induction of the employee affected until final decision in the case.

5. The Chairman, upon his own motion or upon recommendation made by an Agency Committee and approved by the head of the agency, shall determine, after consultation with the Review Committee, those manufacturing, servicing, operating, and transporting activities of an agency or part thereof with respect to which deferment problems can be best met through use of manning tables and replacement schedules. He shall thereupon direct the head of the agency concerned to prepare and use, with respect to those activities or organizations, manning tables and replacement schedules, in accordance with the regulations prescribed by the Chairman. Such agency or part thereof shall thereafter be exempt from the provisions of Part III of this Order (providing for the designation of key positions) and the provisions of this Order governing the making of requests for deferment of employees to the extent and in the respects provided in the regulations of the Chairman.

V. VOLUNTARY ENTRANCE INTO ARMED FORCES

1. Unless an Agency Committee has requested or would request deferment of an employee under this Order, the agency, upon his request, shall grant him a release to enter the armed forces voluntarily in a commissioned or enlisted status.

2. If an Agency Committee has requested or would request deferment of an employee under this Order, the agency shall deny him such a release unless it is determined that:

a. The employee is likely to be assigned to active combat service; or

b. The employee's skills and ability probably will be utilized equally or more effectively in the armed forces.

3. In the case of an employee who is in a deferred classification, or who is not subject to induction, for reasons unrelated to his occupation, such a release shall be granted or denied without regard to such reasons, in accordance with the provisions of paragraphs 1 and 2 of this Part.

4. When an Agency Committee denies release of an employee, such action shall upon his request be reviewed by the Review Committee. The Agency Committee shall be notified of the final decision, and if the denial is affirmed, such committee shall immediately notify the employee's local selective service board.

VI. DEPENDENCY—OCCUPATIONAL RECLASSIFICATION

Agency Committees may make requests for the selective service reclassification from Class III-A to Class III-B of employees other than those engaged in occupations designated by the Chairman as non-deferable. Such requests shall be made in accordance with standards, to be prescribed by the Chairman, for determining the relationship of employees' activities to the war effort, which standards shall conform, as nearly as may be, to the standards applicable to such reclassification in the case of persons not in the Federal service.

VII. GENERAL PROVISIONS

1. Under regulations to be prescribed by the Chairman, the Agency Committee in each agency shall supervise the preparation and maintenance, on a current basis, of adequate statistics on the selective service status of its male employees, and on related matters, which shall be summarized and reported to the Review Committee at periodic intervals.

2. Heads of agencies shall issue special instructions to insure that an employee will immediately report through proper channels any change in his selective service status or the receipt of notice to report for induction.

3. Each agency shall plan and carry out an orderly program of replacement and training occasioned by the entry or prospective entry of employees into the armed forces, on the basis of the information provided for in paragraph 1 of this Part of this Order.

4. The Chairman shall from time to time make recommendations to the Director of the Bureau of the Budget, based on information and experience acquired in the administration of this Order, for the effective utilization of the services of Government employees with respect to the conservation of manpower.

5. Under regulations to be prescribed by the Chairman, the several agencies shall submit to the Review Committee periodic reports concerning all action taken under this Order. The Review Committee shall currently review such reports and shall consult with Agency Committees with respect to any departures from this Order. The Review Committee may also designate representatives to attend meetings of Agency Committees. Such representatives shall at all times have full access to all records of such Committees.

6. The Chairman shall report to the President, at intervals of not more than three months, with respect to the administration of this Order and shall make recommendations to the President with respect to such modifications of this Order as he may deem advisable.

7. The Chairman may suspend the authority of any Agency Committee to submit requests for deferment if the Agency Committee submits requests in violation of this Order.

8. A request for deferment of an employee may be cancelled by the Review Committee if it determines that the request was made in violation of this Order.

9. The Chairman shall furnish copies of this Order to all local selective service boards.

10. The Chairman may delegate any of his duties and powers under this Order to any officer or employee of the War Manpower Commission and may utilize the services of any Federal officer, employee, or agency.

11. The Chairman shall prescribe such regulations as may be necessary to carry out the purposes of this Order, including such additional criteria for the designation of key positions as he may deem necessary.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 6, 1943.

[F. R. Doc. 43-3683; Filed, March 9, 1943; 10:56 a. m.]

EXECUTIVE ORDER 9310

TRANSFERRING THE NUTRITION FUNCTIONS OF THE OFFICE OF DEFENSE HEALTH AND WELFARE SERVICES TO THE DEPARTMENT OF AGRICULTURE

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, as President of the United States, and in order to enable the Secretary of Agriculture more effectively to carry out his responsibilities with respect to the Nation's food program, it is hereby ordered:

1. The functions, powers, and duties, with respect to nutrition, (a) of the Office of Defense Health and Welfare Services in the Office for Emergency Management of the Executive Office of the President (including all functions, powers, and duties of the Nutrition Division of the Office of Defense Health and Welfare Services), and (b) of the Director of the Office of Defense Health and Welfare Services, are transferred to the Department of Agriculture, and shall be administered under the supervision and direction of the Secretary of Agriculture through such agency or agencies in the Department as the Secretary shall designate.

2. The personnel, property, and records used primarily in the administration of the functions, powers, and duties transferred by this Order are transferred to the Department of Agriculture. So much of the unexpended balances of appropriations, allocations, and other funds available for the use of the Office of Defense Health and Welfare Services in discharging the functions, powers, and duties transferred by this Order, as the Director of the Bureau of the Budget shall determine, shall be transferred to the Department of Agriculture for use in connection with the exercise of the functions, powers, and duties so transferred. In determining the amounts to be transferred hereunder, allowance shall be made for the liquidation of obligations previously incurred against such appropriations, allocations, or other funds.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 6, 1943.

[F. R. Doc. 43-3681; Filed, March 9, 1943; 10:56 a. m.]

EXECUTIVE ORDER 9311

ENLARGING THE SQUAW CREEK NATIONAL WILDLIFE REFUGE

MISSOURI

By virtue of the authority vested in me as President of the United States, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described lands, comprising 374.64 acres, more or less, acquired by the United States in Holt County, Missouri, be, and they are hereby, reserved and set apart for the Department of the Interior, subject to valid existing rights, as an addition to and a part of the Squaw Creek National Wildlife Refuge, established by Executive Order No. 7156 of August 23, 1935, as the Squaw Creek Migratory Waterfowl Refuge, the name of which was changed to Squaw Creek National Wildlife Refuge by Proclamation No. 2416, of July 25, 1940:[1]

FIFTH PRINCIPAL MERIDIAN

T. 61 N., R. 38 W., sec. 7, fractional S½ of lot 2 in NW¼, SW¼NE¼, and W½SE¼NE¼;
T. 61 N., R. 39 W.,
sec. 1, E½ south and east of the southeasterly right-of-way boundary of the Chicago, Burlington & Quincy Railroad;
sec. 10, SE¼NE¼ south and east of the southeasterly right-of-way boundary of the Chicago, Burlington & Quincy Railroad;
sec. 36, N½SE¼ east of the easterly right-of-way boundary of the Chicago, Burlington & Quincy Railroad, and NW¼SE¼.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 6, 1943.

[F. R. Doc. 43-3682; Filed, March 9, 1943; 10:56 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 1, Amendment 3]

PART 1404—BAKERY PRODUCTS

MANUFACTURE AND SALE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Distribution Order

[1] 5 F.R. 2677.

[FDO 29]

(c) *Restrictions on delivery of refined*

(ii) The loading of such oil in a truck

No. 1, § 1404.1, as amended (7 F.R. 11105; 8 F.R. 828, 1177), is amended to read as follows:

§ 1404.1 *Manufacture and sale of bakery products*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "baker" means any person who is engaged in the commercial manufacture of any berry product, excluding, however, baking at institutions, hotels, and restaurants in connection with the service of meals at such establishments.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "bread" shall include all types of bread such as white, rye, raisin, and whole wheat types.

(4) The term "pan bread" means bread which is baked in a pan as distinguished from bread which is baked on the hearth, in sheets, or on screens.

(5) The terms "twisting" means the twisting together of two or more pieces of dough to form a loaf of bread baked in a pan; *Provided*, That it shall not include the twisting or braiding of dough for the Jewish ritual bread containing eggs which is sold under the name "Chalah" or variations of that name.

(6) The term "cross-panning" means placing in a bread baking pan at right angle to its length, two or more pieces cut from dough which has passed through the bakery machine commonly known as a molder.

(7) The term "variety" means any different formula, type, weight, shape, or topping of bread or rolls.

(8) The term "rolls" shall include plain white rolls and buns of the semi-bread dough type, such as soft rolls, hamburger, hot dogs, Parkerhouse, etc.; hard rolls, such as Vienna, Kaiser, etc., all made without fillings or icing, but shall not include yeast raised sweet rolls or sweet buns (cinnamon rolls or buns, butterfly rolls, etc.).

(9) The term "enriched" means that the bread has been made from enriched flour containing the ingredients in the quantities required by the regulations under the Food, Drug and Cosmetic Act, or that equivalent ingredients have been added to plain flour during the mixing of the dough.

(10) The term "bakery products" mean bread, rolls, sweet rolls, cakes, pies, cookies, doughnuts, biscuits, crackers, pretzels, ice cream cones and similar products prepared by bakers.

(11) The term "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions.* (1) No baker may perform the process of twisting or cross-panning in the manufacture of any pan bread. The making of twin loaves shall not be construed as cross-panning under this restriction.

(2) No baker may prepare or deliver any bread or rolls packaged in more than one thickness of wrapping material except as permitted by the provisions of paragraph (3), and except that more than one thickness is permitted on the areas of closure, and where necessary in the packaging of rolls with cardboard bottoms or ends, or cardboard trays.

(3) No baker or other seller of bread or rolls shall use inserts, outserts, or end labels on any bread except that one insert, one outsert, or one end label may be used where such insert, outsert, or end label provides the only label identification or provides a required label correction, such insert, outsert, or end label not to exceed three inches in width.

(4) No baker or other seller of bakery products, baking company, its officers, agents, employees, subsidiaries, affiliates, or any person acting for or under subsidy from any baker or baking company shall sell on consignment, or shall deliver or otherwise distribute for sale any bakery products and agree in any manner to accept return, resume possession, or give refund, credit, exchange, or allowance in connection therewith.

(5) No baker shall make in any one bakery more varieties of bread or rolls than he made in such bakery during the first week of December 1942 and, in any case, the maximum number of varieties of bread and rolls which may be made or sold by any baker in or from such bakery during any one week shall be (a week shall begin at 12:01 a. m. Sunday):

(i) Bread and rolls for sale to or distribution through retail stores including chain grocery stores (not including restaurants, hotels, institutions, or bakeries operated by bakers who own or control retail outlets and whose primary business is the making and selling of bakery products direct to consumers).

(*a*) Six varieties of machine molded bread, of which not more than three shall be white pan bread;

(*b*) Ten varieties of hand molded bread; and

(*c*) Three varieties of rolls.

(ii) Bread and rolls for sale to restaurants, hotels and institutions.

(*a*) Ten varieties of bread, of which not more than three shall be white pan bread; and

(*b*) Nine varieties of rolls.

(iii) Bread and rolls for direct sale to consumers.

(*a*) Fifteen varieties of bread, of which not more than three shall be white pan bread; and

(*b*) Nine varieties of rolls.

The provisions of (b) (5) of this order shall not apply to religious ritual breads when sold for and on the occasion of the religious holidays to which they are appropriate.

(6) No baker shall provide or furnish racks, stands, or other equipment to any person, nor shall replace racks, stands or other equipment heretofore provided or furnished.

(7) All white bread shall be enriched, shall contain not less than 3 parts nor more than 4 parts of solids of milk or skim milk to 100 parts of flour, and shall contain not more than 2 parts of shortening and not more than 4 parts of sugar or other related fermentable carbohydrate solids. All parts shall be determined by weight of material used: *Provided*, That white bread other than pan bread may for a period of 90 days from the effective date of this order contain less than 3 parts of solids of milk or skim milk.

(c) *Reports.* Bakers and other sellers of bread or rolls to whom this order applies shall execute and file such reports upon such forms as the Director may request or direct, and within such time as he may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(d) *Records.* Bakers shall keep and preserve for not less than two years accurate records concerning all purchases and sales of baking ingredients and bakery products as well as of production (this record keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942)

(e) *Audit and inspection.* Every person subject to this order shall upon request permit inspection at all reasonable times of his stocks of bakery products and the premises used in his business, and all his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(f) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Delegation of authority.* The Director is hereby designated and empowered to administer the provisions of this order.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD–1.

(j) *Effective date.* This order shall become effective on the date of its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3656; Filed, March 8, 1943; 3:10 p. m.]

[FDO 29]

PART 1460—FATS AND OILS

RESTRICTIONS ON THE USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of cottonseed, peanut, soybean, and corn oil to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.13 *Cottonseed, peanut, soybean, and corn oil; restrictions on use and distribution*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "crude oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, and which has not been refined.

(2) The term "refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation.

(3) The term "refiner" means any person who accepts delivery of crude oil for the purpose of refining, and who may or may not process refined oil, produced by him or acquired from any other person, further in the manufacture of shortening, cooking oil, salad oil, or margarine.

(4) The term "margarine manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of margarine.

(5) The term "non-refining shortening manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of shortening, cooking oil, or salad oil, and who does not own, control, or operate a refinery for refining crude oil.

(6) The term "industrial user" means any person, other than a refiner, who accepts delivery of crude or refined oil, for any use other than the manufacture of an edible product. A manufacturer of medicinal preparations shall be deemed to be an industrial user hereunder.

(7) The term "person" means any individual, partnership, corporation, association, or other business entity.

(8) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(9) The term "receiving notice from the Director" shall include, but is not limited to, the delivery of a telegram or letter from the Director to an employee of the person concerned at the business address of such person.

(b) *Restrictions on delivery of crude oil.* No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, unless specifically authorized or directed by the Director.

(c) *Restrictions on delivery of refined oil.* No person shall deliver refined oil to a refiner, margarine manufacturer, or non-refining shortening manufacturer and no refiner, margarine manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, unless specifically authorized or directed by the Director.

(d) *Restrictions on the use of crude oil.* No person, other than an industrial user, shall use crude oil except in such quantities and for such purposes as the Director shall specifically authorize or direct.

(e) *Applications for authorizations.* Applications for authorizations required by this order shall be made on such forms, in such manner, for such periods, and at such times as the Director shall prescribe.

(f) *Effective period of authorizations.* No person shall deliver crude or refined oil pursuant to or in reliance on any authorization or directive which has expired at the time of such delivery. The Director shall prescribe in each authorization for delivery the time in which delivery may be made thereunder. Such time may be extended by the Director, in his discretion, upon application.

(g) *Further allocations.* No person, after receiving notice from the Director to refrain from delivering or using any crude or refined oil acquired by him pursuant to an authorization or directive issued hereunder, shall deliver or use such oil, except upon further specific authorization of the Director.

(h) *Intra-company deliveries.* The provisions and restrictions of this order with respect to delivery of crude oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(i) *Contracts.* All contracts heretofore or hereafter entered into for the purchase or sale of crude or refined oil shall be subject to any allocation made pursuant to this order.

(j) *Delivery.* For the purposes of this order:

(1) A person shall be deemed to have delivered crude or refined oil upon the occurrence of any one of the following:

(i) The delivery by such person of such oil to a common carrier and the issuance of a bill of lading therefor; or

(ii) The loading of such oil in a truck or tank wagon furnished by the person to whom delivery is to be made; or

(iii) The unloading of such oil in a plant or storage tank which is owned, leased, or controlled by the person to whom delivery is to be made.

(2) A person shall be deemed to have accepted delivery of crude or refined oil upon the occurrence of any one of the following:

(i) The acquisition by such person of a bill of lading issued by a common carrier for such oil; or

(ii) The loading of such oil in a truck or tank wagon furnished by such person; or

(iii) The receiving of such oil in a plant or storage tank which is owned, leased, or controlled by such person.

(k) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe. (Specific recording or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.)

(l) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(m) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(o) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD–29.

(p) *Effective date.* This order shall become effective on the 16th day of April 1943, at 12:01 a. m., e. w. t.

(E.O. 9280; 7 F.R. 10179)

Issued this 6th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3685; Filed, March 9, 1943; 11:17 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4778]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOHNSON SMITH & COMPANY

§ 3.6 (n) *Advertising falsely or misleadingly — Nature — Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondents' watches, (1) using the word "Railroad" or the words "Railroad Type", or any other word or words of similar import, to designate or describe any watch which is not in fact a railroad watch possessing the accuracy and dependability required of watches used by railroad employees engaged in the operation of trains; and (2) representing in any manner that respondents' watches are railroad watches when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Johnson Smith & Company, Docket 4778, March 3, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of March A. D. 1943.

In the matter of Alfred Johnson Smith, Paul Smith, and Arthur Smith, copartners doing business as Johnson Smith & Company.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Alfred Johnson Smith, Paul Smith, and Arthur Smith, individually and trading as Johnson Smith & Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondents' watches in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Railroad" or the words "Railroad Type," or any other word or words of similar import, to designate or describe any watch which is not in fact a railroad watch possessing the accuracy and dependability required of watches used by railroad employees engaged in the operation of trains.

2. Representing in any manner that respondents' watches are railroad watches when such is not the fact.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 43-3690; Filed, March 9, 1943; 11:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in these subchapters issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3, as Amended March 9, 1943]

UNIFORM METHOD OF APPLICATION AND EXTENSION OF PREFERENCE RATINGS

§ 944.23 *Priorities Regulation 3*—(a) *Definitions.* For the purposes of this regulation:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under the authority of the Director General for Operations, of the right to use such rating.

(4) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director General for Operations, and includes the initial issuance by any governmental agency, under authority of the Director General for Operations, of a preference rating certificate rating a delivery to be made directly to such agency.

(5) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(b) *General provisions.* (1) Except to the extent otherwise provided in Priorities Regulation No. 11 (§ 944.32) with respect to persons required or permitted to qualify under the production requirements plan, any person may apply a preference rating assigned to him by any preference rating certificate or preference rating order issued to him in his name or as one of a class, and any person may extend any rating which has been applied or extended to deliveries to be made by him, subject to the provisions of this regulation.

(2) A preference rating may be applied by the person to whom it is assigned only to the specific quantities and kinds of material authorized, or to the minimum required amounts of material when no specific quantities are authorized. Any rating which has been applied or extended by others to deliveries to be made by a person may, subject to the provisions of this regulation, be extended by such person in order to obtain not more than the same amount and kind of material (except as specified in paragraph (c) (3) of this regulation) which he has delivered or is required to deliver pursuant to such rating.

(3) No person shall duplicate, in whole or in part, purchase orders which he has placed with one or more suppliers for delivery of material to which he has applied or extended a rating, in such manner that the amount of the material ordered exceeds the amount to which he is authorized to apply or extend the rating, even though he intends to cancel or reduce his purchase orders to the authorized amount prior to completion of delivery.

(c) *Extension of ratings.* The following provisions shall be applicable to all extensions of preference ratings notwithstanding any inconsistent provisions of the preference rating certificate or preference rating order assigning the rating, except to the extent otherwise provided in Priorities Regulation No. 11 (§ 944.32) with respect to persons required or permitted to qualify under the production requirements plan. No preference rating may be extended to the delivery of any material except:

(1) Material which will itself be delivered by the person extending the rating on a delivery bearing the rating which is being extended, or which will be physically incorporated into material to be so delivered, including the portion of such material normally consumed or converted into scrap or byproducts in the course of processing; or

(2) Material which is required to replace in inventory material so delivered or incorporated. Material shall not be deemed to be required if the delivery can be made and a practicable working minimum inventory of such material still retained; and if, in making delivery, the inventory is reduced below such minimum, the rating may be extended to replace such material only to the extent necessary to restore the inventory to such minimum: *Provided, however,* That the material ordered for replacement must be substantially the same as the material delivered or incorporated in the material delivered, subject only to minor variations in size, shape or design or substitutions of less scarce materials, which in any case do not substantially alter the purpose for which the same is to be used; or

(3) Maintenance, repair and operating supplies, but only if ordered for March 31, 1943, or prior delivery, and only subject to the following conditions and limitations:

(i) The amount of maintenance, repair and operating supplies obtained by any person under this regulation and under any preference rating ("P") order (except P-100) assigning a rating to such person shall not, in the aggregate, exceed during any period the limit, if any, specified in such preference rating order for use of the rating thereby assigned;

(ii) The cost of all maintenance, repair and operating supplies obtained by any other person by extension of a rating shall not exceed in any month ten percent of the cost of materials described in subparagraphs (1) and (2) of this paragraph (c) to which the same grade of rating is extended during the same month (or, if such materials are obtained without preference rating assistance, to which the same grade of rating could be extended, during such month if priorities assistance were needed);

(iii) The cost of maintenance, repair and operating supplies consisting of metals in any of the forms listed on the Metals List attached to Priorities Regulation No. 11 (§ 944.32) to which the rating is extended in any month shall not in any event exceed two and one-half percent of the cost of materials described in said subparagraphs (1) and (2) to which the same grade of rating is extended during the same month (or, if such materials are obtained without preference rating assistance, to which the same grade of rating could be extended during such month if priorities assistance were needed);

(iv) The term "maintenance, repair and operating supplies" as used in this subparagraph (3) shall include only those supplies which are actually required for directly processing the material described in subparagraph (1) or (2) above of this paragraph (c) or for maintenance or repair of production machinery and equipment used in such processing. It does not include any of the following regardless of whether normally carried as operating supplies according to established accounting practices:

(*a*) Materials for maintenance or repair of buildings.

(*b*) Fabricated containers (in knockdown or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

(*c*) Printed matter, stationery and office supplies.

(*d*) Paper, paperboard and products manufactured therefrom; molded pulp products.

(*e*) Fuel or electric power.

(*f*) Office machinery or office equipment.

(*g*) Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):

(1) Asbestos clothing.

(2) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

(3) Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.

(4) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(5) Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.

(6) Safety industrial leather clothing other than gloves or mittens.

(7) Metal mesh gloves, aprons and sleeves.

(8) Plastic and fibre safety helmets.

(*h*) Materials for plant expansion or plant construction.

(v) In cases where the material to be processed is furnished by the customer, the cost thereof to the customer shall, for the purposes of this paragraph (c) (3), be taken instead of cost to the processor and the month in which the processing order is placed shall be taken in lieu of the month in which the material to be processed is ordered.

(vi) Maintenance, repair and operating supplies on orders calling for delivery after March 31, 1943, should be procured as provided in CMP Regulation No. 5.

A person may not extend a rating to any materials in excess of the quantities specified in this paragraph (c) nor to materials for plant improvement, expansion or construction, to machine tools or other capital equipment, to business machines whether purchased or leased, or to maintenance, repair or operating supplies other than those specified above in subparagraph (3) of this paragraph (c).

(d) *Method of application or extension.* (1) Any person authorized to apply or extend preference ratings may do so:

(i) On a written contract or purchase order, by endorsing on, or attaching to, each contract or purchase order placed by him to which the rating is to be applied or extended, a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this purchase order, and that such application or extension is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar.

---------- ----------
(Name of Purchaser and PRP Certificate No. if Purchaser is a PRP Unit) (Address)

By ---------- ----------
(Signature and Title of Duly Authorized Officer) (Date)

(ii) On a purchase order placed by telegraph, by including in the telegram the following abbreviated certification: "Ratings certified". The requirements for manual signature or authorization under Priorities Regulation No. 7 (§ 944.27) will be satisfied in such case if the copy of the outgoing telegram retained by the person placing the order is signed or authorized in the manner provided in that regulation.

(iii) On a purchase order placed by telephone and requiring shipment within seven days, by stating to the supplier at the time of placing the order the substance of the certification set forth in subdivision (i) of this paragraph (d) (1): provided, however, in such case, that the person making the statement is an official duly authorized to make such certification, and the person making the statement furnishes to the supplier within fifteen days after placing the purchase order confirmation in writing describing the material ordered and bearing a certification of such preference rating substantially in the form prescribed by subdivision (i) of this paragraph (d) (1). No preference rating received by telephone shall be extended by the supplier to replace in inventory any material delivered, until receipt by the supplier of the written confirmation herein required. On or before the twentieth day of each month, any supplier who has received in the prior month a preference rating applied or extended by telephone shall notify the War Production Board, Compliance Division, of any case in which a purchaser has failed to furnish to him the written certification when due.

(iv) The person receiving the certification and rating shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false. Each person applying or extending a rating must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to apply or extend such rating, segregated and available for inspection by representatives of the War Production Board, or, filed in such manner that they can be readily segregated and made available for such inspection. In addition thereto, each person applying or extending a rating shall execute and file with the War Production Board all reports and questionnaires required by the applicable preference rating certificate or preference rating order and such other reports and questionnaires as said Board shall from time to time request.

(2) Such certification may be used in lieu of any other form of certification required by the terms of any regulation, preference rating order or preference rating certificate (including, without limitation, the instructions accompanying Forms PD-1A, PD-3A and PD-25A) as a means of applying or extending a preference rating and in lieu of furnishing any copy of any preference rating order required thereby; except that the provisions of Priorities Regulation No. 9 (§ 944.30) with respect to the method of applying (but not extending) preference ratings covering certain types of exports must be complied with when ratings are applied pursuant to that regulation.

(3) Notwithstanding the requirements of any applicable preference rating order or certificate,

(i) A person may defer extending any rating for a period of not more than three months after he becomes entitled to extend the same;

(ii) Ratings of the same grade assigned by different preference rating

certificates or orders may be combined and extended to a single delivery; and

(iii) Ratings of different grades, whether assigned by the same or different preference rating certificates or orders, may be extended to deliveries under a single purchase order provided the amount of each material to which a particular grade of rating is extended is shown either as a separate item, or on a percentage basis where the material involved is of such type and in such quantities that the supplier can readily determine, from percentage figures alone, the exact effect of the extension of the rating on his production and delivery schedule. To the extent necessary to avoid production or delivery of material in quantities smaller than the minimum commercially practicable, items to which ratings of different grades might be extended may be combined and the rating of the lowest grade extended to the total production or delivery.

(4) In addition to complying with the foregoing requirements of this paragraph (d), any person applying or extending a preference rating shall include on his purchase order or contract such information (except designation of the number or serial number of the preference rating certificate or preference rating order assigning the rating) as may be required by the terms of any applicable order of the Director General for Operations and which the person placing the purchase order is able to furnish.

(e) *Applicability of other restrictions.* Except as expressly otherwise provided in paragraphs (c) and (d) of this regulation, the application or extension of any rating shall be subject to any applicable restrictions contained in any order of the Director General for Operations assigning the preference rating in question or regulating transactions in the material involved, including, without limitation, restrictions as to the kind and amount of material to which preference ratings may be applied or extended, requirements of countersignature or other written approval of particular transactions, and restrictions on the use of material.

(f) *Effect on existing certificates and orders.* All existing forms of preference rating certificates issued by or under authority of the Director of Priorities, the Director of Industry Operations or the Director General for Operations are continued in full force and effect, and additional certificates on such forms may continue to be issued by the persons now or hereafter authorized to issue the same until such authority is revoked or amended, subject to the provisions of this and other regulations of the Director General for Operations. All certificates and all existing orders of the Director of Priorities, the Director of Industry Operations and the Director General for Operations are to be deemed amended by this regulation only where and to the extent that the provisions of this regulation indicate that it is to control.

Issued this 9th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3687; Filed, March 9, 1943; 11:32 a. m.]

PART 987—COBALT

[General Preference Order M-39 as Amended March 9, 1943]

Section 987.1 *General Preference Order M-39* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cobalt for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 987.1 *General Preference Order M-39*—(a) *Definitions.* For the purposes of this order:

(1) "Cobalt" means and includes:

(i) Ores, concentrates, and crudes, including beneficiated or treated forms containing cobalt (commercially recognized).

(ii) Cobalt metal, cobalt oxide, and other primary chemical compounds which result from the processing of cobalt ores, concentrates, crudes or residues; but not including products or by-products from which cobalt is not commercially recoverable.

(iii) All scrap or secondary material containing commercially recoverable cobalt as defined in (i) and (ii) above, excluding cobalt bearing iron and steel scrap.

(b) *Refining ores.* The Director General for Operations from time to time may direct the purposes for which any of the forms of cobalt specified in paragraph (a) (1) (i) above shall be refined or otherwise processed.

(c) *Restrictions on deliveries.* (1) Except as permitted in paragraph (c) (2), no person shall deliver or accept delivery of cobalt without the specific authorization of the Director General for Operations. The Director General for Operations will from time to time allocate the supply of cobalt and specifically direct the manner and quantities in which deliveries to particular persons or for particular uses shall be made or withheld. Such allocations and directions may be made without regard to any preference ratings assigned to particular contracts or purchase orders. The Director General for Operations may also, in his discretion, require any person seeking to place a purchase order for cobalt to place the order with one or more particular suppliers.

(2) *Permissible deliveries.* Until further order or in the absence of a contrary direction by the Director General for Operations, the following transactions are permitted without specific authorization by the Director General for Operations:

(i) Cobalt in any form may be delivered by any person to the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C., section 606 (b)), or to any duly authorized agent of any such corporation.

(ii) Deliveries of cobalt in any form may be made and accepted by any person in quantities of 25 pounds or less contained cobalt, provided that the total quantity acquired by any person pursuant to this subparagraph, in any calendar month from all sources of supply, shall be limited to 25 pounds contained cobalt.

(d) *Reports and applications.* (1) No person shall be entitled to receive an allocation in accordance with paragraph (c) (1) above unless, not later than the 20th day of the month next preceding the month in which delivery is scheduled, he shall have filed with the War Production Board reports on Forms PD-581 and PD-582 as revised. Failure of any person to file a report in the manner and on the date required by this subparagraph may be construed as notice to the Director General for Operations and to all suppliers of cobalt that such person does not desire an allocation of cobalt during the succeeding month.

(2) Any person who on the first day of a calendar month has in his possession or under his control a quantity of cobalt in any of the forms specified in paragraph (a) above in excess of 100 pounds (contained cobalt) shall file a report with the War Production Board on Form PD-581 on or before the 20th day of such month, whether or not such person applies for an allocation of cobalt for delivery during the succeeding month.

(3) Each refiner or processor of cobalt ores, concentrates or crudes in any of the forms specified in paragraph (a) (1) (i) above shall on or before the 20th day of each month file with the War Production Board on Form PD-581 his production schedule for the succeeding month.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(g) *Communications to War Production Board.* All reports and applications required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Steel Division, Ferro-Alloys Branch, Washington, D. C., Reference: M-39.

Issued this 9th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3688; Filed, March 9, 1943; 11:32 a. m.]

PART 3147—PHOTOGRAPHIC FILM AND FILM BASE

[General Limitation Order L-233 as Amended March 9, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials for film and film base for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3147.1 *General Limitation Order L-233*—(a) *Definitions.* For the purposes of this order:

(1) "Amateur-type still film" means roll films and 35 millimeter perforated films (whether packaged as cartridges, spools or in bulk) except 35 millimeter motion picture film.

(2) "Amateur-type motion picture film" means 8 and 16 millimeter reversal-type motion picture film.

(3) "Cut-sheet film" means film packaged in lots of individual flat pieces including film packs, but excluding X-ray film.

(4) "Group I products" means amateur-type still films and amateur-type motion picture films.

(5) "Group II product" means cut-sheet film.

(6) "Group III product" means 35 millimeter motion picture film.

(7) "Restricted film" means Group I, Group II and Group III products, and film base for such products.

(8) "Base period" means the calendar year 1941.

(9) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, engaged in the business of producing any film or film base whatsoever.

(10) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Government of Canada, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and government agencies or other persons acquiring film or film base for export to and consumption or use in, any foreign country.

(b) *General restrictions.* No manufacturer shall:

(1) On and after December 16, 1942, produce any restricted film other than for preferred orders except in accordance with the provisions of paragraph (c) of this order;

(2) On and after January 1, 1943, produce and sell, lease, trade, ship, lend or transfer any restricted film pursuant to a preferred order except in accordance with the provisions of paragraph (d) of this order;

(3) On and after January 1, 1943, produce any film or film base other than restricted film, whether or not such production is pursuant to a preferred order except in accordance with the provisions of paragraph (e) of this order.

(c) *Limitations on production of restricted film other than for preferred orders.* (1) During the month of December, 1942, no manufacturer shall produce more film base (excluding preferred orders) intended to be used by any person for the production of finished Group I, Group II or Group III products than the following percentages of such film base (including preferred orders) produced by him during the base period:

(i) Film base for Group I products, 5%.

(ii) Film base for Group II product, 7%.

(iii) Film base for Group III product, 7%.

(2) During the month of December 1942, no manufacturer shall produce more finished Group I, Group II or Group III products (excluding preferred orders) than the following percentages of such finished film (including preferred orders) produced by him during the base period:

(i) Group I products, 5%.

(ii) Group II product, 7%.

(iii) Group III product, 7%.

(3) During the three months period beginning January 1, 1943, and for each three months period thereafter, no manufacturer shall produce more film base (excluding preferred orders) intended to be used by any person for the production of finished Group I, Group II or Group III products than the following percentages of such film base (including preferred orders) produced by him during the base period:

(i) Film base for Group I products, 12½%.

(ii) Film base for Group II product, 19%.

(iii) Film base for Group III product, 19%.

(4) During the three months period beginning January 1, 1943, and for each three months period thereafter, no manufacturer shall produce more finished Group I, Group II or Group III products (excluding preferred orders) than the following percentages of such finished film (including preferred orders) produced by him during the base period:

(i) Group I products, 12½%.

(ii) Group II product, 19%.

(iii) Group III product, 19%.

(5) On or after March 9, 1943, no manufacturer shall produce or transfer any restricted film pursuant to a preferred order except in accordance with the provisions of paragraph (d) of this order.

(d) *Limitations on production and delivery of restricted film for preferred orders.* On or before December 20, 1942, and on or before the first day of each third succeeding calendar month thereafter, each manufacturer shall file with the Director General for Operations a statement in writing in quadruplicate which shall include:

(1) Such manufacturer's proposed production schedule of restricted film for preferred orders so far as then planned, but in any event, for not less than the next succeeding calendar quarter.

The Director General for Operations shall notify manufacturers of his approval or disapproval of the production and delivery schedules for the calendar quarter or more covered in the report. Either at the time the schedule is initially filed by the manufacturer, or at any time thereafter, the Director General for Operations may change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer; or direct the delivery of any restricted film whether or not produced pursuant to a preferred order, to any other person, at the established price and terms. No manufacturer shall produce or deliver any restricted film pursuant to a preferred order, except in accordance with schedules approved or prescribed by the Director General for Operations as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the Director General for Operations. In connection with the delivery of any Group III product, the Director General for Operations may direct that such Group III product be delivered in accordance with the restrictions contained in General Limitation Order L-178 as amended from time to time (§ 3032.1).

(e) *Limitations on production of film and film base other than restricted film.* On or before December 20, 1942, and on or before the first day of each third succeeding calendar month thereafter, each manufacturer shall file with the Director General for Operations a statement in writing in quadruplicate which shall include such manufacturer's proposed production schedule for any film or film base whatsoever (including preferred orders) other than restricted film so far as then planned, but in any event, for not less than the next succeeding calendar quarter.

The Director General for Operations shall notify manufacturers of his approval or disapproval of the production schedules for the calendar quarter or more covered in the report. Either at the time the schedule is initially filed by the manufacturer, or at any time thereafter, the Director General for Operations may change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer, or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer. No manufacturer shall produce any film or film base whatsoever (including preferred orders) other than restricted

film, except in accordance with schedules approved or prescribed by the Director General for Operations as above provided; and no manufacturer shall alter any such approved or prescribed production schedule unless authorized or directed to do so by the Director General for Operations.

(f) *Special provision affecting Preference Rating Order No. P–100.* On and after December 16, 1942, no person shall apply, extend or otherwise use a preference rating pursuant to Preference Rating Order No. P–100 (§ 958.2) for the purpose of acquiring any film or film base whatsoever.

(g) *Reports.* (1) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref: L–233, on or before the 10th day following the close of each calendar month, Form PD–655.

(2) Every person affected by this order shall execute and file with the War Production Board such other reports and questionnaires as said Board shall from time to time request.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the production of any film or film base whatsoever, inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production of the rates permitted by this order.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order should be made on Form PD–500, addressed to the War Production Board, Consumers' Durable Goods Division, Ref: L–233.

(m) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, limits the use of any material in the production of any film or film base whatsoever, to a greater extent than the limits imposed by this order, such other order shall govern unless otherwise specified therein.

(n) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(o) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L–233.

Issued this 9th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3689; Filed, March 9, 1943; 11:32 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—ELECTRIC, GAS, WATER AND STEAM UTILITIES—MATERIALS

[Supplementary Utilities Order U–1–d]

§ 4500.5 *Supplementary Utilities Order U–1–d.* Notwithstanding the provisions of paragraph (h) of Utilities Order U–1, electric, gas, and water connections may be made by producers to premises, the construction or remodeling of which is authorized under paragraph (b) (4) of Limitation Order L–41 by the issuance of a specific direction, order, certificate, or other authorization for construction, provided that the following conditions are satisfied:

(a) *Industrial or commercial consumers.* (1) The cost of material for such utility connections (including service drop or service pipe and any portion built by or for the consumer) is less than $1,500 in the case of underground construction, or $500 in the case of other construction;

(2) Connections can be made with an expenditure of not more than 60 pounds of copper in conductor for electric service, 250 pounds of iron or steel pipe for gas service, or 250 pounds of iron or steel pipe for water service, and the producer has so certified in a letter addressed to the War Production Board and attached to the builder's application for L–41 approval.

(b) *Domestic consumers.* (1) The cost of material for such utility connections (including service drop or service pipe and any portion built by or for the consumer) is less than $1,500 in the case of underground construction, or $500 in the case of other construction;

(2) The electric, gas, or water connections can be made within the limits established by the Housing Utility Standards, issued by the War Production Board, and the producer has so certified in a letter addressed to the War Production Board and attached to the builder's application for L–41 approval.

Issued this 8th day of March 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43–3676; Filed, March 8, 1943; 4:59 p. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120,[1] Amendment 44]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.226 (b) is amended to read as set forth below:

§ 1340.226 *Appendix O: Maximum prices for bituminous coal produced in District No. 15.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

(i) *Special price instruction.* (a) Where the effective minimum price now or hereafter established by the Bituminous Coal Division for any shipment of coals to any particular destination or market area or for any particular use, or for movement by any particular method of transportation is higher than the maximum price provided in this amendment for such a shipment, the particular shipment may be made at not more than the applicable minimum price; which shall be the base minimum price listed in the minimum price schedule promulgated by the Bituminous Coal Division without regard to any deductions which are permitted to be made therefrom.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6698, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9793, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2713.

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents per net ton.

(3) Maximum prices in cents per net ton for railroad locomotive fuel.

Production group No.	Prices and size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	320	320	320	320	325	305	300	275	270	270	270	255	200	170	140
2	285	285	285	285	285	275	260	265	265	245	210	200	165	140	140
3	280	280	280	280	285	270	255	245	220	220	250	225	205	160	140
4	335	335	335	315	310	295	280	275	335	270	270	255	.....	205	140
5	330	330	330	330	305	290	275	270	330	265	265	250	.....	200	140
6	385	385	385	385	.....	.....	.....	.....	.....	375	375	375	.....	.....	.....
7	575	575	575	520	.....	450	.....	285	370	240	.....	.....	.....	135	.....
8	500	500	500	440	.....	400	.....	260	325	200	.....	.....	.....	140	.....
9	500	500	500	440	.....	400	.....	250	270	175	260	.....	.....	140	.....
10	340	340	340	330	.....	305	.....	235	295	215	255	.....	.....	155	.....
11	315	315	315	335	.....	300	.....	.....	380	290	.....	.....	.....	.....	.....
13	380	380	380	380	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

(4) Maximum prices in cents per net ton for Oklahoma Smithing Coal from Production Group No. 12 to all destinations.

(i) Crushed mine run, bulk, 595 cents per net ton.

(ii) Crushed mine run, sacked, 745 cents per net ton.

(iii) Lump, over 2½", 645 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to March 10, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), (3) or (4), but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above: 15 cents per net ton.

(ii) For methods of shipment and uses indicated in (2) above: 15 cents per net ton.

(iii) For use indicated in (3) above: 15 cents per net ton.

(iv) For use indicated in (4) above: 15 cents per net ton.

This Amendment No. 44 shall be effective as of March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43–3610; Filed, March 6, 1943; 5:10 p. m.]

Size of Coal	Prices and production group Nos.										
	1	2	3	4	5	6	7	8	9	10	11[4]
Railroad locomotive fuel (any size not specifically listed herein)	270	270	270	310	310	285	270	270	270	270	270
3" x ¾" unwashed	290	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3" x 0 washed or 3" x ¼" unwashed	.....	255	.....	.....	.....	.....	.....	.....	.....	.....	.....
3" x 0 stoker screenings with ½ of fines removed	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2" x ¾ unwashed	245	.....	.....	.....	.....	.....	.....	.....	.....	.....	245
2" x ¼ washed or 2" x ¼" unwashed	.....	230	270	.....	.....	.....	.....	.....	.....	.....	.....
2" x 0 washed or unwashed	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1¼" x 0 washed or 1¼" x ¼" unwashed	.....	230	.....	.....	.....	.....	.....	.....	.....	.....	290
1¼" x 0 unwashed	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

PART 1340—FUEL

[MPR 120,[1] Amendment 47]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.216 (b) is amended to read as set forth below:

§ 1340.216 *Appendix E: Maximum prices for bituminous coal produced in District No. 5.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6698, 7777, 7670, 7914, 7942, 8334, 8650, 8948, 9793, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2313.

Production group No.	Prices and size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	320	320	320	320	325	305	300	275	270	270	270	255	200	170	140
2	285	285	285	285	285	275	260	265	265	245	210	200	165	140	140
3	280	280	280	280	285	270	255	245	220	220	250	225	205	160	140
4	335	335	335	315	310	295	280	275	335	270	270	255	.....	205	140
5	330	330	330	330	305	290	275	270	330	265	265	250	.....	200	140
6	385	385	385	385	.....	.....	.....	.....	.....	375	375	375	.....	.....	.....
7	575	575	575	520	.....	450	.....	285	370	240	.....	.....	.....	135	.....
8	500	500	500	440	.....	400	.....	260	325	200	.....	.....	.....	140	.....
9	500	500	500	440	.....	400	.....	250	270	175	260	.....	.....	140	.....
10	340	340	340	330	.....	305	.....	235	295	215	255	.....	.....	155	.....
11	315	315	315	335	.....	300	.....	.....	380	290	.....	.....	.....	.....	.....
13	380	380	380	380	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

Size of Coal	Prices and size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Railroad locomotive fuel (any size not specifically listed herein)	270	270	270	310	310	285	270	270	270	270	270
3" x ¾" unwashed	290	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3" x 0 washed or 3" x ¼" unwashed	.....	255	.....	.....	.....	.....	.....	.....	.....	.....	.....
3" x 0 stoker screenings with ½ of fines removed	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2" x ¾ unwashed	245	.....	.....	.....	.....	.....	.....	.....	.....	.....	245
2" x ¼ washed or 2" x ¼" unwashed	.....	230	270	.....	.....	.....	.....	.....	.....	.....	.....
2" x 0 washed or unwashed	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1¼" x 0 washed or 1¼" x ¼" unwashed	.....	230	.....	.....	.....	.....	.....	.....	.....	.....	290
1¼" x 0 unwashed	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

(4) Maximum prices in cents per net ton for Oklahoma Smithing Coal from Production Group No. 12 to all destinations.

(i) Crushed mine run, bulk, 595 cents per net ton.

(ii) Crushed mine run, sacked, 745 cents per net ton.

(iii) Lump, over 2½", 645 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to March 10, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), (3) or (4), but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above: 15 cents per net ton.

(ii) For methods of shipment and uses indicated in (2) above: 15 cents per net ton.

(iii) For use indicated in (3) above: 15 cents per net ton.

(iv) For use indicated in (4) above: 15 cents per net ton.

This Amendment No. 44 shall be effective as of March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43–3610; Filed, March 6, 1943; 5:10 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 309,[1] Amendment 2]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1341.554 has been added and § 1341.583 (a) has been amended as set forth below.

§ 1341.554 *Maximum price adjustments for purchases by or purchases negotiated by the United States War Department.* In the event that the United States War Department purchases or negotiates the purchase of any item covered by this regulation and the item, for some technical reason or in some minor respect, fails to meet the standards of a particular grade, the United States War Department may, in its discretion, purchase or negotiate the purchase of such item at a price which it deems fair and proper, which price, however, shall be lower than the price for the lowest grade which the item fails to meet but need not be as low as the maximum price of the next lower grade. Any processor with whom such a sale is negotiated by the United States War Department, may sell, and any governmental agency for which such purchase is negotiated pursuant to this section, may buy, the item at such price.

[1] 8 F.R. 1114, 1313.

§ 1341.583 *Appendix A. Maximum prices for packed fruit*—(a) *Grapefruit juice.*

[Maximum prices in dollars per dozen containers, f. o. b. factory, except as otherwise indicated]

Col 1	Col 2	Col 3	Col 4	Col 5 Container No. 2 can		Col 6 Container No. 3 cyl.		Col 7 Container No. 10 can	
Item No.	State or area	Style of pack	Grade	Gov't. sales	Other sales	Gov't. sales	Other sales	Gov't. sales	Other sales
1	Florida and Texas.	Natural (unsweetened)	A or fancy	1.07½	1.12½	2.45	2.55	4.85	5.00
			C or standard	1.02½	1.07½	2.35	2.45	4.65	4.80
			Offgrade or substandard	.97½	1.02½	2.25	2.35	4.45	4.60
		Sweetened	A or fancy	1.10	1.15	2.50	2.60	5.00	5.15
			C or standard	1.05	1.10	2.40	2.50	4.80	4.95
			Offgrade or substandard	1.00	1.05	2.30	2.40	4.60	4.75
2	California and Arizona	Natural (unsweetened)	A or fancy	1.17½	1.22½	2.70	2.80	5.45	5.60
			C or standard	1.12½	1.17½	2.60	2.70	5.25	5.40
			Offgrade or substandard	1.07½	1.12½	2.50	2.60	5.05	5.20
		Sweetened	A or fancy	1.20	1.25	2.75	2.85	5.60	5.75
			C or standard	1.15	1.20	2.65	2.75	5.40	5.55
			Offgrade or substandard	1.10	1.15	2.55	2.65	5.20	5.35

This amendment shall become effective as of January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-3614, Filed, March 6, 1943; 5:08 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Re: MPR 148,[1] Amendment 2]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Redesignated: Items 8, 9, 10 and 11 of Schedule I (e) of § 1364.35 as Items 4, 5, 6 and 7 of Schedule I (e) of § 1364.35.

Amended: Paragraph (g) and the title of paragraph (h) of § 1364.22; § 1364.23; § 1364.26; subparagraphs (10), (11), (12) and (13) of paragraph (a), subparagraphs (1) and (4) of paragraph (b) and subparagraphs (4) and (8) of paragraph (c) of § 1364.32; Items 10, 18, 19 and 20 of Schedule I (a), Items 3 and 4 of Schedule I (b), Items 4, 19, 22, 23 and 24 of Schedule I (d), the title, column headings, Items 1, 2, and 3 and redesignated Item 7 of Schedule I (e), Items 1, 2 and 6 of Schedule I (f), Schedule I (g), Schedule II (e), subparagraphs (4) and (6) of Schedule III (a), subparagraph (2) of Schedule III (c), subparagraph (2) of Schedule III (d), Schedule III (e) and Schedule III (f) of § 1364.35.

Added: § 1364.34 (b); Item 8 of Schedule I (e) and Schedule III (g) of § 1364.35.

Revoked: § 1364.22 (h) (3); § 1364.27 (a) (2); § 1364.27 (b) (4).

* * * * *

§ 1364.22 *Maximum prices for dressed hogs and wholesale pork cuts.* * * *

(g) *Maximum prices for dressed hogs, invoices, maximum prices for slaughtering services.* (1) The maximum price for each dressed hog, dressed packer style or shipper style, sold to a certified dressed hog processor and delivered to the buyer, shall be that ascertained in accordance with the pricing instructions contained in Schedule IV of Appendix A (§ 1364.35).

(2) Every person who sells dressed hogs to a certified dressed hog processor shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in Schedule IV (a) of Appendix A (§ 1364.35). Every person who sells dressed hogs to others than certified dressed hog processors shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in paragraph (g) (3) of this section. Dressed hogs falling in each such weight range shall be invoiced separately. No person shall sell hogs dressed otherwise than packer style or shipper style.

(3) The maximum price for each dressed hog, dressed packer style or shipper style, sold to a buyer other than a certified dressed hog processor and delivered to the buyer shall be as follows:

PACKER STYLE

Weight range	Price Per Cwt.
Pigs and butcher hogs:	
Under 73 lbs	$21 50
73 lbs. and over, but under 90 lbs	20. 50
90 lbs. and over, but under 108 lbs	20. 00
108 lbs. and over, but under 124 lbs	19. 75
124 lbs and over, but under 155 lbs	19. 50
155 lbs. and over, but under 213 lbs	19. 25
Over 213 lbs	19. 00
Sows:	
All weights	19. 25
Stags:	
All weights	17. 25
Boars:	
All weights	13. 75
Oily hogs: (Deduct $1.50 per cwt. from above prices).	

SHIPPER STYLE

Weight range	Price Per Cwt.
Pigs and butcher hogs:	
Under 80 lbs	$20. 50
80 lbs. and over, but under 100 lbs	19. 50
100 lbs. and over, but under 120 lbs	19. 00
120 lbs. and over, but under 137 lbs	18. 75
137 lbs. and over, but under 172 lbs	18. 50
172 lbs. and over, but under 235 lbs	18. 25
Over 235 lbs	18 00
Sows:	
All weights	18 25
Stags:	
All weights	16 25
Boars:	
All weights	12 75
Oily hogs: (Deduct $1 25 per cwt. from above prices).	

plus the permitted additions, if any, specified in paragraphs (c) (2), (c) (3), (c) (4), (c) (5) and (c) (6) of Schedule IV of Appendix A (§ 1364.35).

(4) Any person who slaughters hogs as a service for the purchaser of such hogs shall remit to such purchaser an amount sufficient to make the cost of the dressed hogs to such purchaser equal to or less than the costs which would be incurred by the purchaser if he purchased the dressed hog from the slaughterer at the maximum price therefor: *Provided*, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses for resale in any form. To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the hogs slaughtered.

(h) *Maximum prices of products sold for export and canned products.*

* * * * *

§ 1364.23 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1364.26 *Evasion.* (a) The price limitations set forth in this Revised Maximum Price Regulation No. 148 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, dressed hogs or wholesale pork cuts alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding: *Provided*, That a payment by a buyer to a broker of not to exceed $0.125 per cwt. in excess of the maximum prices fixed by this regulation for services rendered by the broker to the buyer in connection with a sale of wholesale pork cuts shall not be construed as an evasion of such price limitation with the seller and if the total compensation received by the broker from both buyer and seller in connection with the sale does not exceed $0.125 per cwt.: *Provided further*, That a payment by a buyer to a seller for icing services performed by the seller after March 1, 1943, and before delivery of dressed hogs or wholesale pork cuts to a railroad whose charges are paid directly to such railroad by the buyer shall not be construed as an evasion of such price limitations if the charge for such icing services is no higher than the cost actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Falsely or incorrectly grading or invoicing dressed hogs or wholesale pork cuts;

(2) Selling or invoicing wholesale pork cuts to buyers other than bona fide purveyors of meals at the prices established for sales by hotel supply houses;

(3) Offering, selling or delivering dressed hogs or any wholesale pork cuts on condition that the purchaser is required to purchase some other wholesale pork cut or other commodity;

(4) Selling or transferring title to hogs at a lower price than was paid for such hogs and re-purchasing, purchasing or receiving title to dressed hogs or wholesale pork cuts derived from the hogs so purchased after they have been slaughtered;

(5) Charging, billing or receiving any consideration for or in connection with any service for which specific allowance has not been provided in this regulation;

(6) So curing wholesale pork cuts as to increase their cured weight, before draining and smoking beyond 110% of green weight;

(7) Selling wholesale pork cuts not referred to in Appendix A (§ 1364.35) and not customarily sold by the same seller prior to March 23, 1942.

§ 1364.32 *Definitions.* (a) * * *

(10) "Peddler truck sale" means a sale of wholesale pork cuts from a truck, where the first record of the transaction is made by the salesman concurrently with the delivery of the products sold,

(i) by a person who purchases meat at or below the ceiling price from a seller with which he has no other financial affiliation or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck owned and driven by him; or

(ii) by a person who makes all of his sales of meat out of stock carried in a truck driven by him but owned by a person who used such truck exclusively for this type of sale during the month of March, 1942. The term "peddler truck sale" does not include deliveries made pursuant to prior orders.

(11) "Shipping container" means a sealed box or sealed barrel or a sack or burlap wrapping which becomes the property of the buyer upon delivery of the wholesale pork cuts therein contained, or a returnable container of solid wood or metal which must be of a type and size which the seller has customarily used in making delivery of wholesale pork cuts and must be carried into the buyer's place of business in making delivery of products packed therein.

(12) "Certified dressed hog processor" means any person who does not sell pork at retail except to his own employees or any person who obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs or hog carcasses: *Provided*, That no person may qualify as a certified dressed hog processor until he has (a) filed with a district, state or regional office of the Office of Price Administration an affidavit that he does not sell pork at retail except to his own employees or that he obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs and hog carcasses, and (b) secured from such field office of the Office of Price Administration an endorsement, written on a duplicate copy of such affidavit, acknowledging that he has filed such an affidavit. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(13) "Wholesaler" means a person who buys dressed hogs and/or wholesale pork cuts for resale other than at retail and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

(b) * * *

(1) "Ready to serve without further heating" refers to pork products which have been heated so that all parts of the pork muscle contained therein have reached a temperature of at least 148° F. by a method of heating and under conditions known to insure such result. * * *

(4) "Cooked" refers to a pork product which (i) has been heated, otherwise than in the smokehouse or by barbecuing or baking, for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 85% of its weight in the green state, or the moisture content of which is not in excess of 3.2 times the weight of protein minus the weight of sodium chloride as chemically tested, except that the cooked products referred to in Items 5, 6, 7, and 8 of Schedule I (c) of Appendix A (§ 1364.35) may have a lean meat weight not in excess of 90% of the weight in the green state, or a lean meat moisture content not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested. * * *

(c) * * *

(4) "Regular ham" includes hams cut off from the hog carcass not less than 2¼ inches nor more than 2¾ inches from the exposed end of the aitch bone, properly faced, with the shank cut off at or above the hock joint, with loose and gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank. * * *

(8) "Regular picnic" includes picnics cut from shoulders not less than one rib wide in such manner as to leave not less than 1 inch or more than 2½ inches of blade bone in the picnic, closely trimmed, properly faced, with the lip and breast flap removed, well rounded and with the fat properly beveled on the butt end. * * *

§ 1364.34 *Effective date.* * * *

(b) Amendment No. 2 (Redesignated: Items 8, 9, 10 and 11 of Schedule I (e) of § 1364.35 as Items 4, 5, 6 and 7 of Schedule I (e) of § 1364.35; Amended: Paragraph (g) and the title of paragraph (h) of § 1364.22; § 1364.23; § 1364.25; subparagraphs (10), (11), (12) and (13) of paragraph (a), subparagraphs (1) and (4) of paragraph (b) and subparagraphs (4) and (8) of paragraph (c) of § 1364.32; Items 10, 18, 19 and 20 of Schedule I (a), Items 3 and 4 of Schedule I (b), Items 4, 19, 22, 23 and 24 of Schedule I (d), the title, column headings, Items 1, 2 and 3 and redesignated Item 7 of Schedule I (e), Items 1, 2 and 6 of Schedule I (f), Schedule I (g), Schedule II (e), subparagraphs (4) and (6) of Schedule III (a), subparagraph (2) of Schedule III (c), subparagraph (2) of Schedule III (d), Schedule III (e) and Schedule III (f) of § 1364.35; Added: § 1364.34 (b); Item 8 of Schedule I (e) and Schedule III (g) of § 1364.35; Revoked: § 1364.22 (h) (3); § 1364.27 (a) (2); § 1364.27 (b) (4)) to Revised Maximum Price Regulation No. 148 shall become effective March 6, 1943, except that as to all sales to war procurement agencies of the United States Government it shall take effect as of March 1, 1943.

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 8609, 9005, 8948; 8 F.R. 544.

§ 1364.35 • • •

SCHEDULE I • • •

(a) PORK CUTS: GREEN OR FROZEN, CURED, SMOKED AND READY-TO-EAT

Item	Green or frozen		Cured		Smoked (wrapped)		Ready-to-eat (wrapped)	
	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)
• • •	•	•	•	•	•	•	•	•
10. Loins—regular	Under 12	26.25	Under 12	26.75	Under 10	31.50		
	12-16	24.75	12-16	25.25	10-14	30.00		
	16-20	23.75	16-20	24.25	14-18	29.00		
	Over 20	22.75	Over 20	23.25	Over 18	28.00		
• • •	•	•	•	•	•	•	•	•
18. Sliced Canadian bacon						55.00		
19. Briskets		14.00		15.00		19.50		
20. Sliced bacon—defined:								
Standard Grade A						33.50		
Standard Grade B						29.75		
Standard Grade C						28.25		
Sliced jowl butts						20.75		
Sliced regular plates						20.25		
Bacon end slices						18.00		

(b) PORK CUTS: GREEN OR FROZEN, CURED, SMOKED AND BARBECUED

Item	Weight	Green or frozen (dollars)	Cured (dollars)	Smoked (dollars)	Barbecued (dollars)
• • •	•	•	•	•	•
3. Bellies, dry salt (clear or rib)		15.50	16.00	18.75	
4. Plates and jowls:					
Clear plates		11.00	11.50	14.00	
Regular plates		12.25	12.75	15.25	
Jowl butts		11.00	11.50	14.00	
Square jowl butts		12.75	13.75	17.25	
• • •	•	•	•	•	•

[1] Wrapped.

(d) PORK SAUSAGE MATERIAL AND MISCELLANEOUS PORK CUTS

Item	Fresh or frozen	Cured	Smoked
	Dollars	*Dollars*	*Dollars*
• • •			
4. Extra lean trimmings	(*)	(*)	(*)
• • •	34.25	34.25	
19. Gelatin skins	(*)	(*)	(*)
(All rail shipments moving at carload rate must be sold on f. o. b. shipping point basis, with buyer paying carrier's charges directly to the carrier.)	8.25	8.25	
• • •	(*)	(*)	(*)
22. Long-cut feet	8.00	8.00	
23. Canned ham, imported into United States		64.00	
(May be sold on an f. o. b. shipping point basis, in l. c. l. quantities, if buyer pays carrier's charges directly to the carrier.)			
24. Pork chops	30.50		
(This price applicable only to sales to purveyors of meals)	(*)	(*)	(*)
• • •			

(c) PORK CUTS PACKED IN WOOD AND GLASS CONTAINERS

Item	Container and net weight				
	Kit, 13 pounds	⅛ barrel 25 pounds	¼ barrel 50pounds	½ barrel 100pounds	Barrel, 200 pounds
	Each	*Each*	*Each*	*Each*	*Each*
FAT BACK PORK					
Pieces per barrel					
1. 30-40 or 40-50	2.50	4.00	7.80	15.10	28.25
2. 50-60 or 60-70	2.45	3.90	7.60	14.75	27.50
3. 70-80, 80-100 or 100-125	2.35	3.80	7.35	14.25	26.50
PLATE PORK					
4. 25-35 pieces per barrel	2.25	3.55	6.85	13.25	24.50
5. 35-44 pieces per barrel	2.25	3.55	6.85	13.25	24.50
6. Brisket pork	3.15	4.95	9.85	19.25	36.50

7. Vinegar pickled pork feet, cooked bone in:

Tierces (300 pounds, net weight)	each	$29.50
Barrels (200 pounds, net weight)	each	20.50
½ Barrels (75 pounds, net weight)	each	8.25
¼ Barrels (35 pounds, net weight)	each	4.00
⅛ Barrels (17 pounds, net weight)	each	2.25
Jars (18 pounds, net weight)	do	2.30
Kits (13 pounds, net weight)	do	1.75
Jars (7 pounds, net weight)	do	0.90

8. Vinegar pickled long-cut pork feet, cooked bone in:

Barrels (200 pounds, net weight)	each	27.00
Jars (16 pounds, net weight)	do	2.75

(f) CANNED PORK ITEMS

(Prepared for war procurement agencies according to United States Government specifications)

1. Spiced luncheon meat:	
12 oz. cans per cwt	$39.00
2½ lb. cans per cwt	36.25
6 lb. cans per cwt	36.00
2. Spiced ham:	
12 oz. cans per cwt	41.50
2½ lb. cans per cwt	38.75
6 lb. cans per cwt	38.50
• • • • •	•
6. Corned pork:	
12 oz. cans per cwt	62.00
24 lb. cans per cwt	58.00
• • • • •	•

(g) PRODUCTS FOR WAR PROCUREMENT AGENCIES

Prepared according to United States Government Specifications

	Weight	Price
	Pounds	
1. Wiltshires—cured		$22.50
2. Wiltshires—scalded, frozen in sacks		23.00
3. Overseas hams: Regular—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).	8-10	36.25
	10-14	35.50
	14-16	34.50
4. Overseas hams: Skinned—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications	8-10	38.75
	10-14	38.00
	14-16	37.00
5. Export hams: Regular—shankless (96 hour smoke, long cure, not wrapped. Packed in salt. F. S. G. C. specifications)	Under 12	32.75
	12-16	32.00
	Over 16	31.00
6. Export hams: Skinned—shankless (96 hour smoke, long cure, not wrapped. Packed in salt. F. S. G. C. specifications)	Under 12	35.00
	12-16	34.25
	Over 16	33.25
7. War hams: Regular (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct $2.75 per cwt. if smoked 24 hours or more but less than 48 hours).	8-12	32.00
	12-16	31.25
	Over 16	30.25
8. War hams skinned (48 hour smoke, long cure commercial wrapping, packed with out salt, C. Q. D. specifications.) (Deduct $0.75 per cwt. if smoked 24 hours or more but less than 48 hours.)	8-12	34.25
	12-16	33.50
	Over 16	32.50
9. War hams: Regular (short cure, 48 hour smoke commercial wrapping.) (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked regular hams, item 7 in Schedule I (a).)	8-14	30.75
	14-18	30.00
	18-20	29.00
10. War hams: Skinned (short cure, 48 hour smoke commercial wrapping. (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked skinned hams, item 8 in Schedule I (a).)	8-14	33.00
	14-18	32.25
	18-20	31.25
11. Export hams: Regular (short cure, smoked 96 hours, not wrapped, packed in salt, F. S. G. C. specifications).	Under 12	30.75
	12-16	30.00
	Over 16	29.00
12. Export hams: Skinned (short cure, smoked 96 hours. Not wrapped, packed in salt, F. S. C. C. specifications).	Under 12	33.00
	12-16	32.25
	Over 16	31.25

(g) PRODUCTS FOR WAR PROCUREMENT AGENCIES—Continued

	Weight	Price
	Pounds	
13. War bacon (Fancy Trimmed, Type 1, smoked 48 hours, Commercial wrapping, C. Q. D. specifications).	6-8	$27.50
	8-12	27.00
	12-14	26.50
	14-18	25.00
14. Overseas bacon (Fancy trimmed, Type 2. Smoked 96 hours. Dry Salt cured, wrapped in muslin. Packed in salt. C. Q. D. specifications).	Under 10	29.00
	10-14	27.00
	14-18	26.50
15. Rib packs:		
Short cut—dry salt cure		29.50
Short cut—dry salt cure, smoked (F. S. C. C. specifications).		28.00
16. Semi-boneless loins	10 and down	33.50
	10-12	32.00
	12-18	31.00
17. Smoked picnics export (F. S. C. C. specifications.		28.50
18. Mess Pork in Barrels (200 pounds net gross weight)—per barrel.		47.50
19. Pork Sausage, fresh or frozen:		
Bulk		29.00
In paper casings		29.00
In hog casings		32.00
In sheep casings		34.00
20. Fresh pork sides, packer dressed:		
146 to 154 pounds per hog		18.20
155 to 170 pounds per hog		19.15
171 to 192 pounds per hog		19.05
193 to 213 pounds per hog		17.60
214 to 239 pounds per hog		18.05
Over 239 pounds per hog		18.00

SCHEDULE II • • •

(e) For all dried, smoked, ready-to-eat, cooked, baked or barbecued wholesale pork cuts except sliced bacon, which are designated as wrapped in Schedule I but which the seller does not individually wrap in parchment paper, cellophane or artificial casings or similar packages, $0.50 per cwt.

SCHEDULE III • • •

(a). For special cutting and trimming:

• • •

(4) Loins:

Bladeless, $0.50 per cwt. over standard

• • • • •

(6) Bacon bellies:

Fancy trimmed $1.00 per cwt over square-cut seedless trim price.

Fancy trimmed with brisket off, $2.00 per cwt. over square-cut seedless trim price ($1.00 per cwt. over fancy trimmed price)

• • •

(c) For packing in shipping containers

• • •

(2) For export shipment and so packed pursuant to U. S. Government specifications: • • •

(iv) Canned products packed for export, 6 cans or less to the box, $1.00 per cwt.

(v) Cured products packed for export in boxes containing 200 lbs. or less, $1.00 per cwt

(vi) Fresh, frozen or cured products packed in fiber boxes pursuant to U. S. Government specifications, $0.40 per cwt.

(vii) Other products for export shipment, $0.75 per cwt.

(d) For local delivery: • • •

(2) Where the seller makes a peddler truck sale, involving delivery of not more than 50 lbs. of wholesale pork cuts and not more than 150 lbs. of meats in any one day from the truck to any buyer's store door, he may add to the prices specified in Schedule I the sum of $1.50 per cwt.

(e) For all wholesale pork cuts sold to a purveyor of meals, $1.00 per cwt.

(f) For all wholesale pork cuts and dressed hogs sold by wholesalers, $0.50 per cwt. (as to dressed hogs, this addition may be made to the slaughterer's maximum price computed as provided in § 1364.22 (g) of this regulation).

(g) For breaking a box or barrel of wholesale pork cuts and delivering less than 30 lbs. of the kind of cuts contained in such box, loose, to a single buyer, an independent wholesaler or packer's branch house may add to the Schedule I price of the cuts so delivered, in lieu of the shipping containers addition permitted by paragraph (c) (1) of this schedule, an amount equal to such permitted shipping container addition. This provision does not apply to sales from branch houses located at or near the seller's packing plant

• • • • •

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3611; Filed, March 6, 1943, 5:02 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 338]

AIRCRAFT VENEER

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the DIVISION of the Federal Register.*

Sec.

1384.151 Sales of aircraft veneer at higher than maximum prices prohibited.
1384.152 To what products, transactions, and persons this regulation applies
1384.153 Maximum prices
1384.154 Additions to maximum prices for transportation and crating.
1384.155 What the invoice must contain.
1384.156 Prohibited practices
1384.157 Applications for adjustment and petitions for amendment.
1384.158 Records and reports.
1384.159 Enforcement and licensing.
1384.160 Relation to other regulations.
1384.161 Appendix A: Maximum prices for sliced aircraft veneer.
1384.162 Appendix B: Maximum prices for rotary cut and half round aircraft veneer.

AUTHORITY: §§ 1384.151 to 1384.162, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1384.151 *Sales of aircraft veneer at higher than maximum prices prohibited.* (a) On and after March 13, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any aircraft veneer at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. The maximum f. o. b. mill prices are set out in Appendices A and B (§§ 1384.161 and 1384.162).

(b) If aircraft veneer has been received before March 13, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer,

*Copies may be obtained from the Office of Price Administration.

that shipment is not subject to the terms of this regulation. It remains subject to the General Maximum Price Regulation.

(c) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1384.152 *To what products, transactions, and persons this regulation applies*—(a) *Products and transactions covered by the regulation.* This regulation covers, under the name "aircraft veneer," all sales of rotary cut, half round and sliced yellow poplar, sweet gum, and water tupelo veneer which satisfies the Army-Navy specifications (AN–NN–P–511a or AN–NN–B–511b) for aircraft grade veneer.

(b) *Persons covered by this regulation.* Any person who sells or purchases (in the course of trade or business) aircraft veneer is subject to this regulation. The term "person" includes: an individual, corporation, or any other organized groups; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1384.153 *Maximum prices*—(a) *In general.* The maximum prices for standard width specifications of aircraft veneer are set out in the price tables in Appendices A and B (§§ 1384.161 and 1384.162).

(b) *Special width specifications.* Aircraft veneer in width specifications not listed in Appendices A and B is nevertheless subject to this regulation. The maximum price for this veneer will be established upon application by letter from the seller to the Lumber Branch, Office of Price Administration, Washington, D. C. The letter should contain a complete description of the specification and the ceiling price requested. No deliveries of this veneer can be made until the seller is notified of the maximum price which is established. Notification will be made by letter or telegram.

(c) *Sales of more than one class of veneer.* Where two or more classes of aircraft veneer are sold together, each class must be invoiced separately, and the price for each class cannot exceed the applicable maximum price.

§ 1384.154 *Additions to maximum prices for transportation and crating.* (a) The seller may add to the maximum f. o. b. mill prices (set out in Appendices A and B) any charge or expense for transportation from the mill paid or incurred by the seller.

(b) The seller may add to the maximum prices the following charges for crating veneer sold for export shipment:

	Per 1,000 surface feet
For veneer 1/32 of an inch or thinner	$1.00
For veneer thicker than 1/32 of an inch	1.50

§ 1384.155 *What the invoice must contain*—(a) *Basic price.* All invoices must contain a sufficiently complete description of the veneer to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description.

(b) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of the shipment;
(2) Destination;
(3) Amount added for transportation.

(c) *Crating addition.* Any charge made for crating veneer sold for export shipment must be shown separately on the invoice.

§ 1384.156 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on October 1, 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $20.00, and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within ten days, the ceiling cash price in sales to purchasers of this class is $19.60. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Refusing to sell on an f. o. b. mill basis and insisting on selling on a delivered basis. The purchaser must be given the option of making his own transportation arrangements.

(3) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(c) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating veneer, or for any related service (such as "expediting") which does not involve actual physical handling of veneer, if the commission plus the purchase price results in a total payment by the buyer of veneer which is higher than the maximum price of the veneer. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the veneer in connection with which the service is performed.

(d) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the veneer has been completed. But the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1384.157 *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatens to impede production of aircraft veneer which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6 [1], issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [2], issued by the Office of Price Administration.

§ 1384.158 *Records and reports*—(a) *Records.* All sellers must keep records which will show a complete description of the items of veneer sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for all purchases and sales of aircraft veneer. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration has required in the past, or requires from time to time, must be submitted.

§ 1384.159 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) The provisions of Supplementary Order No. 18 (§ 1305.22) licensing all persons, except mills, manufacturers or producers, selling lumber, lumber products or building materials, are applicable to every person selling aircraft veneer for which maximum prices are established by this Maximum Price Regulation No. 338. This order, in brief, provides that a license is necessary, except for mills, manufacturers or producers, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942 and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The licenses cannot be transferred.

§ 1384.160 *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by this Maximum Price Regulation No. 338 is not subject to the General Maximum Price Regulation.[3]

(b) *Maximum Export Price Regulation.* The maximum price for export sales of aircraft veneer is governed by the Revised Maximum Export Price Regulation.[4]

§ 1384.161 *Appendix A: Maximum prices for sliced aircraft veneer—(a) Classes of sliced aircraft veneer.* The following are the classes of sliced aircraft veneer for purposes of this regulation:

Class 1: Flitches 10' to 16' (inclusive) in length, with at least one 100% aircraft grade cutting 7'2" to 8'2" (inclusive) in length and full width of the flitch.

Class 2: Flitches of random length 8' to 16' (inclusive)—100% aircraft grade.

Class 3: Flitches which may be longer than lengths specified by purchaser (from a minimum of 6'2") but which are billed at purchaser's specified length, plus an overlength of 10%. For example: If the order called for 98" length and if 120" length was shipped, the purchaser would be billed for a length of 108" (98" plus 10"). The flitches must have a 100% aircraft grade cutting equal in length to the purchaser's specified length and full width of the flitch.

Class 4: Flitches cut to exact length specified by purchaser, lengths 5'2" to 8'2" (inclusive)—100% aircraft grade.

Class 5: Flitches cut to exact length specified by purchaser, lengths 8'2¼" to 10'2" (inclusive)—100% aircraft grade.

Class 6: Flitches cut to exact length specified by purchaser, lengths 10'2¼" to 12'2" (inclusive)—100% aircraft grade.

Class 7: Flitches cut to exact length specified by purchaser, lengths 12'2¼" to 14'2" (inclusive)—100% aircraft grade.

Class 8: Flitches cut to exact length specified by purchaser, lengths 14' 2¼" to 16'2" (inclusive)—100% aircraft grade.

(b) *Maximum prices for sliced aircraft veneer.* The maximum f. o. b. mill prices for 1000 surface feet sliced aircraft veneer are set out in the tables that follow. These prices are for veneer with a minimum width of 6 inches. If the purchaser is willing to take ten percent or less in widths from 4½ to 5¾ inches, the maximum price for veneer in these narrow widths is ten percent less than the ceiling prices set out in the tables.

TABLE 1—MAXIMUM PRICES FOR SLICED SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN NORTH CAROLINA, TENNESSEE ARKANSAS, AND ALL STATES FARTHER SOUTH

Thickness		Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8
.030 [1]	1/32	$12.80	$16.00	$16.00	$16.65	$17.30	$17.90	$18.55	$19.20
.031	1/32	13.70	16.35	16.35	17.00	17.70	18.35	19.00	19.65
.034	1/28	13.80	17.25	17.25	17.95	18.65	19.30	20.00	20.70
.036	1/28	14.30	17.90	17.90	18.60	19.30	20.00	20.75	21.45
.040	1/25	15.30	19.15	19.15	19.90	20.65	21.40	22.20	22.95
.042	1/24	15.95	19.95	19.95	20.75	21.55	22.35	23.15	23.95
.047	3/64	17.30	21.60	21.60	22.50	23.35	24.20	25.10	25.95
.050	1/20	18.00	22.50	22.50	23.40	24.30	25.20	26.10	27.00
.056	1/18	19.15	23.95	23.95	24.90	25.85	26.80	27.75	28.75
.060	3/64	20.00	25.00	25.00	26.00	27.00	28.00	29.00	30.00
.063	1/16	21.10	26.35	26.35	27.45	28.50	29.55	30.60	31.65
.067	1/16	21.60	27.40	27.40	28.50	29.55	30.65	31.70	32.85
.068		22.35	27.95	27.95	29.00	30.20	31.30	32.40	33.50
.071	1/14	23.20	29.00	29.00	30.15	31.30	32.50	33.65	34.80
.080		25.80	32.25	32.25	33.50	34.85	36.10	37.50	38.70
.083	1/12	27.00	33.75	33.75	35.10	36.45	37.80	39.15	40.50
.094	3/32	29.60	37.00	37.00	38.50	40.00	41.45	42.90	44.40
.095		30.30	37.85	37.85	39.40	40.90	42.40	43.95	45.45
.100	1/10	31.00	39.85	39.85	41.50	43.00	44.65	46.25	47.85
.111	1/9	34.30	42.85	42.85	44.60	46.30	48.00	49.75	51.45
.125	1/8	37.40	46.75	46.75	48.60	50.50	52.35	54.25	56.10

[1] These prices apply to all thicknesses less than .030" or 1/32".

TABLE 2A—MAXIMUM PRICES FOR SLICED SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN MARYLAND, VIRGINIA, WEST VIRGINIA, KENTUCKY AND ALL PLACES IN ILLINOIS, INDIANA AND OHIO WITHIN TEN MILES OF THE OHIO RIVER; AND

TABLE 2B—MAXIMUM PRICES FOR SLICED YELLOW POPLAR AIRCRAFT VENEER PRODUCED ANYWHERE IN THE UNITED STATES

Thickness		Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8
.030 [1]	1/32	$13.90	$17.35	$17.35	$18.05	$18.75	$19.45	$20.15	$20.85
.031	1/32	14.15	17.70	17.70	18.40	19.10	19.80	20.50	21.20
.034	1/28	14.95	18.70	18.70	19.45	20.20	20.95	21.75	22.45
.036	1/28	15.50	19.40	19.40	20.15	20.90	21.70	22.50	23.25
.040	1/25	16.60	20.75	20.75	21.60	22.40	23.25	24.05	24.90
.042	1/24	17.40	21.75	21.75	22.60	23.40	24.35	25.25	26.10
.047	3/64	18.75	23.45	23.45	24.35	25.30	26.25	27.20	28.15
.050	1/20	19.50	24.40	24.40	25.35	26.35	27.30	28.30	29.25
.056	1/18	20.80	26.00	26.00	27.00	28.10	29.10	30.15	31.20
.060	3/64	21.70	27.10	27.10	28.20	29.30	30.40	31.45	32.50
.063	1/16	22.80	28.50	28.50	29.65	30.80	31.90	33.05	34.20
.067	1/16	23.75	29.70	29.70	30.85	32.00	33.25	34.45	35.60
.068		24.20	30.25	30.25	31.45	32.65	33.90	35.10	36.30
.071	1/14	25.10	31.40	31.40	32.65	33.90	35.15	36.40	37.65
.080		27.90	34.85	34.85	36.25	37.65	39.05	40.45	41.85
.083	1/12	29.10	36.40	36.40	37.85	39.30	40.75	42.20	43.65
.094	3/32	32.00	40.00	40.00	41.60	43.20	44.80	46.40	48.00
.095		32.65 [2]	40.80	40.80	42.45	44.00	45.70	47.35	49.00
.100	1/10	34.30	42.85	42.85	44.60	46.30	48.00	49.75	51.45
.111	1/9	37.00	46.20	46.20	48.00	49.90	51.75	53.60	55.50
.125	1/8	40.30	50.40	50.40	52.40	54.40	56.45	58.45	60.45

[1] These prices apply to all thicknesses less than .030" or 1/32".

[1] 7 F.R. 5087, 5641.
[2] 7 F.R. 8961.
[3] 7 F.R. 3153, 3330, 3666, 3991, 4339, 4487, 4609, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5644, 5783, 5775, 5784, 6058, 6081, 6007, 6216, 6625, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8411, 8881, 9004, 8942, 9435, 3990, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.
[4] 7 F.R. 5059, 7242, 8829, 9000, 10530.

TABLE 3—MAXIMUM PRICES FOR SLICED SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN AREAS NOT COVERED BY TABLES 1 AND 2A

Thickness		Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8
.030 [1]	1/32	$14.55	$18.20	$18.20	$18.90	$19.65	$20.35	$21.10	$21.85
.031	1/32	14.90	18.60	18.60	19.40	20.10	20.85	21.60	22.35
.034	1/29	15.70	19.65	19.65	20.40	21.20	22.00	22.75	23.50
.036	1/28	16.30	20.35	20.35	21.20	22.00	22.80	23.65	24.45
.040	1/25	17.45	21.80	21.80	22.70	23.55	24.45	25.30	26.20
.042	1/24	18.15	22.65	22.65	23.60	24.50	25.40	26.30	27.25
.047	1/21	19.75	24.65	24.65	25.70	26.65	27.65	28.65	29.65
.050	1/20	20.50	25.65	25.65	26.65	27.70	28.70	29.75	30.75
.056	1/18	21.90	27.35	27.35	28.50	29.60	30.65	31.75	32.85
.063	1/17	22.80	28.50	28.50	29.65	30.80	31.90	33.00	34.20
.067	1/16	24.00	30.00	30.00	31.20	32.40	33.60	34.80	36.00
.063	1/15	24.95	31.20	31.20	32.45	33.70	35.00	36.15	37.45
.068	----	25.50	31.85	31.85	33.15	34.40	35.70	37.00	38.25
.071	1/14	26.40	33.00	33.00	34.30	35.65	37.00	38.30	39.60
.080	----	29.20	36.50	36.50	37.95	39.40	40.90	42.35	43.80
.083	1/12	30.50	38.20	38.20	39.65	41.15	42.70	44.25	45.75
.084	3/32	33.50	41.90	41.90	43.55	45.20	46.90	48.55	50.25
.095	----	34.20	42.75	42.75	44.50	46.15	47.90	49.60	51.30
.100	1/10	35.90	44.90	44.90	46.65	48.50	50.25	52.00	53.85
.111	1/9	38.70	48.40	48.40	50.30	52.25	54.20	56.10	58.00
.125	1/8	42.25	52.85	52.85	54.90	57.00	59.15	61.25	63.35

[1] These prices apply to all thicknesses less than .030" or 1/32".

§ 1384.162 *Appendix B: Maximum prices for rotary cut and half round aircraft veneer*—(a) *Classes of rotary cut and half round aircraft veneer.* The following are the classes of rotary cut and half round aircraft veneer for purposes of this regulation.

Class A: Stock is to be cut to exact length up to and including 56" as specified by the purchaser. Widths are to be random, with a minimum width of 6" and a maximum width of 36", and the stock is to contain all of the wide sheets of aircraft quality veneer produced by the log.

Class B: Same specifications as Class A except lengths are to be from 56¼" to 74" (inclusive), as specified by purchaser.

Class C: Same specifications as Class A except lengths are to be from 74¼" to 86" (inclusive), as specified by purchaser.

Class D: Same specifications as Class A except lengths are to be from 86¼" to 98" (inclusive), as specified by purchaser.

Class E: Same specifications as Class A except lengths are to be from 98¼" to 110" (inclusive), as specified by purchaser.

Class F: Same specifications as Class A except lengths are to be from 110¼" to 125" (inclusive), as specified by purchaser.

Class AA: Same specifications as Class A except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class BB: Same specifications as Class B except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class CC: Same specifications as Class C except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class DD: Same specifications as Class D except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class EE: Same specifications as Class E except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class FF: Same specifications as Class F except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

(b) *Maximum prices for rotary cut and half round aircraft veneer.* The maximum f. o. b. mill prices for 1000 surface feet of rotary cut and half round aircraft veneer are set out in the tables that follow:

TABLE 1—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN NORTH CAROLINA, TENNESSEE, ARKANSAS AND ALL STATES FARTHER SOUTH

Thickness		Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.030 [1]	1/32	$11.00	$12.10	$13.20	$14.30	$15.40	$16.50	$11.55	$12.70	$13.85	$15.00	$16.20	$17.35
.031	1/32	11.25	12.40	13.50	14.65	15.75	16.90	11.80	13.00	14.20	15.40	16.55	17.75
.034	1/29	11.75	12.95	14.10	15.25	16.45	17.65	12.35	13.60	14.80	16.00	17.25	18.55
.036	1/28	12.00	13.20	14.40	15.60	16.80	18.00	12.60	13.85	15.10	16.40	17.65	18.90
.040	1/25	12.75	14.00	15.30	16.60	17.85	19.15	13.40	14.75	16.00	17.35	18.75	20.00
.042	1/24	13.10	14.40	15.70	17.00	18.35	19.65	13.75	15.10	16.50	17.85	19.25	20.65
.047	1/21	14.25	15.65	17.10	18.50	19.95	21.40	14.95	16.45	17.95	19.50	20.95	22.50
.050	1/20	14.60	16.05	17.55	19.00	20.45	21.90	15.30	16.85	18.45	19.95	21.50	23.00
.056	1/18	15.40	16.95	18.50	20.05	21.55	23.10	16.20	17.80	19.45	21.00	22.60	24.25
.063	1/17	15.95	17.55	19.15	20.75	22.35	23.95	16.75	18.40	20.10	21.80	23.45	25.15
.067	1/16	16.75	18.45	20.10	21.75	23.45	25.15	17.60	19.40	21.10	22.85	24.65	26.40
.063	1/15	17.45	19.20	20.95	22.70	24.45	26.20	18.30	20.15	22.00	23.85	25.70	27.50
.068	----	17.90	19.70	21.50	23.30	25.00	26.85	18.80	20.70	22.60	24.45	26.25	28.20

[1] These prices apply to all thicknesses less than .030" or 1/32".

TABLE 4—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN NORTH CAROLINA, TENNESSEE, ARKANSAS AND ALL STATES FARTHER SOUTH

Thickness		Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.071 [1]	1/14	$18.55	$20.40	$22.25	$24.10	$26.00	$27.85	$19.50	$21.40	$23.35	$25.30	$27.30	$29.20
.080	----	20.60	22.65	24.70	26.75	28.85	30.90	21.65	23.80	25.95	28.10	30.30	32.45
.083	1/12	21.40	23.55	25.70	27.85	30.00	32.10	22.50	24.70	27.00	29.25	31.50	33.70
.094	3/32	23.70	26.00	28.45	30.80	33.20	35.50	24.90	27.30	29.85	32.35	34.85	37.25
.095	----	24.15	26.60	29.00	31.40	33.80	36.25	25.35	27.90	30.45	33.00	35.50	38.10
.100	1/10	24.95	27.45	29.95	32.45	34.95	37.40	26.20	28.85	31.45	34.10	36.70	39.25
.111	1/9	27.15	29.85	32.60	35.30	38.00	40.75	28.50	31.35	34.25	37.00	39.90	42.75
.125	1/8	30.15	33.15	36.20	39.20	42.20	45.25	31.65	34.80	38.00	41.15	44.30	47.50

[1] These prices apply to all thicknesses less than .030" or 1/32".

NOTE: Add $1.50 per M. S. M. for dry clipping.

TABLE 5A—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN MARYLAND, VIRGINIA, WEST VIRGINIA, KENTUCKY AND ALL PLACES IN ILLINOIS, INDIANA AND OHIO WITHIN TEN MILES OF THE OHIO RIVER; AND

TABLE 5B—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND YELLOW POPLAR AIRCRAFT VENEER PRODUCED ANYWHERE IN THE UNITED STATES

Thickness		Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.030 [1]	1/32	$12.00	$13.20	$14.40	$15.65	$16.80	$18.00	$12.60	$13.85	$15.10	$16.45	$17.65	$18.90
.031	1/32	12.30	13.55	14.75	16.00	17.20	18.45	12.90	14.25	15.50	16.80	18.05	19.35
.034	1/29	12.85	14.15	15.40	16.70	18.00	19.25	13.50	14.85	16.15	17.50	18.90	20.50
.036	1/28	13.15	14.50	15.80	17.10	18.40	19.70	13.80	15.25	16.60	17.95	19.30	20.70
.040	1/25	14.00	15.40	16.80	18.20	19.60	21.00	14.70	16.15	17.65	19.10	20.50	22.00
.042	1/24	14.45	15.90	17.35	18.80	20.25	21.65	15.15	16.70	18.20	19.75	21.25	22.75
.047	1/21	15.60	17.15	18.70	20.30	21.85	23.40	16.40	18.00	19.65	21.30	22.85	24.60
.050	1/20	16.10	17.70	19.30	20.90	22.50	24.15	16.90	18.60	20.25	21.95	23.60	25.35
.056	1/18	17.00	18.70	20.40	22.10	23.80	25.50	17.85	19.65	21.40	23.20	25.00	26.75
.060	1/17	17.75	19.30	21.05	22.85	24.55	26.30	18.40	20.25	22.10	24.00	25.75	27.60
.063	1/16	18.45	20.30	22.15	24.00	25.85	27.70	19.35	21.30	23.25	25.20	27.15	29.10
.067	1/16	19.25	21.15	23.10	25.00	26.95	28.85	20.20	22.20	24.25	26.25	28.30	30.30
.068	----	19.70	21.75	23.65	25.60	27.60	29.50	20.70	22.75	24.85	26.90	29.00	31.00
.071	1/14	20.40	22.45	24.50	26.50	28.55	30.60	21.40	23.60	25.75	27.85	30.00	32.15
.080	----	22.50	24.75	27.00	29.35	31.50	33.75	23.60	26.00	28.35	30.80	33.10	35.45
.083	1/12	23.45	25.80	28.15	30.50	32.85	35.20	24.65	27.10	29.55	32.00	34.50	37.00
.094	3/32	25.95	28.55	31.15	33.75	36.35	38.90	27.25	30.00	32.70	35.45	38.15	40.85
.095	----	26.40	29.00	31.70	34.35	37.00	39.60	27.75	30.45	33.30	36.00	38.85	41.60
.100	1/10	27.30	30.00	32.75	35.50	38.20	40.95	28.65	31.50	34.40	37.25	40.10	43.00
.111	1/9	29.75	32.75	35.70	38.65	41.65	44.65	31.25	34.40	37.50	40.60	43.75	46.90
.125	1/8	32.85	36.25	39.50	42.85	46.15	49.40	34.60	38.10	41.50	45.00	48.45	51.85

[1] These prices apply to all thicknesses less than .030" or 1/32".

NOTE: Add $1.50 per M. S. M. for dry clipping.

TABLE 6—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN AREAS NOT COVERED BY TABLES 4 AND 5A

Thickness		Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.030 [1]	1/32	$12.70	$14.00	$15.25	$16.50	$17.80	$19.00	$13.35	$14.70	$16.00	$17.35	$18.70	$19.95
.031	1/32	13.00	14.30	15.60	16.90	18.20	19.50	13.65	15.00	16.40	17.75	19.10	20.50
.034	1/29	13.60	14.95	16.30	17.65	19.00	20.40	14.30	15.70	17.10	18.55	19.95	21.40
.036	1/28	13.90	15.30	16.70	18.05	19.45	20.85	14.60	16.10	17.55	18.95	20.45	21.90
.040	1/25	14.80	16.30	17.75	19.25	20.70	22.20	15.55	17.10	18.65	20.20	21.75	23.30
.042	1/24	15.20	16.70	18.25	19.75	21.30	22.80	15.95	17.55	19.15	20.75	22.35	23.95
.047	1/21	16.60	18.25	19.90	21.55	23.25	24.90	17.45	19.15	20.90	22.65	24.40	26.15
.050	1/20	17.05	18.75	20.45	22.15	23.85	25.55	17.90	19.70	21.50	23.25	25.05	26.80
.056	1/18	18.00	19.80	21.60	23.45	25.20	27.00	18.90	20.80	22.70	24.65	26.50	28.35
.060	1/17	18.70	20.55	22.45	24.30	26.20	28.00	19.65	21.60	23.60	25.60	27.50	29.40
.063	1/16	19.60	21.55	23.50	25.45	27.45	29.40	20.60	22.65	24.70	26.75	28.80	30.85
.067	1/15	20.40	22.45	24.50	26.50	28.55	30.60	21.40	23.60	25.75	27.85	30.00	32.15
.068	----	20.90	23.00	25.10	27.15	29.25	31.35	22.00	24.15	26.35	28.50	30.70	32.90
.071	1/14	21.75	23.70	25.85	28.00	30.15	32.30	22.65	24.90	27.15	29.40	31.65	33.90
.080	----	23.90	26.30	28.70	31.10	33.45	35.85	25.10	27.60	30.15	32.65	35.10	37.65
.083	1/12	24.85	27.35	29.80	32.30	34.80	37.25	26.10	28.70	31.30	33.90	36.55	39.10
.094	3/32	27.45	30.20	32.95	35.70	38.40	41.15	28.80	31.70	34.60	37.50	40.30	43.20
.095	----	27.90	30.70	33.50	36.30	39.00	41.85	29.30	32.25	35.20	38.10	41.00	43.95
.100	1/10	28.85	31.75	34.60	37.50	40.40	43.25	30.30	33.35	36.35	39.40	42.40	45.40
.111	1/9	31.40	34.55	37.70	40.85	43.95	47.10	33.00	36.30	39.60	42.90	46.15	49.45
.125	1/8	34.90	38.40	41.90	45.35	48.85	52.35	36.65	40.30	44.00	47.60	51.30	55.00

[1] These prices apply to all thicknesses less than .030" or 1/32".

NOTE.—Add $1.50 per M. S. M. for dry clipping.

This regulation shall become effective March 13, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3643; Filed, March 8, 1943; 12:25 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[MPR 339]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 339 has been issued simultaneously herewith and filed with the Dvision of the Federal Register.* In the judgment of the Price Administrator, the maximum price established by this maximum price regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 339 is hereby issued.

Sec

1401.101 Scope of the regulation.
1401.102 Transactions in rayon hosiery which are prohibited by this regulation.
1401.103 Enforcement and penalties.
1401.104 Maximum prices for rayon hosiery.
1401.105 Maximum prices for rayon hosiery not specifically priced in § 1401.104.
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1401.110 Relation of this regulation to other maximum price regulations.
1401.111 Explanation of terms (definitions).
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1401.114 Appendix A: Standards of inspection.
1401.115 Appendix B: Minimum requirements for Grade "A" rayon hosiery.
1401.116 Appendix C: Schedule of maximum prices.

AUTHORITY: §§ 1401.101 to 1401.116 issued under Pub Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871.

§ 1401.101 *Scope of the regulation*—(a) *What retailers should look for particularly in this regulation.* (1) This regulation sets ceiling prices for women's rayon hosiery. It applies only to women's completely finished full-length hosiery which is made in whole or in part of rayon except that it does not apply to hosiery where the leg is made of rayon in combination with silk, wool, or nylon.

(2) The regulation divides retail sellers into three classes as to the ceiling prices which suppliers of rayon hosiery may charge them: Class I purchasers, Class II purchasers and Class III purchasers. Also retail sellers are divided into two classes as to the ceiling prices which they themselves may charge: Class I retail outlets and Class II retail outlets. In § 1401.104 (d) the differences between these classes is explained. It is very important that you find out the class in which you belong because your ceiling prices depend on it. After you find in what class you belong, you find your ceiling prices by referring to Tables (3) and (6), which are in Appendix C at the end of the regulation.

(3) If you want to find your ceiling prices for "full-fashioned", "cut and sewn" and "semi-fashioned" rayon hosiery:

(i) You look at the first part of Table (3), if you are a Class I retail outlet, and

(ii) You look at the second part of Table (3), if you are a Class II retail outlet.

(4) If you want to find your ceiling prices for circular knit rayon hosiery:

(i) You look at the first part of Table (6), if you bought the hosiery from a manufacturer, and

(ii) You look at the second part of Table (6), if you bought the hosiery from a wholesaler.

(5) You will note that in the tables of ceiling prices, different ceiling prices are set for Grade "A" and Grade "B" hosiery. Also different ceiling prices are set for "first quality" hosiery and for "substandard hosiery, and for various constructions of hosiery. All rayon hosiery which is sold or delivered to you by your suppliers on and after April 15, 1943 must be marked to show its particular construction and whether it is Grade "A" or "B" and whether it is "first quality" or "substandard" (irregular, second or third). By reading Appendix A, you can find the differences between "first quality" and "substandard" hosiery. By reading Appendix B you find the differences between Grade "A" and Grade "B" hosiery. It is important to note that all ceiling prices for Grade "B" hosiery are automatically cut 25% on and after July 16, 1943. In § 1401.111 you will see the explanation of the technical terms which appear in the tables of ceiling prices.

(b) *Application of this regulation generally.* (1) The definitions of "sale at retail", "sale at wholesale" and "sales by manufacturers" are set forth in § 1401.104. It is important that these definitions be read very carefully since different ceiling prices are set for each class of seller. For example, if a company considers itself a "wholesaler", but it does not come within the definition of "wholesaler" set out in this regulation, it must observe the maximum prices for sales by manufacturers.

(2) The tables of ceiling prices are given in Appendix C of the regulation. Except for a limited number of special constructions, separate ceiling prices are established for Grade "A" and Grade "B" hosiery. In § 1401.115 minimum requirements for Grade "A" stockings are given; these are minimum standards of quality and construction. Grade "A" stockings are stockings that meet all of the listed requirements. Stockings that do not meet the requirements of Grade "A" are called Grade "B".

(3) The tables of prices provide for differentials or premiums at the manufacturing, wholesale and retail levels for special constructions. These include constructions that are more costly, such as outsizes and extra-lengths, as well as constructions which enhance the utility of hosiery as, for example, cotton welts, "non-runs" and cotton feet.

(4) If a seller cannot find his ceiling price for his rayon hosiery in the tables, he must follow the procedure given in § 1401.105

(5) In § 1401.107 marking and posting requirements are set forth, which will provide purchasers with information as to ceiling prices for the various classes of sellers for each kind of hosiery. In § 1401.108 provision is made for information which must be furnished to persons other than ultimate consumers.

(6) This regulation does not provide maximum prices for the hosiery which is covered by Maximum Price Regulation No. 95—Women's Nylon Hosiery,[1] and No. 274—Women's Silk Hosiery.[2]

§ 1401.102 *Transactions in rayon hosiery which are prohibited by this regulation.* On and after April 15, 1943, regardless of any contract or obligation, no person shall:

(a) Sell or deliver any rayon hosiery at a price higher than the maximum price established by this regulation; or

(b) Sell or deliver any rayon hosiery for which a maximum price is not provided in § 1401.116 unless he receives from the Office of Price Administration, Washington, D. C., a specific maximum price therefor, as provided by § 1401.105; or

(c) Require a purchaser to buy or agree to buy any other hosiery or other article, service, package or wrapper in connection with a sale or delivery of rayon hosiery; or

(d) Buy or receive rayon hosiery in the course of trade or business at a price higher than the maximum price established by this regulation; or

(e) Offer, attempt, or agree to do any of the acts prohibited by this regulation or

(f) Do any other act which directly or indirectly increases above the maximum price the consideration paid by the purchaser for the rayon hosiery. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to the devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying-agreements, trade understandings and all similar practices.

§ 1401.103 *Enforcement and penalties.* Persons violating any provisions of this Maximum Price Regulation No. 339 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided by the Emergency Price Control Act of 1942, as amended.

§ 1401.104. *Maximum prices for rayon hosiery*—(a) *Sales at retail.* The maximum prices for which rayon hosiery may be sold, delivered, or offered for sale at retail are the prices per pair set forth below in Tables (3) and (6) of Appendix C (§ 1401.116).

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8521, 8948, 9492

[2] 7 F.R. 9951, 10378, 10791

(1) *What is included in the term.* A "sale at retail" is any sale to an ultimate consumer.

(2) *Who is an ultimate consumer.* An "ultimate consumer" is any person (other than an industrial or commercial user) who

(i) Buys rayon hosiery for a purpose other than that of reselling it, and

(ii) Did not sell rayon hosiery in any quantity after January 31, 1942.

(b) *Sales at wholesale.* The maximum prices for which rayon hosiery may be sold, delivered or offered for sale at wholesale are the prices per dozen pairs set forth below in Tables (2) and (5) of Appendix C (§ 1401.116). These maximum prices do not apply unless the sale is a "sale at wholesale" as defined in this section. Sales, other than at retail, which do not qualify as "sales at wholesale" must be priced in accordance with the maximum prices set forth in Tables (1) and (4) of Appendix C.

(1) *What is included in the term.* A "sale at wholesale" is a sale of rayon hosiery, in any quantity, by a "wholesaler", who buys the hosiery after it has been knitted and assembled and who sells that "rayon hosiery" to anyone other than an ultimate consumer. A "sale at wholesale" also includes a sale to a commercial or industrial user, made by a person who sells principally at retail.

(2) *Who is a wholesaler.* A "wholesaler" is a seller who

(i) Is engaged in the business of selling women's hosiery to retailers generally,

(ii) Regularly carries representative stocks of women's hosiery belonging to him, in his own place of business,

(iii) Sells at least 10% of his total sales of women's hosiery out of stock (as opposed to "drop shipments"),

(iv) Is not (*a*) a manufacturer, (*b*) an agent, employee, selling agent, or subsidiary of a manufacturer, or (*c*) a broker, and

(v) Was operating a wholesale business under the conditions prescribed in subparagraphs (2) (i) to (2) (iv), both inclusive, during the month of January 1942, or entered the business of selling women's hosiery for resale after January 31, 1942. (In the latter case, in order to qualify as a wholesaler, the seller must within 5 days after first engaging in the business of selling rayon hosiery for resale pursuant to this regulation, send a notice of his making sales at wholesale to the Office of Price Administration, Washington, D. C. This notice should be in writing and must state the seller's name and address, and the date upon which the seller first engaged in the business of making sales at wholesale after the effective date of this regulation).

(c) *Sales by manufacturers.* The maximum prices for which rayon hosiery may be sold, delivered or offered for sale in any sale by a manufacturer other than at retail, are the prices per dozen pairs set forth in Tables (1) and (4) of Appendix C (§ 1401.116).

(1) *What is included in the term.* "Sales by manufacturers" include any sale by a "manufacturer" as defined below. The maximum prices set forth in Tables (1) and (4) of Appendix C apply also to

(i) All sales (other than sales at retail) which do not qualify as "sales at wholesale" as defined above, and

(ii) Any sale of "rayon hosiery" which

(*a*) The seller knit, sewed, or assembled, or

(*b*) Was manufactured from yarn or other materials supplied, purchased, or furnished by the seller.

(2) *Who is a manufacturer.* A manufacturer is any person who, directly or indirectly owns or operates a business engaged in sewing, knitting or assembling women's hosiery, or whose business is owned, controlled, conducted or managed in any way by a person who owns, or is engaged in a business of sewing, knitting, or assembling hosiery.

(d) *Classes of retail sellers.* A retail seller is any person who sells or offers to sell any rayon hosiery at retail. Each separate selling establishment, and each separate department within an establishment, is a separate seller. Retail sellers are classified as follows:

(1) *Class I retail women's hosiery outlet.* Every seller at retail who is a Class I purchaser (excepting "house-to-house" sellers) is a "Class I retail women's hosiery outlet."

(2) *Class II retail women's hosiery outlet.* Every seller at retail who is (i) a "house-to-house" seller, or (ii) a Class II purchaser, or (iii) a Class III purchaser, is a "Class II retail women's hosiery outlet."

(e) *Classes of purchasers.* (1) "Class I purchaser" means the following persons:

(i) Every retail seller who is also a "manufacturer" of women's hosiery as defined in this section.

(ii) Every retail seller who is also a "wholesaler" of women's hosiery as defined in this section.

(iii) Every retail seller who meets both of the following requirements:

(*a*) *First requirement.* The seller, or the central buying organization to which the seller belonged, made total annual sales of women's full-length hosiery exceeding $250,000.00 in any year from 1939 to 1942, inclusive.

(*b*) *Second requirement.* The seller, or the central buying organization to which the seller belonged, had an average percentage of initial mark-up on women's full-length hosiery of 34% or less in any year from 1939 to 1942, inclusive. To determine this mark-up percentage, the seller must (*1*) compute the total of the initial retail prices at which *all* purchases of this hosiery were marked during a given year, (*2*) compute the total of all invoice charges on purchases of the hosiery during the same year (figured after all discount deductions, and including all transportation costs), and (*3*) subtract the total secured in (*2*) from the total secured in (*1*) and divide the remainder by the total obtained in (*1*).

(2) "Class II purchaser" means any retail seller who is not a Class I purchaser and who, alone or together with all sellers belonging to the same central buying organization, made total annual sales of women's full-length hosiery exceeding $100,000.00 in any year from 1939 to 1942 inclusive.

(3) "Class III purchaser" means any person who is not a "Class I purchaser" nor a "Class II purchaser". It includes industrial and commercial users.

(4) *Central buying organization.* A retail seller "belonged to a central buying organization" during any year from 1939 to 1942, inclusive, if during that year it was one of a group of sellers under common ownership or control, with a common purchasing office which bought 60% or more of the women's full-length hosiery that was bought by the entire group during that year.

(f) *Drop shipments.* A drop shipment of hosiery, sold at wholesale, is a shipment directly from the manufacturer to the purchaser.

(g) *When taxes may be added to the maximum price.* The seller may charge or collect in addition to the maximum price for any transaction the amount of tax levied on account of that transaction by any existing or future Federal excise tax statute, or by any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, in the following cases only:

(1) Where the statute or ordinance requires the seller to state the tax to the purchaser separately from the purchase price; or

(2) Where the statute or ordinance requires the tax to be separately paid by the purchaser with money, tokens or other means of tax payment; or

(3) Where the statute or ordinance permits the seller to state the tax to the purchaser separately from the purchase price, and the seller actually does so.

§ 1401.105 *Maximum prices for rayon hosiery not specifically priced in § 1401.116.* Maximum prices for rayon hosiery not specifically priced in § 1401.116 can be established only by specific authorization from the Office of Price Administration, Washington, D. C. No person is permitted to sell, deliver, or offer to sell rayon hosiery for which a maximum price is not provided in § 1401.116 unless he receives specific authorization from the Office of Price Administration.

A seller who wants to secure a specific maximum price for any type of rayon hosiery for which a maximum price is not provided in § 1401.116 must file with the Office of Price Administration in Washington, D. C., an application setting forth (a) a description in detail of the rayon hosiery for which a maximum price is sought; (b) a statement of the facts which differentiate such rayon hosiery from the rayon hosiery for which maximum prices are established under § 1401.116 of this regulation; and (c) such other information as may be required by the Office of Price Administration.

§ 1401.106 *Less than maximum prices may be charged.* Lower prices than the maximum prices established by this maximum price regulation may be charged.

§ 1401.107 *Information which must be furnished to purchasers*—(a) *By posting.* On and after April 15, 1943, every person who sells or offers for sale rayon hosiery must post in a conspicuous place and in a manner plainly visible to the purchasing public in each department or portion of the premises where rayon hosiery is

sold, or offered for sale, those portions of the tables set forth in Appendix C (§1401.116) which are applicable to transactions conducted on the premises.

(b) *By marking*—(1). *Information required.* On and after April 15, 1943, no person shall sell, deliver, or offer for sale rayon hosiery unless there is firmly affixed directly to each pair of such hosiery a transfer, marking or label which clearly and truthfully states identifying information as to the construction and price of the hosiery as follows:

(i) The word "ceiling" accompanied by the maximum price at retail under this regulation; (if the hosiery is circular knit and sold to a wholesaler the letter "W" must precede the maximum price);

(ii) The name, trade-mark registered in the United States Patent Office, or the Office of Price Administration registration number of the person who first sells the hosiery in a completely finished state; (such sellers can secure registration numbers by writing to the Office of Price Administration, Washington, D. C.);

(iii) The words "Grade A" or "Grade B" followed by the gauge or needle count of the hosiery;

(iv) The word "short" on all hosiery less than 27½" in length, which is size 9½ or smaller and on all hosiery less than 28" in length which is size 10 or larger;

(v) The word "long" on all hosiery more than 31½" in length which is size 10 or larger and on all hosiery more than 30" in length which is size 9½ or smaller;

(vi) The words "out-size" on all out-size hosiery;

(vii) The words "extra-long" on all hosiery more than 34" long;

(viii) The correct size of the foot in accordance with Commercial Standard CS 46–40 "Hosiery lengths and sizes"; and

(ix) The word "irregulars" on all irregulars; the word "seconds" on all seconds; and the word "thirds" on all thirds.

(2) *Method of marking*—(i) *How the marking must be attached*—(a)* *To hosiery delivered on or after the effective date of this regulation.* The marking must be firmly affixed directly to each pair of hosiery by a transfer or stamp in the case of any hosiery delivered by the manufacturer thereof on or after the effective date of this regulation.

(b) *To hosiery delivered prior to the effective date of this regulation.* Hosiery which was delivered by the manufacturer thereof prior to the effective date of this regulation must be marked with a label, ticket, marker or other device which is firmly affixed to each pair of the hosiery, except that, if the hosiery is sold in a sealed envelope containing only one pair of stockings the marking may be attached to, or written or printed on, the outside of the envelope. If the marking is attached to the outside of the envelope it must appear on the envelope at the time the hosiery is offered for sale and at the time it is delivered to the purchaser.

(c) *Description of marking.* The information required by § 1401.107 (b) (1) (i), (ii), and (iii) must be stamped or transferred on the welt within a block having dimensions no less than 1 inch by 1½ inches. No other printing or lettering is permitted within the block. Two examples of the block are set forth below:

Ceiling 92¢ X. Y. Z. Brand Grade A–45 gauge	Ceiling—W–35¢ O. P. A. No.—900 Grade A–260 ndls

Any of the other information required by § 1401.107 (b) may be placed on the welt provided it does not confuse or obscure the information contained in the block or it may be placed upon the foot of the stocking.

§ 1401.108 *Information which must be furnished in sales other than at retail*—(a) *Information for marking and posting.* Within 5 days after the receipt of a written request from a purchaser of rayon hosiery by any person who has sold for resale or manufactured the rayon hosiery, such seller or manufacturer shall furnish to the purchaser, all information with respect to the construction and quality of the rayon hosiery which is pertinent to the marking or posting required of the purchaser by this regulation.

(b) *Disclosure of class of purchaser.* Within 10 days after receiving a written request, every person who buys or offers to buy rayon hosiery must truthfully inform the seller in writing of the class of purchaser to which the buyer belongs. Classes of purchasers are defined in § 1401.104 (e).

§ 1401.109 *Relation between Maximum Price Regulation No. 339 and the General Maximum Price Regulation*[1]—(a) *Provisions of General Maximum Price Regulation incorporated in this regulation.* The General Maximum Price Regulation shall not apply and this regulation shall apply to sales, deliveries and offers to sell rayon hosiery. However, the following sections of the General Maximum Price Regulation are made a part of this regulation and each seller must comply with them:

(1) Current records (§ 1499.12).

(2) Sales slips and receipts (§ 1499.14).

(3) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling rayon hosiery at wholesale or retail.

(b) *Definitions incorporated by reference.* Unless the context otherwise requires, or unless otherwise specifically provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

§ 1401.110 *Relation of this regulation to other maximum price regulations*—(a) *Maximum Price Regulation No. 157.*[4] Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—shall apply, and this regulation shall not apply to transactions regulated or governed by Maximum Price Regulation No. 157.

(b) *Maximum Price Regulation No. 172.*[5] Maximum Price Regulation No. 172—Charges of Contractors in Apparel Industry—shall apply, and this regulation shall not apply to transactions for which maximum prices are established by Maximum Price Regulation No. 172.

(c) *Revised Maximum Export Price Regulation.*[6] Revised Maximum Export Price Regulation shall apply, and this regulation shall not apply to sales and deliveries for which maximum prices are established by Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1401.111 *Explanation of terms (definitions).* (a) "Rayon hosiery" means any women's completely finished full-length hosiery which is made in whole or in part of rayon, except hosiery in which the leg is made of rayon in combination with silk, wool or nylon.

(b) "Substandard quality" hosiery means hosiery not of first quality. This includes (1) irregulars; (2) seconds; and (3) thirds. These terms are defined in § 1401.114 Appendix A—Inspection Standards.

(c) *Grade "A" and Grade "B" hosiery.* Grade "A" hosiery is rayon hosiery which meets all of the specifications set forth in § 1401.115—Appendix B—Minimum requirements for Grade "A" hosiery. If the hosiery fails to meet any one or more of the minimum requirements set forth in Appendix B it is classed as Grade "B" hosiery.

(d) The "gauge" of full-fashioned hosiery is the number of needles per 1½" of the needle bar on which the hosiery is knit, assuming use of the full needle bar except for a tolerance of 4 needles.

(e) The "needle count" of circular knit hosiery is the total number of needles on the knitting cylinder of the machine on which the hosiery is knit.

(f) *Full-fashioned out-size hosiery.* (1) "14" and 14½" out-size hosiery" is hosiery which

(i) Is knit on 14" or 14½" needle bar respectively, using the full needle bar (with a tolerance of 4 needles);

(ii) Is made with no fashionings or narrowings at the flare;

(iii) Contains the minimum number of courses required for Grade "A" hosiery 31" long in § 1401.115 (b) (10), Appendix B; and

(iv) Is boarded on out-size forms in accordance with accepted trade practice.

(2) "15" and 16" out-size hosiery" is hosiery which is

(i) Knit on a full 15" or 16" needle bar, respectively (with a tolerance of 4 needles);

(ii) Made without narrowings or fashionings in the flare; and

(iii) Is boarded on out-size forms in accordance with accepted trade practice.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6516, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9613, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[4] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948.

[5] 7 F.R. 4882, 6684, 8351, 8949, 10864.

[6] 7 F.R. 5059, 7242, 8829, 9000, 10530.

(g) "Combination yarn" is plied yarn in which filament rayon is twisted with spun rayon or cotton.

(h) "Plied yarn" is a yarn in which two or more separate ends of continuous filament rayon yarn are combined by twisting.

(i) "Spun rayon yarn" is yarn spun from rayon staple fibre.

(j) "Blended yarn" is yarn which is spun from mixtures of rayon staple fibre and cotton fibre.

(k) "Full-lace hosiery" is lace hosiery knit with full-lace tackle on a full-fashioned knitting machine.

(l) "Jacquard hosiery" is hosiery knit with full Jacquard tackle on a full-fashioned knitting machine.

(m) "Full-length hosiery" is hosiery designed to be worn with the welt above the knee.

§ 1401.112 *How this regulation may be amended.* Any person seeking an amendment which will have general applicability may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration.

§ 1401.113 *Geographical applicability of this regulation.* This regulation shall be applicable to the continental United States and to the District of Columbia, but not to the territories and possessions of the United States.

§ 1401.114 *Appendix A: Standards of inspection.* Both Grade "A" and Grade "B" rayon hosiery must be classified and marked according to the standards of inspection set forth below.

(a) *Substandard quality.* All hosiery which is not first quality is deemed to be substandard quality. Substandard quality includes:

(1) *Irregulars.* A pair of substandard quality stockings are "irregulars" if one or both stockings contain any imperfections or irregularities in size, color, knit or weave: *Provided*, That neither stocking contains any obvious mends, runs, tears or breaks in the fabric, or any substantial defect, irregularity or imperfection in material, construction or finish;

(2) *Seconds.* A pair of substandard quality stockings are "seconds" if one or both stockings contain any obvious mends, runs, tears or breaks in the fabric or any substantial defect, irregularity or imperfection in material, construction or finish: *Provided*, That neither of the stockings contains (i) welt menders in excess of ½ inch, (ii) leg menders or seamers in excess of ¼ inch or (iii) more than two medium, or three small menders; and

(3) *Thirds.* A pair of substandard quality stockings are "thirds" if either stocking contains (i) any of the following defects: (*a*) welt menders in excess of ½ inch, (*b*) leg menders or seamers in excess of ¼ inch or (c) more than two medium or three small menders or (ii) any other substantial defect, irregularity or imperfection which makes the hosiery a third, when judged by the seller's standards of inspection on the effective date of this regulation.

(b) *Explanation of table of defects.* The following table is not all-inclusive but it illustrates how hosiery containing any of the defects listed should be classified. Thus hosiery containing any of the defects listed in Column (1) cannot be considered first quality but must be considered irregulars. Similarly hosiery containing any of the defects listed in Column (2) must be considered seconds and not irregulars and hosiery containing any defects listed in Column (3) must be considered thirds.

(c) *Table of defects.* (Reference is to defect in either stocking).

(Column 1) Irregulars	(Column 2) Seconds	(Column 3) Thirds
(1) *Welt defects.* (i) Welts mismatched. (2) *Leg defects* (i) Minor yarn defects, such as slubs, knots, broken filaments, shiners. (ii) Visible rings or shadows. (iii) Visible sinker stripes or needle lines. (iv) Visible picked up pull threads. (v) Uneven stitch construction. (vi) Light color contrasts or shadings. (3) *Foot defects* (i) Heavy dye streaking. (ii) Light mismatching at instep.	(1) *Welt defects.* (i) Menders less than 1½". (2) *Leg defects* (i) Menders or seamers less than ¼". (ii) Major yarn defects, such as decided ridges, heavy slubs, kinks or large knots. (iii) Fuzzy stitch or needle line marks. (iv) Sharply defined color contrasts or shadings. (3) *Foot defects.* (i) Heavy mismatching at instep. (4) *Overall defects.* (i) Lengths under 26½". (ii) Menders, limited to three medium or three small menders.	(1) *Welt defects.* (i) Menders in excess of 1½". (2) *Leg defects* (i) Menders or seamers in excess of ¼". (3) *Overall defects.* (i) More than two medium or three small menders.

§ 1401.115 *Appendix B: Minimum requirements for Grade "A" rayon hosiery*—(a) *Scope.* The specifications apply to all completely finished, continuous filament, rayon hosiery the leg of which is knitted in plain stitch. The specifications do not apply to hosiery the leg of which is made of combination or spun rayon yarns, nor to non-run, mesh, or cut-and-sewn rayon hosiery. The specifications are minimum, in the sense that, unless the hosiery meets every one of the requirements of these specifications, it is classed as Grade "B" hosiery.

(b) *General requirements*—(1) *Welt and afterwelt*—(i) *Length of welt.* The minimum length of the welt shall be 3½ inches for full fashioned hosiery and 4 inches for seamless hosiery.

(ii) *Length of afterwelt.* (*a*) In circular knit hosiery no afterwelt is required, (*b*) in full fashioned hosiery, the minimum length of the afterwelt shall be 1½ inches, unless the hosiery is made with a welt of 5 inches or longer, in which case no afterwelt is required.

(iii) *Stitch and design.* No fancy lace bands, Jacquard designs or mesh designs may be used in the welt or afterwelt. Rows of picot stitches in the welt or afterwelt must be at least three-fourths of an inch apart except when used in the uppermost half inch of the welt.

(iv) *Use of yarn.* The yarn used in the afterwelt must be of the same weight, or heavier than the yarn used in the welt.

(v) *Overlap.* There shall be an overlap of at least four courses at the bottom of the afterwelt in which the leg yarn and afterwelt yarn are knit together.

(2) *Heel.* The heel shall be no more than 5 inches long and no shorter than 4 inches measured from the lowest point of the heel to the uppermost part of the heel.

(3) *Narrowings*—(i) *In the flare and calf.* In full fashioned hosiery, the total number of narrowings in the flare and calf, and the narrowings in the flare respectively, shall be no greater than the number of narrowings set forth in the table below for each gauge. The narrowings specified in this table are on the basis of 14 inch heads. If a larger head is used additional narrowings may be employed, proportionately, in the ratio of one narrowing for each additional four needles used on the knitting head.

	Maximum number of total narrowings in flare and calf on each side	Maximum number of narrowings in flare on each side
42 gauge and lower	42	6
45 gauge	44	8
48 gauge	46	10
51 gauge	50	10
54 and over	Optional	Optional

(ii) *In the heel.* The heel of hosiery made on a single unit machine must be fashioned in accordance with accepted trade practice for full fashioned hosiery.

(4) *Yarn twist*—(i) *Leg yarns.* The minimum twists which are required in the leg yarns of hosiery are the total number of turns per inch set forth below for each denier and construction respectively.

Denier	Full fashioned (turns required)	Circular knit (turns required)
150 (and higher)	8 turns per inch	Producer's twist.
125	10 turns per inch	10.
100	20 turns per inch	15.
75	25 turns per inch	20.
70	30 turns per inch	25

(ii) *Welt and reinforcing yarns.* The minimum twists required in welts and reinforcing yarns shall be the number of turns per inch set forth below for each denier and construction respectively.

Denier	Full fashioned (turns required)	Circular knit (turns required)
150 (and higher)	8 turns per inch	Producer's twist.
125	10 turns per inch	Producer's twist.
100	10 turns per inch	10
75	15 turns per inch	15

(iii) *Resultant twist.* The twist referred to herein is the resultant number

[1] 7 F.R. 8961.

of turns per inch in one direction, and does not refer to the applied or inserted twist. The twist of plied yarn must be the twist required for the equivalent singles yarn.

(5) *Cotton reinforcements.* Cotton reinforcing is required in the toe section of all full fashioned hosiery and in the toe and heel of all circular knit hosiery. The reinforcement must be in addition to a yarn of a weight equivalent to, or greater than the yarn used in the leg of the stocking. The cotton toe section shall extend at least 2 inches from the tip of the toe.

(6) *Use of rayon yarns*—(i) *Yarns below 50 denier.* Rayon yarns below 50 denier may be used only if plied and twisted to a total denier of 50 denier or higher. The denier of plied and twisted yarn is deemed to be equal to the sum of deniers of the component yarns.

(ii) *Use of 65 denier cuprammonium.* Sixty-five denier cuprammonium yarn shall be considered equivalent to 75 denier and may be employed as an alternate wherever 75 denier is specified.

(iii) *Denier numbers.* Denier numbers which fall between specified deniers are, for the purpose of these specifications, deemed to be the equivalent of the next lower specified denier.

(7) *Length requirements*—(i) *Full fashioned hosiery.* (a) Regular or medium lengths (hosiery not marked "short" or "long").

For sizes 8 to 9½, both inclusive the minimum length is 27½ inches and the maximum is 29½ inches.

For sizes 10 to 11, both inclusive. The minimum length is 28 inches and the maximum is 30 inches.

Regular or medium lengths must be furnished by the seller unless otherwise specified by the purchaser. "Proportioned" lengths may be supplied by the seller, only on specific request of the purchaser.

(b) *Marking requirements.* For marking requirements which apply to "short" and "long" hosiery, see provisions of § 1401.107 (b).

(c) *Basic minimum lengths for all full fashioned hosiery.* No Grade "A" hosiery may be made less than 26½ inches long in sizes 8 to 9½, both inclusive, or less than 27 inches in sizes 10 to 11, both inclusive.

(ii) *Circular knit hosiery.* (Regular or medium lengths.) The minimum length permitted is 29 inches. The maximum length permitted is 31 inches.

(8) *Compliance with marking requirements.* To be constituted Grade "A", hosiery must be accurately and completely marked in accordance with the provisions of this regulation.

(9) *Maximum fineness of yarns permitted*—(i) *In full fashioned hosiery.* No finer yarns may be used than the deniers of rayon or counts of cotton yarn (for each specified gauge) set forth in Table No. 1 for the welt, leg, heel and sole reinforcing and toe reinforcing yarns respectively.

(ii) *In circular knit hosiery.* No finer yarns may be used than the deniers of rayon or counts of cotton yarn (for each specified needle count) set forth in Table No. 2 for welt, leg, and reinforcing yarns respectively.

(10) *Courses*—(i) *Minimum total courses required.* The minimum total courses required for hosiery 29 inches long is the number of courses in the leg and welt for each specified gauge respectively set forth in Table 1 for full fashioned hosiery and for each specified needle count respectively set forth in Table No. 2, for circular knit hosiery. If the hosiery is less than 28 inches long it may be coursed proportionately lower, as compared with 29 inch hosiery, thus hosiery 27 inches long must have a minimum of 27/29ths of minimum courses required for 29 inch hosiery. If the hosiery is longer than 30 inches it must be coursed proportionately higher than 29 inch hosiery, thus hosiery 31 inches long must have 31/29ths of the minimum courses required for 29 inch hosiery.

(ii) *How courses are calculated.* The minimum total courses specified are based on the following reference points:

(a) *Full fashioned hosiery*—(1) *Conventional two-unit machines.* Total courses are counted from the start of the knitting to the heel loose course.

(2) *Single-unit machines.* Total courses are counted from the start of the knitting to the widest point of the heel.

(b) *Circular knit hosiery.* In circular knit hosiery courses are counted from the top of the low heel to the end of the inside turn of the welt.

(11) TABLE 1

YARN FINENESS AND MINIMUM COURSE REQUIREMENTS FOR FULL FASHIONED HOSIERY

(i) Maximum fineness of yarns permitted

Gauge	Leg yarn denier	Welt		Heel and sole reinforcing yarn (denier)	Toe reinforcing yarn (cotton count)
		Rayon denier	Cotton count		
39	150	150	70/2 ply	100	90/2 ply.
42	100	125	80/2 ply	100	90/2 ply.
45	75	100	100/2 ply	100	100/2 ply.
48	75	100	100/2 ply	100	100/2 ply.
51 and higher	50	100	120/2 ply	(1) 75 denier with 50 denier leg. (2) 100 denier with 75 denier leg.	120/2 ply.

NOTES. (a) Cotton may be used in place of rayon yarn where rayon is specified for heel and sole reinforcing.
(b) The numbers specified in this table represent the maximum spinning fineness permissible. In each instance, yarn of higher denier or lower cotton count may be employed. Cotton yarns are specified as two-ply; in the event that singles yarn is employed, it must be no lighter in weight than the singles equivalent of the two-ply yarn specified.
(c) Denier of plied and twisted yarn equals the sum of the deniers plied.

(ii) Minimum total courses

Gauge	Minimum total courses required for specified deniers knit on conventional "legger-footer" machines	Minimum total courses for specified deniers knit on single-unit machines
39 (All deniers)	1190	1150
42 (a) 150 denier (and higher)	1240	1200
(b) 100 & 125 denier	1340	1300
45 (a) 150 denier (and higher)	1340	1300
(b) 100 & 125 denier	1400	1360
(c) 75 denier	1450	1410
48 (a) 100 & 125 denier	1400	1360
(b) 75 denier	1450	1410
51 (a) 100 & 125 denier	1450	1410
(b) 75 denier	1500	1460
(c) 50 denier	1600	1560
54 and higher:		
(a) 75 denier	1650	1610
(b) 50 denier	1700	1660

NOTE: (a) If cotton welt is used a tolerance not to exceed 40 courses is permitted.

(12) TABLE 2

YARN FINENESS AND MINIMUM COURSE REQUIREMENTS FOR CIRCULAR KNIT HOSIERY

(i) Maximum fineness of yarns permitted

Needle count	Leg yarn denier	Welt		Heel and toe reinforcing yarn (cotton count)
		Rayon denier	Cotton count	
260 and 280	150	150	70/2 ply	70/2 ply.
300	100	150	80/2 ply	80/2 ply.
320	75	100	100/2 ply	90/2 ply.
340	75	100	120/2 ply	100/2 ply.
360 to 380	50	100	120/2 ply	120/2 ply.
400				120/2 ply.

NOTES: (a) The numbers specified in this table represent the maximum spinning fineness permissible. In each instance, yarn of higher denier or lower cotton count may be employed. Cotton yarns are specified as two-ply in the event that singles yarn is employed, it must be no lighter in weight than the singles equivalent of the two-ply yarn specified.
(b) Denier of plied and twisted yarn equals the sum of the deniers plied.

(ii) *Minimum total courses*

Needle count:	Minimum total courses required
260	960
280	1008
300	1104
320:	
(a) 100 denier	1152
(b) 75 denier	1200
340:	
(a) 100 denier	1260
(b) 75 denier	1332

(ii) *Minimum total courses*—Con.

Needle count—Continued	Minimum total courses required
360 to 380:	
(a) 75 denier	1320
(b) 50 denier	1392
400	1400

NOTE: (a) If cotton welt is used a tolerance not to exceed 40 courses is permitted.

§ 1401.116 *Appendix C: Schedules of maximum prices*—(a) *Tables of maximum prices for full-fashioned "cut and sewn" and semi-fashioned hosiery.*

TABLE 1—SALES BY MANUFACTURERS (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN F. O. B. POINT OF SHIPMENT). ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE THE PRICES LISTED HEREIN, LESS 25 PER CENT

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. *Continuous filament*								
1. 39 gauge:								
(a) to Class I purchaser	$5.90	$5.40	$5.01	$4.59	$3.94	$3.60	$2.95	$2.70
(b) to Class II purchaser	6.05	5.55	5.14	4.72	4.04	3.70	3.02	2.77
(c) to Class III purchaser	6.15	5.65	5.23	4.80	4.10	3.77	3.07	2.82
2. 42 gauge:								
(a) to Class I purchaser	6.20	5.55	4.27	4.72	4.14	3.70	3.10	2.77
(b) to Class II purchaser	6.35	5.70	5.40	4.84	4.24	3.80	3.17	2.85
(c) to Class III purchaser	6.45	5.80	5.48	4.93	4.30	3.87	3.22	2.90
3. 45 gauge:								
(a) to Class I purchaser	6.70	5.95	5.70	5.06	4.47	3.97	3.35	2.97
(b) to Class II purchaser	6.85	6.10	5.82	5.18	4.57	4.07	3.42	3.05
(c) to Class III purchaser	6.95	6.20	5.91	5.27	4.64	4.14	3.47	3.10
4. 48 gauge:								
(a) to Class I purchaser	7.20	6.45	6.12	5.48	4.80	4.30	3.60	3.22
(b) to Class II purchaser	7.35	6.60	6.25	5.61	4.90	4.40	3.67	3.30
(c) to Class III purchaser	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
5. 51 gauge:								
(a) to Class I purchaser	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser	7.95	7.20	6.76	6.12	5.30	4.80	3.97	3.60
6. 54 and 57 gauge:								
(a) to Class I purchaser	8.65	7.90	7.35	6.71	5.77	5.27	4.32	3.95
(b) to Class II purchaser	8.85	8.10	7.52	6.88	5.90	5.40	4.42	4.05
(c) to Class III purchaser	9.00	8.25	7.65	7.01	6.00	5.50	4.50	4.12
7. 60 gauge and higher:								
(a) to Class I purchaser	9.65	8.90	8.20	7.56	6.44	5.94	4.82	4.45
(b) to Class II purchaser	9.85	9.10	8.37	7.73	6.57	6.07	4.92	4.55
(c) to Class III purchaser	10.00	9.25	8.50	7.86	6.67	6.17	5.00	4.62
B. *Continuous filament (outsole*								
1. 39 gauge, 14–14½" head:								
(a) to Class I purchaser	6.40	5.65	5.44	4.80	4.27	3.77	3.20	2.82
(b) to Class II purchaser	6.55	5.80	5.57	4.93	4.37	3.87	3.27	2.90
(c) to Class II purchaser	6.65	5.90	5.65	5.01	4.44	3.94	3.32	2.95
15–15½" head:								
(a) to Class I purchaser	6.90	6.15	5.86	5.23	4.60	4.10	3.45	3.07
(b) to Class II purchaser	7.05	6.30	5.99	5.35	4.70	4.20	3.52	3.15
(c) to Class III purchaser	7.15	6.40	6.08	5.44	4.77	4.27	3.57	3.20
16" head or wider:								
(a) to Class I purchaser	7.40	6.65	6.29	5.65	4.94	4.44	3.70	3.32
(b) to Class II purchaser	7.55	6.80	6.42	5.78	5.04	4.54	3.77	3.40
(c) to Class III purchaser	7.65	6.90	6.50	5.86	5.10	4.60	3.82	3.45
2. 42 gauge, 14–14½" head:								
(a) to Class I purchaser	6.70	5.95	5.69	5.06	4.47	3.97	3.35	2.97
(b) to Class II purchaser	6.85	6.10	5.82	5.18	4.57	4.07	3.42	3.05
(c) to Class III purchaser	6.95	6.20	5.91	5.27	4.64	4.14	3.47	3.10
15–15½" head:								
(a) to Class I purchaser	7.20	6.45	6.12	5.48	4.80	4.30	3.60	3.22
(b) to Class II purchaser	7.35	6.60	6.24	5.61	4.90	4.40	3.67	3.30
(c) to Class III purchaser	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
16" head or wider:								
(a) to Class I purchaser	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser	7.95	7.20	6.76	6.12	5.30	4.80	3.97	3.60
3.45 gauge and higher, 14–14½" head.								
(a) to Class I purchaser	7.20	6.45	6.12	5.48	4.80	4.30	3.60	3.22
(b) to Class II purchaser	7.35	6.60	6.25	5.61	4.90	4.40	3.67	3.30
(c) to Class III purchaser	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
15–15½" head:								
(a) to Class I purchaser	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser	7.95	7.20	6.76	6.12	5.30	4.80	3.97	3.60
16" head or wider:								
(a) to Class I purchaser	8.20	7.45	6.97	6.33	5.47	4.97	4.10	3.72
(b) to Class II purchaser	8.35	7.60	7.10	6.46	5.57	5.07	4.17	3.80
(c) to Class III purchaser	8.45	7.70	7.18	6.54	5.64	5.14	4.22	3.85

TABLE 1—Continued

(ii) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh and non-run				
1. 42 gauge and lower:				
(a) to Class I purchaser	$8.20	$6.97	$5.47	$4.10
(b) to Class II purchaser	8.35	7.10	5.57	4.17
(c) to Class III purchaser	8.45	7.18	5.64	4.22
2. 45 gauge and higher:				
(a) to Class I purchaser	8.70	7.39	5.80	4.35
(b) to Class II purchaser	8.85	7.52	5.90	4.42
(c) to Class III purchaser	8.95	7.61	5.97	4.47
D. Full lace and jacquards.				
1. 42 gauge and lower:				
(a) to Class I purchaser	9.20	7.82	6.14	4.60
(b) to Class II purchaser	9.35	7.95	6.24	4.67
(c) to Class III purchaser	9.45	8.03	6.30	4.72
2. 45 and 48 gauge:				
(a) to Class I purchaser	9.70	8.24	6.47	4.85
(b) to Class II purchaser	9.85	8.37	6.57	4.92
(c) to Class III purchaser	9.95	8.46	6.64	4.97
3. 51 gauge and higher:				
(a) to Class I purchaser	10.70	9.09	7.14	5.35
(b) to Class II purchaser	10.85	9.22	7.24	5.42
(c) to Class III purchaser	10.95	9.31	7.30	5.47
E. Cut and sewn lace or mesh				
(a) to Class I purchaser	7.20	6.12	4.80	3.60
(b) to Class II purchaser	7.35	6.25	4.90	3.67
(c) to Class III purchaser	7.45	6.33	4.97	3.72
F. Semi-fashioned continuous filament (Burson type)				
1. Standard:				
(a) to Class I purchaser	4.35	3.70	2.90	2.17
(b) to Class II purchaser	4.50	3.82	3.00	2.25
(c) to Class III purchaser	4.60	3.91	3.07	2.30
2. Outsizes:				
(a) to Class I purchaser	4.90	4.16	3.27	2.45
(b) to Class II purchaser	5.05	4.29	3.37	2.52
(c) to Class III purchaser	5.15	4.38	3.43	2.57
3. Extra-outsize:				
(a) to Class I purchaser	5.90	5.01	3.94	2.95
(b) to Class II purchaser	6.05	5.14	4.04	3.02
(c) to Class III purchaser	6.15	5.23	4.10	3.07
G. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for constructions A to D both inclusive)				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn)	.50	.42	.33	.25
2. Extra lengths (34 inches minimum)	.75	.64	.50	.37
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn)	.35	.30	.23	.17
4. Leg made of spun rayon, blended plied or combination yarn with premium welt and premium heel and sole	1.75	1.49	1.17	.87

TABLE 2—SALES AT WHOLESALE (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN F. O. B. POINT OF SHIPMENT). ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER, MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE THE PRICES LISTED HEREIN LESS 25%.

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge	$6.78	$6.21	$5.77	$5.28	$4.53	$4.14	$3.39	$3.10
2. 42 gauge	7.13	6.38	6.06	5.43	4.76	4.25	3.56	3.18
3. 45 gauge	7.70	6.84	6.55	5.82	5.14	4.56	3.85	3.41
4. 48 gauge	8.28	7.41	7.03	6.30	5.52	4.94	4.14	3.70
5. 51 gauge	8.85	7.99	7.53	6.79	5.91	5.33	4.43	3.99
6. 54 and 57 gauge	9.54	9.08	8.45	7.72	6.63	6.06	4.97	4.54
7. 60 gauge and higher	11.09	10.23	9.43	8.70	7.40	6.83	5.54	5.11
B. Continuous filament (outsize):								
1. 39 gauge:								
14–14½" head	7.36	6.49	6.25	5.52	4.91	4.33	3.68	3.24
15–15½" head	7.93	7.07	6.75	6.01	5.29	4.71	3.97	3.53
16" head or wider	8.51	7.64	7.23	6.49	5.68	5.10	4.25	3.82
2. 42 gauge:								
14–14½" head	7.70	6.84	6.55	5.82	5.14	4.56	3.85	3.41
15–15½" head	8.28	7.41	7.03	6.30	5.52	4.94	4.14	3.70
16" head or wider	8.85	7.99	7.53	6.79	5.91	5.33	4.43	3.99
3. 45 gauge:								
14–14½" head	8.28	7.41	7.03	6.30	5.52	4.94	4.14	3.70
15–15½" head	8.85	7.99	7.53	6.79	5.91	5.33	4.43	3.99
16" head or wider	9.43	8.56	8.01	7.28	6.29	5.71	4.71	4.28

TABLE 2—Continued

(ii) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh and non-run:				
1. 42 gauge and lower	$9.43	$8.01	$6.29	$4.71
2. 45 gauge and higher	10.00	8.51	6.67	5.00
D. Full lace and jacquards:				
1. 42 gauge and lower	10.57	8.99	7.06	5.29
2. 45 gauge and 48 gauge	11.15	9.49	7.44	5.57
3. 51 gauge and higher	12.30	10.46	8.21	6.15
E. Cut-and-sewn lace or mesh	8.28	7.03	5.52	4.14
F. Semi-fashioned, continuous filament (Burson type):				
1. Standard	5.00	4.25	3.33	2.49
2. Outsize	5.63	4.79	3.76	2.82
3. Extra outsize	6.75	5.77	4.52	3.39
G. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for constructions A to D both inclusive):				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn)	.57	.49	.39	.29
2. Extra lengths (34 inches minimum)	.86	.73	.57	.42
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn)	.40	.34	.26	.18
4. Leg made of spun rayon, blended, plied or combination yarn with premium welt and premium heel and sole	2.01	1.71	1.35	1.00

NOTE: All maximum prices are for sales out of stock; maximum prices for "drop shipments" are the prices set forth above less 3%.

TABLE 3—SALES AT RETAIL. (PRICES ARE EXPRESSED IN DOLLARS PER PAIR F.O.B. POINT OF SHIPMENT.) ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE THE PRICES LISTED HEREIN LESS 25%.

(i) Maximum prices for Class I retail women's hosiery outlets—(a) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge	$0.71	$0.65	$0.60	$0.55	$0.47	$0.43	$0.35	$0.32
2. 42 gauge	.75	.67	.63	.57	.50	.44	.37	.33
3. 45 gauge	.81	.72	.69	.61	.54	.48	.40	.36
4. 48 gauge	.86	.77	.74	.66	.58	.52	.43	.39
5. 51 gauge	.93	.84	.79	.71	.62	.56	.46	.42
6. 54 and 57 gauge	1.04	.95	.88	.81	.69	.63	.52	.47
7. 60 gauge and higher	1.16	1.07	.99	.91	.77	.71	.58	.53
B. Continuous filament (outsize):								
1. 39 gauge: 14–14½" head	.77	.68	.65	.58	.51	.45	.38	.34
15–15½" head	.83	.74	.71	.63	.55	.49	.41	.37
16" head or wider	.89	.80	.76	.68	.59	.53	.44	.40
2. 42 gauge: 14–14½" head	.81	.72	.69	.61	.54	.48	.40	.36
15–15½" head	.87	.78	.74	.66	.58	.52	.43	.39
16" head or under	.93	.84	.79	.71	.62	.56	.46	.42
3. 45 gauge: 14–14½" head	.87	.78	.74	.66	.58	.52	.43	.39
15–15½" head	.93	.84	.79	.71	.62	.56	.46	.42
16" head or wider	.99	.90	.84	.76	.66	.60	.49	.45

(b) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh and non-run:				
1. 42 gauge and lower	$0.98	$0.84	$0.66	$0.49
2. 45 gauge and higher	1.04	.89	.70	.52
D. Full lace and jacquards:				
1. 42 gauge and lower	1.11	.94	.74	.55
2. 45 gauge and 48 gauge	1.16	.99	.78	.58
3. 51 gauge and higher	1.29	1.09	.86	.64
E. Cut-and-sewn lace or mesh	.86	.74	.58	.43
F. Semi-fashioned, continuous filament (Burson type):				
1. Standard	.52	.44	.35	.26
2. Outsize	.59	.50	.39	.29
3. Extra outsize	.71	.60	.47	.35
G. Maximum price differentials for specific constructions (to be added to prices per pair set forth for constructions A to D both inclusive):				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn)	.07	.06	.05	.04
2. Extra lengths (34 inches minimum)	.10	.08	.06	.05
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn)	.05	.04	.03	.02
4. Leg made of spun rayon, blended, plied or combination yarn with premium welt and premium heel and sole	.22	.19	.15	.11

TABLE 3—Continued

(II) Maximum prices for Class II retail women's hosiery outlets.—(a) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge	$0.80	$0.74	$0.68	$0.63	$0.54	$0.49	$0.40	$0.37
2. 42 gauge	.84	.76	.72	.64	.56	.50	.42	.38
3. 45 gauge	.92	.80	.78	.69	.61	.54	.45	.40
4. 48 gauge	.98	.88	.83	.75	.65	.58	.49	.44
5. 51 gauge	1.05	.95	.89	.80	.69	.63	.52	.47
6. 54 and 57 gauge	1.18	1.08	1.00	.92	.78	.72	.59	.54
7. 60 gauge and higher	1.31	1.21	1.11	1.03	.87	.81	.65	.60
B. Continuous filament outsize:								
1. 39 gauge:								
14–14½" head	.87	.77	.74	.65	.58	.51	.43	.38
15–15½" head	.94	.84	.80	.71	.63	.56	.47	.42
16" head and wider	1.01	.91	.86	.77	.67	.60	.50	.45
2. 42 gauge:								
14–14½" head	.91	.81	.78	.69	.61	.54	.46	.40
15–15½" head	.98	.88	.83	.75	.65	.59	.49	.44
16" head or wider	1.05	.95	.89	.81	.70	.63	.52	.47
3. 45 gauge:								
14–14½" head	.98	.88	.83	.75	.65	.59	.49	.44
15–15½" head	1.04	.95	.89	.81	.70	.63	.52	.47
16" head or wider	1.11	1.02	.95	.86	.75	.68	.56	.51

(b) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh and non-run:				
1. 42 gauge	$1.11	$0.95	$0.75	$0.56
2. 45 gauge	1.18	1.00	.79	.59
D. Full lace and jacquards:				
1. 42 gauge	1.25	1.06	.83	.62
2. 45 gauge	1.32	1.11	.87	.65
3. 51 gauge	1.45	1.23	.96	.72
E. Cut and sewn lace or mesh	.98	.83	.65	.49
F. Semi-fashioned, continuous filament (Burson Type):				
1. Standard	.50	.50	.39	.30
2. Outsize	.67	.57	.44	.33
3. Extra outsize	.80	.68	.54	.40
G. Maximum price differentials for specific constructions (to be added to prices per pair set forth for constructions A to D both inclusive):				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn)	.07	.06	.05	.04
2. Extra lengths (24 inches minimum)	.10	.08	.07	.05
3. Premium heel and sole (Heel and sole reinforced with cotton, spun rayon or combination yarn)	.05	.04	.03	.02
4. Leg made of spun rayon, blended plied or combination yarn with premium welt and premium heel and sole	.22	.19	.15	.11

(b) *Tables of maximum prices for circular knit hosiery.*

TABLE 4—SALES OF CIRCULAR KNIT HOSIERY BY MANUFACTURERS. (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN F. O. B. POINT OF SHIPMENT.) ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN, LESS 25 PER CENT

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous Filament (Plain Knit):								
1. 220–240 needle count	$2.25	$2.00	$1.91	$1.70	$1.50	$1.33	$1.12	$1.00
2. 260 needle count	2.50	2.10	2.13	1.70	1.67	1.40	1.25	1.05
3. 280 needle count	2.60	2.20	2.21	1.87	1.73	1.47	1.30	1.10
4. 300 needle count	2.95	2.50	2.51	2.13	1.97	1.67	1.48	1.25
5. 320 needle count	3.10	2.60	2.64	2.21	2.07	1.73	1.55	1.30
6. 340 needle count	3.75	3.00	3.19	2.55	2.50	2.00	1.88	1.50
7. 360 needle count and higher	4.70	3.75	3.83	3.19	3.00	3.50	2.27	1.88

TABLE 4—Continued

(II) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
B. Premium constructions (Leg made of blended rayon, spun rayon, or combination yarn with *premium welt*):				
1. 220–240 needle count	$3.00	$2.55	$2.00	$1.50
2. 260 needle count	3.10	2.64	2.07	1.55
3. 280 needle count	3.20	2.72	2.13	1.60
4. 300 needle count	3.50	2.98	2.33	1.75
5. 320 needle count and higher	3.60	3.06	2.40	1.80
C. Mesh constructions:				
1. 220–240 needle count:				
1-end	2.75	2.34	1.83	1.38
2-end	3.25	2.75	2.17	1.63
2. 260–280 needle count:				
1-end	3.00	2.55	2.00	1.50
2-end	3.50	2.98	2.33	1.75
3. 300–320 needle count:				
1-end	3.50	2.98	2.33	1.75
2-end	4.00	3.40	2.67	2.00
D. Maximum price differentials, for specific constructions (to be added to prices per dozen set forth for regular and mesh constructions):				
1. Premium welts (welts made of cotton, blended rayon, spun rayon, or combination yarn)	.40	.34	.27	.20
2. Outsizes	.30	.26	.20	.15
3. Plied yarn, in leg	.60	.51	.40	.30

TABLE (5)—SALES AT WHOLESALE OF CIRCULAR KNIT HOSIERY. (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN F. O. B. POINT OF SHIPMENT. ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN LESS 25%)

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament (plain knit):								
1. 220–240 needle count	$2.65	$2.35	$2.25	$2.00	$1.76	$1.56	$1.32	$1.18
2. 260 needle count	2.94	2.47	2.51	2.11	1.96	1.65	1.47	1.24
3. 280 needle count	3.06	2.59	2.60	2.20	2.04	1.73	1.53	1.29
4. 300 needle count	3.47	2.94	2.95	2.51	2.32	1.96	1.73	1.47
5. 320 needle count	3.65	3.06	3.11	2.60	2.44	2.04	1.82	1.53
6. 340 needle count	4.41	3.53	3.75	3.00	2.94	2.35	2.20	1.76
7. 360 needle count and higher	5.29	4.41	4.51	3.75	3.53	2.94	2.65	2.20

(ii) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
B. Premium constructions (leg made of blended rayon, spun rayon or combination yarn with premium welt):				
1. 220–240 needle count	$3.53	$3.00	$2.35	$1.78
2. 260 needle count	3.65	3.11	2.44	1.82
3. 280 needle count	3.76	3.20	2.51	1.88
4. 300 needle count	4.12	3.51	2.74	2.06
5. 320 needle count and higher	4.24	3.60	2.82	2.12
C. Mesh constructions:				
1. 220–240 needle count:				
1-end	3.24	2.75	2.15	1.62
2-end	3.82	3.25	2.55	1.92
2. 260–280 needle count:				
1-end	3.53	3.00	2.35	1.76
2-end	4.12	3.51	2.74	2.06
3. 300–320 needle count:				
1-end	4.12	3.51	2.74	2.06
2-end and higher	4.71	4.00	3.14	2.35
D. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for regular and mesh constructions):				
1. Premium welts (welts made of cotton, blended rayon, spun rayon, or combination yarn)	.47	.40	.32	.24
2. Outsizes	.35	.31	.24	.18
3. Plied yarn in leg	.71	.60	.47	.35

NOTE: All maximum prices are for sales out of stock; maximum prices for "drop shipments" are the prices set forth above less 5%.

TABLE 6—SALES AT RETAIL OF CIRCULAR KNIT HOSIERY (PRICES ARE EXPRESSED IN DOLLARS PER PAIR. ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN, LESS 25 PERCENT)

(i) Retail prices for hosiery purchased by the retail seller from a manufacturer—(*a*) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament (plain knit):								
1. 220–240 needle count	$0.28	$0.25	$0.24	$0.21	$0.18	$0.17	$0.14	$0.12
2. 260 needle count	.30	.26	.26	.22	.20	.17	.15	.13
3. 280 needle count	.32	.27	.27	.23	.21	.18	.16	.13
4. 300 needle count	.37	.31	.31	.26	.24	.21	.18	.15
5. 320 needle count	.39	.32	.33	.27	.26	.21	.19	.16
6. 340 needle count	.47	.37	.40	.31	.31	.25	.23	.18
7. 360 needle count and higher	.57	.47	.48	.40	.37	.31	.28	.23

(*b*) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
B. Premium constructions (leg made of blended rayon, spun rayon or combination yarn with premium welt):				
1. 220–240 needle count	$0.36	$0.31	$0.25	$0.18
2. 260 needle count	.38	.33	.26	.19
3. 280 needle count	.40	.34	.27	.20
4. 300 needle count	.43	.37	.29	.22
5. 320 needle count and higher	.45	.38	.30	.22
C. Mesh constructions:				
1. 220–240 needle count:				
1-end	.31	.29	.23	.17
2-end	.41	.33	.27	.20
2. 260–280 needle count:				
1-end	.37	.31	.25	.18
2-end	.43	.37	.29	.22
3. 300–320 needle count and higher:				
1-end	.43	.37	.29	.22
2-end	.50	.42	.33	.25
D. Maximum price differentials for specific constructions (to be added to prices per pair set forth for regular and mesh construction):				
1. *Premium welts* (welts made of cotton, blended rayon, spun rayon, or combination yarn)	.05	.04	.03	.02
2. Outsizes	.04	.03	.03	.02
3. Plied yarn in leg	.07	.06	.05	.04

NOTE: The prices in this table are applicable to all sales of hosiery which the seller at retail bought (a) from a manufacturer, as defined in this regulation or (b) in any sale to which manufacturer's ceiling prices were applicable.

(ii) Retail prices for hosiery purchased by the retail seller from a wholesaler—(*a*) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament (plain knit):								
1. 220–240 needle count	$0.32	$0.28	$0.27	$0.24	$0.21	$0.19	$0.16	$0.14
2. 260 needle count	.35	.30	.30	.25	.23	.20	.18	.15
3. 280 needle count	.37	.31	.31	.26	.24	.21	.18	.15
4. 300 needle count	.42	.35	.35	.30	.28	.23	.21	.18
5. 320 needle count	.44	.37	.37	.31	.29	.24	.22	.18
6. 340 needle count	.53	.43	.45	.36	.35	.28	.27	.21
7. 360 needle count and higher	.64	.53	.54	.45	.43	.35	.32	.26

(*b*) Special constructions

Construction	First quality	Irregulars	Seconds	Thirds
B. Premium constructions (leg made of blended rayon, spun rayon or combination yarn with premium welt):				
1. 220–240 needle count	$0.42	$0.36	$0.28	$0.21
2. 260 needle count	.44	.37	.29	.22
3. 280 needle count	.45	.38	.30	.23
4. 300 needle count	.50	.42	.33	.25
5. 320 needle count and higher	.51	.43	.34	.25

TABLE 6—SALES AT RETAIL OF CIRCULAR KNIT HOSIERY (PRICES ARE EXPRESSED IN DOLLARS PER PAIR. ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN, LESS 25 PERCENT)—continued

(*b*) Special constructions—Continued

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh constructions:				
1. 220–240 needle count:				
1-end	$0.39	$0.33	$0.26	$0.19
2-end	.46	.39	.30	.23
2. 260–280 needle count:				
1-end	.43	.36	.28	.21
2-end	.50	.42	.33	.25
3. 300–320 needle count and higher:				
1-end	.50	.42	.33	.25
2-end	.57	.48	.38	.28
D. Maximum price differentials for specific constructions (to be added to prices per pair set forth for regular and mesh constructions):				
1. Premium welts (welts made of cotton, blended rayon, spun rayon or combination yarn)	.06	.05	.04	.03
2. Outsizes	.04	.04	.03	.02
3. Plied yarn in leg	.09	.07	.06	.04

This regulation shall become effective April 15, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3644; Filed, March 8, 1943; 12:25 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Ration Order 9,[1] Amendment 4]

HEATING STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1432.19 (d) is amended; the headnote to and the text of § 1432.20 are amended; a new § 1432.53 is added; as set forth below:

SUBPART B—PROVISIONS AFFECTING CONSUMERS AND BOARDS

§ 1432.19 *Issuance of certificate.*

* * *

(d) The certificate may be issued either on Form OPA R-905 or on Form OPA R-403 (certificate for purchase of typewriters). If Form OPA R-403 is used, it must be properly prepared and corrected. Part B of the certificate should be given to the applicant as his authority to buy the stove; Part A should be mailed or sent to the appropriate State office of the Office of Price Administration; and Part C should be kept by the board and filed as its record.

§ 1432.20 *Preparation of certificate; use of forms.* A person who needs a new coal heating stove or an oil heating stove must obtain from the board a certificate on either Form OPA R-905 or Form OPA R-403. If the latter form is used, the board will have to cross out certain portions which do not apply. Following is a detailed explanation of how the certificate (Form OPA R-403) should be prepared and corrected for issuance as a heating stove certificate:

* * * * *

SUBPART E—MISCELLANEOUS PROVISIONS

§ 1432.53 *Transfer of damaged, lost or stolen stoves.* (a) New heating stoves that have been damaged but which are still usable as heating stoves and undamaged new heating stoves mingled therewith, new heating stoves that have been stolen and new heating stoves in imminent danger of being damaged or stolen may be acquired without the surrender of certificates, for the purpose of transfer only, by:

(1) Persons lawfully engaged in the insurance business, common or contract carriers and warehousemen in connection with the right of subrogation or by virtue of the payment by them of a claim for damage to or loss of the stoves; and

(2) Persons performing public fire or safety functions, or persons engaged primarily in the business of adjusting losses and selling or reconditioning and selling damaged commodities, who take possession of or receive them on the occurrence or imminence of casualties.

(b) A transfer of new heating stoves by any person included in paragraph (a) of this section may be made without the surrender of a certificate by another person so included, or to the owner, or to the person from whose lawful custody the stove was taken, or a dealer, wholesaler or manufacturer, but not for his use.

This amendment shall become effective on March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-S, 7 F.R. 10668; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3645; Filed, March 8, 1943; 12:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 31 Under Supp. Reg. 15 to GMPR]

VANCE ANDREWS

Order No. 31 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-2949.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1331 *Adjustment of maximum prices for contract carrier service by Vance Andrews.* (a) Vance Andrews, of East Liverpool, Ohio, hereinafter referred to as applicant, may sell and deliver motor contract carrier services at the following rates:

For produce, perishables, and bread

From Pittsburgh to—	
Sewickley, Pa	[1] 15.39
Ambridge, Pa	17.67
Rochester, Pa	21.09
Beaver, Pa	22.23
Monaca, Pa	22.23
Beaver Falls, Pa	23.37
Midland, Pa	26.22
Chester, W. Va	27.36
East Liverpool, Ohio	28.50

For heavy groceries

From Pittsburgh to—	
East Liverpool, Ohio	19.38
Chester, W. Va	21.51
Wellsville, Ohio	[illegible] 24.51
Toronto, Ohio	26.79
Midland, Pa	24.51

[1] All rates in cents per hundred pounds.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 31 (§ 1499.1331) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 31 (§ 1499.1331) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 31 (§ 1499.1331) shall become effective March 9, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3646; Filed, March 8, 1943; 12:24 p. m.]

PART 1300—PROCEDURE

[Procedural Regulation 9,[1] Amendment 5]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation No. 9 is amended in the following respect:

1. Section 1300.611 (e) is amended to read as follows:

(e) *Region V:* Arkansas: Little Rock; Kansas: Wichita; Louisiana: Baton

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10720; 8 F.R. 1318, 2433.

[1] 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2595.

Rouge, New Orleans, Shreveport; Missouri: St. Louis, Kansas City; Oklahoma: Oklahoma City, Tulsa; Texas: Dallas, Fort Worth, Lubbock, Houston, San Antonio.

This amendment shall become effective March 10, 1943.

(Pub. Law 507, 77th cong. WPB directive No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3665; Filed, March 8, 1943; 3:33 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 45]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5051 (b), the phrase "1394.5310" is inserted between the phrase "1394.5266 (b) (3)" and the phrase "1394.5604"; and a new § 1394.5310 is added; as set forth below:

Auxiliary Rations

§ 1394.5310 *Special cases: Supplemental rations for heating premises used for residential purposes.* (a) A person to whom a ration has been issued for heat or both heat and hot water in premises used for residential purposes, other than a house trailer, who finds that his fuel oil on hand and coupons the valid period of which has not expired are insufficient to meet his minimum heating or heating and hot water requirements for the balance of the heating year, may apply to his board for a supplemental heating or heating and hot water ration. The applicant shall present to the board a signed statement setting forth:

(1) The amount of fuel oil on hand and the number, kind and gallonage value of his coupons the valid period of which has not expired;

(2) The efforts he has made to secure maximum heating efficiency of his oil burning equipment and to eliminate loss of heat due to the condition of the premises;

(3) The efforts he has made to reduce his consumption of fuel oil, including without limitation, the maintenance of minimum temperatures and to use coal or wood burning heating stoves;

(4) The reasons why he has not converted his oil burning facilities to the use of coal; and

(5) The number of gallons of fuel oil estimated by the applicant to meet his minimum heating or heating and hot water requirements for the balance of the heating year.

(b) The applicant shall supply such additional information concerning the premises, the heating equipment therein and the matters set forth in subparagraphs (1) to (5) of paragraph (a) of this section as the board may deem necessary for its recommendation, including the submission by the applicant for the inspection of the board of his coupon sheets, representing his ration.

(c) No application for a supplemental ration shall be granted unless the board is satisfied that:

(1) The applicant's fuel oil on hand and coupons the valid period of which has not expired are insufficient to meet the applicant's minimum heating or heating and hot water requirements (as the case may be) for the balance of the heating year;

(2) The applicant has taken all reasonable measures within the limits of his financial ability to secure maximum heating efficiency of the oil burning equipment and to eliminate loss of heat due to the condition of the premises;

(3) The applicant has taken all reasonable measures within the limits of his financial ability to reduce his consumption of fuel oil;

(4) The oil burning facilities for use in which the ration is required are not convertible facilities as defined in § 1394.5001 (a) (9), except that where the application is made for private dwelling premises the supplemental ration shall not be denied because the applicant's oil burning facilities are convertible if no member of his household is physically able to operate heating equipment using an alternate fuel or he cannot obtain the services of any other person to operate such equipment; and

(5) Where application is made for private dwelling premises, the applicant's total floor area constituting necessary living and sleeping quarters and space used for occupational purposes, set forth in his original application, did not exceed the maximum allowable area specified in § 1394.5258 (b).

(d) If the board is satisfied that the applicant meets the requirements of paragraph (c) of this section, it will promptly prepare, in duplicate, its written findings and recommendation of the number of gallons of fuel oil which the applicant will require, in addition to his fuel oil on hand and coupons the valid period of which has not expired, to meet his minimum heating or heating and hot water needs for the balance of the heating year. The board will forward to the district or State office having jurisdiction of the area in which the board is located, a copy of its findings and recommendation together with the applicant's statement, original application, and all other documents upon which its findings and recommendation are based. Within five (5) days from the receipt thereof, such district or State office will review the record submitted by the board and make its decision in writing, adopting, modifying or setting aside the recommendation made by the board. Such decision together with the record submitted will be transmitted to the board which will promptly dispose of the application in accordance with such decision and notify the applicant thereof.

This amendment shall become effective on March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3666; Filed, March 8, 1943; 3:30 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 46]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5266 (a) the phrase "in accordance with §§ 1394.5256 or 1394.5261" is amended to read "in accordance with §§ 1394.5256, 1394.5261 or 1394.5270"; new §§ 1394.5553 and 1394.5554 are added; as set forth below:

Renewal of Rations and Issuance of Further Rations

§ 1394.5553 *Changed circumstances, heat and hot water in private dwelling premises; space heaters in other residential premises.* (a) The person to whom a ration has been issued for furnishing heat or hot water, or both, to private dwelling premises other than a house trailer may during the period of validity thereof apply for a substitute ration for such purpose if, subsequent to the date of the original application:

(1) One or more children less than four (4) years of age have occupied and continue regularly to occupy the premises and the applicant's allowable ration was not increased pursuant to § 1394.5256 (b); or

(2) The floor area regularly used for necessary living and sleeping quarters and occupational purposes has because of the addition of one or more persons regularly occupying the premises, increased over, and continues to exceed, that set forth in the original application; or

(3) In the case of an application for hot water only, the number of persons (other than those mentioned in subparagraph (1) of this paragraph) regularly occupying the premises has increased over and continues to exceed that set forth in the original application.

(b) Application shall be made on Form OPA R–1100 or Form OPA R–1100 (Revised). The applicant shall, with his application, tender for cancellation the coupon sheets representing his current ration. The board shall pass upon the application in the same manner as an original application made under § 1394.5266 except that if the application is made for domestic hot water only, the allowable ration shall be determined pursuant to § 1394.5259.

(c) Upon issuance of the substitute ration, the board shall cancel the coupon sheets representing his current ration, and shall detach from the coupon sheets representing the substitute ration coupons equal in gallonage value to that of any coupons used by the applicant between the date of application (under this section) and the date of surrender of the current ration.

(d) The person to whom a ration has been issued for use in a space heater in residential premises other than a private dwelling may, during the period of validity of such ration, apply for a substitute ration if, subsequent to the date of the original application, one or more children less than four (4) years of age have occupied and continue to occupy the premises heated by such space heater and the applicant's allowable ration was not increased pursuant to § 1394.5256 (b). Application shall be made on Form OPA R–1100 or Form OPA R–1100 (Revised). The applicant shall with his application tender for cancellation the coupon sheets representing his current ration. The board shall pass upon the application in the same manner as an original application under §§ 1394.5266 or 1394.5267, as the case may be. The substitute ration shall be issued in the manner provided in paragraph (c) of this section.

§ 1394.5554 *Same: heat and hot water in premises not used for residential purposes.* (a) The person to whom a ration has been issued for furnishing heat or hot water, or both, to premises not used for residential purposes may apply for a substitute ration for such purpose if, due to a change in circumstances or miscalculation of needs, the current ration for such purpose fails to meet the applicant's minimum requirements for heat or hot water, or both. Application shall be made on Form OPA R–1101 or Form OPA R–1101 (Revised). The applicant shall with his application tender for cancellation the coupon sheets or delivery receipts representing his current ration. The board shall pass upon the application in the same manner as an original application made under §§ 1394.5266 or 1394.5267 as the case may be. The substitute ration shall be issued in the manner provided in paragraph (c) of § 1394.5553.

(b) No application for a substitute ration for such purpose shall be granted unless the board is satisfied that:

(1) The applicant has taken all reasonable measures within the limits of his financial ability to secure maximum heating efficiency of the oil burning equipment and to eliminate loss of heat due to the condition of the premises;

(2) The applicant has taken all reasonable measures within the limits of his financial ability to reduce his consumption of fuel oil; and

(3) The oil burning facilities for use in which the ration is required are not convertible facilities as defined in § 1394.5001 (a) (9).

This amendment shall becomes effective on March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3667; Filed, March 8, 1943; 3:30 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17,[1] Amendment 3]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.14 (c) is added to read as follows:

(c) Any branch of the armed services of the United Nations may get certificates from any District Office to acquire the shoes it needs for members of its armed services within the United States and may furnish or sell shoes to any member of the armed services of the United Nations without collecting ration currency.

2. Section 2.19 is added to read as follows:

SEC. 2.19 *Shoes may be acquired for testing.* Any person who requires shoes for testing may apply to the Office of Price Administration, Washington, D. C., for the number of pairs of shoes needed. In a proper case, certificates or special shoe stamps may be issued to acquire shoes for this purpose, upon such conditions as the Office of Price Administration may prescribe.

This amendment shall become effective March 13, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive 1, 7 F.R. 562, Supplementary Directive 1–T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3668; Filed, March 8, 1943; 3:30 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,[2] Amendment 4]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Section 14.6 is revoked.

2. Section 19.1 (m) is added, to read as follows:

(m) Beans, lentils, or peas acquired point-free for use as seed shall not be used by any person as food.

3. The following items are added to the list in Appendix A:

Beans, lentils, or peas held for sale or transfer exclusively as seed for sowing or planting (and not for human consumption) and marked or labeled in accordance with any applicable federal or state seed laws, or, if none is applicable, in accordance with the standards stated in the federal seed law.

Beans, lentils, or peas which contain not more than 10% sound beans, lentils, or peas; and beans, lentils, or peas infested with insects or otherwise unfit for human consumption.

This amendment shall become effective March 8, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 552; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3669; Filed, March 8, 1943; 3:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 319 Under § 1499.3 (b) of GMPR]

WHITE BROS. SMELTING CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1755 *Maximum price at which White Bros. Smelting Corporation may sell and deliver copper-nickel ingots.* (a) The maximum price at which White Bros. Smelting Corporation of Philadelphia, Pennsylvania may sell and deliver copper-nickel ingots to any person shall be 29.00 cents per pound f. o. b. Bridgeport, Connecticut or Boston, Massachusetts.

(b) When used in this order, the term "copper-nickel ingots" shall mean ingots of the analysis reported by the White Bros. Smelting Corporation in its letter of January 11, 1943, addressed to the Office of Price Administration.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of January 4, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3671; Filed, March 8, 1943; 3:32 p. m.]

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* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9521, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1456, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1959, 2194, 2432, 2598.

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1749, 2040, 2487.

[2] 8 F.R. 1840, 2288, 2677, 2681, 2684.

PART 1499—COMMODITIES AND SERVICES

[Order 320 Under § 1499.3 (b) of GMPR]

GOODYEAR TIRE AND RUBBER COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1756 *Adjustment of maximum prices for sales of Pliocote by the Goodyear Tire and Rubber Company, Akron, Ohio.* (a) The maximum prices for the sales by the Goodyear Tire and Rubber Company, Akron, Ohio, of Pliocote are established as set forth below:

	500 pounds and over, per pound	100 pounds-500 pounds, per pound	Less than 100 pounds, per pound
15 pounds coating per ream of foil	$0.36	$0.40	$0.44

(b) *Discounts, allowances, and price differentials.* The Goodyear Tire and Rubber Company, Akron, Ohio, shall apply to the maximum prices set forth in paragraph (a) of this paragraph for its sales of Pliocote, all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to payment of transportation costs and any other customary allowances which were in effect in March, 1942 on sales of Pliofilm by the Goodyear Tire & Rubber Company of Akron, Ohio.

(c) *Definitions.* When used in this order, the term:

(1) "Pliocote" means a coated paper foil for packaging dehydrated foods, machine guns, machine parts for military use and for similar purposes, which is manufactured by the Goodyear Tire & Rubber Company of Akron, Ohio.

(2) "Pliofilm" is a product manufactured by the Goodyear Tire & Rubber Company, Akron, Ohio, used largely for packaging food products and in the manufacture of rain coats, etc.

(d) The Goodyear Tire & Rubber Company shall submit to the Office of Price Administration in Washington, D. C., such reports as may from time to time be required.

(e) This Order No. 320 may be revoked or amended by the Price Administrator at any time.

This Order No. 320 (§ 1499.1756) shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3662; Filed, March 8, 1943; 3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 321 Under § 1499.3 (b) of GMPR]

FROSTED FOODS SALES CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1757 *Authorization of maximum prices for sales of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King, by authorized wholesale distributors and by retailers.* (a) On and after March 9, 1943, the maximum prices for sales by Frosted Foods Sales Corporation, having its principal place of business at 250 Park Avenue, New York City, of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King, shall be:

$3.28 per dozen 16 ounce packages of Corned Beef Hash.

$6.45 per dozen 11 ounce packages of Chicken a la King.

delivered to purchasers' stations.

(b) Authorized wholesale distributors shall determine their maximum delivered selling prices of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King by adding to their net cost of this item a maximum markup of 33 percent of their net cost. The maximum delivered price so determined shall not exceed $4.36 per dozen 16 ounce packages of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and $8.58 per dozen 11 ounce Packages of "Birds Eye" Brand Quick-Frozen Chicken a la King. Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the distributor is permitted to increase his maximum price per dozen to the next higher cent.

Net cost for an authorized wholesale distributor as mentioned in this paragraph shall be his invoice price of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King delivered in a customary quantity of this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him except discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King by adding to their net cost of this item a maximum markup of 36 percent of their net cost. The maximum prices so determined shall not exceed 49¢ per 16 ounce package of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and 97¢ per 11 ounce package of "Birds Eye" Brand Quick-Frozen Chicken a la King. Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(d) No seller, except a seller at retail, shall change his customary discounts, cold storage allowances or other allowances applying to sales of other quick-frozen food items in making sales of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King unless such change in these customary discounts, cold storage allowances and other allowances results in lower selling prices.

(e) On and after March 9, 1943, Frosted Foods Sales Corporation shall supply a written notification to each authorized wholesale distributor before or at the time of the first delivery of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King to a distributor, and for a period of three months thereafter shall include with each shipping unit of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King, a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification from Frosted Foods Sales Corporation to Authorized Wholesale Distributors

The OPA has authorized us to charge wholesalers the following prices for "Birds Eye" Brand Quick-Frozen Corned Beef Hash and Chicken a la King:

$3.38 per dozen 16 ounce packages of Corned Beef Hash

$6.45 per dozen 11 ounce packages of Chicken a la King.

subject to all customary discounts, cold storage allowances and other allowances. Wholesalers are authorized to establish a ceiling price by adding to the net cost of these items 33 percent of such net cost, provided that the ceiling prices so determined shall not exceed $4.36 per dozen of 16 ounce packages of Corned Beef Hash and $8.58 per dozen of 11 ounce packages of Chicken a la King. Net cost is invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish ceiling prices by adding to their net cost 36 percent of their net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination

Notification From Frosted Foods Sales Corporation to Retailers

The OPA authorizes retailers to establish ceiling prices for "Birds Eye" Brand Quick-Frozen Corned Beef Hash in 16 ounce packages and "Birds Eye" Brand "Quick-Frozen Chicken a la King in 11 ounce packages by adding to the net cost of these items 36 percent of their net cost, provided that the ceiling prices so determined shall not exceed 49¢ per 16 ounce package of Corned Beef Hash and 97¢ per 11 ounce package of Chicken a la King. Net cost is the invoice cost at the customary receiving point less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 321 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 321 (§ 1499.1757) shall become effective as of March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3663; Filed, March 8, 1943; 3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 210 Under § 1499.18 (b) of GMPR]

BRESSLER BROTHERS, INC.

Order No. 210 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GFI-439-P.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1810 *Adjustment of maximum prices for women's uniforms manufactured by Bressler Brothers, Inc., of Atlanta, Georgia.* (a) Bressler Brothers, Inc., of Atlanta, Georgia, may sell and deliver, and any person may buy and receive from Bressler Brothers, Inc., for sale at retail, the garments set forth in paragraph (b) below at prices no higher than those set forth therein.

(b) The maximum price provided by this order for women's uniforms which are the same as, or similar to, those delivered by the Protestant in March 1942, under the lot numbers 2002, 2080, 3040, 3070, and 3080 is $13.50 per dozen.

(c) The permission granted to Bressler Brothers, Inc., is subject to the following conditions:

(1) All discounts and trade practices, including all practices relating to shipping and shipping charges in effect during March 1942, are applicable to the maximum price set forth in paragraph (b).

(2) Bressler Brothers, Inc., shall mail or cause to be mailed to every person who buys any of the women's uniforms referred to in paragraph (b) a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of women's uniforms, styles 2002, 2080, 3040, 3070 and 3080, from $12.00 to $13.50. This amount represents only that part of cost increases which we were unable to absorb, and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sale of these women's uniforms.

(d) This Order No. 210 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 210 (§ 1499.1810) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by section 1499.2 of the General Maximum Price Regulation.

This Order No. 210 (§ 1499.1810) shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3664; Filed, March 8, 1943; 3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 55 Under § 1499.18 (c) of GMPR]

ALLER & SHARP, INC.

Amendment No. 1 to Order No. 55 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-1394.

An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (a) of § 1499.905 is amended and a new paragraph (f) is added to read as set forth below:

§ 1499.905 *Adjustment of maximum prices for Contract Carrier Services Sold by Aller & Sharp, Inc.* (a) Aller & Sharp, Inc., of 817 West Fifth Street, Columbus, Ohio, may sell and deliver, and any person may buy and receive from Aller & Sharp, Inc., contract carrier services in connection with shipments of packing house products and supplies requiring refrigeration between the points named in the applicant's Supplement No. 14 to MF-I. C. C. No. 24 attached to and made a part of its application, at rates not to exceed those set forth therein.

(f) This Amendment No. 1 to Order No. 55 (§ 1499.905) shall become effective as of September 30, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3675; Filed, March 8, 1943; 4:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 32 Under Supp. Reg. 15 of GMPR]

REEFER TRANSIT LINES, INC.

Order No. 32 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-941.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1332 [1] *Adjustment of maximum prices for contract carrier services sold by the Reefer Transit Lines, Inc.* (a) The Reefer Transit Lines, Inc., 4000 Packers Avenue, Chicago, Illinois, may sell and deliver contract carrier services between the points named and in connection with the commodities listed in Exhibit 3 attached to and part of its original application, at the rates set forth therein.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 32 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 32 (§ 1499.1332) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 32 (§ 1499.1332) shall become effective March 9, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3670; Filed, March 8, 1943; 3:32 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

ORDER PRESCRIBING FORM FOR PERSONS FURNISHING CARS OR PROTECTIVE SERVICE

At a Session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 12th day of February, A. D. 1943.

In the matter of annual reports from persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, and the corresponding section of the Code of Federal Regulations, the following order was issued:

§ 120.70a *Form prescribed for persons furnishing cars or protective service.* (a) All persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies within the scope of section 20 of Part I of the Interstate Commerce Act and owning 100 but less than 1,000 cars, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form B-2, which is hereby approved and made a part of this order.[1]

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 13, 54 Stat. 917; 49 U.S.C. 20 (6)).

By the Commission: Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3686; Filed, March 9, 1943; 11:30 a. m.]

[1] Form filed as part of the original document.

vention, or otherwise, or which may be titled matter temporary relief be, and tween Districts Nos. 1 and 2 with respect

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-356]

BLACK DIAMOND COAL MINING CO.

ORDER POSTPONING HEARING

In the matter of W. W. Bridges, Receiver, Black Diamond Coal Mining Company, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on March 12, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court Room, Madisonville, Kentucky, pursuant to order issued in the above-entitled matter on February 26, 1943; and

The code member by its attorney having filed a request on March 5, 1943, that the time for filing an application under § 301.132 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division be extended to and including March 10, 1943, and that the hearing presently scheduled for March 12, 1943, be indefinitely postponed; and

The Director deeming it advisable that said request be granted;

Now, therefore, it is ordered, That the code member's time to file an application pursuant to § 301.132 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division be, and the same hereby is, extended to and including March 10, 1943; and

It is further ordered, That the said hearing in the above-entitled matter be, and the same hereby is, postponed from March 12, 1943 at 10 a. m. to a time and place to be hereafter designated by an appropriate order.

Dated: March 8, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3691; Filed, March 9, 1943; 11:41 a. m.]

[Docket No. B-357]

HUDSON COAL COMPANY

AMENDMENT TO NOTICE OF AND ORDER FOR HEARING

On February 22, 1943, a Notice of and Order for Hearing was entered in the above-entitled matter scheduling it for hearing at Salt Lake City, Utah, on March 29, 1943.

Said Notice of and Order for Hearing is hereby amended by striking therefrom subparagraph II A. 1. on the first page and inserting in lieu thereof the following:

1. Sales to various purchasers during the period March 31, 1941, to January 15, 1942, inclusive, of approximately 3,639.89 net tons of 3½" x 0 slack coal at prices ranging from $2.15 per net ton to $2.30 per net ton f. o. b. the mine, whereas such coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than $2.40 per net ton f. o. b. said mine;

Said Notice of and Order for Hearing is hereby further amended by inserting immediately following subparagraph II A. 6 on the second page thereof the following:

7. Sales to Consolidated Coal Company, Ogden, Utah, during the period April 30, 1941, to January 5, 1942, inclusive, of approximately

(a) 43.90 net tons of 3½" x 10" stove coal invoiced at $3.65 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than $4.20 per net ton f. o. b. said mine;

(b) 235.45 net tons of 3½", x 8" stove coal invoiced at $3.50 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than $3.65 per net ton f. o. b. said mine;

(c) 132.95 net tons of 1⅝" x 3½" oiled nut coal invoiced at $2.75 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 and No. 8 of said Schedule, should have been sold at not less than $3.00 per net ton f. o. b. said mine;

(d) 40.20 net tons of 1⅝" x 3½" nut coal invoiced at $2.65 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than $2.90 per net ton f. o. b. said mine;

(e) 99.15 net tons of 3½" lump coal invoiced at $3.65 per net ton f. o. b. the mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than $3.80 per net ton f. o. b. said mine.

Except as herein amended said Notice of and Order for Hearing, dated February 22, 1943 remains in full force and effect.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3692; Filed, March 9, 1943; 11:41 a. m.]

[Docket No. A-1884]

DISTRICT BOARD 22

ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 22 for revision of the price classifications and minimum prices for coals produced from certain mines in Subdistricts 1 and 7 in District No. 22 and sold for railroad fuel use.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by the above-named party, requesting that the effective price classifications and minimum prices, for "Railroad Locomotive Fuel" for the coals of the Klein No. 2 Mine, Mine Index No. 8, of the Republic Coal Company, and the Giffen Mine, Mine Index No. 6 of the Great Northern Railway Company in Subdistricts 1 and 7, respectively, in District No. 22 be made applicable to the coals of such mines when sold to railroads for all uses; and

It appearing that no final determination should be made at this time with respect to the establishment of permanent price classifications and minimum prices for the coal of the aforesaid mines as requested; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention having been filed with the Division in the above-entitled matter; and that the following action is necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter temporary relief be, and the same hereby is, granted as follows: Commencing forthwith the price classifications and minimum prices presently set forth in the Schedule of Effective Minimum Prices for District No. 22 for All Shipments for the coals produced from the Klein No. 2 Mine (Mine Index No. 8) of the Republic Coal Company and the Giffen Mine (Mine Index No. 6) of the Great Northern Railway Company for railroad locomotive fuel use shall apply to the coals of such mines when sold to railroads for all uses.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 24, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division at Post Office Bldg., Denver, Colorado.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 20, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 22 requesting that the price classifications and minimum prices presently set forth in the Schedule of Effective Minimum Prices for District No. 22 for All Shipments for the coals produced from the Klein No. 2 Mine (Mine Index No. 8) of the Republic Coal Company and the Giffen Mine (Mine Index No. 6) of the Great Northern Railway Company for Railroad Locomotive Fuel use be made applicable to the coals of such mines when sold to railroads for use other than locomotive fuel use.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3693; Filed, March 9, 1943; 11:41 a. m.]

[Docket No. A-1864]

DISTRICT BOARD 2

ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Donze Mine of the Elders Ridge Coal Company in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment of price classifications and minimum prices for the coals produced by Elders Ridge Coal Company, at the Donze Mine, Mine Index No. 2632, located in Subdistrict 1 of District No. 1 in Kittanning, Armstrong County, Pennsylvania, for shipment via the Allegheny River and Pennsylvania Railroad; and

A petition of intervention having been filed herein by District Board No. 1 in which it is alleged as follows: That several code members located in District No. 1 ship coal via the Pennsylvania Railroad at or near Kittanning, Armstrong County, Pennsylvania; that several mines operated by code members in District No. 1 are located in that portion of Armstrong County lying west of the Allegheny River and that no boundary between Districts Nos. 1 and 2 has been established by the Division with respect to coals loaded into boats for shipment via the Allegheny River; and

It appearing that the original petition and the petition of intervention filed herein raise issues upon which the interested parties herein should be given an opportunity to be heard; and

It further appearing, however, that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, pending further order of the Division;

Now, therefore, it is ordered, That pending further order in the above-entitled matter temporary relief be, and the same hereby is, granted as follows:

Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 2, For All Shipments Except Truck and for Truck Shipments are supplemented to include the price classifications and minimum prices set forth in the schedules marked Supplement "R" and Supplement "T", which are annexed hereto and made a part hereof.[1]

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 6, 1943 at 10 o'clock in the forenoon of that day, in Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 1, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the original petition filed by District Board No. 2, requesting the establishment of price classifications and minimum prices for the coals produced by Elders Ridge Coal Company, at the Donze Mine, Mine Index No. 2632, for shipment via rail and river, and the petition of intervention filed herein by District Board No. 1 in which it is alleged, among other things, that the Division has not established the boundary between Districts Nos. 1 and 2 with respect to coal loaded into boats for shipment via the Allegheny River.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3694; Filed, March 9, 1943, 11:41 a. m.]

[1] Document not filed with the Division of the Federal Register.

[Docket Nos A-1836 and A-1836, Part II]

DISTRICT BOARD 4

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; for changes in shipping points of certain mines; and requesting the establishment of an additional price instruction in the schedule of effective minimum prices for District No. 4 for all shipments except truck.

In the matter of the petition of District Board No. 4 for the establishment of an additional price instruction in the schedule of effective minimum prices for District No. 4 for all shipments except truck.

Memorandum opinion and order granting intervenor's requests, partially denying temporary relief, severing Docket No. A-1836 Part II, and notice of and order for hearing.

The original petition in the above-entitled matter which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 4, and further requested the establishment of an additional price instruction in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, which would permit all coal going through any one of several preparation plants listed in said petition to be invoiced as having originated at said preparation plant irrespective of whether such coals were produced at the mine of which such preparation plant is not a part.

A petition of intervention has been filed by District Board No. 2, requesting (1) that the portion of Docket No. A-1836 relating to the price instruction set forth in paragraph numbered 10 in the original petition filed herein, be severed from the remainder of Docket No. A-1836, and designated as Docket No. A-1836, Part II; (2) that a hearing be held in said Docket No. A-1836, Part II, and (3) that the prayer for temporary relief contained in said original petition be denied, without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held in Docket No. A-1836, Part II.

It appears that this petition of intervention and the allegations contained in that portion of the original petition involved herein, raise issues upon which the interested parties in this matter should be heard. It also appears that

granted herein, terminated as of the date

DEPARTMENT OF AGRICULTURE.

(13) For Class IV-B milk the price

a reasonable showing of necessity for temporary relief, pending final determination of this matter, has not been shown at this time. In view of these facts, the Director is of the opinion that the requests contained in said petition of intervention should be granted; that the request contained in the original petition for temporary relief should not be granted at this time, and that the portion of the original petition which relates to the request for the establishment of an additional price instruction, should be scheduled for hearing.

Therefore, it is ordered, That said petition of intervention be, and the same hereby is, granted.

It is further ordered, That the request for temporary relief contained in said original petition be, and the same hereby is, denied without prejudice, however, to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be held in Docket No. A–1836, Part II.

It is further ordered, That the portion of the original petition filed in Docket No. A–1836, relating to the establishment of an additional price instruction in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck be, and the same hereby is, severed from Docket No. A–1836 and designated as Docket No. A–1836, Part II.

It is further ordered, That a hearing in Docket No. A–1836, Part II, under the applicable provisions of said Act and the rules of the Division, be held on March 31, 1943, at 10 o'clock in the forenoon of that day, in Washington, D. C. On that date the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 26, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 4 for the establishment of an additional price instruction in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, which shall read as follows: "All coal going through any one of the preparation plants listed below may be invoiced as having originated at said preparation plant, to-wit:

Ohio Mining Co., Mine Index 76 Kimberly Preparation Plant.
Mine No. 6 Inc., Mine Index 109 Mine No. 6 Preparation Plant.
New York Coal Co., Mine Index 90 Mine No. 25 Preparation Plant.
Hocking Valley Mining Co., Mine Index 47 Eclipse Preparation Plant.
Lorain Coal & Dock Co., Mine Index 21 Blaine Preparation Plant.
Youghiogheny & Ohio Coal Co., Mine Index 99 Nelms Preparation Plant.
Powhatan Mining Co., Mine Index 111 Powhatan Preparation Plant.
U. S. Coal Co., Mine Index 43 Dun Glen Preparation Plant.
U. S. Coal Co., Mine Index 157 Willow Grove Preparation Plant.
Jefferson Coal Co., Mine Index 107 Piney Fork Preparation Plant.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–3695; Filed, March 9, 1943; 11:42 a. m.]

[Docket No. A–302]

FORD COLLIERIES CO.

ORDER DISMISSING PETITION FOR RECONSIDERATION, AND REVOKING TEMPORARY RELIEF

In the matter of the petition of the Ford Collieries Company, a producer in District No. 2, for a reduction in the effective minimum prices in size groups 7 and 8 coals for shipment into market area 10.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by the Ford Collieries Company, a code member in District No. 2 requesting a reduction in the classification of the coals of petitioner's Berry Mine (Mine Index No. 12) and Francis Mine (Mine Index No. 72) in Size Groups 7 and 8, for shipment by rail to all destinations in Market Area 10, from "C" to "E", and a consequent reduction in the effective minimum price of said coals from $2.05 to $1.95 per ton; or, in the alternative, that such change be restricted to one consumer in Market Area 10, the Hammermill Paper Company. Petitions of intervention were filed by various persons.

Thereupon, on December 6, 1940, temporary relief, pending final disposition of the petition, was granted by the Director as prayed in the petition.

Thereafter, pursuant to appropriate orders, and after notice to interested persons, a hearing was held before J. D. Dermody, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard.

The Examiner filed his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations, and petitioner filed exceptions to the Examiner's Report. These exceptions were duly considered.

On March 25, 1942, an Order was entered overruling petitioner's exceptions, approving and adopting the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner as the Findings of Fact and Conclusions of Law of the Acting Director, denying petitioner's prayers for relief, and revoking the temporary relief previously granted.

Thereupon, petitioner on April 8, 1942, moved to continue the effectiveness of the temporary relief pending its filing of a motion for reconsideration; and on April 11, 1942 an Order was entered suspending the effective date of the Order of March 25, 1942, until April 21, 1942.

On April 27, 1942, petitioner filed a petition for reconsideration of the Findings of Fact, Conclusions of Law, as adopted, and the Order dated March 25, 1942, requesting that the temporary relief previously granted, be continued, and on April 30, 1942 an Order was entered suspending the Order of March 25, 1942 until a determination of the petition for reconsideration of the Order of March 25, 1942.

On October 13, 1942, a Memorandum Opinion of the Director concerning the petition for reconsideration of the Order of March 25, 1942, was issued, wherein it was found, inter alia, that petitioner has not made an adequate showing that minimum prices for its coals are not properly related to District 2 "C" coals or to District 3 "F" coals, and petitioner was granted an opportunity to file within twenty days a petition seeking a re-coordination of its coals and certain District 3 coals.

By letter dated January 15, 1943, petitioner advised the Director that it is unable to adduce any further or different evidence and that petitioner does not intend to file a new petition.

The petitioner not having availed itself of the opportunity provided for by the Memorandum Opinion of the Director:

Now, therefore, it is ordered, That the petition of the Ford Collieries Company, for reconsideration of the Order of the Acting Director, dated March 25, 1942, denying relief and revoking temporary relief be and it hereby is dismissed;

It is further ordered, That the Order of the Acting Director, dated April 30, 1942 suspending the effective date of the Order of March 25, 1942 until a determination of the petition for reconsideration thereof be and the same hereby is revoked, and the temporary relief granted herein, terminated as of the date hereof.

It is further ordered, That the Order of the Acting Director, dated March 25, 1942 be and the same hereby is in all other respects effective as of the date hereof.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–3696; Filed, March 9, 1943; 11:42 a. m.]

[Docket No. B–299]

A. B. EWEN

ORDER DISMISSING COMPLAINT AND CANCELING HEARING

A complaint in the above-entitled matter having been filed with the Division on July 3, 1942, by the Bituminous Coal Producers Board for District No. 8, alleging that A. B. Ewen had wilfully violated the Bituminous Coal Act and rules and regulations thereunder; and

A hearing in the above-entitled matter, scheduled by Notice of and Order for Hearing dated September 14, 1942, having been indefinitely postponed by a subsequent Order of the Director to a date and place to be thereafter designated by an appropriate order; and

The Director having been informed of the death of said A. B. Ewen:

Now, therefore, it is ordered, That the said complaint filed herein be and the same is hereby dismissed, and that the aforesaid hearing in the above-entitled matter be, and the same hereby is, cancelled.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–3697; Filed, March 9, 1943; 11:42 a. m.]

[Docket No. B–367]

FRANK DUNNING, INC.

ORDER POSTPONING HEARING

In the matter of Frank Dunning, Inc., Registered Distributor, Registration No. 2566.

The above-entitled matter having been heretofore scheduled for hearing at 10 o'clock in the forenoon of March 25, 1943, at a hearing room of the Bituminous Coal Division at Room 518, Bulkley Building, Cleveland, Ohio; and

The Director deeming it advisable that said hearing should be postponed.

Now, therefore, it is ordered, That the said hearing, in the above-entitled matter be and the same hereby is postponed from 10 o'clock in the forenoon of March 25, 1943, to 10 o'clock in the forenoon of March 29, 1943, at the same place and before the same officer or officers as previously designated.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–3698; Filed, March 9, 1943; 11:42 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AO 71–A 8]

NEW YORK METROPOLITAN MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New York Metropolitan Milk Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Hotel St. George, Brooklyn, New York, beginning at 10 a. m., e. w. t., March 16, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below:

Proposed by the Metropolitan Cooperative Milk Producers' Bargaining Agency, Inc., and Other Milk Producer Cooperative Associations

1. Amend § 927.2 (d) by adding a new subparagraph (10), as follows:

(10) The Market Administrator shall, from time to time, cause inspections to be made of the buildings, facilities and surroundings of plant, and shall notify handlers of his determination as to what constitutes the plant and its equipment. Such determination shall be ruling for all purposes under this order.

2. Delete § 927.7 (e) (4).

3. Amend § 927.4 by adding a new paragraph (d) as follows:

(d) *Re-locating differentials.* The minimum prices set forth in sub-paragraphs (5) to (13) inclusive of paragraph (a) of this section, as to all milk which was received from producers at a plant not having any equipment other than that needed for the receiving and shipping of milk, and which was moved to a second plant at least ½ mile from the first plant and there separated into cream and skim milk or manufactured, shall in recognition of the lesser actual value of such milk because of the necessity for is re-location, be subject to a minus differential in the sum of 17 cents per hundredweight, plus ¼ cent per hundredweight per mile for 20 miles and 1/10 cent per hundredweight per additional mile up to a total mileage of not to exceed 65 miles for the shortest highway distance between the two plants.

Proposed by the Dairy and Poultry Branch, Food Distribution Administration, United States Department of Agriculture

1. Delete § 927.4 (a) (13) and substitute therefor the following:

(13) For Class IV–B milk the price during each month shall be a price computed by the market administrator as follows: from the average of weekly quotations at the Wisconsin Cheese Exchange, Plymouth, Wisconsin, for Cheddars, or in the absence of such quotations for Cheddars, the weekly quotations at the Wisconsin Cheese Exchange for Twins, subtract 1 cent and multiply the result by 9; *Provided*, That during any delivery period when there is in effect an offer by the Commodity Credit Corporation to purchase American Cheddar cheese for resale to manufacturers, the price offered by the Commodity Credit Corporation shall be used in lieu of the aforesaid price of Cheddars or Twins.

On or about May 25, 1943, another public hearing will be held in connection with other proposed amendments to the New York metropolitan milk marketing order, which have been under consideration. For that reason, and because the proposed amendments scheduled for hearing on March 16, 1943 are such that they should be considered immediately, the March 16, 1943 hearing will be confined solely to the specific amendments. All interested persons who have any amendments which they desire to propose to the New York metropolitan milk marketing order, to be included in the notice covering the proposed hearing in May 1943, should file such amendments with the Director of Food Distribution, in accordance with the applicable rules of practice and procedure, not later than April 15, 1943.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: March 8, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.

[F. R. Doc. 43–3684; Filed, March 9, 1943; 11:17 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Order nullifying parts of Vesting Orders 13, 151 and 201]

PATENTS OF ENEMY NATIONALS

Whereas pursuant to Vesting Order Number 13 of May 29, 1942, as amended, the undersigned vested as property of nationals of a foreign country, among other things, all right, title and interest in and to patents numbered 2,185,970 and 2,195,351;

Whereas pursuant to Vesting Order Number 151 of September 17, 1942, the undersigned vested as property in which nationals of a foreign country or countries had interests, among other things, all right, title and interest in and to the patents identified as follows:

scribed, and all action taken by or on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3677; Filed, March 9, 1943; 10:27 a. m.]

[Order Nullifying Part of Vesting Order 293]

PATENT APPLICATIONS OF ENEMY NATIONALS

Whereas, pursuant to Vesting Order Number 293 of November 2, 1942, the undersigned vested as property in which a national of a foreign country had an interest, among other things, the patent application identified as follows:

Serial No.	Filing date	Inventor	Title
374,435	1/15/41	P. Mercier	Exhaust manifolds for multi-cylindered aeroplane engines.

Whereas further investigation has revealed that the aforesaid patent application was, on November 2, 1942, in fact owned by General Aircraft Equipment, Inc., a Connecticut corporation, and that the instrument of assignment evidencing the conveyance to the latter corporation the said patent application was, of title to said patent pursuant to license issued by the United States Treasury, recorded in the United States Patent Office at Liber A-192, Page 104;

Whereas had the undersigned, on November 2, 1942, known the facts subsequently revealed and hereinbefore recited, he would not have included in such vesting order the aforesaid patent application.

Now, therefore, that part of said Vesting Order Number 293 pertaining to the aforesaid patent application is hereby rescinded and declared null and void. The recision herein contained shall be effective as of the date of issuance of the aforesaid vesting order, and all right, title and interest in and to such patent application held by any and all persons immediately prior to the issuance of such order shall be deemed to be restored to said persons to be held and enjoyed as though said patent application had never been included in said vesting order.

All provisions of said Vesting Order Number 293 relating to property other than the patents hereinbefore described, and all action taken by or on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3680; Filed, March 9, 1943; 10:27 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 8 Under § 1375.9 (c) of Rev. Maximum Export Reg.]

BUCYRUS-ERIE COMPANY

ORDER GRANTING PETITION FOR RELIEF

Order No. 8 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Order Granting Petition for Relief to The Bucyrus-Erie Company—Docket No. ME3-41.

On February 18, 1943, the Bucyrus-Erie Company, South Milwaukee, Wisconsin, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) The Bucyrus-Erie Company is authorized to invoice directly to the Administracion Nacional de Combustibles, Alcohol y Portland, Montevideo, Uruguay, at its distributor's price of $624.69, f. a. s. New York certain repair parts for a power-driven shovel.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3657; Filed, March 8, 1943; 3:32 p. m.]

[Order 9 Under § 1375.9 (c) of the Rev. Maximum Export Price Reg.]

SMITH, KIRKPATRICK & CO., INC.

ORDER GRANTING PETITION FOR RELIEF

Order No. 9 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Order Granting Petition for Relief to Smith, Kirkpatrick & Company, Inc.

On January 29, 1943, Smith, Kirkpatrick & Company, Inc. 65 Broadway, New York, New York, selling agents for the Cleveland Tractor Company, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Smith, Kirkpatrick & Company, Inc. is authorized to invoice directly to the dealer in Mexico, five tractors and equipment, at a price of $34,700, less $500 if shipment is made unboxed, and less actual freight charges, if shipment is invoiced f. o. b. Cleveland, Ohio.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 9 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3658; Filed, March 8, 1943; 3:33 p. m.]

[Order 6 Under MPR 121]

COAL PROCESSING CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 6 under Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities—Docket No. 3121-5.

For the reasons set forth in the opinion, issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.247a (b) of Maximum Price Regulation No. 121, *It is hereby ordered:*

(a) Coal Processing Corporation may add to its maximum prices for sales of briquettes produced at its plant located at Superior, Wisconsin, and in effect at the time of filing this application, the sum of 50 cents per ton f. o. b. producing facilities.

(b) At the opening of the 1943 lake season, Coal Processing Corporation may add to its said maximum prices, in addition to the sum of 50 cents per ton as set forth in paragraph (a) above, the increases permited, if any, under Amendment No. 11, to Maximum Price Regulation No. 121.

(c) Within thirty (30) days from the effective date of this order, the said Coal Processing Corporation shall notify all persons purchasing its briquettes of the adjustments granted by paragraphs (a) and (b) of the order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of briquettes the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(e) All prayers of the application not granted herein are denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.248 of Maximum Price Regulation No. 121 shall apply to the terms used herein.

(g) This Order No. 6 shall become effective March 8, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3674; Filed, March 8, 1943; 4:24 p. m.]

[Order 12 Under MPR 136, as Amended]

BUREAU OF SHIPS, NAVY DEPARTMENT

APPROVAL OF MAXIMUM PRICES

Adjustment of maximum prices under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended—Machine Parts and Machinery Services—Order No. 12.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and in accordance with § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The Bureau of Ships of the Navy Department is hereby authorized to sell and deliver to Foundation Maritime, Limited, Pictou, Nova Scotia, the following described used crane, with accessories, at the price of $12,726.48:

Bucyrus-Erie, Model 22 B, heavy duty crawler mounted clam shell crane with cab No. 258817, 50', 2-piece boom with taglin, fairlead assembled for dragline, Owen clam shell bucket type M 9939. Complete set of tools and powered by Buda gasoline engine, Model K 428, serial No. 253886.

(b) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 12 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 8th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3659; Filed, March 8, 1943; 3:33 p. m.]

[Order 12 Under MPR 163]

STROUD TEXTILE PRODUCTS, LTD.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 12 under § 1410.119 of Maximum Price Regulation No. 163—Woolen or Worsted Civilian Apparel Fabrics.

The Stroud Textile Products, Ltd., of 200 Fifth Avenue, New York, New York, made application under § 1410.119 of Maximum Price Regulation No. 163 for authorization to determine maximum prices for its fabric, Style No. 1000. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

to The Bucyrus-Erie Company—Docket No. ME3-41.

On February 18, 1943, the Bucyrus-Erie Company, South Milwaukee, Wisconsin, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) The Bucyrus-Erie Company is authorized to invoice directly to the Administracion Nacional de Combustibles, Alcohol y Portland, Montevideo, Uruguay, at its distributor's price of $624.69, f. a. s. New York certain repair parts for a power-driven shovel.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3657; Filed, March 8, 1943; 3:32 p. m.]

[Order 9 Under § 1375.9 (c) of the Rev. Maximum Export Price Reg.]

SMITH, KIRKPATRICK & CO., INC.

ORDER GRANTING PETITION FOR RELIEF

Order No. 9 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Order Granting Petition for Relief to Smith, Kirkpatrick & Company, Inc.

On January 29, 1943, Smith, Kirkpatrick & Company, Inc. 65 Broadway, New York, New York, selling agents for the Cleveland Tractor Company, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Smith, Kirkpatrick & Company, Inc. is authorized to invoice directly to the dealer in Mexico, five tractors and equipment, at a price of $34,700, less $500 if shipment is made unboxed, and less actual freight charges, if shipment is invoiced f. o. b. Cleveland, Ohio.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 9 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3658; Filed, March 8, 1943; 3:33 p. m.]

[Order 6 Under MPR 121]

COAL PROCESSING CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 6 under Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities—Docket No. 3121-5.

For the reasons set forth in the opinion, issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.247a (b) of Maximum Price Regulation No. 121, *It is hereby ordered:*

(a) Coal Processing Corporation may add to its maximum prices for sales of briquettes produced at its plant located at Superior, Wisconsin, and in effect at the time of filing this application, the sum of 50 cents per ton f. o. b. producing facilities.

(b) At the opening of the 1943 lake season, Coal Processing Corporation may add to its said maximum prices, in addition to the sum of 50 cents per ton as set forth in paragraph (a) above, the increases permited, if any, under Amendment No. 11, to Maximum Price Regulation No. 121.

(c) Within thirty (30) days from the effective date of this order, the said Coal Processing Corporation shall notify all persons purchasing its briquettes of the adjustments granted by paragraphs (a) and (b) of the order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of briquettes the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(e) All prayers of the application not granted herein are denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.248 of Maximum Price Regulation No. 121 shall apply to the terms used herein.

(g) This Order No. 6 shall become effective March 8, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3674; Filed, March 8, 1943; 4:24 p. m.]

[Order 12 Under MPR 136, as Amended]

BUREAU OF SHIPS, NAVY DEPARTMENT

APPROVAL OF MAXIMUM PRICES

Adjustment of maximum prices under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended—Machine Parts and Machinery Services—Order No. 12.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and in accordance with § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The Bureau of Ships of the Navy Department is hereby authorized to sell and deliver to Foundation Maritime, Limited, Pictou, Nova Scotia, the following described used crane, with accessories, at the price of $12,726.48:

Bucyrus-Erie, Model 22 B, heavy duty crawler mounted clam shell crane with cab No. 258817, 50', 2-piece boom with taglin, fairlead assembled for dragline, Owen clam shell bucket type M 9939. Complete set of tools and powered by Buda gasoline engine, Model K 428, serial No. 253886.

(b) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 12 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 8th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3659; Filed, March 8, 1943; 3:33 p. m.]

[Order 12 Under MPR 163]

STROUD TEXTILE PRODUCTS, LTD.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 12 under § 1410.119 of Maximum Price Regulation No. 163—Woolen or Worsted Civilian Apparel Fabrics.

The Stroud Textile Products, Ltd., of 200 Fifth Avenue, New York, New York, made application under § 1410.119 of Maximum Price Regulation No. 163 for authorization to determine maximum prices for its fabric, Style No. 1000. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

(a) On and after March 9, 1943, The Stroud Textile Products, Ltd. may sell and any person may buy from the Stroud Textile Products, Ltd. the fabric specified hereinbelow at prices not in excess of the following applicable maximum prices:

Style	Specification	Maximum price (per yard)
Range #1666	Men's wear twist suiting; 100% wool, 14 14½ ounces in weight; 57/58 inches finished width; 20 ends and 19 picks; stock dyed blend; 2 ply warp and filling.	$2.85

(b) If decorations are added to such fabric, the maximum price therefor established in paragraph (a) of this order shall be increased or decreased in accordance with the provisions in paragraph (h) of § 1410.102 of Maximum Price Regulation No. 163.

(c) The maximum price established in paragraph (a) of this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 12 may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3660; Filed, March 8, 1943; 3:30 p. m.]

[Order 195 Under MPR 188]

RESISTO PRODUCTS COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of a maximum price for sales by Resisto Products Company of two furlough bags.

Order No. 195 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Resisto Products Company, 37-39 West 28th Street, New York, New York, is authorized to sell and deliver a 16" furlough bag, manufactured by it, at a price no higher than $18.50 per dozen.

(b) Resisto Products Company, 37-39 West 28th Street, New York, New York, is authorized to sell and deliver a 20" furlough bag, manufactured by it, at a price no higher than $20.50 per dozen.

(c) This Order No. 195 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 195 to Maximum Price Regulation No. 188 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3650; Filed, March 8, 1943; 12:21 p.m.]

[Order 196 Under MPR 188]

ANDERSON AND SONS

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Anderson & Sons, Westfield, Massachusetts, of a new game.

Order No. 196 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Anderson & Sons, Westfield, Massachusetts, is authorized to sell and deliver its new game, designated in its application of January 7, 1943, as "Sabotage", at prices, f. o. b. Westfield, Massachusetts, no higher than those set forth below:

To jobbers	$6.00 per dozen
To retailers	7.20 per dozen

(b) This Order No. 196 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 196 shall become effective on the 8th day of March 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3651; Filed, March 8, 1943; 12:24 p. m.]

[Order 197 Under MPR 188]

MCKENZIE SERVICE, INC.

APPROVAL OF MAXIMUM PRICES

Approval of a maximum price for sales by McKenzie Service, Inc. of a set of cardboard photograph frames.

Order No. 197 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) McKenzie Service, Inc., 95 Norton Street, New York, New York, is authorized to sell and deliver a set of three cardboard photograph frames, 10" x 12", 6½" x 8½", and 3¾" x 4¾", manufactured by it, at a price no higher than $.38 per set.

(b) This Order No. 197 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 197 to Maximum Price Regulation 188 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3652; Filed, March 8, 1943; 12:23 p. m.]

[Order 198 Under MPR 188]

ELCAR MANUFACTURING COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of a maximum price for sales by Elcar Manufacturing Company, of a new stroller.

Order No. 198 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Elcar Manufacturing Company, 1248 Reedsdale Street, Pittsburgh, Pennsylvania, is authorized to sell and deliver its new stroller, designated as "El-Car", at prices to jobbers, f. o. b. Pittsburgh, Pennsylvania, no higher than $5.50 per unit.

(b) This Order No. 198 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 198 shall become effective on the 9th day of March, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3653; Filed, March 8, 1943; 12:23 p. m.]

[Order 199 Under MPR 188]

OLSAN RIVERSIDE FURNITURE COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Olsan's Riverside Furniture Company, Riverside, California, of a new stroller.

Order No. 199 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Olsan's Riverside Furniture Company, 3607 Ninth Street—Corner Orange, Riverside, California, is authorized to sell and deliver its new stroller, described in its application of December 15, 1942, at prices to dealers, f. o. b. Riverside, California, no higher than those set forth below:

	Each
Using hard wood	$7.60
Using semi-hard wood	6.50
Using soft wood	6.00

(b) This Order No. 199 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 199 shall become effective on the 9th day of March 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3654; Filed, March 8, 1943; 12:23 p. m.]

[Order 201 Under MPR 188]

ELECTRIC CORPORATION OF AMERICA

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Electric Corporation of America of a plaster "Service Picture Frame" and a plaster "Military Plaque."

Order No. 201, under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Electric Corporation of America is authorized to sell and deliver a plaster "Service Picture Frame" manufactured by it, at prices, F. O. B. Chicago, Illinois, no higher than those set forth below:

$ .45 each to jobbers.
$ .50 each to chain stores.

(b) Electric Corporation of America is authorized to sell and deliver a plaster "Military Plaque" manufactured by it, at prices, F. O. B. Chicago, Illinois, no higher than those set forth below:

$ .45 each to jobbers.
$ .50 each to chain stores.

(c) This Order No. 201 may be revoked or amended by the Price Administrator at any time.

This Order No. 201 shall become effective the 9th day of March 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-3655; Filed, March 8, 1943; 12:26 p. m.]

[Order 1 Under MPR 206]

POMONA TERRA COTTA CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 1 under Maximum Price Regulation No. 206—Vitrified Clay Sewer Pipe and Allied Products—Docket No. GF3-3083.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and Procedural Regulation No. 6, *It is hereby ordered*, That:

(a) Specific authority is hereby granted Pomona Terra Cotta Company of Pomona, North Carolina, to sell, deliver, invoice and receive payment for 12,400 feet of 24 inch vitrified clay sewer pipe sold to the United States Army Engineer Corps under contract dated December 18, 1942, and identified as contract W-436-ENG-9291, at a price not in excess of $1.50 per foot f. o. b. Greensboro, North Carolina.

(b) The Applicant, Pomona Terra Cotta Company, shall submit such reports relating to the contract described in paragraph (a) hereof to the Office of Price Administration as it may from time to time require.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3647; Filed, March 8, 1943; 12:26 p. m.]

[Order 73 Under RPS 64]

LOCKE STOVE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 73 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

Approval of maximum prices for Locke Stove Company, 114 West Eleventh Street, Kansas City, Missouri.

On December 30, 1942, the Locke Stove Company, 114 West Eleventh Street, Kansas City, Missouri, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for a new model coal heater, designated in the application as the "Victory Model Semi-Circulator Warm Morning coal heating stove," hereinafter referred to as the Victory Semi-Circulator.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Locke Stove Company may sell, offer to sell, transfer or deliver the Victory Semi-Circulator at a price no higher than the following:

To distributors, in carload lots, delivered

$26.87—in the New England States (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut).

$25.84—in the Rocky Mountain States and Pacific Coast States (Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, and California).

$24.58—in all other States (designated as the Central and Eastern states).

To distributors, in less than carload lots, delivered

$29.60—in the New England, Rocky Mountain, and Pacific Coast States.
$27.60—in all other states.

To dealers, delivered

$34.47—in the New England, Rocky Mountain, and Pacific Coast states.
$32.47—in all other states.

subject to allowances, and terms no less favorable than those in effect with respect to the comparable model 120 Radiant as established under the schedule.

(b) Before delivering the Victory Semi-Circulator, the Locke Stove Company shall attach securely to the stove so that it is clearly visible, a durable tag or label bearing in easily readable lettering, the following statement:

Retail Ceiling Price for this Victory Model Semi-Circulator Warm Morning Coal Heating Stove:

$51.95—in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, and California.

$49.95—in all other States.

This tag may not be removed until after delivery to the purchaser.

(c) Distributors may sell and deliver the Victory Semi-Circulator manufactured by the Locke Stove Company at a price no higher than the following:

To dealers, delivered

$34.47—in the New England, Rocky Mountain and Pacific Coast States.
$32.47—in all other States.

subject to allowances and terms no less favorable than those in effect with respect to the comparable model 120 Radiant as established under the Schedule.

(d) Dealers may sell and deliver the Victory Semi-Circulator manufactured by the Locke Stove Company to consumers at a price no higher than the following:

$51.95—in the New England States, Rocky Mountain, and Pacific Coast States.
$49.95—in all other States.

These maximum prices do not include any amount for installation or delivery by the dealer to the consumer.

(e) This Order No. 73 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(g) This Order No. 73 shall become effective on the 8th day of March, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-3649; Filed, March 8, 1943; 12:24 p. m.]

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7 F R 5872, 7967, 8943, 8948, 10155; 8 F.R. 537.

[Order 74 Under RPS 64]

WILSON STOVE AND MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 74 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

Approval of maximum prices for Wilson Stove and Manufacturing Company, Inc., Metropolis, Illinois.

On January 14, 1943, the Wilson Stove and Manufacturing Company, Inc., Metropolis, Illinois, completed an application pursuant to Section 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for three models of coal heating stoves and one model wood heating stove, designated in the application as models V14, V16, V18, and V26C, respectively.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Wilson Stove and Manufacturing Company may sell, offer to sell, transfer or deliver its models V14, V16, V18, and V26C at prices no higher than the following, subject to allowances and terms no less favorable than those in effect with respect to the comparable models C14, C16, C18, and 26C, respectively, as established under Revised Price Schedule No. 64:

Model	
V14----	$7.30 f. o. b. factory to dealers.
V14----	$5.84 f. o. b. factory to distributors and wholesalers.
V16----	$8.85 f. o. b. factory to dealers.
V16----	$7.08 f. o. b. factory to distributors and wholesalers.
V18----	$11.94 f. o. b. factory to dealers.
V18----	$9.55 f. o. b. factory to distributors and wholesalers.
V26C--	$7.81 f. o. b. factory to dealers.
V26C--	$6.25 f. o. b. factory to distributors and wholesalers.

(b) This Order No. 74 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 74 shall become effective on the 9th day of March 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3661; Filed, March 8, 1943; 3:32 p. m.]

[Order 7 Under Rev. Maximum Export Price Reg.]

BALDWIN LOCOMOTIVE WORKS

ORDER GRANTING PETITION FOR RELIEF

Order No. 7 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Order Granting Petition for Relief to the Baldwin Locomotive Works—Docket No. ME3-23.

On February 18, 1943, the Baldwin Locomotive Works, Eddystone, Pennsylvania, filed an amended petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) The Baldwin Locomotive Works is authorized to invoice directly to Estrada de Ferro de Goiaz, Santos, Brazil, one overhead crane with runway rails and wiring, at a price of $15,000, c. i. f. Santos, Brazil.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 7 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3648; Filed, March 8, 1943; 12:25 p. m.]

Regional Office, Region I.

[Amendment 4 to Emergency Order 4 Under Ration Order 11]

FUEL OIL SHORTAGE IN GREATER BOSTON AREA AND CONNECTICUT

Pursuant to the authority conferred upon the Regional Administrator by § 1394.6715 of Ration Order No. 11 as amended, Emergency Order No. 4 is amended as follows: in paragraph (c) (4), subdivisions (iv), (v), (vi) and (vii) the phrase "Schedule A of Petroleum Administrative Order No. 3" is amended to read "Schedule A of Petroleum Distribution Order No. 3, as amended"; the last paragraph of paragraph (c) (4) and paragraph (c) (13) are amended, to read as follows:

(c) *Order.* * * *

(4) *List of priorities of transfers and deliveries.* * * *

The numerical arrangement of the foregoing list does not indicate priority of any consumer over any other consumer on such list: *Provided*, That any dealer may refuse to make deliveries to consumers other than those described in subdivisions (i), (ii) and (iii) whenever, from the state of his inventory and his anticipated receipts, he in good faith believes that he will be unable to continue to satisfy the requirements of consumers specified in such paragraphs for the five days next following: *And provided further*, That if at any time the supply is insufficient to meet the requirements of the entire list the Director of Region 1 of the War Production Board or his duly authorized representative may prescribe the order and extent of priority in which consumers referred to in subdivisons (iv), (v), (vi) and (vii) shall be supplied.

* * * * * *

(13) *Effective period.* Emergency Order No. 4 shall terminate at 12:00 p. m., March 13, 1943 unless extended by further order.

Effective date of Amendment 4. Amendment 4 to Emergency Order No. 4 shall be effective at 12:00 p. m., March 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 3d day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3673; Filed, March 8, 1943; 4:24 p. m.]

[Amendment 3 to Emergency Order 5, Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11 as amended, Emergency Order No. 5 is amended as follows: in paragraph (c) (4), Subdivisions (iv), (v), (vi) and (vii), the phrase "Schedule A of Petroleum Administrative Order No. 3" is amended to read "Schedule A of Petroleum Distribution Order No. 3, as amended"; the last paragraph of paragraph (c) (4) and paragraph (c) (13) are amended, to read as follows:

(c) *Order.* * * *

(4) *List of priorities of transfers and deliveries.* * * *

The numerical arrangement of the foregoing list does not indicate priority of any consumer over any other consumer on such list, *Provided*, That any dealer may refuse to make deliveries to consumers other than those described in Subdivisions (i), (ii) and (iii) whenever, from the state of his inventory and his anticipated receipts, he in good faith believes that he will be unable to continue to satisfy the requirements of consumers specified in such paragraphs for the five days next following. *And provided further*, That if at any time the supply is insufficient to meet the requirements of the entire list the Director of Region I of the War Production Board or his duly authorized representative may prescribe the order and extent of priority in which consumers referred to in Subdivisions (iv), (v), (vi) and (vii) shall be supplied.

* * * * * *

(13) *Effective period.* Emergency Order No. 5 shall terminate at 12:00 p. m., March 13, 1943 unless extended by further order.

Effective date of Amendment 3. Amendment 3 to Emergency Order No. 5 shall be effective at 12:00 p. m. March 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719; Ration Order No. 11, 7 F.R. 8480)

Issued this 3d day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3672; Filed, March 8 1943; 4:24 p. m.]

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Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[FPO 5, Directive 1]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER CONTAINING CHEMICAL NITROGEN

§ 1206.101 *Directive 1*—(a) *Distribution and delivery of chemical fertilizer containing chemical nitrogen.* Pursuant to the provisions of paragraphs (d) (1) and (d) (2) of Food Production Order 5, the distribution and delivery of chemical fertilizer containing chemical nitrogen shall be governed by the following directions:

(1) In the general distribution of chemical fertilizer containing chemical nitrogen, manufacturers shall direct allocations to dealers and agents in areas where there is an immediate need for such fertilizer before supplying areas where the fertilizer is normally used later in the season.

(2) Requirements of farmers for straight nitrogen material for use on either group A or group B crops shall be delivered from any kind of straight nitrogen material available to the manufacturer, dealer or agent, regardless of the kind of material used by the farmer in the past, taking into consideration the variation between the nitrogen content of the material previously used by the farmer and the material to be delivered.

(3) In making preferred deliveries of chemical fertilizer containing chemical nitrogen for use on group A crops as provided in paragraph (h) (3) of Food Production Order 5, the following rules shall apply.

(i) Where farmers apply to a manufacturer, dealer or agent for chemical fertilizer containing chemical nitrogen for immediate use on both group A crops and group B crops for which they are eligible to receive chemical fertilizer containing chemical nitrogen in 1943, their actual requirements for group A crops, established as provided in paragraph (i) (1) of Food Production Order 5, shall be delivered in full, and such quantities shall be delivered on their group B crop requirements, established in accordance with paragraph (i) (2) of Food Production Order 5, as the current and assured stock position of the manufacturer, dealer or agent may warrant, taking into account the over-all need of the geographic locality served by the manufacturer, dealer, or agent and the restrictions contained in paragraphs (h) (4) and (h) (5) of FPO–5.

(ii) Where farmers apply to a manufacturer, dealer or agent for chemical fertilizer containing chemical nitrogen for immediate use on group A crops and for later use on group B crops for which they are eligible to receive such fertilizer in 1943, their actual requirements for the group A crops shall be delivered in full and no delivery need be made on their group B crop requirements until the time the fertilizer for group B crops would normally be applied and then on the basis set out in the preceding paragraph (i).

(iii) Where farmers apply to a manufacturer, dealer or agent for chemical fertilizer containing chemical nitrogen for immediate use on group B crops for which they are eligible to receive such fertilizer in 1943 and for later use on group A crops, deliveries shall be made against their group B crop requirements in such quantities as the current and assured stock position of the manufacturer, dealer or agent may warrant, taking into account the total demand on such manufacturer, dealer or agent for both group A and group B crops throughout the season, and no delivery need be made on group A crop requirements until the time the fertilizer for group A crops would normally be applied. (b) In computing requirements and making deliveries of chemical fertilizers containing chemical nitrogen pursuant to the provisions of paragraphs (h) and (i) of Food Production Order 5 and the provisions of paragraph (a) of this Directive 1, such requirements and deliveries shall not be based upon a percentage of the quantities of such fertilizer previously used by the applicant and shall not be

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FEDERAL REGISTER

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limited by the acreage of the crops previously grown by him.

(E.O. 9280, 7 F.R. 10179; FPO 5, 8 F.R. 947)

Issued this 6th day of March 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43–3781; Filed, March 10, 1943; 11:42 a. m.]

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin 17]

PART 203—OPERATION

LENDING UNDER TITLE VI OF THE NATIONAL HOUSING ACT, AS AMENDED

Section 203.10 of the Rules and Regulations for the Federal Savings and Loan System is hereby amended, effective March 9, 1943, as follows:

1. By inserting the following provisions immediately after the first sentence of paragraph (b):

When the members of a Federal association at a legal meeting have so authorized, such Federal association may make mortgage loans approved for insurance protection under section 608 of the National Housing Act, as amended, up to the percentage of appraised value permitted under said section: *Provided*, That any loans made pursuant to this authorization shall comply with the provisions of section 5 (c) of Home Owners' Loan Act of 1933, as amended.

2. By striking the period at the end of the first sentence of paragraph (d) and adding the following:

* * * *Provided*, That in the event the loan is approved for insurance protection under section 608 of the National Housing Act, as amended, such loans may be made to the extent of the percentage of appraised value the members of the Federal association have authorized or may authorize loans to be made upon the value of the improved real estate securing the loan.

(48 Stat. 132, 49 Stat. 297; 12 U.S.C. 1464 and Sup.)

This amendment is deemed to be of an emergency character within the provisions of paragraph (c) of § 201.2 of the Rules and Regulations for the Federal Savings and Loan System.

Dated: March 8, 1943.

[SEAL] JAMES TWOHY,
Governor.
HAROLD LEE,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant to the Commissioner.

[F. R. Doc. 43–3722; Filed, March 9, 1943; 12:48 p. m.]

Chapter IV—Home Owners Loan Corporation

[Bulletin 182]

PART 402—LOAN SERVICE DIVISION

CHANGES IN LIENS OR PROPERTIES SECURING INDEBTEDNESS, ETC.

Section 402.19 (a) (3) (6 F.R. 5633) shall be amended to read as follows:

§ 402.19 *Changes in liens or properties securing indebtedness*—(a) *Partial release, subordination, condemnations, waivers, consents.* * * *

(3) The written consent of the Corporation to the making of alterations or improvements to, or the removal or demolition of, property covered by any security instrument, contract or other obligation.

The first paragraph of §402.19–14 (6 F.R 5640) shall be amended to read as follows:

§ 402.19–14 *Consents to alterations, etc.* All requests received in a field office for the Corporation's consent to the making of alterations or improvements to, or the removal or demolition of, property securing indebtedness to the Corporation shall be referred to the appropriate Control Supervisor, who shall send the case to the field for the execution by the home owner of Form 535 and the completion of Block I by the Service Representative. If the circumstances of the case are such that it is not necessary to have a service report by the Service Representative, the Control Supervisor may obtain the execution of Form 535 by the home owner by mail. If the request originates in connection with a field contact, the Service Representative shall have Form 535 executed by the home owner, complete Block I, and forward to the Control Supervisor. Form 535 shall be executed in triplicate. The reverse side of the original shall be left blank, as it will be returned to the home owner after execution by the Corporation of the consent in the lower portion of the face of the form. The Control Supervisor shall complete Block II.

Section 402.19–16 (6 F.R. 4640; 7 F.R. 5744) shall be amended to read as follows:

§ 402.19–16 *Legal advice required.* In jurisdictions where the Regional Counsel advises the Regional Manager that the priority, validity and enforceability of the Corporation's lien will not be affected by the Corporation's consent to the making of alterations or improvements to, or the removal or demolition of, property securing indebtedness to the Corporation, the Form 535 need not be referred to the Regional Counsel for the completion of Block V.

In all other jurisdictions, however, where the Corporation's lien may be affected by the giving of such consent, the Form shall be forwarded to the Regional Counsel for the completion of Block V, unless the Regional Counsel has advised the Regional Manager that in all cases within a particular jurisdiction, liens prior to the Corporation's lien may arise out of consents to such alterations or improvements, removals or demolitions.

Effective: March 9, 1943.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by Section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (4), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 43–3721; Filed, March 9, 1943; 12:48 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5238]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

CERTAIN EXCLUSIONS FROM INCOME, ETC.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to certain sections[1] of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended to read as follows:

PARAGRAPH 1. Section 19.22 (a)–13, as amended by Treasury Decision 4980, approved July 2, 1940, is further amended by striking out the first paragraph thereof and inserting in lieu thereof the following:

Improvements by lessee. If buildings are erected or other improvements are made by a lessee, the lessor shall, for taxable years beginning prior to January 1, 1942, include in gross income as of the date he acquires possession or control of the real estate with such improvements thereon at the termination of the lease by forfeiture or otherwise, an amount equal to the excess of the value as of such date of the real estate with such improvements thereon over the value as of such date of the real estate without such improvements. As to treatment of such items for years beginning after December 31, 1941, see § 19.22 (b) (11)–1.

PAR. 2. Section 19.22 (a)–14 is amended as follows:

(A) By striking from the second paragraph "a corporation in an unsound financial condition" and inserting in lieu thereof "certain corporations".

(B) By inserting at the end of the second paragraph the following new sentence:

For exclusion from gross income of income attributable to discharge of indebtedness of railroad corporations in certain judicial proceedings, see § 19.22 (b) (10)–1.

(C) By inserting the word "or" immediately after the semicolon at the end of clause (3) of the third paragraph.

(D) By striking out the semicolon and the word "or" at the end of clause (4) of the third paragraph and inserting in lieu thereof a period.

(E) By striking out clause (5) of the third paragraph.

PAR. 3. Section 19.22 (a)–18 is amended as follows:

(A) By striking from the last paragraph thereof "a corporation in an unsound financial condition" and inserting in lieu thereof "certain corporations".

(B) By inserting at the end of the last paragraph the following new sentence:

For exclusion from gross income of income attributable to discharge of indebtedness of railroad corporations in certain judicial proceedings, see § 19.22 (b) (10)–1.

PAR. 4. The following is inserted immediately after section 22 (b) (4):

SEC. 112. AMENDMENTS TO CONFORM INTERNAL REVENUE CODE WITH THE PUBLIC DEBT ACT OF 1941. (Revenue Act of 1942, Title I.)

(a) *Postal Savings certificates.*—Section 22 (b) (4) (relating to the exclusion of tax-free interest from gross income) is amended by inserting after the words "other than postal savings certificates of deposits" the following: "to the extent they represent deposits made before March 1, 1941".

* * * * *

(c) The amendments made by this section shall be effective as of March 1, 1941.

PAR. 5. There is inserted immediately preceding section 22 (b) (6) the following:

SEC. 113. EXCLUSION OF PENSIONS, ANNUITIES, ETC., FOR DISABILITY RESULTING FROM MILITARY SERVICE. (Revenue Act of 1942, Title I.)

Section 22 (b) (5) (relating to exclusions from gross income of compensation for injuries or sickness) is amended by inserting before the semicolon at the end thereof the following: ", and amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country".

SEC. 127. DEDUCTION FOR MEDICAL, DENTAL, ETC., EXPENSES. (Revenue Act of 1942, Title I.)

* * * * *

(d) *Compensation from insurance.* Section 22 (b) (5) (relating to exclusion from gross income of compensation for injuries or sickness) is amended by striking out "Amounts received" and inserting in lieu thereof "Except in the case of amounts attributable to (and not in excess of deductions allowed under section 23 (x) in any prior taxable year, amounts received".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 6. There is inserted immediately preceding § 19.22 (b) (9)–1 the following:

SEC. 114. EXCLUSION OF INCOME FROM DISCHARGE OF INDEBTEDNESS. (Revenue Act of 1942, Title I.)

(a) *General rule.* Section 22 (b) (9) (relating to exclusion from gross income of cor-

[1] Sec. 112 (a) Postal Savings' Certificates; sec. 113 Exclusion of pensions, annuities, etc., for disability resulting from military service; sec. 114 (a) Exclusion of income from discharge of indebtedness, in general; sec. 114 (b) Exclusion of income from discharge of indebtedness of a railroad corporation; sec. 115 (a) Exclusion of income from lessee's improvements; sec. 117 Additional allowance for military and naval personnel; sec. 127 (d) Compensation from insurance.

porate income derived from discharge of indebtedness) is amended to read as follows:

(9) *Income from discharge of indebtedness.* In the case of a corporation, the amount of any income of the taxpayer attributable to the discharge, within the taxable year, of any indebtedness of the taxpayer or for which the taxpayer is liable evidenced by a security (as hereinafter in this paragraph defined) if the taxpayer makes and files at the time of filing the return, in such manner as the Commissioner, with the approval of the Secretary, by regulations prescribes, its consent to the regulations prescribed under section 113 (b) (3) then in effect. In such case the amount of any income of the taxpayer attributable to any unamortized premium (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. As used in this paragraph the term "security" means any bond, debenture, note, or certificate, or other evidence of indebtedness, issued by any corporation. This paragraph shall not apply to any discharge occurring before the date of enactment of the Revenue Act of 1939, or in a taxable year beginning after December 31, 1945.

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 7. Section 22 (b) (9)–1 is amended as follows:

(A) By striking out the heading and inserting in lieu thereof the following:

Income from discharge of indebtedness—(a) *Taxable years beginning after December 31, 1938 and before January 1, 1942.*

(B) By inserting in the first sentence immediately after the word "provides" the following: ", with respect to taxable years beginning after December 31, 1938, and before January 1, 1942,".

(C) By striking from the fourth paragraph wherever occurring therein the words "this section" and inserting in lieu thereof the words "this subsection".

(D) By striking out the last paragraph and inserting in lieu thereof the following:

With respect to any taxable year beginning after December 31, 1938, and before January 1, 1942, discharges of indebtedness occurring (1) in a taxable year beginning after December 31, 1938, (2) after June 29, 1939; (3) in a taxable year beginning prior to January 1, 1942, are governed by the provisions of section 22 (b) (9) prior to its amendment by the Revenue Act of 1942 and by the provisions of this subsection.

Section 22 (b) (9) and this subsection are inapplicable in the case of any discharge occurring in any proceeding under section 77B of the Bankruptcy Act of 1898, as amended, under Chapter X or XI of such Act, or under Chapter XV of such Act if the proceeding under such chapter was initiated by a petition filed on or before July 31, 1940 (see paragraphs 3 to 16, inclusive, of the Appendix to these regulations), and with respect to any discharge of indebtedness to which section 22 (b) (10) applies.

(b) *Taxable years beginning after December 31, 1941, and before January 1, 1946.* Section 22 (b) (9) also provides, with respect to taxable years beginning after December 31, 1941, and before January 1, 1946, a method whereby a corporation may elect to have excluded from its gross income the amount of income attributable to a discharge, within the taxable year, of its indebtedness or of indebtedness for which it is liable as, for example, in the case of a debt arising from an assumption of liability of another corporation. To be entitled to the benefits of the provisions of section 22 (b) (9) for such years a corporation must file with its return for the taxable year a consent to the provisions of the regulations, in effect at the time of the filing of the return, prescribed under section 113 (b) (3) (see §§ 19.113 (b) (3)–1 and 19.113 (b) (3)–2, relating to adjustment of basis). The requirement with respect to unsound financial condition prescribed for years covered by paragraph (a) of this section does not apply with respect to discharges of indebtedness occurring in taxable years beginning after December 31, 1942, and before January 1, 1946.

As used in this paragraph "indebtedness" means indebtedness evidenced by a security, that is, by a bond, debenture, note, or certificate, or other evidence of indebtedness issued by either the taxpayer corporation or any other corporation regardless of when issued.

Discharges of indebtedness (including discharges occurring in a proceeding under Chapter XV of the Bankruptcy Act of 1898, as amended, if such proceeding was initiated by petition filed on or after October 16, 1942, and on or before November 1, 1945) occurring in a taxable year beginning after December 31, 1941, and prior to January 1, 1946 are governed by the provisions of section 22 (b) (9), as amended by the Revenue Act of 1942.

If as a result of the discharge of indebtedness there remains unamortized premium or unamortized discount, the amount of the income attributable to such premium is to be excluded from gross income and the amount of the deduction attributable to such discount shall be disallowed as a deduction. The unamortized premium and unamortized discount, as the case may be, is in each instance to be computed as of the first day of the taxable year in which the discharge of indebtedness occurred.

Section 22 (b) (9) and this paragraph are inapplicable in the case of any discharge occurring in any proceeding under section 77B of the Bankruptcy Act of 1898, as amended, under Chapter X or XI of such Act, or under Chapter XV of such Act if the proceeding under such chapter was initiated by a petition filed on or before July 31, 1940 (see paragraphs 3 to 16, inclusive, of the Appendix to these regulations), and with respect to any discharge of indebtedness to which section 22 (b) (10) applies.

PAR. 8. There is inserted immediately following § 19.22 (b) (9)–2 the following:

[SEC. 22. GROSS INCOME]

(b) *Exclusions from gross income.* The following items shall not be included in gross income and shall be exempt from taxation under this chapter:]

SEC. 114. EXCLUSION OF INCOME FROM DISCHARGE OF INDEBTEDNESS. (Revenue Act of 1942, Title I.)

* * * * * *

(b) *Railroad corporations; Discharge of indebtedness in certain judicial proceedings.* Section 22 (b) (relating to exclusions from gross income) is amended by inserting at the end thereof the following new paragraph:

(10) *Income from discharge of indebtedness of a railroad corporation.* The amount of any income attributable to the discharge, within the taxable year, of any indebtedness of a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended, to the extent that such income is deemed to have been realized by reason of a modification in or cancellation in whole or in part of such indebtedness pursuant to an order of a court in a receivership proceeding or in a proceeding under section 77 of the National Bankruptcy Act, as amended. In such case the amount of any income of the taxpayer attributable to any unamortized premium (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. Paragraph (9) shall not apply with respect to any discharge of indebtedness to which this paragraph applies. This paragraph shall not apply to any discharge occurring in a taxable year beginning after December 31, 1945.

(c) *Taxable years to which amendment applicable.* The amendment made by subsection (b) shall be applicable to taxable years beginning after December 31, 1939.

§ 19.22 (b) (10)–1 *Income from discharge of indebtedness of railroad corporations.* By section 22 (b) (10) the amount of any income attributable to the discharge, within the taxable year, of any indebtedness of a railroad corporation as a result of an order of a court in a receivership proceeding, or in a railroad reorganization proceeding under section 77 of the Bankruptcy Act of 1898, as amended, is, for taxable years beginning after December 31, 1939, and before January 1, 1946, excluded from the gross income of the railroad corporation. The section is applicable only in a case where income accrues to a taxpayer from the modification or cancellation of the corporate indebtedness (whether in whole or in part) pursuant to a court order.

The railroad corporations to which this section and section 22 (b) (10) apply are those defined in section 77m of the Bankruptcy Act of 1898, as amended, namely, any common carrier by railroad engaged in the transportation of persons or property in interstate commerce, except a street, a suburban, or interurban electric railway which is not operated as a part of a general railroad system of transportation or which does not derive more than 50 percent of its operating revenues from the transportation of freight in standard steam railroad freight equipment.

As used in section 22 (b) (10) and this section the term "indebtedness" means an obligation, absolute and not contingent, to pay on demand or within a given time, in cash or another medium, a fixed amount.

If, as a result of the discharge of indebtedness, there remains unamortized premium or unamortized discount, the amount of the income attributable to such premium is to be excluded from gross income and the amount of the deduction attributable to such discount shall be disallowed as a deduction. The unamortized premium and unamortized discount, as the case may be, is in each instance to be computed as of the first day of the taxable year in which the discharge of indebtedness occurred.

The provisions of section 22 (b) (10) and this section are applicable to taxable years beginning after December 31, 1939, and before January 1, 1946.

[SEC. 22. GROSS INCOME]

[(b) *Exclusions from gross income.* The following items shall not be included in gross income and shall be exempt from taxation under this chapter:]

SEC. 115. IMPROVEMENTS BY LESSEE. (Revenue Act of 1942, Title I.)

(a) *Exclusion of income from lessee's improvements.* Section 22 (b) (relating to exclusions from gross income) is amended by adding at the end thereof the following new paragraph:

(11) *Improvements by lessee on lessor's property.* Income, other than rent, derived by a lessor of real property upon the termination of a lease, representing the value of such property attributable to buildings erected or other improvements made by the lessee.

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.22 (b) (11)–1 *Exclusion from gross income of lessor of real property of value of improvements erected by lessee.* For taxable years beginning after December 31, 1941, income derived by a lessor of real property upon the termination, through forfeiture or otherwise, of the lease of such property and attributable to buildings erected or other improvements made by the lessee upon the leased property is excluded from gross income. However, where the facts disclose that such buildings or improvements represent in whole or in part a liquidation in kind of lease rentals, the exclusion from gross income shall not apply to the extent that such buildings or improvements represent such liquidation. The exclusion applies only with respect to the income realized by the lessor upon the termination of the lease and has no application to income, if any, in the form of rent, which may be derived by a lessor during the period of the lease and attributable to buildings erected or other improvements made by the lessee. It has no application to income which may be realized by the lessor upon the termination of the lease but not attributable to the value of such buildings or improvements. Neither does it apply to income derived by the lessor subsequent to the termination of the lease incident to the ownership of such buildings or improvements.

The provisions of this section may be illustrated by the following example:

Example. The A Corporation leased in 1935 for a period of 50 years unimproved real property to the B Corporation under a lease providing that the B Corporation erect on the leased premises an office building costing $500,000, in addition to paying the A Corporation a lease rental of $10,000 per annum beginning on the date of completion of the improvements, the sum of $100,000 being placed in escrow for the payment of the rental. The building was completed on January 1, 1937. The lease provided that all improvements made by the lessee on the leased property would become the absolute property of the A Corporation on the termination of the lease by forfeiture or otherwise and that the lessor would become entitled on such termination to the remainder of the sum, if any, remaining in the escrow fund. The B Corporation forfeited its lease on January 1, 1942, when the improvements had a value of $100,000. Under the provisions of section 22 (b) (11), the $100,000 is excluded from gross income. The amount of $50,000 representing the remainder in the escrow fund is forfeited to the A Corporation and is included in the gross income of that taxpayer. If, in this example the lease covered a period of only 25 years and the building upon completion had an estimated value of $75,000 as of the end of the lease term and in accordance with an option granted by the regulations the A Corporation included in gross income the sum of $3,000 for each taxable year from 1937 to 1941, both years inclusive, then there shall be excluded from gross income for the taxable year 1942 and subsequent taxable years any such amounts otherwise includible in gross income for such years and attributable to the building erected by the B Corporation, notwithstanding the exercise of such option. As to the basis of the property in the hands of the A Corporation, see section 19.113 (b) (3)–3.

PAR. 9. There is inserted immediately preceding section 22 (c) the following:

SEC. 117. ADDITIONAL ALLOWANCE FOR MILITARY AND NAVAL PERSONNEL. (Revenue Act of 1942, Title I.)

Section 22 (b) (relating to exclusions from gross income) is amended by adding at the end thereof the following new paragraph:

(13) *Additional allowance for military and naval personnel.* So much of the amount received, before the termination of the present war as proclaimed by the President, by personnel below the grade of commissioned officer in the military or naval forces of the United States as salary or compensation in any form from the United States for active service in such forces during such war, as does not exceed $250 in the case of a single person and $300 in the case of a married person or head of a family. The determination, for the purposes of this paragraph, of the taxpayer's status in the armed forces and his family status shall be made as of the end of the taxable year.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.22 (b) (13)–1 *Compensation of military and naval forces.* For any taxable year beginning after December 31, 1941, a person below the grade of commissioned officer in active service in the military or naval forces of the United States during the present war may exclude from gross income salary or compensation received in any form from the United States, for such service, in an amount not in excess of $250 if single or $300 if married or the head of a family. If the husband and wife both meet such requirements, then each is entitled to the $300 exclusion. The exemption does not apply to compensation received before January 1, 1942, or after the present war, the date of the termination of the war to be fixed by proclamation of the President. For the purpose of this section the military and naval forces of the United States include (but are not necessarily limited to) the Army, the Navy, the Marine Corps, the Coast Guard, the Army Nurse Corps, Female, the Navy Nurse Corps, Female, the Women's Army Auxiliary Corps, the Women's Reserve branch of the Naval Reserve (the "WAVES"), and the Coast Guard Reserve, including the Women's Reserve ("SPARS") which is a branch of the Coast Guard Reserve. Personnel serving with the Army Specialist Corps are not within the scope of the exemption.

A person is in active service if he is actually serving in such forces, not necessarily in the field or in the theatre of war. Personnel in the inactive reserve or on retirement are not in active service. Periods during which a person is absent from duty on account of sickness, wounds, leave, internment by the enemy, or other lawful cause are periods of active service.

This exemption does not apply to salary or compensation received by such person subsequent to discharge or release from active service even though payment may have been made as compensation for services rendered while in active service.

For the purposes of this section, whether a person is in active service in the military or naval forces of the United States and whether such person is single, married, or the head of a family is determined by such person's status on the last day of the taxable year.

(Secs. 112 (a), 113, 114 (a), 114 (b), 115 (a), 117, and 127 (d) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.) and section 62 of the Internal Revenue Code (53 Stat. 32, 26 U. S. C., 1940 ed., 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 8, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3775; Filed, March 10, 1943; 11:31 a. m.]

[T.D. 5237]

PART 21—DECLARED VALUE EXCESS-PROFITS TAX

INCOME-TAX TAXABLE YEARS ENDING AFTER JUNE 30, 1942

Regulations relating to the declared value excess-profits tax imposed by Sub-

chapter B of Chapter 2 of the Internal Revenue Code, as amended, for income-tax taxable years ending after June 30, 1942.

Sec.
21.0 Introductory.
21.1 Definitions.
21.2 Scope of tax.
21.3 Measure and rate of tax.
21.4 Method of computation; examples.
21.5 Returns.
21.6 Payment of tax.
21.7 Credits against tax prohibited.
21.8 Determination of tax, assessment, collection.
21.9 Taxable years affected.

AUTHORITY: §§ 21.0 to 21.9 issued under the authority contained in secs. 62 and 603 of the Internal Revenue Code (53 Stat. 32, 111; 26 U.S.C., 1940 ed. 62, 603) and the statutory provisions which such sections of the regulations follow.

§ 21.0 *Introductory.* (a) Chapter 6 (Capital Stock Tax) of the Internal Revenue Code (53 Stat. Part 1), as amended, and applicable for capital stock tax years ending June 30, beginning with the year ending June 30, 1942, provides in part as follows:

SEC. 1200. TAX. (As amended by section 205 of the Revenue Act of 1940, section 301 of the Revenue Act of 1941, and section 301 of the Revenue Act of 1942.)

(a) *Domestic corporations.* For each year ending June 30, beginning with the year ending June 30, 1939, there shall be imposed upon every domestic corporation with respect to carrying on or doing business for any part of such year an excise tax of $1.25 for each $1,000 of the declared value of its capital stock.

(b) *Foreign corporations.* For each year ending June 30, beginning with the year ending June 30, 1939, there shall be imposed upon every foreign corporation with respect to carrying on or doing business in the United States for any part of such year an excise tax equivalent to $1.25 for each $1,000 of the declared value of capital employed in the transaction of its business in the United States.

SEC. 1201. EXEMPTIONS.

(a) The taxes imposed by section 1200 shall not apply—

(1) *Corporations exempt from income tax.* To any corporation enumerated in section 101;

(2) *Insurance companies.* To any insurance company subject to the tax imposed by section 201, 204, or 207.

(b) *Common trust funds.*

For exemption of common trust funds from the capital stock tax, see section 169 (b) of chapter 1.

SEC. 1202. DECLARED VALUE. (As amended by section 301 of the Revenue Act of 1939, section 202 of the Revenue Act of 1941, and section 301 of the Revenue Act of 1942.)

(a) *Declaration of value.* The declared value shall be the value as declared by the corporation in its return for the year (which declaration of value cannot be amended). The value declared by the corporation in its return shall be as of the close of its last income-tax taxable year ending with or prior to the close of the capital stock tax taxable year (or as of the date of organization in the case of a corporation having no income-tax taxable year ending with or prior to the close of such declaration year).

(b) *Credit for China Trade Act corporations.* For the purpose of the tax imposed by section 1200 there shall be allowed in the case of a corporation organized under the China Trade Act, 1922, 42 Stat. 849 (U. S. C., 1940 ed., title 15, ch. 4), as a credit against the declared value of its capital stock, an amount equal to the proportion of such declared value which the par value of the shares of stock of the corporation, owned on the last day of the taxable year by (1) persons resident in China, the United States, or possessions of the United States, and (2) individual citizens of the United States or China wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date. For the purposes of this subsection shares of stock of a corporation shall be considered to be owned by the person in whom the equitable right to the income from such shares is in good faith vested; and as used in this subsection the term "China" shall have the same meaning as when used in the China Trade Act, 1922.

(b) Subchapter B of Chapter 2 of the Internal Revenue Code, as amended and applicable to income-tax taxable years ending after June 30, 1942, provides as follows:

SUBCHAPTER B—DECLARED VALUE EXCESS-PROFITS TAX

SEC. 600. RATE OF TAX. (As amended by section 204 of the Revenue Act of 1940, section 506 of the Second Revenue Act of 1940, section 302 of the Revenue Act of 1941, and section 302 of the Revenue Act of 1942.)

If any corporation is taxable under section 1200 with respect to any year ending June 30, there shall be imposed upon its net income for the income-tax taxable year ending after the close of such year, a declared value excess-profits tax equal to the sum of the following:

$6^{6}/_{10}$ per centum of such portion of its net income for such income-tax taxable year as is in excess of 10 percentum and not in excess of 15 per centum of the declared value;

$13^{2}/_{10}$ per centum of such portion of its net income for such income-tax taxable year as is in excess of 15 per centum of the declared value.

SEC. 601. DECLARED VALUE. (As amended by sections 302 (a) (2) and 303 (a) of the Revenue Act of 1942.)

The declared value shall be determined as provided in section 1202 as of the close of the preceding income-tax taxable year (or as of the date of organization if it had no preceding income-tax taxable year).

SEC. 602. NET INCOME. (As amended by section 202 of the Revenue Act of 1941, and section 304, of the Revenue Act of 1942.)

For the purposes of this subchapter the net income shall be the same as the net income for income tax purposes for the year in respect of which the tax under section 600 is imposed, computed without the deduction of the tax imposed by section 600, but with a credit against net income equal to the credit for dividends received provided in section 26 (b) of Chapter 1.

SEC. 605. INCOME-TAX TAXABLE YEAR OF LESS THAN TWELVE MONTHS. (As added by section 303 of the Revenue Act of 1942.)

(a) *General rule.* If the income-tax taxable year is a period of less than twelve months on account of a change in the accounting period of the taxpayer, the net income determined under section 602 for such income-tax taxable year (referred to in this section as the "short taxable year") shall be placed on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year and dividing by the number of days in the short taxable year. The tax shall be such part of the tax computed on such annual basis as the number of days in the short taxable year is of the number of days in the twelve months ending with the close of the short taxable year.

(b) *Exception.* If the taxpayer establishes the amount of the tax under section 600 for the period of twelve months beginning with the first day of the short taxable year, computed as if such twelve-month period were an income-tax taxable year, under the law applicable to the short taxable year, and using the adjusted declared value applicable in determining the tax for such short taxable year, then the tax determined under subsection (a) for the short taxable year shall be reduced to an amount which is such part of the tax computed for the twelve-month period as the net income for the short taxable year is of the net income established for such twelve-month period. The taxpayer (other than a taxpayer to which the next sentence applies) shall compute the tax and file its return without the application of this subsection. If, prior to one year from the date of the beginning of the short taxable year, the taxpayer has disposed of substantially all its assets, in lieu of the twelve-month period provided in the preceding provision of this subsection, the twelve-month period ending with the close of the short taxable year shall be used. For the purposes of this subsection, the net income for the short taxable year shall not be placed on an annual basis under the provisions of subsection (a), and the net income for the twelve-month period used shall in no case be considered less than the net income for the short taxable year. The benefits of this subsection shall not be allowed unless the taxpayer, at such time as regulations prescribed hereunder require, makes application therefor in accordance with such regulations, and such application, in the case of a taxpayer required to file return without regard to this subsection, shall be considered a claim for credit or refund. The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary for the application of this subsection.

SEC. 603. OTHER LAWS APPLICABLE.

All provisions of law (including penalties) applicable in respect of the taxes imposed by chapter 1, shall, insofar as not inconsistent with this subchapter, be applicable in respect of the tax imposed by section 600, except that the provisions of section 131 of that chapter shall not be applicable.

SEC. 604. PUBLICITY OF RETURNS.

For provisions with respect to publicity of returns under this subchapter, see subsection (a) (2) of section 55.

(c) Section 53 of Chapter 1 of the Internal Revenue Code provides in part:

SEC. 53. TIME AND PLACE FOR FILING RETURNS.

(a) *Time for filing.*

(1) *General rule.* Returns made on the basis of the calendar year shall be made on or before the 15th day of March following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the 15th day of the third month following the close of the fiscal year.

(2) *Extension of time.* The Commissioner may grant a reasonable extension of time for filing returns, under such rules and regulations as he shall prescribe with the approval of the Secretary. Except in the case of taxpayers who are abroad, no such extension shall be for more than six months.

(b) *To whom return made.*

* * * * *

(2) *Corporations.* Returns of corporations shall be made to the collector of the district in which is located the principal place of business or principal office or agency of the corporation, or, if it has no principal place of business or principal office or agency in the United States, then to the collector at Baltimore, Maryland.

(d) Section 145 of Chapter 1 of the Internal Revenue Code provides in part:

SEC. 145. PENALTIES.

(a) *Failure to file returns, submit information, or pay tax.* Any person required under this chapter to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment, or collection of any tax imposed by this chapter, who willfully fails to pay such tax, make such return, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both, together with the costs of prosecution.

(b) *Failure to collect and pay over tax, or attempt to defeat or evade tax.* Any person required under this chapter to collect, account for, and pay over any tax imposed by this chapter, who willfully fails to collect or truthfully account for and pay over such tax, and any person who willfully attempts in any manner to evade or defeat any tax imposed by this chapter or the payment thereof, shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution.

* * * * *

(d) *Person defined.*

The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

* * * * *

(e) Section 62 of Chapter 1 of the Internal Revenue Code provides:

SEC. 62. RULES AND REGULATIONS.

The Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this chapter.

(f) Pursuant to the above-quoted provisions of the Internal Revenue Code and other provisions of the Code, the following regulations are hereby prescribed with respect to the declared value excess-profits tax imposed by the Internal Revenue Code for income-tax taxable years ending after June 30, 1942.

§ 21.1 *Definitions.* As used in these regulations, the term:

(a) "Declared value" means in the case of a domestic corporation the value of its capital stock declared by the corporation under section 1202 of Chapter 6 of the Internal Revenue Code, and the regulations respecting the capital stock tax imposed by such chapter for the year ended June 30, 1942, and succeeding years. In the case of a foreign corporation "declared value" means the value of the capital employed in the transaction of its business in the United States as declared under such section 1202, and such regulations.

Prior to the amendment of Code section 1202 made by section 301 (b) of the Revenue Act of 1942 and applicable to years ending after June 30, 1942, new declarations of capital stock value were to be made only for "declaration years," and a declaration so made was binding with certain adjustments, for the other years, known as "adjustment years." The value for any year, whether a declaration or an adjustment year, was known as the "adjusted declared value." Under the said amendment of Code section 1202 a new declaration is made each year, and since there is no longer any adjustment of the value so declared, the term "adjusted declared value" has been superseded, for the year ended June 30, 1942, and succeeding years, by the term "declared value." Code section 605 (b), as added by section 303 (b) of the Revenue Act of 1942, in providing a special method of tax computation with respect to short taxable years, uses the term "adjusted declared value." However, while section 605 (b) is retroactively applicable to taxable years beginning after December 31, 1939, and ended prior to July 1, 1942 (covered by previous regulations), it applies also to years ending after June 30, 1942, and as to such latter years "adjusted declared value" as used in section 605 should be taken to mean "declared value."

(b) "Tax", except as otherwise indicated, means the declared value excess profits tax imposed by section 600 of the Internal Revenue Code.

(c) (1) "Income-tax taxable year" means the calendar year, a fiscal year ending during such calendar year, or the fractional part of a year, for which the corporation's net income is computed and for which its income tax returns are made for Federal income tax purposes.

(2) "Short taxable year" means such fractional part of a year.

(d) "Net income" means net income within the contemplation of section 21 of the Internal Revenue Code, with the following exceptions:

(i) Interest on obligations of the United States or instrumentalities thereof which is exempt by statute from excess profits tax is not included in gross income and no deduction for amortization of premium on such obligations is allowable.

(ii) None of the credits allowed corporations against net income for income tax purposes is applicable in respect of the declared value excess profits tax except the credit against net income for dividends received provided in section 26 (b) of the Internal Revenue Code. This credit is limited to 85 per centum of the dividends received from a domestic corporation subject to income taxation, and may not exceed 85 per centum of the taxpayer's adjusted net income reduced by the credit under section 26 (e) for income subject to the excess profits tax imposed by Subchapter E of Chapter 2.

(iii) The declared value excess profits tax may not be deducted from net income in computing the declared value excess profits tax.

§ 21.2 *Scope of tax.* The declared value excess profits tax, imposed by section 600 of the Internal Revenue Code, applies to the net income of every corporation for each income tax taxable year ending after the close of any year ending June 30 in respect of which the corporation is subject to the capital stock tax imposed by section 1200 of the Internal Revenue Code. The tax covered by these regulations is for years ending after June 30, 1942.

§ 21.3 *Measure and rate of tax*—(a) *Domestic and foreign corporations.* With respect to income-tax taxable years ending after June 30, 1942, the declared value excess-profits tax is imposed in an amount equal to the sum of (1) $6^{6}/_{10}$ percent of such portion of the corporation's net income for the income-tax taxable year as is in excess of 10 percent and not in excess of 15 percent of the declared value, plus (2) $13^{2}/_{10}$ percent of such portion of its net income for the income-tax taxable year as is in excess of 15 percent of the declared value, on the capital stock tax return for the last preceding capital stock tax taxable year. (See example 1, § 21.4.) No variation is permitted between the declared value set forth in the corporation's capital stock tax return and the declared value set forth in its declared value excess profits tax return.

(b) *Short taxable years*—(1) *General*—(i) *Old adjustment method superseded.* Prior to its amendment by section 303 (a) of the Revenue Act of 1942, Code section 601 provided that if the income-tax taxable year in respect of which the declared value excess-profits tax was imposed was a period of less than twelve months the adjusted declared value should be reduced to an amount which bore the same ratio thereto as the number of months in the period bore to twelve months.

By the amendment this provision for adjustment of the declared value is made inapplicable to short taxable years beginning after December 31, 1939. It remains applicable to short taxable years beginning prior to January 1, 1940. As to the method of adjustment pursuant to Code section 605 added by section 303 (b) of the Revenue Act of 1942, see succeeding paragraphs.

(ii) *Several taxable years ending in one twelve-month period.* The declared value excess profits tax for any short income-tax taxable year is governed by the declaration for the immediately preceding capital stock tax taxable year, even though a full income-tax taxable year is covered by the same declaration. The declared value excess-profits tax for any income-tax taxable years ending during a twelve-month period closing June 30 of any calendar year is governed by the capital stock tax declaration for the capital stock tax year ending on the last preceding June 30, regardless of the number of such income-tax taxable years within such twelve-month period. (See example 2, § 21.4.)

(2) *Change of accounting period.*—(i) *Regular method of computation.* If, due to a change of accounting period an income tax taxable year ending after June 30, 1942, is a period of less than twelve months, the net income is to be placed on an annual basis for declared value excess profits tax purposes. Under the general rule established by Code section 605 (a) added by section 303 (b) of the Revenue Act of 1942, for declared value excess profits tax purposes when a short taxable year is due to a change of accounting period, the net income for the short taxable year is put on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year, and dividing by

the number of days in the short taxable year. The tax for the short taxable year is that part of the tax on the net income computed on such annual basis as the number of days in the short taxable year is of the number of days in the twelve-month period. (See example 3, § 21.4)

(ii) *Special method of computation.* Section 605 (b) provides a special method of computing the declared value excess profits tax liability in cases where the short taxable year is due to a change of accounting period. Under this method the tax for the short taxable year is determined by computing a tax on the basis of the net income for the twelve months beginning with the first day of the short taxable year or (if prior to one year from the date of the beginning of the short taxable year, the taxpayer disposes of substantially all its assets) on the basis of the net income for the twelve-month period ending with the close of the short taxable year. In any case the net income for the twelve-month period shall be deemed to be at least as much as the net income of the short taxable year. The tax for the short taxable year shall be an amount which is the same percentage of the tax computed on the basis of the net income of the twelve-month period as the net income of the short taxable year is of the net income of the twelve-month period. (See example 4, § 21.4)

(iii) *Application for use of special method.* A taxpayer desiring the benefit of subsection (b) of section 605 must file with the Commissioner an application therefor. If at the time the return for the short taxable year is filed the taxpayer is able to determine that the twelve-month period ending with the close of the short taxable year will be used in the computation under subsection (b), then the tax on the return for the short taxable year may be determined under the provisions of subsection (b). In such a case, an income tax return form covering the computation for the twelve-month period shall be attached to the return as a part thereof, and the return will be considered the application for the benefit of subsection (b) required by the statute. In all other cases, the taxpayer shall file its return and compute its tax as provided in subsection (a) (see paragraph (i)), and the application for the benefit of subsection (b) (see paragraph (ii)) shall be made in the form of a claim for credit or refund. The claim shall set forth the computation of the net income and the tax thereon for the twelve-month period, and must be filed not later than the time prescribed for filing the return for the first taxable year ending on or after the twelfth month running from the beginning of the short taxable year. If the Commissioner determines that the taxpayer has established the amount of the net income for the twelve-month period, any excess of the tax paid for the short taxable year over the tax computed under subsection (b) (see paragraph (ii)) will be credited or refunded to the taxpayer in the same manner as in the case of an overpayment.

The net income for the twelve-month period is computed, under the same provisions of law as are applicable to the short taxable year, as if the twelve-month period were an actual accounting period of the taxpayer. All items which fall in such twelve-month period must be included even if they are extraordinary in amount or of an unusual nature. If any other item partially applicable to such twelve-month period can be determined only at the end of a taxable year which includes only part of the twelve-month period, the taxpayer, subject to review by the Commissioner, shall apportion such item to the twelve-month period in such manner as will most clearly reflect the income for the twelve-month period.

§ 21.4 *Method of computation; examples.* The application of the provisions of § 21.3 of these regulations may be illustrated generally by the following examples:

Example (1). The M Corporation, the income-tax taxable year of which is the calendar year, is subject to the capital stock tax imposed by section 1200 of the Internal Revenue Code, for the year ended June 30, 1942. The value of its capital stock declared in its capital stock tax return for the year ended June 30, 1942, is $100,000. The net income of the corporation for the calendar year 1942, determined under the Internal Revenue Code, is $25,000. During 1942 the corporation received dividends from corporations subject to taxation under chapter 1 of the Internal Revenue Code, amounting to $5,000. The declared value excess-profits tax for the calendar year 1942 is $1,089, computed as follows:

Net income for calendar year 1942	$25,000
Less: Credit for dividends received (85 percent of $5,000)	4,250
Balance of net income	20,750
Less: 10 percent of the value declared in the capital stock tax return for the year ending June 30, 1942 (10 percent of $100,000)	10,000
Net income subject to declared value excess-profits tax	10,750
Less: Amount taxable at 6⅘ percent, portion of net income in excess of 10 percent and not in excess of 15 percent of the value declared in the capital stock tax return ($15,000 minus $10,000)	5,000
Amount taxable at 13⅖ percent	5,750
Declared value excess-profits tax at 6⅘ percent (6⅘ percent of $5,000)	330
Declared value excess-profits tax at 13⅖ percent (13⅖ percent of $5,750)	759
Total declared value excess-profits tax ($330 plus $759)	1,089

Example (2). The corporation indicated in example (1) properly files a return for the short taxable year beginning January 1, 1943, and ending April 30, 1943, for reasons other than a change in accounting period. The taxable net income for that period is $5,000. No declared value excess-profits tax is due since this amount of income would not be in excess of 10 percent of the value, $100,000, declared on the capital stock tax return for the year ended June 30, 1942.

Example (3). The circumstances are the same as in example (2) except that the short taxable year is due to change of accounting period. The present method of computation under section 605 (a) would be as follows:

Number of days in 12 months ending April 30, 1943	365
Number of days in short taxable year	120
$5,000 × 365/120	$15,208.33
Less: 10 percent of declared value ($100,000)	10,000.00
	5,208.33
Amount taxable at 6⅘ percent	5,000.00
Amount taxable at 13⅖ percent	208.33
Declared value excess profits tax at 6⅘ percent (6⅘ percent of $5,000)	330.00
Declared value excess profits tax at 13⅖ percent (13⅖ percent of $208.33)	27.50
Total declared excess-profits tax for the twelve-month period	357.50
120/365 of $357.50 = $117.53 declared value excess-profits tax due for short taxable year	

Example (4). The same corporation desires its declared value excess profits tax computed in accordance with section 605 (b) on the basis of a twelve-month period including the short taxable year. The assets having been distributed in August, 1943, which was prior to one year from the date of the beginning of the short taxable year, computation must be on the basis of the twelve months ending with the close of such short taxable year. The income of such twelve-month period is $11,000. The computation is as follows:

Income for the short taxable year	$5,000
Income for the twelve-month period	11,000
10 percent of declared value ($100,000)	10,000
Difference	1,000
Declared value excess profits tax (6⅘ 10 percent of $1,000)	66
5,000/11,000 of $66 = $30	

This amount is less than that computed in accordance with section 605 (a) (see example (3)) and it may, if there has been compliance with the required procedure (see section 21.3 (b) (2) (iii)) be taken as the amount of the tax.

§ 21.5 *Returns.* Every corporation which is subject to the capital stock tax imposed by section 1200 of the Internal Revenue Code, for any year, shall make a declared value excess-profits tax return for each income-tax taxable year which ends after the close of the capital stock tax taxable year and not later than the close of the next capital stock tax taxable year. There is no provision in the Internal Revenue Code which authorizes the making of a consolidated return by an affiliated group of corporations for the purpose of the declared value excess profits tax imposed by section 600 of the Internal Revenue Code, as amended. Accordingly, every corporation which is liable for the making of a declared value excess profits tax return under section 600 of the Internal Revenue Code, as amended (for any income-tax taxable year ending after June 30, 1942), whether or not such corporation is a member of an affiliated group of corporations, must make its declared value excess-profits tax return and compute its net income separately, without regard to the provisions of section 141 of the Internal Revenue Code.

Where, however, Form 1122 executed by such affiliated corporation appears as part of the consolidated return on Form 1120 of the common parent corporation for the same taxable period and such consolidated return, in compliance with the requirements of the regulations relating to consolidated returns, includes the gross income and deductions of such affiliated corporation, the items of which are shown in detail on a schedule attached to such consolidated return, the affiliated corporation in filing Form 1120 for purposes of the declared value excess-profits tax for such taxable period will not be required again to furnish the same items of gross income and deductions on Form 1120, but will be required only to identify by appropriate notation on page 1, Form 1120, the consolidated return in which such items appear, furnish the necessary adjustments to show the net income of the corporation computed on the basis of a separate return, prepare the declared value excess-profits tax computation on page 2 and execute and acknowledge the return on page 1.

The declared value excess-profits tax return shall be made within the time prescribed for making the corporation's Federal income tax return for the income-tax taxable year, and shall be made to the collector of internal revenue to whom such income tax return is required to be made.

Where a consolidated income tax return is made for an affiliated group of corporations, a declared value excess-profits tax return made by a member of the group shall be made to the collector of internal revenue to whom a separate income tax return of the member would be required to be made. Such declared value excess-profits tax return may, however, be made to the collector to whom the consolidated income tax return is required to be made.

§ 21.6 *Payment of tax.* The declared value excess profits tax for any income-tax taxable year shall be paid within the time prescribed for paying the Federal income tax for such taxable year.

§ 21.7 *Credits against tax prohibited.* Foreign income and profits taxes may not be credited against the declared value excess profits tax imposed by section 600 of the Code.

§ 21.8 *Determination of tax, assessment, collection.* The determination, assessment, and collection of the tax, and the examination of returns and claims in connection therewith, will be made under such procedure as may be prescribed from time to time by the Commissioner.

§ 21.9 *Taxable years affected.* These regulations relate solely to income-tax taxable years ending after June 30, 1942, and supersede any previous regulations relative to declared value excess profits tax for such years.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 8, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3774; Filed, March 10, 1943; 11:31 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1849]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices, and for changes in shipping points and freight origin group numbers for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the shipping points and Freight Origin Group numbers for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, §328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–II, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith the shipping points and freight origin group numbers appearing in the aforesaid Supplement R for certain mines are effective in lieu of the shipping points and freight origin group numbers heretofore established for said mines.

The request that the shipping point for the coals produced at the Yorke No. 1 Mine, Mine Index No. 1391, operated by Mullins, Vernon & L. E. Woofter (Vernon Mullins) be changed from Clay, West Virginia, to Yorke No. 1 Mine, is denied for the reason that the latter point cannot be identified as a rail shipping point.

The request that the shipping point for the coals produced at the Vance & Perkins Mine, Mine Index No. 5122, operated by Vance & Perkins (Wm. Perkins) be changed from Red Ash, Virginia, to Raven, Virginia, is denied for the reason that it appears that Vance & Perkins (Wm. Perkins) has been succeeded by Perkins & Son (Wm. Perkins) as the operator of this mine, who retained Red Ash, Viginia, as the shipping point for the coals produced at the Vance & Perkins Mine, Mine Index No. 5122.

The request for the establishment of rail prices for the coals produced at the Abbott Creek Mine, Mine Index No. 546, operated by A. B. Ewen, is denied herein to the extent that the said Mine Index No. 546 is deleted from the original petition filed herein, and is granted herein to the extent that the requested prices are established for the coals produced at this mine as Mine Index No. 3600, for the reason that it appears that the said Abbott Creek Mine has been heretofore designated as Mine Index No. 3660.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 8

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classifications other than Great Lakes										For Great Lakes cargo only									
								Number										Number									
								1, 2, 3, 4, 5, 6, 7	8	9	10	11, 12, 13, 14	15, 16, 17, 18	19, 20, 21	22	23	24	25	26	27	1, 2, 3, 4, 5, 6, 7	8	9	10	11, 12, 13, 14	15, 16, 17, 18	19, 20, 21	22	23	24	25	26	27
5911	Block Coal & Coke Corporation (Estill Collins, Receiver)	Block No. 4	Jordan	6	Jordan	Sou.	180	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
5855	Blue Gem Coal Co.	Blue Gem	Pikeville	6	Pikeville	C&O	112	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
3995	Boswell, Forrest (Sugar Loaf Coal Co.)	Sugar Loaf	Elkhorn No. 1	6	Prestonsburg, Ky.	C&O	112	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
396	Clurs Fork Coal Company, Inc.	Perrone	Hazard No. 7	3	Perrone, Ky.	L&N	100	(*)	(*)	(*)	(*)	C	C	A	C	C	H	E	(*)	(*)	(*)	(*)	(*)	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C
7950	Collstin Coal Co.	Collstin No. 13	Hazard No. 4	6	Hazard, Ky.	L&N	102	(*)	(*)	(*)	(*)	C	C	A	C	C	H	E	(*)	(*)	(*)	(*)	(*)	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C
5388	Dalton Coal Co.	Dalton No. 1	Elkhorn No. 1	6	Dalton, Ky.	C&O	112	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
3567	E. & H. Coal Company (H. L. Estes)	No. 1	Upper Banner	7	Cockburn, Va.	N&W	30	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
(5949)	Ewen, A. B.	Abbott Creek	Elk Top-Strata	5	Dreadonsburg, Ky.	C&O	61	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
217	Gregg's Creek Coal Co.	Hetzel No. 1 & 3	Clinton	5	Hetzel, W. Va.	C&O	170	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
5229	Imperial Colliery Company.	Imperial No. 7	Powellton	1	Burnwell, W. Va.	C&O	123	(1)	(1)	(1)	(1)	A	(1)	(1)	(1)	(1)	(1)	H	(1)	(1)	(1)	(1)	(1)	E	(1)	(1)	(1)	(1)	(1)	(1)	(1)	A
5228	Island Creek Coal Company.	No. 15-A	Eagle	5	Holden, W. Va.	C&O	124	(1)	(1)	(1)	(1)	E	Q	O	M	H	E	H	O	H	(1)	(1)	(1)	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)	E
1789	Island Creek Coal Company (H. L. Estes)	No. 16	Island Creek	5	Holden, W. Va.	C&O	170	Q	Q	L	K	H	F	E	J	(*)	(*)	P	O	M	H	F	L	O	J	(*)	(*)	(*)	(*)	(*)	(*)	(*)
632	Josephine Elkhorn Coal Company (Luther H. Davis, Jr.)	Roberts No. 1	Elkhorn No. 1	1	Dinwood, Ky.	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
603	Lee, H. U.	Lee No. 2	Lower Banner	7	Trammel, Va.	C.C&O.	50	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
2084	McCowan, A. C.	Holloway Bros.	Bon Air No. 2	6	Okey City, Tenn.	T. C.	210	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
2178	Mapes, John	St. Charles Fuel Co	No. 5	7	St. Charles, Va.	L&N & Sou.	204	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
2560	Marcum, Frank	Frank Marcum No. 1	Horse Creek	5	Weber, Ky.	L&N	114	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5919	Marcum, Frank	Frank Marcum No. 2	Horse Creek	6	Weber, Ky.	L&N	111	M	M	K	G	E	E	G	M	K	G	(1)	B	C	D	E	M	K	G	E	E	G	M	K	(1)	B	C	D	E
5873	Moses, T. E.	Moses	Jellico	6	Williamsburg, Ky.	L&N	111	H	H	F	E	C	E	K	G	(1)	(1)	H	H	F	C	E	K	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
5896	Perry, Henry C.	Henry Perry	No. 3	6	Flat Rock, Ky.	C.NO.& TP.	171	O	O	N	L	H	F	H	D	E	K	(1)	(1)	(1)	(1)	(1)	O	M	H	F	H	N	K	(1)	(1)	(1)	(1)	(1)
2135	Powers, Noah	Powers Coal Co.	Clintwood	7	Fremont, Va.	C&O	110	M	M	K	J	G	E	E	G	(1)	(1)	C	M	M	K	F	D	E	E	G	M	K	F	D	E	E	G	(1)	(1)
663	Premium Coal Co. (Del Rio)	Napier	Horse Creek	6	Manchester, Ky.	L&N	111	M	M	K	J	G	E	E	G	(1)	(1)	C	M	M	K	F	D	E	E	G	M	K	F	D	E	E	G	(1)	(1)
5886	Ratliff & Walters Coal Company (E. Bruce Walters)	Cline No. 1	Elkhorn No. 3	1	Pikeville, Ky.	C&O	61	K	H	G	E	C	B	D	G	(1)	(1)	C	K	H	D	B	B	C	K	G	(1)	(1)	E	(*)	(*)	(*)	(*)	(*)
287	Splash Dam Smokeless Coal Co. (Orville)	Splash Dam	Splash Dam	7	Virden, Va.	C&O	10	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	H	E	B	B	E	(*)	(*)	(*)	(*)	(*)	(*)
1295	Vanover, J. W.	Cook	Harlan	7	Evarts, Ky.	L&N	30	O	O	L	K	E	D	D	A	E	E	H	(1)	(1)	(1)	(1)	(1)	O	M	K	F	C	C	D	N	E	H	(1)	(1)
1285	Vanover, J. W.	Lewis	No. 5	7	Evarts, Ky.	L&N	30	O	O	L	K	E	D	D	A	E	E	H	(1)	(1)	(1)	(1)	(1)	O	M	K	F	C	C	D	N	E	H	(1)	(1)
5886	West Brothers (Oscar West)	West Brothers	Glen Mary	6	Mill Creek, Tenn.	BER.	73	(1)	(1)	(1)	(1)	D	D	A	E	E	K	H	(1)	(1)	(1)	(1)	(1)	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
575	Wilson, L. A. (Wilson Coal Co.)	Shrewsbury	Cedar Grove	4	Shrewsbury, W. Va.	NYC	127	O	O	L	K	H	F	H	D	G	E	E	O	L	K	H	F	H	D	G	E	E	O	L	K	H	F	H	D	G	E
5870	Wynn, Calvin	Wynn	Jellico	6	Myrtle, Ky.	A-J	110	O	O	J	H	G	E	G	E	F	K	(1)	(1)	(1)	(1)	(1)	O	M	J	F	D	D	G	M	K	(1)	(1)	(1)	(1)

[Mine Index No. 546, originally assigned to this mine, shall no longer be applicable.
‡ Denotes new shipping point. Shipping point at Kona, Kentucky, shall no longer be applicable.
† Denotes new shipping point. Shipping point at Drift, Kentucky, shall no longer be applicable.
⁵ Denotes new Shipping point and Freight Origin Group. Shipping point at Allen, Virginia, in Freight Origin Group No. 10 shall no longer be applicable.
⁶ Denotes new shipping point. Shipping point at Monterey, Tennessee, shall no longer be applicable.
⁷ Denotes new shipping point. Shipping point at Manchester, Kentucky, shall no longer be applicable.
⁸ This mine was previously classified for railroad locomotive fuel, "Gwinit and oil-fue" only.
* Indicates two previously classified these size groups.
† Indicates no classification effective for these size groups.

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–Continued

Mine index No.	Code member	Mine name	Mine	Seam	Base sizes	Price classifications by size group No.									
						1	2	3	4	5	6	7	8	9	10
					Lump over 3", 6" x 6"	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
					Lump 3", and under, 6" x 6"	260	240	235	220	220	225	185	180	175	
					Lump ¾" and under	260	240	235							
					Stove 3", and under, 6" x 6"										
					Stove 3", and under, nut 2", and under										
					Straight mine run										
					2" and under slack										
					¾" and under slack										
	Subdistrict No. 7—LOGAN														
	LOGAN COUNTY, W. VA.														
	Georges Creek Coal Co., Inc.	Hetzel No. 1 & 3	217	Chilton	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Island Creek Coal Company	No. 15-A	5928	Eagle	260	240	235	220	220	225	185	180	175	
	Island Creek Coal Company	No. 16	789	Island Creek	260	240	235							
	Subdistrict No. 8—SOUTHERN APPALACHIAN														
	CLAY COUNTY, KY.														
	Marcum, Frank	Frank Marcum No. 2	5919	Horse Creek	285	265	240	240	220	225	200	175	170		
	CLINTON COUNTY, KY.														
	Short Mountain Coal Co.	Short Mountain	5906	No. 2	275	255	235	230	220	225	195	175	170		
	KNOX COUNTY, KY.														
	Hopkins, Walter C.	Hopkins	5880	Blue Gem	355	335	295	280	245	245	215	165	160		
	Howell, Bell & Arthur Mayne (Bell, Pearch)	Pearch & Mayne	5886	Blue Gem	355	335	295	280	245	245	215	165	160		
	Wynn, Calvin	Wynn	5870	Jellico	275	255	245	245	225	225	195	175	170		
	MCCREARY COUNTY, KY.														
	Perry, Henry C.	Henry Perry	5896	No. 3	275	255	235	230	220	225	195	175	170		
	WHITLEY COUNTY, KY.														
	Begley, John J.	Begley	5898	Blue Gem	355	335	295	280	245	245	215	165	160		
	Moses, T. E.	Moses	6870	Jellico	285	265	245	245	225	225	195	190	185		
	CAMPBELL COUNTY, TENN.														
	Block Coal & Coke Corporation	Block No. 4	5911	Jordan	(1)	(1)	240	(1)	(1)	230	(1)	(1)			
	SCOTT COUNTY, TENN.														
	West Brothers (Oscar West)	West Brothers	5886	Glen Mary	275	255	235	230	220	225	195	175	170		
	SUBDISTRICT NO. 7—VIRGINIA														
	DICKENSON COUNTY, VA.														
	Splash Dam Smokeless Coal Corporation	Splash Dam	287	Splash Dam	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)			
	SUBDISTRICT NO. 8—VIRGINIA-KENTUCKY ELKHORN														
	PIKE COUNTY, KY.														
	May, T. J.	T. J. May	5885	Pond Creek	265	245	230	220	220	225	195	175	170		

[Indicates change in mine name.
‡ Indicates previously classified these size groups.
† Indicates no classification effective for these size groups.

[F R Doc 43-3699; Filed, March 9, 1943; 11:41 a. m.]

§ 328.21 *Alphabetical list of code members*—Supplement R–II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
357	Raven Coals, Inc.	No. 1	9	Raven	Raven, Va.‡	N&W	21	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

[Denotes new shipping point. Shipping point at Richlands, Virginia, shall no longer be applicable.
* Indicates previously classified these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Mine index No.	Code member index	Mine	Seam	Base sizes	Price classifications by size group No.								
					1	2	3	4	5	6	7	8	
				Lump over 3", 6" x 6"									
				Lump 3", and under, 6" x 6"									
				Lump ¾" and under									
				Stove 3", and under, nut 2", and under									
				Straight mine run									
				2" and under slack									
				¾" and under slack									
	SUBDISTRICT NO. 1—BIG SANDY-ELKHORN												
	CARTER COUNTY, KY.												
	Gallihue, Herbert	Prince Branch	No. 7		285	265	230	240	225	220	170	165	
	FLOYD COUNTY, KY.												
	Turbett, Forrest (Sugar Loaf Coal Co.)	Sugar Loaf	Elkhorn No. 1		305	285	245	250	235	235	185	180	
	GREENUP COUNTY, KY.												
	Fierce, W.	Fierce	Clod		285	265	230	240	225	220	170	165	
	JOHNSON COUNTY, KY.												
	Caudill, Frank P.	Caudill	Millers Creek		325	305	255	260	235	235	185	185	
	Daniel, Ed	No. 1	No. 1		325	305	255	260	235	245	190	185	
	Vanhoose, Estell	Estell Vanhoose	Millers Creek		325	305	255	260	235	245	190	185	
	PIKE COUNTY, KY.												
	Ratliff & Walters Coal Company (E. Bruce Walters)	Cline No. 1	Elkhorn No. 3		295	275	240	240	230	230	190	185	
	SUBDISTRICT NO. 4—KANAWHA												
	KANAWHA COUNTY,												
	Imperial Colliery Company	Imperial No. 7	Powellton		(1)	(1)	255	(1)	(1)	245	(1)	(1)	(1)

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 25]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

1. In the column headed "General License Group" the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity	Department of Commerce No.	General license group
PETROLEUM PRODUCTS AND TETRAETHYL LEAD		
Natural gas	5552.00	C+17

2. In the column headed "Shipping Priority Rating" the shipping priority ratings assigned to the commodities listed below (at every place where said commodities appear in said section) are deleted and in the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group
Chemicals (See also Medicinals):		
Kalsomine or cold-water paints, dry	8432.00	O
Cumbs (except wholly of meta for rubber)	9827.00	O
Cotton manufactures:		
Thread, sewing	3015.00	O
Miscellaneous:		
Fishing tackle and equipment suitable only for commercial fishing	9849.00	O
Shoe findings (except leather and rubber) (include heels of wood, covered or uncovered)	9855.00	O
Smokers' articles, n. e. s. (specify type) (report pocket cigar and cigarette lighters in 9620.00, 9625.00, and 9629.00)	9829.00	C
Umbrellas and parasols	9801.00	C
Musical instruments:		
Brass-wind instruments (include bugles, cornets, trombones, tubas, trumpets, sousaphones, French horns, and other horns with cup mouthpieces)	9247.00	O
Musical instruments, n. e. s. (specify by name)	9295.00	O
Musical instrument parts and accessories, n. e. s. (include actions and parts of pianos)	9297.00	O
Organs, n. e. s.	9232.00	O
Organs, pipe	9230.00	O
Percussions (include drums, cymbals, xylophones etc.)	9245.00	O
Pianos, new	9211.00	O
Pianos, used or rebuilt	9212.00	O
String instruments (specify by name)	9293.00	O
Wood-wind instruments (include saxophones, clarinets of wood, metal, or combination, flutes, piccolos, oboes, bassoons, English horns, heckelphones, flies, and sarrusophones)	9248.00	O

[1] 8 F.R. 1494, 1616, 1707, 1879, 2146, 2187, 2327, 2415

Commodity	Department of Commerce No.	General license group
Office supplies, misc.:		
Fountain pen parts (include holders and nib assemblies and parts)	9312.00	C
Ink, other, n. e. s.	9329.00	C
Ink, writing	9321.00	C
Pencil leads	9305.30	C
Pencil parts	9305.50	C
Penholders and parts, n. e. s.	9319.00	C
Paper, related products, and mfrs.:		
Rags for paper stock valued $50 or over per ton	4690.00	C
Rags for paper stock valued under $50 per ton	4691.00	C
Paper-waste papers:		
No. 1 mixed paper	4699.01	C
Super-mixed paper	4699.02	C
Box board cuttings	4699.09	C
White-blank news	4699.11	C
Extra manila	4699.13	C
Mixed books	4699.27	C
Overissue magazines	4699.29	C
Other waste paper	4699.85	C
Other paper stock (report overissue and old newspapers in 4722.00)	4699.98	C
Pipes, tobacco (of all materials)	9828.00	C
Sponges, natural or synthetic (report rubber sponges in 2042.00)	9821.00	C
Wood manufactures:		
Boat oars and paddles	4260.00	C
Cooperage, slack heading	4204.00	C
Cooperage, slack shooks	4206.00	C
Cooperage, slack staves	4202.00	C
Cooperage, tight staves, new	4201.10	C
Cooperage, tight staves, used	4201.50	C
Cooperage, tight heading	4203.00	C
Cooperage, tight shooks	4205.00	C
Cooperage, tight empty barrels, casks, and hogsheads, new	4209.10	C
Cooperage, tight empty barrels, casks, and hogsheads, used	4209.50	C
Doors	4226.00	C
Hoe, fork, shovel, broom, mop and other long handles	4280.00	C
Lath	4222.00	C
Mill work and house fixtures, n. e. s. (include ready cut and portable houses, cupboards, cabinets, mantles, grilles, partitions, stairs, columns, window and door frames, and other built-in house fixtures, made up or knocked down)	4239.00	C
Sash and blinds, n. e. s.	4232.00	C
Shingles (square coverage of 100 square feet)	4225.00	C
Striking tool handles (include hammer, hatchet, pick, ax sledge, mattock, and pick handles)	4288.00	C
Veneer packages for fruits and vegetables	4221.00	C
Veneers, aero grade	4216.05	C
Veneers, fancy, face, or figured	4216.01	C
Veneers, utility or commercial	4216.03	C
Wood-sawmill products (Lumber):		
Ash, boards, planks, and scantlings	4117.00	C
Birch, beech and maple, boards, planks, and scantlings	4118.00	C
Chestnut, boards, planks, and scantlings	4119.00	C
Cottonwood, boards, planks, and scantlings	4120.00	C
Gum box shooks	4143.00	C
Gum red and sap, boards, planks, and scantlings	4121.10	C
Gum, tupelo and black, boards, planks and scantlings	4122.00	C
Hemlock and spruce, box shooks	4142.00	C
Hickory, boards, planks, and scantlings	4123.00	C
Magnolia, boards, planks, and scantlings	4128.00	C
Mahogany, boards, planks, and scantlings	4127.00	C
Oak, boards, planks, and scantlings	4124.00	C
Oak flooring, boards, planks, and scantlings	4131.00	C
Oak squares	4147.00	C
Poplar, boards, planks and scantlings	4125.00	C
Railroad ties, sawed, creosoted or otherwise treated	4156.00	C
Redwood, boards, planks, and scantlings	4108.00	C
Small hardwood dimension stock, other than squares	4136.00	C
Southern pine box shooks	4141.00	C
Wagon-oak planks (include railway-car materials)	4134.00	C
Walnut, boards, planks, and scantlings	4126.00	C
White, ponderosa, and sugar pine box shooks	4140.00	C
Box shooks, n. e. s.	4149.00	C
Hardwoods, n. e. s.	4139.00	C
Hardwoods, creosoted or otherwise treated, n. e. s.	4085.00	C
Wood-sawmill products (lumber)—Continued:		
Hardwood flooring, n. e. s.	4132.00	C
Railroad ties, n. e. s.	4159.00	C
Squares, n. e. s.	4148.00	C
Wood—Unmanufactured:		
Ash and hickory, logs and hewn timber	4001.00	C
Hardwood logs and timber, n. e. s.	4009.98	C
Walnut, logs and hewn timber	4004.00	C

Licensed shipments of the commodities set forth above under "2" for which Office of Defense Transportation permits have been issued or which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to April 1, 1943, may be exported under the previous general license provisions.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated, March 8, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-3768; Filed, March 10, 1943; 10:57 a. m.]

[Amendment 26]

PART 802—GENERAL LICENSES

GENERAL IN TRANSIT LICENSES

Section 802.9 *General in transit licenses*[1] is hereby amended in the following particulars:

1. Subparagraph (1) of paragraph (b) of § 802.9 *General in transit licenses* is amended by adding to the list of designated countries of origin and destination for which general in transit licenses are issued, the following:

From—	To—	General license designations
Canada	Other American Republics	GIT-C/V

2. Subparagraph (2) of paragraph (b) of § 802.9 *General in transit licenses* is amended to read as follows:

(2) The words "Western Hemisphere" as used in this section, include only the countries designated by the following numbers in paragraph (a) of § 802.2 of this subchapter: 3 through 24, 61, 62, 68 and 69.

The words "Other American Republics" as used in this section, include only the countries designated by the following members in paragraph (a) of § 802.2 of this subchapter: 3 through 9, 11 through 21, 23 and 24.

[1] 8 F.R. 1549, 2187.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 8, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-3769; Filed, March 10, 1943; 10:57 a. m.]

[Amendment 27]

PART 804—INDIVIDUAL LICENSES

SHIP STORES, ETC.

Part 804—Individual Licenses is hereby amended by adding the following new section:

§ 804.16 *Ship stores, etc. for use by other than the exporting vessel.* All applications for licenses to export repair parts, engine room, deck, cabin, medicinal and surgical supplies, which are not to be used by the exporting vessel but which are to be discharged at a foreign port for use by a specific vessel, shall be submitted on Form BEW-151.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 9, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-3768; Filed, March 10, 1943; 10:57 a. m.]

[Amendment 28]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION FORM PRESCRIBED

Paragraph (b) of § 808.5 *Application form prescribed*[1] is hereby amended to read as follows:

§ 808.5 *Application form prescribed.* • • •

(b) Form BEW-138 shall be used when:

(1) Form BEW-166 has not been used; and

(2) The proposed exportation weighs 2 240 pounds or more, except as otherwise specifically provided in this part; and

(3) The entire exportation is at, or is ready for shipment to, or will be ready for shipment to the port of exit from the United States within three weeks from the date the application for freight space is submitted; or

(4) The proposed exportation is being made pursuant to § 804.16 of this subchapter and the conditions prescribed in subparagraphs (1) and (3) of this paragraph are present.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 8, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-3771; Filed, March 10, 1943; 10:57 a. m.]

[1] 8 F.R. 2415.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-250]

C. J. DILL

C. J. Dill of New Orleans, Louisiana in May 1942 began the construction of a dance hall to be known as "Dreamland." The construction was on property owned by C. J. Dill, situated near the intersection of Metairie Road and Harlem Avenue in Metairie, Louisiana, a suburb of New Orleans. The total cost of this building, when completed, was expected to be about $30,000 and expenditures for materials and labor after June 15 were in excess of $8,000.

The beginning of this construction was never authorized by the War Production Board and constituted a wilful violation of Conservation Order L-41. Furthermore, the construction was not terminated by June 6, 1942, as required by Supplementary Conservation Order L-41-a but continued until about November 17, 1942 in wilful violation of that order.

These violations of Conservation Orders L-41 and ~~L-41-a~~ have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.250 *Suspension Order S-250.* (a) Neither C. J. Dill nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use construction plant in order to continue or complete construction of the dance hall situated near the intersection of Metairie Road and Harlem Avenue in Metairie, Louisiana.

(b) No application filed by C. J. Dill or any other person for authorization to complete the dance hall mentioned in paragraph (a) hereof shall be granted.

(c) Nothing contained in this order shall be deemed to relieve C. J. Dill from any restriction, prohibition, or provision contained in any other order or regulations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) Notwithstanding the provisions of paragraphs (a) and (b) hereof, the Regional Compliance Chief, Dallas Regional Office, War Production Board, may authorize such further construction as may be necessary to protect the aforesaid property from the weather.

(e) This order shall take effect on March 12, 1943.

Issued this 9th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3765; Filed, March 9, 1943; 4:55 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-253]

CESCO ELECTRIC SUPPLY CO.

Fanny and Max Kelman, doing business as Cesco Electric Supply Company, 478 Alexander Street, Rochester, New York, are engaged in the business of selling copper products at wholesale. Their operations are subject to the provisions of General Preference Order M-9-a. During the period of February 6, through September 17, 1942, this concern persisted in wilfully violating this order by delivering copper wire to fill orders which either bore no preference ratings or preference ratings lower than those required by the amendments of General Preference Order M-9-a. The concern also wilfully violated Limitation Order L-78 by selling fluorescent fixtures constructed for the operation of tubes having a rated wattage in excess of 30 watts each and falsifying their records of such sales.

These violations have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.253 *Suspension Order S-253.* (a) Deliveries of material or equipment to Fanny or Max Kelman, individually, or doing business as Cesco Electric Supply Company, or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied, assigned, or extended to such deliveries by any preference rating certificate, preference rating order, general preference order, or any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made, directly or indirectly, to Fanny or Max Kelman, individually, or doing business as Cesco Electric Supply Company or otherwise, their successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Fanny or Max Kelman, individually, or doing business as Cesco Electric Supply Company, or otherwise, their successors and assigns, shall not sell, transfer or deliver copper products except in

fulfillment of purchase orders bearing preference ratings of AA–2 or higher, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Fanny or Max Kelman, individually, or doing business as Cesco Electric Supply Company, or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on March 12, 1943, and shall expire on September 12, 1943.

Issued this 9th day of March, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3766; Filed, March 9, 1943, 4:55 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1–O as Amended March 10, 1943]

RATIONING OF FUEL OIL

§ 903.18 *Further delegation of authority to the Office of Price Administration with reference to rationing of fuel oil.* (a) In order to permit the efficient rationing of fuel oil, the authority delegated to the Office of Price Administration in § 903.1 Directive 1, is hereby extended to include the following:

(1) The exercise of rationing control over the sale, transfer, delivery or other disposition of fuel oil by any person to any consumer, in cases in which either such person or such consumer is within the limitation area, and over the use of fuel oil by any person: *Provided*, That such authority shall not include the power:

(i) To limit or restrict the quantity of fuel oil obtainable by the Army, Navy, Marine Corps, or Coast Guard of the United States or by government agencies or other persons to the extent to which they acquire fuel oil for export to and consumption or use in any foreign country; and

(ii) To deny fuel oil to any person for the operation of oil burning equipment (other than equipment furnishing heat or hot water to any building or structure) for the reason that such equipment can be converted to the use of fuel other than fuel oil, except where the denial of fuel oil is recommended by the Office of Petroleum Coordinator for War and approved by the Director General for Operations.

(2) The requiring of the delivery of such coupons, certificates or other evidences as the Office of Price Administration may prescribe, as a condition to the sale, transfer, delivery or other disposition of fuel oil by any person to any other person in cases in which either person is within the limitation area.

(b) The authority of the Office of Price Administration under this supplementary directive shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of fuel oil to, or the acquisition or use of fuel oil by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The Office of Price Administration is authorized, in accordance with the provisions of Executive Order No. 9125, and to the extent that it may deem necessary to the enforcement of the authority delegated in paragraphs (a) and (b) of this supplementary directive:

(1) To require records and reports and to make audits of the accounts and inspections of the facilities of any person wherever located, involved directly or indirectly in the sale, transfer, delivery, or other disposition of fuel oil to or from any point in the limitation area; and

(2) To require any person wherever located, who is involved, directly or indirectly, at any stage in the distribution of fuel oil which is ultimately sold, transferred, delivered or otherwise disposed of in the limitation area (whether by such person or by other persons), or which is ultimately used in the limitation area, to comply with any rule, regulation or procedure promulgated or established pursuant to the authority delegated in paragraph (a) of this supplementary directive.

(d) As used in this supplementary directive, the term "fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades Nos. 1, 2, 3, 4, 5 and 6, whether or not blended or rebranded, such as Bunker C, Diesel oil, kerosene, range oil, and gas oil. The term also includes any other liquid petroleum product having the same specifications as the above designated grades and used for the same purposes as such grades.

The term "person" means any individual, partnership, corporation, association, government or governmental agency, and any other organized group or enterprise; the term "consumer" means any person who uses fuel oil for any purpose, including use as a component part of any manufactured article, material or compound; the term "limitation area" means the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, that part of the State of Idaho including the counties of Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Idaho, Kootenai, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley and Washington, the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

Issued this 10th day of March 1943.

CURTIS E. CALDER,
Director General for Operations

[F. R. Doc. 43–3776; Filed, March 10, 1943; 11:34 a. m.]

PART 921—ALUMINUM

[Supplementary Order M–1–i as Amended March 10, 1943]

Section 921.11 *Supplementary Order M–1–i*[1] is hereby amended so as to read as follows:

Section 921.11 *Supplementary Order M–1–i.*[1]—(a) *Definitions.* For the purposes of this order:

(1) "Aluminum" means any material the principal ingredient of which by either weight or volume is metallic aluminum, in ingot or similar raw form or in the form of finished or semi-finished parts, assemblies or products of any kind; but not including any material in the form of aluminum scrap as defined herein (which is controlled by Supplementary Order M–1–d), or aluminum pigment or aluminum paint (which are defined in and controlled by Supplementary Order M–1–g).

(2) "Aluminum scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason, the principal ingredient of which by either weight or volume is metallic aluminum; and shall include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings and buffings, provided that the recoverable metallic aluminum content, as determined by the fire assay, hydrogen evolution or other method of comparable efficiency, constitutes 15% or more by weight of such residues.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(4) "Director" means the Director General for Operations of the War Production Board.

(5) "Producer" means the Aluminum Company of America, the Reynolds Metals Company, the Olin Corporation, and any other person who may be so designated by the Director.

(6) "Approved smelter" means any person whose name appears on Schedule A attached to Supplementary Order M–1–d dealing with aluminum scrap.

(7) "Fabricator" means any person who manufactures basic aluminum products, such as, but not limited to, sheet, plate, wire, rod, bar, rolled shapes, extruded shapes, tubing, tube blooms, redraw tubing, pipe, rivets, forgings, castings, impact extrusions, foil or powder.

(8) "Use aluminum in manufacture" means to melt, roll, forge, cast, extrude, draw, turn, spin, fabricate or process in any other way, or assemble or incorporate in assemblies, or to consume or otherwise use in the course of manufacture, any aluminum; but does not include the installation of a finished product or repair part for the ultimate consumer.

(9) "Low grade aluminum" means aluminum which contains copper in excess of 4% by weight, and either iron or zinc in excess of 1% by weight.

(10) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles), when prescribed for field or combat use by the Army or Navy of the United States or when prescribed for field or combat use by any army or navy of a foreign country; also parts, assemblies and materials to be physically incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(b) *Contamination.* No person shall contaminate aluminum with any other metal or material, except that a producer or approved smelter may mix aluminum with other metals in the production of aluminum alloys, or except that any person may mix aluminum with other metals in the production of other alloys subject to the provisions of paragraph (c) hereof. See also the provisions of Supplementary Order M–1–d with respect to aluminum scrap.

(c) *Restrictions on use of aluminum.* (1) Except as specifically authorized by the Director on Form PD–26, or as otherwise specifically authorized by the Director after March 10, 1943, (i) no person shall use any aluminum after March 31, 1943, in the form of controlled material as defined in CMP Regulation No. 1 or in any later stage of fabrication, in the manufacture of any kind of articles or part whatsoever, unless such person was using aluminum in the manufacture of all such articles or parts during the last calendar quarter of 1942 and such use was authorized by the Director, and (ii) no person shall use more aluminum in the manufacture of any unit or part than the minimum amount of aluminum used by him in making each such unit or part of the same size in the last calendar quarter of 1942. Allotments, authorized controlled materials orders and authorized production schedules, under any CMP Regulation, are not specific authorizations of the Director to use aluminum in manufacture within the meaning of this paragraph (c) (1).

(2) Except as specifically authorized by the Director on Form PD–26, or as otherwise specifically authorized by the Director after March 10, 1943, no person shall use any aluminum after March 31, 1943, in the manufacture of any article or part for decorative or ornamental purposes or where the use of any less scarce material[2] as a substitute for aluminum is practicable; and no person shall use in manufacture more aluminum or aluminum of a better grade than is necessary for the proper operation of any article or part. Allotments, authorized controlled materials orders and authorized production schedules are not specific authorizations of the Director to use aluminum in manufacture within the meaning of this paragraph (c) (2).

(3) Except as specifically authorized by the Director on Form PD–26, or as otherwise specifically authorized by the Director after March 10, 1943, (but allotments, authorized controlled materials orders or authorized production schedules under any CMP Regulations shall not constitute such authorization) no person shall use any aluminum after March 31, 1943, in the manufacture of any article or of any part thereof except the following, and then only subject to the restrictions of paragraphs (c) (1) and (c) (2) hereof:

(i) Implements of war (as defined above) which are being produced for the Army or Navy of the United States, the United States Maritime Commission or War Shipping Administration, where the use of aluminum in the grade and to the extent employed is required by the latest issue of specifications (including performance specifications) of the respective government agencies applicable to the contract; or which are being produced for any foreign country pursuant to the Act of March 11, 1941, "An Act to Promote the Defense of the United States" (Lease-Lend Act) provided that the use of aluminum in the grade and to the extent employed would be required by the specifications applicable to similar implements of war of the appropriate United States governmental agency.

(ii) Aircraft, in addition to those defined herein as implements of war.

(iii) Alloys (other than aluminum as defined herein) made with aluminum, provided that the delivery of the aluminum used was authorized by or the aluminum used was reported on Form CMP–13. The aluminum content of any alloy produced must not exceed 15% thereof by weight.

(iv) Aluminizing or calorizing.

(v) Anodizing equipment, for electrical conducting parts coming into contact with the solution, only.

(vi) Carbometer wire.

(vii) Cathodes for the electrolytic refining of zinc.

(viii) Cauls for use in the manufacture of plywood for military purposes.

(ix) Chemical processing equipment for use in manufacturing plants, provided that chemical action makes the use of other material impracticable.

(x) Closures for parenteral solutions and blood.

(xi) Diesel engines, the following parts, only, out of high-grade aluminum: Rotors for centrifugal type superchargers.

(xii) Fixed electrolytic and paper condensers, and mica condensers.

(xiii) Flame arrestors, tube bank only.

(xiv) For export, if and only if the aluminum is to be exported in one of the forms and shapes described as a controlled material in CMP Regulation No. 1.

(xv) Orthopedic equipment, provided that lightness is necessary for the proper operation of the equipment. This does not include arch supports.

(xvi) Pistons, the following types, only, out of high-grade aluminum: For aircraft engines, tank engines and high performance marine gasoline engines, and for Diesel engines where the piston diameter is 7½ inches and over.

(xvii) Repair and maintenance parts for mechanical or electrical equipment used domestically or in industry, provided that the manufacturer thereof uses from January 23, 1942 on, no more aluminum than the amount of defective aluminum parts of such equipment he has disposed of or caused his customers to dispose of since January 23, 1942, in accordance with the provisions of Supplementary Order M–1–d.

(xviii) Rotors for electric motors.

(xix) Scientific research and development, provided that aluminum is required pursuant to contracts issued by the Office of Scientific Research and Development, the National Advisory Committee for Aeronautics, or the Army or Navy of the United States, and that no more than 300 pounds of aluminum is used for any one contract in any one month.

(xx) Thermit reaction, provided that the delivery of the aluminum used was authorized by or the aluminum used was reported on Form CMP–13. For use in the manufacture of thermit powders and ferroalloys, only.

(xxi) Wire for metallizing and rod for welding.

(xxii) X-ray filters.

(4) Except as specifically authorized by the Director on Form PD–26, or as otherwise specifically authorized by the Director after March 10, 1943, (but allotments, authorized controlled materials orders or authorized production schedules under any CMP Regulation shall not constitute such authorization), no person shall use any aluminum,[3] except low-grade aluminum,[3] after March 31, 1943, in the manufacture of the following articles or of any parts thereof even though they are parts of articles listed in paragraph (c) (3), and no person shall use any low-grade aluminum[3] after March 31, 1943, in the manufacture of any other articles or parts except those listed in paragraph (c) (3) hereof, in any case subject to the restrictions of paragraphs (c) (1) and (c) (2) hereof:

(i) Anhydrous aluminum chloride provided that the delivery of the aluminum used was authorized by or the aluminum used was reported on Form CMP–13.

(ii) Connecting rods for one or two cylinder air-cooled gasoline engines only.

(iii) Diesel engines, the following parts only: rotors, housings and end plates of root-type blowers and diffuser rings for centrifugal type super-chargers.

(iv) Hydraulic brake pistons.

(v) Match plates, patterns, core boxes, core dryers and snap flasks, provided that their use is essential to the fulfill-

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[1] The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[2] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Scarcity".

[3] Under Supplementary Order M–1–d, aluminum scrap may not be used for any of the purposes listed unless such use is specifically authorized by the Director.

ment of quantity production of authorized controlled materials orders (as defined in CMP Regulation No. 1) or of other quantity production orders bearing priority rating AA-2X or higher. However, notwithstanding the provisions of Supplementary Order M-1-d, a manufacturer may use aluminum to make new pattern equipment: *Provided*, That the new equipment will be used to fulfil any quantity production orders, and provided that he supplies the aluminum in the form of defective or obsolete equipment to make the new equipment.

(vi) Pistons, for use in Diesel engines, where the piston diameter is under 7½ inches, one- and two cylinder air-cooled gasoline engines, motorcycle engines, engines for trucks of 1½ ton capacity or over, engines for heavy duty tractors and engines in portable fire fighting equipment.

(vii) Steel deoxidizer: *Provided*, That the delivery of the aluminum used was authorized by or the aluminum used was reported on Form CMP-13. The total amount of aluminum [3] used by any person for deoxidizing steel during any month may not average more than 0.6 pound of aluminum per ton of carbon steel ingot (except for cartridge cases and cartridge boxes), and 2.0 pounds of aluminum per ton of alloy steel ingot, produced by him during such month. The total amount of aluminum [3] used by any person for deoxidizing steel for plate, sheet and strip for cartridge cases and cartridge boxes may not exceed 4.0 pounds of aluminum in each ton of such steel produced by him. The total amount of aluminum [3] used by any person for deoxidizing steel for steel castings during any month may not average more than 2.5 pounds of aluminum per ton of metal charged into the furnace by him during such month.

(viii) Tools, portable electric and pneumatic:

(*a*) In pneumatic and high cycle electric tools, except grinders: (1) net weight—eight pounds or under—any parts; (2) net weight over eight pounds and up to and including twenty-three pounds—motor housings and gear housings only; (3) net weight over twenty-three pounds—motor housings only.

(*b*) In universal electric drills, screw drivers, nut runners and tappers: (1) net weight ten pounds or under—any parts; (2) net weight over ten pounds and up to and including twenty-three pounds—motor housings and gear housings only; (3) net weight over twenty-three pounds—motor housings only.

Net weight shall be the net weight specified in each producer's latest catalogue issued prior to April 18, 1942.

(*c*) In all other universal electric tools and in pneumatic and high cycle electric grinders—any parts.

(*d*) In handles cast integrally with motor housings.

(5) *Repair.* The restrictions of this order (other than those against the use of aluminum in manufacture where the use of less scarce materials as a substitute is impracticable) shall not apply to the use of aluminum in the manufacture of repair parts to make a specific repair of a used article or to the use of aluminum in repairing a used article, if the manufacturer of the parts or the person making the repair does not use aluminum weighing in the aggregate more than two pounds and any manufacturing, processing, assembling or finishing done by him is for the purpose of making the specific repair; nor shall the restrictions of this order (other than those against the use of aluminum in manufacture where the use of less scarce materials as a substitute is impracticable) apply to the use of aluminum in the manufacture of repair parts to make a specific repair of a used article or to the use of aluminum in repairing a used article: *Provided*, That the manufacturer of the parts or the person making the repair does not use aluminum weighing in the aggregate more than one pound in excess of the aluminum scrap derived from the article being repaired, that all such scrap is disposed of in compliance with the provisions of Supplementary Order M-1-d, and that any manufacturing, processing, assembling or finishing done by him is for the purpose of making the specific repair.

(d) *Requests for authorization to use aluminum.* Any person who, after March 10, 1943, seeks to obtain the specific authorization of the Director to use aluminum in manufacture for a purpose not permitted by paragraph (c) of this order, should do so by applying by letter to the Aluminum & Magnesium Division, War Production Board, Washington, D. C., Ref.: M-1-i, which letter should be filed in duplicate and contain substantially the following information:

(1) Weight, form and alloy of aluminum for which authorization to use is requested.

(2) The number of months the quantity of aluminum requested will cover the estimated requirements of the manufacturer.

(3) The part to be fabricated or other use to be made of the aluminum requested.

(4) The product into which such part will be incorporated, and end use of the product.

(5) The reasons, in detail, why material other than aluminum or less aluminum per unit was used in the last calendar quarter of 1942, if such was the case; and why an alternate material or a lower grade of aluminum cannot be used, even though aluminum or aluminum of the particular grade is specified.

(6) If previous requests for this use have been authorized or denied, give reference number on authorization or denial.

(7) If a CMP allotment has been issued, state allotment number and the weight of aluminum allotted.

(e) *Restrictions on deliveries.* (1) No person shall deliver any aluminum if he knows or has reason to believe that such aluminum is to be used in violation of the terms of this order. A certification in general terms that the recipient of aluminum is entitled to receive delivery of or use aluminum under applicable regulations and orders of the War Production Board, does not constitute evidence on which a person making delivery may rely if he has knowledge or reason to believe that the person receiving the aluminum intends to use it in violation of this order.

(2) Unless such delivery is made pursuant to a specific direction of the Director of the Aluminum and Magnesium Division, no person shall make delivery after March 31, 1943, of aluminum produced by him in a form or shape constituting a controlled material (as defined in CMP Regulation No. 1), and no person shall accept delivery thereof after such date, if such aluminum is to be processed by the person accepting delivery and sold to his customers in another form and shape constituting a controlled material as thus defined.

(f) *Reports.* Any person who has used aluminum in excess of 1,000 pounds in any calendar month, in the manufacture of aircraft, aircraft parts, or equipment, or in the manufacture of any item incorporated into or carried on an aircraft as it flies, exclusive of guns, ammunition, bombs, and pyrotechnics, shall file a report for said calendar month on or before the fifteenth day of the month following, on Form PD-40A Aircraft, or such other form as may be prescribed for this purpose by the Director. All other persons shall file such inventory and other reports as may be prescribed from time to time by the Director.

(g) *Tolling.* Except as the Director may specifically authorize on Form PD-114 or otherwise, no aluminum shall be delivered or received for melting under any toll, repurchase or similar arrangement.

(h) *Operations of same person in different capacities.* Any person who, in the use of aluminum in manufacture, operates in more than one capacity (for example, both as a producer and fabricator) shall, in each such capacity, be subject to the applicable obligations and restrictions imposed by this order. The initial putting into fabrication or other use of raw aluminum by a person who produced the same shall be deemed a delivery thereof hereunder.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 10th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3777, Filed, March 10, 1943; 11:34 a. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Schedule X to Limitation Order L-120, as Amended March 10, 1943]

HOUSEHOLD WAX PAPER ROLLS IN CUTTER BOXES

§ 1223.11 *Schedule X to Limitation Order L-120*—(a) *Standard ream count.* Basis weights for wax paper used in household rolls for enclosure in cutter boxes shall be calculated by reference to a standard ream of 500 sheets 24" x 36", with a tolerance of 7½%, after waxing, over or under the specified weight, instead of by reference to the ream of 480 sheets 24" x 36" heretofore used.

(b) *Restrictions on basis weight, width and length.* Except as provided in paragraph (f) of this schedule, no person shall manufacture waxed paper household rolls for enclosure in cutter boxes:

(1) Out of paper of any basis weight except 18# and/or 21#, after waxing, calculated according to the provisions of paragraph (a) of this schedule;

(2) In any width greater than 12 inches, subject to a tolerance of 5%;

(3) In any length less than 125 feet;

(4) In more than two different lengths.

Each manufacturer shall immediately select the two particular lengths (neither less than 125 feet) in which he proposes to manufacture such rolls, shall furnish such information concerning his selection as may be requested from time to time, shall keep records and samples of his selection readily available for inspection by representatives of the War Production Board, and hereafter shall not without specific authorization by the Director General for Operations, manufacture such rolls in any other lengths. Specific authorization to change the original selection may be applied for by letter, in triplicate, describing the lengths originally selected, the proposed new length or lengths, and the reason why the change is necessary.

(c) *Elimination of metal edge.* Except as provided in paragraph (f) of this schedule, no manufacturer of cutter boxes for wax paper household rolls and no person who puts up household rolls in cutter boxes shall affix any metal cutting edge to or upon any such cutter box.

(d) *Restrictions on weight of cores, size and type of cutter boxes, and number of cutter boxes per shipping case.* (1) Except as provided in paragraph (f) of this schedule, no manufacturer shall wind waxed paper household rolls for enclosure in cutter boxes on cores or tubes which in weight exceed 25 lbs. per 1000 rolls, or package any such rolls in cutter boxes made in violation of the provisions of Table III of Schedule IV to Limitation Order L-239. For convenience, a copy of this table is included, as follows:

TABLE III—WAXED PAPER CUTTER BOXES

(i) No person shall manufacture any cutter boxes for packaging rolls of waxed paper excepting in accordance with the following maximum specifications:

(1) Box dimensions: $2^{11}/_{16}$" x $2^{11}/_{16}$" x $12^{3}/_{8}$".

(2) Quality of paperboard, no higher than bleached manila lined news, basis 75 sheets per 50 lb. bundle.

(2) When packing such rolls for shipment each manufacturer shall pack the same in multiples of a dozen, with a minimum of 36 per shipping case, except that cutter boxes containing rolls of 200 feet or more in length may be packed a minimum of 24 per shipping case.

(e) *Prohibition of new designs and brands.* No manufacturer or distributor of waxed paper household rolls in cutter boxes shall use on or in connection with the cutter boxes for such rolls any trade design or brand the original plates for which were not in existence on or before February 20, 1943.

(f) *Temporary exception for existing inventories.* Until April 21, 1943, but not thereafter, any person may notwithstanding the provisions of paragraphs (b), (c) and (d) of this schedule, manufacture waxed paper household rolls for enclosure in cutter boxes out of paper of any basis weight or in any width or lengths, or wind the same on any weight cores, or package the same in any boxes or any number per shipping case, or affix metal cutting edge to or upon cutter boxes, necessary to utilize such person's inventories of paper, cores, metal cutting edges, boxes or shipping cases on hand the 20th day of February, 1943.

Issued this 10th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3779; Filed, March 10, 1943; 11:34 a. m.]

PART 3170—PRECISION MEASURING INSTRUMENTS AND TESTING MACHINES

[General Preference Order E-9]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of precision measuring instruments and testing machines for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3170.1 *General Preference Order E-9*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of precision measuring instruments and testing machines.

(3) "Precision measuring instruments and testing machines" mean any precision device, whether power driven or hand operated, of the types listed on Schedule A attached hereto having a retail sales price of $200 or more, excluding automotive maintenance equipment and precision devices designed specifically for laboratory use.

(b) *Restrictions on sales and purchases.* On and after March 10, 1943, no person shall sell, transfer, deliver or accept delivery of any precision measuring instrument or testing machine unless there has been assigned to the purchase thereof a preference rating of A-1-a or higher by a preference rating certificate PD-1A, PD-3, PD-3A, a preference rating certificate in the PD-408 series, a preference rating order No. P-19-h, or by a rerating direction or certificate PD-4X or PD-4Y. From and after March 10, 1943 every producer shall require any person placing a purchase order for a precision measuring instrument or testing machine to furnish to the producer a copy, reproduced in accordance with Priorities Regulation No. 5, of the preference rating certificate PD-1A, PD-3, PD-3A, PD-408, the preference rating order P-19-h or the rerating direction or certificate PD-4X or PD-4Y.

(c) *Repair parts.* Nothing in this order shall be deemed to prevent the sale and delivery of any part manufactured for use in the repair or maintenance of precision measuring instruments or testing machines. Purchase and delivery of such repair parts shall be in accordance with current regulations and orders of the War Production Board.

(d) *Schedules to be filed.* (1) The Director General for Operations may from time to time require any producer to notify the War Production Board of all unfilled orders for any type of precision measuring instrument or testing machine, together with such producer's proposed schedule for delivery thereof. Thereafter, until otherwise directed by the Director General for Operations, such producer shall immediately notify the War Production Board of each new order, together with his proposed schedule for delivery thereof, for any precision measuring instrument or testing machine of the same type as any concerning which notification has been previously required. Any notification required by this paragraph shall be filed on Form PD-669 in accordance with the instructions attached thereto.

(2) Until otherwise directed by the Director General for Operations, every producer who shall have been required to file any notification of unfilled orders and proposed schedule of delivery of precision measuring instruments or testing machines pursuant to paragraph (d) (1) hereof shall also file on Form PD-670 notification of shipment of any such precision measuring instruments or testing machine by such producer and notification of any change in any order previously reported immediately following such shipment or immediately following change in any such order by such producer as the case may be.

(e) *Postponement of purchase orders.* Unless the Director General for Operations specifically orders otherwise, no higher preference rating shall operate to postpone or in any way affect any delivery of any precision measuring instrument or testing machine under a purchase order already scheduled for delivery where such delivery is to be made within 60 days of receipt of such higher preference rating.

(f) *Specific modifications of schedules.* Notwithstanding any other provisions of

this order, the Director General for Operations at any time may direct or change the schedule for deliveries, allocate any order to any other producer, or direct the delivery of any precision measuring instruments or testing machine to any other person in accordance with prices and terms regularly established for sales by the supplying manufacturer to such a purchaser.

(g) *Applicability of regulations.* All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board, as amended from time to time except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(h) *General Preference Orders E–1–b and E–5 superseded.* This order supersedes General Preference Orders E–1–b and E–5, as to precision measuring instruments and testing machines.

(i) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, purchases, production and sale.

(j) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(m) *Communications.* All communications concerning this order, except where specific reference is made herein to the contrary, shall be addressed to Industrial Specialties Division, War Production Board, Washington, D. C., Ref: E–9.

Issued this 10th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A TO GENERAL PREFERENCE ORDER E–9

1. Balancing Machines
2. Bench Centers
3. Comparators
4. Dividing Machines
5. Gaging Machines
6. Hardness Testers
7. Light Wave Measuring Instruments and Devices
8. Measuring Machines
9. Physical Testing Machines
10. Super Micrometers
11. Surface Measuring Instruments
12. Toolmakers Microscopes

[F. R. Doc. 43–3780; Filed, March 10, 1943; 11:34 a. m.]

PART 3194—RECTIFIER TUBES

[General Limitation Order L–264]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rectifier tubes and of materials used in the manufacture of such tubes for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3194.1 *General Limitation Order L–264*—(a) *Definitions.* For the purposes of this order:

(1) "Rectifier tube" means any argon-filled, hermetically sealed bulb using a hot cathode, and designed to transform alternating into direct current, but limited to tungar, rectigon and similar types.

(2) "Manufacturer" means any person engaged in the business of producing or assembling any rectifier tube or part therefor.

(3) "Military exemption order" means a purchase order, contract or subcontract for rectifier tubes, or parts for such tubes (whether or not physically incorporated into rectifier tubes) to be purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Armed Forces of any country eligible for Lend-Lease assistance pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *General restrictions.* (1) On and after March 10, 1943 no manufacturer shall produce any bases for rectifier tubes containing any metal, except

(i) Iron and steel;

(ii) Copper, copper base alloys and zinc in protective coatings;

(iii) Copper or copper base alloys in fulfillment of military exemption orders;

(iv) Brass in eyelets or pins; or

(v) Pursuant to specific authorization of the Director General for Operations granted on Form PD–556 pursuant to an application filed on said Form.

(2) On or before the fifteenth day of March and on or before the fifteenth day of each third succeeding calendar month thereafter, each manufacturer shall file with the Director General for Operations a statement in writing which shall include:

(i) Such manufacturer's proposed production schedules for rectifier tubes so far as then planned, but in any event for not less than the three calendar months following the filing of the report; and

(ii) His proposed delivery schedules of rectifier tubes so far as then planned, but in any event for not less than the three calendar months following such filing. The Director General for Operations shall notify manufacturers of his approval or disapproval of the production and delivery schedules for the calendar quarter or more covered in the report. The Director General for Operations may, at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer; or direct the delivery of any rectifier tubes so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any rectifier tubes except in accordance with schedules approved or prescribed by the Director General for Operations as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the Director General for Operations.

(iii) If the schedule for production or deliveries approved under the provisions of this order do not correspond to the authorized production schedule approved for the same quarter under the Controlled Materials Plan (on Form CMP–4B, or any other designated form) then the schedule approved under this order shall constitute the authorized production schedule of the manufacturer.

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations limits the use of any material in the production of rectifier tubes to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of rectifier tubes or parts therefor, including inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(f) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All reports required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L–264.

Issued this 10th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3778; Filed, March 10, 1943; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 189,[1] as Amended March 9, 1943]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

Section 1340.313 (a) (6) is amended so that Revised Maximum Price Regulation No. 189 shall now read as follows:

Maximum prices for bituminous coal used for bunkering vessels at points on the Great Lakes and their connecting or tributary waters have heretofore been established by Maximum Price Regulation No. 120, where such coal was delivered from a mine or preparation plant, or by Revised Maximum Price Regulation No. 122, where delivery was made from other facilities.

In the judgment of the Price Administrator the supplying of bituminous coal for use as bunker fuel, whether delivery is made from a mine or preparation plant or other facility, presents, under existing conditions, a specialized problem from the standpoint of coal marketing and requires for its proper regulation a separate Maximum Price Regulation.

At the request of the Price Administrator the Bituminous Coal Division, United States Department of Interior, has cooperated with the Price Administrator in the formulation of the maximum prices established by this regulation in accordance with the arrangement effectuated by the letters, dated March 9 and March 13, 1942, exchanged between the Price Administrator and the Secretary of the Interior. So far as practicable, representative members of the industry which will be affected by this regulation have been consulted and their advice obtained.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations[2] involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 189 is hereby issued.

Sec.

1340.301 Maximum prices for bituminous coal sold for direct use as bunker fuel.
1340.302 Less than maximum prices.
1340.303 Adjustable pricing.
1340.304 Evasion.
1340.305 Records and reports.
1340.306 Enforcement.
1340.307 Petitions for amendment and applications for adjustment.
1340.308 Definitions.
1340.309 Applicability of other regulations.
1340.310 Maximum price instructions.
1340.311 Federal and State taxes.
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AUTHORITY: §§ 1340.301 to 1340.314, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1340.301 *Maximum prices for bituminous coal sold for direct use as bunker fuel.* On and after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, no supplier of bunker fuel shall sell or dispose of bituminous coal in any quantity, for direct use as bunker fuel at points on the Great Lakes or their connecting or tributary waters or at tidewater at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1340.313; and no person shall, in the course of trade or business, buy or receive bituminous coal so sold or disposed of, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1340.313; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That a supplier of bunker fuel is hereby permitted to receive not more than the maximum prices set forth in Appendix A, incorporated herein as § 1340.313, as to bituminous coal delivered for direct use as bunker fuel on and after May 18, 1942; and any person to whom bunker fuel was so delivered on and after May 18, 1942 may pay such prices.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or any government whose defense is vital to the defense of the United States.]

§ 1340.302 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1340.313) may be charged, demanded, paid or offered: *Provided,* That where the supplier of bunker fuel is subject to the jurisdiction of the Bituminous Coal Division and where the effective minimum price now or hereafter established by the Bituminous Coal Division for any particular shipment of bunker fuel by such supplier is higher than the maximum price provided in this Maximum Price Regulation No. 189 for such a shipment, the particular shipment may be made at not more than the applicable minimum price.

§ 1340.303 *Adjustable pricing.* No person subject to the provisions of this Maximum Price Regulation No. 189 shall enter into any agreement permitting the adjustment of the prices of bituminous coal provided by this Maximum Price Regulation No. 189 to prices which may be higher than such maximum prices, except that any person may offer or agree to adjust or fix prices to, or at prices not in excess of, the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1340.304 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 189 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, bituminous coal for direct use as bunker fuel for vessels on the Great Lakes or their connecting or tributary waters or at tidewater, as defined herein, alone or in conjunction with bituminous coal used for other purposes or with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

§ 1340.305 *Records and reports.* (a) Every supplier of bunker fuel shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale and purchase of bunker fuel made by him on and after May 18, 1942, showing the date thereof; the price received by him for the bituminous coal sold as bunker fuel; and the price, if any, paid by him for such coal; the name and address of the purchaser; the name and address of the pier or other facility from which delivery was made; the name, flag and gross tonnage of the vessel bunkered; the method of transportation or handling employed in transferring the fuel from land transportation or storage facilities to vessel bunkers; the quantity delivered; and where known, the names and mine index numbers (Bituminous Coal Division designations) of the mines at which the coal sold for bunker fuel originated, and the kind, size, quality, brand or trade name.

(b) Not later than August 25, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every supplier of bunker fuel at points at tidewater shall file with the Bituminous Coal Division of the United States Department of the Interior, at 734 15th Street NW., Washington, D. C., a statement setting forth:

(1) All prices charged by such person between January 1 and January 15, 1942, inclusive, for bituminous coal sold for direct use as bunker fuel at each point at

[1] 7 F.R. 5831.

[2] Statements of the considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 7 F.R. 8961.

which the coal was sold and for each nearest district, state, field or regional

(2) "Bituminous coal" means bitu-

schedules, regulations, rules or orders service and in preparing the records of

to this Maximum Price Regulation No.

which the coal was sold and for each size, kind and quality of coal for each class of purchaser;

(2) All price circulars, lists or schedules issued by such person on or before January 15, 1942, with respect to bunker fuel, and in effect during any portion of the period January 1–15, 1942, inclusive;

(3) The rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period January 1–15, 1942, inclusive;

(4) The charges, if any, made for any special services during the period January 1–15, 1942, inclusive, together with a description of the special service rendered; and

(5) The cash and quantity discounts and other allowances (except freight rate absorptions) made or available to purchasers of bunker fuel during the period January 1–15, 1942, inclusive.

(c) Not later than August 25, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every supplier of bunker fuel at points on the Great Lakes and their connecting or tributary waters shall file with the Bituminous Coal Division of the United States Department of the Interior, at 734 15th Street NW., Washington, D. C., a statement setting forth:

(1) All prices charged by such person between April 15 and April 30, 1942, inclusive, for bituminous coal sold for direct use as bunker fuel at each point at which the coal was sold and for each size, kind and quality of coal for each class of purchaser;

(2) All price circulars, lists or schedules issued by such person on or before April 30, 1942, with respect to bunker fuel, and in effect during any portion of the period April 15–30, 1942, inclusive;

(3) The rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period April 15–30, 1942, inclusive;

(4) The charges, if any, made for any special services during the period April 15–30, 1942, inclusive, together with a description of the special service rendered; and

(5) The cash and quantity discounts and other allowances (except freight rate absorptions) made or available to purchasers of bunker fuel during the period April 15–30, 1942, inclusive.

(d) Persons who are suppliers of bunker fuel shall submit such other reports and keep such other records as the Office of Price Administration may from time to time require.

§ 1340.306 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 189 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 189 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C., or with the nearest statistical bureau of the Bituminous Coal Division, United States Department of the Interior, or its principal office in Washington, D. C.

§ 1340.307 *Petitions for amendment and applications for adjustment.* (a) The Office of Price Administration may adjust any maximum price established under this regulation in the following cases:

(1) In the case of any supplier, of bunker fuel who shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive suppliers of bunker fuel; and

(ii) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive suppliers of bunker fuel, will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after November 15, 1942 will be granted under this subparagraph (1).

(2) In the case of any supplier of bunker fuel who is reselling the same and who shows that his maximum price is too low, in relation to the purchase cost of such fuel resold by him, to permit the continuance of the sale of bunker fuel, and such discontinuance will impair the ability of bunker fuel consumers to obtain supplies thereof which aid in the war program. An adjustment granted pursuant to this subparagraph will generally increase the applicable maximum price by the amount of increase in said purchase cost.

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 189 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1340.307 as amended by Amendments 2 and 3, 7 F.R. 8939, 10225]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment of petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.308 *Definitions.* (a) When used in this Maximum Price Regulation No. 189, the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Bituminous coal" means bituminous coal as used in the Bituminous Coal Act of 1937, as amended, and includes all bituminous, semibituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignite coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place in the mine of 30 per centum or more.

(3) "Bunker fuel" means bituminous coal used aboard a vessel for consumption thereon.

(4) "Supplier of bunker fuel" as used herein means any producer, distributor, retailer, bunker agent, or other person (and an agent of any of them) who sells or disposes of bunker fuel and delivers or procures the delivery of the same to vessels at points on the Great Lakes and their connecting or tributary waters or at tidewater for immediate use as bunker fuel, and who incurs the duties and risks attributable to the handling of bunker fuel. It does not include persons who sell coal to another person for general use or for delivery by such other person as bunker fuel. Delivery may be from a mine or a preparation plant operated as an adjunct of a mine or mines, or from a yard, dock, pier, elevator, bin, or other terminal facility or from a transportation vehicle or vessel.

(5) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system.

(6) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States, and the coast of continental United States on the Gulf of Mexico.

(7) "Bituminous Coal Division" means the Bituminous Coal Division, United States Department of the Interior.

(8) Reference to a bituminous coal producing district (e. g. "District No. 1") is a reference to the same district as defined in the Bituminous Coal Act of 1937, as amended.

[Paragraph (8) added by Amendment 6. 8 F.R. 2236]

(b) Unless the context otherwise requires, the definition set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.309 *Applicability of other regulations.* (a) With respect to sales or other disposals of bituminous coal for direct use as bunker fuel, the provisions of this Maximum Price Regulation No. 189 supersede the provisions of Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant, and Revised Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities Other Than Producing Facilities—Dealers.

(b) Nothing contained in this Maximum Price Regulation No. 189 shall be construed to excuse any violation of any provision of the Bituminous Coal Act of 1937 as amended, the Bituminous Coal Code promulgated thereunder or of any

schedules, regulations, rules or orders now or hereafter made effective by the Bituminous Coal Division of the United States Department of the Interior, on the part of any person subject to the jurisdiction of that agency.

§ 1340.310 *Maximum price instructions.* (a) The following maximum price instructions are applicable to the maximum prices set forth in § 1340.313 (Appendix A hereof).

(1) Where a supplier of bunker fuel maintains more than one separate facility for the sale of bunker fuel, whether at the same or different locations, separate maximum prices, in accordance with the provisions of § 1340.313 (Appendix A hereof) shall be established for each such facility.

(2) Where such charges are not included in the maximum prices provided in § 1340.313 (Appendix A hereof) there may be added to such maximum prices the charges for such service items as (specifically but not exclusively) leveling, trimming and lightering, or for the furnishing or procuring of these or other services. In the case of sales of bunker fuel at points at tidewater, such charges shall not exceed the charges made for the same service during the period January 1–15, 1942, inclusive, by the same supplier of bunker fuel; and in the case of sales of bunker fuel at points on the Great Lakes and their connecting or tributary waters, shall not exceed the charges made for the same service by the same supplier of bunker fuel in the period April 15–30, 1942, inclusive.

(3) The rate of interest on overdue accounts or a note, draft or trade acceptance, or other form of indebtedness accepted in payment of an account shall not exceed the rate charged on similar transactions by the same supplier of bunker fuel during the period January 1–15, 1942, inclusive, in the case of sales of bunker fuel at points at tidewater and the period April 15–30, 1942, inclusive, in the case of sales of bunker fuel at points on the Great Lakes and their connecting or tributary waters (except to the extent that such rate may be lower than the rate of interest required to be charged by the seller on delinquent accounts under the orders of the Bituminous Coal Division of the United States, Department of the Interior).

(4) There shall be deducted from the maximum price established in § 1340.313 (Appendix A hereof) the cash and quantity discounts and other allowances (except freight rate absorptions) made or available to the purchasers by the same supplier of bunker fuel during the period January 1–15, 1942, inclusive, in the case of sales of bunker fuel at points at tidewater and the period April 15–30, 1942, inclusive, in the case of sales of bunker fuel at points on the Great Lakes and their connecting or tributary waters.

§ 1340.311 *Federal and State taxes.* (a) Any tax upon, or incident to, the sale, delivery, processing, or use of bituminous coal as bunker fuel, or the supplying of a service in connection therewith, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the supplier's maximum price for such commodity or service and in preparing the records of such supplier with respect thereto:

(1) As to a tax in effect during the period January 1–15, 1942 with respect to sales of bituminous coal as bunker fuel at points at tidewater or during the period April 15–30, 1942, with respect to sales of bituminous coal as bunker fuel at points on the Great Lakes or their connecting or tributary waters: (i) If the supplier paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the supplier, but the supplier did not customarily state and collect separately from the purchase price during the period January 1–15, 1942, or the period April 15–30, 1942, as the case may be, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the supplier may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 189.

(ii) In all other cases, if, at the time the supplier determines his maximum price, the statute or ordinance imposing such tax does not prohibit the supplier from stating and collecting the tax separately, the supplier may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the supplier by the vendor from whom he purchased, and in such case the supplier shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 189.

(2) As to a tax or increase in a tax which becomes effective after January 15, 1942 with respect to sales of bituminous coal as bunker fuel at points at tidewater or after April 30, 1942 with respect to sales of bituminous coal as bunker fuel at points on the Great Lakes and their connecting or tributary waters: If the statute or ordinance imposing such tax or increase does not prohibit the supplier from stating and collecting the tax or increase separately from the purchase price, and the supplier does separately state it, the supplier may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the supplier by the vendor from whom he purchased.

(b) An amount per net ton not in excess of the tax imposed by section 620 of the Revenue Act of 1942 when such tax has been incurred in the transportation of bituminous coal for bunkering vessels may be added to the maximum prices established under § 1340.313, Appendix A, of this Maximum Price Regulation No. 189: *Provided:* That, the tax so incurred shall be stated separately from the price paid by the purchaser.

[§ 1340.311 as amended by Amendment 5, 7 F.R. 10529]

§ 1340.312 *Posting of maximum prices, sales slips, and receipts.* (a) On and after August 15, 1942, every person who is a supplier of bunker fuel subject to this Maximum Price Regulation No. 189 shall post the maximum price per ton of all bunker fuel offered for sale by him at the places in the business establishment where such coal is offered for sale. The maximum price shall be stated as follows: "Ceiling price $____"; or "Our ceiling $____".

(b) On and after August 15, 1942, any person subject to this Maximum Price Regulation No. 189 who has customarily given a purchaser a sales slip or receipt or itemized statement or similar evidence of purchase shall continue to do so. Upon request from a purchaser any person subject to this Maximum Price Regulation No. 189 shall give the purchaser a receipt showing the name and address of the supplier, the price charged therefor, and, where known, the kind, size, and quality of the coal sold.

§ 1340.313 *Appendix A. Maximum prices for bituminous coal for use as bunker fuel.* This Maximum Price Regulation No. 189 establishes maximum prices for all bituminous coal sold or otherwise disposed of, in any quantity, by a person who is a supplier of bunker fuel, for delivery from a mine or a preparation plant operated as an adjunct of a mine or mines, or for delivery from a yard, dock, pier, elevator, bin, or other terminal facilities, or from a transportation vehicle or vessel, to a vessel at points on the Great Lakes and their connecting or tributary waters or at tidewater, as such terms are defined in this regulation, for use as bunker fuel therein. Bituminous coal otherwise sold or delivered, including bituminous coal sold to another person for general use or for delivery by such other person for use as bunker fuel, is not subject to this regulation, but shall be subject to Maximum Price Regulation No. 120 or Revised Maximum Price Regulation No. 122 as the case may be.

(a) The maximum price for the sale of bituminous coal for bunkering vessels by a supplier of bunker fuel at points at tidewater shall be:

(1) The highest price at which the same person sold or delivered bunker fuel at the same point and from the same facilities, between January 1–15, 1942, inclusive. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchasers; for tug, freighter, liner; for domestic or foreign bunkers, etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(2) If the maximum price cannot be determined under (1) above, the maximum price shall be the highest price in a contract executed prior to January 15, 1942 and in effect during the period of January 1–15, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so provided for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freighter, liner; for domestic or foreign bunker; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(3) If the maximum price cannot be determined under (1) or (2) above, the maximum price shall be the price specified in the last price schedule, list, or circular issued by the same person on or before January 15, 1942, and in effect during any portion of the period January 1–15, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so specified for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freighter, liner; for domestic or foreign bunker; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(4) If the maximum price cannot be determined under (1), (2) or (3) above, the maximum price shall be the maximum price applicable to any competitive supplier of bunker fuel in the same locality, for the sale of bunker fuel at the same point and for delivery from similar facilities, under the provisions of this section. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser, for tug, freighter, liner, etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(5) There may be added to the maximum prices established in subparagraphs (1) to (4) of this paragraph (a) not more than the exact amount per net ton of any railroad freight rate increases which became effective between January 15, 1942 and April 30, 1942, and which are actually incurred by the supplier of bunker fuel.

[Paragraph (5) added by Amendment 1, 7 F.R. 6684]

(6) The maximum price per gross ton for the sale of bituminous coal produced at mines in Districts Nos. 7 and 8, sold for delivery to New York Harbor for bunker fuel use shall be the maximum price established for sales of bituminous coal produced at mines in District No. 1 for such use, in accordance with subparagraphs (1) to (5) of this paragraph (a), plus an amount not to exceed the difference between the freight rate on which the particular bituminous coal produced at the Districts Nos. 7 and 8 mines moved, and $2.84.

[Paragraph (6) added by Amendment 4, 7 F.R. 10470; amended by Amendment 7, March 9, 1943]

(b) The maximum price for the sale of bituminous coal for bunkering vessels by a supplier of bunker fuel at points on the Great Lakes and their connecting or tributary waters shall be:

(1) The highest price at which the same person sold or delivered bunker fuel at the same point and for delivery from the same facilities between April 15–30, 1942, inclusive. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchasers; for tug, freight, liner; for domestic or foreign bunkers, etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(2) If the maximum price cannot be determined under (1) above, the maximum price shall be the highest price in a contract executed prior to May 1, 1942 and in effect during the period of April 15–30, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so provided for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freighter, liner; for domestic or foreign bunker; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(3) If the maximum price cannot be determined under (1) or (2) above, the maximum price shall be the price specified in the last price schedule, list, or circular issued by the same person on or before May 1, 1942, and in effect during any portion of the period April 15–30, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so specified for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser; for tug, freight, liner; for domestic or foreign bunkers; etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(4) If the maximum price cannot be determined under (1), (2) or (3) above, the maximum price shall be the maximum price applicable to any competitive supplier of bunker fuel in the same locality, for the sale of bunker fuel at the same point and for delivery from similar facilities, under the provisions of this § 1340.313. This shall be the price for the sale of:

(i) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(ii) To purchasers of the same class (e. g. spot or contract purchaser, for tug, freight, liner, etc.);

(iii) By the same method of delivery or handling from shore facilities; (e. g. car dump, lighter, loading from pockets, conveyor, etc.); and

(iv) Under the same terms of delivery.

(c) The following special rule shall apply to bunker fuel produced in Districts 1–4 and 6–8:

(1) Not more than 25 cents per net ton may be added to the maximum prices determined in accordance with paragraph (a) or (b) of this section when the bunker fuel has been produced at mines in Districts Nos. 1, 2, 3, 4, or 6.

(2) Not more than 25 cents per net ton may be added to the maximum prices determined in accordance with paragraph (a) or (b) of this section when the bunker fuel is high-volatile bituminous coal produced in Districts 7 and 8; and not more than 40 cents per net ton may be so added when the bunker fuel is low-volatile bituminous coal produced in Districts 7 or 8.

(d) Where the maximum price of any supplier of bunker fuel is established under paragraphs (a) (4) or (b) (4) of this section, such supplier shall submit to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C., not later than ten (10) days after the sale of the bunker fuel at a price so established, a description of the sale made at such price, a statement of the reasons why the maximum price could not otherwise be determined, the name of the competitive supplier of bunker fuel whose maximum price was used, and the amount of such price.

(e) Where the maximum price cannot be determined under paragraphs (a), (b) and (c) of this section, then the maximum price shall be a price determined by the supplier in accordance with specific authorization from the Office of Price Administration. A supplier who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration, Solid Fuels Branch, Washington, D. C., two copies of an application setting forth (1) a description of the bunker fuel for which a maximum price is sought, including the producing districts and mine index numbers of the originating mines, and, where a mixture is involved, the proportions of each of the different coals mixed; (2) a statement of the reasons why the bunker fuel in question cannot be priced under paragraphs (a), (b) and (c) of this section; and (3) any other facts which the supplier wishes to submit in support of the application.

[Paragraph (c) redesignated (d), and new paragraphs (c) and (e) added by Amendment 6, 8 F.R. 2236]

§ 1340.314 *Effective date.* Maximum Price Regulation No. 189 (§§ 1340.301 to 1340.314, inclusive) shall become effective August 1, 1942. [Issued July 27, 1942.]

§ 1340.314a *Effective dates of amendments.*

Amendment Nos. and issue dates:	*Effective*
Amendment 1, 8-22-42	8-1-42
Amendment 2, 11-2-42	11-4-42
Amendment 3, 12-5-42	12-5-42
Amendment 4, 12-12-42	12-18-42
Amendment 5, 12-14-42	12-1-42
Amendment 6, 2-18-43	2-18-43
Amendment 7, 3-9-43	3-15-43

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3706; Filed, March 9, 1943; 12:12 p. m.]

PART 1340—FUEL

[RPS 88,[1] Correction to Amendment 73]

PETROLEUM AND PETROLEUM PRODUCTS

Section 1340.159 (c) (3) (xv) of Amendment No. 73 to Revised Price Schedule No. 88 is corrected to read as set forth below:

(xv) *New Haven, Connecticut Area.* In the New Haven, Connecticut Area comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.2
At seller's yard for delivery into buyer's tank wagons	7.5
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over	8.9
Tank wagon deliveries to consumers in quantities of 25 gallons or over	9.7
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.2

This correction shall be effective as of February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3705; Filed, March 9, 1943; 12:11 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 207,[2] as Amended March 9, 1943]

FROZEN FRUITS, BERRIES AND VEGETABLES

A new paragraph (j) is added to § 1341.202, and subparagraph (2) of § 1341.210 (a) is amended by Amendment 4 so that Maximum Price Regulation No. 207 shall read as follows:

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of frozen fruits, berries and vegetables by packers have resulted in the establishment under the General Maximum Price Regulation[3] of maximum prices for such sales which are not generally fair and equitable as applied to the 1942 pack and which are not best calculated to assist in securing adequate production of such commodities. This Maximum Price Regulation No. 207 is issued by the Price Administrator in order to establish for the packers of frozen fruits, berries and vegetables maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942.[4] A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[4]

The Price Administrator has ascertained and given due consideration to the prices of frozen fruits, berries and vegetables prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has consulted with representatives of the frozen fruit, berries and vegetables industry.

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which frozen fruits, berries and vegetables are manufactured, a price for their products equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 15, 1941; or (4) the average price for such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 207 is hereby issued.

Sec.

1341.201 Prohibition against dealing in frozen fruits, berries and vegetables above maximum prices.
1341.202 Packer's maximum prices for frozen fruits, berries and vegetables.
1341.203 Less than maximum prices.
1341.204 Transfer of business or stock in trade.
1341.205 Evasion.
1341.206 Records and reports.
1341.206a Information to purchasers from packers.
1341.207 Enforcement.
1341.208 Petitions for amendment.
1341.209 Applicability.
1341.210 Definitions.
1341.211 Export sales.
1341.212 Sales of frozen strawberries before effective date.
1341.213 When prices established under § 1314.202 may be charged.
1341.214 Effective date.
1341.215 Effective dates of amendment.

AUTHORITY: §§ 1341.201 to 1341.215, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871

§ 1341.201 *Prohibition against dealing in frozen fruits, berries and vegetables above maximum prices.* (a) On and after August 24, 1942, regardless of any contract or other obligation, no packer shall sell or deliver any frozen fruits, berries or vegetables packed after the 1941 pack at a price higher than the maximum prices established pursuant to this Maximum Price Regulation No. 207.

(b) No person in the course of trade or business shall buy or receive any frozen fruits, berries or vegetables from a packer at a price higher than the maximum price established by this Maximum Price Regulation No. 207; and

(c) No packer or other person shall agree, offer, solicit or attempt to do any of the foregoing.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1341.202 *Packer's maximum prices for frozen fruits, berries and vegetables.* (a) The packer's maximum price per dozen or other unit f. o. b. factory for each kind, grade and container size of frozen fruits, berries and vegetables packed after the 1941 pack shall be:

(1) The weighted average price per dozen or other unit f. o. b. factory charged by the packer for such kind, grade and container size during the first 60 days after the beginning of the 1941 pack, revised to reflect no more than seven months' storage in the case of quick-frozen fruits, berries and vegetables and no more than thirty days' storage in the case of cold-packed fruits, berries and vegetables; plus

(2) Twelve per cent of such revised weighted average price per dozen or other unit f. o. b. factory, as determined under paragraph (a) (1) of this section; plus

(3) The actual increase per dozen or other unit in the cost of the raw agricultural commodity delivered at the factory in 1942 over the cost of the same raw agricultural commodity delivered at the factory for the 1941 pack, except as here-

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075, 8 F.R. 157, 232, 233, 857, 1227, 1260, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2594, 2152, 2334, 2349, 2273, 2350, 2501, 2594

[2] 7 F.R. 6599.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[4] Copies may be obtained from the Office of Price Administration. Statements of considerations are also issued simultaneously with issuance of amendments. Requests for copies should be addressed to the Office of Price Administration.

inafter limited in paragraph (b) (2) of

plant prevailing on the respective dates

the provisions of this section are such

(h) No packer shall change his customary allowances, discounts or other

shall add to the adjusted figure the "di-

§ 1341.203 *Less than maximum prices.*

inafter limited in paragraph (b) (2) of this section.

(b) In determining the packer's maximum price:

(1) The "weighted average price" shall be the total gross sales dollars charged for each kind, grade and container size, divided by the number of units sold of such kind, grade and container size. All sales made in the regular course of business during the first 60 days after the beginning of the 1941 pack shall be included, except sales made to the armed forces of the United States. Sales made prior to such period shall not be included, even though delivery is made during the period.

[Paragraph (1) as amended by Amendment 2, 7 F.R. 8875]

(2) The "actual increase in the cost of the raw agricultural commodity" shall be:

(i) The difference per dozen or other unit of each kind, grade and container size between (a) the weighted average cost per unit to the packer of the raw agricultural commodity purchased for the 1941 pack, computed by dividing the total amount paid by the number of units purchased, and (b) the weighted average of the prices per unit, paid or contracted to be paid by the packer to the grower for the same raw agricultural commmodity in 1942, based on not less than the first 75 per cent of his 1942 purchases: *Provided*, That in the case of strawberries any packer who in 1942 purchased his strawberries at less than eight cents per pound may include in the 1942 cost of such strawberries any amount per pound subsequently paid by him to the grower which when added to the amount already paid does not exceed the sum of eight cents per pound.

(ii) But in no case to exceed: (*a*) For all fruits, the following maximum amounts:

Raw agricultural commodity:	Maximum permitted increase (per ton)
Apples	$8
Apricots	23
Cherries, red sour pitted	50
Cherries, sweet	56
Grapes	14
Peaches, freestone (including freestone nectarines)	15
Pears	15
Plums	2
Prunes	13

[Table amended by Amendment 2, 7 F.R. 8875]

(*b*) For all berries, except strawberries, the amount of three cents per pound.

(*c*) For strawberries, the difference between the weighted average cost per pound delivered at the packing plant in 1941 and eight cents per pound.

(*d*) For all vegetables, the difference between the weighted average cost per ton of raw material delivered at the packing plant in 1941 and the weighted average cost per ton delivered at the packing plant in 1942 of at least 75 per cent of the packer's 1942 raw material requirements, but excluding from such weighted average costs in 1942 any raw material costs incurred on or after July 6, 1942, in excess of the market prices of such raw material delivered at the packing plant prevailing on the respective dates on which such raw material was contracted for.

(iii) The actual increase per dozen or other unit which any cooperative packer or packer-grower is entitled to recognize hereunder shall be the actual increase which the most closely competitive non-cooperative packer is entitled to recognize for the same kind, grade and container size.

[Paragraph (iii) amended by Amendment 2]

(iv) In converting the increased cost of the raw agricultural commodity into increased cost per dozen or other unit for each grade and container size, the increase shall be allocated to each grade and container size in the same proportion as costs of raw materials in 1941 were allocated to each grade and container size.

(v) The actual increase per dozen or other unit in the cost of the raw agricultural commodity shall not be computed until the packer has purchased 75 per cent or more of his 1942 requirements. Such increase, as determined hereunder by a packer, shall be deemed to be his actual increase and shall not be subject to adjustment thereafter for later fluctuations in the cost of the raw agricultural commodity.

(c) If the maximum price for any kind, grade and container size of any frozen fruits, berries or vegetables cannot be determined under paragraphs (a), (b) or (i) of this section, the packer's maximum price for such kind, grade and container size shall be the maximum price of the most closely competitive packer.

(d) If the packer's maximum price cannot be determined under paragraphs (a), (b), (c), or (i) of this section, the maximum price shall be a price determined by the packer after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a description in detail of the kind, grade and container size of the frozen fruits, berries or vegetables for which a maximum price is sought; and (2) a statement of the facts which differentiate such kind, grade and container size of frozen fruits, berries or vegetables from the most similar kind, grade and container size for which he has determined a maximum price, stating such most similar kind, grade and container size and the maximum price determined therefor. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the packer shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

[Paragraphs (c) and (d) as amended by Amendment 3, 8 F.R. 2192]

[NOTE: Supplementary Order No. 23 (7 F.R. 8478) provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation need be notarized.]

(e) Any packer who believes that the maximum prices determined pursuant to the provisions of this section are such that they subject him to hardship with respect to any particular brand of frozen fruits, berries or vegetables may apply to the Office of Price Administration, Washington, D. C., for authorization to compute his maximum prices hereunder separately for such brand. Such application shall set forth, under oath or affirmation, (1) the maximum prices which would be established under this section for each kind, grade and container size of such brand if such prices for such brand were computed separately under the foregoing paragraphs of this section, (2) the number of years in which the packer has packed under such particular brand, (3) the amount of each kind, grade and container size of that particular brand packed by him during the 1941 pack, (4) the amount of the same kind, grade and container size packed by him during the 1941 pack which was not packed under such brand, (5) the extent to which the brand in question was used and advertised during the year 1941, (6) the price relationship between the particular brand in question and his other brands or unbranded frozen fruits, berries and vegetables of the 1941 pack, (7) the number of brands, other than the particular brand in question under which the packer packed the same kind of frozen fruits, berries or vegetables in 1941, and (8) such other facts as the packer may deem relevant.

(f) The maximum price for each kind, grade and container size for a packer who owns more than one factory shall be determined separately for each factory, except that if any group of two or more factories located in the same growing or packing area had the same f. o. b. factory prices in 1941, the maximum prices shall be determined uniformly for the entire group by using the combined figures for all of the factories in the group in computing the maximum price under paragraphs (a) and (b) of this section, or if that cannot be determined, by using the price of the most closely competitive packer, under paragraph (c) of this section, as the maximum price of the entire group. In applying for the specific authorization of a price under paragraph (d) of this section, the application may be made for a uniform maximum price for all of the factories in such group.

(g) Any packer who sold and delivered a particular brand of frozen fruits, berries or vegetables packed by him during the calendar year 1941 on an established uniform delivered price basis by zone or area, may add to the maximum price per dozen f. o. b. factory computed under the foregoing paragraphs of this section for each grade and container size of such brand of frozen fruits, berries or vegetables, the freight charge he added to his f. o. b. factory price during the calendar year 1941, for such grade and container size of such brand of frozen fruits, berries or vegetables in the same zone or area. The resulting price shall be the packer's maximum delivered price for such grade and container size of such brand of frozen fruits, berries or vegetables for the zone or area in which the same freight factor was used in 1941.

(h) No packer shall change his customary allowances, discounts or other price differentials, including price differentials between different classes of purchasers and price differentials between brands, except when authorized to compute brand differentials pursuant to paragraph (e) of this section, unless such change results in a lower price.

(i) *New container types and sizes.* (1) The maximum price per dozen or other unit for a kind and grade of frozen fruits, berries or vegetables packed in any container type or size of which the packer made no sales during the first 60 days after the beginning of the 1941 pack shall be calculated as follows. He shall:

(i) *Determine the base container.* If the packer sold the same kind and grade of frozen fruits, berries or vegetables during the first 60 days following the beginning of the 1941 pack, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind and grade of frozen fruits, berries or vegetables under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(ii) *Find the base price.* The seller shall take as the "base price" his maximum price per dozen, f. o. b. factory, for the kind and grade of frozen fruit, berries or vegetables when placed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the seller's factory, the seller shall first convert it to a base price f. o. b. factory by subtracting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price, f. o. b. factory, the seller shall then subtract the direct cost, of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, caps, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. factory.* Next, the seller shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the seller's maximum price, f. o. b. factory.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the seller's maximum price for the frozen fruit, berries or vegetables in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The seller shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the frozen fruit, berries or vegetables in the new container will move under a different freight tariff classification, the seller shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of transportation charge.) The seller shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the seller's maximum delivered price.

(2) If the packer has established a maximum price for any new item prior to February 23, 1943, under § 1341.202, (c) or (d), he may retain that maximum price, or, at his option, he may establish a maximum price under this paragraph.

[Paragraph (i) added by Amendment 3, 8 F.R. 2192]

(j) *Adjustable pricing.* Any person may offer or agree to adjust any selling price to a price not higher than the maximum price in effect at the time of delivery. Where a petition for amendment requires extended consideration, the Price Administrator may, upon application in an appropriate situation, grant permission to agree to adjust prices upon deliveries made while the petition is pending in accordance with the disposition of the petition.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1341.203 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 207 may be charged, demanded, paid or offered.

§ 1341.204 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a packer are sold or otherwise transferred on or after August 24, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this Maximum Price Regulation No. 207.

§ 1341.205 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 207 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to frozen fruits, berries or vegetables, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1341.206 *Records and reports.* Every packer who makes sales of frozen fruits, berries or vegetables packed after the 1941 pack, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by § 1341.202, and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for frozen fruits, berries or vegetables sold on and after August 24, 1942, and (c) file with the Office of Price Administration, Washington, D. C., within 10 days after determining his maximum prices for each kind of frozen fruits, berries or vegetables, a statement certified under oath or affirmation showing his weighted average price and his increase in the cost of the raw agricultural commodity, as determined under § 1341.202 hereof, together with the maximum price determined hereunder for each grade and container size of such kind of frozen fruits, berries or vegetables and all his customary allowances and discounts, and (d) in those cases in which the maximum price of any kind, grade and container size of frozen fruits, berries or vegetables was determined by the maximum price of the most closely competitive packer, showing the maximum price of such kind, grade and container size and the name and address of the packer whose maximum price was so adopted, and (e) in those cases in which a packer made sales and deliveries of a particular brand of frozen fruits, berries or vege-

tables packed by him in 1941 on an established uniform delivered price basis by zone or area, showing his maximum price per dozen f. o. b. factory for each grade and size of such brand of frozen fruits, berries or vegetables, the freight charge which he added to his f. o. b. factory price during the calendar year 1941 for each zone or area and the maximum delivered price for each kind, grade and container size of frozen fruits, berries or vegetables packed after the 1941 pack delivered in each zone or area, and (f) preserve for a period of two years a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any packer who claims that substantial injury would result to him from making any such statement available to any other person, may file such copy of such statement with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 207.

§ 1341.206a *Information to purchasers from packers.* (a) Any packer selling any frozen fruits, berries or vegetables packed after the 1941 pack to any wholesaler, retailer or other purchaser, shall, before or at the time of delivery, disclose in writing to his purchaser, for each such kind, grade, brand and container size included in the sale, (1) the packer's weighted 60-day average price, as defined in paragraph (b) (1) of § 1341.202, adjusted to reflect the storage prescribed in paragraph (a) (1) therein, designated as the "base price", (2) the packer's maximum price, as computed under the provisions of this Regulation, designated as the "maximum price", and (3) the amount of the difference between such "base price" and such "maximum price", designated as the "permitted increase". In calculating the "permitted increase", the packer shall adjust any fraction of a cent to the nearest fractional unit in which the wholesaler customarily quotes prices for that item. Such statement may also contain similar information for any other brand, kind, flavor and container type and size of frozen fruits, berries and vegetables covered by this Regulation.

(b) When any packer has established a maximum price for any kind, grade and container size by using the maximum price of his competitor, as provided in paragraph (c) of § 1341.202, his base price shall be deemed to be the same as the base price of such competitor.

(c) When any packer makes application to determine a maximum price after specific authorization by the Office of Price Administration, as provided in paragraph (d) of § 1341.202, such authorization will be accompanied by instructions as to the method for determining the price to be deemed the base price.

[§ 1341.206a added by Amendment 1, 7 F.R. 6831; amended by Amendment 2, 7 F.R. 8875]

(d) When any packer has established a maximum price under paragraph (i) of § 1341.202, he is not required to notify his wholesalers or retailers under the provisions of this section.

[Paragraph (d) added by Amendment 3, 8 F.R. 2192]

§ 1341.207 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 207, are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1341.208 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 207 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5] (§ 1341.208 amended by Supplementary Order 26, 7 F.R. 8948)

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1341.209 *Applicability.* The provisions of this Maximum Price Regulation No. 207 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.210 *Definitions.* (a) When used in this Maximum Price Regulation No. 207 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means a person who freezes and packs, either as a quick-freezer or as a cold-packer, one or more of the products defined herein as frozen fruits, berries and vegetables. A packer of any kind of frozen fruits, berries or vegetables covered by this regulation shall be a packer when selling any other kind covered by this regulation unless he sells that other kind as a wholesaler or retailer. "Wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in Maximum Price Regulation No. 255 and Revised Maximum Price Regulation No. 256.

(3) "Frozen fruits, berries and vegetables" means any fruits, berries or vegetables which have been frozen and packed.

(4) "1941 pack" of any frozen fruits, berries or vegetables shall be that pack the major portion of which was frozen and packed during the calendar year 1941.

(5) "The most closely competitive packer" means the packer who:

(i) Sells to the same class of buyers,

(ii) Packs the same or similar quality range of the product in question,

(iii) Has sold in the past the same kind of frozen fruits, berries or vegetables at approximately the same prices as the packer establishing a maximum,

(iv) Has used the same general merchandising methods, and

(v) Is located in the same general growing and packing area, or if there is no such packer in the same general growing and packing area, is located in the nearest growing and packing area.

(6) "Kind", when referring to any frozen fruits, berries or vegetables, also refers to the style of the pack of such frozen fruits, berries or vegetables.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.211 *Export sales.* The maximum price at which a person may export frozen fruits, berries and vegetables shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[6] issued by the Office of Price Administration.

§ 1341.212 *Sales of frozen strawberries before effective date.* In any case in which a packer has sold before August 24, 1942, any frozen strawberries which were packed after the 1941 pack, such packer is hereby authorized to receive further payments from his buyer to the extent that such payments, when added to those already received under the contract of sale, do not exceed the maximum price which would have been established for him by this Maximum Price Regulation No. 207 had sale or delivery occurred after August 24, 1942.

§ 1341.213 *When prices established under § 1341.202 may be charged.* Every packer of frozen fruits, berries and vegetables shall take inventory of his stock of frozen fruits, berries and vegetables as of August 24, 1942, and shall deduct therefrom all such frozen fruits, berries and vegetables as were packed after the 1941 pack and prior to August 24, 1942. The difference so obtained shall be the quantity which such packer is hereby required to sell subject to maximum prices computed in conformity with the provisions of the General Maximum Price Regulation before he is entitled to sell any frozen fruits, berries and vegetables subject to the maximum prices established under § 1341.202 of this Maximum Price Regulation No. 207.

§ 1341.214 *Effective date.* This Maximum Price Regulation No. 207 (§§ 1341.201 to 1341.214 inclusive) shall become effective August 24, 1942. [Issued August 18, 1942]

§ 1341.215 *Effective dates of amendments.*

Amendment Nos. and issue dates:	Effective
Amendment 1, 8-28-42	8-28-42
Amendment 2, 10-30-42	11- 5-42
Amendment 3, 2-17-43	2-23-43
Amendment 4, 3-9-43	3-15-43

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F.R. Doc. 43-3707; Filed, March 9, 1943; 12:12 p. m.]

[5] 7 F.R. 8961.

[6] 7 F.R. 5059, 8829, 9000, 10530.

PART 1341—CANNED AND PRESERVED FOODS

[MPR 226,[1] as Amended March 9, 1943]

FRUIT PRESERVES, JAMS AND JELLIES

Section 1341.302 (i) is added and § 1341.314 (a) (2) is amended, so that Maximum Price Regulation 226 shall read as follows:

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of fruit preserves, jams and jellies have resulted in the establishment under the General Maximum Price Regulation[2] of maximum prices which are not generally fair and equitable as applied to the 1942 pack and which are not best calculated to assist in securing adequate production of these commodities. This Maximum Price Regulation No. 226 is issued by the Price Administrator in order to establish for the packers of fruit preserves, jams and jellies maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations[3] involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.

The Price Administrator has given due consideration to the prices of fruit preserves, jams and jellies prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has consulted with representatives of the fruit preserves, jams and jellies industry.

The maximum prices established by this Regulation are not below prices which will reflect to the producers of the raw agricultural commodities from which fruit preserves, jams and jellies are manufactured, a price for each such commodity equal to the highest of any of the following prices, as determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market price prevailing on October 1, 1941; (3) the market price prevailing on December 15, 1941; or (4) the average price during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 226 is hereby issued.

Sec.

1341.301 Prohibition against dealing in fruit preserves, jams and jellies above maximum prices.
1341.302 Packer's maximum prices for fruit preserves, jams and jellies.
1341.303 Inability to fix maximum prices under § 1341.302.
1341.304 Less than maximum prices.
1341.305 Customary allowances and discounts.
1341.306 Transfers of business or stock in trade.
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AUTHORITY: §§ 1341.301 to 1341.317, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1341.301 *Prohibition against dealing in fruit preserves, jams and jellies above maximum prices.* (a) On and after September 26, 1942, regardless of any contract or other obligation, no packer shall sell or deliver any fruit preserves, jams or jellies covered by this Maximum Price Regulation No. 226 at a price higher than the maximum prices established by this Maximum Price Regulation No. 226.

(b) No person in the course of trade or business shall buy or receive any fruit preserves, jams or jellies from a packer at a price higher than the maximum prices established by this Maximum Price Regulation No. 226;

(c) No person shall agree, offer, solicit or attempt to do any of these things.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1341.302 *Packer's maximum prices for fruit preserves, jams and jellies.* (a) The packer's maximum price per dozen or other unit f. o. b. factory for each kind, flavor, brand and container type and size of fruit preserves, jams and jellies covered by this Maximum Price Regulation No. 226 shall be:

(1) The weighted average price per dozen or other unit f. o. b. factory charged by the packer for the kind, flavor, brand and container type and size during the applicable 1941 base period; plus

(2) 1.4¢ for each pound of finished fruit preserves, jam or jelly in a dozen or other unit of that size container; plus

(3) The difference per dozen or other unit between the weighted average cost delivered at the factory of 1941 fruit purchased or contracted for during and prior to the 1941 base period, adjusted in the case of cold-packed fruit to include six months' storage, and the weighted average cost delivered at the factory of 1942 fruit purchased or contracted for during and prior to the 1942 base period, adjusted in the case of cold-packed fruit to include six months' storage; except as limited in paragraph (b) (7) of this section; plus

(4) The difference, if any, per dozen or other unit between the weighted average cost, exclusive of fruit, which the packer actually incurred during the year 1941 in cold-packing fresh fruit of the given flavor for use in his 1941 pack and the weighted average cost which he actually incurred during the year 1942 in cold-packing fresh fruit for use in his 1942 pack. However, in no event shall this difference exceed 1 cent per pound of the frozen fruit.

[Paragraph (3) as amended and (4) added by Amendment 5, 8 F.R. 2023]

(b) In determining the packer's maximum price:

(i) The "weighted average price" shall be the total gross sales dollars charged for each kind, flavor, brand and container type and size, divided by the number of units of that item sold. All sales made in the regular course of business during the applicable base period of 1941 shall be included, except sales made to the United States. Sales made prior to this period shall not be included, even though delivery was made during the period.

[Paragraph (1) as amended by Amendment 1, 7 F.R. 8889]

(2) The "applicable base period" shall be:

(i) The months of June and July for the following flavors: apricot, black raspberry, cherry, currant, guava, pineapple, raspberry and strawberry, except that for the purpose of determining the "weighted average cost delivered at the factory of 1942 fruit" the 1942 base period shall be the months of June, July, August and September.

(ii) The months of August and September for the following flavors: blackberry, boysenberry, elderberry, loganberry, peach, plum, tomato and youngberry, except that for the purpose of determining the "weighted average cost delivered at the factory of 1942 fruit" the 1942 base period shall be the months of August, September and October.

[Paragraphs (i) and (ii) as amended by Amendment 2, 7 F.R. 8890]

(iii) The months of October and November for the following flavors: apple, boiled cider, crabapple, grape and quince.

(3) In the case of any mixed flavor, the "applicable base period" shall be the base

[1] 7 F.R. 7490, 8798.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6038, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[3] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

period prescribed in paragraph (b) (2) of this section for the flavor which predominates by weight in the fruit mixture.

(4) The "weighted average cost" shall be the total amount paid for fresh, canned and cold-packed fruit of the flavor being priced divided by the total number of pounds or other unit of that fruit purchased.

(5) "1941 fruit purchased" and "1942 fruit purchased" shall include only fresh fruit or fruit which was canned or cold-packed during the years 1941 and 1942, respectively.

(6) In computing the weighted average cost delivered at the factory of 1942 fruit purchased or contracted for during and prior to the 1942 base period, the packer shall estimate to the best of his ability all fruit costs which he reasonably expects to incur from that time until the end of the base period. However, as to those flavors for which the applicable base period is October and November, the weighted average cost shall be computed as of a date no earlier than September 28, 1942.

(7) In computing the weighted average cost delivered at the factory of 1942 fruit purchased or contracted for during and prior to the 1942 base period, the packer shall exclude from the computation any amounts paid for fruit in excess of the following amounts:

(i) For all canned and cold-packed fruits and berries, the maximum prices which the packer's supplier or suppliers were entitled to charge him under Maximum Price Regulation No. 185 and Maximum Price Regulation No. 207 in the respective sales by which the canned and cold-packed fruits were acquired by the packer.

(ii) For all fresh fruits, but not including guavas, quince or berries, the sum of (*a*) the weighted average cost delivered at the factory of 1941 fruit purchased or contracted for during and prior to the 1941 base period and (*b*) the following respective amounts:

Raw agricultural commodity:	*Maximum permitted increase (per ton)*
Apples	$6.50
Apricots	23.
Cherries, red sour pitted	50.
Cherries, sweet	56.
Crabapples	6.50
Grapes	14.
Peaches (clingstone)	7.
Peaches (freestone)	15.
Plums	2.
Tomatoes	1.

[Table as amended by Amendment 1, 7 F.R. 8889]

(iii) For guavas and quince, the market prices delivered at the factory prevailing on the respective dates on which the guavas and quince were contracted for.

(iv) For all fresh berries, the sum of (*a*) the weighted average cost per pound delivered at the factory of 1941 fruit purchased and contracted for during or prior to the 1941 base period and (*b*) three cents per pound.

(8) In converting the increased cost of fruit into increased cost per dozen or other unit for each kind and container type and size, the increase shall be allocated to each kind and container type and size in the same proportion as costs of fruit in 1941 were allocated.

[Paragraph (8) corrected, 7 F.R. 8798]

(c) The maximum price for each kind, flavor, brand and container type and size for a packer who owns more than one factory shall be determined separately for each factory. But if any two or more factories had the same f. o. b. factory prices in 1941 a maximum price may be determined uniformly for that group by using the combined figures of the group in the computations required by paragraphs (a) and (b) of this section. In applying for the specific authorization of a price under paragraph (b) of § 1341.303, application may be made for a uniform maximum price applicable to the whole group.

(d) Any packer who regularly sold a purchaser any item of fruit preserves, jams or jellies on a delivered price basis during the calendar year 1941 shall increase the maximum price for the item, as computed under the preceding paragraphs of this section, by the amount of the freight charge for that item which he added to his f. o. b. factory price during March 1942. The resulting price shall be the packer's maximum delivered price for that purchaser.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

(e) *New container types and sizes.* (1) The maximum price per dozen or other unit for a kind, flavor and brand of fruit preserves, jams or jellies packed in any container type or size which the packer did not sell during the 1941 base period shall be calculated as follows. He shall:

(i) *Determine the base container.* If the packer sold the same kind, flavor and brand of fruit preserves, jams or jellies during the 1941 base period, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind, flavor and brand under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size, which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container". If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(ii) *Find the base price.* The packer shall take as the "base price" his maximum price for the kind, flavor and brand of fruit preserves, jams or jellies when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the packer's factory, the packer shall first convert it to a base price f. o. b. packer's factory by deducting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price f. o. b. factory, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. factory.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the packer's maximum price, f. o. b. factory.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the packer's maximum price for the fruit preserves, jam or jelly in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The packer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the fruit preserves, jam or jelly in the new container will move under a different freight tariff classification, the packer shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The packer shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the packer's maximum delivered price.

(2) If the packer has established a maximum price for any new item prior to January 25, 1943, under Section 1341.303, he may retain that maximum price, or, at his option, he may establish a maximum price under this paragraph.

[Paragraph (e) added by Amendment 3, 7 F.R. 10226, amended by Amendment 4, 8 F.R. 1134]

(f) *Packers selling to consumers.* Any packer who regularly sells any item of fruit preserves, jams or jellies to ultimate consumers other than industrial, institutional and commercial users shall calculate a maximum price for the item separately to that class of purchasers. If during the 1941 base period such a packer sold the item also to wholesalers or retailers, he shall calculate his maximum price to ultimate consumers (other than industrial, institutional and commercial users) by adding to his maximum price to such consumers under the General Maximum Price Regulation, the permitted increase which he has calculated under this regulation for his retailers or for his wholesalers (converted to retail units). If during the 1941 base period he sold the item only to ultimate consumers (other than industrial, institutional and commercial users), he shall add the permitted increase which the nearest comparable packer who sells to retailers or wholesalers has computed for his retailers or for his wholesalers (converted to retail units).

[Paragraph (f) added by Amendment 3, 7 F.R. 10226]

(g) *Separate maximum prices in sales to wholesalers and retailers.* Any packer who has an established practice of selling an item to wholesalers and retailers at substantially different prices may calculate separate maximum prices to these classes of purchasers. For this purpose, the packer shall accordingly segregate his 1941 prices for the item when calculating weighted average prices charged during the 1941 base period.

(h) *Sales to the United States and agencies.* Any packer selling an item to the United States or its agencies shall take as his maximum price in that sale the maximum price established for him in sales to wholesalers, or, if he sells only to retailers, the maximum price established for him in sales to retailers. A packer who sells only to the ultimate consumer shall take as his maximum price the maximum price which the nearest comparable packer who sells to wholesalers or retailers is entitled to charge.

[Paragraphs (g) and (h) added by Amendment 5, 8 F.R. 2023]

(i) *Adjustable pricing.* Any person may offer or agree to adjust any selling price to a price not higher than the maximum price in effect at the time of delivery. Where a petition for amendment requires extended consideration, the Price Administrator may, upon application in an appropriate situation, grant permission to agree to adjust prices upon deliveries made while the petition is pending in accordance with the disposition of the petition.

§ 1341.303 *Inability to fix maximum prices under § 1341.302.* (a) If the packer's maximum price for any item cannot be determined under § 1341.302, his maximum price shall be the maximum price of the most closely competitive packer.

(b) If the packer's maximum price for any item cannot be determined under § 1341.302 or under paragraph (a) of this section, the maximum price shall be a price determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a detailed description of the kind, flavor, brand and container type and size; and (2) a statement of the facts which differentiate it from the most similar item for which he has determined a maximum price, identifying the similar item and stating the maximum price determined for it. When authorization is given, it will be accompanied by instructions for determining the maximum price. Within ten days after the price has been determined, the seller shall report it to the Office of Price Administration, Washington, D. C. This price shall be subject to adjustment at any time by the Office of Price Administration.

§ 1341.304 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 226 may be charged, demanded, paid or offered.

§ 1341.305 *Customary allowances and discounts.* The maximum prices established by §§ 1341.302 and 1341.303 shall be reduced to reflect the packer's customary allowances, discounts and other price differentials.

§ 1341.306 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any packer are sold or otherwise transferred on or after September 26, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

§ 1341.307 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 226 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to fruit preserves, jams and jellies, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.308 *Enforcement.* Any person violating a provision of this Maximum Price Regulation No. 226, is subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1341.309 *Records and reports.* Every packer who makes sales of any fruit preserves, jams or jellies covered by this Maximum Price Regulation No. 226, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by § 1341.302; and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for fruit preserves, jams or jellies sold on and after September 26, 1942; and (c) file with the Office of Price Administration, Washington, D. C., within 10 days after determining his maximum prices for each kind, flavor, brand and container type and size of fruit preserves, jams or jellies, a statement showing (1) his weighted average price and his increase in the cost of the raw agricultural commodity, as determined under § 1341.302, together with the maximum price determined under this regulation and all customary allowances, discounts and differentials, and (2) in those cases in which the maximum price was determined by the maximum price of the most closely competitive packer, the maximum price and the name and address of the packer whose maximum price was adopted; and (d) preserve for a period of two years a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any packer who claims that substantial injury would result to him from making any such statement available to any other person, may file a copy of the statement with the nearest regional, State, district, or field office of the Office of Price Administration. The information contained in the statement will not be published or disclosed unless it is determined that the withholding of the information is contrary to the purposes of this regulation.

§ 1341.309a *Information which packers must give their customers.*—(a) *Notice from packers to wholesalers.* In the case of any item of fruit preserves, jams or jellies which is being sold by a packer to a wholesaler for the first time after the packer's maximum price for it has been established under §§ 1341.302 or 1341.303, the packer shall send the wholesaler (before or at the time of delivery) a written statement which lists for each such item included in the sale (1) the weighted average price charged by the packer during the month of December 1941, called the "base price", (2) the packer's maximum price, as calculated under the provisions of this regulation, called the "maximum price", and (3) the amount of the difference between the "base price" and the "maximum price", called the "wholesaler's permitted increase". If the packer has established a maximum price under paragraphs (a) to (d) of § 1341.

302, but made no sales of the item during December 1941, his base price shall be his highest offering price during December 1941, but if he had no offering price, he shall report only the permitted increase which the most closely competitive packer calculated for his own wholesalers. If the packer has established a maximum price under paragraph (e) of § 1341.302, he is not required to notify his wholesalers under the provisions of this paragraph. If the packer has established a maximum price by taking the maximum price of his competitor, as provided in § 1341.303 (a), and he made no sales of the item during December 1941, his base price shall be his highest offering price during December 1941 or, if he had no offering price, the base price of the most closely competitive packer. When any packer asks for special authority to determine a maximum price under § 1341.303 (b), the Office of Price Administration will instruct him how to determine his base price. When calculating the "wholesaler's permitted increase", the packer shall adjust any fraction of a cent to the nearest fractional unit in which the wholesaler customarily quotes prices for the item.

[Paragraph (a) as amended by Amendment 3, 7 F.R. 10226, and Amendment 4, 8 F.R. 1134]

(b) *Notice from packers to retailers—*(1) *General package requirement.* Every packer who sells any item of fruit preserves, jams or jellies under his own label during the 90-day period beginning November 6, 1942, whether to a wholesaler or a retailer, shall include with its shipping case (or other package unit in which the retailer usually purchases the product) a "Notice of Retailer's Permitted Increase". This notice must be either pasted or stamped on the outside of each shipping case sold or printed on a slip and enclosed. In the latter case the packer shall place this statement on the outside: "Retailer's Notice Enclosed". The packer shall calculate the retailer's permitted increase for the item by reducing the permitted increase which he computed for the wholesaler under paragraph (a), where necessary, to the units in which the commodity is usually sold at retail. When making this calculation, the packer shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than one-half cent to the next lower cent. Except for the proper insertion, the Notice of Retailer's Permitted Increase shall read as follows:

NOTICE OF RETAILER'S PERMITTED INCREASE

Your new OPA ceiling price for the enclosed item is your March ceiling price *plus* _____ cents per retail container. OPA requires you to keep this information for examination.

[Paragraph (b) (1) as amended by Amendment 5, 8 F.R. 2023]

(2) *First sales directly to retailers; where notices do not accompany packages.* In the case of any item of fruit preserves, jams or jellies which is being sold by a packer to any retailer for the first time after the packer's maximum price for it has been established under §§ 1341.302 or 1341.303 and which for any reason is being sold in a form which does not include a packer's Notice of Retailer's Permitted Increase, the packer shall send the retailer (before or at the time of delivery) a written statement that (i) clearly identifies each such item included in the sale and (ii) states the "permitted increase" for it which the retailer is directed to add to his maximum price as established under the General Maximum Price Regulation. When preparing the statement the packer shall calculate the retailer's permitted increase for the item by reducing the permitted increase which he computed for the wholesaler under paragraph (a), where necessary, to the units in which the commodity is usually sold at retail. When making this calculation, the packer shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than one-half cent to the next lower cent. Each statement shall be accompanied by this notice:

Your new OPA ceiling price for each item noted is your March ceiling price *plus* the permitted increase shown per retail container. OPA requires you to keep this information for examination.

This statement may also contain similar information for any other items covered by this regulation even though they are not included in the sale.

(c) *Notification of wholesalers and retailers where the packer's maximum price has again been changed.* In cases where the packer is required to revise his maximum price for an item because of an amendment changing the packer's pricing method, the packer shall insert shipping case notices, in the manner explained above in paragraph (b), for 90 days after the change is made. If the packer previously sent out retailer notices for the item, he shall add the following sentence to the new notice: "OPA has made a new change in the packer's ceiling price and it now directs you to re-figure your ceiling as provided in this notice." The packer shall also notify his wholesalers in the manner explained in paragraph (a), and in each case where a wholesaler notice for the item has already been sent out he shall add the same new sentence and shall request that the wholesaler do likewise when notifying retailers.

[Paragraph (c) added by Amendment 5, 8 F.R. 2023]

[§ 1341.309a added by Amendment 1, 7 F.R. 8889]

§ 1341.310 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 226 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

[§ 1341.310, as amended by Supplementary Order 26; 7 F.R. 8948]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1341.311 *Applicability.* The provisions of this Maximum Price Regulation No. 226 shall be applicable only to the United States and the District of Columbia.

§ 1341.312 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 226 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of fruit preserves, jams and jellies for which maximum prices are established by this Regulation, except as provided in § 1341.315 (b).

§ 1341.313 *Export sales.* The maximum prices at which a person may export fruit preserves, jams and jellies shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration.

§ 1341.314 *Definitions.* (a) When used in this Maximum Price Regulation No. 226 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any of its agencies, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means a person who preserves and packs one or more of the products defined in subparagraphs (3) and (4) as fruit preserves, jams and jellies. A packer of any kind of fruit preserves, jams or jellies, covered by this regulation shall be a packer when selling any other kind covered by this regulation unless he sells that other kind as a wholesaler or retailer. "Wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in Maximum Price Regulation No. 255 and Revised Maximum Price Regulation No. 256.

(3) "Fruit preserves and jams" shall mean any viscous or semi-solid food obtained by concentrating a mixture of fruit and saccharine ingredients in which the fruit ingredient is not less than 45 parts and the saccharine ingredients not more than 55 parts by weight, as defined by the Regulation Fixing and Establishing Definitions and Standards of Identity for Preserves, Jams, issued under the Federal Food Drug and Cosmetic Act of 1938 and printed in the FEDERAL REGISTER on September 5, 1940.[6]

(4) "Fruit jellies" shall mean any semi-solid food of gelatinous consistency

[4] 7 F.R. 8961.

[5] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[6] 5 F.R. 3554.

obtained by concentrating, by the application of heat, a mixture of fruit juice or diluted or concentrated fruit juice and saccharine ingredients, in which the fruit juice is not less than 45 parts by weight and the saccharine ingredients not more than 55 parts by weight, as defined by the Regulation Fixing and Establishing Definitions and Standards of Identity for Jellies, issued under the Federal Food Drug and Cosmetic Act of 1938 and printed in the FEDERAL REGISTER on September 5, 1940.[1]

(5) "The most closely competitive packer" means the packer who:

(i) Sells to the same class of buyer,

(ii) Packs the same or similar quality range of the product.

(iii) Has sold in the past the same kind of fruit preserves, jams or jellies at approximately the same prices as the packer establishing a maximum price.

(iv) Has used the same general merchandising methods, and

(v) Is located in the same general growing and packing area or, if there is no such packer in the same general growing and packing area, is located in the nearest growing and packing area.

(b) Unless the context otherwise requires, the definitions of section 302 of Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

§ 1341.315 *When prices established under § 1341.302 may be charged.* (a) The maximum prices established by § 1341.302 shall not apply to any of the following flavors of fruit preserves, jams and jellies until October 1, 1942; apple, boiled cider, crabapple, grape and quince.

(b) Prior to October 1, 1942, every packer shall sell the flavors listed in paragraph (a) subject to maximum prices computed in conformity with the General Maximum Price Regulation.

§ 1341.316 *Effective date.* This Maximum Price Regulation No. 226 (§§ 1341.301 to 1341.316 inclusive) shall become effective September 26, 1942. [Issued September 21, 1942.]

§ 1341.317 *Effective dates of amendments.*

Amendment Nos. and Issue dates:	Effective
Correction, 10-28-42	11-3-42
Amendment 1, 10-31-42	11-6-42
Amendment 2, 10-31-42	11-5-42
Amendment 3, 12-5-42	12-11-42
Amendment 4, 1-23-43	1-25-43
Amendment 5, 2-12-43	2-18-43
Amendment 6, 3-9-43	3-15-43

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3708; Filed, March 9, 1943; 12:13 p.m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 232,[2] as Amended March 9, 1943]

APPLE BUTTER

Section 1341.452 (g) is added, so that Maximum Price Regulation shall read as follows:

[1] 5 F.R. 3558.

[2] 7 F.R. 7778, 7966, 8890, 8948, 10226; 8 F.R. 1135

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of apple butter have resulted in the establishment under the General Maximum Price Regulation[3] of maximum prices which are not generally fair and equitable as applied to the 1942 pack and which are not best calculated to secure adequate production of this commodity. This Maximum Price Regulation No. 232 is issued by the Price Administrator in order to establish for the packers of apple butter maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation has been issued and filed with the Division of the Federal Register.[4]

The Price Administrator has given due consideration to the prices of apple butter prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has consulted with representatives of the apple butter industry.

The maximum prices established by this regulation are not below prices which will reflect to apple growers a price for apples equal to the highest of any of the following prices, as determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price adjusted by the Secretary of Agriculture for grade location and seasonal differentials; (2) the market price prevailing on October 1, 1941; (3) the market price prevailing on December 15, 1941; or (4) the average price during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 232 is hereby issued.

Sec.

1341.451 Prohibition against dealing in apple butter above maximum prices.
1341.452 Packer's maximum prices for apple butter.
1341.453 Inability to fix maximum prices under § 1341.452.
1341.454 Less than maximum prices.
1341.455 Customary allowances and discounts.
1341.456 Transfers of business or stock in trade.
1341.457 Evasion.
1341.458 Enforcement.
1341.459 Records and reports.
1341.459a Information which packers must give their customers.
1341.460 Petition for amendment.
1341.461 Applicability.
1341.462 Applicability of the General Maximum Price Regulation.
1341.463 Export sales.
1341.464 Definitions.
1341.465 Effective date.
1341.466 Effective dates of amendments.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6081, 6216, 6615, 6007, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[4] Copies may be obtained from the Office of Price Administration. Statements of considerations are also issued simultaneously with issuance of amendments.

AUTHORITY: §§ 1341.451 to 1341.466, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1341.451 *Prohibition against dealing in apple butter above maximum prices.*

(a) On and after October 1, 1942, regardless of any contract or other obligation, no packer shall sell or deliver any apple butter at a price higher than the maximum prices established by this Maximum Price Regulation No. 232;

(b) No person in the course of trade or business shall buy or receive any apple butter from a packer at a price higher than the maximum prices established by this Maximum Price Regulation No. 232;

(c) No person shall agree, offer, solicit or attempt to do any of these things.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1341.452 *Packer's maximum prices for apple butter.* (a) The packer's maximum price per dozen or other unit f. o. b. factory for each brand, container type and size of apple butter shall be:

(1) The weighted average price per dozen or other unit f. o. b. factory charged by the packer for the brand, container type and size during the months of October and November 1941; plus

(2) ½¢ for each pound of finished apple butter in a dozen or other unit of that size container; plus

(3) The sum of the weighted average cost increases for raw materials. The increase shall be computed for each raw material by taking the difference per dozen or other unit of the finished product between the weighted average cost delivered at the factory of the raw material purchased or contracted for between March 1, 1941, and October 1, 1941, and the weighted average cost delivered at the factory of the raw material purchased or contracted for between March 1, 1942, and October 1, 1942; except as limited in paragraph (b) (3) of this section.

(b) In determining the packer's maximum price:

(1) The "weighted average price" shall be the total gross sales dollars charged for each brand, container type and size divided by the number of units of that item sold. All sales made in the regular course of business during the months of October and November 1941 shall be included, except sales made to the United States. Sales made prior to this period shall not be included, even though delivery was made during the period.

[Paragraph (1) as amended by Amendment 1, 7 F.R. 8890]

(2) The "weighted average cost" of any raw material shall be the total amount paid for it divided by the total number of pounds or other unit purchased.

(3) In computing the weighted average costs of raw materials delivered at the factory, the packer shall exclude from the computation any amounts paid in excess of the following amounts:

(i) For raw materials other than fresh apples the maximum prices which the

packer's supplier or suppliers were entitled to charge him under the General Maximum Price Regulation or under any other pertinent maximum price regulation in the respective sales by which the raw materials were acquired by the packer.

(ii) For fresh apples the sum of (*a*) the weighted average cost delivered at the factory of apples purchased or contracted for between March 1, 1941, and October 1, 1941, and (*b*) $8 a ton.

(4) In converting the increased cost of raw materials into increased cost per dozen or other unit for each brand and container type and size, the increase shall be allocated to each container type and size in the same proportion as costs of raw materials in 1941 were allocated.

(c) The maximum price for each brand, container type and size for a packer who owns more than one factory shall be determined separately for each factory. But if any two or more factories had the same f. o. b. factory prices in 1941 a maximum price may be determined uniformly for that group by using the combined figures of the group in the computations required by paragraphs (a) and (b) of this section. In applying for the specific authorization of a price under paragraph (b) of § 1341.453, application may be made for a uniform maximum price applicable to the whole group.

(d) Any packer who regularly sold a purchaser any item of apple butter on a delivered price basis during the calendar year 1941 shall increase the maximum price for the item, as computed under the preceding paragraphs of this section, by the amount of the freight charge for that item which he added to his f. o. b. factory price during March 1942. The resulting price shall be the packer's maximum delivered price for that purchaser.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining any applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

(e) *New container types and sizes.* (1) The maximum price per dozen or other unit for a brand of apple butter packed in any container type or size which the packer did not sell during October and November 1941 shall be calculated as follows. He shall:

(i) *Determine the base container.* If the packer sold the same brand of apple butter during October and November 1941, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that brand under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(ii) *Find the base price.* The packer shall take as the "base price" his maximum price for the brand of apple butter when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the packer's factory, the packer shall first convert it to a base price f. o. b. packer's factory by deducting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price f. o. b. factory, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. factory.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the packer's maximum price, f. o. b. factory.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the packer's maximum price for the apple butter in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The packer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the apple butter in the new container will move under a different freight tariff classification, the packer shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The packer shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the packer's maximum delivered price.

(2) If the packer has established a maximum price for any new item prior to January 25, 1943, under § 1341.453, he may retain that maximum price, or, at his option, he may establish a maximum price under this paragraph.

[Paragraph (e) added by Amendment 2 7 F.R. 10226, amended by Amendment 3, 8 F.R. 1135]

(f) *Packers selling to consumers.* Any packer who regularly sells any item of apple butter to ultimate consumers other than industrial, institutional and commercial users shall calculate a maximum price for the item separately to that class of purchasers. If during the 1941 base period such a packer sold the item also to wholesalers or retailers, he shall calculate his maximum price to ultimate consumers (other than industrial, institutional and commercial users) by adding to his maximum price to such consumers, under the General Maximum Price Regulation, the permitted increase which he has calculated under this regulation for his retailers or for his wholesalers (converted to retail units). If during the 1941 base period he sold the item only to ultimate consumers (other than industrial, institutional and commercial users), he shall add the permitted increase which the nearest comparable packer who sells to retailers or wholesalers has computed for his retailers or for his wholesalers (converted to retail units).

[Paragraph (f) added by Amendment 2, 7 F.R. 10226]

(g) *Adjustable pricing.* Any person may offer or agree to adjust any selling price to a price not higher than the maximum price in effect at the time of delivery. Where a petition for amendment requires extended consideration, the Price Administrator may, upon application in an appropriate situation, grant permission to agree to adjust prices upon deliveries made while the petition is pending in accordance with the disposition of the petition.

§ 1341.453 *Inability to fix maximum prices under § 1341.452.* (a) If the packer's maximum price for any item cannot be determined under § 1341.452, his maximum price shall be the maximum price of the most closely competitive packer.

(b) If the packer's maximum price for any item cannot be determined under § 1341.452 or under paragraph (a) of this section, the maximum price shall be a price determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a detailed description of the brand, container type and size; and (2) a statement of the facts which differentiate it from the most similar item for which he has determined a maximum price, identifying the similar item and stating the maximum price determined for it. When authorization is given, it will be accompanied by instructions for determining the maximum price. Within ten days after the price has been determined, the seller shall report it to the Office of Price Administration, Washington, D. C. This price shall be subject to adjustment at any time by the Office of Price Administration.

§ 1341.454 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 232 may be charged, demanded, paid or offered.

§ 1341.455 *Customary allowances and discounts.* The maximum prices established by §§ 1341.452 and 1341.453 shall be reduced to reflect the packer's customary allowances, discounts and other price differentials.

§ 1341.456 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any packer are sold or otherwise transferred on or after October 1, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this Regulation.

§ 1341.457 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 232 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to apple butter, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.458. *Enforcement.* Any person violating a provision of this Maximum Price Regulation No. 232, is subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1341.459 *Records and reports.* Every packer who makes sales of any apple butter covered by this Maximum Price Regulation No. 232, shall (a) as long as the Emergency Price Control Act of 1942 continues in effect, preserve for examination by the Office of Price Administration all his existing records which were the basis for the computations required by § 1341.452; and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for apple butter sold on and after October 1, 1942; and (c) file with the Office of Price Administration, Washington, D. C., within 10 days after determining his maximum prices for each brand, container type and size of apple butter, a statement showing (1) his weighted average price and his increases in the cost of raw materials, as determined under § 1341.452, together with the maximum price determined under this regulation and all customary allowances, discounts and differentials, and (2) in those cases in which the maximum price was determined by the maximum price of the most closely competitive packer, the maximum price and the name and address of the packer whose maximum price was adopted; and (d) as long as the Emergency Price Control Act of 1942 continues in effect, preserve a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any packer who claims that substantial injury would result to him from making any such statement available to any other person, may file a copy of the statement with the nearest regional, State, or district office of the Office of Price Administration. The information contained in the statement will not be published or disclosed unless it is determined that the withholding of the information is contrary to the purposes of this regulation.

§ 1341.459a *Information which packers must give their customers.*—(a) *Notice from packers to wholesalers.* In the case of any item of apple butter which is being sold by a packer to a wholesaler for the first time after the packer's maximum price for it has been established under §§ 1341.452 or 1341.453, the packer shall send the wholesaler (before or at the time of delivery) a written statement which lists for each such item included in the sale (1) the weighted average price charged by the packer during the month of December 1941, called the "base price", (2) the packer's maximum price, as calculated under the provisions of this regulation, called the "maximum price", and (3) the amount of the difference between the "base price" and the "maximum price", called the "wholesaler's permitted increase". If the packer has established a maximum price under paragraphs (a) to (d) of § 1341.452, but made no sales of the item during December 1941, his base price shall be his highest offering price during December 1941, but if he had no offering price, he shall report only the permitted increase which the most closely competitive packer calculated for his own wholesalers. If the packer has established a maximum price under paragraph (e) of § 1341.452, he is not required to notify his wholesalers under the provisions of this paragraph. If the packer has established a maximum price by taking the maximum price of his competitor, as provided in § 1341.453 (a), and he made no sales of the item during December 1941, his base price shall be his highest offering price during December 1941 or, if he had no offering price, the base price of the most closely competitive packer. When any packer asks for special authority to determine a maximum price under § 1341.453 (b), the Office of Price Administration will instruct him how to determine his base price. When calculating the "wholesaler's permitted increase", the packer shall adjust any fraction of a cent to the nearest fractional unit in which the wholesaler customarily quotes prices for the item.

[Paragraph (a) as amended by Amendments 2 and 3, 7 F.R. 10226, 8 F.R. 1135]

(b) *Notice from packers to retailers.*—(1) *General package requirement.* Every packer who sells any item of apple butter during the 90-day period beginning November 6, 1942, whether to a wholesaler or a retailer, shall include with the shipping case (or other package unit in which the retailer usually purchases the product) a "Notice of Retailer's Permitted Increase". This notice must be either pasted or stamped on the outside of each shipping case sold, or printed on a slip and enclosed. In the latter case the packer shall place this statement on the outside: "Retailer's Notice Enclosed". The packer shall calculate the retailer's permitted increase for the item by reducing the permitted increase which he computed for the wholesaler under paragraph (a), where necessary, to the units in which the commodity is usually sold at retail. When making this calculation, the packer shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than one-half cent to the next lower cent. Except for the proper insertion, the notice of retailer's permitted increase shall read as follows:

NOTICE OF RETAILER'S PERMITTED INCREASE

Your new OPA ceiling price for the enclosed item is your March ceiling price *plus* ---- cents per retail container. OPA requires you to keep this information for examination.

(2) *First sales directly to retailers; where notices do not accompany packages.* In the case of any item of apple butter which is being sold by a packer to any retailer for the first time after the packer's maximum price for it has been established under §§ 1341.452 or 1341.453 and which for any reason is being sold in a form which does not include a packer's Notice of Retailer's Permitted Increase, the packer shall send the retailer (before or at the time of delivery) a written statement that (i) clearly identifies each such item included in the sale and (ii) states the "permitted increase" for it which the retailer is directed to add to his maximum price as established under the General Maximum Price Regulation. When preparing the statement the packer shall calculate the retailer's permitted increase for the item by reducing the permitted increase which he computed for the wholesaler under paragraph (a), where necessary, to the units in which the commodity is usually sold at retail. When making this calculation, the packer shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than one-half cent to the next lower cent. Each statement shall be accompanied by this notice:

Your new OPA ceiling price for each item noted is your March ceiling price *plus* the permitted increase shown per retail container. OPA requires you to keep this information for examination.

This statement may also contain similar information for any other items covered

by this regulation even though they are not included in the sale.

[§ 1341.459a added by Amendment 1, 7 F.R. 8890]

§ 1341.460 *Petition for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation 232 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

[§ 1341.460 as amended by Supplementary Order 26, 7 F.R. 8948]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1341.461 *Applicability.* The provisions of this Maximum Price Regulation No. 232 shall be applicable only to the United States and the District of Columbia.

§ 1341.462 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 232 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of apple butter for which maximum prices are established by this regulation.

§ 1341.463 *Export sales.* The maximum prices at which a person may export apple butter shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

§ 1341.464 *Definitions.* (a) When used in this Maximum Price Regulation No. 232 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any of its agencies, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Packer" means a person who preserves and packs apple butter as defined in subparagraph (3).

(3) "Apple butter" is the smooth, semi-solid food having a characteristic apple flavor obtained by cooking a mixture of the strained edible portion of apples and saccharine ingredients, consisting of not less than 5 parts, by weight, of apple ingredient (calculated on a fresh fruit basis using an average percentage of soluble apple solids of 13.7 percent) to 2 parts, by weight, of saccharine ingredients. The product may be prepared with or without any of the following: Apple juice, lemon juice, lime juice, citric acid, lactic acid, malic acid, tartaric acid and salt. Saccharine ingredients may be any of the following: (i) Sugar, (ii) invert sugar sirup, (iii) brown sugar, (iv) invert brown sugar sirup, (v) honey, (vi) corn sirup, (vii) any combination of two or more of (i), (ii), (iii), (iv), (v) and (vi), but if honey is a component the weight of its solids is not less than ⅔ of the weight of the solids of the combination; or (viii) any combination of corn sugar or dextrose and (i), (ii), (iii), (iv), (v), (vi), or (vii), but if honey is a component the weight of its solids is not less than ⅔ of the weight of the solids of the combination. Apple butter is further defined by the Regulation Fixing and Establishing Definitions and Standards of Identity for Fruit Butters, issued under the Federal Food Drug and Cosmetic Act of 1938[1] and published in the FEDERAL REGISTER on September 5, 1940.

(4) "Raw material" means any ingredient used in the making of apple butter, including the ingredients listed in subparagraph (3).

(5) "The most closely competitive packer" means the packer who: (i) Sells to the same class of buyer,

(ii) Packs the same or similar quality range of the product,

(iii) Has sold in the past the same kind of apple butter at approximately the same prices as the packer establishing a maximum price,

(iv) Has used the same general merchandising methods, and

(v) Is located in the same general growing and packing area or, if there is no such packer in the same general growing and packing area, is located in the nearest growing and packing area.

(b) Unless the context otherwise requires, the definitions of section 302 of Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

§ 1341.465 *Effective date.* This Maximum Price Regulation No. 232 (§§ 1341.451 to 1341.465 inclusive) shall become effective October 1, 1942.

§ 1341.466 *Effective dates of amendments.*

Amendment Nos. and Issue dates:	Effective
Amendment 1, 10–31–42	11– 6–42
Amendment 2, 12–5–42	12–11–42
Amendment 3, 1–23–43	1–25–43
Amendment 4, 3–9–43	3–15–43

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3709; Filed, March 9, 1943; 12:12 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 255,[2] as amended March 9, 1943]

PERMITTED INCREASES FOR WHOLESALERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Canned boned chicken and turkey.
Maple sugar.
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Bakers' fillings for fruit pie and pastry.
Peanut candy.
Honey (extracted).
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Nut topping.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A new paragraph (g) is added to § 1351.703 so that maximum Price Regulation No. 255 shall read as follows:

This Maximum Price Regulation No. 255 is issued by the Price Administrator in order to establish maximum wholesale prices for certain food products at levels which are generally fair and equitable and which will aid in stabilizing the cost of living. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.[3]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 255 is hereby issued.

Sec.
1351.701 Purposes of Maximum Price Regulation No. 255.
1351.702 Prohibition against selling and buying above maximum prices.
1351.703 Wholesaler's maximum prices for certain listed foods.
1351.704 Customary allowances and discounts.
1351.705 When maximum prices may be established or changed under § 1351.703.
1351.706 Information which wholesalers must give their customers.
1351.707 Evasion.
1351.708 Enforcement.
1351.709 Records and reports of wholesalers.
1351.710 Applicability of the General Maximum Price Regulation and other maximum price regulations.
1351.711 Petitions for amendment.
1351.712 Applicability.
1351.713 Export sales.
1351.714 Definitions.
1351.715 Revocation of superseded regulations.
1351.716 Effective date.
1351.717 Effective dates of amendments

AUTHORITY: §§ 1351.701 to 1351.717, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1351.701 *Purposes of Maximum Price Regulation No. 255.* Maximum Price Regulation No. 255 is issued to establish maximum wholesale prices for certain food products at levels which will permit their distribution through the normal trade channels. In most cases wholesale price increases have been necessary because of upward price adjustments which various maximum price regulations have made at the processor level. In some cases the necessary wholesale adjustments have already been made in separate commodity regulations. By including such adjustments, this regulation covers in unified form all wholesale food adjustments in which wholesalers, by modifying their prices under the General Maximum Price Regulation,[1] are permitted to take account of the individual price increases which have already been allowed to processors and of which the processors are required to give them written notice.

§ 1351.702 *Prohibition against selling and buying above maximum prices.* (a) On and after November 6, 1942, regardless of any contract or obligation, no wholesaler shall sell or deliver an item of any food product at a price higher than the maximum price established for it by this Maximum Price Regulation No. 255. No person shall buy or receive an item of any food product from a wholesaler in the course of trade or business at a price higher than the maximum price established for it by this regulation. Nor shall any person agree, offer, solicit or attempt to do any of these things.

(b) However, prices lower than maximum prices may be charged and paid.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1351.703 *Wholesaler's maximum prices for certain listed foods—(a) Maximum price rule.* For each item of the food products listed in paragraph (d), the wholesaler's maximum price to any class of purchasers shall be his "base price" plus his "permitted increase" (all per dozen or other customary wholesale selling unit).

(b) "Base price" means the wholesaler's maximum price as calculated under § 1499.2 of the General Maximum Price Regulation, except that for the purposes of this calculation the wholesaler shall substitute the base month named with the food product in paragraph (d) for the words "March 1942" wherever they appear in that section. With this qualification, the wholesaler shall use every pricing method provided by § 1499.2 of the General Maximum Price Regulation which may be necessary to establish a base price for the item.

[Paragraph (b) as amended by Amendment 2, 7 F.R. 10472]

(c) "Permitted increase" means the amount which the wholesaler's supplier is required to report to him under the maximum price regulation applicable to the supplier. Where there is more than one supplier the wholesaler shall take as his permitted increase the amount reported to him by the supplier who by the time the wholesaler is establishing his maximum price has delivered to him the largest total amount of that item from the 1942 pack. Exceptions: (1) For Hawaiian canned pineapple and Hawaiian canned pineapple juice the wholesaler's permitted increase shall be the difference, f. o. b. canner's shipping point, between the canner's November 1941 list price for the item and the canner's maximum price under the General Maximum Price Regulation.

(d) This regulation shall apply to these products:

(1) Canned fruits, canned berries and canned juices, whether packed in tin, glass or any other hermetically sealed container, as follows, using February 1942 as the base month:

Fruits. Apricots; cherries, red sour pitted; cherries, sweet; figs; fruit cocktail; fruits for salad; peaches, clingstone (including clingstone nectarines); peaches, freestone (including freestone nectarines); pears; Hawaiian pineapples; plums; prunes, fresh.

Berries. Blackberries; blueberries; boysenberries; cranberries; gooseberries; huckleberries; loganberries; raspberries, black; raspberries, red; strawberries; youngberries.

Juices. Fruit juices and nectars, plain or mixed, made from any of the fruits listed in this subparagraph. Berry juices made from any of the berries listed in this subparagraph.

(2) Frozen fruits, berries and vegetables, using March 1942 as the base month, except that for sales to institutional purchasers October 1941 shall be taken as the base month.

(3) Fruit preserves, jams and jellies, using February 1942 as the base month.

(4) Apple butter, using February 1942 as the base month.

(5) [Revoked by Amendment 3, 8 F.R. 1266.]

(6) [Revoked by Amendment 3, 8 F.R. 1266.]

(7) Canned apples, using February 1942 as the base month.

(8) Apple sauce, packed in metal or glass, using February 1942 as the base month.

(9) Apple juice, packed in metal, glass or wood, using February 1942 as the base month.

(10) [Revoked by Amendment 4, 8 F.R. 2106.]

(11) Canned boned chicken and canned boned turkey, using March 1942 as the base month.

(12) Maple sugar, using March 1942 as the base month.

(13) [Revoked by Amendment 5, 8 F.R. 2673.]

(14) Fountain fruits, using March 1942 as the base month.

(15) [Revoked by Admendment 4, 8 F.R. 2106.]

(16) Tamales, using March 1942 as the base month.

(17) Tortillas, using March 1942 as the base month.

(18) Potato chips, using March 1942 as the base month.

(19) Raisin filled or topped biscuits and crackers, using March 1942 as the base month.

(20) Fig bars, using March 1942 as the base month.

(21) Bakers' fillings for fruit pie and pastry, using March 1942 as the base month.

(22) Peanut candy, using March 1942 as the base month.

(23) Extracted honey packed in containers of a capacity of ten pounds or less, using February 1942 as the base month.

[Paragraphs (7) to (23) added by Amendment 1, 7 F.R. 10471]

(24) Canned chili con carne, using March 1942 as the base month.

(25) Shoestring potatoes, using March 1942 as the base month.

(26) Julienne potatoes, using March 1942 as the base month.

(27) Pretzels, using March 1942 as the base month.

(28) Nut topping, using March 1942 as the base month.

(29) Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products, using March 1942 as the base month.

(30) Canned chicken and noodle dinner, using March 1942 as the base month.

(31) Canned chicken a la king, using March 1942 as the base month.

(32) Canned homestyle chicken, using March 1942 as the base month.

[Paragraphs (24) to (32) added by Amendment 3, 8 F.R. 1266]

(e) *Maximum prices for new container types and sizes for which the wholesaler has received no permitted increase or cannot calculate a base price.* (1) If only a new container type is involved, that is, if the wholesaler sold the same kind, style, flavor, brand, and size, but only in other container types, during the base period named in paragraph (d), he shall select from that kind, style, flavor, brand, and size the most closely comparable container type for which he is able to calculate a maximum price either under this Regulation or under § 1499.2 of the General Maximum Price Regulation (even though he no longer sells that container type). He shall then add to the current delivered cost of the container type being priced the same dollars and cents markup which he added to the delivered cost of the container type selected (all per dozen or other customary wholesale selling unit). The resulting figure shall be the wholesaler's maximum price for the item.

(2) If only a new size is involved, that is, if the wholesaler sold the same kind,

[1] 7 F.R. 8961.
[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.
[1] 5 F.R. 3561.
[2] 7 F.R. 8890, 10471, 10472; 8 F.R. 1266, 2106.
[3] Statements of considerations are also issued simultaneously with issuance of amendments. Requests for copies should be addressed to Office of Price Administration.
[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

style, flavor, brand, and container type, but only in other sizes, during the base period named in paragraph (d), he shall select from that kind, style, flavor, brand and container type the nearest size for which he is able to calculate a maximum price either under this regulation or under § 1499.2 of the General Maximum Price Regulation and which is one-third or less larger or, if there is no such size, one-third or less smaller (even though he no longer sells that size). He shall then add to the current delivered cost of the size being priced the same dollars and cents markup which he added to the delivered cost of the size selected (all per dozen or other customary wholesale selling unit). The resulting figure shall be the wholesaler's maximum price for the item.

(3) If both a new container type and a new size are involved, that is, if the wholesaler sold the same kind, style, flavor, and brand, but only in other container types and sizes, during the base period named in paragraph (d), he shall first select from that kind, style, flavor, and brand the most closely comparable container type for which he is able to calculate a maximum price either under this regulation or under § 1499.2 of the General Maximum Price Regulation (even though he no longer sells that container type), and from that container type he shall select the nearest size which is one-third or less larger or, if there is no such size, one-third or less smaller (even though he no longer sells that size). If there is no smaller size, he shall go to the next most closely comparable container type and proceed in the same manner to find a base container type and size. He shall then add to the current delivered cost of the container type and size being priced the same dollars and cents markup which he added to the delivered cost of the container type and size selected (all per dozen or other customary wholesale selling unit). The resulting figure shall be the wholesaler's maximum price for the item.

(f) *Maximum prices for items for which the wholesaler cannot otherwise calculate maximum prices.* If the wholesaler is unable to calculate a maximum price for a new item under the preceding paragraphs, he shall (1) select from the same general class or kind and price range as the item being priced the most closely comparable item for which a maximum price is established under any regulation; (2) divide his current selling price for that item by its actual cost, delivered to him; and (3) multiply the figure so obtained by the current cost, delivered to him, of the item being priced (all per dozen or other customary wholesale selling unit). The resulting figure shall be the wholesaler's maximum price for the item.

[Paragraphs (e) and (f) as added by Amendment 2, 7 F.R. 10472]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (except-ing coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

(g) *Adjustable pricing.* Any person may offer or agree to adjust any selling price to a price not higher than the maximum price in effect at the time of delivery. Where a petition for amendment requires extended consideration, the Price Administrator may, upon application in an appropriate situation, grant permission to agree to adjust prices upon deliveries made while the petition is pending in accordance with the disposition of the petition.

§ 1351.704 *Customary allowances and discounts.* No wholesaler shall change any customary allowance, discount, or other price differential to a class of purchasers if the change results in a higher net price to that class of purchasers.

§ 1351.705 *When maximum prices may be established or changed under § 1351.703*—(a) *What must be done before a maximum price may be established.* No wholesaler may establish a maximum price for any item under § 1351.703 until he has received delivery of a customary amount of the item after this Maximum Price Regulation No. 255 has become applicable to it. To this extent the regulation shall be considered as having been in effect since August 5, 1942, for canned fruits, berries and juices; August 28, 1942, for frozen fruits, berries and vegetables; September 26, 1942, for fruit preserves, jams and jellies; October 1, 1942, for apple butter; October 5, 1942, for canned apples, apple sauce, and apple juice.

[Paragraph (a) as amended by Amendment 1, 7 F.R. 10471]

(b) *When a maximum price is established.* On and after November 6, 1942, a maximum price becomes "established" (that is fixed) for any wholesaler as soon as he has either filed a price for the item or disclosed it to any prospective customer, whether by sale, delivery, offer or notice of any kind. A maximum price may be established only once and having been established it may not be changed except with the written permission of the appropriate field office of the Office of Price Administration in cases of clerical error or other formal mistake.

(c) *What price becomes established as the maximum price.* The price which is established in this way as the wholesaler's maximum price is the one which he filed or disclosed. In most cases the maximum price so established will be the price which the wholesaler computed under § 1351.703. However, in some instances the wholesaler may want to disclose a *lower* price than the one which he computed and at the same time save his right to sell at the higher figure. He can establish the higher price as his ceiling price at the time of disclosure only by recording and naming it as such, in ink on his books, before he discloses the lower price.

§ 1351.706 *Information which wholesalers must give their customers*—(a) *Wholesaler's notice to retailers.* The wholesaler's obligation to notify his retailers of "permitted increases" is limited to cases in which the packer has not done so. The packer is required in some cases to include with the carton or other package unit in which the wholesaler usually handles the product a "Notice of Retailer's Permitted Increase", either stamped on the outside or printed on a slip and enclosed. In the latter case the packer is further required to indicate on the outside that such a notice has been included. In this way the wholesaler is able to determine as to any item when his own duty to notify a particular retailer exists.

In the case of any item which is being sold by a wholesaler to any retailer for the first time after the wholesaler's maximum price for it has been established under this Maximum Price Regulation No. 255 and which is being sold in a form which does not include a manufacturer's or producer's Notice of Retailer's Permitted Increase, the wholesaler shall send the retailer (before or at the time of delivery) a written statement that (1) clearly identifies each such item included in the sale and (2) states the "permitted increase" for it which the retailer is directed to add to his maximum price as established under the General Maximum Price Regulation. When preparing the statement the wholesaler shall calculate the retailer's permitted increase for each item by reducing his own permitted increase under § 1351.703, where necessary, to the units in which the commodity is usually sold at retail. When making this calculation, the wholesaler shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than one-half cent to the next lower cent. Each statement shall be accompanied by this notice:

Your new OPA ceiling price for each item noted is your March ceiling price *plus* the permitted increase shown per retail container. OPA requires you to keep this information for examination.

The statement may also include similar information for any other items covered by this regulation even though they are not included in the sale.

Although this regulation requires no special form for listing items and permitted increases, an example of an approved form which may be helpful to many wholesalers is set forth below. The particular example given happens to be one for fruit preserves, jams and jellies, but the item columns may readily be redrawn and renamed to fit any of the other products covered by this regulation.

NOTE BY RETAILERS PERMITTED INCREASE

To: .....

Address: .....

Your new OPA ceiling price for each item noted is your March ceiling price *plus* the permitted increase shown per retail container. OPA requires you to keep this information for examination.

Item			Container type		Permitted increase per retail container
Flavor	Kind	Brand		Size	
Strawberry	Preserves	Smith's Best	Regular jar	2 lb.	2¢
Grape	Jelly	Smith's Best	Regular jar	1 lb.	1¢
Guava	Jelly	Red Sail	Reuse tumbler	2 lb.	2¢

Wholesaler: .....

Address: .....

By: .....

Date: .....

(b) *Notice to wholesalers.* In the case of any item which is being sold by a wholesaler to any other wholesaler to whom he customarily sells, for the first time after the seller's maximum price for it has been established under this Maximum Price Regulation No. 255, the seller shall send the buyer (before or at the time of delivery) a written statement that (1) clearly identifies each item included in the sale for which the seller has determined a maximum price under this regulation, and (2) states the permitted increase which the purchaser is entitled in each case to add when computing his maximum price under § 1351.703. This permitted increase shall be the same permitted increase which was reported to the seller by his supplier.

§ 1351.707 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 255 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any of the commodities covered by this regulation, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1351.708 *Enforcement.* Any person violating a provision of this Maximum Price Regulation No. 255 is subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1351.709 *Records and reports of wholesalers*—(a) *Base period records.* For each food product covered by this Maximum Price Regulation No. 255, every wholesaler shall (1) keep for examination by the Office of Price Administration all his existing records relating to the prices which he charged in sales in which delivery was made during the base month named in § 1351.703 and also his offering prices for delivery during that month, and (2) keep for examination by any person during ordinary business hours the notices of permitted increases given him by his suppliers and a statement prepared by him showing the information which the wholesaler must keep for examination under clause (1) plus all his customary allowances, discounts, and other price differentials. Any wholesaler who claims that he would be substantially injured by showing the statement or any notice to another person may file it with the appropriate field office of the Office of Price Administration. The information will not be shown to anyone unless withholding it would be contrary to the purposes of this regulation.

(b) *Current records.* Every wholesaler selling any food product covered by this regulation shall keep for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charged for each such food product that he sells after this regulation becomes applicable to it.

(c) *Reports.* Within 30 days after making his first sale of any item subject to this regulation each wholesaler shall prepare a written statement showing for the item and each class of purchaser (1) his base price, (2) his permitted increase, and (3) his maximum price, all as determined under § 1351.703, and he shall file the statement with the nearest District Office or, in the absence of a District Office, the nearest State Office of the Office of Price Administration. The statement may also contain similar information for any other items covered by this regulation even though they are not required to be filed at that time. It shall be in the following form:

STATEMENT OF WHOLESALER'S MAXIMUM PRICES
(UNDER MAXIMUM PRICE REGULATION NO. 255

Name of Wholesaler: .....

Address: .....

Item						Base price	Permitted increase	Maximum price
Kind	Style of pack, or flavor	Grade	Brand	Container type	Size			

The wholesaler shall also include as part of the statement an attached list of all discounts, allowances, territorial differentials and any other price differentials customarily charged by him.

§ 1351.710 *Applicability of the General Maximum Price Regulation and other Maximum Price Regulations.* (a) The General Maximum Price Regulation and other Maximum Price Regulations superseded by this Maximum Price Regulation No. 255 shall continue to apply to all sales and deliveries of any item of a commodity covered by this regulation until the wholesaler has established a maximum price for it under §§ 1351.703 and 1351.705.

(b) The following sections of the General Maximum Price Regulation, as well as amendments to them, shall be applicable to every person selling at wholesale any commodity listed in § 1351.703:

(1) Special deals (§ 1499.4b).
(2) Transfers of business or stock in trade (§ 1499.5).
(3) Federal and state taxes (§ 1499.7).
(4) Base-period records (§ 1499.11).
(5) Sales slips and receipts (§ 1499.14).
(6) Registration (§ 1499.15).
(7) Licensing (§ 1499.16).
(8) Definitions (§ 1499.20).

§ 1351.711 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 255 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1351.711 as amended by Supplementary Order 26, 7 F.R. 6948]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1351.712 *Applicability.* The provisions of this Maximum Price Regulation No. 255 shall be applicable only to the

forty-eight states of the United States and the District of Columbia.

§ 1351.713 *Export sales.* The maximum prices at which a person may export any commodity covered by this Maximum Price Regulation No. 255 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1351.714 *Definitions.* (a) When used in this Maximum Price Regulation No. 255 the term:

(1) "Wholesaler" means any purchaser of a food product for resale who, without substantially changing its form, resells the food product other than as a retailer.

(2) "Retailer" means any purchaser of a food product for resale who, without substantially changing its form, resells the food product to an ultimate consumer other than an industrial, institutional or commercial user.

(3) "Item" means any kind, style or type of pack, flavor, grade, brand, container type and size.

(4) In the case of frozen fruits, berries and vegetables, "institutional purchaser" means any hotel, restaurant, club, hospital, sanitarium, asylum, charitable home, school, recreational camp, or other similar institution, and the armed forces of the United States, but not including service post exchanges.

(b) Unless the context requires otherwise, the definitions of section 302 of Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

§ 1351.715 *Revocation of superseded regulations.* To the extent shown, the following Maximum Price Regulations and provisions of Supplementary Regulation 14 to the General Maximum Price Regulation are hereby revoked and superseded: Maximum Price Regulation No. 197[2] (except as it applies to canned Cuban pineapple and canned Cuban pineapple juice); Maximum Price Regulation No. 212;[3] Maximum Price Regulation No. 247[4] (except as it applies to canners of domestic canned crabmeat); § 1499.73 (a) (26) of Supplementary Regulation 14 (except as it applies to canners of canned shrimp).

§ 1351.716 *Effective date.* This maximum Price Regulation No. 255 (§§ 1351.701 to 1351.716 inclusive) shall become effective November 6, 1942. [Issued October 31, 1942.]

§ 1351.717 *Effective dates of amendments.*

Amendment Nos. and issue dates:	Effective
Amendment 1, 12-12-42	12-18-42
Amendment 2, 12-12-42	12-18-42
Amendment 3, 1-27-43	2- 2-43
Amendment 4, 2-15-43	2-20-43
Amendment 5, 3- 1-43	3- 6-43
Amendment 6, 3- 9-43	3-15-43

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-3710; Filed, March 9, 1943; 12:12 p. m.]

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.
[2] 7 F.R. 5989, 7403, 7738, 8944.
[3] 7 F.R. 6831, 7173.
[4] 7 F.R. 8653.

PART 1381—SOFTWOOD LUMBER

[Rev. MPR 161,[1] Amendment 1]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1381.164 (c) is added as set forth below:

§ 1381.164 *Effective date.* * * *

(c) Notwithstanding any other provision of this Revised Regulation, the requirements of § 1381.153 (a) and (b) as to delivery shall not apply to No. 1 and No. 2 grades of Sitka Spruce logs produced under the two contracts described below. As to these grades and species of logs produced under these contracts, the maximum prices applying to those logs as listed in the price tables of § 1381.154 shall be f. o. b. rail cars at Forks, Washington, loaded at the seller's expense:

(1) Contract No. 1, dated August 7, 1942, between the State of Washington and Olympic Logging Company (formerly Eagle Logging Company) of Seattle, Washington, covering 2,400,000 ft., log scale, of spruce timber located in Section 30, Township 27 North, Range 10 West, W. M., in Jefferson County, Washington.

(2) Contract No. 3, dated August 7, 1942, between the State of Washington and Noon and Crippen, of Port Angeles, Washington, covering 1,250,000 feet, log scale, of spruce timber located in Section 19, Township 27 North, Range 11 West, W. M., in Jefferson County, Washington.

This Amendment No. 1 shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3700; Filed, March 9, 1943; 12:15 p. m.]

PART 1381—SOFTWOOD LUMBER

[Rev. MPR 161,[1] Amendment 2]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1381.159 is amended by adding a new paragraph (c) as set forth below:

§ 1381.159 *Prohibited practices.* * * *

(c) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating logs, or for any related service (such as "expediting") which does not involve actual physical handling of logs, if the commission plus the purchase price results in a total payment by the buyer of logs which is higher than the maximum price of the logs. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the logs in connection with which the service is performed.

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3702; Filed, March 9, 1943; 12:14 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 1117.

PART 1381—SOFTWOOD LUMBER

[MPR 164,[1] Amendment 3]

R/D CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1381.4 is amended by adding a new paragraph (c) as set forth below:

§ 1381.4 *Evasion.*

* * * * * *

(c) It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating shingles, or for any related service (such as "expediting") which does not involve actual physical handling of shingles, if the commission plus the purchase price results in a total payment by the buyer of shingles which is higher than the maximum price of the shingles. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the shingles in connection with which the service is performed.

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3703; Filed, March 9, 1943; 12:14 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 1453, 2208.

PART 1382—HARDWOOD LUMBER

[MPR 313,[1] Amendment 2]

PRIME GRADE HARDWOOD LOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1382.258 (b), subparagraph (4) is revoked and (5) is renumbered (4). A new paragraph (d) is added as set forth below:

§ 1382.258 *Prohibited practices.* * * *

(d) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating logs, or for any related service (such as "expediting") which does not involve actual physical handling of logs, if the commission plus the purchase price results in a total payment by the buyer of logs which is higher than the maximum price of the logs. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the logs in connection with which the service is performed.

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3704; Filed, March 9, 1943; 12:14 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 5180, 7243, 7454, 8948.

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 176,[1] Amendment 2]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1384.4 is amended by adding a new undesignated paragraph as set forth below:

§ 1384.4 *Evasion.* * * *

It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating box lumber, or for any related service (such as "expediting") which does not involve actual physical handling of box lumber, if the commission plus the purchase price results in a total payment by the buyer of box lumber which is higher than the maximum price of the box lumber. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the box lumber in connection with which the service is performed.

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3705; Filed, March 9, 1943; 12:14 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 5180, 7243, 7454, 8948.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 47]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

New paragraphs (f) and (g) are added to § 1394.5305, as set forth below:

Auxiliary Rations

§ 1394.5305 *Same: Issuance of auxiliary heat ration.* * * *

(f) In any case where the allowable auxiliary ration for heating residential premises is 100 gallons or more, the board shall issue such ration only if the applicant shows that one or more of the following conditions exist:

(1) A coal or wood heating stove, or the fuel for such stove, is not available; or

(2) The purchase of a coal or wood heating stove and the fuel for such stove will cause the applicant unreasonable expense; or

(3) No member of the household is physically able to operate a coal or wood heating stove; or

(4) There is no flue or chimney or other provision for venting a coal or wood heating stove in the space to be heated.

(g) In any case where the allowable auxiliary ration for heating premises other than residential premises is 100 gallons or more, the board shall issue such ration only if the applicant shows that one or more of the following conditions exist:

(1) A coal or wood heating stove, or the fuel for such stove, is not available; or

(2) The purchase of a coal or wood heating stove and of the fuel for such stove will cause the applicant unreasonable expense; or

(3) It would be impracticable for the applicant to use a coal or wood heating stove for the purpose; or

(4) The venting of a coal or wood stove in the space to be heated would cause the applicant unreasonable expense.

This amendment shall become effective on March 15, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3716; Filed, March 9, 1943; 12:16 p. m.]

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598.

PART 1413—SOFTWOOD LUMBER PRODUCTS

[Rev. MPR 13,[1] Amendment 2]

DOUGLAS FIR PLYWOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1413.7 (b), subparagraph (5) is revoked and (6) is renumbered to become (5). A new paragraph (d) is added as set forth below:

§ 1413.7 *Prohibited practices.* * * *

(d) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating plywood, or for any related service (such as "expediting") which does not involve actual physical handling of plywood, if the commission plus the purchase price results in a total payment by the buyer of plywood which is higher than the maximum price of the plywood. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the plywood in connection with which the service is performed.

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3717; Filed, March 9, 1943; 12:14 p. m.]

PART 1426—WOOD PRESERVATION & PRIMARY FOREST PRODUCTS

[Rev. MPR 218,[1] Amendment 4]

EASTERN WOODEN MINE MATERIALS & INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1426.56 is amended by revoking paragraph (c) and substituting a new one as set forth below:

§ 1426.56 *Prohibited practices.* * * *

(c) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating mine material or industrial blocking, or for any related service (such as "expediting") which does not involve actual physical handling of the material, if the commission plus the purchase price results in a total payment by the buyer of the material which is higher than the maximum price of the material. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indi-

[1] 7 F.R. 10017; 8 F.R. 1588
[1] 7 F.R. 9824, 8 F.R. 493, 1028.

rectly on the basis of the quantity, price or value of the material in connection with which the service is performed.

* * * * *

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3718; Filed, March 9, 1943; 12.14 p. m.]

PART 1442—CORDAGE

[MPR 340]

JUTE AND ISTLE YARN, ROVE AND ROPE

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1442.1 *Maximum prices for jute and istle yarn, rove and rope.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 340 (Jute and Istle Yarn, Rove and Rope), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1442.1 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 340—JUTE AND ISTLE YARN, ROVE AND ROPE

CONTENTS

Sec.
1. Prohibition against transactions at prices in excess of maximum prices.
2. To what products, transactions and geographical areas this regulation applies.
3. Maximum prices for jute and istle yarn and rove.
4. Maximum prices for jute and istle rope.
5. Duty to identify rope.
6. Relation of this regulation to other regulations.
7. Enforcement.
8. Licensing and registration.
9. Records and reports required.
10. Applications for adjustment and petitions for amendment.
11. Prohibited practices.
12. Adjustable pricing.
Appendix A: Freight delivery zones.

SECTION 1. *Sales of jute and istle yarn, rove and rope at higher than maximum prices prohibited.* (a) On and after March 10, 1943, regardless of any contract or other obligation no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any commodity for which a maximum price is established by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things;

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *To what products, transactions and geographical areas this regulation applies*—(a) *What products are covered by this regulation*—(1) *No. I jute yarn or rove sold for manufacture into rope.* "No. I jute yarn or rove" means yarn or rove for use in the manufacture of rope, spun from a raw jute fiber mix having a weighted average cost per pound (without regard to in-freight, cost of oils or emulsions, or loss of weight in processing) of not less than $.1065 determined by the use of the raw jute fiber prices announced by Defense Supplies Corporation on December 31, 1942.

(2) *No. II jute and istle yarn or rove sold for manufacture into rope.* "No. II jute and istle yarn or rove" means yarn or rove, for use in the manufacture of rope, spun from a raw fiber mix composed of jute or istle or any combination of jute and istle fiber: *Provided*, That if the mix contains jute, the raw jute fiber used therein shall have a weighted average cost per pound (without regard to in-freight, cost of oils or emulsions, or loss of weight in processing) of not less than $.0935 determined by the use of the raw jute fiber prices announced by Defense Supplies Corporation on December 31, 1942.

(3) *No. I jute rope.* "No. I jute rope" means rope manufactured from No. I jute yarn or rove.

(4) *No. II jute and istle rope.* "No. II jute and istle rope" means rope manufactured from No. II jute and istle yarn or rove.

(b) *What transactions are covered by this regulation*—(1) *Yarn and rove.* This regulation covers all sales of No. I jute yarn and rove and No. II jute and istle yarn and rove.

(2) *Rope.* This regulation covers all sales of No. I jute rope and No. II jute and istle rope by a manufacturer or by a jobber.

Manufacturers' and jobbers' sales of such rope are divided into three categories: (i) sales to jobbers; (ii) sales to industrial users; (iii) sales to retail stores.

The term "jobber" means a person who purchases rope for the purpose of resale to industrial users and retail stores.

The term "industrial user" means any person who in 1942 was treated by the seller as an industrial user of rope as evidenced by price quotations and business correspondence, and any other person purchasing rope is substantially similar quantities and under substantially similar circumstances. The term is limited to a person who purchases rope for use and not for resale, and in general refers to persons who purchase rope in substantial quantities. In addition, the term includes the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States or any agency of the foregoing.

The term "retail store" means a person who purchases rope for the purpose of resale to ultimate users other than industrial users.

(c) *What geographical areas are covered.* This regulation shall be applicable to the continental United States, and to the District of Columbia, but not to the territories and possessions of the United States.

SEC. 3. *Maximum prices for jute and istle yarn and rove*—(a) *No. I jute yarn or rove.* The maximum price for No. I jute yarn or rove shall be 17¼ cents per pound, f. o. b. spinner's mill.

(b) *No. II yarn or rove.* The maximum price for No. II jute and istle yarn or rove shall be 16 cents per pound, f. o. b. spinner's mill.

(c) *Terms.* The maximum prices established by this regulation for rove and yarn are net prices and no discounts or allowances therefrom need be granted.

(d) *Put-ups.* The maximum prices enumerated herein for yarn and rove are prices per pound on the basis of gross weight of yarn or rove if put up on paper tubes provided that the total weight of tubes and packing material included in the gross weight shall not exceed 2% of the gross weight; and are on the basis of the net weight of yarn or rove if put up on permanent tubes which either remain the property of the seller, or are supplied by the purchaser (in either case return freight on empty tubes to be paid by the purchaser of the yarn or rove).

(e) *Sales on a delivered basis.* A delivered price in excess of the applicable maximum price, f. o. b. spinner's mill may be charged, consisting of such maximum price plus the actual amount paid to the carrier, if delivery is made by common carrier, or if delivery is made by a vehicle owned or controlled by the seller, an amount not to exceed the lowest available commercial carrier rate for the identical shipment: *Provided*, That an invoice or other memorandum shall be delivered to the purchaser showing the amount added for delivery charges.

SEC. 4 *Maximum prices for jute and istle rope.* The maximum prices at which manufacturers and jobbers may sell jute and istle rope are:

(a) MAXIMUM PRICES FOR L. C. L.[1] SHIPMENTS DELIVERED TO ANY POINT IN ZONE I (CENTS PER POUND)

Diameter	No. I Jute rope			No. II Jute and istle rope		
	Price to jobber	Price to industrial user	Price to retail stores	Price to jobber	Price to industrial user	Price to retail stores
¼" and larger	.24½	.28½	.29¼	.23½	.26½	.28
5/16"	.25½	.28½	.29½	.25½	.27½	.28½
⅜"	.25½	.28½	.30	.24¼	.27½	.28½
7/16"	.25½	.28½	.30	.24¼	.27½	.28½
½"	.26½	.28½	.30½	.25½	.29	.29½
9/16"	.26½	.29½	.30½	.25½	.29	.29½
⅝"	.25½	.30½	.32	.26½	.29½	.30½
¾"	.27½	.30½	.32	.26½	.29½	.30½
⅞"	.28½	.31½	.32½	.27	.30½	.31

[1] The prices enumerated are for less than carload shipments. The maximum prices for carload shipments shall be ½ cent per pound less than the L. C. L. prices.

(b) *Differentials for delivery in freight zones other than Zone I.*

L. C. L. shipments		*Carload shipments*	
Zone II	Zone I l. c. l. price plus ½¢	Zone I l. c. l. price plus ¼¢.	
Zone III	Zone I l. c. l. price plus 1¢	Zone I l. c. l. price plus ¾¢.	
Zone IV	Zone I l. c. l. price plus 1½¢	Zone I l. c. l. price plus 1¢.	
Zone V	Zone I l. c. l. price plus 2½¢	Zone I l. c. l. price plus 1¾¢.	

NOTE: A description of the five freight delivery zones is set forth in Appendix A, and a map showing their boundaries has been filed with the Division of the Federal Register.

(c) *Cash discount.* The maximum prices established by this section for jute and istle rope are subject to a cash discount of 2 per cent 10 days.

(d) *Prices on gross weight basis.* The prices enumerated herein for rope are based upon gross weight provided that tare, consisting of wrapping and lashings, shall not exceed 2 per cent of gross weight.

SEC. 5 *Duty to mark rope for identification.* No manufacturer shall deliver any rope for which a maximum price is established by this regulation unless such rope is marked for identification by either of the following methods:

(a) Inclusion therein of a strand or yarn of paper or fiber, colored blue in the case of No. I jute rope and red in the case of No. II jute and istle rope, which strand or yarn is readily discernible by contrast with the remainder of the rope; or

(b) Attaching to each length of rope delivered a tag or label which states that the rope is No. I or No. II rope as the case may be.

SEC. 6 *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery for which a maximum price is established by this regulation is not subect to the provisions of the General Maximum Price Regulation.[3]

(b) *Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188[4] shall not apply and this regulation shall apply to any sale or delivery of rope for which a maximum price is established by this regulation.

(c) *Revised Maximum Export Price Regulation.* The maximum price for export sales of any of the commodities covered by this regulation is governed by the Revised Maximum Export Price Regulation, issued by the Office of Price Administration.

SEC. 7. *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 8 *Licensing and registration.* The provisions of Supplementary Order No. 36,[5] licensing sellers of yarns, textiles, textile products, and services related thereto, shall apply to every seller of yarn, rove and rope subject to this regulation. Supplementary Order No. 36 provides, in brief, that a license is necessary in order to make sales, other than at retail, of any yarns, textiles, textile products or services for which maximum prices are established by this and certain other regulations. A license is automatically granted to all sellers making such sales. It is not necessary to apply for the license, but sellers may later be required to register. Licenses may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell by Supplementary Order No. 36. No person whose license is suspended may sell any of such commodities during the period of suspension.

SEC. 9 *Records and reports.*[6]—(a) *Records.* Every seller must keep a record of every sale for which a maximum price is established by this regulation, including a description of the commodity sold, the name and address of the buyer, the date of the sale and the price. Every buyer shall keep similar records with regard to purchases in the course of trade or business, including the name and address of the seller. They must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect.

(b) *Reports.* Any person affected by this regulation shall submit such reports as the Office of Price Administration may, from time to time, require.

SEC. 10 *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established by this regulation is impeding or threatens to impede production of any commodity for which a maximum price is established by this regulation which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[7] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[8] issued by the Office of Price Administration.

SEC. 11 *Prohibited practices.* Any practice which is used as a device to effect a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 12 *Adjustable pricing.* Any person may offer or agree to adjust or fix

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*Copies may be obtained from the Office of Price Administration.

7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6007, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[2] 7 F.R. 5872, 7967, 8942, 8948, 10155; 8 F.R. 537, 1815, 1980.

[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[4] 8 F.R. 1798, 2431.

[5] 7 F.R. 5087, 5664.

[6] The records and reports provisions of this regulation have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

[7] 7 F.R. 8961.

prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

APPENDIX A: JUTE AND ISTLE ROPE FREIGHT DELIVERY ZONES

Zone I includes the following area: The states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, New Jersey, Delaware and Connecticut and the District of Columbia.

Those portions of the states of New York, Pennsylvania, Maryland and Virginia which lie east of (including all points located on) the following railroad lines; the Pennsylvania Railroad running from Sodus, New York through Stanley and Elmira in the state of New York, Williamsport, Harrisburg and York in the state of Pennsylvania to Frederick, Maryland; the line of the Baltimore and Ohio Railroad running from Frederick, Maryland to Washington, D. C.; the line of the Richmond-Fredericksburg and Potomac Railroad running from Washington, D. C. to Richmond, Virginia; the line of the Seaboard Air Line Railroad from Richmond to Petersburg, Virginia; and, the line of the Norfolk and Western Railway running from Petersburg to Norfolk, Virginia.

Zone II includes the following area: Those portions of the states of New York, Pennsylvania, Maryland and Virginia not included in Zone I.

The states of Ohio, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Indiana, Michigan, Wisconsin, Illinois, Mississippi, Louisiana, Arkansas, Missouri, Iowa and Minnesota.

The corporate limits of the cities of Galveston and Houston, Texas; Topeka, Lawrence and Kansas City, Kansas; Omaha, Lincoln and Beatrice, Nebraska; Sioux Falls, South Dakota; and Fargo and Grand Forks, North Dakota.

Zone III includes the following area: The states of North Dakota (except the corporate limits of the cities of Grand Forks and Fargo); South Dakota (except the corporate limits of the city of Sioux Falls); Nebraska (except the corporate limits of the cities of Omaha, Lincoln and Beatrice); Kansas (except the corporate limits of the cities of Topeka, Kansas City and Lawrence); Oklahoma, and that portion of Texas which lies east of the 100th meridian (except the corporate limits of the cities of Houston and Galveston).

Zone IV includes the following area: The states of Montana, Wyoming, Colorado, New Mexico and that portion of the state of Texas which lies west of the 100th meridian.

Zone V includes the following area: The states of Idaho, Utah, Arizona, Nevada, California, Oregon and Washington.

Effective Date

This regulation shall become effective March 10, 1943.

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3715; Filed, March 9, 1943; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 126 to Supp. Reg. 14[1] to GMPR[2]]

TRANSPORTATION SERVICES OF CERTAIN CARRIERS

The statement of the considerations involved in the issuance of this amendment, has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (78) is added to paragraph (a) of § 1499.73 as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * *

(78) *Transportation services of carriers by motor vehicles, other than common carriers within the exemption conferred by section 302 (c) of the Emergency Price Control Act of 1942.* (i) Persons furnishing services as carriers other than common carriers, by motor vehicle in the New York City metropolitan area (hereby defined to include the area comprising the commercial zones of New York City as established by the Interstate Commerce Commission and by the New York Public Service Commission and in addition thereto all of Long Island) who employ members of Locals Nos. 282, 807, and 816 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America affiliated with the American Federation of Labor, or who conform to the provisions of the directive in the National War Labor Board Case No. BWA 365, may sell and deliver such carrier services at prices not to exceed 5% above the maximum prices established by them in March 1942, provided the gross operating revenues of such persons for the year 1942 did not exceed $250,000.

(ii) The maximum prices authorized herein may apply as of the effective date of payment of the wage award in National War Labor Board Case No. BWA 365.

This amendment shall become effective March 13, 1943.

(Pub. Laws Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3719; Filed, March 9, 1943; 12:12 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 38]

ACCOMMODATION SALES OF SERVICE

A statement to accompany this Supplementary Order No. 38 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered,* That:

§ 1305.51 *Accommodation sales of service.* (a) Any person who in March 1942 had a fixed practice of making accommodation sales of services is hereby authorized to charge, and any person purchasing accommodation services is hereby authorized to pay, for such services, rates, charges, fees and compensation therefor in an amount not exceeding the aggregate of the cost of direct labor at legally permitted wage rates and materials at actual cost thereof to the seller or at the ceiling price thereof, whichever is lower, for the service sold or supplied.

(b) As used in this supplementary order, "accommodation sales of service" means a sale made entirely without profit and for the convenience or benefit of the purchaser. It does not include sales by cooperatives, nonprofit or other organizations which make sales initially above cost but later give refunds, bonuses, dividends or other allowances to purchasers.

(c) This Supplementary Order No. 38 (§ 1305.51) shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3754; Filed, March 9, 1943; 3:53 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 6965, 7250, 7289, 7203, 7012, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7536, 7535, 7511, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 960, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2346, 2507, 2665.

[2] 7 F.R. 3153, 3330, 3666, 3991, 4339, 4487, 4659, 4738, 5027, 3990, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

PART 1305—ADMINISTRATION

[General Ration Order 7, Amendment 1]

METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale for this amendment has been issued herewith and has been filed with the Division of the Federal Register.*

General Ration Order 7 is amended in the following respects:

1. Section 1.7 is added, to read as follows:

SEC. 1.7 *Additional prohibitions.* (a) No person shall offer, solicit, attempt, or agree to do any act in violation of this order.

(b) No person shall forge, mutilate, alter or destroy any sealed envelope in which stamps or coupons are enclosed pursuant to this order, except in accordance with this or any other order of the Office of Price Administration.

2. Section 1.8 is added, to read as follows:

SEC. 1.8 *Office of Price Administration may issue suspension orders.* (a) Any person who violates this order may, by administrative suspension order, be prohibited from receiving any transfers or deliveries of, or selling or using or otherwise disposing of, any rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

This amendment shall become effective March 9, 1943.

§ 1305.204 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179, WPB Dir. 1, Supp. Dir. 1E, 1M, 1O, 1R and 1T, 7 F.R. 552, 2965, 8234, 8418, 9684, and 8 F.R. 1727, respectively, and Food Directives 1, 3, and 5, 8 F.R. 827, 2005, and 2251, respectively)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3753; Filed, March 9, 1943; 3:51 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[RPS 9,[1] Amendment 2]

HIDES, KIPS AND CALFSKINS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph, (f), is added to § 1314.11 to read as set forth below:

§ 1314.11 *Appendix A: Maximum prices for domestic hides.* * * *

(f) *Sales of bull hides at retail.* The maximum price for retail sales of bull hides shall be the applicable maximum price set forth in Appendix A hereof plus two cents per pound. The term "retail sales" means sales through a regularly maintained retail establishment to the ultimate consumer: *Provided,* That no tanner or other processor of hides and no purchaser of hides for resale shall be deemed to be an ultimate consumer.

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3755; Filed, March 9, 1943; 3:51 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 45]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subdivision (i) is added to § 1340.212 (b) (3) to read as follows:

§ 1340.212 *Appendix A: Maximum prices for bituminous coal produced in District No. 1.* * * *

(b) * * *

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use).* * * *

(i) *Special price instructions.* (a) The maximum price for coals in Size Group 3 produced in Cambria County, Pennsylvania, by producers having no direct physical connections with the Conemaugh & Black Lick Railroad Company but with a rail shipping point on said railroad, at Johnstown, Pennsylvania, and whose coal is trucked to the railroad's locomotive coaling station at that point shall be $3.65 per net ton.

This Amendment No. 45 shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3756; Filed, March 9, 1943; 3:52 p. m.]

PART 1340—FUEL

[Correction to Amendment 23 to MPR 137[1]]

PETROLEUM PRODUCTS SOLD AT RETAIL

Section 1340.91 (q) of Amendment No. 23 to Maximum Price Regulation No. 137 is corrected to read as set forth below:

(q) In the New Haven, Connecticut Area, comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.2 cents per gallon.

This correction shall be effective as of February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3757; Filed, March 9, 1943; 3:51 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 152,[1] Amendment 8]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of Amendment No. 8 to Maximum Price Regulation No. 152 has been issued and filed with the Division of the Federal Register.*

Subparagraph (2) of § 1341.30 (a) is amended, as shown below.

§ 1341.30 *Definitions.* (a) When used in this Maximum Price Regulation No. 152 the term: * * *

(2) "Canner" means a person who preserves by processing and hermetically sealing in containers of metal, glass or any other material one or more of the products defined herein as canned vegetables. A canner of any kind of canned vegetables covered by this regulation shall be a canner when selling any other kind covered by this regulation unless he sells that other kind as a wholesaler or retailer. "Wholesaler" and "retailer" means the persons respectively referred to as "wholesalers" and "retailers" in Maximum Price Regulations Nos. 237 and 238.

* * * * * *

This amendment shall be effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3748; Filed, March 9, 1943; 3:53 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1227, 5706, 2000, 8948.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4343, 4404, 4640, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6273, 6472, 6339, 6574, 6744, 6895, 7777, 7670, 7914, 7943, 8354, 8550, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2270, 2284, 2501, 2497.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799, 2152, 2120, 2501, 2594.

[2] 7 F.R. 3895, 3963, 4453, 5138, 5363, 6219, 6266, 6472, 8948; 8 F.R. 1133.

PART 1341—CANNED AND PRESERVED FOODS

[MPR 185,[1] Amendment 7]

CANNED FRUITS AND CANNED BERRIES

A statement of the considerations involved in the issuance of Amendment No. 7 to Maximum Price Regulation No. 185 has been issued and filed with the Division of the Federal Register.*

Subparagraph (2) of § 1341.110 (a) is amended, as shown below.

§ 1341.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 185 the term:

* * * * *

(2) "Canner" means a person who preserves by heating and hermetically sealing in containers of metal, glass or any other material one or more of the products defined herein as canned fruits or canned berries. A canner of any kind of canned fruits or canned berries covered by this regulation shall be a canner when selling any other kind covered by this regulation unless he sells that other kind as a wholesaler or retailer. "Wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in Maximum Price Regulation No. 255 and Revised Maximum Price Regulation No. 256.

* * * * *

This amendment shall be effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3750; Filed, March 9, 1943; 3:52 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Rev. MPR 233,[2] Amendment 2]

DRIED AND CANNED APPLES AND APPLE PRODUCTS

A statement of the considerations involved in the issuance of Amendment 2 to Revised Maximum Price Regulation No. 233 has been issued and filed with the Division of the Federal Register.*

Subparagraphs (2) and (4) of § 1341.427 (a) are amended, as shown below.

§ 1341.427 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 233 the term:

* * * * *

(2) "Canner" means a person who processes and packs apples, applesauce, apple juice or sweet apple cider, made from whole apples, in containers of metal or glass, or who packs apple juice or sweet apple cider, made from whole apples, in wooden containers. A canner of any commodity covered by this regulation shall be a canner when selling any other commodity covered by this regulation unless he sells that other commodity as a wholesaler or retailer. If that other commodity is covered at wholesale and retail by Maximum Price Regulations Nos. 237 and 238, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations. If that other commodity is covered at wholesale and retail by Maximum Price Regulation No. 255 and Revised Maximum Price Regulation No. 256, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations.

* * * * *

(4) "Processor" means a person who produces vinegar stock, boiled cider, concentrated cider, filtered concentrated apple juice, depectinized concentrated apple juice or bland apple syrup. A processor of any commodity covered by this regulation shall be a processor when selling any other commodity covered by this regulation unless he sells that other commodity as a wholesaler or retailer. If that other commodity is covered at wholesale and retail by Maximum Price Regulations Nos. 237 and 238, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations. If that other commodity is covered at wholesale and retail by Maximum Price Regulation No. 255 and Revised Maximum Price Regulation No. 256, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations.

* * * * *

This amendment shall be effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3751; Filed, March 9, 1943; 3:51 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 181,[1] as Amended March 9, 1943]

NEW-FORMULA CONDENSED SOUPS PACKED UNDER WPB CONSERVATION ORDER M-81

A new paragraph (d) is added to § 1341.51 so that Maximum Price Regulation No. 181 shall read as follows:

In the judgment of the Price Administrator, the maximum prices established by the General Maximum Price Regulation[3] for the sale of canned soups are not applicable to those canned condensed soups whose packing in tin plate or terneplate after June 30, 1942, is governed and alone permitted under Conservation Order M-81, and amendments thereto, issued by the War Production Board.

This Maximum Price Regulation No. 181 is issued by the Price Administrator in order to establish for the canners and other sellers of such canned condensed soups maximum prices which are fair and equitable and which will effectuate the purposes of the Emergency Price Control Act of 1942.

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which canned condensed soups are manufactured, a price for their products equal to the highest of any of the following prices therefor as determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Maximum Price Regulation No. 181 is hereby issued.

Sec.

1341.51 Prohibition against selling or buying, above maximum prices, new-formula condensed soups packed under WPB Conservation Order M-81.
1341.52 Canner's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.
1341.53 Wholesaler's and retailer's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.
1341.54 Inability to fix maximum prices under preceding sections.
1341.55 Information and advice to purchasers from canners and wholesalers.
1341.56 Distinctive labeling.
1341.57 Transfers of business or stock in trade.
1341.58 Less than maximum prices.
1341.59 Evasion.
1341.60 Records and reports.
1341.61 Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1341.62 Marking, posting, and filing by retailers; applicability of the marking and posting provisions of the General Maximum Price Regulation.
1341.63 Enforcement.
1341.64 Petitions for amendment
1341.65 Applicability.
1341.66 Applicability of the General Maximum Price Regulation.
1341.67 Export sales.
1341.68 Definitions.
1341.69 Effective date.
1341.70 Effective dates of amendments

AUTHORITY: §§ 1341.51 to 1341.69, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5772, 5988, 7530, 8948, 10684, 11075; 8 F.R. 490, 1133.

[2] 7 F.R. 7903, 8283, 8948, 10685; 8 F.R. 1135.

[1] 7 F.R. 5560.

[2] F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[3] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

§ 1341.51 *Prohibition against selling or buying, above maximum prices, new-formula condensed soups packed under WPB Conservation Order M-81.* (a) On and after July 18, 1942, regardless of any contract or other obligation, no person shall sell or deliver any canned condensed soup which it is permissible to pack after June 30, 1942, under Conservation Order M-81, and amendments thereto, at a price higher than the maximum prices established by this Maximum Price Regulation No. 181;

(b) No person in the course of trade or business shall buy or receive any such canned condensed soup at a price higher than the maximum prices established by this Maximum Price Regulation No. 181;

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(d) However, any person may offer or agree to adjust any selling price to a price not higher than the maximum price in effect at the time of delivery. Where a petition for amendment requires extended consideration, the Price Administrator may, upon application in an appropriate situation, grant permission to agree to adjust prices upon deliveries made while the petition is pending in accordance with the disposition of the petition.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1341.52 *Canner's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.* (a) Except as hereinafter provided in paragraph (c) of this section, the canner in computing his maximum price per dozen for each variety and can size of canned condensed soup which it is permissible to pack after June 30, 1942, under Conservation Order M-81, and amendments thereto,

(1) Shall divide the weighted average price per dozen charged during the calendar year 1941 for the related variety of canned soup then sold, in the can size which had the largest retail sale for that variety during the calendar year 1941, by the weighted average direct cost per dozen of such soup during the calendar year 1941; and

(2) Shall multiply the figure so obtained by the direct cost per dozen of the variety and can size of canned condensed soup being priced hereunder.

(b) In determining the canner's maximum price:

(1) The "weighted average price" for any canned soup packed during the calendar year 1941 shall be the total gross sales dollars charged for each variety and can size divided by the number of dozens sold of such variety and can size during the calendar year 1941.

(2) The "weighted average direct cost per dozen" for any canned soup packed during the calendar year 1941 shall be the following costs in dollars and cents per dozen which entered into the production of canned soups up to and including the putting of the finished product in a warehouse on behalf of the canner: Raw material, can, carton, label, direct labor, and factory expenses, including maintenance, rent, heat, light, power, water, refrigeration, and indirect labor. The weighted average direct cost per dozen for each variety shall be the total direct cost divided by the number of dozens of such variety of canned soups produced during the calendar year 1941.

(3) The "direct cost per dozen" of any canned condensed soup being priced hereunder shall be computed in dollars and cents per dozen for the following factors which enter into the production of canned condensed soups up to and including the putting of the finished product in a warehouse on behalf of the canner: Raw material, can, carton, label, direct labor, and factory expenses, including maintenance, rent, heat, light, power, water, refrigeration, and indirect labor, provided that, with the exception of raw material, such direct costs shall be determined on the basis of material prices, labor rates, and overhead rates in effect on March 30, 1942. If the canner is actually producing or has actually produced any canned condensed soup being priced hereunder, he shall to that extent determine the direct cost per dozen of such canned condensed soups in dollars and cents based upon his actual production experience. If the canner is not actually producing or has not actually produced any canned condensed soup being priced hereunder, he shall estimate to the best of his ability the direct cost per dozen in accordance with his customary system of determining direct cost. The maximum price based upon such estimated direct cost shall be subject to adjustment by the Office of Price Administration at any time.

(c) If since January 1, 1941, a canner at any time sold and delivered all or part of his canned soups at a uniform price, he may sell and deliver all or part of his canned condensed soups at one or more uniform maximum prices, as hereinafter determined. The maximum price per dozen cans for the canned condensed soups, governed by this Maximum Price Regulation No. 181, which are to be sold on any uniform price line basis shall be:

(1) The average of the respective maximum prices for the varieties and can sizes of the canned condensed soups which are to be included in the uniform price line, as individually determined under paragraph (b) of this section; weighted according to

(2) The number of dozens of the related varieties of canned soups which were sold during the one-year period immediately preceding the date of computation hereunder, without regard to can size, except that in case of any price revision made under paragraph (d) of this section the number of dozens of the varieties and can sizes of canned condensed soups included in the price line which have been sold during such period shall also be included.

(d) If during any three-months period subsequent to October 1, 1942, the total sales volume, since the last price computation hereunder, of any variety sold as part of a price line has varied more than 25% in proportion to the total sales volume, during the same period, of all soups included in the price line, the canner must recompute his uniform maximum price at the end of such three-months period in accordance with the provisions of paragraph (c) of this section. But in no event shall the maximum price thus computed exceed the maximum price for such price line as first computed hereunder.

(e) No canner shall change his customary allowances, discounts, or other price differentials unless such change results in the same or a lower price.

(f) Any canner who sold any item partly on an f. o. b. factory basis and partly on a delivered basis, during the calendar year 1941, shall separately calculate for the item a maximum price f. o. b. factory and a maximum delivered price. Any canner who sold on a delivered basis by zones shall calculate a separate maximum delivered price for each zone. For the purpose of this paragraph, the canner shall accordingly segregate his 1941 prices for the item when calculating weighted average 1941 prices.

[Paragraph (f) added by Amendment 2, 7 F.R. 10470]

§ 1341.53 *Wholesaler's and retailer's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.*—(a) Every wholesaler and retailer, in computing the maximum price per dozen or per can for each brand, variety, and can size of canned condensed soup which it is permissible to pack after June 30, 1942, under Conservation Order M-81, and amendments thereto:

(1) Shall divide his maximum price per dozen or per can, as determined under the General Maximum Price Regulation, for the same brand, related variety, and that can size which had the largest sale during the calendar year 1941, by his replacement cost per dozen or per can of that soup, or, at his election, by the actual cost per dozen or per can of those units of such soup for which the price charged during March 1942 determined his maximum price under the General Maximum Price Regulation; and

[Paragraph (1) as amended by Amendment 1, 7 F.R. 5775]

(2) Shall multiply the figure so obtained by the maximum price per dozen or per can which some person, selected by him, from whom he was regularly purchasing such related canned soup during the first three months of the year 1942, is entitled to charge him under this Maximum Price Regulation No. 181 for the canned condensed soup being priced hereunder.

(b) No canned condensed soup shall be sold by any wholesaler or retailer until he has computed hereunder his maximum price for such soup, and when computed such maximum price shall be his maximum price from that time forward.

(c) No wholesaler or retailer shall change his customary allowances, dis-

counts, or other price differentials unless such change results in the same or a lower price.

(d) *Fractions of a cent.* When calculating a maximum price, the retailer shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than one-half cent to the next lower cent.

[Paragraph (d) added by Amendment 2, 7 F.R. 10470]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1341.54 *Inability to fix maximum prices under preceding sections.* (a) If the seller's maximum price for any item cannot be determined under §§ 1341.52 and 1341.53, his maximum price shall be the maximum price of the most closely competitive seller.

(b) If the seller's maximum price for any item cannot be determined under §§ 1341.52 and 1341.53 or under paragraph (a) of this section, the maximum price shall be a price determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a detailed description of the brand, variety and can size; and (2) a statement of the facts which differentiate it from the most similar item for which he has determined a maximum price, identifying the similar item and stating the maximum price determined for it. When authorization is given, it will be accompanied by instructions for determining the maximum price. Within ten days after the price has been determined, the seller shall report it to the Office of Price Administration, Washington, D. C. This price shall be subject to adjustment at any time by the Office of Price Administration.

[§ 1341.54 as amended by Amendment 2, 7 F.R. 10470]

§ 1341.55 *Information and advice to purchasers from canners and wholesalers.* (a) Any person, except a retailer, selling canned condensed soups covered by this Maximum Price Regulation No. 181 shall, before making any sales of such soups to any person to whom he was regularly selling any related variety of canned soup during the first three months of the year 1942, disclose in writing all maximum prices which he is entitled to charge such purchaser under this Maximum Price Regulation No. 181.

(b) Any person, except a retailer, selling canned condensed soups covered by this Maximum Price Regulation No. 181 shall, within 5 days after the receipt by him of the text or copy thereof, of Instructions to Wholesalers and Retailers, to be distributed to canners by the Office of Price Administration, prepare and supply a copy of such Instructions to every person to whom he actually or regularly sells the canned condensed soups covered by this Maximum Price Regulation No. 181. The text of such Instructions will be prepared by the Office of Price Administration and will include specific directions to wholesalers and retailers as to the manner in which maximum prices shall be computed hereunder.

§ 1341.56 *Distinctive labeling.* Every canner, and any other person for whose account canned condensed soups covered by this Maximum Price Regulation No. 181 are packed or labeled, shall label each such soup sold by him in a manner calculated clearly to distinguish it, in the eyes of the ordinary casual purchaser at retail, from canned soups not covered by this Maximum Price Regulation No. 181, and shall file with the Office of Price Administration, Washington, D. C., on or before August 15, 1942 a sample of each new label required hereunder together with a sample of each label heretofore used, during the calendar years 1941 and 1942, on those respective canned soups not covered by this Regulation which were the most closely related to the canned condensed soups sold under this Maximum Price Regulation No. 181.

§ 1341.57 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of a canner are sold or otherwise transferred on or after July 18, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of § 1341.60.

§ 1341.58 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 181 may be charged, demanded, paid, or offered.

§ 1341.59 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 181 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to canned soups, alone or in conjunction with any other commodity or by way of any commission, service transportation, or other charge, or discount, premium, or other privilege, by tying-agreement, or other trade understanding, or otherwise.

§ 1341.60 *Records and reports.* (a) Every person who makes sales of canned condensed soups shall:

(1) Preserve for examination by the Office of Price Administration all their existing records which were the basis for the computations required by § 1341.52 and § 1341.53, and (2) preserve all records of the same kind as he has customarily kept, relating to the prices which he charged for canned condensed soups sold on and after July 18, 1942, and (3) file with the appropriate field office of the Office of Price Administration on or before August 15, 1942, for canners, and within 20 days respectively after the maximum prices for all canned condensed soups sold by them can first be determined hereunder, for wholesalers, a statement certified under oath or affirmation showing the maximum prices determined hereunder for each variety and can size of canned condensed soups, and all his customary allowances, discounts, and other price differentials, with the qualification that except as hereinafter provided retailers shall not be required to file their maximum prices, and (4) preserve a true copy of such statement for examination by any person during ordinary business hours. Any person who claims that substantial injury would result to him from making such statement available to any other person shall so notify the appropriate field office of the Office of Price Administration, and if he is a retailer he shall include with the notification a true copy of such certified statement. The information contained in such a statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 181.

[NOTE: Supplementary Order No. 23 (7 F.R. 8478), provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation need be notarized.]

(b) In addition to the foregoing, every canner who makes sales of canned condensed soups shall file with the Office of Price Administration, Washington, D. C., on or before August 15, 1942, a statement certified under oath or affirmation showing:

(1) The weighted average direct cost per dozen, as defined in § 1341.52 hereof, of those varieties of canned soups packed during the calendar year 1941 which are related to the canned condensed soups being priced hereunder, in the respective can sizes which had the largest retail sale during the calendar year 1941;

(2) The weighted average price per dozen, as defined in § 1341.52 hereof, charged by the canner during the calendar year 1941 for the canned soups specified in paragraph (b) (1);

(3) The direct cost per dozen, as defined in § 1341.52 hereof, of the canned condensed soups which are being priced hereunder. If all or part of the direct cost is estimated by the canner a statement shall also be submitted showing the basis for such estimates;

(4) The maximum price for each variety and can size of such canned condensed soups, as determined under this Maximum Price Regulation No. 181;

(5) The uniform maximum price for any price line established under this Maximum Price Regulation No. 181, together with a schedule showing the varieties and can sizes of canned condensed soup included in such price line and the total sales volume of each such soup during the one-year period immediately preceding the date on which the uniform maximum price was computed hereunder; and

(6) A schedule showing the percentage of dry solids and the recommended dilution with water for:

(i) The canned condensed soups being priced hereunder; and

(ii) The related varieties of canned soups sold during the calendar year 1941.

(c) In addition to the foregoing, every canner whose uniform maximum price for the canned condensed soups included in any price line is revised under § 1341.52, paragraph (d) hereof shall within 20 days after the termination of the three-months period specified in such section and paragraph file with the Office of Price Administration in Washington, D. C.,

(1) The uniform maximum price, as revised;

(2) A statement of the extent to which the sales volume of each variety included in the price line has changed since the preceding price computation; and

(3) A statement of the respective sales volumes, in dozens of cans of each of the soups included in the price line, during the one-year period immediately preceding the termination of the three-months period specified above.

§ 1341.61 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at wholesale or retail any canned condensed soup covered by this Maximum Price Regulation No. 181. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1341.62 *Marking, posting and filing by retailers; applicability of the marking, posting and filing provisions of the General Maximum Price Regulation.* The marking, posting and filing provisions of § 1499.13 of the General Maximum Price Regulation are applicable to every person selling at retail any canned condensed soup covered by this Maximum Price Regulation No. 181. When used in this section, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation.

[§ 1341.62 as amended by Amendment 2, 7 F.R. 10470]

§ 1341.63 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 181, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1341.64 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 181 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

[§ 1341.64 as amended by Supplementary Order 26, 7 F.R. 8948]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1341.65 *Applicability.* The provisions of this Maximum Price Regulation No. 181 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.66 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 181 supersede the provisions of the General Maximum Price Regulation, § 1341.62 hereof, with respect to the sales and deliveries of canned condensed soups packed in tinplate or terneplate for which maximum prices are established by this Maximum Price Regulation No. 181.

§ 1341.67 *Export sales.* The maximum price at which a person may export any canned condensed soup otherwise governed by this Maximum Price Regulation No. 181 shall be determined in accordance with the provisions of the Maximum Export Price Regulation[5] issued by the Office of Price Administration.

§ 1341.68 *Definitions.* (a) When used in this Maximum Price Regulation No. 181 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing, the United States, any agency thereof, any other Government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Canner" means a person who purifies by heat and hermetically seals in containers made in whole or in part of tinplate, terneplate, or blackplate or any combination thereof, but not including nonmetal containers even though the closures, crowns, or caps of such nonmetal containers are made in whole or in part of tinplate, terneplate, or blackplate.

(3) "Canned condensed soup" means any condensed soup, purified by heat and hermetically sealed in the metal containers heretofore referred to in paragraph (a) (2) of this section, of a kind and formula which it is permissible to pack after June 30, 1942, under the provisions of Conservation Order M-81, and amendments thereto, issued by the War Production Board, whether such soup was packed before or after June 30, 1942.

(4) "Price per dozen" shall mean "price per dozen f. o. b. factory" or "delivered price per dozen" according to the seller's customary practice, during the calendar year 1941, of charging for the item being priced.

[Paragraph (4) as amended by Amendment 2, 7 F.R. 10470]

(5) "Related variety" of canned soup means that canned soup which was the most similar in formula to the canned condensed soup as to which a maximum price is being determined.

(6) "Replacement cost" shall be the net price paid by the seller, on June 30, 1942, or the net price which the seller would have had to pay to replace such commodity on that date.

(7) "Retail sale" means a sale, by other than a canner and in the original can, to an ultimate consumer other than an industrial or commercial user.

(8) "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales are made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.69 *Effective date.* This Maximum Price Regulation No. 181 (§§ 1341.51 to 1341.69 inclusive) shall become effective July 18, 1942.

[Issued July 17, 1942]

§ 1341.70 *Effective dates of amendments.*

Amendment Nos. and issue dates:	*Effective*
Amendment 1, 7-24-42	7-24-42
Amendment 2, 12-12-42	12-18-42
Amendment 3, 3-9-43	3-15-43

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3749; Filed, March 9, 1943; 3:53 p. m.]

[4] 7 F.R. 8961.

[5] Revised: 7 F.R. 5059, 7242, 8829, 9000, 10530.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amendment 15]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.814 is amended to read as follows:

§ 1351.814 *Petitions for amendment and applications for adjustment.* (a) *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 280 may file a petition for amendment in accordance with the provisions of Re-

*Copies may be obtained from the Office of Price Administration.

vised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

(b) *Applications for adjustment.* The Office of Price Administration or any duly authorized representative thereof may adjust any of the maximum prices established herein except those established for eggs as listed in § 1351.801, paragraph (b) of the regulation, where the applicant files an application pursuant to Revised Procedural Regulation No. 1 showing that:

(1) Such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established pursuant to this regulation for other sellers, and

(2) This abnormality subjects him to hardship.

(c) *Joint applications.* Manufacturers or processors of the commodities listed in § 1351.801 except eggs, and persons who purchase those commodities from them for resale, may file joint applications for adjustment under paragraph (b) above pursuant to § 1300.14 of Revised Procedural Regulation No. 1.

(d) *Limitation on application for adjustment.* No application for adjustment pursuant to paragraph (b) above will be granted unless it is filed within:

(1) Sixty days of the effective date of this section, or

(2) Sixty days after an application for adjustment is granted pursuant to the terms of this paragraph to a person from whom the applicant purchases one of the items referred to in paragraph (b) above.

(e) Each regional administrator is authorized to make adjustments or act upon applications for adjustment under paragraph (b) above where the applicant is a wholesaler or a retailer.

§ 1351.821 *Effective dates of amendments.* * * *

(k) Amendment No. 15 (§ 1351.804) shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3752; Filed, March 9, 1943; 3:51 p. m.]

PART 1396—FINE CHEMICALS AND DRUGS

[MPR 278,[2] Amendment 1]

TOTAQUINA AND TOTAQUINA PRODUCTS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1396.306 of Maximum Price Regulation No. 278 is hereby revoked.

This amendment shall become effective March 15, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

[2] 7 F.R. 10153.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3745; Filed, March 9, 1943; 3:52 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 244, Amendment 3]

GRAY IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1421.157 is amended, paragraph (b) of § 1421.157 is revoked, a new paragraph (e) is added to § 1421.157, a new subparagraph (12) is added to § 1421.164 (a), all to read as set forth below:

§ 1421.157 *Petitions and applications for amendment, adjustment or exception.* (a) Any seller of gray iron castings may file an application for adjustment of his maximum prices for any or all such castings: *Provided*, That he is prepared to show:

(1) That his maximum prices for such castings are below his costs of producing them, or are inadequate to maintain continued production of such castings, and

(2) That such castings are necessary to the war effort, and either

(3) That he has entered into or proposes to enter into Government contracts or subcontracts under such contracts for the sale of such castings, or

(4) That unless adjustment is granted applicant will cease or will not undertake production of such castings, and as a result the purchaser will be materially handicapped in its operations for one or more of the following reasons:

(i) Applicant possesses special knowledge and experience in the production of such castings,

(ii) No other foundry properly equipped to produce such castings is located within a convenient distance of purchaser,

(iii) There is a general shortage in the type of facility possessed by applicant for the production of such castings,

(iv) The purchaser will be unable to procure such castings from another satisfactory source except at prices higher than those requested by applicant.

Such adjustments may be granted by the administrator or, in an appropriate case, by the regional administrator for the appropriate regional office of the Office of Price Administration, and shall be based upon a consideration of changes in applicant's costs of production, his over-all returns and such other circumstances as may be pertinent to the maintenance of an adequate supply of gray iron castings needed for the war effort.

Applications for adjustment under this paragraph (a) shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration, except that they shall be filed with the appropriate regional office of the Office of Price Administration. Such applications shall be submitted on Form 344:3-A or on Forms 344:3-A and 344:3-B, whichever is applicable, in accordance with the instructions accompanying said forms. Copies of these forms may be obtained from the Office of Price Administration, Washington, D. C., or from any of its field offices.

* * * * * *

(e) *Supplementary Order No. 9*[1] *and Procedural Regulation No. 6*[2] *not to apply.* Supplementary Order No. 9 issued by the Office of Price Administration dealing with applications for adjustment under Procedural Regulation No. 6 of maximum prices of sales pursuant to government contracts or subcontracts shall not apply to applications for the adjustment of the maximum prices of a gray iron casting.

§ 1421.164 *Definitions.* (a) * * *

(12) "Government contract" means any contract with the United States or any agency thereof or with the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such government.

This amendment shall become effective March 13th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3746; Filed, March 9, 1943; 3:52 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333,[3] Amendment 1]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respect:

Section 1429.52 (c) is added to read as follows:

(c) *Sales to the United States of America.* All sales of dried whole eggs to the United States of America or any agency thereof, where the seller was obligated to make delivery of such dried whole eggs during the month of February, 1943, but where actual delivery is made to the United States of America or any agency thereof, or such dried whole eggs are received by a carrier other than

[1] 7 F.R. 5444, 9323.

[2] 7 F.R. 5087, 5664.

[3] 8 F.R. 2488.

a carrier owned by or controlled by the seller, for shipment, to the United States of America or any agency thereof, at any time after February 28, 1943.

This amendment shall become effective March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-3758; Filed, March 9, 1943; 3:46 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Ration Order 9,[1] Amendment 5]

HEATING STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1432.13 (d) and 1432.19 (b) are amended; as set forth below:

Subpart B—Provisions Affecting Consumers and Boards

§ 1432.13 *Persons eligible to obtain certificates for new coal heating stoves.* * * *

(d) Anyone who would be eligible for an auxiliary fuel oil ration (under Ration Order No. 11) of 100 gallons or more.

* * * * * *

§ 1432.19 *Issuance of certificates.* * * *

(b) Where a person who has applied for an auxiliary fuel oil ration of 100 gallons or more is ineligible for such ration because none of the conditions in paragraph (f) or (g) of § 1394.5305 of Ration Order No. 11 exists, the board shall tender him a certificate for a new coal heating stove.

This amendment shall become effective on March 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-S, 7 F.R. 10668, E.O. 9125, 7 F.R. 2719)

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3747; Filed, March 9, 1943; 3:53 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[PAO 7,[2] Amendment 1]

Section 1545.3 *Petroleum Administrative Order 7* hereby is amended by changing paragraph (f) to read as follows:

(f) *Effective date.* This order shall continue in effect until revoked.

(E. O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-3723; Filed March 9, 1943; 1:32 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 24, Supp. 3]

PART 310—MERCHANT MARINE TRAINING

PAY OF UNITED STATES MERCHANT MARINE CORPS CADETS

War Shipping Administration emergency regulations governing the appointment and training of cadets in the United States Merchant Marine Cadet Corps.

Section 310.57 is amended to read:

§ 310.57 *Pay.* (a) Cadets will receive pay at the rate of $65 per month from the W. S. A. while at the Academy, basic schools, or places of special shore training. Pay while at the Academy or basic schools will commence on the date of attachment to the Academy or to basic schools: *Provided*, That the successful completion of the preliminary course is a prerequisite to the right of a Cadet to receive any pay or compensation. Cadets initially assigned to basic schools or the Academy for preliminary training and basic Naval Science shall not receive their balance of pay until after the date of their detachment from basic schools for assignments to ships or places of special shore training. Periods spent at places of special shore training shall be considered the same as time spent at the Academy or at basic schools.

(b) Cadets assigned to ships on or after March 15, 1943 will receive pay, while attached to such vessel, at the rate of $82.50 per month from their steamship company employers which represents the minimum basic monthly wage of $65.00 and includes the additional emergency compensation of $17.50, without regard to the port from which a vessel departs.

(c) Cadets will not receive pay from the W. S. A. when not attached to the Academy or to basic schools or assigned to places of special shore training, except when specially authorized by the Supervisor.

(d) Cadets assigned to the Academy or basic schools for advanced courses or license preparation or while waiting assignment or while at places of special shore training shall receive their pay at the end of each calendar month and on the date of their detachment from the Academy, basic school or place of special shore training.

(e) The Supervisor may place any cadet on a non-pay basis for disciplinary reasons while assigned to the Academy, basic schools, or places of special shore training.

(E.O. 9054, 7 F.R. 837; E. O. 9198, 7 F.R. 5383)

E. S. LAND,
Administrator.

MARCH 8, 1943.

[F. R. Doc. 43-3720; Filed, March 9, 1943; 12:21 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 220—EMBARGOES

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 2d day of March 1943.

The matter of continuous and adequate service by motor common carriers of property, and sections 204 (a) and 216 (b), being under consideration,

It is ordered, That:

Sec.
220.1 Carriers to give public notice of embargoes.
220.2 Notice of delay in performing service.
220.3 Carrier's duty to transport unaffected.

AUTHORITY: §§ 220.1 to 220.3 inclusive, issued under Secs. 204 (a) (1) and (6), 49 Stat. 546; § 4, 52 Stat. 1237; 49 U.S.C. 304 (a) (1) and (6).

§ 220.1 *Carriers to give public notice of embargoes.* (a) Whenever any motor common carrier of property subject to the Interstate Commerce Act finds that because of a lack of facilities or personnel, or because it is required to give preference and precedence to other traffic legally entitled to such priority, or because of other compelling circumstances not within the control of the carrier, it is or will be unable to perform all authorized transportation services requested of it, and that it will be necessary for it temporarily to suspend the offering of service in the transportation of any commodity, commodities, or class of traffic, to or from any territory, point, shipper, consignee, or connecting carrier, or over any route, it shall immediately give public notice of such fact by a written notice of an embargo, specifying the extent thereof, the date the embargo is to become effective, its duration, if known, and the reasons why the placing of the embargo is necessary.

(b) Immediately upon the issuance of a notice of an embargo as required by paragraph (a) of § 220.1, one copy of such notice shall be mailed to the Bureau of Motor Carriers, Interstate Commerce Commission, Washington, D. C., two copies shall be mailed or delivered to the District Director of the Interstate Commerce Commission in the district where the principal headquarters of the carrier is located, one copy shall be posted for public inspection in each office of the carrier where the embargo is to be made effective, one copy shall be served upon

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10720; 8 F.R. 1318, 2433.

[2] 8 F.R. 1756.

each connecting carrier with whom the issuing carrier interchanges traffic in cases where traffic so interchanged is affected, and, so far as is reasonably practicable in each case, the embargo shall be brought to the attention of interested shippers and consignees.

(c) Except in instances when the notice of an embargo specifies the date of its expiration, a notice of the termination or modification of an embargo shall be issued, posted, and filed by the carrier, and notice of such termination shall be given to interested shippers, consignees, and connecting lines, in the same manner as prescribed for notice of the establishment of an embargo in paragraph (b) of this section.

§ 220.2 *Notice of delay in performing service.* In all instances, other than those specified in § 220.1 of this chapter, when a motor common carrier of property subject to the Interstate Commerce Act, is unable to perform authorized transportation promptly upon request, it shall notify the person requesting the service of the anticipated delay and the reason therefor, and shall promptly notify the Bureau of Motor Carriers, Interstate Commerce Commission, Washington, D. C., and the District Director of the Bureau of Motor Carriers, Interstate Commerce Commission, in the district where the carrier has its principal headquarters, of any inability to perform requested transportation within a reasonable time, and the reason therefor. Upon the termination of the conditions which render the carrier unable to perform desired transportation within a reasonable time, the carrier shall notify the Bureau of Motor Carriers and the District Director, mentioned above, of the changed conditions.

§ 220.3 *Carrier's duty to transport unaffected.* The provisions of §§ 220.1 and 220.2 of this chapter shall not be construed to relieve any carrier of the duty to furnish transportation service, nor to relieve any carrier of the duty to observe all requirements of law and the regulations prescribed by the Commission.

And it is further ordered, That this order shall become effective April 15, 1943, and shall continue in effect until the further order of the Commission.

By the Commission, Division 5.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3773; Filed, March 10, 1943; 11:25 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

THORNTON AND COMPANY

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

In the matter of Thornton and Company, licensee. Proceeding for revocation of license.

To: Thornton and Company, R. D. #2, Mechanicsburg, Pennsylvania. Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following findings of fact.

1. On February 2, 1943, a Specification of Charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and the regulations pursuant thereto of which you were accused, was mailed to you at the above, your last known address, giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 25 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Mechanicsburg, Pennsylvania, does not exceed 3 days. You have failed to answer the charges against you or to demand a hearing.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations thereunder (7 F.R. 5901), *It is hereby ordered,* That Purchaser's License No. 404040 and all other licenses, if any, issued to you under the Federal Explosives Act (55 Stat. 863), be and they are hereby revoked as of midnight, March 15, 1943;

That prior to midnight, March 15, 1943, you shall dispose of all of your explosives or ingredients thereof by selling them to properly licensed persons, by using them, or by destroying them; and

That prior to midnight, March 15, 1943, you shall surrender all licenses and certified or photographic copies thereof, if any, issued to you under the Federal Explosives Act, by delivering or mailing the same to me at the Interior Department, Washington, D. C., attaching to the licenses a sworn statement showing the manner of disposition of the explosives and ingredients, the names and addresses of the persons, if any, to whom you sold the explosives and ingredients, the Federal explosives license numbers of such persons, and the amounts and kinds of explosives and ingredients sold to each of them.

Failure to comply with any of the provisions of this Order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Dated: March 4th, 1943.

R. R. SAYERS,
Director, Bureau of Mines.

[F. R. Doc. 43-3760; Filed, March 9, 1943; 4:03 p. m.]

DEPARTMENT OF LABOR

Wage and Hour Division.

MISCELLANEOUS TEXTILE, LEATHER, FUR, STRAW, AND RELATED PRODUCTS INDUSTRIES.

NOTICE OF HEARING

Notice of hearing on the minimum wage recommendation of Industry Committee No. 55 for the miscellaneous textile, leather, fur, straw, and related products industries to be held March 30, 1943.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on February 11, 1943, by Administrative Order No. 175, appointed Industry Committee No. 55 for the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 55, on March 2, 1943, recommended a minimum wage rate for the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on March 5, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 55 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 55 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under Section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries (as defined in Administrative Order No. 175) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries as set forth in Administrative Order No. 175, issued February 11, 1943, is as follows:

(a) The coating, impregnating, and other processing of textiles, including, but without limitation, the production of oilcloth, artificial leather, linoleum, and felt base floor coverings.

(b) The manufacture of any product from textile yarn or fabric (made from any animal, mineral, vegetable or synthetic fiber or mixtures of any of these fibers), impregnated or coated textiles, hair, bristles, straw, leather, feathers, and similar materials; except the weaving of fabric from mineral fibers or yarn.

(c) The dressing, dyeing, and other processing or handling of fur skins or pelts, and the manufacture of any product from fur skins or pelts.

(d) The manufacture of men's or boys' straw or harvest hats, the term "straw" being used in the trade sense and not being confined to materials made from natural fibers,

Provided, however, That this industry shall not include any product or part (other than men's and boys' straw or harvest hats) the manufacture of which is covered by the definition of an industry for which a wage order has been issued or for which an industry committee has been appointed under the Fair Labor Standards Act.

III. The full text of the report and recommendation of Industry Committee No. 55 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Mass., Old South Building, 294 Washington Street.
Hartford, Conn., Department of Labor and Factory Inspection, 357 State Office Building.
New York, N. Y., 341 Ninth Avenue.
Newark, N. J., Essex Building, 31 Clinton Street.
Philadelphia, Pa., 1216 Widener Building, Chestnut and Juniper Streets.
Pittsburgh, Pa., Clark Building, Liberty Avenue and Seventh Street.
Richmond, Va., 215 Richmond Trust Building, 627 East Main Street.
Baltimore, Md., 201 North Calvert Street.
Raleigh, N. C., North Carolina Department of Labor, Salisbury and Edenton Streets.
Atlanta, Ga., Fifth Floor, Witt Building, 249 Peachtree Street NE.
Columbia, S. C., Federal Land Bank Building, Hampton and Marion Streets.
Jacksonville, Fla., 456 New Post Office Building.
Birmingham, Ala., 1007 Comer Building, Second Avenue and 21st Street.
New Orleans, La., 916 Union Building.
Jackson, Miss., 404 Deposit Guaranty Bank Building, 102 Lamar Street.
Nashville, Tenn., 509 Medical Arts Building, 115 Seventh Avenue, North.
Cleveland, Ohio, Main Post Office, West Third and Prospect Avenue.
Detroit, Mich., David Scott Building, 1150 Griswold Street.
Cincinnati, Ohio, 1312 Traction Building, Fifth and Walnut Streets.
Chicago, Ill., 1200 Merchandise Mart, 222 West North Bank Drive.
Minneapolis, Minn., 406 Pence Building, 730 Hennepin Avenue.
Kansas City, Mo., 504 Title and Trust Building, Tenth and Walnut Streets.
St. Louis, Mo., 316 Old Customs House.
Denver, Colo., 300 Chamber of Commerce Building, 1726 Champa Street.
Dallas, Tex., Rio Grande National Building, 1100 Main Street.
San Francisco, Calif., 800 Humboldt Bank Building, 785 arket Street.
Los Angeles, Calif., 417 H. W. Hellman Building.
Seattle, Wash., 305 Post Office Building, Third Avenue and Union Street.
San Juan, P. R., Post Office Box 112.
Washington, D. C., Department of Labor, First Floor.
New York, N. Y., 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on March 30, 1943, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 1001, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question: Whether the recommendation of Industry Committee No. 55 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 55 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided,* That not later than March 25, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person poposes to appear for or against the recommendation of Industry Committee No. 55.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 55 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Memorandum to Industry Committee No. 55 for the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries,* prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, February 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statment as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer, the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be for-

warded to the Administrator by the Presiding

(2) If any such interception occurred,

In the matter of Bernhardt Peterson,

EXHIBIT A

pursuant to law, the Alien Property Cus-

warded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 9th day of March 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-3767; Filed, March 10, 1943; 10:29 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6494]

ALL AMERICA CABLES AND RADIO, INC. AND MACKAY RADIO AND TELEGRAPH CO.

ORDER FOR INVESTIGATION

In the matter of All America Cables and Radio, Inc., and Mackay Radio and Telegraph Company, Inc. (Delaware). Interception of foreign communications.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2nd day of March, 1943:

The Commission having under consideration information indicating that All America Cables and Radio, Inc., a common carrier subject to the Communications Act of 1934, as amended, may have been, and may be intercepting communications by radio intended for receipt by carriers other than itself or its American radio correspondent, Mackay Radio and Telegraph Company, Inc. (Delaware); which may be in violation of the Communications Act of 1934, as amended:

It is ordered, That an investigation be, and the same is hereby, instituted with respect to the following matters:

(1) Whether All America Cables and Radio, Inc., or any of its officers or agents, or any person acting for or employed by it, has at any time intercepted any communication by radio intended for receipt by any carrier other than itself or its American radio correspondent, Mackay Radio and Telegraph Company, Inc. (Delaware);

(2) If any such interception occurred, the dates and circumstances of all such interceptions, including the identity and extent of participation of all the individuals and carriers involved, the purposes for which such interceptions were made, and the use made of the intercepted communications.

It is further ordered, That a copy of this order shall be served upon All America Cables and Radio, Inc. and Mackay Radio and Telegraph Company, Inc. (Delaware).

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3759; Filed, March 9, 1943; 4:03 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4876]

BERLOU MANUFACTURING COMPANY

SUBSTITUTE ORDER FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of March, A. D. 1943.

In the matter of Bernhardt Peterson, individually and trading as Berlou Manufacturing Company.

It is hereby ordered, That the taking of testimony in this matter shall begin on Wednesday, March 17, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 17, Federal Building, Marion, Ohio, instead of Tuesday, March 16, 1943, as heretofore ordered.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-3772; Filed, March 10, 1943; 11:23 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Order Nullifying Parts of Vesting Orders 205 and 291]

PATENTS OF ENEMY NATIONALS

Whereas pursuant to Vesting Order Number 205 of October 2, 1942, the undersigned vested as property in which a resident of The Netherlands, and therefore a national of a foreign country, had an interest, among other things, the patent application identified as follows:

Serial No.	Filing date	Inventor	Title
318,328	2/10/40	E. Eichwald	Process for manufacturing viscous products suitable for lubrication.

Whereas pursuant to Vesting Order Number 291 of November 2, 1942, the undersigned vested as property in which residents of The Netherlands, and therefore nationals of a foreign country, had interests, among other things, the patent applications identified in Exhibit A attached hereto and made a part hereof;

Whereas further investigation has revealed that all of the aforesaid patent applications were, on the respective dates they were vested as aforesaid, in fact owned by Shell Development Company, a corporation of the United States, and that the instruments of assignment evidencing the conveyances to said company of title to all of such patent applications have been recorded in the United States Patent Office; and the undersigned has no knowledge of any interest therein held by any national of any foreign country other than Shell Development Company and its subsidiaries;

Whereas had the undersigned, on the respective dates he issued the aforesaid vesting orders, known the facts subsequently revealed and hereinbefore recited, he would not have included in such vesting orders any of the aforesaid patent applications.

Now, therefore, those parts of said vesting orders numbered 205 and 291 pertaining to the aforesaid patent applications are hereby rescinded and declared null and void. The recision herein contained shall, with respect to each such vesting order, be effective as of the date of issuance of such order, and all right, title and interest in and to such patent applications held by any and all persons immediately prior to the issuance of such orders shall be deemed to be restored to such persons to be held and enjoyed as though such patent applications had never been included in vesting orders numbered 205 and 291.

All provisions of said vesting orders numbered 205 and 291 relating to property other than the patent applications hereinbefore described, and all action taken by or on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
150,544	6/26/37	G. Visser	Branched-chain paraffin hydrocarbons and process for their production.
263,056	3/20/39	J. Van Nelsen	Reaction of non-conjugated olefinic compounds with LB unsaturated carbonylic compounds.
265,745	4/3/39	H. Waterman et al.	Production of extrusion products from Diene hydrocarbons.
272,628	5/9/39	A. Van Peski	Anti-knock motor fuel.
286,296	7/24/39	A. Van Peski et al.	Capillary-active agents.
287,618	7/31/39	W. Van Dijck et al.	Manufacture of capillary-active compounds.
298,504	10/9/39	A. Van Peski	Process for isomerizing hydrocarbons.
302,314	11/7/39	A. Van Peski et al.	Isomerization of hydrocarbons.
308,426	12/9/39	F. Van Der Pias	Extraction process.
312,186	1/2/40	A. Van Peski	Alkylation process.
318,179	2/9/40	J. Berge	Composition of matter.
320,427	2/23/40	G. Van Leeuwen	Process of impermeabilizing, tightening, or consolidating grounds, etc.
320,428	2/23/40	G. Van Leeuwen	Process of impermeabilizing, tightening, or consolidating grounds, etc.
320,429	2/23/40	G. Van Leeuwen	Process of impermeabilizing, tightening, or consolidating grounds and other earthy and stony masses and structures.
322,170	3/4/40	J. Hoeffelmann	Process for producing sulphonium compounds.
323,408	3/11/40	H. Hoog	Treatment of hydrocarbons.
323,409	3/11/40	A. Van Peski et al.	Isomerization of naphthenic hydrocarbons.
327,931	4/4/40	A. Schaafsma	Process for dehydration.
328,067	4/9/40	A. Van Peski	Isomerization of hydrocarbons.
329,472	4/13/40	A. Van Peski et al.	Paraffin alkylation process.
334,546	5/11/40	A. Van Peski	Process for the production of hydroaromatic hydrocarbons.
337,190	5/25/40	J. Overhoff	Silver catalyst and method of making same.
337,324	5/25/40	J. Hoeffelman et al.	Organic sulfur compounds and a process for their preparation.
348,032	7/27/40	W. Mazee	Non-aqueous drilling fluid.
363,911	11/1/40	J. Hoeffelman	Mineral oil.

[F. R. Doc. 43-3679; Filed March 9, 1943; 10:27 a. m.]

[Vesting Order 963]

CONTRACT BETWEEN I. G. FARBENINDUSTRIE A. G. AND PEN-CHLOR, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie A. G., a corporation organized under the laws of Germany and doing business at Frankfort-on-the-Main, Germany, is a national of a foreign country (Germany);

2. Finding that said I. G. Farbenindustrie A. G., is the owner of the interest described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

The interest of I. G. Farbenindustrie A. G. in and to an agreement dated April 29, 1935, by and between I. G. Farbenindustrie A. G. and Pen-Chlor, Inc., a corporation organized under the laws of Delaware, relating to the manufacture of pure anhydrous ferric chloride under a secret process owned by I. G. Farbenindustrie A. G. and under such patents as might be obtained thereon in the future, together with all accrued royalties and other monies payable or held with respect to such interest,

is property payable or held with respect to a patent or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3724; Filed, March 9, 1943; 2:08 p. m.]

[Vesting Order 1002]

TRUST UNDER WILL OF LOUISA L. S. BAGG

In re: Trust under the will of Louisa L. S. Bagg, deceased; File No. D-28-1765; E. T. sec. 931.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ethel Mather Salter, formerly Ethel Mather Bullard, of Washington, D. C., and Louise de Rosales, formerly of Washington, D. C., whose present address is London, W. 1, England, acting under the judicial supervision of the Probate Court, Hampden County, Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Elsa Oppitz whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elsa Oppitz in and to a trust created under the will of Louisa L. S. Bagg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3725; Filed, March 9, 1943; 2:13 p. m.]

[Vesting Order 1003]

ESTATE OF HENRY G. BARBEY

In re: Estate of Henry G. Barbey, deceased; File No. D-28-3335—E. & T. sec. 871.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of New York, as Executor, and Sabina Barbey, as Executrix, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Westchester County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Alexandrine von Saldern, also known as Alix van Sandern, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alexandrine von Saldern, also known as Alix van Sandern, in and to the Estate of Henry G. Barbey, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3726; Filed, March 9, 1943; 2:13 p. m.]

[Vesting Order 1004]

ESTATE OF AUGUST BERGER

In re: Estate of August Berger, deceased; File D–28–2109; E. T. sec. 2593.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Paul Walther, Executor of the Estate of August Berger, deceased, acting under the judicial supervision of the Union County Orphans' Court, Union County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Werner Vossnacke	Germany.
Gunther Erlach	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Werner Vossnacke and Gunther Erlach, and each of them, in and to the Estate of August Berger, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3727; Filed, March 9, 1943; 2:13 p. m.]

[Vesting Order 1005]

ESTATE OF ELIZABETH BIEDERMANN

In re: Estate of Elizabeth Biedermann, deceased; File F–28–7297; E. T. sec. 2281.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Julie Postemer, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Julie Postemer, in and to the Estate of Elizabeth Biedermann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3728; Filed, March 9, 1943; 2:12 p. m.]

[Vesting Order 1006]

TRUST UNDER WILL OF BERTHOLD BLUMENTHAL

In re: Trust under the will of Berthold Blumenthal, deceased; File F–28–17311; E. T. sec. 1510.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Chemical Bank & Trust Company, 165 Broadway, New York, New York, Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Emma Roeper-Alscher	Germany.
Mariana Klein and her issue whose names are unknown	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and,

Having made all determinations and taken all action after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claims of any kind or character whatsoever of Emma Roeper-Alscher and Mariana Klein and her issue whose names are unknown and each of them, in and to the Trust Estate created under the Last Will and Testament of Berthold Blumenthal, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3729; Filed, March 9, 1943; 2:12 p. m.]

[Vesting Order 1007]

ESTATE OF FRANK DINO

In re: Estate of Frank Dino, deceased; File D–38–1028; E.T. sec. 2643.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Surrogate of Essex County, acting under the judicial supervision of the Surrogate's Court, Essex County, New Jersey, and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely

National:	*Last known address*
Giuseppe Dino	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giuseppe Dino, in and to the Estate of Frank Dino, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3730; Filed, March 9, 1943; 2:12 p. m.]

[Vesting Order 1008]

ESTATE OF MARY W. ENDERS

In re: Estate of Mary W. Enders, deceased, also known as Mary Enders, also known as M. W. Enders, also known as Mary Anders, and also known as Mary W. Anders; File D–28–1938; E. T. sec. 1966.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Adam Enders	Germany.
Mrs. Wilhelm Bachhousen	Germany.
Mrs. Gustave Dickmann	Germany.
Mrs. Helen Meier (Mrs. Heinerich Meier)	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Adam Enders, Mrs. Wilhelm Bachhousen, Mrs Gustave Dickmann and Mrs. Helen Meier (Mrs. Heinerich Meier) and each of them in and to the Estate of Mary W. Enders, deceased, also known as Mary Enders, also known as M. W. Enders, also known as M Enders, also known as Mary Anders, and also known as Mary W. Anders,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3731; Filed, March 9, 1943; 2:12 p. m.]

[Vesting Order 1009]

ESTATE OF EMILIO GENTILI

In re: Estate of Emilio Gentili, deceased; File D–9–100–38–368; E. T. sec. 997.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Alfonso Pappalardo, Executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Ernesto Gentili	Italy.
Giuseppi Gentili	Italy.
Achille Gentili	Italy.
Vittorio Gentili	Italy.
Giulia Cufini	Italy.
Palmiro Gentili	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ernesto Gentili, Giuseppi Gentili, Achille Gentili, Vittorio Gentili, Giulia Cufini and Palmiro Gentili, and each of them in and to the Estate of Emilio Gentili, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3732; Filed, March 9, 1943; 2:12 p. m.]

[Vesting Order 1010]

ESTATE OF FRED GIEBLER

In re: Estate of Fred Giebler, deceased; File D–28–2283; E. T. sec. 2945.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fred W. Schilling, Administrator, acting under the judicial supervision of the Fourth Judicial District Court, in and for the County of Missoula, Montana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Karl Giebler	Germany.
Sofie Fischer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Giebler and Sofie Fischer, and each of them, in and to the Estate of Fred Giebler, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3733; Filed, March 9, 1943; 2:11 p. m.]

[Vesting Order 1011]

ESTATE OF ESTHER HOCHTEIL

In re: Estate of Esther Hochteil, deceased; File D–9–34–82; E. T. sec. 1605.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary acting under the judicial supervision of the Surrogate's Court Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely, Samuel Hochteil, whose last known address is Hungary;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Samuel Hochteil, in and to the Estate of Esther Hochteil, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3734; Filed, March 9, 1943; 2:11 p. m.]

[Vesting Order 1012]

TRUST UNDER WILL OF JOHN M. HUMMEL

In re: Trust u/w John M. Hummel, deceased; File D–28–1732; E. T. sec. 758.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, 135 South Broad St., Philadelphia, Pa., Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pa.,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals	*Last known address*
Helga Hummel	Germany.
Edgar Hummel, Jr	Germany.
Theodor Hummel	Germany.
Constantine Hummel	Germany.
Erna Klenk	Germany.
Frieda Woelfiin	Germany.
Estate of Eugenie Klenk	Germany.
Estate of Edgar Hummel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Helga Hummel, Edgar Hummel, Jr., Theodor Hummel, Constantine Hummel, Erna Klenk, Frieda Woelfiin, Estate of Eugenie Klenk and Estate of Edgar Hummel and each of them, in and to the Trust created under the Will of John M. Hummel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3735; Filed March 9, 1943; 2:11 p. m.]

[Vesting Order 1013]

TRUST UNDER WILL OF HENRY B. KING

In re: Trust under the will of Henry B. King, deceased; File D–38–1082; E. T. sec. 3179.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Citizens and Southern National Bank, Co-Trustee, acting under the judicial supervision of the Superior Court of Richmond County, Georgia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Giovanni Gregorini Bingham	Italy.
The oldest surviving son, name unknown, of Giovanni Gregorini Bingham	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giovanni Gregorini Bingham and the oldest surviving son, name unknown, of Giovanni Gregorini Bingham and each of them in and to the trust created under the will of Henry B. King, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3736; Filed, March 9, 1943; 2:11 p. m.]

[Vesting Order 1014]

ESTATE OF FREDERICK MESSERSCHMIDT

In re: Estate of Frederick Messerschmidt, deceased; File No. D–28–1884; E.T., sec. 1649.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Wilfred Carr, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilfred Carr in and to the Estate of Frederick Messerschmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3737; Filed, March 9, 1943; 2:10 p. m.]

[Vesting Order 1015]

ESTATE OF LUDWIG C. MILLER

In re: Estate of Ludwig C. Miller, also known as Louis C. Miller, Louis Miller, L. C. Miller and Ludwig C. Muller, deceased; File D–28–6658; E. T. sec. 4764.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William A. Ellington and John B. Puckett, Administrators, d. b. n. c. t. a., acting under the judicial supervision of the County Court of Cameron County, Texas.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Frieda Lubker	Germany.
Hans Thede	Germany.
Clara Schwartz	Germany.
Ludwig Thede	Germany.
Frieda Thede Brandt	Germany.
Martha Thede	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frieda Lubker, Hans Thede, Clara Schwartz, Ludwig Thede, Frieda Thede Brandt and Martha Thede and each of them in and to the estate of Ludwig C. Miller, also known as Louis C. Miller, Louis Miller, L. C. Miller and Ludwig C. Muller, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3738; Filed, March 9, 1943; 2:10 p. m.]

[Vesting Order 1016]

ESTATE OF LOUIS NOLL

In re: Estate of Louis Noll, deceased; File D–28–1683; E. T. sec. 609.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Louis Noll	Germany.
Mrs. Louise Lein	Germany.
Mrs. Louise Adolph	Germany.
Anna Chastenier	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Louis Noll, Mrs. Louise Lein, Mrs. Louise Adolph and Anna Chastenier, and each of them in and to the Estate of Louis Noll, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3739; Filed, March 9, 1943; 2:10 p. m.]

[Vesting Order 1017]

ESTATE OF HENRY H. SCHMIDT

In re: Estate of Henry H. Schmidt, deceased; File D–28–2029; E. T. sec. 2105.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order No. 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William A. Walter, executor, acting under the judicial supervision of the Probate Court of Wood County, Ohio.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known Address*
Emma Gerke	Germany.
Gustav Brinker	Germany.
Emma Brinker	Germany.
Lina Brinker	Germany
Friedrich Schmidt	Germany.
Gustav Schmidt	Germany.
Marie Schmidt	Germany.
Max Schmidt	Germany.
Louise Bradenwischer	Germany.
Eliza Brendenwischer	Germany.
—— Schmidt, grandchild of Mathias Schmidt (Twin; name unknown)	Germany.
—— Schmidt, grandchild of Mathias Schmidt (Twin; name unknown)	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest;

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emma Gerke, Gustav Brinker, Emma Brinker, Lina Brinker, Friedrich Schmidt, Gustav Schmidt, Marie Schmidt, Max Schmidt, Louise Bradenwischer, Eliza Brendenwischer, —— Schmidt, grandchild of Mathias Schmidt (twin; name unknown) and —— Schmidt, grandchild of Mathias Schmidt (twin; name unknown), and each of them in and to the Estate of Henry H. Schmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3740; Filed, March 9, 1943; 2:10 p. m.]

[Vesting order 1018]

ESTATE OF JOHN F. SCHROEDER

In re: Estate of John F. Schroeder, deceased; File D–28–1881; E. T. sec. 1646.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Carl Gustav Schroder	Germany.
Gustav Ewald Schroder	Germany.
Paul Wilhelm Schroder	Germany.
Fritz Otto Gottfried Schroder	Germany.
Hermine Clara Mathilde Chemnitius	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carl Gustav Schroder, Gustav Ewald Schroder, Paul Wilhelm Schroder, Fritz Otto Gottfried Schroder and Hermine Clara Mathilde Chemnitius, and each of them, in and to the Estate of John F. Schroeder, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3741; Filed, March 9, 1943; 2:09 p. m.]

[Vesting Order 1019]

ESTATE OF FANNY STRICKER

In re: Estate of Fanny Stricker, deceased; File D–28–1891; E. T. sec. 1657.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Johann Huttl	Germany.
Anton Huttl (brother)	Germany.
Franz Huttl	Germany.
Anton Huttl (nephew)	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johann Huttl, Anton Huttl (brother), Franz Huttl, Anton Huttl (nephew), and each of them, in and to the Estate of Fanny Stricker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property

Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3742; Filed, March 9, 1943; 2:09 p. m.]

ESTATE OF HENRY STROBEL

In re: Estate of Henry Strobel, deceased; File D–28–1858; E. T. sec. 1684.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Greta Johanne Sohl, also known as Margaretha Hastedt Sohl, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Greta Johanne Sohl, also known as Margaretha Hastedt Sohl, in and to the Estate of Henry Strobel, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3743; Filed, March 9, 1943; 2:08 p. m.]

[Vesting Order 1021]

ESTATE OF W. (WENZL) ZIMMERMAN

In re: Estate of W. (Wenzl) Zimmerman, deceased; File D–28–2160; E. T. sec. 2695.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Union National Bank of Houston, Texas, Executor, acting under the judicial supervision of the Probate Court of Harris County (Cause No. 2915'), Houston, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Josef Zimmermann	Germany.
Alois Zimmermann	Germany.
Franz Zimmermann	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Josef Zimmermann, Alois Zimmermann, and Franz Zimmermann, and each of them in and to the Estate of W. (Wenzl) Zimmerman, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3744; Filed, March 9, 1943; 2:14 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 169 Under MPR 120]

BLUE BLAZES COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 169 Under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals in Size Group No. 1 produced by Blue Blazes Coal Company, Farmington, Iowa, at its Blue Blazes Mine, Mine Index No. 447, in District No. 15, may be sold and purchased for shipment by truck or wagon at prices not to exceed $3.75 per net ton f. o. b. the mine.

(b) Within thirty (30) days from the effective date of this order, the said Blue Blazes Coal Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 169 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 169 shall become effective March 10, 1943.

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3711; Filed, March 9, 1943; 12:15 p. m.]

[Order 203 Under MPR 188]

ROBERT J. INGRAM

AUTHORIZATION OF MAXIMUM PRICES

Order No. 203 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of maximum prices for concrete burial vaults for Robert J. Ingram.

For the reasons set forth in an opinion which has been issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Robert J. Ingram of Arlington, Washington, is authorized to offer for sale and sell concrete burial vaults delivered in place and sealed within the area defined as Arlington Washington, and surrounding territory consisting of 25 miles radius of Arlington, Washington, at the maximum prices set forth below:

Commodity No. and size:	*Price*
L 10 Child's size liner	$9.00
L 11 Youth's size liner	11.00
L 12 Standard size liner	12.00
L 13 Oversize liner	14.00
L 14 Oversize liner	15.00
L 15 Standard vault	45.00
L 16 Oversize vault	50.00

(b) Robert J. Ingram shall submit such reports to the Office of Price Administration as it may from time to time require.

(c) This Order No. 203 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 203 shall become effective March 10, 1943.

Issued this 9th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3712; Filed, March 9, 1943; 12:15 p. m.]

[Order 204 Under MPR 188]

SMITH STONE CORPORATION

AUTHORIZATION OF MAXIMUM PRICES

Order No. 204

Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Bulding Materials and Consumers' Goods Other Than Apparel.

Authorization of a maximum price of sand and gravel for the Smith Stone Corporation.

Order No. 204

For the reasons set forth in an opinion which has been issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) The Smith Stone Corporation of Harrisburg, Pennsylvania, is hereby authorized to offer for sale, sell, and deliver sand and gravel, f. o. b. its plant, Camp Springs, Maryland at the prices set forth below:

Sand, 76¢ per net ton.
Gravel, $1.22 per net ton.

(b) The Smith Stone Corporation shall submit such reports to the Office of Price Administration as it may from time to time require.

(c) This Order No. 204 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 204 shall become effective March 10, 1943.

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3713; Filed, March 9, 1943; 12:15 p. m.]

[Order 205 Under MPR 188]

ROCKFORD REPUBLIC FURNITURE COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of maximum price for sale by Rockford Republic Furniture Company of bunk bed No. "A" to United States Army Quartermaster's Depot.

Order No. 205 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith, filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Rockford Republic Furniture Company, Rockford, Illinois, is authorized to sell and deliver the bunk bed No. "A" to the United States Army Quartermaster's Depot at a price, f. o. b. Rockford, Illinois, no higher than $6.75.

(b) This Order No. 205 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 205 shall become effective on the 10th day of March, 1943.

Issued this 9th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3714; Filed, March 9, 1943; 12:12 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-646, 59-63]

UTAH POWER & LIGHT CO.

NOTICE OF FILING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of March, A. D., 1943.

In the matter of Utah Power & Light Company, Utah Light and Traction Company, The Western Colorado Power Company, File No. 70–646, and Electric Bond and Share Company, Electric Power & Light Corporation, Utah Power & Light Company, Utah Light and Traction Company, The Western Colorado Power Company, Respondents, File No. 59–63.

Notice of filing and order for hearing: notice of and order for hearing pursuant to sections 11(b) (2), 12 (c), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935 and order consolidating proceedings.

Notice is hereby given that a declaration and application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Utah Power & Light Company (hereinafter referred to as "Utah Company"), a registered holding company, and its subsidiaries, Utah Light and Traction Company (hereinafter referred to as "Traction Company"), and The Western Colorado Power Company (hereinafter referred to as "Colorado Company").

All interested persons are referred to the application and declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

(1) Traction Company and Colorado Company will transfer all of their properties and assets to Utah Company. It is contemplated that in consideration of such transfer Utah Company will assume all the liabilities of Traction Company and Colorado Company, will forgive their indebtedness to itself, will cancel all of their capital stock and will effect their dissolution.

(2) Utah Company will issue $37,000,000 principal amount of First Mortgage Bonds, % Series due 1973, and $7,000,000 principal amount of General Mortgage % Bonds due 1958 secured by a second lien on the property of the company. The above bonds will be sold by competitive bidding.

The proceeds of these new securities will be applied to retire or redeem in accordance with their terms: (a) Utah Company's Thirty-Year First Mortgage Five Per Cent Gold Bonds due 1944, of which $28,307,000 principal amount was outstanding at October 31, 1942; (b) Utah Company's First Lien and General Mortgage Gold Bonds, Series of "4½'s due 1944," of which $4,068,000 principal amount was outstanding at October 31, 1942; (c) Traction Company's Thirty-Year First and Refunding Mortgage Gold Bonds, Series A, Five Per Cent due 1944,

guaranteed as to principal and interest by Utah Company, of which $11,849,000 principal amount was outstanding at October 31, 1942.

In the event that proceeds from the sale of the new securities proposed to be issued by Utah Company are not sufficient for the foregoing purposes, any additional amount required will be provided from the corporate funds of Utah Company.

It appearing to the Commission that it is appropriate and in the public interest and the interests of investors and consumers that a hearing be held with respect to said declaration and application, that said declaration shall not become effective nor said application be granted except pursuant to further order of the Commission, and that at said hearings there be considered, among other things, the various matters hereinafter set forth; and

The Commission having data in its official files and records establishing or tending to establish the following matters:

(1) Utah Company is a corporation organized under the laws of the State of Maine which has its principal office in Salt Lake City, State of Utah. It is engaged in the generation, transmission and sale of electricity in the States of Utah, Wyoming, and Idaho. It is an electric utility company within the meaning of section 2 (a) (3) of the Public Utility Holding Company Act of 1936 (hereinafter referred to as the "Act") and is a subsidiary of Electric Power & Light Corporation (hereinafter referred to as "Electric"), a registered holding company under the Act. Electric is in turn a subsidiary company of Electric Bond and Share Company (hereinafter referred to as "Bond and Share"), likewise a registered holding company under the Act.

(2) Utah Company is also a registered holding company having as its subsidiary companies: (a) Traction Company, a corporation organized under the laws of the State of Utah maintaining its principal office in Salt Lake City, State of Utah; and (b) Colorado Company, a corporation organized under the laws of the State of Colorado maintaining its principal office in the City of Montrose, State of Colorado.

(3) Both Traction Company and Colorado Company are electric utility companies within the meaning of section 2 (a) (3) of the Act. Colorado Company engages in the generation, transmission and sale of electricity in the State of Colorado. The electric properties of Traction Company, as well as certain steamheating properties, are leased to and operated by Utah Company. Traction Company is actively engaged in the transportation business in Salt Lake City and its environs.

(4) The lease for the electric properties of Traction Company between Utah Company and Traction Company provides inter alia that the annual rental to be paid by Utah Company to Traction Company shall be (a) $350,000 paid in quarterly installments of $87,500 each, and (b) a sum sufficient to make net earnings of Traction Company, including the $350,000 payable under (a), equal to the interest charges on its outstanding bonds.

(5) The capitalization and surplus per books of Utah Company, Traction Company and Colorado Company at September 30, 1942 were respectively as follows:

	Utah Company	Traction Company	Colorado Company
Long term debt:			
5% first mortgage bonds, due 1944	$28,696,000		
4½% first lien and general mortgage bonds, due 1944	4,078,000		
6% gold debenture bonds, due 2022	5,000,000		
5% first and refunding mortgage bonds, due 1944		[1] $11,979,000	
Contractual Liability		[2] 248,059	
5% first mortgage bonds			$3,884,000
Notes and loans payable to Utah Company		[2] 6,178,392	[2] 1,500,000
Total long term debt	37,774,000	18,405,451	5,384,000
Preferred stock:			
6 Preferred, cumulative, no par		[3] 4,178,568	
7 Preferred, cumulative, no par		[4] 20,780,219	
Total preferred stock	24,958,787		
Total long term debt and preferred stock	62,732,787	18,405,451	5,384,000
Common stock and surplus:			
Common stock	30,000,000	1,150,875	3,500,000
Earned surplus	5,653,950	(443,839)	(115,193)
Total common stock and surplus	35,653,950	707,036	3,384,807
Total capitalization	98,386,737	19,112,487	8,768,807

[1] Payment of principal and interest guaranteed by Utah Company.
[2] Carried in current liabilities on balance sheet.
[3] Liquidating value $4,192,100. Arrears at September 30, 1942, amounted to $1,172,827.50 or $27.50 per share.
[4] Liquidating value $20,760,500. Arrears at September 30, 1942, amounted to $6,660,660.42 or $33.08½ per share.

(6) The $7 and $6 preferred stocks of Utah Company rank equally as to dividends and liquidation preferences. Each class has a claim in liquidation of $100 per share plus unpaid cumulative dividends. Each share of preferred stock is entitled to one vote, but no special voting rights inure in the event of dividend defaults.

(7) Of the securities of Utah Company outstanding at September 30, 1942, Electric, either in its own name or in the name of nominees, owned 2,100 shares of $7 preferred stock and 3,000,000 shares of no par common stock of a stated value of $30,000,000, each such share being entitled to one vote. The stock held by Electric presently represents 92.39% of the voting rights in Utah. On the above date Bond and Share owned $300,000 face amount of the Utah Company 5% First Mortgage Bonds which were purchased in 1934 in the open market at a cost of $202,791.25.

(8) At September 30, 1942 Utah Company owned all the outstanding securities of Colorado Company and all the common stock of Traction Company except directors' shares. By virtue of such stock ownership Utah has a 99.97% voting control over Colorado Company and a 99.98% voting control over Traction Company.

(9) Certain intra-system transactions concerning the early development of Utah Company, and the origin of Electric's interest in Utah Company were as follows:

(a) In September 1912 Bond and Share organized Utah Securities Corporation (hereinafter referred to as "Securities Corporation"), Utah Company and Utah Power Company (hereinafter referred to as "Power Company"). Throughout its existence Securities Corporation was controlled by Bond and Share through the medium of interlocking officers, directors and employees, and until 1922 through a voting trust of the common stock established in September 1912 which was controlled by Bond and Share. Throughout its existence Power Company was controlled by Bond and Share and was successively a direct subsidiary of Bond and Share, Securities Corporation and Utah Company.

(b) In order to finance Securities Corporation, Bond and Share undertook to obtain subscribers to $27,500,000 principal amount of 10 Year 6% Notes of Securities Corporation. Such notes were to be sold at par with a bonus of an equal par value of common stock of Securities Corporation, to be furnished by Bond and Share as hereinafter set forth in paragraph (e); 30% of the subscription was to be paid upon allotment and the balance upon call. For its services in this connection, Bond and Share received $201,900 in cash from Securities Corporation, and its associates were also compensated for their services in cash.

(c) In September 1912 Bond and Share transferred to Power Company properties costing it approximately $3,000,000 receiving in exchange therefor the following securities of Power Company of a par value or principal amount totaling approximately $8,500,000.

Description:	*Principal amount or par value*
Notes	$2,500,000
Preferred stock	1,000,000
Common stock	5,000,000
Total	8,500,000

(d) In September and October 1912 Bond and Share transferred to Securities Corporation the securities of Power Company which had cost it approximately $3,000,000, as aforesaid, and certain other securities which had cost it approximately $3,950,000, receiving in exchange therefor cash and securities of Securities Corporation approximately totaling $36,950,000 as follows:

Description:	*Principal amount or par value*
Common stock	$30,000,000
(Approximate) cash	6,950,000
Total	36,950,000

(e) The $30,000,000 of common stock of Securities Corporation received by Bond and Share was disposed of approximately as follows:

To purchasers of Securities Corporation Notes as referred to above (other than Bond and Share)	$24,280,000
Retained by Bond and Share as purchaser of $3,220,000 of Securities Corporation Notes	3,220,000
To associates of Bond and Share as additional compensation in connection with distribution of notes of Securities Corporation	1,512,500
Retained by Bond and Share as additional compensation for distribution of notes	987,500
Total	30,000,000

Thus Bond and Share received reimbursement in cash from Securities Corporation for all or approximately all of its cash costs; and in addition held $4,217,500 par value of common stock of Securities Corporation at no cash cost, and received $201,900 in cash as a commission for finding purchasers of Securities Corporation Notes.

(f) Between 1912 and 1925 Securities Corporation and/or Power Company transferred to Utah Company properties and securities which had cost the system approximately $15,500,000 including therein the securities referred to in paragraphs (c) and (d) above, in exchange for cash and securities of Utah Company of approximately $48,184,000 as follows:

Description:	*Principal amount or par value*
Notes	$9,500,000
Preferred stock	6,644,000
Common stock	30,000,000
Cash	2,040,000
Total	48,184,000

Through these transactions and the subsequent disposition of a part of the above securities, Securities Corporation realized cash approximately equivalent to its cost (exclusive of the $30,000,000 of common stock, the issuance of which is described in paragraph (d) above) and had remaining at the time of the transfer of its assets to Electric, as hereinafter described, $30,000,000 of common stock and $2,949,000 of preferred stock of Utah Company.

(g) Upon its organization in March 1925, Electric acquired the assets of Securities Corporation by assuming the liabilities of Securities Corporation and exchanging four shares of its own common stock having a stated value of $25 per share, plus $10 in cash, for each share of Securities Corporation's common stock having a par value of $100 per share. Electric reimbursed itself for substantially all of its cash outlay to the stockholders of Securities Corporation by selling all but $210,000 par value of the preferred stock of Utah Company acquired from Securities Corporation. Bond and Share received from Electric $421,750 in cash and $4,217,500 of stated value common stock of Electric in return for its holding of $4,217,500 par value of common stock of Securities Corporation obtained at no cash cost as set out in paragraph (e) above.

(h) During the years 1925 to 1932 Electric as owner of all of the common stock of Utah Company received dividends thereon aggregating $7,200,000 in addition to regular dividends on the preferred stock of Utah Company which it owned. For the years 1933 to 1940 Utah Company paid only partial or no dividends on its preferred stock held by the public and Electric, resulting in accumulated dividend arrearages of $7,813,488 referred to in paragraph (5) above.

(i) Further profits inured to the system at the expense of Utah Company by (a) the purchase by Securities Corporation of $9,548,127 face amount of notes of Utah Company at a discount of $1,481,000; and (b) profits realized in connection with service, construction and management contracts.

(j) In April 1927 Electric caused Utah Company to change its common stock from $100 par value to no par value and split 10 shares for one, each new share having a stated value of $10 and carrying one vote. The effect of this split was to reduce the voting power of the preferred stock as a class from 42% to 7% and increase that of the common stock from 58% to 93%.

(10) As a result of the above enumerated transactions, and other minor transactions, the property account of Utah Company at September 30, 1942 contained approximately $29,600,000 of write-ups and excess costs, and the investment account of Utah Company contained write-ups of approximately $8,700,000.

(11) At September 30, 1942, the electric plant account of Traction Company contained write-ups and excess costs of approximately $3,600,000 and the plant account of Colorado Company contained approximately $4,300,000 of write-ups.

(12) The capitalization of Traction Company at September 30, 1942 adjusted to reflect the removal of estimated write-ups and excess costs is as follows:

	Amount	Percent of total
Long term debt:		
5% First and Refunding Mortgage Bonds	$11,979,000	77.2
Contractual liability	248,059	1.6
Notes and loans payable to Utah Company	6,178,392	39.8
Total long term debt	18,405,451	118.6
Common stock and surplus:		
Common stock	1,150,875	
Surplus	(4,043,839)	
Total common stock and surplus	(2,892,964)	(18.6)
Total capitalization	15,512,487	100.0

(13) The capitalization of Colorado Company at September 30, 1942 adjusted to reflect the removal of estimated write-ups from the property account is as follows:

	Amount	Percent of total
Long term debt:		
5% First Mortgage Bonds	$3,884,000	86.9
Note payable to Utah Company	1,500,000	33.6
Total long term debt	5,384,000	120.5
Common stock and surplus:		
Common stock	3,500,000	
Earned surplus	(4,415,193)	
Total common stock and surplus	(915,193)	(20.5)
Total capitalization	4,468,807	100.0

(14) The capitalization of Utah Company at September 30, 1942, without adjustment for possible inadequate depreciation but adjusted to reflect (a) the removal of property account write-ups and excess costs referred to in paragraph (10) above, (b) the restatement of its investments in subsidiaries to adjusted underlying book value as reflected in paragraphs (12) and (13) above, and (c) the restatement of preferred stocks to liquidating value, and (d) preferred dividend arrearages, is as follows:

	Amount	Percent of total
Long term debt:		
5% first mortgage bonds	$28,696,000	51.3
4½% first lien and general mortgage bonds	4,078,000	7.3
6% Gold debenture bonds	5,000,000	9.0
Total long term debt	37,774,000	67.6
Preferred stock:		
$6 preferred stock	4,192,100	7.5
$7 preferred stock	20,760,500	37.1
Arrearages	7,313,488	13.0
Total preferred stock and arrearages	32,766,088	58.6
Common stock and surplus:		
Common stock	30,000,000	
Earned surplus	(14,662,223)	
Total common stock and surplus	15,337,777	(26.2)
Total capitalization	55,877,865	100.0

(15) Traction Company accrues on its books for depreciation of only its motor coach and automotive equipment. Abandonments and retirements of other transportation properties are charged to surplus. Accruals for the depreciation of the leased electric properties of Traction Company are reflected on the books of Utah Company.

(16) The depreciation reserve of Colorado Company at September 30, 1942 was $299,237 or 6.7% of total property as adjusted for the write-ups referred to in paragraph (11). The reserve was approximately $1,600,000 less than such reserve would have been had Colorado Company accrued on its books amounts equal to those allowed or claimed for income tax purposes.

(17) The depreciation receive of Utah Company at September 30, 1942 representing accruals on its own electric

properties and those leased from Traction Company was $9,514,297 or 13.9% of electric property accounts as adjusted for the write-ups and excess costs referred to in paragraphs (10) and (11) above. Such reserve is approximately $15,000,000 less than it would have been had Utah Company accrued on its books amounts equal to those allowed or claimed for income tax purposes.

(18) If adjustments be made in the accounts of Utah Company and subsidiaries, on a consolidated basis, to reflect (a) the removal of property account write-ups and excess costs items, (b) the restatement of preferred stock to liquidating value and (c) preferred stock dividend arrearages and additionally to reflect the excess of income tax accruals for depreciation over book accruals for depreciation, the capitalization as of September 30, 1942 would be as follows:

	Amount	Per-cent of total
Long term debt:		
6% First mortgage bonds, due 1944	$28,696,000	52.8
4½% First Lien and General Mortgage Bonds, due 1944	4,078,000	7.5
5% First and refunding mortgage bonds, due 1944	11,979,000	22.1
6% Gold debenture bonds, due 2022	5,000,000	9.2
Contractual liability	248,059	.5
Total long term debt	50,001,059	92.1
Preferred stock:		
$6 Preferred stock	4,192,100	7.7
$7 Preferred stock	20,760,500	38.3
Arrearages	7,813,488	14.4
Total preferred stock and arrearages	32,766,088	60.4
Common stock and surplus:		
Common stock	30,000,000	
Earned surplus	(58,487,801)	
Total common stock and surplus	(28,497,801)	(52.5)
Total capitalization	54,269,346	100.0

(19) The consolidated earnings of Utah Company for the latest five years available were as follows:

(000 omitted)	1937	1938	1939	1940	1941
Gross income	4,641	4,139	4,190	4,770	4,705
Income deductions:					
Interest on mortgage bonds	2,358	2,336	2,292	2,265	2,268
Interest on debenture bonds	300	300	300	300	300
Other interest and deductions	199	196	192	180	173
Total	2,857	2,832	2,784	2,748	2,741
Net income	1,782	1,307	1,406	2,022	1,964
Preferred dividend requirements	1,760	1,762	1,765	1,763	1,765
Times total fixed charges earned	1.6	1.5	1.5	1.7	1.7
Times fixed charges and preferred dividends earned	1.0	.9	.9	1.1	1.1

(20) The Public Service Commission of the State of Utah has instituted proceedings against Utah Company to determine a just and proper rate base and a fair and reasonable rate of return on such base. These proceedings are presently pending.

It appearing to the Commission in the light of the foregoing that it is appropriate in the public interest and the interest of investors and consumers that proceedings be instituted against Electric, Utah Company, Traction Company and Colorado Company under section 11 (b) (2), 12 (e), 15 (f) and 20 (a) of the Act to determine whether orders should be entered pursuant to the provisions of any of said sections, all as hereafter set forth; and

It further appearing to the Commission that the proceedings referred to in the preceding paragraph are related to and contain common questions of law and fact with the proceedings on the application and declaration heretofore referred to; that evidence offered in respect of each of said proceedings may have a bearing on the other; and that substantial savings in time, effort, and expense will result if said proceedings are consolidated so that they may be heard as one matter and so that evidence adduced in each matter may stand as evidence in the others for all purposes; and

It further appearing to the Commission that evidence bearing on the matters recited above and upon the questions to be determined, is contained in the record of proceedings before this Commission entitled "In the Matter of Electric Bond and Share Company, File No. 59–12":

It is ordered, That proceedings be and the same hereby are instituted under sections 11 (b) (2), 12 (c), 15 (f) and 20 (a) of the Act against Electric, Utah Company, Traction Company and Colorado Company and that such proceedings be consolidated with the proceedings with respect to the application and declaration herein filed and that a hearing on such consolidated proceedings under the applicable provisions of the said Act and the Rules and Regulations of the Commission thereunder be held on the 5th day of April at 10:00 A. M., E.W.T., at the office of the Securities and Exchange Commission, 16th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk will advise as to the room where such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the consolidated hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That any person desiring to be heard in connection with these consolidated proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before the 29th day of March his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the parties herein, the regulatory Commissions of the States of Utah, Colorado, Wyoming and Idaho and interested municipalities and political subdivisions of such states; and that notice to all persons be given by publication of this order in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented in the said consolidated proceedings particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the first and second mortgage bonds proposed to be issued are (a) reasonably adapted to the security structure of the Utah Company as presently constituted or as it is proposed to be constituted; (b) reasonably adapted to the earning power of the Utah Company and its subsidiaries; (c) necessary or appropriate to the economical and efficient operation of the electric, transportation and steam heating businesses in which Utah Company and its subsidiaries are presently engaged.

(2) Whether the fees, commissions, or other renumerations to be paid in connection with the issue, sale or distribution of the foregoing securities are reasonable.

(3) Whether, in the event that the declaration is permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the Act.

(4) Whether and to what extent proceeds from the proposed sale of bonds may be used by Utah Company to redeem securities held by Bond and Share.

(5) Whether the proposed acquisition by Utah Company of the assets and facilities of Colorado Company and Traction Company is in conformity with the provisions and standards of Section 10 of the Act, requiring no adverse findings under section 10 (b) and permitting the findings required under section 10 (c).

(6) Whether the allegations contained in Part II hereof are true and correct.

(7) Whether it is necessary or appropriate pursuant to section 11(b)(2) of the Act that Utah Company, Traction Company and Colorado Company take steps to redistribute voting power fairly and equitably among their respective security holders and whether such steps should include a reorganization of said companies or any of them and the substitution of new securities, in whole or in part, for their presently outstanding debt and equity securities.

(8) What treatment should be accorded to securities of Utah Company held by Bond and Share or Electric in any reorganization of Utah Company or any revision or simplification of its capital structure.

(9) Whether it is necessary pursuant to section 12 (c) to restrict the payment of dividends on any of the outstanding stock of Utah Company.

(10) Whether it is necessary or appropriate to require that Utah Company, Traction Company, and Colorado Company take action pursuant to section 15 (f) of the Act, to segregate, dispose of or otherwise eliminate the write-ups, intangibles and other inflationary items contained in their plant and investment accounts to set up adequate reserves for retirement and depreciation of plant and property and to make such other adjustments in their accounts as may be necessary or appropriate to secure compliance with the standards of the Act.

It is further ordered, In the interest of expeditious procedure that all evidence with respect to Electric, Utah Company, Traction Company and Colorado Company contained in the record of the proceedings entitled "In the Matter of Electric Bond and Share Company et al., File No. 59–12", so far as relevant to the issues above stated, shall be incorporated in the record of the proceedings herein ordered, and shall be regarded as evidence duly adduced in the present proceedings, subject to the same objections and exceptions preserved in the record of the proceeding in which first introduced.

It is further ordered, That the Commission reserves the right, if at any time it appears conducive to an orderly, efficient or economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning any of the issues in the consolidated proceeding, to close the record with respect to any of such issues, or to take action on any such issue, prior to the closing of the record on the other issues thereon.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43 3761; Filed, March 9, 1943; 4:03 p. m.]

SCHEDULE A (Continued)

Pref. erence rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
	1301	Elmer O'Hara, 18322 Morang, Detroit, Mich.	Lot 36, 37 to 48 incl. & 50 Mansfield. Lot 68, 76 to 80 incl. Mansfield. Also 45' lots 34 to 35 in N.45' lots 31 to 33 in S.45' lots 84 to 90 in. N.45' lots 90 to 94 inc —S.45' lots 96 to 101 inc.—N.45' lots 96 to 152 inc.—S.45' lots 148 to 152 inc. Curtis Addition, Royal Oak, Mich. Rembridge Rd., Royal Oak, Mich.	2-16-43
	2432	Clare E. Snell, 2632 Chenwood, Royal Oak, Mich.	Des Moines, Iowa	2-16-43
	60	Frank M. Thuman, 426 Grant St., Des Moines, Iowa.	Des Moines, Iowa	2-16-43
	64	O. E. Carroll, 4100 6th St., Des Moines, Iowa.	Des Moines, Iowa	2-16-43
	1433	Lawrence Cramer, 912 Dreckert St., Hammond, Ind.	Hammond, Ind	2-16-43
	378	Dreckert Realty Co., 1501 Hampshire Rd., Drexel Hill, Pa.	State Rd. between Clarendon & Mansion Rds., Drexel Hill Delaware Co., Pa.	2-16-43
	746	James N. Mitchell, 6 S. Farragut St., Philadelphia, Pa.	S. W. S. Greenview Lane between Gilmore Rd. & Vincent Rd., Gilmerton, Philadelphia, Pa.	2-16-43
	321	White Heather Co., 5 Hudson St., Camden, N. J.	Wilmette Rd. between Kings & White Horse Pike, Magnolia, Camden Co., N. J.	2-16-43
	470	Merlin F. Baines, 13th & Kings Hwy., Haddon Heights, N. J.	Sylvan, Keswick & Kings Hwy. and 14th Ave. & Line St., Haddon Heights, Camden Co., N. J.	2-16-43
	351	H. T. Dudley, 289 N. Garrison St., Tulsa, Okla.	1401 S. New Haven & 4332 E. 4th Tulsa, Okla.	2- 4-43
	1062	Louder B. Strand, 811 Paxon Ave., San Francisco, Calif.	Richmond, Calif	2-11-43
	1533	Modern Constr. Co., 1801 Costa Ave., Richmond, Calif.	Daly City, Calif	2-11-43
	1518	R. Ross Construction Co., 1310 Wash. St., Petaluma, Calif.	Richmond, Calif	2-11-43
	2133	Herbert L. Clay, 2539 Filbert St., Oakland, Calif.	Petaluma, Calif	2-11-43
	1433	Alameda Land Co., 1809 14th Ave., Oakland, Calif.	Oakland, Calif	2-11-43
	1032	W. H. Richardson, 213 Western Nat'l Bank Bldg., Duluth, Minn.	St. Louis County, Duluth, Minn	2-16-43
	310	Bilt-Rite Homes Corp., 13 Summit Ave., Hagerstown, Md.	Hagerstown, Md	2-16-43
	165	Tripsich-Reid Constr. Co., 3802 South Logan St., Lansing, Mich.	Elmhurst Sub., Lansing, Mich	2-16-43
	340	Elbert E. Okes, 3055 11th St., Des Moines, Iowa.	Des Moines, Iowa	2-16-43
	19	Charles H. Parrady, 2510 Westover Blvd., Des Moines, Iowa.	Des Moines, Iowa	2-16-43
	1382	A. A. Lewis & Co., 2256 Hohman Ave., Hammond, Ind.	La Porte, Ind	2-16-43
	214	Alan Building Corp., P. O. Box 18, Mt. Ephraim, N. J.	Sartori & Remington Avenues, Mt. Ephraim, Camden Co., N. J.	2-16-43
	178	Colwood Realty Co., 69th & Walnut Sts., Philadelphia, Pa.	Park Blvd. & Kaighn Ave., Camden, N. J.	2-4-43
	1	Walter Construction Co., 1 Penn Square, Philadelphia, Pa.	Cherry Hill Tract, Sub #282 located at Gloucester City, Camden Co., N. J.	2-16-43
	284	Bartha, Inc., 70 N. Center St., Merchantville, N. J.	6736, 6744, 6752, 6760, 6802, 6806, Cedar Avenue, Pennsauken Twp., Camden Co., N. J.	2-16-43
	292	77-035-500875 (2 units of 6).	Jos. F. Haines Co., 50 Haddon Ave., Collingswood, N. J.	Daisetta Ave., Jos. W. Franklin St. & W. Wayne St., Collingswood, Camden Co., N. J.	2-16-43
	322	77-035-500060 (1 unit of 4).	Highland Homes, Inc., 2300 Sylvan Ave., Bet. Holly and Oak Aves., Oaklyn, Camden Co., N. J.	2-16-43
	343	77-035-500081 (2 units of 7).	Middle Rd. Lot, Newport Dr. and Highside St., S. H., Pittsburgh, Allegheny Co., Baldwin Twp., Pa.	2-16-43
	421	7033 62411 (4 units of 24).	W. C. Norris, R. D. 2, Washington, Pa.	2-16-43

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference ratings issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 9, 1943.

CURTIS E. CALDER, *Director General for Operations.*

SCHEDULE A

Pref. erence rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	38512	War Relocation Authority, Washington, D. C.	Gila River, Final Co., Arizona, G-IV-546 & two elementary schools	3-5-43
P-19-h	33312	War Relocation Authority, Washington, D. C.	Manzanar, Inyo Co., Calif	2-27-43
	573	77-013-86 (10 units of 16).	Walter J. Tisse, 1015 Central Ave., Albany, New York.	Grace St. bet. Tull Dr. & Lawrence St., Colonie, N. J.	2-11-43
	672	77-031-000462 (4 units of 10).	New Type Homes, Inc., 145 Belleview Blvd., Belleair, Fla.	Commercial St. & Smith St., Woodbridge, N. J.	2-11-43
	558	77-013-000462/2 units of 10).	C. H. Bingham, 2 Riverside Drive, Ft. Worth, Texas.	501, 505, 509, 513, 609, 613, 205, 209, 605, 604 E. Mason St., Ft. Worth, Tex.	2-4-43
	630	7665-000044 (9 units of 10).	Harris Construction Co., 417 Julia St., New Orleans, La.	Shirley Drive, New Orleans, La	2-4-43
	2581	7665-000043 (6 units of 10).	Harris Construction Co., 417 Union Bldg., New Orleans, La.	Westdale Sub-division, Baton Rouge, La	2-4-43
	2218	77-121-000504	H. J. Caskey, 4215 Carson St., Oakland, Calif.	Richmond, Calif	2 11 43
	2604	77-121-000511	George J. Pronin, 31286 9th Ave., Hayward, Calif.	Richmond, Calif	2 11 43
	2372	77 121 002102	Rucker & Bryant, 537 S. 12th St., San Jose, Calif.	Mail Valley, Calif	2-11-43
	8	7665-00007	Minuteman Farms, Inc., c/o Frank-Hoffstatter-Jetton, Fulton Bldg., Pittsburgh, Pa.	Mumbaf Terrace, Plan of Lot 5 in the Borough of Mumbaf, Co of Allegheny, Pa.	2-16-43
	429	77 002 000037	Abraham Kabel, 1183 St. Clair St., St. Paul, Minn.	St. Paul, Ramsey Co., Minn	2-16-43
	1411	77 44 1460	R. K. Hill Co., 1850 Woodingham Dr., Detroit, Mich.	University St., Ferndale	2-16-43

SCHEDULE A—Continued

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
	245 7033-00250 (8 units of 20).	Robert H. Darling, Box 427, Willock Rd. R. D. 6, Pittsburgh, Pa.	Hazelhurst-Wallace Sts. & Circle Dr., Wallace Plans #1 & #2 Elderslee Rd., Wallace Ridge Plan—Addition #1 Baldwin Twp., Allegheny, Pa.	2-16-43
	198 7033-00202 (1 unit of 8).	Sherwood Constr. Co., Sherwood Drive, Pittsburgh, Pa.	Vanadium Rd.—Lots 61, 62, 64 Elmbrook Line—35 to 39 Scott Twp., Allegheny Co., Pa.	2-16-43
	77-126-000034 (4 units of 6).	Albert F. Clauss, Jr., #6 Box 1024, Portland, Oreg.	S. W. 58th St., South of Garden Home Road, Portland, Oregon.	2-16-43
	437 77-092-000569 (1 unit of 3).	F. R. Lein 5941 Portland Ave., Minneapolis, Minn.	Minneapolis, Hennpin Co. Minnesota.	2-16-43
	445 77-092-000598 (1 unit of 7).	F. R. Lein, 5941 Portland Ave., Minneapolis, Minn.	Plymouth Addlton to Anoka, Anaka County, Minn.	2-16-43

[F. R. Doc. 43-3762; Filed, March 9, 1943; 4:55 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 9, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	34104	Chicago & Northwestern Railway Co., Chicago, Ill.	Manitowoc, Wis.	3-8-43
P-19-h	49348	Standard Oil Co. of Indiana, Chicago, Ill.	Wood River, Ill	3-5-43
P-19-h	58910	New England Telephone & Telegraph Co., Boston, Mass.	Portland, Maine	3-8-43
PD-1a	184996	Worthington Telephone Exchange Co., Worthington, Minn.	Worthington, Minn.	3-5-43
P-19-h	44547	Magnolia Petroleum Co., Dallas, Tex.	Beaumont, Tex.	3-5-43
	174 77-018-000074	Wellmade Homes, Inc., 611 West 136 St., New York, N. Y.	67 Ave., Forest Hills, N. Y.	2-4-43
	493 7013-00046	Capital Constr. Co., 1351 Grand Boulevard, Schenectady, N.Y.	Clifton Park Rd. betwn. Nott and Lexington Pkway, Town of Niskayuna, Schenectady, N. Y.	2-4-43
	511 7013-00045	Capital Constr. Co., 1351 Grand Boulevard, Schenectady, N. Y.	Rankin Rd. betwn. Valenan Rd. and Balltown Rd., Pt. of Clifton Park Rd. bet. Nott St. and Lexington Pkway, Niskayuna, N. Y.	2-4-43
	675 77-013-113	Abram J. Lee, 63 Lincoln Ave., Albany, N. Y.	Victory Rd. bet. Vly Rd. and Consaul Rd., Colonie, Albany, N. Y.	2-11-43
	861 77-031-000586	General Bldg. & Constr. Co., 377 Tremont Ave., East Orange, N. J.	Smith St. bet. 18th Ave. and Mead St., Newark, N. J.	2-11-43
	908 77-031-000896	Patrick Murphy, Inc., 573 Walton Ave., New York, N. Y.	Beech Ave. and LaGrande Ave., Fanwood Borough, N. J.	2-11-43
	7-031-000182	Cliftwood Beach Co., Inc., Cliftwood Beach, N. J.	Ocean, Raritan and Furman Blvds. Cliftwood, N. J.	2-11-43
	77-011-318	Hudson Building Co., 1081 Delaware Ave., Buffalo, N. Y.	Capen Blvd., Amherst, N. Y.	2-16-43

SCHEDULE A—Continued

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
	952 77-014-592	Henry J. Hagen, 4100 Main St., Eggelsville, N. Y.	Ivyhurst bet. Main St. and Bancroft, Amherst, N. Y.	2-16-43
	1034 77-014-575	George Marinecee, 4007 Pine Ave., Niagara Falls, N. Y.	Chapin Ave. bet. 36th and Hyde Park Blvd., Niagara, Niagara Falls, N. Y.	2-14-43
	666 77-113-000263	Dorothy C. McConnel, 820 Sargent St., Fort Worth, Tex.	3800 Mt. Vernon St., Fort Worth, Tex.	2-4-43
	648 77-113-000233	Cameron Roofing Co., 2415 West 7th St., Fort Worth, Tex.	Forest Park Blvd., bet. Robert and Croxton Sts., Fort Worth, Tex.	2-4-43
	653 7046-000028	L. S. King & Co., 2625 St. Charles Ave., New Orleans, La.	Sq. 3620 Marabeau Ave., New Orleans, La.	2-4-43
	574 7033-00620	Gregory G. Schaff, Broughton Rd., R. D. 1, Library, Pa.	Lot #5, Park Ave. on Broughton Ave., Bethel Twp., Allegheny City, Pa.	2-11-43
	450 77-032-000029	Castle Construction Co., 7th and Greenhill Ave., Wilmington, Del.	Ridge Ave., Prospect Ave., and Middle Ave., Swanwyck, New Castle Co., Pa.	2-11-43
	658 77-062-000040	Bradley & Tallant, Inc., May Building, Montgomery, Ala.	109 Oak Forrest Dr., Montgomery, Ala.	2-11-43
	698 77-062-000068	Bear Lumber Co., 400 Lee St., Montgomery, Ala.	600, 602, 604, 606, 608, 610, 612 Stephens St., Montgomery, Ala.	2-11-43
	692 77-062-000057	Southern Homes Co., Craft Highway and Laurell St., Hartwell Pl., Mobile, Ala.	Lots 13 and 14, blk 5, Hartwell Pl., Toulminville, Ala. (Mobile).	2-11-43
	057 77-062-000041	Bradley & Tallant, Inc., May Bldg., Montgomery, Ala.	#6 Oak Darest Dr., Montgomery, Ala.	2-11-43
	323 77-117-000441	Howard A. Long, 1307½ W. Brady St., Tulsa, Okla.	2532 N. Cincinnati St., Tulsa, Okla.	2-4-43
	832 77-034-000795	Associated Bldrs. & Contractors, 621 Allen St., Allentown, Pa.	E. Gordon St., Allentown, Lehigh Co., Pa.	2-4-43
	565 77-034-000538	Sandt Construction Co., 218 N. Madison St., Allentown, Pa.	St. Albert bet. Linwood and Paoli Sts.; St. Albert bet. Paoli and Montgomery Sts.; and Chapel bet. W. Linwood and Paoli, Allentown, Lehigh Co., Pa.	2-4-43
	2618 77-125-000135	Salzner & Thompson, 426 South First St., Las Vegas, Nev.	Las Vagas, Nev.	2-4-43
	2701 77-125-000139	Salzner & Thompson, 114 South Third St., Las Vagas, Nev.	Las Vegas, Nev.	2-4-43
	2722 77-125-000157	Salzner & Thompson, 426 South First St., Las Vagas, Nev.	Las Vagas, Nev.	2-4-43
	1252 77-121-000311	Clarence O. Bretherick, 3982 Whittle Ave., Oakland, Calif.	Richmond, Calif.	2-11-43
	1411 77-121-000469	Williams & Torresan, Box 143, San Anselmo, Calif.	San Anselmo, Calif.	2-11-43
	1446 77-121-000576	E. N. Foss, 1019 Portola Dr., San Francisco, Calif.	Richmond, Calif.	2-13-43
	1841 77-121-000920	Arthur W. Colton, P. O. Box 66, Newark, Calif.	Hayward, Calif.	2-11-43
	2003 77-121-000946	R. Ross Construction Co., 110 Washington St., Petaluma, Calif.	Petaluma, Calif.	2-11-43
	2008 77-121-001269	Emil Searbo, 500 Stanyan St., San Francisco, Calif.	Richmond, Calif.	2-11-43
	572 77-035-500133	Daniel H. Phillips, 15 Beechwood Ave., Oaklyn, N. J.	White Horse Pike bet. W. Bettlewood and W. Haddon Sts., Oaklyn, Camden Co., N. J.	2-16-43
	485 7033-00524	Edward Doerr, 261 Marigold St., Munhall, Pa.	Lots 31-33-41 Perry Lane and Perry Highway, Allegheny Co., Ross Township, Bellevue, Pa.	2-16-43
	199 7033-00223	Theodore F. Karr, 5926 Walnut St., Pittsburgh, Pa.	Middle Road, Lots #222-A, 223-A, 224-A, 228, 229, and 230, Rolling Hill Plan #5, Baldwin Twp., S. W. Pittsburgh, Pa.	2-16-43
	113 7033-00074	Eastern Improvement Co., 505 Berger Bldg., Pittsburgh, Pa.	Lots 2-3-4-5-6-7-8-9-19-20 Cowan and Baldwin Rds., Collier Twp., Pa.	2-16-43
	346 7033-00343	Economy Homes Co., 1848 Center Ave., Pittsburgh, Pa.	Foxcroft, 2 Lots 44 to 92 incl. and 94 to 114 incl. Scott Twp., Allegheny Co., Pa.	2-16-43
	378 7071-000090	Karban Development Co., 706 W. 95th St., Chicago, Ill.	Chicago, Ill.	1-2-43

[F. R. Doc. 43-3763; Filed, March 9, 1943; 4:55 p. m.]

MAR 15

FEDERAL REGISTER

VOLUME 8 NUMBER 50

Washington, Friday, March 12, 1943

The President

EXECUTIVE ORDER 9312

DEFINING THE FOREIGN INFORMATION ACTIVITIES OF THE OFFICE OF WAR INFORMATION

Under and by virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (Public Law 354—77th Congress), and as Commander in Chief of the Army and Navy and as President of the United States, it is hereby ordered as follows:

1. The Office of War Information will plan, develop, and execute all phases of the federal program of radio, press, publication, and related foreign propaganda activities involving the dissemination of information. The program for foreign propaganda in areas of actual or projected military operations will be coordinated with military plans through the planning agencies of the War and Navy Departments, and shall be subject to the approval of the Joint Chiefs of Staff. Parts of the foreign propaganda program which are to be executed in a theater of military operations will be subject to the control of the theater commander. The authority, functions and duties of the Office of War Information shall not extend to the Western Hemisphere, exclusive of the United States and Canada.

2. The military order of June 13, 1942, establishing the Office of Strategic Services, is hereby modified to the extent necessary to make this order effective.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 9, 1943.

[F R Doc. 43-3806; Filed, March 10, 1943; 3:25 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1942-20]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART D—1942

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1942 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.310 (b), the first sentence thereof is amended to read as follows:

§ 701.310 *Application for payment.*

* * *

(b) *Time and manner of filing application and information required.* Payment will be made only upon application submitted on the prescribed form to the county office on or before a date fixed by the regional director but not later than June 30, 1944.

Done at Washington, D. C., this 10th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-3821; Filed, March 11, 1943; 11:15 a. m.]

[P-1942-4]

PART 741—PARITY PAYMENT REGULATIONS

SUBPART D—1942

By virtue of the authority vested in the Secretary of Agriculture by the item entitled "Parity Payments" contained in the Department of Agriculture Appropriation Act, 1942 (Public Law No. 144, 77th Congress, approved July 1, 1942; 55 Stat. 446), and pursuant to the provisions of sections 301 and 303 of the Agricultural Adjustment Act of 1938, as amended, (Public Law No. 430, 75th Congress, 3d Session; 82 Stat. 38, 45, 7 U. S. C. 1940 ed. 1301, 1303) the 1942 Parity Payment Regulations, as amended, are hereby amended as follows:

Section 741.308 (a), the first sentence thereof, is amended to read as follows:

§ 741.308 *Application for payment*—(a) *Time and manner of filing application and information required.* Payment will be made only upon application submitted on the prescribed form to the county office on or before a date fixed by the regional director but not later than June 30, 1944. * * *

Done at Washington, D. C. this 10th day of March 1943.

(Continued on next page)

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FEDERAL REGISTER

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IMPORTANT NOTICE

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Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-3822; Filed, March 11, 1943; 11:15 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4830]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WISCONSIN DELUXE DOLL & DRESS COMPANY, ETC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of respondent's novelty or other merchandise, (1) selling, etc., blankets, clocks, lamps, kitchen ware, fishing tackle, household goods, or any other merchandise, accompanied by a Bingo set or any similar device to be used, or which may be used, by the purchaser of said merchandise, or others, as a means of disposing of said merchandise by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with Bingo sets or similar devices, either with assortments of blankets, clocks, lamps, kitchen ware, fishing tackle, household goods, or any other merchandise, or separately, which said Bingo sets or similar devices are to be used or may be used in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Wisconsin DeLuxe Doll & Dress Company, etc., Docket 4830, March 5, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of March, A. D. 1943.

In the matter of Wisconsin Deluxe Doll & Dress Company, a corporation trading as Wisconsin Deluxe Corporation.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Wisconsin Deluxe Doll & Dress Company, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of novelty or other merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing blankets, blocks, lamps, kitchen ware, fishing tackle, household goods, or any other merchandise, accompanied by a Bingo set or any similar device to be used, or which may be used, by the purchaser of said merchandise, or others, as a means of disposing of said merchandise by means of a game of chance, gift enterprise or lottery scheme.

(2) Supplying to or placing in the hands of others, Bingo sets or similar devices, either with assortments of blankets, clocks, lamps, kitchen ware, fishing tackle, household goods, or any other merchandise, or separately, which said Bingo sets or similar devices are to be used or may be used in selling or distributing said merchandise to the public.

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That respondent shall within sixty (60) days after service upon it of this order file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON
Secretary.

[F. R. Doc. 43-3619; Filed, March 11, 1943; 10:57 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5240]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

AMENDMENTS RELATING TO CERTAIN FISCAL YEAR TAXPAYERS

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 140 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

There is inserted immediately preceding the heading "Computation of Net Income" which immediately precedes section 111 the following:

SEC. 140. CERTAIN FISCAL YEAR TAXPAYERS. (Revenue Act of 1942, Title I.)

(a) *Computation of tax for year ending in 1942.* The Internal Revenue Code is amended by inserting after section 107 the following new section:

SEC. 108. TAXABLE YEARS BEGINNING IN 1941 AND ENDING AFTER JUNE 30, 1942.

(a) *General rule.* In the case of a taxable year beginning in 1941 and ending after June 30, 1942, the tax imposed by sections 11, 12, 13, 14, and 15 shall be—

(1) *Corporations.* In the case of a corporation an amount equal to the sum of—

(A) that portion of a tentative tax, computed without regard to section 140 of the Revenue Act of 1942, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax, computed as if the amendments made by section 105 (a) and the amendments made by sections 105 (b) (other than those relating to dividends on the preferred stock of public utilities) (c), (d), and (e) (1) of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year.

(2) *Taxpayers other than corporations.* In the case of a taxpayer other than a corporation, an amount equal to the sum of—

(A) that portion of a tentative tax, computed without regard to section 140 of the Revenue Act of 1942, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax, computed as if the amendments made by sections 102 and 103 of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year.

(b) *Special classes of taxpayers.* This section shall not apply to an insurance company subject to Supplement G, an investment company subject to Supplement Q, or a Western Hemisphere Trade Corporation, as defined in section 109.

(b) *Taxable years to which amendment applicable.* The amendment made by this section shall be applicable to taxable years beginning in 1941 and ending after June 30, 1942.

§ 19.108–1 *Computation of tax for taxable years beginning in 1941 and ending after June 30, 1942.* For a taxable year beginning in 1941 and ending after June 30, 1942, the normal tax imposed under sections 11, 13 and 14 and the surtax imposed under sections 12 and 15 shall be computed as follows:

(a) *Corporations.* In the case of a corporation the normal tax and the surtax shall be the sum of the following:

(1) That portion of a tentative normal tax and a tentative surtax, computed under the law applicable to a taxable year beginning on January 1, 1941, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year.

(2) That portion of a tentative normal tax and a tentative surtax computed under the law applicable to a taxable year beginning on January 1, 1941, as if the amendments made by sections 105 (a), relating to normal tax on corporations, 105 (b) (other than those relating to dividends on the preferred stock of public utilities), relating to surtax on corporations, 105 (c), relating to nondeductibility of excess-profits tax, 105 (d), relating to credit for income subject to the tax imposed by Subchapter E of Chapter 2 (the excess-profits tax), and 105 (e) (1), relating to credit for dividends received, of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year.

(b) *Taxpayers other than corporations.* In the case of a taxpayer other than a corporation the normal tax and the surtax shall be the sum of the following:

(1) That portion of a tentative normal tax and a tentative surtax, computed under the law applicable to a taxable year beginning on January 1, 1941, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year.

(2) That portion of a tentative normal tax and a tentative surtax, computed under the law applicable to a taxable year beginning on January 1, 1941, as if the amendments made by section 102, relating to normal tax on individuals, and section 103, relating to surtax on individuals, of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year.

The provisions of section 108 apply to estates, trusts, and nonresident alien individuals. The provisions of section 108, however, do not apply to individuals who make their returns under Supplement T, or to nonresident alien individuals, not engaged in trade or business within the United States and not having an office or place of business therein, whose aggregate gross income from the sources specified in section 211 (a) (1) (A) is $23,000 or less. The method of computation prescribed by section 108 is likewise not applicable to an insurance company subject to Supplement G prior to amendment by the Revenue Act of 1942, an investment company subject to Supplement Q prior to amendment by the Revenue Act of 1942, or a Western Hemisphere Trade Corporation, as defined in section 109.

The provisions of section 103 apply to a taxable year beginning in 1941 and ending after June 30, 1942, whether or not such taxable year is one of less than twelve months, but they do not apply to a taxable year beginning in 1941 and ending before July 1, 1942, or to a taxable year beginning in 1942. In the case of a taxpayer other than a corporation, who is subject to the provisions of section 108 and who, due to a change in his accounting period, has a taxable year of less than twelve months, the net income shall be placed on an annual basis for the purposes of computing the tentative taxes provided in section 108 (a) (2) (A) and section 108 (a) (2) (B), and both such tentative taxes shall be computed thereon under the provisions of section 47 applicable to a taxable year beginning on January 1, 1941 (see § 19.47–2); however, in the case of a taxpayer other than a corporation, who, due to any reason other than a change in his accounting period, and in the case of a corporation which, due to any reason, has a taxable year of less than twelve months, the net income shall not be placed on an annual basis.

The amendments made by section 150 (c) of the Revenue Act of 1942 to section 117 (c), relating to alternative taxes with respect to capital gains, shall not apply in the computation of the tax for any taxable year subject to the provisions of section 108, but section 117 (c), prior to its amendment by section 150 (c) of the Revenue Act of 1942, shall apply in such computation.

In the case of a corporation subject to the provisions of section 108, dividends received on the preferred stock of a public utility corporation shall be included, for purposes of the computation of each of the two tentative taxes provided in section 108 (a) (1) (A) and section 108 (a) (1) (B), in computing the credit for dividends received provided in section 26 (b). However, in the computation of each such tentative tax there shall not be allowed the credit provided in section 108 (h) for dividends paid on certain preferred stock of certain public utility corporations.

In the case of a corporation whose taxable year begins in 1941 and ends after June 30, 1942, the excess-profits tax, for purposes of the computation of the tentative tax provided in section 108 (a) (1) (A), shall be the tentative tax computed under section 710 (a) (3) (A). Likewise, the credit for income subject to the tax imposed by Subchapter E of Chapter 2 (the excess-profits tax) shall be, for the purposes of the computation of the tentative tax provided in section 108 (a) (1) (B), the adjusted excess-profits net income used in computing the tentative tax provided in section 710 (a) (3) (B), except that in the case of a taxable year of less than twelve months such credit shall be the amount of which the tentative excess-profits tax for such year computed under the provisions of section 710 (a) (3) (B) (without regard to the 80 percent limitation provided in section 710 (a) (1) (B)) is 90 percent, and except that in the case a corporation computing such excess-profits tax under section 721 (relating to abnormalities in income in the taxable period), section 726 (relating to corporations completing

contracts under the Merchant Marine Act of 1936), section 731 (relating to corporations engaged in mining strategic minerals), or section 736 (b) (relating to corporations with income from long-term contracts), such credit shall be the amount of which the tentative tax computed under the provisions of section 710 (a) (3) (B) (without regard to the 80 percent limitation provided in section 710 (a) (1) (B)) is 90 percent.

Inasmuch as the net income for purposes of the second tentative tax provided in section 108 (a) (1) (B) is computed without regard to any deduction for excess-profits tax, all deductions which are limited to a fixed percentage of net income, e. g., charitable contributions (section 23 (q)) and percentage depletion (sections 23 (m) and 114 (b), (3) and (4)), shall be so determined on the basis of a net income computed without regard to any deduction for excess-profits tax.

In the case of a taxpayer other than a corporation subject to section 108, the credits against net income, for purposes of the computation of each of the tentative taxes provided in section 108 (a) (2) (A) and section 108 (a) (2) (B), shall be the same as those applicable to a taxable year beginning on January 1, 1941.

Example. Corporation X is a domestic corporation which makes its income tax returns on a fiscal year basis. For the fiscal year ending November 30, 1942, it has a gross income of $500,000; during such fiscal year it received no dividends on securities of other corporations, nor any interest on any obligations of the United States or of any Government corporation. Its allowable deductions, not including any deduction for excess-profits tax, are $100,000. Its applicable excess-profits credit is $345,000, and no adjustments are to be made under section 711. Its adjusted excess-profits net income for purposes of the computation of the tentative tax provided in section 710 (a) (3) (A) is $50,000, and such tentative excess-profits tax is $19,000. Its adjusted excess-profits net income for purposes of the computation of the tentative excess-profits tax provided in section 710 (a) (3) (B) is likewise $50,000, and such tentative excess-profits tax is $45,000. The normal tax and surtax of Corporation X for the fiscal year ending November 30, 1942, are $88,321.32 and $38,819.29, respectively, computed as follows:

(a) *Computation of tentative taxes provided in section 108 (a) (1) (A).*

NORMAL TAX

Gross income	$500,000
Less deductions (not including deduction for excess-profits tax)	100,000
Net income before deduction for excess-profits tax	400,000
Less deduction for excess-profits tax (as computed under section 710 (a) (3) (A))	19,000
Normal tax net income	381,000
Normal tax on $381,000 at 24%	$91,440

SURTAX

Net income before deduction for excess-profits tax	$400,000
Less deduction for excess-profits tax (as computed under section 710 (a) (3) (A))	19,000
Surtax net income	381,000
Surtax on $25,000 at 6%	$1,500
Tax on $356,000 at 7%	24,920
Surtax on $381,000	$26,420

(b) *Computation of tentative taxes provided in section 108 (a) (1) (B).*

NORMAL TAX

Gross income	$500,000
Less deductions (not including deduction for excess-profits tax)	100,000
Net income	400,000
Less adjusted excess-profits income (for purposes of computation of tentative excess-profits tax provided in section 710 (a) (3) (B))	50,000
Normal tax net income	350,000
Normal tax on $350,000 at 24%	$84,000

SURTAX

Net income	$400,000
Less adjusted excess-profits net income (for purposes of computation of tentative excess-profits tax provided in section 710 (a) (3) (B))	50,000
Surtax net income	350,000
Surtax on $350,000 at 16%	$56,000

(c) *Computation of normal tax and surtax for fiscal year ending November 30, 1942.*

Number of days in taxable year prior to July 1, 1942	212
Number of days in taxable year after June 30, 1942	153

NORMAL TAX

Tentative normal tax computed in (a) ------ $91,440	
212/365ths of $91,440	$53,110.36
Tentative normal tax computed in (b) ------ 84,000	
153/365ths of $84,000	35,210.96
Total normal tax	$88,321.32

SURTAX

Tentative surtax computed in (a) ------ $26,420	
212/365ths of $26,420	$15,345.32
Tentative surtax computed in (b) ------ 56,000	
153/365ths of $56,000	23,473.97
Total surtax	$38,819.29

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62) and sec. 140 of the Revenue Act of 1942 (Public Law 753, 77th Congress)).

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 10, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3839; Filed, March 11, 1943; 11:54 a. m.]

Subchapter B—Estate and Gift Taxes

[T. D. 5239]

PART 81—REGULATIONS RELATING TO ESTATE TAXES

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 105 [Part 81, Title 26, Code of Federal Regulations, 1942 Sup.] to certain sections of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, and to the Joint Resolution of December 17, 1942 (Public Law 809, 77th Congress), such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 81.2 the following:

SEC. 414. SPECIFIC EXEMPTION. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amount of exemption.*—Section 935 (c) (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$40,000" and inserting in lieu thereof "$60,000".

* * * * *

SEC. 412. EXEMPTION OF ESTATES OF NONRESIDENTS NOT CITIZENS. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Exemption.*—Section 861 (a) (relating to deductions in case of estates of nonresidents not citizens) is amended by inserting at the end thereof the following new paragraph:

(4) *Exemption.*—An exemption of $2,000.

(b) *Technical amendment with respect to property previously taxed.*—For technical amendment with respect to property previously taxed, see section 405 (c) of this Act.

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 2. Section 81.2 is amended as follows:

(A) By striking out the last sentence of the third paragraph and by inserting in lieu thereof the following sentences:

For the purpose of the basic estate tax, a specific exemption of $100,000 is authorized in the case of a resident or citizen of the United States, and a specific exemption of $2,000 is authorized in the case of a nonresident not a citizen of the United States who died after October 21, 1942, the date of the enactment of the Revenue Act of 1942. No specific exemption is authorized in the case of a nonresident not a citizen of the United States who died on or before October 21, 1942.

(B) By striking out the last sentence of the fourth paragraph and by inserting in lieu thereof the following sentences:

For the purpose of the additional tax, in the case of a resident or citizen, a specific exemption of $60,000 is authorized if the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, or $40,000 if the decedent died on or before such date. In the case of a nonresident not a citizen a specific exemption of $2,000 is authorized if the decedent died after October 21, 1942, but no specific exemption is allowed if the decedent died on or before such date.

(C) By striking out the last sentence of the fifth paragraph.

PAR. 3. Section 81.3 is amended to read as follows:

§ 81.3 *Gross estate.* In addition to the general provisions of subsection (a) of section 811 requiring the inclusion in the gross estate of property (except real property situated outside the United States) to the extent of the interest therein of the decedent, other subsections of section 811 more specifically include in the gross estate for the purpose of the estate tax, as more fully explained hereafter in these regulations, certain transfers made during the decedent's life without an adequate and full consideration in money or money's worth, joint estates with right of survivorship, tenancies by the entirety, community property, life insurance even though payable to beneficiaries other than the estate, property over which the decedent possessed a power of appointment, and dower or curtesy of the surviving spouse or statutory estate in lieu thereof.

PAR. 4. Section 81.4 is amended by striking out the last sentence and by inserting in lieu thereof the following sentences:

There is no basis for tax if the value of the gross estate does not exceed the total amount of the authorized deductions, but whether taxable or not, a return must be filed for every estate, unless the value of the gross estate at the date of the decedent's death does not exceed the amount of the applicable specific exemption. For regulations relative to the specific exemption in the case of a resident or citizen see § 81.48, and in the case of a nonresident not a citizen see § 81.55.

PAR. 5. Section 81.6 is amended by changing the second paragraph thereof to read as follows:

If the decedent was a resident or citizen of the United States, a net estate computed with a specific exemption of $100,000 must be determined for the purpose of the basic estate tax, and another net estate computed with a specific exemption of $60,000 in case the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, or $40,000 in case the decedent died on or before October 21, 1942, must be determined for the purpose of the additional estate tax. If the decedent was a nonresident not a citizen of the United States, a net estate computed with a specific exemption of $2,000 must be determined both for the purpose of the basic estate tax and for the purpose of the additional estate tax in case the decedent died after October 21, 1942, but no specific exemption is allowed if such decedent died on or before such date.

PAR. 6. Section 81.7 is amended as follows:

(A) By changing the last sentence of the second paragraph to read as follows:

In the case of a resident or citizen of the United States, the value of the net estate determined for the purpose of the basic tax differs from the value of the net estate determined for the purpose of the additional tax, since for the former a specific exemption of $100,000 is authorized while for the latter the amount of the specific exemption is $60,000 if the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, or $40,000 if the decedent died on or before such date.

(B) By inserting at the end of the first paragraph of *Example* (3) the following sentence:

(In the case of a decedent who died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, the credit for gift tax paid should be subtracted from the gross basic tax after the subtraction of credit for State inheritance taxes, instead of before, as set forth in this example. See § 81.9.)

PAR. 7. There is inserted immediately preceding § 81.8 the following:

SEC. 410. PRIORITY OF CREDIT FOR LOCAL DEATH TAXES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amendment to credit for 1924 gift tax.* Section 813 (a) (1) (relating to credit for estate tax of gift tax paid under 1924 Act) is amended by inserting after "subchapter" where it occurs the second time the following: "(after deducting from such tax the credit provided by section 813 (b))".

(b) *Amendment to credit for 1932 and Chapter 4 gift tax.* Section 813 (a) (2) (A) (relating to credit for estate tax of gift tax paid under 1932 Act or Chapter 4) is amended by inserting after "860" where it occurs the second time the following: "(after deducting from such tax the credits provided by section 813 (a) (1) and (b))".

(c) *80 per centum limit on local death tax computed before allowance of gift tax credit.* Section 813 (b) (relating to credit for local estate, succession, legacy, and inheritance taxes) is amended by striking out "(after deducting from such tax the credits provided by section 813 (a) (2))" and inserting in lieu thereof "(before deducting from such tax the credits provided by section 813 (a) (1) and (2))".

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 8. Section 81.8 is amended as follows:

(A) By inserting "(1)" immediately after "(a) *Credit against the basic tax imposed by section 810 or section 860.*—"

(B) By inserting immediately after "gross basic tax" in the first sentence of "(a)", the following: "(reduced, in the case of estates of decedents dying after October 21, 1942, by credits, as provided in the next paragraph)".

(C) By inserting immediately after the last sentence of "(a)", the following paragraph:

(2) With respect to estates of decedents dying on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, the credit for gift tax authorized under section 813 (a) (1) is to be deducted first and then the credit authorized under section 813 (a) (2) is to be deducted, with both credits for gift taxes to be deducted from the basic tax *before* deducting the credit for estate, inheritance, legacy or succession taxes. With respect to the estates of decedents dying after the date of enactment of the Revenue Act of 1942, the credit for estate, inheritance, legacy or succession taxes is to be deducted first and then the credits under section 813 (a) (1) and section 813 (a) (2) are to be deducted in that order.

(D) By striking out "subsequent to the effective date of the gift tax imposed by chapter 4 of the Internal Revenue Code" in the second sentence of the paragraph following the paragraph designated (b), and by inserting in lieu thereof "in 1941".

PAR. 9. Section 81.9 is amended by changing the third sentence of the first paragraph to read as follows:

The credit is limited to 80 percent of such Federal estate tax, after deduction of the credits allowed, if any, against such tax for Federal gift taxes paid in case the decedent died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, and to 80 percent of such Federal estate tax before deduction of the credits allowed for gift tax paid in case the decedent died after October 21, 1942.

PAR. 10. There is inserted immediately after section 802 of the Internal Revenue Code, and preceding section 302 (c) of the Revenue Act of 1926 (as originally enacted), which precede § 81.15, the following:

SEC. 402. COMMUNITY INTERESTS. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Transfers of community property in contemplation of death, etc.* Section 811 (d) (relating to revocable transfers) is amended by adding at the end thereof the following new paragraph:

(5) *Transfers of community property in contemplation of death, etc.* For the purposes of this subsection and subsection (c), a transfer of property held as community property by the decedent and surviving spouse under the law of any State, Territory, or possession of the United States, or any foreign country, shall be considered to have been made by the decedent, except such part thereof as may be shown to have been received as compensation for personal services actually rendered by the surviving spouse or derived originally from such compensation or from separate property of the surviving spouse.

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 11. Section 81.15 is amended by inserting immediately after the first paragraph thereof the following paragraph:

In the case of estates of decedents dying after October 21, 1942, a transfer to a third party or third parties of property held as community property by the decedent and spouse under the law of any State, Territory, or possession of the United States, or any foreign country, shall be considered, in accordance with section 811 (d) (5), as added by section 402 (a) of the Revenue Act of 1942, for the purposes of this section and §§ 81.16 through 81.21, inclusive, to have been

made by the decedent, except such part thereof as may be shown to have been received as compensation for personal services actually rendered by the spouse or derived originally from such compensation or from separate property of the spouse. The same statutory provisions apply in the case of a division of such community property between the decedent and spouse into separate property, and in the case of a transfer of any part of the community property into separate property of such spouse; in such cases, the value of the property which becomes the separate property of such spouse, with the exception stated in the preceding sentence, shall be included in the gross estate of the decedent under section 811 (c) or section 811 (d), if the other conditions of taxability under such sections exist. If in the case of a decedent who died after October 21, 1942, property held as community property by such decedent and his spouse is transferred to themselves as joint tenants or as tenants by the entirety, the transfer is taxable under section 811 (c), except with respect to such part of the property so transferred as is attributable to the spouse under the exception stated in the first sentence of this paragraph. With respect to the meaning of property derived originally from such compensation or from separate property of the spouse and to the identification required, see § 81.23.

PAR. 12. There is inserted immediately preceding § 81.22 the following:

SEC. 402. COMMUNITY INTERESTS. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *General rule.* Section 811 (e) (relating to joint interests) is amended as follows:

(1) By striking out "(e) *Joint interests.*—" and inserting in lieu thereof "(e) *Joint and community interests.*—(1) Joint interests.—".

(2) By inserting at the end thereof the following new paragraph:

(2) *Community interests.* To the extent of the interest therein held as community property by the decedent and surviving spouse under the law of any State, Territory, or possession of the United States, or any foreign country, except such part thereof as may be shown to have been received as compensation for personal services actually rendered by the surviving spouse or derived originally from such compensation or from separate property of the surviving spouse. In no case shall such interest included in the gross estate of the decedent be less than the value of such part of the community property as was subject to the decedent's power of testamentary disposition.

(c) *Cross reference.* For treatment of life insurance acquired with community property, see amendment to section 811 (g) made by section 404 of this Act.

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 13. Section 81.22 is amended by inserting at the end thereof those paragraphs of § 81.23 (prior to its amendment by paragraph 14 of this Treasury decision) which follow the heading "*Taxable portion.*—", and the following paragraph:

For the purpose of determining the taxable portion to be included in accordance with the above rules in the gross estate of a decedent who died after October 21, 1942, where the joint tenancy or tenancy by the entirety was created by the transfer of property held as community property by such decedent and his spouse, such decedent is considered as the original owner of all of the community property so transferred, except such part thereof as may be shown to have been received as compensation for personal services rendered by his spouse or derived originally from such compensation or from such separate property of such spouse. Thus, if in the case of a decedent who died after October 21, 1942, property held as community property by such decedent and his spouse was transferred to themselves as joint tenants or as tenants by the entirety, the entire value of such property at the time of the decedent's death is includible in his gross estate, with the exception stated in the preceding sentence. With respect to the meaning of property derived originally from such compensation or from separate property of the spouse and to the identification required, see § 81.23.

PAR. 14. Section 81.23 is amended to read as follows:

§ 81.23 *Community property.* In the case of estates of decedents dying after October 21, 1942, the gross estate includes the entire community property held by the decedent and surviving spouse under the law of any State, Territory, or possession of the United States, or any foreign country, except such part thereof as may be shown to have been received as compensation for personal services actually rendered by the spouse or derived originally from such compensation or from separate property of the spouse. Section 811 (e) (2) also provides that in no case shall such interest included in the gross estate of the decedent be less than the value of such part of the community property as was subject to the decedent's power of testamentary disposition.

Property derived originally from compensation for personal services actually rendered by the spouse or from separate property of the spouse includes property that may be identified as (1) income yielded by property received as such compensation or by such separate property, and (2) property clearly traceable (by reason of acquisition in exchange, or other derivation) to property received as such compensation, to such separate property, or to such income. The rule established by this statute for apportioning the respective contributions of the spouses is applicable regardless of varying local rules of apportionment, and State presumptions are not operative against the Commissioner. The burden of identifying the property which may be excluded from the community interest rests upon the executor.

As to the inclusion of transfers of community property during life, see § 81.15, and for treatment of life insurance acquired with community property, see §§ 81.25 and 81.27.

PAR. 15. There is inserted immediately after section 802 of the Internal Revenue Code and preceding section 302 (f) of the Revenue Act of 1926 (as originally enacted), as set forth preceding § 81.24, the following:

SEC. 403. POWERS OF APPOINTMENT. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *General rule.* Section 811 (f) (relating to powers of appointment) is amended to read as follows:

(f) *Powers of appointment.*

(1) *In general.* To the extent of any property (A) with respect to which the decedent has at the time of his death a power of appointment, or (B) with respect to which he has at any time exercised or released a power of appointment in contemplation of death, or (C) with respect to which he has at any time exercised or released a power of appointment by a disposition intended to take effect in possession or enjoyment at or after his death, or by a disposition under which he has retained for his life or any period not ascertainable without reference to his death or for any period which does not in fact end before his death (i) the possession or enjoyment of, or the right to the income from, the property, or (ii) the right, either alone or in conjunction with any person, to designate the persons who shall possess or enjoy the property or the income therefrom; except in case of a bona fide sale for an adequate and full consideration in money or money's worth.

(2) *Definition of power of appointment.* For the purposes of this subsection the term "power of appointment" means any power to appoint exercisable by the decedent, either alone or in conjunction with any person, except

(A) a power to appoint within a class which does not include any others than the spouse of the decedent, spouse of the creator of the power, descendants of the decedent or his spouse, descendants (other than the decedent) of the creater of the power or his spouse, spouses of such descendants, donees described in section 812 (d), and donees described in section 861 (a) (3). As used in this subparagraph, the term "descendant" includes adopted and illegitimate descendants, and the term "spouse" includes former spouse; and

(B) a power to appoint within a restricted class if the decedent did not receive any beneficial interest, vested or contingent, in the property from the creator of the power or thereafter acquire any such interest, and if the power is not exercisable to any extent for the benefit of the decedent, his estate, his creditors, or the creditors of his estate.

If a power to appoint is exercised by creating another power to appoint, such first power shall not be considered excepted under subparagraph (A) or (B) from the definition of power of appointment to the extent of the value of the property subject to such second power to appoint. For the purposes of the preceding sentence the value of the property subject to such second power to appoint shall be its value unreduced by any precedent or subsequent interest not subject to such power to appoint.

(3) *Date of existence of power.* For the purposes of this subsection the power of appointment shall be considered to exist on the date of the decedent's death even though the exercise of the power is subject to a precedent giving of notice or even though the exercise of the power takes effect only on the expiration of a stated period after its exercise, whether or not on or before the date of the decedent's death notice has been given or the power has been exercised.

* * * * *

(d) *Powers with respect to which amendments not applicable.* (1) The amendments made by this section shall not apply with respect to a power to appoint, created on or before the date of the enactment of this Act, which is other than a power exercisable in favor of the decedent, his estate, his creditors, or the creditors of his estate, unless such power is exercised after the date of the enactment of this Act.

(2) The amendments made by this section shall not become applicable with respect to a power to appoint created on or before the date of enactment of this Act, which is exercisable in favor of the decedent, his estate, his creditors, or the creditors of his estate, if at such date the donee of such power is under a legal disability to release such power, until six months after the termination of such legal disability. For the purposes of the preceding sentence, an individual in the military or naval forces of the United States shall, until the termination of the present war, be considered under a legal disability to release a power to appoint.

(3) The amendments made by this section shall not apply with respect to any power to appoint created on or before the date of the enactment of this Act if it is released before January 1, 1943, or within the time limited by paragraph (2) in cases to which such paragraph is applicable; or if the decedent dies before January 1, 1943, or within the time limited by paragraph (2) in cases to which such paragraph is applicable, and such power is not exercised.

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

JOINT RESOLUTION. (Public Law 809, 77th Congress, enacted December 17, 1942.)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 (d) (3) of the Revenue Act of 1942 is amended by striking out "January 1, 1943" wherever it appears and inserting in lieu thereof "July 1, 1943" * * *.

PAR. 16. Section 81.24 is amended as follows:

(A) By striking out the heading "*Property passing under general power of appointment*" and by inserting in lieu thereof "*Property subject to power of appointment by decedent*".

(B) By inserting immediately before the first sentence thereof, the following:

(a) *Estates of decedents dying on or before October 21, 1942.* The regulations prescribed under this paragraph are applicable only with respect to estates of decedents who died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942.

(C) By striking from the second sentence of the second paragraph "or his creditors" and by inserting in lieu thereof "his creditors, or the creditors of his estate."

(D) By inserting immediately after the second sentence of the second paragraph thereof, the following sentence:

A power of appointment exercisable to meet the estate tax, and any other taxes, debts, or charges which are enforceable against the estate is included within the meaning of a power of appointment exercisable in favor of the decedent's estate or the creditors of his estate.

(E) By inserting at the end thereof, the following:

(b) *Estates of decedents dying after October 21, 1942.* The regulations prescribed under this subsection are applicable only with respect to estates of decedents who died after October 21, 1942, the date of enactment of the Revenue Act of 1942.

(1) *In general.* With the exceptions stated under (2) and (3) hereunder, section 811 (f) of the Internal Revenue Code, as amended by section 403 of the Revenue Act of 1942, requires the inclusion in the gross estate of a decedent who died after October 21, 1942, of the value of all property with respect to which he has at the time of his death any power of appointment exercisable by him, including any power exercisable by him in conjunction with any person. The value of such property is includible in the gross estate whether or not the power is exercised. The statute also requires, except as stated hereunder and except in case of a bona fide sale for an adequate and full consideration in money or money's worth, the inclusion in the gross estate of property with respect to which the decedent has, either alone or in conjunction with any person, at any time exercised or released any such power (i) in contemplation of death, (ii) with the intention that the disposition shall take effect in possession or enjoyment at or after his death, (iii) with the retention or reservation by the decedent for his life or any period not ascertainable without reference to his death or for any period which does not in fact and before his death (A) of the use, possession, right to the income, or other enjoyment of the property or (B) of the right, either alone or in conjunction with any person, to designate the person or persons who shall possess or enjoy the property or the income therefrom. For example, if a decedent who has a life estate in property with power to appoint the remainder, releases such power during his lifetime and after June 30, 1943, the value of such property is includible in his gross estate. Similarly, if such decedent had, instead, exercised the power at any time by appointing the remainder to his wife if she survives him, otherwise to his estate, the value of such property is includible in his gross estate.

The term "power of appointment" includes all powers which are in substance and effect powers of appointment regardless of the nomenclature used in creating the power and local property law connotations. For example, if a settlor transfers property in trust for the life of his wife, with a power in the wife to appropriate or consume the principal of the trust, the wife has a power of appointment. Another example is a case in which A transfers property in trust for the life of his son B, directing that the income be paid to B and that B shall have a power exercisable at any time to alter, amend, revoke, or terminate the trust in any respect but only with the consent of the trustee. Upon the death of B, the entire value of the property is includible in B's gross estate. Assuming that the trustee is a disinterested third party not receiving any beneficial interest upon such transfer, the value of the property is not includible in his personal estate if he should predecease B. Similarly, if property is transferred in trust by a grantor reserving the power to alter, amend, revoke or terminate the trust with the consent of the trustee who is a disinterested party not receiving any beneficial interest upon the transfer, the value of the property is not includible in such trustee's personal estate if he should predecease the grantor. Ordinarily, powers of management with respect to property in trust, such as the determination of whether distributions shall be annually or quarterly, the making of investments and reinvestments, or the determination of items of income and principal under recognized rules of accounting, are not powers of appointment over property under section 811 (f).

Section 811 (f) applies also to powers to appoint, exercisable only during the decedent's lifetime and terminable at his death. A power of appointment shall be considered to exist on the date of the decedent's death where the time for the exercise of the power is determined by the date of his death. It shall be considered to exist on the date of the decedent's death even though its exercise is subject to a precedent giving of notice or even though the exercise takes effect only on the expiration of a stated period after its exercise, whether or not on or before the date of the decedent's death notice has been given or the power has been exercised.

A release of a power of appointment need not be express or formal in character. For example, the failure to exercise a power of appointment within a specified time, resulting in the termination of the power, is taxable if the other conditions of taxability prescribed in section 811 (f) are present. A power to appoint is exercised where the property subject thereto is appointed to the taker in default of appointment, regardless of whether or not the appointed interest and the interest in default of appointment are identical, and regardless of whether or not the appointee renounces any right to take under the appointment.

(2) *Powers to appoint excepted from general provisions.* Section 811 (f) (2) excepts from the general provisions of section 811 (f) (1) two classes of powers to appoint which the decedent either had at the time of his death or had exercised or released during his life. The decedent has an excepted power if the power to appoint is not exercisable to any extent for the benefit of the decedent, his estate, his creditors, or the creditors of his estate and if it is exercisable in favor of only one or more other persons or objects (i) within a class which does not include any others than the spouse of the decedent, spouse of the creator of the power, descendants of the decedent or his spouse, descendants of the creater of the power or his spouse, spouses of such descendants, and charitable, etc., organizations described in sections 812 (d) and 861 (a) (3), or (ii) within a restricted class if the decedent did not receive any beneficial interest, vested or contingent, in the property

from the creator of the power or thereafter acquire any such interest.

With respect to the power referred to in the preceding paragraph under (i), the term "descendant" includes adopted and illegitimate descendants, and the term "spouse" includes former spouse. The treatment of adopted and illegitimate descendants as descendants within the terms of such excepted power is intended to include adopted and illegitimate children (and their descendants and their adopted and illegitimate children) as descendants, if such children would be descendants had they been born as legitimate children in the station to which they are adopted or born.

A power to appoint within a restricted class applies to a power possessed by a disinterested trustee or one occupying a similar status to appoint within a relatively small class. For example, a power to appoint to a class composed of A's children would be a power to appoint within a restricted class, but a power to appoint to anyone except A and his family would not be a power confined to a restricted class. The restricted character of a class is not affected by the fact that the decedent has power to appoint to any number of appointees (charitable, etc., organizations) described in sections 812 (d) and 861 (a) (3). A power to appoint is not confined to a restricted class merely because it is not exercisable in favor of the decedent, his estate, his creditors, or the creditors of his estate, or all of them.

If a power to appoint is exercised by creating another power to appoint, to the extent of the value of the property subject to such second power to appoint, the property subject to such first power shall not be considered excepted or excluded from inclusion in the gross estate. For this purpose, the statute prescribes that the value of the property subject to such second power to appoint shall be its value, unreduced by any precedent or subsequent interest not subject to such power to appoint. Thus, if the decedent has a power to appoint a fund of $100,000 within a class consisting only of his children (which is one of the excepted powers) and by his will exercises such power by giving one child a power to appoint $25,000 of such fund and by making an outright appointment of $75,000, only $25,000 is includible in the decedent's gross estate. If, however, the decedent had appointed the income from the entire fund to such child for life with power in such child to appoint the remainder in his will, the whole $100,000 would be included in the decedent's gross estate. Under section 811 (f) (2), this provision is applicable whether or not the newly created power to appoint falls within either of the two excepted classes of powers.

(3) *Exceptions applicable to powers of appointment created on or before October 21, 1942.* The amendments made by section 403 of the Revenue Act of 1942 (as amended by the Joint Resolution of December 17, 1942) are applicable with respect to powers of appointment created on or before October 21, 1942, the date of enactment of such Revenue Act, except in the case of the following:

(i) The release, or possession at death without exercise, of a power of appointment which is other than a power exercisable in favor of the decedent, his estate, his creditors, or the creditors of his estate. This exception does not apply if such power is exercised after October 21, 1942 (see (2) of this section).

(ii) The release, or possession at death without exercise, of a power of appointment which is exercisable in favor of the decedent, his estate, his creditors, or the creditors of his estate, if on October 21, 1942 the decedent was under a legal disability to release such power and if the release thereof is effected, or the decedent dies, prior to the day after the expiration of six months immediately following the termination of such legal disability.

(iii) The release, or possession at death without exercise, of any such power of appointment if such release is effected, or the decedent dies, before July 1, 1943. It is presumed that all general powers of appointment are releasable, unless the local law on the subject is to the contrary; and it is presumed that the method employed to release the power is effective, unless it is not in accordance with the local law on the subject (or, in the absence of such local law, is not in accordance with the local law relating to similar transactions). The legal disability referred to is determined under local law and may include the disability of an insane person, a minor, or an unborn child. The fact that a power of appointment of the type possessed by the decedent actually was not generally releasable under the local law does not place the decedent under a legal disability within the meaning of section 403 (d) (2) of the Revenue Act of 1942. Until the termination of the present war, an individual in active service in the military or naval forces of the United States on October 21, 1942, shall be considered under a legal disability to release a power to appoint while such individual is in such service.

In the case of a power created on or before October 21, 1942 which was not exercised prior to July 1, 1943, such power will be considered an excepted power under section 811 (f) (2) (A) or (B) if on July 1, 1943 or, in the case of a decedent dying prior to July 1, 1943, if at the date of the decedent's death, the requirements of section 811 (f) (2) (A) or (B) are satisfied. If in such case, however, the decedent was under a legal disability on October 21, 1942, as described in the preceding paragraph, the day after the expiration of six months immediately following the termination of such legal disability shall, if such date is later than July 1, 1943, be substituted for "July 1, 1943" in applying the rule stated in the preceding sentence. For the purpose of determining whether a power created on or before October 21, 1942, satisfies the requirements of section 811 (f) (2) (B) on July 1, 1943 (or other applicable date determined under the preceding two sentences), the fact as to whether the decedent received any beneficial interest in the property is to be ascertained without regard to the power to appoint which the decedent received.

The fact that a power is exercised or released only in part, so that at some time the power could be exercised only in favor of donees described in section 811 (f) (2) (A) or (B), does not preclude the value of the property subject to the power from being included in the decedent's gross estate under section 811 (f) (1) if such power was not a power described in section 811 (f) (2) (A) or (B) on the following applicable date:

(A) The date of creation of the power, in the case of a power created after October 21, 1942;

(B) July 1, 1943, in the case of a power created on or before October 21, 1942, except where on October 21, 1942 the decedent was under a legal disability heretofore described and the day after the expiration of six months immediately following the termination of the period of legal disability is later than July 1, 1943; or

(C) The day after the expiration of six months immediately following the termination of the period of legal disability heretofore described if such day is later than July 1, 1943, in the case of a power created on or before October 21, 1942, where on October 21, 1942 the decedent was under such legal disability.

For example, if a decedent who has a general power of appointment reduces such power after June 30, 1943 (or on or after the day specified in (C) of this paragraph in a case described in (C) to a power to appoint within one of the excepted classes described in section 811 (f) (2) (A) or (B), the value of the property subject to the power is includible in his gross estate under section 811 (f) (1) (B) or (C).

(4) *Instruments to be filed with return.* Duplicate copies of the instrument granting the power and, if the power was exercised or released by an instrument, such instrument, one of each to be certified or verified, must be filed with Form 706 in all cases, unless the decedent was a nonresident, in which case only one copy of each instrument, certified or verified, is required. The copies must be filed even though it is contended that the power was an excepted one under section 811 (f) (2) (A) or (B) and the property is not returned for tax.

PAR. 17. There is inserted immediately preceding § 81.25 the following:

SEC. 404. PROCEEDS OF LIFE INSURANCE (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *General rule.* Section 811 (g) (relating to life insurance) is amended to read as follows:

(g) *Proceeds of life insurance.*—

(1) *Receivable by the executor.*—To the extent of the amount receivable by the executor as insurance under policies upon the life of the decedent.

(2) *Receivable by other beneficiaries.* To the extent of the amount receivable by all other beneficiaries as insurance under policies upon the life of the decedent (A) purchased with premiums, or other consideration, paid directly or indirectly by the decedent, in proportion that the amount so paid by the decedent bears to the total premiums paid for the insurance, or (B) with respect to which the decedent possessed at his death any of the incidents of ownership, exercisable either alone or in conjunction with any other person. For the purposes of clause (A) of this paragraph, if the decedent transferred, by assignment or otherwise, a policy of insurance, the amount paid directly or indirectly by the decedent shall be reduced by an amount which bears the same ratio to the amount paid directly or indirectly by the decedent as the consideration in money or money's worth received by the decedent for the transfer bears to the value of the policy at the time of the transfer. For the purposes of clause (B) of this paragraph, the term "incident of ownership" does not include a reversionary interest.

(3) *Transfer not a gift.* The amount receivable under a policy of insurance transferred, by assignment or otherwise, by the decedent shall not be includible under paragraph (2) (A) if the transfer did not constitute a gift, in whole or in part, under Chapter 4, or, in case the transfer was made at a time when Chapter 4 was not in effect, would not have constituted a gift, in whole or in part, under such chapter had it been in effect at such time.

(4) *Community property.* For the purposes of this subsection, premiums or other consideration paid with property held as community property by the insured and surviving spouse under the law of any State, Territory, or possession of the United States, or any foreign country, shall be considered to have been paid by the insured, except such part thereof as may be shown to have been received as compensation for personal services actually rendered by the surviving spouse or derived originally from such compensation or from separate property of the surviving spouse; and the term "incidents of ownership" includes incidents of ownership possessed by the decedent at his death as manager of the community.

* * * * *

(c) *Decedents to which amendments applicable.* The amendments made by subsection (a) shall be applicable only to estates of decedents dying after the date of the enactment of this Act; but in determining the proportion of the premiums or other consideration paid directly or indirectly by the decedent (but not the total premiums paid) the amount so paid by the decedent on or before January 10, 1941, shall be excluded if at no time after such date the decedent possessed an incident of ownership in the policy.

PAR. 18. Section 81.25 is amended to read as follows:

§ 81.25 *Life insurance.* Section 811 (g) provides for the inclusion in the gross estate of insurance on the decedent's life (a) receivable by or for the benefit of the estate (for which see § 81.26), and (b) receivable by other beneficiaries (for which see § 81.27).

The term "insurance" refers to life insurance of every description, including death benefits paid by fraternal beneficial societies operating under the lodge system.

Life insurance not includible in the gross estate under the provisions of paragraph (g) of section 811 and §§ 81.26, 81.27, or this section may, depending upon the facts of the particular case, be includible under some other paragraph of section 811 and the sections of these regulations pertaining thereto. Thus in the case of insurance upon his own life which the decedent fully paid up prior to January 10, 1941, the date of Treasury Decision 5032, and which he gratuitously transferred prior to such date in contemplation of death, the insurance proceeds are includible in his gross estate under section 811 (c). Similarly, in the case of a decedent who never paid any premiums upon an insurance policy upon his life but possessed incidents of ownership therein (other than a reversionary interest), if he gratuitously transferred all rights in such policy in contemplation of death or gratuitously made a transfer of such rights reserving a reversionary interest whereby the proceeds are made payable to his estate if the transferees (or beneficiaries) do not survive him, the proceeds are includible in his gross estate under section 811 (c).

PAR. 19. Section 81.27 is amended to read as follows:

§ 81.27 *Insurance receivable by other beneficiaries.*—(a) *In case of decedent dying after October 21, 1942.* The regulations prescribed under this paragraph (except as otherwise indicated herein or in paragraph (b) of this section) are applicable only in the case of decedents who died after October 21, 1942, the date of the enactment of the Revenue Act of 1942. In such cases, the amount of the aggregate proceeds of all insurance on the life of the decedent not receivable by or for the benefit of his estate must also be included in his gross estate, as follows:

(1) Such insurance (not includible under (2) of this paragraph) purchased with premiums, or other consideration, paid directly or indirectly by the decedent, in the proportion that the amount so paid by the decedent bears to the total premiums paid for the insurance, and

(2) Such insurance with respect to which the decedent possessed at his death any of the incidents of ownership, exercisable either alone or in conjunction with any person.

The purchase of insurance upon the life of the decedent is attributed to the decedent even though the premiums, or other consideration, are paid only indirectly by the decedent. As thus used, the phrase "paid indirectly by the decedent" is intended to be broad in scope. For example, if the decedent transfers funds to his wife so that she may purchase insurance on his life, and she purchases such insurance, the payments are considered to have been made by the decedent even though they are not directly traceable to the precise funds transferred by the decedent. A decedent similarly pays the premiums or other consideration if payment is made by a corporation which is his alter ego or by a trust whose income is taxable to him, as, for example, a funded insurance trust. A payment is also made by the decedent if the decedent's employer makes the payment as compensation for services.

For the purposes of this paragraph, premiums or other consideration paid with property held as community property by the insured and spouse under the law of any State, Territory, or possession of the United States, or any foreign country, shall be considered to have been paid by the insured, except such part thereof as may be shown to have been received as compensation for personal services actually rendered by the decedent's spouse or derived originally from such compensation or from separate property of such spouse. With respect to the meaning of property derived originally from such compensation or from separate property of the decedent's spouse, referred to in the preceding sentence, and to the identification required, see § 81.23.

The amount receivable under a policy of insurance transferred, by assignment or otherwise, by the decedent shall be includible under (1) of this paragraph if the transfer constituted a gift to any extent under chapter 4 of the Internal Revenue Code, or, in case the transfer was made at a time when such chapter was not in effect, would have constituted a gift to any extent under such chapter had it been in effect at such time. The determination of whether a transfer constitutes (or would have constituted) a gift to any extent under chapter 4 is to be made with respect to the concept of gifts under chapter 4 and not with respect to the taxability of a particular transfer as a gift under chapter 4 by reason of the amount of any exclusion or specific exemption allowed under such chapter. Thus, if the decedent transferred a policy to his creditors in consideration of the discharge of his obligations, and there was no element of donative intent in the transfer, no part of the proceeds would be includible in the gross estate. If the transfer conforms to any extent to the concept of a gift under chapter 4, the formula stated in the next paragraph for determining the portion of the proceeds includible in the gross estate is applicable.

For the purpose of determining the portion of the insurance purchased by the decedent where the decedent transferred, by assignment or otherwise, a policy of insurance, the amount paid directly or indirectly by the decedent shall be reduced by an amount which bears the same ratio to the amount paid directly or indirectly by the decedent before such transfer as the consideration in money or money's worth received by the decedent for the transfer bears to the value of the policy at the time of the transfer. For example, assume the decedent purchased for a single premium of $600 an insurance policy paying $1,200 upon his death. If at a time when the replacement cost of the same or a similar policy is $900, the decedent gives such policy to his wife for a partial consideration of $600, the $600 premium originally paid by the decedent would be reduced by an amount which bears the same ratio to $600 (the amount paid by the decedent) as $600 (the consideration paid by the wife) bears to $900, or by $400. Therefore, the decedent will be considered to have paid $200 in premiums and 200/600 of the $1,200 proceeds, or $400, will be included in his gross estate.

For the purposes of (1) of this paragraph, in determining the proportion of the premiums or other consideration paid directly or indirectly by the decedent (but not the total premiums paid) the amount so paid by the decedent on or before January 10, 1941, shall be ex-

cluded if at no time after such date the decedent possessed an incident of ownership in the policy. For the purpose of the preceding sentence a reversionary interest is an incident of ownership. For a description of this and other incidents of ownership, see the following paragraph and paragraph (b) of this section.

For the purposes of this section, the term "incidents of ownership" is not confined to ownership in the technical legal sense. For example, a power to change the beneficiary reserved to a corporation of which the decedent is sole stockholder is an incident of ownership in the decedent. For the purposes of this subsection, the term "incidents of ownership" includes the incidents of ownership described in paragraph (b) (except as provided in the next sentence) and, in addition, includes incidents of ownership possessed by the decedent as manager of the community where the insurance policy is property held as community property by the decedent and spouse. Section 811 (g) (2), as added by the Revenue Act of 1942, expressly provides that for the purposes of section 811 (g) (2) (B), (see (2) of this paragraph) but not for the purposes of section 811 (g) (2) (A), (see (1) of this paragraph), the term "incidents of ownership" does not include a reversionary interest. However, an assignment of an insurance policy by a decedent possessing other incidents of ownership therein under which he reserves a reversionary interest may result in the proceeds of the policy being includible in his gross estate under section 811 (c). See § 81.25.

(b) *In case of decedent dying on or before October 21, 1942.* The regulations prescribed under this paragraph (except as otherwise indicated herein or in paragraph (a) of this section) are applicable only in the case of decedents who died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942. In such cases, the amount in excess of $40,000 of the aggregate proceeds of all insurance on the decedent's life not receivable by or for the benefit of his estate must be included in his gross estate, as follows:

(1) To the extent to which such insurance was taken out by the decedent upon his own life (see next paragraph) after January 10, 1941, the date of Treasury Decision 5032, and

(2) To the extent to which such insurance was taken out by the decedent upon his own life (see next paragraph) on or before January 10, 1941, and with respect to which the decedent possessed any of the incidents of ownership at any time after such date, or, in the case of a decedent dying on or before such date, at the time of his death.

If the decedent died on or before October 21, 1942, insurance receivable by beneficiaries other than the estate is includible under the provisions of section 811 (g) only to the extent that it was taken out by the decedent upon his own life. Such insurance is considered to have been taken out by the decedent where he paid, either directly or indirectly, all the premiums or other consideration wherewith the insurance was acquired, whether or not he made the application for such insurance. Such insurance is not considered to have been so taken out, even though the application was made by the decedent, if no part of the premiums or other consideration was paid either directly or indirectly by him. Where a portion of the premiums or other consideration was actually paid by another and the remaining portion by the decedent, either directly or indirectly, such insurance is considered to have been taken out by the latter in the proportion that the payments therefor made by him bear to the total amount paid for the insurance. For examples of indirect payments by the decedent, see paragraph (a), and, for computation of the proportion referred to in the preceding sentence, see paragraph (a) and the example at the end of this paragraph.

Incidents of ownership in the policy include, for example, the right of the insured or his estate to its economic benefits, the power to change the beneficiary, to surrender or cancel the policy, to assign it, to revoke an assignment, to pledge it for a loan, or to obtain from the insurer a loan against the surrender value of the policy, etc. The insured possesses an incident of ownership if his death is necessary to terminate his interest in the insurance, as, for example, if the proceeds would become payable to his estate, or payable as he might direct, should the beneficiary predecease him.

The estate is entitled to only one exemption of $40,000 in cases to which this subsection applies. For instance, if the decedent left life insurance otherwise includible under the provisions of this subsection and payable to three such beneficiaries in amounts of $10,000, $40,000, and $50,000 (total, $100,000), the full amount should be listed on the return and therefrom subtracted the $40,000 exemption as provided in the appropriate schedule of Form 706. The word "beneficiaries", as used in reference to this $40,000 exemption, means persons entitled to the actual enjoyment of the insurance money.

Example. Insurance on the life of a decedent who died after January 10, 1941, the date of Treasury Decision 5032, and before October 22, 1942, the day after the enactment of the Revenue Act of 1942, totaled $200,000. It was payable to his son as beneficiary and the decedent never possessed any of the incidents of ownership therein. Premiums aggregating $100,000 were paid for the insurance, of which the decedent paid $50,000 before the date of Treasury Decision 5032 and $30,000 after that date. The remaining premiums of $20,000 were paid by the son. The extent to which the insurance was taken out by the decedent after the date of the Treasury decision is the proportion of $200,000 that the amount of the premiums paid by him after such date, $30,000, bears to the total amount of the premiums paid for the insurance, $100,000. Such proportion is three-tenths of $200,000, or $60,000. As the decedent possessed none of the incidents of ownership in the insurance at any time after the date of the Treasury decision, $100,000 of the insurance, the extent to which it was taken out by the decedent before such date $\left\{\frac{\$50,000 \times \$200,000}{\$100,000}\right\}$, is excluded from the estate. The amount of $40,000, the extent to which the insurance was not taken out by the decedent $\left\{\frac{\$20,000 \times \$200,000}{\$100,000}\right\}$, is also excluded from the gross estate. The amount of the insurance taken out by the decedent after the date of the Treasury decision, $60,000, is reduced by $40,000, the special insurance exemption, and the amount of the insurance included in the gross estate is $20,000.

PAR. 20. There is inserted immediately preceding § 81.29, the following:

SEC. 405. DEDUCTIONS NOT ALLOWABLE IN EXCESS OF CERTAIN PROPERTY OF ESTATE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *General rule.* Section 812 (b) (relating to estate tax deductions) is amended by inserting after the second sentence the following new sentences: "There shall be disallowed the amount by which the deductions specified in paragraphs (1), (2), (3), (4), and (5) exceed the value, at the time of the decedent's death, of property subject to claims. For the purposes of this section the term 'property subject to claims' means property includible in the gross estate of the decedent which, or the avails of which, would, under the applicable law, bear the burden of the payment of such deductions in the final adjustment and settlement of the estate; and, for the purposes of this definition, the value of the property shall be reduced by the amount of the deduction under the next sentence attributable to such property."

* * * * *

SEC. 406. CHARITABLE PLEDGES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Pledges in case of citizens.* Section 812 (b) (relating to deductions in computing net estate) is amended by inserting before the period at the end of the second sentence thereof the following: "; except that in any case in which any such claim is founded upon a promise or agreement of the decedent to make a contribution or gift to or for the use of any donee described in subsection (d) for the purposes specified therein, the deduction for such claim shall not be so limited, but shall be limited to the extent that it would be allowable as a deduction under subsection (d) if such promise or agreement constituted a bequest".

* * * * *

SEC. 414. SPECIFIC EXEMPTION. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amount of exemption.* Section 935 (c) (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$40,000" and inserting in lieu thereof "$60,000".

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 21. Section 81.29 is amended as follows:

(A) By changing the next to the last sentence of the first paragraph to read as follows:

If a claim against the estate, an unpaid mortgage, or an indebtedness is founded upon a promise or agreement, the deduction therefor is limited to the extent that the liability was contracted bona fide and for an adequate and full consideration in money or money's worth, except that in the case of a decedent who died after October 21, 1942, any such enforceable claim founded upon a promise or agreement of the decedent to make a contribution or gift to or for the use of any donee described in section 812 (d) (charitable, etc., organizations) for the purposes specified therein is deductible to the extent that it would be deductible under section 812 (d) if such promise or agreement constituted a bequest. See § 81.36.

(B) By inserting immediately after the first paragraph the following paragraph:

In case the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, the amount by which the deductions specified in paragraphs (1), (2), (3), (4), and (5) of section 812 (b) exceed the value of property includible in the gross estate subject to claims shall be disallowed. "Property subject to claims" is the property includible in the gross estate which, or the avails of which, under the applicable law, would bear the burden of the payment of such deductions in the final adjustment and settlement of the estate; and, for the purposes of this definition, the value of property subject to claims shall be first reduced by the amount of the deduction allowed for estate tax purposes for any losses, incurred during the settlement of the estate from fires, storms, shipwrecks, or other casualties, or from theft, attributable to such property. For example, if an item of property is included in such a decedent's gross estate at a value of $5,000 upon which there is an unpaid mortgage for $10,000, the excess of which is not enforceable against other property of the estate, the amount of the mortgage is allowable as a deduction only to the extent of $5,000. Likewise, in such a case where the gross estate is composed of real estate valued at $100,000, and proceeds of life insurance in the amount of $100,000 exempt from general claims, if the only deductions under section 812 (b) are claims of creditors totaling $200,000, only $100,000 of such claims is allowable as deductions.

PAR. 22. Section 81.36 is amended by striking out the fourth and fifth sentences and by inserting in lieu thereof the following:

Except as hereinafter stated, if the claim is founded upon a promise or agreement, the deduction therefor is limited to the extent that the liability was contracted bona fide and for an adequate and full consideration in money or money's worth. A pledge or a subscription, evidenced by a promissory note or otherwise, even though enforceable against the estate, is deductible only to the extent that liability therefor was contracted bona fide and for an adequate and full consideration in cash or its equivalent, except that if the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, a pledge or a subscription enforceable against the estate is deductible if the decedent's promise or agreement was to make a contribution or gift to or for the use of any donee described in section 812 (d) (charitable, etc., organizations) for the purposes specified in such section, but such deduction is limited to the extent that it would be allowable under section 812 (d) if such promise or agreement constituted a bequest.

PAR. 23. There is inserted immediately preceding § 81.41 the following:

SEC. 405. DEDUCTIONS NOT ALLOWABLE IN EXCESS OF CERTAIN PROPERTY OF ESTATE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Prior taxed property.* The second sentence of the second paragraph of section 812 (c) (relating to deduction for prior taxed property) is amended to read as follows: "The deduction under this subsection shall be reduced by an amount which bears the same ratio to the amounts allowed as deductions under subsections (a) and (d) and the amounts of general claims allowed as deductions under subsection (b) as the amount otherwise deductible under this subsection bears to property subject to general claims. If the property includible in the gross estate to which the deduction under this subsection is attributable is not wholly property subject to general claims—

(1) Before the application of the preceding sentence, the amount of the deduction under this subsection shall be reduced by that part of such amount as the value, at the time of the decedent's death, of such property (to which such deduction is attributable) subject to claims but not to general claims is of the value, at the time of the decedent's death, of such property, and

(2) In the application of the preceding sentence in reducing the balance, if any, of such deduction, "the amount otherwise deductible under this subsection" shall be only that part of such amount otherwise deductible (determined without regard to clause (1) of this paragraph) as the value, at the time of the decedent's death, of such property (to which such deduction is attributable) subject to general claims is of the value, at the time of the decedent's death, of such property.

For the purposes of the two preceding sentences and this sentence, "general claims" are the amounts allowed as deductions under subsection (b) which, under the applicable law, in the final adjustment and settlement of the estate may be enforced against any property subject to claims, as defined in subsection (b), and "property subject to general claims" is the value, at the time of the decedent's death, of property subject to claims, as defined in subsection (b), reduced by the value, at the time of the decedent's death, of that part of such property against which amounts allowed as deductions under subsection (b) which are not general claims may be enforced, under the applicable law, in the final adjustment and settlement of the estate.

* * * * *

SEC. 414 SPECIFIC EXEMPTION. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amount of exemption.* Section 935 (c) (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$40,000" and inserting in lieu thereof "$60,000."

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

SEC. 407. DEDUCTION ON ACCOUNT OF PROPERTY PREVIOUSLY TAXED. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amendments to Internal Revenue Code provisions relating to property previously taxed.* (1) The first paragraph of section 812 (c) is amended to read as follows:

(c) *Property previously taxed.* An amount equal to the value of any property (1) forming a part of the gross estate situated in the United States of any person who died within five years prior to the death of the decedent, or (2) transferred to the decedent by gift within five years prior to his death, where such property can be identified as having been received by the decedent from the donor by gift, or from such prior decedent by gift, bequest, devise, or inheritance, or which can be identified as having been acquired in exchange for property so received. Property includible in the gross estate of the prior decedent under section 811 (f) and property included in total gifts of the donor under section 1000 (c) received by the decedent described in this subsection shall, for the purposes of this subsection, be considered a bequest of such prior decedent or gift of such donor. This deduction shall be allowed only where a gift tax imposed under Chapter 4, or under Title III of the Revenue Act of 1932, 47 Stat. 245, or an estate tax imposed under this chapter or any prior Act of Congress, was finally determined and paid by or on behalf of such donor, or the estate of such prior decedent, as the case may be, and only in the amount finally determined as the value of such property in determining the value of the gift, or the gross estate of such prior decedent, and only to the extent that the value of such property is included in the decedent's gross estate, and only if in determining the value of the net estate of the prior decedent no deduction was allowable under this subsection, section 861 (a) (2), or the corresponding provisions of any prior Act of Congress, in respect of the property or property given in exchange therefor.

(2) The first sentence of the second paragraph of section 812 (c) is amended to read as follows:

Where a deduction was allowed of any mortgage or other lien in determining the gift tax, or the estate tax of the prior decedent, which was paid in whole or in part prior to the decedent's death, then the deduction allowable under this subsection shall be reduced by the amount so paid.

* * * * *

(c) *Effective dates.*

(1) The amendments made by subsection (a) (1) shall be applicable to estates of decedents dying after the date of enactment of this Act, except that the reference therein to "an estate tax imposed under this chapter or any prior Act of Congress," shall be applicable with respect to estates of decedents dying after February 10, 1939.

(2) The amendment made by subsection (a) (2) shall be applicable with respect to estates of decedents dying after February 10, 1939.

* * * * *

PAR. 24. Section 81.41 is amended as follows:

(A) By inserting at the end of (a) (1) of the first paragraph the following sentence:

Section 812 (c), as amended by the Revenue Act of 1942, specifically provides that property includible in the gross estate of the prior decedent under powers of appointment (section 811 (f)) and property included in total gifts of the donor under a power of appointment (section 1000 (c)) received by the decedent (as the appointee under the exercise

of the power or as remainderman under the release, or nonexercise, of such power) shall, for the purposes of this deduction, be considered a bequest of such prior decedent or gift of such donor.

(B) By amending (b) (3) of the first paragraph to read as follows:

(3) If the decedent died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, the deduction is further reduced by the amount of that proportion of the deductions allowed under paragraphs (a), (b), and (d) of section 812 which the amount otherwise deductible for property previously taxed bears to the value of the decedent's gross estate. If the decedent died after October 21, 1942, the deduction (the amount ascertained after applying the limitations set forth in (b) (1) and (2) of this section of the regulations) is to be reduced by an amount which bears the same ratio to the amounts allowed as deductions under paragraphs (a) and (d) of section 812 and the amounts of general claims allowed as deductions under paragraph (b) of section 812 as the amount otherwise deductible for property previously taxed bears to property subject to general claims. However, before applying the rule in the preceding sentence, if the property previously taxed includible in the gross estate is not wholly subject to general claims, the amount otherwise deductible (the amount ascertained after applying the limitations set forth in (b) (1) and (2) of this section of the regulations) is first subject to further adjustments as hereinafter set forth.

(C) By striking from the second sentence of the second paragraph "A donor" and by inserting in lieu thereof "In 1941, a donor".

(D) By inserting immediately after the second paragraph the following paragraph:

Section 812 (c), as amended by the Revenue Act of 1942, provides for the allowance of the deduction for property previously taxed not only in cases where the basic estate tax had been paid upon the prior estate but also in cases where only the additional estate tax was paid upon the prior estate under the provisions of the Revenue Act of 1932 or chapter 3 of the Code. See § 81.96 with respect to provisions made for the refund or credit of overpayments in cases where such deductions had been disallowed.

(E) By changing the first sentence of the last paragraph thereof to read as follows:

Subchapter B provided in this case for a specific exemption of $40,000.

(F) By inserting at the end thereof the following paragraphs:

In the case of a decedent who died after October 21, 1942, the amount otherwise allowable as a deduction for property previously taxed is to be reduced, in a manner similar to that illustrated in the preceding two paragraphs, by the amount of other deductible items which may be allocated to the value of such property. However, under section 812 (c), as amended by section 405 (b) of the Revenue Act of 1942, in such cases there is taken into account the fact that, under the applicable law, in the final adjustment and settlement of the estate some deductions under section 812 (b) are claims enforceable first, or solely, against specified property, and the value, in whole or in part, of some property included in the gross estate (including the property previously taxed) is exempt from claims of creditors. Thus, in the case of decedents dying after October 21, 1942, if the property previously taxed includible in the gross estate is not wholly subject to general claims, the amount otherwise deductible (the amount ascertained after applying the limitations in (b) (1) and (2) of this section) is first reduced by that part of such amount as the value of the property previously taxed includible in the gross estate subject to claims but not to general claims bears to the total value of the property previously taxed includible in the gross estate. The balance, if any, of the amount of deduction thus obtained is then to be reduced by a proportionate part of the amount otherwise deductible determined from a ratio, such as that illustrated in the two preceding paragraphs but limited as provided in (b) (3) of this section in the case of decedents dying after October 21, 1942. For this purpose, "the amount otherwise deductible" is only that part of such amount otherwise deductible (the amount ascertained after applying the limitations in (b) (1) and (2) but not (3) of this section) as the value of the property previously taxed subject to general claims bears to the value of property previously taxed included in the gross estate. For the purposes of this section, "general claims" are those which may be enforced against any of the property subject to claims and "property subject to general claims" is the value of property subject to claims reduced by the value of that part of such property against which amounts allowed as deductions under section 812 (b) which are not general claims may be enforced in the final adjustment and settlement of the estate. For the purposes of this section, the "value" of property includible in the decedent's gross estate or of property subject to general claims is the value at the date of the decedent's death or, in case the executor elects a valuation date or dates subsequent to the date of death as authorized by section 811 (j), it is the value prescribed by § 81.11.

The application of the second paragraph of section 812 (c), as amended by section 405 (b) of the Revenue Act of 1942, may be illustrated by the following example:

Example. The gross estate and deductions allowable other than under section 812 (c) are as follows:

Gross estate:	
Decedent's residence	$25,000
Other real property	30,000
Proceeds of life insurance	50,000
Other property	105,000
Deductions:	
Specific exemption (basic estate tax)	100,000
Mortgage on decedent's residence	9,000
Mortgage on other real property	35,000
Funeral, administration, etc., expenses	4,000
Charitable bequests	6,000

The decedent's residence was inherited by him from his father who had died within five years prior to the decedent's death. Such residence had been included in the gross estate of the decedent's father at a value of $20,000. A Federal estate tax had been paid upon such prior estate. The mortgage of $9,000 was placed upon such residence since the death of the decedent's father. Under the local law, such residence is exempt from claims of creditors to the extent of $1,000 and the life insurance proceeds are fully exempt from claims of creditors. The mortgage of $35,000, after satisfaction out of the other real property subject thereto (having a value of $30,000), is enforceable against any other property in the estate. The amount otherwise deductible under section 812 (c), before reduction under the second paragraph of such section, is $20,000, the value of the residence included in the prior estate. The following steps are to be taken in reducing this amount:

First: Since the value of the property previously taxed is not wholly subject to general claims, the amount of $20,000 otherwise deductible is to be first reduced by that part thereof as the value of the property previously taxed includible in the gross estate subject to claims but not to general claims, $9,000, is of the total value of the property previously taxed includible in the gross estate, $25,000. This reduction is $9,000/$25,000 of $20,000, or $7,200. By subtracting such amount from $20,000, the balance is found to be $12,800.

Second: The balance of $12,800 is to be reduced further by the proportion of the deductions allowed under section 812 (a) and (d) and the general claims under section 812 (b) as the amount otherwise deductible bears to the value of property subject to general claims. For this purpose, "the amount otherwise deductible" is only that part of such amount otherwise deductible, determined before the application of the first step above, as the value of the property previously taxed subject to general claims is of the value of the property previously taxed includible in the gross estate. The property previously taxed subject to general claims is $15,000 ($25,000 minus the $9,000 mortgage and the $1,000 homestead exemption). Thus, the proportion is $15,000/$25,000 of $20,000 or $12,000, which represents "the amount otherwise deductible" for purposes of computing the further reduction. For the same purpose, the property subject to general claims is $120,000, the sum of $105,000, the value of "other property", and $15,000 the value of the "decedent's residence" in excess of the $9,000 mortgage and the $1,000 homestead exemption. General claims consist of $4,000 of "funeral, administration, etc., expenses" and $5,000 of the $35,000 mortgage, the extent to which such mortgage exceeds the value of the "other real property" subject thereto. These general claims total $9,000, and such amount plus the charitable bequests of $6,000 and the specific exemption of $100,000 equal $115,000. Therefore, using the amounts thus determined, the balance of $12,800 is to be reduced fruther by $12,000/$120,000 of $115,000, or by $11,500.

For the purpose of the basic estate tax therefore, the deduction under section 812 (c) is $1,300 as shown below:

Amount otherwise deductible after applying limitations in (b) (1) and (2) of this section of the regulations	$20,000
Reduction by application of first limitation ($9,000/$25,000 of $20,000)	7,200
	12,800
Reduction by application of second limitation ($12,000/$120,000 of $115,000)	11,500
Amount deductible	1,300

For the purpose of the additional estate tax (computed with a specific exemption of $60,000 instead of $100,000) the deduction under section 812 (c) will be $5,300, computed by reducing the amount of $20,000, otherwise allowable, by the sum of $7,200 and $7,500. The latter amount, $7,500, is the product of $75,000 (the sum of $60,000+$5,000+$4,000+$6,000) times $12,000/120,000.

PAR. 25. There is inserted immediately preceding § 81.44 the following:

SEC. 403. POWERS OF APPOINTMENT. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Deductions for charitable, etc., use.*—(1) *Amendment to section 812 (d).* Section 812 (d) (relating to deduction in case of estates of citizens or residents) is amended by inserting after the first sentence the following new sentence: "Property includible in the decedent's gross estate under section 811 (f) received by a donee described in this subsection shall, for the purposes of this subsection, be considered a bequest of such decedent."

* * * * *

SEC. 408. DEDUCTION FOR DISCLAIMED LEGACIES PASSING TO CHARITIES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Deduction in case of citizens and residents.* The first sentence of section 812 (d) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "The amount of all bequests, legacies, devises, or transfers" the following: "(including the interest which falls into any such bequest, legacy, devise, or transfer as a result of an irrevocable disclaimer of a bequest, legacy, devise, transfer, or power, if the disclaimer is made prior to the date prescribed for the filing of the estate tax return)".

* * * * *

(c) *Estates with respect to which amendments applicable.* The amendments made by this section shall be applicable to estates of decedents dying after February 10, 1939.

SEC. 409. DENIAL OF DEDUCTION ON BEQUEST TO CERTAIN PROPAGANDA ORGANIZATIONS. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Citizens and residents.* Section 812 (d) (relating to deduction for bequests, etc., to charity) is amended by inserting before the period at the end of the first sentence the following: ", and no substantial part of the activities of such trustee or trustees, or of such fraternal society, order, or association, is carrying on propaganda, or otherwise attempting, to influence legislation".

* * * * *

SEC. 414. SPECIFIC EXEMPTION. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amount of exemption.* Section 935 (c) (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$40,000" and inserting in lieu thereof "$60,000".

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 26. Section 81.44 is amended as follows:

(A) By inserting immediately preceding the period at the end of the first paragraph ", and no substantial part of the activities of such trustee or trustees, or of such fraternal society, order, or association, is carrying on propaganda, or otherwise attempting, to influence legislation".

(B) By inserting immediately after such first paragraph the following paragraphs:

The amount of the bequest, legacy, devise or transfer, for which a deduction is allowable under the provisions of this section, includes the interest which falls into any such bequest, legacy, devise, or transfer as a result of an irrevocable disclaimer of a bequest, legacy, devise, transfer, or power, if the disclaimer is made prior to the date prescribed for the filing of the estate tax return. The disclaimer must not only be made prior to the date prescribed for the filing of the estate tax return (including such date as may be prescribed in an extension of time granted for the filing of such return), but must be irrevocable at the time the deduction is allowed. Ordinarily, a disclaimer made by a person not under any legal disability will be considered irrevocable when filed with the probate court. A disclaimer is a complete and unqualified refusal to accept the rights to which one is entitled. Thus, if the beneficiary uses these rights for his own purposes, as by receiving a consideration for his formal disclaimer, he has not refused the rights to which he was entitled. There can be no disclaimer after an acceptance of such rights, expressly or impliedly. The disclaimer of a power described in this paragraph is to be distinguished from the release or exercise of a power. In the case of the estate of the creator of a power, the release or exercise of the power by the donee of the power in favor of a person or object described in the preceding paragraph does not cause any deduction under this section of the value of the property subject to such power. See section 81.46.

Property includible in the gross estate under section 811 (f), relating to powers of appointment, received by a donee described in section 812 (d) is for the purposes of section 812 (d) considered a bequest of the decedent, whether or not the decedent died before, on, or after the date of enactment of the Revenue Act of 1942. This rule applies only where the donee described in section 812 (d) is the appointee under the exercise of the decedent's power or the remainderman upon the release (or nonexercise) of the power by the decedent.

PAR. 27. There is inserted immediately preceding § 81.48 the following:

SEC. 414. SPECIFIC EXEMPTION. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amount of exemption.* Section 935 (c) (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$40,000" and inserting in lieu thereof "$60,000".

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 28. Section 81.48 is amended by striking out the last two sentences and by inserting in lieu thereof the following sentences:

The specific exemption deductible in determining the net estate of a citizen or resident upon which the additional tax is imposed by section 935 of the Internal Revenue Code (subchapter B), and by such section as amended by section 414 of the Revenue Act of 1942, is $40,000 if the decedent died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, and $60,000 if the decedent died after October 21, 1942. For regulations relative to the specific exemption in the case of a nonresident not a citizen, see § 81.55.

PAR. 29. There is inserted immediately preceding § 81.51 the following:

SEC. 406. CHARITABLE PLEDGES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Pledges by nonresidents not citizens.* Section 861 (a) (1) (relating to deductions in computing net estate) is amended to read as follows:

(1) *Expenses, losses, indebtedness, and taxes.* That proportion of the deductions specified in section 812 (b) (other than the deductions described in the following sentence) which the value of such part bears to the value of his entire gross estate, wherever situated. Any deduction allowable under section 812 (b) in the case of a claim against the estate which was founded upon a promise or agreement but was not contracted for an adequate and full consideration in money or money's worth shall be allowable under this paragraph to the extent that it would be allowable as a deduction under paragraph (3) if such promise or agreement constituted a bequest.

SEC. 407. DEDUCTION ON ACCOUNT OF PROPERTY PREVIOUSLY TAXED. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amendments to Internal Revenue Code provisions relating to property previously taxed.*

* * * * *

(3) The first two sentences of section 861 (a) (2) are amended to read as follows:

(2) Property previously taxed.—An amount equal to the value of any property (A) forming a part of the gross estate situated in the United States of any person who died within five years prior to the death of the decedent, or (B) transferred to the decedent by gift within five years prior to his death, where such property can be identified as having been received by the decedent from the donor by gift, or from such prior decedent by gift, bequest, devise, or inheritance, or which can be identified as having been acquired in exchange for property so received. Property includible in the gross estate of the prior decedent under section 811 (f) and property included in total gifts of the donor under section 1000 (c) received by the decedent described in this paragraph shall, for the purposes of this paragraph, be considered a bequest of such prior decedent or gift of such donor. This deduction shall be allowed only where a gift tax imposed under Chapter 4, or under Title III of the Revenue Act of 1932, 47 Stat. 245, or an estate tax imposed under this chapter or any prior Act of Congress, was finally determined and paid by or on behalf of such donor, or the estate of such prior decedent, as the case may be, and only in the amount finally determined as the value of such property in determining the value of

the gift, or the gross estate of such prior decedent, and only to the extent that the value of such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States, and only if in determining the value of the net estate of the prior decedent no deduction was allowable under this paragraph; section 812 (c), or the corresponding provisions of any prior Act of Congress, in respect of the property or property given in exchange therefor.

* * * * *

(c) *Effective dates.*

* * * * *

(3) The amendments made by subsection (a) (3) shall be applicable to estates of decedents dying after the date of enactment of this Act, except that the reference therein to "an estate tax imposed under this chapter or any prior Act of Congress," shall be applicable with respect to estates of decedents dying after February 10, 1939.

* * * * *

SEC. 405. DEDUCTIONS NOT ALLOWABLE IN EXCESS OF CERTAIN PROPERTY OF ESTATE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(c) *Prior taxed property of nonresidents not citizens.* The next to the last sentence of section 861 (a) (2) (relating to deduction for prior taxed property of nonresidents not citizens of the United States) is amended to read as follows: "The deduction under this paragraph shall be reduced by an amount which bears the same ratio to the amounts allowed as deductions under paragraphs (3) and (4) and the amount of general claims allowed as deduction under paragraph (1) of this subsection as the amount otherwise deductible under this paragraph bears to property subject to general claims. If the property includible in the gross estate to which the deduction under the paragraph is attributable is not wholly property subject to general claims:

(A) before the application of the preceding sentence, the amount of the deduction under this paragraph shall be reduced by that part of such amount as the value, at the time of the decedent's death, of such property (to which such deduction is attributable) subject to claims but not to general claims is of the value, at the time of the decedent's death, of such property, and

(B) in the application of the preceding sentence in reducing the balance, if any, of such deduction, "the amount otherwise deductible under this paragraph" shall be only that part of such amount otherwise deductible (determined without regard to subparagraph (A)) as the value, at the time of the decedent's death, of such property (to which such deduction is attributable) subject to general claims is of the value, at the time of the decedent's death, of such property.

For the purposes of the two preceding sentences and this sentence, "general claims" are the amounts allowed as deductions under paragraph (1) of this subsection which, under the applicable law, in the final adjustment and settlement of the estate may be enforced against that part of any property subject to claims, as defined in subsection (b) of section 812 which at the time of the decedent's death is in the United States, and "property subject to general claims" is the value, at the time of the decedent's death, of such property subject to claims, reduced by the value, at the time of the decedent's death, of that part of such property subject to claims against which amounts allowed as deductions under paragraph (1) of this subsection which are not general claims may be enforced, under the applicable law, in the final adjustment and settlement of the estate.

SEC. 403. POWERS OF APPOINTMENT. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Deductions for charitable, etc., use.*

* * * * *

(2) *Amendment to section 861 (a) (3).* Section 861 (a) (3) (relating to deduction in case of estates of nonresidents not citizens) is amended by inserting after the first sentence the following new sentence: "Property includible in the decedent's gross estate under section 811 (f) received by a donee described in this paragraph shall, for the purposes of this paragraph, be considered a bequest of such decedent."

* * * * *

SEC. 408. DEDUCTION FOR DISCLAIMED LEGACIES PASSING TO CHARITIES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Deduction in case of nonresidents not citizens.* The first sentence of section 861 (a) (3) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "The amount of all bequests, legacies, devises, or transfers" the following: "(including the interest which falls into any such bequest, legacy, devise, or transfer as a result of an irrevocable disclaimer of a bequest, legacy, devise, transfer, or power, if the disclaimer is made prior to the date prescribed for the filing of the estate tax return)".

(c) *Estates with respect to which amendments applicable.* The amendments made by this section shall be applicable to estates of decedents dying after February 10, 1939.

SEC. 409. DENIAL OF DEDUCTION ON BEQUEST TO CERTAIN PROPAGANDA ORGANIZATIONS. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Nonresidents not citizens.* Section 861 (a) (3) (relating to deduction for bequests, etc., to charity) is amended by inserting before the period at the end of the first sentence the following: ", and no substantial part of the activities of such trustee or trustees, or of such fraternal society, order, or association, is carrying on propaganda, or otherwise attempting, to influence legislation."

SEC. 412. EXEMPTION OF ESTATES OF NONRESIDENTS NOT CITIZENS. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Exemption.* Section 861 (a) (relating to deductions in case of estates of nonresidents not citizens) is amended by inserting at the end thereof the following new paragraph:

(4) Exemption.—An exemption of $2,000.

(b) *Technical amendment with respect to property previously taxed.* For technical amendment with respect to property previously taxed, see section 405 (c) of this Act.

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 30. Section 81.52 is amended by striking out subdivision (*a*) and by inserting in lieu thereof the following:

(*a*) In case the decedent died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, only that proportion of the aggregate deductions for administration expenses, claims, etc., is deductible which the value of that part of the gross estate situated (within the meaning of the statute) in the United States, bears to the value of the entire gross estate, wherever situated (see § 81.55), and any claim against decedent's estate founded upon a promise or agreement, even though for charitable uses, where the liability was not contracted for an adequate and full consideration in money or money's worth is not allowable. (See § 81.36.) In case the decedent died after October 21, 1942, only the proportion of the deductions specified in section 812 (b) (other than those deductions for claims hereinafter described) is deductible which the value of that part of the gross estate situated (within the meaning of the statute) in the United States bears to the value of decedent's entire gross estate wherever situated. If the decedent died after October 21, 1942, any claim against the estate founded upon an enforceable promise or agreement to make a contribution or gift to or for the use of any donee described in section 861 (a) (3) (charitable, etc., organizations) for the purposes specified in such section, where the liability was not contracted for an adequate and full consideration in money or money's worth, is allowable under section 861 (a) (1), as amended, to the extent that it would be allowable under section 861 (a) (3) if such promise or agreement constituted a bequest. (See § 81.36.)

PAR. 31. Section 81.53 is amended by striking out subparagraph (3) and by inserting in lieu thereof the following:

(3) In case the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, with respect to the third limitation involving property previously taxed, set forth under § 81.41 (*b*), wherever paragraph (a), (b), or (d) of section 812 is referred to, subparagraph (4), (1), or (3), respectively, of section 861 (a), as amended, should be substituted. In case the decedent died on or before October 21, 1942, instead of the amount of the deduction being reduced in accordance with the third limitation set forth under § 81.41 (*b*), the amount of the deduction is reduced by the proportion of the total other deductions, allowed under subparagraphs (1) and (3) of paragraph (a) of section 861, which the amount otherwise deductible for property previously taxed bears to the value of the part of the gross estate situated in the United States at the time of the decedent's death.

PAR. 32. Section 81.55 is amended as follows:

(A) By striking out the heading "*Determination of net estate*" and by inserting in lieu thereof the following:

Specific exemption and determination of net estate.

(a) *Specific exemption.* A specific exemption of $2,000 is deductible in the case of a nonresident not a citizen of the United States if such decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942. This exemption applies both for the purposes of the basic tax and the additional tax. No specific exemption is authorized in the case of a nonresident not a citizen of the United States if such decedent died on or before October 21, 1942.

(b) *Determination of net estate.*

(B) By changing, in the original first paragraph, that part of the sentence which precedes the computation to read as follows:

If the decedent died on or before October 21, 1942, the following result is accordingly obtained:

(C) By inserting immediately after the computation the following sentence:

If the decedent died after October 21, 1942, an exemption of $2,000 is also deductible, resulting in a net estate of $143,000.

PAR. 33. There is inserted immediately preceding § 81.57 the following:

SEC. 414. SPECIFIC EXEMPTION. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amount of exemption.* Section 935 (c) (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$40,000" and inserting in lieu thereof "$60,000".

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 34. Section 81.57 is amended as follows:

(A) By changing the first sentence to read as follows:

A preliminary notice is required to be filed in the case of every citizen or resident whose gross estate exceeded $60,000 in value at the date of death, if the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, or $40,000 if the decedent died on or before such date.

(B) By striking out "$40,000" in the last sentence and by inserting in lieu thereof "$60,000 or $40,000, as the case may be".

PAR. 35. Section 81.60 is amended as follows:

(A) By changing the first sentence to read as follows:

In estates of nonresidents not citizens, notice on Form 705, copies of which may be obtained from the Commissioner of Internal Revenue, Washington, D. C., or from any collector of internal revenue, is required if any part of the gross estate was situated (see § 81.50) in the United States (1) provided, in the case of a decedent who died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, the part of the gross estate situated in the United States exceeded a value of $2,000 at the date of death, and (2) regardless of such value in the case of a decedent who died on or before October 21, 1942.

(B By striking out the third sentence.

PAR. 36. Section 81.62 is amended by striking out the fourth and fifth sentences and by inserting in lieu thereof the following sentences:

Except as hereinafter stated, no domestic corporation or its transfer agent should transfer stock registered in the name of a nonresident decedent without first requiring a transfer certificate covering all of the decedent's stock of the corporation and showing that such transfer may be made without liability, and banks, trust companies and others in actual or constructive possession of property of nonresident decedents should require transfer certificates before transferring such property. If the decedent died after October 21, 1942, a transfer certificate is not required in case the total value, as of the date of the decedent's death, of the part of his gross estate situated in the United States is not in excess of $2,000. In the case of a decedent who died after October 21, 1942, such corporation, transfer agent, bank, trust company or other person will not incur liability for the transfer of such property without the issuance of a transfer certificate, if such corporation or other person first receives a statement from the executor or other responsible person, who may be reasonably regarded as in possession of the pertinent facts, showing that the total value, as of the date of the decedent's death, of the part of his gross estate situated in the United States is not in excess of $2,000, and if such corporation or other person has no information to the contrary.

PAR. 37. There is inserted immediately preceding § 81.63 the following:

SEC. 414. SPECIFIC EXEMPTION. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Amount of exemption.* Section 935 (c) (relating to the exemption for the purposes of the additional estate tax) is amended by striking out "$40,000" and inserting in lieu thereof "$60,000".

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 38. Section 81.63 is amended by changing the first sentence to read as follows:

A return on Form 706 is required in the case of every citizen or resident, whose gross estate, as defined in the statute, exceeded $60,000 in value at the date of death if the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, or $40,000 if the decedent died on or before such date.

PAR. 39. There is inserted immediately preceding § 81.67 the following:

SEC. 412. EXEMPTION OF ESTATES OF NONRESIDENTS NOT CITIZENS. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(c) *Returns.* Section 864 (a) (1) (relating to returns of executors of estates of nonresidents not citizens) is amended to read as follows:

(1) *Returns by executor.* In the case of the estate of every nonresident not a citizen of the United States any part of whose gross estate situated in the United States exceeds the amount of the specific exemption provided by section 861 (a) (4), the executor shall make a return under oath in duplicate, setting forth (A) the value of that part of the gross estate of the decedent situated in the United States at the time of his death; (B) the deductions allowed under section 861; (C) the value of the net estate of the decedent as defined in section 861; (D) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 40. Section 81.67 is amended by striking out the first sentence and by inserting in lieu thereof the following sentences:

A return on Form 706 must be filed for the estate of every nonresident not a citizen any part of whose gross estate was situated (see section 81.50) in the United States, (1) provided, in the case of a decedent who died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, the part of the gross estate situated in the United States exceeded a value of $2,000 at the date of death, and (2) regardless of such value in the case of a decedent who died on or before October 21, 1942. Copies of Form 706 may be obtained from the Commissioner of Internal Revenue, Washington, D. C., or from any collector of internal revenue.

PAR. 41. There is inserted immediately preceding § 81.73 the following:

SEC. 413. PERIOD FOR FILING PETITION EXTENDED IN CERTAIN CASES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Period extended.* Section 871 (a) (1) (relating to period for filing petition with Board of Tax Appeals) is amended by inserting at the end thereof the following new sentence: "If the notice is addressed to an executor outside the States of the Union and the District of Columbia, the period specified in this paragraph shall be one hundred and fifty days in lieu of ninety days."

(b) *Effective date.* The amendment made by this section shall be applicable with respect to notices of deficiency mailed after the date of the enactment of this Act.

SEC. 504. CHANGE OF NAME OF BOARD OF TAX APPEALS. (Revenue Act of 1942, Title V, enacted October 21, 1942.)

(a) *The Tax Court of the United States.* Effective on the day after the date of enactment of this Act, section 1100 (relating to status of Board of Tax Appeals) is amended by inserting at the end thereof the following new sentence: "The Board shall be known as The Tax Court of the United States and the members thereof shall be known as the presiding judge and the judges of The Tax Court of the United States."

(b) *Powers, tenure, etc., unchanged.* The jurisdiction, powers, and duties of The Tax Court of the United States, its divisions and its officers and employees, and their appointment, including the designation of its officers

and the immunities, tenure of office, powers, duties, rights and privileges of the presiding judge and judges of The Tax Court of the United States shall be the same as by existing law provided in the case of the Board of Tax Appeals. The Commissioner shall continue to be represented by the same counsel in the same manner abefore the Court as he has heretofore been represented in proceedings before the Board of Tax Appeals and the taxpayer shall continue to be represented in accordance with rules of practice prescribed by the Court. No qualified person shall be denied admission to practice before such Court because of his failure to be a member of any profession or calling.

(c) *References.*—All references in any statute (except this section), or in any rule, regulation, or order, to the "Board of Tax Appeals" or to the "Board" when used in the sense of "Board of Tax Appeals", or to the "member", "members", or "chairman" thereof shall be considered to be made to The Tax Court of the United States, the judge, judges, and presiding judge thereof, respectively.

PAR. 42. Section 81.73 is amended by inserting at the end of the fourth paragraph the following:

If the registered letter is mailed after October 21, 1942, the date of the enactment of the Revenue Act of 1942, and is addressed to an executor outside the States of the Union and the District of Columbia, a period of 150 days (not counting Sunday or a legal holiday in the District of Columbia as the last day of the period) is authorized in which the executor may file a petition with the Board of Tax Appeals.

PAR. 43. There is inserted immediately preceding § 81.83 the following:

SEC. 403. POWERS OF APPOINTMENT. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(c) *Liability of recipient of property over which decedent had power of appointment.* Section 826 (relating to collection of unpaid tax) is amended by adding at the end thereof the following new subsection:

(d) *Liability of recipient of property over which decedent had power of appointment.* Unless the decedent directs otherwise in his will, if any part of the gross estate upon which the tax has been paid consista of the value of property included in the gross estate under section 811 (f), the executor shall be entitled to recover from the person receiving such property by reason of the exercise, nonexercise, or release of a power of appointment such portion of the total tax paid as the value of such property bears to the sum of the net estate and the amount of the exemption allowed in computing the net estate, determined under section 935 (c), or section 861, as the case may be. If there is more than one such person the executor shall be entitled to recover from such persons in the same ratio.

* * * * *

SEC. 404. PROCEEDS OF LIFE INSURANCE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Liability of life insurance beneficiaries.* Section 826 (c) (relating to apportionment of liability of beneficiaries) is amended to read as follows:

(c) *Liability of life insurance beneficiaries.* Unless the decedent directs otherwise in his will, if any part of the gross estate upon which tax has been paid consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds of such policies bear to the sum of the net estate and the amount of the exemption allowed in computing the net estate, determined under section 935 (c). If there is more than one such beneficiary the executor shall be entitled to recover from such beneficiaries in the same ratio.

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 44. Section 81.84 is amended by striking out the second sentence and by inserting in lieu thereof the following sentence:

For specific provisions giving the executor the right to reimbursement from life insurance beneficiaries and from recipients of property over which the decedent had a power of appointment, see section 826 (c) and (d).

PAR. 45. There is inserted immediately preceding § 81.85 the following:

SEC. 411. LIABILITY OF CERTAIN TRANSFEREES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Imposition of liability.* Section 827 (b) is amended to read as follows:

(b) *Liability of transferee, etc.* If the tax herein imposed is not paid when due, then the spouse, transferee, trustee, surviving tenant, person in possession of the property by reason of the exercise, nonexercise, or release of a power of appointment, or beneficiary, who receives, or has on the date of the decedent's death, property included in the gross estate under section 811 (b), (c), (d), (e), (f), or (g), to the extent of the value, at the time of the decedent's death, of such property, shall be personally liable for such tax. Any part of such property sold by such spouse, transferee, trustee, surviving tenant, person in possession of property by reason of the exercise, nonexercise, or release of a power of appointment, or beneficiary, to a bona fide purchaser for an adequate and full consideration in money or money's worth shall be divested of the lien provided in section 827 (a) and a like lien shall then attach to all the property of such spouse, transferee, trustee, surviving tenant, person in possession, or beneficiary, except any part sold to a bona fide purchaser for an adequate and full consideration in money or money's worth.

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 46. Section 81.85 is amended by striking out the provisions designated "(d)" and "(e)" and by inserting in lieu thereof the following:

(*d*) In case the decedent died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, such property as was received from the decedent as a transfer by trust or otherwise in contemplation of or intended to take effect in possession or enjoyment at or after his death, or under which he has retained for his life or for any period not ascertainable without reference to his death or for any period which does not in fact end before his death (1) the possession or enjoyment of, or the right to the income from, the property or (2) the right, either alone or in conjunction with any person, to designate the persons who shall possess or enjoy the property or the income therefrom (except in case the transfer was a bona fide sale for an adequate and full consideration in money or money's worth), and was sold by the transferee or trustee to a bona fide purchaser for such a consideration. In such case the lien attaches to all the property of the transferee or trustee except such thereof as may be sold to a bona fide purchaser for such a consideration.

(*e*) In case the decedent died after October 21, 1942, the date of the enactment of the Revenue Act of 1942, such property as was included in the gross estate under the provisions of section 811 (b), (c), (d), (e), (f), or (g), and was sold to a bona fide purchaser for an adequate and full consideration in money or money's worth by the spouse, transferee, trustee, surviving tenant, person in possession of the property by reason of the exercise, nonexercise, or release of a power of appointment, or beneficiary. In such case the lien attaches to all the property of the spouse, transferee, trustee, surviving tenant, person in possession of the property by reason of the exercise, nonexercise, or release of a power of appointment, or beneficiary, except such thereof as may be sold to a bona fide purchaser for such a consideration.

(f) If a certificate releasing such lien is issued. (See § 81.86.)

PAR. 47. Section 81.93 is amended as follows:

(A) By inserting immediately after "90 days" in the fifth sentence thereof "or, if the notice is mailed after October 21, 1942 to an executor outside the States of the Union and the District of Columbia, 150 days".

(B) By changing "ninetieth" in the parenthetical clause of the fifth sentence thereof to read "last".

(C) By inserting immediately after "90 days" in the eighth sentence thereof "or 150 days, whichever is applicable".

(D) By changing "90-day period" each time it appears in the eighth sentence thereof to read "period".

PAR. 48. There is inserted immediately preceding § 81.96 the following:

SEC. 407. DEDUCTION ON ACCOUNT OF PROPERTY PREVIOUSLY TAXED. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(d) *Overpayments.* If the refund or credit of any overpayment to the extent resulting from the application of subsections (a), (b), and (c) of this section, is prevented on the date of enactment of this Act or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than this subsection of this section and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an estate tax erroneously collected if claim therefor is filed within one year from the date of enactment of this Act.

SEC. 415. OVERPAYMENT FOUND BY BOARD. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

The second sentence of section 912 (relating to overpayment found by the Board of Tax Appeals) is amended by striking out "or the filing of the petition" and inserting in lieu thereof "or the mailing of the notice of deficiency".

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

SEC. 503. SUIT AGAINST COLLECTOR BAR IN OTHER SUITS. (Revenue Act of 1942, Title V, enacted October 21, 1942.)

Section 3772 (relating to suits) is amended by inserting at the end thereof the following new subsection:

(d) *Suits against collector a bar.* A suit against a collector (or former collector) or his personal representative for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected shall be treated as if the United States had been a party to such suit in applying the doctrine of res judicata in all suits instituted after June 15, 1942, in respect of any internal revenue tax, and in all proceedings in the Board and on review of decisions of the Board where the petition to the Board was filed after such date.

PAR. 49. Section 81.96 is amended as follows:

(A) By striking out the first sentence of the third paragraph and by inserting in lieu thereof the following sentences:

In the case of the estate of a decedent dying on or before October 21, 1942, the amount of the refund shall not exceed the portion of the tax paid during the three year period immediately preceding the filing of the claim, or the filing of the petition with the Board of Tax Appeals, whichever is earlier. In the case of estates of decedents dying after October 21, 1942, the amount of the refund shall not exceed the portion of the tax paid during the three year period immediately preceding the filing of the claim or the mailing of the notice of deficiency, whichever is earlier. In the case of an overpayment found by the Board, the above amounts also include any portions of tax paid after the mailing of the notice of deficiency.

(B) By striking out the fourth paragraph and by inserting in lieu thereof the following paragraphs:

In case a refund or credit of any overpayment involving a deduction for property previously taxed to the extent resulting from the application of paragraph (a) of section 407 of the Revenue Act of 1942, is prevented on October 21, 1942, or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than paragraph (d) of section 407 of the Internal Revenue Code relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an estate tax erroneously collected if claim therefor is filed within one year from October 21, 1942.

If a petition was filed with the Board of Tax Appeals for the redetermination of a deficiency, as provided by section 871 (a), if the Board finds that the executor has made an overpayment of the tax, and if the Board further determines as part of its decision that, in the case of estates of decedents dying after October 21, 1942, any portion of the overpayment was made within three years before the filing of the claim for refund or the mailing of the notice of deficiency, whichever is earlier, or, in the case of estates of decedents dying on or before October 21, 1942, any portion of the overpayment was made within three years before the filing of the claim for refund or the filing of the petition, whichever is earlier, or if the Board further determines as part of its decision that any portion was paid after the mailing of the deficiency, the amount of such portion of the overpayment will be refunded.

PAR. 50. There is inserted immediately preceding § 81.99 the following:

SEC. 411. LIABILITY OF CERTAIN TRANSFEREES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

(a) *Imposition of liability.* Section 827 (b) is amended to read as follows:

(b) *Liability of transferee, etc.* If the tax herein imposed is not paid when due, then the spouse, transferee, trustee, surviving tenant, person in possession of the property by reason of the exercise, nonexercise, or release of a power of appointment, or beneficiary, who receives, or has on the date of the decedent's death, property included in the gross estate under section 811 (b), (c), (d), (e), (f), or (g), to the extent of the value, at the time of the decedent's death, of such property, shall be personally liable for such tax. * * *

* * * * *

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act

PAR. 51. Section 81.99 is amended by striking out the last paragraph and by inserting in lieu thereof the following paragraphs:

In case the decedent died on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, if the tax in respect of a transfer of property includible in the gross estate under the provisions of section 811 (c), or in respect of insurance receivable by a beneficiary other than the estate and includible in the gross estate under the provisions of section 811 (g), is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax.

In case the decedent died after October 21, 1942, if the tax imposed upon the entire estate is not paid when due, then the spouse, transferee, trustee, surviving tenant, person in possession of the property by reason of the exercise, nonexercise, or release of a power of appointment, or beneficiary, who receives, or has on the date of the decedent's death, property included in the gross estate under section 811 (b), (c), (d), (e), (f), or (g), shall be personally liable for such tax to the extent of the value of such property includible in the gross estate.

PAR. 52. There is inserted immediately preceding § 81.102 the following:

SEC. 411. LIABILITY OF CERTAIN TRANSFEREES. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

* * * * *

(b) *Definition of transferee.* Section 900 (e) is amended to read as follows:

(e) *Definition of "transferee".* As used in this section, the term "transferee" includes heir, legatee, devisee, and distributee, and includes a person who, under section 827 (b), is personally liable for any part of the tax.

SEC. 401. ESTATES TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part I, enacted October 21, 1942.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

PAR. 53. Section 81 102 is amended by changing the second paragraph of subsection (*b*) thereof to read as follows:

The term "transferee" as used in section 900 includes an heir, legatee, devisee, and distributee of an estate of a deceased person, and also includes a person who under section 827 (b) is personally liable for any part of the tax.

PAR. 54. There is inserted immediately after section 840 and preceding section 3791 of the "Miscellaneous Provisions", which follow § 81.105, the following:

[*Cross Reference.* For provisions of law and regulations authorizing the postponement by reason of war of the performance of certain acts required or permitted under the estate tax law, see section 507 of the Revenue Act of 1942 and regulations pertaining thereto separately promulgated.]

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467, 26 U.S.C. 3791) and sections 401, 402, 403, 404, 405, 406, 407 (a), (c) (1), (2) and (3) and (d), 408, 409, 410, 411, 412, 413, 414, 415, 503, 504, and 507 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, and the Joint Resolution of December 17, 1942 (Public Law 809, 77th Congress))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 10, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3838; Filed, March 11, 1943; 11:54 a. m.]

[T.D 5241]

PART 85—GIFT TAX UNDER THE REVENUE ACT OF 1932, AS AMENDED

POWERS OF APPOINTMENT, ETC., AMENDMENTS

In order to conform Regulations 79 (1936 Edition) [Part 85, Title 26, Code of Federal Regulations], and such regulations as made applicable to the Internal Revenue Code (53 Stat., Part 1; 26 U.S.C.) by Treasury Decision 4885, approved February 11, 1939 [Chapter I, note, Title 26, Code of Federal Regulations, 1939 Sup.], to certain sections of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, and the Joint Resolution of December 17, 1942 (Public Law 809, 77th Congress), such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding article 1 [§ 85.1 of such Title 26] the following:

SEC. 452. POWERS OF APPOINTMENT. (Revenue Act of 1942, Title IV, Part II, enacted October 21, 1942.)

(a) *General rule.* Section 1000 (relating to imposition of gift tax) is amended by inserting at the end thereof the following new subsection:

(c) *Powers of appointment.* An exercise or release of a power of appointment shall be deemed a transfer of property by the individual possessing such power. For the purposes of this subsection the term "power of appointment" means any power to appoint exercisable by an individual either alone or in conjunction with any person, except—

(1) a power to appoint within a class which does not include any others than the spouse of such individual, spouse of the creator of the power, descendants of such individual or his spouse, descendants (other than such individual) of the creator of the power or his spouse, spouses of such descendants, donees described in section 1004 (a) (2), and donees described in section 1004 (b). As used in this paragraph, the term "descendant" includes adopted and illegitimate descendants, and the term "spouse" includes former spouse; and

(2) a power to appoint with a restricted class if such individual did not receive any beneficial interest, vested or contingent, in the property from the creator of the power or thereafter acquire any such interest, and if the power is not exercisable to any extent for the benefit of such individual, his estate, his creditors, or the creditors of his estate.

If a power to appoint is exercised by creating another power to appoint, such first power shall not be considered excepted under paragraph (1) or (2) from the definition of power of appointment to the extent of the value of the property subject to such second power to appoint. For the purposes of the preceding sentence the value of the property subject to such second power to appoint shall be its value unreduced by any precedent or subsequent interest not subject to such power to appoint.

(b) *Powers with respect to which amendments not applicable.*

(1) The amendments made by this section shall not apply with respect to a power to appoint, created on or before the date of enactment of this Act, which is other than a power exercisable in favor of the donee of the power, his estate, his creditors, or the creditors of his estate, unless such power is exercised after the date of enactment of this Act.

(2) The amendments made by this section shall not become applicable with respect to a power to appoint created on or before the date of enactment of this Act, which is exercisable in favor of the donee of the power, his estate, his creditors, or the creditors of his estate, if at such date the donee of such power is under a legal disability to release such power, until six months after the termination of such legal disability. For the purposes of the preceding sentence, an individual in the military or naval forces of the United States shall, until the termination of the present war, be considered under a legal disability to release a power to appoint.

(c) *Release on or Before January 1, 1943.*

(1) A release of a power to appoint before January 1, 1943, shall not be deemed a transfer of property by the individual possessing such power.

(2) This subsection shall apply to all calendar years prior to 1943.

SEC. 453. GIFTS OF COMMUNITY PROPERTY. (Revenue Act of 1942, Title IV, Part II.)

Section 1000 (relating to tax on gifts) is amended by inserting at the end thereof the following new subsection:

(d) *Community property.* All gifts of property held as community property under the law of any State, Territory, or possession of the United States, or any foreign country shall be considered to be the gifts of the husband except that gifts of such property as may be shown to have been received as compensation for personal services actually rendered by the wife or derived originally from such compensation or from separate property of the wife shall be considered to be gifts of the wife.

SEC. 451. GIFTS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part II.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to gifts made in the calendar year 1943, and succeeding calendar years.

JOINT RESOLUTION. (Public Law 809, 77th Congress, enacted December 17, 1942.)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That * * * section 452 (c) of the Revenue Act of 1942 is amended to read as follows:

(c) *Release on or Before July 1, 1943.*

(1) A release of a power to appoint before July 1, 1943, shall not be deemed a transfer of property by the individual possessing such power.

(2) This subsection shall apply to all calendar years prior to 1943 and to that part of the calendar year 1943 prior to July 1, 1943.

PAR. 2. Article 2 [§ 85.2 of such Title 26], as amended by Treasury Decision 5041, approved March 1, 1941, is further amended as follows:

(A) By inserting immediately before the first sentence thereof the following: "(a) *In general.*"

(B) By inserting at the end thereof the following new paragraph:

(b) *Transfers under power of appointment.* The exercise of a power of appointment after June 6, 1932 and before January 1, 1943 constitutes a gift by the individual possessing the power if the power is exercisable in favor of any person or persons in the discretion of such individual, or, however limited as to the persons or objects in whose favor the appointment may be made, if it is exercisable in favor of the individual possessing the power, his estate, his creditors, or the creditors of his estate. The release of a power to appoint before July 1, 1943 is excepted from the application of the tax by reason of the express provisions of section 452 (c) of the Revenue Act of 1942, as amended by the Joint Resolution of December 17, 1942. It is presumed that all general powers of appointment are releasable, unless the local law on the subject is to the contrary; and it is presumed that the method employed to release the power is effective, unless it is not in accordance with the local law on the subject (or, in the absence of such local law, is not in accordance with the local law relating to similar transactions). Section 452 (c) of the Revenue Act of 1942, however, does not apply to any release of a power reserved, directly or indirectly, by a donor upon a transfer, as distinguished from a donee of a power of appointment who releases the power which he had received from another person. See article 3 with respect to the taxability of the relinquishment of reserved powers.

During the calendar year 1943 and any calendar year thereafter, section 1000 (c), as added by the Revenue Act of 1942, applies, subject, however, to section 452 (c) of such Act, as amended by the Joint Resolution of December 17, 1942. That is, during such years an exercise or release (other than a release prior to July 1, 1943), without an adequate and full consideration in money or money's worth, of a power of appointment by the individual possessing such power (including any power to appoint exercisable in conjunction with another person) constitutes a gift, except in the case of the following:

(1) The exercise or release of a power to appoint which is not exercisable to any extent for the benefit of such individual, his creditors, his estate, or the creditors of his estate, and which is exercisable in favor of only one or more other persons or objects:

(i) Within a class which does not include any others than the spouse of such individual, spouse of the creator of the power, descendants of such individual or his spouse, descendents of the creator of the power or his spouse, spouses of such descendants, charitable, etc., organizations described in section 1004 (a) (2) and charitable, etc., organizations described in section 1004 (b); or

(ii) Within a restricted class if such individual did not receive any beneficial interest, vested or contingent, in the property from the creator of the power or thereafter acquire any such interest. For the purposes of this paragraph, the term "descendant" includes adopted and illegitimate descendants, and the term "spouse" includes former spouse. The treatment of adopted and illegitimate descendants as descendants is intended to include adopted and illegitimate children (and their descendants and their adopted and illegitimate children) as descendants, if such children would be descendants had they been born as legitimate children in the station to which they are adopted or born. The provisions of (ii) apply to a power possessed by a disinterested trustee or one occupying a similar status to appoint within a relatively small class. For example, a power to appoint within a class composed of A's children would be a power to appoint within a restricted class. On the other hand, a power to appoint to anyone except A and his family would not be a power confined to a restricted class. The restricted character of a class is not affected by the fact that the decedent has power to appoint to any number of charitable, etc., organizations described in section 1004 (a) (2) or (b). A power to appoint is not confined to a restricted class merely because the power is not exercisable in favor of such individual, his creditors, his estate, or the creditors of his estate, or all of them.

(2) The release of a power to appoint created on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, which is not a power exercisable in favor of the donee of the power (who is the appointor), his estate, his creditors, or the creditors of his estate.

(3) The release of a power to appoint created on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, which power is exercisable in favor of the donee of the power (who is the appointor), his creditors, his estate, or the creditors of his estate, if on such date such appointor was under a legal disability to release such power and if the release thereof is effected prior to July 1, 1943 or the day after six months immediately following the termination of the legal disability, whichever is later. The legal disability referred to is determined under local law and may include the disability of an insane person, a minor, or an unborn child. The fact that a power of appointment of the type possessed by the individual was not generally releasable under the local law does not place the individual under a legal disability within the meaning of section 452 (b) (2) of the Revenue Act of 1942. Until the termination of the present war, an individual in active service in the military or naval forces of the United States on October 21, 1942, shall be considered under a legal disability to release a power to appoint while such individual is in such service.

If a power to appoint is exercised by creating another power to appoint, to the extent of the property subject to such second power to appoint, such first power shall not be considered excepted under preceding subparagraph (1). For this purpose the statute prescribes that the value of the property subject to such second power to appoint shall be its value unreduced by any precedent or subsequent interest not subject to such power to appoint. Thus, if the donor has a power to appoint a fund of $100,000 within a class consisting only of his children (which is one of the excepted powers) and during his lifetime exercises such power by giving one child a power to appoint $25,000 of such fund and by making an outright appointment of $75,000, only $25,000 is considered a gift. If, however, the individual had appointed the income from the entire fund to such child for life with power in such child to appoint the remainder in his will, the whole $100,000 would be considered a gift. This provision applies whether or not the newly created power to appoint is of a kind described in preceding subparagraph (1).

The term "power of appointment" includes any power received by the appointor from another person which is in substance and effect a power to appoint regardless of the nomenclature used in creating the power and local property law connotations. For example, if a settlor transfers property in trust for the life of his wife with a power in the wife to appropriate or consume the principal of the trust, the wife has a power of appointment and the release of such a power constitutes a taxable transfer. On the other hand, if, for example, a power of appointment with respect to the remainder, exercisable by the life tenant, is subject to the consent of the trustee who is a disinterested third party not receiving any beneficial interest upon such transfer, upon the exercise or release of the power by the life tenant no part of the gift of such remainder is attributable to the trustee personally. Similarly, if property is transferred in trust by a grantor reserving the power to alter, amend, revoke, or terminate the trust with the consent of the trustee who is a disinterested party not receiving any beneficial interest upon the transfer, the exercise or relinquishment of such power by the grantor with the consent of such trustee is not a taxable transfer by the latter. Ordinarily, powers of management with respect to property in trust, such as the determination of whether distributions shall be made annually or quarterly, the making of investments and reinvestments, or the determination of items of income or principal under recognized rules of accounting, are not powers of appointment over property under section 1000 (c).

A power to appoint is exercised where the property subject thereto is appointed to the taker in default of appointment, regardless of whether or not the appointed interest and the interest in default of appointment are identical, and regardless of whether or not the appointee renounces any right to take under the appointment. For the purposes of section 1000 (c), a release of a power of appointment need not be express or formal in character. For example, the failure to exercise a power of appointment within a specified time, resulting in the termination of the power of appointment, is taxable if other conditions imposed by section 1000 (c) are present.

The reduction in scope of a power of appointment, as defined in section 1000 (c), to an excepted power under section 1000 (c) (1) or (2), which is not a power of appointment as thus defined, constitutes the release of the power of appointment. In such case, the release is effected at such time as under the applicable law the power cannot be exercised in favor of persons or objects other than those described in section 1000 (c) (1) or (2). If such release is effected prior to July 1, 1943 (or, in a case described in subparagraph (3) of (b) of this article, relating to persons under a legal disability, prior to the date specified therein), a taxable transfer does not result. For the purpose of determining whether a power created on or before October 21, 1942 satisfied the requirements of section 1000 (c) (2) on July 1, 1943 (or other applicable date in a case described in subparagraph (3) of (b) of this article), the fact as to whether the individual received any beneficial interest in the property is to be ascertained without regard to the power to appoint which he received. If such release is effected on or after July 1, 1943 (or, in a case described in subparagraph (3) of (b) of this article, relating to persons under a legal disability, on or after the date specified therein), a taxable transfer results.

Section 1000 (c) does not apply to a power reserved, directly or indirectly, by a donor upon a transfer, as distinguished from the possessor of a power of appointment received from another person. See article 3 with respect to the taxability of reserved powers.

(c) *Transfers of community property after 1942.* During the calendar year 1943 and any calendar year thereafter any gift of property held as community property under the law of any State, Territory, or possession of the United States, or any foreign country constitutes a gift of the husband for the purpose of the gift tax statute (regardless of whether under the terms of the transfer the husband alone or the wife alone is designated as the donor or whether both are so designated as donors), except to the extent that such property is shown (1) to have been received as compensation for personal services actually rendered by the wife or derived originally from such compensation, or (2) to have been derived originally from separate property of the wife. The entire property comprising the gift is prima facie a gift of the husband, but any portion thereof which is shown to be economically attributable to the wife as prescribed in the preceding sentence constitutes a gift of the wife.

The rule stated in the preceding paragraph applies alike to a transfer by way of gift of community property to a third party or third parties, to a division of such community property between husband and wife into the separate property of each, and to a transfer by the husband and wife of any part of such community property into the separate property either of the husband or of the wife, or into a joint estate or tenancy by the entirety of both spouses. In all of such cases the value of the property so transferred or so divided, as the case may be, is a gift by the husband to the extent that it exceeds the aggregrate amount of the value of that portion which is shown to be economically attributable to the wife, as prescribed in the preceding paragraph, and of the value of the husband's interest in such property after such transfer or division. The value of the property so transferred or so divided, as the case may be, is a gift by the wife to the extent that the portion of such value which is shown to be economically attributable to her, as prescribed in the preceding paragraph, exceeds the value of her interest in such property after such transfer or division. See examples (7) and (8) of (a) of this article. No gift tax results from a transfer on or after January 1, 1943 of separate property of either spouse into community property.

Property derived originally from compensation for personal services actually

rendered by the wife or from separate property of the wife includes property that may be identified as (1) income yielded by property received as such compensation or by such separate property, and (2) property clearly traceable (by reason of acquisition in exchange, or other derivation) to property received as such compensation, to such separate property, or to such income. The rule established by this statute for apportioning the respective contributions of the spouses is applicable regardless of varying local rules of apportionment, and State presumptions are not operative against the Commissioner.

PAR. 3. ARTICLE 5 [§ 85.5 of such Title 26], as amended by Treasury Decision 5090, approved October 17, 1941, is further amended by changing the fifth sentence thereof to read as follows:

In determining the aggregate sum of the net gifts for each of the preceding calendar years, the total amount of the specific exemption claimed and allowed for such preceding years should be deducted, except that if tax is being computed for the calendar year 1943 or for any calendar year thereafter such deduction can not exceed $30,000, or if the tax is being computed for a calendar year subsequent to 1935 and prior to 1943 such deduction can not exceed $40,000.

PAR. 4. Article 7 [§ 85.7 of such Title 26], amended by Treasury Decision 5090, is further amended by striking from the sentence, in the last paragraph, which begins "As stated in article 5 * * *," the following: "or for any calendar year thereafter,".

PAR. 5. There is inserted immediately preceding article 9 [§ 85.9 of such Title 26] the following:

SEC. 454. EXCLUSION FOR NET GIFTS REDUCED. (Revenue Act of 1942, Title IV, Part II.)

Section 1003 (b) (2) (relating to exclusion of gifts) is amended to read as follows:

(2) *Gifts after 1938 and prior to 1943.* In the case of gifts (other than gifts in trust or of future interests in property) made to any person by the donor during the calendar year 1939 and subsequent calendar years prior to 1943, the first $4,000 of such gifts to such person shall not, for the purposes of subsection (a), be included in the total amount of gifts made during such year.

(3) *Gifts after 1942.* In the case of gifts (other than gifts of future interests in property) made to any person by the donor during the calendar year 1943 and subsequent calendar years, the first $3,000 of such gifts to such person shall not, for the purposes of subsection (a), be included in the total amount of gifts made during such year.

SEC. 451. GIFTS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part II.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to gifts made in the calendar year 1943, and succeeding calendar years.

PAR. 6. Article 10 [§ 85.10 of such Title 26], as amended by Treasury Decision 4830, approved July 18, 1938, is further amended to read as follows:

ART. 10. *Total amount of gifts.* Except with respect to any gift of a future interest in property, the first $3,000 of gifts made to any one donee during the calendar year 1943 or during any calendar year thereafter shall be excluded in determining the total amount of gifts for such calendar year. In the case of a gift in trust, the beneficiary of the trust is the donee of the gift. Except with respect to any gift in trust or of a future interest in property, the first $4,000 of gifts made to any one donee during any one of the calendar years 1939 to 1942, inclusive, shall be excluded in determining the total amount of gifts for any such calendar year. Except with respect to any gift of a future interest in property, the first $5,000 of gifts made to any one donee during the calendar year 1938 or during any calendar year prior thereto shall be excluded in determining the total amount of gifts for such calendar year. The entire value of any gift of a future interest in property, and the entire value of any gift made by a transfer in trust during the calendar years 1939 to 1942, inclusive, must be included in the total amount of gifts for the calendar year in which such a gift is made.

PAR. 7. There is inserted immediately preceding article 12 (§ 85.12 of such Title 26] the following:

SEC. 455. SPECIFIC EXEMPTION OF GIFTS REDUCED. (Revenue Act of 1942, Title IV, Part II.)

That part of section 1004 which precedes paragraph (2) of subsection (a) is amended to read as follows:

SEC. 1004. DEDUCTIONS.

In computing net gifts for the calendar year 1942 and preceding calendar years, there shall be allowed (except as otherwise provided in paragraph (1) of subsection (a)) such deductions as are provided for under the gift tax laws applicable to the years in which the gifts were made.

In computing net gifts for the calendar year 1943 and subsequent calendar years, there shall be allowed as deductions:

(a) *Residents.* In the case of a citizen or resident—

(1) *Specific exemption.* An exemption of $30,000, less the aggregate of the amounts claimed and allowed as specific exemption in the computation of gift taxes for the calendar year 1932 and all calendar years intervening between that calendar year and the calendar year for which the tax is being computed under the laws applicable to such years. This exemption shall be applied in all computations in respect of the calendar year 1942 and previous calendar years for the purpose of computing the tax for the calendar year 1943 or any calendar year thereafter.

SEC. 451. GIFTS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part II.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to gifts made in the calendar year 1943, and succeeding calendar years.

PAR. 8. Article 12 [§ 85.12 of such Title 26] is amended as follows:

(A) By changing the first sentence to read as follows:

In determining the amount of net gifts of a given calendar year there may be deducted, if the donor was a resident or citizen of the United States at the time the gifts were made, a specific exemption of $30,000 ($40,000 if the calendar year is after 1935 and before 1943, or $50,000 if the calendar year is before 1936), less the sum of the amounts claimed and allowed as an exemption in prior calendar years.

(B) By changing the third sentence to read as follows: In determining the aggregate sum of the net gifts for the preceding calendar years (see article 5), the total amount of the specific exemption claimed and allowed for such preceding years should be deducted, except that if tax is being computed for the calendar year 1943 or for any calendar year thereafter such deduction cannot exceed $30,000, or if the tax is being computed for a calendar year subsequent to 1935 and prior to 1943 such deduction cannot exceed $40,000.

PAR. 9. Article 18, as amended by Treasury Decision 4955, approved November 20, 1939, is further amended by striking out "(See § 531 (b).)" in the second paragraph and by inserting in lieu thereof "(See article 76 (b).)".

PAR. 10. Article 20 [§ 85.20 of such Title 26], as amended by Treasury Decision 4830, is further amended by striking out the first sentence and by inserting in lieu thereof the following:

Any individual resident or citizen of the United States who within the calendar year 1943, or within any calendar year thereafter, makes a transfer or transfers by gift to any one donee of a value or total value in excess of $3,000 (or regardless of value in the case of a gift of a future interest in property) must file a gift tax return for such year on Form 709. Any individual resident or citizen of the United States who within any one of the calendar years 1939 to 1942, inclusive, makes a transfer or transfers by gift to any one donee of a value or total value in excess of $4,000 (or regardless of value in the case of a gift in trust or of a future interest in property) must file a gift tax return for such year on Form 709.

PAR. 11. Article 23 [§ 85.23 of such Title 26], as amended by Treasury Decision 4830, is further amended by striking out the third sentence and by inserting in lieu thereof the following:

If the return is filed for the calendar year 1943, or for any calendar year thereafter, it must set forth every transfer by gift to any one donee during such calendar year which singly or in the aggregate exceeds $3,000 in value (or regardless of value in the case of a gift of a future interest in property). A return filed for the calendar year 1939, or for any calendar year thereafter prior to the calendar year 1943, must set forth every transfer by gift to any one donee during such calendar year which singly or in the aggregate exceeds $4,000 in value (or regardless of value in the case of a gift in trust or of a future interest in property).

PAR. 12. There is inserted immediately preceding article 41 [§ 85.41 of such Title 26] the following:

SEC. 456. PERIOD FOR FILING PETITION EXTENDED IN CERTAIN CASES. (Revenue Act of 1942, Title IV, Part II, enacted October 21, 1942.)

(a) *Period extended.* Section 1012 (a) (1) (relating to period for filing petition with Board of Tax Appeals) is amended by inserting at the end thereof the following new sentence: "If the notice is addressed to a donor outside the States of the Union and the District of Columbia, the period specified in this paragraph shall be one hundred and fifty days in lieu of ninety days."

(b) *Effective date.* The amendment made by this section shall be applicable with respect to notices of deficiency mailed after the date of the enactment of this Act.

SEC. 504. CHANGE OF NAME OF BOARD OF TAX APPEALS. (Revenue Act of 1942, Title V, enacted October 21, 1942.)

(a) *The Tax Court of the United States.* Effective on the day after the date of enactment of this Act, section 1100 (relating to status of Board of Tax Appeals) is amended by inserting at the end thereof the following new sentence: "The Board shall be known as The Tax Court of the United States and the members thereof shall be known as the presiding judge and the judges of The Tax Court of the United States."

(b) *Powers, tenure, etc., unchanged.* The jurisdiction, powers, and duties of The Tax Court of the United States, its divisions and its officers and employees, and their appointment, including the designation of its officers, and the immunities, tenure of office, powers, duties, rights, and privileges of the presiding judge and judges of The Tax Court of the United States shall be the same as by existing law provided in the case of the Board of Tax Appeals. The Commissioner shall continue to be represented by the same counsel in the same manner before the Court as he has heretofore been represented in proceedings before the Board of Tax Appeals and the taxpayer shall continue to be represented in accordance with rules of practice prescribed by the Court. No qualified person shall be denied admission to practice before such Court because of his failure to be a member of any profession or calling.

(c) *References.* All references in any statute (except this section), or in any rule, regulation, or order, to the "Board of Tax Appeals" or to the "Board" when used in the sense of "Board of Tax Appeals", or to the "member", "members", or "chairman" thereof shall be considered to be made to The Tax Court of the United States, the judge, judges, and presiding judge thereof, respectively.

PAR. 13. Article 41 [§ 85.41 of such Title 26] is amended by changing the third, fourth and fifth sentences thereof to read as follows:

Within 90 days after the notice of deficiency is mailed (or within 150 days after the notice of deficiency is mailed in case such notice is mailed after October 21, 1942, addressed to a donor outside the States of the Union and the District of Columbia), a petition may be filed with the Board of Tax Appeals for a redetermination of the deficiency. In determining such prescribed period, Sunday or a legal holiday in the District of Columbia is not to be counted as the last day thereof. Except as stated in subparagraphs numbered (1), (2), (3), (4), and (5) of this article, no assessment of deficiency in respect of the tax shall be made until such notice has been mailed to the donor, nor until the expiration of the period prescribed for the filing of a petition with the Board, nor, if a petition has been filed, until the decision of the Board has become final.

PAR. 14. Article 45 [§ 85.45 of such Title 26], as amended by Treasury Decision 4830, is further amended as follows:

(A) By changing the third sentence of the second paragraph thereof to read as follows:

The donor may file a petition with the Board for a redetermination of the amount of the deficiency within 90 days after such notice is mailed (or within 150 days after mailing in case such notice is mailed after October 21, 1942, addressed to a donor outside the States of the Union and the District of Columbia), and in determining such prescribed period Sunday or a legal holiday in the District of Columbia is not to be counted as the last day thereof.

(B) By striking "90-day" from the eighth sentence of the third paragraph the first time it appears therein.

(C) By striking "the 90-day period" from the eighth sentence of the third paragraph the second time it appears therein, and by inserting in lieu thereof "such period".

(D) By striking "90-day period" from the ninth sentence of the third paragraph and by inserting in lieu thereof "period provided for the filing of such petition".

PAR. 15. There is inserted immediately preceding article 62 [§ 85.62 of such Title 26] the following:

SEC. 451. OVERPAYMENT FOUND BY BOARD. (Revenue Act of 1942, Title IV, Part II.)

The second sentence of section 1027 (d) (relating to overpayment found by the Board of Tax Appeals) is amended by striking out "or the filing of the petition" and inserting in lieu thereof "or the mailing of the notice of deficiency".

SEC. 451. GIFTS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title IV, Part II.)

Except as otherwise expressly provided, the amendments made by this Part shall be applicable only with respect to gifts made in the calendar year 1943, and succeeding calendar years.

SEC. 503. SUIT AGAINST COLLECTOR BAR IN OTHER SUITS. (Revenue Act of 1942, Title V.)

Section 3772 (relating to suits) is amended by inserting at the end thereof the following new subsection:

(d) *Suits against collector a bar.* A suit against a collector (or former collector) or his personal representative for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected shall be treated as if the United States had been a party to such suit in applying the doctrine of res judicata in all suits instituted after June 15, 1942, in respect of any internal revenue tax, and in all proceedings in the Board and on review of decisions of the Board where the petition to the Board was filed after such date.

PAR. 16. Article 68 [§ 85.68 of such Title 26], as amended by Treasury Decision 4830, is further amended by changing the first sentence of (b) (1) thereof to read as follows:

If the Board finds that the tax has been overpaid for the year to which the notice of the deficiency relates, if the decision of the Board as to the amount overpaid becomes final, and if the Board determines as part of its decision that, as to gifts made during the calendar year 1943 or thereafter, any portion of the overpayment was made within three years before the filing of the claim for refund or the mailing of the notice of deficiency, whichever is earlier, or, as to gifts made during the calendar year 1942 or prior thereto, any portion of the overpayment was made within three years before the filing of the claim for refund or the filing of the petition, whichever is earlier, the amount of such portion of the overpayment will be credited or refunded.

PAR. 17. There is inserted at the end of article 75 [§ 85.75 of Title 26] the following sentence:

For provisions of law and regulations authorizing the postponement by reason of war of the performance of certain acts required or permitted under the gift tax law, see section 507 of the Revenue Act of 1942 and regulations pertaining thereto separately promulgated.

PAR. 18. There is inserted immediately preceding article 76 [§ 85.76 of such Title 26] the following:

SEC. 458. DEFINITION OF PROPERTY IN UNITED STATES. (Revenue Act of 1942, Title IV, Part II.)

(a) *Technical amendment to definition.* Section 1030 (b) is amended to read as follows:

(b) *Property within the United States.* Stock in a domestic corporation owned and held by a nonresident not a citizen of the United States shall be deemed property situated within the United States.

(b) *Effective date of amendment.* The amendment made by this section shall be effective as of February 10, 1939.

PAR. 19. Article 76 [§ 85.76 of such Title 26] is amended by changing the first sentence of (b) thereof to read as follows:

Stock in a domestic corporation owned and held by a nonresident not a citizen of the United States, shall be deemed property situated in the United States for the purposes of the gift tax.

(Secs. 1000, 1029 and 3791 of the Internal Revenue Code (53 Stat. 144, 157, 487; 26 U.S.C. 1000, 1029, 3791), sec. 451, 452, 453, 454, 455, 456, 457, 458, and 507 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.), approved October 21, 1942, the Joint Resolution of December 17, 1942 (Pub. Law 809, 77th Cong.), and secs. 501 and 530 of the Revenue Act of 1932 (47 Stat. 245, 259), approved June 6, 1932)

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 10, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3840; Filed, March 11, 1943; 11:54 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[General Docket 25]

PART 318—MARKETING RULES AND REGULATIONS INCIDENTAL TO THE SALE AND DISTRIBUTION OF COAL BY CODE MEMBERS WITHIN ALL DISTRICTS

PART 317—REGISTRATION OF DISTRIBUTORS

Order of the Director in the matter of amending § 318.2 (j) of the marketing rules and regulations, as prescribed in General Docket No. 15, and § 317.10 (c) of the rules and regulations for the registration of distributors, as prescribed in General Docket No. 12.

Upon the findings and conclusions set forth in the Opinion of the Director, filed simultaneously herewith, wherein it appears that the Bituminous Coal Division instituted the proceeding herein to determine whether and to what extent § 318.2 (j) of the Marketing Rules and Regulations and § 317.10 (c) and related sections of the Rules and Regulations for the Registration of Distributors should be amended, and pursuant to sections 2 (a), 4 II (h) and other provisions of the Bituminous Coal Act of 1937.

It is hereby ordered, That § 318.2 (j) of the Marketing Rules and Regulations, and §§ 317.3 (d) (7) and 317.10 (c) of the Rules and Regulations for the Registration of Distributors are amended to read as follows:

§ 318.2 *Sales agents.* • • •

(j) No commission may be paid to a sales agent by a code member for the sale of coal to any person who is owned or controlled by or who owns or controls the sales agent or who is owned or controlled by another person or group of persons who also own or control the sales agent, unless the Director, pursuant to application by a code member or the sales agent has authorized the payment of such commission upon a showing by the code member or sales agent that the payment thereof would not violate paragraphs 11 and 12 of section 4 II (i) of the Act and the Code or any other provision of the Act, the Code or the Rules and Regulations of the Division: *Provided*, That, where the relationship does not involve control and consists of the ownership of less than 10 percent of the voting securities of the sales agent, purchaser, or both, as the case may be, such commission may be paid and no application need be filed by the code member or sales agent. The Director may, upon suitable showing by the applicant, grant the application, or, after notice and hearing grant, deny or otherwise dispose of such application. Any application may be accompanied by a request that relief be retroactive to the date of filing the application or by a request for the approval of escrow or other specified arrangements pending disposition of the application. Any change in the relationship disclosed in the application shall be reported by the applicant to the Division within ten days from the date thereof.

§ 317.3 *Terms of "Agreement by Registered Distributor"* • • •

Agreement by Registered Distributor

• • • • • •

(7) Not to accept or retain a distributor's discount on coal purchased by the distributor for resale to any person who is owned or controlled by or who owns or controls the distributor or who is owned or controlled by another person or group of persons who also own or control the distributor, unless the Director, pursuant to application by the distributor has authorized the acceptance or retention of such discount upon a showing by the distributor that the allowance thereof would not violate paragraphs 11 and 12 of section 4 II (i) of the Act and the Code or any other provision of the Act, the Code or the Rules and Regulations of the Division: *Provided*, that, where the relationship does not involve control and consists of the ownership of less than 10 percent of the voting securities of the distributor, purchaser, or both, as the case may be, such discount may be accepted and retained and no application need be filed by the distributor. (The Director may, upon suitable showing by the applicant, grant the application or after notice and opportunity for hearing, grant, deny or otherwise dispose of such application. Any application may be accompanied by a request that relief be retroactive to the date of filing the application or by a request for the approval of escrow or other specified arrangements pending disposition of the application. Any change in the relationship disclosed in the application shall be reported by the applicant to the Division within ten days from the date thereof.)

§ 317.10 *Miscellaneous provisions.* • • •

(c) No distributor's discount may be accepted or retained by a distributor on coal purchased by the distributor for resale to any person who is owned or controlled by or who owns or controls the distributor or who is owned or controlled by another person or group of persons who also own or control the distributor, unless the Director, pursuant to application by the distributor, has authorized the acceptance or retention of such discount upon a showing by the distributor that the allowance thereof would not violate paragraphs 11 and 12 of section 4 II (i) of the Act and the Code or any other provision of the Act, the Code or the Rules and Regulations of the Division: *Provided*, That, where the relationship does not involve control and consists of the ownership of less than 10 per cent of the voting securities of the distributor, purchaser, or both, as the case may be, such discount may be accepted and retained and no application need be filed by the distributor. The Director may, upon suitable showing by the applicant, grant the application, or after notice and opportunity for hearing, grant, deny or otherwise dispose of such application. Any application may be accompanied by a request that relief be retroactive to the date of filing the application or by a request for approval of escrow or other specified arrangements pending disposition of the application. Any change in the relationship disclosed in the application shall be reported by the applicant to the Division within ten days from the date thereof.

It is further ordered, That § 317.1 *Meaning of terms* of the Rules and Regulations for the Registration of Distributors be amended to include the following additional paragraph:

(f) *Control.* The possession, direct or indirect of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise.

It is further ordered, That the foregoing amendments shall be effective thirty (30) days from the date hereof.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3785; Filed, March 10, 1943; 12:21 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-249]

WALLIS PLUMBING CO.

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

The Wallis Plumbing Company, Inc., 2218 Pennsylvania Avenue, Baltimore, Maryland, is a corporation engaged in the plumbing and heating supply business. Subsequent to May 23, 1942, the Wallis Plumbing Company, Inc., having knowledge of the provisions of Limitation Order L-79, sold and delivered numerous items of new metal plumbing equipment and new metal heating equipment to ultimate consumers in wilful violation of that order. On June 9, 1942 the Wallis Plumbing Company, Inc., having knowledge of the provisions of Preference Rating Order P-84, in wilful violation thereof, extended an A-10 preference rating under Preference Rating Order P-84 for the purchase of certain plumbing and heating materials which it knew were not to be used, and were not to replace materials which had been used, for emergency repairs.

These violations of Limitation Order L-79 and Preference Rating Order P-84 have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.249 *Suspension Order S-249.* (a) Deliveries of material to The Wallis Plumbing Company, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to The Wallis Plumbing Company, Inc., its successors and assigns, of any material, the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) The Wallis Plumbing Company, Inc., its successors and assigns, are hereby prohibited from accepting deliveries of, receiving, delivering, selling, transferring, trading, or dealing in any new metal plumbing or heating equipment as defined in Limitation Order L-79, except with the specific approval of the Regional Compliance Chief, War Production Board, Philadelphia, Pennsylvania.

(d) Nothing contained in this order shall be deemed to relieve the Wallis Plumbing Company, Inc. from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on March 13, 1943, and shall expire on June 13, 1943.

Issued this 10th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3814; Filed, March 10, 1943; 5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-219]
S-219]

E. C. JOHNSTON

E. C. Johnston, Longview, Texas, has appealed from the provisions of Suspension Order S-219, issued January 18, 1943. In his appeal he submitted certain evidence not previously submitted showing that his violation of Conservation Order M-68 was not intentional but was caused by his careless disregard of the provisions of that order. As a result of the evidence submitted in this appeal, it has been determined that Suspension Order S-219 should be modified so as to expire at an earlier date than now specified.

In view of the foregoing, paragraph (d) of § 1010.219, Suspension Order S-219, issued January 18, 1943, is hereby amended to read as follows:

(d) This order shall take effect on January 22, 1943, and shall expire on March 15, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 9th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3764; Filed, March 9, 1943; 4:55 p. m.]

PART 933—COPPER

[Supplementary Order M-9-b, as Amended March 11, 1943]

§ 933.3 *Supplementary Order M-9-b*—(a) *Definitions.* For the purposes of this supplementary order:

(1) "Scrap" means all copper or copper-base alloy materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(2) "Copper clad steel scrap" means all copper or copper-base alloy clad or coated steel materials or objects in which the cladding or coating amounts to 3% or more by weight and which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(3) "Copper" means copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes, or copper shot or other forms produced by a refiner.

(4) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Alloy ingot" means an alloy ingot or other shape for remelting which has been cast primarily from copper-base alloy or scrap.

(6) "Brass mill scrap" means that scrap which is a waste or by-product of industrial fabrication of products of brass mills.

(7) "Brass mill" means any person who rolls, draws or extrudes castings of copper or copper-base alloys; it does not include a mill which rerolls, redraws or reextrudes products produced from refinery shapes or castings of copper or copper-base alloys.

(8) "Foundry" means any person casting copper or copper-base alloy shapes or forms suitable for ultimate use without rolling, drawing, extruding, or forging. The process of casting includes the removal of gates, risers and sprues, and sand blasting, tumbling or dipping, but does not include any further machining or processing.

(9) "Scrap dealer" means any person regularly engaged in the business of buying and selling scrap.

(10) "Public utilities" means any person furnishing telephone, telegraph or electric light and power services to the public or city, suburban or inter-city electrically operated public carrier transportation.

(b) *Delivery or acceptance of scrap, copper clad steel scrap or alloy ingots.* Notwithstanding any preference rating, no person shall deliver or accept the delivery of any scrap, copper clad steel scrap or alloy ingots except in accordance with the following directions:

(1) Brass mill scrap shall be delivered only to a scrap dealer or to a brass mill; a scrap dealer who accepts delivery of brass mill scrap shall in turn deliver such scrap only to a brass mill or another scrap dealer.

(2) No. 1 or No. 2 copper scrap shall be delivered only to a scrap dealer, or to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of No. 1 or No. 2 copper scrap.

(3) Copper clad steel scrap and unreloadable fired artillery cases, cartridge cases or bullet jackets, which have been manufactured from copper, copper-base alloys or copper clad steel, in excess of ten (10) pounds, or copper base alloy scrap containing 0.1% or more of beryllium by weight, shall be delivered only to persons specifically authorized or directed by the Director General for Operations to receive such deliveries.

(4) Scrap other than that specified in paragraphs (b) (1) through (3) above shall be delivered only to a scrap dealer, or to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of scrap.

(5) Alloy ingots shall be delivered only to a person specifically authorized by the Director General for Operations to receive deliveries of such quantities of alloy ingots.

(6) No person shall accept delivery of alloy ingots, copper clad steel scrap or unreloadable fired artillery cases, cartridge cases or bullet jackets, which have been manufactured from copper, copper-base alloys or copper clad steel, in excess of ten (10) pounds, or of copper base alloy scrap containing 0.1% or more of beryllium by weight, except as specifically authorized by the Director General for Operations.

(7) A person other than a brass mill or dealer shall accept a delivery of scrap, other than that specified in paragraph (b) (6) above, only pursuant to a specific authorization of the Director General for Operations.

(8) A brass mill shall accept no delivery of scrap other than brass mill scrap without the specific authorization of the Director General for Operations.

(9) A scrap dealer shall accept delivery of scrap only if:

(i) Such scrap is not of a kind or grade specified in paragraph (b) (6) above, and

(ii) Such scrap dealer shall during the preceding 60 days, have sold or otherwise disposed of scrap to an amount at least equal in weight to the scrap inventory of such scrap dealer on the date of acceptance of delivery of scrap (which inventory shall exclude such delivery), and

(iii) Such scrap dealer shall have filed with the Bureau of Mines, College Park, Maryland, by the 10th of each month, Form PD-249, and

(iv) Such scrap dealer shall have supplied such other information as the Director General for Operations may from time to time require.

(10) No person shall dispose of any material, the delivery of which he accepted as scrap, other than as scrap in the manner provided in this paragraph (b), except with the specific authorization of the Director General for Operations.

(c) *Melting or processing of scrap, copper clad steel scrap or alloy ingots.* (1) No person other than a brass mill shall melt or process scrap, copper clad steel scrap or alloy ingots, without the specific authorization of the Director General for Operations.

(2) No brass mill shall melt or process any scrap other than brass mill scrap, without the specific authorization of the Director General for Operations.

(3) Any person accepting a delivery of scrap, copper clad steel scrap or alloy ingots shall use such scrap, copper clad steel scrap or alloy ingots only for the purposes for which acceptance of such delivery is authorized by the Director General for Operations.

(d) *Delivery to or acceptance of copper by foundries and makers of alloy ingots.* Notwithstanding any preference rating, no person shall deliver any copper to a foundry or to a maker of alloy ingots, and no foundry or maker of alloy ingots shall accept any such delivery,

except as specifically authorized by the Director General for Operations.

(e) *Authorization*—(1) *Basis of authorization.* Authorization to receive deliveries of, melt or process copper, scrap, copper clad steel scrap, or alloy ingots will be given by the Director General for Operations to assure the satisfaction of the most essential war requirements.

(2) *Application for authorization.* (i) Any person desiring to obtain an authorization, pursuant to this order, to accept the delivery of, melt or process copper, alloy ingot, scrap or more than ten (10) pounds of unreloadable fired artillery cases, cartridge cases or bullet jackets which have been manufactured from copper or copper base alloys, should make application on Form PD–59, Copper Division, War Production Board, by the 5th of each month.

(ii) Any person applying for an authorization to accept delivery of copper clad steel scrap or more than ten (10) pounds of unreloadable fired artillery cases, cartridge cases or bullet jackets which have been manufactured from copper clad steel must furnish the Director General for Operations with a letter setting forth the kind and grade of material, the tonnage, the period during which deliveries must be received, and the end use into which products produced out of such material will go.

(3) *Proof of authorization*—(i) *Refined copper.* Any foundry or ingot maker authorized to purchase specified amounts of refined copper under the terms of an allocation certificate must submit the allocation certificate issued to him to his supplier at the time of placing his order. If the order is placed with a dealer, the allocation certificate must be surrendered to the dealer. If the order is placed with a refiner, the allocation certificate must be endorsed by the refiner, specifying the quantity of refined copper which the refiner will deliver.

(ii) *Alloy ingot, scrap or copper clad steel scrap.* Any person authorized to purchase specified amounts of alloy ingot, scrap or copper clad steel scrap may notify his supplier of his right to make a purchase by endorsing on, or attaching to, each contract or purchase order placed by him under the terms of the authorization, a certification in the following form signed by an official duly authorized for such purpose:

Certification: The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to purchase the items shown on this purchase order pursuant to Allocation Certificate, Serial No. ——— for the month of ——— and that receipt of these items, together with all other orders placed by him, will not result in his receiving more alloy ingot, scrap or copper clad steel scrap, than he has been authorized to receive for the month indicated by such purchase order pursuant to said Allocation Certificate.

Name of purchaser	Address
Signature and title of duly authorized official	Date

The person receiving the certification shall be entitled to rely on such certification unless he knows or has reason to believe it to be false. Each person supporting a purchase order by such a certification must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such purchases, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(f) *Disposal of scrap or copper clad steel scrap, generated through fabrication or accumulated through obsolescence.* No person shall use, melt, or dispose of any scrap or copper clad steel scrap generated in his plant through fabrication or accumulated in his operations through obsolescence, in any way other than by sale or delivery to a person authorized to accept such delivery, without the specific authorization of the Director General for Operations. In no event shall any person keep on hand more than thirty days' accumulation of scrap or copper clad steel scrap unless such accumulation aggregates less than one ton. All persons generating scrap or copper clad steel scrap through fabrication or accumulating scrap or copper clad steel scrap through obsolescence, in excess of five hundred pounds in any calendar month, shall report on Form PD–226 on or before the 5th day of the following month, to the War Production Board, Ref: M–9–b, setting forth inventory of scrap and copper clad steel scrap at the beginning of the previous calendar month, accumulations and sales during such month, inventory at the end of such month and such other information as the Director General for Operations may request from time to time. Nothing herein contained shall prohibit any public utility from using in its own operations wire or cable which has become scrap by obsolescence provided the lengths of such wire or cable are in excess of five feet and the quantity of such material so used by such public utility in any calendar month does not exceed five tons or such other amount as the Director General for Operations may specifically authorize.

(g) *Toll agreement.*. No person shall deliver scrap, copper clad steel scrap or alloy ingots and no person shall accept same for converting, remelting or other processing under any existing or future toll agreement, conversion agreement or other form of agreement by which title remains vested in the person delivering the scrap, copper clad steel scrap or alloy ingots or causing the scrap, copper clad steel scrap or alloy ingots to be delivered, or which agreement is contingent upon return of processed material in any quantities, equivalent or otherwise, to the person delivering or causing the scrap, copper clad steel scrap or alloy ingots to be delivered, unless and until such an agreement shall have been approved by the Director General, for Operations. Any person desiring to have such an agreement approved must furnish the War Production Board a letter setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of same, the estimated tonnage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the processed material is to be used, and any other pertinent data that would justify such approval.

(h) *Restriction on acceptance of copper-base alloys or castings, including alloy ingots, made therefrom.* No person shall knowingly accept delivery of copper-base alloys or castings, including alloy ingots, made therefrom, which have been obtained by melting and processing scrap or copper clad steel scrap delivered to a melter or processor contrary to the provisions of this order.

(i) *Specific directions.* The Director General for Operations may from time to time issue specific directions to any person as to the source, destination, amount, or grade of scrap, copper clad steel scrap or alloy ingots to be delivered, acquired or used by such person.

(j) *Reports.* In addition to the reports specified in this order, each ingot maker shall file by the 5th of each month, Form PD–751, Ingot Makers Report of Copper Base Alloy Ingot and each foundry shall file by the 5th of each month, Form PD–59–B, Copper Foundries: Monthly Report of Copper Base Alloy Ingot Inventory.

(k) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed Copper Division, War Production Board, Ref: M–9–b, Washington, D. C.

Issued this 11th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3827; Filed, March 11, 1943; 11:19 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Interpretation 1 to Supplementary Limitation Order L–30–a, as Amended Feb. 11, 1943]

GALVANIZED WARE AND NON-METAL COATED METAL ARTICLES

The following interpretation is hereby issued by the Director General for Operations with respect to § 1052.2, Supplementary Limitation Order L–30–a, as amended February 11, 1943:

Paragraph (b) (4) of Order L–30–a, as amended February 11, 1943, refers to "liquid and dry measures (other than oil measures with flexible spouts) . . ." Oil measures which contain spouts of rigid construction but contain hinges which permit the spouts to be raised, lowered, or otherwise moved, are to be considered "measures with flexible spouts" pursuant to paragraph (b) (4) of L–30–a.

Issued this 11th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3828; Filed, March 11, 1943; 11:19 a. m.]

PART 1133—MOLYBDENUM

[Interpretation 1 of General Preference Order M–110, as Amended Jan. 9, 1943]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 1133.1, General Preference Order M–110, as amended January 9, 1943.

Attention has been called to a misunderstanding current among some of the producers of molybdenum chemicals and their customers, relative to the extent to which molybdenum bearing chemical compounds are covered by the provisions of General Preference Order M–110. The definition of molybdenum in paragraph (a) (1) of the order, contains the following language:

(ii) ------ and all chemical or other combinations of the element molybdenum with other materials ------, from which molybdenum is commercially recoverable, ------.

The words "chemical or other combinations" are modified by the phrase "from which molybdenum is commercially recoverable." The test, therefore, for determining whether or not a given chemical compound is within the definition of molybdenum is the commercial practicability of recovering molybdenum from such compound. In general, the only chemical compounds from which molybdenum is considered to be commercially recoverable for the purposes of administering order M–110, are primary chemical compounds such as those which are required to be reported on Form PD–359, prescribed pursuant to the order, viz, calcium molybdate, molybdenum oxide, molybdenum oxide briquettes, molybdenum trioxide, molybdenum sulphide, molybdenum silicide, ammonium molybdate and sodium molybdate. On the other hand, molybdenum is not considered to be commercially recoverable from secondary chemical products resulting from the further processing of one or more of the primary forms of molybdenum-bearing chemical compounds such as, for example, inks and manufactured colors.

It follows, therefore, that all persons engaging in transactions in the types of primary molybdenum chemicals exemplified by the products listed on Form PD–359 are required to comply with the provisions of General Preference Order M–110 and that by the same token, such persons are entitled to the applicable exemptions set forth in Supplementary Order M–110–a.

Issued this 11th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3824; Filed, March 11, 1943; 11:24 a. m.]

PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS, OFF-THE-HIGHWAY MOTOR VEHICLES, AND MOTORIZED FIRE EQUIPMENT

[Limitation Order L–158, as Amended March 11, 1943]

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The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel, and other materials required for the production of replacement parts for passenger automobiles, light, medium and/or heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1297.1 *Limitation Order L–158*—(a) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(1) *Protection of production schedules.* Producers of replacement parts under the terms of this order must, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule their production of replacement parts as if the orders therefor bore a rating of AA–2X.

(2) *Sequence of deliveries.* Notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), delivery of replacement parts may be made by producers and distributors without regard to orders bearing preference ratings of AA–3 or lower.

(3) *Correction of critical shortages.* Whenever the Director General for Operations determines that a critical shortage exists in respect to replacement parts, he may order any producer to schedule and deliver his production in such manner as will relieve the shortage.

(b) *Definitions.* For the purposes of this order:

(1) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment means only the following enumerated parts (including components entering into such parts) used for the repair or maintenance of such vehicles, but does not include any parts specially designed for military vehicles:

(i) For all such vehicles: (1) engines (component parts only), (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11) frame and spring suspension assemblies, except spring covers and spring clip cover tubes, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling systems including radiator shells supporting radiator cores, (19) fuel systems, but not locking type gas caps, (20) bulk tubing for fuel, oil, brake and door-actuating lines, but not copper tubing unless permitted under Limitation Order L–106, (21) lubricating systems, (22) electrical systems including generators, motors, lights, reflectors, signal horns and bulk or spool primary wire, spark plug wire, battery cable and magnet wire, (23) safety glass and channels, (24) hood, door and rear deck actuating devices.

(ii) In addition, but only for medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles, and motorized fire equipment: (25) power dividers and take-offs, (26) governors, (27) transfer cases, (28) fusees and flares, (29) directional signals, (30) coupling devices, (31) trailer

landing gears, (32) cabs and seats, (33) front fenders (only that type which supports built-in lighting), (34) defroster heaters, (35) truck refrigeration units, (36) liquid measuring gauges, (37) body mechanical and hydraulic hoists (component parts only), (38) tachometers, (39) doors and door hardware.

(iii) In addition, but only for passenger carriers and motorized fire equipment: (40) body structural repair parts, (41) sash, (42) destination signs, (43) fare boxes, (44) guards and grab rails, (45) door-operating mechanisms, (46) signaling devices, (47) heating and ventilating equipment.

(2) "Rebuilt or reconditioned parts" means any replacement parts (defined in paragraph (b) (1) above) which have been used and restored for use through rebuilding or reconditioning operations.

(3) "Parts consumed in use" means those replacement parts whose function in the operation of the vehicle results in a dissipation or deterioration of material, either in whole or in part, so that the residue has no salvage value.

(4) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(5) "Light truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(6) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(7) "Truck trailer" means a complete semi-trailer or full trailer designed for transportation of property or persons, or the chassis therefor.

(8) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(9) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(10) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(11) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(12) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture of replacement parts as defined in paragraph (b) (1) above.

(13) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of replacement parts, as defined in paragraph (b) (1) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function including garages and service stations.

(14) "Consumer" means the owner or operator of the automotive vehicle for which replacement parts are acquired, or the user of such replacement parts for any other purpose.

(15) "Inventory" means a stock of replacement parts, as defined in paragraph (b) (1) above, on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place. Inventory is not to include any rebuilt or reconditioned parts.

(c) *Prohibitions on production.* No producer shall manufacture any parts for passenger automobiles, light, medium and heavy trucks, truck-tractors, truck-trailers, passenger carriers, off-the-highway motor vehicles, and motorized fire equipment except the replacement parts enumerated in paragraph (b) (1) above, items 1 to 47 inclusive.

(2) In the production of replacement parts, no materials shall be used which are prohibited by any orders or other restrictions on use of critical materials now or hereafter ordered by the Director General for Operations.

(d) *Restrictions on production and purchases.* (1) On and after April 1, 1943, no producer may manufacture or purchase replacement parts at such a rate that his production and purchases increase his inventory of finished replacement parts at dollar cost value at the end of any quarter of 1943 above his inventory on April 1, 1943. Producers shall have a period of sixty (60) days following the end of each quarter within which to determine inventory and to increase or decrease production or purchases so as to bring the inventory into compliance with this paragraph.

(2) Until April 1, 1943 the production of replacement parts shall be governed by the provisions of paragraph (e) (2) and (f) (2) of Limitation Order L-158, as amended January 25, 1943.

(e) *Standardization of production.* On and after April 1, 1943, production of the replacement parts named below shall be made only according to the following standards:

(1) Pistons as components of engines shall be produced only in standard sizes and the following oversizes: .005, .020, .030, .040, .060, and semi-finished.

(2) Piston pins as components of engines shall be produced only in standard sizes and the following oversizes: .003, .005.

(3) Piston rings as components of engines shall be produced only in standard sizes and the following oversizes: .020, .030, .040, .060, and in addition for medium and heavy duty trucks and buses, .080, .100.

(4) Engine bearings as components of engines shall be produced only in standard sizes and the following oversizes: .002, .010, .020, .030, semi-finished; in addition, the above sizes may be produced in the following oversizes on outside diameter in those types of connecting rod bearings that oscillate in the connecting rod: Standard, .005, .010 oversize. In addition, the "special length Ford main bearings" may be produced.

(f) *Return of replacement parts.* Replacement parts, returned by a distributor to a producer or to another distributor, if not included in the inventory of the person receiving the parts during the calendar quarter in which received, shall be included in his inventory in the next succeeding calendar quarter.

(g) *Restrictions on sales to consumers.* (1) No producer or distributor shall sell or deliver any replacement part to a consumer unless the consumer delivers to the producer or distributor concurrently with the purchase a used replacement part (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each replacement part delivered to a consumer. No replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can recondition by use of available reconditioning facilities.

(2) Notwithstanding the provisions of paragraph (g) (1) above, a producer or distributor may sell and deliver any replacement part to a consumer without receiving a used part in exchange therefor, *Provided*, That:

(i) The producer or distributor does not install such part in the consumer's vehicle (except that he may sell and install any of the following replacement parts: for all vehicles—oil filters; for medium and heavy trucks, truck-tractors, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment — auxiliary springs, trailer connections, brakes, fifth wheels, auxiliary fuel tanks, governors, and landing gears; provided the installation of such parts will either improve the efficiency of the vehicle, increase its gross vehicle weight capacity or convert the type of vehicle to a use needed in the consumer's locality); and

(ii) The consumer signs and delivers to the producer or distributor concurrently with each purchase order (or on the written confirmation thereof if such order is placed by telephone or telegram) a certificate in the following form:

CONSUMER'S CERTIFICATE

I hereby certify that: (a) The replacement parts specified in this order are essential for the maintenance or repair of vehicle(s) I now own or operate; (b) these parts will be used for replacement of parts which, to the best of my knowledge, cannot be reconditioned by use of available facilities; and (c) I will, within thirty days after receiving the new part(s), dispose of through scrap channels a used part(s) (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to me, except as to those parts described in paragraph (g) (2) (i) of Order L-158, which I further certify will either improve the efficiency of the vehicle, increase its gross vehicle weight capacity, or convert it to a type needed in this locality.

(Signed) _____
Vehicle owner or operator

(Address) _____

Dated _____

The foregoing certificate must be retained by the producer or distributor making the sale to the consumer as part of his records. The provisions of this paragraph (g) as to the return of used parts shall not apply to any Federal or Territorial Department, Bureau or Agency, or to a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts.

(h) *Restrictions on distributors' inventories.* (1) No distributor, whose place of business is located in the Eastern or Central war time zone, shall order more than a thirty-day (30) supply of replacement parts. No such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts measured in total dollar cost value, will exceed a sixty-day (60) supply. Sixty-day supply means a supply in dollar cost value equal to two-thirds of the distributors total sales, at his cost of such parts, in the preceding quarterly period.

(2) No distributor, whose place of business is located in any other war time zone, shall order more than a forty-five (45) day supply of replacement parts. No such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts measured in total dollar cost value, will exceed a ninety-day (90) supply. Ninety-day supply means a supply in dollar cost value, equal to the distributor's total sales, at his cost of such parts, in the preceding quarterly period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts even though his inventory then exceeds, or will by reason of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above. The quantity of such specific items in dollar cost value shall not exceed the dollar cost value of his sales of such items during the preceding thirty days or the last thirty-day period in which a sale was made if the distributor is located in the Eastern or Central war time zones, and forty-five days in all other zones.

(4) No distributor may keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or condemned replacement parts which cannot be reconditioned, but he must dispose of the same through the customary disposal or scrap channels. Traded-in parts shall be reconditioned as quickly as minimum quantities will permit. Used parts acquired by a distributor to be sold in "as is" condition need not be included in the distributor's inventory.

(5) Replacement parts consigned to a distributor are not to be considered as part of the distributor's inventory.

(i) *Emergency orders for replacement parts.* Notwithstanding the provisions of paragraph (h) above, a distributor may order and accept delivery of any replacement part which he does not have in stock when the same is required for repair of a designated vehicle which cannot be operated without such part. In such emergency, to secure a replacement part under this paragraph (i), a distributor must file with his order to the producer for said part a certificate in the following form:

CERTIFICATE FOR EMERGENCY ORDER

I hereby certify that the replacement part specified in the attached order is essential for the repair of the following vehicle, which cannot now be operated without such part:
Make _____ Engine number: _____

(Signed) _____
Firm, partnership or corporation

(By) _____
Title of individual

Dated _____ _____
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the distributor issuing such certificate as a part of his records. A producer or other distributor to whom any such emergency order is submitted must give such order precedence in shipment over other orders not of an emergency nature.

(j) *Certificate by distributor required.* Whenever a distributor places an order for replacement parts, each order must be accompanied by a certificate in the following form:

CERTIFICATE OF COMPLIANCE WITH ORDER L-158

The quantity of replacement parts ordered on the attached purchase order does not exceed the quantity which I am entitled to purchase under the provisions of Limitation Order L-158, with the terms of which I am familiar.

(Signed) _____
Firm, partnership or corporation

(By) _____
Title of individual

Dated _____ _____
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the distributor as part of his records.

(k) *Preference ratings required on sales by distributors to Army, Navy and Maritime Commission.* Irrespective of the provisions of any of the paragraphs of this order, no distributor shall sell any replacement parts, as defined in paragraph (b) (1) above, to or for the account of the Army or Navy of the United States or the United States Maritime Commission, except upon receipt of an order bearing a preference rating of AA-1 or higher.

(l) *Exceptions to applicability of this order.* The terms and restrictions of this order, except paragraph (a) (2) shall not apply, except as provided for in paragraph (k) above, to any replacement parts sold to or produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free French, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(4) Any person located outside of the forty-eight States and the District of Columbia.

(m) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(n) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(o) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(p) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(q) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(r) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: Order L-158.

Issued this 11th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3823; Filed, March 11, 1943; 11:24 a. m.]

PART 3201—MINING EQUIPMENT

[Limitation Order L–269]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of mining equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3201.1 *Limitation Order L–269*—(a) *Definitions.* For the purposes of this order:

(1) "Mining equipment" means any complete equipment or apparatus of the types, descriptions, and classifications set forth on List A hereto annexed.

(2) "Repair part" means any part manufactured for use in the repair and maintenance of mining equipment.

(3) "Manufacturer" means any person who constructs or manufactures mining equipment to the extent that he is engaged in such construction or manufacture.

(b) *Production and deliveries of mining equipment.* (1) On or before March 25, 1943, and on or before the 15th of each succeeding calendar month, each manufacturer shall file in triplicate on form PD–815 a schedule of proposed production and deliveries and a report of the previous calendar month's shipments and orders.

(2) On and after April 1, 1943, each manufacturer shall produce and deliver mining equipment only in accordance with the schedule filed pursuant to paragraph (b) (1) or as the same may be changed by the Director General for Operations.

(3) With respect to mining equipment the Director General for Operations may:

(i) Direct the return or cancellation of any order on the books of a manufacturer.

(ii) Direct changes in the production or delivery schedule of a manufacturer.

(iii) Allocate orders placed with one manufacturer to another manufacturer, or

(iv) Take such other action, as he deems necessary, with respect to the placing of orders for, or the production or delivery of, mining equipment.

(c) *Repair parts.* The Director General for Operations may direct the quantity and type of repair parts to be produced or delivered by any manufacturer in any calendar month, and he may direct changes in any manufacturer's production or delivery schedule for mining equipment so as to provide for adequate production or delivery of repair parts.

(d) *Substitution and conservation of critical materials.* In the manufacture of any item of mining equipment or repair parts, no manufacturer shall use rubber, aluminum, copper, zinc or alloy steels, except in bearings, electrical conductors, or parts subject to high stress, shock, abrasion, wear or corrosion.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Mining Equipment Division, Washington, D. C., Reference L–269.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning the manufacture, sale and delivery of and orders for mining equipment and repair parts. All persons affected by this order shall execute and file with the Director General for Operations, War Production Board, such reports and questionnaires as said Director shall from time to time require.

Issued this 11th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

Coal cutting machines
- Coal cutting machines, all types
- Trucks for cutting machines, caterpillar and track-mounted

Drills
- Coal drills, electric
- Drilling machines, core drills

Mine conveyors, underground and slope
- Conveyors, belt type
- Conveyors, chain type
- Conveyors, elevating type.
- Conveyors, shaking type
- Duckbill loading heads

Mine haulage
- Mine locomotives (not exceeding 20 tons)
- Mine cars
- Mine car couplers, automatic, cast steel
- Shuttle cars, self-propelled trackless

Mine hoists
- Hoists, portable mine, underground
- Hoists, stationary mine, shaft and slope

Mine loaders
- Loaders, underground, mucking machines
- Loaders, underground, scraper and slusher
- Loading machines, mobile underground, other

Mining equipment, specialized
- Aerial tramways
- Coal breaking equipment, cardox and airdox
- Dumpers, mine car
- Mine doors, automatic
- Miner's lamps, wet cell
- Charging racks for wet cell lamps
- Rock dust distributing machines
- Cages
- Skips

Crushing and grinding machinery, stationary, mine and smelter types
- Crushers, gyratory or cone, except those used as a part of a portable crushing plant
- Crushers, jaw, all sizes larger than 30" x 44" opening, except those smaller sizes of a type built exclusively for mining and smelting
- Crushers, vertical pick coal
- Grinding mills, ball, rod, pebble, tube
- Pulverizers, ore

Ore dressing and coal preparation machinery
- Agitators (except concrete)
- Clarifiers and thickeners
- Classifiers, hydraulic
- Classifiers, mechanical, rake, spiral
- Classifiers, pneumatic
- Concentrating tables, gravity (wet, dry)
- Conditioners, pulp
- Density controllers
- Distributors, pulp
- Driers, ore, coal, mineral
- Feeders, reagent (wet, dry)
- Filters, concentrate, gravity, pressure, vacuum
- Flotation machines, mechanical, pneumatic
- Heavy density separators (sink-float machines)
- Hydraulic separators
- Jigs, coal
- Jigs, ore
- Log washers
- Magnetic separators, ore and concentrate
- Mineral samplers, automatic, mechanical

[F. R. Doc. 43–3826; Filed, March 11, 1943; 11:19 a. m.]

PART 3211—BISMUTH CHEMICALS

[General Preference Order M–295]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of bismuth chemicals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3211.1 *General Preference Order M–295*—(a) *Definitions.* (1) "Bismuth chemicals" means any chemical compound of bismuth, in crude or refined form, including, but not limited to, bismuth subcarbonate, bismuth subnitrate, bismuth subsalicylate, bismuth nitrate, bismuth hydrate, sodium bismuthate, etc. The term does not include standard dosage forms (tablets, capsules, ampoules, liquid preparations, etc.).

(2) "Producer" means any person engaged in the production of bismuth chemicals, and includes any person who imports bismuth chemicals or has bismuth chemicals produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases bismuth chemicals solely for the purpose of resale without further processing and without changing the form thereof.

(b) *Restrictions on deliveries and use.* (1) On and after April 1, 1943, no person shall deliver, accept delivery of, or use bismuth chemicals, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries or use in each calendar month will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to, deliveries to be made or accepted, or with respect to use or uses which may or may not be made of bismuth chemicals to be delivered or then on hand. Such authorizations or directions may be made by the Director General for Operations without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to use or accept delivery of bismuth chemicals shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director General for Operations.

(4) Bismuth chemicals allocated for inventory shall not be used except as specificially directed by the Director General for Operations. Bismuth chemicals allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though allocated therefor.

(c) *Exceptions to requirement for authorization.* Notwithstanding the provisions of paragraph (b) (1), specific authorization of the Director General for Operations shall not be required for:

(1) Delivery by any producer or distributor to any person in any calendar month, and acceptance of delivery by any person from any producer or distributor in any calendar month, of not more than 25 lbs. of any bismuth chemical;

(2) Use by any person in any calendar month of not more than 25 lbs. of any bismuth chemical;

(3) Delivery to, or acceptance of delivery by, any person of bismuth chemicals packaged in containers of one pound or less, for resale to retail druggists, and delivery to, or acceptance of delivery by retail druggists of bismuth chemicals so packaged;

(4) Delivery of bismuth chemicals by, or use of bismuth chemicals by, the United States Army or Navy, the Coast Guard, the United States Maritime Commission and War Shipping Administration;

(5) Delivery of bismuth chemicals by any person to another person for compounding into standard dosage forms pursuant to toll agreement, where the person making delivery has received specific authority to compound such bismuth chemicals and retains title to such bismuth chemicals and to the product made therefrom; also the acceptance of delivery of bismuth chemicals by such other person for such purpose and under such terms, and the use by such other person in compounding bismuth chemicals into standard dosage forms.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of, or to use bismuth chemicals during any calendar month beginning with April, 1943, whether for his own consumption or resale, shall file application therefor on or before the 15th of the preceding month on Form PD–600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref.: M–295, one forwarded to the producer or distributor with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy will be sent to the producer or distributor.

(iii) In the heading, under "Name of chemical," specify "Bismuth chemicals" under "WPB Order No.", specify "M–295;" under "Indicate unit of measure," specify "pounds".

(iv) In heading at top of Table I, specify the month and year for which authorization for acceptance of delivery or use is sought.

(v) In Columns 1, 11 and 19, specify grade and quality; for example, subcarbonate, nitrate, sodium bismuthate, USP, etc.

(vi) In Column 3 (Primary Product), applicant will specify the exact name of the product or products in the manufacture or preparation of which he will use bismuth chemicals or in which he will incorporate bismuth chemicals. Distributors ordering bismuth chemicals for resale, will specify "Resale". If purchase is for inventory, specify "Inventory".

(vii) In Column 4, applicant will specify in each case (including case where his purchase is for "resale") ultimate use to be made of product (as, for example, "medicinal"), and will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. If application is for bismuth chemicals for inventory, leave Column 4 blank.

(2) Each producer or distributor seeking authorization to make delivery of bismuth chemicals during any month, beginning with April, 1943, shall file application therefor on or before the 20th day of the preceding month. Such application shall be made on Form PD–601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref.: M–295, the fourth to be retained by the producer or distributor.

(iii) Each producer who has filed application on Form PD–600 specifying himself as his supplier, shall list his own name as customer on Form PD–601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading under "Name of chemical", specify "Bismuth chemicals"; under "WPB Order No.", specify "M–295"; under "This schedule is for deliveries to be made during month of ----------", specify month and year during which deliveries covered by application are to be made; under "Indicate unit of measure", specify "pounds".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. It is not necessary, however, to list names of customers to whom deliveries are to be made during the next month pursuant to paragraphs (c) (1) and (c) (3) of this order, but insert in Column 1 "Total small order and small package deliveries (estimated)", and in Column 4, state the estimated quantity. Although under paragraph (c) (4), deliveries to the government agencies there listed need not be authorized, proposed deliveries to such agencies should be listed separately in Column 1, and the quantity to be delivered specified in Column 5.

(vi) In Columns 3 and 8, the producer or distributor will specify grades and quality, as indicated in the Forms PD–600 filed with him by his customers.

(vii) The producer or distributor may, if he wishes, leave Column 5 blank.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Chemicals Division, Washington, D. C., Ref.: M–295.

Issued this 11th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3825; Filed, March 11, 1943; 11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[Correction to Amendment 70 to RPS 88[1]]

PETROLEUM AND PETROLEUM PRODUCTS

Section 1340.158a (sss) of Amendment No. 70 to Revised Price Schedule No. 88 is corrected to read as set forth below:

§ 1340.158a. *Effective dates of amendments.* * * *

(sss) Amendment No. 70 to Revised Price Schedule No. 88 shall become effective as follows:

(1) As to the maximum price of 10 cents per gallon for kerosene, No. 1 fuel oil and range oil, at seller's yard for deliveries in containers in quantities of ten gallons or less, February 20, 1943, and shall, unless earlier revoked or replaced, expire on April 15, 1943.

(2) As to the maximum price of 11.7 cents per gallon for tank wagon deliveries of kerosene, No. 1 fuel oil and range oil in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons, February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3807; Filed, March 10, 1943; 2:58 p. m.]

PART 1340—FUEL

[RPS 88,[2] Correction to Amendment 73]

PETROLEUM AND PETROLEUM PRODUCTS

In § 1340.159 (c) (3) (xviii), the phrase "in subdivisions (xiv), (xv), (xvi) and (xvii)" is corrected to read: "in subdivisions (xi), (xiv), (xv), (xvi) and (xvii)".

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3808; Filed, March 10, 1943; 2:59 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,[1] as Amended March 10, 1943]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

By Amendment 2, §§ 1351.1252 (a) and 1351.1267 are amended, and §§ 1351.1253 (e) and 1351.1261 (c) are added, so that Maximum Price Regulation 285 shall read as follows:

In the judgment of the Price Administrator, war shipping conditions and other factors affecting the sale of fresh bananas by importers and by wholesalers have resulted in the establishment under the General Maximum Price Regulation of maximum prices for such sales which are not best calculated to assist in securing equitable distribution of fresh bananas. The Price Administrator has determined to replace these maximum prices by maximum prices established in this regulation. In the issuance of this regulation, the Price Administrator has ascertained and given due consideration to the prices of fresh bananas prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representatives of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices herein established for importers and wholesalers of fresh bananas are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 258 is hereby issued.

Sec.

1351.1251 Applicability of this Maximum Price Regulation No. 285.
1351.1252 How an importer establishes his maximum price for each kind of fresh bananas.
1351.1253 How a wholesaler calculates his maximum price for each kind of fresh bananas as set forth in Appendix A.
1351.1254 Information which each importer and wholesaler must pass on to his purchaser.
1351.1255 Fractions of cents
1351.1256 Customary allowances
1351.1257 Relationship between this regulation and the General Maximum Price Regulation
1351.1258 Evasion
1351.1259 Enforcement
1351.1260 Petitions for amendment
1351.1261 Records and reports
1351.1262 Export sales
1351.1263 Exempt sales
1351.1264 Definitions
1351.1265 Geographic applicability
1351.1266 Effective date
1351.1266a Effective dates of amendments.
1351.1267 Appendix A: Figures to be used by wholesalers in calculating maximum prices under § 1351.1253 of this regulation.

AUTHORITY: §§ 1351.1251 to 1351.1267, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

[1] Statements of considerations are also issued simultaneously with issuance of amendments. Requests for copies should be addressed to Office of Price Administration.

§ 1351.1251 *Applicability of this Maximum Price Regulation No. 285*—(a) *Commodity to be priced under this regulation.* This regulation applies only to fresh bananas, imported for sale within the continental limits of the United States.

(b) *To what types of sellers this regulation applies.* This regulation applies to importers and all wholesalers, as defined herein, of fresh bananas.

(c) *Purposes of this regulation.* The purposes of this regulation are to replace the maximum prices established by the General Maximum Price Regulation for importers and wholesalers by maximum prices set forth as follows:

(1) Section 1351.1252 sets forth maximum prices for importers for each kind of fresh bananas, per cwt., f. o. b. port of entry.

(2) Appendix A, § 1351.1267, sets forth the figures which all wholesalers must use in calculating maximum prices.

(d) *Prohibition against sales above maximum prices.* On and after December 18, 1942, regardless of any contract or other obligation, no person shall sell or deliver fresh bananas at prices higher than the maximum prices established by this regulation, and no person shall buy or receive fresh bananas in the course of trade or business at prices higher than the maximum prices. Lower prices than the maximum prices may be charged and paid.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1351.1252 *How an importer establishes his maximum price for each kind of fresh bananas.* (a) The maximum price per cwt. at which any importer may sell, offer to sell or deliver each kind of fresh bananas, f. o. b. any port of entry within the continental limits of the United States shall be:

Country of origin (Kind of fresh bananas)	*Maximum prices per cwt. f. o. b. port of entry per cwt.*
Costa Rica, Panama, Guatamala, Honduras	$5 50
Mexico: States of Chiapas and Tabasco	4 50
All other bananas from Mexico	3 25
Bananas from any country not listed above	4 00

(b) If an importer makes a sale of any kind of fresh bananas for delivery to a place other than the port of entry to or through which the fresh bananas being priced were originally shipped from the country of origin, his maximum price shall be the price set forth in paragraph (a) of this section, plus his actual transportation charges, which shall not exceed the lowest available common carrier rate, from the port of entry to the place where such kind of fresh bananas are to be delivered; however, no charge or cost for local unloading or local hauling shall be included. In no case shall the importer add to the maximum prices, f. o. b. port of entry, any transportation charges, whether paid by him or not, from the country of origin to the port of entry.

(c) The maximum price, per cwt. at which any sales of any kind of fresh bananas may be made at the New York, N. Y., Philadelphia, Pa., and Baltimore, Md., auction markets shall be as follows:

(1) The maximum price per cwt., f. o. b. port of entry, as set forth in paragraph (a) of this section; plus

(2) The actual transportation charges, at lowest available common carrier rates, from the port of entry to the auction market where the fresh bananas are to be sold; multiplied by

(3) 1.085. The resulting figure shall be the maximum price for any sale and delivery at auction: *Provided*, That trade discounts for auction sales heretofore in effect shall be subtracted from the maximum price established herein for auction sales.

§ 1351.1253 *How a wholesaler calculates his maximum price for each kind of fresh bananas as set forth in Appendix A.* (a) For the purposes of this regulation, "wholesaler" means any wholesale seller, including, but not limited to, service and cash-and-carry wholesalers, retailer-owned cooperatives, jobbers or any other persons who purchase for the purpose of resale, except importers and retailers, and who take title and make sales to any person who is not the ultimate consumer. The term "ultimate consumer" does not include institutional, commercial or industrial users.

(b) The wholesaler shall calculate his maximum price on the effective date of this regulation and on Monday of each week thereafter for each kind of fresh bananas as follows:

(1) The wholesaler shall determine his "largest single purchase" of each kind of fresh bananas, as set forth in § 1351.1252, made during the seven days prior to Monday of each week.

(2) "Largest single purchase" means the greatest quantity (in pounds) of the kind of fresh bananas which the wholesaler is pricing, and which was purchased by him during the seven days prior to Monday of each week. For the purposes of this paragraph, "Purchase" by a wholesaler shall be deemed to have been made when actual delivery has been made to him.

(3) The wholesaler shall then determine the "delivered price" of his "largest single purchase", as defined above, of the kind of fresh bananas being priced. "Delivered price" means the maximum price, f. o. b. port of entry, for the kind of fresh bananas he is purchasing plus the actual cost of transportation from the port of entry at lowest available common carrier rates, as defined herein, to his customary receiving point, less all discounts allowed him except the discount for prompt payment; however no charge or cost for local unloading or local hauling shall be included.

(4) The wholesaler shall then multiply his "delivered price", as defined above, by the figures set forth in Appendix A applicable to him. The resulting figure is the maximum price which the wholesaler is permitted to charge.

(c) If a wholesaler purchases fresh bananas at any of the following auction markets, New York, N. Y., Philadelphia, Pa., and Baltimore, Md., he shall apply the provisions of this section to such fresh bananas purchased at auction, except that the figure by which he multiplies his "delivered price" shall be the figure set forth in Appendix A for wholesalers who purchase at auction. "Delivered price" in the case of auction sales means the maximum price per cwt., f. o. b. port of entry, plus the actual transportation charges from the port of entry to the auction market multiplied by 1.085, as set forth in § 1351.1252 (c) hereof.

(d) If the wholesaler makes no purchase of fresh bananas during any particular seven-day period his maximum price shall be based on his most recent "largest single purchase", as defined herein.

(e) If a wholesaler's maximum price as calculated under the provisions of this section and § 1351.1267 is less than the result of the following computation, the result of the following computation shall be the maximum price:

The maximum price, per cwt. f. o. b. port of entry, plus the actual cost of transportation from the port of entry, at lowest available common or contract carrier rates, to the wholesaler's customary receiving point, plus $1.50 per cwt. when sold in stems, or $1.85 per cwt., when sold in hands.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1351.1254 *Information which each importer and wholesaler must pass on to his purchaser.* Whenever an importer or wholesaler makes a sale and delivery after the effective date of this regulation, he shall supply to his purchaser an invoice, or any other written evidence of the sale, setting forth in writing the following information:

(a) The importer shall set forth:

(1) The kind of fresh bananas being sold (i. e., the country of origin as set forth in § 1351.1252 hereof).

(2) The maximum prices per cwt., f. o. b. port of entry, and actual transportation charges, if any, paid by the seller.

(3) In cases of purchases or sales at auction, the auction maximum price, as set forth in § 1351.1252 (c).

(b) The wholesaler shall state his selling price, not exceeding his maximum price.

The invoice or other written evidence of the sale, when containing the above required information, shall be deemed to be proper notification to the purchaser.

§ 1351.1255 *Fractions of cents.* Any calculation of a maximum price per cwt. by a wholesaler which results in a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

§ 1351.1256 *Customary allowances.* No importer or wholesaler is permitted to change his customary allowances, discounts and price differentials, including allowances, discounts, and price differentials for different classes of purchasers, unless such change results in a lower net price. Trade discounts for auction sales heretofore in effect shall not be changed unless such change results in a lower net price.

§ 1351.1257 *Relationship between this regulation and the General Maximum Price Regulation.*[1] (a) The provisions of this Maximum Price Regulation No. 285 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries by importers and wholesalers of fresh bananas. However, the following provisions of the General Maximum Price Regulation, as well as any amendments thereto, continue to be applicable to every importer and wholesaler selling fresh bananas:

(1) Transfers of business or stock in trade (§ 1499.5)

(2) Federal and state taxes (§ 1499.7)

(3) Current records (§ 1499.12)

(4) Sales slips and receipts (§ 1499.14)

(5) Definitions (§ 1499.20)

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this regulation.

§ 1351.1258 *Evasion.* The price limitations which are set forth in this Maximum Price Regulation No. 285 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relationship to imported fresh bananas, alone or in conjunction with any other commodity or by way of commission, service, transportation, discount, premium, or other

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1260, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2594, 2152, 2334, 2349, 2273, 2350, 2501, 2594

[2] 7 F.R 10481; 8 F.R. 859.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

privilege, or by way of tying agreement, or other trade understanding, or by changing a business practice relating to the sale of imported fresh bananas or otherwise.

§ 1351.1259 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 285 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

§ 1351.1260 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 285 may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1 [6] issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1351.1261 *Records and reports.* (a) Every person selling fresh bananas for which maximum prices are established by this regulation shall:

(1) Preserve for examination by the Office of Price Administration all his records, including invoices or other written evidences of a sale and delivery, relating to the prices which he charges pursuant to the provisions of this regulation.

(2) Prepare on or before December 31, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing all of his customary allowances, discounts and other price differentials.

(b) Every person making a sale of fresh bananas for which maximum prices are established by this regulation shall keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, records of the same kind as he has customarily kept relating to the prices which he charges for fresh bananas after the effective date of this regulation and in addition records showing as precisely as possible the basis upon which he determined the maximum prices for fresh bananas.

(c) Each importer selling fresh bananas produced on plantations owned or operated by it or any affiliated person in Honduras, Guatemala, Costa Rica, and Panama shall:

(1) Submit to the Office of Price Administration, Washington, D. C. on or before April 15, 1943, a statement under oath setting forth in detail

(i) The total number of acres of banana plantations cultivated under full maintenance in each of the countries of origin during the year 1941 and each calendar month thereafter;

(ii) The total number of acres of banana plantations carried under reduced maintenance in each of the countries of origin during the year 1941 and during each calendar month thereafter;

(iii) The total number of employees in each of the countries of origin during the year 1941 and during each calendar month thereafter;

(iv) The average monthly payroll during the year 1941 for each of the countries of origin and the total monthly payroll during each calendar month thereafter;

(v) The amount spent for the control of disease (Sigatoka) during the year 1941 and during each calendar month thereafter, including a full and complete statement of labor and material costs;

(vi) The amount spent for maintenance of plantations, other than that reported under subdivision (v) hereof; and

(vii) A comprehensive statement of profits and/or losses covering banana operations for the years 1941 and 1942 and for the first three-month period of 1943.

(2) Submit to the Office of Price Administration, Washington, D. C. on or before the last day of each month commencing April 30, 1943, a statement under oath, setting forth in detail for the preceding calendar month, the information required by subdivisions (i) to (vi) of paragraph (c) (1) hereof. The information required by subdivision (vii) of paragraph (c) (1) shall be submitted on or before the last day of the month following each three-month period.

§ 1351.1262 *Export sales.* The maximum prices at which a person may export fresh bananas covered by this Maximum Price Regulation No. 285 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [8] issued by the Office of Price Administration.

§ 1351.1263 *Exempt sales.* This regulation shall not apply to sales at retail.

§ 1351.1264 *Definitions.* (a) When used in this Maximum Price Regulation No. 285 the term:

(1) "Person" means individuals, corporations, partnerships, associations, or other organized groups of persons, or legal successors, or representatives of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Importer" means any person who imports fresh bananas from the country of origin into the United States or who makes the first sale and delivery thereof after such importation.

(3) "Auction" means any sale and delivery of fresh bananas made pursuant to competitive bidding in the auction markets of the cities of New York, N. Y., Philadelphia, Pa., and Baltimore, Md.

(4) "Fresh bananas" means the imported fresh fruit of the banana tree.

(5) "Kind of fresh bananas" means bananas produced in certain countries or territories, such as, but not limited to, Costa Rica, Guatemala, Honduras, and Mexico.

(6) "Actual cost of transportation" shall include the actual cost of freight from the port of entry to the wholesaler's customary receiving point, and shall include charges for protective services, such as heating, icing, and messenger service.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1351.1265 *Geographic applicability.* The provisions of this Maximum Price Regulation No. 285 shall apply to the forty-eight States of the United States and the District of Columbia.

§ 1351.1266 *Effective date.* This Maximum Price Regulation No. 285 (§§ 1351.1251 to 1351.1267, inclusive) shall become effective with respect to sales of fresh bananas except by wholesalers on December 18, 1942 and with respect to sales by wholesalers on December 28, 1942.

[§ 1351.1266 as amended by Amendment 1, 8 F.R. 10688]

§ 1351.1266a *Effective dates of amendments.*

Amendment Nos. and Issue dates:	Effective
Correction, 1–16–42	1–22–43
Amendment 1, 12–18–42	12–18–42
Amendment 2, 3–10–43	3–16–43

§ 1351.1267 *Appendix A: Figures to be used by wholesalers in calculating maximum prices under § 1351.1253 of this regulation.* On and after March 16, 1943 maximum prices for sales and deliveries of fresh bananas by wholesalers must be established as set forth below:

[6] 7 F.R. 8961.

[8] 7 F.R. 5059, 7242, 8829, 9000, 10530.

Column I	Column II	Column III	
Date on which wholesaler must calculate his maximum price	Basis on which wholesaler must calculate his maximum price	Figures to be multiplied by "delivered price" established as indicated in Column II	
March 16, 1943 and each Monday thereafter	"Delivered price" of the "largest single purchase" delivered at customary receiving point.	(a) Maximum mark-ups for wholesalers purchasing at port of entry: [1]	
		Sales on stem	Sales in hands
		1.35	1.46
		(b) Maximum mark-ups for wholesalers purchasing at auction:	
		Sales on stem	Sales in hands
		1.26	1.35

[1] See § 1351.1253 (e), which provides that if you compute a maximum price, using these mark-ups, of less than the seaboard maximum price plus freight plus $1.50 per cwt. when selling in stems or $1.85 per cwt. when selling in hands, you may use the following as your maximum price:
(1) The maximum price, per cwt. f. o. b. port of entry; plus
(2) Actual freight to your customary receiving point; plus
(3) $1.50 per cwt. when selling in stems; or
(4) $1.85 per cwt. when selling in hands.

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3800; Filed, March 10, 1943; 2:58 p. m.]

PART 1367—FERTILIZERS

[Rev. MPR 108]

NITROGENOUS FERTILIZER MATERIALS

The title, preamble and section numbers of Maximum Price Regulation No. 108—Nitrate of Soda, Sulphate of Ammonia and Cyanamid,[1] are amended, and renumbered to read as set forth herein.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices of ammonium nitrate, ammonium phosphate, castor pomace, calcium cyanamide, fish meal, fish scrap, nitrate of soda, nitrate of soda-potash, sulphate of ammonia, and urea compound, when marketed or sold as an aid to the growth of crops or plants, which differ in certain areas of the country, from those heretofore established by applicable maximum price regulations. Former Maximum Price Regulation No. 108 applied only to nitrate of soda, sulphate of ammonia and cyanamid and did not apply in the States of Washington, Oregon, California, Montana, Wyoming, Idaho, Nevada, Utah, Colorado, and Arizona. In the judgment of the Price Administrator it is in the public interest to include in the same regulation all of the nitrogenous fertilizer materials which are enumerated above and to apply the regulation in all of the States as well as in the District of Columbia and Puerto Rico.

So far as practicable the Price Administrator has ascertained and given due consideration to the prices of nitrogenous fertilizer materials prevailing between October 1 and 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.[4] Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 108 is hereby issued.

Sec.

1367.21 To what products, transactions, persons and geographical areas this regulation applies.
1367.22 Sales of nitrogenous fertilizer materials at higher than maximum prices prohibited.
1367.23 Prohibited practices.
1367.24 Records and reports.
1367.25 Enforcement and licensing.
1367.26 Petitions for amendment.
1367.27 Relation to other regulations.
1367.28 Definitions.
1367.29 Appendix A: Maximum prices of nitrogenous fertilizer materials.

AUTHORITY: §§ 1367.21 to 1367.29, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1367.21 *To what products, transactions, persons and geographical areas this regulation applies.*—(a) *What products are covered.* This regulation covers ammonium nitrate, ammonium phosphate, castor pomace, calcium cyanamide, fish meal, fish scrap, nitrate of soda, nitrate of soda-potash, sulphate of ammonia, and urea compound, whether domestic or imported, designated herein as nitrogenous fertilizer materials, when marketed or sold as an aid to the growth of crops or plants.

(b) *What transactions are covered.* This regulation covers all sales of nitrogenous fertilizer materials (1) by domestic fertilizer manufacturers and their agents, and by domestic dealers, in quantities of more than 100 pounds to a consumer, and (2) all sales by fertilizer manufacturers in individual containers of 100 pounds or more to a dealer, except a sale where the nitrogenous fertilizer material has been received before March 15, 1943, by a carrier other than one owned or controlled by the seller, for shipment to a consumer, agent or dealer, in which case the shipment remains subject to the provisions of the maximum price regulation applicable at time of shipment.

(c) *What persons are covered.* Domestic fertilizer manufacturers and their agents, and domestic dealers making the sales covered by this regulation are subject to it.

(d) *Geographical areas.* The provisions of this regulation shall be applicable to the forty-eight States, the District of Columbia, and the Territory of Puerto Rico.

§ 1367.22 *Sales of nitrogenous fertilizer materials at higher than maximum prices prohibited.* On and after March 15, 1943, regardless of any contract, agreement, lease or other obligation, no fertilizer manufacturer or dealer shall sell or deliver nitrogenous fertilizer material in quantities of more than 100 pounds to a consumer, and no fertilizer manufacturer shall sell nitrogenous fertilizer material in individual containers of 100 pounds or more to a dealer, and no person in the course of trade or business shall buy or receive such nitrogenous fertilizer material at prices higher than the maximum prices set forth in Appendix A incorporated herein as § 1367.29, and no person shall agree, offer, solicit or attempt to make such a sale, purchase or delivery.

§ 1367.23 *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This includes devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

§ 1367.24 *Records and reports.* (a) Every person subject to this regulation (including a dealer, agent or other person) making a sale of nitrogenous fertilizer material, in quantities of 250 pounds or more to a consumer or dealer, after March 15, 1943, shall keep for inspection by the Office of Price Adminis-

[1] 7 F.R. 2153, 5664, 8948.

[3] 7 F.R. 8961.

[4] Copies may be obtained from the Office of Price Administration.

tration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, complete and accurate records of each sale, showing the date thereof; the name and address of the buyer, of the person making the sale, and of the producer, importer, jobber or fertilizer manufacturer from whom the material was received; the quantity, grade and kind of the nitrogenous fertilizer material sold; the kind and size of bags or containers in which delivered; the price charged or received therefor; the terms of payment (time, cash, discounts, and maturities); and the method and conditions of delivery.

(b) (1) Not later than March 25, 1943, every fertilizer manufacturer who is engaged in the business of selling nitrogenous fertilizer material to consumers or dealers, whether by or through any agent or other person, shall file with the Office of Price Administration in Washington, D. C., a price schedule showing his maximum prices of the nitrogenous fertilizer materials offered for sale, basis f. o. b. his plant or warehouse, and where applicable, basis f. o. b. production point or delivered to buyer's delivery point; and each such price schedule shall be accompanied by a statement showing the calculations by which such maximum prices were determined by the fertilizer manufacturer under this regulation.

(2) When a fertilizer manufacturer offers to sell to consumers or dealers a nitrogenous fertilizer material for which his maximum price, determined as herein provided, has not been filed under (1) above, or when his maximum price for a nitrogenous fertilizer material is changed under the provisions of this regulation, he shall file with the Office of Price Administration in Washington, D. C., a price schedule showing such maximum price and a statement showing the calculations by which the maximum price was determined.

(3) Every fertilizer manufacturer selling nitrogenous fertilizer material covered by this regulation through agents to consumers, or to dealers, shall furnish each of his agents or dealers to whom he issues, or quotes, prices of such materials a copy of this regulation. Copies of this regulation for such distribution will be furnished sellers upon request addressed to Office of Price Administration, Washington, D. C.

(4) Each agent and dealer shall post at his place of business a list of his maximum prices to consumers.

(5) Each fertilizer manufacturer selling direct to consumers shall post at his office, plant and warehouse his maximum prices to consumers in effect for the area served by each such plant, office, or warehouse.

(c) Persons subject to this regulation shall submit such other information to the Office of Price Administration as it may, from time to time, require, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

§ 1367.25 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest district, State, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation[1] are applicable to every person selling at wholesale or retail any nitrogenous fertilizer material covered by this regulation.

§ 1367.26 *Petitions for amendment*—(a) *Amendments.* Persons seeking any modification of this regulation or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

(b) *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. Where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1367.27 *Relation to other regulations.* (a) The maximum prices for sales of nitrogenous fertilizer materials established by this regulation are not subject to the General Maximum Price Regulation, nor to Revised Maximum Price Regulation 73 as amended.[4]

(b) The maximum prices for export sales of nitrogenous fertilizer materials are governed by the Revised Maximum Export Price Regulation.[5]

§ 1367.28 *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, farmers' or consumers' cooperative or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means a person who manufactures or processes nitrogenous fertilizer material.

(3) "Importer" means a person who imports nitrogenous fertilizer material from a foreign country for resale to fertilizer manufacturers.

(4) "Jobber" means a person who is engaged in the business of purchasing nitrogenous fertilizer material from a producer for resale to fertilizer manufacturers.

(5) "Fertilizer manufacturer" means a person who produces, mixes, or processes mixed fertilizer or who markets mixed fertilizer for his own account and under his own brand or trade name, and who purchases nitrogenous fertilizer material from a producer, importer or jobber for resale to consumers or to dealers; and also includes any person who, prior to the effective date of this regulation, had been allocated nitrogenous fertilizer material by War Production Board for resale to consumers or to dealers.

(6) "Dealer" means a person other than a fertilizer manufacturer as defined herein who purchases nitrogenous fertilizer material for resale to consumers.

(7) "Agent" means a person who acts on behalf of another person in making sales of nitrogenous fertilizer material to consumers.

(8) "Consumer" means a person purchasing nitrogenous fertilizer material for use in aiding the growth of crops or plants and not for resale.

(9) "Production point" means the basing point, port, or actual place of production which may be used by the producer, importer, or jobber in determining his maximum price of nitrogenous fertilizer material.

(10) "Buyer's delivery point" means the destination to which nitrogenous fertilizer material is shipped direct from production point at request of buyer or agent.

(11) "Selling at wholesale" means a sale of nitrogenous fertilizer material to a dealer.

(12) "Selling at retail" means a sale of nitrogenous fertilizer material to a consumer.

(13) "Spring season" means the fertilizer selling season from December 1 of any calendar year to and including June 30, of the next succeeding calendar year.

(14) "Fall season" means the fertilizer selling season from July 1 to November 30, inclusive, of any calendar year.

(15) "Margin" means the amount of markup which may be added by a fertilizer manufacturer to the fertilizer manufacturer's cost, and by a dealer to the dealer's cost.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1367.29 *Appendix A: Maximum prices of nitrogenous fertilizer materials.* (a) For deliveries in the District of Columbia, the Territory of Puerto Rico, and in all States except Washington, Oregon, California, Montana, Wyoming, Idaho, Nevada, Utah, Colorado, and Arizona.

(1) *Sales by domestic fertilizer manufacturers to consumers.* The maximum price for a cash sale of nitrogenous fertilizer material by a fertilizer manufacturer, direct or through agents, to a consumer shall be:

(i) The maximum price the producer or jobber may charge the fertilizer manufacturer for the domestically produced nitrogenous fertilizer material being sold or the price paid by the fertilizer manufacturer to the importer or foreign producer for the imported nitrogenous fertilizer material being sold, plus

(ii) An amount equal to the fertilizer manufacturer's additional expenditure, if any, for transportation from production point direct to the fertilizer manufacturer's plant or warehouse or direct to the buyer's delivery point, plus

(iii) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from, the fertilizer manufacturer's plant, plus

(iv) $1.50 per ton for grinding castor cake or unground fish scrap if such grinding is done by the fertilizer manufacturer, plus

(v) The actual cost of bags used and $1.00 per ton when such nitrogenous fertilizer material is received in bulk by the fertilizer manufacturer and resold in bags, plus

(vi) An amount equal to the cost of State tax tags, if any, and the attaching thereof, or State tonnage or inspection tax, but not license costs or registration fees, plus

(vii) A maximum margin of: $4.00 per ton if such cost (subdivisions (i) through (vi) is less than $40.00 per ton; $5.00 per ton if such cost is $40.00 but less than $50.00 per ton; $6.00 per ton if such cost is $50.00 but less than $60.00 per ton; $7.00 per ton if such cost is $60.00 but less than $70.00 per ton; $8.00 per ton if such cost is $70.00 or more per ton; plus

(viii) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from, a warehouse operated by the fertilizer manufacturer or his agent, plus

(ix) An amount equal to the actual transportation expense incurred in making delivery from the plant or warehouse of the fertilizer manufacturer or from the buyer's delivery point, to the consumer.

(2) *Sales by domestic fertilizer manufacturers to dealers.* The maximum price for a cash sale of nitrogenous fertilizer material by a fertilizer manufacturer to a dealer shall be:

(i) The fertilizer manufacturer's cost as set forth in subdivisions (i) to (vi), inclusive, of paragraph (a) (1) above, plus

(ii) A maximum margin of: $2.00 per ton if such cost is less than $40.00 per ton; $2.50 per ton if such cost is $40.00 but less than $50.00 per ton; $3.00 per ton if such cost is $50.00 but less than $60.00 per ton; $3.50 per ton if such cost is $60.00 but less than $70.00 per ton; $4.00 per ton if such cost is $70.00 or more per ton, plus

(iii) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from, a warehouse operated by the fertilizer manufacturer, plus

(iv) An amount equal to the actual transportation expense incurred in making delivery from the plant or warehouse of the fertilizer manufacturer to the fertilizer manufacturer's plant or warehouse.

(3) *Sales by domestic dealers to consumers.* The maximum price for a cash sale of nitrogenous fertilizer material by a dealer to a consumer shall be:

(i) The maximum cash price the fertilizer manufacturer or the producer may charge the dealer for the nitrogenous fertilizer material being sold, plus

(ii) An amount equal to the dealer's actual additional expenditure, if any, for transportation of the nitrogenous fertilizer material to the dealer's rail or boat destination or warehouse, plus

(iii) A maximum margin of: $2.00 per ton if the dealer's cost (subdivisions (i) and (ii)) is less than $42.00 per ton; $2.50 per ton if such cost is $42.00 but less than $52.50 per ton; $3.00 per ton if such cost is $52.50 but less than $63.00 per ton; $3.50 per ton if such cost is $63.00 but less than $73.50 per ton; $4.00 per ton if such cost is $73.50 or more per ton, plus

(iv) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from, a warehouse operated by the dealer, plus

(v) An amount equal to the actual transportation expense incurred by the dealer in making delivery to the consumer.

(b) *For deliveries in Washington, Oregon, California, Montana, Wyoming, Idaho, Nevada, Utah, Colorado, and Arizona*—(1) *Sales by domestic fertilizer manufacturers to consumers.* The maximum price for a cash sale of nitrogenous fertilizer material by a fertilizer manufacturer, direct or through agents, to a consumer shall be:

(i) The maximum price the producer or jobber may charge the fertilizer manufacturer for the domestically produced nitrogenous fertilizer material being sold, or the price paid by the fertilizer manufacturer to the importer or foreign producer for the imported nitrogenous fertilizer material being sold, plus

(ii) An amount equal to the fertilizer manufacturer's additional expenditure, if any, for transportation from production point direct to the fertilizer manufacturer's plant or warehouse or direct to the buyer's delivery point, plus

(iii) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from, the fertilizer manufacturer's plant, plus

(iv) $1.50 per ton for grinding castor cake or unground fish scrap if such grinding is done by the fertilizer manufacturer, plus

(v) The actual cost of bags used and $1.00 per ton when such nitrogenous fertilizer material is received in bulk by the fertilizer manufacturer and resold in bags, plus

(vi) An amount equal to the cost of State tax tags, if any, and the attaching thereof, or State tonnage or inspection tax, but not license costs or registration fees, plus

(vii) A maximum margin of: $7.00 per ton if such cost (subdivisions (i) through (vi)) is less than $50.00 per ton; $8.00 per ton if such cost is $50.00 but less than $60.00 per ton; $9.00 per ton if such cost is $60.00 but less than $70.00 per ton; $10.00 per ton if such cost is $70.00 but less than $80.00 per ton; $11.00 per ton if such cost is $80.00 or more per ton, plus

(viii) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from a warehouse operated by the fertilizer manufacturer or his agent, plus

(ix) An amount equal to the actual transportation expense incurred in making delivery from the plant or warehouse of the fertilizer manufacturer, or from the buyer's delivery point, to the consumer.

(2) *Sales by domestic fertilizer manufacturers to dealers.* The maximum price for a cash sale of nitrogenous fertilizer material by a fertilizer manufacturer to a dealer shall be:

(i) The fertilizer manufacturer's cost as set forth in subdivisions (i) to (vi), inclusive, of paragraph (b) (1) above, plus

(ii) A maximum margin of: $4.50 per ton if such cost is less than $50.00 per ton; $5.00 per ton if such cost is $50.00 but less than $60.00 per ton; $5.50 per ton if such cost is $60.00 but less than $70.00 per ton; $6.00 per ton if such cost is $70.00 but less than $80.00 per ton; $6.50 per ton if such cost is $80.00 or more per ton, plus

(iii) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from, a warehouse operated by the fertilizer manufacturer, plus

(iv) An amount equal to the actual transportation expense incurred in making delivery from the plant or warehouse of the fertilizer manufacturer to the dealer.

(3) *Sales by domestic dealers to consumers.* The maximum price for a cash sale of nitrogenous fertilizer material by a dealer to a consumer shall be:

(i) The maximum cash price the fertilizer manufacturer or the producer may charge the dealer for the nitrogenous fertilizer material being sold, plus

(ii) An amount equal to the dealer's actual additional expenditure, if any, for transportation of the nitrogenous fertilizer material to the dealer's rail or boat destination or warehouse, plus

(iii) A maximum margin of: $2.50 per ton if the dealer's cost (subdivisions (i) and (ii)) is less than $54.50 per ton; $3.00 per ton if such cost is $54.50 but less than $65.00 per ton; $3.50 per ton if such cost is $65.00 but less than $75.50 per ton; $4.00 per ton if such cost is $75.50 but less than $86.00 per ton; $4.50 per ton if such cost is $86.00 or more per ton, plus

(iv) $0.50 per ton if the nitrogenous fertilizer material is stored in, and delivered from, a warehouse operated by the dealer, plus

(v) An amount equal to the actual transportation expense incurred by the dealer in making delivery to the consumer.

(c) *Federal transportation tax.* (1) Whenever provision is made in this regulation for the addition of transportation or freight charges in determining maximum prices hereunder and whenever any other reference is herein made to such charges, the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Law 753—77th Cong., approved October 21, 1942) shall be deemed to be a part of and shall be included in said charges with like effect as if it were a like increase in the rate or amount charged by the carrier for the transportation in question.

(2) The provisions of Supplementary Order No. 31[1] issued by the Office of Price Administration on November 26, 1942 (Document Number 7623) shall have no application to this regulation.

(d) *Credit sales.* In the case of credit sales, credit terms shall not be more onerous on Spring season sales than those in effect and applicable to such dealer or consumer for the period from February 16, 1942, to February 20, 1942, inclusive, and for Fall season sales, credit terms shall not be more onerous than those in effect and applicable to such dealer or consumer for the period from October 1, 1941, to October 15, 1941, inclusive.

(e) *Less than maximum prices.* Lower prices than those set forth in § 1367.29 may be charged, demanded, offered, paid or received.

This regulation shall become effective March 15, 1943, except within the Territory of Puerto Rico where it shall become effective April 25, 1943.

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3801; Filed, March 10, 1943; 2:59 p. m.]

[1] 7 F.R. 9894; 8 F.R. 1312.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[2] 7 F.R. 8961.

[4] 7 F.R. 2475, 2637, 8591, 8948; 8 F.R. 877.

[5] 7 F.R. 5059, 7242, 8829, 9000, 10530.

PART 1367—FERTILIZERS

[MPR 240,[1] Amendment 1]

PHOSPHATE ROCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The title of the regulation is amended to read as set forth above, and § 1367.115 is added to read as set forth below:

§ 1367.115 *Appendix C: Maximum prices for Florida hard phosphate rock.* The miner may charge any person for Florida hard phosphate rock upon the terms and conditions, and for the grades and descriptions, the prices, all as set forth in the following schedule:

Unground phosphate rock:

Size: Run of mine in carload lots—crushed, washed, dried and unground.

Price: Basis gross ton (2240 lbs.) F. O. B. cars or F. A. S. vessel at Fernandina, Florida.

Quality: Bone phosphate of lime (B. P. L. on a dry basis, and not more than 4% combined oxide of iron and alumina (when determined separately on a dry basis) and not more than 3% moisture.

Grades:

72/70% B. P. L.—$7.10 basis 72% B. P. L., 15¢ per unit rise to 74% maximum and 30¢ per unit fall to 68% minimum, fractions in proportion.

75/74% B. P. L.—$7.85 basis 75% B. P. L., 20¢ per unit rise to 76% maximum and 40¢ per unit fall to 74% minimum, fractions in proportion.

77/76% B. P. L.—$8.60 basis 77% B. P. L., 25¢ per unit rise to 81% maximum and 50¢ per unit fall to 76% minimum, fractions in proportion.

Wet rock: Deduct $2.70 per gross ton from the grade price for wet rock not dried F. O. B. cars at the mines.

Car door boards: Add $2.00 per car for boarding up car doors.

This amendment shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3802; Filed, March 10, 1943; 2:59 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 146,[2] Amendment 11]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1382.3 and paragraph (f) of § 1382.11 are amended to read as set forth below:

§ 1382.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1382.11 *Appendix A: Maximum prices for Appalachian hardwood lumber in standard or near standard grades.*

* * *

(f) A delivered price in excess of the maximum f. o. b. mill prices set forth in paragraphs (b) and (c) hereof, may be charged, consisting of such maximum prices, plus the transportation charges set forth below: *Provided,* That the invoice contains the point of origin of the shipment, the destination, the applicable rail or truck rate, or if shipment is by private truck, the amount added for transportation, and the words "direct-mill shipment".

(1) *Common or contract carrier.* When shipment is by common or contract carrier, the following rules govern:

(i) When estimated weights are used, the rate times the estimated weight is the proper transportation charge. Estimated weights may be used only if they have been filed with the Office of Price Administration, Washington, D. C. The weights must be the weights used by the seller during the period October 1 to October 15, 1941. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights may not be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per M.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per M.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition;

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where the mill prior to the shortage of tires and gasoline shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(iii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, the actual cost of truck delivery may be added.

(5) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3804; Filed, March 10, 1943; 3:00 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 155,[1] Amendment 4]

CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1382.53 and paragraph (f) of § 1382.61 are amended to read as set forth below:

§ 1382.53 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1382.61 *Appendix A: Maximum prices for North Central hardwood lumber in standard or near standard grades.*

* * *

(f) A delivered price in excess of the maximum f. o. b. mill prices set forth in paragraphs (b) and (c) hereof, may be charged, consisting of such maximum prices, plus the transportation charges set forth below: *Provided,* That the invoice contains the point of origin of the shipment, the destination, the applicable rail or truck rate, or if shipment is by private truck, the amount added for transportation, and the words "Direct-mill Shipment".

(1) *Common or contract carrier.* When shipment is by common or contract carrier, the following rules govern:

(i) When estimated weights are used, the rate times the estimated weight is the proper transportation charge. Estimated weights may be used only if they have been filed with the Office of Price Administration, Washington, D. C. The weights must be the weights used by the seller during the period October 1 to October 15, 1941. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights may not be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per M.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per M.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Trucking to railhead.* When a truck haul precedes a rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where the mill prior to the shortage of tires and gasoline shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(iii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, the actual cost of truck delivery may be added.

(5) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3803; Filed, March 10, 1943; 2:59 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supp. Amendment 9A to Maximum Rent Regulations]

HOTELS AND ROOMING HOUSES

Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, 42A, 44A, 46A, 48A, 50A, 54A, 56A, 58A, 59A, 61A, and 63A are amended in the following respects:

1. Subparagraph (4) is added to paragraph (b) of §§ 1388.1502, 1388.1552, 1388.1602, 1388.1852, 1388.1902, 1388.1952, 1388.2002, 1388.3002, 1388.4002, 1388.5002, 1388.6002, 1388.7002, 1388.8002, 1388.9002, 1388.82, 1388.132, 1388.332, 1388.432, 1388.632, 1388.732, 1388.832, and 1388.932 of the said Maximum Rent Regulations, respectively, to read as follows:

(4) Where, since October 1, 1942, a room, cabin or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily or weekly basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

Notwithstanding the provisions of § ------[1] (c) of this maximum rent regulation, if no maximum rent is established for such room, cabin or other accommodations for a monthly term of occupancy or for a particular number of occupants for such term, the Administrator on his own initiative may enter an order fixing the maximum rent for that term and number of occupants and specifying the minimum services. This maximum rent shall be fixed on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on ------.[2]

2. In the first unnumbered paragraph and paragraphs (a) (4), (a) (5), (c) (1), and (d) of §§ 1388.1505, 1388.1555, 1388.1605, 1388.1855, 1388.1905, 1388.1955, 1388.2005, 1388.3005, 1388.4005, 1388.5005, 1388.6005, 1388.7005, 1388.8005, 1388.9005, 1388.85, 1388.135, 1388.335, 1388.435, 1388.635, 1388.735, 1388.835, and 1388.935 of the said maximum rent regulations, respectively, the words "housing accommodations" are substituted for the word "rooms" wherever the word "rooms" appears.

3. Paragraph (d) (2) of §§ 1388.1506, 1388.1556, 1388.1606, 1388.1856, 1388.1906, 1388.1956, 1388.2006, 1388.3006, 1388.4006, 1388.5006, 1388.6006, 1388.7006, 1388.8006, 1388.9006, 1388.86, 1388.136, 1388.336, 1388.436, 1388.636, 1388.736, 1388.836, and 1388.936 of the said maximum rent regulations, respectively, is amended to read as follows:

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis: *Provided,* That the provisions of this section do apply to a tenant on a daily or weekly basis who has requested a weekly or monthly term of occupancy pursuant to § ------[3] (b) (3) or (4).

This Supplementary Amendment No. 9A shall become effective March 10, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3805; Filed, March 10, 1943; 2:58 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK SYNTHETICS AND ADMIXTURES

[MPR 127,[4] as Amended March 10, 1943]

FINISHED PIECE GOODS

In § 1400.78 subparagraphs (41) and (42) of paragraph (c) are amended; in § 1400.80 paragraph (c) is revoked; in

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8283, 8948.

[2] 7 F.R. 3776, 4179, 4852, 5520, 6053, 6998, 7600, 7747, 8198, 8350, 8384, 8948.

[1] 7 F. R. 4109, 7202, 7780, 8385, 8948.

[1] The applicable section number is to be inserted for each maximum rent regulation. The respective section number to be inserted for each maximum rent regulation is as follows:

No. 21A, 1388.1504; No. 22A, 1388.1554; No. 23A, 1388.1604; No. 29A, 1388.1854; No. 30A, 1388.1904; No. 31A, 1388,1954; No. 32A, 1388.-2004; No. 34A, 1388.3004; No. 36A, 1388.4004; No. 38A, 1388.5004; No. 40A, 1388.6004; No. 42A, 1388.7004; No. 44A, 1388.8004; No. 46A, 1388.-9004; No. 48A, 1388.84; No. 50A, 1388.134; No. 54A, 1388.334; No. 56A, 1388.434; No. 58A, 1388.634; No. 59A, 1388.734; No. 61A, 1388.834; No. 63A, 1388.934.

[2] The applicable date is to be inserted for each maximum rent regulation. The respective date to be inserted in each maximum rent regulation is as follows:

Nos. 21A, 29A, 40A, 42A, January 1, 1941; Nos. 22A, 30A, 34A, April 1, 1941; Nos. 23A, 31A, 38A, 59A, July 1, 1941; Nos. 48A, 56A, October 1, 1941; Nos. 32A, 36A, 44A, 46A, 50A, 54A, 58A, 61A, 63A, March 1, 1942.

[3] The applicable section number is to be inserted for each maximum rent regulation. The respective section number to be inserted for each maximum rent regulation is as follows:

No. 21A, 1388.1502; No. 22A, 1388.1552; No. 23A, 1388.1602; No. 29A, 1388.1852; No. 30A, 1388.1902; No. 31A, 1388.1952; No. 32A, 1388.-2002; No. 34A, 1388.3002; No. 36A, 1388.4002; No. 38A, 1388.5002; No. 40A, 1388.6002; No. 42A, 1388.7002; No. 44A, 1388.8002; No. 46A, 1388.9002; No. 48A, 1388.82; No. 50A, 1388.132; No. 54A, 1388.332; No. 56A, 1388.432; No. 58A, 1388.632; No. 59A, 1388.732; No. 61A, 1388.832; No. 63A, 1388.932.

[4] 7 F.R. 3119.

§ 1400.81 subparagraph (16) of paragraph (a) is amended; in § 1400.82 subparagraph (3) of paragraph (e) is revoked, subdivision (v) of subparagraph (2) of paragraph (i) is amended by adding one sentence, subparagraph (5) of paragraph (j) is added, Table IX of paragraph (q) is amended, subparagraph (1) and the footnote to Table X of paragraph (r) are amended and new subparagraphs (2), (3), and (4) of paragraph (r) are added, paragraph (s) is amended, and new paragraphs (t), (u) and (v) are added by Amendment 10 so that Maximum Price Regulation No. 127 as amended by Amendment 10 shall read as follows:

In the judgment of the Price Administrator, the prices of finished piece goods have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of finished piece goods prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations[1] involved in the issuance of this regulation has been prepared, issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 127 is hereby issued.

Sec.

1400.71 Maximum prices for finished piece goods.
1400.72 Less than maximum prices.
1400.73 Conditional agreements.
1400.74 Evasion.
1400.75 Records.
1400.76 Reports.
1400.77 Details required in contract of sale or invoice.
1400.78 Exempt sales.
1400.78a War procurement.
1400.79 Enforcement.
1400.80 Petitions for amendment or adjustment.
1400.81 Definitions.
1400.82 Appendix A: Maximum prices for finished piece goods.
1400.83 Temporary Maximum Price Regulation No. 10—Finished Piece Goods Made of Cotton, Rayon and Mixtures Thereof.
1400.84 Effective date.
1400.85 Effective dates of amendments.

AUTHORITY: §§ 1400.71 to 1400.85, inclusive, issued under Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871.

[1] Statements of considerations also are issued simultaneously with the issuance of amendments. Requests for copies should be addressed to the Office of Price Administration.

[2] Revised: 7 F.R. 8961.

§ 1400.71 *Maximum prices for finished piece goods.* On and after May 4, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver finished piece goods, and no person shall buy or receive finished piece goods in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1400.82; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of finished piece goods to a purchaser if prior to May 4, 1942 such finished piece goods had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser, or if within the terms of the Worth Street Rules title to such finished piece goods had passed to the purchaser prior to May 4, 1942.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1400.72 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1400.82) may be charged, demanded, paid or offered.

§ 1400.73 *Conditional agreements.* No seller of finished piece goods shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1400.82, in the event that this Maximum Price Regulation No. 127 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment (or for adjustment or for exception under § 1400.82 (i) (3)) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception under § 1400.82 (i) (3)).

§ 1400.74 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 127 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to finished piece goods, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1400.75 *Records.* (a) On and after May 4, 1942, every person making a purchase, sale or delivery of finished piece goods in the course of trade or business, or otherwise dealing in finished piece goods shall keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of each such purchase, sale, or delivery, showing the date thereof, the terms of sale, the name and address of the buyer or seller, the price paid or received, and the quantity of each type, quality and finish of finished piece goods purchased or sold, and including (in the case of the seller) a record of all items necessary to verify the computation of the maximum price for the finished piece goods.

(b) Persons required to submit reports under § 1400.76 shall, in addition to the records required above, keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of all items necessary to verify such reports.

§ 1400.76 *Reports.* (a) Persons subject to this Maximum Price Regulation No. 127 shall submit such reports as the Office of Price Administration may from time to time require.

§ 1400.77 *Details required in contract of sale or invoice.* (a) Every seller of finished piece goods shall, with respect to each sale thereof, deliver to the purchaser and the purchaser shall retain as a part of his records, either a contract of sale or an invoice which shall contain, in addition to the terms thereof, a full description of each type, quality and finish of finished piece goods sold, or a style number or symbol sufficient to identify in the seller's records maintained pursuant to § 1400.75 hereof, the full details of the construction so delivered.

(b) If the seller is the converter of the fabric sold, the contract of sale or invoice shall contain a statement of the division factor (as specified in § 1400.82 (g)) used in determining the maximum price.

(c) If the seller is a wholesaler, jobber or converter-jobber selling jobbed goods, the contract of sale or invoice shall contain:

(1) If the purchaser is a person other than a wholesaler, jobber, converter-jobber or export merchant, a statement of the division factor used in computing the selling price or a statement that the net selling price does not exceed the maximum price permitted under Maximum Price Regulation No. 127;

(2) If the purchaser is a wholesaler, jobber, converter-jobber, or export merchant, a statement showing:

(i) The selling price; and

(ii) The exact maximum price which the seller would be entitled to charge Class I and Class II purchasers.

[§ 1400.77 as amended by Amendment 2 7 F.R. 4180]

§ 1400.78 *Exempt sales.* The provisions of this Maximum Price Regulation No. 127 shall not apply to the following:

(a) Sales at retail.

(b) Sales of finished piece goods by decorative goods jobbers.

(c) Sales or purchases of:

(1) Any fabric covered by Revised Price Schedule No. 35[3]—Carded Grey and Colored Yarn Cotton Goods.

(2) Any fabric covered by Revised Price Schedule No. 39[4]—Upholstery Furniture Fabrics.

(3) Woven tickings heavier than 4.95 yards per lb. and not in weaves requiring Jacquard looms.

(4) Any fabric covered by Revised Price Schedule No. 89[5]—Bed Linens.

(5) Abrasive cloth.

(6) Adhesive hollands.

(7) Artificial leather or other pyroxylin coated fabrics.

(8) Awning cloths.

(9) Belting.

(10) Blue-print cloth.

(11) Bookbinding hollands.

(12) Bunting for blankets.

(13) Cheese cloth.

(14) Corduroy.

(15) Cotton pile fabrics.

(16) Embroidery.

(17) Filter cloths.

(18) Flag cloths (yarn dyed).

(19) Insulation cloth.

(20) Knit goods.

(21) Nottingham lace.

(22) Oil cloth.

(23) Outing flannels.

(24) Separator cloth.

(25) Surgical gauze.

(26) Tag (label) cloth.

(27) Towels and toweling.

(28) Transparent cloth (envelope and tracing cloth).

(29) Waterproof ducks (tarpaulins, truck covers).

(30) Window shade hollands.

(31) Finished piece goods imported from a foreign country.

(32) Any fabric covered by Maximum Price Regulation No. 118[6]—Cotton Products.

[Paragraph (32) as amended by Amendment 3, 7 F.R. 4454]

(33) Yarn-dyed fabrics predominantly used for upholstery, furniture and automobile slip covers, or draperies.

(34) Pound goods.

(35) Remnants less than 10 yards in length and individual dress length remnants less than 10 yards in length sold by the piece or by the bundle.

(36) Rubber coated fabrics.

[Paragraphs (33) through (36) added by Amendment 2, 7 F.R. 4180]

(37) Fabrics coated with a cellulose ester, cellulose ether, synthetic resin or oxidizable oil, for waterproofing or other similar purpose.

[Paragraph (37) added by Amendment 2, 7 F.R. 4180 and amended by Amendment 7, 7 F.R. 5675]

(38) Velvets woven on a velvet or plush loom.

[Paragraph (38) added by Amendment 2, 7 F.R. 4180]

(39) Ecclesiastical fabrics

(40) Metallic fabrics

[Paragraphs (39) and (40) added by Amendment 6, 7 F.R. 5364]

(41) Loom finished fabrics: *Provided*, That any person before selling such fabrics shall, unless he has already done so, file his name and address with the Office of Price Administration, Washington, D. C.

[Paragraph (41) added by Amendment 6, 7 F.R. 5364 and amended by Amendment 10, March 10, 1943]

(42) Woven or printed decorative pattern fabrics composed in an amount of 75% or more by weight of synthetic yarn, and sold exclusively for use by necktie manufacturers: *Provided*, That any person before selling such fabrics shall, unless he has already done so, file his name and address with the Office of Price Administration, Washington, D. C., certifying that only such fabrics as are sold exclusively for use by necktie manufacturers will be sold hereunder.

[Paragraph (42) added by Amendment 6, 7 F. R. 5364 and amended by Amendment 10, March 10, 1943]

(43) Typewriter ribbon cloth finished from imported plain woven goods, 36 to 44 inches in grey width, made of combed or super-combed Egyptian or Sea Island cotton yarn.

(44) Finished fabrics which:

(i) Are 54 inches or more in finished width;

(ii) Weigh in excess of 12½ oz. per linear yard of 56 inch width;

(iii) Contain 8 per cent or more wool by weight; and

(iv) Are finished on the woolen or worsted system.

[Paragraphs (43) and (44) added by Amendment 7, 7 F.R. 5675]

(45) Fabrics coated or impregnated with paraffin wax or similar substance and used as a substitute for glass, when sold by wholesalers or jobbers.

[Paragraph (45) added by Amendment 9, 7 F.R. 9823]

(d) Sales of finished piece goods by furrier suppliers: *Provided*, That any person exempted by this paragraph (d) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he falls within the definition of furrier supplier as set forth in § 1400.81 (a) (15) of this Maximum Price Regulation No. 127.

(e) Sales of finished piece goods to custom shirtmakers by a custom shirtmaker's supplier: *Provided*, That any person exempted by this paragraph (e) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(f) Sales of finished piece goods by a woman's shoe fabric supplier: *Provided*, That any person exempted by this paragraph (f) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is a woman's shoe fabric supplier as defined in § 1400.81 (a) (11) of this Maximum Price Regulation No. 127.

(g) Sales of finished piece goods by a milliners' supply house: *Provided*, That any person exempted by this paragraph (g) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(h) Sales of finished piece goods by a tailor trimming store: *Provided*, That any person exempted by this paragraph (h) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(i) Sales of finished piece goods by a dressmakers' supply house: *Provided*, That any person exempted by this paragraph (i) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

[Paragraphs (d) through (i) added by Amendment 6, 7 F.R. 5364 and amended by Amendment 8, 7 F.R. 6653]

(j) Sales and deliveries of printed woven decorative fabrics as defined in Maximum Price Regulation No. 39 when such sales or deliveries are made by a person whose principal business with respect to such fabrics during the period between January 1, 1941 and March 31, 1942 was in fabrics selling at a price of 35 cents or more per yard: *Provided*, That any such person shall, on or before August 31, 1942 file his name and address with the Office of Price Administration, Washington, D. C.

(k) Sales of finished piece goods by an artificial flower manufacturers' supplier: *Provided*, That any person exempted by this paragraph (k) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is an artificial flower manufacturers' supplier as defined in §1400.81 (a) (20) of this Maximum Price Regulation No. 127.

[Paragraph (j) and (k) added by Amendment 7, 7 F.R. 5675 and amended by Amendment 8, 7 F.R. 6653]

§ 1400.78a *War procurement.* (a) Sales and deliveries to a war procurement agency of finished piece goods of the types and made to the specifications (in their present form or as hereafter amended) listed below shall be exempt from maximum prices, by whatsoever Regulation or Schedule established, until July 15, 1942. On and after July 15, 1942, but not prior thereto, such sales and deliveries shall be subject to Maximum Price Regulation No. 157.[8]

(1) P. Q. D. No. 33–A (8.2 combed uniform twill).

(2) 27 T 25 (bleached and shrunk twill).

(3) Marine Corps Specification November 22, 1937 (Shrunk khaki suiting).

(4) P. Q. D. No. 95 (6 oz. combed twill).

(5) P. Q. D. No. 1 (wind resistant cloth).

(6) 6–100B (lining twill).

(7) P. Q. D. No. 17–A (mosquito netting).

[3] 8 F.R. 1963

[4] 7 F.R. 1279, 1836, 2000, 2132, 5243, 5512, 6774, 8946, 8948.

[5] 7 F.R. 1375, 1836, 2107, 2000, 2132, 2300, 2299, 2739, 3163, 3327, 3447, 3962, 4732, 7599, 8937, 8948

[6] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005, 6484, 7451, 8217, 8941, 9002, 8948, 9969, 8 F.R. 274, 2338.

[7] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948.

(8) 27 C 13 (INT) a (balloon cloth).
(9) 6–39–G (balloon cloth).
(10) AN–CCC–C–399 (airplane cloth).
(11) Marine Corps Specification April 18, 1934, Revised to March 10, 1942 (marine shirting).
(12) M 54 (rubberized fabric).
(13) 27 L 6 (black lining twill).
(14) Specifications described in Invitation Neg. 336 (balloon cloth substitute).

[§ 1400.78a added by Amendment 6, 7 F.R. 5364]

§ 1400.79 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 127 are subject to the civil and criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 127 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: The provisions of Supplementary Order No. 36, (8 F.R. 1798), licensing sellers of yarns, textiles, textile products and services relating thereto, are applicable to sellers whose sales are subject to Maximum Price Regulation No. 127.]

§ 1400.80 *Petitions for amendment or adjustment.* (a) Any person seeking an amendment of any provisions of this Maximum Price Regulation No. 127 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (a) as amended by Supplementary Order 26, 7 F.R. 8948]

(b) A petition for adjustment may be filed by any converter whose production of finished piece goods is sold predominantly to manufacturers exclusively engaged in the production of relatively expensive dresses and who, by virtue of the terms of this Maximum Price Regulation No. 127, would suffer hardship with respect to his entire business: *Provided,* That

(1) Any such petition shall contain or be accompanied by a sworn statement showing:

(i) A list of the names and addresses of the dress manufacturers to whom the petitioner sells the principal part of his production.

(ii) The percentage of his total production which is sold to the enumerated customers.

(iii) The petitioner's gross sales during the years 1940 and 1941.

(iv) A full statement of all facts upon which petitioner relies in showing that hardship will result from the operation of this Maximum Price Regulation No. 127.

(v) A specific statement of the adjustment requested.

(2) Any person who has properly filed a petition for adjustment under this paragraph, and who has received notice that such petition has been docketed may, pending formal action upon such petition by the Office of Price Administration, sell and deliver finished piece goods in accordance with the prices which would be permissible under the General Maximum Price Regulation: *Provided, however,* That final settlement shall be made at prices no higher than are finally approved by the Office of Price Administration, and, if required, refunds shall be made.

EXPLANATORY NOTE:—For the purpose of this paragraph, the Office of Price Administration has determined that only a dress manufacturer whose minimum wholesale price line is $16.00 or more would constitute a "manufacturer of relatively expensive dresses" except that in the case of dresses produced from all cotton fabrics such price line may be as low as $3.75.

(3) The Price Administrator may grant such adjustment upon such terms and conditions as shall appear reasonable and necessary under all the circumstances.

[Paragraph (b) as amended by Amendment 6, 7 F.R. 5364]

(c) [Revoked by Amendment 10, March 10, 1943]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1400.81 *Definitions.* (a) When used in this Maximum Price Regulation No. 127, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Finished piece goods" means woven fabrics, more than 12 inches in width, bleached, dyed, printed, mercerized or otherwise finished or processed, composed—in the amount of seventy-five percent or more by weight—of either cotton fibre or chemically produced yarn or fibre made from cellulose or with a cellulose base, or of any mixtures thereof, regardless of what other material may be included in the fabric.

[Paragraph (2) as amended by Amendment 2, 7 F.R. 4180]

(3) "Class I purchaser" includes an export merchant, foreign purchaser or agent of a foreign purchaser, any agency of the federal government, any agency of a state, county or municipal government, a cutter, manufacturer, converter-jobber, jobber or wholesaler (except as provided in subparagraph (4) of this paragraph), and any similar class of purchaser not specifically enumerated herein.

[Paragraph (3) as amended by Amendments 2 and 5, 7 F.R. 4180, 4762]

(4) "Class II purchaser" includes a retailer (whether independent retailer, chain store or mail order house), private hospital or other similar private institution, hotel, steamship company, canvasser, tailor supply store, tailor trimming store, decorative goods jobber, interior decorator, milliners' supply house, dressmakers' supply house, custom shirtmakers' supply house, and any similar class of purchaser not specifically enumerated herein.

[Paragraph (4) as amended by Amendment 6, 7 F.R. 5364]

(5) "Converter" means a person who sells finished piece goods after having finished such goods or after causing them to be finished for his account.

(6) "Sales at retail" means sales to the ultimate consumer: *Provided,* That no cutter, manufacturer, purchaser for resale, or other commercial user shall be deemed to be an ultimate consumer.

(7) "Export merchant" means a jobber of finished piece goods engaged in exporting finished piece goods (either exclusively or in addition to selling such goods in the domestic market) who (i) buys goods for his own account, (ii) takes title to the goods, (iii) sells them direct, or through customary trade channels, to foreign purchasers or agents of foreign purchasers, and (iv) assumes all risks of loss until title to the goods passes to the foreign buyer according to the terms of the sale.

(8) "Decorative goods jobber" means a person customarily engaged in the business of and whose principal business consists of selling upholstery fabrics, drapery fabrics, slip cover fabrics and other finished piece goods, in cut lengths of specified yardage, to interior decorators.

(9) "Converter-jobber" means a converter who is also regularly engaged in performing, in addition to his converting business, the function of a jobber or wholesaler, and includes a jobber or wholesaler controlling, controlled by or under common control with a converter.

(10) "Atlantic seaboard States" means Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, District of Columbia, West Virginia, North Carolina, South Carolina, Georgia, Tennessee, Florida, Kentucky, Alabama and Mississippi.

[Paragraphs (9) and (10) added by Amendment 2, 7 F.R. 4180]

(11) "Women's shoe fabric supplier" means a person engaged in the business of and whose principal business consists of supplying to shoe manufacturers and shoe ornament manufacturers fabrics destined for use as outer fabrics, heel coverings, linings and ornaments for women's novelty shoes (a substantial part of such business being done in outer fabrics), and who, by business custom, has customarily given to such manufacturer a warranty that the fabric is suitable as a shoe fabric.

(12) "Ecclesiastical fabrics" means finished piece goods woven, printed, dyed or embossed in colors, patterns or designs prescribed by religious law or tradition, and sold exclusively for use in the manufacture of religious accessories.

(13) "Metallic fabrics" means finished piece goods which contain woven metal in the amount of five percent or more by weight.

[Paragraphs (11) through (13) added by Amendment 6, 7 F.R. 5364]

(14) "Loom-finished fabrics" means yarn-dyed or warp-printed piece goods which (i) are woven on a non-automatic loom; (ii) are made from warps of 800 yards or less; (iii) are woven on the basis of 6 looms or less per weaver; (iv) are produced in quantities of 5000 yards or less per warp design per month; (v) require no finishing other than calendering or framing after leaving the loom; and (vi) constitute a type not commercially traded in as grey goods.

[Paragraph (14) added by Amendment 6, 7 F.R. 5364, and amended by Amendment 9, 7 F.R. 9823]

(15) "Furrier supplier" means a person customarily engaged in the business of and whose principal business with respect to finished piece goods consists of supplying to manufacturers, repairers and alterers of fur garments, finished piece goods in cut lengths of specified yardage, and includes any person engaged exclusively in supplying to manufacturers, repairers and alterers of fur garments fabrics constructed and processed especially for fur linings.

[Paragraph (15) added by Amendment 6, 7 F.R. 5364, and amended by Amendment 7, 7 F.R. 5675]

(16) (i) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department; or any agency of the foregoing, and shall be deemed to include stores operated as Army Canteens, post exchanges or ship's service activities. The term "war procurement agency" shall also include "contractor" and "subcontractor" as defined in subdivision (ii) of this subparagraph.

(ii) "Contractor" and "subcontractor" means any person who contracts to sell finished piece goods or a commodity processed or made from such goods to, respectively, any war procurement agency or any person who physically incorporates such goods or a commodity processed or made from such goods in an article being processed or made for any war procurement agency.

(17) "Tailor trimming store" includes a tailor supply house, and means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to tailors engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(18) "Dressmakers' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to dressmakers engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(19) "Milliners' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to persons engaged in the producing, repairing or altering of millinery.

[Paragraphs (16) through (19) added by Amendment 6, 7 F.R. 5364]

(20) "Artificial flower manufacturers' supplier" means a person engaged in the business of and whose business with respect to finished piece goods consists exclusively of supplying specially finished piece goods for use in the manufacture of artificial flowers, to persons engaged in such manufacture.

[Paragraph (20) added by Amendment 7]

(21) "Producer" means the person in whose mill grey or colored-yarn goods are woven, and includes any agent of the producer and any person controlling, controlled by, or under common control with the producer.

[Paragraph (21) added by Amendment 9, 7 F.R. 9823]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1400.82 *Appendix A: Maximum prices for finished piece goods*—(a) *Method of determining maximum prices.* Except as otherwise specifically provided in this section, the maximum net selling price, f. o. b. point of shipment[9] for finished piece goods shall be the aggregate of the five items set forth below in this paragraph (subparagraphs (1) to (5), inclusive) divided by the appropriate division factor set forth in paragraph (g) of this section:

(1) Basic grey goods cost, determined in accordance with paragraph (b) of this section.

(2) The grey freight, determined in accordance with paragraph (c) of this section.

(3) Working allowance, determined in accordance with paragraph (d) of this section.

(4) Finishing cost, determined in accordance with paragraph (e) of this section.

(5) Put up charges, determined in accordance with paragraph (f) of this section.

[Paragraph (a) as amended by Amendment 2, 7 F.R. 4180]

(b) *Basic grey goods cost.* (1) Except as otherwise specifically provided in this paragraph and in paragraph (d) of this section, the basic grey goods cost to be used in determining the maximum price for finished piece goods shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Paragraph (1) as amended by Amendment 6, 7 F.R. 5364]

(2) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the basic grey goods cost to be used in computing the maximum price under paragraph (a) shall be determined as follows:

(i) For grey or partially finished goods acquired from an outside source other than a subsidiary or affiliate, the basic grey goods cost shall be computed in accordance with subparagraph (1) above.

(ii) For grey goods produced by such person or by a subsidiary or affiliate, for which maximum prices are established by Revised Price Schedule No. 11,[10] Revised Price Schedule No. 35,[11] or Revised Price Schedule No. 23, as Amended,[12] the basic grey goods cost shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

(iii) For any other grey goods produced by such person or by a subsidiary or affiliate,[13] the basic grey goods cost shall be no higher than the maximum price which would be applicable for a sale of such grey goods to a converter on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

(3) For finished piece goods which are produced from grey goods produced in and imported from a foreign country, the basic grey goods cost shall be no higher than the actual landed, duty paid, cost of such grey goods.

[Paragraphs (2) and (3) as amended by Amendment 2, 7 F.R. 4180]

[9] Where a converter or a subsidiary or affiliate of a converter, sells converted goods from a point of shipment which is located outside of the Atlantic Seaboard States, and the finishing operations with respect to such goods are performed in any of such Atlantic Seaboard States, the seller may add to the otherwise applicable maximum price the actual transportation charges incurred in bringing the finished piece goods to such point of shipment. If the goods are transported to such point of shipment in a conveyance other than a common carrier, the charge shall not exceed the charge which would be applicable in an identical shipment at the lowest available commercial transportation rate.

[10] 7 F.R. 1231, 1836, 2000, 2132, 2737, 3163, 5519, 7434, 8936, 8948, 10009, 10534; 8 F.R. 262, 361, 2206.

[11] 8 F.R. 1963.

[12] 7 F.R. 2899, 2966, 2945, 4342, 3481, 6771, 8948.

[13] This includes, but is not limited to, grey goods which would, if sold, be subject to Maximum Price Regulation No. 118—Cotton Products. 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005, 6484.

(4) If for any reason the basic grey goods cost cannot be determined under subparagraphs (1) and (2) of this paragraph, then the basic grey goods cost shall be no higher than the established maximum price for such grey goods on July 14, 1942.

[Paragraph (4) as amended by Amendment 6, 7 F.R. 5364]

(5) [Revoked by Amendment 6, 7 F.R. 5364]

(c) *Grey freight.* (1) Subject to the other provisions of this paragraph (c), the grey freight which may be included in computing the maximum price under paragraph (a) of this section shall be no higher than actual transportation charges paid by the seller of the finished piece goods (not absorbed by the finisher) incurred in transporting the basic grey goods to the finishing plant where the finishing process is begun.

(2) In the event the grey goods are transported in a conveyance owned or operated by the converter, or the finisher, or by a person controlling, controlled by, or under common control with the converter or the finisher, and the charges are not absorbed by the finisher, the freight charge shall not exceed the charge which would be applicable to an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

(3) Where goods are shipped from the grey goods mill to a point other than the finishing plant where the finishing process is begun, only the actual freight (which is not absorbed by the finisher) incurred in the final shipment from such other point to the finishing plant where the finishing process is begun may be used in determining the maximum price under paragraph (a) of this section.

(4) Where goods are trans-shipped from one finishing plant to another (after the goods are partially or wholly finished), the freight charges on such trans-shipments shall not be included in computing the maximum price under paragraph (a) of this section: *Provided,* That if partially-finished goods are trans-shipped from one finishing plant to another for the purpose of screen printing, flock printing, or lacquer printing at the second plant, then the freight charges on such trans-shipment may be included in computing the maximum price under paragraph (a) of this section.

(5) For the purpose of determining a grey freight charge in order to quote prices for and make sales of finished piece goods in advance of actual shipment of the grey goods a seller of finished piece goods may use the following allowance for grey freight:

(i) *Grey goods containing more than 50% cotton by weight.* For shipments from any point in Zone I [14] to any point in Zone II [15] or shipments from any point in Zone II to any point in Zone I, an allowance of 55¢ per hundred pounds less any inward freight allowance made by the finisher; for shipments from any point in Zone I to a point in Zone I or for shipments from any point in Zone II to a point in Zone II, an allowance of 20¢ per hundred pounds, less any inward freight allowance made by the finisher.

(ii) *Grey goods containing 50% cotton or less by weight.* For shipments from any point in Zone I to any point in Zone II or for shipments from any point in Zone II to any point in Zone I, an allowance of 85¢ per hundred pounds less any inward freight allowance made by the finisher; for shipments from any point in Zone I to a point in Zone I, or for shipments from any point in Zone II to a point in Zone II, an allowance of 25¢ per hundred pounds, less any inward freight allowance made by the finisher: *Provided,* That in all cases where a forward sale is made upon the basis provided herein, the price may not be subsequently altered after an actual determination of grey freight charges has been made.

[Paragraph (c) as amended by Amendment 2, 7 F.R. 4180]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

(d) *Working allowance*—(1) *For finished piece goods containing 50% or more of rayon by weight.* Except as provided in subparagraphs (3) and (4) of this paragraph, the working allowance which may be used in determining the maximum price under paragraph (a) of this section shall be the actual figure specified by the finisher in his contract: *Provided,* That if the working allowance specified in the contract shall exceed the actual shrinkage of the fabric as determined by the increase of finished pick count over grey goods pick count plus not more than 2% tolerance for physical loss of goods occasioned by handling and processing the fabric, then such actual shrinkage plus such 2% tolerance shall constitute the maximum working allowance to be used in determining the maximum price for the finished piece goods.

In the event that there is a net yardage gain as a result of the finishing process, such gain must be deducted from the basic grey goods cost under paragraph (b) of this section.

(2) *For finished piece goods containing less than 50% of rayon by weight.* Except as provided in subparagraphs (3) and (4) of this paragraph, the working allowance which may be used in determining the maximum price under paragraph (a) of this section shall be the actual working allowance specified by the finisher in his contract.

In the event that there is a net yardage gain as a result of the finishing process, such gain must be deducted from the basic grey goods cost under paragraph (b) of this section.

(3) *For vertical organizations.* For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the working allowance used in determining the maximum price under paragraph (a) of this section shall not exceed the allowance which would be applicable had the finishing operation been performed by an independent finisher.

(4) *For any new construction or for any new finishing process.* The working allowance for any new construction or for any new finishing process may be determined in a preliminary manner from the actual yield of a carefully controlled lot of not less than 1,000 yards of the finished goods: *Provided,* That the working allowance to be used in determining the maximum price for the finished piece goods shall not exceed the shrinkage determined by the actual yield of the first 10,000 yards of finished fabric.

(e) *Finishing cost.* Subject to the following provisions, the finishing cost shall be the price specified in the finishing contract and actually paid by the seller of the finished goods and shall not include any finishing costs incurred by any person prior to the acquisition of the goods by such seller.

(1) If the price specified in the finishing contract is made on a "silk basis" or a "store door delivered basis", (i. e., including put up and delivery charges) then such price shall, for the purpose of determining the appropriate division factor, be reduced by ¼¢ per yard: *Provided,* That the total finishing cost may be included in the final computation of the maximum price for the finished piece goods.

(2) If the price specified in the finishing contract is made on a "cotton basis" (that is, f. o. b. finishing plant) such price, exclusive of charges for cases, papers and tubes, shall, for the purposes of determining the appropriate division factor, constitute the finishing cost.

(3) [Revoked by Amendment 10, March 10, 1943]

(4) Where fabrics are printed both face and back, whether register-printed or not, the finishing cost which may be used in determining the appropriate division factor under paragraph (g) of this section shall be 75% of the price specified in the finishing contract and actually paid by the converter: *Provided,* That the full cost of such printing may be included in the final computation of the maximum price for the finished piece goods.

(5) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the finishing cost used in determining the appropriate division factor under paragraph (g) of this section shall not exceed the amount which such persons are entitled to charge under Maximum Price Regulation No. 128 [16] Processing Piece Goods: *Provided,* That if such persons have finishing operations performed by independent finishers, the finishing cost shall be determined in accordance with the foregoing provisions of this section.

(6) Extra charges actually made for special folding such as doubling and rolling and book fold, may be included in the finishing cost for the purpose of determining the division factor and the maximum price: *Provided,* That if such special folding is done by a person other than the person performing the finishing operations, the amount which may be included shall be no more than ¼¢ per yard.

[Paragraph (6) added by Amendment 2, 7 F.R. 4180]

(f) *Put-up charges.* (1) Except as provided in subparagraph (3) of this paragraph, the put-up charges which may be used under paragraph (a) (5) of this section shall include only the charges for papers, boards, tubes and packing cases and, in the case of sales for export, the charges for export packing. In no event (except for export sales) shall charges for wooden shells be included in such computation.

(2) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the put-up charges used under paragraph (a) (5) of this section in determining the maximum price for finished piece goods shall not exceed the charges which would be applicable had such services been performed and such material furnished by an independent finisher.

(3) Where the finishing cost is on a "cotton basis," a seller of finished piece goods may, for the purpose of determining a put-up charge as defined in subparagraph (1) of this paragraph, in order to quote prices for and make sales of finished piece goods in advance of actual production thereof, use a put-up charge of .0020 per yard: *Provided,* That in all cases where a forward sale is made upon the basis provided herein, the price may not be subsequently altered after an actual determination of the put-up charges has been made.

[Paragraph (f) as amended by Amendment 2, 7 F.R. 4180]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

(g) *Tables of division factors*—(1) *In general.* (i) Table I set forth below is to be used with respect to finished piece goods containing 75% or more of cotton by weight unless 4% or more of coverage of the warp or 4% or more of coverage of the filling in the finished goods is yarn dyed or stock dyed. In the latter case, reference must be made to Tables III and IV below. The division factor is determined by reference to the finishing cost (see paragraph (e) of this section), the class of purchaser to whom the sale is made, and the type of finish that is applied.

(ii) Table II set forth below is to be used with respect to finished piece goods containing less than 75% cotton by weight unless 4% or more of coverage of the warp or 4% or more of the coverage in the filling in the finished goods is yarn dyed or stock dyed. In the latter case reference must be made to Tables III and IV below. The division factor is determined by reference to the finishing cost (see paragraph (e) of this section), the class of purchaser to whom the sale is made, and the type of finish that is applied.

(iii) Table III set forth below is to be used with respect to finished piece goods of which 4% or more of coverage of the warp in the finished goods is yarn dyed or stock dyed, and of which none of the filling is yarn dyed or stock dyed and with respect to finished piece goods of which 4% or more of coverage of the filling is yarn dyed or stock dyed and of which none of the warp is yarn dyed or stock dyed, regardless of the rayon or cotton content, and regardless of the finish that is applied thereto. The division factor is determined by reference to the finishing cost (see paragraph (e) of this section), the class of purchaser to whom the sale is made, and the type of finish that is applied.

(iv) Table IV set forth below is to be used with respect to finished piece goods of which 4% or more of coverage of the warp in the finished goods is yarn dyed or stock dyed, and of which some part of the filling is yarn dyed or stock dyed, regardless of the rayon or cotton content, and regardless of the finish that is applied thereto. The division factor is determined by reference to the percentage of coverage of colored yarn in both the warp and filling and the class of purchaser to whom the sale is made.

[Paragraph (1) (i) through (iv) as amended by Amendment 2]

(v) A converter whose production of finished piece goods during the years 1939, 1940 and 1941 consisted predominantly of better cotton wash fabrics which (*a*) are composed 100% of cotton, (*b*) are sold to manufacturers of women's and children's dresses, suits and sportswear and to retail outlets, and (*c*) are of a type that, during the period from August 1, 1941, to September 30, 1941, inclusive, were sold at a price of 27½ cents or more per yard, net after discount, may use Table Ia set forth below with respect to such fabrics: *Provided,* That no converter shall use Table Ia unless, on or before December 15, 1942, he shall have filed his name and address with the Office of Price Administration, Washington, D. C., certifying that he meets the above qualifications, and shall have received written acknowledgment of that fact.

[Paragraph (v) added by Amendment 9, 7 F.R. 9823]

(2) *Cotton finished piece goods.*—(i) *General.* Except for yarn dyed fabrics covered by subparagraph (4), Tables III and IV, this Table I is to be used for all finished piece goods containing 75% or more cotton by weight.

TABLE I—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING 75% OR MORE OF COTTON BY WEIGHT

Finishing cost [1] (cents per yard)	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
Up to 1.99	0.89	0.85	0.83	0.84
2.00–4.49	.88	.84	.87	.83
4.50–7.99	.87	.83	.855	.815
8.00–11.99	.86	.82	.835	.79
12.00–16.99	.84	.80	.815	.76
17.00–24.99	.84	.80	.79	.73
25.00 and up	.84	.80	.77	.70

[1] Determined in accordance with paragraph (e) of this section.

[Table I as amended by Amendment 6]

(ii) *Fine cotton wash fabrics.* This Table Ia is to be used by converters who meet the qualifications of subparagraph (1) (v) above.

TABLE Ia—DIVISION FACTORS FOR CERTAIN BETTER COTTON WASH FABRICS

White and plain dyed		Printed and yarn dyed	
Sales to Class I purchaser	Sales to Class II purchaser	Sales to Class I purchaser	Sales to Class II purchaser
0.80	0.76	0.74	0.74

[Paragraph (ii) added by Amendment 9, 7 F.R. 9823]

(3) *Rayon finished piece goods.* Except for yarn dyed fabrics covered by subparagraph (4), Tables III and IV, this Table II is to be used for all finished piece goods containing less than 75% cotton by weight.

TABLE II—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING LESS THAN 75% COTTON BY WEIGHT

Finishing cost [1] (cents per yard)	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
Up to 3.99	0.85	0.81	0.83	0.79
4.00–7.99	.84	.80	.82	.78
8.00–11.99	.83	.79	.81	.77
12.00–16.99	.81	.77	.79	.74
17.00–24.99	.80	.75	.77	.72
25.00 and up	.80	.75	.75	.70

[1] Determined in accordance with paragraph (e) of this section.

[Table II as amended by Amendment 6]

[14] Zone I shall consist of the New England States, New York, Pennsylvania, New Jersey, Delaware, Maryland, Ohio, Indiana and Michigan, and the District of Columbia.

[15] Zone II shall consist of all other states.

[16] 7 F.R. 3117, 4659, 6615, 8948.

(4) *Yarn dyed fabrics.*

TABLE III—DIVISION FACTORS FOR YARN DYED OR STOCK DYED FINISHED PIECE GOODS, COLORED WARP ONLY, OR COLORED FILLING ONLY [1]

Percentage of coverage of colored yarn in warp or filling (all numbers inclusive)	Sales to class I purchaser	Sales to class II purchaser
4 to 15.99	0.86	0.81
16 to 30.99	.85	.80
31 to 45.99	.84	.79
46 to 60.99	.83	.78
61 to 75.99	.82	.77
76 and over	.81	.76

[1] Table III shall be used for all finished piece goods (irrespective of the percentage of rayon or cotton content) of which 4 percent or more of coverage of the warp is yarn dyed or stock dyed and of which none of the filling is yarn dyed or stock dyed, and for finished piece goods of which 4 percent or more of coverage of the filling is yarn dyed or stock dyed and of which none of the warp is yarn dyed or stock dyed.

[Table III, as amended by Amendment 2, 7 F.R. 4180]

TABLE IV—DIVISION FACTORS FOR YARN DYED OR STOCK DYED FINISHED PIECE GOODS, COLORED WARP AND COLORED FILLING [1]

Total percentage of coverage of colored yarn in both warp and filling (all numbers inclusive)	Sales to class I purchaser	Sales to class II purchaser
4 to 15.99	0.85	0.80
16 to 30.99	.835	.785
31 to 45.99	.82	.77
46 to 60.99	.805	.755
61 to 75.99	.79	.74
76 and over	.78	.73

[1] Table IV shall be used for all finished piece goods (irrespective of the percentage of cotton or rayon content) of which 4% or more of coverage of the warp is yarn dyed or stock dyed and of which any percentage of the filling is yarn dyed or stock dyed.

(h) *Credit terms.* (1) The maximum prices established by this Maximum Price Regulation No. 127 are net selling prices.

(2) If a seller desires to sell on a discount basis of 2% off ten days, sixty days extra, he may compute the maximum price on such a sale by dividing the net price by .97: *Provided*, That if any such sale is made, the seller must allow the buyer the following discounts:

(i) If payment is made within 10 days after delivery, a discount of 3%;

(ii) If payment is made within the next sixty days, a discount of 2% plus ½ of 1% per month for any portion of the sixty days which is anticipated.

(3) If a seller desires to sell on a discount basis of net 10 days, sixty days extra, he may compute the maximum price on such a sale by dividing the net price by .99: *Provided*, That if any such sale is made, the seller must allow the buyer the following discounts:

(i) If payment is made within 10 days after delivery, a discount of 1%.

(ii) If payment is made within the next 60 days, a discount of ½ of 1% per month for any portion of the sixty days which is anticipated.

[Paragraph (3) as amended by Amendment 2, 7 F.R. 4180]

(4) The maximum net prices may be increased by an appropriate division factor (in accordance with the formula set forth in subparagraphs (2) and (3) of this paragraph) in any case where the credit terms do not exceed a discount of 3 percent nor a time period in excess of 70 days from the date of the invoice but may not otherwise be increased for the purpose of granting other credit or discount terms.

[Paragraph (4) as amended by Amendment 7, 7 F.R. 5675]

(i) *Wholesalers and jobbers*—(1) *General provisions.* Subject to the other provisions of this paragraph, the maximum price for finished piece goods sold in the performance of a recognized distributive function [17] by a wholesaler, jobber or converter-jobber selling jobbed goods, shall be computed by dividing the actual cost [18] by .83 if the sale is to a Class I purchaser: *Provided*, That contracts entered into between May 4, 1942, and June 3, 1942, at prices in compliance with the provisions of this Maximum Price Regulation No. 127 (§§ 1400.71 to 1400.84, inclusive), as then in force, may be carried out at the contract price.

[Paragraph (1) as amended by Amendment 5, 7 F.R. 4762]

(2) *Restrictions on jobbers' and wholesalers' mark-up.* No part of the mark-up provided for in subparagraph (1) of this paragraph, may be charged:

(i) [Revoked by Amendment 2, 7 F.R. 4180].

(ii) On a sale by a wholesaler or jobber to a converter or a converter-jobber;

[Paragraph (ii) as amended by Amendment 2]

(iii) [Revoked by Amendment 2].

(iv) On an export sale by an export merchant;

(v) On a sale of jobbed goods to any person by a converter-jobber unless and until authorized under subparagraph (3) of this paragraph: [19] *Provided*, That a converter-jobber who has properly filed a petition for exception under subparagraph (3) of this paragraph, and has been notified by the Secretary of the Office of Price Administration that his petition has been docketed, may, until such time as the petition is acted upon by the Office of Price Administration, sell and deliver the goods which he purchases or has purchased as a jobber or wholesaler in accordance with other provisions of this paragraph (i): *Provided, however*, That on and after July 1, 1942, the percentage of such jobbing business shall be no greater in relation to his total sales of finished piece goods than the average percentage of such business during the years 1939, 1940, and 1941, or during such part thereof as he acted as a converter-jobber. The restrictions imposed by this subdivision (v) shall not be applicable to a jobber whose converting business consists solely of sales of finished piece goods to a war procurement agency.

[Paragraph (v) as amended by Amendments 2 and 10]

(vi) On a resale of finished piece goods by a cutter or manufacturer: *Provided*, That this restriction shall not apply (*a*) where such a resale is made in pursuance of an established trade practice by which the cutter or manufacturer is required, as a necessary part of making sales of his cut or manufactured articles, to furnish to his buyers an additional quantity of piece goods identical with or similar to the goods from which such articles are cut or manufactured; or, (*b*) where a cutter or manufacturer who, as a separate and substantial portion of his business has regularly been engaged in wholesaling or jobbing, resells finished piece goods purchased exclusively for the purpose of resale and not for use in connection with his cutting or manufacturing operations. Every cutter or manufacturer falling within the category defined in (*b*) above shall, on or before December 15, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

[Paragraph (vi) as amended by Amendment 9, 7 F.R. 9823]

(3) *Petitions for exception by a converter-jobber.* Any converter-jobber, as defined in § 1400.81 hereof, who desires to continue operating as such, may petition the Office of Price Administration for an exception from the provisions of § 1400.82 (i) (2) (v), and for permission so to do. The Price Administrator may grant such exception upon such terms and conditions as shall appear reasonable and necessary under all the circumstances: *Provided*, That no such petition will be considered unless it is filed in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

[Paragraph (3) as amended by Amendment 2, 7 F.R. 4180]

(4) Where a sale is made by a converter-jobber, wholesaler or jobber to another converter-jobber, wholesaler or jobber or to an export merchant, the maximum price which the purchaser may charge on a domestic resale shall be no higher than the price which the original wholesaler, jobber or converter-jobber would be entitled to charge.

[Paragraph (4) added by Amendment 2, 7 F.R. 4180]

(5) *Charges for special folding by a wholesaler or jobber.* The actual cost, but not more than ½¢ per yard, may be added to the selling price of finished piece goods by a wholesaler, jobber or converter-jobber selling jobbed goods, for special folding such as doubling and rolling and book fold: *Provided*, That, (i) special folding has not been performed before the goods were purchased by the wholesaler, jobber or converter-jobber;

(ii) Special folding was performed by or for the account of the wholesaler, jobber or converter-jobber;

(iii) No part of the mark-up provided for in subparagraph (1) of this paragraph may be applied to the cost of such special folding; and

(iv) The portion of the total selling price attributable to special folding shall be itemized separately in an invoice or similar document which shall be delivered to the purchaser of the goods.

(j) *Export sales.* The maximum price at which a person may sell or deliver finished piece goods for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration on April 25, 1942.

(k) *Redyeing, reprinting and overprinting.* No charges for reprinting, redyeing or overprinting subsequent to the original finishing operation shall be or may be added to or included in the computation of the maximum prices established by this Regulation except for screen printing, flock printing, and lacquer printing.

(l) *Substandard goods.* The maximum prices above set forth shall be discounted for substandard goods as follows:

(1) Finishers' seconds and shorts (i. e. finished piece goods which are substandard as a result of finishing process):

Regular sized pieces discounted by 10%.

20 to 40 yard lengths discounted by 15%.

10 to 19.99 yard lengths discounted by 20%.

1 to 9.99 yard lengths discounted by 30%.

(m) *Exceptions.* Boott Mills, Lowell, Massachusetts may deliver bleached and shrunk Type C twill, 29'' wide, Specification 27 T 25, to the Department of the Navy of the United States, pursuant to Navy Contract NXS 5699, in a quantity not exceeding the amount called for by such contract, at a price not exceeding that specified in such contract.

[Paragraph (m) added by Amendment 4 7 F.R. 4587]

(n) *Premiums*—(1) *Sales of cut lengths.* A premium not exceeding 10% of the otherwise applicable maximum net price may be charged on the sale of cut lengths less than 20 yards when such lengths are cut from a larger piece to fill a specific order: *Provided*, That such premium may not be charged where the finished piece goods are produced in such cut lengths as a part of the original finishing operation: *Provided further*, That such premium may not be charged on a sale to a wholesaler or jobber.

[Paragraph (n) added by Amendment 6, 7 F.R. 5364]

(o) *Averaging of prices by converters.* Where a converter produces various colors of the same pattern or style, and where the maximum prices for such colors vary, or where a converter produces separate lots of the same pattern or style with a resulting variation in the maximum prices for such lots, he may after computing the maximum price separately for each color or each lot, determine and use as his maximum price for the entire pattern or style a weighted average of such varying prices.

[Paragraph (o) added by Amendment 7, 7 F.R. 5675]

(p) *Specific prices for shoe-lining fabrics.* (1) On and after August 26, 1942, notwithstanding any of the provisions of §§1400.77 and 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, and regardless of any contract, agreement, lease or other obligation the base maximum prices for the following fabrics when sold to shoe manufacturers for use as shoe linings shall be as set forth in Tables V, VI, and VIII hereof:

TABLE V—TWILLS AND DRILLS

Weight (yards per pound)	Finish	Maximum price (cents per yard)
1.50	Starch back twill	32.714
1.75	Starch back twill	29.164
2.00	Starch back twill	25.947
2.35	Starch back twill	23.765
1.50	Starch back napped twill	33.701
1.75	Starch back napped twill	30.152
2.35	Starch back drill	22.795
2.75	Starch back drill	20.370
3.95	Starch back drill	16.240

TABLE VI—FLANNELS

Weight (yds. per lb.)	Width (inches)	Maximum price (cents per yard)
6.00	40½	13.643
5.00	40½	14.993
4.00	40½	16.791
3.40	40½	18.551
3.00	40½	20.248
2.50	40½	23.401
2.00	40½	28.342
1.60	40½	34.107
3.50	37	17.945
Light (EW)*	47½	21.070
Medium (PNS)*	47½	22.441
3.00 (CD)*	37	20.248

*Trade name.

(2) In addition to the base maximum prices set forth in the foregoing tables, the following premiums may be charged for special services or extra finishing:

TABLE VIII

Services or finish	Premium (cents per yard)
For bleaching	1
For dyeing	2½
For double napping	½
For sales in quantities of less than 1,000 yds. per color and finish	½

(3) The maximum prices established by subparagraphs (1) and (2) hereof are subject to credit terms as set forth in paragraph (h) of this section.

(q) *Specific reductions in prices of work-clothing fabrics.* (1) Notwithstanding any of the provisions of § 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, the maximum prices computed hereunder for the following finished piece goods shall be reduced as set forth in Table IX hereof:

TABLE IX

Type of fabric	Weight	Width (inch basis)	Reduction (cents per yard)
Finished jeans	2.85 yds. per lb	36	¾
Finished drills	2.50 yds. per lb	28-29	½
Carded poplins	3.25 yds. per lb	35-36	¾
Carded poplins	2.85 yds. per lb	35-36	¾
Carded poplins	2.50 yds. per lb	35-36	½

[Table IX as amended by Amendment 10]

(2) The maximum prices established herein shall apply to contracts of sale entered into on or after August 26, 1942, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

[Paragraphs (p) and (q) added by Amendment 8, 7 F.R. 6653]

(r) *Specific prices for private sales of certain Government-specification goods.* (1) Notwithstanding any of the provisions of §§ 1400.77 and 1400.78 and any other provisions of this § 1400.82 except

[17] No sale is made "in the performance of a recognized distributive function" within the meaning of this Maximum Price Regulation No. 127 unless it advances the goods sold to the next stage of distribution.

[18] The actual cost may include only (a) the invoice price of the finished piece goods less all discounts taken (which must not, for any purchases made on or after May 4, 1942, exceed the maximum price established by this Maximum Price Regulation No. 127) and (b) the actual transportation charges incurred by the wholesaler or jobber with respect to such finished piece goods. If the goods are transported in a conveyance other than a commercial carrier, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

A wholesaler, jobber or converter-jobber, where he mingles in his inventory separate lots of the same pattern of printed goods or separate lots of the same bleached goods, or separate lots of the same dyed goods, which he acquired at varying prices, may take the weighted average cost of such mingled lot for the purpose of determining his actual cost thereof: *Provided*, That if any unsold portion of a lot on which an average cost has been determined is subsequently combined with another lot, the previously determined weighted average cost of such unsold portion shall be used for such unsold portion in computing the weighted average cost of the newly mingled lot.

[19] It is the intention of the Office of Price Administration that this subparagraph shall apply to converters who also act as jobbers and wholesalers and to wholesalers or jobbers who also do some converting.

paragraph (i), and regardless of any contract, agreement, lease or other obligation, the maximum prices for finished piece goods of the types and made with reference to the specifications (in their present form or as hereafter amended) listed below, when such goods are sold to any person other than a war procurement agency, shall be as set forth in Table X hereof. The maximum prices so set forth are based on the widths therein indicated, and shall be reduced or increased in proportion to any reduction or increase in such widths which may be authorized or required by such specifications.

TABLE X

Description	Specification	Width (inch basis)	Maximum price (cents per yd.)
8.2 combed uniform twill, khaki color	P. Q. D. No. 33-A		
Type I		36	66
Type II		36	63
Type III		36	56
Type IV		36	43.75
Type V		36	60.87
Bleached and shrink twill, white	# T 25		
Type C, 29" wide		29	40.96
Type D, 32" wide		32	41.39
Shrunk khaki suiting, 40" wide	Marine Corps Specification November 22, 1937.	40	56.99
6 oz. combed twill, khaki, 36" wide	P. Q. D. No. 95	36	43.75
Wind resistant cloth, olive drab	P. Q. D. No. 1.		
Type II, poplin		36	62.00
Linline twill, olive drab	6-100 B		
Albert twill		32	31.50
Mosquito netting, olive drab	P. Q. D. No. 17A		
35" wide		35	14.37
47" wide		47	19.28
Balloon cloth	# C 13 (INT)		
Type BB		(*)	(*)
Type HH		(*)	(*)
Type MM		(*)	(*)
Type RR		(*)	(*)
Balloon cloth	6-39-G		
Type BB		(*)	(*)
Type HH		(*)	(*)
Type KK		(*)	(*)
Type MM		(*)	(*)
Type RR		(*)	(*)
Type SS		(*)	(*)
Airplane cloth	AN-CCC-C-309	(*)	(*)
Marine shirting, olive drab	Marine Corps Specification April 18, 1924, revised to March 10, 1942.		
Oxford 35½" wide		35½	30
Rubberized fabric	M 54	(*)	(*)
Black lining twill	# L 6	(*)	(*)
Balloon cloth substitute	Specifications described in invitation Neg. 336.	(*)	(*)
8½ oz. carded herringbone twill			
26" standard 72 x 40	6-201 and amendment No. 1 thereto	36	39.50

*The maximum prices and width bases for goods so marked shall be the price and width specified in the last contract therefor awarded to the particular seller prior to August 26, 1942, by a war procurement agency, as defined in § 1400.81 (a) (16) (i) of this regulation. If the particular seller was not awarded any such contract prior to August 26, 1942, then his maximum prices and width bases shall be the price and width specified in the first contract therefor awarded to the particular seller on or subsequent to August 26, 1942, by a war procurement agency.

(2) The above maximum prices shall be discounted as follows:

(i) If the finished piece goods are rejects which are not finishers' seconds and are:

30 yards and up, discount by 5%.
20 to 30 yards, discount by 20%.
10 to 20 yards, discount by 30%.
1 to 10 yards, discount by 40%.

(ii) If the finished piece goods are finishers' seconds which are not rejects, they shall be discounted by the appropriate percentages set forth in § 1400.82 (l) (1);

(iii) If the finished piece goods are finishers' seconds of rejects, they shall first be discounted by the appropriate percentages set forth in subdivision (i) of this subparagraph and then by the appropriate percentages set forth in § 1400.82 (l) (1).

(3) When used in this subparagraph, "rejects" means finished piece goods which are rejected by a war procurement agency because they are made from defective grey goods, or are classified by the producer as grey goods which are below the standard required by the specification referred to in Table X.

(4) The maximum prices established by subparagraphs (1) and (2) of this paragraph are subject to credit terms as set forth in paragraph (h) of this section.

[Paragraph (r) added by Amendment 8, 7 F.R. 6653 and amended by Amendment 9, 7 F.R. 9823 and Amendment 10, March 10, 1943]

(s) *Restrictions on sales of finished piece goods by certain producers.* (1) After March 15, 1943, the percentage of the total business [20] of any producer during any calendar year which is represented by dollar sales of finished piece goods to persons other than cutters, manufacturers, retailers or war procurement agencies shall be no greater in relation to his total business than the average percentage of such dollar sales during the years 1939, 1940 and 1941. Sales of finished piece goods by a producer which are made after January 1, 1943, in fulfilment of firm commitments for the sale of such goods entered into prior to December 1, 1942, shall not be included by the producer in determining the percentage of his sales which are restricted.

(2) The restrictions contained in subparagraph (1) of this paragraph shall not apply to a producer:

(i) Whose total dollar sales of finished piece goods during the years 1939, 1940 and 1941 were greater than 50% of his aggregate dollar sales of grey and finished piece goods; or

(ii) Whose sales of finished piece goods consist solely of sales to a war procurement agency and of sales of rejects of such finished piece goods.

(3) Every producer selling finished piece goods shall, on or before April 15, 1943, file with the Office of Price Administration, Washington, D. C., his name, address, and a statement of whether or not he comes within the restrictions of this paragraph. Every producer who comes within the restrictions of this paragraph, shall retain for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records for each year after 1942 and such records as he has for each of the years 1939, 1940 and 1941 of his aggregate dollar sales of all grey and finished piece goods; his total dollar sales of finished piece goods; and his total dollar sales of finished piece goods to persons other than cutters, manufacturers, retailers or war procurement agencies.

[Paragraph(s) added by Amendment 9, 7 F.R. 9823 and amended by Amendment 10, March 10, 1943]

(t) *"Designer-converters" of certain yarn dyed or stock dyed cotton finished piece goods.* (1) Any person selling yarn dyed or stock dyed carded cotton finished piece goods shall be regarded as a "designer-converter" as to those fabrics if he

(i) Is not the producer of the goods; and

(ii) Creates the style and supplies the producer with the design, pattern, construction and other specifications and is the person for whom the fabrics so styled are exclusively produced (devising slight or immaterial differences in

[20] "Total business" means the aggregate sales of all grey and finished piece goods.

color, pattern, construction or the like, from existing current styles, shall not be deemed style creation); and

(iii) Purchases such fabrics as are of first quality from the producer in full warp sets only; and

(iv) Customarily receives delivery of such fabrics from the producer in installments according to a contract providing a predetermined schedule of delivery.

(2) Any producer who himself styles and sells yarn dyed or stock dyed cotton finished piece goods of the type customarily styled and sold by designer-converters, shall also be regarded as a designer-converter as to those fabrics.

(3) All designer-converters may use the division factors provided in Tables III and IV of paragraph (g) of this section in computing their maximum prices for fabrics of the above type. All wholesalers or jobbers other than designer-converters, who sell such fabrics shall be subject to the provisions of § 1400.82 (l).

(4) *Registration of designer-converters.* (i) No designer-converter shall sell or deliver any fabrics of the above type under the provisions of this paragraph unless he shall have filed, with the Office of Price Administration, Washington, D. C., his name, address, and the certification referred to in subdivision (ii) or (iii) of this paragraph, and have received written acknowledgment that the certification is proper.

(ii) If the registrant is not the producer of the fabrics as to which he is a designer-converter, his registration shall be accompanied by the certifications of the producers from whom he purchases such fabrics. The certifications shall list each of the qualifications for designer-converters under the provisions of subparagraph (1) of this paragraph and the producers shall certify that the registrant meets each of those qualifications.

(iii) If the registrant is the producer of the fabrics as to which he is a designer-converter, his registration shall be accompanied by his certification to the effect that he meets the qualifications for designer-converters under the provisions of subparagraph (2) of this paragraph.

(u) *Specific prices for moleskins and suedes*—(1) *Specific prices for moleskins.* On and after March 16, 1943, notwithstanding any of the provisions of §§ 1400.77 and 1400.82 except paragraph (i), the maximum prices for the following fabrics shall be as set forth in Tables XI and XII of this paragraph:

TABLE XI—PLAIN MOLESKINS

Producer or converter	Grey goods construction	Finished cloth description	Finished cloth style	Color and color style designation	Dye	Cents per yard
Cone Export & Commission Company	40", 1.62 yards, 60 x 98	36", 9½ to 10 ounces	Greyfall	Drab 430, forest green 415, standard.	Sulphur	41.25
	40", 1.62 yards, 60 x 98	36", 9½ to 10 ounces	Greyfall	Navy 438, seal brown 439; black 441, high colors.	Sulphur	43.75
	40", 1.62 yards, 60 x 98	36", 9½ to 10 ounces	Greyfall	Dark brown 440, high color	Sulphur	44.75
	40", 1.42 yards, 60 x 116	36", 10¾ to 11¼ ounces	Grassmere	Drab 430, forest green 415, standard.	Sulphur	45.90
	40", 1.42 yards, 60 x 116	36", 10¾ to 11¼ ounces	Grassmere	Navy 438, seal brown 439; black 441, high colors.	Sulphur	48.40
	40", 1.42 yards, 60 x 116	36", 10¾ to 11¼ ounces	Grassmere	Dark brown 440, high color	Sulphur	49.49
Wellington Sears Co	53", 1.32 yards, 96 x 64, sateen	50", 11½ to 12 ounces, warp sateen.	s/606	Drab, brush brown, standard	Sulphur	46.00
	53", 1.32 yards, 96 x 64, sateen	50", 11½ to 12 ounces, warp sateen.	s/606	Dark seal, special tan; black, standard.	Sulphur	47.00

TABLE XII—BLACK AND WHITE MOLESKINS

Producer or converter	Grey goods construction	Finished goods construction	Finished cloth style	Cents per yard regular finish	Cents per yard sanforized finish
Cone Export & Commission Company	32", 2.00 yards, 98 x 44, twill	30", 7½ to 7¾ ounces	30" Homeric	30.75	34.50
	39", 1.60 yards, 98 x 44, twill	36", 9 to 9¼ ounces	36" Homeric	37.20	
	40", 1.60 yards, 54 x 72, sateen	36", 9½ to 10 ounces	36" Hawthorne	41.37	
	40", 1.42 yards, 60 x 116 moleskin	36", 10¾ to 11 ounces	36" Hobart	48.00	
J. L. Stifel & Sons, Inc	32", 2.00 yards, 98 x 44, twill	30", 7½ to 7¾ ounces	955/201 Whirlwind	30.75	34.50
	34", 1.90 yards, 54 x 72, sateen	30", 8 to 8½ ounces	360/101 Infallable	35.00	
Turner Halsey Co., Inc	34½", 1.65 yards, 64 x 112, moleskin	30", 8¾ to 9¼ ounces	370/402 Ironclad	40.00	
	32", 2.00 yards, 98 x 44, twill	30", 7½ to 7¾ ounces	#400 Range	30.75	34.50
	34", 1.90 yards, 54 x 72, sateen	30", 8 to 8½ ounces	#900 Range	35.00	
	34½", 1.65 yards, 64 x 112, moleskin	30", 8¾ to 9¼ ounces	#700 Range	40.00	

(2) *Specific prices for suedes.* On and after March 16, 1943, notwithstanding any of the provisions of §§ 1400.77 and 1400.82 except paragraph (i), the maximum prices for the following fabrics when sold to clothing manufacturers for use as work clothing shall be as set forth in Table XIII of this paragraph:

TABLE XIII—SHIRTING SUEDES 36" FINISHED WIDTH

Producer or converter	Grey goods construction	Finished cloth style designation	Color and color style designation	Cents per yard
Cone Export & Commission Company	40", 3.00 yards, 42 x 44	Opossum suede	Grey # 456	23.00
			Leather # 432	23.00
			Navy # 458	24.50
Eagle & Phoenix Mills	40", 2.82 yards, 46 x 39	Star suede	Grey # 18	23.00
			Leather # 49	23.00
			Navy # 48	24.50
Pepperell Manufacturing Co	40½", 3.00 yards, 42 x 44	Forrester suede	Grey # 101	23.00
			Leather # 201	23.00
			Navy # 309	24.50

(3) The maximum prices established by subparagraphs (1) and (2) shall apply to all contracts of sale entered into on or after March 16, 1943.

(4) For any moleskins or suedes which are not specifically set forth in subparagraph (1) of this paragraph, the maximum price shall be a price in line with [21]

[21] As used herein, the term "in line with" means (1) based upon and having a justifiable relationship to, and (2) appropriately increased or decreased to take account of differences in construction, finish, dye, color and such other material factors as, in sound cost determination, are considered to have a direct bearing on the cost of production of the respective fabrics.

the maximum price established in those subparagraphs for the most nearly related type, construction, finish, color and dye. The seller shall make no sale or delivery based upon such price until he has submitted to the Office of Price Administration, Washington, D. C., the proposed price, a complete description of the specifications as set forth in Tables XI, XII, or XIII, whichever is applicable, and the way in which the price was calculated, and until the proposed price has been approved

(5) The maximum prices for moleskins and suedes included in this paragraph shall be subject to terms of three percent 10 days, f. o. b. mill.

(v) *Restrictions on sales of finished piece goods by certain cutters or manufacturers.* (1) After March 15, 1943, no cutter or manufacturer may sell more than 1000 yards of finished piece goods during any calendar month, except that this restriction shall not apply:

(i) To sales of finished piece goods to another cutter or manufacturer or to a retailer; or

(ii) To finished piece goods which the cutter or manufacturer has had in his possession for more than six months; or

(iii) Where a cutter or manufacturer who, as a separate and substantial portion of his business has regularly been engaged in wholesaling or jobbing, resells finished piece goods purchased exclusively for the purpose of resale and not for use in connection with his cutting or manufacturing operations.

The registration and record keeping requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

§ 1400.83 *Temporary Maximum Price Regulation No. 10—Finished Piece Goods Made of Cotton, Rayon and Mixtures Thereof.* On the effective date provided in § 1400.84, this Maximum Price Regulation No. 127 replaces and revokes Temporary Maximum Price Regulation No. 10 [2]—Finished Piece Goods Made of Cotton, Rayon and Mixtures thereof, issued by the Price Administrator. Until such date Temporary Maximum Price Regulation No. 10 remains in full force and effect as set forth in § 1400.12 thereof.

§ 1400.84 *Effective date.* This Maximum Price Regulation No. 127 (§§ 1400.71 to 1400.84, inclusive) shall become effective May 4, 1942.

[Issued April 27, 1942]

§ 1400.85 *Effective dates of amendments.*

Amendment Nos. and issue dates:	*Effective*
Amendment 1, 4–30–42	5–4–42
Amendment 2, 5–30–42	6–3–42
Amendment 3, 6–11–42	6–15–42
Amendment 4, 6–17–42	6–18–42
Amendment 5, 6–25–42	6–25–42
Amendment 6, 7–13–42	7–14–42
Amendment 7, 7–22–42	7–23–42
Amendment 8, 8–20–42	8–26–42
Amendment 9, 11–25–42	12–1–42
Amendment 10, 3–10–43	3–16–43

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3799; Filed, March 10, 1943; 2:58 p. m.]

[2] 7 F.R. 2004.

PART 1499—COMMODITIES AND SERVICES

[Amendment 54 to Supp. Reg. 1 [1] to GMPR [2]]

COPPER CLAD STEEL SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 1 is amended in the following respects:

1. Section 1499.26 (a) (40) is amended to read as follows:

(40) Copper clad steel scrap.

2. Section 1499.26 (d) (1) (xiii) is amended to read as follows:

(xiii) "Copper clad steel scrap" means all steel scrap clad or coated with copper or a copper base alloy, including gilding metal clad steel scrap, in which the cladding or coating amounts to 3% or more by weight.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3791; Filed, March 10, 1943; 3:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 14 to Revised Supp. Reg. 11 [1] to GMPR [2]]

EXCEPTIONS FOR CERTAIN TOLL SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (110) of § 1499.46 (b) is added to read as set forth below:

§ 1499.46 *Exceptions for certain services.* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges, or compensation for the following services:

* * * * * * *

(110) Toll bridges and toll roads, rates or tolls charged by.

(d) *Effective dates.* * * *

(15) Amendment No. 14 (§ 1499.46 (b) (110)) to Revised Supplementary Regulation No. 11 shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3792; Filed, March 10, 1943; 2:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction of Order 295 Under § 1499.3 (b) of GMPR]

SCOVILL MANUFACTURING COMPANY

A statement of the considerations involved in the issuance of this correction has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (b) of § 1499.1731 should read:

(b) Maximum prices, per thousand, f. o. b. factory: Zinc plated, $0.878; olive drab enamel finish, $1.95.

This correction shall become effective as of February 23, 1943.

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 244 Under § 1499.3 (b) of GMPR]

QUAKER MAID CO., INC.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.244 (c) is amended to read as set forth below:

§ 1499.244 *Authorization of maximum price for sale of a special blend of tea by The Quaker Maid Company, Inc., to the United States War Department.* * * *

(c) This Order No. 244 (§ 1499.244) shall become effective as of December 22, 1942.

This amendment shall become effective as of December 22, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3798; Filed, March 10, 1943; 2:58 p. m.]

Amendment Nos. and issue dates—Continued.

	Effective
Amendment 5, 6–25–42	6–25–42
Amendment 6, 7–13–42	7–14–42
Amendment 7, 7–22–42	7–23–42
Amendment 8, 8–20–42	8–26–42
Amendment 9, 11–25–42	12–1–42
Amendment 10, 3–10–43	3–16–43

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3799; Filed, March 10, 1943; 2:58 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8021, 8336, 8652, 8798, 8810, 8930, 8933, 9082, 9131, 9616, 9622, 9975, 9976, 10022, 10718, 10557, 11118; 8 F.R. 130, 265, 926, 1454, 1813, 2274.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[2] 7 F.R. 6426, 6965, 7604, 7758, 8282, 8431, 8810, 9195, 9894; 8 F.R. 130, 149, 2215.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3797; Filed, March 10, 1943; 2:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 322 Under § 1499.3 (b) of GMPR]

PITNEY-BOWES POSTAGE METER CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1758 *Approval of maximum prices for sales of rebuilt postage meter and cigarette tax meter machines by the Pitney-Bowes Postage Meter Company.* (a) Pitney-Bowes Postage Meter Company, Stamford, Connecticut, may sell and deliver the following models of rebuilt mailing and cigarette tax meter machines at prices no higher than those set forth below. These prices are subject to all discounts, credit terms, practices relating to the payment of transportation costs, trade-in allowances, and any other customary discounts or allowances which were in effect during March, 1942, on the sale by the company of new mailing and cigarette tax meter machines.

Model:	*Maximum rebuilt price*
A	$830.00
RM	495.00
RS	300.00
JA	285.00
FS	210.00
RG	210.00
J	205.00
RH	115.00
H	45.00
HEK	390.00

(b) For the maximum prices set forth the company shall furnish the same guarantee furnished by the Pitney-Bowes Postage Meter Company upon the sale of its new machines.

(c) Prior to the delivery of any rebuilt mailing or cigarette tax meter machines, the Pitney-Bowes Postage Meter Company shall attach a tag or label with the spaces appropriately filled in as follows:

Rebuilt Model_____
Ceiling Price_____

(d) As used in this order, the term "rebuilt" means that the machine so designated has been repaired since its last sale as follows:

(1) All moving parts have been removed for inspection.

(2) Worn parts have been replaced with new parts.

(3) Bearings have been rebushed.

(4) Parts have been reassembled and adjusted to give new machine performance.

(e) This Order No. 322 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 322 shall become effective on the 11th day of March 1942.

No. 50——7

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3795; filed March 10, 1943; 2:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 211 Under § 1499.18 (b) of GMPR]

ROCKWOOD AND CO.

Order No. 211 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–2702.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby order:*

§ 1499.1811 *Adjustment of maximum prices for Chocolate Bits sold by Rockwood and Company.* (a) Rockwood and Company, Washington, Park and Waverly Avenues, Brooklyn, New York, may sell and deliver, and any person may buy and receive from Rockwood and Company the following commodities at prices not higher than those set forth below.

(1) "Chocolate Bits," packed one dozei 7 ounce packages to the box at $1.10 per box delivered.

(2) Rockwood and Company shall continue the customary quantity discounts, allowances or other price differentials existing in March, 1942.

(b) Wholesalers of "Chocolate Bits" are hereby authorized to increase their prices to correspond to the 5¢ per box increase granted to Rockwood and Company. In no event may a sale of "Chocolate Bits" be made at retail at a price higher than that determined for the retail seller under paragraph (a) of section 2 of the General Maximum Price Regulation, or as adjusted under any other regulation issued by The Office of Price Administration.

(c) At the time of the first delivery of "Chocolate Bits" following the effective date of this order, Rockwood and Company shall supply to any retailer or wholesaler taking such delivery a written notice and shall also include such written notice in each box of "Chocolate Bits" packages. If such notice is enclosed within the shipping package, a legend shall be attached outside the package to read "Ceiling Price Notice Enclosed." The written notice shall read as follows:

A new delivered maximum price of $1.10 a box of twelve packages of "Chocolate Bits" has been authorized for us by the Office of Price Administration. This increase was granted because our March, 1942 price was abnormally low in relation to the prices charged by our competitors. Our new price is subject to all allowances, discounts and trade practices which we had in effect in March, 1942 with respect to "Chocolate Bits." Wholesalers may add 5¢ to their March, 1942 prices. Retailers are in no event to increase their prices above March, 1942 ceilings.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 211 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 211 shall become effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3796; Filed, March 10, 1943; 2:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 212 Under § 1499.18 (b) of GMPR]

SCHROEDER BROS., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1812 *Denial of application of Schroeder Bros. Inc., 10 Beach Street, New York, New York for adjustment of maximum prices for imported Palomino Sherry.* (a) The application of Schroeder Bros. Inc., 10 Beach Street, New York, New York filed July 29, 1942 and assigned Docket No. GF3–964, requesting permission to increase maximum prices for imported Palomino Sherry sold by it is denied.

This Order No. 212 shall become effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3793; Filed, March 10, 1943; 2:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 213 Under § 1499.18 (b) of GMPR]

BARDWELL-ROBINSON CO.

Order No. 213 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–173.

Upon consideration of the application, and for reasons set forth in an opinion issued simultaneously herewith, pursuant to Revised Procedural Regulation No. 1, *It is ordered:*

§ 1499.1813 *Adjustment of maximum prices for sales of sash, doors, and general millwork by Bardwell-Robinson Company, a corporation, at its Fargo, North Dakota warehouse.* (a) The Bardwell-Robinson Company, a corporation, with principal offices at Minneapolis, Minnesota, may sell and deliver from its warehouse at Fargo, North Dakota, such sash, doors, and items of general millwork as are described in its catalogue and price list No. 40, of July 1940, at prices not in excess of those determined by application of its published discount sheet of April 25, 1942 to the aforementioned price list.

(b) All prayers of the application not herein granted are denied.

(c) This Order No. 213 may be revoked or amended by the Administrator at any time.

(d) This Order No. 213 (§ 1499.1813) is hereby incorporated as a section of Supplementary Regulation No. 14.

(e) This Order No. 213 (§ 1499.1813) shall be effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3794; Filed, March 10, 1943; 2:57 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 280,[1] Amendment 16]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 280 is amended in the following respects:

1. Section 1351.803 is amended by adding paragraph (h) to read as follows:

§ 1351.803 *Maximum prices.* * * *

(h) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "New York Metropolitan Area." Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1), Supplementary Regulation 14 to the General Maximum Price Regulation. (Amendment No. 134 to Supplementary Regulation 14.)

2. Section 1351.808 is amended by adding a new paragraph (l) to read as follows:

§ 1351.808 *Exempt sales.* This maximum price regulation shall not apply to the following:

* * * * *

(l) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants, and institutions, in the New York Metropolitan Area. Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1), Supplementary Regulation 14 to the General Maximum Price Regulation. (Amendment No. 134 to Supplementary Regulation 14.)

3. Section 1351.816 (a) is amended by adding a new subparagraph (9), to read as follows:

§ 1351.816 *Definitions.* (a) When used in this Maximum Price Regulation 280, the term:

* * * * *

(9) "New York Metropolitan Area" means the territory included in the City of New York, Counties of Nassau, Suffolk (except Fisher's Island) and Westchester, all in the State of New York.

This amendment shall become effective March 11, 1943 and terminate on April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3810; Filed, March 10, 1943; 4:55 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333,[1] Amendment 2]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.54 (c) is amended to read as follows:

(c) Except as provided in §§ 1429.69 (b) (3), 1429.69 (c) (2), 1429.71 (b), and 1429.74 (e) hereof, the maximum prices established by this regulation are maximum prices per dozen eggs or per pound of egg products delivered to the buyer as herein provided and the provisions of this regulation shall not be evaded by selling such eggs or egg products at a price f. o. b. the seller's shipping point.

2. A new § 1429.69 (b) (3) is added to read as follows:

(3) Maximum prices of shell eggs of procurement grades sold to the United States or any agency thereof f. o. b. the seller's shipping point in "Area 1" shall be the maximum prices per dozen for eggs of the particular grade, size and other identification set forth in Table D of this section for the week of shipment plus the "transportation factor" from Chicago, Illinois to the point of shipment.

3. Section 1429.69 (c) (1) is amended to read as follows:

(1) From the maximum price in the basing point city reflecting the highest price of shell eggs of the procurement grade sold for the week in which they are to be delivered, the "transportation factor" for such grade of eggs from the point of delivery to the basing point city shall be subtracted. The resulting figure is the maximum price of such eggs delivered at their destination.

4. A new § 1429.69 (c) (2) is added to read as follows:

(2) Maximum prices of shell eggs of procurement grades sold to the United States or any agency thereof f. o. b. the seller's shipping point in "Area 2" shall be the maximum prices per dozen for eggs of the particular grade, size and other identification in the basing point city reflecting the highest price for the week in which they are to be shipped, selected from Table C of this section less the "transportation factor" from the basing point city to the point of shipment.

5. Table C of § 1429.69 (d) is amended insofar as it relates to maximum prices in basing point cities for the month of March, 1943, to read as follows:

MARCH

Grade	1	8	15	22	29
I	43	43	43	43	43
II	42.5	42.5	42.5	42.5	42.5
III	42	42	42	42	42
IV	41.5	41.5	41.5	41.5	41.5

6. Table D of § 1429.69 (e) is amended insofar as it relates to maximum prices in Chicago for the month of March 1943 to read as follows:

MARCH

Grade	1	8	15	22	29
I	41.4	41.4	41.4	41.4	41.4
II	40.9	40.9	40.9	40.9	40.9
III	40.4	40.4	40.4	40.4	40.4
IV	39.9	39.9	39.9	39.9	39.9

7. A new § 1429.69 (e) (2) is added to read as follows:

(2) Shell eggs of procurement grades when treated with a mineral oil for purposes of preservation may sell at 1¢ above the price for the particular grade, size and other indentification determined as provided herein.

8. A new § 1429.78 is added to read as follows:

§ 1429.78 *Period this amendment shall continue in effect.* Sections 1429.54 (c), 1429.69 (b) (3), 1429.69 (c) (1), 1429.69 (c) (2), 1429.69 (e) (2), and this section shall continue in force until altered or revoked by further order of the Administrator. The remaining provisions of this amendment shall continue in effect until 12 o'clock midnight on March 23, 1943, at which time the original maximum prices for the month of March set forth in Table C of § 1429.69 (d) and Table D of § 1429.29 (e) of Maximum Price Regulation No. 333 as issued on February 25, 1943, shall be reinstated automatically and without further order of the Administrator and such remaining provisions shall cease and determine.

This amendment shall be effective as of March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:
PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-3811; Filed, March 10, 1943; 4:56 p. m.]

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 10144, 10337, 10475, 10585, 10788, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038.

[2] 8 F.R. 2488.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300, Amendment 3]

MAXIMUM MANUFACTURERS PRICES FOR RUBBER DRUG SUNDRIES

Correction

In footnote 5 of the document appearing on page 2669 of the issue for Wednesday, March 3, 1943, the reference to § 1315.1703 should be to § 1315.1763.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A, Amendment 13]

Correction

In § 1315.804 (c) (3) of the document appearing on page 2670 of the issue for Wednesday, March 3, 1943, the third entry under the column headed "Dealer or manufacturer may replenish with—" should read "Any size Grade III tire."

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12, Amendment 22]

COFFEE RATIONING REGULATIONS

Correction

In § 1407.1000 of the document appearing on page 2679 of the issue for Wednesday, March 3, 1943, the second paragraph (c) should be designated (d) and should read:

"(d) A Class A industrial user, who is not also an institutional user, * * *"

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

[T.D 50828]

PART 1—DOCUMENTATION OF VESSELS

REVOCATION OF PETERSBURG, ALASKA, AS PORT OF DOCUMENTATION

Section 1.1, Part I, Title 46, Code of Federal Regulations,[1] is hereby amended in the following respect: The designation of Petersburg, Alaska, as a port of documentation is revoked effective March 15, 1943, and the word "Petersburg" as it appears under "Alaska (31)" is deleted from the section. The port of Wrangell, Alaska, will thereafter be the home port of all vessels whose home port is Petersburg, Alaska, on the effective date of the revocation of the designation of that port as a port of documentation.

If the owner of any vessel desires to designate a port other than Wrangell as the home port of that vessel, the approval of the Commissioner of Customs shall be obtained.

(R.S. 161, secs. 2, 3, 23, Stat. 118, 119; 5 U.S.C. 22, 46 U.S.C. 2, 3. E.O. 9083; 7 F.R. 1609)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: March 10, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3809; Filed, March 10, 1943; 4:12 p. m.]

[1] 7 F.R. 9901.

TITLE 49—TRANSPORTATION

Chapter II—Office of Defense Transportation

[General Order ODT 34]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART W—CERTIFICATES OF WAR NECESSITY FOR COMMERCIAL MOTOR VEHICLES IN PUERTO RICO

Pursuant to Executive Orders 8989, 9156, 9214 and 9294, and in order to conserve and providently utilize vital transportation equipment, material and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

Sec.

501.280 Definitions.
501.281 Applicability.
501.282 Certificate of war necessity required.
501.283 Application for certificate.
501.284 Issuance of certificate of war necessity.
501.285 Contents and conditions of certificate.
501.286 Certificate of war necessity not transferable.
501.287 Motor fuel and commercial motor vehicle parts, tires, or tubes.
501.288 Records and reports.
501.289 Enforcement officers authorized to report violations.
501.290 Suspension or revocation of certificates.
501.291 Exemptions.
501.292 Suspension of provisions.
501.293 Communications.
501.294 Effective date.

AUTHORITY: §§ 501.280 to 501.294, inclusive, issued under E.O. 8989, 9156, 9214, and 9294; 6 F.R. 6725; 7 F.R. 3349, 6097; 8 F.R. 221.

§ 501.280 *Definitions.* As used in this order (§§ 501.280 to 501.294, inclusive), or in any order, permit or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, and includes any agency of the United States or of any other government, the Insular Government of Puerto Rico or any political subdivision or agency thereof, or any trustee, receiver, assignee or personal representative;

(b) "Commercial motor vehicle" means (1) (i) a straight truck, (ii) a combination truck-tractor and semi-trailer, (iii) a full trailer, (iv) any combination thereof, or (v) any other rubber-tired vehicle, excluding motorcycles, propelled or drawn by mechanical power and built (or rebuilt) or used primarily for the purpose of transporting property, and (2) any bus, taxicab, jitney, or other rubber-tired vehicle, excluding motorcycles, propelled or drawn by mechanical power, used or licensed for use in the transportation of persons upon the highways for hire, or available for public rental, including ambulances and hearses;

(c) "Property" means anything, except persons, capable of being transported by a commercial motor vehicle;

(d) "Fleet" means two or more commercial motor vehicles owned or operated by one person.

§ 501.281 *Applicability.* The provisions of this order shall be applicable only within the Island of Puerto Rico.

§ 501.282 *Certificate of War Necessity required.* On and after the effective date hereof, no person shall operate any commercial motor vehicle within the Island of Puerto Rico unless there is in force with respect to such commercial motor vehicle a Certificate of War Necessity issued by the Office of Defense Transportation governing such operation.

§ 501.283 *Application for certificate.* Application for a Certificate of War Necessity shall be made in writing to the local office of the Office of Defense Transportation for the area in which the home office or principal place of business of applicant is located, unless the applicant is directed to make application to some other office of the Office of Defense Transportation. Any such application shall be made on forms provided by the Office of Defense Transportation, and shall contain such information as the Office of Defense Transportation shall require.

§ 501.284 *Issuance of Certificate of War Necessity.* (a) A Certificate of War Necessity will be issued by the Office of Defense Transportation to any qualified applicant therefor.

(b) Such certificate, when issued in respect of a single commercial motor vehicle, shall at all times be carried on such vehicle. When such certificate is issued in respect of a fleet, a fleet unit certificate shall at all times be carried on each commercial motor vehicle covered by such fleet certificate.

§ 501.285 *Contents and conditions of certificate.* Each Certificate of War Necessity issued under this order shall specify the name and address of the person to whom issued, and the vehicle or vehicles covered thereby. When deemed necessary by the Office of Defense Transportation, such certificate shall also specify:

(a) Limitations of milcage or of motor fuel, or requirements as to loads, or any one or more of such limitations or requirements, in order that such operations (1) shall be confined to those that are necessary to the war effort or to the maintenance of essential civilian economy, (2) shall be so conducted as to assure maximum utilization in such service of the commercial motor vehicle or vehicles of the applicant, and (3) shall conserve and providently utilize

rubber or rubber substitutes and other critical materials used in the manufacture, maintenance and operation of such vehicles;

(b) The purposes for which and the conditions under which such vehicle or vehicles may be operated;

(c) Such other terms or conditions as the Office of Defense Transportation may from time to time specify.

§ 501.286 *Certificate of War Necessity not transferable.* No Certificate of War Necessity shall be transferable. In the event of the sale or other transfer of a commercial motor vehicle, or a substantial change in the character of its use or the conditions under which it is used, the purchaser or transferee or owner thereof shall forthwith make application to the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico, for a new certificate, upon the issuance of which the previously issued certificate appertaining to such vehicle shall be surrendered for cancellation.

§ 501.287 *Motor fuel and commercial motor vehicle parts, tires, or tubes.* On and after the effective date hereof, no person shall:

(a) Transfer any motor fuel to, or transfer, mount, or install any part, tire, or tube, in or upon any commercial motor vehicle, unless the operator thereof, at the time of such transfer or installation, shall present to such person for inspection a valid Certificate of War Necessity pertaining to such vehicle, issued by the Office of Defense Transportation.

(b) Transfer or deliver any motor fuel for the use of, or transfer, mount, install, or deliver any part, tire, or tube for the use of, any commercial motor vehicle, unless the operator of such commercial motor vehicle shall, at the time thereof, sign a written receipt, in duplicate, for such motor fuel, part, tire, or tube, and endorse on each copy of such receipt the number of the Certificate of War Necessity pertaining to the commercial vehicle or vehicles in or upon which such motor fuel, part, tire, or tube is to be used: *Provided*, That when existing conditions render it impracticable to issue or sign such receipt, such operator shall furnish to the person making the transfer, delivery or installation, his name, address and the number of the Certificate of War Necessity pertaining to such motor vehicle, and such person shall endorse the operator's name, address and number upon the invoice covering such transaction. In the event such transfer, delivery, or installation is for the use of a fleet of commercial motor vehicles, the number of the Certificate of War Necessity pertaining to such fleet shall be endorsed on each such written receipt or invoice. The original receipt or the first copy of the invoice shall be retained by the person making the transfer, delivery, or installation, and a copy of the receipt or the original of the invoice retained by the operator of such commercial motor vehicle. Such receipts and invoices shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

(c) The provisions of this § 501.287 shall not apply to the sale, transfer, or delivery of motor fuel, parts, tires, or tubes, to any person for the purpose of resale.

§ 501.288 *Records and reports.* Any person operating a commercial motor vehicle in respect of which a Certificate of War Necessity has been issued shall prepare and permanently maintain such records, and make such reports, and in such manner and form, as the Office of Defense Transportation may hereafter prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. All such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.289 *Enforcement officers authorized to report violations.* Any enforcement officer of the Insular Government of Puerto Rico, or of any subdivision thereof, who, on or after the effective date hereof, finds any commercial motor vehicle being operated which at such time does not have in such vehicle, available for inspection and examination, a valid Certificate of War Necessity issued under this order, or which is in any other way being operated in violation of any order of the Office of Defense Transportation, or any term or condition of a Certificate of War Necessity governing its operations, is authorized to make a report thereof to the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico, stating the name of the person operating such vehicle, the owner or lessee thereof, and such other information as the Office of Defense Transportation may specify. Such reports may be made on forms prescribed by the Office of Defense Transportation.

§ 501.290 *Suspension or revocation of certificates.* Each Certificate of War Necessity issued under this order shall be effective from the date specified therein and shall remain in effect according to its terms until amended, modified, recalled, suspended, cancelled, or revoked in whole or in part by the Office of Defense Transportation for willful violation of any order of the Office of Defense Transportation or for other good cause.

§ 501.291 *Exemptions.* (a) The provisions of this order shall not apply to or include the following:

(1) A commercial motor vehicle operated by or under the direction of the armed forces of the United States, the United States Maritime Commission, the War Shipping Administration, or the armed forces of Puerto Rico organized pursuant to section 61 of the National Defense Act, as amended;

(2) A commercial motor vehicle operated by a dealer exclusively for the purpose of selling such vehicle;

(3) A motor vehicle having a capacity of not to exceed 7 passengers operated by a person between his or her home and place of work and used in transporting other persons between their homes and their places of work, if such motor vehicle is not used for any other purpose for compensation.

(b) The provisions of §§ 501.282 to 501.290, inclusive, shall not apply to or include the following:

(1) Industrial motor vehicles equipped with solid rubber tires or pneumatic tires, not designed for use on the highways, and used within industrial plants, warehouses, docks and terminals for intraplant movement of property; motor graders, scrapers, scoops, bulldozers, and other similar vehicles equipped with solid rubber tires or pneumatic tires and used in construction or maintenance work; planters, broadcast seeders, fertilizer distributors, sprayers, and other similar machines equipped with solid rubber tires or pneumatic tires and used in farming operations; farm trailers and semi-trailers, and other trailers and semi-trailers equipped with solid rubber tires or pneumatic tires, regularly drawn or powered by private passenger automobiles;

(2) Driveaway commercial motor vehicles operated by a manufacturer or dealer, or by a carrier upon behalf of a manufacturer or dealer, exclusively for the purpose of sale by such manufacturer or dealer; commercial motor vehicles operated in the course of movement from a place of storage to another place of storage, or to a place of storage upon repossession or upon seizure by competent governmental authority; commercial motor vehicles used by the United States or any agency thereof, or the Insular Government of Puerto Rico or any agency or political subdivision thereof, in testing tires, fuels, or equipment; commercial motor vehicles used exclusively for the experimental testing of synthetic or natural rubber tires by manufacturers or producers of such tires; and commercial motor vehicles operated in the course of manufacture or assembly for the purpose of testing such vehicles or in the course of movement within o. between plants engaged in their manufacture or assembly.

§ 501.292 *Suspension of provisions.* The provisions of this order or any part thereof may be suspended, from time to time, by order of the Office of Defense Transportation.

§ 501.293 *Communications.* Communications concerning this order should refer to "General Order ODT 34" and should be addressed to the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico.

§ 501.294 *Effective date.* This General Order ODT 34 shall become effective April 1, 1943: *Provided, however*, That the Regional Director for Puerto Rico shall, if found by him to be necessary or desirable in the public interest, by general or special order, postpone the effective date of this order to such time after April 1, 1943, as he shall prescribe, but not beyond June 1, 1943.

Issued at Washington, D. C., this 11th day of March 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-3815; Filed, March 10, 1943; 10:39 a. m.]

[Suspension Order ODT 9-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT EXCEPTIONS, SUSPENSIONS AND PERMITS

SUBPART B—MOVEMENT OF COAL ON THE GREAT LAKES

Pursuant to Executive Order 8989, issued December 18, 1941, *It is hereby ordered*, That:

§ 522.603 *Suspension of provisions of General Order ODT 9, and General Permit ODT 9-1.* All provisions of General Order ODT 9,[1] and General Permit ODT 9-1,[2] shall be and the same are hereby suspended until May 1, 1943.

(E.O. 8989, 6 F.R. 6725)

Issued at Washington, D. C., this 11th day of March 1943.

JOSEPH B. EASTMAN,
Director of the Office of Defense Transportation.

[F. R. Doc. 43-3816; Filed, March 11, 1943; 10:39 a. m.]

[Suspension Order ODT 25-3]

PART 522—DIRECTION OF TRAFFIC MOVEMENT EXCEPTIONS, SUSPENSIONS AND PERMITS

SUBPART H—OPERATION OF VESSELS ON THE GREAT LAKES

Pursuant to § 502.81 of General Order ODT 25, *It is hereby ordered*, That:

§ 522.780 *Suspension of provisions of §§ 502.76 and 502.77 of General Order ODT 25.* All provisions of §§ 502.76 and 502.77 of General Order ODT 25, shall be and the same are hereby suspended until further notice.

(E.O. 8989, 6 F.R. 6725; Gen. Order ODT 25, 7 F.R. 7981)

Issued at Washington, D. C., this 11th day of March 1943.

JOSEPH B. EASTMAN,
Director of the Office of Defense Transportation.

[F. R. Doc. 43-3817; Filed, March 11, 1943; 10:39 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-1846 and A-1846, Part II]

DISTRICT BOARD 18

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 18 for the establishment of certain price classifications and minimum prices for coals produced in Subdistricts 2, 3, 4, 5, 6, 7 and 8 in District No. 18.

In the matter of the petition of District Board No. 18 for the establishment of certain price classifications and minimum prices for coals produced in Subdistrict 1 in District No. 18.

Memorandum opinion and order severing Docket No. A-1846, Part II, from Docket No. A-1846, and notice of and order for hearing in Docket No. A-1846, Part II.

The original petition in the above-entitled matter, filed with this Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, on January 23, 1943, and amended on February 24, 1943, requests the establishment of certain price classifications and minimum prices for coals produced in Subdistricts 1, 2, 3, 4, 5, 6, 7, and 8 in District No. 18 for shipment by rail into all market areas other than those specifically set forth in the Schedule of Effective Minimum Prices for District No. 18 for All Shipments.

As indicated in a separate order issued in Docket No. A-1846, a reasonable showing of necessity has been made for the granting of the relief prayed for by petitioner except as to the establishment of the price classifications and minimum prices proposed in the original petition for the coals produced in Subdistrict 1, in District No. 18.

It appears that the price classifications and minimum prices proposed by petitioner in this matter for coals produced in Subdistrict 1 are lower than the effective minimum prices for coals in the corresponding size groups for shipment by rail into Market Area 236, the home market area for Subdistrict 1 coals. No sufficient reason having been advanced by petitioner to justify this lower level of prices for Subdistrict 1 coals, it appears that no price classifications or minimum prices should be established for such coals, for shipment by rail into all market areas to which those coals have not heretofore been priced, without a hearing.

Now, therefore, it is ordered, That the portion of Docket No. A-1846 relating to the coals produced and shipped from mines in Subdistrict 1 in District No. 18 be, and it hereby is, severed from the remainder of Docket No. A-1846 and designated as Docket No. A-1846, Part II.

It is further ordered, That a hearing in Docket No. A-1846, Part II, under the applicable provisions of said Act and the rules and regulations of the Division, be held on April 2, 1943, at 10 a. m. in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer or officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to continue said hearing from time to time and to prepare and submit proposed findings of fact and proposed conclusions of law and a recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party of this proceeding may file a petition of intervention in accordance with the Rules and Regulations of the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 30, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the original petition.

The matter concerned herewith is in regard to the petition of District Board No. 18 for the establishment of the following price classifications and minimum prices in cents per net ton for the coals, produced in Subdistrict 1 in District No. 18, for shipment by rail into all market areas to which such coals have not heretofore been priced:

SUBDISTRICT NO. 1

	Size groups									
	1	2	4	7	8	9	11	12	13	15
Minimum prices...	410	385	370	330	315	245	195	175	135	330

Dated: March 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3782; Filed, March 10, 1943; 12:21 p. m.]

[Docket No. B-277]

MARKET STREET COAL COMPANY

ORDER POSTPONING HEARING

In the matter of J. H. Cox and R. L. Stulce, individually and as partners, doing business under the name and style of Market Street Coal Company, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on March 19, 1943, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Courthouse, Chattanooga, Tennessee; and

The Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter shall be postponed to March 20, 1943, at 9 a. m., at a hearing room of the Bituminous Coal Division at Hamilton County Courthouse, Chattanooga, Tennessee; and

It is further ordered, That the Notice of and Order for Hearing issued June

[1] 7 F.R. 3905.
[2] 7 F.R. 3906.

Single pants, shirts and allied garments.

the City of Washington, D. C., on the protein deduct from the selling price.

25, 1942, shall, in all other respects, remain in full force and effect.

Dated: March 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3783; Filed, March 10, 1943; 12:21 p. m.]

[Docket No. B-219]

FREEBROOK CORPORATION

ORDER RESTORING CODE MEMBERSHIP

A written complaint dated February 4, 1942, having been filed on February 10, 1942, by the Bituminous Coal Producers Board for District No. 1, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation by Freebrook Corporation, a code member, Kittanning, Pennsylvania, of the Bituminous Coal Act and the rules and regulations promulgated thereunder; and

An Order having been issued herein on July 31, 1942, revoking and cancelling the code membership of said Freebrook Corporation in the Bituminous Coal Code, and providing, pursuant to section 5 (c) of the Bituminous Coal Act, for the payment to the United States of a tax in the amount of $8,500.08 as a condition precedent to the restoration of Freebrook Corporation to membership in the Code; and

An application dated August 14, 1942, having been filed with the Division by Freebrook Corporation for restoration to membership in the Code, effective as of the effective date of said revocation, supported by an agreement dated August 13, 1942, between said code member and the Collector of Internal Revenue, providing for payment of said tax in installments; and

Said application dated August 14, 1942, having been granted by order of the Division issued August 15, 1942, conditionally restoring the membership of said Freebrook Corporation in the Code effective as of the effective date of said order of revocation, upon the following terms and conditions:

In the event of default by Freebrook Corporation in making any installment payment as provided in said agreement made August 13, 1942, between said Freebrook Corporation and Walter L. Miller, Collector of Internal Revenue, such conditional restoration of code membership shall become wholly ineffective as of August 16, 1942, the entire balance of said tax then owing shall become due and payable and that all coal sold or otherwise disposed of by said Freebrook Corporation on and after August 16, 1942, shall be subject to 19½% tax provided by section 3520 (b) (1) of the Internal Revenue Code; and

Said order conditionally restoring code membership, dated August 15, 1942, of Freebrook Corporation, having provided for restoration of said Freebrook Corporation to full and unconditional membership in the Code upon payment of said tax in full in accordance with the terms of said agreement; and

The Bureau of Internal Revenue having filed a statement with the Bituminous Coal Division on February 25, 1943, showing that the final installment of said tax was paid on February 15, 1943.

Now, therefore, it is ordered, That the code membership of Freebrook Corporation be and the same is hereby fully and unconditionally restored, effective as of the effective date of said revocation of code membership.

Dated: March 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3784; Filed, March 10, 1943; 12:21 p. m.]

[Order No. 346]

DISTRICT BOARD NO. 6

DESIGNATION OF EMPLOYEE MEMBER

An order amending Order No. 327, as amended, with respect to the designation of the employee member of District Board No. 6.

The United Mine Workers of America, pursuant to Order No. 327 of the Bituminous Coal Division, Department of the Interior, having selected Adolph Pacifico for appointment as a member of District Board No. 6, vice George W. Savage, deceased, *It is ordered:*

1. That paragraph 2 of said Order No. 327 be and the same is hereby amended by substituting, opposite the words "District 6—Panhandle:" the name of Adolph Pacifico, Miners' Temple, Bellaire, Ohio, vice, George W. Savage, 85 East Gay Street, Columbus, Ohio.

2. That, except as modified by Order No. 331 and by this Order, Order No. 327 shall remain in full force and effect.

Dated: March 10, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3830; Filed, March 11, 1943; 11:09 a. m.]

[Docket No. B-360]

PROVIDENCE COAL MINING COMPANY

ORDER POSTPONING HEARING PENDING FURTHER ORDER OF THE DIRECTOR

A hearing in the above entitled matter having been scheduled for hearing on March 11, 1943, at a hearing room of the Bituminous Coal Division, Circuit Court, Madisonville, Kentucky; and

The Director deeming it advisable that said hearing should be postponed;

Now therefore, It is ordered, That the hearing in the above entitled matter be and the same hereby is postponed to a time and place to be hereafter designated by the Director.

Dated: March 10, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-3829; Filed, March 11, 1943; 11:09 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

EMPLOYMENT OF LEARNERS CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulations listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 11, 1943. The certificates may be cancelled in the manner provided in the regulation and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

McLoughlin Manufacturing Company, Chili Avenue, Peru, Indiana; Blouses and men's underwear; 5 percent (T); March 11, 1944.

Single pants, shirts and allied garments, women's apparel, sportswear, rainwear, robes, and leather and sheep-lined garments divisions of the apparel industry.

Davenshire, Incorporated, 825 W. 4th Street, Davenport, Iowa; Trousers; 10 percent (T); March 11, 1944.

Gate City Manufacturing Corporation, Gate City, Virginia; Shirts; 50 learners (E); April 1, 1943. (This certificate replaces the one issued to J. D. Williams, Receiver, Oakdale Manufacturing Company, October 1, 1942 to April 1, 1943)

Nathan N. Gorchov Company, Incorporated, 146 N. 13th Street, Philadelphia, Pennsylvania; Marine cotton jackets; 10 percent (T); March 11, 1944.

Madewell Manufacturing Company, 831 Cherry Street, Philadelphia, Pennsylvania; Men's sport shirts and sport jackets; 5 learners (T); March 11, 1944.

Merit Shirt Corporation, Smith and Herbert Streets, Perth Amboy, New Jersey; Men's cotton shirts, commercial and officer's shirts; 7 learners (T); March 11, 1944.

Swanton Manufacturing Company, Incorporated, Swanton, Vermont; Housedresses; 18 learners (E); September 11, 1943.

H. W. Zweig Manufacturing Company, 1104 Commerce Street, Dallas, Texas; Men's khaki cotton pants, cotton shirts; 10 percent (T); March 11, 1944.

Glove Industry

Alexette Glove Corporation, 70–82 Bleecker Street, Gloversville, New York; Leather dress gloves; 10 learners (E); September 11, 1943.

Hosiery Industry

Melrose Hosiery Mills, Incorporated, English Street, High Point, North Carolina; Full-fashioned hosiery; 5 percent (T); March 11, 1944.

Textile Industry

The Berryton Mills, Berryton, Georgia; Cotton yarn; 3 percent (T); March 11, 1944.

South Boston Weaving Corporation, Noblin & Carrington Streets, South Boston, Virginia; Cotton and rayon; March 11, 1944.

Signed at New York, N. Y., this 9th day of March 1943.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 43-3837; Filed, March 11, 1943; 12:00 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4794]

PHILIP MORRIS & COMPANY, LTD., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of March, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Charles A. Vilas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 6, 1943, at ten o'clock in the forenoon of that day (eastern standard time, in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-3818; Filed, March 11, 1943; 10:57 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under MPR 74, As Amended]

VALLEY CHEMICAL COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 5 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as Amended—Animal Product Feedingstuffs.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, *It is ordered:*

(a) *Approval of maximum price for sales of meat scaps by Valley Chemical Company with a guaranteed minimum protein content of 52 per cent.* Valley Chemical Company, Mount Pleasant, Michigan, may sell and deliver and any person may buy and receive from Valley Chemical Company, meat scraps with a guaranteed minimum protein content of 52 per cent at a maximum price of $70.42 per ton, f. o. b. conveyance at production plant of Valley Chemical Company, located in Zone 4.

(b) *Price adjustments where actual analysis differs from guaranteed minimum protein content.* In any sale made pursuant to the provisions of this order if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, then:

(1) If above the guaranteed minimum percentage of protein, no increase in maximum prices is permitted.

(2) If one per cent or less below the guaranteed minimum percentage of protein, deduct $1.50 per ton from the selling price.

(3) If more than one per cent below the guaranteed minimum percentage of protein deduct from the selling price, $1.50 per ton for the first per cent and $3.00 per ton for each additional per cent or fraction thereof.

(c) *Notification of maximum prices.* Valley Chemical Company shall provide the following notice of the maximum price established by this order with the first delivery to each buyer of meat scraps having a guaranteed minimum protein content of 52 per cent:

The Office of Price Administration has permitted us to sell meat scraps with a guaranteed minimum protein content of 52 per cent at a maximum price of $70.42 per ton, f. o. b. our production plant, which is in line with the maximum prices established for the product by Maximum Price Regulation No. 74, as amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these meat scraps.

(d) All prayers and requests contained in the application of Valley Chemical Company which have not been granted herein are denied.

(e) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 5 shall become effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-3790; Filed, March 10, 1943; 2:56 p. m.]

[Order 170 Under MPR 120]

MASSILLON MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 170 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-179.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Robert D. Paul, doing business as Massillon Mining Company, Massillon, Ohio, at his Massillon Mine, Mine Index No. 1683, in District No. 4, may be sold and purchased for shipment by truck at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size groups	2	6
Price	$4.60	$3.40

(b) Within thirty (30) days from the effective date of this order, Robert D. Paul (Massillon Mining Company) shall notify all persons purchasing his coals of the adjustments granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not au-

thorize any increase in the purchaser's

[Order 37 Under RPS 6]

upon the Price Administrator by the Emergency Price Control Act of 1942,

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thorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 170 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 170 shall become effective March 11, 1943.

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3787; Filed, March 10, 1943; 2:57 p. m.]

[Order 3 Under MPR 186]

SEATTLE BOX COMPANY

SPECIAL ADDITION FOR LOCAL SALES OF SHOOK FOR METROPOLITAN FACTORIES

Order No. 3 under § 1377.110 (d)—Maximum Price Regulation No. 186—Western Wooden Agricultural Containers.

Pursuant to the provisions of § 1377.110 (d) of Maximum Price Regulation No. 186, Western Wooden Agricultural Containers, Seattle Box Company has shown by letter that it is located within the city limits of Seattle, Washington, one of the designated cities, and that at least 66 percent of its total 1942 box production was industrial boxes, and that it is entitled to qualify as a metropolitan factory and, as such, make the special addition of $5.00 per thousand feet to the basic price on local sales of shook.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and pursuant to § 1377.110 (d) of Maximum Price Regulation No. 186, *It is hereby ordered*, That the Seattle Box Company, Seattle, Washington, be permitted to make a special addition of not more than $5.00 per thousand feet to the basic price on local sales of shook.

The effective date of this order is February 9, 1943.

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3789; Filed, March 10, 1943; 2:56 p. m.]

[Order 37 Under RPS 6]

KEYSTONE STEEL AND WIRE COMPANY

ORDER GRANTING PARTIAL EXCEPTION

Order No. 37 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-38.

On February 5, 1943, Keystone Steel & Wire Company, Peoria, Illinois, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 37 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered*:

(a) The maximum base price at which Keystone Steel & Wire Company may sell to Acme Steel Company, Chicago, Illinois, and at which Acme Steel Company may purchase from Keystone Steel & Wire Company rerolling grade billets shall be the maximum Chicago, Illinois, basing point base price, f. o. b. Peoria, Illinois.

(b) The provisions of paragraph (a) hereof shall be applicable on all shipments made on or after February 5, 1943.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 37 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(f) This Order No. 37 shall be effective as of February 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3786; Filed, March 10, 1943; 3:00 p. m.]

[General Order 49]

RATIFICATION AND ADOPTION OF PRICE AND RATIONING ACTIONS TAKEN BY THE MILITARY GOVERNOR FOR THE TERRITORY OF HAWAII

An opinion accompanying this general order has been issued and filed with the Division of Federal Register. For the reasons set forth in that opinion and pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and the authority conferred upon the Office of Price Administration by Food Distribution Administration Directive No. 3, Food Distribution Administration Directive No. 4, War Production Board Directive No. 1 and supplementary directives issued thereto the following Order is prescribed:

(a) All documents issued or action taken by the Military Governor for the Territory of Hawaii which are in effect on March 9, 1943, with respect to the rationing of commodities and the establishment, modification or adjustment of maximum prices for commodities and services in the Territory of Hawaii are hereby ratified and adopted by the Price Administrator and, until modified, terminated or superseded, shall continue in full force and effect.

(b) This General Order No. 49 shall take effect March 10, 1943.

Issued this 10th day of March 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-3813; Filed, March 10, 1943; 4:55 p. m.]

[Order 161 Under MPR 188]

JEWETT ASSOCIATES

APPROVAL OF MAXIMUM PRICES

Correction

In the document appearing on page 2744 of the issue for Thursday, March 4, 1943, the undesignated paragraph should be paragraph (c) and the figure $2.35 should be $2.36.

[Correction to Order 3 Under Rev. MPR 125]

EXCEL BRASS AND ALUMINUM FOUNDRY

ADJUSTMENT OF MAXIMUM PRICES

Correction to Order No. 3 under Revised Maximum Price Regulation No. 125—Nonferrous Castings.

In paragraph (a), after the phrase "the maximum prices prescribed by", the phrase "§ 1395.15" is corrected to read "§ 1395.3."

This correction shall become effective as of February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3788; Filed, March 10, 1943; 2:57 p. m.]

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THE NATIONAL ARCHIVES
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1934
OF THE UNITED STATES

VOLUME 8 NUMBER 51

Washington, Saturday, March 13, 1943

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4812]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KAIDEN-KAZANJIAN STUDIOS, INC., ETC., ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or private business as press or news affiliate:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private business as press or news affiliate:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business as press or news service organization.* In connection with offer, etc., in commerce, of photographs and miniatures, and among other things, as in order set forth, (1) using the terms "News Service" or any other terms of similar import or meaning in any trade name or in any other manner to designate or describe any organization or business which is not engaged in the gathering and dissemination of news for newspapers, magazines, or other periodicals; (2) representing in any manner, either directly or by implication, that the respondents are engaged in the service of gathering or disseminating news or of photographs to be used in conjunction therewith by any newspaper, magazine, or other periodical unless respondents' business consists in the rendering of such service; and (3) using the name of any newspaper, magazine, or other periodical upon letterheads or in any other manner without the consent and permission of such magazine, newspaper, or periodical; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Kaiden-Kazanjian Studios, Inc., etc., et al., Docket 4812, March 5, 1943.]

§ 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation.* In connection with offer, etc., in commerce, of photographs and miniatures, and among other things, as in order set forth, using the term "Goldtone" or any other term of similar import or meaning to designate or describe a photographic reproduction which is not a product resulting from a process involving the use of a toning bath employing salts of chloride of gold; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Kaiden-Kazanjian Studios, Inc., etc., et al., Docket 4812, March 5, 1943].

§ 3.6 (ee) *Advertising falsely or misleading—Terms and conditions:* § 3.72 (n 10) *Offering deceptive inducements to purchase—Terms and conditions.* In connection with offer, etc., in commerce, of photographs and miniatures, and among other things, as in order set forth, representing either directly or by implication that respondents have prepared or have placed on exhibit any photograph or miniature of any purchaser or prospective purchaser unless such photograph or miniature has in fact been produced and placed on exhibit; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Kaiden-Kazanjian Studios, Inc., etc., et al., Docket 4812, March 5, 1943].

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.* In connection with offer, etc., in commerce, of photographs and miniatures, and among other things, as in order set forth, (1) representing as "special" or "reduced prices", prices which are in fact the regular and customary price charged by respondents for such products; and (2) representing that any photograph or miniature has a retail value or price in excess of the actual value or price at which such products are regularly and customarily offered for sale and sold in the normal and usual course of business; prohibited.

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conclusion that said respondents have

TITLE 29—LABOR

tificates shall be not less than 35 cents

over in excess of that provided in learner

FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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(Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Kaiden-Kazanjian Studios, Inc., etc., et al., Docket 4812, March 5, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of March, A. D. 1943.

In the Matter of Kaiden-Kazanjian Studios, Inc., a Corporation, also Trading as Keystone News & Photo Service and Frances Kaiden, as President and Secretary of Kaiden-Kazanjian Studios, Inc., and also Trading Individually as Keystone News & Photo Service, and Aram Kazanjian, as Vice-President and Treasurer of Kaiden-Kazanjian Studios, Inc., and Trading Individually as Keystone News & Photo Service

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation as to the facts entered into upon the record between counse for the Federal Trade Commission and counsel for the respondents, which provides among other things that the Commission may proceed upon said statement of facts to make its report stating its findings as to the facts (including inferences which it may draw from said stipulated facts) and its conclusion based thereon and enter its order disposing of the proceeding without the presentation of argument or the filing of briefs, and which waives the filing of a report upon the evidence by the trial examiner; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Kaiden-Kazanjian Studios, Inc., a corporation, its officers, representatives, agents, and employees, and respondents Frances Kaiden and Aram Kazanjian, individually and as officers of Kaiden-Kazanjian Studios, Inc., and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of photographs and miniatures in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the terms "News Service" or any other terms of similar import or meaning in any trade name or in any other manner to designate or describe any organization or business which is not engaged in the gathering and disseminating of news for newspapers, magazines, or other periodicals.

2. Representing in any manner, either directly or by implication, that the respondents are engaged in the service of gathering or disseminating news or of photographs to be used in conjunction therewith by any newspaper, magazine, or other periodical unless respondents' business consists in the rendering of such service.

3. The use of the name of any newspaper, magazine, or other periodical upon letterheads or in any other manner without the consent and permission of such magazine, newspaper, or periodical.

4. The use of the term "Goldtone" or any other term of similar import or meaning to designate or describe a photographic reproduction which is not a product resulting from a process involving the use of a toning bath employing salts of chloride of gold.

5. Representing either directly or by implication that respondents have prepared or have placed on exhibit any photograph or miniature of any purchaser or prospective purchaser unless such photograph or miniature has in fact been produced and placed on exhibit.

6. Representing as "special" or "reduced prices," prices which are in fact the regular and customary price charged by respondents for such products.

7. Representing that any photograph or miniature has a retail value or price in excess of the actual value or price at which such products are regularly and customarily offered for sale and sold in the normal and usual course of business.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-3857; Filed, March 12, 1943, 10:45 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

[Administrative Order 181 [1]]

LEARNER REGULATIONS AND DETERMINATIONS

AMENDMENTS FOR VARIOUS INDUSTRIES

In the matter of amendments of Learner Regulations and Determinations applicable to the Hosiery Industry, Women's Apparel Industry, Single Pants, Shirts and Allied Garments Industry, Textile Industry, Knitted and Men's Woven Underwear and Commercial Knitting Industry, Knitted Outerwear Industry, Gloves and Mittens Industry, and the Sportswear and Other Odd Outerwear and the Belts Divisions of the Apparel Industry.

Whereas, written requests were received setting forth grounds for amendments of learner regulations and determinations applicable to the above industries to meet conditions of abnormal labor turnover in individual plants in these industries resulting from the war emergency, and it appeared to the Administrator that reasonable grounds exist for reconsidering the rates for learners established in the learner regulations and determinations applicable to these industries; and

Whereas, pursuant to notice (7 F.R. 8303) a public hearing was held on October 26 and 27, 1942, before Presiding Officer Merle D. Vincent, a duly authorized representative of the Administrator, who found that data were presented at the hearing which showed the need in the above industries for provision, within the regulations, for abnormal labor turnover which is occurring in certain localities, and for a change in the subminimum wage rate at which learners are to be employed, and recommended the following amendments of the learner regulations and determinations applicable to the aforementioned industries to be effective for the duration of the war emergency:

1. Special learner certificates may be issued upon individual applications of employers: *Provided*, That it is satisfactorily shown that:

(a) Experienced labor is not available in the locality from which the employer customarily draws his labor supply;

(b) Learners are available for employment at the established subminimum learner wage rate;

(c) The issue of a certificate will not tend to impair working or wage standards established for experienced workers in the industry;

(d) The issue of such certificates will not create unfair competitive labor cost advantages;

(e) The number of learners applied for will not tend to impair the statutory minimum wage rate in such plant;

(f) The applicant's piece work or hourly wage rates yield average earnings to experienced workers substantially above the minimum wage rate.

2. The subminimum wage rate which may be provided in special learner certificates shall be not less than 35 cents per hour.

3. The effective period for special learner certificates shall not exceed six months.

4. Authorization to employ a number or percentage of learners for labor turnover in excess of that provided in industry regulations may be granted to the extent of the actual need of an individual applicant, when that need is due to an abnormal labor turnover resulting from the war emergency.

5. All outstanding certificates shall be amended by administrative order to change the subminimum wage rate for learners to 35 cents per hour.

Whereas, on January 27, 1943 I issued a notice (8 F.R. 1241) of opportunity to show cause on or before February 15, 1943 why the aforementioned recommendations of Presiding Officer Vincent should not be adopted; and

Whereas, I have examined all objections, statements and briefs filed on behalf of interested parties in response to said notice and, upon the basis of the entire record, find that the findings of Presiding Officer Vincent are supported by the evidence and that his recommendations should be adopted except for the six months limitation on the effective period of learner certificates, *Now, therefore, it is ordered*, That:

I. The regulations and determinations applicable to the employment of learners in the Hosiery Industry, Women's Apparel Industry, Single Pants, Shirts and Allied Garments Industry, Textile Industry, Knitted and Men's Woven Underwear and Commercial Knitting Industry, Knitted Outerwear Industry, Gloves and Mittens Industry, and the Sportswear and Other Odd Outerwear and the Belts Divisions of the Apparel Industry be and hereby are amended insofar as they are inconsistent with the following provisions, to be effective for the duration of the war emergency:

1. Special learner certificates may be issued upon individual applications of employers provided that it is satisfactorily shown that:

(a) Experienced labor is not available in the locality from which the employer customarily draws his labor supply;

(b) Learners are available for employment at the established subminimum learner wage rate;

(c) The issue of a certificate will not tend to impair working or wage standards established for experienced workers in the industry;

(d) The issue of such certificates will not create unfair competitive labor cost advantages;

(e) The number of learners applied for will not tend to impair the statutory minimum wage rate in such plant;

(f) The applicant's piece work or hourly wage rates yield average earnings to experienced workers substantially above the minimum wage rate.

2. The subminimum wage rate which may be provided in special learner certificates shall be not less than 35 cents per hour.

3. Authorization to employ a number or percentage of learners for labor turnover in excess of that provided in learner industry regulations, issued pursuant to section 522.4 of the regulations of the Administrator of the Wage and Hour Division and presently in effect, may be granted to the extent of the actual need of an individual applicant, when that need is due to an abnormal labor turnover resulting from the war emergency.

II. These amendments shall be effective on and after March 22, 1943.

III. Certificates presently in effect in these industries shall be amended as of March 22, 1943 insofar as they are inconsistent with paragraph I (2) of this order.

Signed at New York, New York, this 10th day of March, 1943.

L. METCALFE WALLING, *Administrator.*

[F. R. Doc. 43-3855; Filed, March 12, 1943; 9:32 a. m.]

[1] Modifies Part 522.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1805]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order amending order granting temporary relief and conditionally providing for final relief in the matter of petition of District Board No. 4 for the revision of the effective minimum prices for the coals of the Apex Mine, Mine Index No. 7, of the Haverhill Coal Company for shipment into Market Areas 20, 21 and 23 for use as off-line railroad fuel.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by District Board No. 4, requesting that the Note added to § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*), by the order issued in Docket No. A–1019 on March 16, 1942, (7 F.R. 2125), be modified by excluding from the operation of this Note, the coals of the Apex Mine, Mine Index No. 7, operated by Haverhill Coal Company, a code member located in Subdistrict 3 of District No. 4, when for shipment into Market Areas 20, 21 and 23, respectively, for use as off-line railroad fuel; and

Temporary and conditionally final relief having been granted in the above-entitled matter by an order issued therein on January 13, 1943 (8 F.R. 839), which amended said Note by adding a proviso thereto; and

It appearing that said proviso should be further amended;

Now, therefore, it is ordered, That said order issued in the above-entitled matter on January 13, 1943, be, and the same hereby is, amended by deleting therefrom the proviso contained in said order, which amended § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*), and inserting in lieu thereof the following matter:

Provided, however, That such increase shall not be applicable to the coals of the Apex Mine, Mine Index No. 7 of the Haverhill Coal Company for movement into Market Areas 20, 21 and 23.

It is further ordered, That said order issued in the above-entitled matter on January 13, 1943, shall, in all other respects, remain in full force and effect.

Dated: March 11, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3058; Filed, March 12, 1943; 11:03 a. m.]

[Docket No. A-1879]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of the Penant Mine for all shipments except truck.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Penant Mine, Mine Index No. 739, of the Penant Coal Company, in District No. 11, for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 331.10 (*Special prices: Railroad locomotive fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R–I

Mine index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
739	Penant Coal Co. (Floyd M. Woods)...	Penant.....	VI	BC	32	1	Clinton...	C&EI.

Mine Index No. 739 shall be included in Price Group 1 and shall take the same f. o. b. mine prices as other mines in Price Group 1 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rate as have been established for Mine Index No. 124 and other mines in Freight Origin Group 32 of the Brazil-Clinton Subdistrict having the same freight rate.

§ 331.10 *Special prices: Railroad locomotive fuel*—Supplement R–II

Mine index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
739	Penant Coal Co. (Floyd M. Woods)...	Penant.....	VI	BC	32	1	Clinton...	C&EI.

Mine Index No. 739 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule for District No. 11, For All Shipments Except Truck, as are shown for Mine Index Nos. 94 and 124.

[F. R. Doc. 43-3820; Filed, March 11, 1943; 11:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

CERTAIN EXCEPTIONS TO LICENSING

Pursuant to the authority conferred by section 18 of the act of December 26, 1941 (55 Stat. 863), the regulations under the Federal Explosives Act heretofore promulgated [1] are hereby amended as follows:

Section 301.2 (b) is amended by substituting for the words "except as designated in § 301.3 (c) (4)" after the word "Fireworks" the words "all kinds".

Section 301.3 is amended to read as follows:

§ 301.3 *Application of act and regulations; exceptions.* The act and regulations require the licensing of all persons and establishments for operations relating to explosives or ingredients, with the following exceptions:

(a) *Persons and operations excepted*—(1) *Military and naval services and the Federal Bureau of Investigation.* No license is required for the manufacture, distribution, storage, sale, purchase, possession, handling or use of explosives or ingredients by the military or naval services of the United States or the Federal Bureau of Investigation.

(2) *Operations for military and related purposes.* No license is required for arsenals, navy yards, depots, or other establishments owned by the United States and operated by or on behalf of the War or Navy Departments. This exception includes all operations within such establishments and all purchases and shipments which are covered by government bills of lading addressed to or shipped by officers of the military or naval services at such establishments. A license is required for private operators of such establishments who purchase explosives or ingredients for shipment or who ship on other than government bills of lading. A license is also required for persons who manufacture explosives under the authority of the United States for, or sell explosives to, the military or naval services of the United States or the Federal Bureau of Investigation. However, no license applied for by such a private operator or other person shall be denied or revoked in so far as the license is needed for the operations of arsenals, navy yards, depots or other establishments owned by the United States and operated by or on behalf of the War or Navy Departments, or in so far as a license covers the manufacture under the authority of the United States of explosives for, or their sale to, the military or naval services or the Federal Bureau of Investigation. Applicants for licenses and licensees shall not be required to disclose information relating to the operations of the above-described establishments or to the character and quantity of explosives manufactured under the authority of, or sold to, the military or naval services or the Federal Bureau of Investigation, but shall comply with all other requirements of the act and regulations and shall be subject to the criminal penalties of the act for violations of the act or regulations.

(3) *Employees dealing with foreman.* Employees may purchase or accept explosives or ingredients for use in the operations of their employer from another employee of their employer licensed as a foreman, without themselves obtaining licenses.

(4) *Exportation and importation.* No license is required for exportation or importation of explosives or ingredients pursuant to or under the terms of the following acts: Act of January 31, 1922 (42 Stat. 361), prohibiting unrestricted export of arms to certain countries where domestic violence occurs; the Neutrality Act of November 4, 1939 (54 Stat 4); the National Defense Act of July 2, 1940 (54 Stat. 712); and the Lend-Lease Act of March 11, 1941 (55 Stat. 31). However, persons who export or import explosives or ingredients under the above acts, other than the Lend-Lease Act, shall keep a record of such transactions, which shall include the quantity and description of the explosives and ingredients, the dates of shipment and delivery, the name of the vessel used, the name and address of the consignee, consignor, vendor, purchaser, carrier, and other interested parties. This record shall be retained by the exporter or importer until called for by the Director, or until one year after the termination of the present war; and shall be open for inspection at all times by the Director or his authorized representative.

(b) *Explosives and ingredients excepted*—(1) *Ingredients in small quantities.* Ingredients in small quantities and not used or intended to be used in the manufacture of explosives. The term "small quantities" as used in this section, means quantities of four ounces or less.

(2) *Explosives or ingredients in transit.* Explosives or ingredients which are in transit upon vessels, railroad cars, conveyances or aircraft when such transportation is regulated by acts of Congress or rules and regulations of the Interstate Commerce Commission, the Secretary of Commerce, or the Civil Aeronautics Board.

(3) *Cartridges and ships' signals.* Cartridges for small arms or shotguns and ships' signal for emergency equipment.

(4) *Signalling devices.* Flares, colored lights, fusees, and other devices customarily used by railroads and carriers, by airplane or motor vehicle, and torpedoes customarily used by railroads, for signalling purposes.

(c) *Compliance with other laws.* Nothing in these regulations will permit the manufacture, sale, possession, or use of any explosives or ingredients prohibited by local or State laws or by any other Federal law, regulation, or order.

R. R. SAYERS,
Director.

Approved: March 9, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-3888; Filed, March 12, 1943; 11:50 a. m.]

[1] 7 F.R. 305, 1103, 1976, 3876, 4758, 5901, 8175, 9606; 8 F.R. 1343.

Chapter VI—Selective Service System

[Order 90]

YPSILANTI STATE HOSPITAL PROJECT, MICH.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Ypsilanti State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 90. Said project, located at Ypsilanti, Washtenaw County, Michigan, will be the base of operations for work at the Ypsilanti State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Ypsilanti State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Ypsilanti State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Ypsilanti State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

MARCH 4, 1943.

[F. R. Doc. 43-3848; Filed, March 11, 1943; 1:20 p. m.]

[Order 91]

MANSFIELD PROJECT, CONN.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Mansfield Project to be work of national importance, to be known as Civilian Public Service Camp No. 91. Said project, located at Mansfield, Tolland County, Connecticut, will be the base of operations for work at the Mansfield Training School, an institution under the State mental hospital system of Connecticut, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Mansfield Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Mansfield Training School, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Mansfield Training School. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

MARCH 4, 1943.

[F. R. Doc. 43-3849; Filed, March 11, 1943; 2:48 p. m.]

[Amendment 136, 2d Ed.]

PART 622—CLASSIFICATION

CERTAIN RELATIVES DEFINED

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 622.33 to read as follows:

§ 622.33 *Certain relatives defined.* (a) The term "child" includes:

(1) A legitimate child (also a legitimate unborn child from the date of its conception);

(2) A child legally adopted;

(3) A stepchild, if a member of a man's household, including a stepchild who continues as a member of the man's household after death of the mother or termination of the marriage; and

(4) An illegitimate child (also an illegitimate unborn child from the date of its conception), but only if the man has been judicially ordered or decreed to contribute to such child's support, has been

judicially decreed to be the putative father of such child, or has acknowledged pursuant to law that he is the father of such child;

but shall not include any person 18 years of age or over unless he is physically or mentally handicapped.

* * * * *

2. The foregoing amendment to the Selective Service regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 11, 1943.

[F. R. Doc. 43-3881; Filed, March 12, 1943; 11:28 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 25]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Correction

In the middle column of page 2966 of the issue of Thursday, March 11, 1943, the following should have appeared between "Striking tool handles------" and "Veneer packages------":

Trim and moldings------	4228.00------	C

[Amendment 29]

PART 802—GENERAL LICENSES

GENERAL LICENSE COUNTRY GROUPS

Paragraph (a) of § 802.3 *General license country groups* is hereby amended in the following respect:

(1) Group C is amended by deleting therefrom the following countries:

Greenland	61
Labrador (that part under Newfoundland authority)	47
Newfoundland	47

(2) Group K is amended by adding thereto the following countries:

Greenland	61
Labrador (that part under Newfoundland authority)	47
Newfoundland	47

Shipments of commodities going to the above destinations which are on dock, on lighter, laden aboard the exporting carrier, or in transit pursuant to actual orders for export prior to the effective date of change may be exported under the previous general license provisions.

This amendment becomes effective March 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 11, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-3879; Filed, March 11, 1943; 11:25 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 992—LAUNDRY EQUIPMENT

[Limitation Order L-6-c, as Amended March 12, 1943]

In accordance with the provisions of § 992.1, *General Limitation Order L-6*, which the following order supplements, *It is hereby ordered*, That:

§ 992.4 *Supplementary General Limitation Order L-6-c.*

(a) *Prohibition of production of domestic laundry equipment.* (1) Effective April 16, 1942, no Class A or Class B manufacturer shall produce any domestic laundry equipment except upon specific authorization of the Director General for Operations. Effective May 16, 1942, no Class C or Class D manufacturer shall produce any domestic laundry equipment except upon specific authorization of the Director General for Operations.

(2) The Director General for Operations may from time to time specifically authorize one or more manufacturers of any class or combination of classes to produce specified quantities of domestic laundry equipment.

(b) *Restrictions until dates of prohibition of production.* (1) During the period beginning March 16, 1942, and ending April 15, 1942 inclusive:

(i) No Class A manufacturer shall produce more domestic laundry equipment than the greater of the following two limits:

(*a*) 11,700 units of such equipment, or

(*b*) 90% of the monthly average of his factory sales of such equipment for the twelve months ending June 30, 1941.

(ii) No Class B manufacturer shall produce more domestic laundry equipment than the greater of the following two limits:

(*a*) 5,625 units of such equipment, or

(*b*) 97½% of the monthly average of his factory sales of such equipment for the twelve months ending June 30, 1941.

(2) During the period beginning March 16, 1942 and ending May 15, 1942:

(i) No Class C manufacturer shall produce more domestic laundry equipment than the greater of the following two limits:

(*a*) 3,420 units of such equipment, or

(*b*) Two times 112½% of the monthly average of factory sales of such equipment for the 12 months ending June 30, 1941.

(ii) No Class D manufacturer shall produce more than two times 142½% of the monthly average of his factory sales of such equipment for the twelve months ending June 30, 1941.

(c) *Replacement parts.* Nothing in this order shall be construed to prohibit or limit the production of replacement parts for domestic laundry equipment.

(d) *Restrictions on inventory.* (1) Until otherwise ordered by the Director General for Operations no manufacturer shall sell, deliver, or otherwise transfer any part of the inventory of raw materials, semi-processed parts or finished parts which he holds for use in the production of domestic laundry equipment to any other person, or to any other department, division, or section of his concern not engaged in the production of domestic laundry equipment, except on the following conditions:

(i) Raw materials, semi-processed parts, and finished parts may be sold, delivered or otherwise transferred to other manufacturers of domestic laundry equipment for their use in the production of such equipment pursuant to the provisions of paragraph (b);

(ii) Raw materials, semi-processed parts, and finished parts may be sold, delivered or otherwise transferred in connection with the manufacture and sale of repair and maintenance parts for domestic laundry equipment;

(iii) Raw materials, semi processed parts, and finished parts may be sold, delivered, or otherwise transferred to any person (including any other department, division, or section of a manufacturer's concern not engaged in the production of domestic laundry equipment) who is able to supply a preference rating of A-9 or higher;

(iv) Raw materials, semi-processed parts, and finished parts may be sold, delivered, or otherwise transferred to the Defense Supplies Corporation or other corporation, affiliate, or other form of enterprise under the control of the Reconstruction Finance Corporation:

Provided however, That nothing in this paragraph (d) shall be construed to permit any manufacturer to sell, deliver, or otherwise transfer, or any person to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished parts in contravention of the terms of any L or M order including amendments or supplements thereto, or other regulation of the War Production Board, now effective or effective prior to the date of any such sale, delivery, or other transfer.

(2) Each manufacturer shall file with the War Production Board on or before April 1, 1942, an estimate of the inventory of raw materials, by classes of materials, semi-processed parts, and finished parts, which will remain in his hands pursuant to this paragraph after he has completed his production of domestic laundry equipment pursuant to paragraph (b).

(e) *No interference with ordnance production.* No manufacturer shall divert materials, labor, or equipment from the production of war material to enable him to produce his production quota under paragraph (b) hereof.

(f) *Prohibition of acquisition of materials.* No manufacturer of domestic laundry equipment shall purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished parts intended for the production of domestic laundry equipment in excess of quantities required to fulfill the production quotas specified in paragraph (b) hereof; no person shall sell, deliver, or otherwise transfer any such raw materials, semi-processed parts, or finished parts except as so permitted: *Provided however*, That deliveries of raw materials, semi-processed parts, or finished parts actually in transit to the manufacturer on the date of issue of this order may be delivered to the manufacturer.

(g) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such order is entered into before or after March 14, 1942. No person shall be held liable for damages or penalties for any default under any contract or order, which shall result directly or indirectly fro mhis compliance with the terms of this order.

(h) *Appeal.* Any manufacturer who considers that compliance with this order would work an exceptional or unreasonable hardship upon him, or would disrupt or impair a program of conversion to war production may appeal for relief to the Director General for Operations by means of a letter addressed to the Director General for Operations, Ref.: L-6-c, setting forth in such letter all facts pertinent to the appeal. The Director General for Operations may thereupon take such action as he deems appropriate.

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3864; Filed, March 12, 1943; 10:57 a. m.]

PART 1103—COAL AND COKE

[General Preference Order M-292]

COKE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of coke for defense, for private account and for export, and it is necessary in the public interest and to promote the national defense to conserve the supply and direct the distribution of coke.

§ 1103.11 *General Preference Order M-292*—(a) *Definitions.* For the purposes of this order, "coke" means coke made from bituminous coal.

(b) *Special instructions.* The Director General for Operations may from time to time issue specific directions as to the source, destination, amount, type, or grade of coke to be delivered by any producer or dealer.

(c) *Reports.* Each producer shall file monthly reports with the United States Bureau of Mines on Form BE or BY of the Bureau.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any person deeming himself adversely affected by any provision or application of this order may file an appeal in writing addressed to War Production Board, Washington, D. C. Reference: M-292. Such appeal must set forth in full the relief requested and the grounds on which such appeal is based.

(f) *Applicability of regulations.* Except as hereinabove otherwise provided, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3878; Filed, March 12, 1943; 10:58 a. m.]

PART 1112—OFFICE MACHINERY

[Conversion Order L-54-a, as Amended March 12, 1943]

TYPEWRITERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of typewriters for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1112.2 *Conversion Order L-54-a*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person manufacturing typewriters, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Dealer" means any wholesaler, retailer or other distributor of typewriters, other than sales and distribution outlets controlled by a manufacturer.

(4) "Typewriter" unless expressly otherwise stated, means non-portable typewriters (including noiseless and electric types) and portable typewriters, and unless expressly otherwise stated, refers only to new typewriters. The term shall not include: billing machines, accounting principle, and collateral equipment; continuous forms handling machines, typewriter principle, having carbon paper handling devices constructed as an integral part of the machine; shorthand writing machines; telegraphically controlled typewriters; braille typewriters; toy typewriters; linotype machines or monotype machines. The term "new typewriter" means any typewriter which has not been delivered to any person acquiring it for use, but does not include rebuilt typewriters. The term "used typewriter" means any typewriter which at any time has been delivered to any person acquiring it for use, and includes rebuilt typewriters.

(5) "Sets of parts" means typewriter parts fabricated at plants in the United States and shipped to foreign countries for assembly into typewriters.

(b) *General restrictions.* (1) On and after November 1, 1942, no manufacturer shall manufacture any non-portable typewriters or parts therefor, or sets of parts for non-portable typewriters, except as otherwise specifically provided in paragraph (c) (4) herein.

(2) On and after August 1, 1942, no manufacturer shall manufacture any portable typewriters, or parts therefor, or sets of parts for portable typewriters.

(3) No person shall hereafter sell, deliver, purchase, or receive delivery of any new or used typewriters in any manner other than as specifically authorized herein or from time to time hereafter by the Director General for Operations, or by any governmental agency authorized by the Chairman of the War Production Board to regulate the distribution of new or used typewriters.

(4) Notwithstanding any of the restrictions of paragraph (b) of this order, the Director General for Operations may from time to time specifically authorize one or more manufacturers to manufacture specified quantities of typewriters, including parts or sets of parts therefor.

(c) *Authorized production quotas*—(1) *Non-portable typewriters.* During the period from July 1, 1942, to October 31, 1942, except as otherwise provided in paragraph (c) (4) below, no manufacturer shall manufacture a number of non-portable typewriters or parts therefor (not including sets of parts for export) in excess of: 12.25 percent of the aggregate number of non-portable typewriters (not including parts therefor or sets of parts for export) billed to customers by such manufacturer during the calendar year 1941; plus the number of non-portable typewriters by which such manufacturer's quota for non-portable typewriters in the period from March 15, 1942, to June 30, 1942, exceeded the production of non-portable typewriters by such manufacturer during that period; or less the number of non-portable typewriters produced by such manufacturer in the period from March 15, 1942 to June 30, 1942, in excess of his authorized quota during that period, whether or not such excess production resulted from the granting of appeals by the War Production Board.

(2) *Portable typewriters.* During the period from July 1, 1942, to July 31, 1942, no manufacturer shall manufacture quantities of portable typewriters or parts therefor (not including sets of parts for export) in excess of 11 percent of the average monthly number of portable typewriters (not including parts therefor or sets of parts for export) billed

to customers by such manufacturer during the calendar year 1941.

(3) *Sets of parts for export.* (i) During the period from July 1, 1942, to October 31, 1942, no manufacturer shall manufacture for export a number of sets of parts for non-portable typewriters in excess of 12.25 percent of the aggregate number of such sets of parts shipped for export from the factories of such manufacturer during the calendar year 1941.

(ii) During the period from July 1, 1942, to July 31, 1942, no manufacturer shall manufacture for export a number of sets of parts for portable typewriters in excess of 11 percent of the average monthly number of such sets of parts shipped for export from his factories during the calendar year 1941.

(iii) The right to produce and export any sets of parts mentioned in this paragraph (c) (3) shall not be construed to authorize the export of such sets unless export license can be secured.

Any manufacturer who is unable to ascertain the physical quantity of sets of parts which he shipped from his factories during 1941 may produce for export: in the case of sets of parts for non-portable typewriters, a dollar value not in excess of 12.25 percent of the aggregate dollar value of such sets shipped for export from his factories during the calendar year 1941; and in the case of sets of parts for portable typewriters, a dollar value not in excess of 11 percent of the average monthly dollar value of such sets so shipped during 1941.

The quantities of sets of parts for non-portable and portable typewriters so produced shall be over and above the production quotas for non-portable and portable typewriters. No manufacturer so producing and exporting sets of parts shall directly or indirectly import any typewriter into the United States.

(4) *Special quota.* Notwithstanding the restrictions on manufacture (but subject to the restrictions on delivery and distribution) imposed by this order, Woodstock Typewriter Company may manufacture, in the period from July 1, 1942, to June 30, 1944, not in excess of 22,701 non-portable typewriters, at a rate not in excess of 1,600 per month, or at such other rate as the Director General for Operations may prescribe from time to time. The Director General for Operations, may also direct, from time to time, the sizes, kinds, and types of non-portable typewriters which shall be produced by Woodstock Typewriter Company.

(5) *Distribution among models and types.* Except as otherwise provided by the Director General for Operations, no manufacturer shall produce a percentage of noiseless typewriters to total non-portable typewriter production in excess of the percentage which the quantity of noiseless typewriters billed to his customers in 1941 is of all non-portable typewriters billed to his customers in 1941. Manufacturers shall produce their production quotas of portable typewriters in accordance with specifications of the Army or Navy of the United States.

(d) *Manufacture and distribution of replacement parts.* The restrictions upon the production of portable and non-portable typewriters and parts therefor shall not be construed to limit the production of parts to be used to service and repair typewriters: *Provided, however,* That no manufacturer shall produce parts in excess of quantities required, under existing circumstances, to maintain a minimum practicable working inventory of such service and repair parts. No person servicing or repairing typewriters shall maintain a stock of such parts in excess of the minimum practicable working inventory, under existing circumstances.

(e) *Revocation of General Limitation Order L–54.* General Limitation Order L–54, and all amendments thereto and interpretations thereof, are revoked as of August 4, 1942: *Provided, however,* That all deliveries expressly authorized thereunder by the Director of Industry Operations may be completed.

(f) *Distribution of typewriters by manufacturers.* Regardless of the terms of any contract of sale or purchase or other commitment, or any preference rating certificate or blanket preference order, no manufacturer shall distribute his production and stock of typewriters except upon authorization of the Director General for Operations.

(g) *Distribution of typewriters by persons other than manufacturers.* In accordance with the terms of Supplementary Directive 1D, stocks of new nonportable and portable typewriters now in the hands of dealers, and all imports of new typewriters, are made available to the Office of Price Administration for rationing; and no dealer shall deliver any such typewriters except in accordance with such rules, regulations and authorizations as may be issued by the Office of Price Administration: *Provided, however,* That any dealer, other than a manufacturer, may deliver new typewriters in stock to any manufacturer willing to accept the same. Such typewriters shall, however, remain subject to rationing rules, regulations and authorizations of the Office of Price Administration.

(h) *Persons entitled to receive new typewriters*—(1) *Persons other than United States agencies and exporters.* In accordance with the terms of Supplementary Directive 1D, persons other than agencies of the United States and other than persons acquiring new typewriters for export may purchase, accept, or otherwise receive delivery of new typewriters only as authorized by the Office of Price Administration.

(2) *Army and Navy.* Typewriters shall be delivered to the Army or Navy of the United States, including the War and Navy Departments, only upon authorization of the Director General for Operations.

(3) *Exporters*—(i) *Lend-lease.* No agency of the United States Government shall purchase, accept delivery of, or otherwise acquire, new typewriters to be delivered to or for the account of the government of any country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), except upon express authorization of the Director General for Operations. Manufacturers and dealers shall deliver new typewriters to any such agency upon the presentation of an authorization signed by the Director General for Operations. Any dealer may receive any new typewriter to fill any such order from any manufacturer producing such typewriters, and manfacturers shall deliver typewriters to such dealers upon the presentation of any such authorization.

(ii) *Other than lend-lease.* No governmental agency (other than as provided in paragraph (h) (3) (i) above) or other person shall purchase, accept delivery of, or otherwise receive new typewriters for export except upon express authorization of the Director General for Operations. Any such agency or person must first apply to the Office of Export Control, Board of Economic Warfare, Washington, D. C., for an Export License. If the Office of Export Control recommends that an Export License be issued to the applicant, the War Production Board will be notified, and an authorization, on Form PD–365, to acquire a new typewriter may be issued to the applicant or to a person designated by the Board of Economic Warfare for his account. Upon presentation of said Form PD–365, duly signed, any manufacturer or dealer is authorized to deliver a new typewriter. Any dealer may receive any typewriter to fill any such order from any manufacturer producing such typewriters and manufacturers shall deliver typewriters to dealers upon receipt of any such authorization on Form PD–365.

(4) *Other Government agencies.* Except as otherwise provided in subparagraphs (2) and (3) above, no agency of the United States, except the Procurement Division of the Treasury Department, may purchase new typewriters. Once each month the Director General for Operations shall expressly authorize said Procurement Division to acquire specific quantities and brands of new typewriters, and said Procurement Division shall distribute such new typewriters to such agencies of the United States Government (other than the Army, the Navy, and agencies acquiring new typewriters for export) and in such quantities, and brands, as the Director General for Operations shall authorize. Any such agency which believes it will require such new typewriters during any month shall file, on or before the 25th day of the month preceding, Form PD–366 with the Procurement Division of the Treasury Department, which shall forward all such forms to the Director General for Operations. The Director General for Operations shall thereupon authorize said Procurement Division to acquire and distribute such quantities of new typewriters as, in his opinion, shall be necessary or appropriate in the public interest and to promote the national defense. No such agency shall request a new typewriter unless, to the best of its knowledge, such typewriter and all other typewriters possessed by the agency will be actually employed during the succeeding month.

(k) *Appeals.* Any manufacturer affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in his community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter directed to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(l) *Records.* All manufacturers and dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production, and sales of typewriters.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(n) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Service Equipment Division, Washington, D. C. Ref.: L–54–a.

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3865; Filed, March 12, 1943; 10:57 a. m.]

PART 1112—OFFICE MACHINERY

[General Limitation Order L–54–c, as Amended March 12, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials used in the production of office machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1112.4 *General Limitation Order L–54–c*—(a) *Definitions.* For the purposes of this order:

(1) "Office machinery" means machinery, including attachments thereto, of the types listed on Lists A, B, C, or D attached to this order as amended from time to time.

(2) "New" office machinery means office machinery which has not been delivered to any person acquiring it for use. The term shall not describe any machine which has been delivered for trial, loan, rental or demonstration at any time prior to March 14, 1942. "Used" office machinery means office machinery other than new office machinery.

(3) "Restricted office machinery" means:

(i) Any new office machinery listed on Lists A, B, and C.

(ii) Any new machines and collateral equipment intended for use for dictating purposes.

(iii) Any used office machinery listed on Lists A, B, and C which on November 11, 1942 is in, or which thereafter comes into, the possession of its manufacturer for any purpose other than mere repair or reconditioning, and the manufacture of which was completed after December 31, 1940, and

(iv) Any used punched card tabulating machinery which on November 11, 1942 is in, or which thereafter comes into, the possession of its manufacturer for any purpose other than mere repair or reconditioning, regardless of its age.

(4) "Manufacturer" means any person manufacturing new office machinery or sets of parts, to the extent that he is engaged in such manufacture, and shall include majority-owned sales, distribution, and manufacturing subsidiaries.

(5) "Dealer" means any wholesaler, retailer or other distributor of restricted office machinery other than a sales or distribution subsidiary of a manufacturer, and shall include any person, firm or corporation normally receiving restricted office machinery on consignment.

(6) "Delivery" includes any physical transfer of restricted office machinery, and includes transfers for trial, loan, rental, demonstration or other use; but the terms shall not include the transfer to the consignee, designated on the shipping documents, of any new restricted office machinery actually in transit on June 1, 1942, or of any other restricted office machinery actually in transit on November 11, 1942.

(7) "Army or Navy of the United States" and "Maritime Commission" include the War Department, the Navy Department, and the Maritime Commission, respectively, but shall not include any privately operated plant, shipyard, training school, or other enterprise controlled or financed by the Army or Navy of the United States, the Maritime Commission, or any other agency of the United States Government, nor any plant or shipyard privately operated on a cost-plus-fixed-fee basis under the control or direction of the Army or Navy of the United States, the Maritime Commission, or any other agency of the United States Government.

(8) "Lend-Lease purchaser" means any person requesting authorization to receive delivery of restricted office machinery for export to any country, the government of which is entitled to the benefits of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(9) "Sets of parts" means parts for office machinery produced at plants in the United States for shipment to foreign countries for assembly into new office machinery of the types listed on Lists A, B, and C.

(b) *Restrictions on production*—(1) *List A and List B quotas.* No manufacturer of any kind of new office machinery listed on List A or List B or of sets of parts for such kinds of machinery shall manufacture any such machinery or sets of parts in excess of the sum of the quotas established by paragraphs (b) (1) (i) and (b) (1) (ii) of this order.

(i) *1942 quotas.* Between June 1, 1942, and December 31, 1942, inclusive, a manufacturer of new office machinery of any kind listed on List A or List B, or of sets of parts for such kind of machinery, may manufacture a total dollar value of new office machinery of such kind (including sets of parts, but excluding special machines to be delivered under paragraph (c) (3) of this order and machines to be delivered free of restrictions pursuant to an election under paragraph (e) (1) (iv) of the original order L–54–c) equal to seven (7) times the percentage specified in Column I of List A or List B of the average monthly dollar value during the calendar year 1941 of the new office machinery of such kind billed to customers by such manufacturer plus the new office machinery of such kind exported in the form of sets of parts.

(ii) *1943 quotas.* Between January 1, 1943 and December 31, 1943, inclusive, a manufacturer of new office machinery of any kind listed on List A or List B, or of sets of parts for such kind of machinery, may manufacture a total dollar value of new office machinery of such kind (including sets of parts, but excluding special machines to be delivered under paragraph (c) (3) of this order and machines to be delivered free of restrictions pursuant to an election under paragraph (e) (1) (iv) of the original order L–54–c) equal to the percentage specified in Column II of List A or List B of the total dollar value of the new office machinery of such kind billed to customers by such manufacturer during the calendar year 1941 plus the new office machinery of such kind exported in the form of sets of parts during the calendar year 1941.

(iii) *Basis of leased machinery.* Any manufacturer whose customary practice has been to lease substantially all of any particular kind of new office machinery shall base his production quota of such kind of new office machinery upon the aggregate of the average monthly number of new units assembled and sets of parts exported during the calendar year 1941. The number of sets of parts exported in 1941 shall be considered as equal to the number of units into which such sets of parts were ultimately assembled.

(iv) *Valuation of production.* The dollar value of assembled new office machinery billed during the calendar year 1941 by the manufacturer to either domestic or foreign customers, and the dollar value of assembled new office machinery manufactured after June 1, 1942, shall be based upon the retail list price of such machinery to domestic customers. The dollar value of sets of parts shall be based upon the retail list price of the same kind of machinery, when assembled, to domestic customers. The number of sets of parts exported shall be considered as equal to the number of

units into which such sets of parts were ultimately assembled.

(2) *Further restrictions on List A production.* (i) No manufacturer shall commence fabrication, or cause fabrication to be commenced, of any material for parts, or contract to purchase parts, for the assembly of any new office machinery listed on List A other than the machinery which he is allowed to produce under the terms of this order.

(ii) After December 31, 1942, no manufacturer shall fabricate, cause to be fabricated, or contract to purchase, parts for the assembly of new office machinery listed on List A.

(iii) After December 31, 1943, no manufacturer shall assemble any of the kinds of new office machinery listed on List A.

(3) *Further restrictions on List B production.* (i) No manufacturer shall commence fabrication, or cause fabrication to be commenced, of any material for parts, or contract to purchase parts, for the assembly of any new office machinery listed on List B other than the machinery which he is allowed to produce under the terms of this order.

(ii) After December 31, 1942, no manufacturer shall fabricate, cause to be fabricated, or contract to purchase, more than 25% of the parts required for the assembly of the new office machinery listed on List B (except calculating and computing machines) which he is permitted to manufacture during the entire period from June 1, 1942, to December 31, 1943.

(iii) After March 31, 1943, no manufacturer shall fabricate, cause to be fabricated or contract to purchase, parts for the assembly of new calculating or computing machines.

(4) *Restrictions on List C production.* (i) No manufacturer shall manufacture any new office machinery listed on List C or sets of parts therefor, except machines to fill orders approved under paragraphs (c) (2) through (c) (5) inclusive of this order, to fill orders of the Army or Navy of the United States or of the Maritime Commission which were actually on hand on November 11, 1942, and to maintain the minimum practicable working inventory under the circumstances.

(ii) No manufacturer shall commence fabrication, or cause fabrication to be commenced, of any material for parts, or contract to purchase parts, for the assembly of any new office machinery listed on List C other than the machinery which he is allowed to produce under the terms of this order.

(5) *Restrictions on List D production.* No manufacturer shall fabricate, cause to be fabricated, or contract to purchase, parts for the assembly of any new office machinery listed on List D. No manufacturer shall assemble any new office machinery listed on List D.

(6) *Repair and service parts.* The restrictions upon the manufacture of new office machinery contained in this paragraph (b) shall not apply to the manufacture of parts to be used to service or repair any kind of office machinery listed on Lists A, B, C, and D.

(7) *Discontinued new office machinery.* No manufacturer shall fabricate parts for any new office machinery or assemble any new office machinery of any kind which he elected to deliver free of all restrictions pursuant to paragraph (e) (1) (iv) of the original order L–54–c.

(8) *Special authorizations.* Notwithstanding the restrictions of paragraph (b) or paragraph (f) of this order, the Director General for Operations may from time to time specifically authorize one or more manufacturers to fabricate, to cause to be fabricated, to contract to purchase, to assemble, or to manufacture in any manner, specified quantities of parts or machinery restricted by paragraph (b) or paragraph (f), or both.

(c) *Restrictions on delivery*—(1) *General restrictions.* Regardless of the terms of any contract of sale or purchase, or other commitment, or of any preference rating, or any blanket preference rating order, no manufacturer or dealer shall deliver any restricted office machinery except as provided in paragraphs (c) (2) to (c) (7) inclusive of this order other than machines which may be delivered free of restrictions pursuant to an election under paragraph (e) (1) (iv) of the original order L–54–c.

(2) *Back orders.* A manufacturer or dealer may deliver restricted office machinery to fill orders of the Army or Navy of the United States which were actually on hand on June 1, 1942.

(3) *Special orders.* Manufacturers or dealers may apply for authorization to deliver special restricted office machinery which, on June 1, 1942, was assembled, or in the process of fabrication and assembly, but which could not otherwise be delivered under the terms of this order. Such application may be made by filing with the War Production Board, in triplicate, plainly marked "Ref: L–54–c", a letter containing a list of all such orders, together with such information as will support the representation of the manufacturer or dealer that the machinery is special. As used in this paragraph, a "special" machine is a machine built to special specification for a customer, with features which render it unusable except by a small class of persons similarly situated.

(4) *Future orders of the Army, Navy and Maritime Commission.* From time to time, the Director General for Operations will notify manufacturers and dealers, on Form PD–423, of quantities of restricted office machinery which may be delivered without further authorization for the use of the Army or Navy of the United States, or the Maritime Commission, in preference to any other deliveries except when specifically instructed otherwise by the Director General for Operations. Manufacturers and dealers may not deliver restricted office machinery on preference rating certificates PD–3 and PD–3a, except to fill back orders of the Army or Navy of the United States pursuant to paragraph (c) (2) of this order.

(5) *Future orders of other persons.* (i) Except as provided in paragraphs (c) (2), (c) (3), (c) (4), and (c) (7) of this order, no manufacturer or dealer shall deliver any restricted office machinery to fill any order unless the order is accompanied by a preference rating certificate PD–1A issued after May 31, 1942 and prior to December 1, 1942, or by an authorization to deliver the machinery on a Form PD–688 signed by the Director General for Operations, surrendered to the manufacturer or dealer. Such preference rating certificate PD–1A, or Form PD–688, may be used to secure restricted office machinery only by the person to whom it was directly issued and only when such office machinery is expressly specified on the certificate.

(ii) Persons entitled to restricted office machinery by virtue of a preference rating certificate PD–1A who do not surrender such certificate, but retain the same, as permitted by Priorities Regulation No. 3, as amended from time to time, shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, certify to the manufacturer or dealer from whom the machinery is to be acquired that the certificate was originally issued to such person and that the machinery was expressly specified on the certificate.

(iii) Except when specifically instructed otherwise by the Director General for Operations, the sequence of deliveries of machines authorized on PD–688 certificates shall be determined by the delivery dates specified in the respective certificates. In any case where delivery dates are the same, or it is impossible to make all deliveries on schedule, the sequence of deliveries shall be determined by the respective dates on which the PD–688 certificates were received by the supplier named in such certificates.

(6) *Intracompany deliveries.* Without further authorization, a manufacturer may for the purpose of redelivery, but not for use, deliver restricted office machinery from one branch, division or section of his enterprise, including majority-owned sales, distribution and manufacturing subsidiaries, to another branch, division or section of the same enterprise, including majority-owned sales, distribution and manufacturing subsidiaries, except that he may not deliver to a subsidiary, branch, or other outlet located outside of the United States, its territories, and possessions.

(7) *Delivery to dealers and returns to manufacturers.* Without further authorization, dealers may return restricted office machinery to any manufacturer willing to accept the same and manufacturers may accept all such restricted office machinery from dealers. Without further authorization, manufacturers or dealers may deliver restricted office machinery to dealers in the following instances only:

(i) To fill an order, authorized by the terms of the original order L–54–c or this order L–54–c as amended, already received by such dealer, or to replace restricted office machinery delivered by such a dealer from his inventory to fill an order authorized by the terms of the original order L–54–c or this order L–54–c as amended. In either case, such dealer shall furnish to the manufacturer or to the other dealer a photostat or certified copy of the PD–1A, PD–688, or other authorized basis for delivery of restricted office machinery. Reproduction of any PD–1A, PD–688, or any other document for such purpose is hereby permitted.

(ii) To store or display such restricted office machinery on the dealer's premises in the United States, its territories and possessions, provided that the restricted office machinery so stored or displayed is in the absolute control and ownership of the manufacturer or delivering dealer and may be removed, transferred or shipped by such manufacturer or delivering dealer at any time in his discretion.

(8) *Deliveries under General Conservation Order L–148.* The issuance of an authorization on Form PD–423 or on Form PD–688 to deliver a time stamp machine, a time recording machine, or collateral equipment shall constitute a preference rating of A-1-a or higher within the meaning of § 1095.4, General Conservation Order L–148, for the particular items authorized to be delivered.

(9) *Special authorizations.* Notwithstanding the restrictions of paragraph (c) of this order, the Director General for Operations may from time to time specifically authorize one or more manufacturers or dealers, or both, to deliver specified quantities of restricted office machinery.

(d) *Special procedures and information.* (1) Private contractors engaged in construction work for the Army, Navy, Maritime Commission or Defense Plant Corporation and private operators of any plant, shipyard, training school or other enterprise controlled or financed, on a cost-plus-fixed-fee basis or otherwise, by the Army or Navy of the United States, the Maritime Commission or any other agency of the United States Government shall, when requesting restricted office machinery on Form PD–688, furnish a certification by the Government inspector assigned to the project (1) that no Government equipment is available for use in lieu of the equipment requested, (2) that the contractor or operator has no equipment available from any other source for use in lieu of the equipment requested, and (3) that the equipment requested is to be used exclusively by the contractor's or operator's private personnel for the duration of the project on work which the contractor is required to perform under the terms of his contract.

(2) Lend-Lease purchasers shall accompany their applications on Form PD–688 with a formal recommendation by the Lend-Lease Administration that such request be granted.

(3) Any person, other than the Army or Navy of the United States, the Maritime Commission, or any Lend-Lease purchaser, desiring to acquire restricted office machinery for export from the United States, except to Canada, must first apply to the Office of Export Control, Board of Economic Warfare, Washington, D. C., for an Export License, accompanying such application with an application on Form PD–688 for permission to receive delivery. If the Office of Export Control decides that an Export License should be issued to the applicant, a statement of such decision, together with the application on Form PD–688 and a formal recommendation that the application be granted, is to be forwarded to the War Production Board.

(e) *Sets of parts.* No person shall deliver any sets of parts for export from the United States unless the Director General for Operations has authorized such delivery on Form PD–423. Any person desiring to deliver sets of parts for export shall apply by letter to the War Production Board, enclosing with his application a Form PD–423 duly prepared for authorization. He shall state in his application the number of units of machinery which may be assembled from such sets of parts, the model numbers of such machines, and the equivalent retail price of similar completed machines when sold in the United States. The authorization to produce sets of parts given by paragraph (b) of this order and the authorization to deliver sets of parts for export given by the Director General for Operations on Form PD–423 shall not be construed to authorize the exportation of such sets of parts unless an export license can be secured. No manufacturer so producing and delivering sets of parts for export shall directly or indirectly import any new office machinery of the kinds listed on List A, List B, or List C into the United States.

(f) *Restrictions on types, styles, models, specifications, and use of materials*—(1) *Elimination of models.* The Director General for Operations may, from time to time, order the cessation of production or delivery of any model, style, or type of office machinery, including attachments or repair parts thereof.

(2) *Issuance of schedules.* The Director General for Operations may, from time to time, issue schedules establishing simplified practices with respect to the types, sizes, forms, materials, or specifications of office machinery. After the effective date of any such schedule, no office machinery shall be fabricated or assembled, except such as conforms to the issued schedule and except as specifically permitted by such schedule.

(3) *Elimination of motor driven machines.* (i) On and after November 1, 1942, no manufacturer of new duplicating machines of the spirit, gelatin, or stencil types shall incorporate electric motors in more than 20 percent of the aggregate number of duplicating machines of those kinds that he is permitted to produce under his quotas. The incorporation of electric motors in other types of duplicating machines by their manufacturers shall be discontinued except for those styles of machines where motors are essential to their operation.

(ii) No manufacturer of adding machines shall incorporate any electric motor in a new adding machine except a machine for the assembly of which all the necessary parts, including motors not useful for any other purpose, were available or in process on September 8, 1942.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Records.* All manufacturers and dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production and sales of restricted office machinery, and shall, upon request, make such records available for audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(l) *Communications to War Production Board.* All reports required to be filed hereunder, all communications concerning this order, and all applications shall, unless otherwise directed, be addressed to: War Production Board, Services Division, Washington, D. C.; Ref: L–54–c.

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

	I	II
1. Adding machines	55%	12%
2. Microfilm machines designed for office functions	50%	10%
3. Shorthand writing machines	70%	10%
4. Time stamp machines and collateral equipment	100%	42%

LIST B

1. Accounting machines, bookkeeping machines, and billing machines (accounting principle). Also continuous forms handling machines typewriter principle, having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers	91%	30%

[F. R. Doc. 43–4124; Filed, March 12, 1943; 11:04 a. m.]

List B—Continued	I	II
2. Addressing machines, including but not limited to embossing machines for plates, and stencil-cutting machines embodying typewriter principle	88%	42%
3. Calculating and computing machines	91%	23%
4. Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and multilith and Davidson duplicators	100%	48%
5. Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression)	100%	100%
6. Punched card tabulating and accounting machines and collateral equipment	100%	25%
7. Time recording machines and collateral equipment, except watchmen's clocks	100%	64%

List C

1. Dictating types of machines embodying amplifiers and other facilities for recording telephone conversations, conferences, and wireless messages, with near and far voice control.
2. Payroll denominating machines.

List D

1. Autographic registers.
2. Cash (registering) machines.
3. Change making machines.
4. Check cancelling machines.
5. Check cutting machines.
6. Check dating machines.
7. Check endorsing machines.
8. Check numbering machines.
9. Check perforating machines.
10. Check protecting machines.
11. Check signing machines.
12. Check sorting machines.
13. Check writing machines.
14. Coin counting machines.
15. Coin sorting machines.
16. Coin wrapping machines.
17. Machines and collateral equipment intended for use for dictating purposes.
18. Envelope contents folding machines.
19. Envelope handling machines.
20. Envelope mailing machines.
21. Envelope opening machines.
22. Envelope sealing machines.
23. Envelope stuffing machines.
24. Mail room folding machines.
25. Postal permit mailing machines.
26. Stamp affixing machines.

[F. R. Doc. 43-3866; Filed, March 12, 1943; 10:57 a. m.]

PART 1158—INDUSTRIAL MACHINERY

[Limitation Order L-83 as Amended March 12, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of industrial machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1158.1 *General Limitation Order L-83*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Critical industrial machinery" means new, used or reconditioned machinery, of the kinds listed, from time to time, in List A. The value of a critical industrial machine shall be the selling price, or in any case where the machine is rented, the cost of production (as indicated by the company's regularly established cost accounting system), excise tax value, or insurance value, whichever is higher. The term "new critical industrial machinery" means any critical industrial machinery which has not been delivered to any person acquiring it for use, and does not include used or reconditioned machinery. The term "used critical industry machinery" means any critical industrial machinery which at any time has been delivered to any person acquiring it for use, but does not include rebuilt machinery. The term "reconditioned critical industrial machinery" means used machinery which has been rebuilt or otherwise conditioned for resale, or reuse.

(3) "Manufacturer" means any person producing critical industrial machinery.

(4) "Distributor" means any person regularly engaged in the business of buying or otherwise acquiring new, used, or reconditioned machinery for resale.

(5) "Order" means any commitment or other arrangement for the delivery of critical industrial machinery, whether by purchase, lease, rental, or otherwise.

(6) "Approved order" means:

(i) Any order for critical industrial machinery, when accompanied by a PD-3A certificate, to be delivered to, or for the account of:

(*a*) The Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(*b*) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(ii) Any order placed by any agency of the United States Government for critical industrial machinery to be delivered to, or for the account of, the government of any country listed above, or any other country, including those in the western hemisphere, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Any order for critical industrial machinery bearing a preference rating of A-9 or higher assigned by a Preference Rating Certificate PD-3 or PD-3A countersigned prior to May 18, 1942, by a Preference Rating Order in the P-19 series issued prior to May 18, 1942, or by a Preference Rating Certificate PD-1 or PD-1A, a Preference Rating Certificate in the PD-25 or PD-408 Series, or Preference Rating Order P-19-h (PD-200 or 200A) issued at any time. After May 18, 1942, Preference Rating Certificate PD-3A shall be used only to assign preference ratings to approved orders to be delivered to or for the account of the agencies set forth in subdivision (i) hereof. Any preference rating certificate or order of any of the kinds enumerated above may be used to secure critical industrial machinery only by the person to whom it was originally issued and only when such machinery is expressly specified on the certificate or order (or its Form PD-200 or 200A). Any person placing an approved order for critical industrial machinery bearing a rating assigned by any such certificate or order who does not deliver such certificate or order but retains the same, as permitted by Priorities Regulation No. 3, as amended from time to time, or by the terms of the preference rating order shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, as amended from time to time, or such preference rating order certify to the person from whom the machinery is to be acquired that the certificate or order was originally issued to him and that the critical industrial machinery ordered was expressly specified on the certificate or order (or its Form PD-200 or 200A).

(iv) Any order which the Director General for Operations authorizes for production or delivery pursuant to paragraph (b) (2) hereof.

(b) *Restrictions on acceptance of orders for, and delivery and acquisition of, critical industrial machinery*—(1) *General prohibitions.* Except as provided in paragraph (b) (4) hereof, no person shall accept any order for critical industrial machinery, or deliver any critical industrial machinery in fulfillment of any order, whether accepted or not; unless such order is an approved order. No person shall accept delivery of any critical industrial machinery except pursuant to an approved order.

(2) *Procedure for authorization of orders on books.* Manufacturers or distributors may apply for authorization to deliver orders which are not approved orders, on their books on May 18, 1942, as it affects classes of critical industrial machinery from time to time, by filing with the War Production Board in triplicate, plainly marked Ref: L-83, a list of all such orders together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, if any, the preference rating certificate number, if any (or blanket preference rating order and serial number), the specified delivery date, the percentage of completion of the order on May 18, 1942, as it affects any particular kind of machinery, and the expected use to which the machinery will be put. The Director General for Operations may thereupon, if he shall deem it necessary or appropriate in the public interest and to promote the national defense, authorize the delivery of any such orders, or the assignment of preference ratings thereto.

(3) *Auction sales, sales pursuant to court order and similar transactions.* Dispositions of used critical industrial machinery at auction, at sheriff's sale, at tax sales, in liquidations of all or part of a business, and in similar transactions must be approved orders unless such dispositions are made to distributors within the limits specified in paragraph (b) (4) (vii).

(4) *Exempted transactions.* Nothing in this order shall be construed to prohibit any of the following transactions:

(i) The seizure of critical industrial machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sale agreement, chattel mortgage, pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(ii) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) through a transfer by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(iii) The delivery or acquisition of critical industrial machinery as part of a transaction, such as merger, consolidation, sale and purchase of assets, sale and purchase of stock, or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iv) The transfer of critical industrial machinery, within a plant, or within a single corporate enterprise (including majority-owned subsidiaries), from one plant or branch to another: *Provided, however,* That nothing in this subdivision (iv) shall be construed to permit transfers from a portion of an enterprise manufacturing, building, or assembling new machinery to a portion using it.

(v) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(vi) Deliveries to, and acquisitions by distributors, of new critical industrial machinery in the following two instances only:

(*a*) To fill approved orders for new critical industrial machinery which orders are actually in the hands of such distributors; or

(*b*) To replace new critical industrial machinery delivered by such distributor to fill an approved order.

(vi) Deliveries to, and acquisitions by, distributors of used critical industrial machinery (but not subsequent dispositions thereof) at auction, sheriff's sales, tax sales, liquidations or otherwise.

(viii) Subject to the provisions of paragraph (c), the delivery of critical industrial machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed one month, pending the repair of the damaged machine.

(ix) The delivery and acquisition of critical industrial machinery to be scrapped for its material content.

(x) The unloading, from a vessel, of any imported critical industrial machinery.

(xi) The transfer of any interest in any written instrument evidencing an interest in critical industrial machinery: *Provided, however,* That nothing in this subdivision (xi) shall be construed to permit the physical delivery or use of critical industrial machinery.

(xii) The return of any leased critical industrial machinery by the lessee to the lessor upon the expiration, termination, or cancellation of the lease.

(c) *Non-applicability to repair or maintenance of existing equipment.* The prohibitions of paragraph (b) hereof shall not be construed to restrict any delivery (1) to fill any order or group of orders of less than $1,000, placed with one or more suppliers within any four weeks' period, for parts intended for use in the repair or maintenance of any single existing machine, or a single machine delivered under the terms of this order, or (2) to fill any order of $1,000 or more for repair or maintenance parts when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts, or the like, and the essential repair or maintenance parts are not otherwise available.

(d) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L-83.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(h) *Records and reports.* All manufacturers and distributors affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for industrial machinery. All persons affected by this order shall execute and file with the Director General for Operations, War Production Board, such reports and questionnaires as said Director shall from time to time request. On or before 15 days after May 18, 1942, as to any kind of machinery, every manufacturer of critical industrial machinery shall file in triplicate with the War Production Board, plainly marked Ref.: L-83, a supplementary list of all orders for critical industrial machinery now on his books (in excess of the amounts listed in List A), not reported under paragraph (b) (2), together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, the preference rating certificate number, if any, (or blanket preference rating order and serial number), the specified delivery date, the percentage of completion of the order, and the expected use to which the machinery will be put. Manufacturers who have previously filed a list under the order need not refile.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

List A

1. Packaging and labeling machinery, on orders for a single machine of a value in excess of $200: *Provided, however,* That there shall be excluded from the terms of this order, orders for machinery to which a preference rating has been legally applied pursuant to the terms of Preference Rating Order P-115.
2. Pulp and paper making machinery, on orders for a single machine of a value in excess of $1,000.
3. Paper converting machinery, on orders for a single machine of a value in excess of $200.
4. Printing and publishing machinery, on orders for a single new, or less-than-five-year-old reconditioned or used machine of a value in excess of $200.
5. Bakery machinery, on orders for a single machine of a value in excess of $200.
6. Confectionery machinery, on orders for a single machine of a value in excess of $200.
7. Beverage bottling machinery, on orders for a single machine of a value in excess of $200.
8. Coffee grinding machinery, one horsepower and over, on orders for a single machine of a value in excess of $50.
9. Food slicing and grinding machinery, one horsepower and over, on orders for a single machine of a value in excess of $50: *Provided, however,* That there shall be excluded from the terms of this order orders for machinery to which a preference rating has been legally applied pursuant to the terms of Preference Rating Order P-115.
10. Dairy machinery and equipment, on orders for a single machine or piece of equipment of a value in excess of $300: *Provided, however,* That there shall be excluded from the terms of this order orders for machinery to which a preference rating has been legally applied pursuant to the terms of Preference Rating Order P-118. The term "dairy ma-

chinery and equipment" includes all machinery and equipment used for the processing of milk and milk products into dairy products, except machinery used on a farm for the producing of and handling of milk preparatory to delivery to commercial processors. A processing plant located on a farm is considered, under the terms of this order, to be a commercial processor, and is subject to the limitations hereof.

11. New woodworking, sawmill and logging machinery and equipment, on all orders for a single machine or unit of equipment of a value in excess of $250. The term "new woodworking, sawmill and logging machinery and equipment" means: new borers, dowel machines, edgers, gluing equipment, grinders, jointers, kilns, lathes, matchers, mills, mortisers, moulders, routers, sanders, saws, shapers, surfacers, tenoners, trimmers, veneer and plywood machines; and all other new machinery and equipment normally used in cutting, shaping, gluing, finishing, or otherwise processing wood and wood products, except machinery used for painting, varnishing, lacquering and similar purposes.

INTERPRETATION 1

Paragraph (a) (2) of General Limitation Order L–83 defines "Critical industrial machinery" as new, used, or reconditioned machinery of the kinds listed from time to time in List A of the order, and provides that the value of a critical industrial machine shall be the selling price with certain exceptions. List A specifies the machinery included in the order. In certain instances, the list contains dollar limitations on the value of machines so included. For instance, bakery machinery is covered by General Limitation Order L–83 only on an order for a single machine of a value in excess of $200.

The selling price of a machine would normally establish its value for purposes of this order unless other facts indicated that such selling price was not the actual value placed upon the machinery by the buyer and seller. In any case where a used machine is sold with the understanding by buyer or seller that the machine must be repaired or reconditioned in connection with or in relation to the sale transaction, in order that the machine be an effective instrument, the value of the machine for purposes of this order is to be deemed the aggregate of the selling price of the inoperable machine plus the cost of repairing or reconditioning the machine to the point where it can operate effectively. In other words, the sale of a broken down machine, followed by repairing or reconditioning in order that the machine be in condition to operate, does not avoid the impact of this order merely because the original sale of the inoperable machine is fixed at a value below the limitations established in General Limitation Order L–83; the cost of the repairs necessary to render the machine an effective instrument must be added to such original selling price in order to determine the value for the purposes of the order. (Issued December 17, 1942.)

[F. R. Doc. 43-3867; Filed, March 12, 1943; 10:57 a. m.]

PART 1174—LAUNDRY EQUIPMENT, DRY CLEANING EQUIPMENT AND TAILORS' PRESSING MACHINERY

[General Limitation Order L–91, as Amended March 12, 1943]

§ 1174.1 *General Limitation Order L–91—(a) Definitions.* For the purposes of this order:

(1) "Manufacturer" means any person fabricating or assembling commercial laundry machinery, commercial dry cleaning machinery or tailors' pressing machinery, or parts designed specifically for any such machinery, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by a manufacturer.

(2) "Distributor" means any person in the business of distributing, selling, or dealing in restricted machinery to the extent that he is engaged in such sales, dealing or distribution, other than sales and distribution outlets controlled by a manufacturer.

(3) "Commercial laundry machinery," "commercial dry cleaning machinery," and "tailors' pressing machinery" include, but are not limited to, machinery of the kinds listed from time to time in List A attached to this order. New machinery of such kinds is machinery which has not been previously used or purchased for use. Secondhand machinery of such kinds is machinery which has been previously used or purchased for use, including rebuilt or reconditioned machinery.

(i) "Tailors' pressing machinery" shall include all pressing machinery of the types used by dry cleaning establishments, by custom tailors, or by pressing establishments, but shall not include any pressing machinery designed specifically for use either in the mass production of garments and other textiles, or in other industrial processes, which is not used by dry cleaning establishments, custom tailors, or pressing establishments.

(ii) "Commercial dry cleaning machinery" shall include all dry cleaning machinery of the types used in laundering or cleaning establishments of any kind, such as, but not limited to, rug cleaning establishments, fur cleaning establishments, ships' service departments, and army exchanges, but shall not include electric hand irons, electrically heated steam irons or electrically heated water spray irons of the types which are subject to the limitations of § 1130.1 (General Limitation Order L–65), domestic laundry equipment (i. e., washing machines and ironing machines for home use), and laundry equipment designed specifically for use either in the mass production of garments and other textiles, or in other industrial processes, which is not used by laundering establishments.

(iii) "Commercial laundry machinery" shall include all laundry machinery, except electric hand irons, electrically heated steam irons or electrically heated water spray irons of the types which are subject to the limitations of § 1130.1 (General Limitation Order L–65), domestic laundry equipment (i. e., washing machines and ironing machines for home use), and laundry equipment designed specifically for use either in the mass production of garments and other textiles, or in other industrial processes, which is not used by laundering establishments.

(4) "Restricted machinery" means

(i) Any new commercial laundry machinery, commercial dry cleaning machinery and tailors' pressing machinery, and

(ii) Any secondhand commercial laundry machinery, commercial dry cleaning machinery and tailors' pressing machinery having a value in excess of $100 at the time of sale, lease, delivery, or other transfer: *Provided,* That secondhand machinery which is in such condition at the time of transfer that it cannot be used efficiently for the purposes for which it was designed and which is transferred with the intention that the machinery will be rebuilt or reconditioned by or at the expense of either the transferer or transferee, or both, shall be restricted machinery if its value after such rebuilding or reconditioning will exceed $100.

(5) "Emergency repair loan" means the temporary leasing or lending of restricted machinery to replace similar machinery while the latter is being repaired.

(b) *Restrictions on delivery.* (1) Regardless of the terms of any contract of sale or purchase or other commitment, or of any preference rating certificate, no person shall sell, purchase, lease, deliver, receive delivery of, or otherwise transfer or acquire restricted machinery without authorization by the Director General for Operations on Form PD–418, except as provided in paragraphs (b) (2), (b) (3), (b) (4), (b) (5) and (b) (6) of this order.

(2) The restrictions of paragraph (b) (1) shall not apply if the sale, lease, delivery or other transfer of restricted machinery is to a person acquiring the machinery neither for use nor for export.

(3) The restrictions of paragraph (b) (1) shall not apply if the restricted machinery sold, leased, delivered or otherwise transferred is secondhand and the transfer is by someone other than a manufacturer or distributor to a person acquiring the secondhand restricted machinery for use at the place at which it was last previously used.

(4) The restrictions of paragraph (b) (1) shall not apply to the delivery of restricted machinery from one manufacturer or distributor to another manufacturer or distributor to fill an order or part of an order received by the latter if the filling of the order has been authorized on Form PD–418.

(5) The restrictions of paragraph (b) (1) shall not apply to an emergency repair loan pursuant to written or telegraphic authorization of the Director General for Operations, for a period not in excess of forty-five days, or to the return of any restricted machinery to its owner by the manufacturer or distributor to whom that owner delivered the machinery for repair, rebuilding or reconditioning.

(6) The restrictions of paragraph (b) (1) shall not apply to direct or indirect purchases by the Army of the United States (except purchase orders placed by or for delivery to army exchange services) or by the Navy of the United States (except purchase orders placed by or for delivery to ships' service departments) if the purchase order bears a certification by the person placing the purchase order that notice of intention to place such purchase order has been sent to the War Production Board by such person or by the armed service which ultimately will receive the equipment. For purposes of this paragraph and paragraph (d) (1) an indirect purchase by the Army or Navy is a purchase of restricted equipment by a prime contractor or a sub-contractor of the Army or Navy for ultimate delivery to the Army or Navy, provided that the equipment purchased is constructed in accordance with specifications established by the Army or Navy and the installation of the equipment is to be supervised by the Army or Navy.

(c) *Procedure for deliveries.* (1) All persons making application for an authorization under paragraph (b) (1) of this order shall make such application on Form PD–418. Applicants who secure authorization upon Form PD–418 shall surrender such Form PD–418 to their supplier before completing the transaction authorized. Such authorizations shall expire thirty days after the date of their issuance unless served in the interim upon the supplier named therein. Within five days after their expiration all expired authorization forms shall be returned for cancellation to the War Production Board.

(2) Persons seeking authorization to make emergency repair loans pursuant to paragraph (b) (5) shall apply in writing, either by letter or telegram, to the War Production Board, Washington, D. C.

(3) Any person who purchases, leases, receives delivery of, or otherwise acquires restricted machinery neither for use nor for export, or who acquires second-hand restricted machinery from a person other than a manufacturer or distributor for use at the place at which the machinery transferred was last previously used, shall certify on his purchase order or contract that such is the case. The person receiving such certification shall be entitled to rely on such representation unless he knows or has reason to believe it to be false.

(d) *Prohibition of production of new machinery.* No manufacturer shall fabricate or assemble any new commercial laundry or dry cleaning machinery, or any new tailors' pressing machinery, except as follows:

(1) To fill orders for machinery constructed in accordance with specifications of, and purchased directly or indirectly by, the Army of the United States (except army exchange services) or the Navy of the United States (except ships' service departments),

(2) To fill orders approved on Form PD–418 for, and in accordance with specifications of, the Army or Navy of any country, the government of which is entitled to the benefits of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act),

(3) To fill orders approved on Form PD–418 for the Maritime Commission or the War Shipping Administration,

(4) To fill orders approved on Form PD–418 for machinery to equip a vessel constructed by or for the Navy, Maritime Commission, War Shipping Administration or Office of Lend-Lease Administration, or to equip a cantonment or other Army or Navy base constructed for the use and operation of the Army or Navy of the United States,

(5) To fill orders approved on Form PD–418 for a bag loading or other ordnance plant where the hazard is such that commercial laundry or dry cleaning machinery or tailors' pressing machinery has been certified to be necessary by the Army or Navy, or

(6) To complete the assembly of commercial laundry or dry cleaning machinery or tailors' pressing machinery to fill other orders approved by the Director General for Operations on Form PD–418, if the only operation necessary to complete the machinery for delivery is the final assembly of completely fabricated parts.

(7) Upon specific authorization of the Director General for Operations; the Director General for Operations may from time to time specifically authorize one or more manufacturers to fabricate, to assemble, or both to fabricate and assemble specified quantities of machinery of the types restricted by this paragraph (d).

(e) *Production Requirements Plan.* Unless otherwise authorized by the Director General for Operations, no commercial laundry or dry cleaning machinery, or tailors' pressing machinery, including maintenance or repair parts therefor, shall be manufactured except by a person who has filed an application under Priorities Regulation No. 11 (Production Requirements Plan) on a form of the PD–25 series for his material requirements for such manufacture for which he requires priority assistance.

(f) *Non-applicability to rebuilding, reconditioning, repair or maintenance of existing equipment.* The restrictions of paragraph (b) and paragraph (d) of this order shall not be construed to restrict the manufacture, acquisition, sale, or delivery, in any manner, of parts to be used to rebuild, recondition, repair or maintain existing machinery, or machinery delivered under the terms of this order. The above provision for parts for rebuilding, reconditioning, repair, or maintenance includes replacement parts to be used for such purposes.

(g) *Restrictions on use of materials.* (1) No monel metal, nickel, nickel silver, or nickel chrome steels shall be used in the production of new restricted machinery, except when specified by the Army (not including army exchange services), the Navy (not including ships' service departments) or the Maritime Commission, or the War Shipping Administration of the United States.

(2) No person shall use parts for rebuilding, reconditioning, or repairing commercial laundry machinery, commercial dry cleaning machinery or tailors' pressing machinery which parts have an aggregate weight in excess of forty percent of the weight of the machinery which is repaired, rebuilt, or reconditioned, except when necessary in order to meet specifications of the Army (except army exchanges), the Navy except ships' service departments), the Maritime Commission, or the War Shipping Administration of the United States or when specifically authorized by the Director General for Operations.

(3) Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any order or regulation effective at the date of any such sale, delivery or other transfer.

(h) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, with the exception of Priorities Regulation No. 17.

(i) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Records.* Each person affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production, and sales of commercial laundry and dry cleaning machinery and tailor's pressing machinery.

(l) *Reports.* (1) Each person affected by this order shall execute and file with the War Production Board such reports, information, and answers to questionnaires as the War Production Board shall from time to time request.

(2) On or before January 7, 1943, for the month of December 1942, and on or before the seventh day of each month thereafter, for the preceding month, each manufacturer or distributor of commercial laundry or dry cleaning machinery, or tailors' pressing machinery shall file a monthly report on Form PD–419.

(m) *Communications to War Production Board.* All reports and information required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Service Equipment Division, Washington, D. C.; Ref.: L–91.

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

Blocking machines, garment.
Boards, pressing.
Boards, pressing, velvet and nap.
Boards, shirt folding.
Boards, ironing.
Boards, spotting.
Boards, steam.
Cabinets, deodorizing.
Cabinets, drying.
Cabinets, sterilizing.
Collar shapers.

Collar tipper.
Conveyors "go back".
Conveyors, bags, (wet wash).
Conveyors, monorail.
Conveyors, shirt.
Cuff cleaners.
Dampeners, cloth.
Dampeners, collar and seam.
Dry cleaning units, naphtha.
Dry cleaning units, synthetic.
Dryers, garments, hot air.
Dryers, hosiery and sock.
Dryers, blanket and curtain, stretchers.
Dryers, rug.
Dryers, windwhip.
Dry rooms, conveyor.
Dry rooms, sectional.
Dye kettles.
Dye machines.
Extractors, laundry.
Extractors, drycleaning.
Extractor baskets (no-trux).
Extractor, starch.
Extractors, mechanical unloading.
Feather sanitizing machines.
Forms, gloves, steam heated.
Forms, collars.
Forms, hosiery and socks.
Forms, overall.
Forms, sleeve.
Forms, trouser.
Filters, solvent.
Finishers, garment.
Finishers, sleeve.
Fluffers, handkerchief.
Fluting machines.
Folding machines, automatic.
Fur cleaning equipment.
Glazer, fur.
Glove cleaning machines.
Hangers, shirt, revolving.
Hatters equipment.
Holders, bag.
Holders, net.
Identification systems:
  Pin and tag.
  Machine marking.
  Listing machines.
Irons, puff.
Irons, rotary.
Irons, steam.
Ironers, collar.
Ironers, flatwork.
Ironers, flatwork, chest type, steam.
Ironers, flatwork, cylinder type, steam.
Ironers, edger, electrical, gas, or steam.
Ironers, flatwork, cylinder, gas, electric.
Ironers, flatwork, chest, gas, electric.
Ironers, handkerchiefs.
Ironers, hat crown.
Ironers, ruffles.
Ironer attachments:
  Canopies.
  Cooling device.
  Feeding devices.
  Stripping device.
  String mark eliminator.
Napping machine (carding machine) (blanket finishing).
Puffers, steam
Presses, pneumatic.
Presses, foot power.
Presses, hand power.
Presses, electric driven.
Rug scrubbing machines.
Sand bags, hat.
Seam cleaners.
Shakers, flatwork.
Shapers, sleeves.
Shapers, trouser.
Shirt envelope machines.
Spreaders, flatwork.
Stackers, flatwork, automatic.
Stackers, handkerchief, automatic.
Starch cookers.
Starching and extracting machines.
Starching machines.
Starch mixers.
Steam sterilizers, diapers.
Steamers, garment.
Steamers, velvet.
Sterilizers, feathers.
Sterilizers, general.
Stills, vacuum.
Stretchers, trouser.
Stretchers, dress.
Tables, collar finishing.
Tables, folding.
Tables, garment blocking.
Tables, ironing.
Tables, marking.
Tables, shaping.
Tables, shirt finishing and folding.
Tables, spotting.
Tables, steam.
Tables, wet cleaning.
Tanks, soap.
Traps, drycleaning.
Tubs, scrub.
Tubs, starch.
Tubs, stationary laundry.
Tumblers, drying.
Tumblers, shake-out and conditioning.
Tumblers, drying, deodorizing.
Washers, automatic.
Washers, blanket.
Washers, drycleaning.
Washers, glove.
Washers, metal type.
Washers, metal cylinder type.
Washers, rug.
Washers, sterilizing.
Washers, unloading.
Washers, wood type.
Washers, wood cylinder type.
Washers, wood shell type.

[F. R. Doc. 43-3868; Filed, March 12, 1943; 10:57 a. m.]

PART 1206—HORSEHIDE

[General Conservation Order M-141 as Amended March 12, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of horsehide for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

[NOTE: Paragraph (a) was amended March 12, 1943]

§ 1206.1 *General Conservation Order M-141*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Horsehide" means the hide or skin which has been removed from a horse, colt, mule, ass or pony.

(2) "Raw horsehide" means an untanned horsehide before depilation.

(3) "Horsehide front" means that part of the horsehide commercially known as the "front", whether or not attached to the butt.

(4) "Horsehide butt" means that part of the horsehide commercially known as the "butt", whether or not attached to the front or shanks.

(5) "Horsehide shanks" means that part of the horsehide commercially known as the "shanks", whether or not attached to the butt.

(6) "Wet salted horsehide" means any horsehide except those commercially known as "dry South American horsehides" or "dry pony furs."

(7) "Put in process" means to soak in water or solution before depilation.

(8) "Military contract" means a contract for products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the government of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(9) "Military specifications" includes any and all United States Army, Navy (including the Bureau of Aeronautics and the Bureau of Ships), Marine Corps and Coast Guard specifications.

(10) "Blue chrome state" means the state after tanning but before fat-liquoring and coloring.

(11) "Converter" means any person who during the three years ending November 4, 1942 has caused, or during the operation of this order causes, more than a sum total of 50 horsehide fronts, horsehide butts or horsehide shanks during any one calendar month to be tanned for his account by others.

(12) "Tanner" means any person who during the three years ending November 4, 1942 has tanned, or during the operation of this order tans, more than a sum total of 50 horsehide fronts, horsehide butts or horsehide shanks during any one calendar month either for his own account, for the account of others, or both.

(13) "Basic monthly quota" means ½ of the number of wet salted horsehide fronts, wet salted and dry horsehide butts, or wet salted and dry horsehide shanks, as the case may be, put into process during the period July 1, 1941 to June 30, 1942, inclusive: *Provided, however,* That no "dry ponies" processed for furs, or any part thereof, shall be included in such quota.

(c) *Restrictions on processing of horsehide fronts, butts and shanks.* (1) No tanner shall put in process, and no converter shall cause to be put in process for his account, a greater percentage of his basic monthly quota of wet salted horsehide fronts, wet salted and dry horsehide butts, or wet salted and dry horsehide shanks, than is specified from time to time in orders supplemental to this order: *Provided, however,* That this restriction shall not apply to the processing of "dry ponies" for furs.

(2) No tanner shall put into process, or continue to process, any horsehide front except into suitable leather meeting any military specification in force at the time, unless in the judgment of his most qualified expert such horsehide front can not be made by him or by any other person into suitable leather meeting any military specification.

(3) [Revoked March 12, 1943]

(4) [Revoked March 12, 1943]

(d) *Restrictions on deliveries, sales and use of raw horsehides and horsehide front leather.* (1) No person shall hereafter sell or deliver any raw horsehide if he knows or has reason to believe such material is to be processed or delivered in violation of this order.

(2) [Revoked March 12, 1943]

[NOTE: Paragraph (3) was amended March 12 1943]

(3) No tanner or converter shall hereafter sell or deliver any horsehide front leather meeting any military specifications except:

(i) To a converter to fill orders held by such converter for leather to be incorporated into products to fill specific existing military contracts, or

(ii) To any other person for incorporation into products to fill specific existing military contracts held by such other person;

and no person shall accept delivery of or use any such horsehide front leather except a converter or other person under the respective conditions mentioned in this subparagraph.

(4) No tanner or converter shall sell or deliver any horsehide front leather or horsehide shanks not meeting any military specification except for incorporation into work gloves, garments for heavy duty workers, footwear, trusses, surgical supports, artificial limbs, orthopaedic products, sporting goods, and no manufacturer shall accept delivery of or use any such horsehide front leather for purposes other than those designated above in this paragraph.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Reports.* Any person who puts in process, or causes to be put in process for his account, any horsehides, horsehide fronts, horsehide butts or horsehide shanks, shall file with the War Production Board monthly, beginning May 31, 1942, one copy of report form PD-475; and shall file any additional reports or forms prescribed by the War Production Board from time to time.

Any person who uses horsehide leather shall file reports and forms as prescribed by the War Production Board from time to time.

(g) *Records.* Any person who puts in process horsehides or uses horsehide leather for manufacturing purposes shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref: M-141.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control.

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43 3876; Filed, March 12, 1943; 10:58 a. m.]

PART 3096—PAPER AND PAPERBOARD

[General Conservation Order M-241 as Amended March 12, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3096.1 *General Conservation Order M-241*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Produce" includes all operations connected with the production of paper and paperboard, including operations in the finishing room and packaging, but does not include processes or operations applied to paper and paperboard after the primary papermaking, such as printing, waxing, gumming, coating, bag manufacture, cup manufacture and envelope manufacture, box and container manufacture, and the fabrication of paper into paper articles.

(3) "Mill" means a congregation of pulp preparation and roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of paper and paperboard.

(4) "Base period" means the six month period from October 1, 1941 through March 31, 1942.

(5) "Paper merchant" means any person regularly engaged in the business of buying and reselling paper and, or paperboard.

(c) *Restrictions on production of paper and paperboard.* (1) Unless specifically authorized by the Director General for Operations pursuant to subparagraph (5) of this paragraph (c), no person or persons shall produce paper or paperboard in any mill which has not produced paper or paperboard since August 1, 1942.

(2) Each manufacturer of paper and/or paperboard shall for each mill operated by him determine quarterly a production quota, calculated as follows:

(i) Determine, separately for each class of paper and paperboard on List A the quantity thereof produced at such mill during the period from October 1, 1941 through March 31, 1942;

(ii) Subtract from the result for each class the quantity produced at such mill during such period of each of the grades of paper or paperboard on List B falling within such class;

(iii) Multiply the remainder for each class by percentage figure set opposite the particular class on List A;

(iv) Add together the several tonnages obtained by (iii), and divide by two.

The quantities shall be measured, to the nearest ton, in tonnage delivered from the paper machine. The method and basis for determining such tonnage shall be that method and basis followed at the particular mill in the past, or any other practicable method and basis, provided the same method and basis are used to determine both current production and production during the base period. If any machine unit of any mill was shut down during the base period for as much as 72 consecutive hours, excluding vacations and holidays, there may be added to (i) for such mill for the class of paper or paperboard principally produced on such machine unit, whatever quantity thereof could have been produced on such machine unit during the down time at the average rate of operation during the preceding month.

The Director General may from time to time by amendment change the classification and or percentages on List A or change List B, specifying a particular date for the change to take effect. Quotas for production after any such date shall be calculated according to Lists A and B as amended, until further amended. If the effective date of any such amendment is other than the first day of a calendar quarter, the quota for the quarter within which such date falls shall be recalculated by adding together (i) the proportion of the old quota which equals the proportion of the quarter preceding such date and (ii) the proportion of the new quota which equals the

proportion of the quarter following such date, including such date.

(3) No person or persons shall during the first calendar quarter of 1943 or any calendar quarter thereafter produce at any mill any quantity of paper and/or paperboard in excess of the quota for such mill for such quarter determined according to subparagraph (2) of this paragraph (c), except:

(i) To the extent and upon the conditions stated in subparagraph (4) of this paragraph (c); or

(ii) To the extent specifically authorized by the Director General for Operations pursuant to paragraph (5) (c) of this order, subject to any conditions imposed by the Director General for Operations in such authorization: and, *Provided*, That,

(i) Within such quota there may be produced at any mill any quantities of any one or several kinds of paper and/or paperboard, provided that the aggregate during any quarter does not exceed such mill's quota for that quarter; and

(ii) Regardless of and over and beyond any such quota, any person may produce at any mill, unless restricted by paragraph (c) (1) or by paragraph (e), any quantity of any kind of paper on List B.

(4) If one person owns only one mill, and such mill is equipped with only one machine unit for the manufacture of paper and/or paperboard, such person may, unless restricted by paragraph (c) (1) or by paragraph (e), produce at such mill during any calendar week any quantity of paper and/or paperboard required to occupy such machine 120 hours during such week: *Provided*, That such person shall in no other week during the same calendar quarter operate such mill in excess of 120 hours.

(5) If any person owns more than one mill, and can show that by combining or exchanging the several quotas of such mills, or parts thereof, significant quantities of critical materials will be saved, transportation reduced, labor released in areas where needed, or other materials or facilities required in the national defense conserved, he may submit to the Director General for Operations, in writing, a plan for such combination or exchange, stating the quantity and kinds of paper and/or paperboard produced at each mill involved during each month of the year from October 1, 1941 through September 30, 1942, the quantity and kinds of paper expected to be produced at each such mill during each quarter under such plan, how long he proposes to operate under such plan, his reasons for desiring to adopt such plan, and the respects wherein he conceives that such plan will accomplish the purposes mentioned. The Director General for Operations may thereupon approve, modify, or disapprove such plan or may impose upon the execution of any such plan whatever conditions he may deem appropriate to this order. Upon receipt from the Director General for Operations of approval in writing of such a plan the proponent may produce at the mills designated in such plan the quantities and kinds of paper and/or paperboard provided for in such plan, subject to any modifications or conditions imposed by the Director General for Operations in his approval. No person shall undertake or attempt to carry into effect any such plan unless and until he receives such approval.

(d) *Reserve production.* Each manufacturer of paper and/or paperboard shall reserve in the production schedule of each of his mills for the month of March, 1943, and for each calendar month thereafter, time and supplies sufficient to produce and deliver within such month, at the order of the Director General for Operations, 2% of such mill's potential production as calculated from Lists A and B appended for the current calendar quarter. In general this should amount to approximately 6% of each month's production. The Director General for Operations may on or before the 15th day of any month, by telegram or letter, direct any manufacturer to employ such reserve to produce any kind of paper and/or paperboard usually produced at such mill, and any quantity thereof, not to exceed in the aggregate for any one month 2% of such mill's potential production for the current quarter, and sell and deliver the same within the month to any person named by the Director General for Operations. The manufacturer may refuse so to produce and deliver only for the reasons specified for the refusal of rated orders in § 944.2 (b) of Priorities Regulation No. 1. If the manufacturer does not on or before the 15th of any month receive from the Director General for Operations directions as to the disposition of such reserve (or has received directions as to the disposition of a part but not of the remainder) he may employ the same (or such remainder) as he may desire, consistent with the other provisions of this order.

(e) *Restrictions on inventory.* Unless specifically authorized by the Director General, by telegram or letter, or excepted by paragraph (e) (5):

(1) No person shall knowingly deliver, and no person shall accept delivery of any quantity of newsprint, if the inventory of newsprint in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than seventy five days' supply, on the basis of either his average rate of consuming newsprint for the preceding quarter or his average rate of consuming newsprint as projected for the then current quarter;

(2) No person shall knowingly deliver to any person except a paper merchant and no person except a paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads greater than sixty days' supply, on the basis of either his average rate of consuming such grade of paper or paperboard for the preceding quarter or his average rate of consuming such grade of paper or paperboard as projected for the then current quarter;

(3) No person shall knowingly deliver to a paper merchant, and no paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of such paper merchant is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than ninety days' supply, on the basis of either his average rate of distributing such grade of paper or paperboard for the preceding quarter or his average rate of distributing such grade of paper or paperboard as projected for the then current quarter;

(4) No person shall produce at any mill any quantity of any grade of paper or paperboard other than newsprint, if his inventory of such grade at such mill is, or will by virtue of such production become, in excess of (i) two carloads or (ii), if in excess of two carloads, greater than sixty days' supply, on the basis of either the average rate of shipment of such grade from such mill for the preceding quarter or the average rate of shipment of such grade from such mill as projected for the then current quarter.

(5) The term "grade of paper or paperboard" refers to the classification on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, each caption (except those which are further broken down by following captions) representing a separate grade. If a person's gross inventory of a grade is in excess of two carloads or sixty days' supply, as above, but his inventory of a particular item within that grade is less than thirty days' supply (or, in the case of a paper merchant, less than sixty days' supply), he may accept delivery of or produce, and others may deliver to him, any quantity of such item as may be required to provide him with thirty days' supply (or in the case of a paper merchant sixty days' supply). The restrictions of this paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, under the captions "Photographic and other sensitized" (07611) and "Cigarette" (08512), or to any paper or paperboard after it is printed or converted beyond waxing or coating, or to inventories held by or for any agency or government referred to in § 944.1 (b) (1) and (2) of Priorities Regulation No. 1, or by or for the United States Government Printing Office.

(f) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to, War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241.

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

Column 1 lists general classes of paper and paperboard by names common in the trade. Each class includes all the grades of paper or paperboard reported on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942) by the code numbers, respectively as indicated, set out under the name. In the calculation of a mill's quota there should first be determined the whole quantity of each class produced at the mill during the base period, then subtracted from the result for each class the quantity produced at the mill during the base period of any kind of paper or paperboard on List B falling within such class, then the remainder multiplied by the percentage in column 2, and the several results added and the total divided by two. (See (c) (2) of Order M-241, as amended.)

Class of paper or paperboard	*Percentage*
Newsprint OPM-514—0100 to 0103, incl. WPB-514—01000 to 01300, incl.	90
Groundwood papers OPM-514—0200 to 0207, incl. WPB-514—02000 to 02900, incl.	80
Book papers OPM-514—0300 to 0340, incl. WPB-514—03000 to 03590, incl.	80
Writings OPM-514—0350 to 0375, incl., 0980 to 0983, incl. WPB-514—04000 to 08009, incl.	90
Wrapping paper (including imitation vegetable parchment, but not including glassine, greaseproof and genuine vegetable parchment) OPM-514—0400 to 0494, incl. (except 0440, 0450 for glassine, and 0460 for genuine vegetable parchment) and 0800	85
WPB-514—09000 to 10900, incl. (except 09600, 09700 for glassine, and 09800 for genuine vegetable parchment) and 19000	
Glassine, greaseproof and genuine vegetable parchment OPM-514—0440, 0450 (glassine only) and 0460 (genuine vegetable parchment only) WPB-514—09600, 09700 (glassine only) and 09800 (genuine vegetable parchment only)	100
Tissue paper OPM-514—0500 to 0516, incl. WPB-514—11000 to 11900, incl. and 12100 to 12990, incl.	100
Absorbent papers OPM-514—0600 to 0607, incl. WPB-514—13000 to 13990, incl.	80
Cardboard OPM-514—0970 to 0974, incl. WPB-514—54000 to 54900, incl.	80

LIST B

Column 1 lists the grades of paper and paperboard which may in general be manufactured without restriction. (See (c) (3) of Order M-241, as amended). The general class within which each falls, according to the classification on List A, is indicated in Column 2. In the calculation of a mill's quota, the amount produced during the base period of each kind of paper and paperboard listed in column 1 is to be subtracted from the total quantity of the corresponding class in column 2 produced during the base period. (See (c) (2) (ii) of Order M-241, as amended). The kinds of paper and paperboard listed in column 1 are further identified by the numbers in parentheses following each, being the code numbers for each on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942), respectively as indicated.

Column 1	Column 2 (Corresponding general class on List A)
(Unrestricted)	
Absorbent for Resin Impregnating and Plastics (OPM-514: 0607) (WPB-514: 13910, 13990)	Absorbent Papers
Absorbent for Vulcanized Fibre (OPM-514: 0605) (WPB-514: 13500)	Absorbent Papers
Building Boards (OPM-514: 1010 to 1013 incl.) (WPB-514: 58000 to 58900 incl.)	Not Listed in A
Building Papers (OPM-514: 0700 to 0704 incl.) (WPB-514: 14000 to 14900 incl.)	Not Listed in A
Carbonizing Paper (less than 24 x 36, 480, 18#) (OPM-514: 0504) (WPB-514: 12130)	Tissue Papers
Cigarette Paper (less than 24 x 36, 480, 18#) (OPM-514: 0502) (WPB-514: 12110)	Tissue Papers
Condenser Paper (less than 24 x 36, 480, 18#) (OPM-514: 0503) (WPB-514: 12120)	Tissue Papers
Container Board OPM-514—0901 to 0930, incl. WPB-514—51000 to 51900, incl.	Not listed in A
Currency Paper (not separately identified on census forms)	Writing Papers
Folding box board, etc. OPM-514—0940 to 0943, incl. WPB-514—52000 to 52990, incl.	Not listed in A
Photographic Paper (not separately identified on census forms)	Writing Papers
Sanitary napkin and wadding stock (OPM-514: 0510, 0516) (WPB-514: 11100)	Tissue Papers
Set-up box boards, etc. OPM-514—0950 to 0953, incl. WPB-514—53000 to 53990, incl.	Not listed in A
Special industrial boards OPM-514—0960, 0990, 1000, 1020. WPB-514—55000 to 57000, incl. 59000 to 59900, incl.	Not listed in A
Stencil and Lens Paper (less than 24 x 86, 480, 18#) (OPM-514: 0505) (WPB-514: 12190)	Tissue Papers

[F. R. Doc. 43-3877; Filed, March 12, 1943; 10:58 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 10,[1] Amendment 1]

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation No. 10 is amended in the following respect:

Section 1300.853 is amended to read as follows:

§ 1300.853 *Procedure where Board member is disqualified.* In the event a Board member is disqualified to act under § 1300.852 the remaining members of the Board shall constitute a quorum to act as the Board. If the Board takes favorable action upon the application made by the disqualified member or in which he has an interest described in § 1300.852 the application, together with all pertinent records, shall be forwarded on or before the tenth day of the following month to the State Director or District Manager who is authorized to hear appeals from the Board under Procedural Regulation No. 9. The State Director or District Manager shall review the matter and shall either confirm, modify or reverse the action of the Board, directing the Board to take such action as may be necessary to give effect to his decision.

This amendment shall become effective March 17, 1943.

(Pub. Law 507, 77th Cong., W.P.B. Directive No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3844; Filed, March 11, 1943; 12:24 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[2] Amendment 29]

MILEAGE RATIONING GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respect:

Section 1394.7706 (n) is amended to read as follows:

(n) By the following persons for the following purposes:

(1) Any person, including an employer, employer's organization, or labor organization, for the transportation of farm workers, commercial fishermen, seamen, or marine workers to, from or between their places of employment; or

(2) An engineer or technician for transportation between home or lodgings and a radio broadcasting transmission station or between such station and other permanent facilities for radio broadcasting for purposes necessary to the operation of such station, but only if such station, because of its power, is located in a rural or suburban area; or

(3) An engineer or technician for the transportation of non-portable equipment to and from temporary installations for radio broadcasting, if no alternative means of transportation are adequate.

This amendment shall become effective March 17, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3845; Filed, March 11, 1943; 12:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation[1] as Amended March 11, 1943]

By Amendment 46, § 1499.13 (a) (1) (i) is amended so that the General Maximum Price Regulation shall read as follows:

In the judgment of the Price Administrator the prices of commodities and services generally have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

In the judgment of the Price Administrator the maximum prices established by this General Maximum Price Regulation, which apply with certain exceptions to all commodities and services not otherwise subject to regulation, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act.

So far as practicable the Price Administrator gave due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability. So far as practicable the Price Administrator consulted with representatives of trade and industry.

A statement of the considerations involved in the issuance of this General Maximum Price Regulation is issued simultaneously herewith.[2]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, this General Maximum Price Regulation is hereby issued.

MAXIMUM PRICES

Sec.
1499.1 Prohibition against dealing in commodities or services above maximum prices.
1499.2 Maximum prices for commodities and services.
1499.3 Maximum prices for commodities which cannot be priced under § 1499.2.
1499.4 Supplemental regulations.
1499.4a Determination of maximum prices by sellers at retail operating more than one retail establishment.
1499.4b Adjustment of maximum prices in case of special deals.
1499.5 Transfers of business or stock in trade.
1499.6 Sales for export.
1499.7 Federal and state taxes.
1499.8 Less than maximum prices.

COMMODITIES AND SERVICES EXCEPTED FROM THIS GENERAL MAXIMUM PRICE REGULATION

1499.9 Commodities excepted from this General Maximum Price Regulation.
1499.10 Services excepted from this General Maximum Price Regulation.

RECORDS

1499.11 Base-period records.
1499.12 Current records.
1499.13 Maximum prices of cost-of-living commodities: statement, marking or posting.
1499.14 Sales slips and receipts.

REGISTRATION AND ENFORCEMENT

1499.15 Registration.
1499.16 Licensing.
1499.17 Penalties.

PROCEDURE FOR ADJUSTMENT OR AMENDMENT

1499.18 Adjustment of maximum prices.
1499.19 Petitions for amendment.

DEFINITIONS AND EXPLANATIONS

1499.20 Definitions and explanations.

OTHER PRICE REGULATIONS, APPLICABILITY, EFFECTIVE DATE

1499.21 Effect of other price regulations.
1499.22 Applicability.
1499.23 Effective date.
1499.23a Effective dates of amendments.
1499.24 Appendix A: Report of maximum price determined under § 1499.3 (a).
1499.25 Appendix B: Commodities designated by the Price Administrator as cost-of-living commodities.

AUTHORITY: §§ 1499.1 to 1499.25, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICES

NOTE: The meaning of certain provisions and terms of this General Maximum Price Regulation is further explained and defined in § 1499.20. The explanations and definitions are set forth in alphabetical order.[3] The terms explained and defined are quoted the first time they appear in the text.

§ 1499.1 *Prohibition against dealing in commodities or services above maximum prices.* On and after the effective date of this General Maximum Price Regulation, regardless of any contract or other obligation:

(a) No "person" shall "sell" or deliver any "commodity", and no person shall sell or supply any "service", at a price higher than the maximum price permitted by this General Maximum Price Regulation; and

(b) No person in the course of trade or business shall buy or receive any commodity or service at a price higher than the maximum price permitted by this General Maximum Price Regulation.

[1] With exception of definitions added by amendments.

(c) The provisions of paragraph (b) of this section shall not be applicable to any war procurement agency or any contracting or paying finance officer thereof and any such agency or contracting or paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this General Maximum Price Regulation or by the Emergency Price Control Act of 1942. "War procurement agency" as used in this paragraph, includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

[Paragraph (c) added by Amendment 7, 7 F.R. 4659, effective 6-25-42]

§ 1499.2 *Maximum prices for commodities and services; general provisions.* Except as otherwise provided in this regulation, the "seller's" maximum price for any commodity or service shall be:

(a) The highest price charged by the seller during March 1942:

(1) For the same commodity or service; or

(2) If no charge was made for the same commodity or service, for the similar commodity or service most nearly like it; or

(b) If the seller's maximum price cannot be determined under paragraph (a), the highest price charged during March 1942 by the "most closely competitive seller of the same class":

(1) For the same commodity or service; or

(2) If no charge was made for the same commodity or service, for the similar commodity or service most nearly like it.

Highest Price Charged During March 1942

For the purposes of this General Maximum Price Regulation, the highest price charged by a seller during March 1942 shall be:

(a) The highest price which the seller charged for a commodity "delivered" or service "supplied" by him during March 1942 to a "purchaser of the same class"; or

(b) If the seller made no such delivery or supplied no such service during March 1942, his highest "offering price" for delivery or supply during that month to a purchaser of the same class; or

(c) If the seller made no such delivery or supplied no such service and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers:

Provided, however, That (1) If before April 1, 1942, the seller raised his prices for a commodity or service to all his classes of purchasers (or to all his classes of purchasers except those to whom he was bound to make delivery or supply during March 1942 pursuant to a firm commitment made before the price rise) and

(2) If during March 1942 he delivered the commodity or supplied the service at the increased price to at least one class of purchasers, then, in order to allow the seller to apply the price rise to any class of purchasers to which no delivery or supply was made during that month after the price rise (except under a firm commitment made before the price rise), the highest price charged during March 1942 shall be deemed to be:

(i) The seller's increased offering price to such class of purchasers for delivery or supply during March 1942, or

(ii) If the seller had no such increased offering price to that particular class of purchasers, the highest price charged during March 1942 to a purchaser of a different class, adjusted to reflect—

(*a*) The seller's customary differential in price between the two classes of purchasers; or

(*b*) If the seller had no such customary differential, the actual percentage differential in price between the two classes of purchasers which existed at the time the seller last entered into a commitment, or, if he did not enter into such a commitment, last submitted an offering price, for delivery or supply to a purchaser of that particular class during March 1942.

No seller shall evade any of the provisions of this General Maximum Price Regulation by changing his customary allowances, discounts or other price differentials.

No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service, than the seller required purchasers of the same class to pay during March 1942 on deliveries or supplies of the same or similar types of commodities or services.

[Above portion of § 1499.2 amended by Amendments 23 and 38, 7 F.R. 6615, 10155, effective 8-26-42 and 12-10-42, respectively]

Similar Commodities or Services

One commodity shall be deemed similar to another commodity, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold in the same price line. In determining the similarity of such commodities, differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such commodities would ordinarily have been sold, shall not be taken into account. One service shall be deemed similar to another service if the first has the same use and purpose as the second and belongs to a type which would ordinarily be sold for the same or substantially the same price.

Special Provisions

The maximum prices established by this section for certain commodities or services or in certain transactions may be modified by supplementary regulation issued under this section.[4]

[Above paragraph added by Amendment 15, 7 F.R. 5484, effective 7-15-42]

[Note: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1499.3 *Maximum prices for commodities and services which cannot be priced under § 1499.2.* The seller's maximum price for a commodity or service which cannot be priced under § 1499.2 of this General Maximum Price Regulation shall be a maximum price in line with the level of maximum prices established by this General Maximum Price Regulation. Such price shall be determined by the seller in accordance with the following procedures:

(a) In the case of a "sale at wholesale or retail" of a commodity, the seller (1) shall select from the same general classification and price range as the commodity being priced under this section, the comparable commodity for which a maximum price is established under § 1499.2 of this regulation and of which the seller delivered the largest number of units during March 1942; (2) shall divide his maximum price for that commodity by his "replacement cost" of that commodity; and (3) shall multiply the percentage so obtained by the cost to him of the commodity being priced under this paragraph. The resulting figure shall be the maximum price of the commodity being priced. Within ten day after determining such maximum price under this paragraph, the seller shall report such price to the "appropriate field office of the Office of Price Administration" upon a form, duly filled out, copied from the form contained in Appendix A of this regulation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(b) In the case of a sale other than at wholesale or retail of a commodity, the maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (1) a description in detail of the commodity for which a maximum price is sought; and (2) a statement of the facts which differentiate such commodity from other commodities delivered during March 1942 by such seller and by other competitive sellers of the same class. Such authorization will be given in the form of an order prescribing a method of determining the maximum price for the applicant or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

(c) In the case of a sale at wholesale or retail of a commodity which cannot be priced under paragraph (a) of this section, the maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration or any duly authorized officer thereof. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the regional office of the Office of Price Administration for the region in which his principal place

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8281.

[2] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2720.

[1] 7 F.R. 3153, 3330.

[2] Filed with the Division of the Federal Register. Statements of considerations are also issued simultaneously with the issuance of amendments.

[3] These modifications are contained in Supplementary Regulation No. 14 and amendments thereto.

of business is located an application setting forth (1) a description of the commodity or commodities for which a maximum price is sought; (2) a statement of the reasons why such commodity or commodities cannot be priced under § 1499.2 or § 1499.3 (a) of this General Maximum Price Regulation; and (3) any other facts which the seller wishes to submit in support of the application. The seller shall also submit such additional pertinent information as the regional office may require. Such authorization will be given in the form of an order prescribing a method of determining the maximum price.

(d) In the case of a sale of a commodity the price for which includes the supply of a service of substantial value and which cannot be priced under paragraph (a) of this section, or in the case of a sale of a service, the maximum price shall be a price determined by the seller by applying the first applicable pricing method of the pricing methods stated in § 1499.102 of Maximum Price Regulation No. 165, as amended.[5]

[§ 1499.3 as amended by Amendment 25, 7 F.R. 7093, effective 9-9-42]

§ 1499.4 *Supplemental regulations.* If the maximum prices established for any commodity under the provisions of this General Maximum Price Regulation fail equitably to distribute returns from the sale at retail of such commodity among producers, manufacturers, wholesalers and retailers, the Price Administrator will by supplementary regulation establish such maximum prices for different classes of sellers, or fix such base periods for the determination of their maximum prices, as will insure that each such class of sellers shall receive a fair share of such return.

§ 1499.4a. *Determination of maximum prices by sellers at retail operating more than one retail establishment.* A seller who owns more than one establishment selling commodities at retail and who has had a fixed practice, which prevailed during March 1942, of selling commodities at retail at uniform or at substantially uniform prices in all such establishments or in all such establishments located in a particular area may make written application to the Office of Price Administration, Retail Trade and Services Division, Washington, D. C., for authorization to determine and use uniform maximum prices under this General Maximum Price Regulation in all of such establishments in which it has been the practice to charge uniform or substantially uniform prices. Such application shall state (a) the name and address of the principal office of the seller; (b) the number of separate retail establishments owned by the seller and the address of each such establishment; (c) the kind of merchandise carried in such retail establishments; (d) whether commodities are purchased centrally by the seller and distributed by the seller to such retail establishments or are purchased separately by such establishments; (e) a description of the fixed practice of the seller of selling commodities at uniform or substantially uniform prices in all such retail establishments or in all such retail establishments located in particular areas indicating the length of time during which such practice has been in effect and whether uniform selling prices are determined in a central office; (f) the names and addresses of the seller's most closely competitive sellers of the same class on a national or regional basis; and (g) any other facts which the seller wishes to submit in support of the application. If such authorization is given, it will be accompanied by instructions as to the method by which the seller may determine and use uniform maximum prices under this General Maximum Price Regulation.

[§ 1499.4a added by Amendment 12, 7 F.R. 5365, effective 7-15-42]

§ 1499.4b *Adjustment of maximum prices in cases of special deals.* Any seller, other than a seller at retail, whose maximum price for a commodity to purchasers of a particular class is based on a "special deal" given by him to such purchasers which he can demonstrate was to have terminated not more than 123 days from the date on which it first became effective, may adjust his maximum price to such purchasers to the highest price at which such commodity was delivered by him to a purchaser of that class during the 30 days immediately preceding the date on which the special deal first became effective.

A seller at retail whose maximum price for a commodity to purchasers of a particular class is based on a special deal given by him to such purchasers as the result of a special deal given to him by his supplier may adjust his maximum price to such purchasers to the highest price at which such commodity was delivered by him to a purchaser of that class during the 30 days immediately preceding the date on which the special deal given by him first became effective. Such adjusted maximum price shall not apply to the particular commodities purchased by the retailer under the special deal given to him by his supplier.

The words "special deal," as used in this section, mean any reduction in the price of a commodity to purchasers of a particular class from the price in effect for purchasers of that class on the day immediately preceding the date on which the special deal first became effective, including but not limited to a reduction in such price resulting from offers of free goods, combination sales, and increased quantity and other discounts to purchasers of such class.

A seller who makes an adjustment in his maximum price pursuant to this section shall, within 10 days thereafter, submit a statement to the regional office of the Office of Price Administration for the region in which the seller's place of business is located, except that if the seller makes sales of the commodity in more than one region, the statement shall be submitted to the Office of Price Administration, Washington, D. C. Such statement shall set forth:

(a) The seller's maximum price for the commodity prior to the adjustment permitted by this section;

(b) A description of the special deal given by the seller including all the terms thereof, the class or classes of purchasers to which it was applicable, the dates during which it was in effect, and copies of price lists, advertisements and trade announcements pertaining to such special deal;

(c) In the case of a seller at retail a description of the special deal given to him by his supplier including all the terms thereof, the dates during which it was in effect and copies of price lists and trade announcements pertaining to such special deal;

(d) In the case of a seller other than a seller at retail, detailed evidence demonstrating that the special deal was to have terminated on or before a date not more than 123 days from the date on which the special deal first became effective;

(e) The adjusted maximum price established by the seller pursuant to this section; and

(f) A description of all prices and terms of payment which the seller has had in effect for the commodity since January 1, 1941.

The adjusted maximum price reported by the seller pursuant to this section shall be subject to adjustment at any time by the Office of Price Administration.

[§ 1499.4b added by Amendment 14, 7 F.R. 5565, effective 7-21-42]

§ 1499.5 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this General Maximum Price Regulation.

§ 1499.6 *Sales for export.* The maximum price at which a person may export any commodity shall be determined in accordance with the provisions of the Maximum Export Price Regulation[6] issued by the Office of Price Administration on April 25, 1942.

§ 1499.7 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March 1942 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this General Maximum Price Regulation.

(2) In all other cases if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this General Maximum Price Regulation.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

[§ 1499.7 as amended by Amendments 7 and 30, 7 F.R. 4659, 10454, effective 6-25-42 and 12-17-42, respectively]

§ 1499.8 *Less than maximum prices.* Lower prices than those established by this General Maximum Price Regulation may be charged, demanded, paid or offered.

[5] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060.

[6] Revised, 7 F.R. 5059, 7242, 8829, 9000, 10030.

COMMODITIES AND SERVICES EXCEPTED FROM THIS GENERAL MAXIMUM PRICE REGULATION

§ 1499.9 *Commodities excepted from this general maximum price regulation.* (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

(1) Any "raw and unprocessed agricultural commodity or greenhouse commodity" while it remains in substantially its original state, except that dried fruits and dried berries (other than dried prunes and other than sales or deliveries "in natural condition" by growers to packers), bananas, and dried imported agricultural commodities, shall be governed by this General Maximum Price Regulation.

[Subparagraph (1) as amended by Amendment 4, 7 F.R. 4339, effective 6-5-42]

(2) Eggs and poultry.

(3) All milk products,[7] including butter, cheese, condensed and evaporated milk, except that fluid milk sold at wholesale and retail, cream sold at wholesale and retail, and ice cream shall be governed by this General Maximum Price Regulation.

[Subparagraph (3) as amended by Amendment 21, 7 F.R. 6007, effective 8/7/42 except that the effective date of this amendment with respect to fluid milk and fluid cream sold at wholesale in the Washington market area as defined in Federal Milk Marketing Order No. 45, as amended, issued by the Secretary of Agriculture August 29, 1941, shall be November 2, 1942]

(4) "Flour, cake mixes and flour mixes", except that "packaged" cake mixes and flour mixes shall be governed by this General Maximum Price Regulation.

[Subparagraph (4) as amended by Amendment 2, 7 F.R. 3990, effective 5-29-42]

(5) Mutton and lamb.

(6) Fresh fish and sea food, and game.

(7) Dried prunes, dried edible beans, leaf tobacco (whether dried or green), all nuts and peanuts except cleaned or raw shelled peanuts harvested from the 1941 crop, all salted peanuts and peanut butter, linseed oil, linseed cake, linseed meal, manure, garbage, mixed seeds for house pet birds, and poultry tonics and condiments.

[Paragraph (7) as amended by Amendment 41, 8 F.R. 1204, effective 2-1-43]

(8) Living animals, whether wild or domestic.

(9) Books, magazines, motion pictures, periodicals, newspapers, and materials furnished for publication by any press association or feature service.

[Footnote [7] added by Amendment 45, 8 F.R. 2346, effective 3-22-43]

(10) Blister copper, lead bullion, "ores", and ore concentrates.

[Subparagraph (10) as amended by Amendment 36, 7 F.R. 9616, effective 11-24-42]

(11) Stumpage, logs, and pulpwood.

(12) Stamps and coins; "precious stones" and mountings into which precious stones are set; antiques and knotted oriental rugs; paintings, etchings, sculptures and other objects of art.

[Subparagraph (12) as amended by Amendment 9, 7 F.R. 5027, effective 7-2-42]

(13) Used automobiles.

(14) Wood and gum for naval stores and gum naval stores.

[Subparagraph (14) as amended by Amendment 5, 7 F.R. 4487, effective 6-19-42]

(15) "Securities."

(16) Such other commodities as may be specified by supplementary regulations issued under this section.[8]

(b) This General Maximum Price Regulation shall not apply to the following sales or deliveries:

(1) By a farmer, of commodities grown and processed on his farm, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(2) By any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale: *Provided, however,* That the exception contained in this subparagraph shall not apply to sales or deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a,[9] issued by the Director General for Operations, War Production Board.

[Paragraph (2) as amended by Amendment 42, 8 F.R. 1317, effective 2-3-43]

(3) By an owner, of his used personal or household effects or other personal property used by him.

(4) At a bona fide auction of used household or personal effects.

(5) By hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals, servings of food portions customarily served separately or as part of a meal, or beverages mixed or prepared by the seller. This exemption shall not apply to sales of ice cream in cones, dixie cups or similar packages.

[Paragraph (5) as amended by Amendment 44, 8 F.R. 2110, effective 2-20-43]

(6) By a breeder, trapper, or hunter, of pelts, furs, or other parts of wild animals raised by him, or trapped, shot, or killed by him, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(7) Of commodities sold without private profit in the course of any sale, fair, or bazaar conducted for a period of not more than 15 days by any religious, charitable, or philanthropic organization.

(8) To the United States or any agency thereof of such commodities or in such

[7] *Exception:* Adjusted maximum prices for the milk product known as "ice cream mix," the butterfat content of which is reduced to not less than 8% included in 14% or more [by weight] of milk solids are fixed in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 119 to Supplementary Regulation No. 14, 8 F.R. 2346).

[8] These other commodities are contained in Supplementary Regulation No. 1 and amendments thereto.

[9] 7 F.R. 6955.

transactions as may be specified by supplementary regulations issued under this section.[9]

(9) Such other sales and deliveries as may be specified by supplementary regulations issued under this section.

§ 1499.10 *Services excepted from this general maximum price regulation.* The provisions of this General Maximum Price Regulation shall not apply to such services as may be specified by supplementary regulations issued under this section or by any amendments thereto.[11]

[§ 1499.10 as amended by Amendment 8, 7 F.R. 4738, effective 7-1-42]

RECORDS

§ 1499.11 *Base-period records.* Every person selling commodities or services for which, upon sale by that person, maximum prices are established by this General Maximum Price Regulation, shall:

(a) Preserve for examination by the Office of Price Administration all his existing "records" relating to the prices which he charged for such of those commodities or services as he delivered or supplied during March 1942, and his offering prices for delivery or supply of such commodities or services during such month; and

(b) Prepare, on or before July 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(1) The highest prices which he charged for such of those commodities or services as he delivered or supplied during March 1942 and his offering prices for delivery or supply of such commodities or services during such month, together with an appropriate description or identification of each such commodity or service; and

(2) All his customary allowances, discounts, and other price differentials.

Any person, other than a person selling at retail, who claims that substantial injury would result to him from making such statement available to any other person, may file it with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this General Maximum Price Regulation.

§ 1499.12 *Current records.* Every person selling commodities or services for which, upon sale by that person, maximum prices are established by this General Maximum Price Regulation shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept, relating to the prices which he charged for such of those commodities or services as he sold after the effective date of this General Maximum Price Regulation; and, in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices for those commodities or services.

§ 1499.13 *Maximum prices of cost-of-living commodities: statement, marking or posting.* For the purposes of this section, a cost-of-living commodity is any commodity designated as such by the Price Administrator. A list of the classes of commodities so designated appears in § 1499.25, Appendix B, of this General Maximum Price Regulation.

(a) On and after May 18, 1942, every person offering to sell a cost-of-living commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum price may be marked on the commodity itself or on the shelf, bin, rack, or other holder or container upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale: *Provided*, That whichever of the above methods of posting is adopted, the maximum price of each commodity offered for sale shall be plainly visible to the purchaser at the place in the business establishment where the commodity is offered for sale, and shall not be obscured by the posted prices of other commodities, whether by use of price books or catalogs or layers of price lists or otherwise or in any other manner. The maximum price shall be stated as follows: "Ceiling price $_____;" or "Our ceiling $_____." Any person choosing to post by price-lines the maximum prices of commodities in the classifications marked by asterisks in Appendix B, shall post the maximum price by price-line at the place in the business establishment where the commodities in such price-line are offered for sale, and, in addition, shall mark the selling price of each such commodity on the commodity itself.

[Paragraph (a) as amended by Amendment 18, 7 F.R. 5783, effective 7-30-42]

(1) Every seller making retail sales on the basis of orders received by mail shall post or mark his maximum prices in all catalogs, flyers, leaflets, circulars, booklets, lists or other printed or similar matter issued and distributed by him after the effective date of this amendment for the purpose of obtaining mail orders. One of the following methods of posting or marking shall be used:

(i) State the maximum price for each cost-of-living commodity listed in each of the publications described above at the place in the publication where such commodity is listed. A change in maximum price, which has occurred after a publication has been printed but before it has been distributed, shall be entered either where the cost-of-living commodity has been listed or upon a correction page inserted and attached inside the front cover of the publication. The maximum price shall be stated substantially as follows: "Ceiling price $_____;" or "Our ceiling price $_____;" or,

(ii) Print on the front cover of all catalogs, flyers, leaflets, circulars or booklets, or the front page of all lists or publications not having a cover, at the time they are issued, substantially the following statement signed with the name of the seller:

NOTICE TO CUSTOMERS

No price for any article listed or described herein exceeds the ceiling price for that article as determined under the applicable maximum price regulation issued by the Office of Price Administration. As required by that Office, we will, upon request, furnish you with a statement of our maximum prices on any of the commodities listed about which you inquire.

(Signed) _____

Any seller using this method, shall upon request, furnish a statement of the maximum prices for any commodities listed or described in the publication and about which the customer inquires.

(2) Any seller making retail sales by mail may apply to the Office of Price Administration for permission to deviate from the requirements in subparagraph (1). The application shall state why such requirements are incquitable or inappropriate as applied to the applicant's business, and shall show that the requested method of posting is substantially in line with the requirements of posting for mail order sellers set forth in subparagraph (1).

[Subparagraphs (1) and (2) as amended by Amendment 35, 7 F.R. 9615, effective 11-24-42]

(b) On or before July 1, 1942, every person offering to sell cost-of-living commodities at retail shall file with the "appropriate war price and rationing board" of the Office of Price Administration a statement showing his maximum price for each such commodity, together with an appropriate description or identification of it. Such statement shall be kept up to date by such person by filing on the tenth day of every succeeding month a statement of his maximum price for any cost-of-living commodity newly offered for sale during the previous month, together with an appropriate description or identification of the commodity.

[Paragraph (b) as amended by Amendment 11, 7 F.R. 5192, effective 7-11-42]

(c) No person is required to mark or file the maximum price of any commodity manufactured by him if his only sales at retail of such commodity are made to his employees.

[Paragraph (c) added by Amendment 31, 7 F.R. 8881, effective 11-5-42]

§ 1499.14 *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

REGISTRATION AND ENFORCEMENT

§ 1499.15 *Registration.* Every person selling at wholesale, and every person who owns, or hereafter becomes the owner of, any business operating an "establishment selling at retail" any commodity or service for which a maximum price is established by this General Maximum Price Regulation or by any other "price regulation" of the Office of Price Administration, shall register with the Office of Price Administration at such time and in such manner as the Adminstrator may hereafter by regulation prescribe, on forms which will be made available by the Office of Price Administration.

[§ 1499.15 as amended by Amendment 7, 7 F.R. 4059, effective 6-25-42]

1499.16 *Licensing*—(a) *License required.* A license as a condition of selling is required of every person selling at wholesale or retail any commodity or service for which a maximum price is established by the General Maximum Price Regulation or by any other price regulation of the Office of Price Administration. No person whose license is suspended in proceedings under § 205 (f) (2) of the Emergency Price Control Act of 1942 shall, during the period of suspension, sell any commodities or services as to which his license to sell is suspended.

(b) *License granted.* Every person selling at wholesale or retail any commodity or service for which a maximum price is established by the General Maximum Price Regulation or by any other price regulation of the Office of Price Administration is by the General Maximum Price Regulation granted a license as a condition of selling any such commodity or service. The provisions of the General Maximum Price Regulation and of every price regulation of the Office of Price Administration to which this section now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of the General Maximum Price Regulation or when any such person becomes subject to the maximum price provisions of this or any other price regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, remain in effect as long as such regulation, or any applicable part, amendment, or supplement remains in effect.

[§ 1499.16 as amended by Amendments 20 and 37, 7 F.R. 6081, 9732, effective 8-8-42 and 11-25-42, respectively]

§ 1499.17 *Penalties.* Persons violating any provision of this General Maximum Price Regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, and proceedings for the suspension of licenses.

PROCEDURE FOR ADJUSTMENT OR AMENDMENT

§ 1499.18 *Adjustment of maximum prices.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the following cases:

(a) In the case of any seller at retail who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of the same or similar commodity or service established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

No application for adjustment filed after November 30, 1942 will be granted under this paragraph (a).

(b) In the case of any seller, other than a seller at retail, who shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after November 15, 1942 will be granted under this paragraph (b).

(c) In the case of any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity or service which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (c).

(d) In the case of any seller at retail who shows:

(1) That his maximum price for any commodity established under this Regulation is less than the minimum price in effect for such commodity during March 1942 pursuant to a contract entered into in accordance with a Fair Trade Act of any state; and

(2) That the commodity was generally sold at retail during March 1942 at such minimum price within the locality in which his selling establishment is located; and

(3) That he has been permanently enjoined by a court from selling the commodity at less than such minimum price. In such a case the maximum price of such seller will be increased to such minimum price.

(e) In such other cases as may be specified by supplementary regulation issued under this section.

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.[12]

[§ 1499.18 as amended by Amendment 33, 7 F.R. 8942, effective 11-4-42]

[Note: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[Note: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1499.19 *Petitions for amendment.* Any person seeking an amendment of any provision of this General Maximum Price Regulation, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1499.19 as amended by Supplementary Order 26, 7 F.R. 8948]

DEFINITIONS AND EXPLANATIONS

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(a) "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales are made.

(b) "Appropriate war price and rationing board" means the war price and rationing board for the area in which is located the seller's place of business from which the cost-of-living commodities are offered for sale.

(c) "Commodity" includes commodities, articles, products, and materials and contracts to buy, sell, or deliver any of the foregoing.

[Paragraph (c) as amended by Amendment 8, 7 F.R. 4738, effective 7-1-42]

(d) "Delivered." A commodity shall be deemed to have been "delivered" during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(e) "Establishment" refers to the physical location of the store, shop or other place of business in which commodities or services are sold. Any such establishment shall be deemed to be

[9] These commodities or transactions are contained in Revised Supplementary Regulation No. 4 and amendments thereto.

[11] These services are contained in Revised Supplementary Regulation No. 11 and amendments thereto.

[12] 7 F.R. 8961.

selling at retail if it has an established practice of making sales at retail.

(f) [Revoked by Amendment 41, 8 F.R. 1204, effective 2-1-43]

(g) "Most closely competitive seller of the same class." "Seller of the same class" means a seller (1) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing, or repairing), (2) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (3) dealing in the same type of commodities or services, and (4) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (i) is selling the same or a similar commodity or service, and (ii) is closely competitive in the sale of such commodities or services, and (iii) is located nearest to the seller.

[Paragraph (g) as amended by Amendment 7, 7 F.R. 4659, effective 6-25-42]

(h) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner, except that in the case of sales of commodities by an establishment selling at retail, the offering price shall be the price at which the commodity was offered for sale at the immediate point of sale (for example, the shelves or counters). But "offering price" shall not include a price intended to withhold a commodity or service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(i) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(j) "Price regulation" means a price schedule effective in accordance with the provisions of § 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(k) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(l) "Raw and unprocessed agricultural commodity or greenhouse commodity." Commodities that are picked, harvested, threshed, ginned, husked, cleaned, dried, baled, boxed, packed, transported, and/or refrigerated, without more, remain "raw and unprocessed." But operations such as slaughtering, freezing, canning, preserving, milling, crushing, straining, centrifuging, shelling of nuts, cooking, distilling, and purifying with heat, constitute processing for this purpose. For the purposes of this General Maximum Price Regulation the following commodities shall be deemed to be raw and unprocessed agricultural commodities: (1) all natural flowers and floral products, whether fresh or dried, (2) all seeds and bulbs as long as they maintain their original identity without being further processed into products commonly designated by other names. Forest products, such as lumber, wood naval stores, and mineral products, whether processed or unprocessed, shall not be deemed to be agricultural commodities.

[Paragraph (l) as amended by Amendment 41, 8 F.R. 1204, effective 2-1-43]

(m) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(n) "Replacement cost" shall be the net price paid by the seller after May 18, 1942, or the net price which the seller would have to pay to replace such commodity after such date.

(o) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user except that (1) for the purpose of § 1499.3 of this General Maximum Price Regulation a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (2) for the purpose of §§ 1499.11 and 1499.13 of this General Maximum Price Regulation a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

[Paragraph (o) as amended by Amendment 7, 7 F.R. 4659, effective 6-25-42]

(p) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that (1) for the purposes of § 1499.3 of this General Maximum Price Regulation a sale at wholesale shall include any sale by such person to an industrial or commercial user, and (2) "sold at wholesale" refers to a sale, by any person, of fluid milk or cream in bottles or paper container, ice cream mix whose butterfat content is reduced to not less than 8% included in 14% or more (by weight) of milk solids, and ice cream to any person, including an industrial or commercial user, other than the ultimate consumer.

[Paragraph (p) amended by Amendment 21, 7 F.R. 6007, effective 8/7/42 except that the effective date of this amendment with respect to fluid milk and fluid cream sold at wholesale in the Washington market area as defined in Federal Milk Marketing Order No. 45, as amended, issued by the Secretary of Agriculture August 29, 1941, shall be November 2, 1942, (2) as amended by Amendment 45, effective 2-22-43]

(q) "Securities" includes any note, stock, bond, and interest or instrument commonly known as a "security."

(r) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly. Nothing in this General Maximum Price Regulation shall be construed to prohibit the making of a contract to sell a commodity or service at a price not to exceed the maximum price at the time of delivery or supply.

(s) "Seller" includes the seller of any commodity or service. Where a seller at retail makes sales or supplies services through more than one selling unit, other than salesmen making sales at uniform prices, each such separate place of business of the seller shall be deemed to be a separate seller. Where a seller other than at retail makes sales or supplies services through more than one selling unit, all selling units whose prices for most of the commodities they sell have customarily been determined centrally by the same office, shall be deemed to be a single seller; but where a seller has by charging different prices for a commodity at his selling units established different classes of purchasers, he will have different maximum prices for the different selling units. For the purposes of Section 16 of this regulation, the owner of a business shall be considered the seller regardless of the number of separate places of business he owns.

[Paragraph(s) as amended by Amendment 43, 8 F.R. 2029, effective 2-18-43]

(t) "Service" includes any service rendered or supplied, otherwise than as an employee, in connection with the processing, distribution, storage, installation, repair, or negotiation of purchase or sale of a commodity, and generally, without limiting the foregoing, all services which preserve or add to the value or utility of a commodity.

(u) "Supplied." A service shall be deemed to have been "supplied" during March 1942, if during such month it was completed or in process.

(v) "Flour" means the flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soybeans and potatoes. Combinations of flours produced from the said commodities, and bleached, bromated, enriched, phosphated and self-rising flours shall be considered flour. Flour from wheat shall mean:

(1) Any product of the milling of wheat, other than durum wheat, whose ash content is not more than 1 20th of the protein calculated to a moisture-free basis plus .35 except that farina shall not be deemed to be flour from wheat.

(2) Any product of the milling of durum wheat, whose ash content calculated to a moisture-free basis, is not more than 1.5 per cent, except that semolina shall not be deemed to be a flour from wheat.

(3) Whole wheat flour.

(4) Whole durum wheat flour.

(5) Blends of the foregoing flours from wheat.

In determining whether the ash content of bleached, bromated, enriched, phosphated and self-rising flours complies with the above ash requirements, allowances shall be made for the increase in the ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self-rising ingredients.

[Paragraph (v) added by Amendment 2, 7 F.R. 3990, and amended by Amendment 34, 7 F.R. 9435, effective 5-29-42 and 11-21-42, respectively]

(w) "Cake mixes" and "Flour mixes" means combinations of flour or flours with any other ingredients except those used in making bleached, bromated, enriched, phosphated and self-rising flours.

[Paragraph (w) added by Amendment 2, 7 F.R. 3990, and amended by Amendment 6, 7 F.R. 4659, effective 5-29-42 and 6-22-42, respectively]

(x) "Packaged" as applied to "cake mixes" and "flour mixes" means packaged for sale at retail in a container of any sort holding three pounds or less, where the packaging has been done before arrival at the point of retail sale.

[Paragraph (x) added by Amendment 2, 7 F.R. 3990, effective 5-29-42]

(y) "Ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. "Ore concentrates" means any ore, as defined above, after the removal of a part of the gangue, or a part of the nonmetallic elements, either by a physical or chemical process.

[Paragraph (y) added by Amendment 17, 7 F.R. 5784, effective 7-30-42]

(z) "Precious stones" means any ruby, sapphire, emerald, natural pearl, or any diamond (other than an industrial diamond) weighing more than 1.00 carat, or any semiprecious stone after sale by the cutter, when the cutter has received more than $100 for the sale of the stone. Synthetic stones and cultured pearls shall not be deemed "precious stones". If two or more diamonds (other than industrial diamonds) with an aggregate weight of 1.50 carats are set in one mounting, the diamonds shall be deemed precious.

[Paragraph (z) added by Amendment 9, 7 F.R. 5027, and amended by Amendment 13, 7 F.R. 5445, effective 7-2-42 and 7-16-42, respectively]

OTHER PRICE REGULATIONS, APPLICABILITY, EFFECTIVE DATE

§ 1499.21 *Effect of other price regulations.* §§ 1499.13, 1499.14, 1499.15, 1499.16 and 1499.25 of this General Maximum Price Regulation shall apply but the other provisions of this General Maximum Price Regulation shall not apply to any sale or delivery for which a maximum price is in effect, at the time of such sale or delivery, under the provisions of any other price regulation issued, or which may be issued, by the Office of Price Administration, unless otherwise provided in any such price regulation.

[§ 1499.21 as amended by Amendment 7, 7 F.R. 4659, effective 6-25-42]

§ 1499.22 *Applicability.* The provisions of this General Maximum Price Regulation shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1499.23 *Effective date.* All the provisions of this General Maximum Price Regulation shall become effective on May 11, 1942, except that:

(a) The provisions of this General Maximum Price Regulation, other than § 1499.11 (a), shall not apply to establishments selling at retail until May 18, 1942;

(b) The provisions of §§ 1499.1 and 1499.2 shall not apply to any sale of services at retail until July 1, 1942; and

(c) The provisions of § 1499.11 (a) shall become effective upon the date of issuance of this General Maximum Price Regulation.

[Issued April 28, 1942.]

§ 1499.23a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1499.24 *Appendix A: Report of maximum price determined under § 1499.3 (a).*

Form GMPR:2 This form GMPR:2 shall be used for the reporting of a maximum price for sale at wholesale or retail determined under § 1499.3 (a) of the General Maximum Price Regulation. The maximum price for sale at wholesale or retail may be determined under this section only if the seller cannot determine maximum prices under § 1499.2: i. e., if there was no sale or offer to sell of the same or similar commodities by the seller reporting or by a competitor during the month of March, 1942. Any seller who has determined a maximum price under § 1499.3 (a) is required, within 10 days after such determination, to report such price to the appropriate field office of the Office of Price Administration. If the maximum price reported is incorrectly determined or otherwise unreasonable the seller will be required to determine a new maximum price and to file a new report.

The Office of Price Administration has the right at any time for cause to revise the price so reported.

Any seller who under § 1499.4a of the General Maximum Price Regulation has received authorization of the Retail Trade and Services Division to determine uniform maximum prices pursuant to § 1499.3 (a) for a group of stores under its control in which it has been the practice to charge uniform or substantially uniform prices, shall file his report or reports in accordance with and at the place or places designated in the Order issued by the Office of Price Administration authorizing uniform pricing.

Form GMPR:2

To: Office of Price Administration

From: _____
Name

_____
Address

If report is filed for more than one store indicate here or on attached sheets the stores included or the area covered _____

The undersigned hereby reports its determination, made in accordance with § 1499.3 (a) of the General Maximum Price Regulation, of the maximum price for the commodity described in item 1 below.

1. Brief description of commodity for which a maximum price is reported:

_____

2. Reasons why price could not be determined on the basis of a same or similar commodity dealt in by the undersigned or a competitive seller during March 1942:

_____

_____

3. (a) General classification in which the undersigned classes the commodity for which maximum price is reported _____

_____

(b) Brief description of comparable commodity in this general classification and price range of which the undersigned delivered the largest number of units during March 1942 (referred to herein as "comparable commodity"):

_____

4. The maximum price reported was determined from calculations A, B, and C below, in accordance with instructions printed below:

A. Comparable Commodity:

	Col. (2) Unit of pricing	Col. (3) Net replacement cost per unit	Col. (4) Maximum price per unit	Col. (5) Percentage (col. 4 divided by col. 3)
Example: Commodity X.	Each...	$4.00	$5.00	125

B. Net cost per unit of commodity for which maximum price is reported _____.

C. Maximum price reported per unit _____ (This is to be calculated by multiplying item 4B by item 4A, col. 5.)

5. The price reported is a price for sale at retail _____, at wholesale _____. (Check the appropriate designation.)

6. Date price reported became effective _____.

CERTIFICATION

I certify that I have read this report, and that all statements made therein are true and correct.

_____
(Sign)

_____
(Address—Post Office, City and State)

_____
(Date)

Pursuant to § 205 (b) of the Emergency Price Control Act of 1942 it is a criminal offense punishable by a fine of not more than $5000 or by imprisonment for not more than one year, or both, to make any false statement or entry in the above report. This form does not need to be acknowledged before a notary public.

INSTRUCTIONS

The following instructions must be followed in completing this form:

Item 1. Give a brief but complete description of the commodity for which the price is reported. The description should be sufficient to enable any representative of OPA to identify the item. It should include a description of its use, unit, size, packaging, brand name or name of the manufacturer if known, the material of which the item is constructed and any other pertinent information.

Item 2. Indicate how commodity for which price is reported differs from other commodi-

ties sold by the seller, or competitive sellers of the same class, during March 1942. *If the seller or competitive sellers sold similar, though not identical, items during March, 1942, maximum prices may not be established under § 1499.3 (a) but must be determined under § 1499.2 of the General Maximum Price Regulation.*

Item 3. (a) Insert general classification (food, hardware, men's clothing, etc.), in which the seller classes the commodity for which a maximum price is reported.

(b) Insert a brief description of comparable commodity in the same general classification and price range of which the seller delivered the largest number of units during March, 1942. The description should be as complete as under Item 1 above.

Item 4–A. Column 1. Name of comparable commodity.

Column 2. Insert unit of pricing, e. g., pound, quart, garment, dozen, gross, etc.

Column 3. Insert net replacement cost per unit. Net replacement cost shall be net price [1] per unit paid by the seller after May 18, 1942, or the net price which the seller would have to pay to replace the comparable commodity after such date. In no case shall this be higher than suppliers' maximum price.

Column 4. Insert the maximum price per unit established in accordance with § 1499.2 of the General Maximum Price Regulation.

Item 4–B. Insert *net cost* [1] per unit of commodity for which price is reported.

Item 4–C. Calculate maximum price reported per unit as follows: Multiply unit cost (4–B) by percentage (4–A, Column 5).

Item 5. Indicate whether the price reported in 4–C is a price for sale at wholesale or at retail as defined in § 1499.20, items (o) and (p) of the General Maximum Price Regulation.

Item 6. State the date on which the price was effective for sales to purchasers.

[§ 1499.24 as amended by Amendment 19, 7 F.R. 6058, effective 8–6–42]

§ 1499.25 *Appendix B: Commodities designated by the Price Administrator as cost-of-living commodities.*

[NOTE: For the commodity classifications marked by asterisks, maximum prices may be posted by price lines at the place in the business establishment where the commodities are offered for sale, provided that, in addition, the selling price of each commodity in such classification shall be marked on the commodity itself. See § 1499.13 of this General Maximum Price Regulation.]

TOBACCO, DRUGS, TOILETRIES, AND SUNDRIES

(All brands, grades, and sizes, except where otherwise indicated)

Tobacco:
- Cigarettes.
- Smoking tobacco, in cans and packages.

Packaged household drugs:
- Aspirin tablets.
- Milk of magnesia, liquid.
- Cod liver oil, liquid.
- Epsom salts.
- Boric acid.
- Castor oil and mineral oil.
- Witch-hazel and rubbing alcohol.

Toiletries and sundries:
- Hand and toilet soaps.
- Dentifrices (paste, powder, and liquid).
- Shaving cream.
- Toothbrushes.
- Sanitary napkins.
- Razor blades.
- Facial tissues.

Infants' food: All types.

Ice cream: Bulk and packaged.

[1] "Net price" (or "net replacement cost") shall be the price paid after deducting all discounts allowed to, and adding transportation and delivery charges paid by the seller filing this form.

APPAREL AND YARD GOODS

Men's and boys' clothing:
- Suits, business and sport*.
- Overcoats, topcoats, and raincoats, business and sport*.
- Trousers and slacks, dress, sport, and wash*.
- Men's shirts, other than formal*.
- Pajamas and nightshirts, cotton, wool, and part wool*.
- Shorts, cotton.
- Undershirts, cotton knit.
- Union suits.
- Hosiery, other than pure silk and pure wool*.
- Felt hats*.
- Work shirts.
- Work pants.
- Overalls and coveralls.
- Sweaters.
- Mackinaws*.
- Jackets, boys' only*.
- Men's work gloves.
- Boys' gloves and mittens.
- Boys' blouses and shirts.
- Boys' snow suits*.

Infants' clothing:
- Diapers.
- Dresses, other than silk.
- Shirts.
- Binders.
- Sleeping garments.
- Coats, cotton, wool, part wool.
- Snow suits.
- Sweaters.
- Sunsuits (cotton only).

Women's and girls' clothing:
- Coats, untrimmed and fur-trimmed, sport and dress*.
- Suits*.
- Dresses, street and house*.
- Hosiery, including anklets*.
- Panties and slips*
- Foundation garments and brassieres*.
- Women's gloves, children's gloves and mittens*.
- Skirts.
- Blouses and shirts, tailor, rayon or cotton*.
- Sweaters.
- Children's jackets*.
- Nightgowns and pajamas, other than silk*.
- Robes and house coats, flannel and cotton*.
- Children's overalls, slacks, sunsuits and shorts (cotton only)*.
- Children's snow suits*.

Yard goods:
- Cotton yard goods.
- Rayon yard goods.
- Wool and mixtures of wool.

Footwear:
- Street, work, dress, and sport shoes for men, women, and children*.
- Infants' shoes.
- Rubber footwear.

FOOD AND HOUSEHOLD SUNDRIES

Meat

Fresh beef:
- Rib roast.
- Chuck steak.
- Top round steak.
- Rump roast.
- Chuck roast.
- Beef liver.
- Ground round steak.

Pork:
- Loin whole roast.
- Rib end roast.
- Loin end roast.
- Best center cut chops.
- Bacon.
- Ham, whole, half, or sliced.
- Salt pork.

Other meat products:
- Cooked or smoked ham.
- Frankfurters.

Canned Fruits, Vegetables, and Juices
- Canned peaches.
- Canned pears.
- Canned pineapples.
- Canned corn.

Fresh beef—Continued.
- Canned peas.
- Canned tomatoes.
- Canned pork and beans.
- Canned green beans, cut.
- Canned tomato juice.
- Canned grapefruit juice.[2]
- Canned pineapple juice.

Other Groceries and Household Sundries
- Canned salmon.
- Canned vegetable soup.
- Canned tomato soup.
- Packaged flour mixes (cake, pancake, biscuit mixes only).
- Macaroni and spaghetti, dried, bulk, and packaged.
- Rolled oats, bulk and packaged.
- Corn flakes.
- Bread, all types.
- Soda crackers.
- Fresh milk and cream.
- Lard, bulk and print.
- Vegetable shortening.
- Sugar, all types, packaged and bulk.
- Coffee.
- Cocoa.
- Table salt.
- Corn meal, bulk or packaged.
- Rice, bulk or packaged.
- Toilet paper.
- Soaps (bar, flakes, powder, chips, granular, and cleansing powders).
- Paper napkins.

HOUSEHOLD FURNITURE, APPLIANCES, AND FURNISHINGS

Appliances and equipment:
- Radios and phonographs.
- Vacuum cleaners and carpet sweepers.
- Refrigerators and iceboxes.
- Washing machines.
- Sewing machines.
- Stoves and ranges.
- Small appliances: irons, toasters, glass coffee makers, and mixers.
- Floor lamps and bridge lamps.
- Light bulbs.
- Ironing boards.
- Step-on cans.
- Floor brooms.
- China and pottery tableware, in sets.
- Cooking utensils (10-quart pail, 2-quart saucepan, 5-quart tea-kettle).

Furniture:
- All living room, dining room and bed room suites (sets or individual pieces).
- Kitchen tables and chairs.
- Studio couches and sofa beds.
- Mattresses.
- Bedsprings.

Furnishings:
- Rugs and carpets, size 6 by 9 feet and larger.
- Linoleum.
- Felt base floor coverings.
- Bed sheets and sheeting, cotton.*
- Towels, cotton bathroom and kitchen.*
- Blankets and comforts.*
- House curtains.*
- Bed spreads, cotton.*
- Tablecloths and napkins, plain and print (cotton only).*
- Window shades.

HARDWARE, AGRICULTURAL SUPPLIES, MISCELLANEOUS [3]

Hayforks.

Garden and lawn rakes.

[2] Amendment No. 3 to Supplementary Regulation No. 1 excepted "citrus fruits and citrus juices hermetically sealed in containers of metal, glass or any other material" from the General Maximum Price Regulation.

[3] Vegetable seeds, bulk and packaged, revoked by Amendment No. 4, 7 F.R. 4339.

Dirt shovels.
Axes, single bit.
Claw hammers.
Handsaws.
Inside and outside house paints (ready mixed).
Fertilizer, bulk and packaged.
Insecticides.
Bicycles, adult sizes.
Bicycle tires.
Flashlights.

ICE, FUEL AND AUTOMOTIVE

Ice.
Coke.
Coal (hard and soft).
Charcoal.
Firewood.
Kerosene.
Fuel oil.
Gasoline.
Oil.
Tires and inner tubes.

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3847; Filed, March 11, 1943; 12:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Order 251 [1] Under § 1499.3 (b) of GMPR]

AMERICAN RAW HIDE PRODUCTS COMPANY

Order 251, issued January 29, 1943 and effective January 30, 1943 is corrected to cure inadvertent arithmetical errors in the figures for items numbers 3, 4, 5, 6, 9 and 10 under the sub-heading, Raw Hide Mallets of paragraph (a) of the order; the paragraph with respect to Raw Hide Mallets should read as set forth below:

§ 1499.1487 *Establishment of maximum prices for raw hide hammer faces and mallets manufactured by American Raw Hide Products Company.* (a) * * *

RAW HIDE MALLETS

Item No.	Diameter	Length	Weight	Maximum prices
	Inches	*Inches*	*Ounces*	*Each*
0	1	2¾	2	$ .6202
1	1¼	3¼	4	.6758
2	1½	3¾	6	.7631
3	1¾	3¾	8	.8902
4	2	3	10	1.0158
5	2¼	4¼	22	1.8512
6	2¾	4½	24	1.8797
7	1¾	3¾	8	.6452
8	1¾	3¼	11	.7814
9	1¾	3¾	14	.8629
10	2	3¾	18	1.0490
11	2¾	4¾	38	1.8556

* * * * *

This correction to Order No. 251 (§ 1499.1487) shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3842; Filed, March 11, 1943; 12:23 p. m.]

[1] 8 F.R. 1368.

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 19 Under Supp. Reg. 15 of GMPR]

GUERIN SPECIAL MOTOR FREIGHT LINE, INC.

Amendment No. 1 to Order No. 19 Under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3–1948.

An opinion accompanying this amendment has been issued simultaneously herewith with the Division of the Federal Register.*

An item in § 1499.1319 (a) (2) (ii) is amended as follows:

§ 1499.1319 *Adjustment of maximum prices for contract carrier services by Guerin Special Motor Freight Line, Inc. of Philadelphia, Pennsylvania.* (a) Guerin Special Motor Freight Line, Inc., 2210 North 26th Street, Philadelphia, Pennsylvania, hereinafter referred to as applicant, may charge as maximum rates for applicant's services as a contract carrier by motor vehicle the following charges:

* * * * *

(2) *Interstate rates.*

(ii) Rates on petroleum and petroleum products in containers, in truckload quantities, minimum weight 21,000 lbs., from Philadelphia, Pa.

to—

* * * * *

Baltimore, Md---------- 19

* * * * *

This Amendment No. 1 to Order No. 19 (§ 1499.1319) shall become effective March 12, 1943.

(Pub. Law No. 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3843; Filed, March 11, 1943; 12:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amendment 7]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (3) is added paragraph (a) of § 1499.161, as set forth below:

§ 1499.161 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* * * *

(3) The Office of Price Administration, or any duly authorized officer, may by order adjust the maximum prices established by this regulation for any manufacturer in any case in which the manufacturer shows:

(i) That he is the sole manufacturer of an essential commodity such as one, the production and sale of which is affirmatively permitted by regulations or orders issued by the War Production Board.

(ii) That the maximum prices established by this regulation do not permit the recovery of total costs, and

(iii) That the operations of the company are currently being conducted at a loss.

Adjustment in price may be made to an extent sufficient to enable the manufacturer to recover total costs on the article, together with a profit. In a proper case, the manufacturer may charge a price equal to the price requested in the application, provided that he has received a letter from the Office of Price Administration stating that his is a proper case. Such price shall be tentative and refunds shall be made to each purchaser in the event that the application is denied in whole or in part. Applications for adjustment under this paragraph shall be filed in accordance with Revised Procedural Regulation No. 1.

This amendment shall become effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3846; Filed, March 11, 1943; 12:25 p. m.]

PART 1340—FUEL

[MPR 137,[1] Amendment 26]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.91 (g) is amended to read as follows:

(g) *Puerto Rico.* (1) In addition to the maximum price as determined by § 1340.91 (a) (1) and (2), sellers of gasoline at retail establishments in the Territory of Puerto Rico may charge from and after December 1, 1942, 3 cents per gallon inasmuch as the additional excise tax of 3 cents per gallon, which became effective on December 1, 1942, is not collectible, in addition to the maximum price, pursuant to § 1340.82 of this Maximum Price Regulation No. 137. This additional charge may not be collected from the United States Government, its agencies or instrumentalities when sold to them for their exclusive use.

(2) In addition to the maximum price as determined by § 1340.91 (a) (1) and (2) sellers of lubricating oil at retail

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799, 2152, 2120, 2501, 2594.

*Copies may be obtained from the Office of Price Administration.

establishments in the Territory of Puerto Rico may charge, from and after March 5, 1943, 3½ cents per gallon to cover the tax increase on lubricating oils imposed by Act No. 25 enacted by the Legislature of Puerto Rico, and approved December 4, 1942, except that the total amount charged on each lot shall be adjusted to the nearest cent.

This amendment shall become effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3852; Filed, March 11, 1943; 3:57 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 80]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.164, the headnote and paragraph (a) are amended to read as set forth below:

§ 1340.164 *Taxes*—(a) *Lubricating oils*—(1) *Federal taxes.* Effective November 1, 1942, each seller subject to this Revised Price Schedule No. 88 may collect in addition to his maximum price for a lubricating oil subject to the Federal excise tax on lubricating oils, the amount of the increase in such tax provided by the Revenue Act of 1942 and subsequent increases therein, actually paid by him or an amount equal to the amount of such increase or increases paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, provided the seller states the amount of such increase or increases separately from the purchase price.

(2) *Puerto Rican taxes.* Effective March 5, 1943, each seller in the territory of Puerto Rico subject to this Revised Price Schedule No. 88 may collect in addition to his maximum price for a lubricating oil which is subject to Act No. 25 enacted by the Legislature of Puerto Rico and approved December 4, 1942, the amount of the 3½¢ per gallon increase in such tax effected by the said Act and the amount of subsequent increases in the lubricating oil tax actually paid by him or an amount equal to the amount of such increase or increases paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, provided the seller states the amount of such increase or increases separately from the purchase price.

This amendment shall become effective March 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3853; Filed, March 11, 1943; 3:57 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 270,[1] Amendment 2]

DRY EDIBLE BEANS, SALES EXCEPT AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 270 is amended in the following respects:

1. Section 1351.1202 is amended as follows:

§ 1351.1202 *Prohibition against sales above the maximum prices.* (a) On and after January 26, 1943 regardless of any contract or other obligation, no person shall sell or deliver dry edible beans at prices higher than the maximum prices established by this regulation, and no person shall buy or receive dry edible beans in the course of trade or business at prices higher than the maximum prices herein established. Lower prices than the maximum prices may be charged and paid.

(b) If any person sells or delivers seed beans, as defined in § 1351.1207 (c) of this regulation, for human consumption, his maximum price for such sales shall be the maximum price set forth in § 1351.1203 of this regulation.

2. Section 1207 (c) is amended to read as follows:

(c) *Sales and deliveries of seed beans.* When used in this section "seed beans" means dry beans which are sold and delivered for planting and which comply with the Federal Seed Act or State seed acts, especially with respect to labeling as to kind and variety, germination, date of germination, and if below Federal standard as set forth in the Federal Seed Act of 1939 plainly marked "below standard".

3. Section 1351.1210 (c) is amended to read as follows:

(c) Each seller of dry beans shall, in addition to the other records which he is required to keep by this regulation, keep for examination by the Office of Price Administration as long as the Emergency Price Control Act of 1942, as amended, remains in effect, a record of all sales of seed beans, as defined in § 1351.1207 (c). Such record shall show the amount of seed beans sold, the sales price for each sale, the variety of beans sold, the date of sale and the name and address of the purchaser.

This amendment shall become effective March 11, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3850; Filed, March 11, 1943; 3:57 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 49]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) (19) (ii) is amended to read as follows:

(ii) The states of Oregon and Washington designated in this Ration Order No. 11 as "Area A"; and

2. Section 1394.5001 (a) (19) (iii) is added to read as follows:

(iii) That part of the state of Idaho including the counties of Adah, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley and Washington, designated in this Ration Order No. 11 as "Area B".

3. Section 1394.5001 (a) (31) is amended by changing the period after the word "Klickitat" to a semi-colon and adding after the semi-colon the phrase "and that part of the state of Idaho including the counties of Adah, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Idaho, Kootenai, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley and Washington."

4. Section 1394.5051 (b) is amended to read as follows:

(b) Sections 1394.5263 (b), 1394.5266 (b) (3), 1394.5310, 1394.5604, 1394.5653 (g), 1394.5707 (c) of this Ration Order shall not apply in "Area A" or "Area B".

5. Section 1394.5201 (b) (9) is added to read as follows:

(9) In Thermal Zone A in "Area B":

Coupons numbered:	*Valid period*
5	From March 14, 1943 to September 30, 1943, inclusive.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2133, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1220, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2152, 2334, 2349, 2273, 2350, 2501, 2594, 2756, 2874.

[1] 8 F.R. 1061, 2335.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9456, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2720 2867.

6. Section 1394.5252 (a) is amended to read as follows:

(a) Application for a ration for heat or hot water, or both, may be made to a Board, on or after October 22, 1942; in "Area A", on or after February 8, 1943; or in "Area B", on or after March 17, 1943. Application may be made either by the owner of the premises served by the equipment or by the person controlling the use of the equipment, or by the agent of either of them.

7. In § 1394.5253 (a) the phrase "except that in 'Area A' " is amended to read "except that in 'Area A' or in 'Area B'."

8. Section 1394.5257 (c) is amended to read as follows:

(c) The amount of fuel oil used during the base period for heating the premises shall be multiplied by the percentage specified in column 1 of Table I for the thermal sub-zone in which the premises are located; except that in "Area A", such amount of fuel oil shall be multiplied by the percentage specified in column 1 of Table IA, and in "Area B" by the percentage specified in column 1 of Table IB, for the county in which the premises are located. The product shall for the purposes of paragraph (a) of § 1394.5256, be deemed to be the amount of fuel oil consumed during the base period as adjusted for temperature variations from the norm.

9. Section 1394.5258 (a) (1) is amended to read as follows:

(1) The maximum and minimum number of gallons per square foot of floor area as shown in subcolumn (a) of column (2) of Table I for the thermal sub-zone in which the premises are located (in "Area A" the appropriate subcolumn of column (2) of Table IA, and in "Area B" the appropriate subcolumn of column (2) of Table IB, for the county in which the premises are located), if the application is made for the operation of central heating equipment; or

10. Section 1394.5258 (a) (2) is amended to read as follows:

(2) The maximum and minimum number of gallons per square foot of floor area, as shown in subcolumn (b) of column (2) of Table I for the thermal sub-zone in which the premises are located (in "Area A" the appropriate subcolumn of column (2) of Table IA, and in "Area B" the appropriate subcolumn of column (2) of Table IB, for the county in which the premises are located) if the application is made for a ration for the operation of space heaters, except that if application is made both for space and central heating equipment used for heating the same premises at different times, the maximum and minimum for both types of equipment shall be determined pursuant to the subcolumn entitled 'Central Heating Equipment".

11. Section 1394.5262 (c) is amended to read as follows:

(c) The amount of fuel oil used during the base period for heat, or for both heat and hot water (as determined in accordance with paragraph (a) or (b) of this section) shall be multiplied by the percentage specified in column 1 of Table I for the thermal sub-zone in which the premises are located (in "Area A" column 1 of Table IA, and in "Area B" column 1 of Table IB, for the county in which the premises are located). The product shall, for the purposes of paragraphs (a) and (b) of § 1394.5261, be deemed to be the amount of fuel oil consumed during the base period, adjusted for temperature variations from the norm.

12. Section 1394.5263 (c) is amended to read as follows:

(c) In "Area A", a percentage of the year's ration will be issued as follows: 42% in Zone A, 45% in Zone B, and 43% in Zone C; in "Area B", 20% of the year's ration will be issued.

13. The text of § 1394.5266 (a) is amended to read as follows:

(a) If an application is made on or after November 1, 1942, or on or after March 16, 1943 in "Area A", or on or after April 13, 1943 in "Area B", for heat or both heat and hot water, the allowable ration shall be determined in accordance with § 1394.5256, 1394.5261, or 1394.5270, whichever is applicable. One-fifth of the allowable ration shall be deemed allocable to each thermal period specified in paragraph (c) of this section. The Board shall deduct from the allowable ration:

14. Section 1394.5266 (a) (2) is amended by inserting after the phrase "Area A" the phrase "or in 'Area B'."

15. Section 1394.5266 (c) (8) is added to read as follows:

(8) In Thermal Zone A in "Area B":

Thermal Period No. 5	From March 14, 1943, to September 30, 1943 inclusive.

16. Section 1394.5267 is amended to read as follows:

§ 1394.5267 *Same: Late applications for hot water only.* If application for a ration for hot water (but not for heat) in premises other than private dwellings is made on or after November 1, 1942, or on or after March 16, 1943 in "Area A", or on or after April 13, 1943 in "Area B", the allowable ration shall be determined in the manner provided in paragraph (b) of § 1394.5261. The Board shall deduct from the allowable ration the part thereof corresponding to the part of the heating year which has elapsed between October 1 and date of application, in "Area A" the part which has elapsed between February 1, 1943 and the date of application, and in "Area B" the part which has elapsed between March 14, 1943 and the date of application. The Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration (after the deduction hereinabove required) less the amount of fuel oil on hand for the operation of such equipment on the date of application.

17. Section 1394.5268 (b) is amended to read as follows:

(b) The allowable ration for the operation of such equipment shall, in such case, be the amount of fuel oil needed for such purpose for the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1, 1942, for the three (3) month period beginning October 1, 1942; or in "Area A", in the case of an application made prior to March 16, 1943, for the three (3) month period beginning February 1, 1943; or in "Area B", in the case of an application made prior to April 13, 1943, for the three (3) month period beginning March 14, 1943.

18. Section 1394.5269 (b) is amended to read as follows:

(b) Application for a ration for such purpose shall be made to a Board, on or after October 22, 1942, or in "Area A", on and after February 8, 1943, or in "Area B", on or after March 17, 1943, on Form OPA R-1102, by the owner or by the person controlling the use of the equipment, or by the agent of either of them. The applicant shall supply the information required by the form.

19. Section 1394.5269 (e) is amended to read as follows: (c) If application is made on or after November 1, 1942, for a ration for heat or both heat and hot water, the Board shall make the deductions from the allowable ration required by paragraph (a) of § 1394.5266 and shall issue coupons in accordance with the provisions of paragraph (b) of that Section. If such application is made on or after March 16, 1943, in "Area A", or on or after April 13, 1943, in "Area B", the Board shall refer to Table IIA for the allowable ration for such applicants.

20. Section 1394.5269 (f) is amended to read as follows:

(f) If application is made on or after November 1, 1942, or in "Area A", on or after March 16, 1943, or in "Area B", on or after April 13, 1943, for a ration for hot water only, the Board shall make the deductions from the allowable ration required by, and shall issue coupons in accordance with, the provisions of § 1394.5267.

21. Section 1394.5302 (a) is amended by inserting after the phrase "on or after March 2, 1943" the phrase "or in 'Area B' on or after April 13, 1943."

22. Section 1394.5352 (a) is amended by inserting after the phrase "February 8, 1943" the phrase "or in 'Area B', on or after March 17, 1943."

23. Section 1394.5401 (b) is amended by inserting after the phrase "February 8, 1943", the phrase "and in 'Area B' on or after March 17, 1943;".

24. Section 1394.5402 (b) is amended by inserting after the phrase "February 8, 1943" the phrase "and in 'Area B' on or after March 17, 1943".

25. Section 1394.5403 (b) is amended by inserting after the phrase "February 8, 1943" the phrase "or in 'Area B' on or after March 17, 1943;".

26. Section 1394.5403 (c) is amended by inserting after the phrase "February 1, 1943" the phrase "or in "Area B" where

This amendment shall become effec-

Sec.
904.9 Minimum blended prices to producers

Massachusetts, marketing area; and it

application is made prior to April 13, 1943, during the three (3) month period beginning March 14, 1943".

27. Section 1394.5451 (e) is added to read as follows:

(e) March 14, 1943, in the case of an application made prior to April 13, 1943, in "Area B", or the date of application, in the case of an application made on or after April 13, 1943 in "Area B".

28. In Section 1394.5452 (a) the phrase "March 16, 1943" is amended to read "March 16, 1943; and in "Area B", March 17, 1943, in the case of an application made prior to April 13, 1943".

29. Section 1394.5459 (c) is amended by inserting after the phrase "March 2, 1943" the phrase "or in "Area B" on or after April 13, 1943".

30. Section 1394.5603 (c) is amended by deleting the period after the phrase "Area A" and inserting a comma followed by the phrase "or prior to April 13, 1943 in "Area B"."

31. Section 1394.5651 is amended by inserting after the phrase "February 9, 1943" the phrase "and in "Area B" on and after March 14, 1943;".

32. Section 1394.5652 (a) is amended by inserting after the phrase "March 16, 1943" the phrase "and in "Area B" on and after April 13, 1943".

33. Section 1394.5653 (f) is amended by inserting after the phrase "March 15, 1943 inclusive", the phrase "or in "Area B" from March 14, 1943 to April 12, 1943, inclusive."

34. Section 1394.5653 (f) (1) is amended by substituting a comma for the period after the phrase "February 18, 1943", and adding after the comma the phrase "and in "Area B" the provisions of this subparagraph (1) shall not be applicable prior to March 17, 1943".

35. In Section 1394.5653 (f) (4), the parenthetical phrase "(or in "Area A" on March 30 or 31, 1943)" is deleted, and there is inserted before the phrase "The applicant shall state" the sentence "In "Area A" such application shall be made on March 30 or 31, 1943, and in "Area B" on April 27 or 28, 1943".

36. Section 1394.5661 is amended by inserting after the phrase "Area A" the phrase "or on and after March 14, 1943 in "Area B"."

37. Section 1394.5663 (a) is amended by inserting after the phrase "Area A" the phrase "or on and after March 14, 1943 in "Area B"".

38. Section 1394.5701 (a) is amended by inserting after the phrase "(or if he becomes a primary supplier after February 13, 1943, within five (5) days after becoming a primary supplier)" the phrase "or in "Area B" on March 15 or 16, 1943 (or if he becomes a primary supplier after March 16, 1943, within five (5) days after becoming a primary supplier)".

39. Section 1394.5701 (a) (2) is amended to read as follows:

(2) His total fuel oil storage capacity and his total inventory of fuel oil on hand as of 12:01 a. m. on October 1, 1942, or in "Area A" as of 12:01 a. m. on February 1, 1943, or in "Area B" as of 12:01 a. m. on March 14, 1943. If he has become a primary supplier since October 1, 1942, or in "Area A" since February 1, 1943, or in "Area B" since March 14, 1943, at the time he became a primary supplier.

40. The text of § 1394.5701 (b) is amended by inserting after the phrase "February 12 or 13, 1943" the phrase "or in "Area B" on March 15 or 16, 1943".

41. Section 1394.5701 (b) (3) is amended by substituting a comma for the period at the end of the subparagraph and adding after the comma the phrase "and in "Area B" as of 12:01 a. m. on March 14, 1943".

42. Section 1394.5701 (d) (2) is amended by substituting a comma for the period at the end of the subparagraph and adding after the comma the phrase "and in "Area B" as of 12:01 a. m. on March 14, 1943".

43. Section 1394.5702 is amended to read as follows:

§ 1394.5702 *What constitutes fuel oil on hand.* The registrant shall register all fuel oil on hand, whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, mobile containers, or other containers (but not fuel oil in the fuel supply tank of oil burning equipment). The registrant shall not register fuel oil in transit which did not arrive at his place of business prior to 12:01 a. m. on October 1, 1942 (prior to 12:01 a. m. on February 1, 1943 in "Area A" or prior to 12:01 a. m. on March 14, 1943 in "Area B"). Fuel oil shipped prior to 12:01 a. m. on October 1, 1942 but received by the transferee after 12:01 a. m. on such day, shall be included in the inventory of the transferor and shall be deemed to have been transferred after 12:01 a. m. on October 1, 1942. In "Area A" fuel oil shipped prior to 12:01 a. m. on February 1, 1943 but received by the transferee after 12:01 a. m. on such day, shall be included in the inventory of the transferor and shall be deemed to have been transferred after 12:01 a. m. on February 1, 1943, and in "Area B" fuel oil shipped prior to 12:01 a. m. on March 14, 1943 but received by the transferee after 12:01 a. m. on such day, shall be included in the inventory of the transferor and shall be deemed to have been transferred after 12:01 a. m. on March 14, 1943.

44. Section 1394.5703 is amended by inserting after the phrase "Area A" the phrase "or as of 12:01 a. m. on March 14, 1943 in "Area B"."

45. Section 1394.5807 (a) is amended by inserting after the phrase "Area A" the phrase "or on and after March 14, 1943 in "Area B"."

46. Section 1394.5707 (b) is amended by inserting after the phrase "March 15, 1943, inclusive" the phrase "and in 'Area B' during the period from March 14, 1943 to April 12, 1943, inclusive."

47. Section 1394.5707 (b) (1) is amended by substituting a comma for the period at the end of the subparagraph and adding after the comma the phrase "and in "Area B" prior to March 17, 1943."

48. In § 1394.5707 (b) (3), the phrase "or in "Area A" on or before April 5, 1943" is deleted and there is inserted after the period at the end of the subparagraph the sentence "In "Area A" such surrender shall be made on or before April 5, 1943, and in "Area B" on or before May 3, 1943."

49. In § 1394.5707 (b) (4), the phrase "or in "Area A" on April 8, 1943" is deleted and there is inserted before the phrase "The applicant shall state" the sentence "In "Area A" such application shall be made on April 8, 1943, and in "Area B" on May 6, 1943."

50. In § 1394.5707 (b) (7), the phrase "and in "Area A" on or before April 12, 1943" is deleted and there is inserted after the period at the end of the subparagraph the sentence "In "Area A" such surrender shall be made on or before April 12, 1943, and in "Area B" on or before May 10, 1943."

51. In § 1394.5707 (b) (8), the phrase "and in "Area A" on April 15, 1943" is deleted and there is inserted before the phrase "The applicant shall state" the sentence "In "Area A" such application shall be made on April 15, 1943, and in "Area B" on May 13, 1943."

52. Section 1394.5711 is amended by inserting after the phrase "February 1, 1943" the phrase "and in "Area B" on and after March 14, 1943."

53. Section 1394.5731 (a) is amended by inserting after the phrase "the twenty-fifth day of March 1943" the phrase "and in "Area B" commencing with the twenty-fifth day of May, 1943".

54. Section 1394.5851 (a) (2) is added to read as follows:

(2) *Table IB. Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by State and counties.*

State and county	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Maximum and minimum rations per square foot of heated floor area: Central heating equipment — Maximum	Central heating equipment — Minimum	Space heating [illegible] — Maximum	Space heating [illegible] — Minimum
Idaho					
Ada	96	.682	.753	1.170	[illegible]
Adams	97	1.518	1.164	1.824	[illegible]
Benewah	100	1.161	.890	1.395	[illegible]
Bonne	95	1.339	1.027	1.608	[illegible]
Bonner	104	1.339	1.027	1.608	[illegible]
Boundary	104	1.339	1.027	1.608	[illegible]
Canyon	97	1.071	.822	1.287	[illegible]
Clearwater	97	1.071	.822	1.287	[illegible]
Elmore	97	1.161	.890	1.395	[illegible]
Gem	96	.682	.753	1.170	[illegible]
Idaho	97	1.250	.959	1.502	[illegible]
Kootenai	97	1.250	.959	1.502	[illegible]
Latah	100	1.250	.959	1.502	[illegible]
Lewis	97	1.339	1.027	1.607	[illegible]
Nez Perce	97	.893	.685	1.073	[illegible]
Owyhee	97	1.071	.822	1.287	[illegible]
Payette	97	1.071	.822	1.287	[illegible]
Shoshone	104	1.339	1.027	1.607	[illegible]
Valley	97	1.607	1.233	1.929	[illegible]
Washington	100	1.250	.959	1.502	[illegible]

This amendment shall become effective on March 14, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive 1-O, as amended, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3851; Filed, March 11, 1943; 3:57 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[Amendment 2 to PAO 1, as Amended Feb. 1, 1943]

Section 1545.1, Petroleum Administrative Order No. 1,[1] as amended February 1, 1943, is hereby amended by eliminating Schedule A (as set forth in Amendment 1 to Petroleum Administrative Order No. 1, as amended February 1, 1943, which Amendment 1 was issued on March 4, 1943).

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of March, 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-3890; Filed, March 12, 1943; 12:13 p. m.]

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 904—MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

ORDER REGULATING HANDLING OF MILK

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

Sec.
904.1 Findings and determinations.
904.2 Order relating to handling.
904.3 Definitions.
904.4 Market administrator.
904.5 Classification of milk.
904.6 Minimum class prices.
904.7 Reports of handlers.
904.8 Application of provisions.
904.9 Minimum blended prices to producers.
904.10 Payments for milk.
904.11 Payments to cooperative associations.
904.12 Expense of administration.
904.13 Effective time, suspension, or termination.
904.14 Agents.

AUTHORITY: §§ 904.1 to 904.14, inclusive, issued under 48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.

§ 904.1 *Findings and determinations*—(a) *Findings upon the basis of hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR. 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) Prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of said act, 50 Stat. 246; 7 U.S.C. 602, 608e, are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk, and that the minimum prices set forth in this amended order, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

(2) This amended order regulates the handling of milk in the same manner as and is applicable only to handlers, defined in a marketing agreement, as amended, upon which a hearing has been held; and

(3) The issuance of this amended order, and all of the terms and conditions thereof tend to effectuate the declared policy of the act.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order, and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this amended order) of at least 50 percent of the volume of milk covered by said amended order, which is marketed within the Greater Boston, Massachusetts, marketing area, refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this amended order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Greater Boston, Massachusetts, marketing area; and

(3) The issuance of this amended order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Greater Boston, Massachusetts, marketing area.

§ 904.2 *Order relating to handling.* It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Greater Boston, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of this amended order.

PROVISIONS

§ 904.3 *Definitions*—(a) *Terms.* As used herein the following terms shall have the following meanings:

(1) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(2) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(3) The term "Greater Boston, Massachusetts, marketing area," hereinafter called the "marketing area," means the territory included within the boundary lines of the cities and towns of Arlington, Belmont, Beverly, Boston, Braintree, Brookline, Cambridge, Chelsea, Dedham, Everett, Lexington, Lynn, Malden, Marblehead Medford, Melrose, Milton, Nahant, Needham, Newton, Peabody, Quincy, Reading, Revere, Salem, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weymouth, Winchester, Winthrop, and Woburn, Massachusetts.

(4) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(5) The term "producer" means any person who, in conformity with the health regulations which are applicable to milk which is sold for consumption as milk in the marketing area, produces milk and distributes or delivers to a handler milk of his own production.

(6) The term "handler" means any person, irrespective of whether such person is a producer or an association of producers, wherever located or operating, who engages in such handling of

[1] 8 F.R. 1470, 2783.

milk which is sold as milk or cream in the marketing area as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in milk and its products.

(7) The term "producer-handler" means any handler who is also a producer and who receives no milk from other producers and who either:

(i) Has milk receipts from his own production which he does not dispose of in bulk and which average less than 1,000 pounds daily, or

(ii) Processes and packages his milk at a plant located on a farm from which he receives at least 25 percent of the total receipts from his own production which he does not dispose of in bulk.

(8) The term "market administrator" means the person designated pursuant to § 904.4 as the agency for the administration hereof.

(9) The term "delivery period" means the current marketing period from the effective date hereof to and including the last day of that month. Subsequent to that month "delivery period" means the current marketing period from the first to and including the last day of each month.

§ 904.4 *Market administrator*—(a) *Selection, removal, and bond.* The market administrator shall be selected by the Secretary and shall be subject to removal by him at any time. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

(b) *Compensation.* The market administrator shall be entitled to such reasonable compensation as may be determined by the Secretary.

(c) *Powers.* The market administrator shall have power:

(1) To administer the terms and provisions hereof;

(2) To receive, investigate, and report to the Secretary complaints of violations of the terms and provisions hereof; and

(3) To prepare and disseminate for benefit of producers, consumers, and handlers such statistics and information concerning the operation of this order as do not reveal confidential information.

(d) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein;

(2) Submit his books and records to examination by the Secretary at any and all times;

(3) Furnish such information and such verified reports as the Secretary may request;

(4) Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the market administrator;

(5) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 904.7 or (ii) made payments pursuant to § 904.10;

(6) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof; and

(7) Pay, out of the funds provided by § 904.12, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties.

(e) *Responsibility.* The market administrator, in his capacity as such, shall not be held responsible in any way whatsoever to any handler, or to any other person, for errors in judgment, for mistakes, or for other acts either of commission or omission, except for his own willful misfeasance, malfeasance, or dishonesty.

§ 904.5 *Classification of milk*—(a) *Basis of classification.* All milk received by a handler from producers or from his own production shall be classified in the classes set forth in (b) of this section in accordance with its utilization by him: *Provided*, That, subject to (c) of this section, if milk, including skim milk, is moved to the plant of another person who distributes milk or manufactures milk products, classification of such milk may be in accordance with its utilization by such second person. Any utilization of milk claimed by a handler shall be subject to verification by the market administrator.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk the utilization of which is not established as Class II milk.

(2) Class II milk shall be all milk the utilization of which is established:

(i) As being sold, distributed, or disposed of other than as or in milk which contains one-half of 1 percent or more but less than 16 percent of butterfat; and other than as or in chocolate or flavored whole or skim milk, buttermilk, or cultured skim milk, for human consumption; and

(ii) As plant shrinkage not in excess of 2 percent of the volume handled.

(c) *Disposition of milk to other markets.* (1) Milk received by a handler at one of his plants not subject to the provisions hereof from persons reported by him as under contract to have their milk received and paid for as part of his supply for the marketing area shall be considered as received from producers and classified as Class I milk.

(2) Milk or skim milk disposed of by a handler to any plant not subject to the provisions hereof shall be classified as Class I milk, not to exceed the total quantity of Class I milk or skim milk at such plant.

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.

§ 904.6 *Minimum class prices*—(a) *Class I prices.* Each handler shall pay producers, in the manner set forth in § 904.10, for Class I milk delivered by them, not less than the following prices:

(1) For milk delivered from producers' farms to such handler's plant located not more than 40 miles from the State House in Boston, the price per hundredweight during each delivery period shall be as set forth in the table in this subparagraph.

92-score butter, wholesale, at New York, average of quotations of the U. S. Department of Agriculture for 30 days immediately preceding the 25th day of each month (cents per pound).	Class I price for the delivery period following the 25th day of each month
	Dollars per hundredweight
Under 40	3.64
40 or over, but under 45	3.87
45 or over	4.10

(2) For milk delivered from producers' farms to such handler's plant located more than 40 miles from the State House in Boston, the price per hundredweight during each delivery period shall be the price effective pursuant to (1) of this paragraph minus the amount set forth in (c) of this section for the railroad freight mileage zone for the distance from the railroad shipping point for such handler's plant to such handler's railroad delivery point in the marketing area, or, if the handler has no plant in the marketing area, for the distance to Boston.

(3) For the purpose of this paragraph, the milk which was sold or distributed during each delivery period by each handler as Class I milk shall be considered to have been first, that milk which was received from producers' farms at such handler's plant located not more than 40 miles from the State House in Boston; then, that milk which was received pursuant to § 904.8 (b) at such handler's plant located not more than 40 miles from the State House in Boston; and then, that milk which was shipped from the nearest plant located more than 40 miles from the State House in Boston, including milk received at such plant pursuant to § 904.8 (b).

(b) *Class II prices.* Each handler shall pay producers, in the manner set forth in § 904.10, for Class II milk delivered by them not less than the following prices per hundredweight:

(1) In the case of milk delivered to a handler's plant located not more than 40 miles from the State House in Boston, the price calculated pursuant to (2) of this paragraph for the 201–250 freight mileage zone plus 29 cents.

(2) Except as provided in (3) of this paragraph, in the case of milk delivered to a handler's plant located more than 40 miles from the State House in Boston, a price which the market administrator shall calculate by combining in one sum such of the following computations as apply:

(i) Divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the delivery period during which such milk is delivered, multiply this result by 3.7; and subtract the amount set forth in (c) of this section for the railroad freight mileage zone of the distance from the railroad shipping point for such handler's plant to Boston.

(ii) For any delivery period for which no cream price as described in (i) of this subparagraph is reported, multiply the average price reported for such delivery period by the United States Department of Agriculture for 92-score butter at wholesale in the Chicago market by 1.4; multiply this result by 3.7; and subtract the amount set forth in (c) of this section for the railroad freight mileage zone of the distance from the railroad shipping point for such handler's plant to Boston.

(iii) For all delivery periods, except April, May, and June, compute any plus amount for skim value which results from the following: from the average of all the dry skim milk powder quotations for carlots for "human food products (roller process) in barrels" and for "animal feed products (hot roller) in bags" (using midpoint of any range as one quotation) published during such delivery period by the United States Department of Agriculture for New York City, subtract 4 cents; and multiply this result by 7.5.

(iv) For the April, May, and June delivery periods, compute any plus amount for skim value which results from the average of the skim value computed pursuant to (iii) of this subparagraph and a value obtained as follows: compute the average of all quotations (using midpoint of any range as one quotation) published during the delivery period in the *Oil, Paint, and Drug Reporter*, for domestic 20–30 mesh casein in bags in carlots at New York, subtract 6.6 cents and multiply this result by 2.2; except that if either computation results in a minus amount, the other shall be used in lieu of the average.

(3) In the case of milk, other than route returns, made into butter during the delivery periods from April to September inclusive of each year, at a handler's own plant located more than 40 miles from the State House in Boston, the minimum price shall be computed by the market administrator as follows: from the average price reported for such delivery period by the United States Department of Agriculture for 92-score butter at wholesale in the New York market deduct 5 cents, add 20 percent, and multiply by 3.7: *Provided*, That any plus amount shall be added which results from the skim value as computed in (2) of this paragraph.

(c) *Combined plant handling and transportation differentials.* Differentials provided pursuant to (a) and (b) of this section and pursuant to § 904.10 (c) shall be as set forth in the following table: *Provided*, That in case the rail tariff for the transportation of milk in carlots in tank cars, as published in the New England joint tariff, M–3, is increased or decreased, the differentials set forth in column B shall be adjusted correspondingly to the nearest one-half cent per hundredweight of such change, effective the first complete delivery period in which such change applies.

A Freight zone (miles)	B Class I (cents per cwt.)	C Class II (cents per cwt.)
41–50	31.5	22.0
51–60	32.6	22.0
61–70	33.0	22.0
71–80	34.0	22.0
81–90	34.5	22.0
91–100	35.0	22.0
101–110	35.0	25.5
111–120	35.0	25.5
121–130	35.0	25.5
131–140	36.0	25.5
141–150	37.5	25.5
151–160	39.0	26.5
161–170	39.0	26.5
171–180	41.0	26.5
181–190	41.0	26.5
191–200	42.0	26.5
201–210	42.0	27.0
211–220	45.0	27.0
221–230	45.5	27.0
231–240	46.0	27.0
241–250	46.0	27.0
251–260	47.0	27.5
261–270	47.5	27.5
271–280	48.0	27.5
281–290	48.0	27.5
291–300	49.0	27.5

(d) *Announcement of Class II prices.* On or before the 5th day after the end of each delivery period, the market administrator shall publicly announce the Class II prices in effect for such delivery period.

§ 904.7 *Reports of handlers*—(a) *Periodic reports.* On or before the 8th day after the end of each delivery period each handler who receives milk from producers shall, with respect to milk or cream which was received by such handler during such delivery period, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts at each plant from producers, including the quantity, if any, received from his own production.

(2) The receipts at each plant from any other handler, including any handler who is also a producer.

(3) Receipts at each plant pursuant to § 904.8 (b).

(4) The respective quantities which were sold, distributed, or used, including sales to other handlers, classified pursuant to § 904.5.

(b) *Reports of handlers who receive no milk from producers.* Handlers who receive no milk from producers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(c) *Reports as to producers.* Each handler shall report to the market administrator:

(1) Within 10 days after the market administrator's request, with respect to any producer for whom such information is not in the market administrator's files, and with respect to a period or periods of time designated by the market administrator: (i) the name, post office address, and farm location, (ii) the total pounds of milk delivered, (iii) the average butterfat test of milk delivered, and (iv) the number of days upon which the deliveries were made;

(2) Within 10 days after any producer begins or resumes milk deliveries: (i) the name, post office address, and farm location of such producer, (ii) the date upon which such producer began or resumed milk deliveries, (iii) the plant at which such producer delivered milk, and (iv) the plant, if known, at which such producer delivered milk immediately prior to the beginning of delivery to such handler;

(3) Within 5 days after any producer has failed to make deliveries for 5 consecutive days: (i) the name, post office address, and farm location of such producer, (ii) the date upon which milk was last received, (iii) the plant at which such producer delivered milk, and (iv) the reason, if known, for such failure to deliver;

(4) Within 10 days after any producer moves from one farm to another: (i) the name, post office address, and location of the respective farms operated by such producer, and (ii) the date upon which milk was first received from the new location; and

(5) On or before the 8th day after the end of each delivery period each handler shall report the names of any persons whose milk he is reporting pursuant to §§ 904.5 (c) and 904.8 (b) and include a certification that these persons have contracts as specified therein.

(d) *Reports of payments to producers.* Each handler shall submit to the market administrator, within 10 days after his request made not earlier than 20 days after the end of the delivery period, his producer pay roll for such delivery period, which shall show for each producer: (i) the daily and total pounds of milk delivered with the average butterfat test thereof and (ii) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(e) *Outside cream purchases.* Each handler shall report, as requested by the market administrator, his purchases, if any, of bottling quality cream from handlers who receive no milk from producers, showing the quantity and the source of each such purchase and the cost thereof at Boston.

(f) *Verification of reports.* For the purpose of ascertaining the correctness of any report made to the market administrator as required hereunder or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business, to:

(1) Verify the information contained in reports submitted in accordance with this section;

(2) Weigh, sample, and test milk and milk products; and

(3) Make such examination of operations, equipment, and facilities as the market administrator deems necessary.

§ 904.8 *Application of provisions*—(a) *Handlers who receive no milk from producers.* The provisions hereof, except

as set forth in § 904.7, shall not apply to a producer-handler nor to a handler whose sole source of milk supply consists of receipts from other handlers.

(b) *Producers for other markets.* Milk received from producers, who are reported by a handler as under contract to have their milk received and paid for as part of that handler's supply for a market other than the marketing area, shall be reported under a separate category, and the provisions of § 904.10 and § 904.11 shall not apply except that such handler shall make payment as provided in § 904.10 (h) and (i).

(c) *Milk received from producer-handlers.* Milk of a producer-handler's own production which is delivered in bulk to another handler shall be considered as being delivered by a producer unless the receiving handler is also a producer-handler.

(d) *Handlers with less than 10 percent of the total receipts as Class I in the marketing area.* In the case of a handler, other than a cooperative association qualified pursuant to § 904.11 (a), who sells or distributes as Class I milk in the marketing area less than 10 percent of his total receipts of milk, the provisions hereof shall not apply except as follows:

(1) The handler shall, with respect to his total receipts and utilization of milk, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

(2) The handler shall, with respect to that quantity of milk received from producers and actually sold or distributed as Class I milk in the marketing area, make payments as provided for in § 904.10 (g) and (i), and § 904.12.

(e) *Milk subject to the New York order.* The provisions hereof shall not apply to the handling of milk received at any handler's plant which is subject to the provisions of the order regulating the handling of milk in the New York metropolitan marketing area (Order No. 27), issued by the Secretary effective as of September 1, 1938, as amended, or of any order superseding or amending such order.

§ 904.9 *Minimum blended prices to producers*—(a) *Computation of value of milk for each handler.* For each delivery period the market administrator shall compute, subject to the provisions of § 904.8, the value of milk sold, distributed, or used by each handler, exclusive of milk received from other handlers, or pursuant to § 904.8 (b), in the following manner:

(1) Multiply the quantity of milk in each class by the price applicable pursuant to (a) and (b) of § 904.6; and

(2) Add together the resulting value of each class.

(b) *Computation of the basic blended price.* The market administrator shall compute the basic blended price per hundredweight of milk delivered during each delivery period in the following manner:

(1) Combine into one total the respective values of milk, computed pursuant to paragraph (a) of this section, for each handler from whom the market administrator has received at his office, prior to the 11th day after the end of such delivery period, the report for such delivery period and the payments required pursuant to (b) (2), (g), and (h) of § 904.10 for milk received during each delivery period since the effective date of the most recent amendment hereof;

(2) Add the total amount of payments required from handlers pursuant to (g) and (h) of § 904.10;

(3) Add the amount of unreserved cash on hand at the close of business on the 10th day after the end of the delivery period from payments made to the market administrator by handlers pursuant to § 904.10;

(4) Add the total net amount of the differentials applicable pursuant to § 904.10 (e).

(5) Divide by the total quantity of milk which is included in these computations, except the quantity of milk included in the computation pursuant to § 904.10 (g) and the quantity of milk received pursuant to § 904.8 (b); and

(6) Subtract not less than 5½ cents nor more than 6½ cents for the purpose of retaining a cash balance in connection with the payments and reserves set forth in § 904.10 and § 904.11. This result shall be known as the basic blended price for milk containing 3.7 percent butterfat.

(c) *Announcement of prices.* On the 12th day after the end of each delivery period the market administrator shall mail to all handlers who received milk from producers and shall publicly announce:

(1) Such of these computations as do not disclose information confidential pursuant to the act;

(2) The zone blended price per hundredweight resulting from adjustment of the basic blended price by the differentials pursuant to (e) of § 904.10; and

(3) The names of the handlers who received milk from producers, designating those whose milk is not included in the computations.

§ 904.10 *Payments for milk*—(a) *Advance payments.* On or before the 10th day after the end of each delivery period, each handler shall make payment to producers for the approximate value of milk received during the first 15 days of such delivery period. In no event shall such advance payment be at a rate less than the Class II price for such delivery period.

(b) *Final payments.* On or before the 25th day after the end of each delivery period, each handler shall make payment for the total value of milk received during such delivery period as required to be computed pursuant to § 904.9 (a), as follows:

(1) To each producer at not less than the basic blended price per hundredweight, subject to the differentials set forth in (d) and (e) of this section, for the quantity of milk delivered by such producer; and

(2) To producers, through the market administrator, by paying to, on or before the 23d day after the end of each delivery period, or receiving from the market administrator, on or before the 25th day after the end of each delivery period, as the case may be, the amount by which the payments required to be made pursuant to (1) of this paragraph are less than or exceed the value of milk as required to be computed for such handler pursuant to § 904.9 (a), as shown in a statement rendered by the market administrator on or before the 20th day after the end of such delivery period.

(c) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments pursuant to (b) (2) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is payable by the market administrator to any handler, the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment to any producer for milk delivered to any handler discloses payment to such producer of a less amount than is required by this section, the handler shall make up such payment to the producer not later than the time of making final payment for the period in which such error is disclosed.

(d) *Butterfat differential.* Each handler shall, in making the payments to each producer for milk receive from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent an amount per hundredweight which shall be calculated by the market administrator as follows: divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the period between the 16th day of the preceding month and the 15th day inclusive of the delivery period during which such milk is delivered, subtract 1.5 cents and divide the result by 10: *Provided*, That if no such cream price is reported, multiply the average price reported for such period by the United States Department of Agriculture for 92-score butter at wholesale in the Chicago market by 1.4 subtract 1.5 cents, and divide the result by 10.

(e) *Location differentials.* The payments to be made to producers by handlers pursuant to (b) (1) of this section shall be subject to differentials as follows:

(1) With respect to milk delivered by a producer to a handler's plant located more than 40 miles from the State House in Boston, there shall be deducted, per hundredweight, 13 cents less than the amount set forth in column B of the table in (c) of § 904.6 for the railroad freight mileage zone for the distance from the railroad shipping point from such handler's plant to Boston.

(2) With respect to milk delivered by a producer to a handler's plant located not more than 40 miles from the State House in Boston there shall be added 13 cents per hundredweight.

(3) With respect to milk delivered by a producer whose farm is located more than 40 miles but not more than 80 miles from the State House in Boston, there shall be added 23 cents per hundredweight, unless such addition gives a result greater than the highest Class I price in effect pursuant to (1) of § 904.6 (a), in which event there shall be added an amount which will give as a result such price.

(4) With respect to milk delivered by a producer whose farm is located not more than 40 miles from the State House in Boston or whose farm is located in Barnstable or Plymouth Counties, Massachusetts, there shall be added 46 cents per hundredweight, unless such addition gives a result greater than the highest Class I price in effect pursuant to (1) of § 904.6 (a), in which event there shall be added an amount which will give as a result such price.

(f) *Other differentials.* In making the payments to producers set forth in (b) (1) of this section, handlers may make deductions as follows:

(1) With respect to milk delivered by producers to a plant which is located outside the marketing area and more than 14 miles but not more than 40 miles from the State House in Boston, 10 cents per hundredweight.

(2) With respect to milk delivered by producers to a plant located more than 40 miles from the State House in Boston, at which plant the average daily receipts of milk from producers are: (i) less than 17,000 but greater than 8,500 pounds, 4 cents per hundredweight and (ii) 8,500 pounds or less, 8 cents per hundredweight.

(g) *Payments by handlers with less than 10 percent of total receipts as Class I in the marketing area.* Handlers subject to § 904.8 (d) shall pay to producers through the market administrator, on or before the 23d day after the end of the delivery period, the value determined by multiplying the quantity of Class I milk disposed of in the marketing area by the difference between the prices applicable pursuant to § 904.6 (a) and the prices applicable pursuant to (1) and (2) of § 904.6 (b).

(h) *Payments for milk received from producers for other markets.* On or before the 23d day after the end of each delivery period, handlers who received milk pursuant to § 904.8 (b) shall pay to producers through the market administrator the value determined by multiplying the quantities of such milk in each class by the prices applicable pursuant to § 904.6 and subtracting the value of such milk at the Class II prices in effect for the plants at which such milk is received.

(i) *Adjustment of overdue accounts.* Any balance due pursuant to this section to or from the market administrator on the 10th day of any month, for which remittance has not been received in, or paid from, his office by the close of business on that day, shall be increased one-half of 1 percent, effective the 11th day of such month.

(j) *Statements to producers.* In making the payments to producers prescribed by (b) (1) of this section, each handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which shall show:

(1) The delivery period and the identity of the handler and of the producer;

(2) The total pounds and average butterfat test of milk delivered by the producer;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of (b), (d), and (e) of this section;

(4) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under (f) of this section and § 904.11 together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

§ 904.11 *Payments to cooperative associations*—(a) *Eligibility of cooperative associations.* Upon application to the Secretary, any cooperative association duly organized under the laws of any State which he determines, after appropriate inquiry or investigation, to be conforming to the provisions of such laws and of the Capper-Volstead Act, as amended, as to character of organization, voting requirements, dividend payments, dealing in products of nonmembers; to be operating as a responsible producer-controlled marketing association exercising full authority in the sale of the milk of its members; to be systematically checking the weights and tests of milk delivered by its members to plants other than those which may be operated by itself; to guarantee payments to its producers; to be maintaining, either individually or in collaboration with other qualified cooperative associations, a competent staff for dealing with marketing problems and providing information to its members with whom close working relationships are constantly maintained; to be collaborating with other similar associations in activities incident to the maintenance and strengthening of collective bargaining by producers and the operation of a plan of uniform pricing of milk to handlers; and to be complying with all provisions of this order applicable to such cooperative association, shall be entitled to receive payments in the amount and under the conditions herein specified from the date of qualification, as fixed by the Secretary, until it has been found by the Secretary, after notice and opportunity for a hearing, that it has failed to continue to meet any condition or to maintain and exercise the authority or to perform any of the functions required by this section for the receipt of use or such payments. Any such cooperative association shall be eligible for payment, as follows:

(1) At not more than the rate of 1.5 cents per hundredweight of milk marketed by it on behalf of its members in conformity with the provision hereof, the value of which is determined pursuant to § 904.9 (a), and with respect to which a handler has made payments as required by § 904.10 (b) (2) and § 904.12: *Provided*, That the amount paid with respect to milk received at a plant not operated by the cooperative association shall not exceed the amount which handlers are obligated to deduct from payments to members pursuant to (f) of this section. Such monies paid to such a cooperative association are not to be used in paying patronage dividends or other payments to members with respect to milk delivered except in fulfilling the guarantee of payments to producers. In cases where two or more of such cooperative associations participate in the marketing of the same milk, payment under this paragraph shall be available only to the association which the individual producer has made his exclusive agent in the marketing of such milk.

(2) At the rate of 5 cents per hundredweight as provided in (b) of this section on milk received from producers at a plant operated under the exclusive control of member producers or member associations for which it accounts to the market administrator pursuant to § 904.10 (b) (2) and which is sold as Class I to proprietary handlers, except stores, handlers in which the cooperative or any of its members or affiliated associations or any other qualified association has any ownership or control, or a handler with which the cooperative has such sales arrangements that its milk not sold as Class I milk to such handler is not available for sale as Class I milk to other handlers.

(b) *Computation of amount of payment at 5 cents per hundredweight.* The amount due a cooperative association for each delivery period pursuant to (a) (2) of this section shall be computed by the market administrator as follows:

(1) Determine the quantity of Class I milk which is sold to proprietary handlers;

(2) Subtract the quantity of such milk which is not eligible for payment under the provisions of (a) (2) of this section;

(3) Subtract the qantity of milk received by the association other than milk received from producers at plants operated under the exclusive control of member producers or member associations; and

(4) Multiply by 5 cents per hundredweight.

(c) *Payment to qualified cooperative associations.* The market administrator shall, upon notice of the filing of an application, set aside each pay period from the cash balance created pursuant to § 904.9 (b) (6) such sum as he estimates is ample to make payments to the applicant and hold it in reserve until the Secretary has ruled upon said application and shall, upon claim, in form as prescribed by him, received at his office not later than the 10th day of the second month subsequent to the delivery period to which the claim applies or in which the Secretary's ruling is made, make payment for which a cooperative

association is eligible pursuant to (a) of this section or issue credit therefor out of the said cash balance subject to verification of the receipts and other items on which the amount of such payment is based.

(d) *Reports.* Each cooperative association qualified to receive payments pursuant to this section shall, from time to time, as requested by the market administrator, make reports to him with respect to the use of such payments and the performance of any service or function set forth as the basis for such payment and shall file with him a copy of its balance sheet and operating statement at the close of each fiscal year.

(e) *Suspension.* The market administrator shall suspend payments upon request by the Secretary or such officer of the Department of Agriculture as he may designate by giving written notice to such association whenever there is reason to believe that a beneficiary of such payments is no longer qualified. Such suspended payments shall be segregated and held in reserve until the Secretary has, after notice and opportunity for a hearing, ruled upon the performance of the cooperative and either ordered the suspended payment to be paid to it in whole or in part or has disqualified such cooperative, in which event the balance of payments held in reserve shall be added to the cash balance, created pursuant to § 904.9 (b) (6).

(f) *Authorized member deductions.* In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members and which is qualified to receive payments pursuant to this section, each handler shall make such deductions from the payments to be made to such producers pursuant to § 904.10 as may be authorized by such producers and, on or before the 25th day after the end of each delivery period, pay over such deductions to the association in whose favor such authorizations were made.

§ 904.12 *Expense of administration.*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler, except as set forth in § 904.8 (a), shall, on or before the 23d day after the end of each delivery period, pay to the market administrator a sum not exceeding 2.5 cents per hundredweight with respect to all milk received by him during such delivery period from producers and from his own production, the exact sum to be determined by the market administrator subject to review by the Secretary.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

§ 904.13 *Effective time, suspension, or termination.*—(a) *Effective time.* The provisions hereof or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this order or any provision hereof whenever he finds that this order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(1) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary, (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 904.14 *Agents.* (a) The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 11th day of March 1943, to be effective on and after the 15th day of March 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: March 11, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-3883; Filed, March 12, 1943; 11:32 a. m.]

PART 934—MILK IN THE LOWELL-LAWRENCE, MASSACHUSETTS, MARKETING AREA

ORDER OF REGULATING HANDLING OF MILK

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

Sec.
934.1 Findings and determination.
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AUTHORITY: §§ 934.1 to 934.14 inclusive, issued under 48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.

§ 934.1 *Findings and determinations—(a) Findings upon the basis of hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR. 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to secs. 2 and 8 (e) of said act, 50 Stat. 246; 7 U.S.C. 602, 608e, are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk, and that the minimum prices set forth in this amended order, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

(2) The amended order regulates the handling of milk in the same manner as, and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

(3) That the issuance of this amended order and all of the terms and conditions of this amended order tend to effectuate the declared policy of the act.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order, and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this amended order) of at least 50 percent of the volume of milk covered by said amended order which is marketed within the Lowell-Lawrence, Mass., marketing area, refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this amended order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Lowell-Lawrence, Massachusetts, marketing area; and

(3) The issuance of this amended order is approved or favored by at least three-fourths of the producers who participated in a referendum on the question of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Lowell-Lawrence, Massachusetts, marketing area.

§ 934.2 *Order relating to handling.* It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of this amended order.

PROVISIONS [1]

§ 934.3 *Definitions.*—(a) *Terms.* As used herein the following terms shall have the following meanings:

(1) The term "act" means Public, No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(2) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the power and perform the duties of the Secretary of Agriculture of the United States.

(3) The term "Lowell-Lawrence, Massachusetts, marketing area," hereinafter called the "marketing area," means the territory included within the boundary lines of the cities and towns of Andover, Billerica, Boxford, Chelmsford, Dracut, Dunstable, Lawrence, Lowell, Methuen, North Andover, Tewksbury, Tyngsboro, and Westford, Massachusetts.

(4) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(5) The term "producer" means any person who produces milk which is delivered to a receiving plant from which milk is shipped to, or sold in, the marketing area during any delivery period.

(6) The term "association of producers" means any cooperative marketing association which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.

(7) The term "handler" means any person who, on his own behalf or as agent for producers, produces milk, or purchases or receives milk from producers, associations of producers, or other handlers, and engages in the handling of such milk, which is sold, distributed, or disposed of as milk or cream within the marketing area, as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products.

(8) The term "producer-handler" means any handler who is also a producer and who receives no milk from other producers and who either (i) has milk receipts from his own production which he does not dispose of in bulk and which average less than 1000 pounds daily, or (ii) processes and packages his milk at a plant located on a farm from which he receives at least 25 percent of the total receipts from his own production which he does not dispose of in bulk.

(9) The term "market administrator" means the person designated pursuant to § 934.4 as the agency for the administration hereof.

(10) The term "delivery period" means the current marketing period from the effective date hereof to and including the last day of that month. Subsequent to that month "delivery period" means the current marketing period from the first to and including the last day of each month.

(11) The term "hundredweight" means one hundred pounds of milk or its volume equivalent, considering 85 pounds of milk and 86 pounds of skim milk per 40-quart can.

(12) The term "receiving plant" means any milk plant currently used for receiving, weighing (or measuring), sampling, and cooling milk received there directly from producers' farms, and for washing and sterilizing the milk cans in which such milk is received, and at which are currently maintained weigh sheets or other records of producers' deliveries.

§ 934.4 *Market administrator.*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have power:

(1) To administer the terms and provisions hereof;

(2) To receive, investigate, and report to the Secretary complaints of violations of the terms and provisions hereof;

(3) To recommend to the Secretary of Agriculture amendments hereto; and

(4) To prepare and disseminate for the benefit of producers, consumers, and handlers such statistics and information concerning the operations hereunder as do not reveal confidential information.

(c) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with sureties thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 934.12, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Unless otherwise directed by the Secretary, publicly disclose, within 30 days after such nonperformance becomes known to the market administrator, the name of any person who, within 2 days after the date on which he is required to perform such acts, has not (i) made reports pursuant to § 934.7 or (ii) made payments pursuant to § 934.10; and may at any time thereafter so disclose any such name if authorized by the Secretary to do so; and

[1] Underscored words indicate changes from Order No. 34, as amended, effective August 1, 1941, and as further amended by Amendment No. 1, effective November 1, 1941, and Amendment No. 2, effective April 6, 1942.

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 934.5 *Classification of milk*—(a) *Basis of classification.* Subject to verification by the market administrator, all milk received by a handler from producers or from his own production shall be classified in the classes set forth in (b) of this section in accordance with its utilization by him, except as follows:

(1) Subject to (c) of this section, milk or skim milk moved to another handler or to a plant subject to another order of the Secretary may be classified as reported by both the selling and the receiving handler, or by the seller alone if the receiver submits no report or if the two reports do not agree: *Provided*, That no greater quantity shall be classified as Class II milk than the total milk or skim milk utilized by such receiver as Class II milk, unless the receiver is a cooperative association as determined pursuant to § 934.11 (b), in which event the milk shall be classified in the same manner as though it were received by the association directly from producers.

(2) Milk or skim milk disposed of to persons not handlers who distribute milk or manufacture milk products, and exclusive of milk disposed of to a plant subject to another order of the Secretary, shall be Class I milk, not in excess of the total quantity of Class I milk, or skim milk, at such plant.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, the utilization of which is not established as Class II milk.

(2) Class II milk shall be all milk, the utilization of which is established (i) as being sold, distributed, or disposed of other than as or in milk which contains one-half of 1 percent or more, but less than 16 percent of butterfat; and other than as or in chocolate or flavored whole or skim milk, buttermilk, or cultured skim milk, for human consumption, and (ii) as plant shrinkage not in excess of 2 percent of the volume handled.

(c) *Milk delivered by producers to other markets.* Milk received by a handler at one of his plants not subject to the provisions hereof from persons reported by him as under contract to have their milk received and paid for as part of his supply for the marketing area shall be considered as received from producers and classified (i) as Class II milk if received at a plant of that handler, the handling of milk in which plant is subject to the order regulating the handling of milk for the Greater Boston marketing area, and (ii) as Class I milk if received at a plant of that handler the handling in which plant is not subject to the order regulating the Greater Boston marketing area.

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk received by a handler from producers the burden rests upon the handler who receives milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.

§ 934.6 *Minimum class prices*—(a) *Class I price to associations of producers.* Each handler shall pay an association of producers, at the time set forth in § 934.10 (a) and subject to the butterfat differential calculated pursuant to § 934.10 (c), for Class I milk delivered in bulk from such association's receiving plant to such handler's plant located within 20 miles of the City Hall in Lowell or Lawrence, not less than the applicable price pursuant to (b) (1) of this section plus 13 cents.

(b) *Class I price to producers.* Each handler shall pay producers, at the time and in the manner set forth in § 934.10, for Class I milk delivered by them, not less than the following prices:

(1) For milk delivered from producers' farms to such handler's plant located within 20 miles from the city hall in Lowell or Lawrence, the price per hundredweight during each delivery period shall be as set forth in the table in this subparagraph.

92-score butter, wholesale, at New York, average of quotations of the U. S. Dept. of Agriculture for 30 days immediately preceding the 25th of each month (cents per pound)	Class I price for the delivery period following the 25th day of each month
	Dollars per cwt.
Under 40	3.64
40 and over, but under 45	3.87
45 or over	4.10

(2) For milk delivered from producers' farms to such handler's plant located beyond 20 miles, but within 40 miles, of the City Hall in Lowell or Lawrence, the price per hundredweight during each delivery period shall be the price effective pursuant to (1) of this paragraph, less 17 cents per hundredweight.

(3) For milk delivered from producers' farms to such handler's plant not located within 40 miles of the City Hall in Lowell or Lawrence the price per hundredweight during each delivery period shall be the price effective pursuant to (1) of this paragraph, less an amount per hundredweight equal to the sum of 13 cents and the average of the freight rates (considering 85 pounds to one 40-quart can), from the railroad shipping point for such handler's plant to Lowell and to Lawrence, calculated according to the lowest applicable rail tariffs for the transportation in carload lots of milk in 40-quart cans.

(4) For the purpose of this paragraph, the milk which was disposed of during each delivery period by each handler as Class I milk from a handler's receiving plant located within 20 miles of the City Hall in Lowell or Lawrence shall be considered to have been, first, that milk which was received directly from producers' farms at such plant, and then that milk which was shipped from the nearest receiving plant not located within 20 miles of the City Hall in Lowell or Lawrence.

(c) *Class II prices.* Each handler shall pay producers, at the time and in the manner set forth in § 934.10, for Class II milk delivered by them not less than the following prices per hundredweight:

(1) For such milk delivered to a handler's receiving plant located within 20 miles of the City Hall in Lowell or Lawrence, the price calculated pursuant to (2) of this paragraph for the 201–250 freight mileage zone plus 14 cents.

(2) For such milk delivered to a handler's receiving plant not located within 20 miles of the City Hall in Lowell or Lawrence, a price which the market administrator shall compute by combining in one sum such of the following computations as apply:

(i) Divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the delivery period during which such milk is delivered, multiply this result by 3.7 and subtract the amount set forth in (d) of this section for the railroad freight mileage zone of the average distance from the railroad shipping point for such handler's plant to Lowell and to Lawrence;

(ii) For any delivery period for which no cream price as described in (i) of this subparagraph is reported, multiply the average price reported for such delivery period by the United States Department of Agriculture for 92-score butter at wholesale in the Chicago market by 1.4, multiply this result by 3.7, and subtract the amount set forth in (d) of this section for the railroad freight mileage zone of the average distance from the railroad shipping point for such handler's plant to Lowell and to Lawrence;

(iii) For all delivery periods except April, May, and June, compute any plus amount for skim value which results from the following: From the average of all the dry skim milk powder quotations for carlots for "human food products (roller process) in barrels" and for "animal feed products (hot roller) in bags" (using midpoint of any range as one quotation) published during such delivery period by the United States Department of Agriculture for New York City, subtract 4 cents, and multiply this result by 7.5; and

(iv) For the April, May, and June delivery periods, compute and plus amount for skim value which results from the average of the skim value computed pursuant to (iii) of this subparagraph and a value obtained as follows: compute the average of all quotations (using midpoint of any range as one quotation) published during the delivery period in the *Oil, Paint, and Drug Reporter*, for domestic 20–30 mesh casein in bags in carlots at New York, subtract 6.6 cents and multiply this result by 2.2; except that if either computation results in a minus amount, the other shall be used in lieu of the average.

(d) *Combined plant handling and transportation differentials.* Differentials provided pursuant to (c) of this section shall be as set forth in the following table:

Freight zones miles:	Class II (cents per cwt.)
21–100	23.0
101–150	26.5
151–200	27.5
201–250	28.0
251–300	28.5

§ 934.7 *Reports of handlers*—(a) *Periodic reports.* On or before the 8th day after the end of each delivery period, each handler who receives milk from producers shall, with respect to milk or cream which was received by such handler during such delivery period, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts at each plant from producers, including the quantity, if any, received from his own production;

(2) The receipts at each plant from any other handler, including any handler who is also a producer;

(3) Receipts at each plant pursuant to § 934.8 (c); and

(4) The respective quantities of milk which were sold, distributed, or used, including sales to other handlers, classified pursuant to § 934.5.

(b) *Reports of handlers who receive no milk from producers.* Handlers who receive no milk from producers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(c) *Reports as to producers.* (1) Each handler shall submit to the market administrator within 10 days after his request, with respect to any producer for whom such information is not in the files of the market administrator, and with respect to a period or periods of time designated by the market administrator, (i) the name, post office address, and farm location, (ii) the total pounds of milk delivered, (iii) the average butterfat test of milk delivered, and (iv) the number of days on which deliveries were made.

(2) Each handler shall submit to the market administrator, within 10 days after his request, made not earlier than 15 days after the end of the delivery period, his producer pay roll for such delivery period, which shall show for each producer (i) the daily and total pounds of milk delivered with the average butterfat test thereof and (ii) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(3) On or before the 18th day after each handler becomes subject to the provisions hereof, he shall report to the market administrator a schedule of the transportation rates which were charged and paid for the transportation of milk from the farm of each producer to such handler's receiving plant, and such information with respect to distances involved as the market administrator may require.

(4) On or before the 18th day after any changes are made in the schedule filed in accordance with (3) of this paragraph, a copy of the revised schedule with the effective dates of such changes as may appear in the revised schedule.

(5) On or before the 8th day after the end of each delivery period, each handler shall report the names of any persons whose milk such handler is reporting pursuant to § 934.5 (c) and § 934.8 (c) and include a certification that these persons have contracts as specified therein.

(d) *Announcement of transportation rates.* On or before the 30th day after the end of each delivery period, the market administrator shall mail to all handlers who receive milk from producers and shall publicly announce the rate or rates of such deductions made by each handler, as reported, pursuant to (3) and (4 of paragraph (c) of this section, and such information with respect to the distances involved and so reported as the market administrator may deem advisable.

(e) *Verification of reports.* For the purpose of ascertaining the correctness of any report made to the market administrator as required hereunder or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business, to:

(1) Examine those records which are necessary for the verification of the information contained in such reports;

(2) Weigh, sample, and test milk and milk products; and

(3) Make such examination of operations, equipment, and facilities as the market administrator deems necessary.

§ 934.8 *Application of provisions*—(a) *Handlers who receive no milk from producers.* The provisions hereof, except as set forth in § 934.7, shall not apply to a producer-handler nor to a handler whose sole source of milk supply consists of receipts from other handlers.

(b) *Milk received from producer-handlers.* Milk of a producer-handler's own production which is delivered in bulk to another handler shall be considered as being delivered by a producer unless the receiving handler is also a producer-handler.

(c) *Producers for other markets.* Milk received from producers, who are reported by a handler as under contract to have their milk received and paid for as part of that handler's supply for a market other than the marketing area, shall be reported under a separate category, and the provisions of § 934.10 and § 934.11 shall not apply.

(d) *Milk subject to the Greater Boston order.* The provisions hereof shall not apply, except as provided in § 934.5, to the handling of milk received at any handler's receiving plant which is subject to the provisions of the order of the Secretary regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, unless such handler, not including a cooperative association as qualified pursuant to § 904.11 (a) of such order, sells, distributes, or disposes of less than 10 percent of his total receipts of milk as Class I milk in the Greater Boston marketing area.

§ 934.9 *Minimum composite prices to producers.*—(a) *Computation of value of milk for each handler.* For each delivery period the market administrator shall compute, subject to the provisions of § 934.8, the value of milk disposed of by each handler, in the following manner:

(1) Subtract from the quantity of such handler's Class I milk the quantity of milk received pursuant to § 934.8(c) from producers who are reported as having contracts applying to the Greater Boston marketing area;

(2) Subtract from the quantity of such handler's Class I milk or of his Class II milk, according to the classification thereof as the same is reported and classified pursuant to § 934.5, the quantity of milk received by such handler from other handlers;

(3) Subtract from the quantity of such handler's Class II milk the quantity of milk received pursuant to § 934.8 (c) from producers who are reported as having contracts applying to markets other than the Greater Boston marketing area; and

(4) Multiply the remainder of the quantity of milk in each class by the price applicable pursuant to § 934.6 (b) and § 934.6 (c) and add together the resulting value of each class.

(b) *Computation of composite prices.* The market administrator shall compute for each handler the composite price per hundredweight of milk received from producers during each delivery period in the following manner:

(1) Add to the total value computed pursuant to (a) of this section the amount of the differential applicable pursuant to § 934.10 (d);

(2) Subtract any amounts required to be paid under the order regulating the handling of milk in the Greater Boston marketing area pursuant to § 934.8 (d); and

(3) Divide the value remaining after subtraction pursuant to (2) of this paragraph by the total quantity of milk included in the computation made pursuant to (a) (4) of this section. This result shall be known as the handler's composite price for milk containing 3.7 percent butterfat.

(c) *Announcement of composite prices.* The market administrator shall mail to all handlers who receive milk from producers and shall publicly announce prices resulting from the computations pursuant to (a) and (b) of this section, and other related information, as follows:

(1) On or before the 12th day after the end of the delivery period, he shall announce the composite price, the Class II price, and the butterfat differential.

(2) On or before the last day of the month after the end of the delivery period, he shall announce the total quantity and value of Class I milk and Class II milk included in such computations.

over and above the amounts necessary

(2) The prices calculated to give milk

Louisiana, marketing area shall be in

§ 934.10 *Payments to producers*—(a) *Time and method of payments.* On or before the 18th day after the end of each delivery period, each handler shall make payment, subject to the differentials set forth in this section, for the total value of milk received by him from producers during such delivery period, as computed in accordance with § 934.9 (a), as follows:

(1) To each producer, except as provided in (2) of this paragraph, at not less than the composite price per hundredweight computed for such handler pursuant to § 934.9 (b);

(2) To producers who are members of an association of producers, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph.

(b) *Correction of errors in payments.* Errors in making any of the payments required by this section shall be corrected not later than the date for making payments next following the determination of such errors. Any correction affecting all producers delivering to any handler during the period in which such error occurred shall be corrected as the market administrator shall determine to be equitable, either by (i) adjustment of the account of each individual producer who delivered during such period on the basis of a recomputation of the price of such handler or (ii) addition or subtraction of the amount of such correction to or from the value of all milk received by such handler in the delivery period during which such error was determined, computed as set forth in § 934.9 (a).

(c) *Butterfat differential.* Each handler shall, in making payments to each producer for milk received from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent, an amount per hundredweight which shall be calculated by the market administrator as follows: divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the period between the 16th day of the preceding month and the 15th day, inclusive, of the delivery period during which such milk is delivered, subtract 1.5 cents, and divide the result by 10: *Provided*, That if no such cream price is reported, multiply the average price reported for such period by the United States Department of Agriculture for 92-score butter at wholesale in the Chicago market by 1.4, subtract 1.5 cents, and divide the result by 10.

(d) *Country receiving plant and freight differential.* The payments to be made by handlers, pursuant to (a) of this section, for milk delivered by producers at a receiving plant located 20 miles from the City Hall in Lowell or Lawrence, shall be subject to a deduction of 13 cents plus the average of the lowest freight rates from the railroad shipping point for such handler's plant to Lowell and Lawrence, according to the tariff currently approved by the Interstate Commerce Commission for the transportation in carload lots of milk in 40-quart cans (considering 85 pounds of milk per 40-quart can).

(e) *Statement to producers.* In making the payments required by this section, each handler shall furnish each producer with a supporting statement in such form that it may be retained by the producer, which shall show:

(1) The delivery period and the identity of the handler and of the producer;

(2) The total pounds and average butterfat test of milk delivered by the producer;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of (a), (c), and (d) of this section;

(4) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under § 934.11, together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

§ 934.11 *Marketing services*—(a) *Marketing service deduction.* In making payments to producers pursuant to § 934.10, each handler shall, with respect to all milk delivered by each producer during each delivery period, except as set forth in paragraph (b) of this section, deduct 3 cents per hundredweight, or such lesser amount as the market administrator shall determine to be sufficient, and shall, on or before the 18th day after the end of such delivery period, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator only in providing for market information to, and for verification of weights, samples, and tests of milk delivered by, such producer. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to the milk delivered by, such producers.

(b) *Marketing service deductions with respect to members of a producers' cooperative association.* In the case of producers who are members of an association of producers which is actually performing the services set forth in (a) of this section, each handler shall, in lieu of the deductions specified in (a) of this section, make such deductions from payments made pursuant to § 934.10 as may be authorized by such producers and pay over, on or before the 18th day after the end of each delivery period, such deduction to such associations.

§ 934.12 *Expense of administration*—(a) *Payments by handlers.* As his prorata share of the expense of administration hereof, each handler, except as set forth in § 934.8(a), shall, on or before the 18th day after the end of each delivery period, pay to the market administrator 4 cents per hundredweight or such lesser amount as the market administrator shall determine to be sufficient, with respect to all milk received by him during such delivery period, from producers and from his own production, except that this assessment shall not be deemed to duplicate any amount paid to the market administrator under a separate agreement by the Massachusetts Milk Control Board for cost of administration.

(b) *Suits by the market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

§ 934.13 *Effective time, suspension, and termination of order*—(a) *Effective time.* The provisions hereof or any amendments hereto shall become effective at such time as the Secretary may declare and shall continue in force until suspended, or terminated, pursuant to paragraph (b) of this section.

(b) *Termination of order.* The Secretary may terminate this order whenever he finds that this order obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handlers, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate, (i) shall continue in such capacity until discharged by the Secretary, (ii) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 934.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 11th day of March 1943, to be effective on and after the 15th day of March 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: March 11, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F R Doc. 43-3882; Filed, March 12, 1943; 11:32 a. m.]

PART 942—MILK IN THE NEW ORLEANS, LOUISIANA, MARKETING AREA

ORDER REGULATING HANDLING OF MILK

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

§ 942.0 *Findings and determinations*—(a) *Findings upon the basis of hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR. 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid order, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the New Orleans, Louisiana, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to §§ 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, the available supplies of feeds, and other economic conditions which affect the supply of and demand for such milk, and that the minimum prices set forth in the aforesaid order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid order, as amended and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order, and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by the aforesaid order, as amended and as hereby further amended) of at least 50 percent of the volume of milk covered by said order, as amended and as hereby further amended, which is marketed within the New Orleans, Louisiana, marketing area, refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, further amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the New Orleans, Louisiana, marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said New Orleans, Louisiana, marketing area.

It is, therefore, ordered, That, from and after the effective date hereof, the handling of milk in the New Orleans, Louisiana, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respects:

1. Delete § 942.1 (a) (1) and substitute therefor the following:

(1) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

2. Delete from § 942.5 (a) (1) the following phrase "2.75 per hundredweight for the delivery periods of May, June, and July; $3.15 per hundredweight for the delivery periods from August 1942 through March 1943, inclusive; and $2.75 per hundredweight thereafter" and substitute therefor the following phrase "$3.67 per hundredweight through March 1944, and $2.74 per hundredweight thereafter."

3. Delete § 942.5 (a) (2) and substitute therefor the following:

(2) *Class II milk.* $3.00 per hundredweight through March 1944, and $2.07 per hundredweight thereafter.

4. Delete § 942.5 (a) (3) and substitute therefor the following:

(3) *Class III milk.* The price per hundredweight resulting from the following computation by the market administrator: add 9 cents to the average wholesale price per pound of 92-score butter at Chicago, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and multiply the resulting sum by 4.

5. Delete from § 942.8 (d) the following phrase "an amount equal to one-fortieth of the price for Class III milk computed pursuant to § 942.5 (a) (3)" and substitute therefor the following phrase "an amount computed as follows: add 20 percent to the price per pound of butter described in § 942.5 (a) (3), subtract 2 cents, and divide the net result by 10."

6. Add as § 942.12 the following:

§ 942.12 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States Government, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.)

Issued at Washington, D. C., this 11th day of March 1943, to be effective on and after the 15th day of March 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: March 11, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-3885; Filed, March 12, 1943; 11:32 a. m.]

PART 947—MILK IN THE FALL RIVER, MASSACHUSETTS, MARKETING AREA

ORDER REGULATING HANDLING OF MILK

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

§ 947.0 *Findings and determinations*—(a) *Findings upon the basis of hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR. 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8c (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this amendment to said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

(2) The order, as amended by this amendment, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

(3) The issuance of this amendment to the order, as amended, and all of the terms and conditions of the order, as so amended, tend to effectuate the declared policy of the act.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order, and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by the aforesaid order, as amended and as hereby further amended) of at least 50 percent of the volume of milk covered by said order, as amended and as hereby further amended, which is marketed within the Fall River, Massachusetts, marketing area, refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order further amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Fall River, Massachusetts, marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Fall River, Massachusetts, marketing area.

ORDER RELATING TO HANDLING

It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Fall River, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respects:

1. Delete § 947.1 (a) (2) and substitute therefor the following:

(2) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

2. Add a new subparagraph to § 947.2 (b) as follows:

(4) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this order as do not reveal confidential information.

3. Delete § 947.3 (a) (2) (ii) and substitute therefor the following:

(ii) All milk accounted for as actual plant shrinkage not in excess of 2 percent of milk received from producers including milk of the handler's own production.

4. From § 947.4 (a) delete the words "for delivery periods prior to April 1, 1943, and thereafter $3.42 per hundredweight," and delete the present table of prices and substitute therefor the following:

92-score butter, wholesale, at New York, average of quotations of the U. S. Department of Agriculture for 30 days immediately preceding the 25th day of each month (cents per pound)	Class I price for the delivery period beginning the 26th day of each month
	Dollars per hundredweight
Under 40	4.18
40 or over but under 45	4.11
45 or over	4.34

5. Delete the proviso in § 947.4 (b) and substitute therefor the following:

Provided, That for all delivery periods, except April, May, and June, any plus amount for skim value shall be added which results from the following computation: compute the average for all the dry skim milk powder quotations for carlots for "human food products (roller process) in barrels" and for "animal feed products (hot roller) in bags," (using midpoint of any range as one quotation), published during such delivery period by the United States Department of Agriculture for New York City, subtract 4.0 cents, and multiply by 7.5; and that for the delivery periods of April, May, and June, compute any plus amount for skim value which results from the average of the skim value computed above and a value obtained as follows: compute the average of all quotations (using midpoint of any range as one quotation), published during the delivery period in the "Oil, Paint, and Drug Reporter" for domestic 20–30 mesh casein in bags in carlots at New York, subtract 6.6 cents and multiply by 2.2: *Provided further*, That if either computation results in a minus amount, the other shall be used in lieu of the average.

6. Add a new paragraph to § 947.3 as follows:

(e) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.

7. Delete § 947.3 (b) and substitute therefor the following:

(b) *Sales of milk from handlers to other handlers or nonhandlers.* Milk disposed of from one handler to another handler, to persons who distribute milk or manufacture milk products, or milk disposed of in other ways outside of the marketing area shall be classified, subject to verification by the market administrator, as follows:

(1) Disposition from a handler to a producer-handler shall be Class I.

(2) Disposition from a handler to another handler or to a plant subject to another order of the Secretary, except as provided in (1) of this paragraph, shall be Class I: *Provided*, That if such milk or skim milk is reported as having been utilized as Class II by the person who received it or by the disposing handler, it shall be classified accordingly.

(3) Disposition from a handler to persons not handlers or producer-handlers who distribute milk or manufacture milk products, and exclusive of milk disposed of to a plant subject to another order of the Secretary, shall be Class I, not to exceed the total quantity of Class I milk, or skim milk, at such plant.

8. Delete § 947.3 (c) (2).

9. Delete § 947.7 (b) (1) (iii) and (2) (iv) and substitute therefor the following as (iii) and (iv) respectively:

Add the cash balance, if any, in his hands from payments made by handlers, during the delivery period next preceding, to meet the obligations arising out of § 947.9 (d).

10. In § 947.9 (c) and § 947.11 (a) delete the words "13th day" and substitute therefor the following "15th day."

11. In § 947.9 (d) delete the words "15th day" and substitute therefor the following "16th day."

12. In § 947.10 (a) preface the present language with the words, "on or before the 15th day after the end of each delivery period," and delete the words "On or before the end of such delivery period."

13. In § 947.10 (b) preface the present language with the words, "On or before the 17th day after the end of each delivery period," and delete the words "On or before the end of each delivery period."

14. The following section shall also be a part of the order, as amended, in addition to §§ 947.1 through 947.12 of said order, as amended:

§ 947.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.)

Issued at Washington, D. C., this 10th day of March 1943, to be effective on and after the 15th day of March 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: March 11, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-3884; Filed, March 12, 1943; 11:32 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—REGULATIONS FOR SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Espionage Act approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (50, U. S. C. 191, 191a), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively, the regulations relating to the control of vessels in the navigable waters of the United States are hereby amended as follows:

By amending § 6.5–30 of Subpart C to read as follows:

§ 6.5–30 *Areas of forbidden anchorage: Hampton Roads and Cape Henry, Virginia.* (a) Except in cases of great emergency, no vessel shall anchor in the following area unless the owner, master, agent, or operator of such vessel has been issued a permit by the Captain of the Port: Starting at a point on the 37th parallel located 256 degrees 30 min. true, 825 yards from Old Point Comfort Light; thence 108 degrees true, 315 yards; thence 84 degrees 30 min. true; 425 yards; thence 67 degrees true, 380 yards; thence 43 degrees 30 min. true, 2,650 yards; thence 90 degrees true, 3,020 yards; thence 172 degrees true, 2,040 yards, thence 252 degrees true, 5,230 yards to Fort Wool Light; thence 247 degrees true, 1,000 yards to Sewall Point Spit Lighted Bell Buoy No. 2; thence 348 degrees 30 min. true to point of origin.

(b) No vessel shall anchor within a radius of three hundred (300) yards of the Examination Vessel, located 336° true, 2,970 yards from the Harbor Entrance Control Post located at the Weather Bureau signal station at Cape Henry, Virginia.

By amending § 6.9–55 of Subpart C to read as follows:

§ 6.9–55 *Western rivers*—(a) *Restricted areas for locks and dams on the upper Mississippi River.* An area not to exceed 2,000 feet above and 1,000 feet below each of the following locks and dams:

Lock and Dam No. 2.
Lock and Dam. No. 3.
Lock and Dam No. 4.
Lock and Dam No. 5.
Lock and Dam No. 5A.
Lock and Dam No. 6.
Lock and Dam No. 7.
Lock and Dam No. 8.
Lock and Dam No. 9.
Lock and Dam No. 10.
Lock and Dam No. 11.
Lock and Dam No. 13.
Lock and Dam No. 14.
Lock and Dam No. 16.
Lock and Dam No. 17.
Lock and Dam No. 18.
Lock and Dam No. 20.
Lock and Dam No. 21.
Lock and Dam No. 22.
Lock and Dam No. 24.
Lock and Dam No. 25.

(b) *Other restricted areas in Western rivers*—(1) *Illinois River*—(i) *Peoria, Illinois.* (Upper area) From mile 166.2 to mile 162.8 from right bank to 9 foot contour line on left.

(ii) *Peoria, Illinois.* (Lower area) From mile 162.8 to 162.5 from right bank to 9 foot contour line on left, from 162.5 to 160.5 from bank to bank.

(iii) *Pekin, Illinois.* (Upper area) The restricted area includes all waters from bank to bank, from approximately mile 153.2, which is 1,000 feet above C. R. I. & P. Ry. Bridge, to approximately mile 152.7, which is 1,000 feet below State Highway Bridge.

(iv) *Pekin, Illinois.* (Lower area) The restricted area includes all waters from bank to bank, from approximately mile 150.8, which is 1,000 feet below Powerton Station, to approximately mile 151.4, which is 1,000 feet above C. & N. W. Ry. bridge.

(v) *Havana, Illinois.* The restricted area extends from mile 120.2 upstream, and includes all waters from immediately shoreward of the sailing line to the left bank up to mile 120.8, the lower end of Chautauqua Lower Island. From the lower end of the island, the restricted area includes all waters of the old channel to mile 121.2, including waters of the Dock "A" Canal.

(2) *Kanawha River*—(i) *Charleston, West Virginia.* The restricted area includes all waters between mile 54.6 to mile, 56.1 from the left bank of the Kanawha River, to 200 feet channelward from the north short of Blaines Island.

(3) *Ohio River*—(i) *Pittsburgh, Pennsylvania.* (Emsworth Dam area) Includes all waters of the Ohio River from the sailing line to the North Shore of Neville Island, between mile 6.2 and mile 8.5.

(ii) *Evansville, Indiana.* From Main Street mile 792.3 to mile 794.2 to the sailing line on the Indiana side. Including Sou-Ind. Gas & Elec. Co. and Mo. Valley Bridge and Iron Co.

(iii) *Louisville, Kentucky.* (Area A) Area A at Jeffersonville Boat and Machine Company, mile 601.5 to mile 602.0, right bank, extends 200 feet riverward of the normal pool line.

(iv) *Louisville, Kentucky.* (Area B) Area B extends 2,000 feet above and parallel to Ohio Falls Bridge, mile 604.4. Upstream limits of the restricted area pass through head of the Louisville Portland Canal.

(v) *Cincinnati waterworks intake pier.* From left of sailing line at approximately mile 462.8, Ohio River, downstream to mile 463.0, plainly marked by 4 nun buoys painted white. The area marked by buoys extends 500 feet upstream from the Cincinnati Water Works Intake Pier and 1,000 feet downstream from pier.

(vi) *Point Pleasant, West Virginia.* From mile 263.3 to mile 264.0, extending 450 feet from left bank, normal pool line.

(vii) *Cairo, Illinois.* Extends from approximately mile 977.2, a line drawn across Ohio River 2,500 feet upstream from Illinois Central Railroad Bridge, mile 977.7 downstream to approximately mile 980.9, a point 2,500 feet below Ill-Kentucky Highway Bridge, mile 980.4, extending straight across the Ohio River from Illinois to Kentucky.

(viii) *Indiana & Hoosier Ordnance Works.* The restricted area extends from mile 590.3 downstream to mile 593.5 on the Ohio River, and includes all waters from the buoy-line which is marked by four white restricted area buoys placed 400 feet channelward from the Indiana Shore, to the right bank.

(ix) *Portsmouth, Ohio.* The restricted area extends from mile 350.6 downstream to mile 351.0 on the Ohio River, and includes all waters from the buoy-line which is marked by two white restricted

The danger zone will be marked by

area buoys placed 200 feet channelward from the Ohio Shore to the right bank.

(x) *Ironton, Ohio.* The restricted area extends from mile 324.8 downstream to mile 325.2 on the Ohio River, and includes all waters from the buoy-line which is marked by two white restricted area buoys placed 200 feet channelward from the Ohio Shore, to the right bank.

(xi) *West Virginia Ordnance Works.* The restricted area extends from mile 255.9, to mile 261.3, and includes the area from the restricted area buoy-line to the left bank. (Buoys are placed at mile 261.3, mile 260.7, mile 258.1, mile 257.0 and mile 255.9 and are placed from 200 feet to 500 feet from the left shore.)

(xii) *Paducah, Kentucky.* The restricted area, which includes waters of both the Ohio and Tennessee Rivers, extends from mile 932.4 downstream to mile 936.0 on the Ohio River, and includes all waters from the sailing line to the left bank, including waters of the Tennessee River upstream to mile 2.5.

(xiii) *Catlettsburg, Kentucky.* The restricted area includes all waters from bank to bank from Lock and Dam No. 1 on the Big Sandy River at mile 0.3 upstream 1000 feet to approximately 0.5, and downstream 1000 feet to approximately mile 0.1.

(4) *Mississippi River*—(i) *Minneapolis, Minnesota.* Entire navigational river front, both sides between Washington Avenue Highway Bridge, mile 852.7, to Lock and Dam No. 1, mile 847.6, a distance of approximately 5.1 miles.

(ii) *St. Paul, Minnesota.* From mile 847.6 downstream to mile 836.9, including both left and right banks of river, all bridges, oil and municipal barge terminals.

(iii) *Dubuque, Iowa.* From mile 580.5 downstream to mile 579.0, including all bridges, abutments, the Municipal Barge Terminal, and the harbor entrance to the Dubuque Boat and Iron Works on right bank.

(iv) *Savanna - Bellevue.* Restricted area includes all waters from bank to bank, from mile 544.6 to mile 558.0, of the Mississippi River.

(v) *Rock Island, Illinois.* Extends from a line from the left bank, at mile 481.0, across the lower end of Island No. 310 to the right bank, the area extends upstream, and includes the entire river to the lower approach to Lock and Dam No. 15; from the lower approach to Lock and Dam No. 15, upstream to mile 488.0. The area includes all waters from mid-channel to the left bank, including Sylvan Slough and Moline Pool; from Moline-Bettendorf Highway Bridge upstream to mile 487.0 . All waters from the sailing line to the right bank are also restricted.

(vi) *Keokuk, Iowa.* (Upper area) From right bank a line straight across river from Jetty entrance to South point of Chenney Creek on left bank; from this line to Dam No. 19, mile 364.2, including Lock No. 19 safety harbor.

(vii) *Keokuk, Iowa.* (Lower area) From lower end of Lock and Dam No. 19, mile 364.2 to 2,500 feet downstream, below Highway and Railroad Bridge, this lower line extending straight across river from Keokuk City Landing, right bank, to Island 403 on left bank.

(viii) *Quincy, Illinois.* The area in Quincy Bay from Upper Bay Bridge mile 327.9 to 1,500 feet above the lower Bay Bridge mile 327.4 including all sloughs adjacent.

(ix) *Alton, Illinois.* (Upper area) Includes all waters from bank to bank, from Lock & Dam 26 to a point 2,500 feet upstream, approximate mileage, 203.4 and all waters from the sailing line to left bank from 2,500 feet upstream from the dam to mile 204.5.

(x) *Alton, Illinois.* (Lower area) From Lock and Dam No. 26, mile 202.9, downstream 2,500 feet to a line straight across river from right bank to left bank, mile 202.5.

(xi) *Wood River, Illinois.* From mile 198.0 to mile 197.0 Upper Mississippi River, and includes all waters from the sailing line to the left bank, which includes oil loading terminals of Standard, Shell, and Phillips Oil Companies.

(xii) *St. Louis, Missouri.* (Upper area) Extends from Salt Point Light, mile 184.3, line straight across to Illinois bank, downstream to Eads Bridge, including both banks, mile 180.0.

(xiii) *St. Louis, Missouri.* (Lower area) Includes all waters from bank to bank, from Eads Bridge, mile 180.0 to 1,000 feet below Jefferson Barracks Highway Bridge, approximately mile 168.3.

(xiv) *Cape Girardeau, Missouri.* All waters to right of sailing line from mile 54.0 to approximately mile 51.8, a point 1,000 feet upstream from Cape Girardeau Highway Bridge. From approximately mile 51.8 to approximately mile 51.4, a point 1,000 feet downstream from Cape Girardeau Highway Bridge, the restricted area extends from bank to bank.

(xv) *Cape Girardeau, Missouri.* (Thebes Bridge area) From approximately mile 43.9, a point 1,000 feet upstream from Thebes Railway Bridge, to approximately mile 43.5, a point 1,000 feet downstream from Thebes Railway Bridge, the restricted area extends from bank to bank.

(xvi) *Cairo, Illinois.* Extends from mile 1 on line straight across Mississippi River from the Illinois bank to the Missouri bank, upstream one mile to mile 2, Mississippi River, to a line drawn straight across river from Illinois bank through Angelo Towhead to the Missouri bank.

(xvii) *Memphis, Tennessee.* From mile 226.0 to mile 230.0 including Wolf River from mouth to Jones Steel Corporation. Also including Tennessee Chute from mouth to north bank of entrance to Nonconnah Creek.

(xviii) *Helena, Arkansas.* From mile 306.5 to mile 309.0 from bank to bank.

(5) Missouri River—(i) *Omaha, Nebraska.* The restricted area includes all waters of the Missouri River from bank to bank, at normal stage, from Omaha Highway Bridge, mile 628.4 to mile 629.5, including the Omaha Steel Works approximately mile 628.7 right bank, Missouri River.

(ii) *Leavenworth, Kansas.* All waters from bank to bank between Four Mile Creek, approximately mile 408.1 to Five Mile Creek, mile 407.0, including the Missouri Valley Bridge & Iron Co. shipyard on the right bank.

(iii) *Kansas City, Missouri.* (Upper area)—(Kansas City, Kansas) To include entire river, from bank to bank, from mile 384.6 downstream to Fairfax Highway Bridge, approximately mile 384.0.

(iv) *Kansas City, Missouri.* (Lower area) To include all waters on the Kansas River bank to bank from the Inter-City Viaduct to the mouth. Also includes all waters from bank to bank of the Missouri River from mile 379.0 to mile 376.1.

(v) *Weldon Springs, Missouri.* The restricted area includes all waters from the left bank to mid-channel between mile 47 to mile 50.0.

(vi) *Blair, Nebraska.* The restricted area includes all waters from bank to bank, from mile 670.3, to mile 670.5, including Petersen & Haecker, Ltd. Boatyard, on the right bank of the Missouri River, between Nebraska-Iowa Highway Bridge and mile 670.3.

(6) *Cumberland River*—(i) *Nashville, Tennessee.* The restricted area extends from mile 190.4, the L & N Railroad Bridge, to mile 191.4, from bank to bank.

(7) *Tennessee River*—(i) *Chickamauga Lake.* (Volunteer Ordnance Works) The restricted area includes all waters to the left of a semi-circular buoyed line, which extends from the left bank at mile 473.1, out 1,000 feet into the river, at an arc, to the left bank at mile 472.6. The upper limit of the area is 1,000 feet upstream from Pumphouse No. 1, and the lower limit of the area is 1,000 feet downstream from pumphouse No. 2, of the Volunteer Ordnance Works.

(ii) *Decatur, Alabama.* An area along the left bank of the Tennessee River from the water's edge riverward a distance of 200 feet and extending from mile 303.5 to mile 304.0.

(8) *Minnesota River*—(i) *Savage, Minnesota.* (Lower area) The restricted area extends from mile 13.0 to mile 13.2, and includes all waters from mid-channel to the right bank including the shore line of the Cargill Shipbuilding Co., at approximately mile 13.1, Minnesota River.

(ii) *Savage, Minnesota.* (Upper area) The restricted area extends from approximately mile 14.1, upstream to approximately mile 14.5, on the Minnesota River. The area includes the entire river and the abutments of the Minnesota-Southern Railway Bridge at mile 14.3.

(c) *The regulations.* (1) No vessel shall enter, anchor, moor, or pass through the restricted areas as above set forth in § 7.9–55 (a) and (b), between the hours of sunset and sunrise, unless previous permission in writing has been granted by the captain of the port within whose jurisdiction such restricted area lies: *Provided*, That this requirement shall not apply to:

(i) Tows, towboats with tows, tankers and tank barges in tow, dredges under tow, or any other commercial vessel whose overall length exceeds sixty-five feet.

(ii) Vessels primarily engaged in the transportation of passengers for hire over regularly scheduled routes, in accordance with instructions and regulations issued by the captain of the port.

(2) Vessels passing through restricted areas may, at any time, be boarded and inspected. When ordered by a Coast Guard patrol, such vessel shall immediately slow down and come to a complete stop until permission to continue the voyage is granted by the Officer in Charge.

(3) All commercial vessels included under subparagraphs (1) (i) and (1) (ii) above are required to have a special license issued by the Captain of the Port in order to enter or pass through a restricted area. When operating in accordance with the terms of such license, but at no other time, the vessel shall fly the International Flag "I", in such a manner as to be clearly visible at all times within a reasonable distance.

(4) No vessels shall be operated in a restricted area at a speed in excess of 6 miles per hour except that vessels with barges in tow may, consistent with safe practices, be operated down stream at a speed not to exceed 11 miles per hour.

(5) Fishing, hunting, trapping, or related activities within a restricted area are prohibited.

(6) No pictures shall be taken of restricted areas. The master, owner or operator of commercial vessels shall cause an appropriate notice to be posted in a conspicuous place on the vessel, stating that all cameras, firearms or visual aids such as binoculars shall be deposited with the purser or other appropriate officer for the duration of the voyage. On vessels engaged in hauling passengers for hire the notice shall be posted at the passenger entrance. No cameras shall be carried on pleasure craft unless prior permission has been obtained from the captain of the port.

(7) No person shall have firearms, explosives, or highly inflammable materials in his possession on board any vessel without a permit from the captain of the port, except in the cases specified below.

(i) Licensed pilots, masters, mates, engineers, and certificated tankermen on documented vessels may carry a pistol for the purpose of protection: *Provided*, That written permission has been obtained from the owner or operator of the vessel.

(ii) Hunters proceeding through restricted areas in undocumented or unnumbered vessels may carry shotguns to and from hunting grounds that are outside of said restricted areas: *Provided*, That the provisions of federal and local law and regulations applicable to hunting are complied with.

No person who has been arrested and convicted of a crime involving violence or destruction shall carry firearms without a permit issued by the captain of the port.

(8) Nothing contained in these rules and regulations shall be construed as relieving any vessel, common carrier, owner, shipper, master of a vessel, person in charge thereof, or other person from any liability or penalty incurred by reason of the violation or breach of any other regulation or of any law.

(9) Nothing contained in this section shall be construed to apply to vessels owned or operated by the U. S. Government, to agents or representatives of the U. S. Government engaged in the execution of official duties, nor to any vessels engaged by them and devoted solely to the performance of such duties.

By adding to Subpart C:

§ 6.4–12 *Delaware River, Del.; anchorage area in vicinity of Reedy Point.* (a) An area on the northerly side of the Chesapeake and Delaware Canal entrance, bounded by straight lines connecting the following points:

Point A, 325 yards 76° true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.
Point B, 1450 yards 322°30' true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.
Point C, 1650 yards 342° true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.
Point D, 750 yards 52° true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.

(b) (1) Vessels shall be so anchored within this anchorage area that no portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

(2) Every vessel whose crew may be reduced to such number that it will not have sufficient men on board to weigh anchor at any time shall be anchored with two anchors, with mooring swivel put on before the crew shall be reduced or released.

(3) The position of any vessel within this anchorage area may be shifted whenever the maritime or commercial interests of the United States so require. A vessel upon being notified to move or shift its position must get under way at once and change position as directed with reasonable promptness.

(4) Nothing in these rules and regulations shall be construed as relieving the owner or person in charge of any vessel or plant from the penalties of the law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law.

(5) The anchoring of vessels in this anchorage area shall be subject to supervision and approval of the Captain of the Port.

§ 6.7–20 *Waters of Lake George, Florida; U. S. Naval Air Corps, Aerial Practice Bombing Area, in Lake George, Volusia County, Florida*—(a) *The danger zone.* (1) An area approximately 2.75 miles wide and 8.2 miles long in Lake George, Florida, bounded as follows:

	Latitude	Longitude
N. E. corner	29°20'22" North	81°36'17" West.
N. W. corner	29°19'31" North	81°38'42" West.
S. E. corner	29°13'57" North	81°32'42" West.
S. W. corner	29°12'56" North	81°35'08" West.

The danger zone will be marked by appropriate warning signs on piles or buoys at the four corners and the midpoints of the two longer sides.

(b) *The regulations.* (1) The danger area is open to navigation except when target practice is being conducted, when no vessel or other craft shall enter or remain within these areas except as provided in paragraph (b) (4).

(2) Advance notice shall be given of the date on which the first bombing practice shall begin. At intervals of not more than three months thereafter, notice will be sent out that bombing practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) Prior to the conduct of each bombing practice the area will be patrolled by naval aircraft which will warn navigation to leave the area by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall leave it and no craft shall enter this area until practice has ceased.

(4) These regulations shall not deny passage through Lake George of commercial craft proceeding through the project channel. In case of the presence of any such vessels in the danger area, the Officer in Charge of bombing operations shall cause the cessation or postponement of such practice until the vessel has cleared the area, or until there is adequate safety distance between the moving target and such vessel. The vessel shall proceed on its normal course and shall not delay its progress.

(5) These regulations shall be enforced by the Captain of the Port and the Commandant, United States Naval Air Station, Jacksonville, Florida, and such agencies as may be designated.

§ 6.8–46 *Waters of Mississippi Sound; U. S. Merchant Marine Cadet Basic School, Henderson Point, Mississippi*—(a) *The danger zone.* The area is triangular, bearing 232°, 4.7 miles, from the water rank on Henderson Point, thence 98°, 3.8 miles, thence 3.5 miles to the water tank. (Bearings true).

(b) *The regulations.* (1) No vessel or other craft shall enter or remain within the area during its use for firing practice. Firing will ordinarily take place between the hours of 8:00 a. m. and 4:00 p. m., Monday through Friday of each week.

(2) Prior to the conduct of each firing practice a red flag will be displayed from the water tank on Henderson Point and watercraft in the vicinity will be warned by patrol boats.

(3) Any such watercraft shall, upon being so warned, immediately vacate the area and shall remain outside the area until the conclusion of firing practice.

(4) These regulations shall be enforced by the Captain of the Port and by the Commanding Officer, U. S. Merchant Marine Cadet Basic School and such agencies as he may designate.

§ 6.13–7 *Lake Washington, Seattle, Washington; restricted seaplane operating area*—(a) *The area.* (1) Beginning at a point No. 18° W, 2,800 yards from the northwest corner of the operations tower at the U. S. Naval Air Station,

Sand Point, thence N 13° W, 2,000 yards; thence N 77° E, 500 yards; thence S 13° E, 2,000 yards; thence S 77° W, 500 yards to the point of beginning.

(2) The area will be marked by special pneumatic buoys as follows: Seven on the easterly line, equally spaced, and eight on the westerly line, equally spaced, thus forming two parallel rows 500 yards apart. The end buoys in each row mark the corners of the area above described. Each corner buoy will be equipped with a green light, the next in line at either end of each row will be equipped with a red light, and the remaining ones with amber lights. These lights are controlled by radio and will be lighted only during night flying operations. Each buoy will be marked in addition by black and yellow vertical stripes.

(b) *The regulations.* (1) The area, heretofore described, shall be restricted to seaplanes for use in landing.

(2) No vessel shall operate or anchor in the said area excepting those attendant upon seaplane operations.

(3) All other watercraft shall exercise due caution in navigating across the lake in the waters to the north and to the south of the restricted area, as there may be danger from planes about to land.

§ 6.13–10 *Wrangell Narrows, Alaska; use, administration, and navigation.* (a) The term "Wrangell Narrows" includes the entire body of water shown on the U. S. Coast and Geodetic Survey Chart No. 8170 lying between Bell Buoy 46 and Midway Rock Light.

(b) *Tow channel.* (1) The following route will be taken by all tows passing through Wrangell Narrows when the towboat has a draft of 9 feet or less:

Northbound (read down).
Southbound (read up).
East of Battery Islets.
East of S1TC and S3TC.
West of S2TC.
West of Spike Rock Light 3 FG.
West of S4TC.
East of S5TC.
East of S7TC.
West of Burnt Island.
West of S6TC.
West of S8TC.
East of South Ledge Beacon 9.
West of South Ledge East Side Light 8 FR.
West of S10TC.
East of North Ledge.
East of S9TC.
East of Colorado Reef West Light 15 FG.
West of Blind Slough Light 17 FG.
West of Woody Island Shoal Light 21A FG.
East of S11TC.
West of Vexation Rock Light 23 FG. in main ship channel.
West of Green Rocks.
East of all aids on North Flat whenever stage of tide permits.
West of Blunt Point Reef Light 34 FR.
East of Turn Point Lighted Buoy 36.
East of Turn Point Shoal Lighted Buoy 38
East of Petersburg Bar Lighted Buoy 40, proceeding to west side of channel and leaving Wrangell Narrows to westward of Prolewy Rock Lighted Buoy 43.

(2) For towboats drawing more than 9 feet, application will be made to the Captain of the Port, Seattle, Washington, for authority to use the ship channel for each trip.

FRANK KNOX,
Secretary of the Navy.

Approved: March 11, 1943.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 43-3886; Filed, March 12, 1943; 11:44 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1875-FD]

SOUTHERN COAL CO., INC.

ORDER OF THE DIRECTOR

In the matter of the application of Southern Coal Company, Incorporated, for permission to receive sales agents' commissions and distributors' discounts on coal sold by it to Bannon Coal and Ice Company.

Upon the basis of the Findings of Fact and Conclusions of Law set forth in the opinion of the Director filed simultaneously herewith, wherein it appears that the affiliation or relationship which presently exists between petitioner, Southern Coal Company, Incorporated, a registered distributor (Registration No. 8561), and the Bannon Coal and Ice Company of Memphis, Tennessee, does not prohibit the allowance of distributors' discounts or sales agents' commissions which petitioner is entitled to accept or retain on coal sold by petitioner to Bannon Coal and Ice Company; and pursuant to § 317.10 (c) (*Miscellaneous provisions*) of the Rules and Regulations for the Registration of Distributors, § 318.2 (j) (*Sales agents*) of the Marketing Rules and Regulations and the provisions of the Bituminous Coal Act of 1937;

It is hereby determined that the acceptance or retention of distributors' discounts or sales agents' commissions on coal sold by petitioner, Southern Coal Company, Incorporated to Bannon Coal and Ice Company, otherwise permitted by the Bituminous Coal Act of 1937 and the Rules and Regulations issued thereunder, are not prohibited by § 317.10 (c) (*Miscellaneous provisions*) of the Rules and Regulations for the Registration of Distributors, § 318.2 (j) (*Sales agents*) of the Marketing Rules and Regulations, and that the relief prayed in the petition, as amended, should be granted.

It is so ordered.

Dated: March 11, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3860; Filed, March 12, 1943; 11:03 a. m.]

Bureau of Mines.

UNIVERSAL POWDER COMPANY, INC.

PROCEEDING FOR REVOCATION OF LICENSE

Universal Powder Company, Inc., Dexter Horton Building, Seattle, Washington. Director's order adjudging violations and imposing conditions for suspension of revocation.

Proceedings for revocation of licenses issued under the Federal Explosives Act of December 26, 1941 (55 Stat. 863) to Universal Powder Company, Inc., were begun on November 3, 1942, by the filing of a specification of charges setting forth violations of the act and the regulations thereunder by Universal Powder Company, Inc. The licensee denied the charges in an answer dated November 17 and demanded a hearing in Seattle, Washington. The hearing was held on December 7, 8 and 9, 1942, before a hearing officer duly designated by me, at which hearing the licensee, with its counsel, was heard, and evidence was adduced bearing upon the charges.

The report of the hearing officer was forwarded to the Director of the Bureau of Mines and to the licensee on January 14, 1943, and received by the licensee on January 18. Upon the basis of the entire record in the hearing, including the testimony heard and the exhibits submitted, and upon observation of the witnesses, the hearing officer found that the licensee had sold explosives to persons not licensed under the Federal Explosives Act, that the licensee had not kept full, detailed and accurate records of its transactions in explosives, and that the licensee had failed and refused to furnish to an authorized representative of the Director of the Bureau of Mines information concerning its business relating to explosives. The hearing officer concluded that the licensee had violated the Federal Explosives Act and the regulations thereunder and recommended that licenses issued to Universal Powder Company, Inc., under the Federal Explosives Act be revoked.

Universal Powder Company, Inc., through its attorneys, excepted to the hearing officer's report, submitted a brief in support of its exceptions, and by letter dated February 4, 1943, requested an oral hearing before the Director of the Bureau of Mines. This request was withdrawn by a letter dated February 16, 1943.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act and section 301.22 of the regulations issued pursuant thereto (7 F.R. 5901), I, R. R. Sayers, Director of the Bureau of Mines, having personally read and carefully considered the transcript of the testimony at the hearing, the hearing officer's report, and the licensee's exceptions and brief, and having ascertained thereby that the licensee's exceptions are without merit and are not supported by the evidence, that the licensee has sold explosives to persons not licensed under the Federal Explosives Act, that the licensee has not kept full, detailed and accurate records of its transactions in explosives, and that the licensee failed and refused to furnish to one of my authorized representatives information concerning its business relating to explosives, and having concluded that the licensee violated the Federal Explosives Act and the regulations thereunder as more fully described in a memorandum opinion of this date, and having considered that no further hearing is necessary for the presentation or decision of any of the issues in this case,

ORDER

That the licensee's exceptions to the hearing officer's findings, conclusions and recommendations be and they are hereby overruled;

That the licensee is found to have violated the Federal Explosives Act and regulations duly issued pursuant thereto;

That pursuant to sections 5 and 10 of the Federal Explosives Act and § 301.14 (d) of the regulations thereunder, the licensee shall, on or before the 10th day of each and every month beginning with the 10th day of April, 1943, and continuing thereafter until the termination of the war or until otherwise ordered by me, furnish to me a sworn copy of its records of transactions in explosives and ingredients for the preceding month, prepared in accordance with the requirements of § 301.14 (d) of the regulations, as amended February 1, 1943 (8 F.R. 1343);

That the entry of an order revoking its license will be suspended as long as the licensee (1) continues to furnish me with sworn copies of its records as required by this order, (2) scrupulously obeys the Federal Explosives Act and the regulations issued pursuant thereto in all respects, and (3) does not sell explosives through a salesman, sales agent or broker who, to the knowledge of the licensee, has since March 16, 1942 sold or caused to be sold or has participated in the sale of explosives to a person not licensed under the Federal Explosives Act.

Dated: March 5th, 1943.

R. R. SAYERS,
Director, Bureau of Mines.

[F. R. Doc. 43-3889; Filed, March 12, 1943; 11:50 a. m.]

General Land Office.

[Public Land Order 94]

IDAHO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for military purposes:

BOISE MERIDIAN

T. 10 S., R. 27 E.,
Secs. 2, 3, 10, and 11.
T. 4 S., R. 30 E.,
Secs. 26, 34, 35, and 36.
T. 5 S., R. 30 E.,
Secs. 1 to 4, inclusive, secs. 8 to 11, inclusive, secs. 15 to 21, inclusive, and sec. 29.

The areas described, including both public and non-public lands, aggregate 15,421.88 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal of public lands containing vanadium deposits for use in connection with the prosecution of the war, made by Public Land Order No. 35, of August 27, 1942, so far as such order affects any of the above-described lands.

The orders of November 3, 1936, of the Secretary of the Interior, establishing Idaho Grazing Districts Nos. 2 and 3, are hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 5, 1943.

[F. R. Doc. 43-3880; Filed, March 12, 1943; 11:24 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF AMENDMENT

In the matter of amendment of the certificates applying to the employment of learners under section 14 of the Fair Labor Standards Act in the Hosiery Industry, Women's Apparel Industry, Single Pants, Shirts and Allied Garments Industry, Textile Industry, Knitted and Men's Woven Underwear and Commercial Knitting Industry, Knitted Outerwear Industry, Gloves and Mittens Industry, and the Sportswear and Other Odd Outerwear and the Belts Divisions of the Apparel Industry.

Notice is hereby given that effective March 22, 1943, all special certificates heretofore issued pursuant to regulations and determinations governing the employment of learners at subminimum wage rates in the Hosiery Industry, Women's Apparel Industry, Single Pants, Shirts and Allied Garments Industry, Textile Industry, Knitted and Men's Woven Underwear and Commercial Knitting Industry, Knitted Outerwear Industry, Gloves and Mittens Industry, and the Sportswear and Other Odd Outerwear and the Belts Divisions of the Apparel Industry, are hereby amended to provide for the employment of learners in accordance with the terms of Administrative Order No. 181 (*supra*), effective March 22, 1943. On and after March 22, 1943, all learners employed under such special certificates shall be paid wages at a rate not less than 35 cents per hour. In establishments where experienced workers are paid on a piece rate basis, learners shall be paid the same piece rates that experienced workers engaged in the same occupations are paid and earnings of learners shall be based on those piece rates if in excess of the subminimum rates of pay established for learners.

Each holder of a certificate in these industries will be sent a copy of the amended terms of the certificate. Any holder who has not received the amendment by March 22, 1943 should apply to the Exemptions Branch, Wage and Hour Division, New York, New York, for his copy.

Signed at New York, New York, this 10th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3856; Filed, March 12, 1943; 9:32 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6304]

AMERICAN BROADCASTING CORPORATION OF KENTUCKY (WLAP)

ORDER DENYING PETITION

In re application of American Broadcasting Corporation of Kentucky (WLAP), Lexington, Kentucky, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 9th day of March, 1943;

The Commission having under consideration the petition of American Broadcasting Corporation of Kentucky, filed July 27, 1942, requesting the Commission to grant the above-entitled application insofar as it requests a change in frequency from 1450 to 630 kc., and being fully informed in the premises;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the issues specified in the Commission's Order of July 14, 1942, be, and they are hereby, superseded by the following issues to be determined at the hearing upon the above-entitled application:

1. To determine whether the granting of the above-entitled application, either in its complete form or only insofar as it requests a change in frequency, would be consistent with the Commission's policy announced by its Memorandum Opinion of April 27, 1942, as modified on September 22, 1942.

2. To determine the areas and populations which would gain primary service from WLAP operating on 630 kc either with 1 kw power as proposed, or with 250 watts power with the station's present antenna, as suggested by the above-described petition, and what other broadcast service is available to these areas and populations.

3. To determine the extent of any electrical interference which would result from the simultaneous proposed operation of WLAP on 630 kc, with 1 kw power, using a directional antenna, with Stations WMAL (Washington, D. C.), KXOK (St. Louis, Missouri), WHKC (Columbus, Ohio), and CFCO (Chatham, Ontario, Canada), and the extent of any interference which would result from the si-

multaneous suggested 250 watt power operation of WLAP on this frequency with these stations, excepting WHKC.

4. To determine the areas and populations which may be expected to lose primary service from stations WMAL, KXOK, and WIIKC should WLAP operate with 1 kw power as proposed, and the areas and populations which would lose service from these stations, excepting WHKC, should WLAP operate with its present facilities on 630 kc, and what other broadcast service is available to these areas and populations.

5. To determine whether the existing radiating system of WLAP would comply with the Commission's Standards of Good Engineering Practice for the suggested 250 watt power operation on 630 kc, particularly with reference to the length of the radials.

6. To determine whether the suggested operation of WLAP with 250 watts power on 630 kc involves engineering conflict with the applications of Stations WCKY (B2–P–3227) and WKRC (B2–P–3390), which were pending since February 22, 1942.

7. To determine whether the granting of the application with authority to operate on 630 kc with 250 watts power, using the present WLAP antenna, would be consistent with the Standards of Good Engineering Practice and proper allocation of broadcast facilities (See Footnote 4, Page 3, Standards of Good Engineering Practice).

8. To determine whether the granting of the above-entitled application either in its complete form, or with authority to operate on 630 kc with 250 watts power using the station's present antenna would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience, or necessity would be served by the granting of the application either in its complete form or only insofar as it requests a change in frequency.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-3861; Filed, March 12, 1943; 11:12 a. m.]

[Docket No. 6488]

ALLEGHENY BROADCASTING CORP. (WJRM)

NOTICE OF HEARING

In re application of Allegheny Broadcasting Corporation, (WJRM), dated December 17, 1942, for modification of Construction Permit; class of service, broadcast; class of station, broadcast; location, Elkins, West Virginia; Operating assignment specified: Frequency, 1240 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons.

1. To determine the cost of completing the construction authorized in Permit No. B2–P–3328 and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in Permit No. B2–P–3328 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by Permit No. B2–P–3328 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of §1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Allegheny Broadcasting Corporation, Radio Station WJRM, c/o Jas. A. Wilverding, 422 Randolph Avenue, Elkins, West Virginia.

Dated at Washington, D. C., March 9, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-3862; Filed, March 12, 1943; 11:12 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-443]

SOUTHERN UNITED GAS COMPANY

ORDER FIXING DATE OF HEARING

MARCH 11, 1943.

Upon application filed February 3, 1943, by Southern United Gas Company, a Delaware corporation having its principal place of business in Fort Smith, Arkansas, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing its acquisition and operation of the properties of its wholly-owned subsidiaries, Twin City Pipe Line Company, Arkansas-Oklahoma Gas Company, Western Oklahoma Gas Company, Southwestern States Gas Company, Industrial Oil and Gas Company, and Ozark Natural Gas Company; The Commission *Orders*, That:

(A) A public hearing in this proceeding be held commencing on April 7, 1943, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.;

(B) Interested state commissions may participate in this hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 43-3854; Filed, March 12, 1943; 9:52 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under MPR 251]

DEFENSE PLANT CORPORATION

CLASSIFICATION OF SPECIFIED CONTRACTS

Order 1 under § 1397.53 (f) of Maximum Price Regulation 251—Construction and Maintenance Services and Sales of Building and Industrial Equipment and Materials on an Installed or Erected Basis.

An opinion accompanying Order No. 1 under § 1397.53 (f) of Maximum Price Regulation 251 has been issued simultaneously herewith and filed with the Division of the Federal Register.

(a) *Classification of specified contracts of the Defense Plant Corporation.* The plan filed by the Defense Plant Corporation with the Office of Price Administration on January 29, 1943, for the negotiation of cost-plus-a-fixed-fee prime contracts to which it is a party, and cost-plus-a-fixed-fee subcontracts under such prime contracts, is hereby accepted by the Office of Price Administration as a proper filing under § 1397.53 (f) of Maximum Price Regulation 251.

(b) On and after October 30, 1942, neither Maximum Price Regulation 251 nor any other maximum price regulation shall apply to the sale or supply of any construction service or any building or industrial equipment or materials on an installed or erected basis pursuant to any cost-plus-a-fixed-fee prime contract with the Defense Plant Corporation, or any cost-plus-a-fixed-fee subcontract under such prime contracts: *Provided*, That the Defense Plant Corporation certifies to the Office of Price Administration, Washington, D. C., and to the contractor or subcontractor that the contract or subcontract has been negotiated in accordance with the plan accepted by this Order No. 1.

(c) On and after October 30, 1942, neither Maximum Price Regulation 251 nor any other maximum price regulation shall apply to the sale or supply of any construction service or any building or industrial equipment or materials on an installed or erected basis pursuant to a prime contract or subcontract thereunder with the Defense Plant Corporation which has been or will be performed on the basis of cost only, with no margin of profit in addition to cost.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time by reason of any change in the plan filed by the Defense Plant Corporation, described in paragraph (a) of this order, which, in the judgment of the Price Administrator, affects the control exercised by that agency over sales and services which, except for the exclusion now provided, would be subject to Maximum Price Regulation 251.

This Order No. 1 shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of March 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-3841; Filed, March 11, 1943; 12:23 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-399]

UTILITY SERVICE COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of March A. D. 1943.

Notice is hereby given that a declaration or application (or both) was filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Utility Service Company, a registered holding company, on September 9, 1941 which was the subject of a "Notice Regarding Filing, Subject to Rule U-23" dated September 11, 1941, that thereafter the aforesaid company requested that the Commission indefinitely postpone action on said declaration or application; and that an amendment to said declaration or application was filed on February 17, 1943 with a request that an order be issued thereon. All interested persons are referred to said declaration or application and amendment thereto, which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Utility Service Company, a wholly owned subsidiary of Manufacturers Trust Company, proposes to:

(1) Accept from its parent, for cancellation and retirement, its demand notes in the principal amount of $1,218,000 which notes will be surrendered as a capital contribution;

(2) Convey to its parent all of its assets remaining after the payment of or provision for the payment of all of its liabilities;

(3) To acquire and retire all of its outstanding shares of capital stock; and

(4) To dissolve.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the Act and the rules of the Commission thereunder be held on March 24, 1943 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing-room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Charles S. Moore or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed to the following matters:

1. Whether the action proposed to be taken will be detrimental to the public interest or the interest of investors.

2. What terms and conditions, if any, are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before March 20th, 1943 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to Utility Service Company by registered mail; and that notice of said hearing be given to all persons by publication of this order in the Federal Register.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3833; Filed, March 11, 1943; 12:01 p. m.]

[File Nos. 59-34, 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSN., ET AL.

ORDER DENYING MOTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of March, 1943.

In the matter of New England Gas and Electric Association, Paul Smith, Alexander Speer, and Frederick W. Bartow, as trustees of Gas and Electric Associates, Francis G. Goodale, as trustee of Utilities Investing Trust, Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation and Stanley Clarke, as trustee of Associated Gas and Electric Company—File No. 59-34.

In the matter of New England Gas and Electric Association—File No. 59-56.

A motion having been made to vacate, in part, the order of the Commission of February 17, 1943 in these proceedings, among other things naming certain persons as additional parties to the proceeding and setting for hearing questions as to the validity and rank of certain claims against New England Gas and Electric Association, briefs having been filed, the Commission having heard oral argument and being advised in the premises, and having this day issued an opinion herein;

It is ordered, On the basis of the said opinion and for the reasons noted therein, that the said motions be, and the same hereby are, denied; and

It is further ordered, That the hearings heretofore convened with respect to the rank and validity of the said claims by the aforesaid order of February 17, 1943 be, and the same hereby are, continued until April 5, 1943, on which day they shall be resumed at 10:30 a. m., before the same trial examiner, and at the same place as heretofore designated in the aforesaid order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3834; Filed, March 11, 1943; 12:00 p. m.]

[File No. 70-682]

ASSOCIATED ELECTRIC CO. AND PANHANDLE PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of March 1943.

Notice is hereby given that an application and declaration has been jointly filed by Associated Electric Company, a registered holding company, and its wholly owned subsidiary, Panhandle Public Service Company; and

All interested persons are referred to the said application-declaration which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

Panhandle Public Service Company proposes to sell to Northwestern Electric Cooperative, Inc., a non-affiliate, all its physical properties and certain other assets for a base cash consideration of $175,000. Panhandle Public Service Company will then deposit the sum of $174,801.25 with the Pennsylvania Company for Insurances on Lives and Granting Annuities, trustee under the mortgage securing its First Mortgage Bonds, Series A, 6%, due December 1, 1945, in full satisfaction of principal and call premium on the total amount of such bonds outstanding. Associated Electric Company, which presently owns $173,500 principal amount of Panhandle

bonds, will then tender all of said bonds to the said trustee, receiving the sum of $174,801.25 in full payment thereof. Panhandle Public Service Company will then dissolve and transfer its remaining assets (subject to existing liabilities) to Associated Electric Company, which will surrender to Panhandle Public Service Company all the stock of, and claims against, that company. In connection with such dissolution, Panhandle Public Service Company will transfer to Associated Electric Company 50 shares of the capital stock of Atlantic Utility Service Corporation.

The said application-declaration contains a request that the Commission enter an order reciting in substance that the conveyance of the properties which are being sold by Panhandle Public Service Company is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the Rules of the Commission thereunder be held on March 24, 1943, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Paul Littlefield, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commisison under section 18 (c) of the said Act and to a trial examiner under the Commisison's Rules of Practice.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before March 22, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters:

1. Whether the consideration to be received from the sale of the properties and assets of Panhandle Public Service Company is fair and reasonable;

2. Whether the proposed acquisition by Associated Electric Company of the capital stock of Atlantic Utility Service Corporation complies with the provisions of sections 9 and 10 of the Act, and specifically whether it will serve the public interest by tending toward the economical and efficient development of an integrated public-utility system;

3. The propriety of the proposed accounting treatment of each phase of the proposed transactions on the books of the applicants-declarants;

4. Whether the action proposed to be taken is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors;

6. Whether the action proposed to be taken complies with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder, and is not detrimental to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3835; Filed, March 11, 1943; 12:00 p. m.]

[File No. 70-683]

ASSOCIATED ELECTRIC CO. AND MISSOURI SOUTHERN PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of March 1943.

Notice is hereby given that joint applications-declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Electric Company, a registered holding company, and its wholly owned subsidiary, Missouri Southern Public Service Company.

All interested persons are referred to said joint applications-declarations, which are on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Missouri Southern Public Service Company, a public utility operating in Missouri, proposes to sell all its physical properties (located in the counties of Barry, McDonald and Newton, Missouri) and certain other assets to New-Mac Electric Cooperative, Inc. (a cooperative corporation incorporated in the State of Missouri) for a base cash consideration of $170,000. Upon the sale of such assets, it is proposed that Missouri Southern Public Service Company transfer its then remaining assets, subject to its liabilities, to Associated Electric Company, which will then surrender all its holdings of stock of and its claims against Missouri Southern Public Service Company. Missouri Southern Public Service Company will then be dissolved. In connection with such acquisition, Associated Electric Company will acquire from Missouri Southern Public Service Company 40 shares of the common stock of Atlantic Utility Service Corporation, the stock of which is held by various companies in the Associated Gas and Electric Company holding company system.

The said joint applications-declarations state that the proposed transactions are necessary to enable Associated Electric Company to comply with the provisions of section 11 (b) (1) of the said Act. It is further stated that The Public Service Commission of the State of Missouri has jurisdiction over the proposed sale by Missouri Southern Public Service Company of its utility assets; and

It appearing that sections 9 (a), (b), 10, 11 (b), 12 (c), 12 (d), and 12 (f) of the Act, and Rules U-42, U-43, and U-44 promulgated thereunder, are applicable to the proposed transactions; and

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said matter and that said applications-declarations shall not be granted or become effective except pursuant to further order of this Commission;

It is hereby ordered, That a hearing on such matters, under the applicable provisions of the said Act and the rules of the Commission thereunder be held on March 24, 1943 at 11:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

At such hearing cause shall be shown why such joint applications-declarations shall be granted or become effective. Notice is hereby given of said hearing to the above-named applicants declarants and to all interested persons.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before March 22, 1943, his request or application therefor, as provided by Rule XVII of the Rules of Practice of this Commission.

It is further ordered, That Paul Littlefield, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declarations, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed transactions are appropriate and in the public interest and the interest of investors and consumers;

(2) Whether the proposed transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Act;

(3) Whether the proposed sale price is adequate;

(4) The propriety of the proposed accounting treatment of the transactions on the books of the applicants-declarants;

(5) Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors and consumers;

(6) Whether the proposed transactions comply with the provisions of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder, and is not detrimental to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3836; Filed, March 11, 1943; 12:00 p. m.]

[File No. 70-475]

ELECTRIC BOND AND SHARE COMPANY

NOTICE OF FILING OF AMENDMENT NO. 2 AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of March, A. D., 1943.

Notice is hereby given that an amendment to a declaration has been filed with this Commission by Electric Bond and Share Company ("Bond and Share"), a registered holding company, pursuant to the Public Utility Holding Company Act of 1935. All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized as follows:

On December 30, 1941 Bond and Share filed a declaration under which it proposed to expend $5,000,000 for the purchase of its preferred stock on the New York Curb Exchange. On February 20, 1942 the Commission issued its Findings, Opinion and Order permitting said declaration to become effective in part, to the extent of the use of $2,000,000 for the proposed purpose, and reserving jurisdiction to the Commission with respect to the remaining $3,000,000 pending formulation by the company of a plan or plans for distribution of assets by exchange or otherwise.

Bond and Share on September 1, 1942 filed an application under section 11 (e) for the exchange of cash and common stock of American Gas and Electric Company, a registered holding company and a subsidiary of Bond and Share, for the outstanding preferred stock of Bond and Share, which said application, however, did not set forth the basis of the proposed exchange, stating that the terms thereof would be submitted by amendment to the said application.

The present amendment states that Bond and Share has found the exchange plan described in the preceding paragraph to be impracticable and has been unable to formulate any alternative plan for distribution of assets by exchange or otherwise. It therefore proposes that Bond and Share be authorized to use the $3,000,000 in cash with respect to which the Commission reserved jurisdiction in its Order of February 20, 1942, together with additional cash in the amount of $12,000,000, or a total of $15,000,000 from its treasury; for the purpose of acquiring its preferred stock by purchase in the open market over a period not to exceed nine (9) months from the date the amendment is permitted to become effective by the Commission. The amendment states that the shares acquired under this program will not be reoffered for sale.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors that a hearing be held with respect to such matters, that said amendment shall not become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on March 29, 1943, at 10:00 a. m., e. w. t., in such room in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, as the hearing room clerk in Room 318 will at that time advise. At such hearing, cause shall be shown why such amendment shall become effective. Notice is hereby given of said hearing to Electric Bond and Share Company and to all interested persons, said notice to be given to declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That any persons who desire to be heard in connection with the said proceeding, or propose to intervene herein, shall file with the Secretary of the Commission on or before March 22, 1943, their requests or applications therefor as provided by Rule XVII of the Rules of Practice of this Commission.

It is further ordered, That Edward C. Johnson, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of issues presented by said amendment otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed reacquisition by Bond and Share of shares of its outstanding preferred stock is in the public interest and the interest of investors.

2. Whether the method proposed by Bond and Share for the reacquisitions of said shares is appropriate and in the public interest and the interest of investors.

3. Whether the proposed reacquisition is in conformity with the standards of section 12 (c) and, particularly, whether it is detrimental to the carrying out of the provisions of section 11 of the Act or tends to circumvent any provisions of the Act, or any rules, regulations or orders of the Commission.

4. Whether it is necessary or appropriate to impose any terms or conditions in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-3831; Filed, March 11, 1943; 12:01 p. m.]

[File Nos. 54-67, 59-64]

PEOPLES LIGHT AND POWER CO., ETC., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of March 1943.

In the matter of Peoples Light and Power Company and subsidiary companies, applicants, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Company, Texas Public Service Farm Company, West Coast Power Company, Western States Utilities Company, respondents, File No. 59-64.

Notice of filing and order for hearing on a plan filed pursuant to section 11 (e); notice of and order for hearing pursuant to sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 and order consolidating proceedings.

Notice is hereby given that Peoples Light and Power Company ("Peoples"), a registered holding company, has filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a Plan for the purpose of enabling the company and its subsidiaries to comply with the provisions of sections 11 (b) (1) and 11 (b) (2) of said Act. All interested persons are referred to said Plan which is on file at the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

(1) Peoples proposes to simplify the corporate structure of its holding company system and to redistribute the voting rights of its stockholders so that the interests of Peoples' three classes of stockholders in its system will be as follows: Cumulative Convertible Preferred Stock 95%, Class A Common Stock 2.1% and Class B Common Stock 2.9%. It is proposed that these three classes of stock be exchanged for interests in one class of stock (hereinafter referred to as "new stock") in one or more of the following ways:

(a) Through a reclassification of the capitalization of Peoples into a single class of stock, such stock to be issued in exchange for the present capital stocks of Peoples.

(b) The organization of a successor corporation which will have one class of stock outstanding and will issue such stock in exchange for the existing capital stocks of Peoples.

(c) The merger of Peoples into West Coast Power Company, one of its subsidiary companies, which presently has outstanding a single class of capital

stock. Such merged company will increase its authorized and issued capital stock to an appropriate number of shares and will distribute such shares in exchange for the existing capital stocks of Peoples.

(2) It is further proposed that Peoples will cause the distribution of its assets to its stockholders either separately or as a part of any of the foregoing steps set forth in (a), (b) and (c) above.

(3) The proposed new stock, if issued by Peoples, a successor company, or the merged company, will have full voting rights and will be without par value. It is proposed that 291,909 shares of such stock be issued with a stated value of $3,648,862.50, equivalent to $12.50 per share.

(4) Holders of the present preferred stock of Peoples will receive 3⅓ shares of new stock for each share, or a total of 95% of such new stock. Holders of the present Class A and Class B Common Stocks will receive 1/10 of a share of new stock for each share of such common stock. Through the proposed exchanges, holders of Class A and Class B Common Stocks will receive 2.1% and 2.9%, respectively, of the issued amount of new stock. In lieu of fractional shares, Scrip will be issued, which, in combination with other Scrip, will be exchangeable into full shares. Scrip not so exchanged within two years will become void.

(5) In the event that Peoples distributes its assets directly to its stockholders, as described in subparagraph (2), such distribution will be made on the basis of 95% to holders of the present preferred stock, 2.1% to holders of the Class A Common Stock and 2.9% to the holders of the present Class B Common Stock.

(6) Holders of the presently issued Purchase Warrants of Peoples will not participate in the Plan and their present rights will be extinguished.

(7) West Coast Power Company will sell its electric properties in Oregon to two Public Utility Districts for a total consideration of approximately $885,000 in cash. Such properties are presently under contracts of sale, subject to the ability of the respective Districts to sell revenue bonds to finance the purchases. West Coast Power Company will use part of the proceeds of such sales to retire 108,000 principal amount of its First Mortgage Bonds, and will distribute $754,400 in cash to Peoples as a partial liquidating dividend unless Peoples and West Coast Power Company are previously merged.

(8) When and if the transactions described in subparagraph (7) have been completed, Peoples (or the merged company) will invest $1,000,000 cash in additional shares of the capital stock of Texas Public Service Company, one of its subsidiary companies. The latter company will use such funds either to retire a portion of its own bonds or to acquire other gas utility properties in Texas.

If the Commission approves the proposed Plan, Peoples proposes, to the extent deemed necessary, to solicit its stockholders for proxies approving the Plan and authorizing its consummation. In such event, Peoples will request that the Commission issue a report on the Plan in order that such report may be submitted to stockholders. Peoples further proposes to request that the Commission apply to a Federal Court pursuant to the provisions of sections 11 (e) and 18 (f) of the Act to enforce and carry out the terms and provisions of the Plan.

In connection with the above described Plan, Peoples proposes to use its best efforts to dispose of its investments in the capital stocks of its utility subsidiaries or to cause such subsidiaries to dispose of their properties and assets. Peoples also has under consideration the sale by Texas Public Service Company of its irrigation and water properties at Beaumont, Texas, and in connection with any such sale it will also undertake to sell its investment in Texas Public Service Farm Company. Efforts will also be made to sell the electric, water and ice properties of Texas Public Service Company at La Grange, Texas.

II

The Commission having examined the corporate structure of Peoples and its subsidiary companies, the relationships among the companies in the holding-company system of Peoples, the character of the interests thereof and the properties owned or controlled thereby, and having examined the files and records of the Commission relating thereto, and said examination having disclosed data establishing or tending to establish the following:

(1) Peoples is a registered holding company incorporated under the laws of Delaware, having its principal executive office in Jersey City, New Jersey.

(2) Peoples presently controls five subsidiary companies through ownership of all their voting securities. The names of all companies included in Peoples' holding company system, together with the states in which such companies are incorporated and the businesses in which such companies are engaged, are as follows:

Name of company	State of incorporation	Kind of business
Peoples Light and Power Co.	Delaware	Holding company
California Public Service Co.	California	Electric and water utility.
Texas Public Service Co.	Texas	Gas, electric and water utility, irrigation and manufacture and sale of ice
Texas Public Service Farm Co.	Texas	Rice farming.
West Coast Power Co.	Delaware	Electric and water utility.
Western States Utilities Co.	Delaware	Electric and water utility.

(3) Electric service is rendered by four of the above subsidiary companies in the States of California, Oregon, Idaho, Nevada, Wyoming and Texas; one of the subsidiary companies, namely, Texas Public Service Company, is engaged in the retail distribution of natural gas in addition to its electric and other businesses, all of which businesses are conducted in Texas.

(4) No interconnections exist between the electric properties of any two or more subsidiary companies.

(5) Each of the subsidiary companies is engaged in one or more businesses other than those of an electric or gas utility company; the business of one subsidiary, Texas Public Service Farm Company, is entirely non-utility.

(6) The presently outstanding securities of Peoples were issued pursuant to a Reorganization Plan dated June 1, 1936. Such securities (including minor amounts still issuable under that plan) are as follows:

	Amount
Cumulative Convertible Preferred Stock, $3 Dividend, $25 par value, 83,201 shares, at liquidating preference of $50 per share[1]	$4,160,050
Class A Common Stock, 62,520 shares, $1 par value	62,520
Class B Common Stock, 83,201 shares, $1 par value	83,201
Warrants—entitling holders to purchase 108,376⅓ shares of Class B Common Stock at $20 per share until December 31, 1945	

[1] Dividends on the preferred stock were in arrears on January 1, 1943 in the amount of $1,692,984 or $20.35 per share.

(7) The preferred stock has no voting rights as to the election of directors; all such voting rights are vested in the Class A and Class B Common Stocks.

III

It being the duty of the Commission, pursuant to section 11 (b) (1) of the Act, to require, by order, after notice and opportunity for hearing, that each registered holding company, and each subsidiary company thereof, shall take such action as the Commission shall find necessary to limit the operations of the holding company system, of which said company is a part, to a single integrated public utility system and to such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such an integrated public utility system and to such additional integrated public utility system or systems as the Commission finds to be permissible under the standards of subsections (A), (B) and (C) of section 11 (b) (1); and

It further being the duty of the Commission, pursuant to section 11 (b) (2) of said Act, to require by order, after notice and opportunity for hearing, that each registered holding company, and each subsidiary company thereof, shall take such steps as the Commission shall find necessary to ensure that the corporate structure or continued existence of any company in the holding company system does not unduly or unnecessarily complicate the corporate structure, or unfairly or inequitably distribute voting power among security holders of such holding-company system; and

The Commission being required by the provisions of section 11 (e) of said Act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or as modified, is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected by such plan; and

It tentatively appearing to the Commission that the holding company system of Peoples is not confined in its operations to those of a single integrated public utility system within the meaning of the Act, or to those of a single integrated public utility system, together with such additional systems and other businesses as can be retained under the standards of section 11 (b) (1); and

It tentatively appearing to the Commission that the corporate structure of Peoples' holding company system is unduly and unnecessarily complicated and that voting power is unfairly and inequitably distributed among the security holders thereof; and

It therefore appearing appropriate to the Commission that notice be given and a hearing held for the purpose of determining what action should be ordered under sections 11 (b) (1) and 11 (b) (2), and with respect to the proposed Plan filed under section 11 (e) of the Act; and it further appearing that these matters involve common questions of law and fact and should be heard together;

It is hereby ordered, That proceedings under sections 11 (b) (1) and 11 (b) (2) of the Act be instituted and consolidated with the proceedings relating to the Plan filed under section 11 (e), and that a hearing on such matters under the applicable provisions of the Act and the rules of the Commission thereunder be held on the 1st day of April 1943 at 10:00 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the Hearing Room Clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers designated by the Commission to preside at such hearing, shall exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, Without limiting the scope of the issues presented by the pending application or by the proceedings hereby instituted, that evidence having particular bearing on the following matters shall be adduced:

(1) Whether the transactions involved in the proposed Plan filed pursuant to section 11 (e) comply with all of the requirements of the applicable provisions of the Act and the Rules promulgated thereunder.

(2) Whether such proposed Plan is necessary to effectuate the provisions of section 11 (b) of the Act, whether such Plan is fair and equitable to the persons affected thereby, and whether such Plan should be approved.

(3) Whether, and to what extent, the investment account of Peoples and the property accounts of its subsidiaries, as stated on their respective books, include intangibles, write-ups or other inflationary items, and whether the property accounts of any of the subsidiaries include property which is not used or useful, and, if so, whether, and the extent to which, approval of the Plan may require that such amounts or items be eliminated from the property or investment accounts of said companies; whether expenditures for maintenance and provisions for depreciation or retirements by the subsidiary companies are adequate and whether their present reserves for depreciation or retirements are sufficient and whether, and the extent to which, approval of the Plan may require readjustment of such charges or reserves.

(4) Whether the allegations contained in section II hereof are true and correct.

(5) What action is necessary to limit the operations of Peoples' holding company system to a single integrated public utility system and such additional systems or other businesses as are retainable under the standards of section 11 (b) (1) of the Act.

(6) Whether the corporate structure or continued existence of Peoples in the holding company system unduly or unnecessarily complicates the structure of such holding company system or distributes voting power unfairly or inequitably among security holders thereof and, if so, whether the corporate structure of Peoples in the holding company system should be revised, and whether Peoples should be eliminated from the system.

(7) What further orders, if any, should be entered pursuant to sections 11 (b) (1) and 11 (b) (2) of the Act, to require Peoples and its subsidiaries to take such steps as the Commission shall find necessary to comply with the provisions of said sections.

It is further ordered, That any person desiring to be heard in connection with these proceedings or to intervene therein shall, on or before the 30th day of March 1943, file with the Secretary of the Commission his written request or application, as required by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this Order to Peoples and its various subsidiaries, the Public Utility Commissions of the States of Idaho, Nevada, Oregon, and Wyoming, and the Railroad Commissions of California and Texas, not less than 20 days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to Peoples and its subsidiaries, to their security holders, and to all consumers of Peoples' subsidiary companies, to all states, municipalities, and political subdivisions of States within which are located any of the physical assets of said companies or under the laws of which any of said companies is incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities and instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Peoples or its subsidiaries or any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this Order in the FEDERAL REGISTER not later than ten days prior to the date hereinbefore fixed as the date of the hearing.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, the proceedings instituted by this Order under sections 11 (b) (1) and 11 (b) (2) of the Act and the application for approval of said Plan filed under section 11 (e).

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3832; Filed, March 11, 1943; 12:01 p. m.]

[File No. 1—1737]

NEW PREMIER CONSOLIDATED MINES CO.

ORDER RECONVENING HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission held at its offices in the City of Philadelphia, Pennsylvania, on the 11th day of March, A. D. 1943.

In the matter of New Premier Consolidated Mines Company, common stock $1 par value, non-assessable.

The Commission having heretofore, on February 11, 1943, ordered that a hearing under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, be held in this matter on February 26, 1943, at 10:00 a. m., Mountain War Time, at the Regional Office of the Commission in Denver, Colorado; and

Such hearing having been duly convened and thereafter adjourned to be reconvened at the offices of the Commission in Philadelphia, Pennsylvania, on a date to be determined by the Commission;

It is ordered, That such hearing be reconvened on March 30, 1943, at 10:00 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, That in addition to the officer heretofore designated for the purpose of such proceeding, Charles S. Moore, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By direction of the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3863; Filed, March 12, 1943; 11:12 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 52

Washington, Tuesday, March 16, 1943

The President

PROCLAMATION 2577

I AM AN AMERICAN DAY, 1943

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Public Resolution No. 67, approved May 3, 1940 (54 Stat. 178), provides in part:

"That the third Sunday in May each year be, and hereby is, set aside as Citizenship Day and that the President of the United States is hereby authorized and requested to issue annually a proclamation setting aside that day as a public occasion for the recognition of all who, by coming of age or naturalization, have attained the status of citizenship, and the day shall be designated as 'I Am An American Day'.

"That the civil and educational authorities of States, counties, cities, and towns be, and they are hereby, urged to make plans for the proper observance of this day and for the full instruction of future citizens in their responsibilities and opportunities as citizens of the United States and of the States and localities in which they reside."

AND WHEREAS during the past year our country has been strengthened through the voluntary association with us, by naturalization, of many thousands of men and women from other lands and through our youth who, by coming of age, have attained full citizenship:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate Sunday, May 16, 1943, as "I Am An American Day"; I urge that that day be set aside as a public occasion for the recognition of all our citizens who have attained their majority or who have been naturalized during the past year; and I call upon Federal, State, and local officials, and patriotic, civic, and educational organizations to take part on or about May 16 in exercises designed to assist our citizens, both native-born and naturalized, to understand more fully the duties and opportunities of citizenship and its special responsibilities in a Nation at war.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 12th day of March in the year of our Lord nineteen hundred and forty-three and of the Independence of the United States of America the one hundred and sixty-seventh.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES,
Acting Secretary of State.

[F. R. Doc. 43-4008; Filed, March 15 1943; 12:05 p. m.]

EXECUTIVE ORDER 9313

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER No. 9231 OF AUGUST 20, 1942,[1] TO THE CONSTRUCTION OF RED MOUNTAIN CHROMITE ROAD IN THE TERRITORY OF ALASKA

By virtue of the authority vested in me by section 1 of the act of August 1, 1892 (27 Stat. 340), as amended by the act of March 3, 1913 (37 Stat. 726, 40 U.S.C., sec. 321), and as President of the United States, I hereby extend the provisions of Executive Order No. 9231 of August 20, 1942, entitled "Suspension of Eight-Hour Law as to Mechanics and Laborers Employed by the Department of the Interior or the Federal Works Agency in Construction and Reconditioning of Highways Necessary for the National Defense in the Territory of Alaska", to the construction by the Department of the Interior of Red Mountain Chromite Road, near Seldovia, in the Territory of Alaska, subject to all the conditions and limitations contained in said Executive Order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 12, 1943.

[F. R. Doc. 43-3964; Filed, March 13, 1943; 2:54 p. m.]

[1] 7 F.R. 6667.

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FEDERAL REGISTER

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TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 28–1]

PART 1410—LIVESTOCK AND MEATS

MEATS REQUIRED TO BE SET ASIDE

Pursuant to the authority vested in me by Food Distribution Order 28, dated March 5, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1410.5 *Meats required to be set aside.* (a) Each slaughterer subject to the provisions of Food Distribution Order 28 (8 F.R. 2787) shall set aside, reserve and hold for delivery to governmental agencies or authorized processors, as defined in that order, the following quantities of meat:

(1) An amount of each class of meat equivalent to the percentages set forth in paragraph (b) hereof of all inventories of meats, chilled, frozen, cured, and in the process of being cured (other than canner and cutter beef), on hand at the close of business on March 14, 1943, wherever stored, except meats in transit to or located in distributing branch houses and intended for immediate sale; and

(2) An amount of each class of meat equivalent to the percentages set forth in paragraph (b) hereof of all meats derived from the slaughter of cattle, calves, sheep, lambs, and swine, during the period from March 15 to April 30, 1943, inclusive.

(b) The percentages to be used in computing the amounts of meat required to be set aside are as follows:

Beef:	*Percent*
Canner and cutter grades (steers, heifers, and cows)	80
All other beef	40
Veal	30
Lamb and mutton	35
Pork	45

(c) The quantities of meat to which the percentages set forth in paragraph (b) hereof are to apply shall be determined in accordance with Food Distribution Order 28, § 1410.2 (c) (1), (2), (3), and (4).

(d) The quantities of meats set aside shall be held subject to the provisions of Food Distribution Order 28.

(e) This order shall become effective on the date of its issuance.

(E.O. 9260, 7 F.R. 10179; FDO 28, 8 F.R. 2787)

Issued this 13th day of March 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43–3984; Filed, March 13, 1943; 4:36 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 20–4, Civil Air Regulations]

PART 20—PILOT CERTIFICATES

MILITARY COMPETENCE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of March 1943.

Effective March 8, 1943, Part 20 of the Civil Air Regulations is amended as follows:

1. By amending § 20.129 to read as follows:

§ 20.129 *Military competence.* An applicant, who within the preceding sixty days has been on active duty with flying status for a period of not less than six months as a member of the Army, Navy, Marine Corps, or Coast Guard of the United States or the armed service of any Government allied with the United States, shall be deemed to have met the aeronautical knowledge, experience, and skill requirements of the Civil Air Regulations for the issuance of a pilot certificate of appropriate type and grade:

(a) If he submits to an inspector of the Administrator written proof of an honorable discharge or return to inactive reserve status together with a certificate from the appropriate military officer in charge of flying showing that the applicant was, at the time of separation from the service, on solo flying status as a rated military pilot; and setting forth the pilot rating held by him and the type, class, and horsepower of aircraft he has been found competent to pilot;

(b) If the requirements for the military pilot rating held are at least equivalent to the requirements of the Civil Air Regulations for the type and grade of pilot certificate sought; and

(c) If he passes the written examination on the Civil Air Regulations required of applicants for the type and grade of certificate sought.

2. By amending § 20.149 to read as follows:

§ 20.149 *Military competence.* Same as § 20.129.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMES,
Acting Secretary.

[F. R. Doc 43–3987; Filed, March 15, 1943; 10:12 a. m.]

[Regulations, Serial No. 259]

PART 238—CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

APPLICATIONS FOR CERTIFICATES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 17th day of February, 1943.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective March 19, 1943, § 238.1 of the Economic Regulations is hereby amended in its entirety to read as follows:

§ 238.1 *Applications for certificates of public convenience and necessity.*—(a) *Formal requirements of applications.* Applications for certificates of public convenience and necessity or amendments thereof, shall meet the requirements set forth in § 285.3 of the Economic Regulations as to (1) execution, number of copies and service; (2) verification; and (3) formal specifications of papers. All pages of an application shall be consecutively numbered and the application shall clearly describe and identify each exhibit by a separate number or symbol. All exhibits shall be deemed to constitute a part of the application to which they are attached.

(b) *Amendments to application.* If, after receipt of any application, the Board shall request the applicant to supply it with additional information, such information shall be furnished in the form of an amendment to the original application. All amendments to applications shall be consecutively numbered and shall comply with the requirements of this Regulation as to form, number of copies, verification, and in all other essential respects. In the event that any application shall be amended so as to alter the route or routes, the terminal or intermediate points, or the classes of traffic covered by such application, the amendment shall contain a statement that notice of such amendment has been served upon such persons, in such form and manner, and containing such information as is required by subparagraph 6 of paragraph (d) of this section for the service of notice of transmittal to the Board of an original application.

(c) *Incorporation by reference.* In general it is desirable that incorporation by reference shall be avoided. However, where two or more applications are filed by a single carrier, lengthy exhibits or other documents attached to one may be incorporated in the others by reference if that procedure will substantially reduce the cost to the applicant.

(d) *General provisions concerning contents.* The statements contained in an application shall be restricted to significant and relevant facts. They shall be free from argumentation or from expressions of opinion, except such as may be required by this regulation.

Each application shall give full and adequate information with respect to each of the items set forth in this paragraph. In addition, the application may contain such other information and data as the applicant shall deem necessary or appropriate in order to acquaint the Board fully with the particular circumstances of its case. Among other things, every such application shall give the following information:

(1) The full name and address of the applicant, the nature of its organization (individual, partnership, corporation, etc.), and the name of the state under the laws of which it is organized.

(2) A statement that the applicant is a citizen of the United States, as defined by section 1 (13) of the Act. It is not required that the application shall contain all the evidence which the applicant is prepared to present at the hearing or otherwise in support of such statement, but the application shall at least indicate the nature and result of its investigations in that matter and the character of the evidence it will be prepared to present in support of citizenship.

(3) An adequate identification of each route for which a certificate is desired, specifying the type or types of service (mail, passengers, and property) to be rendered on each route, and whether or not such services are to be rendered in scheduled operations. The identification of each route shall name every terminal and intermediate point to be included in the certificate for which application is made.

(4) A map (which may be attached as an exhibit) drawn approximately to scale showing all terminal and intermediate points to be served, giving the approximate mileages between all adjacent points, and the principal over-all distances. This map should also indicate all of such points which are now served by air carriers, indicating by arrows the directions flown by such interconnecting carriers and stating their principal terminals, for example, "to Dallas" or "to Chicago."

(5) State the type of aircraft applicant proposes to use in the new service and whether such aircraft is presently owned by the applicant.

(6) State that the applicant has caused a notice of the filing of such application to be served upon each person named in the most recently issued List of Holders of Certificates of Public Convenience and Necessity Issued by the Civil Aeronautics Board and of Applicants for Such Certificates (Except Those Relating to Alaska). If the application involves service to or from Alaska, the notice shall also be served on each person named in the most recently issued List of Alaskan Air Carriers and Applicants for Certificates Involving Service to, From, or Within Alaska. If the application involves transportation solely within the territory of Alaska, the application need only state that the notice has been served on the persons named in the last-mentioned list. The notice shall contain a brief statement of the authorization requested, the date on which the application was or will be filed with the Board, and may be served personally or by mail. The application shall set forth the notice and indicate the list or lists of persons upon whom it was served.

(7) If applicant does not hold a certificate of public convenience and necessity authorizing air transportation, state the name and type of business of any affiliate, subsidiary, or principal stockholder of applicant engaged in any form of transportation as a common carrier or engaged in any phase of aeronautical activity.

(c) *Applications for operations other than between fixed points.* An application for a certificate authorizing operations other than between fixed points, or not having terminal or intermediate points capable of precise description, need comply with the provisions of subparagraphs (3) and (4) of paragraph (d) of this regulation only to the extent that it shall clearly describe the authorization sought by the applicant.

(Sec. 401, 52 Stat. 987; 49 U.S.C., 481)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3887; Filed, March 12, 1943; 11:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4871]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ALBEE STUDIO

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (m 10) *Advertising falsely or misleadingly — Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Composition:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Manufacture or preparation:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature.* In connection with offer, etc., in commerce, of photographs, including tinted or colored photographs and enlargements or miniatures thereof, and among other things, as in order set forth, (1) representing, directly or by implication, that tinted or colored photographs, including enlargements and miniatures made from a photographic base are "oil paintings", or are handpainted portraits, or are genuine works of art produced by the skill and brush of a painter; (2) using the term "Silk Vitiva", or any other term containing the word "silk", to in any way describe or refer to pictures which are not in fact printed on silk; and (3) using the expression "Gold-Tone" alone or in conjunction with any other word or words, to describe, designate or indicate any sepia or other finish which is not the result of a toning or developing bath or process employing chloride of gold salts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Albee Studio, Docket 4871, March 5, 1943]

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.24 (b) *Coercing and intimidating—Customers or prospective customers—To purchase or support product or service—By withholding customer's property or rights:* § 3.51 *Enforcing dealings or payments wrongfully:* § 3.72 (n 10) *Offering deceptive inducements to purchase—Terms and conditions.* In connection with offer, etc., in commerce, of photographs, including tinted or colored photographs and enlargements or miniatures thereof, and among other things, as in order set forth, (1) requiring holders of coupons which entitle such holders to receive one picture, miniature or enlargement at a stipulated price to purchase additional pictures, enlargements or miniatures as a condition to respondent's fulfillment of the undertaking specified in such coupons; (2) permitting respondent's agents or salesmen to represent to prospective purchasers of coupons which entitle the holders thereof to a specified number of pictures, miniatures or enlargements at a stipulated price that the respondent does not enforce the provisions written on such coupons relative to limiting the number thereof to one coupon per person and to one coupon per family unless additional pictures are ordered; and (3) attempting to enforce restrictions written into coupons offered for sale by respondent's agents when respondent knows or has reason to believe that such agents represent to prospective purchasers that such restrictions are not enforced by the respondent and may be disregarded by prospective purchasers in purchasing such coupons; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Albee Studio, Docket 4871, March 5, 1943]

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (dd) *Advertising falsely or misleadingly—Special or limited offers:* §3.69 (c) *Misrepresenting oneself and goods—Prices—Exaggerated as regular and customary:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts.* In connection with offer, etc., in commerce, of photographs, including tinted or colored photographs and enlargements or miniatures thereof, and among other things, as in order set forth, (1) representing as the customary, regular or studio prices for respondent's pictures, enlargements or miniatures, any prices or values which are in fact in excess of the prices at which said pictures, enlargements or miniatures are customarily offered for sale and sold in the normal and usual course of respondent's business; and (2) representing through the medium of coupons or in any other manner, that offers terminate on, or are limited to, a certain date when such offers are not actually terminated or withdrawn at, or limited to, the date stated; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Albee Studio, Docket 4871, March 5, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of March, A. D. 1943.

In the matter of G. S. Proper, individually, and trading as Albee Studio.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all of the material allegations of fact set forth in the complaint and states that he waives all intervening procedure and further hearing as to the facts; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, G. S. Proper, individually, and trading as Albee Studio, or trading under any other name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of photographs, including tinted or colored photographs and enlargements or miniatures thereof, in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that tinted or colored photographs including enlargement and miniatures made from a photographic base are "oil paintings", or are handpainted portraits, or are genuine works of art produced by the skill and brush of a painter;

2. Requiring holders of coupons which entitle such holders to receive one picture, miniature or enlargement at a stipulated price to purchase additional pictures, enlargements or miniatures as a condition to respondent's fulfillment of the undertaking specified in such coupons;

3. Permitting respondent's agents or salesmen to represent to prospective purchasers of coupons which entitle the holders thereof to a specified number of pictures, miniatures or enlargements at a stipulated price that the respondent does not enforce the provisions written on such coupons relative to limiting the number thereof to one coupon per person and to one coupon per family unless additional pictures are ordered;

4. Attempting to enforce restrictions written into coupons offered for sale by respondent's agents when respondent knows or has reason to believe that such agents represent to prospective purchasers that such restrictions are not enforced by the respondent and may be disregarded by prospective purchasers in purchasing such coupons;

5. Using the term "Silk Vitiva", or any other term containing the word "silk", to in any way describe or refer to pictures which are not in fact printed on silk;

6. Representing as the customary, regular or studio prices for respondent's pictures, enlargements or miniatures, any prices or values which are in fact in excess of the prices at which said pictures, enlargements or miniatures are customarily offered for sale and sold in the normal and usual course of respondent's business;

7. Representing through the medium of coupons or in any other manner, that offers terminate on, or are limited to, a certain date when such offers are not actually terminated or withdrawn at, or limited to, the date stated;

8. Using the expression "Gold-Tone" alone or in conjunction with any other word or words, to describe, designate or indicate any sepia or other finish which is not the result of a toning or developing bath or process employing chloride of gold salts.

It is further ordered, That the respondents shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-3998; Filed, March 15, 1943; 11:32 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING ACT OF 1935

LOANS, EXTENSIONS OF CREDIT, DONATIONS AND CAPITAL CONTRIBUTIONS TO ASSOCIATE COMPANIES

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9, 12, and 20 (a) thereof, and finding that such action is necessary and appropriate in the public interest and in the interest of investors and consumers, the Securities and Exchange Commission hereby amends subparagraph (6) of : 250.45 (b) [Rule U-45 (b)] so that the same shall read as follows:

(6) A loan or extension of credit or an agreement of indemnity arising out of a consolidated tax return filed by a holding company (or other parent company) and its subsidiaries: *Provided*, That the top company in the group assumes primary responsibility for the payment of any tax liability involved, subject to the right to contribution from the several members of the group in an amount not exceeding as to any company that percentage of the sum of the normal tax, surtax and excess profits tax on a consolidated basis which the sum of the normal tax, surtax and excess profits tax of such company if paid on a separate return basis is of the aggregate amount of normal, surtax and excess profits taxes of the individual companies based upon separate returns. In each instance the amount of excess profits tax shall be computed less the amount of the post-war refund. In computing each company's tax on a separate return basis, allowance shall be made for loss carryover and other adjustments as if the company had always filed its tax return on a separate return basis. The amount of post-war refund bonds which the consolidated group will acquire (under section 780 of the Internal Revenue Code) and the liability therefor shall be allocated to the several members of the group in the ratio that the post-war refund bonds each company would acquire on a separate return basis bears to the sum of the post-war refund bonds which all of the companies would acquire on the basis of separate tax returns.

Effective March 12, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3997; Filed, March 15, 1943; 10:19 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50830]

PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

DAIRY COWS

Cattle dutiable at the rate of 1½ cents per pound without quota restrictions until thirty days after the President has proclaimed the end of the abnormal situation with respect to cattle and meats. Article 484, Customs Regulations of 1937, suspended. (This document affects 19 CFR 8.78.)

Pursuant to the concession granted under item 701 of the trade agreement concluded on November 17, 1938, between the United States and Canada (49 Stat. 3980), the duty imposed by paragraph 701 of the Tariff Act of 1930 on cows weighing 700 pounds or more each, imported specially for dairy purposes, was reduced to 1½ cents per pound. As other cattle of the same weights were subject to quota restrictions, regulations for the determination of the facts necessary to the classification of cows as having been imported specially for dairy purposes were published in article 484, Customs Regulations of 1937.

Pursuant to item 701 of the trade agreement between the United States and Mexico (1943—T.D. 50797), the duty imposed by paragraph 701 of the Tariff Act of 1930 on cattle of all weights, except cows weighing 700 pounds or more each and imported specially for dairy purposes, has been reduced to 1½ cents per pound without quota restrictions, effective on and after January 30, 1943, and until thirty days after the President has proclaimed the end of the abnormal situation with respect to cattle and meats.

In view of the foregoing, cattle of the classes referred to are now dutiable at the rate of 1½ cents per pound without regard to quota restrictions. Accordingly, the provisions of article 484, Customs Regulations of 1937 [19 CFR 8.78], shall be inoperative with respect to cattle entered for consumption or withdrawn from warehouse for consumption on or after January 30, 1943, and before the effective date of the proclamation of the President made pursuant to item 701 of the trade agreement with Mexico.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: March 10, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3931; Filed, March 13, 1943; 12:06 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

CUMULATIVE SUPPLEMENT NO. 5, MARCH 13, 1943 TO REVISION IV OF NOVEMBER 12, 1942

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary

of Commerce, the Board of Economic

ring therein and section 712 (b) is amended by striking out "or had an office or place of

1, 1940, but which, as an acquiring corporation within the meaning of section

activity.

photographs and enlargements or min-

ing as to the facts, and the Commission

of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 5 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IV of November 12, 1942 (7 F.R. 9510), is hereby promulgated.[1]

By direction of the President:

SUMNER WELLES,
Acting Secretary of State.
RANDOLPH PAUL,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce
MILO PERKINS,
Executive Director,
Board of Economic Warfare.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

MARCH 13, 1943.

[F R Doc 43-3936; Filed March 13, 1943; 2:12 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5242]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

MISCELLANEOUS AMENDMENTS

Regulations 109 amended to conform to amendments to Supplement A and other portions of chapter 2E of the Code, relating to the excess profits tax, made by certain sections of the Revenue Act of 1942.

In order to conform Regulations 109 (Part 30, Title 26, Code of Federal Regulations, 1941 Sup.) to sections 205 (g) (2), 212, 214, 215, 216, 223, 224, 225, and 228 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 30.712–1, the following:

SEC. 212. APPLICATION OF EXCESS PROFITS TAX TO CERTAIN FOREIGN CORPORATIONS. (Revenue Act of 1942, Title II.)

(a) Section 712 (b) (relating to the excess profits credit of foreign corporations) and section 724 (relating to invested capital in the case of foreign corporations and corporations entitled to benefits of section 251) are amended by striking out "or having an office or place of business therein", wherever occurring therein and section 712 (b) is amended by striking out "or had an office or place of business therein".

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SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 224. EXCESS PROFITS TAX RETURNS. (Revenue Act of 1942, Title II.)

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(b) Sections 712 (c) and 741 (b) (relating to disclaimer of excess profits credit) are repealed.

(c) The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1939.

SEC. 228. RULES FOR INCOME CREDIT IN CONNECTION WITH CERTAIN EXCHANGES. (Revenue Act of 1942, Title II.)

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(e) *Amendments to Excess Profits Tax made necessary by amendments to Supplement A.*

(1) *Cross-reference.* Section 712 (relating to allowance of excess profits credit) is amended by inserting at the end thereof the following new subsection:

(d) *Special rule in connection with certain reorganizations.* For the existence of taxpayer through component corporation see section 740 (f).

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(f) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only to the computation of the tax for taxable years beginning after December 31, 1941, except that (1) the last sentence of section 740 (c), as added by subsection (a) of this section shall be applicable to the computation of the tax for all taxable years beginning after December 31, 1939, and (2) if a taxpayer, within the time and in the manner and subject to such regulations as the Commissioner with the approval of the Secretary prescribes, elects to have such amendments (except those which by their terms are limited to taxable years beginning after December 31, 1941, and except that referred to in clause (1)) apply retroactively to all taxable years of the taxpayer beginning after December 31, 1939, such amendments shall also be applicable to the computation of the tax for taxable years beginning after December 31, 1939.

PAR. 2. Section 30.712–1, as amended by Treasury Decision 5045, approved May 3, 1941, is further amended to read as follows:

§ 30.712–1 *Excess profits credit: allowance.* (a) Two methods are provided for computing the excess profits credit: (1) The income method under which the credit is computed as provided in section 713, and (2) the invested capital method under which the credit is computed as provided in section 714.

(b) For taxable years beginning after December 31, 1941, the excess profits credit of the following corporations for any such taxable year shall be the credit based upon income, computed as provided in section 713, or the credit based on invested capital, computed as provided in section 714, whichever credit results in the lesser tax for the taxable year for which the tax is being computed:

(1) A domestic corporation which was actually in existence before January 1, 1940.

(2) A domestic corporation which was not actually in existence before January 1, 1940, but which, as an acquiring corporation within the meaning of section 740 of Supplement A, was constructively in existence before January 1, 1940. (For computation of excess profits credit based on income in the case of an acquiring corporation, see sections 740 to 744.)

(3) A foreign corporation (i) which is engaged in trade or business within the United States; (ii) the first taxable year of which for the purposes fo the excess profits tax begins on any day in 1940; (iii) which was in existence on the date 48 months prior to such date; and (iv) which, at any time during each of the taxable years in such 48 months, was engaged in trade or business within the United States. As to what constitutes being engaged in trade or business within the United States, see § 19.231–1 of Regulations 103.

(c) For taxable years beginning after December 31, 1939, and before January 1, 1942, the excess profits credit of the following corporations for any such taxable year shall be the credit based upon income, computed as provided in section 713, or the credit based on invested capital, computed as provided in section 714, whichever credit results in the lesser tax for such taxable year:

(1) A domestic corporation which was actually in existence before January 1, 1940.

(2) A domestic corporation which was not actually in existence before January 1, 1940, but which, as an acquiring corporation within the meaning of section 740 of Supplement A, was constructively in existence at the beginning of its base period. (For computation of excess profits credit based on income in the case of an acquiring corporation, see sections 740 to 744, prior to amendment by the Revenue Act of 1942.)

(3) A domestic corporation which is an acquiring corporation within the meaning of section 740 of Supplement A and which was actually or constructively in existence before January 1, 1940, if such corporation elects, in accordance with the provisions of § 30.742–2 (c), to have the amendments made by section 228 of the Revenue Act of 1942 apply to its taxable years beginning after December 31, 1939, and before January 1, 1942. (For computation of excess profits credit based on income in the case of an acquiring corporation, see sections 740 to 744.)

(4) A foreign corporation (i) which is engaged in trade or business within the United States, or has an office or place of business therein, at any time during the taxable year; (ii) the first taxable year of which for the purposes of the excess profits tax begins on any day in 1940; (iii) which was in existence on the date 48 months prior to such date; and (iv) which, at any time during each of the taxable years in such 48 months, was engaged in trade or business within the United States, or had an office or place of business therein. As to what constitutes being engaged in trade or business within the United States, see § 19.231–1 of Regulations 103.

(d) The following corporations are required to compute their credit under the invested capital method provided in section 714:

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

[1] Sec. 201. Taxable years to which amendments applicable. Sec. 205 (g) (2). Excess profits tax returns of inter-insurers and reciprocal underwriters. Sec. 212. Application of excess profits tax to certain foreign corporations. Sec. 214. Interest on certain Federal obligations. Sec. 215. Base period net income of lowest year in base period. Sec. 216. Capital reduction in case of members of controlled group. Sec. 223. Exempt corporations. Sec. 224. Excess profits tax returns. Sec. 225. Consolidated returns. Sec. 228. Rules for income credit in connection with certain exchanges.

(1) For all excess profits tax taxable years, a domestic corporation which is not an acquiring corporation within the meaning of section 740 of Supplement A and which was not actually in existence before January 1, 1940.

(2) For taxable years beginning after December 31, 1941, a domestic corporation which is an acquiring corporation within the meaning of section 740 of Supplement A and which was not actually or constructively in existence before January 1, 1940.

(3) For taxable years beginning after December 31, 1939, and before January 1, 1942, a domestic corporation which is an acquiring corporation within the meaning of section 740 of Supplement A and which was only constructively in existence before January 1, 1940, but not constructively in existence at the beginning of its base period, unless such corporation elects, under § 30.742–2 (e), to have the amendments made by section 228 of the Revenue Act of 1942 apply to such taxable years.

(4) For taxable years beginning after December 31, 1941, a foreign corporation which does not meet the requirements of paragraph (b) (3) above.

(5) For taxable years beginning after December 31, 1939, and before January 1, 1942, a foreign corporation which does not meet the requirements of paragraph (c) (4) above.

PAR. 3. There is inserted immediately preceding § 30.713–1 the following:

SEC. 214. INTEREST ON CERTAIN FEDERAL OBLIGATIONS. (Revenue Act of 1942, Title II.)

(a) *Computation of income deficit.* Section 713 (c) (relating to definition of deficit) is amended to read as follows:

(c) *Deficit in excess profits net income.* For the purposes of this section the term "deficit in excess profits net income" with respect to any taxable year means the amount by which the deductions plus the credit for dividends received and the credit provided in section 26 (a) (relating to interest on certain obligations of the United States and its instrumentalities) exceeded the gross income. For the purposes of this subsection in determining whether there was such an excess and in determining the amount thereof, the adjustments provided in section 711 (b) (1) shall be made.

(b) *Cross references.* For amendments to Supplement A on computation of base period income in case of certain reorganizations, see section 228 of this Act.

SEC. 215. BASE PERIOD NET INCOME OF LOWEST YEAR IN BASE PERIOD. (Revenue Act of 1942, Title II.)

Section 713 (e) (1) (relating to exclusion of deficit year from computation of average base period net income) is amended to read as follows:

(1) By computing the aggregate of the excess profits net income for each of the taxable years of the taxpayer in the base period, reduced by the sum of the deficits in excess profits net income for each of such years. If the excess profits net income (or deficit in excess profits net income) for one taxable year in the base period divided by the number of months in such taxable year is less than 75 per centum of the aggregate of the excess profits net income (reduced by deficits in excess profits net income) for the other taxable years in the taxpayer's base period divided by the number of months in such other taxable years (herein called "average monthly amount") the amount used for such one year under this paragraph shall be 75 per centum of the average monthly amount multiplied by the number of months in such one year, and the year increased under this sentence shall be the year the increase in which will produce the highest average base period net income.

SEC. 216. CAPITAL REDUCTION IN CASE OF MEMBERS OF CONTROLLED GROUP. (Revenue Act of 1942, Title II.)

Section 713 (g) (relating to adjustments in excess profits credit on account of capital changes) is amended by adding at the end thereof the following new paragraph:

(5) If, on any day of the taxable year, the taxpayer and any one or more other corporations are members of the same controlled group, then the daily capital reduction of the taxpayer for such day shall be increased by whichever of the following amounts in the lesser:

(A) The aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in such other corporation (or if more than one, in such other corporations) acquired by the taxpayer after the beginning of the taxpayer's first taxable year under this subchapter, minus the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in such other corporation (or if more than one, in such other corporations) disposed of by the taxpayer prior to such day and after the beginning of the taxpayer's first taxable year under this subchapter; or

(B) The excess of the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in all domestic corporations and of obligations described in section 22 (b) (4), held by the taxpayer at the beginning of such day over the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in all domestic corporations and of obligations described in section 22 (b) (4), held by the taxpayer at the beginning of its first taxable year under this subchapter.

If any stock or obligations described in subparagraph (A) or (B) was disposed of prior to such day, its basis shall be determinded under the law applicable to the year in which so disposed of. The excluded capital of the taxpayer for such day shall be reduced by the amount by which the taxpayer's daily capital reduction for such day is increased under this paragraph. As used in this paragraph, a controlled group means one or more chains of corporations connected through stock ownership with a common parent corporation if (i) more than 50 per centum of the total combined voting power of all classes of stock entitled to vote, or more than 50 per centum of the total value of shares of all classes of stock, of each of the corporations (except the common parent corporation) is owned directly by one or more of the other corporations and (ii) the common parent corporation owns directly more than 50 per centum of the total combined voting power of all classes of stock entitled to vote, or more than 50 per centum of the total value of shares of all classes of stock, of at least one of the other corporations.

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 228. RULES FOR INCOME CREDIT IN CONNECTION WITH CERTAIN EXCHANGES. (Revenue Act of 1942, Title II.)

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(e) *Amendments to excess profits tax made necessary by amendments to Supplement A.*

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(2) *Technical amendment.* Section 713 (a) (1) (A) (relating to amount of credit for income method) is amended to read as follows:

(A) 95 per centum of the average base period net income, .

(f) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only to the computation of the tax for taxable years beginning after December 31, 1941, except that (1) the last sentence of section 740 (c), as added by subsection (a) of this section shall be applicable to the computation of the tax for all taxable years beginning after December 31, 1939, and (2) if a taxpayer, within the time and in the manner and subject to such regulations as the Commissioner with the approval of the Secretary prescribes, elects to have such amendments (except those which by their terms are limited to taxable years beginning after December 31, 1941, and except that referred to in clause (1)) apply retroactively to all taxable years of the taxpayer beginning after December 31, 1939, such amendments shall also be applicable to the computation of the tax for taxable years beginning after December 31, 1939.

PAR. 4. Section 30.713–1, as amended by Treasury Decision 5045, is further amended as follows:

(A) By changing paragraph (b) as follows:

By changing the first sentence thereof (including (1), (2), (3), and (4) following the colon) to read as follows:

The following steps are required for the computation of the average base period net income under the general average method (for computation of excess profits net income for portions of its base period during which the corporation was not in existence, see paragraph (d) of this section, and for certain limitations upon the average base period net income of a component corporation (as defined in section 740 (b)), see § 30.740–2):

(1) The excess profits net income, or deficit in excess profits net income, for each of the taxable years in the base period (years beginning after December 31, 1935, and before January 1, 1940) is to be determined as provided in section 711 (b), except that for the purpose of the tax for taxable years beginning before January 1, 1942, the credit for interest received allowed by section 26 (a), though taken into account in computing excess profits net income, is not taken into account in computing a deficit in excess profits net income. By "deficit in excess profits net income" is meant the excess of deductions plus the credit for dividends received plus, for the purposes of the tax for taxable years beginning after December 31, 1941, the credit for interest received allowed by section 26 (a) over gross income. For the purpose of the tax for taxable years beginning after December 31, 1941, if the amount for one taxable year in the base period for which the excess profits net income or the deficit in excess profits net income, as the case may be, when divided by the number of months in such year, is less than 75 percent of the average monthly amount (for the other taxable years in the base period), there shall be substituted for the amount for such one year an amount equal to 75 percent of such average monthly amount multiplied by the number of months in such year. The year to be increased under this provision is the year the increase in which will produce the highest average base period net income. The "average monthly amount" referred to is the aggregate of the excess profits net income (reduced by deficits in excess profits net income) for the other taxable years in the taxpayer's base period divided by the number of months in such other taxable years.

(2) The aggregate of the excess profits net income for the taxable years in the base period, determined with respect to each year as provided in (1) above, disregarding any taxable year for which (after the application of (1) above) the excess profits net income is less than zero, is to be computed.

(3) From such aggregate amount there is to be deducted, for the purposes of the tax for taxable years beginning after December 31, 1941, the sum of the deficits in excess profits net income, excluding a deficit for which an amount of income has been substituted as provided in (1) above, and for the purposes of the tax for taxable years beginning before January 1, 1942, the sum of the deficits in excess profits net income, excluding the greatest.

(4) Such aggregate amount as so reduced is to be divided by the number of months in the taxable years in the base period and the quotient so obtained is to be multiplied by 12. In no case shall the average base period net income be less than zero.

2. By changing the introductory clause to the example to read as follows:

The computation of the average base period net income for the purpose of the tax for taxable years beginning before January 1, 1942, may be illustrated by the following example:

3. By striking from item (a) in the example "713 (b) (1)" and by inserting in lieu thereof "713 (e) (1)".

4. By striking from item (b) in the example "713 (b) (1) and (4)" and by inserting in lieu thereof "713 (c) and (e) (1)".

5. By inserting immediately after the example, the following paragraphs:

For the purpose of the tax for taxable years beginning after December 31, 1941, if the base period is composed solely of four taxable years of 12 months each, the base period year which may be adjusted under section 713 (e) (1) is the year of the lowest amount, i. e., the lowest excess profits net income or the greatest deficit. If the base period is more or less than 48 months, or is composed of more than four taxable years, the base period year the increase in the amount of which will produce the highest average base period net income and which may be adjusted accordingly under section 713 (e) (1) must be determined by a test upon the facts of the case.

The computation of the average base period net income for the purpose of the tax for taxable years beginning after December 31, 1941, may be illustrated by the following examples:

Example (1). Assume the same facts as in the example just above, except that the computation is being made for the purpose of the tax for a taxable year of the X Corporation beginning in 1942. For such purpose, the average base period net income of the corporation is $21,875, computed as follows:

(a) Amount (excess profits net income or deficit) for taxable year in which increase under section 713 (e) (1) will produce highest average base period net income (calendar year 1937)	−$100,000
(b) Average monthly deficit for 1937 ($100,000÷12)	−8,333
(c) Aggregate for other taxable years in base period of excess profits net income reduced by deficits in excess profits net income ($100,000+$30,000−$60,000)	$70,000
(d) 75 percent of average monthly amount ($70,000÷36, the number of months in the taxable years in the base period other than 1937) multiplied by the number of months in 1937. This amount is the substitute amount for 1937. (75 percent of $\frac{\$70,000}{36}\times 12$)	17,500
(e) Aggregate of excess profits net income for taxable years in base period (other than those years for which there is a deficit in such income) before reduction required by section 713 (e) (1). ($100,000+$17,500−$30,000)	147,500
(f) Amount item (e) above is to be reduced as required by section 713 (c) and (e) (1), i. e., deficit in excess profits net income for 1938	$60,000
(g) Aggregate of excess profits net income for taxable years in base period as reduced (item (e) minus item (f))	87,500
(h) Average base period net income, $87,500 (item (g)) divided by 48 (total number of months in taxable years in base period), multiplied by 12, or $\frac{\$87,500}{48}\times 12$	21,875

Example (2). The excess profits net income (or deficit in excess profits net income), credit for interest received, credit for dividends received, deductions, and gross income (all computed by making the adjustments provided in section 711 (b)) of the Y Corporation (a domestic corporation), for its taxable years beginning in the base period (the calendar years 1936 and 1937, the short-period year January 1, 1938, through June 30, 1938, resulting from a change from the calendar year to a fiscal year, and the fiscal years ending June 30, 1939, and June 30, 1940) are as follows:

	Calendar year 1936	Calendar year 1937	Short period year 1938	Fiscal year 1939	Fiscal year 1940
Excess profits net income	$100,000	−$60,000	−$60,000	−$40,000	$25,200
Credit for interest received	10,000	10,000	5,000	10,000	10,000
Credit for dividends received	20,000	27,000	15,000	20,000	20,000
Deductions	60,000	170,000	100,000	130,000	141,800
Gross income	190,000	125,000	60,000	120,000	200,000

The average base period net income of the corporation is $6,800.00, computed as follows:

(a) Amount (excess profits net income or deficit) for taxable year in which increase under section 713 (e) (1) will produce highest average base period net income (calendar year 1937)	−$60,000
(b) Average monthly deficit for 1937 (−$60,000÷12)	−5,000
(c) Aggregate for other taxable years in base period of excess profits net income reduced by deficits in excess profits net income ($100,000+$25,200−$60,000−$40,000)	25,200
(d) Average monthly amounts ($25,200÷42 (total number of months in taxable years in base period other than 1937))	600
(e) 75 percent of amount in (d)	450
(f) Amount of excess profits net income to be used for 1937 (12×$450)	5,400
(g) Aggregate of excess profits net income for taxable years in base period (other than those years for which there is a deficit in such income), before reduction required by section 713 (e) (1) ($100,000+$5,400+$25,200)	130,600
(h) Amount item (g) above is to be reduced as required by section 713 (c) and (e) (1), i. e., sum of deficits in excess profits net income $60,000+40,000)	100,000
(i) Aggregate of excess profits net income for taxable years in base period as reduced (item (g) minus item (h))	30,600
(j) Average base period net income, $30,600 (item (i)), divided by 54 (total number of months in taxable years in base period), multiplied by 12, or $\frac{\$30,600}{54}\times 12$	6,800

(B) By changing paragraph (c) as follows:

1. By changing the last sentence of subparagraph (2) to read as follows:

In making this computation, no deficit in excess profits net income shall be excluded, nor any substitute amount of excess profits net income, or deficit, used, for any year as in the case of the general average method under section 713 (e) (1).

2. By inserting at the end of subparagraph (6) thereof the following sentence:

For restrictions upon this limitation in the case of a component corporation (as defined in section 740 (b)) which continues in existence after a Supplement A transaction, for the purpose of computing the excess profits credit of such component corporation for a taxable year beginning after December 31, 1941, see § 30.740–2.

PAR. 5. Section 30.713–2 is amended as follows:

(A) By changing the fifth sentence to read as follows:

Capital reductions are (1) distributions since the beginning of the first excess profits tax taxable year which are not out of earnings and profits; and (2), in the case of taxable years beginning after December 31, 1941, increased holdings since the beginning of the first excess profits tax taxable year of stock in another corporation which is a member of a controlled group of corporations of which the taxpayer is also a member, limited as provided in section 713 (g) (5) (B).

(B) By inserting at the end thereof the following new paragraph:

Section 713 (g) (5) applies only to taxable years beginning after December 31, 1941. It provides that, if on any day of the taxable year a taxpayer and one or more other corporations are members of the same controlled group, the increase in the taxpayer's holdings in the stock of such other corporation or corporations since the beginning of the taxpayer's first excess profits tax taxable year and before the beginning of such day shall be a daily capital reduction of the taxpayer for such day, except as limited by (b), below. The amount of such daily capital reduction for the amount by which the taxpayer's daily capital reduction for such day is to be increased) on account of such stock is the lesser of the amounts determined by two rules:

(a) The first rule provides that the amount of such increase shall equal the aggregate of the adjusted basis (for determining loss upon sale or exchange) of the stock in such other corporation or corporations acquired by the taxpayer after the beginning of the taxpayer's first excess profits tax taxable year, minus the aggregate of the adjusted basis (for determining loss upon sale or exchange) of the stock in such other corporation or corporations disposed of by the taxpayer prior to such day and after the beginning of the taxpayer's first excess profits tax taxable year.

(b) The second rule provides that the amount of such increase shall equal the excess of the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in all domestic corporations and of obligations described in section 22 (b) (4), held by the taxpayer at the beginning of its first excess profits tax taxable year.

In applying these rules, if any stock or obligations referred to therein were disposed of prior to the day for which the computation is being made, the basis shall be determined under the law applicable to the year in which disposed of.

The excluded capital of the taxpayer for the day for which the computation is being made shall be reduced by the amount by which the taxpayer's daily capital reduction for such day is increased by the application of such rules.

For definition of the term "controlled group", as here used, see section 713 (g) (5).

The effect of section 713 (g) (5), as added by the Revenue Act of 1942, may be illustrated by the following example:

Example. Corporation A and Corporation B compute their income taxes on the calendar year basis. Corporation B has 10,000 shares of capital stock outstanding. Corporation A engages in the following transactions with respect to the following items:

With Respect to Stock of B Corporation

Jan. 1, 1932, acquired 1,000 shares (10%) with a basis of $10,000.

Sept. 30, 1941, acquired 4,500 shares (45%) with a basis of $45,000.

Aug. 31, 1942 sold 1,000 shares (10%) with a basis of $10,000.

With respect to bonds of Sale of X

Jan. 1, 1939, acquired bonds with a basis of $40,000.

March 31, 1941, acquired bonds with a basis of $50,000.

April 30, 1942, sold bonds with a basis of $75,000.

With respect to capital additions

June 30, 1941, capital stock issued (to others than B) for $75,000 cash.

The daily capital additions and reductions of A for 1941 and 1942 are as follows:

CAPITAL ADDITIONS FOR 1941

(1) For each day in period—	(2) Cumulative additions to capital	(3) Increase in excluded capital since Dec. 31, 1939	(4) Capital additions (item (2), minus item (3), but not less than zero)
(a) Jan. 1–Apr. 30	$75,000 (stock issued)	$50,000 ($95,000 minus $45,000 capital reduction in (b))	$25,000
(b) May 1–Aug. 31	$75,000 (stock issued)	0 ($20,000 minus $20,000 capital reduction in (c) below)	$75,000
(c) Sept. 1–Dec. 31	$75,000 (stock issued)	$10,000	$65,000

CAPITAL REDUCTIONS FOR 1942

(1) For each day in period—	(2) Basis of stock in B held	(3) Lesser of basis of stock in B acquired since Dec. 31, 1939, or of increase in excluded capital since Dec. 31, 1939	(4) Capital reduction (amount in col. (2) or col. (3), if 50% or more)
(a) Jan. 1–Apr. 30	$55,000 (55%)	$45,000 (stock in B)	$45,000
(b) May 1–Aug. 31	$55,000 (55%)	$20,000 (excluded capital)	$20,000
(c) Sept. 1–Dec. 31	$45,000 (45%)	----------	0

Note to (c) and (g)

Excluded capital May 1, 1942: $75,000 basis of X plus $55,000 basis of B plus 10,000 basis of B $130,000
Excluded capital Jan. 1, 1942: $75,000 basis of X plus $50,000 stock of B 125,000
Increase in excluded capital as of May 1, 1942 5,000

Note to (d)

Excluded capital Sept. 1, 1942: $75,000 basis of X plus $45,000 stock of B 120,000
Excluded capital Jan. 1, 1942: $50,000 basis of X plus $30,000 stock of B 80,000
Increase in excluded capital as of Sept. 1, 1942 40,000

PAR. 6. There is inserted immediately preceding § 30.724–1 the following:

SEC. 212 APPLICATION OF EXCESS PROFITS TAX TO CERTAIN FOREIGN CORPORATIONS. (Revenue Act of 1942 Title II.)

(a) Section 712 (b) (relating to the excess profits credit of foreign corporations) and section 724 (relating to invested capital in the case of foreign corporations and corporations entitled to the benefits of section 251) are amended by striking out "or having an office or place of business therein." wherever occurring therein and section 712 (b) is amended by striking out "or had an office or place of business therein".

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SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 7. Section 30.724–1 is amended by changing that portion of the first sentence thereof preceding the colon to read as follows:

In the case of a foreign corporation engaged in trade or business within the United States (or, if the tax is being computed for taxable years beginning before January 1, 1942, having an office or place of business therein) and in the case of a corporation entitled to the benefits of section 251 (on account of deriving a large portion of its gross income from possessions of the United States),

(a) *Amendments to section 740.* Section 740 is amended to read as follows:

SEC. 740. DEFINITIONS.

(a) EXCESS PROFITS CREDIT BASED ON INCOME.—For the purposes of this subchapter, the excess profits credit based on income for any taxable year shall be an amount equal to the sum of—

(1) 95 per centum of the average base period net income, plus

(2) 10 per centum of the excess of the adjusted capital for the taxable year over the sum of the capital credit for the taxable year and the average base period net income.

(b) EXCESS PROFITS CREDIT BASED ON INVESTED CAPITAL.—For the purposes of this subchapter, the excess profits credit based on invested capital for any taxable year shall be an amount equal to the sum of—

(1) 6 per centum of the invested capital credit for the taxable year, plus

(2) 10 per centum of the excess of the adjusted capital for the taxable year over the invested capital credit for the taxable year.

(c) INVESTED CAPITAL CREDIT.—For the purposes of this subchapter, the invested capital credit for any taxable year shall be an amount equal to the average invested capital for the taxable year.

(d) AVERAGE BASE PERIOD NET INCOME.—For the purposes of this subchapter, the average base period net income for any taxable year shall be an amount equal to the average annual net income of the taxpayer for the base period, computed by adding to the net income for each taxable year in the base period the amount of the unused excess profits credit carry-over and the unused excess profits credit carry-back for such year, if any, and dividing the sum by the number of taxable years in the base period. For the purposes of this subsection, the net income for any taxable year in the base period shall be the net income computed under section 711 (a) (2) (A) (i) and (ii) (relating to adjustments of net income), except that (1) the net income for any taxable year beginning after December 31, 1941, shall be computed under section 711 (a) (2) (A) (i) and (ii) (relating to adjustments of net income) as if the tax imposed by this chapter for such year were the tax imposed by section 11 (relating to normal tax and surtax) and (2) the net income for any taxable year beginning before January 1, 1942, shall be computed under section 711 (a) (2) (A) (i) and (ii) (relating to adjustments of net income) as if the tax imposed by this chapter for such year were the tax imposed by section 13 (relating to normal tax and surtax) and such other taxable years.

the invested capital for any taxable year shall be invested capital as provided in sections 715, 716, 717, and 720, with the following exceptions:

PAR. 8. There is inserted immediately preceding § 30.725–1, the following:

SEC. 223 EXEMPT CORPORATIONS. (Revenue Act of 1942, Title II.)

* * * * *

(b) *Personal service corporation not exempt if consolidated return filed.* Section 725 (b) (relating to exemption of personal service corporations) is amended by inserting at the end thereof the following new sentence: "Such corporation shall not be exempt for such year if it is a member of an affiliated group of corporations filing consolidated returns under section 141."

* * * * *

SEC 201 TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 9. Section 30.725–1 is amended by changing the second sentence thereof to read as follows:

Such an election may not be exercised by a corporation filing a consolidated return under section 141 for a taxable year beginning after December 31, 1941. If a corporation is exempt by reason of the exercise of such an election, the provisions of Supplement S (sections 391 to 396, inclusive) shall apply to the shareholders in such corporation who were such shareholders on the last day of the taxable year of the corporation.

PAR. 10. Section 30.725–3 is amended by changing the first sentence thereof to read as follows:

The election as to taxability provided for in section 725 (b) and the exemption from tax, where such is allowable, have application only to the excess profits tax on domestic corporations imposed under Subchapter E of Chapter 2.

PAR. 11. There is inserted immediately preceding § 30.727–1 the following:

SEC 212 APPLICATION OF EXCESS PROFITS TAX TO CERTAIN FOREIGN CORPORATIONS (Revenue Act of 1942, Title II.)

* * * * *

(b) Section 727 (f) (relating to exempt corporations) is amended by striking out "and not having an office or place of business therein".

SEC. 223 EXEMPT CORPORATIONS. (Revenue Act of 1942, Title II.)

(a) *Not exempt if consolidated returns filed.* So much of section 727 as reads "The following corporations shall be exempt from the tax imposed by this subchapter" is amended to read as follows: "The following corporations, except a member of an affiliated group of corporations filing consolidated returns under section 141, shall be exempt from the tax imposed by this subchapter".

* * * * *

(c) *Exemption of regulated investment companies.* Section 727 (c) and (d) (relating to exemption of certain investment companies from excess profits tax) are amended to read as follows:

(c) Regulated investment companies as defined in section 361 without the application of section 361 (b) (4).

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 12. Section 30.727–1 is amended by inserting immediately after paragraph (d) thereof the following new paragraph:

(e) If any corporation described in subsection (a), (b), (c), (d), (e), (f), (g), or (h) of section 727 is a member of an affiliated group of corporations filing consolidated returns under section 141 for any taxable year beginning after December 31, 1941, such corporation shall not be exempt under section 727 for such year.

PAR. 13. There is inserted immediately preceding § 30.729–1 the following:

SEC 205. COMPUTATION OF EXCESS PROFITS AND INVESTED CAPITAL OF INSURANCE COMPANIES. (Revenue Act of 1942, Title II.)

* * * * *

(g) *Specific exemption and returns of interinsurers and reciprocal underwriters.*

* * * * *

(2) *Returns.* Section 729 (b) (2) is amended by inserting before the period at the end thereof the following: "or, in the case of a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter, is not greater than $50,000".

SEC. 224 EXCESS PROFITS TAX RETURNS. (Revenue Act of 1942, Title II.)

(a) Section 729 (b) (1) (relating to double computation on returns) is repealed.

* * * * *

(c) The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1939.

SEC. 225 CONSOLIDATED RETURNS. (Revenue Act of 1942, Title II.)

* * * * *

(b) *Cross reference.* Section 729 (b) (relating to returns) is amended by adding at the end thereof the following new paragraph:

(3) *Consolidated returns.* For provisions relating to consolidated returns, see section 141.

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 14. Section 30.729–1 as amended by Treasury Decision 5131, approved March 31, 1942, is further amended by striking out the last paragraph and by inserting in lieu thereof the following paragraphs:

Any taxpayer which is entitled to have its excess profits credit computed under section 713 or section 714, whichever credit results in the lesser excess profits tax, is required to file a return on Form 1121 (revised), and such return shall contain all the information required by such form and by these regulations with respect to computation of such tax. The return, however, requires the computation of the tax with only the credit which results in the lesser tax, and a return so filed meets the requirements of the statute. Thus a taxpayer may omit from the return the computation and information with respect to the excess profits credit under section 713 or section 714 which does not result in the lesser excess profits tax and may omit the computation and information with respect to the excess profits net income otherwise to be computed with such omitted credit. A return filed in this manner shall be audited as filed, regardless of whether it may be determined that the use of the omitted credit would result in a lesser tax. Any disclaimer of the use of an excess profits credit and of the method of determining the tax thereunder, filed under the law applicable to taxable years beginning in 1940 and 1941, is rendered ineffective by the amendments made by section 224 of the Revenue Act of 1942. A corporation which files a return is not, by reason of the fact that only one method is employed or (for taxable years beginning in 1940 and 1941) that only one method was used and the other was disclaimed, precluded from using the other method in the computation of its excess profits tax for such taxable year and, if an overpayment results, from filing a claim for the refund of such overpayment within the applicable period of limitation.

For provisions relating to consolidated returns for taxable years beginning after December 31, 1941, see section 141 and the regulations prescribed thereunder.

PAR. 15. There is inserted immediately preceding § 30.730–1 the following:

SEC. 225. CONSOLIDATED RETURNS. (Revenue Act of 1942, Title II.)

(a) *Section 730 not applicable.* Section 730 (relating to consolidated excess profits tax returns) shall not apply with respect to any taxable year beginning after December 31, 1941.

* * * * *

PAR. 16. Section 30.730–1 is amended to read as follows:

§ 30.730–1 *Consolidated excess profits tax returns of affiliated corporations.* Regulations prescribed in this section, §§ 30.730–2, 30.730–3, and 30.730–4, and in Regulations 110 are applicable to the making of consolidated excess profits tax returns by affiliated corporations for taxable years beginning after December 31, 1939, and before January 1, 1942, and to the determination, computation, assessment, collection, and adjustment of tax liabilities under consolidated returns for such years. As to the making of consolidated excess profits tax returns for taxable years beginning after December 31, 1941, and the determination, computation, assessment, collection, and adjustment of tax liabilities under consolidated returns for such years, see the regulations prescribed under section 141 (and in separate regulations authorized thereunder). For definition of taxable year, see section 48.

PAR. 17. There is inserted immediately preceding § 30.740–1 the following:

SEC. 228. RULES FOR INCOME CREDIT IN CONNECTION WITH CERTAIN EXCHANGES (Revenue Act of 1942, Title II.)

(a) *Amendments to section 740.* Section 740 is amended to read as follows:

SEC. 740. DEFINITIONS.

For the purposes of this Supplement—

(a) *Acquiring corporation.* The term "acquiring corporation" means—

(1) A corporation which has acquired—

(A) substantially all the properties of another corporation and the whole or a part of the consideration for the transfer of such properties is the transfer to such other corporation of all the stock of all classes (except qualifying shares) of the corporation which has acquired such properties, or

(B) substantially all the properties of another corporation and the sole consideration for the transfer of such properties is the transfer to such other corporation of voting stock of the corporation which has acquired such properties, or

(C) before October 1, 1940, properties of another corporation solely as paid-in surplus or a contribution to capital in respect of voting stock owned by such other corporation, or

(D) substantially all the properties of a partnership in an exchange to which section 112 (b) (5), or so much of section 112 (c) or (e) as refers to section 112 (b) (5), or to which a corresponding provision of a prior revenue law, is or was applicable.

For the purposes of subparagraphs (B) and (C) in determining whether such voting stock or such paid-in surplus or contribution to capital is the sole consideration, the assumption by the acquiring corporation of a liability of the other, or the fact that property acquired is subject to a liability, shall be disregarded. Subparagraph (B) or (C) shall apply only if the corporation transferring such properties is forthwith completely liquidated in pursuance of the plan under which the acquisition is made, and the transaction of which the acquisition is a part has the effect of a statutory merger or consolidation.

(2) A corporation which has acquired property from another corporation in a transaction with respect to which gain or loss was not recognized under section 112 (b) (6) of Chapter 1 or a corresponding provision of a prior revenue law;

(3) A corporation the result of a statutory merger of two or more corporations; or

(4) A corporation the result of a statutory consolidation of two or more corporations.

(b) *Component corporation.* The term "component corporation" means—

(1) In the case of a transaction described in subsection (a) (1), the corporation which transferred the assets;

(2) In the case of a transaction described in subsection (a) (2), the corporation the property of which was acquired;

(3) In the case of a statutory merger, all corporations merged, except the corporation resulting from the merger; or

(4) In the case of a statutory consolidation, all corporations consolidated, except the corporation resulting from the consolidation; or

(5) In the case of a transaction specified in subsection (a) (1) (D), the partnership whose properties were acquired.

(c) *Income of certain component corporations not included.* For the purposes of section 712, section 742, and section 743 in the case of a corporation which is a component corporation in a transaction described in subsection (a)—

(1) Except as provided in paragraph (2), for the purpose of computing, for any taxable year beginning after December 31, 1941, the excess profits credit of such component corporation or of an acquiring corporation of which the acquiring corporation in such transaction is not a component, except in the application of sections 713 (f) and 742 (h), other than the limitation on the amount of average base period net income or Supplement A average base period net income, as the case may be, determined thereunder), no account shall be taken of the excess profits net income of such component corporation for any period before the day after such transaction, or of the excess profits net income for any period before the day after such transaction of its component corporations in any transaction before such transaction, and no account shall be taken of the capital addition or capital reduction of such component corporation either immediately before such transaction or for any prior period, or of the capital addition or capital reduction either immediately before such transaction or for any prior period of its component corporations in any transaction before such transaction.

(2) In case such transaction occurred in a taxable year of such component corporation beginning after December 31, 1941, for the purpose of computing the excess profits credit of such component corporation for such taxable year, the amount of its average base period net income or Supplement A average base period net income, as the case may be, shall be limited to an amount which bears the same ratio to such average base period net income or Supplement A average base period net income, as the case may be (computed without regard to this paragraph but with the application of paragraph (1) in case of a prior transaction described in subsection (a) with respect to such component corporation or a component corporation thereof), as the number of days in such taxable year before the day after such transaction bears to the total number of days in such taxable year.

For the purposes of section 742, in the case of a corporation which is a component corporation in a transaction described in subsection (a), in computing for any taxable year the Supplement A average base period net income of the acquiring corporation in such transaction or of a corporation of which such acquiring corporation becomes a component corporation, no account shall be taken of the excess profits net income of such component corporation for any period beginning with the day after such transaction.

(d) In the case of a taxpayer which is an acquiring corporation the base period shall be the four calendar years 1936 to 1939, both inclusive, except that, if the taxpayer became an acquiring corporation prior to September 1, 1940, the base period shall be the same as that applicable to its first taxable year ending in 1941.

(e) *Base period years.* In the case of a taxpayer which is an acquiring corporation its base period years shall be the four successive twelve-month periods beginning on the same date as the beginning of its base period.

(f) *Existence of acquiring corporation.* For the purposes of section 712 (a), if any component corporation of the taxpayer was in existence before January 1, 1940, the taxpayer shall be considered to have been in existence before such date.

(g) *Component corporations of component corporations.* If a corporation is a component corporation of an acquiring corporation, under subsection (b) or under this subsection, it shall (except for the purposes of section 742 (d) (1) and (2) and section 743 (a) (1), (2), and (3)) also be a component corporation of the corporation of which such acquiring corporation is a component corporation.

(h) *Sole proprietorship.* For the purposes of sections 740 (a) (1) (D), 740 (b) (5), and 742 (g), a business owned by a sole proprietorship shall be considered a partnership.

* * * * *

(f) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only to the computation of the tax for taxable years beginning after December 31, 1941, except that (1) the last sentence of section 740 (c), as added by subsection (a) of this section shall be applicable to the computation of the tax for all taxable years beginning after December 31, 1939, and (2) if a taxpayer, within the time and in the manner and subject to such regulations as the Commissioner with the approval of the Secretary prescribes, elects to have such amendments (except those which by their terms are limited to taxable years beginning after December 31, 1941, and except that referred to in clause (1)) apply retroactively to all taxable years of the taxpayer beginning after December 31, 1939, such amendments shall also be applicable to the computation of the tax for taxable years beginning after December 31, 1939.

PAR. 18. Section 30.740–1, as amended by Treasury Decision 5045, is further amended as follows:

(A) By striking from the fifth sentence of paragraph (a) "743 (a)" and inserting in lieu thereof "743 (a) (1), (2), and (3)".

(B) By striking from paragraph (a) the sixth sentence (relating to qualified component corporation) and inserting in lieu thereof the following:

For the purposes of the excess profits tax for taxable years beginning after December 31, 1939, and before January 1, 1942, the concept of a qualified component corporation is employed in determining the component corporations the base period experience of which may be taken into account by the acquiring corporation. Under such concept, a component corporation is a qualified component corporation if it or one of its component corporations was actually in existence at the beginning of the acquiring corporation's base period. For the purposes of the excess profits tax for taxable years beginning after December 31, 1941, such concept is not used, except for the limited purposes of section 742 (d). Moreover, in the case of taxable years beginning after December 31, 1939, and before January 1, 1942, the concept of a qualified component corporation is not employed (except for the limited purposes of section 742 (d)) if the acquiring corporation elects, in accordance with the provisions of § 30.742–2 (e), to have the amendments made by section 228 of the Revenue Act of 1942 apply to taxable years beginning after December 31, 1939.

(C) By changing clause (2) of the first sentence of paragraph (b) to read as follows:

(2) that a corporation composed in whole or in part of component corporations of the prescribed class may compute its excess profits credit in the light of the base period experience of the entire enterprise.

(D) By striking out the part of paragraph (b) following the first sentence and inserting in lieu thereof the following:

In the case of taxable years beginning after December 31, 1939, and before January 1, 1942, the component corporations the base period experience of which may be taken into account are confined to "qualified component cor-

porations", as defined in paragraph (a) of this section, except that, if the acquiring corporation makes the election provided in § 30.742–2 (e), the rule applicable to taxable years beginning after December 31, 1941, shall apply. In the case of taxable years beginning after December 31, 1941, the component corporations the base period experience of which may be taken into account are component corporations which were actually in existence before the close of the taxpayer's base period, as defined in section 740 (d). Accordingly, an acquiring corporation which was not actually in existence before the close of its base period is given the right to use the excess profits credit based on income: *Provided*, That it has a component corporation of the prescribed class in existence before January 1, 1940.

In the case of an acquiring corporation which uses an excess profits credit based on income:

(1) For taxable years beginning after December 31, 1939, and before January 1, 1942, if it was not actually in existence before January 1, 1940, its average base period net income must be computed under Supplement A, and in every other case its average base period net income may, at the taxpayer's election made in its return, be computed under Supplement A; except that, if it makes the election provided in § 30.742–2 (e), the rule applicable to taxable years beginning after December 31, 1941, shall apply; and

(2) For taxable years beginning after December 31, 1941, its average base period net income must be computed under section 713 or Supplement A, whichever method results in the greater average base period net income.

In the case of taxable years beginning after December 31, 1939, and before January 1, 1942, an acquiring corporation is required to add to its daily capital addition or reduction the net capital addition or reduction of each component corporation, unless it elects, as provided in § 30.742–2 (e), to apply the rule applicable to taxable years beginning after December 31, 1941. The rule for taxable years beginning after December 31, 1941, is that an acquiring corporation is not required or permitted to take into account the net capital addition or reduction of any component corporation unless it computes its average base period net income under Supplement A.

PAR. 19. Section 30.740–2, as amended by Treasury Decision 5045, is further amended by inserting at the end thereof the following new paragraph:

(c) The purposes of section 740 (c), as amended by the Revenue Act of 1942, are fourfold:

(1) In general, it confines the base period experience of a component corporation for the period before the day after the Supplement A transaction and its capital changes immediately before such transaction and for any prior period to the acquiring corporation in such transaction or to an acquiring corporation of which the first acquiring corporation is a component corporation. This rule applies only to the computation of the excess profits tax for taxable years beginning after December 31, 1941.

(2) It permits a component corporation which does not terminate its existence in connection with the Supplement A transaction to take into account its entire base period experience including that for the day of and the period before such transaction) for the purposes of sections 713 (f) and 742 (h), except that its experience for the period before the day after the transaction cannot be taken into account for the purpose of applying the limitation prescribed in such sections as to the maximum amount of average base period net income. This rule also applies only to the computation of the excess profits tax for taxable years beginning after December 31, 1941. (See further § 30.742–2 (c).)

(3) It limits a component corporation which does not terminate its existence in connection with the Supplement A transaction, for the purpose of its credit under section 713 or section 742 in computing its excess profits tax for the taxable year in which the transaction occurs, to the proportionate part of its base period experience (after the application of section 740 (c) (1) as explained in (1) and (2) above in case of a prior transaction) which the number of days in such taxable year before the day after such transaction bears to the total number of days in such taxable year. This rule applies only to the computation of the excess profits tax for taxable years beginning after December 31, 1941. If the component corporation goes out of existence on the day of the Supplement A transaction in a taxable year of such component which begins after December 31, 1941, and ends on the day of the Supplement A transaction (by reason of the termination of its existence, or for any other reason), it is entitled, subject to these regulations, to use its entire average base period net income for the purpose of computing its excess profits credit to be applied for such year. (For a corresponding provision in the case of the acquiring corporation in a Supplement A transaction occurring during its excess profits tax taxable year and an illustration of the application of such corresponding provision and section 740 (c) (2), see section 742 (f) (2) and § 30.742–2 (b) (3) (ii) (C).)

(4) It prevents a corporation acquiring a component corporation which does not terminate its existence in connection with the transaction from taking into account the base period experience of the component corporation after such transaction for the purpose of computing its excess profits credit based on income. This rule applies to the computation of the excess profits tax for any taxable year beginning after December 31, 1939.

The operation of section 740 (c), from the standpoint of the purpose described in (1) above, is as follows: If a corporation is a component corporation in, for example, a transaction described in section 740 (a) (1) (A), occurring within the base period, and if the existence of such corporation is not terminated in connection with such transaction, its base period experience for the period before the day after such transaction is, for the purposes of the excess profits tax for taxable years beginning after December 31, 1941, given to the acquiring corporation in such transaction or to an acquiring corporation of which the first acquiring corporation is a component corporation. Consequently, assuming that such component corporation remains in existence and continues business with properties acquired after such transaction, for the purpose of the excess profits tax for taxable years beginning after December 31, 1941 (other than for a limited purpose in computing average base period net income under section 713 (f) or section 742 (h)), it will not receive any benefit from its experience on the day of and prior to such transaction, nor can its experience on the day of and prior to such transaction be passed on to another acquiring corporation in a subsequent Supplement A transaction in which it is the component corporation. The same rule is applicable to each successive Supplement A transaction to which such corporation is a party as a component corporation and in connection with which its existence is not terminated. Section 740 (c) applies to all types of Supplement A transactions, whether or not complete liquidation of the component corporation is specifically required in connection therewith.

If a Supplement A transaction occurred in a taxable year of the component corporation beginning in the base period, the excess profits net income of such component corporation for the portion of the taxable year after the transaction and for the prior portion of the taxable year (which is to be taken into account only by the acquiring corporation in such transaction) shall be computed on the basis of its income as shown by its books if the accounts are so kept that excess profits net income for each of such portions can be clearly and accurately determined. If the accounts are not so kept, the excess profits net income for the portion of the taxable year after the transaction shall be considered to be an amount which bears the same ratio to the excess profits net income for such taxable year as the number of days in such taxable year after such transaction bears to the total number of days in such taxable year, and the excess profits net income for the prior portion of such taxable year shall be considered to be the balance of the excess profits net income for such taxable year. However, if items of income and deduction are clearly and accurately determined to be attributable to particular portions of the taxable year, such items may be eliminated before the above proration is made, and after the proration is made such items will be added to (if items of income) or deducted from (if deductible items) the excess profits net income determined by the proration for the period to which such items are attributable.

The application of the provisions of section 740 (c), as amended by the Revenue Act of 1942, may be illustrated by the following example:

Example. A, B, and C, corporations which have always made their income tax returns on the calendar year basis, were in existence on January 1, 1936, and have continued in existence at all times since that date. On December 31, 1938, B acquired the properties of A in a transaction described in section 740 (a) (1) (A). A converted into cash the stock in B which it received in such transaction, and with the proceeds of such conversion acquired new properties. It operates such properties continuously down to the time C acquires such properties from A on October 19, 1943, in a transaction described in section 740 (a) (1) (A). A continues in business throughout 1943, operating properties which it purchased with the proceeds of the conversion of the stock in C received in the second transaction. The operation of section 740 (c) under circumstances outlined in this example is as follows:

(a) *As to B.* In determining its average base period net income under Supplement A for the purposes of the excess profits taxes for 1942 and 1943, B takes into account A's base period experience for 1936, 1937, and 1938. Inasmuch as the transaction involving B occurs within the base period, there is no capital addition or reduction of A to be transferred to B. See section 743.

(b) *As to A.* In determining its average base period net income under the general average method for the purposes of its excess profits tax for 1942, A takes into account its base period experience for 1939, but is denied the right to use its base period experience for 1936, 1937, and 1938. However, in determining its average base period net income under the growth formula, for purposes of its excess profits tax for 1942, A takes into account its base period experience for 1936, 1937, 1938, and 1939, except that such average cannot exceed its excess profits net income for 1939. When A determines its excess profits tax for 1943, it takes into account for the purpose of its average base period net income under the general average method only four-fifths (the ratio of the number of days in January 1, 1943—October 19, 1943, inclusive (292), over the number of days in 1943 (365)) of its base period experience for 1939; for the purpose of the growth formula it takes into account only four-fifths of its average base period experience determined under such formula. It does not take into account for the purpose of its tax for 1943 any of its capital addition or reduction attributable to the time immediately before the transaction. A will be entitled, however, to use the credit based on invested capital.

(c) *As to C.* Section 740 (c) is first applicable to C with respect to 1943. In determining its average base period net income under Supplement A for the purposes of its excess profits tax for that year, under the general average method C takes into account one-fifth of A's base period experience for 1939, and for the purpose of the growth formula (except in computing for such purpose the limitation as to the year of the highest excess profits net income) it takes into account one-fifth of A's average base period net income determined under such formula. See section 742 (f) (2). In determining C's average base period net income under Supplement A for the purposes of its excess profits tax for 1944, C takes into account all of A's base period experience for 1939 if the general average method is used, or all of A's base period experience for the purpose of the growth formula (except the limitation under such formula with respect to the year of the highest excess profits net income). Moreover, as the transaction involving C occurs after the close of the base period, A's daily capital addition and reduction as of the time immediately before the transaction are transferred to C. See section 743.

PAR. 20. Section 30.740–3 is amended as follows:

(A) By inserting immediately preceding the first sentence the following:

(a) *For taxable years beginning before January 1, 1942.*

(B) By changing the first sentence to read as follows:

For the purposes of the excess profits tax for any taxable year beginning before January 1, 1942, the base period of an acquiring corporation, unless it elects, as provided in § 30.742–2 (e), to apply the rule applicable to taxable years beginning after December 31, 1941, is the period of 48 months beginning on the date in 1936 corresponding to the date on which begins the acquiring corporation's taxable year for which the excess profits tax is being computed.

(C) By inserting at the end thereof the following new paragraph:

(b) *For taxable years beginning after December 31, 1941.* For the purposes of the excess profits tax for any taxable year beginning after December 31, 1941, (and for all taxable years beginning after December 31, 1939, if the taxpayer so elects as provided in § 30.742–2 (e)), the base period of the taxpayer is:

(1) The four calendar years 1936, 1937, 1938, and 1939, except in cases to which (2) applies, or

(2) If the taxpayer became an acquiring corporation prior to September 1, 1940, the same base period as that applicable to its first taxable year ending in 1941, determined under paragraph (a).

The base period once determined under this subsection for purposes of Supplement A is not affected by the fact that the taxpayer subsequently changes its taxable year.

PAR. 21. Section 30.740–4, as added by Treasury Decision 5045, is amended as follows:

(A) By changing the heading to read as follows:

§ 30.740–4 *Partnerships and sole proprietorships under Supplement A.*

(B) By changing the second sentence to read as follows:

In determining the excess profits tax under the rules for any taxable year beginning before January 1, 1942, a partnership (or a business owned by a sole proprietorship) is a qualified component corporation only if it was actually in existence at the beginning of the taxpayer's base period.

PAR. 22. There is inserted immediately preceding § 30.741–1 the following:

SEC. 224. EXCESS PROFITS TAX RETURNS. (Revenue Act of 1942, Title II.)

* * * * * *

(b) Sections 712 (c) and 741 (b) (relating to disclaimer of excess profits credit) are repealed.

(c) The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1939.

SEC. 228. RULES FOR INCOME CREDIT IN CONNECTION WITH CERTAIN EXCHANGES. (Revenue Act of 1942, Title II.)

* * * * * *

(b) *Repeal of section 741 (a).* Section 741 (a) is repealed

* * * * * *

(f) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only to the computation of the tax for taxable years beginning after December 31, 1941, except that (1) the last sentence of section 740 (c), as added by subsection (a) of this section, shall be applicable to the computation of the tax for all taxable years beginning after December 31, 1939, and (2) if a taxpayer, within the time and in the manner and subject to such regulations as the Commissioner with the approval of the Secretary prescribes, elects to have such amendments (except those which by their terms are limited to taxable years beginning after December 31, 1941, and except that referred to in clause (1)) apply retroactively to all taxable years of the taxpayer beginning after December 31, 1939, such amendments shall also be applicable to the computation of the tax for taxable years beginning after December 31, 1939.

PAR. 23. Section 30.741–1, as amended by Treasury Decision 5045, is further amended as follows:

(A) By inserting immediately preceding the first sentence thereof the following new sentences:

This section is applicable only for the purposes of determining the excess profits credit of an acquiring corporation for taxable years beginning before January 1, 1942, and, moreover, is applicable for such purposes only if no election is made under § 30.742–2 (e). For rules for determining the excess profits credit of an acquiring corporation for taxable years beginning after December 31, 1941, or for prior years if an election is made under § 30.742–2 (e), see § 30.712–1.

(B) By striking out the last paragraph thereof.

PAR. 24. There is inserted immediately preceding § 30.742–1, as amended by Treasury Decision 5045, the following:

SEC. 228. RULES FOR INCOME CREDIT IN CONNECTION WITH CERTAIN EXCHANGES. (Revenue Act of 1942, Title II.)

* * * * * *

(c) *Amendments to section 742.* Section 742 is amended to read as follows:

SEC. 742. SUPPLEMENT A AVERAGE BASE PERIOD NET INCOME.

In the case of a taxpayer which is an acquiring corporation, its average base period net income (for the purpose of the credit computed under section 713) shall be the amount computed under section 713 or the amount of its Supplement A average base period net income, whichever is the greater. The Supplement A average base period net income shall be the amount computed without regard to subsection (h) of this section or computed under subsection (h) of this section, whichever is the greater. The Supplement A average base period net income shall be computed as follows:

(a) By ascertaining with respect to each of its base period years—

(1) The amount of its and each of its component corporation's excess profits net

income for each of its and such component corporation's taxable years beginning with or within such base period year; or, in the case of each such taxable year of the taxpayer or of such component corporation, as the case may be, in which the deductions plus the credit for dividends received and the credit provided in section 26 (a) (relating to interest on certain obligations of the United States and its instrumentalities) exceeded the gross income, the amount of such excess;

(2) (A) The aggregate of the amounts of excess profits net income ascertained under paragraph (1); (B) the aggregate of the excesses ascertained under paragraph (1); and (C) the difference between the aggregates found under clause (A) and clause (B). If the aggregate ascertained under clause (A) is greater than the aggregate ascertained under clause (B), the difference shall for the purposes of subsection (b) be designated a "plus amount", and if the aggregate ascertained under clause (B) is greater than the aggregate found under clause (A), the difference shall for the purposes of subsection (b) be designated a "minus amount".

If, in the case of the taxpayer or any component corporation of the taxpayer, one and only one taxable year of the taxpayer or such component corporation, as the case may be, begins with or within such base period year and such taxable year is less than twelve months, the amount of the excess profits net income, or the amount of such excess of deductions plus the credit for dividends received and the credit provided in section 26 (a) (relating to interest on certain obligations of the United States and its instrumentalities) over gross income, as the case may be, for such taxable year, shall be placed on an annual basis in the same manner as is provided in section 711 (a) (3). If more than one taxable year of the taxpayer or such component corporation, as the case may be, begins with or within such base period year, the aggregate of the amounts of excess profits net income minus the aggregate of the excesses of deductions plus the credit for dividends received and the credit provided in section 26 (a) (relating to interest on certain obligations of the United States and its instrumentalities) over gross income, or the aggregate of such excesses minus the aggregate of the amounts of excess profits net income, as the case may be, for such taxable years shall be adjusted to such extent as the Commissioner, under regulations prescribed by him with the approval of the Secretary, prescribes as necessary in order that such base period year shall reflect income for a period of twelve months. For the purposes of this section, a taxable year of a component corporation beginning within the base period which also begins with or within the taxable year of the acquiring corporation in which the acquisition occurred, or which also begins with or within the same base period year with which or within which began such taxable year of the acquiring corporation, shall be considered a taxable year of the acquiring corporation, and such taxable year shall be considered to have begun in the base period year with which or within which such taxable year of the acquiring corporation began.

(b) By adding the plus amounts ascertained under subsection (a) (2) for each year of the base period; and

(1) If the tax under this subchapter is being computed for a taxable year not beginning after December 31, 1941, by subtracting from such sum, if for two or more years of the basis [sic] period there was a minus amount, the sum of the minus amounts, excluding the greatest; or

(2) If the tax under this subchapter is being computed for a taxable year beginning after December 31, 1941, by subtracting from such sum the sum of the minus amounts. If the amount used under the preceding sentence for the lowest year is less than 75 per centum of the sum of the plus amounts reduced by the sum of the minus amounts for the other years in the base period divided by three, the amount which shall be used for such lowest year shall be 75 per centum of the amount last ascertained.

(c) By dividing the amount ascertained under subsection (b) by four.

(d) In no case shall the average base period net income be less than zero. In the case of a taxpayer which becomes an acquiring corporation in any taxable year beginning after December 31, 1939, if, on September 11, 1940, and at all times until the taxpayer became an acquiring corporation—

(1) the taxpayer owned not less than 75 per centum of each class of stock of each of the qualified component corporations involved in the transaction in which the taxpayer became an acquiring corporation; or

(2) one of the qualified component corporations involved in the transaction owned not less than 75 per centum of each class of stock of the taxpayer, and of each of the other qualified component corporations involved in the transaction, the average base period net income of the taxpayer shall not be less than (A) the average base period net income of that one of its qualified component corporations involved in the transaction the average base period net income of which is greatest, or (B) the average base period net income of the taxpayer computed without regard to the base period net income of any of its qualified component corporations involved in the transaction. As used in this subsection, the term "qualified component corporation" means a component corporation which was in existence on the date of the beginning of the taxpayer's base period.

(e) For the purposes of subsection (a) (1) of this section—

(1) If neither the taxpayer corporation nor any of its component corporations was actually in existence on December 31, 1936, the excess profits net income of each such corporation for each base period year at no time during which any of such corporations was actually in existence, shall (except in the case of a corporation which became a component corporation of its acquiring corporation before the beginning of the acquiring corporation's first taxable year which began in 1940) be an amount equal to 8 per centum of the excess of—

(A) in the case of any such corporation to which paragraph (2) is not applicable, the daily invested capital of such corporation for the first day of its first taxable year under this subchapter beginning in 1940 over

(B) an amount equal to the same percentage of such daily invested capital as would be applicable under section 720 in reduction of the average invested capital of such component corporation for the twelve-month period ending with the preceding day if such twelve-month period constituted a taxable year and such section had been applicable to such taxable year.

(3) In case any corporation described in paragraph (1) owned stock in any other such corporation on the first day of such owning corporation's first taxable year under this subchapter beginning in 1940, the amounts computed under subparagraphs (A) and (B) of paragraphs (1) and (2) with respect to such corporations shall be adjusted under regulations prescribed by the Commissioner with the approval of the Secretary to such extent as may be necessary to prevent the excess profits net income of such corporations for the base period years described in paragraph (1) from reflecting money or property having been paid in by either of such corporations to the other for stock or as paid-in surplus or as a contribution to capital, or from reflecting stock of either having been paid in for stock of the other or as paid-in surplus or as a contribution to capital. For the purposes of this paragraph, stock in either such corporation which has in the hands of the other corporation a basis determined with reference to the basis of stock previously acquired by the issuance of such other corporation's own stock shall be deemed to have been paid in for the stock of such other corporation.

(4) In determining whether, for any taxable year, the deductions plus the credit for dividends received and the credit provided in section 26 (a) (relating to interest on certain obligations of the United States and its instrumentalities) exceeded the gross income, and in determining the amount of such excess, the adjustments provided in section 711 (b) (1) shall be made.

(f) (1) If, after December 31, 1935—

(A) the taxpayer acquired stock in another corporation, and thereafter such other corporation became a component corporation of the taxpayer, or

(B) a corporation (hereinafter called "first corporation") acquired stock in another corporation (hereinafter called "second corporation"), and thereafter the first and second corporations became component corporations of the taxpayer,

then to the extent that the consideration for such acquisition was not the issuance of the taxpayer's or first corporation's, as the case may be, own stock, the Supplement A average base period net income of the taxpayer shall be reduced, and the transferred capital addition and reduction adjusted, in respect of the income and capital addition and reduction of the corporation whose stock was so acquired and in respect of the income and capital addition and reduction of any other corporation which at the time of such acquisition was connected directly or indirectly through stock ownership with the corporation whose stock was so acquired and which thereafter became a component corporation of the taxpayer, in such amounts and in such manner as shall be determined in accordance with regulations prescribed by the Commissioner with the approval of the Secretary. For the purposes of this paragraph, stock which has, in the hands of the taxpayer or first corporation, as the case may be, a basis determined with reference to the basis of stock previously acquired by the issuance of the taxpayer's or first corporation's, as the case may be, own stock, shall be considered as having been acquired in consideration of the issuance of the taxpayer's or first corporation's, as the case may be, own stock.

(2) If during the taxable year for which tax is computed under this subchapter the taxpayer acquires assets in a transaction which constitutes it an acquiring corporation, the amount includible under subsection (a), attributable to such transaction, shall be limited to an amount which bears the same ratio to the amount computed without regard to this subsection as the number of days in the taxable year after such transaction bears to the total number of days in such taxable year.

(g) In the case of a partnership which is a component corporation by virtue of section 740 (b) (5), the computations required by this Supplement shall be made, under rules and regulations prescribed by the Commissioner with the approval of the Secretary, as if such partnership had been a corporation. For the purpose of such computations, in making the adjustment for income taxes required by section 711 (b) (1) (A), the partnership so regarded as a corporation shall be considered as having distributed all its net income as a dividend.

(h) *Increased earnings in last half of base period*

(1) *General rule.* The Supplement A average base period net income determined under this subsection shall be computed by ascertaining for each half of the base period the sum of the plus amounts determined under subsection (a) reduced if for any year in such half a minus amount was determined by the minus amount for such year. If the amount ascertained for the second half exceeds the amount ascertained for the first half, the Supplement A average base period net income shall be the sum, divided by two, of the amount so ascertained for the second half plus one-half of such excess, except that it shall not exceed the largest plus amount determined under subsection (a) with respect to any base period year.

(2) *Limitation on amount includible for certain taxable years ending after May 31, 1940.* For the purposes of this subsection the excess profits net income of any corporation for any taxable year beginning in 1939 and ending after May 31, 1940, shall in no case exceed an amount computed as follows:

(A) By reducing the excess profits net income by an amount which bears the same ratio thereto as the number of months after May 31, 1940, bears to the total number of months in such taxable year; and

(B) By adding to the amount ascertained under subparagraph (A) an amount which bears the same ratio to the excess profits net income for the last preceding taxable year as such number of months after May 31, 1940, bears to the number of months in such preceding year. The amount added under this subparagraph shall not exceed the amount of the excess profits net income for such last preceding taxable year.

(C) If the number of months in such preceding taxable year is less than such number of months after May 31, 1940, by adding to the amount ascertained under subparagraph (B) an amount which bears the same ratio to the excess profits net income for the second preceding taxable year as the excess of such number of months after May 31, 1940, over the number of months in such preceding taxable year bears to the number of months in such second preceding taxable year.

* * * * *

(i) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only to the computation of the tax for taxable years beginning after December 31, 1941, except that (1) the last sentence of section 740 (c), as added by subsection (a) of this section shall be applicable to the computation of the tax for all taxable years beginning after December 31, 1939, and (2) if a taxpayer, within the time and in the manner and subject to such regulations as the Commissioner with the approval of the Secretary prescribes, elects to have such amendments (except those which by their terms are limited to taxable years beginning after December 31, 1941) and except that referred to in clause (1)) apply retroactively to all taxable years of the taxpayer beginning after December 31, 1939, such amendments shall also be applicable to the computation of the tax for taxable years beginning after December 31, 1939.

PAR. 25. Section 30.742–1, as amended by Treasury Decision 5045, is further amended as follows:

(A) By striking out *Average base period net income—(a) General.* and by inserting in lieu thereof the following:

§ 30.742–1 *Average base period net income for purposes of tax for taxable years beginning before January 1, 1942.* The regulations prescribed in this section are applicable only for the purpose of computing the tax for taxable years beginning before January 1, 1942, but shall not be applicable in computing the tax for such years if the taxpayer elects, as prescribed in § 30.742–2 (e), to have the amendments made by the Revenue Act of 1942 applicable in computing the tax for all of such years, in which case the regulations prescribed in § 30.742–2 shall be applicable.

(a) *General.* * * *

(B) By inserting in subparagraph (5) of the second paragraph of paragraph (b) and immediately after "section 711 (b) (1) (A)" the following:

(for taxable years beginning before January 1, 1941)

PAR. 26. There is inserted immediately after § 30.742–1, as amended by Treasury Decision 5045, the following new section:

§ 30.742–2 *Average base period net income for purposes of tax for taxable years beginning after December 31, 1941.* The regulations prescribed in this section are applicable only for the purpose of computing the tax for taxable years beginning after December 31, 1941, but shall be applicable in computing the tax for taxable years beginning prior thereto if the taxpayer elects, as prescribed in § 30.742–2 (e), to have the amendments made by the Revenue Act of 1942 applicable in computing the tax for all excess profits tax taxable years beginning after December 31, 1939.

(a) *Introductory.* In the case of an acquiring corporation which was actually in existence before January 1, 1940, its average base period net income, for the purposes of the excess profits credit based on income, shall be (1) the amount computed under section 713 with reference to its base period experience but without reference to the base period experience of its component corporations; or (2) the amount of its Supplement A average base period net income, computed under section 742 with reference to its base period experience and also with reference to the base period experience of its component corporations, whichever of such amounts is the greater. In the case of an acquiring corporation which was not actually in existence before January 1, 1940, but which was constructively in existence before such date through a component corporation, its average base period net income, for the purposes of such credit, shall be its Supplement A average base period net income, computed under section 742.

In the case of an acquiring corporation which desires to compute its average base period net income under Supplement A, section 742 is not intended to require such corporation to include in its return the computations of base period income under section 713 for the purpose of showing that the computations under Supplement A result in the greater average base period net income. A return setting forth one set of computations of base period income shall be acceptable. A return filed in this manner shall be audited as filed, regardless of whether the omitted computation of average base period net income would result in a lesser tax. If a corporation files a return which contains only one set of computations of base period income, it is not thereby precluded from establishing that the computations used resulted in an overpayment of the excess profits tax or from filing a claim for the refund thereof.

The Supplement A average base period net income of an acquiring corporation shall be (1) the amount computed under section 742 without regard to subsection (h) of such section, or (2) the amount computed under such subsection, whichever of such amounts is the greater. If neither the acquiring corporation nor any of its component corporations was in existence at any time during a base period year, then, in computing the Supplement A average base period net income of the acquiring corporation, section 742 (e) (1), (2), and (3) is applicable regardless of whether the computation is made under section 742 (h) or without regard to such section.

(b) *General average method*—(1) *In general.* The following steps are required for the computation of the Supplement A average base period net income under section 742 without regard to subsection (h) of such section (for computation of excess profits net income for base period years during which neither the taxpayer nor any of its component corporations was in existence at any time, see paragraph (d) of this section):

(i) The excess profits net income or the excess of deductions plus the credit for dividends received and the credit provided in section 26 (a) over gross income (hereinafter referred to as "deficit in excess profits net income") of the acquiring corporation and each component corporation for each taxable year beginning with or within a base period year of the acquiring corporation must be determined.

(ii) The group excess profits net income or group deficit in excess profits net income for each base period year of the acquiring corporation, i. e., the aggregate of the amounts determined with respect to each corporation separately for taxable years beginning with or within such base period year, must be determined as provided in subparagraph (3) of this section.

(iii) The taxpayer's Supplement A average base period net income is then ascertained by determining the aggregate of the group excess profits net incomes and deficits in excess profits net

income (with adjustment in certain cases of the amount for the lowest year) and dividing by 4, as provided in subparagraph (4) of this section.

(2) *Determination of excess profits net income or deficit in excess profits net income of acquiring corporation and each component corporation.* The first step in computing the average base period net income of an acquiring corporation is the determination of the excess profits net income or deficit in excess profits net income of the acquiring corporation and each component corporation for each taxable year beginning with or within a base period year of the acquiring corporation. Such excess profits net income or deficit in excess profits net income shall be computed with the adjustments provided in section 711 (b).

In the case of a component corporation which is a partnership or a business owned by a sole proprietorship, its excess profits net income or deficit in excess profits net income for each taxable year in the base period shall be determined as though such partnership or business owned by a sole proprietorship had been a corporation for each such year. Among the adjustments which are necessary in computing the excess profits net income or deficit in excess profits net income are the following:

(i) A reasonable deduction for salary or compensation to each partner or the sole proprietor for personal services actually rendered shall be allowed;

(ii) The credit for dividends received provided by section 26 (b) and section 711 (b) (1) (G) shall be allowed;

(iii) The treatment of capital gains and losses shall be that applicable to corporations;

(iv) The deduction for charitable contributions shall be that allowed by section 23 (q);

(v) The income taxes allowed as a deduction under section 23 (c) (or under section 711 (b) (1) (A) for taxable years beginning before January 1, 1941) shall be computed as though the partnership or business owned by a sole proprietorship were a corporation and in computing such taxes the partnership or business owned by a sole proprietorship shall be deemed to have distributed all its net income as a dividend.

(3) *Determination of group excess profits net income or deficit in excess profits net income*—(i) *General.* The group excess profits net income or deficit in excess profits net income of an acquiring corporation for each base period year is determined by adding together the excess profits net incomes of the several corporations determined under subparagraph (2) of this paragraph for each taxable year beginning with or within such base period year and subtracting from such sum the sum of the deficits in excess profits net income so determined for each such taxable year, with the exceptions and limitations set forth in subdivision (ii) below. If the sum of the excess profits net incomes for such base period year exceeds the sum of the deficits in excess profits net income for such base period year, the difference is the group excess profits net income for such base period year. If the sum of the deficits in excess profits net income exceeds the sum of the excess profits net incomes, the difference is the group deficit in excess profits net income for such base period year. This paragraph may be illustrated by the following examples:

Example (1). The X Corporation, which was organized prior to 1936, and which has always made its income tax returns on the calendar year basis, is computing its excess profits tax for the calendar year 1942. In 1939 it became an acquiring corporation of the Y Corporation and the Z Corporation, both of which were organized prior to January 1, 1936. The Y Corporation made its income tax returns on the basis of the fiscal year beginning July 1, and the Z Corporation made its income tax returns on the calendar year basis. For the calendar year 1936 the X Corporation had an excess profits net income of $50,000, and the Z Corporation had an excess profits net income of $20,000. For the fiscal year beginning July 1, 1936, the Y Corporation had an excess profits net income of $30,000. For its first base period year, i.e., the calendar year 1936, the group excess profits net income of X, the acquiring corporation, is $100,000, computed as follows:

Excess profits net income of X Corporation for 1936	$50,000
Plus:	
Excess profits net income of Z Corporation for 1936	20,000
Excess profits net income of Y Corporation for fiscal year beginning July 1, 1936	30,000
Group excess profits net income for 1936	100,000

The Y Corporation's fiscal year ending June 30, 1936, cannot be taken into account since it is a taxable year which did not begin with or within the first base period year.

Example (2). If, in the case of the same corporations as in example (1), for the calendar year 1937 the X Corporation had an excess profits net income of $75,000 and the Z Corporation had an excess profits net income of $30,000 and if the Y Corporation for the fiscal year beginning July 1, 1937, had a deficit in excess profits net income of $5,000, the X Corporation would have a group excess profits net income for its second base period year, i. e., the calendar year 1937, of $100,000, computed as follows:

Excess profits net income of X Corporation for 1937	$75,000
Plus: Excess profits net income of Z Corporation for 1937	30,000
Total	105,000
Less: Deficit in excess profits net income of Y Corporation for fiscal year beginning July 1, 1937	5,000
Group excess profits net income for 1937	100,000

Example (3). If for the calendar year 1938 the X Corporation had an excess profits net income of $40,000 and the Z Corporation had a deficit in excess profits net income of $50,000, and if the Y Corporation had an excess profits net income of $5,000 for the fiscal year beginning on July 1, 1938 (which ended before the acquisition in 1939), the X Corporation would have a group deficit in excess profits net income for its third base period year, i. e., the calendar year 1938, of $5,000, computed as follows:

Deficit in excess profits net income of Z Corporation for 1938		$50,000
Less:		
Excess profits net income of X Corporation for 1938	$40,000	
Excess profits net income of Y Corporation for fiscal year beginning July 1, 1938	5,000	45,000
Group deficit in excess profits net income for 1938		5,000

(ii) *Exceptions and limitations.* The amount of excess profits net income or deficit in excess profits net income of an acquiring corporation or a component corporation for a taxable year beginning with or within a base period year which may be included in computing the group excess profits net income or deficit in excess profits net income for such base period year is to be determined subject to the following exceptions and limitations:

(A) Section 742 (a) requires adjustment where an acquiring corporation or component corporation has one or more taxable years beginning with or within a base period year other than one taxable year of 12 months.

If the taxpayer or a component corporation has only one taxable year beginning with or within a base period year and such taxable year is less than 12 months, or if the taxpayer or a component corporation has two or more taxable years beginning with or within a base period year, the experience of the taxpayer or of such component for such short taxable year or for such taxable years shall be adjusted to reflect 12 months' experience by either of two methods described in this subdivision. The first method is hereafter referred to as the daily average method and the second method is hereafter referred to as the actual experience method. The second method may be used only if the taxpayer establishes to the satisfaction of the Commissioner that the actual experience method will more clearly reflect actual group excess profits net income (or deficit) for the base period year. In either case, the adjustment is to be made only as provided in this subdivision of the regulations under the heading "daily average method" or "actual experience method", whichever method is applicable. Only one method may be used for the same base period year. Under either method, any period, the experience of which is not to be included in the average base period net income of the taxpayer under the rules provided in section 740 (c), is not to be considered any part of a taxable year of the acquiring corporation or the component.

If only one taxable year of the taxpayer or of a component begins in a base period year and such taxable year is less than 12 months, or if two or more taxable years of the taxpayer or of a component begin in a base period year, the following adjustment shall be made if the Supplement A transaction did not occur in such base period year or in a taxable year of the acquiring corporation beginning in such base period year:

Daily average method. Under this method, the aggregate of the amounts of excess profits net income minus the aggregate of the amounts of deficit in excess profits net income, or vice versa, as the case may be, for the period to be adjusted (i. e., such short taxable year or such two or more taxable years, as the case may be) shall be placed on an annual basis by dividing by the number of days in such period and by multiplying by the number of days in the base period year.

Actual experience method. Under this method, the actual excess profits net income (or deficit) for the period of 12 months beginning with the first day of the period to be adjusted (i. e., such short taxable year or such two or more taxable years, as the case may be) shall be considered the total excess profits net income (or deficit) of the acquiring corporation or of the component, as the case may be, which is to be attributed to the base period year under section 742 (a) (1). If such 12-month period ends after May 31, 1940, or with or after a month in which a Supplement A transaction occurs, the experience after such date or such month, whichever first occurs, shall not be used. In such case, there shall be added to the experience used the experience for as many consecutive months immediately preceding the beginning of the period of months used as will produce an aggregate period of 12 months. If 12 months' experience cannot be obtained by either of the above rules, the actual experience method may not be used.

If two or more taxable years of a component corporation or if two or more taxable years of the taxpayer (including as such any year of the component, as provided in the following sentence) begin in a base period year and if the Supplement A transaction occurs in such base period year or in a taxable year of the acquiring corporation beginning in such base period year, adjustment shall be made in the two categories of cases described below and in the manner set forth below. For this purpose, section 742 (a) provides that a taxable year of a component corporation:

Which begins within the base period and which also begins with or within the taxable year of the acquiring corporation in which the acquisition occurred, or

Which begins with or within the same base period year with which or within which began the taxable year of the acquiring corporation in which the acquisition occurred,

shall be treated as a taxable year of the acquiring corporation and as if it began in the base period year with which or within which such taxable year of the acquiring corporation began. The adjustment to be made is as follows:

In the first category are cases in which, in a base period year, the first taxable year of each corporation, which became a component in any taxable year of the acquiring corporation beginning in such base period year, began on the same date, if (1) the acquiring corporation's first taxable year in such base period year also began on such date, or (2) the acquiring corporation's first taxable year upon its coming into existence began on the date of a Supplement A transaction in such base period year.

Daily average method. In such cases, a group excess profits net income or group deficit in excess profits net income, as the case may be, for only the acquiring corporation and any such component corporations shall be determined for such base period year, in the manner provided in (b) (3) (i) of this section. This amount shall be the excess profits net income or deficit in excess profits net income, as the case may be, of such acquiring corporation (including such component corporations) for such base period year, unless the period from the beginning of the first taxable year of any such component corporation beginning in such base period year to the end of the last taxable year of such acquiring corporation beginning in such base period year, inclusive, is not a period of 12 months. In such latter case, the amount thus determined shall be placed on an annual basis by dividing by the total number of days in such period and by multiplying by the number of days in such base period year. The rules applicable in this first category may be illustrated by the following examples:

Example (1). The A Corporation computes its income tax on the calendar year basis. On July 1, 1936, the A Corporation is reorganized into the B Corporation in a Supplement A transaction. The B Corporation computes its income tax on the basis of the fiscal year beginning July 1 until it goes on a calendar year basis beginning January 1, 1937. Although A's short period is considered a taxable year of B, since the total period of both taxable years is 12 months, the excess profits net income, or the deficit in excess profits net income, of the B Corporation for 1936 is computed by reference to the total experience of A and B for the calendar year 1936.

Example (2). The C Corporation and the D Corporation compute their income taxes on the calendar year basis. On July 1, 1937, C and D merged in a Supplement A transaction to form the E Corporation which thereafter computed its income tax on a fiscal year basis beginning July 1 (until 1940 when it went on a calendar year basis). The excess profits net income, or the deficit in excess profits net income, of E for the base period year 1937, is determined by computing the excess of the aggregate of the excess profits net incomes of C and D for the period January 1, 1937–July 1, 1937, inclusive, and of E for the period July 1, 1937–June 30, 1938, over the deficit in excess profits net income of C, D, and E, if any, for each of their respective periods, or the excess of the deficits, as the case may be; by dividing such excess by the number of days in the period January 1, 1937, through June 30, 1938; and by multiplying the resulting quotient by 365.

Example (3). The F, G, and H Corporations were in existence prior to 1936 and all computed their income tax on a fiscal year basis beginning March 1. On July 1, 1937, the F Corporation transfers its assets to the H Corporation in a Supplement A transaction and continues in existence with new assets acquired in exchange for the stock of H. On December 31, 1937, the H Corporation acquires the assets of the G Corporation in a Supplement A transaction and the G Corporation goes out of existence. The H Corporation changes to a calendar year basis beginning January 1, 1938. Assuming the figures shown below, the excess profits net income of the H Corporation for the base period year 1937 is $365,000, computed as follows:

(1) Excess profits net income of—	
G, for period March 1, 1937–Dec. 31, 1937	$200,000
H, for period March 1, 1937–Dec. 31, 1937	186,000
(2) Aggregate excess profits net incomes for taxable years beginning in base period	386,000
(3) Deficit in excess profits net income of F, for period March 1, 1937–July 1, 1937 (deficit)	80,000
(4) Excess of (2) over (3)	306,000
(5) Number of days in period March 1, 1937–Dec. 31, 1937	306
(6) Excess Profits net income placed on an annual basis ($306,000 ÷ 306 × 365)	365,000

Actual experience method. The treatment under this method in cases in the first category applies only if it would be necessary under the daily average method to place the experience for the taxable years on an annual basis, as provided above under such method. Under this method, the actual excess profits net income (or deficit) of the corporations falling within this category for the period of 12 months beginning with the first day of the first taxable year in such base period year of any such component corporation shall be considered the total (or group) excess profits net income (or deficit) of such corporations for all their taxable years beginning in such base period year. If such 12-month period ends after May 31, 1940, or with or after a month in which a Supplement A transaction occurs in a taxable year of the acquiring corporation not beginning in such base period year, the experience after such date or such month, whichever first occurs, shall not be used. In such case, there shall be added to the experience used the experience for as many consecutive months immediately preceding the beginning of the period of months used as will produce an aggregate period of 12 months. The first rule may be illustrated by example (2) above, where, under the actual experience method, the actual experience of the C, D, and E Corporations for the calendar year 1937 would be used. The second rule may be illustrated by example (3) above, if it is assumed that the first rule is not applicable by reason of another Supplement A transaction occurring in January 1938. In such case, under the actual experience method, the actual experience of the F, G, and H Corporations for the period of 12 months ending with December 31, 1937, is to be used.

In the second category of cases under section 742 (a), previously referred to, are all cases not falling within the first category and in which more than one taxable year of the acquiring corporation is, by reason of the last sentence of section 742 (a), considered to begin in a base period year. Since such taxable years include taxable years of component corporations, a group excess prof-

its net income or group deficit in excess profits net income, as the case may be, is determined for 12 months, in a manner similar to that in the first category above. However, in this second category not all of such components' first taxable years in the base period year begin on the same day as the acquiring corporation's first taxable year in such base period year, as in cases in the first category, and, therefore, the following adjustments are prescribed:

Daily average method. Before applying the daily average method as in the first category, it is necessary in cases falling within this second category to develop conditions equivalent to those existing in the first category by adjusting the experience of any such components to a period beginning on the same day as the beginning of the acquiring corporation's first taxable year in such base period year. This development and the adjustment to be made in this category under the daily average method are shown in the following examples:

Example (1). The A Corporation, which computed its income tax on the calendar year basis, was reorganized on July 1, 1936, in a Supplement A transaction into the B Corporation, which thereafter computed its income tax on a fiscal year basis beginning July 1, (until 1940, when it changed to a calendar year basis). The C Corporation which computed its income tax on a fiscal year basis beginning March 1 was in existence prior to 1936. The B Corporation acquired all of the assets of C in a Supplement A transaction on October 31, 1936. The excess profits net incomes (or deficits) of A and C for such of their taxable years in 1936 as begin before July 1, 1936, are to be adjusted to the period beginning July 1, 1936. Thus, the excess profits net income (or deficit) of A for the period of January 1, 1936–July 1, 1936, is to be divided by 182 (the number of days in the period January 1, 1936–July 1, 1936, inclusive) and the resulting quotient is to be multiplied by 1 (the number of days in the period beginning July 1 and in such taxable year of A beginning before July 1). The excess profits net income (or deficit) of C for the period March 1, 1936–October 31, 1936, is to be placed on the basis of the period July 1, 1936–October 31, 1936. Thus, if the excess profits net income of C for the period March 1, 1936–October 31, 1936, is $49,000, such amount when adjusted will be $24,600, computed by dividing $49,000 by 245 (the number of days in the period March 1, 1936–October 31, 1936, inclusive) and by multiplying the resulting quotient of $200 by 123 (the number of days in the period July 1, 1936–October 31, 1936, inclusive). The amount of $24,600 is to be added to the amounts of excess profits net incomes (or deficits) of the A Corporation, as previously adjusted to the basis of one day, and of the B Corporation for the period July 1, 1936–June 30, 1937. No further adjustment is necessary in this case because the resulting sum is the excess profits net income of the acquiring corporation, B (including A and C), for a period of 12 months which is to be attributed to the base period year 1936.

Example (2). The D Corporation computes its income tax on a fiscal year basis beginning March 1. In 1937, it changed to a fiscal year beginning July 1 (which it continued to use until 1940 when it changed to a calendar year basis). D acquired the assets of corporations in Supplement A transactions as follows: the E Corporation, August 1, 1937; the F Corporation, December 31, 1937; and the G Corporation, May 31, 1938. Assume that the excess profits net incomes or deficits in excess profits net income for the pertinent periods are as follows (the first date at the left indicating the beginning of a taxable year):

D: March 1, 1937–June 30, 1937	$12,200
D: July 1, 1937–June 30, 1938	54,700
E: February 1, 1937–August 1, 1937	18,200
F: April 1, 1937–December 31, 1937 (deficit)	27,500
G: May 1, 1937–April 30, 1938	36,500
G: May 1, 1938–May 31, 1938	3,100

The first day of the first taxable year of the acquiring corporation, D, beginning in 1937 is March 1, 1937. Therefore, the excess profits net income of the E Corporation for its taxable year beginning prior to such date (i. e., beginning on February 1, 1937) must be adjusted to a period beginning on March 1, 1937. The deficit in excess profits net income of the F Corporation for its taxable year beginning after such date (i. e., on April 1, 1937) must be adjusted to the period beginning March 1, 1937. Similarly, the first taxable year of the G Corporation to be taken into account begins after March 1, 1937 (i. e., on May 1, 1937) and, therefore, the excess profits net income for such year must be adjusted to the period beginning March 1, 1937. The following computations result:

E: Excess profits net income for taxable period Feb. 1, 1937–Aug. 1, 1937		$18,200
Divided by number of days in period ($18,200÷182)		100
Multiplied by number of days in period Mar. 1, 1937–Aug. 1, 1937 (154×$100)		15,400
F: Deficit in excess profits net income for taxable period Apr. 1, 1937–Dec. 31, 1937	(deficit)	27,500
Divided by number of days in period ($27,500÷275)	(deficit)	100
Multiplied by number of days in period Mar. 1, 1937–Dec. 31, 1937 (306×$100)	(deficit)	30,600
G: Excess profits net income for taxable period May 1, 1937–Apr. 30, 1938		36,500
Divided by number of days in period ($36,500÷365)		100
Multiplied by number of days in period Mar. 1, 1937–Apr. 30, 1938 (426×$100)		42,600

The excess profits net income of the taxpayer for 1937 therefore will be $73,000, computed in the same manner as in the first category, as follows:

(1) Excess profits net incomes for taxable years beginning in 1937 (the first taxable year in each case beginning on the same day, March 1, 1937):		
D Corporation ($12,200+$54,700)		$66,900
E Corporation		15,400
G Corporation ($42,600+$3,100)		45,700
Total		128,000
(2) Deficit in excess profits net income for taxable year beginning in 1937: F Corporation (March 1, 1937–Dec. 31, 1937)	(deficit)	30,600
(3) Excess of aggregate excess profits net incomes over deficit in excess profits net income		97,400
(4) Amount in (3) divided by number of days in total period (March 1, 1937–June 30, 1938) ($97,400÷487)		2,000
(5) Amount in (4) multiplied by number of days in 1937 ($2,000×365)		73,000

Actual experience method. Under this method, the actual excess profits net income (or deficit) of the corporations falling within this category for the period of 12 months beginning with the first day of the first taxable year in such base period year of the acquiring corporation shall be considered the total (or group) excess profits net income (or deficit) of such corporations for all their taxable years beginning in such base period year. If such 12-month period ends after May 31, 1940, or with or after a month in which a Supplement A transaction occurs in a taxable year of the acquiring corporation not beginning in such base period year, the experience after such date or such month whichever first occurs, shall not be used. In such case, there shall be added to the experience used the experience for as many consecutive months immediately preceding the beginning of the period of months used as will produce an aggregate period of 12 months.

The first rule in this category under the actual experience method may be illustrated by example (1) above in this category, where, under the actual experience method, the total (or group) excess profits net income (or deficit) of the A, B, and C Corporations, for the base period year 1936, would be determined from their actual experience for the 12-month period beginning with July 1, 1936. It will be noted that under this rule no excess profits net income is included with respect to A for the period January 1, 1936–June 30, 1936, or with respect to C for the period March 1, 1936–June 30, 1936. The same rule may be applied similarly to example (2) above in this category.

If the taxpayer desires to use the actual experience method for any base period year, as prescribed in this subdivision, it shall file with its return or claim in which it determines its excess profits tax under the provisions of Supplement A a statement showing the computations of its total (or group) excess profits net income (or deficit) for the taxable years in each of such base period years, together with such explanation as it believes necessary to establish that the total (or group) excess profits net income under this method more clearly reflects actual group excess profits net income (or deficit) for such base period years than does the daily average method. If the total (or group) excess profits net income for any such base period year is finally determined under the actual experience method, or if permission is granted by the Commissioner before a final determination by the Commissioner, the taxpayer, in computing its excess profits tax under Supplement A in any return required to be filed thereafter, may, without the filing of such statement but with reference to the statement as to which the final determination had been made or permission given, use such total (or group) excess profits net income, except as further adjustment may be necessary in the case of the taxpayer under the rules of section 711 (b) (1) (K) (iii).

(B) Section 742 (f) (1) is designed to prevent certain duplications in base period income and transferred capital additions and reductions in certain cases where after December 31, 1935, assets of the taxpayer (or of a corporation which later becomes its component) were transferred for stock in another corporation which later becomes a component of the taxpayer. Section 742 (f) (1) contemplates that, after the Supplement A transaction, the part of the component's base period experience which is attributable to the acquired stock and which occurred before the acquisition of its stock shall under regulations prescribed herein be excluded in determining the taxpayer's Supplement A average base period net income. The adjustment under section 742 (f) (1) shall be made in the cases described in this subdivision, and in all other cases to which section 742 (f) (1) may be applicable, in a manner consistent with the principles underlying such described cases. Except to the extent duplication of experience occurs, no adjustment is necessary under section 742 (f) (1) with respect to stock which the acquiring corporation acquired directly from the corporation whose stock was acquired.

The rules for the application of section 742 (f) (1) for the purpose of computing Supplement A average base period net income under the general average method and under the growth formula (see § 30.742–2 (c)) are set forth in this subdivision. As to determination of excess profits net income for such purpose under the limitations of section 742 (f) (1) for any "vacant" base period year, see § 30.742–2 (d). As to adjustment of daily capital addition or reduction in case of such stock acquisition prior to the Supplement A transaction, see § 30.743–2 (b).

The general application of section 742 (f) (1) may be illustrated by the following examples:

Example (1). The A and B Corporations were in existence on January 1, 1936, and have at all times made their income tax returns on the calendar year basis. On January 1, 1937, A purchased for cash all of the stock in B from the stockholders of B. On December 31, 1939, A acquired all of the assets of B in a Supplement A transaction. In determining A's Supplement A average base period net income, the excess profits net income of A for 1936, 1937, 1938, and 1939 and of B for 1937, 1938, and 1939 will be included and that of B for 1936 will be excluded.

Example (2). The C and D Corporations were in existence on January 1, 1936, and have at all times made their income tax returns on the calendar year basis. On January 1, 1941, C acquired for cash all of D's stock from D's stockholders. On December 31, 1941, C acquired all of the assets of D in a Supplement A transaction. In such a case, section 742 (f) (1) requires the exclusion of D's entire base period experience in computing C's Supplement A average base period net income. (D's capital additions and reductions in 1940 are also required to be excluded. See § 30.743–2 (b).)

In cases in which the taxpayer does not at one time or at any time prior to the Supplement A transaction acquire all of the other corporation's stock, only that part of the component's base period experience before the acquisition which is attributable to the stock so acquired is to be excluded in computing the taxpayer's Supplement A average base period net income. In cases in which the component had only one class of stock outstanding at the time of the Supplement A transaction, the portion of the component's experience to be excluded under section 742 (f) (1) with respect to any part of the base period is an amount which bears the same ratio to the whole of the component's experience for such part as the number of shares of such stock acquired by the taxpayer after such part, and not disposed of prior to the Supplement A transaction, bears to the aggregate number of such shares outstanding at the time of the acquisition of such stock. If any of such shares of stock, whether acquired before or after the beginning of the base period, were disposed of prior to the Supplement A transaction, the shares disposed of shall, for the purpose of this computation, be deemed to be those most recently acquired. The adjustment under section 742 (f) (1) in cases described in this paragraph may be illustrated by the following examples:

Example (1). The E and F Corporations were in existence on January 1, 1936, and have at all times made their income tax returns on the calendar year basis. The outstanding capital stock of F consists of 1,000 shares, all of one class. On January 1, 1937, E purchased for cash 510 shares of such stock from the stockholders of F. On December 31, 1941, E issued stock in exchange for the balance of the stock of F and acquired all of the assets of F in a Supplement A transaction. For the purpose of computing E's Supplement A average base period net income for the tax for 1942 and thereafter, 51 percent of F's excess profits net income or deficit in excess profits net income for 1936 is to be excluded under section 742 (f) (1).

Example (2). Assume the same facts as in example (1) just above and the additional fact that on January 1, 1938, E purchased for cash 340 additional shares of F from the stockholders of the latter, making its total stockholdings in F 850 shares prior to the issuance of its (E's) own stock for the balance of the stock of F and prior to the Supplement A transaction. In such case, there shall be excluded under section 742 (f) (1) an amount equal to 85 percent of F's excess profits net income, or deficit, for 1936 and 34 percent of its excess profits net income, or deficit, for 1937.

Example (3). Assume the same facts as in example (2) just above and the additional fact that on January 1, 1939, E sold 350 shares of the F Corporation stock to various individuals. Accordingly, immediately prior to the issuance of its (E's) own stock for the balance of the stock of F and prior to the Supplement A transaction, E will own 500 shares of the stock of F acquired for assets since December 31, 1935. Therefore, 50 percent of F's excess profits net income, or deficit, for 1936 will be excluded under section 742 (f) (1). No portion of such experience for 1937, 1938, or 1939 will be excluded since the 350 shares sold are presumed to include all of the 340 shares acquired on January 1, 1938, (as in example (2)) and only 10 shares of the 510 shares acquired on January 1, 1937.

Example (4). Assume the same facts as in examples (1), (2), and (3), except that the original acquisition of 510 shares of F's stock occurred prior to January 1, 1936. In such case, no adjustment will be necessary under section 742 (f) (1) because the 350 shares disposed of on January 1, 1939, are deemed to be out of the most recently acquired shares, including in this case all of the shares acquired since December 31, 1935, that is, the 340 shares acquired on January 1, 1938.

Where the corporation whose stock is acquired has at the time of such acquisition more than one class of stock outstanding and the taxpayer does not, prior to the Supplement A transaction, acquire all of the stock of all classes for assets (other than its own stock), the base period experience of the component which is to be excluded under section 742 (f) (1) must be determined upon the basis of the earnings which may be attributed to each class of stock. Where preferred stock is nonvoting and is also limited and preferred as to dividends, the base period excess profits net income may be allocated first to the preferred stock on the basis of the prescribed dividend rate per share. If the only other class is common stock, the balance of such excess profits net income may be allocated to the common stock. The portion of such base period excess profits net income which is attributable to the stock owned by the acquiring corporation is that portion of such base period excess profits net income allocated to the class to which such stock belongs proportionate to the number of shares of such class acquired by the acquiring corporation after December 31, 1935. This rule may be illustrated by the following example:

Example. The G Corporation was in existence on January 1, 1936, and has at all times made its income tax returns on the calendar year basis. It has had outstanding at all times the following shares:

5,000 shares of nonvoting preferred stock of a par value of $100 per share, limited and preferred as to dividends to the extent of $6.00 per share annually.

10,000 shares of no-par value common stock possessing sole voting power.

On January 1, 1938, the H Corporation acquired for cash 6,000 shares of G's common stock from the stockholders of G. The excess profits net income of G for 1936 and 1937 was $100,000 each year. Of this amount, $30,000, representing the prescribed dividend rate of $6.00 a share on 5,000 shares, is allocable to the preferred stock. Of the balance of $70,000 which is allocable to the common stock, 60 percent (the ratio of the 6,000 shares of common stock acquired by H since December 31, 1935, to the total of 10,000 shares of such stock outstanding), or $42,000, will be considered attributable to the stock so acquired by H. Therefore, if H subsequently acquired all of the assets of G in a Supplement A transaction (no stock of G having been purchased or disposed of in the interval), $42,000 of G's excess profits net income for 1936 and 1937 is to be excluded under section 742 (f) (1) in computing the Supplement A average base period net income of H. If G had a deficit in excess profits net income for either 1936 or 1937, or for both, such deficit would be considered attributable solely to the common stock for purposes of determining the portion to be excluded under section 742 (f) (1).

The acquisition of stock by the acquiring corporation may occur on a day in a taxable year of the acquiring corporation other than the first day of such year, as in the cases previously discussed in this subdivision. If such stock acquisition occurred in a taxable year of the acquiring corporation beginning in a base period year, the amount of the component's excess profits net income (or deficit) for its taxable year or years beginning in such base period year to be excluded shall be determined upon the basis of the ratio which the number of days in such acquiring corporation's taxable year or years up to the date of such stock acquisition bears to the total num-

ber of days in such acquiring corporation's taxable year or years. If the stock acquisition occurred in an excess profits tax taxable year for which the tax is being computed and later in such year the Supplement A transaction occurred, the amount of the component's base period experience to be excluded shall be determined upon the basis of the ratio which the number of days in such excess profits tax taxable year of the acquiring corporation up to the date of such stock acquisition bears to the total number of days in such year. This rule may be illustrated by the following examples (in which it is assumed that the base period years are calendar years):

Example (i). The J Corporation purchased for cash all of the stock of the K Corporation from the latter's stockholders on July 2, 1936, and on December 31, 1942, acquired the assets of the K Corporation in a Supplement A transaction. The J Corporation made its income tax returns on the calendar year basis.

(i) If the K Corporation made its income tax returns on the calendar year basis, one-half of K's excess profits net income or deficit in excess profits net income (the ratio which the number of days in the period January 1 through July 1, 1936, (183 days) bears to the total number of days in 1936 (366)) is to be excluded under section 742 (f) (1) in computing J's Supplement A average base period net income.

(ii) If the K Corporation made its income tax returns on the basis of a fiscal year ending July 31, the excess profits net income or deficit in excess profits net income of K for the fiscal year ending July 31, 1937, would otherwise be includible in the group excess profits net income (or deficit) for 1936. Although the stock acquisition occurred before the beginning of such taxable year of K (but after December 31, 1935), nevertheless one-half of such experience of K for its taxable year ended July 31, 1937, is to be excluded under section 742 (f) (1).

(iii) If the K Corporation made its income tax returns on the basis of the fiscal year ending July 31 and then received permission to make its income tax returns on the calendar year basis after the close of its taxable year ending July 31, 1936, K has a short taxable year in 1936 for the period August 1 through December 31, 1936, inclusive. The excess profits net income or deficit in excess profits net income for such short taxable year is to be adjusted to represent 12 months' experience, as provided above in subdivision (A) of paragraph (b) (3) (ii) of this section, and of the amount thus determined, one-half is to be excluded under section 742 (f) (1) in computing the group excess profits net income (or deficit) for 1936.

(iv) If the K Corporation had made its income tax returns on a calendar year basis and then received permission to make such returns on the basis of a fiscal year beginning August 1, 1936, the experience for the two taxable years, January 1, 1936, through July 31, 1936, and August 1, 1936, through July 31, 1937, are to be adjusted to represent 12 months' experience, as provided in § 30.742-2 (b) (3) (ii) (A). Of the amount thus determined, one-half is to be excluded under section 742 (f) (1) in computing the group excess profits net income (or deficit) for 1936.

Example (2). Assume the same facts as in example (1) (including the variations in (i), (ii), (iii), and (iv) thereof) except that J, the acquiring corporation, received permission to make its income tax returns on a fiscal year basis beginning May 1, 1936, and filed its returns on such basis until 1940 when it changed back to a calendar year basis, and that J purchased for cash all of the stock of K from the latter's stockholders on August 31, 1936 (instead of July 2, 1936, as in example (1)). In such case, J has two taxable years beginning in 1936, the taxable year January 1, 1936–April 30, 1936, and the taxable year May 1, 1936–April 30, 1937. The excess profits net income (or deficit) for such two taxable years is to be placed on an annual basis as provided in subdivision (A) of paragraph (b) (3) (ii) of this section. Nevertheless, one-half of the experience of the K Corporation is to be eliminated in computing group excess profits net income for 1936, just as in example (1). This is determined from the ratio of the number of days in such taxable years prior to August 31, 1936, (243, the number of days in the period January 1, 1936–August 30, 1936) to the total number of days in both taxable years (486, the number of days in the period January 1, 1936–April 30, 1937).

Example (3). The L Corporation, which makes its income tax returns on the calendar year basis, on March 2, 1944, purchases for cash all of the stock of the M Corporation from the stockholders of M. On July 2, 1944, L acquires all of the assets of M in a Supplement A transaction. In such case, one-sixth (the ratio of the number of days in the period January 1, 1944–March 1, 1944, 61 days, to the total number of days in 1944, 366 days) of M's experience for each base period year is to be eliminated under section 742 (f) (1) in computing the Supplement A average base period net income of L for the purpose of the excess profits credit to be applied in computing the tax for 1944. For further limitation upon the average base period net income computed after this limitation, see section 742 (f) (2) and subdivision (C) immediately following. In computing the Supplement A average base period net income of L for the purpose of the tax for 1945, the entire base period experience of M is to be eliminated. As to limitations upon the use of M's capital additions and reductions, see § 30.743-2 (b).

Section 742 (f) (1) does not apply where stock of one corporation is acquired by another corporation solely in exchange for the latter's stock. In case stock is acquired in exchange partly for the acquiring corporation's own stock and partly for other property, section 742 (f) (1) is applicable only to the extent that the acquisition is attributable to such other property. Stock which has, in the hands of the taxpayer, a basis determined with reference to the basis of stock previously acquired by the issuance of the taxpayer's own stock shall be considered as having been acquired in consideration of the issuance of the taxpayer's own stock. These rules may be illustrated by the following examples:

Example (1). Corporation N acquires, after December 31, 1935, stock in Corporation O in exchange solely for the stock of N. In a subsequent nontaxable reorganization, N receives new shares of O in exchange for the original shares. If the new shares take the basis of the original shares, the new shares are considered, for the purposes of section 742 (f) (1), to have been acquired for the stock of N, and such section is inapplicable.

Example (2). The P and Q Corporations were in existence prior to January 1, 1936. On January 1, 1937, P acquired all the stock of Q from the latter's stockholders in exchange for stock of P. On January 1, 1938, in a nontaxable reorganization, the X Corporation was organized and acquired all the assets of Q in exchange for its (X's) stock. In connection with this reorganization, P exchanged its stock in Q for the stock in X, and Q was dissolved. On December 31, 1939, P acquired all of the assets of X in a Supplement A transaction. For the purposes of section 742 (f) (1), the stock in X acquired by P is regarded as having been acquired for its own stock and, therefore, no adjustment is required under section 742 (f) (1).

Section 742 (f) (1) applies also in cases in which a component (referred to as the "first corporation") of the taxpayer transfers assets for stock in a corporation (referred to as the "second corporation") and both corporations become components of the taxpayer (the second corporation becoming a component either directly or as a component of the first corporation). The exclusion of a portion of the second corporation's base period experience by reason of the acquisition after December 31, 1935, of its stock for assets by the first corporation is to be made in accordance with the rules previously set forth for excluding the experience of a component when its stock is acquired after December 31, 1935, for assets by the taxpayer. The application of these rules in such cases may be illustrated by the following examples:

Example (1). The R, S, and T Corporations were in existence on January 1, 1936, and have at all times made their income tax returns on the calendar year basis. On January 1, 1937, S purchased for cash all of the stock of T from the latter's stockholders. On January 1, 1938, R purchased for cash all of the stock of S from the latter's stockholders. On December 31, 1939, S acquired all of the assets of T in a Supplement A transaction. On December 31, 1940, R acquired all of the assets of S in a Supplement A transaction. In computing the Supplement A average base period net income of R, there is to be excluded under section 742 (f) (1) the experience of T for 1936 and of S for 1936 and 1937.

Example (2). Assume the same facts as in example (1) above except that the S Corporation made the acquisition of the T Corporation's stock on January 1, 1939, (after the acquisition by R of the stock of S). In such a case there is to be excluded under section 742 (f) (1) the experience of T for 1936, 1937, and 1938 and the experience of S for 1936 and 1937.

(C) Section 742 (f) (2) imposes a limitation in case a corporation becomes an acquiring corporation in an excess profits tax taxable year. In such case only a proportionate amount of the excess profits net income or deficit in excess profits net income of any component corporation acquired upon such transaction may be included in computing the taxpayer's average base period net income for purposes of the excess profits credit for such taxable year. The amount thereof which may be included with respect to each base period year is an amount which bears the same ratio to the total amount of the excess profits net income or deficit in excess profits net income of such component corporation otherwise includible in such base period year as the number of the days in the taxable year after the acquisition takes place bears to the total number of days in the taxable year. In the computation of the excess profits credit based on income for subsequent taxable years, the average base period net income shall, unless otherwise limited, reflect the full amount of the base period excess profits net income or deficit in excess profits net income of such component corporation. Section 742 (f) (2) may be illustrated by the following example:

Example. On October 19, 1942, the X Corporation acquires all of the assets of the Y Corporation in a transaction described in section 740 (a). Both the X Corporation and the Y Corporation were in existence on January 1, 1936, and both corporations have always filed their income tax returns on the calendar year basis. The Y Corporation had an excess profits net income of $100,000 for the calendar year 1936, a deficit in excess profits net income of $10,000 for the calendar year 1937, an excess profits net income of $70,000 for the calendar year 1938, and an excess profits net income of $50,000 for the calendar year 1939. In computing its average base period net income for purposes of the excess profits credit for the calendar year 1942, the X Corporation may include only one-fifth (i. e., 73/365) of the above amounts, i. e., $20,000 for 1936, minus $2,000 for 1937, $14,000 for 1938, and $10,000 for 1939. In computing the excess profits credit for 1943 and subsequent years, however the X Corporation may include the full amount of the base period excess profits net incomes and deficit in excess profits net income of the Y Corporation.

A similar limitation applies in the case of a component corporation for the purpose of computing its excess profits credit for a taxable year of such component beginning after December 31, 1941, and in which the Supplement A transaction occurs. See section 740 (c) (2). In such case, however, the proportionate amount of the average base period net income or Supplement A average base period net income, as the case may be, to be taken into account for the purpose of the component corporation's excess profits credit for such taxable year is in the ratio which the number of days in such taxable year before the day after the transaction bears to the total number of days in such taxable year. Thus, in the above example, in computing the average base period net income or the Supplement A average base period net income, as the case may be, of the Y Corporation (assuming it continues in existence after the transaction) for the purpose of its excess profits credit for 1942, the amounts to be taken into account will be $80,000 for 1936, minus $8,000 for 1937, $56,000 for 1938, and $40,000 for 1939.

(d) *Determination of average base period net income.* The average base period net income of an acquiring corporation, in general, is the sum of the group excess profits net incomes for the base period years for which there were group excess profits net incomes, reduced by the sum of the group deficits in excess profits net income for the base period years for which there were group deficits in excess profits net income, the remainder being divided by four. However, in cases in which the lowest amount for any base period year is less than 75 percent of the average for the other three years, there shall be substituted for such lowest amount an amount of excess profits net income equal to 75 percent of such average, and then the average base period net income shall be computed for the four base period years as under the general rule. This provision as to the lowest base period year is applicable only for the purpose of computing the tax for taxable years beginning after December 31, 1941 (regardless of the election provided in § 30.742-3 (e)). In no case shall the average base period net income be less than zero. This paragraph may be illustrated by the following example:

Example. The group net income or group deficit in excess profits net income of the P Corporation for each of its base period years is as follows (a group deficit in excess profits net income being preceded by a minus sign):

First base period year	$100,000
Second base period year	−50,000
Third base period year	−25,000
Fourth base period year	75,000

The average base period net income of the P Corporation is $46,875, computed as follows:

(1) Group deficit in excess profits net income for lowest year	$50,000
Average for other 3 years (($100,000 − $25,000 + $75,000) ÷ 3)	50,000
75% of average for other 3 years	37,500
(2) Group excess profits net income for first year	100,000
Plus: Group excess profits net income for second year (as determined above for lowest year)	37,500
Plus: Group excess profits net income for fourth year	75,000
Total	212,500
Less: Group deficit in excess profits net income for third year	25,000
Remainder	187,500
Average base period net income ($187,500 ÷ 4)	46,875

Section 742 (d) provides for a minimum average base period net income in the case of a taxpayer which becomes an acquiring corporation in a transaction taking place in a taxable year beginning after December 31, 1939, if, on September 11, 1940, and at all times thereafter until the transaction takes place, either the taxpayer owns at least 75 percent of each class of stock of each qualified component corporation involved in the transaction, or one of such qualified component corporations owns at least 75 percent of each class of stock of the taxpayer and each of the other qualified component corporations. In such case the average base period net income of the taxpayer shall be determined as provided in section 742 (d). The term "qualified component corporation", as used in this paragraph, means a component corporation which was in existence on the date of the beginning of the taxpayer's base period. For the purposes of this paragraph section 740 (g) is not applicable.

(e) *Computation under section 742 (h); increased earnings in last half of base period.* The determination of the Supplement A average base period net income under the method provided in section 742 (h) is operative only if the sum of the group excess profits net incomes of the taxpayer for the second half of its base period, reduced by the sum of its deficits in excess profits net income for such half, is greater than such sum so reduced for the first half and the average base period net income determined under section 742 (h) is greater than the amount determined under section 742 without regard to subsection (h) of such section. The following steps are required for the computation of the Supplement A average base period net income under the method provided in section 742 (h):

(1) The excess profits net income or deficit in excess profits net income of the acquiring corporation and of each component corporation for each taxable year beginning with or within each base period year of the acquiring corporation is determined as provided in paragraph (b) of this section of the regulations.

(2) The group excess profits net income or group deficit in excess profits net income of the acquiring corporation for each of its base period years is determined as provided in paragraph (b).

(3) There is computed for each half of the base period the sum of the group excess profits net incomes for the base period years in such half, reduced, if for one or more of such years there was a group deficit in excess profits net income, by the sum of such group deficits. In making this computation, the lowest amount for any base period year is not adjusted as in the case of the computation under the general average method described in paragraph (b).

(4) The excess of the amount ascertained for the second half over the amount ascertained for the first half is divided by two.

(5) The amount ascertained under subparagraph (4) is added to the amount ascertained under subparagraph (3) for the second half of the base period.

(6) The amount found under subparagraph (5) is divided by two.

(7) The amount ascertained under subparagraph (6) shall be the Supplement A average base period net income determined under the method provided in section 742 (h), except that the Supplement A average base period net income so determined shall in no case be greater than the highest group excess profits net income for any base period year. For the purposes of this limitation, in the case of a corporation which became a component corporation in a Supplement A transaction occurring in a taxable year beginning in the base period, no account shall be taken of its excess profits net income before the day after such transaction or of any of its component corporations acquired before the day after such transaction. (See section 740 (c) (1).)

The computation of the Supplement A average base period net income under the method provided in section 742 (h) may be illustrated by the following examples:

Example (1). The X Corporation, an acquiring corporation, has the following amounts of group excess profits net incomes for the base period years in its base period: 1936, $100,000; 1937, $200,000; 1938, $300,000; and 1939, $400,000. Its Supplement A average base period net income under the method provided in section 742 (h) is $400,000, computed as follows:

(i) Sum of group excess profits net incomes for second half of base period ($300,000 plus $400,000)	$700,000
(ii) Sum of group excess profits net incomes for first half of base period ($100,000 plus $200,000)	300,000
(iii) Excess of item (i) over item (ii)	400,000
(iv) One-half of item (iii) ($400,000 divided by 2)	200,000
(v) Sum of item (i) plus item (iv) ($700,000 plus $200,000)	900,000
(vi) Item (v) divided by 2 ($900,000 divided by 2)	450,000
(vii) Highest group excess profits net income for any base period year (1939)	400,000
(viii) Supplement A average base period net income (item (vii) since such item is less than item (vi))	400,000

Example (2). The X Corporation was in existence throughout its base period and has always made its income tax returns on the calendar year basis. On July 1, 1938, it transferred its property to another corporation in a transaction described in section 740 (a) (1) (A). It immediately exchanged the stock received in such transaction for other assets and continued in business. On December 31, 1938, it acquired all of the assets of the Y Corporation in a Supplement A transaction. The Y Corporation was in existence on January 1, 1936, and made its income tax returns on the calendar year basis. The excess profits net incomes of the X Corporation for 1936, 1937, and 1938 were, respectively, $75,000, $125,000, and $350,000. With respect to the last amount, $200,000 thereof is attributable to the part of 1938 after the transaction in which the X Corporation was a component corporation and $150,000 is attributable to the prior part of such year. The excess profits net incomes of the Y Corporation for 1936, 1937, and 1938 were, respectively, $25,000, $75,000, and $200,000. The excess profits net income of the X Corporation for 1939 was $300,000. In applying the method provided in section 742 (h), the X Corporation is required to take into account its excess profits net incomes for the period before the date of the transaction in which it was a component corporation, but, for the purposes of the limitation as to the maximum amount of Supplement A average base period net income, it is not permitted to take into account such income. (See section 740 (c) (1).) Accordingly, its group excess profits net incomes for the base period years are, respectively, $100,000, $200,000, $550,000, and $300,000, and its Supplement A average base period net income is $400,000, computed as follows:

(i) Sum of group excess profits net incomes for second half of base period ($550,000 plus $300,000)	$850,000
(ii) Sum of group excess profits net incomes for first half of base period ($100,000 plus $200,000)	300,000
(iii) Excess of item (i) over item (ii)	550,000
(iv) One-half of item (iii) ($550,000 divided by 2)	275,000
(v) Sum of item (i) plus item (iv) ($850,000 plus $275,000)	1,125,000
(vi) Item (v) divided by 2 ($1,125,000 divided by 2)	562,500
(vii) Highest group excess profits net income for any base period year for purposes of limitation as to maximum average income (1938). (Effective income for 1938 for purposes of limitation is $400,000 after excluding $150,000 attributable to part of year preceding July 2, 1938)	$400,000
(viii) Supplement A average base period net income (item (vii) since such item is less than item (vi))	400,000

The restriction upon the limitation illustrated in the last example applies also in the case of a component corporation computing the average base period net income under section 713 (f) and not under section 742 (h), for the purpose of its credit for a taxable year beginning after December 31, 1941 (see section 740 (c) (1)). Thus, if in example (2) above, the X Corporation had continued in existence without acquiring the assets of the Y Corporation and, as in the example, its excess profits net income for 1939 was $300,000, its average base period net income computed under section 713 (f) (without the benefit of the experience of Y Corporation) would be limited to $300,000. The otherwise highest amount of excess profits net income, $350,000 for 1938, would be reduced under the restriction in section 740 (c) to $200,000 by the elimination of $150,000 attributable to the part of the taxable year preceding July 2, 1938.

For the purpose of computing the Supplement A average base period net income under the method provided in section 742 (h), section 742 (h) (2) provides certain limitations on the amount of the excess profits net income for any taxable year of the taxpayer or a component corporation beginning in 1939 and ending after May 31, 1940.

Section 742 (h) (2) (A) and (B) may be illustrated by the following example:

Example. The X Corporation makes its income tax returns on the basis of a fiscal year ending September 30. It had an excess profits net income of $400,000 for the fiscal year ended September 30, 1939. Its excess profits net income for the fiscal year ended September 30, 1940, before the application of section 742 (h) (2) (A) and (B), is $600,000. Four months of the latter fiscal year are after May 31, 1940. Under section 742 (h) (2) (A) and (B) the excess profits net income of the corporation for the fiscal year ended September 30, 1940, is $533,333.33, computed as follows:

(i) Excess profits net income before application of section 742 (h) (2) (A) and (B)	$600,000.00
(ii) Amount by which item (i) is to be reduced under section 742 (h) (2) (A) ($^4/_{12}$ of $600,000)	200,000.00
(iii) Item (i) less item (ii) ($600,000 minus $200,000)	400,000.00
(iv) Amount to be added to item (iii) under section 742 (h) (2) (B) ($^4/_{12}$ of $400,000, the amount of excess profits net income for the fiscal year ended September 30, 1939)	133,333.33
(v) Excess profits net income for fiscal year ended September 30, 1940, after application of section 742 (h) (2) (item (iii) plus item (iv), or $400,000 plus $133,333.33)	533,333.33

If on December 31, 1940, the X Corporation acquired the Y Corporation in a Supplement A transaction, and if the Y Corporation had made its income tax returns on the calendar year basis and had an excess profits net income for the calendar year 1939 of $100,000, the X Corporation's group excess profits net income for 1939 would be $633,333.33 ($533,333.33 plus $100,000).

Section 742 (h) (2) (C) may be illustrated by the following example:

Example. The last three taxable years in the base period of the Z Corporation and the number of months in, and the excess profits net income for, such taxable years are as follows:

Taxable years		Number of months	Excess profits net income, not annualized
Beginning—	Ending—		
July 1, 1938	June 30, 1939	12	$400,000
July 1, 1939	Sept. 30, 1939	3	75,000
Oct. 1, 1939	Sept. 30, 1940	12	(600,000)

Under section 742 (h) (2) the excess profits net income of the corporation for the fiscal year ended September 30, 1940 is $508,333.33, computed as follows:

(i) Excess profits net income before application of section 742 (h) (2) (A) and (B)	$600,000.00
(ii) Amount by which item (i) is to be reduced under section 742 (h) (2) (A) 4/12 of $600,000	200,000.00
(iii) Item (i) less item (ii) ($600,000 minus $200,000)	400,000.00
(iv) Amount to be added to item (iii) under section 742 (h) (2) (B) (4/12 of $75,000 but not in excess of $75,000)	75,000.00
(v) Amount to be added to item (iii) under section 742 (h) (2) (C) (1/12 of $400,000)	33,333.33
(vi) Excess profits net income for fiscal year ended September 30, 1940, after application of section 742 (h) (2) (sum of items (iii), (iv), and (v), or $400,000 plus $75,000 plus $33,333.33)	508,333.33

The Z Corporation's excess profits net incomes for the two taxable years beginning in 1939 are required to be placed on an annual basis in order to determine its excess profits net income for the base period year 1939. (See section 742 (a).) For this purpose, its excess profits net income for the taxable year beginning October 1, 1939, and ending September 30, 1940, is the amount as reduced by the application of section 742 (h) (2). If on December 31, 1941, the Z Corporation acquired a component corporation in a Supplement A transaction, and if the component corporation had made its income tax returns on the calendar year basis, Z Corporation's group excess profits net income for the base period year 1939 would be the sum of (A) the excess profits net income of the component corporation for the calendar year 1939 plus (B) the amount resulting from placing Z Corporation's actual excess profits net income for the short taxable year beginning on July 1, 1939, and its excess profits net income for the fiscal year ending September 30, 1940 (as reduced under section 742 (h) (2)) on an annual basis.

(d) *Computation of excess profits net incomes for base period years during which neither taxpayer nor any component corporation was in existence; applicable under both general average method and increased earnings method*—(1) *General.* The base period of an acquiring corporation is composed of four successive 12-month periods, whether or not there is one or more of such base period years during the whole of which neither the acquiring corporation nor any of its component corporations was in existence (although, of course, either the acquiring corporation or one of its components must have been actually in existence prior to January 1, 1940, in order for Supplement A to apply). Section 742 (e) (1) provides a method for determining the excess profits net incomes of the several corporations for a base period year during which none of such corporations was actually in existence.

In the case of an acquiring corporation which acquired its component corporation in a Supplement A transaction occurring before the beginning of such acquiring corporation's last taxable year which began in 1939, the following steps are required for the computation of its excess profits net income for a base period year during which neither the acquiring corporation nor the component corporation was at any time in existence:

(i) The daily invested capital of the acquiring corporation for the first day of its first excess profits tax taxable year is determined.

(ii) There is determined the percentage of such daily invested capital which would be applicable under section 720 in reduction of the average invested capital of the acquiring corporation on account of inadmissible assets for its last taxable year beginning in 1939, in the same manner as if section 720 had been applicable to such year.

(iii) The amount determined under (i) is reduced by an amount equal to the same percentage of such daily invested capital as the percentage determined under (ii).

(iv) 8 percent of the amount found under (iii) is determined.

The amount determined under (iv) is the excess profits net income of the acquiring corporation for such base period year. In such case, no excess profits net income is to be built up for the component corporation for such base period year.

In the case of an acquiring corporation which acquired a component corporation in a Supplement A transaction occurring before the beginning of such acquiring corporation's last taxable year beginning in 1939, the excess profits net income of the acquiring corporation for a base period year during which neither of such corporations was at any time in existence is determined in the manner prescribed in the preceding paragraph, except that, in determining the percentage figure under section 742 (e) (1) (B), the acquiring corporation is considered to have held the admissible and inadmissible assets held by the component corporation (and at the time so held by it) immediately prior to the transaction and during any part of such taxable year of the acquiring corporation. In such case, no excess profits net income is to be built up for the component corporation for such base period year.

In case the Supplement A transaction by which a corporation became a component corporation of its acquiring corporation occurred in the last taxable year of such component corporation beginning in 1939 but on a day in a taxable year of such acquiring corporation beginning in 1940, the following steps are required for the computation of the excess profits net income with respect to such component corporation for a base period year during which neither of such corporations was at any time in existence:

(i) The daily invested capital of the component corporation for the day of the transaction is determined.

(ii) There is determined the percentage of such daily invested capital which would be applicable under section 720 in reduction of the average invested capital of the component corporation on account of inadmissible assets for the 12-month period ending with the day preceding the day of the transaction, in the same manner as if such 12-month period constituted a taxable year and section 720 had been applicable to such taxable year.

(iii) The amount determined under (i) is reduced by an amount equal to the same percentage of such daily invested capital as the percentage determined under (ii).

(iv) 8 percent of the amount found under (iii) is determined.

The amount determined under (iv) is the excess profits net income of the component corporation for such base period year.

In the case of an acquiring corporation which acquired all of the assets of a component corporation after the beginning of both corporations' first excess profits tax taxable year, the excess profits net income for each corporation for a base period year during which neither was at any time in existence is determined in the manner prescribed in the second paragraph of this subsection.

The application of the foregoing rules under section 742 (e) (1) and (2) may be illustrated by the following examples (examples (1) and (2) covering subsection (e) (1) in general; example (3) dealing with the application of subsection (e) (1) (B), and example (4) covering subsection (e) (2)):

Example (1). The F Corporation, on the calendar year basis, was organized on January 1, 1937. The G Corporation was organized on December 1, 1936. It has at all times used a fiscal year ending November 30. On January 1, 1942, the F Corporation acquired the properties of G Corporation in a Supplement A transaction. Since the G Corporation was actually in existence in the base period year 1936, section 742 (e) (1) is not applicable and therefore the F Corporation will not be permitted to build up any income for the first 11 months in 1936.

Example (2). The H Corporation and the J Corporation came into existence on January 1, 1937, and January 1, 1938, respectively. Both corporations have at all times been on the calendar year basis. On January 1, 1942, the H Corporation acquires all of the assets of the J Corporation in a Supplement A transaction. Although the J Corporation was not actually in existence in 1937, the H Corporation was actually in existence in such year. Therefore, no excess profits net income may be built up with respect to such year. However, since neither corporation was actually in existence in 1936, income may be built up for such year. Such income is the excess profits net income built up for each corporation for 1936. In the case of each corporation the built up income is an amount equal to 8 percent of the excess of—

(i) the daily invested capital of the corporation for January 1, 1940, over

(ii) an amount which is the same percentage of such capital as the percentage determined as provided in section 742 (e) (1) (B) under the rules of section 720 by reference to its last taxable year beginning in 1939.

Example (3). The M Corporation came into existence on November 1, 1937. It has at all times used a fiscal year ending October 31. The N Corporation, on the calendar year basis, came into existence on January 1, 1937. On October 1, 1940, the M Corporation acquired all of the assets of the N Corporation in a Supplement A transaction. Here the date of the transaction fell within the M Corporation's last taxable year beginning within 1939, but within the N Corporation's first excess profits tax taxable year. In building up excess profits net income for 1936 (the year in which neither corporation was in existence), there is taken into account only the M Corporation's daily invested capital—for November 1, 1940. The N Corporation's daily invested capital is reflected in the M Corporation's daily invested capital for such day. In determining the percentage figure as provided in section 742 (e) (1) (B) under the rules of section 720 by reference to its taxable year ended October 31, 1942 (to be used in reducing the M Corporation's daily invested capital), the M Corporation is treated as if it had held the admissible and inadmissible assets which the N Corporation held during the period November 1, 1939, through September 30, 1940.

Example (4). The K Corporation, on the calendar year basis, came into existence on January 1, 1937. The L Corporation was organized on July 1, 1937. It has at all times used a fiscal year ending June 30. On March 1, 1940, the K Corporation acquired all of the assets of the L Corporation in a Supplement A transaction. The date of the transaction fell, accordingly, within the K Corporation's first excess profits tax taxable year, but within the L Corporation's last taxable year beginning in 1939. In building up excess profits net income for each corporation for 1936 (the year in which neither corporation was in existence), there is taken into account the K Corporation's daily invested capital for January 1, 1940, and the L Corporation's daily invested capital for March 1, 1940.

(2) *Limitations.* The determination of excess profits net income for vacant base period years is subject to each of the following limitations:

(i) Section 742 (e) (3) acts as a limitation on subsections (e) (1) and (2). The cases generally covered by it are those in which there was cross-ownership of stock between such corporations prior to the Supplement A transaction, but it also covers cases where property or stock of either corporation has been transferred to the other as paid-in surplus or as a contribution to capital. As such, the primary purpose of section 742 (e) (3) is to prevent doubling up on the factor of the daily invested capital carried into the first excess profits tax taxable year as the factor upon which the constructive income allowed under subsections (e) (1) and (2) is computed.

Briefly stated, section 742 (e) (3) provides that in case any corporation described in section 742 (e) (1) owned stock in any other such corporation on the first day of such owning corporation's first excess profits tax taxable year beginning in 1940, then the invested cap-

ital factor, upon which the constructive income allowed under section 742 (e) (1) and (2) with respect to such corporations is computed, shall be adjusted to such extent as may be necessary to prevent such constructive income from reflecting money or property paid in by either of such corporations to the other for stock or as paid-in surplus or as a contribution to capital; or from reflecting stock of either paid in for stock of the other or as paid-in surplus or as a contribution to capital. For this purpose, stock in either such corporation which has in the hands of the other corporation a basis determined with reference to the basis of stock previously acquired by the issuance of such other corporation's own stock shall be deemed to have been paid in for the stock of such other corporation. For certain limitations in other cases of cross-ownership of stock not covered by section 742 (e) (3), see section 742 (f) (1) and § 30.742–2 (b) (3) (ii) (B).

The following example illustrates the nature of the adjustment to be made in cases to which section 742 (e) (3) applies:

Example. The O Corporation and the P Corporation are both on the calendar year basis. The O Corporation came into existence on January 1, 1938. The P Corporation was organized on December 31, 1938, and on that date it issued all of its capital stock to the O Corporation in exchange for assets of the latter. The O Corporation holds this stock continuously until December 31, 1941, at which time it acquires the P Corporation in a transaction described in section 740 (a) (2). Each corporation is entitled under section 742 (e) (1) to a constructive income for the years 1936 and 1937. This constructive income is computed at 8 percent of the excess of its daily invested capital for January 1, 1940, over an amount which is the same percentage of such invested capital as the percentage determined under section 720—generally known as the inadmissible ratio. In the event that the reduction under section 720 in the O Corporation's daily invested capital for January 1, 1940, attributable to the stock in P is an amount which is less than the basis of such stock to the O Corporation, a further adjustment shall be made in its invested capital in order to eliminate duplication of the same invested capital. Assuming that the basis of the P stock to the O Corporation under section 718 (a) (2) is $50,000, that on December 31, 1938, and December 31, 1939, it owned shares in other domestic corporations having a basis of $10,000; and that the O Corporation's daily invested capital for January 1, 1940, is $450,000 (section 742 (c) (1) (A)), the computation of the adjustment required under section 742 (e) (3) may be illustrated as follows:

(i) Total inadmissible assets (based upon computation under section 720)		$60,000
(ii) Total admissible and inadmissible assets computed under section 720 with reference to the aggregate of both classes of assets (§ 30.720–1)		600,000
(iii) Percentage which the total inadmissible assets is of total admissible and inadmissible assets—percent		10
(iv) Daily invested capital of the O Corporation for January 1, 1940, as stated above		450,000
(v) Amount of reduction in the O Corporation's daily invested capital for January 1, 1940, for inadmissible assets under section 742 (e) (1) (B)—10 percent of item (iv)		45,000
(vi) Reduction in the daily invested capital of the O Corporation for January 1, 1940, which is attributable to the stock in the P Corporation $\frac{(50,000 \times 45,000)}{60,000}$		37,500
(vii) Basis of the P Corporation stock to the O Corporation		50,000
(viii) Adjustment to be made in the O Corporation's daily invested capital for January 1, 1940, in order to arrive at the invested capital factor under section 742 (e) (3) upon which constructive income is computed		12,500
(ix) Daily invested capital for January 1, 1940		450,000
Adjustment for inadmissibles under section 720 (item (vi) above)	$45,000	
Adjustment under section 742 (e) (3)	12,500	57,500
(x) Invested capital as adjusted under section 742 (e) (3) upon which constructive income of the O Corporation is computed		392,500

(ii) Section 742 (f) (1) requires the exclusion from Supplement A average base period net income of all or a part of the base period experience of a component which is determined under section 742 (e) for "vacant" base period years, if the taxpayer (or any corporation which later became a component of the taxpayer) acquired for assets (other than its own stock) the stock of such component after such vacant base period year. See § 30.742–2 (b) (3) (ii) (B).

The adjustment necessary under section 742 (f) (1) where excess profits net income for "vacant" base period years would otherwise be determined under section 742 (e) is illustrated by the following example:

Example. The A and B Corporations were both organized on January 1, 1937, and have at all times made their income tax returns on the calendar year basis. On January 1, 1938, A purchased for cash all of the stock of B from the latter's stockholders. On December 31, 1940, A acquired all of the assets of B in a Supplement A transaction. Under section 742 (e), the excess profits net incomes of A and B for 1936 are to be determined separately. However, by reason of section 742 (f) (1), the experience of B prior to January 1, 1938, is to be excluded, and therefore no excess profits net income need be determined for B for 1936.

The application of section 742 (f) (1) in other cases described in section 742 (e) but not illustrated above is to be determined in accordance with the above principles and those of § 30.742–2 (b) (3) (ii) (B).

(e) *Election to have amendments to Supplement A made by Revenue Act of 1942 apply to taxable years beginning after December 31, 1939, and before January 1, 1942.* A taxpayer may elect to have the amendments to Supplement A made by the Revenue Act of 1942 apply retroactively (with the exceptions indicated below) to all its taxable years beginning after December 31, 1939, and before January 1, 1942. If a taxpayer elects to have such amendments so apply, each such amendment shall be applicable to such taxable years, except such of the amendments as by their terms are limited to taxable years beginning after December 31, 1941. The election does not apply to the last sentence of section 740 (c), as added by the Revenue Act of 1942, or to the repeal of section 741 (b), which amendments by their terms are retroactive to all taxable years beginning after December 31, 1939. The amendments which by their terms are limited to taxable years beginning after December 31, 1941, and therefore are also not subject to the election are the provisions of section 740 (c) (except the last sentence thereof) and section 742 (b) (2).

If the taxpayer desires to make the election described in the preceding paragraph, the election must be made on or before whichever one of the following applicable dates occurs first:

(1) June 15, 1943, if an excess profits tax return for a taxable year beginning after December 31, 1941, is filed for such year and if such return is filed on or before June 15, 1943,

(2) The date of the filing of the taxpayer's excess profits tax return for its first taxable year beginning after December 31, 1941, for which an excess profits tax return is filed if such return is filed after June 15, 1943, or

(3) The date of expiration of 30 months after the filing of the excess profits tax return (or, if no such return was filed, after the date on which such return was due or would have been due if such return were required to be filed) for the taxpayer's first taxable year beginning after December 31, 1939.

The election once made shall be irrevocable and shall apply to all taxable years of the taxpayer beginning before January 1, 1942.

In order to make such election, the taxpayer shall, within the time prescribed, file with the collector the following:

(i) A statement that the taxpayer elects to have such amendments apply to each of the taxable years beginning after December 31, 1939, and before January 1, 1942, and

(ii) A statement with respect to each such taxable year setting forth (A) the Supplement A average base period net income for such taxable year, computed under Supplement A as amended by such amendments, (B) the excess profits credit for such year based upon the Supplement A average base period net income for such year so computed, and (C) the excess profits tax or unused excess profits credit (as defined in section 710 (c) (2)), if any, as the case may be, for such year resulting from the use of the excess profits credit so computed. Such statement shall not constitute a claim for credit or refund. If the application of the amendments made by the Revenue Act of 1942 results in an overpayment in the amount of tax for any taxable year, a timely claim for credit or refund on Form 843 should be filed in the usual manner. For limitations upon credits and refunds generally, see section 322.

PAR. 27. There is inserted immediately preceding § 30.743–1 the following:

SEC. 228. RULES FOR INCOME CREDIT IN CONNECTION WITH CERTAIN EXCHANGES. (Revenue Act of 1942, Title II.)

* * * * * *

(d) *Amendments to Section 743.* Section 743 is amended to read as follows:

SEC. 743. NET CAPITAL CHANGES.

(a) *Taxpayer using this supplement.* For the purposes of section 713 (g), if the transaction which constitutes the taxpayer an acquiring corporation occurs in a taxable year of the taxpayer which begins after December 31, 1939, and the taxpayer's average base period net income is computed under section 742, the following rules shall apply in computing the daily capital addition and reduction of the taxpayer for each day after such transaction:

(1) The transferred capital addition or reduction of the component corporation shall be treated as if it were a capital addition or reduction, as the case may be, of the taxpayer.

(2) The transferred capital addition of the component corporation shall be its daily capital addition as of the time immediately before the transaction (computed under section 713 (g), but without regard to its reduction under the fourth sentence of paragraph (3) on account of excluded capital, but with the application of paragraph (6) of this subsection).

(3) The transferred capital reduction of the component corporation shall be its daily capital reduction as of the time immediately before the transaction (computed under section 713 (g) but with the application of paragraph (7) of this subsection).

(4) In computing the daily capital addition of the taxpayer, money or property paid in to the taxpayer by any of its component corporations, and property consisting of stock in any such component corporation paid in by shareholders of such component corporation, shall be disregarded.

(5) In computing the daily capital reduction of the taxpayer, distributions by the taxpayer to any of its component corporations not out of earnings and profits shall be disregarded.

(6) In computing the transferred capital addition of the component corporation, money or property paid in to such component corporation by the taxpayer or any other component corporation and property consisting of stock in the taxpayer or any other component corporation paid in by shareholders of the taxpayer or other component corporation, shall be disregarded.

(7) In computing the transferred capital reduction of the component corporation, distributions by such component corporation to the taxpayer or any other component corporation shall be disregarded.

(8) The daily capital addition of the taxpayer to which any amount is added under paragraph (1) shall be the amount thereof computed before its reduction under the fourth sentence of section 713 (g) (3) on account of excluded capital.

(b) *Rule where acquiring corporation is component of taxpayer.* In cases where an acquiring corporation is a component of the taxpayer, and the transaction which constitutes such corporation an acquiring corporation occurs in a taxable year of such corporation which begins after December 31, 1939, for the purpose of determining the daily capital addition or reduction of the taxpayer the above rules shall be applied in a similar manner to determine the daily capital addition or reduction of such acquiring corporation for each day after such transaction.

* * * * * *

(f) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only to the computation of the tax for taxable years beginning after December 31, 1941, except that (1) the last sentence of section 740 (c), as added by subsection (a) of this section shall be applicable to the computation of the tax for all taxable years beginning after December 31, 1939, and (2) if a taxpayer, within the time and in the manner and subject to such regulations as the Commissioner with the approval of the Secretary prescribes, elects to have such amendments (except those which by their terms are limited to taxable years beginning after December 31, 1941, and except that referred to in clause (1) apply retroactively to all taxable years of the taxpayer beginning after December 31, 1939, such amendments shall also be applicable to the computation of the tax for taxable years beginning after December 31, 1939.

PAR. 28. Section 30.743–1, as amended by Treasury Decision 5045, is further amended by striking out the heading and the first sentence and by inserting in lieu thereof the following:

§ 30.743–1 *Net capital changes for purposes of tax for taxable years beginning before January 1, 1942.* The regulations prescribed in this section are applicable only for the purpose of computing the tax for taxable years beginning before January 1, 1942, but shall not be applicable in computing the tax for such years if the taxpayer elects, as prescribed in § 30.742–2 (e), to have the amendments made by the Revenue Act of 1942 applicable in computing the tax for all of such years, in which case the regulations prescribed in § 30.743–2 shall be applicable.

No capital addition or reduction shall result to an acquiring corporation from the acquisition of a component corporation, except to the extent such component corporation has a net capital addition or reduction upon the date the transaction takes place.

PAR. 29. There is inserted immediately after § 30.743–1 the following new section:

§ 30.743–2 *Net capital changes for purposes of tax for taxable years beginning after December 31, 1941*—(a) *In general.* The regulations prescribed in this section are applicable only for the purpose of computing the tax for taxable years beginning after December 31, 1941, but shall be applicable in computing the tax for taxable years beginning prior thereto if the taxpayer elects, as prescribed in § 30.742–2 (e), to have the amendments made by the Revenue Act of 1942 applicable in computing the tax for all excess profits tax taxable years beginning after December 31, 1939.

If a taxpayer acquires a component corporation in a Supplement A transaction occurring in a taxable year of the taxpayer beginning after December 31, 1939, and if for the particular taxable year the taxpayer computes its average base period net income under section 742 for the purposes of its excess profits credit, the transferred capital addition of the component corporation is added to the taxpayer's daily capital addition for each day after such transaction and the transferred capital reduction of the component corporation is added to the daily capital reduction of the taxpayer for each such day.

The transferred capital addition of such component corporation is the daily capital addition of such component as of the time immediately before the transaction. Such daily capital addition is computed in accordance with the provisions of section 713 (g) except that it is not reduced on account of the excluded capital of the component corporation. In determining such daily capital addition of the component corporation, there is disregarded (1) money or property paid in to such component corporation by the taxpayer or any other component corporation of the taxpayer and (2) property consisting of stock in the taxpayer or any other component corporation of the taxpayer paid in by shareholders of the taxpayer or other component corporation.

The transferred capital reduction of such component corporation is the daily capital reduction of such component as of the time immediately before the transaction. Such daily capital reduction is computed in accordance with the provisions of section 713 (g). But in determining such daily capital reduction, there is disregarded distributions by such component corporation to the taxpayer or any other component corporation of the taxpayer.

The daily capital addition of the taxpayer to which the transferred capital addition of such component corporation is to be added is its daily capital addition computed in accordance with the provisions of section 713 (g), but before reduction on account of excluded capital. The taxpayer's excluded capital after the transaction, which is taken into account in making the reduction required by section 713 (g), will embrace the excluded capital of the component corporation which is carried over to the taxpayer in the transaction. In computing the daily capital addition of the taxpayer, there is disregarded (1) money or property paid in to the taxpayer by any of its component corporations and (2) property consisting of stock in any such component corporation paid in by the shareholders of that component corporation.

In computing the daily capital reduction of the taxpayer, there are disregarded distributions by the taxpayer to any of its component corporations not out of earnings and profits.

If an acquiring corporation is a component corporation of a taxpayer and if the transaction constituting such corporation an acquiring corporation occurred in a taxable year of such corporation beginning after December 31, 1939, then, for the purpose of determining the daily capital addition or reduction of the taxpayer, the provisions of this section shall be applied in a similar manner in order to determine the daily capital addition or reduction of such acquiring corporation for each day after such transaction.

This section may be illustrated by the following example:

Example. On March 1, 1942, the X Corporation, in exchange solely for its voting stock, acquires all the assets of the Y Corporation, having an adjusted basis for computing loss in the hands of the Y Corporation of $100,000. Immediately after the exchange, the Y Corporation distributes the stock of the X Corporation in complete liquidation. Both corporations make their income tax returns on a calendar year basis. Among the assets of the Y Corporation transferred in the Supplement A exchange were $30,000 of State bonds which it had purchased in 1938 for $32,000. The only money or other property paid into and distributions made by the Y Corporation from January 1, 1940, to March 1, 1942, were as follows:

January 15, 1942, $5,000 was paid into Y Corporation for stock by persons other than the X Corporation or any component thereof.

March 1, 1942, the day of the Supplement A transaction, but at a time prior to the transaction, the Y Corporation distributed $10,000 to shareholders (not including the X Corporation or any component thereof), of which only $7,000 was out of earnings and profits. If, for 1942, the X Corporation computes its average base period net income under Supplement A, it will have for March 2, 1942, and for each day thereafter, $5,000 of capital addition computed without regard to excluded capital, $32,000 of excluded capital (assuming the State bonds are retained for the balance of the year), and $3,000 of capital reduction. Such amounts will be added to the X Corporation's own capital additions, excluded capital, and capital reductions for 1942 in computing its capital additions and reductions under section 713 (g) for the purpose of its excess profits credit. No portion of the $100,000 paid in for stock on March 1, 1942, may be taken into account.

(b) *Limitation under section 742 (f) (1).* Section 742 (f) (1) requires the exclusion from transferred capital addition or reduction of any capital addition or reduction (determined as provided in section 743) of a component corporation attributable to stock of such component acquired for assets (other than its own stock) of the acquiring corporation before the Supplement A transaction. Necessarily this rule applies only in case the acquisition of such stock occurred on or after the beginning of the first excess profits tax taxable year of the component corporation, after such capital additions and reductions occurred, and before the Supplement A transaction. Such capital additions and reductions are to be attributed to such stock acquisitions in accordance with the principles of § 30.742–2 (b) (3) (ii) (B) and the purposes of section 742 (f) (1). No adjustment is necessary under section 742 (f) (1) with respect to stock which was acquired by the acquiring corporation directly from the corporation whose stock was acquired, unless duplication results and such duplication is not corrected under section 743.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62), as made applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C. 729 (a)), and secs. 201, 205 (g) (2), 212, 214, 215, 216, 223, 224, 225, and 228 of the Revenue Act of 1942 (Public Law 753, 77th Congress))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 11, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3932; Filed, March 13, 1943; 12:06 p. m.]

[T.D. 5243]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

WAGE AND SALARY PAYMENTS

Regulations 103 amended to conform to § 4001.10 (a) of the regulations prescribed by the Economic Stabilization Director under the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, etc.," and approved by the President, and to conform to § 1002.28 of Treasury Decision 5186 promulgated under the former section.

Section 5 (a) of the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Public No. 729, 77th Congress, 2d session) provides that no employer shall pay, and no employee shall receive, wages or salaries in contravention of the regulations promulgated by the President under this Act. This section further provides that the President shall also prescribe the extent to which any wage or salary payment made in contravention of such regulations shall be disregarded by the executive departments and other governmental agencies in determining the costs or expenses of any employer for the purposes of any other law or regulation. Section 4001.10 (a) of the regulations relating to wages and salaries prescribed by the Economic Stabilization Director under this Act and approved by the President on October 27, 1942 (7 F.R. 8748) provides in effect that the entire amount of any wage or salary payment made in contravention of the above-mentioned Act, or the regulations, rulings, or orders promulgated thereunder, as determined by the National War Labor Board or the Commissioner of Internal Revenue, as the case may be, shall be disregarded by the executive departments and all other agencies of the Government for the purpose of calculating deductions under the revenue laws of the United States. That section further provides what amount of the wage or salary payment is to be disregarded for this purpose in the case of wage and salary decreases, wage and salary increases, and excessive salary payments, made in contravention of such Act, or of the regulations, rulings, or orders promulgated thereunder. The extent to which such wage and salary payments shall be disregarded is further described in § 1002.28 of Treasury Decision 5186, approved December 2, 1942, which constitutes the regulations promulgated by the Commissioner under the foregoing Act and regulations.

Section 3791 (a) of the Internal Revenue Code provides in effect that the Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of the Code, and may make all such regulations, not otherwise provided for, as may have become necessary by reason of any alteration of law in relation to internal revenue.

Pursuant to the provisions of the last-mentioned section of the Code and in order to conform Regulations 103 to the provisions of the Act of October 2, 1942, and to the provisions of the regulations promulgated thereunder, Regulations 103 are amended as follows:

PARAGRAPH 1. There is inserted immediately after § 19.23 (a)–15 the following new section:

§19.23 (a)–16 *Wage and salary payments in contravention of wage and salary limitations not deductible*—(a) *General.* In any case in which a wage or salary payment, for which a deduction would otherwise be allowable under section 23 (a), is determined by the National War Labor Board, by the Secretary of Agriculture, or by the Commissioner to have been made in contravention of the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Public No. 729, 77th Congress, 2d session) or of the regulations, orders, or rulings promulgated thereunder, the entire amount of such payment shall be disallowed as a deduction under section 23 (a). Such a payment will not be allowed for this purpose notwithstanding that the same payment is also disallowed (1) for the purpose of determining costs or expenses of an employer for the purpose of some other law or regulation, either heretofore or hereafter promulgated, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof; or (2) for the purpose of determining costs or expenses under any contract made by or on behalf of the United States.

(b) *Amount of illegal wage or salary payment not deductible*—(1) *Unauthorized wage or salary increases.* In the case of a wage or salary increased in contravention of the Act, or of the regulations, rulings, or orders referred to under paragraph (a) of this section, the amount which is not to be allowed as a deduction under this section is the amount of the wage or salary actually paid or accrued by the employer at the increased rate and not merely an amount representing the increase in such wage or salary. Thus, if, for example, on November 1, 1942, a weekly salary rate of $100 or a wage rate of $2 an hour is unjustifiably increased for the remainder of 1942 to $150 or $3, respectively, then the amounts not deductible under this section are the total weekly amounts of $150 or the total hourly amounts of $3, as the case may be. Also, if, for example, on February 1, 1943, a weekly salary rate of $100 or a wage rate of $2 an hour is increased without prior required approval to $150 or $3, respectively, but is restored on June 1, 1943, after formal disapproval, to $100 or $2, respectively, then the amounts not deductible under this section are the total weekly amounts of $150 or the total hourly amounts of $3, as the case may be, paid from February 1, 1943 to June 1, 1943, inclusive.

(2) *Unauthorized wage or salary decreases.* In the case of a wage or salary decreased in contravention of the Act, or of the regulations, rulings, or orders referred to under paragraph (a) of this section, the amount which will not be allowed as a deduction under this section is the amount of the wage or salary actually paid or accrued by the employer at the reduced rate. Thus, if, for example, on November 1, 1942, a weekly salary rate of $100 or a wage rate of $2 an hour has been unjustifiably reduced for the remainder of the calendar year 1942 to $90 or $1.80, respectively, the amounts not deductible under this section are the total weekly amounts of $90 or the total hourly amounts of $1.80, as the case may be.

(3) *Excessive salaries.* In the case of a salary in excess of the amount allowable under the Act, or the regulations, orders, or rulings referred to under paragraph (a) of this section, which is paid to, authorized to be paid to, or accrued to the account of an employee during his taxable year (as distinguished from the taxable year of his employer) in contravention of such Act, or of such regulations, orders, or rulings, the amount which is not to be allowed as a deduction under this section is the full amount of the salary so paid, authorized, or accrued, and not merely the amount representing the excess over the amount allowable under such Act, or under such regulations, orders, or rulings. Thus, if, for example, under such Act, or under such regulations, orders, or rulings an employee would be entitled to receive a total salary during his taxable year of $67,200 for services rendered in such year, but actually receives $100,000 for such services, then the entire amount of $100,000 is not deductible under this section.

PAR. 2. Wage or salary payments otherwise deductible under any section of chapter 1 of the Code, including sections 23 (p), 201, and 207, shall not be deductible under such section unless they would, if otherwise deductible under section 23 (a), be deductible under the foregoing paragraph.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 12, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3967; Filed, March 13, 1943; 3:42 p. m.]

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That said petitions be, and the same hereby are, consolidated;

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 25, 1943.

[SEAL] DAN H. WHEELER,
Director.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Dockets Nos. A-1854, A-1862 and A-1863]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER OF CONSOLIDATION, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of Mine Index No. 333 and for changes in shipping points for the coals of certain other mines.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Mine Index No. 333 in District No. 7 and changes in shipping points for the coals of certain other mines also located in District No. 7; and

It appearing that said petitions should be consolidated and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

Price Schedule for District No. 7 and supplements thereto.

Classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum

SHIPMENTS EXCEPT TRUCK

Alphabetical list of code members—Supplement R

[Showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1									
								1	2	3	4	5	6	7	8	9	10
726	Ames Mining Company c/o D. H. Morton	Ames Mining Co	2	Sewell	1 Ames, W. Va	C. & O	10	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
61	Eastern Gas and Fuel Associates (Koppers Coal Division) c/o H. Doolittle	Keystone	3	Powellton	2 Vivian, W. Va	N. & W	20	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
111	Eastern Gas and Fuel Associates (Koppers Coal Division) c/o H. Doolittle	Maitland	3	Powellton	3 Vivian, W. Va	N. & W	20	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

(*) When shown under a Size Group Number, the symbol in lieu of cents per ton identifies the Size Group.
Denotes change in shipping point. Shipping point at Keystone, W. Va., shall no longer be applicable.
Denotes change in shipping point. Shipping point at Maitland, W. Va., shall no longer be applicable.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members* [Alphabetical list of code members having railway loadline facilities, showing price classifications by size groups for all uses except as separately shown]

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area—* Supplement T

Coal number index	Mine	Mine index No.	Subdistrict No.	County	Seam	All lump 3" or larger, all egg and stove	All nut, or pea 1¼" top size or smaller	Screened M/R	Straight mine run	1¼" screenings	3/4" screenings
						1	2	3	4	5	6
Harlan, Ky. 01.....	Old MacDonald....	333	2	Fayette ...	Sewell ...	----	-----	300	235	...	---

[F. R. Doc. 43-3859; Filed, March 12, 1943; 11:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 137, 2d Ed.]

PART 627—APPEAL TO BOARD OF APPEAL

TRANSFER OF APPEAL IN OCCUPATIONAL CASES

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 627.71 to read as follows:

Transfer of Appeal in Occupational Cases

§ 627.71 *Request for transfer.* When an appeal is taken from the classification or reclassification of a registrant and when such appeal is upon the ground that the registrant should have been deferred by reason of his occupation, the appeal shall be transferred to the board of appeal having jurisdiction over the area in which the registrant is employed provided all of the following conditions are met (but not otherwise):

(1) The first person to appeal from such classification or reclassification files with his appeal a written request for such transfer;

(2) the written request states in what respect an occupational question is involved; and

(3) the written request states the name of the registrant's employer and the street address, county, and State where the registrant is employed.

2. Amend the regulations by adding a new section to be known as § 627.72 to read as follows:

§ 627.72 *Procedure when request for transfer is made.* (a) When a request for transfer of appeal has been made under the provisions of § 627.71, the local board shall forward the registrant's file to its State Director of Selective Service.

(b) When the State Director of Selective Service receives the file of a registrant which has been forwarded under the provisions of paragraph (a) of this section, he shall forward the file either (1) to the board of appeal in his State which has jurisdiction over the registrant's place of employment when such place of employment is within his State, or (2) to the State Director of Selective Service for the State in which the registrant is employed for transmittal to the board of appeal having jurisdiction over such place of employment. The transfer board of appeal shall act on the appeal in the same manner and make the same entries in its records as it makes in the case of an appeal from a local board whose records it normally reviews except that all entries will be made in red ink.

(c) When the transfer board of appeal has acted upon such an appeal, it shall return the file to its State Director of Selective Service who will forward the file either (1) to the local board of origin when it is located within his State, or (2) to the State Director of Selective Service of the State in which the local board of origin is located for transmittal to such local board of origin.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 13, 1943.

[F. R. Doc. 43-3970; Filed, March 13, 1943; 1:47 p. m.]

[Amendment 138, 2d Ed.]

PART 628—APPEAL TO THE PRESIDENT

APPEAL TO THE PRESIDENT IN OCCUPATIONAL TRANSFER CASES

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 628.1-1 to read as follows:

§ 628.1-1 *Appeal to the President in occupational transfer cases.* When, under the provisions of §§ 627.71 and 627.72, a registrant's case has been transferred to a board of appeal having jurisdiction over the area in which the registrant is employed, and such board of appeal is in a different State from the local board of origin, either the State Director of Selective Service of the State in which the local board of origin is located or the State Director of Selective Service of the State in which the transfer board of appeal is located may appeal to the President from the determination of the transfer board of appeal if he deems it to be in the national interest or necessary to avoid an injustice.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 13, 1943.

[F. R. Doc. 43-3971; Filed, March 13, 1943; 1:47 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 30]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Amendment of § 801.2 *Prohibited exportations.* The effective date of paragraph 3 of Amendment No. 11, dated February 18, 1943 (8 F.R. 2146), is hereby amended as follows:

With respect to exportations to all effective destinations except Brazil, said amendment shall become effective April 1, 1943.

With respect to exportations to Brazil, said amendment shall become effective May 1, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 12, 1943.

A. N. ZIEGLER,
Acting Chief of Office
Office of Exports.

[F. R. Doc. 43-3933; Filed, March 13, 1943; 1:52 p. m.]

[Amendment 31]

PART 802—GENERAL LICENSES

IN TRANSIT LICENSES

Paragraph (d) of § 802.9 *General in transit licenses*[1] is hereby amended by deleting from the list of commodities contained therein the following:

Commodity:	Schedule B No.
Measuring, electric, measuring and watt-hour	7.35 .0

[1] 8 F.R. 1549, 2187, 2966.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 12, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-3934; Filed, March 13, 1943; 1:52 p. m.]

[Amendment 32]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION PROCEDURE

Amendment of paragraph (e) (5) of § 808.6 *Application procedure.* The effective date of Amendment Number 16, (8 F.R. 2327), dated February 24, 1943, is hereby amended as follows:

With respect to exportations to all effective destinations except Brazil, said amendment shall become effective April 1, 1943.

With respect to exportations to Brazil, said amendment shall become effective May 1, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong; Pub. Law 638, 77th Cong; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 12, 1943.

A. N. ZIEGLER,
Acting Chief of Office
Office of Exports.

[F. R. Doc. 43-3935; Filed, March 13, 1943; 1:52 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719, sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Limitation Order L-1-e, as Amended March 13, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rubber, steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 976.15 *Supplementary General Limitation Order L-1-e—*(a) *Prohibition of production of trucks and off-the-highway motor vehicles.* Except to the extent that operations are permitted under paragraphs (b) and (c) of this order, after April 11, 1942 no producer of medium and/or heavy motor trucks and/or off-the-highway motor vehicles shall manufacture any such vehicles, irrespective of any orders issued by the Director of Priorities or the Director of Industry Operations prior to April 11, 1942, and regardless of any contracts or other commitments entered into by such producers prior to April 11, 1942.

(b) *February and March quotas.* Nothing in this order shall prevent any producer from completing production of vehicles authorized under quotas established for February, 1942 by Amendment No. 2 to Limitation Order L-1-a, and established for March, 1942 by Amendment No. 3 to Limitation Order L-1-a, as such production has been modified or otherwise affected by the following:

(1) *As to February quotas:*

Telegram dated February 21, 1942 from Director of Industry Operations, authorizing the completion by March 31, 1942 of quotas for medium and heavy motor trucks established for February by Amendment No. 2 to Supplementary General Limitation Order L-1-a.

Telegram dated February 23, 1942 from Director of Industry Operations, supplementing telegram of February 21, 1942, permitting equipment with tires, casings and tubes, of medium and heavy motor trucks authorized for February quotas, on which production was continued into March by authority of the telegram of February 21, 1942, referred to above.

Supplementary Limitation Order L-1-f, extending time for completion of February quotas to April 30, 1942.

(2) *As to March quotas:*

Telegram dated March 18, 1942 from Director of Industry Operations, authorizing producers to equip with tires, casings and tubes, off-the-highway motor vehicles of 24,000 pounds, gross vehicle weight, and over, as reported in balanced units as on hand February 28, 1942, produced under March quotas and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

Amendment No. 4 to Limitation Order L-1-a, prohibiting production under March quotas for motor trucks with a gross vehicle weight of less than 16,000 pounds; and limiting production of March quotas for trucks over 16,000 pounds gross vehicle weight to those produced from semi-fabricated and fabricated materials reported as on hand February 28, 1942.

Amendment No. 6 to Limitation Order L-1-a, authorizing production of medium and heavy motor trucks, in either knock-down or built-up form, from materials assembled for the production of March quotas, in semi-fabricated or fabricated condition, for vehicles under 16,000 but not less than 9,000 pounds gross vehicle weight, as reported as on hand February 28, 1942; but only to fill contracts and orders for delivery to or for the account of the Army, Navy and certain agencies (and export) which must supply tires, casings, and tubes.

Supplementary Limitation Order L-1-f, extending time for completion of March quotas to May 31, 1942.

(c) *War orders not affected.* The prohibition on production imposed by this order shall not apply to any medium and/or heavy motor truck or off-the-highway motor vehicles produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development;

(2) The government of any of the following countries: the United Kingdom, Canada, and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia;

(3) Any agency of the United States Government, for material or equipment to be delivered to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to promote the defense of the United States." (Lend-Lease Act)

(d) *Definitions.* For the purposes of this order:

(1) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(2) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of off-the-highway motor vehicles.

(e) *Authorized production of off-the-highway motor vehicles.* Irrespective of the provisions of paragraph (a), producers may manufacture off-the-highway motor vehicles beginning July 1, 1942 not in excess of a total of five hundred (500) units, for essential civilian and indirect military requirements, and for export, in such quantities and of such types as heretofore have been, or as may hereafter be, from time to time, specifically authorized by the Director General for Operations.

(f) *Protection of production schedules.* Producers of off-the-highway motor vehicles under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule their production of such vehicles as if the orders therefor bore a rating of AA-2X.

Issued this 13th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3929; Filed, March 13, 1943; 11:54 a. m.]

PART 1169—MAHOGANY, PHILIPPINE MAHOGANY AND ALBARCO

[General Conservation Order M–122 as Amended March 13, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of mahogany, Philippine mahogany and Albarco for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1169.1 *General Conservation Order M–122*—(a) *Definitions.* For the purposes of this order:

(1) "Mahogany" means the wood of the several species of the genus Swietenia and the wood of the several species of the genus Khaya, both of the Meliaceae family.

(2) "Philippine mahogany" means the wood of the several species of the genera Shorea, Parashorea and Pentacme of the Dipterocarpaceae family, otherwise known as tanguile, red lauan, tiaong, almon, bagtikan, mayapis and white lauan.

(3) "Albarco," sometimes referred to as Colombian mahogany, means the wood of the genus Carlaniana.

(4) "War-use mahogany, war-use Philippine mahogany and war-use Albarco," means mahogany, Philippine mahogany and Albarco in the form of logs, flitches, knife cut veneer and lumber in all thicknesses of the grades of Firsts and Seconds and Selects (except such highly figured and cross-grained mahogany, Philippine mahogany and Albarco as is not suitable for plywood and parts for aircraft, boats and ships, or for patterns and models), also Firsts and Seconds Wormy, N. O. Wormy, and No. 1 Common (N) Wormy, suitable for patterns and models. The grades of mahogany and Philippine mahogany referred to are those specified in National Hardwood Lumber Association Rule Book in effect on February 15, 1943. Albarco shall be graded in the same way and according to the same standards as mahogany and Philippine mahogany.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(6) "Importer" means any person who imports mahogany, Philippine mahogany or Albarco.

(7) "Dealer" means any person who purchases mahogany, Philippine mahogany or Albarco for resale.

(8) "Fabricator" means any person who uses war-use mahogany, war-use Philippine mahogany or war-use Albarco in any form in the manufacture of semi-finished or finished products consisting wholly or partly of mahogany, Philippine mahogany or Albarco.

(9) "Converter" means any person who manufactures or re-manufactures mahogany, Philippine mahogany or Albarco in the form of logs, sections of logs, blocks, flitches, timbers or lumber, into lumber or veneer or other forms utilizable by fabricators.

(b) *Restrictions on sales and deliveries.* After February 15, 1943, no person, other than an importer acting as such, shall buy or accept delivery of war-use mahogany, war-use Philippine mahogany or war-use Albarco, and no dealer, importer, fabricator or converter shall sell or deliver war-use mahogany, war-use Philippine mahogany or war-use Albarco, except upon the following categories of orders:

(1) Orders specifying delivery to or for the account of any of the agencies or governments specified in paragraph (b) (1) or (b) (2) of § 944.1, Priorities Regulation No. 1, as amended from time to time;

(2) Orders placed by converters, dealers, and fabricators for uses limited to those enumerated in paragraph (d) hereof to satisfy orders by or in behalf of any of the agencies or governments specified in paragraph (b) (1) or (b) (2) of § 944.1, Priorities Regulation No. 1, as amended from time to time;

(3) Orders placed by any person for use in making patterns and models used in the manufacture of products bearing a preference rating of AA–1 or higher; *Provided, however,* That such orders are not for Firsts and Seconds or Selects.

(4) Orders placed by dealers to replace an equal number of board feet of war-use mahogany, war-use Philippine mahogany or war-use Albarco delivered subsequent to May 26, 1942, for the uses specified in paragraph (d), subparagraph (2), of this order: *Provided, however,* That such orders are not for Firsts and Seconds or Selects.

War-use mahogany, war-use Philippine mahogany, and war-use Albarco replaced in dealers' stocks pursuant to the provisions of this paragraph (b), subparagraph (4), shall be delivered only for the purposes specified in paragraph (d), subparagraph (2), of this order;

(5) Orders placed by importers.

The restrictions in this paragraph (b) on sale or delivery of war-use mahogany, war-use Philippine mahogany, and war-use Albarco shall not apply to the sale or delivery by any person who on May 26, 1942, had in his inventory not in excess of one hundred board feet of war-use mahogany, war-use Philippine mahogany or war-use Albarco, as to such one hundred feet or less of war-use mahogany, war-use Philippine mahogany or war-use Albarco in inventory.

(c) *Restrictions on production.* No converter or fabricator shall process logs into flitches, lumber or veneer, nor further process flitches, as the case may be, unless such logs or flitches are so processed to produce the maximum of war-use mahogany, war-use Philippine mahogany and war-use Albarco obtainable therefrom, in the form desired.

(d) *Restrictions on use.* Except as authorized by paragraph (e) hereof, no person shall consume any war-use mahogany, war-use Philippine mahogany or war-use Albarco in the production of any product or equipment except those hereinafter specified, namely:

(1) Plywood and parts for aircraft, boats and ships to the extent that mahogany, Philippine mahogany or Albarco is specifically permitted by the controlling specifications;

(2) Patterns and models used in the manufacture of products bearing a preference rating of AA–1 or higher; *Provided, however,* That Firsts and Seconds and Selects shall not be used for such purposes.

(e) *Exceptions.* A fabricator acting as such on May 26, 1942, may continue to process stocks of war-use mahogany, war-use Philippine mahogany and war-use Albarco in his possession on that date without regard to the limitations contained in paragraph (d) hereof.

(f) *Allocations.* The Director General for Operations may allocate specific quantities of war-use mahogany, war-use Philippine mahogany and war-use Albarco to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of war-use mahogany, war-use Philippine mahogany and war-use Albarco, or the production by any person of particular items of war-use mahogany, war-use Philippine mahogany and war-use Albarco. He may also direct the manner in which war-use mahogany, war-use Philippine mahogany and war-use Albarco shall be processed to satisfy the categories of orders specified in paragraph (b) above. Such allocations and directions will be made to insure the satisfaction of war requirements in the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, except to the extent that paragraph (b) hereof is in conflict with the provisions of Priorities Regulations Nos. 1 and 3 to which extent the provisions of this order shall be controlling.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(4) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Lumber and Lumber Products Division, War Production Board, Washington, D. C. Ref.: M–122.

(5) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 13th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3928; Filed, March 13, 1943; 11:54 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 8]

PRODUCTION REQUIREMENTS OF CONTROLLED MATERIALS PRODUCERS

§ 3175.8 *CMP Regulation 8*—(a) *Purpose and scope.* It is the purpose of this regulation to provide procedures under which controlled materials producers may obtain controlled materials, Class A products, Class B products and other products and materials required as production materials for the production of controlled materials.

(b) *Definition.* The following definition shall apply for the purposes of this regulation:

"Production material" means, with respect to any controlled materials producer, any material or product which will be physically incorporated in his product, and includes the portion of such material normally consumed or converted into scrap in the course of processing. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation No. 5.

(c) *Applications for allotments by controlled materials producers.* (1) Subject to the provisions of subparagraph (4) of this paragraph (c), where a controlled materials producer requires delivery after March 31, 1943, of controlled materials or of Class A products to be incorporated in a controlled material produced by him, he may apply for an allotment on Form CMP–4B or such other form as may be prescribed for the purpose. In the case of aluminum required for deoxidizing and alloying purposes, thermit reaction, chemical uses and wire for armoring cable, Form CMP–13 shall be used in making applications for allotments under this paragraph (c).

(2) Applications on Form CMP–4B made pursuant to this paragraph (c) should be directed to the Controlled Material Division charged with supervision over the operations of the controlled materials producer, even if a different controlled material is involved. For example, a copper wire mill requiring steel wire (a controlled material) for the production of steel armored copper cable (a controlled material) should direct his Form CMP–4B application for steel to the Copper Division, War Production Board, Washington, D. C. Applications on Form CMP–13 should, however, in all cases, be directed to the Aluminum Division, War Production Board, Washington, D. C. In the case of applications filed pursuant to this paragraph (c) on Form CMP–4B, Sections A, D and E of such form should be left blank.

(3) Allotments of controlled materials will be made to controlled materials producers applying under this paragraph (c), in the same manner as provided in CMP Regulation No. 1 with respect to allotments made for the production of Class A and Class B products; and controlled materials producers applying for and receiving such allotments shall be subject to the same obligations and entitled to the same rights with respect thereto as provided in CMP Regulation No. 1 in the case of other persons applying for and receiving allotments: *Provided,* That a controlled materials producer receiving allotments under this paragraph (c) will receive from his Controlled Materials Division production directions or authorizations in lieu of authorized production schedules.

(4) Where the controlled material required is made out of the same basic metal as that produced by the controlled materials producer and where no Class A product is required, requirements of the controlled materials producer for controlled materials not produced by him will be filled only by directions issued pursuant to paragraph (t) (3) (iii) of CMP Regulation No. 1, in which case Form CMP–4B is not required. The provisions of paragraph (t) (8) of CMP Regulation No. 1 shall not apply where the controlled material required is made of a different basic metal from that produced by the controlled materials producer involved or where Class A products are required by him as production materials.

(d) *Assignment of preference rating and allotment symbol to controlled materials producers for production materials*—(1) *Preference rating.* Preference rating AA–1 is hereby assigned to deliveries of production materials, other than controlled materials, required for the production of controlled materials by any controlled materials producer who has applied for, and received, specific authorization from the appropriate Controlled Materials Division to operate under this regulation and no controlled materials producer shall use the rating or allotment symbol assigned by this regulation in the absence of such authorization. Such application may be made by letter directed to the appropriate Controlled Materials Division.

(2) *Allotment symbol.* The allotment symbol X–1 is hereby assigned to each controlled materials producer authorized to operate under this regulation, solely for use with the preference rating assigned by paragraph (d) (1) of this regulation, which symbol shall constitute an "allotment symbol" for the purposes of CMP Regulation No. 3. The assignment of such symbol does not constitute the making of an allotment, and such symbol shall not be used to obtain controlled materials.

(3) *Use of rating and allotment symbol for production materials required to fulfill production directives.* A controlled materials producer authorized to operate under this regulation who has received a production directive or other authorization to produce controlled materials, may use the preference rating hereby assigned with the appropriate allotment symbol to acquire production materials, other than controlled materials, in the minimum practicable amounts required to fulfill such production or to replace such production materials in his inventory, subject to the restrictions of paragraph (c) (2) of Priorities Regulation No. 3. He may not use such rating or allotment symbol for any other purpose.

(e) *No extension of customers' allotments or ratings by controlled materials producers.* (1) An authorized controlled material order shall not constitute an allotment of controlled materials to the controlled materials producer with whom it is placed but such order shall be filled in the manner provided in CMP Regulation No. 1.

(2) No controlled materials producer shall, in connection with the production of controlled materials, extend any preference rating received from a customer.

(3) No controlled materials producer shall, in connection with the production of controlled materials, use any allotment received from a customer.

(4) Hereafter, no consumer shall include in any bill of materials or application for allotment, requirements for controlled materials which are required for the production of the controlled material to be included in his product. For example, a consumer requiring steel armored copper cable, shall not state in his bill of materials or application for allotment covering such cable, the steel which will be required by the copper wire mill for the manufacture thereof. The copper wire mill will obtain its requirements of steel wire under the procedures provided for in this regulation. However, in those cases where a consumer has actually received an allotment of controlled materials required for the production of any controlled material, or Class A product to be incorporated therein, he shall, notwithstanding the provisions of this paragraph (e), make an allotment thereof to the controlled materials producer from whom he is to acquire such controlled material, and the controlled materials producer receiving such allotment shall cancel the same and report such cancellation within 15 days to the appropriate Controlled Materials Division. For example, if a consumer requiring steel armored copper cable has received an allotment of steel required for the production of such cable, he must, at the time of placing his order with the copper wire mill, make an allotment of the steel required to produce such cable and the copper wire mill shall not use such allotment but shall cancel the same

and report such cancellation to the Copper Division.

(f) *Use of allotment numbers on delivery orders.* Each controlled materials producer shall place on each delivery order for production materials, other than controlled materials, rated pursuant to this regulation, the allotment symbol assigned by this regulation or by the related allotment certificate, and shall accompany or endorse the same with a certification in substantially the form provided in CMP Regulation No. 3 (in lieu of the certification provided in Priorities Regulation No. 3) or in the optional standard form provided in CMP Regulation No. 7, signed manually or as provided in Priorities Regulation No. 7.

Issued this 13th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43-3930; Filed, March 13, 1943; 11:54 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-251]

M. MINTZ AND J. HURWITZ REALTY CO.

M. Mintz and J. Hurwitz Realty Company, a partnership of M. Mintz and J. Hurwitz, operating in New Orleans, Louisiana, is engaged in the general real estate business. About December 14, 1942, they began the construction and remodelling of a one story brick building located at 319 Exchange Place, New Orleans, Louisiana, which had formerly been used for the storage of second hand furniture. The construction and remodelling was to convert this building into two apartments. Prior to beginning construction, an application on Form PD-406 was filed for priorities assistance, but without waiting for it to be acted on, the respondents began construction, the estimated cost of which was a minimum of $1800. This was a violation of Conservation Order L-41. The respondents had had previous experience in seeking priorities assistance for the remodelling of old buildings.

The beginning of this construction by these parties constituted a wilful violation of Conservation Order L-41 which has impeded and hampered the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.251 *Suspension Order S-251.* (a) Neither M. Mintz and J. Hurwitz Realty Company nor M. Mintz, J. Hurwitz, or any other person shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant to continue or complete construction of the remodelling of the premises situated at 319 Exchange Place, New Orleans, Louisiana except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve M. Mintz and J. Hurwitz Realty Company or M. Mintz or J. Hurwitz, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 13, 1943.

Issued this 13th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3966; Filed, March 13, 1943; 3:18 p. m.]

PART 1068—CANS

[Conservation Order M-81, as Amended March 12, 1943 [1]]

§ 1068.1 *Conservation Order M-81*—(a) *Definitions.* (1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M-200.

(2) "Tinplate" means any sheet steel coated with tin and includes "primes", "seconds", "waste-waste" (except "electrolytic waste-waste"), and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 29-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack", unless particularly specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of cans.* (1) No person shall sell or deliver any can except under a purchase order or contract validated by a delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any can which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall manufacture any can smaller than 5 gallons, with ears, bails, or handles.

(c) *Restrictions upon purchase, acceptance of delivery, and use of cans.* (1) No person shall, during the calendar year 1943 (or the seasonal year 1942–1943, when specified), purchase, accept delivery of, or use for packing a product any can except to the extent permitted in Schedules I, II, and III, attached to this order: *Provided, however,* That a jobber or retail store may obtain and sell cans in conformity with the provisions of this order.

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, sizes of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall obtain except for products for which a seasonal year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M-104.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to the extent specifically permitted in the schedules attached to this order.

(d) *Exceptions.* (1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of the following cans:

(i) Cans for packing any product which is not to be sold.

(ii) Fiber or paper bodied cans with ends made of waste, for packing any food product for human consumption, and antiseptic or medicinal powders.

(iii) Cans for packing any product not listed in the schedules attached to this order, when such cans were completely manufactured on or before December 9, 1942, or when all the component parts for such cans were cut to individual size or were partially assembled before said date: *Provided,* That this paragraph (d) (1) (iii) shall not apply when such cans can be used for any products otherwise permitted by this order, and provided that this paragraph (d) (1) (iii) shall not apply to open-top sanitary cans made of tinplate.

(iv) Cans for packing any product not listed in Schedules I and II attached to this order, when such cans are to be delivered pursuant to a letter of intent approved by, or a purchase order or contract negotiated for or with the Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States.

(2) Notwithstanding the restrictions pertaining to the size of cans or the materials from which cans may be manufactured, but subject to quota restrictions imposed by this order, a person may use for packing any product listed in the schedules attached to this order, any cans which were completely manufactured on or before December 9, 1942, or any cans for which all component parts were lithographed, cut, or otherwise prepared for assembly, on or before said date.

(3) No certificate shall be required for the sale or delivery of cans to any purchaser who has already filed a certificate with his seller under Conservation Order M-81.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref.: M-81.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *1942 Calendar year pack.* Until December 31, 1942, no person packing on a calendar year basis shall purchase, accept delivery of, or use any can for packing any product except in accordance with Conservation Order M-81, as amended June 27, 1942, (including amendments thereto).

Issued this 12th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

---
(Name of Seller)

(Address of Seller)

pursuant to this or future purchase orders or contracts, in violation of terms of such order.

Date ----------

(Legal name of Purchaser)

By ----------

(Authorized Official)

(Title of Official)

(Address of Purchaser)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CANS

NOTE: The introduction and Schedule I were amended in entirety March 12, 1943.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any order of the Director General for Operations, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a government agency. The designation FDO-22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is hereinafter sometimes referred to as "set aside quotas."

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, in columns (4) or (5), and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears. Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers, and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

(3) Wherever the triple asterisk appears in Column (3) for any product, every canner who possesses No. 10-size can equipment shall pack his entire set-aside quota in No. 10 cans, if the fullest practicable use of that equipment provides sufficient capacity. If such use does not provide sufficient capacity, he shall pack as much of the set-aside quota in No. 10 size cans as such capacity does permit and shall pack the balance of that quota in the other sizes of cans permitted for the particular product.

Product	Packing quota	Can sizes	Can materials	
			Body	End
(1)	(2)	(3)	(4)	(5)
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed.	FDO-22	10	1.25 tin	1.25 tin
2. Apple sauce, including sauce from crab apples	FDO-22	2-10***	1.25 tin	1.25 tin.
3. Apricots. Whole apricots not to be packed	FDO-22	2½—10***	1.25 tin.	1.25 tin.
4. Blackberries, black raspberries, boysenberries, logan berries, and youngberries, when packed as berries. Quota applicable to each kind of berries respectively	100% 1942	2-2½—10***	1.50 tin	1.50 tin.
5. Blueberries or huckleberries	FDO-22	10	1.50 tin.	1.50 tin.
6. Cherries, other than white	100% 1942	2-2½—10***	1.50 tin.	1.50 tin.
7. Cherries, white	FDO-22	10	1.25 tin	1.25 tin.
8. Figs	Unlimited	2½—10***	1.25 tin	1.25 tin.
9. Fruit cocktail, consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 7 percent of the fruit cocktail.	FDO-22	2	1.25 tin	1.25 tin
10. Grapefruit, segments	Unlimited	2-3 cyl-10***	1.25 tin.	1.25 tin.
11. Grapefruit juice	FDO-22	2-3 cyl-10***	1.25 tin.	1.25 tin.
12. Orange juice	FDO-22	2-3 cyl-10***	1.25 tin.	1.25 tin.
13. Orange-grapefruit juice blended (50% orange—50% grapefruit)	Unlimited	2½—10***	1.25 tin.	1.25 tin.
14. Peaches (clingstone), halves, slices or cubes	Unlimited	2½—10***	1.25 tin.	1.25 tin.
15. Peaches (freestone), halves, slices, or cubes. Not to be packed in California.	Unlimited	2½—10***	1.25 tin.	1.25 tin.
16. Pears, halves, slices, or cubes	Unlimited	2-2—3 cyl-10***	1.25 tin.	1.25 tin.
17. Pineapple, slices, chunks, crushed, or tidbits. Spears not to be packed.	Unlimited	2-3 cyl-10***	1.25 tin.	1.25 tin.
18. Pineapple juice	100% 1942	2½—10	1.50 tin	1.50 tin.
19. Plums, green or yellow	50% 1942	2½—10	1.50 tin	1.50 tin.
20. Prunes, fresh Italian. Not to be packed in California.				
VEGETABLES AND VEGETABLE PRODUCTS				
21. Asparagus, all-green or culturally bleached	Unlimited	2-2½—10***	1.25 tin	1.25 tin*
22. Beans, green or wax	Unlimited	2-2½—10***	1.25 tin	1.25 tin*
23. Fresh shelled beans (whether referred to as beans or peas).	Unlimited		1.25 tin*	1.25 tin**
Lima beans		2-2½—10***		
Other fresh shelled beans, including but not limited to blackeyed peas or beans, field peas, soy beans.		2-2½—10.		
24. Beets. Whole beets over 1½" diameter not to be packed	FDO-22	2-2½—10***	1.25 tin	1.25 tin*
25. Carrots. Whole carrots not to be packed	FDO-22	2-2½—10***	1.25 tin	1.25 tin*
26. Corn, fresh, sweet, cut	Unlimited	2-10	1.25 tin*	1.25 tin**
Cream style		2-10		
Whole kernel		2-2 vacuum (307 x 306) for vacuum pack-10***		

[1] This document is a restatement of Amendment 1 to M-81 as Amended February 18, 1943, filed with the FEDERAL REGISTER at 10:58 a. m., March 12, 1943, and reflects the order in its completed form as of March 12, 1943.

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
VEGETABLES AND VEGETABLE PRODUCTS—con.				
27. Peas, green	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10.***	1.25 tin*	1.25 tin**.
28. Pumpkin and squash	FDO-22	2½	1.25 tin	1.25 tin*.
29. Soups:				
Seasonal: Limited to soups which contain not less than 7 percent, by weight of dry solids from any one or more of the following fresh unfrozen vegetables: asparagus, peas, spinach, tomatoes.	Unlimited	1 picnic	1.25 tin	1.25 tin*.
Non-seasonal: Limited to the following kinds of soup which contain not less than the specified percentage, by weight of dry solids from fresh, brined or frozen vegetables, meats, or other products listed in this Schedule I or Schedule II; provided that no person shall use for packing such soups, more than 35 percent, by weight of the frozen vegetables which he used for this purpose during 1942.	75% of total 1942 pack of specified nonseasonal soups.	1 picnic	1.25 tin	1.25 tin*.
Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme, and bouillon—6 percent.				
Clam or fish chowders—8 percent.				
Scotch broth, vegetable, vegetable-vegetarian, pepper pot, ox-tail, mock turtle, country style chicken, and corn chowder—10 percent.				
Beef and vegetable beef—12 percent.				
30. Green leafy vegetables			1.25 tin	1.25 tin*.
Spinach	80% 1942	2½-10***		
Other green leafy vegetables, limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens.	80% 1942	2½-10		
31. Tomatoes	Unlimited	2-2½-10***	1.25 tin	1.25 tin.
32. Tomato catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids.	FDO-22	2½-3 cyl-10***	1.25 tin	1.25 tin*.
33. Tomato juice, which may contain not more than 30 percent of other vegetable juices.	Unlimited	2-3 cyl-10***	1.25 tin	1.25 tin*.
34. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037), by weight of dry tomato solids, and not less than 10.0 per cent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	Unlimited	2-10***	1.25 tin	1.25 tin*.
		5 gal reusable	1.25 tin	1.25 tin.
	125% 1942 pack of sizes 8Z and 1 picnic.	8Z—1 picnic	1.25 tin	1.25 tin*.
35. Tomato paste, from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids.	Unlimited	2½-10***	1.25 tin	1.25 tin*.
		5 gal reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 6Z.	6Z	1.25 tin	1.25 tin*.
36. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	2-2½-10***	1.25 tin	1.25 tin*.
		5 gal reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 1 picnic.	1 picnic	1.25 tin	1.25 tin*.

NOTE. Tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from 5-gal. or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste, or tomato pulp or puree), but none may be repacked in the same form.

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FISH AND SHELLFISH (Processed, and in hermetically sealed cans)				
37. Clams, soft, hard, or razor	Unlimited	½ flat (307 x 200.25) (307 x 201.25)-1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409)-10 (603 x 700).	1.25 tin*	1.25 tin*.
38. Crabmeat	Unlimited	½ flat (307 x 201.25).	1.25 tin*	1.25 tin*.
39. Fish flakes. Dried fish flakes not to be packed.	Unlimited	300 (300 x 407)-2 (307 x 409).	1.25 tin*	1.25 tin*.
40. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
41. Fish roe	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
42. Herring, Atlantic Sea, by whatever name known including sardines.	Unlimited	¼ drawn (300.5 x 404 x 014.5)-¾ drawn (307 x 508 x 105)-¾ three piece (308 x 412 x 112)-300 (300 x 407).		
Packed in oil			1.25 tin*	1.25 tin**.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
43. Herring, Pacific Sea	Unlimited	1 tall (301 x 411)		
Packed in oil			1.25 tin*	1.25 tin**.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
44. Herring, river (alewives)	Unlimited	300 (300 x 407)-2 (307 x 409).	1.25 tin*	1.25 tin*.
45. Mackerel	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
46. Menhaden	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
47. Mullet	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
48. Mussels	Unlimited	1 picnic (211 x 400)-2 (307 x 409)-10 (603 x 700).	1.25 tin*	1.25 tin.*
49. Oysters. No. 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited	1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409).	1.25 tin*	1.25 tin.*
50. Pilchards, by whatever name known including sardines.	Unlimited	8Z short (211 x 300)-½ oblong (308 x 508 x 103)-300 (300 x 407)-1 oval (607 x 406 x 108).		
Packed in oil			1.25 tin*	1.25 tin**.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
51. Salmon	Unlimited	½ flat (307 x 200.25) (307 x 201.25)-1 flat (401 x 210.5) (401 x 211)-1 tall (301 x 411).	1.25 tin	1.25 tin*.
52. Shad	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
53. Shrimp	Unlimited	1 picnic (211 x 400)-5 (502 x 510).	1.25 tin*	1.25 tin*.
54. Squid	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*.
55. Tuna, bonito, and yellowtail	Unlimited	½ tuna (307 x 113)-1 tuna (401 x 205.5)-4 lb. tuna (603 x 408).	1.25 tin*	1.25 tin*.
DAIRY PRODUCTS				
56. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.525, page 2444 and § 18.530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974.	100% 1942	14 oz	1.25 tin	1.25 tin.
57. Evaporated milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.520, page 2444.	Unlimited	8 lb	1.25 tin	1.25 tin.
	90% 1942	6 oz-14½ oz	1.25 tin	1.25 tin.
NOTE.—During 1943 a person's pack of evaporated milk in 6 oz. cans shall not exceed 80% of his 1942 pack of 6 oz. cans.				
FISH AND SHELLFISH (For refrigerated shipment, fresh)				
58. Oysters. Until Apr. 30, 1943	Unlimited	1 gal	CTB	CTB.

SCHEDULE II—FOOD CANS

NOTE. Items 11 and 16 were amended March 12, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MEATS AND MEAT PRODUCTS (Processed and in hermetically sealed cans)				
1. Bacon	None	24 oz 14 lb	1.25 tin*	1.25 tin**.
2. Beef, veal, mutton, and pork; corned, roast, or boiled, and containing not less than 85 percent meat, by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered.		Any size	1.25 tin*	1.25 tin**.
3. Brains	100% 1942	10½ oz	1.25 tin*	1.25 tin**.
4. Meat products as follows:				
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(1)	300 (300 x 107)	1.25 tin*	1.25 tin*.
b. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.	(1)	7 oz	1.25 tin*	1.25 tin**.
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	(1)	3 oz	1.25 tin*	1.25 tin**
d. Sausage in casings, containing no cereal or similar substance, and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight.		4 oz	1.25 tin*	1.25 tin**

[illegible] of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product [illegible]

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
4. Meat products as follows—Continued.				
d. Sausage in casings, etc.—Continued.				
Sausage in oil, lard or rendered pork fat.	(1)	No. 5	1.25 tin*	1.25 tin**.
e. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.	(1)	24 oz	1.25 tin*	1.25 tin**.
f. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	(1)	12 oz	1.25 tin*	1.25 tin**.
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.	(1)	3¼ oz	1.25 tin*	1.25 tin**.
5. Tongue	50% 1942	6 oz	1.25 tin*	1.25 tin**.
6. Turkey, boned, and chicken, boned	None	1 lb	1.25 tin*	1.25 tin**.
MISCELLANEOUS FOODS				
7. Baby foods: Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used; provided that no person shall use, for packing baby foods, more than 35 percent, by weight, of the frozen fruits and vegetables which he used for this purpose during 1942. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	100% 1942	202 BF (202 x 214).	1.50 tin	1.50 tin.
Milk formulas and soybean milk liquid	100% 1942	14½ oz	1.25 tin	1.25 tin.
Milk formulas, dry or powdered	100% 1942	1 lb	0.50 tin	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
8. Dehydrated vegetables	None	10 ½ gal	0.50 tin 0.50 tin	CTB. 0.50 tin.
9. Grape juice and grape pulp	100% 1942	5 gal. reusable	1.50 tin	1.50 tin.
10. Citrus pulp and citrus peel	100% 1942	5 gal. reusable	1.25 tin	1.25 tin.
11. Honey	Unlimited	60 lb. reusable	1.25 tin	1.25 tin.
12. Goat's milk	100% 1942	14½ oz	1.25 tin	1.25 tin.
13. Milk, skimmed, dry or powdered	None	50 lb	0.50 tin	0.50 tin.
14. Milk, whole, dry or powdered	100% 1942	1 lb.-2½ lb.-5 lb.	0.50 tin	0.50 tin**.
15. Special food products; limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	See product column.			
16. Baking powder. Until June 30, 1943	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942.	6-oz. to 32-oz., inclusive.	Fiber	Frozen blackplate and blackplate rejects.

[illegible] of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product [illegible]

SCHEDULE III—NON-FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
16. Gasket assembling compounds	100% 1942	1 qt.–1 gal.	Blackplate.	Blackplate.
17. Glues and adhesive, liquid	100% 1942	1 qt.–1 gal.	SCMT.	SCMT.
18. Grain fumigants, liquid content	100% 1942	1 qt.–1 gal.	Blackplate	Blackplate.
19. Graphite, solid	100% 1942	1 qt.–1 gal.	Blackplate.	Blackplate.
20. Greases, lubricating	100% 1 42	10 lb.–25 lb	Blackplate.	Blackplate.
21. Inks, printing, duplicating, and lithographing. Slip cover style cans of sizes based upon ability to hold the indicated weights of water.	50% 1942	8 oz.–12 oz., 1 lb.–2 lb., 5 lb.–10 lb., 25 lb.–50 lb.	Blackplate.	Blackplate.
22. Lye. Until June 30, 1943	50% 1942	13 oz	Blackplate	Blackplate.
22a. Drain cleaners, until June 30, 1943	50% 1942	12 oz	Blackplate	Blackplate.
23. Toilet bowl cleaners, limited to cleaners containing not less than 30% bisulphate of soda, until June 30, 1943.	50% 1942	10 oz	Blackplate	Blackplate.
24. Nicotine sulphate	Unlimited	5 lb	1.50 tin	1.50 tin.
25. Nitric acid, fuming (outer container)	100% 1942	1 lb	Blackplate	Blackplate.
26. Oils, essential, distilled or cold pressed	100% 1942	1 gal	0.50 tin	0.50 tin.
27. Paints, copper bottom or antifouling	Unlimited	5 gal	1.25 tin	1.25 tin.
28. Paints, pigmented oil or oleoresinous, ready mixed, setitpaste and paste, including but not limited to calcimined lacquers, resin emulsion paste, casein paste, and vegetable protein paste paints.	35% 1942	1 gal	Fibre	Blackplate and fibre bottoms to be made from frozen blackplate or tinplate rejects.
29. Paints, pigmented oil or oleoresinous, ready mixed, setitpaste and paste, including but not limited to calcimined lacquers, resin emulsion paste, casein paste, and vegetable protein paste paints.	35% 1942	1 qt	Fibre	Fibre, bolt-cloth ends. Plug made from waste blackplate may be used in manufacture of cans for 1-gal. fibre and 1-qt. coated paint cans.
30. Phosphorus	100% 1942	1 lb	SCMT	SCMT.
31. Shoe polish, leather dressing, and saddle soap. Until June 30, 1943	50% 1942	Any size	Frozen blackplate and blackplate rejects.	Frozen blackplate and blackplate rejects.
32. Soap, paste limited to mechanic's hand soap. Until June 30, 1943	100% 1942	3 lb	Blackplate	Blackplate.
33. Sodium and potassium metals	100% 1942	1 lb	Blackplate	Blackplate.
34. Sodium peroxide (outer container)	100% 1942	1 oz	Blackplate	Blackplate.
35. Soldering pastes and boiler sealing compounds	100% 1942	Any size	Blackplate	Blackplate.
36. Disinfectants, chemicals, for shipment by Express, when a metal can is required by Interstate Commerce Commission Regulations and no alternate package is permitted.	100% 1942	Any size	Blackplate	Blackplate.
37. Ointment and salve	Unlimited	¼-oz., ½-oz., 1-oz.	Limited to frozen tinplate and frozen blackplate and blackplate rejects.	

INTERPRETATION 1

Frozen tinplate, terneplate or blackplate means only tinplate, terneplate or blackplate which, since prior to December 9, 1942, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate, having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified, without qualifications, in the "Can Material" columns of the schedules attached to the said order. (Issued February 22, 1943.)

[F. R. Doc. 43-3965; Filed, March 13, 1943; 3:18 p. m.]

SCHEDULE III—NON-FOOD CANS

NOTE: Paragraph (1) of the introduction to Schedule III and items 24 and 29 were amended March 12, 1943.

(1) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product listed in this Schedule III, cans packed during the quota period (1942) for the above-mentioned agencies shall be excluded.

(2) Whenever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, Special Coated Manufacturers' Terneplate, may be substituted for making any part or fitting of the can which is required to be soldered.

(3) No compound containing crude rubber, latex, or synthetic rubber as defined in Order M-15-b, shall be used in the manufacture of cans for packing any product listed in this Schedule III.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
1. Abrasives, and grinding and buffing compounds. To be packed in 1 lb. container.	100% 1942	Any size	Blackplate	Blackplate.
2. Acid, nitric. To be packed in 1 lb. container.	100% 1942	1 lb	Blackplate	Blackplate.
3. Bee feeder cans, friction top, for use in shipping bees.	100% 1942	2–2½–5	CTB.	CTB.
4. Benzol, naphtha, toluene, and xylene	100% 1942	1 gal	SCMT	Blackplate.
5. Blood plasma	100% 1942	Any size	0.50 tin	0.50 tin.
6. Caustic potash	100% 1942	2 lb.–10 lb	Blackplate	Blackplate.
7. Calcium cyanide	100% 1942	1 lb.–2¼ lb	SCMT	Blackplate.
8. Calcium hypochlorite, Grade A	100% 1942	3¼ lb.–5 lb	SCMT	Blackplate.
9. Carbon bisulfide	100% 1942	1 lb	Blackplate	Blackplate.
10. Cements, rubber, limited to bolting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry	100% 1942	1 qt.–1 gal	Blackplate	Blackplate
11. Cements, rubber, solvent or latex	100% 1942	1 qt.–1 gal	Blackplate	Blackplate.
12. Chloropicrin, Bromacetone, Monochloroacetone, and mixtures	100% 1942	1 lb	SCMT	Blackplate.
13. Chloroform and ether	100% 1942	Any size	1.25 tin	1.25 tin.
14. Chromic acid (outer container)	100% 1942	1 lb	Blackplate	Blackplate.
15. Fire extinguisher fluid, limited to chlorinated hydrocarbon type.	100% 1942	1 qt.–1 gal	SCMT	SCMT.

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Amendment 1 to Conservation Order M-104 as amended January 1, 1943]

Section 1128.1 *Conservation Order M-104* (8 F.R. 298) is hereby amended in the following particulars:

1. Item 5 listed under Milk and Dairy Products in Schedule I is amended to read as follows:

Product	1943 packing quota	Closure material indicated by X: Tinplate	Blackplate	Rubber
5. Fluid milk, with or without flavoring. Quota Until 9/30/43 100 percent of corresponding period of 1941.	See product column.		X	

2. Schedule V is amended to read as follows:

SCHEDULE V, HOME CANNING CLOSURES

Description of closure	Manufacturer's quota from October 1, 1942 to September 30, 1943	Closure material indicated by X: 0.50 Tinplate	Rubber	Wire bails
1. Shoulder seal jar rings for 70 mm Mason finish.	Subject to allocation of rubber.		X	
2. Top seal jar rings for use with 70 mm glass disc.	Subject to allocation of rubber.		X	
3. Top seal metal lids, 70 mm.[1]	Unlimited	X	X	
4. Bands for 70 mm top seal metal lids.[1]	Unlimited	X		
5. Bands for use with 70 mm. glass lids.	Unlimited	X		
6. Lightening type, 70 mm	Unlimited			X
7. Top seal metal lids, smaller than 70 mm.	Unlimited	X	X	
8. One piece metal closures, 70 mm shoulder seal type.[1]	Unlimited	X	X	
One piece metal closures, 70 mm top seal type.[1]	Unlimited	X	X	

[1] No manufacturer or jobber of glass containers shall sell any jars, intended for home canning, which are made with 70 mm screw finish and which are manufactured on or after April 15, 1943 unless 40 percent or more of such jars have glass lids, screw bands and top seal jar rings attached to them.

Issued this 15th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43-3993; Filed, March 15, 1943; 11:26 a. m.]

PART 3056—PETROLEUM COKE

[Conservation Order M-212, as Amended March 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of petroleum coke for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3056.1 *Conservation Order M-212*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(3) "Raw petroleum coke" means any solid, infusible, carbonaceous residue produced by the destructive distillation of petroleum, when the residue equals or exceeds 5 pounds for every barrel (of 42 gallons) of petroleum processed by destructive distillation.

(4) "Calcined petroleum coke" means raw petroleum coke after being calcined or graphitized.

(5) "Petroleum coke" means raw petroleum coke or calcined petroleum coke.

(c) *Limitations on delivery and use of petroleum coke within the United States.* Subject to the exceptions in paragraph (d) of this order, no person shall deliver petroleum coke within the United States, and no person shall accept delivery of petroleum coke within the United States or use petroleum coke within the United States except where

(1) It is to be incorporated within the United States into the following materials and articles, or it is to be used within the United States in packing the following materials and articles for baking and graphitizing purposes during manufacture:

Anodes
Arc carbons
Bearings
Blocks (for other than fuel purposes)
Bricks (for other than fuel purposes)
Bushings
Cathodes
Diffusers
Dry battery electrodes
Dry battery mixes
Electrical contacts
Electrodes
Extruded specialties
Filters
Fittings
Generator brushes
Joint compounds
Machined specialties
Motor brushes
Moulded specialties
Packing rings
Pipes
Powder
Raschig rings
Resistance and resistor elements
Structural material
Telephone specialties
Tower sections
Tubes
Welding plates
Welding rods, or

(2) It is to be incorporated within the United States into silicon carbide abrasives, or

(3) It is to be used within the United States after receipt of the written authorization of the Director General for Operations authorizing the specific use. Applications for such authorization should be made by the prospective user by letter filed in duplicate addressed to the War Production Board, Aluminum and Magnesium Division, Washington, D. C., Ref.: M-212, which letter should state:

(i) His name and address,

(ii) The quantity and specifications of petroleum coke he proposes to use in the ensuing three months,

(iii) Why he believes no other material may be used instead of petroleum coke,

(iv) The quantity of petroleum coke in his inventory on the date of the letter,

(v) The quantity, if any, of petroleum coke he desires permission to acquire, and

(vi) The name and address of the supplier, if any, from whom he wishes to acquire the petroleum coke.

(d) *Exceptions.* (1) Any person who had in his possession or under his control not in excess of 100 short tons of petroleum coke (exclusive of briquets) on October 10, 1942, may deliver or use within the United States, free from the restrictions of paragraph (c) hereof, any petroleum coke from such stocks; and any person may accept delivery of any petroleum coke from such stocks and thereafter such petroleum coke shall be free from the restrictions of paragraph (c) hereof if used within the United States.

(2) Any person may deliver or use within the United States free from the restrictions of paragraph (c) hereof and any person may accept delivery of or use within the United States free from the restrictions of paragraph (c) hereof, petroleum coke already manufactured into briquets for fuel purposes on October 10, 1942.

(3) Any person may deliver within the United States, and any person may accept within the United States delivery of petroleum coke for export to the Dominion of Canada, free from the restrictions of paragraphs (c) and (e) hereof.

(e) *Limitations on delivery of petroleum coke for export (except to Canada).* No person shall deliver within the United States petroleum coke for export outside of the United States (except to the Dominion of Canada) unless and until he has been specifically authorized by the Director General for Operations to make the specific delivery. Applications for such authorization should be made by the person making delivery by letter filed in duplicate addressed to the War Pro-

duction Board, Aluminum and Mag-

(b) *Definitions.* For the purposes of

(d) *Restrictions on the use of tan-*

PART 1303—ZINC

duction Board, Aluminum and Magnesium Division, Washington, D. C., Ref.: M-212, which letter should state:

(1) His name and address,

(2) The name and address of the prospective user,

(3) The quantity and specifications of petroleum coke he proposes to deliver for export to the prospective user and the period in which he proposes to make delivery, and

(4) The proposed use of the petroleum coke.

(f) *Special directions.* The Director General for Operations may from time to time issue specific directions or prohibitions with respect to the production and qualities of petroleum coke.

(g) *Reports.* Reports shall be made at such times and on such forms as may be prescribed therefor by the Director General for Operations, War Production Board.

[Former paragraph (h) revoked and paragraphs (i) and (j) redesignated (h) and (i) March 15, 1943]

(h) *Communications.* All statements and reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be in duplicate and addressed to: War Production Board, Aluminum and Magnesium Division, Washington, D. C., Ref.: M-212.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

Issued this 15th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3994; Filed, March 15, 1943; 11:26 a. m.]

PART 3163—VEGETABLE TANNING MATERIALS

[General Conservation Order M-277 as Amended March 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported and domestic vegetable tanning materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3163.1 *General Conservation Order M-277*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all the applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Vegetable tanning materials" means the materials and extracts (including blends and combinations thereof) on the following list:

Domestic raw materials and extracts

[NOTE: "Cellulose sulphite by-products" deleted March 15, 1943]

California oak bark
Chestnut oak bark
Chestnut wood
Hemlock bark
Sumac

Foreign raw materials and extracts

Algarobilla (pods)
Divi-divi (pods)
Gambier
Hemlock bark
Mangrove bark
Myrobalans (nuts)
Quebracho wood
Sumac
Tara pods
Tara powder
Urunday
Valonia beards and cups
Wattle or mimosa bark

(3) "Processor" means any person who consumed during 1942, or who hereafter consumes, more than 2,500 tan units of vegetable tanning materials during any one calendar month for the production of leather, furs, pharmaceuticals, crude petroleum oil or any product for treating water, or for any other purpose.

(4) "Inventory" means a processor's vegetable tanning materials within the continental United States (the 48 States and the District of Columbia), including materials in customs bond destined for use in the continental United States, except:

(i) Tan yard liquors.

(ii) Domestic wood, bark or other extract producing raw materials not yet delivered to the purchaser thereof.

(5) "Tan unit" means one pound of 100% tannin as determined by the analytical methods of the American Leather Chemists Association.

(6) "Tan yard liquor" means an aqueous infusion of vegetable tanning materials currently being used in contact with hides and skins to produce leather.

(c) *Non-applicability of inventory restrictions in other regulations and orders.* No person shall be subject to any inventory restriction contained in any other regulation or order issued by the Director of Priorities of the Office of Production Management or by the Director of Industry Operations or the Director General for Operations of the War Production Board in making or accepting deliveries of vegetable tanning materials: *Provided, however,* That except as permitted under paragraph (g) below, no processor shall sell or deliver any part of his present or future inventory of vegetable tanning materials to any person other than the Defense Supplies Corporation or such other agency of the United States as may be designated by the Director General for Operations.

(d) *Restrictions on the use of tanning materials.* Except as specifically permitted by the Director General for Operations, (1) No processor shall use any vegetable tanning material for any purpose other than the following:

(i) The processing of leather.

(ii) The manufacture of pharmaceutical products.

(iii) The manufacture of tannic, gallic and pyrogallic acid.

(iv) The manufacture of water treatment materials (not containing chestnut extract).

(v) The drilling of wells by the petroleum industry (using only quebracho or urunday extract).

(2) No processor shall consume, during any calendar quarter beginning with the first quarter of 1943, a quantity of tan units in excess of one-quarter of the number of tan units consumed by him during 1942 multiplied by the percentage shown in Schedule A.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: M-277.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(i) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

Issued this 15th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

NOTE: Schedule A was amended in its entirety March 15, 1943.

Product	Percent
Leather	100
Pharmaceutical products	100
Tannic, gallic or pyrogallic acid	100
Water treatment materials	100
Petroleum industry	150

[F. R. Doc. 43-3995; Filed, March 15, 1943; 11:26 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 12]

REPLACEMENT OF LOST, STOLEN, DESTROYED, MUTILATED, OR WRONGFULLY WITHHELD RATION BOOKS OR COUPON SHEETS

Pursuant to the authority conferred upon the Administrator by Executive Order 9125, by War Production Board Directive No. 1, and by Food Directive No. 3 of the Secretary of Agriculture, the following rules are hereby prescribed for the replacement of lost, stolen, destroyed, mutilated or wrongfully withheld ration books or coupon sheets.

§ 1300.951 *Purpose of this regulation.* This regulation establishes a uniform procedure for the replacement of ration books which have been lost, stolen, destroyed, mutilated, or wrongfully withheld from the persons to whom they were issued. It applies to all ration books or coupon sheets containing stamps or coupons.

§ 1300.952 *Application for replacement.* An application for replacement of a ration book shall be made to the war price and rationing board having jurisdiction to issue the ration book ought to be replaced. Application shall be made on OPA Form No. R-194 by the person in whose name the ration book was issued, or his agent.

§ 1300.953 *Mutilated or destroyed ration books.* (a) A ration book is mutilated if:

(1) One or more of the unexpired stamps or coupons or the validating stamp have been accidentally detached, or

(2) The commodity, amount, issuing board, name of the person to whom the book was issued, the serial number or other necessary entries cannot be determined or are missing.

(b) The board shall examine the facts presented by the applicant concerning the ration book and if it finds it necessary, may require the applicant to appear before it and to present additional proof. If the board finds that the ration book sought to be replaced was issued to the applicant and that the destruction or mutilation which occurred was not wilful on the part of the applicant, it shall note its decision upon the application and issue a new ration book.

(c) The applicant must surrender the mutilated ration book to the board before a replacement is issued.

§ 1300.954 *Lost or stolen ration books.* (a) An applicant seeking to replace a lost or stolen ration book shall fill out OPA Form No. R-194 in duplicate. The board shall forward the duplicate to the enforcement section in the State or district office for investigation; it shall advise the applicant of that fact and that he is to return to the board ten (10) days later for further action on the application. The board shall examine the facts presented by the applicant concerning the ration book and if it finds it necessary may require the applicant to appear at a hearing before it and to present additional proof. The board shall give notice to the applicant of the time and place of the hearing. The board may require the applicant to report the loss or theft of a ration book to the police before considering his application.

(b) If the board finds from all the evidence that the ration book sought to be replaced was issued to the person seeking such replacement, that the loss or theft occurred, and that the applicant was unable to recover the book after a careful search, it shall note its decision upon the application and issue a new book marked "replacement." However, the board may withhold replacement of a lost or stolen ration book for a period of not more than sixty (60) days if it finds that the applicant's negligence was a contributing factor in the loss or theft.

(c) The State director or district manager may from time to time prescribe such additional rules as they may deem necessary without varying any of the mandatory provisions of this section.

(d) If, after the board replaces a lost or stolen ration book, the book is recovered by the applicant, the recovered ration book must be surrendered to the board.

§ 1300.955 *Wrongfully withheld ration books.* (a) If the applicant claims that his ration book is being wrongfully withheld from him by another person, the board shall hold a hearing. It shall give notice of the time and place to the applicant when he applies for replacement. Furthermore, the board shall give three days' notice by mail to the alleged wrongful holder to appear at the hearing and to bring the applicant's ration book with him.

(b) If the board finds at the hearing that the ration book sought to be replaced is being wrongfully held by a person other than the person in whose name the ration book was issued, it shall order the wrongful holder to surrender it to the applicant. If the wrongful holder fails to appear at the hearing or refuses to surrender the ration book, the board shall issue the new ration book to the applicant and notify the district or State office of the wrongful holder's action.

§ 1300.956 *Newly issued ration book.* The newly issued ration book shall contain the same number and kind of coupons or stamps and the same expiration date as the original ration book at the time of the loss, theft, destruction, mutilation, or wrongful withholding, less the stamps or coupons which expired before the replacement.

§ 1300.957 *Records by the board.* The board shall file the applications for replacement in alphabetical order.

§ 1300.958 *Effective date of Procedural Regulation No. 12.* Procedural Regulation No. 12 (§§ 1300.951 to 1300.958, inclusive) shall become effective March 29, 1943.

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3891; Filed, March 12, 1943; 12:44 p. m.]

PART 1303—ZINC

[MPR 3]

ZINC SCRAP MATERIALS AND SECONDARY SLAB ZINC

The title and preamble are amended, and the sections of Revised Price Schedule No. 3 are renumbered and amended to read as set forth herein.

In the judgment of the Price Administrator it is necessary and proper to revise Revised Price Schedule No. 3. The Price Administrator has given due consideration to the prices of zinc scrap materials and secondary slab zinc prevailing between October 1, and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with respresentative members of the industry which will be affected by this regulation.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 3 is hereby issued.

Sec.

1303.1 Maximum prices for zinc scrap materials.
1303.2 Maximum prices for secondary slab zinc.
1303.3 Less than maximum prices.
1303.4 Adjustable pricing.
1303.5 Evasion.
1303.6 Toll or conversion agreements.
1303.7 Records and reports.
1303.8 Enforcement.
1303.9 Petitions for amendment.
1303.10 Export sales.
1303.11 Idle or frozen materials.
1303.12 Definitions.
1303.13 Appendix A: Maximum prices for zinc scrap materials.
1303.14 Appendix B: Maximum prices for secondary slab zinc.
1303.15 Appendix C: Terms of sale.
1303.16 Effective Date.

AUTHORITY: §§ 1303.1 to 1303.16 inclusive issued pursuant to Public Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1303.1 *Maximum prices for zinc scrap materials.* On and after March 18, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer zinc scrap materials to a consumer, and no con-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

sumer in the course of trade or business shall buy, offer to buy, or accept delivery of zinc scrap materials at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1303.13.

§ 1303.2 *Maximum prices for secondary slab zinc.* On and after March 18, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer secondary slab zinc, and no person in the course of trade or business shall buy, offer to buy, or accept delivery of secondary slab zinc at prices higher than the maximum prices set forth in Appendix B hereof, incorporated herein as § 1303.14. *Provided*, That contracts entered into prior to March 18, 1943, under the terms of and at prices in conformance with Revised Price Schedule No. 3, may be carried out at contract price until April 17, 1943.

§ 1303.3 *Less than maximum prices.* Lower prices than those set forth in §§ 1303.13 and 1303.14, Appendices A and B of Maximum Price Regulation No. 3, may be charged, demanded, paid or offered.

§ 1303.4 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1303.5 *Evasion.* (a) The price limitations set forth in Maximum Price Regulation No. 3 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of zinc scrap materials or secondary slab zinc, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege or by tying-agreement or other trade understanding, or otherwise.

(b) Any purchase, sale, delivery, or transfer of secondary slab zinc in quantities less than requested by the buyer in order to enable the seller to obtain a higher less-than-carload-lot differential shall be considered to be an evasion of Maximum Price Regulation No. 3, provided that the buyer is willing to accept delivery thereof in a single shipment.

§ 1303.6 *Toll or conversion agreements.* (a) Any agreement or transaction in connection with which zinc scrap materials are sold, delivered, or transferred by the owner of such scrap materials to any person for processing or treatment on toll by smelting, remelting, distillation or any other method shall be considered to be an evasion of Maximum Price Regulation No. 3 unless the total of the maximum prices for such scrap established by this Maximum Price Regulation No. 3, the charge for processing or treating the material, and all other charges in connection with the processing, treatment, handling, and delivery of said material in order to obtain slab zinc therefrom does not exceed on a per pound basis, the maximum prices established by Maximum Price Regulation No. 3 for the processed material.

(b) Every smelter processing or treating on toll, by a process of melting, remelting, distillation or any other method, to obtain secondary slab zinc therefrom, any zinc scrap materials in accordance with the terms of an agreement or transaction entered into before March 18, 1943, shall file with the Office of Price Administration on or before April 6, 1943, full details of such agreement or transaction, including a copy thereof. Every smelter entering into such an agreement or transaction on or after March 18, 1943, shall, within 5 days thereafter file with the Office of Price Administration full details of such agreement or transaction, including a copy thereof.

§ 1303.7 *Records and reports.* (a) Every person making a sale to a consumer, and every consumer making a purchase in the course of trade or business of zinc scrap materials after March 17, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale or purchase, showing: The date thereof; the name and address of the buyer or the seller; the price paid or received, f. o. b. point of shipment; the disposition of freight charges, and the quantity of each kind or grade purchased or sold.

(b) Every person making a sale, and every person making a purchase in the course of trade or business of secondary slab zinc after March 17, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale or purchase showing: The date thereof; the name and address of the buyer or seller; the price paid or received; the quantity in pounds or tons of each grade purchased or sold, and whether the quantity so sold or purchased was shipped, delivered, carried away or received in carload or less than carload lots.

(c) All records of the purchase, sale, delivery, or transfer of zinc scrap materials or secondary slab zinc after March 17, 1943, shall refer thereto, in addition to such other classification as may be employed by the maker or keeper of said records, to the terms in which they are respectively classified in Maximum Price Regulation No. 3.

(d) In addition to or in substitution for such records and reports as are herein required, every person subject to this Maximum Price Regulation No. 3, shall submit such reports and keep such other records as the Office of Price Administration may from time to time require.

§ 1303.8 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 3 are subject to criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violations of this Maximum Price Regulation No. 3 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No. 5[2]—Licensing—are applicable to every dealer subject to this Maximum Price Regulation No. 3, selling, offering to sell, delivering, or transferring at a price, zinc scrap materials to a consumer.

§ 1303.9 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 3 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1303.10 *Export sales.* Export sales of any commodity covered by this Maximum Price Regulation No. 3 shall be subject to the provisions of the Revised Maximum Export Price Regulation,[3] issued by the Office of Price Administration.

§ 1303.11 *Idle or frozen materials.* The maximum price at which any person may sell or deliver idle or frozen zinc scrap materials and secondary slab zinc shall be determined in accordance with the provisions of Maximum Price Regulation No. 204[4] on idle or frozen materials sold under Priorities Regulation No. 13.

§ 1303.12 *Definitions.* When used in Maximum Price Regulation No. 3, the term:

(a) "Consumer" means any person who processes any zinc scrap materials otherwise than by sorting, cleaning, baling, compressing or reducing in size by any means.

(b) "Dealer" means an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of any of the foregoing, whose business includes the acquisition of any material for the purpose of sale as waste, scrap or salvage materials.

(c) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions or any agency of the foregoing.

[2] 7 F.R. 3403, 6077, 9723; 8 F.R. 605.
[3] 7 F.R. 3096, 3824, 4294, 4541, 5059, 7242, 8829, 9000.
[4] 7 F.R. 6479, 7366, 8948.

(d) "Producer" means any person who produces slab zinc.

(e) "Secondary slab zinc" means slab zinc more than 50% of the zinc content of which shall be obtained from scrap materials by distillation, remelting, electrolysis or any other method.

(f) "Single shipment" means all deliveries made to a buyer by any one seller within a period of three consecutive days, excluding Sundays and legal holidays.

(g) "Zinc scrap materials" means the kinds and grades of zinc scrap materials set forth in § 1303.13, Appendix A, of Maximum Price Regulation No. 3.

§ 1303.13 *Appendix A: Maximum prices for zinc scrap materials*—(a) *Maximum prices.*

Grade of zinc scrap material:	*Maximum price (cents per pound, f. o. b. point of shipment)*
New zinc clippings and trimmings	7.25
Engravers' and lithographers' plates	7.25
Old zinc scrap	5.75
Unsweated zinc dross	5.80
Die cast slab	5.80
New die cast scrap	4.95
Radiator grilles, old and new	4.95
Old die cast scrap	4.50

The maximum prices established herein are the maximum prices to be paid for the zinc scrap materials enumerated above, after proper deduction has been made for free iron or other foreign materials contained therein, according to the established practice of the trade.

(b) *Quantity premiums.* To the maximum prices set forth above, a premium o. one-half cent (½¢) per pound may be added:

(1) On single shipments of 10,000 pounds or more of any one of the following grades, or combinations thereof:

New zinc clippings and trimmings.
Engravers' and lithographers' plates.
Old zinc scrap.

(2) On single shipments of 20,000 pounds or more of any one of the following grades or combinations thereof:

New die cast scrap.
Radiator grilles, old and new.
Old die cast scrap.

The weight of material necessary for a quantity premium shall be the actual net weight after deduction has been made for free iron and other foreign material.

§ 1303.14 *Appendix B: Maximum prices for secondary slab zinc*—(a) *Base prices.*

Grade:	*Base price (cents per pound)*
Prime Western	8.25
Selected	8.35
Brass special	8.50
Intermediate and higher grades	8.75

(b) *Sold and delivered or shipped in carload lots.* The term "base price" referred to in this paragraph means the price listed in paragraph (a) of this section for the respective grade of slab zinc.

Grade:	*Maximum price per pound (delivered, buyer's receiving point)*
Prime Western	Base price plus lowest carload freight from E. St. Louis to buyer's receiving point.
Selected	Base price plus lowest carload freight from E. St. Louis to buyer's receiving point.
Brass special	Base price plus lowest carload freight from E. St. Louis to buyer's receiving point.
Intermediate and higher grades	Base price plus lowest carload freight from E. St. Louis to buyer's receiving point.

The minimum quantity making up a carload lot for the purposes of Maximum Price Regulation No. 3 shall be the minimum quantity required to obtain railroad carload lot rates from the point of shipment to the point of destination.

(c) *Sold and delivered, shipped or carried away in less than carload lots.* The term "base price" referred to in this paragraph means the price listed in paragrph (a) of this section for the respective grade of slab zinc.

(1) *Sales of secondary slab zinc by the producer of the zinc sold.*

For sales in lots of:	*Maximum price per pound (f. o. b. point of shipment)*
20,000 pounds and less than a carload	Base price plus .15¢ plus lowest carload freight from E. St. Louis to buyer's receiving point, minus lowest carload freight from point of shipment to buyer's receiving point.
10,000 pounds and less than 20,000 pounds	Base price plus .25¢ plus lowest carload freight from E. St. Louis to buyer's receiving point, minus lowest carload freight from point of shipment to buyer's receiving point.
2,000 pounds and less than 10,000 pounds	Base price plus .40¢ plus lowest carload freight from E. St. Louis to buyer's receiving point, minus lowest carload freight from point of shipment to buyer's receiving point.
Less than 2,000 pounds	Base price plus .50¢ plus lowest carload freight from E. St. Louis to buyer's receiving point, minus lowest carload freight from point of shipment to buyer's receiving point.

(2) *Sales by all persons except producers.*

For sales in lots of:	*Maximum price per pound (f. o. b. point of shipment)*
20,000 pounds and less than a carload	Base price plus .65¢ plus lowest carload freight from E. St. Louis to point of shipment.
10,000 pounds and less than 20,000 pounds	Base price plus .75¢ plus lowest carload freight from E. St. Louis to point of shipment.
2,000 pounds and less than 10,000 pounds	Base price plus 1.00¢ plus lowest carload freight from E. St. Louis to point of shipment.
Less than 2,000 pounds	Base price plus 1.50¢ plus lowest carload freight from E. St. Louis to point of shipment.

(d) *Specifications.* The grades of secondary slab zinc specifically referred to above shall conform to the following chemical requirements:

MAXIMUM IMPURITIES—PERCENT

Grade	Lead	Iron	Cadmium	Total not over
Intermediate*	0.20	0.03	0.50	0.50
Brass Special*	0.60	0.03	0.50	1.00
Selected*	0.80	0.04	0.75	1.25
Prime Western	1.60	0.08	.....	.....

*Shall be free of aluminum.

Secondary slab zinc which fails to meet the standards of Prime Western grade shall be sold below the maximum price established herein for that grade.

§ 1303.15 *Appendix C: Terms of sale.* The maximum prices set forth in this Maximum Price Regulation No. 3 are f. o. b. point of shipment, except in the case of secondary slab zinc sold in carload lots, the maximum price for which is delivered, buyer's receiving point. Any other commodity covered by Maximum Price Regulation No. 3 may, however, also be sold, offered for sale, delivered or transferred at prices delivered, buyer's receiving point. In such cases, the maximum delivered price shall not exceed the f. o. b. point of shipment price plus whichever of the following transportation charges is applicable:

(a) When transportation to the buyer's receiving point is by public (common or contract) carrier, the actual transportation charge incurred;

(b) When transportation to the buyer's receiving point is by vehicle owned or controlled by the seller or is by private carrier not owned or controlled by the buyer, an amount not in excess of the following:

(13) A "cord" of pulpwood means an

Sec.
1377.254 Delivered prices.

to be priced in March 1942. The result

DISTANCE IN MILES

Over—	But not over—	Dollars per ton
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65

For distances of more than 300 miles, an amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of any commodity covered by Maximum Price Regulation No. 3, from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(1) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the table above.

(2) The distance shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from point of shipment to buyer's receiving point. In the event of partial loading of a truck at each of two or more pickup points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(c) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(d) When used in this § 1303.15, the term "point of shipment" means the point at which any commodity covered by Maximum Price Regulation No. 3 is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment.

§ 1303.16 *Effective date.* This Maximum Price Regulation No. 3 (§§ 1303.1 to 1303.16 inclusive) shall become effective March 18, 1943, for the forty-eight States and the District of Columbia, and shall not apply to the Territories and Possessions of the United States.

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3892; Filed, March 12, 1943; 12:45 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 66,[1] as Amended, Amendment 1]

RETREADED AND RECAPPED RUBBER TIRES AND THE RETREADING AND RECAPPING OF RUBBER TIRES

A statement of the consideration involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (11) is added to § 1315.1213 (a); paragraphs (a) and (b) in § 1315.1215 are amended, as set forth below:

§ 1315.1213 *Definitions.* (a) * * *

(11) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, wholesaler, jobber, retailer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

* * * * *

§ 1315.1215 *Appendix A: Maximum prices for retreaded and recapped rubber tires and the retreading and recapping of rubber tires*—(a) *To purchasers for use*—(1) *Retreading and recapping (tire carcass furnished by purchaser).* The maximum price for retreading or recapping a tire for a purchaser who is not in the business of selling retreading or recapping service is the price set forth for retreading or recapping such tire in the following tables.

(2) *Retreaded and recapped tires (tire carcass not furnished by purchaser).* The maximum price for a retreaded or recapped tire to a purchaser who is not in the business of selling such tires is the sum of the maximum price for retreading or recapping such tire plus the price set forth in the extreme right hand column of the table as the amount to be added when the tire carcass is not furnished by the purchaser.

(b) *To purchasers for resale.* (1) The maximum price for retreading or recapping a tire for a purchaser who is in the business of selling retreading or recapping service shall be determined by deducting the following discount from the maximum price fixed by paragraph (a) (1), and the maximum price for any sale or delivery of a retreaded or recapped tire to a purchaser who is in the business of selling such tires shall be determined by deducting the following discount from the maximum price fixed by paragraph (a) (2):

(i) 20% of the maximum price set forth in the appropriate table for retreading or recapping, exclusive of the amount set forth to be added for furnishing the tire carcass, is the discount to be deducted if the seller did not have a greater percentage discount in effect to a purchaser of the same class on December 1, 1942, for the same type of retreading or recapping or for the same type of retreaded or recapped tires.

(ii) If on December 1, 1942, the seller had in effect to a purchaser of the same class for the same type of retreading or recapping or for the same type of retreaded or recapped tires, a percentage discount greater than 20%, the discount to be deducted shall also be a percentage of the maximum price set forth in the appropriate table for retreading or recapping, exclusive of the amount set forth to be added for furnishing the tire carcass. That percentage shall be the percentage discount which the seller had in effect to a purchaser of the same class on December 1, 1942, for that type of retreading or recapping or for that type of retreaded or recapped tires: *Provided,* That in no case shall the discount required to be deducted by this paragraph be greater than 35%.

(iii) "Type", when used in subdivision (i) or (ii), refers to the types of tread for which separate categories are established in Tables I to IV.

(2) Notwithstanding any other provision of this schedule, the maximum prices to purchasers for resale fixed by this paragraph (b) shall be f. o. b. the seller's place of business.

This amendment shall become effective March 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3893; Filed, March 12, 1943; 12:45 p. m.]

PART 1347—PAPER AND PAPER PRODUCTS

[MPR 257,[1] Amendment 1]

PULPWOOD PRODUCED IN AND SOLD INTO THE STATES OF MINNESOTA, MICHIGAN AND WISCONSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 257 is amended in the following respects:

1. § 1347.358 (a) (13) is amended to read as follows:

(13) A "cord" of pulpwood means an amount of pulpwood (whether peeled, rossed or rough) which, when properly stacked, contains not less than 128 nor more than 133 cubic feet, or, when pulpwood is sold in the form of logs, means 500 feet board measure as determined by the appropriate log scale.

2. § 1347.360 (a) is amended to read as follows:

(a) (1) Maximum prices per cord of pulpwood shall not exceed the following, delivered by the seller or at his expense at the mill yard, on board railway cars, in a lake or stream, or on board a vessel.

Species	Rough	Peeled or rossed
(i) Spruce wood	$14.00	$17.00
(ii) Balsam wood	12.00	14.00
(iii) Jack-pine wood	9.50	12.00
(iv) Hemlock wood	9.00	11.50
(v) Poplar wood	8.00	[1]11.50 [2]10.00

[1] For 147 cubic feet of properly piled wood in 55" lengths.
[2] For 133 cubic feet of properly piled wood in 100" lengths.

(2) Sales may be made at points other than those mentioned above. In all such cases the actual costs per cord for transportation to and for loading on the railway cars, vessel or stream by which the wood is to be delivered to the mill, or, in the case of wood to be trucked to the mill at the buyer's expense, the costs per cord of such trucking, shall be deducted from the appropriate maximum price set forth above.

This amendment shall become effective March 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3894; Filed, March 12, 1943; 12:45 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 342]

NAIL KEG STAVES AND HEADINGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sec.
1377.251 Sales of nail keg staves and headings at higher than maximum prices prohibited.
1377.252 Products covered.
1377.253 Maximum f. o. b. mill prices.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8803, 8949.

[1] 7 F.R. 8928.

Sec.
1377.254 Delivered prices.
1377.255 Basic maximum prices for keg staves and headings not specifically priced.
1377.256 Adjustable pricing.
1377.257 Application for adjustment or petition for amendment.
1377.258 Prohibited practices.
1377.259 Records.
1377.260 Enforcement.
1377.261 Relation to General Maximum Price Regulation.

AUTHORITY: §§ 1377.251 to 1377.261, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F. R. 7871.

§ 1377.251 *Sales of nail keg staves and headings at higher than maximum prices prohibited.* (a) On and after March 18, 1943 regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any nail keg staves or nail keg headings at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1377.252 *Products covered.* This regulation covers, under the name of "nail keg staves and headings", sawed southern pine staves $\frac{3}{8}$" thick and in lengths ranging from 15" to 21½", and circled southern pine headings of $\frac{7}{16}$" thickness and of diameters ranging from 9¼" to 12½", used in the manufacture of nail kegs.

§ 1377.253 *Maximum f. o. b. mill prices.* The maximum f. o. b. mill prices for nail keg staves and headings shall be as follows:

Staves

Length:	Per bundle of 400 inches
15" to 16½"	$1.00
16⅝" to 17⅞"	1.05
18" to 18⅞"	1.08
19" to 20⅞"	1.13
21" to 23"	1.20

Headings

Diameter:	Per thousand sets
9" to 9½"	$60.00
9⅝" to 10½"	63.00
10⅝" to 11½"	67.00
11⅝" to 12½"	72.00

§ 1377.254 *Delivered prices.* The maximum delivered price shall be a price not higher than the f. o. b. mill price in the preceding section plus the actual transportation charges paid or incurred by the seller in making shipments directly from the mill to the point of delivery.

§ 1377.255 *Basic maximum prices for keg staves and headings not specifically priced.* Southern pine nail keg staves and headings not specifically priced are nevertheless subject to this regulation. The basic price for such staves and headings may be determined by using the most similar product for which a specific price is given as a yardstick. To the price of this yardstick product may be added or subtracted the dollars and cents differential which existed between the yardstick product and the product to be priced in March 1942. The result is the manufacturer's basic maximum price for the product. This price, with a complete description of the product and the method by which the price was computed must be reported to the Office of Price Administration, Washington, D. C. Unless such price is disapproved within 20 days of receipt of the report, it is approved.

If a manufacturer cannot figure a maximum price under this section, he should write to the Lumber Branch, Office of Price Administration, Washington, D. C., giving a complete description of the product to be priced, his requested price, and any facts supporting his request. The Office of Price Administration will then by letter give him a specific basic maximum price or a method of computing it. No deliveries may be made at the requested price until it has been approved by the Office of Price Administration.

§ 1377.256 *Adjustable pricing.* A price may be made adjustable to a price not higher than the maximum price in effect at the time of delivery. If a petition for amendment or adjustment has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1377.257 *Application for adjustment or petition for amendment*—(a) *Government contracts.* The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States." It also includes any subcontract under this kind of contract. Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatens production of nail keg staves and headings which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6[1] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1377.258 *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much of a violation of this regulation as an outright overceiling price. This applies to devices

[1] 7 F.R. 5087, 5664.
[2] 7 F.R. 8961.

making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

§ 1377.259 Records. All persons making sales covered by this regulation must keep records which will show a complete description of the staves and headings sold, the name and address of the buyer, the date of the transaction, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought one or more carloads of staves, headings or a combination of the two. They must be kept for two years for inspection by the Office of Price Administration.

§ 1377.260 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1377.261 *Relation to General Maximum Price Regulation.* Any sale or delivery covered by this Maximum Price Regulation No. 342 is not subject to the General Maximum Price Regulation.[1]

This regulation shall become effective March 18, 1943.

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3895; Filed, March 12, 1943; 12:44 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3, Amendment 46]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respect:

Section 1407.105 (d) is added to read as follows:

(d) A registering unit may apply for a temporary increase in its allowable inventory in an amount not to exceed fifty percent of the allowable inventory permitted such registering unit pursuant to paragraph (b) or (c). If it is registered as retailer, it may also apply for a temporary increase not to exceed fifty percent of any permanent increase in its allowable inventory authorized by the Office of Price Administration. Application for the increase shall be made by the registering unit to the Board on OPA Form No. R-315. The board shall issue a certificate to the registering unit in weight value equal to the increase applied for if it is not in excess of the amount permitted pursuant to this paragraph; *Provided, however,* That if the registering unit has not surrendered stamps or certificates to the board for cancellation in weight value equal to its excess inventory, as described in § 1407.107, and in weight value equal to any temporary increase in its allowable inventory previously authorized by the Office of Price Administration, the board shall grant the application and reduce the excess inventory and any previously authorized temporary increase, and, if the increase granted pursuant to this paragraph exceeds the weight value of such stamps and certificates required to be surrendered a certificate shall be issued to the registering unit in weight value equal to the difference. Increases granted pursuant to this paragraph may be cancelled by the Office of Price Administration. If such increases are cancelled, registering units to which they have been granted shall, before accepting any deliveries of sugar, surrender to the board for cancellation stamps or certificates in weight value equal to such increases. Thirty days notice of any such cancellation will be given.

This amendment shall become effective March 18, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3896; Filed, March 12, 1943; 12:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 15 Under § 1499.3 (c) of GMPR]

WESTINGHOUSE ELECTRIC SUPPLY COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.815 *Approval of maximum prices for sales to industrial users by Westinghouse Electric Supply Company of five new ratchet, screw-holding, screw drivers.* (a) Westinghouse Electric Supply Company, 150 Varick Street, New York, New York, may sell and deliver its five new ratchet, screw-holding, screw drivers at all of its branches, subject to discounts, allowances and terms no less favorable than those customarily granted by it, at prices no higher than those set forth below:

Quantities	*Price per unit*
Models Nos. 1, 2, 3:	
1 through 11 inclusive	$1.60
12 through 71 inclusive	1.20
72 through 143 inclusive	1.067
144 and more	.96
Model No. 4:	
1 through 11 inclusive	$1.40
12 through 71 inclusive	1.05
72 through 143 inclusive	.934
144 and over	.84
Model No. 5:	
1 through 11 inclusive	$2.25
12 through 71 inclusive	1.67
72 through 143 inclusive	1.50
144 and over	1.35

(b) This Order No. 15 (§ 1499.815) may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of March, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3898; Filed, March 12, 1943; 12:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 128, to Supp. Reg. 14 to GMPR[2]]

SOYBEAN, COTTONSEED AND PEANUT OIL MEALS AND OIL CAKES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Inferior subdivisions (i), (ii), (iii) and (v) of § 1499.73 (a) (50) of Supplementary Regulation No. 14 of the General Maximum Price Regulation are amended to read as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided.

* * * * *

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4389, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5494, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346

[2] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5163, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758.

[1] 7 F.R. 5486, 5706, 6008, 6911, 6271, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7535, 7739, 7671, 7819, 7914, 7946 8237, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9196, 9397, 9391, 9495, 9496, 9639, 9789, 9901, 10069, 10111, 10022, 10151, 10231, 10346, 10381, 10480, 10537, 10705, 10557, 10865, 11005. 8 F.R. 276, 439, 535, 494 863, 1139, 1590, 980, 1030, 870, 1121, 878, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1894, 1970, 2041, 1895, 2035, 2157, 2718 2354, 2274, 2346, 2507, 2665.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9732, 10155, 10454. 8 F.R. 371, 1204, 1317, 2110, 2346.

(50) *Soybean, cottonseed and peanut oil meals and oil cakes.* (i) The maximum prices for the sale or delivery of domestic soybean, cottonseed and peanut oil meals and oil cakes shall be as follows:

(a) *Sales by a processor in carload lots.* The maximum price for the sale or delivery of soybean, cottonseed and peanut oil meals or oil cakes by a processor in carload lots shall be highest price which he is permitted to charge on such sales or deliveries under and pursuant to contract heretofore executed between said processor and the Commodity Credit Corporation.

The highest price permitted by such processor's contract for the 1942 crop shall be the maximum price permitted by this regulation for all oil meal or oil cake produced by such processor whether made from cottonseed, soybeans or peanuts of the 1942, 1941 or any other crop heretofore grown.

(b) *Sales by a processor in less than carload lots.* The maximum price for the sale or delivery of soybean, cottonseed and peanut oil meals or oil cakes by a processor in less than carload lots shall be: (a) In the case of sales to other than ultimate consumers, $1.00 per ton over his above specified maximum price for sales in carload lots; and (b) in case of sales to ultimate consumers, $3.00 per ton over his above specified maximum price for sales in carload lots.

(c) *Sales by a grinder.* The maximum price for the sale or delivery of soybean, cottonseed or peanut oil meals by a grinder shall be the maximum price of the processor (from whom the soybean, cottonseed or peanut oil cake was obtained) for a like sale of such oil meal (that is, the maximum price of the processor determined under paragraph (a) or (b) above, as the case may be, dependent on the quantity sold) plus an addition at the rate of 50 cents per ton plus actual or reasonable transportation charges, if any, incurred by the seller in respect to the lot sold.

(d) *Sales by a jobber.* The maximum price that a jobber may charge for the sale or delivery of soybean, cottonseed and peanut oil meals or oil cakes in carload lots shall be 50 cents per ton (maximum markup) and in less than carload lots shall be $1.00 per ton (maximum markup) over the maximum price which he could lawfully have paid a processor for the quantity and quality purchased together with actual or reasonable transportation charges incurred by the seller in respect to the lot sold.

(e) *Sales by a wholesaler.* The maximum price that a wholesaler may charge for the sale or delivery of soybean, cottonseed and peanut oil meals or oil cakes shall be $2.50 per ton (maximum markup) over the maximum price which he could lawfully have paid the processor or jobber from whom he purchased (or if he purchased from any other class of person, over the maximum price which he could lawfully have paid a processor) for the quantity or quality purchased together with actual or reasonable transportation charges incurred by the seller in respect to the lot sold.

(f) *Sales by a retailer.* The maximum price that a retailer may charge for the sale or delivery of soybean, cottonseed and peanut oil meals and oil cakes shall be $5.50 per ton (maximum markup) over the maximum price which he could lawfully have paid to the processor, jobber or wholesaler from whom he purchased (or if he purchased from any other class of persons, over the maximum price which he could lawfully have paid a processor) for the quantity and quality purchased together with actual or reasonable transportation charges incurred by the seller in respect to the lot sold.

(g) *Sales by others.* No ultimate consumer shall sell or deliver soybean, cottonseed or peanut oil meal or oil cake at a higher price than that of a retailer for a like sale or delivery: *Provided,* That No grower or ginner of cottonseed and no grower of soybeans or peanuts shall sell or deliver soybean, cottonseed or peanut oil meal or oil cake obtained from a processor in exchange for soybeans, cottonseeds or peanuts at a higher price than the maximum price of the processor with whom he traded for a like sale or delivery.

The maximum price for the sale or delivery of soybean, cottonseed and peanut oil meals and oil cakes by: (a) Any person of a class not hereinbefore specifically mentioned and provided for; and (b) any person of a class hereinbefore specifically mentioned and provided for who purchased the same from a person of a like class, shall be the maximum price which his seller could lawfully have charged for a like sale or delivery.

(ii) *Maximum prices for sales of imported cottonseed, and peanut oil meals and oil cakes.* No person shall sell or deliver imported cottonseed or peanut oil meals or oil cakes at a higher price than could lawfully be charged for a like sale or delivery by a like class of seller of domestic cottonseed or peanut oil meals or oil cakes: *Provided,* That in the case of the first sale within the United States the seller can charge no more than he could lawfully charge if he had purchased the meal or cake in question from that domestic processor located at or nearest to the port of entry of the meal or cake in question.

(iii) Whenever any person buys soybean, cottonseed or peanut oil meal or oil cake unsacked and resells the same sacked he may add to his maximum price as hereinbefore specified the replacement value of the sacks not exceeding $3.50 per ton.

* * * * *

(v) For the purposes of this subparagraph (50) the following terms shall have the following meanings:

"Grinder" means a person who buys soybean, cottonseed or peanut oil cake and processes or procures the processing of such cake into soybean, cottonseed or peanut oil meal and sells such oil meal.

"Jobber" means a person other than a grinder who buys soybean, cottonseed or peanut oil meal or oil cake whether in car lots or less than car lots and resells the same without unloading into a warehouse.

"Processor" means a person who by expeller, extraction or hydraulic process removes oil from soybeans, cottonseeds or peanuts and in that process produces soybean, cottonseed or peanut oil cake or oil meal.

"Retailer" means a person other than a grinder who buys soybean, cottonseed or peanut oil meal or oil cake and resells the same to an ultimate consumer.

"Soybean, cottonseed and peanut oil meals or oil cakes" means the oil meal or oil cake produced in the manner hereinbefore described under the definition of processor.

"Ultimate consumer" means a person who buys soybean, cottonseed or peanut oil meal or oil cake for the purposes of feeding the same to animals or poultry. It shall not include a grinder, a mixed feed manufacturer, or a mineral mixed feed manufacturer.

"Wholesaler" means a person other than a grinder who buys soybean, cottonseed, or peanut oil meal or oil cake and unloads his purchase into a warehouse and resells the same, except at retail.

All other terms used in this subparagraph (50) shall have the meanings ascribed to them in § 1499.20 of this General Maximum Price Regulation.

"Transportation charges" shall include the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Laws 753, 77th Cong., approved October 21, 1942) and said tax shall be deemed to be a part of and shall be included in said charges with like effect as if it were a like increase in the rate or amount charged by the carrier for the transportation in question. The provisions of Supplementary Order No. 31 issued by the Office of Price Administration on November 26, 1942, (Document No. 7632) shall have no application to this subparagraph (50) of § 1499.73 (a) of this General Maximum Price Regulation.

This amendment shall become effective March 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3897; Filed, March 12, 1943; 12:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 323 Under § 1499.3 (b) of GMPR]

MINNESOTA MINING AND MANUFACTURING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1759 *Approval of maximum prices for sales of certain products manufactured by the Minnesota Mining and Manufacturing Company.* (a) The maximum prices for sales by the Minnesota Mining and Manufacturing Company, St. Paul, Minnesota, of the following products manufactured by that company shall be the prices set forth below:

	Per gallon
E. C. No. 651 Windshield Sealer	$1.44
E. C. No. 619 Caulking Compound MSP	1.63
E. C. No. 649 Caulking Compound MSP	1.46

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of the most closely comparable product by the Minnesota Mining and Manufacturing

Company shall apply to each maximum price set forth in paragraph (a).

(c) This Order No. 323 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3899; Filed, March 12, 1943; 12:44 p. m.]

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Amendment 5]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. A new Article XXVI and Sec. 26.1 are added to read as follows:

Article XXVI—Allotment for Certain Employers

SECTION 26.1 *Allotments for certain employers.* (a) Regardless of any other provision of this Order, any person who in the conduct of his business is about to feed, or, on and after March 1, 1943, has fed, rationed foods (after they have been rationed by an order of the Office of Price Administration), to employees whom he hires (or hired) temporarily for a period of less than thirty (30) days, may apply for allotments of rationed foods for that purpose. However, Group II and III institutional users may not apply for allotments pursuant to this section.

(b) Application must be made on OPA Form R-315 to the Board. Persons who are not institutional users may apply to the Board for the area in which such rationed foods are required. An application to replenish rationed foods already served to such employees, must be made within five (5) days after the end of the thirty (30) day period in which such service was made. The application must show the name, address and business of the applicant, and the number of such employees he will serve (or has served) during the thirty (30) day period. (In estimating the number of employees served, an employee is counted separately for each occasion on which he will be (or was) served. However, no one employee may be counted more than three (3) times on any one day.

(c) If the Board finds that the applicant needs an allotment of rationed food for the purposes described in paragraph (a) above, it shall grant the application and give him an allotment for each rationed food required (or used), computed in the following way: It shall multiply the number of such employees which it estimates or finds he will serve (or has served) during the thirty (30) day period by the allowance per person for the rationed food. If, at the time application is made, the applicant is not under an obligation to surrender stamps or certificates to a Board, the Board shall issue a certificate for the amount of the allotment. If he is under an obligation to surrender stamps or certificates, that obligation shall be cancelled to the amount of the allotment granted under this Section. Where the amount of the allotment is greater than his obligation, the Board shall issue a certificate for the difference.

(d) Where an applicant was granted an allotment prior to feeding his employees, he shall within five (5) days after the end of the thirty (30) day period, report to the Board the number of such employees served by him during that period. If the number is less than the number the Board estimated he would serve, the difference shall be multiplied by the allowance per person for the rationed food and stamps or certificates in an amount equal to the result obtained must be surrendered to the Board in accordance with such arrangement as may be made with the Board.

(e) An employee specified in paragraph (a) who lives in the place where food is served to him (or in premises maintained in connection with that place) for seven consecutive days or more, and who takes eight or more meals a week there, must turn over all his War Ration books to his employer, in the manner described in paragraph (a) of Sec. 17.1 during the period for which his employer has received allotments of rationed foods pursuant to this section. The duties of the employer with respect to the War Ration Books which are turned over to him are the same as those specified for institutional users in paragraphs (c), (d), (e) and (f) of Sec. 17.1.

This amendment shall become effective March 12, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 560, 2965, 7234, 9684, respectively; Food Dir. 5, 8 F.R. 2251)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3903; Filed March 12, 1943; 4:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305[1] Amendment 2]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.1764 is amended to read as follows:

§ 1351.1764 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products shall be $2.37 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products shall be $2.81 per hundredweight at the basing point of Kansas City, Missouri.

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3914; Filed, March 12, 1943; 4:26 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 91,[1] Amendment 5]

TEA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Price Schedule 91 is amended in the following respects:

1. Section 1351.251 is amended by deleting the phrase "except as provided in § 1351.254 hereof".

2. Section 1351.254 is hereby revoked.

3. Section 1351.256 (a) is hereby revoked.

4. Section 1351.259 (d) is added to read as follows:

(d) Qualified distributors shall be those named by the Department of Agriculture.

5. Section 1351.261 (a) is amended by inserting as the first phrase thereof the following:

(a) As to tea not imported by the Commodity Credit Corporation. * * *

6. Section 1351.261 (b) is amended by inserting as the first phrase thereof the following:

(b) As to tea not imported by the Commodity Credit Corporation. * * *

7. Section 1351.261 (c) is amended by inserting as the first phrase thereof the following:

(c) As to tea not imported by the Commodity Credit Corporation. * * *

8. Section 1351.261 (d) is amended by inserting as the first phrase thereof the following:

(d) As to tea not imported by the Commodity Credit Corporation. * * *

9. Section 1351.261 (e) is amended by inserting as the first phrase thereof the following:

(e) As to tea not imported by the Commodity Credit Corporation. * * *

10. Section 1351.261 (h) is amended to read as follows:

(h) The maximum prices at which a person may export this tea shall be determined in accordance with the provisions of the Maximum Export Price Regulation, as amended, issued by the Office of Price Administration.

11. Section 1351.262 is added to read as follows:

§ 1351.262 *Maximum prices for tea imported by Commodity Credit Corporation.*—(a) *Sales by the Commodity Credit Corporation.* As to tea imported and sold by the Commodity Credit Corporation the maximum prices shall be as follows:

[Cents per pound net cash, ex warehouse, port of entry]

	Fair	Medium	Fine
India:			
Leaf	39.0	42.0	48.0
Broken	36.0	39.0	45.0
Ceylon:			
Leaf	39.0	43.5	53.5
Broken	40.0	45.0	57.0
Travancore (Southern India):			
Leaf	39.0	41.0	49.0
Broken	38.0	41.0	48.0

These maximum prices shall include all commissions and all other charges.

(b) *Sales by qualified distributors and all other persons.* As to tea imported by the Commodity Credit Corporation and sold by qualified distributors or other persons, the maximum prices shall be as follows:

[Cents per pound, net cash, ex warehouse, port of entry]

	Fair	Medium	Fine
India:			
Leaf	40½	43½	50
Broken	37½	40½	46¾
Ceylon:			
Leaf	40½	45¼	55¾
Broken	41½	46¾	56¾
Travancore (Southern India):			
Leaf	40½	42¾	51
Broken	39½	42¾	50

Delivered maximum prices for sales by qualified distributors shall be determined by adding to the above, ex warehouse, maximum prices the actual transportation costs incurred in direct shipment from the warehouse to the place of delivery, but no other commissions or charges.

(c) *Increases for sales by persons other than the Commodity Credit Corporation and qualified distributors.* Any person other than a qualified distributor or the Commodity Credit Corporation making a sale of tea imported by the Commodity Credit Corporation of ten chests or less may add to the maximum price determined by paragraph (b) of this section an amount which shall not exceed ten percent of such maximum price.

(d) *Increases for sales by blenders of more than half chest lots.* Any person who for the accommodation of his customers blends tea imported by the Commodity Credit Corporation for sale in quantities of more than half chest lots may add to the maximum price determined by paragraph (b) of this section an amount which shall not exceed one cent per pound.

(e) *Maximum prices for export sales.* The maximum prices at which a person may export tea imported by the Commodity Credit Corporation shall be determined in accordance with the provisions of the Maximum Export Price Regulation, as amended, issued by the Office of Price Regulation.

This amendment shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3913; Filed, March 12, 1943; 4:27 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 134, Amendment 1 to Supp. 1]

PROCESSED FOODS

The point values of dried prunes; dried raisins; all other dried fruits; and of dry beans, (all kinds) peas, and lentils in the official tables of point values (OPA Form R-1313 and the supplement thereto) referred to in paragraph (a) of § 1407.-1102 are amended to read as follows:

	Over 0 including 4 oz.	Over 4 oz. including 8 oz	Over 8 oz. including 12 oz.	Over 12 oz. including 16 oz.	Per lb.
Dried prunes	3	6	9	12	12
Dried raisins	3	6	9	12	12
All other dried fruits	2	4	6	8	8
Dry beans, peas and lentils	1	2	3	4	4

This amendment shall become effective March 13, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3917; Filed, March 12, 1943; 4:27 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,[1] Amendment 5]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

1. The following items are added to the list in Appendix A:

Dates (unless packed in hermetically sealed containers and sterilized by the use of heat); and

Figs (unless packed in hermetically sealed containers and sterilized by the use of heat).

This amendment shall become effective March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3915; Filed, March 12, 1943; 4:27 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,[1] Amendment 6]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

1. Section 2.9 is added, to read as follows:

SEC. 2.9. *Consumers who must have more processed foods for their subsistence may apply for more points.* (a) Consumers (including those who eat in group one institutional establishments, as defined in General Ration Order 5) may apply for additional points if they cannot get enough fruits or vegetables to meet minimum nutritional needs for such foods, because (1) supplies of such foods are not reasonably accessible to them, except at infrequent intervals, and (2) they have no facilities for storing such foods long enough and in the quantities required to supply their needs.

(b) Any consumer who needs more processed foods for the reasons set forth in paragraph (a) of this section, may apply to his board, in person or by mail, on OPA Form R-315. He must submit his war ration book two with his application. One application may be made covering more than one consumer, but the name of each shall be listed on the application, and the war ration book two of each person included in the application must be submitted with it. The application must state in detail:

(1) Why the persons included therein cannot obtain enough fruits or vegetables to meet minimum nutritional standards;

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*Copies may be obtained from the Office of Price Administration

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667.

[1] 8 F.R. 1063 2501.

[1] 8 F.R. 1981.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943.

* Copies may be obtained from the Office of Price Administration.

(2) How many pounds of processed foods they will need;

(3) For how long a period;

(4) How many pounds of processed foods (including home canned) they have, at the time of application; and

(5) How many pounds of fresh fruits or vegetables (excluding potatoes) will be available to them during the period covered by the application.

(c) All regional offices are authorized to rule on applications under this section, and to authorize boards or district offices (or, where there are none, state offices) to rule on them. A board or district (or state) office may rule on such an application only if the regional office for the area where it is located has given it such authority. If the board has not been given such authority, it shall forward the application with its recommendation to the district (or state) office. If the district (or state) office has been given such authority, it shall indicate what action is to be taken, and return the file to the board. If the district (or state) office has not been given such authority, it shall forward the file to the regional office. The regional office shall then indicate what action is to be taken, and return the file to the board. All certificates to be issued under this section shall be issued by boards.

(d) The regional office, or board or district (or state) office which is authorized to rule on such applications, may issue or authorize the issuance of one or more certificates for the number of points that it finds should be allowed. No board or district (or state) or regional office shall issue or authorize the issuance of a certificate unless it finds that the applicants will be unable to get enough fruits or vegetables, during the period covered by the application, to meet minimum nutritional needs for such foods because (1) supplies of such foods are not reasonably accessible to them, except at infrequent intervals, and (2) they have no facilities for storing such foods long enough and in the quantities required to supply their needs. In determining how many points to allow, consideration shall be given to the amount of processed foods, and fresh fruits or vegetables (excluding potatoes) which will be available to the applicants during the period covered by the application. In addition, the board or district (or state) office shall be governed by any further conditions established by the regional or Washington office.

(e) Any board which issues certificates under this section shall keep a record of the number of points which it has issued. It shall, within five (5) days after the end of each month, send to the district (or state) office a statement of the total number of points issued each month. The district (or state) office shall forward such statements to the regional office. The regional office shall forward such statements to the Washington office.

This amendment shall become effective March 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3916; Filed, March 12, 1943; 4:26 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 47]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.142 (b) is amended to read as follows:

(b) A registering unit or primary distributor to which stamps are surrendered by a consumer must paste the stamps on OPA Form No. R-304 (War Ration Stamp Card), or upon a similar card; only stamps bearing the same number may be affixed to the card. When a registering unit surrenders a card for the purpose of authorizing a delivery of sugar to it, the name and address of the registering unit surrendering the card and the name and address of the registering unit, Collector of Customs, or primary distributor to whom the card is being surrendered shall be written on the face or back of the card by the one surrendering the card. Before a card may be surrendered for the purpose of deposit, the person surrendering the card shall, if he affixed the stamps to the card, endorse it by writing his name and address on its face or shall, if he received the card with stamps affixed, endorse it by writing his name on its back.

2. Section 1407.170 (b) is amended to read as follows:

(b) The Collector of Customs may deliver sugar received by him to a consumer, registering unit or an institutional user establishment upon receipt of stamps or certificates in weight value equal to the sugar delivered or an authorization by the Office of Price Administration to such registering unit or institutional user establishment authorizing it to take delivery of such sugar. Stamps or certificates received by the Collector of Customs shall be delivered, at least once each calendar month, to the State Director having jurisdiction over the area in which such point of entry is located. Authorizations received by the Collector of Customs shall be delivered, at least once each calendar month, to the Office of Price Administration.

This amendment shall become effective March 18, 1943.

(Pub. Law 421, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3918; Filed, March 12, 1943; 4:27 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 346]

CORN

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, issued by the President on October 3, 1942, that maximum prices for the sale of corn be established by a maximum price regulation to replace Temporary Maximum Price Regulation 25, as amended,[1] issued by the Office of Price Administration.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable, and will effectuate the purposes of the said act, as amended, and of the said executive order. The maximum prices established by this regulation will reflect to producers of corn the highest of the prices required by the provisions of the Emergency Price Control Act of 1942 as amended, and by Executive Order 9250, after making appropriate deductions from the parity price for payments made under the Soil Conservation and Domestic Allotment Act, as amended, parity payments made under the Agricultural Adjustment Act of 1938, as amended, and governmental subsidies. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In fixing the maximum prices established by this regulation, the Price Administrator has given adequate weighting to farm labor. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

§ 1439.352 *Maximum prices for corn.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, Maximum Price Regulation 346 (Corn), which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION 346—CORN

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Sec.
1 To what transactions and kinds of corn this regulation applies, and the relation to other regulations.
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4 Maximum prices for yellow corn on track at interior points in Area A, in carload quantities.
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7 Maximum prices for sales of No. 2 yellow corn at interior points in Area A when shipped from another interior point or from a terminal price basing point.
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Appendix A.—Areas of distribution.

SECTION 1 *To what transactions and kinds of corn this regulation applies, and the relation to other regulations*—(a) *Kinds of corn to which regulation applies.* This regulation applies to all sales and deliveries of shelled corn, whole corn, ear corn and snapped corn.

(b) *Kinds of corn exempted.* This regulation does not apply to sales and deliveries of seed corn, popcorn, grain-sorghums, sweet corn, broom corn, ground corn, cracked corn, and corn used for canning purposes.

(c) *Geographic applicability.* The provisions of this regulation apply to the forty-eight states of the United States and to the District of Columbia.

(d) *Export sales.* The maximum prices at which a person may export corn shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

(e) *Effect on Temporary Maximum Price Regulation 25,[3] as amended.* This regulation supersedes Temporary Maximum Price Regulation 25 as amended, issued by the Office of Price Administration.

SEC. 2 *Prohibition against dealing in corn at prices above the maximum.* On and after March 12, 1943, regardless of any contract or obligation, no person shall sell or deliver corn at prices above the maximum prices established by this regulation, and no person shall buy or receive corn, in the course of trade or business, at prices above the maximum prices established by this regulation, nor shall any person agree, offer, solicit, or attempt to do any of these things. However, prices lower than the maximum prices established by this regulation may be charged and paid.

SEC. 3 *Maximum prices for No. 2 yellow corn at terminal price basing points, in carload and less than carload quantities*—(a) *In carload quantities.* The term "terminal price basing point" means any point within the switching limits of the cities listed below. The maximum prices per bushel for No. 2 yellow corn at the terminal price basing points, in carload quantities, shall be:

Chicago	$1.02
Milwaukee	1.02
Duluth and Superior	1.01¼
Minneapolis and St. Paul	.98
Peoria	1.01
St. Louis and East St. Louis	1.02¼
Kansas City	.99
St. Joseph, Mo.	.99
Omaha and Council Bluffs	.95
Sioux City	.94

(b) *In less than carload quantities.* The maximum prices set forth in the preceding paragraph shall also be the maximum prices for less than carload quantities at the terminal price basing points.

SEC. 4 *Maximum prices for yellow corn on track at interior points in Area A, in carload quantities.* The maximum price for yellow corn on track at any interior point, in carload quantities, shall be the maximum price for No. 2 yellow corn at the appropriate terminal price basing point, less one cent per bushel and less freight charges from the interior point to the terminal price basing point.

The appropriate terminal price basing point is that point whose use in the above calculation results in the highest price at the interior point.

An interior point is any point in the corn producing area, which is described as Area A in Appendix A, from which corn is shipped in carload quantities to, or sold basis, a terminal price basing point.

Price on track means the price for corn loaded in a railway car.

Example of maximum price on track at interior point: A is an interior point in Illinois. The freight rate to Chicago per bushel of corn is assumed to be 7 cents. The freight rate to St. Louis per bushel of corn is also assumed to be 7 cents. The maximum price per bushel at A, calculated on the Chicago price, is $1.02, less 7 cents, less 1 cent, or $.94. The maximum price per bushel at A, calculated on the St. Louis price, is $1.02¼, less 7 cents, less 1 cent, or $.94¼. St. Louis is the appropriate terminal price basing point, and the maximum price on track at A is $.94¼.

SEC. 5 *Maximum prices for sales by producers of yellow corn in Area A*—(a) *To another farmer.* The maximum price for the sale by a producer to another farmer of yellow corn produced on a farm operated by the seller shall be the maximum price on track at the interior point nearest to the point of production.

(b) *To any other purchaser.* The maximum price for the sale by a producer of yellow corn to any other purchaser shall be the maximum price on track at the interior point nearest to the point of production, less two cents.

Examples of producer's maximum prices: The maximum price on track at the interior point nearest to the point of production is assumed to be $1.02 (Chicago price) less 1 cent, less 7 cents freight, or $.94 per bushel. The maximum price for sale by the producer to another farmer is $.94, the track price.

If the corn is sold to a trucker, or any other purchaser, the maximum price is $.94, the track price at the interior point nearest to the point of production, less 2 cents, or a price of $.92.

SEC. 6 *Maximum prices for sales to local users of yellow corn stored at interior points, and sales of yellow corn by truckers, in Area A*—(a) *Sales of corn stored at interior points.* (1) When yellow corn purchased from a producer is stored at an interior point and is thereafter sold to a farmer or other local user, the maximum price shall be the maximum price on track at the interior point, plus 5 cents per bushel.

(2) If the corn is sold to a trucker, the maximum price shall be the maximum price on track at the interior point.

Example: A local elevator purchases corn from a farmer at an assumed maximum price of $.96. The track price is 2 cents higher, or $.98. The corn is thereafter sold to a farmer or a feed mixer. The maximum price for this sale is 5 cents above the track price, or $1.03. If the corn is sold to a trucker, the maximum price is the track price, or $.98.

(b) *Sales by truckers.* When yellow corn is moved by truck within Area A, as described in Appendix A, or from a point within Area A to any point outside of such area, but not to or through a terminal price basing point, the maximum price for the sale of the corn shall be the purchase price paid by the trucker, plus actual transportation costs incurred in the shipment, at rates not higher than the lowest applicable common carrier rates, plus 2 cents per bushel. The trucker shall furnish to the purchaser a statement showing the place and date of purchase, the name of the person from whom the corn was purchased, the price paid, and the amount of transportation charges.

Example: A producer sells corn to a trucker, at a maximum price assumed to be $.92 per bushel. The trucker sells the corn to a farmer after a haul for which applicable common carrier rates amount to 5 cents per bushel. The maximum price for resale is $.92, plus 5 cents plus 2 cents, or $.99 per bushel.

(c) *Sales by retail dealers who purchase from truckers.* When corn is sold by a trucker to a retail dealer, the maximum price at which the retail dealer may resell the corn to local users shall be the price at which he purchased the corn, plus 5 cents per bushel.

SEC. 7 *Maximum prices for sales of No. 2 yellow corn at interior points in*

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758.

[1] 8 F.R. 567, 1459, 1633.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[2] 8 F.R. 567, 1459.

Area A, when shipped from another interior point or from a terminal price basing point—(a) *Track price.* When No. 2 yellow corn is shipped in carload quantities to an interior point, from another interior point or from a terminal price basing point, the maximum price on track, delivered at the interior point, shall be the maximum price at the point from which the shipment is made, plus freight charges from that point.

(b) *Resale at interior point.* Upon a resale of such corn by a retail dealer at the interior point of delivery, the seller may charge the maximum price specified in paragraph (a) of this section, plus 5 cents per bushel.

Example: A seller in Omaha sells a carload of corn to a local elevator at an interior point in Nebraska. The freight to the interior point, from Omaha, is assumed to be 4 cents per bushel. The highest price at which the sale may be made, for delivery at the interior point, is the Omaha price of $ 95, plus 4 cents, or $.99. When the elevator resells the corn to a farmer or to a feed mixer, the highest price that may be charged is $ 99 plus 5 cents, or $1.04 per bushel.

(c) *Sales by producers not affected.* The provisions of this section shall not affect sales by a producer in Area A, maximum prices for which are established under Sec. 5 of this regulation.

SEC. 8 *Maximum prices for sales by producers and truckers of yellow corn in Areas I to X*—(a) *Sales by producers.* The maximum prices for the sale by a producer of yellow corn in Areas I to X, which are described in Appendix A and which comprise the entire United States outside of Area A, shall be the maximum prices for No. 2 yellow corn, in carload quantities, delivered on track at the railway station nearest the farm of the producer.

The maximum price at the railway station may be calculated by reference to the freight rates from the respective terminal price basing points, as set forth in Sec. 9 of this regulation.

(b) *Sales by truckers.* In any case in which yellow corn is moved by truck within Areas I to X, as described in Appendix A, the maximum price for the sale by the trucker shall be the maximum price for No. 2 yellow corn, in carload quantities, delivered on track at the railway station nearest the point of delivery. The trucker shall furnish to the purchaser a statement showing the place and date of purchase, and the name of the person from whom the corn was purchased.

However, the maximum price for sale of yellow corn moved from Area A into a point in Areas I to X by a trucker is calculated under the provisions of Sec. 6 (b) of this regulation.

Examples: At point B in Ohio, the freight from Chicago to the local railway station is assumed to be 7 cents per bushel. The track price for No. 2 yellow corn is the Chicago price of $1.02, plus 7 cents, or $1.09. This is also the highest price at which a producer near A may sell yellow corn.

If a trucker brings corn into point B, which he purchased at some other point within Areas I to X, the highest price at which he may resell the corn is $1.09.

SEC. 9 *Maximum prices for delivery at destination points in Areas I to X*—(a) *Area I.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area I, described in Appendix A, shall be $1.02, the maximum price at Chicago, plus the lowest proportional all-rail rate from Chicago to the point of destination.

Examples:	
Albany	$1.17⅛
Baltimore and Virginia Cities	1.16
Boston	1.18¾
New York	1.17⅝
Philadelphia	1.16½

This provision is subject to the following exceptions:

(1) When shipment is made to Louisville or Cincinnati, destined for the Southeast or Carolina territories, the maximum price at these points shall be $1.06¼ per bushel. At transit points such as Indianapolis, Decatur, Illinois and Kankakee, Illinois, the maximum price shall be $1.16½ per bushel basis Philadelphia, or $1.06¼ per bushel basis Louisville, or Cincinnati when destined to the Southeast or Carolina territories, or when destined to Louisville or Cincinnati proper. The Southeast and Carolina territories are described as Area II in Appendix A.

When corn originating West of the Mississippi River is shipped to Louisville or Cincinnati, the maximum price for the corn if resold for local use shall be $1.11, provided that the billing covering such shipment is cancelled.

(2) When shipment is made to Evansville, Indiana, or Cairo, Illinois, destined for the Southeast or Carolina territories, the maximum price at Evansville or Cairo shall be $1.04½ per bushel.

(3) When shipment is made to Buffalo by water, the maximum price shall be $1.09 per bushel, C. I. F. Buffalo.

(b) *Area II.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area II, described in Appendix A, shall be $1.02¾, the maximum price at St. Louis, plus the lowest proportional all-rail rate from St. Louis to the point of destination.

Examples:	
Atlanta	$1.23½
Charlotte	1.25¼
Columbia	1.27
Memphis	1.09¾
Meridian	1.18½
Montgomery	1.21¾
Nashville	1.15¼
New Orleans	1.17½

(c) *Area III.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area III, described in Appendix A, shall be $.99, the maximum price at Kansas City, plus the lowest proportional all-rail rate, or local rate where no proportional rate is published, from Kansas City to the point of destination.

Examples:	
Fort Worth	$1.12
Houston	1.15½
Little Rock	1.10¼

(d) *Area IV.* The maximum prices per hundredweight for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area IV, described in Appendix A, shall be the equivalent in cents per hundred pounds of a price of $.95, the maximum price per bushel at Omaha, plus the freight rate of $.59½ per hundredweight. This equals a price of $2.31 per hundredweight delivered at any point in Area IV.

(e) *Area V.* The maximum prices per hundredweight for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area V, described in Appendix A, shall be the equivalent in cents per hundred pounds of a price of $.94, the maximum price per bushel at Sioux City, plus the freight rate of $.59½ per hundredweight. This equals a price of $2.29 per hundredweight delivered at any point in Area V.

(f) *Area VI.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area VI, described in Appendix A, shall be $.98, the maximum price at Minneapolis, plus the local freight rate from Minneapolis to the point of destination.

(g) *Area VII.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area VII, described in Appendix A, shall be $.95, the maximum price at Omaha, plus the local freight rate from Omaha to the point of destination.

(h) *Area VIII.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area VIII, described in Appendix A, shall be $.98, the maximum price at Minneapolis, plus the intra-state proportional freight rate from Minneapolis to the point of destination.

(i) *Area IX.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area IX, described in Appendix A, shall be $.98, the maximum price at Minneapolis, plus the proportional freight rate, or local freight rate where no proportional rate is published, from Minneapolis to the point of destination.

(j) *Area X.* The maximum price per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area X, described in Appendix A, shall be $1.02.

SEC. 10 *Effect of barge or other river transportation on maximum prices.* The maximum prices set forth in this regulation shall not be altered or affected in any way in any case in which corn is shipped by barge or other river transportation.

SEC. 11 *Maximum prices for other grades, classes and kinds of corn*—(a) *Yellow corn.* The maximum prices for No. 1 yellow corn at all points shall be the same as the maximum prices for No. 2 yellow corn. The maximum prices for other grades of yellow corn, at all points for which prices are established for No. 2 yellow corn by this regulation, shall be the respective prices per bushel for No. 2 yellow corn less the amounts set forth below.

	Cents
No. 3 yellow	½
No. 4 yellow	1
No. 5 yellow	1½
Sample yellow	2

The prices established by this paragraph for No. 3 yellow, No. 4 yellow, No. 5 yellow, and sample yellow corn are maximum prices for these grades at the lowest moisture content permissible under the Official Grain Standards of the United States. For each one-half percent, or fraction thereof, of moisture in excess of 15½ percent, the maximum price for each of these grades shall be reduced by three-fourths of one cent per bushel.

(b) *White corn.* (1) The maximum prices per bushel for each grade of white corn in carload quantities, or in less than carload quantities, at the terminal price basing points, shall be:

Chicago	$1.23½
Milwaukee	1.23½
Duluth and Superior	1.21¼
Minneapolis and St. Paul	1.18
Peoria	1.22½
St. Louis and East St. Louis	1.21¼
Kansas City	1.14
St. Joseph, Mo.	1.14
Omaha and Council Bluffs	1.14
Sioux City	1.14

White corn for the purpose of this regulation shall include mixed corn which contains 95 percent or more of white corn.

(2) The maximum prices for white corn, for all types of sales for which maximum prices are established by Secs. 4, 5, 6 and 7 of this regulation, shall be calculated in the same way as the maximum prices for the corresponding sales of yellow corn, except that the maximum prices for these sales of white corn shall be based upon the maximum prices for white corn at the respective terminal price basing points, set forth in paragraph (b) (1) of this section.

(3) The maximum prices for white corn, for all types of sales for which maximum prices are established by sections 8 and 9 of this regulation, shall be calculated in the same way as the maximum prices for the corresponding sales of yellow corn, except that the maximum prices for these sales of white corn shall be based upon the maximum prices for white corn at the respective terminal price basing points, set forth in paragraph (b) (1) of this section.

Examples:	
Philadelphia	$1.38
Boston	1.40¼
Nashville	1.33¾

(c) *Mixed corn.* The maximum prices per bushel for mixed corn, at all points, shall be the maximum prices at such points for the corresponding grade of yellow corn. The maximum prices for mixed corn which contains 95 per cent or more of white corn, however, are calculated under the provisions of paragraph (b) of this section, which provides the method for calculating prices for white corn.

(d) *Ear corn and snapped corn.* The maximum prices for ear corn and snapped corn shall be the maximum prices for yellow corn, provided that for the purpose of calculating the maximum price for ear corn or snapped corn, a bushel shall not be less than 68 pounds in weight.

SEC. 12 *Carrying charges and seasonal price advances*—(a) *Carrying charges.* In addition to the maximum prices for corn established under the provisions of this regulation, a carrying charge, not exceeding 1/15th of a cent a day per bushel, may be charged by a seller to a buyer from the date of the expiration of free time under a contract of sale, to the date selected by the buyer as the date on which shipment shall be made, or to the date on which shipment is actually made, whichever is earlier: *Provided,* That

(1) The seller may in all cases have five days from the date of receipt of instructions within which to make shipment, and may charge carrying charges accordingly; and

(2) The buyer shall not increase his maximum price for resale to any purchaser because such carrying charges have been incurred.

(b) *Seasonal price advances.* All maximum prices established by this regulation shall be increased by one-half cent per bushel on the first day, and one-half cent per bushel on the fifteenth day, of each of the months of May, June, July, August and September. The maximum prices established on September 15, shall continue to and including October 31. On November 1, the maximum prices for corn shall revert to the maximum prices that existed on May 31.

SEC. 13 *Maximum prices for future contracts*—(a) *Transactions in May contracts.* The maximum prices per bushel at which future contracts for delivery of corn in May may be made shall be the maximum prices for No. 2 yellow corn on May 31, 1943, established under this regulation, at the respective Exchanges, less 2 cents.

(b) *Transactions in July contracts.* The maximum prices per bushel at which future contracts for delivery of corn in July, 1943, may be made shall be the maximum prices at which contracts for May, 1943, delivery may be made, at the respective Exchanges, plus 2 cents.

(c) *Transactions in September contracts.* The maximum prices per bushel at which future contracts for delivery of corn in September, 1943, may be made shall be the maximum prices at which contracts for July, 1943, delivery may be made, at the respective Exchanges, plus 2 cents.

(d) *Transactions in December contracts.* The maximum prices per bushel at which future contracts for delivery of corn in December 1943, may be made, shall be the maximum prices at which contracts for May 1943, delivery of corn may be made, at the respective Exchanges.

SEC. 14 *Merchandising and elevation charges*—(a) *Merchandising charges.* To all maximum prices established under this regulation, there may be added two merchandising charges of 1¼ cents each per bushel, but only one such charge may be made by any one merchandiser. No merchandising charge may be made unless merchandising services are actually performed.

A merchandiser is any person who buys and resells corn in carload quantities:

(1) At a terminal price basing point, for shipment out of such market; or

(2) At a subterminal point, basing on a terminal price basing point, for shipment out of such market; or

(3) At a destination point located within the Areas I to X described in Appendix A; or

(4) At an interior point for shipment to a destination point located within the Areas I to X described in Appendix A, excluding shipment through a terminal price basing point.

(b) *Elevation charges.* In any case in which corn is handled through a terminal or a sub-terminal elevator, there may be added to all maximum prices established under this regulation any elevation charges that may lawfully be made, but the total elevation charges that may be added to the price to any purchaser shall not exceed two cents per bushel.

(c) *Purchases from producers.* The charges provided for by this section may not be added on corn purchased directly from producers. Such charges are provided for by Sec. 5 (a) of this regulation.

(d) *Meaning of terminal elevator, subterminal elevator, and subterminal point.* A terminal or a subterminal elevator means any elevator which receives corn by rail or water shipment in carload quantities. A subterminal point is a point at which a subterminal elevator is located.

(e) *Invoicing charges.* All merchandising and elevation charges permitted by this section may be charged to any purchaser at a later stage of distribution of the corn. These charges shall be separately stated on the invoice to any purchaser.

SEC. 15 *Retail dealers' margins at points outside of Area A.* The maximum prices for corn sold by retail dealers in less than carload quantities, at points in Areas I to X, described in Appendix A, shall be the maximum prices for corn in carload quantities at the point of sale, plus 8 cents per bushel. The charge permitted by this section does not apply to any of the sales covered by Secs. 5, 6, 7 and 8 of this regulation.

SEC. 16 *Sales of corn in sacks.* When corn is sold in sacks furnished by the seller, there may be added to the maximum prices at the point of sale an amount equal to the replacement cost of the sacks plus a sacking charge of 2 cents per bushel.

SEC. 17 *Tax on transportation of property.* The three per cent tax on the transportation of property imposed by section 620 of the Revenue Act of 1942 shall, for the purpose of this regulation, be treated as though it were an increase of three per cent in the amount charged by every person engaged in the business of transporting property for hire.

SEC. 18 *Selection by purchaser of receiving point.* Nothing in this regulation shall be construed to prohibit any person from purchasing and receiving corn at any point at the maximum price at that point as calculated under the provisions of this regulation, and shipping from such point to any other point at his own expense, although the price paid at the point of purchase plus the cost of transportation to the point of destination may exceed the maximum price at the point of destination as calculated under the provisions of this regulation: *Provided*, That if the corn so purchased and shipped is resold, the maximum price for the resale shall be the maximum price at the point of resale as calculated under the provisions of this regulation.

SEC. 19 *Records, reports and posting of prices*—(a) *Current records.* Every person selling corn for which maximum prices are established by this regulation shall keep, and make available for examination by the Office of Price Administration, records of the same kind that he has customarily kept, relating to the prices which he charges for corn that he sells after the effective date of this regulation, and such additional records as the Office of Price Administration may from time to time require.

(b) *Reports.* Every person selling corn for which maximum prices are established by this regulation shall submit such reports as the Office of Price Administration may from time to time require.

(c) *Posting of prices.* (1) Every person who purchases corn from a producer, and who has a regularly established place of business, shall post at a conspicuous place in the place of business his ceiling price on track, as calculated under Sec. 4 of this regulation, the maximum prices that he is permitted to pay to the producer for each class and grade of corn, and the maximum prices that he is permitted to charge for sales to local users of each class and grade of corn.

(2) Every person who sells corn to ultimate users in less than carload quantities, and who has a regularly established place of business, shall post at a conspicuous place in the place of business the maximum prices that he is permitted to charge for each class and grade of corn.

SEC. 20 *Evasive practices.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt, of or relating to corn, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by any other means.

SEC. 21 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942 as amended. Persons having evidence of any violation of this regulation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration, or with the principal office in Washington, D. C.

SEC. 22 *Registration and licensing.* The registration and licensing provisions contained in §§ 1499.15 and 1499.16 of the General Maximum Price Regulation,[1] issued by the Office of Price Administration are hereby made a part of this regulation and are made applicable to every person subject to this regulation, except that these provisions do not apply to any farmer who sells corn produced by him.

SEC. 23 *Petition for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 24 *Definitions.* When used in this regulation, the term:

"Carload quantity" means 60,000 pounds or more.

"Corn" means any grain which consists of 50 per cent or more of shelled corn of the dent or flint varieties, and may contain not more than 10 per cent of other grains for which standards have been established under the provisions of the United States Grain Standards Act.

"Less than carload quantity" means less than 60,000 pounds.

"Person" means an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

"Retail dealer" means any person who buys corn and resells it to a feeder or ultimate user.

APPENDIX A.—AREAS OF DISTRIBUTION

(a) *Area A.* Area A shall include the states of Illinois and Iowa, and the sections of South Dakota, Nebraska, and Minnesota set forth below:

South Dakota. The section of the state bounded on the east by the eastern boundary of South Dakota, on the south by the Southern boundary of South Dakota, on the north by the line of the C. and N. W. Railway extending from the eastern boundary of the state to Wolsey, and on the west by the line of the C. N. St. P. and P. Railway extending from Wolsey to Sioux City, Iowa. Points located on the boundary line of this section are included in Area A.

Nebraska. The section of state east of a line beginning at Running Water and following the line of the C and N. W. Railway to Norfolk, thence along the line of the Union Pacific Railroad through Columbus to Central City, thence along the line of the C B and Q Railroad through Hastings and Red Cloud to Superior. Points located on the described railway lines are included in Area A.

Minnesota. The section of the state bounded on the south by the southern boundary of Minnesota, on the west by the western boundary of Minnesota, on the north by the line of the C., M., St. P. and P. Railway extending through Ortonville to St. Paul, and on the east by the line of the C. R. I. and P. Railway extending from St. Paul through Gordon. Points located on the boundary line of this section are included in Area A.

(b) *Areas I to X—Area I.* Area I shall include the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, West Virginia, and Indiana, the lower peninsula of Michigan, the District of Columbia, all of Virginia except the section of the state to which freight rates are provided on page 19 of Central Freight Association Freight Tariff No. 3-G, B. T. Jones, Agent, I. C. C. No. 3319, and the section of Kentucky to which freight rates are provided on pages 13, 14, and 29 of Central Freight Association Freight Tariff No. 3-G, B. T. Jones, Agent, I. C. C. No. 3319.

Area II. Area II shall include the states of Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, and North Carolina, the section of Louisiana that lies east of the Mississippi River, and the sections of Virginia and Kentucky that are not included in Area I.

Area III. Area III shall include the states of Missouri, Kansas, Arkansas, Oklahoma, Texas, New Mexico, and the section of Louisiana that is west of the Mississippi River.

Area IV. Area IV shall include the states of Arizona and Nevada, and the sections of the states of Utah, California, Colorado and Oregon to which freight rates are provided in Transcontinental Freight Bureau tariff No. 46—J, L. E. Kipp, Agent, I. C. C. No. 1481.

Area V. Area V shall include the states of Washington and Idaho, and the sections of the states of Oregon, California, Utah, Wyoming and Montana to which freight rates are provided in Transcontinental Freight Bureau tariff No. 45—D. L. E. Kipp, Agent, I. C. C. No. 1491.

Area VI. Area VI shall include North Dakota, the section of the state of Montana not included in Area V, and all of the state of South Dakota except the section bounded on the east by the eastern boundary of South Dakota, on the south by the southern boundary of South Dakota, on the north by the line of the C. and N. W. Railway extending from the eastern boundary of the state to Wolsey, and on the west by the line of the C. M. & St. P. and P. Railway extending from Wolsey to Sioux City, Iowa. The excepted section of South Dakota outlined above shall include points located on the boundary line of the excepted section.

Area VII. Area VII shall include the section of the state of Wyoming not included in Area V, the section of the state of Colorado not included in Area IV, and all of the state of Nebraska west of a line beginning at Running Water and following the line of the C. and N. W. Railway to Norfolk, thence along the line of the Union Pacific Railroad through Columbus to Central City, thence along the line of the C. B. and Q. Railroad through Hastings and Red Cloud to Superior. Points on the described railway lines shall not be included in Area VII.

Area VIII. Area VIII shall include all of the state of Minnesota except the section bounded on the south by the southern boundary of Minnesota, on the west by the western boundary of Minnesota, on the north by the line of the C. N. & St. P. and P. Railway, exetnding through Ortonville to St. Paul, and on the east by the line of the C. R. I. and P. Railway extending from St. Paul through Gordon. The excepted section outlined above shall include points located on the boundary line of the excepted section.

Area IX. Area IX shall include all of the State of Wisconsin north of the line of the C. M. & St. P. and P. Railway extending from Prairie du Chien to Milwaukee, and the upper peninsula of Michigan. The area shall not include points located on the described railway line.

Area X. Area X shall include all of the state of Wisconsin not included in Area IX.

(c) *Reference to freight tariffs.* All references in this section to freight tariffs shall include supplements thereto and reissues thereof.

EFFECTIVE DATE

This regulation shall become effective March 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3919; Filed, March 12, 1943; 4:26 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 133 to Supp. Reg. No. 14[1] of GMPR[2]]

FLUID MILK IN DALLAS REGIONAL AREA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73 (a) (1) (vi) is amended to read as follows:

(vi) *Maximum prices for approved fluid milk sold and delivered in the Dallas regional area.* This subdivision (vi) of Supplementary Regulation No. 14 establishes maximum prices for approved fluid milk delivered within the geographical boundaries of Region V, including the states of Arkansas, Kansas, Louisiana, Missouri, Oklahoma and Texas. Specific maximum prices are established for out-of-store sales, home-delivery and all other sales in containers of one gallon or less. Prices are stated for six types of areas in Region V. These areas are geographically defined in the appendix. Specific maximum prices are also stated for approved milk in containers larger than one gallon sold to stores, hotels, restaurants, and institutions. Prices are also provided for sales of approved milk by restaurants, hotels, and similar eating establishments.

A formula is provided by which persons who sold premium milk during December 1942 may determine a premium to be added to the prices set out, provided they file a required report. No other person may add any premium for such milk unless he first obtains a price from the Dallas Regional Office of the Office of Price Administration. There is also a special method of determining maximum prices for deliveries of approved milk to the Army or Navy.

This subdivision takes the place of the seller's former ceiling prices as determined under the General Maximum Price Regulation, Maximum Price Regulation No. 280, relating to bulk sales of fluid milk to stores, hotels, restaurants and institutions, and supplementary and adjustment orders issued by the Office of Price Administration pertaining to the sale and delivery of approved milk in Region V, for all deliveries of approved fluid milk in the Dallas Regional area for which specific prices, or for which pricing formulae are provided by this subdivision of Supplementary Regulation No. 14. The listed maximum prices apply only to fluid sweet milk. They are not applicable to buttermilk and chocolate or other flavored milk, maximum prices for which remain as determined under § 1499.2, General Provisions of the General Maximum Price Regulation.

(*a*) *Maximum prices.* The maximum prices set forth below are the maximum prices for "approved fluid milk" delivered to the buyer in the respective size containers set forth below, in the respective areas set out in the Appendix, regardless of the quantities sold or delivered, the seller's classification of purchasers, or the material from which the container was made.

(*1*) *Table of prices* (on sales in containers larger than one gallon the price stated is per gallon. In all other instances the price stated is determined by the container used assuming that the container is full. Maximum prices for sales to Army and Navy are set forth in subdivision (5) below.)

(*i*) *Containers of one gallon or smaller*—(A) *Retail out-of-store sales or home deliveries.*

Size of container	Areas A	Areas 1A	Areas 1	Areas 2A	Areas 2	Areas 3
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
More than one gallon	50	48	46	44	42	40
Gallon	58	56	54	52	50	48
½ gallon	30	29	28	27	26	25
Quart	15½	15	14½	14	13½	13

(B) *Sales to stores and all other sales including wholesale or retail (except Army or Navy).*

Size of container	Areas A	Areas 1A	Areas 1	Areas 2A	Areas 2	Areas 3
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
Gallon	52	50	48	46	44	42
½ gallon	27	26	25	24	23	22
Quart	13½	13	12½	12	11½	11
Pint	7	6¾	6½	6¼	6	5¾
⅓ quart	5	4⅚	4⅔	4½	4⅓	4
½ pint	4	3¾	3¾	3½	3½	3¼

(*ii*) *Containers larger than one gallon.* (A) The maximum prices for sales to stores, hotels, restaurants, and institutions in containers larger than one gallon (except Army or Navy sales) are:

	Areas A	Areas 1A	Areas 1	Areas 2A	Areas 2	Areas 3
Per gallon	*Cents* 50	*Cents* 48	*Cents* 46	*Cents* 44	*Cents* 42	*Cents* 40

(*iii*) *Sales of milk by restaurants, hotels, and other eating establishments for consumption on the premises.* The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his maximum price by adding to the wholesale price established herein three cents per pint, two and one-half cents per ⅓ quart, or two cents per ½ pint.

(*2*) *Premium milk.* (*i*) A person who sold premium milk during December, 1942 shall determine the maximum price for such milk as follows:

Take the highest price (before all discounts or quantity differentials have been deducted) at which he sold each different kind, grade, quality, or quantity of premium milk during December, 1942 at wholesale, out-of-retail-store, or delivered-to-the-home, respectively.

Next, subtract from each of these prices the highest price (before discounts or quantity differentials have been deducted) at which he sold other approved fluid milk during December 1942 in containers of the same size at wholesale, out-of-retail-store or delivered-to-the-home. The differentials thus obtained shall be the premium for each size container and type of sale. These premiums may then be added to the specific maximum prices for non-premium milk fixed by this area adjustment: *Provided*, That the seller, on or before April 10, 1943, shall file a report with the Regional Office of the Office of Price Administration, Dallas, Texas, showing:

(A) The total quantity, expressed in quarts, of approved fluid milk sold by such seller during December, 1942;

(B) The types of premium milk sold by such seller during December, 1942;

(C) The differential at which he sold each type of such milk during December, 1942; and

(D) The total quantity, expressed in quarts, of each type of premium milk which he sold during December, 1942.

The Regional Office of the Office of Price Administration, Dallas, Texas, may correct the prices so reported and may revise any such prices if the differential reported is higher than that generally

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7209, 7365, 7401, 7453, 7400, 7510 7536, 7604, 7638, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343, 2346, 2507, 2665, 2760, 2877, 2878, 2886, 2872, 2888.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[2] 7 F.R. 8961.

prevailing during December, 1942, in the local market area or an adjoining area.

(*ii*) A seller of approved fluid milk who did not sell premium milk, or who sold only premium milk during December, 1942, may not add any premium to the maximum prices established under this area adjustment unless he first files an application in writing with the Regional Office of the Office of Price Administration, Dallas, Texas, for permission to sell such premium milk at prices requested, and has been granted a price at which to sell such premium milk under an appropriate order issued by such Regional Office.

(*iii*) No seller of fluid milk who during December, 1942, sold premium milk may add any premium to the maximum prices established pursuant to this subdivision if he increases the volume of premium milk sold in any calendar month more than 5% above the volume of such premium milk sold by him during December, 1942, unless he shall first file an application with the Regional Office of the Office of Price Administration, Dallas, Texas, for permission to increase the volume of such premium milk sales, and has been granted such permission under an appropriate order issued by such Regional Office.

Any application filed pursuant to the foregoing subdivisions (*ii*) or (*iii*) shall contain the following:

(A) If the application is made by a seller who sold premium milk during December, 1942 it shall contain a copy of the report required by the foregoing subdivision (2) (*i*);

(B) A description of the different types of premium milk sold in the area in which the applicant desires to establish maximum prices for premium milk, or in which the applicant desires to increase the volume of premium milk which he sells, as the case may be. If no premium milk is sold in the area served by the seller, the application shall so state.

(C) The maximum prices of such premium milk established pursuant to the foregoing subdivision (2) by the applicant or other sellers of premium milk in the area served by the applicant;

(D) A specific description of the kind, grade, and quality of the premium milk or milks concerning which the application is made;

(E) A full and complete statement of the reasons justifying the application for classifying such milk as premium milk, or for an increase in the volume of sale of an already established premium milk, as the case may be. It shall include a full statement showing that a denial of the application will result in substantial hardship to the applicant, and that a shortage or threatened shortage of a type of milk necessary to a standard of living consistent with the prosecution of the war will result from such denial;

(F) If the applicant was not selling premium milk during December 1942, the application shall show the total quantity of approved fluid milk, expressed in quarts, sold by him in December, 1942, together with the quantity of premium milk which the applicant proposes to sell and the premium, expressed in cents per quart, which he desires to add to the maximum price established pursuant to this subdivision. If the applicant was not in the business of selling fluid milk during December, 1942, he shall additionally show the total quantity of approved fluid milk, expressed in quarts, sold by him during the last calendar month preceding the application.

(3) *Certain sales in adjoining areas where higher maximum prices are established within Region V.* A seller who distributes 50% or more of the total volume of approved fluid milk handled by him in any area for which the listed specific maximum price for containers of one gallon or less for a particular type of sale is higher than that for another area into which he delivers less than 50% of his milk may charge the maximum prices applicable to the higher priced area; *Provided*, That the milk is approved for sale for human consumption under the sanitary, health and other local requirements of the area in which more than 50% of his total sales occur; *Provided, further*, That such seller shall within 30 days after the effective date of this Regulation file with the Regional Office of the Office of Price Administration, Region V, Dallas, Texas, a report giving the location of such sellers' plant or establishment, a statement showing that he does sell 50% or more of his approved fluid milk in such area, and a list of all cities, towns, or communities outside of such area into which he delivers such milk.

A seller who purchases approved fluid milk in containers of one gallon or less in one area for which the applicable listed maximum prices are higher than for another area in which he makes deliveries may charge purchasers of such milk the maximum resale prices applicable to the area from which he receives his supply. The seller shall file the name and address of his supplier and the names of each city, town, community in which he resells.

Any retailer purchasing such milk for resale may likewise use the maximum price established for the area where the supplier sells 50% or more of his approved fluid milk.

(4) *Maximum prices for sales in West Memphis, Arkansas, and Marion, Arkansas.* The maximum prices for the sale of approved fluid milk in West Memphis, Arkansas, and Marion, Arkansas shall be the maximum prices established by any regulation or order of the Office of Price Administration for any comparable seller of approved fluid milk in the City of Memphis, Tennessee.[1]

(5) *Sales to Army and Navy.* Unless the seller has entered into a contract prior to March, 1943[2] and commenced deliveries under such contract prior to that date, the maximum price for sales or deliveries to the Army or Navy in the Dallas Regional area shall be:

(*i*) *Where the seller is located within the Dallas Regional area.* The maximum price shall be the foregoing listed maximum price for a particular size container applicable to sales to stores in the area wherein such plant is situated, plus a premium of ½¢ per quart, or a proportionate amount for a part of a quart or, at the election of such seller, the actual transportation costs from such plant to destination not to exceed lowest common carrier rates. In the event the seller elects to add the transportation costs in lieu of the ½¢ premium he shall, within 10 days after entering into any contract with the Army or Navy, or the making of the first delivery to a camp, post, or other Army or Navy destination, where no contract is entered into, file with the Regional Office of the Office of Price Administration, Dallas, Texas, a statement showing the transportation charges which he proposes to add, together with the method of computing them, the location of the plant, and the destination of such milk.

(*ii*) *Where the plant of the seller is located outside of the Dallas Regional Area.* The maximum price shall be the maximum wholesale price for sales to stores, hotels, restaurants, and institutions established for the particular seller by an applicable regulation or order issued by the Office of Price Administration, plus ½¢ per quart, or, at the election of such seller, such wholesale price plus the actual transportation cost from the seller's plant to destination not to exceed the lowest common carrier rates. In the event the seller elects to use such wholesale price plus transportation costs, he shall, within 10 days after entering into any Army or Navy contract or making the first delivery to a particular camp, post, or other Army or Navy destination, where no contract is entered into, file with the Regional Office of the Office of Price Administration, Dallas, Texas, a statement showing such wholesale price, and the transportation charges which he proposes to add to such price, together with the method of computing them, the location of his plant, and the destination of such milk.

(*iii*) The ½¢ per quart premium provided for Army or Navy sales shall apply to any type of container in which the "approved fluid milk" is delivered.

(*iv*) The Regional Office of the Office of Price Administration, Dallas, Texas, may correct any price so determined.

(6) *Fractional cents.* On sales of one unit, wherein the price specified in this subdivision of Supplementary Regulation No. 14, contains a fractional cent, the seller may adjust the price upward to the nearest cent. On sales of more than one unit, where the unit price is expressed in a fraction of a cent, the exact price established by this subdivision shall be multiplied by the number of units. If such computations result in a fractional cent, the total shall be adjusted up or down to the nearest cent, and in such adjustment a half-cent may be adjusted upward to the nearest cent. "Home-deliveries" shall be considered multiple sales unless separate collections are made for single units delivered.

[1] *Sales in Memphis, Tennessee*—Maximum prices for sales in the City of Memphis, Tennessee are not provided for in this subdivision of Supplementary Regulation No. 14.

[2] *Sales and deliveries to Army or Navy under contract entered into prior to March, 1943*—Maximum prices for deliveries under such contracts are not affected by this subdivision.

(*b*) *Definitions.* (1) "Approved fluid milk" means fluid cow's milk, whether raw or pasteurized, meeting the minimum butter fat content, sanitary and health requirements for fluid milk for human consumption in the particular area wherein it is delivered, including standards set by the Army or Navy purchasing officer making purchases for the Armed Forces of the United States.

(2) "Premium milk" means any of the following: Certified milk, Homogenized milk whose Vitamin D content has been artificially increased, any other approved fluid milk for which the particular seller customarily charged a premium during December 1942 in excess of such seller's established maximum price for his standard approved fluid milk, or any other such milk as may be classified as premium milk by any order issued by the Dallas Regional Office of the Office of Price Administration.

(3) "Sales to the Army or Navy" shall include deliveries in the Dallas Regional area to the Armed Forces of the United States, including deliveries to Post Exchanges, Officers' Messes and Ship-stores.

(4) "Dallas Regional Area" means the territory lying within the geographical boundaries of the following states: Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

(5) "City, town, county, parish and township" means all of and only the territory lying within the geographical boundaries of a named city, town, county, parish or township, as the case may be. "City, Town" shall include incorporated and unincorporated cities, towns, and villages.

(6) "Area," unless the context manifestly otherwise requires, means the territory lying within the geographical boundaries of any city, town, or other community listed in the appendix.

(*c*) *Exemptions.* The maximum prices set by this subdivision do not apply to buttermilk and chocolate or other flavored milk. The listed maximum prices are applicable only to fluid sweet milk.

(*d*) *Adjustment of maximum prices.* The Regional Office of Region V of the Office of Price Administration, Dallas, Texas, may, upon application of any seller or on its own motion, adjust any maximum price established under this subdivision of Supplementary Regulation No. 14 where it appears:

(1) That a shortage in the supply of approved fluid milk in a particular locality exists or threatens to exist;

(2) That such a local shortage will be substantially reduced or eliminated by adjusting the maximum price of such seller and of like sellers; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Such application shall be filed in accordance with Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

[4] 7 F.R. 8661.

APPENDIX

CLASSIFICATION OF COMMUNITIES

Arkansas

Areas 1a

Camden
Crossett & West Crossett
El Dorado
Eudora
Lake Village
Little Rock
Monticello
North Little Rock
Pine Bluff

Areas 1

Brinkley
Ft. Smith
Fordyce
Forrest City
Helena
Hope
Hot Springs
Marianna
Marvell
Texarkana
Stuttgart
Van Buren
Warren
West Helena

Areas 2a

Arkadelphia
Batesville
Bauxite
Bearden
Benton
Black Rock
Blytheville
Conway
Clarendon
Dermott
DeWitt
Earl
Hamburg
Harrisburg
Hoxie
Huttig
Jonesboro
Lepanto
Loncke
Magnolia
Malvern
Morrelton
McGehee
Marked Tree
Newport
Norphlet
Osceola
Paragould
Parkin
Powhatan
Russellville
Sheridan
Smackover
Stephens
Trumann
Walnut Ridge
Wynne

Areas 2

Ashdown
DeQueen
Fayetteville
Harrison
Lewisville
Nashville
Paris
Searcy
Stamps

Areas 3

All Other Communities in Arkansas.

Kansas

Areas 1a

Kansas City
Leavenworth and Fort Leavenworth
Olathe
Wichita and Eastboro

Areas 1

Hutchinson
Salina
Topeka

Areas 2a

Abilene
Arkansas City
Atchison
Augusta
Baxter Springs
Chanute
Coffeyville
Columbus
El Dorado
Emporia
Fort Scott
Galena
Independence
Iola
Junction City
Lawrence
Manhattan
McPherson
Newton
Ossawatomie
Ottawa
Parsons
Pittsburg
Wellington
Winfield

Areas 2

Clay Center
Concordia
Dodge City
Garden City
Great Bend
Hays
Herington
Larned
Liberal
Lyons
Marysville
Pratt
Russell

Areas 3

All Other Communities in Kansas.

Louisiana

Areas A

Gretna
Lake Charles
New Orleans
Westwego

Areas 1a

Alexandria
Bastrop
Baton Rouge and North Baton Rouge
Clayton
DeRidder
Ferriday
Houma
Jena
Lake Providence
Leesville
Mansfield
Many
Minden
Monroe
West Monroe
Oak Grove
Pineville
Ruston
Shreveport and Bossier City
Tallulah

Areas 1

Abbeville
Arcadia
Bogalusa
Clinton
Colfax
Columbia
Covington
Crowley
Elizabeth
Eunice
Farmerville
Franklin (St. Mary Parish)
Hammond
Haynesville
Homer
Jackson
Jennings
Jonesboro
Jonesville
Kentwood
Lafayette
Melville
Morgan City
Natchitoches
New Iberia
Oakdale
Oberlin
Olla
Opelousas
Plaquemine
Ponchatoula
Rayne
Slidell
Thibodaux
Ville Platte
Welsh
Winnfield
Winnsboro

Areas 2a

Bernice
Campti
Clarks
Cotton Valley
Coushatta
Delhi
Gibsland
Hodge
Merryville
Oil City
Pearson
Plain Dealing
Rayville
Reddell
Spring Hill
Vidalia
Vivian
Zwolle

Areas 2

All Other Communities in Louisiana

Missouri

Areas A

St. Louis and St. Louis County

Areas 1a

Excelsior Springs
Independence
Kansas City
Liberty
St. Charles

Areas 1

Booneville
Columbia
DeSoto
Festus
Fulton
Hannibal
Jefferson City
Louisiana
Mexico
Moberly
Rolla
Springfield
St. Joseph
Washington

Areas 2a

Aurora
Brookfield
Cape Girardeau
Caruthersville
Carthage
Carrollton
Charleston (Mississippi County)
Chillicothe
Clinton
Dexter
Flat River
Joplin
Kennett
Kirksville
Lebanon
Lexington
Macon
Marshall
Maryville
Monett
Neosho
Nevada
Poplar Bluff
Richmond
Sedalia
Sykeston
Trenton
Warrensburg
Webb City
West Plains

All Other Communities in the following Counties except those listed above in Areas A, 1a, 1, or 2a:

Audrain
Boone
Callaway
Cole
Crawford
Dent
Franklin
Gasconade
Howard
Jefferson
Lewis
Lincoln
Maries
Marion
Monroe
Montgomery
Osage
Phelps
Pike
Ralls
Randolph
St. Charles
Texas
Warren
Washington

All Other Communities in Missouri, except those listed individually or by counties in areas A, 1a, 1, 2a, or 2 above.

Oklahoma

Area A—Continued

Areas 1a

Muskogee
Norman
Oklahoma City and Nichols Hills
Tulsa and Sand Springs

Areas 1

Bartlesville
Bristow
Claremore
Edmond
El Reno
Enid
Lawton
Sapulpa
Shawnee

Areas 2a

Ada
Anadarko
Ardmore
Blackwell
Chickasha
Cushing
Drumwright
Duncan
Durant
Guthrie
Henryetta
Holdenville
Hugo
McAlester
Mangum
Miami
Okmulgee
Pauls Valley
Pawhuska
Perry
Pitcher
Ponca City
Poteau
Seminole
Stillwater
Sulphur
Tahlequah
Vinita
Wewoka
Wagoner

Areas 2

Altus
Alva
Clinton
Elk City
Frederick
Hobart
Woodward

Areas 3

All Other Communities in Oklahoma.

Areas A

Alpine
Beaumont
Brackettville
Brownsville
Corpus Christi
Crystal City
Del Rio
Devine
Eagle Pass
Edinburg
El Paso
Fort Davis
Fort Stockton
Galveston
Harlingen
Houston (including West University Heights and the Tri-City area of Pasadena, Goose Creek, and Baytown)
Kingsville
Laredo

Area A—Continued

Marfa
McAllen
Mercedes
Mission
Orange
Pharr
Port Arthur
Raymondville
Rio Grande City
San Benito
Sanderson
Sierra Blanca
Texas City
Uvalde
Van Horn
Victoria
Weslaco

Areas 1a

Abilene
Austin
Belton
Big Springs
Brownwood
Conroe
Dallas (including University and Highland Park and Grand Prairie)
Fort Worth and Arlington
Midland
Mineral Wells
Pecos
San Antonio and Alamo Heights
San Angelo
Sweetwater
Temple
Waco
Wichita Falls

Areas 1

Alice
Amarillo
Aransas Pass
Bay City
Beeville
Borger
Brenham
Bryan
Cuero
Dalhart
Dumas
Edna
Electra
Freeport
Gatesville
Huntsville
Kerrville
Kermit
Killeen
Kountze
Liberty
Livingston
Lubbock
Monahans
Navasota
Odessa
Palacios
Pampa
Paris
Refugio
Robstown
Sinton
Texarkana
Tyler
Vernon
Velasco
Wharton
Wink
Yoakum

Areas 2a

Athens
Ballinger
Bonham

Oklahoma—Continued

Areas 2a—Continued

Boerne
Bowie
Brady
Breckenridge
Brownfield
Calvert
Cameron
Childress
Cisco
Clarksville
Cleburne
Coleman
Colorado City
Commerce
Corsicana
Crockett
Denison
Denton
Eastland
El Dorado
Ennis
Gainesville
Georgetown
Gladewater
Gonzales
Graham
Greenville
Henderson
Hillsboro
Hondo
Jacksonville
Junction
Kaufman
Kilgore
La Mesa
Lockhart
Longview
Lufkin
Lulling
Marlin
Marshall
McKinney
Mexia
Mount Pleasant
Nacogdoches
New Braunfels
Newcastle
Olney
Ozona
Palestine
Plainview
Ranger
Rusk
San Marcus
Seguin
Seminole
Sherman
Sonora
Stamford
Stephenville
Sterling City
Sulphur Springs
Taylor
Terrell
Waxahachie
Weatherford

Areas 2

All Other Communities in the following counties, other than those listed above in areas A, 1a, 1 or 2a:

Areas 2a—Continued

Aransas
Austin
Bee
Brazoria
Brewster
Brooks
Calhoun
Cameron
Chambers
Colorado
Crockett
Culbertson
DeWitt
Dimmit
Duval
Edwards
El Paso
Fayette
Fort Bend
Frio
Galveston
Goliad
Hardin
Harris
Hidalgo
Hudspeth
Jackson
Jasper
Jeff Davis
Jefferson
Jim Hogg
Jim Wells
Karnes
Kenedy
Kinney
Kleburg
Lavaca
LaSalle
Liberty
Live Oak
Loving
McMullen
Matagorda
Maverick
Montgomery
Newton
Nueces
Orange
Pecos
Presidio
Real
Reeves
Refugio
San Patricio
Starr
Terrell
Tyler
Uvalde
Val Verde
Victoria
Waller
Ward
Washington
Webb
Wharton
Willacy
Winkler
Zapata
Zavala

Areas 3

All Other Communities in Texas, not listed individually or by counties above.

This amendment shall become effective on March 13, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 12th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3920; Filed, March 12, 1943; 4:28 p. m.]

PART 1306—IRON AND STEEL

[RPS 43,[1] as Amended, Amendment 2]

USED STEEL DRUMS, PAILS AND CONTAINERS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The heading of this revised price schedule is amended to read as set forth above; §§ 1306.202, 1306.203, 1306.204 (a), 1306.206 (a), 1306.207, 1306.208, 1306.209 (a) (3) and (6) and 1306.212 (a) (1) and (b) are amended, a new paragraph (c) is added to § 1306.201, a new subparagraph (10) is added to § 1306.209 (a) and a new § 1306.213 is added, as set forth below:

§ 1306.201 *Maximum prices for used steel drums, used steel pails and used steel containers.* • • •

(c) On and after March 18, 1943, no person shall sell and deliver used steel containers, and no person shall, in the course of trade or business, buy or receive used steel containers at prices higher than the maximum prices set forth in Appendix C, incorporated herein as § 1306.213.

§ 1306.202 *Less than maximum prices.* Lower prices than those set forth in § 1306.211, Appendix A, § 1306.212, Appendix B, and § 1306.213, Appendix C, may be charged, demanded, paid or offered.

§ 1306.203 *Evasion.* The price limitations set forth in Revised Price Schedule No. 43, as amended, shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to a used steel drum, a used steel pail or a used steel container, alone or in conjunction with any other commodity or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1306.204 *Records and reports.* (a) Every person making purchases or sales of used steel drums and/or used steel pails after June 10, 1942, or of used steel containers after March 17, 1943, shall keep for inspection by the Office of Price Administration for a period of not less than two years, complete and accurate records of (1) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the quantity of each kind or grade purchased or sold, and (2) the quantity of used steel drums, used steel pails and/or used steel containers (i) on hand, and (ii) on order, as of the close of each calendar month.

• • • • •

§ 1306.206 *Petitions for amendment or exception.* (a) Persons seeking any modification of this schedule may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

• • • • •

§ 1306.207 *Sales for export.* The maximum price at which a person may export used steel drums, used steel pails or used steel containers shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

§ 1306.208 *Licensing.* The provisions of Supplementary Order No. 17[5], licensing of iron and steel products, are applicable to every person selling used steel drums, used steel pails or used steel containers for which maximum prices are established by this schedule. Said order provides in substance that a license is required for every person selling used steel drums, used steel pails or used steel containers for which maximum prices are established by this schedule, that every person subject to this schedule is granted a license as a condition of selling used steel drums, used steel pails or used steel containers hereunder, and that every such person may, in the future, be required to register with the Office of Price Administration at such time and in such manner as the Administrator may prescribe. Licensees violating any of the provisions of this schedule or of said license are subject to the license suspension proceedings provided in the Emergency Price Control Act of 1942, as amended.

§ 1306.209 *Definitions.* (a) When used in Revised Price Schedule No. 43, as amended, the term:

• • • • •

(3) "Drum" means a barrel or drum of heavier than 22 U. S. Standard gauge steel of a capacity of 14 to 16 gallons, inclusive, or 29 to 33 gallons, inclusive, or 50 to 58 gallons, inclusive.

• • • • •

(6) "Pail" means an open headed steel bucket or container of any gauge, of a capacity of 2, 3, 5 or 5½ gallons.

• • • • •

(10) "Used container" means a container, other than a drum or pail, made of 22 U. S. Standard gauge steel or lighter, of any capacity; *Provided*, That such container is suitable for reuse with or without reconditioning and is sold to a filler.

• • • • •

§ 1306.212 *Appendix B: Maximum prices for used steel pails and accessories*—(a) (1) *Maximum prices for reconditioned pails.* The maximum prices for reconditioned pails subject to the deductions required, as stated in paragraph (a) (2) of this section, delivered to the purchaser, shall be as follows:

5½ gallons	$0.57
5 gallons	.45
3 gallons	.36
2 gallons	.31

• • • • •

(b) *Maximum prices for raw used pails and covers.* The maximum prices for raw used pails and covers, f. o. b. the place where the pail and cover are sold, shall be as follows:

Pails and covers	Capacities			
	2 gallon	3 gallon	5 gallon	5½ gallon
Pail with cover	$0.10	$0.15	$0.20	$0.25
Pail without cover	.05	.07	.10	.12
Cover alone	.03	.04	.05	.06

§ 1306.213 *Appendix C: Maximum prices for used containers purchased direct from the person who empties the containers.* The maximum prices for used containers, purchased direct from the person who empties the containers, f. o. b. the place where the container is emptied, shall be $0.15 for used containers of 20 gallon capacity or less and $0.25 for used containers of greater than 20 gallon capacity.

This amendment shall become effective March 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3937; Filed, March 13, 1943; 2:30 p. m.]

PART 1309—COPPER

[RPS 12,[1] Amendment 5]

BRASS MILL SCRAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The heading and paragraph (b) of § 1309.18 are amended to read as set forth below:

§ 1309.18 *Definitions.* When used in Revised Price Schedule No. 12, the term:

• • • • •

(b) "Brass mill scrap" includes all kinds and grades of nonferrous scrap materials which are a waste or by-product of any kind of fabrication of new sheet, tube, rod or other brass mill products. It also includes any unused sheet, tube, rod or other brass mill products sold to a brass mill for remelting whether such brass mill products are in the form originally sold by the brass mill or have been further fabricated, processed, altered or assembled. However, it does not include any material which meets the foregoing provisions of this definition but is unsuitable for brass mill use.

• • • • •

This amendment shall become effective this 22d day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3938; Filed, March 13, 1943; 2:31 p. m.]

PART 1309—COPPER

[MPR 20]

COPPER SCRAP AND COPPER ALLOY SCRAP

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The title, preamble and §§ 1309.61 to 1309.73, inclusive of Revised Price Schedule No. 20, as amended,[1] are renumbered and amended to read as set forth below:

In the judgment of the Price Administrator the prices of copper scrap and copper alloy scrap have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended. The Price Administrator has ascertained and given due consideration to the prices of copper scrap and copper alloy scrap prevailing between October 1 and October 15, 1941 and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 20 is hereby issued:

AUTHORITY: §§ 1309.61 to 1309.72, inclusive, issued under Pub. Laws 421 and 729, 77th Congress, and E.O. 9250, 7 F.R. 7871.

§ 1309.61 *Prohibitions against sales or deliveries at prices higher than the maximum prices.* On and after March 22, 1943, regardless of any contract, agreement or other obligation, no person shall sell or deliver copper scrap or copper alloy scrap to a consumer, and no consumer shall buy or receive copper scrap or copper alloy scrap, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1309.70; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That contracts entered into prior to March 22, 1943, un-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663, 6967, 8520, 8961.
[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.
[3] 7 F.R. 7239, 11007.
[4] 7 F.R. 4297, 8948, 10527.
[5] 7 F.R. 1234, 1836, 2132, 3403, 3520, 5515, 8650, 8948, 9392.
[1] 7 F.R. 3404, 3489, 5516, 6482, 6895, 8948; 8 F.R. 120.
[2] 7 F.R. 8961.

der the terms of, and at prices in conformance with, Revised Price Schedule No. 20, as amended, may be carried out at the contract prices until April 12, 1943.

§ 1309.62 *Less than maximum prices.* Lower prices than the maximum prices established by this regulation may be charged, demanded, paid or offered.

§ 1309.63 *Adjustable pricing.* It is permitted under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery.

§ 1309.64 *Prohibited practices*—(a) *General.* Any practice or device which is an attempt to get the effect of a price higher than the maximum without actually charging a higher price is prohibited and is as much a violation of this regulation as an outright excessive price. This applies to devices involving commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) No consumer shall pay and no person shall accept payment from any consumer for a greater amount of copper scrap or copper alloy scrap, or both, than is actually received by a consumer at his plant.

(2) No person shall invoice to any consumer any copper scrap or copper alloy scrap, or both, as being entitled to any one or more of the special preparation premiums provided for in § 1309.70 (d) when such scrap is not, upon receipt by the consumer, in fact eligible, under the provisions of this regulation, for settlement at such premium price, nor shall any person demand, claim or request in any fashion whatsoever that any consumer pay a special preparation premium for any such scrap unless such scrap is, upon receipt by the consumer, in fact eligible under the provisions of this regulation for settlement at such premium price.

(3) No consumer may store, hold or otherwise deal in copper scrap or copper alloy scrap, or both, either at his plant or elsewhere, for the account of any person other than himself; however, this provision shall not prohibit any consumer from purchasing such scrap at prices not in excess of the maximum prices established by this regulation and reselling such scrap as a dealer.

(4) No person shall offer, solicit or agree to sell any copper scrap or copper alloy scrap, or both, to any consumer conditioned on the buyer's willingness to accept any other materials which are not subject to price control.

§ 1309.65. *Records.* Every person who makes or has made sales of copper scrap or copper alloy scrap to a consumer, and every consumer who makes or has made purchases of copper scrap or copper alloy scrap, on or after February 27, 1942, shall keep for inspection by the Office of Price Administration, for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing (a) the date thereof, (b) the name and address of the buyer or seller, (c) the quantity in pounds of each grade purchased or sold, (d) the quantity and description of each rejection, (e) the price paid or received f. o. b. point of shipment, (f) the method of delivery and delivery charges paid or received and (g) the dates of settlement and method of payment.

§ 1309.66. *Reports.* (a) On or before the tenth day of April, 1943, and on or before the tenth day of each month thereafter, each consumer shall submit to the Office of Price Administration Revised Form 120: 7a, set forth in Appendix B hereof and incorporated herein as § 1309.71 filled out as required by the instructions which accompany such forms, and which are set forth in § 1309.71.

(b) On or before the tenth day of April, 1943, and on or before the tenth day of each month thereafter, each consumer shall submit to the Office of Price Administration a report on Revised Form 120:7b, set forth in Appendix C hereof and incorporated herein as § 1309.72, covering each receipt of any grade of copper scrap or copper alloy scrap for which the consumer made settlement during the preceding calendar month. However, receipts which meet the following two conditions need not be reported on Revised Form 120:7b, or in any other manner:

(1) An individual receipt settled for with any one person is for $200 or less, and

(2) The total value of all settlements for copper scrap and copper alloy scrap with the same person does not exceed $1,000 during the month.

(c) Persons affected by this regulation shall submit such additional reports to the Office of Price Administration as it may from time to time require.

(d) The provisions of § 1309.70 (e) (2) (iv) requiring certain shipping information to be furnished to consumers, the provisions of § 1309.70 (g) (4) requiring brass and bronze ingot manufactures to furnish certain information in applications for adjustment to obtain permission to pay special preparation premiums for copper scrap in briquettes or in crucible shape, the provisions of § 1309.65 requiring certain records to be kept, the provisions of § 1309.66 requiring certain reports to be filed, the provisions of §§ 1309.71 and 1309.72 prescribing the form of such reports and setting out the instructions which shall be observed in filling out the reports, all have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

§1309.67 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No. 5—Licensing,[3] are applicable to every dealer subject to this regulation. As used in this paragraph (c), "dealer" shall have the meaning given to it by Supplementary Order No. 5.

§ 1309.68 *Petitions for Amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1309.69 *Definition.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions or any agency of the foregoing.

(2) "Consumer" includes any person whose business consists, in whole or in part, of smelting, refining, melting, or otherwise processing copper scrap or copper alloy scrap into a form other than scrap or of having such scrap so processed for his account by another person under a toll or conversion agreement. Any parent or subsidiary of a consumer and any person owned, operated, affiliated with, under common control with, or otherwise controlled by, a consumer, and any person owned, operated, or otherwise controlled by an officer, director, partner, or proprietor of a consumer, shall also be considered to be a consumer for the purposes of this regulation.

(3) "Scrap" includes all materials which are the waste or by-product of any kind of metal working and also all articles which have been discarded from their original use because of obsolescence, failure, or other reasons. It does not include copper bearing material, nor does it include articles which are still useful in their existing state for their original purpose when purchased for reuse in such state for such purpose.

(4) "Copper bearing material" includes ashes, skimmings, buffings, grindings, spatters, washings, mud and all other similar residues which contain copper. It also includes irony brass and any similar material which does not meet the specifications for any grade of copper scrap or copper alloy scrap.

(5) "Copper scrap" refers to the grades of scrap preceded by "Group Number 1" in § 1309.70 (b) (2).

(6) "Copper alloy scrap" refers to the grades of scrap preceded by "Group Numbers 2, 3, 4, and 5" in § 1309.70 (b) (2).

[3] 7 F.R. 3403, 6077, 9723; 8 F.R. 605.

(7) "Point of shipment" means the point at which copper scrap or copper alloy scrap is loaded on a conveyance for transportation directly to the consumer's receiving point. This is usually the seller's plant, warehouse or yard; but if the scrap is shipped directly to the consumer's receiving point from some point other than the seller's plant, warehouse or yard, such other point is the point of shipment. In the case of scrap shipped by water from outside the limits of the continental United States, the point of shipment means the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the consumer's receiving point. In the case of scrap brought into the continental United States by overland shipment from Mexico or Canada, the point of shipment means the freight station in the continental United States at or nearest the point on the boundary between the United States and Mexico or Canada, as the case may be, at which the scrap first entered the United States.

(8) "Received at the consumer's receiving point" means that the copper scrap or copper alloy scrap has arrived at the consumer's plant and is ready for unloading.

(9) "Shipment at one time" includes all copper scrap or copper alloy scrap, or both, which, under a single contract of purchase or other agreement, and within any three consecutive calendar days excluding Saturdays, Sundays and legal holidays, is (i) received at one or more points of shipment by the public carrier transporting such scrap to the consumer's receiving point, or (ii) loaded on the consumer's conveyance at one or more points of shipment, or (iii) received at the consumer's receiving point from one or more points of shipment when delivery is made by other than a public carrier or the consumer's conveyance.

(10) "Lot" means all of the copper scrap or copper alloy scrap, or both, included in a shipment at one time: *Provided*, That where a seller has physically segregated a portion or portions of a shipment, and has indicated the grade of each segregated portion, a lot means each such segregated portion. However, all the containers or bales indicated as containing the same principal grade shall be deemed to compose one lot. Also all briquettes sold or invoiced as one grade shall be deemed to compose one lot.

(11) "Principal grade" means that grade of copper scrap or copper alloy scrap which the seller has indicated as being contained in a lot. If the seller has not indicated what grade is contained in a lot, principal grade means that grade having a weight greater than any other grade.

(12) "Rejection" means all material in a lot (except a lot composed exclusively of borings or a lot settled for as refinery brass) other than the principal grade. However,

(i) Any material having the same group number as and a higher maximum price than the principal grade, unless settled for at a higher price than the maximum price for the principal grade, and

(ii) The insulation or lead covering on any insulated or lead-covered copper wire or cable settled for as the principal grade, and

(iii) The excess iron on any red brass breakage or automobile radiators settled for as the principal grade, and

(iv) The moisture, oil, grease, dirt, pulp and other nonmetallics adhering to the principal grade of scrap in any lot for which this regulation requires the maximum price to be reduced, need not be considered a rejection.

(13) "Group" means those grades of copper scrap or copper alloy scrap which are preceded by the same group number in § 1309.70 (b) (2). However, if a lot contains less than 10% rejections, all of the copper scrap and copper alloy scrap in such lot may be considered to be of the same group as the principal grade.

(14) "Representative sample of borings" means the sample obtained by the following method:

(i) All the containers composing one lot of borings are to be emptied.

(ii) The material shall then be shoveled through and every tenth shovel full shall be set aside.

(iii) The material so set aside shall then be thoroughly mixed and a quantity convenient for melting shall be taken out. This quantity of material is the representative sample.

(15) "Button" means the metal obtained, exclusive of slag, by melting down with a proper and sufficient flux a representative sample of scrap from which the free iron, oil and moisture have first been removed.

(16) "Button analysis" means the percentages showing the proportion of each element contained in the button.

(17) "Metallic yield" shall be determined as follows:

(i) The representative sample shall be weighed.

(ii) A button shall be made.

(iii) The button plus the free metal contained in the slag which results from making the button shall be weighed.

(iv) This weight shall then be divided by the weight of the representative sample; the result, expressed as a percentage, is the metallic yield.

(18) "Wet or natural analysis" means the button analysis multiplied by the metallic yield.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1309.70 *Appendix A: Maximum prices*—(a) *Introductory.* This regulation applies to all copper scrap and copper alloy scrap, except

(1) Cupro-nickel scrap, other than copper nickel bronze solids and borings, maximum prices for which are established by Revised Price Schedule No. 8,[4] and

(2) Brass mill scrap, maximum prices for which are established by Revised Price Schedule No. 12.[5] However, material which except for the fact that it is unsuitable for brass mill use would meet the definition of brass mill scrap shall be deemed to be copper scrap and copper alloy scrap.

(b) *Maximum base prices f. o. b. point of shipment.* (1) No consumer may pay, in addition to the maximum prices established by this regulation, a commission, fee, brokerage or similar charge to the seller or to a third person, other than his own employee who is not also employed by any other consumer. However, a consumer may pay a deposit charge of not more than $1.00 for each steel drum in which copper scrap or copper alloy scrap is packed if delivery is made by other than a public (common or contract) carrier. No such deposit charge may be paid if the material is packed in other than a steel container or if delivery is made by a public (common or contract) carrier.

(2) The following are maximum base prices, f. o. b. freight cars, trucks or other means of transportation at the point of shipment. Any copper scrap or copper alloy scrap sold "where is" shall be sold at a price less than the applicable maximum price by an amount reflecting the cost of loading the material for shipment to the consumer. These prices may be paid only for that quantity of copper scrap and copper alloy scrap which actually arrives at the consumer's receiving point. Effect shall be given to the provisions of paragraph (b) (4) of this section before the maximum price shall be known as the maximum base price.

[4] 7 F.R. 1224, 1636, 2132, 3123, 3270, 3519, 4493, 5514, 8948.

[5] 7 F.R. 1234, 1636, 2132, 3520, 5515, 8550, 8948, 9392.

TABLE OF PRICES

Group No.	Grade	Maximum price in cents per pound of material	Specifications
1	No. 1 Copper Wire and No. 1 Heavy Copper.	9.75 A deduction of 0.15 cents per pound shall be made for the weight of all pieces which exceed 12 inches in width or diameter or 48 inches in length.	Shall consist of unalloyed clean, uncoated copper wire, cable and pieces, which have a copper content of not less than 98.5%, and shall be free of wire and cable smaller than 16 B.& S. wire gauge, auto wrecked cable, lead wire and cable which is leaded, lead brazed, soldered, tinned, plated, and painted material.
1	No. 1 Tinned Copper Wire and No. 1 Tinned Heavy Copper.	9.75 A deduction of 0.15 cents per pound shall be made for the weight of all pieces which exceed 12 inches in width or diameter or 48 inches in length.	Shall consist of clean, bright, tinned and tin-alloyed copper wire, cable and pieces, shall have a copper content of not less than 98.5%, and shall be free of [illegible] and cable which is smaller than 16 B & S wire gauge.

TABLE OF PRICES—Continued

Group No.	Grade	Maximum price in cents per pound of material	Specifications
1	No. 2 Copper Wire and Mixed Heavy Copper.	8.75 A deduction of 0.15 cents per pound shall be made for the weight of all pieces which exceed 12 inches in width or diameter or 48 inches in length. If by an analysis, other than inspection, the copper content is found to exceed 96%, an addition of 0.11775 cents shall be made for each 1% of such additional copper content with proportionate adjustments for fractional variations of 1%.	Shall consist of copper wire and pieces, shall have a copper content of not less than 95%, and shall be free of silicon bronze and copper-nickel alloys.
1	Copper Tuyeres	8.75 Subject to a deduction of .0875 cents for each 1% or fraction thereof of adhering iron in excess of 5%.	Shall consist of Copper Tuyeres, including Bosh plates.
1	Light Copper	7.75 If by an analysis, other than by inspection, the copper content is found to exceed 96%, an addition of 0.11775 cents shall be made for each 1% of such additional copper content with proportionate adjustments for fractional variations of 1%.	Shall consist of miscellaneous copper, shall have a copper content of not less than 90%, and shall be free of radiators, bronze and brass screens, readily removable iron, lead-coated copper, and electrotype shells.
1	Copper Borings	9.75 Subject to the deduction provided for in footnote 1.	Shall consist exclusively of unalloyed copper borings and turnings, which in a button analysis shall have a copper content of not less than 98.5%, and shall be free of all other materials and contamination other than free iron, oil, moisture, and non-metallics.
1	Lead-covered Copper Wire and Cable.	(*) *The maximum price shall be calculated as follows: (A) Multiply the weight of the Lead-covered Copper Wire and Cable, less the weight of the lead covering and any insulation, by the above maximum price for the applicable grade of copper wire; (B) divide the resulting product by the weight of the Lead-covered Copper Wire and Cable, and (C) deduct from the resulting quotient 0.15 cents. This result is the maximum price. In addition to this maximum price, payment may be made for the lead covering at the maximum price established by Maximum Price Regulation No. 70.** The maximum price for a lot of Lead-covered Copper Wire and Cable may be determined by applying the foregoing computation to a representative sample.	Shall consist of tinned and untinned copper wire and cable covered with a sheathing of lead, may contain rubber, fabric and paper insulation, but shall be free of steel-armored and other metallically-armored material.
1	Insulated Copper	(*) *The maximum price shall be calculated as follows: (a) Multiply the weight of the Insulated Copper, less the weight of the insulation, by the above maximum price for the applicable grade of copper. (b) Divide the resulting product by the weight of the Insulated Copper; and (c) Deduct from the resulting quotient 0.15 cents. This result is the maximum price. The maximum price for a lot of Insulated Copper may be determined by applying the foregoing computation to a representative sample.	Shall consist of tinned and untinned copper wire, cable and pieces covered with rubber, paint, enamel, fabric, and other insulation but shall be free of steel-armored and other metallically-armored material, asbestos covering, and porcelain.

**8 F. R. 611.

[1] Whenever a reference in the foregoing table is made to "Footnote 1," the maximum price shall be reduced by 1% for each 1% of the following, singly or combined: Moisture, oil, grease, free iron, dirt, pulp, and other free non-metallics. Proportionate adjustment shall be made for fractional variations of 1%.

TABLE OF PRICES—Continued

Group No.	Grade	Maximum price in cents per pound of material	Specifications
2	Bell Metal	15.50 Subject to the deduction provided for in footnote 2.	Shall have a copper content of not less than 86%, a tin content of not less than 10%, and a lead content of not more than 1%.
2	High Grade Bronze Gears.	13.25 Subject to the deduction provided for in footnote 2.	Shall have a copper content of not less than 87%, a tin content of not less than 9%, and a lead content of not more than 1%.
2	High Grade Bronze Solids.	(*) *The maximum price shall be calculated by the application of section 1369.70 (b) (3) to an analysis, other than by inspection, of the material. As an alternative to payment on the analysis basis, the consumer, if he receives less than 5,000 pounds in a shipment at one time, may determine by inspection that the material meets the specification, but in such case the maximum price shall be 10.75 cents. In either event the maximum price shall be subject to the deduction provided for in footnote 2.	Shall have a copper content of not less than 83%, a tin content of not less than 5.5%, a lead content of not more than 3%, and total other impurities, exclusive of zinc and nickel, of not more than 0.75%, and shall be free of Bell Metal, High Grade Bronze Gears, and Rod Trolley Wheels.
2	High Grade—Low Lead Bronze Borings.	(*) *The maximum price shall be calculated by the application of section 1369.70 (b) (3) to a wet or natural analysis, after a button analysis has determined the proper classification, of the material. As an alternative to payment on the analysis basis, the consumer, if he receives less than 2,000 pounds in a shipment at one time, may determine by inspection that the material meets the specification, but in such case the maximum price shall be 10.00 cents, subject to the deduction provided for in footnote 1.	Shall consist of borings and turnings which in a button analysis shall have a copper content of not less than 70%, a tin content of not less than 2.75%, and a lead content of not more than 3%, but in all cases the tin content must be higher than the lead content. The combined silicon, aluminum, manganese, and alloyed iron shall not exceed 1.25%, and no one of them shall exceed 0.50%.
2	Babbitt Lined Brass Bushings.	13.00 Subject to the deduction provided for in footnote 2.	Shall consist of bushings and bearings from automobiles and other machinery, shall contain not less than 15% genuine babbitt, and shall be free of iron-backed bearings.
2	High Lead Bronze Solids.	(*) *The maximum price shall be calculated by the application of the following method to an analysis, other than by inspection, of the material: If zinc content is:— 0.00% to 1.25%—Copper content × 9.25¢ + tin content × 33.00¢. 1.26% to 4.00%—Copper content × 9.00¢ + tin content × 32.00¢. 4.01% or more—Copper content × 8.50¢ + tin content × 30.00¢. However, 0.01 cent per pound of material shall be added or deducted for every 0.01% of antimony below .25% or above .75%. As an alternative to payment on the analysis basis, the consumer, if he receives less than 40,000 pounds in a shipment at one time, may determine by inspection that the material meets the specification, but in such case the maximum price shall be 9.50 cents. In either event the maximum price shall be subject to the deduction provided for in footnote 2.	Shall have a copper content of not less than 70%, a tin content of not less than 5.5%, a lead content of not less than 6%, and total impurities, exclusive of zinc, antimony and nickel, of not more than 0.75%, and shall be free of Lined and Unlined Standard Red Car Boxes.

[2] Whenever a reference in the foregoing table is made to "Footnote 2," the maximum price shall be reduced by 1% for each 1% of the following, singly or combined: Adhering moisture, oil, grease, dirt, pulp, and other non-metallics. Proportionate adjustments shall be made for fractional variations of 1%.

TABLE OF PRICES—Continued

Group No.	Grade	Maximum price in cents per pound of material	Specifications
1	High Lead Bronze Borings	(*) *The maximum price shall be calculated by the application of the same method as that used for determining the maximum price of High Lead Bronze Solids to a wet or natural analysis, after a button analysis has determined the proper classification and the zinc content, of the material. As an alternative to payment on the analysis basis, the consumer, if he receives less than 5,000 pounds in a shipment at one time, may determine by inspection that the material meets the specification, but in such case the maximum price shall be 9.25 cents, subject to the deduction provided for in footnote 1.	Shall consist of borings and turnings which in a button analysis shall have a copper content of not less than 70%, a tin content of not less than 5.5%, a lead content of not less than 6%, and total impurities, exclusive of zinc, antimony and nickel, of not more than 0.75%.
2	Red Trolley Wheels.	10.75 Subject to the deduction provided for in footnote 2.	Shall consist of red trolley wheels, free of bushings.
	Tinny Bronze (Phosphor Bronze) Borings.	10.50 Subject to the deduction provided for in footnote 1.	Shall consist of borings and turnings which in a button analysis shall have a copper content of not less than 88%, a tin content of not less than 3% and not more than 5.5%, a lead content of not more than 1% and a combined silicon, manganese and aluminum content of not more than 0.1%.
2	Copper-Nickel Solids and Borings.	9.25 Subject to the deductions provided for in footnotes 1 and 2.	Shall consist of solids, borings, and turnings which shall have a copper content of not less than 95%, balance nickel.
2	Bronze Paper Mill Wire Cloth.	9.50 Subject to the deduction provided for in footnote 2.	Shall consist of genuine Fourdrinier wire cloth and screen, shall have a copper content of not less than 82%, a tin content of not less than 3%, and a lead content of not more than 1%.
2	Aluminum Bronze Solids.	9.00 Subject to the deduction provided for in footnote 2.	Shall consist of aluminum bronze castings and other solids, including Ford gears, shall have a copper content of not less than 80%, an aluminum content of not less than 7%, and a combined zinc, tin, lead, and silicon content of not more than 0.50%.
2	Soft Red Brass (No. 1 Composition).	9.00 Subject to the deduction provided for in footnote 2.	Shall consist of miscellaneous red brass castings, shall have a copper content of not less than 81%, a tin content of not less than 3.5%, and a lead content of not less than 3%, and shall be free of silicon bronze, manganese bronze and aluminum bronze, burnt brass, Cocks and Faucets, and Lined and Unlined Standard Red Car Boxes.
2	Soft Red Brass Borings (No. 1 Composition Borings).	9.00 An addition or a deduction of 0.1 cent per pound shall be made for each 1% that the copper content, as determined in the button analysis, is above 84.00% or below 82.00% respectively, and an addition or a deduction of 0.4 cent per pound shall also be made for each 1% that the tin content, as determined in the button analysis, is above 5.50% or below 4.50% respectively, with proportionate adjustments for fractional variations of 1%. The price as thus adjusted shall be subject to the deduction provided for in footnote 1. As an alternative to payment on the analysis basis, the consumer, if he receives less than 5,000 pounds in a shipment at one time, may determine by inspection that the material meets the specification, but in such case the price shall be 8.50 cents, subject to the deduction provided for in footnote 1.	Shall consist of turnings and borings which in a button analysis shall have a copper content of not less than 70%, a tin content of not less than 3%, a lead content of not less than 3% and not more than 10%, but shall not include any turnings and borings which meet the specification for High Lead Bronze Borings. The combined silicon, aluminum, manganese and alloyed iron shall be not more than 1.25%, and no one of them shall exceed 0.5%.

TABLE OF PRICES—Continued

Group No.	Grade	Maximum price in cents per pound of material	Specifications
2	Contaminated Gilding Metal Turnings	8.50 Subject to the deduction provided for in footnote 1.	Shall consist of turnings and borings which in a button analysis shall have a copper content of not less than 88%, balance zinc.
2	Unlined Standard Red Car Boxes	8.25 Subject to the deduction provided for in footnote 2.	Shall consist of unlined railroad boxes and unlined car journal bearings, free of yellow boxes and iron-backed boxes.
2	Lined Standard Red Car Boxes.	7.75 Subject to the deduction provided for in footnote 2.	Shall consist of lined railroad boxes and lined car journal bearings, free of yellow boxes and iron-backed boxes.
2	Cocks and Faucets	7.75 Subject to the deduction provided for in footnote 2.	Shall consist of clean mixed red and yellow cocks and faucets, shall contain a minimum of 35% red cocks and faucets, and shall be free of gas cocks and die cast cocks and faucets.
2	Mixed Brass Screens	7.75 Subject to the deduction provided for in footnote 2.	Shall consist of all copper and brass screens other than Bronze Paper Mill Wirecloth, and shall have a copper content of not less than 75%
2	Red Brass Breakage (Irony Composition).	7.50 Subject to the deduction provided for in footnote 2. A further deduction of 0.075 cents shall be made for each 1% or fraction thereof of adhering iron in excess of 10%.	Shall consist of irony red brass castings, including carburetors.
2	Old Nickel Silver Solids	6.25 Subject to the deduction provided for in footnote 2.	Shall consist of nickel silver castings and other solids, shall have a copper content of not less than 55% and a nickel content of not less than 8%, and shall be free of yellow brass and cupro-nickel scrap which contains no zinc.
2	Old Nickel Silver Borings.	6.25 Subject to the deduction provided for in footnote 1.	Shall consist of nickel silver borings and turnings which shall have a copper content of not less than 55% and a nickel content of not less than 8%.
2	Copper-Lead Solids	6.25 Subject to the deduction provided for in footnote 2.	Shall have a copper content of not less than 65%, balance lead, tin and antimony, except that impurities shall not exceed 1%.
2	Copper-Lead Borings.	6.25 Subject to the deduction provided for in footnote 1.	Shall consist of borings and turnings which in a button analysis shall have a copper content of not less than 65%, balance lead, tin and antimony, except that impurities shall not exceed 1%.
3	Zincy Bronze Borings	8.00 Subject to the deduction provided for in footnote 1.	Shall consist of borings and turnings which in a button analysis shall have a copper content of not less than 78%, a tin content of not more than 2.75%, a lead content of not more than 0.5%, and a combined silicon, aluminum and manganese content of not more than 0.75%.
3	Fired Rifle Shells	8.25 Subject to the deduction provided for in footnote 2.	Shall consist of fired rifle shells, free of gun powder and bullets.
3	Brass Pipe	8.00 Subject to the deduction provided for in footnote 2.	Shall consist of brass pipe and tubing, free of soldered, tinned, plated, corroded, and aluminum-painted material, Muntz metal, Admiralty tubing, and material with cast brass connections.
3	Old Rolled Brass	7.75 Subject to the deduction provided for in footnote 2.	Shall consist of old sheet brass, free of soldered, tinned, plated, corroded, and aluminum-painted material, and Muntz metal.
3	Admiralty Condenser Tubes.	8.00 Subject to the deduction provided for in footnote 2.	Shall consist of Admiralty condenser tubing which may be plated or unplated, free of nickel silver, aluminum-alloyed and corroded material.

See footnotes to table on preceding pages.

(3) *Table for pricing high grade bronze ingot and high grade low-lead bronze borings.*

Copper content and lead content of the button analysis	I Base (see note) for the copper content of the button analysis	II Copper (see note 1)	III Lead	IV Tin	V Zinc	VI Iron	VII Nickel	VIII Antimony	IX Phosphorus	X Aluminum
	Copper	Lead	Tin	Copper	Lead	Tin	Copper	Lead	Tin	Copper
	Basis	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
84.00 or more	84.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
84.00 or more	84.00	0.01 to 0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
84.00 or more	84.00	0.51 to 1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
84.00 or more	84.00	1.01 to 2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
84.00 or more	84.00	2.01 to 3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
75.00 to 83.99	75.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
75.00 to 83.99	75.00	0.01 to 0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
75.00 to 83.99	75.00	0.51 to 1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
75.00 to 83.99	75.00	1.01 to 2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
75.00 to 83.99	75.00	2.01 to 3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
70.00 to 74.99	70.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
70.00 to 74.99	70.00	0.01 to 0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
70.00 to 74.99	70.00	0.51 to 1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
70.00 to 74.99	70.00	1.01 to 2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
70.00 to 74.99	70.00	2.01 to 3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

NOTE.—Long dash (—) in the column headed "Base" indicates that the button analysis shall not be used for the purpose of determining the base price for the copper content of the material. When the figure in the column headed "Base" is followed by a plus (+) sign, the base price for the copper content of the material shall be determined by the copper content of the button analysis and the price factor for copper as set forth in the column headed "Copper". When the figure in the column headed "Base" is followed by a minus (−) sign, the base price for the copper content of the material shall be determined by the copper content of the button analysis and the price factor for copper as set forth in the column headed "Copper".

(a) In column I find the base price for the copper content of the button analysis.

(b) From columns II, III, IV, V, VI, VII, VIII, IX, and X find the column giving the tin content shown in the button analysis. Add the price factor for copper and for tin in the column found in (b), or the base found in (a), and multiply the total price for the percentage of copper shown in the wet or natural analysis and the price factor for tin by the percentage of tin shown in the wet or natural analysis.

(c) Add the resulting products. This sum is the maximum price in cents per pound of material for the purposes of § 1309.70 (b) (2).

(4) *Rejections.* (i) The consumer shall examine and sort the scrap contained in each lot in order to determine the rejections contained therein, except when the lot consists exclusively of borings or when it is settled for as refinery brass. The maximum base price for each grade of copper scrap and copper alloy scrap contained in such lot shall then be determined as follows:

(a) If the lot contains less than 10% rejections by weight, the maximum base price for each grade shall be the maximum price established by § 1309.70 (b) (2).

(b) If the lot contains 10% or more rejections by weight, the maximum base price for each grade shall be the higher of the following:

(1) The maximum price established by § 1309.70 (b) (2) for the lowest-priced grade contained in such lot: Except, that if the maximum price for each of the grades contained in such lot is the same, a deduction of 0.25¢ per pound of material must be made, or

(2) The maximum price for each grade established by § 1309.70 (b) (2), reduced by 0.25¢ per pound of material.

TABLE OF PARTS—(Continued)

Grade	Maximum price in cents per pound of material	Specifications
1 Manila Yellow Rod and Tube	7.50	Subject to the deduction provided for in footnote 2	Shall consist of Manila or old rod, tube or clippings having a base of approximately 70% copper, the balance of which shall be principally zinc, free of tinning, silver, aluminum-alloyed and corroded material.
3 Plated Brass Shell Cases and Bullet Jackets	7.50	Subject to the deduction provided for in footnote 2	Shall consist of plated brass shell cases, bullet jackets, and similar plated, stamped, and drawn articles, free of tinning, silver, aluminum-alloyed, corroded, and other foreign material. Must have metal and Admiralty cuttings, and material with rust stains contained therein.
3 Magnesium Bronze Castings	7.25 if the lead content is 0.50% or less; 6.25 if the lead content is over 0.50% but not more than 1.00%	Subject to the deduction provided for in footnote 2	Shall have a percentage of not less than 90% nor more than 92%, a lead content of not more than 1%, and shall be free of brass, forgings, sheet brazed, aluminum bronze and manganese bronze.
3 Manganese Bronze Borings	6.50	Subject to the deduction provided for in footnote 2	Shall consist of borings, turnings and short pieces of rods and sheets from manganese bronze castings.
4 Automobile Radiators	7.00	Subject to the deduction provided for in footnote 2	Shall consist of mixed unsweated automobile radiators.
3 Yellow Brass Cast Borings	6.25	Subject to the deduction provided for in footnote 2	All lots of such material must be chemically analyzed.
5 Refinery Brass	8.00	Multiplied by the dry copper content	Shall consist of all scrap which has a dry copper content of 64% or more but which is not suitable for direct use by the consumer without further preparation. Specifications for refinery brass is settled for as follows:

Subject to the deduction provided for in footnote 2

If the dry copper content is 70% or more but less than 75%, the price shall be reduced by 0.25¢ per pound of material.

If the dry copper content is 65% or more but less than 70%, the price shall be reduced by 0.50¢ per pound of material.

If the dry copper content is 64% or more but less than 65%, the price shall be reduced by 0.75¢ per pound of material.

Not to include turnings, drillings, millings, or borings. Not to contain more than 0.50% iron, 0.50% aluminum, 0.50% nickel, 0.50% antimony, 0.50% phosphorus, 0.50% zinc, 0.50% tin, 0.50% lead, 0.50% manganese, 0.50% silicon, 0.50% arsenic, 0.50% sulphur, 0.50% magnesium, 0.50% cadmium, 0.50% beryllium, 0.50% chromium, 0.50% zirconium, 0.50% titanium, 0.50% tungsten, 0.50% molybdenum, 0.50% vanadium, 0.50% columbium, 0.50% tantalum, 0.50% cobalt, 0.50% bismuth, 0.50% boron, 0.50% selenium, 0.50% tellurium, 0.50% calcium, 0.50% silver, 0.50% gold, 0.50% platinum, 0.50% metals of the platinum group, 0.50% total of all other elements, and 0.50% total of all other impurities.

(ii) In determining whether a lot contains 10% or more rejections by weight, the net weight of the lot after deducting the weight of all containers, dunnage and other tare shall be used.

(c) *Quantity premiums.* (1) To the maximum base price there may be added the applicable one of the following quantity premiums:

(i) For the shipment at one time by one person of 60,000 pounds or more of any one group other than Group 4 (automobile radiators) or Group 5 (refinery brass)—0.75 cents per pound;

(ii) For the shipment at one time by one person of 40,000 pounds or more of any one or two groups—0.50 cents per pound;

(iii) For the shipment by one person in one railroad car of 60,000 pounds or more of material eligible for the 0.75 cents per pound premium provided for in subdivision (i) of this paragraph (c) and, in the same railroad car, 20,000 pounds or more of any one other group—0.50 cents per pound for the material composing such other group in addition to 0.75 cents per pound for the 60,000 pound group.

(2) In computing the weight of material necessary for a quantity premium:

(i) There must first be deducted from the total weight of the shipment, the weight of (*a*) all containers, dunnage, and other tare, (*b*) all insulation and lead covering on Insulated Copper Wire and Cable or Lead-covered Copper Wire and Cable when settled for as the principal grade, (*c*) all rejections which are not either copper scrap or copper alloy scrap, (*d*) all other rejections in any lot containing 10 percent or more rejections, and (*e*) all copper scrap and copper alloy scrap for which any special preparation premium provided for in paragraph (d) of this section is paid;

(ii) The actual weight, at the consumer's plant, of the remaining material must be used, and the applicable quantity premium may be paid only on that weight.

(3) No quantity premium may be added to the maximum base price if any special preparation premium, permitted by paragraph (d) of this section, is added to such price.

(d) *Special preparation premiums*—(1) *Special preparation premiums for copper scrap.* (i) To the maximum base price for No. 1 copper wire and No. 1 heavy copper, No. 1 tinned copper wire and No. 1 tinned heavy copper, copper borings, or No. 2 copper wire and mixed heavy copper, the applicable one of the following crucible shape or briquetting premiums may be added. However, no crucible shape or briquetting premium may be added on the sale or delivery of any such copper scrap to a copper refinery or a brass and bronze ingot manufacturer:

	Cents per pound
No. 1 Copper Wire and No. 1 Heavy Copper in briquettes or in crucible shape	1.25
No. 1 Tinned Copper Wire and No. 1 Tinned Heavy Copper in briquettes or in crucible shape	1.25
Copper Borings in briquettes or in crucible shape	1.25
No. 2 Copper Wire and Mixed Heavy Copper in briquettes or in crucible shape	1.00

(ii) To the maximum base price for any grade of copper scrap, a special use premium of 1.25 cents per pound may be added: *Provided*, That the scrap has been prepared to meet the consumer's specifications and is suitable for his direct use without further preparation. However, no special use premium may be added on the sale or delivery of any such copper scrap to a copper refiner, a brass and bronze ingot manufacturer, a ferrous or non-ferrous foundry, or a brass mill.

(iii) A "briquette" means any compressed, self-adhering bundle whose measurements do not exceed 16 x 10 x 12 inches.

(iv) "Crucible shape" means either (*a*) that copper scrap is in lengths not exceeding 16 inches and is in a shape suitable for direct charging into the consumer's crucible or furnace, or (*b*) that copper borings or turnings are completely free of oil, other moisture, free iron, and other free impurities.

(2) *Special preparation premiums for copper alloy scrap.* (i) To the maximum base price for any grade of copper alloy scrap a crucible shape premium of 1.25 cents per pound may be added: Except, that in the case of manganese bronze solids the premium may be 2.50 cents per pound. However, no crucible shape premium may be added on the sale or delivery of any copper alloy scrap to a copper refiner or a brass and bronze ingot manufacturer.

(ii) "Crucible shape" means either (*a*) clean, heavy copper alloy scrap of uniform alloy content containing no free iron or other harmful material, and suitable for direct use by the consumer without further preparation, or (*b*) copper alloy borings or turnings of uniform alloy content completely free of oil, other moisture, free iron, and other free impurities.

(3) No special preparation premium may be added to the maximum base price if any quantity premium, permitted by paragraph (c) of this section, is added to such price.

(4) No special preparation premium may be added to the maximum base price for any grade of copper scrap or copper alloy scrap unless such scrap is invoiced by the seller as being in briquettes or in crucible shape, and unless such scrap when received by the consumer, is packed in separate containers or bales or is otherwise physically segregated by the seller, and unless a lot of such scrap contains less than 2% rejections by weight: Except, that in the case of the special use premium permitted by subparagraph (1) (ii) of this paragraph a lot of such scrap may contain up to 10% rejections by weight.

(5) For the purposes of this paragraph (d) any briquette which fails to meet the specifications for that grade of copper scrap at which it is invoiced shall be deemed to be a rejection.

(6) No special preparation premium may be added to the maximum base price for any grade except the principal grade in the lot.

(e) *Delivery charges.* (1) If copper scrap or copper alloy scrap is delivered to the consumer's receiving point by a public (common or contract) carrier, the maximum delivery charge which the consumer may pay in addition to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If copper scrap or copper alloy scrap is delivered to the consumer's receiving point by a vehicle owned or controlled by the seller or by a private carrier not owned or controlled by the consumer, the maximum delivery charge which the consumer may pay in addition to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of copper scrap or copper alloy scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the consumer's receiving point.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the above table.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the consumer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the consumer shall be separately computed in accordance with the provisions of this paragraph (e).

(iv) The seller shall furnish to the consumer on the invoice, or on a separate

statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(3) Anything hereinbefore contained to the contrary notwithstanding, if a quantity premium permitted by paragraph (c) of this section is paid on copper scrap or copper alloy scrap shipped from more than one point of shipment by any of the following means of transportation, the maximum delivery charge which the consumer may pay, in addition to the established maximum price f. o. b. point of shipment, shall be an amount not in excess of the applicable one of the following limitations:

(i) Entirely by railroad—the carload rate from that one of the several points of shipment which has the lowest carload rate to the consumer's receiving point.

(ii) Entirely by public carrier truck—the established truckload rate for the lowest minimum weight from that one of the several points of shipment which has the lowest truckload rate to the consumer's receiving point.

(iii) Entirely by vehicle owned or controlled by the seller or private carrier not owned or controlled by the consumer—the rate set forth in subparagraph (2) of this paragraph (e) from that one of the several points of shipment which has the lowest rate to the consumer's receiving point.

(iv) Partly by railroad, partly by public carrier truck, partly by vehicle owned or controlled by the seller, or a private carrier not owned or controlled by the consumer, or any combination of the foregoing—the lowest of the rates set forth in the preceding subdivisions of this subparagraph (3). However, in making the computation required by this subparagraph (3) (iv) the rate governing any method of shipment not actually employed may be disregarded.

(f) *Credit charges*—An amount not to exceed ½ of 1% per month for the extension of credit beyond thirty days after delivery may be charged over and above the maximum prices established by this regulation.

(g) *Exceptions*—(1) *Conversion of railroad scrap.* Nothing in this regulation or in the General Maximum Price Regulation[1] shall apply to the sale, delivery or transfer of copper scrap or copper alloy scrap to a foundry by a person owning, operating or maintaining rolling stock: *Provided*, That:

(i) The copper scrap and copper alloy scrap results from such person's use or processing of castings or other articles of the type produced by the foundry;

(ii) The foundry converts such copper scrap and copper alloy scrap into castings or other articles of the type from which the scrap resulted; and

(iii) Such person delivers the scrap to the foundry and the foundry returns an equivalent amount of castings or other articles of the type from which the scrap resulted in accordance with the terms of a written agreement approved by the War Production Board.

(2) *Metals Reserve Company purchases.* Nothing in this regulation, or in the General Maximum Price Regulation, shall apply to sales or deliveries of copper scrap or copper alloy scrap by any person to the Metals Reserve Company, the Copper Recovery Corporation, or their agents, pursuant to Salvage Program IRB–8 with respect to idle and excessive inventories of copper and copper base alloy products, adopted and announced by the War Production Board, Division of Industry Operations, by a letter dated May 11, 1942, or any supplement thereto, nor shall anything in this regulation, or in the General Maximum Price Regulation, apply to the sale or delivery to the Metals Reserve Company or its agents of any copper scrap or copper alloy scrap which is located at a point outside the continental United States at the time the contract of sale is entered into. However, the provisions of this regulation shall apply to all sales, deliveries or transfers of copper scrap or copper alloy scrap to a consumer by the Metals Reserve Company, the Copper Recovery Corporation, or their agents.

(3) *Intra-organization transactions.* Nothing in this regulation, or in the General Maximum Price Regulation, shall apply to sales or deliveries of copper scrap or copper alloy scrap between a parent corporation and a wholly-owned subsidiary corporation, or between two or more subsidiary corporations wholly owned by the same parent corporation. For the purposes of this subparagraph, a subsidiary corporation shall be deemed to be wholly owned by a parent corporation only if the parent corporation owns all of the capital stock of the subsidiary corporation: Except, that if required by the law of the state of incorporation of the subsidiary corporation, necessary qualifying shares may be owned by persons other than the parent corporation.

(4) *Briquetted and crucible copper scrap sold or delivered to a brass and bronze ingot manufacturer.* Any brass and bronze ingot manufacturer may file an application for adjustment under Revised Procedural Regulation No. 1 requesting permission to pay the premiums for briquetted and crucible shape copper scrap provided in § 1309.70 (d) (1) (i). (All brass and bronze ingot manufacturers heretofore authorized by Orders No. 1, 2, 3, 5, 6 and 7 issued under Revised Price Schedule No. 20, as amended, to purchase copper scrap in briquettes and to pay the premiums therefor provided in § 1309.70 (d) (1) (i) are hereby authorized to pay such premiums for copper scrap in briquettes or crucible shape.) Only the National Office of the Office of Price Administration may grant such applications and that Office may impose such conditions on the granting of permission under this subparagraph as it deems necessary to prevent evasion of the provisions of this regulation. No application will be granted under this subparagraph unless the applicant establishes that:

(i) In the three calendar months directly preceding the month in which the application is filed, the applicant produced a total of less than 600,000 pounds of brass and bronze ingot. In this connection, the applicant must state:

(*a*) His production in pounds of brass and bronze ingot for each such calendar month.

(*b*) His production in pounds of all other non-ferrous products, in which copper scrap was used, for each such calendar month.

(ii) In the calendar month directly preceding the month in which the application is filed the applicant was unable to purchase the amount of No. 1 and No. 2 copper scrap allocated to him by the War Production Board pursuant to Copper Supplementary Order M–9–b, as amended, or, if able to purchase such scrap, was unable to briquette or put into crucible shape a sufficient amount of it to permit efficient operation of his melting equipment. In this connection the applicant must state:

(*a*) The amount of No. 1 and No. 2 copper scrap allocated to him for such calendar month.

(*b*) The amount of No. 1 and No. 2 copper scrap purchased by him in such calendar month.

(*c*) The reasons for his inability to briquette or put into crucible shape a sufficient amount of copper scrap to permit efficient operation of his melting equipment.

(iii) The applicant regularly purchased copper scrap in briquettes or crucible shape in the six-month period from January 1, 1941 to July 1, 1941. If the applicant did not regularly purchase copper scrap in briquettes or crucible shape during the period January 1, 1941 to July 1, 1941, he must explain in detail why he now desires to purchase copper scrap in briquettes or crucible shape. In this connection the applicant must state:

(*a*) The total amount of copper scrap received between January 1 and July 1, 1941.

(*b*) The total amount of copper scrap received in briquettes or crucible shape between January 1 and July 1, 1941.

(*c*) What changes, if any, have occurred in the applicant's plant or production and how, if at all, they have affected his demands for copper scrap in briquettes or crucible shape.

(5) *Copper bearing material.* Nothing in this regulation, or in the General Maximum Price Regulation, shall control the price at which copper bearing material may be sold or delivered.

§ 1309.71 *Appendix B: Revised Form 120:7a, referred to in § 1309.66.*

Budget Bureau Approval No. 08–R242.1

OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Form OPA 120:7a
(Revised)

CONSUMER'S STATEMENT OF PURCHASES

(To be filed with the Office of Price Administration in Washington, D. C., by the 10th day of each calendar month by all consumers of copper scrap and/or copper alloy scrap whether they have made settlements in the previous month or not for such scrap. Report settlements on Revised Form 120:7b.)

Name of Consumer _____
Address of Consumer _____
City and State _____

This firm has ☐ has not ☐ made settlements which have to be reported under Maximum Price Regulation No. 20 on Revised Form 120:7b

The attached _____ (number) credit memoranda are known to me to be a full, complete, and accurate statement of all settlements which must be reported under Maximum Price Regulation No. 20 by this consumer for the month of _____, 194_.

I am authorized to make this statement for the aforementioned consumer.

(Signed) _____

_____ (Title)

(This form may be obtained from any office of the Office of Price Administration, may be reproduced on paper 8x10½ inches in size, or Form 120.7a from Revised Price Schedule No. 20, as amended, may be substituted.)

§ 1309.72 *Appendix C: Revised Form 120:7b referred to in § 1309.66.*

OPA Form 120:7b Revised

_____ (Name of consumer)

_____ (Address of consumer)

CREDIT MEMORANDUM

_____ (Name of seller)

_____ (Address of seller)

Budget Bureau Approval No. 08–R243

Date _____
Credit Memo. No. _____
OPA Report No. _____
Contract No. _____
Seller's Invoice No. _____
Point of Shipment _____
Via _____
Date or Dates Received _____
Gross Weight in Lbs. _____

Grade (rejections are indented)	Quantity (lbs.)			Purchase price	
	Gross	Tare	Net	Cents per lb.	Total for grade

Sub-total _____ $_____
Delivery charge due seller _____ _____
Total _____ $_____
Less advance to seller _____ _____
Balance due _____ $_____
Freight paid direct to public carrier _____ $_____

INSTRUCTIONS

(1) You may obtain copies of Revised Form 120:7a or Revised Form 120:7b from any district, State or regional office of the Office of Price Administration or from its principal office in Washington, D. C. You may reproduce the form on paper 8 x 10½ inches in size and make such changes or additions as may be necessary in order to use the form for a credit memorandum or settlement sheet with the person from whom you purchase scrap. However, you may not change the general appearance of the form or omit any of the information that appears on it, except "Budget Bureau Approval No. 08–R243," "Credit Memo. No." or "Sellers Invoice No."

If you use the form as a credit memorandum or settlement sheet, you may file carbon copies of the contents of the form.

(2) Report all receipts of copper scrap or copper alloy scrap (except brass mill scrap) settled for during the previous calendar month unless an individual receipt settled for with any one person is $200 or less and the total value of all settlements for copper scrap or copper alloy scrap with the same person does not exceed $1,000 during the month.

(3) Report each individual receipt on a separate form and give it a separate report number. However, all the receipts constituting a "shipment at one time" must be reported under the same OPA report number; in this case you must use a separate report form for each receipt from each separate point of shipment but all receipts from the same point of shipment may be reported on the same form. Number the report forms consecutively under "OPA Report No." beginning each month with No. 1

(4) Under "Date or dates received" enter the date or dates of shipment as shown on the bill of lading or other shipping documents or your own records. If the scrap was received by public carrier or your own conveyance. Otherwise, enter the date or dates when the scrap arrived at your receiving point.

(5) Identify each grade by the grade name used in § 1309.70 (b) (2) of Maximum Price Regulation No. 20.

(6) Enter the name of the principal grade contained in each lot in capital letters at the left margin of the "Grade" column. Opposite the grade name, enter the gross weight of the lot in the "Gross" column. Enter the weight of containers, dunnage, etc., in the "Tare" column. In the "Net" column enter the net weight of the principal grade alone.

(7) List all rejections sorted out of each principal grade underneath the principal grade. Indent each kind of rejection and describe it as in Instruction No. (5), whenever possible. Enter the net weight of each kind of rejection in the "Net" column.

(8) Indicate fully all factors for which Maximum Price Regulation No. 20 requires a deduction in the "Grade" column; for example, state variations in metal content, excessive iron, oil, moisture or dirt, unremoved insulation, inferior quality, lots containing more than 10% rejections, etc.

(9) If a special preparation premium has been paid, in the "Grade" column, indicate plainly the form in which the material was received.

(10) If any of the scrap was purchased "where is," report the fact in the "Grade" column and state the amount of the deduction you have made from the maximum price.

(11) Under "Purchase price" state the price, f. o. b. point of shipment, for each grade of material in cents per pound and by total paid. Each rejection must be stated separately.

(12) If the price of any of the material is determined on the basis of analysis, give all controlling analyses, including metallic yield when that factor is used, and the computation of the price in full.

(13) If the seller has borne or advanced the freight charges, state the amount under "Delivery charge due seller." Otherwise, enter freight paid under "Freight paid direct to public carrier."

By section 205 (b) of the Emergency Price Control Act of 1942, as amended, it is made a criminal offense, punishable by a fine of not more than $5,000 or imprisonment for not more than one year, or both, for any person to make, in this Revised Form 120:7b, any statement which is false in any material respect.

No. 52——9

EFFECTIVE DATE

This regulation shall become effective March 22, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3939; Filed, March 13, 1943; 2:31 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 227,[1] Amendment 2]

DRIED FRUITS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1341.352 (a) (5) (ii) and (iii) are added and § 1341.362 (a) (3) is amended as set forth below.

§ 1341.352 *Packer's maximum prices for dried fruits.* (a) • • •

(5) • • •

(ii) The maximum price of pitted prunes, per ton, f. o. b. factory, shall be as follows:

	Large		Medium		Small	
	Gov't sales	Other sales	Gov't sales	Other sales	Gov't sales	Other sales
Free flow	$271.[illegible]	$285.00	$247.[illegible]	$260.00	$223.[illegible]	$235.00
Regular	256.07	269.00	242.86	255.00	223.81	235.00

(iii) Pitted prunes made from prunes of 70 count or larger shall be "large"; of 100 count or larger, but not within the "large" group, shall be "medium"; and of 101 count or smaller, shall be "small." "Regular" pitted prunes are double run pitted prunes substantially matted. "Freeflow" pitted prunes are pitted prunes which substantially maintain their separate identity and are easily separated.

§ 1341.362 *Definitions.* (a) • • •

(3) "Dried fruits" means the following fruits or portions thereof, from which the major portion of moisture has been removed by natural or artificial drying:

Apricots
Figs
Peaches (including nectarines)
Pears
Prunes
Grapes (raisins)

• • • • • •

This amendment shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3940; Filed, March 13, 1943; 2:30 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7531, 8048, 8 F.R. 1971.

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States or any agency thereof, or any

Grades	Maximum delivered prices in cents per pound
(5) White gauze cuttings, clean gauze	6.00

Grades	Maximum delivered prices in cents per pound
(21) Unbleached canton flannel cuttings, table cuttings of un-	

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 344]

NEW COTTON, LINEN AND UNDERWEAR CUTTINGS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of new cotton, linen and underwear cuttings by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

So far as practicable the Price Administrator has ascertained and given due consideration to the prices prevailing between October 1 and October 15, 1941 and to relevant factors of general applicability, and has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 344 is hereby issued.

Sec.

1347.751 Prohibitions.
1347.752 Less than maximum prices.
1347.753 Geographical applicability.
1347.754 Applicability of the General Maximum Price Regulation.
1347.755 Imports.
1347.756 Export sales.
1347.757 Records and reports.
1347.758 Licensing.
1347.759 Evasion.
1347.760 Enforcement.
1347.761 Petitions for amendment.
1347.762 Adjustable pricing.
1347.763 Definitions.

Appendix A: Maximum prices for new cotton, linen and underwear cuttings.

AUTHORITY: Sections 1347.751 to 1347.763, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1347.751 *Prohibitions.* (a) On and after March 19, 1943, regardless of any contract or other obligation:

(1) No person shall sell or deliver any new cotton, linen or underwear cuttings at higher prices than the maximum prices set forth in Appendix A of this regulation.

(2) No person shall buy or receive new cotton, linen or underwear cuttings in the course of trade or business at higher prices than the maximum prices set forth in Appendix A of this regulation.

(3) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) This regulation shall not apply to sales or deliveries of unsorted new cotton, linen or underwear cuttings to a purchaser other than a consumer. In connection with every such sale, however, the purchaser must warrant in writing to the seller that he will not use the material as a consumer thereof; these warranties must be kept in the seller's records in the manner provided in § 1347.757 of this regulation. Where unsorted new cotton, linen or underwear cuttings are sold to a consumer, the maximum price shall not exceed the lowest maximum price prescribed by this regulation for any grade contained in the assortment.

§ 1347.752 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

§ 1347.753 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia, but shall not be applicable to the territories and possessions of the United States.

§ 1347.754 *Applicability of the General Maximum Price Regulation.* [2] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1347.755 *Imports.* This regulation shall apply to the importation of new cotton, linen and underwear cuttings as well as to the sale of such new cotton, linen and underwear cuttings after importation.

§ 1347.756 *Export sales.* The maximum price at which a person may export new cotton, linen and underwear cuttings shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [3] issued by the Office of Price Administration.

§ 1347.757 *Records and reports.* (a) Every person making purchases or sales aggregating ten tons or more of new cotton, linen and underwear cuttings in April 1943, or any one month thereafter shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase or sale of new cotton, linen, or underwear cuttings made during such month and each month thereafter, showing the following:

(1) Date of purchase or sale.

(2) Name and address of the buyer or seller. (3) Grade of new cotton, linen or underwear cuttings purchased or sold.

(4) Quantity of each grade purchased or sold.

(5) Prices including discounts paid or received, including all other direct or indirect considerations given or received and rebates made or taken.

(6) Warranties, if any, received or given.

(7) Origin and destination of the shipment, means of transportation used, and amount of transportation charges, insofar as known to the person keeping the record.

(b) Persons required to keep records shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this § 1347.757 as the Office of Price Administration may from time to time require or permit, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 1347.758. *Licensing.* The provisions of Supplementary Order No. 5 [4] (§ 1305.7) licensing dealers selling waste, scrap, and salvage materials shall be applicable to every dealer or broker subject to this regulation, selling, offering to sell, delivering or transferring at a price new cotton, linen or underwear cuttings to a consumer.

§ 1347.759 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, delivery, purchase, or receipt of or relating to any new cotton, linen or underwear cuttings, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

§ 1347.760 *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses as provided by the Emergency Price Control Act of 1942, as amended.

§ 1347.761 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

§ 1347.762 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission in writing to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.763 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "New cotton, linen and underwear cuttings" include all kinds and grades of new cotton, linen and underwear cuttings, regardless of the use for which they are sold, excepting, however, pound goods and similar materials when sold for reuse as new textiles.

(3) "Consumer" means a person who acquires new cotton, linen or underwear cuttings for his own use.

(4) "Dealer" means a person who acquires, collects, sorts, packs and offers for sale in the course of trade or business new cotton, linen or underwear cuttings.

(5) "Broker" means any person who purchases from a dealer and sells to a consumer new cotton, linen or underwear cuttings not packed by such person and purchased by such person in the condition in which they are to be delivered to the consumer.

(6) "Foreign materials" include every substance, other than new cotton, linen or underwear cuttings, as the case may be.

(7) "Tare" means the covering on a bale, including wires.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

APPENDIX A: MAXIMUM PRICES FOR NEW COTTON, LINEN AND UNDERWEAR CUTTINGS

(a) The respective maximum prices set forth below are established for the listed grades of new cotton, linen, and underwear cuttings. These maximum prices are per pound, delivered to buyer's usual receiving point; in the case of sales for the account of the Lend-Lease Administration, delivery shall be to the point specified by the Lend-Lease Administration. All grades as defined herein must be clean, dry, and free of rubber, leather, slasher, wool, silk and rayon rags, wood, paper, muss, pasted stock, paint, acetate, grease, oil, paraffine, latex, or other waterproofed materials and other foreign materials, unless otherwise specified. Tare weight in excess of 3% must be deducted from the weight of the bale in computing the maximum price for the bale.

Grades	Maximum delivered prices in cents per pound
(1) No. 1 white shirt cuttings, table cuttings of white shirts or b. v. d.'s accumulated from shirt factories or other garment factories; the packing must be free of starched or loaded materials and lawns	7.25
(2) No. 1 white headings, headings of white shirt, b. v. d. or sheeting material, free of starched or loaded materials, lawns and thrums	7.25
(3) Bleached white duck cuttings, table cuttings of bleached twill, drill or duck materials, free of color, starched or loaded materials and lawns	7.25
(4) Bleached white duck headings, headings of bleached twill, drill or duck materials, free of color, starched or loaded materials and lawns	7.25
(5) White gauze cuttings, clean gauze bandaging materials	6.00
(6) No. 2 white shirt cuttings, white shirt cuttings which may include lawns, starched or loaded materials, colored threads, stringy or soiled materials	5.75
(7) No. 2 white headings, the same material as No. 1 white headings but may include lawns, starched or loaded materials, colored threads, stringy or soiled materials	5.75
(8) White lawn cuttings, table cuttings of white materials of lighter weight than No. 1 white shirt cuttings, including embroidered materials, and must be free of starched or loaded materials and laces	5.00
(9) White lawn headings, headings of material of lighter weight than No. 1 white headings, including embroidered materials, and must be free of starched or loaded materials and laces	5.00
(10) White shrunk cuttings, white cuttings which may be loaded or starched	5.00
(11) No. 1 unbleached muslin cuttings, table cuttings of unbleached sheeting of drill or twill construction; the packing must be free of colored selvages, starched or loaded cuttings, canton flannel glove cuttings, heavily shived materials and heavy canvas	7.50
(12) No. 1 unbleached headings, headings of unbleached sheeting of drill or twill construction: the packing must be free of starched or loaded materials, canton flannel glove cuttings, heavily shived materials and heavy canvas	7.50
(13) No. 1 unbleached thrums, new unbleached strips, mill rags with threads attached and may contain mill and weaver knots but must be free of slasher and colored selvages	5.75
(14) Heavy unbleached canvas cuttings, heavy unbleached canvas cuttings with or without colored stripes	6.50
(15) No. 2 unbleached cuttings, unbleached cuttings which may include starched or loaded cuttings, colored threads, stringy or soiled materials	6.00
(16) No. 2 unbleached headings, the same material as No. 1 unbleached headings and may include starched, loaded, stringy, soiled or slightly oily materials and colored threads	6.00
(17) No. 2 unbleached thrums, the same grade as No. 1 unbleached thrums and may contain soiled materials and colored selvages but must be free of greasy and oil-saturated materials	4.75
(18) White and/or unbleached, lace and scrim curtain cuttings, table cuttings of white and/or unbleached, lace or scrim curtain materials, free of rubber dots	4.75
(19) Osnaburg cuttings, the same materials defined in No. 1 unbleached cuttings except that they may contain shivy cuttings	6.00
(20) Bleached canton flannel cuttings, table cuttings of bleached canton flannel or flannelette linings which must be free of silk, black threads and glove cuttings	7.00
(21) Unbleached canton flannel cuttings, table cuttings of unbleached canton flannel or flannelette linings which must be free of silk, black threads and glove cuttings	6.50
(22) Bleached and or unbleached wiggin cuttings, starched, open-weave buckram cuttings	4.00
(23) No. 1 bleached shoe cuttings, table cuttings of bleached materials from shoe linings. The material may be starched and either smooth or fleece-backed in type	6.00
(24) Heavy drill unbleached shoe cuttings table cuttings of unbleached materials from shoe linings which may be starched and must be free of fleece-backed shoe cuttings	6.00
(25) Unbleached fleece-backed shoe cuttings, table cuttings of unbleached fleece-backed materials from shoe linings which may be starched; the packing may contain heavy drill unbleached shoe cuttings	6.00
(26) Eastern canton flannel glove cuttings, table cuttings of unbleached material accumulated by cotton or canvas glove factories and must be free of color	6.75
(27) Yellow and or blue striped glove cuttings, table cuttings of yellow or blue striped glove material free of all other colors	5.25
(28) Tan glove cuttings, table cuttings of tan glove free of all other colors	4.50
(29) Tan and grey glove cuttings, table cuttings of tan or grey gloves free of all other colors	5.25
(30) Mixed glove cuttings, table cuttings of mixed colored gloves	3.50
(31) Wine brown jersey glove cuttings, table cuttings of wine brown jersey gloves free of all other colors	4.50
(32) White or cream domestic linen cuttings, table cuttings of white or cream materials, of domestic origin, woven from flax, free of colored selvages	14.00
(33) Grey or unbleached domestic linen cuttings, table cuttings of grey or unbleached materials, of domestic origin, woven from flax, free of red selvages	14.00
(34) White or cream domestic linen cuttings with colored selvages, table cuttings of white or cream colored materials, of domestic origin, with colored selvages, woven from flax	12.00
(35) Grey or unbleached domestic linen cuttings with colored selvages, table cuttings of grey or unbleached materials, of domestic origin, with colored selvages, woven from flax	12.00
(36) American linen, bleachable grey padding from men's clothing which may contain linen	5.00
(37) Pink and or peach muslin cuttings, bleachable pink and or peach woven table cuttings or crinkly pajama cuttings which must be free of rubber	6.25
(38) No. 1 light silesias, table cuttings of linings from men's clothing but must be free of black threads, heavily starched or loaded materials and dark colors	5.75
(39) No. 1 light flannelettes, flannelette table cuttings, free of bathrobe cuttings, wool shoddy materials, casha cloth and dark colors	5.75

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[4] 7 F.R. 3403, 6077, 9723; 8 F.R. 605.

[5] *Supra* note 1.

Grades	Maximum delivered prices in cents per pound
(40) No. 1 dark flannelettes, flannelette table cuttings of dark color, free of wool shoddy materials except bathrobes	4.25
(41) Grey flannelette cuttings, interlinings of ladies' coats, including tan casha	5.00
(42) Bathrobe cuttings, table cuttings of light or dark flannelette bathrobe cuttings	4.25
(43) No. 1 percales, table cuttings of light colored, print rags from men's shirts, shorts and pajamas. The packing may contain bleachable solid colors but must be free of woven materials and dark colors	4.75
(44) No. 1 light prints, printed table cuttings of ladies' garments. The packing may contain bleachable solid colors and must be free of woven materials	4.50
(45) No. 1 pink and/or peach corset cuttings, table cuttings of pink and/or peach corsets which may contain silk and rayon design. The packing must be free of lace, netting, open-weave or mesh fabrics, buckram and other heavily loaded materials and commercially free of rubber	4.25
(46) No. 2 pink and/or peach corset cuttings, table cuttings of pink corsets or peach which may contain silk and rayon design. The packing must be free of buckram and other heavily loaded materials	3.50
(47) No. 1 white-backed or express-striped blue overall cuttings, table cuttings of white-backed blue overall materials or blue overall materials with express stripes which may be packed separately. The packing must be free of black threads and Indigo blue cuttings	5.75
(48) No. 1 blue overall cuttings, table cuttings of white-backed, express-striped or bleachable blue overall materials, free of black threads and Indigo blue cuttings	5.50
(49) Blue denim thrums, new, white-backed blue overall, express-striped blue overall or bleachable blue overall strips, mill rags with threads attached. The packing may contain mill and weaver knots but must be free of slasher	4.75
(50) Indigo blue cuttings, table cuttings of indigo blue materials	4.50
(51) Black and white coverts, table cuttings of black and white cotton covert materials	4.25
(52) Grey coverts, consists of table cuttings of grey cotton covert materials	4.25
(53) Blue coverts, table cuttings of blue cotton covert materials	4.75
(54) Grey cheviots, table cuttings of grey cheviot shirt materials	4.75
(55) Blue cheviots, table cuttings of blue cheviot shirt materials	5.75
(56) Blue chambray cuttings, table cuttings of blue chambray materials	4.25
(57) Mixed black cuttings, all grades of black cotton cuttings which must be free of hat roundings, buckram and shoe cuttings	3.25
(58) Soft black silesias, table cuttings of soft black rags which must be free of wool delaines, black buckrams, black flannels, shoe cuttings and other foreign materials	3.75
(59) Light colored lace and scrim curtain cuttings, table cuttings of light colored lace and scrim curtain cuttings, free of rubber, paint and lacquer dots	3.00
(60) Ticking cuttings (mattress cuttings), table cuttings of light colored mattress cuttings which must be free of feathers, hair, metallic substances and dark colored materials	4.75
(61) Fancy shirt cuttings, table cuttings of woven and printed cotton materials accumulated from shirt factories	3.50
(62) No. 1 washables, colored cuttings in print or solid colors except black. Woven materials may be included	3.00
(63) Bleachable khaki cuttings, table cuttings of bleachable khaki cotton materials	4.25
(64) Unbleachable khaki cuttings, table cuttings of unbleachable khaki cotton materials	3.50
(65) Ladies' corduroy cuttings, table cuttings of ladies' mixed colored, light weight corduroy garments	3.00
(66) Men's corduroy cuttings, table cuttings from men's corduroy garments, free of cottonades and unions	3.50
(67) Cottonades, table cuttings of men's cotton garments of all colors, free of unions	3.25
(68) Bleached underwear cutters, free of fleece-lined cutters, table cuttings of bleached underwear free of fleece-lined cutters, trimmings, noodles and seamers	7.00
(69) Bleached underwear cutters, with fleece-lined cutters, table cuttings of bleached underwear free of trimmings, noodles and seamers but which may contain fleece-lined underwear cutters	6.75
(70) Unbleached or Egyptian underwear cutters free of fleece-lined cutters, table cuttings of unbleached underwear, free of fleece-lined cutters, trimmings, noodles and seamers	7.00
(71) Unbleached or Egyptian underwear cutters, with fleece-lined cutters, table cuttings of unbleached underwear free of trimmings, noodles and seamers but which may contain fleece-lined underwear cutters	6.75
(72) Mixed underwear cutters, free of fleece-lined cutters, table cuttings of bleached, unbleached, silver grey, random or cream colored underwear, free of fleece-lined cutters, trimmings, noodles and seamers	7.00
(73) Mixed underwear cutters, with fleece-lined cutters, table cuttings of bleached, unbleached, silver grey, random or cream colored underwear, free of trimmings, noodles and seamers but which may contain fleece-lined underwear cutters	6.75
(74) Pink and or blue underwear cutters, table cuttings of pastel pink and or blue underwear free of trimmings, noodles, loopers and seamers	5.50
(75) Silver grey or random cutters, free of fleece-lined cutters, table cuttings of bleachable silver grey or random underwear cutters free of fleece-lined cutters, trimmings, noodles, loopers and seamers	7.00
(76) Silver grey or random cutters, with fleece-lined cutters, table cuttings of bleachable silver grey or random underwear cutters free of trimmings, noodles, loopers and seamers but which may contain fleece-lined underwear cutters	6.75
(77) Light colored underwear cutters, table cuttings of bleachable underwear, free of dark colors and seamers	5.50
(78) Dark colored underwear cutters, table cuttings of unbleachable, colored underwear or knitted cutters and must be free of seamers	3.50
(79) Cream silk or rayon striped cutters, table cuttings of cream colored underwear cutters, which may contain silk or rayon stripes, free of trimmings, noodles, loopers and seamers	6.50
(80) Mixed underwear seamers, free of rubber, white, unbleached, random or silver grey trimmings from underwear, free of rubber	5.00
(81) Mixed underwear seamers, with rubber, white, unbleached, random or silver grey trimmings from underwear and may contain rubber	5.00
(82) Cream silk or rayon striped seamers, free of rubber, cream colored trimmings from underwear which may contain silk stripes or rayon stripes and must be free of rubber	5.50
(83) Cream silk or rayon striped seamers, with rubber, cream colored trimmings from underwear which may contain silk stripes or rayon stripes and rubber	4.50
(84) Light colored seamers, free of rubber, light colored trimmings from underwear, free of unbleachable material and rubber	4.75
(85) Light colored seamers, with rubber, light colored trimmings from underwear, free of unbleachable material but may contain rubber	3.75
(86) Dark colored seamers, free of rubber, unbleachable colored trimmings from underwear, free of rubber	2.75
(87) Dark colored seamers, with rubber, unbleachable colored trimmings from underwear, free of rubber	1.75
(88) Unbleached loopers and pieces, free of rubber, unbleached hosiery loopers and pieces, free of rubber	5.00
(89) Unbleached loopers and pieces, with rubber, unbleached hosiery loopers and pieces and may contain rubber	4.00
(90) Colored loopers and pieces, free of rubber, colored hosiery loopers and pieces, free of rubber	4.25
(91) Colored loopers and pieces, with rubber, colored hosiery loopers and pieces and may contain rubber	3.25

(b) The maximum price for any grade of new cotton, linen or underwear cuttings not listed in paragraph (a) of this Appendix A shall be a price in line with the maximum prices enumerated in that paragraph for the nearest related grades of new cotton, linen, or underwear cuttings. A maximum price for an unlisted grade so determined by a seller need not be reported to and confirmed by the Office of Price Administration except where the sale is to a consumer. Upon sales of such an unlisted grade to a consumer, however, seller must obtain confirmation from the Office of Price Administration that the price determined by him is in line with these enumerated maximum prices. If this confirmation is not obtained prior to the time of making the sale, seller must agree to refund the purchaser any amount paid in excess of the maximum price finally confirmed. Confirmation of a maximum price determined under this paragraph shall be obtained as follows:

Either before or at the time of making such a sale of an unlisted grade to a consumer, seller must submit to the Office of Price Administration in Washington, D. C. representative samples of the material, together with a statement setting forth all of the relevant facts including the following:

(1) Name of grade and of purchaser.

(2) Detailed statement of characteristics of the grade. This statement shall show how uniform the characteristics of this grade have been in past purchases and sales of this grade by the seller.

(3) Maximum delivered price per pound at which the seller proposes to sell such grade.

(4) Detailed statement concerning all purchases and sales of this grade by seller since January 1, 1941, including name of buyer or seller, date of transaction, price paid or received, and quantity purchased or sold.

A copy of the above statement or a certification that the same has been mailed to the Office of Price Administration shall be furnished by seller to purchaser. If the price proposed to be charged by the seller is not in line with the maximum prices enumerated in paragraph (a) of this Appendix A for the nearest related grades of new cotton, linen, or underwear cuttings, it shall not be confirmed until adjusted into line with those enumerated maximum prices. Where the maximum price as proposed is not disapproved by the Office of Price Administration within twenty days, it shall be considered confirmed.

After the maximum price for sales of a particular listed grade has been confirmed, the seller to whom such confirmation has been given may make future sales of that grade at the approved maximum price without reporting such sales or submitting the above described data.

(c) *Special packing, packaging or services.* Except as otherwise specifically provided for in this regulation, there may not be added to any maximum price established herein any additional amount or differential for any special packing, packaging or services.

(d) *Brokerage.* (1) Where sales are made to a consumer by a "broker", as defined in paragraph (a) (5) of § 1347.763, there may be added to the maximum prices set forth in this Appendix A an amount for brokerage not in excess of 5% of such maximum prices. No brokerage may be charged by any person for new cotton, linen, or underwear cuttings packed by him. No person may receive brokerage on the pack of another person pursuant to any contract, agreement, or understanding of any sort whatsoever between the two whereby each is to sell, and charge brokerage, upon the pack of the other. In no event may brokerage be charged unless the following requirements are met:

(i) The broker must keep a record, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, of the name or names of his supplier or suppliers of the new cotton, linen, and underwear cuttings, the quantity thereof purchased by him, the prices paid by him, the name of his purchaser, the method of shipment to the purchaser, and the price paid by the purchaser.

(ii) The broker must have taken title to the material and have sold it and passed the title thereto to the consumer. The materials must have been commercially sorted and baled by a person other than the broker. Where the material has been sorted and the material bought by the broker and another person, the broker may charge an allowance only with respect to the tonnage of cuttings sorted and baled by such other person.

(iii) The broker must guarantee the merchantable quality of the material.

(iv) The broker's allowance must be shown as a separate item in the billing or invoice. The billing or invoice shall contain a statement that the material has not been packed by the broker.

(v) The broker's allowances must not be split or divided with any other person, nor may any brokerage payment inure directly or indirectly to the benefit of any person other than the broker making the sale.

(vi) Brokerage may not be accepted or paid on new cotton, linen, or underwear cuttings shipped directly from the textile factory producing them to a consuming mill.

This Maximum Price Regulation No. 344, shall become effective March 19, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3941; Filed, March 13, 1943; 2:34 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 30]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (b) (3) (ii) is hereby revoked.

2. Section 1394.7851 (b) (3) (iii) is hereby revoked.

3. Section 1394.7851 (b) (5) is added to read as follows:

(5) For use with a motor vehicle or motorboat for any of the following purposes: *Provided*, That a ration issued hereunder for use with a motor vehicle may not provide mileage in excess of two hundred (200) miles:

(i) To move such vehicle or boat after a bona fide sale or a transfer by gift or inheritance, or pursuant to a bona fide lease of more than ninety (90) days, to a place selected by the person entitled to the possession of such vehicle or boat;

(ii) To move such vehicle or boat to a place of storage selected by a person who has acquired title or right to possession of such vehicle or boat by virtue of a lien or security contract, or to move such vehicle or boat to a place of storage upon seizure by government authority;

(iii) To return such vehicle or boat, upon recovery after theft, to its customary garage or station.

4. Section 1394.7851 (c) (4) is amended to read as follows:

(4) If application is made pursuant to paragraph (b) (1) (i) or paragraph (b) (2) (i), (ii) or (iii), or for use with a motorboat in the gasoline shortage area pursuant to paragraph (b) (5) (i), (ii) or (iii) of this section, the alternative means of transportation which are available and the reasons, if any, why such alternative means are not reasonably adequate for the purpose.

This amendment shall become effective March 19, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3942; Filed, March 13, 1943; 2:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] as Amended March 13, 1943]

MEAT RESTRICTION

Paragraph (f) of § 1407.919a is amended so that Restriction Order 1 shall read as follows:

Pursuant to the authority vested in the Administrator by Directive No. 1 of the War Production Board issued January 24, 1942, and by Supplementary Directive No. 1-M issued September 12, 1942, *It is hereby ordered* That:

Sec.

1407.901 Definitions.
1407.902 Deliveries of slaughterers restricted.
1407.903 Quotas established.
1407.904 Deliveries of non-quota slaughterers restricted.
1407.904a Restriction on deliveries during Quota Period 2.
1407.905 Base and quota periods established.
1407.906 Method of computing quota bases.
1407.907 Method of computing deliveries during quota period.
1407.908 Accounting procedures and inventories.
1407.909 Deliveries of cutter and canner grades of beef further restricted.
1407.910 When delivery takes place; transfers of possession for carriage or storage.
1407.911 Slaughterers owning retail outlets.
1407.912 Exempt Purchasers.
1407.912a Deliveries permitted without charge against quotas.
1407.913 Conversion weight factors.
1407.914 Registration of slaughterers.
1407.914a Statements of deliveries from other slaughterers or non-quota slaughterers required.
1407.915 Reports.
1407.916 Records.
1407.917 Application for adjustment or exception.
1407.918 Certification deemed a representation.
1407.919 Prohibited acts.
1407.919a Allocation orders
1407.920 Criminal prosecutions.
1407.921 Suspension orders.
1407.922 Scope of order.
1407.923 Communications.
1407.924 Effective date.
1407.925 Effective dates of amendments

AUTHORITY: §§ 1407.901 to 1407.924 inclusive, issued under Pub. Law 671, 76th

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1583, 1813, 1895, 2098, 2213, 2283.

[1] 7 F.R. 7839.

Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., WPB Dir. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234.

§ 1407.901 *Definitions.* (a) "Controlled meat" means the dressed carcasses of cattle, calves, sheep, lambs, and swine (hereinafter also called beef, veal, mutton, lamb and pork, respectively) and any processed or unprocessed edible part, cut or trimmings thereof, regardless of how prepared or packaged; excluding, however, canned meats, sausage, scrapple, souse, and other similar products, offal, oils, lards, rendering fats, raw leaf, casings, by-products not ordinarily used for human consumption, and skins of swine when prepared for use in leather, glue and gelatin.

(b) "Conversion weight" means the weight of the live animal, the carcass or the controlled meat derived therefrom multiplied by the applicable conversion factor as set forth in § 1407.913.

(c) "Cutter and canner grades of beef" means controlled meat conforming to the specifications for cutter and canner grades of steer, heifer, and cow carcass beef set forth in Service and Regulatory Announcements No. 99, Official United States Standards for Grades of Carcass Beef, United States Department of Agriculture, Agricultural Marketing Administration, reprinted with amendments March, 1942.

(d) "Deliver" means to transfer physical possession of controlled meat to any other person. The transfer of controlled meat by a slaughterer or non-quota slaughterer to a unit or department of the slaughterer or non-quota slaughterer for use in the preparation, manufacture, or production of any product or commodity other than controlled meat shall be deemed a transfer of physical possession to a person other than the slaughterer or non-quota slaughterer. In the case of a slaughterer or non-quota slaughterer who uses controlled meat for such purposes without any such transfer, the use of controlled meat in the preparation, manufacture or production of any product or commodity other than controlled meat shall, for the purposes of Restriction Order No. 1, have the same effect as a transfer of physical possession to a person other than the slaughterer or non-quota slaughterer.

[Paragraph (d) as amended by Amendment 3, 7 F.R. 9247]

(e) "Dressed carcass" means the carcass in the following state:

(1) In the case of beef, with the kidney knob in.

(2) In the case of veal, with the hide on or off.

[Paragraph (2) as amended by Amendment 6, 7 F.R. 10258]

(3) In the case of pork, with the leaf fat and kidney out and the head off.

(4) In the case of lamb and mutton, with pluck out.

(f) "Federally inspected" means slaughtered, dressed and passed in a plant subject to federal inspection pursuant to the Act of Congress of March 4, 1907 (Federal Meat Inspection Act, 34 Stat. 1260).

(g) "Non-quota slaughterer" means any person, other than a slaughterer as herein defined, who slaughters cattle, calves, sheep, lambs, or swine and delivers the controlled meat derived therefrom.

[Paragraph (g) as amended by Amendment 3, 7 F.R. 9247]

(h) "Person" means any individual, partnership, corporation, or association, and includes the United States, or any agency thereof, the states or any political subdivision or agencies thereof, and any other government or any agency thereof.

(i) "Sausage" means any ground, chopped, or cut meat or offal of cattle, calves, sheep, lambs, or swine mixed with condiments or other materials and prepared in loaf or sausage-type form, with or without casings.

(j) "Slaughterer" means: (1) Any person who slaughtered during the first nine months of 1942 cattle, calves, sheep, lambs, or swine which produced controlled meat having an aggregate conversion weight in excess of 1,500,000 pounds, and

(2) Any person who slaughters during any quota period cattle, calves, sheep, lambs, or swine which produce controlled meat having an aggregate conversion weight in excess of 500,000 pounds.

(k) "Veal" means controlled meat derived from calves, graded or classified during any quota period by the same standards used by the slaughterer or non-quota slaughterer with respect to controlled meat of such type during the corresponding base period: *Provided*, That during any quota period no dressed carcass as defined in paragraph (e) (2) of this section shall be deemed veal, for the purposes of Restriction Order No. 1, unless it has the veal or calf characteristics defined by the United States Department of Agriculture (A.M.A. Reg. 114, Official U. S. Standards for Grades of Veal and Calf Carcasses (1940)), and weighs with the hide off not more than 275 pounds.

[Paragraph (k) added by Amendment 3, 7 F.R. 9247; amended by Amendment 6, 7 F.R. 10258]

§ 1407.902 *Deliveries of slaughterers restricted.* (a) Notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no slaughterer shall, except as provided in Restriction Order No. 1, deliver during any quota period, more controlled meat of any type than his quota for such type of controlled meat for such period.

(b) Any slaughterer may, during Quota Period 2, deliver controlled meat against any unused portion of his quota for such type of controlled meat for Quota Period 1 in an amount not exceeding 10% of such quota and any slaughterer may, during Quota Period 1, deliver controlled meat against his quota for such type of controlled meat (other than beef) for Quota Period 2 in an amount not exceeding 10% of his quota for Quota Period 1.

[Paragraph (b) as amended by Amendment 9, 7 F.R. 10704]

(c) A person who becomes a slaughterer during a quota period shall not thereafter during the balance of such period deliver controlled meat of any type in an amount which, together with the amount of such type of controlled meat previously delivered by him during such period, would exceed his quota for such controlled meat for such period.

(d) No slaughterer shall, on or after November 7, 1942, make any delivery of controlled meat of beef which, when taken together with the amount of such meat previously delivered by him during Quota Period 1, would cause his total deliveries of such meat during such period to exceed 70% of his quota base for such meat for such period.

[Paragraph (d) added by Amendment 4 7 F.R. 9250]

(e) Any deliveries of any type of controlled meat by a slaughterer in excess of his quota for such type of controlled meat for any quota period shall be charged against his quota for such type of controlled meat for the subsequent quota period and in addition thereto shall subject the slaughterer to such other actions, penalties or proceedings as may be prescribed by law or imposed pursuant to Restriction Order No. 1.

[Paragraph (e) added by Amendment 4, 7 F.R. 9250, and amended by Amendment 10 8 F.R. 375]

§ 1407.903 *Quotas established.* (a) The quota of a slaughterer for each type of controlled meat for Quota Period 1 shall be the conversion weight obtained by multiplying the quota base for such type of controlled meat by the percentage set forth below:

Type of controlled meat:	Percentage
Beef	70
Veal	100
Lamb and mutton	95
Pork	75

The quota of a slaughterer for each type of controlled meat for Quota Period 2 shall be the conversion weight obtained by multiplying the quota base for such type of controlled meat by the percentage set forth below:

Type of controlled meat:	Percentage
Beef	70
Veal	70
Lamb and mutton	70
Pork	70

[Paragraph (a) as amended by Amendment 9, 7 F.R. 10704]

(b) Any incorporated slaughterer may apply to the Office of Price Administration for consolidation of its quotas with the quotas of any one or more of its wholly-owned subsidiaries.

§ 1407.904 *Deliveries of non-quota slaughterers restricted.* (a) Notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no non-quota slaughterer shall, during any quota period, deliver more controlled meat of any type resulting from his own slaughter than he delivered of such type resulting from his own slaughter during the corresponding base period. For the purposes of this section cutter and canner grades of controlled meat of beef shall be regarded as a separate type of controlled meat. Deliveries during a quota period to persons referred to in, and in accordance with the procedure prescribed by § 1407.912a (a), (b), (c), (d) or (j), shall not be subject to the restrictions of this section. The serving of controlled meat in meals by an exempt purchaser designated in § 1407.912 (a) (4) shall not be subject to the restrictions of this section.

[Paragraph (a) as amended by Amendments 3, 6, 10, and 12; 7 F.R. 9247, 10258, 8 F.R. 375, 1279]

(b) Any deliveries by a non-quota slaughterer of any type of controlled meat resulting from his own slaughter in excess of deliveries permitted by paragraph (a) of this section for any quota period shall be charged against his restricted deliveries of such type of controlled meat for the subsequent quota period, and in addition thereto shall subject the non-quota slaughterer to such other actions, penalties or proceedings as may be prescribed by law or imposed pursuant to Restriction Order No. 1.

[Paragraph (b) added by Amendment 10, 8 F.R. 375]

(c) A non-quota slaughterer, in computing the conversion weight of controlled meat resulting from his own slaughter delivered during Base Period 1 and Quota Period 1, shall use the conversion factors specified in § 1407.913 (b), and in computing the conversion weight of controlled meat resulting from his own slaughter delivered during subsequent base periods and quota periods, shall use the conversion factors specified in § 1407.913 (c).

[Paragraph (c) added by Amendment 11, 8 F.R. 926, 1204]

§ 1407.904a. *Restriction on deliveries during Quota Period 2.* (a) During Quota Period 2, no slaughterer shall deliver, before any date set forth below, more controlled meat of any type than the percentage of his quota for that type shown opposite such date:

Date:	Percentage
January 1, 1943	[1] 10
February 1, 1943	40
March 1, 1943	70
April 1, 1943	100

[1] This 10% is applicable only to a slaughterer or non-quota slaughterer who elects to begin Quota Period 2 at 12:01 A. M., on December 20, 1942, pursuant to § 1407.905.

(b) The percentages in paragraph (a) of this section shall be computed on the basis of the quota of a slaughterer remaining after deducting therefrom all charges, if any, required by paragraphs (b) or (c) of § 1407.902, or by any adjustment, exception or authorization granted by the Office of Price Administration, Washington, D. C.

(c) During Quota Period 2, no non-quota slaughterer shall deliver, prior to any date set forth in paragraph (a) of this section, more controlled meat of any type resulting from his own slaughter than the percentage shown opposite that date, of his deliveries of controlled meat of that type resulting from his own slaughter during Base Period 2.

(d) For the purposes of this section, the transfer or shipment of controlled meat to any branch or branch house of a slaughterer or non-quota slaughterer shall constitute a delivery.

(e) Deliveries made by a slaughterer, without charge against quota, in accordance with the procedure prescribed by § 1407.912a, and deliveries by a non-quota slaughterer which are not subject to the restrictions of § 1407.904, shall not be subject to the restrictions of this section.

[§ 1407.904a added by Amendment 9, 7 F.R. 10704, 8 F.R. 179]

§ 1407.905 *Base and quota periods established.* (a) There are hereby established the following quota periods:

(1) Quota Period 1: October 1, 1942 to December 31, 1942, inclusive.

(2) Quota Period 2: January 1, 1943, to March 31, 1943, inclusive.

(3) Quota Period 3: April 1, 1943, to June 30, 1943, inclusive.

(4) Quota Period 4: July 1, 1943, to September 30, 1943, inclusive.

However, any slaughterer or non-quota slaughterer may elect to have Quota Period 1 end and Quota Period 2 begin, with respect to his operations, at 12:01 A. M., December 20, 1942. Such election shall be effective only if made in writing, addressed to the Office of Price Administration, attention Food Rationing Division, Washington, D. C., and delivered or postmarked on or before December 24, 1942.

A slaughterer who makes such an election shall take an inventory of his stocks of controlled meat as of 12: 01 A. M. December 20, 1942. Furthermore, a slaughterer or non-quota slaughterer who makes such election, shall file with the Office of Price Administration, Washington, D. C., a statement in writing signed by him, by a partner (if a partnership), an officer (if a corporation) or by a manager of the slaughterer or non-quota slaughterer, setting forth the amount of each type of controlled meat delivered by him during the period from October 1, 1942, to December 19, 1942, inclusive.

In the case of a slaughterer, such deliveries shall be computed in the manner prescribed by paragraph (a) of § 1407.907 and his statement shall set forth, separately, figures covering each of the subparagraphs of that paragraph.

In the case of a non-quota slaughterer, the statement shall show, separately, the conversion weight of:

(i) Controlled meat of each type resulting from his own slaughter delivered by him to persons referred to in and in accordance with the procedure prescribed by § 1407.912a (a), (b), (c) or (d) and

(ii) All other controlled meat resulting from his own slaughter delivered by him.

Statements required by this section shall be filed on or before December 31, 1942, unless an extension is granted by the Director of the Food Rationing Division.

[Paragraph (a) as amended by Amendment 9, 7 F.R. 10704]

(b) The corresponding base period shall be as follows:

(1) Base Period 1: October 1, 1941, to December 31, 1941, inclusive.

(2) Base Period 2: January 1, 1941, to March 31, 1941, inclusive.

(3) Base Period 3: April 1, 1941, to June 30, 1941, inclusive.

(4) Base Period 4: July 1, 1941, to September 30, 1941, inclusive.

[Paragraph (b) as amended by Amendment 3, 7 F.R. 9247]

§ 1407.906 *Method of computing quota bases.* (a) The quota base of a slaughterer for each type of controlled meat for each quota period shall be computed as follows: From the sum of

(1) In the case of pork: the conversion weight of live animals slaughtered by him during the corresponding base period determined from the average live purchase weight of such animals. In the case of beef, veal, lamb, and mutton: the conversion weight of the chilled dressed carcasses of animals slaughtered during the corresponding base period.

(2) The conversion weight of his inventory of such type of meat at the beginning of the corresponding base period, and

(3) The conversion weight of all meat of such type delivered to him during the corresponding base period,

the following shall be subtracted:

(4) The conversion weight of his inventory of such type of meat at the close of the base period, and

(5) The conversion weight of meat of such type delivered by him to other slaughterers in deliveries of more than 5,000 pounds each or pursuant to any contract calling for delivery of more than 5,000 pounds, and

(6) Fifty percent of the conversion weight of meat of such type delivered directly, or contained in canned meat delivered directly, by him to the Army, Navy, Marine Corps, Coast Guard, or to any agency of the United States to be delivered to, or for the account of, the government of any country pursuant to the Act of March 11, 1941 (Lend-Lease Act.)

[Paragraph (b) revoked and paragraph (c) redesignated (b) by Amendment 8, 7 F.R. 10621]

(b) The Office of Price Administration upon application may fix for a slaughterer a quota base for a quota period for any type of controlled meat not delivered by such slaughterer during the corresponding base period.

§ 1407.907 *Method of computing deliveries during quota period.* (a) The amount of each type of controlled meat delivered by a slaughterer during a quota period and charged against his quota shall be computed as follows: From the sum of

(1) In the case of pork: the conversion weight of live animals slaughtered by him during the quota period determined from the average live purchase weight of such animals. In the case of beef, veal, lamb and mutton: the conversion weight of the chilled dressed carcasses of animals slaughtered during the quota period.

(2) The conversion weight of his inventory of such type of meat at the beginning of the quota period, and

(3) The conversion weight of all meat of such type delivered to him during the quota period,

the following shall be subtracted:

(4) The conversion weight of his inventory of such type of meat at the close of the quota period, and

(5) The conversion weight of meat of such type delivered by him to other slaughterers in deliveries of more than 5,000 pounds each or pursuant to any contract calling for delivery of more than 5,000 pounds, and

(6) Fifty percent of the conversion weight of meat of such type delivered directly, or contained in canned meat delivered directly, by him to the Army, Navy, Marine Corps, Coast Guard, or to any agency of the United States to be delivered to, or for the account of, the government of any country pursuant to the Act of March 11, 1941 (Lend-Lease Act.)

[Paragraph (a) as amended by Amendment 9, 7 F.R. 10704]

(b) The corresponding quota period shall be as follows:

(1) Quota Period 1: October 1, 1942, to December 31, 1942, inclusive.

(2) Quota Period 2: January 1, 1943, to March 31, 1943, inclusive.

(3) Quota Period 3: April 1, 1943, to June 30, 1943, inclusive.

(4) Quota Period 4: July 1, 1943, to September 30, 1943, inclusive.

[Paragraph (b) as amended by Amendment 3, 7 F.R. 9247]

§ 1407.908 *Method of computing quota deliveries.* (a) The quota delivery of a slaughterer for each type of controlled meat for each quota period shall be computed as follows: From the sum of

(1) In the case of pork: the conversion weight of live animals slaughtered by him during the corresponding base period determined from the average live purchase weight of such animals. In the case of beef, veal, lamb, and mutton: the conversion weight of the chilled dressed carcasses of animals slaughtered during the corresponding base period.

(2) The conversion weight of his inventory of such type of meat at the beginning of the corresponding base period, and

(3) The conversion weight of all meat of such type delivered to him during the corresponding base period,

the following shall be subtracted:

(4) The conversion weight of his inventory of such type of meat at the close of the base period, and

(5) The conversion weight of meat of such type delivered by him to other slaughterers in deliveries of more than 5,000 pounds each or pursuant to any contract calling for delivery of more than 5,000 pounds, and

(6) Fifty percent of the conversion weight of meat of such type delivered directly, or contained in canned meat delivered directly, by him to the Army, Navy, Marine Corps, Coast Guard, or to any agency of the United States to be delivered to, or for the account of, the government of any country pursuant to the Act of March 11, 1941 (Lend-Lease Act.)

[Paragraph (b) revoked and paragraph (c) redesignated (b) by Amendment 8, 7 F.R. 10621]

(b) The Office of Price Administration upon application may fix for a slaughterer a quota delivery for a quota period for any type of controlled meat not delivered by such slaughterer during the corresponding base period.

§ 1407.909 *Method of computing quota deliveries during quota period.* (a) The amount of each type of controlled meat delivered by a slaughterer during a quota period and charged against his quota shall be computed as follows: From the sum of

(1) In the case of pork: the conversion weight of live animals slaughtered by him during the quota period determined from the average live purchase weight of such animals. In the case of beef, veal, lamb and mutton: the conversion weight of the chilled dressed carcasses of animals slaughtered during the quota period.

(2) The conversion weight of his inventory of such type of meat at the beginning of the quota period, and

(3) The conversion weight of all meat of such type delivered to him during the quota period,

the following shall be subtracted:

tion signed by him referring to such contract and stating the conversion

computing the conversion weight of controlled meat delivered during a quota

(5) If the exempt purchaser is a person to whom quota-free delivery of con-

(4) The conversion weight of his inventory of such type of meat at the close of the quota period, and

(5) The conversion weight of controlled meat of such type delivered by him during the quota period without charge against quotas in accordance with § 1407.912a.

[Paragraph (5) as amended by Amendment 3, 7 F.R. 9247]

§ 1407.908 *Accounting procedures and inventories.* (a) A slaughterer in determining his inventories for the purposes of §§ 1407.906 and 1407.907 shall disregard controlled meat held at or in transit to his branches or branch houses, and controlled meat held in a unit or department of the slaughterer for use in the preparation, manufacture, or production of any product or commodity other than controlled meat.

(b) If the accounting periods used by a slaughterer during 1941 do not correspond to the base and quota periods established by Restriction Order No. 1, he may substitute such accounting periods for such base and quota periods: *Provided*, That:

(1) The accounting periods used for base periods shall contain the same number of calendar days as the accounting periods used for the quota periods.

(2) The accounting periods so used shall end on Saturday or Sunday, and begin and end with seven (7) days of the beginning and end of the corresponding periods established by Restriction Order No. 1.

(3) Inventories taken at the beginning and end of such accounting periods shall be used in computing deliveries during the base and quota periods.

(c) If the records in the possession of the slaughterer on the effective date of Restriction Order No. 1 are not sufficient for the determination of the data required for the computation of quota bases, he may apply to the Office of Price Administration for permission to adopt an alternative method of computing quota bases.

[Paragraphs (a), (b) and (c) as amended by Amendment 3, 7 F.R. 9247]

§ 1407.909 *Deliveries of cutter and canner grades of beef further restricted.* (a) No slaughterer shall, during any quota period, deliver to persons other than those referred to in § 1407.912a, more than 20% of the total conversion weight of all controlled meat of cutter and canner grades of federally inspected beef delivered by him during such period. Such 20 per centum shall include all deliveries of such beef after rejection thereof for failure to meet the specifications of exempt purchasers referred to in § 1407.912 (a), or of slaughterers, and shall also include all deliveries of such beef other than in accordance with the procedure prescribed in § 1407.912a.

During Quota Period 1, a slaughterer may, however, deliver such beef to the extent of his inventory thereof as of October 1, 1942, free from the restrictions of this paragraph.

[Paragraph (a) as amended by Amendments 6 and 8, 7 F.R. 10258, 10621]

(b) No slaughterer shall during any quota period deliver more than 25% of his quota for beef for such period in cutter or canner grades of non-federally inspected beef, unless an adjustment be granted to him pursuant to the provisions of § 1407.917. Deliveries without charge against quota made in accordance with the procedure prescribed by § 1407.912a, shall not be subject to the restrictions of this paragraph.

[Paragraph (b) as amended by Amendment 6, 7 F.R. 10258]

§ 1407.910 *When delivery takes place; transfers of possession for carriage or storage.* (a) Controlled meat transferred to a carrier or loaded aboard a vehicle or vessel (whether or not owned or controlled by the slaughterer) for shipment to a person other than the slaughterer shall be deemed to be delivered when so transferred or loaded, regardless of whether the slaughterer reserves title or consigns the shipment to his own order for security purposes only.

(b) A delivery shall not be deemed to take place when controlled meat is placed in a public warehouse solely for storage purposes, but the withdrawal of such meat from any such warehouse by any person other than the slaughterer who placed it there shall be deemed a delivery.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, controlled meat shall be deemed to be delivered, for the purposes of § 1407.906 (a) (3) and (5), on the date of the invoice covering such controlled meat.

[Paragraph (c) added by Amendment 2, 7 F.R. 8524]

§ 1407.911 *Persons becoming slaughterers and slaughterers owning retail outlets.* (a) In the case of a person who owns five or more establishments selling controlled meat principally at retail and who is also a slaughterer and in the case of a person who became or becomes a slaughterer after October 1, 1942, the operation of the slaughtering plant or plants operated by him shall be deemed to be separate from all his other activities for the purposes of Restriction Order No. 1, including the determination of the applicable quota base and quotas. Deliveries to such person shall be deemed made without charge against quotas only if made to such plant or plants, and only inventories of, and deliveries to and from such plant or plants shall be included in any computations required by Restriction Order No. 1. The restrictions in §§ 1407.902 and 1407.909 shall apply to such person only with respect to deliveries of controlled meat from, and the use of controlled meat in, such plant or plants.

[§ 1407.911 as amended by Amendment 3, 7 F.R. 9247]

§ 1407.912 *Exempt purchasers.* (a) The following are designated exempt purchasers:

(1) The Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, War Shipping Administration, Maritime Commission, Panama Canal, Advisory Committee for Aeronautics, Office of Scientific Research and Development and Defense Supplies Corporation, and any agency of the United States or of any foreign government, to the extent that controlled meat is delivered to it for export to any foreign country or any territory or possession of the United States other than the District of Columbia. Controlled meat contained in meals served to Army, Navy, Marine Corps or Coast Guard personnel messed separately under an officer's command shall be deemed delivered to the agency of which such personnel are members: *Provided*, That delivery to post exchanges, sales commissaries, service men's clubs, ship service stores and similar organizations shall not be deemed to constitute delivery to any such agency.

[Paragraph (1) as amended by Amendment 7, 7 F.R. 10258]

(2) Any person, to the extent that controlled meat is delivered to him for export to any foreign country or any territory or possession of the United States other than the District of Columbia.

(3) Any person operating an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise or intercoastal trade, to the extent that controlled meat is delivered to him as ships' stores for consumption aboard such vessel.

(4) Any hospital, asylum, orphanage, prison, or other similar institution, which is operated by any federal, state or local government or agency thereof, other than an agency listed in paragraph (a) (1) of this section, which took delivery of controlled meat in the year 1941 under contracts awarded upon the basis of competitive bids.

(5) Any person, to the extent that the delivery of controlled meat to him, without charge against quotas, has been specifically authorized by the Director of the Food Rationing Division of the Office of Price Administration.

[Paragraphs (2) through (5) as amended by Amendment 3, 7 F.R. 9247]

§ 1407.912a *Deliveries permitted without charge against quotas*—(a) *Deliveries by slaughterers to U. S. government agencies, covered by written contract.* In computing the conversion weight of controlled meat delivered during a quota period without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of controlled meat delivered by him, or contained in canned meat or sausage delivered by him, during such period to an exempt purchaser designated in § 1407.912 (a) (1), if such delivery was covered by a written contract between him and such exempt purchaser: *Provided, however,* That no slaughterer shall so include the conversion weight of such controlled meat unless he retains the contract in his files and, not later than the close of the quota period in which the controlled meat, canned meat or sausage was delivered, attaches to such contract receipts or bills of lading evidencing such delivery, the invoices relating thereto, and a certification signed by him referring to such contract and stating the conversion weight of each type of controlled meat delivered, or contained in canned meat or sausage delivered, by him during such quota period.

(b) *Deliveries by slaughterers to persons holding written contracts with U. S. government agencies.* In computing the conversion weight of controlled meat delivered during a quota period without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of controlled meat delivered by him, or contained in canned meat or sausage delivered by him, during such period to any person who is required to deliver, or has on or after October 1, 1942, delivered, either controlled meat, or canned meat or sausage made therefrom, to an exempt purchaser designated in § 1407.912 (a) (1), if the delivery of controlled meat, sausage or canned meat to the exempt purchaser is covered by a written contract between such person and such exempt purchaser: *Provided, however,* That no slaughterer shall so include the conversion weight of such controlled meat unless he obtains from such person, either before or after delivery to the exempt purchaser, but in any event not later than the close of the quota period in which controlled meat, canned meat or sausage was so delivered to such person, a certification signed by such person referring to such contract by date and number and setting forth the following:

(1) The name of such person;

(2) The name of the exempt purchaser;

(3) The total weight of each type of controlled meat, canned meat or sausage covered by such certification, a description thereof permitting conversion in accordance with the provisions of § 1407.913, and the date or dates of delivery to such person;

(4) A statement that the quantity of controlled meat of any type covered by all certifications signed by such person and referring to such contract, does not exceed the quantity of controlled meat of such type required for the performance of the contract.

The person holding the contract with the exempt purchaser shall retain it in his files and shall attach thereto receipts or bills of lading evidencing the delivery of such meat, the invoices relating thereto, copies of all certifications referring to such contract and, in addition thereto, a certification signed by him stating the conversion weight of each type of controlled meat delivered by him pursuant to the contract during each quota period, or in the case of a contract calling for the delivery of canned meat or sausage, the conversion weight of controlled meat used in the preparation of the canned meat or sausage delivered by him pursuant to the contract during each quota period.

(c) *Deliveries by slaughterer directly to exempt purchasers other than U. S. government agencies, to other slaughterers, and to U. S. government agencies if not covered by written contract.* In computing the conversion weight of controlled meat delivered during a quota period without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of controlled meat delivered by him during such period to any exempt purchaser designated in §1407.912 (a) (2) to (5) inclusive, or to any exempt purchaser designated in § 1407.912 (a) (1) when such delivery was not covered by written contract, or to another slaughterer whose deliveries are subject to the quota provisions of Restriction Order No. 1, and may also include the conversion weight of controlled meat contained in canned meat or sausage delivered by him during such period to any such exempt purchaser (but not to other slaughterers): *Provided, however,* That no slaughterer shall so incude the conversion weight of such controlled meat unless, not later than the close of the quota period in which such delivery is made, he obtains from the exempt purchaser or slaughterer to whom such controlled meat, canned meat or sausage is delivered, a certification signed by such exempt purchaser or slaughterer, acknowledging delivery of the controlled meat, canned meat or sausage, and satisfying the following requirements:

(1) The certification shall state the name and address of the slaughterer or, in the case of a certification pursuant to paragraph (d) or (j) of this section, the name and address of the person who delivered the controlled meat, canned meat or sausage to the exempt purchaser, and the date or dates of delivery; the name and address of the exempt purchaser or slaughterer to whom delivery was made; the total weight of each type of controlled meat, canned meat, or sausage covered by such certification; and a description thereof permitting conversion in accordance with the provisions of § 1407.913.

[Paragraph (1) as amended by Amendment 10, 8 F.R. 375]

(2) If the exempt purchaser is an exporter designated in § 1407.912 (a) (2), there shall be attached to such certification a Shipper's Export Declaration bearing the notation of an authorized customs official to the effect that, to the best of his knowledge and belief, the amount of controlled meat, canned meat or sausage therein stated has been exported.

(3) If the exempt purchaser is a person operating a vessel as provided in § 1407.912 (a) (3), there shall be attached to such certification a statement signed by the collector of customs or his deputy authorizing the delivery of such controlled meat as ships' stores and evidencing the fact that such delivery has been made.

(4) If the exempt purchaser is an institution referred to in § 1407.912 (a) (4), the certification shall state that such purchaser took delivery of controlled meat in the year 1941 under contracts awarded upon the basis of competitive bids, and that the controlled meat described in the certification will be used solely by such institution.

(5) If the exempt purchaser is a person to whom quota-free delivery of controlled meat has been authorized by the Director of the Food Rationing Division of the Office of Price Administration, he shall attach to the certification a copy of such authorization.

(6) If canned meat or sausage is covered by the certification signed by an exempt purchaser, the slaughterer shall attach thereto a statement signed by him setting forth, on the basis of the formula for such canned meat or sausage (which need not be set forth in full), the conversion weight of controlled meat of each type contained therein.

(d) *Deliveries by slaughterers to persons other than exempt purchasers, to replace inventory delivered to U. S. government agencies, to vessels, or for export.* In computing the conversion weight of controlled meat delivered during a quota period without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of controlled meat delivered by him, or contained in canned meat or sausage delivered by him, during such period to any person other than a slaughterer to replace in the inventory of such person controlled meat, canned meat or sausage delivered by, or contained in canned meat or sausage delivered by, such person on or after October 1, 1942, to an exempt purchaser designated in § 1407.912 (a) (1) if such delivery was not covered by a written contract, or to an exempt purchaser designated in § 1407.912 (a) (2), (3), or (5): *Provided, however,* That no slaughterer shall so include the conversion weight of such controlled meat unless, not later than the close of such period, he obtains from such person a certification signed by such exempt purchaser, acknowledging delivery of controlled meat, canned meat or sausage, and containing the statements and attachments provided for in paragraph (c) of this section, and in the case of an exempt purchaser designated in § 1407.912 (a) (1), also stating that such delivery was not covered by a written contract.

(e) *Deliveries to boners.* Any person who desires to deliver, or has on or after October 1, 1942, delivered controlled meat, canned meat or sausage to an exempt purchaser designated in § 1407.912 (a) (1) pursuant to a written contract between such person and such exempt purchaser, may sign and transmit to the boner who boned or will bone the controlled meat for him, a certification containing the statements and information provided for in paragraph (b) of this section. The boner to whom any such certification is so transmitted may endorse and deliver it to the slaughterer who delivered or delivers such controlled meat to him. In computing the conversion weight of controlled meat delivered during a quota period without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of the controlled meat delivered by him during such period to such boner, if covered by such certification transmitted to him during the quota

period. For the purposes of this paragraph, "boner" means a person to whom carcasses or primal cuts of beef, veal, lamb, mutton or pork are delivered, and by whom boneless controlled meat and trimmings are delivered.

(f) *Deliveries by slaughterers to any person, for storage in anticipation of government contracts.* In computing the conversion weight of controlled meat delivered during a quota period without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of controlled meat delivered by him to any person for storage in anticipation of contracts with exempt purchasers designated in § 1407.912 (a) (1), if such delivery, quota-free, is specifically authorized by the Director of the Food Rationing Division of the Office of Price Administration: *Provided, however,* That no slaughterer shall so include the conversion weight of such controlled meat unless, not later than the close of such period, he obtains from such person a copy of the authorization and a certification signed by such person, referring to such authorization by date, and stating that such controlled meat has been segregated for use pursuant to a contract with an exempt purchaser, and that the quantity of controlled meat of any type covered by all certifications referring to such authorization does not exceed the quantity of controlled meat of such type the delivery of which has been specifically authorized thereby.

Any person to whom a specific authorization is issued shall retain together in his files the original authorization, copies of all certifications referring thereto, any contract with an exempt purchaser designated in § 1407.912 (a) (1), pursuant to which controlled meat or canned meat or sausage is subsequently delivered, the invoices relating thereto, and receipts or bills of lading evidencing deliveries against such contract.

(g) *Duplication prohibited.* No controlled meat shall be included more than once by a slaughterer in computing the conversion weight of controlled meat delivered during a quota period without charge against quotas.

(h) *Military information of a secret character.* If any of the information required by paragraphs (a) to (f) inclusive of this section is military information of a secret character, such information may be omitted.

(i) *Form of certification.* The certifications required by this section and the statements which are required to be attached thereto may be in the form of receipts with appropriate notations thereon and do not require verification or acknowledgment, but no certification shall be valid for the purposes of this section unless it bears the required attachments. An authorized agent or employee of the person by whom any certification or statement is required to be signed may sign such certification or statement in behalf of such person.

[§ 1407.912a added by Amendment 8, 7 F.R. 9247]

(j) *Deliveries through intermediate persons.* Any person other than a slaughterer, who desires to deliver, or has delivered controlled meat, canned meat or sausage to an exempt purchaser may obtain the certification required by paragraph (b), (c) or (d) of this section, whichever is applicable. Such certification may be passed through one or more persons to a slaughterer. Each person through whom such certification passes shall endorse thereon his name and address. In computing the conversion weight of controlled meat delivered during a quota period subsequent to Quota Period 1 without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of controlled meat delivered by him during such period, or contained in canned meat or sausage delivered by him during such period, to any person from whom during such period he obtains such an endorsed certification covering the delivery.

[Paragraph (j) added by Amendment 10, 8 F.R. 375]

§ 1407.913 *Conversion weight factors.* (a) For the purposes of §§ 1407.906 and 1407.907, the conversion weigh of swine slaughtered during a period shall be determined exclusively by computing the average live purchase weight of all swine slaughtered (less condemnations) and multiplying the total live purchase weight of such swine by the conversion factor set forth below for the weight range within which the average live purchase weight falls:

Weight range:	*Conversion factor*
200 lbs., and under	.55
201-240 lbs	.57
241-300 lbs	.59
301 lbs. and over	.61

[Paragraph (a) as amended by Amendment 3, 7 F.R. 9247]

(b) For the purpose of computing the quota base for each quota period, pursuant to § 1407.906, and for the purpose of computing deliveries charged against quota during Quota Period 1, pursuant to § 1407.907, the conversion weight of carcasses, and of cuts and trimmings of controlled meat derived therefrom, and of sausage and canned meat produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

BEEF

Dressed carcasses and cuts not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried	1.05
Dried (including smoked)	2.00

VEAL

Dressed carcasses hide off, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses hide on, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41

LAMB AND MUTTON

Dressed carcasses pluck out, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses pluck in, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41

PORK

Dressed carcasses (with cutting fats on), fresh (chilled) or frozen	83

Cuts:	*Not boned*	*Boned*
Fresh (chilled)	1.00	1.15
Wiltshire sides, fresh or cured	1.00	
Cured	1.00	1.10
Smoked	1.10	1.20
Cooked	1.20	1.35
Trimmings:		
Fresh (chilled) or frozen		1.10

The conversion weight of controlled meat of each type used in the preparation of sausage or canned meat shall be computed by determining, on the basis of the manufacturing formula, the net weight of controlled meat of such type used in the processing thereof, and multiplying such net weight by 1.41 in the case of boned beef, veal, lamb and mutton, and 1.10 in the case of pork. The net weight of controlled meat which is cooked and used in the preparation of canned meat shall be the weight thereof before cooking.

(c) For the purpose of computing deliveries charged against quota during quota periods subsequent to Quota Period 1, pursuant to § 1407.907, the conversion weight of carcasses, and of cuts and trimmings of controlled meat derived therefrom, and of sausage and canned meat produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type of controlled meat and description of product	*Conversion factor (multiplier)*
BEEF	
Dressed carcasses and cuts, not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried—not boned	.95
Cured other than dried—boned	1.34
Dried (including smoked)	2.20
VEAL	
Dressed carcasses hide off, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses hide on, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
LAMB AND MUTTON	
Dressed carcasses pluck out, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses pluck in, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
Telescoped carcass lambs (shanks off)	1.03
Telescoped carcass sheep (shanks off, kidney out)	1.05
PORK	
Dressed carcasses (with cutting fats on), fresh (chilled) or frozen	83
Cuts:	*Not boned* / *Boned*
Fresh (chilled)	1.00 / 1.15
Wiltshire sides, fresh or cured	1.00
Cured	1.00 / 1.10
Smoked	1.10 / 1.20
Cooked	1.20 / 1.35
Pork loins	---- / 1.33
Fatted, skinless hams and shoulders	---- / 1.33
Fatted, skinless picnics	---- / 1.45
Trimmings:	
Fresh (chilled) or frozen	---- / 1.00
CANNED MEATS PRODUCED FROM CONTROLLED MEAT	
Chopped ham	1.28
Luncheon meat	1.35
Corned pork	2.22
Tushonka	1.80
Issue bacon	1.18
Sliced bacon	1.25
Dehydrated pork (10% maximum moisture content)	4.75
Dehydrated beef (10% maximum moisture content)	5.00

The conversion weight of controlled meat of any type used in the preparation of sausage, or in the preparation of canned meat not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of controlled meat of such type used in the processing thereof, and multiplying such net weight by the applicable conversion factor set forth above for such type of controlled meat. The net weight of controlled meat which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(d) In paragraphs (b) and (c) of this section, "boned" describes cuts from which 50 per cent or more of the bone by weight has been removed by the process of boning, and "not boned" describes cuts from which none, or less than 50 percent, of the bone by weight has been removed, and primal cuts which contain no bone.

[Paragraph (b), (c), and (d) as amended by Amendment 11, 8 F.R. 926, 1204]

§ 1407.914 *Registration of slaughterers.* (a) No slaughterer who during the first nine months of 1942 slaughtered cattle, calves, sheep, lambs, or swine which produced controlled meat having an aggregate conversion weight in excess of 1,500,000 pounds shall deliver controlled meat on or after November 15, 1942, unless he shall have filed with the Office of Price Administration a registration statement, executed in duplicate on OPA Form No. RSO1:1 and completed, except that information with reference to the second and third quarters of 1941 need not be supplied. Both copies of such registration statement shall be signed by the slaughterer, a partner (if a partnership), an officer (if a corporation), or a manager of the slaughterer. No such slaughterer shall deliver controlled meat on or after December 13, 1942, unless he shall have filed with the Office of Price Administration on such form a supplemental registration statement covering the second and third quarters of 1941, executed and signed in duplicate by the slaughterer, a partner (if a partnership), an officer (if a corporation), or a manager of the slaughterer. The Director of the Food Rationing Division of the Office of Price Administration may, for good cause shown, extend the time for filing a registration statement pursuant to the provisions of this paragraph.

[Paragraph (a) as amended by Amendments 3 and 5, 7 F.R. 9247, 9639]

(b) No person who becomes a slaughterer by reason of the fact that he slaughters, during a quota period, cattle, calves, sheep, lambs or swine which produce controlled meat having an aggregate conversion weight in excess of 500,000 pounds shall deliver controlled meat on or after the tenth day following the date on which he became a slaughterer unless he shall have filed with the Office of Price Administration a registration statement on such form as the Office of Price Administration may hereafter prescribe, executed and signed as required in paragraph (a) of this section.

[Paragraph (b) as amended by Amendment 5, 7 F.R. 9639]

(c) The duplicate of such registration form, bearing the date of registration and a registration number will be returned to the slaughterer and shall be kept at the place designated by him in his registration statement for the keeping of records.

(d) The registration number of the slaughterer shall appear on all reports submitted by him to the Office of Price Administration.

§ 1407.914a *Statements of deliveries from other slaughterers on non-quota slaughterers required.* (a) Every slaughterer shall prepare for each other slaughterer or non-quota slaughterer a statement of all controlled meat delivered to him by such other slaughterer or non-quota slaughterer during 1941 in deliveries of more than 5,000 pounds each or pursuant to any contract calling for delivery of more than 5,000 pounds. Such statement shall list the deliveries to each location of the slaughterer chronologically according to invoice date and shall show with respect to each delivery the following:

(1) The date and number of the invoice accompanying such delivery;

(2) Descriptions of the controlled meat of each type included in such delivery permitting conversion in accordance with the provisions of § 1407.913, the weight and conversion weight of controlled meat of each description contained therein, and the total conversion weight of controlled meat of each type in such delivery.

(3) The location of the plant or branch house from which such meat was delivered; and

(4) The location of the plant or branch house to which such meat was delivered.

(b) Such statement shall be prepared in two parts. Part 1 shall include deliveries during Base Periods 1 and 2. Part 2 shall include only deliveries during Base Periods 3 and 4. On or before November 2, 1942, every slaughterer required to prepare a statement pursuant to paragraph (a) of this section shall send by registered mail, return receipt requested, the original of Part 1 of each statement to the slaughterer or non-quota slaughterer who made the deliveries described therein. On or before November 30, 1942, every such slaughterer shall send by registered mail, return receipt requested, the original of Part 2 of each statement to the slaughterer or non-quota slaughterer who made the deliveries described therein. If deliveries during Base Periods 3 and 4 are included in any statement mailed on or before November 2, 1942, the portions of such statement relating to deliveries during Base Periods 1 and 2 shall be deemed Part 1 thereof and the portions relating to deliveries during Base Periods 3 and 4 shall be deemed Part 2.

(c) Every slaughterer shall attach to a duplicate of each statement sent by him the return receipt for the original of such statement, and shall file Part 1 of all such duplicate statements with the Office of Price Administration together with the registration statement filed or or before November 15, 1942, pursuant to § 1407.914. Every slaughterer shall file Part 2 of all such duplicate statements with the Office of Price Administration either with such registration statement or with the supplemental registration statement filed on or before November 30, 1942, pursuant to such section.

[Paragraphs (b) and (c) as amended by Amendment 3, 7 F.R. 9247]

(d) No slaughterer, in computing his quota bases, shall include the conversion weight of any controlled meat delivered to him by another slaughterer or non-quota slaughterer unless he shall have complied with the provisions of this section with respect to such delivery.

(e) Every slaughterer, in computing his quota bases, shall use as the conversion weight of controlled meat delivered by him to other slaughterers during any base period as required in § 1407.906 (a) (5), the total conversion weight of controlled meat of each type delivered by him to other slaughterers as set forth in all statements sent to him pursuant to the provisions of this section.

(f) Within 14 days after receipt of any statement from a slaughterer pursuant to this section, a slaughterer or non-quota slaughterer may send to such slaughterer by registered mail, return receipt requested, a demand for a written statement correcting any inaccuracy claimed to exist therein. Unless such demand is sent by him within such period, a slaughterer receiving such statement shall, for the purpose of computing his own quota bases, be deemed to have delivered controlled meat as stated therein. If the slaughterer to whom a demand is sent makes such correction, the slaughterer or non-quota slaughterer claiming such inaccuracy shall forward the written statement correcting it to the Office of Price Administration and shall, if a slaughterer, adjust his quotas accordingly. If a slaughterer fails to make such correction within 10 days after his receipt of a demand therefor, the slaughterer or non-quota slaughterer who sent the demand may, within 20 days after sending any such demand, apply in writing to the Office of Price Administration for a determination of the facts concerning the contested delivery. Upon receipt of such application, the Office of Price Administration will notify all parties to such dispute of the manner in which evidence shall be submitted and the time allowed therefor. The Office of Price Administration will determine such dispute, and will notify the parties thereto of such determination and of any quota adjustments resulting therefrom. Unless such application is made by him

within 20 days after sending such demand, a slaughterer receiving such statement shall, for the purpose of computing his own quota bases, be deemed to have delivered controlled meat as set forth in the statement.

[Paragraph (f) as amended by Amendment 6, 7 F.R. 10258]

[§ 1407.914a added by Amendment 2, 7 F.R. 8524]

§ 1407.915 *Reports.* (a) Every slaughterer shall furnish such information to, and execute and file such reports with, the Office of Price Administration, as it may from time to time require.

§ 1407.916 *Records.* (a) Every slaughterer shall keep accurate records from which the following may be determined for each quota period:

(1) The conversion weight of controlled meat of each type on hand at the commencement of the quota period.

(2) The conversion weight of controlled meat of each type delivered to the slaughterer.

(3) The conversion weight of controlled meat of each type produced from animals slaughtered.

(4) The conversion weight of controlled meat of each type delivered without charge against quotas, separately stated for each class of exempt purchasers in accordance with the arrangement of such purchasers into paragraphs in § 1407.912 (a).

(5) The conversion weight of controlled meat of each type on hand at the close of the quota period.

(6) The conversion weight of beef of cutter and canner grades slaughtered during such period.

(7) The conversion weight of beef of cutter and canner grades delivered without charge against quotas, separately stated for each class of exempt purchasers in accordance with the arrangement of such purchasers into paragraphs in § 1407.912 (a).

(b) Every non-quota slaughterer shall keep an accurate record, by quota periods, of live purchase weight and chilled dressed carcass weight of all cattle, calves, sheep and lambs slaughtered by him and of live purchase weight of all swine slaughtered by him.

(c) All records required by Restriction Order No. 1 shall be kept and preserved for not less than 2 years after the effective date hereof at an office of the slaughterer designated by him in his registration, and shall at all reasonable times be open to audit and inspection by duly authorized representatives of the Office of Price Administration.

(d) Every person who slaughters cattle, calves, sheep, lambs or swine and every person who sells, transfers, or delivers controlled meat shall preserve for examination by the Office of Price Administration all of his existing records relating to such slaughter, sales, transfers, and deliveries since January 1, 1941, unless authorized to dispose thereof by the Office of Price Administration.

§ 1407.917 *Application for adjustment or exception.* (a) Any person who considers that an adjustment or exception should be made in his case to facilitate procurement by persons referred to in § 1407.912 (a), prevent spoilage of meat, relieve transportation facilities, adjust quotas which have been affected by unusual occurrences during the base period, or promote greater efficiency and dispatch in the war effort, may apply in writing to the Office of Price Administration, setting forth the pertinent facts, the reasons why he considers that an adjustment or exception should be made, and the precise nature of the adjustment or exception desired.

[Paragraph (a) as amended by Amendments 1 and 3, 7 F.R. 8217, 9247]

(b) In cases of emergency, application may be made by the most convenient means of communication and a written application may be filed at such time thereafter as the Office of Price Administration may direct.

(c) Upon receipt of such application, the Office of Price Administration may take such action as it shall deem necessary or appropriate.

§ 1407.918 *Certification deemed a representation.* (a) Any certification delivered to or made by a slaughterer pursuant to the provisions of § 1407.912a shall be held by the slaughterer for delivery to the Office of Price Administration upon request by it.

(b) Statements contained in or accompanying any such certification shall be deemed representations to an agency of the United States.

[§ 1407.918 as amended by Amendment 3, 7 F.R. 9247]

§ 1407.919 *Prohibited acts.* (a) No person shall deliver, or offer to deliver, to any person, and no person shall accept or offer to accept delivery from any person, or use, any controlled meat with knowledge or reason to believe that such delivery or use is or will be in violation of Restriction Order No. 1, or in violation of or contrary to any of the statements contained in any certification or authorization furnished or provided as required in § 1407.912a.

[Paragraph (a) as amended by Amendment 3, 7 F.R. 9247]

(b) No person shall, or shall cause another person to, alter or falsify any registration certification, or statement, or to falsify, conceal or fail to disclose any fact, statement or information in any application, registration, report or other statement required to be made, kept, furnished or disclosed by Restriction Order No. 1.

(c) No person shall offer, solicit, attempt or agree to do any act in violation of any provision of Restriction Order No. 1.

§ 1407.919a *Allocation orders.* (a) The District Manager of the Office of Price Administration or, where there is none, the State Director, having jurisdiction over any meat allocation area, may issue allocation orders requiring any person who is engaged in the business of selling or delivering controlled meat in or from within that area, to deliver any controlled meat, which he has in or brings into the area, to such persons within the area, at such times and in such quantities as the District Manager or the State Director may direct. Such allocation order may be issued only if the District Manager (or State Director) finds it to be in the public interest to do so by reason of the fact that the person to whom the order requires deliveries to be made has been unable to secure a reasonable quantity of controlled meat for delivery, or for service to consumers, and that, as a result, consumers are unable to acquire a reasonable amount of controlled meat. However, no such order shall require delivery of controlled meat to individual consumers.

[Paragraph (a) as amended by Amendment 14, 8 F.R. 2498]

(b) Any person to whom an allocation order has been issued under this section shall make deliveries in accordance with the order, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, and shall make such deliveries at a price not in excess of the applicable maximum price established pursuant to any order of the Office of Price Administration.

(c) An allocation order issued pursuant to this section shall set forth the name and address of the person directed to make delivery; the name and address of the person to whom deliveries are to be made; the type and amount of controlled meat to be delivered; and the date on or before which such deliveries are to be made. An allocation order may be modified or revoked by the District Manager or State Director who issued it.

(d) An allocation order may be personally served on the person to whom it is directed or may be sent by registered mail either to his business address within the area or, if he has none there, to his principal business address. An allocation order shall be effective upon service, or, if mailed, twenty-four hours after mailing, or at such later time as may be specified therein.

(e) No person who fails to comply with an allocation order shall make any deliveries of controlled meat.

(f) The territory located within the State of Rhode Island and within each of the following districts of the Office of Price Administration shall constitute a meat allocation area:

San Francisco, California
Los Angeles, California
San Diego, California

[§ 1407.919a added by Amendment 13, 8 F.R. 2274 and Amendment 15, issued 3-19-43 and effective 3-19-43]

§ 1497.920 *Criminal prosecutions* (a) Any person who knowingly falsifies an application, certification, registration form or any other record, report or document made pursuant to or required by the terms of Restriction Order No. 1 or who otherwise knowingly furnishes false information to any agent, employee or officer of the Office of Price Administration or falsifies or conceals or covers up by any trick, scheme or device a material fact, or makes or causes to be made any false or fraudulent statement or representation, in any matter within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than $10,000 or imprisoned for not more than ten years, or both, and shall be subject to such other penalties or actions as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts or to violate any provision of Restriction Order No. 1 may upon conviction be fined not more than $10,000 or imprisoned for not more than two years, or both, and shall be subject to such other penalties or actions as may be prescribed by law.

(b) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any provision of Restriction Order No. 1 may upon conviction be fined not more than $10,000 and imprisoned for not more than one year, or both, and shall be subject to such other penalties or actions as may be prescribed by all applicable statutes.

§ 1407.921 *Suspension orders.* Any person who violates this Restriction Order No. 1 may by administrative suspension order be prohibited from receiving any transfers or deliveries of, or selling or using or otherwise disposing of, any controlled meat or other rationed product. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national defense.

§ 1407.922 *Scope of order.* Restriction Order No. 1 shall apply within the 48 states of the United States and within the District of Columbia.

§ 1407.923 *Communications.* All registration statements and reports required to be filed hereunder, and all communications concerning Restriction Order No. 1 shall be addressed to: Office of Price Administration, Att: Food Rationing Division, Washington, D. C.

§ 1407.924 *Effective date.* Restriction Order No. 1 shall become effective October 1, 1942. [Issued October 1, 1942.]

§ 1407.925 *Effective dates of amendments.*

Amendment Nos. and issue dates:	Effective
Amendment 1, 10-10-42	10-1-42
Amendment 2, 10-20-42	10-20-42
Amendment 3, 11-9-42	11-7-42
Amendment 4, 11-9-42	11-7-42
Amendment 5, 11-19-42	11-25-42
Amendment 6, 12-7-42	12-12-42
Amendment 7, 12-7-42	12-12-42
Amendment 8, 12-17-42	12-17-42
Amendment 9, 12-18-42	12-18-42
Amendment 10, 1-8-43	1-14-43
Amendment 11, 1-18-43	1-23-43
Amendment 12, 1-27-43	2-2-43
Amendment 13, 2-19-43	2-19-43
Amendment 14, 2-25-43	2-25-43
Amendment 15, 3-13-43	3-19-43

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3943; Filed, March 13, 1943; 2:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 55 to Supp. Reg. 1[1] to GMPR[2]]

CITRUS FRUIT SEGMENTS, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1499.26 (a) (22) is amended as set forth below.

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

* * * * * *

(22) Citrus fruit segments or pieces, whether or not hermetically sealed in containers; citrus juices or blends thereof, whether or not hermetically sealed in containers; citrus concentrates, citrus pulp, citrus marmalade base, crushed citrus fruit and shredded, minced, sliced or diced citrus fruit or citrus peel (except candied or sugared peel), whether or not hermetically sealed in containers.

* * * * * *

This amendment shall become effective as of September 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3944; Filed, March 13, 1943; 12:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 56 to Supp. Reg. 1[1] to GMPR[2]]

CERTAIN TEMPORARY BUILDINGS

A statement of the considerations involved in the issuance of this Amendment No. 56 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1499.26, paragraphs (d) and (e) are redesignated as paragraphs (e) and (f), respectively, and a new paragraph (d) is added to read as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* * * *

(d) The provisions of the General Maximum Price Regulation shall not apply to the following sales or deliveries or the supply of the following services:

(1) Sales by the United States Government, or any agency thereof, of temporary buildings sold apart from the land, and the supply of demolition, wrecking, and site-clearance services which are part of and are included within the sale of such temporary buildings.

* * * * * *

This amendment shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3945; Filed, March 13, 1943; 2:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 130 to Supp. Reg. 14[1] of GMPR[2]]

CANE BLACKSTRAP AND BEET SUGAR MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subdivision (i) of § 1499.73 (a) (43) is amended as set forth below:

§ 1499.73 *Modification of maximum prices established under § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) * * *

(43) *Cane blackstrap molasses and beet sugar final molasses.* * * *

(i) *Maximum prices for sales of cane blackstrap molasses and beet sugar final molasses produced in the continental United States by producers thereof and by distributors other than those exempted in subdivision* (ii). The maximum prices for sales of cane blackstrap molasses and beet sugar final molasses produced in the continental United States by producers thereof and by distributors other than those exempted in subdivision (ii) shall be the applicable

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8021, 8336, 8652, 8798, 8810, 8930, 8833, 9082, 9131, 9616, 9622, 9975, 9976, 10022, 10718, 10557, 11118; 8 F.R. 130, 265, 927, 1454, 1813, 2274.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[1] 7 F.R. 5486, 5789, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7303, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2041, 2718, 2344, 2354, 2274, 2346, 2507, 2665.

maximum prices set forth in this subdivision (i) or the seller's maximum prices as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, whichever is higher: *Provided*, That a seller once having elected to price his tank car lot sales of a type of molasses under § 1499.2 of the General Maximum Price Regulation must also price his less than tank car lot sales of that type of molasses under § 1499.2. If, however, a seller elects to price his tank car lot sales of a type of molasses under subdivision (*a*) below, he must then price his less than tank car lot sales of that type of molasses according to subdivision (*b*) below.

This amendment shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3946; Filed, March 13, 1943; 2:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 46 Under § 1499.3 (b) of GMPR]

BRASS MILL PRODUCTS

Order No. 46 (§ 1499.260) under § 1499.3 (b) of the General Maximum Price Regulation is hereby revoked.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F.R. Doc. 43-3947; Filed, March 13, 1943; 2:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 153 [1] Under § 1499.3 (b) of GMPR]

SELLERS OF USED CALCIUM CARBIDE DRUMS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

Section 1499.1169 is hereby revoked.

This order of revocation shall become effective March 18, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-3949; Filed, March 13, 1943; 2:23 p. m.]

[1] 7 F.R. 9816.

PART 1499—COMMODITIES AND SERVICES

[Order 324 Under § 1499.3 (b) of GMPR]

WILLIAM B. REILY AND COMPANY, INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1760 *Authorization of maximum prices for sales of "Happy Jack" processed by William B. Reily, Incorporated, 640 Magazine Street, New Orleans, Louisiana.* (a) On and after March 15, 1943, the maximum prices for "Happy Jack", a coffee extender manufactured from malt, legumes, rye, barley and garbanzo beans, shall be $17.10 per hundred 18 ounce packages, delivered.

(b) Wholesalers of this product shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of this product shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This Order No. 324 may be revoked or amended by the administrator at any time.

(e) This Order No. 324 (§ 1499.1760) shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3952; Filed, March 13, 1943; 2:36 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 325 Under § 1499.3 (b) of GMPR [1]]

MAXIMUM PRICES FOR NONFERROUS MILL PRODUCTS

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250,[2] and section 3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1761 *Methods of determining maximum prices for nonferrous mill products which cannot be priced under § 1499.2 of the General Maximum Price Regulation*—(a) *Authorization: applicability.* (1) Sellers of nonferrous mill products which cannot be priced under § 1499.2 of the General Maximum Price Regulation are hereby specifically authorized to determine their maximum prices for such products by the applicable one of the two methods set out in paragraphs (b) and (c) of this order.

(2) This order is applicable only to nonferrous mill products which are subject to the General Maximum Price Regulation rather than to a specific maximum price regulation or schedule, and, further, is applicable only if the seller cannot determine his maximum price for the product under § 1499.2 of the General Maximum Price Regulation.

(3) The provisions of this order do not apply to sales at wholesale or at retail.

(4) The term "mill products" includes all rough and machined nonferrous products produced by rolling, drawing, stamping, forging, or extrusion. However it does not include such products when sold by a person performing only a machining operation thereon, nor does it include finished parts and subassemblies.

(5) The term "nonferrous mill products" includes all mill products, as defined in paragraph (a) (4), made of aluminum, antimony, beryllium, bismuth, cadmium, cobalt, copper, lead, magnesium, nickel, tin, zinc and their alloys, if any one, or any combination of two or more, of the above metals equals or exceeds 50 percent (by weight) of the total metal content.

(b) *First method: March 1942 formula or pricing method.* (1) The seller shall apply the formula or pricing method which he used in March 1942 for comparable products, and shall arrive at a net price by making his customary adjustments for extra charges, cash discounts or other allowances. "Comparable product" means a product which, while not the same commodity as the nonferrous mill product to be priced nor a "similar commodity" within the meaning of § 1499.2 of the General Maximum Price Regulation, is produced by the same process (e. g., rolling, drawing, stamping, forging or extrusion), is made of the same nonferrous metal, or of an alloy having the same base, and involves relationships between elements of cost sufficiently similar that the formula or pricing method employed for such product may reasonably be applied to the product to be priced. For example, a manufacturer sells a $\frac{1}{8}$" wire solder composed of 85% lead and 15% tin. Neither he nor his competitors sold or offered this product, or a "similar" product, for sale in March 1942. However, in March 1942 he manufactured a $\frac{1}{8}$" wire solder containing 70% lead and 30% tin, which he priced in that month by adding 4 cents per pound to the cost of the metals contained. Assuming that the change in composition does not substantially affect manufacturing costs (as distinguished from metal costs), the 70-30 solder made in March is a "comparable product," and the maximum price for the new product should be determined by

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[2] 7 F.R. 7871.

applying the same formula (i. e., cost of metals contained plus 4 cents per pound), and making adjustment for customary extra charges, cash discounts or other allowances.

(2) The seller shall apply his formula or pricing method as follows:

(i) *Metal costs.* To the extent that metal costs are included in the formula or pricing method, the seller shall use as the per pound cost of metal his actual delivered per pound cost, determined in accordance with the method which he normally employed in March 1942 as indicated in his pricing formula. Of course, this delivered cost must not exceed the maximum delivered cost (including any freight or delivery charges actually paid by the seller) which the seller is permitted to incur under applicable maximum price regulations issued by the Office of Price Administration.

(ii) *Direct labor costs.* To the extent that direct labor costs are included in the formula or pricing method the seller shall use labor costs figured and applied as follows:

(*a*) If actual labor rates, rather than machine hour, piece or average rates were used in March 1942, the seller shall use straight time and overtime rates no higher than those used in that month for each class of labor, and shall include no larger percentage of overtime than he included in that month.

(*b*) If machine hour, piece or average rates were used in March 1942 the seller shall use machine hour, piece or average rates no higher than those used by him in that month.

(*c*) In deciding whether items of labor cost are to be applied as separate items in figuring the price or are to be treated as overhead, the seller shall follow his March 1942 practice as indicated in his formula or pricing method. Thus, if a seller treated cleaning labor as an item of overhead in March 1942 he must continue so to treat it in figuring the maximum price.

(iii) *Overhead or burden rates.* To the extent that overhead or burden is included in the formula or pricing method the seller shall apply overhead or burden rates or factors no higher than those used in March 1942 and shall make no changes in the method of application that would result in a higher price.

(iv) *Set-up or die charges.* If the seller included set-up or die charges in his formula or pricing method in March 1942 he shall use the same method of figuring such charges as he used in that month. The seller must show any such charges separately on his quotation or invoice.

(v) *Other factors.* The seller shall employ no cost factors in addition to those which he used in March 1942 and shall make no changes in the method of application of those factors which would result in a higher price.

(vi) *Profit margin or mark-up.* To the extent that profit margin or mark-up is included in the formula or pricing method, the seller shall use no higher profit margin or mark-up than he used in March 1942 and shall make no change in the method of application that would result in a higher price.

(c) *Second method: sellers who cannot apply March 1942 formula or pricing method.* (1) If a seller cannot determine his maximum price by applying the formula or pricing method which he used in March 1942 for comparable products because he was not in business on that date, or because he had at that time no formula or pricing method for a comparable product, or because the plant in which the product is produced was not in operation in March 1942, he shall submit to the Office of Price Administration at Washington, D. C., a proposed formula or method of determining his maximum price, which shall reflect, so far as practicable, the pricing method and the rates which the seller would have employed for the product in March 1942. He should base his proposed formula or pricing method upon actual current metal costs, and, as far as practicable, should relate other factors in the formula or pricing method to conditions prevailing during March 1942. For example, if he was not doing business during March 1942 in the locality in which the product is to be produced he should take as the basis for his calculation of labor costs the wage rates prevailing in that locality during March 1942; and if he has no customary practice as to extra charges, allowances and discounts he should relate his proposed pricing method to the practice prevailing in the appropriate industry during that month.

(2) In submitting his formula or pricing method the seller must explain the reasons for his inability to use the method of maximum price determination set out in paragraph (b) of this order, must fully describe the product to be priced, and should illustrate the application of the proposed pricing method. The formula or pricing method submitted must be set forth in such detail that the Office of Price Administration, if given the values attached to the variable factors, will be able to arrive at the same price as the seller.

(3) Before filing his proposed method of determining the maximum price the seller may enter into contracts or offer or agree to enter into contracts for the sale of the product at a price determined or to be determined in accordance with the method to be proposed. However, he must file his proposal with the Office of Price Administration in Washington, D. C., before making any deliveries at the proposed price and before accepting any payment. When he has filed his proposal with the Office of Price Administration, he may sell, deliver, and accept payment for nonferrous mill products at prices determined in accordance with the method proposed by him, but shall not charge any higher price.

(4) The seller shall, upon request, supply to the Office of Price Administration any additional information that may be required to enable the Office to determine whether the formula or pricing method and rates submitted by the seller will result in prices which are in line with the general level of maximum prices established by the General Maximum Price Regulation. If the Office of Price Administration determines that the formula or pricing method and rates proposed will not result in such prices, the proposed formula or pricing method and rates may be disapproved.

(5) If the formula or pricing method submitted by the seller is disapproved by the Office of Price Administration notice to that effect will be given to the seller by letter, together with an approved price or pricing method.[1] On and after the date of such notice the seller shall be prohibited from selling, delivering or offering to sell or deliver the product at a price higher than the price thus authorized by the Office of Price Administration. In no event will disapproval of the pricing method submitted affect deliveries made by the seller prior to the date of notice of disapproval, if the proposal was appropriately filed under this paragraph. However, the Office of Price Administration may direct that on and after the date of notice of disapproval, or on and after any subsequent date which may be specified in the notice, all sales and deliveries shall be made in compliance with the maximum price, or the method of determining the maximum price, authorized by the Office of Price Administration, regardless of existing contracts or other obligations.

(6) "Date of notice of disapproval", as used in this order, means the date on which such notice is mailed by the Office of Price Administration in Washington.

(d) *Application of formulas or pricing methods; values to be given variable factors.* (1) In applying the formula or pricing method used by him in March 1942 for comparable products, or the formula or pricing method proposed by him in accordance with the provisions of paragraph (c) of this order, the seller, if he has had actual experience in the production of the product to be priced, shall assign values to the variable factors in the formula or pricing method (such as the amounts of time and material required) based upon actual production requirements as demonstrated by his experience.

(2) If the seller has had no experience in the production of the product to be priced, he shall use his best estimates of the amounts of time and materials required, and of the values to be given to other variable factors in the formula or pricing method. However, on subsequent contracts for the sale of the same product, made after actual production experience has been acquired, the seller shall recompute the maximum price, assigning values to the variable factors in his formula or pricing method based upon actual production requirements as demonstrated by his experience.

(3) In any case in which a seller recomputes the maximum price in accordance with subparagraph (2) of this paragraph with the result that the maximum price so computed is higher than the maximum price previously determined, he shall file a report with the Office of Price Administration at Washington, D. C., containing (i) a full description of the product, (ii) the maxi-

[1] At the request of the seller, made within 30 days from the date of such notice, the disapproval and the approved price or pricing method will be incorporated in an order.

mum price previously calculated, (iii) the new maximum price, and (iv) an explanation of the higher price in terms of the formula or pricing method and of the cost factors reflected in the formula or pricing method.

(4) After the maximum price has been recomputed in accordance with subparagraph (2) of this paragraph on the basis of production experience sufficient to enable him to determine his costs with reasonable accuracy, the seller may file the specific maximum price so determined with the Office of Price Administration together with a request that such price be deemed to be his maximum price and that he be relieved of the requirement that the maximum price be recomputed for subsequent sales. This request will be approved if the Office of Price Administration finds that the specific price submitted is in line with the level of maximum prices established by the General Maximum Price Regulation. Unless and until such a finding is made the seller shall continue to recompute the maximum price for each sale in accordance with subparagraph (2) of this paragraph. On and after the date on which the request is approved the seller shall not be required to recompute the maximum price, but the specific price filed and approved shall be his maximum price for the product.

(e) *Records and reports.* As long as the Emergency Price Control Act of 1942, as amended, is in effect, every person selling nonferrous mill products pursuant to this order shall keep for inspection by the Office of Price Administration full and complete records of the formulas or pricing methods used by him, and of all cost data used in the application of such formulas or pricing methods. Except as required by paragraphs (c) and (d) of this order, it is not necessary to file formulas or pricing methods with the Office of Price Administration, nor to report maximum prices determined in accordance with this order, unless the Office of Price Administration specifically requests that such information be submitted.

(f) *Relation to Order No. 46—Brass mill products.* Order No. 46 under § 1499.3 (b) of the General Maximum Price Regulation, authorizing a method by which brass mills may determine maximum prices for brass mill products which cannot be priced under § 1499.2 of the General Maximum Price Regulation, is superseded by this order.

(g) *Provision for revocation or amendment of this order.* This order may be revoked or amended by the Administrator at any time, but its revocation or amendment shall have no effect upon prior sales or deliveries, except that prior contracts may be affected from the date of revocation or amendment or from such subsequent date as the Administrator may specify.

This order shall become effective March 13, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3953; Filed, March 13, 1943; 2:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 326 Under § 1499.3 (b) of GMPR]

FIRST CARAMEL MALTING CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1762. *Authorization of maximum prices for sales of "Roasted Caramelized Malt" and "Roasted Barley" processed by First Caramel Malting Corporation, 63 Governor Street, Paterson, New Jersey.* (a) On and after March 15, 1943, the maximum prices, f. o. b. Paterson, New Jersey, for the following products of The First Caramel Malting Corporation shall be as set forth below:

(1) "Roasted Caramelized Malt"—10 cents per pound for bulk quantities of 25 pounds or more.

(2) "Roasted Barley"—6¼ cents per pound for bulk quantities of 100 pounds or more.

(b) Wholesalers of these products shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of these products shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This Order No. 326 may be revoked or amended by The Administrator at any time.

(e) This Order No. 326 (§ 1499.1762) shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3954; Filed, March 13, 1943; 2:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 327 Under § 1499.3 (b) of GMPR]

TRENTON POTTERIES, INCORPORATED

Maximum prices for vitreous china storage battery cases for Trenton Potteries, Incorporated.

For the reasons set forth in an opinion which has been issued simultaneously herewith, *It is ordered:*

§ 1499.1763 The Trenton Potteries, Incorporated, of Trenton, New Jersey, may sell and deliver, and any person may buy and receive from the Trenton Potteries, Incorporated, the products described in paragraph (a) below at the prices indicated, f. o. b. Trenton, New Jersey.

(a) This Order No. 327 shall cover the following articles and the maximum prices therefor shall be as indicated:

No. 15 FFP—Vitreous china cover for storage battery case, 12 3/16" long, 9 5/16" wide and 1½" deep, over-all measurements	$2.36
No. 23 FFP—Vitreous china cover for storage battery case, 13⅝" long, 12⅞" wide and 1½" deep, over-all measurements	2.75
No. 15 FHR—Vitreous china storage battery case, 20" high, 14⅜" long and 8½" wide, over-all measurements	7.93
No. 11 EHR—Vitreous china storage battery case, 15⅜" high, 10⅞" long, and 6 5/16" wide, over-all measurements	7.33
No. 9 EHR—Vitreous china storage battery case, 15⅜" high, 10⅞" long and 5 5/16" wide, over-all measurements	7.—
No. 19 EHR—Vitreous china storage battery case, 15⅜" high, 10½" long and 10⅞" wide, over-all measurements	9.01
No 29 FB—Vitreous china storage battery case, 19¾" high, 15¼" long and 14¼" wide, over-all measurements	8.—
No. 23 EHR—Vitreous china storage battery case, 15⅜" high, 12 5/16" long and 10⅞" wide, over-all measurements	9.—
No. 15 EHR—Vitreous china storage battery case, 15⅜" high, 8½" long and 10⅞" wide, over-all measurements	8.—
No. 19 FHR—Vitreous china storage battery case, 20" high, 10½" long and 14⅜" wide, over-all measurements	8.—
No. 23 FHR—Vitreous china storage battery case, 20" high, 12½" long and 14⅜" wide, over-all measurements	8.—
No. 29 FHR—Vitreous china storage battery case, 20" high, 15¼" long and 14⅜" wide, over-all measurements	8.—

(c) This Order No. 327 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 327 (§ 1499.1763) shall become effective March 15, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3955; Filed, March 13, 1943; 2:35 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 328 Under § 1499.3 (b) of GMPR]

A. C. LAWRENCE LEATHER COMPANY

A. C. Lawrence Leather Company, Peabody, Massachusetts, made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for an authorization to determine maximum prices for its chamois pockets, grade number three, manufactured by it. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1764 *Establishment of maximum prices for chamois pockets, grade number three, manufactured by A. C. Lawrence Leather Company.* (a) A. C. Lawrence Leather Company, Peabody, Massachusetts, may sell and deliver and any person may buy and receive from A. C. Lawrence Leather Company number three grade chamois pockets produced from sheepskins at prices no higher than six dollars ($6.00) per dozen.

(b) The maximum prices established by this order may be amended by the Price Administrator at any time.

(c) This Order No. 328 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 328 (§ 1499.1764) shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3956; Filed, March 13, 1943; 2:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 214 Under § 1499.18 (b) of GMPR]

INDEPENDENT FILTER PRESS COMPANY

Order No. 214 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2137.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1814 *Denial of adjustment of the maximum prices for the sale of cotton filter cloth, by Independent Filter Press Company.* (a) The application for adjustment of its maximum prices for the sale of cotton filter cloth filed by Independent Filter Press Company, 240 Forty-eighth Street, Brooklyn, New York, on September 25, 1942, is hereby denied.

(b) This Order No. 214 (§ 1499.1814) shall become effective March 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-3957; Filed, March 13, 1943; 2:35 p. m.]

PART 1499—SEASONAL COMMODITIES

[Order 12 Under § 1499.18 (c), as Amended, of GMPR]

ILLINOIS QUARRY COMPANY, INC.

Order No. 12 under § 1499.18 (c) as amended of the General Maximum Price Regulation—Docket No. GF3-2823.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1512 *Adjustment of maximum price for limestone sold by Illinois Quarry Company, Inc., to farmers, truckers, and the Agricultural Adjustment Administration.* (a) Illinois Quarry Company, Inc., Taylorville, Illinois, may sell and deliver to farmers, to truckers, and to the Agricultural Adjustment Administration of the U. S. Department of Agriculture, for use in neutralizing soil acidity, and any farmer or trucker, or the Agricultural Adjustment Agency, may buy and receive agricultural limestone, fine ground to pass through a ⅛ inch by 3/8 inch screen opening, at prices no higher than as follows:

F. O. B. Quarry
Loaded on Trucks
$1.40 per ton

(b) The price set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as granted in March, 1942.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 12 is hereby incorporated as a section of Supplementary Regulation No. 14 of the General Maximum Price Regulation, which contains modification of maximum prices established by § 1499.2.

(e) This Order No. 12 may be revoked or amended by the Administrator at any time.

This order shall become effective March 15, 1943.

(Public Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued the 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3951; Filed, March 13, 1943; 2:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 18 Under § 1499.29 of GMPR]

WEST VIRGINIA PULP & PAPER CO. AND SOLVAY SALES CORP.

Order No. 18 under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3-3028.

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.418 *Adjustment of maximum prices for sales of chlorine by West Virginia Pulp and Paper Company and by Solvay Sales Corporation.* (a) Notwithstanding anything to the contrary contained in the General Maximum Price Regulation, West Virginia Pulp and Paper Company, a corporation having its principal offices at 230 Park Avenue, New York, N. Y., and Solvay Sales Corporation, a corporation having its principal office at 40 Rector Street, New York, N. Y. may sell and deliver chlorine produced by the West Virginia Pulp and Paper Company at Mechanicville, New York or Luke, Maryland at prices not in excess of those set forth below:

(1) *Chlorine produced at Luke, Maryland:* $47.00 per ton in tank cars, f. o. b. Luke, Maryland.

(2) *Chlorine produced at Mechanicville, New York:* $42.00 per ton in tank cars, f. o. b. Mechanicville, New York.

(b) Any contract entered into by West Virginia Pulp and Paper Company or Solvay Sales Corporation with respect to chlorine subject to this order at prices in excess of those set forth in paragraph (a) shall be revised in accordance with this order. Any payment accepted by either company under any such contract in excess of the applicable maximum price established by this order shall be refunded to the purchaser.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 18 (§ 1499.418) shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 7th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3948; Filed, March 13, 1943; 2:36 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 33 to Supp. Reg. 15 Under § 1499.75 (a) (3) of GMPR]

DUMES TRUCKING CO.

The General Maximum Price Regulation Order No. 33 under § 1499.75 (a) (3) of Supplementary Regulation No. 15. Docket No. GF3-1115.

For the reasons set forth in an Opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1333 *Adjustment of maximum prices for contract carrier services furnished by Dumes Trucking Co., Inc., of Vincennes, Indiana.* (a) The Dumes Trucking Co., Inc., 1640 North Sixth Street, Vincennes, Indiana, may sell and furnish contract carrier services in connection with the transportation of scrap paper, paper products, egg cases, egg case fillers and flats, excelsior, excelsior pads and cement coated nails from, to and between points in Indiana, Illinois, Missouri, Michigan, Ohio, Kentucky, and Tennessee at prices not exceeding the rates set forth in the schedule of minimum rates, MF-ICC No. 8 filed by the Dumes Trucking Co., Inc. with the Interstate Commerce Commission on June 22, 1942 to become effective July 22, 1942 and suspended on August 1, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 33 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 33 (§ 1499.1333) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 33 (§ 1499.1333) shall become effective March 15, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3950; Filed, March 13, 1943; 2:35 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85, Amendment 10]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously

7 F.R. 1361, 1675, 2134, 2172, 2648, 2697, 7100, 7436, 7942, 8948, 9899, 8 F.R. 1450, 2040.

herewith and filed with the Division of the Federal Register.*

Section 1360.63 is amended to read as follows:

§ 1360.63 *Appendix C: Standard delivery operations*—(a) *General purpose.* The operations set forth in the checklist below are identical with those established by Conservation Order M-216-A, as amended, issued by the War Production Board. Before any vehicle is delivered into the hands of a buyer, it shall be processed according to the provisions and instructions contained in the following checklist. This checklist is purposely detailed so as to discourage omissions of necessary operations. The sequence of the items listed is based on the fact that serious damage may result if certain operations are done out of turn. Accordingly, this list is arranged so that each operation is done only after the necessary preparatory work has been completed. The purpose of this checklist is to set forth the step-by-step procedure for conditioning every vehicle so that it will give maximum service when put to use. The procedure as outlined in the following pages is intended to be used as a checklist. A responsible person should be charged with the duty of seeing that the order of operations is followed strictly, and that each item is checked only after it is completed. Vehicles should be processed for delivery as near the storage location as practicable.

GENERAL INSTRUCTIONS

1. Under no circumstances should a reserve vehicle be operated under its own power, until the Standard Delivery Operations numbered 1–13, inclusive, have been performed upon it.

2. With respect to change of location of reserve vehicles in storage, the following conditioning operations must be performed:

Before being towed by crane truck or rigid bar, Items Nos. 1 a, b; and 2 b.

Before being towed by loose linkage (rope or chain), Items Nos. 1 a, b; and 2 b, e, f, g.

(b) *Checklist of operations performed to prepare the following vehicle for use.*

Form No. 694-190. Form Approved ——
Budget Bureau No. 08-R368

OFFICE OF PRICE ADMINISTRATION

WASHINGTON, D. C.

Company ——————————
(Insert name of seller)

Address ——————————
Make of vehicle ——— Body type ———
Serial No. ——— Engine No. ———
Door and Ignit. Key No. ——————
Deck and Glove Box Key No. ——————
Vehicle prepared for delivery by ——————
(Insert name of mechanic or mechanics who have performed the work)

Date ——————————
Approved by ——————— Date ———
(Insert name of shop foreman)

Item No. 1. *Tires.*

a. If tires are unmounted, inspect the rims and remove all rust. Mount tires and inflate them to tire manufacturer's recommended pressure.

b. If tires are mounted, inflate them to tire manufacturer's recommended pressure.

Item No. 2. *Brake System and Front Wheel Lubricant.*

a. Remove all wheels and drums and thoroughly clean rust from all braking surfaces. Also examine anchor pins to make sure their bearings are free so that springs return shoes to released position. *Do not work brake pedal* with brake drums off.

b. Repack front wheel bearings with new lubricant if necessary.

c. Check hydraulic master cylinder fluid level, adding approved fluid if necessary. See that filler cap vent is open.

d. Inspect brake system for leaks and repair any defects.

e. Work brake pedal several times to make sure system is operating. Jack up each wheel (if blocks were removed) and apply brakes. Check to see that they operate and then release fully so wheel can turn freely with no drag.

f. Check brake pedal-floor clearance and adjust if necessary.

g. With respect to conditioning vacuum booster, electric, and compressed air brake equipment, follow equipment manufacturer's recommendations.

NOTE: Remove outside body and window coverings. Protect upholstery while conditioning vehicle. If another location is required for remaining work, vehicle must not be run under its own power until ready for preliminary road test. (See General Instructions above.)

Item No. 3. *Fuel System.*

a. Replace gasoline tank drain plug.

b. Thoroughly clean fuel line, fuel pump sediment bowl and filter screen, and carburetor. Reinstall.

c. Check all fuel connections, including carburetor flange nuts or cap screws.

d. Put gasoline in tank, adding ½ pint of SAE engine oil to each 5 gallons of gasoline. Replace filler cap, making sure vent is free.

e. Check accelerator, throttle and choke linkages, idle and wide open positions.

f. Remove seal from air cleaner; and add oil if necessary.

Item No. 4. *Ignition System.*

a. Clean and adjust spark plugs. Leave them out so cylinders can be lubricated later.

b. Check distributor, adjust points, clean rotor and contact points.

c. Lubricate cam and rocker bearing surface.

d. Clean wire connections and push wires firmly into their sockets in distributor and coil.

Item No. 5. *Valve Compartment (overhead valve engines).*

a. Remove cover and remove oil soaked rags if any.

b. Spray valve mechanism with suitable light oil. Leave cover off for observation of valve action later.

Item No. 6. *Seals.*

a. Remove seal from tail pipe opening.

b. Remove seals from oil filler tube, crankcase breather tube, and any other opening. Clean and replace covers.

Item No. 7. *Clutch.*

a. Remove block used to keep clutch disengaged and make sure there is correct amount of free pedal movement at top of travel.

Item No. 8. *Preparing Engine for Service.*

a. Tighten all cooling system, heater hose and defroster connections, replacing any defective hose. If cooling system was stored full, add sufficient coolant to make up for evaporation. If cooling system was stored empty, close drain cocks and replace drain plugs. Fill with clean water and check for leaks.

b. Drain oil from crankcase.

c.[1] Drop oil pan, thoroughly clean pan, inside of crankcase and pump screen. Replace pan using new gasket.

d. Fill crankcase with flushing oil. Pour 2 ounces of SAE–10 engine oil into each spark plug hole. Leave spark plugs out.

e. Lubricate generator, starter, and water pump.

f. Clean battery carrier, repainting if necessary. Install securely a fully charged battery (spec. gravity of 1.280 or above at 60 degrees F.; water level ¼" to ⅜" above plates). Clean cables and connections, tighten, and coat terminals with vaseline or approved corrosion preventive. Test battery hookup by turning on headlights (ammeter should show discharge).

g. With ignition switch off and clutch disengaged crank engine for 30 seconds with starter in order to exercise reciprocating parts and bearings. While cranking engine listen carefully for indications of trouble. Remedy any trouble (such as engine failing to turn over or starter being stuck) before proceeding further. Reinstall spark plugs using new gaskets if necessary.

h. Start engine (clutch disengaged) and run at idle speed for five minutes.

i. Adjust automatic choke control if necessary.

j. Set engine idle speed according to manufacturer's recommendations.

k. Turn off engine. Drain flushing oil immediately from crankcase.

l.[1] If engine oil filter is sealed type, replace it with a new one. If it is replaceable element type, clean out filter chamber and install new element.

m. Fill crankcase to correct level with engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate. Start engine and run at idle speed.

Item No. 9. *While engine is running,* check the following items for proper operations, making all necessary adjustments and repairs:

a. All instruments (oil, gas, temperature, and ammeter).

b. Windshield wipers, with blades installed.

c. Horn.

d. Every switch position of every light on vehicle.

e. Heater, climatizer, defroster.

f. Cigar lighter, radio, clock and other accessories.

g.[1] Automatic top on convertibles.

h. Charging rate, and voltage and current regulator.

i. Manifold heater valve.

j. Inspect all water hose connections, oil and fuel lines for leakage.

k. Check and if necessary adjust valve tappets according to vehicle manufacturer's recommendations.

Item No. 10. *After shutting off engine,* perform the following operations: Before any sediment in coolant has time to settle, make the following check of the cooling system:

a. If coolant carries little or no anti-freeze, completely drain entire cooling system, examining coolant for presence of rust or other foreign matter.

b. If coolant carries a considerable amount of anti-freeze, drain a quart from bottom of radiator. If liquid is clear return sample to radiator.

c. If coolant shows rusty and dirty, completely drain entire cooling system, reverse flush radiator and engine block to remove sediment, using a combination water-air flushing nozzle. (Follow manufacturer's recommendations with respect to thermostats and water pumps before flushing the block).

d. Fill cooling system (if not already done) with clean water and rust inhibitor, adding anti-freeze according to seasonal requirements. Watch for leaks at hose ends and pump, and correct any that develop.

e. While engine is still hot, tighten cylinder head nuts in recommended order.

f. Tighten manifold studs.

g. Tighten bolts at connection between exhaust manifold and pipe to muffler.

h. Replace valve compartment cover (overhead valve engines).

i. Check all belt adjustments and replace belts if necessary.

Item No. 11. *Lubrication.*

a. Lubricate every fitting and check the lubricant level of every reservoir according to vehicle manufacturer's lubrication chart, excepting those taken care of above. Flush out all gear boxes in which rust inhibitor was used during storage. Fill to correct level with new lubricant.

b. While lubricating, inspect underside of chassis and body for loose or damaged parts, and make any necessary adjustments or replacements.

Item No. 12. *Check, and if needed tighten,* the following items:

a. Nuts on spring U-bolts.

b. All steering connections.

c. Front and rear sway eliminator or stabilizer bolts.

d. Body bolts.

e. Front and rear bumper bolts.

f. Gas tank straps.

g. Shock absorber bolts.

Item No. 13. *Front end and wheels.*

a. Check front wheel toe-in.

b. Test steering adjustments and connections. Check amount of wheel turn to stop on left and right.

c. Check steering wheel for correct amount of play.

Item No. 14. *Preliminary Road Test.*

NOTE: Before road test, remove any stickers that obstruct vision, and wash windshield.

Road test every vehicle by driving it at least three miles and checking the operation of the following items:

a. All gear positions, and operation of gear shift lever.

b. Accelerator.

c. Service brakes.

d. Hand brake.

e. All instruments; oil, gas, temperature, ammeter, speedometer, and odometer.

f. Set spark advance or octane selector at correct adjustment for economical performance, idling, pick-up in each forward gear, and ping in the acceleration.

g. Springs and shock absorbers.

h. Locate squeaks, rattles, and unusual noises.

i. Special equipment such as overdrives, 2-speed axles, hill-holding devices, and transmissions other than conventional type.

j. Note any other items upon which work needs to be done.

Item No. 15. *Return Vehicle to Shop* and do the following operations:

a. Focus headlights.

b. Do any work on clutch, service brakes and hand brake for which road test showed need.

c. Reinspect all water hose connections, oil and fuel lines for leakage.

d. Clean fuel filters at carburetor and fuel pump.

e. Make necessary repairs or adjustments of any other items which road test showed to need attention.

f. Check all tire pressures again and if necessary replace valve core and inspect innertube and tire casing.

Item No. 16. *Final Road Test.*

a. Make further road tests if necessary to see that all equipment is operating satisfactorily.

b. Check for leaks under engine, transmission, and rear axle.

c. Clean and remove rust and dirt from engine and its accessories and other chassis parts. Touch up with paint of appropriate color if originally painted.

Item No. 17. *Body.*

a. Remove wax or grease from interior chrome, clean upholstery, carpets, and floor mats and repair any damaged places. Use solvent cleaner which will not damage finish or upholstery.

b. Remove plugs or screening from holes in floorboards or dash.

c. Check and lubricate front seat adjustment.

d. Check operation of all windows, ventipanes, cowl ventilator and sun visors. Clean windows and windshield inside and outside and repair any defects.

e. Check operation of all doors from inside and outside, trunk lid, hood, and glove compartment.

f. Check operation of all keys and locks on doors, glove compartment and trunk.

g. Check and clean tools in kit.

h. Re-cement any sponge rubber seal strips which may have pulled loose, replacing any which have deteriorated.

i. Inspect paint finish and repair or touch up any defects or damage.

j. Clean and polish vehicle body and chrome trim.

NOTE: Owner should drain engine crankcase at about 250 miles and refill to the full mark with a good grade of engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate.

TRUCK TRAILER EQUIPMENT

With respect to truck trailer equipment, the following conditioning operations must be performed when conditions show work to be necessary:

Items Nos. 1 a, b; 2 a, b, d, g; 9 d; 11 a, b; 12 a, b, d; 14 c, g, h, j; 15 b, e, f; 16 a; and 17 i, j.

DIESEL ENGINES

With respect to Diesel Engines, follow manufacturer's instructions where they are at variance with corresponding operations for gasoline engines and equipment.

[1] Not applicable to trucks.

*Copies may be obtained from the Office of Price Administration.

This Amendment No. 10 shall become effective March 13, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3974; Filed, March 13, 1943; 4:13 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[MPR 339,[1] Amendment 1]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 339 is amended in the following respects:

1. Section 1401.104 (d) is amended to read as follows:

(d) *Classes of sellers*—(1) *The general rule.* A seller is any person who sells or offers to sell rayon hosiery. Factories, stores, selling establishments and other selling units owned by the same person or commonly owned are considered to be the same seller.

(2) *Classes of retail sellers of full-fashioned hosiery.* For the purpose of determining the "class" of retail outlet or the "class" of purchaser to which a seller of full-fashioned hosiery belongs, an exception to the general rule is made in the case of a person who operates two or more establishments selling at retail or two or more departments within an establishment selling at retail. In that case, each separate establishment is considered a separate seller. If, however, there are two or more separate departments within the establishment, each department is considered a separate seller. Retail sellers of women's full-fashioned hosiery are classified as follows:

(i) *Class I retail women's hosiery outlet.* Every seller at retail who is a "Class I purchaser" (excepting house-to-house sellers) is a "Class I retail women's hosiery outlet."

(ii) *Class II retail women's hosiery outlet.* Every seller at retail who is (*a*) a "house-to-house" seller, (*b*) a Class II purchaser or (*c*) a Class III purchaser, is a "Class II retail women's hosiery outlet."

2. In § 1401.104 (e) the headnote is amended to read as follows:

(e) *Classes of purchasers of women's full-fashioned hosiery.*

3. § 1401.104 (e) (1) is amended to read as follows:

(1) "Class I purchaser" means the following persons:

(i) Every "manufacturer" and every "wholesaler" as defined in this section.

(ii) Every retail seller whose business is owned, controlled or operated by a "manufacturer" or "wholesaler" or by a person who owns, controls, or operates the business of a "manufacturer" or "wholesaler."

(iii) Every retail seller whose business was operated under both of the following conditions:

(*a*) *First condition.* The seller, or the central buying organization to which the seller belonged, made total annual sales of women's full-length hosiery exceeding $250,000.00 in any year from 1939 to 1942, inclusive.

(*b*) *Second condition.* The seller, or the central buying organization to which the seller belonged, had an average percentage of initial mark-up on women's full-length hosiery of 34% or less in any year from 1939 to 1942, inclusive. To determine this mark-up percentage, the seller must (*i*) compute the total of the

[1] 8 F.R. 2930.

*Copies may be obtained from the Office of Price Administration.

initial retail prices at which *all* purchases of this hosiery were marked during a given year, (*ii*) compute the total of all invoice charges on purchases of the hosiery during the same year (figured after all discount deductions, and including all transportation costs), and (*iii*) subtract the total secured in (*ii*) from the total secured in (*i*) and divide the remainder by the total obtained in (*i*).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

This amendment will become effective March 13th, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3975; Filed, March 13, 1943; 4:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 34 to Supp. Reg. 15]

MILLER TRANSFER CO.

Order No. 34 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-1884.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1334 *Adjustment of maximum prices for contract carrier services furnished by Lloyd E. Miller d b a Miller Transfer Company.* (a) Lloyd E. Miller, of Irwin, Pennsylvania, d b a Miller Transfer Company, may sell and furnish contract carrier services from, to and between points in Maryland, New Jersey, New York and Pennsylvania at prices not to exceed 6% above the maximum prices established by him in March, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 34 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 34 (§ 1499.1334) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 34 (§ 1499.1334) shall become effective March 15, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3977; Filed, March 13, 1943; 4:09 p. m.]

PART 1305—ADMINISTRATION

[Gen. Ration Order 5, Amendment 6]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. A new Article XXVII and Sec. 27.1 are added to read as follows:

Article XXVII—Special Allotments

SECTION 27.1 *Certain group III users may get special allotments of Processed Foods.* (a) A Group III institutional user may apply for a special allotment of processed foods if he needs additional processed foods to feed his employees, or to food employees of another person pursuant to a contract, if he cannot get enough fruits or vegetables to meet the minimum nutritional needs of such employees for such foods because:

(1) The place where he feeds such employees is so located, or his business or occupation is of such a nature that a source of supply of fresh fruits and vegetables is not reasonably accessible; and

(2) He has no facilities for preserving such foods long enough, and in the quantities required, to meet such needs. (A Group I institutional user may not apply for a special allotment under this Section. Consumers eating in Group I establishments are permitted, under similar circumstances, to apply for additional points under Ration Order No. 13.)

(b) Application shall be made to the Board on OPA Form R-315, in person or by mail. A separate application must be made for each allotment period for which the special allotment is needed. The application must state in detail:

(1) Where his employees are fed;

(2) The nearest source of supply of fresh fruits and vegetables;

(3) A description of the facilities he has for preserving fresh fruits and vegetables;

(4) The amount of processed foods (in pounds) on hand on the date of application;

(5) The number of pounds of fresh fruits and vegetables, excluding potatoes, which the applicant can get and use during the period covered by the application; and

(6) The amount of his allotment (in points) of processed foods for the current allotment period.

(c) The regional administrator may authorize boards, district offices and State offices in his region to rule on applications. If the board has not been given such authority, it shall forward the application, with its recommendation, to the district office (or, where there is none, to the State office). If the district (or State) office has not been authorized to act on such application it shall transmit the file to the regional office.

(d) If the regional office or an authorized board, district or State office finds that the applicant meets the tests set out in paragraph (a), it shall grant a special allotment in the amount required. In determining the amount of the allotment, consideration shall be given to the amount of fresh fruits and vegetables, excluding potatoes, which will be available to the applicant during the period covered by the application. The Washington office and the regional administrators may issue further instructions governing the granting of special allotments.

(e) Any board which grants an allotment under this section shall keep a record of the number of points issued each month. It shall, within five (5) days after the end of each month, send to the district (or State) office a statement of the total number of points issued each month. The district (or State) office shall forward such statement to the regional office along with a statement of the number of points it has issued, if any. The regional office shall forward such statements to the Washington office along with a statement of the number of points it has issued, if any.

(f) A certificate shall be issued for the amount of the special allotment. However, if the applicant has an excess inventory of processed foods, no certificate shall be issued to him but an amount of the excess inventory equal to the allotment shall be cancelled. If the excess inventory is less than the allotment a certificate for the difference shall be issued.

2. Sec. 21.1 is amended by adding to the list of definitions the following:

"Washington office" means the National headquarters of the Office of Price Administration, in Washington, D. C.

This amendment shall become effective March 13, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 5, 8 F.R. 2251)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3972; Filed, March 13, 1943; 4:10 p. m.]

PART 1340—FUEL

[MPR 120, Amendment 48]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.222 (b) is amended to read as set forth below:

§ 1340.222 *Appendix K: Maximum prices for bituminous coal produced in District No. 11.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

For shipment from all mines in price groups shown below	Prices and size group Nos.																															
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17	18, 19, 20	21	22	23	24	25	26	27	28, 29	30	31	32	33	34
No. 1	235	295	235	295	290	290	185	185	210	205	175	165	120	90	225	220	225	210	215	205	175	185	175	145	----	----	----	----	----
No. 2	215	275	215	275	265	260	165	165	210	205	175	165	120	90	----	----	----	----	----	----	----	165	175	145	----	----	----	----	----
No. 3	240	310	240	300	295	290	185	185	210	205	175	165	120	90	----	----	----	----	----	----	----	185	175	145	----	----	----	155	----
No. 4	210	275	210	260	255	250	165	165	210	205	175	165	120	90	225	220	225	210	215	205	175	165	175	145	205	185	175	165	----
No. 5	265	335	265	335	330	320	215	215	240	235	205	195	140	105	260	255	260	240	245	235	205	215	205	175	240	215	205	195	185
No. 6	310	385	310	385	380	370	250	250	280	270	240	225	165	120	300	295	300	280	285	270	240	250	240	205	280	250	240	225	215
No. 7	275	355	275	355	350	340	230	230	260	250	220	205	150	110	275	270	275	260	265	250	220	230	220	190	260	230	220	205	195
No. 8	295	365	295	365	360	350	240	240	270	260	230	215	155	115	285	280	285	270	275	260	230	240	230	200	270	240	230	215	205
No. 9	210	275	215	275	270	265	165	165	210	205	175	165	120	90	225	220	225	210	215	205	175	165	175	145	205	185	175	165	155
No. 10	235	295	235	295	290	290	185	185	210	205	175	165	120	90	225	220	225	210	215	205	175	185	175	145	205	185	175	165	155
Price Group No. 10 except Mine Index No. 115	255	320	255	320	315	310	200	200	240	235	205	195	140	105	260	255	260	240	245	235	205	215	205	175	240	215	205	195	185
Mine Index No. 115	235	295	235	295	290	290	185	185	210	205	175	165	120	90	225	220	225	210	215	205	175	185	175	145	205	185	175	165	155
No. 11	215	275	215	275	270	265	165	165	210	205	175	165	120	90	225	220	225	210	215	205	175	165	175	145	205	185	175	165	155
No. 12	215	275	215	275	270	265	165	165	210	205	175	165	120	90	225	220	225	210	215	205	175	165	175	145	205	185	175	165	155
No. 13	235	295	235	295	290	290	185	185	210	205	175	165	120	90	225	220	225	210	215	205	175	185	175	145	205	185	175	165	155
No. 14	275	345	275	345	340	330	215	215	240	235	205	195	140	105	260	255	260	240	245	235	205	215	205	175	240	215	205	195	185
No. 15	310	385	310	385	380	370	250	250	280	270	240	225	165	120	300	295	300	280	285	270	240	250	240	205	280	250	240	225	215
No. 16	340	425	340	425	420	410	275	275	310	300	265	245	175	130	330	325	330	310	315	300	265	275	265	225	310	275	265	245	235
No. 17	305	385	305	385	380	370	245	245	280	270	240	225	165	120	300	295	300	280	285	270	240	245	240	205	280	250	240	225	215
No. 18	265	335	265	335	330	320	215	215	240	235	205	195	140	105	260	255	260	240	245	235	205	215	205	175	240	215	205	195	185
No. 19	255	320	255	320	315	310	200	200	240	235	205	195	140	105	260	255	260	240	245	235	205	215	205	175	240	215	205	195	185
No. 20	300	375	300	375	370	360	235	235	270	260	230	215	155	115	290	285	290	270	275	260	230	240	230	200	270	240	230	215	205

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum price as of October 1, 1942, plus a sum not exceeding 65 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for all railroad (online and off-line) locomotive fuel shall be $2.35 per net ton f. o. b. transportation facilities at the mine for mine run, modified mine run, lump and double screened coals; $1.80 per net ton f. o. b. transportation facilities at the mine for screenings not larger than 2",

Special price instructions. (i) The above prices shall not be subject to any adjustments on account of price exceptions and/or freight differentials, but shall not affect the permission to substitute on railroad locomotive fuel orders as provided in the Effective Minimum Price Schedule for District No. 11.

(ii) All special definitions of sizes appearing in the railroad locomotive fuel section of the Effective Minimum Price Schedule for District No. 11 shall be applicable in determining maximum prices for railroad locomotive fuel.

(iii) An additional charge of 15 cents per net ton may be added to the above maximum prices for railroad locomotive fuel when railroad locomotives are coaled at mine tipples.

(4) In the event any specific maximum price has been adjusted prior to March 15, 1943 (except the adjustments made in Amendment No. 7, effective June 22, 1942 to Maximum Price Regulation No. 120 in Price Groups 5 and 10) the effective maximum price in such case shall not be determined by reference to subparagraphs 1, 2 and 3 above, but must be computed by adding to such adjusted price the following sum:

(A) For the methods of shipment and uses indicated in (1) above.

Price Groups 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 18 and 19, No increase in Size Groups 1 to 8 inclusive; Twenty (20) cents in Size Groups 9 to 34 inclusive.

Price Groups 5, 6, 13, 14, 15, 16, 17 and 20; Twenty (20) cents in all Size Groups.

(B) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all Size Groups.

(C) For use indicated in (3) above; Twenty (20) cents.

This Amendment No. 48 shall be effective as of March 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

§ 1340.222 *Under Secretary.*

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3973; Filed, March 13, 1943; 4:11 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order No. 1795]

PART 4—DELEGATION OF AUTHORITY

By virtue of the authority vested in the Secretary of the Interior to issue rules and regulations in the administration of the functions of the Department of the Interior; the authority conferred by the act of March 14, 1862 (12 Stat. 355, 369, ch. 41; secs. 438, 439 Rev. Stats.; 5 U.S.C. (1940 ed.) secs. 482, 483); the act of March 3, 1885 (23 Stat. 478, 497, ch. 360; 5 U.S.C. (1940 ed.) sec. 432); the act of May 9, 1935 (49 Stat. 176, 177, ch. 101; 5 U.S.C. (1940 ed.) sec. 481a); the act of March 28, 1918 (40 Stat. 499, ch. 29; 5 U.S.C. (1940 ed.) sec. 483); sec. 161, Rev. Stats. 5 U.S.C. (1940 ed.) sec. 22; and the general authority of the Secretary of the Interior to prescribe the functions and delegate the duties to be performed by the Under Secretary, the First Assistant Secretary and the Assistant Secretary, the following delegation of authority is hereby ordered and prescribed:

§ 4.1 *Delegation of authority to the Under Secretary, First Assistant Secretary, and Assistant Secretary.* The Under Secretary, the First Assistant Secretary and the Assistant Secretary are hereby respectively authorized and directed, with respect to any matter, duty or function relating to, arising under, or in connection with the following bureaus, offices, officers, and functions of the Department of the Interior, to perform all the functions and duties and exercise all the powers, authority and discretion of the Secretary, and the acts and directions of the Under Secretary, the First Assistant Secretary, or the Assistant Secretary, respectively, pursuant to the authority herein delegated, shall be deemed to be the acts and directions of the Secretary:

(a) *Under Secretary.*

(1) Division of Territories and Island Possessions.

(2) General Departmental Supervision, Including the functions of Organization Surveys, Budget, Personnel Supervision and Management, Classification, Labor Relations, and the Chief Clerk.

(b) *First Assistant Secretary.*

(1) Bureau of Mines.
(2) Geological Survey.
(3) Bureau of Reclamation.
(4) Bituminous Coal Division.
(5) Petroleum Conservation Division.

(c) *Assistant Secretary.*

(1) Office of Indian Affairs.
(2) General Land Office.
(3) Grazing Service.
(4) National Park Service.
(5) Office of Land Utilization.
(6) Fish and Wildlife Service.
(7) Board on Geographical Names.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4344, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5895, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8655, 8918, 9793, 10470, 10581, 10780, 10903, 11208, 11[illegible] 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2[illegible], 2030.

§ 4.2 *Conservation Branch of Geological Survey.* Matters on which the Conservation Branch of the Geological Survey acts in conjunction with the General Land Office or the Office of Indian Affairs, or in which it acts in relation to the work of these bureaus, shall be considered to be within the assignment of the Assistant Secretary.

§ 4.3 *Authority in absence of designated secretarial official.* In the absence of the Secretary, the Under Secretary will act as Secretary of the Interior and at all times the Under Secretary shall have general jurisdiction subject only to the Secretary. In the absence of the Secretary and the Under Secretary, the ranking Assistant Secretary on duty will act as Secretary. In the absence of either the Under Secretary, the First Assistant Secretary or the Assistant Secretary, the Secretary or Acting Secretary will designate the person who shall act as such officer.

§ 4.4 *Offices under direct supervision of the Secretary.* The following Offices and Divisions shall remain under the direct supervision of the Secretary:

(1) Office of the Solicitor.
(2) Division of Information.
(3) Division of Power and the Bonneville Power Administration.
(4) Office of Field Representatives.
(5) Petroleum Administration for War.
(6) Office of Solid Fuels Coordinator for War.
(7) Office of Fishery Coordination.

§ 4.5 This order supersedes Orders 1764 of November 20, 1942, and 1772 of December 14, 1942 (7 F.R. 9738; 8 F.R. 240).

This order shall be published in the FEDERAL REGISTER.

Issued and effective this 11th day of March 1943.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F R Doc. 43-3992; Filed, March 15, 1943; 10:20 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No B-32]

RED BIRD NUMBER 5 COAL COMPANY

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On January 28, 1943, after notice and hearing, Joseph D. Dermody, a duly designated Examiner of the Division submitted a Report in which he found that code member, Red Bird Number 5 Coal Company, a partnership, operating the Red Bird Number 5 Coal Company Mine, Mine Index No. 648, in Sullivan County, Indiana, in District 11, willfully violated:

a. Section 4 II (e) of the Act and the corresponding section of the Code by selling 63.56 tons of 3/8" lump coal, at a price of $1.80 per net ton f. o. b. the mine, whereas the effective minimum price for such coal was $2.20 per net ton, f. o. b. the mine;

b. Section 4 II (i) (8) of the Act, the corresponding section of the Code, Rule 8 of section XIII and Rule 2 of section XII of the Marketing Rules and Regulations by intentionally misrepresenting on its records as mine run coal, a coal from which some or all of the fines had been removed; and

c. Order No. 307, dated December 11, 1940 and Order No. 312, dated February 24, 1941, by failing to keep on file the information required by such Orders. The Examiner recommended that an order be entered requiring code member to cease and desist from selling coal at prices below the applicable minimum prices established by the Division or from otherwise violating the Act, the Code and orders, rules and regulations issued thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation set forth in the Report and upon the entire record in this proceeding,

It is hereby ordered, That the Proposed Findings of Fact and the Proposed Conclusions of Law of the Examiner are approved and adopted as the Findings of Fact and Conclusions of Law of the Director.

It is further ordered, That Isaac Whiteside, James Reeves, David Swan, Oliver Beasley, Ernest Haney, Raymond Jones, Alva Jones, and Everett Killion, individually and as copartners doing business under the name and style of the Red Bird No. 5 Coal Company, operating the No. 5 Coal Company Mine (Mine Index No. 648) in Sullivan County, Indiana, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on their behalf or interest, cease and desist from violating sections 4 II (e) and 4 II (i) (8) of the Act, the corresponding sections of the Code, Rule 8 of section XIII and Rule 2 of section XII of the Marketing Rules and Regulations, Order No. 307, dated December 11, 1940 and Order No. 312, dated February 24, 1941, or from otherwise violating the provisions of the Act, the Code or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to an United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R Doc. 43-3923; Filed, March 13, 1943; 10 57 a. m.]

EASTERN COAL SALES CO., ETC.

APPLICATION FOR REGISTRATION AS DISTRIBUTOR

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name	Address	Date application filed
Eastern Coal Sales Co.,	808 Perry Building, Bluefield, W Va	3/3/43
Frank Papillo,	125 North Havre St., Havre, Mont	3/4/43
Paramount Coal Company, Inc.,	2300 5th Ave., S. Birmingham, Ala	3/6/43
Stanton W. Todd, Jr. (Todd Coal Company),	1202 Burton St., SE., Grand Rapids, Mich	3/1/43

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before April 12, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3921; Filed March 13, 1943, 10:57 a. m.]

CARRIE TODD HOFFACKER ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Carrie Todd Hoffacker, The Kinwood Coal Co. (George C. Woodward), B. J. Lynch & Co., Inc., Opelika Coal Co.

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise suceeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, *It is so ordered.*

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

EXHIBIT A

Registration number	Name and address
4414	Carrie Todd Hoffacker, 1412 Park Building, Pittsburgh, Pa.
5097	The Kinwood Coal Co. (George C Woodward), 1134 South High St., Columbus, Ohio.
5786	B. J. Lynch & Co., Inc., 690 Riverside Drive, New York, N. Y.
7024	Opelika Coal Co., Opelika, Ala

[F. R Doc. 43-3922; Filed, March 13, 1943, 10:57 a. m.]

[Docket No. A-1895]

DISTRICT BOARD 2

ORDER DENYING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for increases in the minimum prices heretofore established for the coals produced by Grippo Coal Company at its Grippo Mine, Mine Index No. 851.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party:

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 13, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 7, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 2 that the Schedule of Effective Minimum Prices for District No. 2 for Truck Shipments be amended by increasing the minimum prices heretofore established therein for the coals produced by Grippo Coal Company at its Grippo Mine, Mine Index No. 851, in Size Groups 1 to 11, inclusive, for truck shipment.

It is further ordered That the request for temporary relief be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

Dated: March 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4004; Filed, March 15, 1943; 11:52 a. m.]

[Docket No. B-318]

COSHOCTON COAL CO.

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

In the matter of W. B. Shepherd, Eugene Brill and H. S. Gander, individually and as copartners doing business under the name and style of Coshocton Coal Company, Code Members.

Upon the basis of the findings of fact and conclusions of law set forth in the Opinion of the Director, filed simultaneously herewith, wherein it appears that code members wilfully violated Orders Nos. 307 and 309, and pursuant to sections 4 II (j), 5 (b) and other provisions of the Bituminous Coal Act of 1937;

It is ordered, That W. B. Shepherd, Eugene Brill and H. S. Gander, individually and as copartners, doing business under the name and style of Coshocton Coal Company, code members, operating the Dickerson Mine, Mine Index No. 1465, located in Coshocton County, Ohio, in Subdistrict 4 of District 4, their agents, representatives, employees, successors, or assigns, and any persons acting or claiming to act for or on their behalf, cease and desist from violating Orders Nos. 307 and 309, or from otherwise violating the provisions of the Act, the Code, and the rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this Order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or may take other appropriate action as authorized by the Act.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4005; Filed, March 15, 1943; 11:52 a. m.]

[Docket No. B-355]

RED TOP COAL COMPANY, INC.

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on March 15, 1943, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania; and

Subpoenas having been issued requiring the appearance of Frank McCombie, Spangler, Pennsylvania, E. W. Winslow, Spangler, Pennsylvania, and Mrs. P. O. Holtz, West Philadelphia, Pennsylvania, on the 15th day of March 1943, at 10 a. m., at said hearing room or at such other times or places to which the hearing in the above-entitled matter may be postponed; and

The code member having requested that the hearing be postponed for a period of fifteen (15) days and good and sufficient reasons appearing therefor;

It is ordered, That the hearing in the above-entitled matter be and the same hereby is postponed from March 15, 1943, at 10 a. m., to April 8, 1943, at a hearing room of the Bituminous Coal Division, Community Room of City Hall, Altoona, Pennsylvania; and

It is further ordered, That William A. Cuff, vice Edward J. Hayes or any other duly designated officer or officers of the Bituminous Coal Division shall preside at the hearing in said matter; and

It is further ordered That the Notice of and Order for Hearing herein dated February 4, 1943, shall, in all other respects remain in full force and effect; and

It is further ordered That said Frank McCombie, Spangler, Pennsylvania, be and he hereby is required to appear, to testify, and to bring with him records and documents in the above-entitled matter at a hearing room of the Bituminous Coal Division, Community Room of City Hall, Altoona, Pennsylvania, at 10 a.m., on April 8, 1943, instead of on March 15, 1943, and that said Mrs. P. O. Holtz, West Philadelphia, Pennsylvania, and E. W. Winslow, Spangler, Pennsylvania, be and they hereby are required to appear and testify and give evidence in said matter at said postponed hearing on April 8, 1943, instead of on March 15, 1943, as directed in said subpoenae.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4006; Filed, March 15, 1943; 11:52 a. m.]

[Docket No. B-284]

HOME FUEL AND SUPPLY COMPANY

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On October 23, 1942, after notice and hearing, Charles O. Fowler, a duly designated Examiner of the Division submitted a Report in which he found that code member, Home Fuel and Supply Company, a corporation, operating the Bowen Mine (Mine Index No. 294) Subdistrict 7 of District 17, in Las Animas County, Colorado, willfully violated section 4 II (e) of the Bituminous Coal Act of 1937 and the corresponding section of the Bituminous Coal Code by selling:

a. Approximately 83.95 net tons of 1/4" x 0 coal produced at said mine, to the Trinidad Electric Railway Transmission and Gas Company, Trinidad, Colorado, from October 1, 1940 to January 17, 1941, both dates inclusive, and approximately 3.5 net tons of 1/4" x 0 coal, likewise produced at said mine, to L. L. Cunningham, Trinidad, Colorado, on or about November 14, 1940, at $1.50 per net ton delivered, whereas the effective minimum

price for such coal was $2.25 per net ton f. o. b. said mine;

b. Approximately 156.88 net tons of $^7/_8$'' x $^1/_4$'' coal, produced at said mine, to various purchasers from October 7, 1940 to November 3, 1941, at $2.25 per net ton f. o. b. said mine, whereas the effective minimum price for such coal was $3.15 per net ton f. o. b. said mine; and

c. Approximately 4.05 net tons of $^1/_4$'' x 0 coal, produced at said mine, to Frank Inman, Trinidad, Colorado, on or about December 20, 1940, at $1.50 per net ton f. o. b. said mine, whereas the effective minimum price for such coal was $2.25 per net ton f. o. b. said mine.

The Examiner recommended that an order be entered requiring code member to cease and desist from selling coal at prices below the applicable minimum prices established by the Division or from otherwise violating the Act, the Code and rules and regulations issued thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation set forth in the Report and upon the entire record in this proceeding,

It is hereby ordered, That the Proposed Findings of Fact and the Proposed Conclusions of Law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That code member, Home Fuel and Supply Company, its agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on its behalf or interest, cease and desist from violating section 4 II (e) of the Act, or from otherwise violating the provisions of the Act, the Code or rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this Order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4007; Filed, March 15, 1943; 11:52 a. m.]

[Docket No. B-371]

EARL BYERS

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 as amended (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code"), and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division, on October 10, 1942, referred to District Board No. 2 information in its possession bearing on whether violations of the Act, the Code, Orders and rules and regulations promulgated thereunder; and particularly Section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code and Rule 1 (F) of section VII of the Marketing Rules and Regulations, have been committed by Earl Byers, the code member above mentioned (hereinafter referred to as the "code member"), R. F. D. No. 1, Petrolia, Pennsylvania, whose code membership became effective as of September 2, 1937, operator of the Earl Byers Mine, Mine Index No. 816, located in Butler County, Pennsylvania, District No. 2, in connection with the sale and delivery by truck of coal produced at the aforesaid mine as follows:

1. By selling and delivering, subsequent to September 30, 1940, coal produced at the aforesaid mine at prices below the effective minimum prices established for said coal, as set forth in Schedule No. 1 of Effective Minimum Prices for District No. 2 For Truck Shipments, as amended, plus the transportation charges, handling charges or incidental charges from the transportation facilities at the mine to the point from which all such charges were assumed and directly paid by the purchasers, including the following transactions:

(a) The sale and delivery during the period from October 1, 1940 through January 1942, both dates inclusive, of approximately 387 tons of run of mine coal, (Size Group 8) to the Karns City Borough and the Fairview Township Schools in Butler County, Pennsylvania, a distance of approximately three miles from said mine, at a delivered price of $2.35 per net ton, whereas, the effective minimum f. o. b. mine price of said coal, as set forth in said Schedule was $2.30 per net ton, plus an amount, at least equal as nearly as practicable to the transportation charges, handling charges, or incidental charges, from the transportation facilities at the mine to said Karns City Borough and Fairview Township Schools, as required by Price Instruction No. 6 as amended and contained in Supplement No. 2 to said Schedule; and

(b) The sale and delivery during the period from October 1, 1940 through the month of January 1942, both dates inclusive, of approximately 1841.8 net tons of run of mine (Size Group 8) coal to the Ultra-Penn Refining Company, Bruin, Pennsylvania, a distance of approximately 12 miles from said mine at delivered prices ranging from $2.35 to $2.40 per net ton, whereas the effective minimum f. o. b. mine price of said coal, as set forth in said Schedule was $2.30 per net ton plus an amount at least equal as nearly as practicable to the transportation charges, handling charges, or incidental charges from the transportation facilities at the mine to the said Ultra-Penn Refining Company, as required by Price Instruction No. 6 as amended and contained in Supplement No. 1 to said Schedule, resulting in violations of section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code.

2. By selling and delivering subsequent to September 30, 1940, coal produced at the aforesaid mine, including the following transactions:

By accepting payments from said Ultra-Penn Refining Company in the transactions described in Items 1 (b) above in the form of petroleum products manufactured by said purchaser in lieu of payment in full in United States currency or funds equivalent thereto as is required by Rule 1 (F) of section VII of the Marketing Rules and Regulations.

C. By letter dated February 12, 1943, the Division notified said District Board No. 2 that unless it took action in this matter, the Division would take such action in lieu of the Board as it deemed necessary.

D. District Board No. 2 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by the Act, then the Division may take such action in lieu of the district board.

F. District Board No. 2 having failed to take action as authorized or required by the Act on the matters hereinabove described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provided pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the code member has wilfully violated section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code and Rule 1 (F) of section VII of the Marketing Rules and Regulations; and

2. Whether in the event that the code member is found to have violated the Act, the Code, and orders, rules and regulations promulgated thereunder, an order should be entered revoking the code membership of said Earl Byers, or directing said code member to cease and desist from violating the Act, the Code, and orders, rules and regulations promulgated thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act be held on April 10, 1943, at 10 a. m., at a hearing room of the Division, 9th Floor, Bar Assn. Rooms, City County Building, Pittsburgh, Pennsylvania, to determine whether the aforementioned code member has committed the violations in the respects heretofore described and whether the code membership of said code member and the code member's right to an exemption from the tax imposed by section 3520 (b) (1) of the Internal Revenue Code, should be revoked or an order should be entered directing the code member to cease and desist from violating the Act, the Code, and orders, rules and regulations of the Division promulgated thereunder.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to

such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the code member of this Notice of and Order for Hearing.

Notice is hereby given that answer setting forth the position of the code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4003; Filed, March 15, 1943; 11:52 a. m.]

BUREAU OF MINES

JOSEPH H. KANN

ORDER REVOKING LICENSE AND DIRECTING SURRENDER THEREOF

To: Joseph H. Kann, Licensee, 271 Twelfth Street, Oakland, California.

Proceedings for the revocation of the Federal explosives license, issued under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), to the above-named licensee, were begun on October 29, 1942, by the issuance of Specification of Charges and Notice of Hearing setting forth violations of the act and regulations thereunder by the licensee. After due reply received from the licensee, denying any and all charges and requesting a hearing, a hearing was held on December 15, 1942, at Berkeley, California, before the Hearing Officer duly designated by me, at which hearing the licensee appeared in his own behalf. Testimony was heard and evidence was adduced bearing on the charges made.

The Report of the Hearing Officer, dated January 16, 1943, made findings of fact and reached conclusions that the licensee had violated certain provisions of the act and regulations, and recommended the revocation of the license. The licensee was allowed 15 days from the date of receipt of the Report within which to file with me such exceptions to the report or to any other part of the records or proceedings as he might desire. Exceptions and a brief in support thereof were filed and, after due consideration by me, have been found to be without merit. Accordingly, by my decision of this date, I have found the charges to be adequately sustained by the record and have held that this order should issue.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act and § 301.22 of the regulations issued pursuant thereto (7 F.R. 5901), I, R. R. Sayers, Director of the Bureau of Mines, Order, That the Hearing Officer's Report, including his findings, conclusions and recommendation be, and they are hereby, approved and adopted as my own;

That Purchaser's License No. 464.602, and any and all other Federal explosives licenses heretofore issued to Joseph H. Kann, pursuant to the Federal Explosives Act, be, and they are hereby, revoked as of 12:01 a. m., March 22, 1943;

That the license or licenses contemplated in the preceding paragraph shall be surrendered by delivering them to me on or before March 22, 1943, or by depositing them on or before that date in the United States mail with postage paid and addressed to me.

That prior to 12:01 a. m., March 22, 1943, Mr. Kann shall use or sell to properly licensed persons all explosives which he has on hand, and shall, immediately after March 22, 1943, furnish the engineer in charge of the office of the United States Bureau of Mines, 422 Acheson Building, Berkeley, California, with a sworn statement showing the manner of disposition of said explosives, and the persons, if any, to whom said explosives have been sold, and the amounts thereof, together with the numbers of the explosives licenses held by such persons.

Dated: March 9th, 1943.

R. R. SAYERS,
Director, Bureau of Mines.

[F. R. Doc. 43-3925; Filed, March 13, 1943; 11:11 a. m.]

DEPARTMENT OF AGRICULTURE

Farm Security Administration

MISSISSIPPI—ARKANSAS

DESIGNATION OF COUNTIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 86 issued as of July 1, 1942, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VI—MISSISSIPPI

Itawamba County: Locality I—Consisting of Beat 1, $917; Locality II—Consisting of Beat 2, $1,348; Locality III—Consisting of Beat 3, $1,584; Locality IV—Consisting of Beat 4, $1,298; Locality V—Consisting of Beat 5, $1,292.

REGION VI—ARKANSAS

Washington County: Locality I—Consisting of the townships of Brush Creek, Cane Hill, Center, Elm Springs, Goshen, Greenland, Harmon, Illinois, Johnson, Litteral, Marr's Hill, Morrow, Prairie, Prairie Grove, Price, Rhea's Mill, Richland, Springdale, Starr Hill, Wedington, and Wyman, $2,920.

Locality II—Consisting of the townships of Boston, Cove Creek, Crawford, Durham, Dutch Mills, Lee's Creek, Reed, Valley, Vineyard, West Fork, White River, and Winslow, $1,447.

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved: March 3, 1943.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 43-4002; Filed, March 15, 1943; 11:30 a. m.]

AUTHORIZATION OF ADMINISTRATOR TO APPROVE SALES OF REAL PROPERTY AND EXECUTE DEEDS

By virtue of the authority vested in the Secretary of Agriculture by R.S. 161 (5 U.S.C. 1940 ed. 22), *It is hereby ordered*, That:

1. The Administrator of the Farm Security Administration is authorized to approve sales and conveyances of real property or interests therein held by the United States of America and under the jurisdiction of the Farm Security Administration, including real property held in trust for any State rural rehabilitation corporation, and to execute, on behalf of the United States of America, all deeds or other instruments necessary in connection therewith.

2. Sales of economic farm units to persons eligible for assistance from the Farm Security Administration shall be at prices based on the earning capacity of the farms. The purchase price for such farms shall be payable over a period not in excess of 40 years, and the unpaid portion of the purchase price shall bear interest at the rate of three per cent.

3. Sales of subsistence units shall be for prices consistent with the income of the purchasers. The purchase price shall be payable over a period not in excess of 40 years, and the balance of the purchase price shall bear interest at three per cent.

4. Sales of land to persons not eligible for Farm Security Administration as-

sistance shall be at the maximum prices obtainable and on the terms most favorable to the Government.

5. All sales and conveyances shall conform to all applicable requirements of law and all applicable regulations of this Department.

6. In the absence of the Administrator of the Farm Security Administration, the authority hereby conferred may be exercised by the person who acts in his place and stead as the Acting Administrator of the Farm Security Administration.

7. This authority may be delegated to Regional Directors of the Farm Security Administration.

Done at Washington, D. C., this 15th day of March, 1943. Witness my hand and the seal of the Department of Agriculture.

(R.S. 161; 5 U.S.C. 1940 ed. 22)

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4001; Filed, March 15, 1943; 11:30 a. m.]

Office of the Secretary.

DESIGNATION OF PERSONS TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

(A) In order to enable the Secretary of Agriculture to discharge his duties under any and all Statutes, Executive Orders, or Directives, or any regulations, directives, or orders issued pursuant thereto, which are administered in the Department of Agriculture, the persons in the Office of the Solicitor of the Department of Agriculture whose names are listed below are hereby designated and authorized, when assigned by the Solicitor, or by his designated representative, to act as examiners, presiding officers, or referees in connection with any hearings held under the said statutes, orders, or directives during the period from January 15, 1943, to June 30, 1945, inclusive. As such examiners, presiding officers, or referees, they are hereby authorized to conduct hearings under the said acts or orders in accordance with the applicable regulations and to perform all the duties and exercise all the powers including but not limited to the powers to administer oaths and affirmations and issue notices of hearings which, under such regulations, are to be performed or exercised by such examiners, presiding officers, and referees:

Allen, Cleve W.; Anthony, Elijah; Bagwell, John C.; Ball, Jesse G., Jr.; Baskette, Jesse E., Jr.; Benda, Velda E.; Bigelow, May T.; Blackburn, K. Wilde; Bolding, William A.; Bowyer, Ephraim P.; Broderson, Charles E.; Brody, Ralph M.; Brooks, Neil; Brothers, Charles S.; Brown, Alberta; Brownell, Robert O.; Bucy, Charles W.; Burchard, Russell D.; Campbell, Howard V.; Camunas, Jose F.; Carson, Leonard O.; Carter, Joseph F.; Casteel, Charles G; Catchings, Benjamin; Chambers, Edward S.; Chisholm, Dan P.; Christian, Forest A.; Clulow, Ernest E., Jr.; Coffman, Claude T.; Cook, Jesse L.; Cooper, George E.; Crane, Michael E.; Crigler, Ilene M.; Croak, John E.; Curry, John H.; Curry, John J.; Dagger, Golden N.; Dechant, Harry P.; DeFrancq, Harry J.; Denham, Raymond O.; Dillman, Raymond L.; Dillon, John J.; Dimon, Philip W.; Donahue, John E.; Dorough, Robert P.; Dowing, Grafton G., Jr.; Doyle, James A.; Edwards, Rufe D.; Ehrlich, Sydney; Farr, Jesse R.; Farrell, William F.; Faust, Fred J.; Fike, Linus R.; Firestone, L. J.; Fischer, Russell P.; Folkerth, Justin H.; Foster, William J.; Frank, M. Philip; French, Edwin S.; French, Leland S.; Gifford, Glen J.; Girard, Clarence H.; Goldman, Abe A.; Griffin, John; Gunnells, Charles W.; Hadley, Albert D.; Hankes, F. H.; Hankins, Morris C.; Heggy, Donald R.; Hilbun, Henry, Jr.; Holstein, Benjamin M.; Horn, Gilbert A.; Hotchkiss, Elton C.; Howard, Albert C.; Hunter, W. Carroll; Hyde, George Osmond; Ise, Walter J.; Jordan, Harold; Kaseberg, John K.; Kaufman, Morris H.; Kelley, Charles Q.; Kindel, Mrs. Emily A.; King, LaBruce W.; Knudson, J. G.; Koebel, Ralph F.; Koontz, Clarence J.; Kratoska, Floyd R.; Krouse, Allen J.; Lamberton, Harry C.; Manatt, Sam L.; McCarthy, Richard F.; McConnaughey, Robert K.; McGregor, Thomas H.; McIntire, John A.; McNaught, Archibald; Milby, Melville F.; Mischler, Raymond J.; Moffett, Coleman S.; Moore, Wilson C.; Moye, William S., Jr.; Mullin, Lewis N.; Murphy, Casper M.; Murphy, Joseph T.; Mynatt, Edward F.; Neff, Abner R.; Nicholson, Vincent D.; Norberg, Everett C.; Nutting, Charles B.; O'Brien, Philip M.; O'Donnell, James A.; O'Mahony, William J.; O'Rourke, C. Dennis; Parker, Joseph O.; Paul, Spurgeon E.; Pearl, Francis M., Jr.; Pearlman, Kathryn; Pierson, Lee P.; Platnik, Harry; Poole, Marion E.; Quillian, C. F.; Regan, John M.; Reid, Howard A.; Robinson, Rogers N.; Rooney, Howard; Roulhac, James L.; Rouss, Ruth; Sachs, Sidney S.; Scott, Elmer J.; Sellers, Ashley; Shaw, Earle L.; Sherbondy, Donald J.; Shields, Robert H.; Shulman, Edward M.; Slemmons, Warren R.; Smith, Allan; Smith, Earl J.; Smith, Todd; Spiegel, Morris D.; Stewart, Cloyd L.; Strange, Robert W.; Summers, Lionel M.; Sussman, Gilbert; Talbott, Thomas M.; Tandy, William H.; Therkelsen, Lotus C. J.; Tremain, Rawleigh L.; Tucker, Robert A.; Van Hoy, John W.; Van Matre, William W.; Veeder, William H.; Vesper, Frank F.; Wales, Harry; Wallace, Blaine B.; Waters, Helen M.; West, Linton B.; White, Joseph H.; Williams, Sidney D.; Wilson, Clem B.; Wise, William C.; Zarky, Hilbert P.; and Zimowski, Joseph B.

(B) In connection with any investigation or hearing relating to the administration or enforcement of the priority, allocation, or rationing authority of the Secretary of Agriculture under Executive Order 9280, dated December 5, 1942 (7 F.R. 10179), or any statute or order referred to therein, or any regulation or order issued pursuant thereto, each of the persons listed in paragraph (A) above is authorized to sign and issue subpoenas requiring any per on to appear and testify or to appear and produce books or records or any other documentary or fiscal evidence, or both. The authority conferred by this paragraph (B) upon the persons set forth in paragraph (A) hereof shall be exercised in conformity with the provisions of subparagraph (4) of paragraph (a) of section 2 of the Act of June 28, 1940 (54 Stat. 676), as amended by the Act of May 31, 1941 (Pub. Law 89, 77th Cong.), and by Title III of the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong., approved March 27, 1942).

(C) In the administration or enforcement of the priority, allocation, or rationing authority of the Secretary of Agriculture under any of the statutes or orders or regulations mentioned in paragraph (B) hereof, any person employed as an inspector or investigator by, or performing inspection or investigative functions for, the Department of Agriculture is designated and authorized to administer oaths and affirmations for the purpose of procuring or receiving from any person a sworn statement concerning any matter under or appropriate for investigation.

(D) This designation supersedes the designation dated January 22, 1943, appearing in 8 F.R. 1082, and the designation dated January 21, 1943, effective January 22, 1943, appearing in 8 F.R. 1087.

(5 U.S.C. 1940 ed. 22)

Done at Washington, D. C., this 13th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3999; Filed, March 15, 1943; 11:30 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO SOUTHERN ATLANTIC CO., INC.

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 15, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review of reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Southern Athletic Company, Incorporated, 1021 White Avenue, Knoxville, Tennessee; Barrack bags; 10 learners (T); Sewing machine operator for a learning period of 240 hours at 30¢ per hour until March 15, 1944.

Signed at New York, N. Y. this 13th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3985; Filed, March 15, 1943; 9:39 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 15, 1943. The certificate may be cancelled in the manner provided in the regulation and as indicated in the certificate. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the *Apparel Industry*

Blue Bell Globe Manufacturing Company, Greene Street, Greensboro, North Carolina; Work suits, one piece H. B. T. for U. S. Army; 10 percent (T); March 15, 1944.

Brown Garment Manufacturing Company, Forrest City, Arkansas; Men's and boys' cotton pants; 10 percent (T); March 15, 1944.

Co-Ed Garment Company, Main Street, Festus, Missouri; Cotton wash apparel, washable outerwear; 99 learners (E); September 15, 1943.

G. W. Eade and Company, 32 S. LaSalle Street, Aurora, Illinois; Women's outer apparel; 10 percent (T); March 15, 1944.

The H. W. Gossard Company, Cleveland Avenue, Ishpeming, Michigan; Combinations and brassieres; 10 percent (T); March 15, 1944.

Juno Blouse Company and A. J. Edlin Manufacuring Company, 1307 Washington Street, St. Louis, Missouri; Blouses, skirts and suits; 5 learners (T); March 15, 1944.

Keystone C. & A. Manufacturing Company Plant "B", N. E. Corner Hancock & Allegheny Avenue, Philadelphia, Pennsylvania; Marine cotton trousers; 10 percent (T); March 15, 1944.

Keystone C. & A. Manufacturing Company Plant "S", D & Ontario Streets, Philadelphia, Pennsylvania; Barrack bags; 10 percent (T); March 15, 1944.

Lemont Pants Company, Incorporated, Lemont, Illinois; Pants, ladies' slacks, boys' longies, knickers, children's overalls; 4 learners (T); March 15, 1944.

Julius Leventhal & Brothers, Lykens, Pennsylvania; Shirts; 10 percent (T); March 15, 1944.

Mendel Manufacturing Company, 923 Washington Avenue, St. Louis, Missouri; Ladies' sportswear; 9 learners (T); March 15, 1944.

Jacob Miller's Sons Company, 16th and Reed Streets, Philadelphia, Pennsylvania; Men's dress shirts, Marine shirts; 10 percent (T); March 15, 1944.

Modern Maid Apron Company, 301 North Water Stret, Milwaukee, Wisconsin; Aprons; 4 learners (T); March 15, 1944.

National Sportswear Company, 139 Main Street, Reedsburg, Wisconsin; Skirts, slack suits and slacks; 10 learners (T); January 11, 1944. (This certificate replaces the one you now have bearing the effective date of January 11, 1943.)

New Berlin Garment Company, New Berlin, Pennsylvania; Ladies' dresses; 6 learners (T); March 15, 1944.

New Brunswick Cap and Pants Company, 30 Brook Street, Scranton, Pennsylvania; Boys' pants; 5 learners (T); March 15, 1944.

Northwestern Manufacturing Company, 1219 W. Van Buren Street, Chicago, Illinois; Women's work slacks and sportswear; 5 learners (T); March 15, 1944.

Oak Craft Manufacturing Company, Live Oak, Florida; Shirts; 10 learners (T); March 15, 1944.

Olympic Sportswear, 420 S. San Pedro Street, Los Angeles, California; Men's and boys' leisure jackets; 5 learners (T); March 15, 1944.

Ninfa Pacheco, 1105 Monroe Street, Brownsville, Texas; Children's dresses; 10 learners (T); March 15, 1944.

Reliance Manufacturing Company, Anamosa, Iowa; Men's cotton work shirts, Navy work shirts; 80 learners (E); July 15, 1943.

The Roehm-Roehm Company, 224 W. Fifth Street, Dayton, Ohio; Military and defense clothing, service clothing; 10 learners (T); March 15, 1944.

Starlet Frocks, 324 Market Street, Philadelphia, Pennsylvania; Junior miss dresses; 6 learners (T); March 15, 1944.

Summit Garment Company, 208 Post Square, Cincinnati, Ohio; Ladies' cotton dresses; 10 percent (T); March 15, 1944.

Glove

Thomas Donlon Glove Shop, Cooperstown, New York; Semi-dress leather gloves; 20 learners (E); September 15, 1943.

Green Mountain Glove Company, 3 Central Street, Randolph, Vermont; Work gloves; 3 learners (T); March 15, 1944.

Wilkins Gloves, Incorporated, 3 West Main Street, Mayfield, New York; Leather dress gloves; 5 learners (T); March 15, 1944.

Hosiery

Graham Full Fashion, Incorporated, South Main Street, Graham, North Carolina; Full-fashioned; 5 learners (T); March 15, 1944.

Samuel A. Roth & Company, 328 W. Superior Avenue, Cleveland, Ohio; Full-fashioned; 5 learners (T); March 15, 1944.

Knitted Wear

Altamont Knitting Mills, Incorporated, 92 S. Empire Street, Wilkes-Barre, Pennsylvania; Knitted outerwear; 30 learners (E); September 15, 1943.

C. H. Heine Knitting Mills, 141 N. Second Street, Girardville, Pennsylvania; Knitted underwear; 5 learners (T); March 15, 1944.

Julius Kayser and Company, Walton, New York; Knitted underwear and commercial knitting; 5 percent (T); March 15, 1944.

Lincoln Knit Goods Mills, Warrenton, Missouri; Knitted outerwear; 2 learners (T); March 15, 1944.

The Puritan Knitting Mills Company, 813 25th Street, Altoona, Pennsylvania; Knitted outerwear; 5 percent (T); March 15, 1944.

Telephone

Central Iowa Telephone Company, 304 Securities Building, Cedar Rapids, Iowa; To employ learners as commercial switchboard operators at its Emmetsburg exchange, located at 2102 E. Main Street, Emmetsburg, Iowa, until March 15, 1944.

Central Iowa Telephone Company, 304 Security Building, Cedar Rapids, Iowa; To employ learners as commercial switchboard operators at its Gladbrook exchange, located at Gladbrook, Iowa, until March 15, 1944.

West Iowa Telephone Company, Remsen, Iowa; To employ learners as commercial switchboard operators at its Marcus exchange, located at Marcus, Iowa until March 15, 1944.

West Iowa Telephone Company, Remsen, Iowa; To employ learners as com-

mercial switchboard operators at its Remsen, Iowa exchange, located at Remsen, Iowa, until March 15, 1944.

Textile

Luxite Silk Company, Incorporated, 324 Allen Street, W. Hazleton, Pennsylvania; Rayon; 3 learners (T); March 15, 1944.

Rocky Creek Mills, Turnersburg, North Carolina; Cotton yarn; 3 learners (T); March 15, 1944.

S & S Silk Company, Incorporated, East Seventh Street, Bloomsburg, Pennsylvania; Rayon; 3 learners (T); March 15, 1944.

Southern Webbing Mills, Incorporated, Reidsville Road, Greensboro, North Carolina; Cotton; 3 learners (T); March 15, 1944.

The Trion Company—Greymill Plant, Trion, Georgia; Cotton; 54 learners (T); March 15, 1944.

Signed at New York, N. Y., this 13th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3986; Filed, March 15, 1943; 9:39 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5776]

MACKAY RADIO AND TELEGRAPH CO. (CALIF.), ET AL.

ORDER DISMISSING PROCEEDING

In re investigation of the charges, practices, classifications, and regulations of Mackay Radio and Telegraph Company (California), R. C. A. Communications, Inc., Commercial Pacific Cable Company, Globe Wireless, Ltd., The Western Union Telegraph Company, and Postal Telegraph-Cable Company applicable to communication services between Seattle, Washington, Portland, Oregon, and Los Angeles, California and Hawaii, Guam and the Philippine Islands, and the contracts and traffic arrangements between said carriers relating thereto.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 9th day of March, 1943;

It appearing that by order dated February 9, 1940, the hearing in this proceeding was continued pending further Order of the Commission; and

It further appearing that the differential in trans-Pacific rates upon which this investigation was predicated has been removed by action of the carriers;

It is ordered that the proceeding herein be, and it is hereby, dismissed.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3990; Filed, March 15, 1943; 10:19 a. m.]

[Docket No. 6493]

PLAINS RADIO BROADCASTING CO.

NOTICE OF HEARING

In re application of Plains Radio Broadcasting Co. (KGNC), dated December 5, 1942, for modification of license; class of service, broadcast; class of station, broadcast; location, Amarillo, Texas; operating assignment specified: Frequency, 860 kc.; power, 500 w. night; 5 kw. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy set forth in the Commission's Memorandum Opinion dated April 27, 1942 or as modified September 22, 1942.

2. To determine whether the granting of this application would be consistent with the provisions of the North American Broadcasting Agreement (Appendix I, Table I, NARBA).

3. To determine the areas and populations wherein the reception of the secondary services of Stations KOA and WWL would be precluded by the proposed operation of Station KGNC and what other broadcast services would be available to these areas and populations.

4. To determine the extent of any interference which would result from the simultaneous operation of Station XEMO, (Tiajuana, Mexico) and Station KGNC, as proposed.

5. To determine the areas and populations which would gain primary service by the operation of Station KGNC, as proposed, and what other broadcast services are available to these areas and populations.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by Section 307 (b) of the Communications Act of 1934, as amended.

7. To determine the areas and populations now receiving primary service from Station KFYO, Lubbock, Texas which would also receive similar service from Station KGNC, operating as proposed.

8. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the proposed service of Station KGNC.

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity will be served by the grant of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of Section 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of Section 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Plains Radio Broadcasting Company, Radio Station KGNC, 8th and Harrison Streets, Amarillo, Texas.

Dated at Washington, D. C., March 12, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3991; Filed, March 15, 1943; 10:19 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 469]

SAJI TRADING COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Yorisuke Matsudo (alien detention camp), Kameniro Kame (alien detention camp) and Tanejiro Saji (whose last known address was represented to the undersigned as being Tokyo, Japan), Japanese citizens, are nationals of a designated enemy country (Japan);

2. Finding that said Yorisuke Matsudo, Kameniro Kame and Tanejiro Saji are the owners of 540 shares, 30 shares, and 548 shares respectively, of $10 par value common capital stock of Saji Trading Company, Ltd., a California corporation, Los Angeles, California, which is a business enterprise within the United States and which shares constitute a substantial part (namely, 31.03%) of all outstanding capital stock of, and represent an interest in, said business enterprise;

3. Determining, therefore, that said business enterprise is a national of a designated enemy country (Japan);

4. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 9, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3900; Filed, March 12, 1943; 2:36 p. m.]

[Vesting Order 470]

T. SAJI COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Yorisuke Matsudo (alien detention camp), Kameniro Kame (alien detention camp) and Tanejiro Saji (whose last known address was represented to the undersigned as being Tokyo, Japan), Japanese citizens, are nationals of a designated enemy country (Japan);

2. Finding that said Yorisuke Matsudo, Kameniro Kame and Tanejiro Saji are the owners of 69 shares, 3 shares, and 100 shares respectively, of $100 par value common capital stock of T. Saji Company, Ltd., a California corporation, Los Angeles, California, which is a business enterprise within the United States and which shares constitute a substantial part (namely, 34.68%) of all outstanding capital stock of, and represent an interest in, said business enterprise;

3. Determining, therefore, that said business enterprise is a national of a designated enemy country (Japan);

4. Finding that all right, title and interest and claim of any name or nature whatsoever of said Tanejiro Saji in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by said T. Saji Company, Ltd., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, is an interest in the aforesaid business enterprise held by a national of an enemy country and also is property within the United States owned or controlled by a national of a designated enemy country (Japan);

5. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraphs 2 and 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 9, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3901; Filed, March 12, 1943; 2:36 p. m.]

[Vesting Order 526]

ASSOCIATED IMPORTERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Associated Importers is a partnership having its principal place of business at Tientsin, China and is composed of Wallace M. Larson and J. R. Johansson, the last known addresses of which partners were represented to the undersigned as being Tientsin, China, enemy-occupied territory;

2. Determining that said partnership is controlled by a designated enemy country (Japan) or a person within such country;

3. Determining that to the extent that said partnership is a person not within a designated enemy country, the national interest of the United States requires that it be treated as a national of the aforesaid designated enemy country (Japan);

4. Determining, therefore that said partnership is a national of such designated enemy country (Japan);

5. Finding, therefore, that certain personal property now in storage at the Great Western Manufacturing Company, Leavenworth, Kansas and particularly described in Exhibit A attached hereto and made a part hereof and belonging to said partnership, is property within the United States owned by a national of a designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 18, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

16 9" x 20" New Chilled Iron Rolls Ground Smooth and with Journals for N & M Mill
12 9" x 36" New Chilled Iron Rolls Ground Smooth and with Journals for N & M Mill
3 Corrugating Tools with 10 Corrugations per Inch
3 Corrugating Tools with 14 Corrugations per Inch
2 Corrugating Tools with 16 Corrugations per Inch
2 Corrugating Tools with 20 Corrugations per Inch
2 Corrugating Tools with 24 Corrugations per Inch

[F. R. Doc. 43-3902; Filed, March 12, 1943; 2:36 p. m.]

[Vesting Order 657]

PERSONAL PROPERTY OWNED BY SALE AND COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Sale and Company, Ltd., having its principal place of business at its last known address, Tokyo, Japan, is a corporation organized under and existing by virtue of the laws of Japan and is a national of a designated enemy country (Japan);

2. Finding that the 1,542 pieces of steel tubing presently located in the warehouse of Babcock and Wilcox Tube Company, Beaver Falls, Pennsylvania, which steel tubing is more particularly described in Exhibit A attached hereto and made a part hereof, are owned by said Sale and Company, Ltd., and therefore are property within the United States owned or controlled by a national of a designated enemy country (Japan);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

	Pieces			Feet	Inches
1.	14	1.734" OD x .375" Wall R. L.		288	1¼
2	245	1.181" OD x .091" Wall R L		4,937	6
3	16	2.756" OD x .590" Wall R L		344	7½
4	100	3.347" OD x .532" Wall x 22'11[illegible]"		2,296	7⅜
5	500	3.347" OD x .532" Wall x 22'11[illegible]"		11,483	⅜
6	15	5.906" OD x .591" Wall x 29'6[illegible]"		442	11½
7	500	1.181" OD x .091" Wall x 20'4[illegible]"		10,171	2[illegible]/16
8.	60	2.756" OD x .590" Wall R L		1,322	6
9	72	3.347" OD x .532" Wall R. L.		1,651	10
10.	20	2.756" OD x .197" Wall 19'8[illegible]/64"		393	8[illegible]/16

1,542 Total number of pieces.

[F. R. Doc. 43-3904; Filed, March 12, 1943; 2:35 p. m.]

[Vesting Order 819]

GEBRUEDER MEYER

Re: Personal property owned by, and certain obligations owing to, Gebrueder Meyer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Gebrueder Meyer is a partnership organized under the laws of Germany, whose principal place of business is at 26 Poststrasse, Koeln, Germany, and is a national of a designated enemy country (Germany);

2. Finding that Gebrueder Meyer is the owner of the property described in subparagraph 3 hereof;

3 Finding that the property described as follows:

a. 218½ pounds of tortoise shell now in the possession of Adam Bernhard, 45 East 17th Street, New York, New York; and

b. All right, title, interest and claim of any name or nature whatsoever of Gebrueder Meyer in and to all obligations, contingent or otherwise and whether or not matured, owing to Gebrueder Meyer by Adam Bernhard, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country;

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3905; Filed, March 12, 1943; 2:34 p. m.]

[Vesting Order 820]

PERSONAL PROPERTY OWNED BY AGENZIE GENERALI ESTREMO ORIENTE, SOCIETA ANONIMA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Agenzie Generali Estremo Oriente, Societa Anonima, a corporation organized under the laws of Italy with its principal place of business in Milano, Italy, is a national of a designated enemy country (Italy);

2. Finding that 200 Persian lambskins, presently in the possession of The Otto Gerdau Company, 533-541 Canal Street, New York, New York, are owned by said Agenzie Generali Estremo Oriente, Societa Anonima, and therefore are property within the United States owned or controlled by a national of a designated enemy country (Italy);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the

Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3906; Filed, March 12, 1943; 2:35 p. m.]

[Vesting Order 824]

I. HIRAISHI

Re: Real property and personal property located in the Town and County of Crowley, Colorado, owned by I. Hiraishi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. Hiraishi is a citizen of and resides in Japan, and is a national of a designated enemy country (Japan);

2. Finding that I. Hiraishi is the owner of the real and personal property referred to in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of I. Hiraishi, in and to the real property located in the Town and County of Crowley, Colorado, more particularly described in Exhibit A attached hereto, and made a part hereof, together with all fixtures, improvements and appurtenances thereto and any and all claims of I. Hiraishi for rents, refunds, benefits or other payments arising from the ownership of such property, and

b Shop equipment owned by I. Hiraishi and located in the Town and County of Crowley, Colorado, is property within the United States owned or controlled by a national of a designated enemy country (Japan);

4 Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

5 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6 Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

Re: Real Properties and Shop Equipment located in the Town and County of Crowley, Colorado, owned by I. Hiraishi.

EXHIBIT "A"

1. The following described real property situated in the County of Crowley and State of Colorado

(a) Lots numbered sixty-eight (68) and sixty-nine (69) in Block numbered Three (3) in the Town of Crowley, Colorado, according to the recorded plat thereof, to have and to hold the said above described premises, together with all water rights pertaining thereto.

(b) Lots numbered Seventy-four (74), Seventy-five (75) and Seventy-six (76) in Block numbered Three (3) in the Town of Crowley, according to the recorded plat thereof, together with all water rights pertaining thereto.

(c) Lots numbered Three hundred ninety-seven (397) and Three hundred ninety-eight (398) . . . in Block numbered Fourteen, in the Town of Crowley, according to the recorded plat thereof.

[F. R. Doc. 43-3907; Filed, March 12, 1943; 2:34 p. m.]

[Vesting Order 825]

FRIEDERIKA LIPPERT

Re: Certain real property in Milwaukee, Wisconsin, together with a bank account, owned by Friederika Lippert, sometimes known as Friederike Lippert.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Friederika Lippert, sometimes known as Friederike Lippert, is a citizen and resident of Germany and is a national of a designated enemy country (Germany);

2. Finding that said Friederika Lippert is the owner of the real and personal property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Friederika Lippert in and to the real property located at 3367-69 N. 3rd Street, Milwaukee, Wisconsin, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Friederika Lippert for rents, refunds, benefits, or other payments arising from the ownership of such property; and

b. All right, title, interest and claim, of any name or nature whatsoever of said Friederika Lippert in and to all obligations, contingent or otherwise and whether or not matured, owing to her by First Wisconsin Trust Company, Milwaukee, Wisconsin, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in said First Wisconsin Trust Company, held for and carried in the name of Friederika Lippert,

is property within the United States owned or controlled by a national of a designated enemy country;

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein con-

tained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

Re: Real property located at 3367-69 North 3rd Street, Milwaukee, Wisconsin, owned by Friederika Lippert and a bank account in The First Wisconsin Trust Company owned by Friederika Lippert.

EXHIBIT "A"

All right, title and interest, in and to the following described property:

Lot Eight (8) and the North Fourteen (14) feet of Lot Nine (9) in Block Two (2) in Lillie Land Companys Subdivision, being a part of the South East quarter of Section Eight (8), Town Seven (7) North Range Twenty-two (22) East, in the Twenty-first ward of the City of Milwaukee, Milwaukee County, Wisconsin

[F. R. Doc. 43-3908; Filed, March 12, 1943; 2:34 p. m.]

[Vesting Order 923]

CERTAIN MORTGAGES AND CASH OWNED BY HANS LANDGRAF AND KATHERINE LANDGRAF

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1 Finding that Hans Landgraf and Katherine Landgraf, his wife, are citizens and residents of Germany and are nationals of a designated enemy country (Germany);

2 Finding that said Hans Landgraf and Katherine Landgraf are the owners of the property described in subparagraph 3 hereof;

3 Finding that the property described as follows:

a. All right, title, interest, estate and claim of any name or nature whatsoever of Hans Landgraf and Katherine Landgraf, his wife, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, which are secured by:

(i) A first mortgage (assigned to the aforesaid Hans Landgraf and Katherine Landgraf by instrument of assignment recorded in the Office of the Clerk of the County of Queens in Liber 2450 of Mortgages, Page 373) on the lots and improvements owned by William Ritter and Katherine A. Ritter, his wife, and located at 9221 76th Street, Woodhaven, New York, more particularly described in Exhibit A attached hereto and made a part hereof; and

(ii) A first mortgage (assigned to the aforesaid Hans Landgraf and Katherine Landgraf by instrument of assignment recorded in the Office of the Clerk of the County of Queens in Liber 2426 of Mortgages, Page 515) on the lots and improvements owned by Adam Troll and Margaretha Troll, his wife, and located at 9251 76th Street, Woodhaven, New York, more particularly described in Exhibit B attached hereto and made a part hereof

including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgages) for any or all of such obligations and the right to enforce and collect such obligations,

b All right, title, interest and claim of any name or nature whatsoever of said Hans Landgraf and Katherine Landgraf, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by Richter & Kaiser, Inc., Brooklyn, New York, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly obligations arising out of collections in the aggregate amount of $257.40 made by Richter & Kaiser, Inc. for Hans Landgraf and Katherine Landgraf,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4 Determining that the property hereinbefore described in subparagraph 3-b is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5 Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7 Deeming it necessary in the national interest

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

Re: First mortgages on 9221 76th Street and 9251 76th Street, Woodhaven, New York, owned by Hans Landgraf and Katherine Landgraf.

EXHIBIT "A"

• • • premises on the East side of 76th Street, 349 feet north of Atlantic Avenue being a plot 16 feet in width front and rear by a depth of 100.10 feet on both sides

EXHIBIT "B"

• • • premises, East side of 76th Street 109 feet north of Atlantic Avenue, being a plot 16 feet in width front and rear and 100.10 feet in depth on both sides.

[F. R. Doc. 43-3909; Filed, March 12, 1943; 2:36 p. m.]

[Vesting Order 924]

ERNEST KRAEMER, ET AL.

Re: Certain real property in Milwaukee, Wisconsin, together with a bank account, owned by Ernest Kraemer, Frieda Brünnert and Adela Kotter.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ernest Kraemer, Frieda Brunnert and Adela Kotter are citizens of Germany, whose last known addresses are Adolf Hitler Strasse, Burscheid, Germany and are nationals of a designated enemy country (Germany);

2. Finding that said Ernest Kraemer, Frieda Brunnert and Adela Kotter are the owners, in equal shares, of the real and personal property described in subparagraph 3 hereof;

3. Finding that the property described is as follows:

a. All right, title, interest and estate, both legal and equitable, of Ernest Kraemer, Frieda Brunnert and Adela Kotter, and each of them, in and to the real property situated at 2011, 2017 and 2019 21 North 7th Street, Milwaukee, Wisconsin, more particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Ernest Kraemer, Frieda Brunnert and Adela Kotter, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of said Ernest Kraemer, Frieda Brünnert and Adela Kotter, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or any of them, by First Wisconsin National Bank of Milwaukee, Wisconsin, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the bank account in said First Wisconsin National Bank of Milwaukee, Wisconsin, which bank account is due and owing to, and held for Ernest Kraemer, Frieda Brünnert and Adela Kotter in the name of W. C. Haas, Trustee for Ernest Kraemer, Frieda Brunnert and Adele Kotter,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determing that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

Re: Real property owned by Ernest Kraemer, Frieda Brünnert and Adela Kotter.

EXHIBIT A

All that tract or parcel of land situated in the City and County of Milwaukee, State of Wisconsin, more particularly described as follows:

Lot Six (6) and the North One-half (N. ½) of Lot Seven (7) in Block Two Hundred Six (206) in Houghton's Addition, being a subdivision of the North part of the East One-half (E. ½) of the West Sixty (60) acres of the East One-half (E. ½) of the North West Quarter (N. W. ¼) of Section Twenty (20), Township Seven (7) North of Range Twenty-two (22) East in the City and County of Milwaukee, Wisconsin.

[F. R. Doc. 43-3910; Filed, March 12, 1943; 2:34 p. m.]

[Vesting Order 926]

AUGUSTE GORSLER, ET AL.

Re: Certain real property in California owned by Auguste Gorsler, Wilhelm Bernhard, Marie Bachmann, nee Steinmetz, Wilhelm Steinmetz, and Rudolf Steinmetz.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons listed in Exhibit A attached hereto and made a part hereof are citizens of and reside in Germany, and are nationals of a designated enemy country (Germany);

2. Finding that said persons are the owners of the real property referred to in subparagraph 3 hereof;

3. Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of each of the persons listed in said Exhibit A, in and to the real property situated in Butte County, California, more particularly described in Exhibit B attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of each of said persons for rents, refunds, benefits, or other payments arising from the ownership of such property;

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

Re: Real property situated in Butte County, California, owned by Auguste Gorsler, et al.

EXHIBIT A

Name and last known address:	*Interest in property*
Auguste Gorsler, Geismar Eichsfeld, Germany	Undivided one-third.
Wilhelm Bernhard, Baustrasse, Uslar, Hanover, Germany	Undivided one-third.
Marie Bachmann, nee Steinmetz, Niedern Jesa bei Goettingen, Germany	Undivided one-ninth.
Wilhelm Steinmetz, Duderstadt, Germany	Undivided one-ninth.
Rudolf Steinmetz, Duderstadt, Germany	Undivided one-ninth.

EXHIBIT B

All that certain real property situate, lying and being in the County of Butte, State of California, described as follows, to-wit:

1. The north half of the southwest quarter of the northeast quarter; the west half of the southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of Section 17, Township 19 North, Range 4 East, M. D. M., containing 80 acres of land, more or less.

2. Also, the southeast quarter of the southwest quarter of the northeast quarter of Section 17, Township 19 North, Range 4 East, M. D. M., excepting therefrom the following described parcel of land, to-wit:

Commencing at the southwest corner of said tract, running thence easterly along the east and west center line of said section, 300 feet; thence northerly parallel to the west line of said legal subdivision 145.20 feet; thence westerly parallel to said east and west center line 300 feet to the westerly line of said legal subdivision; thence southerly along the said westerly line of said legal subdivision 145.20 feet to the place of beginning.

3. Also, all that part of the Wilcox Placer Mine in the southwest quarter of the northwest quarter of northeast quarter of Section 17, Township 19 North, Range 4 East, M. D. M., lying east of Lot 22 of said Wilcox Placer Mine and south of Mitchell Avenue of the City of Oroville, containing two and 02 100 acres, more or less.

4. Also, all that part of the Wilcox Placer Mine in the northeast quarter of the southeast quarter of northwest quarter of Section 17, Township 19 North, Range 4 East, M. D. M., lying south of Mitchell Avenue of the City of Oroville and east of the County road; said County road being the continuation of Myers Street of said City of Oroville, sub-

ject to the right of way of the Butte and Plumas Railway Company.

Saving, excepting and excluding from said real property the following parts thereof:

1. A strip of land 60 feet wide being 30 feet on each side of the following described center line. Beginning at a point on the southerly line of Mitchell Avenue of Park Addition to the City of Oroville, at the intersection of said southerly line with the center line of Spencer Avenue of said Park Addition, produced, according to the Official Map of said Park Addition on file in the office of the County Recorder of Butte County, California, thence running along the center line of said Spencer Avenue produced S. 15°09' E. 728.2 feet to a point on the northerly line of Danielson and Brown Subdivision at the intersection of said northerly line with the center line of Danielson Avenue of said Subdivision, according to the Official Map of same on file in the office of the County Recorder of Butte County, California, said strip of land having been conveyed for road purposes.

2. Beginning at a post in the easterly line of Myers Street (sometimes called Palermo Avenue) near the City of Oroville, California, which is 40 feet north of the north boundary line of the southeast quarter of the southeast quarter of the northwest quarter of Section 17, Township 19 North, Range 4 East, M. D. B. & M.; thence along the said easterly line of said Myers Street, N. 26°33' W. 125 feet to a post; thence N. 75°05' E. 300.00 feet to a post; thence S. 26°35' E. 125 feet to a post, which is 20 feet northerly (at right angles) from the center line of the Butte and Plumas Railway; thence parallel to and 20 feet distant from the aforesaid center line of the said Railway S. 73°43' W. 272.26 feet to a post; thence S. 78°43' W. 27.00 feet to the post at the place of beginning as surveyed by B. L. McCoy, State Licensed Land Surveyor, June 5, 1926.

3. Commencing at a post at the intersection of the easterly line of Myers Street with the southerly line of Mitchell Avenue, in the City of Oroville, California, from which the center corner of Section 17, Township 19 North, Range 4 East, M. D. M., as established by survey of Jasper and McCoy, bears S. 25°54' E. 1165.30 feet; thence along the southerly line of said Mitchell Avenue and being parallel to southerly line of Putnam Tract, and 60 feet distant therefrom, N. 64°29' E. 100 feet to a post; thence parallel to easterly line of said Myers Street S. 24°25' E. 100 feet to a post; thence parallel to aforesaid southerly line of said Mitchell Avenue, S. 64°29' W. 100 feet to a post in the aforesaid easterly line of said Myers Street; thence along said easterly line of said Myers Street N. 24°25' W. 100 feet to the place of beginning, as surveyed by B. L. McCoy, State Licensed Land Surveyor, May 1, 1924.

4. Commencing at a post at the intersection of the easterly line of Myers Street, with the southerly line of Mitchell Avenue, in the City of Oroville, California, from which the center corner of Section 17, Township 19 North, Range 4 East, M. D. M., as established by the survey of Jasper and McCoy, bears S. 25°54' E. 1165.30 feet; thence along the southerly line of said Mitchell Avenue, and being parallel to the southerly line of Putnam Tract, and 60 feet distant therefrom, N. 64°29' E. 200.00 feet to a post, at the place of beginning of the parcel of land herein contained; thence parallel to easterly line of said Myers Street S. 24°25' E. 120 feet to a post; thence parallel to the aforesaid southerly line of said Mitchell Avenue N. 64°29' E. 50 feet to a post; thence parallel to easterly line of said Myers Street, N. 24°25' W. 120 feet to a post; in the southerly line of said Mitchell Avenue; thence along the southerly line of said Mitchell Avenue, S. 64°29' W. 50 feet to the point of beginning of the parcel of land herein described.

5. Reserving from the above described property all that portion thereof occupied by the Butte and Plumas Railroad.

6. Lots 1, 2, 17 and 18 in Block 21; Lots 1, 2, 17 and 18 in Block 28; and Lots 12 and 13 in Block 29 of El Medio Tract. Subdivision No. 3, in the East half of Section 17, Township 19 North, Range 4 East, M. D. M., according to the official map of said tract filed of record in the office of the Recorder of the County of Butte, State of California.

7. Commencing at a stake located at the southeast corner of the Danielson & Brown Subdivision of Lots Nos. 1 and 2 of Oro Vista Tract, as said Subdivision is shown on that certain map on file in the office of the Recorder of Butte County, California in Map Book "4", at page 43; thence N. 0°09' E. along the easterly boundary line of said Subdivision a distance of 145.20 feet to the point of beginning of the tract of land herein described; thence N. 88°44' E. parallel with the east and west center line of Section 17, Township 19 North, Range 4 East, M. D. B. & M., a distance of 79.08 feet to a point; thence N. 0°09' E. parallel with the easterly boundary line of the aforementioned Danielson & Brown Subdivision a distance of 137.71 feet to a point; thence S. 88°44' W. parallel with the aforementioned east and west center line of Section 17 a distance of 79.08 feet to the northeasterly corner of Lot 66 of aforementioned Danielson & Brown Subdivision; thence S. 0°09' W. along the easterly boundary line of aforementioned Danielson & Brown Subdivision a distance of 137.71 feet to the point of beginning and containing 0.25 of an acre, more or less.

8. Commencing at the southwest corner of the southeast one quarter of the southwest one quarter of the northeast one quarter of Section 17, Township 19 North, Range 4 East, M. D. B. & M., thence N. 88°44' E. along the legal subdivision line said line being the northerly boundary line of the Lee-Bromley Subdivision as said subdivision is shown on that certain map filed February 8, 1909, in Map Book "6", at page 98, records of Butte County, California, for a distance of 300 feet to the point of beginning of the tract of land herein described; thence N. 00°09' E., a distance of 145.20 feet to an iron stake; thence N. 88°44' E. a distance of 98.50 feet to an iron stake; thence S. 00°09' W. a distance of 145.20 feet to the northeast corner of Lot 53 of the above mentioned Lee-Bromley Subdivision; thence S. 88°44' W. along the northerly boundary line of said subdivision a distance of 98.50 feet to the point of beginning and containing 0.328 acre, more or less.

9. Commencing at a point on the easterly side line of Myers Street distanced 100 feet from the southerly corner of the intersection of Mitchell Avenue and said Myers Street; thence southerly along the said easterly side line of Myers Street, a distance of 120 feet; thence easterly and parallel with said southerly side line of Mitchell Avenue a distance of 200 feet; thence at right angles northerly a distance of 220 feet to a point on the southerly side line of Mitchell Avenue; thence westerly along the southerly side line of Mitchell Avenue a distance of 100 feet; thence at right angles southerly, a distance of 100 feet; thence at right angles westerly a distance of 100 feet, to place of beginning.

Also commencing at a post at the intersection of the easterly line of Myers Street with the southerly line of Mitchell Avenue in the City of Oroville, Butte County, California, from which the center corner of Section 17, Township 19 North, Range 4 East, M. D. B. & M., bears S. 25°54' E. a distance of 1165.30 feet; thence along the southerly line of Mitchell Avenue and being parallel with the southerly line of the Putnam Tract and 60.00 feet distance therefrom, N. 65°29' E. 250.00 feet to a post at the point of beginning of the parcel of land herein described; thence S. 24°25' E. a distance of 120.00 feet; thence S. 64°29' W. a distance of 50.00 feet; thence S. 24°25' E. a distance of 100.00 feet; thence N. 64°29' E. a distance of 66.00 feet; thence N. 24°25' W. a distance of 220.00 feet to the southerly line of above mentioned Mitchell Avenue; thence S. 64°29' W. a distance of 16.00 feet to the point of beginning.

10. Beginning at the southeast corner of southwest quarter of northwest quarter of northeast quarter of Section 17, Township 19 North, Range 4 East, M. D. B. & M., thence north along said fractional Section line to the south line of Mitchell Avenue in the City of Oroville, County of Butte, State of California; thence southwesterly along said south line of Mitchell Avenue to the east line of Spencer Avenue; thence southerly along said easterly line of Spencer Avenue a distance of 360 feet; thence northeasterly to point of beginning, containing 2.7 acres, more or less.

[F. R. Doc. 43-3911; Filed, March 12, 1943; 2:35 p. m.]

[Vesting Order 932]

MINING MACHINERY OWNED BY SOCIETE MINERE DE PETROSANI

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Societe Minere de Petrosani, a corporation organized under and existing by virtue of the laws of Rumania, with its principal place of business in Bucharest, Rumania, is a national of a designated enemy country (Rumania);

2. Finding that said Societe Minere de Petrosani is the owner of the property hereinafter described in subparagraph 3;

3. Finding that the property now stored at the Claremont, New Hampshire, Warehouse of the Sullivan Machinery Company, Michigan City, Indiana, and described as follows:

a. Four Sullivan Hoists type B-111 with toggle type brake and clutch levers, equipped with government approved 25 horsepower electric motors, 380 volts, 3 phase, 50 cycle, 1,450 RPM, complete with regular equipment, shop Nos. 12685-7-8-9, and

b. Four Westinghouse 11-200 S 2 permissible line-starter with built-in pushbutton, but without headlight switch, for use with motors attached to the above-mentioned Sullivan Hoists;

is property within the United States owned or controlled by a national of a designated enemy country (Rumania);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Rumania);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3912; Filed, March 12, 1943; 2:35 p. m.]

OFFICE OF PRICE ADMINISTRATION

[Order 7 Under Rev. M.P.R. 125]

MECHANICAL FOUNDRIES, INC.

ADJUSTMENT OF MAXIMUM PRICE

Order No. 7 under Revised Maximum Price Regulation No. 125—Nonferrous Castings—Docket No. 3125-13.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125. *It is hereby ordered:*

(a) Mechanical Foundries, Inc., of California may sell and deliver to any person, and any person may buy and receive from Mechanical Foundries, Inc., of California, copper and copper base alloy castings, the same, or of the same class, as those sold or contracted to be sold by Mechanical Foundries, Inc., of California, during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by Mechanical Foundries, Inc., of California, during the period from May 11, 1942 to January 31, 1943, inclusive, at the maximum prices prescribed by § 1395.3 of Revised Maximum Price Regulation No. 125: Except, that in determining the maximum price of copper and copper base alloy castings under that section, Mechanical Foundries, Inc., of California, need not make the 1½c per pound reduction required by paragraph (b) of that section.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of February 1, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3958; Filed March 13, 1943; 2:33 p. m.]

[Order 8 Under Rev. MPR 125]

HILLS MCCANNA COMPANY

ADJUSTMENT OF MAXIMUM PRICE

Order No. 8 under Revised Maximum Price Regulation No. 125—Nonferrous Castings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125. *It is hereby ordered:*

(a) The Hills McCanna Company of Chicago, Illinois may settle with the Bendix Products Division of the Bendix Aviation Corporation for certain nonferrous castings described as magnesium throttle bodies made from pattern number 393579 at a price not higher than $2.04 per pound for all such castings produced by the Hills McCanna Company and delivered by it to the Bendix Products Division of the Bendix Aviation Corporation between May 11, 1942, and January 31, 1943, inclusive.

(b) Anything in Revised Maximum Price Regulation No. 125 to the contrary notwithstanding, on and after February 1, 1943, the maximum price at which the Hills McCanna Company of Chicago, Illinois, may sell and deliver to the Bendix Products Division of the Bendix Aviation Corporation and the Bendix Products Division of the Bendix Aviation Corporation may buy and receive from the Hills McCanna Company nonferrous castings of the type described in paragraph (a) of this order, shall be $1.72 per pound.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 15, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3959; Filed, March 13, 1943; 2:33 p. m.]

[Order 13 Under MPR 136, as Amended]

INFERNO COMPANY

ADJUSTMENT OF MAXIMUM PRICE

Order No. 13 under Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services—Docket No. 3136-191.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator, by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25 (a) of Maximum Price Regulation No. 136, as amended and Procedural Regulation No. 6, *It is hereby ordered:*

(a) On and after January 12, 1943, Inferno Company of Shreveport, Louisiana is hereby authorized to sell to any purchaser its safety valves, low pressure gas burners, medium pressure gas burners and water column gauges at the prices set forth in its price list dated November 1, 1942 for such items, adjusted for all discounts, allowances and extra charges in effect on that date to a purchaser of the same class.

(b) Within fifteen days after the effective date of this order, Inferno Company shall (1) certify to the Office of Price Administration, Washington, D. C., that no sum in excess of the maximum price authorized by this Order for any item listed in paragraph (a) was paid by any purchaser for any such item delivered on or after January 12, 1943, or (2) shall refund the excess over the maximum price authorized by this order to such purchaser who has paid such excess for any item listed in paragraph (a) delivered on or after January 12, 1943, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C., that such refunds have been made.

(c) The issuance of this order shall not in any way affect or relieve the liability of Inferno Company for any violation of any regulation or order issued by the Office of Price Administration.

(d) To the extent that the application for adjustment filed by Inferno Company has not been granted by this order, the application is denied.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

(f) This order shall become effective March 15, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3961; Filed, March 13, 1943; 2:34 p. m.]

[Order 9 Under MPR 185]

RICHMOND-CHASE COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 9 under Maximum Price Regulations No. 185—Canned Fruits and Canned Berries.

Richmond-Chase Company has filed an application for specific authorization for a maximum price pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by Applicant with respect to the packing of No. 10 Regular Pie Diced Yellow Clingstone Peaches.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) Richmond-Chase Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive from Richmond-Chase Company, No. 10 Regular Pie Diced Yellow Clingstone Peaches at a price no higher than $6.095 per dozen cans, f. o. b. factory.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective March 15, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3960; Filed, March 13, 1943; 2:34 p. m.]

[Order 206 Under MPR 188]

WESTVACO CHLORINE PRODUCTS CORP.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 206 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. GF3-2730.

Authorization of maximum prices for periclase sold by Westvaco Chlorine Products Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and under § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered*, That,

(a) On and after November 14, 1942, the maximum prices at which Westvaco Chlorine Products Corporation, New York City, is authorized to sell, deliver, or offer periclase for sale in carload lots from its Western mine are as follows:

Western No. 90 Periclase. $38.74 per ton f. o. b. Livermore, California.
Western No. 85 Periclase. $38.24 per ton f. o. b. Livermore, California.

(b) Westvaco Chlorine Products Corporation shall grant cash discounts on sales of periclase to the same extent as it granted such discounts during March 1942.

(c) All prayers in the petition not specifically granted herein are denied.

(d) This Order No. 206 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 206 shall become effective March 15, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3962; Filed, March 13, 1943; 2:35 p. m.]

[Order 8 Under MPR 127]

FINISHED PIECE GOODS

GRANTING EXCEPTION TO PETITIONS

Separate petitions listed in paragraph (f) Appendix A, of this Order No. 8 were filed pursuant to § 1400.82 (i) (3) of Maximum Price Regulation No. 127. Inasmuch as the petitions listed therein were filed pursuant to the same provision and request the same type of relief, the Price Administrator deems it appropriate to consolidate the said petitions for the purpose of their determination.

Consideration has been given to the petitions and an opinion in support of this Order No. 8 has been issued and filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the Authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Each of the petitioners named in paragraph (f), below, is granted an exception from the provisions of § 1400.82 (i) (2) (v) of Maximum Price Regulation No. 127 and may insofar as it purchases finished piece goods and acts as a jobber thereof, charge a markup on such jobbing sales not in excess of that provided for wholesalers and jobbers under § 1400.82 (i) (1) of the said regulation.

(b) The permission granted to the petitioners is subject to the following conditions:

(1) During the period between July 1, 1942 and June 30, 1943, and for each corresponding 12 month period thereafter, the proportion of goods sold at a markup above cost by each of such petitioners as a jobber, to its total sales of finished piece goods subject to Maximum Price Regulation No. 127 shall not exceed the percentage directly opposite the name of the Petitioner as listed in paragraph (f) below. *Provided*, That if any petitioner acts as a converter-jobber for less than any such twelve month period, the proportion of such jobbing sales to its total sales of such finished piece goods, from the beginning of the 12-month period to the time when it ceases to act as a converter-jobber shall not exceed the applicable percentage appearing in paragraph (f).

(2) The restrictions imposed by § 1400.82 (i) (2) (ii) and (i) (2) (iv) of Maximum Price Regulation No. 127 are specifically made applicable to the jobbing sales made by each petitioner under the permission granted by this Order No. 2.

(3) Said petitioners may not charge such jobber's markup with respect to finished piece goods purchased from a person controlling, controlled by or under common control with such petitioner.

*Copies may be obtained from the Office of Price Administration.

[Amendment 1 to Order 42 Under RPS 64]

BOSTON STOVE FOUNDRY CO., INC.

ADJUSTMENT OF MAXIMUM PRICE

Amendment No. 1 to Order No. 42 under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.—Boston Stove Foundry Company, Inc., Reading, Massachusetts.

For the reasons set forth in an opinion filed with the Division of the Federal Register, which is issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, the text of paragraph (a) of Order No. 42 under Revised Price Schedule No. 64 is amended to read as follows:

(a) Boston Stove Foundry Company may sell, offer to sell, or deliver its model V-21 coal and wood range manufactured by it at a price no higher than $78.72 with heat control attached are at a price no higher than $74.29 without heat control.

This Amendment No. 1 to Order No. 42 shall become effective on the 15th day of March 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3963; Filed, March 13, 1943; 2:35 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

(c) All prayers of the petitions not granted herein are denied.

(d) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1400.81 of Maximum Price Regulation No. 127 shall apply to the terms used herein.

(f) *Appendix A:*

The following Petitioners are granted an exception from § 1400.82 (i) (2) (v) of Maximum Price Regulation No. 127 subject to the provisions contained herein:

Docket No.	Name of petitioner	Address	Percentage of business permitted in relation to total sales of finished piece goods
			Percent
3127-256	Meyers Abramson Inc	242 West 36th St., New York, N. Y.	58
3127-578	Academy Textile Corporation	1182 Broadway, New York, N. Y.	78
3127-95	Acorn Fabrics Corporation	450 7th Ave., New York, N. Y.	11
3127-224	Active Fabrics	499 7th Ave., New York, N. Y.	7
3127-288	A. P. Silk Co., Inc	101 West 31st St., New York, N. Y.	42
3127-276	A. E. Aimone Textile Co	443 Broadway, New York, N. Y.	67
3127-481	Alcott-Halper Corporation	79 Madison Ave., New York, N. Y.	10
3127-51	Allied Fabrics, Inc	20 West 21st St., New York, N. Y.	17
3127-375	The Alms & Doepke Co	Main and Parkway, Cincinnati, Ohio	1
3127-1	Alpine Fabrics, Inc	1384 Broadway, New York, N. Y.	65
3127-157	Alpine Lining Co., Inc	4 West 16th St., New York, N. Y.	25
3127-69	Altman-Greenblatt Corporation	22-24 East 17th St., New York, N. Y.	10
3127-153	Amity Silk Corporation	12 West 32d St., New York, N. Y.	33
3127-383	Apollo Fabrics, Inc	148 West 37th St., New York, N. Y.	28
3127-353	Arista Fabrics, Inc	132 West 36th St., New York, N. Y.	50
3127-236	Arnold Fabrics Co	110 West 40th St., New York, N. Y.	45
3127-27	Aronson-Cohen	441 Broadway, New York, N. Y.	44
3127-502	Artick Textiles	115 Worth St., New York, N. Y.	80
3127-479	Atlantic Mercantile Co	109 West 64th St., New York, N. Y.	42
3127-372	William L. Barrell, Inc	40 Worth St., New York, N. Y.	7
3127-61	Barri Fabrics Corporation	1412 Broadway, New York, N. Y.	11
3127-47	Bauman & Reich	512 7th Ave., New York, N. Y.	19
3127-83	Baxter, Kelly & Faust, Inc	29 East 19th St., New York, N. Y.	39
3127-301	Beacon Looms, Inc	261 5th Ave., New York, N. Y.	10
3127-298	Beauty Base Fabrics, Inc	3-5 Washington Pl., New York, N. Y.	15
3127-286	Ben Mann Fabrics Corporation	499 7th Ave., New York, N. Y.	41
3127-402	Arthur Beir & Co., Inc	57 Worth St., New York, N. Y.	2
3127-294	Bergen Fabrics Corporation	1441 Broadway, New York, N. Y.	2
3127-26	Berman & Bayer, Inc	450 7th Ave., New York, N. Y.	66
3127-311	S. Berkner Co	18 West 4th St., New York, N. Y.	51
3127-344	Best Textile Corporation	408 East 59th St., New York, N. Y.	53
3127-322	J. Bialkin & Son	456 Broadway, New York, N. Y.	60
3127-145	Jacob Birenback & Sons	470 Broadway, New York, N. Y.	62
3127-364	M. Binkowitz & Sons	488 Broadway, New York, N. Y.	92
3127-387	Charles Boas	5 East 17th St., New York, N. Y.	27
3127-116	Boonton Textiles, Inc	270 West 39th St., New York, N. Y.	27
3127-462	Booth & Durfee, Inc	302 Plymouth Ave., Fall River, Mass	35
3127-343	B. Borden	450 7th Ave., New York, N. Y.	38
3127-127	Bradford Textile Corporation	15-17 West 18th St., New York, N. Y.	29
3127-403	Brand & Oppenheimer, Inc	229 4th Ave., New York, N. Y.	1
3127-139	Brockton Textile Co	395 Broadway, New York, N. Y.	21
3127-78	Brody Textile Corp	469 7th Ave., New York, N. Y.	37
3127-172	Morris Brooks	250 West 39th St., New York, N. Y.	40
3127-63	Brybro Fabrics Corp	150 5th Ave., New York, N. Y.	2
3127-277	Buyer Silk Mfg. Co	469 7th Ave., New York, N. Y.	19
3127-400	Caceo & Co	362 Broadway, New York, N. Y.	9
3127-281	G. Canelstein	17 West 24th St., New York, N. Y.	30
3127-476	Capitol Fabrics	949 Broadway, New York, N. Y.	3
3127-196	Carter-Kearney Co	381 4th Ave., New York, N. Y.	27
3127-179	Chatham Textile Co	238 West 38th St., New York, N. Y.	75
3127-186	Clover Fabrics Corporation	450 7th Ave., New York, N. Y.	80
3127-218	Herman Cohen & Co	374 Broadway, New York, N. Y.	72
3127-50	Julian Cohen	1123 Broadway, New York, N. Y.	14
3127-212	Colin Hall Mart Co	1412 Broadway, New York, N. Y.	2
3127-163	Comet Textile Corp	469 7th Ave., New York, N. Y.	35
3127-510	Compton Textile Corp	71 Leonard St., New York, N. Y.	3
3127-471	Concord Textile Co	126 5th Ave., New York, N. Y.	29
3127-443	Continental Textile Co	229 5th Ave., New York, N. Y.	44
3127-540	Cordean, Inc	1441 Broadway, New York, N. Y.	80
3127-270	Coronet Silk Co., Inc	1441 Broadway, New York, N. Y.	12
3127-373	William R. Crawley	26 Custom House St., Providence, R. I	7
3127-179	Crown Silk Co., Inc	252 West 37th St., New York, N. Y.	4
3127-545	Crown Textile Mills	406 Broadway, New York, N. Y.	52
3127-390	Daboh Perez & Co	84 Franklin St., New York, N. Y.	48
3127-247	Daniels, Mathanson Co	144 Esser St., Boston, Mass.	69
3127-287	Leo Daub	29 West 35th St., New York, N. Y.	92
3127-354	Derby Fabrics, Inc	469 7th Ave., New York, N. Y.	4
3127-139	M. Deutsch	9 West 35th St., New York, N. Y.	71
3127-144	James H. Dunham & Co	345 Broadway, New York, N. Y.	29
3127-198	Eden Textiles	15 West 20th St., New York, N. Y.	85
3127-585	Edwin B. Elson Co	225 5th Ave., New York, N. Y.	10
3127-313	Embassy Textile Co	469 7th Ave., New York, N. Y.	33
3127-356	Empire Converting Co., Inc	1265 Broadway, New York, N. Y.	41
3127-407	Empress Silks, Inc	1410 Broadway, New York, N. Y.	14
3127-263	Everstand Fabrics Corp	1412 Broadway, New York, N. Y.	35
3127-248	Farrex Fabrics Corp	469 7th Ave., New York, N. Y.	44
3127-412	Fantasy Fabrics Corp	119 West 40th St., New York, N. Y.	30
3127-121	L. Federman & Sons	464 Broome St., New York, N. Y.	51
3127-288	M. B. Fitzsimmon Co	404 4th Ave., New York, N. Y.	14
3127-310	A. Frank & Sons	327 West Baltimore St., Baltimore, Md.	5
3127-347	Friedman-Gins Corp	318 West 35th St., New York, N. Y.	98
3127-213	Samuel Ganzer	108 North Main St., Providence, R. I	60
3127-576	Gerhards Department Dickinson & Co., Inc.	Empire State Building, New York, N. Y.	4
3127-321	Henry Gewirtz Textile Corp	241 West 37th St., New York, N. Y.	10
3127-452	Gutterman & Co	171 Madison Ave., New York, N. Y.	1
3127-243	A. L. Glassburg & Co	509 S. Franklin St., Chicago, Ill.	92

Docket No.	Name of petitioner	Address	Percentage of business permitted in relation to total sales of finished piece goods
			Percent
3127-420	Gold-Burr Fabrics, Inc.	1457 Broadway, New York, N. Y.	60
3127-137	Goldfarb Bros.	73 Leonard St., New York, N. Y.	57
3127-609	Gordon, Lowe, Geoffrey & Co., Inc.	186 Lincoln St., Boston, Mass.	5
3127-138	Grand Textile Co.	467 Broadway, New York, N. Y.	25
3127-40	Gray Brothers	97 Fifth Ave., New York, N. Y.	92
3127-16	Greenleaf Textile Corp.	225 Fourth Ave., New York, N. Y.	60
3127-458	Grenada Silk Co., Inc.	1225 Broadway, New York, N. Y.	6
3127-209	Grollman Textile Co.	1133 Broadway, New York, N. Y.	13
3127-513	L. W. Guild Company, Inc.	136 Harrison Ave., Boston, Mass.	8
3127-7	Samuel Haber's Sons	309 W. Van Buren St., Chicago, Ill.	46
3127-483	Charles Hamburg & Co., Inc.	12 East 22nd St., New York, N. Y.	62
3127-298	Max Harris Textile Co.	320 Central Park West, New York, N. Y.	9
3127-524	Milton B. Hartman Co.	1441 Broadway, New York, N. Y.	8
3127-46	H. Hausman & Co.	69 Leonard St., New York, N. Y.	67
3127-55	Herbert Manufacturing Co.	229 West 36th St., New York, N. Y.	1
3127-197	S. Hertz & Sons	103 Hester St., New York, N. Y.	50
3127-532	S. & H. Hessenberg, Inc.	74 Franklin St., New York, N. Y.	16
3127-379	Heymann Mercantile Co., Inc.	106 Worth St., New York, N. Y.	58
3127-70	A. L. Hill	321 Broadway, New York, N. Y.	48
3127-370	Hollander Co.	368 Broadway, New York, N. Y.	18
3127-531	Holmes & Zucker, Inc.	450 Seventh Ave., New York, N. Y.	40
3127-275	Imperial Textile Co.	240 West 37th St., New York, N. Y.	58
3127-196	Kagan Fabrics, Inc.	499 Seventh Ave., New York, N. Y.	5
3127-142	Arthur Kahn Co., Inc.	444 Fourth Ave., New York, N. Y.	68
3127-428	Kahn Fabrics Co.	552 Seventh Ave., New York, N. Y.	25
3127-25	Samuel Kaplan and Sons	200 West 38th St., New York, N. Y.	13
3127-34	Karwin Silk Co., Inc.	239 West 39th St., New York, N. Y.	14
3127-22	Harry Katims Corp.	242 West 37th St. New York, N. Y.	85
3127-267	Simon Katz Co.	84 Harrison Ave., Boston, Mass.	5
3127-391	Kenya Corporation	261 Fifth Ave., New York, N. Y.	4
3127-333	Klein & Lindenburg	24th West 37th St. New York, N. Y.	9
3127-168	Kluger	180 Madison Ave., New York, N. Y.	97
3127-533	Knie and Co.	377 Broadway, New York, N. Y.	33
3127-531	Koblin Fabrics	499 Seventh Ave., New York, N. Y.	59
3127-21	Kramet Azif Textile Co.	77 Franklin St., New York, N. Y.	8
3127-261	The Krasom Co., Inc.	40 Worth St., New York, N. Y.	40
3127-204	Kronen Silk Co.	225 West 35th st., New York, N. Y.	34
3127-444	Kuhl Textile Co.	1261 Broadway, New York, N. Y.	67
3127-214	Alexander Lamport & Brother	373 Broadway, New York, N. Y.	90
3127-408	The Lamport Company, Inc.	365 Broadway, New York, N. Y.	30
3127-338	H. Landau & Co.	32 North 3d St., Philadelphia, Pa.	95
3127-327	Louis Lasser	44 White St., New York, N. Y.	6
3127-190	Prince Lauten Corp.	200 Church St., New York, N. Y.	28
3127-478	Max Lawrence & Co.	13 West 27th St., New York, N. Y.	91
3127-406	Lawrence Textile Co.	819 Santee St., Los Angeles, Calif.	50
3127-378	Louis J. Lazarus Co.	92 Leonard St., New York, N. Y.	64
3127-377	Lazarus Pierce Textile Co.	92 Leonard St., New York, N. Y.	27
3127-225	Leader Fabrics Corp.	469 7th Ave., New York, N. Y.	29
3127-369	Lenore Silk Co.	30 West 36th St., New York, N. Y.	28
3127-189	Leona Fabrics Corp.	392 Broadway, New York, N. Y.	62
3127-382	Leyson Textile Co.	242 West 36th St., New York, N. Y.	84
3127-78	A. Leventhal, Inc.	584 8th Ave., New York, N. Y.	37
3127-357	J. Levine Co. and Georgia Mfg. Co.	449 Broadway, New York, N. Y.	70
3127-39	Levine & Raines	257 West 39th St., New York, N. Y.	82
3127-33	Levy & Baumon	257 West 39th St., New York, N. Y.	99
3127-328	Levy & Limburg, Inc.	440 4th Ave., New York, N. Y.	70
3127-282	Myron B. Levy Co., Inc.	110 Bleecker St., New York, N. Y.	29
3127-195	Liberman Hercules Corp.	225 4th Ave., New York, N. Y.	2
3127-393	William Lind Co.	83 Worth St., New York, N. Y.	50
3127-468	Chas. Lindner & Marchesi, Inc.	72 Madison Ave., New York, N. Y.	35
3127-308	Lorine Fabrics, Inc.	171 Madison Ave., New York, N. Y.	32
3127-262	Robert McBratney & Co., Inc.	121 Franklin St., New York, N. Y.	20
3127-392	Magee Laflin Manufacturing Co.	79 Madison Ave., New York, N. Y.	5
3127-619	Mainzer Minton Co.	254 4th St., New York, N. Y.	5
3127-641	Mandee Fabrics, Inc.	469 7th Ave., New York, N. Y.	11
3127-592	Manis & Sanger	171 Madison Ave., New York, N. Y.	9
3127-237	Marsh Fabrics Corp.	1441 Broadway, New York, N. Y.	46
3127-291	S. H. Marks Co., Inc.	66 Leonard St., New York, N. Y.	11
3127-105	Marlboro Fabrics, Inc.	242 West 38th St., New York, N. Y.	80
3127-302	B. Marrus & Sons, Inc.	388 Broadway, New York, N. Y.	56
3127-23	Marvin Fabrics	37 East 28th St., New York, N. Y.	98
3127-253	Irving A. Mayer, Inc.	320 Broadway, New York, N. Y.	4
3127-458	Meadowbrook Fabrics, Inc.	463 7th Ave., New York, N. Y.	98
3127-216	I. Medoff Co.	40 South Main St., Woonsocket, R. I.	4
3127-11	Melbee Textile Co., Inc.	423 Broadway, New York, N. Y.	50
3127-109	H. D. Mendelsohn Co.	17 Union Square, New York, N. Y.	95
3127-156	D. Mendelsohn, Inc.	247 West 37th St., New York, N. Y.	61
3127-408	Herbert Meyer	1441 Broadway, New York, N. Y.	81
3127-248	Philip Meyerson Textiles	469 7th Ave., New York, N. Y.	15
3127-396	A. J. Michaels Co., Inc.	112 Franklin St., New York, N. Y.	18
3127-403	Joseph Michalover, Inc.	1412 Broadway, New York, N. Y.	12
3127-389	M Iber Corporation	230 5th Ave., New York, N. Y.	13
3127-12	Mill Merchandise Co.	1150 Broadway, New York, N. Y.	83
3127-17	Miller Fabrics Corp.	255 West 36th St., New York, N. Y.	99
3127-429	Samuel Miller & Sons	325 West 37th St., New York, N. Y.	81
3127-397	Mills & Gibb, Inc.	98 Madison Ave., New York, N. Y.	27
3127-146	Milo Fabrics Corp.	468 4th Ave., New York, N. Y.	5
3127-624	Milton Silk Co., Inc.	160 West 36th St., New York, N. Y.	55
3127-203	Mitchell Textile Co.	105 West 40th St., New York, N. Y.	18
3127-449	J. Mittelmark & Co., Inc.	30 West 36th St., New York, N. Y.	1
3127-632	Mole Fabrics, Inc.	1412 Broadway, New York, N. Y.	78
3127-548	Mook Brothers	890 Broadway, New York, N. Y.	84
3127-544	Walter N. Moore Dry Goods Co., Inc.	San Francisco, Calif.	4
3127-657	Robert J. C. Moore	432 4th Ave., New York, N. Y.	35
3127-140	A. Mostacler & Sons, Inc.	345 West 35th st., New York, N. Y.	72
3127-368	Murray Textile Co.	444 Broadway, New York, N. Y.	4
3127-566	Morse Brothers	242 4th Ave., New York, N. Y.	56
3127-663	Muriette Fabrics Corp.	1441 Broadway, New York, N. Y.	21
3127-102	Murphy & Patterson	425 4th Ave., New York, N. Y.	51
3127-287	Mutual Silk Co.	158 West 36th st., New York, N. Y.	

Docket No.	Name of petitioner	Address	Percentage of business permitted in relation to total sales of finished piece goods
			Percent
3127-228	A. F. Nathan Co., Inc.	119 Franklin St., New York, N. Y.	9
3127-15	Needle & Turman	260 West 37th St., New York, N. Y.	8
3127-57	Nelson Fabrics, Inc.	1123 Broadway, New York, N. Y.	74
3127-7	Neuss-Hesslein & Co., Inc.	77 Worth St., New York, N. Y.	7
3127-366	New England Textile Corp.	379 Broadway, New York, N. Y.	88
3127-418	George Nossiter & Co.	440 4th Ave., New York, N. Y.	2
3127-99	Nowell Hutton Co., Inc.	260 West 39th St., New York, N. Y.	87
3127-2239	O'Hara, Levy & Mahon, Inc.	40 Leonard St., New York, N. Y.	2
3127-141	Original Fabrics, Inc.	469 7th Ave., New York, N. Y.	2
3127-417	Palatine Corporation	357 4th Ave., New York, N. Y.	50
3127-215	Pearl-Dor Fabrics Corp.	501 7th Ave., New York, N. Y.	12
3127-548	Pembrook Fabrics Corp.	469 7th Ave., New York, N. Y.	15
3127-71	J. Pengar Co.	440 Broadway, New York, N. Y.	57
3127-469	Penz & Co.	377 Broadway, New York, N. Y.	70
3127-66	S. Perlo & Sons	313 West 37th St., New York, N. Y.	88
3127-111	L. Pomerantz	450 7th Ave., New York, N. Y.	75
3127-647	Francis J. Porter Textiles	700 Broad St., Utica, N. Y.	87
3127-110	J. D. Price Co., Inc.	354 4th Ave., New York, N. Y.	11
3127-217	Prov-Textile Co.	28 West 38th St., New York, N. Y.	20
3127-109	Princeton Fabrics	257 West 38th St., New York, N. Y.	62
3127-401	Prudential Textile Corp.	109 West 64th St., New York, N. Y.	1
3127-413	Puritan Fabrics Corp.	440 4th Ave., New York, N. Y.	1
3127-90	Pye, Baum & Richman	10 West 19th St., New York, N. Y.	42
3127-447	Quaintail Fabrics Corp.	469 7th Ave., New York, N. Y.	15
3127-397	Quality Textile Co., Inc.	6 East 18th St., New York, N. Y.	10
3127-167	Quint & Kosmacher, Inc.	44 West 21st St., New York, N. Y.	44
3127-193	Quinn-Marshall Co.	Lynchburg, Va.	75
3127-421	Ralph Silk Mills	41 Union Square, New York, N. Y.	4
3127-9	Reichenbach & Co., Inc.	144 Broadway, New York, N. Y.	81
3127-342	Relkin Textile Co.	261 Broadway, New York, N. Y.	60
3127-339	Rex Fabrics Co.	552 7th Ave., New York, N. Y.	60
3127-495	Ferdinand Rice	19 West 34th st., New York, N. Y.	25
3127-271	Rice-Stix Dry Goods Co.	St. Louis, Mo.	48
3127-627	J. A. Riley & Co.	260 4th Ave., New York, N. Y.	21
3127-33	L. Rimsky, Inc.	229 West 37th St., New York, N. Y.	4
3127-114	Frank Robbins	467 Broadway, New York, N. Y.	11
3127-285	Albert Robinson & Co.	268 4th Ave., New York, N. Y.	2
3127-635	Robinson & Gollubr	289 5th Ave., New York, N. Y.	3
3127-250	Rosenfeld & Bloom	729 Broadway, New York, N. Y.	62
3127-249	Herbert W. Rosenthal Co.	215 4th Ave., New York, N. Y.	60
3127-181	Isidore Rosenthal, Inc.	25 Bayard St., New York, N. Y.	34
3127-514	Henry Roszwzeig & Co., Inc.	229 West 36th St., New York, N. Y.	1
3127-122	Rosy Fabrics Corp.	469 7th Ave., New York, N. Y.	47
3127-188	Roth Fabrics Corporation	1110 Broadway, New York, N. Y.	1
3127-550	Harry Rothman	552 7th Ave., New York, N. Y.	60
3127-274	Philip Rothman	478 Broadway, New York, N. Y.	60
3127-512	Rubin & Schwartz	404 Broadway, New York, N. Y.	51
3127-485	S. & L. Silk Mills	1410 Broadway, New York, N. Y.	14
3127-116	Saben Textile Co.	387 Broadway, New York, N. Y.	81
3127-748	Leong-I G. Sadler	333 East 4th St., Los Angeles, Calif.	64
3127-119	Nate Sakowitz	279 Church St., New York, N. Y.	20
3127-170	Samisch Textile Co.	55 Leonard St., New York, N. Y.	58
3127-209	Charles A. Sarelsky	256 West 38th St., New York, N. Y.	70
3127-24	Sarnoff Fabrics Corp.	512 7th Ave., New York, N. Y.	21
3127-529	Sassoons, Inc.	40 Worth St., New York, N. Y.	58
3127-325	H. Schaffa Co., Inc.	242 4th Ave., New York, N. Y.	9
3127-272	A. W. Scheffres	371 Broadway, New York, N. Y.	34
3127-442	Laurence Schiff & Co.	19 West 34th St., New York, N. Y.	95
3127-400	Harry Schranze	349 Broadway, New York, N. Y.	60
3127-54	Schuffman Bros.	214 West 39th St., New York, N. Y.	16
3127-278	Max Schwartz	40 Worth st., New York, N. Y.	85
3127-176	Schwartz Bros. Fabrics, Inc.	1441 Broadway, New York, N. Y.	9
3127-326	J. Schwartzman	584 8th Ave., New York, N. Y.	38
3127-166	Seidel-Herzog Co., Inc.	87 Franklin St., New York, N. Y.	8
3127-184	Selmor Fabrics Corp.	1441 Broadway, New York, N. Y.	31
3127-92	Bernard Semel, Inc.	364 Broadway, New York, N. Y.	74
3127-370	Max Semel	433 Broadway, New York, N. Y.	60
3127-300	S. Schechter, Inc.	148 West 37th St., New York, N. Y.	44
3127-423	Sheero Fabrics	171 Madison Ave., New York, N. Y.	8
3127-307	R. A. Shields Co.	351 Fourth Ave., New York, N. Y.	7
3127-177	Irving A. Schustek Co.	307 West 38th St., New York, N. Y.	57
3127-219	Shertone Textile Corporation	215 Fourth Ave., New York, N. Y.	58
3127-277	Sol Shore, Inc.	105 North 11th St., Philadelphia, Pa.	40
3127-534	Sichel Co.	72 Franklin St., New York, N. Y.	70
3127-148	Sil-Bert Fabrics, Inc.	469 Seventh Ave., New York, N. Y.	43
3127-562	David H. Small Co.	254 Fourth Ave., New York, N. Y.	14
3127-405	Snower Manufacturing Co.	1825 Baltimore Ave., Kansas City, Mo.	64
3127-480	Sofer Brothers	433 Broadway, New York, N. Y.	14
3127-318	Solinger & Sons Co., Inc.	349 Broadway, New York, N. Y.	9
3127-75	Sonneborn & Meyrich, Inc.	313 West 37th St., New York, N. Y.	80
3127-535	Briges F. Spark Co.	354 Fourth Ave., New York, N. Y.	6
3127-50	Standard Lining Company, Inc.	42 East 12th St., New York, N. Y.	88
3127-421	Stanford Fabrics Corp.	462 7th Ave., New York, N. Y.	41
3127-279	Stang & Trachtner	5 East 16th St., New York, N. Y.	70
3127-141	Stavisky Lining Co.	915 Broadway, New York, N. Y.	37
3127-44	Stella Fabrics Corp.	469 7th Ave., New York, N. Y.	58
3127-445	Alfred W. Stengal	206 Main St., Buffalo, N. Y.	64
3127-289	S. & A. Stern	17 West 34th St., New York, N. Y.	10
3127-239	Stoffel & Co., Inc.	271 Church St., New York, N. Y.	10
3127-210	D. Strauss Co., Inc.	1370 Broadway, New York, N. Y.	10
3127-102	Stern & Stern Textiles Importers, Inc.	1370 Broadway, New York, N. Y.	42
3127-304	Stutz Textile Co., Inc.	72 Leonard St., New York, N. Y.	60
3127-566	Straus & Ellenburg, Inc.	440 4th Ave., New York, N. Y.	24
3127-3	Sunmarks Fabrics Corp.	469 7th Ave., New York, N. Y.	27
3127-130	Susquehanna Mills, Inc.	498 7th Ave., New York, N. Y.	4
3127-626	Jack Sussman Fabrics	171 Madison Ave., New York, N. Y.	18
3127-499	Swan Fabrics, Inc.	395 Broadway, New York, N. Y.	75
3127-68	Swiss Mills, Inc.	66 North St., New York, N. Y.	2
3127-283	Symphony Fabrics Corp.	1410 Broadway, New York, N. Y.	68
3127-221	Tannenbaum Textile Company, Inc.	460 4th Ave., New York, N. Y.	7
3127-481	Tapetex Products, Inc.	82 St. Paul St., Rochester, N. Y.	10
3127-67	Tex-Mart Fabrics, Inc.	469 7th Ave., New York, N. Y.	10

Maximum prices f. o. b. factory

Docket No.	Name of petitioner	Address	Percentage of business permitted in relation to total sales of finished piece goods
			Percent
3127-262	Textile Commission Co	217 Chestnut St., Philadelphia, Pa	20
3127-329	Textile Looms, Inc	890 Broadway, New York, N. Y	3
3127-297	Theo. Tloderman & Sons, Inc	251 Fourth Ave., New York, N. Y	33
3127-402	Timely Fabrics	1410 Broadway, New York, N. Y	30
3127-242	Triplex Fabrics Corp	469 Seventh Ave., New York, N. Y	12
3127-626	Twentieth Century Trimming Co	248 West 35th St., New York, N. Y	94
3127-58	United States Textile Co	455 Pleasant St., Fall River, Mass	47
3127-44	Unity Fabrics Co	307 Fifth Ave., New York, N. Y	54
3127-264	Uptown Fabrics, Inc	499 7th Ave., New York, N. Y	18
3127-419	Utal Brothers	264 Fifth Ave., New York, N. Y	5
3127-173	Vanetta Fabrics Corp	1441 Broadway, New York, N. Y	48
3127-258	Vanetta Rayon Corp	1441 Broadway, New York, N. Y	7
3127-294	Vanetta Velvet Corp	1441 Broadway, New York, N. Y	93
3127-423	Vanity Fabrics, Inc	171 Madison Ave., New York, N. Y	27
3127-444	Waldhorger, Grant & Co., Inc	20 West 37th St., New York, N. Y	41
3127-345	Wallerstein Textiles	443 4th Ave., New York, N. Y	12
3127-545	Watts, Ritter & Co	Huntington, W. Va	27
3127-396	A. F. Wedeen	81 Franklin St., New York, N. Y	56
3127-273	F. Wedeen & Son	471 Broadway, New York, N. Y	71
3127-293	William Weiden	83 Franklin St., New York, N. Y	98
3127-147	Weiner & Bauer, Inc	445 Broadway, New York, N. Y	58
3127-643	L. David Weinstein	170 5th Ave., New York, N. Y	24
3127-14	Louis Weinstein	499 7th Ave., New York, N. Y	19
3127-649	Wells Fabric Co., Inc	171 Madison Ave., New York, N. Y	7
3127-440	M. Wenglinsky & Sons, Inc	62 West 14th St., New York, N. Y	13
3127-31	Edwin F. Werring Co	257 4th Ave., New York, N. Y	16
3127-360	Western Textile Products Co	2131 Hickory St., St. Louis, Mo	6
3127-422	Wickford Fabrics	102 Franklin St., New York, N. Y	5
3127-431	The Willan Corporation	175 5th Ave., New York, N. Y	6
3127-470	Wilmerding & Basset	260 4th Ave., New York, N. Y	13
3127-149	Wilson Textiles	450 7th Ave., New York, N. Y	49
3127-211	Windsor Fabrics	221 West 37th St., New York, N. Y	19
3127-407	Winne & Sutch Co	1028 S. Los Angeles St., Los Angeles, Calif	40
3127-280	Winston Fabrics Corp	110 Grand St., New York, N. Y	80
3127-427	Joseph W. Woods Co., Inc	56 Worth St., New York, N. Y	6
3127-169	Wright & Graham Co	108 Franklin St., New York, N. Y	37
3127-290	Wullschleger & Co	1412 Broadway, New York, N. Y	27
3127-426	Yale Fabrics Corp	501 7th Ave., New York, N. Y	1
3127-117	David S. Yankauer	276 4th Ave., New York, N. Y	32
3127-233	Harry Zeller, Inc	915 Broadway, New York, N. Y	12
3127-312	Acadia Manufacturers Supply Co	69 Franklin St., New York, N. Y	57
3127-304	Acker & Jablow	1441 Broadway, New York, N. Y	6
3127-152	W. Ain & Co	495 Broadway, New York, N. Y	73
3127-530	George Amram	77 Goodell St., Buffalo, N. Y	29
3127-633	Aronsohn & Gross, Inc	460 7th Ave., New York, N. Y	3
3127-664	Arteraft Fabrics, Inc	8 West 30th St., New York, N. Y	98
3127-154	Artex Fabrics Corp	1412 Broadway, New York, N. Y	18
3127-481	Atlas Fabrics, Inc	1441 Broadway, New York, N. Y	36
3127-310	Banner Silk Mills, Inc	141 West 40th St., New York, N. Y	33
3127-638	William Basset Textile Corp	1412 Broadway, New York, N. Y	2
3127-425	H. Bates Co., Inc	120 West 42d St., New York, N. Y	56
3127-56	Bennett & Goding, Inc	95 South St., Boston, Mass	4
3127-235	The Benson Co	43 Leonard St., New York, N. Y	2
3127-258	Benson Fabrics Co., Inc	93 Madison Ave., New York, N. Y	3
3127-654	Bear Mill Mfg. Co	393 Broadway, New York, N. Y	84
3127-13	Bernard Textile Co	260 West 39th St., New York, N. Y	61
3127-155	D. Bernstein & Sons	408 Broadway, New York, N. Y	29
3127-4	Harold Bernstein & Co., Inc	1071 6th Ave., New York, N. Y	20
3127-451	Blake, Wright & Co	20 East St., Boston, Mass	60
3127-76	William Bralower	40 White St., New York, N. Y	95
3127-427	Broadway Mfgs. Supply Co	490 Broadway, New York, N. Y	77
3127-110	B. G. Browdy	3 West 19th St., New York, N. Y	2
3127-670	Carlyle Fabrics, Inc	450 7th Ave., New York, N. Y	9
3127-104	Chase Fabrics Corp	460 7th Ave., New York, N. Y	5
3127-636	Counter Fabrics Co	160 Madison Ave., New York, N. Y	8
3127-82	Benjamin DeDiventy	469 7th Ave., New York, N. Y	31
3127-497	Dixo Fabrics, Inc	102 5th Ave., New York, N. Y	15
3127-124	Max Drucker Silk Co	469 7th Ave., New York, N. Y	21
3127-623	Duchess Fabrics, Inc	102 5th Ave., New York, N. Y	8
3127-661	Dubin Silk Co	460 7th Ave., New York, N. Y	47
3127-349	Duro Fabrics Co	499 7th Ave., New York, N. Y	15
3127-58	M. & H. Edelman, Inc	218 West 37th St., New York, N. Y	8
3127-620	David Elson, Inc	469 7th Ave., New York, N. Y	30
3127-98	Ely Walker Dry Goods Co	247 West 36th St., New York, N. Y	48
3127-48	Emmet Silk Co	St. Louis, Mo	24
3127-170	Enlan Textile Co	215 West 40th St., New York N. Y	8
3127-623	Charles W. Fifield Jr., Co	469 7th Ave., New York, N. Y	5
3127-143	Fisba Fabrics, Inc	72 Lincoln St., Boston, Mass	38
3127-6	A. B. Frank Co	70 Worth St., New York, N. Y	99
3127-667	Friedland Fabrics	P. O. Box 1300, San Antonio, Tex	44
3127-495	F. K. Gerber, Inc	105 West 40th St., New York, N. Y	11
3127-40	Globe Lining Co	32 West 18th St., New York, N. Y	3
3127-601	Goldinger Silk Co	129 North 12 St., New York, N. Y	79
3127-308	Joseph Gluck	746 South Los Angeles St., Los Angeles, Calif	5
3127-309	Goldstein & Heavy, Inc	469 7th Ave., New York, N. Y	12
3127-639	Goldwasser & Friedner, Inc	1410 Broadway, New York, N. Y	5
3127-526	Goodman Import Co., Inc	1441 Broadway, New York, N. Y	42
3127-133	Gottschalk & Co., Inc	15 West 17th St., New York, N. Y	87
3127-629	A. J. Greberman & Son	1400 Broadway, New York, N. Y	86
3127-268	Max Grodnick Textile Corp	1019 Filbert St., Philadelphia, Pa	70
3127-309	Haslin Mills	255 West 37th St., New York, N. Y	1
3127-520	Hawtherne Silks, Inc	86 Leonard St., New York, N. Y	24
3127-633	Oscar Hayman	499 7th Ave., New York, N. Y	5
3127-650	Abraham Hirsch Co	1400 Broadway, New York, N. Y	79
3127-65		554 8th Ave., New York, N. Y	

Docket No.	Name of petitioner	Address	Percentage of business permitted in relation to total sales of finished piece goods
			Percent
3127-292	Rube P. Hoffman	766 South Los Angeles St., Los Angeles, Calif	66
3127-422	Hollywood Textile Converters, Inc	120 East 5th St., Los Angeles, Calif	9
3127-128	Hudson Cotton Goods Co	Greenville, S. C	27
3127-561	L. Hyman Co., Inc	16 East 34th St., New York, N. Y	5
3127-278	The Iser Silk Co	463 Broadway, New York, N. Y	60
3127-274	A. Jacobs & Sons	393 Broadway, New York, N. Y	57
3127-103	Jacobs Textile Co	83 Leonard St., New York, N. Y	80
3127-615	Kabot Fabrics, Inc	66 Leonard St., New York, N. Y	30
3127-593	Kansas City Wilte Goods	1819 Baltimore Ave., Kansas City, Mo	49
3127-243	Katz-Campbell Co	37 Kneeland St., Boston, Mass	34
3127-413	Emil Katz & Co., Inc	101 West 37th St., New York, N. Y	50
3127-543	Keystone Coat & Apron Mfg. Corp	315 North 12th St., Philadelphia, Pa	5
3127-84	Meyer Kleinman	467 Broadway, New York, N. Y	37
3127-241	Kolbe Fabrics, Inc	66 Leonard St., New York, N. Y	22
3127-376	M. H. Lazarus & Co	92 Leonard St., New York, N. Y	40
3127-12	Bert Levi	1441 Broadway, New York, N. Y	29
3127-621	Linder Silk Co	469 7th Ave., New York, N. Y	2
3127-640	Lion Fabrics Corp	460 7th Ave., New York, N. Y	4
3127-483	McNeill & McNeill	812 South Los Angeles St., Los Angeles, Calif	94
3127-593	Mingtoy Silk Mills, Inc	1441 Broadway, New York, N. Y	77
3127-671	Primrose Fabrics Co	400 4th Ave., New York, N. Y	1
3127-673	United Fabrics Corp	551 5th Ave., New York, N. Y	15
3127-209	D. N. & E. Walter Co	562 Mission St., San Francisco, Calif	80
3127-111	Alvin Fabrics Sales Co	73-32 183d St., New York, N. Y	80
3127-451	Balfrose Textile Co Arcadia Fabrics Co Hartford Textile Co	1441 Broadway, New York, N. Y	74
3127-592	Astor Ribbon Co., Inc	14 East 33d St., New York, N. Y	67
3127-91	Tex Mode Co	1400 Broadway, New York, N. Y	99½
3127-645	Goldenbro Fabrics, Inc Grether & Grether, Inc	728 South Los Angeles St., Los Angeles, Calif.	99½
3127-676	Rita Silk Corp	469 7th Ave., New York, N. Y	27
3127-94	Reliable Binding & Curtain Co Sherwood Textile Co. Royal Textile Co	130 5th Ave., New York, N. Y	57
3127-596	Taylor, Clapp & Buell G. B. Landa Dept	93 Worth St., New York, N. Y	57
3127-672	White-Heart Fabrics	1441 Broadway, New York, N. Y	30
3127-591	Wilder Bros., Inc	1441 Broadway, New York, N. Y	11
3127-599	A. Zimmerman & Son	14 Waverly Place, New York, N. Y	42
3127-667	Cohen & Schwartz Mill Products Corp	343 Broadway, New York, N. Y	50
3127-674	Danstel Textile Corp	395 Broadway, New York, N. Y	95
3127-197	Dixo Fabrics Co	102 5th Ave., New York, N. Y	31
3127-676	New England Textile Corp	379 Broadway, New York, N. Y	88
3127-679	Pilcrim Textiles, Inc	400 4th Ave., New York, N. Y	4
3127-681	Phoenix Fabrics Co	621 Broadway, New York, N. Y	40
3127-511	Reich Textile Corp	450 7th Ave., New York, N. Y	3
3127-271	Morris Rothman	457 Broadway, New York, N. Y	28
3127-516	Seal & Sarnes	317 Canal St., New York, N. Y	57
3127-297	The Textile Jobbers Co	388 Broadway, New York, N. Y	8
3127-661	Effanee Silks	570 7th Ave., New York, N. Y	57
3127-561	Hofmann-Stone, Inc	31 Madison Ave., New York, N. Y	24
3127-672	White-Heart Fabrics	1441 Broadway, New York, N. Y	30
3127-591	Wilder Bros., Inc	1441 Broadway, New York, N. Y	11

This Order No. 8 shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3978; Filed, March 13, 1943; 4:10 p. m.]

[Order 8 Under MPR 244]

LAKEY FOUNDRY & MACHINE CO.

ORDER GRANTING ADJUSTMENT

Order No. 8 under § 1421.157 (a) of Maximum Price Regulation No. 244—Gray Iron Castings—(Docket No. 3244-9).

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Lakey Foundry & Machine Co. to Hercules Motors Corp. (a) Lakey Foundry & Machine Co. of Muskegon, Michigan is hereby authorized to sell, offer to sell and deliver to Hercules Motors Corp. of Canton, Ohio, and Hercules Motors Corp. is hereby authorized to buy, offer to buy and to receive, gray iron casting cylinder blocks and cylinder heads of the following pattern numbers at prices not in excess of the following prices:

Pattern Nos.:	*Maximum prices f. o. b. Grandry Muskegon, Mich. (dollars per piece)*
28399	
28440	$11.13
28441	
29474	
28365	
28360	11 89
28362	
74001	23 65
74011	
62253	8 06
62001	
37009	7 78
72250	8 07
73009	
73010	15 84
73011	

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

This Order No. 8 shall become effective March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3979; Filed, March 13, 1943; 4:08 p. m.]

[Order 10 Under Rev. Maximum Export Price Regulation]

BALDWIN LOCOMOTIVE WORKS

ORDER GRANTING PETITION FOR RELIEF

Order No. 10 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Docket No. ME3-36.

On February 13, 1943, the Baldwin Locomotive Works, Eddystone, Pennsylvania, filed a petition for relief from the provisions of § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with Division of the Federal Register. For the seasons set forth in the opinion, and under the authority vested in the Price Administration by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Baldwin Locomotive Works, is authorized to invoice directly to its distributor's customers in Rio de Janeiro, Brazil, 176 heat treated rolled steel multiple wheels and axles therefor, at a price of $15,936.80, c. i. f. Rio De Janeiro, Brazil.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 10 shall become effective March 15, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3980; Filed, March 13 1943; 4:10 p. m.]

pany and Union Electric Company of ... having requested that said ... tion and conduct of business for the purposes among others of reorganizing ... Counsel for the respondents in the

[Order 207 Under MPR 188]

HUBER LAUNDRY TRAY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 207 under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. GF3–821. Adjustment of maximum prices cement laundry trays manufactured by Huber Laundry Tray Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Huber Laundry Tray Company of 7750–8th Avenue South, Seattle, Washington, may sell and deliver to Sears, Roebuck and Company, cement laundry trays at not more than the following prices, f. o. b. point of manufacture:

Single cement laundry trays at $4.40 each.
Double cement laundry trays at $5.65 each.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 207 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 207 shall be effective as of June 21, 1942.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3981; Filed, March 13, 1943; 4:09 p. m.]

[Order 208 Under MPR 188]

EL DORADO LIMESTONE CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 208 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in the opinion which has been issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The El Dorado Limestone Co., of San Francisco, California, is hereby authorized to offer for sale, sell, and deliver No. 5 Special Pulverized Limestone (Glass Flux Stone) at the maximum price of $2.75 per ton f. o. b. box cars, Bullard, California.

(b) This Order No. 208 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 208 shall become effective March 15, 1943.

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3982; Filed, March 13, 1943; 4:09 p. m.]

Regional Office, Region I.

[Emergency Order 1, Amendment 4 Under Ration Order 11]

NEW ENGLAND KEROSENE SHORTAGE AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, Emergency Order No. 1 is amended as follows: In paragraphs (b) (1) (v) and (b) (3) (iii), the phrase "Schedule A of Petroleum Administrative Order No. 3" is amended to read "Schedule A of Petroleum Distribution Order No. 3, as amended", and paragraph (f) is amended to read as follow:

(f) *Effective period.* Emergency Order No. 1 shall terminate at 12:00 p. m., March 19, 1943 unless extended by further order.

Effective Date of Amendment 4

Amendment 4 to Emergency Order No. 1 shall be effective 12:00 p. m., March 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480).

Issued this 9th day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3983; Filed, March 13, 1943; 4:08 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–679]

GENERAL GAS & ELECTRIC CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of March, A. D. 1943.

A declaration having been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation, a registered holding company, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said Act; and

This declaration proposing to pay out of capital or unearned surplus a quarterly dividend on the $5 Prior Preferred Stock of General Gas & Electric Corporation for the quarterly period ended March 15, 1942, excepting that as to the 27,889.1 shares held by the Trustees of Associated Gas and Electric Corporation, a registered holding company, the right to receipt of the dividend having been waived by them until further order of the Commission; and

A request that a hearing be held with respect to the said matter having been received;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission promulgated thereunder be held on March 20, 1943, at 10:00 a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed declaration of a quarterly dividend out of the capital or unearned surplus of General Gas & Electric Corporation is appropriate and in the public interest and the interest of investors;

(2) Whether the proposed action to be taken complies with the provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder and is not detrimental to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3924; Filed, March 13, 1943; 11:11 a. m.]

[File No. 59–10]

THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

ORDER POSTPONING HEARING AND DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission held at its offices in the City of Philadelphia, Pa., on the 11th day of March 1943.

The Commission having on February 8, 1943 pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ordered a hearing to be held on March 16, 1943 in the above entitled matter for the purpose of receiving evidence bearing on the retainability of The St. Louis County Gas Company by The North American Company; and

Counsel for The North American Company, The St. Louis County Gas Company and Union Electric Company of Missouri having requested that said hearing be postponed for a period of sixty days to permit the complete preparation of such evidence and having submitted affidavits in support of such request; and

It appearing to the Commission, after due consideration of such affidavits, that a postponement of said hearing until April 19, 1943 will afford said companies a reasonable time to prepare for such hearing; and

It further appearing that the Trial Examiner heretofore designated to preside at such hearing on March 16, 1943 will be unable to so preside at the postponed hearing;

It is ordered, That the hearing in this matter previously scheduled for March 16, 1943, be, and hereby is, postponed to April 19, 1943, at the same time and place as heretofore designated.

It is further ordered, That William W. Swift, an officer of the Commission, be, and he is, hereby designated to preside at such postponed hearing in the place and stead of and with the same powers and duties as the Trial Examiner heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3927; Filed, March 13, 1943; 11:16 a. m.]

[File No. 37-22]

COLUMBIA ENGINEERING CORP. AND COLUMBIA GAS & ELECTRIC CORP.

ORDER PERMITTING CHANGES IN OPERATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of March, A. D. 1943.

The Commission having, by its order of April 16, 1938, tentatively approved, pursuant to section 13 of the Public Utility Holding Company Act of 1935, the organization and conduct of business of Columbia Engineering Corporation as a subsidiary service company rendering services to the holding company system of Columbia Gas & Electric Corporation, a registered holding company;

The Commission having subsequently, on October 21, 1940, instituted proceedings under section 13 to determine whether certain changes should be made in the operations and conduct of business of Columbia Engineering Corporation for the purpose of requiring Columbia Engineering Corporation to cease paying compensation to certain persons who were officers, directors, or employees of, or who rendered or performed services for Columbia Gas & Electric Corporation;

The respondents having filed, on November 14, 1942 and February 25, 1943, amendments to the original declaration regarding the organization and conduct of business of Columbia Engineering Corporation, which amendments set forth certain changes to be made in its operation and conduct of business for the purpose, among others, of reorganizing system servicing arrangements to meet the requirements of section 13 of the Act;

Public hearings having been held after appropriate notice, and the Commission having examined the record and having made and filed its findings and opinion herein;

It is ordered, That the changes in the operation and conduct of business of Columbia Engineering Corporation proposed in the said amendments be carried into effect forthwith and that Columbia Engineering Corporation be permitted to continue its operations and conduct of business in the manner set forth in said declaration, as amended, subject, however, to any rules of the Commission now or hereafter in effect having general applicability to the activities of subsidiary service companies and to the following conditions:

1. No change in the organization of the declarant, the type and character of the companies to be serviced, or the method of allocating costs to associate companies, and in the scope of services to be rendered, shall be made without first obtaining the approval of this Commission of such change.

2. The Commission reserves the right to require, after notice and opportunity for hearing, prospective adjustments, and, to the extent that it appears feasible and equitable, retroactive adjustments of such cost allocations, in the event that the operation of the declarant's cost-allocation method does not result in a fair and equitable allocation of its cost among the serviced associate companies.

3. This order is not to be construed as a ruling that the declarant may not be required to effect such other changes in its organization or operations as may become necessary in order to conform with the Act or the present or future rules, regulations or orders of the Commission. Jurisdiction is reserved to reconsider the servicing activities of the declarant at an appropriate future time, and, after notice and opportunity for hearing, by order to revoke, suspend, or modify the permission granted to the declarant to continue its operations and conduct of business.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3988; Filed, March 15, 1943; 10:20 a. m.]

CITIES SERVICE CO., ET AL.

[File No. 59–53]

ORDER CONTINUING DATE FOR RECONVENED HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of March, A. D. 1943.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents.

Counsel for the respondents in the above entitled matter having requested that the hearing therein now set for March 22, 1943 be continued for the reason that a hearing on such date would not allow sufficient time for preparation for such hearing and preparation for oral argument by such counsel in another matter concerning Cities Service Company now scheduled for March 17, 1943; and

The Commission finding that a continuance of such hearing until March 29, 1943 is appropriate and not detrimental to the public interest or the interest of investors or consumers:

It is ordered, That the hearing in this matter now set for March 22, 1943 be and the same is continued until March 29, 1943 at the same hour and place.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-3989; Filed, March 15, 1943; 10:19 a. m.]

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

[Administrative Order 1]

AUSTRALIA

LOCAL PAYMENTS OF BENEFITS

By virtue of the authority vested in the United States Employees' Compensation Commission by the Employees' Compensation Act of September 7, 1916, as amended, (sec. 42, 56 Stat. 725; 5 U.S.C. Sup. 793), the Foreign Claims Commission of the War Department is authorized to process claims, to make initial payments of compensation, and to furnish other benefits initially, as provided by such Act of September 7, 1916, as amended, and pursuant to the regulations of the Commission promulgated thereunder (20 C. F. R., Chapt. I, Subchapter A) and such supplementary instructions as may from time to time be issued by the Commission, in cases of civilian employees of the United States who are injured while in the performance of their duties for the United States in employment in the Commonwealth of Australia.

As used herein the phrase "to process claims" means (1) to receive, assemble, and file reports of injury, medical reports, reports of investigation, and other papers relating to cases of injury; (2) to make investigations and to secure necessary supplementary information in connection with cases or claims; (3) to obtain medical examinations; (4) to arrange for medical, surgical, and hospital services and supplies in the treatment and care of employees in disability cases; (5) to examine and adjudicate claims for compensation in injury cases, including making of findings of fact and award; (6) to prepare vouchers for local disbursement of benefits and local payment of medical and other expenses; (7) to review cases for readjustment of compensation.

The revocation of preference rating
(4) Neither the builder nor any sup-
hereby revoked as to construction begun

As used herein the phrases "to make initial payments of compensation" and "to furnish other benefits initially" means the payment of compensation in cases of injury, and the furnishing of any other benefits provided for by such Act, except compensation for death, for a period not to exceed 180 days.

The action of the Foreign Claims Commission in any case, and the payments made under this authority, are subject to final review by the Commission and readjustment if found necessary.

Order approved by the Commission March 5, 1943.

WILLIAM MCCAULEY,
Secretary.

[F. R. Doc. 43-3926; Filed, March 13, 1943; 11:16 a. m.]

WAR PRODUCTION BOARD.

Director General for Operations.

U. S. 66 PROJECT, ILL.

CANCELLATION OF REVOCATION ORDER

Preference Rating Order P-19-e, Serial No. 20614. Builder: Illinois Dept. of Public Works & Bldgs., Div. of Hwys., Springfield, Illinois. Project: U. S. 66, Illinois SN-FA 113-C (1).

The revocation issued on January 19, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on July 1, 1943.

Issued March 11, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3870; Filed, March 12, 1943; 10:58 a. m.]

PROJECT AT MULBERRY GROVE, ILL.

AMENDMENT TO REVOCATION OF PREFERENCE RATING ORDER

Amendment No. 1 to revocation of Preference Rating Order P-19-e, Serial No. 12340-e. Builder: Illinois Dept. of Public Works and Bldgs., Div. of Hwys., Springfield, Illinois. Project: Illinois SN-FA 9-Y (3) FA Route 12. Section Y-2A, Mulberry Grove.

It is ordered that paragraph (1), (3) and (4) of the revocation of Preference Rating Order P-19-e, Serial No. 12340-e, dated January 12, 1943, are hereby amended to read as follows:

(1) *Revocation of ratings.* Preference Rating Order P-19-e, Serial No. 12340-e, heretofore issued and assigned under date of June 23, 1942 to deliveries to the above-named builder and to deliveries to his suppliers, is hereby revoked. All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the above described project in said order (hereinafter referred to as "the project"). Notwithstanding the provisions of this paragraph, such preference ratings issued under the above serially numbered preference rating order as may be required to complete the construction permitted under paragraph (3), are hereby restored.

* * * * *

(3) *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that for a period of three days after the issuance of this revocation, and thereafter if expressly permitted by the Director General for Operations, construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated. Notwithstanding the provisions of this paragraph, the builder may complete construction of one concrete arch culvert at a cost not to exceed $14,000.00, identified as a portion of Illinois State Road project No. Y-2A.

(4) *Prohibition of deliveries of material.* Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery. Notwithstanding the provisions of this paragraph, the builder and supplier are authorized to accept and deliver materials required in such further construction as permitted under paragraph (3) as amended.

The above serially numbered preference rating order is further amended to expire on July 1, 1943.

Issued March 11, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3871; Filed, March 12, 1943; 10:58 a. m.]

AIRPORT PROJECT AT DEVILS LAKE, N. D.

CANCELLATION OF REVOCATION ORDER

Builder: U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C. Project: Airport Development Project, Devils Lake, North Dakota.

The revocation of preference rating issued on January 4, 1943 is hereby cancelled; all preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby restored; and said preference ratings shall have full force and effect.

Issued March 11, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3872; Filed, March 12, 1943; 10:59 a. m.]

AIRPORT PROJECT AT LONGVIEW, TEXAS

CANCELLATION OF REVOCATION ORDER

Builders: U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C. Project: Airport Development Project, Longview, Texas.

The revocation of preference rating issued on January 15, 1943 is hereby cancelled; all preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby restored; and said preference ratings shall have full force and effect.

Issued March 11, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3873; Filed, March 12, 1943; 10:59 a. m.]

BUFFALO RAPIDS FARMS PROJECT, MONT.

AMENDMENT TO REVOCATION OF PREFERENCE RATING

Builder: U. S. Department of Agriculture, Washington, D. C. Project: Buffalo Rapids Farms, Montana.

The revocation of preference rating issued on January 12, 1943, with respect to the above named project is hereby amended by striking paragraphs (3) and (4) thereof and by substituting the following:

(3) The builder shall neither perform or permit the performance of any further construction or installation on the project except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated and except that construction may be continued or performed by a Civilian Public Service Camp force. Construction also may be continued in order to permit the construction during the calendar year 1943 of fifteen (15) sets of minimum temporary farm units at an estimated total cost of $25,000, and to permit the purchase of rated materials not exceeding $15,000 for these farm units and for land development previously authorized for continuance.

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except as permitted in paragraph (3) of this amendment. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit or the acceptance of any such delivery.

Issued March 12, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3874; Filed, March 12, 1943; 10:59 a. m.]

BUFORD—TRENTON PROJECT, N. D.

AMENDMENT TO REVOCATION OF PREFERENCE RATING

Builder: U. S. Department of Agriculture, Washington, D. C. Project: Buford—Trenton, North Dakota.

The revocation of preference rating issued on January 12, 1943, with respect to the above named project is hereby amended by striking paragraphs (3) and (4) thereof and by substituting the following:

(3) The builder shall neither perform or permit the performance of any further construction or installation on the project except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of material already incorporated and except that construction may be continued or performed by a Civilian Public Service Camp force. Construction may also be continued during the calendar year 1943 to permit the construction of twenty (20) sets of minimum temporary farm units at an estimated cost of $32,000, remodeling during the calendar year 1943 of twelve (12) sets of farm units at an estimated cost of $9,600.00, and the purchase of rated materials not exceeding $10,000, for these farm units and for land development previously authorized for continuance.

(4) Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except as permitted in paragraph (3) of this amendment. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit or the acceptance of any such delivery.

Issued March 12, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3875; Filed, March 12, 1943; 10:59 a. m.]

REVOCATION OF AUTHORITY TO BEGIN CONSTRUCTION OF ROADS

NOTICE TO ALL ROAD DEPARTMENTS

Authority to begin construction, Serial No. L-41-600, addressed to any road department, issued by the Director of Industry Operations on May 8, 1942, is hereby revoked as to construction begun after the issuance of this revocation.

Applications for permission to begin construction of road construction jobs requiring no priorities assistance shall hereafter be made on Form PD-200 or Form PR-1-PA to the office of the appropriate District Engineer of the Public Roads Administration. If the estimated cost of the job is less than $100,000, and if the road is not to be financed with funds which may be authorized only after the project has been certified as essential to the war effort by the War Department, the Navy Department, or the War Production Board, the application will be processed by the Regional offices of the War Production Board. Otherwise, the application will be forwarded to Washington, D. C.

Issued this 15th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3996; Filed, March 15, 1943; 11:26 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 53

Washington, Wednesday, March 17, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[Amendment 1 to Supp. Order 1, FPO 3 [1]]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Paragraph A of Supplementary Order No. 1, § 1202.251 of Food Production Order No. 3, is amended by deleting the following from the list of machinery and equipment which appears at the end of the said paragraph A:

Machines for Preparing Crops for Market or Use

Stationary hay balers, horse.

Irrigation Equipment

Distribution equipment:
Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines).

Paragraph A of Supplementary Order No. 1 is further amended by substituting in subparagraph (1) thereof the words "70 percent" for the words "80 percent", wherever those words appear, and by substituting the words "30 percent" for the words "40 percent", wherever those words appear.

Paragraph E is amended by adding subparagraph (1) as follows:

(1) This Amendment No. 1 to Supplementary Order No. 1 shall become effective March 13, 1943.

Done at Washington, D. C., this 13th of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] H. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-4054; Filed, March 15, 1943; 4:26 p. m.]

[1] 7 F.R. 9647, 9796; 8 F.R. 946, 1089.

[Amendment 2 to Supp. Order 3, FPO 3 [1]]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Paragraph (b) of Supplementary Order No. 3, § 1202.253 of Food Production Order No. 3, is amended by adding at the end thereof the following:

Distribution equipment:
Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines).

Machines for Preparing Crops for Market or Use

Stationary hay balers, horse.

Paragraph (e) is amended by adding subparagraph (2) as follows:

(2) This Amendment No. 2 to Supplementary Order No. 3 shall become effective March 13, 1943.

Done at Washington, D. C., this 13th of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-4055; Filed, March 15, 1943; 4:26 p. m.]

[FPO 3,[2] Announcement 4]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to § 1202.207 of Food Production Order No. 3, the Director of Food Production hereby announces that no quotas will be presently established for the following Schedule I equipment:

Farm cream separators, capacity 250 lbs. per hour or less.
Farm cream separators, capacity 251 lbs. per hour up to and including 800 lbs. per hour.

[1] 7 F.R. 9647; 8 F.R. 946, 1089, 1911.
[2] 7 F.R. 9647; 8 F.R. 946, 1089.

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FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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Spray pumps, power.
Rod weeders, horse or tractor drawn.

County farm rationing committees may, therefore immediately commence to ration the Schedule I equipment listed above and to issue purchase certificates therefor, in accordance with the provisions of Food Production Order No. 3. Certifications required by § 1202.218 (b) of Food Production Order No. 3 must be filed for such Schedule I equipment.

This Announcement No. 4 to Food Production Order No. 3 shall become effective March 13, 1943.

Done at Washington, D. C., this 13th day of March 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-4057; Filed, March 15, 1943; 4:26 p. m.]

[Amendment 3 to Supp. Order 3, FPO 3[1]]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Supplementary Order No. 3, § 1202.253 of Food Production Order No. 3, is amended by adding at the end of paragraph (a) thereof and deleting from paragraph (c) thereof the following:

Farm cream separators, capacity 250 lbs. per hour or less

Farm cream separators, capacity 251 lbs. per hour up to and including 800 lbs. per hour.

The following items of farm machinery and equipment are added at the end of paragraph (b) of Supplementary Order No. 3 and are deleted from paragraph (c) thereof:

Sprayers, Dusters and Orchard Heaters

Spray pumps, power

Cultivators and Weeders

Rod weeders, horse or tractor drawn.

Paragraph (c) is amended by adding subparagraph (3) as follows:

(3) This Amendment No. 3 to Supplementary Order No. 3 shall become effective March 13, 1943.

Done at Washington, D. C. this 13th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-4056; Filed, March 15, 1943; 4:26 p. m.]

Chapter XI—Food Distribution Administration

[FDO 18, Am. 1]

PART 1415—IMPORTED FOODS

TEA QUOTAS FOR PACKERS AND WHOLESALERS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of tea to meet war and essential civilian needs, *It is hereby ordered*, That Food Distribution Order No. 18 (8 F. R. 1778) is amended by deleting § 1415.2 (g) of said Food Distribution Order No. 18 and inserting, in lieu thereof, the following:

(g) *Limitation on size of packages.* (1) No packer shall pack tea for sale at retail in more than two sizes, and such sizes shall contain either 4 ounces or $1\frac{3}{8}$ ounces net weight.

(2) No packer shall pack tea bags or tea balls for sale at retail except at the rate of 200 bags or balls per net pound of tea; and no packer shall pack tea bags or tea balls for sale at retail in more than 3 sizes, and such sizes shall contain either 48 bags, 16 bags, or 8 bags each.

(3) No packer shall pack tea bags for, or sell tea bags to, any hotel, club, restaurant, cafe, cafeteria, caterer, inn, railroad diner, lunch room, sandwich

[1] 7 F.R. 9647; 8 F.R. 946, 1089, 1911.

stand, or other public eating place, including any institution, in sizes other than the following: (i) for individual service, at the rate of 200 bags or balls per net pound of tea and in containers of only 100 bags each; or (ii) for iced tea service, each bag shall contain only one ounce of tea, and such bags shall be packed in containers which are in multiples of 16.

(4) Any packer may, however, continue to pack, until August 1, 1943, such other sizes of packaged tea, tea bags, or tea balls as may be necessary to utilize any containers in his inventory on the 17th day of March 1943, which were specifically printed for such other sizes.

With respect to any violation of Food Distribution Order No. 18 prior to the effective time of the provisions of this amendment, Food Distribution Order No. 18 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation.

The provisions of this amendment shall take effect at 12:01 a. m., e. w. t., 31st day of March 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 15th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4053; Filed, March 15, 1943; 4:26 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[General Order No. C-38]

PART 168—ADMINISTRATIVE OFFICERS AND DISTRICTS

CHANGES IN BOUNDARIES OF CERTAIN DISTRICTS

MARCH 11, 1943.

Pursuant to the authority contained in section 23 of the Act of February 5, 1917 (39 Stat. 892; 8 U.S.C. 102); section 24 of the Act of May 26, 1924 (43 Stat. 166; 8 U.S.C. 212); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458), § 90.1, Title 8, Chapter I, Code of Federal Regulations (7 F.R. 6753) and all other authority conferred by law, § 168.21 of Title 8, Code of Federal Regulations, is hereby amended, effective April 1, 1943, as follows:

§ 168.21 *Districts numbered and defined; headquarters fixed.* The territory within which officials of the Immigration and Naturalization Service are located is divided into districts, under the jurisdiction of district directors, numbered, defined, and with headquarters fixed as follows:

1 *St. Albans, Vermont.* Includes the State of Vermont; that part of the State of Maine lying north and east of the counties of York, Cumberland, Androscoggin, Kennebec, Lincoln, and Knox; the counties of Grafton and Coos in the State of New Hampshire; and that part of the State of New York lying north of the counties of Oswego, Oneida, Herkimer, Fulton, and Warren; also jurisdiction over the ports of Quebec and Halifax and United States immigration stations in contiguous Canadian territory.

2. *Boston, Massachusetts.* Includes that part of the State of Maine lying south and west of the counties of Oxford, Franklin, Somerset, and Waldo; that part of the State of New Hampshire lying south of the counties of Grafton and Coos; and the States of Massachusetts, Rhode Island, and Connecticut; also jurisdiction over the port of Yarmouth, Nova Scotia.

3. *Ellis Island, New York Harbor.* Includes that part of the State of New York lying south of the counties of Essex, Hamilton, and St. Lawrence, and east of the counties of Lewis, Oneida, Madison, Chenango, and Broome; and that part of the State of New Jersey lying north of the counties of Ocean, Burlington, and Mercer.

* * * * *

The number, definition, and headquarters of Districts No. 4 to 22, inclusive, remain unchanged except that, effective immediately, the description of District No. 16 is changed to show the headquarters as Denver, Colorado, instead of Salt Lake City, Utah.

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 43-4082; Filed, March 16, 1943; 11:27 a. m.]

Chapter II—Office of Alien Property Custodian

[General Order No. 21]

PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under vesting orders as hereinafter set forth, and that adherence to a period of limitation expiring prior to September 1, 1943 may cause undue hardship or inequity to claimants, hereby issues the following regulation:

§ 503.21 *General Order No. 21.* (a) Without limitation by reason of any provision as to a specified claim period in any vesting order heretofore issued, any person, except a national of a designated enemy country, asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, at any time up to and including September 1, 1943, or within such further time as may be provided in any such order or on application or otherwise.

(b) The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on March 13, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4075; Filed, March 16, 1943; 11:24 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 52—REGULATIONS AFFECTING MILITARY RESERVATIONS

CLAIMS FOR REAL ESTATE DAMAGES

In § 52.16a[1] paragraphs (c), (d) (1) and (2), and (e) are amended as follows:

§ 52.16a *Real estate; claims for damages.* * * *

(c) *Claims; where referred.* All claims will be referred to the division engineer, or his authorized representative.

(d) *Investigating board.* (1) Division engineers are authorized to:

(i) Appoint a board or boards composed of members selected from their military or civilian personnel qualified in real estate and repairs and utilities matters to investigate and report upon each claim;

(ii) Request the commanding officer of the post, camp, station, or other military establishment at or most adjacent to which the claim originated to convene a board to investigate and report upon the claim; or

(iii) Dispense with the proceedings of a board where the evidence submitted by a claimant is not controverted and the amount of the claim does not exceed $500, and in such cases the commanding officer of the post, camp, station, or other military establishment concerned will furnish all available data pertaining to the claim.

(2) The report will include:

* * * * * *

(e) *Disposition of reports.* Reports will contain all essential facts and evidence with complete findings clearly stated and will be forwarded by the division engineer with his remarks and recommendations to the Real Estate Claims Board in the Office of the Chief of Engineers for examination, recommendation, and reference to the Office of the Under Secretary of War for review. Upon completion of this review, such claims will be returned to the Office of the Chief of Engineers for necessary administrative action, including reference to the General Accounting Office, Claims Division, for settlement. (R. S. 161; 5 U.S.C. 22) [Pars. 3, 4*a* and *b*, and 5, AR 100-64, Sept. 20, 1942, as amended by C 1, March 1, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4071; Filed, March 16, 1943; 9:09 a. m.]

[1] 7 F.R. 9412.

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

OFFICERS APPOINTED IN ARMY OF UNITED STATES

Section 73.205 [1] (j) is hereby amended as follows:

§ 73.205 *Appointments not made from certain classes.* No person will be initially appointed in the Army of the United States from the following classes:

* * * * *

(j) Any civilian without prior commissioned service (see § 73.206 (c)) who has not attained his 35th birthday unless classified by Selective Service as class IV–D, or IV–F on account of physical disability, or who has attained his 35th but not his 38th birthday at the date of appointment if classified by Selective Service (or if as yet unclassified, but apparently classifiable) as class I–A. Exception may be made in the case of doctors of medicine, dentistry, and veterinary medicine, and in other cases where there is a critical need for the services of a particular individual, or where the individual is within a scarce category of specialized skill in which not enough men trained to fill the requirements of the armed forces are available at the time required. No civilian, of any age, except a doctor of medicine, dentistry, or veterinary medicine cleared by the Procurement and Assignment Service, War Manpower Commission, will be appointed if classified as II–A, II–B, or III–B unless released from such classification by his local board.

(k) See also § 73.207. (55 Stat. 728; 10 U.S.C. Sup. 484) [Par. 7j, AR 605–10, December 30, 1942, as amended by C 3, March 1, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–4070; Filed, March 16, 1943; 9:11 a. m.]

[1] 8 F.R. 1000, 2411.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4126]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LONDON TOBACCO COMPANY

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Foreign status, branches, etc.:* § 3.66 (a) *Misbranding or mislabeling—Connections and arrangements with others:* § 3.66 (a 15) *Misbranding or mislabeling—Foreign branches, plants or properties:* § 3.96 (b) *Using misleading name—Vendor—Connections and arrangements with others:* § 3.96 (b) *Using misleading name—Vendor—Foreign status.* In connection with offer, etc., in commerce, of respondent's cigarettes, tobacco and other smoking supplies, and among other things, as in order set forth, using the word "London", or any other word or words indicative of England, as a part of respondent's trade name; or otherwise representing, directly or by implication, that respondent's business is a British concern or that it has any connection with any British concern; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, London Tobacco Company, Docket 4126, March 10, 1943]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Foreign, in general:* § 3.66 (a 7) *Misbranding or mislabeling — Composition:* § 3.66 (k) *Misbranding or misleading—Source or origin — Place — Foreign, in general:* § 3.96 (a) *Using misleading name — Goods — Composition:* § 3.96 (a) *Using misleading name — Goods — Source or origin — Place — Foreign, in general.* In connection with offer, etc., in commerce, of respondent's cigarettes, tobacco and other smoking supplies, and among other things, as in order set forth, using the word "London", or any other word or words indicative of England, to designate or describe any product which is not manufactured in England or manufactured from materials imported from England; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, London Tobacco Company, Docket 4126, March 10, 1943]

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin — Place — Domestic product as imported:* § 3.66 (k) *Misbranding or mislabeling—Source or origin — Place — Domestic product as imported.* In connection with offer, etc., in commerce, of respondent's cigarettes, tobacco and other smoking supplies, and among other things, as in order set forth, representing, directly or by implication, that any domestic product is imported from England or any other foreign country; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, London Tobacco Company, Docket 4126, March 10, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Indorsement, generally:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Reputation, success or standing:* § 3.6 (1) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.18 *Claiming indorsements or testimonials falsely:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approvals or awards:* § 3.66 (j 5) *Misbranding or mislabeling—Reputation, success or standing.* In connection with offer, etc., in commerce, of respondent's cigarettes, tobacco and other smoking supplies, and among other things, as in order set forth, using on respondent's products or in respondent's advertising any pictorial representation of the British Royal Coat of Arms or any simulation thereof; or otherwise representing, directly or by implication, that respondent is the holder of a Royal Warrant authorizing him to display the British Royal Coat of Arms on his products or in his advertising; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, London Tobacco Company, Docket 4126, March 10, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of March, A. D. 1943.

In the Matter of Jacob Moss, an Individual, Trading as London Tobacco Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Jacob Moss, individually and trading as London Tobacco Company, or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's cigarettes, tobacco and other smoking supplies in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "London," or any other word or words indicative of England, as a part of respondent's trade name; or otherwise representing, directly or by implication, that respondent's business is a British concern or that it has any connection with any British concern.

2. Using the word "London," or any other word or words indicative of England, to designate or describe any product which is not manufactured in England or manufactured from materials imported from England.

3. Representing, directly or by implication, that any domestic product is imported from England or any other foreign country.

4. Using on respondent's products or in respondent's advertising any pictorial representation of the British Royal Coat of Arms or any simulation thereof; or otherwise representing, directly or by implication, that respondent is the holder of a Royal Warrant authorizing him to display the British Royal Coat of Arms on his products or in his advertising.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43–4077; Filed, March 16, 1943; 11:34 a. m.]

[Docket No. 4511]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PARFUM L'ORLE, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Foreign status, branches, etc.:* § 3.66 (a 15) *Misbranding or mislabeling—Foreign branches, plants or properties.* In connection with offer, etc., in commerce, of respondent's perfumes and perfume products, and among other things, as in order set forth, representing, through the use of the terms "Paris", "Paris, France", "London", or "London, England," or in any other manner, that respondent maintains branches or business establishments in those cities, unless and until respondent does in fact actually maintain such branches; or otherwise representing that respondent maintains branches in any city in which it does not maintain an actual bona fide branch; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Parfum L'Orle, Inc., Docket 4511, March 11, 1943]

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Domestic product as imported:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic products as imported:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Domestic product as imported:* § 3.96 (b) *Using misleading name—Vendor—Products.* In connection with offer, etc., in commerce, of respondent's perfumes and perfume products, and among other things, as in order set forth, (1) representing, through the use of the terms "Parfum L'Odorante", "L'Orle Odeurs", "Princess De Conde", "Madam D'Epinay", "Madame Adelaide", "Madame De Maintenon", "Madame De Pompadour", or any other terms, words, symbols, or picturizations indicative of French or other foreign origin of such products, or in any other manner, that perfumes which are made or compounded in the United States are made or compounded in France or in any other foreign country; and (2) using respondent's corporate name, "Parfum L'Orle, Inc.", or the brand name "Parfum Lodorante", to describe or refer to its products, without clearly and conspicuously stating in immediate connection and conjunction therewith that such products are made or compounded in the United States; prohibited, subject to the provision, however, as respects said first prohibition, that the country of origin of the various ingredients thereof may be stated when immediately accompanied by a statement that such products are made or compounded in the United States. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Parfum L'Orle, Inc., Docket 4511, March 11, 1943]

§ 3.6 (b) *Advertising falsely or misleadingly—Competitors and their products—Competitors' products:* § 3.6 (u) *Advertising falsely or misleadingly—Quality:* § 3.48 (b) *Disparaging competitors and their products—Goods—Competitor's as same as:* § 3.55 *Furnishing means and instrumentalities of misrepresentation or deception.* In connection with offer, etc., in commerce, of respondent's perfumes and perfume products, and among other things, as in order set forth, using or furnishing to others for their use, printed or other advertising matter which contains the name of any of the well-known perfumes of respondent's competitors in connection with the listing or other offering of its own products, so as to import or imply, or the effect of which tends or may tend to convey the implication, that the products of respondent are identical with or are the same as the named perfumes of such competitors; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Parfum L'Orle, Inc., Docket 4511, March 11, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and a stipulation as to the facts read into the record at a hearing held in New York, New York, on January 25, 1943, which stipulation provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Parfum L'Orle, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's perfumes and perfume products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, through the use of the terms "Paris," "Paris, France," "London," or "London, England," or in any other manner, that respondent maintains branches or business establishments in those cities, unless and until respondent does in fact actually maintain such branches; or otherwise representing that respondent maintains branches in any city in which it does not maintain an actual bona fide branch.

2. Representing, through the use of the terms "Parfum L'Odorante," "L'Orle Odeurs," "Princess De Conde," "Madame D'Epinay," "Madame Adelaide," "Madame De Maintenon," "Madame De Pompadour," or any other terms, words, symbols, or picturizations indicative of French or other foreign origin of such products, or in any other manner, that perfumes which are made or compounded in the United States are made or compounded in France or in any other foreign country: *Provided, however,* That the country of origin of the various ingredients thereof may be stated when immediately accompanied by a statement that such products are made or compounded in the United States.

3. Using respondent's corporate name, "Parfum L'Orle, Inc.," or the brand name "Parfum Lodorante," to describe or refer to its products, without clearly and conspicuously stating in immediate connection and conjunction therewith that such products are made or compounded in the United States.

4. Using or furnishing to others for their use, printed or other advertising matter which contains the name of any of the well-known perfumes of respondent's competitors in connection with the listing or other offering of its own products, so as to import or imply, or the effect of which tends or may tend to convey the implication, that the products of respondent are identical with or are the same as the named perfumes of such competitors.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43–4078; Filed, March 16, 1943; 11:35 a. m.]

[Docket No. 4753]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

F. A. STUART COMPANY, ET AL.

§ 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondents' medicinal preparation designated "Stuart's Laxative Compound Tablets," or any other similar preparation, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said preparation, which advertisements (1) represent, directly or by implication, that said preparation is safe or harmless and may be used without danger of ill effects upon the health of the user; or (2) fail to reveal that said preparation should not be used in cases of nausea, vomiting, abdominal pains, or

other symptoms of appendicitis; prohibited, subject to provision, however, that such advertisements need contain only the statement, "Caution: Use Only as Directed," if and when the directions for use, wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, F. A. Stuart Company, et al., Docket 4753, March 11, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of March, A. D. 1943.

In the Matter of F. A. Stuart Company, a Corporation, and Benson & Dall, Inc., a Corporation.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents F. A. Stuart Company, a corporation, and Benson & Dall, Inc., a corporation, their officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of a certain medicinal preparation designated "Stuart's Laxative Compound Tablets", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement—

(a) represents, directly or by implication, that said preparation is safe or harmless and may be used without danger of ill effects upon the health of the user, or

(b) fails to reveal that said preparation should not be used in cases of nausea, vomiting, abdominal pains, or other symptoms of appendicitis: *Provided, however*, That such advertisement need contain only the statement, "Caution: Use Only as Directed," if and when the directions for use, wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect.

2. Disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparation, which advertisement contains any representation prohibited in paragraph 1 (a) hereof, or which fails to comply with the affirmative requirements set forth in paragraph 1 (b) hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-4079; Filed, March 16, 1943; 11:34 a. m.]

[Docket No. 3673]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GREENING NURSERY COMPANY

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Unique status or advantages:* § 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages:* § 3.80 (b) *Securing agents or representatives falsely or misleadingly—Demand or business opportunities.* In connection with offer, etc., in commerce, of fruit trees and other nursery products, representing, directly or by implication, (1) that the respondent is the only nursery which uses the bud selection method of grafting in the propagation of fruit trees; (2) that fruit trees propagated by the bud selection method of grafting can only be procured from the respondent or its salesmen; and (3) that the bud selection method of grafting is an exclusive feature of respondent's nursery stock; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Greening Nursery Company, Docket 3673, March 10, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence, in support of and in opposition to the allegations of the complaint, taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Greening Nursery Company, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of fruit trees and other nursery products in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that the respondent is the only nursery which uses the bud selection method of grafting in the propagation of fruit trees.

2. Representing directly or by implication that fruit trees propagated by the bud selection method of grafting can only be procured from the respondent or its salesmen.

3. Representing either directly or by implication that the bud selection method of grafting is an exclusive feature of respondent's nursery stock.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-4076; Filed, March 16, 1943; 11:34 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50831]

PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO REDUCED RATE, ETC.

WHISKEY; DUTIABLE STATUS

Reduced rate of duty applicable to whiskey without regard to age. Article 459, Customs Regulations of 1937, revoked. [This document affects 19 CFR 8.57]

Pursuant to the trade agreements with Canada (T.D. 49752), the United Kingdom (T.D. 49753), and Mexico (T.D. 50797), the rate of duty on whiskey provided for in paragraph 802 of the Tariff Act of 1930, whether or not aged in wooden containers at least four years, has been reduced to $2.50 per proof gallon. Accordingly, article 459, Customs Regulations of 1937 [19 CFR 8.57], is hereby revoked, effective as to whiskey entered for consumption or withdrawn from warehouse for consumption on or after January 30, 1943.

[SEAL] FRANK DOW, *Acting Commissioner of Customs.*

Approved: March 12, 1943.

HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 43-4058; Filed, March 15, 1943; 4:39 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 603—SELECTIVE SERVICE OFFICERS

[Amendment 139, 2d Ed.]

JURISDICTION OF BOARDS OF APPEAL

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 603.24 to read as follows:

§ 603.24 *Jurisdiction.* Each board of appeal shall have jurisdiction to review and to affirm or change any decision appealed to it from any local board in its area or any decision appealed from any local board not in its area when transferred to it in the manner provided in these regulations.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

MARCH 15, 1943.

[F. R. Doc. 43-4009; Filed, March 15, 1943; 1:17 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 921—ALUMINUM SCRAP

[Supplementary Order M-1-d as Amended March 16, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aluminum scrap for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 921.6 *Supplementary Order M-1-d*—(a) *Definitions.* For the purposes of this order:

(1) "Aluminum scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason, the principal ingredient of which by either weight or volume is metallic aluminum; and shall include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings and buffings: *Provided*, That the recoverable metallic aluminum content, as determined by the fire assay, hydrogen evolution or other method of comparable efficiency, constitutes 15% or more by weight of such residues.

(2) "Plant scrap" means aluminum scrap which is generated in the course of manufacture, and defective or rejected material, the principal metallic ingredient of which by either weight or volume is aluminum.

(3) "Segregated scrap" means aluminum scrap which has been segregated and otherwise handled in such manner as to be acceptable for reprocessing into aluminum of substantially the original specifications in accordance with Section I of Schedule B hereof.

(4) "School scrap" means aluminum scrap which has been used in public or private vocational schools.

(5) "Person" means any individual, partnership, association, business, trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) "Producer" means the Aluminum Company of America, the Reynolds Metals Company, the Olin Corporation, and any other person who may be so designated by the Director General for Operations.

(7) "Approved smelter" means any person whose name appears on Schedule A attached to this order, as the same may be amended from time to time.

(8) "Dealer" means any person regularly engaged in the business of buying and selling aluminum scrap.

(b) *Restrictions on use of aluminum scrap.* (1) No person, other than a producer or approved smelter, shall melt, reprocess, smelt or otherwise use aluminum scrap unless specifically authorized so to do by the Director General for Operations on application made by letter to the Aluminum and Magnesium Division, Reference: M-1-d: *Provided, however*, That a foundry may remelt its gates, sprues and risers if in so doing it does not debase or contaminate the material, and if, in applying for permission to acquire aluminum, it reduces the requirements on its suppliers by an amount equal to the anticipated recoverable metal. A foundry may also accept a new casting of its own production, which is found to be defective or was spoiled in machining, and recast and reship it to replace the original casting.

(2) The Director of the Aluminum and Magnesium Division may issue directives to smelters, producers and others who may be permitted to melt aluminum scrap, which directives may direct the exact alloy or alloys which must be produced therewith and the amount of such alloy or alloys, and may prohibit the production of certain alloys. The Director of the Aluminum and Magnesium Division may also issue directives prescribing the amount of secondary ingot all fabricators (either independent or integrated) may be required to blend with primary ingot in the production of fabricated shapes, and he may, by directives, designate certain smelters who shall be the only smelters permitted to receive and melt scrap of certain alloys or the smelters who shall produce certain alloys. Directives with respect to all matters described in this paragraph (b) (2) may contain directions as to the production schedule of the person to whom they are issued.

(c) *Segregation of aluminum scrap.* (1) Any person who generates 500 pounds or more of plant scrap in a plant in any month shall carry out thereafter in any such plant the Aluminum Scrap Segregation Program set forth in Schedule B attached to this order and made a part hereof, unless otherwise directed by the Director of the Aluminum and Magnesium Division.

(2) Any person receiving aluminum scrap shall keep such scrap segregated, prior to its use in the manner permitted by paragraph (b) hereof, to the same extent as when received by him; and if he redelivers such scrap, he shall do so segregated to the same extent as when it was received by him.

(d) *Contamination.* No person shall contaminate aluminum scrap with any other metal or material, except that a producer or approved smelter may mix aluminum scrap with other metals in the production of aluminum alloys.

(e) *Sale and delivery of aluminum scrap.* Except as otherwise specifically authorized by the Director General for Operations, all persons generating or holding aluminum scrap shall deliver all such scrap at intervals not to exceed 60 days in accordance with the following provisions:

(1) *17S, 24S and 52S plant scrap solids.* Unless the Director of the Aluminum and Magnesium Division has issued a directive to the contrary pursuant to paragraph (e) (6) hereof, segregated plant scrap consisting of 17S, 24S or 52S aluminum alloy (including Alclad and Pureclad) in solid form shall be shipped directly to any producer: *Provided, however*, That where the amount of such scrap generated from any one of such alloy specifications does not amount to 20,000 pounds in any month, the scrap of such alloy may also be shipped directly to any approved smelter or dealer.

(2) *Other plant scrap.* Except as provided in paragraph (b) (1) hereof, all other plant scrap shall be sold to any producer, approved smelter or dealer unless the Director of the Aluminum and Magnesium Division has issued a directive to the contrary pursuant to paragraph (e) (6) hereof.

(3) *School scrap.* School scrap shall be sold to any dealer or approved smelter and shall be designated as "school scrap" when sold.

(4) *All other scrap.* Any person who owns or originates any aluminum scrap (other than a person generating plant scrap or a dealer) shall deliver such scrap to any dealer or approved smelter and shall not use or dispose of such scrap in any other way.

(5) *Dealer's operations.* Unless the Director of the Aluminum and Magnesium Division has issued a directive to the contrary pursuant to paragraph (e) (6) hereof, all dealers must deliver any aluminum scrap (whether or not deemed to be usable in its "as is" form) to any producer or approved smelter: *Provided, however*, That any dealer may sell any scrap to another dealer if, in the regular course of business, he does not currently collect sufficient aluminum scrap to make it practicable for him to sell directly to a producer or approved smelter.

(6) *Directives.* The Director of the Aluminum and Magnesium Division may issue directives to a particular person or to a class of persons directing him or

them to deliver aluminum scrap of certain alloys to another specific person or to a class of persons.

(f) *Certification upon sale of segregated scrap.* The generator of segregated scrap shall furnish the person to whom he makes delivery thereof with a signed document, in the form of Form PD–706 or in substantially similar form, showing (i) the alloy number or specification, (ii) form of scrap, (iii) weight (on a clean and dry basis, moisture content estimated, if necessary) and (iv) the name and address of the plant where generated. This document shall bear a notation as to the date of delivery and names and addresses of the parties to the transaction, and, in case of redelivery of such scrap, shall be endorsed and delivered to the person receiving such scrap. Any person delivering segregated scrap shall clearly mark it showing the alloy number or specification, form and source. No aluminum scrap other than segregated scrap shall be designated as segregated scrap by any person.

(g) *Tolling prohibited.* No aluminum scrap may be delivered or received pursuant to a toll, repurchase or similar arrangement, unless such transaction is specifically authorized by the Director of the Aluminum and Magnesium Division.

(h) *No acquisition or delivery in violation of order.* No person shall hereafter acquire or deliver aluminum scrap or products made therefrom if he has reason to believe such material has been or is to be used in violation of the terms of this or of any other order of the War Production Board: *Provided, however,* That any producer or approved smelter may acquire aluminum scrap for any use permitted by this order at any time, irrespective of the right under this order of the person disposing of the same to have acquired or to deliver such scrap.

(i) *Records.* Each person who participates in any transaction involving aluminum scrap shall keep and preserve for at least two years complete and accurate records as to all such transactions which records shall be subject to inspection by the War Production Board.

(j) *Reports.* (1) Any person generating 500 pounds or more of plant scrap in a plant in any month shall thereafter file reports monthly on Form WPB–317 with the Aluminum and Magnesium Division covering any such plant. All other persons generating plant scrap shall file quarterly reports on Form PD–828 not later than 20 days after the end of the calendar quarter except that those persons putting into process less than 3,000 pounds of aluminum in a calendar quarter will not be required to file this quarterly report for such quarter unless they have more than 500 pounds of aluminum scrap on hand at the end of the quarter. Producers or smelters are not required to file the above report.

(2) Any person, including smelters and producers, melting or smelting aluminum scrap in any month shall file a report on Form PD–272 with the Aluminum and Magnesium Division covering each such month. Such report shall be filed on or before the 15th day of the month following the month covered by the report.

(3) All dealers handling aluminum scrap shall file Form PD–249 with the Bureau of Mines, College Park, Maryland, by the 10th of each month, or such other reports as the Director General for Operations of the War Production Board may require.

(4) For the purpose of this paragraph (j), foundries shall not consider as aluminum scrap any gates, sprues or risers which will be reused in their own plant or any defective castings or spoiled castings returned to the foundry for recasting and reshipment to replace the original casting in accordance with paragraph (b) (1).

(k) *Addressing of communications.* All applications, statements, reports or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Aluminum and Magnesium Division, Washington, D. C., Ref: M–1–d.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 16th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

APPROVED ALUMINUM SMELTERS

State	Smelter	Address
California	Federated Metals Division (American Smelting and Refining Co.).	Los Angeles, Calif.
	Federated Metals Division (American Smelting and Refining Co.).	San Francisco, Calif.
	Berg Metal Co	2652 Long Beach Ave., Los Angeles, Calif.
	Morris P. Kirk and Sons, Inc	2717 South Indiana St., Los Angeles, Calif.
Illinois	Apex Smelting Co	2537 West Taylor St., Chicago, Ill.
	Aurora Refining Co	Post Office Box 88, Aurora, Ill.
	Wm. F. Jobbins, Inc	Aurora, Ill.
	R. Lavin and Sons, Inc	3426 South Kedzie Ave., Chicago, Ill.
Indiana	Federated Metals Division (American Smelting and Refining Co.).	Whiting, Ind.
	U. S. Reduction Co	East Chicago, Ind.
Kansas	Sonken-Ca'samba Co	Riverview at 2d St., Kansas City, Kans.
Michigan	Federated Metals Division (American Smelting and Refining Co.).	Detroit, Mich.
	Bohn Aluminum and Brass Corporation	Detroit, Mich.
Missouri	Federated Metals Division (American Smelting and Refining Co.).	St. Louis, Mo.
New Jersey	Federated Metals Division (American Smelting and Refining Co.).	Barber, N. J.
New York	Alloys and Products, Inc	Oak Point Ave. and Barry, Bronx, N. Y.
	Samuel Greenfield Co., Inc	31 Stone St., Buffalo, N. Y.
	Niagara Falls Smelting & Refining Co	2204 Elmwood Ave., Buffalo, N. Y.
Ohio	Aluminum Smelting and Refining Co	5463 Dunham Rd., Maple Heights, Ohio
	Aluminum and Magnesium, Inc	1 Huron St., Sandusky, Ohio.
	Cleveland Electro Metals Co	2391 West 38th St., Cleveland, Ohio
	National Bronze and Aluminum Foundry	Cleveland, Ohio.
	National Smelting Co	Post Office Box 1791, Cleveland, Ohio
Pennsylvania	General Smelting Co	2901 East Westmoreland St., Philadelphia Pa.
	North American Smelting Co	Edgemont and Tioga Sts., Philadelphia, Pa.
	George Sall Metals Co	Westmoreland and Tulip Sts., Philadelphia, Pa.

SCHEDULE B

ALUMINUM SCRAP SEGREGATION PROGRAM

I. *Segregation of aluminum scrap other than mixed aluminum scrap*—(1) *By alloy content.* Aluminum scrap (other than mixed aluminum scrap as hereinafter defined) of each individual alloy (for example 17S, 24S, 52S, 645, etc., also 2S pure aluminum) shall be segregated from aluminum scrap of every other alloy.

NOTE: Scrap from coated material (Alclad or Pureclad sheet) may be included with uncoated material of the same alloy specification; but Scrap from painted material shall not be included with unpainted material of the same alloy specification except in very minor amounts.

(2) *By form.* In addition to the above segregation on the basis of alloy content, the scrap of each alloy (other than mixed aluminum scrap as hereinafter defined) shall be segregated into two form types:

(i) "Solids"—generated by shearing, clipping, cutting, blanking or similar process, also defective or rejected wrought aluminum parts, defective or rejected castings and gates, sprues, risers or similar foundry scrap;

(ii) "Machinings"—generated by machining, drilling, boring, turning, milling or like operations.

In no event shall solids and machinings be combined.

II. *Classification of mixed aluminum scrap by form*—(1) *Definition.* "Mixed aluminum scrap" shall consist of aluminum scrap in the form of solids or machinings, the alloy content of which cannot be identified, or of grindings, sawings, buffings and other fines and of drosses, swimmings and sweepings. It shall also consist of aluminum scrap generated from No. 12 type and piston alloy unless the generator certifies to the person to whom he makes delivery that the aluminum scrap was generated from a specific alloy of the No. 12 type or from a specific piston alloy.

(2) *Classification.* All mixed aluminum scrap shall be separated into four classes as follows:

(i) Solids;
(ii) Machinings;
(iii) Sawings;
(iv) Drosses, skimmings, grindings, buffings and sweepings and other fines.

Each of the four classes of mixed aluminum scrap shall be handled separately from each other class of mixed aluminum scrap and from all other aluminum scrap but shall not be treated as segregated scrap under Order M–1–d.

III. *General provisions*—(1) *Official responsible for handling scrap.* Each person operating a plant generating aluminum scrap shall appoint a responsible employee to supervise the collection, segregation and handling of all aluminum scrap generated in the plant. The name of such employee shall be forwarded to the Aluminum and Magnesium Division, War Production Board, Washington, D. C. No dealer or other person not a regular employee of the plant shall perform any such functions except as the Director General for Operations may specifically authorize.

(2) *Collection and identification.* Segregation shall be effected by collection at the machine where the aluminum scrap is generated. Separate containers for collection and bins for storage shall be provided for each type of aluminum scrap required to be segregated by this program. All containers and bins shall be clearly marked to identify the alloy and the form of scrap for which they are intended, and they shall be kept clean, dry and in good condition, so that their contents shall be protected from contamination and the weather. Each container and bin shall be used only as a receptacle for the alloy and form of scrap for which it is designated and marked.

(3) *Identification of segregated scrap for shipment.* Each unit of segregated scrap shall, upon shipment, be clearly marked or labelled as to alloy number or specification, form and source, i. e., the plant where generated.

(4) *Obligation as regards subcontractors.* Each person operating a plant, as part of his arrangement with any subcontractor to whom he furnishes aluminum shall impose an obligation upon, and otherwise make every effort to see to it that, such subcontractor institutes and carries out an adequate scrap collection and segregation program in conformance with this schedule and Order M–1–d.

[F. R. Doc. 43–4080; Filed, March 16, 1943; 11:41 a. m.]

PART 3223—OSMIUM

[Conservation Order M–302]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of osmium, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3223.1 *Conservation Order M–302*—(a) *Definitions.* For the purposes of this order:

(1) "Osmium" means the element osmium in commercially pure form, or the osmium content of any osmium-containing material other than an osmium alloy, whether or not such material is first converted into osmium metal. The term includes mixtures and compounds.

(2) "Osmium alloy" means any alloy containing 0.5 per cent or more of osmium metal by weight.

(b) *Restrictions on use of osmium.* On and after March 16, 1943, no person shall put into process or process any osmium, exclusive of osmium alloys, except for the purpose of manufacturing electrical contacts.

(c) *Miscellaneous provisions*—(1) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of osmium in all items manufactured after March 16, 1943, irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to such date. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of osmium in the production of any item, the limitations of such other order shall be observed.

(3) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref: M–302.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 16th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–4081; Filed, March 16, 1943; 11:41 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,[1] Amendment 25]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subdivisions (i) and (ii) of § 1351.151 (b) (14) are amended; three lines in the table in subdivision (iii) of § 1351.151 (b) (14) are amended, § 1351.151 (b) (14) (iii) (*d*) is revoked, § 1351.151 (b) (14) (iv) is redesignated as § 1351.151 (b) (14) (v), and a new line is added to the table therein, § 1351.151 (b) (14) (iii) (*c*) is redesignated as § 1351.151 (b) (14) (iii) (*d*), a new § 1351.151 (b) (14) (iv) and a new § 1351.151 (b) (14) (iii) (*c*) are added, to read as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(b) * * *

(14) * * *

(i) *Raw soap stocks.*

	Cents per lb. delivered in tankcars
Cottonseed foots, basis 50% T. F. A.:	
Midwest and West Coast	3½
East	3⅝
Corn foots, basis 50% T. F. A.:	
Midwest	3⅜
East	3½
Soybean foots, basis 50% T. F. A.:	
Midwest and West Coast	3⅜
East	3½

(ii) *Recovered or acidulated soap stocks.*

	Cents per lb. delivered in tankcars
Soybean oil, basis 95% T. F. A.:	
Midwest and West Coast	7
East	7¼
Corn oil, basis 95% T. F. A.:	
Midwest	7
East	7¼
Peanut oil, basis 95% T. F. A.:	
Midwest	8
East	8¼
Acidulated cottonseed foots (black grease), basis 95% T. F. A.:	
Midwest and West Coast	7¼
East	7⅜
Coconut oil, 98% saponifiable	10⅛

(iii) *Distilled fatty acids.* * * *

	Cents per lb. f. o. b. producer's plant, tankcars	Cents per lb. f. o. b. producer's plant, carloads, in returnable drums or non-returnable packages
Soya bean oil, from foots	11	11⅜
* * *	* * *	* * *
Corn oil, from foots	11	11¼
Peanut oil, from foots	11¾	12

* * * * *

(*c*) The usual or normal differentials for grade above or below the listed grades shall continue to apply.

(*d*) The maximum prices of fractionated fatty acids shall be computed in accordance with § 1351.151 (b) (1) to (5) of this Revised Price Schedule No. 53.

(iv) *Split fatty acids.* (*a*) The maximum toll which may be charged for splitting fats and oils shall be (in addition to the retention of the glycerin for the account of the splitter) 75c. per 100 pounds in tankcar lots for all material testing under 20 F. F. A. and $1.00 per 100 pounds in tankcar lots for all material testing 20 F. F. A. and over. All

[1] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972.

*Copies may be obtained from the Office of Price Administration.

freight shall be for the account of the owner. The normal premium for less than tankcar lots shall continue to apply.

(b) The maximum price of split fatty acids, tankcars, f. o. b. seller's plant, shall be the cost, on a tankcar basis, of the raw materials from which the split fatty acids are made, delivered the seller's plant, plus 75c. per 100 pounds for raw materials testing under 20 F. F. A., or plus $1.00 per 100 pounds for raw materials testing 20 F. F. A. and over.

(*1*) When shipped in less than carload lots, the usual or normal premium for fatty acids so shipped shall continue to apply.

(*2*) When shipped in containers other than tankcars, the usual or normal differential for fatty acids when shipped in such other type of container shall continue to apply.

(v) *Stearic acid and oleic acid.*

	Cents per pound delivered east of Rockies	Cents per pound delivered Texas and Oklahoma	Cents per pound delivered west of Rockies
* * *	* * *	* * *	* * *
Hydrogenated Fish Oil Fatty Acid, 52° titre, carloads, in bags ..	14½	15½	15½
* * *	* * *	* * *	* * *

§ 1351.159 *Effective dates of amendments.* * * *

(y) Amendment No. 25 (§§ 1351.151 (b) (14) (i), (ii), (iii), (iv), and (v)) to Revised Price Schedule No. 53 shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4011; Filed, March 15, 1943; 2:51 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 5]

DAIRY PRODUCTS

A statement of the consideration involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1351.1522 (a) (6) (ii) is amended to read as set forth below:

§ 1351.1522 * * *

(a) * * *

(6) * * *

(ii) These prices shall be increased ½¢ for all bulk powdered skim milk or bulk powdered buttermilk packed in customary 95 or 100 pound containers. These prices shall be increased 1¢ for all bulk powdered skim milk or bulk powdered buttermilk packed in customary 5 to 50 pound containers.

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4012; Filed, March 15, 1943; 2:51 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 6]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.1520 (a) (2) has the following sentence added to read as follows:

(2) * * * *Provided, however,* That this subparagraph shall not apply to sales to hospitals, schools and penal institutions of the United States Government.

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4013; Filed, March 15, 1943; 2:51 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 329,[2] Amendment 2]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 329 is amended in the following respects:

1. Section 1351.402 (a) is amended to read as follows:

(a) The maximum price for each grade of "milk" shall be the highest price each purchaser of "milk" from a producer paid that producer for "milk" of the same grade received during January 1943, or such highest January 1943 price plus the amount by which the minimum producers' price for "milk" has been increased over January 1943 under an applicable order, agreement, or license issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, whichever is higher.

2. Section 1351.404 (d) is amended to read as follows:

(d) "Purchaser" means any person who buys "milk" from a producer for resale.[1] It refers to any branch, division, subsidiary, affiliate, or portion of a business organization, whether corporate or otherwise, purchasing "milk" from producers in a particular market as distinguished from purchases or other operations in different localities.

3. Section 1351.405 (b) is amended to read as follows:

(b) This regulation shall not apply to purchases of "milk" from a producer at a price lower than $2.75 per cwt. for "milk" of 4% butterfat content, or the equivalent thereof.

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4014; Filed, March 15, 1943; 2:50 p. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 111,[3] Amendment 7]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.* Subparagraph (2) in § 1370.11 (a) is amended, a new definition is added in § 1370.11 (a) (14) and a new paragraph (f) is added in § 1370.12 as follows:

§ 1370.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 111, the term: * * *

(2) "Manufacturer" means any person who has produced any household vacuum cleaners since October 1, 1941, and includes all subsidiaries, affiliates, branches or other companies or enterprises under common ownership or control with such person.

* * * * *

(14) "Private brand seller" means any person, other than a manufacturer, engaged in the business of selling new household vacuum cleaners under his own trade mark or brand name, and includes all subsidiaries, affiliates branches or other companies or enterprises under common ownership or control with such person.

§ 1370.12 *Appendix A: Maximum prices for household vacuum cleaners and attachments.* * * *

(f) *Maximum prices for sale to agencies of the United States.* (1) Irrespective of the provisions of the preceding paragraphs of this section, the maximum price for the sale by any manufacturer of new household vacuum cleaners or attachments to the United States or to any agency of the United States shall be 47% of the maximum price for sales to consumers set forth in this § 1370.12 (Appendix A).

(2) The maximum price for the sale by any private brand seller of new household vacuum cleaners or attachments to the United States or to any agency of the United States shall be the private brand seller's net invoice cost plus a markup of 20% of such cost.

§ 1370.14 *Effective dates of amendments.* * * *

(h) Amendment No. 7 (§§ 1370.11 (a) (2), (14), and 1370.12 (f)) to Maximum Price Regulation No. 111 shall become effective March 20, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4017; Filed, March 15, 1943; 2:50 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 26,[1] Amendment 12]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation 26 is amended in the following respects:

1. Section 1381.58 (a) (2) is amended to read as follows:

(2) "Douglas fir and other West Coast lumber" means Douglas fir (Pseudotsuga taxifolia), West Coast hemlock (Tsuga heterophylla and Tsuga mertensiana) and all species of true fir (Abies) lumber produced in mills located in those parts of Oregon and Washington lying west of the Crest of the Cascade Mountains, and in Canada and Alaska.

2. Section 1381.62 (m) is amended by inserting after the phrase "for shipments originating in Alaska," the phrase "and delivered to points outside the continental United States."

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4018; Filed, March 15, 1943; 2:51 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 31]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7952 (a) is amended to read as follows:

(a) Form OPA R-544 Revised, for acknowledgment of delivery, to be used for the acquisition of gasoline by or on behalf of the Army, Navy, Marine Corps, Coast Guard, Maritime Commission, and War Shipping Administration of the United States, and by post exchanges, ships' service stores and similar facilities located at military or naval posts or stations, will be issued by the Washington office to the Washington headquarters of such agencies or activities. Military or naval posts or stations, and post exchanges, ships' service stores and similar facilities located at such posts or stations, shall use acknowledgments of delivery (or other evidences) for the acquisition of gasoline for transfer to consumers. Such form bearing the signature of an authorized officer, agent or employee of any such agency or activity shall be valid as an authorization of transfer of gasoline by any person to whom it is presented, to the extent of the gallonage thereon stated. An acknowledgment of delivery on Form OPA R-544 may be used in lieu of Form OPA R-544 Revised, subject to the limitations of § 1394.8154 (b).

2. Section 1394.8154 is amended to read as follows:

§ 1394.8154 *Transfers in exchange for acknowledgments of delivery.* (a) Transfer may be made in exchange for an acknowledgment of delivery on Form OPA R-544 Revised, or in exchange for an emergency acknowledgment issued in lieu thereof, in accordance with the provisions of § 1394.7952.

(b) An acknowledgment of delivery on Form OPA R-544 executed pursuant to § 1394.7952 (a) shall be valid for:

(1) Use by an agency or activity listed in § 1394.7952 (a) to acquire gasoline prior to April 1, 1943,

(2) Transfer of gasoline by a distributor to a dealer for replenishment purposes prior to May 1, 1943,

(3) Deposit by a distributor in his ration bank account prior to May 16, 1943, and

(4) Exchange for inventory coupons by a dealer prior to May 1, 1943 at the board having jurisdiction over the area in which his place of business is located.

(c) On and after May 16, 1943 an acknowledgment of delivery on Form OPA R-544 shall be invalid for any purpose.

This amendment shall become effective March 20, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4019; Filed, March 15, 1943; 2:50 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 33]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7704 (c) is amended to read as follows:

(c) A board having jurisdiction over an area (1) which is adequately served by subway, elevated railroad, or railroad commutation service, or (2) which has been determined by the Regional Administrator or Deputy Administrator in Charge of Rationing to be adequately served by other means of public transportation, shall allow mileage claimed with respect to which a ride-sharing arrangement has been made only if the applicant establishes that the use of such subway, elevated railroad, railroad commutation service or other means of transportation would not be reasonably adequate for the purpose for which such mileage is claimed.

2. Section 1394.7754 (a) (2) is amended to read as follows:

(2) That a bona fide ride-sharing arrangement has been made in connection with the use of the vehicle or vehicles for such purposes, pursuant to which at least four persons (including the driver) will regularly be carried in the vehicle in connection with their occupations, and that transportation is required for such purposes: *Provided,* That the names and addresses of all persons (other than the drivers of the vehicles) participating in the ride-sharing arrangement shall be set forth on separate sheets and attached to the application: *Provided further,* That a board having jurisdiction over an area (i) which is adequately served by subway, elevated railroad, or railroad commutation service, or (ii) which has been determined by the Regional Administrator or Deputy

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972.

[2] 8 F.R. 2038.

[1] A farmers' cooperative is a "purchaser" whenever it purchases "milk," and its purchases from both member and non-member producers are, therefore, covered by this regulation. The fact that a farmers' cooperative may also be a producer, as defined in this Section, is immaterial.

[3] 7 F.R. 2307, 2794, 3330, 3447, 3776, 4229, 4653, 6049, 7839, 8937, 8948.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4575, 5180, 5360, 6168, 6388, 6424, 7285, 7942, 8384, 8877, 8948; 8 F.R. 138, 1811, 2288, 2353, 2431, 2595, 2720, 2780.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2720, 2780.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720.

Administrator in Charge of Rationing to be adequately served by other means of public transportation, shall allow mileage claimed with respect to which a ride-sharing arrangement has been made only if the applicant establishes that the use of such subway, elevated railroad, railroad commutation service or other means of transportation would not be reasonably adequate for the purpose for which such mileage is claimed.

This amendment shall become effective March 20, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4015; Filed, March 15, 1943; 2:49 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 34]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

Section 1394.8006 (b) is amended by deleting the words and figures "two hundred and fifty (250)" and inserting after the phrase "necessity for acquiring," the phrase "four hundred and eighty (480)."

This amendment shall become effective March 20, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4020; Filed, March 15, 1943; 2:49 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 35]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respect:

Section 1394.7706 (q) is amended to read as follows:

(q) By an engineer, architect, technician, construction worker, repair or maintenance man who requires the use of a passenger automobile or motorcycle for performing, or for transporting materials or equipment necessary to perform, construction work; or by any of the above described persons who require the use of a passenger automobile or motorcycle to travel from one place to another (but not from home or lodgings to a fixed place of work) for performing, or for transporting materials or equipment necessary to perform, any of the following services: installation, maintenance or repair services, the extermination of vermin, or the exploration, discovery or exploitation of natural resources for the purpose of obtaining necessary war materials; or by a person who requires the use of a passenger automobile or motorcycle to travel from place to place (but not from home or lodgings to a fixed place of work) for performing highly skilled services necessary to the operation or functioning of the establishments or facilities described in paragraph (o) hereof: *Provided*, That preferred mileage may not be allowed pursuant to this paragraph to any person while engaged in promotional, merchandising or sales activities or retail or wholesale delivery, or to any person for the repair, maintenance, installation or construction of decorations or decorative equipment, or of novelty, amusement or entertainment devices (other than non-portable motion picture equipment), or of portable household equipment or furniture, or for landscaping.

This amendment shall become effective March 20, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4016; Filed, March 15, 1943; 2:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 131 to Supp. Reg. 14[1] to GMPR[2]]

STORAGE AND WAREHOUSING OF GRAIN, ETC. IN WASHINGTON AND OREGON

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (80) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided: * * *

(80) *Storage and warehousing of grain and services incident thereto in the states of Washington and Oregon.* Maximum prices for the storage and warehousing of grain and for services incident thereto, performed by warehouses in the states of Washington and Oregon for persons other than the United States government or any agency thereof, shall continue to be determined under the provisions of the General Maximum Price Regulation, except that for the warehousing services specifically set forth in subdivisions (i) and (ii) below, maximum prices shall be as therein set forth.

All rates and charges herein provided are in terms of bushel quantities.

(i) Grain (wheat and other farm products customarily handled in the warehouse in the same manner) received by wagon or truck:

Handling, including unloading and loading out	3 cents.
Storage, for each month or fraction thereof, after ten days free time	.5 cent.
Insurance, for each month or fraction thereof, after ten days free time	.1 cent.
Cleaning	.5 cent.

(ii) Grain received by rail or water:

	Wheat	Barley	Oats
	Cents	*Cents*	*Cents*
Wharfage	1.0	1.0	1.0
Unloading cars—bulk	.6	.5	.4
Unloading cars—sacked	2.0	1.5	1.0
Loading cars—bulk	.75	.6	.5
Loading cars—sacked	2.0	1.5	1.0
Loading ship—bulk	.4	.3	.25
Loading ship—sacked	2.0	1.5	1.0
Cleaning	.5	.5	.5
Loading and sacking out—catch wts	3.0	2.0	1.5
Loading and sacking out—even wts	3.0	2.0	1.5
Loading and sacking out—200# & over	3.0	2.0	1.5
Storage, for each month or fraction thereof, after 10 days free time	.6	.6	.6

(b) *Effective dates.* * * *

(115) Amendment No. 131 (§ 1499.73 (a) (80) to Supplementary Regulation No. 14 shall become effective on March 20, 1943.

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4021; Filed, March 15, 1943; 2:51 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1026, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1613, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720.

[2] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720.

[1] 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7293, 7365, 7401, 7400, 7510, 7536, 7604, 7538, 7453, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8861, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 8899, 9391, 9395, 9495, 9496, 9369, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 9496, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2718, 2343, 2354, 2274, 2346, 2507, 2665.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4739, 5027, 5276, 5192, 5265, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

PART 1372—SEASONAL COMMODITIES

[MPR 205,[1] Amendment 1]

SULPHATE OF AMMONIA PRODUCERS, IMPORTERS AND PRIMARY JOBBERS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1367.60, 1367.61 (a) (6) and 1367.63 (f) are amended, and § 1367.63 (g) is added, to read as set forth below:

§ 1367.60 *Exempt sales.* (a) The provisions of this Maximum Price Regulation No. 205 shall not apply (1) to sales of sulphate of ammonia for shipment to a destination point in any of the states of Washington, Oregon, California, Montana, Wyoming, Idaho, Nevada, Utah, Colorado, New Mexico, Arizona or in the territories of Alaska or Hawaii, (2) to sales of sulphate of ammonia for industrial uses.

§ 1367.61 * * *

(a) * * *

(6) "Inland oven" means the following:

Alabama:
Alabama City.
Fairfield.
North Birmingham
Tarrant.
Thomas.
Woodward.
Illinois:
Chicago.
Joliet.
Rockford.
South Chicago.
Waukegan.
New York:
Buffalo.
Lackawanna.
Troy.
Ohio:
Canton.
Cleveland.
Hamilton.
Lorain.
Massillon.
Toledo.
Warren.
Youngstown.
Indiana:
Gary.
Indiana Harbor.
Indianapolis.
Michigan:
Detroit.
Flint.
Minnesota:
Duluth.
St. Paul.
Missouri:
St. Louis.
Pennsylvania:
Aliquippa.
Bethlehem.
Clairton.
Erie.
Johnstown.
Midland.
Neville Island.
Pittsburgh.
Steelton.
Swedeland.
Tennessee:
Chattanooga.
West Virginia:
Fairmont.
Follansbee.
Weirton.

* * * * * * *

§ 1367.63 * * *

(f) *Bags, bagging and warehousing.* (1) Whenever the producer, importer or primary jobber sells sulphate of ammonia in bags, he may add to the maximum prices permitted by paragraphs (a), (b) (c), (d) and (e) of this section, the sum of $1.00 per ton, together with the cost of the bags.

(2) If the producer, importer or primary jobber ships sulphate of ammonia from the producer's plant or, in the case of imports, from the point of discharge, to a warehouse situated at a point other than the point of production or discharge, stores the sulphate of ammonia in the warehouse, and reships it from the warehouse in bags, he may add to the charge permitted by the preceding paragraph the sum of $.50 per ton.

The point of discharge is the port at which the imported sulphate of ammonia is unloaded from a vessel, or the place at which a rail shipment of imported sulphate of ammonia is unloaded.

(g) *Transportation tax.* In any case in which the producer, importer or primary jobber is permitted by this section to require the buyer to pay transportation charges, the buyer may also be required to pay the three per cent transportation tax, imposed by section 620 of the Revenue Act of 1942, on the amount of transportation charges paid by the buyer, although shipment is not actually made from the point from which the buyer pays the transportation charges. However, the buyer may not in any case be required to pay an amount greater than the amount of the tax actually imposed by section 620 of the Revenue Act on the total transportation charges incurred in the shipment to the buyer.

The provisions of Supplementary Order No. 31 issued by the Office of Price Administration on November 26, 1942, shall have no application to this regulation.

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4060; Filed, March 15, 1943; 4:51 p. m.]

PART 1305—ADMINISTRATION

[Gen. Ration Order 5,[1] Amendment 7]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. A new Sec. 3.5 is added to Article III of General Ration Order No. 5 to read as follows:

SEC. 3.5 *Special procedure where board does not have Form R-1307.* (a) If a board does not have a sufficient quantity of OPA Forms R-1307, the Regional Administrator may authorize it to grant allotments of rationed foods to Group II or III institutional users who have been unable to register under this order because of the lack of such forms.

(b) Application must be made to the board on OPA Form R-315. The applicant must state:

(1) The number of persons he served during December 1942 (computed in the way provided in Secs. 6.1 (a) and 7.1 (b) and (c)).

(2) His inventory (in pounds) of processed foods at the close of business on February 28, 1943, stated separately for each of the classes described in Sec. 3.2 (f) (1), as amended.

(3) In the case of a Group III user, the amount in pounds, of sugar and coffee used by him during December, 1942, and the amount, in pounds, of processed foods used by him in December, 1942, stated separately for each of the classes described in Sec. 3.2 (f) (1), as amended. (Each shall be computed in accordance with Sec. 7.1 (c)).

(c) Upon the filing of such application, the Board shall grant to the applicant allotments of rationed foods for the first allotment period, computed in the way provided in Articles VI and VII, and shall issue certificates therefor subject to the provisions of Article IX.

(d) Any institutional user who receives an allotment pursuant to this section must nevertheless register with the board prior to April 15th, 1943, on OPA Form R-1307, and must furnish all of the information required by that form.

This amendment shall become effective March 15, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 560, 2965, 7234, 9684, respectively; Food Dir. 5, 8 F.R. 2251)

Issued this 15th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4059; Filed, March 15, 1943; 4:51 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 32]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7904 (b) is amended by deleting the word "or" after the word "Nebraska" and inserting after the word "Kansas" the words "Washington or Oregon".

2. Section 1394.7602 (a) (2) is amended by inserting after the words "*Provided*, That rations for fleet" the words "or official".

3. Section 1394.8010 (a) is amended by substituting a semicolon for the final period and by adding to the end of the text a new provision to read as follows:

(a) * * * *Provided further*, That in the case of a renewal application for a fleet or official ration the board may renew such ration without the presentation of the tire inspection records if the applicant submits to the board his signed statement setting forth that it would impose undue hardship upon him to present the tire inspection records because of the number or location of the vehicles involved or for other good rea-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6482, 8948.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2720, 2780.

sons, that the odometer readings have been taken and that the tires on each vehicle have been inspected and approved in accordance with the requirements of Ration Order No. 1A.

This amendment shall become effective March 20, 1943.

(Pub. Law 671, 76th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1943

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-4061; Filed, March 15, 1943; 4 51 p. m.]

Notices

WAR DEPARTMENT.

[Public Proclamation 16]

ARIZONA

REDUCTION OF MILITARY AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

To: The people within the State of Arizona, and the public generally:

Whereas, the Secretary of War has determined that the military situation no longer requires the maintenance at its present location of the boundary of Military Area No. 1 within the State of Arizona as established by Proclamation No. 1, this headquarters, dated March 2, 1942,[1] and that therefore the area within that State now prohibited to persons of Japanese ancestry may be reduced:

Now, therefore, I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War, and my powers and prerogatives as Commanding General, Western Defense Command, and pursuant to a determination of military necessity for the continuance of Military Area No. 1 in Arizona as reduced and modified hereby, do declare and proclaim that:

1. Public Proclamation No. 1, this headquarters, dated March 2, 1942, as amended, is hereby further amended by striking from "Exhibit No. 1,[2] Description of Military Area No. 1," thereof, the following words:

• • • across the Colorado River to the point at or near Topock, Arizona, where the same intersects the southerly line of the improved road running from Topock in an easterly direction to Yucca, Arizona; thence along the southerly line of said road to the point at or near Yucca, Arizona, where the same intersects the westerly line of the improved road running in a southeasterly direction from Yucca to Signal, Arizona; thence along the westerly line of said road to the point at or near Signal, Arizona, where the same intersects the easterly line of the unimproved road running in a northeasterly direction to Wikieup, Arizona; thence in a northeasterly direction along the easterly line of said road to the point, approximately 16 miles northeast of Signal, Arizona, where the same intersects the southerly line of the improved road running from said intersection through Hillside to Congress Junction, Arizona; thence along the westerly line of said road to the point at or near Congress Junction, where the same intersects the westerly line of U. S. Highway No. 89; thence in a southerly direction along the westerly line of U. S. Highway No. 89 to the point where the same intersects the city limits of the city of Phoenix, Arizona; thence in an easterly and southerly direction along said city limits to the point where the same intersects the southerly line of U. S. Highway No. 80/89 east of Phoenix, Arizona; thence easterly along the southerly line of U. S. Highway No. 80/89 to the intersection with the southerly line of U. S. Highway No. 60/70 at or near Florence Junction, Arizona; thence easterly along the southerly line of U. S. Highway No. 60/70 to the intersection of easterly line of U. S. Highway No. 60 projected and southerly line of U. S. Highway No. 70; thence easterly along the southerly line of U. S. Highway No. 70 to the Arizona-New Mexico State Line; • • •;

and substituting in the place and stead of said words, the following:

• • • to the California-Arizona State Line; thence southerly along the California-Arizona State Line to southerly line of U. S. Highway No. 60; thence easterly along the southerly line of U. S. Highway No. 60 to the southerly line of the Salome-Hassayampa road; thence along the southerly line of the Salome-Hassayampa road to its intersection with the Yuma-Maricopa County Line; thence southerly along the Yuma-Maricopa County Line to the southerly line of U. S. Highway No. 80; thence easterly along the southerly line of said U. S. Highway to its intersection with Arizona State Highway No. 85 (Gila Bend); thence southerly along the westerly line of said Highway to its intersection with the unimproved Gila Bend-Papago Indian Reservation road; thence along the westerly line of said unimproved road to the Maricopa-Pima County Line; thence easterly along said County Line and the Pinal-Pima County Line to Graham County; thence southerly along the Pima-Graham County Line to its intersection by the Graham-Cochise County Line; thence easterly along the Graham-Cochise County Line to the point where the Graham-Cochise County Line meets the Cochise-Greenlee County Line and thence easterly along the northerly Cochise County Line to the Arizona-New Mexico State Line; • • •.

2. Said Proclamation No. 1 is hereby further amended by striking from Paragraph No. 3 thereof, the following words: • • • and is shown on the map (Exhibit No. 2) as an unshaded area.

3. Said Proclamation No. 1 is further amended by striking from Exhibit No. 2[3] thereof the State of Arizona.

4. The portion of Military Area No. 1 being within the State of Arizona as hereby modified is shown on the map hereto attached (Exhibit No. 1)[3] as a shaded area.

5. Public Proclamation No. 2,[4] this headquarters, dated March 16, 1942, as amended, is hereby further amended by striking therefrom, Exhibit No. 2 thereof.

6. The description of that portion of Military Area No. 1 being within the boundaries of the State of Arizona contained in Civilian Exclusion Order No. 38,[5] this headquarters, dated May 3, 1942, is hereby amended to conform to the amended description of Military Area No. 1 set forth in Paragraph No. 1 hereof.

7. Public Proclamation Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14, this headquarters,[6] are hereby amended to conform to the foregoing change in the common boundary line of Military Areas Nos. 1 and 2, within the State of Arizona.

8. The foregoing amendments shall not operate to affect any offense committed or any penalty incurred because of violations of the provisions of the public proclamations, civilian exclusion orders or civilian restrictive orders heretofore issued by this headquarters.

9. This Proclamation shall become effective at midnight P. W. T. March 4, 1943.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army, Commanding.

Confirmed:
J. A. ULIO,
Major General, The Adjutant General.

[F. R. Doc. 43-4072; Filed, March 16, 1943; 9:09 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1847, Part II]

DISTRICT BOARD 18

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 18 for revision of the boundaries of District No. 18 to include therein all coal producing counties in the State of Arizona.

The original petitioner in the above-entitled matter having moved that the hearing scheduled to be held therein on March 15, 1943, at a hearing room of the Bituminous Coal Division, Washington, D. C., be postponed, and good cause having been shown why said motion should be granted;

Now, therefore, it is ordered, That the hearing scheduled to be held in the above-entitled matter, on March 15, 1943, at a hearing room of the Bituminous Coal Division, Washington, D. C. be, and the same hereby is, postponed pending further Order of the Director.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4084; Filed, March 16, 1943; 11:39 a. m.]

[1] 7 F.R. 2320.

[2] A pamphlet containing Exhibits Nos. 1 and 2 was filed as a part of the original document containing Public Proclamation No. 1.

[3] Map filed as part of the original document.

[4] 7 F.R. 2405.

[5] 7 F.R. 3968.

[6] 7 F.R. 2543, 2601, 2713, 4436, 4498, 8346, 5719, 6631, 6703, 8377, 8565, and 8 F.R. 282, respectively.

[Docket No. A-1595]

CARROLLTOWN COAL CO.

ORDER GRANTING REQUEST TO POSTPONE HEARING AND POSTPONING HEARING

In the matter of the petition of Carrolltown Coal Company, a corporation, for approval of its agreement with Frank B. Wood, an individual trading and doing business as F. B. Wood Coal Mining Company, to purchase the entire production of the Foxburg No. 1 Mine, Mine Index No. 1685, and other coals; for a change in shipping point, and for permission to mix coals of Mine Index Nos. 582 and 1685.

The above-entitled matter having been heretofore scheduled for hearing on March 16, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C., by an order issued herein on February 13, 1943; and

A request that said hearing be postponed for a period of thirty (30) days having been filed herein by the above-named petitioner; and

The Director being of the opinion that good cause for the granting of said request has been shown, and that said hearing should be postponed;

Now therefore it is ordered, That said request be and the same hereby is granted and that said hearing be and the same hereby is postponed from March 16, 1943, at 10 o'clock in the forenoon of that day to April 16, 1943, at 10 o'clock in the forenoon of that day, at the place and before the officer or officers heretofore designated.

It is further ordered, That said order issued herein on February 13, 1943, shall, in all other respects, remain in full force and effect.

Dated: March 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4083; Filed, March 16, 1943; 11:39 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 186]

CANNED FRUITS AND VEGETABLES AND RELATED PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 56

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Miss Luisa Moreno from Industry Committee No. 56 for the Canned Fruits and Vegetables and Related Products Industry, and do appoint in her stead Mr. Joseph Cafero of Blue Island, Illinois, as representative for the employees on such committee.

Signed at New York, New York this 15th day of March 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-4074; Filed, March 16, 1943; 9:29 a. m.]

[Administrative Order 187]

CANNED FRUITS AND VEGETABLES AND RELATED PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 56

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignations of Messrs. Edward Huddleston, George Sanders, and John Seeman from Industry Committee No. 56 for the Canned Fruits and Vegetables and Related Products Industry, and do appoint in their stead Messrs. Henry P. Taylor of Walkerton, Virginia; Chester R. Loyd of Ozark, Arkansas; and W. S. Macklem of Rochester, New York, respectively, as representatives for the employers on such committee.

Signed at New York, New York this 15th day of March, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-4073; Filed, March 16, 1943; 9:29 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 476]

NIPPON TRADE AGENCY

Re: Assets of Nippon Trade Agency, San Francisco, California.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to Nippon Trade Agency, San Francisco, California, which is a branch office or agency of Japan Foreign Trade Federation, Tokyo, Japan,

is property of said agency which is a business enterprise within the United States and is a national of a designated enemy country (Japan), and determining that to the extent that such national is a person not within a designated enemy country such person is controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 10, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4044; Filed, March 15, 1943; 3:14 p m.]

[Vesting Order 717]

F. S. SAKAMAKI COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Francis S. Sakamaki is a subject of Japan and is interned in the United States, and therefore is a national of a designated enemy country (Japan);

2. Finding that F. S. Sakamaki Company, a sole proprietorship, San Francisco, California is a business enterprise within the United States;

3. Finding that said F. S. Sakamaki Company is owned and controlled by the aforesaid Francis S. Sakamaki, and therefore is a national of a designated enemy country (Japan);

4. Finding therefore that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said F. S. Sakamaki Company, San Francisco, California,

is property of a business enterprise within the United States which is a national of a designated enemy country (Japan);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4045; Filed, March 15, 1943; 3:14 p. m.]

[Vesting Order 809]

SOCIETE ANONYME DE MERBES-SPRIMONT

Re: Certain marble and monies owned by Societe Anonyme de Merbes-Sprimont.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Societe Anonyme de Merbes-Sprimont, is a corporation organized under the laws of Belgium with its principal office in Bruxelles, Belgium, enemy occupied territory;

2. Finding that said Societe Anonyme de Merbes-Sprimont is controlled by a designated enemy country (Germany) or a person within such country;

3. Determining, therefore, that said Societe Anonyme de Merbes-Sprimont is a national of a designated enemy country (Germany);

4. Finding that said Societe Anonyme de Merbes-Sprimont is the owner of the property hereinafter described in subparagraph 5;

5. Finding therefore that the property described as follows:

a. Certain marble owned by Societe Anonyme de Merbes-Sprimont and presently stored in the plant of John J. Deery Co., Inc., 4242 Vernon Boulevard, Long Island City, New York, New York,

b. All right, title, interest and claim of any name or nature whatsoever of said Societe Anonyme de Merbes-Sprimont in and to all obligations, contingent or otherwise and whether or not matured, owing to it by said John J. Deery Co., Inc., including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and

c. All right, title, interest and claim of any name or nature whatsoever of said Societe Anonyme de Merbes-Sprimont in and to all obligations, contingent or otherwise and whether or not matured, owing to it by Philadelphia National Bank, Philadelphia, Pennsylvania, including but not limited to all security rights in and to any and all collateral for any or all such obligations and including particularly the account in said Philadelphia National Bank which is due and owing to and held for said Societe Anonyme de Merbes-Sprimont,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

6. Determining that the property described in subparagraphs 5b and 5c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 5a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

7. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4046; Filed, March 15, 1943; 3:14 p. m.]

[Vesting Order 821]

PROPERTY OF WILLIAM ELBERFELD

Re: Second mortgage owned by William Elberfeld on certain real property in Brooklyn, New York.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that William Elberfeld is a citizen of Germany, who has been interned by the United States Government at the alien detention station, Camp Forrest, Tennessee, and is a national of a designated enemy country (Germany);

2. Finding that William Elberfeld is the owner of a second mortgage on certain real property located at 34 Prospect Street, Borough of Brooklyn, City, County and State of New York;

3. Finding that the property described as follows:

All right, title, interest, estate and claim of any name or nature whatsoever, of William Elberfeld, in and to any and all obligations, contingent or otherwise and whether or not matured, which are secured by a second mortgage, dated April 1, 1942, and recorded April 2, 1942 in the County Clerk's Office of Kings County, New York, in Liber 8823 of Mortgages, page 578, on the lot and improvements located at 34 Prospect Street, Borough of Brooklyn, City, County and State of New York, more particularly described in Exhibit A attached hereto and made a part hereof, including but not limited to all security rights in and to any and all collateral (including the aforesaid second mortgage) for any or all of such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, contained in the block bounded by Prospect, Washington, Adams and Sands Streets, and more particularly described as follows: beginning at a point on the Southerly side of Prospect Street, which is distant forty-three (43) feet three (3) inches Easterly from the Southeasterly corner of Washington and Prospect Streets; and running thence Easterly along the Southerly side of Prospect Street twenty-one (21) feet six (6) inches; thence Southerly and parallel with Washington Street eighty (80) feet; thence Westerly parallel with Prospect Street twenty-one (21) feet and six (6) inches; thence Northerly again parallel with Washington Street eighty (80) feet to Prospect Street, the point or place of beginning.

Together with all the right, title and interest of the mortgagor of, in and to the land lying in Prospect Street in front of and adjoining the above described premises to the center line thereof.

[F. R. Doc. 43–4047; Filed, March 15, 1943; 3:14 p. m.]

[Vesting Order 908]

NEW PACIFIC HOLDING COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons whose names and last known addresses, as represented to the undersigned, are set forth in Exhibit A attached hereto and made a part hereof, are nationals of a designated enemy country (Japan);

2. Finding that said persons are the owners of 3,452 shares of no par value common capital stock of New Pacific Holding Company, a Washington corporation, Seattle, Washington, which is a business enterprise within the United States, the number of shares owned by each of whom is set forth in said Exhibit A;

3. Finding that said 3,452 shares constitute a substantial part (namely, 18.96%) of all outstanding shares of capital stock of said business enterprise and represent an interest therein;

4. Determining, therefore, that such business enterprise is a national of a designated enemy country (Japan);

5. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Names	Addresses	Number of shares
E. Mashiyama	Japan	2
H. Miike	Japan	12
Hatsuzo Miyamoto	Japan	1
Mrs. M. Obishi	Japan	40
S. K. Obishi	Japan	40
Y. Ohta	Japan	25
Kenji Suzuki	Japan	2
Akino Minami	Japan	5
Noboru Togo	Japan	2

EXHIBIT A—Continued

Names	Addresses	Number of shares
K. T. Yamasata	Japan	1
Mrs. Y. Fujimoto	Japan	33
Ryikichi Fujimani	Japan	4
Ryoso Fukuchima	Japan	5
Yoshio Nakata	Japan	21
M. Nakagawa	Japan	500
S. Nakagawa	Japan	100
S. Sakurai	Japan	100
T. Toyoda	Japan	70
K. Shishido	Japan	40
M. Furukawa	Japan	40
S. Kawai	Japan	30
Y. Iwakami	Japan	20
The Furuya Co. Ltd.	Japan	500
Hikotare Hirugami	Japan	4
Kesa Miyazawa	Japan	10
Shirue Oda	Japan	10
Shotaro Ohtsubo	Japan	4
Toraiaro Shirota	Japan	5
Furutaro Tanaka	Japan	4
Mieko Tojo	Japan	10
Michio Tatuchi	Japan	2
Keigoro Yamamoto	Japan	4
Ut a Kdke	Japan	10
H. Tanouye	Japan	1
Kumaki Nishida	Japan	5
Nishida	Japan	5
H. Takashima	Japan	10
K. Neya	Japan	20
S. Ueno	Japan	18
M. Kojima	Japan	10
H. I. Satoh	Japan	1,047
A. Abe	Alien detention camp	5
Shohei Arase	Alien detention camp	2
Riichiro Fukano	Alien detention camp	10
Koichi Furuta	Alien detention camp	4
Takematsu Hamanaka	Alien detention camp	10
Tamaru Karada	Alein detention camp	5
Hike Hadai Inouye	Alien detention camp	2
M. Koike	Alien detention camp	22
Sheji Kumasaka	Alien detention camp	40
Katsushiro Matsumoto	Alien detention camp	10
Giichi Miyasaki	Alien detention camp	24
Yasutaro Miyasawa	Alien detention camp	4
Seichi Murakami	Alien detention camp	35
Jintaro, Nakatsu	Alien detention camp	1
Buhei Nakasone	Alien detention camp	28
Teeichi Ogami	Alien detention camp	1
Eihan Okiyama	Alien detention camp	10
Kisoe Tobe	Alien detention camp	18
Tomekichi Urakawa	Alien detention camp	10
Kikuze Uyeminami	Alien detention camp	100
Junichi Yoshitomi	Alien detention camp	10
R. Fukaue	Alien detention camp	20
S. Kawai	Alien detention camp	27
S. Kawamoto	Alien detention camp	2
S. Yamada	Alien detention camp	2
K. Tobe	Alien detention camp	200
Michi Ishibashi	Alien detention camp	24
Mrs. Tora Miyake	Alien detention camp	24
Hisajiro Okameto	Alien detention camp	20
Kunihiko Tanaka	Alien detention camp	10
Total		3,452

[F. R. Doc. 43–4010; Filed, March 12, 1943; 2:57 p. m.]

[Vesting Order 921]

HEITARO FUJITA

Re: Real properties located in Passaic County, New Jersey, owned by Heitaro Fujita.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Heitaro Fujita, also known as Baron Rartero Fujiti, is a citizen of Japan, whose last known address is Prefecture of Osaka, City of Osaka, Japan, and is a national of a designated enemy country (Japan);

2. Finding that said Heitaro Fujita is the owner of the real properties hereinafter described in subparagraph 3;

3. Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Heitaro Fujita and of such of his heirs, devisees, legatees, representatives, successors, and assigns who are

nationals of designated enemy countries, and of any and all other nationals of any and all designated enemy countries, in and to that certain real property situated in the Township of Pompton, County of Passaic and State of New Jersey, more particularly described in Exhibits A, B, C, D, E, F and G attached hereto and by reference made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of the aforesaid Heitaro Fujita and other nationals of designated enemy countries for rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by a national or nationals of a designated enemy country (Japan) or countries;

4 Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan) or countries;

5 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6 Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 17, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All those tracts or parcels of land and premises, hereinafter particularly described with the buildings and improvements thereon situate, lying and being in the Township of Pompton, in the County of Passaic and State of New Jersey, bounded and described as follows:

Beginning at a stake and stone heap on the easterly side of the Ringwood Road, being the beginning corner of a tract of 27.04 acres conveyed by Ezra E. Drew and wife to Henry P. Brown by deed dated April 3, 1841 and also the 5th corner of a tract of 126.15 acres conveyed to William M. Weygant, by Mary Elizabeth McCall by deed dated April 25, 1910 Book Y 20, page 322, also the beginning corner of two acres conveyed by Henry P. Brown to William W. Colfax by deed dated June 10, 1853 and recorded in Book F 2, page 615, and from thence running along fifth line of said one hundred and twenty-six acres and fifteen one hundredths of an acre and in part along said Colfax, now Albert Worths first line and Jacob H. Brown, (1) north sixty nine degrees thirty minutes west seven hundred and fifty five feet, crossing a deep ravine to a stake and stones on the east slope of the mountain, the sixth corner of aforesaid one hundred and twenty six acres and fifteen one hundredths of an acre, and second corner of twenty two acres and forty four one hundredths of an acre conveyed by Ezra E. Drew and wife, to H. P. Brown, April 23, 1841, recorded in Book E page 200, thence (2) running along sixth line of said land of Jacob Brown north twenty minutes west six hundred and ninety three feet, to a stake and stones on the west slope of the mountain, the seventh corner of said one hundred and twenty six acres and fifteen one hundredths of an acre and in the third line of Brown's twenty two acres and forty four one hundredths of an acre tract (3) thence along the seventh line of said one hundred and twenty six acres and fifteen one hundredths of an acre tract north fifteen degrees twenty eight minutes east five hundred and ninety four feet; thence (4) along the eighth line of said last mentioned tract north sixty one degrees forty five minutes east one hundred and thirty feet, more or less to the seventeenth line of a tract of one hundred and sixty seven acres and thirty nine one hundredths of an acre returned to Josiah Ogden et als March 23, 1743, Book S 2, page 51, thence along said seventeenth line about north twenty seven degrees, forty five minutes east seven hundred and twenty five feet, more or less, to the sixteenth corner of a fifty eight acres tract conveyed to Anthony and Joseph Beam by deed recorded in Bergen—Book Q page 19, thence (4) along the sixteenth line of same north seventy degrees thirty eight minutes west six hundred and seventy six feet and five tenths of a foot to the easterly shore line of the (Wynockie) Wanaque River, thence (5) along the same, northeasterly the several courses thereof fourteen hundred and thirty two feet to a stake and stones on the east bank of said River, about eight feet above water level, thence (6) along the eighteenth course of said fifty eight acres south sixty one degrees, twelve minutes east one hundred and twenty one feet and eight tenths of a foot to the easterly line of the right of way of the New York and Greenwood Lake R. R. thence (7) along said right of way northeasterly seven hundred and fifty feet to a point in the fifth line of forty four acres and nine one hundredths of an acre returned to Andrew Bell the 24th day of February 1817 recorded in the Surveyor General's Office of Perth Amboy in Book S 17 page 418, thence (8) along said fifth line about south sixty degrees east seven hundred feet to a stone heap on the north side of Stonetown Road, a corner of Sarah A. Hewitt's land, thence (9) continuing along said fifth line and line of said Hewitt's land in Stonetown Road, south fifty nine degrees, forty five minutes east five hundred and eighty six feet to a stake and stones on the northerly side of a triangle on the southerly side of Stonetown Road, where intersected by the westerly line of the Ringwood Road, the sixth corner of forty four acres and nine one hundredths of an acre, thence (10) north fifty one degrees and fifty four minutes east crossing said Stonetown Road and along line of Sarah A. Hewitt's land two hundred and fifty four feet to a point in the middle of the Ringwood Road; (11) continuing along said road and Hewitt's line north fifty five degrees nine minutes east two hundred and seventy feet to a point in the fourth line of seventeen acres and twelve one hundredths of an acre returned to Peter Sonmans, at the request of the Earl of Sterling, November 16, 1774, Book S 7, page 217, thence (12) along said fourth line reversing, about south forty seven degrees forty five minutes east four hundred feet to the fourth corner of same, thence (13) along the third line of same north seventy eight degrees fifteen minutes east four hundred and thirty feet to the line of land of Edward Brown and seventh line of a tract in the deed from Ida C. Kennedy and Cornelius Kennedy, Executor and Executrix of the Estate of John Kennedy deceased, to William Roome dated the 14th of April 1911, thence (14) along said seventh line and line of land of Edward Brown south thirty three degrees thirty seven minutes east nineteen hundred and ninety two feet to an old stone heap, the sixth corner of the one hundred and eight acres, and seventy four one hundredths of an acre returned to Martin I. Ryerson the 19th of January 1805, and said Roome's seventh corner; thence (15) along the fourth line of fifty acres and forty one hundredths of an acre formerly Henry J. David, and fifth corner of said one hundred and eight acres, and twenty four one hundredths of an acre, now of Edward Brown, north fifty three degrees forty five minutes east twelve hundred and forty feet to an old stone heap half way up the slope of the mountain thence (16) along the third line of said fifty acres and forty one hundredths of an acre, and along the fourth line of said one hundred and eight acres and twenty four one hundredths of an acre of Edward Brown, south forty two degrees, twenty one minutes east eleven hundred and eighty eight feet to a stake and stones in low ground the third corner of said fifty acres and forty one hundredths of an acre, also the eleventh corner of one hundred and ten acres and sixty four one hundredths of an acre conveyed by Robert Beatty and wife to Philip R. George the 8th of Dec. 1883, recorded in Book T 7 of Deeds, page 332; thence (17) along the second line of fifty and forty hundredths acres and the 11th line of said one hundred and ten and sixty four one hundredths (110.64) acres south fifty three degrees thirty eight minutes west, nineteen hundred feet to a stake and stone in low ground, the second corner of said fifty and forty hundredths acres thence (18) still along said one hundred and ten and sixty four one hundredths acres south fifty two degrees, two minutes west six hundred feet to stakes and stones, the twelfth corner of said one hundred and ten and sixty four hundredths acres and fourth corner of one hundred acres conveyed by Henry P. Brown by deed 21st March 1851 recorded in Book Q page 530, thence (19) along the twelfth line of said one hundred and ten and sixty four one hundredths acres and fourth line of Brown's one hundred acres tract, south twenty two degrees thirty eight minutes west nine hundred and thirty and six tenths feet to a stone heap in a white oak stump, the fifth corner of one hundred acres and thirteenth corner of said one hundred and ten and sixty four one hundredths acres thence (20) along the thirteenth line of said one hundred acres and ten and sixty four one hundredths acres south fifty degrees thirty minutes east seventy four feet to a stake and stones against the side of the mountain the fourteenth corner of one hundred and ten and sixty four one hundredths acres and beginning corner of thirty acres conveyed to William T. Van Dine by John M Sloat and wife by deed dated May 8, 1871, Book D 4, page 397, thence (21) along the fourteenth line of said one hundred and ten and sixty four one hundredths acres and fifth line of said thirty (30) acres south forty degrees fifty seven minutes west three hundred

and eleven feet to an ironwood tree on the north bank of Deep Mountain Brook, the fifteenth corner of said one hundred and ten and sixty four one hundredths acres, thence (22) continuing along said thirty acres and along the line of William Drayton, south forty five degrees, eight minutes west fourteen hundred and twelve and five tenths feet to the fifth corner of said thirty acres formerly of Vandine, thence (23) along the fourth line of said thirty acres north sixty nine degrees west two hundred and twenty four feet, thence (24) along William H. Drayton's line south twenty three degrees fifteen minutes west three hundred and eighty nine and four tenths feet to stake and stones on west side of old Wood Road, thence (25) still along line of said Drayton's south twenty six degrees twelve minutes west fifty five feet to a corner of Drayton land a part of which is now owned by Thomas A. Nevins, and the third corner of eighty acres formerly of John and Joseph Dondero, thence (26) partly along said Nevins line and along Dondero's third line of eighty (80) acres south forty eight degrees east nine hundred feet to a stake and stones on the top of the mountain the third corner of a tract of forty five and thirty five one hundredths acres conveyed to Lawrence H. Tasker by John and Joseph Dondero, by deed dated July 7, 1911, recorded July 13, 1911, thence (27) along the second line of same south thirty four degrees west thirty one hundred feet to a stake and stones on the top of the mountain, the second corner of said forty five and thirty five one hundredths acres thence (28) along the first line of same north seventy four degrees thirty minutes west two hundred and sixty four feet to the end of a stone wall, the second corner of three and thirty hundredths acres which John M. Sloat conveyed to Peter Beatty, Sept. 20, 1871, thence (29) along the second line of Peter Beatty's three and thirty hundredths acres south seventy one degrees west three hundred feet to said Beatty's third corner a post on the east side of a right of way through said Sloat's lands, thence (30) along said Beatty's third line and fence south twelve degrees forty five minutes east three hundred and twenty six feet; thence (31) still along said fence and stone wall on Beatty's now Gaston Drew's line on east side of Milton Sloat's right of way south four degrees fifteen minutes west, forty seven feet to a point in said fence south fifty nine degrees, nine minutes east forty nine feet, from beginning corner of twenty two acres conveyed to Beam & Hoxsey by John M. and Wm. H Sloat, Oct. 3, 1867; thence (32) north fifty nine degrees nine minutes west, forty seven feet, crossing said right of way to the beginning corner of aforesaid twenty two acres and from thence along the several courses of said twenty two acres at the edge of low ground (33) north eleven degrees twelve minutes east four hundred and forty feet (along the thirty sixth line of said twenty two acres to a post; (34) north fifty seven degrees forty eight minutes west three hundred and ninety one and three tenths feet; (35) north seventy one degrees eighteen minutes west one hundred and eight and nine tenths feet; (36) south eighty two degrees twelve minutes west ninety-one and seven tenths feet; (37) south fifty four degrees twelve minutes west two hundred and fifty seven and four tenths feet; (38) north fifty seven degrees three minutes west one hundred and twelve and two tenths feet; (39) north fifteen degrees thirty three minutes west ninety five and seven tenths feet; (40) north one degree fifteen minutes west one hundred and fifty six feet; (41) north forty six degrees eighteen minutes west ninety seven and five tenths feet; (42) north twenty degrees three minutes west one hundred and thirty three feet (43) north eleven degrees forty two minutes east two hundred and thirty and three tenths feet (44) north twenty nine degrees twelve minutes east ninety two and four tenths feet; (45) north twenty four degrees fifty seven minutes east two hundred and fifty five and four tenths feet, thence (46) north two degrees eighteen minutes west eighty eight and four tenths feet; (47) north three degrees fifty seven minutes east sixty six (66) feet; (48) north fifty nine degrees twenty seven minutes east seventy three and one tenth feet; (49) north seventy five degrees twelve minutes east fifty six and eight tenths feet; (50) south eighty five degrees forty eight minutes east one hundred and forty three and two tenths feet; (51) north thirteen degrees, forty two minutes east forty six and six tenths feet to beginning corner two and thirty hundredths acres conveyed by Jane Sloat and husband to William T. Van Dine the 28th of June 1875, continuing along said twenty two acres (52) north thirteen degrees forty two minutes east twenty three and four tenths feet, (53) north four degrees eighteen minutes west one hundred and forty four feet (54) north forty seven degrees thirty one minutes west one hundred and ninety one feet, to bar post (55) south sixty four degrees forty two minutes west thirty four feet along road; (56) south twenty seven degrees twelve minutes west one hundred and sixty nine feet; (57) south sixty seven degrees twelve minutes west one hundred and twenty five and four tenths feet, (58) south thirty five degrees thirty minutes west one hundred and fifteen and five tenths feet; then leaving the road (59) south four degrees thirty eight minutes east sixty seven and three tenths feet; (60) south seventy eight degrees fifty one minutes one hundred and fifty five feet, (61) south fifty one degrees forty two minutes west three hundred and fifty eight and four tenths feet, (62) south thirty degrees forty two minutes west one hundred and twenty seven feet; (63) south thirty degrees forty two minutes west, fifty five feet to a corner of W. T. Vandine's land, thence along his line (64) north sixty eight degrees fifteen minutes west two hundred and thirty two feet to an iron bolt in the right of way west of the West Rail of the New York & Greenwood Lake Railroad, and in the first line of one hundred and fifty six and forty one one hundredths acres conveyed by Alfred Ryerson Sheriff to John M. Sloat, Sept. 26, 1867, recorded in Book N–2 of deeds pages 7 etc. thence (65) partly along said line north twenty nine degrees east six hundred and fifty two feet to a point in the middle of the right of way to formerly Milton D. Sloat's lands thence (66) along same south seventy four degrees east two hundred and ninety six feet to a bolt in the said right of way the third corner of twenty five one hundredths of an acre conveyed to Elize Beatty by Anna Van Dine et al, December 15, 1894, Book V 11, page 244, thence (67) along the second line of same north twenty one degrees forty five minutes east one hundred and forty two feet to the corner post of the fence; thence (68) along the northerly line and fence of Beatty's three tracts north sixty degrees forty five minutes west two hundred and seventy feet to the aforesaid first line of one hundred and fifty six and forty one one hundredths acres, thence (69) along said first line north twenty nine degrees east forty three feet to the second corner of the one hundred and fifty six and forty one one hundredths acres tract, a stone heap in the fence, thence (70) along the second line of the one hundred and fifty six and forty one one hundredths acres tract, north five degrees thirty minutes west three hundred and thirty feet to a bolt in the easterly side of the Ringwood Road twenty two feet north of a large white oak tree on east side of Ringwood Road, the third corner of the one hundred and fifty six and forty one one hundredths acres tract; thence (71) along the fourth line of said tract north thirty one degrees thirty minutes east along the easterly side of said road five hundred and thirty feet to a point five feet west of the westerly rail of the New York & Greenwood Lake Railroad, thence (72) along the line and fence of Henry H. Brown's land south seventy five degrees east eight hundred and sixty nine feet to a stone heap in a black oak stump a corner of Brown's eight acres tract; thence (73) north thirteen degrees thirty minutes east fifty two and eight tenths feets to a stone heap in sixth line of one hundred and fifty six and forty one one hundredths acres, above referred to; thence (74) along said sixth line north twenty three degrees west twenty nine feet to an old stone heap, the seventh corner of the said tract of one hundred and fifty six and forty one one hundredths acres, and fourteenth corner of one hundred acres formerly of Henry P. Brown, thence (75) along the said fourteenth line and line of Henry H. Brown and Abram Beatty north sixteen degrees east fourteen hundred and thirty eight feet to fifteenth corner of said one hundred acres, a stone heap against a large rock near the foot of the mountain, thence (76) along the second line of a tract of nine acres, which Benjamin Roome and wife conveyed to William Caywood 22nd of September 1879, recorded in Book I 6, page 305 and fifteenth line of one hundred acres of Henry Brown north fourteen degrees west three hundred and six feet to the second line of Albert Worth's five hundred and twenty eight one hundredths acres, a stone heap on a rock; thence (77) along the second line of same, south eighty four degrees forty minutes east two hundred and thirty three feet to a stone heap against the west side of the mountain, the third corner of same; thence (78) along the third line of same north fifteen degrees fifty seven minutes east four hundred and forty two feet to the fourth line of twenty seven and four one hundredths acres conveyed by Ezra E. Drew to Henry P. Brown, April 23, 1841, recorded in Book E page 200; thence (79) along said fourth line and fence north seventy five degrees, thirty nine minutes west three hundred and seventeen feet to the fifth corner of same, thence (80) along the fifth line of twenty seven and four one hundredths acres and fence north thirty five degrees thirty minutes west one hundred and six feet to the fourth line of Albert Worth's five and eighty four one hundredths acres tract, thence (81) along the fourth line of same north seventy eight degrees three minutes west ninety two feet to the beginning of Worth's five and twenty eight one hundredths acres; thence (82) along the first line of same south twenty degrees thirty minutes west five hundred and thirty two feet to the third line of said twenty seven and four one hundredths acres; thence (83) along the same south eighty seven degrees thirty minutes west one hundred and one feet to the easterly side of Ringwood Road; thence (84) along the easterly side of the said road, northeasterly two hundred and seventy five feet to a stone heap on a point of a ledge of rocks, the fifth corner of two acres conveyed by Henry P. Brown, to Wm. W. Colfax, June 10, 1853, recorded in Book F 2 of Deeds pages 615 etc. and also the beginning corner of one acre conveyed by Catherine Hennion to David H. Hennion Oct. 20, 1835, recorded in Book Q 3 of Deeds, page 523, thence (85) along the second line of said two acres north eighty degrees fifty four minutes east one hundred and fifty and two tenths feet to the sixth corner at an old stone heap; thence (86) along the sixth line of same, north seven degrees nine minutes east four hundred and twenty feet to the place or point of beginning.

Containing six hundred and forty one and ninety hundredths acres.

The same being the land lately owned in several separate parcels by Louis Wollstein, William M. Weygant, John W. Vandine, and others and John Dondero, and by them sold to Lawrence H. Tasker by several deeds recorded in the Register's office in said Passaic County, New Jersey.

Also all that other lot, tract or parcel of land and premises situate, lying and being in the Township of Pompton in the County of Passaic and State of New Jersey.

Beginning at a stake and stones on the north side of a chestnut tree and south side and near Conklintown Road, the fourth corner of six and three one hundredths acres conveyed by Mary Rutherford, Executrix etc. to Josiah Beam, 14th of Nov. 1844, recorded in Book I of Deeds, page 80, and from thence runs (1) along lands of now or formerly of Peter De Graw, Clark Conklin, and John Storms south thirty four degrees, nine minutes east eighteen hundred and seventeen feet to an old stone heap and fourth corner of sixteen and twenty three one hundredths acres conveyed by Joseph Cook and wife to Charles Conklin 3rd of December 1862, recorded in Book Q 2 page 142; thence (2) along said Conklin line south seventy three degrees fifteen minutes west one hundred and thirty two feet to a stone heap against the hill, in line of now or formerly Charles Conklin's land; thence (3) south eighty one degrees nine minutes west six hundred and ninety five feet to the second line of P. Tice's eleven and forty four one hundredths acres, to a stake and stones in the swamp; thence (4) along the second line of said Tice's eleven and forty four one hundredths acres, more recently of Charles Conklin north fifty five degrees, west one hundred and seventy five feet to the third corner of said eleven and forty four one hundredths acres, a stake and stones at the north corner of a large flat rock, thence (5) along the third line of said tract and the land now of David Fredericks south thirty seven degrees thirty seven minutes west one hundred and sixty seven feet; thence (6) south eighty one degrees nine minutes west, fifty four feet; thence (7) south fifty three degrees thirty nine minutes west three hundred and thirty feet to a red oak tree on the north side of High Mountain Brook, thence (8) south eighty one degrees west three hundred and thirty one feet; thence (9) partly along line of the estate of Philip R. George north ten degrees fifty one minutes west twenty hundred and thirty eight feet to an old stone heap a corner of Sara A. Hewitt's land, thence (10) along line of Sara A. Hewitt's south eighty five degrees fifty four minutes east ten hundred and fifty and nine tenths feet to the place of beginning.

Containing fifty six and twenty eight one hundredths acres.

The same being known as the Tice Pond Tract and being property lately owned by Louis Wollstein, and by him conveyed to Lawrence H Tasker by deed recorded in the Register's office of said Passaic County, New Jersey.

And also all that other lot, tract or parcel of land and premises, situate, lying and being in the Township of Pompton in the County of Passaic and State of New Jersey.

Beginning at a stone heap lying on the south side of Deep Brook being the beginning corner of a tract of thirty acres, returned to P. V. B. Livingston 25th of November 1791 and recorded in Perth Amboy in Book S 10 of Deeds, pages 80 etc. said stone heap being also the fifteenth corner of tract of one hundred and twelve and eighty hundredths acres, formerly owned by Wm. H. Drayton the part adjoining land herein described now owned by Thomas A. Nevins and from said stone heap running (1) along the fourth line of said thirty acres and fifteenth line of said Drayton's land south eleven degrees thirty minutes east three hundred and thirty two feet to Drayton's sixteenth corner and fourth corner of said thirty acres a stone heap on the south side of an old road; thence (2) south eighty two degrees thirty minutes east along the third line of said thirty acres nineteen hundred and fifty five feet to a stone heap in the fourth line of fifty four and sixteen one hundredths acres returned to Theunis Ryerson, 2nd of February 1810 Book S 17 page 70, and seventeenth corner of Drayton's one hundred and twelve and eighty hundredths acres; thence (3) along the fourth line of said fifty four and sixteen one hundredths acres and seventeenth line of Drayton south forty one degrees fifteen minutes east one hundred and twenty feet to a stone heap, the fifty corner of said fifty four and sixteen one hundredths acres and eighteenth corner of said Draytons land; thence (4) along the fifth line of said fifty four and sixteen one hundredths acres and eighteenth line of Drayton north thirty six degrees thirty minutes east eight hundred and ten feet to the sixth corner of said fifty four and sixteen one hundredths acres, and nineteenth corner of Drayton in line of fifty and two one hundredths acres returned to Theunis Ryerson 23rd of Jan. 1802, recorded in Book S 14 of Deeds pages 168 in Surveyor General's Office at Perth Amboy, thence (5) along the fourth line of fifty and two one hundredths acres and nineteenth line of Drayton in part, south forty nine degrees east two hundred and sixty eight feet to the fourth corner of fifty and two one hundredths acres, thence (6) along the third line of same and land of now or formerly the estate of Allen Conklin deceased north thirty six degrees five minutes east eighteen hundred and ninety two feet to the third corner of said fifty and two one hundredths acres, and second corner of Allen Conklin's 26 acres tract; thence (7) along the third line of fifty and two one hundredths acres and second line of fifty four and sixteen one hundredths acres and first line of forty acres conveyed by Joseph Cook to Allen Conklin 23rd of October, 1862, Book U 2 page 76, north fifty three degrees fifteen minutes west fourteen hundred and eighty feet to a stone heap on the east slope of the mountain, the third corner of fifty four and sixteen one hundredths acres also the fourth corner of one hundred and ten and sixty four one hundredths acres above referred to; thence (8) along the third line of fifty four and sixteen one hundredths acres and third line of one hundred and ten and sixty four one hundredths acres, south fifty two degrees three minutes west twenty four hundred and sixty four feet to a stone heap on the north slope of the mountain, the fourth corner of fifty four and sixteen one hundredths acres and second corner of one hundred and ten and sixty four one hundredths acres, thence (9) along the fourth line of said fifty four and sixteen one hundredths acres and second line one hundred and ten and sixty four one hundredths acres south forty two degrees forty three minutes east seven hundred and fifty feet to a point in the first line of aforesaid thirty acres tract, also being the second corner of the one hundred and ten and sixty four one hundredths acre tract a stone heap about twenty feet south of a mine opening; thence (10) along the first line of said thirty acres, and also first line of the one hundred and ten and sixty four one hundredths acres south seventy seven degrees forty five minutes west twelve hundred and eighty five feet to the beginning.

Containing one hundred and twenty two and thirty four one hundredths acres.

The same being the land lately owned in several separate parcels by Martin Drew and George H Young and by said Martin Drew and by the widow, heirs at law and executor of the last Will and Testament of said George H. Young conveyed to Josiah Ricker and by Josiah Ricker conveyed to Lawrence H. Tasker by several deeds duly recorded in the Register's office in said Passaic County, New Jersey.

And also all that other lot, tract or parcel of land and premises situate, lying and being in the Township of Pompton in the County of Passaic and State of New Jersey.

Beginning at a stake and stones on the westerly side of Conklin-town Road the fifth corner of one hundred and twenty seven and sixty two one hundredths acres returned to A. C. and John Beam and others 5th of July 1811, recorded in Book S 17 in the Surveyor General's Office, Perth Amboy, page 137 and in the first line of a tract of one hundred and fifteen and seventy two one hundredths acres returned to Alexander and Morris, Oct. 8, 1755 and recorded in Perth Amboy in Book S 4 of Deeds, page 56, also being the third corner of thirty four and eighty eight one hundredths acres, Rutherford Est. Share No. 2, and from said corner running (1) along the fifth line of one hundred and twenty seven and sixty two one hundredths acres and third line of thirty four and eighty eight one hundredths acres south forty eight degrees west twelve hundred and forty four feet to a stake and stones the sixth corner of said one hundred and twenty seven and sixty two one hundredths acres also the fourth corner of twenty eight and 33 acres formerly of the Estate of Joseph H. Beam more recently of Pierson & Butterworth, thence (2) still along the line of said twenty eight and thirty three one hundredths acres, south eleven degrees west two hundred and eighty nine feet to a stake in the stone wall, in line of C. J. McKinnon's land thence (3) along said wall and line of McKinnon south sixty three degrees, fifteen minutes east one hundred and twenty four and five tenths feet; thence (4) still along said wall and fence south sixty eight degrees east two hundred and ninety six feet to the middle of the Conklintown Road, thence (5) along the same south seven degrees west thirty one feet to the fifth line of said twenty eight and thirty three one hundredths acres, formerly of Joseph H. Beam (6) along the fifth line of same, south seventy degrees twenty minutes east nineteen hundred and twenty eight feet to a stone heap the beginning corner of twenty eight and thirty three one hundredths acres and also in line of lands of "Ramapo Park," (7) along the lands of Ramapo Park north twenty eight degrees thirty minutes east seven hundred and sixty one and six tenths feet to the beginning corner of one hundred and fifteen and seventy two one hundredths acres above referred to, thence (8) along the sixth line of said one hundred and fifteen and seventy two one hundredths acres and still along lines of Ramapo Park north thirty three degrees fifty minutes east eight hundred and forty five feet; thence (9) continuing along Ramapo Park south fifty one degrees thirty minutes east ninety eight feet; thence (10) continuing along Ramapo Park north thirty seven degrees fifty one minutes east twenty seven hundred and eighty six feet to the seventh corner of thirty seven and fifty two one hundredths acres Est. of John Rutherford, Share No 2, thence (11) along the line of said Estate north fifty one degrees twenty seven minutes west eight hundred feet to a stake and stones; thence (12) still along said Rutherford Estate south thirty eight degrees thirty three minutes west two hundred and eighteen feet, thence (13) continuing along same north eleven degrees twenty seven minutes east one hundred and ninety six and six tenths feet; thence (14) still along same north seventy five degrees thirty three minutes west five hundred and sixteen feet to a point in the gutter in the Conklintown Road; thence (15) still along same lands north seventy six degrees, forty two minutes west nine hundred and twenty four feet to the line of one hundred and twelve and eighty one hundredths acres, formerly of William H. Drayton; thence (16) in part along the line of one hundred and twelve and eighty hundredths acres of William H. Drayton, south thirty six degrees, west fourteen hundred and forty four feet to the second corner of said one hundred and twelve and eighty hundredths acres; thence (17) along the first line of thirty four and eighty eight one hundredths acres belonging to the estate of John Rutherford, Share No. 2, south thirty seven degrees thirty minutes west fourteen hundred and forty six feet to a corner of said thirty four and eighty eight one hundredths acres, thence (18) along the second line of said thirty four and eighty eight one hundredths acres south fifty two degrees ten minutes east one hundred and forty two feet to the beginning.

Containing two hundred and twenty four and seventy one one hundredths acres.

The same being the land lately owned in several separate parcels by Arthur Redner and Catharine Redner, and by Arthur N. Pierson and Roger H. Butterworth and by them conveyed to Lawrence H. Tasker by several deeds recorded in the Register's office in said Passaic County, New Jersey.

Said several tracts and parcels above described taken together containing one thousand fifty two and fifty seven hundredths acres (1,052.57) acres of land, more or less, according to survey made by Roome & Lamscha, Civil Engineers and Surveyors in the year 1911.

EXHIBIT B

All those tracts or parcels of land and premises hereinafter particularly described with the buildings and improvements thereon situate, lying and being in the Township of Pompton, in the County of Passaic and State of New Jersey, bounded and described as follows:

Beginning at a stake and stones a corner of Ramapo Park lands (the 7th corner of 37.52 acres formerly of the Estate of John Rutherfurd) and the 11th corner of a tract of 224.71 acres, the fourth parcel in a deed dated the 21st day of August 1911 from the said Lawrence H. Tasker to Heitaro Fujita and from said corner running (1) along the line of said estate and 11th line of said 224.71 acres north fifty one degrees (51°) 27 minutes (27') west eight hundred feet (800 ft.) to a stake and stones the 12th corner of said 224.71 acres (2) still along line of said Rutherfurd and 12th line of 224.71 acres south thirty eight degrees (38°) thirty three minutes (33') west two hundred and eighteen feet (218 ft.); continuing along said lines north eleven degrees (11°) 27 minutes (27') East one hundred and ninety six and six tenths feet (196.6 ft.); (4) still along same north seventy five degrees (75°) thirty three minutes (33') west five hundred and sixteen (516) feet to a point in the gutter in the easterly side of Conklintown Road; (5) continuing along aforesaid lines north seventy six degrees (76°) forty two minutes (42') west nine hundred and twenty four feet (924 ft.) to the line of 112.81 acres formerly of William Drayton (6) along the line of said 112.81 acres and Rutherfurd Estate North thirty six degrees (36°) fifteen minutes (15') East seven hundred and fifty five feet (755 ft.) to the first line of 50.04 acres conveyed by John W. Monks to Allen Conklin by deed dated 10th of October 1866 and recorded in Book D 3 page 516 and the 19th line of said 112.81 acres; (7) along said line north forty six degrees (46°) thirty three minutes (33') west four hundred and thirty nine feet (439 ft.) to the beginning corner of said 50.04 acres tract and the 6th corner of a tract of 122.34 acres the 3rd parcel in said deed from Lawrence H. Tasker to Heitaro Fujita (8) along the 6th line of said 122.34 acres North thirty six degrees (36°) five minutes (5') East 1,892 feet to the 7th corner of said 122.34 acres and second corner of 40 acres conveyed by Joseph Cook to Allen Conklin by deed dated 23rd October 1862 and recorded in Book U 2 of Deeds page 76 &c. (9) in part along the 7th line of said 122.34 acres and first line of said 40 acres north fifty three degrees (53°) fifteen minutes (15') west six hundred and twenty six feet (626 ft.) to a stone heap in the angle of the fence the fifth corner of a tract of 14.25 acres conveyed by Allen Conklin and wife to Ann Conklin 18th May 1866 Book D 3 page 481 &c.; (10) along the 6th line of same and fence these several courses north fifty one degrees (51°) east two hundred and seventy one feet (271 ft.); north fifty four degrees (54°) forty five minutes (45') east two hundred and thirteen feet (213 ft.) north fifty five degrees (55°) fifteen minutes (15') east one hundred and ninety feet (190 ft.) north fifty three degrees (53°) thirty minutes (30') east ninety five feet (95 ft.) to a large chestnut tree the beginning corner of said 14.25 acres and 4th corner of 11.44 acres returned to Philip Tise 8th May 1765 Book S 5 page 248; (11) along the 4th line of said 11.44 acres and Allen Conklin's 40 acres tract South forty eight degrees (48°) East six hundred and eighty two feet (682 ft.) to a stake and stones, the beginning corner of said 11.44 acres, and 5th corner of 7.37 acres Joseph Cook conveyed to Allen Conklin by deed dated 23rd October 1862 Book U 2 of Deeds page 76; (12) along the 4th line of said 7.37 acres South forty seven degrees (47°) forty two minutes (42') west one hundred and two and three tenths feet (102.3 ft.) to a whitewood stump on the east side of Conklintown Road near the brook, the 4th corner of said 7.37 acres, and the 5th corner of said Conklin's 40 acres and also the 3rd corner of 16.66 acres returned to T. Tyerson 12th August 1810 Book S 17 page 325, now of the Estate of Peter Vandine, deceased; (13) along the 3rd line of said 16.66 acres South fourteen degrees (14°) three minutes (3') west one thousand one hundred and fifteen and four tenths feet (1115.4 ft.) to a stake in the field about eighty eight feet (88 ft.) west of the center of said Conklintown Road, the 4th corner of said 16.66 acres (14) along a compromise line between Peter Vandine and Allen and Riley Conklin south sixty two degrees (62°) eleven minutes (11') East five hundred and sixty six feet (566 ft.) to a stake and stones in the second line of 53.14 acres returned to A. Ryerson 17th August 1801 Book S 14 page 74; (15) along said line and first line of said 16.66 acres North thirty four degrees (34°) fifteen minutes (15') East nine hundred and fifty (950) feet to a stake and stones a corner of Ramapo Park; (16) along the line of said Ramapo Park South fifty one degrees (51°) 25 minutes (25') East eight hundred and forty six feet (846 ft.) to a stake and stones a corner of John Smiths' 22.38 acres tract; (17) along the several lines of same South twenty seven degrees (27°) forty eight minutes (48') west five hundred and fifty four feet (554 ft.) to a stone heap on the east side of a wood road; (18) South twenty six degrees (26°) thirty eight minutes (38') West four hundred and twenty feet (420 ft.) to a stone heap against the root of a red oak tree; (19) South forty degrees (40°) twenty three minutes (23') West four hundred and eight feet (408 ft.) to a stone heap against a rock maple tree; (20) South fifty three degrees (53°) three minutes (3') west eight hundred and one feet (801 ft.) to a stake and stones in the line of aforesaid Rutherfurd Estate; (21) along said line and land of John Smith South forty seven degrees (47°) fifty four minutes (54') East five hundred and eighty four feet (584 ft.) to a large maple tree in the line of Ramapo Park, (22) along said line South twenty six degrees (26°) twenty one minutes (21') West five hundred and forty six and five tenths feet (546.5 ft.) to the place of beginning.

Containing 141.09 acres, the same being the land lately owned in several separate parcels by Allen Conklin now deceased, John Rutherford, deceased, and Riley Conklin, deceased and by several mesne conveyances conveyed to Lawrence H. Tasker, and

Also all that certain tract and parcel of land and premises situate lying and being in Pompton Township, Passaic County, New Jersey.

Beginning at a stone heap in the fence in the first line of a tract of 58.28 acres conveyed by Lawrence H. Tasker to Heitaro Fujita by deed dated August 21, 1911 at a point South thirty four degrees (34°) nine minutes (9') East three hundred ninety nine feet (399 ft.) from the beginning corner of said tract; said point being the 3rd corner of a tract of 1.97 acres conveyed by Sophronia Ricker and husband to Clark Conklin by deed dated January 14, 1897 recorded V 12 of Deeds page 62 (1) along the first line of said 58.28 acres tract South thirty four degrees (34°) nine minutes (9') East one thousand four hundred and eighteen feet (1418 ft.) to a stake and stones the 2nd corner of said tract and the 3rd corner of a tract of 16.23 acres Joseph Clark and wife conveyed to Charles Conklin by deed dated 3rd December 1862 recorded in Book Q 2 page 142; (2) along the 4th line of said 16.23 acres South thirty degrees (30°) East six hundred and forty seven feet (647 ft.) to the line of lands of Ramapo Park (3) along said line North thirty five degrees (35°) twenty minutes (20') East one thousand nine hundred and ten feet (1910 feet) to a stone heap, a corner of lands of Sara A. Hewitt (4) along said Hewitt's line North fifty seven degrees (57°) fifteen minutes (15') west one thousand three hundred and thirty four feet (1334 ft.) to a large white oak tree the 2nd corner of a tract of 15 acres more or less conveyed by Jonas Conklin et al to Samuel Conklin by deed dated twenty eight July 1883 and recorded in Book L 8 page 263; (5) along the first line of same and lands of now or formerly Joseph Conklin and Peter Degraw, South forty one degrees (41°) forty five minutes (45') west one thousand one hundred and three feet (1103 ft.) to the middle of Conklintown Road the beginning corner of aforesaid 1.97 acre and in the line of Peter Degraw's land; (6) along his line North twenty five degrees (25°) forty eight minutes (48') west two hundred and forty five feet (245 ft.) to a post on the westerly side of said road (7) still along the line of said Degraw North seventy six degrees (76°) thirty three minutes (33') West three hundred and twenty five feet (325 ft.) to the place of beginning.

Containing 53.33 acres the same being the lands lately of Peter Conklin deceased, and by several mesne conveyances conveyed to Lawrence H. Tasker, and

Also all that certain tract and parcel of land premises situate lying and being in Pompton Township, Passaic County, New Jersey.

Beginning at a stone heap on the South side of an old road the 16th corner of a tract of 112.80 acres, Mary Rutherford, Executrix etc. conveyed to William H. Drayton 23rd November 1847 Book M page 205, and of which the land herein described is a part; and also being the second corner of a tract of 122.34 acres, conveyed by Lawrence H. Tasker to Heitaro Fujita by deed dated August 21, 1911 and from said point running (1) along the second line of said 122.34 acres tract South eighty two degrees (82°) thirty minutes (30') East one thousand three hundred and fifty six feet (1356 ft.) to a stone heap in a spring hole at the north end of a large rock a corner of land of Thomas A. Nevins; (2) along the line of land of Thomas A. Nevins South Sixty degrees (60°) twenty one minutes (21') west nine hundred and forty three feet (943 ft.) to a hickory tree standing on the south side of an old road; (3) still along said Nevins line south sixty two degrees (62°) two minutes (2') west six hundred and sixty four feet (664 ft.) to an old stone heap in the ruins of an old fence, a corner of John and Joseph Dondero's land, (4) along their line South eighty degrees (80°) forty two minutes (42') west four hundred and thirty four feet (434 ft.) to another

corner of said Dondero's land also a corner of said Nevins land (5) continuing along said Nevins' lines North eighty three degrees (83°) West three hundred and thirty eight feet (338 ft.) to a stone heap on the north side of a large rock; (6) north nineteen degrees (19°) fifty nine minutes (59') east four hundred and fifty and eight tenths feet (450.8 ft.) to a stone heap on a ledge (7) North one degree (1°) twenty minutes (20') East two hundred and twenty one feet (221 ft.) to a stone heap on a flat point of rock ledge; (8) North twenty nine degrees (29°) thirty minutes (30') East one hundred and ninety four and seven tenths feet (194.7 ft.) to a stone heap on a flat surface of rock at the top of a ledge (9) North thirty eight degrees (38°) twenty four minutes (24') East two hundred and thirty one and seven tenths feet (231.7 ft.) to a stone heap on top of a ledge (10) South fifty five degrees (55°) forty five minutes (45') East three hundred and four feet (304 ft.) to an old stone heap (11) North sixty degrees (60°) East two hundred and twenty five feet (225 ft.) along an old fence to the place of beginning.

Containing 31.21 acres being the land lately of the estate of Phillip R. George and by mesne conveyance conveyed to Lawrence H. Tasker, and

Also all that certain tract or parcel of land and premises hereinafter particularly described situate lying and being in the Township of Pompton in the County of Passaic and State of New Jersey.

Being lot number twenty two of share number two of the third and final division of the estate of John Rutherford deceased, and which is bounded and described as follows, by a map of the same made by Roome & Lanscha, Surveyors, June 1911.

Beginning at a stone heap being second corner of a one hundred and twelve and eighty one hundredths of an acre tract of late Wm. H. Drayton, by deed recorded Book M page 205 and in line formerly of the Estate of Aaron Redner, deceased, thence running (1) along said Redner line south thirty seven and a half degrees west one thousand four hundred forty six (1446) feet to a stone heap, corner of said Redner; (2) still along Redner's line south fifty two (52) degrees ten minutes (10') east one hundred forty two feet to a corner of formerly Beam, more recently Pierson and Butterworth land marked by a stone heap; (3) along a line of the same south forty eight (48) degrees west one thousand two hundred forty four feet to a stake and stones; (4) North thirty two degrees west one hundred fifteen feet to a corner of fifty one acres and twenty one one hundredths of an acre returned to Abram Ryerson on April 15, 1802, and recorded at Perth Amboy in Book S 14 page 196; (5) along same north twenty one degrees twenty seven minutes east two thousand seven hundred fifty three feet to the northeast corner of said fifty one acres and twenty one one hundredths of an acre tract; (6) South fifty one degrees forty eight minutes east eight hundred sixty seven feet to the beginning.

Containing thirty two and ninety eight one hundredths of an acre (32-98/100 A) being the lands lately of the Estate of Phillip R. George and by mesne conveyances conveyed to Lawrence H. Tasker, and

Also all that certain lot, tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the Township of Pompton, in the County of Passaic and State of New Jersey.

Beginning at a stake and stones in the corner of a fence four feet west of a large basswood tree, said tree being the beginning corner of sixty two acres and twenty four one hundredths of an acre returned to Theunis Ryerson May 10, 1802 recorded in Perth Amboy in Book S 14 page 203 &c. from said point running along the lines and fence of formerly Sylvester Van Dine (1) South twenty eight degrees forty five minutes west eight hundred and eighty two feet and four tenths of a foot; thence (2) South twenty three degrees forty minutes west four hundred and fifteen feet and eight tenths of a foot, thence (3) South thirty two degrees fifty four minutes west seven hundred and fifty seven feet to the line of formerly Phineas Pellington's land; thence (4) along said line south sixteen degrees forty five minutes west five hundred and fifty feet to a corner of Conrad Vreeland's land; thence (5) along his line south forty two degrees twenty four minutes east six hundred and fifty two feet to a stone heap; thence (6) still along his line south twenty two degrees forty five minutes west twelve hundred and one feet to the line of Ramapo Park formerly the line of land belonging to Peter M. Ryerson, thence (7) along their line south fifty degrees east two hundred and ninety six feet to the fourth corner of ninety seven acres and twenty five one hundredths of an acre returned to T. Ryerson for H. Brown, December 27, 1802, recorded in Perth Amboy in Book S 15 page 67; thence (8) along the third line of said ninety seven acres and thirty five one hundredths of an acre north twenty degrees fifteen minutes east three thousand four hundred and forty eight feet to a stone heap by a hickory tree, thence (9) continuing along said line north twenty degrees forty two minutes east six hundred and forty five feet to a corner of Antonia Garbarino's land; thence (10) along his line north fifty four degrees twenty four minutes west three hundred and ninety seven feet to the place of beginning.

Containing forty five acres and ninety one hundredths of an acre ($45^{91}/_{100}$ A) being the lands lately of the estate of Phillip R. George and by mesne conveyances conveyed to Lawrence H. Tasker.

Beginning at a stake and stones, the eleventh corner of a tract of one hundred and ten acres and sixty four one hundredths of an acre conveyed to Phillip R. George by Robert Beaty and wife by deed dated December 18, 1883 recorded in Book T 7 page 332, and also the seventeenth corner of a tract of six hundred and forty one acres and ninety one hundredths of an acre, conveyed by Lawrence H. Tasker to Heitaro Fujita by deed dated August 21, 1911, and in the line of Edward Brown's land, thence (1) along said Brown's line south forty four degrees east one hundred and ninety two feet to a stone heap against the side of a hill, thence (2) along the line of said Brown north twenty four degrees eighteen minutes east six hundred and thirty three feet and six tenths of a foot to a stone heap; thence (3) North nine degrees twenty seven minutes nine hundred and seventy four feet and eight tenths of a foot to a stone heap at the south point of a low rock; hence (4) North fifty five degrees forty five minutes west two hundred and thirty one feet to an old stone heap in the line of Sara A. Hewitt's land, thence (5) along said line and land south eighty five degrees forty five minutes east ten hundred and thirty feet to a stone heap, the tenth corner of a tract of fifty six acres and twenty eight one hundredths of an acre, conveyed by Lawrence H. Tasker to Heitaro Fujita by deed dated August 21, 1911, thence (6) along a part of the ninth line of the same south ten degrees fifty one minutes east fifteen hundred and ninety seven feet to a stone heap by a small chestnut tree; thence (7) along the line of lands of Louisa Conklin and Julia Conklin south fifty eight degrees west ten hundred and sixty eight feet to the right corner of a tract of one hundred and twenty two acres and thirty four one hundredths of an acre, conveyed by Lawrence H. Tasker to Heitaro Fujita by deed dated August 21, 1911; thence (8) along the eighth line of said one hundred and twenty two acres and thirty four one hundredths of an acre, south fifty two degrees three minutes west twenty four hundred and sixty four feet to a stone heap, the ninth corner of said tract; thence (9) along the ninth line of said tract South forty two degrees forty three minutes east seven hundred and fifty feet to a stone heap, the tenth corner of the same; thence (10) along the tenth line of said tract south seventy seven degrees forty five minutes west twelve hundred and eighty five feet to a stone heap on the south side of Deed Brook, the beginning corner of said tract, also a corner of Thomas A. Nevins land, a part of formerly William A. Drayton's one hundred and twelve acres and eighty one hundredths of an acre, thence (11) along the line of said Nevins land and through Deed Brook north forty three degrees thirty minutes west three hundred and eighteen feet to an ironwood tree in the north bank of said brook, a corner of said Nevins land, also the twenty second corner of said six hundred and forty one acres and ninety one hundredths of an acre, thence (12) along the line of said six hundred and forty one acres and ninety one hundredths of an acre north forty degrees fifty seven minutes east three hundred and eleven feet to a stone heap against the mountain; the twenty first corner of said tract; thence (13) North fifty degrees thirty minutes west seventy four feet to a stone heap in an old white oak stump, the twentieth corner of said tract, thence (14) north twenty two degrees thirty eight minutes east nine hundred and thirty feet and six tenths of a foot to a stake in stones, the nineteenth corner of said tract; thence (15) north fifty two degrees two minutes east six hundred feet to a stake in stones, the eighteenth corner of said tract, thence (16) north fifty three degrees thirty eight minutes east nineteen hundred feet to the place of beginning.

Containing one hundred and ten acres and sixty four one hundredths of an acre (110 64/100 A) being the lands lately of the Estate of Phillip R. George, and by mesne conveyances conveyed to Lawrence H. Tasker, and

Also all that certain tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the Township of Pompton in the County of Passaic and State of New Jersey,

Said several tracts and parcels above described taken together containing four hundred and fifteen and 15/100 acres (415.15) of land, more or less, according to survey made by Roome & Lamscha, Civil Engineers and surveyors, in the year 1911.[1]

EXHIBIT C

All those tracts or parcels of land and premises hereinafter particularly described with the buildings and improvements thereon, situate, lying and being in the Township of Pompton in the County of Passaic and State of New Jersey, bounded and described as follows:

Being the same land and premises conveyed to George W. Minard and one William Decker by Joseph N. Tunis by deed dated April 25th, 1878, and recorded in the Passaic County Clerk's Office in Book G 6 of Deeds, pages 441 &c. and by the said William Decker and wife conveyed to the said George W. Minard by deed dated May 5th, 1879 and recorded in said Clerk's office in Book G 6 of Deeds pages 445 &c. and

Beginning at a stake and stone heap the 3rd corner of a $115^{72}/_{100}$ acre tract, thence (1) south thirty one degrees and thirty minutes west twenty one chains and fifty links to a stake and stones in the line of said tract; thence (2) north fifty two degrees west twelve chains and sixty links to the 5th corner of a $51^{21}/_{100}$ acre tract; thence (3) north eighty one degrees and thirty minutes west eleven chains along said tract of $51^{21}/_{100}$ acres thence (4) north fifty eight degrees and thirty minutes west eight chains and twenty links to the fourth corner of a twelve and eighty eight one hundredths acre tract; thence (5) north sixty degrees east ten chains along Sloat's line to a corner, thence (6) along the same north fifty seven degrees west twelve chains to a stone heap, thence (7) south seventeen degrees west fourteen chains along the same to a white oak stump the beginning of said twelve and eighty eight one hundredths acre tract, thence (8) south fifteen degrees and fifteen minutes west ten chains along A. Beam's line to a white oak sapling; thence (9) north fifty one degrees west sixteen chains to a stake and stones in the line of Sloats one hundred and fifty acre tract; thence (10) north twenty three degrees east eighty three links along Sloat's line to a corner thereof, thence (11) northeasterly along the brook five chains and ninety links to the line of a thirty and six one hundredths acre tract of said Sloat's, thence (12) south sixty nine degrees east three chains and forty links to the fifth corner of said thirty and six one hundredths acre tract, a chestnut sapling; thence (13) north thirty nine degrees east twenty one chains and eighty five links to an Ironwood tree standing on the north side of the brook, thence (14) south forty four degrees east four chains and sixty links along the middle of the brook to a maple tree the beginning corner of another tract of thirty acres belonging to said Sloat's, thence (15) along a line of the same south sixteen degrees east five chains to a stake on the south side of the road, thence (16) south eighty eight degrees east twenty eight chains and twenty four links to a line of a fifty four and sixteen one hundredths acre tract, thence (17) along the same south forty seven degrees east four chains and fifty seven links to a corner of said tract, thence (18) along a line of said tract north thirty two degrees and thirty minutes east twelve chains and twelve links to a stone in a bunch of maples, thence (19) south fifty degrees and thirty minutes east ten chains along a line of a tract of fifty and four one hundredths acres of Y. Beam's and a tract of fifty three and fourteen one hundredths acres of C. Beams, thence (20) south thirty five degrees and fifteen minutes west eleven chains and twenty three links to the beginning.

EXHIBIT D

All that tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the Township of Pompton, in the County of Passaic and State of New Jersey.

Beginning at a stone heap, four feet west of a large Basswood tree, a corner of Sylvester Van Dine's and of formerly Peter Beatty's land, thence running (1) along said Beatty line south fifty four degrees and twenty four minutes east three hundred and ninety seven feet, thence (2) South twenty degrees and forty two minutes west, six hundred and forty five feet thence (3) South 20 degrees 5 minutes west thirty four hundred and forty eight feet the last two lines being along a tract of ninety seven and 34 100 acres, recorded in Perth Amboy Book S-15 page 67 &c. thence (4) along a line of lands of the Ramapo Park north fifty degrees west two hundred ninety six feet to the corner of Conrad Vreeland's land, then (5) along his land north twenty two degrees and forty five minutes east, twelve hundred and one feet, thence (6) north forty two degrees and twenty four minutes west, six hundred and fifty two feet thence (7) along land formerly of P. Pellington, north sixteen degrees and forty-five minutes east five hundred and fifty fee , to corner of Sylvester Van Dine's land; along his lines thence (8) north thirty two degrees and fifty four minutes, east seven hundred and fifty feet (9) north twenty three degrees forty minutes east four hundred and fifteen and eight tenths feet, thence (10) North twenty eight degrees and forty five minutes east, eight hundred and eighty two and four tenths feet to beginning.

The above description is taken from a survey of the lands made by Roome and Lamscha, Surveyors, April Nineteen hundred and eleven and contains forty five and ninety hundredths acres.

EXHIBIT E

All that tract of land situate in the Township of Pompton County of Passaic and State of New Jersey, being part of a tract of fifty and four tenths acres returned 23rd of January 1802 and recorded in Perth Amboy in Book S 14, page 168 &c

Beginning at a point in the middle of the public road running through Conklin Town, where the fourth line of the whole tract intersects the same, thence (1) along the said fourth line south fifty four degrees, forty five minutes east six chains, ninety three links to the fourth corner of said whole tract; thence (2) along the third line of said whole tract south thirty four degrees fifteen minutes east fifteen chains fifty links to the third corner; thence (3) along the second line of said whole tract south eighty degrees fifteen minutes west one chain twenty eight links to the middle of said road; thence (4) along the middle of the same northerly fifteen chains sixty two links more or less to the beginning.

Containing four and fifty one hundredths acres, more or less

Being the same premises described in a deed from Allen Conklin and wife to Reilly Conklin, dated April 29th, 1887 recorded on R 8 of Deeds, 177

And also all those tracts or parcels of land and premises, hereinafter particularly described, situate, lying and being in the Township of Pompton in the County of Passaic and State of New Jersey, known and described as follows:

The first tract: Beginning at a stone heap in Thomas Cook's line, thence running (1) along his line South 31° West 5 chains 75 links to a corner of Charles Conklin's land (2) along said Conklin's line north 36° West 12 chains 82 links; (or 9 chs. 82 links) to a stone heap in said Peter Conklins line (3) along his line South $61\frac{1}{2}$° East (or South 72°15' East) 11 chains 78 links to the beginning. Containing $3^{42}/_{100}$ acres.

The second tract: Begins on the line of Jos. Board's land at the north corner of the land first purchased by the said Peter Conklin thence along the line of the said first purchase (1) South 31° West 24 chains 41 links to the corner of said first tract; (2) along same North $61\frac{1}{2}$ West, 1 chain 55 links to Josiah Beam's land (3) along the same North 36° West 9 chains 82 links to Joseph Conklin's land; (4) along his line north 37° East 20 chains to Joseph Board's land; (5) along his line South $61\frac{1}{2}$° East 9 chs. 25 links to the beginning. Containing $23^{50}/_{100}$ acres more or less.

Being the same two lots of land conveyed by Joseph Cook and wife to Peter Conklin by deed dated 23 Dec. 1862 recorded Book P 2 pages 162 from which deed the above descriptions are taken.

The third tract: Beginning at a stone heap a corner of Joseph Board's & Joseph Cook's land and on the line of Thomas Cook, thence running (1) along Thomas Cook's line South 31° West 22 chs. (2) North 72¼° West 12 chains (3) North 34° East 24 chains to Joseph Board's line (4) South $61\frac{1}{2}$° East 10 chs 60 lks to the beginning. Containing 25 acres more or less being the same lot of land conveyed by Jos. Cook and wife to Peter Conklin by deed dated June 16th 1849 recorded Book O page 60 &c.

EXHIBIT F

All those tracts or parcels of land and premises hereinafter particularly described with the buildings and improvements thereon situate, lying and being in the Township of Pompton, in the County of Passaic and State of New Jersey, bounded and described as follows:

Beginning at a point in a line of lands of Ramapo Park at the boundary line between the tract of 51.36 acres lately of John Storms and the tract of 15.67 acres lately of Charles Conklin, deceased and running thence along lands of Rampo Park South 35°20' West 1247 feet to lands now or lately of Peter Van Dine; thence along the lands of said Peter Van Dine North 50°54' West 693.40 feet to the Conklintown Road; thence north and along lands of Fujita 47°42' East 102.3 feet to a corner of lands formerly of Board, being a tract of 11.44 acres, recorded in Book S 5 page 248 in the Surveyor General's office, Perth Amboy; thence North 48° West 682 feet along lands of Fujita to an old chestnut tree standing in the southwest corner of said tract of 11.44 acres formerly of Board; thence south 53°30' West 95 feet along lands of Fujita; thence still along lands of Fujita and South 55°45' West 190 feet; thence still along lands of Fujita and south 54°45' West 213 feet; thence still along lands of Fujita and South 51°West 271 feet to the northwest corner of a tract of land of 33.63 acres formerly of Young; thence North 53°15' West 854 feet along lands of Fujita to a stake and stones in the northwest corner of lands formerly of Martin Drew; thence North 58° East along lands of Fujita 1068 feet to a stake and stones in a line of lands formerly of Wollstein; thence south 10°51' East along lands of Fujita 441 feet to a post in the corner of lands formerly of Wollstein; thence north 81° East along lands of Fujita 331 feet to a red oak tree in a line of lands formerly of Wollstein; thence North 53°39' East along lands of Fujita 54 feet to the boundary line of said tract of 11.44 acres, formerly of Board; thence north 37°30' east, along lands of Fujita 168 feet, more or less to the northwest corner of the 11.44 acre tract, thence still along lands of Fujita and south 55° East 175 feet; thence still along lands of Fujita and North 81°9' east 695 feet; thence still along lands of Fujita and North 73°15' East 132 feet to a line of lands formerly of John Storms; thence south 30° East 647 feet and still along lands of Fujita to a line of lands of Ramapo Park at the point or place of beginning, containing 49.92 acres, be the same more or less.

EXHIBIT G

All those tracts or parcels of land and premises hereinafter particularly described, with the buildings and improvements thereon situate, lying and being in the Township of Pompton, in the County of Passaic and State of New Jersey, bounded and described as follows:

First tract: Beginning at a point in the easterly line of the public road from Pompton Lakes to Ringwood, said point being the 12th corner of a tract of 641-90/100 acres conveyed by said party of the first part to the said party of the second part by deed dated August 21, 1911 and recorded in Passaic County Register of Deeds Office in Book B 22 of Deeds, pages 1 &c. and from said point running (1) along the 12th line of said 641-90 100 acres tract South 47°45' east 400

[1] This deed, dated September 15, 1911 was recorded September 18, 1912. A deed of the same date, recorded September 19, 1911, is identical therewith except that in the first deed, the figures "53.83" are given as the acreage of a certain tract of land, while in the latter deed, the figures "53.33" are given for the same parcel of land. Also, in the latter deed, the notary public in his acknowledgement gave as the name of the grantor's wife, "Herbert B. M. Tasker", whereas the acknowledgement in the deed that was subsequently recorded correctly gave grantor's wife's name as "Hattie B. M. Tasker".

It is concluded that the deed recorded on September 18, 1912, was a corrected one and supersedes the prior deed.

feet to the 13th corner of said tract; (2) along the 13th line of same North 78°15' east 430 feet to the 14th corner of same in the line of lands of Edward Brown; (3) along said line North 33°37' west 114 feet to a stone heap at a butternut tree, a corner of the land of now or formerly James R. Vreeland; (4) along the fifth line of said Vreeland's land North 79°18' West 616-40/100 feet to a stake and stones on the easterly side of aforesaid public road, a corner of said Vreeland and also of the Estate of Sarah A. Hewitt dec'd; (5) along a part of said Hewitt's line south 55°9' west 70-50/100 feet to the place of beginning. Containing 2-49/100 acres.

Second tract: Beginning at a point in the easterly line of the right of way of the New York and Greenwood Lake Railroad, said point being the 8th corner in the aforementioned tract of 641-90/100 acres, and from said point running (1) along the eighth line of same South 60° East 700 feet to a stone heap on the North side of Stonetown Road, the 9th corner of aforesaid tract and also a corner of the lands of the Estate of Sarah A. Hewitt, deceased; (2) along a line of lands of said Hewitt North 21°54' West 706 feet to a stone heap, another corner of said Hewitt; (3) still along said Hewitt's line and land North 66°45' West 269-50/100 feet to another corner of same; (4) continuing along said land south 67°30' west 74 feet to another corner of same; (5) still along said land south 47°15' west 200 feet to an iron bolt driven in the middle of the Stonetown Road; (6) south 60° East 150 feet to the place of beginning. Excepting and reserving from the above described tract all the right, title and interest of the New York and Greenwood Lake Railroad in their right of way through said property. Containing 4-5/100 acres.

Third tract: Beginning at an iron bolt driven in the middle of the Stonetown Road, being the 6th corner of the second tract described in this deed, and from thence (1) along the line of the lands of the City of Paterson, New Jersey, North 60°18' West 130 feet to another corner of said lands; (2) still along a line of same south 31° West 165 feet to another corner of same; (3) south 2° west 525 feet to the westerly line of the right of way of the New York and Greenwood Lake Railroad; (4) along said line, northerly 650 feet; (5) north 60°18' west 20 feet to the place of beginning. Containing 1-30/100 acres.

Fourth tract: Beginning at a stake in stones the 4th corner of aforesaid 641-90/100 acres and from thence (1) along the 4th line of same north 61°45' east 130 feet, more or less to the fifth corner of same; (2) along the 5th line of said tract north 27°45' east 725 feet, more or less to the sixth corner of same; (3) along a part of the sixth line of said tract North 70°38' west 133 feet to a stone heap a corner of lands of now or late H. P. Brown (4) along his line and land south 17° west 844 feet to the place of beginning. Containing 1-39/100 acres.

[F. R. Doc. 43-4048; Filed, March 15, 1943; 3:14 p. m.]

[Vesting Order 931]

THE ROSENTHAL CHINA CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Philip Rosenthal, Wilhelm Rosenthal and Udo Rosenthal (hereinafter referred to as the Rosenthal family) whose last known addresses are Germany, are nationals of a designated enemy country (Germany);

2. Finding that Rosenthal Porzellanfabrik of Selb, Bavaria, Germany is a national of a designated enemy country (Germany);

3. Finding that A. G. fur Keramische Unternehmungen is a corporation organized and existing under the laws of Switzerland, whose last known address is Zug, Switzerland, and is owned or controlled by, or acting for or on behalf of or as a cloak for, Rosenthal Porzellanfabrik and/or the members of the Rosenthal family of Germany, and, therefore, is a national of a designated enemy country (Germany);

4. Finding that 6,500 shares of $10 par value common capital stock of The Rosenthal China Corporation, a New York corporation, New York, New York, are registered in the name of and owned by A. G. fur Keramische Unternehmungen;

5. Finding that The Rosenthal China Corporation is a buiness enterprise within the United States and that said 6,500 shares constitute all of its outstanding capital stock and are evidence of ownership and control thereof;

6. Determining that The Rosenthal China Corporation is controlled by or acting for or on behalf of or as a cloak for said Rosenthal Porzellanfabrik and/or the members of the Rosenthal family of Germany and, therefore, is a national of a designated enemy country (Germany);

7. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4049; Filed, March 15, 1943; 3:13 p. m.]

[Vesting Order 1042]

ESTATE OF JACOB BRAFMAN

In re: Estate of Jacob Brafman, deceased; File F-28-9355; E. T. sec. 1285.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation—

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the First National Bank of Baltimore, substituted trustee, acting under the judicial supervision of the Circuit Court of the City of Baltimore, Maryland.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Jacob Brafman	Germany.
Joseph Brafman	Germany.
Carolina Brafman	Germany.
Wolf Brafman	Germany.
Gida Brafman	Germany.
Etta Blum	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Jacob Brafman, Joseph Brafman, Carolina Brafman, Wolf Brafman, Gida Brafman and Etta Blum and each of them in and to the estate of Jacob Brafman, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4050; Filed, March 15, 1943; 3:15 p. m.]

[Vesting Order 1043]

TRUST UNDER WILL OF BERTHA M. FOSTER

In re: Trust under will of Bertha M. Foster, deceased; File No. D-9-100-28-1725 E. T. sec. 757.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by City Bank Farmers Trust Company, 22 William Street, New York, N. Y., Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Albert Fox and his next of kin	Germany.
Reinhard Fuchs	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Albert Fox and his next of kin and Reinhard Fuchs, and each of them, in and to the Trust Estate created under the Last Will and Testament of Bertha M. Foster, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4051; Filed, March 15, 1943; 3:15 p. m.]

[Vesting Order 1044]

ESTATE OF WILLIAM SCHABER

In re: Estate of William Schaber, deceased; File D-28-1958; E. T. sec. 1883.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emil Distel and Pan American Trust Company, co-executors and co-ancillary executors, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey, and the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely

Nationals:	*Last known address*
Clara Meyer	Germany.
Erika Meyer	Germany.
Gerhard Meyer	Germany.
Helmut Meyer	Germany.
Mathilda Werner	Germany.
Edward Wagenmann	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy county, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Clara Meyer, Erika Meyer, Gerhard Meyer, Helmut Meyer, Mathilda Werner and Edward Wagenmann, and each of them, in and to the Estate of William Schaber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4052; Filed, March 15, 1943; 3:15 p. m.]

[Vesting Order 1064]

ESTATE OF JOHN BURKARD

In re: Estate of John Burkard, deceased; File D-28-1926; E. T. sec. 1789.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Olive K. La Brake, 43 Helmer Avenue, Dolgeville, New York, and Hannah Setzer, 1018 Walnut Street, Utica, New York, Executrices, acting under the judicial supervision of the Surrogate's Court of Oneida County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Hans Pieger	Germany.
Gottfried Pieger	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hans Pieger

and Gottfried Pieger, and each of them, in and to the estate of John Burkard, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4026; Filed, March 15, 1943; 3:10 p. m.]

[Vesting Order 1065]

TRUST UNDER WILL OF MATHILDE CARL

In re: Trust under the will of Mathilde Carl, deceased; File D–28–2121; E. T. sec. 2648.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the First National Bank of Tampa, Florida, Trustee, acting under the judicial supervision of the County Judge's Court of the State of Florida in and for the County of Hillsborough.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Daniel Haupt	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Daniel Haupt in and to the trust created under the will of Mathilde Carl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4027; Filed, March 15, 1943; 3:10 p. m.]

[Vesting Order 1066]

ESTATE OF PALMERINO DI GIUSEPPE

In re: Estate of Palmerino Di Giuseppe, deceased; File D–38–1178; E. T. sec. 4887.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edwin F. Thies, 26 North Easton Road, Glenside, Pennsylvania, Administrator, acting under the judicial supervision of the Orphans' Court of Montgomery County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Assunta Di Giuseppe	Italy.
Dominico Di Giuseppe	Italy.
Arcolino Di Giuseppe	Italy.
Alde Di Giuseppe	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Assunta Di Giuseppe, Dominico Di Giuseppe, Arcolino Di Giuseppe and Alde Di Giuseppe, and each of them, in and to the estate of Palmerino Di Giuseppe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4028; Filed, March 15, 1943; 3:10 p. m.]

[Vesting Order 1067]

ESTATE OF DIEDRICK DOHRMANN

In re: Estate of Diedrick Dohrmann, deceased; File D–28–2137; E. T. sec. 2685.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Ehlers and August Noll, administrators, acting under the judicial supervision of the Probate Court of the State of Minnesota, in and for the County of Rock; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Herbert Dohrmann	Dobrock bei Hoeftgrube, Neider Elbe, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Herbert Dohrmann in and to the estate of Diedrick Dohrmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4029; Filed, March 15, 1943; 3:10 p. m.]

[Vesting Order 1068]

TRUST UNDER WILL OF PETER C. FIELD

In re: Trust u/w Peter C. Field, deceased; File D–28–2172; E. T. sec. 2855.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Security-First National Bank of Los Angeles and Cornelia V. Field, Trustees of the Trust u/w Peter C. Field, deceased, acting under the judicial supervision of the Superior Court in and for the County of Los Angeles, Calif.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Marguerite Lutz	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marguerite Lutz in and to the Trust created under the Will of Peter C. Field, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4030; Filed, March 15, 1943; 3:10 p. m.]

[Vesting Order 1069]

ESTATE OF ALOYS HEINEN

In re: Estate of Aloys Heinen, deceased; File D–66–275; E. T. sec. 2335.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Chris Heinen, Administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Frieda Heinen	Johannistal 21, Aachen, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frieda Heinen in and to the estate of Aloys Heinen, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4031; Filed, March 15, 1943; 3:11 p. m.]

[Vesting Order 1070]

ESTATE OF FRED HESSE

In re: Estate of Fred Hesse, deceased; File D–28–1390; E. T. sec. 81.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter Kimmerly, County Clerk and Ex-officio Clerk of the Superior Court of the State of Washington, Court House, Walla Walla, Washington, Depositary, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Walla Walla;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Marie Luise Pauline Listner	Germany.
Albert Paul Hesse	Germany.
Otto Friedrich Hesse	Germany.
Emmi Pauline Schlichthar	Germany.
Wilhelm Lange	Germany.
Gunther Lange	Germany.
Karl Lange	Germany.
Franziska Riedel	Germany.
Martha Stankowski	Germany.
Frieda Benzin	Germany.
Luise Maahs	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Luise Pauline Listner, Albert Paul Hesse, Otto Friedrich Hesse, Emmi Pauline Schlichthar, Wilhelm Lange, Gunther Lange, Karl Lange, Franziska Riedel, Martha Stankowski, Frieda Benzin and Luise Maahs, and each of them, in and to the estate of Fred Hesse, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4032; Filed, March 15, 1943; 3:11 p. m.]

[Vesting Order 1071]

ESTATE OF SALVATORE IPPOLITO

In re: Estate of Salvatore Ippolito, also known as Salvatore Dippolito, deceased; File No. D–38–451; E. T. sec. 793.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Guiseppa Ippolito Arnone	Italy.
Salvatrice Ippolito Ruggieri	Italy.
Stefana Ippolito Sicurella	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All rights, title, interest and claim of any kind or character whatsoever of Guiseppa Ippolito Arnone, Salvatrice Ippolito Ruggieri and Stefana Ippolito Sicurella, and each of them, in and to the Estate of Salvatore Ippolito, also known as Salvatore Dippolito, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4033; Filed, March 15, 1943; 3:11 p. m.]

[Vesting Order 1072]

ESTATE OF ANTON KANTKE

In re: Estate of Anton Kantke, deceased; File D–28–1519; E. T. sec. 206.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John A. Kantke, R. F. D., Turtle Lake, Wisconsin, Executor, acting under the judicial supervision of the County Court of Polk County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Martin Kantke	Germany.
Albert Kantke	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Martin Kantke and Albert Kantke, and each of them, in and to the estate of Anton Kantke, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4034; Filed, March 15, 1943; 3:11 p. m.]

[Vesting Order 1073]

GUARDIANSHIP OF ESTATE OF JOSEPH KRAUS, JR.

In re: Guardianship of estate of Joseph Kraus, Jr.; file D–28–2239; E. T. sec. 3240.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Corn Exchange National Bank & Trust Company, Guardian of the estate of Joseph Kraus, Jr., acting under the judicial supervision of Orphans' Court of Philadelphia County, Philadelphia, Pa.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Joseph Kraus, Jr	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Joseph Kraus, Jr., of any nature whatsoever in the possession of the Corn Exchange National Bank & Trust Company, as Guardian of the Estate of Joseph Kraus, Jr.,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4035; Filed, March 15, 1943; 3:11 p. m.]

[Vesting Order 1074]

ESTATE OF JOHN LIUBICICH

In re: Estate of John Liubicich, deceased; File No. D–9–38–1101; E. T. sec. 1930.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely:

Nationals:	*Last known address*
Anna Liubicich	Italy.
Dolly Liubicich	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Liubicich and Dolly Liubicich, and each of them, in and to the Estate of John Liubicich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4036; Filed, March 15, 1943; 3:12 p. m.]

[Vesting Order 1075]

ESTATE OF AUGUSTE MILESKI

In re: Estate of Auguste Mileski, also known as Auguste Milewski, deceased; File D–28–2505; E. T. sec. 3675.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Clerk of Orphans' Court, acting under the judicial supervision of the Orphans' Court in and for Allegheny County, Pittsburgh, Pennsylvania, docket No. 3735 of 1940;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Charlotte Ostrowski	Germany.
Friederika Kompa	Germany.
Louisa Salewoski	Germany.
Karoline Mueller	Germany.
Marie Schiedlowski	Germany.
Wilhelm Rilka	Germany.
And other heirs or distributees, names unknown, entitled to receive the Estate of Auguste Mileski, also know as Auguste Milewski, deceased.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Charlotte Ostrowski, Friedrika Kompa, Louisa Salewoski, Karoline Mueller, Marie Schiedlowski, Wilhelm Rilka and other heirs or distributees, names unknown, entitled to receive the Estate of Auguste Mileski, also known as Auguste Milewski, deceased and each of them in and to the Estate of Auguste Mileski, also known as Auguste Milewski, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with

ther determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4037; Filed, March 15, 1943; 3:12 p. m.]

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

eph Kraus, Jr.; file D–28–2239; E. T. sec. 3240.

a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4037; Filed, March 15, 1943; 3:12 p. m.]

[Vesting Order 1076]

ESTATE OF JAMES SINKO

In re: Estate of James Sinko, deceased; File D–34–81; E. T. sec. 1692.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Richmond County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
The heirs at law, next of kin, distributees and legal representatives of Pauline Sinko, deceased	Hungary.
James Sinko	Hungary.
Matthew Sinko	Hungary.
Helen Sinko	Hungary.
Elizabeth Sinko	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the heirs at law, next of kin, distributees and legal representatives of Pauline Sinko, deceased, James Sinko, Matthew Sinko, Helen Sinko and Elizabeth Sinko, and each of them, in and to the Estate of James Sinko, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4038; Filed, March 15, 1943; 3:12 p. m.]

[Vesting Order 1077]

GUARDIANSHIP OF ESTATE OF RENZI SCHIPIONE

In re: Guardianship of the estate of Renzi Schipione; File D–66–554; E. T. sec. 3428.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Potter Title and Trust Company, Guardian of the estate of Renzi Schipione, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National	*Last known Address*
Renzi Schipione	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All property and estate of Renzi Schipione of any nature whatsoever in the possession of the Potter Title and Trust Company, Guardian of the Estate of Renzi Schipione,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4039; Filed, March 15, 1943; 3:12 p. m.]

[Vesting Order 1078]

TRUST UNDER WILL OF EMIL O. SPINDLER

In re: Trust u/w Emil O. Spindler, deceased; File D–28–1971; E. T. sec. 1998.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bankers Trust Company and Katherine E. Spindler, Trustees, acting under the judicial supervision of Union County, New Jersey Surrogate's Court;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Klara Schreiber	Germany.
Hedwig Werner	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Klara Schreiber and Hedwig Werner and each of them, in and to the trust created under the will of Emil O. Spindler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4040; Filed, March 15, 1943; 3:13 p. m.]

[Vesting Order 1079]

ESTATE OF ANTHONY VIDOSIC

In re: Estate of Anthony Vidosic, deceased; File D–38–1670; E. T. sec. 4830.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Marya Vidosic, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Marya Vidosic, in and to the Estate of Anthony Vidosic, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4041; Filed, March 15, 1943; 3:13 p. m.]

[Vesting Order 1080]

TRUST UNDER WILL OF ULYSSES GRANT WILLIAMS

In re: Trust under the Will of Ulysses Grant Williams; File D–28–2405; E. T. sec. 3224.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Peoples-Pittsburgh Trust Company, Fourth Avenue and Wood Street, Pittsburgh, Pennsylvania, Trustee, acting under the judicial supervision of the Orphans' Court of Allegheny County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Mrs. Martha O. Voelker, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, interest, and claim of any kind or character whatsoever of Mrs. Martha O. Voelker in and to the trust estate created under the Last Will and Testament of Ulysses Grant Williams, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4042; Filed, March 15, 1943; 3:13 p. m.]

[Vesting Order 1081]

HEDWIG VEIT VS. EMIL SCHEDLER, ET AL.

In re: Partition Proceedings: Hedwig Veit, Plaintiff, vs. Emil Schedler and Marie Schedler, his wife, Paul Schedler and Pauline Schedler, his wife, Georg Schedler (sometimes spelled George Schedler) and Martha Schedler, his wife, Gustav Schedler and Martha Schedler, his wife, Olga Hoedt, Martha Polenske and Max Schroeder and Fay Schroeder, his wife et al. Defendants, filed in the Circuit Court for Grant County, Wisconsin, August 18, 1942; File D–28–1721; E. T sec. 703.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is involved in partition proceedings in the Circuit Court for Grant County, Wisconsin, entitled, Hedwig Veit, Plaintiff, vs. Emil Schedler and Marie Schedler, his wife, Paul Schedler and Pauline Schedler, his wife, Georg Schedler (sometimes spelled George Schedler) and Martha Schedler, his wife, Gustav Schedler and Martha Schedler, his wife, Olga Hoedt, Martha Polenske and Max Schroeder and Fay Schroeder, his wife et al. Defendants, filed in said Court, August 18, 1942;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Emil Schedler and Marie Schedler, his wife	Germany.
Paul Schedler and Pauline Schedler, his wife	Germany.
Georg Schedler (sometimes spelled George Schedler) and Martha Schedler, his wife	Germany.
Gustav Schedler and Martha Schedler, his wife	Germany.
Olga Hoedt	Germany.
Martha Polenske	Germany.

price no higher than $11.75, plus $.50 than $6.90, plus the dollar amount by SECURITIES AND EXCHANGE COM-

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emil Schedler and Marie Schedler, his wife, Paul Schedler and Pauline Schedler, his wife, Georg Schedler (sometimes spelled George Schedler) and Martha Schedler, his wife, Gustav Schedler and Martha Schedler, his wife, Olga Hoedt and Martha Polenske and each of them in and to the proceeds from the sale of the real property involved in the above partition proceedings,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 13, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4043; Filed, March 15, 1943; 3:13 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 14 Under MPR 136, as Amended]

MODERN MACHINE TOOL COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 14 under Maximum Price Regulation No. 136 as Amended—Machines and Parts, and Machinery Services.—Docket No. 3136–213.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Modern Machine Tool Company of Jackson, Michigan, is hereby authorized to sell to Buffalo Forge Company of Buffalo, New York, at a price of $60.66 each ninety (90) Model 16" Combination Drill Tables, which are being machined and assembled for Modern Machine Tool Company by The Hammond Machinery Builders, Inc. of Kalamazoo, Michigan.

(b) This order may be revoked or amended by the Office of Price Administration at any time.

(c) This order shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4025; Filed, March 15, 1943; 2:50 p. m.]

[Order 5 Under Rev. MPR 213]

LEGGETT AND PLATT SPRING BED AND MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 5 under § 1365.61 of Revised Maximum Price Regulation No. 213—Coil and Flat Bedsprings with Non-Steel Frames.

Approval of maximum f. o. b. factory, L. C. L. carload prices for Leggett and Platt Spring Bed and Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as Amended and Executive Order 9250 *It is hereby ordered:*

(a) Leggett and Platt Spring Bed and Manufacturing Company of Carthage, Missouri, may sell and deliver the No. 802 Joyce Fabric Link Wire bedspring with a wood frame, hereinafter referred to as the No. 802 bedspring, at a price no higher than $6.60 f. o. b. factory, L. C. L.

(b) Any person may sell at wholesale and deliver the No. 802 bedspring at a warehouse or delivered price no higher than $6.60, plus the dollar amount by which such a seller's warehouse or delivered price respectively exceeded the manufacturer's f. o. b. factory, L. C. L. price for the most comparable bedspring with a steel frame during March 1942 under the same conditions of sale.

(c) Any person may sell at retail and deliver the No. 802 bedspring at a price no higher than $11.50, plus $0.50 for a sale at retail in the Far West Zone.

(d) The maximum prices set forth in paragraphs (a), (b) and (c) hereof shall be subject to the same discounts, allowances, terms and differentials as the seller had in effect for the most comparable bedspring with a steel frame during March, 1942.

(e) Leggett and Platt Spring Bed and Manufacturing Company shall notify in writing all persons selling at wholesale who purchase No. 802 bedsprings of the maximum prices established in paragraphs (a), (b) and (c) hereof before delivery of such bedspring.

(f) Before making delivery of a No. 802 bedspring with a wood frame, Leggett and Platt Spring Bed and Manufacturing Company must attach securely to such bedspring so that it is clearly visible a durable tag containing in easily readable lettering the statement in the following form:

The Office of Price Administration has established a retail ceiling price of (insert $11.50 or $12.00, whichever is correct) for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(g) This Order No. 5 may be revoked or amended by the Office of Price Administration at any time.

(h) Unless the context otherwise requires, the definitions set forth in Revised Maximum Price Regulation No. 213 shall apply to the terms used herein.

(i) This Order No. 5 under § 1365.61 of Revised Maximum Price Regulation No. 213 shall become effective March 16, 1943.

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4022; Filed, March 15, 1943; 2:49 p. m.]

[Order 6 Under Rev. MPR 213]

FULTON METAL BED MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 6 under § 1365.61 of Revised Maximum Price Regulation No. 213—Coil and Flat Bedsprings with Non-steel Frames.

Approval of maximum f. o. b. factory, L. C. L. carload prices for Fulton Metal Bed Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250, *It is hereby ordered:*

(a) Fulton Metal Bed Manufacturing Company, 1039 Ridge Avenue S. W., Atlanta, Georgia, may sell and deliver 3000 of the web top coil bedspring described in the applicant's letter to the Office of Price Administration, Washington, D. C., dated November 18, 1942, at a price no higher than $6.75 f. o. b. factory, L. C. L.

(b) Any person may sell at wholesale and deliver the web top coil bedspring at a warehouse or delivered price no higher than $6.75, plus the dollar amount by which such a seller's warehouse or delivered price respectively exceeded the manufacturer's f. o. b. factory, L. C. L. price for the most comparable metal coil bedspring with a steel frame during March 1942 under the same conditions of sale.

(c) Any person may sell at retail and deliver the web top coil bedspring at a price no higher than $11.75, plus $.50 for a sale at retail in the Far West Zone.

(d) The maximum prices set forth in paragraphs (a), (b) and (c) hereof shall be subject to the same discounts, allowances, terms and differentials as the seller had in effect for the most comparable metal coil bedspring with a steel frame during March, 1942.

(e) Fulton Metal Bed Company shall notify in writing all persons selling at wholesale who purchase the web top coil bedspring of the maximum prices established in paragraphs (a), (b) and (c) hereof before delivery of such bedspring.

(f) Before making delivery of the web top coil bedspring, Fulton Metal Bed Manufacturing Company must attach securely to such bedspring so that it is clearly visible a durable tag containing in easily readable lettering the statement in the following form:

The Office of Price Administration has established a retail ceiling price of (insert $11.75 or $12.25) for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(g) This Order No. 6 may be revoked or amended by the Office of Price Administration at any time.

(h) Unless the context otherwise requires, the definitions set forth in Revised Maximun Price Regulation No. 213 shall apply to the terms used herein.

(i) This Order No. 6 under § 1365.61 of Revised Maximum Price Regulation No. 213 shall become effective March 16, 1943.

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4023; Filed, March 15, 1943; 2:49 p. m.]

[Order 7 Under Rev. MPR 213]

CARMAN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 7 under § 1365.61 of Revised Maximum Price Regulation No. 213—Coil and Flat Bedsprings with Non-Steel Frames.

Approval of maximum f. o. b. factory, L. C. L. carload prices for Carman Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended and Executive Order 9250, *It is hereby ordered:*

(a) Carman Manufacturing Company, Tacoma, Washington, may sell and deliver a combination band and coil wood frame bedspring referred to in the applicant's letter to the Office of Price Administration, Washington, D. C., dated August 31, 1942, as the No. 2 bedspring, at a price no higher than $6.90 f. o. b. factory L. C. L.

(b) Any person may sell at wholesale and deliver the No. 2 bedspring at a warehouse or delivered price no higher than $6.90, plus the dollar amount by which such a seller's warehouse or delivered price respectively exceeded the manufacturer's f. o. b. factory, L. C. L. price for the most comparable metal coil bedspring with a steel frame during March 1942 under the same conditions of sale.

(c) Any person may sell at retail and deliver the web top coil bedspring at a price no higher than $12.00.

(d) The maximum prices set forth in paragraphs (a), (b) and (c) hereof shall be subject to the same discounts, allowances, terms and differentials as the seller had in effect for the most comparable metal coil bedspring with a steel frame during March, 1942.

(e) Carman Manufacturing Company shall notify in writing all persons selling at wholesale who purchase the No. 2 bedspring of the maximum prices established in paragraphs (a), (b) and (c) hereof before delivery of such bedspring.

(f) Before making delivery of the No. 2 bedspring, Carman Manufacturing Company must attach securely to such bedspring so that it is clearly visible a durable tag containing in easily readable lettering the statement in the following form:

The Office of Price Administration has established a retail ceiling price of (insert $12.00) for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(g) This Order No. 7 may be revoked or amended by the Office of Price Administration at any time.

(h) Unless the context otherwise requires, the definitions set forth in Revised Maximum Price Regulation No. 213 shall apply to the terms used herein.

(i) This Order No. 7 under § 1365.61 of Revised Maximum Price Regulation No. 213 shall become effective March 16, 1943.

Issued this 15th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4024; Filed, March 15, 1943; 2:49 p. m.]

[Rev. Gen. Order 17, Amendment 2]

DIRECTOR, SERVICES AND CONSUMER DURABLE GOODS DIVISION

DELEGATION OF AUTHORITY TO ACT FOR PRICE ADMINISTRATOR

The title of Revised General Order No. 17 is amended to read as set forth above; the reference in paragraph (a) to "The Director of the Retail Trade and Services Division" is amended to read "The Director of the Services and Consumer Durable Goods Division;" and paragraph (c) is redesignated as paragraph (b).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 15th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43–4062; Filed, March 15, 1943; 4:51 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59–8, 70–676]

COMMONWEALTH & SOUTHERN CORP., ET AL.

INTERIM ORDER GRANTING APPLICATION

In the matter of The Commonwealth & Southern Corporation and its subsidiary companies, respondents. Transportation Securities Corporation and The Commonwealth & Southern Corporation.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of March 1943.

Transportation Securities Corporation ("Transportation") and The Commonwealth & Southern Corporation ("Commonwealth"), its parent company, having filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 and 10 thereof, regarding the acquisition by Transportation of 18,000 shares of Commonwealth's preferred stock, $6 Series, in consideration for the sale by Transportation of its investment in Springfield Transportation Company consisting of 5,000 shares (the entire issue) of that company's capital stock, in accordance with an agreement between Transportation and A. C. Allyn & Co., Incorporated and Equitable Securities Corporation; and

A public hearing on said application having been held after appropriate notice; the Commmission having examined the record and deeming it appropriate in the public interest to grant said application, and finding that the proposed transaction has the tendency required by section 10 (c) (2) and that no adverse findings are necessary under section 10 (c) (1), or under section 10 (b) by reason of the condition hereinafter imposed that Commonwealth shall promptly acquire the said 18,000 shares of the preferred stock from Transportation;

It is ordered, That said application be and hereby is granted forthwith, subject to the terms and conditions prescribed in Rule U–24 and to the following additional terms and conditions:

(1) That within 15 days after the consummation of the aforesaid transactions, Commonwealth shall take steps to purchase from Transportation for cash, at a price to be approved by the Commission, the aforesaid 18,000 shares of Commonwealth's preferred stock, $6 Series, which are to be acquired by Transportation; and

(2) That jurisdiction be and hereby is reserved with respect to accounting entries on the books of Transportation and Commonwealth relating to the aforementioned transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–4086; Filed, March 16, 1943; 11:44 a. m.]

[File No 1-2558]

CENTRAL STANDARD CONSOLIDATED MINES

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its offices in the City of Philadelphia, Pennsylvania, on the 15th day of March, A. D. 1943.

In the matter of Central Standard Consolidated Mines, common stock, 10¢ par value.

The Commission having heretofore on January 29, 1943, ordered that a hearing under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, be held in this matter on February 19, 1943, at 10 A. M., Mountain War Time, at the Regional Office of the Securities and Exchange Commission in Denver, Colorado; and

Such hearing having been duly convened and thereafter adjourned to be reconvened at the offices of the Commission in Philadelphia, Pennsylvania, on a date to be determined by the Commission;

It is ordered, That such hearing be reconvened on April 12, 1943, at 10 A. M., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, That in addition to the officer heretofore designated for the purpose of such proceeding, Charles S. Moore, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By direction of the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4087; Filed, March 16, 1943; 11 44 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 54

Washington, Thursday, March 18, 1943

The President

PROCLAMATION 2578

ESTABLISHING THE JACKSON HOLE NATIONAL MONUMENT—WYOMING

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the area in the State of Wyoming known as the Jackson Hole country, including that portion thereof which is located in the Teton National Forest, contains historic landmarks and other objects of historic and scientific interest that are situated upon lands owned or controlled by the United States; and

WHEREAS it appears that the public interest would be promoted by establishing the aforesaid area as a national monument to be known as the Jackson Hole National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the act of June 4, 1897 (30 Stat. 11, 36; U.S.C., title 16, sec. 473), and the act of June 8, 1906 (34 Stat. 225; U.S.C., title 16, sec. 431), do proclaim that the Teton National Forest lands within the aforesaid area are hereby excluded from the said national forest and that, subject to all valid existing rights, the lands excluded from the said national forest together with all other lands within the following-described area are reserved from all forms of appropriation under the public land laws and set apart as a national monument, which shall hereafter be known as the Jackson Hole National Monument:

Beginning on the present western boundary line of the Grand Teton National Park at a point where the hydrographic divide between Webb Canyon and Snowshoe Canyon intersects the hydrographic divide of the Teton Mountains (within what will probably be when surveyed section 1, township 45 north, range 117 west, sixth principal meridian); thence northerly and northeasterly along the divide formed by the crest of the Teton Range to the projected position of what will be when surveyed the line between sections 4 and 5, township 47 north, range 116 west; thence south along the section line between sections 4 and 5, 8 and 9, to the point for the corner of sections 8, 9, 16, and 17; thence east along the line between sections 9 and 16, 10 and 15, 11 and 14, 12 and 13, township 47 north, range 116 west, sections 7 and 18, 8 and 17, 9 and 16, to the point for the corner of sections 9, 10, 15, and 16, township 47 north, range 115 west; thence south along the line between sections 15 and 16, 21 and 22, 27 and 28, to the point for the corner of sections 27, 28, 33, and 34; thence east along the line between sections 27 and 34, 26 and 35, to the point for the corner of sections 25, 26, 35, and 36; thence south along the line between sections 35 and 36, township 47 north, range 115 west, sections 1 and 2, 11 and 12, 13 and 14, 23 and 24, to the section corner common to sections 23, 24, 25, and 26; thence east along the line between sections 24 and 25, township 46 north, range 115 west, sections 19 and 30, 20 and 29, 21 and 28, 22 and 27, 23 and 26, 24 and 25, township 46 north, range 114 west, sections 19 and 30, township 46 north, range 113 west, to the point for the quarter section corner of sections 19 and 30; thence south along the meridional quarter section line of unsurveyed sections 30 and 31, township 46 north, range 113 west, and surveyed sections 6, 7, 18, 19 and 30, township 45 north, range 113 west, to the present boundary of the Teton National Forest; thence easterly, southerly, and southwesterly along the Teton National Forest boundary to the corner of sections 25 and 36 on the east boundary of township 44 north, range 115 west; thence west three-fourths mile to the west one-sixteenth section corner of sections 25 and 36; thence south one-half mile to the west center one-sixteenth section corner of section 36; thence east one-fourth mile to the present boundary of the Teton National Forest; thence southerly along the Teton National Forest boundary to the south bank of the Gros Ventre River; thence westerly along the south bank of the Gros Ventre River to the line between sections 10 and 11, township 42 north, range 115 west; thence south to the section corner common to sections 10, 11, 14 and 15; thence west to the section corner common to sections 8, 9, 16, and 17; thence south to the section corner common to sections 20, 21, 28, and 29, thence west one-half mile to the quarter section corner between sections 20 and 29; thence south one-half mile to the center quarter section corner of section 29, township 42 north, range 115 west; thence west to the quarter section corner of sections 25 and 30 on the line between township 42 north, range 115 west, and township 42 north, range 116 west; thence south to the corner of sections 25, 30, 31 and 36; thence west to the corner of sections 25, 26, 35 and 36; thence south along the line between sec-

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tions 35 and 36, township 42 north, range 116

tary of the Interior, shall have the supervision, management, and control of the

facilitate the prosecution of the war, it is ordered that all of the functions, duties,

proval before becoming effective is waived, until further notice. In lieu of

FEDERAL REGISTER

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Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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tions 35 and 36, township 42 north, range 116 west, sections 1 and 2, township 41 north, range 116 west, to the south and east bank of Flat Creek; thence southerly and westerly along the south and east bank of Flat Creek to the line between sections 27 and 28, township 41 north, range 116 west; thence along the section line between sections 27 and 28 to the quarter section corner between sections 27 and 28; thence west one-fourth mile, thence north one-half mile to the east sixteenth section corner between sections 21 and 28; thence north three-fourths mile; thence east one-fourth mile to the north sixteenth section corner between sections 21 and 22; thence north on the line between sections 21 and 22, 15 and 16 to the section corner common to sections 9, 10, 15 and 16; thence east between sections 10 and 15 to the quarter section corner between sections 10 and 15; thence north one-fourth mile; thence east one-fourth mile; thence north one-half mile; thence east one-fourth mile to the north sixteenth section corner between sections 10 and 11; thence north on the line between sections 10 and 11, 2 and 3, to the corner common to sections 34 and 35, township 42 north, range 116 west, and sections 2 and 3, township 41 north, range 116 west, thence west along the township line between townships 41 and 42 north to the quarter section corner between section 3, township 41 north, range 116 west, and section 34, township 42 north, range 116 west; thence northerly on the meridional quarter section line of section 34 to the north bank of the Gros Ventre River; thence northeasterly along the north bank of the Gros Ventre River to the line between sections 34 and 35; thence north on the line between sections 34 and 35, 26 and 27, 22 and 23, 14 and 15, to the quarter section corner between said sections 14 and 15; thence west one-fourth mile; thence north one-fourth mile; thence west one-fourth mile; thence north one-fourth mile to the quarter section corner between sections 10 and 15; thence east one-fourth mile; thence north one-fourth mile; thence east one-fourth mile to the south sixteenth section corner between sections 10 and 11; thence northerly on the line between said sections 10 and 11 to the north sixteenth section corner between said sections 10 and 11; thence east one-fourth mile; thence north one-fourth mile to the west sixteenth section corner of sections 2 and 11; thence in a straight line to the northwest corner of section 1, township 42 north, range 116 west; thence west on the line between townships 42 and 43 north to the present boundary of the Grand Teton National Park; thence northerly along the east boundary and southwesterly along the north boundary of the Grand Teton National Park to the place of beginning; also a tract embracing the following lands: sections 5, 6, 7, 8, and 18, and those parts of sections 3, 4, 9, 10, 16 and 17, township 42 north range 116 west, sixth principal meridian, lying west of the center line of the main channel of Snake River.

The reservation made by this proclamation supersedes, as to any of the above-described lands affected thereby, the withdrawals made for classification and other purposes by Executive Orders No. 3394 of January 28, 1921; No. 4685 of July 7, 1927; No. 4857 of April 16, 1928; No. 5040 of February 4, 1929; No. 5436 of September 2, 1930; No. 5480 of November 13, 1930; and No. 7680 of July 30, 1937.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof, except that the administration of the monument shall be subject to the reclamation withdrawal heretofore made under the authority of the act of June 17, 1902, 32 Stat. 388.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15th day of March in the year of our Lord nineteen hundred and forty-three, and of the Independence of the United States of America the one hundred and sixty-seventh.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

[F. R Doc. 43-4147; Filed, March 17, 1943; 11:19 a. m.]

EXECUTIVE ORDER 9314

REVOKING EXECUTIVE ORDER NO. 8955 OF DECEMBER 1, 1941, EXTENDING THE CLASSIFICATION ACT OF 1923, AS AMENDED, TO CERTAIN POSITIONS IN THE WAR DEPARTMENT AND IN THE NAVY DEPARTMENT AND ESTABLISHING A SALARY DIFFERENTIAL THEREFOR

By virtue of the authority vested in me by Title II of the act of November 26, 1940, 54 Stat. 1212, and as President of the United States, and upon recommendation of the Civil Service Commission, and finding that such action is necessary to the more efficient operation of the Government, it is ordered as follows:

1. Executive Order No. 8955 of December 1, 1941,[1] extending the Classification Act of 1923, as amended to certain positions in the War Department and in the Navy Department and establishing a salary differential therefor, is hereby revoked.

2. This order shall take effect as of March 15, 1943.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 13, 1943.

[F. R. Doc. 43-4093; Filed, March 16, 1943; 2:09 p. m.]

[1] 6 F.R. 6201.

EXECUTIVE ORDER 9315

TRANSFERRING CERTAIN FUNCTIONS FROM THE PRESIDENT TO THE SECRETARY OF AGRICULTURE

By virtue of the authority vested in me by Title I of the First War Powers Act, approved December 18, 1941 (55 Stat. 838), and deeming that such action will facilitate the prosecution of the war, it is ordered that all of the functions, duties, and powers vested in the President by section 4 of the act of June 29, 1936, 49 Stat. 2035, 2036, be, and they are hereby, transferred to and vested in the Secretary of Agriculture.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 15, 1943.

[F. R. Doc. 43-4094; Filed, March 16, 1943; 2:09 p. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

SEPARATIONS AND TRANSFERS UNDER REDUCTION IN FORCE INSTRUCTIONS ISSUED BY THE BUREAU OF THE BUDGET

The following regulations are prescribed to govern transfers and separations of employees in the executive branch of the Government who must be released under instructions issued by the Bureau of the Budget.

Sec.
18.701 Reductions in force under instructions issued by the Bureau of the Budget.
18.702 Employees separated under instructions received from the Bureau of the Budget to be placed on reemployment list.
18.901 Transfers under instructions received from the Bureau of the Budget.
18.902 Procedure in effecting transfers.
18.903 Transfers without the consent of the employees; appeals.

AUTHORITY: §§ 18.701 and 18.702 issued under the authority of E.O. 4240, June 4, 1925. §§ 18.901 to 18.903 issued under the authority of Pub. Law 821, approved December 22, 1942, E.O. 9063 (7 F.R. 1075), E.O. 9243 (7 F.R. 7213) and Directive X, War Manpower Commission (7 F.R. 7298).

§ 18.701 *Reductions in force under instructions issued by the Bureau of the Budget.* When the objectives of the transfer program set forth in § 18.901 of this chapter cannot be met, either because the services of employees released from any department or agency are not needed in and cannot be effectively utilized in other departments or agencies, or because the necessary time limit does not permit the completion of the process of locating vacancies for and transferring all released employees whose services might properly be utilized in the War Program, a sufficient number of employees must be separated from the roll of any agency in which a reduction in force is necessary to bring the total personnel on the rolls within the maximum figure permitted under the Bureau of the Budget instructions.

The requirement that formal separation rating lists shall be prepared and submitted to the Commission for approval before becoming effective is waived, until further notice. In lieu of such formal separation lists, and in addition to the lists of personnel called for in § 18.902 of this chapter, the department or agency shall immediately begin to prepare special separation lists showing the names of all employees in the groups in which separations are being proposed. The names of these employees shall be listed in order of proposed separation, the ones lowest on the list being the ones first to be separated. Such lists shall be prepared with due regard to tenure of employment, military preference, efficiency ratings, and length of service. The rules set forth below shall be followed:

(a) In any competitive group, consider as subgroup 1 employees now serving under permanent appointment, and employees serving under any other type of appointment (except temporary) who have currently completed a minimum of three years of continuous service. Consider as subgroup 2 all other employees except temporaries. Consider as subgroup 3 employees serving under temporary appointment limited to a specified period of time of one year or less.

(b) No employee in a lower numbered subgroup shall be separated so long as any employee in a higher numbered subgroup is retained on work of the same or similar type.

(c) In any subgroup of any competitive group, no employee entitled to military preference whose efficiency rating is "Good" or better than "Good" shall be separated, so long as any employee not entitled to military preference is retained on work of the same or similar type.

(d) In any subgroup of any competitive group, no employee entitled to military preference whose efficiency rating is less than "Good" shall be separated so long as any employee not entitled to military preference with an equal or lower efficiency rating is retained on work of the same or similar type.

(e) Subject to the foregoing rules, in general, employees with higher efficiency ratings should be preferred for retention to employees with lower efficiency ratings and where the efficiency ratings are equal employees with longer periods of service should be preferred for retention to employees with shorter periods of service.

(f) After the expiration of twenty days from the date of the receipt of instructions from the Bureau of the Budget departments and agencies may proceed to complete such reductions in force as may finally be necessary under the instructions of the Bureau of the Budget without securing prior approval of the Commission, but subject to appeal to the Commission if an employee feels that there has been a violation of his rights under military preference laws or these regulations.

§ 18.702 *Employees separated under instructions received from the Bureau of the Budget to be placed on reemployment list.* Any employees who are separated from the service as a result of the

procedures set forth in § 18.701 above, who are unqualifiedly recommended for further Federal employment, and who have satisfactory efficiency ratings and service histories will, upon application, have their names entered on a reemployment list maintained by the Commission. The reemployment list will be used first in the filling of vacancies.

§ 18.901 *Transfers under instructions received from the Bureau of the Budget.* All possible steps shall be taken by the departments and agencies of the Government, in cooperation with the Civil Service Commission, to insure that (a) the personnel made available for transfer as the result of reductions in force instructions issued by the Bureau of the Budget shall be those, among all the employees of the agencies, where such instructions are received, whose transfer to other agencies or activities would be in the best interests of the War Program; (b) employees released whose services are needed in and can be effectively utilized in other departments or agencies shall be transferred to such other departments or agencies; and (c) in any department or agency where these instructions are received, employees who are released and whose services are not needed in and cannot be effectively utilized in other departments shall be separated in accordance with a procedure that shall give due regard to tenure of employment, military preference, efficiency ratings, and length of service.

§ 18.902 *Procedure in effecting transfers.* Upon issuance by the Bureau of the Budget of an instruction to an agency fixing the maximum personnel strength permitted, a copy of such instruction will be transmitted to the Commission. A representative of the Commission will immediately consult with the personnel officer of the agency concerned to determine the number of persons to be released, and the occupational groups and organizational units in which separations will be made, segregated by departmental and field service and by headquarters' offices within the field service. The agency shall at once determine the occupational groups and the organizational units from which transfers will be made and shall supply the Commission with lists of all present employees in the occupational groups and organizational units involved, together with the current adjective efficiency ratings. The lists shall be presented to the Commission within five days of the date of the instruction from the Bureau of the Budget requiring reduction in force.

No separations on account of reductions in force shall be effected by the agencies, except through the transfer procedure, for a period of twenty days from the date of the Bureau of the Budget instructions.

§ 18.903 *Transfers without the consent of the employees; appeals.* (a) In effecting transfers under this program the Commission will be governed by the provisions of § 18.9 (b) of this chapter, except as they may be modified by the paragraphs that follow.

(b) An employee who is unwilling to be transferred shall furnish the Commission's representative with a statement of reasons and evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. This statement may be oral or in writing. The Commission's representatives will reconsider the proposed transfer in the light of the reasons furnished by the employee before taking any further steps to effect the transfer.

(c) Any appeal from an employee who is to be transferred without his consent must be filed within three days from the date he is notified that his case has been reconsidered and that he is to be transferred without his consent. Employees of departments or agencies located in Washington, D. C. or its immediate vicinity must file their appeals with the Legal Advisor of the Commission. Employees of departments of agencies outside Washington, D. C. must file their appeals with the person selected by the Commission's Regional Director in the manner laid down by paragraph (g) of this section.

(d) When an appeal is filed, an employee may at the same time file any additional statement or evidence that to him seems pertinent or may elect to stand on the case as set forth in his file. Any matter so filed, however, must be received within the 3-day period allotted for receipt of appeals or otherwise it will receive no consideration.

(e) The employee may indicate his preference in regard to the employee representative on the board that is to consider his appeal; that is, he may indicate a preference either for a union or for a non-union representative or for a representative of some particular union. Insofar as it is practicable, the wishes of the employee in this regard will be followed, but the employee may not designate an individual to serve as his representative.

(f) Actions on proposed transfers shall be suspended until the appeal has been adjudicated.

(g) In the Washington, D. C. area, members of the boards to review appeals will be designated by the legal advisor from a panel selected by him in advance. If the board's decision is unanimous and the legal advisor agrees, such decision will be final. If the board is unable to agree or if the legal advisor does not agree with the board's decision, the case will be sent to the Commission for decision.

In the field area the regional director will select a panel for each locality where a program of transfers is to be put into effect. From this panel he will designate a chairman. Appeals for that district will be filed with the chairman of the panel and he will designate two members of the panel to sit as a board of review. If the board's decision is unanimous, it will govern the disposition of the case. If the board is unable to agree, the chairman of the panel will forward the case to the Regional Director, and the latter's decision will be final.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

MARCH 13, 1943.

[F. R. Doc. 43-4129; Filed, March 17, 1943; 10:27 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

REVISION OF REGULATIONS

Correction

Section 10.117 published in the January 29, 1943 issue (8 F.R. 812) is corrected to read as follows:

§ 10.117 *Corporations.* Loans may be made to corporations (in addition to those engaged in raising livestock, when acting solely in a representative or fiduciary capacity for individual beneficiaries, provided the conditions of §§ 10.101, 12.102, 10.104, 10.105, and 12.106 are satisfied).

In paragraphs (b) and (c) of § 11.1017 (8 F.R. 817) the words "provided in (1) above" are corrected to read "provided in (a) above".

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Directive 2, Amendment 1]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY TO THE SECRETARY OF THE INTERIOR WITH RESPECT TO FISHERY COMMODITIES

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Directive 2, § 1400.11 (8 F.R. 1777), is amended by deleting therefrom the provisions in paragraph (g), and inserting in lieu thereof the following:

(g) The term "production" as used in paragraph (a) hereof shall include the catching and harvesting of any form of aquatic animal or plant life and the processing thereof. The Secretary of the Interior is specifically authorized and directed to exercise the powers of allocation, concentration, or conversion, conferred upon me by Executive Order No. 9280, and particularly the powers enumerated in paragraph (b) of section 8 thereof, with respect to such available facilities as may be necessary for use in connection with the catching and harvesting of aquatic animal or plant life and the processing thereof. In the exercise of the foregoing powers of allocation, concentration, or conversion, the Secretary of the Interior shall be guided by any recommendations which may be made by the Food Distribution Administration of the Department of Agriculture with respect to the amounts and kinds of fishery commodities or products required for war and essential civilian needs. With respect to the distribution of processed fishery commodities or products, the Food Distribution Administration shall perform all functions in connection with procurement, inspection, standards, labeling, allocation, conservation, limitation, specifications of product or container, and container supply. Any exercise of the powers delegated herein to the Secretary of the Interior, by him, prior to the effective date of this amendment is hereby ratified and confirmed, and any order heretofore issued by the Secretary of the Interior shall have the same force and effect as if issued after the effective date of this amendment.

(E.O. 9280, 7 F.R. 10179)

Issued this 16th day of March 1943.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4148; Filed, March 17, 1943; 11:49 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Food Distribution Administration [1]

Subchapter A—Meat Inspection Regulations

[Amendment 17 to B.A.I. Order 211, Revised]

MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred upon the Secretary of Agriculture by the act of Congress approved March 4, 1907, as amended and extended (34 Stat. 1260; 21 U.S.C. 1940 ed. 71–95), the act of Congress approved July 24, 1919 (41 Stat. 234; 21 U.S.C. 1940 ed. 96), Sec. 306 of the act of Congress approved June 17, 1930 (46 Stat. 590; 19 U.S.C. 1940 ed. 1306), the act of Congress approved June 10, 1942 (Public Law 602, 77th Cong. 2d Sess.), and Executive Order No. 9280, dated Dec. 5, 1942 (7 F.R. 10179), Title 9, Chapter I, Subchapter A, Code of Federal Regulations [B.A.I. Order 211, Revised] as amended, is hereby further amended, effective immediately, as follows:

1. By striking out paragraph (e) of § 1.1 and inserting, in lieu thereof, the following:

(e) "Administration" means the Food Distribution Administration, United States Department of Agriculture.

2. By adding, at the end of § 1.1, the following:

(ee) "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

3. By striking out the terms "bureau" and "Bureau of Animal Industry" wherever they appear in said Subchapter A, as amended, and inserting the word "administration" in lieu thereof.

4. By striking out the terms "chief of bureau" and "Chief of the Bureau of Animal Industry" wherever they appear in said Subchapter A, as amended, and inserting the word "Director" in lieu thereof.

Done at Washington, D. C., this 16th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-4149; Filed, March 17, 1943; 11:49 a. m.]

[1] Hereafter, Parts 1 to 31, inclusive, of Subchapter A, Chapter I, containing regulations previously promulgated for administration by the Bureau of Animal Industry, will be within the jurisdiction of the Food Distribution Administration and will be administered by that Administration.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

OFFICERS APPOINTED IN THE ARMY OF THE UNITED STATES

Section 73.205 (h) (8 F.R. 1000, 2411) is amended as follows:

§ 73.205 *Appointments not made from certain classes.* No person will be initially appointed in the Army of the United States from the following classes:

* * * * *

(h) Former commissioned officers of the Navy, Marine Corps, Coast Guard, or any component of the Army of the United States, whose appointment is prohibited by the provisions of (e) above; or whose commissions were terminated because of inefficiency or under other than honorable conditions, provided that former commissioned officers of these categories who are on active military service in warrant or enlisted status may be appointed upon the approved recommendations of a board of officers convened for the purpose of determining the professional and moral fitness of the particular applicant for appointment. (See also § 73.206) (55 Stat. 728; 10 U.S.C. Sup. 484) [Par. 7*h*, AR 605–10, December 30, 1942, as amended by C 4, March 6, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4130; Filed, March 17, 1943; 10:39 a. m.]

PART 77—MEDICAL AND DENTAL ATTENDANCE

MEDICAL ATTENDANCE

Sections 77.2 (a) and (b) (1), 77.3 (b), 77.4, 77.7 (d), 77.24 (e) (1), and 77.27 (c) (2) are hereby amended as follows:

§ 77.2 *For whom authorized.* Under the conditions indicated herein the Army, usually through its own facilities, will provide medical attendance to the personnel enumerated in paragraphs (a), (b), and (c) of this section.

(a) *General.* Any person admitted to an Army hospital under the provisions of AR 40–590 or 40–600 [1], while undergoing treatment in such hospital.

(b) *Military.* (1) Officers, Army nurses, Women's Army Auxiliary Corps, other militarized female personnel of the Army, contract surgeons (full time), warrant officers, cadets, enlisted men, general prisoners, and prisoners of war. (R.S. 161; 5 U.S.C. 22) [Par. 2, AR 40–505, Sept. 1, 1942 as amended by C 1, March 2, 1943]

* * * * *

§ 77.3 *Civilian medical attendance for military patients at public expense.*

* * *

(b) *For whom authorized.* Civilian medical attendance at public expense is authorized for the following personnel and none other:

(1) Officers, Army nurses, Women's Army Auxiliary Corps, other militarized female personnel of the Army, contract surgeons (full time), warrant officers, cadets, enlisted men, when on a duty status or when absent on authorized leave, sick leave, furlough, or pass. Civilian medical attendance is not authorized for the personnel enumerated when absent without leave. (R.S. 161; 5 U.S.C. 22) [Par. 3*b*, AR 40-505, Sept. 1, 194- as amended by C 1, March 2, 1943]

* * * * *

§ 77.4 *Treatment in hospitals of other Government services.*—(a) *For whom authorized.* When Army hospitals are not available, treatment in other Federal hospitals at public expense is authorized for the following personnel, and none other:

(1) Officers, Army nurses, Women's Army Auxiliary Corps, other militarized female personnel of the Army, contract surgeons (full time), warrant officers, cadets, enlisted men, general prisoners, and prisoners of war, when on a duty status or while absent from duty on authorized leave.

(2) A prisoner in military custody.

(3) An applicant for enlistment while under observation.

(b) *Subsistence.* Subsistence charges will be at the rate prescribed by the individual hospital. Payment for subsistence will not be made to the hospital by the individual concerned. The Surgeon General will collect the subsistence charges from any officer, Army nurse, officer of the Women's Army Auxiliary Corps, other militarized female personnel of the Army in officer status, contract surgeon (full time), warrant officer, so hospitalized, and deposit it to the proper appropriations. (R.S. 161; 5 U.S.C. 22) [Par 4, AR 40–505, Sept. 1, 1942, as amended by C 1, March 2, 1943]

[1] Administrative regulations of the War Department relative to hospitals.

§ 77.7 *Civilian physicians practicing upon military reservations, posts, or camps.* Regularly licensed civilian physicians may be authorized by the commanding officer to practice medicine upon military reservations, posts, or camps, other than as prescribed in § 77.3 under the following regulations:

* * * * *

(d) If the patient is an officer, Army nurse, member of the Women's Army Auxiliary Corps, other militarized female personnel of the Army, contract surgeon (full time), warrant officer, cadet, enlisted man, general prisoner, or prisoner of war, the civilian physician or the patient in case the medical attendance is obtained other than as provided in this section or in § 77.3 (a), will report the diagnosis of the disease or injury and the attending circumstances to the commanding officer, who will transmit the information to the surgeon. (R.S. 161; 5 U.S.C. 22) [Par. 7d, AR 40-505, Sept. 1, 1942, as amended by C 1, March 2, 1943]

* * * * *

Certain Hospitals

§ 77.24 *Army and Navy General Hospital.* * * *

(e) *Charges*—(1) *Subsistence charges.* (i) A subsistence charge of 60 cents a day will be made for an enlisted man on the active list of the Navy, Marine Corps, United States Coast Guard, and Coast and Geodetic Survey, to be paid by the proper superior upon monthly statements submitted by the commanding officer of this hospital direct to the Surgeon General of the Navy, the commandant of the Coast Guard, and the disbursing agent of the Coast and Geodetic Survey, respectively.

(ii) Subsistence charges will be collected from other pay patients as follows:

(R.S. 161; 5 U.S.C. 22) [Par. 11*a*, AR 40-600, Oct. 6, 1942, as amended by C 1, March 2, 1943]

* * * * *

§ 77.27 *Fitzsimons General Hospital.*

* * * * *

(c) *Charges.* * * *

(2) *Subsistence charges.* Officers, commissioned warrant officers, and warrant officers of the Army, Navy or Marine Corps will be subject to a subsistence charge of $1.50 per day. All other persons subsisted on the status of an officer will be subject to a like charge for subsistence except cadets of the United States Military Academy and midshipmen of the United States Naval Academy who will be charged at the rate of $1 per day. (R.S. 161; 5 U.S.C. 22) [Par. 15*b*, AR 40-600 Oct. 6, 1942, as amended by C 1, March 2, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4131; Filed, March 17, 1943; 10:39 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 61-5, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

MINIMUM REQUIREMENTS FOR AIR CARRIER VISUAL-CONTACT NIGHT OPERATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of March, 1943.

Effective March 1, 1943, subparagraph 2 of paragraph (b) of § 61.7114 of the Civil Air Regulations is amended to read as follows:

§ 61.7114 *Flight equipment.* * * *

(b) *Visual-contact night operation.* * * *

(2) Forward position lights and continuous white tail light.

(52 Stat. 984, 1007; 49 U. S. C. 425,551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-4128; Filed, March 17, 1943; 9:39 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3611]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOSTEN MANUFACTURING CO.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Size:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Size or equipment.* In connection with offer, etc., in commerce, of respondent's class rings and other similar jewelry, and among other things, as in order set forth, using any statements or representations or pictorial representations or composite pictures in advertising or in any other manner which inaccurately portray or misrepresent the size or appearance of respondent's place of business or the comparative volume of business transacted by the respondent; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Josten Manufacturing Company, Docket 3611, March 13, 1943]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Composition:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Manufacture or preparation:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature.* In connection with offer, etc., in commerce, of respondent's class rings and other similar jewelry, and among other things, as in order set forth, representing, either directly or by implication, (1) that any ring or other article of jewelry composed in part of base metal is solid gold or solid 10-carat gold; or (2) that any ring which is in fact partly hollow or has undisclosed cavities within the interior of such ring, is a solid gold or solid 10-carat gold ring; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec 45b) [Cease and desist order, Josten Manufacturing Company, Docket 3611, March 13, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and briefs filed in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Josten Manufacturing Company, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of class rings and other similar jewelry in commerce as "commerce" as defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. The use of any statements or representations or pictorial representations or composite pictures in advertising or in any other manner which inaccurately portray or misrepresent the size or appearance of respondent's place of business or the comparative volume of business transacted by the respondent.

2. Representing, either directly or by implication, that any ring or other article of jewelry composed in part of base metal is solid gold or solid 10-carat gold.

3. Representing, either directly or by implication, that any ring which is in fact partly hollow or has undisclosed cavities within the interior of such ring, is a solid gold or solid 10-carat gold ring.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-4146; Filed, March 17, 1943, 11:42 am.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T.D. 5244]

PART 23—CONSOLIDATED RETURNS OF AFFILIATED RAILROAD CORPORATIONS AND PAN-AMERICAN TRADE CORPORATIONS

INCOME TAX

In order to conform Regulations 104 [Part 23, Title 26, Code of Federal Regulations, 1940 Supp.] to the provisions of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. The title page is amended by striking out all matter following "Regulations 104" and preceding the seal of the Commissioner, and by inserting in lieu thereof the following: "Consolidated Income Tax Regulations relating to Consolidated Returns of Affiliated Corporations Prescribed Under Section 141 (b) of the Internal Revenue Code as Amended".

PAR. 2. Page III is amended by striking out all matter following the words "Regulations 104" and preceding the table of contents, and by inserting in lieu thereof the following: "Consolidated Income Tax Regulations. Title 26—Internal Revenue, Chapter I, Subchapter A—Part 23. Regulations relating to consolidated income tax returns of affiliated corporations prescribed under section 141 (b) of the Internal Revenue Code as amended."

PAR. 3. Page 1 is amended by striking out all matter following the words "Regulations 104" and preceding the words "Supplement D—Returns and Payment of Tax", and by inserting in lieu thereof the following: "Consolidated Income Tax Regulations relating to Consolidated Income Tax Returns of Affiliated Corporations Prescribed Under Section 141 (b) of the Internal Revenue Code as Amended".

PAR. 4. There is inserted immediately preceding § 23.0 the following:

SEC. 159. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

(a) *General rule.* Section 141 (relating to consolidated returns of railroad corporations) is amended to read as follows:

SEC. 141. CONSOLIDATED RETURNS.

(a) *Privilege to file consolidated income and excess-profits-tax returns.* An affiliated group of corporations shall, subject to the provisions of this section, have the privilege of making consolidated income and excess-profits-tax returns for the taxable year in lieu of separate returns. The making of consolidated returns shall be upon the condition that the affiliated group shall make both a consolidated income-tax return and a consolidated excess-profits-tax return for the taxable year, and that all corporations which at any time during the taxable year have been members of the affiliated group making a consolidated income-tax return consent to all the consolidated income- and excess-profits-tax regulations prescribed under subsection (b) prior to the last day prescribed by law for the filing of such return. The making of a consolidated income-tax return shall be considered as such consent. In the case of a corporation which is a member of the affiliated group for a fractional part of the year, the consolidated returns shall include the income of such corporation for such part of the year as it is a member of the affiliated group. In the case of a corporation which is not a member of the affiliated group after March 31, 1942, of the last taxable year of such group which begins before April 1, 1942, such corporation shall not be considered a member of the affiliated group for consolidated income-tax-return purposes for such year but shall be considered a member of such group for consolidated excess-profits-tax-return purposes for such year, and the consent required in the case of such corporation shall relate only to the consolidated excess-profits-tax regulations.

(b) *Regulations.* The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary in order that the tax liability of any affiliated group of corporations making consolidated income- and excess-profits-tax returns and of each corporation in the group, both during and after the period of affiliation, may be returned, determined, computed, assessed, collected, and adjusted, in such manner as clearly to reflect the income- and excess-profits-tax liability and the various factors necessary for the determination of such liability, and in order to prevent avoidance of such tax liability. Such regulations shall prescribe the amount of the net operating loss deduction of each member of the group which is attributable to a deduction allowed for a taxable year beginning in 1941 on account of property considered as destroyed or seized under section 127 (relating to war losses), and the allowance of the amount so prescribed as a deduction in computing the net income of the group shall not be limited by the amount of the net income of such member.

(c) *Computation and payment of tax.* In any case in which consolidated income-tax and excess-profits-tax returns are made or are required to be made, the taxes shall be determined, computed, assessed, collected, and adjusted in accordance with the regulations under subsection (b) prescribed prior to the last day prescribed by law for the filing of such returns; except that the tax imposed under section 15 or section 204 shall be increased by 2 per centum of the consolidated corporation surtax net income of the affiliated group of includible corporations. Only one specific exemption of $5,000 provided in section 710 (b) (1) shall be allowed for the entire affiliated group of corporations for the purposes of the tax imposed by Subchapter E of Chapter 2.

(d) *Definition of "affiliated group."* As used in this section, an "affiliated group" means one or more chains of includible corporations connected through stock ownership with a common parent corporation which is an includible corporation if—

(1) Stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of each of the includible corporations (except the common parent corporation) is owned directly by one or more of the other includible corporations; and

(2) The common parent corporation owns directly stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of at least one of the other includible corporations.

As used in this subsection, the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

(e) *Definition of "includible corporation."* As used in this section, the term "includible corporation" means any corporation except—

(1) Corporations exempt under section 101 from the tax imposed by this chapter.

(2) Insurance companies subject to taxation under section 201 or 207.

(3) Foreign corporations.

(4) Corporations entitled to the benefits of section 251, by reason of receiving a large percentage of their income from sources within possessions of the United States.

(5) Corporations organized under the China Trade Act, 1922.

(6) Regulated investment companies subject to tax under Supplement Q.

(f) *Includible insurance companies.* Despite the provisions of paragraph (2) of subsection (e), two or more domestic insurance companies each of which is subject to taxation under the same section of this chapter shall be considered as includible corporations for the purpose of the application of subsection (d) to such insurance companies alone.

(g) *Subsidiary formed to comply with foreign law.* In the case of a domestic corporation owning or controlling, directly or indirectly, 100 per centum of the capital stock (exclusive of directors' qualifying shares) of a corporation organized under the laws of a contiguous foreign country and maintained solely for the purpose of complying with the laws of such country as to title and operation of property, such foreign corporation may, at the option of the domestic corporation, be treated for the purpose of this chapter and of Subchapter E of Chapter 2 as a domestic corporation.

(h) *Suspension of running of statute of limitations.* If a notice under section 272 (a) in respect of a deficiency for any taxable year is mailed to a corporation, the suspension of the running of the statute of limitations, provided in section 277, shall apply in the case of corporations with which such corporation made a consolidated return for such taxable year.

(i) *Allocation of income and deductions.* For allocation of income and deductions of related trades or businesses, see section 45.

(b) *Pan-American trade corporations.* Section 152 (relating to consolidated income-tax returns of Pan-American trade corporations) shall not apply with respect to any taxable year beginning after December 31, 1941.

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SEC. 101 TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. Section 23.0 is amended by changing the first paragraph thereof to read as follows:

These regulations, authorized by sections 141 (b) and 152 of the Internal Revenue Code, as amended, are prescribed as a supplement to the income tax regulations applicable generally under the Code. They are applicable in the case of all corporations (with certain statutory exceptions) with respect to all taxable years beginning after December 31, 1941. They are applicable further in the case of railroad corporations with respect to all taxable years beginning after December 31, 1938, (not including taxable years for which the return was filed prior to December 28, 1939) and in the case of Pan-American trade corporations, with respect to all taxable years beginning after December 31, 1939. In the case of railroad corporations filing their return prior to December 28, 1939, (the date of approval of these regulations) Regulations 97, prescribed under section 141 (b) of the Revenue Act of 1936, are applicable insofar as not inconsistent with the provisions of the Code.

PAR. 6. Section 23.0 is further amended by inserting at the end of the footnote to such section the following additional paragraph:

The Report of the Committee on Finance (Rept. No. 1631, 77th Cong., 2d sess., p. 133) accompanying the Revenue Bill of 1942 contains the following statement: "The consolidated normal tax net income, the consolidated corporation surtax net income, and the consolidated capital gains and losses of the group are among those factors with respect to which the Commissioner, in view of experience with current and past consolidated returns regulations, is expected to prescribe regulations in order to reflect clearly the income and excess profits tax liability of the group and of each member thereof and the various factors necessary for the determination of such liability. In addition to these matters, your committee expects that such regulations will provide for the application of the excess profits relief provisions, and the provisions of section 710 (a) (1) (B) limiting excess profits taxes, in cases where consolidated returns are filed. Although the present regulations with respect to the determination of consolidated net income quite properly limit the deduction of the net operating loss carry-over of a member of a group from years prior to that in which its income is first included in a consolidated return to the amount of the separate income of such member, this section provides that such limitation shall not be applied to prevent the portion of the net operating loss carry-over which is attributable to a 1941 war loss of the member (see sec. 158 of the bill) being taken into account in computing consolidated net income."

PAR. 7. Section 23.1 (a) and (b) is amended to read as follows:

(a) Sections 141 and 152, as amended, give to the corporations of an affiliated group the privilege of making a consolidated return for the taxable year in lieu of separate returns. This privilege is given, however, for taxable years beginning after December 31, 1941, upon the condition that all corporations which have been members of the affiliated group at any time during the taxable year for which the return is made consent to these regulations, and any amendments thereof duly prescribed prior to the last day prescribed by law for the filing of the return; and the making of the consolidated return is considered as such consent. The last day prescribed by law for the filing of the return includes the last day of the period of any extension of time granted by the Commissioner. For a taxable year beginning prior to January 1, 1942, the regulations and the amendments thereof to which the taxpayer is required to consent are those duly prescribed prior to the making of the return for such year.

(b) The tax liability of the members of the affiliated group for the taxable year involved will be determined in accordance with the provisions of the regulations to which consent is given and without regard to any changes of the rules therein prescribed made subsequent to the last day prescribed by law for the filing of the return for such year, or, for taxable years beginning prior to January 1, 1942, subsequent to the making of the return for such year.

PAR. 8. Section 23.2 (b), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended as follows:

(A) By changing the first paragraph thereof to read as follows:

The term "affiliated group" includes:

(1) For taxable years beginning after December 31, 1941, the common parent corporation and every other corporation for the period during which such corporation is a member of the affiliated group within the meaning of section 141 of the Code as amended by section 159 of the Revenue Act of 1942; it does not include (i) any corporation which, under section 141, as amended, cannot be included in a consolidated return, (ii) an insurance company taxable under section 201 or 207 in the case of a consolidated return for corporations taxable under section 13, 14, or 204, (iii) a corporation taxable under section 13, 14, or 204 in the case of a consolidated return for insurance companies taxable under section 201 or 207, (iv) an insurance company taxable under section 201 in the case of a consolidated return for insurance companies taxable under section 207, or (v) an insurance company taxable under section 207 in the case of a consolidated return for insurance companies taxable under section 201;

(2) For taxable years beginning prior to January 1, 1942, the common parent corporation and every other corporation for the period during which such corporation is a member of the affiliated group within the meaning of section 141 or section 152 of the Code prior to their amendment by the Revenue Act of 1942; it does not include any corporation which, under section 141 or section 152 of the Code, prior to amendment, cannot be included in the consolidated return.

(B) By striking out the fourth subparagraph and by inserting in lieu thereof two subparagraphs as follows:

For taxable years beginning after December 31, 1941, an affiliated group of corporations, within the meaning of section 141 of the Code as amended by section 159 of the Revenue Act of 1942, is formed at the time that the common parent corporation, which is an includible corporation, becomes the owner directly of stock possessing at least 95 percent of the voting power of all classes of stock and at least 95 percent of each class of nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends) of another includible corporation; a corporation becomes a member of such an affiliated group at the time that one or more members of such group become the owners directly of stock possessing at least 95 percent of the voting power of all classes of its stock and at least 95 percent of each class of its nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends); and a corporation ceases to be a member of such an affiliated group at the time that the members of such group cease to own directly stock possessing at least 95 percent of the voting power of all classes of its stock, or at least 95 percent of each class of its nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends).

For taxable years beginning prior to January 1, 1942, an affiliated group of corporations, within the meaning of sections 141 and 152 of the Code prior to their amendment by the Revenue Act of 1942, is formed at the time the common parent corporation becomes the owner directly of at least 95 percent in the case of railroad corporations, and 100 percent in the case of Pan-American trade corporations, of the stock (as defined by section 141 (d) prior to its amendment) of another corporation; a corporation becomes a member of a railroad affiliated group at the time that one or more members of the group become the owners directly of at least 95 percent of its stock; a corporation becomes a member of a Pan-American affiliated group at the time that the common parent corporation becomes the owner directly of 100 percent of its stock; and a corporation ceases to be a member of an affiliated group when, in the case of railroad corporations, the members of the group cease to own directly 95 percent, or, in the case of Pan-American trade corporations, the parent corporation ceases to own directly 100 percent, of its stock.

PAR. 9. Section 23.2 (g), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended by changing the expression within the parentheses to read as follows:

See, for example, "adjusted net income," section 13; "normal-tax net income," section 13 as amended by section 105 (a) of the Revenue Act of 1942; "special class net income," section 14 prior to its amendment by section 201 of the Revenue Act of 1939; "corporation surtax net income," section 15 as amended by section 105 (b) of the Revenue Act of 1942; "net income," section 21; "gross income," section 22; "taxable year" and "fiscal year," section 48 as amended by section 135 (d) of the Revenue Act of 1942; "deficiency," section 271; and the terms defined in section 3797, particularly the terms "person," "stock," and "corporation."

PAR. 10. Section 23.16 (b) is amended by changing the expression "§ 23.15 (b)" to read "§ 23.15 (c)."

PAR. 11. Section 23.30 is amended as follows:

(A) By striking at the end of paragraph (a) the words ", such bases to be determined in accordance with these regulations." and by inserting in lieu thereof the following: "; or, in the case of the taxes imposed by section 102 and by Subchapter A, upon the basis of the consolidated undistributed section 102 net income or the consolidated undistributed Subchapter A net income; such bases to be determined in accordance with these regulations."

(B) By striking at the end of paragraph (b), as amended by Treasury Decision 5127, approved March 5, 1942, the words "determined in accordance with these regulations." and by inserting in lieu thereof the following: "or, in the case of the taxes imposed by section 102 and by Subchapter A, the consolidated undistributed section 102 net income or the consolidated undistributed Subchapter A net income, determined in accordance with these regulations."

(C) By revising the heading of paragraph (c), as added by Treasury Decision 5127, approved March 5, 1942, to read, "*Years Beginning in 1941.*", and by striking at the end of the paragraph the words ", determined in accordance with these regulations." and inserting in lieu thereof the following: "or, in the case of the taxes imposed by section 102 and by Subchapter A, the consolidated undistributed section 102 net income or the consolidated undistributed Subchapter A net income, determined in each case in accordance with these regulations."

(D) By inserting immediately after paragraph (c), as added by Treasury Decision 5127, approved March 5, 1942, the following:

(d) *Years beginning after December 31, 1941.* In the case of an affiliated group which makes, or is required to make, a consolidated return for any taxable year beginning after December 31, 1941, the tax liability of each corporation for the period during such year that it was a member of such group shall be computed upon the consolidated normal-tax net income and the consolidated corporation surtax net income of the group, or, in the case of the taxes imposed by section 102, section 201, and Subchapter A, the consolidated undistributed section 102 net income, the consolidated adjusted normal-tax net income, and the consolidated adjusted corporation surtax net income, or the consolidated undistributed Subchapter A net income, as the case may be, determined in each case in accordance with these regulations. If the affiliated group filing the consolidated return includes a western hemisphere trade corporation, as defined in section 109, exempt from surtax pursuant to section 15 (b), the surtax of the group shall be an amount which bears the same ratio to the surtax computed on the consolidated corporation surtax net income as the portion of the consolidated corporation surtax net income attributable to the other members of the group bears to the entire consolidated corporation surtax net income. (See, however, § 23.15, relating to the liability of the members of the group.)

PAR. 12. Section 23.31 (a) (1), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended by striking out subdivisions (viii), (ix), and (x) and by inserting in lieu thereof the following:

(viii) The consolidated section 102 net income shall be the consolidated net income, computed without any net operating loss deductions, minus the sum of:

(*a*) The combined Federal income, war-profits, and excess-profits taxes paid or accrued during the taxable year by the several affiliated corporations to the extent not allowed as a deduction by section 23, but not including the tax imposed by section 102 of the Code, or a corresponding section of prior income tax laws,

(*b*) The combined contributions or gifts of the several affiliated corporations, payment of which is made within the taxable year, not otherwise allowed as a deduction, to or for the use of donees described in section 23 (o) of the Code for the purposes therein specified, and

(*c*) The combined losses from sales or exchanges of capital assets which are disallowed to the several affiliated corporations as deductions by section 117 (d);

(ix) The consolidated undistributed section 102 net income shall be the consolidated section 102 net income minus the consolidated basic surtax credit, computed without reduction by the amount of the credit provided in section 26 (a), relating to interest on Government obligations;

(x) The consolidated Subchapter A net income shall be the combined net income of the several affiliated corporations computed in the case of each corporation with the adjustments provided in section 505;

(xi) The consolidated undistributed Subchapter A net income shall be the consolidated Subchapter A net income minus the sum of:

(*a*) The consolidated dividends paid credit computed with the exceptions and limitations provided in section 504 (a),

(*b*) The aggregate amounts, subject to the provisions of section 504 (b), used or irrevocably set aside by the several affiliated corporations to pay or to retire indebtedness incurred prior to January 1, 1934, not including such portion of any such indebtedness as was owned on January 1, 1934, or at any time thereafter, directly or indirectly by another member of the group, and

(*c*) The aggregate amount of dividends paid by the several affiliated corporations after the close of the taxable year, subject to the provisions of section 504 (c).

PAR. 13. Section 23.31 (a) (2), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended by striking the period at the end and inserting in lieu thereof a semicolon and the following:

(iv) The consolidated net operating loss credit shall be an amount equal to the consolidated net operating loss for the preceding taxable year, but not in excess of the consolidated adjusted net income for the taxable year;

(v) The consolidated net operating loss for the purposes of the consolidated net operating loss credit shall be an amount equal to the excess of the combined net operating losses of the several affiliated corporations having net operating losses (computed subject to the exceptions and limitations provided in section 26 (c) (2) of the Code) over the combined net income (adjusted with respect to the exceptions and limitations provided in such subsection in connection with the computation of net operating losses) of the several affiliated corporations having net income; however, a net operating loss sustained by a corporation for a taxable year prior to the first taxable year in respect of which its income is included in the consolidated return of an affiliated group shall be included as a part of the consolidated net operating loss only to the extent that such net operating loss is not in excess of the adjusted net income of such corporation for such first taxable year computed without regard to the qualification expressed in paragraph (c) of this section relating to net operating loss deductions;

(vi) The consolidated dividend carry-over, subject to the qualifications provided in section 27 (c) with respect to preceding taxable years beginning in 1936 and 1937, shall be the sum of:

(*a*) The amount of the consolidated basic surtax credit for the second preceding taxable year, reduced by the adjusted net income for such year, and further reduced by the amount, if any, by which the adjusted net income for the first preceding taxable year exceeds the sum of: The consolidated basic surtax credit for such year, and the excess, if any, of the consolidated basic surtax credit for the third preceding taxable year over the consolidated adjusted net income for such year,

(*b*) The amount, if any, by which the consolidated basic surtax credit for the first preceding taxable year exceeds the consolidated adjusted net income for such year,

(*c*) For the first taxable year for which the income of a corporation is included in a consolidated return, the amount of any dividend carry-over to which such corporation would have been entitled if it had filed a separate return, and

(*d*) For the second taxable year for which the income of a corporation is included in a consolidated return, or is required to be so included, the amount of any dividend carry-over based upon dividend distributions made during its second preceding taxable year to which such corporation would have been entitled if it had continued to file separate returns, but only to the extent that such dividend distributions would have been a factor in the computation of the consolidated dividend carry-over of the affiliated group if such corporation had been a member of the group and its income had been included in a consolidated return of the group for the second preceding taxable year, and if the basic surtax credit and the adjusted net income of such corporation for the second preceding taxable year were the consolidated basic surtax credit and the consolidated adjusted net income of the group.

PAR. 14. Section 23.31 (a) (3), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended by striking the period at the end and inserting in lieu thereof a semicolon and the following:

(v) The consolidated net operating loss credit shall be an amount equal to the consolidated net operating loss for the preceding taxable year, but not in excess of, as the case may be:

(*a*) The consolidated section 102 net income for the taxable year in the case of the tax imposed by section 102, or

(*b*) The consolidated Subchapter A net income for the taxable year in the case of the tax imposed under Subchapter A;

(vi) The consolidated net operating loss for the purposes of the consolidated net operating loss credit shall be an

amount equal to the excess of the combined net operating losses of the several affiliated corporations having net operating losses (computed subject to the exceptions and limitations provided in section 26 (c) (2) of the Code) over the combined net income (adjusted with respect to the exceptions and limitations provided in such subsection in connection with the computation of net operating losses) of the several affiliated corporations having net income; however, a net operating loss sustained by a corporation for a taxable year prior to the first taxable year in respect of which its income is included in the consolidated return of an affiliated group shall be included as a part of the consolidated net operating loss only to the extent that such net operating loss is not in excess of:

(*a*) That portion of the consolidated section 102 net income for the taxable year in the case of the tax imposed by section 102, or

(*b*) That portion of the consolidated Subchapter A net income for the taxable year in the case of the tax imposed by Subchapter A,

as the case may be, attributable to such corporation for such first taxable year;

(vii) The consolidated dividend carry-over, subject to the qualifications provided in section 27 (c) with respect to a preceding taxable year beginning in 1937, shall be the sum of:

(*a*) The amount of the consolidated basic surtax credit for the second preceding taxable year, reduced by the consolidated Subchapter A net income for such year, and further reduced by the amount, if any, by which the consolidated Subchapter A net income for the first preceding taxable year exceeds the sum of: The consolidated basic surtax credit for such year, and the excess, if any, of the consolidated basic surtax credit for the third preceding taxable year over the consolidated Subchapter A net income for such year,

(*b*) The amount, if any, by which the consolidated basic surtax credit for the first preceding taxable year exceeds the consolidated Subchapter A net income for such year.

(c) For the first taxable year for which the income of a corporation is included in a consolidated return, the amount of any dividend carry-over to which such corporation would have been entitled if it had filed a separate return, and

(*d*) For the second taxable year for which the income of a corporation is included in a consolidated return, or is required to be so included, the amount of any dividend carry-over based upon dividend distributions made during its second preceding taxable year to which such corporation would have been entitled if it had continued to file separate returns, but only to the extent that such dividend distributions would have been a factor in the computation of the consolidated dividend carry-over of the affiliated group if such corporation had been a member of the group and its income had been included in a consolidated return of the group for the second preceding taxable year, and if the basic surtax credit and the Subchapter A net income of such corporation for the second preceding taxable year were the consolidated basic surtax credit and the consolidated Subchapter A net income of the group.

PAR. 15. Section 23.31 (b), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended by striking out all matter following the heading and by inserting in lieu thereof the following:

(1) *Years beginning in 1941.* In the case of an affiliated group of corporations which makes, or is required to make, a consolidated return for any taxable year beginning after December 31, 1940, and before January 1, 1942, and except as otherwise provided in these regulations:

(i) The consolidated net income shall be the combined net income of the several affiliated corporations:

(*a*) Minus any consolidated net operating loss deduction,

(*b*) Plus any consolidated net short-term capital gain, and

(*c*) Plus or minus, as the case may be, any consolidated net long-term capital gain or consolidated net long-term capital loss;

(ii) The consolidated net operating loss deduction shall be an amount equal to the aggregate of the consolidated net operating loss carry-overs and of the consolidated net operating loss carry-backs to the taxable year reduced by the amount, if any, by which the consolidated net income (computed with the exceptions and limitations provided in section 122 (d), (1), (2), (3), and (4)) exceeds the consolidated normal-tax net income (computed without any net operating loss deduction);

(iii) The consolidated net operating loss carry-overs to the taxable year shall consist of:

(*a*) The amount of the consolidated net operating loss, if any, for the first preceding taxable year,

(*b*) The amount of the consolidated net operating loss, if any, for the second preceding taxable year reduced by the consolidated net income, if any, for the first preceding taxable year computed with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a consolidated net operating loss deduction for such first preceding taxable year determined without regard to the net operating loss for such second preceding taxable year and without regard to any net operating loss carry-back,

and, with respect to net operating losses sustained by a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return:

(c) The amount of the net operating loss, if any, sustained by such corporation for the first preceding taxable year, and

(*d*) The amount of the net operating loss, if any, sustained by such corporation for the second preceding taxable year reduced by the net income, if any, of such corporation for the first preceding taxable year, or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, reduced either by the net income of such corporation for such year increased with respect to its separate net short-term and long-term capital gains or by the consolidated net income for such year, whichever is the lesser, the net income for the first preceding taxable year being computed in each case with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction of such corporation or a consolidated net operating loss deduction, as the case may be, for such first preceding taxable year determined without regard to the net operating loss of such corporation for the second preceding taxable year and without regard to any net operating loss carry-back;

(iv) The consolidated net operating loss carry-backs to the taxable year shall consist of:

(*a*) The amount of the consolidated net operating loss, if any, for the first succeeding taxable year (to the extent not attributable to those corporations making separate returns in the taxable year) reduced to the extent absorbed as a carry-back by the net income, consolidated or separate, as the case may be, for the first preceding taxable year, such net income being computed with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction for such first preceding taxable year, consolidated or separate, as the case may be, determined without regard to the net operating loss for such first succeeding taxable year,

(*b*) The amount of the consolidated net operating loss, if any, for the second succeeding taxable year, to the extent not attributable to those corporations making separate returns in the taxable year,

and, with respect to net operating losses sustained by a corporation for taxable years subsequent to the last taxable year in respect of which its income is included in the consolidated return:

(c) The amount of the net operating loss, if any, sustained by such corporation for the first succeeding taxable year reduced by the net income, if any, of such corporation for the first preceding taxable year, or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, reduced either by the net income of such corporation for such year increased with respect to its separate net short-term and long-term capital gains or by the consolidated net income for such year, whichever is the lesser, the net income for the first preceding taxable year being computed in each case with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction of such corporation or a consolidated net operating loss deduction, as the case may be, for the first preceding taxable year determined without regard to the net operating loss of such corporation for the first succeeding taxable year, and

(*d*) The amount of the net operating loss, if any, sustained by such corporation for the second succeeding taxable year,

not including as a first succeeding taxable year or a second succeeding taxable year any taxable year beginning prior to January 1, 1942, and not including as a first preceding taxable year any taxable year beginning prior to January 1, 1941;

(v) The consolidated net operating loss, computed for the purposes of the net operating loss deduction, shall be an amount equal to the excess of the combined net operating losses of the several affiliated corporations having net operating losses (computed subject to the exceptions, additions, and limitations provided in section 122 (d)) over the sum of:

(*a*) The combined net income of the several affiliated corporations having net income (adjusted with respect to the exceptions, additions, and limitations provided in section 122 (d) in connection with the computation of net operating losses), and

(*b*) The consolidated net short-term capital gains and the consolidated net long-term capital gains;

(vi) The consolidated net short-term capital gain shall be the excess of the sum of the short-term capital gains of the several affiliated corporations over the sum of:

(*a*) The aggregate short-term capital losses of such corporations, and

(*b*) The consolidated net short-term capital loss carry-over from the preceding taxable year;

(vii) The consolidated net short-term capital loss carry-over from the preceding taxable year (in an amount not greater than the consolidated net income for such year) shall be the excess of the sum of the short-term capital losses of the several affiliated corporations for the preceding taxable year over the sum of the short-term capital gains of such corporations;

(viii) The consolidated net long-term capital gain shall be the excess of the sum of the long-term capital gains of the several affiliated corporations over the sum of the long-term capital losses of such corporations;

(ix) The consolidated net long-term capital loss shall be the excess of the aggregate of the long-term capital losses of the several affiliated corporations over the aggregate of the long-term capital gains of such corporations;

(x) The consolidated normal-tax net income shall be the consolidated adjusted net income minus the consolidated section 26 (b) credit relating to dividends received;

(xi) The consolidated adjusted net income shall be the consolidated net income minus the consolidated section 26 (a) credit relating to interest on certain obligations of the United States and Government corporations;

(xii) The consolidated section 26 (a) credit relating to interest on certain obligations of the United States and Government corporations shall be an amount equal to the aggregate of the interest, of the class with respect to which credit is allowed by section 26 (a), received by the several affiliated corporations;

(xiii) The consolidated section 26 (b) credit relating to dividends received shall be an amount equal to 85 percent of the aggregate dividends, of the class with respect to which credit is allowed by section 26 (b), received by the several affiliated corporations, but not in excess of 85 percent of the consolidated adjusted net income;

(xiv) The consolidated corporation surtax net income shall be the consolidated net income minus the consolidated section 26 (b) credit for dividends received, computed by limiting such credit to 85 percent of the consolidated net income in lieu of 85 percent of the consolidated adjusted net income;

(xv) The consolidated section 102 net income shall be the consolidated net income, computed without any net operating loss deduction, minus the sum of:

(*a*) The combined Federal income, war-profits, and excess-profits taxes (other than a tax imposed by Subchapter E of Chapter 2 of the Code for taxable years beginning after December 31, 1940) paid or accrued during the taxable year by the several affiliated corporations, to the extent not allowed as a deduction by section 23, but not including a tax imposed by section 102 of the Code, or by a corresponding section of prior income tax laws,

(*b*) The combined contributions or gifts of the several affiliated corporations, payment of which is made within the taxable year, not otherwise allowed as a deduction, to or for the use of donees described in section 23 (o) of the Code for the purposes therein specified, and

(c) The excess of the sum of the short-term capital losses of the several affiliated corporations over the sum of the short-term capital gains of such corporations;

(xvi) The consolidated undistributed section 102 net income shall be the consolidated section 102 net income minus the consolidated basic surtax credit;

(xvii) The consolidated Subchapter A net income shall be the consolidated net income computed with the adjustments provided in section 505;

(xviii) The consolidated undistributed Subchapter A net income shall be the consolidated Subchapter A net income minus the sum of:

(*a*) The consolidated dividends paid credit with the exceptions and limitations provided in section 504 (a),

(*b*) The aggregate amount, subject to the provisions of section 504 (b), used or irrevocably set aside by the several affiliated corporations to pay or to retire indebtedness incurred prior to January 1, 1934, not including such portion of any such indebtedness as was owned on January 1, 1934, or at any time thereafter, directly or indirectly, by another member of the group,

(c) The aggregate amount of dividends paid by the several affiliated corporations after the close of the taxable year, subject to the provisions of section 504 (c), and

(*d*) The aggregate of the amounts, if any, distributed by the several affiliated corporations in redemption of preferred stock pursuant to the provisions of section 504 (d) of the Code as added by section 184 of the Revenue Act of 1942, not including any amounts so distributed with respect to preferred stock owned on January 1, 1934, or at any time thereafter, directly or indirectly, by another member of the group;

(xix) The consolidated dividends paid credit shall be the sum of:

(*a*) The consolidated basic surtax credit, and

(*b*) The consolidated dividend carry-over;

(xx) The consolidated basic surtax credit shall be the sum of:

(*a*) The aggregate amount of dividends paid by the several affiliated corporations during the taxable year (computed, in the case of the tax imposed by Subchapter A, with the qualifications provided in section 504 (a) relating to dividends paid after the close of the taxable year),

(*b*) The combined consent dividends credit of the several affiliated corporations provided in section 28, and

(c) The consolidated net operating loss credit;

(xxi) The consolidated dividend carry-over for the taxable year shall be the sum of:

(*a*) The amount, if any, by which the consolidated basic surtax credit for the first preceding taxable year exceeds the consolidated Subchapter A net income for such year,

(*b*) The amount of the consolidated basic surtax credit for the second preceding taxable year reduced by the consolidated Subchapter A net income for such year and further reduced by the amount, if any, by which the consolidated Subchapter A net income of the first preceding taxable year exceeds the sum of: The consolidated basic surtax credit for such year, and the excess, if any, of the consolidated basic surtax credit for the third preceding taxable year over the consolidated Subchapter A net income for such year,

and, with respect to the unused basic surtax credit of a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return:

(c) The amount, if any, by which the basic surtax credit of such corporation for the first preceding taxable year exceeds the Subchapter A net income of such corporation for such year, and

(*d*) The amount of the basic surtax credit of such corporation for the second preceding taxable year reduced by the Subchapter A net income of such corporation for such year and further reduced by:

(A) The excess, if any, of the Subchapter A net income of such corporation for the first preceding taxable year over the sum of: The basic surtax credit of such corporation for such year, and the amount, if any, by which the basic surtax credit of such corporation for the third preceding taxable year exceeds the Subchapter A net income of such corporation for such year, or

(B) If the income of such corporation is included in the consolidated return for

the first preceding taxable year, the lesser of the amount of the excess computed under (A) or the excess, if any, of the consolidated Subchapter A net income for the first preceding taxable year over the sum of: The consolidated basic surtax credit of such corporation for such year, and the amount, if any, by which the basic surtax credit of such corporation for the third preceding taxable year exceeds the Subchapter A net income of such corporation for such year;

(xxii) The consolidated net operating loss credit shall be an amount equal to the consolidated net operating loss for the preceding taxable year, but not in excess of, as the case may be:

(*a*) The consolidated section 102 net income for the taxable year in the case of the tax imposed by section 102, or

(*b*) The consolidated Subchapter A net income for the taxable year in the case of the tax imposed under Subchapter A;

(xxiii) The consolidated net operating loss, computed for the purposes of the net operating loss credit, shall be the sum of:

(*a*) The excess of the sum of: The combined net operating losses of the several affiliated corporations having net operating losses, computed subject to the exceptions and limitations provided in section 26 (c) (2), and The consolidated net long-term capital loss, if any,

over the sum of: The combined net income, computed with respect to the exceptions and limitations provided in section 26 (c) (2) in connection with the computation of net operating losses, of the several affiliated corporations having net income, The consolidated net short-term capital gain, and The consolidated net long-term capital gain, if any, and

(*b*) With respect to the net operating loss sustained by a corporation for the taxable year prior to the first taxable year in respect of which its income is included in the consolidated return, the amount of such net operating loss for such prior taxable year, computed subject to the exceptions and limitations provided in section 26 (c) (2), in an amount not in excess of: That portion of the consolidated section 102 net income for the taxable year in the case of the tax imposed by section 102, or that portion of the consolidated Subchapter A net income for the taxable year in the case of the tax imposed under Subchapter A, as the case may be, attributable to such corporation for the taxable year.

(2) *Years beginning after December 31, 1941.* In the case of an affiliated group of corporations which makes, or is required to make, a consolidated return for any taxable year beginning after December 31, 1941, and except as otherwise provided in these regulations:

(i) The consolidated net income shall be the combined net income of the several affiliated corporations:

(*a*) Minus the sum of: Any consolidated net operating loss deduction, and any consolidated net loss from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), and

(*b*) Plus any consolidated net capital gain, or

(*c*) Minus, in the case of an affiliated group including as members one or more corporations subject to the tax imposed by section 204, the combined additional capital loss deductions of such corporations authorized by section 204 (c) (5) as amended by section 164 (c) of the Revenue Act of 1942, but in an amount not in excess of the consolidated net capital loss;

(ii) The consolidated net operating loss deduction shall be an amount equal to the aggregate of the consolidated net operating loss carry-overs and of the consolidated net operating loss carry-backs to the taxable year reduced by the amount, if any, by which the consolidated net income (computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4) exceeds the consolidated normal-tax net income (computed without any net operating loss deduction and without the credit provided in section 26 (e), relating to income subject to excess profits tax);

(iii) The consolidated net operating loss carry-overs to the taxable year shall consist of:

(*a*) The amount of the consolidated net operating loss, if any, for the first preceding taxable year, or, with respect to a first preceding taxable year beginning after December 31, 1941, the amount of the consolidated net operating loss for such year to the extent not attributable to those corporations making separate returns in the taxable year,

(*b*) The amount of the consolidated net operating loss, if any, for the second preceding taxable year (or, with respect to a second preceding taxable year beginning after December 31, 1941, the amount of the consolidated net operating loss for such year to the extent not attributable to those corporations making separate returns in the taxable year) reduced to the extent absorbed as a carry-over by the net income, consolidated or separate, as the case may be, for the first preceding taxable year (such net income being computed with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction for such first preceding taxable year, consolidated or separate, as the case may be, determined without regard to the net operating loss for such second preceding taxable year and without regard to any net operating loss carry-back), and, with respect to net operating losses sustained by a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return,

(*c*) The amount of the net operating loss, if any, sustained by such corporation for the first preceding taxable year, and

(*d*) The amount of the net operating loss, if any, sustained by such corporation for the second preceding taxable year reduced by the net income, if any, of such corporation for the first preceding taxable year, or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, reduced either by the net income of such corporation for such year increased with respect to its separate net short-term and long-term capital gains (or for years beginning after December 31, 1941, its separate net capital gain) or by the consolidated net income for such year, whichever is the lesser, the net income for the first preceding taxable year being computed in such case with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction or a consolidated net operating loss deduction, as the case may be, for such first preceding taxable year determined without regard to the net operating loss of such corporation for the second preceding taxable year and without regard to any net operating loss carry-back,

but only to the extent that such net operating losses, consolidated or separate, as the case may be, were not absorbed as net operating loss carry-backs, and, with respect to net operating losses subject to the provisions of (*d*), were not absorbed by the group in the first preceding taxable year as war losses pursuant to the last sentence of section 141 (b) of the Code;

(iv) The consolidated net operating loss carry-backs to the taxable year shall consist of—

(*a*) The amount of the consolidated net operating loss, if any, for the first succeeding taxable year (to the extent not attributable to those corporations making separate returns in the taxable year) reduced to the extent absorbed as a carry-back by the net income, consolidated or separate, as the case may be, for the first preceding taxable year, such net income being computed with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction for such first preceding taxable year, consolidated or separate, as the case may be, determined without regard to the net operating loss for such first succeeding taxable year,

(*b*) The amount of the consolidated net operating loss, if any, for the second succeeding taxable year, to the extent not attributable to those corporations making separate returns in the taxable years,

and, with respect to net operating losses sustained by a corporation for taxable years subsequent to the last taxable year in respect of which its income is included in the consolidated return,

(*c*) The amount of the net operating loss, if any, sustained by such corporation for the first succeeding taxable year reduced by the net income, if any, of such corporation for the first preceding taxable year, or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, reduced either by the net income of such corporation for such year increased with respect to its separate net short-term and long-term capital gains (or, for years beginning after December 31, 1941, its separate net capital gain) or by the consolidated net income for such first preceding taxable year, whichever is

the lesser, the net income for the first preceding taxable year being computed in either case with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction or a consolidated net operating loss deduction, as the case may be, for the first preceding taxable year determined without regard to the net operating loss of such corporation for the first succeeding taxable year, and

(*d*) The amount of the net operating loss, if any, sustained by such corporation for the second succeeding taxable year;

(v) The consolidated net operating loss, computed for the purposes of the net operating loss deduction, shall be an amount equal to the excess of the sum of:

(*a*) The combined net operating losses of the several affiliated corporations having net operating losses (computed subject to the exceptions, additions, and limitations provided in section 122 (d)), and

(*b*) The consolidated net loss from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

over the sum of:

(*c*) The combined net income of the several affiliated corporations having net income (adjusted with respect to the exceptions, additions, and limitations provided in section 122 (d) in connection with the computation of net operating losses), and

(*d*) The consolidated net capital gain;

(vi) The consolidated net loss from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j) shall be the excess of the aggregate of the recognized losses of the character described in section 117 (j) sustained by the several affiliated corporations over the aggregate of the recognized gains of the character described in section 117 (j) realized by the several affiliated corporations;

(vii) The consolidated net capital gain shall be the excess of the sum of:

(*a*) The aggregate of the capital gains of the several affiliated corporations, and

(*b*) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

over the sum of:

(*c*) The aggregate of the capital losses of such corporations, plus

(*d*) The aggregate of the consolidated net capital loss carry-overs to the taxable year, or

(*e*) In the first taxable year beginning after December 31, 1941, the consolidated net short-term capital loss carry-over from the last taxable year beginning in 1941;

(viii) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j) shall be the excess of the aggregate of the recognized gains of the character described in section 117 (j) realized by the several affiliated corporations over the aggregate of the recognized losses of the character described in section 117 (j) sustained by the several affiliated corporations;

(ix) The consolidated net capital loss carry-overs to the taxable year shall consist of:

(*a*) The consolidated net capital losses, if any, for the five preceding taxable years (not including any taxable year beginning prior to January 1, 1942) to the extent that such losses were not attributable to corporations making separate returns in the taxable year, and were not absorbed by net capital gains for intervening taxable years pursuant to the provisions of section 117 (e) (1) of the Code as amended by section 150 of the Revenue Act of 1942, consolidated or separate, as the case may be,

and, with respect to net capital losses sustained by a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return,

(*b*) The net capital losses, if any, sustained by such corporation for its five preceding taxable years (not including any taxable year beginning prior to January 1, 1942) to the extent that such losses were not absorbed by the net capital gains of such corporation (or, if the income of such corporation is included in a consolidated return, by the consolidated net capital gains) for intervening taxable years pursuant to the provisions of section 117 (e) (1) of the Code as amended by section 150 of the Revenue Act of 1942;

(x) The consolidated net capital loss shall be the excess of the aggregate of the capital losses of the several affiliated corporations over the sum of:

(*a*) The aggregate of the capital gains of such corporations, and

(*b*) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

reduced, in the case of an affiliated group including as members one or more corporations subject to the tax imposed by section 204 but only for the purpose of net capital loss carry-over computations, by whichever of the following amounts is the lesser:

(*c*) The combined additional capital loss deductions of such corporations authorized by section 204 (c) (5) as amended by section 164 (c) of the Revenue Act of 1942, or

(*d*) The consolidated corporation surtax net income computed without regard to capital gains and losses;

(xi) The consolidated net short-term capital loss carry-over from the last taxable year beginning in 1941 (in an amount not greater than the consolidated net short-term capital gain of the taxable year) shall be the sum of:

(*a*) The consolidated net short-term capital loss, if any, for the last taxable year beginning in 1941 in an amount not in excess of the consolidated net income for such year, and

(*b*) With respect to a member of the group which filed a separate return for the last taxable year beginning in 1941, the net short-term capital loss, if any, of such corporation for such year in an amount not in excess of its net income for such year;

(xii) The consolidated net short-term capital gain shall be the excess of the aggregate of the short-term capital gains of the several affiliated corporations over the sum of:

(*a*) The aggregate short-term capital losses of such corporations, plus

(*b*) The consolidated net capital loss carry-overs to the taxable year, or

(*c*) In the first taxable year beginning after December 31, 1941, the consolidated net short-term capital loss carry-over from the last taxable year beginning in 1941;

(xiii) The consolidated net short-term capital loss shall be the excess of the aggregate of the short-term capital losses of the several affiliated corporations (or, for the purpose of the alternative tax computation under section 117 (c) as amended by section 150 (c) of the Revenue Act of 1942, the sum of such aggregate plus the consolidated net capital loss carry-over or the consolidated net short-term capital loss carry-over, as the case may be) over the aggregate of the short-term capital gains of such corporations;

(xiv) The consolidated net long-term capital gain shall be the excess of the sum of:

(*a*) The aggregate of the long-term capital gains of the several affiliated corporations, and

(*b*) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

over the aggregate of the long-term capital losses of such corporations;

(xv) The consolidated normal-tax net income shall be the consolidated adjusted net income minus the sum of:

(*a*) The consolidated section 26 (e) credit relating to income subject to excess profits tax, and

(*b*) The consolidated section 26 (b) credit relating to dividends received;

(xvi) The consolidated adjusted net income shall be the consolidated net income minus the consolidated section 26 (a) credit relating to interest on certain obligations of the United States and Government corporations;

(xvii) The consolidated section 26 (a) credit relating to interest on certain obligations of the United States and Government corporations shall be an amount equal to the aggregate of the interest, of the class with respect to which credit is allowed by section 26 (a), received by the several affiliated corporations;

(xviii) The consolidated section 26 (b) credit relating to dividends received shall be an amount equal to 85 percent of the aggregate dividends, of the class with respect to which credit is allowed by section 26 (b), received by the several affiliated corporations, but in an amount not greater than 85 percent of the excess of the consolidated adjusted net income over the consolidated section 26 (e) credit relating to income subject to excess profits tax;

(xix) The consolidated section 26 (e) credit relating to income subject to excess profits tax shall be an amount

equal to the consolidated adjusted excess profits net income as defined in Consolidated Excess Profits Tax Regulations 110, or, in the case of an affiliated group including as members one or more corporations subject to the provisions of section 721 (relating to abnormalities in income in the taxable period), section 726 (relating to corporations completing contracts under the Merchant Marine Act of 1936), section 731 (relating to corporations engaged in mining strategic minerals), or section 736 (b) (relating to corporations with income from long-term contracts), the amount of which the consolidated excess profits tax for the taxable year is 90 percent, the consolidated excess profits tax for the purpose of this credit being computed without regard to the limitation provided in section 710 (a) (1) (B) (the 80 percent limitation), without regard to the credit provided in section 729 (c) and (d) for foreign taxes paid, and without regard to the adjustments provided in section 734;

(xx) The consolidated corporation surtax net income shall be the consolidated net income minus the sum of:

(*a*) The consolidated section 26 (e) credit relating to income subject to the excess profits tax, and

(*b*) The consolidated section 26 (b) credit for dividends received (computed by limiting such credit to 85 percent of the excess of the consolidated net income—in lieu of the consolidated adjusted net income—over the consolidated section 26 (e) credit, and computed without regard to dividends received on certain preferred stock of a public utility as referred to in (C) below), and

(*c*) In the case of an affiliated group including as members one or more corporations which are public utilities as defined in section 26 (h) (2) (A) of the Code as added by section 133 of the Revenue Act of 1942, but in an amount not greater than that portion of the consolidated corporation surtax net income (computed without regard to this credit) attributable to such public utilities, the consolidated section 26 (h) credit relating to dividends paid by such public utilities on preferred stock as defined in section 26 (h) (2) (B) of the Code;

(xxi) The consolidated section 26 (h) credit relating to dividends paid by public utilities on preferred stock shall be an amount equal to the aggregate of the dividends paid by members of the affiliated group which are public utilities within the meaning of section 26 (h) (2) (A) on preferred stock within the meaning of section 26 (h) (2) (B);

(xxii) The consolidated section 102 net income shall be the consolidated net income, computed without regard to any capital loss carry-overs and without regard to any net operating loss deduction, minus the sum of:

(*a*) The combined Federal income, war-profits, and excess-profits taxes (other than a tax imposed by Subchapter E of Chapter 2 of the Code for taxable years beginning after December 31, 1940) paid or accrued during the taxable year by the several affiliated corporations, to the extent not allowed as a deduction by section 23, but not including the tax imposed by section 102 of the Code, or by a corresponding section of prior income tax laws,

(*b*) The combined contributions or gifts of the several affiliated corporations, payment of which is made within the taxable year, not otherwise allowed as a deduction, to or for the use of donees described in section 23 (c) of the Code for the purposes therein specified,

(*c*) The excess of the sum of the capital losses of the several affiliated corporations (computed without regard to any capital loss carry-over) over the sum of the capital gains of such corporations, and

(*d*) The consolidated section 26 (e) credit relating to income subject to the excess profits tax;

(xxiii) The consolidated undistributed section 102 net income shall be the consolidated section 102 net income minus the consolidated basic surtax credit;

(xxiv) The consolidated Subchapter A net income shall be the consolidated net income computed with the adjustments provided in section 505;

(xxv) The consolidated undistributed Subchapter A net income shall be the consolidated Subchapter A net income minus the sum of:

(*a*) The consolidated dividends paid credit with the exceptions and limitations provided in section 504 (a),

(*b*) The aggregate amount, subject to the provisions of section 504 (b), used or irrevocably set aside by the several affiliated corporations to pay or to retire indebtedness incurred prior to January 1, 1934, not including such portion of any such indebtedness as was owned on January 1, 1934, or at any time thereafter, directly or indirectly, by another member of the group,

(*c*) The aggregate amount of dividends paid by the several affiliated corporations after the close of the taxable year, subject to the provisions of section 504 (c), and

(*d*) The aggregate of the amounts, if any, distributed by the several affiliated corporations in redemption of preferred stock pursuant to the provisions of section 504 (d) of the Code as added by section 184 of the Revenue Act of 1942, not including any amounts so distributed with respect to preferred stock owned on January 1, 1934, or at any time thereafter, directly or indirectly, by another member of the group;

(xxvi) The consolidated dividends paid credit shall be the sum of:

(*a*) The consolidated basic surtax credit, and

(*b*) The consolidated dividend carry-over;

(xxvii) The consolidated basic surtax credit shall be the sum of:

(*a*) The excess of the aggregate amount of dividends paid by the several affiliated corporations during the taxable year (computed, in the case of the tax imposed by Subchapter A, with the qualifications provided in section 504 (a) relating to dividends paid after the close of the taxable year) over the consolidated section 26 (h) credit relating to dividends paid by public utilities on certain preferred stock, and

(*b*) The combined consent dividends credit of the several affiliated corporations provided in section 28,

and, in an aggregate amount not exceeding the consolidated section 102 net income or the consolidated Subchapter A net income, as the case may be, the sum of:

(*c*) The consolidated net operating loss credit, and

(*d*) In the case of an affiliated group including one or more holding company affiliates of a bank as defined in section 2 of the Banking Act of 1933, the consolidated section 26 (d) credit relating to earnings or profits devoted to the acquisition of readily marketable assets other than bank stock;

(xxviii) The consolidated dividend carry-over for the taxable year shall be the sum of:

(*a*) The amount, if any, by which the consolidated basic surtax credit for the first preceding taxable year exceeds the consolidated Subchapter A net income for such year, or, with respect to a first preceding taxable year beginning after December 31, 1941, the excess of such credit over such income to the extent that such credit and such income are not attributable to corporations making separate returns in the taxable year,

(*b*) The amount of the consolidated basic surtax credit for the second preceding taxable year reduced by the consolidated Subchapter A net income for such year and further reduced by the amount, if any, by which the consolidated Subchapter A net income of the first preceding taxable year exceeds the sum of: The consolidated basic surtax credit for such year, and The excess, if any, of the consolidated basic surtax credit for the third preceding taxable year over the consolidated Subchapter A net income for such year, or, with respect to a second preceding taxable year beginning after December 31, 1941, the amount of the consolidated basic surtax credit for such taxable year so reduced to the extent that any such basic surtax credit and any such Subchapter A net income are not attributable to corporations making separate returns in the taxable year,

and, with respect to the unused basic surtax credit of a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return,

(*c*) The amount, if any, by which the basic surtax credit of such corporation for the first preceding taxable year exceeds the Subchapter A net income of such corporation for such year, and

(*d*) The amount of the basic surtax credit of such corporation for the second preceding taxable year reduced by the Subchapter A net income of such corporation for such year and further reduced by:

(A) The excess, if any, of the Subchapter A net income of such corporation for the first preceding taxable year over the sum of: The basic surtax credit of such corporation for such year, and the amount, if any, by which the basic surtax credit of such corporation for the third preceding taxable year exceeds the Subchapter A net income of such corporation for such year, or

(B) If the income of such corporation is included in the consolidated return for the first preceding taxable year, the lesser of the amount of the excess computed under (aa) or the excess, if any, of the consolidated Subchapter A net income for the first preceding taxable year over the sum of: The consolidated basic surtax credit of such corporation for such year, and the amount, if any, by which the basic surtax credit of such corporation for the third preceding taxable year exceeds the Subchapter A net income of such corporation for such year;

(xxix) The consolidated net operating loss credit shall be an amount equal to the consolidated net operating loss for the preceding taxable year, or, with respect to a preceding taxable year beginning after December 31, 1941, the amount of the consolidated net operating loss for such year to the extent not attributable to those corporations making separate returns in the taxable year, but not in excess of, as the case may be,

(*a*) The consolidated section 102 net income for the taxable year in the case of the tax imposed by section 102, or

(*b*) The consolidated Subchapter A net income for the taxable year in the case of the tax imposed under Subchapter A;

(xxx) The consolidated net operating loss, computed for the purposes of the net operating loss credit, shall be the sum of:

(*a*) The excess of the sum of:

(A) The combined net operating losses of the several affiliated corporations having net operating losses, computed subject to the exceptions and limitations provided in section 26 (c) (2),

(B) The consolidated net loss from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), and

(C) In the case of an affiliated group including as members one or more corporations subject to the tax imposed by section 204, the combined additional capital loss deductions of such corporations authorized by section 204 (c) (5) as amended by section 164 (c) of the Revenue Act of 1942,

over the sum of:

(D) The combined net income, computed with respect to the exceptions and limitations provided in section 26 (c) (2) in connection with the computation of net operating losses, of the several affiliated corporations having net income, and

(E) The consolidated net capital gain, and

(*b*) With respect to the net operating loss sustained by a corporation for the taxable year prior to the first taxable year in respect of which its income is included in the consolidated return, the amount of such net operating loss for such prior taxable year, computed subject to the exceptions and limitations provided in section 26 (c) (2), in an amount not in excess of: That portion of the consolidated section 102 net income for the taxable year in the case of the tax imposed by section 102, or that portion of the consolidated Subchapter A net income for the taxable year in the case of the tax imposed under Subchapter A, as the case may be, attributable to such corporation for the taxable year;

(xxxi) The consolidated section 26 (d) credit, relating to bank affiliates, shall be an amount equal to the aggregate of the earnings or profits of members of the group which are holding company affiliates of a bank as defined in section 2 of the Banking Act of 1933 devoted to the acquisition of readily marketable assets other than bank stock (not including any asset acquired, directly or indirectly, from another member of the group), subject, in the case of each such affiliate, to the limitations imposed by section 26 (d) determined without regard to the qualifications expressed in (d) (1) (ii) and (iii);

(xxxii) The consolidated adjusted normal-tax net income, in the case of an affiliated group consisting of corporations subject to the tax imposed by section 201, shall be the consolidated normal-tax net income minus the consolidated reserve and other policy liability credit provided in section 202 (b) and plus the consolidated adjustment for certain reserves provided in section 202 (c);

(xxxiii) The consolidated adjusted corporation surtax net income, in the case of an affiliated group consisting of corporations subject to the tax imposed by section 201, shall be the consolidated corporation surtax net income minus the consolidated reserve and other policy liability credit provided in section 202 (b) and plus the consolidated adjustment for certain reserves provided in section 202 (c);

(xxxiv) The consolidated reserve and other policy liability credit provided in section 202 (b) shall be the consolidated normal-tax net income multiplied by a figure to be determined and proclaimed by the Secretary for each taxable year pursuant to section 202 (b);

(xxxv) The consolidated adjustment for certain reserves provided in section 202 (c) shall be an amount equal to $3\frac{1}{4}$ percent of the combined unearned premiums and unpaid losses of the several affiliated corporations on contracts other than life insurance or annuity contracts, computed in the case of each corporation pursuant to the provisions of section 202 (c), but not less than 25 percent of the combined net premiums on such other contracts written during the taxable year.

PAR. 16. Section 23.31 (d) (1), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended by striking from subdivision (ii) the word "and"; by striking the period at the end of subdivision (iii) and inserting a comma in lieu thereof; and by inserting the following new subdivisions:

(iv) There shall be disregarded all gains and losses from involuntary conversions and from sales and exchanges of property subject to the provisions of section 117 (j), and

(v) In the computation of the deduction under section 23 (v) relating to amortizable bond premium, there shall be disregarded the bonds of one member of the group owned by another member of the group during the taxable year.

PAR. 17. Section 23.31 (d) (2), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended as follows:

(A) By striking that portion preceding the numbered subdivisions, and by inserting in lieu thereof the following:

For a taxable year for which a consolidated return is made or is required, the capital gains and losses, the short-term capital gains and losses, and the long-term capital gains and losses, as defined in section 117 (a), the gains and losses from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), the additional capital loss deductions authorized by section 204 (c) (5), the interest received of a class with respect to which credit is allowed by section 26 (a), the dividends received of a class with respect to which credit is allowed by section 26 (b), the net operating loss as defined in section 26 (c) (2) for the purpose of the net operating loss credit, the net operating loss as defined in section 122 (a) for the purpose of the net operating loss deduction, the earnings or profits devoted to the acquisition of readily marketable assets other than bank stock in the case of a bank affiliate within the provisions of section 26 (d), the dividends paid on the preferred stock of a public utility within the provisions of section 26 (h), the Subchapter A net income, the Federal income, war-profits, and excess-profits taxes, the contributions or gifts of the class specified in section 23 (o) or 23 (q), the amounts used or irrevocably set aside to pay or to retire indebtedness incurred prior to January 1, 1934, the amount distributed in redemption of preferred stock pursuant to the provisions of section 504 (d), the basic surtax credit, the amount of dividends paid, and the consent dividends credit allowed pursuant to section 28 shall be computed and determined in the case of each affiliated corporation in the same manner and subject to the same conditions as if a separate return were filed, except:

(B) By changing subdivision (iii) to read as follows:

(iii) Capital gains and losses, short-term capital gains and losses, and long-term capital gains and losses shall be determined without regard to:

(*a*) Gains or losses arising in intercompany transactions,

(*b*) Gains or losses from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), and

(*c*) The net short-term capital loss carry-over provided in section 117 (e);

(C) By striking from subdivision (v) the word "and"; by striking the period at the end of subdivision (vi) and inserting a semicolon in lieu thereof; and by inserting the following new subdivisions:

(vii) In the computation of the Federal income, war-profits, and excess-profits taxes, there shall be used the consolidated tax, or a proportionate part thereof, if the tax payable is properly

computed on the basis of the consolidated return; and

(viii) In the computation of dividends paid on the preferred stock of a public utility, there shall be excluded all dividends paid by such public utility to another member of the group.

PAR. 18. Section 23.31 (d) (3), as added by Treasury Decision 5127, approved March 5, 1942, is amended to read as follows:

(3) In no case (except as otherwise provided in this subparagraph) shall there be included in the consolidated net operating loss deduction for the taxable year as consolidated net operating loss carry-overs under (b) (1) (iii) (c) and (d) of this section, or (b) (2) (iii) (c) and (d), as the case may be, (relating to net operating losses sustained by a corporation in years prior to the first taxable year in respect of which its income is included in the consolidated return) and as consolidated net operating loss carrybacks under (b (1) (iv) (c) and (d) of this section, or (b) (2) (iv) (c) and (d), as the case may be, (relating to net operating losses sustained by a corporation in years subsequent to the last taxable year in respect of which its income is included in the consolidated return) an amount exceeding in the aggregate the net income of such corporation (computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4)) included in the computation of the consolidated net income for the taxable year increased by its separate net capital gain (or, for years beginning prior to January 1, 1942, its separate net short-term and long-term capital gains). The provisions of this subparagraph do not apply with respect to that portion of any net operating loss carry-over from a taxable year beginning in 1941 attributable to war losses within the provisions of section 127 of the Code as added by section 156 of the Revenue Act of 1942, such portion being determined as the excess of the net operating loss for such year over the amount of any net operating loss for the year computed without regard to war losses.

PAR. 19. Section 23.31 (d) (4), as added by Treasury Decision 5127, approved March 5, 1942, is amended to read as follows:

(4) If a portion of the consolidated net operating loss deduction arises as a carry-over pursuant to the provisions of (b) (1) (iii) (c) or (d) of this section, or (b) (2) (iii) (c) or (d), as the case may be (relating to net operating losses sustained by a corporation in years prior to the first taxable year in respect of which its income is included in the consolidated return), or as a carry-back pursuant to the provisions of (b) (1) (iv) (c) or (d) of this section, or (b) (2) (iv) (c) or (d), as the case may be, (relating to net operating losses sustained by a corporation in years subsequent to the last taxable year in respect of which its income is included in the consolidated return), the consolidated net operating loss deduction shall not be less than the amount of such portion reduced by the amount, if any, by which the net income of such corporation (computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4)) exceeds the normal-tax net income of such corporation (computed, for taxable years beginning in 1941, without any net operating loss deduction but taking into account any net long-term capital loss, and, for taxable years beginning after December 31, 1941, without any net operating loss deduction and without the credit provided by section 26 (e) relating to income subject to excess profits tax but taking into account the additional capital loss deduction authorized by section 204 (c) (5)), or, in the case of two or more such corporations, the sum of such portions so reduced.

PAR. 20. Section 23.31 (d) (5), as added by Treasury Decision 5127, approved March 5, 1942, is amended to read as follows:

(5) With respect to consolidated net operating loss carry-overs and carrybacks:

(i) If, in the computation of the consolidated net operating loss deduction for the second consolidated return period in respect of which the income of a corporation is included in the consolidated returns of the group, there is involved the net operating loss separately sustained by such corporation for the second preceding taxable year together with a consolidated net operating loss for the second preceding taxable year, or if, for the second consolidated return period in respect of which the income of two or more members of the group is included in the consolidated returns of the group, there are involved the net operating losses separately sustained by such corporations for the second preceding taxable year, no portion of the consolidated net income for the first preceding taxable year shall be taken into account more than once in giving effect to the provisions of (b) (1) (iii) (b) and (d) of this section, or (b) (2) (iii) (b) and (d), as the case may be, (relating to the computation of the consolidated net operating loss carry-overs attributable to losses of the second preceding taxable year);

(ii) If, in the computation of the consolidated net operating loss deduction for the last taxable year in respect of which the income of a corporation is included in the consolidated returns of the group, there is involved the net operating loss separately sustained by such corporation for the first succeeding taxable year together with a consolidated net operating loss for the first succeeding taxable year, or if, for the last taxable year in respect of which the income of two or more members of the group is included in the consolidated returns of the group, there are involved the net operating losses separately sustained by such corporations for the first succeeding taxable year, no portion of the consolidated net income for the first preceding taxable year shall be taken into account more than once in giving effect to the provisions of (b) (1) (iv) (a) and (c) of this section, or (b) (2) (iv) (a) and (c), as the case may be, (relating to the computation of the consolidated net operating loss carry-backs attributable to losses of the first succeeding taxable year).

PAR. 21. Section 23.31 (d) (6), as added by Treasury Decision 5127, approved March 5, 1942, is amended to read as follows:

(6) If, in the computation of the consolidated dividend carry-over for the second consolidated return period in respect of which the income of a corporation is included in the consolidated returns of the group, there is involved a separate unused basic surtax credit of such corporation for the second preceding taxable year together with a consolidated unused basic surtax credit for the second preceding taxable year, or if, for the second consolidated return period in respect of which the income of two or more members of the group is included in the consolidated returns of the group, there are involved the separate unused basic surtax credits of such corporations for the second preceding taxable year, no portion of the excess of the consolidated Subchapter A net income over the consolidated basic surtax credit for the first preceding taxable year shall be taken into account more than once in giving effect to the provisions of (b) (1) (xxi) (b) and (d) of this section, or (b) (2) (xxvi) (b) and (d), as the case may be, (relating to the computation of that part of the consolidated dividend carry-over attributable to the unused basic surtax credits of the second preceding taxable year).

PAR. 22. Section 23.31 (d), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended by inserting immediately after subparagraph (6) the following subparagraphs:

(7) If an affiliated group filing a consolidated return for a taxable year beginning after December 31, 1941, sustains a consolidated net operating loss within the provisions of section 26 (c), relating to the net operating loss credit, or within the provisions of section 122, relating to the net operating loss deduction, and if there are included as members of such group one or more corporations which made separate returns either in a preceding taxable year (not including any year beginning prior to January 1, 1941) or in a succeeding taxable year, the portion of such consolidated net operating loss attributable to such corporations severally shall be determined, such portion in the case of any such corporation being determined in an amount proportionate to the net losses (capital net losses and ordinary net losses alike) of the several affiliated corporations having net losses, to the extent that such losses were taken into account in the computation of the consolidated net operating loss.

(8) If an affiliated group filing a consolidated return for a taxable year beginning after December 31, 1941, sustains a consolidated net capital loss, and if there are included as members of such group one or more corporations which make separate returns in a succeeding taxable year, the portion of such consolidated net capital loss attributable to such corporations severally shall be determined, such portion in the case of any such corporation being an amount which bears the same ratio to the consolidated net capital loss which the net capital loss of such corporation bears to the aggregate of the net capital losses for the taxable year sustained by the several affiliated corporations having net capital losses.

(9) If an affiliated group filing a consolidated return for a taxable year beginning after December 31, 1941, has an unusued consolidated basic surtax credit, and if there are included as members of such group one or more corporations which make separate returns in a succeeding taxable year, the portion of such unusued consolidated basic surtax credit attributable to such corporations severally shall be determined for the purposes of the dividend carry-over, such portion in the case of any such corporation being determined in an amount proportionate to the dividends paid, the consent dividends credits, the several factors involved in the computation of the consolidated net operating loss credit, and the Subchapter A net incomes of the several affiliated corporations, to the extent that such items were taken into account in the computation of the consolidated basic surtax credit and the consolidated Subchapter A net income.

PAR. 23. Section 23.31 (f), as amended by Treasury Decision 5127, approved March 5, 1942, is further amended to read as follows:

(f) *Net operating loss deduction, net operating loss credit, and dividend carry-over after consolidated return period.* The consolidated net operating loss (whether computed for the purpose of the deduction or the credit) or the unused consolidated basic surtax credit of an affiliated group for any consolidated return period beginning prior to January 1, 1942, shall be used in computing the net operating loss deduction, the net operating loss credit, or the dividend carry-over, as the case may be, in the return of the common parent corporation (or the consolidated net operating loss deduction, the consolidated net operating loss credit, or the consolidated dividend carry-over in the consolidated return of another affiliated group of which such common parent becomes a member) for a taxable year subsequent to the last consolidated return period of the group in the same manner, to the same extent, upon the same conditions, and subject to the same limitations as if, during the taxable year in which such loss or such unused basic surtax credit originated and continuing to the date of the termination of the group, the group had been a single corporation, the common parent corporation; and no net operating loss or unused basic surtax credit attributable to a consolidated return period beginning prior to January 1, 1942, shall be used in computing the net operating loss deduction, the net operating loss credit, or the dividend carry-over of a subsidiary (or the consolidated net operating loss deduction, the consolidated net operating loss credit, or the consolidated dividend carry-over of another affiliated group of which such subsidiary becomes a member) for any taxable year subsequent to the last consolidated return period of the group. No part of any unused basic surtax credit of a corporation for a year prior to the first taxable year in respect of which its income is included in the consolidated return, if the consolidated return year begins prior to January 1, 1942, shall be used in computing the dividend carry-over of such corporation (or the consolidated dividend carry-over of another affiliated group of which it becomes a member) for any taxable year subsequent to the last consolidated return period, but any part of such unused basic surtax credit which, except for this restriction, might be so used shall be treated as attributable to the common parent corporation of the group for a year in which such common parent had no adjusted net income and no other basic surtax credit. No part of any net operating loss sustained by a corporation prior to the first taxable year in respect of which its income is included in the consolidated return, if the consolidated return year begins prior to January 1, 1942, shall be used in computing the net operating loss deduction of such corporation (or the consolidated net operating loss deduction of another affiliated group of which it becomes a member) for any taxable year subsequent to the last consolidated return period, but any part of such net operating loss which, except for this restriction, might be so used shall be treated as having been sustained by the common parent corporation of the group.

The consolidated net operating loss (whether computed for the purpose of the deduction or the credit) of an affiliated group for a consolidated return period beginning after December 31, 1941, or the unused consolidated basic surtax credit of such group for such period, shall be used in computing the consolidated net operating loss deduction, the consolidated net operating loss credit, or the consolidated dividend carry-over, as the case may be, notwithstanding that one or more corporations, members of the group in the taxable year in which such loss or such unused basic surtax credit originates, make separate returns (or join in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carry-back computation, for a preceding taxable year), but only to the extent that such consolidated net operating loss or such unused consolidated basic surtax credit is not attributable to such corporations; and such portion of such consolidated net operating loss or such unused consolidated basic surtax credit as is attributable to the several corporations making separate returns (or joining in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carry-back computation, for a preceding taxable year) shall be used by such corporations severally as carry-overs, or as carry-backs, in such separate returns, or in such consolidated return, of the other affiliated group. Any unused basic surtax credit of a corporation for a year prior to the first taxable year in respect of which its income is included in the consolidated return, if the consolidated return year begins after December 31, 1941, shall be used in computing the dividend carry-over of such corporation (or the consolidated dividend carry-over of another affiliated group of which it becomes a member) for a subsequent taxable year for which it makes a separate return or joins in a consolidated return of another group, but only to the extent that such unused basic surtax credit was not absorbed in the computation of the consolidated dividend paid credit for the prior consolidated return period. Any net operating loss sustained by a corporation prior to the first taxable years in respect of which its income is included in the consolidated return, if the consolidated return year begins after December 31, 1941, shall be used in computing the net operating loss deduction of such corporation (or the consolidated net operating loss deduction of another affiliated group of which it becomes a member) for a subsequent taxable year for which it makes a separate return or joins in a consolidated return of another group, but only to the extent that such net operating loss was not absorbed in the computation of the consolidated net operating loss deduction for the prior consolidated return period.

PAR. 24. Section 23.34 (c) (2) is amended by striking from the second sentence the phrase "in subsequent years" and inserting in lieu thereof the phrase "in prior or subsequent years."

PAR. 25. Section 23.37, as amended by Treasury Decision 5127, approved March 5, 1942, is further amended as follows:

(A) By changing subparagraph (a) (1), as amended, to read:

(1) Where such distribution is in complete liquidation and redemption of all of its stock (whether in one distribution or a series) and of its bonds and other indebtedness, if any, falls without the provisions of section 112 (b) (6), and is the result of a bona fide termination of the business and operations of such member of the group, in which case the adjustments specified in §§ 23.34 and 23.35 will be made and § 23.36 will be applicable, or

(B) By changing paragraph (b) to read as follows:

(b) In case any such distribution is made after a consolidated return period, whether in complete or partial liquidation, except a complete liquidation within the provisions of section 112 (b) (6), with respect to stock and with respect to bonds, debentures, notes, certificates, and other indebtedness of the liquidated corporation acquired prior to or during any taxable year subsequent to 1928 for which a consolidated income or excess profits tax return was filed, the adjustments specified in §§ 23.34 and 23.35 will be made, and § 23.36 will be applicable.

PAR. 26. Section 23.39 (b) (3), as added by Treasury Decision 5127, approved March 5, 1942, is amended to read as follows:

If a corporation which was a member of an affiliated group in a consolidated return period makes or is required to make a separate return for the succeeding taxable year, the value of its opening inventory to be used in computing its net income for such secceeding taxable year shall be the proper value of its closing inventory used in computing consolidated net income for the last consolidated return period increased in the amount of profits or decreased in the amount of losses eliminated in the computation of such inventory as profits or losses arising in transactions between members of the affiliated group, but in an amount not exceeding, in the case of profits, either the amount of profits arising from such intercompany transactions reflected in the closing inventory of such corporation for such succeeding taxable year or the amount of such intercompany profits eliminated from its opening inventory for its first consolidated return period pursuant to the provisions of subparagraph (2) of this paragraph, and not exceeding, in the case of losses, either the amount of losses arising from intercompany transactions reflected in the closing inventory for such corporation for such succeeding taxable year or the amount of such intercompany losses eliminated from its opening inventory for its first consolidated return period pursuant to the provisions of subparagraph (2) of this paragraph.

PAR. 27. Section 23.40, as amended by Treasury Decision 5127, approved March 5, 1942, is further amended to read as follows:

§ 23.40 *Bad debts*—(a) *Deduction during consolidated return period.* No deduction shall be allowed during a consolidated return period to any member of the affiliated group on account of worthlessness in whole or in part of any obligation (including accounts receivable, bonds, notes, debts, and claims of whatsoever nature) of any other corporation which was a member of the group as of the last day of the taxable year or which was liquidated by the group during such year, except as a loss resulting from a bona fide termination of the business and operations of such other corporation, whether in liquidation or otherwise, in which case the loss will be computed subject to the adjustments specified in § 23.35, and the provisions of § 23.36 shall be applicable.

(b) *Limitation of allowance after consolidated return period.* With respect to obligations (including accounts receivable) of a member of an affiliated group acquired in any way by another member of the group prior to or during any taxable year subsequent to 1928 for which a consolidated income or excess profits tax return was filed, the adjustments prescribed with respect to the allowance of losses upon the sale of bonds shall be applicable to the allowance of any bad debt deduction for any period subsequent to the consolidated return period. (See § 23.35.)

PAR. 28. Section 23.42, as amended by Treasury Decision 5127, approved March 5, 1942, is further amended as follows:

(A) By changing the heading of paragraph (b) to read, "(b) *Years beginning after December 31, 1940, and prior to January 1, 1942.*"

(B) By striking from the first subparagraph of paragraph (b) the words "after December 31, 1940," and inserting in lieu thereof the words "after December 31, 1940, and prior to January 1, 1942,".

(C) By inserting at the end thereof the following new paragraph:

(c) *Years beginning after December 31, 1941.* The provisions of sections 23 (g) and (k), 117 (d), (e), and (j), 122 (d), and 204 (c) (5), with respect to gains and losses from sales or exchanges of capital assets shall be applied, in respect of such gains and losses sustained during a consolidated return period beginning after December 31, 1941, as if the affiliated group were the taxpayer.

With respect to a net short-term capital loss sustained by a corporation in its last taxable year beginning in 1941, a year prior to the first consolidated return period in respect of which the income of such corporation is included in the consolidated return, such loss (in an amount not in excess of the net income of such corporation for such year or in excess of the net short-term capital gain of such corporation for the first consolidated return period) shall, for the purposes of section 117 (e), relating to net short-term capital loss carry-overs, be treated as if such net short-term capital loss had been sustained by the affiliated group.

With respect to a net capital loss sustained by a corporation in a taxable year beginning after December 31, 1941, a year prior to the first consolidated return period in respect of which its income is included in a consolidated return, such loss (in an amount not in excess of the net capital gain of such corporation for succeeding consolidated return periods) shall, for the purposes of section 117 (e), relating to net capital loss carry-overs, be treated as if such net capital loss had been sustained by the affiliated group.

A consolidated net capital loss of an affiliated group for a consolidated return period beginning after December 31, 1941, shall be considered as a consolidated short-term capital loss in subsequent consolidated return periods notwithstanding that one or more corporations, members of the group in the taxable year in which such loss was sustained, make separate returns for subsequent taxable years (or join in a consolidated return made by another affiliated group), but only to the extent that such consolidated net capital loss is not attributable to such corporations; and such portion of such consolidated net capital loss as is attributable to the several corporations making separate returns (or joining in a consolidated return made by another affiliated group) for a subsequent taxable year shall be considered as a short-term capital loss in such separate returns, or in such consolidated return of the other affiliated group, but only to the extent that such portion of such consolidated net capital loss was not absorbed in intervening taxable years by net capital gains, consolidated or separate, as the case may be. Any net capital loss sustained by a coporation prior to the first taxable year in respect of which its income is included in the consolidated return, if the consolidated return year begins after December 31, 1941, shall be considered as a short-term capital loss in the separate return of such corporation (or the consolidated return of another affiliated group of which it becomes a member) for a subsequent taxable year for which it makes a separate return or joins in a consolidated return of another group, but only to the extent that such net capital loss was not absorbed in intervening taxable years by net capital gains, consolidated or separate, as the case may be.

(Sec. 141 of the Internal Revenue Code (53 Stat. 58), as amended by sec. 159 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 13, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-3968; Filed, March 13, 1943; 3:42 p. m.]

[T. D. 5245]

PART 33 — CONSOLIDATED RETURNS OF AFFILIATED CORPORATIONS PRESCRIBED UNDER SECTION 730 (b) OF THE INTERNAL REVENUE CODE

EXCESS PROFITS TAX

In order to conform Regulations 110 (Part 33, Title 26, Code of Federal Regulations, 1941 Supp.) to the provisions of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. The title page is amended by inserting immediately preceding the seal of the Commissioner the following: "and, for taxable years beginning after December 31, 1941, prescribed under section 141 (b) of the Internal Revenue Code as amended by section 159 of the Revenue Act of 1942."

PAR. 2. Page III is amended—

(A) By striking out all matter following "Subchapter A—Part 33" and preceding the table of contents, and by inserting in lieu thereof the following:

Regulations relating to consolidated returns of affiliated corporations prescribed under section 730 (b) of the Excess Profits Tax Act of 1940 (Subchapter E of Chapter 2 of the Internal Revenue Code as added by the Second Revenue Act of 1940) and, for taxable years beginning after December 31, 1941, prescribed under section 141 (b) of the Internal Revenue Code as amended by section 159 of the Revenue Act of 1942

(B) By striking the period at the end of the footnote and by inserting in lieu thereof a comma and the following:

and revised under the authority contained in section 141 (b) of the Internal

Revenue Code, as amended by section 159 of the Revenue Act of 1942 (Public Law 753, 77th Cong.).

PAR. 3. Page 1 is amended by striking out all matter following the words "Consolidated Excess Profits Tax Regulations" and preceding the words "Subchapter E—Excess Profits Tax", and by inserting in lieu thereof the following: "relating to: Consolidated returns of affiliated corporations prescribed under section 730 (b) of the Excess Profits Tax Act of 1940 (Subchapter E of Chapter 2 of the Internal Revenue Code as added by the Second Revenue Act of 1940, and, for taxable years beginning after December 31, 1941, prescribed under section 141 (b) of the Internal Revenue Code as amended by section 159 of the Revenue Act of 1942"

PAR. 4. There is inserted immediately preceding § 33.0 the following:

SEC. 159. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

(a) *General rule.* Section 141 (relating to consolidated returns of railroad corporations) is amended to read as follows:

SEC. 141. CONSOLIDATED RETURNS.

(a) *Privilege to file consolidated income and excess-profits-tax returns.* An affiliated group of corporations shall, subject to the provisions of this section, have the privilege of making consolidated income and excess-profits-tax returns for the taxable year in lieu of separate returns. The making of consolidated returns shall be upon the condition that the affiliated group shall make both a consolidated income-tax return and a consolidated excess-profits-tax return for the taxable year, and that all corporations which at any time during the taxable year have been members of the affiliated group making a consolidated income-tax return consent to all the consolidated income- and excess-profits-tax regulations prescribed under subsection (b) prior to the last day prescribed by law for the filing of such return. The making of a consolidated income-tax return shall be considered as such consent. In the case of a corporation which is a member of the affiliated group for a fractional part of the year, the consolidated returns shall include the income of such corporation for such part of the year as it is a member of the affiliated group. In the case of a corporation which is not a member of the affiliated group after March 31, 1942, of the last taxable year of such group which begins before April 1, 1942, such corporation shall not be considered a member of the affiliated group for consolidated income-tax-return purposes for such year but shall be considered a member of such group for consolidated excess-profits-tax-return purposes for such year, and the consent required in the case of such corporation shall relate only to the consolidated excess-profits-tax regulations.

(b) *Regulations.* The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary in order that the tax liability of any affiliated group of corporations making consolidated income- and excess-profits-tax returns and of each corporation in the group, both during and after the period of affiliation, may be returned, determined, computed, assessed, collected, and adjusted in such manner as clearly to reflect the income- and excess-profits-tax liability and the various factors necessary for the determination of such liability, and in order to prevent avoidance of such tax liability. Such regulations shall prescribe the amount of the net operating loss deduction of each member of the group which is attributable to a deduction allowed for a taxable year beginning in 1941 on account of property considered as destroyed or seized under section 127 (relating to war losses), and the allowance of the amount so prescribed as a deduction in computing the net income of the group shall not be limited by the amount of the net income of such member.

(c) *Computation and payment of tax.* In any case in which consolidated income-tax and excess-profits-tax returns are made or are required to be made, the taxes shall be determined, computed, assessed, collected, and ajusted in accordance with the regulations under subsection (b) prescribed prior to the last day prescribed by law for the filing of such returns; except that the tax imposed under section 15 or section 204 shall be increased by 2 per centum of the consolidated corporation surtax net income of the affiliated group of includible corporations. Only one specinc exemption of $5,000 provided in section 710 (b) (1) shall be allowed for the entire affiliated group of corporations for the purposes of the tax imposed by Subchapter E of Chapter 2.

(d) *Definition of "affiliated group".* As used in this section, an "affiliated group" means one or more chains of includible corporations connected through stock ownership with a common parent corporation which is an includible corporation if—

(1) Stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of each of the includible corporations (except the common parent corporation) is owned directly by one or more of the other includible corporations; and

(2) The common parent corporation owns directly stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of at least one of the other includible corporations.

As used in this subsection, the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

(e) *Definition of "includible corporation".* As used in this section, the term "includible corporation" means any corporation except—

(1) Corporations exempt under section 101 from the tax imposed by this chapter.

(2) Insurance companies subject to taxation under section 201 or 207.

(3) Foreign corporations.

(4) Corporations entitled to the benefits of section 251, by reason of receiving a large percentage of their income from sources within possessions of the United States.

(5) Corporations organized under the China Trade Act, 1922.

(6) Regulated investment companies subject to tax under Supplement Q.

(f) *Includible insurance companies.* Despite the provisions of paragraph (2) of subsection (e), two or more domestic insurance companies each of which is subject to taxation under the same section of this chapter shall be considered as includible corporations for the purpose of the application of subsection (d) to such insurance companies alone

(g) *Subsidiary formed to comply with foreign law.* In the case of a domestic corporation owning or controlling, directly or indirectly, 100 per centum of the capital stock (exclusive of directors' qualifying shares) of a corporation organized under the laws of a contiguous foreign country and maintained solely for the purpose of complying with the laws of such country as to title and operation of property, such foreign corporation may, at the option of the domestic corporation, be treated for the purpose of this chapter and of Subchapter E of Chapter 2 as a domestic corporation.

(h) *Suspension of running of statute of limitations.* If a notice under section 272 (a) in respect of a deficiency for any taxable year is mailed to a corporation, the suspension of the running of the statute of limitations, provided in section 277, shall apply in the case of corporations with which such corporation made a consolidated return for such taxable year.

(i) *Allocation of income and deductions.* For allocation of income and deductions of related trades or businesses, see section 45.

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. Section 33.0 is amended by changing the first sentence of the first paragraph to read as follows:

These regulations, authorized by section 730 (b) of the Internal Revenue Code as added by the Second Revenue Act of 1940 and by section 141 (b) of the Code as amended by section 159 of the Revenue Act of 1942, are prescribed as a supplement to the excess profits tax regulations applicable generally under the Code.

PAR. 6. Section 33.0 is further amended by inserting at the end of the footnote to such section the following additional paragraph:

The Report of the Committee on Finance (Rept. No. 1631, 77th Cong., 2d sess., p. 133) accompanying the Revenue Bill of 1942 contains the following statement:

The consolidated normal tax net income, the consolidated corporation surtax net income, and the consolidated capital gains and losses of the group are among those factors with respect to which the Commissioner, in view of experience with current and past consolidated returns regulations, is expected to prescribe regulations in order to reflect clearly the income and excess profits tax liability of the group and of each member thereof and the various factors necessary for the determination of such liability. In addition to these matters, your committee expects that such regulations will provide for the application of the excess profits relief provisions, and the provisions of section 710 (a) (1) (B) limiting excess profits taxes, in cases where consolidated returns are filed. Although the present regulations with respect to the determination of consolidated net income quite properly limit the deduction of the net operating loss carry-over of a member of a group from years prior to that in which its income is first included in a consolidated return to the amount of the separate income of such member, this section provides that such limitation shall not be applied to prevent the portion of the net operating loss carry-over which is attributable to a 1941 war loss of the member (see sec. 158 of the bill) being taken into account in computing consolidated net income

PAR. 7. Section 33.1 (a) is amended by changing the first sentence thereof to read as follows:

Section 730, applicable with respect to taxable years beginning prior to January 1, 1942, and section 141 as amended by section 159 of the Revenue Act of 1942, applicable with respect to subsequent taxable years, give to the corporations of an affiliated group the privilege of making a consolidated excess profits tax re-

turn for the taxable year in lieu of separate returns.

PAR. 8. Section 33.2 (b) is amended as follows:

(A) By striking from the first sentence of the first subparagraph the words "section 730", and by inserting in lieu thereof the following: "section 141 as amended by section 159 of the Revenue Act of 1942, or section 730, as the case may be".

(B) By striking from the second sentence of the first subparagraph the words "section 730", and by inserting in lieu thereof the following: "section 141 as amended by section 159 of the Revenue Act of 1942, or section 730, as the case may be.".

(C) By striking out the third subparagraph, and by inserting in lieu thereof two subparagraphs as follows:

For taxable years beginning after December 31, 1941, an affiliated group of corporations, within the meaning of section 141 of the Code as amended by section 159 of the Revenue Act of 1942, is formed at the time that the common parent corporation, which is an includible corporation, becomes the owner directly of stock possessing at least 95 percent of the voting power of all classes of stock and at least 95 percent of each class of nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends) of another includible corporation; a corporation becomes a member of such an affiliated group at the time that one or more members of such group become the owners directly of stock possessing at least 95 percent of the voting power of all classes of its stock and at least 95 percent of each class of its nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends); and a corporation ceases to be a member of such an affiliated group at the time that the members of such group cease to own directly stock possessing at least 95 percent of the voting power of all classes of its stock, or at least 95 percent of each class of its nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends).

For taxable years beginning prior to January 1, 1942, an affiliated group of corporations, within the meaning of section 730, is formed at the time that the common parent corporation becomes the owner directly of at least 95 percent of each class of the stock (as defined by section 730 (d)) of another corporation. A corporation becomes a member of an affiliated group at the time that one or more members of the group become the owners directly of at least 95 percent of each class of its stock. A corporation ceases to be a member of an affiliated group when the members of the group cease to own directly at least 95 percent of each class of its stock.

PAR. 9. Section 33.2 (g) is amended by changing the expression within the parentheses to read as follows:

See, for example, "adjusted net income," section 13; "normal-tax net income," section 13 as amended by section 105 (a) of the Revenue Act of 1942; "special class net income," section 14 prior to its amendment by section 201 of the Revenue Act of 1939; "corporation surtax net income," section 15 as amended by section 105 (b) of the Revenue Act of 1942; "net income," section 21; "gross income," section 22; "taxable year" and "fiscal year," section 48 as amended by section 135 (d) of the Revenue Act of 1942; "deficiency," section 271; and the terms defined in section 3797, particularly the terms "person," "stock," and "corporation."

PAR. 10. Section 33.12 (c) is amended by striking the words "Form 851E," and by inserting in lieu thereof "Form 851."

PAR. 11. Section 33.18 (b) is amended by changing the matter within the parentheses to read as follows: "under the provisions of section 141 as amended by section 159 of the Revenue Act of 1942, or section 730, as the case may be."

PAR. 12. Section 33.30 (a) is amended as follows:

(A) By striking from subparagraph (1) (ii) the words "which would have resulted for each previous taxable year," and by inserting in lieu thereof the words "which would have resulted for the taxable year (computed under subdivision (i)) and for each previous taxable year."

(B) By striking from subparagraph (2) that portion of the first sentence following the semicolon, and by inserting in lieu thereof the following: "but the amount of such decrease shall be diminished by the aggregate of the increases in the tax which would have resulted for the future taxable year (computed under subdivision (i)) and for the taxable years intervening between such previous taxable year and such future taxable year because of the inclusion in gross income of the portions of such net abnormal income attributable to such intervening years."

PAR. 13. Section 33.30 (c), as amended by Treasury Decision 5126, approved March 5, 1942, is further amended as follows:

(A) By changing the heading thereof to read, "In case of profits from mining strategic metals."

(B) By striking from the first sentence, as amended, the words "beginning prior to January 1, 1941".

PAR. 14. Section 33.30, as amended by Treasury Decision 5126, approved March 5, 1942, is further amended by inserting immediately after paragraph (c) the following:

For a consolidated return period beginning after December 31, 1941, the consolidated excess profits tax liability shall be whichever of the following amounts is the lesser:

(1) Ninety percent of the consolidated adjusted excess profits net income, or

(2) An amount which when added to the consolidated tax computed under Regulations 104 (not including any tax imposed by section 102 or section 500) equals 80 percent of the consolidated corporation surtax net income, computed without regard to the section 26 (e) credit (relating to income subject to excess profits tax), increased by the excess, if any, of the consolidated net income computed under these regulations over the consolidated net income computed under Regulations 104, or decreased by the excess, if any, of the consolidated net income computed under Regulations 104 over the consolidated net income computed under these regulations, and computed with a dividend received credit determined by reference to a consolidated net income similarly increased or decreased.

PAR. 15. Section 33.31 (a), as amended by Treasury Decision 5126, approved March 5, 1942, is further amended as follows:

(A) By striking out the heading and that portion of the paragraph preceding the numbered subparagraphs, and by inserting in lieu thereof the following:

(a) *Definitions; years beginning prior to January 1, 1942.* In the case of an affiliated group of corporations which makes or is required to make a consolidated excess profits tax return for any taxable year beginning prior to January 1, 1942, and except as otherwise provided in these regulations:

(B) By changing subparagraph (2) to read:

(2) The consolidated net short-term capital gain shall be the excess of the sum of the short-term capital gains of the several affiliated corporations over the sum of:

(i) The aggregate short-term capital losses of such corporations, and

(ii) The consolidated net short-term capital loss carry-over from the preceding taxable year;

(C) By changing subparagraph (5) to read as follows:

(5) The consolidated net operating loss deduction shall be:

(i) For taxable years beginning after December 31, 1940, an amount equal to the aggregate of the consolidated net operating loss carry-overs and of the consolidated net operating loss carrybacks to the taxable year reduced by the amount, if any, by which the consolidated net income (computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4)) exceeds the consolidated normal-tax net income (computed without any net operating loss deduction) but shall not exceed the amount of the consolidated normal-tax net income computed without the benefit of such deduction, and

(ii) For taxable years beginning prior to January 1, 1941, an amount equal to the consolidated net operating loss carry-over reduced by the amount, if any, by which the consolidated net income (computed with the exceptions and limitations provided in section 122 (d)) exceeds the consolidated normal-tax net income (computed without any net operating loss deduction) but shall not exceed the amount of the consolidated normal-tax net income computed without the benefit of such reduction:

(D) By changing subparagraph (6) to read:

(6) The consolidated net operating loss carry-overs and carry-backs:

(i) The consolidated net operating loss carry-overs to taxable years beginning after December 31, 1940, shall consist of:

(*a*) The amount of the consolidated net operating loss, if any, for the first preceding taxable year,

(*b*) The amount of the consolidated net operating loss, if any, for the second preceding taxable year reduced by the consolidated net income, if any, for the first preceding taxable year computed with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a consolidated net operating loss deduction for such first preceding taxable year determined without regard to the net operating loss for such second preceding taxable year and without regard to any net operating loss carry-back,

and, with respect to net operating losses sustained by a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return:

(*c*) The amount of the net operating loss, if any, sustained by such corporation for the first preceding taxable year, and

(*d*) The amount of the net operating loss, if any, sustained by such corporation for the second preceding taxable year, to the extent not attributable to those corporations making separate returns in the taxable year,

and, with respect to net operating losses sustained by a corporation for taxable years subsequent to the last taxable year in respect of which its income is included in the consolidated return:

(*c*) The amount of the net operating loss, if any, sustained by such operation for the first succeeding taxable year reduced by the net income, if any, of such corporation for the first preceding taxable year, or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, reduced either by the net income of such corporation for such year increased with respect to its separate net short-term and long-term capital gains or by the consolidated net income for such first preceding taxable year, whichever is the lesser, the net income for the first preceding taxable year being computed in either case with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction or a consolidated net operating loss deduction, as the case may be, for the first preceding taxable year determined without regard to the net operating loss of such corporation for the first succeeding taxable year, and

(*d*) The amount of the net operating loss, if any, sustained by such corporation for the second succeeding taxable year,

not including as a first succeeding taxable year or a second succeeding taxable year any taxable year beginning prior to January 1, 1942, and not including as a first preceding taxable year any taxable year beginning prior to January 1, 1941;

(iii) The consolidated net operating loss carry-over for a taxable year beginning prior to January 1, 1941, shall be the sum of:

(*a*) The amount of the consolidated net operating loss, if any, for the first preceding taxable year,

(*b*) The amount of the consolidated net operating loss, if any, for the second preceding taxable year reduced by the excess, if any, of the consolidated net income (computed with the exceptions and limitations provided in section 122 (d)) for the first preceding taxable year over the consolidated net operating loss for the third preceding taxable year.

and, with respect to net operating losses sustained by a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return:

(*c*) The amount of the net operating loss, if any, sustained by such corporation for the first preceding taxable year, and

(*d*) The amount of the net operating loss, if any, sustained by such corporation for the second preceding taxable year reduced by the excess, if any, of the net income of such corporation for the first preceding taxable year or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, either the net income of such corporation increased by the separate net short-term and long-term capital gains of such corporation or the consolidated net income for such year (computed in either case with the exceptions and limitations provided in section 122 (d)), whichever is the lesser, over the net operating loss of such corporation for the third preceding taxable year;

(E) By striking from subparagraph (7) the firs' parenthetical expression included therein, and by inserting in lieu thereof the following: "(computed subject to the exceptions, additions, and limitations provided in section 122 (d), or, for taxable years beginning prior to January 1, 1941, subject to the exceptions and limitations provided in such section prior to its amendment by section 105 (e) (3) of the Revenue Act of 1942)"; and by striking the parenthetical expression appearing in subparagraph (7) (i), and by inserting in lieu thereof the following: "adjusted with respect to the exceptions, additions, and limitations provided in section 122 (d) in connection with the computation of net operating losses, or, for taxable years beginning prior to January 1, 1941, with respect to the exceptions and limitations provided in such section prior to its amendment by section 105 (e) (3) of the Revenue Act of 1942)".

(F) By changing subparagraph (13) to read:

(13) The consolidated section 711 (a) adjustment shall be the net amount of the aggregate adjustments provided in section 711 (a) (1) or 711 (a) (2), as the case may be, computed and determined in the case of each affiliated corporation, except as otherwise provided in (c) of this section, in the same manner and subject to the same conditions as if a separate return were filed, but without regard to the adjustments provided for in section 711 (a) (1) (B) or 711 (a) (2) (D) on account of the excess of recognized gains over recognized losses from certain sales, exchanges, or involuntary conversions of depreciable property and section 711 (a) (1) (F) or 711 (a) (2) (A) on account of dividends received, increased or decreased, as the case may be, by the sum of:

(i) The excess of the aggregate recognized gains of the several corporations from sales, exchanges, or involuntary conversions of property held for more than 18 months subject to the allowance for depreciation provided in section 23 (1) over the aggregate recognized losses of the several corporations from sales, exchanges, or involuntary conversions of such property, and

(ii) The excess of the aggregate amount of the dividends received by the several corporations of the class with respect to which adjustment is provided in section 711 (a) (1) (F) or 711 (a) (2) (A), as the case may be, over the consolidated credit for dividends received;

(G) By changing subparagraph (14) (iii) to read:

(iii) The consolidated unused excess profits credit adjustment (or, for taxable years beginning prior to January 1,1941, the consolidated excess profits credit carry-over for such year);

(H) By striking from subparagraph (15) (ii) the words "and subject to the provisions of section 712 (c),".

(I) By striking from subparagraph (16) (ii), as added by Treasury Decision 5126, approved March 5, 1942, the words "For a taxable year beginning after December 31, 1940," and by inserting in lieu thereof the following: "For a taxable year beginning in 1941"

(J) By striking from subparagraph (21), as added by Treasury Decision 5126, approved March 5, 1942, the parenthetical expression, "(computed without regard to (b) (2) (iv) (*a*) of this section)", and by inserting in lieu thereof the following: "(computed without regard to (c) (2) (iv) (*a*) of this section)".

(K) By striking out subparagraphs (32), (33), and (34), and by substituting in lieu thereof the following:

(32) The consolidated unused excess profits credit adjustment shall be an amount equal to the aggregate of the consolidated unused excess profits credit carry-overs and of the consolidated unused excess profits credit carry-backs to the taxable year;

(33) The consolidated unused excess profits credit carry-overs to the taxable year shall consist of:

(i) The amount of the consolidated unused excess profits credit, if any, for the first preceding taxable year,

(ii) The amount of the consolidated unused excess profits credit, if any, for the second preceding taxable year reduced by the consolidated adjusted excess profits net income, if any, for the first preceding taxable year computed without regard to the specific exemption provided in section 710 (b) (1) and with a consolidated unused excess profits credit adjustment for such first preceding taxable year determined without regard to the consolidated unused excess profits credit for such second preceding taxable year and without regard to any unused excess profits credit carry-back.

and, with respect to any unused excess profits credits of a corporation for years prior to the first taxable year in respect of which its income is included in the consolidated return:

(iii) The amount of the unused excess profits credit, if any, of such corporation for the first preceding taxable year, and

(iv) The amount of the unused excess profits credit, if any, of such corporation for the second preceding taxable year reduced:

(*a*) By the adjusted excess profits net income, if any, of such corporation for the first preceding taxable year, or

(*b*) If the income of such corporation is included in the consolidated return for the first preceding taxable year, by the amount of the consolidated adjusted excess profits net income for the first preceding taxable year or the excess of that portion of the consolidated excess profits net income attributable to such corporation over that portion of the consolidated excess profits credit attributable to such corporation, whichever is the lesser,

the adjusted excess profits net income for the first preceding taxable year (separate or consolidated, as the case may be) being computed without regard to the specific exemption provided in section 710 (b) (1) and with an unused excess profits credit adjustment of such corporation or a consolidated unused excess profits credit adjustment, as the case may be, for such first preceding taxable year determined without regard to the unused excess profits credit of such corporation for the second preceding taxable year and without regard to any unused excess profits credit carry-back;

(34) The consolidated unused excess profits credit carry-backs to the taxable year shall consist of:

(i) The amount of the consolidated unused excess profits credit, if any, for the first succeeding taxable year (to the extent not attributable to those corporations making separate returns in the taxable year) reduced to the extent absorbed as a carry-back by the adjusted excess profits net income, consolidated or separate, as the case may be, for the first preceding taxable year, such adjusted excess profits net income being computed in either case without regard to the specific exemption provided in section 710 (b) (1) and with an unused excess profits credit adjustment, consolidated or separate, determined without regard to the consolidated unused excess profits credit for the first succeeding taxable year,

(ii) The amount of the consolidated unused excess profits credit, if any, for the second succeeding taxable year, to the extent not attributable to those corporations making separate returns in the taxable year,

and, with respect to any unused excess profits credits of a corporation for taxable years subsequent to the last taxable year in respect of which its income is included in the consolidated return:

(iii) The amount of the unused excess profits credit, if any, of such corporation for the first succeeding taxable year reduced:

(*a*) By the adjusted excess profits net income, if any, of such corporation for the first preceding taxable year, or,

(*b*) If the income of such corporation is included in the consolidated return for the first preceding taxable year, the lesser of the amount of such excess or the excess, if any, of the consolidated excess profits net income for the first preceding taxable year over the sum of the consolidated excess profits credit for the first preceding taxable year and the unused excess profits credit of such corporation for the third preceding taxable year, or

(*b*) If the income of such corporation is included in the consolidated return for the first preceding taxable year, by the amount of the consolidated adjusted excess profits net income for the first preceding taxable year or the excess of that portion of the consolidated excess profits net income attributable to such corporation over that portion of the consolidated excess profits credit attributable to such corporation, whichever is the lesser,

the adjusted excess profits net income for the first preceding taxable year (separate or consolidated, as the case may be) being computed without regard to the specific exemption provided in section 710 (b) (1) and with an unused excess profits credit adjustment, or consolidated unused excess profits credit adjustment, as the case may be, for the first preceding taxable year determined without regard to the unused excess profits credit of such corporation for the first succeeding taxable year, and

(iv) The amount of the unused excess profits credit, if any, of such corporation for the second succeeding taxable year,

not including as a first succeeding taxable year or a second succeeding taxable year any taxable year beginning prior to January 1, 1942, and not including as a preceding taxable year any taxable year beginning prior to January 1, 1941;

(35) The consolidated excess profits credit carry-over for a taxable year beginning prior to January 1, 1941, shall be the sum of:

(i) The consolidated unused excess profits credit for the first preceding taxable year,

(ii) The consolidated unused excess profits credit for the second preceding taxable year reduced by the amount, if any, by which the consolidated excess profits net income for the first preceding taxable year exceeds the sum of:

(*a*) The consolidated excess profits credit for such first preceding taxable year plus

(*b*) The consolidated unused excess profits credit for the third preceding taxable year,

and, with respect to the unused excess profits credit of a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return:

(iii) The unused excess profits credit, if any, of such corporation for the first preceding taxable year, and

(iv) The unused excess profits credit, if any, of such corporation for the second preceding taxable year reduced by:

(*a*) The excess, if any, of the excess profits net income of such corporation for the first preceding taxable year over the sum of the excess profits credit of such corporation for the first preceding taxable year and the unused excess profits credit of such corporation for the third preceding taxable year, or

(*b*) If the income of such corporation is included in the consolidated return for the first preceding taxable year, the lesser of the amount of such excess or the excess, if any, of the consolidated excess profits net income for the first preceding taxable year over the sum of the consolidated excess profits credit for the first preceding taxable year and the unused excess profits credit of such corporation for the third preceding taxable year;

(36) The consolidated unused excess profits credit shall be the excess of the consolidated excess profits credit for any taxable year beginning after December 31, 1939, over the consolidated excess profits net income for such taxable year, computed on the basis of the excess profits credit applicable to such taxable year.

PAR. 16. Section 33.31, as amended by Treasury Decision 5126, approved March 5, 1942, is further amended by inserting immediately after paragraph (a) (36) the following:

(b) *Definitions; years beginning after December 31, 1941.* In the case of an affiliated group of corporations which makes or is required to make a consolidated excess profits tax return for any taxable year beginning after December 31, 1941, and except as otherwise provided in these regulations:

(1) The consolidated net income shall be the combined net income of the several affiliated corporations:

(i) Minus the sum of:

(*a*) Any consolidated net operating loss deduction, and

(*b*) Any consolidated net loss from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), and

(ii) Plus any consolidated net capital gain, or

(iii) Minus, in the case of an affiliated group including as members one or more corporations subject to the tax imposed by section 204, the combined additional capital loss deductions of such corporations authorized by section 204 (c) (5) as amended by section 164 (c) of the Revenue Act of 1942, but in an amount not in excess of the consolidated net capital loss;

(2) The consolidated net operating loss deduction shall be an amount equal to the aggregate of the consolidated net operating loss carry-overs and of the consolidated net operating loss carry-backs to the taxable year reduced by the amount, if any, by which the consolidated net income (computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4)) exceeds the consolidated normal-tax net income (computed without any net operating loss deduction and without the credit provided in section 26 (e), relating to income subject to excess profits tax) but shall not exceed the amount of the consolidated normal-tax net income computed without the benefit of such deduction;

(3) The consolidated net operating loss carry-overs to the taxable year shall consist of:

(i) The amount of the consolidated net operating loss, if any, for the first preceding taxable year, or, with respect to a first preceding taxable year beginning after December 31, 1941, the amount of the consolidated net operating loss for such year to the extent not attributable to those corporations making separate returns in the taxable year,

(ii) The amount of the consolidated net operating loss, if any, for the second preceding taxable year (or, with respect to a second preceding taxable year beginning after December 31, 1941, the amount of the consolidated net operating loss for such year to the extent not attributable to those corporations making separate returns in the taxable year) reduced to the extent absorbed as a carry-over by the net income, consolidated or separate, as the case may be, for the first preceding taxable year (such net income being computed with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction for such first preceding taxable year, consolidated or separate, determined without regard to the net operating loss for such first succeeding taxable year, consolidated or separate, as the case may be, determined without regard to the net operating loss for such second preceding taxable year and without regard to any net operating loss carry-back),

and, with respect to net operating losses sustained by a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return:

(iii) The amount of the net operating loss, if any, sustained by such corporation for the first preceding taxable year, and

(iv) The amount of the net operating loss, if any, sustained by such corporation for the second preceding taxable year reduced by the net income, if any, of such corporation for the first preceding taxable year, or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, reduced either by the net income of such corporation for such year increased with respect to its separate net short-term and long-term capital gains (or for years beginning after December 31, 1941, its separate net capital gain) or by the consolidated net income for such first preceding taxable year, whichever is the lesser, the net income for the first preceding taxable year being computed in either case with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction or a consolidated net operating loss deduction, as the case may be, for the first preceding taxable year determined without regard to the net operating loss of such corporation for the second preceding taxable year and without regard to any net operating loss carry-back, but only to the extent that such net operating losses, consolidated or separate, as the case may be, were not absorbed as net operating loss carry-backs, and, with respect to net operating losses subject to the provisions of (iv), were not absorbed by the group in the first preceding taxable year as war losses pursuant to the last sentence of section 141 (b) of the Code;

(4) The consolidated net operating loss carry-backs to the taxable year shall consist of:

(i) The amount of the consolidated net operating loss, if any, for the first succeeding taxable year (to the extent not attributable to those corporations making separate returns in the taxable year) reduced to the extent absorbed as a carry-back by the net income, consolidated or separate, as the case may be, for the first preceding taxable year, such net income being computed with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction for such first preceding taxable year, consolidated or separate, as the case may be, determined without regard to the net operating loss for such first succeeding taxable year,

(ii) The amount of the consolidated net operating loss, if any, for the second succeeding taxable year, to the extent not attributable to those corporations making separate returns in the taxable year,

and, with respect to net operating losses sustained by a corporation for taxable years subsequent to the last taxable year in respect of which its income is included in the consolidated return:

(iii) The amount of the net operating loss, if any, sustained by such corporation for the first succeeding taxable year reduced by the net income, if any, of such corporation for the first preceding taxable year, or, if the income of such corporation is included in the consolidated return for the first preceding taxable year, reduced either by the net income of such corporation for such year increased with respect to its separate net short-term and long-term capital gains (or, for years beginning after December 31, 1941, its separate net capital gain) or by the consolidated net income for such first preceding taxable year, whichever is the lesser, the net income for the first preceding taxable year being computed in either case with the exceptions, additions, and limitations provided in section 122 (d) (1), (2), (4), and (6), and with a net operating loss deduction or a consolidated net operating loss deduction, as the case may be, for the first preceding taxable year determined without regard to the net operating loss of such corporation for the first succeeding taxable year, and

(iv) The amount of the net operating loss, if any, sustained by such corporation for the second succeeding taxable year;

(5) The consolidated net operating loss, computed for the purposes of the net operating loss deduction, shall be an amount equal to the excess of the sum of:

(i) The combined net operating losses of the several affiliated corporations having net operating losses (computed subject to the exceptions, additions, and limitations provided in section 122 (d)), and

(ii) The consolidated net loss from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

over the sum of:

(iii) The combined net income of the several affiliated corporations having net income (adjusted with respect to the exceptions, additions, and limitations provided in section 122 (d) in connection with the computation of net operating losses), and

(iv) The consolidated net capital gain.

(6) The consolidated net loss from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j) shall be the excess of the aggregate of the recognized losses of the character described in section 117 (j) sustained by the several affiliated corporations over the aggregate of the recognized gains of the character described in section 117 (j) realized by the several affiliated corporations;

(7) The consolidated net capital gain shall be the excess of the sum of:

(i) The aggregate of the capital gains of the several affiliated corporations, and

(ii) The consolidated net gain from

(iii) The combined additional capital

obligations of the United States and

(*a*) The consolidated net short-term capital gains, plus

would have been entitled in a separate return to an excess profits credit based

out regard to (c) (2) (iv) (*a*) of this section), the aggregate accumulated

(ii) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

over the sum of:

(iii) The aggregate of the capital losses of such corporations, plus

(iv) The aggregate of the consolidated net capital loss carry-overs to the taxable year, or

(v) In the first taxable year beginning after December 31, 1941, the consolidated net short-term capital loss carry-over from the last taxable year beginning in 1941.

(8) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j) shall be the excess of the aggregate of the recognized gain of the character described in section 117 (j) realized by the several affiliated corporations over the aggregate of the recognized losses of the character described in section 117 (j) sustained by the several affiliated corporations;

(9) The consolidated net capital loss carry-overs to the taxable year shall consist of:

(i) The consolidated net capital losses, if any, for the five preceding taxable years (not including any taxable year beginning prior to January 1, 1942) to the extent that such losses were not attributable to corporations making separate returns in the taxable year, and were not absorbed by net capital gains for intervening taxable years pursuant to the provisions of section 117 (e) (1) of the Code as amended by section 150 of the Revenue Act of 1942, consolidated or separate, as the case may be,

and, with respect to net capital losses sustained by a corporation for taxable years prior to the first taxable year in respect of which its income is included in the consolidated return:

(ii) The net capital losses, if any, sustained by such corporation for its five preceding taxable years (not including any taxable year beginning prior to January 1, 1942) to the extent that such losses were not absorbed by the net capital gains of such corporation (or, if the income of such corporation is included in a consolidated return, by the consolidated net capital gains) for intervening taxable years pursuant to the provisions of section 117 (e) (1) of the Code as amended by section 150 of the Revenue Act of 1942;

(10) The consolidated net capital loss shall be the excess of the aggregate of the capital losses of the several affiliated corporations over the sum of:

(i) The aggregate of the capital gains of such corporations, and

(ii) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

reduced, in the case of an affiliated group including as members one or more corporations subject to the tax imposed by section 204 but only for the purpose of net capital loss carry-over computations, by whichever of the following amounts is the lesser:

(iii) The combined additional capital loss deductions of such corporations authorized by section 204 (c) (5) as amended by section 164 (c) of the Revenue Act of 1942, or

(iv) The consolidated corporation surtax net income as defined in Consolidated Income Tax Regulations 104, but computed without regard to capital gains and losses.

(11) The consolidated net short-term capital loss carry-over from the last taxable year beginning in 1941 (in an amount not greater than the consolidated net short-term capital gain of the taxable year) shall be the sum of:

(i) The consolidated net short-term capital loss, if any, for the last taxable year beginning in 1941 in an amount not in excess of the consolidated net income for such year, and

(ii) With respect to a member of the group which filed a separate return for the last taxable year beginning in 1941, the net short-term capital loss, if any, of such corporation for such year in an amount not in excess of its net income for such year.

(12) The consolidated net short-term capital gain shall be the excess of the aggregate of the short-term capital gains of the several affiliated corporations over the sum of:

(i) The aggregate short-term capital losses of such corporations, plus

(ii) The consolidated net capital loss carry-overs to the taxable year, or

(iii) In the first taxable year beginning after December 31, 1941, the consolidated net short-term capital loss carry-over from the last taxable year beginning in 1941.

(13) The consolidated net short-term capital loss shall be the excess of the aggregate of the short-term capital losses of the several affiliated corporations (or, for the purpose of the alternative tax computation under section 117 (c) as amended by section 150 (c) of the Revenue Act of 1942, the sum of such aggregate plus the consolidated net capital loss carry-over or the consolidated net short-term capital loss carry-over, as the case may be) over the aggregate of the short-term capital gains of such corporations;

(14) The consolidated net long-term capital gain shall be the excess of the sum of:

(i) The aggregate of the long-term capital gains of the several affiliated corporations, and

(ii) The consolidated net gain from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j),

over the aggregate of the long-term capital losses of such corporations;

(15) The consolidated normal-tax net income shall be the consolidated adjusted net income minus the sum of:

(i) The consolidated section 26 (e) credit relating to income subject to excess profits tax, and

(ii) The consolidated section 26 (b) credit relating to dividends received;

(16) The consolidated adjusted net income shall be the consolidated net income minus the consolidated section 26 (a) credit relating to interest on certain obligations of the United States and Government corporations;

(17) The consolidated section 26 (a) credit relating to interest on certain obligations of the United States and Government corporations shall be an amount equal to the aggregate of the interest, of the class with respect to which credit is allowed by section 26 (a), received by the several affiliated corporations;

(18) The consolidated section 26 (b) credit relating to dividends received shall be an amount equal to 85 percent of the aggregate dividends, of the class with respect to which credit is allowed by section 26 (b), received by the several affiliated corporations, but in an amount not greater than 85 percent of the excess of the consolidated adjusted net income over the consolidated section 26 (e) credit relating to income subject to excess profits tax;

(19) The consolidated section 26 (e) credit relating to income subject to excess profits tax shall be an amount equal to the consolidated adjusted excess profits net income, or, in the case of an affiliated group including as members one or more corporations subject to the provisions of section 721 (relating to abnormalities in income in the taxable period), section 726 (relating to corporations completing contracts under the Merchant Marine Act of 1936), section 731 (relating to corporations engaged in mining strategic minerals), or section 736 (b) (relating to corporations with income from long-term contracts), the amount of which the consolidated excess profits tax for the taxable year is 90 percent, the consolidated excess profits tax for the purpose of this credit being computed without regard to the limitation provided in section 710 (a) (1) (B) (the 80 percent limitation), without regard to the credit provided in section 729 (c) and (d) for foreign taxes paid, and without regard to the adjustments provided in section 734;

(20) The consolidated excess profits net income shall be the consolidated normal-tax net income increased or decreased, as the case may be, by the consolidated section 711 (a) adjustment;

(21) The consolidated section 711 (a) adjustment shall be the net amount of the aggregate adjustments provided in section 711 (a) (1) (C), (D), (E), and (I), or section 711 (a) (2) (B), (E), (F), (G), (H), and (K), as the case may be, computed and determined in the case of the several affiliated corporations, except as otherwise provided in (c) of this section, in the same manner and subject to the same conditions as if separate returns were filed, increased or decreased, as the case may be, with respect to:

(i) The consolidated section 26 (e) credit relating to income subject to excess profits tax,

(ii) The difference, if any, between the consolidated net short-term capital gains and the consolidated net capital gains, or, in the case of an affiliated group including as members one or more corporations subject to the tax imposed by section 204 and having a consolidated net capital loss for the taxable year, the sum of:

(a) The consolidated net short-term capital gains, plus

(b) Either the amount of the combined additional capital loss deductions of such corporations authorized by section 204 (c) (5) as amended by section 164 (c) of the Revenue Act of 1942, or the amount of the consolidated net capital loss, whichever is the lesser,

(iii) The excess of the aggregate amount of the dividends received by the several corporations of the class with respect to which adjustment is provided for in section 711 (a) (1) (F) or 711 (a) (2) (A), as the case may be, over the consolidated credit for dividends received,

(iv) In the case of life insurance companies subject to the tax imposed by section 261:

(a) If the consolidated excess profits credit is based on income, the excess of the product of the figure determined and proclaimed under section 202 (b) and the consolidated excess profits net income computed without regard to this adjustment over the consolidated adjustment for certain reserves provided in section 202 (c), or

(b) If the consolidated excess profits credit is based on invested capital, 50 percent of the excess of the product of the figure determined and proclaimed under section 202 (b) and the consolidated excess profits net income computed without regard to this adjustment over the consolidated adjustment for certain reserves provided in section 202 (c),

(v) The consolidated net operating loss deduction adjustment;

(22) The consolidated adjustment for certain reserves provided in section 202 (c) shall be an amount equal to 3¼ percent of the combined unearned premiums and unpaid losses of the several affiliated corporations on contracts other than life insurance or annuity contracts, computed in the case of each corporation pursuant to the provisions of section 202 (c), but not less than 25 percent of the combined net premiums on such other contracts written during the taxable year;

(23) The consolidated net operating loss deduction adjustment shall be the difference between the amount of the consolidated net operating loss deduction for the taxable year otherwise computed under these regulations and the amount of such consolidated net operating loss deduction computed subject to the provisions of section 711 (a) (1) (J) or section 711 (a) (2) (L), as the case may be;

(24) The consolidated adjusted excess profits net income shall be the consolidated excess profits net income minus the sum of:

(i) A specific exemption of $5,000,

(ii) The consolidated excess profits credit, and

(iii) The consolidated unused excess profits credit adjustment;

(25) The consolidated excess profits credit shall be:

(i) The consolidated excess profits credit based on invested capital, or

(ii) In the case of an affiliated group one or more of the members of which would have been entitled in a separate return to an excess profits credit based on income, either the consolidated excess profits credit based on income or the consolidated excess profits credit based on invested capital, whichever results in the lesser tax;

(26) The consolidated excess profits credit based on invested capital shall be the sum of:

(i) Eight percent of that portion of the consolidated invested capital not in excess of $5,000,000,

(ii) Seven percent of that portion of the consolidated invested capital in excess of $5,000,000 but not in excess of $10,000,000,

(iii) Six percent of that portion of the consolidated invested capital in excess of $10,000,000 but not in excess of $200,000,000, and

(iv) Five percent of that portion of the consolidated invested capital in excess of $200,000,000;

(27) The consolidated invested capital for the taxable year shall be the consolidated average invested capital for such year reduced by the consolidated inadmissible asset adjustment;

(28) The consolidated average invested capital for the taxable year shall be the sum of:

(i) The combined average invested capital for the taxable year of the several affiliated corporations computed in the case of each corporation without including any accumulated earnings and profits, or any amount under section 718 (a) (6) for new capital,

(ii) The consolidated accumulated earnings and profits as of the beginning of such taxable year, and

(iii) An amount equal to 25 percent of the consolidated new capital;

(29) The consolidated inadmissible asset adjustment shall be an amount which bears the same ratio to the consolidated average invested capital as the aggregate inadmissible assets of the several affiliated corporations bear to the aggregate admissible and inadmissible assets of such corporations;

(30) The consolidated accumulated earnings and profits as of the beginning of the taxable year shall be an amount equal to the excess of the combined accumulated earnings and profits as of the beginning of such year of the several affiliated corporations having accumulated earnings and profits over the combined deficit in accumulated earnings and profits as of the beginning of such year of the several affiliated corporations having such deficits;

(31) The consolidated new capital shall be an amount equal to the aggregate new capital of the several affiliated corporations for each day of the taxable year (subject to the limitations imposed by section 718 (a) (6) (d), (e), and (f) of the Code) divided by the number of days in such year; the limitations imposed by section 718 (a) (6) (d), (e), and (f) with respect to increases in inadmissible assets, maximum new capital allowable, and reductions on account of distributions out of pre-1941 accumulated earnings and profits shall be determined by reference to aggregate equity invested capital (computed without regard to (c) (2) (iv) (a) of this section), the aggregate accumulated earnings and profits, the aggregate inadmissible assets, the aggregate borrowed capital, the aggregate money or property paid in but excluded by reason of section 718 (a) (6) (A) or (B), and the aggregate distributions, of the several affiliated corporations, computed in each case pursuant to the provisions of these regulations, both with respect to the taxable year for which the computation is being made and with respect to the beginning of the first taxable year beginning after December 31, 1940, and intervening years (regardless of whether or not such corporations were affiliated and regardless of whether or not consolidated returns were made or were required prior to the current year, except that no elimination of intercompany profits or losses shall be made for separate return years) in the same manner and to the same extent as if such aggregates were, respectively, the equity invested capital, the accumulated earnings and profits, the inadmissible assets, the borrowed capital, the money or property paid in, and the distributions, of a separate corporation;

(32) The consolidated excess profits credit based on income shall be:

(i) Ninety-five percent of the consolidated average base period net income,

(ii) Plus 8 percent of the consolidated net capital addition, or

(iii) Minus 6 percent of the consolidated net capital reduction;

(33) The consolidated average base period net income shall be, whichever is the greater:

(i) An amount (subject to the adjustment provided in (b) (34) of this section) which bears the same ratio to the excess of the aggregate of the consolidated base period excess profits net income for the several consolidated base period years over the aggregate of the consolidated base period deficits in excess profits net income for any of such years which 12 bears to the total number of months in the consolidated base period, or

(ii) An amount (subject to the qualification expressed in (b) (35) of this section) which bears the same ratio to the excess of the aggregate consolidated excess profits net income for each of the taxable years in the second half of the consolidated base period over the aggregate of any consolidated deficits in excess profits net income in such second half, plus one-half of the amount, if any, by which such excess in the second half of the consolidated base period exceeds such excess in the first half of such period, which 12 bears to the total number of months in the second half of the consolidated base period, but in an amount not greater than the highest consolidated excess profits net income (placed on an annual basis, when necessary) for any taxable year in the consolidated base period;

(34) For the purpose of (b) (33) (i) of this section, if the consolidated base period excess profits net income (or consolidated base period deficit in excess profits net income) for one consolidated base period year divided by the number

of months in such base period year is less

parent corporation would have been en-

close of the last consolidated base period year

(a) By the adjusted excess profits net income, if any, of such corporation for

consolidated excess profits credit attributable to such corporation, whichever is the lesser

year, the new capital for any day of a taxable year beginning after December 31, 1940, the equity invested capital, the

of months in such base period year is less than 75 percent of the aggregate of the consolidated base period excess profits net income (reduced by any consolidated deficits in base period excess profits net income) for the other consolidated base period years divided by the number of months in such other base period years, there shall be used as the consolidated base period excess profits net income for such one base period year an amount equal to 75 percent of such average monthly amount for such other base period years multiplied by the number of months in such one base period year, and the base period year subjected to this adjustment shall be the year the increase in which will produce the highest consolidated average base period net income;

(35) For the purpose of (b) (33) (ii) of this section, the consolidated excess profits net income for any consolidated base period year ending after May 31, 1940, shall be an amount not greater than the sum of:

(i) An amount which bears the same ratio to the consolidated excess profits net income for such year as the number of months before June 1, 1940, bears to the total number of months in such taxable year,

(ii) An amount which bears the same ratio to the consolidated excess profits net income for the last preceding taxable year as the number of months after May 31, 1940, in the taxable year bears to the number of months in such preceding taxable year, but not in excess of the consolidated excess profits net income for such last preceding taxable year, and

(iii) If the number of months in such last preceding taxable year is less than the number of months after May 31, 1940, an amount which bears the same ratio to the consolidated excess profits net income for the second preceding taxable year as the excess of such number of months after May 31, 1940, over the number of months in such preceding taxable year, bears to the number of months in such second preceding taxable year;

(36) The consolidated base period excess profits net income for a consolidated base period year shall be an amount equal to the combined base period excess profits net income for such year of the affiliated corporations which would have been entitled in separate returns to an excess profits credit based on income, reduced by the sum of the deficits in excess profits net income for such year, in the case of any such corporations;

(37) The consolidated base period deficit in excess profits net income for a consolidated base period year shall be an amount equal to the aggregate of the deficits for such year, in the case of the affiliated corporations which would have been entitled in separate returns to an excess profits credit based on income reduced by the combined base period excess profits net income of any such corporations for such year;

(38) The consolidated base period years shall be, as the case may be:

(i) The base period years of the common parent corporation if such common parent corporation would have been entitled in a separate return to an excess profits credit based on income, or

(ii) The four successive 12-month periods beginning on the date in 1936 corresponding to the date on which begins the first taxable year for which a consolidated return is filed if the common parent corporation would not be entitled separately to an excess profits credit based on income;

(39) The consolidated net capital addition for the taxable year shall be the excess, divided by the number of days in the taxable year, of the aggregate of the consolidated daily capital addition for each day of the taxable year over the aggregate of the consolidated daily capital reduction for each day of the taxable year;

(40) The consolidated net capital reduction for the taxable year shall be the excess, divided by the number of days in the taxable year, of the aggregate of the consolidated daily capital reduction for each day of the taxable year over the aggregate of the consolidated daily capital addition for each day of the taxable year;

(41) The consolidated daily capital addition for any day of the taxable year shall be the combined daily capital additions of the several affiliated corporations for such day, computed without regard to the adjustment for excluded capital, reduced by the excess, if any, of the consolidated excluded capital for such day over the combined excluded capital of the several corporations for the first day following the close of the last consolidated base period year;

(42) The consolidated excluded capital for any day of the taxable year shall be the combined excluded capital of the several corporations for such day reduced by the consolidated additional daily capital reduction under section 713 (g) (5) for such day;

(43) The consolidated additional daily capital reduction under section 713 (g) (5) for any day of the taxable year shall be whichever of the following amounts is the lesser:

(i) The excess of the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in other corporations which are members of the same controlled group as defined in section 713 (g) (5) acquired by the several affiliated corporations after the close of the last consolidated base period year over the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in such other corporations disposed of by the several affiliated corporations prior to such day and after the close of the last consolidated base period year, or

(ii) The excess of the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in all domestic corporations and of obligations described in section 22 (b) (4), held by the several affiliated corporations at the beginning of such day over the aggregate of the adjusted basis (for determining loss upon sale or exchange) of stock in all domestic corporations and of obligations described in section 22 (b) (4), held by the several affiliated corporations at the close of the last consolidated base period year,

such adjusted basis being determined in each case without regard to transactions between members of the affiliated group, after the close of the last consolidated base period year, whether or not a consolidated return was filed for the year of the transaction, and without regard to stock of another member of the affiliated group to the extent that such stock is made the basis of an adjustment under (c) (2) (xii) (F) of this section;

(44) The consolidated daily capital reduction for any day of the taxable year shall be the sum of:

(i) The combined daily capital reductions of the several affiliated corporations for such day computed under section 713 (g) (4), and

(ii) The consolidated additional daily capital reduction under section 713 (g) (5) for such day;

(45) The consolidated unused excess profits credit adjustment shall be an amount equal to the aggregate of the consolidated unused excess profits credit carry-overs and of the consolidated unused excess profits credit carry-backs to the taxable year;

(46) The consolidated unused excess profits credit carry-overs to the taxable year shall consist of:

(i) The amount of the consolidated unused excess profits credit, if any, for the first preceding taxable year, or, with respect to a first preceding taxable year beginning after December 31, 1941, the amount of the consolidated unused excess profits credit for such year to the extent not attributable to those corporations making separate returns in the taxable year,

(ii) The amount of the consolidated unused excess profits credit, if any, for the second preceding taxable year (or, with respect to a second preceding taxable year beginning after December 31, 1941, the amount of the consolidated unused excess profits credit for such year to the extent not attributable to those corporations making separate returns in the taxable year) reduced by the consolidated adjusted excess profits net income, if any for the first preceding taxable year computed without regard to the specific exemption provided in section 710 (b) (1) and with a consolidated unused excess profits credit adjustment for such first preceding taxable year determined without regard to the consolidated unused excess profits credit for such second preceding taxable year and without regard to any unused excess profits credit carry-back,

and, with respect to any unused excess profits credit of a corporation for years prior to the first taxable year in respect of which its income is included in the consolidated return:

(iii) The amount of the unused excess profits credit, if any, of such corporation for the first preceding taxable year, and

(iv) The amount of the unused excess profits credit, if any, of such corporation for the second preceding taxable year reduced:

(a) By the adjusted excess profits net income, if any, of such corporation for the first preceding taxable year, or

(b) If the income of such corporation is included in the consolidated return for the first preceding taxable year, by the amount of the consolidated adjusted excess profits net income for the first preceding taxable year or the excess of that portion of the consolidated excess profits net income attributable to such corporation over that portion of the consolidated excess profits credit attributable to such corporation, whichever is the lesser,

the adjusted excess profits net income for the first preceding taxable year (separate or consolidated, as the case may be) being computed without regard to the specific exemption provided in section 710 (b) (1) and with an unused excess profits credit adjustment of such corporation or a consolidated excess profits credit adjustment, as the case may be, for such first preceding taxable year determined without regard to the unused excess profits credit of such corporation for the second preceding taxable year and without regard to any unused excess profits credit carry-back;

(47) The consolidated unused excess profits credit carry-backs to the taxable year shall consist of:

(i) The amount of the consolidated unused excess profits credit, if any, for the first succeeding taxable year (to the extent not attributable to those corporations making separate returns in the taxable year) reduced to the extent absorbed as a carry-back by the adjusted excess profits net income, consolidated or separate, as the case may be, for the first preceding taxable year, such adjusted excess profits net income being computed in either case without regard to the specific exemption provided in section 710 (b) (1) and with an unused excess profits credit adjustment, consolidated or separate, determined without regard to the consolidated unused excess profits credit for the first succeeding taxable year,

(ii) The amount of the consolidated unused excess profits credit, if any, for the second succeeding taxable year, to the extent not attributable to those corporations making separate returns in the taxable year,

and, with respect to any unused excess profits credits of a corporation for taxable years subsequent to the last taxable year in respect of which its income is included in the consolidated return:

(iii) The amount of the unused excess profits credit, if any, of such corporation for the first succeeding taxable year reduced:

(a) By the adjusted excess profits net income, if any, of such corporation for the first preceding taxable year, or,

(b) If the income of such corporation is included in the consolidated return for the first preceding taxable year, by the amount of the consolidated adjusted excess profits net income for the first preceding taxable year or the excess of that portion of the consolidated excess profits net income attributable to such corporation over that portion of the consolidated excess profits credit attributable to such corporation, whichever is the lesser,

the adjusted excess profits net income for the first preceding taxable year (separate or consolidated, as the case may be) being computed without regard to the specific exemption provided in section 710 (b) (1) and with an unused excess profits credit adjustment, or consolidated unused excess profits credit adjustment, as the case may be, for the first preceding taxable year determined without regard to the unused excess profits credit of such corporation for the first succeeding taxable year, and

(iv) The amount of the unused excess profits credit, if any, of such corporation for the second succeeding taxable year;

(48) The consolidated unused excess profits credit shall be the excess of the consolidated excess profits credit for any taxable year beginning after December 31, 1939, over the consolidated excess profits net income for such taxable year, computed on the basis of the excess profits credit applicable to such taxable year.

PAR. 17. The section formerly designated § 33.31 (b), as amended by Treasury Decision 5126, approved March 5, 1942, is further amended as follows:

(A) By changing the heading thereof to read: (c) *Computations.*

(B) By striking from subdivision (ii) of subparagraph (1) the word "and"; by striking the period at the end of subdivision (iii) and inserting a comma in lieu thereof; and by inserting in subparagraph (1) the following new subdivisions:

(iv) There shall be disregarded all gains and losses from involuntary conversions and from sales and exchanges of property subject to the provisions of section 117 (j), and

(v) In the computation of the deduction under section 23 (v) relating to amortizable bond premium, there shall be disregarded the bonds of one member of the group owned by another member of the group during the taxable year.

(C) By striking that portion of subparagraph (2) preceding the numbered subdivisions, and by inserting in lieu thereof the following:

For a taxable year for which a consolidated return is made or is required, the interest received of a class with respect to which credit is allowed by section 26 (a), the dividends received of a class with respect to which credit is allowed by section 26 (b), the capital gains and losses, the short-term capital gains and losses, and the long-term capital gains and losses, as defined in section 117 (a), the gains and losses from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), the additional capital loss deductions authorized by section 204 (c) (5), the net operating loss as defined in section 122 (a) for the purpose of the net operating loss deduction, the average invested capital for the taxable year, the accumulated earnings and profits or deficit in accumulated earnings and profits as of the beginning of the taxable year, the new capital for any day of a taxable year beginning after December 31, 1940, the equity invested capital, the borrowed capital, the amount of distributions from earnings and profits for the purpose of new capital computations, the admissible and inadmissible assets, the base period excess profits net income, the deficit in excess profits net income for a base period year, the daily capital addition for any day of the taxable year, the daily capital reduction for any day of the taxable year, and the excluded capital within the meaning of section 713 (g) (3) shall be computed and determined in the case of each affiliated corporation in the same manner and subject to the same conditions as if a separate return were filed, except:

(D) By changing subdivision (ii) of subparagraph (2) to read as follows:

(ii) In the computation of capital gains and losses, short-term capital gains and losses, and long-term capital gains and losses, as defined in section 117 (a), the gains and losses from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), and the additional capital loss deductions authorized by section 204 (c) (5), there shall be eliminated all gains or losses arising in intercompany transactions;

(E) By striking from subdivision (iv) (*f*) of subparagraph (2), as amended by Treasury Decision 5126, the words "there shall be subtracted from average invested capital otherwise computed" and substituting in lieu thereof the words "there shall be subtracted from daily invested capital otherwise computed"; and by striking from the parenthetical expression in such subdivision the reference to "§ 33.31 (b) (2) (iv) (*f*)" and inserting in lieu thereof "§ 33.31 (c) (2) (iv) (*f*)".

(F) By striking from the first parenthetical expression in subdivision (iv) (*g*) of subparagraph (2), as amended by Treasury Decision 5126, the reference to "§ 33.31 (b) (2) (iv) (*g*)" and inserting in lieu thereof § 33.31 (c) (2) (iv) (*g*)"; and by striking from such subdivision the words "there shall be excluded as of the date on which such corporation became a member of the group within the meaning of section 730 (d)" and inserting in lieu thereof the following: "there shall be excluded as of the date on which such corporation became a member of the group within the meaning of section 141 (d) of the Code (or, in the case of taxable years beginning prior to January 1, 1942, section 730 (d))".

(G) By striking from the first parenthetical expression in subdivision (v) (*a*) of subparagraph (2), as amended by Treasury Decision 5126, the reference to "§ 33.31 (b) (2) (v) (*a*)" and inserting in lieu thereof "§ 33.31 (c) (2) (v) (*a*)"; and by striking from such subdivision the words "there shall be excluded as of the date on which such corporation became a member of the group within the meaning of section 730 (d)" and inserting in lieu thereof the following: "there shall be excluded as of the date on which such corporation became a member of the group within the meaning of section 141 (d) of the Code (or, in the case of

taxable years beginning prior to January 1, 1942, section 730 (d))".

(H) By striking from subdivision (v) (*b*) of subparagraph (2) the words "either under the Second Revenue Act of 1940" and inserting in lieu thereof the following: "whether under section 141 of the Code as amended, under section 730 of the Code as amended,".

(I) By striking from subdivision (v) (*c*) of subparagraph (2) the words "either under the Second Revenue Act of 1940" and inserting in lieu thereof the following: "whether under section 141 of the Code as amended, under section 730 of the Code as amended,".

(J) By striking from subdivision (v) (*f*) of subparagraph (2), as amended by Treasury Decision 5126, the reference to "(b) (2) (iv) (*g*)" and inserting in lieu thereof "(c) (2) (iv) (*g*)".

(K) By striking from subdivision (vii) of subparagraph (2), as amended by Treasury Decision 5126, the reference to "(b) (2) (iv)" and inserting in lieu thereof "(c) (2) (iv)".

(L) By striking from subdivision (xi) (*b*) of subparagraph (2), as amended by Treasury Decision 5126, the words "section 730" and inserting in lieu thereof "section 141 of the Code (or, for taxable years beginning prior to January 1, 1942, section 730)".

(M) By changing subdivision (xi) (c) to read:

(*c*) The capital gains and losses, the short-term capital gains and losses, and the recognized gains and losses from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), of the several affiliated corporations for base period years shall be treated as the capital gains and losses, the short-term capital gains and losses, and the section 117 (j) gains and losses of the group as a single corporation, and, for the purpose of computing, in the case of the several corporations, the net capital loss carry-over (or, in a tax computation for years beginning prior to January 1, 1943, the net short-term capital loss carry-over) to succeeding base period years, any net capital loss of the group for the year (or net short-term capital loss, as the case may be) computed pursuant to these provisions shall be allocated to the several corporations having net capital losses (or net short-term capital losses) for such year in amounts proportionate to such net losses;

(N) By changing subdivision (xi) (*c*) to read:

(*c*) The amount to be excluded, for a taxable year beginning prior to January 1, 1942 under section 711 (b) (1) (B) on account of the excess of recognized gains from the sale, exchange, or involuntary conversion of property held for more than 18 months subject to the allowance for depreciation provided in section 23 (l) over recognized losses from such sales, exchanges, or involuntary conversions shall be an amount which bears the same ratio to the excess of the aggregate of such gains over the aggregate of such losses of the several affiliated corporations as the excess of such gains over such losses of the particular corporation bears to the sum of such excesses of the several members of the group having such an excess;

(O) By inserting immediately after the semicolon at the end of subdivision (xi) (*g*) the word "and" together with the following:

(*h*) If the stock of a subsidiary corporation owned by other members of the affiliated group at any time during the taxable year was acquired by such members, or by other members of the group, at any time on or after the first day of the consolidated base period, but only to the extent to which the consideration for such acquisition was not the issuance of the stock of the acquiring corporation (not including an acquisition from another member of the group which was affiliated with the acquiring corporation at the time of such acquisition within the meaning of section 141 of the Code, whether or not a consolidated income or excess profits tax return was filed for the year in which such acquisition occurred), or if the stock of another subsidiary owned at any time during the taxable year was owned by such first subsidiary, the stock of which was so acquired, as of the date of such acquisition, there shall be excluded, in the computation of the base period excess profits net income of each such subsidiary corporation, or of their deficits in base period excess profits net income, a proportionate part of the amount thereof otherwise computed, such proportionate part to be determined pursuant to the provisions of section 742 (f) (1) of the Code and § 30.742–2 (b) (3) (ii) (*b*) of Regulations 109 as if such subsidiaries were component corporations within the provisions of section 740 (b) of the Code;

(P) By inserting immediately after the semicolon at the end of subdivision (xii) (*e*) the word "and" together with the following:

(*f*) If the stock of a subsidiary corporation owned by members of the affiliated group at any time during the taxable year was acquired by such members, or by other members of the group, at any time subsequent to the close of the consolidated base period, but only to the extent to which the consideration for such acquisition was not the issuance of the stock of the acquiring corporation (not including an acquisition from another member of the group which was affiliated with the acquiring corporation at the time of such acquisition within the meaning of section 141 of the Code, whether or not a consolidated income or excess profits tax return was filed for the year in which such acquisition occurred), or if the stock of another subsidiary owned at any time during the taxable year was owned by such first subsidiary, the stock of which was so acquired, as of the date of such acquisition, there shall be excluded a proportionate part of the amounts of the daily capital additions and daily capital reductions of each such subsidiary corporation otherwise computed, such proportionate part to be determined pursuant to the provisions of section 742 (f) (1) of the Code and § 30.743–2 (b) of Regulations 109 as if such subsidiaries were component corporations within the provisions of section 740 (b) of the Code;

(Q) By striking from subdivision (xiii) (*a*) the comma and the word "and" at the end thereof and inserting in lieu thereof a semicolon; by inserting immediately after the semicolon at the end of subdivision (xiii) (*b*) the word "and" together with the following:

(*c*) No increase shall be made with respect to stock of other members of the affiliated group acquired subsequent to the close of the last consolidated base period year to the extent that adjustment by reason of such stock acquisition is made in the daily capital additions or daily capital reductions of other members, pursuant to the provisions of section 742 (f) (1) of the Code and § 30.743–2 (b) of Regulations 109.

(R) By changing subparagraph (3) to read:

(3) In no case (except as otherwise provided in this subparagraph) shall there be included in the consolidated net operating loss deduction for the taxable year as consolidated net operating loss carry-overs under (a) (6) (i) (*c*) and (*d*) of this section, or (a) (6) (iii) (*c*) and (*d*) or (b) (3) (iii) and (iv), as the case may be, (relating to net operating losses sustained by a corporation in years prior to the first taxable year in respect of which its income is included in the consolidated return) and as consolidated net operating loss carry-backs under (a) (6) (ii) (*c*) and (*d*) of this section, or (b) (4) (iii) and (iv), as the case may be, (relating to net operating losses sustained by a corporation in years subsequent to the last taxable year in respect of which its income is included in the consolidated return) an amount exceeding in the aggregate the net income of such corporation (computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4)) included in the computation of the consolidated net income for the taxable year increased by its separate net capital gain (or, for years beginning prior to January 1, 1942, its separate net short-term and long-term capital gains). The provisions of this subparagraph do not apply with respect to that portion of any net operating loss carry-over from a taxable year beginning in 1941 attributable to war losses within the provisions of section 127 of the Code as added by section 156 of the Revenue Act of 1942, such portion being determined as the excess of the net operating loss for such year over the amount of any net operating loss for the year computed without regard to war losses.

(S) By changing subparagraph (4) to read:

(4) If a portion of the consolidated net operating loss deduction arises as a carry-over pursuant to the provisions of (a) (6) (i) (*c*) or (*d*) of this section, or (a) (6) (iii) (*c*) or (*d*) or (b) (3) (iii) or (iv), as the case may be (relating to net operating losses sustained by a corporation in years prior to the first taxable year in respect of which its income is included in the consolidated return), or as a carry-back pursuant to the provisions of (a) (6) (ii) (*c*) or (*d*) of this section, or (b) (4) (iii) or (iv), as the case may be (relating to net operating losses sustained by a corporation in years subsequent to the last taxable year in respect of which its income is included in the consolidated return), the consolidated net operating loss deduction shall not be less than the amount of such portion reduced by the amount, if any, by which the net income of such corporation (computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4)) exceeds the normal-tax net income of such corporation (computed, for taxable years beginning in 1941, without any net operating loss deduction but taking into account any net long-term capital loss, and, for taxable years beginning after December 31, 1941, without any net operating loss deduction and without the credit provided by section 26 (e) relating to income subject to excess profits tax but taking into account the additional capital loss deduction authorized by section 204 (c) (5)), or, in the case of two or more such corporations, the sum of such portions so reduced.

(T) By changing subparagraph (5) to read:

(5) With respect to consolidated net operating loss carry-overs and carry-backs:

(i) If, in the computation of the consolidated net operating loss deduction for the second consolidated return period in respect of which the income of a corporation is included in the consolidated returns of the group, there is involved the net operating loss separately sustained by such corporation for the second preceding taxable year together with a consolidated net operating loss for the second preceding taxable year, or if, for the second consolidated return period in respect of which the income of two or more members of the group is included in the consolidated returns of the group, there are involved the net operating losses separately sustained by such corporations for the second preceding taxable year, no portion of the consolidated net income for the first preceding taxable year shall be taken into account more than once in giving effect to the provisions of (a) (6) (i) (*b*) and (*d*) of this section, or (a) (6) (iii) (*b*) and (*d*) or (b) (3) (ii) and (iv), as the case may be (relating to the computation of the consolidated net operating loss carry-overs attributable to losses of the second preceding taxable year);

(ii) If, in the computation of the consolidated net operating loss deduction for the last taxable year in respect of which the income of a corporation is included in the consolidated returns of the group, there is involved the net operating loss separately sustained by such corporation for the first succeeding taxable year together with a consolidated net operating loss for the first succeeding taxable year, or if, for the last taxable year in respect of which the income of two or more members of the group is included in the consolidated returns of the group, there are involved the net operating losses separately sustained by such corporations for the first succeeding taxable year, no portion of the consolidated net income for the first preceding taxable year shall be taken into account more than once in giving effect to the provisions of (a) (6) (ii) (*a*) and (*c*) of this section, or (b) (4) (i) and (iii), as the case may be, (relating to the computation of the consolidated net operating loss carry-backs attributable to losses of the first succeeding taxable year).

(U) By changing subparagraph (6) to read:

(6) In no case shall there be included in the consolidated unused excess profits credit adjustment for the taxable year as consolidated unused excess profits credit carry-overs under (a) (33) (iii) and (iv) of this section, or (b) (46) (iii) and (iv), or in the consolidated excess profits credit carry-over for a taxable year beginning prior to January 1, 1941, under (a) (35) (iii) and (iv), as the case may be, (relating to the unused excess profits credit of a corporation for years prior to the first taxable year in respect of which its income is included in the consolidated return), and as consolidated unused excess profits credit carry-backs under (a) (34) (iii) and (iv) of this section, or (b) (47) (iii) and (iv), as the case may be, (relating to the unused excess profits credit of a corporation for years subsequent to the last taxable year in respect of which its income is included in the consolidated return) an amount in excess of the portions thereof which could have been availed of by such corporation as unused excess profits credit carry-overs and carry-backs, or an excess profits credit carry-over, if a separate return had been filed for such taxable year, but with its net income computed subject to the provisions of (c) (1) (i) of this section.

(V) By changing subparagraph (7) to read:

(7) With respect to consolidated unused excess profits credit carry-overs and carry-backs:

(i) If, in the computation of the consolidated unused excess profits credit adjustment (or, with respect to taxable years beginning prior to January 1, 1941, the consolidated unused excess profits credit carry-over) for the second consolidated return period in respect of which the income of a corporation is included in the consolidated returns of the group, there is involved the separate unused excess profits credit of such corporation for the second preceding taxable year together with a consolidated unused excess profits credit for the second preceding taxable year, or if, for the second consolidated return period in respect of which the income of two or more members of the affiliated group is included in the consolidated returns of the group, there are involved the separate unused excess profits credits of such corporations for the second preceding taxable year, no portion of the consolidated adjusted excess profits net income for the first preceding taxable year shall be taken into account more than once in giving effect to the provisions of (a) (33) (ii) and (iv) of this section, or (b) (46) (ii) and (iv), or (a) (35) (ii) and (iv), as the case may be, (relating to the computation of the consolidated unused excess profits credit carry-overs attributable to unused excess profits credits of the second preceding taxable year);

(ii) If, in the computation of the consolidated unused excess profits credit adjustment for the last taxable year in respect of which the income of a corporation is included in the consolidated returns of the group, there is involved the separate unused excess profits credit of such corporation for the first succeeding taxable year, or if, for the last taxable year in respect of which the income of two or more members of the group is included in the consolidated returns of the group, there are involved the separate unused excess profits credits of such corporations for the first succeeding taxable year, no portion of the consolidated adjusted excess profits net income for the first preceding taxable year shall be taken into account more than once in giving effect to the provisions of (a) (34) (i) and (iii) of this section, or (b) (47) (i) and (iii), as the case may be (relating to the computation of the consolidated unused excess profits credit carry-backs attributable to unused excess profits credits of the first succeeding taxable year).

(W) By striking the first word in subparagraph (8) and inserting in lieu thereof the following: "If, for any taxable year beginning prior to January 1, 1942,".

(X) By inserting immediately after subparagraph (8) the following new subparagraphs:

(9) If an affiliated group filing a consolidated return for a taxable year beginning after December 31, 1941, sustains a consolidated net operating loss within the provisions of section 122, relating to the net operating loss deduction, and if there are included as members of such group one or more corporations which made separate returns, either in a preceding taxable year (not including any year beginning prior to January 1, 1941) or in a succeeding taxable year, the portion of such consolidated net operating loss attributable to such corporations severally shall be determined, such portion in the case of any such corporation being determined in an amount proportionate to the net losses (capital net losses and ordinary net losses alike) of the several affiliated corporations having net losses, to the extent that such losses were taken into account in the computation of the consolidated net operating loss.

(10) If an affiliated group filing a consolidated return for a taxable year beginning after December 31, 1941, sustains a consolidated net capital loss, and if there are included as members of such group one or more corporations which make separate returns in a succeeding taxable year, the portion of such consolidated net capital loss attributable to such corporations severally shall be determined, such portion in the case of any such corporation being an amount which bears the same ratio to the consolidated net capital loss which the net capital loss of such corporation bears

to the aggregate of the net capital losses for the taxable year sustained by the several affiliated corporations having net capital losses.

(11) If an affiliated group filing a consolidated return for a taxable year beginning after December 31, 1941, has a consolidated unused excess profits credit for such year, and if there are included as members of such group one or more corporations which made separate returns, either in a preceding taxable year (not including any year beginning prior to January 1, 1941) or in a succeeding taxable year, the portion of such consolidated unused excess profits credit attributable to such corporations severally shall be determined, such portion in the case of any such corporation being determined in an amount bearing the same ratio to the consolidated unused excess profits credit for the taxable year which the excess, if any, of that portion of the consolidated excess profits credit attributable to such corporation over that portion of the consolidated excess profits net income, if any, attributable to such corporation bears to the aggregate of such excesses in the case of the several affiliated corporations having such excesses for the taxable year.

(12) If there are involved in the computation of the consolidated normal tax net income, computed for income tax purposes pursuant to Regulations 104, net operating loss carry-overs, net short-term capital loss carry-overs, bases for determining gain or loss upon a sale or exchange, or other factors, in amounts different from the net operating loss carry-overs, net short-term capital loss carry-overs, bases for determining gain or loss upon a sale or exchange, or such other factors, determined for excess profits tax purposes pursuant to these regulations, the consolidated normal tax net income, computed for the purpose of the excess profits tax, shall be computed pursuant to the provisions of these regulations.

PAR. 18. The section formerly designated § 33.31 (c) is amended by changing such designation to § 33.31 (d).

PAR. 19. The section formerly designated § 33.31 (d) is amended to read as follows:

(c) *Net operating loss deduction after consolidated return period.* The consolidated net operating loss, computed for the purpose of the net operating loss deduction, of an affiliated group for any consolidated return period beginning prior to January 1, 1942, shall be used in computing the net operating loss deduction in the return of the common parent corporation (or the consolidated net operating loss deduction in the consolidated return of another affiliated group of which such common parent becomes a member) for a taxable year subsequent to the last consolidated return period of the group in the same manner, to the same extent, upon the same conditions, and subject to the same limitations as if, during the taxable year in which such loss was sustained and continuing to the date of the termination of the group, the group had been a single corporation, the common parent corporation; and no net operating loss attributable to a consolidated return period beginning prior to January 1, 1942, shall be used in computing the net operating loss deduction of a subsidiary (or the consolidated net operating loss deduction of another affiliated group of which such subsidiary becomes a member) for any taxable year subsequent to the last consolidated return period of the group. No part of any net operating loss sustained by a corporation prior to the first taxable year in respect of which its income is included in the consolidated return, if the consolidated return year begins prior to January 1, 1942, shall be used in computing the net operating loss deduction of such corporation (or the consolidated net operating loss deduction of another affiliated group of which it becomes a member) for any taxable year subsequent to the last consolidated return period, but any part of such net operating loss which, except for this restriction, might be so used shall be treated as having been sustained by the common parent corporation of the group.

The consolidated net operating loss, computed for the purpose of the net operating loss deduction, of an affiliated group for a consolidated return period beginning after December 31, 1941, shall be used in computing the consolidated net operating loss deduction notwithstanding that one or more corporations, members of the group in the taxable year in which such loss was sustained, make separate returns (or join in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carry-back computation, for a preceding taxable year), but only to the extent that such consolidated net operating loss is not attributable to such corporations; and such portion of such consolidated net operating loss as is attributable to the several corporations making separate returns (or joining in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carry-back computation, for a preceding taxable year) shall be used by such corporations severally as carry-overs, or as carry-backs, in such separate returns, or in such consolidated return of the other affiliated group. Any net operating loss sustained by a corporation prior to the first taxable years in respect of which its income is included in the consolidated return, if the consolidated return year begins after December 31, 1941, shall be used in computing the net operating loss deduction of such corporation (or the consolidated net operating loss deduction of another affiliated group of which it becomes a member) for a subsequent taxable year for which it makes a separate return or joins in a consolidated return of another group, but only to the extent that such net operating loss was not absorbed in the computation of the consolidated net operating loss deduction for the prior consolidated return period.

PAR. 20. The section formerly designated § 33.31 (e) is amended to read as follows:

(f) *Unused excess profits credit after consolidated return period.* The consolidated unused excess profits credit of an affiliated group for any consolidated return period beginning prior to January 1, 1942, shall be used in computing the adjusted excess profits net income of the common parent corporation (or the consolidated adjusted excess profits net income of another affiliated group of which such common parent becomes a member) for a taxable year subsequent to the last consolidated return period of the group in the same manner, to the same extent, upon the same conditions, and subject to the same limitations as if, during the taxable year in which such unused excess profits credit originated and continuing to the date of the termination of the group, the group had been a single corporation, the common parent corporation; and no unused excess profits credit attributable to a consolidated return period beginning prior to January 1, 1942, shall be used in computing the adjusted excess profits net income of a subsidiary (or the consolidated adjusted excess profits net income of another affiliated group of which such subsidiary becomes a member) for any taxable year subsequent to the last consolidated return period of the group. No part of any unused excess profits credit of a corporation for a year prior to the first taxable year in respect of which its income is included in the consolidated return, if the consolidated return year began prior to January 1, 1942, shall be used in computing the adjusted excess profits net income of such corporation (or the consolidated adjusted excess profits net income of another affiliated group of which it becomes a member) for any taxable year subsequent to the last consolidated return period, but any part of such unused excess profits credit which, except for this restriction, might be so used shall be treated as attributable to the common parent corporation of the group for a year in which such common parent had no excess profits net income and no other excess profits credit.

The consolidated unused excess profits credit of an affiliated group for a consolidated return period beginning after December 31, 1941, shall be used in computing the consolidated unused excess profits credit adjustment notwithstanding that one or more corporations, members of the group in the taxable year in which such unused excess profits credit originates, make separate returns (or join in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carry-back computation, for a preceding taxable year), but only to the extent that such consolidated unused excess profits credit is not attributable to such corporations; and such portion of such consolidated unused excess profits credit as is attributable to the several corporations making separate returns (or joining in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carry-back computation, for a preceding taxable year) shall be used by such corporations severally as carry-overs, or as carry-backs, in such separate returns, or in such consolidated return of the other affiliated group. Any unused excess profits credit of a corporation for a year prior to the first taxable year in respect of which its income is included in the consolidated return, if the consolidated return year begins after December 31, 1941, shall be used in computing the unused excess profits credit adjustment of such corporation (or the consolidated unused excess profits credit adjustment of another affiliated group of which it becomes a member) for a subsequent taxable year for which it makes a separate return or joins in a consolidated return of another group, but only to the extent that such unused excess profits credit was not absorbed in the computation of the consolidated unused excess profits credit adjustment for the prior consolidated return period.

PAR. 21. The section formerly designated § 33.31 (f) is amended by changing such designation to § 33.31 (g).

PAR. 22. Section 33.34, as amended by Treasury Decision 5126, approved March 5, 1942, is further amended as follows:

(A) By striking from the third subparagraph of paragraph (a) the words "see paragraph (c)" and inserting in lieu thereof the words "see paragraph (c)".

(B) By striking from that portion of subparagraph (2) of paragraph (c) following the three numbered subdivisions the phrase "in subsequent years" and inserting in lieu thereof the phrase "in prior or subsequent years".

PAR. 23. Section 33.37, as amended by Treasury Decision 5126, approved March 5, 1942, is further amended as follows:

(A) By changing paragraph (a) (1), as amended, to read:

(1) Where such distribution is in complete liquidation and redemption of all of its stock (whether in one distribution or a series) and of its bonds and other indebtedness, if any, falls without the provisions of section 112 (b) (6), and is the result of a bona fide termination of the business and operations of such member of the group, in which case the adjustments specified in §§ 33.34 and 33.35 will be made, and § 33.36 will be applicable, or

(B) By changing subsection (b) to read as follows:

(b) In case any such distribution is made after a consolidated return period, whether in complete or partial liquidation, except a complete liquidation within the provisions of section 112 (b) (6), with respect to stock and with respect to bonds, debentures, notes, certificates, and other indebtedness of the liquidated corporation acquired prior to or during any taxable year subsequent to 1928 for which a consolidated income or excess profits tax return was filed, the adjustments specified in §§ 33.34 and 33.35 will be made, and § 33.36 will be applicable.

PAR. 24. Section 33.39 (c) is amended to read as follows:

If a corporation which was a member of an affiliated group in a consolidated return period makes or is required to make a separate return for the succeeding taxable year, the value of its opening inventory to be used in computing its net income for such succeeding taxable year shall be the proper value of its closing inventory used in computing consolidated net income for the last consolidated return period increased in the amount of losses eliminated in the computation of such inventory as profits or losses arising in transactions between members of the affiliated group, but in an amount not exceeding, in the case of profits, either the amount of profits arising from such intercompany transactions reflected in the closing inventory of such corporation for such succeeding taxable year or the amount of such intercompany profits eliminated from its opening inventory for its first consolidated return period pursuant to the provisions of subparagraph (2) of this paragraph, and not exceeding, in the case of losses, either the amount of losses arising from intercompany transactions reflected in the closing inventory for such corporation for such succeeding taxable year or the amount of such intercompany losses eliminated from its opening inventory for its first consolidated return period pursuant to the provisions of subparagraph (2) of this paragraph.

PAR. 25. Section 33.39 (d) is amended by striking out the words "within the meaning of section 730" and inserting in lieu thereof the words "within the meaning of section 141 (d) of the Code (or, in the case of taxable years beginning prior to January 1, 1942, within the meaning of section 730 (d))".

PAR. 26. Section 33.40, as amended by Treasury Decision 5126, approved March 5, 1942, is further amended to read as follows:

§ 33.40 *Bad debts*—(a) *Deduction during consolidated return period.* No deduction shall be allowed during a consolidated return period to any member of the affiliated group on account of worthlessness in whole or in part of any obligation (including accounts receivable, bonds, notes, debts, and claims of whatsoever nature) of any other corporation which was a member of the group as of the last day of the taxable year or which was liquidated by the group during such year, except as a loss resulting from a bona fide termination of the business and operations of such other corporation, whether in liquidation or otherwise, in which case the loss will be computed subject to the adjustments specified in § 33.35, and the provisions of § 33.36 shall be applicable.

(b) *Limitation of allowance after consolidated return period.* With respect to obligations (including accounts receivable) of a member of an affiliated group acquired in any way by another member of the group prior to or during any taxable year subsequent to 1928 for which a consolidated income or excess profits tax return was filed, the adjustments prescribed with respect to the allowance of losses upon the sale of bonds shall be applicable to the allowance of any bad debt deduction for any period subsequent to the consolidated return period. (See § 33.35.)

PAR. 27. Section 33.42 is amended as follows:

(A) By inserting the following new paragraph heading immediately after the section heading:

(a) *Years beginning prior to January 1, 1942.*

(B) By inserting in the first subparagraph in paragraph (a) immediately after the words "consolidated return period" the following: "beginning prior to January 1, 1942".

(C) By inserting at the end thereof the following new paragraph:

(b) *Years beginning after December 31, 1941.* The provisions of sections 23 (g) and (k), 117 (d), (e), and (j), 122 (d), and 204 (c) (5), with respect to gains and losses from sales or exchanges of capital assets shall be applied, in respect of such gains and losses sustained during a consolidated return period beginning after December 31, 1941, as if the affiliated group were the taxpayer.

With respect to a net short-term capital loss sustained by a corporation in its last taxable year beginning in 1941, a year prior to the first consolidated return period in respect of which the income of such corporation is included in the consolidated return, such loss (in an amount not in excess of the net income of such corporation for such year or in excess of the net short-term capital gain of such corporation for the first consolidated return period) shall, for the purposes of section 117 (e), relating to net short-term capital loss carry-overs, be treated as if such net short-term capital loss had been sustained by the affiliated group.

With respect to a net capital loss sustained by a corporation in a taxable year beginning after December 31, 1941, a year prior to the first consolidated return period in respect of which its income is included in a consolidated return, such loss (in an amount not in excess of the net capital gain of such corporation for succeeding consolidated return periods) shall, for the purposes of section 117 (e), relating to net capital loss carry-overs, be treated as if such net capital loss had been sustained by the affiliated group.

A consolidated net capital loss of an affiliated group for a consolidated return period beginning after December 31, 1941, shall be considered as a consolidated short-term capital loss in subsequent consolidated return periods notwithstanding that one or more corporations, members of the group in the taxable year in which such loss was sustained, make separate returns for subsequent taxable years (or join in a consolidated return made by another affiliated group), but only to the extent that such consolidated net capital loss is not attributable to such corporations;

in the matter of the petition of District Board No. 6 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 6;

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 6; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 326.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 326.6 (*Numerical list of mines*) is amended by adding thereto Supplement R–II, and § 326.23 (*General prices; for shipment into all market areas*) is amended by adding thereto Supplement T which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: March 1, 1943.

[SEAL] DAN H. WHEELER, *Director.*

and such portion of such consolidated net capital gains, consolidated or separate, as the case may be.

(Sec. 141 of the Internal Revenue Code (53 Stat. 58), as amended by sec. 159 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

GUY T. HELVERING, *Commissioner of Internal Revenue.*

Approved: March 13, 1943:

JOHN L. SULLIVAN, *Acting Secretary of the Treasury.*

[F. R. Doc. 43-3969; Filed, March 13, 1943; 3:42 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Bituminous Coal Division

[Docket No. A 1878]

PART 326—MINIMUM PRICE SCHEDULE, DISTRICT NO. 6

ORDER GRANTING TEMPORARY RELIEF

Order granting temporary relief and conditionally providing for final relief

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 6

NOTE: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 326, Minimum Price Schedule for District No. 6 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 326.5 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Seam	Type	Shipping points in W. Va.	Railroad	Freight origin group Nos.	Price classifications by size group Nos.											
								1	2	3	4	5	6	7	8	9	10	11	12
210	West Virginia Fire Clay Manufacturing Co.	Ballantyne #2	No. 7	Strip	New Cumberland	PRR	30	E	E	E	E	E	E	E	E	E	E	.....	E

§ 326.6 *Numerical list of mines*—Supplement R–II

Refer to § 326.6 in Minimum Price Schedule for District No. 6. Add the following:

Mine index No.	Mine name	Code member	Freight origin group No.	Railroad
210	Ballantyne #2	West Virginia Fire Clay Manufacturing Co.	30	PRR.

Prices for Mine Index Numbers 7, 20, 24 and 26 shown in § 326.7 and 326.8, in Minimum Price Schedule No. 1 of the Schedule of Effective Minimum Prices apply to Mine Index Number 210.

FOR TRUCK SHIPMENTS

§ 326.23 *General prices; for shipment into all market areas*—Supplement T

PRICES IN CENTS PER NET TON FOR SHIPMENT INTO ALL MARKET AREAS

Code member	Mine	Mine Index No.	Type	Seam	Base sizes							
					6" lump	3" x 4" x 6" lump	2" lump	2" x 4" x 6", 2" x 5"-6", 2" x 6" lump, 1¼" x 6"	1¼" lump, 1¼" x 6"	Mine run nut and pea	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
West Virginia Fire Clay Manufacturing Co.	Ballantyne #2	210	Strip	No. 7	295	285	270	245	240	230	210	200

[F. R. Doc. 43-4085; Filed, March 16, 1943; 11:39 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6660; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S–206]

THOMAS C. SHINN

Thomas C. Shinn of Mount Holly, New Jersey, has appealed from the provisions of Suspension Order S–206, issued on the 5th day of January 1943. After a thorough review of the case it has been determined that Suspension Order S–206 should be modified so as to expire at an earlier date than now specified. In all other respects the appeal is denied.

In view of the foregoing, paragraph (c) of § 1010.206 *Suspension Order S–206*, issued January 5, 1943, is hereby amended to read as follows:

(c) This order shall take effect January 8, 1943 and shall expire on April 8, 1943, after which latter date it shall have no further force or effect.

Issued this 16th day of March 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-4095; Filed, March 16, 1943; 2:41 p. m.]

PART 982—MINES AND SMELTERS

[Preference Rating Order P–56, as Amended March 17, 1943]

MINES

Preference Rating Order P–56 (§ 982.1), as heretofore amended, is further amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account, and for export, of materials used in the operation of mines, and the following order is deemed necessary and appropriate in the public interest and to promote the defense of the United States:

§ 982.1 *Preference Rating Order P–56*—(a) *Definitions.* (1) "Producer" means a person operating any of the following enterprises:

(i) Any plant actually engaged in the extraction by surface, open-pit, or underground methods, or in the beneficiation, concentration, or preparation for shipment, of the products of mining activity;

(ii) Any plant wholly engaged in the processing and burning of refractories;

(iii) Any prospecting enterprise for the discovery or exploration of new or additional mining projects, including the construction of access roads.

(2) "District" means a mine supply control district of the Board of Economic Warfare.

(3) "Maintenance, repair and operating supplies" means material used for the following purposes in the conduct of any enterprise described in paragraph (a) (1):

(i) Minimum upkeep necessary to continue the working condition of essential property or equipment;

(ii) Restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service;

(iii) Where such material is essential to and consumed in such operation. The term does not include raw materials which enter into or form part of the finished product.

(4) "Priorities assistance" means any preference rating, allotment under the Controlled Materials Plan, or other form of authorization to acquire material, issued by or under authority of the War Production Board.

(b) *Purpose and scope.* The purpose of this order is to provide procedures for producers, as defined herein, to obtain maintenance, repair, and operating supplies and mining machinery and other material and equipment.

(c) *CMP Regulation No. 5 not applicable.* None of the provisions of CMP Regulation No. 5 shall apply to any producer, as defined herein, and no such producer shall obtain any material under said regulation.

(d) *Issuance of serial numbers.* Producers and districts may apply to the War Production Board for serial numbers. Such applications may be addressed to War Production Board, Washington, D. C., Reference: P56, or may (in the case of producers) be filed with the appropriate War Production Board Regional Office, Attention: Regional Technical Adviser, Mining Equipment Division, or with the appropriate State Coordinator of Mines. Serial numbers may be issued to producers and districts and may be denied or cancelled by the Director General for Operations in appropriate cases. In taking such action and in assigning priorities assistance, the Director General will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of critical material involved, the importance to national defense of competing demands for such material, and competing demands for manpower.

(e) *Priorities assistance for producers with serial numbers.* Producers holding serial numbers may apply for priorities assistance as follows:

(1) For maintenance, repair and operating supplies, by filing the appropriate form in the PD–400 series.

(2) For mining machinery and other material and equipment, by submitting to the War Production Board a written

application describing the machinery or equipment needed, the reasons why such machinery or equipment is essential for the proper operation of the producer's plant, and such other or further information as may from time to time be required, and shall also file such forms and supply such information as may be required by the provisions of any other order with respect to any particular type of equipment.

(f) *Priorities assistance for certain foreign producers.* To enable a producer not holding a serial number hereunder and located outside the United States and within the jurisdiction of a district, to obtain priorities assistance, the following procedure is established:

(1) For maintenance, repair, and operating supples, a district may apply for priorities assistance by filing the appropriate form in the PD–400 series, and the Director General will grant such priorities assistance as he deems appropriate. A producer not holding a serial number and located in a district may apply for priorities assistance by submitting to such district his purchase orders for maintenance, repair or operating supplies, together with such information as the applicant may deem relevant in support of his application and such information as may be required by the district. Within the limits of the priorities assistance granted to it pursuant to this paragraph (f) (1), such district may authenticate any such purchase order for maintenance, repair or operating supplies by indicating the appropriate priorities assistance and countersigning the purchase order as follows:

Approved:

_____
Name of district.

_____
Signature of authorized official.

(2) For mining machinery and other material and equipment, a producer not holding a serial number and located within a district, may submit to the War Production Board a written application containing the information described in paragraph (e) (2), which must be endorsed with the signed approval of the district within which he is located.

(3) A distributor of maintenance, repair or operating supplies or of other mining machinery or equipment, located outside the United States and within the jurisdiction of a district may apply for priorities assistance in the same manner as prescribed in paragraphs (f) (1) and (f) (2) for producers not holding serial numbers and located within the jurisdiction of a district. A distributor shall not dispose of material so acquired except upon written approval of the district.

(g) *Priorities assistance in other cases.* A preference rating of A–2 is hereby assigned to deliveries of maintenance, repair, and operating supplies to all producers not holding serial numbers or otherwise specifically provided for in this order. Such producers may apply for priorities assistance for mining machinery or equipment, or for further priorities assistance for maintenance, repair, or operating supplies, by submitting to the War Production Board a written application containing the information described in paragraph (e) (2).

(h) *Restrictions on use of priorities assistance.* Notwithstanding the provisions of any other order or regulation of the War Production Board, no producer shall acquire any mining machinery or equipment, or maintenance, repair, or operating supplies through use of a preference rating or other form of priorities assistance assigned otherwise than pursuant to this order or an order in the P–19 series.

(i) *Application and extension of priorities assistance.* Preference ratings assigned and allotments of controlled materials made pursuant to this order shall be applied, extended or made in accordance with the terms of Priorities Regulation No. 3, CMP Regulation No. 1, or other relevant War Production Board regulation. A producer in making use of any such priorities assistance, shall endorse on his contract or purchase order "P–56, Serial number _____," inserting in the blank his serial number hereunder, if any. The use of such endorsement by a producer shall constitute a representation, subject to the criminal penalties for misrepresentation contained in section 35A of the Criminal Code (18 U. S. C. 80), that the item ordered will be used for the purpose for which priorities assistance was granted to acquire it.

(j) *Restrictions on receipts and inventory.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation No. 2, receipts and inventories of producers shall be subject to the following restrictions only: No producer shall receive any delivery of material which will increase his inventory to an amount greater than the minimum necessary to sustain his current level of operations, and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(k) *Restrictions on use and resale of material.* No person shall use any material obtained pursuant to this order for any purpose other than that for which priorities assistance was granted to acquire it; and no person shall resell any such material except:

(1) To a producer holding a serial number hereunder, or

(2) With the approval of the Mining Equipment Division, or

(3) If he is located outside the United States and within a district, with the written approval of such district.

(l) *Records, audits, and reports.* Each producer and each distributor shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order, and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each producer and each distributor shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board may from time to time require.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to War Production Board, Washington, D. C., Reference: P–56.

Issued this 17th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–4141; Filed, March 17, 1943; 11:44 a. m.]

PART 1172—ASBESTOS TEXTILES

[Conservation Order M–283 as Amended March 17, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of asbestos textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1172.3 *Conservation Order M–283*—(a) *Definitions.* For the purposes of this order:

(1) "Asbestos textiles" means any material initially produced from the mineral asbestos by means of a carding operation and includes all such material in the following forms subsequent to the carding operation:

[NOTE: Items pertaining to wicks were deleted March 17, 1943]

Carded fiber
Plain roving (underwriter's and commercial)
Plain roving (above underwriter's grade)
Reinforced roving
Cable filler
Lapps
Yarn—single
Yarn—plied
Yarn—metallic
Cloth—1¼ pounds per square yard and lighter, all weaves
Cloth—heavier than 1¼ pounds per square yard, non-metallic, plain weave
Cloth—heavier than 1¼ pounds per square yard, metallic, plain weave
Cloth—all weights, metallic and non-metallic other than plain weave
Tape—.010 to .025" thick
Tape—1/32" thick and up
Cord—Plain or treated
Tubing—woven or braided

(2) "Supplier" means any person who produces asbestos textiles from the mineral asbestos by means of a carding operation.

(3) "Consumer" means any person who purchases or accepts delivery of asbestos textiles from a supplier for resale, or for use in the manufacture of other forms of asbestos textiles or of articles made in whole or in part of asbestos textiles, or for any other use. A supplier, who uses asbestos textiles which he has produced in the manufacture of any product which is not itself an asbestos textile as defined in paragraph (a) (1), shall be deemed also to be a consumer.

(b) *Restrictions on use and delivery of asbestos textiles.* (1) On and after April 1, 1943, no supplier shall deliver asbestos textiles, and no person shall accept delivery of asbestos textiles from a supplier, except upon specific authorization by the Director General for Operations upon application pursuant to paragraph (d) or except as provided in paragraph (c).

(2) Each person specifically authorized to accept delivery of asbestos textiles shall use such asbestos textiles for the purpose for which the authorization was requested, except as otherwise directed by the Director General for Operations.

(3) The Director General for Operations at his discretion may at any time issue special directions to any person with respect to the use, process to final product, delivery, acceptance of delivery, or placing of orders, of asbestos textiles by such person, notwithstanding the provision of paragraph (c) hereof, or special directions to any supplier with respect to the kinds of asbestos textiles which he may or must manufacture, and the grades and types of asbestos fiber which he may or must use in the production of asbestos textiles.

(4) Such authorizations and directions will be made to ensure the satisfaction of requirements, direct and indirect, for the defense of the United States and for essential civilian supply; and may also be made in consideration of any possible dislocation of labor, of the problems of transportation, including cross-hauling, and of the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential requirements; and may be issued, and, unless otherwise specified by the Director General for Operations, shall be complied with, without regard to preference ratings.

(c) *Small order exemption.* (1) Any person may accept delivery of 100 pounds or less of asbestos textiles in the aggregate during any one calendar month without specific authorization, provided that such person has not been specifically authorized to accept delivery of any quantity of asbestos textiles during such month; and

(2) Any supplier may deliver asbestos textiles without specific authorization to any person who shall certify to him in writing that he is entitled, pursuant to paragraph (c) (1), to accept delivery, provided that:

(i) No supplier shall deliver in the aggregate in any calendar month, pursuant to this paragraph (c), an amount in excess of 5 per cent by weight of his actual shipments of asbestos textiles for the preceding month;

(ii) No supplier shall make deliveries during any calendar month, pursuant to this paragraph (c), if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month;

(iii) Such certification shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7 and shall be in substantially the following form:

The undersigned hereby certifies pursuant to War Production Board Order M–283 that the requested delivery of asbestos textiles plus other deliveries of asbestos textiles heretofore accepted during the month for which delivery is requested does not exceed 100 pounds in the aggregate; and that the undersigned has not been specifically authorized by the War Production Board to accept delivery of any quantity of asbestos textiles during the month for which delivery is requested.

Dated_____

By_____
Authorized Official

(iv) No supplier shall make deliveries, even against such certification, if he knows or has reason to believe that the certification is false; but in the absence of such knowledge or reason to believe, he may rely on such certification.

(3) For the purpose of this paragraph (c), the 100 pounds exemption for each person shall be deemed to extend only to an individual, partnership, association, business trust, corporation, governmental corporation or agency, or other business organization as a unit, and shall not be deemed to extend to each division, plant, store, or purchasing agency of such unit.

(d) *Applications and reports* — (1) *Consumers.* Each consumer seeking authorization to accept delivery of asbestos textiles during any calendar month shall file application on Form PD–779. Six copies shall be prepared, of which three (with table II left blank) shall be forwarded, not later than the 1st day of the month preceding the month for which authorization for delivery is requested, to the supplier with whom the order or orders described in such application are placed, and two (with table II filled out) shall be sent, not later than the 10th day of the month preceding the month for which authorization for delivery is requested, to the War Production Board. A separate set of forms shall be prepared for each plant location of the applicant and for each supplier from whom the delivery of asbestos textiles is sought.

(2) *Suppliers.* Suppliers shall seek authorization to deliver asbestos textiles only to consumers who have filed with them Form PD–779 in triplicate. Each supplier seeking authorization to make such deliveries to any consumer during any calendar month shall fill out all three copies of Form PD–779 received from such consumer, indicating thereon his proposed deliveries during such month to such consumer, and shall file two of such copies with the War Production Board on or before the 15th day of the month preceding the month for which delivery is requested by the consumer.

(3) *Other reports.* All persons affected by this order shall file such other reports as may be requested from time to time by the Director General for Operations.

(e) *Special provisions.* (1) Each supplier who consumes all or part of his production of asbestos textiles in the manufacture of any product which is not itself an asbestos textile, as defined in paragraph (a) (1), shall treat the production and consumption parts of his operations as separate divisions, and delivery to himself for consumption shall be deemed delivery, requiring authorization within the meaning of paragraph (b) (1). Each such supplier in his separate capacity as a consumer and as a supplier shall file all the applications and reports required by paragraphs (d) (1) and (d) (2). A supplier who consumes all or any part of his production of asbestos textiles in the manufacture of products which are not asbestos textiles as defined in subparagraph (a) (1) must request allocation only for that type of asbestos textile that immediately precedes the manufacturing process which changes its form beyond that shown in the list of asbestos textiles in paragraph (a) (1).

(2) Each supplier shall notify the War Production Board of the cancellation by a consumer of any authorized delivery or of his own inability to make authorized delivery within 5 days after he has notice of such fact.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork-Asbestos and Fibrous Glass Division, Washington, D. C. Ref: M–283.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under pri-

ority control and may be deprived of priorities assistance.

Issued this 17th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4142; Filed, March 17, 1943; 11:44 a. m.]

PART 3192—SPECIALTY PAPERS

[General Conservation Order M-286]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of specialty papers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3192.1 *General Conservation Order M-286*—(a) *Definitions.* For the purpose of this order:

(1) "Manufacturer" means any person engaged in the business of manufacturing any grade or type of paper listed in column 2 on List A.

(2) "Distributor" means any person engaged in the business of buying for resale or of ordering for the account of others any grade or type of paper listed in column 2 on List A.

(3) "Prohibited use" means, with respect to each grade or type of paper listed in column 2 on List A, the uses described for such grade or type of paper in column 3 on List A.

(4) "Grade or type of paper" designated in column 2 on List A includes all the sorts and varieties of paper commonly regarded by the trade as included within such designation.

(b) *Manufacturers' and distributors' obligation to examine orders.* From and after the respective dates shown in column 1 on List A for the various types of paper and uses listed in columns 2 and 3:

(1) No manufacturer or distributor shall accept any order for any grade or type of paper listed in column 2, or sell or deliver any such paper, if, by virtue of the identity of the person placing the order or the nature of his business (so far as known to the manufacturer or distributor) or the specifications of the order, or otherwise, the manufacturer or distributor knows or has reason to know that such paper will be used for any prohibited use, as specified for such paper in column 3.

(c) *Limitation on use of papers shown in column 2 on List A.* From and after the respective dates shown in column 1 on List A for the various types of paper and uses shown in columns 2 and 3 no person who accepts delivery of any grade or type of paper shown in column 2 shall use the same for any prohibited use, as specified for such grade or type of paper in column 3.

(d) *Exceptions.* (1) Notwithstanding the provisions of paragraphs (b) and (c) of this order any manufacturer or distributor may deliver, and any person may use, any quantity of any type or grade of paper shown in column 2 on List A (unless restricted in the use thereof by virtue of some other order of the War Production Board) for any use required by any contract with or order from the Army or Navy of the United States or any other agency or government referred to in (b) (1) and (2) of § 944.1 of Priorities Regulation No. 1, as amended.

(2) In case of doubt as to whether a particular use falls within the uses prohibited by the descriptions in column 3 on List A, any manufacturer, distributor or user may apply (by letter in triplicate) to the Director General for Operations for a specific ruling. The Director General for Operations may, either in response to such request or on his own motion, by letter or telegram addressed to a particular manufacturer, distributor or user, issue specific rulings determining whether or not a particular use or particular uses of a particular grade or type of paper are included within the prohibited uses for such grade or type.

(3) In case of doubt as to whether any particular paper is included by a particular designation, any manufacturer, distributor or user affected by this order may apply to the Director General for Operations for a specific ruling, by letter in triplicate, describing such paper in detail, the common designation thereof or of similar papers in the trade, the general uses for which such paper is designed or commonly used, and enclosing a sample of such paper. The Director General for Operations may, either in response to such request or on his own motion, by letter or telegram to a particular manufacturer, distributor or user, issue specific rulings determining which designation applies to any particular paper or papers or whether or not a particular paper or papers are included in any designation on List A.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(g) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on the same if required.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed be addressed to: War Production Board, Pulp and Paper Division, Washington, D. C., Ref: M-286.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

1 Effective date	2 Grade or type of paper	3 Prohibited uses
Mar. 19, 1943	Glassine and greaseproof, also vegetable parchment.	For wrapping or packaging at the point of manufacture or assembly, the following products: Textile and textile products woven or knitted except when oil impregnated or when sterilized in the package. Paper and paper products printed or unprinted except when impregnated. Metals and metal products except when oiled, greased or otherwise coated with a like substance except when sterilized in the package. Wood and wood products except when sterilized in the package. Candles and wax products. Cosmetics, dentifrices, toilet materials and soap, except when laminated to the body of a container for powdered cosmetics, dentifrices, toilet materials or soap. Laundry and dry cleaned products. Rubber and rubber goods except when sterilized in the package. Leather goods and supplies. Plastics and plastic products except when sterilized in the package. Playing cards. Bottled and canned goods. Candy and confectionery products when used as a container over wrap of a container liner in contact with, or in addition to, any other grease proof paper wrapper, or in contact with, or in addition to, any wrapper of cellophane or other transparent cellulosic materials derived from cellulose. In the manufacture of or for wrapping or packaging, at the point of manufacture or assembly, the following products: Greeting cards, valentines and novelties. Lamp shades. Advertising displays. Florist supplies. Package gift wraps. Decorative novelties, toys, favors, hair nets, beauty aids, brushes and other toilet preparations.

[F. R. Doc. 43-4143; Filed, March 17 1943; 11:44 a. m.]

PART 3210—WASTE MANILA ROPE

[General Conservation Order M-294]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of waste manila rope for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3210.1 *General Conservation Order M-294*—(a) *Definitions.* For the purpose of this order:

(1) "Waste manila rope" means used manila rope, which is acquired for any purpose whatsoever excepting only that which is acquired for reuse as rope. The material resulting from any shredding, parting or other type of separation of the strands or fibres of used manila rope shall be deemed to be "waste manila rope".

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation, or agency or any organized group of persons whether incorporated or not.

(3) "Dealer" means any person who procures waste manila rope for storage or sale, and includes selling agents, and other commercially recognized agents acting for their own account or for others.

(4) "Permitted use" means with respect to each grade or type of paper designated on List A, the uses described for such paper on List A.

(b) *Limitations on use of waste manila rope.* (1) From and after March 19, 1943, no person shall use waste manila rope as a raw material in the manufacture of any product or products other than in the manufacture of rope or in the manufacture of paper.

(2) From and after March 19, 1943, no person shall use waste manila rope in the manufacture of any grade or type of paper other than the grades and types of paper shown on List A.

(c) *Limitation on use of grades and types of paper shown on List A.* From and after March 19, 1943, no person who accepts delivery of any quantity of any grade or type of paper shown on List A in which waste manila rope is used as a raw material shall use the same for any purpose or use other than the permitted uses for such grade or type of paper shown on List A.

(d) *Limitations on use of waste manila rope in the manufacture of flour and cereal sack papers.* (1) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks to an extent in excess of 35% of the total fibre content of such paper; provided, however, that the amount of waste manila rope used by him in the manufacture of such paper during any one month shall not exceed 35% of the amount used by him in the manufacture of such paper during the month of December 1942.

(2) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks on and after June 1, 1943.

(e) *Obligation to examine and refuse certain orders and serve notice with deliveries.* From and after March 19, 1943:

(1) No person using waste manila rope in the manufacture of the grades and types of paper shown on List A shall sell or deliver any such paper which he knows or has reason to know will be used for any purpose or use other than a permitted use.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(h) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales.

(i) *Communications.* All reports required to be filed hereunder, all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed be addressed to War Production Board, Pulp and Paper Division, Washington, D. C., Ref: M-294.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

Grade or type of paper	*Permitted use*
Insulating papers	In the manufacture of insulation for communication wiring and cables and for electrical wiring and cables.
Gasket base papers	In the manufacture of gaskets.
Artificial leather base papers.	In the manufacture of artificial leather for delivery to shoe manufacturers.
Flour or cereal products sack papers.	For use in the manufacture of flour or cereal products sack papers for quantities of flour of 25 pounds or more.
Tag papers	In the manufacture of casualty tags, shipping tags, and identification tags for delivery to the Armed Forces.
Any grade or type of paper which cannot be satisfactorily produced from other fibres provided that the use of waste manila rope in the manufacture of such paper is specifically approved by the Director General for Operations.	For delivery to the Armed Forces or for use in the manufacture of material or equipment for delivery to the Armed Forces.

[F. R. Doc. 43-4144; Filed, March 17, 1943; 11:44 a. m.]

Chapter XI—Office of Price Administration

PART 1300—ADMINISTRATION

[Rev. Procedural Reg. 1,[1] Amendment 1]

PROCEDURE FOR THE ISSUANCE, ADJUSTMENT, AMENDMENT, PROTEST AND INTERPRETATION OF MAXIMUM PRICE REGULATIONS

Section 1300.52 (b) is amended to read as follows:

§ 1300.52 *Requirements governing interpretations.* * * *

(b) *Interpretation to be written; authorized officials.* Official interpretations shall be given only in writing, signed by one of the following officers of the Office of Price Administration: the Price Administrator, the General Counsel, any Associate or Assistant General Counsel, any Regional Attorney, any Regional Price Attorney, any State Attorney or State Price Attorney, any Chief Attorney or Chief Price Attorney for a District Office, and any Chief Counsel of a Price Legal Branch of the National Office: *Provided*, That interpretations of general application shall be announced only by the Price Administrator, the General Counsel, any Associate or Assistant General Counsel, or any Regional Attorney. The Price Administrator or the General Counsel may also delegate to the Director and General Counsel of the Bituminous Coal Division of the United States Department of the Interior authority to sign or announce official interpretations of designated regulations.

* * * * * *

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4096; Filed, March 16, 1943; 3:01 p. m.]

[1] 7 F.R. 8961.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 16]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

1. Section 1315.503 (c) is amended as follows:

Total allowed mileage	Kind of tire	Kind of tube
240 miles per month, or less	Grade III	New or used at applicant's option.
241 to 360 miles per month	Grade II or Grade III tire at applicant's option.	New or used at applicant's option.
361 miles per month or over	Grade I, Grade II or Grade III tire at applicant's option.	New or used at applicant's option.
For fleet passenger automobiles or official passenger automobiles for which interchangeable gasoline ration books have been currently issued.	Grade III tire; if applicant establishes that the particular vehicle will be operated for the requisite number of miles (241 or 361) per month, then a Grade II or Grade I tire.	New or used at applicant's option.

The following limitations are applicable in determining the grade of tire that may be acquired on the basis of allowed mileage under the above table: Mileage allowed on a special ration shall not be included in the allowed mileage; and no certificate for a tire may be granted if the tire to be replaced can be recapped, except under the circumstances set forth in paragraph (d) of this section.

2. In § 1315.503 (d) (3) the list of tire sizes is amended as follows:

4.50–17	4.50–19
4.75–17	4.75–19
5.00–17	5.00–19
5.25–17	4.75/5.00–19
5.50–17	5.25–19
5.25/5.50–17	5.50–19
6.00–17	5.25/5.50–19
5.50/6.00–17	6.00–19
6.50–17	6.50–19
6.00/6.50–17	6.00/6.50–19
7.00–17	7.00–19
7.50–17	7.50–19
3.30–18	7.00/7.50–19
3.50–18	3.30–20
3.75–18	3.85–20
3.85–18	4.40–20
4.00–18	4.50–20
4.40–18	4.75–20
4.50–18	5.00–20
4.75–18	4.50/4.75/5.00–20
5.00–18	5.25–20
5.25–18	5.00/5.25–20
5.50–18	5.50–20
5.25/5.50–18	5.25/5.50–20
6.00–18	6.00–20
6.50–18	6.50–20
6.00/6.50–18	6.00/6.50–20
7.00–18	7.00–20
7.50–18	7.50–20
7.00/7.50–18	4.40–21
4.00–19	4.50–21
4.40/4.50–19	4.40/4.50–21
4.75–21	30x3½
4.40/4.50/4.75–21	32x3½
5.00–21	31x4
5.25–21	32x4
5.00/5.25–21	33x4
5.50–21	34x4
6.00–21	32x4½
6.50–21	33x4½
7.00–21	34x4½
5.00–22	35x4½
6.00–22	36x4½
4.40–23	33x5
6.00–23	34x5
7.50–14	35x5
28x3	37x5
30x3	35x6

(c) *Eligibility determined on basis of adjusted ration.* When the Board has adjusted an applicant's mileage requirements pursuant to paragraphs (a) and (b) of this section, it shall determine the applicant's eligibility for a tire or tube on the basis of such adjusted mileage, and act on the basis of his former allowed gasoline mileage, in accordance with the following table:

This amendment shall become effective April 1, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 10, 7 F.R. 9121)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4118; Filed, March 16, 1943; 3:29 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] as Amended, Amendment 70]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1390.25 (c) (21) is amended to read as follows:

(21) *Automotive and lead acid storage batteries and parts*—(i) *Automotive batteries.* Notwithstanding any contrary provisions of this regulation, the maximum price applicable to the sale by any person subject to this regulation of any automotive storage battery or part shall be the higher of the following:

(*a*) The net price determined in accordance with the applicable provisions of §§ 1390.5, 1390.7, or 1390.10, plus an amount not exceeding one cent for each pound, or major fraction of a pound, of lead contained in such battery or part; or

(*b*) The net price determined in accordance with the applicable provisions of §§ 1390.5, 1390.7, or 1390.10, but substituting in such sections the date February 1, 1942 for the date October 1, 1941.

(ii) *Other lead acid batteries.* Notwithstanding any contrary provisions of this regulation, the maximum price applicable to the sale by any person subject to this regulation of any lead acid storage battery or part, other than an automotive storage battery or part, shall be the net price determined in accordance with the applicable provisions of §§ 1390.5, 1390.7, or 1390.10, plus an amount not exceeding one cent a pound, or major fraction of a pound, of lead contained in such battery or part: *Provided*, That the price so determined shall in no event exceed the highest price charged for such battery or part during the month of March 1942.

(iii) *Reports.* Every person subject to this regulation who sells automotive or any other type of lead acid, storage batteries or parts shall, on or before April 30, 1943, file with the Office of Price Administration, Washington, D. C., all his published and confidential price and discount sheets containing maximum prices permitted by paragraphs (a) and (b) of this section. Any such person whose maximum prices are not affected by this section and who has heretofore filed all his published or confidential price and discount sheets, shall, on or before April 30, 1943, file with the Office of Price Administration, Washington, D. C., a statement identifying the price and discount sheets which he has in effect on the date of filing such statement.

This amendment shall become effective March 22, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March, 1943.

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-4097; Filed, March 16, 1943; 3:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10036; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719.

[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 36]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. § 1394.8206a (a) a new sentence is added to read as follows:

(a) * * * In addition, a licensed distributor may open an account in connection with the operation of any accounting office maintained by him.

2. Section 1394.8206b (a) (5) is added to read as follows:

(5) Any coupons or other evidences (including checks) in an account maintained outside of the state in which such coupons or other evidences were received, unless

(i) Permission has been granted pursuant to the provisions of § 1394.8206a (a) to do business in such state without maintaining an account there, or

(ii) The item for deposit is a check issued pursuant to the provisions of § 1394.8206c (d).

3. Section 1394.8206c (d) is amended by deleting the phrase "in the same state."

This amendment shall become effective March 22, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4115; Filed, March 16, 1943; 3:02 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17,[1] Amendment 4]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.11 (c) and (d) are added to read as follows:

(c) Any person or establishment entitled to transfer shoes which have been damaged by fire, water, steam, or a similar accidental cause to the extent that they cannot reasonably be sold for ration currency may be authorized by the District Office to mark them non-rationed. Application for the authority shall be made by letter, giving all facts available to show the time, place, manner, and extent of the damage. If the applicant is an establishment, the application shall be made to the District Office for the area where the establishment is located; otherwise, to the District Office for the area where the damaged shoes are located. The applicant shall be required to furnish two copies of a list of the shoes to be marked non-rationed prepared as directed by the District Office. The approval of the application shall be in writing, and one copy of the approval shall be retained by the applicant.

(d) Shoes permitted to be marked non-rationed on the authority of the above paragraph shall be marked with the word "non-rationed" and a code number to be assigned by the District Office. The mark shall be written or stamped on one shoe of each pair or on a sticker affixed to the shoe, before the shoes are transferred.

2. Sec. 2.20 is added to read as follows:

SEC. 2.20 *Owner reports closing of business.* The owner of an establishment which closes its business and disposes of its stock of shoes in a manner other than as permitted under Sec. 3.7 shall within five days report that fact to the District Office and furnish a statement of the amount of ration currency, if any, owed to or by the establishment, with the name and address of each person or establishment to or from whom the ration currency is due. He shall also surrender to the District Office, with the report, all ration currency on hand, including a certified ration check drawn to the account of the Office of Price Administration for the net balance of its shoe ration bank account. Any ration currency owed to the establishment by another shall thereafter be deemed to be owed to the District Office. However, the District Office may require the owner of the establishment to collect all ration currency owed to it and pay all ration currency it owes to other persons or establishments.

3. Sec. 3.2 (d) is amended to read as follows:

(d) A transfer of the shoes by any person included in paragraph (c) of this section may be made without the surrender of ration currency to another person so included, or to the owner, or to the person from whose lawful custody the shoes were taken. All other transfers of the shoes (if new) must be made in exchange for ration currency, except as otherwise permitted under Sec. 2.11 for non-rationed shoes. Any ration currency so received must be surrendered to a District Office within five days.

This amendment shall become effective March 18, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4099; Filed, March 16, 1943; 3:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 10,[1] Amendment 7]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. Section 1407.623 (a) (1) and (2) is added to read as follows:

(1) Wheat flour
(2) Corn meal

2. Section 1407.662 (a) is restored as to wheat flour and corn meal and amended. Subparagraph (1) is added, as follows:

(a) On and after August 26, 1942, or the effective date of any amendment, with respect to any commodity made subject to Ration Order 10 by such amendment, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a distributor or other person may transfer a rationed commodity to a consumer, and a consumer may accept such transfer of a rationed commodity, only under the following conditions:

(1) At the time of transfer the transferor shall require presentation of a valid war ration book or certificate issued to the transferee or a person on whose behalf he is acting and shall detach from such war ration book stamps designated for the particular commodity and for the period in which the transfer is made, or shall require surrender of a valid certificate, having a weight value equal to the quantity of the rationed commodity transferred.

3. Section 1407.669 (a) is amended as follows:

(a) In event of a public disaster or similar emergency, or where necessary to alleviate hardship or suffering the Director may authorize the transfer of a rationed commodity to be made without the surrender of certificates or stamps, or may issue certificates in such amounts as he may deem necessary under the circumstances to provide for the public health and safety, and to secure the efficient rationing of such commodity or commodities in the Virgin Islands.

4. In § 1407.687 items 11, 12, 13 and 14 are added to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9105, 9787, 10147, 10016, 10110, 10338, 10700, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1382, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720.

[1] 8 F.R. 1749, 2040, 2487, 2943.

[1] 7 F.R. 6887, 8523, 8607, 10707, 1394.

Ration period		Stamp valid during ration period	Weight value of stamp
No. 11	February 22 to February 28, 1943	Book One, stamp 12 Book One, stamp 26	1 lb. Wheat flour. 3 lb. Corn meal.
No. 12	March 1 to March 7, 1943	Book One, stamp 13 Book One, stamp 25	1 lb. Wheat flour. 3 lb. Corn meal.
No. 13	March 8 to March 14, 1943	Book One, stamp 14 Book One, stamp 24	1 lb. Wheat flour. 3 lb. Corn meal.
No. 14	March 15 to March 21, 1943	Book One, stamp 15 Book One, stamp 23	1 lb. Wheat flour. 3 lb. Corn meal.

5. Section 1407.704 (a) is amended to read as follows:

(a) For computing the amount of the ration of a person for institutional use, pursuant to § 407.703, the allowance per person served shall be as follows:

Rationed commodity:	*Allowance per person*
Wheat flour	4 pounds per month.
Corn meal	12 pounds per month.

6. Section 1407.763 (a) is amended to read as follows:

(a) Every primary distributor, intermediate distributor, and retailer of any commodity which is subject to this Ration Order 10 shall on the first Monday following registration and weekly thereafter submit a report to the director, or his designated representative for the area in which the establishment is located, on a form approved by the director. Such report shall state, for each commodity, the quantity on hand at the beginning of the week, the quantity received, and the quantity transferred during the week preceding such report, the quantity on hand at the expiration of the week, and any additional information required by the Director. A separate report shall be made for each establishment. Such report shall include transfers to and from other establishments owned by the same person.

This amendment shall become effective February 22, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1 Supp. Dir. 1–J, O.P.A. Administrative Order 19; 7 F.R. 562, 7 F.R. 5043, 5148)

Issued this 20th day of February 1943.

JACOB A. ROBLES,
Director of the Office of Price Administration for the Virgin Islands.

[F R Doc 43–4104; Filed, March 16, 1943; 3:00 p. m.]

PART 1429—POULTRY AND EGGS

[Rev. MPR 269,[1] Amendment 6]

POULTRY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2289.

A new paragraph (e) is added to § 1429.2; §§ 1429.19, 1429.21, and 1429.22 are amended, and §§ 1429.23, 1429.24, 1429.26 and 1429.27 are revoked; all to read as set forth below.

§ 1429.2 *Exempt sales.* • • •

(e) All sales and purchases of pigeons, squabs, guineas, quail, and pheasants.

§ 1429.19 *Maximum base prices for poultry items.* (a) Every place in the United States shall have its own maximum base price for the poultry items listed in Table A of this section. The word "place" means any city, town, village, or hamlet in the United States.

(b) The United States shall be divided into an "Eastern Zone" and a "Western Zone" for the purpose of calculating maximum base prices for poultry items.

(1) All of the United States east of the line running south from the Canadian border along the eastern shore of Lake Michigan, the Illinois-Indiana State Line, the Illinois-Kentucky State Line, and then south along the eastern bank of the Mississippi River to the Gulf of Mexico, shall constitute the "Eastern Zone".

(2) All of the United States west of the above line shall constitute the "Western Zone".

(c) *Maximum base prices for poultry items, excluding duck items.* (1) The maximum base price for any poultry item, excluding duck items, purchased, sold, or delivered at any place in the "Eastern Zone" of the United States shall be calculated by taking the maximum base price for such poultry item in Chicago as set forth in Table A of this section, and adding thereto the "freight rate" from Chicago to such particular place.

"Freight rate" means the lowest carlot railroad freight rate for dressed poultry multiplied by 1.22.

(2) The maximum base price for any poultry item, excluding duck items, purchased, sold, or delivered at any place in the "Western Zone" of the United States shall be calculated as follows:

(i) The "freight rate" from the place to each of the five basing point cities of New York, Los Angeles, San Francisco, Seattle, and Portland, Oregon, shall be subtracted from the respective maximum base prices in each of these five cities for the poultry item as set forth below in Table A of this section, and the highest price so obtained shall be the maximum base price for the poultry item at such place.

Example: To determine the maximum base price for a Grade A dressed young turkey of less than 16 pounds in Denver, Colorado, subtract the following "freight rates" from the following maximum base prices:

	New York	San Francisco and Los Angeles	Portland and Seattle
Maximum base price	40.00¢	39.00¢	39.18¢
"Freight rate" from Denver to	2.26¢	1.38¢	1.52¢
Difference	37.74¢	37.62¢	37.28¢

The highest price is obtained by subtracting the Denver to New York "freight rate" from the New York maximum base price for a Grade A dressed young turkey of less than 16 pounds, and 37.74¢ per pound is the maximum base price for such turkey item in Denver, Colorado.

(d) *Maximum base prices for live duck items.* (1) The maximum base price for any live duck item purchased, sold, or delivered at any place in the United States shall be 27¢ per pound.

(e) *Maximum base prices for "kosher-killed" and "kosher-dressed-and-plucked" duck items.* (1) The maximum base price for any "kosher-killed" duck item purchased, sold, or delivered at any place in the United States shall be 28¢ per pound.

(2) The maximum base price for any "kosher-dressed-and-plucked" duck item purchased, sold, or delivered at any place in the United States shall be 30¢ per pound.

(f) *Maximum base prices for dressed, drawn, and quick-frozen eviscerated duck items.* (1) The maximum base price for any dressed, drawn, or quick-frozen eviscerated duck item purchased, sold, or delivered at any place in the "Eastern Zone" of the United States shall be calculated by taking the maximum base price for such duck item in New York as set forth below in Table A of this section, and adding thereto the "freight rate" from New York to such particular place.

(2) The maximum base price for any dressed, drawn, or quick-frozen eviscerated duck item purchased, sold, or delivered at any place in the "Western Zone" of the United States shall be calculated as follows:

(i) The "freight rate" from any place in the "Western Zone" of the United States to each of the six basing point cities of Chicago, New Orleans, Los Angeles, San Francisco, Seattle, and Portland, Oregon, shall be subtracted from the respective maximum base prices in each of these six cities for the duck item as set forth in Table A of this section, and the highest price so obtained shall be the maximum base price for the duck item at such place.

(g) The following exceptions are made to paragraphs (c), (d), (e) and (f) immediately above:

(1) The maximum base prices for each poultry item purchased, sold, or delivered in the cities of San Diego, California, Phoenix, Arizona, and Tucson, Arizona, shall be the same as those listed below in Table A of this section for Los Angeles.

(2) The maximum base prices for each poultry item purchased, sold, or delivered at all places in the State of Oregon west of Portland shall be the same as those listed below in Table A of this section for Portland.

(3) The maximum base prices for each poultry item purchased, sold, or delivered at all places in the State of Washington west of the eastern boundaries of the counties of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Skamania shall be the same as those listed below in Table A of this section for Seattle.

(h) *Maximum base prices for poultry items in the basing point cities.*—(1) *Table A.* The "Eastern Zone" basing point city for all poultry items designated below, excluding duck items, is Chicago. The "Western Zone" basing point cities for all poultry items designated below, excluding duck items, are New York, Los Angeles, San Francisco, Seattle, and Portland, Oregon. The "Eastern Zone" basing point city for all dressed, drawn, and quick-frozen eviscerated duck items designated below is New York. The "Western Zone" basing point cities for all dressed, drawn, and quick-frozen eviscerated duck items designated below are Chicago, New Orleans, Los Angeles, San Francisco, Seattle, and Portland, Oreg.

The following maximum base prices are for poultry items as designated below delivered to the buyer's customary receiving point at the basing point cities listed immediately below:

(i) *Grade "A" poultry items.*

TABLE A

Food products				Eastern zone basing-point city						Western zone basing-point cities											
				Chicago						New York						Pacific coast—Los Angeles, San Francisco, Seattle, and Portland					
Type	Weight			Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen, eviscerated	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen, eviscerated	Live	Dressed	Kosher-killed	Kosher-dressed, not plucked	Drawn	Quick-frozen, eviscerated
	Live weight	Kosher-killed, Kosher-dressed, and dressed weight	Quick-frozen, eviscerated, and drawn weight																		
Broilers	Under 3	Under 2¼	Under 1¾	27.0	31.0	32.0	33.0	47.5	51.5	28.0	32.0	33.0	34.0	48.5	52.5	28.5	32.5	33.5	34.5	49.0	53.0
Fryers	3 to 4	2¼ to 3¼	1¾ to 2½	28.5	32.5	33.5	34.5	48.0	52.0	29.5	33.5	34.5	35.5	49.0	53.0	30.0	34.0	35.0	36.0	49.5	53.5
Roasters:																					
Light	4 to 5½	3¼ to 5¼	2½ to 3¾	31.5	35.5	36.5	37.5	50.5	54.5	32.5	36.5	37.5	38.5	51.5	55.5	33.0	37.0	38.0	39.0	52.0	56.0
Heavy	5½ and over	5¼ and over	3¾ and over	33.5	37.5	38.0	39.0	52.0	56.0	34.5	38.5	39.0	40.0	53.0	57.0	35.0	39.0	39.5	40.5	53.5	57.5
Stags:																					
Light	Under 5½	Under 5	Under 3¾	26.5	30.5	31.5	32.5	44.0	47.5	27.5	31.5	32.5	33.5	45.0	48.5	28.0	32.0	33.0	34.0	45.5	49.0
Heavy	5½ and over	5 and over	3¾ and over	28.0	32.0	32.5	33.5	45.0	48.5	29.0	33.0	33.5	34.5	46.0	49.5	29.5	33.5	34.0	35.0	46.5	50.0
Capons:																					
Light	Under 8	Under 7	Under 5	35.5	39.5	40.0	41.0	57.0	61.0	36.5	40.5	41.0	42.0	58.0	62.0	37.0	41.0	41.5	42.5	58.5	62.5
Heavy	8 and over	7 and over	5 and over	36.5	40.5	41.0	42.0	57.5	61.5	37.5	41.5	42.0	43.0	58.5	62.5	38.0	42.0	42.5	43.5	59.0	63.0
Fowl																					
Light	under 4	under 3¾	under 2½	23.0	27.0	28.0	29.0	40.5	44.5	24.0	28.0	29.0	30.0	41.5	45.5	24.5	28.5	29.5	30.5	42.0	46.0
Medium	4 to 5½	3¾ to 5	2½ to 3¾	26.0	30.0	31.0	32.0	43.5	47.5	27.0	31.0	32.0	33.0	44.5	48.5	27.5	31.5	32.5	33.5	45.0	49.0
Heavy	5½ and over	5 and over	3¾ and over	26.0	30.0	30.5	31.5	43.0	47.0	27.0	31.0	31.5	32.5	44.0	48.0	27.5	31.5	32.0	33.0	44.5	48.5
Old Roosters:																					
Light	under 5½	under 5	under 3¾	18.0	22.0	23.0	24.0	32.5	36.0	19.0	23.0	24.0	25.0	33.5	37.0	19.5	23.5	24.5	25.5	34.0	37.5
Heavy	5½ and over	5 and over	3¾ and over	19.0	23.0	23.5	24.5	33.0	36.5	20.0	24.0	24.5	25.5	34.0	37.5	20.5	24.5	25.0	26.0	34.5	38.0
Geese	all weights	all weights	all weights	25.0	29.0	29.5	30.5	42.5	46.5	26.0	30.0	30.5	31.5	43.5	46.5	26.5	30.5	31.0	32.0	44.0	47.0
Young Turkeys:																					
Light	under 18	under 16	under 13	35.0	39.0	39.5	40.5	50.0	53.0	36.0	40.0	40.5	41.5	51.0	54.0	35.0	39.0	39.5	40.5	50.0	53.0
Medium	18 to 22	16 to 20	13 to 16½	33.5	37.5	38.0	39.0	47.5	50.5	34.5	38.5	39.0	40.0	48.5	51.5	33.5	37.5	38.0	39.0	47.5	50.5
Heavy	22 and over	20 and over	16½ and over	32.5	36.5	37.0	38.0	45.5	48.5	33.5	37.5	38.0	39.0	46.5	49.5	32.5	36.5	37.0	38.0	45.5	48.5
Old Turkeys:																					
Light	under 18	under 16	under 13	33.0	37.0	37.5	38.5	48.0	51.0	34.0	38.0	38.5	39.5	49.0	52.0	33.0	37.0	37.5	38.5	48.0	51.0
Medium	18 to 22	16 to 20	13 to 16½	31.5	35.5	36.0	37.0	45.5	48.5	32.5	36.5	37.0	38.0	46.5	49.5	31.5	35.5	36.0	37.0	45.5	48.5
Heavy	22 and over	20 and over	16½ and over	30.5	34.5	35.0	36.0	43.5	46.5	31.5	35.5	36.0	37.0	44.5	47.5	30.5	34.5	35.0	36.0	43.5	46.5

Food product		Eastern zone basing point city						Western zone basing point cities													
		New York						Chicago						New Orleans					Pacific coast—Los Angeles, San Francisco, Seattle, and Portland				
Type	Weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen eviscerated	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen eviscerated	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen eviscerated	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen eviscerated
Ducks	All weights	[1] 27.0	27.0	[1] 28.0	[1] 30.0	38.5	41.5	[1] 27.0	28.0	[1] 28.0	[1] 30.0	39.5	42.5	27.0	28.4	[1] 28.0	[1] 30.0	39.9	42.9	27.0	29.0	[1] 28.0	[1] 30.0	40.5	43.5

[1] These are maximum base prices at *all* places in the United States.

(ii) *Grade "B" poultry items.* All Grade "B" poultry items shall be 1½¢ per lb. less in price than the corresponding Grade "A" poultry items listed above.

(iii) *Grade "C" poultry items.* All Grade "C" poultry items shall be 4¢ per lb. less in price than the corresponding Grade "A" poultry items listed above.

(iv) *Monthly adjustments in base prices for dressed, drawn, and quick-frozen eviscerated turkey items.* The above prices for dressed, drawn, and quick-frozen eviscerated turkey items shall be in force for the months of November, December, and January. For the remaining months of the year the following additions shall be made to each of the above prices for dressed, drawn, and quick-frozen eviscerated turkey items:

	Cents per pound
February	½
March	1
April	1½
May	2
June	2½
July	3
August	3½
September	2
October	1

(2) *Prices for drawn and quick-frozen eviscerated poultry when sold in split or cut-up form.* The aggregate price received through the sale of all the cut-up parts of any drawn or quick-frozen eviscerated bird shall not exceed the amount which could be received by the sale of the whole drawn or quick-frozen eviscerated bird of the same grade and weight as specified in Table A of this section.

(3) *Prices for hard scalded poultry.* Poultry, excluding ducks and geese, otherwise eligible for Grade "A", Grade "B", and Grade "C" classification, but which has been subjected to water for

dressing at a temperature higher than 135 degrees Fahrenheit, shall remain eligible for Grade "A", Grade "B", and Grade "C" classification, and shall be sold, purchased, or delivered at prices no higher than those established for Grade "A", Grade "B", and Grade "C" dressed poultry items in Table A of this section: *Provided*, That such poultry has not been frozen and stored under refrigeration.

If such poultry, excluding ducks and geese, has been frozen and stored under refrigeration it shall be eligible for Grade "B" and Grade "C" classification only, and shall be sold, purchased, or delivered at prices no higher than those established for Grade "B" and Grade "C" dressed poultry items in Table A of this section.

(4) *Application of prices for "kosher-killed" and "kosher-dressed-and-plucked" poultry items.* The prices established for "kosher-killed" and "kosher-dressed-and-plucked" poultry items in Table A of this section shall apply only when such "kosher-killed" and such "kosher-dressed-and-plucked" poultry items are sold to a "bona fide buyer" of "kosher-killed" and "kosher-dressed-and-plucked" poultry located within a radius of 50 miles from the point of slaughter. In all other cases, purchases and sales of "kosher-killed" and "kosher-dressed-and-plucked" poultry items shall be made at prices not exceeding those established for dressed poultry items in Table A of this section.

(5) *Application of prices for all poultry items in packaged form.* No additional charge shall be added to the prices established for all poultry items in Table A of this section for the wrapping, packaging, or boxing of such poultry items.

(6) *Calculation of prices.* In calculating maximum prices per pound basis in this section, and in §§ 1429.20, 1429.21 and 1429.22 herein, all calculations shall be carried to the fourth decimal place. Final calculations of a maximum price resulting in a fraction of a cent per pound shall be adjusted to the nearest ½¢ per pound.

(i) *Definitions of terms used in this section.* (1) "Poultry" means all broilers, fryers, roasters, stags, capons, old roosters, turkeys, ducks and geese, including live, dressed, drawn, eviscerated, and all other forms of the foregoing when sold for human consumption: *Provided, however*, That this regulation shall not apply to poultry when in the canned form, and poultry exempted in § 1429.2 above. Poultry in the canned form is covered in the General Maximum Price Regulation, as amended.

(2) "Dressed poultry" means poultry which has been killed, bled, and plucked without regard to the method of plucking or finishing.

(3) "Drawn poultry" means dressed poultry from which the entrails, head, and feet have been removed.

(4) "Quick-frozen eviscerated poultry" means dressed poultry from which the entrails, viscera, head and feet have been wholly removed under state or federal supervision and inspection, the giblets of which have been cleaned and replaced, and the whole carcass of which has been subjected to a cleansing process which makes it ready to cook, the whole then being packaged in carcasses, split or dismembered forms, and frozen at low temperatures.

(5) "Kosher-killed poultry" means poultry which:

(i) Has been killed and bled in accordance with the requirements of the Hebraic dietary laws; and

(ii) Is identified as kosher-killed by a stamp or tag on each bird.

(6) "Kosher - dressed - and - plucked poultry" means poultry which:

(i) Has been killed, bled and dry-plucked in accordance with the requirements of the Hebraic dietary laws; and

(ii) Is identified as kosher-killed by a stamp or tag on each bird.

(7) "Bona fide buyer of kosher-killed and kosher-dressed-and-plucked poultry" means a person who maintains a selling establishment at or through which he regularly and generally sells kosher poultry as such, or a person who is a purveyor of kosher meals.

(8) "Split poultry" means drawn poultry which has been cut into halves, each half containing approximately equal and as far as possible, equivalent parts of the bird.

(9) "Cut-up poultry" means drawn poultry, the carcass of which has been dismembered or cut into portions.

(j) *Species, age, and sex specifications for items listed in Table A.* Species, age, and sex specifications promulgated by the United States Department of Agriculture in the publications listed immediately below shall be used as the species, age, and sex specifications for all poultry items listed in Table A of this section.

Tentative U. S. Standards for Classes and Grades for Dressed Turkeys.

Classification and Tentative Specifications for U. S. Standards and Grades for Dressed Chickens.

Tentative Specifications for U. S. Standards and Grades for Dressed Ducks, Geese, Guineas, and Squabs.

Tentative U. S. Standards for Grades for Live Poultry.

(k) *Application of grade specifications for items listed in Table A*—(1) Dressed *turkeys.* The Tentative U. S. Standards for Classes and Grades for Dressed Turkeys now in effect shall apply to all sales, purchases, or deliveries of dressed turkeys covered herein. Revisions promulgated by the U. S. Department of Agriculture shall become concurrently effective for the purposes of this regulation for stock packed after the issuance of such revisions.

(2) *Dressed poultry other than turkeys.* (i) Until June 30, 1943, commercial standards now commonly accepted by the trade for classes and grades of dressed poultry, other than turkeys, shall apply to all sales, purchases, or deliveries of dressed, drawn, and eviscerated poultry, other than turkeys, processed and packed before February 28, 1943, as follows:

(*a*) All dressed, drawn, and eviscerated poultry, whether dry or ice-packed, commonly accepted by the trade as top and premium packs shall be sold, purchased, or delivered at prices not to exceed those specified for Grade "A" poultry in Table A of this section.

(*b*) All dressed, drawn, and eviscerated poultry, whether dry or ice-packed, commonly accepted by the trade as second grade or choice poultry shall be sold, purchased, or delivered at prices not to exceed those specified for Grade "B" poultry in Table A of this section.

(*c*) All dressed, drawn, and eviscerated poultry, whether dry or ice-packed, commonly accepted by the trade as bottom or third grade poultry, shall be sold, purchased, or delivered at prices not to exceed those specified for Grade "C" poultry in Table A of this section.

(ii) The Tentative Grade Specifications for Dressed Poultry as promulgated or revised by the United States Department of Agriculture shall apply to all sales, purchases, or deliveries of all dressed, drawn, and eviscerated poultry, other than turkeys, processed and packed after February 28, 1943.

(iii) After June 30, 1943, the Tentative Grade Specifications For Dressed Poultry as promulgated or revised by the United States Department of Agriculture shall apply to all sales, purchases, or deliveries of all dressed, drawn, and eviscerated poultry, other than turkeys, regardless of the date when such poultry was processed and packed: *Provided*, That:

(*a*) Poultry, excluding ducks and geese, otherwise eligible for Grade "A", Grade "B", and Grade "C" classification, but which has been subjected to water for dressing at a temperature higher than 135 degrees Fahrenheit, shall remain eligible for Grade "A", Grade "B", and Grade "C" classification, and shall be sold, purchased, or delivered at prices no higher than those established for Grade "A", Grade "B", and Grade "C" dressed poultry items in Table A of this section, *Provided*, That such poultry has not been frozen and stored under refrigeration.

If such poultry, excluding ducks and geese, has been frozen and stored under refrigeration it shall be eligible for Grade "B" and Grade "C" classification only, and shall be sold, purchased, or delivered at prices no higher than those established for Grade "B" and Grade "C" dressed poultry items in Table A of this section.

(3) The Tentative U. S. Standards for Grades for Live Poultry now in effect shall apply to all sales, purchases, or deliveries of live poultry covered herein. Revisions promulgated by the U. S. Department of Agriculture shall become concurrently effective for the purposes of this regulation for live poultry sold, purchased, or delivered after the issuance of such revisions.

§ 1429.21 *Permitted increases to maximum base prices.* (a) Any person who makes any one of the following described sales of poultry items may add the increase indicated below for such sale to the maximum base price indicated below for such sale in order to determine his maximum selling price. No person may add more than one permitted increase to any maximum base price,

TABLE B.—MAXIMUM PERMITTED INCREASES FOR SALES OF POULTRY ITEMS

Seller and type of sale made	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in cents per pound for "wholesaler" and "hotel supply house" only		
					Non-delivered sales	Delivered within 25 miles	Delivered beyond 25 miles
					Cents	*Cents*	*Cents*
(1) All "wholesalers"	Any type of buyer	Less than 10,000 lbs.	Any poultry item	Maximum base price at seller's shipping point.	1½	1¾	2
(2) All "wholesalers"	Any type of buyer	Less than 10,000 lbs.	Quick-frozen eviscerated poultry.	Maximum base price at seller's shipping point.	3	3½	3½
(3) All "wholesalers" making "Special Service Sales."	Hotels, restaurants, clubs, dining cars, steamship lines, or institutional users.	Less than 10,000 lbs.	Any dressed poultry item.	Maximum base price at seller's shipping point.	2¼	2½	2¾
(4) "Hotel Supply Houses" making "Special Service Sales."	Hotels, restaurants, clubs, dining cars, steamship lines, or institutional users.	Less than 10,000 lbs.	Any dressed poultry item.	Maximum base price at seller's shipping point.	4	4½	4½
					Maximum increase in cents per pound for any type of seller for items delivered at buyer's customary receiving point		
(5) Any type of seller	Retailers or commercial, industrial, institutional, or "Non-federal Governmental" Users.	More than 14,000 lbs. in "selected classes".	Any dressed poultry item.	Maximum base price at buyer's customary receiving point.	½ cent.		
(6) Any type of seller	United States Government or any agency thereof.	Any quantity	Any poultry item	Maximum base price at seller's shipping point.	¼ cent plus—Lowest "freight rate" from seller's shipping point to buyer's customary receiving point in cents per pound. If shipments are made in less than carlot quantities seller may add lowest *actual* freight rate from seller's shipping point to buyer's customary receiving point in cents per pound, instead of lowest "freight rate".		
(7) Any type of seller	United States Government or any agency thereof.	More than 14,000 lbs. in "selected classes".	Any dressed poultry item.	Maximum base price at seller's shipping point.	¾ cent plus—Lowest "freight rate" from seller's shipping point to buyer's customary receiving point in cents per pound. If shipments are made in less than carlot quantities seller may add lowest *actual* freight rate from seller's shipping point to buyer's customary receiving point in cents per pound, instead of lowest "freight rate".		
(8) Producers or processing plants only who customarily sell in less than wholesale quantities.	Individual retail stores or commercial, industrial, institutional, or governmental users.	Less than wholesale quantities.	Any poultry item	Maximum base price at buyer's customary receiving point.	1½ cents.		

(b) *Definitions of terms used in Table B.* (1) All definitions listed in § 1429.19 (i) above for the terms used in Table A shall apply to the same terms when used in Table B.

(2) "Producer" means any person who grows or raises live poultry on a farm or farms operated by or for him.

(3) "Processing plant" means any business establishment which is engaged primarily in the business of converting live poultry into dressed, drawn, or quick-frozen eviscerated poultry. "Processing plant" does not mean any person who is engaged primarily in the distribution of poultry at wholesale or at retail, and who in the course of such distribution incidentally converts live birds into dressed, drawn, or eviscerated birds, or dressed birds into drawn or eviscerated birds.

(4) "Wholesale quantities" means lots of 3,000 pounds or more of live or dressed turkeys, or lots of 1,000 pounds or more of other live or dressed poultry.

(5) "Wholesalers" means any person who possesses all of the following characteristics:

(i) He must customarily receive, or purchase and receive poultry items in wholesale quantities.

(ii) He must maintain at the particular place where he is located a business establishment where he receives and stocks poultry items, where he employs a personnel which physically handles and distributes such poultry items, and from which he sells or distributes such poultry items.

(iii) He must customarily sell or distribute poultry items in quantity lots which are smaller than his purchases or receipts, to: Intermediate wholesalers, or retailers, or institutional, industrial, commercial, or governmental users.

(iv) He must customarily sell or distribute at least 75 per cent of his dollar volume of poultry items for ultimate consumption within a radius of 100 miles from his place of business: *Provided* That: If he maintains his business establishment at any place in the States of Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, California, Oregon, and Washington, he must customarily sell or distribute at least 75 per cent of his dollar volume of poultry items for ultimate consumption within a radius of 200 miles from his place of business.

Example: The following are considered wholesalers if they possess all the characteristics listed above.

(*a*) Independent wholesalers or jobbers.

(*b*) Distributive branches of processors, including branches of cooperative processors.

Example: The following are not considered wholesalers.

(*c*) Persons who engage primarily in directing the sale and distribution of poultry items from the producer, processor, or shipper without engaging in any physical handling of poultry items, such as:

(*i*) Agents and brokers, or auctioneers acting for a producer, processor, or shipper,

(*ii*) Salaried representatives, sales offices, and all supervisory or administrative offices of a producer, processor, or shipper whose personnel does not engage in any physical handling or distribution of poultry items.

(*d*) Central plants, or reshipping centers which receive shipments of poultry items from associated processing plants for reshipment, and which render such services as accumulating stocks, furnishing storage, consolidating carlots or trucklots, and reorganizing the makeup of shipments to meet the requirements specified by any wholesaler or other receiver located at the receiving point for which shipment is intended.

(6) "Hotel supply house" means any person who sells or distributes 90% or more of his dollar volume of poultry items to hotels, restaurants, clubs, dining cars, steamship companies, and institutional users, and who for a period of at least twelve months prior to March 1st, 1943, sold or distributed 90% or more of his dollar volume of poultry items to hotels, restaurants, clubs, dining cars, steamship companies, and institutional users.

(7) "Special service sale" is a sale of any dressed poultry item made by a "wholesaler" or a "hotel supply house" to a hotel, restaurant, club, dining car, steamship company, or institutional user wherein the "wholesaler" or the "hotel supply house" performs the additional service of removing poultry from the wholesale packages, regrading poultry to more uniform grades and sizes than those required by wholesale grades, and

selling in less than wholesale package lots.

(8) "Selected classes" means a 14,000 pound or larger assortment of dressed poultry, 95 percent of which consists of no more than three dressed "poultry classes", and all of which is packed into one truck or into one freight car.

"Poultry class" means poultry of one type, one grade, and one uniform weight. Poultry shall be deemed to be of one uniform weight when the range in weight from the lightest to the heaviest bird in the class does not exceed:

(i) Three pounds in the case of turkeys.

(ii) One pound in the case of capons.

(iii) One-half pound in the case of fowl, broilers, fryers, roasters, and stags.

(iv) Any number of pounds in the case of other types of poultry.

(9) "Shipping point" means that place in the seller's business establishment from which shipments or deliveries of poultry items are made. In the case of non-delivered sales, "shipping point" means that place in the seller's business establishment where the buyer calls for and receives his purchases of poultry items.

§ 1429.22 *Maximum prices for poultry items when sold by producers or processing plants at retail.* (a) The maximum prices for the sales and deliveries of poultry items when sold by producers or processing plants at retail, that is, to an ultimate consumer other than a commercial, institutional, industrial, or governmental user, shall be calculated as follows:

(1) The seller shall add 1½¢ per pound to the maximum base price at his shipping point for any poultry item, and shall multiply the sum so obtained by 1.20, and the product of such multiplication shall be his maximum selling price for such poultry item: *Provided,* That in cases of mail order sales the seller may add to such maximum selling price his actual express or mailing expense to the buyer's receiving point.

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4100; Filed, March 16, 1943; 3:03 p. m.]

PART 1436—PLASTICS AND SYNTHETIC RESINS

[MPR 345]

THERMOPLASTIC SCRAP

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of thermoplastic scrap by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 345 is hereby issued.

Sec.
1436.1 Prohibition against buying and selling theormoplastic scrap above maximum prices.
1436.2 Less than maximum prices.
1436.3 Geographical applicability.
1436.4 Applicability of the General Maximum Price Regulation.
1436.5 Export sales.
1436.6 Imports.
1436.7 Records and reports.
1436.8 Licensing.
1436.9 Evasion.
1436.10 Enforcement.
1436.11 Adjustable pricing.
1436.12 Petitions for amendment.
1436.13 Definitions.
Appendix A: Maximum prices for thermoplastic scrap.

AUTHORITY: §§ 1436.1 to 1436.13, inclusive issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F. R. 7871.

§ 1436.1 *Prohibition against buying and selling thermoplastic scrap above maximum prices.* On and after March 22, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any thermoplastic scrap at prices higher than the maximum prices set forth in Appendix A of this regulation, and no person shall agree, offer, or attempt to do any of these things.

§ 1436.2 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

§ 1436.3 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and to the District of Columbia, but shall not be applicable to the territories and possessions of the United States.

§ 1436.4 *Applicability of the General Maximum Price Regulation.*[1] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1436.5 *Export sales.* The maximum price at which a person may export thermoplastic scrap shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

§ 1436.6 *Imports.* This regulation shall not apply to the prices paid by importers to foreign sellers or their agents for thermoplastic scrap produced out of the continental United States, but shall apply to thermoplastic scrap after importation into the continental United States.

§ 1436.7 *Records and reports.* (a) Every person making a purchase or sale of thermoplastic scrap in the course of trade or business, or otherwise dealing therein, after March 21, 1943 shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the grade or type of the thermoplastic scrap and, if returnable containers are used, the container deposit charged.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in the place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1436.8 *Licensing.* The provisions of Supplementary Order No. 11 (§ 1305.15) licensing distributors of chemicals and drugs shall be applicable to every distributor of thermoplastic scrap. The term "distributor" shall have the meaning given it by such Supplementary Order No. 11.

§ 1436.9 *Evasion.* The maximum prices established by this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, any thermoplastic scrap, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1436.10 *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses as provided by the Emergency Price Control Act of 1942, as amended.

§ 1436.11 *Adjustable prices.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission in writing to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1436.12 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1436.13 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Thermoplastic" includes all plastic materials which can be formed and reformed by the application of heat and pressure without material change in physical properties, but does not include synthetic rubber, shellac, or natural gums. "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(3) "Scrap" is material which has been salvaged or is being sold for salvage purposes. It does not include material which has been salvaged by its manufacturer before its initial sale, nor does it include any material which contains less than 15% of purchased salvage or salvaged material, and which its manufacturer sells under standard new material specifications. It includes the following:

(a) "Molding scrap," which consists of materials that have been molded either by injection, compression, or extrusion processes. Molding scrap may be in the form of unground, ground, or reworked material. It does not include nitrocellulose of plastic grade.

(b) "Sheet scrap," which consists of plastic sheets, rods or tubes, or cuttings from any of these, including all forms of scrap nitrocellulose of plastic grade except motion picture, X-ray, or photographic film. It may be in unground or ground form. The following are not included: cellulose acetate, X-ray or photographic film scrap; sheets laminated to non-plastic materials such as wire mesh, paper, or glass; gummed tapes; second grade sheets, rods or tubes in their original form.

(4) "Mixture" means a physical mixture of any thermoplastic scrap material with any other thermoplastic scrap material or materials.

(5) "Crystal clear" means water clear transparent.

(6) "Plain color" means of one color and includes transparent, translucent, opaque, pastel and black.

(7) "Mixed color" means a combination of two or more colors, of the same kind of scrap material, including mottles, pearls, and metallics.

(8) "Unground" means not converted into a granular or powdered form, and includes mixtures of unground and reground.

(9) "Ground" or "reground" means converted into a granular or powdered form, suitable for remolding or for casting.

(10) "Reworked" means replasticized, with or without dyes, and made suitable for the same general use as the new material from which the scrap originated.

(11) "Seller's shipping point" means the place of distribution maintained by seller from which actual shipment is made.

Appendix A: Maximum prices for thermoplastic scrap. (a) The following maximum prices per pound are established for sales of thermoplastic scrap:

(1) *Molding scrap cellulose acetate, cellulose acetate butyrate, polystyrene, methyl methacrylate, and mixtures.*

	Crystal clear	Plain color	Mixed color
Cellulose acetate:			
Unground	$0.21	$0.17	$0.11
Reground	.27	.23	.17
Reworked	.33	.29	-------
Cellulose acetate butyrate:			
Unground	.23	.19	.13
Reground	.29	.25	.19
Reworked	.35	.31	-------
Polystyrene:			
Unground	.16	.15	.09
Reground	.22	.21	.15
Reworked	.28	.27	-------
Methyl methacrylate:			
Unground or reground	.28	.28	.28
Mixtures	.06	.06	.06

(2) *Sheet scrap cellulose acetate, cellulose acetate butyrate, cellulose nitrate, methyl methacrylate, and mixtures.*

	Crystal clear	Plain color	Mixed color
Cellulose acetate:			
Unground	$0.11	$0.09	$0.06
Ground	.14	.12	.09
Cellulose acetate butyrate:			
Unground	.13	.11	.08
Ground	.16	.14	.11
Cellulose nitrate:			
Unground	.11	.09	.06
Ground	.19	.17	.14
Methyl methacrylate:			
Unground or Ground	.15	.15	.15
Mixtures	.06	.06	.06

(3) *Polyvinyl chloride, copolymers of vinyl chloride and vinyl acetate, polyvinyl butyral, and mixtures.*

	Unground or ground
Polyvinyl chloride	$0.21
Copolymers of vinyl chloride and vinyl acetate	.21
Polyvinyl butyral	.21
Mixtures	.06

(4) *Other thermoplastic scrap.* The maximum prices for any other form or type of thermoplastic scrap shall be 60% of the current that net delivered largest quantity selling price of the new material from which the scrap was made.

(5) *Transportation charges.* All of the above prices are f. o. b. seller's shipping point.

(6) *Containers*—(a) *Cellulose nitrate.* Seller may require buyer to furnish containers for the shipment of cellulose nitrate. Where seller furnishes containers no additional charge may be made therefor except that a reasonable container deposit may be required on returnable containers, provided it is refunded upon return of the containers in good condition within 60 days. Transportation costs with respect to the shipment of empty containers to sellers shall be borne by the person who furnishes the container.

(b) *All other thermoplastic scrap.* The containers for all other thermoplastic scrap materials shall be furnished by the seller who shall make no additional charge for such containers. Where returnable containers are supplied by the seller, however, he may require a reasonable container deposit: *Provided,* That he refunds such deposit upon the return of the containers in good condition within sixty days. Transportation costs with respect to the return of empty containers to the seller shall be borne by the seller.

This regulation shall become effective March 22, 1943.

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4101; Filed, March 16, 1943; 3:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 132 to Supp. Reg. 14[1] of GMPR[2]]

SALES OF TWILL JEAN CLOTHS AND FRAME CLEANING EQUIPMENT CURTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 14 of the General Maximum Price Regulation is amended in the following respect:

Section 1499.73 (a) (81) is added to read as follows:

(81) *Sales of twill jean cleaning cloths and frame cleaning equipment curtains.* The maximum prices which may be charged by manufacturers for the sale and delivery of twill jean cleaning cloths and frame cleaning equipment curtains manufactured in accordance with Bell Telephone Laboratory, Inc. Specifications set forth in subdivisions (i) and (ii) respectively, shall be as set out below:

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486.

[2] 7 F.R. 3153.

(i) *Twill jean cleaning cloths.*

Specification No.:	*Maximum price per thousand*
KS–2423, Issue Nos. 1 and 10	$23.31

(ii) *Frame cleaning equipment curtains.*

Specification No.:	*Maximum price each*
ESL–621922, Issue No. 6:	
Detail ≠1	$17.05
Detail ≠2	16.15
Specification No.:	*Maximum price*
ESL—625565, Issue No. 5:	
Detail ≠ 2	$17.05 each
Detail ≠ 3	16.15 each
ESO—632571, Issue No. 2:	
Group ≠ 1	36.50 per set of 4
Group ≠ 2	48.25 per set of 5
ESO—632294, Issue No. 2:	
Group ≠ 1	36.50 per set of 4
Group ≠ 2	48.25 per set of 5

This amendment shall become effective March 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4102; Filed, March 16, 1943; 3:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 136 to Supp. Reg. 14[1] to GMPR[2]]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES, SERVICES AND TRANSACTIONS

NEW COMMERCIAL VEHICLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73 (a) (19) (iv) subdivision (*b*) is amended as follows:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided: • • •

(19) *New commercial motor vehicles.*

• • •

(iv) *Lower maximum prices if standard delivery operations are not performed:* • • •

(b) *Standard delivery operations; general purpose.* The operations set forth in the checklist below are identical with those established by Conservation Order M–216–A, as amended, issued by the War Production Board. Before any vehicle is delivered into the hands of a buyer, it shall be processed according to the provisions and instructions contained in the following checklist. This checklist is purposely detailed so as to discourage omissions of necessary operations. The sequence of the items listed is based on the fact that serious damage may result if certain operations are done out of turn. Accordingly, this list is arranged so that each operation is done only after the necessary preparatory work has been completed. The purpose of this checklist is to set forth the step-by-step procedure for conditioning every vehicle so that it will give maximum service when put to use. The procedure as outlined in the following pages is intended to be used as a checklist. A responsible person should be charged with the duty of seeing that the order of operations is followed strictly, and that each item is checked only after it is completed. Vehicles should be processed for delivery as near the storage location as practicable.

GENERAL INSTRUCTIONS

1. Under no circumstances should a reserve vehicle be operated, under its own power, until the Standard Delivery Operations numbered 1–13 inclusive have been performed upon it.

2. With respect to change of location of reserve vehicles in storage, the following conditioning operations must be performed:

Before being towed by crane truck or rigid bar, Items Nos. 1 a, b; and 2 b.

Before being towed by loose linkage (rope or chain), Items Nos. 1 a, b; and 2 b, e, f, g.

(b) *Checklist of operations performed to prepare the following vehicle for use.*

Form Approved
Budget Bureau No. 08–R368
Office of Price Administration
Washington, D. C.

FORM NO. 694:190

Company_____ Address_____
(Insert name of seller)
Make of vehicle_____ Body type_____
Serial No_____ Engine No._____
Door & Ignit. Key No._____
Deck & Glove Box Key No._____
Vehicle prepared for delivery by_____
(Insert name of mechanic or mechanics who have performed the work)
Date_____
Approved by_____
(Insert name of Shop Foreman)
Date_____

Item No.

1. *Tires.*
   a. If tires are unmounted, inspect the rims and remove all rust. Mount tires and inflate them to tire manufacturer's recommended pressure.
   b. If tires are mounted, inflate them to tire manufacturer's recommended pressure.

Item No.

2. *Brake System and Front Wheel Lubricant.*
   a. Remove all wheels and drums and thoroughly clean rust from all braking surfaces. Also examine anchor pins to make sure their bearings are free so that springs return shoes to released position. *Do not work brake pedal* with brake drums off.
   b. Repack front wheel bearings with new lubricant if necessary.
   c. Check hydraulic master cylinder fluid level, adding approved fluid if necessary. See that filler cap vent is open.
   d. Inspect brake system for leaks and repair any defects.
   e. Work brake pedal several times to make sure system is operating. Jack up each wheel (if blocks were removed) and apply brakes. Check to see that they operate and then release fully so wheel can turn freely with no drag.
   f. Check brake pedal-floor clearance and adjust if necessary.
   g. With respect to conditioning vacuum booster, electric, and compressed air brake equipment, follow equipment manufacturer's recommendations.

   NOTE. Remove outside body and window coverings. Protect upholstery while conditioning vehicle. If another location is required for remaining work, vehicle must not be run under its own power until ready for preliminary road test. (See General Instructions above.)

3. *Fuel System.*
   a. Replace gasoline tank drain plug
   b. Thoroughly clean fuel line, fuel pump sediment bowl and filter screen, and carburetor. Reinstall.
   c. Check all fuel connections, including carburetor flange nuts or cap screws.
   d. Put gasoline in tank, adding ½ pint of SAE engine oil to each 5 gallons of gasoline. Replace filler cap, making sure vent is free.
   e. Check accelerator, throttle and choke linkages, idle and wide open positions.
   f. Remove seal from air cleaner; and add oil if necessary.

4. *Ignition System.*
   a. Clean and adjust spark plugs. Leave them out so cylinders can be lubricated later.
   b. Check distributor, adjust points, clean rotor and contact points.
   c. Lubricate cam and rocker bearing surface.
   d. Clean wire connections and push wires firmly into their sockets in distributor and coil.

5. *Valve Compartment.* (Overhead valve engines)
   a. Remove cover and remove oil soaked rags if any.
   b. Spray valve mechanism with suitable light oil. Leave cover off for observation of valve action later.

6. *Seals.*
   a. Remove seal from tail pipe opening.
   b. Remove seals from oil filler tube, crankcase breather tube, and any other opening. Clean and replace covers.

7. *Clutch.*
   a. Remove block used to keep clutch disengaged and make sure there is correct amount of free pedal movement at top of travel.

Item No.

8. *Preparing engine for service.*
   a. Tighten all cooling system, heater hose and defroster connections, replacing any defective hose. If cooling system was stored full, add sufficient coolant to make up for evaporation. If cooling system was stored empty, close drain cocks and replace drain plugs. Fill with clean water and check for leaks.
   b. Drain oil from crankcase.
   c. Drop oil pan, thoroughly clean pan, inside of crankcase and pump screen. Replace pan using new gasket.
   d. Fill crankcase with flushing oil. Pour 2 ounces of SAE–10 engine oil into each spark plug hole. Leave spark plugs out.
   e. Lubricate generator, starter, and water pump.
   f. Clean battery carrier, repainting if necessary. Install securely a fully charged battery (spec. gravity of 1.280 or above at 60 degrees F.; water level ¼" to ⅜" above plates). Clean cables and connections, tighten, and coat terminals with vaseline or approved corrosion preventive. Test battery hookup by turning on headlights (ammeter should show discharge).
   g. With ignition switch off and clutch disengaged crank engine for 30 seconds with starter in order to exercise reciprocating parts and bearings. While cranking engine listen carefully for indications of trouble. Remedy any trouble (such as engine failing to turn over or starter being stuck) before proceeding further. Reinstall spark plugs using new gaskets if necessary.
   h. Start engine (clutch disengaged) and run at idle speed or five minutes.
   i. Adjust automatic choke control if necessary.
   j. Set engine idle speed according to manufacturer's recommendations.
   k. Turn off engine. Drain flushing oil immediately from crankcase.
   [1]l. If engine oil filter is sealed type, replace it with a new one. If it is replaceable element type, clean out filter chamber and install new element.
   m. Fill crankcase to correct level with engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate. Start engine and run at idle speed.

9. *While Engine Is Running*, check the following items for proper operations, making all necessary adjustments and repairs:
   a. All instruments (oil, gas, temperature, and ammeter).
   b. Windshield wipers, with blades installed.
   c. Horn.
   d. Every switch position of every light on vehicle.
   e. Heater, climatizer, defroster.
   f. Cigar lighter, radio, clock and other accessories.
   g. Automatic top on convertibles.
   h. Charging rate, and voltage and current regulator.

[1] Items 8 c and 8 l must be performed unless the manufacturer files a statement with the Automotive Division of the War Production Board, and with its dealers, stating that failure to perform these items on vehicles of its own manufacture will not impair their operation as new vehicles.

[2] Not applicable to trucks.

Item No.

9. *While Engine Is Running*—Continued.
   i. Manifold heater valve.
   j. Inspect all water hose connections, oil and fuel lines for leakage.
   k. Check and if necessary adjust valve tappets according to vehicle manufacturer's recommendations.
10. *After Shutting off Engine*, perform the following operations: Before any sediment in coolant has time to settle, make the following check of the cooling system:
   a. If coolant carries little or no anti-freeze, completely drain entire cooling system, examining coolant for presence of rust or other foreign matter.
   b. If coolant carries a considerable amount of anti-freeze, drain a quart from bottom of radiator. If liquid is clear return sample to radiator.
   c. If coolant shows rusty and dirty, completely drain entire cooling system, reverse flush radiator and engine block to remove sediment, using a combination water-air flushing nozzle. (Follow manufacturer's recommendations with respect to thermostats and water pumps before flushing the block.)
   d. Fill cooling system (if not already done) with clean water and rust inhibitor, adding anti-freeze according to seasonal requirements. Watch for leaks at hose ends and pump, and correct any that develop.
   e. While engine is still hot, tighten cylinder head nuts in recommended order.
   f. Tighten manifold studs.
   g. Tighten bolts at connection between exhaust manifold and pipe to muffler.
   h. Replace valve compartment cover (overhead valve engines).
   i. Check all bolt adjustments and replace belts if necessary.
11. *Lubrication.*
   a. Lubricate every fitting and check the lubricant level of every reservoir according to vehicle manufacturer's lubrication chart, excepting those taken care of above. Flush out all gear boxes in which rust inhibitor was used during storage. Fill to correct level with new lubricant.
   b. While lubricating, inspect underside of chassis and body for loose or damaged parts, and make any necessary adjustments or replacements.
12. *Check, and if Needed Tighten*, the following items:
   a. Nuts on spring U-bolts.
   b. All steering connections.
   [2]c. Front and rear sway eliminator or stabilizer bolts.
   d. Body bolts.
   e. Front and rear bumper bolts.
   f. Gas tank straps.
   g. Shock absorber bolts.
13. *Front end and wheels.*
   a. Check front wheel toe-in.
   b. Test steering adjustments and connections. Check amount of wheel turn to stop on left and right.
   c. Check steering wheel for correct amount of play.
14. *Preliminary road test.*

   NOTE: Before road test, remove any stickers that obstruct vision, and wash windshield.

   Road test every vehicle by driving it at least three miles and checking the operation of the following items:
   a. All gear positions, and operation of gear shift lever.

Item No.

14. *Preliminary Road Test*—Continued.
   b. Accelerator.
   c. Service brakes.
   d. Hand brake.
   e. All instruments; oil, gas, temperature, ammeter, speedometer, and odometer.
   f. Set spark advance or octane selector at correct adjustment for economical performance, idling, pick-up in each forward gear, and ping in the acceleration.
   g. Springs and shock absorbers.
   h. Locate squeaks, rattles, and unusual noises.
   i. Special equipment such as overdrives, 2-speed axles, hill-holding devices, and transmissions other than conventional type.
   j. Note any other items upon which work needs to be done.
15. *Return Vehicle to Shop* and do the following operations:
   a. Focus headlights.
   b. Do any work on clutch, service brakes and hand brake for which road test showed need.
   c. Reinspect all water hose connections, oil and fuel lines for leakage.
   d. Clean fuel filters at carburetor and fuel pump.
   e. Make necessary repairs or adjustments or any other items which road test showed to need attention.
   f. Check all tire pressures again and if necessary replace valve core and inspect innertube and tire casing.
16. *Final Road Test.*
   a. Make further road tests if necessary to see that all equipment is operating satisfactorily.
   b. Check for leaks under engine, transmission, and rear axle.
   c. Clean and remove rust and dirt from engine and its accessories and other chassis parts. Touch up with paint or appropriate color if originally painted.
17. *Body.*
   a. Remove wax or grease from interior chrome, clean upholstery, carpets, and floor mats and repair any damaged places. Use solvent cleaner which will not damage finish or upholstery.
   b. Remove plugs or screening from holes in floorboards or dash.
   c. Check and lubricate front seat adjustment.
   d. Check operation of all windows, ventipanes, cowl ventilator and sun visors. Clean windows and windshield inside and outside and repair any defects.
   e. Check operation of all doors from inside and outside, trunk lid, hood and glove compartment.
   f. Check operation of all keys and locks on doors, glove compartment and trunk.
   g. Check and clean tools in kit.
   h. Re-cement any sponge rubber seal strips which may have pulled loose, replacing any which have deteriorated.
   i. Inspect paint finish and repair or touch up any defects or damage.
   j. Clean and polish vehicle body and chrome trim.

NOTE: Owner should drain engine crankcase at about 250 miles and refill to the full mark with a good grade of engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8809, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9496, 9637, 9786, 9900, 9901, 10069, 10111, 9495, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6829, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9816, 9732, 10155, 10454; 8 F.R. 371.

TRUCK TRAILER EQUIPMENT

With respect to truck trailer equipment, the following conditioning operations must be performed when conditions show work to be necessary:

Items Nos 1 a, b;
2 a, b, d, g;
9 d;
11 a, b;
12 a, b, d;
14 c, g, h, j;
15 b, e, f;
16 a;
and 17 i, j.

DIESEL ENGINES

With respect to Diesel engines, follow manufacturer's instructions where they are at variance with corresponding operations for gasoline engines and equipment.

This Amendment No. 136 shall become effective March 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3976; Filed, March 13, 1943; 4:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 35 Under Supp. Reg. 15 of GMPR]

FAST REFRIGERATOR LINES, INC.

Order No. 35 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1169.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1335 *Adjustment of maximum prices for contract carrier services sold by Fast Refrigerator Lines, Inc.* (a) Fast Refrigerator Lines, Inc., 1812 East Sixth Street, Topeka, Kansas, may sell and furnish contract carrier services in connection with the transportation of fresh meats and packing house products from, to and between points in Kansas, Missouri, and Oklahoma at prices not higher than 6% above the March 1942 levels as set forth in the schedule of minimum rates, MF-ICC No. 9, filed by Fast Refrigerator Lines, Inc., with the Interstate Commerce Commission on April 25, 1942, to become effective June 1, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 35 (§ 1499.1335) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 35 (§ 1499.1335) shall become effective March 17, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4107; Filed, March 16, 1943; 3:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 36 Under Supp. Reg. 15 of GMPR]

JAMES A. HANNAH MOTOR TRUCK SERVICE

Order No. 36 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-190.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1336 *Adjustment of maximum prices for contract carrier service by James A. Hannah, doing business as James A. Hannah Motor Truck Service.* (a) James A. Hannah, doing business as James A. Hannah Motor Truck Service, of Chicago, Illinois, hereinafter referred to as applicant, may increase his March, 1942 rates for motor contract carrier services for the delivery of food products for the Jewel Tea Co., Inc., operator of Jewel Food Stores, a chain grocery, of Chicago, Illinois, by five and one-half (5½%) percent.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 36 (§ 1499.1336) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 36 (§ 1499.1336) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 36 (§ 1499.1336) shall become effective March 11, 1943.

(Pub. Laws No. 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4105; Filed, March 16, 1943; 3:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as amended,[1] Amendment 17]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new paragraph (f) is added to § 1499.114 as set forth below:

§ 1499.114. *Applications for adjustments by sellers.* * * *

(f) *Adjustment of prices through buyer-seller agreement*—(1) *Method of agreeing on maximum prices.* Notwithstanding any other provisions of this regulation, the maximum price for any service supplied to a purchaser, other than a purchaser at retail, may be determined by agreement between the seller and the purchaser, provided, however, that the following facts exist:

(i) As to the seller:

(*a*) The actual cost of materials and labor used in supplying the service has increased so that it exceeds the cost in March 1942 (or on the "applicable base date" as defined in this paragraph) of such materials and labor by an amount so large that the continued supply of the service is threatened.

(*b*) The amount in dollars and cents which is added by agreement to the maximum price for the service as established by other sections of this regulation is no more than the amount by which the actual cost of materials and labor used in supplying the service exceeds the cost in March 1942 (or on the "applicable base date" as defined in this paragraph).

(ii) As to the purchaser:

(*a*) The purchaser is willing to pay the higher price requested by the seller;

(*b*) The purchaser cannot supply the service himself at a price as low as the requested price and cannot secure satisfactory performance of the service from any other seller at a price as low as the requested price;

(*c*) The purchaser will not pass on the increase in the price of the service in any form to any of his customers; and

(*d*) The purchaser will not use the increased price in any way as the basis for an application for adjustment of his own price, and any application filed by the purchaser will be filed upon the basis of the maximum price for the service as established by the other sections of this maximum price regulation.

(2) *Certification of facts required.* The seller must certify on Form OPA 687:116 that all the facts required by subparagraph (1) (i) of this paragraph exist; and the purchaser must certify on the same copy of Form OPA 687:116 that all the facts required by subparagraph (1) (ii) of this paragraph exist.

(3) *Method of filing Form OPA 687:116.* Three copies of Form OPA 687:116 properly filled out shall be filed by the seller with the appropriate field office of the Office of Price Administration at least 15 days prior to the first sale of the service at the price agreed upon in accordance with this section.

(4) *Adjustments based upon wage or salary increases requiring the approval of the National War Labor Board.* If a seller will seek to increase his maximum price under the provisions of this paragraph in the event a proposed wage or salary increase requiring the approval of the National War Labor Board (hereinafter called "Board") becomes finally effective, he shall take the following steps:

(i) In the case of a wage or salary increase voluntarily agreed to between the seller and his employees, the seller must file Form OPA 687:116 in the manner above set forth not more than 15 days after filing his application for approval of the agreed-upon wage or salary increase. After the proposed wage or salary increase becomes finally effective, but in no event earlier than 15 days after the filing of Form OPA 687:116, the seller may increase his prices as requested pursuant to this paragraph.

(ii) In the case of a disputed wage or salary proceeding, the seller, within 15 days after receiving notice that the case was certified to the Board, shall give written notice to the appropriate field office of the Office of Price Administration that he will request a price increase under this paragraph if ordered to grant a wage or salary increase by the Board. If the Board decides to grant a wage or salary increase, the seller shall file Form OPA 687:116 in the manner above set forth not more than 5 days after he is notified of the proposed Board decision. After the wage or salary increase becomes finally effective, but in no event earlier than 15 days after the filing of Form OPA 687:116, the seller may increase his prices as requested pursuant to this paragraph.

(iii) Both the seller and the purchaser shall, when filing Form OPA 687:116 pursuant to this subparagraph (4), make the necessary certifications on the assumption that the proposed wage or salary increase has become finally effective.

(iv) The provisions of this subparagraph (4) shall supersede the provisions of Supplementary Order No. 28 issued by the Office of Price Administration in all cases in which a seller seeks to increase his prices pursuant to this paragraph (f) because of a wage or salary increase requiring the approval of the Board. If the forms required by this subparagraph (4) are not filed in time, and the wage or salary increase requiring the approval of the Board becomes finally effective, the seller will be foreclosed from seeking relief under this paragraph (f) based upon those wage or salary increases. The fact that the seller has not so filed the required forms will not preclude recognition by the Office of Price Administration of the increased cost resulting from such wage or salary increase in considering any later application for adjustment or petition for amendment based on subsequent changes in circumstances.

(5) *Effective date of price increase under this paragraph (f).* Unless the Office of Price Administration or any authorized representative thereof shall, by notice mailed to the seller within 15 days from the date of filing Form OPA 687:116, disapprove the maximum price as agreed upon, such price shall be deemed to have been approved, subject to disapproval or adjustment at any later time by an order issued by the Office of Price Administration or any authorized representative thereof. In no case shall any price increase resulting from the application of this paragraph (f) become effective prior to 15 days from the date of the filing of Form OPA 687:116, nor, in the case of price increases based upon wage or salary increases requiring the approval of the Board, prior to the date upon which the wage or salary increase becomes finally effective.

(6) *Delegation of authority.* Any regional office of the Office of Price Administration and such other offices as may be authorized by order issued by the appropriate regional office, are hereby authorized to approve, disapprove, or adjust maximum prices agreed upon pursuant to this section, in accordance with its provisions.

(7) *Definitions.* (i) "Applicable base date", as used in this § 1499.114 (f), refers only to sales by persons who seek to adjust, by this section, maximum prices for services supplied during March 1942 pursuant to a contract entered into before that date, and means October 1, 1941, or the date when the contract became effective, whichever date is closer to March 1, 1942.

§ 1499.121a *Effective dates of amendments.* * * * (q) Amendment No. 17 (§ 1499.114 (f)) to Maximum Price Regulation No. 165 as amended shall become effective March 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4103; Filed, March 16, 1943; 3:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 10480, 10557, 10619, 10718, 9972, 11010; 8 F.R. 1060.

PART 1499—COMMODITIES AND SERVICES

[Order 329 Under § 1499.3 (b) of GMPR]

OWENS-ILLINOIS GLASS COMPANY

Approval of maximum prices for paper vacuum closures.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1765 *Authorization to Owens-Illinois Glass Company for sale of paper vacuum closures.* (a) On and after the effective date of this Order, specific authorization is hereby given to Owens-Illinois Glass Company, of Toledo, Ohio, to sell and deliver or to offer to sell and deliver O-1 paper vacuum closures at prices not to exceed those set forth in paragraph (b) hereof, and any person may buy and receive or offer to buy and receive such closures at such maximum prices from Owens-Illinois Glass Company.

(b) Maximum prices, per thousand, f. o. b. factory, when ordered in quantities of: 1,000,000 or more, $5.95; more than 10,000 but less than 1,000,000 $6.20; less than 10,000, $7.13

(c) This Order No. 329 may be revoked or amended at any time by the Office of Price Administration.

(d) This Order No. 329 shall become effective March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4106; Filed, March 16, 1943; 3:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 330 Under § 1499.3 (b) of GMPR]

BOND BROTHERS, INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1766 *Adjustment of maximum prices 10 4" sap gum tie siding lumber sold by Bond Brothers, Incorporated.* (a) Bond Brothers, Incorporated of Louisville, Kentucky, may sell and deliver, and any person may buy from Bond Brothers, Incorporated, 10 4" sap gum tie siding lumber at prices per M'BM, f. o. b. mill, no higher than those hereinafter set forth.

SAP GUM—TIE SIDING LUMBER

Thickness	F. A. S.	No. 1 common and select	No. 2 common
10 4	$50.00	$50.00	$20.00

(b) All discounts, credit allowances, and other terms relating to payment in effect by applicant in March 1942, shall apply to the prices herein determined.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 330 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 330 (§ 1499.1766) shall become effective March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4108; Filed, March 16, 1943; 3:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 331 Under § 1499.3 (b) of GMPR]

THUNDERLAKE LUMBER COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1767 *Adjustment of maximum prices of 4 4 cherry lumber sold by Thunderlake Lumber Company.* (a) Thunderlake Lumber Company of Rhinelander, Wisconsin, may sell and deliver and any person may buy from Thunderlake Lumber Company, 4 4" cherry lumber at prices per MBM f. o. b. mill no higher than those hereinafter set forth.

Thickness	F. A. S.	Selects	No. 1 common	No. 2 common
4 4	$114.00	$90.00	$65.00	$44.00

(b) All discounts, credit allowances and other terms relating to payment in effect by applicant in March, 1942, shall apply to the prices herein determined.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 331 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 331 (§ 1499.1767) shall become effective March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4109; Filed, March 16, 1943; 3:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 332 Under § 1499.3 (b) of GMPR]

ALLIED BARREL CORPORATION

Maximum prices for tight wooden barrels with white oak tight sap headings.

Allied Barrel Corporation of Oil City, Pennsylvania, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization of a maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered:*

§ 1499.1768 *Approval of maximum prices for the sale of tight wooden barrels with white oak tight sap headings.* (a) On and after February 13, 1943, Allied Barrel Corporation of Oil City, Pennsylvania, may sell and deliver, and any person may buy and receive from Allied Barrel Corporation, tight wooden barrels with white oak tight sap headings, of 50–58 gallon capacity, at prices not to exceed by more than 25 cents per barrel the Allied Barrel Corporation's current maximum selling price of similar barrels with gum or red oak oil grade headings.

(b) This Order No. 332 may be revoked or amended at any time.

The effective date of this order is February 13, 1943.

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4110; Filed, March 16, 1943; 2:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 333 Under § 1499.3 (b) of GMPR]

B. F. TRAPPEY'S SONS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1769 *Authorization of maximum prices for sales of dehydrated cut okra, in 1¼ ounce cellophane packages by B. F. Trappey's Sons, Incorporated, New Iberia, Louisiana and by wholesalers and retailers.* (a) On and after March 17, 1943, the maximum price for sales by B. F. Trappey's Sons, Incorporated, New Iberia, Louisiana, of dehydrated cut okra packed in 1¼ ounce cellophane packages shall be $.75 per dozen f. o. b. New Iberia, Louisiana.

(b) The wholesale grocers maximum price for dehydrated cut okra packed in 1¼ ounce cellophane packages shall be $.90 per dozen.

(c) Retail grocers maximum prices for dehydrated cut okra, packed in 1¼ ounce cellophane packages and manufactured by B. F. Trappey's & Sons Inc. shall be $.10 per 1¼ ounce package.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items in making sales of 1¼ ounce cellophane packages of dehydrated cut okra unless such change in these customary discounts, allowances and price differentials result in lower selling prices.

(e) B. F. Trappey's Sons, Inc. shall print or otherwise reproduce on each 1¼ ounce cellophane package of dehydrated cut okra the following legend: "OPA Retail Ceiling Price 10c."

(f) On and after March 17, 1943, B. F. Trappey's Sons, Incorporated shall supply a written notification to each wholesaler at the time of the first delivery of 1¼ ounce cellophane packages of dehydrated cut okra, to such wholesaler and for a period of three months thereafter, and shall include with each shipping unit of 1¼ ounce packages of dehydrated cut okra a written notification to retailers. If such retailer notification is enclosed within a shipping unit, a legend shall be affixed outside of each unit to read: "Retailers Notice Enclosed." The written notification for each type of purchaser shall include the following statements:

Notification from B. F. Trappey's Sons, Incorporated to Wholesalers.

The OPA has authorized us to charge wholesalers $.75 per dozen f. o. b. New Iberia, Louisiana, for 1¼ ounce cellophane packages of dehydrated cut okra subject to all customary allowances and discounts. Wholesalers are authorized to establish a ceiling price of $.90 per dozen. Retailers are authorized to establish a ceiling price of $.10 per 1¼ ounce package. A copy of notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires you keep this notice for examination.

Notification from B. F. Trappey's Sons, Incorporated to Retailers.

The OPA authorizes retailers to establish ceiling prices for dehydrated cut okra packed in 1¼ ounce cellophane packages of $.10 per 1¼ ounce package. OPA requires that you keep this notice for examination.

(g) This Order No. 333 may be revoked or amended by the Price Administrator at any time.

(h) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(i) This Order No. 333 (§ 1499.1769) shall become effective March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4111; Filed, March 16, 1943; 2:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 334 Under § 1499.3 (b) of GMPR]

ESCO COFFEE—GROCERIES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1770 *Authorization of maximum prices for sales of "Vitex" processed by Esco Coffee—Groceries, 2547 Dennis Street, Cincinnati, Ohio.* (a) On and after March 17, 1943 the maximum price for "Vitex" shall be 21 cents per pound delivered to consumers.

(b) This Order No. 334 may be revoked or amended by The Administrator at any time.

(c) This Order No. 334 (§ 1499.1770) shall become effective March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4112; Filed, March 16, 1943; 2:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 335 Under § 1499.3 (b) of GMPR]

SPAULDING BAKERIES INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1771 *Authorization of a maximum price for sales of oven baked beans in a 15 ounce waxed cardboard container by Spaulding Bakeries Incorporated, Binghamton, New York.* (a) On and after March 17, 1943, the maximum delivered selling price for oven baked beans in waxed cardboard containers for sale by Spaulding Bakeries Incorporated, Binghamton, New York, shall be 15 cents per 15 ounce package.

(b) Spaulding Bakeries Incorporated shall apply to their maximum selling price for oven baked beans in 15 ounce waxed cardboard containers the same discounts, allowances and price differentials which it customarily applies to comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) Sellers at retail are authorized a maximum delivered selling price of 19 cents per 15 ounce package of Spaulding Bakeries Incorporated oven baked beans in waxed cardboard containers.

(d) Spaulding Bakeries Incorporated shall before or at the time of first delivery of oven baked beans in 15 ounce waxed cardboard containers, supply a written notification to each purchaser thereof from it as follows:

OPA has authorized us to sell our Oven Baked Beans in 15 ounce waxed cardboard containers at a maximum delivered selling price of 15 cents per package. As a retailer your maximum delivered selling price for these Oven Baked Beans is 19 cents per package. OPA requires that you keep this notice for examination

(e) This Order No. 335 may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4113; Filed, March 16, 1943; 2:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 336 Under § 1499.3 (b) of GMPR]

JAMES H. FORBES TEA AND COFFEE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1772 *Authorization of maximum prices for sales of "C–C Mixture" processed by James H. Forbes Tea and Coffee Company, 908–926 Clark Avenue, St. Louis, Missouri.* (a) On and after March 17, 1943, the maximum prices for the following product of James H. Forbes Tea and Coffee Company of St. Louis, Missouri, delivered to customers, shall be as set forth below.

(1) "C C Mixture" 14¢ per pound
(2) "C-C Mixture" 7¢ per half-pound

(b) Wholesalers of this product shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of this product shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This Order No. 336 may be revoked or amended by the Administrator at any time.

(e) This Order No. 336 (§ 1499.1772) shall become effective March 17, 1943.

(Public Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4114; Filed, March 16, 1943; 2:59 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 81]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.159 (b) (9) is amended to read as follows:

(9) Notwithstanding the provisions of other subparagraphs of this paragraph (b) or of paragraph (c) of this section, the maximum tank wagon prices for all fuel oils and heating oils including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, diesel oil and gas oil in the states of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia shall be .3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this price schedule which would otherwise govern except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4120; Filed, March 16, 1943; 4:47 p. m.]

PART 1340—FUEL

[MPR 137,[2] Amendment 27]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 137 is amended in the following respect:

Section 1340.91 (h) is amended to read as follows:

(h) Notwithstanding the provisions of other paragraphs of this section, the maximum prices for kerosene, range oil, No. 1 or Pacific Specification No. 100 fuel oil and diesel fuel oil for sellers at retail establishments in the states of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Washington, Wisconsin and in the District of Columbia shall be 0.3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this maximum price regulation which would otherwise govern except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4121; Filed, March 16, 1943; 4:47 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289 Amendment 7]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.1520 (j) is added to read as follows:

(j) *Special provisions for determining maximum prices of creameries or butter manufacturers.* (1) Any creamery or manufacturer of butter who either directly or indirectly through an agent or association leases or rents equipment for the printing or packaging of butter or who enters into any agreement with another person for the printing or packaging of butter for him, may not sell, such printed or packaged butter:

(i) to any purchaser named in paragraph (a) (2) of this section, at a price higher than the maximum price established by paragraph (a) (2) for sales of bulk butter, plus the exact sum he has paid for such printing or packaging: *Provided, however,* That such price in no case shall exceed the appropriate price established in paragraph (b) of this section, or

(ii) to any purchaser other than those named in paragraph (a) (2) of this section, at a price higher than the maximum price established for sales of bulk butter by paragraph (a) (3) of this section, plus the exact amount he had paid for such printing or packaging. *Provided, however,* That in no case shall the sum which he may add for such printing or

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2594, 2152, 2334, 2349, 2273, 2350, 2501, 2756, 2874, 2977, 3050, 3106.

[2] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 2586, 1799, 2152, 2120, 2501, 2594, 2997, 3105.

[1] 7 F.R. 10996; 8 F.R. 490, 1455, 1885, 1972.

packaging exceed the appropriate figure set forth in Table B of this section.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4122; Filed, March 16, 1943; 4:47 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 18]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.917 is amended by changing the head-note and by adding a new paragraph (d) to read as set forth below:

§ 1407.917 *Adjustments and exceptions.* * * *

(d) If any regional administrator finds that there is, within his region, an area in which controlled meat is unavailable to such an extent that efficiency and despatch in the war effort or public health or morale are, or will be, seriously threatened the Director of the Food Rationing Division may authorize such regional administrator to grant, without written application, such exceptions to slaughterers or non-quota slaughterers as such administrator shall deem necessary to remove such threat.

This amendment shall become effective March 16, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Laws 507, 421, and 729, 77th Cong.; WPB Directive No. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 16th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4119; Filed, March 16, 1943; 4:47 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 28,[2] Amendment 3]

CERTAIN PERISHABLE FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Temporary Maximum Price Regulation 28 is amended in the following respects:

1. Section 1439.253 (c) is added to read as follows:

(c) If the seller cannot determine his maximum price for a listed commodity under the foregoing, because neither he nor his most closely competitive seller of the same class delivered or offered for delivery such listed commodity to a purchaser of the same class during the base period of February 18, 1943, to February 22, 1943, inclusive, he shall determine his maximum price by the following procedure applied in the following order:

(1) By taking the maximum price for the similar listed commodity most nearly like it which he (or, if none, his most closely competitive seller of the same class) charged a purchaser of the same class during the base period.

(2) By taking the maximum price of the same commodity which he (or, if none, his most closely competitive seller of the same class) charged a different class of purchaser during such base period and adjusting the price to reflect the customary differential between the two classes of purchasers.

(3) By taking the maximum price of the similar listed commodity most nearly like it which he (or, if none, his most closely competitive seller of the same class) charged a different class of purchaser during such base period, and adjusting the price to reflect the customary differential between the two classes of purchasers.

(4) In all other cases, by taking the maximum price for the most nearly similar listed commodity that he (or, if none, his most closely competitive seller of the same class) has delivered or offered for delivery during such base period and adjusting that price to reflect the differential between the two commodities normal or customary to his business or, if none, to reflect the reasonable differential between the two commodities based upon the variances in the cost of the two commodities.

2. Section 1439.253 (d) is added to read as follows:

(d) Whenever the term "listed commodity" is used in this section it shall mean any commodity listed in this temporary regulation or in Temporary Maximum Price Regulation No. 29. Where a maximum price is established by using the maximum price of the most nearly similar commodity listed in Temporary Maximum Price Regulation No. 29, the base period for that commodity shall be February 20, 1943, to February 24, 1943, inclusive.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4123; Filed, March 16, 1943; 4:47 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 29,[1] Amendment 2]

CERTAIN PERISHABLE VEGETABLES; SPINACH AND LETTUCE

A statement of the considerations involved in the issuance of this amendment, issued simultaneouly herewith, has been filed with the Division of the Federal Register.*

Temporary Maximum Price Regulation 29 is amended in the following respects:

1. Section 1439.303 (c) is added to read as follows:

(c) If the seller cannot determine his maximum price for a listed commodity under the foregoing, because neither he nor his most closely competitive seller of the same class delivered or offered for delivery such listed commodity to a purchaser of the same class during the base period of February 20, 1943, to February 24, 1943, inclusive, he shall determine his maximum price by the following procedure applied in the following order:

(1) By taking the maximum price for the similar listed commodity most nearly like it which he (or, if none, his most closely competitive seller of the same class) charged a purchaser of the same class during the base period.

(2) By taking the maximum price of the same commodity which he (or, if none, his most closely competitive seller of the same class) charged a different class of purchaser during such base period and adjusting the price to reflect the customary differential between the two classes of purchasers.

(3) By taking the maximum price of the similar listed commodity most nearly like it which he (or, if none, his most closely competitive seller of the same class) charged a different class of purchaser during such base period, and adjusting the price to reflect the customary differential between the two classes of purchasers.

(4) In all other cases, by taking the maximum price for the most nearly similar listed commodity that he (or, if none, his most closely competitive seller of the same class) has delivered or offered for delivery during such base period and adjusting that price to reflect the differential between the two commodities normal or customary to his business, or, if none, to reflect the reasonable differential between the two commodities based upon the variances in the cost of the two commodities.

2. Section 1439.303 (d) is added to read as follows:

(d) Whenever the term "listed commodity" is used in this section it shall mean any commodity listed in this temporary regulation or in Temporary Maximum Price Regulation No. 28. Where a maximum price is established by using the maximum price of the most nearly similar commodity listed in Temporary Maximum Price Regulation No. 28, the base period for that commodity shall be February 18, 1943, to February 22, 1943, inclusive.

This amendment shall become effective March 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4138; Filed, March 17, 1943; 4:47 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation

[No. 39]

PART 402—ANNUAL WATER CHARGES[1]

KLAMATH IRRIGATION PROJECT

FEBRUARY 27, 1943.

Public notice of annual water charges. (Act of June 17, 1902 (32 Stat. 388) as amended or supplemented)

1. *Operation and maintenance charges.* The annual operation and maintenance charge for the irrigation season of 1943, and thereafter until further notice, against all lands of the Main division lying outside of the Klamath Irrigation District shall be a minimum charge of one dollar and sixty cents ($1.60) per irrigable acre, whether water is used or not, which will entitle the water user to two and one-half ($2\frac{1}{2}$) acre-feet of water per irrigable acre. Additional water will be furnished at the rate of fifty cents ($0.50) per acre-foot.

2. The annual operation and maintenance charge for the irrigation season of 1943, and thereafter until further notice, against all lands under district or individual Warren Act contracts, shall be a minimum charge of eighty-six cents ($0.86) per irrigable acre, whether water is used or not, which will entitle the water user to two and one-half ($2\frac{1}{2}$) acre-feet of water per irrigable acre: *Provided*, That for those contracts which have not been amended so as to increase the allowance of water from 2 to $2\frac{1}{2}$ acre-feet per annum, only 2 acre-feet will be furnished under the minimum charge. Additional water will be furnished at the rate of twenty-five cents ($0.25) per acre-foot.

3. *Water rental charges.* The annual water rental charge for the irrigation season of 1943, and thereafter until further notice, against all lands of the Tule Lake division lying outside of the Klamath Irrigation District and subject to Public Orders of January 22, 1927, March 30, 1928, February 6, 1929, September 10, 1930, October 16, 1931, and September 9, 1937, shall be a minimum charge of two dollars ($2.00) per irrigable acre, whether water is used or not, which will entitle the water users to two and one-half ($2\frac{1}{2}$) acre-feet of water per irrigable acre. Additional water will be furnished up to a limit of three and one-half ($3\frac{1}{2}$) acre-feet per irrigable acre at a rate of fifty cents ($0.50) per acre-foot and all further quantities for seventy-five cents ($0.75) per acre-foot.

4. For irrigation or waste water furnished Tule Lake leased lands the charge, unless otherwise specified in the leases, shall be seventy cents ($0.70) per acre-foot for the season of 1943 and thereafter until further notice.

5. For irrigation or waste water furnished private lands within the dry bed of or bordering Lower Klamath Lake, the charge shall be fifty cents ($0.50) per acre-foot for the season of 1943 and thereafter until further notice.

6. For water furnished lands not subject to the operation and maintenance or water rental charges named above the charges shall be eighty cents ($0.80) per acre-foot for the season of 1943 and thereafter until further notice.

7. *Time of payment.* For lands of the Tule Lake division under public notice or public order lying outside of the Klamath Irrigation District, the minimum charge of two dollars ($2.00) per irrigable acre stated above will be due and payable one-half before the delivery of water, if water is delivered before July 1, and one-half on or before July 1. If no water is delivered before July 1, then the entire charge shall become due and payable on that date. If the charge, or any part thereof, is unpaid on that date there will be added a penalty of one-half of one per centum ($\frac{1}{2}\%$) and there will be added a like penalty of one-half of one per centum ($\frac{1}{2}\%$) on the first day of each month thereafter so long as such default shall continue. Payment for water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the season in which used, and if not paid on or before said due date, there will be added a penalty of one-half of one per centum ($\frac{1}{2}\%$) and there will be added a like penalty of one-half of one per centum ($\frac{1}{2}\%$) on the first day of each month thereafter so long as such default shall continue.

8. For all other lands referred to herein the minimum charges announced shall be due and payable before the delivery of water and in any event not later than May 1 of the current irrigation season. Payment for water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the season in which used. On all payments not made on or before the due dates specified herein, there will be added a penalty of one-half of one per centum ($\frac{1}{2}\%$) and there will be added a like penalty of one-half of one per centum ($\frac{1}{2}\%$) on the first day of each month thereafter so long as such default shall continue.

9. Where water rental application is made for public land entered under the Reclamation Law after June 15 and where water rental application is made after August 1 for land in private ownership, no water rental charge shall be made for water delivered during the remainder of the irrigation season in which water rental application is made.

ABE FORTAS,
Under Secretary.

[F. R. Doc. 43-4138; Filed, March 17, 1943; 10:46 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

NORTH PACIFIC BASIN INVESTIGATIONS, OREGON

FIRST FORM RECLAMATION WITHDRAWAL

FEBRUARY 1, 1943.

THE SECRETARY OF THE INTERIOR.

SIR:

In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described land be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

NORTH PACIFIC BASIN INVESTIGATIONS

Willamette Meridian, Oregon

Township 30 South, Range 2 West:
Section 12—$SE\frac{1}{4}NE\frac{1}{4}$.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: February 24, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

MARCH 6, 1943.

[F. R. Doc. 43-4089; Filed, March 16, 1943; 11:52 a. m.]

NORTH PACIFIC BASIN INVESTIGATIONS, OREGON

FIRST FORM RECLAMATION WITHDRAWAL

FEBRUARY 1, 1943.

THE SECRETARY OF THE INTERIOR.

SIR:

It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7839, 8217, 8524, 9247, 9250, 9639, 10258 10621, 10704. 8 F.R. 179, 375, 925, 1204, 1279, 2274, 2498

[2] 8 F.R. 2396, 2499, 2888.

[1] 8 F.R. 2499, 2888.

[1] Affects tabulation in § 407.2f.

NORTH PACIFIC BASIN INVESTIGATIONS

Willamette Meridian, Oregon

Township 30 South, Range 1 West:
Section 4—Lot 4, $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$;
Section 8—$N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$;
Section 20—$NE\frac{1}{4}NE\frac{1}{4}$;
Township 32 South, Range 3 West:
Section 2—$SW\frac{1}{4}$.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur March 2, 1943.

JOEL DAVID WOLFSOHN,
Acting Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

MARCH 6, 1943.

[F. R. Doc. 43-4088; Filed, March 16, 1943; 11:52 a. m.]

Grazing Service.

ORDER FOR REMOVAL OF TRESPASSING HORSES FROM CERTAIN GRAZING DISTRICTS

Whereas a number of horses are trespassing and grazing on land in each and all of the 58 grazing districts in the United States; and, whereas these horses are consuming forage needed for domestic livestock, thus causing injury to the range and increased cost of administration thereof;

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by the act of June 28, 1934 (48 Stat. 1269, 43 U.S.C. 315, et seq.), as amended, commonly referred to as the Taylor Grazing Act, the following order is issued for the occupancy, use, protection, and administration of the Federal range in the grazing districts above referred to, more particularly described as: Arizona Grazing Districts Nos. 1, 2, 3, and 4; California Grazing Districts Nos. 1 and 2; Colorado Grazing Districts Nos. 1, 2, 3, 4, 5, 6, 7, and 8; Idaho Grazing Districts Nos. 1, 2, 3, 4, and 5; Montana Grazing Districts Nos. 1, 2, 3, 4, 5, and 6; Nevada Grazing Districts Nos. 1, 2, 3, 4, and 5; New Mexico Grazing Districts Nos. 1, 2, 3, 4, 5, 6, and 7; Oregon Grazing Districts Nos. 1, 2, 3, 4, 5, 6, and 7; Utah Grazing Districts Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9; and Wyoming Grazing Districts Nos. 1, 2, 3, 4, and 5; all of which districts having been established by appropriate orders.

1. Each and all of the grazing districts above described are hereby closed for the period beginning September 1, 1943, and ending March 1, 1944, to the grazing of horses, except those horses that are lawfully grazing on or crossing lands in any of the said districts or allotments therein contained pursuant to the Federal Range Code approved September 23, 1942, and which contains the rules and regulations prescribed for the administration of grazing districts, or that are used in connection with operations authorized by such Federal Range Code, or that are used as riding, pack, or draft animals by persons lawfully traveling over such land.

2. Officers and employees of the Grazing Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

3. Public notice of intention to dispose of such horses shall be given by posting notices in public places and advertising in a newspaper or newspapers of general circulation in each and all of the said grazing districts described above.

This order shall be effective from and after publication in the FEDERAL REGISTER.

Approved this 10th day of March A. D. 1943.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-4092; Filed, March 16, 1943; 11:52 a. m.]

National Park Service.

GREAT SMOKY MOUNTAINS NATIONAL PARK

NOTICE OF ASSUMPTION OF POLICE JURISDICTION

SEPTEMBER 5, 1942.

The United States has accepted, under the authority of the act of Congress, approved May 22, 1926 (44 Stat. 616), certain deeds tendered by the State of North Carolina, conveying lands to the United States for the Great Smoky Mountains National Park, as hereinafter listed.

Notice is hereby given, in accordance with the provisions of section 10 of the act approved April 29, 1942 (Public Law 533—77th Congress), that the United States assumes police jurisdiction over the lands conveyed to the United States by such deeds, effective as of the 20th day of September 1942, at 12:00 A. M. The transfer of such jurisdiction to the United States has been authorized by the act of the Legislature of the State of North Carolina, approved March 18, 1929 (Public Laws of North Carolina, 1929, p. 272).

The lands covered by this acceptance are those acquired by the United States by deeds dated and recorded in the State of North Carolina, as follows:

N. P. S. Deed No.

4—Deed dated February 5, 1930, and recorded in the land records of Swain County, North Carolina, in Book No. 59 of Deeds, at page 123, and in the land records of Haywood County, North Carolina, in Book No. 81 of Deeds, at page 108. (46,318.76 acres)

5—Deed dated July 24, 1930, and recorded in the land records of Swain County, North Carolina, in Book No. 59 of Deeds, at page 270. (12,081.83 acres)

10—Deed dated March 30, 1931, and recorded in the land records of Swain County, North Carolina, in Book No. 59 of Deeds, at page 513. (22,458.51 acres)

11—Deed dated March 30, 1931, and recorded in the land records of Haywood County, North Carolina, in Book No. 81 of Deeds, at page 168. (2,138.48 acres)

12—Deed dated July 20, 1931, and recorded in the land records of Swain County, North Carolina, in Book No. 60 of Deeds, at page 43. (55,435.11 acres)

13—Deed dated January 26, 1933, and recorded in the land records of Swain County, North Carolina, in Book No. 60 of Deeds, at page 449, and in the land records of Haywood County, North Carolina, in Book No. 81 of Deeds, at page 319. (5,215.19 acres)

15—Deed dated April 28, 1934, and recorded in the land records of Swain County, North Carolina, in Book No. 61 of Deeds, at page 46, and in the land records of Haywood County, North Carolina, in Book No. 81 of Deeds, at page 421. (32,853.53 acres)

16—Deed dated April 28, 1934, and recorded in the land records of Swain County, North Carolina, in Book No. 61 of Deeds, at page 32, and in the land records of Haywood County, North Carolina, in Book No. 81 of Deeds, at page 505. (32,710.53 acres)

17—Deed dated April 28, 1934, and recorded in the land records of Swain County, North Carolina, in Book No. 61 of Deeds, at page 43. (No acreage—railroad right of way.)

18—Deed dated March 9, 1934, and recorded in the land records of Haywood County, North Carolina, in Book No. 81 of Deeds, at page 390. (20,190.40 acres)

33—Deed dated April 10, 1936, and recorded in the land records of Swain County, North Carolina, in Book No. 61 of Deeds, at page 300. (32.08 acres)

39—Deed dated November 12, 1938, and recorded in the land records of Swain County, North Carolina, in Book No. 61 of Deeds, at page 601. (1.17 acres)

Total: 229,435.59 acres.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 43-4090; Filed, March 16, 1943; 11:52 a. m.]

GREAT SMOKY MOUNTAINS NATIONAL PARK

NOTICE OF ASSUMPTION OF POLICE JURISDICTION

SEPTEMBER 5, 1942.

The United States has accepted, under the authority of the act of Congress, approved May 22, 1926 (44 Stat. 616), certain deeds tendered by the State of Tennessee, conveying lands to the United States for the Great Smoky Mountains National Park, as hereinafter listed.

Notice is hereby given, in accordance with the provisions of section 10 of the act approved April 29, 1942 (Public Law 533—77th Congress), that the United States assumes police jurisdiction over the lands conveyed to the United States by such deeds, effective as of the 20th day of September, 1942, at 12:00 A. M. The transfer of such jurisdiction to the United States has been authorized by the act of the Legislature of the State of Tennessee, approved April 12, 1929 (Public Acts of Tennessee, 1929, p. 314).

The lands covered by this acceptance are those acquired by the United States by deeds dated and recorded in the State of Tennessee as follows:

N. P. S. Deed No.

1—Deed dated January 31, 1930, and recorded in the land records of Cocke County, Tennessee, in Book No. 51 of Deeds, at page 321. (13,362.10 acres)

2—Deed dated January 31, 1930, and recorded in the land records of Sevier County, Tennessee, in Book No. 64 of Deeds, at page 1. (51,768.75 acres)

3—Deed dated January 31, 1930, and recorded in the land records of Blount County, Tennessee, in Book No. 106 of Deeds, page 3 (35,045.58 acres), Less acreage reconveyed by the United States of America to the State of Tennessee by quitclaim deed dated August 17, 1939, and recorded in the land records of Blount County, Tennessee, in Book No. 121 of Deeds, at page 510, for exchange purposes in accordance with the act of Congress approved July 19, 1932, (47 Stat. 702). (2,460.20 acres, or 32,585.38 acres net)

6—Deed dated October 19, 1931, and recorded in the land records of Sevier County, Tennessee, in Book No. 64 of Deeds, at page 311. (12,010.43 acres)

7—Deed dated October 19, 1931, and recorded in the land records of Sevier County, Tennessee, in Book No. 66 of Deeds, at page 59. (37,497.20 acres)

7A—Deed dated May 7, 1935, and recorded in the land records of Sevier County, Tennessee, in Book 69 of Deeds, at page 392. (2,133.28 acres)

8—Deed dated October 19, 1931, and recorded in the land records of Blount County, Tennessee, in Book No. 108 of Deeds, at page 308. (2,314.40 acres)

9—Deed dated October 19, 1931, and recorded in the land records of Cocke County, Tennessee, in Book No. 51 of Deeds, at page 458. (3,798.20 acres)

14—Deed dated July 14, 1933, and recorded in the land records of Blount County, Tennessee, in Book No. 111 of Deeds, at page 250. (3,405.60 acres)

19—Deed dated July 14, 1933, and recorded in the land records of Cocke County, Tennessee, in Book No. W-51 of Deeds, at page 493. (64.90 acres)

20—Deed dated June 14, 1933, and recorded in the land records of Sevier County, Tennessee, in Book No. 66 of Deeds, at page 382. (3,285.57 acres)

24—Deed dated May 7, 1935, and recorded in the land records of Blount County, Tennessee, in Book No. 103 of Deeds, at page 578. (555.90 acres)

25—Deed dated May 7, 1935, and recorded in the land records of Cocke County, Tennessee, in Book No. W-51, of Deeds, at page 499. (39.80 acres)

28—Deed dated May 7, 1935, and recorded in the land records of Sevier County, Tennessee, in Book No. 69 of Deeds, at page 377, and in the land records of Blount County, Tennessee, in Book No. 114 of Deeds at page 412. (16,805.50 acres)

29—Deed dated September 22, 1936, and recorded in the land records of Sevier County, Tennessee, in Book No. 72 of Deeds, at page 158, and in the land records of Blount County, Tennessee, in Book No. 118 of Deeds, at page 45. (639.75 acres)

30—Deed dated January 17, 1935, and recorded in the land records of Sevier County, Tennessee, in Book 69 of Deeds, at page 308. (26.20 acres)

32—Deed dated May 7, 1935, and recorded in the land records of Sevier County, Tennessee, in Book No. 69 of Deeds, at page 349. (738.59 acres)

N. P. S. Deed No.

38—Deed dated September 20, 1938, and recorded in the land records of Blount County, Tennessee, in Book 121 of Deeds, at page 98. (68.70 acres)

40—Deed dated September 20, 1938, and recorded in the land records of Cocke County, Tennessee, in Book No. 58 of Deeds, at page 593. (4.50 acres)

41—Deed dated January 25, 1938, and recorded in the land records of Sevier County, Tennessee, in Book No. 77 of Deeds, at page 413, and in the land records of Blount County, Tennessee, in Book No. 121 of Deeds, at page 528. (65.40 acres)

48—Deed dated September 20, 1938, and recorded in the land records of Sevier County, Tennessee, in Book No. 77 of Deeds, at page 13. (1,032.14 acres)

73—Deed dated June 6, 1940, and recorded in the land records of Sevier County, Tennessee, in Book No. 78 of Deeds, at page 19. (217.33 acres)

Total: 182,419.62 acres.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 43-4091; Filed, March 16, 1943; 11:52 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

[Certificate A1]

PROGRAM FOR SUGAR BEETS

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law 603, approved June 11, 1942, and section 8 (f) of Executive Order 9280 of December 5, 1942, I submit to you a program for the production of domestic sugar beets and the distribution of sugar made therefrom to be carried out by the Commodity Credit Corporation. This program and the agreement offered in implementation thereof are more fully described in the annexed memorandum of Mr. J. B. Hutson, President, Commodity Credit Corporation, dated March 11, 1943.

I hereby approve this program for the purposes of section 12 of Public Law 603, approved June 11, 1942, and, after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such program, is requisite to the prosecution of the war.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

MARCH 15, 1943.

1943 SUGAR BEET PRODUCTION PROGRAM

War conditions have made it necessary for the United States to rely more heavily than heretofore upon continental sources of sugar, particularly upon continentally produced beet sugar. As a part of its program to assist sugar beet producers and to assure sufficient supplies of sugar during the latter part of 1943 and during 1944 the Department of Agriculture has announced and will carry out through the Commodity Credit Corporation a sugar beet price-support and distribution program. This program has thus far involved the preparation and submission to all processors of sugar beets of a Processor Agreement, 1943 Sugar Beet Production Program, adapted to meet the situation in each of the several sugar beet producing areas. Copies of this agreement are on file in and available for public inspection at the offices of the Commodity Credit Corporation.

The principal provisions of this agreement may be summarized as follows: The processors agree to buy sugar beets from producers at a price based upon present ceiling prices for refined beet sugar, plus a basic "support payment" of $1.50 per ton and plus a share in any proceeds that would accrue to the processors in the event present sugar prices are substantially increased. Processors are not obligated to make the $1.50 support payment to producers until necessary funds are received from the Commodity Credit Corporation. Such support payment accrues to the processors by a sale and repurchase transaction under which, after the beets are purchased from producers by processors at a price including such payment, the Commodity Credit Corporation purchases the beets from the processors at the same price and immediately thereafter sells them to the processors at a repurchase price exclusive of the support payment. Such repurchase price is calculated in part upon the proceeds derived by processors from the sale of sugar. Processors are thereby protected against the effects of possible declines in the sugar market and will also be able to pass on to the Commodity Credit Corporation abnormal transportation costs necessitated by the movement of beet sugar under the war program to areas where it is not normally used. In the event the market rises, or it is possible to get larger returns out of the present ceiling price, the Commodity Credit Corperation will be reimbursed for its costs to the extent of the support payment of $1.50 per ton of beets and to the extent that market declines have been reflected in repurchase prices paid by processors for beets. In the event that proceeds derived by processors from the sale of sugar are more than sufficient to reimburse the Commodity Credit Corporation for its costs, processors and producers will share in such excess.

Since, as indicated above, the processors are protected against market declines and abnormal transportation costs by a reduction in the repurchase price payable to the Commodity Credit Corporation for beets, they agree to market sugar in a manner that will minimize losses to the Corporation. It is worth noting in this connection that, during the midsummer of 1942 beet sugar transported at Government expense was sold competitively at levels significantly below the ceiling price. Consequently the agreement requires the processors to sell sugar at the applicable ceiling price and to eliminate sales concessions. However, it permits processors to sell at lower prices to meet competition of particular sellers, to sell at the pervailing market price if such price is lower than the ceiling price, and to sell at a specified differential under the prevailing market price for cane sugar. Liquidated damages are provided in the event of sales of sugar at less than the permitted prices.

The agreement referred to, in my opinion, will have the effect of obtaining the necessary production of sugar beets and will facilitate the distribution of beet sugar in accordance with war needs. It will likewise serve to minimize the possible financial losses of the Commodity Credit Corporation without injury to the consumer and within the limits of legally established ceiling prices. I believe that the program described is essential to the war effort and that certification pursuant to section 12 of Public Law 603, approved June 11, 1942, is necessary

Pine Hosiery Mills, Incorporated, Star,

States other than the States in which

swer may consist of a statement that re-

in order to secure the widest possible participation in the program.

[SEAL] J. B. HUTSON,
President,
Commodity Credit Corporation.

MARCH 11, 1943.

[F. R. Doc. 43-4151; Filed, March 17, 1943; 11:40 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

STEIN-WAY CLOTHING COMPANY

AFFIRMATION OF CERTIFICATE CANCELLATION

Notice of denial of an application for reconsideration of an order cancelling a special learner certificate.

Notice is hereby given that an application dated November 12, 1942 for reconsideration of an order cancelling a special learner certificate issued to Stein-Way Clothing Company of Erwin, Tennessee is hereby denied for failure to show that there is additional evidence which may materially affect the decision and that there were reasonable grounds for failure to adduce such evidence in the original proceedings. The order cancelling the certificate, published in the FEDERAL REGISTER on October 29, 1942, is affirmed.

Signed at New York, New York, this 12th day of March 1943.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4125; Filed, March 17, 1943; 9:30 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO MAPLES COMPANY

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 18, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE
The Maples Company, Scottsboro, Alabama; Chenille bathmats and bedspreads; 5 learners (T); Chenille machine operator for a learning period of 320 hours and Punchwork operators for a learning period of 640 hours at 25¢ per hour until March 18, 1944.

Signed at New York, N. Y., this 16th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc 43-4126; Filed, March 17, 1943; 9:30 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940, (5 F.R. 3591)

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942, (7 F.R. 4724)

Artificial Flowers and Feathers Learner Regulations, October 24, 1940, (5 F.R. 4203)

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940, (5 F.R. 3748)

Hosiery Learner Regulations, September 4, 1940, (5 F.R. 3530)

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829)

Knitted Wear Learner Regulations, October 10, 1940, (5 F.R. 3932)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940, (5 F.R. 3392, 3393)

Textile Learner Regulations, May 16, 1941, (6 F.R. 2446)

Woolen Learner Regulations, October 30, 1940, (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Clear Manufacturing Industry, July 20, 1941, (6 F.R. 3753)

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 18, 1943. The certificate may be cancelled in the manner provided in the regulation and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE
Apparel Industry
Olympic Underwear Company, 101 Pittston Avenue, Scranton, Pennsylvania; Men's shorts; 35 learners (E); September 18, 1943.
Soboroff-Rosenwald Company, 1500 North Ogden Avenue, Chicago, Illinois; Men's and boys' cloth hats and caps; 5 percent (T); March 18, 1944.
Tiedright Tie Company, Asheboro, North Carolina; Men's and boys' neckties; 2 learners (T); March 18, 1944.
Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry
Adler Manufacturers, Inc., 1123 Washington Street, St. Louis, Missouri; Junior dresses, shirts and blouses; 10 learners (T); March 18, 1944.
Blue Bell Globe Mfg. Company, Columbia City, Indiana; Waistband overalls, dungarees and trousers; 10 percent (T) March 18, 1944.
Fly Manufacturing Company, South Main Street, Shelbyville, Tennessee; Work pants, overalls and shirts; 10 percent (T); March 18, 1944.
Philip Moss Inc., Whitehorse Pike, Atco, New Jersey; Ladies' house dresses; 4 learners (T); March 18, 1944.
Oberman and Company, Boonville Street, Springfield, Missouri; Separate work pants and trousers for Government; 10 percent (T); March 18, 1944.
Oberman and Company, Brooks Street, Jefferson City, Missouri; Pants, shirts and breeches; 10 percent (T); March 18, 1944.
Randolph Underwear Company, Inc, Randleman, North Carolina; Slips, Navy aprons; 42 learners (E); September 18, 1943.
Rice Stix Factory #14, 666 School Street, Hillsboro, Illinois; Misses' and women's dresses; 10 percent (T); March 18, 1944.
Varsity Underwear Company Sharptown, Maryland; Underwear; 10 learners (T); March 18, 1944.
Hosiery Industry
Clay County Products, Green Cove Springs, Florida; Full-fashioned hosiery; 5 learners (T); March 18, 1944.
Duke Hosiery Mill, Hickory, North Carolina; Seamless hosiery; 5 percent (T); March 18, 1944.
Charles N. Herbert, Shakespeare and Franklin Streets, Shamokin Pennsylvania; Seamless hosiery; 110 learners (E); September 18, 1943.
Johnson Hosiery Mill, Hickory, North Carolina; Seamless hosiery; 2 learners (T); March 18, 1944.
Lillian Knitting Mills, Andermarle, North Carolina; Full-fashioned hosiery; 5 percent (T); March 18, 1944.
Pine Hosiery Mills, Incorporated, Star, North Carolina; Seamless hosiery; 5 learners (T); March 18, 1944.
Pocomoke Textiles, Incorporated, Pocomoke City, Maryland, Full-fashioned hosiery; 5 learners (T); March 18, 1944
Telephone Industry
Fowler Telephone Company, 713 Main Street, Pella, Iowa; To employ learners as commercial switchboard operators at its Fowler exchange, located at 713 Main Street, Pella, Iowa until March 18, 1944.
Textile Industry
Bernson Silk Mills, Inc., Buena Vista, Virginia; Silk, nylon and rayon; 3 percent (T); March 18, 1944.
Moultrie Cotton Mills, Moultrie, Georgia; Yarns and threads; 3 percent (T); March 18, 1944.
Pepperell Manufacturing Co., Opelika, Alabama; Cotton cloth; 30 learners (T); March 18, 1944.
Waverly Mills, Incorporated, Laurinburg, North Carolina; Cotton yarns; 3 learners (T); March 18, 1944.

Signed at New York, N. Y., this 16th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4127; Filed, March 17, 1943; 9:30 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4928]

W. M. MEADOR & COMPANY, INC.

COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent W. M. Meador & Company, Inc., is a corporation organized and existing under the laws of the State of Alabama, with its principal office and place of business located at 104 North Commerce Street, Mobile, Alabama. The respondent is engaged in the purchase, sale and distribution of food products, canned goods and miscellaneous merchandise.

PARAGRAPH TWO: Respondent is now and for many years last past has been engaged in business as a jobber, buying in its own name, for its own account, for resale various food products, canned goods and miscellaneous merchandise and reselling such products.

PARAGRAPH THREE: Respondent, in the course and conduct of its said business as a jobber, purchases a substantial portion of its requirements of food products, canned goods, and miscellaneous merchandise from sellers located in States other than the States in which the respondent is located. Pursuant to said purchases and instructions such commodities are caused to be shipped and transported by the respective sellers thereof across State lines to the respondent or to respondent's customers.

PARAGRAPH FOUR: Respondent, since June 19, 1936, in connection with the purchase of its requirements of food products, canned goods, and miscellaneous merchandise, for resale from numerous sellers located in States other than the States where the respondent is located, has been and is now receiving and accepting in its own behalf and for its own account, brokerage fees or allowances and discounts in lieu of brokerage in substantial amounts from numerous sellers of said food products, canned goods, and miscellaneous merchandise.

PARAGRAPH FIVE: The receipt and acceptance by the respondent of brokerage fees or allowances and discounts in lieu of brokerage by respondent as set forth above is in violation of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 12th day of March, A. D. 1943, issues its complaint against said respondent.

Notice is hereby given you, W. M. Meador & Company, Inc., a corporation, respondent herein, that the 16th day of April, A. D., 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 12th day of March, A. D. 1943.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-4145; Filed, March 17, 1943; 11:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-17]

MOTOR CARGO, INC., ET AL.

COORDINATED COLLECTION AND DELIVERY SERVICE IN CHICAGO, ILLINOIS

Upon consideration of the application for authority to coordinate common carrier motor vehicle collection and delivery service within the terminal area of Chicago, Illinois, filed with the Office of Defense Transportation by Motor Cargo, Inc., Akron, Ohio, Interstate Dispatch, Inc., Chicago, Illinois, Fred B. Wines, doing business as United Shipping Company, Minneapolis, Minnesota, Great Central Transport Corporation, Detroit, Michigan, Brady Transfer and Storage Company, Fort Dodge, Iowa, and Harold E. Foreman, Jr., and Jane W. Forman, doing business as Indianapolis Forwarding Company, Chicago, Illinois, as governed by § 501.9 of General Order ODT 3, Revised, as amended, and

It appearing that such coordination is required in order to conserve and providently utilize vital transportation materials and equipment, and to assure the maximum utilization of such materials and equipment, the attainment of which purposes is essential to the successful prosecution of the war, *it is hereby ordered*, That:

1. Motor Cargo, Inc., Interstate Dispatch, Inc., Fred B. Wines, doing business as United Shipping Company, Great Central Transport Corporation, Brady Transfer and Storage Company, and Harold E. Foreman, Jr., and Jane W. Foreman, doing business as Indianapolis Forwarding Company, (hereinafter called the carriers) in the performance of collection and delivery transportation of property as common carriers by motor vehicle within the terminal area

[1] 7 F.R. 5445, 6089, 7094.

of Chicago, Illinois, shall make such joint

Approval of maximum prices for Filice

in the Price Administrator by the Emer-

having this day filed its Findings and Opinion herein;

and Rules U-42 and U-45 promulgated thereunder, regarding the following pro-

fice in the City of Philadelphia, Pennsylvania, on the 15th day of March, A. D.

of Chicago, Illinois, shall make such joint or common use of motor vehicles owned or used by them in such collection and delivery service as will result in increasing the loads of such motor vehicles and in eliminating so far as feasible the movement of empty or partially laden vehicles, and upon such terms between the carriers as they may agree upon, or, in the event of their disagreement, as the Office of Defense Transportation shall find to be just and reasonable.

2. The lawfully published and effective rates, rules and regulations of the carrier issuing the bill of lading shall govern in such collection and delivery service.

3. The records of the carriers in respect of such collection and delivery service shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

4. The provisions of this order shall not be so construed or applied as to require or permit any carrier to perform any transportation service, the performance of which by it is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

5. Each of the carriers shall file forthwith with the appropriate regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

6. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3, Revised–17".

7. This order shall become effective March 22, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of March, 1943.

JOSEPH B. EASTMAN,
Director of the
Office of Defense Transportation.

[F. R. Doc. 43-4152; Filed, March 17, 1943; 11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 10 Under MPR 185]

FILICE AND PERRELLI CANNING COMPANY

APPROVAL OF MAXIMUM PRICES

Order 10 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum prices for Filice & Perrelli Canning Company, Inc., Richmond, California.

The applicant, Filice & Perrelli Canning Company, Inc., has filed an application for specific authorization of maximum prices for three items of canned Royal Anne unpitted cherries, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of Royal Anne unpitted cherries in the grades, counts, sizes and syrups in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The applicant, Filice & Perrelli Canning Company, Inc., may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, canned Royal Anne unpitted cherries in the grades, counts, sizes and syrups listed in this paragraph at a price, f. o. b. factory, per dozen, no higher than the maximum price listed opposite the respective item:

Size	Grade	Can count	Syrup	Maximum Price
1T	Choice	36–50	Water	$1.60
2½	Seconds	50–110	Standard	2.25
10	Standards	260–450	Choice	9.25

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts, or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, shall be applicable to the terms used herein.

(e) This order shall become effective March 17, 1943.

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4116; Filed, March 16, 1943; 2:59 p. m.]

[Order 209 Under MPR 188]

MARTER MINING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 209 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and by Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) Specific authorization is hereby granted to the Marter Mining Company, Los Angeles, California to sell and deliver f. o. b. Victorville, California, the following commodities at the maximum prices set forth below:

Raw dolomite chips ..... $2.81 per net ton
2½" foundry rock ..... $2.68 per net ton

(b) All prayers in the application not specifically granted herein are denied.

(c) The Marter Mining Company shall submit to the Office of Price Administration, Washington, D. C. on or before July 20, 1943, for the quarterly period ending July 1, 1943, and on or before the twentieth day of the month following the close of each successive quarterly period the following data:

(1) A detailed breakdown of the cost of quarrying, crushing and selling raw dolomite chips and 2½" foundry rock, showing separately the tonnage quarried and crushed and the detail of all inventories in both tons and dollar amounts for each of these products; and

(2) Total sales of raw dolomite chips and 2½" foundry rock in both dollars and tons for the 90-day period.

(d) The Marter Mining Company shall submit such additional reports as the Office of Price Administration may from time to time require.

(e) This Order No 209 may be revoked or amended by the Price Administrator at any time.

(f) This Order No 209 shall become effective this 17th day of March, 1943.

Issued this 16th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4117; Filed, March 16, 1943; 2:59 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2884]

ALLEN ELECTRIC AND EQUIPMENT CO.

ORDER DISMISSING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of March, A. D. 1943.

In the matter of Allen Electric and Equipment Company, common stock, $1 par value.

Order dismissing application of issuer for withdrawal from listing and registration.

Allen Electric and Equipment Company, having made application to the Commission pursuant to section 12 (d) of the Securities Exchange Act of 1934 for permission to withdraw its common stock, $1 par value, from listing and registration on the Detroit Stock Exchange, and

A hearing having been held on said application and the trial examiner having filed an advisory report, the Commission having considered the record and having this day filed its Findings and Opinion herein;

It is ordered, That this application be and it hereby is dismissed without prejudice, however, to the right of the applicant to file a corrected application and to submit to its stockholders a corrected notice advising them of their right to present their views to the Commission either by letter or at a hearing on the corrected application.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4132; Filed, March 17, 1943; 10:49 a. m.]

[File No. 7-466]

CHICAGO RIVET & MACHINE CO.

ORDER DENYING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of March, A. D. 1943.

In the matter of Chicago Rivet & Machine Company, common stock, $4 par value.

An application having been filed by Chicago Rivet & Machine Company for the termination of unlisted trading privileges in its common stock, $4 par value, on the New York Curb Exchange;

Hearings having been held after appropriate notice, and the Commission being fully advised and having issued its findings and opinion herein;

It is ordered, on the basis of said findings and opinion and pursuant to section 12 (f) of the Securities Exchange Act of 1934, that the application be and it is hereby denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4133; Filed, March 17, 1943; 10:49 a. m.]

[File No. 43-206]

COLUMBIA GAS & ELECTRIC CORP., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS, AS AMENDED, TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 16th day of March 1943.

In the matter of Columbia Gas & Electric Corporation, Atlantic Seaboard Corporation, Amere Gas Utilities Company, and Virginia Gas Distribution Corporation.

Columbia Gas & Electric Corporation, a registered holding company, and Atlantic Seaboard Corporation, a registered holding company and wholly-owned subsidiary of Columbia Gas & Electric Corporation, and Amere Gas Utilities Company and Virginia Gas Distribution Corporation, wholly-owned subsidiaries of Atlantic Seaboard Corporation, having filed applications and declarations and amendments thereto, under the Public Utility Holding Company Act of 1935, particularly sections 10, 12 (b) and 12 (c) and Rules U-42 and U-45 promulgated thereunder, regarding the following proposed transactions: (a) Columbia Gas & Electric Corporation to surrender to Atlantic Seaboard Corporation, as of December 31, 1937, as a capital contribution, $2,112,000 principal amount of 6% income demand notes of Atlantic Seaboard Corporation. Of this amount $1,295,000 is to be used by Atlantic Seaboard Corporation to create special capital surplus available for certain charges in connection with its property account, and $817,000 as a reserve in the amount of its own contribution to its subsidiaries, as hereinafter described; (b) Atlantic Seaboard Corporation to surrender to its subsidiaries, as of December 31, 1937, as a capital contribution, a total of $817,000 income demand loans of its subsidiaries in the following amounts: Amere Gas Utilities Company $38,000, Virginia Gas Distribution Corporation $112,000, Virginia Gas Transmission Corporation $667,000; said capital contributions to be used by the respective companies to create special capital surplus available for charges in connection with their property accounts.

Public hearings having been held after appropriate notice, the Commission having examined the record and having made and filed its findings herein;

It is ordered, That the declarations and applications of Columbia Gas & Electric Corporation, Atlantic Seaboard Corporation, Amere Gas Utilities Company, and Virginia Gas Distribution Corporation, as amended, be, and the same hereby are, permitted to become effective forthwith and granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the following further terms and conditions:

(1) That no charge be made to special capital surplus of Atlantic Seaboard Corporation and its subsidiaries unless (a) such charge has previously been authorized by appropriate resolution of declarant's boards of directors, and (b) subsequent to such resolution of the boards of directors, thirty days' prior notice of the making of such charge be given to this Commission.

(2) That with respect to any part of special capital surplus of Atlantic Seaboard Corporation and its subsidiaries which is not used for the purposes outlined by the declarants jurisdiction is reserved by this Commission, in and as part of the proceedings herein, with respect to the ultimate disposition of such balance.

By the Commission (Chairman Purcell and Commissioners Healy, Burke and O'Brien), Commissioner Pike being absent and not participating.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4134; Filed, March 17, 1943; 10:49 a. m.]

[File No. 70-685]

HOUSTON GULF GAS COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of March, A. D. 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than March 25, 1943, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All persons interested are referred to said declaration which is on file in the office of said Commission for a statement of the transactions thereon proposed, which is summarized below:

Houston Gulf Gas Company ("Houston Gulf"), an indirect subsidiary of United Gas Corporation, a subsidiary of Electric Power & Light Corporation, which in turn is a subsidiary of Electric Bond and Share Company, both registered holding companies, proposes to issue its promissory note dated on or about April 15, 1943 in the principal amount of $600,000 bearing interest at the rate of 2% per annum, payable six months from the date thereof to the First National Bank of Boston ("Bank") and to use the cash proceeds therefrom to construct natural gas transmission facilities and make changes in existing equipment, the cost of which is estimated at $600,000. This expenditure is alleged to be necessary to enable Houston Gulf to convey to Defense Plant Corporation for a cash purchase price of $2,625,000 its 14" and 16" natural gas transmission line extending from Refugie, Refugie County, Texas to Pierce Junction, Harris County, Texas, for conversion into an oil pipe line. The proposed sale and conversion are stated to be necessary for the more effective prosecution of the war.

Houston Gulf is presently indebted to Bank in the sum of $3,000,000, representing the unpaid balance on a 2½% note in the principal amount of $6,000,000 dated August 29, 1940, maturing August 29, 1945, and payable in semi-annual installments of $600,000. The note provides that the proceeds of the sale of any of Houston Gulf's properties, in excess of $50,000 in any twelve month period, shall be applied toward the payment of the principal amount thereof.

Houston Gulf proposes to use the proceeds of the sale of its natural gas transmission line above described, to which the Bank has agreed, as follows:

To payment of note proposed to be issued as described above	$600,000
For other corporate purposes	400,000

To partial prepayment of the

heretofore, and on November 2, 1942, filed

with respect to certain electrical equipment, as described in the enclosed letter

To partial prepayment of the unpaid balance on the note held by the Bank as described above	1,500,000
Increase in Declarant's cash	125,000
Total	2,625,000

Following the consummation of the previously described transactions, declarant proposes to issue to the Bank a new 2½% note in the principal amount of $1,500,000 payable in semi-annual installments of $300,000 and maturing on August 29, 1945. This note together with a like principal amount of cash as indicated above will be used to prepay the unpaid balance on the declarant's note dated August 29, 1940, which will be surrendered and canceled.

Declarant has designated sections 6 (a) and 7 of the Act as applicable to the issuance of the proposed notes of $600,000 and $1,500,000 and section 12 and Rule U-42 as applicable to the redemption and retirement of the $6,000,000 note.

The declaration requests that the Commission enter its order in this matter on or about March 25, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc. 43-4137; Filed, March 17, 1943; 10:50 a. m.]

[File No 54-60]

AMERICAN STATES UTILITIES CORPORATION

ORDER PERMITTING WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of March, A. D. 1943.

American States Utilities Corporation, a registered holding company, having heretofore, and on November 2, 1942, filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, whereby said corporation sought approval of a certain plan for compliance with section 11 (b) of said Act which application is presently pending before this Commission; and

Said American States Utilities Corporation having subsequently filed a petition for leave to withdraw its said application, and the Commission having considered said petition and finding the same proper to be granted:

It is ordered, That said American States Utilities Corporation be, and hereby is, granted leave to withdraw said application filed by it herein on November 2, 1942 pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935; and

It is further ordered, That said application be deemed to be withdrawn from the date of the entry of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc 43-4135; Filed, March 17, 1943; 10:49 a m.]

WAR PRODUCTION BOARD.

[Certificate No. 37]

MANUFACTURE OF ELECTRICAL EQUIPMENT

THE ATTORNEY GENERAL: For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I have approved an arrangement entered into at the request of the Army Air Forces for collaboration between certain manufacturing companies under the direction of the Army Air Forces in the design, development and improvement of, and the pooling of manufacturing information with respect to certain electrical equipment, as described in the enclosed letter from Colonel Courtney Whitney, Acting Air Judge Advocate, War Department, to me, dated March 8, 1943; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such approval, is requisite to the prosecution of the war.

DONALD M. NELSON
Chairman, War Production Board.

MARCH 15, 1943.

[F. R. Doc. 43-4139; Filed, March 17, 1943; 11:40 a. m.]

[Certificate No 38]

COORDINATED MOTOR CARRIER OPERATIONS IN CHICAGO, ILLINOIS, TERMINAL AREA

THE ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Supplementary Order ODT 3, Revised-17, issued by the Director of The Office of Defense Transportation, in respect of coordinated motor carrier operations in collection and delivery service in the terminal area of Chicago, Illinois.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 3, Revised-17, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman, War Production Board.

MARCH 15, 1943.

[F. R. Doc. 43-4140; Filed, March 17, 1943; 11:40 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 55

Washington, Friday, March 19, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Food Distribution Administration

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR SUGARCANE FARMS IN PUERTO RICO FOR THE 1942–43 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.46d *Proportionate shares for sugarcane farms in Puerto Rico for the 1942–43 crop.* The proportionate share for any farm in Puerto Rico for the 1942–43 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the 1942–43 crop season.

This determination supersedes the "Determination of Proportionate Shares for Sugarcane Farms in Puerto Rico, Pursuant to the Sugar Act of 1937, as Amended," issued December 31, 1942, insofar as that determination relates to proportionate shares for the 1942–43 crop. (Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132).

Done at Washington, D. C., this 17th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

PAUL H. APPLEBY,
Under Secretary.

[F. R. Doc. 43-4163; Filed, March 17, 1943; 3:35 p. m.]

Chapter XI—Food Distribution Administration

[FDO 3, Amendment 3]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS ON MANUFACTURE AND SALE OF CITRUS FRUIT JUICE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of citrus fruit juice to meet war and essential civilian needs, *It is hereby ordered*, That Food Distribution Order No. 3 (8 F.R. 255) issued on January 5, 1943, by the Secretary of Agriculture of the United States, as amended (8 F.R. 828; 8 F.R. 1303), be, and the same hereby is, amended to read as follows:

§ 1405.1 *Citrus fruit juice*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "single-strength juice" means the juice extracted from oranges, lemons, or grapefruit, or any combination of such juices with other citrus juice or other juices, sweetened or unsweetened, with or without the addition of preservatives or the use of any other treatment, the effect of which is to preserve or change the character of such juices, but does not include concentrated juice.

(2) The term "concentrated juice" means the juice extracted from oranges, lemons, or grapefruit, or any combination of such juices with other citrus juice or other juices, with or without the addition of preservatives or the use of any other treatment, the effect of which is to preserve or change the character of such juices, treated or processed in such manner as to reduce it to a powdered form or to increase the density thereof to more than 16 degrees Brix at 20 degrees Centigrade: *Provided*, That where the increase in density results solely from the addition of sugar or other ingredients, the resultant product shall be considered as single-strength juice and not as concentrated juice.

(3) The term "government war contracts" means sales contracts of any type entered into between a processor directly, or indirectly through third parties, and a governmental agency.

(4) The term "person" shall mean any individual, partnership, corporation, association, or other business entity.

(5) The term "quota period" means a period of time established by the Director.

(6) The term "processor" means any person in the business of extracting juice from oranges, lemons, or grapefruit for

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FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15c minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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processing as single-strength or concentrated juice.

(7) The term "producing area" means the States of California, Arizona, Texas, and Florida.

(8) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(9) The term "governmental agency" or "governmental agencies" means and includes the Army, the Navy, the Marine Corps, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, the American National Red Cross, or any agency of the United States purchasing supplies for any of the foregoing, or for delivery to or for the account of the government of any country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided*, That U. S. Army or U. S. Marine Corps Post Exchanges, U. S. Navy Ship's Service Departments, and restaurants and cafeterias located on military or naval reservations are not included in the term "governmental agency" or "governmental agencies."

(10) The term "deliver" or "delivery" means delivery pursuant to a contract of sale.

(b) *Restrictions on production, sale, and delivery of citrus fruit juice.* (1) On and after March 23, 1943, without regard to existing contracts or the rights of creditors, no processor shall produce, except as authorized by the Director, any concentrated juice other than concentrated juice meeting the specifications prescribed either by the procurement division of any governmental agency or by a government war contract with such processor.

(2) Without regard to existing contracts or the rights of creditors, no processor shall sell or deliver, and no State or any subdivision thereof, no department or agency of the United States, and no person shall buy or receive any concentrated juice produced after January 9, 1943, except pursuant to a government war contract or as authorized by the Director.

(3) No processor who has facilities for producing or who is engaged in the business of producing concentrated juice shall produce any single-strength juice except for conversion into concentrated juice: *Provided*, That the Director may, from time to time, authorize a processor, who has concentrating facilities, to produce single-strength juice for sale as such.

(4) The Director may establish production quotas of concentrated juice for each processor, and if such quotas are produced prior to the end of the quota period the Director may, notwithstanding the provisions of (b) (3) hereof, authorize the production of single-strength juice and concentrated juice, or either, during the remainder of the quota period, for sale to other than governmental agencies.

(5) A processor may sell and deliver concentrated juice for use in the manufacturing of such medicinal products as may be approved by the Director under the provisions of this order: *Provided*, That the processor obtains and forwards, prior to each such sale or delivery, to the Director a statement from the purchaser to the effect that the concentrated juice is to be used exclusively in the manufacturing of such products.

(6) A processor may sell and deliver concentrated juice to any person who customarily supplies ocean-going vessels, if the purchaser uses such concentrated juice only for resale for use as necessary supplies on ocean-going vessels engaged in the foreign, coastwise, or intercoastal trade: *Provided*, That the processor obtains and forwards, prior to each such sale or delivery, to the Director a statement from the purchaser to the effect that the concentrated juice is to be resold exclusively for use on ocean-going vessels engaged in the foreign, coastwise, or intercoastal trade.

(7) The Director may, notwithstanding any other provision of this order, limit for any period or periods of time the production of single-strength juice for sale as such by each processor in the producing area, or such portions thereof as the Director may designate, to the quantity of single-strength juice which the Director deems to be advisable.

(8) Any decision, determination, or other action by the Director pursuant to the provisions of this order may be by general supplementary order or by written notices by the Director to the individual processor or person directly concerned.

(c) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe (specific recording or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942).

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of single-strength juice and concentrated juice, respectively, and the premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Applicability of order.* Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or Possession of the United States with respect to such business.

(f) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under Paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD 3.

(i) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(j) *Effective date.* This order shall take effect March 23, 1943. With respect to any violation of said Food Distribution Order No. 3, as heretofore amended, prior to the effective time of the provisions of this amendment, said Food Distribution Order No. 3, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation or liability.

(E.O. 9280, 7 F.R. 10179)

Issued this 18th day of March 1943.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4184, Filed, March 18, 1943; 11:37 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Part 81 and Part 83 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated September 5, 1942 (7 F.R. 8082), as amended by Change No. 11, February 19, 1943. In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

General Instructions—Applicability of Regulations

Section 81.107 is amended as follows:

Paragraph (b) is amended by separating the present paragraph into subparagraphs (1) and (2) and adding subparagraph (3).

Paragraph (c) is amended by adding subparagraphs (5), (6), and (7) to paragraph *d.* of the quoted matter therein.

Paragraph (e) is amended by adding subparagraph (2) and changing paragraph headnote to indicate subparagraph (1).

§ 81.107 *Authority with respect to procurement.* * * *

(b) *Delegations from the Secretary of War to the Under Secretary of War.* (1) On April 21, 1941, the Secretary of War issued the following order: * * *

(2) Under date of December 30, 1941, the Secretary of War issued the following memorandum: * * *

(3) War Department Circular 59, issued under date of March 2, 1942, provides in part as follows:

1. The President has approved a reorganization of the War Department and the Army, *effective March 9, 1942*. Pending the issuance of detailed instructions and changes in regulation, a summary description of the new organization is furnished for the information and guidance of all concerned.

* * * * * *

2c. Supply arms and services and War Department offices and agencies will come under the direct command of the Commanding General, Services of Supply as indicated below:

(1) Those parts of the office of the Under Secretary of War engaged in functions of procurement and industrial mobilization.

* * * * * *

6b. The mission of the Army Air Forces is to procure and maintain equipment peculiar to the Army Air Forces, and to provide air force units properly organized, trained and equipped for combat operations. Procurement and related functions will be executed under the direction of the Under Secretary of War.

* * * * * *

7. *Services of Supply.*—*a.* The duties and responsibilities placed on the Secretary of War by Section 5a of the National Defense Act, as amended, shall continue to be performed by the Under Secretary of War. The Director of Production shall continue to perform his present services reporting direct to the Under Secretary of War.

b. The Commanding General, Services of Supply, shall, on procurement and related matters, act under the direction of the Under Secretary of War and shall, on military matters report to the Chief of Staff. The Commanding General Services of Supply, is charged in general with the functions, responsibilities, and authorities of command authorized by law, Army Regulations, and custom over individuals and units assigned to the Services of Supply.

c. The mission of the Services of Supply is to provide services and supplies to meet military requirements except those peculiar to the Army Air Forces. Procurement and related functions will be executed under the direction of the Under Secretary of War.

d. The Services of Supply consolidates under the jurisdiction of the Commanding General, Services of Supply, the supply arms and services, certain administrative services of the War Department, certain parts of the office of the Under Secretary of War, certain boards and committees, general depots, ports of embarkation and auxiliaries, and corps areas, with such amalgamation, reallocation of duties and reorganization as is necessary or advisable.

e. The following duties are specifically assigned to the Services of Supply:

(1) The direction and supervision of engineering research development, procurement, storage, and distribution of supplies and equipment, except those peculiar to the Army Air Forces.

(2) The establishment of purchasing and contractual policies and procedure.

(3) Transportation and traffic control.

(4) Construction for the Army.

(5) The consolidation of programs and requirements of the Army with the programs and requirements received from Defense Aid and the Navy and procured by the Army.

(c) Responsibilities of the Under Secretary of War fixed by AR 5-5. * * *

d. * * *

(5) On the Patents and Design Board Sec. 10 (r), act July 2, 1926 (44 Stat. 788; U.S.C. 10:310 (r); sec. 2041, M.L., 1929).

(6) On the Advisory Air Coordination Committee.

(7) In dealing with any interdepartmental or superdepartmental agency that may be created in connection with aeronautical matters.

* * * * * *

(e) Delegations from the Under Secretary of War—(1) *To the Commanding*

[1] For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640, 10906, and 8 F.R. 401, 411, and 2681.

General, Services of Supply. Under date of September 15, 1942, the following memorandum was issued by the Under Secretary of War:

* * * * *

(2) *To the Chief of Staff.* Under date of January 11, 1943, the following memorandum was issued by the Under Secretary of War:

Memorandum For The Chief of Staff:

1. There is hereby delegated to the Chief of Staff full power, in connection with operations subject to his direction and control, to exercise any of the authority and powers pursuant to Executive Order No. 9001 delegated to the undersigned by the Secretary of War by instrument dated December 30, 1941 [see Procurement Regulations, § 81.107 (b)]. The Chief of Staff may, pursuant to Executive Order No. 9001, exercise such powers either personally or through such officers or officers or civilian officials of the War Department as he may direct and he may confer upon such officers or civilian officials the power to make further delegations of such powers within the War Department.

2. All action heretofore taken by the Chief of Staff or by the direction of the Chief of Staff, that would by this delegation be authorized, is hereby ratified and confirmed. There is hereby expressly conferred upon the Chief of Staff the power and authority to ratify and confirm any action heretofore taken by any person responsible directly or indirectly to the Chief of Staff that would by this delegation of authority be authorized.

Dated this 11th day of January 1943.

ROBERT P. PATTERSON,
Under Secretary of War.

Section 81.108 (a) is amended and § 81.108 (f) is added as follows:

§ 81.108 *Applicability as to various activities.* (a) Except as indicated in paragraph (f) of this section War Department Procurement Regulations are applicable to all procurement activities of the War Department. Such activities include, but are not necessarily limited to, the following:

(1) Purchase of supplies, materials, equipment and services.

(2) The procurement of construction work, including that on rivers and harbors.

* * * * *

(f) *Procurement and contracting authority of Commanding Officers outside continental United States.* In general, Commanding Officers in charge of United States Armed Forces outside the continental United States and its territories and possessions including Alaska are not required, in connection with the procurement of supplies necessary to accomplish the mission confided in them, to comply with the Procurement Regulations or any other regulations, circulars or instructions or with any provisions or restrictions of the laws of the United States which may be applicable within the United States or any territory or possession thereof. This matter is more fully treated in Section I of War Department Circular No. 21, 1943. Likewise, Commanding Officers in charge of United States Armed Forces outside the continental United States but within the territories or possessions of the United States including Alaska, who are responsible directly to the War Department, in connection with the procurement of supplies necessary to the accomplishment of the mission confided in them are authorized to disregard Procurement Regulations and other War Department Regulations, restrictions, circulars and instructions, and when they find that to do so will facilitate the prosecution of the war, they are authorized to disregard the provisions of law relating to procurement; all subject however to (1) Title II of the First War Powers Act, 1941, (2) the restrictive provisions contained in Executive Order No. 9061 and (3) any law approved after December 18, 1941. This matter is more fully set forth in Section II of War Department Circular No. 21, 1943.

Contracts—General

Section 81.302 (c) is amended by redesignating the present paragraph (c) as subparagraph (1) and adding subparagraphs (2) to (5) as follows:

§ 81.302 *Definitions.* * * *

(c) *Contracting officer.* (1) * * *

(2) Except when otherwise in the instrument specifically provided, the words "contracting officer", as used in any existing or future contract, supplemental agreement or change order, are construed to include the contracting officer who executed the instrument and his duly appointed successor or authorized representative.

(3) Representatives may be designated as follows:

(i) The chief of a supply service may designate any officer or civilian official to act as representative of the contracting officer who executed a contractual instrument, or of the latter's duly appointed successor;

(ii) A commanding officer may designate any contracting officer assigned to his command or station as representative of any other contracting officer assigned to the same command or station who executed a contractual instrument, or of the latter's duly appointed successor so assigned;

(iii) The contracting officer who executed a contractual instrument, his duly appointed successor, and any representative designated pursuant to (i) or (ii) of this subparagraph (3), may designate any officer or civilian official to act as his representative.

(4) The designations authorized in subparagraph (3) may be made by instructions relating to particular contractual instruments or classes of such instruments, or to certain or all functions thereunder; but in no event shall anyone other than a contracting officer be empowered to execute any contractual instrument.

(5) All action heretofore taken which would have been valid if this paragraph (c) had then been in effect, is hereby ratified and confirmed.

Authority To Make Awards, Contracts, and Modifications Thereof; Required Approvals

Section 81.308d is amended as follows:

§ 81.308d *Ratification of prior action.* In any case where an existing War Department contract or any section of these Procurement Regulations requires that any action affecting a War Department contract be approved by a contracting officer, chief of a supply service or other representative of the War Department in advance of taking of such action or that it be so approved in writing by a stated time, such action may be approved or ratified in writing by such officer or representative of the War Department after such action has been taken or after such stated time. Such approval or ratification will take effect retroactively as of the date specified in the written instrument of approval or ratification. In general, cases which are appropriate for the exercise of the authority contained in this section will fall into one of two categories, namely: (a) cases where, in the interest of expediting production and without obtaining the requisite prior approvals, action has been taken in reliance in good faith upon assurances of a person in authority, or (b) cases where the action taken without such assurances was of a nature which would have been approved had approval been sought seasonably. The prosecution of the war will be facilitated by the liberal use of the authority contained in this section.

Formalities in Connection With Execution of Contracts and Modifications Thereof

Section 81.309 (b) and (c) are amended as follows:

§ 81.309 *Numbering contracts.* * * *

(b) *System.* * * *

(4) In the case of contracts executed within a service command which are to be paid with funds allotted to the Service Command by the Commanding General, Services of Supply, some appropriate symbol in parenthesis to indicate the Service Command. This should immediately follow the symbol required by subparagraph (3) above. To illustrate, contracts executed within the First Service Command might contain immediately after the symbol, which indicates the portion of the allotment which is to be charged, the designation "(S. C. 1)".

(5) A serial number, separated from the above by a hyphen, commencing with the number 1 and continuing in succession indefinitely without regard to the fiscal year. When the serial number reaches the limit of five digits (99,999), a new series will be used beginning with the serial number 1 and followed by the capital letter "A". Should additional series become necessary, they will be distinguished by the capital letters "B", "C", "D", etc., as may be required.

(c) *Examples.* (1) Based upon paragraph (b) above, the following is the number of the first numbered contract executed by the Philadelphia Quartermaster Depot:

W–669 qm–1

(2) Based on paragraph (b) above, the following is the number of the first numbered contract executed at Fort Bragg, North Carolina:

W–159 qm (S. C. 4)–1

The second illustration above is on the assumption that the contract is to be paid with funds allotted to the Fourth Service Command by the Commanding General, Services of Supply and that the portion of such funds to be charged is the portion for Quartermaster equipment.

* * * * *

Section 81.313 (a) and (b) are amended as follows:

§ 81.313 *Form of supplemental agreements and change orders*—(a) *Supplemental agreements.* (1) Supplemental agreements will be reduced to writing and signed by the contracting parties. Supplemental agreements will bear the same identification as the contract which is thereby modified or amended, and will be lettered or numbered, whichever method is authorized by the chief of the supply service concerned, in the order in which the modifications or amendments to the contract are issued. One continuous series of lettering or numbering as the case may be, will be used for each contract, even though it is modified or amended, both by supplemental agreements and by change orders.

(2) Whenever it is desired to effect a modification of more than one contract, it is permissible, in lieu of executing separate supplemental agreements for each contract, to execute a single supplemental agreement. This may be particularly desirable in effecting reductions in the total contract price of more than one contract or in the unit prices payable for items deliverable under more than one contract, (whether in conjunction with renegotiation under the provisions of the Sixth Supplemental National Defense Appropriation Act, 1942 or otherwise). Such supplemental agreements should be numbered in accordance with subparagraph (1) above as a supplemental agreement to each contract modified thereby. This may be done either on the face thereof or on an exhibit thereto. The following illustrates the type of designation that should be given such a supplemental agreement:

Supplemental Agreement No.:	*Contract No.*
3	W 669 qm–1
4	W 669 qm–2
8	W 669 qm–3

The above designations indicate that the single supplemental agreement constitutes the third modification of contract number W 669 qm–1; the fourth modification of contract number W 669 qm–2 and the eighth modification of contract number W 669 qm–3.

(b) *Change orders.* Change orders will be in the form of letters addressed to the contractor, and will specify the number of the contract concerned, the changes to be made, the increase or decrease in price and time for performance, and such other terms as may be necessary. Change orders will bear the same identification as the contract which is thereby modified or amended and will be lettered or numbered whichever method is authorized by the chief of the supply service concerned, in the order in which the modifications or amendments to the contract are issued. One continuous series of lettering or numbering as the case may be will be used for each contract, even though it is modified or amended both by supplemental agreements and by change orders.

Distribution of Contracts and Orders Thereunder

Section 81.315 is amended as follows:

§ 81.315 *General.* * * *

(b) All instructions relating to distribution of contracts are subject to the provisions of AR 380–5 and all other current instructions governing the safeguarding and disclosing of information affecting the national defense of the United States. The General Accounting Office has requested that when contracts containing secret or confidential matter are forwarded to it, such contracts be transmitted under two covers, each cover to be addressed to the Contract Service Section, Audit Division, General Accounting Office, 431 Old Post Office Building, Washington, D. C., Attention of Mr. Arthur S. Eaton. The inner cover only will be marked "Personal and Confidential."

Section 81.317a is added as follows:

§ 81.317a *Supplemental agreements and change orders.* (a) Signed numbers and copies of supplemental agreements and change orders will be distributed in the same manner as is prescribed for the contracts to which they pertain and the contracting officer will note on his retained copy of the supplemental agreement or change order the date on which the contractor's number was delivered or mailed to him. When, pursuant to § 81.313 (a) (2), a single supplemental agreement is executed to modify more than one contract, the following procedure will be followed:

(1) The original signed number will be forwarded to the General Accounting Office.

(2) The duplicate signed number will be filed with the contracting officer who supervised the execution thereof or with the chief of the supply service concerned and correct copies of the supplemental agreement will be furnished to the contracting officers under all of the contracts affected by the supplemental agreement.

(3) The triplicate signed number will be forwarded to the contractor.

(4) An authenticated copy will be forwarded to the disbursing officer under each contract affected by the supplemental agreement.

Section 81.318 (a) is amended as follows:

§ 81.318 *Special cases*—(a) *Purchases under contracts of Procurement Division, Treasury Department; Navy Department; Post Office Department; etc.* * * *

(2) The chief of the supply service concerned will secure compliance with all special instructions of the respective agencies which make the contracts. For example, the regulations of the Procurement Division Treasury Department require that a copy of all purchase orders placed under General Schedule of Supplies Contracts be forwarded to that Division.

* * * * *

Miscellaneous

Section 81.318c is redesignated § 81.318b (d) and paragraph (e) is added to § 81.318b, the section headnote being amended as follows:

§ 81.318b *Charges for telegraph, cable and radio messages in cost-plus-a-fixed-fee contracts.* * * *

(d) *Cable and radio messages in cost-plus-a-fixed-fee contracts.* Cable and radio messages sent by cost-plus-a-fixed-fee contractors, or their representatives, pertaining to cost-plus-a-fixed-fee contracts will also be paid for directly by the Government, and the procedure outlined in paragraph (c) of this section will be followed in handling and in paying for such messages when transmitted by telegraph companies.

(e) *Contract clauses.* In connection with paragraphs (a)–(d) of this section, see contract clause set forth in § 81.359.

Mandatory and Optional Contract Provisions

Section 81.324 (f) is added as follows:

§ 81.324 *Termination for convenience of the Government.* * * *

(f) There may be added to paragraph (d) of the contract articles set forth in paragraphs (a) and (b) of this section the sentence set forth below in any case where the contractor desires to have such sentence inserted:

The foregoing subparagraph (2) of this paragraph (d) shall be construed as requiring the Contracting Officer to approve the payment to the Contractor of, or the reimbursement of the Contractor for, the amount of any final judgment rendered by a court of competent jurisdiction determining the liability of the Contractor upon an obligation or commitment which the Contracting Officer finds to have been incurred or entered into with respect to the uncompleted portion of this contract, or for such part of such judgment as the Contracting Officer finds to have been based upon such a liability of the Contractor: *Provided*, (1) That the Contracting Officer shall find that the Contractor in good faith made reasonable attempts to negotiate an adjustment of such liability without litigation and (2) that the Contractor shall have given the Contracting Officer prompt notice of the initiation of the proceedings in which such judgment was rendered and shall have offered the Government control of the defense of the proceedings.

The above sentence is deemed to effect no substantial change in the meaning of the language contained in said contract articles.

Paragraph (f) of the Advance Payments Clause quoted in § 81.347 is amended as follows:

§ 81.347 *Advance payments; fixed-price contracts, with interest.* A clause substantially as follows will be included in fixed-price contracts when it is contemplated that advance payments with interest will be made thereon:

Advance payments. * * *

(f) On the unliquidated balance of the advance payments outstanding, the contractor agrees to pay interest at the rate of two and one-half per cent per annum. Such interest shall be computed at the end of each calendar month on the average daily balance of the principal of the unliquidated

advance payments outstanding. In determining such balance, charges on account of the advance payments to the contractor hereunder shall be made as of the dates of the checks therefor; credits arising from deductions from payments to the contractor under this contract shall be made, upon the issue of the check for such payment, as of the dates of shipment as indicated on the contractor's invoice and/or Government Receiving Report; and credits arising from cash repayments to the Government by the Contractor shall be made as of the dates the checks therefor are received by the disbursing officer. As soon as such monthly computations shall have been made, the interest so determined shall be deducted from the payments otherwise due to contractor under this contract: *Provided, however,* That in no event shall deductions on account of interest exceed five per cent (5%) of the gross payment due the contractor prior to any deduction under this paragraph or paragraph (e) or any other provisions of this contract. In the event the accrued interest exceeds such five per cent, the excess of such interest shall be carried forward and deducted from subsequent payments. The interest shall not be compounded, and shall, subject to the provisions of paragraph (d) hereof, cease to accrue upon the termination of the contract for other than the fault of the contractor, or upon the date found by the Contracting Officer to be the date upon which the contractor completed his performance under the contract.

* * * * *

Sections 81.348a and 81.348b are added as follows:

§ 81.348a *Advance payments: cost-plus-fixed-fee contracts; with interest.* A clause substantially as follows will be included in cost-plus-fixed-fee contracts when it is contemplated that advance payments with interest will be made thereon:

Advance payments. (a) At any time and from time to time after the execution of this contract, the Government at the request of the Contractor and subject to the approval of the _____ or his duly authorized representative, or the person to whom authority to make advance payments has been delegated, as to the present need therefor, shall advance to the Contractor sums not to exceed _____ per centum (_____%) of the estimated cost of this contract (exclusive of the Contractor's fixed fee), as it may be amended from time to time. On the unliquidated balance of the advance payments outstanding, the Contractor agrees to pay interest at the rate of two and one-half percent (2½%) per annum to be computed in accordance with the provisions of paragraph (f) hereof.

(b) As a condition precedent to the making of any advance payment or payments as hereinbefore provided, the Contractor shall furnish the Government with such adequate security as the Under Secretary of War or the person to whom authority has been delegated to make advance payments shall prescribe: *Provided,* That, if other security is not prescribed, the terms of this contract shall be considered adequate security for such advance payments: *And provided further,* That if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security, in the form of a surety bond or surety bonds, as shall be satisfactory to the Under Secretary of War.

(c) Until all advance payments hereunder are liquidated, all funds received as advance payments under this contract together with all funds received as reimbursements for the cost of the work under Article _____ of this contract, exclusive of the Contractor's fixed fee, shall be deposited in a special bank account or accounts at a member bank or banks of the Federal Reserve System or any "insured" bank within the meaning of the Act creating the Federal Deposit Insurance Corporation (Act of August 23, 1935; 49 Stat. 684, as amended; 12 U.S.C. 264) separate from the Contractor's general or other funds. Such special bank account or accounts shall be so designated as to indicate clearly to the bank their special character and purpose, and the balance in such account or accounts shall be used by the Contractor exclusively as a revolving fund for carrying out the purposes of this contract and any amendments thereto, and not for other business of the Contractor. Any balances from time to time in such special account or accounts shall at all times secure the repayment of the advances in connection with which the special account or accounts are opened, and the Government shall have a lien upon such balances to secure the repayment of such advances, which lien shall be superior to any lien of the bank or any other person upon such account or accounts by virtue of assignment to it of such contract or otherwise: *Provided,* That the bank shall be under no liability to any party hereto for the withdrawal of any funds from said special account upon checks properly endorsed and signed by the Contractor, except that after the receipt by the bank of written directions from the _____ or his duly authorized representative, the bank shall act thereon and be under no liability to any party hereto for any action taken in accordance with the said written directions. Any instructions or written directions received by the bank through the Contracting Officer upon War Department stationery and purporting to be signed by, or by the direction of, the _____ or his duly authorized representative, shall, insofar as the rights, duties, and liabilities of the bank are concerned, be conclusively deemed to have been properly issued and filed with the bank by the _____ or his duly authorized representative.

(d) It is agreed that the aggregate of the advance payments outstanding under this contract, together with funds received as reimbursement for the cost of the work by the Contractor under Article _____ of this contract, shall at no time exceed the total estimated cost of the work under this contract as it may be revised from time to time, and any such excess shall be immediately repaid by the Contractor to the Government or if any reimbursement is due from the Government to the Contractor shall be deducted therefrom: *Provided, however,* That if the total cost of the work under this contract shall be in excess of the amount so paid to the Contractor, including said advance payments the Government upon representation of satisfactory evidence shall currently and promptly reimburse the Contractor to the extent of such excess cost (subject to any delay in the availability of appropriated funds).

(e) If, upon completion of this contract, or upon the termination thereof for other than the fault of the Contractor, the advance payments made to the Contractor in respect of this contract have not been fully liquidated in the manner herein provided, the unliquidated balance of such advance payments shall be deducted from any payments otherwise due the Contractor in respect of this contract; and if the sum or sums due the Contractor be insufficient to cover such balance, the deficiency shall be paid by the Contractor in cash forthwith after demand and final audit by the Government of all accounts hereunder in respect of this contract: *Provided, however,* That in the event of such termination of the contract for other than the fault of the Contractor, such deduction shall not be made prior to final audit unless, and only to the extent that the Contracting Officer or his duly authorized representative shall determine that such action is reasonably required in order to secure the eventual repayment in full to the Government of such unliquidated advance payments. In the event of cancellation or termination of this contract because of the fault of the Contractor, the Contractor, notwithstanding any ultimate rights to be reimbursed, agrees to return to the Government, upon demand, without set-off of any sums alleged to be due the Contractor, the unliquidated balance of any advance payment. Furthermore, if, in the opinion of the _____ or his duly authorized representative, the unobligated balance of the advance payments made by the Government under paragraph (a) hereof exceeds the amount necessary for the current needs of the Contractor, as determined by the _____ or his duly authorized representative, the amount of such excess shall, upon demand by the _____ or his duly authorized representative, be promptly returned to the Government and will be credited against the balance due the Government on advances previously made. If the demand made in any event set forth in this paragraph is not met upon receipt of such demand by the Contractor, the amount demanded will bear interest at the rate of six percent (6%) rather than two and one-half percent (2½%) per annum from the date of the receipt of the demand until payment is made: *Provided, however,* That such additional interest over and above the regular two and one-half percent is hereby waived as to any sums paid by the Contractor within 15 days after the amount becomes due hereunder. If and when the Contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder, and the bank or banks concerned shall have authority to pay same to the Contractor and shall thereupon be relieved of any further obligation to the Government on account thereof.

(f) On the unliquidated balance of the advance payments outstanding, the Contractor agrees to pay interest at the rate of two and one-half percent (2½%) per annum. Such interest shall be computed at the end of each calendar month on the average daily balance of the principal of the unliquidated advance payments outstanding. In determining such balance, charges on account of the advance payments to the Contractor hereunder shall be made as of the dates of the checks therefor; credits resulting from disbursements made by the Contractor which are applied against advance payments shall be made upon the approval of the vouchers therefor by the disbursing officer, as of the dates respectively upon which the Contractor presents to the Contracting Officer or his duly authorized representative full and accurate data for the preparation of each such voucher which date shall, as to each such voucher, be certified by the Contracting Officer or his duly authorized representative on the face thereof; and credits arising from cash repayments to the Government by the Contractor shall be made as of the dates the checks therefor are received by the disbursing officer. As soon as such monthly computations shall have been made, the interest charge so determined shall be deducted from any payments on account of the fixed fee which may be made to the Contractor from time to time under this contract. In the event the accrued interest exceeds any such payment, the excess of such interest shall be carried forward and deducted from subsequent payments on account of the fixed fee. The interest shall not be compounded, and shall, subject to the provisions of paragraph (e) hereof, cease to accrue upon the termination of the contract for other than the fault of the Contractor, or upon the date found by the Contracting Officer to be the date upon which the Contractor completed his performance under the contract.

(g) The Contractor shall, at all times, afford to the Contracting Officer, or his duly authorized representative, proper facilities for the inspection and audit of the Contractor's accounts, and the Contractor hereby agrees that the Contracting Officer, or his duly authorized representative, shall have the right so far as the Contractor's rights are concerned, during business hours to inspect and make copies of any entries in the books and records of the bank or banks relating to the said special account or accounts.

(h) Subject to the approval of the Contracting Officer or his duly authorized representative the Contractor may make payments to subcontractors and materialmen in advance out of the special account, for labor or services, or to pay for materials in advance of delivery at the site of the work or at an approved storage site. Such subadvances shall not exceed _____ percent (_____%) of the subcontract price of estimated cost, as the case may be, and the subcontractor or materialmen to whom such advances are made shall furnish adequate security therefor. Unless other security is furnished, covenants in subcontracts, expressly made for the benefit of the Government, providing for a subspecial account with Government lien thereon and for a Government lien on or title to property, tangible or intangible, purchased from the special account, and imposing upon the subcontractor substantially the same duties and giving the Government substantially the same rights as are provided herein between the Government and the Contractor, have been prescribed by the Under Secretary of War as minimum adequate security for such subadvances.

(i) Any assignment of moneys due or to become due under this contract shall be subordinate to the rights or claims of the Government arising under this contract or any amendment thereto by virtue of any advance payments authorized herein or otherwise: *Provided* That, if at any time any claim arising under this contract is assigned or purportedly assigned in any manner inconsistent with the said rights of the Government, the _____ or his duly authorized representative shall have the right to suspend further advance payments without notice.

§ 81.348b *Advance payments; cost-plus-fixed-fee contracts; without interest.* A clause substantially as follows will be included in cost-plus-a-fixed-fee contracts when it is contemplated that advance payments without interest will be made thereon:

Advance payments. (a) At any time and from time to time after the execution of this contract, the Government at the request of the Contractor and subject to the approval of the _____ or his duly authorized representative, or the person to whom authority to make advance payments has been delegated, as to the present need therefor shall advance to the Contractor, without payment of interest thereon by the Contractor, sums not to exceed _____ per cent (_____%) of the estimated cost of this contract (exclusive of the Contractor's fixed fee), as it may be amended from time to time.

(b) As a condition precedent to the making of any advance payment or payments as hereinbefore provided, the Contractor shall furnish the Government with such adequate security as the Under Secretary of War or the person to whom authority has been delegated to make advance payments shall prescribe, *Provided,* That, if other security is not prescribed, the terms of this contract shall be considered adequate security for such advance payments: *And provided further,* That if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security, in the form of a surety bond or surety bonds, as shall be satisfactory to the Under Secretary of War.

(c) Until all advance payments hereunder are liquidated, all funds received as advance payments under this contract together with all funds received as reimbursements for the cost of the work under Article _____ of this contract, exclusive of the Contractor's fixed fee, shall be deposited in a special bank account or accounts at a member bank or banks of the Federal Reserve System or any "insured" bank within the meaning of the Act creating the Federal Deposit Insurance Corporation (Act of August 23, 1935, 49 Stat. 684) as amended (12 U.S.C. 264) separate from the Contractor's general or other funds. Such special bank account or accounts shall be so designated as to indicate clearly to the bank their special character and purpose, and the balance in such account or accounts shall be used by the Contractor exclusively as a revolving fund for carrying out the purposes of this contract and any amendments thereto and not for other business of the Contractor. Any balances from time to time in such special account or accounts shall at all times secure the repayment of the advances in connection with which the special account or accounts are opened, and the Government shall have a lien upon such balances to secure the repayment of such advances, which lien shall be superior to any lien of the bank or any other person upon such account or accounts by virtue of assignment to it of this contract or otherwise: *Provided,* That the bank shall be under no liability to any party hereto for the withdrawal of any funds from said special account upon checks, properly endorsed and signed by the Contractor, except that after the receipt by the bank of written directions from the _____ or his duly authorized representative, the bank shall act thereon and be under no liability to any party hereto for any action taken in accordance with the said written directions. Any instructions or written directions received by the bank through the Contracting Officer upon War Department stationery and purporting to be signed by, or by the direction of, the _____ or his duly authorized representative, shall, in so far as the rights, duties, and liabilities of the bank are concerned, be conclusively deemed to have been properly issued and filed with the bank by the _____ or his duly authorized representative.

(d) It is agreed that the aggregate of the advance payments outstanding under this contract together with funds received as reimbursement for the cost of the work by the Contractor under Article _____ of this contract shall, at no time, exceed the total estimated cost of the work under this contract as it may be revised from time to time and any such excess shall be immediately repaid by the Contractor to the Government or if any reimbursement is due from the Government to the Contractor, shall be deducted therefrom: *Provided, however,* That if the total cost of the work under this contract shall be in excess of the amount so paid to the Contractor, including said advance payments, the Government upon presentation of satisfactory evidence shall currently and promptly reimburse the Contractor to the extent of such excess cost (subject to any delay in the availability of appropriated funds).

(e) If, upon completion of this contract, or upon the termination thereof for other than the fault of the Contractor, the advance payments made to the Contractor in respect of this contract have not been fully liquidated in the manner herein provided, the unliquidated balance of such advance payments shall be deducted from any payments otherwise due the Contractor in respect of this contract; and if the sum or sums due the Contractor be insufficient to cover such balance, the deficiency shall be paid by the Contractor in cash forthwith after demand and final audit by the Government of all accounts hereunder in respect of this contract: *Provided, however,* That in the event of such termination of the contract for other than the fault of the Contractor, such deduction shall not be made prior to final audit unless, and only to the extent that, the Contracting Officer or his duly authorized representative shall determine that such action is reasonably required in order to secure the eventual repayment in full to the Government of such unliquidated advance payments. In the event of cancellation or termination of this contract because of the fault of the Contractor, the Contractor, notwithstanding any ultimate rights to be reimbursed, agrees to return to the Government, upon demand, without set-off of any sums alleged to be due the Contractor, the unliquidated balance of any advance payment. Furthermore, if, in the opinion of the _____ or his duly authorized representative, the unobligated balance of the advance payments made by the Government under paragraph (a) hereof exceeds the amount necessary for the current needs of the Contractor, as determined by the _____ or his duly authorized representative, the amount of such excess shall, upon demand by the _____ or his duly authorized representative, be promptly returned to the Government and will be credited against the balance due the Government on advances previously made. If the demand made in any event set forth in this paragraph is not met upon receipt of such demand by the Contractor, the amount demanded will bear interest at the rate of six percent (6%) per annum from the date of the receipt of the demand until payment is made; *Provided, however,* That such payment of interest is hereby waived as to any sum paid by the Contractor within 15 days after the amount becomes due hereunder. If and when the Contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder and the bank or banks concerned shall have authority to pay same to the Contractor and shall thereupon be relieved of any further obligation to the Government on account thereof.

(f) The Contractor shall, at all times, afford to the Contracting Officer, or his duly authorized representative, proper facilities for

the inspection and audit of the Contractor's accounts, and the Contractor hereby agrees that the Contracting Officer, or his duly authorized representative shall have the right so far as the Contractor's rights are concerned, during business hours, to inspect and make copies of any entries in the books and records of the bank or banks relating to the said special account or accounts.

(g) Subject to the approval of the Contracting Officer or his duly authorized representative the Contractor may make payments to subcontractors and materialmen in advance out of the special account, for labor or services, or to pay for materials in advance of delivery at the site of the work or at an approved storage site. Such subadvances shall not exceed ------ per cent (------ %) of the subcontract price or estimated cost, as the case may be, and the subcontractor or materialmen to whom such advances are made shall furnish adequate security therefor. Unless other security is furnished, covenants in subcontracts, expressly made for the benefit of the Government, providing for a subspecial account with Government lien thereon and for a Government lien on or title to property, tangible or intangible, purchased from the special account, and imposing upon the subcontractor substantially the same duties and giving the Government substantially the same rights as are provided herein between the Government and the Contractor, have been prescribed by the Under Secretary of War as minimum adequate security for such subadvances.

(h) Any assignment of moneys due or to become due under this contract shall be subordinate to the rights or claims of the Government arising under this contract or any amendment thereto by virtue of any advance payments authorized herein or otherwise: *Provided*, That, if at any time any claim arising under this contract is assigned or purportedly assigned in any manner inconsistent with the said rights of the Government, the ---------- or his duly
(Chief of supply service)
authorized representative shall have the right to suspend further advance payments without notice.

Forcign Purchases

Subparagraph (2) is added to § 81.503 (c) as follows:

§ 81.503 *Applicability of Act.*

* * * * * *

(c) *Acts cognate to the Buy American Act.* * * *

(2) By determination of the Under Secretary of War dated February 3, 1943, the restrictions of the Act referred to in subparagraph (1) of this paragraph were suspended as to all articles, materials or supplies constituting, using or containing such articles of food or clothing as were theretofore exempted from the operation of the Buy American Act (for list of such articles of food or clothing, see paragraph (b) of this section).

Interdepartmental Purchases

§ 81.606 is amended to read as follows:

§ 81.606 *Purchases under contracts of Procurement Division, Treasury Department*—(a) *Basic law.* The Act of March 3, 1933 provided in part as follows:

* * * Accordingly, the President shall investigate the present organization of all executive and administrative agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes: * * * To group, coordinate, and consolidate executive and administrative agencies of the Government, as nearly as may be, according to major purposes; * * * To eliminate overlapping and duplication of effort; * * * (47 Stat. 1517; U.S.C. 5:124).

Pursuant to the above Act there was issued under date of June 10, 1933 Executive Order Number 6166 which provides in part as follows:

The function of determination of policies and methods of procurement * * * of property, facilities, structures, improvements, machinery, equipment, stores, and supplies exercised by any agency is transferred to a Procurement Division in the Treasury Department, at the head of which shall be a Director of Procurement. * * * In respect of any kind of procurement * * * for any agency the Procurement Division may, with the approval of the President, (a) undertake the performance of such procurement * * * itself, or (b) permit such agency to perform such procurement * * * or (c) entrust such performance to some other agency, or (d) avail itself in part of any of these recourses, according as it may deem desirable in the interest of economy and efficiency. When the Procurement Division has prescribed the manner of procurement * * * of any thing, no agency shall thereafter procure * * * such thing in any manner other than so prescribed. The execution of work now performed by the Corps of Engineers of the Army shall remain with said corps, subject to the responsibilities herein vested in the Procurement Division. * * *

Under date of April 12, 1935 there was issued by the Procurement Division, Treasury Department, with the approval of the President, a regulation which provides in part as follows:

* * * Those supplies of which the procurement * * * is to be controlled (by the Procurement Division) * * * will be listed and communicated to the executive departments as may be necessary, and thereafter no individual procurement * * * of these articles shall take place except in emergencies. * * *

(b) *Requirement.* Purchases will be made from contracts of the Procurement Division, Treasury Department (General Schedule of Supplies), when so directed by the chief of the supply service concerned or when required by the terms of the contracts unless the item can not be furnished under such contracts within the time that the item is required by the supply service concerned.

(c) *Emergency purchases.* In any case where pursuant to the provisions of paragraph (b) of this section purchase of an item listed in the General Schedule of Supplies, is not made under a General Schedule of Supplies contract because the item could not be furnished under such a contract within the time that the item was required, the voucher submitted to the General Accounting Office will contain, or be accompanied by, a statement showing clearly that the time element made such purchase necessary. It is to be emphasized that a mere conclusion is not sufficient, but a full and complete statement giving the specific reasons why the time element made such purchase necessary should be furnished.

(d) *Procedure.* Chiefs of supply services are responsible for advising contracting officers as to the terms and conditions of all such contracts and as to whether purchases therefrom are mandatory.

(e) *Ratification of purchases not made under contracts of the Procurement Division, Treasury Department.* When it appears to his satisfaction that an item listed in the General Schedule of Supplies was not purchased under a contract of the Procurement Division, Treasury Department because the contracting officer overlooked the necessity of purchasing under such a contract the chief of the supply service concerned may ratify such purchase. This will be done, however, only where it appears that the oversight represents an isolated instance and not a continued course of neglect. A statement should be presented to the chief of the supply service setting forth all of the facts including the contract price paid as compared to that payable under the Treasury Department contract and all facts which tend to excuse the failure to purchase under the Treasury Department contract.

(f) *Copy of purchase order to Procurement Division, Treasury Department.* A copy of each purchase order representing a purchase under a General Schedule of Supplies contract will be forwarded directly to the Procurement Division, Treasury Department, as soon as practicable after the date of issue.

(g) *"Schedule of stock items."* This publication of the Procurement Division of the Treasury Department lists the items which are carried in stock in the warehouse of that Division in Washington, D. C., primarily to supply the needs in that city. Field agencies of the War Department will not place orders on the Procurement Division for items which are stocked in the warehouse in Washington, D. C., for shipment outside the District of Columbia. This publication should not be distributed to War Department field agencies outside of Washington, D. C.

Section 81.608 is rescinded and the following substituted therefor:

§ 81.608 *Purchases from Federal Prison Industries, Inc., Department of Justice*—(a) *Basic law.* The Act of May 27, 1930 provides in part as follows:

The several Federal departments and independent establishments and all other Government institutions of the United States shall purchase at not to exceed current market prices, such products of the industries herein authorized to be carried on as meet their requirements and as may be available * * * (46 Stat. 392; 18 U S C 744g, M. L., 1931, Sec. 1936).

Under date of December 11, 1934, there was issued Executive Order Number 6917 which provides in part as follows:

It is hereby ordered that a corporation of the District of Columbia be and is hereby created, said corporation to be named as Federal Prison Industries, Inc. * * * The principal office of said corporation shall be in the City of Washington, District of Columbia, * * * The heads of the several executive departments, independent establishments and Government owned and Government controlled corporations shall cooperate with the corporation in carrying out its duties and shall purchase, at not to exceed current market prices, the products or services of said industries, to the extent required or permitted by law.

(b) *Requirement.* It is required that all items manufactured by and all services rendered by, Federal Prison Industries, Inc. be purchased from that agency except where a general or special clearance for the purchase of the items from commercial source has been granted. The following clearance which covers purchases up to June 30, 1933, indicates not only the items as to which such clearance has been granted but also those items which are available and which accordingly must be purchased from Federal Prison Industries, Inc.:

December, 1942.
Reference: Our letter 12/4 42
The UNDER SECRETARY OF WAR,
Washington, D.C.

DEAR SIR:

The following articles and services *are available and can be furnished* by Federal Prison Industries, Inc., from industries established under the Act of Congress approved May 27, 1930 (46 Stat., 391):

Brushes: Paint and varnish; floor sweeps; hand scrubs, all sizes.

Canvas goods: Shell covers, tarpaulins, water tanks, barracks bags, litters, bags, shower curtains, bandoleers.

Castings: Manhole frames and covers, grates, grate bars, gutter drains, for delivery in the following states only: Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania, New Jersey, Maryland, West Virginia, Virginia, Kentucky, and the District of Columbia.

Fibre furniture.

Laundry services required by posts and stations within 25 miles of the Federal Correctional Institution, Tallahassee, Fla.

Milk: 1,000 pounds per day for delivery to Fort Bliss, Texas only.

Sheet metal products: Storage shelving, transfer cases, food trays, tool boxes, tool cabinets, tool racks, fin assemblies, ammunition boxes, powder boxes, end stops for bomb storage, land mine casings or shells, practice bombs.

Other metal products: Metal beds and bunks, all types; bomb dunnage racks.

Wood furniture: Douglas, 4C, 3C, wide arm, and side chairs; desk trays for delivery west of the Rocky Mountains.

Work gloves and mittens as listed in Schedule of Products.

CLEARANCE

[C-20380]

1 Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., not listed above.

2 Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., including the items listed above, in the following cases:

(a) By contractors or contracting officers under cost-plus-a-fixed-fee construction or supply contracts;

(b) By contracting officers under fixed-price (lump sum) construction or supply contracts, wherein the Government is required to furnish certain Government materials;

(c) When immediate delivery or performance is required by the public exigency.

(d) When suitable second hand or used articles can be procured.

3 This clearance is to cover purchases made by the War Department only, and is effective for the period January 1, to June 30, 1943, inclusive.

4 Copy of this clearance should be attached to your contract or voucher when transmitted to the General Accounting Office,

or reference made thereon to this clearance number.

Very truly yours,
FEDERAL PRISON INDUSTRIES, INC.,
By (Signed) A. H. CONNER,
Associate Commissioner.

NOTE: By letter dated January 14, 1943, Federal Prison Industries, Inc., granted clearance for the purchase from commercial sources of 3C chairs until further notice.

(c) *Procedure.* Chiefs of supply services are responsible for advising contracting officers as to the detailed procedure for placing orders with Federal Prison Industries, Inc. In general, purchase orders should be forwarded in duplicate to Federal Prison Industries, Inc., Department of Justice, Washington, D. C. Requests for clearances should also be directed to the above agency which, in an emergency, will grant telegraphic clearance.

Section 81.608a is amended as follows:

§ 81.608a *Purchases from State Prisons and other correctional institutions.* Purchases of items manufactured or produced by State prisons may be made directly from such institutions (Op. Att. Gen. 37739, May 6, 1942, and Let. Pres. May 10, 1942. See also Exec. Order 9196 dated July 9, 1942, and § 81.902 et seq. of these regulations). Likewise, purchases of services rendered by State prisons may be made directly from such institutions. No purchase, however, from a State prison or other correctional institution will be made of a mandatory item appearing in the schedules of the Federal Prisons Industries, Inc. (See § 81.608) without a prior clearance (general or special) from that agency. For purchases by Government contractors, and subcontractors from Federal, State and territorial prisons or prison industries, see § 81.345.

Section 81.609 (b) is amended by adding an item in its proper numerical sequence as follows:

§ 81.609 *Purchases under contracts of Post Office Department.* * * *

(b) *Envelopes authorized for supply to the military service.*

Item No.:	*Description*
*	* * * * *
192. ----	4⅛ x 9½ inches, White, open side.
*	* * * * *

In § 81.610 paragraph (b) is amended and paragraphs (c) and (d) are added as follows:

§ 81.610 *Purchases from Government Printing Office.* (a) All blank envelopes, blank paper, inks, glues and other supplies manufactured or carried in stock by the Government Printing Office, and which are required for use within the District of Columbia, will be purchased from that office.

(b) All printing, binding and blank book work of either of the following types shall be done in the Government Printing Office in the District of Columbia unless a clearance is obtained from the Public Printer to have the work done elsewhere:

(1) Work intended for the use of components of the War Department located in the District of Columbia.

(2) Work intended for the general use of the War Department and not for the exclusive use of any one component of the War Department.

(c) All printing, binding and blank book work which is intended for the exclusive use of any one component of the War Department located outside of the District of Columbia and which it is impracticable to have done at the Government Printing Office in the District of Columbia, may be done elsewhere without the necessity of obtaining a clearance from the Public Printer. Such work shall be done either:

(1) At field printing plants authorized by the Joint Committee on Printing, or

(2) By commercial firms authorized by the Joint Committee on Printing.

A list of authorized field printing plants and commercial firms is contained in the Regulations of the Joint Committee on Printing Relative to Periodicals and Field Printing. For the certificate which is required to be placed on vouchers involving payments for all printing, binding and blank book work, procured elsewhere than at the Government Printing Office, Washington, D. C., see AR 35–1040[1] and §§ 35.1 to 35.4, inclusive. For all reports required to be filed of all printing, binding and blank book work so procured, see AR 30–2120.[2]

(d) The chiefs of the supply services are authorized to communicate directly with the Government Printing Office through their properly appointed representatives. The Government Printing Office has designated the following persons as War Department Contact Representatives:

Mr. L. Trumbull, Contact Clerk.
Mr. Henry Matheny, Estimator.
GPO Ext. 270 or 342

Federal, State and Local Taxes—Federal Taxes

Section 81.804 is amended as follows:

§ 81.804 *Tax exempt sales.* Under the regulations of the Commissioner of Internal Revenue (T. D. 5114, approved January 27, 1942) the following sales are exempt from the taxes imposed by Chapter 29 of the Internal Revenue Code: (a) sales of articles to the United States; (b) sales of articles to Government contractors or subcontractors when such articles are incorporated in an article sold to the United States; (c) sales of articles which are incorporated in the building or work constructed, altered, improved or repaired pursuant to a Government contract. Such sales are tax exempt only where the price paid by the Government does not include the tax. (See also § 81.814 as to certain articles consumed in manufacture or construction where the Government receives the

[1] Administrative regulations of the War Department relative to vouchers pertaining to money accounts.

[2] Administrative regulations of the War Department pertaining to field printing.

benefit of the exemption from tax on such articles). With respect to prime contracts or purchases made after March 1, 1943, and subcontracts or purchases made by contractors or subcontractors on or after that date, see policies outlined in § 81.809a.

Section 81.805 is amended as follows:

§ 81.805 *Cost-plus-a-fixed-fee contracts.* (a) Under rulings of the Commissioner of Internal Revenue, articles sold to contractors engaged on a cost-plus-a-fixed-fee basis are exempt from the application of the Federal excise taxes since such articles are furnished for the exclusive use of the United States. As a condition to such exemption title to the article purchased by the fixed-fee contractor must ultimately vest in the United States. With respect to purchases by cost-plus-a-fixed-fee subcontractors of articles to be consumed in the performance of the subcontract (see § 81.814), tax exemption can be obtained under present rulings of the Commissioner only by the issuance of a form 1094 by an authorized Government officer (see § 81.812 (b)). With respect to prime contracts or purchases made after March 1, 1943, and subcontracts or purchases made by contractors or subcontractors on or after that date, see policy outlined in § 81.809a.

(b) • • •

In § 81.809a paragraphs (a), (b) (1), and (e) are amended as follows:

§ 81.809a *Policies with respect to contracts or purchases made on or after March 1, 1943*—(a) *Army-Navy joint tax exemption policies with respect to Federal excise taxes.* The Under Secretary of War, jointly with the Under Secretary of the Navy, has issued the memorandum dated January 4, 1943, quoted below:

• • •

(b) *Changes effected by the new policies.* The principal changes effected by the new policy are:

(1) Under the new policies fixed price (lump-sum) prime contracts made on or after March 1, 1943 for the acquisition by the War Department of articles subject to Federal excise taxes ("purchase articles") shall in general be made on a price basis which excludes such Federal excise taxes. The Chief of any Supply Service may authorize any contract or class of prime contracts to be made on a price basis which includes such Federal excise taxes.

• • • • •

(e) *Changes.* The chief of each supply service will make necessary changes in existing bid forms, specifications, and instructions relating to bids and evaluation of contracts to carry out the policies set forth in the memorandum quoted in paragraph (a) of this section. Great care should be exercised in drawing contracts and purchase orders to make certain that their provisions reflect accurately the intention of the parties with respect to taxes and that they are consistent with the policies above mentioned.

• • • • •

Tax Exemption Certificates

In § 81.813 paragraph (a) is amended, paragraph (d) is redesignated paragraph (e), and a new paragraph (d) is added as follows:

§ 81.813 *Use of tax exemption certificates.* (a) (1) Under regulations prescribed by the Commissioner of Internal Revenue, articles are exempt from the taxes imposed by Chapter 29 of the Internal Revenue Code when such articles are sold on a tax-free basis for the exclusive use of the United States. The tax is imposed upon the manufacturer, producer, or importer. Where the article is sold on a tax-free basis for the exclusive use of the United States by a person other than the manufacturer, producer, or importer, a credit for or a refund of the tax may be obtained.

(2) In accordance with Treasury Decision 5114 dated January 27, 1942, articles are exempt from taxes imposed by Chapters 25 or 29, where such articles are used or incorporated by the purchaser as material in the manufacture or production of, or as a component part of, an article which is to be furnished to the United States Government: *Provided*, That (i) the price of the article does not include a tax on the sale or transfer thereof under Chapter 25 or 29 of the Internal Revenue Code, (ii) the article is included at such tax-free basis in the price of the article in which it is incorporated and (iii) satisfactory evidence of the exemption is furnished by tax exemption certificate (see paragraph (c) of this section). Under regulations of the Commissioner of Internal Revenue, tax exemption certificates are used for the purpose of establishing rights to exemptions (T.D. 5114, January 27, 1942; I. R. Code, sec. 3442) and may be the basis of establishing claims for credits and refunds (I. R. Code, secs. 3442, 3443; Reg. 44, § 314.64 as amended). With respect to prime contracts or purchases made after March 1, 1943, and purchases made by subcontractors on or after that date, see policies outlined in § 81.809a.

• • • • •

(d) Special considerations affecting tax exemption of lubricating oil and gasoline. (1) Lubricating oil or gasoline, when incorporated in a purchase article (as defined in Treasury Decision 5114; see § 81.804a) so as to become a part thereof, constitutes a subsidiary article within the meaning of Treasury Decision 5114, and tax exemption of such oil and gasoline can be obtained pursuant to that Treasury Decision. Thus lubricating oil incorporated as the fluid in hydraulic apparatus constitutes a subsidiary article, where the hydraulic apparatus is purchased as such by the United States under a prime contract or where the hydraulic apparatus is a component part of some other article purchased as such by the United States under a prime contract. However, except as stated in subparagraph (2) below, the term "subsidiary article" does not include lubricating oil consumed in the operation of machinery in manufacturing such hydraulic apparatus.

(2) Lubricating oil or gasoline is also a subsidiary article when sold to a prime contractor for use as equipment, material or supplies in the performance of his prime contract, if payment for the lubricating oil or gasoline is made by the United States, and in other cases where it can be shown that the United States clearly receives the benefit of exemption from the tax. Thus, where the price contract involves the construction of a plant, or the operation and maintenance of a plant, either on the basis of cost-plus-a-fixed-fee or some other basis under which the tax on the gasoline or lubricating oil is not to be included in the cost chargeable to the United States, the gasoline or lubricating oil sold to the prime contractor for use in the performance of such prime contract constitutes a subsidiary article within the meaning of Treasury Decision 5114 and tax exemption of such oil and gasoline can be obtained pursuant to that decision. In such case, the gasoline or lubricating oil is deemed to be incorporated in the subject matter of the prime contract, namely, the plant construction or the plant operation.

(3) Gasoline, lubricating oil and other similar consumable supplies, used under cost-plus-a-fixed-fee contracts have been and are now exempt. However, such consumable supplies, when constituting subsidiary articles, as in subparagraph (2) above, are only exempt under Treasury Decision 5114 if purchased by a prime contractor. If such consumable supplies are purchased by a cost-plus-a-fixed-fee subcontractor or subsidiary subcontractor, Standard Form No. 1094 must be used in order to secure the exemption from federal excise tax.

(4) With respect to prime contracts or purchases made after March 1, 1943, and subcontracts or purchases made by contractors or subcontractors on or after that date, see policies outlined in § 81.809a.

(e) Tax exemption certificates are also used for establishing exemptions from state and local taxes. In such cases certificates should be prepared in accordance with the requirements of the particular state or local tax officials concerned. Except as provided in § 81.815 (a) no tax exemption certificate should be issued with respect to a state or local tax unless the contract shows that the price paid by the Government is exclusive of the tax to which the certificate pertains or unless the contractor consents to the deduction of such tax from the contract price and the acceptance of the tax exemption certificate in lieu thereof.

Items Subject to Federal Excise Taxes

Section 81.817 is amended as follows:

§ 81.817 *Federal retailers' excise taxes.* The items on which Federal Retailers' Excise Taxes are imposed are listed below. The tax is in the amount of 10 per centum of the price for which sold, and the taxes are effective as of October 1, 1941.

CHAPTER 19—RETAILERS' EXCISE TAXES

SEC. 2400 JEWELRY, ETC. • • •

(3) Under an agreement between the War Department and the Bureau of Internal Revenue it has been agreed that the latter will not attempt to collect taxes under Chapter 19 of the Internal Revenue Code on sales of jewelry, furs, and toilet preparations to members of the armed forces and their families and to civilian employees permanently employed on military posts, when such sales are made in army commissaries. The War Department in turn agreed that sales of such articles in army commissaries would not be made to casual laborers or temporary employees on military posts.

• • • • •

Section 81.817a is added as follows:

§ 81.817a *Bituminous coal tax.* An excise tax of one cent per ton upon the sale of bituminous coal is imposed by Section 3520 of the Internal Revenue Code. The tax does not apply to the sale of coal for the exclusive use of the United States or any subdivision thereof or for use in the performance of Governmental functions. The Treasury Department has prescribed a special form of exemption certificate to be issued to the party from whom such coal is purchased in order to support claim for tax exemption, or for tax refund if the tax has already been paid. The exemption certificate should be substantially in the following form:

---------- , 194..

The undersigned hereby certifies that he is a ---------- , ----------,

Grade Branch of Service or Supply Service

United States Army, assigned to War Department Contract No. W-----, and that he is authorized to execute this certificate and that the bituminous coal specified in the accompanying order or contract, or on the reverse side hereof, is purchased from ---------- for the exclusive use of

Name of Vendor

the War Department ----------

---------- of the United States Government, for use in the performance of essential Governmental functions.

It is understood that the exemption from tax in the case of sales of bituminous coal to the United States, is limited to such coal purchased for its exclusive use for use in the performance of essential Governmental functions, and it is agreed that if coal purchased tax-free under this Exemption Certificate is used otherwise or is sold to employees or others, the vendee will report such fact to the vendor. It is also understood that the fraudulent use of this certificate to secure exemption will subject the undersigned and all guilty parties to a fine of not more than $10 000 or to imprisonment for not more than five years, or both, together with cost of prosecution.

Title of Officer

The Treasury Department (March 24, 1941) ruled that the excise tax does not apply to sales made to contractors in connection with work performed under cost-plus-a-fixed-fee contracts with the Government. All exemption certificates above mentioned will be executed only by officers designated to execute tax exemption certificates on standard form No. 1094 (see § 81.812 (b)).

Adjustments of Contracts Because of Changed Federal Excises

Section 81.820 is added as follows:

§ 81.820 *Freight tax (tax on transportation of property) imposed by the Revenue Act of 1942.* No increase will be made in the price payable under a contract executed prior to December 1, 1942 and containing a tax article substantially in the form set out in § 81.357, by reason of the imposition of a freight tax (tax on transportation of property imposed under section 3475 of the Internal Revenue Code; Revenue Act of 1942, sec. 620) on freight charges which the contractor is bound to pay in accordance with the contract. (See Op. Comp. Gen. B-30754, dated January 2, 1943).

Federal Transportation Taxes

Sections 81.821 and 81.822 are added as follows:

§ 81.821 *Transportation of property*—(a) *Freight tax of 1942.* Section 3475 of the Internal Revenue Code (inserted by section 620 of the Revenue Act of 1942) imposes a tax of 3% upon the amount paid within the United States on and after December 2, 1942 for transportation of property on or after December 1, 1942, by rail, motor vehicle, water, or air from one point in the United States to another. In the case of coal, the rate of tax four cents per short ton. The tax applies only to amounts paid to persons engaged in the business of transporting property for hire, including freight forwarders and express companies, but not including amounts paid to forwarders and express companies for transportation for which a tax has previously been paid under the section. The tax does not apply to amounts paid by the United States or any of its agencies or instrumentalities for transportation of property. The tax is imposed upon the person making the payment subject to the tax. [See Treasury Regulations 113, 1943 ed., 8 Fed. Reg. 1433]

(b) *Exemptions from the tax.* The following payments are exempt:

(1) Amounts paid for transportation on a government bill of lading, or a commercial bill of lading, later converted to a government bill of lading.

(2) Amounts paid directly by the United States for transportation.

(3) Amounts paid for transportation shown to be intended for export.

No exemption certificates are necessary where the payment is by Government check or the shipment is made by Government bill of lading or converted bill of lading.

(c) *Cost-plus-a-fixed-fee contracts.* The Commissioner of Internal Revenue has ruled informally that the tax will apply to amounts paid by cost-plus-a-fixed-fee contractors for transportation of property even though the Government is bound to reimburse the contractor. Shipments to a cost-plus-a-fixed-fee contractor on government bill of lading, are however exempt (see paragraph (b) of this section). Contracting officers in administering cost-plus-a-fixed-fee contracts needs not for the sole purpose of avoiding the payment of the Transportation tax arrange to pay transportation charges directly. Cost-plus-a-fixed-fee contractors paying this transportation tax on transportation charges incurred in the performance of their contract will be reimbursed for the amount of the tax so paid. However, cost-plus-a-fixed-fee contractors will not be authorized to reimburse their suppliers for the payment of this transportation tax under existing contracts or purchase orders, unless such existing subcontracts or purchase orders, as presently written, expressly authorize an adjustment of the price of the item in the event a tax is imposed on transportation.

§ 81.822 *Transportation of persons.* Section 3469 of the Internal Revenue Code, inserted by the Revenue Act of 1941 sec. 554 (b) as amended by section 609 of Revenue Act of 1942, imposes an excise tax of 10% upon the transportation of persons. The tax does not apply to the payment of transportation furnished to the United States. This exemption includes amounts paid for transportation of personnel of the War Department when traveling on official business. It applies also when such amounts are paid by such personnel traveling on a mileage or other allowance basis, where reimbursement is made to such personnel by the Government (See I. R. Regs. 42, §·130.61). Exemption from this tax is secured by executing Form 731 Revised October, 1941. Members of the military or naval forces traveling in uniform of the United States on official leave, furlough or pass and paying special fares at a rate of not more than 1¼ cents a mile, are exempt from payment of tax. The Bureau of Internal Revenue has ruled that transportation furnished to employees of cost-plus-a-fixed-fee contractors traveling exclusively upon Government business is not subject to this tax when the cost of the travel is reimbursable under the contract.

Labor—Convict Labor Law

Section 81.903 (a) is amended as follows:

§ 81.903 *Application of basic statutes.* (a) The prohibitions contained in the foregoing provisions of this section do not apply to the following purchases:

(1) Purchases of items manufactured, or services rendered, by Federal Prison Industries, Inc. (see § 81.608).

(2) Purchases of items manufactured or produced, or of services rendered, by State Prisons or other correctional State institutions (see § 81.608a).

• • • • •

Walsh-Healey Public Contracts Law

In § 81.917 (b) a new subparagraph (8) is added and subparagraphs (8) to (14), inclusive, are renumbered (9) to (15), inclusive, as follows:

§ 81.917 *Applicability of Walsh-Healey public contracts law.* • • •

(b) • • •

(8) Contracts awarded during the present war for the production of train-

ing films are excepted from the representations and stipulations required by section 1 of the Act.

(9) Article 1 (Insertion of Stipulations) of the • • •

(10) Stipulation (c) of Article 1 of the • • •

(11) Article 103 (Overtime) of the • • •

(12) Article 501 (Records of Employment) of the • • •

(13) Articles 601, 602, 1101, and 1201 of the • • •

(14) The following Article has been • • •

(15) By order dated September 2, 1942 • • •

Wage and Salary Stabilization

The Joint Statement of December 26, 1942 of the National War Labor Board and the Commissioner of Internal Revenue: Procedure for Wage and Salary Adjustments by State, County, and Municipal Governments and Agencies Thereof quoted in § 81.976m (8 FR 2540) is removed from that section and the following substituted therefor:

§ 81.976m *Statutory salaries and wages.* • • •

On December 26, 1942, the National War Labor Board and Commissioner of Internal Revenue issued a joint statement which effected changes of the procedure provided for in the joint statement of the Board and Commissioner of November 12, 1942, quoted above. The joint statement of December 26, 1942, took the form of General Order No. 12–A, the text of which may be found in § 81.980*l*.

Section 81.977*ll* as published in the FEDERAL REGISTER March 2, 1943 (8 F.R. 2541) is redesignated § 81.977aaa and a new § 81.977*ll* is added as follows:

§ 81.977*ll* *Functions and jurisdictions of the Salary Stabilization Unit and its regional offices.* On January 19, 1943, the Commissioner of Internal Revenue issued seventeen procedural regulations relating to the functions and jurisdictions of the Salary Stabilization Unit and its Regional Offices. These regulations are set forth in the succeeding paragraphs which are designated paragraphs (a) to (q), inclusive.

(a) *Duties of Deputy Commissioner.*

1 *Duties of Deputy Commissioner.* The Deputy Commissioner, Salary Stabilization Unit, will exclusively represent the Commissioner in administering those provisions of the Executive Order of October 3, 1942 (No. 9250) and the Director's and Commissioner's regulations issued thereunder which relate to the stabilization and limitation of salaries in excess of $5,000 per annum, and of salaries not in excess of $5,000 per annum paid to executive, administrative, and professional employees not represented by a recognized labor organization.

(b) *Regional offices.* See § 81.977c (a) for a list of the regional offices of the Salary Stabilization Unit, their addresses and jurisdictions.

(c) *Regional officers and employees.*

3 *Regional officers and employees.* Each salary stabilization office will be under the immediate supervision of a head, who will perform his duties under the direction of the Deputy Commissioner, and will represent the Commissioner and Deputy Commissioner in administering, within the territory assigned to his office, the above-specified provisions of Executive Order 9250 and the regulations issued thereunder. Each salary stabilization office may also have an assistant head, a counsel, and such number of conferees, clerks, and other employees as the Deputy Commissioner may from time to time find necessary.

(d) *Applications for approval of salary adjustments.*

4. *Applications for approval of salary adjustments.* (a) Except as provided in subparagraphs (b) and (c) hereof, every application under §§ 1002.13, 1002.15, or 1002.16 of the Salary Stabilization Regulations,[1] for approval of an increase or decrease in a salary rate within the Commissioner's jurisdiction, shall be submitted by the employer on Form SSU 1 in triplicate, or in any alternative manner authorized by the instructions on that form, to the head of the regional office serving the area within which the employer's principal office or place of business is located, and shall be within that officer's jurisdiction; but jurisdiction of any such application may, by direction of the Deputy Commissioner, be transferred to any other regional office. If under exceptional circumstances he deems it necessary in the interest of efficient administration, the Deputy Commissioner may also assume original jurisdiction of any application.

(b) If the Commissioner has delegated to any other officer or agency his authority to approve or disapprove adjustments in the salaries of employees of any class or group, applications for approval of such adjustments shall be made to the officer or agency to whom such authority has been delegated, in the form and manner prescribed by such officer or agency.[2]

(c) No application or notice to the Commissioner will be required for adjustments in the salaries of employees of State or local governments, if made to correct maladjustments, inequalities, or gross inequities.

[CROSS REFERENCE: See § 81.976m]

(e) *Applications for approval of salary-rate schedules.*

5. *Applications for approval of salary-rate schedules.* Every application for approval of a proposed new salary-rate schedule or proposed general modification of an existing salary-rate schedule shall be submitted by the employer in triplicate to the head of the regional office within whose territorial jurisdiction the employee's principal office or place of business is located. Jurisdiction of any such application may be transferred to another regional office or assumed by the Deputy Commissioner as provided in paragraph 4 (a) hereof. After approval by the head of a regional office or by the Deputy Commissioner, a new or modified salary-rate schedule will have the same effect, in obviating the necessity for approval of individual salary-rate changes, as a salary-rate schedule in effect October 3, 1942.

(f) *Applications for rulings respecting exemptions.*

6. *Applications for rulings respecting exemptions.* Every application for a ruling as to whether a proposed salary adjustment is exempt from the requirements of the Director's and Commissioner's regulations relative to prior approval by the Commissioner shall be submitted by the employer on Form SSU 2 in triplicate to the head of the regional office serving the area within which the employer's principal office or place of business is located, and shall be within that officer's jurisdiction, subject to the provisions of paragraph 4 (a) hereof regarding transfers of jurisdiction and assumption of jurisdiction by the Deputy Commissioner.

(g) *Applications for authorization of salaries in excess of the $25,000 limit.*

7. *Applications for authorization of salaries in excess of the $25,000 limit.* Every application under §§ 1002.19 to 1002.22 of the Salary Stabilization Regulations,[1] for authorization of a salary in excess of the $25,000 limit, shall be submitted by the employee on Form SSU 3 in triplicate to the head of the regional office serving the area within which the place of employment is located, and shall be supported by a statement, signed by the applicant's employer, as to the salary which, except for the limitation prescribed by the general regulations of the Economic Stabilization Director (§ 1002.18 of the Salary Stabilization Regulations),[1] would be paid to the applicant. Such applications shall be subject to the provisions of paragraph 4 (a) hereof relative to transfers of jurisdiction and assumption of jurisdiction by the Deputy Commissioner.

(h) *Signature and verification of applications.*

8. *Signature and verification of applications.* Every application shall be signed by the applicant, or in the applicant's name by a duly authorized person; shall set forth fully the facts on which it is based, as required by the appropriate application form; and shall be sworn to before a deputy collector, notary public, or other officer authorized to administer oaths. If the applicant is a partnership, the application shall be executed in the partnership's name by one of the partners. If the applicant is a corporation, the application shall be executed in the name of the corporation by one of its principal officers. Statements of fact made in any application may be verified by the head of the regional office having jurisdiction, insofar as he deems it necessary and practicable under the circumstances. For that purpose he may refer an application for investigation to the appropriate internal revenue agent in charge, special agent in charge, or collector of internal revenue, and may require such further evidence in substantiation of the statements made in the application as he may deem necessary in order to reach a decision thereon.

(i) *Conferences.*

9. *Conferences.* The head of the regional office having jurisdiction of an application or any of his legal or technical assistants, may grant a conference to the applicant or his representative. At any such conference the applicant may be represented by a responsible officer or supervisory employee without special authorization. Any other representative must submit a power of attorney authorizing him to represent the applicant.

(j) *Authority of heads of regional offices.*

10. *Authority of heads of regional offices.* The head of the regional office having jurisdiction of any application will have authority to approve or disapprove it for the Commissioner, wholly or in part, and his decision shall be deemed to be the Commissioner's determination under § 4001.4 of the general regulations of the Economic Stabilization Director[1] (§§ 1002.10 and 1002.11 of the Salary Stabilization Regulations)[2] unless and until modified or reversed as provided in paragraphs 13 to 15 hereof; but any such decision may be set aside by the Commissioner if he finds that it has been arrived at through fraud, collusion, or misrepresentation of a material fact.

(k) *Decisions and rulings.*

11. Decisions and rulings. (a) Every decision approving or disapproving, wholly or in part, an increase or decrease in a salary rate, a new or modified salary agreement or salary-rate schedule, or a salary allowance in excess of the $25,000 limit, will be set forth in a memorandum, to be known as a "decision memorandum," which will show the name and address of the applicant, the precise nature of the proposed action for which the Commissioner's approval is requested, and the decision with respect thereto. Every such memorandum will be signed by the head of the regional office, or by the Deputy Commissioner, in his own name, following the words "By direction of the Commissioner." The original will be transmitted promptly to the applicant, and copies of decisions made by the heads of regional offices will be forwarded promptly to the Deputy Commissioner. Every decision memorandum approving an application, wholly or in part, will be supported by a concise statement, on a separate sheet, of the reasons for approval. Every adverse decision memorandum will be accompanied by a copy of the regional office's letter to the applicant disapproving his application, which letter will include a concise statement of the reasons for disapproval. If an additional salary allowance to an employee is authorized under §§ 1002.19 to 1002.22 of the Salary Stabilization Regulations,[3] the head of the regional office will send the employer a notice stating the additional salary authorized to be paid by such employer. If the employee to whom such an allowance is granted receives salaries from two or more employers, such a notice will be sent to each employer. For this purpose an additional allowance granted to an employee receiving salary from more than one source will be allocated among his employers as requested by him. Copies of decision memorandums will also be furnished to such officers of the Internal Revenue Bureau and other Government agencies as the Commissioner may from time to time direct.

(b) Rulings with respect to exemptions will be prepared, signed, and dispatched by heads of regional offices, or by the Deputy Commissioner, in the same manner as decision memorandums.

(l) *Determinations respecting salaries paid.*

12 *Determinations respecting salaries paid.* (a) On request of any collector of internal revenue agent in charge, or special agent in charge whose office is located within the territorial jurisdiction of any salary stabilization office, the head thereof will determine whether any salary payment within the Commissioner's jurisdiction was made in contravention of the regulations of the Economic Stabilization Director and the Commissioner, and will set forth his finding in a decision memorandum as provided in paragraph 11 (a) hereof. If he finds that any such payment is not in contravention of the regulations, he will send his decision memorandum to the officer making the request (at the same time forwarding as many copies thereof to the Deputy Commissioner, Salary Stabilization Unit, as that officer may prescribe). If he finds that any such payment is in contravention of the regulations, he will submit his decision memorandum to the Deputy Commissioner for approval before transmitting it to the officer making the request. If, in the judgment of the head of the regional office, there is serious doubt as to whether any payment is or is not in contravention of the regulations, he may request advice from the Deputy Commissioner before making a decision. Unless and until modified or reversed as provided in paragraphs 13 to 15 hereof, a determination by the head of a regional office of the Salary Stabilization Unit shall be deemed to be the Commissioner's determination under § 4001.4 of the Director's general regulations[1] (§§ 1002.10 and 1002.11 of the Salary Stabilization Regulations).[4]

(b) At the direction of the Commissioner, similar determinations will be made at the request of duly authorized officers of any other Government agency.

(m) *Reconsideration and review of decisions.*

13. *Reconsideration and review of decisions.* An applicant whose application is disapproved, wholly or in part, by the head of a regional office may submit to the Deputy Commissioner, through such regional head, a request for review thereof. Every such request shall set forth fully the grounds on which it is based, insofar as such grounds are not stated in the original application. The head of the regional office having jurisdiction will examine every such request, and if it states facts not previously submitted to him, he may reconsider the application, may verify such statements insofar as he deems it necessary and practicable, and may modify his prior decision if he finds that the facts warrant such action. If thereafter the applicant adheres to his request for review, the head of the regional office will forward it to the Deputy Commissioner with a concise statement of the reasons for disapproval or partial disapproval of the application.

(n) *Review of application.*

14. On receipt in the Deputy Commissioner's office, every such request for review will be examined to determine whether or not it makes a prima facie showing of error on the part of the head of the regional office. If in the Deputy Commissioner's judgment it does not do so, the request will be denied. If in the Deputy Commissioner's judgment it does so, a hearing by the Deputy Commissioner or his representative may be arranged for the earliest practicable date. At any such hearing the applicant may be represented as provided in paragraph 9 hereof.

(o) *Action by Deputy Commissioner.*

15. If the Deputy Commissioner does not approve a decision of the head of a regional office, he may refer it back to such head for reconsideration, or may modify or reverse it by means of a decision memorandum signed in his own name following the words "By direction of the Commissioner." He will also sign a similar decision memorandum with respect to every application of which he assumes original jurisdiction.

(p) *Effect of modification or reversal.*

16. *Effect of modification or reversal.* If a decision with respect to any application is modified on reconsideration by the head of a regional office, or is modified or reversed by the Deputy Commissioner, such modification or reversal shall, from its effective date, be deemed to be the determination of the Commissioner under § 4001.4 of the general regulations of the Economic Stabilization Director[3] (§§ 1002.10 and 1002.11 of the Salary Stabilization Regulations)[4] but no modification or reversal of a prior decision shall take effect before the first day of the pay roll period immediately following the date of such modification or reversal.

(q) *Purposes of regulations.*

17. *Purposes of regulations.* The purposes of the salary stabilization regulations of the Economic Stabilization Director and the Commissioner, as stated in Executive Order 9250, approved October 3, 1942, are to stabilize the cost of living in accordance with the Act of October 2, 1942, and to aid in the prosecution of the war. In order to carry out those purposes, salary rates prevailing on September 15, 1942, should not be increased or decreased unless necessary to correct maladjustments, inequalities or gross inequities, or to aid in the effective prosecution of the war. Heads of regional offices will keep those purposes constantly in mind in performing the duties imposed on them by this mimeograph.

Paragraph (a) is hereby added to § 81.977aaa previously published as § 81.977*ll* (8 F.R. 2541).

§ 81.977aaa *Delegation by Commissioner of Internal Revenue to Secretary of War.*

• • • • •

(a) *Government-owned, privately-operated facilities.* The Government-owned, privately operated facilities embraced within the delegation to the War Department Agency from the Commission of Internal Revenue are identical with those covered by the delegation from the National War Labor Board to the War Department Agency. For the names of such Government-owned, privately-operated facilities see § 81.980n (b).

Section 81.979 is amended as follows:

§ 81.979 *Procedure in cases of voluntary applications for wage adjustments by private employers; coverage of this statement.*

Procedure in cases of voluntary applications for wage adjustments by private employers; coverage of this statement. The term "wages," wherever used in this statement, shall be deemed to include salaries insofar as approval of the adjustment thereof has been made a function of the National War Labor Board.

I. THE SET-UP IN THE REGIONS

1. There are established 10 regional offices of the National War Labor Board, to be located in the 10 regional offices of the Office for Emergency Management, the list of which is appended hereto.

2. Each regional office of the Board will be headed by a full-time representative of the National War Labor Board, to be appointed by the Board and to be known as "Regional Director for the National War Labor Board." Each office will be supplied with an appropriate staff.

3. Each Regional Director will have an advisory board composed of representatives of labor, employers, and the public, to be appointed by the National War Labor Board.

4. Attached to each regional office will be tripartite panels composed of representatives of labor, employers and the public, to be appointed by the National War Labor Board. If the pressure of work in any region necessitates, tripartite panels may sit simultaneously, under the general administrative direction of the Regional Director. The primary responsibility of the Regional Director and the tripartite panels shall be to handle voluntary applications for wage adjustments with the utmost expedition consistent with the

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[1] §§ 81.977p, 81.977r, and 81.977s.

[2] For delegation by the Commissioner to the Secretary of War as to certain salary adjustments see § 81.977aaa.

[1] §§ 81.977v to 81.977y, inclusive.

[2] § 81.977u.

[1] § 81.976d.

[2] §§ 81.977m and 81.977n.

[3] §§ 81.977n to 81.977y, inclusive.

[1] § 81.976d.

[2] §§ 81.977m and 81.977n.

[3] § 81.976d.

[4] §§ 81.977m and 81.977n.

proper carrying out of the Board's wage policies.

5 In the handling of all wage cases the Regional Directors, and the tripartite panels, are charged with the obligation of executing the Board's wage policies, and they shall have no policy-making powers.

6 Pursuant to the policy of interdepartmental cooperation laid down in Section 2 of Title III of Executive Order No. 9250, the facilities of the offices of the Wage and Hour Division of the Department of Labor as hereinafter more fully described, are available to the Board as information centers and as headquarters for the filing out of application forms, for the use of the National War Labor Board's Regional Directors, and panels, in voluntary wage adjustment cases. In such capacities the offices of the Wage and Hour Division will be acting as the Board's agents.

7 The general procedure in cases of voluntary wage adjustments by private employers will be as follows (subject to certain exceptions which will hereinafter be noted):

(a) The application form shall be filed in an office of the Wage and Hour Division, and shall be transmitted by said office to the Regional Director of the National War Labor Board for that region.

(b) The initial ruling on the application will then be made by said Regional Director.

(c) If any party to the application disagrees with said ruling, the application will be referred to, and passed on by a tripartite panel.

8. The detailed procedure in such cases, including the appellate and the reviewing functions of the National War Labor Board, are set forth below.

II THE HANDLING OF PRELIMINARY INQUIRIES ABOUT JURISDICTION

1. An employer or a union (or an employee or a group of employees not represented by a union with respect thereto) directly concerned in a proposed wage adjustment, if uncertain whether under the applicable regulations and orders the proposed adjustment can be made without Board approval, may ask the nearest office of the Wage and Hour Division of the Department of Labor in the region for an informal ruling. Said office shall then issue a written ruling, as agent of the National War Labor Board, and send copies thereof to the person or persons who made the inquiry and to the Regional Director of said Board for his information.

2. If said ruling is that the proposed wage adjustment is of a sort which may be made without the approval of the National War Labor Board, then:

(a) The ruling shall be deemed to be an authoritative act of the Board through its agent for that purpose, and shall remain in effect unless reversed as provided below.

(b) If the Board's Regional Director, on receipt of the ruling from the office of the Wage and Hour Division, reverses it, he shall promptly notify the person or persons who made the inquiry that the adjustment is of a sort which requires approval. If in the meantime the employer has made the adjustment, relying upon the ruling by the office of the Wage and Hour Division that it did not need Board approval, then:

(i) the adjustment may be continued in effect for a period of ten days following the issuance of the Regional Director's ruling, within which period the employer may file with the office of the Wage and Hour Division (jointly with a duly recognized collective bargaining agency, or by himself, as previously provided), an application for approval of the adjustment.

(ii) if such an application is so filed, the adjustment may be further continued in effect until and unless it is finally disapproved under the Board's procedure. Such disapproval shall take effect only from the date of the issuance of the order of disapproval.

3. If the office of the Wage and Hour Division to which an inquiry has been addressed, as aforesaid, rules that the proposed adjustment is of a sort which cannot properly be made without the approval of the National War Labor Board, the ruling shall be deemed to be an authoritative act of the Board through said office as the Board's agent for that purpose. The person or persons who made the inquiry may seek from the Board's Regional Director a reversal of the ruling by the Wage and Hour Division office. The Regional Director's ruling on the question so submitted shall be final.

III. THE FILING OF APPLICATIONS FOR APPROVAL OF WAGE ADJUSTMENTS

1. Each application, when made, shall be filed with the nearest office of the Wage and Hour Division in the region as the agent of the National War Labor Board for that purpose. All applications shall be made upon appropriate forms prepared by the National War Labor Board.

2. Applications may be of two sorts. The first sort is where approval is sought of an adjustment which has been agreed upon by the parties or has been awarded in an arbitration proceeding. In such cases the application for approval may be signed by any party (or jointly by any or all the parties) to the contract or arbitration proceeding. The application shall state whether all the parties to the contract or arbitration proceeding have signed the application, and shall state the name and address of each party who has not signed the application. If there be any such party who has not signed, the Wage and Hour Division office with which the application was filed shall, as agent of the Board, before acting on the application, send said party a notice of the application. The notice shall request the party to state whether he contests the fact of the contract or arbitration award having been made. If, within seven days of the sending of the notice, he has not filed a statement contesting such fact, or if he files a statement admitting it, the application will then be acted on. If he contests the fact of the contract or award having been made, the matter will be treated as a dispute case and referred to the Conciliation Service of the Department of Labor, unless (a) the contract or award was in writing, (b) the writing or a certified or otherwise authenticated copy thereof has been produced, and (c) the office of the Wage and Hour Division is satisfied that no substantial question exists as to the party being a party thereto. Where the Wage and Hour Division is so satisfied, it shall rule accordingly and proceed with the handling of the application. The ruling may be reviewed (on petition of the protesting party) by the Regional Director of the National War Labor Board when the application is transmitted to him. His ruling shall be final.

3. The second sort of application is where an employer on his own initiative wishes to make a wage adjustment. In such cases the application shall be signed either (a) jointly by the employer and a duly recognized collective bargaining agency for any or all of the employees who are to be affected by the proposed wage adjustment, or (b) by the employer alone. In either case the application shall state whether or not there is a duly recognized collective bargaining agency (for any or all of the affected employees) which has not joined with the employer in the application. If it appears that there is such an organization which has not so joined, the office of the Wage and Hour Division, to which the application has been submitted, shall, as agent of the Board, before acting on the application, send to the appropriate local officials of such organization a notice of the application, requesting the organization, if it has any objections to the application being acted upon, so to inform the office. If no such objections are filed within seven days of the sending of the notice, or if the organization in question states that it has no objections, the application will then be acted upon. If objections are made within said period, the matter will be treated as a dispute case and referred to the Conciliation Service of the Department of Labor.

4. In cases where the employer has signed or joined in signing, an application for approval of a wage increase, he shall state in the application whether he intends to make the proposed wage increases, if it is approved, the basis of an application to the Office of Price Administration for an adjustment of his maximum prices or for an amendment of the regulations establishing those prices.

5. In cases where the employer has not signed, or joined in signing, an application for approval of a wage increase, he shall be requested, in the notice of the filing of the application which the Wage and Hour Division office is required to send him under paragraph (2) above, to state whether he intends to make the proposed wage increase. If it is approved, the basis of an application to the Office of Price Administration for an adjustment of his maximum prices or for an amendment of the regulations establishing those prices. He shall be asked to make this statement (a) within seven days of the sending of said notice, or (b) if (as described in paragraph (2) above) he contests the fact of the agreement or arbitration award having been made, within seven days of any ruling by the Wage and Hour Division finding him to be a party to said agreement or arbitration award.

6. If the employer states that he intends to make the proposed wage increase (if it is approved) the basis of an application to the Office of Price Administration for an adjustment of his maximum prices or for an amendment of the regulations establishing those prices, (a) his statement shall be entered in an appropriate place on the application for a wage increase before the application is acted on by the Regional Director as provided below, and (b) the employer will be required to furnish further information, the nature and effect of which will be set forth hereinafter under (V).

7. When an application has been submitted to an office of the Wage and Hour Division, and no preliminary inquiry about jurisdiction has been made under (II) above, the office shall first make certain that the application is of a sort which needs the approval of the National War Labor Board. If the office believes that approval is not or may not be required by the applicable regulations and orders, the office shall proceed under (II) above exactly as if the applicant had asked for a preliminary ruling on jurisdiction. If no jurisdictional question is involved, or if there is such a question but it has been cleared up under (II) above, the office of the Wage and Hour Division shall then proceed with the application. In so doing, its function shall be as agent of the National War Labor Board for that purpose, to see to it that the appropriate forms prepared by the Board are fully and accurately filled out. When this has been done, the application shall be transmitted by said office to the nearest Regional Director of the National War Labor Board.

8. Upon receipt of the application, the Regional Director shall consider it. Before acting on it, he shall first make certain that it is the kind of application which requires Board approval (unless this question has already been ruled upon and determined under (II) above). If he concludes that the application does not require Board approval, he shall make a written ruling to that effect and send copies to the applicant or applicants. If he concludes that the application is of a sort which does require Board approval, he shall proceed to act upon it as provided in (IV) below. In any case the Regional Director, before acting, may obtain further needed information informally from the applicant or applicants or from the Wage and Hour Division, or refer the application back to the Wage and Hour Division office for such further information as he may specify. In each case the Regional Director shall send a copy of the application to the Office of Price Administration for its information.

III A. APPLICATION BY EMPLOYERS' ASSOCIATION FOR APPROVAL OF WAGE OR SALARY ADJUSTMENT

Application for approval of a wage or salary adjustment may be made on a form approved by the National War Labor Board on behalf of more than one employer by an employers' association or other similar organization. Such an application may be executed by the appropriate representative of the association or other similar organization acting on behalf of all such employers.

The application shall state in addition to the other matters required by Section III, 3, the name and address of each employer on whose behalf it is made and who has not signed the application. The Wage and Hour Division Office with which the application is filed shall, as agent of the Board, before acting on the application send to each such employer a notice of the application.

The notice shall request the employer to state whether he has authorized the applicant to file the application on his behalf. If, within seven days of the sending of the notice, he has not filed a statement contesting the authorization, or if he files a statement admitting it, the application will then be acted on. If he contests the fact of authorization, he will not be considered as a party to the application.

In all other respects the procedure set forth in "Procedure in Cases of Voluntary Applications for Wage Adjustments by Private Employers" shall obtain, and the word "employer" wherever used therein shall, for the purpose of this Addendum, include "employers' association or other similar organization."

IV DISPOSITION OF APPLICATIONS FOR APPROVAL OF WAGE INCREASES IN WHICH THE APPLICATION INDICATES THAT NO PRICE RELIEF WILL BE SOUGHT IF APPROVAL IS GRANTED

1. The Regional Director shall rule upon the application subject to the rights of review hereinafter set forth, and subject to his right to refer any case for decision with his recommendation, to a tripartite panel in the region or to the National War Labor Board, if he believes that the case is sufficiently important from a stabilization point of view, or presents sufficiently serious and doubtful questions of interpretation of Board policy, to justify such action. In any case, whether the ruling be made by the Regional Director or by a panel, the Board shall have power, as set forth more fully hereinafter, to reopen the matter on its own initiative and to set aside any ruling.

2. If the Regional Director approves an application his ruling shall be final, subject to the Board's ultimate power of review just referred to.

3. If a panel to whom the Regional Director has referred an application approves it, the ruling shall be final, subject to the Board's ultimate power of review just referred to.

4. If the Regional Director disapproves the application (or approves a lesser increase than that requested) the applicant, or any applicant if there be more than one, may within ten days after the date of the issuance of the ruling file with the Regional Director a petition for a review. The Regional Director shall refer the petition to a tripartite panel.

5. Any ruling by the panel upon review, approving the application, shall be final, subject to the Board's ultimate power of review referred to above.

6. If a panel, in ruling upon an application which the Regional Director has referred to it for decision, or which the panel has received for review upon petition, disapproves the application (or approves a lesser increase than that requested), the ruling shall be final, subject (a) to the Board's ultimate power to review rulings on its own initiative, as set forth above, and (b) to the right of any member of the panel to refer the ruling to the Board for review if he believes the case of sufficient importance to justify action by the Board.

7. Copies of all rulings made by Regional Directors and by panels shall be promptly transmitted to the Executive Secretary of the National War Labor Board for analysis by a review division, whose duty it will be to lay before the Board, for such action as the Board may care to take, all rulings which involve serious questions of policy or which may affect price ceilings as provided below.

8. Any ruling by a Regional Director or by a panel shall be deemed to be the act of the Board unless and until reversed by the Board; and any such reversal shall take effect only from the date of its issuance, *Provided, however,* That if a ruling denying an application for permission to make a wage adjustment is over-ruled, the final ruling shall incorporate as the effective date of the increase that which was specified in the application as the effective date.

V. DISPOSITION OF APPLICATIONS FOR APPROVAL OF WAGE INCREASES IN WHICH THE APPLICATION STATES THAT HE INTENDS TO MAKE THE PROPOSED WAGE INCREASE IF IT IS APPROVED, THE BASIS OF AN APPLICATION TO THE OFFICE OF PRICE ADMINISTRATION FOR AN ADJUSTMENT OF HIS MAXIMUM PRICES OR FOR AN AMENDMENT OF THE REGULATIONS ESTABLISHING THOSE PRICES

1. The procedure shall be the same as in the cases described under (IV) above, except that

(a) The employer, at the time of the filing of the application for approval of a wage increase, or (if the application was not signed by him) at the time of filing his statement that he intends to seek price relief if the wage increase is approved, shall state fully, upon a form approved by the National War Labor Board, the relationship between the proposed wage increase and the employer's price situation, and what the effect would be on the employer's business if wages were increased without price relief. A copy of said form shall be sent with the application to the Office of Price Administration. Copies of any forms which the Office of Price Administration may require the employer to fill out, and which have been supplied for that purpose by said Office to the Wage and Hour Division offices, shall also be sent with a copy of the application to the Office of Price Administration.

(b) Copies of all rulings of Regional Directors, panels or the Board, approving or disapproving such applications shall be sent to the Office of Price Administration as well as to the applicant or applicants.

(c) If the application for a wage increase is approved, the ruling shall state that it will become effective only on final approval by the Board and, when required by the provisions of Executive Order No. 9250, by the Economic Stabilization Director.

Section 81.979a is amended as follows:

§ 81.979a *National War Labor Board Regions; geographical jurisdictions and addresses.* * * *

Region II: New York and the northern part of New Jersey including Sussex, Passaic, Bergen, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Monmouth and Hunterdon Counties.

Chanin Building, New York, New York.

Region III: Pennsylvania, Virginia, Delaware, Maryland, District of Columbia and southern counties of New Jersey.

573 Broad Street, Station Building, Philadelphia, Pa.

* * * * *

Region VII: Missouri, Arkansas, Nebraska, Kansas and Iowa.

Room 300, Mutual Interstate Building, Kansas City, Mo.

* * * * *

Section 81.979e is added as follows:

§ 81.979e *National War Labor Board Decentralization Plan.* On January 6, 1943, the National War Labor Board issued its decentralization plan consisting of six major points which are set forth in the succeeding paragraphs of this section.

(a) *Reconstitution of the present Regional Advisory Councils as Regional War Labor Boards.*

Reconstitution of the present Regional Advisory Councils as Regional War Labor Boards. Each Council will be designated as a Regional War Labor Board and will be reconstituted as follows:

(1) Each of the four industry and the four labor representatives will have an alternate member to be appointed by the National War Labor Board.

(2) The present Regional Director will become a public member of the Board and its Chairman. The authority now vested in him to rule on applications for voluntary wage and salary adjustments will be assigned to a Regional Wage Stabilization Director appointed by the National War Labor Board. It will be the duty of the Chairman, among other things, to supervise the work of the Wage Stabilization Director and to keep the Board, the staff, and the Board's panels informed of the policies and rulings of the National War Labor Board.

(3) At least one of the public members, in addition to the Chairman, will be full-time-salaried members of the Board. If there are not sufficient public members of the present Council who are in a position to accept the full-time positions which the National War Labor Board will designate, the National War Labor Board will appoint additional public members as needed. The National War Labor Board will then designate these four of the public members who will be the regular members of the Regional Board; the remainder will be alternates. One of the regular members will be appointed Vice Chairman.

(4) The staff of each Board, in addition to the wage Stabilization Director, will consist of a Director of the Disputes Division, and such other assistants as the National War Labor Board may approve.

(5) The National War Labor Board, after considering the recommendations of the Regional War Labor Board, will appoint a number of tripartite panels in appropriate places throughout the region to serve in dispute cases as hereinafter described.

(6) A quorum of the Regional War Labor Board will be six members in equal tripartite composition.

(b) *Procedure in dispute cases not involving wages.*

Procedure in dispute cases not involving wages. (a) A dispute in a particular region, when collective bargaining has failed, will as heretofore be assigned by the Department of Labor to one of its conciliators. This dispute will remain in conciliation until it is settled, or certified to the National War Labor Board under the provisions of Executive Order 9017. Upon its certification the Regional War Labor Board will be notified and the case will be considered by a new case com-

mittee consisting of the Chairman or Vice-Chairman, the Director of the Disputes Division, and one of the industry and one of the labor members. If the committee does not consider that the case is ready for a hearing, it may refer the case back to the parties for further negotiation, or to the conciliator for further information. If the case is deemed ready for a hearing, the committee will appoint a tripartite panel to hear the case, unless the parties agree to have the matter heard by a single person, in which case the committee will appoint one of the public panel members, or a member of the Board's staff, to hear the case. Wherever the term "panel" is hereafter used, it will be deemed to include a single hearing officer in the cases just mentioned.

(b) The new case committee, in determining what action to take, will consult with the Department of Labor's conciliator in charge of the case, and notify him of the action taken. In order to facilitate the maximum cooperation between the conciliation service and the Regional Board, the Department of Labor has informed the National War Labor Board of its willingness to designate in each region a Liaison Commissioner of Conciliation for that region, whose duty it will be to keep in constant touch with developments in the field and with the Board's Director of Disputes Division. Wherever practical the Liaison Commissioner will have his office in the same building as the Board.

(c) When the Department of Labor's conciliator in charge of the case is notified that the case has been set for hearing, he will use his best efforts to obtain from the parties, and it will be the duty of the parties to submit to him, a written statement of such of the facts as they can agree upon, together with such supplementary statements, briefs and exhibits as they believe necessary to explain and support their respective contentions. The conciliator will submit these documents to the panel in order that the panel members may familiarize themselves with the case as fully as possible before the hearing, and thereby shorten and expedite the hearing.

(d) The hearing will be informal, and, save in exceptional cases and upon the instructions of the Regional War Labor Board, no stenographic record of the hearing will be kept. Upon the conclusion of the hearing, if a settlement is not effected, the panel will report its recommendations to the Regional War Labor Board, together with the written statements, briefs and exhibits of the parties. Copies of the report will be furnished to the parties. If the panel's report is unanimous, the Regional War Labor Board will not, save in exceptional cases, hear argument upon the report, but will proceed to decide the matter. If the report is not unanimous, the Regional War Labor Board may in its discretion hear argument upon the report before reaching a decision.

(e) Any Regional War Labor Board may certify to the National War Labor Board any case or any question in any case upon which it desires the Board's decision; but the National War Labor Board may in its discretion reject such certification and require the Regional Board to decide the case or the particular question, with or without a subsequent review by the National War Labor Board.

(c) Procedure in dispute cases involving wages or salaries.

Procedure in dispute cases involving wages or salaries. The procedure will be the same as in other dispute cases, except as follows:

(a) If an agreement between the parties calling for a wage or salary adjustment is brought about, the conciliator assigned to the case or the panel chairman as the case may be, will file the agreement directly with the Regional Wage Stabilization Director (instead of with the Wage and Hour Office), together with a complete application Form 10, which he will assist the parties in preparing. Conciliators through the Liaison Commissioner of Conciliation and panels will be at liberty in all cases, to consult the Regional Wage Stabilization Director, in advance of any settlement, regarding the application to the particular situation of the Board's wage stabilization policy.

(b) If an agreement to refer the wage question to arbitration is brought about, and the arbitrator's award provides for a wage or salary adjustment, the award, together with a completed application Form 10, will be filed directly with the Regional Wage Stabilization Director. Wherever practical, the conciliator assigned to the case or the panel chairman as the case may be, will assist in preparing and seeing to the filing of the application form. Arbitrators will be at liberty in all cases to consult the Regional Wage Stabilization Director, in advance of any settlement, regarding the application to the particular situation of the Board's wage stabilization policy.

(c) After either of the above steps has been taken the procedure will be the same as in voluntary wage and salary adjustment cases.

(d) Procedure in voluntary wage and salary adjustment cases.

Procedure in voluntary wage and salary adjustment cases. (a) Applications for approval of proposed voluntary wage adjustments (other than those resulting from settlements effected through conciliation, as described under III above) will be filed as at present with the appropriate Wage and Hour Division office for transmission to the Regional Wage-Stabilization Director.

(b) In all cases in which the Regional Wage Stabilization Director is not authorized to make a ruling the Regional War Labor Board will be authorized to make the ruling, as agent for the National War Labor Board.

(c) A petition for review of a ruling by a Regional Wage Stabilization Director (denying in whole or in part a proposed adjustment) may be filed with the Regional War Labor Board within ten days after the issuance of the ruling. In such cases the burden will be on the petitioner to show in his petition that the ruling was erroneous and that it would work substantial hardship on him.

(e) Authority of the Regional War Labor Boards.

Authority of the Regional War Labor Boards. Each Regional War Labor Board will have authority to issue directive orders in dispute cases and rulings, in voluntary wage and salary adjustment cases, as agent of the National War Labor Board and within the framework of its policies. These orders and rulings will be final, except that:

(1) The National War Labor Board may, by an order of review, on its own motion assume jurisdiction over any dispute case at any stage of the proceedings either before or after the final order of a Regional War Labor Board;

(2) Any party will have the right, within ten days after the issuance of a directive order by a Regional War Labor Board, to petition the National War Labor Board for a review. In such cases the burden will be on the petitioner to satisfy the Board in his petition (a) that a novel question is involved of sufficient importance to warrant national action, or (b) that the procedure adopted has been unfair to the petitioner and has resulted in substantial hardship; or (c) that the decision has exceeded the Board's jurisdiction or is manifestly in conflict with established Board policy. The filing of such a petition will operate to stay the Regional Board's order until the petition is disposed of.

(3) Copies of all directive orders calling for wage or salary adjustments, and of all rulings approving proposed adjustments, will be filed with the National War Labor Board, together with the Regional War Labor Board's opinion, if any, before the order or ruling is formally issued or announced to the parties. Each such order or ruling will take effect and may be formally issued and announced to the parties, upon the expiration of ten days after the date of filing (subject thereafter to the National War Labor Board's ultimate power of non-retroactive review on its own motion), unless (a) the order or ruling is earlier approved by the National War Labor Board, or (b) within the ten-day period the National War Labor Board sets the case down for review, in which event the order or ruling will be stayed until the case is finally disposed of.

(f) Summary of relations between the Regional Wage Stabilization Directors, the Regional War Labor Board, and the National War Labor Board.

Summary of relations between the Regional Wage Stabilization Directors, the Regional War Labor Board, and the National War Labor Board. (a) The Regional Wage Stabilization Director will not deal with disputes; he will concentrate exclusively on the administration of the National War Labor Board's wage stabilization program, working under the general supervision of the Chairman of the Regional War Labor Board.

(b) The Regional War Labor Board, as already indicated, will deal with disputes, including wage disputes, and will also make wage rulings in cases appealed from the Regional Wage Stabilization Director or in which the latter is not authorized to act.

(c) The functions of the National War Labor Board will then be as follows:

1. To exercise ultimate reviewing authority, and a general superintendence over the Regional machinery.

2. To hear appeals from Regional War Labor Board orders in cases where petitions for review are granted by the National War Labor Board.

3. To issue general policy directives.

4. To take jurisdiction of cases of general importance whenever it may seem in the public interest to do so.

5. To support the Regional War Labor Boards in maintaining the national no-strike agreement and in obtaining compliance with their directives orders.

Section 81.980*l* is amended as follows:

§ 81.980*l* *General Order No. 12–A.*

General Order No. 12–A. General Order No. 12, adopted November 12, 1942, is hereby revoked as of December 29, 1942, and in its stead there are adopted the procedures set forth in the Joint Statement of the National War Labor Board and the Commissioner of Internal Revenue, dated December 26, 1942, and attached hereto and made a part hereof.

JOINT STATEMENT OF THE NATIONAL WAR LABOR BOARD AND THE COMMISSIONER OF INTERNAL REVENUE

PROCEDURE FOR WAGE AND SALARY ADJUSTMENTS BY STATE, COUNTY AND MUNICIPAL GOVERNMENTS AND AGENCIES THEREOF

DECEMBER 26, 1942

On November 12, 1942, The National War Labor Board and the Commissioner of Internal Revenue, pursuant to the Regulations of the Economic Stabilization Director, established a procedure whereby adjustments in salaries or wages of state, county, or municipal employees would be submitted to the Board, or the Commissioner, as the case might be, for approval. It was provided that each such adjustment would be deemed approved upon certification by the particular state or local agency that the adjustment was necessary "to correct maladjustment, or to correct inequalities or gross inequities as contemplated by Executive Order No. 9250." It was further provided that if a proposed adjustment would raise wages or salaries above the prevailing level of compensation for similar services in the area or community, application for approval should be filed with the Board or the Commissioner, as the case might be.

Since the announcement of the foregoing procedure was made, a multitude of certificates of wage or salary adjustments have been received from state and local agencies. In the course of a detailed examination of the facts set forth in these certificates, neither the Board nor the Commissioner has had occasion to question any adjustments made by any of the state or local agencies. In the light of this experience, which indicates that statutory budgetary controls are operating to keep salary and wage movements of state and local agencies within very narrow bounds, the Board and the Commissioner have determined to make the following changes in procedure effective forthwith:

1. In all cases where an adjustment in wages or salaries by a State, county or municipal agency is necessary to correct maladjustments, inequalities or gross inequities as contemplated by Executive Order No. 9250, and would not raise salaries or wages above the prevailing level of compensation for similar services in the area or community, the adjustments will be deemed approved without the necessity of filing certificates for the information of the Board or Commissioner.

2. In all other cases, the state or local agency is requested to take the matter up with the Joint Committee on Salaries and Wages, Department of Labor Building, Washington, D. C. This Committee, with the approval of the Economic Stabilization Director, has been established by the Board and the Commissioner, and has been authorized to advise state and local agencies in these cases whether or not the particular adjustments are in accordance with the national stabilization policy. While the Committee in the performance of its functions will not attempt to exercise any legal sanctions, Congress, in the Act of October 2, 1942, clearly intended that all employers and all employees would be covered by the national stabilization policy, and since millions of public employees are engaged in the same kind of work as private employees, the duty of public employers to conform to that policy is as plain as that of private employers. The way in which governmental agencies have been cooperating with the Board and the Commissioner to date indicates their desire to discharge that duty to the same extent as it required of non-governmental employers.

On November 25, 1942, the National War Labor Board determined that General Order No. 12 applies to employees of the District of Columbia.

The list of Government-owned, privately-operated facilities in § 81.980n is separated into two lists as follows:

§81.980n *General Order No. 14.* * * *

(b) *Government-owned, privately-operated facilities.* The following Government-owned, privately-operated facilities are embraced within the delegation to the War Department Agency:

Government-owned, privately-operated Ordnance Facilities:

Alabama Ordnance Works # 1 and 2, Sylacauga, Alabama.

* * * * * *

West Creek Ordnance Plant, Milan, Tennessee.

Government-owned, privately-operated Army Air Forces Facilities:

Government Plant No. 1, Martin, Omaha, Nebraska.

* * * * * *

Modification Center No. 12, Northwest Airlines, St. Paul, Minnesota.

* * * * * *

Section 81.980z is added as follows:

§ 81.980z *General Order No. 26.*

(a) Adjustments in the wages or salaries of employees engaged in rendering hospital services and employed by a non-profit organization which maintains and operates a hospital will be deemed approved without submission to the Board, providing that such adjustments do not raise the wages or salaries beyond the prevailing level of compensation for similar services in the area or community.

(b) Monthly reports of such adjustments shall be submitted by each such organization to the National War Labor Board's Division of Review and Analysis, together with such information and data as the said Division or the Board may from time to time require.

(c) Such adjustments shall be subject to the National War Labor Board's ultimate right of review on its own initiative, but any modification or reversal thereof will not be retroactive.

(d) Adjustments which would have the effect of raising the wages or salaries above the prevailing level of compensation for similar services in the area must be submitted for approval by the Board in the usual manner.

Section 81.980aa is added as follows:

§ 81.980aa *General Order No. 27.*

(a) The National War Labor Board, in accordance with the further provisions of this order, hereby delegates to the Administrator of the National Housing Agency, to be exercised on his behalf by the Commissioner of the Federal Public Housing Authority (hereafter referred to as the Housing Wage Agency), the power to approve or disapprove all applications for adjustments of wages and salaries (insofar as approval thereof has been made a function of the National War Labor Board) of employees whose wages and salaries are not fixed by statute that are employed within the continental United States and Alaska by

(1) Federal Public Housing Authority

(2) Defense Homes Corporation, and

(3) Property managers of Defense Homes Corporation projects.

(b) In the performance of its duties hereunder the Housing Wage Agency shall comply with Executive Order 9250, dated October 3, 1942, and all regulations heretofore or hereafter issued thereunder, and with the declaration of wage policy of the National War Labor Board, dated November 6, 1942. The Housing Wage Agency, without making an initial ruling thereon may refer to the National War Labor Board, for decision by the Board, any application which in its opinion presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Housing Wage Agency shall transmit to the Review and Research Division of the National War Labor Board copies of its rulings, and rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Housing Wage Agency hereunder shall be deemed the act of the National War Labor Board and shall be final, subject to the National War Labor Board's right to review rulings on its own motion and to reverse or modify the same. Any such reversal or modification shall not be retroactive and shall allow the Commissioner of the Federal Public Housing Authority a period of two weeks for compliance.

§§ 81.981 to 81.981c are renumbered §§ 81.982 to 81.982c and new §§ 81.981 to 81.981e, inclusive, are added.

§ 81.981a *West Coast Lumber Commission—(September 17, 1942).*

West Coast Lumber Commission—(September 17, 1942). In order to effectuate a final determination of the issues in the above-entitled cases (17 enumerated cases) and other pending and future labor disputes in the lumber industry in the Western states, the National War Labor Board, under the provisions of paragraph 3 of the Executive Order of January 12, 1942, hereby directs:

1. That there shall be created immediately a National War Labor Board West Lumber Commission which shall take jurisdiction over, hear and determine the above-entitled cases and all other pending and future labor disputes which might interrupt production of lumber and lumber products in Oregon, Washington, Idaho, Montana and California.

2. That the Commission shall consist of five (5) members who shall be appointed as paid officials of the National War Labor Board. Of the persons so appointed, one shall represent the public and act as chairman of the Commission, two shall represent labor and two shall represent industry, but the representatives of labor and industry shall not be selected from within the lumber industry covered by this Order.

The National War Labor Board, at any time, may appoint alternates for the representatives of labor and industry. If the Commission is unable to reach a unanimous decision on any question, the Chairman shall decide the issue.

3. That in view of the vital importance of the lumber industry to the production of those things essential to the successful prosecution of the war, the Commission shall have the power to promulgate such rules and regulations, issue such orders and take such actions relating to the issues before it as may be necessary to effectuate a stabilization of labor conditions in the lumber industry of the area designated in paragraph 1 above, secure industrial harmony in said area and assure maximum production of lumber and lumber products.

The Commission shall have the power to determine whether, within the terms of this Order, it may properly assume jurisdiction over any dispute.

4. That the determinations and orders of the Commission shall be final and binding upon all parties coming before the Commission except and until the National War Labor Board, in any given case, decides to review the Commission's determination of that case.

A review by the National War Labor Board of any action, finding or order of the Commission shall not be considered a right of parties coming before the Commission but such review shall be made only in those cases where the Board decides that the Commission's order should be reviewed and if necessary modified or set aside.

(a) On October 6, 1942, the National War Labor Board appointed the following persons as paid members of the West Coast Lumber Commission:

Chairman—Ben H. Kizer

For industry—E B. McNaughton and Dean Ballard

For labor—Jame Landye and William Geurts

(b) On October 6, 1942, the National War Labor Board announced that the West Coast Lumber Commission will have jurisdiction over the lumber and lumber products industry in Oregon, Washington, Idaho, Montana and California.

(c) By Directive Order of October 15, 1942, the National War Labor Board deleted the second sentence of the second paragraph of subdivision 2 of the Order of September 17, 1942, and substituted therefor the following:

The policies, decisions and Directive Orders of the Commission shall be determined by a majority vote of the Commission.

(d) By Directive Order of January 5, 1943, the National War Labor Board supplemented its Order of September 17, 1942, creating the West Coast Lumber Commission (§ 81.98a), as amended by its order of October 15, 1942 (paragraph (c) of this section) by the addition of the following paragraph:

5. That the Commission shall have the power to receive and determine applications for voluntary wage increases in the lumber industry pursuant to Executive Order 9250 of October 3, 1942, subject to the rules and regulations established by the Board under said Order, except that the Commission may give approval to all applications which request authority to adjust wages, including adjustment of piece rates, to conform with the wages determined by the Commission in cases involving wage disputes in the same community.

§ 81.981b *Non-Ferrous Metals Commission—(December 3, 1942).*

Non-Ferrous Metals Commission (December 3, 1942). By virtue of the authority vested in it under Executive Orders #9017 and #9250, and in order to effectuate its resolution adopted October 23, 1942, establishing a Non-Ferrous Metals Commission, the National War Labor Board hereby orders that:

1. The Non-Ferrous Metals Commission shall have jurisdiction over and shall hear and determine labor disputes and requests for wage and salary adjustments affecting the stabilization of the mining, milling, smelting and refining of non-ferrous metals, referred to it by the Board or referred to it, under conditions to be established by the Commission, by the Regional Directors of the 9th, 10th and Alaskan regions of the Board.

The jurisdiction of the commission shall not extend to those enterprises which supply materials and equipment to the above-named industries.

2. The Commission shall consist of a chairman and vice-chairman representing the public, two representatives of industry, and two representatives of labor. The National War Labor Board may, at any time, appoint alternates for the representatives of labor and industry.

3. In the determination of matters within its jurisdiction the Commission shall be governed by the provisions of Executive Orders No. 9017 and No. 9250; and it shall, subject to the approval of the National War Labor Board, have power to promulgate rules and regulations appropriate for the performance of its duties.

4. The determinations and orders of the Commission shall be final and binding upon the parties, subject only to review by the National War Labor Board on its own motion. Any ruling by the Commission shall be deemed to be the act of the National War Labor Board unless and until reversed or modified by the Board; and any such reversal or modification shall take effect only from the date of its issuance. *Provided, however,* That if a ruling denying an application for permission to make wage adjustments is overruled, the final ruling shall incorporate as the effective date of the increase that date which was specified in the application as the effective date.

5. In any case where the employer at the time of the filing of the application for approval of a wage increase or at the time of referral of the case to the Commission indicates that he intends to seek price relief if a wage increase is approved, he shall state fully upon a form approved by the National War Labor Board the relation between the proposed wage increase and the employer's price situation, and what the effect would be on the employer's business if wages were increased without price relief. A copy of said form shall be sent to the Office of Price Administration.

Copies of all rulings of the Commission in cases in which an application for price increase is involved shall be sent to the Office of Price Administration, as well as to the parties.

If application for a wage increase in such a case is approved, the ruling shall state that it will become effective only on final approval by the National War Labor Board, and, when required by the Provisions of Executive Order No. 9250, by the Economic Stabilization Director.

6. The Commission shall, so far as practicable, utilize the information, data and staff services of the National War Labor Board and of other Federal Departments and agencies. The employment by the Commission of additional personnel, facilities or services shall be subject to the approval of the National War Labor Board.

(a) On November 29, 1942, the National War Labor Board appointed the following members of the Non-Ferrous Metals Commission:

For the public—Charles A. Graham, Chairman and John Gorsuch, Vice Chairman.

For labor—James F. O'Brien and A. E. Stevenson.

For industry—Henry M. Hartman and S. M. Thompson.

Executive secretary—James M. Burns.

(b) By Directive Order the National War Labor Board amended the Order of December 3, 1942, quoted above, by deleting the second paragraph of subdivision 5 and substituting therefor the following:

Copies of all rulings of the Commission in cases in which an application for price increase is involved shall be sent to the National War Labor Board for transmittal to the Office of Price Administration.

§ 81.981c *Detroit Area Tool & Die Commission—(December 14, 1942).*

Detroit Area Tool & Die Commission—(December 14, 1942). (1) There shall be created immediately a National War Labor Board Detroit Area Tool and Die Commission which shall take jurisdiction over, hear, and determine all pending and future disputes, requests for interpretations, petitions for voluntary wage increases or adjustments in minima rates, and any other matters within the jurisdiction of the National War Labor Board concerning the tool and die industry in the area hereinabove specified.

(2) The Commission shall consist of a permanent Chairman appointed by the National War Labor Board and industry and labor representatives, serving on an ad hoc basis, chosen by the Chairman of the Commission from a panel of names approved by the National War Labor Board. In cases involving no disputes or conflicts of interests the Chairman may act alone. In selecting panels, the Chairman shall take into account the conflicting interests involved in the matter to be considered.

(3) The Commission shall have the power to determine whether, within the terms of this Order, it may properly assume jurisdiction over any dispute. All cases involving wage disputes within the terms of this Order may be referred by the parties directly to the Commission without prior recourse to the United States Conciliation Service. All petitions for approval of voluntary wage increases or adjustment of minima rates for tool and die workers within the area hereinabove specified shall be referred in the first instance to the Commission: *Provided, however,* That the Commission shall in all such cases inform the Regional Director for the Fifth Region as to the action taken by it and shall send him copies of all wage agreements approved.

(4) The determinations of the Commission shall be final and binding upon all parties coming before the Commission except and until the National War Labor Board, in any given case, having decided to review the Commission's determination of that case, reverses or modifies the determination.

(5) A review by the National War Labor Board of any action, finding, or order of the Commission shall not be considered a right of parties coming before the Commission but will be granted only in the discretion of the National War Labor Board for good cause shown.

(a) *Jurisdiction.* The area covered by the Tool and Die Commission Order shall include the counties of Wayne, Oakland, Macomb, Monroe, Washtenaw and Genesee in the State of Michigan and is subject to extension upon further order of the National War Labor Board. Tool and die workers in all jobbing and manufacturing plants in such area are covered by the Commission's jurisdiction. Manufacturing plants are defined to include those employing tool and die workers for the manufacture, repair and maintenance of tools and dies used primarily in their own manufacturing processes. The Order, however, does not include production workers working outside the tool and die rooms under job classifications similar to the tool and die classifications, nor does it extend to companies supplying materials or equipment to the non-ferrous mining industry.

(b) *Chairman.* On December 14, 1942, the National War Labor Board designated Benjamin Aaron as the Chairman of the Detroit Area Tool and Die Commission.

§ 81.981d *Trucking Commission—(December 16, 1942).*

Trucking Commission—(December 16, 1942). By virtue of the authority vested in it under Executive Orders 9017 and 9250 and in order to effectuate its resolution adopted November 3, 1942, establishing a Trucking Commission, the National War Labor Board hereby orders that:

1. The Trucking Commission shall have jurisdiction over and shall hear and determine labor disputes and requests for wage and salary adjustments affecting the stabilization of the Trucking Industry or that part of an industry which is Trucking referred to it by the Board.

2. The Commission shall consist of three (3) members who shall be appointed as paid officials of the National War Labor Board. Of the persons so appointed, one shall represent the public and act as Chairman of the Commission, one shall represent labor and one shall represent industry. The Board may at any time appoint alternates for the members of the commission.

3. In the determination of matters within its jurisdiction the Commission shall be governed by the provisions of Executive Orders 9017 and 9250 and by the National War Labor Board's statement of wage policy of November 6, 1942, and any other General Order or policy heretofore or hereafter announced thereunder; and it shall, subject to the approval of the National War Labor Board, have power to promulgate rules and regulations appropriate for the performance of its duties.

4. The determinations and orders of the Commission shall be final and binding upon the parties, subject only to review by the National War Labor Board on its own motion. Any rulings by the Commission shall be deemed to be the act of the National War Labor Board unless and until reversed or modified by the Board; and any such reversal or modification shall take effect only from the date of its issuance: *Provided, however,* That if a ruling denying an application for permission to make wage adjustments is overruled, the final ruling shall incorporate as the effective date of the increase that date which was specified in the application as the effective date.

5. In any case where the employer at the time of the filing of the application for approval of a wage increase or at the time of referral of the case to the Commission indicates that he intends to seek price relief if a wage increase is approved, he shall state fully upon a form approved by the National War Labor Board the relations between the proposed wage increase and the employer's price situation, and what the effect would be on the employer's business if wages were increased without price relief. A copy of said form shall be sent to the Office of Price Administration.

Copies of all rulings of the Commission in cases in which an application for price increase is involved shall be sent to the Office of Price Administration as well as to the parties.

If application for a wage increase in such cases is approved the ruling shall state that it will become effective only on final approval by the National War Labor Board, and when required by the provisions of Executive Order No. 9250, by the Economic Stabilization Director.

6. The Commission shall, so far as practicable utilize the information, data and staff services of the National War Labor Board and of other Federal Departments and agencies. The employment by the Commission of additional personnel, facilities or services shall be subject to the approval of the National War Labor Board.

(a) On December 16, 1942, the National War Labor Board appointed the following persons as paid members of the Trucking Commission:

For the public—Professor Howard Meyerhoff, Chairman.

For industry—Landis O'Brien.

For labor—Frank Tobin.

§ 81.981e *Shipbuilding Commission—(January 15, 1943).*

Shipbuilding Commission—(January 15, 1943). By virtue of the authority vested in it by Executive Order Nos. 9017 and 9250 and in order to effectuate the purposes thereof the National War Labor Board hereby orders the following disposition of matters within its jurisdiction in the field of shipbuilding. Shipbuilding under this order, whether or not carried on subject to shipbuilding stabilization zone standards, is the construction, conversion, outfitting, and repair of floating marine structures, including floating drydocks, within the continental limits of the United States and Alaska, exclusive of establishments owned and directly operated by the United States, provided the activity is carried on in the water, in drydocks, in basins, on ways for launching, or on the premises of a shipyard or boatyard.

PART I—SHIPBUILDING STABILIZATION COMMITTEE

A. Title III, Section 3 of Executive Order No. 9250 of October 3, 1942, provides: "The National War Labor Board shall permit * * * the Shipbuilding Stabilization Committee * * * to continue to perform its functions * * * except insofar as any of them is inconsistent with the terms of this order." Pursuant thereto, the Shipbuilding Stabilization Committee shall continue to perform the functions ascribed to it by general Administrative Order No. 2–57 of the chairman of the War Production Board and by the Shipbuilding Stabilization Zone Standards Agreements as amended May 16, 1942.

B. No new wage rate fixed by Zone Standards Agreement shall become effective until approved by the National War Labor Board:

PART II—

SHIPBUILDING COMMISSION

A. The National War Labor Board hereby creates the Shipbuilding Commission.

B. The Commission shall consist of seven members; a chairman, two members representing management and two members representing labor (and such alternates as may be appropriate) appointed and paid by the Board; one member (and such alternates as may be appropriate) appointed by the Secretary of the Navy; and one member (and such alternates as may be appropriate) appointed by the Maritime Commission.

C. The chairman of the Commission and the members appointed by the Secretary of the Navy and the Maritime Commission shall be deemed to represent the public.

D. The Commission shall rule on all applications for approval of voluntary adjustments of wages, salaries, and other reimbursable costs and on all disputes of whatever nature, using procedures similar to those of the National War Labor Board.

E. The Commission shall apply zone standards to yards that have agreed to them and in applying them shall be bound by the Shipbuilding Stabilization Committee's interpretations.

F. The Commission shall be governed by Executive Order Nos. 9017 and 9250 and all regulations heretofore or hereafter issued thereunder, and by the National War Labor Board's statement of wage policy of November 6, 1942. Subject to the approval of the National War Labor Board, it may make its own regulations and rules of procedure.

G. Every ruling of the Commission shall be final, subject only to review by the National War Labor Board on its own motion. Every ruling of the Commission shall be deemed the act of the National War Labor Board unless and until reversed or modified; and any such reversal or modification shall take effect only from the date of its issuance. *Provided, however,* That if a ruling on wage or salary rates and other reimbursable costs is modified or overruled, the final ruling may be retroactive.

§ 81.982 *Interpretations of National War Labor Board.* * * *

§ 81.982a *Overtime compensation; 48 hour week.* * * *

§ 81.982b *Overtime compensation; no limitation on number of hours per week.* * * *

§ 81.982c *Overtime compensation; 40 hour week.* * * *

Sections 81.983, 81.983a, 81.983b, and 81.983c are added as follows:

§ 81.983 *Joint statement of the National War Labor Board and the Commissioner of Internal Revenue.* Occasionally the National War Labor Board and the Commissioner of Internal Revenue issue joint statements with respect to important matters in order that a single uniform policy may be established throughout the country. Such joint statements of the National War Labor Board and the Commissioner of Internal Revenue will be set forth in the succeeding sections which are designated § 81.983 followed by a letter of the alphabet.

§ 81.983a *Statement of November 12, 1942.* On November 12, 1942, the National War Labor Board and the Commissioner of Internal Revenue issued a joint statement setting forth the procedure for wage and salary adjustments by State Governments and subdivisions and agencies thereof. Since this procedure is pertinent to section 4001.13 of the Regulations of the Economic Stabilization Director, the text of this statement has been set forth in § 81.976.

§ 81.983b *Statement of December 26, 1942.* On December 26, 1942, the National War Labor Board and the Commissioner of Internal Revenue issued a joint statement changing the procedure provided for in the statement of November 12, 1942. This joint statement took the form of General Order No. 12–A and the text thereof may be found in § 81.980*l*.

§ 81.983c *Joint statement of January 23, 1943, by the Commissioner of Internal Revenue and the National War Labor Board regarding the victory tax.*

Joint statement of January 23, 1943, by the Commissioner of Internal Revenue and the National War Labor Board regarding the victory tax. Since the adoption by the Congress of the 5% Victory Tax two questions of importance to employers and employees have been asked of the Commissioner of Internal Revenue and the National War Labor Board. One question relates to whether under the Anti-Inflation Act, employers may pay the 5% Victory Tax for their employees without deducting and withholding it from the employees' pay, and without the approval of the Commissioner or the Board. The other question relates to whether or not it was intended that the tax should be withheld on that portion of a wage or salary increase awarded or approved by the Commissioner of Internal Revenue or the War Labor Board in 1943 which is made applicable retroactively to work performed in 1942.

To avoid the necessity of individual employers and employees making separate requests for rulings on these questions and in order that a single uniform policy shall exist throughout the nation on these important matters, the Commissioner of Internal Revenue and the National War Labor Board have jointly determined to make the following announcement:

(1) The payment by an employer of the 5% Victory Tax on behalf of his employees without deducting it from the employees' pay is a wage or salary increase requiring the prior approval of the Board or the Commissioner pursuant to Executive Order No. 9250 and the Regulations of the Director of Economic Stabilization.

(2) On January 23, the Commissioner of Internal Revenue issued a ruling interpreting the Revenue Act so that where the National War Labor Board or the Commissioner of Internal Revenue awards or approves an increase in wages or salaries retroactive to 1942,

the tax need not be withheld on that portion of the increase which is applicable to work performed in 1942.

(3) Whether the 5% tax will ultimately be collected on such retroactive pay is a matter to which the Congress may give its attention during the current session.

Forty-eight Hour Workweek

Section 81.985 is added as follows:

§ 81.985 The following is the full text of an Executive Order issued under date of February 9, 1943:

EXECUTIVE ORDER 9301

Establishing a minimum wartime workweek of forty-eight hours.

By virtue of the authority vested in me by the Constitution and statutes, as President of the United States, and in order to meet the manpower requirements of our armed forces and our expanding war production program by a fuller utilization of our available manpower, it is hereby ordered:

1. For the duration of the war, no plant, factory or other place of employment shall be deemed to be making the most effective utilization of its manpower if the minimum workweek therein is less than 48 hours per week.

2. All departments and agencies of the Federal government shall require their contractors to comply with the minimum workweek prescribed in this order and with policies, directives and regulations prescribed hereunder, and shall promptly take such action as may be necessary for that purpose.

3. The chairman of the War Manpower Commission shall determine all questions of interpretation and application arising under this order and shall formulate and issue such policies, directives and regulations as he determines to be necessary to carry out this order and to effectuate its purposes. The chairman of the War Manpower Commission is authorized to establish a minimum workweek greater or less than that established in section 1 of this order or take other action with respect to any case or type of case in which he determines that such different minimum workweek or other action would more effectively contribute to the war effort and promote the purposes of this order.

4. All departments and agencies of the Federal Government shall comply with such policies, directives, and regulations as the chairman of the War Manpower Commission shall prescribe pursuant to this order, and shall so utilize their facilities, services and personnel and take such action under authority vested in them by law as the chairman determines to be necessary to effectuate the purposes of this order and promote compliance with its provisions.

5. Nothing in this order shall be construed as superseding or in conflict with any Federal, State or local law limiting hours of work or with the provisions of any individual or collective bargaining agreement with respect to rates of pay for hours worked in excess of the agreed or customary workweek, nor shall this order be construed as suspending or modifying any provision of the Fair Labor Standards Act (Act of June 25, 1938; 52 Stat. 1060; 29 U.S.C. 201 et seq.) or any other Federal, State or local law relating to the payment of wages or overtime.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
February 9, 1943.

Miscellaneous Purchase Instructions

In § 81.1112 the following changes are made: Paragraphs (g), (i), and (j) are amended. Paragraph (k) is redesignated paragraph (l) and amended and a new paragraph (k) is added. Paragraphs (l), (m), (n), (o), and (p) are redesignated (n), (o), (p), (r), and (s), respectively, paragraphs (o) and (r) being amended. New paragraphs (m), (q), and (t) are added.

§ 81.1112 *Adjustment of royalties for use of inventions.* * * *

(g) *Authority of Secretary of War to delegate powers and issue regulations under Act.* The Secretary of War is authorized in his discretion and under such rules and regulations as he may prescribe, to delegate any powers conferred by the Act to such qualified and responsible officers, boards, agents or persons as he may designate or appoint. He is also authorized to issue such rules and regulations and to require such information as may be necessary and proper to carry out the provisions of the Act. In accordance with the provisions of the Act, rules and regulations have been prescribed and delegations of authority have been issued, the terms of which are set forth in the succeeding paragraphs.

* * * * *

(i) *Further delegations.* The authority referred to in clauses (1) and (2) of paragraph (h) of this section has been further delegated to the following:

(1) All Division Engineers of the Corps of Engineers, and

(2) Director of Research and Development Division, Signal Corps.

The Secretary of War or the Under Secretary of War upon request will make further delegations. In the event the chief of any supply service desires that the authority referred to in clauses (1) and (2) of paragraph (h) be delegated to other officers, such chief shall forward to the Director, Purchases Division, Headquarters, Services of Supply, a memorandum specifying the office to whom such delegation should be made and the extent of such delegation. The title of the position held and not the name of the individual officer should be specified. The powers, duties and authorities referred to in paragraph (h) shall not be redelegated by the chiefs of the supply services under the authority to redelegate conferred in § 81.107 (i).

(j) *Giving of notice.* The notice referred to in this and the succeeding paragraphs is the written notice, specified in Section 1 of the Act, of the fact that the rates and amounts of royalties are believed to be unreasonable or excessive. Such notice shall not be given to the licensor and licensee until (1) there has been obtained from the Director, Purchases Division, Headquarters, Services of Supply, such information, if any, as his records contain as to the service of a notice, or the consideration which has or is being given to the service of a notice, by any supply service or by any governmental agency with respect to the same invention; and

(2) (i) the licensor has been advised that the issuance of a notice under the Act is contemplated and in the opinion of the authority contemplating the issuance of a notice, an opportunity voluntarily to effect a prompt and satisfactory adjustment of the royalties has been afforded and such adjustment cannot be effected, or

(ii) a recommendation has been made that no such advice as to the issuance of a notice be given to the licensor and such recommendation has been approved by the Director, Purchases Division, Headquarters, Services of Supply.

(k) *Procedure in the event more than one supply service is concerned.* In the event more than one supply service is concerned with the rates or amounts of royalties, any such supply service may exercise, subject to the direction of the Under Secretary, as to such royalties the authority referred to in subparagraph (1) of paragraph (h) under all contracts or subcontracts with, or purchases by or for, the War Department. Where more than one supply service is concerned with the rates or amounts of royalties, the Director, Purchases Division, Headquarters, Services of Supply, shall be advised of such fact and thereupon directions shall be issued by him as to how, and by whom, the authority referred to in subparagraphs (2), (3) and (4) of paragraph (h) shall be exercised for the War Department.

(l) *Appropriate action to be taken by each supply service.* Subject to the foregoing, the chief of each supply service shall cause such action to be taken as may be appropriate in order that the purpose of the Act to prevent the inclusion in the prices paid by the War Department of unreasonable or excessive royalties may be achieved. Such action shall be taken pursuant to such instructions as may be issued by the chief of the supply service concerned.

(m) *Information to be obtained from and furnished to the Purchases Division.* When it appears to any supply service that the issuance of a notice as referred to in clause (2) (i) of paragraph (j) of this section is contemplated, it shall (1) obtain from the Director, Purchases Division, Headquarters, Services of Supply, the information referred to in clause (1) of paragraph (j), and

(2) file, in triplicate, with the Director, Purchases Division, Headquarters, Services of Supply, a memorandum giving the names and addresses of the licensor and licensee and such other pertinent information as is set out in the form contained in paragraph (k) as may be reasonably practical. If the proceedings referred to in clause (2) (i) of paragraph (j) have resulted in a satisfactory adjustment of royalties, without the service of a notice, a report, in triplicate, with respect thereto shall be filed by the supply service with the Director, Purchases Division, Headquarters, Services of Supply.

(n) *Factors to be considered* * * *

(o) *Form of notice.* The following form of notice is approved for use subject to such deviations as may be appropriate in any given case:

Pursuant to the Act of October 31, 1942 (Public Law 768, 77th Congress, 2nd Session), notice is hereby given that the royalties now being paid directly or indirectly by the United States under contracts or subcontracts with or purchases by or for the War Department (including, without prejudice to the generality of the foregoing language, contract No. ----) are believed to be unreasonable or excessive.

It is understood that these payments are made by virtue of an agreement between ---------- as licensee and ---------- as licensor. This notice becomes effective upon receipt hereof or five days after the mailing hereof, viz., --------, 194--, whichever date is the earlier.

Under the Act the licensee or the licensor, if he so requests within ten days from and after the effective date of this notice, may within thirty days from the date of such request present in writing or in person any facts or circumstances which may, in his opinion, have a bearing upon the rates or amounts of royalty, if any, to be determined, fixed and specified, all as provided in said Act.

Within a reasonable time after the effective date of this notice an order will be made fixing and specifying the rates or amounts of royalty, if any, which are determined to be fair and just taking into account the conditions of wartime production. Such order will authorize the payment of such rates or amounts of royalty by the licensee to the licensor.

The Act provides that the licensee shall not after the effective date of this notice pay to the licensor, nor charge directly or indirectly to the United States a royalty, if any, in excess of that which may be specified in the order to be hereafter made. Until the making of such order no royalties should be paid on account of the manufacture, use, sale or other disposition for the United States.

The foregoing notice shall be mailed to the last known address of the licensor and the licensee.

(p) *Forwarding of copies of notice.* * * *

(q) *Form of order.* The following form of order is approved for use subject to such deviations as may be appropriate in any given case:

ORDER NO. ------

Adjusting Royalties in connection with Contract No.
Contractor and Address
For:

Whereas, under date of ----------, pursuant to the authority contained in the Act of October 31, 1942 (Public Law 768, 77th Cong., 2d Sess.), written notice was given to ---------- (Licensor) and ---------- (Licensee) that the rates or amounts of royalties as set forth in Column 5 of Schedule A,[1] attached hereto and by reference made a part hereof, provision for the payment of which by Licensee to Licensor is evidenced in the manner set out in Column 6 of said Schedule A, and directly or indirectly charged or chargeable to the United States for the manufacture, use, sale or other disposition for the United States, of the inventions set forth in Columns 1, 2, 3, and 4 of said Schedule A,[1] under the terms of the above-identified contract, were believed to be unreasonable or excessive, and that after the date of the receipt of said Notice, or five days after the mailing thereof, whichever date was the earlier, no royalty should be paid by the Licensee to the Licensor, and charged directly or indirectly to the United States, for or on account of the manufacture, use, sale, or other disposition of said invention for the United States, as provided for in said Act; and

[1] Schedule A follows preceding paragraph (r).

Whereas, an opportunity has been afforded Licensor and Licensee to present in writing or in person any facts or circumstances which may, in the opinion of either or both of said parties, having a bearing upon the rates or amounts of royalties hereinafter determined, fixed and specified; and

Whereas, the undersigned, having taken into account the representations of the Licensor and Licensee,[2] the conditions of wartime production and all other considerations which are ordinarily and properly taken into account in determining a fair and just rate or amount of royalty in the premises:

Now, therefore, it is hereby determined, fixed, and specified that a fair and just rate or amount of royalty, to be paid by Licensee to Licensor, after the effective date of said Notice, is that rate or amount set forth in Column 7 of said Schedule A, and payment thereof by the Licensee to the Licensor on account of the manufacture, use, sale or other disposition of the inventions set forth in Columns 1, 2, 3, and 4 of said Schedule A, insofar as such payment is consistent with the provisions of said Act, is hereby authorized.

Dated: ----------
Approved: ----------

(Director, Purchases Division, Headquarters, Services of Supply)

SCHEDULE A

Column 1	Column 2	Column 3	Column 4	Column 5		Column 6				Column 7	
				Royalty Stipulated prior to date of notice		Instrument in which royalty Stipulated				Fair and Just Royalty	
Title or short description of invention	U. S. patent No.	Application serial No.	Foreign patents	Rate	Amount	Executed	Date rec'd U. S. Pat. Off.	Liber	Page	Rate	Amount

(r) *Submission of order or settlement for approval.* In transmitting to the Director of Purchases for approval the order or the agreement of settlement and compromise referred to in subparagraphs (3) and (4) respectively of paragraph (h), there shall be included, in duplicate, the following:

(1) A statement showing compliance with the requirements of paragraph (j);

(2) A copy of the notice;

(3) A complete statement of any facts or circumstances presented in writing or in person by the licensor or the licensee; and

(4) The facts upon which are based the conclusion that the rates or amounts or royalty fixed in the order are fair and just, or in the case of a settlement, the facts which support the agreement in full settlement and compromise.

(5) A copy of the order or of the agreement of settlement and compromise as the case may be.

(s) *Forwarding of copies of documents.* * * *

(t) *Records of Purchases Division.* From the information contained in the documents herein required to be filed with the Director, Purchases Division, Headquarters, Services of Supply, a card index is prepared. The form of card is as follows:

X-Ref:

Record No.:

CENTRAL FILE

ROYALTY ADJUSTMENT ACT

(Public Law 768, 77th Cong., 2d Sess.)

Licensor (or inventor)----- Pat. No.: -----
Date: --------
License (or Contractor) -------- App. No.:
-------- Date: --------
Invention, Title of----------
Foreign Pat. No. & Country----------
Assignor ----------
Assignee----------
Government Contractor --------- Contract No.: ---------
Supply Serv. Issuing Notice --------- Date: --------
Rate or Amount of Royalty Prior to Notice -------- Date: --------
Rate or Amount of Royalty fixed by Order -------- Date: --------
Request for Hearing --------- Date:--------
Total amount of Royalty----------
Settlement Agreement----------
Contract Item----------
Contract Price----------

[2] Strike out inapplicable portions.

It is recommended that the supply services, in filing with the Director, Purchases Division, Headquarters, Services of Supply, the documents herein required to be filed, shall cause to be disclosed in the documents filed so far as reasonably practicable the information necessary to complete the above form.

Article 6 of the contract form in § 81.1320 is amended as follows:

§ 81.1320 *W.D. Contract Form No. 20.* * * *

ART. 6. On the unliquidated balance of the advance payments outstanding, the Contractor agrees to pay interest at the rate of two and one-half percent (2½%) per annum. Such interest shall be computed at the end of each calendar month on the average daily balance of the principal of the unliquidated advance payments outstanding. In determining such balance, charges on account of the advance payments to the Contractor hereunder shall be made as of the dates of the checks therefor; credits arising from deductions from payments to the Contractor under the principal contract or principal contracts shall be made, upon the issue of the check for such payment, as of the dates of shipment as indicated on the Contractor's invoice and/or Government Receiving Report, and credits arising from cash repayments to the Government by the Contractor shall be made as of the dates the checks therefor are received by the disbursing officer. As soon as such monthly computations shall have been

made, the interest so determined shall be deducted from the payments otherwise due the Contractor under this contract, *Provided, however*, That in no event shall deductions on account of interest exceed five percent (5%) of the gross payment due the Contractor prior to any deduction under this Article or Article 5 or any other provisions of this contract. In the event the accrued interest exceeds such five percent, the excess of such interest shall be carried forward and deducted from subsequent payments. The interest shall not be compounded, and shall, subject to the provisions of Article 4 hereof, cease to accrue upon the termination of the contract for other than the fault of the Contractor, or upon the date found by the Contracting Officer to be the date upon which the Contractor completed his performance under the contract.

* * * * *

In § 81.1321 Article 9 of the contract form is redesignated Article 10 and a new Article 9 is added as follows:

§ 81.1321 *W.D. Contract Form No. 21.* * * *

ART. 9. Any assignment of moneys due or to become due under this contract shall be subordinate to the rights or claims of the Government arising under this contract or any amendment thereto by virtue of any advance payments authorized herein or otherwise: *Provided*, That, if at any time any claim arising under this contract is assigned or purportedly assigned in any manner inconsistent with the said rights of the Government, the _____ or his duly authorized representative shall have the right to suspend further advance payments without notice.

ART. 10. Except as hereby amended, all the terms and conditions of the contract affected shall remain unmodified and * * *

In § 81.1324 Article 8 of the contract form is redesignated Article 9 and a new Article 8 is added as follows:

ART. 8. Any assignment of moneys due or to become due under this contract shall be subordinate to the rights or claims of the Government arising under this contract or any amendment thereto by virtue of any advance payments authorized herein or otherwise: *Provided*, That, if at any time any claim arising under this contract is assigned or purportedly assigned in any manner inconsistent with the said rights of the Government, the _____ or his duly authorized representative shall have the right to suspend further advance payments without notice.

ART. 9. Except as hereby amended, all the terms and conditions of the Contractor affected shall remain unmodified and * * *

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

Disposition of Property—General

Section 83.702 is amended as follows:

§ 83.702 *Real property.* This Procurement Regulation No. 7 does not relate to the disposition of real property which is governed by AR 100–63. The term property as hereinafter used in this Procurement Regulation No. 7 means all property other than real property.

Disposition of Serviceable Property Not Declared Surplus

In § 83.707 paragraph (c) is amended and paragraphs (d) and (e) are added as follows:

§ 83.707 *Disposition under contracts or agreements executed under First War Powers Act.* * * *

(c) *Other sales and leases.* In addition to the contracts of sale and agreements of lease specifically authorized by paragraphs (a) and (b) of this section, the chiefs of the supply services are authorized by negotiation to enter into any other agreements for the disposition of property (whether by sale, lease or otherwise, and with or without options to purchase) authorized by the First War Powers Act and Executive Order No. 9001 provided that the approval of the Director, Purchases Division, Headquarters, Services of Supply, is first obtained.

(d) *"Covenant Against Contingent Fees" clause.* All contracts and agreements authorized by the foregoing provisions of this section will contain a "Disputes Clause" (§ 81.326), an "Officials Not to Benefit" Clause (§ 81.322) and a "Covenant Against Contingent Fees." The latter clause will read as follows:

The purchaser warrants that he has not employed any person to solicit or secure this contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the contract. This warranty shall not apply to commissions payable by contractors upon contracts of sale secured or made through bona fide commercial or selling agencies retained by the purchaser for the purpose of securing business.

(e) *Disposition by contractors.* If a contract or agreement to sell or lease Government-owned property is authorized under this section and such property is in the custody of a contractor, directions may be given to the contractor to enter into such a contract or agreement in the name of and on behalf of the Government as contemplated by the standard contract clause contained in § 81.360. No such directions shall be given unless it is understood that the contractor will insert in such contract or agreement the standard clauses required by paragraph (d) of this section.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601–622.)

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-4168; Filed, March 18, 1943; 10:06 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC–21]

PART 15—WHEAT FLOUR AND RELATED PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

EFFECTIVE DATE OF INGREDIENT RIBOFLAVIN

In the matter of a definition and standard of identity for each of the following foods: Enriched flour, enriched bromated flour, enriched self-rising flour and enriched farina. Order further postponing effective date of requirement of the ingredient riboflavin.

The Acting Federal Security Administrator, by an order dated May 26, 1941, to become effective January 1, 1942, which was published in the FEDERAL REGISTER for May 27, 1941, made public his action promulgating regulations fixing and establishing definitions and standards of identity for the enriched foods named in the caption hereof. (21 CFR §§ 15.010, 15.030, 15.060, and 15.140; 6 F.R. 2574–2582).

Each of said regulations requires that the food for which a definition and standard of identity is established thereby contain, among other ingredients, in each pound thereof not less than 1.2 milligrams of riboflavin.

The requirement that riboflavin be an ingredient of such enriched foods was postponed to July 1, 1942, and again to April 20, 1943, when it appeared that the supply of riboflavin, in forms suitable for addition to such foods, would not be sufficient to meet demands therefor prior to those dates. (6 F.R. 6175, 7 F.R. 3055)

In this issue of the FEDERAL REGISTER a hearing is announced for the purpose of receiving testimony upon the basis of which a determination can be reached as to whether amendments should be made to the definitions and standards of identity for such enriched foods.[1]

It is ordered, That the effective date of the requirements that each pound of enriched flour, enriched bromated flour, enriched self-rising flour, and enriched farina contain not less than 1.2 milligrams of riboflavin be further postponed until such effective date as is announced in the final order issued after such hearing.

(Sec. 701, 52 Stat. 1055; 21 U.S.C. 371)

[SEAL] WATSON B. MILLER,
Acting Administrator.

MARCH 17, 1943.

[F. R. Doc. 43-4178; Filed, March 18, 1943; 11:06 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket Nos. A-1751 and A-1755]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

NOTICE CORRECTING ERROR

Notice correcting error in reproductions of supplement to order in the matter of the petitions of District No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

It appears that the reproduction of a schedule designated as Supplement R-I, § 322.7 (*Alphabetical list of code members*) attached to and made a part of an order in the above-entitled matter on December 15, 1942, 7 F.R. 11054, erroneously show the coals produced by The Buckeye Coal Co. at the London Mine, Mine Index No. 3033, as having an "O" classification in Size Group 5, whereas the original of said Supplement R shows said coals as having a "G" classification in Size Group 5.

Notice is hereby given that "G" is the proper classification rather than "O" in said reproductions.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4176; Filed, March 18, 1943; 10:45 a. m.]

[1] *Infra.*

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Revocation of Suspension Order S-204]

LOMBARD IRON WORKS

The Lombard Iron Works, Augusta, Georgia, has appealed from the provisions of Suspension Order No. S-204, issued January 16, 1943. This order, subjecting the company to the continuous control and supervision of the War Production Board for three months, was issued because of the lack of responsibility on the part of the management and the consequent failure of the company to comply with the applicable regulations governing the distribution of raw materials. In its appeal the Lombard Iron Works has shown that these conditions have now been rectified.

In view of the foregoing facts, § 1010.204, Suspension Order S-204, issued January 16, 1943, is hereby revoked, effective immediately.

Issued this 17th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4157; Filed, March 17, 1943; 1:38 p. m.]

PART 1238—MEN'S AND BOYS' APPAREL FOR MASCULINE LOUNGING WEAR AND CERTAIN OTHER GARMENTS

[Limitation Order L-130 as Amended March 18, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk; rayon, cotton, linen and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1238.1 *General Limitation Order L-130*—(a) *Definitions.* For the purpose of this order:

(1) "Boys'" means sizes 2, 4, 6, 8, 10, 12, 14, 16, 18 and 20.

(2) "Men's" means sizes small, medium, large and extra large.

(3) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool or reused wool.

(4) "Masculine lounging wear" means men's and boys' robes, bathrobes and beachcoats.

(5) "Put into process" means the first cutting of cloth in the manufacture of any lounging wear for sale, resale, or on commission, including but not being limited to, cutting by the following: manufacturers to the trade, tailors, and home dressmakers.

(6) Measurements—Particular measurements set forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) All measurements for length of robes, bathrobes and beachcoats for all sizes and ranges are to be made from nape of neck to bottom of finished garment. No garment shall exceed its maximum length at any point in its circumference.

(7) "Sweep" means maximum circumference of the garment.

(8) Unless otherwise expressly defined, all trade terms shall have their usual trade meaning.

(b) *Provisions with respect to finished garments, manufacture and sale of articles of masculine lounging wear.* Except as provided in paragraph (c), no person shall put into process or cause to be put into process by others for his account any cloth for the manufacture of, or sell, or deliver any masculine lounging wear:

(1) [Revoked January 20, 1943.]

(2) With another garment or article at a unit price.

(3) With more than one pocket.

(4) With a cuff, including any type of simulated cuff.

(5) Exceeding measurements of the following tables:

Maximum Measurements for Men's and Boys' Robes and Beachcoats

SCHEDULE A

	Men's sizes			
	Small	Medium	Large	Extra large
Length	47	49	51	52
Sweep	57	61	65	69
Hem	1	1	1	1

	Boys' sizes									
	2	4	6	8	10	12	14	16	18	20
Length	26	28	30½	33	38	42	43	45	47	48
Sweep	38	40	41	44	47	50	52	54	56	58
Hem	1	1	1	1	1	1	1	1	1	1

(c) *General exceptions.* The prohibitions and restrictions of this order shall not apply to lounging wear:

(1) When manufactured or sold for use as:

(i) Infants' and toddlers' size ranges 1 to 3;

(ii) Lounging wear for persons who, because of unusual height, abnormal size, or physical deformities, requires measurements exceeding maximum measurements of Schedule A, paragraph (b) (5) for proportionate length of sweep: *Provided, however*, That the prohibitions of paragraphs (b) (2), (3) and (4) shall nevertheless apply to such lounging wear;

(iii) Historical costumes for theatrical productions; provided, however, that no masculine lounging wear manufactured or sold pursuant to this subparagraph shall be used for any purposes other than those for which it was so manufactured or sold, unless altered to conform to the provisions of this order.

(2) When manufactured for or sold to the Army of the United States, the United States Navy or the United States Maritime Commission.

(3) When manufactured in foreign countries and imported and received in customs in the United States prior to October 1, 1942.

(4) If put into process prior to August 29, 1942.

(d) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cloth conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference: L-130, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(e) *Certificate.* No person who has heretofore or shall after August 29, 1942 put into process or cause to be put into process by others for his account any masculine lounging wear, shall after August 29, 1942 sell such lounging wear without furnishing to his purchaser, other than an ultimate consumer, a certification, and no such purchaser shall accept delivery of such lounging wear without a certification signed by an individual duly authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his purchaser and the War Production Board that the masculine lounging wear covered by his invoice No. dated has been manufactured or sold in accordance with the curtailments and exceptions of General Limitation Order No. L-130.

(f) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificate required under paragraph (e) shall be retained by the vendee for a period of one year after receipt.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 18th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4211; Filed, March 18, 1943; 11:56 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 134]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation 14 to the General Maximum Price Regulation is amended in the following respects:

1. Inferior subdivision (*a*) of subdivision (i) of § 1499.73 (a) (1) is amended to read as follows:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream*—(i) *Maximum prices for fluid milk sold at retail in specified localities.* The maximum price of fluid milk sold and delivered at retail, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher: *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

(*a*) New York Metropolitan area.[4]

Boroughs of Manhattan, Bronx, Brooklyn and Queens

(1) *Out-of-store sales and home-deliveries [except retail sales, by hotels, restaurants, and other eating establishments for consumption on the premises].*[5]

Special type	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Out of store	Quart	Glass	14
	Approved	To the home	Quart	Glass	17
	Approved	Out of store	Quart	Paper	15
	Approved	To the home	½ gallon	Glass	34
Homogenized, Vitamin D, or Homogenized-Vitamin D.	Approved	Out of store	Quart	Glass	15
	Approved	To the home	Quart	Glass	18½
	Approved	To the home	½ gallon	Glass	36
	Approved	Out of store	Quart	Paper	16

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum retail price, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container: *Provided, however*, That for sales in paper containers, the retailer may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

(2) *Retail sales by hotels, restaurants, and other eating establishments for consumption on the premises.* For sales of standard, special or premium milk or buttermilk by hotels, restaurants, or other eating establishments for consumption on the premises, the seller may add to his established maximum price for such sales, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, 1¢ for pints, ½ pints, or ⅓ quarts in either glass or paper containers.

(3) *Other retail sales.* For retail sales other than out-of-store sales, home-deliveries, sales by hotels, restaurants, and other eating establishments for consumption on the premises, and sales to institutions and Government agencies, the seller may add to his maximum retail price to such purchasers, as determined under Section 1499.2, General Provisions, of the General Maximum Price Regulation, an amount proportionate to the increase since March 1942 in his retail home-delivered or out-of-store ceiling price for the same milk in the same type and size of container resulting from the specific maximum prices listed in the foregoing table, subject to applicable customary discounts and allowances.

Westchester, Richmond, and Nassau Counties

(1) *Out-of-store sales and home-deliveries [except retail sales by hotels, restaurants, and other eating establishments for consumption on the premises]*[6]

Special type	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Out of store	Quart	Glass	15
	Approved	Out of store	Quart	Paper	16
	Approved	To the home	Quart	Glass	17½
	Approved	To the home	½ gallon	Glass	34
	Approved	Out of store	Quart	Glass	16
Homogenized, Vitamin D, or Homogenized-Vitamin D.	Approved	Out of store	Quart	Paper	17
	Approved	To the home	Quart	Glass	18½
	Approved	To the home	½ gallon	Glass	36

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum retail price, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container: *Provided, however*, That for sales in paper containers, the retailer may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

(2) *Retail sales by hotels, restaurants, and other eating establishments for consumption on the premises.* For sales of standard, special or premium milk or buttermilk by hotels, restaurants, or other eating establishments for consumption on the premises, the seller may add to his established maximum price for such sales, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, 1¢ for pints, ½ pints, or ⅓ quarts in either glass or paper containers.

(3) *Other retail sales.* For retail sales other than out-of-store sales, home-deliveries, sales by hotels, restaurants, and other eating establishments for consumption on the premises, and sales to institutions and Government agencies, the seller may add to his maximum retail price to such purchasers, as determined under Section 1499.2, General Provisions, of the General Maximum Price Regulation, an amount proportionate to the increase since March 1942 in his retail home-delivered or out-of-store ceiling price for the same milk in the same type and size of container resulting from the specific maximum prices listed in the foregoing table, subject to applicable customary discounts and allowances.

Suffolk County

(1) *Out-of-store sales and home-deliveries [except retail sales by hotels, restaurants, and other eating establishments for consumption on the premises]*[7]

Special type	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Out of store	Quart	Glass	16
	Approved	Out of store	Quart	Paper	17
	Approved	To the home	½ gallon	Glass	34½
	Approved	Out of store	Quart	Glass	17
Homogenized, Vitamin D, or Homogenized-Vitamin D.	Approved	Out of store	Quart	Paper	18
	Approved	To the home	Quart	Glass	19½
	Approved	To the home	½ gallon	Glass	38

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum retail price, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container: *Provided, however*, That for sales in paper containers, the retailer may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

(2) *Retail sales by hotels, restaurants, and other eating establishments for consumption on the premises.* For sales of standard, special or premium milk or buttermilk by hotels, restaurants, or other eating establishments for consumption on the premises, the seller may add to his established maximum price for such sales, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, 1¢ for pints, ½ pints, or ⅓ quarts, in either glass or paper containers.

(3) *Other retail sales.* For retail sales other than out-of-store sales, home-deliveries, sales by hotels, restaurants, and other eating establishments for consumption on the premises, and sales to institutions and Government agencies, the seller may add to his maximum retail price to such purchasers, as determined under Section 1499.2, General Provisions, of the General Maximum Price Regulation, an amount proportionate to the increase since March 1942 in his retail home-delivered or out-of-store ceiling price for the same milk in the same type and size of container resulting from the specific maximum prices listed in the foregoing table, subject to applicable customary discounts and allowances.

(ii) *Maximum prices for fluid milk sold at wholesale in specified localities.* The maximum price of fluid milk sold and delivered at wholesale, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher:[8] *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

(*b*) New York metropolitan area.[9]

Boroughs of Manhattan, Bronx, Brooklyn and Queens

(1) *Sales at wholesale to stores.*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	12½
	Approved	Quart	Paper	13½
	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
Homogenized, Vitamin D, and homogenized-Vitamin D.	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
	Approved	Pint	Glass	9½
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6½
	Approved	⅓ to 40 quarts	Can	12[1]
	Approved	Quart	Glass	14½
	Approved	Quart	Paper	15½
	Approved	Pint	Glass	9½
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6½
	Approved	⅓ to 40 quarts	Can	13

[1] Per quart.

Exception: The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales to stores, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container; adjusted, however, that for sales in paper containers the seller may charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

(2) *Sales at wholesale to hotels, restaurants, and other eating establishments.*

Special type	Grade[*]	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
	Approved	Quart	Glass	14½
	Approved	Pint	Paper	9½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6½
	Approved	⅓ to 40 quarts	Can	12[1]
Homogenized, Vitamin D, and Homogenized-Vitamin D.	Approved	Quart	Glass	14½
	Approved	Quart	Paper	15½
	Approved	Quart	Glass	15½
	Approved	Pint	Glass	9½
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6½
	Approved	⅓ to 40 quarts	Can	13

[1] Per quart.

Exception. The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales to stores, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container; adjusted, however, that for sales in paper containers the seller may charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

(2) *Sales at wholesale to hotels, restaurants, and other eating establishments.*

Boroughs of Manhattan, Bronx, Brooklyn and Queens

(1) *Sales at wholesale to stores.*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	12½
	Approved	Quart	Paper	13½
	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
Homogenized, Vitamin D, and homogenized-Vitamin D.	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
	Approved	Pint	Glass	9½
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6½
	Approved	⅓ to 40 quarts	Can	13

[1] Per quart.

Exception. The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales to stores, as determined under the

[*] The specific listed maximum prices supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation.

[1] This pricing formula is not applicable to certain retail sales in the New York Metropolitan, Memphis, Tennessee, and Chicago, Illinois areas under inferior subdivisions (*h*), (*n*), and (*p*) below. Specific maximum prices listed supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation.

[2] This pricing formula is not applicable to certain retail sales in the New York Metropolitan, Memphis, Tennessee, and Chicago, Illinois areas under inferior subdivisions (*a*), (*n*), and (*p*) below. Specific maximum prices listed supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation.

[3] Specific maximum prices listed supersede entirely the retailer's ceiling price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation

[4] *Calculations.* In the case of single unit sales at retail, any maximum price resulting in a fraction of a cent must be reduced to the lowest even cent if the fraction is less than ½¢, and may be increased to the nearest higher even cent if the fraction is ½¢ or more. Home-deliveries shall be considered multiple unit sales unless separate collections are made for single units delivered.

[5] See footnote [5] *infra*.

[6] See Footnote 5 infra.

[7] See Footnote 5 infra.

[8] Copies may be obtained from the Office of Price Administration.

[1] 7 F R 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6887, 6892, 6939, 6965, 7011 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604 7671, 7730, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10022, 10069, 10111, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865 11005; 8 F R 276, 439, 494, 535, 589, 863, 1139, 876, 878, 980, 1030, 1121, 1142, 1279, 1383, 1589, 1590, 1455, 1460, 1467, 1633, 1813, 1894, 1895, 1978, 2035, 2041, 2157.

[2] 7 F R 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4690, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5575, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435 9615, 9616, 9732 10155, 10454, 8 F R 371, 1204, 1317, 2029, 2110.

foregoing table by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

⅓ quart container sizes. The seller shall adjust his maximum wholesale price for ⅓ quart container sizes sold to hotels, restaurants, and other eating establishments, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(A) *Sales at wholesale to combination store-eating establishments [including, but not limited to, delicatessens, milk bars, and soda fountains].* As to places of business combining the functions of retail store-outlets with those of an eating establishment selling fluid milk for consumption on the premises, the foregoing maximum wholesale prices for pints, ½ pints, and ⅓ quarts shall also apply to their purchases. As to wholesale sales of quart container sizes to such combination store-eating establishments, the maximum price shall be the ceiling price for sales to stores, and the maximum wholesale price for quarts sold to hotels and restaurants shall not be applicable to them.

(B) *Sales of milk with dispenser apparatus.* Where a dispenser apparatus is furnished the buyer as a part of the transaction for the purchase of milk, the seller may add ¾¢ per quart to the specific maximum price for bulk milk listed in the foregoing table.

(3) *Sales to institutions [whether wholesale or retail].*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	12½
	Approved	Quart	Paper	13½
	Approved	Pint	Glass	8½
	Approved	Pint	Paper	9
	Approved	½ pint	Glass	4¾
	Approved	½ pint	Paper	5
	Approved	8 to 40 quarts	Can	[1] 11½
Homogenized, Vitamin D, and Homogenized-Vitamin D.	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
	Approved	Pint	Glass	9
	Approved	Pint	Paper	9½
	Approved	½ pint	Glass	5
	Approved	½ pint	Paper	5¼
	Approved	8 to 40 quarts	Can	[1] 12½

[1] Per quart.

Exception: The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales to stores, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

⅓ quart container sizes. The seller shall adjust his maximum wholesale price for ⅓ quart container sizes sold to institutions as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(4) *Sales to Government agencies or subdivisions [whether wholesale or retail].*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	11½
	Approved	Quart	Paper	12½
	Approved	Pint	Glass	7¾
	Approved	Pint	Paper	8½
	Approved	½ Pint	Glass	4½
	Approved	½ Pint	Paper	4¾
	Approved	8 to 40 quarts	Can	[1] 10¾
Homogenized, Vitamin D, and Homogenized Vitamin D.	Approved	Quart	Glass	12¾
	Approved	Quart	Paper	13¾
	Approved	Pint	Glass	8½
	Approved	Pint	Paper	8¾
	Approved	½ Pint	Glass	4¾
	Approved	½ Pint	Paper	5
	Approved	8 to 40 quarts	Can	[1] 11¾

[1] Per quart

Exception: The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales to stores, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

⅓ quart container sizes. The seller shall adjust his maximum wholesale price for ⅓ quart container sizes sold to government agencies or subdivisions, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the ofregoing table.

(5) *Sales at wholesale to vendors or subdealers.* The seller's maximum wholesale price for sales to vendors or subdealers, i. e. fluid milk distributors who do not operate pasteurizing plants, regardless of whether they operate milk depots, shall be his established maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, *plus* 1¼¢ per quart, or a proportionate amount for a part of a quart, for sales in any size or type of container.

(6) *Other sales at wholesale.* The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his established maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for sales at wholesale to purchasers other than stores, hotels, restaurants, and other eating establishments, institutions, Government agencies or subdivisions, and vendors or subdealers.

Westchester, Richmond, and Nassau Counties

(1) *Sales at wholesale to stores.*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
	Approved	Quart	Glass	14½
	Approved	Quart	Paper	15½

Exception: The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales, as determined under the foregoing table, by the amount of his absolute differential in

homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales to stores, as determined under the foregoing table, by the amount of his absolute differential in March 1942, between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

(2) *Sales at wholesale to hotels, restaurants, and other eating establishments.*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	14
	Approved	Quart	Paper	15
	Approved	Pint	Glass	9
	Approved	Pint	Paper	9½
	Approved	½ pint	Glass	5
	Approved	½ pint	Paper	5¼
	Approved	8 to 40 quarts	Can	[1] 13
Homogenized, Vitamin D, and homogenized-Vitamin D.	Approved	Quart	Glass	15
	Approved	Quart	Paper	16
	Approved	Pint	Glass	9½
	Approved	Pint	Paper	10
	Approved	½ pint	Glass	5¼
	Approved	½ pint	Paper	5½
	Approved	8 to 40 quarts	Can	[1] 14

[1] Per quart.

Exception: The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

⅓ quart container sizes. The seller shall adjust his maximum wholesale price for ⅓ quart container sizes sold to hotels, restaurants, and other eating establishments, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(A) *Sales at wholesale to combination store-eating establishments [including, but not limited to, delicatessens, milk bars, and soda fountains].* As to places of business combining the functions of retail store-outlets with those of an eating establishment selling fluid milk for consumption on the premises, the foregoing maximum wholesale prices for pints, ½ pints, and ⅓ quarts shall also apply to their purchases. As to wholesale sales of quart container sizes to such combination store-eating establishments, the maximum price shall be the ceiling price for sales to stores, and the maximum wholesale price for quarts sold to hotels and restaurants shall not be applicable to them.

(B) *Sales of milk with dispenser apparatus.* Where a dispenser apparatus is furnished the buyer as a part of the transaction for the purchase of milk, the seller may add ¾¢ per quart to the specific maximum price for bulk milk listed in the foregoing table.

(3) *Sales to institutions [whether wholesale or retail].*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	13
	Approved	Quart	Paper	14
	Approved	Pint	Glass	8½
	Approved	Pint	Paper	9
	Approved	½ pint	Glass	5
	Approved	½ pint	Paper	5¼
	Approved	8 to 40 quarts	Can	[1] 12
Homogenized, Vitamin D, and homogenized—Vitamin D.	Approved	Quart	Glass	14
	Approved	Quart	Paper	15
	Approved	Pint	Glass	9
	Approved	Pint	Paper	9½
	Approved	½ pint	Glass	5¼
	Approved	½ pint	Paper	5½
	Approved	8 to 40 quarts	Can	[1] 13

[1] Per quart.

Exception. The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales, as determined under the foregoing table, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

⅓ quart container sizes. The seller shall adjust his maximum wholesale price for ⅓ quart container sizes sold to institutions, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(4) *Sales to Government agencies or subdivisions [whether wholesale or retail].*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	12¼
	Approved	Quart	Paper	13¼
	Approved	Pint	Glass	8
	Approved	Pint	Paper	8½
	Approved	½ Pint	Glass	4¾
	Approved	½ Pint	Paper	5
	Approved	8 to 40 qts	Can	[1] 11¼
Homogenized, Vitamin D, or homogenized—Vitamin D.	Approved	Quart	Glass	13¼
	Approved	Quart	Paper	14¼
	Approved	Pint	Glass	8½
	Approved	Pint	Paper	9
	Approved	½ Pint	Glass	5
	Approved	½ Pint	Paper	5¼
	Approved	8 to 40 qts	Can	[1] 12¾

[1] Per quart.

Exception. The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales, as determined under the foregoing table, by the amount of his absolute differential in

Exception: The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for sales, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by the amount of his absolute differential in March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes sold to hotels, restaurants, and other eating establishments, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(A) *Sales at wholesale to combination store-eating establishments [including, but not limited to, delicatessens, milk bars, and soda fountains].* As to places of business combining the functions of retail store-outlets with those of an eating establishment selling fluid milk for consumption on the premises, the foregoing maximum wholesale prices for pints, ½ points, and ½ quarts shall also apply to their purchases. As to wholesale sales of quart container sizes to such combination store-eating establishments, the maximum price shall be the ceiling price for sales to stores, and the maximum wholesale price for quarts sold to hotels and restaurants shall not be applicable to them.

(B) *Sales of milk with dispenser apparatus.* Where a dispenser apparatus is furnished the buyer as a part of the transaction for the purchase of milk, the seller may add ¾¢ per quart to the specific maximum price for bulk milk listed in the foregoing table.

(3) *Sales to institutions [whether wholesale or retail].*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
	Approved	Pint	Glass	10
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6
	Approved	8 to 40 qts.	Can	1 13
Homogenized, Vitamin D, and Homogenized-Vitamin D.	Approved	Quart	Glass	14½
	Approved	Quart	Paper	15½
	Approved	Pint	Glass	10½
	Approved	Pint	Paper	11
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6
	Approved	8 to 40 qts.	Can	1 14

[1] Per quart.

Exception: The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and chocolate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for ⅓ quart container sizes sold to Government agencies or subdivisions, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(4) *Sales to Government agencies or subdivisions [whether wholesale or retail].*

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	13½
	Approved	Quart	Paper	14½
	Approved	Pint	Glass	9½
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5
	Approved	½ pint	Paper	5½
	Approved	8 to 40 quarts	Cans	1 12⅝
Homogenized, Vitamin D, and homogenized-Vitamin D.	Approved	Quart	Glass	14½
	Approved	Quart	Paper	15½
	Approved	Pint	Glass	10½
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	5½
	Approved	8 to 40 quarts	Cans	1 13⅝

[1] Per quart.

Exception. The seller may add ½¢ per quart to the foregoing listed specific maximum prices for the sale and delivery of less than 12 quarts of fluid milk on any one day.

Special or premium milk and buttermilk [including, but not limited to, Certified, Guernsey, skim milk, and cholocate milk] other than homogenized, Vitamin D, and homogenized-Vitamin D. The seller shall adjust his maximum wholesale price for ⅓ quart container sizes sold to Government agencies or subdivisions, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(5) *Sales at wholesale to vendors or subdealers.* The seller's maximum wholesale price for sales to vendors or subdealers, i. e., fluid milk distributors who do not operate pasteurizing plants, regardless of whether they operate milk depots, shall be his established maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, *plus* 1¼¢ per quart, or a proportionate amount for a part of a quart, for sales in any size or type of container.

(6) *Other sales at wholesale.* The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his established maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, *plus* 1¼¢ per quart, or a proportionate amount for a part of a quart, for sales in any size or type of container.

This amendment shall become effective March 11, 1943 and terminate on April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3812; Filed, March 10, 1943; 4:55 p. m.]

PART 1340—FUEL

[MPR 137,[1] Amendment 28]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 1340.91 (b) is amended to read as follows:

(b) *Eastern Seaboard.* In the Eastern Seaboard and within the corporate limits of Bristol, Tennessee, the maximum price of gasoline sold at service stations, determined under § 1340.91 (a) (1) and (2) may be increased by not more than 0.4 of a cent per gallon. In the Eastern Seaboard the maximum price determined under § 1340.91 (a) (1) and (2) of kerosene, No. 1 fuel oil and range oil at retail establishments may be increased by not more than 1.4 cents per gallon and of diesel fuel sold at retail establishments by not more than 1.1 cents per gallon.

2. Section 1340.91 (i) is amended to read as follows:

(i) In the Metropolitan Boston, Massachusetts area comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohassett, Dedham, Dover, Everett, Hingham, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.3 cents a gallon.

3. Section 1340.91 (k) is amended to read as follows:

(k) Within the corporate limits of New York City, New York, the maximum prices for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be 14.0 cents per gallon.

4. Section 1340.91 (p) is amended to read as follows:

(p) In the Bridgeport, Connecticut, area, comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.5 cents per gallon.

5. Section 1340.91 (q) is amended to read as follows:

(q) In the New Haven, Connecticut, area, comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.5 cents per gallon.

6. Section 1340.91 (r) is amended to read as follows:

(r) In the Hartford, Connecticut, area, comprising the townships and cities of Bloomfield, East Hartford, Glastonbury, Hartford, Newington, Wethersfield, Windsor, Windsor Locks, East Windsor, South Windsor and West Hartford, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.5 cents per gallon.

7. Section 1340.91 (s) is amended to read as follows:

(s) In the Danbury, Connecticut, area, comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman; and the following townships and cities in the State of New York: Brewster, Patterson, and Pawling, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 13.0 cents per gallon.

8. Section 1340.91 (t) is amended to read as follows:

(t) (1) *Baltimore, Maryland.* Within the corporate limits of the City of Baltimore, Maryland, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 13.0 cents per gallon.

(2) *Washington, D. C.* Within the Washington, D. C., tank wagon area the maximum prices for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 14.5 cents per gallon.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799, 2152, 2120, 2501, 2594, 3105.

March 1942 between the price for standard fluid milk and the special or premium milk or buttermilk sold in the same type and size of container, subject to applicable customary discounts and allowances: *Provided, however,* That for sales in paper containers, the seller may in any event charge 1¢ per quart more than his adjusted maximum price for the same special or premium milk or buttermilk sold in bottles.

½ quart container sizes. The seller shall adjust his maximum wholesale price for ½ quart container sizes sold to Government agencies or subdivisions, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportionate to the increase in his ceiling price for the same type of milk in quart container sizes as a result of the specific maximum prices listed in the foregoing table.

(5) *Sales at wholesale to vendors or subdealers.* The seller's maximum wholesale price for sales to vendors or subdealers, i. e. fluid milk distributors who do not operate pasteurizing plants, regardless of whether they operate milk depots, shall be his established maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, *plus* 1¼¢ per quart, or a proportionate amount for a part of a quart, for sales in any size or type of container.

(6) *Other sales at wholesale.* The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his established maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, *plus* 1¼¢ per quart, or a proportionate amount for a part of a quart, for sales in any size or type of container.

Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
Standard	Approved	Quart	Glass	14½
	Approved	Quart	Paper	15½
	Approved	Pint	Glass	10
	Approved	Pint	Paper	10½
	Approved	½ pint	Glass	5½
	Approved	½ pint	Paper	6
	Approved	8 to 40 quarts	Cans	1 13½
Homogenized, Vitamin D, and Homogenized-Vitamin D.	Approved	Quart	Glass	15½
	Approved	Quart	Paper	16½
	Approved	Pint	Glass	10½
	Approved	Pint	Paper	11
	Approved	½ pint	Glass	5¾
	Approved	½ pint	Paper	6
	Approved	8 to 40 quarts	Cans	1 14½

[1] Per quart.

This amendment shall become effective March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of March, 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4160; Filed, March 17, 1943; 3:15 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 82]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (b) (12) is added to read as follows:

(12) The maximum prices in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for the petroleum products listed below shall be the maximum prices as determined under § 1340.159 (b) (1)–(3) plus the respective amounts per gallon indicated below:

Product:	*Cents per gallon*
All distillate and distillate type fuel oils having a viscosity below 85 seconds Saybolt Universal (at 100° F.) except kerosene, range oil and No. 1 fuel oil and including but not limited to the following: Tractor fuel, gas house oils, distillate diesel fuel oils, Nos. 2, 3, and 4 fuel oils, Standard light gas oil, gas house standard light gas oil, and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or other distillate fuel oil use	1.5
Kerosene, range oil and No. 1 fuel oil	1.8

2. Section 1340.159 (c) (3) (i) is hereby revoked.

3. Section 1340.159 (c) (3) (xi) is amended to read as follows:

(xi) *Metropolitan Boston, Massachusetts, area.* In the Metropolitan, Boston, Massachusetts area, comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chalsea, Cohassett, Dedham, Dover, Everett, Hingham, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge	6.95
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.2
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or over	10.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.8
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.3
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12

4. Section 1340.159 (c) (3) (xii) (a) is amended to read as follows:

(a) Within the corporate limits of New York City, New York, maximum prices for kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge	7.0
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.1
At the seller's yard for delivery into buyer's tank wagons in the Boroughs of Manhattan, the Bronx, Brooklyn, Richmond and Queens	7.5
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12.5

5. Section 1340.159 (c) (3) (xiv) is amended to read as follows:

(xiv) *Bridgeport, Connecticut, area.* In the Bridgeport, Connecticut, area comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots or delivery by tank car or motor transport	7.5
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.5

6. Section 1340.159 (c) (3) (xv) is amended to read as follows:

(xv) *New Haven, Connecticut, area.* In the New Haven, Connecticut, area comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.5
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.5

7. Section 1340.159 (c) (3) (xvi) is amended to read as follows:

(xvi) *Hartford, Connecticut, area.* In the Hartford, Connecticut, area comprising the townships and cities of Bloomfield, East Hartford, East Windsor, Glastonbury, Hartford, Newington, Wethersfield, Windsor, Windsor Locks, West Hartford and South Windsor, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.5
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or less	10.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to resellers in quantities of less than 25 gallons	11.5

8. Section 1340.159 (c) (3) (xvii) is amended to read as follows:

(xvii) *Danbury, Connecticut, area.* In the Danbury, Connecticut, area comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman; and the following townships and cities in the State of New York: Brewster, Patterson and Pawling, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
At seller's yard for delivery into buyer's tank wagons	8.2
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.7
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.5
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.0

9. Section 1340.159 (c) (3) (xx) is amended to read as follows:

(xx) *Baltimore, Maryland.* Within the corporate limits of the City of Baltimore, Maryland, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

Cents per gallon

F. o. b. terminals in bulk lots for delivery by tank car or motor transport.. 7.2
At the seller's yard for delivery into the buyer's tank wagon..... 7.45
Tank wagon deliveries to resellers..... 9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over..... 10.0
Tank wagon deliveries to consumers in quantities of less than 25 gallons..... 11.0

10. Section 1340.159 (c) (3) (xxi) is amended to read as follows:

(xxi) *Washington, D. C.* Within the Washington, D. C., tank wagon area maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

Cents per gallon

At the seller's yard for delivery into the buyer's tank wagons..... 8.3
Tank wagon deliveries to resellers..... 10.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over..... 10.5
Tank wagon deliveries to consumers in quantities of less than 25 gallons..... 12.0

11. Section 1340.159 (c) (3) (xxii) is added to read as follows:

(xxii) *41–43 and 42–44 gravity w. w. kerosene at Texas and Louisiana Gulf Coast ports.* (a) At all ports on the Texas and Louisiana Gulf Coast and the Mississippi River from the Gulf Coast up to and including Baton Rouge, Louisiana, the maximum price of 41–43 gravity and 42–44 gravity w. w. kerosene f. o. b. refineries and terminals in bulk lots for deliveries into tankers, barges, pipelines, tank cars or motor transports, where shipments are made to ultimate destinations in District No. 1, as defined by the Office of the Petroleum Administrator for War, shall be 4.125 cents per gallon.

(b) At all ports on the Texas and Louisiana Gulf Coast and the Mississippi River from the Gulf Coast up to and including Baton Rouge, Louisiana, the maximum price for 41–43 gravity and 42–44 gravity w. w. kerosene f. o. b. refineries and terminals in bulk lots for deliveries into tankers, barges, pipelines, tank cars or motor transports, where shipments are made to ultimate destinations in areas other than District No. 1 as defined by the Office of the Petroleum Administrator for War, shall be 4.125 cents per gallon or the maximum price established for the particular seller under the provisions of this price schedule which would otherwise govern, whichever is higher.

(c) At all ports on the Texas and Louisiana Gulf Coast and the Mississippi River from the Gulf Coast up to and including Baton Rouge, Louisiana, the maximum price for 41–43 gravity and 42–44 gravity w. w. kerosene f. o. b. refineries and terminals for delivery into special containers, such as steel drums, where shipments are made to ultimate destinations in District No. 1 as defined by the Office of the Petroleum Administrator for War shall be 4.125 cents per gallon.

This amendment shall become effective March 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4161; Filed, March 17, 1943; 3:15 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 292, Amendment 2]

SALES OF CITRUS FRUITS BY PACKERS, BROKERS, ETC.

Correction

The last sentence of § 1351.1403 (d) should read as follows (8 F.R. 2869):

"Freight shall not include local trucking or unloading but shall include actual charges for unloading cars for sales at a terminal market."

In the table of prices, the price for "Florida: Interior, Tangerines, Mar. 1 to end, packed unwrapped" should be 3.58. The price for "Texas Oranges, Mar. 1 to end, 1 bushel basket" should be 2.24. The price of "California, Arizona, All (including tangerines), Nov. 16 to Apr. 30, per lb. maximum prices" should be .035. "May 1 to Nov. 15, per lb. maximum prices" should be .045.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 148, Amendment 2]

DRESSED HOGS AND WHOLESALE PORK CUTS

Correction

The following changes should be made in Table (g) appearing on page 2925 of the issue for Wednesday, March 10, 1943. In items 5 and 6 the abbreviation "F. S. G. C." should read "F. S. C. C." In item 12 the word "Hot" should read "Not". In item 15 the heading should read "Rib backs:".

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Correction to MPR 324]

NORTHERN WHITE CEDAR FENCE POSTS

In the price table in § 1426.203, the unit price under the column heading "Each" for the 3'' round, 8' long post, is corrected from $.017 to $.205.

In § 1426.204 (c), the words "33⅓% of the sum of (1) and (2)" are corrected to read "33⅓% of the sum of (a) and (b)".

This correction shall become effective March 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4162; Filed, March 17, 1943; 3:15 p. m.]

PART 1340—FUEL

[MPR 112[1] as Amended March 18, 1943]

PENNSYLVANIA ANTHRACITE

Section 1340.200 (a) (1) is amended by Amendment 12, so that Maximum Price Regulation No. 112 shall read as follows:

In the judgment of the Price Administrator the prices of anthracite are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of anthracite prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been prepared and is issued simultaneously herewith.*

Therefore, under the authority vested in the Price Administrator, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 112 is hereby issued.

Sec.

1340.191 Maximum prices for anthracite.
1340.192 Less than maximum prices.
1340.193 Conditional agreements.
1340.194 Evasion.
1340.195 Records and reports.
1340.196 Enforcement.
1340.197 Applications for adjustment and petitions for amendment.
1340.198 Definitions.
1340.199 Effective date.
1340.199a Effective dates of amendments.
1340.200 Appendix A: Maximum prices for anthracite.

AUTHORITY: §§ 1340.191 to 1340.200, inclusive, issued under the authority contained in Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1340.191 *Maximum prices for anthracite.* On and after April 1, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person who is a producer or a distributor shall sell or deliver anthracite and no person shall buy or receive anthracite from a producer or distributor, in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1340.200; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1340.192 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1340.200) may be charged, demanded, paid or offered.

§ 1340.193 *Conditional agreements.* (a) Except as set forth in paragraphs (b) and (c) of this section, no agreement shall be entered into permitting the ad-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3695, 3963, 4453, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10634, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1260, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2319, 2594, 2152, 2334, 2349, 2273, 2350, 2501, 2694, 2756, 2874, 2977, 3050, 3106.

[1] 7 F.R. 2512.

*Statements of considerations are also issued simultaneously with issuance of amendments. Requests for copies should be addressed to the Office of Price Administration.

[2] Revised: 7 F.R. 8961.

justment of the selling prices of anthracite to prices which may be higher than the maximum prices provided by § 1340.200 in the event that this Maximum Price Regulation No. 112 is amended or is determined by a court to be invalid or upon any other contingency.

(b) Nothing contained in this Maximum Price Regulation No. 112 shall be deemed to prohibit the making of an agreement specifying that the price shall be the maximum price in effect at the time of delivery or that, if any changes are subsequently effected in the maximum prices, the stipulated price, as to deliveries made on and after the date of the change, shall be adjusted accordingly; but in no event shall any contract permit the retroactive adjustment of the selling prices of anthracite to prices higher than the maximum prices in effect at the time of the delivery thereof (unless an exception is granted by the Price Administrator, as provided in paragraph (c) of this section.)

(c) If a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that such an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or for exception.) Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception.)

[§ 1340.193 as amended by Amendment 1, 7 F.R. 2739]

§ 1340.194 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 112 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to anthracite, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise.

§ 1340.195 *Records and reports.* (a) Every producer and distributor making a sale of anthracite and every person making a purchase of anthracite from a producer or distributor on and after April 1, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale or purchase showing the date thereof; the name and address of the buyer and of the person making the sale; the size, brand or trade name and quantity of the anthracite sold or purchased, together with the name of the mine at which it originated; the method of transportation employed in the delivery thereof; and the price received or paid therefor.

(b) Not later than May 1, 1942, every producer and distributor of anthracite shall file with the Office of Price Administration in Washington, D. C. a statement setting forth: (1) the rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period October 1–15, 1941, inclusive; (2) the charges, if any, made for any special services during the period October 1–15, 1941, inclusive, together with a description of the special service rendered; and (3) the cash discounts on all sales and quantity discounts, or rebates, f. o. b. trucks at mines or preparation plants operated as an adjunct to a mine or mines, in effect during the period October 1–15, 1941, inclusive.

[Paragraph (b) as amended by Amendment 11, 8 F.R. 2022]

(c) Persons affected by Maximum Price Regulation No. 112, shall submit such other reports to the Office of Price Administration and keep such other records as it may from time to time require.

(d) [Revoked by Amendment 10, 8 F.R. 444]

§ 1340.196 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 112 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 112 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1340.197 *Applications for adjustment and petitions for amendment.* (a) (1) The Administrator may by order grant an adjustment of the maximum prices to any producer who shows to the satisfaction of the Administrator that (i) the sale of its mine's entire production at the maximum prices would not return a realization equal to its representative cost of production; (ii) such costs of production are of a continuing nature; and (iii) the anthracite produced at the mine has in the past sold at premium prices or is of such quality that there is now a reasonable opportunity for securing premium prices.

(2) The Office of Price Administration may require in connection with any such application, filed under the provisions of this paragraph, full data on costs, profits, price history and other relevant factors. Applications for adjustment pursuant to this paragraph shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(3) Any adjustments granted under this paragraph shall not exceed the amount necessary to permit the producer to obtain a realization on the sale of its mine's entire production approximately equal to the mine's representative cost of production.

(b) Persons seeking any modification of this Maximum Price Regulation No. 112 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

[§ 1340.197 as amended by Amendment 11, 8 F.R. 2022]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444, 9323) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.198 *Definitions.* (a) When used in this Maximum Price Regulation No. 112 the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means a person engaged in the business of mining and/or preparing anthracite and any person acting as an agent of a producer in the sale of anthracite.

(3) "Distributor" means a person who purchases anthracite f. o. b. transportation facilities at a mine or preparation plant for resale, and resells the same in not less than cargo or railroad carload lots, without physically handling such anthracite, and any person acting as an agent of a distributor in the sale of anthracite.

(4) "Anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) "Ground storage facility" means a storage facility not operated as an adjunct of a mine or preparation plant, which is customarily used by a producer or distributor for storage of anthracite in transit from a mine or adjunct preparation plant to a purchaser.

[Paragraph (5) added by Amendment 9, 7 F.R. 10554]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.199 *Effective date.* This Maximum Price Regulation No. 112 (§§ 1340.191 to 1340.200, inclusive) shall become effective April 1, 1942.

[Issued March 30, 1942]

3:15 p. m.]

7 F.R. 2512.

*Revised: 7 F.R. 8961.

§ 1340.199a *Effective dates of amendments.*

Amendment Nos. and issuance dates:	Effective
Amendment 1, 4–8–42	4– 9–42
Amendment 2, 4–13–42	4–15–42
Amendment 3, 4–15–42	4–16–42
Amendment 4, 5–11–42	5–16–42
Amendment 5, 6–4–42	6– 9–42
Amendment 6, 6–16–42	6–20–42
Amendment 7, 6–16–42	6–20–42
Amendment 8, 12–14–42	12– 1–42
Correction, Amendment 8, 12–19–42	12–14–42
Amendment 9, 12–15–42	12–21–42
Amendment 10, 1–9–43	1– 9–43
Amendment 11, 2–12–43	2–12–43
Amendment 12, 3–18–43	3–24–43

§ 1340.200 *Appendix A. Maximum prices for anthracite.* (a) The following maximum prices are established for anthracite f. o. b. transportation facilities at the mine, or preparation plant operated as an adjunct of a mine or mines or ground storage facility from which delivery is made:

(1)

Size	Price per net ton
Domestic:	
Broken, egg, stove and chestnut	$7.30
Pea	5.75
Steam:	
Buckwheat ±1	4.20
Rice (buckwheat ±2)	3.35
Barley (buckwheat ±3)	2.50
All sizes smaller than barley (buckwheat ±3) if sold for fuel or sintering use, or for use in the manufacture of calcium carbide, graphite or activated carbon, including (specifically but not exclusively), Buckwheat ±4, river or dredge barley, and smaller sizes	1.80

[Paragraph (1) amended by Amendment 12, issued 3–18–43, effective 3–24–43]

(2) Prepared at Jeddo ±7 and Highland ±5 breakers of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed under the trade name "Jeddo Coal," "Highland Coal" or "Hazel Brook Coal":

Size	Price per net ton
Domestic:	
Broken, egg, stove and chestnut	$7.55
Pea	6.00
Steam:	
Buckwheat ±1	4.45
Rice (buckwheat ±2)	3.50
Barley (buckwheat ±3)	2.50

(3) Prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley":

Size	Price per net ton
Domestic:	
Broken	$8.05
Egg	8.30
Stove	8.55
Chestnut	7.60
Pea	5.75
Steam:	
Buckwheat ±1	4.20
Rice (buckwheat ±2)	3.45
Barley (buckwheat ±3)	2.50

(4) Produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite":

Size	Price per net ton
Domestic:	
Broken	$7.30
Egg, stove and nut	7.55
Pea	6.00
Steam:	
Buckwheat ±1	4.20
Rice (buckwheat ±2)	3.35
Barley (buckwheat ±3)	2.50

The prices set forth in subparagraphs (2), (3), and (4) of this paragraph shall be the maximum prices for this anthracite for so long as the present quality and preparation standards are maintained; otherwise, the maximum prices shall be those established by subparagraph (1) of this paragraph.

[Paragraph (a) as amended by Amendment 10, 8 F.R. 444]

(b) [Revoked by Amendment 3, 7 F.R. 2868]

(c) *Cash discounts, credit terms and special services.* (1) There shall be deducted from the maximum prices established in paragraphs (a) and (b) of this section the cash discounts on all sales and quantity discounts, or rebates, f. o. b. trucks at mines or preparation plants operated as an adjunct to a mine or mines, in effect during the period October 1–15, 1941, inclusive.

[Paragraph (c) (1) as amended by Amendment 11, 8 F.R. 2022]

(2) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the period of October 1–15, 1941, inclusive.

(3) (i) The charges made for any special service, including (specifically but not exclusively) calcium chloride treatment, specially prepared sizes, split cars (containing more than one size), box car loading, truck loading from pockets at the mine, bags and bagging, and the making of local or retail deliveries from the mine or adjunct preparation plant, shall not exceed the charges made for the same service during the period October 1–October 15, 1941, inclusive; but any producer whose special service charge for bags and bagging of anthracite at the mine or adjunct preparation plant during the period October 1–October 15, 1941, inclusive, was less than $2.30 per net ton, may charge for this special service an amount not in excess of $2.30 per net ton.

[Paragraph (3) (i) as amended by Amendment 10, 8 F.R. 444]

(ii) For the coal prepared at the Salem Hill breaker at Palo Alto, Schuylkill County, Pennsylvania by Haddock Mining Company, Wilkes-Barre, Pennsylvania and marketed under the trade name "Salem Hill Brooder Coal," there may be added a charge of 25 cents per net ton over and above the maximum prices otherwise provided in this § 1340.200:

Provided, That upon inspection by the producer each shipment of such coal is found to meet the following specifications: it shall be sized through a 1⅝" and over a ⅛" test mesh with maximum oversize of two percent and undersize of three percent; float and sink test shall not exceed five percent sink on a 1.7 gravity; and:

Provided, further, That a record of inspection of each shipment of this coal shall be kept by the producer for a period of not less than one year for examination by the Office of Price Administration.

[Paragraph (ii) as amended by Amendment 5, 7 F.R. 4294]

(iii) Where anthracite coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or a distributor, or subsidiary or affiliate of the producer or distributor, or in any transportation facilities hired by the producer or a distributor, there may be added to the applicable maximum prices established herein a sum not in excess of the actual transportation costs incurred, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a haul between the same points.

(iv) There may be added to the maximum prices established herein an amount not in excess of the tax imposed by section 620 of the Revenue Act of 1942 when incurred by a producer or distributor of anthracite: *Provided,* That the tax so incurred shall be stated separately from the price paid by the purchaser.

[Paragraphs (iii) and (iv) added by Amendment 8, 7 F.R. 10529]

(d) *Premium-penalty contracts.* (1) Barley (±3 buckwheat) may be sold or delivered at a base price not to exceed the maximum price established therefor by paragraph (a) (1) of this section plus a premium or minus a penalty (as the percentage by weight of ash content varies above or below a specified basic percentage by weight of ash content) to any person who, during the period October 1–15, 1941, had in effect an agreement providing for the purchase of such anthracite on such terms:

Provided, That, any premium-penalty agreement executed pursuant to this paragraph (d) shall be subject to the conditions of the following subparagraphs (2) and (3):

[Proviso amended by Amendment 10, 8 F.R. 444]

(2) No agreement executed pursuant to this paragraph (d) shall:

(i) Decrease the size of the bottom screen used in sizing under that required in a premium-penalty agreement which the same purchaser had in effect during the period October 1–15, 1941.

(ii) Increase the maximum percentage of allowable undersize beyond the percentage which was specified in a premium-penalty agreement which the same purchaser had in effect during the period October 1–15, 1941.

(iii) Increase the per net ton return to the seller (on coal of the same ash content) beyond that provided in a premium-penalty agreement which the

same purchaser had in effect during the period October 1–15, 1941, except that an increase in return due solely to the fact that the specified base price is equal to the maximum price established by paragraph (a) (1) hereof for barley (#3 buckwheat) may be paid and received.

(3) (i) Any purchaser who enters into a premium-penalty agreement pursuant to this paragraph (d) shall, within 15 days thereafter, file with the Office of Price Administration in Washington, D. C., a certified copy of all premium-penalty agreements to which he was a party during the period October 1–15, 1941.

(ii) No purchaser who enters into a premium-penalty agreement pursuant to this paragraph (d) shall relax the method of sampling and analysis (to determine the ash content of anthracite received pursuant to such agreement) from that which he employed in connection with anthracite received under a premium-penalty agreement which he had in effect during the period October 1–15, 1941.

(iii) [Revoked by Amendment 10, 8 F.R. 444]

(4) Contracts in effect January 9, 1943 which provide for sales of sizes smaller than barley (#3 buckwheat) on conditions similar to those set forth in the preceding subparagraphs of this paragraph (d) may be carried out at a base price not in excess of $1.80 per net ton.

[Paragraph (4) as amended by Amendment 10, 8 F.R. 444]

[Paragraph (d) added by Amendment 6, 7 F.R. 4539]

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4205; Filed, March 18, 1943; 11:53 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 270,[1] Amendment 3]

DRY EDIBLE BEANS, SALES EXCEPT AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 270 is amended in the following respect: § 1351.1203 (a) is amended to read as follows:

(a) The maximum prices per cwt. in 100-pound containers at the country shipping point, on board car or any other common or contract carrier shall be:

Kind of dry edible beans	*Maximum price per cwt. in 100-lb. containers*
Pea and medium white beans (navy):	
U. S. choice hand picked	$5.90
U. S. No. 1	5.80
U. S. No. 2	5.65
U. S. No. 3 and lower	5.40
Marrow beans (not including red marrow):	
U. S. choice hand picked	7.25
U. S. No. 1	7.15
U. S. No. 2	7.05
U. S. No. 3 and lower	6.80
Great Northern beans:	
U. S. choice hand picked	5.90
U. S. No. 1	5.80
U. S. No. 2	5.65
U. S. No. 3 and lower	5.40
Small white beans (including flat small white):	
U. S. choice hand picked	5.90
U. S. No. 1	5.80
U. S. No. 2	5.65
U. S. No. 3 and lower	5.40
White kidney beans:	
U. S. choice hand picked	7.95
U. S. No. 1	7.85
U. S. No. 2	7.70
U. S. No. 3 and lower	7.45
Red kidney beans:	
U. S. choice hand picked	6.40
U. S. No. 1	6.30
U. S. No. 2	6.15
U. S. No. 3 and lower	5.90
Yelloweye beans:	
U. S. choice hand picked	7.25
U. S. No. 1	7.15
U. S. No. 2	7.05
U. S. No. 3 and lower	6.80
Cranberry beans (other than western):	
U. S. choice hand picked	6.00
U. S. No. 1	5.90
U. S. No. 2	5.75
U. S. No. 3 and lower	5.50
Cranberry beans (western):	
U. S. choice hand picked	6.45
U. S. No. 1	6.35
U. S. No. 2	6.20
U. S. No. 3 and lower	5.95
Small red beans:	
U. S. choice hand picked	5.90
U. S. No. 1	5.80
U. S. No. 2	5.65
U. S. No. 3 and lower	5.40
Pink beans:	
U. S. choice hand picked	6.10
U. S. No. 1	6.00
U. S. No. 2	5.85
U. S. No. 3 and lower	5.60
Bayo beans:	
U. S. choice hand picked	5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
Blackeye beans (western):	
U. S. choice hand picked	6.05
U. S. No. 1	5.95
U. S. No. 2	5.80
U. S. No. 3 and lower	5.55
Pinto beans:	
U. S. No. 1	5.90
U. S. No. 2	5.75
U. S. No. 3 and lower	5.50
Lima beans (standard):	
U. S. extra No. 1	8.10
U. S. No. 1	8.00
U. S. No. 2 and lower	7.85
Baby lima beans:	
U. S. extra No. 1	6.80
U. S. No. 1	6.70
U. S. No. 2 and lower	6.55

This amendment shall become effective March 25, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4206; Filed, March 18, 1943; 11:53 a. m.]

PART 1367—FERTILIZERS

[MPR 240,[1] Amendment 2]

PHOSPHATE ROCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 240 is amended in the following respect:

§ 1367.114 B. Finely ground phosphate rock, is amended by adding thereto:

Car bulk heads—Add $2.00 per car for installing wooden bulk heads to separate bagged rock from unbagged rock only at buyer's request.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4207; Filed, March 18, 1943; 11:54 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended, Amendment 71]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1390.8 is amended as set forth below:

§ 1390.8 *Maximum prices: sales by the manufacturer of machines or parts manufactured in new or converted plants.* If the manufacturer is unable to determine the maximum price for any machine or part pursuant to the provisions of § 1390.7 because such machine or part is manufactured in a new or converted plant or for any other reason:

(a) *Price-determining method.* The manufacturer shall establish a price-determining method and rates for use therein (labor rates, machine hour rates, overhead rates, and profit rates, etc.) for the determination of the maximum price for such machine or part, conforming so far as possible to the provisions of § 1390.7. The overhead rate so established shall be a reasonable rate in the light of the operations to be performed, and shall, so far as possible, be based on costs for items of overhead in effect on October 1, 1941. In the case of a newly constructed plant, however, the manufacturer may use as a base date for all purposes the date upon which price quotations were first made or upon which production was started in the plant, whichever is earlier, and shall use the labor rates for each classification of labor prevailing on that date in the locality of the plant, determined in accordance with § 1390.7 (b).

(b) *Reports.* The manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing (1) the proposed price-determining method and rates used in establishing maximum prices as provided in paragraph (a); (2) a description of the items for which the maximum price is to be computed under such price-determining method; (3) a representative sample of prices computed in accordance with the proposed price-determining method; (4) an explanation of the circumstances necessitating pricing under this section; (5) relevant data bearing on the price-determining method and rates to be used, including evidence that such method and rates were determined as provided in paragraph (a); (6) a statement of whether or not quantity production has been achieved or is anticipated; (7) a brief description of the newly constructed or converted plant; and (8) any other data which the Office of Price Administration may in writing require.

(c) *Maximum prices.* (1) Prices computed in accordance with the proposed method reported under paragraph (b) may be quoted or charged for thirty days prior to filing such report and may be quoted or charged thereafter until the Office of Price Administration disapproves such price in writing or requires a new filing under paragraph (b). If the Office of Price Administration approves the proposed price-determining method and the prices of the machines or parts whose maximum prices are to be computed in accordance therewith, or fails to disapprove them within thirty days after receiving such report, the maximum prices for such machines or parts shall be determined in accordance with the proposed price-determining method until a new price-determining method is proposed and reported either upon the initiative of the manufacturer or as required by the Office of Price Administration.

(2) Within thirty days after receiving such report, the Office of Price Administration may in writing disapprove the proposed price-determining method and the prices resulting from its use, and upon such disapproval the manufacturer shall file a revised price-determining method in accordance with the suggestions and directions contained in such disapproval, and the provisions of this section shall apply in all respects to such revised method. In disapproving any proposed price-determining method, the Office of Price Administration may require the manufacturer to adjust all contracts made at prices determined pursuant to such method and may require that refunds be made as to all deliveries made at prices determined pursuant to such method. Such disapproval and requirement of refunds shall, upon request of the manufacturer, be embodied in an order.

(d) Not later than six months after last filing a price-determining method which was not disapproved by the Office of Price Administration, the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing (1) a comparison of his actual direct and indirect costs for the period under review, with the estimates on which the price-determining method being used was based and (2) so far as available, for each of the representative items for which prices were previously filed, the current price being charged, and a comparison of the actual direct and indirect costs with the estimate on which the price previously filed was based.

(e) Any manufacturer may at any time file, and the Office of Price Administration may at any time require the filing of a new or revised price-determining method in accordance with the provisions of this section, together with a representative sample of prices determined in accordance with such method.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4208; Filed, March 18, 1943; 11:52 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17,[1] Amendment 5]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. The following sentence is added to section 1.5 (b):

However, an applicant applying for safety shoes required to protect his health or safety because of the conditions under which he works, may be found to have "need" for them even though a member of his family has a War Ration Shoe Stamp which the applicant could use.

2. Section 2.11 (a) (2) (viii) is amended to read as follows:

(viii) Shoes (sandals), other than imported huaraches, with a heel height of $1\frac{1}{8}$ inches or less with an open back;

3. Section 2.11 (a) (2) (ix) is added to read as follows:

(ix) Shoes which have rubber or leather in the sole only as hinges, tabs, heel inserts or other non-skid or soundproofing features covering not more than 25 percent of the area of the bottom of the sole. (Any material may be used in other parts of the shoe.)

4. The definition of "safety shoes" is added in section 3.13 to read as follows:

"Safety shoes" means protective occupational shoes incorporating one or more of the following safety features: (1) steel toe box, (2) electrical conductivity, (3) electrical resistance, (4) nonsparking, (5) molders' (Congress type) protection.

This amendment shall become effective March 24, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws, 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4209; Filed, March 18, 1943; 11:52 a. m.]

PART 1405—FERRO-ALLOYS

[MPR 258,[1] Amendment 1]

CHROME ORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new § 1405.104a is added as set forth below:

§ 1405.104a *Sales or deliveries of domestic chrome ores to dealers.* Neither the provisions of this Maximum Price Regulation No. 258, other than § 1405.108, nor the provisions of the General Maximum Price Regulation shall apply to the sale or delivery of domestic chrome ores to a dealer who buys for resale. As here used "domestic chrome ore" means any chrome ore mined within the continental United States.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4210; Filed, March 18, 1943; 11:53 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8283, 8948.

[2] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7692, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8533, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9052, 9251, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 318, 534, 1058, 1382, 2270.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1727, 2040, 2487, 2943.

[1] 7 F.R. 9002

[1] 8 F.R. 1061, 2335.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 16]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (2) of paragraph (a) of § 1407.912 is amended; subparagraph (2) of paragraph (c) of § 1407.912a is amended; a new sentence is added at the end of paragraph (a) of § 1407.913; as set forth below:

§ 1407.912 *Exempt purchasers.* (a) * * *

(2) Any person, to the extent that controlled meat is delivered to him for export to any foreign country or any territory or possession of the United States other than the District of Columbia or for consumption in aircraft while in flight to foreign countries or to territories or possessions of the United States other than the District of Columbia.

* * * * * *

§ 1407.912a *Deliveries permitted without charge against quotas.* * * *

(c) * * *

(2) If the exempt purchaser is a person designated in § 1407.912 (a) (2) there shall be attached to such certification a copy of the bill of lading under which the controlled meat, canned meat or sausage has been exported, or a Shipper's Export Declaration bearing the notation of an authorized customs official to the effect that the quantity of controlled meat, canned meat or sausage therein stated has been exported or loaded in aircraft for consumption while in flight to foreign countries or to territories or possessions of the United States other than the District of Columbia. In the case of aircraft, a statement to the same effect by the Army, Navy, Marine Corps or Coast Guard officer in charge of the field from which the aircraft departs may be substituted for either of the above requirements.

* * * * * *

§ 1407.913 *Conversion weight factors.* (a) * * * *Provided, however,* That if the average live purchase weight of swine slaughtered during Quota Period 2 or any subsequent quota period is within 30 pounds of the average live purchase weight of swine slaughtered during the corresponding base period, the same conversion factor shall be used in computing the conversion weight of swine slaughtered during such quota period as was required to be used during the corresponding base period.

* * * * * *

This amendment shall become effective as of March 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., WPB Directive No. 1, Supp. Dir. No. 1–M, 7 F.R. 562, 7234)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43–4200; Filed, March 18, 1943; 11:52 a. m.]

PART 1416—COAL TAR

[MPR 192,[1] Amendment 8]

IMPORTED CRESYLIC ACID

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1416.60 (a) (1) is amended to read as follows:

(1) Net amount paid for cresylic acid naked ex works, which amount with respect to purchases made after August 5, 1942, shall not be computed at a price in excess of $.728 per U. S. gallon.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4202; Filed, March 18, 1943; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 15 to Revised Supp. Reg. 11[1] to GMPR[2]]

MILLING, SMELTING AND REFINING OF COPPER, LEAD AND ZINC ORES, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.46 (b) (iii) is added to read as follows:

(iii) Milling, smelting and refining of copper, lead and zinc ores, concentrates, mattes, speiss, bullion or blister. Further, it shall be lawful for any seller of such a service to collect and for any buyer to pay for such services heretofore rendered any sums which the seller was entitled to receive under a contract heretofore entered into even though such sums, either by themselves or together with any sums previously collected by the seller, exceed the amout which could legally have been collected prior to the date hereof.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4201; Filed, March 18, 1943; 11:52 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Regulations E–1 to E–15]

PART 251—LAND USES

RIGHTS-OF-WAY FOR ELECTRIC POWER TRANSMISSION LINES

Regulations for granting easements for rights-of-way for electric power transmission lines upon and across national forest and other land administered by the Forest Service.

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551); the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), and the Act of March 4, 1911 (36 Stat. 1253, 16 U.S.C. 523), I, Grover B. Hill, Acting Secretary of Agriculture, do make and publish the following regulations for granting easements for rights-of-way for electric power transmission lines upon and across national forest and other land under Forest Service administration, hereby revoking all previous regulations issued specifically for said purpose:

Sec.
251.50 Definitions.
251.51 By whom granted.
251.52 General conditions.
251.53 Acceptance required.
251.54 Consideration of application.
251.55 Contents and filing of application.
251.56 Extension of construction period.
251.57 Annual charges.
251.58 Transfer of easement.
251.59 Deviations during construction.
251.60 Forfeiture or annulment of easement.
251.61 Abandonment with approval of Secretary.
251.62 Remedies upon breach by grantee.
251.63 Removal of transmission line upon forfeiture, annulment or abandonment.
251.64 Modification of easement.

AUTHORITY: §§ 251.50–251.64, inclusive, issued under authority of 30 Stat. 35, 16 U.S.C. 551; 33 Stat. 628, 16 U.S.C. 472, and 36 Stat. 1253, 16 U.S.C. 523.

§ 251.50 *Definitions.* For the purposes of these regulations the following words and terms shall be construed respectively to mean:

(a) "Act" means the Act of March 4, 1911 (36 Stat. 1253, 16 U. S. C. 523).

(b) "Secretary" means the Secretary of Agriculture of the United States.

(c) "Forest Service" means the Forest Service, a bureau of the Department of Agriculture.

(d) "Regional Forester" means the Regional Forester of the Forest Service region within which the transmission line is located.

(e) "Transmission line" means the poles, towers, wires, insulators and all other structures, equipment, appliances and other facilities erected or to be erected when:

(1) The transmitted energy is generated from other than water power;

(2) The transmission line classifies as a non-primary line under the provisions of the Federal Power Act (41 Stat. 1063, as amended; 16 U. S. C. 791 *et seq.*) because it does not transmit power from a water power plant or appurtenant works to a point of junction with the distribution system or with the interconnected primary transmission system.*

(f) "Easement" means a right-of-way for a period not exceeding fifty (50) years and of width not exceeding twenty (20) feet on each side of the center line of the transmission line and poles or towers granted for the purposes of constructing, operating and maintaining a transmission line over, across and upon national forest or other land under the jurisdiction of the Secretary and which under delegated authority are directly administered by the Forest Service.

(g) "Applicant" means a citizen, association of citizens or corporation of the United States making application for an easement under provisions of the Act and the regulations thereunder.

(h) "Grantee" means an applicant to whom an easement is granted. [Reg. E–1]

§ 251.51 *By whom granted.* An easement shall be granted by the Secretary and any modification of an easement shall be approved by the Secretary. [Reg. E–2]

§ 251.52 *General conditions.* The Secretary, within the limitations prescribed by the Act, shall decide the width of the right-of-way and the tenure of the easement, and shall decide the conditions to be incorporated in the easement for the protection of the public interests and for the administration, protection, development and utilization of the national forest and other land under his jurisdiction. [Reg. E–3]

§ 251.53 *Acceptance required.* The easement shall be conditioned upon the acceptance thereof by the grantee and shall not become effective unless, within sixty (60) days of the date of the easement, acceptance of the easement by the grantee shall have been evidenced in writing. If not so accepted within that period or such extension as may be approved by the Secretary, the application will be rejected. [Reg. E–4]

§ 251.54 *Consideration of application.* Consideration of an application for an easement shall be conditioned upon the filing with the Regional Forester of the application properly certified in the prescribed form and containing all the required material and data. Priority of consideration of applications shall be initiated in the order of filing of complete applications as determined by the Regional Forester. [Reg. E–5]

§ 251.55 *Contents and filing of application.* An application for an easement shall be filed with the Regional Forester and shall consist of the following, to be furnished in quadruplicate except as otherwise provided:

(a) *Form E–100 (Application for easement under the Act of March 4, 1911)*, completely filled out and certified.

(b) *Location map*, conforming to the following:

(1) *Size.* The size shall be convenient and shall be 8″ x 10½″, 10½″ x 16″, 18″ x 21″, 21″ x 26″, 21″ x 34″, 24″ x 36″, or 28″ x 40″.

(2) *Title.* The title shall show the name of the transmission line, the date of application on Form E–100 and the name of the engineer preparing the map.

(3) *Scale.* The scale shall be convenient, but in no case shall an inch on the map represent more than 2,000 feet. Scale shall be adequate for a clear showing of all required map detail.

(4) *Line location.* Map and field notes shall show reference lines from the nearest corner of the public land survey (if within 2 miles) to the termini of the transmission line when within a National Forest or other area administered by the Forest Service and to the points of entering and leaving the national forest or such other area if it crosses the same. When any terminus or an intersection with the national forest or other area boundary is upon land not covered by the public land survey, or when the nearest established corner of the public land survey is more than two miles distant, the tie may be made with a permanent mark on a natural object or a permanent monument which can be readily found and recognized. The relationship may be shown by the traverse or the straight line distance and bearing may be computed. The field notes shall give an accurate description of the natural object or monument.

When the transmission line crosses land covered by the public land survey, the map and field notes shall also show the intersection of the survey line with the section lines of the public land survey. Such intersections shall be referenced by course and distance to the nearest existing corner along the section lines intersected if such corner is within one-half mile. If no corner of the public land survey exists or can be found within a half mile of the survey line, this fact may be noted on the map and in the field notes and the reference omitted. Also, under such conditions the field notes shall show the location of the center line of the transmission line by the bearing and distance of each course. Similar survey data for the location of the center line will be required in other cases unless this requirement is specifically waived by the Regional Forester.

For areas within the boundaries of a National Forest or other area administered by the Forest Service, the map shall also show all lines of public land subdivisions by official survey, the protractions on unsurveyed public land of section and township lines and the status as to ownership of lands, designating separately lands patented and lands of the United States reserved, unreserved, entered or otherwise embraced in an unperfected claim under the public land laws.

(5) *Certificate of applicant.* A certificate in the following form shall be lettered or typed on the tracing of the location map and shall be completed and signed:

This map is a part of the application for an easement made by the undersigned this ---------- day of ----------, 19--.

Name of Applicant.
By ---

(c) *Field notes*, duly certified and showing the courses and distances of the survey and the required ties to corners, permanent marks on natural objects or permanent monuments except when such courses, distances and ties are completely and clearly shown on the location map. The paper size shall be 8″ x 10½″ or 8½″ x 11″.

(d) *Diagrammatic map*, when deemed necessary by the Regional Forester for a determination of whether an easement may be granted or a license under the Federal Power Act, *supra*, is required. Such maps shall show the relationship of connected generating plants and lines, need not be drawn to scale, shall be at least 8″ x 10½″ in size and shall show:

(1) Position of the transmission line in the system and the functions it performs as part of the power system.

(2) Source of power and whether the transmission line connects directly with a hydro-electric plant, a steam plant, another line or a substation.

(3) Capacity of the transmission line and relation of its capacity to that of the generating plant or line to which it connects.

(4) Relation of voltage and phase of the transmission line to that of the line from which energy is received.

(5) Contemplated use of energy delivered.

(e) *General description and specifications for transmission line and contemplated use or market for power*, covering voltage, phase and capacity of the transmission line; number, size and material of wires; height, material and ordinary spacing of poles or towers; National or other design and erection specifications to be followed; power plant or plants at which transmitted energy is generated; whether the energy is generated by water or other source of power; and where, in what amount and for what purposes the transmitted energy is expected to be utilized. The paper size shall be 8″ x 10½″ or 8½″ x 11″.

(f) *Showing as to status of applicant*—(1) *For an individual.* One sworn statement that the applicant is a citizen of the United States.

(2) *For an association of individuals.* One sworn statement of each member that he is a citizen of the United States, together with a certified copy of the articles of association except when a certified copy is already on file in the office of the Regional Forester or when a copy has been filed with and accepted by the Federal Power Commission. If there be no articles of association, that fact must be stated over the signature of each member together with a sworn statement by at least one member that those signing the statement are all of the members of the association.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7835, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704; 8 F.R. 179, 375, 926, 1204, 1279, 2274, 2498.

[1] 7 F.R. 5999, 8217, 8940, 10705.

[1] 7 F.R. 6426, 6965, 7604, 7758, 8282, 8431, 8810, 9195, 9894; 8 F.R. 130, 149.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4439, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

(3) *For a private corporation.* (i) One copy of the charter or articles of incorporation duly certified by its secretary under the seal of the corporation or by the Secretary of State in which it was incorporated, except when a duly certified copy is already on file in the office of the Regional Forester or when a duly certified copy has been filed with and accepted by the Federal Power Commission.

(ii) When the easement applied for is located in a State other than that in which the applicant was incorporated, one certificate by the proper officer of the State in which the easement is located that the applicant has complied with the laws of such State governing foreign corporations to the extent required to entitle the applicant to operate in such State, except when satisfactory evidence of such compliance is already on file in the office of the Regional Forester or with the Federal Power Commission.

(4) *For a public corporation.* One copy of the law under which it was organized. [Reg. E–6]

§ 251.56 *Extension of construction period.* An extension of the period specified in the easement for beginning and completing construction may be granted by the Secretary. Such an extension will be granted only after a showing is made by the grantee to the satisfaction of the Secretary that compliance with the periods specified in the easement has been prevented by difficulties that could not reasonably have been foreseen or by other special and peculiar causes beyond the control of the grantee. [Reg. E–7]

§ 251.57 *Annual charges.* Unless otherwise provided in the easement, the grantee shall pay annually, in advance, such reasonable charges as may be specified by the Secretary. Deposit of the charges for a full year shall be made prior to the grant of the easement. [Reg. E–8]

§ 251.58 *Transfer of easement.* Transfer of the easement to any citizen, association of citizens or corporation of the United States shall be conditioned upon:

(a) The transferor and the transferee filing with the Regional Forester an application in quadruplicate on Form E–104 subscribed to jointly by the transferor and transferee, and certified copies of instrument of conveyance, judgment, will, contract or sale whereby title to the property is conveyed;

(b) Acceptance by the transferee of the conditions in the easement and such additional conditions as the Secretary may prescribe;

(c) Written evidence of the Secretary's approval of the transfer. [Reg. E–9]

§ 251.59 *Deviations during construction.* Material deviations during construction from the location shown in the application shall not be made except with the prior approval of the Secretary and such deviation will not be allowed if it will interfere with the occupancy and use under existing permits, easements or licenses of lands administered by the Forest Service. If after the completion of construction there are any deviations in location from that shown upon the original map or approved amendments thereof, a supplemental map prepared in the manner prescribed for original maps of location shall be filed with the Regional Forester within six (6) months after completion of construction. Application for approval of any material deviation during construction and other changes in the location shown upon the application maps shall be filed with the Regional Forester in quadruplicate on Form E–103 and in accordance with the specific conditions in the easement. [Reg. E–10]

§ 251.60 *Forfeiture or annulment of easement.* The Secretary may declare an easement forfeited or annulled for nonuse for a period of two (2) years or for abandonment. Such action shall not be taken until the grantee has been given not less than thirty (30) days' written notice of the contemplated action. [Reg. E–11]

§ 251.61 *Abandonment with approval of Secretary.* An easement may be abandoned or surrendered with the approval of the Secretary upon fulfillment by the grantee of such obligations under the easement as the Secretary may prescribe, and if the transmission line authorized by the easement has been constructed in whole or in part, then upon such conditions with respect to the disposition of the transmission line as may be prescribed by the Secretary. [Reg. E–12]

§ 251.62 *Remedies upon breach by grantee.* Upon breach by the grantee of any of the terms or conditions set forth in these regulations or in the easement, the United States may enforce appropriate remedy therefor by injunction, action for damages or otherwise. If any such breach shall be continued or repeated after thirty (30) days' written notice thereof, given in behalf of the United States to the grantee, the easement granted, together with all rights thereunder and all charges and other moneys paid thereon, may be forfeited to the United States by a suit for that purpose in any court of competent jurisdiction. [Reg. E–13]

§ 251.63 *Removal of transmission line upon forfeiture, annulment or abandonment.* The transmission line shall be removed from the easement or otherwise disposed of as prescribed by the Secretary within twelve (12) months after the declaration by the Secretary of the forfeiture or annulment of the easement or the approval by the Secretary of the abandonment or surrender thereof. If the transmission line is not so removed or disposed of it and every part thereof shall be and become the property of the United States. [Reg. E–14]

§ 251.64 *Modification of easement.* An application for modification of an easement shall be filed with the Regional Forester in quadruplicate on Form E–103 and the grantee shall furnish such data and information as may be requested by the Regional Forester. Approval of a modification shall be conditioned upon the acceptance in writing by the grantee of all the terms and conditions thereof. [Reg. E–15]

Issued this 16th day of March 1943.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43–4150; Filed, March 17, 1943; 11:49 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. D–13]

HOLMES–DARST COAL CORP.

ORDER OF THE DIRECTOR

In the matter of the application of Holmes-Darst Coal Corporation for permission to receive sales agents' commissions and distributors' discounts on coal sold to certain retail yards in which it is financially or otherwise interested.

Upon the basis of the Findings of Fact and Conclusions of Law set forth in the Opinion of the Director, filed simultaneously herewith, wherein it appears that application was made by petitioner, Holmes-Darst Coal Corporation, a registered distributor (Registration No. 4454), for permission to accept or retain distributors' discounts or sales agents' commissions on coal purchased for resale or sold by petitioner to Wm. M. Coady Coal Company, Horne Coal Company, North State Fuel Company, J. F. Phillips Coal Company, Claude M. Trawick Coal Company, Wright Coal Company and Yadkin Fuel Company and C. L. Bolton Coal Co., Inc.,

It is hereby ordered and determined, That the acceptance or retention of distributors' discounts or sales agents' commissions on coal sold by petitioner, Holmes-Darst Coal Corporation to the Wm. M. Coady Coal Company, Horne Coal Company, North State Fuel Company, J. F. Phillips Coal Company, Claude M. Trawick Coal Company, Wright Coal Company, and Yadkin Fuel Company is not prohibited by § 317.10 (*Miscellaneous provisions*—(c) *Effect of control by retail purchaser*) of the Rules and Regulations for the Registration of Distributors, § 318.2 (j) (*Sales Agents*) of the Marketing Rules and Regulations, and by the provisions of the Bituminous Coal Act of 1937 and the Rules and Regulations thereunder, and that the relief prayed for herein should in this respect be granted.

It is further ordered and determined, That the acceptance or retention of distributors' discounts or sales agents' commissions on coal sold by petitioner, Holmes-Darst Coal Corporation to C. L. Bolton Coal Co., Inc., is prohibited by § 317.10 (c) of the Rules and Regulations for the Registration of Distributors, § 318.2 (j) of the Marketing Rules and Regulations, and by the provisions of the Act and the Rules and Regulations thereunder, and that the relief prayed for herein should in this respect be denied.

Dated: March 17, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–4155; Filed, March 17, 1943; 12:08 p. m.]

[Docket No. A–1603]

SPRINGFIELD COAL CORP.

ORDER CANCELLING HEARING AND TERMINATING PROCEEDINGS

In the matter of the petition of Springfield Coal Corporation, operator of Springfield No. 5 Mine, Mine Index No. 153, for approval of agreement to purchase 400 net tons of coal per day from F. R. Maurer and T. F. Price, a co-partnership, doing business as Maurer and Price, operator of the Carnwath No. 6 (S), Mine Index No. 3705, and Carnwath No. 7 (D) Mine, Mine Index No. 3706; for changes in freight origin group numbers and shipping points for the coals of Mine Index Nos. 3705 and 3706; and for permission to mix the coals of these mines.

The above-entitled matter having been established for hearing on March 16, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C., by an Order issued herein on February 23, 1943; and

A petition for leave to discontinue the above-mentioned proceedings having been filed herein by the above-named petitioner; and

The Director being of the opinion that good cause for the granting of said petition has been shown, and that said hearing should be cancelled and said proceedings herein terminated;

Now, therefore, it is ordered, That said petition be and the same hereby is granted and that said hearing be and the same hereby is cancelled and that the said proceedings hereby are terminated.

Dated: March 15, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–4154; Filed, March 17, 1943; 12:08 p. m.]

[Docket No. A–1870]

DISTRICT BOARD 1

ORDER GRANTING REQUEST TO POSTPONE HEARING AND POSTPONING HEARING

In the matter of the petition of the Bituminous Coal Producers Board for District No. 1, requesting permission to mix coals of Mine Index Nos. 2081 and 2010; and to mix coals of Mine Index Nos 1654, 683, 3204 and 2886.

The above-entitled matter having been heretofore scheduled for hearing on March 16, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C., by an order issued herein on March 1, 1943; and

A request that said hearing be postponed for a period of thirty (30) days having been filed herein by the above-named petitioner; and

The Director being of the opinion that good cause for the granting of said request has been shown, and that said hearing should be postponed;

Now, therefore, it is ordered, That said request be and the same hereby is granted and that said hearing be and the same hereby is postponed for March 16, 1943, at 10 o'clock in the forenoon of that day to April 16, 1943, at 10 o'clock in the forenoon of that day, at the place and before the officer or officers heretofore designated.

It is further ordered, That said order issued herein on March 1, 1943, shall, in all other respects, remain in full force and effect.

Dated: March 15, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–4153; Filed, March 17, 1943; 12:08 p. m.]

[Docket No. A–1897]

DISTRICT BOARD 2

NOTICE OF AND ORDER FOR HEARING AND ORDER DENYING REQUEST FOR TEMPORARY RELIEF

In the matter of the petition of District Board No. 2 for the establishment of an additional price exception in the schedule of effective minimum prices for District No. 2 for all shipments except truck.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 13, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 7, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the original petition filed in the above-entitled matter by District Board No. 2 requesting the establishment of an additional Price Exception in the Schedule of Effective Minimum Prices for District No. 2 For All Shipments Except Truck to read substantially as follows:

In order to expedite the production and distribution of bituminous coal during the period of the present National emergency, any Code Member who is now making rail shipments of coal may, until further order of the Director, make such shipments from any loading point located within reasonable proximity to the loading point or points presently established for his mine or mines: *Provided,* Such additional loading facilities are located on the same railroad or railroads and are within the same original freight rate zone or zones which are included within the boundaries of the freight origin group number or numbers presently assigned by the Division to such mine or mines or within another freight origin group taking the same adjustments; and *Provided, further,* That the Code Member desiring to make such shipments from such additional loading point or points shall have notified in writing the Division and the District Board of the intention to use such additional facility or facilities, describing their location and stating the necessity for such use.

It is further ordered, That the request for temporary relief be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–4156; Filed, March 17, 1943; 12:08 p. m.]

[Docket No. A–1853]

DISTRICT BOARD 6

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 6 requesting the establishment of a temporary change in shipping point for the coals of the Rivercoal, Inc. Mine, Mine Index No. 29 of Rivercoal, Inc.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment of a temporary change in the shipping point from Moundsville, West Virginia on the Baltimore & Ohio Railroad to South Wheeling (Wheeling), West Virginia on the Pennsylvania Railroad, for the coals of Rivercoal, Inc., Mine Index No. 29 of Rivercoal, Inc.; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 6 For All Shipments Except Truck is supplemented to include a change in shipping point from Moundsville, West Virginia on the Baltimore & Ohio Railroad to South Wheeling (Wheeling), West Virginia on the Pennsylvania Railroad for the coals of Rivercoal Inc. Mine, Mine Index No. 29 of Rivercoal, Inc.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall terminate sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4170; Filed, March 18, 1943; 10:45 a. m.]

[Docket No. A-1856]

DISTRICT BOARD 11

ORDER DISMISSING PETITION AND CANCELLING HEARING

In the matter of the petition of District Board No. 11 for establishment of minimum prices for raw and for washed stoker coals for shipment to MStP&SSM Railway for locomotive use.

District Board No. 11, having filed an original petition in the above-entitled matter pursuant to section 4 II (d) of the Bituminous Coal Act of 1937; and

A hearing in the above-entitled matter having been heretofore scheduled to be held on March 23, 1943; and

A motion having been filed by District Board No. 11 requesting that its petition in this matter be dismissed without prejudice;

Now, therefore, it is ordered, That the petition of District Board No. 11 in the above-entitled matter be, and it hereby is, dismissed without prejudice to the original petition herein.

It is further ordered, That the hearing in this matter heretofore scheduled to be held on March 23, 1943, be, and it hereby is, cancelled.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4171; Filed, March 18, 1943; 10:45 a. m.]

[Docket No. A-1812]

DISTRICT BOARD 17

ORDER CANCELLING HEARING AND DISMISSING PETITION

In the matter of the petition of District Board No. 17 for the elimination of Price Instruction and Exception No. 15 from the schedule of effective minimum prices for District No. 17 for all shipments.

The original petitioner having moved that its petition in the above-entitled matter be dismissed without prejudice, and it appearing that there is no objection thereto;

Now, therefore, it is ordered, That the hearing scheduled to be held in the above-entitled matter on March 22, 1943, at a hearing room of the Bituminous Coal Division at Denver, Colorado, be, and it hereby is, cancelled.

It is further ordered, That the original petition in the above-entitled matter be, and it hereby is, dismissed.

Dated: March 17, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4169; Filed, March 18, 1943; 10:44 a. m.]

[Docket No. B-357]

HUDSON COAL CO.

ORDER CHANGING PLACE OF HEARING

The above-entitled matter having been heretofore scheduled for hearing on March 29, 1943 at 10 a. m. at the Court Room, Salt Lake Court, Salt Lake City, Utah; and

The Director deeming it advisable that said place of hearing be changed;

It is therefore ordered, That the hearing in the above-entitled matter be changed from the Court Room, Salt Lake Court, Salt Lake City, Utah to a hearing room of the Division, Newhouse Hotel, Salt Lake City, Utah at the time heretofore designated and before the officer previously designated to preside at said hearing.

Dated: March 17, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4173; Filed, March 18, 1943; 10:44 a. m.]

[Docket No. 1516-FD]

STONE MINING COMPANY, INC.

ORDER POSTPONING HEARING, ETC.

Order postponing hearing, changing place of hearing, and requiring witnesses to appear and testify at said postponed hearing.

The above entitled matter having been reopened and a hearing herein having been scheduled on March 18, 1943, at 10:00 a. m., at a hearing room of the Bituminous Coal Division at the Daviess Circuit Court, Owensboro, Kentucky, pursuant to an Order Reopening Matter and Notice of and Order for Hearing entered herein on March 6, 1943; and

Subpoenas having been issued against Clifton G Stone and Ethel C. Harris, both of Evansville, Indiana, requiring each of them to appear before the presiding officer at said hearing at the time and place aforesaid to testify and give evidence in the above entitled matter and to bring with each of them and to produce at the time and place aforesaid certain books and records; and

Subpoenas having been issued against Henry Miller, Herb Addington, both of Boonville, Indiana, and George Kissinger of Evansville, Indiana, requiring each of them to appear before the presiding officer at said hearing at the time and place aforesaid to testify and to give evidence in the above entitled matter; and

The director deeming it advisable that said hearing should be postponed and the place of hearing changed:

Now therefore it is ordered, That the hearing in the above entitled reopened matter be and the same hereby is postponed from March 18, 1943, at 10:00 a. m., at a hearing room of the Bituminous Coal Division, at the Daviess Circuit Court, Owensboro, Kentucky, to March 27, 1943, at 10:00 a. m., at a hearing room of the Bituminous Coal Division at Vanderburgh County Courthouse, Evansville, Indiana.

It is further ordered, That said Clifton G. Stone and Ethel C. Harris appear before the duly designated presiding officer at 10:00 a. m. on March 27, 1943 at a hearing room of the Bituminous Coal Division at Vanderburgh County Courthouse, Evansville, Indiana, to testify and give evidence in the above entitled matter to bring with each of them and to produce on March 27, 1943 at the time and place aforesaid certain books and records as described in said subpoenas.

It is further ordered, That George Kissinger, Henry Miller, and Herb Addington appear before the duly designated presiding officer at 10:00 a. m. on March 27, 1943 at a hearing room of the Bituminous Coal Division at Vanderburgh County Courthouse, Evansville, Indiana to testify and give evidence in the above entitled matter as required by said subpoenas.

It is further ordered, That said Order Reopening Matter and Notice of and Order for Hearing shall in all respects remain in full force and effect except as herein modified.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4174; Filed, March 18, 1943; 10:44 a. m.]

[Docket No. B-277]

MARKET STREET COAL CO.

ORDER POSTPONING HEARING

In the matter of J. H. Cox and R. L. Stulce, individually and as partners doing business under the name and style of Market Street Coal Company, code member.

Order postponing hearing and requiring witnesses to appear and testify at said postponed hearing.

The above-entitled matter having been scheduled for hearing on March 20, 1943, at 9 a. m. at a hearing room of the Bituminous Coal Division, at the Hamilton County Court House, Chattanooga, Tennessee, pursuant to an Order dated March 9, 1943; and

J. H. Cox, R. L. Stulce, J. E. Moreland, Sol Dubrow, Pavlow & Company, and Lookout Oil & Refining Company, all of Chattanooga, Tennessee, having been duly served with subpoenas requiring J. H. Cox, R. L. Stulce, J. E. Moreland, Sol Dubrow, and any officer or member of Pavlow & Company and Lookout Oil & Refining Company to appear before the presiding officer at said hearing at the time and place aforesaid, to testify and give evidence in the above-entitled matter and to bring with each of them, and to produce at the time and place aforesaid, certain books and records; and

The Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same hereby is, postponed from March 20, 1943 at 9 a. m. at a hearing room of the Bituminous Coal Division at the Hamilton County Court House, Chattanooga, Tennessee, to March 24, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division, at the Hamilton County Courthouse, Chattanooga, Tennessee; and

It is further ordered, That J. H. Cox, R. L. Stulce, J. E. Moreland, and Sol Dubrow, and any officer or member of Pavlow & Company and Lookout Oil & Refining Company, all of Chattanooga, Tennessee, appear before the presiding officer on March 24, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division, at the Hamilton County Courthouse, Chattanooga, Tennessee, to testify and give evidence in the above-entitled matter and to bring with each of them and to produce at the time and place aforesaid, certain books and records as described in said subpoenas.

It is further ordered, That the Notice of and Order for Hearing herein dated June 25, 1942 shall, in all other respects, remain in full force and effect.

Dated: March 17, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4172; Filed, March 18, 1943; 10:44 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Supplemental Order 98-A to Commission Order 98]

RATES FOR GOVERNMENT COMMUNICATIONS BY TELEGRAPH

DAY LETTER LONGRAMS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of March 1943;

The Commission having under consideration paragraph 4 of its Order No. 98,[1] in connection with the new message telegraph classification known as Day Letter/Longrams, established February 1, 1943, and paragraph 12 of its Order No. 98, in connection with the amendment of section 5266 of the Revised Statutes, as amended (U.S.C., 1940 Edition, Title 47, section 3), effected by section 6 of Public Law 4, 78th Congress, 1st Session, approved March 6, 1943;

It is ordered: (1) That, until and including the 30th day of June 1943, each Day Letter/Longram between the several departments of the Government and their officers relating exclusively to the public business shall be sent at a charge not exceeding 80 percentum of the charge applicable to a like commercial Day Letter/Longram between the same points in the United States, or 60 percentum of the charge for such message computed at the following rates, whichever shall produce the lower charge for the particular message: for the first 50 words or less, one and one-half times the 10-word Day Message (Telegram) rate between the same points, and for each additional 10 words or less, one-fifth of the initial 50-word rate: *Provided, however*, That the charge for a serial Longram shall not exceed 80 percentum of the charge applicable to a like commercial serial Longram; that a Day Letter/Longram shall be charged for as a Day Letter/Longram as above provided or as a Day Message, according to which of these classifications shall produce the lower charge for the particular message; that when the first section of a serial Longram is not followed by another on the same day, it shall be charged for as a Day Letter/Longram as above provided, or as a Day Message, according to which of these two classifications shall produce the lower charge for the particular message; that when more than one section of a serial Longram is filed on the same day the sections shall be charged for at serial Longram rates, or at Serial rates, or each section of the serial Longram shall be charged for as a Day Letter/Longram as above provided, or as a Day Message, according to which of these four classifications shall produce the lowest total charge: *And provided further*, That the minimum charge for Day Letter/Longrams shall be 45 cents and for serial Longrams 60 cents, unless either of these amounts shall be greater than the minimum for a corresponding commercial message, in which event the provisions set forth in paragraph 5 of Order No. 98 shall apply.

2. That on and after March 6, 1943, the words "telegraph communications between the several departments of the Government and their officers and agents", wherever they appear in Order No. 98, shall be construed to mean "telegraph communications between the several departments of the Government and their officers, relating exclusively to the public business"; and paragraph numbered 12 of Order No. 98 shall be disregarded and have no effect.

3. That this supplemental order shall be effective immediately.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-4182; Filed, March 18, 1943; 11:08 a. m.]

[1] 7 F.R. 4124.

[Docket No. 6492]

RED LANDS BROADCASTING ASSOCIATION (KRBA)

NOTICE OF HEARING

In re application of Ben T. Wilson, R. A. Corbett and Thomas W. Baker, Copartners, d. b as Red Lands Broadcasting Association (KRBA); Dated July 31, 1942; for voluntary assignment of license; class of service, broadcast; class of station, broadcast; location, Lufkin, Texas; operating assignment specified: Frequency, 1340 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for a consolidated hearing with Docket No. 6491, for the following reasons:

1. To obtain full information as to the qualifications of the proposed assignee to own, operate and finance Station KRBA.

2. To obtain full information with respect to the promotion, financing, construction, ownership, management, operation and control of Station KRBA.

3. To determine whether any rights granted in the license to Red Lands Broadcasting Association (Station KRBA) have been transferred, assigned or in any manner disposed of, without the consent in writing of the Commission, in violation of section 310 (b) of the Communications Act of 1934, as amended.

4. To determine what contracts, agreements or understandings, written or oral, which have been made or which now exist with reference to the ownership, supervision and/or control of Station KRBA, between the licensee of said station and the proposed assignee and other persons.

5. To determine whether the representations and statements submitted to the Commission, in records filed by the licensee, its officers and agents, with respect to the ownership, management, and control of Station KRBA truly and accurately reflect the facts.

6. To determine whether applicants have made full and complete disclosure of all the material facts affecting the proposed assignment of the license of Station KRBA, and particularly the actual consideration, if any, to be paid or promised to be paid, by the proposed assignee to the proposed assignor.

7. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by granting the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Red Lands Broadcasting Association, B. T. Wilson, President, Radio Station KRBA, 108½ South First Street, Lufkin, Texas.

Dated at Washington, D. C., March 17, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-4180; Filed, March 18, 1943; 11:08 a. m.]

[Docket No. 6491]

RED LANDS BROADCASTING ASSOCIATION (KRKA)

NOTICE OF HEARING

In re application of Ben T. Wilson, R. A. Corbett and Thomas W. Baker, Copartners, d/b as Red Lands Broadcasting Association (KRBA); dated July 30, 1942; for renewal of license; class of service, broadcast; class of station, broadcast; location, Lufkin, Texas; operating assignment specified: Frequency, 1340 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for a consolidated hearing with Docket No. 6492, for the following reasons:

1. To obtain full information as to qualifications of the applicant to operate Station KRBA.

2. To obtain full information with respect to the promotion, financing, construction, ownership, management, operation and control of Station KRBA.

3. To determine whether any rights granted in the license to Red Lands Broadcasting Association (Station KRBA) have been transferred, assigned or in any manner disposed of, without the consent in writing of the Commission, in violation of section 310 (b) of the Communications Act of 1934, as amended.

4. To determine what contracts, agreements or understandings, written or oral, which have been made or which now exist with reference to the ownership, supervision and/or control of Station KRBA, between the licensee of said station and the proposed assignee and other persons.

5. To determine whether the representations and statements submitted to the Commission, in records filed by the licensee, its officers and agents, with respect to the ownership, management and control of Station KRBA truly and accurately reflect the facts.

6. To determine whether applicants have made full and complete disclosure of all the material facts affecting the proposed assignment of the license of Station KRBA, and particularly the actual consideration, if any, to be paid or promised to be paid, by the proposed assignee to the proposed assignor.

7. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by granting the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Red Lands Broadcasting Association, B. T. Wilson, President, Radio Station KRBA, 108½ South First Street, Lufkin, Texas.

Dated at Washington, D. C., March 17, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-4181; Filed, March 18, 1943; 11:08 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Dockets Nos. FDC-21 (a), and FDC-31 (a)]

DEFINITIONS AND STANDARDS OF ENRICHED FLOURS, ETC.

NOTICE OF HEARING

In the matter of amended definitions and standards of identity for enriched flour, enriched bromated flour, enriched self-rising flour, and enriched farina; and in the matter of a definition and standard of identity for enriched bread and enriched rolls or enriched buns.

Notice is herby given that the Administrator of the Federal Security Agency, in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act, secs. 401 and 701, 21 U.S.C. secs. 341 and 371 (Supp. V, 1939), will hold a public hearing commencing at 10 o'clock on the morning of April 19, 1943, in Room 1409, South Building, Independence Avenue between 12th and 14th Streets, SW., Washington, D. C. for the purpose of receiving evidence upon the basis of which regulations may be promulgated amending the definitions and standards of identity for enriched flour, enriched bromated flour, enriched self-rising flour, and enriched farina (6 F.R. 2579-82); and for the purpose of receiving additional evidence relating to the use of certain vitamins and minerals in enriched bread and enriched rolls or buns, for which definitions and standards of identity were suggested in 6 F.R. 2772.

The specific suggestions to be considered at the hearing are set forth below. It is not to be inferred from the fact that these suggestions are made that they represent the views of the Federal Security Agency or that evidence concerning them will be adduced by the Agency. Interested persons are notified that the hearing is a fact-finding proceeding and that such suggestions are subject to adoption, rejection, amendment, or modification, in whole or in part, as the evidence of record may require. No evidence will be received which is not relevant and material to the use of the vitamins and minerals named in such suggestions.

Alanson W. Willcox is hereby designated as Presiding Officer to conduct the hearing in the place of the Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing.

The hearing will be conducted in accordance with the rules of practice provided for such hearings as published in 21 Code of Federal Regulations, §§ 2.701 to 2.715 (Supp. 1939).

In lieu of personal appearance, interested persons may proffer affidavits by delivering them to the Presiding Officer at Room 2242, South Building, Independence Avenue between 12th and 14th Streets SW., Washington, D. C., not later than 10 o'clock in the morning of the day of the opening of the hearing. Such affidavits must be submitted in quintuplicate and, if relevant and material, may be received and made a part of the record at the hearing, but the Administrator will consider the lack of opportunity for cross-examination in determining the weight to be given to statements in the affidavits. Every interested person will be permited to examine the affidavits proffered and to file with the Presiding Officer during the hearing affidavits counter to relevant and material statements of fact and opinion in such original affidavits.

Suggestions relating to the definitions and standards of identity for enriched flour, enriched bromated flour, and enriched self-rising flour. It is suggested that such definitions and standards be amended:

(1) By changing the minimum and maximum limits for vitamin B_1, niacin, and iron to the following:

	Milligrams per pound of the food	
	Minimum	Maximum
Vitamin B_1	2.0	2.4
Niacin	16.0	32.0
Iron	13.0	26.0

(2) By changing the maximum limit for riboflavin to 2.4 milligrams per pound of the food.

Suggestions relating to enriched bread and enriched rolls or buns. It is suggested that definitions and standards of identity be prescribed for enriched bread and enriched rolls or enriched buns, which provide for the use of vitamin B_1, niacin, riboflavin, iron, calcium, and vitamin D, and that the minimum and maximum limits for such vitamins and minerals be as follows:

	Minimum	Maximum
Vitamin B_1	1.1	2.2 mgs. per lb. of the food.
Niacin	10.0	20.0 mgs. per lb. of the food.
Riboflavin	0.7	1.4 mgs. per lb. of the food.
Iron	8.0	16.0 mgs. per lb. of the food.
Calcium	300	600 mgs. per lb. of the food.
Vitamin D	150	600 U. S. P. units per lb. of food.

Additional suggestions to be considered. Testimony will also be received with respect to the suggestions embodied in the following questions:

(1) Shall calcium be designated as a required ingredient instead of an optional ingredient in the definitions and standards of identity for enriched flour, enriched bromated flour, and enriched self-rising flour, and shall its maximum limit be changed to 1,000 milligrams per pound of the food?

(2) Shall the minimum limits be changed in the definition and standard of identity for enriched farina, and shall maximum limits be provided, for vitamin B_1, niacin, riboflavin, iron, calcium, and vitamin D as follows:

	Minimum	Maximum
Vitamin B_1	2.0	4.0 mgs. per lb. of food.
Niacin	16.0	32.0 mgs. per lb. of food.
Riboflavin	1.2	2.4 mgs. per lb. of food.
Iron	13.0	26.0 mgs. per lb. of food.
Calcium	3,000	6,000 mgs. per lb. of food.
Vitamin D	3,200	6,400 U. S. P. units per lb. of food.

(3) Shall calcium and vitamin D be designated as required ingredients instead of optional ingredients in the definition and standard of identity for enriched farina?

(4) Shall calcium be designated as a required ingredient in definitions and standards of identity for enriched bread and enriched rolls or enriched buns?

[SEAL] WATSON B. MILLER,
Acting Administrator.

MARCH 17, 1943.

[F. R. Doc. 43-4179; Filed, March 18, 1943; 11:06 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-38]

PENNSYLVANIA GREYHOUND LINES, INC., AND THE LAKE SHORE COACH CO.

COORDINATED OPERATION BETWEEN TOLEDO AND NORWALK, OHIO

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with the Office of Defense Transportation by Pennsylvania Greyhound Lines, Inc. and The Lake Shore Coach Company, pursuant to § 501.49 of General Order ODT 11, as amended (7 F.R. 4389, 11099), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio, and The Lake Shore Coach Company, Sandusky, Ohio, (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Norwalk, Ohio, and Toledo, Ohio, as common carriers by motor vehicle, shall:

(a) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(b) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commisison ticket agencies used jointly by the carriers, service, travel information and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Pennsylvania Greyhound Lines, Inc. shall provide passenger service for any intrastate passengers moving between Toledo, Ohio, and Norwalk, Ohio, and to, from or between all intermediate points, who hold tickets for transportation issued by The Lake Shore Coach Company.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-38".

This order shall become effective March 27, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of March 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-4185; Filed, March 18, 1943; 11:47 a. m.]

[Special Order ODT B-39]

NORTHERN PACIFIC TRANSPORT CO. AND BURLINGTON TRANSPORTATION CO.

COORDINATED OPERATION BETWEEN BILLINGS, MONTANA, AND WYOMING-MONTANA STATE LINE

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Northern Pacific Transport Company, Billings, Montana, and Burlington Transportation Company, Chicago, Illinois, pursuant to § 501.49 of General Order ODT 11, as amended (7 F.R. 4389, 11099), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *it is hereby ordered*, That:

1. Northern Pacific Transport Company, Billings, Montana, and Burlington Transportation Company, Chicago, Illinois, (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Billings, Montana, and the Wyoming-Montana State Line, via Bridger, Montana, over U. S. Highway No. 310, as common carriers by motor vehicle, shall:

(a) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(b) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Subject to obtaining authorization from the Board of Railroad Commissioners of the State of Montana, the Burlington Transportation Company shall provide passenger service for intrastate passengers moving between Billings, Montana, and the Wyoming-Montana State Line via Bridger, Montana, over U. S. Highway No. 310, and to, from, or between all intermediate points, providing passengers traveling only between Billings, Montana, and Bridger, Montana, and to, from, or between all points intermediate thereto, hold tickets issued by the Northern Pacific Transport Company.

3. The carriers forthwith shall file with the Interstate Commerce Commission in

respect of transportation in interstate or foreign commerce, and with the Board of Railroad Commissioners of the State of Montana, in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-39".

This order shall become effective March 27, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 13th day of March 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-4186; Filed, March 18, 1943; 11:47 a. m.]

PRIVATE CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN OF MILK DISTRIBUTORS IN ALBANY MILK MARKETING AREA OF NEW YORK

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 6, as amended, superseded in part by General Order ODT 17, as amended (7 F.R. 3008, 3532, 4184; 7 F.R. 5678, 7694)), the private carriers named in the Appendix hereof have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of milk in the Albany Milk Marketing Area, New York.

The participants have agreed that all retail delivery and distribution of milk in such Area shall be on an every-other-day basis, and that not more than one call every two days shall be made at the premises of any retail customer except as permitted by paragraph (a) of § 501.32 of General Order ODT 6, as amended (now governed by General Order ODT 17, as amended). Those distributors operating retail routes agree not to make any deliveries, except wholesale deliveries, from such routes prior to 7 o'clock A. M. during any calendar day. The parties further agree, in order to shorten routes and reduce mileage of motor vehicles, that customers, routes or portions of routes, may be exchanged.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under Section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 16th day of March 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

APPENDIX

1. Elm Farm Dairy, Inc.
2. General Ice Cream Corp.
3. Bergmann's Dairy.
4. Henry Dubl.
5. Jersey Farm's Dairy, Inc.
6. Crescent Dairy.
7. Norman's Kill Farm Dairy Co.
8. Borden Boulevard Dairy.
9. Leonard Bol, Jr.
10. Milton A. Dabert.
11. Garnee Farm.
12. C. J. Momrow.
13. E. J. Newbury.
14. F. Momrow & Sons.
15. Prentice R. Redden.
16. North Sholor Farm Dairy.
17. Central Dairy.
18. Arthur O. Rapp.
19. Jordan's Dairy.
20. A. W. Ebut & Son.
21. Schark Dairy.
22. Brodys Dairy, Inc.
23. Julius W. Preake.
24. Charles Minick.
25. James H. Petersen.
26. Peter P. Verdegool.
27. Elmer S. Crounse.
28. Charles L. Var Wie.
29. Orville H. Mosher.
30. Diederich, Inc.
31. Second Ave. Dairy.
32. Corning Farms.
33. Vlaumanskill Farms.
34. Youmans Farm.
35. Peter Dickens.
36. S. R. Hoffman.
37. C. Crocker.

[F. R. Doc. 43-4188: Filed, March 18, 1943; 11:48 a. m.]

[Order 199 Under MPR 188]

OLSAN RIVERSIDE FURNITURE COMPANY

APPROVAL OF MAXIMUM PRICES

Correction

In paragraph (a) appearing on page 2953 of the issue for Wednesday, March 10, 1943, the price for "Using hard wood" should be $7.00 instead of $7.60.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-59]

AMERICAN STATES UTILITIES CORP., ET AL

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of March, A. D. 1943.

In the matter of American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, Grimes Pass Power Company, respondents.

The Commission having examined the corporate structure of American States Utilities Corporation, a registered holding company, and the corporate structure of its subsidiary companies; namely, Edison Sault Electric Company, Southern California Water Company, and Grimes Pass Power Company, the relationships among such companies, the character of the interests thereof and the properties owned and controlled thereby, and having examined the files and records of the Commission relating thereto, and such examination having disclosed data establishing or tending to establish the following:

(1) American States Utilities Corporation is a registered holding company under the Public Utility Holding Company Act of 1935, organized under the laws of Maryland, maintaining its principal place of business at 10 Light Street, Baltimore, Maryland.

(2) American States Utilities Corporation has three subsidiaries; namely, Edison Sault Electric Company, Grimes Pass Power Company, and Southern California Water Company, and American States Utilities Corporation owns 100% of the outstanding common stock of each of such subsidiaries. In addition, American States owns 3,800 shares of the common stock of Central Electric and Telephone Company, which is less than 5% of the outstanding voting securities of said company.

(3) The corporate and consolidated capitalization, including surplus per books, of American States Utilities Corporation, as of December 31, 1942, was as follows:

	Consolidated		Corporate	
	Amount	Percent	Amount	Percent
Funded Debt:				
Southern California Water Company Bonds and Notes	$4,000,000	46.01	----------	----
Edison Sault Electric Company Bonds and Notes	1,070,000	10.70	----------	----
Total Funded Debt	$5,070,000	50.71	----------	----
Preferred Stocks:				
Southern California Water Company Preferred Stock	$800,000	8.00	----------	----
American States Utilities Corporation Preferred Stock	3,243,075	32.44	$3,243,075	----
Total Preferred Stocks	$4,043,075	40.44	$3,243,075	----
Common Stock and Surplus:				
American States Utilities Corporation Common Stock	$221,088	2.21	$221,088	----
Earned Surplus	* 236,660	2.37	444,197	----
Capital Surplus	427,239	4.27	427,299	----
Total Common Stock & Surplus	$884,927	8.85	$743,462	----
Total Capitalization	$9,998,002	100.00	$3,986,537	----

(4) Edison Sault Electric Company is a corporation organized and existing under the laws of the State of Michigan, to which State its operations are confined. It owns and operates facilities used for the generation, transmission, and distribution of electric energy for sale in the upper peninsula of Michigan and on Mackinac Island, Michigan, and is an electric utility company as defined by section 2 (a) (3) of the Public Utility Holding Company Act of 1935. Edison Sault Electric Company also furnishes water and sewerage service to a portion of the area served by it with electric energy.

(5) Grimes Pass Power Company is a corporation organized and existing under the laws of the State of Idaho, to which State its operations are confined. It owns and operates facilities used for the generation, transmission, and distribution of electric energy for sale within the towns of Grimes Pass, Idaho City, Centerville, Peaceville, and Quartzville, all located in Boise County, Idaho.

(6) Southern California Water Company is a corporation organized and existing under the laws of the State of California, to which State its operations are confined. The principal business of Southern California Water Company is that of supplying water to consumers in and about the City of Los Angeles, California. This company owns and operates facilities used for the distribution of electric energy for sale and distributes and sells such electric energy in one community, namely, Big Bear Lake, California. It is also engaged in the ice business. As of December 31, 1942, the revenue derived from the electric business represented approximately 4% of this company's gross revenue.

(7) The electric utility assets of none of said three subsidiary companies of American States Utilities Corporation are physically interconnected with the electric utility assets of either of the other two such subsidiary companies or capable of such physical interconnection. The electric utility assets of the three subsidiary companies cannot be economically operated as a single interconnected and coordinated system confined in its operations to a single area or region, nor can the electric utility assets of any two of such subsidiary companies of American States Utilities Corporation be so operated.

(8) No part of the utility assets of any of the subsidiary companies of American States Utilities Corporation is located in the same state in which any part of the utility assets of either of the two other such subsidiary companies is located, or in an adjoining state.

(9) The holding company system constituted by American States Utilities Corporation and its subsidiary companies is not limited in its operation to a single integrated public utility system, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operations of such integrated public utility system, and systems additional thereto control of which may be retained by American States Utilities Corporation under section 11 (b) (1) of the act;

(10 The corporate structure or continued existence of American States Utilities Corporation unduly or unnecessarily complicates the structure of the American States Utilities Corporation holding company system.

It further appearing to the Commission that it is appropriate and in the public interest that notice be given and a hearing be held for the purpose of determining what action, if any, should be ordered by the Commission under sections 11 (b) (1) and 11 (b) (2) of said act;

It further appearing to the Commission that said proceedings under sections 11 (b) (1) and 11 (b) (2) of said Act involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That proceedings be instituted pursuant to sections 11 (b) (1) and 11 (b) (2) against American States Utilities Corporation, Southern California Water Company, Edison Sault Electric Company, and Grimes Pass Power Company and that said companies be made respondents herein.

It is further ordered, That said proceedings under sections 11 (b) (1) and 11 (b) (2) be and the same hereby are consolidated.

It is further ordered, That American States Utilities Corporation, Southern California Water Company, Edison Sault Electric Company, and Grimes Pass Power Company, respondents herein, shall file with this Commission, on or before March 26, 1943, an answer or answers admitting, denying, or otherwise explaining their respective positions with respect to the allegations set forth in paragraphs numbered 1 to 10, inclusive, of this notice and order.

It is further ordered, That hearings on the proceedings under sections 11 (b) (1) and 11 (b) (2) herein instituted be held on March 31, 1943 at 10:00 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing-room clerk in Room 318.

It is further ordered, That without limiting the scope of the issues presented by the proceedings herein instituted by the Commission, particular attention will be directed at the hearing to the following matters and questions but not necessarily in the order listed:

(1) Whether the allegations set forth in paragraphs numbered 1 to 10, inclusive, in this notice and order are true and accurate; and

(2) Whether the electric utility assets of Edison Sault Electric Company and of Grimes Pass Power Company constitute a single integrated public utility system or a single integrated public utility system and system additional thereto, control of which may be retained by American States under section 11 (b) (1) of the Act;

(3) Whether the businesses conducted by Southern California Water Company and the investment in Central Electric and Telephone Company are reasonably incidental or economically necessary or appropriate to the operations of the electric utility properties of Edison Sault Electric Company and Grimes Pass Power Company;

(4) Whether the continued existence of American States Utilities Corporation in the holding-company system of which it is a part unduly or unnecessarily complicates the structure of that holding-company system, and, if so, what action shall be required to be taken pursuant to section 11 (b) (2) of the Act with respect thereto;

(5) Whether the Commission should enter an order pursuant to section 11 (b) (2) requiring that American States Utilities Corporation liquidate and dissolve.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions hereinbefore set forth or which may arise in these proceedings, or to consolidate these proceedings or any portion thereof with any proceedings which may be instituted subsequently under any other provisions of said Act with respect to American States Utilities Corporation and its subsidiary companies, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

It is further ordered, that notice of said hearing is hereby given to American States Utilities Corporation and its subsidiary companies, namely, Southern California Water Company, Edison Sault Electric Company and Grimes Pass Power Company, and to their respective security holders, all States, municipalities and political subdivisions of States within which are located any of the physical assets of said companies, or under the laws of which any of said companies are incorporated, all State commissions, State securities commissions, and all agencies, authorities or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over such companies or over any of the business, affairs or operations of any of them; that the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to such companies, the Federal Power Commission, and the Public Service Commission of Idaho, the Michigan Public Service Commission and the Railroad Commission of the State of California, not less than fifteen days prior to the date hereinbefore fixed as the date for filing of answers; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the

mailing list for releases under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not less than fifteen days prior to the date hereinbefore fixed as the date of hearing; and

It is further ordered, That any person proposing to intervene or to be heard in these proceedings shall file with the Secretary of the Commission on or before March 26, 1943 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4136; Filed, March 17, 1943; 10:50 a. m.]

[File No. 70-657]

PUGET SOUND POWER & LIGHT COMPANY

INTERIM ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE SUBJECT TO RESERVATION OF JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of March 1943.

Puget Sound Power & Light Company, a subsidiary of Engineers Public Service Company, a registered holding company, having filed a declaration and various amendments thereto pursuant to section 7 of the Public Utility Holding Company Act of 1935 regarding the issuance and sale in accordance with Rule U-50 promulgated under said Act, of $52,000,000 principal amount of first mortgage bonds due December 1, 1972, and the issuance and sale of $6,500,000 principal amount of 3⅛% promissory notes maturing serially 1943 to 1948, by private sale to certain banks pursuant to the exemption provided in paragraph (a) (2) of said Rule U-50 for the purpose of refunding outstanding debt; such issuances and sales being undertaken in order to achieve certain savings contemplated to result therefrom;

A public hearing having been held on said declaration, as amended, after appropriate notice, the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein;

It is ordered, Subject to Commission approval by further order after the terms of the bond financing and the aforementioned savings, if any, have been determined by competitive bidding, that said declaration, as amended, relating to the issuance and sale of bonds and notes be and hereby is permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4166; Filed, March 18, 1943; 9:55 a. m.]

[File Nos. 59-14, 54-19]

INTERNATIONAL HYDRO ELECTRIC SYSTEM, ET AL.

ORDER ELIMINATING SUBSIDIARY HOLDING COMPANIES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of March 1943.

In the matter of International Hydro Electric System, New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust, Massachusetts Utilities Associates, respondents.

Order requiring the elimination of subsidiary holding companies in New England Power Association holding company system.

The Commission having on June 17, 1940 issued its Notice of and Order for Hearing pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to International Hydro-Electric System, a registered holding company, for the purpose of effecting compliance by International Hydro Electric System with the provisions of section 11 (b) (2) of the Act; prior to any evidence having been taken with respect to the issues raised in said order, the Commission having on October 21, 1940 issued its first Supplemental Notice of and Order for Hearing enlarging the scope of the hearing previously called for and naming Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as Trustees under a Trust Agreement dated January 31, 1939, a registered holding company, as additional parties respondent for the purpose of effecting compliance by said Trustees with the provisions of section 11 (b) (2) of the Act; evidence having then been taken with respect to the issues raised in the first Supplemental Notice of and Order for Hearing and said issues having been separately disposed of by an order of the Commission dated January 17, 1941 wherein it was ordered that said Trustees cease to be a holding company with respect to International Hydro-Electric System and its subsidiaries and that they surrender to International Hydro-Electric System the 2,500,000 shares of common stock and 1,000,000 shares of Class B stock of International Hydro-Electric System held by them for a consideration not to exceed one dollar ($1) (Holding Company Act Release No. 2494); and

The Commission having on February 8, 1941, issued its Second Supplemental Notice of and Order for Hearing enlarging the scope of the hearing previously called for and naming as additional parties respondent certain of the subsidiary holding companies of International Hydro-Electric System, namely New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust and Massachusetts Utilities Associates, for the purpose of effecting compliance by said subsidiary holding companies with the provisions of section 11 (b) (2) of the Act; and the Commission having by an order dated February 27, 1941 consolidated a proceeding involving a plan for the liquidation of North Boston Lighting Properties filed by Massachusetts Power and Light Associates and North Boston Lighting Properties pursuant to section 11 (e) of said Act (bearing File No. 54-19) with the proceedings herein; and

The Commission having on July 1, 1941 issued its order reconvening hearings herein and specifying that certain matters relating to certain of the Respondents be taken up and considered for disposition and determination prior to other matters relating to such Respondents and to other Respondents; and

The Commission having on April 14, 1942 issued its order reconvening hearings herein and specifying that the issues relating to International Hydro-Electric System be taken up for consideration and determination; the record with respect to the issues specified in said order of April 14, 1942, having been considered by the Commission and separately disposed of by an order of the Commission dated July 21, 1942 wherein International Hydro-Electric System was directed to liquidate and dissolve and to proceed with due diligence to submit to this Commission a plan of its liquidation and dissolution (Holding Company Act Release No. 3679); and

Hearings have been held with respect to the matters specified in said order of July 1, 1941 and counsel for the Respondents and for the Public Utilities Division of the Commission having stipulated that the record may be closed with respect to such specified matters, and that the Commission may proceed to enter its findings, opinion and order with respect to such specified matters; and

Counsel for the Respondents having waived any right to a trial examiner's report or to submit proposed findings of fact, oral argument or briefs with respect to such specified matters; and

The Commission having examined the record herein with respect to the aforesaid specified matters and having this day made and filed its findings and opinion thereon, finding *inter alia* that the action hereinafter directed to be taken is necessary to ensure that the continued existence of Massachusetts Power and Light Associates, North Boston Lighting Properties, Massachusetts Utilities Associates Common Voting Trust, Massachusetts Utilities Associates and The Rhode Island Public Service Company, and each of them, as holding companies in the New England Power Association holding company system, shall not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among the security holders, of the holding company system of New England Power Association, and that the corporate structure of Massachusetts Utilities Associates shall not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders, of the Massachusetts Utilities Associates holding company system and of the New England Power Association holding company system, and that the corporate structure of Massachusetts Power and Light Associates shall not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among the security holders of the Massachusetts Power and Light Associates holding company system and of the New England Power Association holding company system;

It is hereby ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that:

1. New England Power Association and Massachusetts Power and Light Associates shall take, or cause to be taken, such action as may be necessary to eliminate Massachusetts Power and Light Associates as a holding company in the New England Power Association holding company system;

2. New England Power Association, Massachusetts Power and Light Associates and North Boston Lighting Properties shall take, or cause to be taken, such action as may be necessary to eliminate North Boston Lighting Properties as a holding company in the New England Power Association holding company system;

3. New England Power Association and Massachusetts Utilities Associates Common Voting Trust shall take, or cause to be taken, such action as may be necessary for Massachusetts Utilities Associates Common Voting Trust to be liquidated and dissolved;

4. New England Power Association, Massachusetts Utilities Associates Common Voting Trust and Massachusetts Utilities Associates shall take, or cause to be taken, such action as may be necessary to eliminate Massachusetts Utilities Associates as a holding company in the New England Power Association holding company system; and

5. New England Power Association and The Rhode Island Public Service Company shall take, or cause to be taken, such action as may be necessary to eliminate The Rhode Island Public Service Company as a holding company in the New England Power Association holding company system; and

It is further ordered, That said New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, Massachusetts Utilities Associates Common Voting Trust, Massachusetts Utilities Associates and The Rhode Island Public Service Company shall proceed with due diligence to submit to this Commission a plan or plans to effect prompt compliance with the foregoing orders pursuant to section 11 (b) (2) of said Act and shall take such further steps as may be necessary or appropriate to effectuate this order; and

It is further ordered, That jurisdiction be, and the same hereby is, reserved for the purpose of considering any and all plans for compliance with the action hereinbefore ordered, for the purpose of entering such further orders as may be necessary or appropriate to ensure that the action hereinbefore ordered is accomplished in a manner consistent with the public interest and with the provisions of the Public Utility Holding Company Act of 1935 and for the purpose of entering such further orders as may be necessary or appropriate with respect to any of the remaining issues in this proceeding.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4165; Filed, March 18, 1943; 9:55 a. m.]

[File No. 70-687]

THE RAILWAY AND BUS ASSOCIATES

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of March 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by The Railway and Bus Associates, an indirect subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and

All interested persons are referred to the said declaration which is on file in the office of the said Commission for a statement of the transaction therein proposed which is summarized below:

The Railway and Bus Associates propose to sell to Syracuse Transit Corporation, an affiliate, $211,300 principal amount of Syracuse Transit Corporation Thirty-Year Noncumulative Income Notes, due September 1, 1969, at 80 flat, the total consideration amounting to $169,040.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the Rules of the Commission thereunder be held on March 29, 1943, at 10 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held;

It is further ordered, That Paul Littlefield, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice;

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before March 27, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission;

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at such hearing to the following matters:

1. Whether the consideration to be received from the sale of the Syracuse Transit Corporation securities is fair and reasonable;

2. The propriety of the proposed accounting treatment of the transaction on the books of the declarant;

3. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors;

4. Whether the proposed sale complies with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder, and is not detrimental to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4167; Filed, March 18, 1943; 9:55 a. m.]

[File No. 54-52]

PUGET SOUND POWER & LIGHT COMPANY AND ENGINEERS PUBLIC SERVICE COMPANY

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of March 1943.

An application and amendments thereto having been filed by Engineers Public Service Company, a registered holding company, for approval of an amended plan filed herein under section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of fairly and equitably distributing voting power among the security holders of Puget Sound Power & Light Company, a subsidiary of Engineers Public Service Company, and Puget Sound Power & Light Company having joined in the application, the plan, and amendments thereto, for the purpose of submitting itself to the jurisdiction of the Commission;

The said plan providing among other things for the following transactions:

1. The issuance of ¼ share of additional Prior Preference stock and a special cash dividend of $2.50 in extinguishment of dividend arrearages on each share of outstanding Prior Preference stock.

2. The issuance of new common stock, $50 par value, in the ratio of 96.97% of such new common stock to the holders of outstanding Preferred stock and 3.03% to the holders of outstanding common stock, so that:

a. in place of and in exchange for each share of outstanding Preferred stock and all dividend arrearages thereon, there will be given 1⅗ shares of new common stock

b. in place of and in exchange for each 100 shares of outstanding common stock, there will be given 1 share of new common stock

3. The plan is predicated upon certain savings contemplated to arise from refinancing the company's debt through the issuance and sale, at competitive bidding, of $52,000,000 principal amount of new first mortgage bonds, due 1972, at an interest rate estimated to be 3½%, and $6,500,000 principal amount of 3⅛% promissory notes maturing serially 1943 to 1948, by private sale to certain banks;

Hearings having been duly held after appropriate notice and the Commission having made its findings herein;

On the basis of said findings and pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, *It is hereby ordered*, That said plan as amended be and it hereby is approved, subject, however, to the following terms, conditions and reservations of jurisdiction:

1. That this order shall be deemed null, rescinded and of no effect in the event that the aforementioned refinancing shall not have been consummated within sixty (60) days of the date of this order.

2. That jurisdiction be and it hereby is reserved to the Commission to reconsider said plan after the terms and conditions of the refinancing have been determined as a result of competitive bidding or in the light of any change in circumstances, and to enter such further orders as it deems advisable amending, modifying or revoking the instant order.

3. That jurisdiction be and it hereby is reserved to the Commission to approve, disapprove, modify or allocate by further order or orders all fees and expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof.

4. That jurisdiction be and it hereby is reserved to the Commission to enter such supplemental orders, as the circumstances may permit, conforming to and setting forth the recitals specified in sections 373 (a) and 1808 (f) of the Internal Revenue Code, as amended.

By the Commission, Commissioner Healy dissenting.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4164; Filed, March 18, 1943; 9:55 a. m.]

WAR MANPOWER COMMISSION.

[General Order 7]

INTERIM PROCEDURE FOR REQUESTING DEFERMENT OF GOVERNMENT EMPLOYEES

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9300 (7 F.R. 2919, 8 F.R. 2911), *It is hereby ordered:*

1. Pending the designation of the Review Committee on Deferment of Government Employees as provided in Part II, paragraph 1 of Executive Order No. 9309, I hereby designate and appoint a Temporary Review Committee on Deferment of Government Employees, as follows: Robert M. Barnett, Chairman; Bernard C. Gavit; and Colonel Edward A. Fitzpatrick.

Until the designation of the Review Committee provided for in Part II, paragraph 1, the Temporary Review Committee is charged with the responsibilities imposed upon, and shall exercise the powers granted to, the Review Committee under Executive Order No. 9309.

II. The head of each agency which is subject to the provisions of Executive Order No. 9309 shall immediately designate a Committee on Deferment of Government Employees as provided in Part II, paragraphs 2 and 3 of Executive Order No. 9309, and notify the Chairman of the Temporary Review Committee of the personnel of the Agency Committee.

III. Pending the issuance by the Chairman of the War Manpower Commission of regulations concerning the submission and approval of a designation of "Key Positions," the Agency Committees may request deferments as provided in Part IV, and deal with the release of employees for voluntary entrance into the armed forces as provided in Part V, and request occupational reclassification as provided in Part VI of Executive Order No. 9309, in conformity to the policies, standards and criteria prescribed by the Executive Order. In acting under Parts IV and V the Agency Committee should use the key list established and used under War Manpower Commission Directive No. XI, unless such list is, as to the employee involved, obsolete or clearly in conflict with the general purpose and policy of Executive Order No. 9309. Immediately upon requesting the deferment of any employee pursuant to this paragraph, the Agency Committee concerned shall transmit to the Temporary Review Committee a copy of any such request together with any supporting material submitted to the local Selective Service Board.

PAUL V. MCNUTT,
Chairman.

MARCH 10, 1943.

[F. R. Doc. 43-4183; Filed, March 18, 1943; 11:32 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 39]

PENNSYLVANIA GREYHOUND LINES, INC., AND THE LAKE SHORE COACH CO.

COORDINATED OPERATION IN OHIO

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit a copy of Special Order ODT B-38,[1] issued by the Director of The Office of Defense Transportation, in respect of coordinated motor carrier operations between points in the State of Ohio.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT B-38, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 17, 1943.

[F. R. Doc. 43-4190; Filed, March 18, 1943; 11:47 a. m.]

[Certificate No. 40]

NORTHERN PACIFIC TRANSPORT CO. AND BURLINGTON TRANSPORTATION CO.

COORDINATED OPERATION IN MONTANA

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit a copy of Special Order ODT B-39,[1] issued by the Director of The Office of Defense Transportation, in respect of coordinated motor carrier operations between points in the State of Montana.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT B-39, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 17, 1943.

[F. R. Doc. 43-4191; Filed, March 18, 1943; 11:47 a. m.]

[Certificate No. 41]

ALBANY MILK MARKETING AREA

JOINT DISTRIBUTION PLAN

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith the Recommendation of the Director of The Office of Defense Transportation in respect of a joint action plan by the persons named therein concerning transportation of property by motor vehicle in the Albany Milk Marketing Area, Albany, New York.[1]

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved the joint action plan recommended thereby; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 17, 1943.

[F. R. Doc. 43-4192; Filed, March 18, 1943; 11:47 a. m.]

[1] *Supra.*

FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934 LITTERA SCRIPTA MANET

VOLUME 8 NUMBER 56

Washington, Saturday, March 20, 1943

The President

DESIGNATION OF MARITIME WAR EMERGENCY BOARD

THE WHITE HOUSE,
Washington, December 19, 1941.

Pursuant to the agreement reached on December 19, 1941, between representatives of the maritime industry and the labor organizations involved, and in accordance with their joint request that a Board to expedite and coordinate the war efforts of the maritime industry be appointed, I hereby designate:

John R. Steelman of the U. S. Department of Labor,

Edward Macauley, of the U. S. Maritime Commission, and

Frank P. Graham, President of the University of North Carolina,

to serve as members of this Board. The Board shall be known as the Maritime War Emergency Board and its powers and purposes shall be those set forth in accordance with Exhibit A of the agreement referred to above.

FRANKLIN D ROOSEVELT

[F. R. Doc. 43-4063; Filed, March 15, 1943; 4:20 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 30]

PART 1406—DEHYDRATED FRUIT, VEGETABLES, AND SOUPS

DEHYDRATED VEGETABLES REQUIRED TO BE SET ASIDE

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of dehydrated vegetables to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1406.1 *Dehydrated vegetables*—(a) *Definitions.* When used in the order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "dehydrated vegetables" means Irish potatoes, sweet potatoes, cabbage, carrots, beets, onions, and rutabagas (and such other vegetables as the Director may from time to time designate) that have been dried by artificially produced heat under controlled conditions of humidity, temperature, and air flow or that have been dried under reduced pressure ("vacuum") where the factors of humidity and air flow are not controlled.

(2) The term "processor" means any person engaged in the business of dehydrating vegetables.

(3) The term "government agency" or "government agencies" means and includes the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, United States Maritime Commission, or any agency of the United States purchasing supplies for the foregoing, for the American National Red Cross, or any other agency specified by the Director, or for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(5) The term "person" means any individual, partnership, corporation, association, or other business entity.

(b) *Restrictions on processors.* (1) Without regard to existing contracts, every processor shall set aside for the requirements of government agencies 100 percent of the dehydrated vegetables produced by him and all stocks of dehydrated vegetables in his possession or under his control. All such dehydrated vegetables so set aside shall, unless and until released, be held for sale and delivery only to government agencies. Quantities of dehydrated vegetables set aside may be released at any time by notice to that effect from the Director.

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FEDERAL REGISTER

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(2) Without regard to existing contracts, every processor shall process, pack, label, and case dehydrated vegetables produced by him according to such directions as may from time to time be issued by the Director.

(3) The restrictions of paragraphs (b) (1) and (b) (2) hereof shall not apply to contracts now existing or hereafter made between processors and government agencies. In the event of any conflict between the specifications of a contract entered into between a processor and a government agency and directions issued under paragraph (b) (2) hereof, the contract specifications shall prevail for the quantities of dehydrated vegetables specified in the contract.

(c) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stock of dehydrated vegetables and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(f) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD-30.

(h) *Effective date.* This order shall be effective on March 21, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4259; Filed, March 19, 1943; 12:07 p. m.]

[FDO 30-1]

PART 1406—DEHYDRATED FRUIT, VEGETABLES, AND SOUPS

PROCESSORS OF DEHYDRATED VEGETABLES REQUIRED TO KEEP RECORDS

Pursuant to the authority vested in me by Food Distribution Order 30, dated March 19, 1943, issued pursuant to Executive Order 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1406.2 *Records required of processors of dehydrated vegetables.* (a) Processors of dehydrated vegetables shall keep and preserve, for not less than two years, accurate records sufficient to show their inventory of all dehydrated vegetables by commodities and styles (for example, shredded, sliced, diced) on hand on the effective date hereof; similar inventories of all dehydrated vegetables on hand at the close of each calendar month; production of dehydrated vegetables by commodities and styles during each calendar month; and shipments and sales of dehydrated vegetables by commodities, quantities, and styles, including names and addresses of consignees and purchasers. (Record keeping requirements approved by the Bureau of the Budget.)

(b) This order shall be effective on March 21, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 30, supra)

Issued this 19th day of March 1943.

ROY F. HENDRICKSON,
Director.

[F. R. Doc. 43-4258; Filed, March 19, 1943; 12:07 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4614]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CHARLOTTE BRANDENBURG

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service;* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondent's "Electro Magnetic Nerve Vitalizer" or "Electro Magnetic Vibrator", or other similar device or apparatus, and among other things, as in order set forth, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said device, which advertisements represent, directly or through inference, that respondent's device (1) has any therapeutic value in the treatment of any disease or condition of the human body; (2) will assist nature in rebuilding new cells or tissue, reactivate the glands, or improve internal secretions; (3) has any therapeutic value in the treatment of paralysis, arthritis, neuralgia, apoplexy, hysteria, insanity, locomotor ataxia, St. Vitus dance, rheumatism, hardening of the arteries, infantile paralysis, or other specified ailments and conditions; or (4) has any value in eliminating the causes of disease or that its use will maintain health in normal persons or restore health in sick persons; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Charlotte Brandenburg, Docket 4614, March 13, 1943]

3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondent's "Electro Magnetic Nerve Vitalizer" or "Electro Magnetic Vibrator," or other similar device or apparatus, and among other things, as in order set forth, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said device, which advertisements represent, directly or through inference,

a. That respondent's device has any therapeutic value in the treatment of any disease or condition of the human body.

b. That the use of respondent's device will feed or revive the entire system or beneficially affect the nerve centers.

c. That the use of respondent's device will relax or stimulate the nerves or have any beneficial effect upon any part of the nervous system.

d. That the use of respondent's device has any effect upon any condition of the blood or that it will promote or increase circulation, equalize the distribution of blood, or improve its quality.

e. That the use of respondent's device has any beneficial effect in soothing or regulating the stomach, aiding digestion, or stimulating the flow of digestive juices or that it will improve the assimilation or elimination of food or relieve or correct constipation.

f. That the use of respondent's device has any therapeutic value or beneficial effect upon congested conditions or that it will relieve pain, soreness, or inflammation.

g. That respondent's device will assist nature in rebuilding new cells or tissue, reactivate the glands, or improve internal secretions.

h. That respondent's device has any therapeutic value in the treatment of paralysis, arthritis, neuralgia, apoplexy, hysteria, insanity, locomotor ataxia, St. Vitus dance, rheumatism, sore spots, contracted muscles, insomnia, hardening of the arteries, prostate gland trouble, lumbago, catarrh, head colds, influenza, writer's cramp, infantile paralysis, or deterioration of the tissues.

i. That the use of respondent's device will defer hardening of the arteries, reduce blood pressure, deter apoplexy, aid in restoring normal productive power, assist the bowels and kidneys to function properly, stimulate the action of the liver, strengthen or stimulate heart action, tear down diseased tissue, or have any value in the treatment of any disease or condition of the bladder.

j. That respondent's device has any value in eliminating the causes of disease or that its use will maintain health in normal persons or restore health in sick persons.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of respondent's device which advertisement contains any of the representations prohibited in paragraph 1 hereof and the respective subdivisions thereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon her of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which she has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-4255; Filed, March 19, 1943; 11:48 a. m.]

sec. 45b) [Cease and desist order, Castle

[Docket No. 4705]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SALLY'S FURS, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Stock.* In connection with offer, etc., in commerce, of respondent's fur garments, and among other things, as in order set forth, representing, directly or by implication, that respondent's stock of furs has a market value of $500,000, unless such stock does in fact have such value; or making any other exaggerated claims or statements concerning the value or magnitude of respondent's stock of merchandise; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Sally's Furs, Inc., Docket 4705, March 15, 1943].

§ 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondent's fur garments, and among other things, as in order set forth, advertising, describing, offering for sale, or selling fur garments as "Hollywood Styled", unless such garments are in fact styled or designed in Hollywood, California, or are copies of models of coats styled or designed in Hollywood, California; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Sally's Furs, Inc., Docket 4705, March 15, 1943].

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer.* In connection with offer, etc., in commerce, of respondent's fur garments, and among other things, as in order set forth, representing, through the use of the phrase "Created in our own factory", or through the use of any other phrase of similar import, or in any other manner, that respondent is the manufacturer of its fur garments, unless and until respondent does in fact own, operate or control the factory wherein such garments are made; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Sally's Furs, Inc., Docket 4705, March 15, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent, which provides among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon respondent herein, Sally's Furs, Inc., a corporation, findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered That the respondent, Sally's Furs, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its fur garments in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondent's stock of furs has a market value of $500,000, unless such stock does in fact have such value; or making any other exaggerated claims or statements concerning the value or magnitude of respondent's stock of merchandise.

2. Advertising, describing, offering for sale, or selling fur garments as "Hollywood Styled," unless such garments are in fact styled or designed in Hollywood, California, or are copies of models of coats styled or designed in Hollywood, California.

3. Representing, through the use of the phrase "Created in our own factory," or through the use of any other phrase of similar import, or in any other manner, that respondent is the manufacturer of its fur garments, unless and until respondent does in fact own, operate or control the factory wherein such garments are made.

It is further ordered That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By direction of the Commission.

[SEAL] OTIS B JOHNSON, *Secretary.*

[F. R. Doc. 43-4256; Filed, March 19, 1943; 11:48 a. m.]

[Docket No. 4785]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CASTLE COMPANY, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product.* In connection with offer, etc., in commerce, of respondent's jewelry, (1) using the word "Birthstone" or "Garnet" or any other word which is indicative of a precious stone, to designate or describe any substance which is not in fact a precious stone; or (2) using the word "Manufacturers", or any other word of similar import, to designate or describe respondent's business; or otherwise representing, directly or by implication, that respondent manufactures the articles sold by it; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Castle Company, Inc., Docket 4785, March 15, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Castle Company, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's jewelry in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Birthstone" or "Garnet" or any other word which is indicative of a precious stone, to designate or describe any substance which is not in fact a precious stone.

2. Using the word "Manufacturers," or any other word of similar import, to designate or describe respondent's business; or otherwise representing, directly or by implication, that respondent manufactures the articles sold by it.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-4257; Filed, March 19, 1943; 11:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1852]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the reestablishment of a shipping point for the coals of the Alice Mine, Mine Index No. 670, of Solar Fuel Company, a code member in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting that Clairton, Pennsylvania, on The Pittsburgh & West Virginia Railway be reestablished as a loading point for the coals produced by Solar Fuel Company, a code member, at its Alice Mine, Mine Index No. 670, located in District No. 2, and that such reestablishment be made retroactively effective to September 11, 1942.

It appears from the original petition that Clairton, Pennsylvania, on The Pittsburgh & West Virginia Railway, which had been previously established as a shipping point for the coals produced at the said Alice Mine, Mine Index No. 670, had been inadvertently deleted as a shipping point in the order issued in Docket No. A-1616 on September 12, 1942. (7 F.R. 7427). It also appears from the original petition, that the coals produced at the Alice Mine are virtually needed for war purposes, and that such coal must be permitted to ship from Clairton, Pennsylvania, via The Pittsburgh & West Virginia Railway in order to take care of present commitments which require such origination. It also appears that coals from the Alice Mine have always moved from this shipping point over this railroad.

It further appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, and that such relief should be made retroactively effective to September 12, 1942; that no petitions of intervention have been filed with the Division in the above-entitled matter, and that the following action is necessary to effectuate the purposes of the Act.

Therefore, It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: § 322.7 *(Alphabetical list of code members)* is amended by adding thereto Supplement R-I, and § 322.9 *(Special prices—(c) Railroad fuel)* is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That said temporary relief be, and the same hereby is, made retroactively effective to September 12, 1942, the date preceding that on which the said order in Docket No. A-1616 was issued.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Seam	Sub-dist. No.	Shipping point	Size group Nos.										
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
670	Solar Fuel Co.	Alice	Pittsburgh	7	Wylie, Pa., (Clairton Coal Co. Wharf) Clairton, Pa.	(1)	(1)	(1)	(1)	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)

NOTE.—All mines in freight origin group No. 76 will take the same price as the applicable mine as freight origin group No. 76.

(1) Indicates no classification, effective for these size groups.

Railroads shown for the mine. Freight Origin Group per tariff assigned to this mine is as footer-applicable.

§ 322.9 *Special prices—(c) Railroad fuel*—Supplement R-II. In § 322.9 (c) in Minimum Price Schedule, add the mine index number in group shown. Group No. 2: 670.

[F. R. Doc. 43-4177; Filed, March 18, 1943; 10:44 a. m.]

[Docket No. A-1875]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for changes in shipping points for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting changes in the Freight Origin Group Numbers and the shipping points for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 *(Alphabetical list of code members)* is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof; and commencing forthwith, the said shipping points, appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER, *Director.*

EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 2

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPTS TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Co-Member	Mine name	Seam	Sub-District No.	Shipping point	Size group Nos.												
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Ash & Smith Coal Company (Harold A. Smith).	Elias #3	Sewickley	3	Holsopple, Pa. (Hollam, Pa.)	J	J	H	H	H	H	H	H	H	(1)	(1)	(1)	(1)	(1)	(1)	(1)
3027																					
1171	Brown Coal Co. (W. F. Brown).	Boyd 1	Pittsburgh	7	Finleyville, Pa.	C	C	C	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
138	Jackson, E. L.	Mahoo 1	L. Freeport	1	Mahool, Pa.	F	F	E	E	E	E	E	E	E	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2514	Ste.-K.-B. Coal Co. (Joseph J. Barr).	#1	Sewickley	3	Evans Station, Penna.	21	J	H	H	H	H	H	H	H	(1)	(1)	(1)	(1)	(1)	(1)	(1)
						82															
						120	F	E	E	E	E	E	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
						80	(2)	(2)	(2)	(2)	E	E	E	(1)							
		Shields #2	Pittsburgh	3	Cornish, Pa.[3]																
380	Pennsylvania Coal Company (Myers-Nobel).				Crystal, Pa.[3]	80	(1)	(1)	(1)	E	E	E	E	E	(1)	(1)	(1)	E	E		
					Sackett, Pa.[3]																
449		Rider (Strip)	Pittsburgh	3	Cornish, Pa.[3]	80															
					Crystal, Pa.[3]																

[1] Indicates no classifications effective for these size groups.
[2] Indicates change in name.
[3] Indicates change in shipping point.
[4] Indicates change in F. O. B.

NOTE: The above classifications for the above mine index numbers are applicable only via the respective Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown for the respective mines. Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown in previous supplements are hereby deleted.
NOTE—For railroad fuel prices add these mine index numbers to the respective groups in 322.9 (c) in Minimum Price Schedule No. 13: 460.

[F. R. Doc. 43-4175; Filed, March 18, 1943; 10:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 33]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.2 *General license numbers*[1] is hereby amended by assigning the following general license numbers to the following countries:

British Somaliland	111
Eritrea	112
Ethiopia	113
French Somaliland	114
Malta and Gozo	115

Paragraph (a) of § 802.3 *General license country groups*[2] is hereby amended by deleting the following named countries from the list of countries designated in Group K:

Aden	25
Anglo-Egyptian Sudan	60
Arabia	81
Bahrein Islands	67
Cyprus	37
Egypt	59
Iran	80
Iraq	74
Lebanon (Syria)	78
Palestine and Trans-Jordan	61
Perim Is. (Aden)	25
Saudi Arabia	81
Sokotra Is. (Aden)	25
Syria	78
Yemen (Saudi Arabia)	81

Shipments of commodities to the destinations listed above, which are on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under the previous general license provisions.

This amendment shall become effective March 24, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 17, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-4253; Filed, March 19, 1943; 11:24 a. m.]

[1] 8 F.R. 1549, 1616, 1938.
[2] 8 F.R. 1549, 1674, 1938, 3082.

Chapter VIII—Board of Economic Warfare

Subchapter B—Director General for Operations

[Suspension Order S-255]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.2 *General license numbers*[1] is hereby amended by assigning the following general license numbers to the following countries:

British Somaliland	111
Eritrea	112
Ethiopia	113
French Somaliland	114
Malta and Gozo	115

Paragraph (a) of § 802.3 *General license country groups*[2] is hereby amended by deleting the following named countries from the list of countries designated in Group K:

Aden	25
Anglo-Egyptian Sudan	60

This amendment shall become effective March 24, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 17, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-4254; Filed, March 19, 1943; 11:24 a. m.]

[1] 8 F.R. 1549, 1616, 1938.
[2] 8 F.R. 1549, 1674, 1938, 3082.

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 34]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.2 *General license numbers*[1] is hereby amended by assigning the following general license numbers to the following countries:

British Somaliland	111
Eritrea	112
Ethiopia	113
French Somaliland	114
Malta and Gozo	115

Paragraph (a) of § 802.3 *General license country groups*[2] is hereby amended by deleting the following named countries from the list of countries designated in Group K:

Aden	25
Anglo-Egyptian Sudan	60

This amendment shall become effective March 24, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 17, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-4255; Filed, March 19, 1943; 11:24 a. m.]

[1] 8 F.R. 1549, 1616, 1938.
[2] 8 F.R. 1549, 1674, 1938, 3082.

Chapter VIII—Board of Economic Warfare

Subchapter B—Director General for Operations

[Suspension Order S-256]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.2 *General license numbers*[1] is hereby amended by assigning the following general license numbers to the following countries:

British Somaliland	111
Eritrea	112
Ethiopia	113
French Somaliland	114
Malta and Gozo	115

Paragraph (a) of § 802.3 *General license country groups*[2] is hereby amended by deleting the following named countries from the list of countries designated in Group K:

Aden	25
Anglo-Egyptian Sudan	60

This amendment shall become effective March 24, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 17, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-4256; Filed, March 19, 1943; 11:24 a. m.]

[1] 8 F.R. 1549, 1616, 1938.
[2] 8 F.R. 1549, 1674, 1938, 3082.

Chapter VIII—Board of Economic Warfare

Subchapter B—Director General for Operations

[Suspension Order S-257]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.2 *General license numbers*[1] is hereby amended by assigning the following general license numbers to the following countries:

British Somaliland	111
Eritrea	112
Ethiopia	113
French Somaliland	114
Malta and Gozo	115

Paragraph (a) of § 802.3 *General license country groups*[2] is hereby amended by deleting the following named countries from the list of countries designated in Group K:

Aden	25
Anglo-Egyptian Sudan	60

This amendment shall become effective March 24, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 17, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-4257; Filed, March 19, 1943; 11:24 a. m.]

[1] 8 F.R. 1549, 1616, 1938.
[2] 8 F.R. 1549, 1674, 1938, 3082.

Chapter VIII—Board of Economic Warfare

Subchapter B—Director General for Operations

[Suspension Order S-258]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.2 *General license numbers*[1] is hereby amended by assigning the following general license numbers to the following countries:

British Somaliland	111
Eritrea	112
Ethiopia	113
French Somaliland	114
Malta and Gozo	115

Paragraph (a) of § 802.3 *General license country groups*[2] is hereby amended by deleting the following named countries from the list of countries designated in Group K:

Aden	25
Anglo-Egyptian Sudan	60

This amendment shall become effective March 24, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 17, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-4258; Filed, March 19, 1943; 11:24 a. m.]

[1] 8 F.R. 1549, 1616, 1938.
[2] 8 F.R. 1549, 1674, 1938, 3082.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-254]

PHILADELPHIA WARWICK CO.

The Philadelphia Warwick Company is a corporation engaged in the business of operating the Warwick Hotel in Philadelphia, Pennsylvania. Subsequent to December 5, 1942, the Philadelphia Warwick Company began construction and ordered, purchased and withdrew from inventory, materials to begin construction on the remodeling of a cocktail lounge known as the "Savoy Room", in the Warwick Hotel without authorization from the Director General for Operations. The estimated cost of construction of this project exceeded $1,000.00 and the remodeling constituted a violation of Conservation Order L-41. At the time this remodeling was undertaken, the Philadelphia Warwick Company was familiar with the provisions of Conservation Order L-41. The Company elected to proceed with the project adopting an unreasonable and unjustifiable interpretation of the order.

Since this construction was begun in violation of Conservation Order L-41, it cannot be allowed to continue. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.254 *Suspension Order S-254.* (a) Neither the Philadelphia Warwick Company, nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction of the remodeling of the cocktail lounge, known as the "Savoy Room" in the Hotel Warwick, Philadelphia, Pennsylvania, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve the Philadelphia Warwick Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 20, 1943.

Issued this 18th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4214; Filed, March 18, 1943; 5:03 p. m.]

PART 1152—METAL WINDOWS

[Limitation Order L-77, as Amended March 19, 1943]

Section 1152.1 *General Limitation Order L-77* is hereby amended to read as follows:

§ 1152.1 *General Limitation Order L-77*—(a) *Definitions.* For the purposes of this order:

(1) "Metal window" means any metal sash, metal casement or other metal framework of any type produced for installation in an opening, constructed in the side of a building primarily to admit light, and any component part of such a metal sash, metal casement or metal framework.

(2) "Manufacture" means to manufacture, fabricate or assemble a metal window.

(3) "Put in process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(b) *Restrictions.* On and after the 3d day of April 1943, notwithstanding any contract, agreement, or preference rating, no person shall manufacture any metal window except:

(1) To fill an order from the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration when such metal window is required by specifications (including performance specifications) applicable to such order; or

(2) To fill an order bearing a preference rating of AA-3 or better; or

(3) A metal storm window provided the material for such metal storm window was put in process prior to the 3d day of April 1943.

Nothing in this order shall supersede the directive for wartime construction, dated May 20, 1942 issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy, or the "List of Prohibited Items for Construction Work" dated June 29, 1942, issued by the Army and Navy Munitions Board as amended from time to time.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each manufacturer to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of the order shall be filed on Form PD-500 with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(i) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C. Ref.: L-77.

Issued this 19th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4250; Filed, March 19, 1943; 11:20 a. m.]

PART 3157—CONTROLLED SHIPMENTS

[General Transportation Order T-1 as Amended March 19, 1943[1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of transportation facilities and of certain materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3157.1 *General Transportation Order T-1*—(a) *Definitions.* For the purpose of this order:

(1) "Controlled shipment" means shipment, including reconsignment, of any material on List 1 or 2 annexed hereto, where the shipment is to be made at the time, in the manner and for the distance specified opposite such material in such list.

(2) "Originate" means to load for shipment or to tender or offer to a carrier for shipment.

(3) "Tank car" means any railway tank car having one or more steel tanks from which materials are customarily loaded and unloaded while the tank is on the car.

(4) "Tank truck" means any vehicle designed for highway travel having one or more steel tanks from which materials are customarily loaded and unloaded while the tank is on the truck.

(b) *List 1 materials.* (1) No person shall originate a controlled shipment of any List 1 material, except as specifically authorized or directed by the Director General for Operations

(2) Any person seeking authorization to originate a controlled shipment of any List 1 material may make application on Form PD-782, or, in emergency, by telegram, containing substantially the information called for by such form.

[1] The effect of this amendment is to amend certain paragraphs in List 1 relating to caustic soda.

(c) *List 2 materials.*—(1) Each person shall report on Form PD–782 on or before the 20th day of each calendar month all shipments of List 2 materials which he then intends to originate during the succeeding calendar month.

(2) Each person shall report on Form PD–782 on or before the 10th day prior to origination any controlled shipment of List 2 materials which he then intends to originate and has not previously reported.

(3) Any person may originate a controlled shipment of List 2 materials reported pursuant to paragraph (c) (1) or (2), unless otherwise specifically directed by the Director General for Operations.

(4) No person shall originate a controlled shipment of any List 2 material which has not been reported pursuant to paragraph (c) (1) or (2), except as specifically directed or authorized by the Director General for Operations. Applications for such authorization may be made by telegram containing substantially the information called for by Form PD–782.

(d) *List 3 materials.* This order does not restrict shipments of List 3 materials, except to the extent that such shipments are controlled shipments of List 1 or List 2 materials.

(e) *Other materials.* On and after March 1, 1943, no person shall originate a shipment by tank car of any material unless:

(1) Specified on List 1, List 2 or List 3; or

(2) Consigned to or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration, or corresponding Canadian agencies specified in Priorities Regulation No. 14; or unless the material shipped is procured pursuant to the Act of March 11, 1941 (Lend-Lease Act), provided that at the time each such shipment is originated the material is in the form in which it is eventually to be delivered to a foreign country or its representative; or

(3) Specifically authorized by the Director General for Operations upon application by such person on Form PD 782, or, in emergency, upon application by telegram containing substantially the information called for by Form PD–782.

(f) *Carriers.* The provisions of this order shall not apply to any carrier acting in the capacity of a carrier as distinguished from a carrier acting in the capacity of a shipper.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Applicability of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other War Production Board order now or hereafter issued.

(3) *Territorial limitations.* This order shall apply only to shipments originating or reconsigned in the forty-eight States and the District of Columbia.

(4) *Appeals.* Any appeal from denials of applications or from directions pursuant to this order shall be made by filing a letter in triplicate, referring to the particular action appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: T–1 (specified commodity).

Issued this 19th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LISTS ATTACHED TO GENERAL TRANSPORTATION ORDER T–1

LIST 1 (ZONED SHIPMENTS)

[NOTE: Item 2—Caustic soda and the paragraphs relating to the second and sixth caustic zones were amended March 19, 1943.]

1. *Molasses:* Shipments of 200 miles or more in tank cars or tank trucks, originating on or after March 1, 1943, of blackstrap, invert, edible or hydrol molasses, except shipments of such molasses for the manufacture of yeast or citric acid. The term molasses shall be construed to include the residuum of such molasses

2. *Caustic soda:* Shipments in tank cars or tank trucks, originating on or after May 1, 1943, from any point in any one of the following zones to a point in any other such zone:

First caustic soda zone: Maine, Massachusetts, Vermont, New Hampshire, Rhode Island, Connecticut and those counties in the State of New York east of and including Monroe, Ontario, Yates, Seneca, Tompkins, Cortland and Broome Counties, but excluding all parts of Metropolitan New York City, as defined in Zone 2.

Second caustic soda zone: Metropolitan New York City, defined as that area including Norwalk and West in Connecticut; counties of Westchester and Rockland and all of New York City and Long Island, in New York State; and all the counties of Bergen, Passaic, Essex, Hudson, Union, and the eastern section of Middlesex, east of a line from Potter to Perth Amboy, in New Jersey. Authorizations by the Director General for Operations will be issued for shipments into this zone from Zones 1 and 3.

Third caustic soda zone. The counties of Orleans, Genesee, Livingston, Steuben, Chemung, Tioga, Schuyler, Niagara, Erie, Wyoming, Allegany, Cattaraugus and Chautauqua, in the State of New York; the counties of Tioga, Bradford, Susquehanna, Wayne, Sullivan, Wyoming, Lackawanna and Pike in the State of Pennsylvania; and those counties in the State of New Jersey north of, but not including, Burlington County; but excluding all parts of Metropolitan New York City, as defined in Zone 2

Fourth caustic soda zone: Those counties in the State of Pennsylvania not specified in Zone 3 above; those counties in the State of New Jersey south of and including Burlington County; the States of Delaware and Maryland; the District of Columbia; those counties in West Virginia north of but not including, Cabel, Lincoln, Kanawha, Clay, Braxton, Webster and Pocahontas Counties, but excluding the city of Nitro, West Virginia (Zone 5); those counties in the State of Virginia north of the James River to Albermarle County, and north of and including Albermarle and Rockingham Counties; South Richmond, Virginia; and those counties in the State of Ohio east and south of, and including, the counties of Cuyahoga, Medina, Wayne, Holmes, Coshocton, Muskingum, Perry, Hocking, Vinton, Jackson, Pike, Highland, Brown, Clermont and Hamilton

Fifth caustic soda zone: The city of Nitro, West Virginia. Authorizations by be Director General for Operations will be issued for shipments into this Zone from Zones 4 and 8.

Sixth caustic soda zone: Those counties in the State of Ohio not included in Zone 4 above; the States of Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota, and South Dakota; Kansas City in Missouri and Kansas; and the city of St. Louis, Missouri.

Seventh caustic soda zone: The city of Memphis, Tennessee. Authorizations by the Director General for Operations will be issued for shipments into this Zone from Zones 6, 8 and 11.

Eighth caustic soda zone: Those counties in the States of Virginia and West Virginia not included in Zone 4 above (also excluding South Richmond, Virginia, and Nitro, West Virginia); the States of Kentucky, North Carolina and South Carolina; those counties in the State of Georgia north of and including the counties of Floyd, Bartow, Cherokee, Forsyth, Hall, Jackson, Madison and Elbert; and the State of Tennessee; except the cities of Memphis, Chattanooga, and Nashville.

Ninth caustic soda zone. The city of Chattanooga in Tennessee. Authorizations by the Director General for Operations will be issued for shipments into this Zone from Zones 8 and 10

Tenth caustic soda zone: The States of Florida, Alabama, Mississippi, Louisiana, and that part of Georgia not included in Zone 8 above.

Eleventh caustic soda zone: The city of Nashville, Tennessee; the States of Texas, Oklahoma, Arkansas, Missouri and Kansas; except the cities of St. Louis and Kansas City

Twelfth caustic soda zone: The States of Montana, Idaho, Wyoming, Utah, Colorado, Arizona, New Mexico, and those counties in the State of Nevada east of and including the counties of Elko, Lander and Nye

Thirteenth caustic soda zone. The States of Washington, Oregon and California and those counties in the State of Nevada not included in Zone 12 above.

LIST 2 (REPORTED SHIPMENTS)

1. *Acetone:* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1 1943.

2 *Butyl acetate:* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.

3. *Corn syrup (glucose):* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943

4 *Ethyl acetate:* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943

5 *Ethyl alcohol (including denatured ethyl alcohol):* Shipments of any distance in tank cars, or of more than 250 miles in tank trucks, originating on or after March 1, 1943, except shipments of ethyl alcohol (including denatured ethyl alcohol) owned or shipped by Defense Supplies Corporation, or shipments of specially denatured ATU Formula No 18.

6. *Molasses:* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks originating on or after March 1, 1943, of beet molasses shipped for any purpose, or of blackstrap, invert, edible or hydrol molasses shipped for the manufacture of yeast or citric acid. The term molasses shall be construed to include the residuum of such molasses.

LIST 3 (OTHER SHIPMENTS)

1. On and after March 1, 1943, no shipments in tank cars other than of the following materials:

Acetaldehyde
Acetic acid, glacial or liquid
Acetic anhydride
[1] Acetone
Acids
Acrylonitrile
[1] Alcohols
Aluminum chloride
Aluminum sulfate
Ammoniacal liquor or aqua ammonia
Ammonium nitrate liquor
Ammonia sulphide
Ammonium thiocyanate liquor
Amyl acetate
Amyl chloride
Anhydrous ammonia
Aniline oils
Anti-freezing compounds
Arsenic (arsenious acid)
Arsenic trioxide
[1] Asphalt
[1] Aviation gasoline (of Octane No. 87, 91, and 100) and its component parts, such as:
Alkylate
Aromatic fractions for aviation
Aviation base stocks
Butylene
Codimer
Isobutane
Isobutylene
Iso octane
Isopentane (pentane)
Hydrocodimer
Babassu oil
Benzol (benzene)
Brake fluid
Butadiene
[2] Butanes
[2] Butenes
[1] Butyl acetate
Butyl aldehyde
Butyraldehyde
Butylamines
Calcium chloride, liquid
Calcium hypochlorite (chlorinated lime)
Carbon dioxide, liquefied
Carbon bisulfide (carbon disulfide)
Carbon tetrachloride
Castor oil
Caustic potash (potassium hydroxide)
[1] Caustic soda (sodium hydroxide)
Chemicals, other, shipped as "chemicals NOIBN"
Chestnut tanning extract (tannic acid)
Chlorine, liquid
Chlorobenzol (Monochlorobenzol)
Chlorosulphuric acid
Coal tar pitch
Coconut oil (copra)
Core compound, foundry
Corn oil
[1] Corn syrup (glucose)
Cottonseed oil
Creosote oil
Creosote-tar solution
Cresylic acid (cresol)
Crude tar oil
Crude napthalene
Crude tar acid
[2] Cumene (isopropylbenzene or isopropylbenzine)
Diacetone
Dibutyl, diethyl, or dimethyl phthalate
Dichlorodifluoromethane
Dichloromonofluoromethane
Dichlorotetrafluoroethane
Diethyl sulphate
Diethylene glycol
Dimethylaniline
Dinitrochlorobenzol
Dioctyl phthalate
Diphenyl
Diphenylamine
Dye-intermediates
Ester gums
Ether (ethyl, dichloroethyl, or isopropyl)
[1] Ethyl acetate
Ethyl chloride
Ethylamines
Ethylene bromide or dibromide
Ethylene chlorohydrin
Ethylene dichloride
Ethylene glycol
Ethylene oxide
Ethyl methyl ketone (methyl ethyl ketone)
Ethyl hexyl alcohol
Fatty acid
Fatty acid esters
Fertilizer ammoniating solution
Fish or sea animal oil
Formaldehyde, liquid
Formamide
Formic acid
Furfural
Gas drip oil, including crude
Grease (inedible animal)
Glycerine
Hexa methylene diammonium adipate solution
Hydrochloric acid (muriatic)
Hydrofluoric acid
Hydrofluosilicic acid
Hydrogen dioxide or peroxide
[1] Hydrol (corn sugar final molasses)
Ink, printing
Iron chloride (ferric)
Isobutyl acetate
Isopropyl acetate
Lactic acid
Lacquer solvents
Lard
Lard oil
Latex
[2] Lead tetraethyl
Lignin liquor
Lime, chlorinated
Lime and sulfur solution
Lime sludge or slurry
Linseed oil
Liquefied petroleum gases
Magnesium chloride
Methanol
Methyl acetate
Methyl acetone
Methyl chloride
Methyl formate
Methyl isobutyl ketone
[1] Molasses (beet blackstrap, edible, and molasses residuum)
Monofluorotrichloromethane
Milk
Naphtha
Naphtha solvent
Naphthalene, including crude
Neutral oil
Nitrating acid or mixed acid
Nitric acid
Nitrobenzol
Nitrocellulose solution
Nitrogen fertilizer solution (including crude)
Nylon salt solution
Oil foots or sediment
Oiticica oil
Oleic acid (red oil)
Orthodichlorobenzol
Oxygen, liquid
Oxidizing salt solution
Oil tar
Oil tar oil
Paint oil compounded
Paint, lacquer, varnish, gum, resin, or pyroxylin plasticizers or solvents
Paint, lacquer, or varnish, increasing, reducing, removing or thinning compounds
Paints, stains, varnishes or lacquers
Palm oil
Paraffin wax, chlorinated
Paraldehyde
Peanut oil
Pentane
Perchloric acid
Perchloroethylene
[2] Petroleum
[2] Petroleum products (not otherwise listed)
Phenol (carbolic acid)
Phosphoric acid
Phosphorous
Phosphorus oxychloride
Phosphorous trichloride
Pickles
Pilargonic acid
Pinene
Pine oils
Pitch, pine tar
Pitch, rosin
Plasticizers
Pork fat, rendered
Powder, smokeless, in water
Potassium silicates
Preservatives, wood
[2] Propanes
Propionic acid
Proprietary anti-freeze preparations
Propylene dichloride
Propylene glycol
Pulp mill Liquid
Pyridine
Pyroxylin solution
Pyroxylin waterproofing liquid
Pyroligneous acid
Rapeseed oil
Resin
Resins, synthetic
Road tar
Rosin oil
Rosin size
Rubber solvent
Sludge acid
Soap stock
Sodium aluminate
Sodium bichromate
Sodium bisulphite
Sodium chromate solution
Sodium hydrosulfide liquid (sodium sulphydrate)
Sodium, metallic
Sodium nitrate
Sodium nitrite
Sodium hypochlorite
Sodium phenolates
Sodium silicates
Sodium sulfate
Sodium sulfide, liquid
Sodium sulfite
Soyabean oil
Stearine
Styrene
Sulfur dioxide, anhydrous
Sulfuric acid
Sulphate, black liquor skimmings
Sunflower oil
Tall oil
Tallow
Tar acid, coal
Tar acid, oil
Tar, coal
Tar, pine
Tar, wood (hardwood tar)
Tetrachloroethane
Toluol (Toluene)
Trichlorobenzol
Trichloroethylene
Tricresyl phosphate
Tung oil (chinawood oil)
Turpentine, including crude
Turpentine, oil (spirits of turpentine: turps)
Unfinished alcohol
Unfinished grain spirits (suitable only for redistribution)
Vinegar
Vinyl acetate
Waste waterproofing liquid

[1] Controlled as List 1 or List 2 materials to the extent defined in List 1 or List 2.
[2] Subject to such orders as may be issued by the Petroleum Administrator for War.

Water not including mineral, flavored or phosphated
Water gas tar
Xylol (xylene)
Zinc chloride, liquid
Zinc sulfate, liquid

INTERPRETATION

(a) Paragraph (e) (2) does not afford any exemption from the provisions of paragraphs (b) and (c) with respect to controlled shipments of any material on List 1 or List 2.

(b) Any distance or mileage which is specified in said order or on any List annexed thereto, shall, with respect to shipments by tank car, be measured over the shortest available published rail tariff route, whether or not the particular shipment is billed or transported over such route. (Issued Feb. 9, 1943.)

[F. R. Doc. 43-4251; Filed, March 19, 1943; 11:20 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 5A]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES FOR GOVERNMENTAL AGENCIES AND INSTITUTIONS

§ 3175.5a *CMP Regulation 5A*—(a) *Purpose and scope.* (1) The purpose of this regulation is to provide for governmental agencies and for institutions a uniform procedure for obtaining maintenance, repair and operating supplies, both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products obtained by preference ratings. Any agency or institution affected by this regulation requiring maintenance, repair and operating supplies, in any form, in such quantities as are available from warehouses or distributors under CMP Regulation No. 4 or at retail without preference ratings or allotments, may obtain the same without using the procedure provided in this regulation, but subject to all applicable limitations in War Production Board regulations and orders.

(2) The provisions of this regulation shall not apply to any governmental agency or to any institution to the extent that it is engaged in the following services or industries: gas, light, power, water or central heating, or to communications (in so far only as communications are provided for in Order P-130 and P-132).

(b) *Definitions.* The following definitions shall apply for the purpose of this regulation.

(1) "Governmental agency" means any governmental agency in the United States, its territories or possessions, federal, state, county, municipal or local except claimant agencies as defined in CMP Regulation No. 1 and except any agency specifically excluded from this regulation by order of the War Production Board.

(2) "Institution" means any institution within the United States, its territories or possessions, public or private, including but not limited to, schools, colleges, libraries, hospitals, welfare establishments and churches.

(3) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design, except as provided in paragraph (b) (5) of this regulation.

(4) "Operating supplies" means any material or product which (i) is essential for conducting any activity or rendering any service by any governmental agency or by any institution and (ii) is consumed in the course of conducting such activity or rendering such service and (iii) does not constitute capital equipment. Materials included in any finished product produced by a governmental agency or an institution which are normally chargeable to operating expense may also be treated as operating supplies.

(5) In addition, there may be included as maintenance, repair and operating supplies, minor items of productive capital equipment and minor capital additions or replacements not exceeding $100 (excluding cost of labor): *Provided*, That no capital equipment, addition or replacement aggregating more than $100 in cost shall be subdivided for the purpose of coming within this definition: *And provided further*, That the acquisition and use of materials for construction shall be subject to the provisions of Conservation Order L-41, as amended from time to time.

(6) No item specified in List A attached shall be included as maintenance, repair or operating supplies, even if it would otherwise come within the foregoing definitions.

(7) Production material required by a governmental agency or an institution for physical incorporation in products manufactured by it, which products it sells for use as maintenance, repair or operating supplies, may be obtained as provided in CMP Regulation No. 1 and and in CMP Regulation No. 3, and such production materials shall not be deemed maintenance, repair or operating supplies, as to such agency or institution.

(c) *Controlled materials.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, any governmental agency or any institution engaged in any activity or rendering any service listed in Schedule I or Schedule II attached to this regulation, requiring delivery after March 31, 1943, of any controlled material (as defined in CMP Regulation No. 1) except aluminum, for maintenance, repair or operating supplies in the conduct of such activity or service, may obtain the same by placing on or accompanying its delivery order with substantially the following certificate (or the optional standard certificate provided in CMP Regulation No. 7) signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO 5A—The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled materials covered by this order are required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5A and that delivery thereof will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

An order bearing such certificate shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment number under all applicable CMP regulations unless otherwise expressly provided.

(2) Any governmental agency or any institution engaged in any activity, or rendering any service listed in Schedule I or II, requiring aluminum in any of the forms or shapes constituting a controlled material, for essential maintenance, repair or operating supplies, where the use of other materials for the purpose is impracticable, may obtain the same from a controlled materials producer or from an approved aluminum warehouse, in amounts of not to exceed 100 pounds from all sources during any one calendar quarter: *Provided*, That any order placed pursuant to this paragraph (c) (2) shall be endorsed with or accompanied by substantially the following certificate (or the optional standard certificate provided in CMP Regulation No. 7) signed manually or as provided in Priorities Regulation No. 7:

The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the materials covered by this order are required for essential maintenance, repair or operating supplies to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5A; that the use of other materials for such purpose is impracticable; and that the amount of aluminum covered by this order, together with all other amounts received by, or on order for delivery to the undersigned, from all sources, for such purpose during the same quarter, will not exceed 100 pounds.

Any producer or warehouse receiving an order bearing such certificate shall be entitled to rely thereon and may fill the order, unless he knows or has reason to believe the certificate to be false.

(d) *Preference ratings for maintenance, repair and operating supplies.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, and subject to the restrictions of paragraphs (a) (2) and (g) of this regulation, orders by any governmental agency or institution calling for delivery after March 31, 1943, of maintenance, repair or operating supplies other than controlled materials (regardless of whether such supplies be Class A products, Class B products, or other products or materials) are hereby assigned preference ratings as follows:

(i) AA-1 for maintenance or repair of facilities required for any activity or service listed in Schedule I or for necessary operating supplies for such activity or service;

(ii) AA-2X for maintenance or repair of facilities required for any activity or service listed in Schedule II or for necessary operating supplies for such activity or service;

(iii) A-10 for necessary maintenance or repair facilities required for any activity or service not listed in Schedule I or Schedule II or for necessary operating supplies for any such purpose.

(iv) For maintenance, repair and operating supplies for any building devoted primarily to any service or activity listed in Schedule I or Schedule II, the rating assigned to that service is hereby assigned.

(2) Any agency or any institution which maintains a central stores system where it is impracticable to charge purchases for inventory against a particular service or activity, may establish a scale of percentages for each rating, for each class of items, based upon withdrawals from the central stores system during the calendar year 1942 (or its fiscal year ending nearest to December 31, 1942) by the various agencies and institutions (and departments thereof) and may apply the appropriate percentage of each rating to its purchases for the central stores system.

(3) A preference rating assigned under this paragraph (d) shall be applied only by use of the following certification (or the optional standard certificate provided in CMP Regulation No. 7) in lieu of the endorsement specified in Priorities Regulation No. 3, signed manually or as provided in Priorities Regulation No. 7:

Preference rating _____ (specify rating): MRO 5A. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are required for essential maintenance, repair or operating supplies; that this order is rated and placed in compliance with CMP Regulation No. 5A and that the delivery requested will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

A delivery order bearing the above certification shall have the status of a delivery order bearing a preference rating with an allotment symbol as provided in CMP Regulation No. 3.

(e) *Departments engaged in several activities.* If any governmental agency or any institution, or any department or unit thereof, is engaged in several activities which are not assigned the same preference rating and if it is impracticable to apportion maintenance, repair and operating supplies between such activities, the principal activity alone shall be considered for the purpose of determining whether controlled materials may be obtained under paragraph (c) of this regulation, and also for determining which preference ratings may be applied under paragraph (d).

(f) *Quantity restrictions.* (1) No governmental agency and no institution shall use the allotment symbol or preference ratings assigned by this regulation to obtain any item of maintenance, repair or operating supplies during any calendar quarter in an aggregate amount exceeding thirty per cent of its aggregate expenditures for items of maintenance, repair and operating supplies of the same class during the calendar year 1942 (or its fiscal year ending nearest to December 31, 1942) except that any governmental agency or any institution engaged in an activity which normally requires a greater amount of maintenance, repair or operating supplies during certain seasons than others, may use such allotment symbol or preference rating to obtain, during any calendar quarter up to but not in excess of, its aggregate expenditures for maintenance, repair and operating supplies for items of the same class during the corresponding quarter of 1942 (or such fiscal year). In neither case, however, shall any governmental agency or any institution use such allotment symbol or preference ratings to obtain maintenance, repair and operating supplies during the twelve months ending March 31, 1944, in an amount exceeding its aggregate expenditures for items of maintenance, repair and operating supplies of the same class used by it during the calendar year 1942 (or such fiscal year). As an illustration of the meaning of the term "items of the same class" purchases of sand and gravel during 1942 may not be taken into account in computing authorized purchasers of builders hardware in 1943.

(2) A governmental agency or institution which has several departments, branches or units which maintain separate records of maintenance, repair and operating supplies, shall treat each of them separately for purposes of complying with the provisions of subparagraph (1) of this paragraph (f).

(3) In the case of any building or facility operated by any governmental agency or any institution which was not in operation during the base period specified in subparagraph (1) of this paragraph (f), the governmental agency or institution operating the same may take as a base its expenditures for maintenance, repair and operating supplies during the first quarter of 1943, or during the portion thereof when the building or facility was in operation, reasonably adjusted for seasonal, or other variable factors: *Provided*, That it first notifies the War Production Board in writing of the base which it is taking, the reasons therefor, and the nature of any adjustments made. In the case of a building or facility starting operations after February 28, 1943, maintenance, repair and operating supplies may be acquired pursuant to this regulation in the minimum amounts necessary for operation, without other restrictions, up to $500 per quarter. If more than this amount is required, application should be made in writing to the War Production Board for a specific quota. In any case where the base provided in subparagraph (1) or by this subparagraph (3) is deemed too low for necessary operations, application may be made in writing for modification thereof.

(4) The restrictions contained in this paragraph (f) shall apply in addition to any quantitative restrictions contained in any order in the "P" series, unless the particular P order expressly provides that the restrictions of this regulation shall be inapplicable. The restrictions contained in subparagraphs (1), (2) and (3) of this paragraph (f) shall not apply to any controlled material or other product or material for which a rating is assigned on Form PD-408, as provided in paragraph (g) of this regulation.

(5) The War Production Board may, by further regulations or orders, require specified persons or classes of persons, to file applications or reports regarding their requirements of maintenance, repair and operating supplies and may prescribe specific quantitative limits for the same either larger or smaller than the limits provided in this paragraph (f).

(g) *Restrictions on use of ratings by agencies and institutions using Form PD-408.* No governmental agency or institution and no branch, department or unit thereof, to which a rating for maintenance, repair and operating supplies is or may be assigned on Form PD-408, shall, during the calendar quarter for which such rating is assigned, use any rating assigned by this regulation to obtain maintenance, repair and operating supplies. Any such agency or institution which is assigned a preference rating on Form PD-408 for controlled materials (other than aluminum) for maintenance, repair and operating supplies, may place authorized controlled material orders for the amount so rated, if, but only if, the same are required for essential maintenance, repair and operating supplies in connection with any activity or service listed in Schedule I or Schedule II attached to this regulation. Such orders shall be placed in the manner provided in paragraph (c) (1) of this regulation including the use of the certificate and symbol therein specified. Any governmental agency or any institution which is assigned a preference rating on Form PD-408 for aluminum for maintenance, repair and operating supplies may obtain the same pursuant to the provisions of paragraph (c) (2) of this regulation subject to the quantity restrictions contained in said paragraph, if, but only if, the same is required for essential maintenance, repair and operating supplies, to be used for a purpose listed in Schedule I or Schedule II of this regulation, by using the certificate specified in paragraph (c) (2) of this regulation. Any governmental agency of any institution which is assigned a preference rating on Form PD-408 for any material or product other than controlled materials, for maintenance, repair and operating supplies may, in applying such rating for the purchase of maintenance, repair and operating supplies, use the optional standard certificate provided in CMP Regulation No. 7 with the symbol MRO 5A, and a delivery order bearing such certificate and symbol shall have the status of a delivery order bearing a preference rating with an allotment symbol as provided in CMP Regulation No. 3. Any such agency or institution may, at its option, use the certificate specified in Priorities Regulation No. 3 without the symbol. The quantity restrictions prescribed in paragraph (f) of this regulation shall not apply to any controlled material or to any other material or product for which a rating is assigned on Form PD-408 for maintenance, repair and operating supplies.

Chapter XI—Office of Price

(b) This Order No. 19 shall cover only

3. Section 1351.1002 (d) is added to

(h) *Penalties for misrepresentation or diversion.* (1) The placing of any order bearing a certification or symbol as provided by this regulation shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the person placing the order is entitled, under the terms of this regulation to the use of the symbol or preference rating indicated thereon.

(2) No person shall use for any purpose other than essential maintenance, repair or operations, any supplies obtained pursuant to this regulation, or use any supplies obtained under a preference rating assigned by this regulation for a purpose to which a lower rating, or no rating, is assigned. Any such use shall constitute a crime punishable by fine or imprisonment or both. Physical segregation of inventories is not required, provided the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(i) *Inventory restrictions.* Nothing in this regulation shall be deemed to authorize any governmental agency or any institution to receive any delivery of maintenance, repair or operating supplies if acceptance thereof would increase its inventory above a practicable working minimum as provided in Section 944.14 of Priorities Regulation No. 1, or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board.

(j) *Additional assistance in individual cases.* Any governmental agency or any institution requiring maintenance, repair or operating supplies which it is unable to obtain pursuant to the foregoing provisions of this regulation, may apply to the War Production Board for additional assistance on such form as may be appropriate, having regard to the material required and the service or activity involved. If no particular form is specified by applicable orders or regulations of the War Production Board, such application may be made on Form PD–1A or, in the case of a PRP unit, on Form PD–25F. Such application shall be filed with the Governmental Division of the War Production Board, Washington, D. C.

(k) *Effect on other orders and procedures.* (1) The preference ratings assigned by this regulation shall supersede the preference ratings assigned by all orders in the "P" series for maintenance, repair and operating supplies with respect to materials or products to be delivered after March 31, 1943, except as may be otherwise provided by amendments of such orders specifically providing to the contrary.

(2) Subject to paragraph (k) (1) of this regulation, all of the terms, provisions and restrictions contained in all orders in the "P" series, including definitions, requirements for making applications and filing reports and other restrictions, except as otherwise provided in paragraph (f) (3) of this regulation shall, subject to the inventory restrictions of CMP Regulation No. 2, remain in full force and effect until modified or revoked.

(3) In addition, each governmental agency or institution which, in accordance with existing priorities procedures not covered by "P" orders, is required to file applications or reports with respect to its requirements for, or use of, maintenance, repair or operating supplies, or is limited in the amount of such supplies, which it is permitted to acquire or use, shall continue to comply with such procedures until the same are modified or revoked.

(4) Nothing in this regulation shall be construed to relieve any governmental agency or institution from complying with any applicable priorities regulation or order of the War Production Board (including orders in the "E", "L" and "M" series) or with any order of any other competent authority.

(l) *Reclassification of activities.* Any governmental agency or any institution which is of the opinion that any activity in which it is engaged should be assigned a rating different from that assigned by this regulation, may apply to have such activity reclassified, by filing a letter in triplicate with the Governmental Division, setting forth the relevant facts and the reasons why applicant considers that such request should be granted.

(m) *Records and reports.* Each governmental agency and institution acquiring maintenance, repair or operating supplies pursuant to this regulation, shall keep and preserve for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board and shall execute and file with the War Production Board such reports as may from time to time be required by said Board.

(n) *Communications.* All communications concerning this regulation should be addressed to: Governmental Division, War Production Board, Washington, D. C., Ref: CMP Regulation No. 5A.

Issued this 19th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

The following items are excluded from maintenance, repair and operating supplies as defined in paragraphs (b) (3), (b) (4) and (b) (5) of CMP Regulation No. 5A regardless of whether they would otherwise come within such definitions.

1. Fabricated containers (in knock-down or set-up form, whether assembled or unassembled), required for packaging products to be shipped or delivered.
2. Printed matter and stationery.
3. Paper, paperboard, and products manufactured therefrom; molded pulp products.
4. Fuel or electric power.
5. Office machinery or office equipment.
6. Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):
   a. Asbestos clothing.
   b. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives,
   c. Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves,
   d. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves,
   e. Other safety leather gloves or mittens but only if steel stitched or steel reinforced,
   f. Safety industrial leather clothing other than gloves or mittens,
   g. Metal mesh gloves, aprons and sleeves,
   h. Plastic and fibre safety helmets,
7. Fire hose, hose dryers, racks, reels and related products.
8. Fire extinguishers.
9. Any device, equipment, instrument, preparation or other material designed or adapted for use in connection with
   a. air raid warnings or detection of the presence of enemy aircraft; or
   b. blackouts or dimouts; or
   c. the protection of civilians, either individually or collectively, against enemy action or attack.

SCHEDULE I

PREFERENCE RATING AA–1

Sewers—sanitary and sewage disposal.
Hospitals.
Refuse collection and disposal.
Communicable disease control.
Alcan, Panamerican and Trans-Isthmian highways.
Public transportation facilities.
Docks, wharves and terminals.
Police and law enforcement agencies.
Fire protection.
Beacons, markers, and radio devices employed as aids to navigation.

SCHEDULE II

PREFERENCE RATING AA–2X

Streets and highways providing immediate access to military or war production facilities, and the strategic network and its extensions into and through municipalities.
Federal aid system of highways.
Primary state highways, together with their extensions into and through municipalities and arterial streets and highways.
Airports and flight strips.
Dams, levees and revetments.
Canals—waterways.
Flood control facilities.
Storm sewers.
Public dispensaries, clinics and health stations, governmentally-owned or operated not for profit.
Penal institutions including prison industries.
Mine safety.
Printing and publishing.
United States Mint.
United States Bureau of Printing and Engraving.
Processing, warehousing, distribution, preparation, serving and inspection of food by Governmental agencies only.
Over-all administration including staff services, such as fiscal, procurement, personnel, etc., by Governmental agencies only.
Repairs made necessary by reason of any breakdown of plumbing, heating, electrical wiring or equipment, or elevator service in any building or to provide against imminent breakdown of any such facilities by Governmental agencies only.
Educational institutions.

[F. R. Doc. 43-4252; Filed, March 19, 1943; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Order 337 Under § 1499.3 (b) of GMPR]

E. I. DU PONT DE NEMOURS & CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1773 *Maximum prices for high tenacity rayon staple fiber and tow sold by E. I. Du Pont de Nemours & Company.* (a) The E. I. Du Pont de Nemours & Company of Wilmington, Delaware, may sell and deliver and any person may purchase and receive from it high tenacity rayon staple fiber and rayon tow at prices not in excess of those set forth below:

Type:	Price per Pound (Cents)
High tenacity rayon staple fiber	30.75
High tenacity rayon tow	35.75

(b) The maximum prices set forth in paragraph (a) shall apply only to the sale of the first 25,000 pounds of each of the commodities produced by E. I. Du Pont de Nemours & Company. After completing such production, E. I. Du Pont de Nemours & Company shall notify the Office of Price Administration, Washington, D. C., and shall submit such information with respect to production costs as may then be requested.

(c) The prices set forth in paragraph (a) of this section shall be subject to the seller's customary terms of sale.

(d) This Order No. 337 may be revoked or amended by the Office of Price Administration at any time.

(e) This Order No. 337 shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4204; Filed, March 18, 1943; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 19 Under § 1499.29 of GMPR]

JACK NELSON MANUFACTURING COMPANY

Order No. 19 under § 1499.29 of General Maximum Price Regulation—Docket No. VIII–G 1305.12–28.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered*, That:

§ 1499.419 *Authorization of a maximum price for two-part cement laundry trays for Jack Nelson Manufacturing Company.* (a) Jack Nelson Manufacturing Company of Seattle, Washington, may sell and deliver to Crane Company, Consolidated Supply Company, Peerless-Pacific Company and Marshall Wells Company, all of Portland, Oregon, two-part cement laundry trays at not more than $5.65 each, f. o. b. point of manufacture.

(b) This Order No. 19 shall cover only the sales of two-part cement laundry trays to the companies set forth in paragraph (a) above, which are in turn sold under contract to the War Department, the Navy Department, and the Maritime Commission.

(c) If the contracts between Jack Nelson Manufacturing Company and the four companies set forth in paragraph (a) above have been negotiated at a price higher than that established by this Order No. 19, such price shall be adjusted downward to the established price. If any payments have been made under any such contracts at a price higher than that established by this Order No. 19, refund of the excess must be made to each company respectively.

(d) This Order No. 19 (§ 1499.419) is hereby incorporated as a section of Supplementary Regulation No. 4, which contains modifications of maximum prices established by § 1499.2.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 19 (§ 1499.419) shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4203; Filed, March 18, 1943; 11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271,[1] Amendment 5]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 271 is amended in the following respects:

1. Section 1351.1001 (a) (1) is amended to read as follows:

(1) All white potatoes, whether used for human consumption or as seed potatoes.

2. Section 1351.1001 (c) (3) is added to read as follows:

(3) Appendix C sets forth maximum prices for seed potatoes which were previously exempt from this regulation. Under its terms no seed potatoes heretofore or hereafter bought or sold as seed potatoes may be sold except as seed potatoes for planting. To insure compliance with this provision, various conditions are established which sellers and buyers are required to meet before sales of such seed potatoes may be made.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9179, 10715; 8 F.R. 233, 1748, 1981.

3. Section 1351.1003 (d) is added to read as follows:

(d) All intermediate sellers as defined in this section, who sell seed potatoes shall compute their prices under Appendix C.

4. Section 1351.1008 is amended to read as follows:

§ 1351.1008 *Evasion.* The price limitations which are set forth in this Maximum Price Regulation No. 271 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any of the commodities listed in any Appendix hereof, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or any other charge or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise; or by avoiding or offering to avoid the sale or use of seed potatoes as seed potatoes or by requiring any seller or buyer, as the case may be, to aid in avoiding the conditions of sale concerning seed potatoes set forth in Appendix C, or otherwise.

5. Section 1351.1011 (c) is added to read as follows:

(c) In addition to the above records sellers shall keep all correspondence in connection with any sale of seed potatoes together with a copy of every invoice or other written evidence of purchase or sale and.

On or before April 1, 1943, prepare and maintain for examination by any person during ordinary business hours a statement showing his maximum prices for every kind of certified seed potatoes which he sold during the period February 15, 1943, to March 1, 1943, and his customary allowances, discounts and other price differentials. Whenever such seller offers any other kind of certified seed potatoes for sale he shall add to such statement his maximum price for such seed potatoes.

6. Section 1351.1014 (a) (2) is amended to read as follows:

(2) "Country shipper" means any person, including a farmer, who grades, sacks, or loads perishable food commodities on board common or contract carriers and who makes sales and deliveries to any other person whether for his own account or for the joint account of himself and another. If any farmer sells a perishable food commodity at the farm, directly to any commercial, industrial or institutional user, the maximum price for such sale shall be the maximum price listed in Appendix A or Appendix C, as the case may be, for a country shipper.

7. Section 1351.1019 is added to read as follows:

§ 1351.1019 *Appendix C: Seed potatoes*—(a) *Scope of Appendix C.* Maximum prices for the sale of seed potatoes in bulk by farmers and in sacks of 50 pounds or more by country shippers (which is defined to include farmers act-

ing as country shippers or selling direct to commercial, industrial or institutional users) and intermediate sellers are established in this Appendix C. The foregoing provisions of this Maximum Price Regulation No. 271 shall also apply to such sales of seed potatoes, except as otherwise provided in this Appendix C.

(b) *Prohibitions on sale of seed potatoes.* No seed potatoes heretofore or hereafter bought or sold as seed potatoes shall be used or resold except as seed potatoes for planting.

(c) *Sales of certified seed potatoes by country shippers.* (1) The maximum price that any country shipper may charge for the sale or delivery of any certified seed potatoes, domestic or imported, shall be the highest price charged by such seller for the same variety, grade and size of seed potatoes to a purchaser of the same class during the period February 15, 1943, to March 1, 1943, inclusive.

(2) If a country shipper made no such sale or delivery, his maximum prices for the sale or delivery of any certified seed potatoes, domestic or imported, shall be the highest price charged by his most closely competitive seller for the same variety, grade and size of certified seed potatoes to a purchaser of the same class during the period February 15, 1943, to March 1, 1943, inclusive.

(3) If a country shipper cannot figure his price under the above provisions (1) and (2), his maximum price for the sale or delivery of certified seed potatoes shall be figured by taking his maximum price for the most similar quality certified seed potatoes which he sold or delivered during the period February 15, 1943, to March 1, 1943, inclusive, and adding or subtracting the premium or discount normal to his business or, if none, normal to the trade, for the certified seed potatoes in question.

(4) If he made no such sale or delivery under (3), the country shipper's maximum price shall be figured by taking his most closely competitive sellers maximum price for the most similar quality certified seed potatoes which such competitor sold or delivered during the period February 15, 1943, to March 1, 1943, inclusive, and adding or subtracting the premium or discount normal to his business, or if none, normal to the trade, for the seed potatoes in question.

(d) *Sales of selected seed potatoes by country shippers.* The maximum price that any country shipper may charge for selected seed potatoes, domestic or imported, shall be 75 cents per cwt. over the maximum price established for the country shipper in Appendix A for the same variety, grade and size of white potatoes sold for human consumption.

(e) *Sales of certified and selected seed potatoes by intermediate sellers.* The maximum price that any intermediate seller may charge for certified or selected seed potatoes, domestic or imported, which he has now on hand, or hereafter purchases, shall be established in the same manner as provided for the sale of white potatoes for human consumption by § 1351.1003 and Appendix B above, except that the period of time which shall be considered in determining the "largest single purchase" shall be thirty days, or if no such purchase was made during such thirty days the term "largest single purchase" shall refer to the most recent purchase made by the intermediate seller.

In addition, an intermediate seller's "net cost" of seed potatoes whether heretofore or hereafter bought shall not exceed the maximum delivered price to him in his purchase of the seed potatoes in question from the country shipper (or if he purchases from any other person the maximum delivered price to him as if he had bought the seed potatoes in question direct from the country shipper) under the terms of this Appendix C. "Net cost" shall otherwise have the same meaning as provided for in § 1351.1003 above.

(f) *Conditions of sale.* No sale of seed potatoes shall be made unless the following conditions are met.

(1) *Sales in sacks and bulk.* The seed potatoes shall have been packed in sacks of 50 pounds or over when sold by a country shipper or intermediate seller except that sales may be made in bulk by a farmer selling direct to a commercial, industrial or institutional user.

(2) *Buyer's statement.* The buyer shall furnish the seller with a statement in writing that such seed potatoes are being purchased "only for use or for resale as seed for planting and not for human consumption, for processing, or any other purpose." The buyer is required to furnish the seller with such a written statement prior to sale.

(3) *Seller's tag.* When seed potatoes are sold in sacks or other containers there shall be attached to the sack, or other container, prior to shipment from the farm or the country shipping point, a label or tag stating that such potatoes are "seed potatoes not to be used or sold for human consumption" and marked with an identifying lot number plus the name and address of the seller who attached such label or tag at the farm or country shipping point.

If a seller, on March 19, 1943, owns seed potatoes packed in a sack, or other container which has been labeled or tagged as seed potatoes at the country shipping point (as previously provided for by § 1351.1001), but which does not bear an identifying lot number or the name and address of the farmer or country shipper who attached such label at the country shipping point, he must add to the tag or label an identifying lot number, his own name and address and the words "seed potatoes not to be used or sold for human consumption."

When seed potatoes are sold in bulk by a farmer direct to a commercial, industrial or institutional user, he shall state upon an invoice or other written evidence of sale an identifying lot number and his name and address.

(4) *Seller's statement on invoice.* The seller shall furnish the buyer with an invoice or other written evidence of the sale which, in addition to the customary facts stated by the seller, shall include the following statement:

As required by Maximum Price Regulation No. 271, I have agreed to sell and you have agreed to buy these seed potatoes only for use or for resale as seed for planting and not for human consumption or any other purpose. I have also received from you a statement in writing to that effect.

The identifying lot number with which these seed potatoes have been labeled or tagged is _____ and the name and address of the seller who attached such label or tag is _____.

The type, variety, grade and size of these seed potatoes are _____.

My selling price, which does not exceed my maximum price, is _____.

(5) *Report.* The seller shall mail after each sale or delivery of seed potatoes a copy of his invoice or other written evidence of the sale, within 24 hours after the day of sale or shipment, to the nearest district or state office of the Office of Price Administration.

(g) *Addition, alteration or removal of tag or label prohibited.* No person shall attach any tag or label to a sack, bag or other container of potatoes stating that such potatoes are seed potatoes, except at the farm or country shipping point as expressly required above.

No person shall alter or modify any tag or label attached to a sack, bag or other container of seed potatoes, except as expressly required above.

No person, except a planter, shall remove or detach any tag or label attached as above provided to a sack, or other container of seed potatoes.

(h) *Definitions.* "Certified white seed potatoes" means white potatoes inspected and certified by a state agency as seed for planting.

"Selected white seed potatoes" means white potatoes selected by the farmer or country shipper as specially qualified for use as seed for planting and duly invoiced, tagged or labeled as seed potatoes at the farm or country shipping point as required above.

"Seed potatoes" means either certified or selected white seed potatoes.

This amendment shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4223; Filed, March 18, 1943; 4:56 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 332,[1] Amendment]

ALFALFA HAY; STATES OF CALIFORNIA, OREGON, WASHINGTON, ARIZONA, NEVADA, UTAH AND IDAHO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with The Division of the Federal Register.*

Maximum Price Regulation 322 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2024.

1. Section 1351.1950 is amended to read as follows:

§ 1351.1950 *Prohibition against sales of alfalfa hay in the area subject to this regulation above maximum prices.* On and after the effective date of this regulation regardless of any contract or other obligation, no person subject to this regulation shall sell or deliver alfalfa hay and no person subject to this regulation in the course of trade or business shall buy or receive such alfalfa hay at a price higher than the maximum prices permitted by this regulation and no person subject to this regulation shall agree, offer, solicit or attempt to do any of the foregoing; *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of alfalfa hay otherwise covered by this regulation if prior to the effective date of this regulation such alfalfa hay has been sold to a buyer and has been received by a carrier other than a carrier owned or controlled by the seller for shipment to such buyer. But any resales of such last mentioned alfalfa hay which is so in transit at the effective date of this regulation shall be subject to this regulation.

2. Section 1351.1952 is amended to read as follows:

§ 1351.1952 *Territory and transactions subject to this regulation.* The provisions of this regulation shall apply only to the states of California, Nevada, Oregon, Arizona, Washington, Idaho and Utah. It shall govern the sale and delivery of all alfalfa hay produced in said region as well as the sale and delivery of all alfalfa hay produced elsewhere which is sold to any person located in said region.

3. Section 1351.1953 is amended to read as follows:

§ 1351.1953 *Maximum prices for sales by a producer.* (a) "Producer" means a person who grows or raises alfalfa hay.

(b) The maximum price for the sale or delivery of alfalfa hay by a producer shall be $20.00 per ton, loose on the farm, collected and situated ready to load on vehicles for transportation from the farm, except that where there is furnished a complete certificate designating the grade (or if impractical to procure, then a partial inspection certificate designating the grade shall govern unless and until a complete certificate is issued) which complete certificate or partial inspection certificate shall be signed by a hay inspector duly licensed as a federal or federal state inspector and duly authorized to issue such certificates, the maximum prices for the grades so designated shall be as follows:

	Grade No. 1	Grade No. 2	Grade No. 3
Alfalfa hay	$22.50	$20.00	$17.00
Alfalfa green or leafy hay		21.50	19.00
Alfalfa extra leafy hay	25.50	22.00	20.00

(c) The maximum delivered price for the sale or delivery of alfalfa hay by a producer shall be the maximum price above set forth plus transportation charges actually incurred by the seller from seller's farm to buyer's receiving point.

4. Section 1351.1954 is amended to read as follows:

§ 1351.1954 *Maximum prices for sales by a country shipper except for purchases in California.* (a) "Country shipper" means a person who buys alfalfa hay from a producer other than a producer located in California for resale to a dealer or retailer.

(b) The maximum price for the sale or delivery of alfalfa hay by a country shipper shall be $2.00 per ton (maximum mark up) over his cost which shall not exceed the maximum price thereon to him of the producer from whom the alfalfa hay in question was purchased plus transportation charges actually incurred by such country shipper in selling to a dealer or retailer.

(c) Notwithstanding the foregoing provisions of this section, country shippers customarily doing business as above described may trade in alfalfa hay among themselves: *Provided*, That no more than a total of the $2.00 maximum mark up above permitted is charged a dealer or retailer for his purchase from any country shipper of any particular lot of alfalfa hay irrespective of the number of such country shippers who may have handled the alfalfa hay in question.

5. Section 1351.1955 is amended to read as follows:

§ 1351.1955 *Maximum prices for sales by a dealer.* (a) "Dealer" means a person who buys alfalfa hay from a producer or country shipper for resale to a retailer or to a feeder or ultimate consumer except by sale of a type specified in § 1351.1956 hereof.

(b) The maximum price for the sale or delivery of alfalfa hay by a dealer shall be $1.50 per ton (maximum mark up) over his cost which shall not exceed the maximum price thereon to him of the producer or country shipper, as the case may be, from whom the alfalfa hay in question was purchased plus transportation charges actually incurred by such dealer in so selling to a retailer or to a feeder or ultimate consumer.

(c) Notwithstanding the foregoing provisions of this section, dealers customarily doing business as above described may trade in alfalfa hay among themselves; *Provided*, That no more than a total of the $1.50 mark up above permitted is charged in any such sale to a retailer or a feeder or ultimate consumer for the purchase from any dealer of any particular lot of alfalfa hay irrespective of the number of such dealers who may have handled the alfalfa hay in question.

6. Section 1351.1956 is amended to read as follows:

§ 1351.1956 *Maximum prices for sales by a retailer.* (a) "Retailer" means a person who buys alfalfa hay for the purpose of sale to a feeder or ultimate consumer in the manner specified below.

(b) The maximum prices for the sale or delivery of alfalfa hay by a retailer shall be one of the following mark ups over his cost which shall not exceed the maximum price thereon to him of the producer, country shipper or dealer from whom the alfalfa hay in question was purchased plus transportation charges actually incurred by such retailer in so selling to a feeder or ultimate consumer;

(1) Where the retailer has unloaded and stored the alfalfa hay in question in his established place of business which must consist of a permanent structure or building such as a feed store or structural warehouse;

(i) $5.00 per ton maximum mark up if sold in quantities of two tons or less.

(ii) $4.50 per ton maximum mark up if sold in quantities of more than two tons and not over three tons.

(iii) $3.50 per ton maximum mark up if sold in quantities of more than three tons and not more than five tons.

(iv) $3.00 per ton maximum mark up if sold in quantities of more than five tons but not over seven tons.

(2) Where the retailer sells from off a railroad car $3.00 per ton maximum mark up if sold in quantities of less than railroad car lots.

(c) Notwithstanding the foregoing provisions of this section, retailers customarily doing business as above described may trade in alfalfa hay among themselves: *Provided*, That no more than a total of the maximum mark up above permitted for the sale of a particular quantity of alfalfa hay is charged a feeder or ultimate consumer for the purchase from any retailer of such quantity, irrespective of the number of such retailers who may have handled the alfalfa hay in question.

7. Section 1351.1958 is amended to read as follows:

§ 1351.1958 *Maximum prices for sales of alfalfa hay imported from a foreign country.* (a) The maximum price for the first sale and delivery of alfalfa hay imported from a foreign country within the area subject to this regulation after the importation shall be the total of:

(1) The seller's cost not exceeding the maximum price of a producer as above specified, plus

(2) The maximum mark up as above specified for the class of persons to which the seller belongs, plus

(3) Transportation charges actually incurred by the seller from the port of entry of the alfalfa hay in question to the buyer's receiving point.

(b) The maximum price for all subsequent sales and deliveries of such alfalfa hay shall be the maximum mark up as above specified for a like sale or delivery by a like class of seller over the seller's cost not exceeding the maximum price which he could lawfully have paid for the quantity and quality purchased and to the person from whom he purchased plus transportation charges actually incurred by such seller.

8. Section 1351.1959 is amended to read as follows:

§ 1351.1959 *Maximum prices for sales in bales.* Where alfalfa hay is sold in bales the cost of baling not exceeding $4.00 per ton if and as incurred by the seller may be added to the appropriate maximum price above set forth.

9. Section 1351.1962 is amended to read as follows:

§ 1351.1962 *Definitions.* (a) As used in this regulation alfalfa hay and grades of alfalfa hay refer to alfalfa hay and grades of alfalfa hay as established in the Handbook of Official Hay Standards issued by the Department of Agriculture.

(b) As used in the regulation the phrase "transportation charges actually incurred" means:

(1) Where the carrier is not owned or controlled by the seller, the amount paid such carrier (including the 3 per cent tax provided for in section 620 of the Revenue Act of 1942) not exceeding any applicable common or contract carrier rate for a like service or any applicable maximum price for such service.

(2) Where the carrier is owned or controlled by the seller, the reasonable value of the transportation in question not exceeding, if any, the common or contract carrier rate or the maximum price for a like service if performed by a person other than the seller.

Save as loading or unloading charges may be customarily included in such transportation charges no additional charges may be made for such services.

10. The title of this regulation is amended to read as set forth above.

This amendment shall become effective March 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4233; Filed, March 18, 1943; 4:56 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] as Amended March 18, 1943]

COFFEE RATIONING REGULATIONS

A new item is added to § 1407.1091 by Amendment 24, so that Ration Order 12 shall read as follows:

Preamble. Interruptions in ocean communications and the use of available shipping space to carry materials important to the prosecution of the war have resulted in a recent sharp decline in coffee imports. The supply of coffee in the United States, which depends virtually in its entirety upon ocean-going transportation, has, therefore, suffered to such an extent that it is insufficient to satisfy normal demands. In addition, the tremendous purchases and consumption of coffee by the armed forces has depleted the coffee supply that would normally be available for civilian consumption.

Coffee has become an important drink to practically the entire adult population of this country. It is important, therefore, to take steps to insure the orderly distribution of coffee so that each person may obtain his share of the coffee available for distribution. The War Production Board has accordingly directed the Office of Price Administration to ration coffee. Ration Order No. 12 is issued pursuant to that directive.

Because the supply of coffee is inadequate to provide the entire population with coffee in amounts sufficient to satisfy normal demands and because the youngest members of the community are those who would suffer least from being deprived of coffee, no coffee ration is being provided for children fourteen years old and younger. No one will be allowed to obtain coffee with the coffee stamps contained in such children's war ration books.

In order to allow retailers and wholesalers of coffee to build up their stocks of roasted coffee, coffee cannot be sold to consumers during the period from November 22, 1942, to November 28, 1942, inclusive. Certain stamps contained in War Ration Book One will be designated as coffee stamps and will enable consumers to acquire their coffee rations. Consumers will not, however, be allowed to buy green coffee even with coffee stamps.

In order to assure that dealers will have available sufficient coffee to satisfy consumers' rations, provisions are made for allowing retailers and wholesalers working inventories which they will be able to replenish through use of the same coffee stamps.

Roasters and persons dealing in green coffee will be able to buy green coffee without the use of coffee stamps or certificates. Roasters, however, must have on hand stamps or certificates equal in weight value to the coffee roasted and sold by them.

Institutions will receive bimonthly allotment certificates at their local war price and rationing boards.

To provide information necessary to the proper administration and enforcement of this rationing program, all members of the trade are required to take an initial inventory, to keep certain records, and to make certain reports.

Accordingly, pursuant to the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942, and Directive No. 1 and Supplementary Directive No. 1-R of the War Production Board, issued on January 24 and November 20, 1942, respectively, *It is hereby ordered*, That:

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[1] 7 F.R. 9710.

Sec.
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AUTHORITY: §§ 1407.951 to 1407.1092, inclusive, issued pursuant to Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress, E.O. 9125, 9280, 7 F.R. 2719, 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R, Food Dir. No. 3, 7 F.R. 562, 9684; 8 F.R. 2005.

SCOPE OF RATION ORDER NO. 12

§ 1407.951 *Territorial limitation.* Ration Order No. 12 shall apply within the 48 States of the United States and within the District of Columbia.

DEFINITIONS

§ 1407.952 *Definitions.* When used in Ration Order No. 12 the term:

(a) "Acquire" means to accept a transfer or otherwise obtain possession of, title to, or any interest in coffee.

(b) "Beverage," unless otherwise indicated by the context, means the drink commonly known as "coffee."

(c) "Board" means a war price and rationing board or, if the context so indicates, the specific war price and rationing board having jurisdiction over specific persons or establishments.

(d) "Certificate" means a coffee purchase certificate. A coffee purchase certificate shall consist of O.P.A. Form R-306 with the word "sugar" stricken wherever it appears thereon, with the words "coffee in the amount of" inserted on the line in such form provided for insertion of amount, and with the words "Rationing Order No. 3 (Sugar)" stricken from the following line.

(e) "Coffee" means green or roasted coffee, packaged or unpackaged, bean or ground, and includes any substitute or substance, including but not limited to chicory, cereal, peas, or beans when mixed, blended, or compounded with coffee. When modified by the word "green" or "roasted," the term "coffee" shall denote only the kind of coffee indicated. "Coffee" does not include soluble or liquid extract coffee or similar products processed or manufactured in whole or in part from coffee but does include coffee from which all or part of the caffeine has been removed.

(f) "Coffee stamps" means stamps numbered 19 to 28, inclusive.

[Paragraph (f) as amended by Amendment 13, 8 F.R. 1741, effective 2-12-43]

(g) "Compounder" means a person, other than a consumer, institutional user, or industrial user, who mixes or blends coffee with any substitute or substance including but not limited to chicory, cereal, peas, or beans for the purpose of transfer.

[Paragraph (g) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

(h) "Consumer" means any individual acquiring or seeking to acquire coffee for personal use, who has obtained a war ration book pursuant to Rationing Order No. 3 or Ration Order No. 12, and whose age, as entered in said war ration book, is 14 years or over.

[Paragraph (h) as amended by Amendment 18, 8 F.R. 2154, effective 2-20-43]

(i) "Establishment" means the business or operation subject to Ration Order No. 12, conducted at or from a particular location. Each shipping point from which one or more car, wagon, or other house-to-house routes originate shall be deemed a separate establishment.

(j) "Family unit" means a group of two or more individuals, consisting of all persons customarily living together in the same household (including persons temporarily absent therefrom) who are related by blood, marriage, or adoption.

(k) "Industrial establishment" means an establishment which uses coffee in the production, manufacture, or processing of soluble coffee or any product other than coffee or in the preparation of food or beverages not served by it or its owner to individuals. It does not include an establishment which only blends, mixes or compounds coffee with substitutes or substances including but not limited to chicory, cereal, beans, or peas. A person owning an industrial establishment is, with respect to the ownership and operation of such establishment, an industrial user. With respect to coffee used by him in the preparation of beverages which he does not serve to individuals, an industrial user is sometimes designated in Ration Order No. 12 a Class A industrial user. With respect to other uses of coffee by him, an industrial user is sometimes designated in Ration Order No. 12 a Class B industrial user.

(l) "Institutional establishment," "institutional user establishment," and "institutional user" have the respective

meanings given to such terms by General Ration Order 5.'

[Paragraphs (k) and (l) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43.]

(m) "Person" means any individual, corporation, partnership, association, or business trust, and includes the United States or any agency thereof, and any State or any political subdivision or agency thereof, and any other government or agency thereof.

(n) "Purchase warrant" means a statement prepared and signed by a retailer or wholesaler for the purpose of acquiring roasted coffee and certifying to the authority of the retailer or wholesaler to acquire, under Ration Order No. 12, roasted coffee in the amount stated thereon.

(o) "Ration period" means the period designated by the Office of Price Administration during which a coffee stamp shall be valid for use by a consumer.

(p) "Registering unit" means the institutional establishment or group of institutional establishments, as defined prior to March 1, 1943, selected by the owner thereof to be treated as a single unit for the purposes of Ration Order No. 12 and which was so registered by him.

[Paragraph (p) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43.]

(q) "Retail establishment" means an establishment engaged in a business involving the transfer of roasted coffee which makes at least 50 per cent of its transfers of all merchandise to consumers. A person owning one or more retail establishments is, with respect to the ownership and operation thereof, a retailer.

(r) "Roaster" means a person who roasts green coffee owned by him or has green coffee supplied by him roasted for his account on a fee or similar basis by some other person. Whenever in Ration Order No. 12 reference is made to green coffee roasted by a person it shall include green coffee supplied by such person but roasted for his account on a fee or similar basis by some other person and shall not be included by such other person as green coffee roasted by him.

(s) "Stamp" means a war ration stamp originally contained in a war ration book.

(t) "State Director" means the person holding the Office of State Director in a District or State office, or the Office of District Manager in a district office, who has been designated by the Regional Administrator to decide, pursuant to Procedural Regulation No. 9,[1] appeals from the decisions of local war price and rationing boards located in the area over which such office has jurisdiction.

[Paragraph (t) added by Amendment 11, 8 F.R. 1366, effective 2-4-43. Former paragraphs (t) through (w) redesignated (u) through (x).]

(u) "Transfer" means sell, lease, lend, trade, give, ship, deliver, or transfer, in any way, the ownership or possession of coffee or any interest therein from one establishment or person to another establishment or person. It includes diverting to consumer use coffee held for sale or transfer whether or not a change in ownership or possession results.

(v) "War ration book" means War Ration Book One (O.P.A. Form R-302).

(w) "Weight value" means the amount of coffee authorized to be transferred by a coffee stamp, certificate, purchase warrant, or check.

[Paragraph (w) as amended by Amendment 12, 8 F.R. 1286, effective 1-27-43.]

(x) "Wholesale establishment" means an establishment engaged in a business involving the transfer of roasted coffee which makes over 50 per cent of its transfers of all merchandise to other establishments or to persons other than consumers. A person owning one or more wholesale establishments is, with respect to the ownership and operation thereof, a wholesaler.

(y) "Account" means a coffee ration bank account carried by a bank, in which the bank keeps a record of deposits of coffee stamps, certificates and checks and of transfers of coffee ration credits.

(z) "Bank" means a bank or bank branch which participates in ration banking by opening an account in accordance with General Ration Order No. 3.

(aa) "Check" means a coffee ration check, in the form prescribed by the Office of Price Administration drawn by a depositor against his account and made payable to the account of a named person.

(bb) "Depositor" means a person who has a ration bank account. A person shall be deemed a separate depositor with respect to each of his accounts.

(cc) "District Office" means the District Office of the Office of Price Administration having jurisdiction over the area in which the bank carrying the account for a depositor is located, or, if there is no such District Office, the State Office of the Office of Price Administration having jurisdiction over that area.

(dd) "Evidences" means coffee stamps, certificates and checks.

(ee) "Issue" when used with respect to a check, means the delivery of a completed check to the person to whose account the check is made payable.

(ff) "Ration credits" means the credits in an account reflecting the deposit of coffee stamps, certificates, or checks.

[Paragraphs (y) through (ff) added by Amendment 12, 8 F.R. 1286, effective 1-27-43.]

JURISDICTION

§ 1407.953 *Jurisdiction of boards.* For the purposes of Ration Order No. 12 each board shall have jurisdiction over each consumer and each institutional user establishment registered with it, and over each retailer, wholesaler, institutional user, and industrial user whose principal business office is located within the area assigned to the board.

[§ 1407.953 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43.]

RESTRICTION OF TRANSFERS

§ 1407.954 *Restriction of transfers.* Notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person shall on or after November 22, 1942, transfer or acquire coffee except in accordance with Ration Order No. 12.

§ 1407.955 *Transfers to consumers between November 22 and 28, 1942, prohibited.* From November 22, 1942, to November 28, 1942, inclusive, no person shall transfer coffee to a consumer.

§ 1407.956 *Transfer of roasted coffee must be accompanied by surrender or issuance of evidences.* Except as otherwise provided in Ration Order No. 12, a transfer of roasted coffee shall be made only upon the surrender or issuance of appropriate evidences authorizing such transfer.

[§ 1407.956 as amended by Amendment 12, 8 F.R. 1286, effective 1-27-43.]

§ 1407.957 *Transfer of coffee prohibited to individuals less than 14 years old.* No person shall transfer coffee against or acquire coffee with a coffee stamp in or from the war ration book of an individual whose age, as entered in said war ration book, is less than 14 years.

[§ 1407.957 as amended by Amendment 18, 8 F.R. 2154, effective 2-20-43.]

§ 1407.958 *Restriction on transfer of green coffee.* Except as otherwise provided in Ration Order No. 12, no person shall, on or after November 22, 1942, transfer green coffee to any other person unless such other person is a roaster or is and was prior to November 22, 1942, engaged in a business or operation involving dealing in green coffee.

§ 1407.959 *Transfer of green coffee to consumers prohibited.* Notwithstanding anything contained in Ration Order No. 12, no person shall on or after November 22, 1942, transfer green coffee to a consumer.

[§ 1407.960 revoked by Amendment 21, 8 F.R. 2782, effective 3-10-43.]

§ 1407.961 *Restriction on transfers or acquisitions in excess of War Production Board suspension orders.* No person against whom the War Production Board has issued or issues any suspension or similar order limiting the amount of coffee such person may acquire or transfer shall, on or after November 22, 1942, acquire or transfer any coffee in excess of the amount permitted by such order.

CONSUMERS

§ 1407.970 *Individuals not possessing war ration books.* (a) Any individual who registered as a consumer pursuant to Rationing Order No. 3 and who either (1) did not obtain a war ration book by virtue of the provisions of Rationing Order No. 3 or (2) surrendered his war ration book thereafter to the board pursuant to §§ 1407.71, 1407.73, or 1407.74 of Rationing Order No. 3, may, upon applying therefor to the board receive a war ration book containing stamps Nos. 17 to 28, inclusive, together with any other stamps to which such individual may be entitled pursuant to Rationing Order No. 3: *Provided, however,* That coffee stamps for any ration periods which have expired shall be detached from the war ration book issued to any such individual whose age, as entered in said war ration book, is 14 years or more.

[Paragraph (a) as amended by Amendment 19, 8 F.R. 2154, effective 2-22-43.]

(b) Any individual 14 years old or older who has not registered and applied for a war ration book in accordance with Rationing Order No. 3 and who is entitled to register pursuant to § 1407.68 of Rationing Order No. 3 may register pursuant thereto and apply for a war ration book. The board shall issue a war ration book to such an individual containing stamps Nos. 17 to 28, inclusive, together with any other stamps to which he may be entitled pursuant to Rationing Order No. 3: *Provided,* That coffee stamps for any ration periods which have expired shall be detached from such war ration book.

[Paragraph (b) as amended by Amendment 18, 8 F.R. 2154, effective 2-20-43.]

(c) Any individual whose war ration book does not contain stamps other than stamps Nos. 17 to 28, and who under the provisions of Rationing Order No. 3 subsequently becomes entitled to any stamps numbered 16 or less may exchange his war ration book at the board for a new war ration book. Before issuing the new war ration book, the board shall detach all stamps required to be detached by Rationing Order No. 3, the coffee stamps corresponding to any coffee stamp which had been removed from the surrendered war ration book, and the coffee stamps for ration periods which have expired: *Provided, however,* That such coffee stamps shall not be detached from the war ration book issued to any individual whose age as entered therein is less than 14 years.

[Paragraph (c) as amended by Amendment 19, 8 F.R. 2154, effective 2-22-43.]

[§ 1407.971 revoked by Amendment 22, 8 F.R. 2677, effective 3-1-43.]

§ 1407.972 *Consumers handicapped by transportation difficulties.* A consumer to whom a war ration book has been issued and who, because of transportation difficulties, finds it a hardship to acquire roasted coffee at the times specified in § 1407.1091, may apply to the board for a certificate having a weight value not in excess of five pounds. The application shall be made to the board by the consumer personally, by an authorized agent, or by any other person authorized by Rationing Order No. 3 to register for him. The board, in its discretion, may grant the application in whole or in part. Before issuing a certificate in such a case, the board shall detach from the war ration book of the consumer coffee stamps having a weight value equal to the amount for which the certificate is issued.

§ 1407.973 *Army, Navy, Marine Corps, and Coast Guard personnel on furlough.* A member of the Army, Navy, Marine Corps, or Coast Guard who is on furlough for at least seven days, may apply to a board for a certificate for one pound of coffee. Not more than one such certificate may be issued to the same person in any ration period. When issuing such a certificate, the board shall enter on the leave papers its designation, a statement that it has issued a certificate, and the date of issuance.

[§ 1407.974 revoked by Amendment 23, 8 F.R. 2721, effective 3-2-43.]

§ 1407.975 *Restriction on use of coffee stamps.* (a) A consumer, not a member of a family unit, who on November 28, 1942, owns or possesses more than one pound of coffee shall retain in his possession one coffee stamp for each pound of coffee he owns or possesses in excess of one pound. The consumer shall surrender such coffee stamps to the board when so ordered by the Office of Price Administration.

[Paragraph (a) as amended by Amendment 1, 7 F.R. 10380, effective 12-16-42.]

(b) If, on November 28, 1942, a family unit or any member thereof owns or possesses a quantity of coffee in excess of one pound of coffee per member of the family unit, whose age, as entered on his war ration book, is 14 years or more, coffee stamps equal in weight value to such excess shall be retained by such members. Such coffee stamps shall be surrendered to the board when so ordered by the Office of Price Administration.

[Paragraph (b) as amended by Amendment 1, and Amendment 18, 8 F.R. 2154, effective 2-20-43.]

RETAILERS AND WHOLESALERS

§ 1407.980 *Allowable inventory of coffee.* Every retailer and wholesaler is permitted a working inventory of coffee which shall be known as his allowable inventory.

§ 1407.981 *Allowable inventory of certain single-establishment, non-roasting retailers.* (a) The allowable inventory of a person owning one retail establishment only, not engaged in roasting coffee, which commenced operations on or before September 1, 1942, and which transferred during September 1942 less than 2,000 pounds of roasted coffee, shall be one pound of roasted coffee for each ten dollars, or fraction thereof, of gross sales of all meats, groceries, fruits, vegetables, and similar products made from such establishment during September 1942. The gross sales of a person owning one retail establishment only, not engaged in roasting coffee, which commenced operations after September 1, 1942, shall be computed by multiplying by 26 its average daily gross sales of meats, groceries, fruits, vegetables, and similar products between September 2 and November 22, 1942, and the allowable inventory of such person shall be one pound of roasted coffee for each ten dollars, or fraction thereof, of gross sales so computed. If such establishment is one of two or more departments located within one building and holding themselves out to the public as a single operation, such gross sales may include the sales made by all such departments regardless of their ownership.

(b) For the purposes of this section, average daily gross sales shall be determined by dividing the total gross sales made from the establishment by the number of days on which said establishment was open for business during the period for which the average daily gross sales are being determined.

§ 1407.982 *Allowable inventory of retailers not included in § 1407.981 and wholesalers.* (a) The allowable inventory of a person owning a single retail establishment not referred to in § 1407.981 or two or more retail establishments or one or more wholesale establishments, all of which commenced operations on or before September 1, 1942, shall be an amount equal to the sum of (1) the amount of roasted coffee, acquired by such owner as roasted coffee, and transferred during September 1942 by such owner to another person; and (2) three times the amount of roasted coffee roasted by said owner, transferred during September 1942 to another person.

(b) The allowable inventory of a person owning a single retail establishment not referred to in § 1407.981 or two or more retail establishments or one or more wholesale establishments, none of which was in operation on or before September 1, 1942, shall be computed by determining for each such establishment the sum of (1) the average daily quantity of roasted coffee, acquired by the owner of such establishment as roasted coffee, and transferred by such establishment, during the period between September 2 and November 22, 1942, to any person other than the owner of the establishment, and (2) three times the average daily quantity of roasted coffee, roasted by the owner of the establishment, transferred by such establishment, during the period between September 2 and November 22, 1942, to any person other than the owner of the establishment; by adding such sums for all the establishments owned by said person; and by multiplying the figure thus obtained by 26. For the purposes of this section, average daily quantities shall be determined by dividing the amount of roasted coffee transferred by an establishment during the period between September 2 and November 22, 1942, by the number of days on which said establishment was open for business during said period.

(c) A person owning two or more retail establishments or two or more wholesale establishments, some, but not all, of which commenced operations on or before September 1, 1942, shall compute his allowable inventory by treating, for the purpose of this Section only, those establishments which commenced operation on or before September 1, 1942, as if they were owned by one person and all other establishments as if they were owned by another person and by adding the two results thus obtained.

(d) A person owning retail and wholesale establishments shall compute his allowable inventory by treating, for the purposes of paragraphs (a), (b), and (c)

[1] 8 F.R. 2195, 2348, 2597, 2598, 2666, 2667.
[2] 7 F.R. 8796; 8 F.R. 856.

of this section, all his retail establishments as if they were owned by one person and all his wholesale establishments as if they were owned by another person and by adding the two results thus obtained.

§ 1407.983 *Compounded coffee in allowable inventory computation.* In computing, for the purposes of §§ 1407.981 and 1407.982, the amount of roasted coffee transferred, the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, compounded, mixed, or blended with such coffee by the transferor shall be deducted from the weight of such roasted coffee.

§ 1407.984 *Initial inventory.* (a) The initial inventory of a retailer or wholesaler shall include all green and roasted coffee located within the continental United States (the 48 States of the United States and the District of Columbia) to which, at midnight, November 21, 1942, he has title or holds documents of title. He shall be deemed to have title to coffee: (1) in transit or stored for delivery to him and out of the possession of the vendor prior to November 22, 1942; (2) held by him on consignment or on any similar basis; (3) mortgaged, pledged, or otherwise used by him as security in a credit transaction; or (4) in the possession of his vendor if such coffee has been paid for and physically segregated and earmarked by the vendor for delivery to him.

(b) In computing his initial inventory, the retailer or wholesaler shall deduct from the weight of the coffee included in such inventory the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by said retailer or wholesaler with said coffee.

§ 1407.985 *Excess inventory.* The amount of coffee by which the initial inventory of a retailer or wholesaler exceeds the allowable inventory, shall be known as the "excess inventory". A retailer or wholesaler who has an excess inventory of coffee shall, before he may acquire any coffee upon the surrender of coffee stamps or certificates, surrender to the board for cancellation coffee stamps or certificates in weight value equal to the amount of his excess inventory: *Provided, however,* That such retailer or wholesaler may, before surrendering such coffee stamps or certificates to the board for cancellation, acquire roasted coffee through the issuance of purchase warrants pursuant to §§ 1407.986 to 1407.988, inclusive. In no event shall a retailer or wholesaler acquire any coffee after January 31, 1943, unless he has surrendered to the board for cancellation coffee stamps or certificates in weight value equal to the amount of his excess inventory.

§ 1407.986 *Issuance of purchase warrants.* Between November 22, 1942, and December 5, 1942, inclusive, a retailer or wholesaler may, in order to acquire roasted coffee, issue purchase warrants in an aggregate weight value not in excess of any amount by which his allowable inventory exceeds his initial inventory of coffee.

§ 1407.987 *Form of purchase warrants.* Purchase warrants shall be in the following form:

Purchase warrant issued to----------
Name of Supplier

I hereby certify to the Office of Price Administration that I am authorized, pursuant to the provisions of Ration Order No. 12 (Coffee Rationing Regulations) to acquire ---------- pounds of coffee

---
Corporation or firm name

By ---

Address

Date: ----------, 1942.

§ 1407.988 *Transfers upon purchase warrants.* (a) Any retailer or wholesaler who, on or before December 12, 1942, receives a purchase warrant from any person authorized to issue such purchase warrant is authorized to transfer roasted coffee to such person in an amount equal to the weight value of the purchase warrant.

(b) A person receiving purchase warrants and transferring roasted coffee pursuant thereto may himself on or before December 12, 1942, in addition to purchase warrants issued by him pursuant to § 1407.986, issue purchase warrants having a weight value equal to the amount of roasted coffee transferred by him pursuant to purchase warrants received by him, for the purpose of obtaining from his suppliers roasted coffee to replace the roasted coffee thus transferred by him.

(c) After January 25, 1943, no person shall transfer roasted coffee on the authority of a purchase warrant.

[Paragraph (c) as amended by Amendment 3, 7 F.R. 11072, effective 12-28-42]

(d) Every person receiving purchase warrants shall maintain a file thereof at his principal business office for delivery to the Office of Price Administration upon demand therefor. Such file shall be maintained in alphabetical order according to the names of the persons from whom the purchase warrants were received.

§ 1407.988a *Certificates to be issued for roasted coffee not acquired with purchase warrants.* (a) Any retailer or wholesaler may, upon applying therefor to the board in February 1943, receive from the board a certificate or certificates in weight value equal to the sum of (1) and (2):

(1) The weight value of the purchase warrants which he was authorized to issue pursuant to Ration Order No. 12 minus the amount of all roasted coffee acquired by him on the authority of such purchase warrants;

(2) The weight of roasted coffee transferred by him after December 12, 1942, and prior to January 26, 1943, against purchase warrants received by him pursuant to Ration Order No. 12 from other retailers or wholesalers.

(b) Before the board shall grant any such application, it shall receive from the applicant a certificate in the following form, duly signed by the applicant:

I hereby certify to the Office of Price Administration that: (1) pursuant to the provisions of Ration Order No. 12 I was authorized to issue purchase warrants in weight value aggregating ------ pounds; (2) on the authority of all purchase warrants issued by me I acquired ------ pounds of roasted coffee; and (3) after December 12, 1942, and prior to January 26, 1943, I transferred ------ pounds of roasted coffee against purchase warrants received by me.

Date:

Retailer-Wholesaler

By

Address

(c) The weight value of a certificate authorized to be issued to any wholesaler pursuant to paragraph (a) of this section shall be reduced by the weight value of any certificate received by such wholesaler pursuant to a petition for inventory adjustment filed by him.

(d) Any retailer or wholesaler who, after receiving a certificate pursuant to paragraph (a) of this section, receives delivery of roasted coffee against purchase warrants previously issued by him shall, on or before March 15, 1943, surrender to the board for cancellation coffee stamps or certificates in weight value equal to the amount of roasted coffee so received by him.

[§ 1407.988a added by Amendment 9, 8 F.R. 1316, effective 2-1-43]

§ 1407.989 *Replenishment of allowable inventory.* Except as otherwise provided in Ration Order No. 12, on and after November 22, 1942, the allowable inventory of a retailer or wholesaler may be replenished with roasted coffee only upon the surrender by such person of coffee stamps or certificates.

§ 1407.990 *Compounders of coffee; reports.* (a) On and after November 22, 1942, no person, other than a consumer or institutional or Class A industrial user, shall blend, compound, or mix coffee with substitutes or substances, including but not limited to chicory, cereal, peas, or beans, unless he shall first notify The Office of Price Administration, Washington, D. C., of his intention to engage in such practice.

[Paragraph (a) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

(b) Every compounder shall maintain records showing the amounts of substitutes or substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by him with coffee transferred by him during each month and, beginning in January 1943, shall, between the first and fifth days of each month, surrender to the Office of Price Administration, Washington, D. C., coffee stamps or certificates in weight value equal to the weight of the substitutes or other substances blended, compounded, or mixed by him with the coffee transferred by him during the preceding month. Such person shall, at the same time, report on O. P. A. Form R-1206 (1) the amount of substitutes and substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by him with coffee transferred during the preceding month; (2) the total weight of such coffee (including the weight of the substitutes and substances referred to in (1)) transferred during the preceding month; and (3) such other information as is called for by said form. Such report shall be prepared in triplicate. The original and duplicate thereof shall be filed with the Office of Price Administration, Washington, D. C., and the triplicate copy shall be retained by the person making the report at his principal business office. The report made in January 1943 shall include the required information for the period from November 22 to December 31, 1942.

[Paragraph (b) as amended by Amendment 6, 8 F.R. 621, effective 1-21-43]

§ 1407.991 *Transfer of coffee to certain exempt persons.* (a) Any person who requires roasted coffee for the purpose of transfer to any person specified in § 1407.991a (a) or paragraph (c) (1) or (c) (2) of this section pursuant to a written contract with such person, may apply in writing to the board for certificates authorizing the acquisition of the quantity of roasted coffee so required. Such application shall include or be accompanied by a statement of the date of contract, the number or other designation of the contract, and the quantity of roasted coffee required in order to perform the contract. Such roasted coffee shall be used only for the purpose of performing the contract. A person who receives a certificate or certificates pursuant to this paragraph in order to fulfill a contract with any person specified in § 1407.991a (a) shall, within ten days of the delivery by him to the person with whom such contract is made of roasted coffee in an amount equal to the weight value of the certificates received, surrender or issue evidences to the board in weight value equal to the weight value of the certificates so received.

(b) Any retailer or wholesaler who on or after November 22, 1942, transfers roasted coffee to any of the persons (other than any agency specified in § 1407.991a (a)) and for the purposes specified in paragraph (c) of this section, without receiving coffee stamps or certificates therefor, may, if he has not obtained a certificate with respect thereto pursuant to paragraph (a) of this section, apply in writing to the board for certificates authorizing the acquisition of an equivalent amount of roasted coffee.

(c) The persons and purposes included within the provisions of this section are the following:

(1) Any agency of the United States or foreign government, other than any agency specified in § 1407.991a (a), for export to any foreign country.

(2) Veterans' Administration.

(3) Any person, other than any agency specified in § 1407.991a (a), for transfer to any territory or possession of the United States other than the District of Columbia.

(4) Any person, other than any agency specified in § 1407.991a (a), operating an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise, or intercoastal trade, as ships' stores for consumption aboard such vessel.

[Paragraphs (a), (b), and (c) as amended by Amendment 23, 8 F.R. 2721, effective 3-2-43]

(d) Application for a certificate pursuant to paragraph (b) of this section shall include or be accompanied by:

(1) In the case of a transfer to a person specified in paragraph (c) (1) or (c) (2) of this section, a certification signed by such person or his authorized agent or employee setting forth the name and address of the person, the name and address of the transferor, the date of transfer, and the quantity of roasted coffee transferred.

(2) In the case of a transfer to a person specified in paragraph (c) (3) of this section, a copy of the bill of lading under which the roasted coffee was shipped or a shipper's export declaration bearing a notation of an authorized customs official to the effect that to the best of his knowledge and belief the amount of roasted coffee therein stated has been exported by such person.

(3) In the case of a transfer to a person specified in paragraph (c) (4) of this section, a statement signed by the Collector of Customs or his deputy, authorizing the owner of the vessel or his agent to take delivery of roasted coffee as ships' stores in an amount equal to that for which application is being made.

[Paragraph (3) as amended by Amendment 1, 7 F.R. 10380, effective 12-16-42]

(e) The certifications and statements which are referred to in paragraph (d) of this section may be in any convenient form and do not require verification or acknowledgment.

§ 1407.991a *Ration banking by exempt agencies.* (a) The Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, United States Maritime Commission, Office of Lend-Lease Administration, Food Distribution Administration, Ships' Service Departments Afloat, and Army Exchange Service (to the extent that it acquires roasted coffee for export to a foreign country or for transfer to any territory or possession of the United States other than the District of Columbia) are exempt agencies for the purpose of General Ration Order 3B and are referred to as exempt agencies in Ration Order No. 12. Nothing in Ration Order No. 12 restricts the amount of coffee which exempt agencies may acquire.

(b) Each exempt agency is authorized to open one or more exempt accounts, of the type described in General Ration Order 3B,[3] and, except as otherwise provided in Ration Order No. 12, no exempt agency shall acquire roasted coffee except upon the issuance by it of a ration check equal in weight value to the weight of the roasted coffee transferred to it: *Provided, however,* That roasted coffee may be transferred between or within exempt agencies without the issuance of a check.

(c) Notwithstanding the provisions of § 1407.1021 (a), an exempt agency shall issue an appropriate check to the person who transfers roasted coffee to it at the time such roasted coffee is delivered to it or as soon as practicable thereafter.

(d) Notwithstanding any provision to the contrary in Ration Order No. 12, if for any reason a check cannot be used when an exempt agency acquires roasted coffee, an emergency acknowledgment issued by the exempt agency shall authorize the transfer of roasted coffee to it. An emergency acknowledgment may be in any form, but shall be signed by an authorized officer or employee of the exempt agency, shall specify his official title or rank, and shall state (1) the name of the agency, (2) the name and address of the activity within the agency for which such roasted coffee is acquired, (3) the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a ration check, (4) the amount of roasted coffee acquired, and (5) the date of its acquisition. An emergency acknowledgment shall not authorize the transfer of roasted coffee to the person to whom it is issued, nor shall it be valid for deposit. A person to whom an emergency acknowledgment is issued shall send it to the activity of the exempt agency designated thereon, and a ration check for the amount of roasted coffee transferred shall be issued to him in exchange for the emergency acknowledgment.

[§ 1407.991a added by Amendment 23, 8 F.R. 2721, effective 3-2-43]

§ 1407.992 *Ration banking by retailers and wholesalers.* (a) Each retailer who owns:

(1) More than one retail establishment;

(2) A single retail establishment whose gross sales of all meats, groceries, fruits, vegetables, and similar products made from such establishment during December 1942 were $5,000 or more; or

(3) A retail establishment at which green coffee is roasted, shall open at least one account for all such establishments and each wholesaler shall open at least one account for all his wholesale establishments.

(b) Any other retailer may open an account for his establishment.

(c) Any retailer or wholesaler described in paragraph (a) of this section may, at his option, open a separate account for each establishment or for any group of retail or group of wholesale establishments described in such paragraph.

(d) Each account shall be carried in the name of the retailer or wholesaler who shall designate the establishment or establishments for which the account is opened. All accounts shall be opened

[3] 8 F.R. 2665.

in accordance with General Ration Order No. 3A.[1]

(e) A retailer may transfer ration credits from one of his retail accounts to another of his retail accounts, and a wholesaler from one of his wholesale accounts to another of his wholesale accounts by the issuance of a check without the transfer of coffee.

[§ 1407.992 added by Amendment 12, 8 F.R. 1286, effective 1-27-43]

[Paragraph (f) revoked by Amendment 22, 8 F.R. 2677, effective 3-1-43]

INSTITUTIONAL AND INDUSTRIAL USERS

§ 1407.995 *Dissolution of registering units and registration of Class A industrial users.* (a) Every registering unit registered under Ration Order No. 12 is dissolved as of March 1, 1943.

(b) Every Class A industrial user who, prior to March 1, 1943, had registered establishments owned by him as one or more institutional registering units under Ration Order No. 12, shall, between March 1 and March 10, 1943, inclusive, file with the board having jurisdiction over the area in which his principal business office is located a statement specifying (1) the aggregate initial inventories of such establishments as required to be reported by him at the time he registered such establishments; (2) the aggregate allotments to which such establishments were entitled as registering units under Ration Order No. 12; (3) the aggregate allowable inventories, if any, of such establishments; (4) that part of the aggregate roasted coffee bases of such establishments which resulted from the use by such establishments of roasted coffee in the preparation of beverages not served by him to individuals; and (5) a list of all establishments in which he uses roasted coffee in the preparation of beverages not served by him to individuals, together with the addresses of such establishments and designation of the boards at which such establishments were registered pursuant to Ration Order No. 12. The filing of such a statement shall constitute his registration as a Class A industrial user.

[Paragraphs (a) and (b) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43. Paragraphs (c) through (f) revoked.]

[§ 1470.996 revoked by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.997 *Allowable inventory of coffee for institutional or Class A industrial users.* (a) Any institutional or Class A industrial user who roasts green coffee used by him in the preparation of food or beverages is permitted a working inventory of coffee which shall be known as his allowable inventory.

(b) The allowable inventory of such an institutional or Class A industrial user shall be equal to three times the amount of roasted coffee roasted by him and used by him in the preparation of food or beverages in September 1942. In computing the allowable inventory there shall be deducted from the weight of the coffee included in such inventory, the weight of any substitutes or substances, including but not limited to chicory, cereal, beans, or peas, compounded, blended, or mixed by him with said coffee.

[§ 1407.997 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.998 *Roasted coffee base of Class A industrial user.* (a) The roasted coffee base of a Class A industrial user owning establishments registered by him pursuant to Ration Order No. 12 as one or more institutional registering units shall be equal to that part of the aggregate roasted coffee bases of such establishments resulting from the use by such establishments of roasted coffee in the preparation of beverages not served by him to individuals.

(b) A person desiring to become a Class A industrial user may petition the Office of Price Administration, Washington, D. C., for assignment to him of a roasted coffee base. The petition shall state the name and address of such person, the location or proposed location and description of the establishments owned by him at which he intends to use roasted coffee as a Class A industrial user, the petitioner's inventory of coffee on the date of his application, the estimated average monthly use the petitioner will make of roasted coffee as a Class A industrial user, whether or not the petitioner roasts green coffee, and any other information the petitioner deems pertinent. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent. Upon assignment of a base to such a person he may receive allotments pursuant to § 1407.999: *Provided, however,* That upon assignment of a base to such a Class A industrial user prior to April 30, 1943, he shall receive an allotment in an amount equal to 80 per cent of such base, reduced by an amount which bears the same proportion to the allotment as the number of days which have elapsed since March 1, 1943, bears to 61.

[Paragraphs (a) and (b) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43. Paragraphs (c) through (e) revoked.]

§ 1407.999 *Allotment.* (a) A Class A industrial user who has established a roasted coffee base shall receive, as provided in Ration Order No. 12, an amount of roasted coffee which is known as an allotment.

(b) The amount of the allotment for each period shall be the applicable percentage specified in § 1407.1092, of the roasted coffee base of such Class A industrial user.

[§ 1407.999 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1000 *Application for allotment certificates.* (a) Application to the Board for allotment certificates shall be made by a Class A industrial user, as provided in this section, for consecutive two-month periods, the first of which shall commence on May 1, 1943: *Provided, however,* That where the industrial establishments owned by such industrial user were, prior to March 1, 1943, registered as institutional registering units pursuant to Ration Order No. 12, such industrial user may apply for and receive an allotment certificate for the period from March 1 to April 30, 1943, inclusive, in the same manner as and to the same extent that he was authorized, by the applicable regulations in effect prior to March 1, 1943, to apply for and receive it. Application shall be made not later than the 5th day of the first month of the period for which the application is being made and not earlier than the 15th day of the month preceding the period. The board, in its discretion, may permit an application to be made at any time after the time specified herein but in such case the board shall reduce the allotment by an amount which bears the same proportion to the allotment as the number of days which have elapsed from the start of the period bears to the total number of days in the period.

(b) A Class A industrial user who is not an institutional user and who does not roast green coffee in connection with his Class A industrial use, and whose initial inventory is greater than the aggregate of the allotments received by him or by registering units owned by him pursuant to Ration Order No. 12, shall not apply for an allotment certificate as a Class A industrial user for any period until such initial inventory has been reduced, by the crediting of all such prior allotments, below the amount of his allotment for such period.

(c) A Class A industrial user, who is not also an institutional user, and who roasts green coffee for a Class A industrial use by him, whose initial inventory is greater than his allowable inventory plus the aggregate of the allotments received by him or by registering units owned by him pursuant to Ration Order No. 12, shall not apply for an allotment certificate as a Class A industrial user for any period until such initial inventory has been reduced, by the crediting of all such prior allotments, below the amount of his allowable inventory plus his allotment for such period.

(d) A Class A industrial user, not also an institutional user, who is assigned a roasted coffee base pursuant to § 1407.998 (b) shall not apply for an allotment certificate as a Class A industrial user for any period until the inventory reported by him in his application pursuant to said section has been reduced, by the crediting of prior allotments, below the amount of his allotment for such period.

[Paragraphs (a), (b) and (c) as amended, paragraph (d) added by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1001 *Amount for which allotment certificate is to be issued.* (a) Upon proper written application therefor a certificate shall be issued to a Class A industrial user in a weight value equivalent to his allotment except as provided in paragraphs (b), (c), or (d) of this section and subject to any adjustments required by Ration Order No. 12.

(b) The amount of the allotment certificate issued for the allotment period from May 1 to June 30, 1943, inclusive, to a Class A industrial user who does not roast green coffee in connection with his Class A industrial use, shall be the allotment for such period minus that portion of his initial inventory, as reported by him pursuant to § 1407.995, which has not already been charged against prior allotments received by such Class A industrial user pursuant to Ration Order No. 12, as reported by him pursuant to § 1407.995: *Provided, however,* That where such portion of his initial inventory exceeds his allotment for said period the first certificate issued to such Class A industrial user shall be of a weight value equal to the difference between his initial inventory and the aggregate of his allotments including the allotment for the period for which the certificate is issued.

(c) The amount of the allotment certificate issued for the allotment period from May 1 to June 30, 1943, inclusive, to a Class A industrial user who roasts green coffee in connection with his Class A industrial use shall be the allotment for such period, minus the amount, if any, by which any portion of his initial inventory, as reported by him pursuant to § 1407.995, which has not already been charged against prior allotments received by such Class A industrial user pursuant to Ration Order No. 12, exceeds his allowable inventory: *Provided, however,* That where such portion of his initial inventory exceeds his allowable inventory plus such allotment, the first certificate issued to such Class A industrial user shall be of a weight value equal to the difference between his initial inventory and the amount of his allowable inventory plus the aggregate of his allotments including the allotment for the period for which the certificate is issued.

[Paragraphs (a), (b), and (c) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

(d) Notwithstanding anything to the contrary contained in this section, a Class A industrial user who is also an institutional user shall not have any part of his initial inventory charged against his allotments as a Class A industrial user. (Any amount remaining to be charged against allotments of registering units owned by him will be included in his opening inventory as an institutional user under General Ration Order 5.)

(e) The amount of the allotment certificate issued for the period from March 1 to April 30, 1943, inclusive, to a Class A industrial user who is also an institutional user, and who has been assigned a roasted coffee base pursuant to § 1407.998 (b), shall be the allotment for such period which he is entitled to receive pursuant to § 1407.998 (b).

(f) A Class A industrial user, who is not also an institutional user, and who is assigned a roasted coffee base pursuant to § 1407.998 (b) shall report to the board the amount of the inventory specified by him on his petition pursuant to said section. The amount of the allotment certificate issued for the period from March 1 to April 30, 1943, inclusive, to such a Class A industrial user shall be the allotment for such period (which he is entitled to receive pursuant to § 1407.998 (b)) minus the amount of roasted coffee reported by him to the board as his inventory pursuant to this paragraph: *Provided, however,* That when such inventory exceeds such allotment, the first certificate issued to such Class A industrial user shall be of a weight value equal to the difference between such inventory and the aggregate of his allotments including the allotment for the period for which the certificate is issued.

[Paragraphs (d), (e), (f) added by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1002 *Adjustments.* (a) In the computation of allotments and the issuance of certificates, corrections shall be made for any previous errors or mistakes in allotments or in the issuance of certificates.

(b) Any institutional or Class A industrial user who acquires roasted coffee without the surrender of evidences, shall, within five days of such acquisition, report to the State Director (1) the amount of roasted coffee so acquired, (2) the name and address of the person from whom such roasted coffee was acquired, and (3) the way in which and the date when such roasted coffee was acquired. Such institutional or Class A industrial user may use such roasted coffee only upon the issuance or surrender by him of appropriate evidences to the State Director.

[Paragraph (b) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1003 *Restriction on use.* (a) No Class A industrial user shall, in any allotment period, use more coffee for any purpose for which allotment certificates may be obtained by him, than the amount of his Class A industrial user allotment for said period plus the unused portion of any prior allotments received pursuant to Ration Order No. 12, by him or by registering units owned by him, to the extent that such allotments were based upon the usage by him or by such registering units of roasted coffee in the preparation of beverages not served by him to individuals: *Provided, however,* That a Class A industrial user may use any part of a Class A industrial user allotment at any time after a certificate for such allotment has been issued to him.

(b) No Class A industrial user shall use roasted coffee allotted to him as a Class A industrial user, or allotted, pursuant to Ration Order No. 12, to him or to registering units owned by him, to the extent that such allotments were based upon the usage by him or by such registering units of roasted coffee in the preparation of beverages not served by him to individuals, for any purpose other than the preparation by him of beverages which will not be served by him to individuals.

[§ 1407.1003 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

[§§ 1407.1004 and 1407.1005 revoked by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1006 *Late registration.* A Class A industrial user eligible to register pursuant to § 1407.995 between March 1 and March 10, 1943, inclusive, but who has not done so, may register thereafter at the office of the board. Such Class A industrial user shall not be issued any certificates for any allotment periods or partial periods that may have elapsed.

[§ 1407.1006 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

[§§ 1407.1007 and 1407.1008 revoked by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1009 *Ration banking by industrial users and institutional user roasters.* (a) Notwithstanding anything contained in Ration Order No. 12 or any other ration order of the Office of Price Administration, each institutional and each Class A industrial user who roasts green coffee in connection with his operations as an institutional or Class A industrial user shall open at least one account for the institutional or industrial establishments at which green coffee is roasted by him.

(b) Any other industrial user may open an account for his establishment.

(c) A Class A industrial user may, at his option, open a separate account for each Class A industrial user establishment or for any group of Class A industrial user establishments owned by him, but if he opens an account for one of his Class A industrial user establishments he shall open an account or accounts for all such establishments owned by him.

(d) A Class B industrial user may, at his option, open a separate account for each Class B industrial user establishment or for any group of Class B industrial user establishments owned by him, but if he opens an account for one of his Class B industrial user establishments he shall open an account or accounts for all such establishments owned by him.

(e) Each account shall be carried in the name of the institutional or industrial user who shall designate the establishment or establishments for which such account is opened. All accounts shall be opened in accordance with General Ration Order No. 3A, and, in the case of an institutional user, in accordance with General Ration Order 5.

(f) A Class A industrial user may transfer ration credits from one of his Class A industrial user accounts to another of his Class A industrial user accounts, and a Class B industrial user from one of his Class B industrial user accounts to another of his Class B industrial user accounts, by the issuance of a check without the transfer of coffee.

(g) A certificate received by a Class A industrial user as an allotment for the period from March 1 to April 30, 1943, inclusive, for a registering unit owned by him or received by him for such use prior to March 1, 1943, may not be deposited by him in any account other than a Class A industrial user account opened by him.

[§ 1407.1009 added by Amendment 22, 8 F.R. 2677, effective 3-1-43]

[1] 8 F.R. 1130, 1449, 1963.

§ 1407.1015 *Restrictions on use of coffee.* No industrial user shall roast any green coffee in connection with or for use in connection with the production, manufacture, or processing of any products, other than of beverages or of products to be transferred to any persons specified in § 1407.991 or § 1407.991a (a), without petitioning the Office of Price Administration, Washington, D. C., for permission to do so and obtaining such permission. The petition shall state the name and address of the petitioner; the purposes for which he intends to use the coffee he seeks permission to roast; the amount of roasted coffee so used by him in each month of 1941, and, if he was not in business during the entire year of 1941, the amount of roasted coffee so used by him in each month of 1942; the amount of green coffee the petitioner seeks permission to roast; his inventory of coffee on the date of his application; the amount of the allotment or allotments, if any, which he is entitled to receive as an institutional user, pursuant to General Ration Order 5, or as a Class A industrial user, pursuant to Ration Order No. 12; and any other facts deemed pertinent by such industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

[§ 1407.1015 as amended by Amendment 22, 8 F.R. 2677, effective 3–1–43, and Amendment 23, 8 F.R. 2721, effective 3–2–43]

§ 1407.1016 *Inventory.* (a) In reporting his inventory, the industrial user shall include all coffee located within the continental United States (the 48 States of the United States and the District of Columbia) to which said industrial user has title or holds documents of title. Said industrial user shall be deemed to have title to coffee: (1) in transit or stored for delivery to him and out of the possession of the vendor; (2) mortgaged, pledged, or otherwise used by the industrial user as security in a credit transaction; and (3) in the possession of the vendor of the industrial user if such coffee has been paid for and physically segregated and earmarked by the vendor for delivery to said industrial user.

§ 1407.1017 *Class B industrial users—non-roasters.* A Class B industrial user who does not roast green coffee in the production, manufacture, or processing of products, may petition the Office of Price Administration, Washington, D. C., for allotments of roasted coffee. The petition shall state the name and address of the petitioner; the purposes for which roasted coffee is used or is desired to be used by him; the amount of roasted coffee so used by him in each month of 1941, and, if he was not in business during the entire year of 1941, the amount of roasted coffee so used by him in each month of 1942; the amount of allotments being sought; the amount of the allotment or allotments, if any, which he is entitled to receive as an institutional user, pursuant to General Ration Order 5, or as a Class A industrial user, pursuant to Ration Order No. 12; and any other facts deemed pertinent by such Class B industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

[§ 1407.1017 as amended by Amendment 22, 8 F.R. 2677, effective 3–1–43]

§ 1407.1018 *Restriction on transfer of soluble and liquid extract coffee.* No industrial user shall transfer any soluble or liquid extract coffee to any person, other than any person specified in § 1407.991 or § 1407.991 a (a) without petitioning the Office of Price Administration, Washington, D. C., for permission to do so and obtaining such permission. The petition shall state the name and address of the petitioner; the amount of soluble or liquid extract coffee he seeks to transfer; the person to whom he seeks to transfer such soluble or liquid extract coffee; the amount of soluble or liquid extract coffee so transferred by him in each month of 1941, and, if he was not in business during the entire year of 1941, the amount of soluble or liquid extract coffee so transferred by him in each month of 1942; his inventory of soluble and liquid extract coffee on the date of his application; and any other facts deemed pertinent by such industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

[§ 1407.1018 as amended by Amendment 23, 8 F.R. 2721, effective 3–2–43]

CERTIFICATES AND COFFEE STAMPS

§ 1407.1020 *Nature and validity of certificates and coffee stamps.* (a) A certificate may be transferred by the person to whom it is issued only for the purpose of authorizing such person to acquire the amount of roasted coffee authorized by the certificate. A coffee stamp may be transferred by a consumer to a retailer or wholesaler only for the purpose of authorizing the consumer to whom the coffee stamp was issued to acquire one pound of roasted coffee. A coffee stamp is valid in the hands of a consumer only if attached to a properly issued war ration book.

(b) Each coffee stamp authorizes the transfer of one pound of roasted coffee to a consumer only during the ration period assigned to that coffee stamp in § 1407.1091. A coffee stamp received in accordance with Ration Order No. 12, by a retailer, who is not and is not required to be a depositor, and against which such retailer has transferred roasted coffee, authorizes such retailer to acquire roasted coffee therewith from another retailer or wholesaler, if such stamp is surrendered to such other retailer or wholesaler within 10 days of the close of the ration period assigned to such coffee stamp. Coffee stamps surrendered to a depositor shall be valid for deposit in his account for a period of 20 days after the close of the ration period assigned to such coffee stamp, and, except as provided in paragraph (f) of § 1407.1032, he may issue checks at any time against credits created by the deposit of a stamp: *Provided, however,* That notwithstanding anything to the contrary contained in Ration Order No. 12, on or before February 15, 1943, coffee stamp No. 27 and, on or before March 15, 1943, coffee stamp No. 28, may be deposited, or may be surrendered in order to authorize the transfer of roasted coffee to a retailer who is not and is not required to be a depositor.

[Paragraph (b) as amended by Amendment 12, 8 F.R. 1286, effective 1–27–43 and Amendment 20, 8 F.R. 2346, effective 2–22–43]

(c) Coffee stamps in or from the war ration book of an individual whose age, as entered in said war ration book, is less than 14 years, are invalid for the acquisition of coffee. Such coffee stamps shall not be detached from the war ration book.

[Paragraph (c) as amended by Amendment 18, 8 F.R. 2154, effective 2–20–43]

(d) A certificate authorizes the person to whom it is issued, if he is not and is not required to be a depositor, to acquire roasted coffee therewith within 60 days of the date of issuance of the certificate. A certificate surrendered by endorsement to a retailer who is not and is not required to be a depositor, authorizes the transfer of roasted coffee to such retailer within 60 days of the date of issuance of the certificate. A certificate issued or surrendered to a depositor shall be valid for deposit in the account of such depositor only within 60 days of the date of issuance of the certificate. A certificate issued before January 27, 1943, which is surrendered by endorsement to another person, authorizes the transfer of roasted coffee, and may be deposited within 60 days after the date of issuance of such certificate or within 30 days after the date contained in the endorsement to such person, whichever is later. A depositor may, except as provided in paragraph (f) of § 1407.1032, issue checks at any time against credits created by the deposit of a certificate. Certificates which, on or prior to January 27, 1943, cease to authorize the transfer of roasted coffee, shall not be valid for deposit.

[Paragraph (d) as amended by Amendment 12, 8 F.R. 1286, effective 1–27–43]

(e) A person receiving coffee stamps or certificates from a retailer, wholesaler, or institutional or industrial user may, if requested by the person surrendering the coffee stamps or certificates, transfer to such person a quantity of roasted coffee equal to the weight value of the coffee stamps and certificates so received, plus an additional quantity of roasted coffee equal to either: (1) an amount, not in excess of ten percent of the weight value of the coffee stamps or certificates so received, required to make a total quantity equal to a carload or (2) an amount not in excess of 23 pounds, required to permit a transfer in shipping packages customarily used by the transferor. The person acquiring roasted coffee in a quantity greater than the weight value of the coffee stamps and certificates surrendered by him shall be charged with such excess and shall surrender to the transferor coffee stamps or certificates in weight value equal to such excess within 15 days after such acquisition.

[Paragraph (e) as amended by Amendment 22, 8 F.R. 2677, effective 3–1–43]

§ 1407.1021 *Surrender of certificates and coffee stamps.* (a) Certificates or coffee stamps must be surrendered by the person acquiring roasted coffee to the person transferring roasted coffee at or before the time of such transfer. Before a certificate is surrendered, the proper endorsement thereon shall be completed by the holder of the certificate.

(b) A coffee stamp shall not be detached from a war ration book except by the consumer or the person acting on his behalf in the presence of the person making delivery of the roasted coffee.

§ 1407.1022 *Mail orders and similar transactions.* When a consumer wishes to acquire roasted coffee by mail-order or similar transaction, he shall forward his war ration book or certificate to the seller with his order. Before transferring the roasted coffee to the consumer, the seller shall, where the consumer has forwarded his war ration book to the seller, detach therefrom the appropriate coffee stamp. Such seller shall return the consumer's war ration book to him promptly.

§ 1407.1023 *War ration stamp cards.* (a) A person to whom coffee stamps are surrendered by a consumer shall affix the coffee stamps to a war ration stamp card (OPA Form R–304) or to a similar card. Only coffee stamps bearing the same number may be affixed to a card. Not all the spaces on a card need be filled. Subject to paragraphs (b) and (c) of this section, the card may be surrendered by a depositor to a bank for deposit, or by a retailer who is not and is not required to be a depositor to another retailer or wholesaler for the purpose of acquiring an amount of roasted coffee equivalent to the aggregate weight value of the coffee stamps affixed thereto.

(b) When a retailer who is not and is not required to be a depositor surrenders a card for the purpose of authorizing a transfer of roasted coffee to him, the name and address of such retailer and the name and address of the retailer or wholesaler to whom the card is being surrendered shall be written on the face or back of the card by the retailer surrendering the card. Before a card may be surrendered for the purpose of deposit, the person surrendering the card shall, if he affixed the stamps to the card, endorse it by writing his name and address on its face, or shall, if he received the card with stamps affixed, endorse it by writing his name on its back.

(c) Coffee stamps affixed to a card shall have no greater period of validity and no greater value than coffee stamps not so affixed.

[Paragraphs (a), (b), and (c) as amended by Amendment 12, 8 F.R. 1286, effective 1–27–43. Paragraph (d) revoked.]

§ 1407.1024 *Sale, gift, loan, or judicial seizure of coffee stamps or certificates prohibited.* The transfer, sale, gift, loan, or assignment of a coffee stamp or certificate is prohibited and no coffee stamp or certificate or any interest therein may be so acquired or seized by distraint, execution, levy, attachment, or other judicial process or acquired through devise, bequest, or inheritance except that such transfer, sale, gift, loan, assignment, seizure, and acquisition is permitted when coffee stamps or certificates are transferred as part of the assets of an establishment transferred as provided in § 1407.1054, and when otherwise expressly permitted in Ration Order No. 12: *Provided, however,* That a person to whom a war ration book or certificate has been issued may institute and prosecute any proceeding for the purpose of recovering possession of said war ration book or certificate from any person wrongfully in possession thereof.

§ 1407.1025 *Destroyed, mutilated, or stolen coffee stamps or certificates.* (a) A certificate that is torn or mutilated is valid only if more than one-half thereof remains legible and only if such remaining portion clearly evidences the date of the certificate, its weight value, and the name of the person to whom the certificate was issued. A coffee stamp that has been torn or mutilated is valid for use by a consumer only if more than one-half of such coffee stamp remains undetached in the war ration book.

(b) If a certificate or coffee stamp, held by a retailer or wholesaler or by an institutional or industrial user is lost, destroyed, or stolen, or becomes invalid because of mutilation, the person entitled to such certificate or coffee stamp may apply to the board for a new certificate in weight value equal to that of the lost, stolen, destroyed, or mutilated certificate or coffee stamp. Upon the presentation of satisfactory proof, the board shall grant the application.

[§ 1407.1026 revoked by Amendment 22, 8 F.R. 2677, effective 3–1–43]

§ 1407.1027 *Transfers not to be made upon invalid coffee stamps, certificates, or purchase warrants.* (a) No person shall transfer roasted coffee if the coffee stamp, certificate, or purchase warrant tendered therefor is mutilated or illegible.

(b) No person shall transfer roasted coffee if he knows or has reason to believe that the certificate or purchase warrant tendered therefor was not acquired or issued in accordance with Ration Order No. 12 or that the coffee stamp tendered therefor was not acquired or issued in accordance with Rationing Order No. 3 or Ration Order No. 12. In the event of a refusal to transfer roasted coffee against a coffee stamp, certificate, or purchase warrant the person refusing to make the transfer shall promptly notify the issuing board of such refusal and his reasons therefor.

§ 1407.1028 *Notification to the Office of Price Administration of legal proceedings.* Every person holding a certificate, coffee stamp, or purchase warrant shall notify the District Office of the Office of Price Administration immediately upon the commencement of any legal action or proceeding involving such certificate, coffee stamp, or purchase warrant.

§ 1407.1029 *Authorization of transfer against coffee stamps, certificates, or purchase warrants is authorization of acquisition, and vice versa.* Where in Ration Order No. 12 the transfer of roasted coffee is authorized on the surrender of coffee stamps, certificates, or purchase warrants the acquisition of such roasted coffee, as part of the same transaction, on the surrender of coffee stamps, certificates, or purchase warrants shall also be deemed to be authorized, and vice versa.

§ 1407.1030 *Prohibition of transfer except against coffee stamps, certificates, or purchase warrants is prohibition of acquisition, and vice versa.* Where in Ration Order No. 12 the transfer of roasted coffee is prohibited except on the surrender of coffee stamps, certificates, or purchase warrants the acquisition of such roasted coffee, as part of the same transaction, except on the surrender of coffee stamps, certificates, or purchase warrants shall also be deemed to be prohibited, and vice versa.

§ 1407.1031 *Prohibited acts with respect to coffee stamps and certificates.* (a) No person shall use or have in his possession any coffee stamp, certificate, or purchase warrant, whether issued as a ration or not, except the person, or the agent of the person, to whom such coffee stamp, certificate, or purchase warrant was issued or by whom it was acquired in accordance with the provisions of Ration Order No. 12.

(b) No person shall counterfeit or forge a coffee stamp, war ration book, purchase warrant, or certificate.

(c) No person shall transfer, acquire, possess, or use any forged, altered, or counterfeited coffee stamp, war ration book, purchase warrant, or certificate.

(d) No person shall transfer, surrender or assign and no person shall acquire, or receive an assignment of, any coffee stamp, war ration book, purchase warrant, or certificate, except in accordance with the provisions of Ration Order No. 12 or any other ration order of the Office of Price Administration.

§ 1407.1032 *Use of checks by depositors and non-depositors.* Notwithstanding anything to the contrary contained in Ration Order No. 12:

(a) No depositor and, on and after February 8, 1943, no person required to be a depositor, shall, except in accordance with General Ration Order No. 3A, surrender evidences which are valid for deposit.

(b) Whenever Ration Order No. 12 requires or authorizes the surrender of coffee stamps or certificates to a person, other than a bank for deposit, and such stamps or certificates are valid for deposit, a depositor shall not surrender such stamps or certificates, but shall instead, under the same circumstances and with the same effect, issue to such person a check, valid for deposit, in weight value equal to such stamps or certificates.

(c) Whenever Ration Order No. 12 authorizes the transfer of roasted coffee upon the surrender of coffee stamps or certificates, such transfer may be made to a depositor only upon receipt, by the person making the transfer, of a check, valid for deposit, issued to him by the depositor and equal in weight value to such coffee stamps or certificates.

(d) A person to whom a check is issued who is not and is not required to be a depositor must endorse the check and surrender it to the board. He will receive in exchange a certificate of the same weight value minus the weight value of any stamps or certificates which he is required to surrender to the board for cancellation.

(e) A depositor who has received coffee stamps, certificates, or checks from a retailer, wholesaler, institutional user, or industrial user may issue to him a check in weight value equal to the roasted coffee which he has not transferred against such coffee stamps, certificates, or checks, but which he is then authorized to transfer to such retailer, wholesaler, institutional user, or industrial user against such coffee stamps, certificates, or checks.

[Paragraph (e) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

(f) A depositor who has received coffee stamps, certificates, or checks as authorization for the transfer of roasted coffee by him may not, except as provided in paragraph (e) of this section, issue a check against any part of the credit created by their deposit except to the extent that he has transferred roasted coffee against them.

(g) Whenever Ration Order No. 12 refers to the transfer or acquisition of roasted coffee (including the replenishment of inventory), upon or without the receipt or surrender of coffee stamps or certificates, the issuance of checks shall be deemed to be included in such reference, unless the context shall otherwise require.

[§ 1407.1032 added by Amendment 12, 8 F.R. 1286, effective 1-27-43]

TRANSFER AND ACQUISITION OF GREEN COFFEE

§ 1407.1040 *Initial inventory.* (a) Every person, other than the Army, Navy, Marine Corps, and Coast Guard and Commodity Credit Corporation, who transfers or acquires green coffee shall take an inventory of his green coffee as of 12 o'clock midnight, November 21, 1942: *Provided, however*, That this section shall not apply to persons who roast green coffee.

(b) Such inventory shall include all green coffee located within the continental United States (the 48 States of the United States and the District of Columbia) to which such person has title or holds documents of title. He shall be deemed to have title to green coffee: (1) in transit or stored for delivery to him and out of the possession of the vendor prior to November 22, 1942; (2) held by him on consignment or on any similar basis; (3) mortgaged, pledged, or otherwise used by him as security in a credit transaction; or (4) in the possession of his vendor if such green coffee has been paid for and physically segregated or earmarked by the vendor for delivery to him.

(c) Such person shall include a statement of said inventory of green coffee in the first report filed by him pursuant to § 1407.1071.

§ 1407.1041 *Transfer and acquisition of green coffee.* (a) Notwithstanding anything to the contrary contained in Ration Order No. 12, no person shall acquire, except by import or pursuant to §§ 1407.1053, 1407.1054 1407.1056, 1407.1058 or 1407.1060, green coffee if as the result of such acquisition his existing inventory would exceed 50 percent of his allowable inventory of coffee. If green coffee is acquired by any person by import or pursuant to §§ 1407.1053, 1407.1054, 1401 1056, 1407 1058, or 1407.1060, in an amount which, together with the coffee in his existing inventory, exceeds 50 percent of his allowable inventory of coffee, such person if he does not make an immediate sale of coffee in an amount equivalent to such excess shall, within 24 hours after acquiring such green coffee, offer, through established coffee dealers and brokers an equivalent amount of coffee for sale in conformity with Ration Order No. 12. If, prior to the acceptance of such offer, such person becomes entitled, as a result of reduction of his existing inventory, to acquire green coffee, coffee in an amount equivalent to the amount which he is so entitled to acquire may be withdrawn from the amount of coffee offered for sale pursuant to this section.

(b) Any person making an offer for sale in accordance with paragraph (a) of this section shall, at the same time, forward a report to the Office of Price Administration, Washington, D. C., stating (1) the amount so offered for sale; (2) whether the coffee offered for sale is from his existing inventory; (3) a description of the coffee offered for sale; (4) the location of the coffee offered for sale; and (5) the names and addresses of the brokers or dealers through whom the offer is being made. In the event of the sale or the withdrawal from offer for sale, pursuant to paragraph (a) of this section, of any such coffee, such person shall forward a report of such sale or withdrawal, within 24 hours thereafter, to the Office of Price Administration, Washington, D. C., stating, in the case of a sale, the name and address of the purchaser, the date of sale, and the amount sold, and, in the case of such withdrawal, the amount withdrawn from the offer for sale.

[§ 1407.1041 as amended by Amendment 15, 8 F.R. 2026, effective 2-12-43]

§ 1407.1042 *Disposition of purchase warrants, certain certificates, and ration credits by roasters.* (a) Every retailer or wholesaler who roasts green coffee shall retain in his possession, until further order by the Office of Price Administration, all certificates which, on or prior to January 27, 1943, cease to authorize the acquisition of roasted coffee, and purchase warrants surrendered to him, for coffee roasted by him and transferred by him. In February 1943 each such retailer and wholesaler shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), (1) a statement specifying the number of pounds of roasted coffee roasted by him that he has transferred against the certificates and purchase warrants so retained by him, and (2) a check in a weight value which, when added to the weight value of the certificates and purchase warrants retained by him pursuant to this section, shall be equal to 84 per cent of the weight of the green coffee roasted by him and transferred by him between November 22, 1942, and January 31, 1943, inclusive. In every month subsequent to February 1943 each such retailer and wholesaler shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), a check equal in weight value to 84 per cent of the weight of the green coffee roasted by him and transferred by him during the month for which such report is made.

[Paragraph (a) as amended by Amendment 12, 8 F.R. 1286, effective 1-27-43]

(b) Every institutional or Class A industrial user who roasts green coffee shall retain in his possession, until further order by the Office of Price Administration, all certificates which, on or prior to March 1, 1943, cease to authorize the acquisition of roasted coffee. In April 1943 each such institutional and Class A industrial user shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), (1) a statement specifying the weight value of the certificates retained by him pursuant to this paragraph, and (2) a check in a weight value which, when added to the weight value of the certificates retained by him pursuant to this paragraph, shall be equal to 84 percent of the weight of the green coffee roasted by him between November 22, 1942, and March 31, 1943, inclusive. In every month subsequent to April 1943 each such institutional and Class A industrial user shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), a check equal in weight value to 84 percent of the weight of the green coffee roasted by him during the month for which such report is made.

[Paragraph (b) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

(c) When the ration credits in the account of a person are insufficient to permit him to issue a check in the weight value required by this section, such person shall instead issue to the Office of Price Administration, Washington, D. C., a check in weight value equal to the then balance of ration credits in his account less the weight value of all checks then outstanding against his account, and accompany such check with a reconciliation statement stating the reasons why the ration credits in his account are insufficient.

[Paragraph (c) added by Amendment 12, 8 F.R. 1286, effective 1-27-43]

(d) If a person issues a check to the Office of Price Administration pursuant to paragraph (c) of this section, he shall, within three months thereafter, issue to the Office of Price Administration, Washington, D. C., a check equal in weight value to the difference in weight value between the check he was required to issue pursuant to paragraph (a) or (b) of this section, and the check he actually issued: *Provided, however*, That no such additional check need be issued on account of any deficiency in the weight value of a check due to the surrender or issuance of evidences to the board pursuant to § 1407.985, or to the fact that an institutional or Class A industrial user was not issued certificates for the amount by which his initial inventory exceeded his allowable inventory.

[Paragraph (d) added by Amendment 12, 8 F.R. 1286, effective 1-27-43 and amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

TRANSFERS PERMITTED WITHOUT THE SURRENDER OF COFFEE STAMPS, CERTIFICATES, OR PURCHASE WARRANTS AND IRRESPECTIVE OF RESTRICTIONS ON THE ACQUISITION OF GREEN COFFEE

§ 1407.1045 *Transfer of green coffee.* When the transfer of green coffee is permitted by Ration Order No. 12, such transfer may be made without the surrender of coffee stamps, certificates, or purchase warrants.

§ 1407.1046 *Loans and gifts of roasted coffee.* (a) Loans of roasted coffee owned for personal use which are repaid in kind in equal quantity may be made between consumers without the surrender of coffee stamps or certificates.

(b) Gifts of roasted coffee may be made by a consumer to a charitable or religious organization without the surrender of coffee stamps or certificates.

§ 1407.1047 *Coffee included in initial inventory.* Any coffee included in the initial inventory of a person, or which has been included, or was required to be included, in the opening inventory of an institutional user establishment pursuant to General Ration Order 5, may be transferred to said person or establishment without the surrender of evidences or purchase warrants and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12.

[§ 1407.1047 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1048 *Exchanges.* (a) *Of roasted coffee.* Roasted coffee may be exchanged for other roasted coffee without the surrender of stamps or certificates: *Provided*, That the weights of the roasted coffee exchanged must be equal.

(b) *Of green coffee.* Green coffee may be exchanged for other green coffee irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12: *Provided*, That the weights of the green coffee exchanged must be equal.

(c) *Time limit.* Deliveries or shipments of coffee involved in an exchange made pursuant to this section must be made on the same day.

§ 1407.1049 *Transfers to certain persons.* Any person may transfer without the surrender of coffee stamps or certificates and irrespective of any restriction on the transfer or acquisition of coffee imposed by Ration Order No. 12, coffee to any of the persons enumerated in § 1407.991 (c), subject, however, to the provisions of § 1407.991. The Veterans' Administration and agencies specified in § 1407.991a (a) may acquire green coffee irrespective of any restriction on the transfer or acquisition of green coffee imposed by Ration Order No. 12.

[§ 1407.1049 as amended by Amendment 23, 8 F.R. 2721, effective 3-2-43]

§ 1407.1050 *Transfers between establishments owned by same person.* Any person may transfer coffee, without the surrender of evidences, between establishments owned by him except between institutional establishments which are registered separately pursuant to General Ration Order 5.

[§ 1407.1050 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1051 *Green coffee transferred for roasting.* Any person may transfer, irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, green coffee owned by him to another person for roasting and may accept the return of such coffee after it is roasted, without surrendering coffee stamps or certificates.

§ 1407.1052 *Transfer of coffee for carriage.* (a) Coffee delivered before November 22, 1942, to a carrier may be delivered by the carrier to the person to whom the coffee was consigned or may be redelivered to the consignor without the surrender of certificates or coffee stamps by anyone in connection therewith and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12.

(b) On or after November 22, 1942, coffee may be received by a carrier for carriage without the surrender of certificates or coffee stamps by the carrier and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12. Coffee so received may thereafter be delivered, without the receipt of certificates or coffee stamps by such carrier and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, only to (1) the person from whom it was received; (2) the person to whom it was consigned; (3) the person to whom the bill of lading or similar instrument, if any, issued in connection with such carriage, has been duly transferred; or (4) connecting carriers for the purpose of such delivery.

(c) Nothing in this section shall be deemed to relieve any person who delivers roasted coffee to a carrier from the obligation to receive evidences from the consignee or other person to whom a transfer is made as a result of such delivery or from any other obligation imposed by Ration Order No. 12.

[Paragraph (c) as amended by Amendment 12, 8 F.R. 1286, effective 1-27-43]

§ 1407.1053 *Transfer of coffee for storage.* (a) Coffee delivered before November 22, 1942, to a public or other warehouse, not an establishment within the meaning of Ration Order No. 12, may at any time, without the surrender of certificates or coffee stamps and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, be redelivered to the person who delivered it to such warehouse, or delivered to the person to whom the warehouse receipt or other similar instrument, if any, issued in connection with such storage, has been duly transferred.

(b) On or after November 22, 1942, any public warehouse may, without surrendering certificates or coffee stamps and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, receive coffee for storage and deliver such coffee to the person from whom it received such coffee or to the person to whom the warehouse receipt or other similar instrument, if any, issued in connection with such storage, has been duly transferred.

[Paragraph (b) as amended by Amendment 1, 7 F.R. 10380, effective 12-16-42]

(c) Nothing in this section shall be deemed to relieve any person who delivers roasted coffee for storage from the obligation to receive evidences from any person other than the warehouseman to whom such roasted coffee is transferred or from any other obligation imposed by Ration Order No. 12.

[Paragraph (c) as amended by Amendment 12, F.R. 1286, effective 1-27-43]

§ 1407.1054 *Voluntary or involuntary transfer of establishment.* (a) Coffee may be acquired by any person without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 where, as a consequence of reoganization, liquidation, merger, foreclosure, execution, assignment for the benefit of creditors, bankruptcy, death, devise, bequest, inheritance, or other voluntary or involuntary transfer or sale of an establishment, all or substantially all the assets of such establishment, including good-will, are transferred to such person.

(b) Any person acquiring roasted coffee pursuant to paragraph (a) of this section shall, with respect thereto, be

subject to all obligations of the former owner of the establishment to transfer roasted coffee in exchange for certificates, coffee stamps, or purchase warrants surrendered to such former owner prior to such acquisition and against which the transfer of roasted coffee had not been completed at the time of such acquisition and be entitled to receive certificates, coffee stamps, or purchase warrants equivalent in weight value to any amount by which the quantity of roasted coffee transferred by such former owner to any person prior to such acquisition exceeds in weight value the certificates, coffee stamps, and purchase warrants surrendered by such person. The person acquiring roasted coffee pursuant to paragraph (a) of this section may continue the operation of the establishment, and, if he does so, shall be subject to all the provisions of Ration Order No. 12 applicable thereto. If a person acquiring roasted coffee pursuant to paragraph (a) of this section does not continue the operation of the establishment, such roasted coffee may be transferred by him pursuant to the provisions of § 1407.1061.

§ 1407.1055 *Liquidation of establishments.* (a) The person in charge of the liquidation of a retail, wholesale, or institutional establishment, which is the sole establishment owned by the owner thereof, and the person in charge of the liquidation of retail or wholesale establishments, which are all the establishments owned by the owner thereof, or institutional establishments, which are all the establishments in a registering unit, shall promptly after the commencement of the liquidation (1) acquire all roasted coffee for which coffee stamps, certificates, or purchase warrants had been surrendered by said owner; (2) transfer all roasted coffee for which coffee stamps, certificates, or purchase warrants had been surrendered to said owner; (3) acquire all coffee stamps, certificates, or purchase warrants to which said owner is entitled by reason of the transfer by him of roasted coffee; and (4) surrender coffee stamps, certificates, or purchase warrants for which roasted coffee has been transferred to said owner. At the completion of the liquidation the person in charge thereof shall surrender to the board for cancellation all certificates, coffee stamps, and purchase warrants held by the establishment or establishments and shall account for any difference between the coffee stamps, certificates, and purchase warrants so surrendered and the allowable inventory of such owner, or, if a registering unit is being liquidated, all certificates on hand or, if such registering unit roasts coffee, all coffee stamps or certificates required to be retained thereby pursuant to Ration Order No. 12. If at the completion of the liquidation the person in charge thereof is unable to surrender, acquire, or transfer coffee stamps, certificates, purchase warrants, or roasted coffee as required by this section, he shall file with the board a complete statement of all the facts and circumstances in connection therewith.

(b) In the event of the liquidation of an institutional establishment, the allotment made thereafter to the registering unit of which said institutional establishment was a part shall be reduced by the amount applicable to such institutional establishment.

(c) Any person who has surrendered certificates, coffee stamps, or purchase warrants to an establishment and who does not, prior to the liquidation of such establishment or within one month after the commencement of such liquidation, receive from the person in charge of such liquidation, pursuant to paragraph (a) (2) of this section, all the roasted coffee for which certificates, coffee stamps, or purchase warrants have been surrendered by such person to the establishment being liquidated may apply to the board for a certificate authorizing the acquisition of the quantity of roasted coffee he has so failed to receive. Before the board may grant any such application, the applicant shall prove, to the satisfaction of the board, the surrender by him of certificates, coffee stamps, or purchase warrants and his failure to receive roasted coffee therefor as claimed.

§ 1407.1055a *Limitation on application of §§ 1407.1054 and 1407.1055.* Notwithstanding anything to the contrary contained in §§ 1407.1054 and 1407.1055, the provisions of those sections shall not apply to institutional establishments.

[§ 1407.1055a added by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1056 *Disposal of damaged coffee and undamaged coffee mingled therewith, or coffee in a package, bag, or other container damaged while in transit by common carrier.* (a) Coffee which is damaged and undamaged coffee mingled therewith, or coffee which is in a package, bag, or other container damaged while in transit by a common carrier, may be transferred by any person in possession thereof without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 to (1) any person who has insured such coffee against loss or damage and is duly authorized by law to engage in the insurance business; (2) common or contract carriers in connection with the exercise of the right of subrogation or by virtue of the payment by them of a claim for damage to such coffee or container; and (3) persons engaged principally and primarily in the business of adjusting losses or selling or reconditioning and selling damaged commodities, who take possession of or receive such commodities on the occurrence or imminence of casualties or in connection with the adjustment of losses resulting from casualties.

(b) A person described in paragraph (a) (1), (2), or (3) of this section, acquiring coffee pursuant to said paragraph (a), shall report such fact in writing to the board having jurisdiction over the area in which its principal business office is located. The report shall also state the disposition proposed to be made of such coffee.

(c) Following such report, undamaged coffee which has been mingled with, but which can be and is separated from damaged coffee, or coffee which is in a package, bag, or other container damaged while in transit by common carrier, may be disposed of by such person, but only, if the coffee is green coffee, to a person who is a roaster or who is and was prior to November 22, 1942, a green coffee dealer, or, if the coffee is roasted coffee, as follows:

(1) It may be transferred, without the receipt of coffee stamps or certificates, in the manner provided in §§ 1407.1052, 1407.1053, or 1407.1060.

(2) It may be transferred upon receipt of coffee stamps or certificates as prescribed in Ration Order No. 12 and the coffee stamps or certificates thus received shall be surrendered to the board for cancellation within five days of receipt.

(3) An institutional or Class A industrial user may use such roasted coffee subject to the provisions of § 1407.1002 (b).

[Paragraph (3) as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1057 *Replacement of damaged, destroyed, lost or stolen coffee or coffee in a package, bag, or other container damaged while in transit.* (a) A person, other than a consumer, whose damaged roasted coffee and undamaged roasted coffee mingled therewith is transferred pursuant to § 1407.1056 (a), or whose roasted coffee is destroyed, lost, or stolen may obtain certificates in weight value equal to the original weight of such roasted coffee. A person, other than a consumer, whose roasted coffee, in a package, bag, or other container damaged while in transit by common carrier, is transferred pursuant to § 1407.1056 (a) may obtain certificates in weight value equal to the amount of roasted coffee in such package, bag, or other container before it was damaged. A person, other than a consumer, whose roasted coffee, although in a package, bag, or other container damaged while in transit by common carrier, was not transferred pursuant to § 1407.1056 (a), or was in a package, bag, or other container damaged in any other manner may obtain certificates in weight value equal to the amount of roasted coffee lost from the package, bag, or other container because of such damage.

(b) Written application shall be made by such a person to the board stating facts which establish compliance with the requirements of paragraph (a) of this section and including such other information as the board may require.

§ 1407.1058 *Recovery of lost or stolen coffee.* (a) Coffee which has been lost or stolen may be recovered without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 by the person rightfully in possession of such coffee when it was lost or stolen or by a person who has insured such coffee against loss or theft and is duly authorized by law to engage in the insurance business or by a common or contract carrier in connection with the exercise of the right of subrogation or by virtue of the payment by it of a claim for such loss or theft. Such recovery may be made directly or through a Government agency or other person authorized to secure such recovery.

(b) A person recovering lost or stolen roasted coffee for which he has obtained a certificate pursuant to § 1407.1057 shall report such fact in writing to the board. The report shall also state the amount of such roasted coffee and the disposition proposed to be made of it. Such roasted coffee may thereafter be disposed of by such person but only in the manner provided by § 1407.1056 (c) (1), (2), and (3).

(c) An insurer or carrier recovering lost or stolen coffee shall report such fact in writing to the board having jurisdiction over the area in which its principal office is located. The report shall also state the amount of such coffee and the disposition proposed to be made of it. Such coffee may thereafter be disposed of by such person but only in the manner provided by paragraphs (c) (1), (2), and (3) of § 1407.1056.

§ 1407.1059 *Surrendering certificates to the board for cancellation.* Where roasted coffee which had been transferred pursuant to §§ 1407.1049 or 1407.1060 is returned to the person from whom it was acquired and such person has obtained from the board certificates authorizing the acquisition of roasted coffee to replace such roasted coffee, such person shall surrender to the board for cancellation certificates or coffee stamps in weight value equal to the weight of the roasted coffee so returned.

§ 1407.1060 *Acquisition of coffee by judicial process, by operation of law and for security and similar purposes; enforcement*—(a) *Acquisition by judicial process, by operation of law, and by the exercise of statutory rights or powers.* Coffee may be acquired by, or a lien created thereon in favor of, the following persons and in the following cases without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12: (1) any person pursuant to judicial process or an order issued by a court of competent jurisdiction or by operation of law; (2) a State or political subdivision or agency thereof or by the United States or any agency thereof in the enforcement or exercise against such coffee of statutory rights or powers.

(b) *Creation of security interests and liens.* Coffee may be acquired for security purposes by, or a lien created thereon for security purposes in favor of, the following persons and in the following cases without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No 12: (1) a State or political subdivision or agency thereof or the United States or any agency thereof or any person duly licensed to engage in the business of making loans upon collateral and regulated in conducting such business by a State or the United States; (2) any person where the security interest arises or is transferred with respect to all or substantially all the coffee of an establishment.

(c) *Assignments prohibited.* Nothing in this section shall be deemed to permit any person to acquire, without coffee stamps or certificates or irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, an interest in coffee in connection with or as a consequence of an assignment of less than the entire debt secured by such coffee.

(d) *Release or return.* Except as otherwise provided in Ration Order No. 12, coffee or any interest therein or lien thereon acquired pursuant to paragraphs (a) or (b) of this section may be returned to the person from whom it was acquired or released without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 or such coffee may be used or transferred pursuant to the provisions of § 1407.1061.

(e) *Enforcement of security.* Any person who has acquired coffee or in whose favor a lien thereon has been created under the authority of this section, or who holds a lien on or security interest in coffee created prior to November 22, 1942, may enforce such security, lien, or other interest in the manner provided by applicable State or Federal laws. Transfers necessary for the enforcement thereof may be made to such person, without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, or to other persons, with respect to roasted coffee, upon receipt of appropriate coffee stamps or certificates (except as otherwise provided in Ration Order No. 12) to be disposed of as provided in § 1407.1061, or, with respect to green coffee, to persons authorized to acquire such coffee by Ration Order No. 12. Roasted coffee acquired by such person hereunder may not be used by such person and may not be transferred except pursuant to § 1407.1061.

§ 1407.1061 *Disposal of roasted coffee acquired without coffee stamps or certificates.* Any person who acquires roasted coffee without the surrender of coffee stamps or certificates, pursuant to § 1407.1060, may thereafter, if an institutional or Class A industrial user, use such roasted coffee subject to the provisions of § 1407.1002 (b) or may transfer such roasted coffee only upon surrender to him of appropriate coffee stamps or certificates, except as otherwise expressly permitted by Ration Order No. 12. Such coffee stamps or certificates shall, within five days after each such transfer, be surrendered for cancellation to the State Director of the State in which such person resides or in which his principal business office is located.

[§ 1407.1061 as amended by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1062 *Obtaining certificates to replace roasted coffee acquired pursuant to* § 1407.1060. When roasted coffee of a person who does not roast such coffee, has been acquired by another person without the surrender of coffee stamps or certificates, pursuant to § 1407.1060, the person from whom such roasted coffee has been acquired may apply to the board for a certificate in weight value equal to the weight of the roasted coffee acquired from him. Before the board may grant any such application, the applicant shall prove to the satisfaction of the board that the roasted coffee was acquired from him under the conditions described in § 1407.1060 and has not been returned to him.

PETITIONS FOR ADJUSTMENT; NEW BUSINESS

§ 1407.1065 *Petitions for adjustment of base, allotment, inventory, or allowable inventory.* (a) Any person may petition the board in writing for an adjustment of his base, allotment, inventory, or allowable inventory. Such petition shall state the name and address of the petitioner, the adjustment sought by him, the grounds on which the adjustment is sought, and any other facts deemed pertinent by such person. The board may request such additional information as it may deem pertinent and shall, within ten days after the receipt of the petition, send it, together with all relevant and material evidence and information received by the board, to the district office (or where there is none, to the State Director), or take such other action as the Office of Price Administration may direct.

(b) The district office (or the State Director) shall forward the petition, together with all other material concerning the petition received from the board, to the Regional Administrator, or take such other action as the Office of Price Administration may direct. The Regional Administrator shall forward the petition, together with all other material concerning the petition received from the State Director to the Office of Price Administration, Washington, D. C., for appropriate action, or take such other action as the Office of Price Administration may direct. The petitioner may be requested to furnish further information and to appear personally.

[Paragraphs (a) and (b) as amended by Amendment 8, 8 F.R. 978, effective 1-19-43]

(c) No institutional user may petition for adjustment of his roasted coffee base or allotment pursuant to this section.

[Paragraph (c) added by Amendment 22, 8 F.R. 2677, effective 3-1-43]

§ 1407.1066 *New establishments*—(a) *Retail establishments.* (1) Any person desiring to obtain coffee for a retail establishment owned by him which commenced or will commence operations on or after November 22, 1942, may petition the board having jurisdiction over the area in which such person's principal business office is located for assignment to such person for such establishment of an allowable inventory.

(2) The board shall assign to the owner of such establishment an allowable inventory of coffee, not to exceed one pound of coffee for every ten dollars of the estimated gross sales, of all meats, groceries, fruits, vegetables, and similar products, to be made by said establishment in the first month of its operations, and shall issue to such owner a certificate or certificates in a weight value equal to such allowable inventory.

(3) Within ten days after the completion of its first two full months of operations the establishment shall report to the board its average monthly gross sales of all meats, groceries, fruits, vegetables, and similar products. If such report shows that the allowable inventory assigned by the board with respect to such establishment pursuant to paragraph (a) (1) of this section is greater than one pound of coffee for every ten dollars of such average monthly gross sales, the board shall reduce the allowable inventory to such amount and the establishment shall surrender to the board for cancellation coffee stamps or certificates in weight value equal to the amount of such reduction. If such report shows that the allowable inventory assigned to such establishment by the board pursuant to paragraph (a) (1) of this section is less than one pound for every ten dollars of such average monthly gross sales, the board shall increase the allowable inventory to such amount by issuing additional certificates to the establishment.

(b) *Wholesale establishments.* Any person desiring to obtain coffee for a wholesale establishment owned by him which commenced or will commence operations on or after November 22, 1942, may petition the Office of Price Administration, Washington, D. C., for assignment to him for such establishment of an allowable inventory. The petition shall state the name and address of the owner, the location or proposed location of the establishment, the value or estimated value of all meats, groceries, fruits, vegetables, and similar products on hand or to be acquired by such establishment, whether the establishment will roast coffee, the estimated transfers (in pounds) by the establishment during the first month of its operations of roasted coffee to be acquired by the establishment as roasted, and the estimated transfers (in pounds) by the establishment during the first month of its operations of roasted coffee roasted by the establishment.

REPORTS AND RECORDS

§ 1407.1068 *In general.* All persons who transfer or acquire coffee shall maintain such records and make such reports as Ration Order No. 12 requires and as the Office of Price Administration may from time to time require. Unless otherwise indicated in Ration Order No. 12, such records shall be maintained for a period of not less than two years and shall be available during such period for inspection by the Office of Price Administration.

§ 1407.1069 *By retailers and wholesalers.* (a) Every retailer and wholesaler shall maintain records of (1) all roasted and green coffee acquired by him on or after November 22, 1942, the names and addresses of the persons from whom such coffee was acquired, and the date and amount of each acquisition thereof; (2) the names and addresses of all persons, except consumers, to whom green and roasted coffee was transferred and the date and amount of each transfer; (3) the names and addresses of all persons to whom purchase warrants were surrendered and the date and amount of each purchase warrant so surrendered; (4) the names and addresses of all persons from whom purchase warrants were received and the date and amount of each purchase warrant so received; and (5) the amounts of his initial and allowable inventories of coffee. Each retailer and wholesaler shall also preserve all existing sales and other records upon which the computations of his initial and allowable inventories are based.

(b) Every retailer or wholesaler who roasts green coffee shall, on or before December 31, 1942, report, on O. P. A. Form R–1203, the following: (1) the information contained in his records maintained pursuant to paragraphs (a) (3) and (a) (5) of this section; (2) the computations of his initial and allowable inventories; and (3) such other information as is called for by said form. Such form shall be prepared in triplicate. The original thereof shall be filed with the Office of Price Administration, Washington, D. C.; the duplicate copy with the Board; and the triplicate copy shall be retained by the person making the report at his principal business office.

(c) Every retaller and wholesaler who does not roast green coffee shall, on or before December 31, 1942, report to the Board, on O P. A. Form R–1202, the following: (1) the information contained in his records maintained pursuant to paragraphs (a) (3) and (a) (5) of this section; (2) the computations of his initial and allowable inventories; and (3) such other information as is called for by said form.

[Paragraph (b) as amended, paragraph (c) added by Amendment 5, 8 F.R. 167, effective 1–8–43]

§ 1407.1070 *By institutional and industrial users.* Every institutional user and every industrial user shall maintain a record showing by months, the amounts of green and roasted coffee acquired by him and the names and addresses of the persons from whom such coffee was acquired, the amount of green coffee roasted by him, and, in the case of a Class B industrial user, the amount of coffee used by him in products transferred by him.

[§ 1407.1070 as amended by Amendment 22, 8 F.R. 2677, effective 3–1–43]

§ 1407.1071 *By persons transferring or acquiring green coffee.* (a) Every person, not a retailer or a wholesaler, who transfers or acquires green coffee shall keep a record of the dates and amounts of such transfers and acquisitions and of the names and addresses of the persons to whom green coffee was transferred and from whom green coffee was acquired by him.

(b) Every person, other than the Army, Navy, Marine Corps, and Coast Guard, and Commodity Credit Corporation, who transfers or acquires green coffee shall monthly, beginning in January 1943, prepare a report in triplicate, showing, with respect to the previous month, (1) the names and addresses of the persons to whom green coffee was transferred and from whom green coffee was acquired, together with the dates and amounts of such transfers and acquisitions, and (2) his inventory of green and roasted coffee as of the first day of the month in which the report is prepared.

[Paragraph (b) as amended by Amendment 16, 8 F.R. 2032, effective 2–19–43]

(c) The report referred to in paragraph (b) of this section shall be prepared on O. P. A. Form R–1205 and shall contain, in addition to the information required by paragraph (b) of this section, such other information as is called for by such form. The original and duplicate of each such report shall be sent to the Office of Price Administration, Washington, D. C., not later than the tenth day of each month; the triplicate copy shall be retained by the person reporting: *Provided, however,* That the report for the month of December 1942, which shall include the required information for the period from November 22 to December 31, 1942, inclusive, need not be sent to the Office of Price Administration prior to January 30, 1943.

[Paragraph (c) as amended by Amendment 6, 8 F.R. 621, effective 1–21–43]

§ 1407.1072 *Miscellaneous records.* Any person required to make a report pursuant to §§ 1407.1056 or 1407.1058 shall preserve at his principal business office records of all coffee acquired or transferred by him pursuant to those sections, the persons by or to whom such transfers were made and the amounts thereof, the weight value of all coffee stamps, certificates, and checks received by him for such transfers, the serial numbers of such certificates, and the amount of roasted coffee transferred against such coffee stamps, certificates, and checks.

[§ 1407.1072 as amended by Amendment 12, 8 F.R. 1286 effective 1–27–43]

§ 1407.1073 *Disclosure of information.* (a) Information and documents obtained under Ration Order No. 12 will not be disclosed, in response to subpoena or otherwise, to any person other than the person furnishing such information or documents unless the Administrator or an officer or employee of the Office of Price Administration designated by the Administrator (1) determines that the requested disclosure is not contrary to any provision of law and (2) consents to such disclosure.

MISCELLANEOUS

§ 1407.1075 *Administration.* Ration Order No. 12 shall be administered by the Office of Price Administration, its Regional Administrators, State Directors, war price and rationing boards, and such other administrative personnel as it may designate.

§ 1407.1076 *Powers and duties.* The persons appointed to administer Ration Order No. 12 or to assist therein shall have such powers and duties as are herein described and as the Office of Price Administration has assigned and may from time to time assign.

§ 1407.1077 *Imports of roasted coffee.* (a) Roasted coffee may be brought to a place subject to Ration Order No. 12 from a place not subject to Ration Order No. 12, if it is delivered to the Collector of Customs at the point of entry into the United States. Such roasted coffee may be delivered to the Collector of Customs without the receipt of coffee stamps or certificates.

(b) The Collector of Customs may transfer roasted coffee thus received by him to any person importing such roasted coffee upon the receipt of coffee stamps or certificates in weight value equal to the weight of the roasted coffee transferred. When coffee stamps are surrendered to the Collector of Customs by a consumer importing the roasted coffee, the Collector of Customs shall detach from the war ration book of such consumer one coffee stamp for each pound of roasted coffee imported, in the following order: 27, 28, 25, 26, 23, 24, 21, 22, 19, 20. Coffee stamps or certificates so received by the Collector of Customs shall be delivered, at least once each calendar month, to the State Director of the State in which such point of entry is located.

[Paragraph (b) as amended by Amendment 13, 8 F.R. 1741, effective 2–12–43]

(c) Except as otherwise permitted in Ration Order No. 12, no person shall bring roasted coffee into a place subject to Ration Order No. 12 from a place not subject to Ration Order No. 12 or receive roasted coffee from the Collector of Customs.

§ 1407.1078 *Weight computation formulae.*—(a) *Basis of computations.* In applying for and issuing certificates, issuing purchase warrants, and computing initial and allowable inventories, coffee bases, and allotments, all weights of coffee shall be stated in terms of roasted coffee.

(b) *Conversion.*—(1) *Green coffee into terms of roasted coffee.* Whenever it is necessary, for the purpose of Ration Order No. 12, to compute the weight of green coffee in terms of weight of roasted coffee, such computation shall be made by multiplying the weight of the green coffee by .84.

(2) *Roasted coffee into terms of green coffee.* Whenever it is necessary, for the purpose of Ration Order No. 12, to compute the weight of roasted coffee in terms of weight of green coffee, such computation shall be made by multiplying the weight of the roasted coffee by 1.19.

§ 1407.1079 *Appeals.* (a) Any person directly affected by the action of a board, State Director, or Regional Administrator taken with reference to any application, petition, or other matter before such board, State Director, or Regional Administrator under Ration Order No. 12 may appeal from such action in accordance with Procedural Regulation No. 9.

(b) This section shall not apply to any action taken with respect to petitions made pursuant to §§ 1407.1065 or 1407.1066, except action taken with respect to such a petition by the board, State Director, or Regional Administrator in cases where the board or official taking the action has been authorized by the Office of Price Administration to grant or deny such petition.

§ 1407.1080 *Persons authorized to sign reports, forms, purchase warrants.* Registration forms, petitions, applications, reports, purchase warrants, and any other documents required by Ration Order No. 12 to be signed by retailers, wholesalers, or industrial or institutional users may be signed by an owner, a partner (if the owner is a partnership), an officer (if the owner is a corporation, association, or similar organization), a manager of the owner, or any authorized agent of the owner.

§ 1407.1081 *Communications.* All petitions and reports required by Ration Order No. 12 to be made to the Office of Price Administration, Washington, D. C., and all other communications concerning Ration Order No. 12 sent to the Washington, D. C., office of the Office of Price Administration shall be addressed to: Office of Price Administration, Att: Food Rationing Division, Washington, D. C.

§ 1407.1082 *Duties, rights, obligations of establishments and registering units.* When the provisions of Ration Order No. 12 impose or confer duties, rights, or obligations upon an establishment or registering unit, such duties, rights, and obligations shall be considered as being conferred or imposed upon the person owning such establishment or registering unit with respect thereto.

§ 1407.1083 *Additional prohibitions.* (a) No person shall, except in accordance with Ration Order No. 12 or other ration order of the Office of Price Administration, deface, mutilate, alter, or destroy any coffee stamp, war ration book, purchase warrant, certificate, or any other document or record provided for in Ration Order No. 12.

(b) No person shall transfer, acquire, possess, or use coffee except in accordance with the provisions of Ration Order No. 12.

(c) No person shall or shall cause another person to offer, solicit, attempt, or agree to do any act in violation of Ration Order No. 12.

[Paragraph (c) as amended by Amendment 2, 7 F.R. 11071, effective 1–2–43]

(d) No person shall, in any application, petition, inventory, certificate, report, or other statement or record made pursuant to or required by the provisions of Ration Order No. 12, make any untrue statement of any fact, or omit to state any fact required to be stated therein or necessary to make the statements therein not misleading.

§ 1407.1084 *Army, Navy, Marine Corps, and Coast Guard Post Exchanges, Commissaries, and Ships' Service Stores.*—(a) *Ration banking.* Army Exchanges, Post Exchanges of the Marine Corps, and Ships' Service Departments Ashore of the Navy and Coast Guard, and other similar activities designated by the respective exempt agencies, which transfer roasted coffee, shall open ration bank accounts but may not open exempt accounts of the type described in General Ration Order 3B. Ration credits necessary for the acquisition of roasted coffee by such Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, and similar activities will be created as a result of arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department and the Bureau of Naval Personnel of the Navy Department, the Marine Corps, and the Coast Guard. Ration credits may be transferred, by the issuance of checks and without the transfer of coffee, between accounts maintained for Army Exchanges, between accounts maintained for Post Exchanges, between accounts maintained for Ships' Service Departments Ashore of the Navy, and between accounts maintained for Ships' Service Departments Ashore of the Coast Guard. (Establishing ration credits for use by Army Exchanges, Post Exchanges, and Ships' Service Departments Ashore for the acquisition of roasted coffee for institutional use is covered by General Ration Order 5.)

(b) *Acquiring and transferring roasted coffee.* Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, and Commissary Stores, and any other activity of the Army, Navy, Marine Corps, and Coast Guard and the Food Distribution Administration may transfer roasted coffee and shall, with respect to such transfers, be governed by the provisions of Ration Order No. 12 governing transfers of roasted coffee by retailers and wholesalers. Such Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, or any other activity of the Army, Navy, Marine Corps, or Coast Guard, or the Food Distribution Administration may acquire roasted coffee for such purpose only upon the issuance by it of appropriate ration checks: *Provided, however,* That during the month of March 1943, Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities may, if ration checks are unavailable, issue emergency acknowledgments, as described in § 1407.991a (d). The person to whom such emergency acknowledgment is is-

sued shall not use it to acquire coffee, but shall exchange it for a ration check at the activity designated thereon. Coffee stamps and certificates surrendered to Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, or any other activity of the Army, Navy, Marine Corps, or Coast Guard or to the Food Distribution Administration shall be deposited in the accounts maintained for them and, except as provided in § 1407.1032 (f), the ration credits created by such deposit may then be used to acquire roasted coffee.

[§ 1407.1084 as amended by Amendment 23, 8 F.R. 2721, effective 3-2-43]

§ 1407.1084a *Issuance of certificates to investigatory agencies.* (a) Any investigatory or enforcement agency of a state or local government which requires transfers of roasted coffee for the performance of its functions shall, upon request therefor, receive from the board located in the area in which the agency is situated, certificates in the amounts desired.

(b) Any investigatory or enforcement agency of the United States which requires transfers of roasted coffee for the performance of its functions shall, upon request therefor, receive from the Director of the Food Rationing Division of the Office of Price Administration or from such other person as may be designated by him, certificates in the amounts desired.

(c) Roasted coffee acquired by any investigatory or enforcement agency pursuant to this section, may be transferred by it to any federal, state, or local institution, which shall acknowledge receipt of such roasted coffee and the amount thereof to the board which issued the certificate or, if the certificate was issued by the Director of the Food Rationing Division of the Office of Price Administration or a person designated by him, to said Director.

[§ 1407.1084a added by Amendment 1, 8 F.R. 10380, effective 12-16-42]

ENFORCEMENT

§ 1407.1085 *Removal of coffee stamps from war ration books of persons under 14 years old.* (a) Notwithstanding anything to the contrary contained in Ration Order No. 12, where the age shown on any War Ration Book One is under 14 years, all coffee stamps shall be removed therefrom at the time War Ration Book Two is issued. For every coffee stamp missing from such a War Ration Book One, one coffee stamp shall be removed from the War Ration Book One of the parent, guardian, or other adult person in whose household the minor lives and in whose custody his War Ration Book One has been kept. However, the board may waive this requirement if it finds that the coffee stamps are missing because they were removed prior to issuance of the war ration book or were removed by misunderstanding or by accident at any other time, and that they were not used to acquire coffee. The board shall destroy all coffee stamps it detaches from war ration books pursuant to this paragraph.

[Paragraph (a) as amended by Amendment 18, 8 F.R. 2154, effective 2-20-43]

(b) Any action taken by the board pursuant to this section shall be in addition to any penalties provided by law for violation of Ration Order No. 12.

§ 1407.1086 *Criminal prosecutions.* (a) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required by any provision of Ration Order No. 12, may upon conviction be fined not more than $10,000.00, or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who knowingly falsifies an application, or any other record, report, purchase warrant, or certificate made pursuant to or required by the terms of Ration Order No. 12, or who otherwise knowingly furnishes false information concerning a material fact within the jurisdiction of the Office of Price Administration to any board, or any other agent, employee, or officer of the Office of Price Administration, or who attempts by the use of a trick, scheme, or device to conceal or cover up such a material fact within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than $10,000.00, or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts may upon conviction be fined not more than $10,000.00, or imprisoned for not more than two years, or both, and shall be subject to such other penalties as may be prescribed by law.

§ 1407.1087 *Suspension orders.* Any person who violates Ration Order No. 12 may, by administrative suspension order, be prohibited from acquiring, transferring, or using any coffee or other rationed product for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

[§ 1407.1087 as amended by Amendment 2, 7 F.R. 11071, effective 1-2-43]

§ 1407.1088 *Report of violations.* Any person may report a violation of Ration Order No. 12 to a war price and rationing board, a State Director, a Regional Administrator of the Office of Price Administration, or to the Office of Price Administration, Washington, D. C.

§ 1407.1089 *Saving clause.* No provision of any amendment to Ration Order No. 12 (unless such amendment otherwise expressly provides) effecting the dissolution of registering units, resulting in the amendment or cancellation of registrations, placing persons or establishments once subject to Ration Order No. 12 under another order, or removing limitations or restrictions theretofore imposed by Ration Order No. 12 from persons, establishments, or registering units shall be deemed to (1) excuse the failure to discharge or perform any duty or obligation or (2) condone any acts or omissions to act, by any person, establishment, or registering unit, prior to the effective date of such amendment.

[§ 1407.1089 added by Amendment 22, 8 F.R. 2677, effective 3-1-43]

EFFECTIVE DATE

§ 1407.1090 *Effective date of Ration Order No. 12.* Ration Order No. 12 (§§ 1407.951 to 1407.1092, inclusive) shall become effective 12:00 p. m., November 21, 1942. [Issued November 20, 1942.]

§ 1407.1090a *Effective dates of amendments.*

[Effective dates of amendments are shown in notes following parts affected.]

SCHEDULES

§ 1407.1091 *Designation of ration periods and of coffee stamps valid therein.*

Ration period	Coffee stamp valid during ration period
November 29, 1942, to January 3, 1943, inclusive.	Coffee Stamp No. 27.
January 4, 1943, to February 7, 1943, inclusive.	Coffee Stamp No. 28.
Feb. 8, 1943, to Mar. 21, 1943, inclusive.	Coffee Stamp No. 25.
March 22, 1943, to April 25, 1943, inclusive.	Coffee Stamp No. 26.

[§ 1407.1091 as amended by Amendment 4, 8 F.R. 28, effective 12-30-42, Amendment 14, 8 F.R. 1631, effective 2-3-43, and Amendment 24, effective 3-22-43]

§ 1407.1092 *Allotment percentage for Class A industrial users.*

Period	Percentage of base
For period from date of registration to January 31, 1943, inclusive	100
Feb. 1, 1943, to Feb. 28, 1943, inclusive	40
March 1, 1943, to April 30, 1943, inclusive	80

[§ 1407.1092 as amended by Amendment 7, 8 F.R. 566, effective 1-13-43, Amendment 17, 8 F.R. 2027, effective 2-12-43 and Amendment 22, 8 F.R. 2677, effective 3-1-43]

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4236; Filed, March 18, 1943; 4:57 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 17]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (f) is added to § 1407.902 and a new paragraph (d) is added to § 1407.904 as set forth below:

§ 1407.902 *Deliveries of slaughterers restricted.* * * *

(f) Any slaughterer may, during any quota period, charge deliveries of lamb and mutton slaughtered within the states of California, Nevada, Oregon and Washington against any unused portion of his quota for such period for any other type of controlled meat in an amount not exceeding 20% of his quota for such type.

* * * * *

§ 1407.904 *Deliveries of non-quota slaughterers restricted.* * * *

(d) Any non-quota slaughterer may, during any quota period, charge deliveries of lamb and mutton slaughtered within the states of California, Nevada, Oregon and Washington against any unused portion of his restricted deliveries of any other type of controlled meat permitted for such period by paragraph (a) of this section in an amount not exceeding 20% of his restricted deliveries of such type.

This amendment shall become effective March 24, 1943.

(Pub Law 671, 76th Cong., 3rd Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess., and by Pub. Law 507, 77th Cong., 2nd Sess., Pub. Law 421, 77th Cong., 2nd Sess., Pub. Law 729, 77th Cong., 2nd Sess., WPB Directive No. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4228; Filed, March 18, 1943; 4:53 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 2]

RICE RESTRICTION; ORDER OF REVOCATION

Restriction Order 2 (§§ 1407.3001 to 1407.3014, inclusive) is hereby revoked.

This order of revocation shall become effective March 8, 1943.

(WPB Dir. No. 1 issued January 24, 1943 and Supp. Dir. No. 1-J, as amended, issued October 29, 1942)

Issued this 8th day of March 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration
for Puerto Rico.

[F. R. Doc. 43-4234; Filed, March 18, 1943; 4:57 p. m.]

*Copies may be obtained from the Office of Price Administration.

No. 56——5

[1] 7 F.R. 7839, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704; 8 F.R. 179, 375, 926, 1264, 1279, 2274, 2498.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 3,[1] Amendment 2]

CANNED MEAT AND CANNED FISH

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In Restriction Order 3, section 2 (a) is amended; section 3 (b) is amended; a new paragraph (c) is added to section 3; section 7 (a) is amended to read as set forth below:

SEC. 2 *Transfers of canned meat and canned fish to exempt persons and agencies are permitted.* (a) Any person or government agency is an exempt person or exempt agency with respect to canned meat or canned fish obtained by or for it for export to, and consumption or use in any foreign country or any territory or possession of the United States other than the District of Columbia or for use as ships' stores for consumption aboard an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise or intercoastal trade. The other exempt agencies for the purposes of this Order are the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, War Shipping Administration, Maritime Commission, Panama Canal, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, Office of Scientific Research and Development, Food Distribution Administration and Office of Lend-Lease Administration.

* * * * *

SEC. 3 *Transfers of canned meat and canned fish to wholesalers are permitted.* * * *

(b) Any person may transfer canned fish to a wholesaler. Wholesalers may acquire canned fish.

(c) Any person may transfer canned meat to a wholesaler provided that no person shall transfer to wholesalers more than 50%, by weight, of all canned meat produced or acquired by him since, and held by him in inventory at the close of business on, February 17, 1943. Any wholesaler may acquire canned meat unless he knows or has reason to believe that the transfer is in violation of this paragraph

SEC. 7 *Certain wholesalers must report their inventories of canned meat and canned fish held on February 17, 1943.* (a) Certain persons were required to file with the Bureau of the Census, Washington, D. C., before February 12, 1943, a report showing, for January 1943, their stocks and receipts of canned and preserved foods. (These reports were to be made on OPA Forms CF-1 and CF-2.) Wholesalers who complied with this requirement need not file the inventory report required by this section.

* * * * *

This amendment shall become effective March 24 1943.

(Pub. Law 671 76th Cong., as amended by Pub. Law 89 77th Cong., and by Pub. Law 507, 77th Cong Pub. Law 421, 77th Cong., as amended by Pub. Law 729, 77th Cong., Executive Order No. 9125, 7 F.R. 2719; Executive Order No. 9280, 7 F.R. 10179; WPB Directive No. 1, 7 F.R. 462, and Supplementary Directive No. 1-M, 7 F.R. 7234; and Food Directive No. 1, 8 F.R. 827)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4230; Filed, March 18, 1943; 4:53 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 4]

FOOD COMMODITIES RESTRICTION

Pursuant to the authority vested in the Office of Price Administration by Directive No. 1 of the War Production Board issued January 24, 1942; Supplementary Directive 1-J, as amended, issued October 29, 1942; and Food Directive No. 3 of the Secretary of Agriculture issued February 15, 1943;

Sec.
1407.5002 Definitions.
1407.5003 Territorial limitations.
1407.5004 Scope of restrictions.
1407.5005 Personnel.
1407.5006 Transfers of commodities restricted.
1407.5007 Quotas and allotments.
1407.5008 Security transfers.
1407.5009 Quotas and allotments established.
1407.5010 Application for adjustment.
1407.5011 Prohibited acts.
1407.5012 Discrimination.
1407.5013 Transfers to consumers.
1407.5014 Criminal prosecution.
1407.5015 Suspension orders.
1407.5016 Communications.
1407.5017 Effective date.

AUTHORITY: §§ 1407.5002 to 1407.5017, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., W.P.B. Dir. No. 1, Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, Supp. Dir. No. 1-J, 7 F.R. 8731, E.O. 9280, 7 F.R. 10179, F.D. No. 3, 8 F.R. 2005.

It is hereby ordered, That:

§ 1407.5002 *Definitions.* (a) "Baker" means an industrial or institutional user or that portion of such user's operation which uses a shortening in the production or manufacture of bread, crackers, pastries, confections and similar comestible articles.

(b) "Certificate" means a purchase certificate for the acquisition of a specific quantity of a commodity.

(c) "Commodity" means any food commodity which is subject to the provisions of this order.

[1] 8 F.R. 2214, 2499.

(d) Commodities subject to the provisions of this order are defined as follows:

(1) "Shortening" means standard shortening, or hydrogenated shortening as defined in § 1351.151 of Revised Price Schedule No. 53 as amended.[1]

(2) "Lard" means loose lard, prime steam lard, cash lard, rendered pork fat, refined rendered pork fat, base or standard commercial refined lard, special refined hardened lard, open kettle rendered lard, neutral lard, lard flakes, rendered pork fat flakes, F. S. C. C. lard and tare, as defined in § 1351.151 of Revised Price Schedule No. 53 as amended.[1]

(3) "Rice" means milled rice as defined in § 1351.461 (a) (4) and (5) of Maximum Price Regulation No. 150 as amended.[2]

(e) "Consumer" means a person acquiring or seeking to acquire a commodity for personal consumption.

(f) "Deliver" means to transfer physical possession of a commodity to another person.

(g) "Director" means the Director of the Office of Price Administration for Puerto Rico or any person duly authorized to act in his place.

(h) "Establishment" means the business or operation subject to restriction order conducted at or from a particular location.

(k) "Importer" means any person who imports a commodity into the Territory of Puerto Rico or the agent of any importer.

(l) "Industrial user" means an establishment which receives a commodity for use in the production, manufacture, cooking or processing of any food for resale or service.

(m) "Institutional user" means an establishment which receives a commodity for feeding persons housed within a non-profit institution such as a hospital, school, convent or prison.

(n) "Person" means any individual, partnership, corporation, association or entity and includes the United States or any agency thereof, the Insular Government or any agency thereof.

(o) "Retailer" means any person who makes any portion of his sales of the commodity direct to consumers.

(p) "Transfer" means sell, lease, lend, trade, give, ship, or deliver, in any way the ownership or possession of a commodity or any interest therein from one person to another person. It includes diverting to consumer use, a commodity held for sale or transfer whether or not a change in ownership or possession results.

§ 1407.5003 *Territorial limitations.* Restriction order shall apply to the Territory of Puerto Rico.

§ 1407.5004 *Scope of restrictions.* (a) Nothing in Restriction Order 4 shall be construed to limit the quantity of a commodity which may be acquired by the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics and the Office of Scientific Research and Development or Government agencies or other persons acquiring such commodity for export to or use in any foreign country.

§ 1407.5005 *Personnel.* (a) Restriction Order 4 shall be administered by the Office of Price Administration for Puerto Rico through local war price and rationing boards in Puerto Rico and such other administrative personnel as it may designate.

§ 1407.5006 *Transfers of commodities restricted.* (a) Notwithstanding the terms of any contract, agreement or commitment, regardless of when made, no retailer shall transfer to consumers, nor shall any institutional user or industrial user of a commodity use, during any quota period, more of a food commodity than the quota of such establishment for such period as determined by Restriction Order 4.

(b) The following commodities, as defined in § 1407.5002 are subject to the provisions of Restriction Order 4: (1) Shortening, (2) lard, (3) rice.

§ 1407.5007 *Quotas and allotments.* (a) The duration of each quota period and the quotas and allotments of consumers and establishments eligible to receive a commodity shall be determined by the Director in accordance with the available supplies of such commodity.

(b) The local war price and rationing board having jurisdiction over the area in which a retailer, industrial user or institutional user is established, shall issue a purchase certificate on OPA Form No. PRF–3 revised, authorizing such retailer, industrial or institutional user to acquire prior to the expiration date set forth in such certificate a specific quantity of a specified commodity, such quantity to be calculated in the manner set forth in §§ 1407.5009 and 1407.5010 of this order.

(c) No person shall transfer a commodity to other than a consumer except in exchange for valid purchase certificate except as provided in § 1407.5008.

(d) An importer shall deliver all purchase certificates (OPA Form PRF–3 revised) in his possession within five days after receipt thereof to the Office of Price Administration, San Juan, Puerto Rico.

§ 1407.5008 *Security transfers.* (a) The Insular Government or any agency thereof, the United States or any agency thereof, or any person duly licensed to engage in the business of making loans upon collateral and regulated in conducting such business by the Insular Government or the United States may, without certificate, acquire a commodity for security purposes and may, without certificate, transfer such security to the debtor upon release or extinguishment of the debt so secured. Any person may, without certificate, acquire a lien created by operation of law on a commodity and may satisfy or release such lien. Such security interests or liens may be enforced in the manner provided by applicable Insular or Federal laws, and subject to the provisions of Restriction Order 4, transfers necessary to such enforcement may be made. Any such person receiving a Purchase Certificate (OPA Form PRF–3 Revised) shall deliver the same within five days after receipt thereof together with a complete report of the transaction involved to the Office of Price Administration, San Juan, Puerto Rico.

§ 1407.5009 *Quotas and allotments established.* (a) Quota periods:

(1) From March 8, 1943, to March 21, 1943.
(2) From March 22, 1943, to April 4, 1943.
(3) From April 5, 1943, to April 18, 1943.
(4) From April 19, 1943, to May 2, 1943.

(b) A consumer may not accept a transfer of, and no person shall knowingly transfer to a consumer more than the following quantity of the following commodities during a quota period:

(1) Lard—½ pound during a quota period.
(2) Rice—2 pounds during a calendar week of any quota period.
(3) Shortening—none.

(c) At the commencement of each quota period each retailer shall be entitled to receive from the board having jurisdiction, purchase certificates (OPA Form PRF–3 revised) authorizing transfers of:

(1) One sack of rice containing 100 pounds (disregarding fractions less than one-half sack and converting fractions of one-half or over to full sacks) for each twenty dollars ($20.00) of the dollar value of rice reported by each such establishment as having been sold at retail during the month of November 1941 on OPA Form PRF–1, reduced by that number of 100 pound units of rice (disregarding fractions less than one-half and converting fractions of one-half or over to full sacks) in each such establishment's possession for sale at retail at the commencement of such quota period.

(2) One and three-fourths ($1\frac{3}{4}$) pounds of lard for each one dollar ($1.00) of the dollar value of lard reported by each such establishment as having been sold at retail during the month of November 1941 on OPA Form PRF–1, reduced by that number of pounds of lard in each such establishment's possession for sale at retail at the commencement of such quota period.

(d) At the commencement of each quota period, each institutional and industrial user shall be entitled to receive from the board having jurisdiction, purchase certificates (OPA Form PRF–3 revised) authorizing transfers of

(1) One sack of rice containing 100 pounds (disregarding fractions less than one-half sack and converting fractions of one-half or over to full sacks) for each twenty dollars ($20.00) of the dollar value of rice reported as used by each such establishment for the month of November 1941 on OPA Form PRF– reduced by that number of 100 pound units of rice (disregarding fractions less than one-half, and converting fractions of one-half or over to full sacks) in each such establishment's possession at the commencement of such quota period.

(2) One and three-fourths ($1\frac{3}{4}$) pounds of lard for each one dollar ($1.00) of the dollar value of lard reported as used by each such establishment for the month of November 1941 on OPA Form PRF–1, reduced by that number of pounds of lard in each such establishment's possession at the commencement of such quota period except that a baker shall be entitled to receive no lard.

(e) Each baker shall be entitled to receive from the board having jurisdiction, purchase certificates (OPA Form PRF–3 revised) authorizing transfers of three and one-half ($3\frac{1}{2}$) pounds of shortening for each one dollar ($1.00) of the dollar value of that portion of lard which was reported as used by such baker for the month of November 1941 on OPA Form PRF–1, reduced by that number of pounds of all shortening in each such baker's possession at the commencement of such quota period.

§ 1407.5010 *Application for adjustment.* (a) Any person who considers that an adjustment or exception should be made in his case to adjust quotas or promote greater efficiency and dispatch in the war effort may apply in writing to the Director setting forth the pertinent facts, the reason why he considers that an adjustment or exception should be made and the precise nature of the adjustment or exception desired.

(b) In case of emergency, application may be made by the most convenient means of communication and a written application may be filed at such time thereafter as the Director may direct.

(c) Upon receipt of such application, the Director may take such action as he shall deem necessary or appropriate.

(d) An establishment, not heretofore subject to Restriction Order 2, or a retailer who did not sell, or an industrial or institutional user which did not purchase, a commodity in November 1941 may apply to the board having jurisdiction, for assignment of a quota or allotment. The board shall examine all pertinent facts, shall assign a temporary quota or allotment within any then established quota or allotment and shall, within three days thereafter, render a complete report to the Director. The Director may, based on the facts presented, direct the board to amend the assigned quota or allotment. The establishment may apply for an adjustment at any time after the assignment of the temporary quota in accordance with paragraphs (a), (b), and (c) of this section.

§ 1407.5011 *Prohibited acts.* (a) No person shall transfer or offer to transfer, to any person, and no person shall accept or offer to accept a transfer from any person, or use, any commodity as controlled by Restriction Order 4 with knowledge or reason to believe that such delivery or use is or will be in violation of Restriction Order No. 4.

(b) No person shall, or shall cause another person to alter or falsify any certificate or statement, or to falsify, conceal or fail to disclose any fact, statement or information in any application, registration, report or other statement required to be made, kept, furnished or disclosed by Restriction Order 4.

(c) No person shall offer, solicit, attempt or agree to do any act in violation of any provisions of Restriction Order 4.

§ 1407.5012 *Discrimination.* (a) On and after the date of the issuance of Restriction Order 4, no person shall discriminate in the transfer of a commodity to any person lawfully entitled to acquire a commodity hereunder. Any refusal on the part of an importer or a wholesaler to transfer a commodity to a wholesaler or a retailer to whom such importer or wholesaler has made a transfer on or after May 1, 1942, shall be prima facie evidence of a discrimination, *Provided*, That, nothing herein shall be construed to require a transfer of a commodity which would result in a violation of any statute enacted nor a transfer to any wholesaler or retailer of an amount of a commodity in excess of that permitted by any regulation or order of any department or agency of the United States.

§ 1407.5013 *Transfers to consumers.* No person shall knowingly transfer to a consumer and a consumer shall not accept a transfer of more of a commodity than the allotment established for the quota period. A consumer may act as the agent of a family or other unit in the purchase of a quantity of a commodity not to exceed the allotment for all members of such unit who customarily eat a majority of their meals as members of such unit.

§ 1407.5014 *Criminal prosecutions.* (a) Any person who knowingly falsifies an application, certification, registration form or any other record, report, or document made pursuant to or required by the terms of Restriction Order 4 or who otherwise knowingly furnishes false information to any agent, employee, or officer of the Office of Price Administration for Puerto Rico or falsifies or conceals or covers up by any tricks, scheme, or device a material fact, or makes or causes to be made any false or fraudulent statement or representation, in any matter within the jurisdiction of the Office of Price Administration for Puerto Rico, may upon conviction be fined not more than $10,000 or imprisoned for not than ten years, or both, and shall be subject to such other penalties or action as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts or to violate any provision of Restriction Order 4 may upon conviction be fined not more than $10,000 or imprisoned for not more than two years, or both, and shall be subject to such other penalties or actions as may be prescribed by law.

(b) Any person who willfully performs any act prohibited, or willfully fails to perform any act required, by any provision of Restriction Order No. 4 may upon conviction be fined not more than $10,000 and imprisoned for not more than one year, or both, and shall be subject to such other penalties or actions as may be prescribed by all applicable statutes.

§ 1407.5015 *Suspension Orders.* Any person who violates Restriction Order 4 may, by administrative suspension orders, be prohibited from receiving any transfers or deliveries of, or selling or using or otherwise disposing of, any controlled commodity or other rationed product. Such suspension order shall be issued for such period as in the judgment of the Director is necessary or appropriate in the public interest and to promote the national defense.

§ 1407.5016 *Communications.* All registration statements and reports required to be filed hereunder, and all communications concerning Restriction Order 4 shall be addressed to: Office of Price Administration, San Juan, Puerto Rico.

§ 1407.5017 *Effective date.* (a) Restriction Order 4 (§§ 1407.5002 to 1407.5017) shall become effective March 8, 1943.

(b) Restriction Order 4 (§§ 1407.5002 to 1407.5017) supersedes Restriction Order 2 (§§ 1407.3001 to 1407.3014). *Provided, however*, That any violations which occurred or rights or liabilities which have arisen prior to the effective date of Rice Restriction Order 4 shall be governed by the orders, regulations and amendments thereto, in effect at the time such violations occurred or such rights or liabilities arose.

Issued this 8th day of March 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration
for Puerto Rico.

[F. R. Doc. 43-4235; Filed, March 18, 1943; 4:57 p. m.]

PART 1429—POULTRY AND EGGS

[Rev. MPR 269, Correction to Amendment 6[1]]

POULTRY

Items in Table A of § 1429.19 (h) (1) are corrected to read as follows:

TABLE A—FOOD PRODUCTS

Type:	*Weight—Kosher-killed, Kosher-dressed, and dressed weight*
Broilers	Under 2½.
Fryers	2½ to 3½.
Roasters:	
Light	3½ to 5.
Heavy	5 and over.
• • • • •	
Fowl:	
Light	Under 3½.
Medium	3½ to 5.
Heavy	5 and over.

[1] 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2289.

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[1] 7 F.R. 1309, 2132, 3430, 3821, 4229, 4274, 4484, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.

[2] 7 F.R. 8948, 8 F.R. 1457, 7 F.R. 3856, 3901, 6602, 7738.

This correction shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4224; Filed, March 18, 1943; 4:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 135]

VULCANIZED VEGETABLE OIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) (59) of § 1499.73 is amended to read as set forth below:

§ 1499.73 *Modifications of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(59) *Vulcanized vegetable oil.*—(i) *Maximum prices for types of vulcanized vegetable oil delivered or offered for delivery during March, 1942.*—(*a*) *Molded vulcanized vegetable oil.* The maximum price for a sale by a manufacturer of a kind of molded vulcanized vegetable oil (other than truss pads) of a kind which is the same as a kind which was delivered or offered for delivery in March, 1942, by the manufacturer shall be the highest price charged for it by the manufacturer during March, 1942, (as defined in paragraph (a) (59) (iii) of this supplementary regulation).

(*b*) *Unmolded vulcanized vegetable oil.* The maximum price for a sale by a manufacturer of a grade of unmolded vulcanized vegetable oil which is the same as a grade which was delivered or offered for delivery in March, 1942, by the manufacturer shall be the highest price charged for it by the manufacturer during March, 1942, (as defined in paragraph (a) (59) (iii) of this supplementary regulation) adjusted by adding a certain percentage, named below, of the amount by which the replacement cost to the manufacturer, at July 25, 1942, maximum prices, for the vegetable oil used to produce the product being priced is greater than the inventory cost during March, 1942, of the same quantity of vegetable oil. For the purposes of this paragraph (a) (59) (i) (*b*) and paragraph (a) (59) (ii) (*d*) of this supplementary regulation the "July 25, 1942, maximum price" for a particular vegetable oil means the maximum price for that oil when purchased in the quantity normally purchased by the manufacturer. The inventory cost during March, 1942, shall be determined by multiplying the quantity of the kind of vegetable oil used to produce the product being priced by the average cost of that oil charged to production during March, 1942, or, if it was not charged to production during that month, by the average cost at which it was in the manufacturer's inventory on March 1, 1942. The following named manufacturers shall use the specified percentages in calculating the amount of the adjustment to be made: Stamford Rubber Supply Company, 70%; Carter Bell Manufacturing Company, 80%; all other manufacturers, 100%.

(*c*) *Transportation costs. No seller* shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery of a type of vulcanized vegetable oil delivered by the seller during March, 1942, than the seller required purchasers of the same class to pay during that month on deliveries of the same type.

(ii) *Maximum prices for types of vulcanized vegetable oil not delivered or offered for delivery during March, 1942.* The maximum f. o. b. price for the sale by a manufacturer of a grade of unmolded vulcanized vegetable oil which is not the same as a grade which was delivered or offered for delivery by the manufacturer during March, 1942, shall be the sum total of direct labor costs, direct materials costs, gross margin, and an adjustment, determined in accordance with inferior subdivisions (*a*), (*b*), (*c*), (*d*) of this subdivision (ii). The maximum f. o. b. price for a sale by a manufacturer of a kind of molded vulcanized vegetable oil (other than truss pads) which is not the same as a kind which was delivered or offered for delivery by the manufacturer during March, 1942, shall be the sum total of the same components with the exception that it shall not contain an adjustment. The maximum delivered price for a type of vulcanized vegetable oil (other than truss pads) not delivered or offered for delivery during March, 1942, shall be the maximum f. o. b. price plus the cost of transportation to the place of delivery.

(*a*) *Computation of direct labor* costs. Direct labor costs shall be determined by finding the average cost per pound of direct labor employed during the first quarter of 1942 in producing the type (unmolded white, unmolded brown, or molded) of vulcanized vegetable oil which includes the particular grade being priced, and multiplying that figure by the number of pounds being priced.

(*b*) *Computation of direct materials costs.* Direct materials costs shall be determined by multiplying the quantity of each material used in the manufacture of the vulcanized vegetable oil being priced by materials prices determined as follows:

The price of any material used in the manufacture of the vulcanized vegetable oil being priced shall be the first applicable among the following:

(*1*) The average cost at which the material was charged into production during March, 1942;

(*2*) The average cost at which it was in the manufacturer's inventory on March 1, 1942;

(*3*) The highest price charged during March, 1942, (as defined in paragraph (a) (59) (iii) of this supplementary regulation) by the manufacturer's supplier. The manufacturer's supplier shall be (A) his March, 1942, supplier of the material, or (B) lacking a March, 1942, supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier.

(*4*) The first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942. However, if the first applicable of those prices is higher than the maximum price established by the Office of Price Administration for the sale of the material to the manufacturer by his supplier, that maximum price shall be used as the price of the material.

(*c*) *Computation of gross margin.* The gross margin shall be determined as follows:

(*1*) Determine the total sales value for the first quarter of 1942 of each grade of the particular type (unmolded white, unmolded brown, or molded) of vulcanized vegetable oil which includes the grade being priced, at its March, 1942, highest price, by multiplying the quantity of each grade of that type produced during that quarter by the highest f. o. b. price for which the grade was sold during March, 1942, or, if it was not sold during that month, by the highest f. o. b. price for which it was offered for sale during March, 1942. Add the resulting figures to determine the total sales value for the quarter at March, 1942, highest prices, for the particular type of vulcanized vegetable oil.

(*2*) Subtract from that figure the total direct labor and materials costs for the particular type to determine the gross margin. Direct labor costs for this purpose shall be computed by multiplying the average direct labor costs per pound of the particular type of vulcanized vegetable oil, produced during the first quarter of 1942, by the total quantity of that type produced during that period. Direct materials costs shall be computed by multiplying the quantity of each material used in the manufacture of the particular type by the average cost at which the material was charged into production during March, 1942, or, if it was not charged into production in that month, by the average cost at which it was in the manufacturer's inventory on March 1, 1942.

(*3*) Divide the figure resulting from subtracting direct costs from total sales value by the total direct costs figure to determine the gross margin percentage of direct costs. That percentage shall be applied to the direct costs of the grade being priced (computed in accordance with paragraphs (a) (59) (ii) (*a*) and (*b*) of this supplementary regulation) to determine the gross margin for that grade.

(*d*) *Adjustment.* The sum total of direct labor costs, direct materials costs, and gross margin for a grade of unmolded white or unmolded brown vulcanized vegetable oil, computed as required by this paragraph (a) (59) (ii), shall be adjusted by adding the percentage, designated for the particular manufacturer in paragraph (a) (59) (i) (*b*) of this supplementary regulation, of the amount by which the replacement cost to the manufacturer, at July 25, 1942, maximum prices for the vegetable oil used to produce the product being priced is greater than the inventory cost during March, 1942 of the same quantity of vegetable oil. The inventory cost during March, 1942, shall be determined by multiplying the quantity of the kind of vegetable oil required to produce the product being priced by the average cost of that oil charged to production during March, 1942, or, if it was not charged to production during that month, by the average cost at which it was in the manufacturer's inventory in March, 1942. No adjustment shall be made in the case of molded vulcanized vegetable oil.

(iii) *Definitions.* For the purposes of this paragraph (a) (59):

"Brown vulcanized vegetable oil" means vulcanized vegetable oil produced by hot vulcanization.

"Highest price charged during March 1942" means:

(*a*) The highest price which the seller charged to a purchaser of the same class for delivery of the commodity during March, 1942;

(*b*) If the seller made no such delivery during March, 1942, such seller's highest offering price to a purchaser of the same class for delivery during that month;

(*c*) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March, 1942, to a purchaser of a different class, adusted to reflect the seller's customary differential between the two classes of purchasers.

"Manufacturer" when referring to molded vulcanized vegetable oil means a person who makes the molded product from vulcanized vegetable oil manufactured by him.

"Molded vulcanized vegetable oil" means a vulcanized vegetable oil in which the vulcanization reaction takes place substantially in molds which give shape utility to the production.

"Type of vulcanized vegetable oil" means one of the three classifications of that product, namely, unmolded white, unmolded brown and molded.

"Vulcanized vegetable oil" means the solid reaction product of unsaturated fatty oils and vulcanizing agents.

"White vulcanized vegetable oil" means vulcanized vegetable oil produced by cold vulcanization.

(iv) *Geographical applicability.* This paragraph (a) (59) applies only to the forty-eight states of the United States and the District of Columbia.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4220; Filed, March 18, 1943; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 110 Under § 1499.3 (b) of GMPR]

40-FATHOM FISH, INC.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1499.974 (a) is amended and paragraphs (e), (f), (g), (h) and (i) are added to read as set forth below.

§ 1499.974 *Approval of maximum prices for sales of frozen Jack and Jill Cat Food by 40-Fathom Fish, Inc.* (a) 40-Fathom Fish, Inc. of Boston, Massachusetts may sell and deliver and any person may buy and receive from 40-Fathom Fish, Inc. frozen Jack and Jill Cat Food packed twenty-four one pound cartons to a shipping case at a price not exceeding $2.05 per shipping case, delivered.

* * * * *

(e) This maximum price is only authorized for frozen Jack and Jill Cat Food when made according to the formula used by 40-Fathom Fish, Inc. in connection with his application for this order.

(f) A seller at wholesale is permitted to charge in a sale to a retailer, kennel or pet shop, of frozen Jack and Jill Cat Food a price not to exceed $2.56, delivered, per shipping case of twenty-four one pound cartons.

(g) A seller at retail is permitted to charge in a sale of frozen Jack and Jill Cat Food, a price not to exceed 14 cents per one pound carton.

(h) *Records.* Every person making a purchase or sale of frozen Jack and Jill Cat Food in the course of business, except a seller at retail, shall keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase and sale including (1) the date thereof, (2) the name and address of the purchaser, (3) the price charged and (4) the amount sold. Sellers at retail are not required to keep records of sales at retail but shall keep all invoices and notices received with the purchase of each shipping unit.

(i) *Notice.* On and after the effective date of this order and on or before the time of the first delivery of frozen Jack and Jill Cat Food to any wholesaler or retailer 40-Fathom Fish, Inc. or any other seller shall supply the buyer with a written statement and also include or attach to each shipping unit said cat food a copy of the statement which shall read as follows:

The Office of Price Administration has authorized ceiling prices for Frozen Jack and Jill Cat Food as made by 40-Fathom Fish, Inc. You are authorized to establish your ceiling price as follows:

In a sale at wholesale your ceiling is $2.56, delivered, per shipping case of twenty-four one pound cartons.

In a sale at retail your ceiling price is 14 cents per one pound carton.

This amendment shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4098; Filed, March 18, 1943; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 339 Under § 1499.3 (b) of GMPR]

ROYCE CHEMICAL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1775 *Approval of maximum prices for Roycole, manufactured by*

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8861, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8949, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9629, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10866, 11005; 8 F.R. 276, 439 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2374, 2343, 2346.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

Royce Chemical Company—(a) *Sales by Royce Chemical Company*—(1) *Maximum prices.* The maximum delivered prices for sales by Royce Chemical Company, Carlton Hill, New Jersey, of Roycole, are established as set forth below:

Roycole, 50%	*Roycole, 75%*
.0787¢ per pound.	.1103¢ per pound.

(b) This Order No. 339 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 339 (§ 1499.1775) shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March, 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4231; Filed, March 18, 1943; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 340 Under § 1499.3 (b) of GMPR]

GREAT VALLEY ANTHRACITE COAL CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.1776 *Approval of maximum prices for certain semi-anthracite coal produced by the Great Valley Anthracite Coal Corporation.* (a) The maximum price for Virginia semi-anthracite run of mine coal crushed to a size measuring ⅛" by ⅞" produced by the Great Valley Anthracite Coal Corporation, McCoy, Virginia, shall be $3.50 per net ton f. o. b. mine.

(b) This Order No. 340 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 340 (§ 1499.1776) shall be effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4221; Filed, March 8, 1943; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 341 Under § 1499.3 (b) of GMPR]

TY-PLUGS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1777 *Maximum prices for Ty-Plugs.* (a) The maximum list price for Ty-Plugs shall be 20 cents each.

(b) Each manufacturer shall allow a jobbers' discount from list price of at least 30 per cent.

(c) Terms of sale for manufacturers shall be 2/10 60 extra f. o. b. shipping point. Terms of sale for persons other than manufacturers shall be the terms offered with respect to the sale of laundry supplies during March, 1942 to the same class of purchaser.

(d) This Order No. 341 (§ 1499.1777) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 341 (§ 1499.1777) shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4237; Filed, March 18, 1943; 4:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 215 Under § 1499.18 (b) of GMPR]

JOHN WEISERT TOBACCO CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1815 *Denial of application of The John Weisert Tobacco Company, 1120–22 South Sixth Street, St. Louis, Missouri for adjustment of maximum prices for Big John pipe tobacco.* (a) The application of The John Weisert Tobacco Company, 1120–22 South Sixth Street, St. Louis, Missouri, filed August 31, 1942 and assigned Docket No. GF3–2177, requesting permission to increase maximum prices for Big John pipe tobacco sold by it is denied.

This Order No. 215 shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4222; Filed, March 18, 1943; 4:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 13 Under § 1499.18 (c) of GMPR]

JOHN A. MARSH

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1513 *Adjustment of maximum prices for white cedar posts, stakes, and bean poles, sold by John A. Marsh* (a) The maximum prices f. o. b. Dover-Foxcroft, Maine, sold by John A. Marsh shall be as follows:

	Per lineal ft.
White cedar posts 5" diameter, 6 to 12' in length	$ .05
White cedar posts 6" diameter, 6 to 8' in length	.0425
White cedar stakes 5" diameter, random lengths	.03
	Per dozen
White cedar bean poles 8' minimum length	.575

(b) All prayers of the applicant not granted herein are denied.

(c) This Order may be revoked or amended at any time.

(d) This Order No. 13 (§ 1499.1513) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

This order shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4232; Filed, March 18, 1943, 4:55 p. m.]

Chapter XVII—Office of Civilian Defense

PART 1902—INSIGNIA

[Regulations 2, Amendment 2 to Supp. Order 2 (Revised)]

IDENTIFICATION BADGES

By virtue of the authority vested in me as Director of Civilian Defense by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942, and pursuant to § 1902.2 of this chapter (section 2 of Office of Civilian Defense Regulations No. 2), *It is hereby ordered*, That § 1902.51 of this chapter (section 1 of Supplementary Order No. 2 (Revised), dated October 23, 1942,[1] to Office of Civilian Defense Regulations No. 2) is hereby amended by striking out § 1902.51 (o) thereof and substituting therefor the following:

(o) *Identification badges.* (U. S. Citizens Service Corps, Forest Fire Fighters Service, Civilian Evacuation Service.) Identification badges may embody the prescribed insignia. Such badges may be circular in shape, 2¼" in diameter, or may be in the form of a ribbon and are to be worn on the upper left side of the garment.

(E.O. 8757, 6 F.R. 2517; E.O. 9134, 7 F.R. 2887)

Dated: March 18, 1943.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

[F. R. Doc. 43-4213; Filed, March 18, 1943; 1:26 p. m.]

[1] 7 F.R. 8657; 8 F.R. 1756.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 6, Revised]

PART 305—INSURANCE

Pursuant to the authority contained in the Act approved June 29 1940 (Public Law—No. 677—76th Congress), as amended, and Executive Order 9054, February 7, 1942 (7 F.R. 837), General Order 6, including Supplements 1 through 9, is revised and pursuant to such revision the following rules and regulations for the underwriting by the War Shipping Administration of War Risk Insurance on Cargo, Hull, Crew, Fishermen and Freight interests are promulgated

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305.3 Binding of risk.
305.4 Quotation of rate.
305.5 Procedure established for payment of premium.
305.6 Payment of premium in San Juan, Puerto Rico.
305.7 Special guarantee premium account.
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305.9 Issuance of a facultative policy.
305.10 Rulings in respect to policy warranties.
305.11 Clauses appearing in certain facultative war risk insurance policies.
305.12 Special rules.
305.13 Insurance on currency in custody of master of vessel.
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305.15 Form of premium receipt.
305.16 Form of cargo war risk binder.
305.17 Preparation of binder.
305.18 Representatives authorized to receive premium.
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305.21 Rider to be attached to every facultative policy
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OPEN POLICY CARGO WAR RISK INSURANCE

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305.101 Limitation of persons to whom a Warshipopencargo Policy may be issued.
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305.112 Filing of affidavit in connection with the requirement of Clause 13, Part II.
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305.118 Warshipopencargo Policy form.
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305.120 Definition of territories and possessions.
305.121 Modification of the requirements of the Loss Clause (a) (b) (c) of Part I of the Warshipopencargo Policy.
305.125 Standard Optional Endorsement No. I.
305.126 Standard Optional Endorsement No. IV.
305.127 Standard Optional Endorsement No. VIII.
305.128 Standard Optional Endorsement No. IX.
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305.130 Standard Optional Endorsement No. XII.
305.131 Standard Optional Endorsement No. XIV.
305.132 Standard Optional Endorsement No. XV.
305.133 Manner of Endorsement.
305.150 Form No. 1—Application Form for Warshipopencargo Policy (Revised).
305.151 Form No. 2—Standard Form of Letter for Transmittal of Collateral Deposit Fund.
305.152 Form No. 3—Transmittal Form for Endorsement of Increase or Decrease to Surety Bond.
305.153 Form No. 4—Standard Form of Increase-Decrease Rider for Bond Guaranteeing Payment of Insurance Premiums on Warshipopencargo Policy.
305.154 Form No. 5—Form of Application for Cancellation of Warshipopencargo Policy.
305.155 Form No. 6—Form of Release on Cancellation of Surety Bond.
305.156 Form No. 7—Affidavit To Be Used in Effecting the Repayment of the Decrease of the Collateral Deposit Fund.
305.157 Form No. 8—Form Application for Revision of Warshipopencargo Policy.
305.158 Form No. 9—Affidavit To Be Submitted with a "Final Closing Report on Cancellation of Policy."
305.159 Form No. 10—Standard Form To Be Used Where Decreasing Amount of Cash Collateral Deposit.
305.160 Form No. 11—Affidavit To Be Attached to Closing Report.
305.161 Form No. 12—Standard Form of Application for Return Premium.
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305.163 Standard Form of Surety Bond A.
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305.165 Approved methods of accomplishment of a surety bond by a surety company
305.166 Form No. 14—Standard Form of Affidavit To Be Filed in Connection with the Requirement of Clause 13 of Part II of the Warshipopencargo Policy Form.
305.175 Standard form of application for appointment of underwriting agent.
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305.253 Warranties regulating the binding of hull war risk insurance.
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305.266 War risk insurance on hull "premiums reducing".
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Sec.
305.300 General.
305.301 Application.
305.302 Payment of premium and binding insurance.
305.303 Rules applicable to crew war risk insurances.
305.304 Crew individual war risk life insurance.
305.305 Application for crew individual war risk life insurance.
305.306 Renewal of individual war risk life insurance.
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305.400 General.
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305.600 Introductory.
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305.602 Warshipopen freight Policy.
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AUTHORITY: §§ 305.1 through 305.13; 305.20 through 305.22; 305.100 through 305.113; 305.118 through 305.121; 305.125 through 305.133; 305.150 through 305.166; 305.175 through 305.177; 305.250 through 305.255; 305.266 and 305.267; 305.275; 305.300 through 305.307; 305.315; 305.400 through 305.410; 305.600 through 305.602; 305.610 and 305.611; and § 305.615: Issued under E.O 9054, 7 F.R. 837

SUBPART A—CARGO INSURANCE

§ 305.1 *Introductory.* War Shipping Administration is prepared to provide marine insurance against loss or damage by the risks of war on shipments of cargo in the water-borne commerce of the United States and its territories and possessions which is in the interest of the war effort or the domestic economy of the United States as determined by the Administrator.

Such cargo war risk insurance is underwritten both on a facultative policy basis and an open policy basis in accordance with the respective policy conditions and regulations herein set forth.

Applicable rate schedules are published in bulletin form by the War Shipping Administration and are available on request by properly interested parties. Any rate set forth in a rate schedule is subject to change by the War Shipping Administration at any time without notice.

FACULTATIVE WAR RISK CARGO INSURANCE

§ 305.2 *Submission of risks.* Whenever the applicant for cargo war risk insurance desires to bind war risk insurance on a shipment of cargo, and there is published an applicable rate, the applicant must provide War Shipping Administration, Division of Wartime In-

surance, at Room 4089, Commerce Building, Washington, D. C., by means of a letter or a telegram with a proper order to bind such insurance which must set forth:

(a) The name of the assured.
(b) The amount of insurance.
(c) The commodity and the quantity thereof.
(d) The voyage involved.
(e) That Standard Optional Endorsement No. I is to be provided, if such additional coverage is desired.
(f) That Loss Clause II, as set forth in § 305.11, is to be provided, if such clause is to be made applicable.
(g) The name of the vessel or the steamship line, if known, and the date of shipment, if the applicant is submitting the request to bind war risk insurance by letter; but if the applicant is submitting the order to bind war risk insurance by telegram, neither the name of the vessel nor the name of the steamship line nor the anticipated date of sailing, if known, should be mentioned. Mentioning such information in a telegram may result in a denial of insurance to the applicant. Any envelope transmitting a letter containing such information should be marked "confidential."

§ 305.3 *Binding of risk.* After receipt of a proper order to bind cargo war risk insurance, the War Shipping Administration will reply by telegram.

(a) If such an order has been submitted by telegram and is acceptable to the War Shipping Administration, the effective date of binding will be determined as follows:

(1) If War Shipping Administration has been instructed to bind insurance and to use the applicant's special guarantee premium account (§ 305.7) then if such an account is in good standing with a balance sufficient in amount to cover in full all unpaid premium liabilities including the premium on the risk submitted, the binding will be made effective subject to the policy warranties at the time of the day the telegraphic request to bind insurance is received by War Shipping Administration, provided the time of the day of the sending of the request telegram is not later than 4:00 P. M., Local War Time.

(2) If War Shipping Administration has been instructed to bind insurance and to use the applicant's special guarantee premium account (§ 305.7) then if such account is in good standing with a balance sufficient in amount to cover in full all unpaid premium liabilities including the premium on the risk submitted, but the time of the day of the sending of the telegram is later than 4:00 P. M., Local War Time, and the telegram is received by War Shipping Administration at Washington prior to 9:00 A. M., Eastern War Time of the following business day, the binding will be made effective subject to the policy warranties at 9:00 A. M., Eastern War Time of the day following the day of the sending of the request telegram; and if the request telegram is not received by War Shipping Administration at Washington until after 9:00 A. M., Eastern War Time of the day following the day of the sending thereof the binding will be made effective subject to the policy warranties at the time when the telegram is received.

(3) If the War Shipping Administration has been instructed to bind insurance, but a special guarantee premium account is not maintained by the applicant or, if maintained, is not in good standing, the binding will be made effective subject to the policy warranties at the time of the typing of the Administration's reply telegram or letter; but this binding shall be subject to the condition subsequent that if the payment of premium is not received in accordance with the provisions of § 305.5 hereof by the War Shipping Administration, Division of Wartime Insurance or one of its specified representatives appointed to receive premiums, prior to 3:00 P. M., Local War Time, of the second business day following the day of the sending of the Administration's reply telegram or letter then the binding shall automatically become canceled and ineffective from inception.

(b) If such an order has been submitted by letter and is acceptable to the War Shipping Administration the effective date of the binding will be determined as follows:

(1) If War Shipping Administration has been instructed to bind insurance and to use the applicant's special guarantee premium account (§ 305.7) then if such an account is in good standing with a balance sufficient in amount to cover in full all unpaid premium liabilities including the premium on the risk submitted, the binding will be made effective subject to the policy warranties at the time that the letter is received by the Division of Wartime Insurance.

(2) If War Shipping Administration has been instructed to bind insurance but a special guarantee premium account is not maintained by the applicant or, if maintained, is not in good standing, the binding will be made effective subject to the policy warranties at the time of the typing of the Administration's reply telegram or letter; but this binding shall be subject to the condition subsequent that if payment of premium is not received in accordance with the provisions of § 305.5 hereof by the War Shipping Administration, Division of Wartime Insurance, or one of the specified representatives appointed to receive premiums, prior to 3:00 P. M., Local War Time, of the second business day following the day of the sending of the Administration's reply telegram or letter, then the binding shall automatically become canceled and ineffective from inception.

(c) A confirmation copy of any telegram sent by the War Shipping Administration will always be mailed by the War Shipping Administration to the party to whom the original telegram has been sent and this confirmation copy will set forth the day and hour it was typed.

§ 305.4 *Quotation of rate.* Whenever an applicant for cargo war risk insurance desires to bind war risk insurance on a shipment of cargo for which there is no applicable rate in a rate schedule published by the War Shipping Administration, Division of Wartime Insurance, a quotation of an applicable rate may be obtained by submitting to War Shipping Administration, Division of Wartime Insurance, at Room 4089, Commerce Building, Washington, D. C., by means of a letter or a telegram a request for a quotation which must specify the commodity and the voyage involved, and that Standard Optional Endorsement No. I is to be provided if such additional coverage is desired.

(a) The War Shipping Administration, Division of Wartime Insurance, will consider the request for quotation and will make an appropriate reply by telegram. If a definite rate is quoted, such a rate will be recorded by the War Shipping Administration, Division of Wartime Insurance, on such a basis that it will become a permanent part of its records.

(b) Whenever an applicant for cargo war risk insurance receives a definite rate quotation and desires to bind insurance at the quoted rate, an order to bind insurance in accordance with the procedure set forth in § 305.2 should be submitted within two business days following the day of the sending of the Administration's telegram containing the quotation or the quotation will expire.

§ 305.5 *Procedure established for payment of premium.* Whenever an applicant for insurance desires to make a payment of premium (other than to the designated representative of the War Shipping Administration in San Juan, Puerto Rico, (§ 305.6)) the procedure herein specified should be followed:

(a) There must be presented by letter or delivery to the War Shipping Administration, Division of Wartime Insurance, at Room 4897, Commerce Building, Washington, D. C., or to any one of the district agents, managers, and/or representatives of the War Shipping Administration listed in § 305.18 an original and two copies of a properly prepared premium receipt on the form specified in § 305.15 together with a certified check, cashier's check or money order payable to the order of the War Shipping Administration in an amount equal to the amount of the premium set forth in the receipt. Each of the said premium receipts will be stamped and signed to acknowledge receipt of the amount of premium corresponding to the amount of payment, and the original and one copy of the premium receipt will be returned.

NOTE: When any payment of premium is made by mail the enclosure of a self-addressed, properly stamped return envelope will be appreciated, and will facilitate the expeditious return of the original and one copy of the signed premium receipt.

§ 305.6 *Payment of premium in San Juan, Puerto Rico.* Whenever an applicant for insurance desires to make a payment of premium to the designated representative of the War Shipping Administration in San Juan, Puerto Rico, the procedure herein specified should be followed:

(a) There must be presented by letter or delivery to the designated representative in San Juan, Puerto Rico listed in § 305.18 an original and three copies of a properly prepared premium receipt on a form specified in § 305.15, together with a certified check, cashier's check or money order payable to the order of the War Shipping Administration in an amount equal to the amount of the premium set forth in the receipt. Each of the said premium receipts will be stamped and signed to acknowledge receipt of the amount of premium corresponding to the amount of payment and the original and one copy of the premium receipt will be returned.

(b) At the time of making payment of premium there must be exhibited to the designated representative the Administration's reply cable in order that it can be determined then that payment of premium is being timely made.

NOTE: When any payment of premium is made by mail the enclosure of a self-addressed, properly stamped return envelope will be appreciated and will facilitate the expeditious return of the original and one copy of the signed premium receipt.

§ 305.7 *Special guarantee premium account.* In order to avoid the possibility of lapse in coverage by reason of the inability of an applicant for insurance to pay premium as promptly as required by the provisions of § 305.3, any ship owner, shipper, insurance broker, or other interested party may establish a special guarantee premium account with the War Shipping Administration.

(a) Such an account may be established by mailing or delivering to the War Shipping Administration, Division of Wartime Insurance, at Room 4897, Commerce Building, Washington, D. C., a cashier's check or certified check payable to the order of the War Shipping Administration in an amount not less than $1,000 and by requesting that such sum be used by the War Shipping Administration for the creation of a special guarantee premium account. The War Shipping Administration will use any check so received to establish a special guarantee premium account. The identity of each account will be maintained by a serial number assigned thereto at the time of the creation of the special guarantee premium account, and the War Shipping Administration will inform the party establishing the same of such serial number. The War Shipping Administration will permit maintenance of this account subject to the option of the War Shipping Administration to discontinue altogether at any time on thirty days notice any or all such special guarantee premium account arrangements and subject to the option of the War Shipping Administration to discontinue any special guarantee premium account where any depositor has made continued attempts to incorrectly use the same. So long as the outstanding premium liabilities at any one time against such special guarantee premium account do not exceed the amount thereof, a special guarantee premium account will be considered in good standing.

§ 305.8 *Manner of using a special guarantee premium account.* War Shipping Administration, Division of Wartime Insurance, requires observance of the following regulations by the party in whose name the special guarantee premium account is established:

(a) Whenever any insurance risk has been bound by the War Shipping Administration, Division of Wartime Insurance, for an assured using a special guarantee premium account, a certified check or cashier's check or money order payable to the order of the War Shipping Administration for the correct amount of premium applicable to a particular binding without any claimed set off or other deductions must be received by the War Shipping Administration, Division of Wartime Insurance, at Room 4897, Commerce Building, Washington, D. C., or by any one of the district agents, managers and/or representatives of the War Shipping Administration listed in § 305.18 within seven days after the effective time of binding of a particular risk. Such check or money order must bear the serial number assigned to the special guarantee premium account and the applicable binder number; and if the check or money order is in payment of several bindings, it must bear the several binder numbers and be accompanied by a tally slip showing the payment according to the binder numbers.

(b) The War Shipping Administration has the right at any time to withhold, deduct, and use all or any part of the special guarantee premium account to pay for the correct amount of the unpaid premium properly guaranteed by any special guarantee premium account.

(c) The person in whose name the special guarantee premium account is established may not credit a return premium against a special guarantee premium account. A return of premium must be applied for in accordance with the provision of § 305.12.

(d) Failure to comply with the provisions of this (§ 305.8) may result in a finding by the War Shipping Administration, Division of Wartime Insurance, that the special guarantee premium account is being incorrectly used and in its cancellation.

(e) Whenever War Shipping Administration has been directed to use any special guarantee premium account by any statement contained in a letter or telegram purporting to come from the party in whose name the special guarantee premium account is established, such a letter or telegram shall be conclusive authorization by the party in whose name the special guarantee premium account is established for its use by the War Shipping Administration.

§ 305.9 *Issuance of a facultative policy.* In order to procure the issuance of a facultative policy, the applicant for insurance must mail a properly prepared binder on the form set forth in § 305.16 *immediately* after the binder number has been assigned and the signed premium receipts obtained to War Shipping Administration, Division of Wartime Insurance, at Room 4089, Commerce Building, Washington, D. C.

The applicant for insurance may attach the signed copy of the premium receipt to the binder in order to facilitate the prompt issuance of the facultative policy.

On receipt of the binder (§ 305.16) properly prepared and after payment of the premium War Shipping Administration will prepare, in accordance with the terms of the said binder, and forward in due course, its policy of insurance, provided its instructions have been properly fulfilled; otherwise, instructions by letter will be mailed to the party requesting the insurance.

In order to enable the rendering of prompt and efficient service and in the interests of conservation of paper, the War Shipping Administration reserves the right to decline to issue more than one policy with respect to export shipments for any one shipper or any one agent representing one or more shippers to any one destination on any one vessel.

§ 305.10 *Rulings in respect to policy warranties.* (a) After the effective binding of war risk insurance on a shipment of cargo, in any instance where an assured believes that it will be impossible to comply with the warranty requiring the goods to be shipped and in transit within thirty days from the effective date of binding, such an assured may apply to the War Shipping Administration, Division of Wartime Insurance, to modify the warranty. If War Shipping Administration, Division of Wartime Insurance, is satisfied that an extension of time within which the goods are warranted to be shipped and in transit should be granted it will do so with or without an additional premium.

(b) In respect to the terms and conditions of Clause 9 of the facultative policy which reads "9. If the ordinary course of the transit of the goods is interrupted or terminated by the shipper, consignee, or assured or other party acting on their behalf, this insurance shall forthwith terminate unless otherwise specially agreed by the War Shipping Administration.", War Shipping Administration, Division of Wartime Insurance, specifically agrees that interruption or termination of the transit by the transportation company or other third party acting on behalf of the assured because of the fact that sufficient tonnage is not available for transportation of the goods from the intended port of shipment shall not terminate this insurance on shipments made in good faith from an original point of shipment in the United States with the bona fide intention of prompt shipment from the United States port.

§ 305.11 *Clauses appearing in certain facultative war risk insurance policies.* (a) Any cargo war risk insurance covering a shipment of cargo made from any port or place in the World to the United States or to one of the territories and possessions of the United States (which territories and possessions are hereby defined as Alaska, Hawaiian Islands, Virgin Islands, Panama Canal Zone, Puerto Rico, including Vieques Island, American Samoa, Midway Island and Palmyra Island) or covering a shipment of cargo made between ports and places in the

United States or between ports and places in any one of the territories and possessions of the United States will be subject to the following clause:

OMNIBUS CLAUSE (1) This policy of insurance covers for account of the Assured and other parties having or acquiring an insurable interest in the insured goods.

(2) Warranted by all Assureds under this insurance that, to the best of their knowledge and belief no person, corporation, partnership or association whose name appears in any Proclaimed List of Blocked Nationals issued by or under authority of the Government of the United States of America or of the government of any nation party signatory of the "United Nations Pact" promulgated on or about January 2, 1942, has any ownership, title or interest in or to the goods insured. The term "Assured" as used in the foregoing warranty shall include all persons claiming under this policy, but no information received by any Assured after the goods have been shipped and insured hereunder, and after he has acquired his title to or interest therein, shall be set up against such Assured as a breach of the above Warranty

(3) Warranted that the Assured in whose name this policy is issued is: If an individual, either a citizen of the United States or a resident within the United States or one of the territories and possessions of the United States; if a partnership or a corporation, that it is organized and existing under and by virtue of the laws of the United States, a State of the United States, one of the territories and possessions of the United States or a political subdivision thereof; or if a foreign corporation, that it has an office or place of business within the United States or one of the territories and possessions of the United States and that shipments covered hereunder are for the account of said office.

(4) If any person filing a claim under this policy is not a person specified in Clause 3, claim must be filed and required affidavit executed on behalf of said claimant by the Assured named herein unless this requirement is waived or modified by the War Shipping Administration.

(5) Shipments of goods shipped by, to, or at the direction of the Assured and sold by the Assured prior to loading on board the overseas vessel (a) on terms requiring the Assured to provide War Risk Insurance to the port of discharge, or (b) with respect to which written or cabled instructions to provide War Risk Insurance to the port of discharge have been received by the Assured from the purchaser prior to loading on board the overseas vessel, (except goods shipped for the account and at the risk of a branch, subsidiary or affiliate of the Assured), shall in the event of loss be subject to the requirement that the claimant must file an affidavit (unless otherwise permitted by War Shipping Administration) to the effect that the amount claimed does not exceed the actual bona fide sales price less all discounts, plus marine insurance and transportation costs actually incurred with respect to the venture plus the war risk premium payable hereunder if such items are not included in the sales price.

(6) All other shipments of goods shall be subject to either Loss Clause I or Loss Clause II. Unless Loss Clause II is requested at the time of binding, Loss Clause I shall become automatically applicable.

Loss Clause I. (a) In the event of loss the claimant shall be required to file an affidavit to the effect that the amount claimed does not exceed fair market value at place and approximate time of attachment of risk, plus marine insurance and transportation costs incurred with respect to the insured venture, plus war risk insurance premiums payable hereunder. With respect to goods, the fair market value of which at place and approximate time of attachment of risk cannot be readily or satisfactorily determined by established or recognized market quotations, but the goods have been sold to or purchased by the Assured in a bona fide sale between independent parties within the thirty day period prior to attachment of risk, the sale or purchase price shall be deemed prima facie evidence of such fair market value.

(b) In cases where it is impossible to determine the fair market value at place and approximate time of attachment of risk as aforesaid, such affidavit shall be to the effect that the amount claimed does not exceed fair market value at port of arrival on date of attachment of risk.

(c) The affidavit required pursuant to the foregoing paragraphs (a) and (b) shall be subject to the provisions of section 35 (a) of the Criminal Code

Loss Clause II. In the event of loss the Assured named herein shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss to the said Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code.

(7) In the event that claim is filed by the Assured named herein on behalf of any other party at interest a further affidavit is also required to the effect that the amount collectible does not exceed the amount which would have been collectible by the Assured named herein if at the time of loss the Assured named herein had full interest in the insured goods. In the event that this policy is issued to an agent for account of a principal named herein, both the agent and the named principal shall be deemed to be included in the term the "Assured named herein" for the purposes of this Loss Clause II.

(b) Whenever the above "Omnibus Clause" is not applicable Clause 10 of the facultative policy reading as follows shall apply:

10. In event of loss the valuation of the goods insured hereunder shall not exceed the invoice cost, or if there be no invoice, the value of the goods at time and place of shipment, plus transportation and insurance charges actually incurred with respect to the shipment plus ten (10) percent.

§ 305.12 *Special rules.* The following special rules are applicable to the underwriting of facultative cargo war risk insurance:

(a) If a facultative cargo war risk insurance is bound with the War Shipping Administration, the parties at interest may nevertheless place increased value or additional insurance in commercial or other markets in excess of the amount of insurance provided by the War Shipping Administration. Such insurance, if placed, shall not be participating with the War Shipping Administration coverage and shall be without benefit of salvage or right of contribution.

(b) When a facultative war risk insurance is bound, it is not subject to cancellation by the assured unless the goods are not shipped within thirty days following the effective date of binding, and unless the policies are returned for cancellation. Where goods are short-shipped any reduction in amount of insurance will be computed by applying to the original amount of insurance the proportion which the quantity of merchandise short-shipped (i. e. bales, barrels, tons, and other designations of quantity) bears to the total quantity of merchandise originally declared for insurance. Where more than one class of merchandise is insured under one policy (e. g. fuel oil and gasoline) the reduced amount of insurance will be computed separately on each item. Where the amount of insurance is reduced as aforesaid the Administration will give consideration to requests for proportionate returns of premium. All such requests must be submitted in quadruplicate on standard form set forth in Sec. 305.19. No return of premium of less than $100.00 will be allowed unless amounting to 10% or more of the original premium.

(c) All cargo war risk insurances provided by the Division of Wartime Insurance of the War Shipping Administration will be subject to a minimum premium of $10.00 per policy.

(d) The War Shipping Administration, Division of Wartime Insurance, reserves the right to decline to quote or bind on any risks submitted and to defer *quoting* or *binding* on any risks where prompt shipment is not anticipated. The War Shipping Administration, Division of Wartime Insurance, also reserves the right to decline to quote on or bind insurance on shipments of cargo that could be covered by an open cargo war risk policy provided by the War Shipping Administration unless it can be demonstrated to the satisfaction of the Administration that the risk is not one of a series of similar risks forming part of a continual flow of business for the interested party.

(e) Any telegram or cable dealing with the binding of cargo war risk insurance sent later than 4 P. M. (Local War Time) by an applicant for insurance, shall be considered the next day's business by War Shipping Administration

(f) No risks will be negotiated by telephone excepting in cases of emergency where the delay involved in telegraphic communication might delay the sailing of the vessel.

§ 305.13 *Insurance on currency in custody of master of vessel.* The War Shipping Administration, Division of Wartime Insurance, is prepared to insure currency in the custody of the master of the vessel by its facultative cargo war risk insurance policy. Where the destination of a vessel is not known to the owner at the time the insurance is bound, arrangements will be made for providing such insurance at a deposit premium subject to readjustment when all circumstances are known.

(a) Any such insurance will be subject to the following warranty:

Warranted that a qualified officer of the overseas vessel has receipted for the currency by acknowledging deposit of the same in the safe or strong room of the vessel.

§ 305.14 *Insurance on collect freight.* War Shipping Administration, Division of Wartime Insurance is prepared to insure "collect freight" by its facultative cargo war risk insurance policy.

(a) The interest insured will be described as "collect freight".

(b) All such policies shall contain one of the following alternative clauses:

(1) Notwithstanding anything to the contrary contained herein, this insurance shall be payable only in the event of the total or constructive total loss of the vessel to which the collect freight pertains,

or

(2) In the event of loss, the War Shipping Administration shall not be liable for a greater percentage of the amount insured than would be recoverable under its standard form of cargo war risk policy covering the cargo to which the insured freight applies.

(c) All such policies shall contain both of the following clauses:

(1) Insurance shall not attach hereunder until sailing of vessel from port of loading of cargo to which the insured freight applies,

and

(2) Warranted that insurance shall not attach hereunder with respect to shipments from any port from which the vessel has sailed prior to binding of this insurance.

(d) In the event that following attachment of risk, it is demonstrated to the satisfaction of the War Shipping Administration that the total amount of collect freight at risk with respect to the insured venture is less than the amount insured, a pro rata return of premium will be made provided all facts have been presented to the War Shipping Administration as soon as known to the assured.

§ 305.15 *Form of premium receipt.* The following form sets forth the wording of the only premium receipt acceptable to War Shipping Administration:

WAR SHIPPING ADMINISTRATION

PREMIUM RECEIPT

Date_____
Time_____

Received from_____
$_____ covering insurance premium under binder No(s)_____
Assured_____
Broker_____
Office_____

NOTE: Where one check is tendered in payment of several binders, the binder numbers and the amount of premium applicable to each binder must be stated on the reverse side hereof.

NOTE: Premium receipt forms should be furnished by the person applying for insurance, and must be printed, mimeographed or typewritten by an assured. Checks should be made payable to War Shipping Administration.

§ 305.16 *Form of cargo war risk binder.* The following form sets forth the wording of the facultative cargo war risk binder acceptable to War Shipping Administration:

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Cargo War Risk Binder No. C_____
Date_____

Amount insured $_____
Rate _____%
Premium, $_____

In consideration of a premium as above, the War Shipping Administration insures, in accordance with applicable provisions of Law:_____
Upon _____
(Specify description and nature of merchandise)
In the sum of_____Dollars
Per the vessel called the_____
Voyage from port of_____ to port of_____
Warranted goods shipped and in transit on or before 30 days from the effective date of the binding of this risk.
Standard Optional Endorsement No. I (amended) is desired:—Insert ("yes" or "no") in space [ ]
Loss Clause No. II is desired:—Insert ("yes" or "no") in space [ ]
Any loss payable hereunder shall be payable in funds current in the United States to the order of_____
upon surrender of this Policy, thirty days after full proofs of loss and proofs of interest have been filed with the War Shipping Administration.
It is {known / anticipated} that the goods described herein {have been / will be shipped} from _____ on _____

(For Marks, Numbers, and Special Conditions)

_____
(Assured)

By _____

NOTE: Binder forms should be furnished by an assured and must be printed, typewritten, or mimeographed by an assured.

§ 305.17 *Preparation of binder.* A properly prepared binder must contain:

(a) The name of the party to be insured.

(b) The payee in the event of loss.

(c) The description and the quantity of goods.

(d) The identification of goods insured (i. e. marks and numbers, bill of lading number, or other specific identification).

(e) The voyage to be insured.

(f) The amount of insurance.

(g) The name of the vessel or the steamship line, if known.

(h) The anticipated date of shipment from point of origin or interior.

NOTE: By attaching a receipted copy of the Premium receipt to the binder the prompt issuance of a policy will be facilitated.

§ 305.18 *Representatives authorized to receive premiums.* The following is a list of the only district agents, managers, and/or representatives permitted to receive a certified check, or a cashier's check or a money order and to acknowledge receipt of the same on a premium receipt:

New York, N. Y.: Capt. Granville Conway, District Manager, U. S. Maritime Commission, Atlantic Coast Director, War Shipping Administration, 45 Broadway, New York, N. Y.

Baltimore, Md.: Mr. Julius Bouslog, District Manager, U. S. Maritime Commission, War Shipping Administration, 22 Light St., Baltimore, Md.

New Orleans, La.: Mr. J. J. Fitzpatrick, District Manager, U. S. Maritime Commission, Federal Office Building, New Orleans, La.

Boston, Mass.: Mr. M. N. McGann, Port Agent, War Shipping Administration, Public Service Building, 89 Broad St., Boston, Mass.

Norfolk, Va.: Mr. George F. Blair, District Manager, U. S. Maritime Commission, War Shipping Administration, 12th St. and Monticello Ave., Norfolk, Va.

San Francisco, Calif.: Mr. E. C. Mausshardt, District Manager, U. S. Maritime Commission, 200 Bush St., San Francisco, Calif.

Chicago, Ill.: Mr. W. E. Spofford, Regional Director of Construction, U. S. M. C., 310 South Michigan Ave., Chicago, Ill.

Philadelphia, Pa.: Mr. J. Gormley, Port Agent, War Shipping Administration, Public Ledger Building, 6th and Chestnut Sts. Philadelphia, Pa.

Galveston, Tex.: Mr. Roland J. Mestayer, Port Operating Manager, War Shipping Administration, 203 Federal Building, Galveston, Tex.

Portland, Oreg.: Mr. George Powell, Port Representative, War Shipping Administration, 601 Porter Building, Portland, Oreg.

San Francisco, Calif.: Mr. Felix W. Isherwood, Jr., Asst. to Pacific Coast Director, War Shipping Administration, 200 Bush St., San Francisco, Calif.

Seattle, Wash.: Mr. W. E. Brown, Assistant Pacific Coast Director (Northwest), War Shipping Administration, 1475 Dexter Horton Building, Seattle, Wash.

Seattle, Wash.: Mr Irving C. Huntington, Jr., Junior Administrative Assistant, War Shipping Administration, 1475 Dexter Horton Building, Seattle, Wash.

Los Angeles, Calif.: War Shipping Administration, Representative in Charge, Room 511, 354 South Spring St., Los Angeles, Calif.

San Juan, P. R.: Mr. Walter L. Cope, War Shipping Administration Representative, San Juan, Puerto Rico.

§ 305.20 *Standard form of application for a return premium.*

CARGO—APPLICATION FOR RETURN PREMIUM

WAR SHIPPING ADMINISTRATION WARTIME INSURANCE

Policy Number_____
Assured_____
Address_____
Broker_____
Assured_____
Premium paid by Broker_____
Date of payment_____
Nature of cargo_____
Insurance bound
_____
Quantity (tons, bbls, bales, etc)
_____
Amount of insurance Rate Premium
Total_____
Insurance at risk
_____
Total_____
Return premium_____
Remarks _____
_____

Application is hereby made for return premium as set forth above and the accuracy of this information is certified by
Assured_____
By_____
Title_____
Date_____
Sworn to before me this _____ day of _____, 19__.
_____
Notary Public

Attention is directed to Section 35 (A) of the Criminal Code of the United States which provides for punishments ranging as high as ten years imprisonment or $10,000 fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

Policy hereby endorsed in accordance with foregoing and voucher cleared by wartime insurance
For—PERCY CHUBB,
Director of Wartime Insurance.
_____
Date_____

NOTE: This form should be furnished by an assured and must be printed, mimeographed or typewritten.

§ 305.21 *Rider to be attached to every facultative policy.* Every facultative cargo war risk insurance policy shall be endorsed with the following clauses:

12. Any shipment of cargo excluded from coverage by application of the warranty of Clause "11" will automatically attach hereunder as of the time of the arrival of the vessel and interest insured at the next intermediate port in good safety warranted the premium has been paid in accordance with rules and regulations.

13. The Administrator or his representative duly authorized under administrative orders may waive strict compliance with any warranty or condition of this insurance to the extent that he may determine that it imposes a hardship on any claimant in good faith hereunder which would not be imposed in connection with a policy issued in accordance with commercial practice in the marine insurance business, and to the extent that he may determine such waiver is not contrary to the purposes of the statute under which this policy is issued. In any determination as aforesaid the decision of the Administrator or his duly authorized representative shall be conclusive upon all parties thereto.

14. No premium will in any case be returned to the Assured except in the event of an error made in the application of a rate or in the computation of a premium, or except in the event the insured goods are not shipped or are short-shipped; notwithstanding the foregoing, whenever goods have been overinsured by reason of an error or otherwise, and such fact is discovered and the material facts and circumstances are presented immediately after discovery of the overinsurance and prior to the time when the overseas vessel reaches the destination port in safety, to the War Shipping Administration, Division of Wartime Insurance, then the Division of Wartime Insurance will give consideration to an application for a return premium and if in its sole discretion the Division of Wartime Insurance is satisfied that the Assured acted in good faith and that the instance is one in which in commercial practice a return premium would be made, it will grant the appropriate return premium.

§ 305.22 *Form of facultative policy.*

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Cargo War Risk No. C-----
Amount insured, $---------- Date-----
Rate ----------%
Premium $----------

THIS POLICY OF INSURANCE witnesseth that in consideration of a premium as shown above the WAR SHIPPING ADMINISTRATION hereby insures, in accordance with applicable provisions of Law ----------
----------for account of whom it may concern. Upon----------

In the sum of----------dollars
Per vessel as per information on file with War Shipping Administration----------
----
At and from----------
to----------
Warranted goods shipped and in transit on or before----------
Any loss payable hereunder shall be payable in funds current in the United States, to ----------
----
or order upon surrender of this Policy, thirty days after full proofs of loss and proofs of interest have been filed with the War Shipping Administration.

(For marks, numbers, and special conditions)

1. This insurance is only against the risks of capture, seizure, destruction, or damage by men of war, piracy, takings at sea, arrests, restraints and detainments, and other warlike operations and acts of kings, princes, and peoples in prosecution of hostilities or in the application of sanctions under international agreements whether before or after declaration of war and whether by a belligerent or otherwise, including factions engaged in civil war, revolution, rebellion or insurrection or civil strife arising therefrom, and including the risks of aerial bombardment, floating or stationary mines, and stray or derelict torpedoes; but excluding claims for delay, deterioration and or loss of market, and warranted not to abandon (on any ground other than physical damage to ship or cargo) until after condemnation of the property insured. Also warranted not to abandon in case of blockade, and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade, to be at liberty to proceed to an open port and there end the voyage.

2. Warranted free from any claim based upon loss of, or frustration of, the insured voyage or adventure caused by arrests, restraints or detainments.

3. This insurance does not cover any loss or damage caused by or resulting from any of the following causes:

(a) Commandeering, preemption, requisition, or nationalization by the government (de facto or otherwise) of the country to or from which the goods are insured.

(b) Seizure or destruction under quarantine or customs regulations.

(c) Capture, seizure, arrest, restraint, detainment, or condemnation by the Government of the United States of America, or of any State, territory, or possession thereof, or by any government which is or may become party signatory of the "United Nations Pact" and the goods hereby insured shall be discharged at such port, then, if the goods be not the subject of proceedings of the nature set forth in clause 3 (a), such port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause (4) (c) of this Policy.

4. This insurance shall not attach to the interest hereby insured or to any part thereof:

(a) Prior to being on board an overseas vessel (for the purpose of this clause 4 an overseas vessel shall be deemed to mean a vessel carrying the interest from one port or place to another where such voyage involves a sea passage by that vessel);

(b) after being discharged overside from an overseas vessel at the final port of discharge,

or

after expiry of fifteen days counting from midnight of the day on which the overseas vessel is safely anchored or moored at the final port of discharge, whichever shall first occur;

(c) at a port or place of transshipment to another overseas vessel after the expiry of fifteen days (counting from midnight of the day on which the overseas vessel entering with the interest is safely anchored or moored) until the interest is on board the oncarrying overseas vessel. In the event of the exercise of any liberty granted to the Shipowner or Charterer under the contract of affreightment whereby such contract is terminated at a port or place other than the destination named therein such port or place shall be deemed the final port of discharge for the purpose of this clause 4.

5. Subject to the terms of clause 4 above and to any conditions or warranties which may be endorsed hereon, it is agreed that this insurance shall not be vitiated by deviation, overcarriage, change of voyage, or by any error or unintentional omission in the description of interest, vessel or voyage, provided the same be communicated to the War Shipping Administration as soon as known to the Assured and an additional premium paid if required.

6. And in case of any loss or misfortune, it shall be lawful and necessary to and for the Assured, his or their factors, servants and assigns, to sue, labor, and travel for, in and about the defense, safeguard and recovery of the said goods and merchandises, or any part thereof without prejudice to this insurance; nor shall the acts of the Assured or Assurers, in recovering, saving, and preserving the property insured, in case of disaster, be considered a waiver or an acceptance of an abandonment; and to the charges whereof, the said Assurers will contribute according to the rate and quantity of the sum hereby insured.

7. General Average and salvage charges (resulting from a peril hereby insured against) payable according to Foreign Statement or York-Antwerp Rules if in accordance with the contract of affreightment.

8. Notwithstanding anything to the contrary contained in this Policy, it is understood and agreed:

(a) That no claim for freight, storage, or other expense due to the requisition or commandeering of the title or use of any vessel by or with the consent of the country whose flag she flies shall be payable under this insurance, and if as a result of such requisition or commandeering the insured cargo is discharged at a port or place other than the port or place of destination, the port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this Policy.

(b) That if any vessel shall be ordered into or detained in any port by the United States Government or by any government which is or may become party signatory of the "United Nations Pact" and the goods hereby insured shall be discharged at such port, then, if the goods be not the subject of proceedings of the nature set forth in clause 3 (a), such port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause (4) (c) of this Policy.

9. If the ordinary course of transit of the goods hereby insured is interrupted or terminated by the shipper, consignee, or assured or any party acting on their behalf, this insurance shall forthwith terminate unless otherwise specially agreed by the War Shipping Administration.

10. In event of loss the valuation of the goods insured hereunder shall not exceed the invoice cost, or if there be no invoice the value of the goods at time and place of shipment, plus transportation and insurance charges actually incurred with respect to the shipment, plus ten (10) percent.

11. Warranted that the goods insured hereunder have not become waterborne on overseas vessel prior to the date of this insurance, or if waterborne are in good safety in port at day and hour of attachment of risk.

In the event of loss which may give rise to a claim under this Policy, prompt notice should be given to the War Shipping Administration at 99 John Street, New York City.

In witness whereof the War Shipping Administration has caused this Policy to be signed by the Administrator at Washington, D. C., but this Policy shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance. Countersigned this ---------- day of ----------, 194--.

For Director of Wartime Insurance
E. S. LAND
Administrator.

OPEN POLICY CARGO WAR RISK INSURANCE

§ 305.100 *General.* War Shipping Administration is prepared to provide an open cargo war risk insurance policy covering imports to the United States and

to the territories and possessions of the United States, and covering shipments of cargo made between ports and places in the United States and ports and places in its territories and possessions, and between ports and places in the United States, and between ports and places in any one of the territories and possessions of the United States. Such open policy will be subject to the standard war risk open cargo policy form of the War Shipping Administration hereinafter referred to as the Warshipopencargo Policy, and published in the FEDERAL REGISTER as a part hereof. All such policies will be issued on behalf of the War Shipping Administration by underwriting agents appointed by the Administration for this purpose. Underwriting agents will in all instances be insurance companies licensed to do a marine insurance business in a state of the United States.

§ 305.101 *Limitation of persons to whom a Warshipopencargo Policy may be issued.* A Warshipopencargo Policy may be issued to an individual who is either a citizen of the United States, or a resident within the United States or one of the territories and possessions of the United States; or to a partnership or corporation organized and existing under and by virtue of the laws of the United States, a state of the United States, one of the territories and possessions of the United States or a political subdivision thereof; or to a foreign corporation if such corporation has an office or place of business within the United States or one of the territories and possessions of the United States but only with respect to shipments occurring for the account of such an office.

§ 305.102 *Application for issuance of a Warshipopencargo Policy.* Application for a Warshipopencargo Policy is made by filing Form No. 1 (§ 305.150) properly filled out, with an underwriting agent of the War Shipping Administration. The application for a Warshipopencargo Policy must contain the applicant's address and must specify the basis of valuation to be incorporated in the Warshipopencargo Policy. Any basis of valuation may be specified by the assured which defines the value on the basis of facts which were existent prior to shipment, and which are readily ascertainable by either party subsequent to safe arrival or loss.

§ 305.103 *Requirement of premium collateral.* Any application for the issuance of a Warshipopencargo Policy is ineffective unless a collateral deposit fund is established and maintained or a surety bond procured and maintained, in accordance with the regulations in § 305.105 and § 305.106 respectively.

§ 305.104 *Issuance of Warshipopencargo Policy.* The underwriting agent must issue the Warshipopencargo Policy within fifteen (15) days after the accomplishment by the applicant of the requirements set forth in § 305.102 and § 305.103 unless the time for issuance is extended by the Director of Wartime Insurance in writing. The underwriting agent must not make any Warshipopencargo Policy effective with respect to shipments attaching on a date earlier than the date when the application was accomplished, but must make it effective on the date of the accomplishment of the application or any date thereafter as directed by the applicant.

§ 305.105 *Collateral deposit.* An assured electing to use a cash collateral deposit as the method of complying with § 305.103 is required to act in accordance with the regulations prescribed herein, and to comply with the requirements of Clause 13 of Part II (§ 305.118) of Warshipopencargo Policy at all times.

(a) An applicant desiring to establish a collateral deposit fund must deposit with an underwriting agent of the War Shipping Administration by whom the policy is to be issued, a certified check or cashier's check payable to the order of the Treasurer of the United States in an amount not less that $1,000, together with a letter of transmittal Form No. 2 (§ 305.151) executed by the assured. Such a deposit when received will be held by War Shipping Administration under a serial number assigned thereto.

(b) In the event any assured fails to pay any premium due under any Warshipopencargo Policy issued by or on behalf of the War Shipping Administration as the same becomes due and payable, it will cause a default to arise, and such default will result in the automatic cancellation of the policy in accordance with the terms of Clause 12 of Part II (§ 305.118), and will enable War Shipping Administration to deduct all due amounts from such assured's collateral deposit fund, unless the assured complies within the prescribed time with the provisions of said Clause 12.

(c) Changes for amounts not less than $500 and by multiples of $500, in the amount of the assured's collateral deposit fund may be effected by the assured at any time. The effect of any action taken by an assured shall be the sole responsibility of the assured, and shall in no manner relieve the assured of the responsibility imposed by Clause 13 of Part II (§ 305.118) of the Warshipopencargo Policy.

(d) Increase in the amount of the collateral deposit fund will become effective upon the date of the receipt by the underwriting agent (meaning thereby the particular underwriting agent of the War Shipping Administration by whom the policy was issued to the assured) of a valid certified check or cashier's check payable to the order of the Treasurer of the United States accompanied by the transmittal Form No. 2 (§ 305.151) executed by the assured.

(e) Decrease in the amount of the collateral deposit fund will become effective, except as to shipments which at the time of the application for decrease have then attached under the Warshipopencargo Policy and on which premium has not been paid in full, upon the date of the receipt (as acknowledged) by the specified underwriting agent of Form No. 10 (§ 305.159) executed by the assured. Where Form No. 10 (§ 305.159) properly filled out is receipted for by an underwriting agent, the effect is such that with respect to all shipments which have not then attached, the assured admits for all purposes except the actual repayment of that part of the collateral deposit fund that actual repayment has been made.

Unless an assured has substituted a surety bond in an amount at least equal to the collateral deposit fund before receipt by the specified underwriting agent of Form No. 10 (§ 305.159), (or unless, with respect to a policy issued to an assured which is a department or agency of the United States or acting on behalf of such a department or agency, War Shipping Administration has waived in writing the requirement for the maintenance of a collateral deposit fund), an assured will not become entitled to reimbursement by the War Shipping Administration of the collateral deposit fund until a closing report is filed and premium has been paid in full with respect to all shipments which had attached at the time of the receipt by the underwriting agent of the application for decrease and an affidavit executed in duplicate as prescribed on Form No. 7 (§ 305.156) has been filed with the underwriting agent.

No decrease, other than for complete withdrawal of the collateral deposit, will be accepted which would bring the amount of deposit lower than the required minimum deposit of $1,000.

(f) Whenever an assured becomes entitled to a refund of the collateral deposit in whole or in part, by reason of the cancellation of the Warshipopencargo Policy (or, by reason of the waiver by War Shipping Administration of the requirement of maintaining the collateral deposit fund on a Warshipopencargo Policy issued to an assured which is a department or agency of the United States or acting on behalf of such a department or agency) or, by reason of the substitution of a surety bond in place and stead of the collateral deposit fund, as hereinbefore provided, War Shipping Administration will, upon completion of the foregoing requirements, cause payment to be made by the Treasury of the United States to the party in whose name the collateral deposit was established.

(g) The foregoing language shall not be construed as a requirement that an assured who hereafter originally makes a collateral deposit must begin the deposit with a sum of money in an equal multiple of $500, or who has already established a deposit, must change the sum of money on deposit to an equal multiple of $500.

§ 305.106 *Surety bond.* An assured electing to use a surety bond as the method of complying with § 305.103 is required to act in accordance with the regulations prescribed herein and to comply with the requirements of Clause 13, Part II (§ 305.118) of Warshipopencargo Policy at all times.

(a) An applicant desiring to furnish a surety bond must present to, and file with, the underwriting agent of the War Shipping Administration through whom the policy is issued a surety bond executed by the assured as principal and by the surety, the bond to be in the form prescribed by the War Shipping Administration (§ 305.163 or § 305.164). Such

bond must be for an amount not less amount of the surety bond lower than

(a) Upon the filing with the specified

bond must be for an amount not less than $1,000.

(b) The sufficiency of the surety executing the bond shall be subject to approval by the War Shipping Administration. The underwriting agent may accept on behalf of the War Shipping Administration a surety bond executed by a surety named on the United States Treasury Department's approved list of sureties whose bonds are acceptable to the United States Treasury Department to secure obligations due the United States, provided the bond is within the maximum amount for which the surety is so authorized to write bonds as shown by the said approved list.

If the proposed surety is not on said approved list, the underwriting agent, before accepting the surety bond, shall first secure the specific written approval of the Assistant Deputy Administrator for Fiscal Affairs, War Shipping Administration, or his properly authorized designee.

(c) In the event any assured fails to pay any premium due under any Warshipopencargo Policy issued by or on behalf of the War Shipping Administration as the same becomes due and payable, it will cause a default to arise, and such default will result in the automatic cancellation of the policy in accordance with the terms of Clause 12 of Part II (§ 305.118) and all due amounts will become a liability collectible under said bond and from the assured, unless the assured complies within the prescribed time with all the provisions of said Clause 12.

(d) The forms of bond shall be as set forth in §§ 305.163 and 305.164 and no variation therefrom shall be permitted except with the express written approval of the Director of Wartime Insurance, War Shipping Administration.

(e) Changes in amount not less than $500 and by multiples of $500 of an assured's surety bond may be effected by the assured at any time. The effect of any action taken by an assured shall be the sole responsibility of the assured and shall in no manner relieve the assured of the responsibility imposed by Clause 13 of Part II (§ 305.118) of the Warshipopencargo Policy.

(f) Increases in the amount of a surety bond will become effective upon the date of the receipt by the specified underwriting agent of a valid rider to the Surety Bond Form No. 4 (§ 305.153) countersigned by the surety company, accompanied by transmittal Form No. 3 (§ 305.152) executed by the assured.

(g) Decrease in the amount of the surety bond will become effective, except as to shipments which at the time of the receipt by the underwriting agent of the application for decrease have then attached under the Warshipopencargo Policy and on which premium has not been paid in full, upon the date of the receipt by the specified underwriting agent of a valid rider to the Surety Bond Form No. 4 (§ 305.153) countersigned by the surety company, accompanied by transmittal Form No. 3 (§ 305.152) executed by the assured.

No decrease, except for cancellation, will be accepted which would bring the amount of the surety bond lower than the required minimum amount of $1,000.

(h) Whenever an assured becomes entitled to cancellation of a surety bond by reason of the cancellation of the Warshipopencargo Policy, (or, with respect to a policy issued to an Assured which is a department or agency of the United States or acting on behalf of such a department or agency, by reason of the waiver by War Shipping Administration of the requirement of maintaining a surety bond) or, by reason of the substitution of a collateral deposit fund of at least equal amount in place and stead of the surety bond, War Shipping Administration will cause a release to be executed; and hereby authorizes its underwriting agents to execute the release as set forth in Form No. 6 (§ 305.155). Such a release must not be effective sooner than, and shall be of even date with, (1) the effective date of the cancellation of the policy when the cancellation of the surety bond is for that reason, or (2) the date of a written directive of War Shipping Administration waiving the requirement of the surety bond when the cancellation is for that reason, or (3) the time when the collateral deposit fund has been established when the cancellation of the surety bond is for that reason.

(i) The foregoing language shall not be construed as a requirement that an assured who hereafter originally files a surety bond must procure a surety bond in an amount which is an equal multiple of $500, or who has already filed a surety bond, must change the amount of the surety bond to an equal multiple of $500.

(j) Whenever any assured has established a cash collateral deposit and desires to increase the amount of security by procuring and maintaining a surety bond in addition to the amount of that cash collateral deposit, the assured must procure from the surety company at the time when the bond is procured, unless otherwise agreed by War Shipping Administration, an agreement in writing signed by the surety company to the effect that the surety company considers its bond to be in addition to the amount of security provided by the cash collateral deposit for so long as the cash collateral deposit is maintained. The agreement must further provide, that if all or any part of that cash collateral deposit is thereafter withdrawn, the said surety bond, subject to the limitation of the principal amount thereof, will automatically replace the amount withdrawn from that cash collateral deposit to the extent of any one or more withdrawals and will become full security to War Shipping Administration to the extent of any one or more withdrawals from that cash collateral deposit. The increase of collateral shall become effective when both such a surety bond and such an agreement are filed with the underwriting agent.

§ 305.107. *Cancellation of Warshipopencargo Policy.* To effect the cancellation of a Warshipopencargo Policy, the assured shall be guided by the following regulations:

(a) Upon the filing with the specified underwriting agent of an application for cancellation of a Warshipopencargo Policy on Form No. 5 (§ 305.154) executed by the assured, together with the original Warshipopencargo Policy, cancellation of the assured's Warshipopencargo Policy will be effected with respect to all risks which have not attached prior to the effective date of cancellation (which, unless otherwise mutually agreed, must be a date not sooner than fifteen days following receipt by the specified underwriting agent of the application for cancellation). Such cancellation shall not affect the obligation of the assured to file closing reports with respect to all risks which attached prior to the effective date of cancellation and to pay all unpaid premium. Within four months of the effective date of cancellation, unless otherwise agreed by War Shipping Administration in writing, the assured must file a closing report in duplicate of all shipments covered by the Warshipopencargo Policy for which closing reports have not been previously filed.

The assured shall be required to mark this closing report "Final Closing Report on Cancellation of Policy", and file an affidavit on Form No. 9 (§ 305.158) executed by the assured in duplicate. Thereafter when all unpaid premium has been paid, the assured becomes entitled to a refund of the collateral deposit, or cancellation of the surety bond in accordance with the foregoing provisions of this General Order No. 6 (§§ 305.105 and 305.106).

(b) Whenever the assured has lost or mislaid the original policy and is unable to produce the same in order to effect the cancellation thereof, the assured shall be required to execute a letter of indemnity and such other documents as may be required by the War Shipping Administration, Division of Wartime Insurance.

§ 305.108 *Declaration of shipments of cargo under Warshipopencargo Policy.* Not later than the twenty-fifth day of each month, the assured must make a closing report to the underwriting agent of all shipments as prescribed in Clause 11 of Part II of Warshipopencargo Policy and must pay premium in accordance with the terms thereof.

(a) Closing reports must be in duplicate and upon standard form set forth in § 305.162, and must be supported by the execution of the prescribed affidavit form No. 11 (§ 305.160), which affidavit must be attached to the closing report or embodied in the closing report form.

(b) In the event that the assured has no shipments for any preceding calendar month to report during any given month, the standard form of closing report must nonetheless be filed as prescribed herein and either or both of the following statements depending upon their applicability to the assured must be noted thereon:

1. It is certified that no inward shipment coming within the scope of this policy arrived at destination during the preceding calendar month, and that during the preceding calendar month no knowledge has come to the assured of an inward shipment covered under the terms of the policy which will not arrive by reason of loss, frustration or other similar cause.

2. It is certified that no outward shipment coming within the scope of this policy was made during the preceding calendar month.

(c) For the purpose of declaring shipments of cargo insured by a Warshipopencargo Policy, each such shipment must be classified as either an inward or an outward shipment.

Classification shall be determined by reference to the geographical location of the assured under a Warshipopencargo Policy with respect to the movement of the shipment. For the purpose of determining the geographical location of the assured the address stated in the application for the Warshipopencargo policy shall be deemed the assured's geographical location.

Thus, if an assured has stated in his application that his address is in Hawaii, and the assured's Warshipopencargo Policy covers shipments (1) of manufactured goods from the United States to Hawaii and (2) of pineapple from Hawaii to the United States, the geographical situation of the assured in relation to the movement of said shipments would be such that (1) would be classified inward and (2) would be classified outward

(d) Each closing report of shipments must keep distinct the classification of outward or inward by reporting all outward shipments on one report and all inward shipments on another report, and in an instance where a single insured voyage presents a combination of an inward and outward shipment, the assured must declare the entire voyage on the inward shipment form, as the same will be deemed an inward shipment for the purposes of reporting. When an assured has neither an inward nor an outward shipment to report, one closing report may be filed in duplicate which shall include both affidavits called for by the provisions of § 305.108 (b).

(e) Whenever a sea passage is made with respect to cargo covered under a Warshipopencargo Policy by a barge or sailing vessel the assured shall be required to note that fact upon the closing report, unless otherwise agreed.

(f) An assured reporting for one calendar month must not include therein a report of a shipment due to be reported in the report for the next succeeding calendar month. Thus, the report of January closing shipments filed in February should not include February closings.

(g) Whenever any assured files a closing report and thereafter discovers that one or more additional shipments were properly required to have been included in said report, then, even though the assured has executed either the affidavit on Form No. 9 (§ 305.158) or Form No. 11 (§ 305.160) in connection with such a closing report the assured must nevertheless amend such a closing report by filing a supplemental closing report supported by the appropriate affidavit. A statement in writing signed by the assured must accompany such a supplemental closing report, and the reasons for the omission of such shipments from the original closing report must be set forth in this statement. In the event that by means of such a statement it is demonstrated to the satisfaction of the Administrator that the failure to file a completed closing report was either inadvertent or unintentional or arose by reason of causes beyond the control of the assured, then the automatic termination of the policy by reason of a breach of the warranty embodied in Clause 11 of Part II of the Warshipopencargo Policy form (§ 305.118) shall be avoided pursuant to the provisions of Clause 15 of Part II of the Warshipopencargo Policy form (§ 305.118).

§ 305.109 *Payment of premium and fees.* Any closing report called for by the terms of Clause 11 of Part II of the Warshipopencargo Policy form (§ 305.118) required to be filed in the manner specified in § 305.108 on which premium is required to be paid, obligates an assured to submit with the closing report a certified check or cashier's check for the full amount of the premium, computed on the basis provided for in the policy.

Any fee required to be paid by the provisions of Clauses 11 or 13 of Part II of the Warshipopencargo Policy form (§ 305.118) or by any other provision of or regulation in respect to the Warshipopencargo Policy form obligates an assured to submit a separate certified check or cashier's check for the amount thereof to the underwriting agent as provided in said clauses or regulations.

Any such check must be made payable to the order of the Treasurer of the United States.

A separate certified check or cashier's check must accompany each inward closing report or set of such inward closing reports in payment of premium due thereunder; a separate certified check or cashier's check must accompany each outward closing report or set of such outward closing reports in payment of premium due thereunder; and a separate certified check or cashier's check must be drawn to pay the amount of any fee required to be paid.

Notwithstanding the foregoing, with respect to any payment, which by the terms of the Warshipopencargo Policy or regulation in relation thereto, has been hitherto acceptable in the form of a money order, War Shipping Administration will continue to accept payment through the medium of a money order on any payment made prior to April 1, 1943.

§ 305.110 *Return premium.* No premium will in any case be returned to the assured with respect to a shipment of goods which attached under a Warshipopencargo Policy except in the event of a declaration of value at variance with the provisions of the valuation clause, or except in the event of an error made in the application of a rate or in the computation of a premium, or except in the event the insured goods are short-shipped.

Any claim for return premium must be filed on the standard return premium form (§ 305.161). Such form must be filed in duplicate with the specified underwriting agent who will transmit the same to the War Shipping Administration for payment.

§ 305.111. *Payment in event of loss under Warshipopencargo Policy.* All claims for losses recoverable under the terms of a Warshipopencargo Policy issued by the War Shipping Administration should be filed by the assured with the underwriting agent by whom the policy was issued. Such claims should be supported by the customary documents required in connection with war risk insurance claims, together with whatever appropriate affidavits are required by the loss provisions of the Warshipopencargo Policy, and such further data as may now or hereafter be required by the War Shipping Administration.

§ 305.112 *Filing of affidavit in connection with the requirement of Clause 13, Part II.* Whenever the assured inadvertently fails to maintain a collateral deposit fund or a surety bond in an amount sufficient so that at all times such amount is in excess of the unpaid premium then or thereafter payable with respect to any or all risks which have attached under the terms of the policy and Clause 13 of Part II of the Warshipopencargo Policy form becomes operative the assured must act in accordance with the provisions of said clause in order to continue the uninterrupted coverage of the policy.

(a) The assured must file an affidavit in the form set forth in § 305.166 executed in duplicate with the underwriting agent within the time specified in Clause 13 of Part II of the Warshipopencargo Policy form unless the time for filing such an affidavit is extended by permission of the War Shipping Administration.

(b) If the space provided in the form affidavit for an explanation of the circumstances by which the assured first had knowledge that the collateral became exceeded is not sufficient, then the assured should attach to the affidavit a detailed statement including the same by reference in the affidavit prior to the execution thereof.

§ 305.113 *Additional insurance.* Where war risk insurance on cargo is placed with the War Shipping Administration under a Warshipopencargo Policy, the parties at interest may place increased value or additional insurance in commercial or other markets beyond the amount of insurance provided in the War Shipping Administration policy. Such insurance, if placed, need not be participating with the War Shipping Administration coverage, and shall be without benefit of salvage or right of contribution.

§ 305.118 *Warshipopencargo Policy form.* The following is the form of the Warshipopencargo Policy.

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

WARSHIPOPENCARGO POLICY

Part I

This policy shall consist of this Part I and Part II published in the FEDERAL REGISTER

under date of March 20, 1943, as part of General Order No. 6 of the War Shipping Administration. Part II shall be deemed incorporated herein and made a part of this contract, and this contract shall be subject to the terms and conditions of both parts. This policy may be amended by endorsement attached hereto and executed on behalf of the Administrator of the War Shipping Administration by a duly authorized Underwriting Agent pursuant to prior written or telegraphic instructions from the War Shipping Administration or by publication of an amendment to the Warshipopencargo Policy form in the FEDERAL REGISTER. In the latter event such amendment shall become effective upon the date of the publication of the amendment in the FEDERAL REGISTER or upon such date as may be specified therein: *Provided, however*, That no amendment which is restrictive in effect upon an Assured shall become effective prior to 48 hours after the date of such publication and no such restrictive amendment shall affect any shipments which shall have attached hereunder prior to the effective date of such an amendment. In the event that the Assured is unwilling to accept any amendment to this policy, he shall have the option of terminating this policy as of the effective date of such amendment upon written or telegraphic notice to the Administrator, War Shipping Administration prior to such effective date.

Effective as to shipments

a. Under Ocean Bills of Lading dated on and after ----------, or

b. If Ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

c. If no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on and after said date, and

in consideration of the establishment and maintenance of a collateral deposit fund or the procuring and maintenance of a surety bond in accordance with Clause 13 of Part II of this policy, and of premiums computed and paid as provided in Clause 11, Part II of this policy, War Shipping Administration by this policy of insurance hereby insures

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against War Risks as specified in Part II with respect to all imports to the Continental United States (excluding Alaska) and such other shipments coming within the scope of this policy by endorsement hereto (except as to such shipments as may be specifically excluded from this policy by special agreement noted hereon by endorsement and except as to such goods which the Assured may purchase upon terms requiring the seller to place War Risk Insurance thereon):

(1) Shipped or consigned to, or by, the Assured and for his account and risk,

(2) Shipped or consigned to or by other parties for the account and at the risk of the Assured.

(3) Shipped by, to, or at the direction of the Assured and sold by him prior to loading on board overseas vessel (a) on terms requiring the Assured to provide war risk insurance to the port of discharge, or (b) with respect to which written or cabled instructions to provide war risk insurance to the port of discharge have been received by the Assured from the purchaser prior to loading of the goods on board the overseas vessel.

Shipments included herein by this paragraph (3) shall be subject to the condition that in the event of loss of goods sold by the Assured prior to loading on board the overseas vessel and shipped for the account and at the risk of third parties other than a branch, subsidiary or affiliate of the Assured, the named Assured shall be required to file in lieu of the affidavit required by Clauses (a) (b) (c) below or by Standard Optional Endorsement No. XII if endorsed hereon, an affidavit to the effect that the amount claimed does not exceed the actual bona fide sales price less all discounts, plus marine insurance and transportation costs actually incurred with respect to the venture plus the war risk premium payable hereunde: if such items are not included in the sales price. Claim shall be filed by the named Assured unless otherwise permitted by the War Shipping Administration for good cause shown.

(4) Shipped by, to, or at the direction of th Assured and sold by the Assured subsequent to the attachment of risk hereunder on terms requiring the Assured to provide war risk insurance to the port of discharge, subject to the condition that in the event of loss the amount collectible shall not exceed the amount which would have been collectible by the Assured if the Assured at the time of loss had retained full interest in the insured goods.

For the purpose of this insurance, goods insured hereunder shall be valued at--------

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Except as hereinbefore provided:

(a) In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed fair market value at place and approximate time of attachment of risk, plus marine insurance and transportation costs incurred with respect to the insured voyage, plus war risk insurance premiums payable hereunder. With respect to goods, the fair market value of which at place and approximate time of attachment of risk cannot be readily or satisfactorily determined by established or recognized market quotations, but the goods have been sold to or purchased by the Assured in a bona fide sale between independent parties within the thirty day period prior to attachment of risk, the sale or purchase price shall be deemed prima facie evidence of such fair market value.

(b) In cases where it is impossible to determine the fair market value at place and approximate time of attachment of risk as aforesaid, such affidavit shall be to the effect that the amount claimed does not exceed fair market value at port of arrival on date of attachment of risk.

(c) The affidavit required pursuant to the foregoing paragraphs (a) and (b) shall be subject to the provisions of Section 35 (a) of the Criminal Code.

This policy may be canceled at any time upon 15 days written or telegraphic notice to or by the Assured or 15 days subsequent to the publication of a notice of cancellation in the FEDERAL REGISTER or at such other date as may be mutually agreed: *Provided, however*, That no such cancellation shall terminate this policy with respect to any shipments which have become at risk under the terms hereof prior to the effective date of such notice.

In the event of loss which may give rise to claim under this policy, prompt notice should be given to the Underwriting Agent of the War Shipping Administration by whom this policy is countersigned.

Any loss payable hereunder shall be payable in funds current in the United States, to the order of ----------

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30 days after all proofs of loss and proofs of interest have been filed with the War Shipping Administration.

This policy is subject to all rules and regulations pertaining hereto which may now or hereafter from time to time be published in the FEDERAL REGISTER.

In witness whereof the War Shipping Administration has caused this policy to be signed by the Administrator at Washington, D. C. but this policy shall not be valid unless countersigned by a duly authorized Underwriting Agent of the War Shipping Administration.

(Sgd.) E. S. LAND
E. S. Land
Administrator

Countersigned[1] this ---------- day of ----------, 194--.

Underwriting Agent of War Shipping Administration

By: ----------

Its ----------

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

WARSHIPOPENCARGO FORM—FORM OF POLICY

Part II

1. This insurance is only against the risks of capture, seizure, destruction or damage by men of war, piracy, takings at sea, arrests, restraints and detainments, and other warlike operations and acts of kings, princes, and peoples in prosecution of hostilities or in the application of sanctions under international agreements, whether before or after declaration of war and whether by a belligerent or otherwise, including factions engaged in civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, and including the risks of aerial bombardment, floating or stationary mines, and stray or derelict torpedoes; but excluding claims for delay, deterioration and/or loss of market, and warranted not to abandon (on any ground other than physical damage to ship or cargo) until after condemnation of the property insured. Also warranted not to abandon in case of blockade, and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade, to be at liberty to proceed to an open port and there end the voyage.

2. Warranted free from any claim based upon loss of, or frustration of, the insured voyage or adventure caused by arrests, restraints or detainments.

3. This insurance does not cover any loss or damage caused by or resulting from any of the following causes:

(a) Commandeering, preemption, requisition, or nationalization by the government (de facto or otherwise) of the country to or from which the goods are insured.

(b) Seizure or destruction under quarantine or customs regulations.

(c) Capture, seizure, arrest, restraint, detainment, or condemnation by the Government of the United States of America, or of any State, territory, or possession thereof, or by any government which is or may become party signatory of the "United Nations Pact" promulgated on or about January 2, 1942.

4. This insurance shall not attach to the interest hereby insured or to any part thereof:

(a) Prior to being on board an overseas vessel (for the purpose of this clause 4 an overseas vessel shall be deemed to mean a vessel carrying the interest from one port or place to another where such voyage involves a sea passage by that vessel);

(b) after being discharged overside from an overseas vessel at the final port of discharge,

or

[1] The Underwriting Agent does not, by countersigning and issuing this policy or otherwise, warrant its own authority, or the authority of the War Shipping Administration, to issue this Policy, but acts solely under the power conveyed by the Standard Form of Certificate of Designation issued by the War Shipping Administration.

after expiry of fifteen days counting from midnight of the day on which the overseas vessel is safely anchored or moored at the final port of discharge, whichever shall first occur;

(c) at a port or place of transshipment to another overseas vessel after the expiry of fifteen days (counting from midnight of the day on which the overseas vessel entering with the interest is safely anchored or moored) until the interest is on board the oncarrying overseas vessel.

In the event of the exercise of any liberty granted to the Shipowner or Charterer under the contract of affreightment whereby such contract is terminated at a port or place other than the destination named therein such port or place shall be deemed the final port of discharge for the purpose of this clause 4.

5. Subject to the terms of clause 4 above and to any conditions or warranties which may be endorsed hereon, it is agreed that this insurance shall not be vitiated by deviation, overcarriage, change of voyage, or by any error or unintentional omission in the description of interest, vessel or voyage, provided the same be communicated to the War Shipping Administration as soon as known to the Assured and an additional premium paid if required.

6 And in case of any loss or misfortune, it shall be lawful and necessary to and for the Assured, his or their factors, servants and assigns, to sue, labor, and travel for, in and about the defense, safeguard, and recovery of the said goods and merchandises, or any part thereof without prejudice to this insurance; nor shall the acts of the Assured or Assurers, in recovering, saving, and preserving the property insured, in case of disaster, be considered a waiver or an acceptance of an abandonment; and to the charges whereof, the said Assurers will contribute according to the rate and quantity of the sum hereby insured.

7. General Average and salvage charges (resulting from a peril hereby insured against) payable according to Foreign Statement or York-Antwerp Rules if in accordance with the contract of affreightment.

8. Notwithstanding anything to the contrary contained in this policy, it is understood and agreed:

(a) That no claim for freight, storage, or other expense due to the requisition or commandeering of the title or use of any vessel by or with the consent of the country whose flag she flies shall be payable under this insurance and if as a result of such requisition or commandeering the insured cargo is discharged at a port or place other than the port or place of destination, the port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this Policy.

(b) That if any vessel shall be ordered into or detained in any port by the United States Government or by any government which is or may become party signatory of the "United Nations Pact" and the goods hereby insured shall be discharged at such port, then, if the goods be not the subject of proceedings of the nature set forth in clause 3 (a), such port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this Policy.

9. If the ordinary course of transit of the goods hereby insured is interrupted or terminated by the shipper, consignee, or assured or any party acting on their behalf, this insurance shall forthwith terminate unless otherwise specially agreed by the War Shipping Administration.

10. This insurance shall include loss, damage or destruction of the property insured caused by saboteurs or other enemy agents.

11. It is warranted that not later than the 25th day of each calendar month, the Assured will file with the Underwriting Agent closing reports in the manner and form required by such regulations as may be promulgated by the War Shipping Administration from time to time of all shipments coming within the scope of this policy.

(1) As to inward shipments as defined in General Order No. 6, such reports must include

(a) All shipments which have arrived at port of destination during the preceding calendar month, and

(b) All shipments with respect to which inability to so arrive by reason of loss, frustration or other similar cause has come to the knowledge of the Assured during the preceding calendar month, and

(2) As to outward shipments as defined in General Order No. 6, which attached under the policy during the preceding calendar month.

And will pay premium thereon at the rate prescribed by the War Shipping Administration and in effect:

(a) On date of Ocean Bill of Lading, or

(b) If Ocean Bill of Lading not issued, on date of equivalent shipping document, or

(c) If no Ocean Bill of Lading or equivalent shipping document issued, or if same are undated, on date goods are laden on overseas vessel.

12. It is understood and agreed that whenever any closing report is not filed as prescribed by Clause 11 hereof, the effect is such that a breach of the Policy terms and conditions has been made by the Assured, and the Policy automatically ceases to insure any shipments which would otherwise have attached after the expiration of fifteen (15) days following the due date of the closing report, unless within the said 15 day period, the closing report as required by Clause 11 hereof is filed with the Underwriting Agent, and a reinstatement fee of Twenty-five ($25) Dollars is paid by cashier's check or certified check payable to the order of the Treasurer of the United States together with the amount of premium due, if any.

13. It is warranted that the Assured will at all times maintain with the War Shipping Administration a Collateral Deposit Fund or that in lieu of such Collateral Deposit Fund a Surety Bond in the form prescribed by the War Shipping Administration will be filed with the Underwriting Agent and maintained in full force and effect for the purpose of securing payment of premium hereunder. In the event that the Assured inadvertently fails to maintain such a Collateral Deposit Fund or such a Surety Bond in an amount sufficient so that at all times such amount is in excess of the unpaid premium then or thereafter payable with respect to any or all risks which have attached under the terms of the policy, it shall be a condition of this insurance that within seven days from the time such insufficiency comes to the knowledge of the Assured, additional collateral or an increase in Surety Bond will be provided by the Assured in an amount not less than double the amount of such insufficiency and for a sum which shall be an even multiple of Five Hundred ($500) Dollars, and in addition a certified check or cashier's check payable to the Treasurer of the United States, in the amount of One Hundred ($100) Dollars will be paid to the Underwriting Agent as a fee for the continuation of this Policy. In all such cases the Assured shall file with the Underwriting Agent an affidavit in form prescribed by the Administration setting forth the facts with respect to such insufficiency. Failure to comply with the provisions of this Article shall result in the voidance of this policy as of the date upon which the Collateral Deposit Fund or Surety Bond became insufficient, but such voidance shall not relieve the Assured of liability to pay premium on all shipments made prior to the termination of said seven day period.

Notwithstanding the foregoing, however, if the Administrator or his duly authorized representative shall determine that the failure of the Assured to maintain a sufficient Collateral Fund or Surety Bond was wilful rather than inadvertent, said policy shall be void from the date said Collateral Fund or Surety Bond was first insufficient to secure the premiums on risks which would otherwise have attached hereunder.

14. The Assured warrants and agrees that it will regularly keep books, records and accounts in such manner and form that all information available to the Assured as to the amounts at risk and the amounts of losses incurred and premiums due can be readily ascertained therefrom by the War Shipping Administration. The Assured, as often as may be reasonably required shall exhibit such books, records and accounts to any person designated by the War Shipping Administration, and submit to examinations under oath by any person named by the War Shipping Administration, and subscribe the same.

15. This insurance shall not be invalidated by any error, or omission in the filing of Closing Reports which is demonstrated to the satisfaction of the Administrator to have been inadvertent or unintentional, or by any failure to report which is demonstrated to the satisfaction of the Administrator to have arisen from causes beyond control of the Assured. The Administrator, or his representative duly authorized under Administrative Orders, may waive strict compliance with any warranty or condition of this insurance to the extent that he may determine that it imposes a hardship on any claimant in good faith hereunder which would not be imposed in connection with a policy issued in accordance with commercial practice in the marine insurance business, and to the extent that he may determine that such waiver is not contrary to the purposes of the Statute under which this Policy is issued. In any determination as aforesaid the decision of the Administrator, or his duly authorized representative, shall be conclusive upon all parties thereto.

16. This policy does not cover shipments of specie, currency, securities, valuable documents, jewelry, precious stones, gold and silver and other precious metals, nor any articles transported by means of ordinary mail or air-mail or registered mail or parcel post; nor any of such other commodities as may be incorporated now or hereafter in the list of "Excluded Commodities" (Sec. 305.119) of the rules and regulations of the War Shipping Administration Division of Wartime Insurance.

17. No shipment of cargo coming within the scope of this policy shall attach hereunder subsequent to the sailing of the carrying vessel from the original port of loading with respect to such cargo. Notwithstanding the foregoing provision, an Assured may specially declare to his Underwriting Agent any shipment excluded from coverage by the preceding sentence, in which event insurance shall attach hereunder, if vessel and interest insured is safe in port on date of such declaration, or shall attach upon the safe arrival of vessel and interest insured at first port thereafter, warranted no known or reported loss of or damage to said vessel and interest insured at time of attachment.

18. Where and as used in this policy, the word "imports" means property which, at the time of the attachment of the risk, is (a) intended for use, consumption, manufacturing or other processing, or sale, within the Continental United States (excluding Alaska), or (b) intended for inclusion within a common stock of goods, wares, or merchandise, located within the Continental United States (excluding Alaska), for sale or resale

or any possession or territory thereof, as defined in General Order No. 6 or any supple-

§ 305.128 *Standard Optional Endorsement No. IX.* The following is the

such shipments will be made on separate closing reports from any other shipments

out of such common stock in the foreign or domestic commerce of the United States, or (c) consigned to the Continental United States (excluding Alaska) for account of the United States or any department or agency thereof, including corporations wholly owned by the United States. Such property shall not cease to be considered imported in the event of a bona fide change in the intention on the part of the Assured or other person having control of the goods, made subsequent to the attachment of the risk and without prior agreement, understanding, or arrangement. Without limiting the generality of the foregoing, goods, which at the time of attachment of the risk were intended to be transshipped or re-exported otherwise than to a place within the Continental United States (excluding Alaska), shall not be considered imports for the purposes of said policy, unless such re-export is to a port or place shipments to which are covered by the terms of an endorsement to this policy.

19. Warranted by all Assureds under this insurance that, to the best of their knowledge and belief, no person, corporation, partnership or association whose name appears in any Proclaimed List of Blocked Nationals issued by or under authority of the Government of the United States of America or of the Government of any nation party signatory of the "United Nations Pact" promulgated on or about January 2, 1942 has any ownership, title or interest in or to the goods insured. The term "Assured" as used in the foregoing Warranty shall include all persons claiming under this Warshipopencargo Policy, but no information received by any Assured after the goods have been shipped and insured hereunder, and after he has acquired his title to or interest therein, shall be set up against such Assured as a breach of the above Warranty.

20. Warranted by the Assured that the Assured in whose name this policy is issued is: if an individual, either a citizen of the United States or a resident within the United States or one of the territories and possessions of the United States; if a partnership or a corporation, that it is organized and existing under and by virtue of the laws of the United States, a State of the United States, one of the territories and possessions of the United States or a political subdivision thereof; or if a foreign corporation, that it has an office or place of business within the United States or one of the territories and possessions of the United States and that shipments covered hereunder are for the account of said office.

§ 305.119 *Excluded commodities.* In addition to the described commodities listed in Clause 16 of Part II of the Warshipopencargo Policy excluded from any coverage of the Warshipopencargo Policy, War Shipping Administration, Division of Wartime Insurance, hereby promulgates an additional list of commodities excluded entirely or in part from coverage of the Warshipopencargo Policy.

(a) The following commodities are excluded entirely from any coverage of any Warshipopencargo Policy issued on or before April 1, 1943:

(1) Dressed and undressed furs and (2) art works and antiques, as defined in the United States Department of Commerce "Statistical Classification of Imports" in the sections of Code Classification, numbered respectively (1) 0700.0–0738.8, and (2) 9610.0–9670.3.

(b) The following commodities are excluded in part and to the extent stated herein from coverage of any Warshipopencargo Policy issued on or before April 1, 1943:

(1) Soap and toilet preparations and (2) metal articles as defined in the United States Department of Commerce "Statistical Classification of Imports" in the sections of Code Classification, numbered respectively (1) 8711.0–8731.2 and (2) 6835.0–6905.0 are excluded from any coverage hereunder, except with respect to shipments made from the continental United States (excluding Alaska) to the territories and possessions of the United States including Alaska.

(c) With respect to Warshipopencargo Policies issued prior to April 1, 1943, underwriting agents are authorized to include commodities excluded by paragraphs (a) and (b) of this section with respect to shipments:

a. Under Ocean Bills of Lading dated on and after the date of the publication of this General Order No. 6 in the FEDERAL REGISTER, or

b. If Ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

c. If no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on and after said date.

§ 305.120 *Definition of territories and possessions.* Whenever reference is made to the territories and possessions of the United States in General Order No. 6 or any supplement thereto or any policy of insurance issued pursuant to the provisions thereof, said territories and possessions shall be deemed to include only Alaska, Hawaiian Islands, Virgin Islands, Panama Canal Zone, Puerto Rico including Vieques Island, American Samoa, Midway Island and Palmyra Island.

§ 305.121 *Modification of the requirements of the Loss Clause (a) (b) (c) of Part I of the Warshipopencargo Policy.* Whenever in the judgment of the War Shipping Administration, Division of Wartime Insurance, the provisions of Part I of the Warshipopencargo Policy form designated (a) (b) (c) requiring the filing of a specified affidavit in the event of loss, work an inequity with respect to any commodity by reason of any subsidy payable by the Government of the United States or any department, agency, or corporate instrumentality thereof, consideration will be given to an appropriate modification of said provisions by endorsement and in a proper instance a corrective endorsement to the policy will be permitted.

§ 305.125 *Standard Optional Endorsement No. I.* The following is the amended form of Standard Optional Endorsement No. 1:

In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, it is understood and agreed that Clause 4 (c) of Part II of this policy is deleted.

It is further understood and agreed that, if owing to circumstances beyond the control of the Assured, the merchandise insured hereunder is landed at an intermediate port other than the intended port of discharge, this insurance shall continue in force within the confines of said port subject to all of its terms until the Assured has had a reasonable opportunity to forward the goods to their intended destination, or substituted destination, or to dispose of said goods at port of landing. If prior to the termination of this insurance, said goods are forwarded by overseas vessel to their original intended port of discharge or to a substituted destination as aforesaid this policy shall continue to cover, subject to its terms, to such original intended port of discharge or to such substituted destination without further additional premium. This insurance shall also continue in force as aforesaid if the merchandise insured hereunder subsequent to attachment of this insurance is discharged at the port of loading but only provided that at the time of such discharge title to and interest in the goods is vested in a citizen of the United States, a domestic corporation or partnership, or the Assured in whose name this policy is issued, and such insurance at port of loading shall terminate if at any time during the continuance of such insurance as aforesaid title to and interest in the goods shall no longer be vested in a citizen of the United States, a domestic corporation or partnership, or the Assured in whose name this policy is issued.

All other terms and conditions remaining unchanged.

Application for Standard Optional Endorsement No. I must be made to the underwriting agent who may issue such endorsement without prior approval of the War Shipping Administration. When a policy has been endorsed with Standard Optional Endorsement No. I additional premium must be paid on shipments within its scope even though events prove the clause was not operative.

This endorsement, as amended herein, is deemed included in any policy to which Standard Optional Endorsement No. 1 has heretofore been attached.

With respect to all shipments of goods coming within the scope of the Warshipopencargo Policy an assured may elect to have his policy endorsed with Standard Optional Endorsement No. I applicable:

(a) On all shipments coming within the scope of the Warshipopencargo policy

(b) On all shipments of a specified commodity coming within the scope of the Warshipopencargo policy

(c) On all shipments moving between ports and or places of a specifically defined geographical location.

§ 305.126 *Standard Optional Endorsement No. IV.* The following is the amended form of Standard Optional Endorsement No. IV:

It is understood and agreed that this policy is to cover with respect to all shipments otherwise coming within the scope of this policy but shipped to or consigned to the Assured, or shipped by the Assured, and for the account and risk of _____ hereinafter referred to as the principal. The Assured warrants that he is a duly authorized agent of said principal for the purposes of the insured transaction. The Assured warrants that closing reports as provided for by the terms of this policy and by the terms of General Order No. 6 of the War Shipping Administration and supplements thereto will be filed by him with respect to all shipments insured hereunder, and subject to all the conditions and regulations of the War Shipping Administration relating to such reports. In the event of loss, any sums payable under the terms of this policy shall be paid to the order of said principal.

In event of loss, the Agent shall be required to file the affidavit called for by the terms of this policy, but if the principal is domiciled in the United States of America, or any possession or territory thereof, as defined in General Order No. 6 or any supplement thereto, or maintains regular office or place of business therein, said principal shall be required to file a similar affidavit. In the event of loss the amount collectible hereunder shall not exceed the amount which would have been collectible by the principal if he were named as the Assured hereunder.

All other terms and conditions remaining unchanged.

Application for Standard Optional Endorsement No. IV must be made to the underwriting agent who may issue such endorsement without prior approval of the War Shipping Administration.

This endorsement as herein set forth is deemed included in any policy to which it has heretofore been attached.

§ 305.127 *Standard Optional Endorsement No. VIII.* The following is the amended form of Standard Optional Endorsement No VIII:

Notwithstanding anything to the contrary contained in either Part I or Part II of the Warshipopencargo Policy form (Sec. 305.118) or any endorsement attached to this policy of prior date to this endorsement, it is understood and agreed that this policy covers only such of the following classes of shipments as are indicated by the insertion of the word "yes" in the blank indicated opposite to such class of shipments:

( ) 1. Imports to the Continental United States excluding Alaska.

( ) 2. Exports from the Continental United States excluding Alaska to the territories and possessions of the United States, including the Panama Canal Zone and Alaska.

( ) 3. Shipments between ports in the Continental United States excluding Alaska.

( ) 4. Shipments between ports in any one territory or possession of the United States, including the Panama Canal Zone and Alaska.

( ) 5. Shipments to the territories and possessions of the United States including the Panama Canal Zone and Alaska (excepting shipments from the Continental United States excluding Alaska)

Notwithstanding the foregoing this policy shall not cover any specific classes of shipments that may be specifically excluded from coverage hereunder by special agreement incorporated in this policy by endorsement.

All other terms and conditions remaining unchanged.

Application for Standard Optional Endorsement No. VIII must be made to the underwriting agent who may issue such endorsement without prior approval of the War Shipping Administration.

Whenever any class of shipments specified in Standard Optional Endorsement No. VIII is to be covered the word "yes" should be inserted in the appropriate space and whenever any class of shipments specified in Standard Optional Endorsement No. VIII is not to be covered the word "no" should be inserted in the appropriate space.

This endorsement as herein set forth is deemed included in any policy to which it has heretofore been attached and is deemed to include the insertion of the word "yes" or "no" in the blank indicated opposite to such class of shipments as was indicated in the Endorsement existing prior to the amendment herein.

§ 305.128 *Standard Optional Endorsement No. IX.* The following is the amended form of Standard Optional Endorsement No. IX:

In consideration of such special rate as may be named from time to time by the War Shipping Administration, it is hereby understood and agreed that notwithstanding the terms of Clause 18 of Part II of Warshipopencargo Policy form, this policy is extended to cover shipments of goods which would be covered under the terms of this policy but for said Clause 18 which at the time of the attachment of the risk or subsequent thereto are intended for re-export to United States Army foreign bases. The Assured warrants that closing reports for all such shipments will be made on separate closing reports from any other shipments covered by this policy.

All other terms and conditions remaining unchanged.

Application for Standard Optional Endorsement No. IX must be made to the underwriting agent who may issue such endorsement without prior approval of the War Shipping Administration. The rates named by the War Shipping Administration for shipments coming within the scope of this endorsement will be at levels deemed compensatory by War Shipping Administration.

The endorsement as amended herein is deemed included in any policy to which it has heretofore been attached.

§ 305.129 *Standard Optional Enforcement No. X and Standard Optional Endorsement No. XI.* (a) The following is the amended form of Standard Optional Endorsement No. X:

In consideration of such additional rate as may be prescribed from time to time by War Shipping Administration, notwithstanding the terms of Part I and of Clause 18 of Part II of the Warshipopencargo Policy form, it is hereby understood and agreed that this policy covers *only* shipments to United States ports of _____ which would be covered under the terms of this policy but for said Clause 18 but which are thereby excluded from coverage by reason of the fact that at the time of attachment of risk the goods are intended for re-export to Canada; this coverage shall continue notwithstanding the fact that subsequent to attachment of risk the destination of the carrying vessel is changed to a port in Canada for the direct discharge of the goods.

All other terms and conditions remaining unchanged.

(b) The following in the amended form of Standard Optional Endorsement No. XI.

In consideration of such additional rate as may be prescribed from time to time by the War Shipping Administration, notwithstanding the terms of Part I and of Clause 18 of Part II of Warshipopencargo Policy form, it is hereby understood and agreed that this policy is extended to cover shipments to United States ports of _____ which would be covered under the terms of this policy but for said Clause 18 but which are thereby excluded from coverage by reason of the fact that at the time of attachment of risk or subsequent thereto the goods are intended for re-export to Canada; this coverage shall continue notwithstanding the fact that subsequent to attachment of risk the destination of the carrying vessel is changed to a port in Canada for the direct discharge of the goods. The Assured warrants that closing reports of all such shipments will be made on separate closing reports from any other shipments covered by this policy.

All other terms and conditions remaining unchanged.

Standard Optional Endorsement No. X and Standard Optional Endorsement No. XI will not be issued until an applicat on filed with the underwriting agent has been approved by the War Shipping Administration. Neither of these endorsements will be granted merely because a saving in war risk premium would accrue to an assured, and it is necessary that any cargo covered by either of these endorsements must be of a high priority nature. These rates named by the War Shipping Administration for shipments coming within the scope of these endorsements will be at levels deemed compensatory by the War Shipping Administration. Either of these endorsements as amended herein is deemed included in any policy to which either of them has heretofore been properly attached.

§305.130 *Standard Optional Endorsement No. XII.* The following is the amended form of Standard Optional Endorsement No. XII:

This endorsement shall not apply to goods sold by the Assured prior to loading on board the overseas vessel and shipped for the account and at the risk of third parties other than a branch, subsidiary or affiliate of the Assured. With respect to all other goods coming within the scope of the policy, except as may otherwise be provided below, shipped:

(a) Under Ocean Bills of Lading dated on or after _____, or

(b) If Ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

(c) If no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on and after said date,

the loss provisions of Part I hereof set forth in Paragraphs (a) (b) (c) of the Warshipopencargo Policy limiting the amount collectible in the event of loss are hereby deleted and the following substituted therefor: "In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss to the Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of Section 35 (a) of the Criminal Code."

(Insert any authorized exceptions)

All other terms and conditions remaining unchanged.

Application for Standard Optional Endorsement No. XII must be made to the underwriting agent who may issue the endorsement without prior approval of the War Shipping Administration. With respect to all shipment of goods coming within the scope of the Warshipopencargo Policy (except goods sold by the assured prior to loading on board the overseas vessel and shipped for the account and at the risk of third parties other than branch, subsidiary or affiliate of the assured) an assured may elect to have his policy endorsed with Standard Optional Endorsement No. XII applicable (a) on all such shipments, or (b) on all outward shipments, or (c) on all inward shipments, also on named commodities: *Provided, however,* That when

the assured has elected certain named commodities he may not change to a different basis on those commodities except on ninety (90) days notice to the War Shipping Administration through the underwriting agent.

The endorsement as herein set forth is deemed included in any policy to which it has heretofore been attached.

§ 305.131 *Standard Optional Endorsement No. XIV.* The following is the form of Standard Optional Endorsement No. XIV:

Notwithstanding anything to the contrary contained herein, shipments of_____ _____ to the Continental United States (excluding Alaska) are hereby covered subject to all the terms and conditions of this policy not in conflict herewith. It is warranted by the Assured that War Shipping Administration shall not be liable for more than two hundred and fifty thousand ($250,000) dollars in any event by loss or damage in respect to shipments by any one vessel under the terms of this Endorsement. It is further warranted by the Assured that no shipment will attach hereunder until a qualified officer of the overseas vessel has receipted for the goods covered by this endorsement by acknowledging deposit of the same in the safe or strong room of the carrying vessel.

All other terms and conditions remaining unchanged.

Application for Standard Optional Endorsement No. XIV must be submitted to an underwriting agent for transmission to War Shipping Administration for approval of the issuance of the said endorsement. This endorsement is designed to provide coverage for shipments of diamonds used for industrial purposes, or rubies, or sapphires, natural or synthetic, used for instruments or watch jewels, imported to the continental United States (excluding Alaska).

The endorsement as herein set forth is deemed included in any policy to which it has heretofore been properly attached.

§ 305.132 *Standard Optional Endorsement No. XV.* The following is the form of Standard Optional Endorsement No. XV:

With respect to shipments otherwise coming within the scope of this policy but failing to attach hereunder by reason of the goods being shipped or consigned prior to the date set forth in Clauses a, b, and c of Part I of this policy, it is specially understood and agreed that this insurance shall nonetheless attach provided that the goods have not arrived at port of final destination on or before the date of this endorsement and that as of the date of this endorsement, there is no known or reported loss of such shipments by reason of perils insured by this policy. For the purpose of this endorsement the words "known or reported loss" shall be deemed to include any loss known or reported to either the Assured or the War Shipping Administration. This endorsement shall not, however, apply to any goods which would not have been covered under the terms of Warshipopencargo Policy No. _____ had said policy remained in full force and effect. In consideration of the coverage provided by this endorsement, it is agreed that the rates applicable to such shipments shall be 50% in excess of the standard rates of the War Shipping Administration applicable to similar shipments.

All other terms and conditions remaining unchanged.

Where prior to January 30, 1943 a Warshipopencargo Policy has been terminated by reason of the breach of the warranty embodied in Clause 13 of Part II of the Warshipopencargo Policy as it existed prior to January 30, 1943, and a new policy has been or is issued in replacement of said terminated policy, Standard Optional Endorsement No. XV may be attached to said replacement policy by the underwriting agent without prior approval of the War Shipping Administration. Such endorsement must incorporate the policy number of said terminated policy. The application for the endorsement must be made at the time of application for the issuance of the replacement Warshipopencargo Policy or not later than March 4, 1943, whichever may last occur.

(a) Whenever a Warshipopencargo Policy has been endorsed with Standard Optional Endorsement No. XV, additional premium must be paid on shipments included in the replacement policy and which are subject to the terms and conditions of the said endorsement.

(b) This endorsement as herein set forth is deemed included in any policy to which it has heretofore been attached.

§ 305.133 *Manner of endorsement.* (a) Every endorsement for attachment to a Warshipopencargo Policy issued subsequent to the issuance of such Warshipopencargo Policy should be preceded by the following language whenever similar language is not a part of the endorsement unless otherwise specified:

This endorsement is effective with respect to shipments—

a. Under ocean Bills of Lading dated on or after_____, or,

b. If ocean Bills of Lading not issued, under equivalent shipping documents dated on and after said date, or

c. If no ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on and after said date.

(b) No endorsement should be made retroactive unless by special authorization of the War Shipping Administration, Division of Wartime Insurance.

§ 305.150 *Form No. 1—Application Form for Warshipopencargo Policy (Revised).*

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

WARSHIPOPENCARGO POLICY APPLICATION

Effective with respect to shipments (a) under Ocean Bills of Lading dated on and after _____ (which shall be not earlier than the date of the completion of the requirements for the issuance of the policy), or (b) if Ocean Bills of Lading not issued under equivalent shipping documents dated on and after said date, or (c) if no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden or overseas vessel on or after said date, a Warshipopencargo Policy containing the warranties and conditions promulgated in General Order No. 6 of the War Shipping Administration and any amendments in effect at the date of this application is requested by:

Name of assured _____

Address _____

No. Street City County State

Specify by insertion of the word "YES" in the blank provided therefor which class of shipments the Assured desires to cover:

☐ 1. Imports to the Continental United States excluding Alaska.

☐ 2. Exports from the Continental United States excluding Alaska to the territories and possessions of the United States including the Panama Canal Zone and Alaska.

☐ 3. Shipments between ports in the Continental United States, excluding Alaska.

☐ 4. Shipments between ports in any one territory or possession of the United States, including the Panama Canal Zone and Alaska.

☐ 5. Shipments to the territories and possessions of the United States including the Panama Canal Zone and Alaska (excepting shipments from the Continental United States excluding Alaska).

Merchandise not to be covered, if any _____

_____

Specify the basis of valuation_____

_____

(If sufficient space is not available, fill out the requirements on a supplemental sheet of paper and annex the same with appropriate reference to this application.)

Specify by number which of the Standard Optional Endorsements are required: _____

_____

If Standard Optional Endorsements Nos. X or XI or XIV are applied for, a supplemental statement must be attached hereto, designating the goods and setting forth the reasons why such endorsements should be granted. Neither of such endorsements will be issued except upon instructions of the War Shipping Administration, to whom such supplemental statement will be submitted for appropriate action.

If Standard Optional Endorsement No. IV (revised) has been designated, list the names of the principals and their respective addresses_____

_____

If Standard Optional Endorsement No. 1 (amended) has been designated attention is directed to the requirement of additional premium.

_____

Assured

By: _____

_____

Title

This application must be accompanied by either (a) Standard Form of Transmittal of Collateral Deposit Fund with accompanying cashier's or certified check, or (b) Standard Form of Surety Bond executed by the Assured as Principal and by the Surety, complying in either case with all applicable provisions of General Order No. 6, and Supplements thereto.

§ 305.151 *Form No. 2—Standard Form of Letter for Transmittal of Collateral Deposit Fund.*

Collateral Deposit Fund Transmittal Form

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Policy No. _____

Amount Enclosed $_____

To: War Shipping Administration

C/O _____, Underwriting Agent

Enclosed herewith is certified or cashier's check drawn to the order of the Treasurer of the United States in the above sum to be held by the War Shipping Administration as a collateral deposit fund under the above numbered Warshipopencargo Policy pursuant to all of the terms and conditions of said policy, and such additional conditions and regulations as may be promulgated from time to time by the War Shipping Administration, and published by the War Shipping Administration in the FEDERAL REGISTER as provided in said policy.

Dated: _____

_____

Assured

Received this _____ day of _____, 194__.

_____

Underwriting Agent

Deposited in Federal Reserve Bank at _____ on _____, 194__.

_____

§ 305.152 *Form No. 3—Transmittal Form for Endorsement of Increase or Decrease to Surety Bond.*

Increase[1] / Decrease[1] is desired in amount of Surety Bond of _____ Company dated the_____ day of _____, 19__, in accordance with the terms of the endorsement submitted herewith.

_____

(Assured)

By: _____

_____

(Title)

§ 305.153 *Form No. 4—Standard Form of Increase-Decrease Rider for Bond Guaranteeing Payment of Insurance Premiums on Warshipopencargo Policy.*

RIDER

To be attached to and form a part of Bond Guaranteeing Payment of Insurance Premiums, No. _____, issued by _____ as principal, dated the _____ day of _____, 19__ in the amount of _____ ($ _____) Dollars.

In consideration of {increased[1] / decreased[1]} premium charged for the attached bond, it is understood and agreed as follows:

1. The amount of the attached bond is hereby {increased[1] / decreased[1]} from _____ ($ _____) Dollars to _____ ($ _____) Dollars as to such and so many of the premiums required to be paid under the Warshipopencargo Policy No. _____, referred to in the attached bond, as accrue after the day, month, year of the receipt of this endorsement as acknowledged below by an Underwriting Agent for the War Shipping Administration: *Provided*, That, regardless of the number of changes made in the amount of the attached bond, no amount carried under the attached bond during any period, whether the original amount or any subsequent amount, shall be cumulative with any amount or amounts carried under the attached bond during any other period or periods.

2. The attached bond shall be subject to all its terms, conditions and limitations except as herein expressly modified.

Signed, sealed and dated the _____ day of _____ 194__.

_____

By: _____

Principal

Attest: _____

_____

By: _____

Attest: _____

Receipt of this endorsement is hereby acknowledged subject to the rules and regulations of War Shipping Administration this _____ day of _____, 194__, and shall become effective according to its terms as of this date.

By: _____

Underwriting Agent

By: _____

§ 305.154 *Form No. 5—Form of Application for Cancellation of Warshipopencargo Policy.*

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

_____ hereby applies for cancellation of Warshipopencargo Policy No. _____ to be effective the _____ day of _____, 19__.

_____

(Assured)

By: _____

_____

(Title)

War Shipping Administration by _____ acknowledges receipt of the original Policy No. _____ on _____ day of _____, 19__.

_____

Underwriting Agent

By: _____

§ 305.155 *Form No. 6—Form of Release on Cancellation of Surety Bond.*

Whereas _____ has made application to War Shipping Administration for the cancellation of Bond No. _____ of the _____ (Surety Company) effective the _____ day of _____, 19__, in accordance with Paragraph 2 of the conditions of said bond, guaranteeing the payment of all premiums due and payable under the terms and conditions of Warshipopencargo Policy No. _____.

It is hereby understood and agreed that _____ (Surety Company) is relieved of any and all liability under Bond No. _____ for premiums on risks attaching after the _____ day of _____, 19__.

Dated at _____ this _____ day of _____ 19__.

WAR SHIPPING ADMINISTRATION

By: _____

(Underwriting Agent)

§ 305.156 *Form No. 7—Affidavit To Be Used in Effecting the Repayment of the Decrease of the Collateral Deposit Fund.*

STATE OF _____

County of _____ *ss:*

_____, being first duly

(Name of Affiant)

sworn, deposes and says[1] (either (1) (he) (she) is an officer, to wit: _____

(Title)

of the _____ insured

(Name of Corporation or Company)

under Warshipopencargo Policy No. _____, or (2) (he), (she) is the Assured named in Warshipopencargo Policy No. _____) and is familiar with all matters pertaining thereto.

That the refund of _____ ($_____) Dollars was effected on the _____ day of _____, 19__, but has not yet been repaid; that all premiums accrued by reason of the attachment of all risks covered under Warshipopencargo Policy No. _____ up to the time of the receipt of Form No. (10) on the _____ day of _____ 194__ by _____, the Underwriting Agent, have been paid in full and the unpaid premium accrued by reason of the attachment of any and all risks since said date and at the date of the verification of this affidavit is not greater than _____, ($_____) Dollars, the amount remaining on deposit if payment is made as herein requested.

Wherefore, deponent requests that _____ ($_____) Dollars be repaid.

_____

(Assured)

By: _____

_____

(Title)

Subscribed to and sworn before me this _____ day of _____, 194__.

_____

Notary Public

Attention is directed to Section 35 (a) of the Criminal Code of the United States which provides for punishments ranging as high as ten years imprisonment or $10,000 fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

§ 305.157 *Form No. 8—Form Application for Revision of Warshipopencargo Policy.*

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Application for revision in Warshipopencargo Polic_ No. _____

Issued and countersigned by _____

(Name of _____ _____

Underwriting Agent)

Effective on and after the date upon which this application is received by the abovementioned Underwriting Agent, as to shipments

(a) under Ocean Bills of Lading, so dated, or

(b) if Ocean Bills of Lading are not issued, under equivalent shipping documents, so dated, or

(c) if no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel as of such date.

The Assured hereby requests the following change be endorsed upon the above-mentioned policy: _____

_____

If this form does not contain sufficient space to set forth the desired changes, attach another sheet of paper hereto, and incorporate the same by reference.

This form must be filed in duplicate with the afore-mentioned Underwriting Agent.

_____

(Type or print Assured's name)

_____ _____

(Type or print Assured's address)

By: _____

Title: _____

[Do not use this section]

§ 305.158 *Form No. 9—Affidavit To Be Submitted With a "Final Closing Report on Cancellation of Policy".*

STATE OF _____

County of _____ *ss:*

_____ being first duly sworn,

(Deponent's Name)

deposes and says that[1] (either (1) (he), (she) is an officer, to wit: _____

(Title)

of _____ _____, the

(Name of Corporation or Company)

Assured named in Warshipopencargo Policy

[1] Strike out inapplicable word.

[1] Strike out inapplicable part in parentheses.

No. ——, or (2) —— is the Assured named in Warshipopencargo Policy No. ——,) issued by War Shipping Administration, and does hereby certify, warrant, represent and affirm on his own behalf [1] (If (1) is used, include the following: "and on behalf of said Assured") that the information in the "Final Closing Report on Cancellation of the Policy" contains in all respects a true, accurate and complete list of all shipments of goods covered by Warshipopencargo Policy No. —— made at any time which have not previously been reported; that the certified check or cashier's check tendered in payment of premium with the "Final Closing Report on Cancellation of Policy" pays in full any and all unpaid premium which at any time became due and payable under Warshipopencargo Policy No. ——

This affidavit is furnished by the Assured and executed by dependent pursuant to the terms and conditions of Warshipopencargo Policy No. —— with the intent and the full knowledge of the deponent [1] (if (1) is used, add the words "and the Assured") that War Shipping Administration will rely thereon in authorizing the refund of the collateral deposit maintained by the Assured for securing to War Shipping Administration the payment of premium under Warshipopencargo Policy No. ——

——

Subscribed and sworn to before me this —— day of ——, 19—.

——
Notary Public

Attention is directed to Section 35 (a) of the Criminal Code of the United States which provides for punishments ranging as high as ten years imprisonment or $10,000 fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

§ 305.159 *Form No. 10—Standard Form To Be Used Where Decreasing Amount of a Cash Collateral Deposit.*

The Assured, —— hereby applies to decrease the amount of the Collateral Deposit maintained to secure the payment of premiums under Warshipopencargo Policy No. ——. The Assured agrees that for all purposes except for the actual repayment of the sum of —— ($——) Dollars, hereby demanded, that payment shall be considered as made at the date that the Underwriting Agent acknowledges receipt of this request.

——
(Assured)

By: ——

——
(Title)

Receipt is hereby acknowledged of the application for reduction in amount of Collateral Deposit by the sum of —— ($——) Dollars, this —— day of ——, 19—.

——
(Underwriting Agent)

By: ——

Actual repayment of money will be made according to the terms and conditions of the Warshipopencargo Policy and regulations thereto.

§ 305.160 *Form No. 11—Affidavit to be Attached to Closing Report.*

STATE OF ——
County of —— *ss:*

——, being first duly sworn
(Name of Affiant)
deposes and says that [1]((1) (he), (she) is an officer, to wit: —— of the
(Title)
—— insured under War-
(Name of Corporation or Company)
shipopencargo Policy No.——, or that (2) (he), (she) is the Assured named in Warshipopencargo Policy No. ——,) and does hereby certify, warrant, represent and affirm on (his), (her) own behalf and on behalf of said Assured that [1](the closing report) or [1](set of closing reports), to which this affidavit pertains, contains in all respects a true, accurate and complete list of all goods covered under said Warshipopencargo Policy required to be reported on a closing form by the terms and conditions of said Warshipopencargo Policy for the calendar month ending ——, 19—; [1](and no shipment is reported hereon which is excluded by Clause 18 of Part II of Warshipopencargo Policy form.)

The [1](closing report) or, [1](set of closing reports) is furnished by the Assured and this affidavit is made by the Affiant pursuant to the terms and conditions of said Warshipopencargo Policy and is furnished by the Assured and by the Affiant with full knowledge that War Shipping Administration will rely thereon, and with the intent and purpose of inducing the War Shipping Administration to rely thereon.

——

Subscribed to and sworn before me this —— day of ——, 19—.

——
Notary Public

Optional Endorsements IX, X, and XI are reported.

Attention is directed to section 35 (a) of the Criminal Code of the United States which provides for punishments ranging as high as ten years imprisonment or $10,000 fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

§ 305.161 *Form No. 12—Standard Form of Application for Return Premium.*

This application must be filled in duplicate with underwriting agency issuing policy

Do not fill out this space
Premium paid——
Checked by Underwriting Agency——
Checked by Clearing Organization——
Approved by:
——
For Director of Wartime Insurance

APPLICATION FOR RETURN PREMIUM UNDER WARSHIPOPENCARGO FORM

WAR SHIPPING ADMINISTRATION

DIVISION OF WARTIME INSURANCE

Assured—— Policy Number——
Address——
Underwriting agent
—— Date of payment——
Nature of cargo——

INSURANCE DECLARED

Quantity (Tons, bbls., bales, etc.)	Amount of Insurance	Rate	Premium
Total			

INSURANCE AT RISK

Total			

Return premium ——

Remarks: ——

——

Application is hereby made for return premium as set forth above by
Name—— Date——
COUNTY OF ——
State of —— *ss:*

——, being first duly sworn deposes and says that [1](he is the Assured named in the foregoing application for return premium) or [2](the —— of said Assured, a ——) and that the information set forth in said application is in all respects true and correct and is made to induce the War Shipping Administration to return part or all of the premiums heretofore paid by said Assured to said War Shipping Administration for Open Cargo War Risk Insurance. Said application is made with full knowledge by the Assured and this affiant that said War Shipping Administration will rely on the information set forth therein.

——

Subscribed and sworn to before me this —— day of ——, 19—.

——
Notary Public

Attention is directed to section 35 (a) of the Criminal Code of the United States which provides for imprisonment ranging as high as ten years or $10,000 fine, or both, for filing false, fictitious or fraudulent claims with a department or agency of the United States.

§ 305.162 *Form No. 13—Standard Form of Closing Report.*

NOTE.—To be filed in duplicate. This report must be sworn to by use of affidavit on reverse hereof.

Monthly closing report for the month of——, 194 ..

Assured——

Agent's No. —— Policy No. —— Closing Report No.——

Sheet No. ——

Do not use this space			
Rate verified	——		Check deposited
Premium verified	——		
Footings verified	——		
Summary posted	——		Date

Receipt No.

Risk No.	Shipping document		Marks and numbers	Quantity of goods	Type of goods or merchandise	Voyage	Inward shipment arrival date or outward shipment dispatch date	Amount	Rate	Premium	Remarks
	Type	No.									

[1] Strike out inapplicable words in parentheses where shipments covered by Standard.
[2] Delete inapplicable words in brackets.

[1] Strike out inapplicable part in parentheses.

§ 305.163 *Standard Form of Surety Bond A*—In procuring the issuance of a Warshipopencargo Policy the following is the standard form of bond approved by the War Shipping Administration:

Know all men by these presents, That We —— of ——, as Principal, and —— as Surety, are held and firmly bound unto War Shipping Administration in the sum of —— ($——) Dollars, to the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

The condition of this obligation is such that whereas —— Principal, under application dated the —— day of ——, 19—, has applied for the issuance of a Warshipopencargo Policy by War Shipping Administration, and

Whereas, War Shipping Administration has agreed to accept this bond as a guarantee of the payment of all premiums due and payable under the terms and conditions of such Warshipopencargo Policy when issued, or endorsements thereto or modifications thereof, whether or not consented to by the Surety.

Now, therefore, if the Principal shall well and truly pay unto War Shipping Administration the premiums due under the said Open War Risk Insurance Policy at the times and in the manner provided therefor in said Policy, then this obligation is to be void; otherwise to remain in full force and effect;

Provided, however, This bond is executed by the Surety, upon the following express conditions, which shall be precedent to the right of recovery hereunder.

1. If the Principal shall fail to file with the Underwriting Agent of the War Shipping Administration on or before the 25th day of each month during which this bond is in effect, a sworn statement of values of all shipments covered under the policy during the preceding calendar month and concurrently therewith pay to War Shipping Administration the premiums called for by said sworn statement, then the War Shipping Administration shall so notify the Surety as soon as practicable but in no event later than 45 days from date such sworn statement is due; and, in such event the Surety shall not be liable for any premiums accruing on risks attaching subsequent to date of such notice under said Open War Risk Insurance Policy.

2. This bond may be cancelled by either the Principal or the Surety at any time upon fifteen days (15) written or telegraphic notice to the Director of Wartime Insurance of War Shipping Administration at Washington, D. C., but such cancellation shall not affect the liability of the Principal and the Surety hereunder for premiums on risks attaching on or prior to expiration of said fifteen (15) days period.

In witness whereof, the above-bounden parties have executed this instrument under their several seals this —— day of —— 19—, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

——
By ——
Attest ——
By ——
Attest ——

NOTE: War Shipping Administration requires the signature by or on behalf of the Assured to appear on this bond.

§ 305.164 *Standard Form of Surety Bond B.* In substituing a surety bond for a cash collateral deposit the following is the standard form of surety bond approved by the War Shipping Administration:

Know all men by these presents, That We ——of——, as Principal, and ——, as Surety, are held and firmly bound unto War Shipping Administration in the sum of —— ($——) dollars, to the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

The condition of this obligation is such that whereas War Shipping Administration has issued and delivered to —— Principal, on the ——day of —— 19—, that certain Open War Risk Insurance Policy # ——, and

Whereas, War Shipping Administration has agreed to accept this bond as a guarantee of the payment of all premiums due and payable under the terms and conditions of such Open War Risk Insurance Policy # ——, or endorsements thereto or modifications thereof whether or not consented to by the Surety.

Now therefore, if the Principal shall well and truly pay unto War Shipping Administration the premiums due under the said Open War Risk Insurance Policy at the times and in the manner provided therefor in said Policy, then this obligation is to be void; otherwise to remain in full force and effect;

Provided, however, This bond is executed by the Surety, upon the following express conditions, which shall be precedent to the right of recovery hereunder.

1. If the Principal shall fail to file with the Underwriting Agent of the War Shipping Administration on or before the 25th day of each month during which this bond is in effect, a sworn statement of values of all shipments covered under the policy during the preceding calendar month and concurrently therewith pay to War Shipping Administration the premiums called for by said sworn statement, then the War Shipping Administration shall so notify the Surety as soon as practicable but in no event later than 45 days from date such sworn statement is due; and, in such event the Surety shall not be liable for any premiums accruing on risks attaching subsequent to date of such notice under said Open War Risk Insurance Policy.

2. This bond may be cancelled by either the Principal or the Surety at any time upon fifteen days (15) written or telegraphic notice to the Director of Wartime Insurance of War Shipping Administration at Washington, D. C., but such cancellation shall not affect the liability of the Principal and the Surety hereunder for premiums on risks attaching on or prior to expiration of said fifteen (15) days period.

In witness whereof, the above-bounden parties have executed this instrument under their several seals this —— day of —— 19—, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

——
By ——
Attest ——
By ——
Attest ——

NOTE: War Shipping Administration requires the signature by or on behalf of the Assured to appear on this bond.

§ 305.165 *Approved methods of accomplishment of a surety bond by a surety company.* Approval is hereby given for the accomplishment of a surety bond by a surety company through one of the following methods:

(a) Accomplished by an officer with an attest.

(b) Accomplished by an attorney-in-fact with the attest by another attorney-in-fact.

(c) Accomplished by signature by a single attorney-in-fact with no attest, but the surety company's seal affixed to the document.

§ 305.166 *Form No. 14—Standard Form of Affidavit to be Filed in Connection with the Requirement of Clause 13 of Part II of the Warshipopencargo Policy Form.*

STATE OF ——,
County of —— *ss.*

——, being first duly
(Name of affiant)
sworn, deposes and says [1] (either (1) (he) (she), is an officer to wit:
—— of the——
(Title) (Name of Corporation or Company) insured under Warshipopencargo Policy No.—— or (2) (he) (she) is the Assured named in Warshipopencargo Policy No.——) and is familiar with all matters pertaining thereto.

That on the——day of—— 19—, the Assured first had knowledge that the amount of collateral deposited pursuant to the terms of said policy was exceeded by the amount of premium due thereunder; that the amount of collateral deposited pursuant to the terms of said policy on that date was $——; that at the date when the collateral became exceeded by the amount of unpaid premium the collateral was for an amount of $——, and the unpaid premium amounted to $——.

That under the following circumstances the Assured became aware for the first time that said collateral was insufficient (explain in detail the manner in which the collateral became exceeded): ——

——

——

That to the best of the Assured's information and belief the following shipments were made after the date when the collateral first became exceeded and the Assured honestly and in good faith intended said shipments to be covered under the Warshipopencargo Policy No.——: ——

——

——

This affidavit is furnished by the Assured in order to comply with the provisions of Clause 13 of Part II of Warshipopencargo Policy and is made by the affiant and is furnished by the Assured and by the affiant with full knowledge that War Shipping Administration will rely on the statements contained therein and is submitted for the purpose of inducing War Shipping Administration to rely thereon.

——

Subscribed and sworn to before me this —— day of —— 19—.
(Notary Public)

Attention is directed to section 35 (A) of the Criminal Code of the United States which provides for punishments ranging as high as ten years' imprisonment or $10,000 fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

§ 305.175 *Standard form of application for appointment of underwriting agent.*

WAR SHIPPING ADMINISTRATION,
DEPARTMENT OF COMMERCE BUILDING,
Washington, D. C.

Attention: Director, Wartime Insurance

DEAR SIRS: The undersigned, an insurance company duly admitted to transact the busi-

[1] Strike out inapplicable words in parentheses.

ness of marine insurance in the following State or States of the United States,

hereby applies for appointment as Underwriting Agent of the Administrator, War Shipping Administration, to issue and execute open war risk cargo insurance policies on behalf of the United States of America, acting by and through the Administrator, War Shipping Administration, and to perform other functions and duties, as are more specifically set forth in the standard form of underwriting agency agreement adopted by the Administrator and promulgated in the FEDERAL REGISTER of the United States on the 30th day o. July, 1942. In connection with this application, we are transmitting herewith three executed counterparts of an underwriting agency agreement in such standard form. Upon the execution of said agreement by or on behalf of the Administrator and the receipt from the Administrator of a duly executed Certificate of Designation of ourselves as underwriting agent and attorney in fact for the War Shipping Administration, this appointment shall thereupon become effective.

Dated ----------

(Company)

§ 305.176 *Certification of designation of underwriting agent.*

Certificate of Designation of ---------- as underwriting agent for the War Shipping Administration.

Agency Number ---------

It is hereby certified that the United States of America, acting by and through the Administrator, War Shipping Administration, has appointed ----------, of ----------, its duly authorized agent and attorney in fact to execute and issue open war risk cargo policies of insurance in the name of the United States of America, acting by and through the Administrator, War Shipping Administration, and perform other functions and duties of underwriting agent as provided in an underwriting agency agreement executed by and between the Administrator and said underwriting agent dated ----------, which agreement is in the standard form heretofore adopted by the Administrator and published in the FEDERAL REGISTER of the United States under date of July 30th, 1942.

Dated, Washington, D. C., ----------

UNITED STATES OF AMERICA,
WAR SHIPPING ADMINISTRATION

By: ----------
(Name and Title)

For the Administrator.

§ 305.177 *Standard form of underwriting agency agreement.*

UNDERWRITING AGENCY AGREEMENT

This Agreement made and entered into this ------ day of ----------, 194-, by and between the Administrator of the War Shipping Administration, acting for and on behalf of the United States of America (hereinafter called the "Administrator") and ----------, a corporation organized and existing under the laws of ----------, and admitted to do the business of marine insurance in one or more of the States of the United States, having an office for the transaction of business at ---------- (hereinafter called the "Underwriting Agent"),

Witnesseth:

Whereas under and pursuant to the President's Executive Order 9054 of February 7, 1942, and Public Law 523 of the Seventy-seventh Congress, the Administrator is authorized under certain circumstances to provide marine insurance and reinsurance against loss or damage by the risks of war, and to exercise this power through such officials or agencies and in such manner as he may determine; and

Whereas the Administrator has determined to exercise certain of these powers for the insurance of cargo through certain private insurance corporations, including the Underwriting Agent, upon the terms and conditions hereinafter set forth;

Now, therefore, in consideration of the premises and of the mutual covenants and agreements, and upon the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. The Administrator hereby authorizes the Underwriting Agent, as Agent, and not as an independent contractor, to perform the functions hereinafter provided for, subject to the terms and conditions hereinafter specified, and in accordance with the Memoranda of Instructions which may be issued hereunder by the Administrator from time to time.

2. The Underwriting Agent agrees to utilize its offices and facilities to make available to the public the insurance of cargoes against war risks furnished by the Administrator. The Underwriting Agent may act through its Home Office, branch offices or agencies in the United States, its territories or possessions, which are authorized to write marine insurance on behalf of the Underwriting Agent.

The duties of the Underwriting Agent shall be as follows:

(a) The Underwriting Agent shall issue policies covering the class or classes of property and subject to the rates and conditions named by the Administrator. The insurer under such policies shall be the Administrator, and the policy shall be executed or countersigned by the Underwriting Agent.

(b) The Underwriting Agent shall keep a full and complete record of all such policies, and shall also record any premium, collateral deposit fund, or surety bonds required by the terms of such policy, so that a record may be available at all times to the Administrator, both as to all policies issued and as to all Collateral deposit funds or surety bonds provided by the assured in connection with such policies.

(c) The Underwriting Agent shall receive customary Provisional Reports from policyholders, and subject to such regulations as may be adopted by the Administrator, shall take the necessary steps to follow up the same.

(d) The Underwriting Agent shall accept monthly Closing Reports from each policyholder for transmission to a clearing organization which shall be appointed or created by the Administrator for this and other purposes. The Underwriting Agent shall also receive certified checks drawn to the Treasurer of the United States for the premiums involved, if the premiums have not been previously paid, which checks shall be deposited by the Underwriting Agent in the Federal Reserve Bank nearest to its office, or in such other bank as may be authorized by the Administrator to receive such deposits. The Underwriting Agent is to receive from the bank in which the deposits are made receipts therefor in such number as may be prescribed in general instructions to the Agent and handle the receipts so received in accordance with such general instructions.

(e) The Underwriting Agent shall prepare a monthly summary of all such Closing Reports on a standard form to be approved by the Administrator and transmit the same, together with supporting Closing Reports and receipts for deposits made as above provided, to the clearing organization.

(f) The Underwriting Agent shall receive from holders of policies issued by such Underwriting Agent any claims for return premiums in a standard form to be prescribed by the Administrator and shall certify thereon, if such is the fact, that the amounts with respect to which such return is claimed were previously included in closing reports submitted to the Administrator and that based upon the statements included in such application by the Assured the return premium applied for is payable in accordance with the regulations of the Administration. Such applications and certifications shall be transmitted promptly to the clearing organization.

(g) The Underwriting Agent shall receive reports of losses, prepare adjustments and vouchers, and other data, required by the Administrator, and submit the same with its recommendation as to whether claims are in order for settlement to the Administrator through the clearing organization.

(h) The Underwriting Agent will cooperate with other Underwriting Agents acting in a similar capacity to establish and maintain, through the American Institute of Marine Underwriters or otherwise, an advisory underwriting committee to deal with specific underwriting problems, subject to regulations of the Administrator, and such other advisory committees as may seem necessary to safeguard the interest of the Administrator, including a loss committee to act as a recipient for information as to losses, and to pass upon any recommendations made by the Underwriting Agent as to losses in excess of an amount to be fixed by the Administrator.

3. The Underwriting Agent shall receive for its services such amount as the Administrator may from time to time determine to be fair and reasonable compensation. Such compensation shall be determined by the Administrator at such sums as reasonably approximate expenses of Underwriting Agents generally under this form of agreement without contemplation of profit. In addition to such fair and reasonable compensation the Underwriting Agent shall receive reimbursement for out of pocket expenditures reasonably incurred, meaning payments to persons not regularly employed by the Underwriting Agent, but excluding payments to attorneys unless such employment has been authorized by the Administrator, provided however that all such expenditures shall be subject to the review of the Administrator and further provided that such expenditures shall not include any fee or other consideration paid to an insurance broker or other person acting in a similar intermediary capacity.

A statement of the compensation due to the Underwriting Agent (including reimbursement for out of pocket expenses as herein provided) shall be submitted by the Underwriting Agent to the Administrator monthly or at such other intervals as the Administrator may direct, with an appropriate voucher, and the amount of such compensation, if approved, shall be promptly paid to the Underwriting Agent.

4. In the discharge of the duties and obligations arising under this agreement, the Underwriting Agent shall conform to a standard of performance and accuracy reasonably to be expected of an insurance company in the administration of its own business, and consistent with the highest degree of good faith. It is agreed, however, that as the Underwriting Agent is acting without expectation of profit, it shall not be responsible for errors or omissions of agents and employees in whose selection and supervision it has exercised reasonable care, (other than willful misconduct on the part of the principal officers of said Underwriting Agents) excepting that the Underwriting Agent assumes full and complete responsibility for the disposition of any funds received by it or its employees or agents under and pursuant to this agreement. The exercise of reasonable care in the selection of agents by the Underwriting Agent shall be deemed to include a determination by the Underwriting Agent that the agent so selected is experienced in the transaction of such phases of the marine insurance business as may be delegated to such agent by the Underwriting Agent. It is understood that the Underwriting Agent is or may be engaged in writing war risk insurance on hulls and cargoes for its own account, and it is agreed that it may write such insurance notwithstanding its operations on behalf of the Administrator.

5 All books, records and accounts covering the operations and activities under this agreement shall be kept separate from those relating to other business of the Underwriting Agent, in accordance with regulations made from time to time by the Administrator, and shall at all times be subject to inspection by the Administrator.

6 It is recognized that in the conduct of its operations and activities hereunder the Underwriting Agent shall act only as agent for the Administrator, who shall be the principal in connection with all such operations and activities. The Underwriting Agent shall have no authority other than as provided in this Agreement and in Memoranda of Instructions issued hereunder, and any unauthorized acts of said Underwriting Agent shall be null and void, and of no effect. It is agreed that the Administrator will issue to the Underwriting Agent a Certificate of Designation authorizing the Underwriting Agent to execute and issue war risk cargo policies of insurance in the name of the United States of America and to perform the other duties and functions provided for herein. It is further agreed, in view of the fact that the statutory power of the Administrator to write insurance is conditioned on the existence of certain facts of which the Underwriting Agent may have no knowledge or means of knowledge, that the Underwriting Agent may insert in all policies above its signature, a statement that it acts solely under the said Certificate of Designation and makes no warranty, either express or implied, of its own authority or the authority of the Administrator to sign or issue the said documents.

7. Notwithstanding the provisions of paragraph 3 hereof, in the event that the Underwriting Agent, after giving notice to the Administrator, shall be compelled to pay to any state, territory, or possession of the United States, or political subdivision thereof any tax or fee or interest or penalty relating thereto claimed to be due by reason of the business transacted pursuant to this agreement and which would not have been payable except for the operation of the Underwriting Agent hereunder, the Underwriting Agent shall be reimbursed by the Administrator therefor, and for any special expenses necessarily incurred in connection therewith. Moreover, if the Administrator shall reject any claim for loss under any policy of insurance issued pursuant to this agreement and if legal proceedings be instituted against the Underwriting Agent with respect to such claim, or if the Underwriting Agent shall be obligated to defend any legal suit or proceeding on account of its action in rejecting any application or failing to issue any policy or in canceling any policy, or in denying the payment of any return premium, the Administrator shall, upon due notice at his expense, defend such proceeding and if in any such proceeding the Underwriting Agent be compelled to make payment, the Administrator shall reimburse the Underwriting Agent for the amount thereof, provided always the action of the Underwriting Agent complained of shall have been consistent with the standard of performance required hereunder. In any of the foregoing cases, the Underwriting Agent shall render to the Administrator such reasonable cooperation and assistance as the Administrator may require.

8 This agreement shall take effect as of the date of its execution by the Administrator and continue in force until terminated. It may be terminated, as of midnight on the last day of any calendar month by either party giving at least fifteen (15) days prior written notice to the other party by registered mail. Such termination shall not affect the obligation of the parties hereunder with respect to any insurance written or expenses incurred prior thereto.

9. Any act or thing herein required or permitted to be done hereunder by the Administrator may be done by such other official or officials of the War Shipping Administration as the Administrator may designate.

10. (a) The Underwriting Agent warrants that it has not employed any person to solicit or secure this agreement upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the United States the right to annul this agreement, or, in its discretion, to deduct from any amount payable hereunder the amount of such commission, percentage, brokerage, or contingent fee.

(b) In any act performed under this agreement the Underwriting Agent shall not discriminate against any citizen of the United States of America on the ground of race, creed, color or national origin.

11. No person elected or appointed a member of or delegate to Congress or a Resident Commissioner, directly or indirectly, himself or by any other person in trust for him, or for his use or benefit, or on his account shall hold or enjoy this agreement in whole or in part, except as provided in Section 206, Title 18, U.S.C. The Underwriting Agent shall not employ any member of Congress, either with or without compensation, as an attorney, agent, officer or director.

In witness whereof the parties hereto have duly executed this Agreement in triplicate as of the day and year first above written.

UNITED STATES OF AMERICA,
By (Sgd) E. S. LAND,
E. S. Land, *Administrator,*
War Shipping Administration.

By ----------
For the Administrator

Attest:

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ----------, a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ---------- who signed this agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL]

(Where special action of the governing body is not immediately practicable, the following must be signed by the United States Manager, or by the Branch Manager or other similar executive who executes the Agreement.)

I, ----------, certify that I am the ---------- of ---------- the party to this Agreement referred to therein as the Underwriting Agent; that I personally signed this Agreement on behalf of said corporation, under powers given to me by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

---------- L. S.

SUBPART B—HULL INSURANCE

§ 305.250 *Introductory.* War Shipping Administration is prepared to provide marine insurance against loss or damage to vessels caused by the risks of war in accordance with the terms of its hull war risk insurance policy hereinafter set forth in § 305.275. No such hull war risk insurance policy will be issued to any applicant for such insurance unless the vessel to be insured is either a United States flag vessel, or a vessel engaged in a voyage which brings or is intended to bring the vessel at least once in each round trip to a port in the continental United States, or in special circumstances to a port in the territories and possessions of the United States, or is engaged in a trade which is in the interest of the war effort or domestic economy of the United States as determined by the Administrator.

A hull war risk insurance rate schedule applicable to insurances of vessels confined to certain areas and trades is published in bulletin form by the War Shipping Administration and is available on request by properly interested parties; other rates for hull war risk insurances are available only by means of a request for quotation of an applicable rate submitted to War Shipping Administration, Division of Wartime Insurance.

§ 305.251 *Application.* Whenever an applicant for hull war risk insurance desires to obtain a quotation or to bind such insurance the applicant must provide War Shipping Administration, Division of Wartime Insurance at Room 4089 Commerce Building, Washington, D. C., with a statement in writing containing the following information:

(a) The name of the owner of the vessel, the name of the assured, the name of the vessel, and the flag thereof;

(b) The amount of insurance requested and the total value of the vessel for war risk insurance purposes;

(c) The trade of the vessel if such insurance is requested on a time basis; the voyage which will be involved if such insurance is requested on a trip basis;

(d) The exact sailing date of the vessel must not be given but it must be stated that the vessel is expected to sail within fifteen days.

(e) The deadweight tonnage based upon Old International Summer Scale (not emergency), and the speed in knots of the vessel.

(f) Any renewal of an unexpired time insurance is required to be submitted in the same manner as the original risk. The application for the renewal insurance must be submitted within ten days prior to the expiration of the original insurance unless otherwise agreed.

NOTE: Any request for a quotation or a binding made by telegraph must not contain any steamer name or any anticipated date of sailing. Such information to the extent required by the foregoing regulations should be forwarded by an Air-Mail letter and the envelope containing the letter should be marked "confidential".

§ 305.252 *Payment of premium and binding insurance.* The procedure set forth in §§ 305.3, 305.5, 305.6, 305.7, 305.8

and 305.15 hereof is deemed applicable for the guidance of assureds in placing this type of insurance and paying the premium therefor unless otherwise agreed.

§ 305.253 *Warranties regulating the binding of hull war risk insurance.* Any hull war risk insurance bound by the Division of Wartime Insurance will be subject to the current rules, regulations, conditions and policy forms prescribed by the Administration.

(a) Any hull war risk insurance will be subject to the "British Ship Warrant and United States of America Ship Warrant Warranty (1943)", whenever the same is applicable.

(b) Unless otherwise specifically agreed, all insurances shall be subject to the following warranty:

Warranted vessel safe in port at time of attachment of this insurance: *Provided however*, That any vessel excluded from coverage by application of this warranty will automatically attach hereunder as of the time of arrival of the vessel at the next port in good safety, warranted premium paid in accordance with rules and regulations and further warranted the insured value of the vessel reduced by amount of any loss or damage sustained between date of application and date of attachment of this insurance.

(1) This warranty does not apply to a renewal of time insurance, nor to insurance of vessels confined to continental United States inland waters.

§ 305.254 *Valuation of vessels.* Unless otherwise agreed vessels and equipment shall be valued by the War Shipping Administration, Division of Wartime Insurance for hull war risk insurance purposes in accordance with one of the following applicable methods:

(a) Ocean going vessels shall be valued in accordance with the provisions of General Orders Nos. 9 and 10 and supplements thereto, if any.

(b) Inland vessels, at the option of the assured, shall be valued:

(1) For the total insured value in the years 1938–1939 including hull and disbursements for marine insurance purposes; or,

(2) On a basis of construction cost less depreciation of 5% per year; but in the event that substantial improvements have been made to the vessel after the years 1938–1939, War Shipping Administration will give consideration to increasing the valuation of the vessel on the basis of the assured's request and statement of the improvements made; or,

(3) In cases where the vessel and equipment were uninsured during the years 1938–1939 and in cases where a valuation of a vessel on the basis of construction cost less depreciation of 5% a year produces an insured value unsatisfactory to an applicant the Administration will consider appraisals of the vessel and equipment made by an independent surveyor in order to agree upon an insured value of the vessel and equipment.

§ 305.255 *Length of time for which hull war risk insurance will be granted.* Hull war risk insurance on vessels may be obtained on a time or trip basis. Unless otherwise agreed, hull war risk insurance in respect to ocean-going vessels will be granted either on a oneway or round trip voyage basis and in certain instances such insurance can be written for a period of time not longer than one calendar month unless otherwise specified; with respect to vessels confined to inland waters such insurance will be written for a period of time not longer than three calendar months unless otherwise specified.

(a) For computing periods of time the calendar month will be used.

(b) Any hull war risk insurance placed on a voyage basis is subject to the requirement that the vessel sail within fifteen (15) days of acceptance of the risk by War Shipping Administration, unless an extension is granted by War Shipping Administration and an additional premium paid, if required, or unless otherwise stipulated by the War Shipping Administration at time of quotation.

§ 305.266 *War risk insurance on hull "premiums reducing".* War Shipping Administration is prepared to provide marine insurance against loss or damage by the risks of war on hull "premiums reducing" for the total unearned amount of marine hull premium and or marine hull disbursement premium and or marine hull protection and indemnity premium for a period of not exceeding three months on American flag vessels and foreign registered vessels which have been time chartered to the War Shipping Administration.

(a) This insurance may be obtained by making application to the War Shipping Administration in the manner provided for the placing of hull war risk insurance, and by submitting a statement containing the following particulars:

(1) The name of the owner of the vessel, the assured in whose name the insurance is desired, the name of the vessel, and the flag thereof;

(2) A statement showing the attachment and expiration dates of the marine insurance policies, the total amount of annual marine insurance cash premium on those policies, the total amount of annual marine insurance cash premium less the total amount of marine insurance cash premium for the expired portion of the marine insurance policies figured on a pro rata daily basis to a date on which the assured desires the binder to attach, and the total amount of insurance desired.

(3) The trading limits of the vessel.

§ 305.267 *Warranties applicable to war risk insurance on hull "premiums reducing".* The binding of any war risk insurance on hull premium shall be subject to both of the following warranties:

1. Warranted vessel safe in port at time of attachment, or if at sea, then to attach automatically when vessel and/or vessels reach first safe port. Further warranted this insurance covers, *only* premiums reducing and only against risks of war in accordance with the policy.

2. In the event of loss, the amount collectible shall be only the actual unearned premium applicable to the Marine Hull,[1] Marine Hull Disbursement,[1] Marine Protection and Indemnity,[1] policies covering the insured vessel, computed on a pro rata basis from date of attachment of said policies.

§ 305.275 *Standard form of hull war risk insurance policy.* The following is the standard form of hull war risk insurance policy:

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Expiration date, ------- No. H. ----------
Insured value, $------ Date ----------
Amount insured, $------
Premium, $------

By this policy of insurance does, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured, lost or not lost:

For account of---------- ----------
but subject to the provisions of this Policy with respect to change of ownership. Loss, if any, payable to----------
---------- or order.
In the sum of----------dollars, at and from the-----day of----------19--
to the----------day of----------19--
beginning and ending with----------time
On the steamer called the----------
(or by whatsoever name or names the said Vessel is or shall be called).

Provided, however, should the Vessel at the expiration of this Policy be at sea, or in distress, or at a port of refuge or of call, she shall, provided previous notice be given to the Underwriters, be held covered at a pro rata monthly premium to her port of destination. Warranted as follows:----------

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The said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this Policy, is and shall be valued at as follows: Hull, tackle, apparel, passenger fittings, equipment, stores, ordnance, munitions, boats, and other furniture---- $----
Boilers, machinery, refrigerating machinery and insulation, and everything connected therewith ---------- $-------- $----
Donkey boilers, winches, cranes, windlass, steering gear, and electric light apparatus shall be deemed to be a part of the hull and not of the machinery.

The Underwriters to be paid in consideration of this insurance the premium of $--------, being at the rate of ------ percent

In the event of nonpayment of premium 30 days after attachment this Policy may be canceled by the Underwriters upon 5 days written notice being given the Assured.

To return and arrival:
- ----- cents percent net for each uncommenced month if it be mutually agreed to cancel this Policy.
- As follows for each consecutive 30 days the Vessel may be laid up in port, viz:
- ----- cents percent net under repair or outside the United States;
- ----- cents percent net in the United States with cargo on board and not under repair;
- ----- cents percent net in the United States not under repair, and with no cargo on board excepting while actually loading or discharging.

Provided always: (a) that in no case shall a return be allowed when the within-named Vessel is lying in a roadstead or in exposed and unprotected waters.

(b) that in the event of a return for special trade, or any other reason, being recoverable, the above rates of return of premium shall be reduced accordingly.

In the event of the vessel being laid up in port for a period of 30 consecutive days a part only of which attaches to this Policy, it is hereby agreed that the laying up period, in which either the commencing or ending date of this Policy falls, shall be deemed to run from the first day on which the Vessel is laid up and that on this basis Underwriters shall pay such proportion of the return due in respect of a full period of 30 days as the number of days attaching thereto bear to thirty.

Unless physically deleted by the Underwriters, the following warranty shall be paramount and shall supersede and nullify any contrary provision of the Policy:

F. C. & S. Clause: Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking, of the Vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom.

If war risks are hereafter insured by endorsement on the Policy, such endorsement shall supersede the above warranty only to the extent that their terms are inconsistent and only while such war risk endorsement remains in force.

This Policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are hereby specially referred to and made a part of this Policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In witness whereof, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Countersigned at Washington, D. C. this ------ day of ----------19--

(Sgd.) E. S. LAND,
Administrator.

Director of Wartime Insurance.

New Ownership. Should the Vessel be sold or transferred to other ownership or chartered on a bareboat basis or requisitioned on that basis, then, unless the Underwriters agree thereto in writing, this Policy shall thereupon become canceled from date of such sale, transfer, charter, or requisition: *Provided however*, That in the case of an involuntary transfer by requisition or otherwise, without the prior execution of any written agreement by the Assured, such cancelation shall take place 15 days after such transfer; and *provided further* that if the Vessel has cargo on board and has already sailed from her loading port, or is at sea in ballast, such cancelation shall be suspended until arrival at final port of discharge if with cargo or at port of destination if in ballast. This insurance shall not inure to the benefit of any such charterer or transferee of the Vessel, and if a loss payable hereunder should occur during such period of 15 days the Underwriters shall be subrogated to all the rights of the Assured against the transferee, by reason of such transfer, in respect to all or part of such loss as is recoverable from the transferee and in the proportion which the respective amounts insured bear to the insured value. A prorata daily return of net premium shall be made. The foregoing provisions with respect to cancelation in the event of sale, transfer, charter, or requisition shall apply even in the case of insurance "For account of whom it may concern."

Beginning the adventure. Upon the said vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons, and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charterers, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

Notice of accident and survey. In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey, so that they may appoint their own surveyor if they so desire. The Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

In cases where a tender is accepted with the approval of Assurers, an allowance shall be made at the rate of 30 percent per annum on the insured value for each day or part thereof from the time of the completion of the survey until the acceptance of the tender, provided that it be accepted without delay after receipt of Assurers' approval.

No allowance shall be made for any time during which the Vessel is loading or discharging cargo or bunkering or taking in fuel.

Due credit shall be given against the allowance as above for any amount recovered—

(a) in respect of fuel and stores and wages and maintenance of the Master Officers and Crew, or any member thereof allowed in General or Particular Average;

(b) from third parties in respect of damages for detention and/or loss of profit and/or running expenses; for the period covered by the tender allowance or any part thereof.

In the event of failure to comply with the conditions of this clause 15 percent shall be deducted from the amount of the ascertained claim.

Disbursements warranty. Warranted that the amount insured for account of the Assured and/or their managers on Disbursements, Commissions, and/or similar interests, "policy proof of interest" or "full interest admitted" or on excess or increased value of Hull or Machinery, however described, shall not, except as indicated below, exceed 10 percent of the insured valuation of the Vessel, but the Assured may in addition thereto effect, "policy proof of interest" or "full interest admitted" insurance on any of the following interests:

(a) Premiums. Any amount not in excess of actual premiums for 12 months on all interests of whatsoever nature insured (including estimated premium on any Protection and Indemnity Insurance), but in all cases reducing monthly by a proportionate amount of the whole, and

(b) Freight and or Chartered Freight and or Anticipated Freight and or Earnings and or Hire or Profits on Time Charter and or Charter for series of voyages for any amount not exceeding in the aggregate 15 percent of the insured valuation of the Vessel; and if the actual amount at risk on any or all of such interests shall exceed such 15 percent of the insured valuation of the Vessel, the Assured and or their managers may, without prejudice to this warranty, insure whilst at risk the excess of such interests reducing as earned, and

(c) Risks excluded by the "F. C. & S. Clause," and

(d) Loss or damage in consequence of strikes, lockouts, political or labor disturbances, civil commotions, riots, martial law, military, or usurped power or malicious act.

Provided always that a breach of this warranty shall not afford the Assurers any defense to a claim by mortgagees or other third parties who may have accepted this Policy without notice of such breach of warranty nor shall it restrict the right of the Assured and or their managers to insure in addition General Average and or Salvage Disbursements whilst at risk.

Breach of warranty. Held covered in case of any breach of waranty as to cargo, trade, locality, or date of sailing, provided notice be given and any additional premium required be agreed immediately after receipt of advices of breach or proposed breach by Owners.

Adventures and perils. Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, or quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting, however, such of the foregoing perils as may be excluded by provisions elsewhere in the Policy or by endorsement.

Sue and labor. And in case of any Loss or Misfortune, it shall be Lawful for the Assured, their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, Safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expressly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

Latent defect and negligence. This Insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on shipboard or elsewhere; Bursting of boilers, breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots; provided such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers. Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

[1] Whichever words are inapplicable shall be deleted.

Sister-ship salvage. And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General average. General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision or there be no contract of affreightment, payable in accordance with the Law and Usages of the Port of New York. *Provided always*, That when an adjustment according to the laws and usages of the port of destination is properly demanded by the owners of the cargo, General Average shall be paid in accordance with same.

G A and S liability. When the contributory value of the Vessel is greater than the valuation herein, the liability of the Assurers for General Average contribution (except in respect to amount made good to the Vessel) or Salvage shall not exceed that proportion of the total contribution due from the Vessel that the amount insured hereunder bears to the contributory value; and if because of damage for which the Assurers are liable as Particular Average the value of the Vessel has been reduced for the purpose of contribution, the amount of the Particular Average claim under this policy shall be deducted from the amount insured hereunder and the Assurers shall be liable only for the proportion which such net amount bears to the contributory value.

S., S C and S. and L. Liability. In the event of expenditure for Salvage, Salvage Charges, or under the Sue and Labor Clause, this Policy shall only be liable for its share of such proportion of the amount chargeable to the property hereby insured as the insured value, less loss and or damage, if any, for which the Assurers are liable, bears to the value of the saived property. *Provided*, That where there are no proceeds or there are expenses in excess of the proceeds, the expenses, or the excess of the expenses, as the case may be, shall be apportioned upon the basis of the sound value of the property at the time of the accident and this policy without any deduction for less and or damage shall bear its pro rata share of such expenses or excess of expenses accordingly.

Average warranty. Notwithstanding anything herein contained to the contrary, this Policy is warranted free from Particular Average under 3 percent, or unless amounting to $4,850; but nevertheless when the Vessel shall have been stranded, sunk, on fire, or in collision with any other Ship or Vessel, the Assurers shall pay the damage occasioned thereby, and the expense of sighting the bottom after stranding shall be paid, if reasonably incurred, even if no damage be found.

Grounding in the Panama Canal, Suez Canal, or in the Manchester Ship Canal or its connections, or in the River Mersey above Rock Ferry Slip, or in the River Plate (above a line drawn from the North Basin, Buenos Aires, to the mouth of the San Pedro River) or its tributaries, or in the Danube or Demerara Rivers, or on the Yenikale Bar, shall not be deemed to be a stranding.

Average payable on each valuation separately or on the whole, without deduction of thirds, new for old, whether the Average be Particular or General.

No claim shall in any case be allowed in respect of scraping or painting the Vessel's bottom.

Voyage. The Warranty and conditions as to Average under 3 percent to be applicable to each voyage as if separately insured, and a voyage shall be deemed to commence at one of the following periods to be selected by the Assured when making up the claim, viz.: at any time at which the Vessel (1) begins to load cargo or (2) sails in ballast to a loading port. Such voyage shall be deemed to continue during the ensuing period until either she has made one outward and one homeward passage (including an intermediate ballast passage, if made) or has carried and discharged two cargoes, whichever may first happen, and further, in either case, until she begins to load a subsequent cargo or sails in ballast for a loading port. When the Vessel sails in ballast to effect damage repair such sailing shall not be deemed to be a sailing for a loading port although she loads at the repairing port. In calculating the 3 percent above referred to, Particular Average occurring outside the period covered by this Policy may be added to Particular Average occurring within such period provided it occur upon the same voyage (as above defined), but only that portion of the claim arising within such period shall be recoverable hereon. The commencement of a voyage shall not be so fixed as to overlap another voyage on which claim is made on this or the preceding policy.

Constructive total loss. No recovery for a Constructive Total Loss shall be had hereunder unless the expense of recovering and repairing the Vessel shall exceed the insured value.

In ascertaining whether the Vessel is a Constructive Total Loss, the insured value shall be taken as the repaired value, and nothing in respect of the damaged or breakup value of the Vessel or wreck shall be taken into account.

In the event of Total or Constructive Total Loss, no claim to be made by the Assurers for freight, whether notice of abandonment has been given or not.

Unrepaired damage. In no case shall the Assurers be liable for unrepaired damage in addition to a subsequent Total Loss sustained during the term covered by this Policy.

Full collision. And it is further agreed that if the Vessel hereby insured shall come into collision with any other ship or vessel and the Owners or Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, the Assurers will pay the Owners or Charterers such proportion of such sum or sums so paid as the Assurers' subscription hereto bears to the value of the Vessel hereby insured, provided always that their liability in respect of any one such collision shall not exceed their proportionate part of the value of the Vessel hereby insured. And in cases where the liability of the Vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and of machinery, the Assurers will also pay a like proportion of the costs which the Owners or Charterers shall thereby incur, or be compelled to pay; but when both Vessels are to blame, then, unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principle of Cross-Liabilities as if the Owners or Charterers of each Vessel had been compelled to pay to the Owners or Charterers of the other of such Vessels such one-half or other proportion of the Latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Owners or Charterers in consequence of such collision.

Sister ship collision. And it is further agreed that the principles involved in this clause shall apply to the case where both Vessels are the property, in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two Vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement to the decision of Arbitrators, one to be appointed by the Managing Owners or Charterers of both Vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested: the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding: *Provided always*, That this clause shall in no case extend to any sum which the Owners or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers for injury to harbors, wharves, piers, stages and similar structures, consequent on such collision or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury: *And provided also*, That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this policy at the time of the Collision in question, would not be subject nor to a greater extent than the Shipowners would be entitled in such event to recover.

BRITISH SHIP WARRANT AND UNITED STATES OF AMERICA SHIP WARRANT WARRANTY (1943)

Endorsement to be attached to and made part of Policy No. ----------

Warranted that, if the insured vessel is not an excepted vessel and is of other than British (excluding Eire), Belgian, Dutch, Fighting French, Greek Norwegian, Polish Russian, Swedish or United States of America flag, the Owner(s) throughout the full period named in this policy in the case of any vessel of 50 gross register tons or over hereby insured is in possession of a British Ship Warrant.

It is further warranted that, if the insured vessel is not an excepted vessel and is

1. under the United States of America flag or owned by a citizen or citizens of or by a corporation registered in the United States or

2. trading to or from ports in the United States of America (including the Philippine Islands and other United States of America territories and possessions),

then, so long as the vessel remains under such flag or so owned or so trading, the Owner(s) or bare-boat, time or other charterer(s) of any vessel of 50 gross register tons or over hereby insured is in possession of a United States of America Ship Warrant.

Provided, That this Further Warranty shall not apply in respect of any vessel whilst employed exclusively as a tugboat, towboat, salvage vessel, pilot vessel, fishing vessel or cable-ship.

Provided also, That neither the Foregoing Warranty nor the Further Warranty shall apply if the insured vessel is—

(1) trading exclusively—

(a) on rivers or inland waters;

(b) between ports of the continental United States of America; or

(c) between ports in a territory or possession of the United States of America;

(2) customarily employed within the limits of a port of—

(a) North, South or Central America; or

(b) any territory or possession of the United States of America;

(3) a dredger.

In the Foregoing Warranty and Further Warranty the expression "excepted vessel" means a vessel which is—

(a) chartered to or requisitioned by the British Minister of War Transport or by the Government of any part of the British Commonwealth of Nations (excluding Eire);

(b) owned by or registered in the name of His Britannic Majesty;

(c) chartered to a national of the British Commonwealth of Nations (excluding Eire);

(d) certified by the British Minister of War Transport to be a vessel in respect of which His Majesty's Government in the United Kingdom is under an obligation assumed before the 26th January, 1942 towards any other Government or agency thereof or any national shipowners' Committee to make British facilities, including insurance, available;

(e) owned by the United States of America;

(f) owned by a citizen or citizens of or by a corporation registered in the United States of America and certified by the War Shipping Administration of the United States of America to be entitled to the benefits with respect to insurance of a Ship Warrant holder;

(g) chartered to the War Shipping Administration of the United States of America;

(h) requisitioned by or under the laws of the United States of America.

Effect of breach of warranty: Any breach of the Foregoing Warranty or Further Warranty shall automatically avoid this policy from the date of breach unless the British Minister of War Transport with respect to breaches of the Foregoing Warranty or the War Shipping Administration of the United States of America with respect to breaches of the Further Warranty certifies whether before or after any such breach that such breach is excused.

Where more than one vessel is insured under this policy the singular shall include the plural: *Provided*, That a breach of the Foregoing Warranty or Further Warranty in respect of one vessel insured hereunder shall not avoid this policy in respect of any other vessels insured hereunder in respect of which no breach has been committed.

WAR RISK CLAUSES

Endorsement to be attached to and be made a part of Policy No. ------

It is agreed that this insurance covers only those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. warranty contained therein but which are excluded by that warranty.

This insurance is also subject, however, to the following warranties and additional clauses:

The Adventures and Perils Clauses shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, floating and/or stationary mines and/or torpedoes whether derelict or not, and or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention, until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade, but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes, or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, or confiscation by the Government of the United States of America or any State or political subdivision thereof or any government which is or may become party signatory of the "United Nations Pact," promulgated on or about January 2, 1942.

Warranted:

(A) No War Risk Insurance in excess of the value as shown hereon whether for hull, machinery, disbursements, or other similar interests however described, exists or will be placed during the currency of this insurance.

(B) Vessel herein described shall sail within 15 days from the expected date of sailing as set forth in this policy, unless this period is extended by the War Shipping Administration.

(C) Any additional premium required by the terms of the policy shall be paid on demand.

(D) No cancellation except by mutual consent.

It is understood and agreed that this policy shall pay its proportion (namely, the proportion which the amount hereby insured bears to the valuation stated herein) of any General Average or salvage charges due from the vessel, notwithstanding the vessel's contribution thereto may have been based on a contributory value in excess of the valuation stated herein; and this policy shall pay the same proportion of any sue and labor expenses chargeable to the property hereby insured: *Provided, nevertheless*, That the amount payable in respect of any such charges or all combined, in respect of any one disaster, shall in no event exceed the amount hereby insured.

"The Breach of Warranty" clause in the printed policy is deleted and the following clause substituted therefor:

"Held covered in the event of any breach of warranty as to date of sailing, or deviation, or change of voyage, or other variation of the voyage, provided prompt notice be given these Insurers when such facts are known to the Assured and/or their Managers and an additional premium paid if required."

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include or cover any loss, damage, or expense caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention, or loss of use.

This insurance is subject to the provisions of the Ship Warrant Warranty attached.

SUBPART C—CREW INSURANCE

§ 305.300 *General.* War Shipping Administration is prepared to provide war risk life and accident insurance covering masters, officers, and crews of vessels, war risk crew effects insurance on the personal effects of such persons, and war risk crew wages insurance on the wages of such persons in accordance with the applicable decisions of the Maritime War Emergency Board in cases where its rulings are effective and otherwise as agreed, any of such insurances being provided on the form of policy or policies of insurance consistent with said decisions of the Maritime War Emergency Board; and is also prepared to provide "individual" war risk life insurance covering masters, officers and crews of vessels, such insurance being provided on the form of policy set forth in § 305.315; but no such insurances will be granted unless the vessel on which such persons are employed is either a United States flag vessel, or a vessel engaged in a voyage which brings or is intended to bring the vessel at least once in each round trip to a port in the continental United States, or in special circumstances to a port in the territories and possessions of the United States, or is a vessel engaged in a trade which is in the interests of the war effort or the domestic economy of the United States as determined by the Administrator.

Rates for crew insurances are available by means of a request for an applicable rate submitted to the War Shipping Administration, Division of Wartime Insurance.

§ 305.301 *Application.* Whenever an applicant for crew war risk insurances (other than "individual" war risk life insurance) desires to obtain a quotation or to bind such insurance the applicant must provide the War Shipping Administration, Division of Wartime Insurance, at Room 4089, Commerce Building Washington, D. C., with a statement in writing containing the following information:

(a) The name of the vessel on which the master, officers and crew are employed.

(b) The flag of the vessel.

(c) The name of the owners of the vessel.

(d) The time for which the insurance is to be written and the trade and the voyage of the vessel.

(e) The exact sailing date of the vessel must not be given but it must be stated that the vessel is expected to sail within fifteen days.

(f) Whenever war risk crew life and accident insurance is applied for, the total number of persons, including master, officers and crew, and the total amount of insurance.

(g) Whenever war risk crew effects insurance is applied for, the total sum of money for which the personal effects of the master, officers and crew is to be insured.

(h) Whenever war risk crew wages insurance is applied for, the total sum of the annual payroll and the total amount of war risk crew wages insurance desired to cover the owners' liability for wages and emergency wages during repatriation or detention.

NOTE: Any request for a quotation or a binding made by telegraph must not contain any steamer name or any anticipated date of sailing. Such information to the extent required by the foregoing regulations should

be forwarded by Air-Mail letter; the envelope containing the letter should be marked "confidential".

§ 305.302 *Payment of premium and binding insurance.* The procedure set forth in §§ 305.3, 305.5, 305.6, 305.7, 305.8 and 305.15 hereof is deemed applicable for the guidance of assureds in placing this type of insurance and paying the premium therefor unless otherwise specified at the time of binding.

§ 305.303 *Rules applicable to crew war risk insurances.* (a) The length of time for which the type of crew war risk insurance specified in § 305.300 (except "individual" war risk life insurance) will be written, is for a period of time not longer than one month or for a round-trip voyage.

(b) Subject to the limits of insurance requested by the assured in each case, war risk insurance on crew interests will be in accordance with the decisions of the Maritime War Emergency Board in effect at the time of binding of the risks, if applicable.

§ 305.304 *Crew individual war risk life insurance.* Masters, officers and members of the crew of United States flag vessels may obtain amounts of war risk life insurance covering against *only* the loss of life, unless otherwise agreed.

(a) Such insurance will be written for any amount not less than $1,000 and for any multiple of $1,000 not exceeding $15,000 per any one individual.

(b) Such insurance will be written for a period of time not shorter than one month and not longer than six months, at the option of the assured.

(1) For computing the period of time, the calendar month will be used.

§ 305.305 *Application for crew individual war risk life insurance.* Masters, officers and members of the crew desiring "individual" war risk life insurance in excess of the protection provided by an employer should make application therefor through the steamship line by which they are employed and the War Shipping Administration, Division of Wartime Insurance, on application on their behalf from the steamship line, will bind individual war risk life insurance.

(a) The application should be made by using the form of application set forth in § 305.307 properly filled out.

(1) If the application is made through the steamship line the applicant should fill out an original and one copy of the binder set forth in § 305.307 and should date and sign the original and one copy of the binder in the presence of a person who is authorized by paragraph 8 of the binder to witness the signature. The applicant should attach to the original binder a cashier's check or certified check or money order for the full amount of the premium as required by paragraph 9 of the binder. Thereafter, the person who has witnessed the signature of the assured should mail the original binder together with the check or money order to War Shipping Administration, Division of Wartime Insurance, Room 4089, Commerce Building, Washington, D. C., as specified in paragraph 8 of the binder, and the copy thereof should be mailed to War Shipping Administration, Division of Wartime Insurance, 99 John Street, New York City.

(2) If application through the steamship line is not practicable, the assured should fill out the original and one copy of the binder, have both properly witnessed, and mail the original together with the cashier's check or certified check or money order for the full amount of the premium to the War Shipping Administration, Division of Wartime Insurance, Room 4089, Commerce Building, Washington, D. C., and mail the copy to War Shipping Administration, Division of Wartime Insurance, 99 John Street, New York City.

(3) In cases of necessity where the lack of time prevents a seaman from obtaining a certified check or cashier's check or money order, War Shipping Administration, Division of Wartime Insurance, will accept a seaman's check which has been endorsed by the steamship line.

NOTE: Crew "individual" war risk life insurance does not include injury, disability, illness and covers only loss of life, unless otherwise agreed.

§ 305.306 *Renewal of individual war risk life insurance.* Whenever the assured is at sea during the fifteen (15) day period prior to the expiration date of an "individual" war risk life insurance policy, an extension thereof may be arranged on his behalf by either the agent or operator of the vessel or by the beneficiary of the policy by the payment of additional premium to War Shipping Administration, Division of Wartime Insurance, Washington, D. C., by cashier's check, certified check, or money order, prior to the expiration of said fifteen (15) day period.

§ 305.307 *Form of application.* The following form of application may be typewritten, printed or mimeographed.

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Crew Life War Risk Individual Insurance Application

Application is hereby made to War Shipping Administration, Division of Wartime Insurance for the issuance of a "Crew Life War Risk Individual Insurance" policy in the amount of -------- --- ($--------) Dollars.

1. The name of the Assured is ----------
2. The Assured's address is ----------
3. The Assured is employed by ----------
4. The Assured will be aboard the -------- (Name ---------- as ---------- of Vessel or Steamship Line) (Rating)
5. This insurance to cover for ---- months commencing the ---- day of ----------, 19--
6. If the Assured desires to name a beneficiary other than those named by him under the "Second Seamen's Policy" the following should be filled in:

---------- ----------
(Name of Beneficiary) (Address of Beneficiary)

(Relationship to Assured)

If no beneficiary is named above or if the beneficiary named above is not living to receive payment, payment of this insurance will be made to the person or persons to whom payment is made under the "Second Seamen's War Risk Insurance Policy" covering the life of the Assured as therein provided. If no beneficiary of any policy issued pursuant to this application or no beneficiary of the "Second Seamen's War Risk Insurance Policy" is alive to receive payment, the payment of this insurance will be made to the Estate of the Assured.

7. Warranted the vessel on which the Assured is to be employed is a United States flag vessel or is owned by or under charter to the War Shipping Administration; unless otherwise agreed.

8. The original and one copy of this application must be signed by the Assured and the signature of the Assured must be witnessed by either an officer of the vessel, or a shipping commissioner, or a representative of the steamship line which employs the Assured, and both the original and one copy, duly executed must be filed with the steamship line as of the date of the signature by the Assured for transmission by the steamship line to the War Shipping Administration. The original must be mailed to War Shipping Administration, Division of Wartime Insurance, Room 4089 Commerce Building, Washington, D. C. The copy must be mailed to th War Shipping Administration, Division of Wartime Insurance, 99 John Street, New York City.

9. This application shall not become effective unless the original thereof is received by the War Shipping Administration as provided in paragraph 8 together with a cashier's check or certified check or money order (or in cases of necessity owing to lack of time a seaman's check endorsed by the steamship line) for the payment of premium not later than 15 days from the date of the execution of this application, but the Administrator may at any time in his sole discretion modify this requirement in whole or in part.

Dated the----day of----------, 19--

Make check payable to War Shipping Administration.

Signature of the Assured

Witnessed by:

(Official Position)

Send Policy to:

---------- ----------
Name Address

If no direction is given Policy will be held by War Shipping Administration until directions are given.

If the Assured is at sea during the fifteen (15) day period prior to the expiration date of a policy issued on this application an extension of the policy may be arranged on behalf of the Assured by the agent or operator of the vessel or by any beneficiary, by payment of additional premium to War Shipping Administration, Division of Wartime Insurance, Washington, D. C., by cashier's check, certified check, or money order prior to the expiration of said fifteen day period.

§ 305.315 *Standard form of crew life war risk individual insurance policy.*

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Crew Life War Risk
Individual Insurance
Policy

By this policy of insurance War Shipping Administration hereby insures ----------, the Assured, for a period of time commencing the ---- day of ----------, 19--, and ending the ---- day of ----------, 19--, in the amount of ---------- ($--------) Dollars, *only* against the loss of life of the Assured from the perils and causes stated in "Article 3" of the "Second Seamen's War Risk Insurance Policy," as promulgated in Decision 1 A of the Maritime War Emergency Board dated January 28, 1943.

1. The following articles of the "Second Seamen's War Risk Insurance Policy" insofar as they relate to loss of life are included herein and are deemed to be a part hereof: (1) "Article 3", (2) "Articles 4 and 5" but the period of time described in said articles shall not be construed to extend coverage hereunder beyond the period of time expressly stated above, (3) "Article 6", (4) "Article 7", (5) "Article 8", (6) "Article 9", (7) "Article 10", (8) "Article 11", (9) "Article 13", (10) "Article 18", (11) "Article 19", (12) "Article 20", (13) "Article 22", and (14) "Article 24"

2. Any language of any of said Articles enumerated in paragraph (1) hereof which is contrary to or inconsistent with the purposes of this policy, namely, to provide war risk life insurance limited to loss of life, is not to be considered a part hereof and is deemed deleted.

3. Notwithstanding any language to a contrary effect in any of said Articles enumerated in paragraph (1) hereof, the Assured may designate any one or more persons as beneficiary or beneficiaries of this insurance whether or not such person or persons are within the class of beneficiaries for whom the Assured is permitted to make provision by the "Second Seamen's War Risk Insurance Policy."

4. If no beneficiary is named in the application for this policy or if any beneficiary named in the application is not alive to receive payment, payment of this insurance will be made to the person or persons to whom payment is made under the "Second Seamen's War Risk Insurance Policy" covering the life of the Assured as therein provided. If no beneficiary of this policy or no beneficiary of the "Second Seamen's War Risk Insurance Policy" is alive to receive payment, the payment of this insurance will be made to the Estate of the Assured.

5 Warranted the vessel on which the Assured is to be employed is a United States flag vessel or is owned by or under charter to the War Shipping Administration.

This policy is issued by the Administrator but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

(Sgd.) E. S. LAND
E. S. Land
Administrator.

Countersigned this ---- day of ----------, 19--.

Director of Wartime Insurance,
By: ----------

NOTE: If the Assured is at sea during the fifteen (15) day period prior to expiration date of this policy, an extension of this policy may be arranged by payment of additional premium to War Shipping Administration, Division of Wartime Insurance, Commerce Building, Washington, D. C. by cashier's check or certified check or money order prior to the expiration date.

SUBPART D—WAR RISK LIFE INSURANCE FOR FISHERMEN ON AMERICAN OWNED VESSELS

§ 305.400 *General.* War Shipping Administration is prepared to provide war risk life insurance for fishermen on American owned vessels.

§ 305.401 *Application.* Application for war risk life insurance for fishermen should be made by letter or telegram sent to War Shipping Administration, Division of Wartime Insurance, at Room 4089 Commerce Building, Washington, D. C.

(a) The application should be made by either a fishermen's association, or a fishermen's union, or a vessel Owner's association, or other similar organization, or vessel owner, or in an instance where an individual fisherman is for reasons satisfactory to the War Shipping Administration precluded from obtaining such insurance unless such fisherman makes an individual application, then the individual fisherman may apply.

§ 305.402 *Amount limit of insurance.* Any one individual must be insured for an amount at least equal to one thousand ($1,000) dollars or equal multiples thereof, and for not more than five thousand ($5,000) dollars.

§ 305.403 *Time limit of insurance.* The period of time for which any one or more individuals may receive coverage provided by such insurance must be not shorter than one month and not longer than four months.

(a) For computing periods of time the calendar month will be used.

§ 305.404 *Conditions of the insurance.* War Shipping Administration requires the payment of the entire premium prior to the attachment of any risk. It also requires the individuals specified as insured to be safe in port before the policy can be made effective, except that on a renewal of an existing policy effected not later than the termination of the existing policy the requirement of the specified individuals being in safe port does not apply, so long as there are no additional specified individuals in the renewal policy.

§ 305.405 *Classification for rate purposes.* For rating purposes classification shall be determined by operations scope, as either inshore or offshore:

(a) Inshore fisheries shall be deemed to include all operations confined to territorial waters of the continental United States (excluding Alaska) and all operations where the normal absence of the boat from a port in the continental United States (excluding Alaska) is not in excess of five (5) days.

(b) Offshore operations shall include all other operations based upon the continental United States (including Alaska) and the territories and possessions of the United States.

§ 305.406 *Placing of insurance and payment of premium.* The procedure set forth in §§ 305.3, 305.5, 305.6, 305.7, 305.8 and 305.15 hereof is deemed applicable for the guidance of assureds in placing this type of insurance and paying the premium therefor.

§ 305.407 *Types of policy.* Policies of insurance will be issued either to groups of individuals, group policy basis on the form set forth in § 305.409 or to vessel owners covering all personnel aboard the named vessels, blanket form of policy as set forth in § 305.410.

(a) When insurance is required on group policy basis the names of the insured individual fishermen are required to appear in the addendum attached to the policy.

(1) Two copies of the addendum must be prepared by the applicant for the insurance, and one copy thereof must be attached to the certified check or cashier's check or money order tendered in payment of premium, and the other copy thereof must be filed with the War Shipping Administration, Division of Wartime Insurance.

(b) There must be set forth in the addendum:

1. The fisherman's name.
2. The fisherman's address.
3. The name of the vessel.
4. The type of fishing operation (i. e. inshore or offshore) or a statement of the limits of the fishing operations.
5. The time for which the insurance is to be written.
6. The amount of the insurance.
7. The amount of premium.
8. The name of the designated beneficiary.
9. The address of the designated beneficiary.

(c) When insurance is required on a blanket form of policy, the applicant should state:

1. Name of the assured.
2. Name of vessel.
3. The type of fishing operation (i. e. inshore or offshore) or a statement of the limits of the fishing operations.
4. The time for which the insurance is to be written.
5. The amount of insurance.

(d) Each fisherman insured under the blanket form of policy should prepare a statement prior to sailing, designating the beneficiary and should file the statement with the owner or officer of the vessel, or the duly authorized officer or agent thereof.

(1) The owner or officer of the vessel or duly authorized officer or agent thereof is required to make an accurate crew list which must be kept on shore and which must be witnessed by a person not on the same voyage. It is contemplated under this insurance that prior to departure from shore there will have been filed with the United States Coast Guard for the purposes of information only a crew list stating the names of the fishermen on board the vessel and a brief description of each individual.

(2) The blanket form of policy will contain a warranty to the effect that the assured shall maintain war risk insurance on fishermen's lives for the maximum number of men on board the vessel during the currency of the policy.

§ 305.408 *Form of addendum.* The following is the form of addendum required to be attached to fishermen's life war risk insurance policy issued on group policy basis.

Addendum No. ---------- to policy No. ---------- issued to ----------

Fisherman	Address	Vessel	Inshore or offshore	Term of insurance From—	Term of insurance To—	Amount	Premium	Beneficiary	Address

§ 305.409. *Form of life and dismemberment fishermen policy (individual).*

Life & Dismemberment
Fishermen Policy # ----------

UNITED STATES OF AMERICA

The War Shipping Administration by this policy of insurance hereby insures ----------
----
for account of the fishermen listed in addenda to this policy, for losses incurred during fishing operations of the American owned vessels listed in said addenda within the period of time set forth in said addenda.

I. *Against* loss of life and bodily injury to said fishermen directly caused by or directly consequent upon the capture of or attack upon said fishermen or said vessels by an enemy of the United Nations, or directly caused by countermeasures taken by the United Nations against such enemy or enemies. The term United Nations shall be deemed to include any Nation signatory to the United Nations Pact executed on or about January 2, 1942.

II. In the event of death or injury covered by the terms of this policy each fisherman shall be covered in the amount set forth opposite his name in the addenda attached hereto and the War Shipping Administration will pay an amount to be determined by applying the percentage shown below to said amount:

Loss of:	
Life	100%
Both hands	100%
Both arms	100%
Both feet	100%
Both legs	100%
Both eyes	100%
Hand	50%
Arm	65%
Foot	50%
Leg	65%
Eye	45%
Total destruction of hearing	50%

The indemnities referred to above are payable, provided loss results directly and exclusively from bodily injuries: *Provided, however*, That such loss shall have occurred within 90 days of the date of accident except when such loss is preceded by a period of total disability commenced, or by previous loss hereunder sustained, within such 90-day period. Loss shall mean, with regard to hands and feet, arms and legs, dismemberment by severance at or above wrist or ankle, knee or elbow joints, or the complete and irrecoverable loss of function; with regard to eyes, complete and irrecoverable loss of sight; with regard to hearing, total and irrecoverable loss of hearing in both ears.

For accidental bodily injury not described in the foregoing schedule which, within 90 days from date of accident from a cause hereinbefore set forth, results in total disability and which necessarily and continuously prevents the person injured from performing any and every kind of duty pertaining to such person's occupation, the War Shipping Administration will pay compensation in monthly installments at the rate of 2% of the principal sum, beginning with the date of return to a port within the Continental United States, during such time thereafter as the total disability persists or until such time as the total of compensation, so paid, shall amount to the principal sum provided for the injured person in the attached addenda. This insurance, however, does not cover illness or disease of any kind (except pyogenic infections which shall occur through an accidental cut or wound) nor any disability due to or arising from mental and/or nervous disorders. Nothing herein shall be construed to cover claims by any member of the vessel's personnel arising from his own willful misconduct

III. All payments for bodily injury, provided by this policy, will be made to the injured fisherman. All payments for death provided for in this policy will be paid to the beneficiary listed in the addenda attached hereto; in the event that no beneficiary is named in the attached addenda, but the fisherman shall have within the Continental United States or its territories one or more persons of a degree of relationship hereinafter set forth, such payment shall be made to such person or persons as follows:

(a) If the fisherman shall be survived by a widow or widower (no child of the deceased surviving), 100 per cent;

(b) If the fisherman be survived by a widow or widower and one or more of his or her children, 50 percent to the widow or widower, and the other 50 percent to the surviving child or to the surviving children in equal shares;

(c) If the fisherman shall be survived by one or more children (no widow or widower surviving), the death benefits shall be payable to his children in equal shares;

(d) If there be no widow or widower and child surviving the fisherman but he is survived by one or both parents, then to such parent, or to such parents in equal shares;

(e) Otherwise, to the estate of the fisherman.

The terms "widow", "widower", "child", and "parent" shall have the meaning respectively ascribed to them by Section 902 of the U. S. Longshoremen & Harbor Workers' Compensation Act (Public 803—69th Congress).

IV. In the event of loss and claim, prompt notice shall be given to the United States Employees' Compensation Commission at one of the addresses listed below. Said Commission shall have the right and an opportunity to require, after return to a port within Continental United States, a physical examination of any fisherman who makes a claim hereunder. No claim hereunder shall be valid unless made by the payee as described in the foregoing section within two years after the date of accident, excluding from such two-year period any time while under internment.

V. In the event of the loss of a vessel listed in the attached addenda, without any conclusive evidence as to the cause of loss, a referee shall be appointed by the United States Employees' Compensation Commission who shall determine whether such loss shall be deemed to have been caused by a peril insured under the terms of this policy. In making such determination, said referee may consider any available evidence as to weather conditions or enemy action in the area involved and any other facts or circumstances deemed by him to be pertinent. The determination of the Referee shall be final and conclusive with respect to all rights hereunder and shall not be subject to judicial or other review except that the United States Employees' Compensation Commission may, in the event that the Referee has been guilty of gross error or misconduct, annul said determination and refer the matter to another referee similarly appointed.

VI. The War Shipping Administration shall pay claims hereunder within 15 days after certification by the United States Employees' Compensation Commission that such claims are payable under the terms of the policy

In Witness Whereof the War Shipping Administration has caused this policy to be signed by its Administrator at Washington, D. C., but this policy shall not be valid unless countersigned by the Director of Wartime Insurance of the War Shipping Administration and unless addenda hereto are countersigned by said Director of Wartime Insurance.

Countersigned this ------ day of ----------, 19--.

---------- E. S. LAND,
(Director of Wartime Insurance) *Administrator*

All claims shall be reported to the United States Employees' Compensation Commission at one of the following offices:

Boston, Mass.: Room 756, 10 Post Office Square.

New York City: 641 Washington St. at Christopher.

Philadelphia, Pa.: 409 New Customhouse and Chestnut Streets.

Baltimore, Md.: 1261 Calvert Bldg.

Norfolk, Va.: 219 U. S. Post Office and Court House

Jacksonville, Fla.: 404 Lynch Bldg.

New Orleans, La.: 600 Maritime Bldg., 203 Carondelet St.

Galveston, Tex.: 502 U. S. Post Office Bldg.

Cleveland, Ohio: 1341 Terminal Tower Bldg.

Chicago, Ill.: 576 U. S. Court House, 225 South Clark St.

San Francisco, Calif.: Room 318, 417 Market St.

Seattle, Wash.: 300 Colman Bldg.

Honolulu, T. H.: 407-408 Hawaiian Trust Bldg.

San Juan, P. R.: Building "L" PRRA Buildings, Stop 8.

Washington, D. C.: 514 Tenth Street NW.

New York, N. Y.: 285 Madison Ave.

§ 305.410 *Form of life and dismemberment fishermen policy (blanket).*

Life & Dismemberment
Fishermen Policy # --------
Insured Value----------
Amount Insured --------
Premium----------

UNITED STATES OF AMERICA

In consideration of the payment of a premium of $---------- being ------% of the total sum insured hereunder, the War Shipping Administration by this policy of insurance hereby insures ----------
----

For account of the fishermen of the American Vessel called ----------
(inshore)
during ---------- fishing operations at and
(offshore)
from ---------- to ----------
----------, beginning ---------- and ending ----------

I *Against* loss of life and bodily injury to said fishermen directly caused by or directly consequent upon the capture of or attack upon said fishermen or said vessels by an enemy of the United Nations, or directly caused by countermeasures taken by the United Nations against such enemy or enemies. The term United Nations shall be deemed to include any Nation signatory to the United Nations Pact executed on or about January 2, 1942.

II. In the event of death or injury covered by the terms of this policy each fisherman shall be covered in the amount of $---------- and the War Shipping Administration will pay an amount to be determined by applying the percentage shown below to said amount:

Loss of:	
Life	100%
Both hands	100%
Both arms	100%
Both feet	100%
Both legs	100%
Both eyes	100%
Hand	50%
Arm	65%
Foot	50%
Leg	65%
Eye	45%
Total destruction of hearing	50%

The indemnities referred to above are payable, provided loss results directly and exclusively from bodily injuries: *Provided, however*, That such loss shall have occurred within 90 days of the date of accident except when such loss is preceded by a period of total disability commenced, or by previous loss hereunder sustained, within such 90 day period. Loss shall mean, with regard to hands and feet, arms and legs, dismemberment by severance at or above wrist or ankle, knee or elbow joints, or the complete and irrecoverable loss of function. With regard to eyes, complete and irrecoverable loss of sight. With regard to hearing, total and irrecoverable loss of hearing in both ears.

For accidental bodily injury not described in the foregoing schedule which, within 90 days from date of accident from a cause hereinbefore set forth, results in total disability and which necessarily and continuously prevents the person injured from performing any and every kind of duty pertaining to such person's occupation, the War Shipping Administration will pay compensation in monthly installments at the rate of 2% of the principal sum, beginning with the date of return to a port within the Continental United States, during such time thereafter as the total disability persists or until such time as the total of compensation, so paid, shall amount to the principal sum provided for the injured person in the attached addenda. This insurance, however, does not cover illness or disease of any kind (except pyogenic infections which shall occur through an accidental cut or wound) nor any disability due to or arising from mental and/or nervous disorders. Nothing herein shall be construed to cover claims by any member of the vessel's personnel arising from his own willful misconduct.

III. All payments for bodily injury, provided by this policy, will be made to the injured fisherman. All payments for death provided for in this policy will be paid to the beneficiary designated by the master, officer or member of the crew prior to sailing and filed with the owner or operator of the vessel or the duly authorized officer or agent thereof and witnessed, by a person not on the same voyage which shall be conclusive evidence of such designation, and payment to such named beneficiary shall thereby entirely discharge Assurers' liability with respect to such loss. In the event that no beneficiary is filed as aforesaid, but the fisherman shall have within the Continental United States or its territories one or more persons of a degree of relationship hereinafter set forth, such payment shall be made to such person or persons as follows:

(a) If the fisherman shall be survived by a widow or widower (no child of the deceased surviving), 100 per cent;

(b) If the fisherman be survived by a widow or widower and one or more of his or her children, 50 per cent to the widow or widower, and the other 50 per cent to the surviving child or to the surviving children in equal shares;

(c) If the fisherman shall be survived by one or more children (no widow or widower surviving), the death benefits shall be payable to his children in equal shares;

(d) If there be no widow or widower and child surviving the fisherman but he is survived by one or both parents, then to such parent, or to such parents in equal shares;

(e) Otherwise, to the estate of the fisherman.

The terms "widow", "widower", "child", and "parent" shall have the meaning respectively ascribed to them by Section 902 of the U. S. Longshoremen & Harbor Workers' Compensation Act (Public 803—69th Congress).

IV. It is further warranted the assured shall maintain insurance for the maximum number of men aboard. In the event insurance is not carried on the maximum number of men in the event of loss, War Shipping Administration will pay only in the proportion that the number of men insured by the policy bears to the total number of men at risk at time of loss.

V. If a person covered by this policy be covered by this Assurer under a policy or policies for a voyage immediately prior and/or subsequent to the voyage hereunder insured, only one of all of such policies (including this policy) shall be deemed to be in force at any one time, notwithstanding any provision in any or all of such policies to a contrary effect.

VI. In the event of loss and claim, prompt notice shall be given to the United States Employees' Compensation Commission at one of the addresses listed below. Said Commission shall have the right and an opportunity to require, after return to a port within Continental United States, a physical examination of any fisherman who makes a claim hereunder. No claim hereunder shall be valid unless made by the payee as described in the foregoing section within two years after the date of accident, excluding from such two-year period any time while under internment.

VII. In the event of loss of a vessel listed in the attached addenda, without any conclusive evidence as to the cause of loss, a referee shall be appointed by the United States Employees' Compensation Commission who shall determine whether such loss shall be deemed to have been caused by a peril insured under the terms of this policy. In making such determination, said referee may consider any available evidence.

VIII. The War Shipping Administration shall pay claims hereunder within 15 days after certification by the United States Employees' Compensation Commission that such claims are payable under the terms of the policy.

In Witness Whereof the War Shipping Administration has caused this policy to be signed by its Administrator at Washington, D. C., but this policy shall not be valid unless countersigned by the Director of Wartime Insurance of the War Shipping Administration and unless addenda hereto are countersigned by said Director of Wartime Insurance.

Countersigned this------day of----------, 19--.

E. S. LAND,
Administrator.

Director of Wartime Insurance

All claims shall be reported to the United States Employees' Compensation Commission at one of the following offices:

Boston, Mass.: Room 756, 10 Post Office Square.

New York City: 641 Washington Street at Christopher.

Philadelphia, Pa: 409 New Customhouse and Chestnut Streets.

Baltimore, Md.: 1261 Calvert Bldg.

Norfolk, Va.: 219 U. S. Post Office and Court House.

Jacksonville, Fla.: 404 Lynch Bldg.

New Orleans, La.: 600 Maritime Bldg., 203 Carondelet St.

Galveston, Tex.: 502 U. S. Post Office Bldg.

Cleveland, Ohio: 1341 Terminal Tower Bldg.

Chicago, Ill: 576 U. S. Court House, 225 South Clark St.

San Francisco, Calif.: Room 318, 417 Market St.

Seattle, Wash.: 300 Colman Bldg.

Honolulu, T. H.: 407-408 Hawaiian Trust Bldg.

San Juan, P. R.: Building "L" PRRA Buildings, Stop 8.

Washington, D. C.: 514 Tenth Street, N. W.

New York, N. Y: 285 Madison Ave.

SUBPART E—WAR RISK OPEN FREIGHT POLICY

§ 305.600 *Introductory.* By General Order No. 16 and supplements thereto a uniform bill of lading designated as "War Shiplading 7/1/42" is provided for use in connection with cargoes shipped by a vessel, the operation of which is within the control of the Administrator of the War Shipping Administration. By Clause 27 of said uniform bill of lading the carrier is required to insure freight for the account of shipowner, carrier and consignee.

War Shipping Administration, Division of Wartime Insurance is prepared to provide marine insurance against loss or damage by the risks of war covering the freight and/or advances which are required to be insured by the carrier in accordance with the provisions of General Order No. 16 ("War Shiplading 7/1/42") Clause 27, by an open war risk and/or advances insurance policy, hereinafter designated Warshipopenfreight Policy.

§ 305.601 *Application.* Vessel operators desiring to obtain a Warshipopenfreight Policy should negotiate directly with the War Shipping Administration, Division of Wartime Insurance, Room 4089, Commerce Building, Washington, D. C.

§ 305.602 *Warshipopenfreight Policy.* The following is the form of the Warshipopenfreight Policy:

Warshipopenfreight inbound form

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Form of Policy

In consideration of premiums computed and paid as provided in Clause 12 of

this policy. War Shipping Administration by this policy of insurance hereby insures _____ for account of carrier, shipper and consignee against war risks as specified herein with respect to all freights and/or advances and/or charges incurred in respect to freight inbound to ports within the continental limits of the United States excluding Alaska which are required to be insured in accordance with the provisions of General Order No. 16, (Warshiplading, July 1, 1942), Clause 27.

a. Under Ocean Bills of Lading dated on or after _____, or

b. If Ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

c. If no Ocean Bills of Lading or equivalent documents are issued or the same are undated, laden on overseas vessel on and after said date.

For the purpose of this insurance, freight and/or advances insured hereunder shall be valued at:

1. Freight at actual amount at risk as per Bills of Lading and/or Contracts of Affreightment.

2. Advances and/or charges at the aggregate amount thereof made or for which liability is assumed.

The insurance is not to be prejudiced by any clause in the Contract of Affreightment providing that Freight and/or advances, neither of which have in fact been prepaid, are earned, ship or goods lost or not lost, or clauses of similar import.

In the event of loss, whether total or partial, freight earned or not earned, the War Shipping Administration shall be liable for the same percentage of the amount insured which would be recoverable under its standard form of cargo war risk policy if the cargo to which the insured freight and/or advances and/or charges apply, were covered thereunder.

It is further agreed in the event of loss the claimant shall be required to file an affidavit to the effect the amount claimed does not exceed the actual amount of freight at risk during the insured voyage plus advances and/or charges actually incurred with respect to the insured freight. Such affidavit shall be subject to the provisions of Section 35 (A) of the Criminal Code.

Freight and/or advances in respect to each bill of lading to be considered as if separately insured.

This policy may be amended by endorsement attached hereto and executed on behalf of the Administrator of the War Shipping Administration (by the Director of Wartime Insurance).

This insurance may be cancelled by either party upon fifteen days' written or telegraphic notice to the other party but such cancellation shall not affect the interest insured if the cargo to which it is applicable has been loaded on the overseas vessel prior to the effective date of such notice. Shipments which have not been so loaded but for which, prior to the effective date of such notice, bills of lading on dock receipts have been issued, shall nevertheless be covered in accordance with the conditions of this policy at rate to be agreed.

1. This insurance is only against the risks of capture, seizure, destruction, or damage by men of war, piracy, takings at sea, arrest, restraint and detainments, and other warlike operations and acts of kings, princes, and peoples in prosecution of hostilities or in the application of sanctions under international agreements, whether before or after declaration of war and whether by a belligerent or otherwise, including factions engaged in civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, and including the risks of aerial bombardment, floating or stationary mines, and stray or derelict torpedoes; but excluding claims for delay, deterioration and/or loss of market, and warranted not to abandon (on any ground other than physical damage to ship or cargo) until after condemnation of the property insured. Also warranted not to abandon in case of blockade, and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade, to be at liberty to proceed to an open port and there end the voyage.

2. Warranted free from any claim based upon loss of, or frustration of, the insured voyage or adventure caused by arrests, restraints or detainments.

3. This insurance does not cover any loss or damage caused by or resulting from any of the following causes:

(a) Commandeering, preemption, requisition, or nationalization by the government (de facto or otherwise) of the country to or from which the interest insured is insured.

(b) Seizure or destruction under quarantine or customs regulations.

(c) Capture, seizure, arrest, restraint, detainment, or condemnation by the Government of the United States of America, or of any State, territory, or possession thereof, or by any government which is or may become party signatory of the "United Nations Pact" promulgated on or about January 2, 1942.

4. This insurance shall not attach to the interest hereby insured or to any part thereof:

(a) Prior to being on board an overseas vessel (for the purpose of this clause 4 an overseas vessel shall be deemed to mean a vessel carrying the interest from one port or place to another where such voyage involves a sea passage by that vessel);

(b) after being discharged overside from an overseas vessel at the final port of discharge, or after expiry of fifteen days counting from midnight of the day on which the overseas vessel is safely anchored or moored at the final port of discharge, whichever shall first occur;

(c) at a port or place of transshipment to another overseas vessel after the expiry of fifteen days (counting from midnight of the day on which the overseas vessel entering with the interest is safely anchored or moored) until the interest is on board the oncarrying overseas vessel. In the event of the exercise of any liberty granted to the Shipowner or Charterer under the contract of affreightment whereby such contract is terminated at a port or place other than the destination named therein such port or place shall be deemed the final port of discharge for the purpose of this clause 4.

5. Subject to the terms of clause 4 above and to any conditions or warranties which may be endorsed hereon, it is agreed that this insurance shall not be vitiated by deviation, overcarriage, change of voyage, or by any error or unintentional omission in the description of interest, vessel or voyage, provided the same be communicated to the War Shipping Administration as soon as known to the Assured and an additional premium paid if required.

6. And in case of any loss or misfortune, it shall be lawful and necessary to and for the Assured, his or their factors, servants and assigns, to sue, labor and travel for, in and about the defense, safeguard, and recovery of the said goods and merchandises, or any part thereof without prejudice to this insurance; nor shall the acts of the Assured or Assurers, in recovering, saving, and preserving the property insured, in case of disaster, be considered a waiver or an acceptance of an abandonment; and to the charges whereof, the said Assurers will contribute according to the rate and quantity of the sum hereby insured.

7 General Average and salvage charges (resulting from a peril hereby insured against) payable according to Foreign Statement or York-Antwerp Rules if in accordance with the contract of affreightment

8. Notwithstanding anything to the contrary contained in this Policy, it is understood and agreed:

(a) That no claim for freight, storage, or other expense due to the requisition or commandeering of the title or use of any vessel by or with the consent of the country whose flag she flies shall be payable under this insurance, and if as a result of such requisition or commandeering the cargo to which the insured interest is applicable is discharged at a port or place other than the port or place of destination, the port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this policy.

(b) That if any vessel shall be ordered into or detained in any port by the United States Government or by any government which is or may become party signatory of the "United Nations Pact" and the goods to which the insured interest is applicable shall be discharged at such port, then, if the goods be not the subject of proceedings of the nature set forth in clause 3 (a), such port or place of discharge shall be deemed a port or place of transshipment within the meaning of clause 4 (c) of this Policy.

9. If the ordinary course of transit of the goods to which the insured interest is applicable is interrupted or terminated by the shipper, consignee, or assured or any party acting on their behalf, this insurance shall forthwith terminate unless otherwise specially agreed by the War Shipping Administration.

10. This insurance shall include loss, damage or destruction of the property insured caused by saboteurs or other enemy agents.

11. It is a condition of this insurance that with respect to all risks coming within the scope of this Policy, the Assured shall file provisional reports with the Director of Wartime Insurance in the manner and form required by such regulations as may be promulgated by the War Shipping Administration from time to time.

12. Not later than the 25th day of each month the Assured shall file with the Director of Wartime Insurance, closing reports in the manner and form required by such regulations as may be promulgated by the War Shipping Administration from time to time of all freights coming within the scope of this policy but this insurance shall not be invalidated by any error or omission which is demonstrated to the satisfaction of the Administrator to have been inadvertent or unintentional.

(1) For which the applicable steamers have arrived at port of destination in the Continental United States during the preceding month, and

(2) With respect to which inability to so arrive is by reason of loss, frustration, or other similar cause, comes to the knowledge of the Assured during the preceding month.

And will pay premium thereon at the applicable cargo rate prescribed by the War Shipping Administration and in effect:

(a) On date of Ocean Bill of Lading, or

(b) If Ocean Bill of Lading not issued, on date of equivalent shipping document, or

(c) If no Ocean Bill of Lading or equivalent shipping document issued, or if same are undated, on date goods are laden on overseas vessel.

Any loss payable hereunder shall be payable in funds current in the United States, to the order of _____ 30 days after full proofs of loss and proofs of interest have been filed with the War Shipping Administration.

In witness whereof the War Shipping Administration has caused this policy to be signed by the Administrator at Washington, D. C. but this policy shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

(Sgd.) E. S. LAND.
E. S. Land,
Administrator.

Countersigned this ____ day of _____, 194__.

_____
Director of Wartime Insurance,
War Shipping Administration.

E. S. LAND.
Administrator,
War Shipping Administration.

FEBRUARY 15, 1943.

§ 305.610 *Applicability of commercial practice.* With respect to all transactions of a type coming within the scope of this general order or any supplements thereto the War Shipping Administration is authorized by statute to exercise its powers, perform its duties and functions, and make its expenditures, in accordance with commercial practice in the marine insurance business. The exercise of this authority shall be at the sole discretion of the Administrator or his duly authorized representative, and any determination of the Administrator or said representative in this respect shall be conclusive and binding upon all parties.

§ 305.611 *Amendments.* Amendments to rules and to the standard forms may be made from time to time in the form of supplements to this general order. Such supplements unless otherwise specified, shall become effective 48 hours after the date of publication of such supplement in the FEDERAL REGISTER.

§ 305.615 *Other insurances.* War Shipping Administration is authorized to provide marine insurance and re-insurance against loss or damage by the risks of war and re-insurance against loss or damage by marine risks subject to the provisions of the Merchant Marine Act of 1936 as amended. Any applications for insurance or re-insurance so authorized but not specifically provided for by the foregoing provisions of this general order should be submitted by mail or telegram to the Division of Wartime Insurance of War Shipping Administration. Such applications should specify full and complete details of the transaction to be insured or re-insured to the extent that the details so given are not inconsistent with security regulations.

[SEAL] E. S. LAND,
Administrator.

MARCH 15, 1943.

[F. R. Doc. 43-4000; Filed, March 15, 1943; 11:28 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 35]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART X—LOCAL PASSENGER TRANSPORTATION EQUIPMENT

Pursuant to Executive Orders 8989, 9156, and 9294, and in order to conserve and providently utilize vital passenger transportation equipment, materials, and supplies; and to provide for the prompt and continuous movement of necessary passenger traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

Sec.
501.300 Definitions.
501.301 Applicability.
501.302 Inventory of equipment.
501.303 Approval required.
501.304 Application for approval.
501.305 Recommendation to War Production Board.
501.306 Determination pursuant to the provisions of the Act of December 1, 1942 (Public Law 779, 77th Congress)
501.307 Physical transfer of equipment.
501.308 Special or general permits.
501.309 Exemptions.
501.310 Federal Reports Act of 1942.
501.311 Communications.

AUTHORITY: §§ 501.300 to 501.311, inclusive, issued under E.O. 8989, 9156, 9294; 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221.

§ 501.300. *Definitions.* As used in this order (§§ 501.300–501.311), or in any order, direction, permit, regulation, or approval issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Federal department" means any department or agency of the Government of the United States and includes any corporation organized and controlled by the United States;

(c) "Contractor" means any person (except a common carrier) who holds, or is a party, as a subcontractor or otherwise, to a contract with a Federal department, and who in connection with the performance of such contract provides, furnishes, or arranges for the transportation of passengers in local passenger transportation equipment;

(d) "Local passenger transportation equipment" includes buses, street railway cars, trolley coaches, trucks converted for passenger transportation, ferry boats, and other vehicles and vessels, principally used or held for use to carry 9 or more persons (including the operator) in public or private carrier service, but does not include combat equipment of the military and naval forces;

(e) "Common carrier" means any person who holds himself out to the general public to engage in the transportation of passengers by local passenger transportation equipment for compensation;

(f) "Special operation necessary for the prosecution of the war" means any operation involving the transportation of passengers in local passenger transportation equipment requisite in the prosecution of the war, which is conducted for a period of time not exceeding in the aggregate thirty (30) days, or which is for the purpose of supplying an occasional extraordinary demand for such transportation.

§ 501.301 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States.

§ 501.302 *Inventory of equipment.* (a) Each Federal department shall file with the Office of Defense Transportation an inventory of all local passenger transportation equipment which, on the effective date of this order (1) was owned by the United States and assigned to or in the possession of such Federal department, or (2) was owned by any person other than the United States and the right to the possession or control of which for any period in excess of 30 days was vested in such Federal department by virtue of any lease, contract, or other arrangement.

(b) Each contractor shall file with the Office of Defense Transportation an inventory of all local passenger transportation equipment, other than equipment held solely for any such contractor, which, on the effective date of this order, (1) was owned by such contractor, or (2) was owned by any person other than such contractor or the United States and the right to the possession or control of which for any period in excess of 30 days was vested in such contractor by virtue of any lease, contract, or other arrangement.

(c) Such inventory with respect to local passenger transportation equipment located in the continental United States shall be filed with the Office of Defense Transportation on or before May 15, 1943, and with respect to local passenger transportation equipment located in the territories and possessions of the United States shall be filed on or before June 15, 1943.

(d) Each inventory of local passenger transportation equipment filed with the Office of Defense Transportation, pursuant to the provisions of this § 501.302, shall contain the following information with respect to each rubber-tired vehicle included therein: (1) the name and address of the owner, (2) the name and address of any person to whom leased or chartered, (3) make of chassis, (4) make of body, (5) year of manufacture, (6) seating capacity, (7) place, places or area at or in which customarily used or held for use, (8) whether or not serviceable, (9) if not serviceable, repairs needed, and (10) such other information as will clearly indicate whether such unit of equipment was constructed as an integral body and chassis, a bus body mounted on a conventional truck chassis or a trailer or semi-trailer, or has been converted or rebuilt from another type of equipment.

(e) Each inventory of local passenger transportation equipment filed with the Office of Defense Transportation, pursuant to the provisions of this § 501.302, shall contain the following information with respect to each street railway car, ferry boat, vessel, or other vehicle which is not rubber-tired, included therein: (1) the name and address of the owner, (2) the name and address of any person to whom leased or chartered, (3) place,

places or area at or in which customarily used or held for use, (4) whether or not serviceable, (5) if not serviceable, repairs needed, (6) the passenger capacity and tonnage if a ferry boat or vessel, and (7) such other information as will identify each unit as a street railway car, ferry boat, vessel or other vehicle, and be descriptive thereof.

§ 501.303 *Approval required.* No Federal department or contractor shall hereafter complete arrangements for the purchase, lease, requisition, or use of local passenger transportation equipment without giving prior notice thereof to the Office of Defense Transportation as required by Executive Order 9294 and unless such purchase, lease, requisition or use shall have been first reviewed and approved by the Office of Defense Transportation.

§ 501.304 *Application for approval.* Application for approval by the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment by any Federal department or contractor shall be made at the time such Federal department or contractor gives the notice to the Office of Defense Transportation that is required by the provisions of Executive Order 9294, and shall contain such information as the Office of Defense Transportation shall require.

§ 501.305 *Recommendation to War Production Board.* Any person desiring a recommendation by the Office of Defense Transportation to the War Production Board in connection with the purchase or delivery of any local passenger transportation equipment shall make application therefor to the Office of Defense Transportation and furnish such information in connection with and in support of such application as the Office of Defense Transportation shall require. Any recommendation made by the Office of Defense Transportation to the War Production Board with respect to the purchase or delivery of any such local passenger transportation equipment will be made subject to the condition that the applicant, if the application shall be granted, will comply with such terms and conditions with respect to the use of such equipment as may from time to time be prescribed by the Office of Defense Transportation.

§ 501.306 *Determination pursuant to the provisions of the Act of December 1, 1942 (Public Law 779, 77th Congress.)* A determination by the Office of Defense Transportation, in accordance with the provisions of the Act of December 1, 1942, (Public Law 779, 77th Congress), will be made only when specifically requested by the Secretary of War, the Secretary of the Navy, or the Chairman of the United States Maritime Commission, or the duly authorized representative of any thereof. Each such request shall be in writing and be accompanied by such information as the Office of Defense Transportation shall require. A statement shall be incorporated in each such request to the effect that, in the judgment of the official making such request, existing private and other facilities are not and cannot be rendered adequate by other means to perform the transportation service that is to be performed by the equipment to be purchased, leased, or chartered, and that such purchase, lease, or charter will result in the most efficient method of supplying transportation to the personnel concerned.

§ 501.307 *Physical transfer of equipment.* (a) Unless authorized by the Office of Defense Transportation or unless necessary as the result of an emergency arising from an accident, public calamity, or military necessity:

(1) No person shall use or operate any local passenger transportation equipment with respect to the purchase and delivery of which the Office of Defense Transportation has made a recommendation to the War Production Board, or permit the use or operation of any such local passenger transportation equipment of which any such person is the owner or operator, except (a) for the purpose, over the route or routes, in the area, and in the particular service set forth in the application made to the Office of Defense Transportation for the recommendation to the War Production Board with respect to the purchase and delivery of such equipment, and (b) for such other purposes, over such other route or routes, in such other areas, and in such other services, as may be specifically authorized by the Office of Defense Transportation; and

(2) No person shall use or operate any local passenger transportation equipment with respect to the purchase and delivery of which the Office of Defense Transportation has not made a recommendation to the War Production Board, or permit the use or operation of any such local passenger transportation equipment of which any such person is the owner or operator, for such period of time or in such service as will require:

(i) The removal for more than 3 consecutive days of such local passenger transportation equipment from the service or services of any common carrier or group of common carriers under a common control or common management, (a) owning or operating such equipment on the date of this order, or (b) using such equipment by approval from the Office of Defense Transportation; or

(ii) The removal of such local passenger transportation equipment, when used and operated by a person not a common carrier, from the service of supplying transportation to and from the particular points, places, plants, camps, schools, and locations to and from which such local passenger transportation equipment (a) was so used and operated, or held for use and operation, on the date of this order, or (b) is used with the approval of the Office of Defense Transportation.

(b) A report of each such use or operation necessary as a result of an emergency and not previously authorized by the Office of Defense Transportation shall be mailed to the Office of Defense Transportation, Washington, D. C., within 7 days after such use or operation is commenced.

(c) Application for authority to use or operate local passenger transportation equipment in a manner prohibited by this § 501.307 shall be made in writing to the Office of Defense Transportation, and shall contain such information as the Office of Defense Transportation shall require.

§ 501.308 *Special or general permits.* The provisions of this order shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances.

§ 501.309 *Exemptions.* The provisions of § 501.303 of this order which requires notice to and approval by the Office of Defense Transportation prior to the completion of arrangements for the use of local passenger transportation equipment shall not apply to the use of such equipment (1) for the movement of military and naval personnel on maneuvers or on trips made under official military or naval orders, or (2) on other special operations necessary for the prosecution of the war.

§ 501.310 *Federal Reports Act of 1942.* This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Specific recording or reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 501.311 *Communications.* Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "General Order ODT 35".

This order shall become effective March 17, 1943.

Issued at Washington, D. C., this 17th day of March 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-4158; Filed, March 17, 1943; 2:19 p. m.]

[General Permit ODT 35-1]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART X—LOCAL PASSENGER TRANSPORTATION EQUIPMENT

In accordance with § 501.308 of General Order ODT 35, it is hereby authorized that:

§ 521.5200 *Certain ferry boats and other vessels.* The Department of War, the Department of the Navy, the Department of the Interior, and the Treasury Department may each (a) omit from any inventory filed pursuant to the provisions of paragraph (a) of § 501.302 of General Order ODT 35, and (b) without review and approval by the Office of Defense Transportation, as required by the provisions of § 501.303 of General Order ODT 35, complete arrangements for the purchase, lease, requisition, or use of the following described local passenger transportation equipment:

Ferry boats or other vessels which are not used, or which are not to be used, principally, (1) for the transportation of passengers in common carrier service, or (2) for the transportation of civilian employees of any such Department en route between their homes and their places of employment. (E.O. 8989, 9156, 9294; 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221; General Order ODT 35, this issue)

This General Permit ODT 35-1 shall become effective March 17, 1943.

Issued at Washington, D. C., this 17th day of March 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-4159; Filed, March 17, 1943; 2:19 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.
Bituminous Coal Division.

[Docket No. A-1409]

CARL NYMAN

ORDER CHANGING PLACE OF HEARING

In the matter of the petition of Carl Nyman, a code member in District No. 20 for revision of the minimum prices for the coals, for truck shipment, produced from the National Mine (Mine Index No. 179) in District No. 20, pursuant to section 4 II(d) of the Bituminous Coal Act of 1937.

An order redesignating trial examiner and changing place of hearing having been issued in the above-entitled matter on February 9, 1943, scheduling a hearing therein to be held at a hearing room of the Bituminous Coal Division in the Salt Lake County Court House, Salt Lake City, Utah, on March 27, 1943;

Now, therefore, it is ordered, That the location of the hearing be, and it hereby is, changed from a hearing room of the Bituminous Coal Division in the Salt Lake County Court House, Salt Lake City, Utah, to a hearing room of the Bituminous Coal Division in the New House Hotel, Salt Lake City, Utah.

Dated: March 18, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4245; Filed, March 19, 1943; 10:09 a. m.]

[Docket Nos. A-1815 and A-1821]

DAY'S MUTUAL COAL CO., ET AL.

ORDER CHANGING PLACE OF HEARING

In the matter of the petition of Day's Mutual Coal Company, Duncan and Nicolo and Bills and Kilgore, code members in District No. 20, for the establishment of minimum prices for coals sold to Standard Coal, Incorporated, for sizing, preparation and resale by it; Docket No. A-1815.

In the matter of the petition of Standard Coal, Incorporated, for an exception to Rule 3 of section V and rule 1 of section VI of the marketing rules and regulations as to coal purchased by it for sizing, preparation and resale; Docket No. A-1821.

An order of consolidation, order granting temporary relief in part and notice of and order for hearing having been issued in the above-entitled matters on February 6, 1943, scheduling a hearing therein to be held at a hearing room of the Bituminous Coal Division in the Salt Lake County Court House, Salt Lake City, Utah, on March 26, 1943;

Now, therefore, it is ordered, That the location of the hearing be, and it hereby is, changed from a hearing room of the Bituminous Coal Division in the Salt Lake County Court House, Salt Lake City, Utah, to a hearing room of the Bituminous Coal Division in the New House Hotel, Salt Lake City, Utah.

Dated: March 18, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4246; Filed, March 19, 1943; 10:09 a. m.]

[Docket No. B-260]

A & B COAL CO.

ORDER REVOKING CODE MEMBERSHIP

In the matter of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, Code Members.

Upon the basis of the findings of fact and conclusions of law set forth in an opinion of the Director filed simultaneously herewith, wherein it appears that J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, code members in District No. 8, operating the A & B Mine (Mine Index No. 2649) located in Overton County, Tennessee, willfully violated section 4 II (e) of the Act, the corresponding section of the Code, and the schedule of effective minimum prices for District No. 8 for truck shipments by selling to various persons between October 1, 1940 and September 25, 1941, both dates inclusive, 3,560.25 tons of 1¼" x 2¾" nut coal at prices ranging from $1.00 to $1.52 per net ton f. o. b. their mine and 203.25 tons of 1¼" x 0 slack coal at prices ranging from 50 cents to 81 cents per net ton f. o. b. the mine, whereas the applicable minimum prices were, respectively, $1.85 and $1.35 per net ton f. o. b. the mine;

It is ordered, That effective fifteen (15) days from the date hereof, the code membership of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, in District No. 8, be and it hereby is cancelled and revoked; and

It is further ordered, That prior to reinstatement to code membership, code members shall pay to the United States a tax in the amount of $2,675.73, as provided by section 5 (c) of the Act.

Dated: March 17, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4248; Filed, March 19, 1943; 10:08 a. m.]

[Docket Nos. A-1827; A-1827, Part II]

DISTRICT BOARD 13

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13, Docket No. A-1827; in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the Size Group 10 coals of the New River Mine for rail shipment, Docket No. A-1827, Part II.

Memorandum opinion and order severing Docket No. A-1827, Part II from Docket No. A-1827, and granting temporary relief and notice of and order for hearing.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13, including the Size Group 10 coals produced for rail shipment at the New River Mine (Mine Index No. 21) of Brookside-Pratt Mining Company; and

It appearing that no final determination should be made at this time with respect to the establishment of price classifications and minimum prices for the coals in Size Group 10 produced for rail shipment at the New River Mine (Mine Index No. 21) of Brookside-Pratt Mining Company, as requested in the original petition heretofore filed in this matter for the reason that insufficient facts are available upon which to establish a price classification and minimum price for Size Group 10 coals produced for rail shipment by this mine, and for the further reason that no price classification and minimum price has been established for Size Group 10 coals produced by any mine in Group No. 42;

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That the portion of Docket No. A-1827 relating to the coals of the New River Mine (Mine Index No. 21) of Brookside-Pratt Mining Company be, and the same hereby is, severed from the said docket and designated as Docket No. A-1827, Part II.

It is further ordered, That pending further order, temporary relief is granted as follows: Commencing forthwith, the schedule of effective minimum prices for District No. 13 for all shipments except truck is supplemented to include the price classifications and minimum prices

set forth in the schedule marked Temporary Supplement R, annexed hereto and made a part hereof.

It is further ordered, That a hearing in Docket No. A-1827, Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 22, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in the Office of the Division will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 17, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 13 to establish for the coals in Size Group 10 for rail shipment, produced at the New River Mine (Mine Index No. 21) of Brookside-Pratt Mining Company, in Group No. 42, price classifications and minimum prices similar to those effective for the coals in such size produced at the Empire Mine (Mine Index No. 22) of the DeBardeleben Coal Corporation in Group No. 11.

Dated: March 11, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R Doc 43-4247; Filed, March 19, 1943; 10:08 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 300 and 499]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the petition of Pan American Airways, Inc., for rehearing, reargument and reconsideration of the Board's order dated August 31, 1942, fixing the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith in the petitioner's transpacific services.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on March 26, 1943, 10:00 a. m. (eastern war time) in the foyer of the Department of Commerce Auditorium, 14th Street and Constitution Avenue NW., Washington, D. C.

Dated Washington, D. C., March 18, 1943.

HERBERT K. BRYAN,
Examiner.

[F. R Doc. 43-4249; Filed, March 19, 1943; 10:50 a. m.]

MARITIME WAR EMERGENCY BOARD.

STATEMENT OF PRINCIPLES

1. In so far as areas, war bonuses, and insurance are concerned, it is regarded as desirable and necessary that a uniform basis for each item covering the entire nation and the entire industry be reached.

2. Without waiving the right to strike, maritime labor gives the Government firm assurance that the exercise of this right will be absolutely withheld for the period of the war; on a voluntary basis therefore this is a guarantee on the part of labor that there will be no strikes during the period of the war. Representatives of employers in the maritime industry also guarantee there will be no lockouts for the period of the war.

3. The utilization of collective bargaining will in no instance be impaired or restricted by reason of any action taken at this conference. It is understood and agreed that all rights guaranteed to labor and industry with respect to collective bargaining will be retained and all agreements and obligations arising as a result of collective bargaining agreements will in no way be violated. During the period of the war there shall be no limitation or curtailment of the productive or service capacities of either employer or employee.

4. To provide machinery for the settlement of disputes without interruption of service or stoppage of work during the period of the war and to insure the application of the maximum war effort and coordination of all war activities coming within the purview of the maritime industry, the Maritime War Emergency Board with the powers and purposes set forth in Exhibit A, attached hereto, will be created.

EXHIBIT A

PROPOSED BOARD TO EXPEDITE AND COORDINATE THE WAR EFFORTS OF EMPLOYERS AND LABOR IN THE MARITIME INDUSTRY

DECEMBER 18, 1941.

The unions representing the personnel of the vessels of the American Merchant Marine and the operators of those vessels having pledged themselves to cooperate wholeheartedly in the all-out war effort of the Government and to take no action during the war emergency which shall cause any interruption of the service of such vessels, it is of the utmost importance that appropriate means shall be established in order to coordinate the war efforts of employees and employers in the American Merchant Marine and to insure that all questions which may arise between them and which, if not promptly and amicably settled might lead to interruptions in such service, shall be promptly and amicably settled.

It is confidently expected that most of such questions can and will be settled through the normal procedure of collective bargaining between such unions and the steamship operators.

Under present war conditions, however, neither the unions nor the steamship operators will at all times be in position to obtain adequate information with regard to the extent of war risks in order to enable them to bargain intelligently with regard to questions relating to war risk compensation and insurance of the personnel of such vessels.

In order to afford a procedure for settling questions relating to war risk compensation and insurance which will at the same time insure that the consideration thereof shall be based upon adequate and accurate information and that such questions shall be settled in such manner as shall most certainly assist in the prosecution of the war, it is proposed that there shall be established a board to be known as the Maritime War Emergency Board (hereinafter sometimes called the Board), or by some other suitable name, and to be composed and have the powers and duties hereinafter set forth.

The Board shall consist of three members to be named by the President of the United States with the understanding that one member shall be selected from the U. S. Department of Labor and one from the U. S. Maritime Commission.

Whenever any difference shall arise between any steamship operator and any union representing its employees with regard to any question relating to war risk compensation or war risk insurance of personnel of the vessels of such steamship operator and such question shall not be settled through the ordinary procedure of collective bargaining between such steamship operator and its employees, such question shall be referred to the Board by such steamship operator or such union by giving written notice to the Board and to the other party of the intention of the party giving such notice to refer such question to the Board. Such notice shall specify the question to be referred to the Board.

Upon receiving such notice the Board shall as promptly as shall be practicable afford to each party a reasonable opportunity to present evidence and argument in support of the position of such party and the Board shall thereupon render its decision in writing with regard to such question and serve a copy thereof upon each party.

The decision of the Board upon any such question which shall be referred to it as hereinbefore set forth shall be final and binding upon all parties to the difference out of which such question arose.

The Board shall appoint advisory committees of representatives of the steamship operators and of such unions of equal representation for the purpose of consulting with and advising the Board in respect of any other matters looking toward improvement and coordination of the war effort of the United States in the Merchant Marine field.

JOHN J. COLLINS,
Independent Unions of Licensed Officers on Tankers; Independent Unions of Unlicensed Personnel on Tankers.
MATHEW D. BIGGS,
Seafarers International Union of N. A.
A. M. HEMPHILL,
National Organization Masters, Mates & Pilots of America.
H. MARTIN,
National Organization Masters, Mates & Pilots of America.
JOSEPH P. SELLY,
by WAYNE P. PASCHAL,
President, American Communications Assn.
GEORGE F. ANDERSON,
Sec.-Tr. American Merchant Marine Staff Officers Assn., Inc.
E. W. HIGGINBOTHAM,
Secy Local No. 4, N. O. M. M. & P. of A.
CAPT. W. ESTANTHONY,
Waterman Steamship Co., Mobile, Ala.
CAPT. C. F. MAY,
President, N. O. M. M. & P. Local 90, 6th Nat. Vice President.
FRANK J. TAYLOR,
President, American Merchant Marine Institute, Inc.
SAMUEL J. HOGAN,
President, National Marine Engineers Beneficial Association.
J. B. BRYAN,
Pacific American Shipowners Association.
L. B. PATE,
Mississippi Shipping Co. Inc.
W. A. KIGGINS, JR.,
A. H. Bull Steamship Co. and Baltimore Insular Line.
HARRY A. MORGAN,
Vice President, American Communications Assn., C. I. O.
FREDERICK MYERS,
Vice President, National Maritime Union.
HOWARD MCKENZIE,
National Maritime Union.
B. L. TODD,
United Licensed Officers.
HARRY LUNDEBERG,
Sailors' Union of the Pacific.
MORRIS WEISBERGER,
Sailors' Union of the Pacific.
JACK O'DONNELL,
Marine Cooks and Stewards Assn.
V. J. MALONE,
Pacific Coast Marine Firemen, Oilers, Watertenders, Wipers Assn.
MARDY POLANER,
Seafarers International Union of N. A., Great Lakes District.
JOHN HAWK,
Atlantic and Gulf District of the Seafarers International Union of North America.
L. J. HOOPER, JR.
President, Eastern Transportation Company.
LEO J. DOUGHERTY,
The P. Dougherty Company.
ARNOLD BERNSTEIN,
Vice-President, Orbis Steamship Company.
E. S. LAND,
Administrator, War Shipping Administration.
EDWARD FARR,
Brotherhood of Marine Officers.

ERICH NIELSEN,
Secretary of the Maritime War Emergency Board.

[F. R. Doc. 43-4069; Filed, March 15, 1943; 4:23 p. m.]

[DECISION 1 A]

LIFE AND DISABILITY WAR RISK INSURANCE

The Maritime War Emergency Board today announces this Decision with respect to Crew War Risk Life and Disability Insurance.

Article I—Life and Disability Insurance Coverage

Crew members of all merchant vessels documented under the laws of the United States and covered by the Statement of Principles pursuant to which the Board was established, shall be furnished war risk life insurance and disability (including dismemberment and loss of function) protection in the respects and to the extent provided in the form of insurance policy attached hereto. The obligation to furnish such insurance protection shall be deemed fulfilled by the procurement of an insurance policy in the form mentioned above from the War Shipping Administration. If such insurance protection is procured from another source, the obligation to furnish such insurance protection shall not be deemed fulfilled if and to the extent that benefits that are lawfully payable under and pursuant to the terms of the insurance policy aforementioned are not paid. This Decision does not apply to alien crew members who do not reside in the continental United States and who are employed aboard any such merchant vessel engaged in a shuttle service or voyage between foreign ports, except to the extent and with such modifications as may be agreed upon and set forth in their contract of employment.

If the Board, by reason of important changes or developments in war conditions which affect the hazards and risks undertaken by the crew members of the aforementioned merchant vessels, determines that the form and terms of the aforesaid policy should be amended or modified, or if the Board determines that any of the present terms of the aforesaid form of policy are productive of serious injustices or hardship, it may by Decision require that additional or different insurance protection be afforded to crew members of all such merchant vessels and prescribe appropriate amendments or modifications of the form of policy attached hereto accordingly, all in such manner and to such extent as the Board considers advisable. If the Board further determines that such action is necessary and proper in order to avoid unjust discrimination in those cases which have theretofore arisen, it may require, with and upon the concurrence of the Administrator of the War Shipping Administration, that any such additional or different insurance protection and any such amendment or modification of the form of the aforesaid policy be made applicable to such cases, irrespective of whether benefits in such cases have or have not been claimed or paid under and pursuant to the terms of such policy then in effect, all in such manner and to such extent as the Board considers advisable.

Article II—Effective Date

This Decision and the form of insurance policy attached hereto, known as the Second Seamen's War Risk Policy, shall be effective as to all voyages the Articles for which were opened on or after 12:01 A. M. of March 15, 1943. (In those cases in which Articles were not used, the date of the commencement of the voyage shall govern). Benefits as to all Masters, Officers and Crew Members of vessels the Articles for which were opened before 12:01 A. M. of March 15, 1943, (in those cases in which Articles were not used, the date of the commencement of the voyage shall govern) and who are *disabled* as a result of a peril insured against by the Second Seamen's War Risk Policy occurring after 12:01 A. M. of March 15, 1943, shall be governed by and payable in accordance with the Second Seamen's War Risk Policy. *Life insurance* with respect to such personnel shall, however, be governed by and payable in accordance with the terms of the policy covering such personnel on the date on which Articles were opened, (or the date of the commencement of the voyage, if Articles were not used): *Provided, however*, That any beneficiary or person who

(1) Either is entitled to the benefits of such a policy because of the loss of life of the insured as a result of a peril occurring on or after 12:01 A. M. of March 15, 1943, or

(2) Would have been entitled to such benefits if the peril occurring on or after 12:01 A. M. of March 15, 1943, although not a peril insured against under such policy, does constitute a peril covered by the Second Seamen's War Risk Policy,

may receive payments of life insurance benefits in accordance with the provisions of the Second Seamen's War Risk Policy on the condition that such beneficiary or person validly releases and relinquishes all of his rights under such prior policy.

Article III—Certificate of Presumptive Death

If the Board is satisfied, on the basis of proof presented, that a crew member is dead, it may issue a Certificate of Presumptive Death of such crew member, upon the request of the owner or charterer of the vessel on which such crew member was employed or was being repatriated.

Article IV—Repeal

Decision No. 1 and all Supplements, Amendments, Clarifications and Memoranda pertaining thereto previously issued by the Maritime War Emergency Board are repealed as of the effective date of this Decision, except in connection with disability claims where such dis-

ability arose from a peril occurring prior to 12:01 A. M. of March 15, 1943, and those loss of life claims which by the terms of this Decision are to continue to be governed and controlled by the form of insurance policy attached to Decision No. 1.

MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY, *Chairman.*
JOHN R. STEELMAN,
FRANK P. GRAHAM.

JANUARY 28, 1943.

PREVIOUS BENEFICIARY DESIGNATIONS

The Board requests all owners, operators and seamen's representatives to stress to all interested parties the fact that all acts taken in connection with Decision No. 1 and Supplements thereto, particularly designation of beneficiaries, are of no effect with respect to the Second Seamen's War Risk Policy as to voyages the Articles for which were opened on or after 12:01 A. M., of March 15, 1943, (in those cases in which Articles were not used, the date of the commencement of the voyage shall govern). If seamen desire to designate a beneficiary under the Second Seamen's War Risk Policy as to such voyages, designations must be made in accordance with the terms of that policy; a beneficiary designated under the policy set forth in Decision No. 1 does not automatically continue as beneficiary under the Second Seamen's War Risk Policy.

SECOND SEAMEN'S WAR RISK POLICY

Article
1 Persons insured.
2 Additional insurance.
3 Risks and perils.
4 Period of coverage
5 Extension of period of coverage
6 Payment for loss of life.
7 Beneficiaries of insurance for loss of life.
8 A. Designation and change of beneficiary.
B Continuing designation.
9 Claims.
10 Time for payment of insurance for loss of life.
11 Proof of death.
12 Disability and dismemberment.
13 Physical examination.
14 Personal effects defined.
15 Amount of payment for loss of, or damage to, personal effects.
16 Death of an insured prior to payment for loss of or damage to personal effects.
17 Detention and repatriation benefits.
18 Payment constituting a discharge.
19 Non-assignability.
20 Amount permitted to be paid agents or attorneys.
21 Notice of loss and claim.
22 Limitation of suit.
23 Deviation and change of voyage.
24 "Administrator" defined.
25 Multiple claims against the United States.
26 Amendments and modifications.

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

SECOND SEAMEN'S WAR RISK POLICY

Crew Life Disability, Loss of Effects and Detention

No. _____
Date _____

Total number of men insured for life and injury _____ for $_____ each.
Total amount insured, life or injury $_____
Rate ____% Premium $_____.
Total amount insured, personal effects $_____ Rate ____% Premium $_____.
Total amount annual wages and Emergency wages $_____ Rate____% Premium $_____.
Total premium $_____.

In consideration of payment by _____ _____ of a premium of $_____, the War Shipping Administration does insure the Master, Officers and Crew, as hereinafter set forth, of the vessel called _____ - during the period described herein commencing about _____ against loss of life, disability (including dismemberment and loss of function), loss of or damage to personal effects, and detention (including the occurence of other situations hereinafter provided), from the perils and causes hereinafter stated, payable in case of claim in funds current in the United States in accordance with the following Schedules and as hereinafter stated.

Schedule 1. Loss of life. Master, Officers and Crew, each _____ $5,000.00.

The amount for which each person is covered by this Schedule is the Principal Sum.

Schedule 2. Disability, including dismemberment and loss of function. For disability proximately caused by the risks and perils insured against herein, and which arises within ninety days from the date of the happening of such risks and perils, and for dismemberment and loss of function caused by the risks and perils insured against herein, and which result from such a disability or otherwise occur within ninety days from the happening of such risks or perils, the Insurer will pay to the insured the benefits set forth in the Stipulations and Conditions.

Schedule 3. Crew effects. For loss of or damage to the personal effects of the Master, Officers or Members of the Crew proximately caused by the risks and perils insured against herein, the Insurer will pay the amount set forth in the Stipulations and Conditions for the loss of or damage to said effects during the entire period of this Policy as hereinafter set forth, and for the loss of or damage to effects proximately caused by the risks and perils insured against herein, purchased or otherwise acquired during the policy period to replace effects lost or damaged by the risks and perils insured against herein, the Insurer will pay not exceeding $50.00 for each such loss or damage.

Schedule 4. Detention and repatriation benefits. For detention of the Master, Officers or Members of the Crew during the period covered by this Policy, and under other situations hereinafter provided, the Insurer will pay benefits to the insured or for his or their account, as set forth in the Stipulations and Conditions.

This Policy is made and accepted subject to the foregoing and to the Stipulations and Conditions on the following pages which are hereby specially referred to and made a part of this Policy.

In witness whereof, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

E. S. LAND,
Administrator.

Countersigned at Washington, D. C., this _____ day of _____, 194__.

_____
Director of Wartime Insurance.

STIPULATIONS AND CONDITIONS

ARTICLE 1. *Persons insured.* The persons insured by this Policy are the Master, Officers and Crew of the vessel described on the face of this Policy. Except as to merchant seamen, membership in the vessel's gun crew shall not of itself constitute an individual a member of the crew of the vessel, as that phrase is used herein. Any person or persons insured under any other or similar policy, including the Second Seamen's War Risk Policy, obtained or issued in compliance with the decisions of the Maritime War Emergency Board (issued by the United States Maritime Commission or the War Shipping Administration or otherwise), insuring against loss of life or disability (including dismemberment and loss of function) or loss of or damage to personal effects or detention, including the occurrence of other situation hereinafter provided) shall not to the extent of such prior coverage, be entitled to coverage under this Policy while such other insurance is in force and effect.

ART. 2. *Additional insurance.* In the event that any person is employed as a Master or Officer or Member of the Crew of said vessel after the commencement of the voyage, the amount of the premium shall be increased proportionately: *Provided, however,* That the failure to pay such additional premium shall not affect the additional coverage.

ART. 3. *Risks and perils.* The insurance is for loss of life, disability (including dismemberment and loss of function), loss of or damage to personal effects, and detention (including the occurrence of other situations hereinafter provided) of the insured, directly and proximately caused by risks of war and warlike operations, including capture, seizure, destruction by men-of-war, sabotage, piracy, takings at sea, arrests, restraints and detainments, acts of kings, princes and peoples in the prosecution of hostilities or in the application of sanctions under international agreements, whether before or after declaration of war and whether by a belligerent or otherwise, including factions engaged in civil war, revolution, rebellion or insurrection, scuttling to prevent capture, aerial bombardment, or, attempts at, or measures taken in defense of, all of the foregoing acts floating or stationary mines, torpedoes, whether derelict or not, collision caused by failure in compliance with wartime regulations, of said vessel or any vessel with which she is in collision, to show the usual full peacetime navigation or anchorage lights, stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations, stranding caused by the failure of said vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime, but in which the employment of a pilot is dispensed with in compliance with military, naval or other governmental orders, or with a view to avoiding imminent enemy attack (for the purposes of the foregoing, the failure to show lights, the absence of lights, buoys, etc., and the failure to employ a pilot shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land), collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service, stranding, collision or contact with any external substance (including ice, but excluding water), as a result of deliberately placing the vessel in jeopardy, in compliance with military, naval or other governmental orders in order to avoid imminent enemy attack, or as an act or measure of war taken in the actual process of embarking or disembarking troops or loading or unloading material of war.

The fact that a vessel, or any vessel with which such vessel is in collision, is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to include in this policy any claim which is not included by the foregoing terms of this article.

ART. 4. *Period of Coverage.* The period of coverage for each person covered hereunder is

From the time such person signs the Articles or enters into a contract of employment for the voyage of the aforesaid vessel, or if already on Articles for a series of voyages or period of time, from the inception of the aforesaid voyage (i. e., when the vessel is ready to begin the loading of cargo for the aforesaid voyage or to sail in ballast) or, if employed subsequent to the commencement of the voyage, from the time of such employment

Until such person shall be returned to a place within the continental United States, excluding Alaska, including any period of capture or internment,

Unless sooner terminated by desertion, discharge, accepting employment on another vessel for a purpose other than to be repatriated, or the refusal without good cause to return to the continental United States, excluding Alaska, from any place outside thereof, in any of which events the coverage under this Policy shall be at an end. (The term "discharge", as used in this paragraph, does not include instances in which the insured leaves the vessel for medical or hospital treatment or for other causes deemed good and sufficient in the opinion of the Administrator).

ART. 5. *Extension of period of coverage.* If the insured returns to the continental United States, excluding Alaska, on a vessel which touches or stays at a place or placea within the continental United States, excluding Alaska, other than the place of termination of the voyage and the vessel thence proceeds to such place of termination, the period of coverage in respect to each person covered hereunder who continues to be on board such vessel is extended to the termination of the voyage.

ART. 6. *Payment for loss of life.* The amount of the payment for loss of life shall be the Principal Sum stated on the face of this Policy subject, however, to any deductions or additions hereinafter contained.

Payment for loss of life shall be made in a lump sum except that when

(a) in the opinion of the Administrator conclusive proof of death is not present, or

(b) the insured at the time of designating a beneficiary or beneficiaries requests on the form provided therefor that the amount payable for the loss of his life be paid in installments, or

(c) the beneficiary or beneficiaries request in writing that the payment for loss of life be made in installments,

payment for loss of life may, in the discretion of the Administrator, be made in monthly installments not exceeding twenty-four, in which event no interest is to be added or paid. By requesting payment in installments, the insured and the beneficiary or beneficiaries agree on behalf of themselves, their heirs, executors and administrators to be bound by the provisions of paragraph B, Article 7 hereof, as well as all other provisions contained herein. The beneficiary or beneficiaries may at any time upon written request obtain a lump sum payment of the entire amount yet unpaid if payment is being made in installments pursuant to the written request of the beneficiary or beneficiaries. If payment has been commenced in installments and the Principal Sum is not yet exhausted, the Administrator, in his sole discretion and at any time may direct that payment of the balance of the Principal Sum be paid in a lump sum or in installments of different or varying amounts: *Provided, however,* That all of the Principal Sum be paid within twenty-four months from the time that the first payment is made.

If any payments are made under Article 12 hereof, the total amount of such payments shall be deducted from the amount of the Principal Sum payable under this Policy for loss of life.

If the personal effects of an insured are lost or damaged under circumstances where payment would be due under the terms hereof to said person for such loss or damage and said person either before or after such loss or damage dies, his death being proximately caused by the risks and perils insured against herein, the amount which would have been payable for the loss of or damage to such personal effects had he survived shall be added to the Principal Sum hereof and shall be payable to the beneficiary of the insurance for loss of life.

ART. 7. *Beneficiaries of insurance for loss of life.*

A. The insurance shall be payable only to a lawful widow or widower, child (the latter term including a posthumous child, a child legally adopted by the insured, and, if designated, a child in relation to whom the insured stood in *loco parentis*, and a step-child or acknowledged illegitimate child), parent (including a step-parent, parent by adoption and, if designated, a person who stood in the place of a parent to the insured), brother or sister (including, if designated, step-brothers or step-sisters, half-brothers and half-sisters, and brothers and sisters by adoption), grandparents, grandchildren, and, if designated, nephews, nieces, aunts or uncles, of the insured.

(1) The insured shall have the right to designate the beneficiary or beneficiaries of the insurance, but only within the classes above provided, and shall, in the manner hereinafter described, at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the above classes. A person or persons so designated shall be known as the primary beneficiary or beneficiaries.

(2) The insured shall have the right also to designate any other person or persons, but only within the above classes, to whom the insurance shall be paid if the beneficiary of beneficiaries designated shall die before the insurance or any portion thereof shall be paid. A person or persons so designated shall be known as the contingent beneficiary or beneficiaries.

(3) If the insured fails to designate a beneficiary or if the beneficiary or beneficiaries, whether primary or contingent, die before the insurance or any portion thereof shall be paid, the insurance will, subject to the provisions of paragraph B hereof, be paid to the beneficiary or beneficiaries within the following classes and in the order named:

(a) If the insured shall be survived by a lawful widow or widower but without any child of him or her surviving, 100 percent to such widow or widower.

(b) If the insured shall be survived by a lawful widow or widower and a child or children of him or her surviving, 50 percent to the widow or widower and 50 percent to the child or children in equal shares.

(c) If the insured shall have no lawful widow or widower of him or her surviving but shall have a child or children of him or her surviving, 100 percent to the child or children in equal shares.

(d) If there shall be no lawful widow or widower or children of the insured of him or her surviving, 100 percent to the parent or parents of the insured in equal shares.

(e) If there shall be no lawful widow or widower, child or parent of him or her surviving, 100 percent to the brothers, sisters, grandparents and grandchildren of the insured in equal shares.

The persons in these classes shall be known as the schedule beneficiaries. As used in this subdivision (3), the term "child" includes a posthumous child and a child legally adopted by the insured, and the term "parent" includes a step-parent and a parent by adoption.

B. The right of any beneficiary to payment of the insurance, or any unpaid installment thereof, shall be conditioned upon his or her being alive to receive payment. No person shall have a vested right to any such insurance or any installment of any such insurance. No insurance shall be paid to the heir or heirs or executors or administrators of the insured or of any beneficiary.

Any insurance or any installment thereof not paid to a primary beneficiary because of his or her death shall be paid to the schedule beneficiary or beneficiaries first or next entitled to priority, as hereinabove provided, unless a contingent beneficiary has been designated, in which event payment shall be made to the contingent beneficiary. Any such insurance or any installment thereof not paid to a contingent beneficiary because of his or her death shall be paid to the schedule beneficiary or beneficiaries first or next entitled to priority as hereinabove provided. It, however, the insured has designated more than one primary beneficiary or more than one contingent beneficiary and if such a primary beneficiary or contingent beneficiary dies before the insurance or an installment thereof, to which he or she may otherwise be entitled, is paid, such insurance or installment thereof shall be paid to the surviving primary or contingent beneficiary, as the case may be.

Any payments of insurance made to a person represented by the insured to be within the permitted classes of beneficiaries shall be deemed to have been properly made and to satisfy fully the obligation of the United States under this insurance policy.

ART. 8. *A Designation and changes of beneficiary.* The designation of a beneficiary or the change in a designation of beneficiary shall be in writing upon a form or forms and in a manner prescribed by the Administrator, signed by the insured, witnessed either by the Shipping Commissioner or a licensed officer of the vessel, and shall contain the name, address and relationship of the beneficiary to the insured. No designation of a beneficiary and no change of a beneficiary shall be valid unless the instrument containing the designation or change is received by the Administrator at his field office, 99 John Street, New York, N. Y., *Provided, however,* That the instrument when received shall be considered as valid as of the time of its execution. Whenever it shall appear to the satisfaction of the Administrator that unusual circumstances existed preventing or substantially preventing the designation or change of beneficiary in the manner or form hereinabove set forth and that the interests of justice would be served, he may waive or disregard the failure to comply with such manner and form and recognize as valid an act intended as a designation or a change of beneficiary. The recognition as valid by the Administrator of such an act shall be conclusive and binding upon all persons and payment or payments pursuant thereto shall be a *pro tanto* discharge of the obligation of the United States under this Policy.

B. Continuing designation. As to any individual insured under the Second Seamen's War Risk Policy form as amended or changed from time to time, the beneficiary or beneficiaries first designated by such insured to receive the proceeds of the insurance provided by such form shall (subject to the limitations of paragraph B, Article 7 hereof), if properly designated, continue to be the beneficiary or beneficiaries of any subsequent insurance provided by such form without further designation unless and until such initial designation is effectively revoked or changed. In the event of an effective revocation unaccompanied by a new designation, the insurance proceeds shall be disposed of in

accordance with the provisions of paragraph A, subdivision (3), Article 7, hereof. In the event of an effective change of beneficiary or beneficiaries, the new beneficiary or beneficiaries so designated shall for all purposes, including the purposes of this paragraph, be considered as the initial designee or designees, and such designation shall continue to be effective as to all insurance provided by this form of Policy until revoked or changed. Subsequent revocations and changes shall for all purposes be treated as would be the preceding revocations or changes, if any.

ART. 9. *Claims.* No claim for insurance for loss of life shall be recognized unless presented in writing to the Insurer. Any payment or payments of the insurance or the installments thereof made prior to the presentation of claim shall be conclusively deemed to have been properly made under this Policy and in complete discharge of the obligation of the United States under this Policy to the extent thereof.

ART. 10. *Time for payment of insurance for loss of life.* Unless extended by the provisions hereinafter contained, payment of the insurance for loss of life shall be made within ninety days after the death of the insured is established in a manner satisfactory to the Administrator or the Maritime War Emergency Board, but payment may be made prior to the expiration of such ninety days at the discretion of the Administrator. The time for payment may be extended without penalty or interest for that period of time consumed by the Administrator in establishing the identity or the location of the beneficiary or beneficiaries, and should any conflicting claims for payment be presented to the Administrator, payment of the insurance may be withheld and the time for payment thereof extended without any penalty or obligation to pay interest until such claims are duly adjudicated or otherwise withdrawn, settled or compromised to the satisfaction of the Administrator.

ART. 11. *Proof of death.* The time and facts of death of any insured shall be established in a manner satisfactory to the Administrator; and his determination of the time and facts of death shall be binding and conclusive against all persons for all purposes of this Policy. If, however, payment of a part of the insurance for loss of life has been made and it appears that the insured is alive, payment of the balance of the insurance for loss of life shall not be made, but the payments of insurance in whole or in part theretofore made shall not be recovered, except where such payments were induced by wilful misrepresentation or fraud either by the beneficiary or any other person. The part so paid shall, however, be a discharge to the extent thereof of any other obligation under this Policy, including the obligation to pay benefits under Article 17 hereof, to the insured or any other person.

ART. 12. *Disability and dismemberment.*

A. *Disability.* "Disability" as that term is used in this Policy means incapacity because of injury proximately caused by the risks insured against herein which necessarily and continuously prevents the insured from performing any and every kind of duty pertaining to his occupation at the time of injury.

(1) If an insured suffers disability he shall be paid benefits at the rate of $100 a month, beginning with his return to the continental United States, excluding Alaska, until the Administrator determines that the disability has ceased or until a total of $5,000 is paid, whichever first occurs.

(2) If the Administrator determines at any time during the period such monthly benefits are payable that the insured has received maximum medical treatment for such disability and that such disability is, therefore, permanent in quality (loss of both hands, or both arms, or both feet, or both legs, or both eyes, or combination of any two thereof, will be conclusively presumed by the Administrator to constitute a disability permanent in quality), he shall notify the insured of such facts and the insured shall have the option of

(a) continuing to receive such monthly benefits at the rate of $100 a month until the aggregate of all the monthly benefits paid to him both before and after such determination total $5,000, or

(b) receiving in a lump payment the sum of $5,000, less the total of the monthly benefits paid to him prior to such determination.

(3) In the event the insured elects after such determination to accept payments for such disability under subdivision (2) (a) hereof and if when the total of $5,000 has been paid him as therein provided, the insured claims in writing, and establishes to the satisfaction of the Administrator, that because of the same injury he is incapable of performing, for remuneration or profit, any work or engaging in any business or occupation, then he shall be paid further benefits at the rate of $100 a month until the Administrator determines such incapacity has ceased or until a total of $2,500 is paid, whichever first occurs.

B. *Dismemberment, including loss of function.* If the Administrator determines that the insured, as a proximate result of the risks insured against herein, has suffered a dismemberment or loss of function of the type set forth below, not, however, amounting to disability which the Administrator determines to be permanent in quality, the Insurer will pay to the insured additional benefits measured by the following percentages of the Principal Sum. Such benefits shall be in addition to the benefits paid under subdivision (1), paragraph A hereof, but the aggregate of such benefits for disability, dismemberment, and loss of function shall not exceed the Principal Sum.

(1) Member lost:	*Percentum*
(a) Arm	65
(b) Leg	65
(c) Hand	50
(d) Foot	40
(e) Eye	35
(f) Thumb	15
(g) First finger	10
(h) Great toe	9
(i) Second finger	5
(j) Third finger	5
(k) Toe other than great toe	2½
(l) Fourth finger	2½

(m) Loss of hearing: for complete loss of hearing of one ear, 12½%; for the complete loss of hearing of both ears, 50%.

(n) Phalanges: for loss of more than one phalange of a digit, the same as the loss of the entire digit; for loss of the first phalange one-half the loss of the entire digit.

(o) Amputated arm or leg: for an arm or leg, if amputated at or above the elbow or the knee, the same as for the loss of the arm or leg; if amputated between the elbow and the wrist or the knee and the ankle, the same as for the loss of a hand or foot.

(p) Binocular vision or per centum of vision: for loss of binocular vision or for eighty per centum or more of the vision of an eye shall be the same as for loss of the eye.

(q) Two or more digits: for loss or loss of use of two or more digits, or one or more phalanges of two or more digits, or a hand or foot, may be proportioned to the loss of use of the hand or foot occasioned thereby but shall not exceed the payment for loss of a hand or foot.

(r) Total loss of use: for permanent total loss of use of a member shall be the same as for loss of the member.

(s) Partial loss or loss of use: payment for permanent partial loss or loss of use of a member may be for proportionate loss of the member or loss of use of the member.

(t) Disfigurement: proper and equitable payment for serious facial or head disfigurement, not to exceed 50%.

(u) Total or partial loss or loss of use of more than one member or parts of members. In any case in which there shall be a loss or loss of use of more than one member or parts of more than one member set forth in subdivision (a) to (t) both inclusive, hereof, but not amounting to permanent total disability, payment shall be made for the loss or loss of use of each such member or part thereof, however, not exceeding the Principal Sum, and except that where the injury affects only two or more digits of the same hand or foot, subdivision (q) hereof shall apply.

(2) The amount determined by the Administrator to be due the insured for dismemberment or loss of function shall

(a) if $750 or less, be paid the insured in a lump sum as soon as practicable.

(b) if more than $750 be paid, at the option of the insured, in a lump sum or in monthly installments of $100 beginning with the month next succeeding the last monthly payment made for disability pursuant to the provisions of subdivision (1), paragraph A hereof, or as soon thereafter as is practicable. The insured shall notify the Administrator in writing of the desired method of payment immediately upon receipt of the Administrator's determination that the insured is entitled to payment for dismemberment or loss of function under this paragraph. Should the Administrator not receive such written notice within thirty days, it shall be conclusively presumed that the insured desires payment in a lump sum and the Insurer will act accordingly.

(3) If the insured elects under subdivision (2) (b) hereof to accept payment for dismemberment or loss of function in monthly installments, the number of installments due shall be increased in number by 10%, but in no event shall the increase be less than one installment of $100.

C. *Injury increasing disability.* The Administrator in determining if disability, dismemberment or loss of function exists, or if found to exist, the quality thereof, will not take previous disabilities, dismemberments or losses of function into account. If, however, such previous condition was insured under the Second Seamen's War Risk Policy, the insured shall receive with respect to the two claims an aggregate sum not less than he would have been entitled to under either subdivision (2) and (3) of paragraph A or paragraph B hereof, had the injuries causing both disabilities been received at the same time.

D. Disability shall not include incapacity directly resulting from bodily or mental infirmity or disease of any kind. Nor shall benefits be paid for dismemberment or loss of function directly resulting from bodily or mental infirmity or disease of any kind.

E. If the insured elects after a determination by the Administrator that he is entitled to benefits under either subdivision (2) paragraph A or paragraph B hereof to accept payments for such disability, dismemberment, or loss of function, as the case may be, in installments, and if the insured dies from a cause not insured against herein before he has received the last installment, the remainder which he would have received under such subdivision had he survived shall be paid to the person or persons who would have received his life insurance hereunder, subject, however, to all the conditions, stipulations, and provisions contained in this Policy governing the disposition and payment of the insurance for loss of life.

The right of the insured to payment of the benefits provided for herein shall be conditioned upon his or her being alive to receive payment, and benefits shall not be paid to the heirs, executors, or administrators of the insured, or of any other person.

ART. 13. *Physical examination.* The Insurer shall have the right to require an examination of the person of the insured when and so often as it may reasonably require and also the right and opportunity in case of death to make an autopsy where it is not forbidden by law.

ART. 14. *Personal effects defined.* The term "personal effects" includes personal property reasonably necessary or required for use on board the vessel as well as those articles ordinarily or customarily carried on board for the personal use, wear, comfort, or convenience of the insured, either while on board, while in a foreign port, or upon his return to the home port. Articles of apparel, whether used for ornamentation or otherwise, and articles used in the performance of duties on board, are also included. Articles carried for the purpose of business foreign to the actual duties of the insured, or for resale, are excluded.

ART. 15. *Amount of payment for loss of, or damage to, personal effects.*

A. In the event of total loss of, or damage (equivalent to total loss) to the personal effects of any insured, reimbursement for such total loss or damage shall be as follows:

(a) Licensed Officer, $500.

(b) Unlicensed Crew Member, $300.

(c) U. S. Merchant Marine Cadet or Cadet Officer, $300.

If an insured shall establish the loss of a sextant which he carried aboard the vessel, he shall be paid $100 extra. If the insured shall establish the loss of binoculars, tools or similar professional equipment which he carried aboard the vessel, he shall be paid $50 extra. A total loss shall be determined without reference to apparel actually worn by the crew member at the time of the loss or damage.

B. In the event of a partial loss of or damage to the personal effects of an insured, he shall be reimbursed for the actual value of such effects lost or damaged to the extent of such loss or damage, but in no event shall the payment for such effects lost or damaged exceed the amounts set forth in paragraph A of this Article 15 for which total loss or damage is payable.

ART. 16. *Death of an insured prior to payment for loss of or damage to personal effects.* Payment for loss of or damage to personal effects shall be conditioned upon the insured being alive to receive payment, and shall not be payable to his heirs, executors, administrators or assigns.

ART. 17. *Detention and repatriation benefits.*

A. If it is established to the satisfaction of the Administrator, who, for this purpose, may rely on any official information furnished him by any department or agency of the United States Government, that the insured's vessel has been destroyed or abandoned as a result of a risk or peril insured against herein and that the insured has survived such an event and is not detained (in the sense that that term is used in paragraph B, Article 17 hereof), monthly benefits shall be paid as hereinafter provided in this paragraph A. Such monthly benefits shall be equal to the monthly basic wage of the insured (including special emergency wage), as shown by the applicable Shipping Articles at the time he signed on or, if not on Articles, by his contract of employment for the voyage at the time such contract was first made. Such monthly benefits shall be paid from the date of such destruction or abandonment of the vessel, which, for the purposes hereof, shall be the date recognized by the Administrator when the obligation to pay wages under the applicable Shipping Articles or contract of employment terminated, or which is otherwise fixed by the Administrator as the date of such destruction or abandonment, and shall continue until the insured arrives at a continental port of the United States.

Such monthly benefits shall be paid to the person or persons, if living, to whom the insured's wages are allotted under the applicable Shipping Articles. Such allottee or allottees shall receive that portion of the monthly benefits which is equal in amount to the insured's monthly wage which has been allotted, provided such latter amount does not exceed the amount of the monthly benefits. If no such allotment has been made, or if the person to whom the insured has allotted his wages is dead or dies, or if an allotment has been made and the allottee is living but the amount of monthly benefits exceeds the amount which can be paid to such allottee, the benefits or the remainder thereof shall be held by the Administrator for the benefit of the insured until his return to the continental United States, excluding Alaska, with the right to the Administrator, however, to pay such benefits or the remainder thereof in whole or in part to any person or persons named in subdivision (3), paragraph A, Article 7 of these Stipulations and Conditions, including the allottee or allottees aforementioned, and such payment when made shall be conclusively presumed to have been made for the account of the insured.

B. If it is established to the satisfaction of the Administrator, who, for this purpose may rely on any official information furnished him by any department or agency of the United States Government, that the insured is detained, either by capture by an enemy of the United States or by internment, but not otherwise, monthly benefits shall be in the same amount or amounts and shall be held or paid in the same manner and for or to the same person or persons as set forth in paragraph A, Article 17 hereof. Such monthly benefits shall be paid during such period of detention but for no longer than two years beginning with the date that the insured suffered such detention as determined by the Administrator.

C. If, in the opinion of the Administrator, it is uncertain

(1) Whether the insured survived or died as a proximate result of the occurrence of a risk or peril insured against, or

(2) Whether the insured survived or died as a proximate result of the occurrence of an event which may be a risk or peril insured against, but as to which, in the opinion of the Administrator, there is also uncertainty, or

(3) Whether the insured's vessel has been destroyed or abandoned as a proximate result of a risk or peril insured against, although it is certain, in the opinion of the Administrator, that the insured is alive, or

(4) Whether the insured is detained (in the sense that that term is used in paragraph B, Article 17 hereof), although it is certain, in the opinion of the Administrator, that the insured is alive, monthly benefits shall be paid as hereinafter provided in this paragraph C. Such monthly benefits shall be in the same amount or amounts and shall be held or paid in the same manner and for or to the same person or persons as set forth in paragraph A, Article 17 hereof. Such monthly benefits shall be paid from the date, as fixed by the Administrator, the insured, if alive, was probably separated from his vessel under any of the respective situations set forth above and shall continue *until*

(a) The Administrator determines that the insured is entitled to benefits as provided in paragraph A, Article 17 hereof, in which event monthly benefits shall thereafter be paid as provided in paragraph A, Article 17 hereof, or

(b) The Administrator determines that the insured is entitled to benefits as provided under paragraph B, Article 17 hereof, in which event monthly benefits shall thereafter be paid as provided in paragraph B, Article 17 hereof, or

(c) The death of the insured is established in a manner satisfactory to the Administrator, or

(d) The issuance by the Maritime War Emergency Board of certificate of presumptive death of the insured, or

(e) Three months shall have elapsed, in which event benefits shall cease: *Provided, however,* That if the Administrator determines that at any time after such benefits have ceased the insured is entitled to benefits or has been entitled to benefits as provided in either paragraph A or paragraph B, Article 17 hereof, monthly benefits shall thereafter be paid as provided in paragraph A or paragraph B, Article 17 hereof, as the case may be, with proper adjustment for the period that the insured was entitled to be paid such benefits prior to the Administrator's determination thereof and following the expiration of such three months period,

whichever first occurs.

D. If, after the expiration of the two year period mentioned in paragraph B, Article 17 hereof, and it appearing to the satisfaction of the Administrator that the insured is still being detained, the Maritime War Emergency Board, with the concurrence of the Administrator, may determine that further detention benefits shall be paid for an additional period or periods of time and in amounts which the Maritime War Emergency Board, with the concurrence of the Administrator, deems just and proper.

E. If, while the insured is being paid benefits under either paragraph A or B or C or D, Article 17 hereof, the Administrator determines that the insured was not, or is no longer, entitled to benefits under the provisions of such paragraph, then the payment of such benefits shall cease: *Provided,* That if the Administrator determines the insured is entitled to benefits under the provisions of any other of such paragraphs, the insured shall thereafter be entitled to benefits under the provisions of such paragraph.

F. In no event shall benefits be paid under paragraphs, A, B, C or D, Article 17 hereof, beyond three months after the termination of the present war shall have been proclaimed by the President or beyond the time that the insured shall either refuse without good cause to return to the continental United States, excluding Alaska, or accept employment on another vessel for a purpose other than to be repatriated.

G. In no event shall the insured upon his return to the continental United States, excluding Alaska, be entitled to receive, under paragraph A or B or C, Article 17 hereof, benefits exceeding a sum equal to twelve months' basic wage (including special emergency wage). In determining this limitation upon the amount which the insured, upon his return to the continental United States, is entitled to receive under paragraphs A, B or C of Article 17 hereof, benefits paid to his allottees or to the persons named in subdivision (3), paragraph A, Article 7 hereof, shall not be considered.

H. The right of the insured to be paid benefits or to have benefits paid on his account, under paragraphs A, B, C or D, Article 17 hereof, shall be conditioned upon the insured actually being alive during the period such benefits accrued or were paid. Such benefits under no circumstances shall be paid or considered payable to the heirs, executors or administrators of the insured or of any allottee or schedule beneficiary of the insured: *Provided, however,* That benefits paid to the allottees or schedule beneficiaries

before the fact of death becomes known to the Administrator shall not be recovered.

ART. 18. *Payment constituting a discharge.* A payment by the Administrator to the person or persons determined by him to be entitled to all or any of the proceeds of this Policy shall constitute a *pro tanto* discharge of the obligations under this Policy of the United States of America, the War Shipping Administration, and the Administrator.

ART. 19. *Non-assignability.* Neither this Policy nor any part thereof nor any insurance, benefits or allowances payable hereunder shall be assignable.

ART. 20. *Amount permitted to be paid agents or attorneys.* Except in the event of legal proceedings arising under or in connection with this Policy, payment to any attorney, agent or any other person acting for or on behalf of an insured, beneficiary or recipient, by such insured or any beneficiary or recipient, for such assistance as may be required in the preparation of the claim, shall not exceed $25.00 in any one case, except that the Administrator may approve an additional amount in those cases in which he feels the nature of the services rendered warrant it. At any time during the pendency of any litigation arising under or in connection with this Policy or whenever a judgment or a decree shall be rendered in an action or proceeding arising under or in connection with this Policy for the payment of any insurance, benefits or allowances under this Policy, the court in which such action or proceeding is pending or in which a judgment or decree has been rendered may and is requested to allow such fees for the attorney or attorneys of the person or persons who are parties to such action or proceeding or who have obtained a judgment or a decree, as it may determine to be just compensation for the services rendered. Before the payment of any insurance, benefits or allowances hereunder, or any judgment or decree, as aforesaid, the Administrator may require proof to be submitted to him in the form of an affidavit, or in any other manner which to him seems fit, by the insured, the beneficiary, the recipient, or holder of any judgment or decree or his attorney, agent, or any other person acting for or on their behalf, or any or all of them, that the payment previously or thereafter to be made to such attorney, agent or other person does not exceed the sum herein specified or allowed by the court, as the case may be.

ART. 21. *Notice of loss and claim.* Notice of disability (including dismemberment and loss of function), and claim for payment therefor under this Policy shall be given to the Administrator within ninety days after the happening of the event causing the disability (including dismemberment and loss of function), or ninety days after the insured returns to the continental United States, excluding Alaska. Notice of loss of, or damage to, personal effects and claim for payment therefor under this Policy shall be given to the Administrator within ninety days after the happening of the event causing the loss, or ninety days after the insured returns to the continental United States, excluding Alaska.

ART. 22. *Limitation of suit.* No action or suit upon this Policy shall be valid unless commenced within two years from the time the insurance, benefits or allowances conferred by this Policy are payable, except that

(a) an action or suit by the insured may be commenced at any time within two years after he returns to the United States or the termination of the present war shall have been proclaimed by the President, whichever first occurs, and

(b) the time during which a person, other than the insured, is in enemy occupied territory shall be excluded from the two-year period as aforesaid.

ART. 23. *Deviation and change of voyage.* This insurance shall not be affected by a deviation or change of voyage of the vessel, except that the Administrator may require the payment of an additional premium.

ART. 24. *"Administrator" defined.* Wherever the term "Administrator" is used in this Policy that term shall include the person who is the Administrator of the War Shipping Administration at the time of the issuance of this Policy and his successor or successors in office, and such other person or persons employed by the Administrator, the War Shipping Administration, or the United States of America, in the War Shipping Administration to whom the Administrator may delegate duties or powers for the administration of the insurance. Wherever there is mention in this Policy of a decision, determination or exercise of discretion by the Administrator, such terms shall include a decision, determination or exercise of discretion of a person or persons to whom the Administrator may delegate such power or powers and shall not be taken to mean that the personal act of the Administrator is required.

ART. 25. *Multiple claims against the United States.*

A. It is the intent of the Insurer in the issuance of this Policy to avoid providing or paying any benefit or sum of money for any loss, event or occurrence to the extent that legal liability to pay for the same loss, event or occurrence otherwise exists on the part of the United States of America, the War Shipping Administration, the Administrator, the owner of a vessel under time or bareboat charter to the War Shipping Administration, the operator of a vessel owned by the War Shipping Administration or under time or bareboat charter to it, or the agent of the War Shipping Administration in the operation of such a vessel, and this Policy shall be construed to give effect to such intent. By the Acceptance of the insurance protection afforded by this Policy, by the designation of any beneficiary thereunder or by otherwise acting pursuant to the terms of this Policy, the insured, in behalf of himself, his personal and legal representatives, administrators, executors, heirs at law, next of kin, dependents and beneficiaries, acknowledges such intent and agrees to the conditions and provisions of this Policy, including specifically those contained in this Article 25. Similarly, any beneficiary or person to whom any benefit or sum of money is paid under the provisions of this Policy does, by making claim therefor or by the acceptance thereof, acknowledge such intent and agrees to the conditions and provisions of this Policy, including specifically the conditions and provisions of this Article 25.

B. If any final judgment or award is obtained by any person against the United States of America, the War Shipping Administration, the Administrator, the owner of a vessel under time or bareboat charter to the War Shipping Administration, the operator of a vessel owned by the War Shipping Administration or under time or bareboat charter to it, or the agent of the War shipping Administration in the operation of such a vessel by reason of the loss of life, disability (including dismemberment and loss of function), loss of or damage to personal effects, or detention (including the occurrence of other situations hereinbefore provided) of the insured but based on a claim or cause of action other than one under this Policy, and if such respective loss of life, disability (including dismemberment and loss of function), loss of or damage to personal effects, or detention (including the occurrence of other situations hereinbefore provided) of such insured, either separately or combined, also constitutes or forms the basis of a claim payable under this Policy, the amount which otherwise would have been payable hereunder because of such claim shall be reduced by an amount equal to the amount of such final judgment or award, unless such person, in a form and manner satisfactory to the Administrator, effectively and validly releases or discharges the United States of America, the War Shipping Administration, the Administrator the owner of a vessel under time or bareboat charter to the War Shipping Administration, the Administrator, the operator of a vessel owned by the War Shipping Administration or under time or bareboat charter to it, or the agent of the War Shipping Administration in the operation of such a vessel from their respective obligations under such final judgment or award *to the extent of the amount of such claim* payable under this Policy.

C. The payment and acceptance of any benefit or sum of money under this Policy shall constitute a waiver, release, acceptance, discharge and satisfaction, *to the extent of such payment*, of any and all claims, causes of actions, judgments or awards against the United States of America, the War Shipping Administration, the Administrator, the owner of a vessel under time or bareboat charter to the War Shipping Administration, the operator of a vessel owned by the War Shipping Administration or under time or bareboat charter to it, or the agent of the War Shipping Administration in the operation of such a vessel other than under this Policy but arising out of the respective loss of life, disability (including dismemberment and loss of function), loss of or damage to personal effects, or detention (including the occurrence of other situations hereinbefore provided) for which such benefit or sum of money was paid and accepted under this Policy.

D. This Article 25 shall not apply to claims for wages, maintenance and cure where the right to such items arises under the general maritime law of the United States and not under this Policy, but this Article 25 shall apply to claims for wages to the extent that the insured, his aliottee or any other person who is entitled to receive or has received benefits or sums of money under Article 17 hereof, and to claims for maintenance to the extent and for the period that the insured is entitled to receive or has received benefits or sums of money under paragraph A of Article 12 hereof.

ART. 26. *Amendments and modifications.* If the Maritime War Emergency Board determines that the Second Seamen's War Risk Policy should be amended and modified to provide for increased hazards and risks undertaken by the Masters, Officers and Crews of vessels of the American Merchant Marine arising from important changes or developments in war conditions, or if the Maritime War Emergency Board determines that the Second Seamen's War Risk Policy should be amended and modified to correct injustices or cases of hardship arising under and by virtue of its present terms, the Administrator agrees and reserves the right to amend or modify the Second Seamen's War Risk Policy, including this particular Policy, in such manner and in such respects as prescribed by the Maritime War Emergency Board. If the Maritime War Emergency Board further determines, with the concurrence of the Administrator, that it is necessary and proper to make such amendments or modifications retroactive in effect in order to avoid serious inequalities the Administrator agrees and reserves the right to make any such amendment or modification applicable to any and all cases or claims arising under the Second Seamen's War Risk Policy, including this particular Policy, irrespective of whether benefits have or have not been claimed or paid thereunder, in such manner and in such respects as prescribed by the Maritime War Emergency Board, with the concurrence of the Administrator.

[F. R. Doc. 43-4064; Filed, March 15, 1943, 4:29 p. m.]

[Decision 2 A]

BONUS

The Maritime War Emergency Board today announces this Decision with respect to Bonus.

Article I—Voyage Bonus, Area Bonus and Port Attack Bonus Required

Voyage bonus, area bonus, and port attack bonus shall be paid under this Decision to licensed and unlicensed personnel employed on United States flag vessels of the American Merchant Marine.

Article II—Voyage Bonus Classifications

Classification I—(High Bonus)—100%. A. Trans-Atlantic voyages (and extensions thereof), other than voyages or parts of voyages in Classifications II and III, whether to Europe, Africa, Asia, or elsewhere, outward and homeward.

B. Trans-Pacific voyages (and extensions thereof), other than voyages or parts of voyages in Classifications II and III, whether to Asia, Australia, Africa or elsewhere, outward and homeward; specifically including voyages from Pacific ports of North America to ports in Alaska if the vessel proceeds to Alaska directly across the Pacific rather than by a route which parallels the Coast outside of the Inland Passage as defined in Classification III, Paragraph A.

C. Voyages, other than voyages or parts of voyages in Paragraph B of this Classification or in Classifications II and III, between Pacific ports in the United States, Canada and Alaska, while west of 136° west longitude.

D. Voyages, other than voyages or parts of voyages in Classifications II and III, between ports in Iceland, Greenland, North America, South America, the West Indies and Central America.

E. Voyages, other than voyages or parts of voyages in Classifications II or III, in the Gulf of Mexico.

Classification II—(Low Bonus)—40%. A. Voyages or portions of voyages, other than voyages or parts of voyages in Classifications I and III, between Pacific ports in the United States, Canada and Alaska, while east of 136° west longitude.

B. Voyages or portions of voyages, other than voyages or parts of voyages in Classification III, between Pacific ports in North America (excluding Alaska), South America and Central America. For the purpose of this Classification, the Pacific entrance to the Panama Canal, the Pacific entrance to the Strait of Magellan, and the crossing of a line drawn due south from Cape Horn shall be considered Pacific "ports".

Classification III—(No Bonus). A. Voyages in the inland passage to Alaska consisting of the following waters:

i. Waters to the eastward of a line drawn from Cape Flattery, Washington, to Pachena Point Lighthouse, Vancouver Island, and all waters to the northward and eastward of Vancouver Island.

ii. Waters to the eastward of a line drawn from Cape Scott, Vancouver Island, to Cape St. James, Queen Charlotte Islands, including the waters of Queen Charlotte Islands (Hecate Strait).

iii. Waters to the eastward of a line drawn from Cape Know, Queen Charlotte Islands, to Cape Muzon, Dall Island (Dixon Entrance).

iv. Waters to the eastward of a coastal line drawn from Cape Muzon to Cape Bartolome and thence to Cape Ommaney, and Cape Edgecumb at the entrance to Sitka Sound.

v. Waters to the eastward of a coastal line drawn from Cape Edgecumb to Cape Spencer, the entrance to Cross Sound.

B. Voyages between ports not south of New York nor north of Boston are included within this Classification when vessels proceed via Long Island Sound and do not proceed east of 70° west longitude.

C. Any portion of any voyage east of a line drawn in the Straits of Juan de Fuca from Cape Flattery, Washington to Pachena Point, Vancouver Island.

D. Any portion of any voyage while in the St. Lawrence River west of Father Point.

E. Any portion of any voyage while transiting the Panama Canal.

F. Any portion of any voyage while in the Strait of Magellan. The boundaries of the Strait of Magellan are as follows:

(a) *Atlantic boundary line:* A line running in a southerly and easterly direction from Direction Hill (Cerro Direccion) on the northern shore of the First Narrows, to Anegada Point located on the southern shore of the First Narrows;

(b) *Pacific boundary line:* A line running in a northerly and easterly direction from Felix Bay Light Tower located on an island in Felix Bay off the southwesterly shore of Sea Reach (Paso Del Mar), to the Fairway Island Light Pyramid located on the west side of the largest Fairway Island.

G. Voyages wholly within the Great Lakes; and voyages, or portions thereof, on inland waters, harbors, rivers, sounds, bays and gulfs of the United States as defined in "Rules & Regulations, series No. 16, Bureau of Marine Inspection & Navigation, Department of Commerce, Pilot Rules for certain inland waters of the Atlantic and Pacific Coasts and the Coast of the Gulf of Mexico" dated May 28, 1940.

H. Voyages or portions thereof while in ports or other inland waters of the Western Hemisphere, either as specifically defined in this Classification or as may be defined from time to time by the Maritime War Emergency Board. The Western Hemisphere for the purposes of this paragraph H shall *include* the Hawaiian Islands and Bermuda but shall *exclude:*

(1) Iceland

(2) Greenland

(3) Alaska (west of 136° west longitude) and the Aleutian Islands

(4) The Caribbean Sea and West Indies (which is defined to exclude the Continental United States, but to include the East Coast of Central and South America north of 4° north latitude, and also to include all of the islands in the area bounded on the south by 4° north latitude on the east by 59° west longitude, on the north by 28° north latitude and on the west by the east coasts of North, Central and South America).

Article III—Amount of Voyage Bonus

Voyage bonus shall be based on transit of areas of risk and computed as follows:

A. Voyage bonus shall be computed on basic and special emergency wages, excluding overtime, penalty time and all other extra compensation.

B. Voyage bonus equal to 100% of wages shall be paid for voyages in Classification I, but not in any case less than $100 per month or a proportionate sum for a part thereof.

C. Voyage bonus equal to 40% of wages shall be paid for voyages or portions of voyages in Classification II, but not in any case less than $40 per month or a proportionate sum for a part thereof.

D. No voyage bonus shall be paid for voyages or portions of voyages in Classification III.

Article IV—Time When Voyage Bonus Payments Start and Stop

A. Voyage bonus payments shall become effective at midnight prior to the day during which the vessel departs from waters included in Classification III and enters the high seas.

B. Voyage bonus payments shall cease at midnight of the day during which the vessel departs from the high seas and enters waters included in Classification III.

C. Changes in voyage bonus rates between Classifications I and II during a voyage or part of a voyage while on the high seas are effective as of the completed hour, local mean time, of the day of the crossing of the line demarking the new Classification.

D. Voyage bonus payments on vessels on a coastwise voyage, or on the coastwise portion of a foreign voyage, putting into a port within the continental limits of the United States for purposes of safety from enemy action, pursuant to the orders and directions from the Navy Department, or the consequences of war, and not for the purposes of loading or discharging cargo, or otherwise performing the vessel's business, shall cease as of the completed hour, local mean time, when the vessel enters the protective limits of the harbor or the inland waters of continental United States from the high seas, and shall commence as of the completed hour, local mean time, when the vessel departs from the protective limits of the harbor or the inland waters of continental United States and enters the high seas.

Article V—Area and Port Attack Bonus

A. *Area bonus.* In addition to voyage bonus payable under Articles II, III and IV, area bonus at the rate of $5.00 per day shall be payable to each crew member while in the service of his vessel within any of the following areas:

(1) *Murmansk Area*—that part of the Atlantic and Arctic Oceans east of Greenwich Meridian and west of 60 east longitude and north of 60° north latitude.

(2) *Mediterranean Area*—the Mediterranean Sea east of a line from Cape Spartel to Cape Trafalgar, including the Adriatic and Aegean Seas.

(3) *South Seas Area*—the area bounded on the north by 20° north latitude, on the east by 170° east longitude, on the south by 20° south latitude and on the west by 120° east longitude.

B. Such area bonus shall commence at midnight preceding the day of entering any of the above areas and shall cease at midnight of the day when a vessel departs from any such area.

C. *Port attack bonus.* In addition to voyage and area bonus, one port bonus of $125 shall be payable to each crew member for each port or anchorage, whether within or without any of the areas specified in Paragraph A above, which experiences enemy attack during the presence of his vessel in such port or at such anchorage.

Article VI—Periods During Which Voyage, Area, and Port Bonus Payable

A. *During ordinary course of voyage.* Bonus is payable to a crew member of the vessel on which he is employed during the course of his employment aboard such vessel.

B. *When bonus payable after separation from vessel and during repatriation.* (1) If a crew member is separated from his vessel as the result of a peril described in Article 3 of the form of insurance policy attached to Decision 1 A, bonus continues payable to such crew member until midnight of the day on which he reaches a port.

(2) If a crew member is repatriated to the United States after separation from his vessel as a result of either:

(a) a peril referred to in paragraph (1) above,

(b) illness or injury incurred in the service of his vessel and not occasioned by his wilful misconduct, bonus shall be payable to such crew member during his repatriation from midnight of the day prior to which the vessel or other conveyance on which he is being repatriated departs until midnight of the day of arrival of such vessel or other conveyance at a continental United States port.

C. *When bonus not payable after separation from vessel.* (1) Bonus shall not be payable while a crew member is on land.

(2) Bonus shall not be payable during the period that a crew member is detained either by capture by an enemy of the United States or by internment.

(3) Bonus shall not be payable to a crew member:

(a) after voluntary termination of his employment aboard his vessel for a reason other than one set forth in Paragraph B (2),

(b) after desertion or discharge from his employment aboard his vessel,

(c) after a crew member accepts employment on another vessel for a purpose other than to be repatriated,

(d) after a crew member refuses without good cause to be repatriated to the United States.

D. *No double bonus.* If a crew member signs on the vessel on which he is being repatriated, either as a crew member or workaway on such repatriating vessel, he shall not be entitled to bonus from such vessel in addition to bonus payable under Paragraph B of this Article VI.

E. *Death of a crew member.* Bonus shall not be payable for any period after death of a crew member.

Article VII—Effective Date

This Decision shall be effective on and after 12:01 A. M. of March 15, 1943. The provisions of this Decision shall not be retroactive.

Article VIII—Repeal

Decision No. 7, Revised, and all Amendments thereto and Clarifications thereof, previously issued by the Maritime War Emergency Board are repealed as of the effective date of this Decision, except as to any voyage, area and port bonus payable for any period prior to 12:01 A. M. of March 15, 1943. Any such voyage, area and port bonus shall continue to be payable under Decision No. 7, Revised.

MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY, *Chairman.*
JOHN R. STEELMAN.
FRANK P. GRAHAM.

FEBRUARY 27, 1943.

[F. R. Doc. 43-4065; Filed, March 15, 1943; 4:30 p. m.]

[Decision 3 A]

PERSONAL EFFECTS WAR RISK INSURANCE

The Maritime War Emergency Board today announces this decision with respect to loss of or damage to personal effects.

Article I—Personal Effects Insurance Coverage

Crew members of all merchant vessels documented under the laws of the United States and covered by the Statement of Principles pursuant to which the Board was established shall be furnished war risk insurance protection with respect to their personal effects in the manner and to the extent provided in the form of insurance policy attached to Decision 1 A, such policy being known as the Second Seamen's War Risk Policy. The obligation to furnish such insurance protection shall be deemed fulfilled by the procurement of an insurance policy in the form mentioned above from the War Shipping Administration. If such insurance protection is procured from another source, the obligation to furnish such insurance protection shall not be deemed fulfilled if and to the extent that benefits that are lawfully payable under and pursuant to the terms of the insurance policy aforementioned are not paid. This Decision does not apply to alien crew members who do not reside in the continental United States and who are employed aboard any such merchant vessel engaged in a shuttle service or voyage between foreign ports, except to the extent and with such modifications as may be agreed upon and set forth in their contract of employment.

If the Board, by reason of important changes or developments in war conditions which affect the hazards and risks undertaken by the crew members of the aforementioned merchant vessels, determines that the form and terms of the aforesaid policy should be amended or modified, or if the Board determines that any of the present terms of the aforesaid form of policy are productive of serious injustices or hardship, it may by decision require that additional or different insurance protection be afforded to crew members of all such merchant vessels and prescribe appropriate amendments or modifications of the form of policy attached to Decision 1 A accordingly, all in such manner and to such extent as the Board considers advisable. If the Board further determines that such action is necessary and proper in order to avoid unjust discrimination in those cases which have theretofore arisen, it may require, with and upon the concurrence of the Administrator of the War Shipping Administration, that any such additional or different insurance protection and any such amendment or modification of the form of the aforesaid policy be made applicable to such cases, irrespective of whether benefits in such cases have or have not been claimed or paid under and pursuant to the terms of such policy then in effect, all in such manner and to such extent as the Board considers advisable.

Article II—Effective Date

This decision and the form of insurance policy attached to Decision 1 A shall, in so far as such policy relates to insurance for loss of or damage to personal effects, be effective on and after 12:01 A. M. of March 15, 1943.

Article III—Repeal

Decisions 3 and 8 and all supplements, amendments, clarifications and memoranda pertaining thereto previously issued by the Maritime War Emergency Board are repealed as of the effective date of this decision, except in connection with loss of or damage to personal effects arising from a peril occurring prior to 12:01 A. M. of March 15, 1943. Such losses and reimbursement therefor shall continue to be governed and controlled by Decisions 3 and 8.

MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY, *Chairman.*
JOHN R. STEELMAN.
FRANK P. GRAHAM.

JANUARY 28, 1943.

[F. R. Doc. 43-4066; Filed, March 15, 1943; 4:31 p. m.]

[Decision 4 A]

CERTAIN OFF-SHORE SMALL CRAFT OPERATIONS, ETC.

The Maritime War Emergency Board today announces this Decision 4 A with respect to certain off-shore emergency operation of tugs and similar small craft, and with respect to vessels operating solely in the Hawaiian Islands trade.

Article I—Operations Covered

This Decision 4 A applies to:

1. United States flag tugs and similar small craft employed on the high seas in rescuing, wrecking or salvage work under instructions given or confirmed by the War Shipping Administration.

2. United States flag vessels of the American Merchant Marine operating solely in trade in the Hawaiian Islands.

Article II—Crew War Risk Life and Disability Insurance

Every Master, Officer or crew member employed aboard a vessel covered by this Decision shall be insured against loss of life and disability (including dismemberment and loss of function) in the amounts and under the terms and conditions specified in Decision 1 A.

Article III—Bonus

Every Master, Officer or crew member employed aboard a vessel covered by this Decision shall be paid war risk bonus in the amounts and under the terms and conditions set forth in Decision 2 A: *Provided, however,* That on all tugs and similar craft covered by this Decision bonus payments shall become effective at the midnight or noon next preceding the hour on which the vessel proceeds on its employment, and shall terminate on the noon or midnight next succeeding the hour when the vessel is moored upon completion of its assignment; and that on all vessels in the Hawaiian Islands trade covered by this Decision bonus payments shall become effective at the noon or midnight next preceding the hour when the vessel departs from inland waters and enters the high seas, and shall terminate at the noon or midnight next succeeding the hour when the vessel departs from the high seas and enters inland waters. Bonuses, therefore, shall in no case be calculated upon a period of less than one-half day (12 hours).

Article IV—Loss of Personal Effects

Every Master, Officer or crew member employed aboard a vessel covered by this Decision shall be insured against loss of personal effects under the terms and conditions specified in Decision 3 A: *Provided, however,* That the amount of such insurance shall be $200: And *provided further,* That if any Master, Officer or crew member shall establish that he carried on board his vessel professional equipment such as sextants, binoculars, tools and similar articles, and shall satisfactorily establish that such equipment is lost he shall be entitled to reimbursement for the value thereof but not in excess of an additional $200.

Article V—Applicability of Decisions of the Board

All Decisions of the Maritime War Emergency Board, as Supplemented or Amended, shall be given effect for the purpose of further carrying out the provisions of these Decisions except in so far as said Decisions, Supplements or Amendments are inconsistent with the provisions hereof.

Article VI—Effective Date

This Decision shall take effect as of 12:01 A. M., March 15, 1943.

MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY, *Chairman.*
JOHN R. STEELMAN.
FRANK P. GRAHAM.

MARCH 12, 1943.

[F. R. Doc. 43-4067; Filed, March 15, 1943; 4:31 p. m.]

[Decision 5 A]

DETENTION AND REPATRIATION BENEFITS INSURANCE

The Maritime War Emergency Board today announces this Decision with respect to Detention and Repatriation Benefits insurance.

Article I.—Detention and Repatriation Benefits Insurance Coverage

Crew members of all merchant vessels documented under the laws of the United States and covered by the Statement of Principles pursuant to which the Board was established, shall be furnished war risk insurance protection with respect to detention and repatriation (including similar cases) in the manner and to the extent provided in the form of insurance policy attached to Decision 1 A, such policy being known as the Second Seamen's War Risk Policy. The obligation to furnish such insurance protection shall be deemed fulfilled by the procurement of an insurance policy in the form mentioned above from the War Shipping Administration. If such insurance protection is procured from another source, the obligation to furnish such insurance protection shall not be deemed fulfilled if and to the extent that benefits that are lawfully payable under and pursuant to the terms of the insurance policy aforementioned are not paid. This Decision does not apply to alien crew members who do not reside in the continental United States and who are employed aboard any such merchant vessel engaged in a shuttle service or voyage between foreign ports, except to the extent and with such modifications as may be agreed upon and set forth in their contract of employment.

If the Board, by reason of important changes or developments in war conditions which affect the hazards and risks undertaken by the crew members of the afore mentioned merchant vessels, determines that the form and terms of the aforesaid policy should be amended or modified, or if the Board determines that any of the present terms of the aforesaid form of policy are productive of serious injustices or hardship, it may by Decision require that additional or different insurance protection be afforded to crew members of all such merchant vessels and prescribe appropriate amendments or modifications of the form of policy attached to Decision 1 A accordingly, all in such manner and to such extent as the Board considers advisable. If the Board further determines that such action is necessary and proper in order to avoid unjust discrimination in those cases which have theretofore arisen, it may require, with and upon the concurrence of the Administrator of the War Shipping Administration, that any such additional or different insurance protection and any such amendment or modification of the form of the aforesaid policy be made applicable to such cases irrespective of whether benefits in such cases have or have not been claimed or paid under and pursuant to the terms of such policy then in effect, all in such manner and to such extent as the Board considers advisable.

Article II—Effective Date

This Decision and the form of insurance policy attached to Decision 1 A, shall, in so far as such policy relates to detention, repatriation and similar cases, be effective on and after 12:01 a. m. of March 15, 1943, and benefits therefor as to all masters, officers and crew members who are detained or have met with any of the situations described in Article 17 of the Second Seamen's War Risk Policy as a result of a peril which is insured against by the Second Seamen's War Risk Policy, shall be governed by and payable in accordance with the Second Seamen's War Risk Policy if such detention or peril occurred on or after 12:01 a. m. of March 15, 1943. If the detention or peril occurred before 12:01 a. m. of March 15, 1943, detention, repatriation and other benefits as the case may be, shall be governed by and payable in accordance with the terms of Decision No. 5, Revised.

Article III—Repeal

Decision No. 5, Revised and all Amendments, Clarifications, Memoranda and Procedural Bulletins pertaining thereto previously issued by the Maritime War Emergency Board are repealed as of the effective date of this Decision, except in connection with detention, repatriation and other benefits payable under Decision No. 5, Revised arising from a peril occurring prior to 12:01 a. m. of March 15, 1943.

MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY, *Chairman.*
JOHN R. STEELMAN.
FRANK P. GRAHAM.

JANUARY 28, 1943.

[F. R. Doc. 43-4068; Filed, March 15, 1943; 4:32 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

PRIVATE CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN OF MILK DISTRIBUTORS IN AUBURN MILK MARKETING AREA, NEW YORK

Pursuant to a provision of a general order issued by the Office of Defense

Transportation for the purpose, among

21. Hunter Dairy.
22. Bonney Bend Dairy.

OFFICE OF PRICE ADMINISTRATION

(f) This Order No. 6 shall become effective March 19, 1943.

vised Maximum Price Regulation No. 122.

effect on October 1, 1941 plus an amount equal to 14½% of such net price.

Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 6, as amended,[1] superseded in part by General Order ODT 17, as amended[1]), the private carriers named in the Appendix hereof have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of milk in the Auburn Milk Marketing Area, New York.

The participants have agreed that all retail delivery service in such Area shall be on an every-other-day basis, and that only one stop during any calendar day will be made at the premises of any customer served by such retail delivery service, except as provided by § 501.32 of General Order ODT 6, now superseded in part by General Order ODT 17, as amended. The distributors further agree that no retail delivery shall be made from a truck prior to 7:30 o'clock A. M. during any calendar day. Those distributors operating wholesale routes agree to trade "outlying customers" in order to reduce the mileage operated by their trucks, and to suspend delivery service to such customers when they can obtain adequate supplies of milk from other sources.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 16th day of March 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

APPENDIX

1. Ockenden Dairy.
2. Walt Farms.
3. Auburn Guernsey Farms Inc.
4. Pearce Brothers.
5. Bluefield Dairy.
6. Ford Dairy.
7. George Rao—Rao Dairy.
8. Auburn Sanitary Dairy.
9. J. Quill—Quills Dairy.
10. Kents Dairy.
11. R. M. Jayne.
12. Holms Dairy.
13. Lewis Dairy.
14. Dairymens League.
15. Pine Springs Dairy.
16. W. Walker & Bros.
17. Steve Pesarchick—Willow Brook Dairy.
18. Gibbs Dairy.
19. Bisgrove Dairy.
20. Fleming-Dale Dairy.
21. Hunter Dairy.
22. Bonney Bend Dairy.

[1] 7 F.R. 3008, 3532, 4184.
[1] 7 F.R. 5678, 7694.

[F. R. Doc. 43-4187; Filed, March 18, 1943; 11:48 a. m.]

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN IN OLD GREENWICH, CONNECTICUT

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials, and supplies (General Order ODT 6, as amended[1]), Thomas Heffernan and 18 others, members of The Greenwich Independent Refuse Collectors Association, Inc., Old Greenwich, Connecticut, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation by motor vehicle of garbage and trash in Old Greenwich, Connecticut.

The participants in the plan are now engaged in the transportation of garbage and trash in Old Greenwich, Connecticut, as common carriers by motor vehicle; and in the parallel services performed there is considerable waste. On some streets, four or five houses are now being served by as many as three trucks; streets with from eight to 25 houses are being served by from five to eight trucks; and in certain private areas 50 houses are being served by five or six trucks. In each of these cases, the parallel services will be eliminated and one truck will do the work. The plan is to be effectuated by the even exchange of customers, on a revenue basis, by the carriers participating in the plan.

It is stipulated that the plan will involve no increase in the rates charged for the collection of garbage and trash; that there will be no curtailment of service under the proposed plan; and that the persons served will at all times have opportunity to choose another carrier who is not a participant in the plan.

It appearing that the proposed joint action plan is in conformity with General Order ODT 6, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 16th day of March, 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-4189; Filed, March 18, 1943; 11:49 a. m.]

[1] 7 F.R. 3008, 3532, 4184.

OFFICE OF PRICE ADMINISTRATION

[Order 6 Under MPR 74]

WILBUR-ELLIS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 6 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as Amended—Animal Product Feedingstuffs.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, *It is ordered:*

(a) *Approval of maximum prices for sales of meat scraps by Wilbur-Ellis Company with guaranteed minimum protein contents of 70, 75 and 80 per cent.* Wilbur-Ellis Company, San Francisco, California, may sell and any person may buy and receive from Wilbur-Ellis Company, meat scraps in bulk of the following analyses at the prices indicated below:

Guaranteed minimum protein content	*Maximum price per ton f. o. b. conveyance at production plant of Wilbur-Ellis Co. located in Zone 1*
70 per cent	$78.20
75 per cent	83.25
80 per cent	88.30

(b) *Price adjustments where actual analysis differs from guaranteed minimum protein content.* In any sale made pursuant to the provisions of this order if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, then:

(1) If above the guaranteed minimum percentage of protein, no increase in maximum prices is permitted.

(2) If one per cent or less below the guaranteed minimum percentage of protein, deduct $1.50 per ton from the selling price.

(3) If more than one per cent below the guaranteed minimum percentage of protein deduct from the selling price, $1.50 per ton for the first per cent and $3.00 per ton for each additional per cent or fraction thereof.

(c) *Notification of maximum prices.* Wilbur-Ellis Company shall provide the following notice of the maximum price established by this Order with the first delivery to each buyer of meat scraps having a guaranteed minimum protein content of 70, 75 or 80 per cent.

The Office of Price Administration has permitted us to sell meat scraps with guaranteed minimum protein contents of (insert the appropriate percentage established by this Order) at a maximum price of (insert the appropriate price established by this Order) per ton, f. o. b. our production plant, which is in line with the maximum prices established for the product by Maximum Price Regulation No. 74, as amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these meat scraps.

(d) All prayers and requests contained in the application of Wilbur-Ellis Company which have not been granted herein are denied.

(e) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 6 shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4197; Filed, March 18, 1943; 11:52 a. m.]

[Correction to Order 111 Under MPR 120]

SAGINAW MINING COMPANY

ORDER GRANTING ADJUSTMENT

Correction to Order No. 111 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-198.

Size Groups 3, 9 and 11, wherever they are referred to in Order No. 111 under Maximum Price Regulation No. 120 and in the Opinion accompanying that Order, are corrected to read Size Groups 2, 6 and 7, respectively.

This correction to Order No. 111 shall be effective as of December 21, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4196; Filed, March 18, 1943; 11:54 a. m.]

[Order 171 Under MPR 120]

CHERRY HILL MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 171 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-258.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120; *It is ordered:*

(a) Coals in Size Group 3, produced by Glen V. Brown, doing business as Cherry Hill Mining Company, Wooster, Ohio, at the Cherry Hill Mine, Mine Index No. 1561, in District No. 4, may be sold and purchased for shipment by truck or wagon at prices not to exceed $3.40 per net ton f. o. b. the mine.

(b) Within 30 days from the effective date of this order, the said Glen V. Brown shall notify all persons purchasing the coals produced from his Cherry Hill Mine (Mine Index No. 1561), of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchasers' resale prices except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 171 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 171 shall become effective March 19, 1943.

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4199; Filed, March 18, 1943; 11:54 a. m.]

[Order 42 Under Rev. MPR 122]

HICKS AND TAYLOR COAL COMPANY

ORDER DENYING ADJUSTMENT

Order No. 42 under Revised Maximum Price Regulation No. 122—Solid Fuels Sold and Delivered By Dealers—Docket No. 3122-44.

On June 22, 1942, Hicks and Taylor Coal Company, of Chicago, Illinois filed a petition for amendment of Maximum Price Regulation No. 122. This petition is being treated as an application for adjustment, filed pursuant to the provisions of § 1340.259 (a) of Revised Maximum Price Regulation No. 122. For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator and in accordance with § 1340.259 (a) of Revised Maximum Price Regulation No. 122, *It is ordered*, That said application be, and it hereby is, denied.

This Order No. 42 shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4195; Filed, March 18, 1943; 11:54 a. m.]

[Order 15 Under MPR 136]

PACIFIC FENCE & WIRE CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 15 under Maximum Price Regulation No. 136, as Amended—Machines and Parts, and Machinery Services—Docket No. 3136-227.

For the reasons set forth in an Opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Pacific Fence & Wire Company of Portland, Oregon is hereby authorized to sell to any purchaser its chain link conveyor belting at the net prices it had in effect on October 1, 1941 plus an amount equal to 14½% of such net price.

(b) To the extent that the application for adjustment filed by the Pacific Fence & Wire Company has not been granted by this order, the application is denied.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March, 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4198; Filed, March 18, 1943; 11:53 a. m.]

[General Order 10]

DELEGATION OF AUTHORITY TO PAUL M. O'LEARY

ORDER OF REVOCATION

General Order No. 10 is hereby revoked.

(Pub. Law 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as Supplemented)

Issued and effective this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4215; Filed, March 18, 1943; 4:54 p. m.]

[General Order 18]

DELEGATION OF AUTHORITY TO PAUL M. O'LEARY

ORDER OF REVOCATION

General Order No. 18 is hereby revoked.

(Pub. Laws 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as Supplemented)

Issued and effective this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4216; Filed, March 18, 1943; 4:53 p. m.]

[General Order 28]

DELEGATION OF AUTHORITY TO PAUL M. O'LEARY

ORDER OF REVOCATION

General Order No. 28 is hereby revoked.

(Pub. Law 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, As Supplemented)

Issued and effective this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43 4217; Filed, March 18, 1943; 4:54 p. m.]

[General Order 40]

DELEGATION OF AUTHORITY TO REGIONAL ADMINISTRATORS

[Amendment 4 to Emergency Order 5 Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price

[Certificate 43]

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN IN OLD GREENWICH,

of Defense Transportation in respect of a joint action plan by the persons named therein concerning transportation of property by motor vehicle in Old

you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan, is requisite to the prosecution of the war.

[General Order 40]

DELEGATION OF AUTHORITY TO REGIONAL ADMINISTRATORS

ORDER OF REVOCATION

General Order No. 40 is hereby revoked.

(Pub. Laws 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719); WPB Dir. No. 1, 7 F.R. 562, as Supplemented)

Issued and effective this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4218; Filed, March 18, 1943; 4:55 p. m.]

[General Order 42]

DELEGATION OF AUTHORITY TO REGIONAL ADMINISTRATORS

ORDER OF REVOCATION

General Order No. 42 is hereby revoked.

(Pub. Law 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, As Supplemented)

Issued and effective this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4219; Filed, March 18, 1943; 4:53 p. m.]

[General Order 45]

DELEGATION OF AUTHORITY TO LOUIS H. HARRIS

ORDER OF REVOCATION

General Order No. 45 is hereby revoked.

(Pub. Law 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as Supplemented)

Issued and effective this 18th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4220; Filed, March 18, 1943; 4:54 p. m.]

[Order 11 Under MPR 185]

PRODUCERS CO-OPERATIVE PACKING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 11 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum price for Producers Co-Operative Packing Company, Salem, Oregon.

The applicant, Producers Co-Operative Packing Company, has filed an application for specific authorization of a maximum price for canned No. 2 Standard Gooseberries, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of gooseberries in the size and grade in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The applicant, Producers Co-Operative Packing Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, No. 2 Standard Gooseberries at a price no higher than the maximum price of $1.63 per dozen cans, f. o. b. factory.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, shall be applicable to the terms used herein.

(e) This order shall become effective March 19, 1943.

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4225; Filed, March 18, 1943; 4:56 p. m.]

Regional Office, Region I.

[Amendment 5 to Emergency Order 4 Under Ration Order 11]

FUEL OIL SHORTAGE IN GREATER BOSTON AREA AND CONNECTICUT

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (c) (13) of Emergency Order No. 4 is amended to read as follows:

(c) *Order.* • • •

(13) *Effective period.* Emergency Order No. 4 shall terminate at 12:00 p. m., March 23, 1943 unless extended by further order.

Effective date of Amendment 5. Amendment 5 to Emergency Order No. 4 shall be effective at 12:00 p. m., March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 13th day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator,
Region I.

[F. R. Doc. 43-4227; Filed, March 18, 1943; 4:56 p. m.]

[Amendment 4 to Emergency Order 5 Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (c) (13) of Emergency Order No. 5 is amended to read as follows:

(c) *Order.* • • •

(13) *Effective period.* Emergency Order No. 5 shall terminate at 12:00 p. m., March 23, 1943 unless extended by further order.

Effective date of Amendment 4. Amendment 4 to Emergency Order No. 5 shall be effective at 12:00 p. m., March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 13th day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator,
Region I.

[F. R. Doc. 43-4226; Filed, March 18, 1943; 4:57 p. m.]

WAR PRODUCTION BOARD.

[Certificate 42]

PRIVATE CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN IN AUBURN, N. Y., MILK AREA

THE ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith the Recommendation of the Director of The Office of Defense Transportation in respect of a joint action plan by the persons named therein concerning transportation of property by motor vehicle in the Auburn Milk Marketing Area, Auburn, New York.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved the joint action plan recommended thereby; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 17, 1943.

[F. R. Doc. 43-4193; Filed, March 18, 1943; 11:48 a. m.]

[Certificate 43]

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN IN OLD GREENWICH, CONN.

THE ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith the Recommendation of the Director of The Office of Defense Transportation in respect of a joint action plan by the persons named therein concerning transportation of property by motor vehicle in Old Greenwich, Connecticut.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved the joint action plan recommended thereby; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 17, 1943.

[F. R. Doc. 43-4194; Filed, March 18, 1943; 11:48 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 57

Washington, Tuesday, March 23, 1943

The President

EXECUTIVE ORDER 9316

AMENDING SECTION 8 OF EXECUTIVE ORDER No. 8942 OF NOVEMBER 19, 1941, ENTITLED "PROVIDING FOR THE ADMINISTRATION OF THE REQUISITIONING OF PROPERTY REQUIRED FOR NATIONAL DEFENSE"

By virtue of the authority vested in me by the Constitution and the statutes of the United States, and particularly by the act of October 16, 1941 (55 Stat. 742), it is hereby ordered that section 8 of Executive Order No. 8942 of November 19, 1941,[1] providing for the administration of the requisitioning of property required for national defense, be, and it is hereby, amended to read as follows:

"8. Reports of operations under the said act of October 16, 1941 shall be submitted to the President by the War Production Board once every six months."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 19, 1943.

[F. R. Doc. 43-4334; Filed, March 20, 1943; 11:41 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Revocation of Food Directive 1]

PART 1400—DELEGATION OF AUTHORITY

DELEGATION OF AUTHORITY WITH RESPECT TO RATIONAL CONTROL OF PROCESSED FOODS

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, *It is hereby ordered*, as follows:

Food Directive No. 1, issued January 16, 1943 (8 F.R. 827), having been superseded by Food Directive No. 3, issued February 15, 1943 (8 F.R. 2005), and Food Directive No. 5, issued February 20, 1943 (8 F.R. 2251), is hereby revoked.

With respect to violations of regulations issued under said Food Directive No. 1, or rights accrued, liabilities incurred, or appeals taken under said Food Directive No. 1 prior to the effective time of the revocation of said directive, said Food Directive No. 1 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This revocation of Food Directive No. 1 shall become effective March 20, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4358; Filed, March 20, 1943; 5:15 p. m.]

[1] 6 F.R. 5909.

[Food Directive 5, Am. 1]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY WITH RESPECT TO RATIONING OF PROCESSED FOODS

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, Food Directive No. 5, § 1400.5, issued February 20, 1943 (8 F.R. 2251), is amended by deleting therefrom the provisions of paragraph (c), and inserting in lieu thereof the following:

(c) As used in this directive, the term "processed foods" means and includes:

(1) All fruit, fruit juices, vegetables, vegetable juices, soups, baby foods of all kinds, and milk, packed in hermetically sealed containers of any type.

(2) All fish or shellfish or any part of them, fish roe, including caviar, and any edible product containing more than twenty per cent, by weight, of any of these items, packed in hermetically sealed containers of any type.

(3) All jams jellies, preserves, fruit butters, pickles, and relishes.

(4) All frozen fruits and vegetables.

(5) All dried and dehydrated fruits and vegetables.

(6) All dried and dehydrated soups, including but not limited to meat, poultry, or vegetable bouillon cubes.

(7) All combinations of any of the foregoing with meat.

(8) All combinations of any of the foregoing.

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FEDERAL REGISTER

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This amendment shall become effective March 20, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4359; Filed, March 20, 1943; 5:15 p. m.]

[Food Directive 6]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY WITH RESPECT TO RATIONING OF FATS AND OILS, AND CHEESE

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, and in order to enable the Office of Price Administration to undertake, administer, and enforce rationing programs with respect to fats and oils, and cheese: *It is hereby ordered*, As follows:

§ 1400.6 *Food Directive 6; control over fats and oils, and cheese.* (a) In order to permit the efficient rationing of fats and oils, and cheese; fats and oils, and cheese are hereby declared to be rationed food for the purposes of Food Directive No. 3 (8 F.R. 2005). The Office of Price Administration is authorized to exercise all the powers delegated to it by Food Directive No. 3, subject to the terms and conditions thereof, with respect to all fats and oils, and cheese.

(b) As used in this directive:

(1) The term "fats and oils" means all glycerides of the higher fatty acids, liquid or solid, and includes, without limitation, all animal, marine animal, vegetable fats and oils, and butter.

(2) The term "cheese" means the edible product made from the milk, cream, or whey of cows or other animals by any process of coagulation followed by a partial separation of the coagulum or curd from the liquid or whey and with or without further treatment, or by a mechanical process of forming a liquid or plastic emulsion or mixture of milk or any part of milk with added milk solids, whether accompanied by a process of coagulation and separation of the coagulum or not, and with or without further treatment. The term includes any edible product containing 30 percent or more (by weight) of cheese as used herein.

(c) This Food Directive No. 6 shall become effective March 20, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4360; Filed, March 20, 1943; 5:15 p. m.]

[Food Directive 7]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY WITH RESPECT TO RATIONING OF MEATS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to enable the Office of Price Administration to undertake, administer, and enforce rationing programs with respect to meats, *It is hereby ordered*, As follows:

§ 1400.7 *Food Directive 7; control over meats.* (a) In order to permit the efficient rationing of meats, meats are hereby declared to be rationed food for the purposes of Food Directive No. 3 (8 F.R. 2005). The Office of Price Administration is authorized to exercise all the powers delegated to it by Food Directive No. 3, subject to the terms and conditions thereof, with respect to all meats.

(b) This directive supersedes the delegation of authority to the Office of Price Administration made by War Production Board Directive No. 1, issued by the Chairman of the War Production Board on January 24, 1942 (7 F.R. 562), and by Supplementary Directive 1–M, issued September 12, 1943 (7 F.R. 7234), to the extent that such Directive and Supplementary Directive confer authority with respect to control over meats: *Provided, however*, That all action heretofore taken by the Office of Price Administration under such directive and supplementary directive (including, without limitation, regulations or orders heretofore issued) relating to control over meats is in all respects hereby ratified and confirmed, and the authority delegated by such directive and supplementary directive shall continue to remain in full force and effect with respect to all such action for all purposes, including the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(c) As used in this directive, the term "meats" means and includes the carcass or any edible part of the carcass of cattle, calves, sheep, lamb, or swine, and including edible offal, bones and skins, and any other edible product containing more than 20 percent, by weight, of any of those items.

(d) The provisions of this Food Directive No. 7 shall become effective March 20, 1943, except that the provisions of paragraph (b) hereof shall become effective April 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4361; Filed, March 20, 1943; 5:15 p. m.]

[FDO 31]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, CONSUMPTION, AND DELIVERY OF OITICICA OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of oiticica oil to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.6 *Delivery, use and distribution of oiticica oil; restricted.*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "oiticica oil" means that oil obtained from the oiticica nut, commonly known as oiticica oil and includes cacahuananche oil from the cacahuananche nut, and laceta oil from the laceta nut and other similar types of oil obtained from other oil bearing nuts or seeds, whether crude (solid) or refined (liquefied), but not including any quick bodying (QB) oil.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "producer" means any person engaged in the production of oiticica oil and includes any person who has oiticica oil produced for him pursuant to toll agreement.

(4) The term "distributor" means any person who has purchased or purchases oiticica oil for purposes of resale.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on delivery, use, and processing.* (1) No person shall accept delivery of, use, or process oiticica oil except as specifically authorized or directed by the Director.

(2) Authorizations or directions with respect to deliveries, use, and processing in each calendar month will, so far as practicable, be issued by the Director prior to the commencement of such month, but the Director may at any time at his discretion, and notwithstanding the provisions of paragraphs (c) and (d) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or more not be made of oiticica oil to be delivered or then on hand. He may also at any time issue directions to producers with respect to the grade of oiticica oil which they may manufacture.

(3) Each person specifically authorized to accept delivery of oiticica oil shall use such oil for the purposes authorized and only for such purposes, except as otherwise specifically directed by the Director.

(4) Oiticica oil allocated for inventories shall not be used or processed except as specifically directed by the Director. Oiticica oil allocated: (i) To fill a specified order, or (ii) To be used for a specified end use during a specified month, shall revert to inventories where and to the extent that the oil so allocated is not used for the specific order or the specific end use.

(c) *Exceptions to requirements for specific authorization.* Notwithstanding the provisions of paragraph (b) (1)

hereof, specific authorizations by the Director shall not be required for:

(1) Acceptance of delivery, use, or processing by any person in any one calendar month of 40 pounds or less of oiticica oil in the aggregate.

(2) Refining or liquefying any quantity of oiticica oil by any person but not to manufacture any quick-bodying or other processed oil, without regard to quantity.

(3) Delivery of oiticica oil by any producer or distributor to any person who shall have filed with him an authorization signed by the Director authorizing such person to accept delivery of oiticica oil in the quantity and in the period in which delivery is made.

(d) *Exceptions for small orders.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization by the Director shall not be required for deliveries set forth in this paragraph (d), but no producer shall make deliveries described in this paragraph without a specific authorization of the Director to make deliveries of a specific maximum quantity under this paragraph each month. Deliveries of quantities in excess of this maximum may not be made without further authorization of the Director. The application for authorization to make such delivery shall specify the maximum quantity requested for each type of delivery. The provisions of this paragraph apply to the delivery of oiticica oil by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the United States Department of Agriculture Food Distribution Administration and to his supplier that the oiticica oil hereby ordered for delivery in ---------- 1943, does not, taken with all other oiticica oil delivered or to be delivered in such month, exceed 40 lbs., the amount which he is entitled to receive under paragraph (c) (1) of Food Distribution Order No. 31.

Name of Purchaser

By---
Authorized Official

Title

Date

Such certificate shall be signed by an authorized official of the purchaser. The receipt of such certificate shall not authorize the delivery of oiticica oil by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or belief, he may reply on the certificate.

(e) *Applications for delivery, use, or processing.* (1) Each person requiring authorization to accept delivery of, use, or process oiticica oil during any calendar month, beginning with April 1943 (including a person seeking authorization to accept the delivery of oiticica oil for resale), shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery, use, or processing is requested. Application for acceptance of delivery, use, or processing in April 1943 shall be filed as many days as possible in advance of the requested delivery, use, or processing. In any case, such application shall be made on War Production Board Form PD–600, or such other form or forms as may be prescribed by the Director. Forms may be obtained at local field offices of the War Production Board or Regional Offices of the Food Distribution Administration, United States Department of Agriculture. Five copies shall be prepared, of which four shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–31, the fifth to be retained for applicant's files. For the purposes of this order, if War Production Board Form PD–600 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading, under the name of chemical, specify "oiticica oil"; under WPB Order No. specify "FD–31"; under unit of measure specify "pounds, dry weight"; in the heading of Table I insert in the blank the month and year for which authorization for acceptance of delivery, use, or processing is sought.

(ii) In the space under "supplier with whom this order is placed", state name of usual supplier and list his shipping point. If application is for authority to use, consume, or process oil from own inventory, leave these spaces blank.

(iii) In Columns 1 and 11, indicate grade in terms of the following: crude (solid) or refined (liquefied). If same grade of oil is required for more than one "primary product", or for the same "primary product" for more than one ultimate use, include quantity of grade applicable to each "primary product" or ultimate use.

(iv) In columns 3, 20, and 22, specify your primary product in terms of the following: protective coating, core oil, electrical insulation, synthetic resins, food container linings, others (specify).

(v) In Column 4 specify ultimate use of product (as for example "airplane engine castings" as opposed to "core oil", and "bomb linings" as opposed to "protective coatings" or "synthetic resins", each of which may be made of the primary product called for in Columns 3, 20, and 22); and also specify in each case whether your customer is Army Navy, or other Government agency, Lend-Lease, or commercial customer, and give Government specification number, if any. If the application is for oiticica oil for resale or for inventory (as oiticica oil), leave Column 4 blank.

In each case where the application for authorization to use or process oiticica oil is granted, one copy signed by the Director shall be returned to the applicant; and where the application is also for authorization to accept delivery, a second copy, also signed by the Director, shall be sent to the applicant so that applicant may furnish same to the supplier selected by him.

(2) Each producer of oiticica oil shall file War Production Board Form PD–601, or such other form or forms as may be prescribed by the Director, on or before the 15th of each month, beginning with April 1943. Forms may be obtained at local field offices of the War Production Board or Regional Offices of Food Distribution Administration, United States Department of Agriculture. Four copies shall be prepared of which three shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–31, the fourth to be retained in applicant's file. For the purposes of this order, if War Production Board Form PD–601 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading, under the name of chemical, specify "oiticica oil"; under WPB Order No. specify "FD–31"; under unit of measure specify "pounds", "dry weight"; in the heading "This schedule is for deliveries to be made during the month of ----------, 194--", strike out the words "to be", and insert in the blank the month preceding the month in which form is filed and also indicate year;

(ii) Insert in Column 1 the words "total small order deliveries last month" and in Column 4 specify the total quantity of oiticica oil delivered by applicant in such last month pursuant to paragraphs (c) (1) and (d) hereof. In other respects Table I may, at the applicant's discretion, be left blank;

(iii) In Column 8 specify grades produced in terms of grades included in paragraph (e) (1) (iii) hereof;

(iv) In Column 9 show actual production during preceding month;

(v) In Column 10 show actual deliveries during preceding month;

(vi) In Column 11 show stocks as of first of preceding month;

(vii) In Column 12 show stocks as of first of current month;

(viii) Leave blank Columns 13–16, inclusive;

(ix) In addition to the foregoing, each producer who is a crusher of oiticica nuts, cacahauananche nuts, laceta nuts, and other nuts or seeds of similar types, shall strike out the heading of Columns 15 and 16 and insert in these Columns and in the margin; (a) Quantity of nuts received during preceding month; (b) Quantity of nuts crushed during preceding month; and (c) Quantity of nuts on hand at end of preceding month.

(3) The Director may issue other and further directions with respect to preparing and filing forms.

(f) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(g) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(i) *Existing contracts.* The restrictions of this order concerning delivery, acceptance, use, processing, and consumption of oiticica oil shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(j) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of oiticica oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(k) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of oiticica oil and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(m) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(n) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–31.

(o) *General Preference Order M–238 superseded.* This order supersedes in all respects General Preference Order M–238 (7 F.R. 7940) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said General Preference Order shall be considered under subparagraph (1) hereof.

(p) *Territorial extent.* This order applies to all persons in the United States, its Territories and Possessions, and the District of Columbia.

(q) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43 4344; Filed, March 20, 1943; 4:06 p. m.]

[FDO 32]

PART 1460—FATS AND OILS

RESTRICTIONS ON THE USE AND DISTRIBUTION OF CASTOR OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of castor oil to meet war and essential civilian needs, *it is hereby ordered*, As follows:

§ 1460.4 *Use and distribution of castor oil*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "castor oil" means that oil obtained from the castor bean, commonly known as castor oil, whether crude, raw, filtered, refined, blown, dehydrated, or otherwise processed, excluding, however, sulfonated castor oil.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "producer" means any person engaged in the production of castor oil and includes any person who has castor oil produced for him pursuant to toll agreement.

(4) The term "distributor" means any person who has purchased or purchases castor oil for purposes of resale.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on delivery, use, processing, and blending.* (1) No person shall deliver, accept delivery of, use, process, or blend castor oil, except as specifically authorized or directed by the Director.

(2) Authorizations or directions with respect to deliveries, use, processing, and blending in each calendar month will, so far as practicable, be issued by the Director prior to the commencement of such month, but the Director may, at any time in his discretion, and notwithstanding the provisions of paragraphs (c) and (d) hereof, issue directions with respect to deliveries to be made or accepted, or with respect to the use or uses which may or may not be made of castor oil to be delivered or then on hand. He may also at any time issue directions to the producer with respect to the grade of castor oil which he may manufacture.

(3) Each person specifically authorized to accept delivery of castor oil shall use such oil for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Castor oil allocated for inventories shall not be used, processed, or blended except as specifically directed by the Director. Castor oil allocated: (i) To fill a specified order, or (ii) To be used for a specified end use during a specified month, shall revert to inventories where and to the extent that the oil so allocated is not used for the specific order or the specific end use.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the Director shall not be required for:

(1) Acceptance of delivery, use, processing, or blending by any person in any one calendar month of 40 lbs., or less, of castor oil in the aggregate;

(2) Pressing, bleaching, or alkali refining of castor oil by any person, without regard to quantity;

(3) The delivery of castor oil by any producer or distributor to any person who shall have filed with him an authorization signed by the Director authorizing such person to accept delivery of castor oil in the quantity and in the period in which delivery is made; or

(4) The use of castor oil, as such, for medicinal purposes or acceptance of delivery by a person for use, or resale for use, as castor oil for such purposes. This paragraph (c) (4) has no reference to the use of castor oil in the manufacture or preparation of any medicinal or pharmaceutical product, nor to the delivery to or acceptance of delivery by, any person for such use. In each of such cases, specific authorization of the Director shall be necessary under paragraph (b) (1) hereof.

(d) *Exception for small orders and medicinal use.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the Director shall not be required for deliveries set forth in paragraphs (d) (1) and (d) (2) hereof, but no producer shall make deliveries set forth in paragraphs (d) (1) and (d) (2) without a specific authorization of the Director to make deliveries of a specific maximum quantity under each of said paragraphs each month. Deliveries of quantities in excess of this maximum may not be made without further authorization of the Director. The application for authorization to make such deliveries shall specify the maximum quantity requested for each type of delivery. These provisions apply to the following deliveries:

(1) The delivery of castor oil by any producer or distributor to any person

who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the United States Department of Agriculture, Food Distribution Administration, and to his supplier that the castor oil hereby ordered for delivery in _____, 1943, does not, taken with all other castor oil delivered or to be delivered in such month, exceed 40 lbs., the amount which he is entitled to receive under paragraph (c) (1) of Food Distribution Order No. 32.

_____
Name of Purchaser

By _____ _____
Authorized Official Title

_____
Date

Such certificate shall be signed by an authorized official of the purchaser. The receipt of such certificate shall not authorize the delivery of castor oil by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason for belief, he may rely on the certificate;

(2) The delivery of castor oil by any producer or distributor to any person for use or resale for use as castor oil for medicinal purposes. This paragraph (d) (2) has no reference to the use of castor oil in the manufacture or preparation of any medicinal or pharmaceutical product, nor to the delivery to, or acceptance of delivery by, any person for such use. In each of such cases, specific authorization of the Director shall be necessary under paragraph (b) (1) hereof.

(e) *Applications for delivery, use, processing, or blending.* (1) Each person requiring authorization to accept delivery of, use, process, or blend castor oil during any calendar month, beginning with April 1943 (including a person seeking authorization to accept delivery of castor oil for resale) shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery, use, processing or blending is requested. Application for acceptance of delivery, use, processing, or blending in April 1943, shall be filed as many days as possible in advance of the requested delivery, use, processing, or blending. In any case, such application shall be made on War Production Board Form PD–600, or such other form or forms as may be prescribed by the Director. Forms may be obtained at local field offices of the War Production Board or the Regional Offices of the Food Distribution Administration, United States Department of Agriculture. Five copies shall be prepared, of which four shall be forwarded to Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–32, the fifth to be retained for applicant's files. For the purposes of this order, if War Production Board Form PD–600 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading, under name of chemical, specify "Castor oil"; under WPB Order No., specify "FD–32"; under unit of measure, specify pounds, dry weight; under "Name of your company" specify name and mailing address; and specify the month and year for which authorization for acceptance of delivery, use, processing, or blending is sought.

(ii) In space under "Supplier with whom this order is placed" state name of usual supplier, and list his shipping point. If the application is for authority to use, process, or blend oil from own inventory, leave these spaces blank.

(iii) In Columns 1, 11, and 19, indicate grade in terms of the following: crude, raw, filtered, refined, blown, dehydrated, or otherwise processed. If otherwise processed, identify product. If same grade of oil is required for more than one "primary product" or for the same "primary product" for more than one ultimate use, include quantity of grade applicable to each "primary product" or ultimate use.

(iv) In Columns 3, 20, and 22, specify your primary product in terms of the following:

Synthetic resins
Protective coatings
Synthetic rubber
Rubber factice
Sulfonated oil
Lubricating oil additive
Medicinal and pharmaceutical preparations (identify)
Cosmetics
Hydraulic brake fluid
Textile oil (non-sulfonated base)
Real and imitation leathers
Other products (specify)
Resale (as castor oil)
Inventory (as castor oil)

(v) In Column 4, specify ultimate use of product. For example, if the "primary product" called for in Column 3 is "imitation leather", the "ultimate use" of the product might be "airplane seat". Also, specify in each case whether your customer is the Army, Navy, other governmental agency, Lend-Lease, or commercial customer, and give government specification number, if any. If the application is for castor oil for resale or for inventory (as castor oil), leave Column 4 blank.

In each case where the application for authorization to use, process, or blend castor oil is granted, one copy signed by the Director will be returned to the applicant, and where the application is also for authorization to accept delivery, a second copy, also signed by the Director, shall be sent to the applicant so that applicant may furnish same to the supplier selected by him.

(2) Each producer of castor oil shall file War Production Board Form PD–601, or such other form or forms as may be prescribed by the Director on or before the 15th day of each month, beginning with April 1943. Forms may be obtained at local field offices of the War Production Board or the Food Distribution Administration, United States Department of Agriculture. Four copies shall be prepared, of which three shall be forwarded to Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–32, the fourth to be retained for applicant's file. For the purposes of this order, if War Production Board Form PD–601 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading, under name of chemicals, specify "Castor oil"; under WPB Order No., specify "FD–32"; under name of company, state your name and mailing address; under unit of measure, specify pounds, dry weight; in heading "This schedule is for deliveries to be made during the month of _____, 194__", strike out the words "to be" and in the next blank insert the month preceding the month in which the form is filed, and also indicate year.

(ii) Insert in Column 1 the words, "Total small order deliveries last month", and in Column 4 specify the total quantity of castor oil delivered by applicant in such last month pursuant to paragraphs (c) (1) and (d) (1) hereof. In addition, insert in Column 1 the words "Total deliveries for use or resale as castor oil for medicinal purposes", and in Column 4, specify the total quantity of castor oil delivered by applicant in such last month pursuant to paragraph (d) (2) hereof for use or resale for such purposes. In other respects, Table I may, at applicant's discretion, be left blank.

(iii) In Column 8, specify grades produced, in terms of grade indicated in paragraph (e) (1) (iii) hereof.

(iv) In Column 9 show actual production during preceding month.

(v) In Column 10 show actual deliveries during preceding month.

(vi) In Column 11 show stocks as of first of preceding month.

(vii) In Column 12 show stocks as of first of current month.

(viii) Leave blank columns 13–16, inclusive.

(ix) In addition to the foregoing, each producer who is a crusher of castor seed shall strike out the headings to Columns 15 and 16, and insert in these columns and in margin: (*a*) Quantity of seed received during preceding month, (*b*) Quantity of seed crushed during preceding month, and (*c*) Quantity of seed on hand at the end of preceding month.

(f) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(g) *Existing contracts.* The restrictions of this order concerning delivery, acceptance, use, processing, and consumption of castor oil shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(h) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of castor oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(i) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(j) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of castor oil and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(m) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(n) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–32.

(o) *General Preference Order M–235 superseded.* This order supersedes in all respects General Preference Order M–235 (7 F.R. 7592) of the War Production Board except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof said General Preference Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said General Preference Order shall be considered under paragraph (k) hereof.

(p) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(q) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–4345; Filed, March 20, 1943; 4:06 p. m.]

[FDO 33]

PART 1460—FATS AND OILS

REQUIRED RECOVERY OF GLYCERINE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of glycerine to meet war and essential civilian needs, *It is hereby ordered,* As follows:

§ 1460.2 *Glycerine recovery*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "fats and oils" means all of the raw, crude, and refined fats and fatty oils and greases.

(2) The term "neutral fats or oils content" means that saponifiable portion of fats or oils at point of saponification or hydrolysis obtained by subtracting from the total weight of such fats and oils the sum of the following: free fatty acids, moisture, insoluble impurities, and unsaponifiables. Free fatty acids, moisture, insoluble impurities, and unsaponifiables shall be determined by the official methods of the American Oil Chemists Society.

(3) The term "fair average quality crude glycerine" means soap lye crude glycerine and saponification crude glycerine meeting the following specifications:

Soap lye crude glycerine:
Glycerol content—not less than 80%
Ash—not more than 10%
Organic Residue—not more than 2%
Saponification crude glycerine:
Glycerol content—not less than 88%
Ash—not more than 2%
Organic Residue—not more than 1.5%

Glycerol content, ash, and organic residue shall be determined by the official methods of the American Oil Chemists Society.

(4) The term "person" means any individual, partnership, corporation, association, or other business entity.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Required recovery of crude glycerine.* (1) Except as provided in paragraph (d) hereof, no person shall saponify or hydrolyze any fat or oil in any process in which glycerine is produced unless:

(i) Where glycerine is produced by the saponification of the fats and oils (soap making), the average amount of glycerol (both free and combined) remaining in the finished product, not considering glycerine produced from commercial fatty acids or vegetable oil foots, shall not be more than eight-tenths of one percent (0.8%), calculated on the anhydrous soap basis of that portion of the soap which is derived from fats and oils defined under paragraph (a) (1) hereof, but exclusive of any portion of the soap which may be made from rosin, commercial fatty acids, vegetable oil foots, and tall oil, and

(ii) Not less than 92% of the glycerol content of the spent lyes shall be recovered as crude glycerine (100% glycerol basis). The glycerol content of such spent lyes shall be considered to be the glycerol theoretically contained in the neutral fats or oils content of the stock originally used less the maximum amount of glycerol permitted in the soap.

(iii) Where the glycerine is produced by the hydrolysis of fats or oils (fat splitting), the split shall be not less than 95% complete. Not less than 94% of the glycerol content of the glycerine sweet water resulting from such splitting process shall be recovered as crude glycerine (100% glycerol basis). The glycerol content of such sweet water shall be considered to be the glycerol theoretically contained in the neutral fat or oil content of the stock originally used, less the maximum permitted amount (based on 95% split) of glycerol contained in the split fat or oil.

(c) *Required standard of refining crude glycerine.* In the refining of fair average quality crude glycerine, not less than 96% of the glycerol content of the crude glycerine shall be recovered as refined glycerine (100% glycerol basis).

(d) *Operations not subject to standard of glycerine recovery.* The provisions of paragraph (b) hereof shall not be applicable to:

(1) Any person whose consumption of fats and oils or fatty acids in the aggregate does not exceed 10,000 pounds in the calendar month;

(2) Any person whom the Director may specifically authorize to operate, on such person's establishing to the satisfaction of the Director, by letter addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 33, that he is recovering the maximum amount of glycerine that is reasonably possible with the facilities which he has or may reasonably be expected to secure or utilize;

(3) The sulfonation of any fats and oils, alkali or acid refining of fats or oils, manufacture of lubricating greases or processing of food;

(4) The manufacture of the following medicinal soaps U. S. P. XII to fill orders for medicinal use only; sapomollis medicinalis, linimentum saponis mollis, liquor cresolis saponatus; and the manufacture of soft soap, hospital grade, according to United States Army specification No. 4–1027A (February 5, 1941) for delivery to the United States Army.

(5) The manufacture of soap or fatty acids from raw or acidulated domestic vegetable oil foots.

(e) *Records and reports.* (1) Each refiner of glycerine, regardless of amount, and each person who saponifies or hydrolyzes more than 3,500 pounds of oils, fats, or fatty acids in any calendar or fiscal month in a process in which glycerine could be recovered (not including any operation referred to in paragraph (d) (3) hereof) shall file with the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 33, not later than the 20th day of the succeeding month, War Production Board Form PD-712, or such other form or forms as may be prescribed by the Director, properly executed by him. Such form PD-712 shall be filed by each person who saponifies or hydrolyzes more than such 3,500 pounds of oils, fats, and fatty acids in such month, whether or not he is exempted under paragraphs (d) (1), (d) (2), (d) (4), or (d) (5) hereof.

(2) Where a person is both a manufacturer and refiner, he shall file a separate form in each capacity.

(3) Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such other reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements which may be prescribed by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Existing contracts.* The restrictions of this order concerning the recovery of glycerine shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(h) *Effect on other orders.* Where different standards of recovery are imposed by this order and any other order or orders, the provisions of the order requiring the highest glycerine recovery shall control.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(j) *Violations.* Any person who wilfully violates any provisions of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of glycerine and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(l) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 33.

(m) *Conservation Order M-193 superseded.* This order supersedes in all respects Conservation Order M-193 (7 F.R. 9128) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Conservation Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order shall be considered under paragraph (i) hereof.

(n) *Effective date.* This order shall be effective as of the 24th day of March, 1943, at 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4346; Filed, March 20, 1943; 4:06 p. m.]

[FDO 34]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, AND DELIVERY OF GLYCERINE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of glycerine to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.3 *Glycerine; use, processing, and delivery restricted*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "glycerine" means any and all concentrations of glycerol, from whatever source derived and whether crude or refined.

(2) The term "producer" means any person engaged in the production of glycerine and includes any person who has glycerine produced for him pursuant to toll agreement and any person who, on splitting any fat or oil, is entitled to the glycerine resulting therefrom. The term does not include any refiner of glycerine.

(3) The term "refiner" means any person engaged in the refining of glycerine.

(4) The term "distributor" means any person who has purchased or purchases glycerine for purposes of resale.

(5) The term "base period" means the calendar year 1940.

(6) The term "person" means any individual, partnership, corporation, association, or other business entity.

(7) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on delivery and use.* (1) No person shall deliver, accept delivery of, or use glycerine except as specifically authorized and directed by the Director.

(2) Authorizations or directions with respect to deliveries and use in each month will, so far as practicable, be issued by the Director prior to the commencement of such month, but the Director may, at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of material to be delivered or then on hand. He may also at any time issue directions to a producer or refiner with respect to grades of glycerine to be produced or refined.

(3) Each person who is specifically authorized to accept delivery of glycerine shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director or as provided in paragraph (b) (4) hereof.

(4) Glycerine allocated for inventory shall not be used except as specifically authorized or directed by the Director. Glycerine allocated to fill a specific order or class of orders shall revert to inventory where and to the extent that such order or class of orders is not, for any reason, filled.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the Director shall not be required for:

(1) Acceptance of delivery, or use, by any person in any calendar month of 50 pounds or less of glycerine in the aggregate. For the purposes of this paragraph (c) (1), the term "person" means usual purchasing unit, whether plant, distributing agency, corporation, or other legal entity.

(2) Use by (but not delivery to) the Army or Navy of the United States, United States Maritime Commission, or War Shipping Administration, without regard to quantity.

(3) Acceptance of delivery, or use, by any person, in any calendar month of not more than 1150 pounds of glycerine in the aggregate (but more than 50 pounds): *Provided, however,* That the quantity of which delivery may be accepted, or use made, in any calendar month shall be subject to the following additional restrictions:

(i) Where acceptance of delivery, or use, is by a hospital, clinic, research and control laboratory, or other institution whose primary object is the maintenance of public health, and where the glycerine is to be used solely by the organization accepting delivery: no further restriction;

(ii) Where acceptance of delivery is by pharmacists for use in (or use is) the individual compounding of prescriptions of doctors, dentists, or veterinarians; or where acceptance of delivery is for (or use is) the manufacture of sterile solutions, ampoules, basic medicinal chemicals not in compounded form, dental impression compounds, biological preparations, and embalming fluids: no further restriction;

(iii) Where acceptance of delivery is for (or use is) the manufacture of other medicinal or veterinary preparations: a further restriction to one hundred percent of $\frac{1}{12}$ of the quantity of glycerine used in such manufacture in the base period;

(iv) Where acceptance of delivery or use is not within (i), (ii) or (iii) hereof: a further restriction to 70 percent of $\frac{1}{12}$ of the quantity of glycerine used in the base period;

(v) Where the amount of which delivery may be accepted under paragraphs (b) (1) and (c) (3) hereof does not represent a practical shipping unit or multiple thereof, such paragraphs shall not prevent the acceptance of delivery of an amount approximating such permitted quantity: *Provided, however,* That the difference shall in no event exceed more than one small drum (approximately 550 pounds) and that the person accepting delivery shall in the next succeeding order or orders make appropriate adjustment.

(4) The delivery by any person to any other person who shall have filed with the person making delivery a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the United States Department of Agriculture, Food Distribution Administration, and to his supplier (1) that he is familiar with the terms of Food Distribution Order No. 34; (2) that the ------- pounds of glycerine hereby ordered for delivery in ----------
month
194 .., will not, taking into consideration all other glycerine ordered for delivery in such month, exceed the quantity which he is permitted by said order to receive without a specific authorization of the Director; (3) that his purchase falls within paragraph (c) (1); paragraphs (c) (3), (i), (ii), (iii), (iv) [Strike out inapplicable paragraphs] and (4) that he has not received any specific authorization from the Director to receive or use glycerine during such month.

Name of Purchaser

By----------
Name of authorized official

Title

Date

No. 57——2

Such certificate shall be signed by an authorized official of the purchaser. The receipt of such certificate shall not authorize the delivery of glycerine by a producer or distributor when he knows or has reason to believe the same to be false, but in the absence of such knowledge or belief, he may rely on the certificate. No certificate shall be required where the amount delivered to any person does not exceed one gallon.

(5) The delivery of crude glycerine to, or acceptance of delivery of crude glycerine by, a refiner, for refining or the refining of crude glycerine.

(d) *Prohibited use.* No person shall use or consume glycerine in the manufacture of any anti-freeze product or preparation.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of or use glycerine during any calendar month (including a person seeking authorization to accept delivery of glycerine for resale) shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery or use is requested. In each case the application shall be made upon War Production Board Form PD-600 or such other form or forms as may be prescribed by the Director. Forms may be obtained at regional offices of the Food Distribution Administration or local field offices of the War Production Board. Five copies shall be prepared, of which four shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 34, and the fifth retained as a file copy. For the purposes of this order, if War Production Board Form PD-600 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) On one of the four copies filed with the Director of Food Distribution, Tables II and III shall be left blank. An applicant seeking authorization to accept delivery or use at two or more plants shall file a separate set of Form PD-600 for each plant, unless authorized by the Director to file a consolidated application.

(ii) In the heading, under the name of chemical, specify "glycerine"; under WPB Order No., specify "FD-34"; under unit of measure, specify "pounds"; in the heading of Table I, insert in the blank the month and year for which authorization for acceptance of delivery or use is sought. Also state in the space under "supplier with whom this order is placed" the name of your usual supplier, and also list his shipping point.

(iii) In Columns 1, 11, and 19, specify grade or grades in terms of the following:

80% soap lye crude.
88% saponification crude.
Yellow distilled.
High-gravity (dynamite).
Chemically pure.
Other (describe).

(iv) In Column 3 specify your primary product in terms of the following, in each case specifying the item number listed below:

1 Drugs and pharmaceuticals.
2 Explosives.
3 Synthetic resins (specify).
4 Ester gums.
5 Rubber products.
6 Gaskets and cork products.
7 Cellulose films (specify).
8 Glassine and grease-proof paper (specify).
9 Printing rollers.
10 Printing supplies (specify).
11 Textile (printing, dyeing and finishing).
12 Leather products.
13 Adhesives (including book binding).
14 Paper other than #8.
15 Beverages, flavoring extracts, candy, and gum (specify).
16 Other edible products (specify).
17 Tobacco.
18 Cosmetics, toilet preparations, dentifrices, and shaving preparations (specify).
19 Chemical manufacture not elsewhere classified (specify).
20 Other class of product (specify).
21 Resale (as glycerine).
22 Inventory (see paragraph (b) (4).

(v) In Column 4, specify ultimate use of product (for example, if the "primary product" called for by Column 3 is "glassine and grease-proof paper," the "ultimate use of product" might be "food wrapping"), and also specify in each case whether your customer is Army, Navy, other government agency, lend-lease, or commercial customer. If a primary product made has more than one ultimate use, indicate approximate percentage applicable to each use. Where the Form PD-600 is an application for glycerine for resale (as glycerine), or for glycerine for inventory, leave Column 4 blank.

(vi) In Column 10, specify your average monthly use of glycerine in 1940 and use in corresponding month in 1940 in each class of use for which authorization to accept delivery (or use) is sought.

(vii) Leave blank Table IV.

(viii) In each case where the application on Form PD-600 for authority to accept delivery of, or use, glycerine is granted, one copy of Form PD-600, signed by the Director, will be returned to the applicant. Where authorization is to accept delivery, a second copy will be sent by the Director to the supplier selected by the Director which will be his authorization to deliver as indicated on such copy.

(2) Each producer, refiner, or distributor who, in any month produces, refines, or delivers more than 1150 pounds of glycerine shall file with the Director on or before the 15th day of the succeeding month one copy of War Production Board Form PD-383A (revised) or such other form or forms as may be prescribed by the Director.

(3) The Director may issue other and further directions to any such person with respect to preparing and filing Forms PD-600 and PD-383A (revised).

(f) *Notification of customers.* Each supplier shall notify his regular customers, as soon as possible, of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(g) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of glycerine shall apply not only to deliveries to other persons, including affiliates and subsid-

iaries, but also deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(h) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(i) *Bureau of the Budget Approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of glycerine and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(l) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(m) *General Preference Order M–58 superseded.* This order supersedes in all respects General Preference Order M–58 of the War Production Board (7 F.R. 10329) except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under such order prior to the effective date hereof, said General Preference Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said General Preference Order shall be considered under paragraph (k) hereof.

(n) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 34.

(o) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4347; Filed, March 20, 1943; 4:05 p. m.]

[FDO 35]

PART 1460—FATS AND OILS

RESTRICTIONS ON THE USE AND DISTRIBUTION OF RAPESEED OIL AND MUSTARD SEED OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of rapeseed oil and mustard seed oil to meet war and essential civilian needs, *It is hereby ordered,* As follows:

§ 1460.7 *Delivery, use, and distribution of rapeseed oil and mustard seed oil restricted*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "rapeseed oil" means that oil obtained from rapeseed, commonly known as rapeseed oil (Colza oil), whether crude, raw, filtered, refined, or blown and whether or not denatured.

(2) The term "mustard seed oil" means that oil obtained from mustard seed, commonly known as mustard seed oil, whether crude, raw, filtered, refined, or blown and whether or not denatured.

(3) The term "person" means any individual, partnership, corporation, association, or other business entity.

(4) The term "producer" means any person engaged in the production of rapeseed oil or mustard seed oil and includes any person who has rapeseed oil or mustard seed oil produced for him pursuant to toll agreement.

(5) The term "distributor" means any person who has purchased or purchases rapeseed oil or mustard seed oil for purposes of resale.

(6) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on delivery, use, processing, and blending.* (1) No person shall deliver, accept delivery of, use, process, or blend rapeseed oil or mustard seed oil, except as specifically authorized or directed by the Director.

(2) Authorizations or directions with respect to deliveries, use, processing, and blending in each calendar month will, so far as practicable, be issued by the Director prior to the commencement of such month; but the Director may, at any time, at his discretion, and notwithstanding the provisions of paragraphs (c) and (d) hereof, issue directions with respect to deliveries to be made or accepted, or with respect to the use or uses which may or may not be made of rapeseed oil or mustard seed oil to be delivered or then on hand. He may also at any time issue directions to a producer with respect to the grade of rapeseed oil or mustard seed oil which he may manufacture.

(3) Each person specifically authorized to accept delivery of rapeseed oil or mustard seed oil shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director.

(4) Rapeseed oil or mustard seed oil allocated for inventories shall not be used, processed, or blended except as specifically directed by the Director. Rapese d oil or mustard seed oil allocated:

(i) to fill a specified order, or

(ii) to be used for a specified end use during a specified month, shall revert to inventories where and to the extent that the oil so allocated is not used for the specific order or the specific end use.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the Director shall not be required for:

(1) Acceptance of delivery, use, processing, or blending by any person in any one calendar month of 40 lbs. or less of rapeseed oil and mustard seed oil in the aggregate;

(2) Bleaching or alkali refining by any person of rapeseed oil or mustard seed oil, without regard to quantity; or

(3) Delivery of rapeseed oil or mustard seed oil by any producer or distributor to any person who shall have filed with him an authorization signed by the Director authorizing such person to accept delivery of rapeseed oil or mustard seed oil in the quantity and in the period in which delivery is made.

(d) *Exception for small orders.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the Director shall not be required for deliveries set forth in this paragraph, but no producer shall make deliveries described in this paragraph without specific authorization of the Director to make deliveries of a specific maximum quantity under this paragraph each month. Deliveries of quantities in excess of this maximum may not be made without further authorization of the Director. The application for authorization to make such deliveries shall specify the maximum quantity requested for each type of delivery. These provisions apply to the delivery of rapeseed oil or mustard seed oil by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the United States Department of Agriculture, Food Distribution Administration and to his supplier that the rapeseed oil or mustard seed oil hereby ordered for delivery in _____, 1943, does not, taken with all other rapeseed oil and mustard seed oil delivered or to be delivered in such month, exceed 40 lbs., the amount which he is entitled to receive under paragraph (c) (1) of Food Distribution Order No. 35.

Name of Purchaser

By _____
Authorized Official

_____
Date

_____
Title

Such certificate shall be signed by an authorized official of the purchaser. The receipt of such certificate shall not authorize the delivery of rapeseed oil or mustard seed oil by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason for belief, he may rely on the certificate.

(e) *Applications for delivery, use, processing or blending.* (1) Each person requiring authorization to accept delivery of, use, process, or blend rapeseed oil or mustard seed oil during any calendar month, beginning with April 1943 (including : person seeking authorization to accept delivery of rapeseed oil or mustard seed oil for resale), shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery, use, processing, or blending is requested. Application for acceptance of delivery, use, processing, or blending in April 1943 shall .be filed as many days as possible in advance of the requested delivery, use, processing, or blending. In any case, such application shall be made on War Production Board Form PD–600, or such other form or forms as may be prescribed by the Director. Forms may be obtained at local field offices of the War Production Board or Regional Offices of the Food Distribution Administration, United States Department of Agriculture. Five copies shall be prepared, of which four shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref.: FD 35, the fifth to be retained for applicant's files. For the purposes of this order, if War Production Board Form PD–600 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading, under name of chemical, specify "Rapeseed Oil", or "Mustard Seed Oil"; under WPB Order No., specify "FD 35"; under unit of measure, specify "Pounds, dry weight"; and, in the heading of Table I, insert in the blank the month and year for which authorization for acceptance of delivery, use, or processing is sought.

(ii) In the space under "Supplier with whom this order is placed" state name of usual supplier, and list his shipping point. If application is for authority to use, consume, or process oil from own inventory, leave these spaces blank.

(iii) In Columns 1, 11, and 19, indicate grade in terms of the following: crude, raw, filtered, refined, blown, or otherwise processed. If otherwise processed, identify product. If same grade of oil is required for more than one "primary product", or for the same "primary product" for more than one ultimate use, include quantity of grade applicable to each "primary product" or ultimate use.

(iv) In Columns 3, 20, and 22, specify your primary products in terms of the following: lubricating oil additive, rubber factice, rubber substitutes, sulfonated oil, plasticizers, protective coatings, others (specify).

(v) In Column 4, specify ultimate use of product (as, for example, "Marine engine lubrication" as opposed to "lubricating oil additive", which may be the primary product called for in Columns 3, 20, and 22) and also specify in each case whether the customer is Army, Navy, or other governmental agency, Lend-Lease, or commercial customers, and give Government specification number, if any. If the application is for Rapeseed Oil or Mustard Seed Oil for resale or for inventory (as Rapeseed Oil or Mustard Seed Oil), leave Column 4 blank. In each case where the application for authorization to use, process, or blend rapeseed oil or mustard seed oil is granted, one copy signed by the Director shall be returned to the applicant, and where the application is also for authorization to accept delivery, a second copy also signed by the Director, shall be sent to the applicant so that applicant may furnish same to the supplier selected by him.

(2) Each producer of rapeseed oil or mustard seed oil shall file War Production Board Form PD–601, or such other form or forms as may be prescribed by the Director, on or before the 15th day of each month, beginning with April 1943. Forms may be obtained at local field offices of the War Production Board or the Food Distribution Administration, United States Department of Agriculture. Four copies shall be prepared, of which three shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 35, the fourth to be retained for applicant's file. For the purposes of this order, if War Production Board Form PD–601 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading, under name of chemicals, specify "Rapeseed Oil", or "Mustard Seed Oil"; under WPB Order No., specify "FD 35"; under name of company, state name and mailing address; under unit of measure, specify "pounds, dry weight"; in heading "This schedule is for deliveries to be made during the month of _____, 194__", strike out the words "to be" and insert in the next blank the month preceding the month in which form is filed, and also indicate year.

(ii) Insert in Column 1, the words "total small order deliveries last month", and in Column 4 specify the total quantity of rapeseed oil or mustard seed oil delivered by applicant in such last month pursuant to paragraphs (c) (1) and (d) hereof. In other respects, Table I may, at applicant's discretion, be left blank.

(iii) In Column 8, specify grades produced, in terms of grades indicated in paragraph (e) (1) (iii) hereof.

(iv) In Column 9, show actual production during preceding month.

(v) In Column 10, show actual deliveries during preceding month.

(vi) In Column 11, show stocks as of first of preceding month.

(vii) In Column 12, show stocks as of first of current month.

(viii) Leave blank Columns 13–16, inclusive.

(ix) In addition to the foregoing, each producer who is a crusher of rapeseed or mustard seed shall strike out the headings to Columns 15 and 16, and insert in these columns and in margin: (*a*) Quantity of seed received during preceding month; (*b*) Quantity of seed crushed during preceding month; and (*c*) Quantity of seed on hand at the end of preceding month.

(3) The Director may issue other and further directions with respect to preparing and filing forms.

(f) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such time as he may prescribe.

(g) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(i) *Existing contracts.* The restrictions of this order concerning delivery, acceptance, use, processing, and consumption of rapeseed oil and mustard seed oil shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(j) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of rapeseed oil and mustard seed oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(k) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of rapeseed oil and mustard seed oil and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to

the Director, setting forth all pertinent facts and the nature of relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(m) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(n) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–35.

(o) *General Preference Order M–77 superseded.* This order supersedes in all respects General Preference Order M–77 (7 F.R. 7939) of the War Production Board except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said General Preference Order shall be considered under subparagraph (1) hereof.

(p) *Territorial extent.* This order applies to all persons in the United States, its Territories and Possessions, and the District of Columbia.

(q) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F R Doc 43-4348; Filed, March 20, 1943; 4:05 p. m.]

[FDO 36]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DELIVERY OF CASHEW NUT SHELL LIQUID

Pursuant to authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of cashew nut shell liquid to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.12 *Use and delivery of cashew nut shell liquid restricted—*(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "cashew nut shell liquid" means that liquid extracted, whether in this country or abroad, from the shell of the cashew nut and containing approximately 80 percent of phenol with molecular weight of 288 and approximately 20 percent of higher molecular weight phenol.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on use and delivery of cashew nut shell liquid.* No person shall use, deliver, or accept delivery of, cashew nut shell liquid except as hereinafter specifically authorized by the Director, upon application on War Production Board Form PD–271, or such other forms as may be prescribed by the Director: *Provided, however,* That no such specific authorization shall be required with respect to:

(1) The delivery or use of cashew nut shell liquid to fill orders bearing preference ratings issued by the War Production Board of A–2 or better for the following end products:

(i) Molding resins for insulating aviation electrical parts.

(ii) Resin solutions for impregnating electrical coils.

(2) The delivery to and use by any person of cashew nut shell liquid for the manufacture of brake linings or other friction elements pursuant to a specific contract or subcontract for the United States Army, Navy, Coast Guard, or Maritime Commission.

(3) The delivery to and use by any person of cashew nut shell liquid for the manufacture of brake linings or other friction elements for aircraft of any kind.

(4) The use of cashew nut shell liquid by any person in the manufacture of brake linings to fill orders bearing preference ratings issued by the War Production Board of A–2 or better; provided that such cashew nut shell liquid was purchased and received by such person on or before May 14, 1942.

(5) The importation of cashew nut shell liquid into the United States, its territories or possessions, the acceptance of delivery of such cashew nut shell liquid by the consignee thereof, and the delivery by such consignee to any person who purchased or contracted to purchase such cashew nut shell liquid prior to its importation: *Provided, however,* That nothing contained in this paragraph (b) (5) shall limit the requirements of General Imports Order M–63 of the War Production Board, as now or hereafter amended.

(6) The delivery of cashew nut shell liquid by or to the Commodity Credit Corporation or its authorized agents.

(c) *Existing contracts.* The restrictions of this order concerning the use and delivery of cashew nut shell liquid shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(d) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of cashew nut shell liquid shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(e) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such period of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Bureau of the Budget approval.* The specific reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Further specific record keeping or reporting requirements which may be prescribed by the Director shall be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of cashew nut shell liquid, of his premises used in his business, and all his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate), for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(i) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or wilfully conceals a material fact concerning a matter within the scope of this order may be prohibited from receiving or making further deliveries of any material subject to allocation control; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301, Title III of the Second War Powers Act, and under any and all other applicable laws.

(j) *Communications to Director.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–36.

(k) *General Preference Order M–66 superseded.* This order supersedes in all respects General Preference Order M–66 (7 F.R. 3572) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said General Preference Order shall be considered under paragraph (h) hereof.

(l) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(m) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4349; Filed, March 20, 1943; 4:05 p. m.]

[FDO 37]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, AND DELIVERY OF SPERM OIL

Pursuant to authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of sperm oil to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.8 *Use, processing, and delivery of sperm oil restricted—*(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "sperm oil" means that oil obtained from the head or body of the sperm whale, alone or combined, including sperm oil which has been winterized, pressed, distilled, deodorized, sulphonated, sulphurized, sulfo-chlorinated, sulphated, blown, or otherwise physically or chemically treated, but excluding crude and refined spermaceti.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on use, processing and delivery of sperm oil.* No person shall use, process, deliver, or accept delivery of sperm oil except as specifically authorized by the Director upon application of the user, processor, or deliverce on War Production Board Form PD–481 (or such other form or forms as may be prescribed by the Director), or except as provided in paragraph (c).

(c) *Exemptions.* Specific authorization of the Director shall not be required with respect to:

(1) The delivery by any one person of 2,000 pounds or less of sperm oil in any one calendar month in lots of not more than 100 pounds to any one person in any one calendar month.

(2) The use, processing, and acceptance of delivery of 100 pounds or less of sperm oil by any one person in any one calendar month.

(3) The delivery of sperm oil by (but not to), the acceptance of delivery by, and the use or processing of sperm oil by the United States Army, Navy, Coast Guard, Maritime Commission, or War Shipping Administration.

(d) *Restrictions on use of sperm oil in lubricating oils and greases.* (1) No person shall, in the production of lubricating or cutting oils or compounds, use sulphurized sperm oil having a sulphur content of less than ten percent (10%) by weight (including in the weight of such sulphurized sperm oil, the weight of any unsulphurized sperm oil used in conjunction therewith); and

(2) No person shall, in the production of lubricating or cutting oils or compounds, use sperm oil to an extent which will increase the sulphur content of such oil or compound to an amount in excess of that of the same grade of such oil or compound as prepared by the producer thereof, during the thirty day period immediately prior to May 16, 1942.

(e) *Existing contracts.* The restrictions of this order concerning delivery, acceptance, use, processing, and consumption of sperm oil shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(f) *Records and reports.* (1) Each person who shall bring sperm oil into the United States, or its territories or possessions, shall file a letter with the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 37, within ten days after such importation, stating the port of entry, place of storage, ownership, grade and amount of such sperm oil.

(2) Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(g) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of sperm oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(h) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of sperm oil and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(j) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 37.

(l) *General Preference Order M–40 superseded.* This order supersedes in all respects General Preference Order M–40 (7 F.R. 8690) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof said order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability. Any appeal pending under said General Preference Order shall be considered under paragraph (i) hereof.

(m) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(n) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4350; Filed, March 20, 1943; 4:05 p. m.]

[FDO 38]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, CONSUMPTION, PROCESSING, SALE AND DELIVERY OF PALM OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of palm oil to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.9 *Use, consumption, processing, sale and delivery of palm oil restricted*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "palm oil" means all oils of any grade or description, heretofore known or sold as palm oil, whether crude, refined, bleached, or deodorized.

(2) The term "dealer" means any person who imports, buys, sells, or distributes palm oil.

(3) The term "person" means an individual, partnership, corporation, association, or other business entity.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *General restrictions on use.* Unless specifically authorized by the Director, no person shall use or consume palm oil except in the following manufactures or processes:

(1) The manufacture of tin plate, terne plate, long terne plate, steel sheets, steel strip, and black plate;

(2) Any manufacture, process or use in which glycerine is produced in compliance with the provisions of Food Distribution Order No. 33;

(3) Any manufacture, process, or use by any person whose total use or consumption of palm oil is less than 2,000 pounds in each of the several three month periods of the year commencing on January 1, April 1, July 1, and October 1.

(c) *Restrictions on processing.* No person shall hereafter put in process or change the condition of any palm oil in preparation for any manufacture, process, or use permitted by this order except to the extent necessary for such preparation and then only in such quantities as may be necessary to meet his normal production schedule or, if such palm oil is to be manufactured or used by another person, then the normal production schedule of such other person.

(d) *Reserve.* Every person who was required by General Preference Order M–59 of the War Production Board (7 F.R. 2186) to set aside an inventory quota of palm oil shall use, put in process, sell, or deliver all or any part of such quota only upon express instruction of the Director, except that this paragraph (d) shall not be construed to prevent changing the condition of the oil so set aside to the extent necessary to prevent deterioration while carried in inventory.

(e) *Restrictions on sales and deliveries.* No person shall sell or deliver any palm oil to any other person, except a dealer or a person using such oil in the manufactures, processes, or uses set out in paragraph (b) hereof, except as may be specifically authorized by the Director.

(f) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise, to another branch, division, or section of the same or any other enterprise owned or controlled by the same person.

(g) *Existing contracts.* The restrictions of this order concerning the use, consumption, processing, sale, and delivery of palm oil shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(h) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other period of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such time as he may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of palm oil and of the premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate), for relief to the Director setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(k) *Violations.* Any person who willfully violates any provisions of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or who wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(l) *Communications to the Department of Agriculture.* All communications concerning this order shall, unless otherwise directed, be addressed to Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 38.

(m) *General Preference Order M–59 superseded.* This order supersedes in all respects General Preference Order M–59 of the War Production Board (7 F.R. 2186) except that as to violations of said order or rights accrued, liabilities incurred or appeals taken under said order prior to the effective date hereof, said general preference order shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability. Any appeal pending under the said General Preference Order shall be considered under paragraph (j) hereof.

(n) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(o) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43 4351; Filed, March 20, 1943; 4:06 p. m.]

[FDO 39]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, CONSUMPTION, AND DELIVERY OF TUNG OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of tung oil to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.5 *Delivery, use and distribution of tung oil; restricted*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "tung oil" means that oil obtained from the tung nut, commonly known as tung oil or china wood oil, whether crude, raw, filtered, or refined.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "producer" means any person engaged in the production of tung oil and includes any person who has tung oil produced for him pursuant to toll agreement.

(4) The term "distributor" means any person who has purchased or purchases tung oil for purposes of resale.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on delivery, use, and processing.* (1) No person shall deliver, accept delivery of, use, or process tung oil except as specifically authorized or directed by the Director.

(2) Authorization or directions with respect to deliveries, use, and processing in each calendar month will, so far as practicable, be issued by the Director prior to the commencement of such month, but the Director may at any time at his discretion, and notwithstanding the provisions of paragraphs (c) and (d) hereof, issue directions with respect to deliveries to be made or accepted, or with respect to the use or uses which may or may not be made of tung oil to be delivered or then on hand. He may also at any time issue directions to the producer with respect to the grade of tung oil which he may manufacture.

(3) Each person specifically authorized to accept delivery of tung oil shall use such oil for the purposes authorized and only for such purposes except as otherwise specifically directed.

(4) Tung oil allocated for inventories shall not be used or processed except as specifically authorized or directed by the Director. Tung oil allocated:

(i) To fill a specified order, or

(ii) To be used for a specified end use during a specified month.

shall revert to inventories where and to the extent that the oil so allocated is not used for the specific order or the specific end use.

(c) *Exceptions to requirements for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorizations by the Director shall not be required for:

(1) Acceptance of delivery, use, or processing by any person in any one calendar month of 40 lbs., or less, of tung oil in the aggregate; and

(2) The delivery of tung oil by any producer or distributor to any person who shall have filed with him an authorization signed by the Director authorizing such person to accept delivery of tung oil in the quantity and in the period in which delivery is made.

(d) *Exceptions for small orders.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization by the Director shall not be required for deliveries set forth in this paragraph, but no producer shall make deliveries described in this paragraph without a specific authorization by the Director to make deliveries of a specific maximum quantity under this paragraph each month. Deliveries of quantities in excess of this maximum may not be made without further authorization by the Director. The application for authorization to make such delivery shall specify the maximum quantity requested. The provisions of this paragraph apply to the delivery of tung oil by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the United States Department of Agriculture, Food Distribution Administration, and to his supplier that the tung oil hereby ordered for delivery in _____, 1943, does not, taken with all other tung oil delivered or to be delivered in such month, exceed 40 lbs., the amount which he is entitled to receive under paragraph (c) (1) of Food Distribution Order No. 39.

_____
Name of Purchaser

Date By _____
Authorized Official

_____
Title

Such certificate shall be signed by an authorized official of the purchaser. The receipt of such certificate shall not authorize the delivery of tung oil by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or belief, he may rely on the certificate.

(e) *Applications for delivery, use, or processing.* (1) Each person requiring authorization to accept delivery of, use, or process, tung oil during any calendar month, beginning with April 1943 (including a person seeking authorization to accept the delivery of tung oil for resale), shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery, use, or processing is requested. Application for acceptance of delivery, use or processing in April 1943 shall be filed as many days as possible in advance of the requested delivery, use, or processing. In any case, such application shall be made on War Production Board Form PD–600, or such other form or forms as may be prescribed by the Director. Forms may be obtained at local field offices of the War Production Board or the Food Distribution Administration, United States Department of Agriculture. Five copies shall be prepared, four of which shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–39, the fifth to be retained for applicant's files. For the purposes of this order, if War Production Board Form PD–600 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading, under the name of chemical, specify "tung oil"; under WPB Order No., specify "FD 39"; under unit of measure specify "pounds, dry weight"; in the heading of Table I in the blank insert the month and year for which authorization for acceptance of delivery, use or processing is sought.

(ii) In the space under "supplier with whom this order is placed" state name of usual supplier and list his shipping point. If application is for authority to use, consume, or process oil from his own inventory, leave these spaces blank.

(iii) In Columns 1, 11, and 19, indicate grade in terms of the following: crude or refined. If same grade of oil is required for more than one "primary product", or for the same "primary product" for more than one ultimate use, include quantity of grade applicable to each "primary product" or ultimate use.

(iv) In Columns 3, 20, and 22, specify your primary product in terms of the following: protective coating, core oil, electrical insulation, synthetic resins, food container linings, others (specify).

(v) In Column 4 specify ultimate use of product (as for example "airplane engine castings" as opposed to "core oil" and "bomb linings" as opposed to "protective coatings" or "synthetic resins", each of which may be made of the primary product called for in Columns 3, 20, and 22); and also specify in each case whether your customer is Army, Navy, or other Government agency, Lend-Lease, or commercial customer, and give Government specification number, if any. If the application for tung oil for resale or for inventory (as tung oil), leave Column 4 blank. In each case where the application for authorization to use or process tung oil is granted, one copy signed by the Director will be returned to the applicant; and where the application is also for authorization to accept delivery, a second copy also signed by the Director will be sent to the applicant so that applicant may furnish same to the supplier selected by him.

(2) Each producer of tung oil shall file War Production Board Form PD–601, or such other form or forms as may be prescribed by the Director, on or before the 15th day of each month, beginning with April 1943. Forms may be obtained at local field offices of the War Production Board or the Food Distribution Administration, United States Department of Agriculture. Four copies shall be prepared of which three shall be forward to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–39, the fourth to be retained in applicant's file. For the purposes of this order, if War Production Board Form PD–601 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(i) In the heading under the name of chemical, specify "tung oil"; under WPB Order No., specify "FD–39"; under name of company, state name and mailing address; under unit of measure, specify "pounds, dry weight"; in the heading "This schedule is for deliveries to be made during the month of _____, 194__", strike out the words "to be", and insert in the blank the month preceding the month in which form is filed and also indicate year.

(ii) Insert in Column 1 the words "total small order deliveries last month", and in Column 4 specify the total quantity of tung oil delivered by applicant in such last month pursuant to paragraph (c) (1) and (d) hereof. In other respects Table I may, at the applicant's discretion, be left blank.

(iii) In Column 8 specify grades produced in terms of grades included in paragraph (e) (1) (ii) hereof.

(iv) In Column 9 show actual production during preceding month.

(v) In Column 10 show actual deliveries during preceding month.

(vi) In Column 11 show stocks as of first of preceding month.

(vii) In Column 12 show stocks as of first of current month.

(viii) Leave blank columns 13–16, inclusive.

(ix) In addition to the foregoing, each producer who is a crusher of tung nuts shall strike out the heading of Columns 15 and 16 and insert in the columns and in the margin:

(*a*) Quantity of tung nuts received during preceding month;

(*b*) Quantity of tung nuts crushed during preceding month; and

(*c*) Quantity of tung nuts on hand at end of preceding month.

(3) The Director may issue other and further directions with respect to preparing and filing forms.

(f) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(g) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(i) *Existing contracts.* The restrictions of this order concerning delivery, acceptance, use, processing and consumption of tung oil shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(j) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of tung oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also deliveries from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(k) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of tung oil and premises used in his business, and all of his books, records, and accounts, shall, upon request, be submitted to audit and inspection by the Director.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(m) *Violations.* Any person who wilfully violates any provisions of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(n) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–39.

(o) *General Preference Order M–57 superseded.* This order supersedes in all respects General Preference Order M–57 [7 F.R. 7398] of the War Production Board except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said general preference order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said general preference order shall be considered under paragraph (1) hereof.

(p) *Territorial extent.* This order applies to all persons in the United States, its Territories and Possessions, and the District of Columbia.

(q) *Effective date.* This order shall be effective on March 24, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–4352; Filed, March 20, 1943; 4:06 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

VERNON STOCKYARDS, VERNON, CALIF.

MARCH 18, 1943.

Notice under Packers and Stockyards Act.[1] Whereas, the Vernon National Market and Feed Yard was posted on May 16, 1939, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it appears that said stockyard is now known as the Vernon Stockyards, and is being operated by W. H. Felsted, doing business as Vernon Livestock Sales Company:

Now, therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Vernon Stockyards, Vernon, California.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[2]

[F. R. Doc. 43–4260; Filed, March 19, 1943; 12:07 p. m.]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

OWEN BROTHERS UNION STOCK YARDS, MERIDIAN, MISS.

MARCH 18, 1943.

Notice under Packers and Stockyards Act[1]. Whereas, the Meridian Union Stock Yards was posted on October 14, 193[illegible], as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it appears that said stockyard is now known as the Owen Brothers Union Stock Yards, and is being operated by Owen Brothers Union Stock Yards, Livestock Commission Company:

Now, therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Owen Brothers Union Stock Yards, Meridian, Mississippi.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[2]

[F. R. Doc. 43–4261; Filed, March 19, 1943; 12:07 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 79b—WOMEN'S ARMY AUXILIARY CORPS

ORDERS

Section 79b.4 is amended as follows:

§ 79b.4 *Orders.* The WAAC service command director will request the commanding general of the service command to issue orders for assignment to duty, transfer, or other changes in status of members of the WAAC. Orders for detached service will be issued by the headquarters authorized to issue such orders for Army personnel at stations where WAAC personnel are assigned. (Act of May 14, 1942, Public Law 554, 77th Congress) [Par. 10, Women's Army Auxiliary Corps Regulations (Tentative) May 28, 1942, as amended by WAAC Cir. 6, March 13, 1943]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43–4337; Filed, March 20, 1943; 11:44 a. m.]

[1] Modifies list posted stockyards 9 CFR 204.1.

[2] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACT CLAUSES RELATING TO TAXES

Sections 81.357 and 81.358 are amended as follows:

§ 81.357 *Tax articles in fixed price (lump sum) contracts*—(a) *Long form tax article.* Except as otherwise stated in paragraphs (b), (c), and (e) of this section all fixed price (lump sum) contracts will include a tax article substantially in the form set forth in this paragraph. Attention is directed to the necessity of including in each contract suitable provisions (see § 81.358) to specify any taxes to be excluded from or included in the contract price otherwise than as provided in such tax article. If desired, the words "of the award of this contract" or "of the bid upon the basis of which this contract was placed" may be substituted for the italicized words "of this contract" in the following article: *Provided*, That such substitution is made uniformly throughout the article and that the date of the award or the date of the bid, as the case may be, is specified in the contract.

Article ... Taxes. (a) Unless otherwise indicated in this contract (A) the prices herein do not include any of the following taxes in effect at the date *of this contract*,

(1) Any Federal tax which is directly applicable to the completed supplies or work covered hereby (including component parts, articles, or units of which the contractor is the manufacturer, importer, or producer) and as to which exemption from tax is available, or

(2) Any state or local sales, use, or other tax from which the contractor or this transaction of the procurement of these supplies or work is exempt,

and (B) the prices herein include all other applicable Federal, State and local taxes in effect at the date *of this contract*. Upon request of the contractor the Government will issue tax exemption certificates or furnish other similar proof of exemption with respect to all taxes excluded from the price.

(b) If after the date *of this contract* the Federal Government or any state or local government shall impose, remove or change (including any change by the removal by statute of an exemption available to the contractor for the purposes of this contract) any duty, sales, use, or excise tax or any other tax or charge directly applicable to the supplies or work covered hereby or the materials used in the manufacture thereof or directly upon the importation, production, processing, manufacture, construction, sale, or use of such supplies, work, or materials, which tax or charge must be borne by the contractor because of a specific contractual obligation or by operation of law, or, in case of a decrease or elimination of any such tax, where the contractor is relieved to that extent, and if in case of an increase in such an existing tax or the imposition of such a new tax the contractor has paid such tax or charge to the Federal Government or to a state or local government, or any other person, then the prices named herein will be increased or decreased accordingly, and any amount due to the contractor as a result of such change will be charged to the Government and entered on vouchers (or invoices) as a separate item: *Provided, however*, That the Government reserves the right to issue to the contractor in lieu of such payment a tax exemption certificate or certificates acceptable to the Federal Government or state or local government, as the case may be. The amount of any adjustment pursuant to this paragraph (b) may be determined by a written agreement between the parties hereto. Nothing contained herein shall be construed as requiring the Government to reimburse the contractor for any Federal, state, or local income taxes, income surtaxes or excess profits taxes, transportation taxes, or taxes on property.

(c) In the case of any state or local tax or charge which the contractor contends is chargeable to the Government because of the provisions of this article, or any other provision of this contract, the contractor agrees to refrain from paying any such tax or charge upon the direction of the contracting officer (in which event the Government will save the contractor harmless from penalties and interest incurred through compliance with the direction of the contracting officer not to pay such tax); to take such steps as may be directed by the Government to cause such tax or charge to be paid under protest; to preserve and, if so directed by the contracting officer, to cause to be assigned to the Government any and all rights to the abatement or refund of such tax or charge; if so requested, to permit the Government to prosecute any claim, litigation, or proceeding for the refund of such tax in the name of the contractor, and to furnish to the Government all reasonable assistance and cooperation requested by the Government in any litigation or proceeding for the recovery of such tax or charge.

If desired the following sentence, or substantially similar language, may be added at the end of paragraph (b) of the foregoing tax article:

For the purposes of any additional procurement of supplies or work called for by any agreement supplemental hereto, the words "date *of this contract*" shall be deemed to refer to the date of such supplemental agreement.

(b) *Short form tax article.* In purchase orders and contracts where the estimated time of the performance of the purchase order or contract does not exceed 60 days, the following short form of tax article may be employed or a tax article may be omitted. Attention is directed to the necessity of including in each contract (§ 81.358) suitable provisions to specify any taxes to be excluded from or included in the contract price otherwise than as provided in such tax article.

Article ... Taxes. Unless otherwise indicated in this contract (A) the prices herein do not include any of the following taxes in effect at the date of this contract:

(1) Any Federal tax which is directly applicable to the completed supplies covered hereby (including component parts, articles, or units of which the contractor is the manufacturer, importer, or producer) and as to which exemption from tax is available, or

(2) Any state or local sales, use or other tax from which the contractor or this transaction of the procurement of these supplies is exempt,

and (B) the prices herein include all other Federal, state, and local taxes (including without limitation of the foregoing all transportation taxes). Upon request of the contractor the Government will issue tax exemption certificates or furnish other similar proof of exemption with respect to all taxes excluded from the price.

(c) *Use of tax articles.* Supply services may continue to use existing contract or purchase order forms containing a tax article substantially in the form of the tax article prescribed prior to March 1, 1943, by § 81.357 of the procurement regulations as it then read or other tax article hitherto approved, if suitable modifications in or additions to such tax articles are included in the contract to reflect accurately the taxes expressly included in or excluded from the contract price in the particular case. Attention is also directed to the provisions of § 81.809a, Procurement Regulation No. 8, setting forth the policies to be applied on and after March 1, 1943, with respect to exemptions from Federal excise taxes.

(d) *State and local taxes.* State and local sales or use taxes generally do not apply to sales directly to the United States or the use of property by the United States (see § 81.810). Special provisions may be included in any contract with respect to any state or local excise tax as to which there is doubt whether an exemption exists applicable to the transaction covered by the contract. Any such special provisions should clearly specify whether such tax is to be included in or excluded from the price and whether the Government must pay or reimburse the contractor for the tax if no exemption is applicable. Contracting officers, so far as is practicable, should take precautions to see that contractors do not include in their bid or price any amount for (1) any state or local sales or use taxes which do not apply to sales to the Federal Government or to the use of property by the Federal Government, or (2) any other state or local taxes, exemption from which is available in the case of transactions to which the Federal Government is a party.

(e) *Appropriate tax articles.* The chief of any supply service may authorize the omission of the tax articles set forth in paragraphs (a) and (b) of § 81.357 from any contracts where they are plainly inapplicable or inappropriate. In any class or classes of contracts for services where a major part of the cost of performance consists of payroll expense, for example, stevedoring contracts, the chief of any supply service may authorize the inclusion of a provision for price adjustment in the event of changes in payroll taxes with respect to such services. The form of any such provision in general should be similar to the provision found in paragraph (b) of the tax article set out in § 81.357 (a) but should not be made applicable to taxes

other than these paid with respect to the wages of the employees of the particular contractor.

§ 81.358 *Taxes affecting cost.* Special emphasis is placed on the necessity that each contract contain appropriate provisions showing accurately the nature of any taxes which are expressly included in or excluded from the contract price contrary to the standard provisions of the tax article which is in fact contained in such contract. Invitations to bid, requests for proposals, specifications, instructions to bidders, and proposals should indicate expressly the types of taxes to be included in or excluded from the contract price and whether tax exemption certificates will be given or required. Care must be taken to see that the tax provisions of each contract are in conformity with any invitation to bid, specifications, and proposal issued or made in connection therewith. (Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601-622) [Services of Supply Memorandum No. S5–51–43, March 11, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4306; Filed, March 20, 1943; 9:26 a. m.]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Part 81 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated September 5, 1942 (7 F.R. 8082), as amended by Changes No. 12, March 3, 1943.[1] In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601-622.

AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

Section 81.304 (b) is amended as follows:

§ 81.304 *Definitions.* * * *

(b) *Contract.* As used in this section, the term "contract" means any contract except supplemental agreements and change orders and except those contracts referred to in §§ 83.707, 81.1014 and 81.1015.

* * * * *

PROCUREMENT OF SUPPLIES

Sections 81.602 to 81.605, inclusive, are rescinded and the following substituted therefor:

[1] For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640, 10906, and 8 F.R. 401, 411, 2531.

GENERAL

§ 81.602 *Definitions*—(a) *Procurement.* The term "procurement" as used in this regulation refers to the procedure necessary to obtain a given item or class of items and includes the execution of the following functions:

(1) *Specification* (*abbr. spec.*). This function consists of the preparation and custodianship of specifications necessary for the procurement of a given item or class of items, except specifications charged to other Federal agencies.

(2) *Determination of requirements* (*abbr. reqs.*). This function involves the determination by a supply service of its own requirements as well as the requirements of the using Arms for which the supply service is responsible under existing Army regulations. When only one service is indicated as having responsibility for determination of requirements for an item it shall be understood that said service is responsible for determining the requirements of all Arms and Services.

(3) *Provision of funds* (*abbr. funds*). This function involves the preparation of estimates, defense of estimates, and custody of funds.

(4) *Purchase* (*abbr. pur.*). This function consists of buying a given item or class of items or manufacturing such items in government owned establishments under the jurisdiction of a supply service, and includes final acceptance.

(5) *Inspection* (*abbr. insp.*). This function consists of making the inspections necessary for final acceptance of any item from the contractor.

(b) *Interbranch and interdepartmental procurement.* The term "interbranch procurement" refers to the procurement of items by one supply service for another supply service. The term "interdepartmental procurement" refers to the purchase of items by one department or agency of the government from another department or agency thereof.

INTERBRANCH PROCUREMENT

§ 81.603 *Authority of Procurement Assignment Board.* The Procurement Assignment Board, Headquarters, Services of Supply, is authorized to assign responsibility for all functions of procurement enumerated in § 81.602(a) in regard to any item or class of items subject to the following limitation: Prior to the assignment by the Procurement Assignment Board of the "specification" function the Board will obtain the concurrence of the Resources and Production Division, Headquarters, Services of Supply, and prior to the assignment of the "provision of funds" function the Board will obtain the concurrence of the Budget Officer for the War Department. The Director of the Resources and Production Division and the Budget Officer will each designate a representative to participtate in meetings of the Procurement Assignment Board. With respect to a given item or class of items all functions may be assigned to one supply service or apportioned among different supply services. Unless and until action is taken by the Procurement Assignment Board the responsibility for the performance of the functions enumerated in § 81.602(a) in respect to an item or class of items will remain with the supply service or supply services exercising such responsibility.

(a) *Army Air Forces.* When action by the Board is to be taken in regard to an item in which the Army Air Forces have a substantial interest, it will be understood that the Army Air Forces will be given an opportunity to be heard on the matter, and that if the Army Air Forces disagree with any action proposed to be taken by the Procurement Assignment Board, an effort will be made by the Board to reconcile the disagreement by a conference with a representative designated by the Commanding General, Army Air Forces; and that in the event a satisfactory agreement cannot be reached in this manner, the Board and the representative of the Army Air Forces will jointly prepare a brief setting forth their respective views on the matter, which brief will be submitted to the Under Secretary of War, who will make the final decision.

(b) *Purchase.* Purchase of an item shall be made by the service assigned such responsibility, except in a given transaction when:

(1) The item is required within a brief period of time and in the judgment of the service requiring the item cannot be provided in such time by the service having responsibility for purchasing the item, or

(2) The service having purchase responsibility has, by the issuance of general instructions or by consent granted with respect to the specific transaction, indicated its acquiescence. In the event that any purchase made pursuant to subparagraph (1) above involves an expenditure in excess of $5,000, a prompt report of the transaction will be made to the chief of the supply service having responsibility for the purchase of the item and a copy of such report will be sent to the Procurement Assignment Board, Headquarters, Services of Supply.

(c) *Instructions.* All instructions by Services of Supply, Staff Divisions thereof, or Army Air Forces to be issued in War Department or Services of Supply publications concerning:

(1) Transfer of any of the functions of procurement from one supply service to another or to or from the Army Air Forces, or

(2) Assumption of any of the functions of procurement by a supply service or the Army Air Forces; shall be submitted for concurrence and clearance to the Procurement Assignment Board, Headquarters, Services of Supply, before publication.

(d) *Assignment by classes.* Insofar as practicable, the Procurement Assignment Board, in assigning responsibility for procurement of all items and groups of items will classify items according to the Federal Standard Stock Catalog classes for Storage and Issue. The determinations of the Board will be published in § 81 605.

(e) *Outstanding orders.* (1) When action by the Board centralizes the responsibity for the purchase of a given item or class of items in a supply service, any other supply service having such an item or class of items on order will compile and transmit to the service assigned such responsibility a list of all outstanding orders for such items. These lists will indicate the following: (i) number and adequate description of items including specifications and applicable funds; (ii) name and address of supplier; (iii) unit price; (iv) delivery dates; (v) status of deliveries, to be supplemented monthly; (vi) contract or purchase order symbol; and (vii) partial payments or advance payments already made. If in the opinion of the supply service to which responsibility for purchase has been assigned, diversion of the items on order is necessary, copies of all contracts and purchase orders covering these items will also be supplied by the other supply services upon request by the service to which responsibility for purchase has been assigned.

(2) In case of diversion of items:

(i) The service to which responsibility for purchase has been assigned will be the sole agency to issue instructions regarding shipping, change orders, renegotiation and cancellation to the contracting officer administering the contract; and

(ii) The service to which responsibility for purchase has been assigned may request the contracting officer to issue a change order modifying the shipping instructions and changing the allotment number from the one originally used by the supply service which entered into the contract to an appropriate allotment number furnished by the supply service to which responsibility for purchase has been assigned. In the event that advance or partial payments have been made by the contracting service on items subsequently diverted, the service receiving the items will reimburse the contracting service for such payments.

(f) *Procedure.* (1) All supply services requiring an item for which determination of requirements and provisions of funds therefor has been assigned to another service, will assist the responsible supply service by furnishing to it statements of their requirements at such times as may be called for by the responsible supply service.

(2) The supply service or services having responsibility for determination of requirements will forward requisitions for requirements and allotment of applicable funds to the supply service having responsibility for purchase at such times and for such periods as may be specified by the latter.

(3) Emergency requirements will be forwarded by the most expeditious method available through the service responsible for the determination of requirements to the service responsible for purchase and will be confirmed by a formal requisition.

(4) Each requisition will contain a certificate of availability of funds and citation of the applicable allotment number.

§ 81.604 *Previous actions of the Procurement Assignment Board.* The present practice of the Procurement Assignment Board of assigning responsibility for items and groups of items in accordance with the procedure outlined in § 81.603 (d) represents a departure from its previous practice. Previously the Board assigned "procurement responsibility" and "purchase responsibility". The assignments of procurement responsibility and purchase responsibility made by the Board with respect to a large number of items are indicated in Appendix I[2] to this Procurement Regulation No. 6. There are contained on the first page of that appendix definitions of the terms "procurement responsibility" and "purchase responsibility". It is contemplated that in the near future assignments of the items listed in that appendix will be made in accordance with the procedure outlined in § 81.603 (d). In the meantime, however, it is to be understood that the past actions of the Board in making the assignments of procurement responsibility and purchase responsibility, as reflected in Appendix I,[2] are not to be regarded as rescinded. Accordingly, the appendix should be retained until further notice.

The subparagraphs under § 81.605 (a) do not run consecutively for the reason that each of these subparagraphs contains an assignment of one of the Federal Standard Stock Catalog Classes. Thus subparagraph (7) will contain the assignment made by the Procurement Assignment Board of the items included in Federal Standard Stock Catalog Class 7 and subparagraph (9) will contain the Assignment made by the Board of the items contained in Federal Standard Stock Catalog Class 9. As all ninety-three classes contained in the Federal Standard Stock Catalog Classification have not as yet been assigned, subparagraphs have been reserved for such assignments.

§ 81.605 *Assignments*—(a) *Federal Standard Stock Catalog Classes.* * * *

(7) *Assignment of fuel: charcoal, coal, coke, dust fuels, gas, gasoline, oil (fuel), wood, etc. (FSSC Class 7).*

Items	Spec.[1]	Req.	Funds	Pur.	Insp.
Automotive					
Gasoline (except for Army aircraft)	Ord	QMC	QMC	QMC	QMC
Gasoline for Army aircraft	AAF	AAF	AAF	AAF	AAF
Fuel oil Diesel (except for Army aircraft)	Ord	QMC	QMC	QMC	QMC
Fuel oil Diesel for Army aircraft	AAF	AAF	AAF	AAF	AAF
Railway					
Fuel oil	TC	TC	TC	QMC	QMC
Fuel oil Diesel	TC	TC	TC	QMC	QMC
Coal, coke, wood, etc	TC	TC	TC	QMC	QMC
Marine					
Gasoline	TC	TC	TC	QMC	QMC
Fuel oil	TC	TC	TC	QMC	QMC
Fuel oil Diesel	TC	TC	TC	QMC	QMC
Coal, coke, wood, etc	TC	TC	TC	QMC	QMC
All other uses:					
Gasoline (all types)	Ord	All	QMC	QMC	QMC
Fuel oil	Ord	All	QMC	QMC	QMC
Fuel oil Diesel	Ord	All	QMC	QMC	QMC
Fog oil	CWS	CWS	CWS	QMC	QMC
Incendiary oil for incendiary bombs and flame throwers	CWS	CWS	CWS	QMC	QMC
Utilities fuel—for space heating, power, incineration, refrigeration, utility plants, maintenance equip., pumping, fire apparatus, utility shops, cooking, baking, smithing, water heating, process steam, at posts camps, and stations, and in field installations for light, heat, and power:					
Fuel oil	ENG	ENG	ENG	QMC	QMC
#1 Fuel oil (kerosene)	ENG	ENG	ENG	QMC	QMC
Coal, coke, charcoal, dust fuels, wood, etc	ENG	ENG	ENG	QMC	QMC
Gas, natural or mfrd	ENG	ENG	ENG	ENG	ENG
Fuels for manufacturing arsenals depots, and proving grounds:					
Fuel oil	ALL	ALL	ALL	QMC	QMC
Coal, coke, charcoal, dust fuels, wood, etc	ALL	ALL	ALL	QMC	QMC
Gas, natural or mfgd	ALL	ALL	ALL	ALL	ALL

[1] The service or services (other than the Army Air Forces) assigned the function of "Specification" for the petroleum products listed above shall coordinate and clear this function with the War Department Committee for Fuels and Lubricants, Resources and Production Division, Headquarters, Services of Supply.

* * * * * * *

(9) *Assignment of boats, vessels and floating equipment (FSSC Class 9).*

Items	Spec.	Req.	Funds	Pur.	Insp.
All boats, vessels and floating equipment:					
Except those listed below	TC	TC	TC	TC	TC
Barrage balloon equipment:					
Boats, power driven BB	ENG	ENG	ENG	TC	TC
Boats, catamaran BB	ENG	ENG	ENG	TC	TC
Barges, double end BB	ENG	ENG	ENG	TC	TC
Barges, power driven BB	ENG	ENG	ENG	TC	TC
Corps of engineers tactical equipment:					
Boats, assault	ENG	ENG	ENG	ENG	ENG
Boats, reconnaissance	ENG	ENG	ENG	ENG	ENG
Boats, storm	ENG	ENG	ENG	ENG	ENG
Boats, pneumatic	ENG	ENG	ENG	ENG	ENG
Boats, power, utility w trailer	ENG	ENG	ENG	ENG	ENG
Floats, pneumatic	ENG	ENG	ENG	ENG	ENG
Pontoons, equipage	ENG	ENG	ENG	ENG	ENG
Pontoon gear, Navy type[1]					
Barges and pontoons for bridge and wharf construction and Corps of Engineers lighterage barges and pontoons	ENG	ENG	ENG	TC	TC
all other uses	TC	TC	TC	TC	TC

[1] All boats, barges, vessels and floating equipment, excluding pneumatic boats, purchased by the Army from the Navy, shall be purchased from the Navy by the Transportation Corps.

[2] *Infra* and 7 F.R. 9291.

(9) *Assignment of boats, vessels and floating equipment (FSSC Class 9)*—Con.

Items	Spec.	Req.	Funds	Pur.	Insp.
Boats, landing, 36 ft. (LCP, LCPR, LCV, LCPV)	TC	TC	TC	(1)	(1)
Craft, landing, mechanized, 50 ft. LCM Mark III	TC	TC	TC	(1)	(1)
Rafts, life for aircraft	AAF	AAF	AAF	AAF	AAF

[1] Purchase of subject craft is assigned to U. S. Navy by directive approved by the Joint U. S. Chiefs of Staff on September 10, 1942.
Vessels over 1,000 tons D. W. are procured by Maritime Commission, with Transportation Corps responsible for determination of requirements.

* * * * * * *

(14) *Assignment of oils (illuminating and lubricating) greases and all lubricants (FSSC Class 14).*

Items	Spec.	Req.	Funds	Pur.	Insp.
Kerosene (illuminating and cleaning)	QMC	QMC	QMC	QMC	QMC
Lubricants for all motor, armored and track laying vehicles	Ord	QMC	QMC	QMC	QMC
Lubricants for locomotives, other rolling stock, and marine use	TC	TC	TC	QMC	QMC
Lubricants for railroad artillery equipment	Ord	Ord	Ord	Ord	Ord
Lubricants for Army aircraft	AAF	AAF	AAF	AAF	AAF
Lubricants for weapons, including recoil and hydraulic fluids	Ord	Ord	Ord	Ord	Ord
Lubricants—all other purposes	All	All	QMC	QMC	QMC
Cutting oils	All	All	All	All	All
Paraffine wax—amorphous, refined and crude, and manufactured articles	All	QMC	QMC	QMC	QMC
Petrolatum	Med	Med	Med	QMC	Med
Paraffine, refined for histological and pharmaceutical use	Med	Med	Med	QMC	Med

[1] The services (services (other than the Army Air Forces) assigned the function of "specification" for the petroleum products listed above shall coordinate and clear this function with the War Department Committee for Fuels and Lubricants, Resources and Production Division, Headquarters Services of Supply.

PROCEDURE FOR OBTAINING CLEARANCE AND APPROVAL OF FACILITIES EXPANSIONS

Sections 81.1008 to 81.1013, inclusive, are rescinded and the following §§ 81.1008 to 81.1015 are substituted therefor:

§ 81.1008 *Submission of projects.* (a) The chief of the supply service concerned will submit to the Resources and Production Division, Headquarters, Services of Supply, as provided in § 81.1009 every proposed facilities expansion involving either

(1) New construction, regardless of amount;

(2) The addition of machinery or equipment where Expediting Production Funds are required, or

(3) The addition, under other funds, of machinery or equipment, the estimated cost of which exceeds $100,000.

(b) When new facilities are first being considered, the initiating office will contact the Facilities Utilization Division of the Facilities Bureau, War Production Board, Washington, D. C., to ascertain the availability of existing facilities suitable for the required production.

§ 81.1009 *Approval of projects and release of Expediting Production Funds.* (a) Applications for approval of any proposed facilities expansion of the type described in § 81.1008, and for release of Expediting Production Funds, where such funds are required, will be made to the Resources and Production Division, Headquarters, Services of Supply, except as provided for the Air Forces in § 81.1010 (c). Such applications will supply the following information in triplicate:

(1) Name of the project.

(2) Name and address of proposed operator.

(3) Location of project with map showing location.

(4) Product and by-products to be produced with maximum capacity of the proposed facility for each.

(5) Estimated costs:

(i) Land ------ acres. $----

(ii) Purchase of existing plant. $----

(iii) Construction. $----

(iv) Machine tools. $----

(v) Other machinery & equipment. $----

(vi) Government overhead & miscellaneous (give breakdown). $----

(vii) Total. $----

(viii) Costs, other than for machine tools. $----

(6) *Method of financing.* If use of Expediting Production Funds is required, make a request for a specific amount or state that such a request will be submitted separately, stating, also how the remainder of cost is to be financed.

(7) Physical data:

(i) Description of proposed construction and of site. (Include number of square feet of productive and non-productive floor space.)

(ii) Estimated critical materials:

(*a*) Steel ------ pounds.

(*b*) Copper ------ pounds.

(*c*) Aluminum ------ pounds.

(iii) Estimated date of initial operation.

(iv) Estimated date of completion of project.

(v) Estimated date of full operation.

(8) General statement of raw materials required for operation and the source of supply.

(9) Estimated labor requirements for operation (include estimated percentage of female labor):

(i) Supervisory and administrative.

(ii) Skilled.

(iii) Semi-skilled.

(iv) Unskilled.

(v) Total.

(vi) Total supervisory, administrative and skilled labor required for initial operation.

(10) Power:

(i) Expected maximum demand in kilowatts.

(ii) Availability of adequate power locally.

(iii) Source of power supply.

(11) Transportation:

(i) Estimated transportation requirements.

(ii) Availability of adequate main line rail facilities.

(iii) Availability of adequate improved highway facilities to the site.

(12) Water:

(i) Expected water requirements in gallons per day.

(ii) Availability of adequate supply of water.

(iii) Source of supply.

(13) Fuel:

(i) Type of fuel.

(ii) Source of supply of fuel.

(14) Sewage disposal requirements and proposed method of handling.

(15) (i) Estimated number of units and amount of new housing required.

(ii) Are all necessary public utilities available and are they adequate for the new housing required? If not, explain, methods proposed for providing them.

(16) As available, summarized data on site selection as reported by the supply service charged with responsibility for the project.

(17) Reasons which caused the recommended site to be selected against alternate sites.

(18) Affirmative opinion with respect to each of the following points as they apply to the proposed facility (regardless of above data):

(i) It is essential for the war effort.

(ii) Postponement of construction would be detrimental to the war effort.

(iii) It is not practicable to rent or convert existing facilities for the purpose.

(iv) The construction will not result in duplication or unnecessary expansion of existing plants or facilities now under construction or about to be constructed.

(v) All possible economies have been made in the project, resulting in deletion of all non-essential items and parts.

(vi) The structure of the project has been designed of the simplest type, just sufficient to meet the minimum requirements.

(vii) The answers to the following questions relating to conditions at the proposed site are all to be affirmative to the extent that they are pertinent:

(*a*) Are there sufficient labor and materials available to build it?

(*b*) Will adequate public utilities be available without costly extensions?

(*c*) Will transportation be available to serve it?

(*d*) Will labor be available to man it? (Are housing and other community facilities adequate?)

(*e*) Will machine tools and other equipment be available to equip it?

(*f*) Will raw materials be available to operate it?

(*g*) Can the manufactured product be used at once or stored until needed?

(b) Where it is deemed essential, in the interest of expedition, to file any application before the complete data required above is available, the missing information will be promptly supplied in a second letter following the original application.

(c) Except for those projects of the Army Air Forces which, under § 81.1010, must be approved by the War Production Board, all applications by the Army Air Forces or by the supply services must be approved by the Director of Procurement, Headquarters, Services of Supply.

§ 81.1010 *War Production Board clearance.* Except as provided in § 81.1011, each proposed facilities expansion with costs (exclusive of costs of machine tools) in excess of $100,000 must be approved by the War Production Board. Where the costs (exclusive of costs of machine tools) are between $100,000 and $500,000, the approval will be by the Facility Review Committee, and where the costs (exclusive of costs of machine tools) are over $500,000, the approval will be by the Facility Clearance Board.

(a) *Definition of machine tool.* A machine tool is any machine for shaping and forming metal by removing excess metal in chips with cutting tools, abrasive wheels, buffing wheels, lapping wheels, hones, abrasive belts, and forming by bending, drawing, pressing, shearing, punching, forging, riveting, planishing and extruding. The costs of machine tools, for the purpose of § 81.1010, shall include all costs necessary to deliver and place the machine in its proper location in the plant, to construct any special foundations required therefor and to connect to necessary utilities within twenty (20) feet.

(b) *Facility Clearance Board or Facility Review Committee.* When a project of a supply service has received the approval of the Director of Procurement, the Resources and Production Division, Headquarters, Services of Supply, will submit one copy of the application, received under § 81.1009, to the Facility Clearance Board or Facility Review Committee (whichever has jurisdiction) for approval and will act as the liaison for the supply service in obtaining action. The Facility Clearance Board or the Facility Review Committee will notify the interested supply service directly of action taken, sending a copy of the notification to the Resources and Production Division.

(c) *Projects of Materiel Command, Army Air Forces.* In the case of projects of the Materiel Command, Army Air Forces, which require approval by the War Production Board, the Materiel Command will address and submit an original of the application, containing the information specified in § 81.1009, directly to the Facility Clearance Board or the Facility Review Committee (whichever has jurisdiction), and will send the remaining two originals of such application to the Resources and Production Division for its information. The Facility Clearance Board or the Facility Review Committee will notify the Materiel Command directly of action taken, sending a copy of the notification to the Resources and Production Division.

§ 81.1011 *Increased costs only.* Where the application is made only for the purpose of covering an increase in cost due to an initial low estimate and does not involve a change in scope of project or in production output, approval of the War Production Board is not required, regardless of amount. All such applications of the supply services will be made to and be subject to the approval of the Resources and Production Division, which will notify the War Production Board of the increased cost.

§ 81.1012 *Expediting Production Funds.* When a project requires release of Expediting Production Funds, application therefor shall be made to the Resources and Production Division in the application for approval of the project, or in a separate application, in either case stating the amount of Expediting Production Funds required and the manner in which any remaining cost is to be financed. When a project for which Expediting Production Funds are requested has received approvals herein required to be given by the Resources and Production Division, the War Production Board, or both, Resources and Production Division will submit the project, with all supporting information, to the Under Secretary of War for approval and release of Expediting Production Funds.

§ 81.1013 *Notification of approvals.* In all cases involving approval by the Resources and Production Division or release of Expediting Production Funds, the Resources and Production Division will advise the interested supply service in writing when the project has received all necessary approvals.

§ 81.1014 *Obtaining the letter of commitment in connection with Defense Plant Corporation lease agreements.* Where the proposed expansion is to be financed through a Defense Plant Corporation lease agreement, the letter of commitment from the War Department to the Defense Plant Corporation will be submitted to the Under Secretary of War. Such submission will be through the Special Legal and Liaison Division, Office of the Under Secretary of War, and will be accompanied by a brief statement of the nature, location, estimated cost and productive capacity of the project, together with a statement that the project is essential and that the estimated cost thereof is believed reasonable.

§ 81.1015 *Approval of contracts required in special cases.* All emergency plant facilities contracts, all special facilities contracts and all other agreements or leases for providing facilities to a contractor, as well as all contracts required to be submitted under § 81.1007, will be submitted to the Director, Purchases Division, Headquarters, Services of Supply, for approval.

PROCESSING APPLICATIONS FOR NECESSITY CERTIFICATES IN CONNECTION WITH FACILITIES EXPANSIONS

Sections 81.1014 to 81.1017, inclusive, are redesignated §§ 81.1016 to 81.1019, respectively, as follows:

§ 81.1016 *Information to be submitted in application.* * * *

§ 81.1017 *Place of filing applications.* * * *

§ 81.1018 *Procedure for processing applications.* * * *

§ 81.1019 *Certificates of non-reimbursement and government protection discontinued.* * * *

FORMS OF CONTRACTS

Section 81.1314 is added as follows:

§ 81.1314 *W. D. Contract Form No. 14.*

Rental Agreement No.--------
Contract No ----------

GOVERNMENT-OWNED EQUIPMENT RENTAL AGREEMENT

Lessee & address:----------
Equipment to be used in connection with project located at:----------
Payment: ----------
To be made to----------, United States Army, at----------
This contract is authorized by the following laws:

GOVERNMENT-OWNED EQUIPMENT RENTAL AGREEMENT

This agreement, entered into this ------ day of ---------- 194-- by the United States of America (hereinafter called the Government), represented by the Contracting Officer executing this contract, and ---------- [1] a corporation organized and existing under the laws of the State of ---------- [1] a joint venture consisting of ---------- [1] a partnership consisting of ---------- [1] an individual trading as ---------- of the City of ---------- in the State of ---------- (hereinafter called the Lessee), witnesseth that;

[2] Whereas, the Lessee has entered into Contract No. W---------- or may enter into a contract (hereinafter, in either event, called the principal contract) with the Government to construct for the Government ---------- at or near ---------- (hereinafter referred to as the project); and

[2] Whereas, the Lessee has entered into Subcontract No. - ---------- to Contract No. W--------, such subcontract hereinafter, for the purposes of this Agreement, being referred to as the "principal contract", to construct ---------- at or near ---------- (hereinafter referred to as the project); and

Whereas, the Government owns certain equipment as set forth in Schedule A, attached hereto and made a part hereof, located at ----------; and

Whereas, the equipment is not now required by the Government for use on other projects within ---------- and the Lessee desires to lease the same; and

Whereas, the leasing of the equipment to expedite performance of the principal contract by the Lessee is deemed necessary by the War Department to facilitate the prosecution of the war; and

Whereas, the Secretary of War has authorized the execution of this lease on behalf of the United States;

Now, therefore, the parties hereto do mutually agree as follows:

SECTION 1. The Government hereby leases to the Lessee the equipment listed in Schedule A, attached hereto and made a part hereof, which equipment the Lessee shall use in the performance of the principal contract at the project. This equipment is the property of the Government and is now located at ---------- Schedule A may be supplemented

[1] Delete all lines which do not apply.

[2] Use whichever "Whereas" clause is appropriate, depending upon whether the Lessee is a lump sum or unit price prime contractor, or a lump sum or unit price subcontractor.

from time to time whenever equipment is added to or withdrawn from the scope of this lease. Each such supplement shall be signed on behalf of the Lessee and the Government.

SEC. 2. Upon notification by the Contracting Officer that the equipment is ready for delivery, the Lessee agrees to receive the same without delay at the present location thereof, in its present condition, as is, without any warranty, express or implied, on the part of the Government as to condition or serviceability.

SEC. 3. The term of this lease shall begin on ---------- and shall end upon the return of the equipment to the Government at ---------- or at such other place as the Contracting Officer may designate, but in no event to exceed the time necessary to complete the Lessee's principal contract.

SEC. 4. This lease may be terminated by the Government by giving ---------- days' written notice at any time after ---------- days from the date of this lease.

SEC. 5. The Lessee agrees that he will pay rental at the rate and at the times prescribed in Schedule A, and that such rental may be deducted from the payments due or to become due to the Lessee under the terms of the principal contract. Such deductions will be made monthly on or about the 10th of the month for the previous calendar month if practicable. The rental period shall begin on the date of commencement of the term of this lease and shall cease on the termination of the lease, as defined in section 3.

[1] SEC. 5. The rental period shall begin on the date of commencement of the term of this lease and shall cease on the termination of this lease, as defined in section 3 hereof. The Lessee shall pay rental at the rate prescribed on Schedule A. The rental accrued at the end of any calendar month shall be paid to the Government on or before the 10th day of the following month.

SEC. 6. Title to the equipment leased hereunder is and shall remain in the Government.

SEC. 7. The Lessee at its own expense will maintain the equipment in good repair and make all necessary replacements during the term of this lease. Any replacement of parts shall be by parts recommended by the manufacturer of the equipment or approved by the Contracting Officer. All fuel and lubricants will be furnished by the Lessee. The obligations under this section shall continue until the equipment shall have been delivered to a common carrier for return to the Government.

SEC. 8. The Lessee shall not remove any of the equipment from the project without the prior written approval of the Contracting Officer or his duly authorized representative. The Lessee shall not pledge, assign, transfer, sublet or part with the possession of any of the equipment in any manner to any third party either directly or indirectly, except that this provision shall not preclude the Lessee from permitting the use of the equipment by a third party with the prior written approval of the Contracting Officer or his duly authorized representative; and the Lessee shall not do or suffer anything whereby any of the equipment shall or may be seized, taken in execution, attached, removed, destroyed or injured.

SEC. 9. The Lessee shall not, without the prior written approval of the Contracting Officer or his duly authorized representative, use any of the equipment for any purpose other than performance of the principal contract at the project, in furtherance of the national war effort. Upon failure of the Lessee to comply with this provision, the Contracting Officer may terminate this lease upon twenty-four hours' notice communicated to the Lessee or its agent at its address as set forth in Section 21, and upon such termination the Contracting Officer or his duly authorized representative may require the immediate return of the equipment.

SEC. 10. The equipment shall be returned to the Government upon the expiration or termination of this lease in as good condition as when delivered to Lessee, reasonable wear and tear excepted. If in the opinion of the Contracting Officer, or his duly authorized representative the Lessee shall have failed to comply with the requirements of the lease in this respect, the Lessee shall pay to the Government as damages the amount necessary to place the equipment in as good condition as when delivered to Lessee, reasonable wear and tear excepted, or if such equipment can not be placed in such condition, Lessee shall pay an amount equivalent to the value of such equipment as stipulated in Schedule A, less the sum of the amount determined by the Contracting Officer to represent reasonable wear and tear, and the scrap value of such equipment.

SEC. 11. Between the time of delivery of the equipment to the Lessee at---------- and the time of its return to the Government at----------or at such other place as the Contracting Officer may designate pursuant to Sections 3 and 12, the Lessee shall be solely responsible for any loss or destruction of the equipment, irrespective of whether such loss or destruction results from the failure of the Lessee to exercise reasonable care. Such responsibility shall be measured by the value of the equipment as set forth in Schedule A, less the amount determined by the Contracting Officer to represent reasonable wear and tear for the period during which such equipment was used. The Lessee shall take all necessary steps to protect the interest of the Government in the equipment. Without limiting the generality of the foregoing, the Contracting Officer may require, and in that event the Lessee shall, at its own expense, take specific measures, including but not limited to the procurement of insurance, as directed by the Contracting Officer, to protect the interests of the Government.[2]

SEC. 12. The Lessee agrees to reimburse the Government immediately upon presentation of a statement thereof, for all packing and handling costs, and further agrees to pay all transportation charges on the equipment from----------to the job site of the project at----------. Upon expiration or termination of this lease, the Lessee agrees to pay all packing, handling, and transportation charges necessary for the return of the equipment to the Government at----------, or at such other place as the Contracting Officer may designate; but the Lessee's responsibility for return transportation charges shall not exceed the amount required to return the equipment to ----------.

SEC. 13. The equipment is rented without operators. Any operator deemed incompetent by the Contracting Officer shall be removed from the equipment.

SEC. 14. The Contracting Officer shall furnish to the Lessee without charge, upon request, copies of such drawings, specifications, instructions, or the like as the Lessee may require for the operation or repair of the equipment and as may be on file at ---------- This is for the sole purpose of enabling the Lessee to maintain the equipment in serviceable condition, and does not constitute a license or authority initially to manufacture, use or sell any articles covered by unexpired United States Letters Patent as shown or described in such copies.

SEC. 15. The Government shall not be responsible for damages to property of the Lessee or property of others, or for personal injuries to the Lessee's officers, agents, servants or employees, or to other persons, arising from or incident to the use of the equipment herein leased, and the Lessee shall save the Government harmless from any and all such claims; provided, that nothing contained in this Section 15 shall be deemed to affect any liability of the Government to its own employees.

SEC. 16. At all times the Contracting Officer or his duly authorized representative shall have access to the job site whereon any of the equipment is situated, for the purpose of inspecting or inventorying the same, or for the purpose of removing the same in the event of the termination of this lease.

SEC. 17. (Insert [¶ 322] (§ 81.322)).

SEC. 18. (Insert [¶ 323] (§ 81.323)).

SEC. 19. (Insert [¶ 326] (§ 81.326) omitting last sentence).

SEC. 20. This agreement shall be subject to the written approval of ---------- and shall not be binding until so approved.

SEC. 21. All notices to either of the parties to this lease shall be sufficient if mailed in a sealed postpaid envelope addressed as follows:

To the Lessee—

(Name)

(Address)

To the Government—

(Name)

(Title)

(Address)

SEC. 22. (Insert [¶ 1301.22] (ART. 22, § 81.1301)).

SEC. 23. *Alterations.* The following changes were made in this contract before it was signed by the parties hereto:

In witness whereof, the parties hereto have executed this contract as of the day and year first above written.

THE UNITED STATES OF AMERICA.

By ----------

(Official Title)

(Contractor)

By ----------

(Business Address)

Two Witnesses:

(Address)

(Address)

I ----------, certify that I am the Secretary of the corporation named as Contractor herein; that ---------- who signed this contract on behalf of the Contractor was then ---------- of said corporation; that said contract was duly signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

In witness whereof, I have hereunto affixed my hand and the seal of said corporation this ------ day of ----------, 194--.

[Corporate Seal] ----------
(Secretary)

I hereby certify that, to the best of my knowledge and belief, based upon observation and inquiry, ----------, who signed this contract for the -- ---------- had authority to execute the same, and is the individual who signs similar contracts on behalf of this corporation with the public generally.

(Contracting Officer)

CONSENT OF SURETIES

We, the bondsmen for the due performance of the contract for the performance of which equipment has been rented to the Lessee, hereby give our full consent to the foregoing Equipment Rental Agreement and agree that our bond or bonds shall apply to and cover the due performance of the contract as modified and extended thereby.

In the presence of:

---------- ---------- [SEAL]
(Individual surety)

---------- ---------- [SEAL]
(Individual surety)

Attest:

---------- ----------
[Corporate Seal] (Corporate surety)

By----------

SCHEDULE A—RATES OF RENTAL

ARTICLE A. *Daily basis.*

For any piece of equipment leased by the day and:

(1) Which is not in actual use for more than 8 hours in one daily period, the rental price shall be the rental price calculated upon the basis of the applicable rate "per day" in the Table of Rates set forth in this Schedule;

(2) Which is in actual use for more than 8 hours but not more than 16 hours during one daily period, the additional rental price for such additional use shall be the rental price calculated upon the basis of 50% of such applicable rate "per day";

(3) Which is in actual use for more than 16 hours during one daily period, the additional rental price for the total additional use over 8 hours shall be the rental price calculated upon the basis of 100% of such applicable rate "per day".

ART. B. *Weekly basis.*

For any piece of equipment leased by the week and:

(1) Which is not in actual use for more than 48 hours during one weekly period, the rental price shall be the rental price calculated upon the basis of the applicable rate "per week" in the Table of Rates set forth in this Schedule;

(2) Which is in actual use for more than 48 hours but not more than 96 hours during one weekly period, the additional rental price for such additional use shall be the rental price calculated upon the basis of 50% of such applicable rate "per week";

(3) Which is in actual use for more than 96 hours during one weekly period, the additional rental price for the total additional use over 48 hours shall be the rental price calculated upon the basis of 100% of such applicable rate "per week";

(4) Which remains in the possession of the Lessee for a part of a weekly period beyond one or more full weekly periods, the rental price for such part of the weekly period shall be the higher of the following: (i) 1 7 of the applicable rate "per week" for each daily period, or part thereof, of possession or (ii) 1 48th of the applicable rate "per week" for each hour, or part thereof, of actual use: *Provided*, That if such equipment is in actual use during such part of a weekly period for more than 48 hours, the rental price for such part of a weekly period shall be the rental price determined in accordance with subparagraph (1) of this Article, together with subparagraphs (2) or (3), whichever may be applicable.

ART. C. *Monthly basis.*

For any piece of equipment leased by the month and:

(1) Which is not in actual use for more than 240 hours during one monthly period, the rental price shall be the rental price calculated upon the basis of the applicable rate "per month" in the Tables of Rates set forth in this Schedule;

(2) Which is in actual use for more than 240 hours during one monthly period, the rental price for each additional hour, or part thereof, of actual use shall be the rental price calculated upon the basis of 1 480th of such applicable rate "per month";

(3) Which remains in the possession of the Lessee for a part of a monthly period beyond one or more full monthly periods, the rental price for such equipment for such part of the monthly period shall be the higher of the following: (i) 1 30th of the applicable rate "per month" for each daily period, or part thereof, of possession or (ii) 1 240th of the applicable rate "per month" for each hour, or part thereof, of actual use: *Provided*, That if such equipment is in actual use during such part of a monthly period for more than 240 hours, the rental shall be the rental price determined in accordance with subparagraphs (1) and (2) of this Article.

ART. D. *Hourly or other basis.*

For any piece of equipment leased on a "per hour" or other basis, the rental price shall be:

(1) Determined in accordance with provisions of Article A, if such equipment is in the Lessee's possession for not more than 4 consecutive daily periods;

(2) Determined in accordance with the provisions of Article B, if such equipment is in the Lessee's possession for more than 4 consecutive daily periods and not more than 3 consecutive weekly periods;

(3) Determined in accordance with the provisions of Article C, if such equipment is in the Lessee's possession for more than 3 consecutive weekly periods;

ART. E. *Rates most favorable to lessee.*

Notwithstanding any other provisions of this Schedule, if any piece of equipment is leased by the day and the rental price thereof calculated upon a daily basis exceeds the rental price calculated upon a weekly basis or upon a monthly basis, or if such equipment is leased by the week and the rental price thereof calculated upon a weekly basis exceeds the rental price calculated upon a monthly basis, the price calculated upon the basis most favorable to the Lessee. This Article shall apply even where the periods of rental are not consecutive, if the Lessee in such case is willing to rent such equipment continuously and the interval between the determination of the initial period of rental and the commencement of the subsequent period of rental to the same Lessee does not exceed thirty days. In such case, the rental price shall be calculated as if the rental price periods were consecutive.

TABLE OF RATES

Quantity	Item. Complete description, capacity and identifying Nos.	Total purchase cost or fair value	Rental rates		
			Per day	Per week	Per month

[1] The first form of section 5 will be used when the equipment rental agreement is between the Government and a lump sum or unit price prime contractor; the second form when the agreement is with a lump sum or unit price subcontractor.

[2] Note that the provisions of this standard form of contract deviate from the requirements of § 81.333. Such deviation has been specifically authorized.

Appendix I (7 F.R. 9291) is amended as follows:

APPENDIX I

PROCUREMENT ASSIGNMENT BOARD, HEADQUARTERS, SERVICES OF SUPPLY, ASSIGNMENT OF PROCUREMENT RESPONSIBILITY AND PURCHASE RESPONSIBILITY

* * * * *

2. (a) The term "procurement responsibility" as used in this Appendix means the responsibility assigned to a designated service or services to make all necessary arrangements short of actual purchase for the procurement of a given item or class of items. This responsibility includes procurement planning, preparation of estimates, defense of such estimates and custody of funds.

(b) The term "purchase responsibility," as used in this Appendix, means the responsibility assigned to a designated service to buy, inspect and accept from industry or produce in Government-owned establishments under such service, a given item, component part thereof, or class of items.

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4307; Filed, March 20, 1943; 9:26 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50833]

PART 6—INVOICES, ENTRY AND ASSESSMENT OF DUTIES

ADDITIONAL INFORMATION REQUIRED ON INVOICES OF WESTERN WHITE SPRUCE LUMBER

Pursuant to the provisions of article 274 (e) (2) of the Customs Regulations of 1937, as amended by (1938) T.D. 49426 [§ 6.1 (c)], notice is hereby given that, in addition to all other information required by law and regulation, there shall be included on all customs invoices of Western white spruce lumber for which exemption is claimed from the import tax prescribed by the first sentence of I. R. C., sec. 3424 (a), under the authority of the second sentence of that provision, a statement that the lumber is not Engelmann spruce lumber.

This requirement shall be effective as to invoices certified on and after the date of publication of this document in the weekly Treasury Decisions. T.D. 50006 is hereby revoked as of such date

of publication. (Sec. 481 (a) (10), 46 Stat. 719; 19 U.S.C. 1481 (a) (10)).

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: March 18, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4343; Filed, March 20, 1943; 3:29 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5247]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

INCOME TAX

Amending Regulations 103 to conform to section 135 of the Revenue Act of 1942, relating to returns for a period of less than twelve months.

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) to section 135 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.47-1 the following:

SEC. 135. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942, Title I.)

(a) *Income placed on an annual basis.* Section 47 (c) is amended to read as follows:

"(c) *Income placed on annual basis.*—

"(1) *General rule.* If a separate return is made under subsection (a) on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made (referred to in this subsection as 'the short period'), shall be placed on an annual basis by multiplying the amount thereof by twelve, and dividing by the number of months in the short period. The tax shall be such part of the tax computed on such annual basis as the number of months in the short period is of twelve months.

"(2) *Exception.* If the taxpayer establishes the amount of his net income for the period of twelve months beginning with the first day of the short period, computed as if such twelve-month period were a taxable year, under the law applicable to such year, then the tax for the short period shall be reduced to an amount which is such part of the tax computed on the net income for such twelve-month period as the net income computed on the basis of the short period is of the net income for the twelve-month period. The taxpayer (other than a taxpayer to which the next sentence applies) shall compute the tax and file his return without the application of this paragraph. If the taxpayer (other than a corporation) was not in existence at the end of the twelve-month period, or if the taxpayer is a corporation and has disposed of substantially all its assets prior to the end of such twelve-month period, then in lieu of the net income for such twelve-month period there shall be used for the purposes of this paragraph the net income for the twelve-month period ending with the last day of the short period. The tax computed under this paragraph shall in no case be less than the tax computed on the net income for the short period without placing such net income on an annual basis. The benefits of this paragraph shall not be allowed unless the taxpayer, at such time as regulations prescribed hereunder require (but not after the time prescribed for the filing of the return for the first taxable year which ends on or after twelve months after the beginning of the short period), makes application therefor in accordance with such regulations. Such application, in case the return was filed without regard to this paragraph, shall be considered a claim for credit or refund with respect to the amount by which the tax is reduced under this paragraph. The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary for the application of this paragraph."

* * * * *

(c) *Returns where taxpayer not in existence for twelve months.* Section 47 is amended by inserting at the end thereof the following new subsection:

"(g) *Returns where taxpayer not in existence for twelve months.* In the case of a taxpayer not in existence during the whole of an annual accounting period ending on the last day of a month, or, if the taxpayer has no such annual accounting period or does not keep books, during the whole of a calendar year, the return shall be made for the fractional part of the year during which the taxpayer was in existence."

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 19.47-1, as amended by Treasury Decision 5165, approved August 13, 1942, is further amended by striking out that part of such section which follows the first paragraph thereof and by inserting at the end of such paragraph the following sentences and paragraph:

A return is required in the case of every taxable year which is a period of less than 12 months if the gross income for such taxable year is greater than the personal exemption for such taxable year as so reduced. In the case of a return by a corporation for a fractional part of a year beginning on or after January 1, 1942, the credit provided by section 26 (e) for the income of the corporation subject to excess profits tax is considered an amount of which the excess profits tax of the corporation for such period is 90 percent. For the computation of such credit in case the net income of the corporation is placed on an annual basis, see § 19.47-2.

If a taxpayer dies during a taxable year beginning prior to January 1, 1942, the return for such taxable year is a return for 12 months and not for a fractional part of a year. If a taxpayer dies during a taxable year beginning on or after January 1, 1942, the return shall be made only for the fractional part of the year during which the taxpayer was alive.

PAR. 3. There is inserted immediately after § 19.47-1 the following new section:

§ 19.47-2 *Returns for period of less than 12 months on account of a change in accounting period*—(a) *Net income placed on annual basis and tax computed thereon.* In the case of a return for a period of less than 12 months on account of a change in accounting period, section 47 (c) provides that the net income computed on the return for such short period (except in the case of such a return by a corporation for a short period beginning before January 1, 1942) shall be placed on an annual basis by multiplying the amount thereof by 12 and dividing by the number of months in the short period. The tax is such part of the tax computed on such annual basis as the number of months in the period is of 12 months. If, in the case of a corporation, such a short period begins before January 1, 1942, the net income shall not be placed on an annual basis under section 47 (c), and the tax shall not be computed under such section. The net income in such a case shall be computed on the basis of the period for which return is made, and the tax shall be the tax computed thereon.

In placing on an annual basis the net income of a corporation for a short period which begins on or after January 1, 1942, the credit for dividends received is placed on an annual basis to correspond to the amount of dividends received included in the net income, which amount is placed on an annual basis when such net income is placed on an annual basis. Similarly, the credit for interest on United States obligations should reflect the amount of such interest as increased when such amount is placed on an annual basis as part of the net income which is placed on an annual basis. If the corporation computes its excess profits tax under section 711 (a) (3) (A), the credit provided in section 26 (e) for the adjusted excess profits net income of the corporation is determined with the excess profits net income placed on an annual basis under such section 711 (a) (3) (A). The credit for the adjusted excess profits net income so determined on an annual basis is applied against the net income after such net income has been placed on an annual basis. If the corporation computes its excess profits tax under section 711 (a) (3) (B), the credit provided in section 26 (e) is computed as an amount of which the tax of the corporation for the short period under section 711 (a) (3) (B) is 90 percent. This adjusted excess profits net income is placed on an annual basis by multiplying by 12 and dividing by the number of months in the short period, and the credit for the adjusted excess profits net income so determined on an annual basis is applied against the net income after such net income has been placed on an annual basis.

The following examples illustrate the application of this section:

Example (1). A citizen of the United States made a return for a 10-month period ended October 31, 1942, on account of a change in accounting period. His net income including his earned net income for such 10-month period was $10,000 and his earned net income for such period was $4,000. He was entitled to a personal exemption of $1,200 but not to a credit for dependents. His tax for the period is $2,412.67, computed as follows:

Net income for 10-month period		$10,000.00
Multiplied by 12		120,000.00
Net income on annual basis ($120,000 − 10)		12,000.00
Less: Personal exemption		1,200.00
Surtax net income		10,800.00
Earned net income for 10-month period	$4,000.00	
Multiplied by 12	48,000.00	
Earned net income on annual basis ($48,000 ÷ 10)	4,800.00	
Subtracting: Earned income credit (10% of $4,800)		$480.00
Net income subject to normal tax		10,320.00
Normal tax (6% of $10,320)		619.20
Surtax on $10,800		2,276.00
Total tax on annual basis		2,895.20
Amount of tax for period ($2,895.20 × 10/12)		2,412.67

Example (2). The X Corporation made a return for the 8-month period ended August 31, 1942 on account of a change in accounting period. The net income of the corporation for such 8-month period was $72,000, including $4,000 interest on obligations of the United States described in section 26 (a) and $12,000 in dividends from a domestic corporation, for which the credit provided in section 26 (b) is applicable. The adjusted excess profits net income of the corporation for such period was $27,375, computed after the excess profits net income for such period was placed on an annual basis under section 711 (a) (3) (A), and its excess profits tax computed under such section was $16,402.50 (243/365 × 90 percent of $27,375). The tax for the 8-month period is $16,460, computed as follows:

Net income for 8-month period		$72,000
Multiplied by 12		864,000
Net income on annual basis ($864,000 ÷ 8)		108,000
Less: Adjusted excess profits net income		27,375
Remainder		80,625
Dividends received, subject to the credit provided in section 26 (b)	$12,000	
Multiplied by 12	144,000	
Dividends received placed on annual basis ($144,000 ÷ 8)	18,000	
Subtracting: Credit provided in section 26 (b) for dividends received (85% of $18,000)		15,300
Surtax net income		65,325
Interest on United States obligations subject to credit provided in section 26 (a)	$4,000	
Multiplied by 12	48,000	
Subtracting: Credit provided in section 26 (a) for interest placed on annual basis ($48,000 ÷ 8)		6,000
Normal tax net income		59,325
Normal tax on $59,325		14,238
Surtax on $65,325		10,452
Total tax on annual basis		24,690
Amount of tax for period ($24,690 × 8/12)		16,460

If it had been assumed that the corporation had applied for the benefits of section 711 (a) (3) (B), and that the excess profits tax of the corporation was reduced under that section to $11,250, then in the above computations the credit for the adjusted excess profits net income of the corporation, applied against the $108,000 net income (as placed on an annual basis), would not be $27,375, the amount computed upon the application of section 711 (a) (3) (A), but would be $18,750, the adjusted excess profits net income computed on the basis of the excess profits tax determined under section 711 (a) (3) (B) and placed on an annual basis. The computation is as follows:

Excess profits tax for short period	$11,250
Adjusted excess profits net income for short periods (amount of which excess profits tax is 90 percent, or 100/90 × $11,250)	12,500
Multiplied by twelve	150,000
Adjusted excess profits net income on annual basis ($150,000 ÷ 8)	18,750

(b) *Tax for short period determined by annual income.* If the taxpayer applies to the Commissioner in the manner provided in paragraph (c) of this section to have his tax computed under the provisions of section 47 (c) (2), and if the taxpayer establishes the amount of his net income for the 12-month period hereinafter described, then section 47 (c) (2) provides that the tax for the short period shall be reduced to an amount which is such part of the tax computed on the basis of the net income which the taxpayer has established for the 12-month period as the net income for the short period is of the net income for the 12-month period. If such amount, however, is greater than the tax computed under paragraph (a) of this section, the tax for the short period is the tax computed under paragraph (a). The 12-month period referred to above is the 12-month period beginning with the first day of the short period, except that if the taxpayer (other than a corporation) is not in existence at the end of such 12-month period, or if the taxpayer is a corporation which has distributed substantially all its assets prior to the end of such 12-month period, then it is the 12-month period ending with the last day of the short period. If a corporation ceases business and distributes so much of the assets used in its business that it cannot resume its customary operations with the remaining assets, it will be considered to have distributed substantially all of its assets.

In computing the tax under section 47 (c) (2), the net income for the short period is not placed on an annual basis. The net income for the 12-month period is computed under the same provisions of law as are applicable to the short period, and is computed as if the 12-month period were an actual accounting period of the taxpayer. All items which fall in such 12-month period must be included even if they are extraordinary in amount or of an unusual nature. If the taxpayer is a member of a partnership, there shall be included in computing his income for the 12-month period his share of the partnership income for taxable years of the partnership ending with or during such 12 month period, but no amount shall be included with respect to a taxable year of the partnership ending after such 12-month period. In the case of a corporation, the credit provided by section 26 (e) for the adjusted excess profits net income of the corporation is computed as an amount of which the excess profits tax imposed for such 12-month period is 90 percent. The excess profits tax imposed for such 12-month period is the excess profits tax for the short period plus, for any taxable year which includes only part of such 12-month period, such part of the excess profits tax for such taxable year as is allocable to the part of the 12-month period included in such taxable year is of the excess profits net income computed for the taxable year. However, if some other method of apportionment will more clearly reflect the portion of the excess profits tax which is attributable to the part of the 12-month period included in the taxable year, such other method shall be used.

If any other item partially applicable to such 12-month period can be determined only at the end of a taxable year which includes only part of the 12-month period, the taxpayer, subject to review by the Commissioner, shall apportion such item to the 12-month period in such manner as will most clearly reflect the income for the 12-month period. In the case of a taxpayer permitted or required to take inventories, the cost of goods sold during the part of the 12-month period included in the taxable year shall be considered, unless a more exact determination is available, as such part of the cost of goods sold during the entire taxable year as the gross receipts from sales for the part of the 12-month period included in the taxable year is of the gross receipts from sales for the entire taxable year. For example, the 12-month period of a corporation, engaged in the sale of merchandise, which has a short period from January 1, 1942 to September 30, 1942, is the calendar year 1942. The three-month period October 1, 1942 to December 31, 1942 is a part of the fiscal year ending September 30, 1943. The cost of goods sold during such three-month period is such part of the cost of goods sold during the entire fiscal year ending September 30, 1943 as the gross receipts from sales for such three-month period are of the gross receipts from sales for the entire fiscal year. The Commissioner may, in granting permission to a taxpayer to change its accounting period, require as a condition to granting the change that, if the taxpayer is to obtain the benefits of section 47 (c) (2), it shall take a closing inventory upon the last day of the 12-month period. Such closing inventory will be used only for the purposes of section 47 (c) (2), and the taxpayer will not be required to use such inventory in computing the net income for the taxable year in which such inventory is taken.

The tax for the short period may not be reduced under section 47 (c) (2) to an amount which is less than the tax for the short period computed on the basis of the net income for the short period without placing such net income on an annual basis. If the tax computed under section 47 (c) (2) by reference to the net income for a 12-month period is less than such amount, the tax may be reduced only to such amount. In computing the tax of a corporation for the short period without placing its net income on an annual basis, the adjusted excess profits net income of the corporation is, for the purpose of determining the credit under section 26 (e), an amount of which the excess profits tax of the corporation for the short period is 90 percent.

The following examples illustrate the application of section 47 (c) (2):

Example (1). The facts are the same as in example (1) in paragraph (a) of this section. In the period from November 1, 1942, to December 31, 1942, the taxpayer has $1,000 net income, all of which is earned income. The net income for the 12-month

Net income for the 12-month

Subtracting: Adjusted excess

tion 47 (c) (2) required by that section. In all other cases, the taxpayer shall

tained assets, and it continues in existence. A corporation does not go out

(2) *Foreign personal holding companies.* Section 336 is amended by inserting at the

period from January 1, 1942, to December 31, 1942, including the earned net income for such period, is, therefore, $11,000, of which $5,000 is earned income. The taxpayer files an application under the provisions of paragraph (c) for a reduction of his tax to an amount computed on the basis of his actual net income for the 12-month period from January 1, 1942, to December 31, 1942. His tax is reduced to $2,292.73, computed as follows:

Net income for 12-month period, January 1, 1942, to December 31, 1942	$11,000.00
Less: Personal exemption	1,200.00
Surtax net income	9,800.00
Less: Earned income credit (10% of $5,000)	500.00
Net income subject to normal tax	9,300.00
Normal tax (6% of $9,300)	558.00
Surtax on $9,800	1,964.00
Total tax on annual income	2,522.00
Net income for 10-month period, January 1, 1942, to October 31, 1942	10,000.00
Net income for 12-month period, January 1, 1942, to December 31, 1942	11,000.00
Amount of tax for 10-month period $\left(\frac{\$10,000}{\$11,000} \times \$2,522\right)$	2,292.73

The amount of tax that would be due if the income for the short period were not placed on an annual basis is $2,256, computed as follows:

Net income for 10-month period, January 1, 1942, to October 31, 1942	$10,000.00
Less: Personal exemption $\left(\frac{10}{12} \times \$1,200\right)$	1,000.00
Surtax net income	9,000.00
Less: Earned income credit (10% of $4,000)	400.00
Net income subject to normal tax	8,600.00
Normal tax (6% of $8,600)	516.00
Surtax on $9,000	1,740.00
Total tax for period	2,256.00

Since the tax for the short period computed under section 47 (c) (2) by reference to the actual income for the 12-month period, or $2,292.73, is greater than the tax that would be due if the income for the short period were not placed on an annual basis, or $2,256.00, the tax for the short period is reduced to $2,292.73, the tax computed by reference to the income for the 12-month period.

Example (2). The facts are the same as in example (1) of this paragraph, except that during the period from November 1, 1942, to December 31, 1942, the taxpayer has no income, but has deductible business expenses of $1,000. His net income for the 12 month period from January 1, 1942, to December 31, 1942, including his earned net income is, therefore, $9,000, of which $4,000 is earned income. The taxpayer files an application under paragraph (c) for a reduction of his tax under the provisions of section 47 (c) (2). The tax computed on the basis of the net income for the period from January 1, 1942, to October 31, 1942, without placing such net income on an annual basis is $2,256.00 (see example (1)). The tax computed under section 47 (c) (2) by reference to the actual net income for the 12-month period from January 1, 1942, to December 31, 1942, is $2,062.22, computed as follows:

Net income for the 12-month period from January 1, 1942, to December 31, 1942	$9,000.00
Less: Personal exemption	1,200.00
Surtax net income	7,800.00
Less: Earned income credit (10% of $4,000)	400.00
Net income subject to normal tax	7,400.00
Normal tax (6% of $7,400)	444.00
Surtax on $7,800	1,412.00
Total tax on annual income	1,856.00
Net income for 10-month period, January 1, 1942, to October 31, 1942	10,000.00
Net income for 12-month period, January 1, 1942, to December 31, 1942	9,000.00
Amount of tax for 10-month period $\left(\frac{\$9,000}{\$10,000} \times \$1,856\right)$	2,062.22

Since the tax computed on the basis of the net income for the short period without placing such net income on an annual basis, or $2,256.00, is greater than $2,062.22, the tax computed by reference to the actual net income for the 12-month period, the tax for the short period under section 47 (c) (2) is $2,256.00.

Example (3). The facts are the same as in example (2) in paragraph (a) of this section. The taxpayer applies to have its tax reduced under the provisions of section 47 (c) (2). During the four-month period from September 1, 1942 to December 31, 1942, the X Corporation has $16,000 net income, including $3,000 dividends from a domestic corporation for which the credit provided in section 26 (b) is applicable and $1,000 interest on obligations of the United States described in section 26 (a), and its excess profits net income computed for such four-month period is $12,000. The net income for the 12-month period from January 1, 1942 to December 31, 1942 is, therefore, $88,000. For such 12-month period, the dividends from domestic corporations for which the credit provided in section 26 (b) is applicable amount to $15,000, and the interest on United States obligations described in section 26 (a) amounts to $5,000. The excess profits tax for the short period is $16,402.50. The excess profits tax for the taxable year from September 1, 1942 to August 31, 1943, which includes the last four months of the 12-month period, is $43,200, and the excess profits net income for such period is $96,000. The tax for the short period is reduced under section 47 (c) (2) to $15,489.61, computed as follows:

Net income for 12-month period January 1, 1942 to December 31, 1942	$88,000.00
Excess profits tax for 8-month period January 1, 1942 to August 31, 1942	16,402.50
Excess profits tax for fiscal year September 1, 1942 to August 31, 1943	43,200.00
Excess profits net income for period September 1, 1942 to December 31, 1942	12,000.00
Excess profits net income for fiscal year September 1, 1942 to August 31, 1943	96,000.00
Portion of excess profits tax allocable to period September 1, 1942 to December 31, 1942 $\left(\frac{\$12,000}{\$96,000} \times \$43,200\right)$	5,400.00
Excess profits tax imposed for 12-month period January 1, 1942, to December 31, 1942 ($16,402.50 + $5,400.00)	21,802.50
Subtracting: Adjusted excess profits net income for 12-month period January 1, 1942 to December 31, 1942 (amount of which tax for 12-month period is 90%, or $\frac{100}{90}$ x $21,802.50)	$24,225.00
Less: Dividends received credit provided by section 26 (b) (85% of $15,000)	12,750.00
Surtax net income	51,025.00
Less: Credit provided in section 26 (a) for interest on United States obligations	5,000.00
Normal tax net income	46,025.00
Normal tax on $46,025.00	10,767.75
Surtax on $51,025.00	8,164.00
Total tax on annual income	18,931.75
Net income for 8-month period January 1, 1942 to August 31, 1942	72,000.00
Net income for 12-month period January 1, 1942 to December 31, 1942	88,000.00
Amount of tax for 8-month period January 1, 1942 to August 31, 1942 $\frac{\$72,000}{\$88,000} \times \$18,931.75$	15,489.61

The amount of tax that would be due if the income for the short period were not placed on an annual basis is $15,354.75, computed as follows:

Net income for 8-month period	$72,000.00
Excess profits tax for 8-month period	16,402.50
Subtracting: Adjusted excess profits net income (amount of which tax for period is 90%, or $\frac{100}{90} \times \$16,402.50$)	18,225.00
Credit for dividends received (85% of $12,000)	10,200.00
	28,425.00
Surtax net income	43,575.00
Less: Credit for interest on United States obligations	4,000.00
Normal tax net income	39,575.00
Normal tax on $39,575.00	8,769.25
Surtax on $43,575.00	6,585.50
Total tax for period	15,354.75

Since the tax for the short period computed under section 47 (c) (2) by reference to the actual income for the 12-month period, or $15,489.61, is greater than the tax that would be due if the income for the short period were not placed on an annual basis, or $15,354.75, the tax for the short period is reduced to $15,489.61, the tax computed by reference to the income for the 12-month period.

(c) *Application to compute tax under section 47* (c) (2). A taxpayer desiring the benefit of section 47 (c) (2) must file an application therefor. If at the time the return for the short period is filed the taxpayer is able to determine that the 12-month period ending with the close of the short period will be used in the computation under section 47 (c) (2), then the tax on the return for the short period may be determined under the provisions of section 47 (c) (2). In such a case, an income tax return form covering the 12-month period shall be attached to the return as a part thereof, and the return will then be considered the application for the benefits of section 47 (c) (2) required by that section. In all other cases, the taxpayer shall file its return and compute its tax as provided in paragraph (a), and the application for the benefits of section 47 (c) (2) shall be made in the form of a claim for credit or refund. The claim shall set forth the computation of the net income and the tax thereon for the 12-month period, and must be filed not later than the time prescribed for filing the return for the first taxable year ending with or after the twelfth month after the beginning of the short period. For example, the taxpayer changes its accounting period from the calendar year basis to the fiscal year basis ending September 30, and files a return for the period from January 1, 1942 to September 30, 1942. Its application for the benefits of section 47 (c) (2) must be filed not later than the time prescribed for filing its return for the first taxable year which ends on or after the last day of December, 1942, the 12th month after the beginning of the short period. In this case, the taxpayer must file its application not later than December 15, 1943, the time prescribed for filing the return for its fiscal year ending September 30, 1943. However, if it obtains an extension of time for filing the return for such fiscal year, it may file its application during the period of such extension. If the Commissioner determines that the taxpayer has established the amount of the net income for the 12-month period, any excess of the tax paid for the short period over the tax computed under section 47 (c) (2) will be credited or refunded to the taxpayer in the same manner as in the case of an overpayment.

PAR. 4. There is inserted immediately after section 48, which section immediately follows § 19.47–2, the following:

SEC. 135. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942, Title I.)

* * * * *

(d) *Short taxable year.* The second sentence of section 48 (a) is amended to read as follows: "'Taxable year' means, in the case of a return made for a fractional part of a year under the provisions of this chapter or under regulations prescribed by the Commissioner with the approval of the Secretary, the period for which such return is made."

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. Section 19.52–1, as amended by Treasury Decision 5165, approved August 13, 1942, is further amended by changing the sixth sentence thereof to read as follows:

A corporation is not in existence after it ceases business and dissolves, retaining no assets, whether or not under State law it may thereafter be treated as continuing as a corporation for certain limited purposes connected with winding up its affairs such as for the purpose of suing and being sued. If the corporation has valuable claims for which it will bring suit during this period, it has retained assets, and it continues in existence. A corporation does not go out of existence if it is merely turned over to receivers or trustees who continue to operate it.

PAR. 6. Section 19.53–1, as amended by Treasury Decision 5165, approved August 13, 1942, is further amended as follows:

A. By striking out the phrase "by a corporation" in the first sentence thereof.

B. By striking out the second and third sentences, and inserting in lieu thereof the following sentences:

The return by a taxpayer (other than a nonresident alien individual or foreign corporation) for a fractional part of a year beginning in 1942 and ending in that year by reason of the taxpayer going out of existence shall be filed on or before March 15, 1943. In all other cases, the return (other than a return by a nonresident alien individual or foreign corporation) for a fractional part of a year shall be filed on or before the fifteenth day of the third full calendar month following the close of the fractional part of a year, except that upon a showing by the taxpayer of unusual circumstances, the Commissioner may prescribe a later time for the filing of the return. In such a case, the time prescribed by the Commissioner shall not be later than the fifteenth day of the fifteenth month ending after the beginning of such fractional part of a year.

PAR. 7. There is inserted immediately preceding § 19.102–1 the following:

SEC. 135. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Income for certain taxes not placed on annual basis*—(1) *Surtax on corporations improperly accumulating surplus.* Section 102 is amended by inserting at the end thereof the following new subsection:

"(f) *Income not placed on annual basis.* Section 47 (c) shall not apply in the computation of the tax imposed by this section."

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 8. Section 19.102–4, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended by inserting at the end of the first paragraph thereof the following sentence:

In the case of a taxable year of less than 12 months on account of a change in the accounting period of the corporation, the corporate net income is computed on the basis of the period included in the taxable year, and is not placed on an annual basis under the provisions of section 47 (c).

PAR. 9. There is inserted immediately preceding § 19.336–1, the following:

SEC. 135. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Income for certain taxes not placed on annual basis.*

* * * * *

(2) *Foreign personal holding companies.* Section 336 is amended by inserting at the end thereof the following new subsection:

"(d) *Income not placed on annual basis.*—The net income shall be computed without regard to section 47 (c)."

* * * * *

PAR. 10. Section 19.336–1, as amended by Treasury Decision 5217, approved January 19, 1943, is further amended by inserting immediately after the first sentence thereof the following sentence:

In the case of a taxable year of less than 12 months on account of a change in the accounting period of the corporation, the net income as so computed is not placed on an annual basis under section 47 (c).

PAR. 11. There is inserted immediately preceding § 19.393–1, as added to such Regulations 103 by Treasury Decision 5036, approved February 5, 1941, the following:

SEC. 135. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Income for certain taxes not placed on annual basis.*

* * * * *

(3) *Personal service corporations.* Section 393 is amended by inserting at the end thereof the following new sentence: "For the purposes of this section, the net income shall be computed without regard to section 47 (c)."

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 12. Section 19.393–1, as added to Regulations 103 by such Treasury Decision 5036, is amended by inserting at the end of the first paragraph thereof the following sentence:

In the case of a taxable year of less than 12 months on account of a change in the accounting period of the corporation, the corporate net income, as defined in section 21, is computed on the basis of the period included in the taxable year, and is not placed on an annual basis under the provisions of section 47 (c).

PAR. 13. There is inserted immediately preceding § 19.505–1 the following:

SEC. 135. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Income for certain taxes not placed on annual basis.*

* * * * *

(4) *Personal holding companies.*—Section 505 is amended by inserting at the end thereof the following new subsection:

"(e) *Income not placed on annual basis.*—The net income shall be computed without regard to section 47 (c)."

* * * * *

PAR. 14. Section 19.505–1, as amended by Treasury Decision 5217, approved January 19, 1943, is further amended by inserting at the end of the first paragraph thereof the following sentence:

In the case of a taxable year of less than 12 months on account of a change in the accounting period of the corporation, the subchapter A net income is computed on the basis of the period included in the

SEC. 203. CERTAIN FISCAL YEAR TAXPAYERS.

which is an interinsurer or reciprocal under-

ment without regard to such unused excess

(d) With respect to taxable years be-

basis ending January 31, and files a re-

taxable year, and is not placed on an annual basis under section 47 (c).

(Secs. 47, 48, 52, 53, 62, 102, 336, 393, and 505 of the Internal Revenue Code (53 Stat. 26, 27, 28, 32, 35, 95, and 108; ---- Stat. ----; 26 U.S.C., 47, 48, 52, 53, 62, 102, 336, 393, and 505) and Secs. 101 and 135 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING.
Commissioner of Internal Revenue.

Approved: March 18, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

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[T D. 5246]

PART 30—REGULATIONS UNDER THE EXCESS-PROFITS ACT OF 1940

EXCESS-PROFITS TAX

Regulations 109 amended to conform to Revenue Act of 1942 (77th Congress), section 202, relating to rate of excess-profits tax, section 203, relating to certain fiscal year taxpayers, section 204, relating to unused excess profits credit adjustment, section 205 (a), relating to excess profits tax in case of certain mutual insurance companies, section 205 (g) (1), relating to specific exemption of certain mutual insurance companies, section 222 (b), relating to deferment of payment of tax in case of abnormality, section 226, relating to exemption from tax of mining of certain strategic minerals, and section 229, relating to termination of Supplement B.

In order to conform Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] to sections 202, 203, 204, 205 (a), 205 (g) (1), 222 (b), 226, and 229, of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 30.710–1 the following:

SEC. 202. RATE OF EXCESS-PROFITS TAX. (Revenue Act of 1942, Title II.)

Section 710 (a) (1) (relating to rate of excess-profits tax) is amended to read as follows:

(1) *General rule.* There shall be levied, collected, and paid, for each taxable year, upon the adjusted excess-profits net income, as defined in subsection (b), of every corporation (except a corporation exempt under section 727) a tax equal to whichever of the following amounts is the lesser:

(A) 90 per centum of the adjusted excess-profits net income, or

(B) an amount which when added to the tax imposed for the taxable year under Chapter 1 (other than section 102) equals 80 per centum of the corporation surtax net income, computed under section 15 or Supplement G, as the case may be, but without regard to the credit provided in section 26 (e) (relating to income subject to the tax imposed by this subchapter).

SEC. 229. TERMINATION OF SUPPLEMENT B. (Revenue Act of 1942, Title II.)

(a) *Retroactive repeal of section 752.*

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(2) Section 710 (a) (2) (relating to application of highest bracket amount in computing tax) is repealed as of the date of enactment of the Second Revenue Act of 1940.

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SEC. 203. CERTAIN FISCAL YEAR TAXPAYERS. (Revenue Act of 1942, Title II.)

(a) *Computation of tax for year ending in 1942.* Section 710 (a) (relating to imposition of excess-profits tax) is amended by inserting at the end thereof the following new paragraph:

"(3) *Taxable years beginning in 1941 and ending after June 30, 1942.* In the case of a taxable year beginning in 1941 and ending after June 30, 1942, the tax shall be an amount equal to the sum of—

"(A) that portion of a tentative tax under this subchapter, computed without regard to section 203 of the Revenue Act of 1942, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year, plus

"(B) that portion of a tentative tax under this subchapter, computed as if the amendments made by sections 105 (c), 105 (d), 202, and 206 of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year."

(b) *Taxable years to which amendment applicable.* The amendment made by this section shall be applicable to taxable years beginning in 1941 and ending after June 30, 1942.

SEC. 205. COMPUTATION OF EXCESS PROFITS AND INVESTED CAPITAL OF INSURANCE COMPANIES. (Revenue Act of 1942, Title II.)

(a) Section 710 (a) (relating to imposition of excess profits tax) is amended by inserting at the end thereof the following new paragraph:

"(4) *Mutual insurance companies.* In the case of a mutual insurance company other than life or marine, if the gross amount received from interest, dividends, rents, and premiums (including deposits and assessments) is over $75,000 but less than $125,000, the tax imposed under this section shall be an amount which bears the same proportion to the amount ascertained under this section, computed without reference to this paragraph, as the excess over $75,000 of such gross amount received bears to $50,000."

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SEC. 222. RELIEF PROVISIONS. (Revenue Act of 1942, Title II.)

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(b) *Deferment of payment of tax.* Section 710 (a) is amended by inserting at the end thereof the following new paragraph:

"(5) *Deferment of payment in case of abnormality.* If the adjusted excess profits net income (computed without reference to section 722) for the taxable year of a taxpayer which claims on its return, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, the benefits of section 722, is in excess of 50 per centum of its normal tax net income for such year, computed without the credit provided in section 26 (e) (relating to adjusted excess profits net income), the amount of tax payable at the time prescribed for payment may be reduced by an amount equal to 33 per centum of the amount of the reduction in the tax so claimed. For the purposes of section 271, if the tax payable is the tax so reduced, the tax so reduced shall be considered the amount shown on the return."

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SEC. 205. COMPUTATION OF EXCESS PROFITS AND INVESTED CAPITAL OF INSURANCE COMPANIES. (Revenue Act of 1942, Title II.)

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(g) *Specific exemption and returns of inter insurers and reciprocal underwriters.*

(1) *Specific exemption.* Section 710 (b) (1) is amended by inserting before the semicolon at the end thereof a comma and the following: "and in the case of a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter a specific exemption of $50,000".

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SEC. 204. TWO-YEAR CARRY-BACK OF UNUSED EXCESS PROFITS CREDIT. (Revenue Act of 1942, Title II.)

(a) *Technical amendment.* Section 710 (b) (3), relating to the deduction of the excess profits credit carry-over, is amended by striking out "excess profits credit carry-over" and by inserting in lieu thereof "unused excess profits credit adjustment".

(b) *Carry-back of unused credit.* Section 710 (c) (relating to the determination of the excess profits credit carry-over) is amended to read as follows:

"(c) *Unused excess profits credit adjustment.*

"(1) *Computation of unused excess profits credit adjustment.* The unused excess profits credit adjustment for any taxable year shall be the aggregate of the unused excess profits credit carry-overs and unused excess profits credit carry-backs to such taxable year.

"(2) *Definition of unused excess profits credit.* The term 'unused excess profits credit' means the excess, if any, of the excess profits credit for any taxable year beginning after December 31, 1939, over the excess profits net income for such taxable year, computed on the basis of the excess profits credit applicable to such taxable year. For such purpose the excess profits credit and the excess profits net income for any taxable year beginning in 1940 shall be computed under the law applicable to taxable years beginning in 1941. The unused excess profits credit for a taxable year of less than twelve months shall be an amount which is such part of the unused excess profits credit determined under the first sentence of this paragraph as the number of days in the taxable year is of the number of days in the twelve months ending with the close of the taxable year.

"(3) *Amount of unused excess profits credit carry-back and carry-over.*

"(A) *Unused excess profits credit carry-back.* If for any taxable year beginning after December 31, 1941, the taxpayer has an unused excess profits credit, such unused excess profits credit shall be an unused excess profits credit carry-back for each of the two preceding taxable years, except that the carry-back in the case of the first preceding taxable year shall be the excess, if any, of the amount of such unused excess profits credit over the adjusted excess profits net income for the second preceding taxable year computed for such taxable year (i) by determining the unused excess profits credit adjustment without regard to such unused excess profits credit and (ii) without the deduction of the specific exemption provided in subsection (b) (1).

"(B) *Unused excess profits credit carry-over.* If for any taxable year beginning after December 31, 1939, the taxpayer has an unused excess profits credit, such unused excess profits credit shall be an unused excess profits credit carry-over for each of the two succeeding taxable years, except that the carry-over in the case of the second succeeding taxable year shall be the excess, if any, of the amount of such unused excess profits credit over the adjusted excess profits net income for the intervening taxable year computed for such intervening taxable year (i) by determining the unused excess profits credit adjustment without regard to such unused excess profits credit or to any unused excess profits credit carry-back and (ii) without the deduction of the specific exemption provided in subsection (b) (1). For the purposes of the preceding sentence, the unused excess profits credit for any taxable year beginning after December 31, 1941, shall first be reduced by the sum of the adjusted excess profits net income for each of the two preceding taxable years (computed for each such preceding taxable year (i) by determining the unused excess profits credit adjustment without regard to such unused excess profits credit or to the unused excess profits credit for the succeeding taxable year, and (ii) without the deduction of the specific exemption provided in subsection (b) (1).

"(4) *No carry-back to year prior to 1941.* As used in this subsection, the term 'preceding taxable year' and the term 'preceding taxable years' do not include any taxable year beginning prior to January 1, 1941."

(c) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only to taxable years beginning after December 31, 1940.

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 30.710–1 is amended as follows:

A. By changing the third sentence to read as follows:

A corporation, the excess profits net income of which for any taxable year, computed under the provisions of section 711 (a) (2) and (3) applicable to such year is not greater than $5,000, or a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter, the excess profits net income of which for a taxable year beginning after December 31, 1941, is not greater than $50,000, need not file an excess profits tax return for such year.

B. By inserting at the end the following new sentence:

With respect to a taxable year beginning after December 31, 1941, the excess profits tax shall not exceed an amount which when added to the normal tax and surtax for such year equals 80 percent of the corporation surtax net income computed without regard to the credit provided in section 26 (e) for income subject to excess profits tax.

PAR. 3. Section 30.710–2 as amended by Treasury Decision 5092, approved October 21, 1941, is stricken out and there are inserted in lieu thereof §§ 30.710–2, 30.710–3, 30.710–4, and 30.710–5, as follows:

§ 30.710–2 *Measure of tax.* The adjusted excess profits net income upon which is based the excess profits tax for a taxable year is determined by deducting from the excess profits net income (determined under the provisions of section 711 applicable to such year) the sum of:

(a) A specific exemption of $5,000; with respect to years beginning after December 31, 1941, in the case of a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter, the specific exemption is $50,000.

(b) The excess profits credit allowed by section 712 or section 741, in the case of certain reorganizations, and

(c) With respect to taxable years beginning in 1940, a carry-over of the unused excess profits credit (as defined in section 710 (c) (1) prior to its amendment by the Revenue Act of 1942) for the two preceding excess profits tax taxable years (short taxable years), computed as provided in section 710 (c) (2) prior to its amendment by the Revenue Act of 1942, or

(d) With respect to taxable years beginning after December 31, 1940, the unused excess profits credit adjustment (as defined in section 710 (c) (1)) consisting of the aggregate of the unused excess profits credit carry-overs from each of the two preceding excess profits tax taxable years and the excess profits credit carry-backs from each of the two succeeding excess profits tax taxable years, computed as provided in section 710 (c) (2).

For the computation of corporation surtax net income computed without regard to the credit provided in section 26 (e) relating to income subject to the excess profits tax, in those cases where the excess profits tax is an amount which when added to the tax imposed by chapter 1 (other than section 102) equals 80 percent of such corporation surtax net income, see § 30.710–4 (c).

As to the exemption of income in the case of certain corporations engaged in mining strategic metals, see section 731; as to the excess profits tax in the case of corporations completing contracts under the Merchant Marine Act of 1936, see section 726; and in the case of corporations deriving abnormal income in the taxable year, see section 721.

For the computation of the excess profits tax for a taxable year of less than twelve months, see the provisions of section 711 (a) (3) applicable to such year.

§ 30.710–3 *Unused excess profits credit, excess profits credit carry-over and carry-back, and unused excess profits credit adjustment*—(a) *Unused excess profits credit.* The unused excess profits credit for any taxable year beginning after December 31, 1939 is the excess of the excess profits credit for the taxable year over the excess profits net income, if any, for such taxable year. In the case of a taxpayer entitled to use the excess profits credit based on income or the excess profits credit based on invested capital, the credit which results in the larger unused excess profits credit is used. The excess profits net income is computed on the basis of the excess profits credit so used. In computing the unused excess profits credit for a taxable year beginning in 1940, the excess profits credit and the excess profits net income for such taxable year shall be computed under the law applicable to taxable years beginning on January 1, 1941.

For the purpose of determining the carry-over or carry-back of the unused excess profits credit to a taxable year beginning after December 31, 1940, the unused excess profits credit for a taxable year of less than 12 months is reduced to such part of the unused excess profits credit determined in the manner prescribed in the preceding paragraph as the number of days in the taxable year of less than 12 months is of the number of days in the 12 months ending with the close of the taxable year. In determining the unused excess profits credit which is so reduced, the excess profits net income for the taxable year of less than 12 months is first placed on an annual basis under the provisions of section 711 (a) (3) (A) by reference to the number of days in the taxable year. For example, a taxpayer changes from the calendar year basis to a fiscal year basis ending January 31, and files a return for the taxable year January 1 to January 31, 1942. Its excess profits credit for this taxable year is $91,250. Its excess profits net income computed on the basis of this taxable year is $6,200, and this excess profits net income placed on an annual basis under the provisions of section 711 (a) (3) (A) is $73,000, that is $\frac{365 \times \$2,000}{31}$. The unused excess profits credit computed under the preceding paragraph is, therefore, $18,250, the excess of the $91,250 excess profits credit over the $73,000 excess profits net income placed on an annual basis. The unused excess profits credit for the taxable year January 1 to January 31, 1942, is reduced to $1,550, that is $\frac{31 \times \$18,250}{365}$ or such part of $18,250 as the number of days in the taxable year (31) is of the number of days in the 12 months ending with the close of the taxable year (365).

(b) *Excess profits credit carry-over: two or more taxable years beginning in 1940.* In the case of a taxpayer having two or more taxable years beginning in 1940, the adjusted excess profits net income for the second and any subsequent taxable year beginning in 1940 is determined by deducting from the excess profits net income for such taxable year not only the taxpayer's excess profits credit and its $5,000 specific exemption but also its excess profits credit carry-over for such taxable year. If there were only two taxable years beginning in 1940, the excess profits credit carry-over for the second taxable year is the unused profits credit for the first taxable year. In cases in which there were more than two taxable years beginning in 1940, the method for determining the excess profits credit carry-over for the third and any subsequent taxable years beginning in 1940 is set forth in section 710 (c) prior to its amendment by the Revenue Act of 1942. The provisions of section 710 (c) (2), as amended by the Revenue Act of 1942, for the reduction of the unused excess profits credit in the case of a taxable year of less than 12 months do not apply for the purpose of computing the excess profits credit carry-over for a taxable year beginning in 1940.

(c) *Unused excess profits credit adjustment; taxable years beginning after December 31, 1940.* For taxable years beginning after December 31, 1940, the adjusted excess profits net income is determined by deducting from the excess profits net income the taxpayer's excess profits credit, its $5,000 specific exemption, and its unused excess profits credit adjustment. The unused excess profits credit adjustment is the aggregate of the portions of the unused excess profits credits for the two preceding and two succeeding taxable years which are treated under section 710 (c) (3), as amended by the Revenue Act of 1942, as unused excess profits credit carry-overs and unused excess profits credit carry-backs to the taxable year.

The unused excess profits credit carry-over to a taxable year beginning after December 31, 1940 should be distinguished from the excess profits credit carry-over for a taxable year beginning

in 1940. The excess profits credit carry-

used excess profits credit is carried over

The following example illustrates the

income for 1946, computed without the de-

time its return is due, it shall compute

is less than the adjusted excess profits

in 1940. The excess profits credit carry-over for a taxable year beginning in 1940, described in paragraph (b) of this section, is the amount, deductible from the excess profits net income for the taxable year in determining the adjusted excess profits net income, which is computed by reference to the unused excess profits credits for such of the two taxable years preceding the taxable year as begin after December 31, 1939. The unused excess profits credit carry-over to a taxable year beginning after December 31, 1940, is the portion of the unused excess profits credit for any taxable year beginning after December 31, 1939, which is carried over to a subsequent taxable year and forms part of the unused excess profits credit adjustment which is deducted from the excess profits net income for such subsequent taxable year to determine adjusted excess profits net income.

(d) *Amount of unused excess profits credit carry-overs and unused excess profits credit carry-backs used to determine unused excess profits credit adjustment.* Under the provisions of section 710 (c) (3), as amended by the Revenue Act of 1942, the unused excess profits credit for any taxable year beginning before January 1, 1941) and carried back to each of the two preceding taxable years (not considering as a preceding taxable year any taxable year beginning before January 1, 1941) and forms part of the unused excess profits credit adjustment for such preceding taxable year. The unused excess profits credit for any taxable year beginning after December 31, 1939, to the extent it is not used as a carry-back, is carried forward to the two succeeding taxable years and forms part of the unused excess profits credit adjustment for such of those succeeding taxable years as begin after December 31, 1940. The amount which is carried back or carried forward is limited in the case of each such preceding or succeeding taxable year to the portion of the unused excess profits credit which was not applied against excess profits net income (either as part of the excess profits credit carry-over in the case of a taxable year beginning in 1940 or as part of the unused excess profits credit adjustment in the case of a taxable year beginning after December 31, 1940) in determining the adjusted excess profits net income for the taxable years, if any, before such preceding or succeeding taxable year. The amount of the unused excess profits credit which was so applied is determined as follows: The adjusted excess profits net income is computed for each such taxable year without the specific exemption of $5,000 allowed by section 710 (b) (1), and without credit of any carry-over or carry-back from the taxable year in which such unused excess profits credit arose or from any taxable year subsequent thereto. The unused excess profits credit, which is a carry-over or a carry-back to such taxable year, is considered to have been applied against the amount so computed.

The entire unused excess profits credit for any taxable year beginning after December 31, 1939 but not beginning after December 31, 1941 is carried over to the first succeeding taxable year. The unused excess profits credit is carried over to the second succeeding taxable year to the extent it exceeds the adjusted excess profits net income for the first succeeding taxable year (whether or not such first succeeding taxable year began after December 31, 1940). For the purpose of determining this excess, the adjusted excess profits net income is computed without credit of the specific exemption of $5,000 allowed by section 710 (b) (1) and without credit of the carry-over from the taxable year in which the unused excess profits credit arose or of any carry-over or carry-back from a taxable year subsequent thereto. The entire unused excess profits credit for any taxable year beginning after December 31, 1941 is carried back to the second preceding taxable year if such taxable year began after December 31, 1940. If the second preceding taxable year began prior to January 1, 1941, the entire unused excess profits credit is carried back to the first preceding taxable year, since a taxable year beginning prior to January 1, 1941 is not considered a "preceding taxable year" for the purposes of section 710 (c) (3), as amended by the Revenue Act of 1942, and no part of the adjusted excess profits net income for such a taxable year reduces the amount of the unused excess profits credits for a taxable year beginning after December 31, 1941, which may be carried back or carried over to other taxable years. If the second preceding taxable year began after December 31, 1940, the unused excess profits credit is carried back to the first preceding taxable year to the extent it exceeds the adjusted excess profits net income for the second preceding taxable year (such adjusted excess profits net income being computed without credit of the specific exemption of $5,000 and without credit of any carry-back from the taxable year in which the unused excess profits credit arose or of any carry-back from any taxable year subsequent thereto). The unused excess profits credit is carried over to the first succeeding taxable year to the extent that it exceeds the aggregate of the adjusted excess profits net income for the two preceding taxable years (computed for each such taxable year without credit of the specific exemption of $5,000 and without credit of any carry-back from the taxable year in which such unused excess profits credit arose or of any carry-back from a taxable year subsequent thereto), not considering as a preceding taxable year any taxable year beginning prior to January 1, 1941. The unused excess profits credit is carried over to the second succeeding taxable year to the extent that the unused excess profits credit exceeds the aggregate of the adjusted excess profits net income for the two preceding taxable years and for the first succeeding taxable year (computed for each such taxable year without credit of the specific exemption of $5,000 and without credit of any carry-over or carry-back from the taxable year in which the unused excess profits credit arose or from any taxable year subsequent thereto), not considering as a preceding taxable year any taxable year beginning prior to January 1, 1941.

The following example illustrates the operation of section 710 (c) (3), as amended by the Revenue Act of 1942.

Example. It is assumed that the taxpayer, on the calendar year basis, has an excess profits credit of $100,000. It has no unused excess profits credit for 1940 or 1941. It has $125,000 excess profits net income in 1942, $185,000 excess profits net income in 1943, $55,000 excess profits net income in 1944, $25,000 excess profits net income in 1945, $30,000 excess profits net income in 1946, $160,000 excess profits net income in 1947, and $200,000 excess profits net income in 1948. It has no unused excess profits credit in 1949 or 1950. Since the taxpayer has a $100,000 excess profits credit, and excess profits net income of only $55,000 in 1944, $25,000 in 1945, and $30,000 in 1946, it has an unused excess profits credit of $45,000 in 1944, $75,000 in 1945, and $70,000 in 1946. Such unused excess profits credit will form the basis for carry-backs and carry-overs computed as follows:

(1) The amount of the $45,000 unused excess profits credit for 1944 which may be used as a carry-back to 1942 and 1943 and as a carry-over to 1945 and 1946 is computed as follows:

(i) For 1942, the carry-back is $45,000 (the amount of the unused excess profits credit).

(ii) For 1943, the carry-back is $20,000, determined by deducting from the $45,000 unused excess profits credit the adjusted excess profits net income for 1942 computed without the deduction of the specific exemption or any carry-back from 1944 or from any year subsequent to 1944 (the $125,000 excess profits net income for 1942 less the $100,000 excess profits credit for such taxable year, or $25,000).

(iii) For 1945 and 1946 there is no carry-over from 1944 since all of the unused excess profits credit has been applied against the excess profits net income for 1942 and 1943. To determine the carry-over, the $45,000 unused excess profits credit must first be reduced by the sum of the adjusted excess profits net income for 1942 and 1943 computed for each such year without the deduction of any $5,000 specific exemption or of any carry-back from 1944 or from any year subsequent to 1944 (for 1942, the $125,000 excess profits net income less the $100,000 excess profits credit for such year, or $25,000, plus, for 1943, the $185,000 excess profits net income less the $100,000 excess profits credit for such year, or $85,000, a total of $110,000).

(2) The amount of the $75,000 unused excess profits credit for 1945 which may be used as a carry-back to 1943 and 1944 and as a carry-over to 1946 and 1947, is computed as follows:

(i) For 1943, the carry-back is $75,000 (the amount of the unused excess profits credit).

(ii) For 1944, the carry-back is $10,000, determined by deducting from the $75,000 unused excess profits credit the $65,000 adjusted excess profits net income for 1943 computed without the deduction of the $5,000 specific exemption or of any carry-back from 1945 or any year subsequent to 1945 (the $185,000 excess profits net income for 1943, less the $100,000 excess profits credit and the $20,000 excess profits credit carry-back from 1944).

(iii) For 1946, the carry-over is $10,000, determined by reducing the $75,000 unused excess profits credit by the sum of the adjusted excess profits net income for 1943 and 1944 computed for each such year without the deduction of any $5,000 specific exemption or of any carry-back from 1945 or any year subsequent to 1945 (for 1943, the $185,000 excess profits net income less the $100,000 excess profits credit and the $20,000 carry-back from 1944, or $65,000, plus, for 1944, the $55,000 excess profits net income less the $100,000 excess profits credit, or $0 adjusted excess profits net income, a total of $65,000).

(iv) For 1947, the carry-over is also $10,000, since there was no adjusted excess profits net income for 1946, computed without the deduction of the $5,000 specific exemption or of any carry-over from 1945 or of any carry-over or carry-back from any year subsequent to 1945 (the $30,000 excess profits net income for 1946 less the $100,000 excess profits credit), to offset any of the carry-over to such year.

(3) The amount of the $70,000 unused excess profits credit for 1946 which may be taken as a carry-back to 1944 and 1945, and as a carry-over to 1947 and 1948, is computed as follows:

(i) For 1944, the carry-back is $70,000 (the unused excess profits credit).

(ii) For 1945, the carry-back is also $70,000, since there was no adjusted excess profits net income for 1944, computed without the deduction of the $5,000 specific exemption or of the carry-back from 1946 or from any year subsequent to 1946 (the excess profits net income of $55,000 for 1944 less the $100,000 excess profits credit and the $10,000 carry-back from 1945) to offset any of such unused excess profits credit for 1946.

(iii) For 1947, the carry-over is also $70,000, since there was no adjusted excess profits net income in 1944 or 1945 to offset any of the unused excess profits credit for 1946. The carry-over to 1947 is computed by reducing the $70,000 unused excess profits credit by the sum of the adjusted excess profits net income for 1944 and 1945, computed for each such year without the deduction of any $5,000 specific exemption or of any carry-back from 1946 or from any year subsequent to 1946. (For 1944, the adjusted excess profits net income so computed is $0, that is, the $55,000 excess profits net income for such year less the $100,000 excess profits credit and the $10,000 carry-back from 1945. For 1945, the adjusted excess profits net income so computed is $0, that is, the $25,000 excess profits net income for 1945 less the $100,000 excess profits credit.)

(iv) For 1948, the carry-over is $20,000, computed by reducing the $70,000 carry-over to 1947 by the adjusted excess profits net income for 1947 computed without the deduction of the $5,000 specific exemption or of the carry-over from 1946 or of any carry-over or carry-back from a year subsequent to 1946 (that is, the $160,000 excess profits net income for 1947 less the $100,000 excess profits credit and the $10,000 carry-over from 1945).

The aggregate of the carry-backs and carry-overs to each taxable year beginning after December 31, 1940 is the unused excess profits credit adjustment for such taxable year which may be credited against excess profits net income to determine adjusted excess profits net income. Therefore, the unused excess profits credit adjustment for 1942 is $45,000, the carry-back to that year from 1944. The unused excess profits credit adjustment for 1943 is $95,000, the aggregate of the $20,000 carry-back from 1944 and the $75,000 carry-back from 1945. The unused excess profits credit adjustment for 1947 is $80,000, the aggregate of the $10,000 carry-over from 1945 and the $70,000 carry-over from 1946. The unused excess profits credit adjustment for 1948 is $20,000, the carry-over from 1946.

In the case of a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter, the $50,000 exemption allowed in such cases under section 710 (b) (1) is to be substituted wherever reference is made in this section to the $5,000 specific exemption.

(e) *Ascertainment of unused excess profits credit adjustment dependent upon unused excess profits credit carry-back.* If, for any taxable year beginning after December 31, 1940, the taxpayer is entitled in computing its unused excess profits credit adjustment to an unused excess profits credit carry-back which it is not able to ascertain at the time its return is due, it shall compute the unused excess profits credit adjustment on its return without regard to such unused excess profits credit carry-back. When the taxpayer ascertains the unused excess profits credit carry-back, it may file a claim for credit or refund of the overpayment, if any, resulting from the failure to compute the unused excess profits credit adjustment for the taxable year with the inclusion of such carry-back. Under the provisions of section 3771 (e), as added by section 153 (d) of the Revenue Act of 1942, no interest is allowed with respect to any such overpayment for the period prior to the filing of the claim for credit or refund of such overpayment or prior to the filing of a petition to The Tax Court of the United States asserting such overpayment, whichever is earlier. If the taxpayer files a claim based upon the overpayment caused by a carry-back from the first succeeding taxable year, and later ascertains that it is entitled to a carry-back from the second succeeding taxable year, it shall file a second claim for credit or refund based on the overpayment, if any, caused by the failure to take into account the carry-back from such second succeeding taxable year.

§ 30.710–4 *Rate of tax*—(a) *Taxable years beginning prior to January 1, 1942 and ending before July 1, 1942.* The following tables show the excess profits tax (1) for taxable years beginning in 1940, and (2) for taxable years beginning in 1941 and ending before July 1, 1942, upon certain specified amounts of adjusted excess profits net income. In each instance the first figure of the adjusted excess profits net income in the adjusted excess profits net income column is to be excluded and the second figure included. The percentage given opposite applies to the excess of income over the first figure in the adjusted excess profits net income column. The last column gives the total excess profits tax on an adjusted excess profits net income equal to the second figure in the adjusted excess profits net income column.

TABLE I.—*Taxable years beginning in 1940*

Adjusted excess profits net income	Percent	Total excess profits tax
$0 to $20,000	25	$5,000
$20,000 to $50,000	30	14,000
$50,000 to $100,000	35	31,500
$100,000 to $250,000	40	91,500
$250,000 to $500,000	45	204,000
$500,000 up	50	

TABLE II.—*Taxable years beginning in 1941 and ending before July 1, 1942*

Adjusted excess profits net income	Percent	Total excess profits tax
$0 to $20,000	35	$7,000
$20,000 to $50,000	40	19,000
$50,000 to $100,000	45	41,500
$100,000 to $250,000	50	116,500
$250,000 to $500,000	55	254,000
$500,000 up	60	

The excess profits tax for any amount of adjusted excess profits net income not stated in round figures in the table is computed by adding to the excess profits tax for the largest amount stated which is less than the adjusted excess profits net income, the excess profits tax upon the excess over that amount at the rate indicated in the table.

The computation of the tax is illustrated by the following example:

Example. The X Corporation has for the calendar year 1941 an excess profits net income of $800,000. The amount of its excess profits credit as allowed under section 712 is $195,000. The excess profits tax of the corporation for the calendar year 1941 is $314,000, computed as follows:

Excess profits net income		$800,000
Less:		
Specific exemption	$5,000	
Excess profits credit	195,000	
		200,000
Adjusted excess profits net income		600,000
Computation of excess profits tax		
Tax on $500,000 (see table)		254,000
Tax on $100,000 at 60 percent		60,000
Total		314,000

(b) *Taxable years beginning in 1941 and ending after June 30, 1942.* The excess profits tax for a taxable year beginning in 1941 and ending after June 30, 1942, is an amount determined under section 710 (a) (3), in lieu of an amount which would otherwise be determined under the law applicable to taxable years beginning on January 1, 1941. Such excess profits tax is computed in a manner comparable to the computation of the normal tax and surtax under section 108 (a) (1) for the same taxable year, that is, as the sum of the proportionate parts of two tentative taxes. (See § 19.108–1 of Regulations 103.) Consequently, each of the tentative excess profits taxes is to be computed in the light of, and with regard to, the computation of the corresponding tentative normal tax and surtax.

The excess profits tax computed under section 710 (a) (3) is an amount equal to the sum of:

(1) That portion of a tentative excess profits tax computed under the law applicable to taxable years beginning on January 1, 1941, which the number of days before July 1, 1942, in the taxable year of the taxpayer bears to the total number of days in such year, plus

(2) That portion of a tentative excess profits tax computed under the law applicable to taxable years beginning on January 1, 1941, determined as if such law included the amendments made by the Revenue Act of 1942 in section 105 (c) (relating to the nondeductibility of the excess profits tax in computing net income), section 105 (d) (relating to the credit under section 26 (e) for income subject to excess profits tax), section 202 (relating to rate of excess profits tax for years beginning after December 31, 1941), and section 206 (relating to certain technical changes in the determination of excess profits net income under section 711, occasioned by the change in base for the computation of normal tax and surtax), which the number of days after June 30, 1942, in the taxable year of the taxpayer bears to the total number of days in such year.

The tentative excess profits taxes determined under section 710 (a) (3) (A) and subparagraph (1) of this section, or section 710 (a) (3) (B) and subpara-

graph (2) of this section, to be prorated in the determination of the excess profits tax under section 710 (a) (3), shall be

turns on the basis of a fiscal year beginning October 1, and ending on September 30. For the taxable year ending September 30,

27. Net income (item 20)		$547,580
28. Dividends received	$100,000	
29. Less dividends received credit (85 percent of item 28 but not in		

64. Tentative normal tax under section 108 (a) (1) (B) ($750 plus 17 percent of $8,500)		$2,195

If the excess profits net incomes for purposes of the tentative taxes for a taxable year of less than twelve months are placed on an annual basis under sec-

section, the tax imposed for the taxable year under chapter 1 is the sum of the normal tax and surtax for such year prior to the credit under section 131 for

graph (2) of this section, to be prorated in the determination of the excess profits tax under section 710 (a) (3), shall be the taxes prior to the credit under section 729 (c) and (d) for tax paid to a foreign country or possession of the United States and prior to the adjustment under section 734 on account of position inconsistent with prior income tax liability. The credit under section 729 (c) and (d) and the adjustment under section 734 shall be applied against the sum of the portion of the tentative excess profits taxes finally determined under section 710 (a) (3).

The excess profits net income for purposes of the tentative excess profits tax under section 710 (a) (3) (A) and subparagraph (1) of this subsection shall be computed upon the basis of the normal tax net income determined for the purposes of the tentative normal tax under section 108 (a) (1) (A), and any adjustments under section 711 (a) (1) and (2), applicable to a taxable year beginning on January 1, 1941, shall be made with respect to such normal tax net income.

The excess profits net income for purposes of the tentative excess profits tax under section 710 (a) (3) (B) and subparagraph (2) of this section shall be computed on the basis of the normal tax net income determined for the purposes of the tentative normal tax under section 108 (a) (1) (B), and any adjustments under section 711 (a) (1) and (2) applicable to a taxable year beginning on January 1, 1941, determined as if the amendments made by section 206 of the Revenue Act of 1942 were applicable to such year, shall be made with respect to such normal tax net income. If such tentative excess profits tax is computed as an amount under section 710 (a) (1) (B) which when added to the normal tax and surtax imposed for the taxable year under chapter 1 equals 80 percent of the corporation surtax net income determined without regard to the credit provided in section 26 (e) (relating to income subject to excess profits tax), the normal tax and surtax for the purposes of such computation shall be the tentative normal tax and surtax computed under section 108 (a) (1) (B), and the corporation surtax net income shall be the corporation surtax net income computed under the provisions of section 108 (a) (1) (B) but without regard to the credit under section 26 (e) for income subject to excess profits tax. Thus, in the computation of such corporation surtax net income, the deduction for charitable and other contributions under section 23 (q) and for percentage depletion and discovery depletion under section 23 (m) and section 114 limited to a percentage of net income shall be based upon net income without regard to any deduction for excess profits tax or for income subject to excess profits tax under section 26 (e). Likewise, the credit for dividends received, in the computation of such corporation surtax net income, shall be limited to an amount equal to 85 percent of such net income. For the computation of corporation surtax net income for purposes of the excess profits tax computation under section 710 (a) (1) (B), see § 30.710–4 (c).

Example. Assume that corporation F makes its income and excess profits tax returns on the basis of a fiscal year beginning October 1, and ending on September 30. For the taxable year ending September 30, 1942, it has a net income of $1,480,000 which includes $100,000 of dividends consisting of $80,000 of dividends upon the common stock of a domestic manufacturing company and $20,000 of dividends upon the preferred stock of a public utility company and $20,000 of interest on United States Government obligations which is exempt from the normal tax, but does not include a long-term capital loss of $400,000 or $60,000 of charitable contributions. Assume also that the excess profits credit based on income of corporation F is $385,000 and that such corporation has no unused excess profits credit adjustment. Its excess profits tax under section 710 (a) (3) is $565,228.66, computed as follows:

Tentative Excess Profits Tax Under Section 710 (a) (3) (A)

1. Normal tax net income computed without deduction of excess profits tax, of charitable contributions, or of credit for dividends received (item 25 plus the sum of item 16, item 19, and item 24)		$1,050,000
2. Less deduction for charitable contributions (item 18 but not in excess of 5 percent of item 15)		54,000
3. Item 1 minus item 2		1,006,000
4. Less dividends received credit (100 percent of item 23)		100,000
5. Item 3 minus item 4		906,000
6. Add net long-term capital loss		400,000
7. Excess profits net income (item 5 plus item 6)		1,306,000
Brought forward		1,306,000
8. Less: Specific exemption	$5,000	
9. Excess profits credit	385,000	
10. Item 8 plus item 9		390,000
11. Adjusted excess profits net income (item 7 minus item 10)		916,000
12. Excess profits tax ($254,000 plus 60 percent of $416,000)		503,600

Tentative Normal Tax and Surtax Under Section 108 (a) (1) (A).

13. Net income (partially computed)		1,480,000
14. Less long-term capital loss		400,000
15. Item 13 minus item 14		1,080,000
16. Excess profits tax (item 12)		503,600
17. Net income computed without deduction for charitable contributions		576,400
18. Amount of charitable contributions	$60,000	
19. Less deduction for charitable contributions (item 18, but not in excess of 5 percent of item 17)		28,820
20. Net income (item 17 minus item 19)		547,580
21. Less credit under section 26 (a) for interest on certain U. S. obligations		20,000
22. Adjusted net income		527,580
23. Dividends received	$100,000	
24. Less dividends received credit (85 percent of item 23 but not in excess of 85 percent of item 22)		85,000
25. Normal tax net income (item 22 minus item 24)		442,580
26. Tentative normal tax (24 percent of item 25)		106,219.20
27. Net income (item 20)		$547,580
28. Dividends received	$100,000	
29. Less dividends received credit (85 percent of item 28 but not in excess of 85 percent of item 27)		85,000
30. Corporation surtax net income (item 27 minus item 29)		462,580
31. Surtax ($1,500 plus 7 percent of $437,580)		32,130.60

Tentative Excess Profits Tax Under Section 710 (a) (3) (B)

33. Normal tax net income computed without credit under section 26 (e) for income subject to excess profits tax and without credit for dividends received (item 58)		1,006,000
34. Less dividends received credit (100 percent of item 61)		100,000
35. Item 33 minus item 34		906,000
36. Add net long-term capital loss		400,000
37. Excess profits net income		1,306,000
38. Less: Specific exemption	$5,000	
39. Excess profits credit	385,000	
40. Item 38 plus item 39		390,000
41. Adjusted excess profits net income		916,000
42. Excess profits tax (90 percent of item 41)		824,400
43. Net income (item 56)		1,026,000
44. Amount of dividends received	$100,000	
45. Less dividends received credit (85 percent of item 44 but not in excess of 85 percent of item 43)		85,000
46. Corporation surtax net income computed without the credit under section 26 (e) for income subject to excess profits tax (item 43 minus item 45)		941,000
47. 80 percent of item 46		752,800
48. Total normal tax and surtax under Chapter 1 (item 72)		4,695
49. Excess of item 47 over item 48		748,105
50. Tentative excess profits tax under section 710 (a) (3) (B) (item 42 or item 49, whichever is lesser)		748,105

Tentative Normal Tax and Surtax Under Section 108 (a) (1) (B)

51. Net income (partially computed)		1,480,000
52. Less long-term capital loss		400,000
53. Item 51 minus item 52		1,080,000
54. Charitable contributions	$60,000	
55. Less deduction for charitable contributions (item 54 but not in excess of 5 percent of item 53)		54,000
56. Net income (item 53 minus item 55)		1,026,000
57. Less credit under section 26 (a) for interest on certain U. S. obligations		27,000
58. Adjusted net income		1,000,000
59. Less credit under section 26 (e) for income subject to excess profits tax (item 41)		916,000
60. Item 58 minus item 59		90,000
61. Dividends received	$100,000	
62. Less dividends received credit (85 percent of item 61 but not in excess of 85 percent of item 60)		76,500
63. Normal tax net income		13,500
64. Tentative normal tax under section 108 (a) (1) (B) ($750 plus 17 percent of $8,500)		$2,195
65. Net income (item 56)		1,026,000
66. Less credit under section 26 (e) for income subject to excess profits tax (item 41)		916,000
67. Item 65 minus item 66		110,000
68. Dividends received	$100,000	
69. Less dividends received credit (85 percent of item 68 but not in excess of 85 percent of item 67)		85,000
70. Corporation surtax net income		25,000
71. Tentative surtax under section 108 (a) (1) (B) (10 percent of item 70)		2,500
72. Total tentative normal tax and surtax under section 108 (a) (1) (B) (item 64 plus item 71)		4,695

Excess Profits Tax Under Section 710 (a) (3)

73 Tentative excess profits tax under section 710 (a) (3) (A) (item 12)	$503,600	
74. Total number of days in taxable year of taxpayer	365	
75. Number of days before July 1, 1942, in taxable year of taxpayer	273	
76 Portion of tentative tax under section 710 (a) (3) (A) which item 75 bears to item 74 (item 73 multiplied by 273 and divided by 365)		376,665.21
77. Tentative excess profits tax under section 710 (a) (3) (B) (item 50)	$748,105	
78. Number of days after June 30, 1942, in taxable year of taxpayer	92	
79 Portion of tentative tax under section 710 (a) (3) (B) which item 79 bears to item 74 (item 77 multiplied by 92 and divided by 365)		188,563.45
80 Excess profits tax under section 710 (a) (3) (item 76 plus item 79)		565,228.66

If the taxable year which begins in 1941 and ends after June 30, 1942, is a taxable year of less than twelve months, the excess profits net income shall be placed on an annual basis under section 711 (a) (3) (A) for the purposes of both tentative tax computations under section 710 (a) (3) and this section, or shall be determined as the actual excess profits net income for a twelve-month period under the method provided in section 711 (a) (3) (B) for the purposes of both such tentative tax computations. Regardless of the method adopted, the amounts of excess profits taxes so computed upon the basis of twelve months income shall be properly reduced under section 711 (a) (3) in order to determine the tentative taxes under section 710 (a) (3) (A) and (B), and the tentative taxes so determined shall then be properly prorated upon the basis prescribed in section 710 (a) (3) (A) and (B) and subparagraphs (1) and (2) of this section.

If the excess profits net incomes for purposes of the tentative taxes for a taxable year of less than twelve months are placed on an annual basis under section 711 (a) (3) (A), the normal tax net income used in computing excess profits net income for each tentative tax shall be the normal tax net income determined under section 108 (a) (1) (A) or section 108 (a) (1) (B), as the case may be, and the appropriate adjustments under section 711 (a) (1) and (2) shall be based upon such normal tax net income. If such tentative taxes are computed under section 711 (a) (3) (B) on the basis of an established adjusted excess profits net income for a twelve-month period, the normal tax net income used in computing excess profits net income for each tentative tax shall be the normal tax net income determined under section 108 (a) (1) (A) or section 108 (a) (1) (B), as the case may be, for the appropriate twelve-month period described in section 711 (a) (3) (B), and the proper adjustments under section 711 (a) (1) and (2) shall be made with respect to such normal tax net income. If the tentative excess profits tax is an amount, under section 710 (a) (1) (B), which when added to the normal tax and surtax imposed for the taxable year under chapter 1 equals 80 percent of the corporation surtax net income determined without regard to the credit provided in section 26 (e) (relating to income subject to excess profits tax), the normal tax and surtax shall be the tentative normal tax and surtax ascertained under section 108 (a) (1) (B). The corporation surtax net income shall be the corporation surtax net income computed under section 108 (a) (1) (B) (without regard to the credit under section 26 (e) relating to income subject to excess profits tax), but upon the basis, annual basis or basis of an established twelve-month period, which is used in computing the excess profits tax. The amount determined by multiplying such corporation surtax net income by 80 percent shall be properly reduced pursuant to section 711 (a) (3). The difference between such amount so reduced and the sum of the normal tax and surtax shall be the tentative excess profits tax computed under section 710 (a) (1) (B). For the computation of the excess profits tax in the case of a taxable year of less than twelve months, see section 711 (a) (3).

(c) *Taxable years beginning after December 31, 1941.* With respect to taxable years beginning after December 31, 1941, the excess profits tax shall be whichever of the following is the lesser:

(1) An amount equal to 90 percent of the adjusted excess profits net income, or

(2) An amount which when added to the tax imposed for the taxable year under chapter 1 (not including the tax under section 102 on account of the improper accumulation of surplus) equals 80 percent of the corporation surtax net income, computed under section 15 or Supplement G (relating to insurance companies), as the case may be, but without regard to the credit provided in section 26 (e) relating to income subject to excess profits tax.

For the purposes of section 710 (a) (1) (B) and of subparagraph (2) of this section, the tax imposed for the taxable year under chapter 1 is the sum of the normal tax and surtax for such year prior to the credit under section 131 for taxes paid to a foreign country or possession of the United States. The corporation surtax net income for such purposes shall be computed by disregarding the credit under section 26 (e) (relating to income subject to excess profits tax) otherwise provided in section 15 (a) or Supplement G as a reduction against net income in determining corporation surtax net income and in determining the amount of net income upon which is computed the 85 percent limitation upon the credit for dividends received for both computations. In all other respects, corporation surtax net income shall be computed as provided in section 15 (a) or Supplement G as the case may be.

The application of section 710 (a) (1) and of this section may be shown by the following example:

Assume that corporation A, which makes its return on the calendar year basis, is a public utility corporation within the definition in section 26 (h) (2) (A). Its net income for 1942 is $411,000 and includes $100,000 of dividends upon the common stock of a domestic manufacturing company, $10,000 of dividends upon the preferred stock (as defined in section 26 (h) (2) (B)) of a public utility corporation which it owns, and $1,000 of interest on certain United States Government obligations which is exempt from the normal tax. It has paid a dividend of $5,000 on its preferred stock (as defined in section 26 (h) (2) (B)). Its excess profits net income is $500,000, its excess profits credit is $145,000 and it has no unused excess profits credit adjustment. Its excess profits tax is $254,955, computed as follows:

Excess Profits Tax

1. Excess profits net income		$500,000
2. Specific exemption	$5,000	
3. Excess profits credit	145,000	
4 Total of item 2 and item 3		150,000
5. Adjusted excess profits net income		350,000
6. Excess profits tax (90 percent of item 5)		315,000
7. Net income (computed without regard to credit provided in section 26 (e) relating to income subject to excess profits tax)		411,000
8. (a) Total dividends received	$110,000	
(b) Less dividends received on preferred stock of public utility corporation	10,000	
(c) Difference	100,000	
9. Less:		
(a) Dividends received credit (85 percent of item (c) but not in excess of 85 percent of item 7)	85,000	
(b) Dividends paid on certain preferred stock	5,000	90,000
10. Corporation surtax net income (computed without regard to the credit provided in section 26 (e)) (item 7 minus item 9)		321,000
11. 80 percent of item 10		256,800
12. Income tax under chapter 1 (other than section 102) for the taxable year (item 31)		1,845
13. Excess of item 11 over item 12		254,955

14. Excess profits tax (item 6 or item 13, whichever is lesser)		$254,955
Normal Tax		
15. Net income		411,000
16. Less: Credit under section 26 (a) for interest on certain U. S. obligations		1,000
17. Adjusted net income		410,000
18. Less income subject to excess profits tax (credit under section 26 (e)) (item 5)		350,000
19. Item 17 minus item 18		60,000
20. Total dividends received	$110,000	
21. Dividends received credit (85 percent of item 20 but not in excess of 85 percent of item 19)		51,000
22. Normal tax net income		9,000
23. Normal tax ($750 plus 17 percent of $4,000)		1,430
Surtax		
24. Net income		411,000
25. Less income subject to excess profits tax (credit under section 26 (e)) (item 5)		350,000
26. Item 24 minus item 25		61,000
27. (a) Total dividends received	$110,000	
(b) Less dividends received on preferred stock of public utility corporation	10,000	
(c) Difference	100,000	
28 Less: (a) Dividends received credit (85 percent of item 27 (c) but not in excess of 85 percent of item 26)	51,850	
(b) Dividends paid on certain preferred stock	5,000	56,850
29. Corporation surtax net income		4,150
30 Surtax (10 percent of item 29)		415
31 Total normal tax and surtax (item 23 plus item 30)		1,845

If, in a taxable year beginning after December 31, 1941, a mutual insurance company, other than life or marine, receives a gross amount from interest, dividends, rents, and premiums (including deposits and assessments) in excess of $75,000 but less than $125,000, the tax imposed under section 710 is an amount which bears the same proportion to the amount of tax otherwise determined under such section, computed without regard to section 710 (a) (4) and the provisions of this sentence, as the excess over $75,000 of such gross amount received bears to $50,000. For example, assume that a mutual insurance company (other than a life or marine insurance company) receives a gross amount from interest, dividends, rents, and premiums of $115,000, and that its excess profits tax computed under section 710 (a) (1) is $18,000. Under section 710 (a) (4), the excess profits tax imposed under section 710 is $14,400 $\left(\frac{40,000}{50,000} \times \$18,000\right)$.

§ 30.710–5 *Deferment of payment of tax in case of base period or invested capital abnormality.* If a taxpayer claims the benefits of section 722 (relating to general excess profits tax relief through a constructive average base period net income) for a taxable year beginning after December 31, 1941, it must make its return and compute and pay its tax without the benefits of such section, and not later than six months after the date prescribed by law for the filing of its return make application for relief under such section. (See section 722 (d).) However, if the adjusted excess profits net income so computed on its return (without the benefits of section 722) for such year exceeds 50 percent of the taxpayer's normal tax net income for such year, computed without the credit provided in section 26 (e) for income subject to excess profits tax, and if the taxpayer on its return claims to be entitled to the benefits of section 722, the amount of tax payable at the time prescribed for payment may be reduced by an amount equal to 33 percent of the reduction in tax so claimed. (See section 710 (a) (5).) In computing the normal tax net income for purposes of the 50 percent determination, the credit for dividends received under section 26 (b) shall be limited to 85 percent of adjusted net income unreduced by the credit under section 26 (e) for income subject to excess profits tax.

The amount of reduction in tax claimed under section 722 shall be the difference between the amount of tax computed under section 710 (a) (1) without the benefit of section 722 (prior to the credit under section 729 for taxes paid to a foreign country or to a possession of the United States, to the credit under section 783 for debt retirement, and to the adjustment under section 734 on account of an inconsistent position) and the amount of tax so computed using instead of the actual excess profits credit the excess profits credit based upon the constructive average base period net income claimed by the taxpayer. In any case in which the excess profits tax computed with the use of the constructive average base period net income is determined under section 710 (a) (1) (B) as an amount which when added to the normal tax and surtax imposed under chapter 1 equals 80 percent of the corporation surtax net income (computed without regard to the credit under section 26 (e) for income subject to excess profits tax), the credit provided in section 26 (e) for income subject to excess profits tax used in determining normal tax net income and corporation surtax net income for the purposes of computing such normal tax and surtax shall be computed by using the excess profits credit based upon the constructive average base period net income in lieu of the actual excess profits credit.

A taxpayer which claims to be entitled to a tax deferment under the provisions of section 710 (a) (5) and of this section must, at the time of filing its excess profits tax return on Form 1121, attach thereto an application for relief under section 722 on Form 991 (revised January, 1943). The application must set forth under oath each ground under section 722 upon which the application for relief is based and facts sufficient to apprise the Commissioner of the exact basis thereof and to establish eligibility for relief, as well as data and information in sufficient detail to establish the amount of constructive average base period net income claimed, the amount of tax reduction claimed by the use of section 722, and the amount of tax claimed on the return. In any case in which an application for relief on Form 991 (revised January, 1943) is not so attached to the excess profits tax return, the taxpayer shall not be deemed to have claimed on its return the benefits of section 722. In such case the amount of tax deferment claimed under section 710 (a) (5) and this section shall be added to the amount of tax otherwise shown by the taxpayer to be payable. For the purposes of section 271 (made applicable to subchapter E of chapter 2 by section 729) relating to the definition of deficiency, the amount of tax shown by the taxpayer to be payable so increased shall be considered the amount of tax shown on the return.

For the purposes of section 271, in case a taxpayer has claimed a tax reduction under section 710 (a) (5) and has attached Form 991 (revised January, 1943) to its excess profits tax return as provided in this section, the tax so reduced shall be the tax shown on the return.

If a constructive average base period net income has been finally determined and has been used in computation of the excess profits tax for a prior excess profits tax taxable year under section 722 and under regulations prescribed under such section, such constructive average base period net income may be applicable in the computation of the excess profits tax for the current excess profits tax taxable year. In such case, the excess profits tax for such current year shall be computed with the use of such constructive average base period net income, and the provisions of section 710 (a) (5) shall be inapplicable with respect to such year.

The application of section 710 (a) (5) may be illustrated by the following example:

Assume that corporation B, which makes its return on the calendar year basis, has for 1942 a net income of $1,010,000, which includes $300,000 of dividends on the common stock of domestic manufacturing corporations, $10,000 of interest on certain United States Government obligations which is exempt from the normal tax, and $200,000 of long-term capital losses which are offset against an equal amount of short-term capital gains. Its adjusted net income is $1,000,000, and it has an excess profits credit of $95,000, and no unused excess profits credit adjustment. It has filed, with its excess profits tax return for 1942, an application for relief under section 722 in which it claims a constructive average base period net income of $600,000. Its excess profits tax return for 1942, computed without regard to section 722, shows an amount of tax deferred under section 710 (a) (5) of $99,584.10, and an excess profits tax due of $494,685.90, computed as follows:

Excess Profits Tax

1. Normal tax net income (computed without allowance of credit under section 26 (e) for income subject to excess profits tax and without allowance of dividends received credit) (item 22)		$1,000,000
2. Plus long-term capital loss adjustment		200,000
3. Item 1 plus item 2		1,200,000
4. Less dividend received credit adjustment (100 percent of item 25)	$300,000	
5. Excess profits net income	900,000	
6. Less Specific exemption	$5,000	
7. Excess profits credit	95,000	
8. Total of item 6 and item 7	100,000	
9. Adjusted excess profits net income (item 5 minus item 8)	800,000	
10. Excess profits tax (90 percent of item 9)	720,000	
11. Net income (computed without regard to credit provided in section 26 (e) relating to income subject to excess profits tax) (item 21)	1,010,000	
12. Dividends received	$300,000	
13. Less dividends received credit (85 percent of item 12, but not in excess of 85 percent of item 11)	255,000	
14. Corporation surtax net income (computed without regard to the credit provided in section 26 (e)) (item 11 minus item 13)	755,000	
15. 80 percent of item 14	604,000	
16. Income tax under chapter 1 (other than section 102) for the taxable year (item 36)	9,730	
17. Excess of item 15 over item 16	594,270	
18. Excess profits tax (item 10 or item 17, whichever is lesser)	594,270	
19. Less tax deferred under section 710 (a) (5) (item 56)	99,584.10	
20. Excess profits tax payable (item 18 minus item 19)	494,685.90	
Normal Tax		
21. Net income	1,010,000	
22. Adjusted net income (item 21 minus $10,000 interest on certain U. S. obligations)	1,000,000	
23. Less income subject to excess profits tax (credit under section 26 (e)) (item 9)	800,000	
24. Item 22 minus item 23	200,000	
25. Dividends received	$300,000	
26. Less dividends received credit (85 percent of item 25 but not in excess of 85 percent of item 24)	170,000	
27. Normal tax net income	30,000	
28. Normal tax ($4,250 plus 31 percent of $5,000)	5,800	
Surtax		
29. Net income (item 21)	1,010,000	
30. Less income subject to excess profits tax (credit under section 26 (e)) (item 9)	800,000	
31. Item 29 minus item 30	210,000	
32. Dividends received	$300,000	
33. Less dividends received credit (85 percent of item 32 but not in excess of 85 percent of item 31)	178,500	
34. Corporation surtax net income	31,500	
35 Surtax ($2,500 plus 22 percent of $6,500)	3,930	
86. Total normal tax and surtax (item 28 plus item 35)	$9,730	
Percentage which adjusted excess profits net income bears to normal tax net income computed without credit under section 26 (e) for income subject to excess profits tax		
37. Adjusted excess profits net income computed without regard to section 722 (item 9)	800,000	
38. Adjusted net income (item 22)	1,000,000	
39. Dividends received	$300,000	
40. Dividends received credit (85 percent of item 39 but not in excess of 85 percent of item 38)	255,000	
41. Normal tax net income (computed without regard to the credit for income subject to excess profits tax under section 26 (e))	745,000	
42. Percentage which item 37 bears to item 41	107%	
Tax Deferred Under Section 710 (a) (5) Excess Profits Tax Under Section 722		
43. Excess profits net income (item 5)	$900,000	
44. Less Specific exemption	$5,000	
45. Excess profits credit based on constructive excess profits net income under section 722 (95 percent of $600,000)	570,000	
46. Item 44 plus item 45	575,000	
47. Adjusted excess profits net income computed under section 722 (item 43 minus item 46)	325,000	
48. Excess profits tax under section 722 (90 percent of item 47)	292,500	
49. Corporation surtax net income (computed without regard to the credit provided in section 26 (e)) (item 14)	755,000	
50. 80 percent of item 49	604,000	
51. Income tax under chapter 1 (other than section 102) for the taxable year, computed with the excess profits tax determined under section 722) (item 72)	169,600	
52. Excess of item 50 over item 51	434,400	
53. Excess profits tax computed without the benefit of section 722 (item 17)	594,270	
54. Excess profits tax computed under section 722 (item 48 or item 52, whichever is lesser)	292,500	
55. Amount of tax reduction claimed under section 722 (item 53 minus item 54)	301,770	
56. Amount of tax deferred under section 710 (a) (5) (33 percent of item 55)	99,584.10	
Normal Tax		
57. Net income (item 21)	1,010,000	
58. Adjusted net income (item 22)	1,000,000	
59. Less income subject under section 722 to excess profits tax (credit under section 26 (e)) (item 47)	$325,000	
60. Item 58 minus item 59	675,000	
61. Dividends received	$300,000	
62. Less dividends received credit (85 percent of item 61 but not in excess of 85 percent of item 60)	255,000	
63. Normal tax net income	420,000	
64. Normal tax (24 percent of item 63)	100,800	
Surtax		
65. Net income (item 21)	1,010,000	
66. Less income subject under section 722 to excess profits tax (credit under section 26 (e)) (item 47)	325,000	
67. Item 65 minus item 66	685,000	
68. Dividends received	$300,000	
69. Less dividends received credit (85 percent of item 68 but not in excess of 85 percent of item 67)	255,000	
70. Corporation surtax net income (item 67 minus item 69)	430,000	
71. Surtax (16 percent of item 70)	68,800	
72. Total normal tax and surtax (item 64 plus item 71)	169,600	

PAR. 4. Section 30.726–1 (b) is amended by inserting at the end the following:

With respect to a taxable year beginning after December 31, 1941, the tentative tax under section 726 (b) (1), as is the case with respect to the tax computed under section 710, shall be the lesser of:

(1) An amount equal to 90 percent of the adjusted excess profits net income (section 710 (a) (1) (A)), or

(2) An amount which when added to the sum of the normal tax and surtax for the taxable year equals 80 percent of the corporation surtax net income computed under section 15 (a) but without regard to the credit under section 26 (e) for income subject to excess profits tax (section 710 (a) (1) (B)).

If the tentative tax is computed under section 710 (a) (1) (B) and subparagraph (2) of this section, the normal tax and surtax for such purposes shall be the actual normal tax and surtax computed under chapter 1 and shall be determined by using as the credit under section 26 (e), in computing normal tax net income and corporation surtax net income, the amount of which the tax computed under section 726 (b) pursuant to the provisions of section 710 (a) (1) (A) is 90 percent. The corporation surtax net income for the purposes of section 710 (a) (1) (B) and subparagraph (2) of this paragraph, computed without regard to the credit under section 26 (e) for income subject to excess profits tax, shall be increased by the amount of any payments made, or to be made, to the United States Maritime Commission with respect to contracts or subcontracts subject to the provisions of section 505 (b). For the computation of tax under section 710 (a) (1) (B), see § 30.710–4 (c). For the computation of excess profits tax

for years beginning in 1941 and ending after June 30, 1942, see section 710 (a) (3) and § 30.710–4 (b).

If the excess profits tax is computed for a taxable year of less than twelve months, the excess profits net income for the purposes of the excess profits tax computed under section 726 (b) shall be placed on an annual basis under section 711 (a) (3) (A) if the excess profits net income is so placed for the purposes of the tax computed under section 710 (a), or shall be determined upon the basis of an established twelve-month period if the excess profits net income for purposes of the tax under section 710 (a) is so established.

The application of this paragraph may be illustrated by the following example:

For the calendar year 1942, corporation S has a normal tax net income, and corporation surtax net income of $300,000, an excess profits net income of $330,000, and an excess profits credit of $75,000. It has paid to the United States Maritime Commission with respect to contracts completed in 1942 and subject to section 505 (b) of the Merchant Marine Act of 1936, as amended, $40,000. Its excess profits tax is $210,222.23, computed as follows:

Excess Profits Tax Under Section 710

1. Excess profits net income		$330,000
2. Less Specific exemption	5,000	
3. Excess profits credit	75,000	
4. Item 2 plus item 3		80,000
5. Adjusted excess profits net income (item 1 minus item 4)		250,000
6. 90 percent of item 5		225,000
7. Corporation surtax net income computed without regard to credit under section 26 (e) relating to income subject to excess profits tax		300,000
8. 80 percent of item 7		240,000
9. Total normal tax and surtax (item 15)		20,000
10. Item 8 minus item 9		220,000
11. Excess profits tax (item 8 or item 10 whichever is lesser)		220,000
Normal Tax and Surtax		
12. Normal tax net income and corporation surtax net income computed without regard to credit under section 26 (e)		300,000
13. Less credit under section 26 (e) (amount of which item 6 is 90 percent, i. e., item 5)		250,000
14. Normal tax net income and corporation surtax net income		50,000
15. Total normal tax and surtax (40 percent of item 14)		20,000
Excess Profits Tax Under Section 726 (b)		
16. Excess profits net income including payment to Maritime Commission		$370,000
17. Less Specific exemption	$5,000	
18. Excess profits credit	75,000	
19. Item 17 plus item 18		80,000
20. Adjusted excess profits net income		290,000
21. Tentative excess profits tax under section 726 (b) (1) and section 710 (a) (1) (A) (90 percent of item 20)		$261,000
22. Less payments made to Maritime Commission		40,000
23. Excess profits tax under section 726 (b) and section 710 (a) (1) (A)		221,000
24. Corporation surtax net income including payment to Maritime Commission		340,000
25. 80 percent of item 22		272,000
26. Total normal tax and surtax (item 35)		21,777.77
27. Tentative excess profits tax under section 726 (b) (1) and section 710 (a) (1) (B) (item 25 minus item 26)		250,222.23
28. Less payments made to Maritime Commission		40,000
29. Excess profits tax under section 726 (b) and section 710 (a) (1) (B)		210,222.23
30. Excess profits tax under section 726 (b) (item 29 or item 23 whichever is the lesser)		210,222.23
31. Excess profits tax under section 726 (item 11 or item 30 whichever is the lesser)		210,222.23
Normal Tax and Surtax for Item 26		
32. Normal tax net income and corporation surtax net income (item 12)		300,000
33. Less credit under section 26 (e) (amount of which $221,000, item 23, is 90 percent)		245,555.56
34. Normal tax net income and corporation surtax net income		54,444.44
35. Normal tax and surtax (40 percent of item 34)		21,777.77

PAR. 5. There is inserted immediately preceding § 30.731–1 the following:

SEC. 226. EXEMPTION FROM TAX OF MINING OF CERTAIN STRATEGIC MINERALS. (Revenue Act of 1942, Title II.)

(a) *Exemption.* Subchapter E of Chapter 2 is amended by inserting after section 730 the following new section:

"SEC. 731. CORPORATIONS ENGAGED IN MINING OF STRATEGIC MINERALS.

"In the case of any domestic corporation engaged in the mining of antimony, chromite, manganese, nickel, platinum, quicksilver, sheet mica, tantalum, tin, tungsten, or vanadium, the portion of the adjusted excess profits net income attributable to such mining in the United States shall be exempt from the tax imposed by this subchapter. The tax on the remaining portion of such adjusted excess profits net income shall be an amount which bears the same ratio to the tax computed without regard to this section as such remaining portion bears to the entire adjusted excess profits net income."

(b) *Taxable years to which amendment applicable.* The amendment made by this section shall be applicable to taxable years beginning after December 31, 1940.

PAR. 5½. Section 30.731–1, as amended by Treasury Decision 5092, approved October 21, 1941, is further amended as follows:

A. By changing the heading and paragraph (a) to read as follows:

§ 30.731–1 *Corporations which mine strategic minerals.* (a) In case a domestic corporation is engaged during a taxable year beginning after December 31, 1939, in mining tungsten, quicksilver, manganese, platinum, antimony, chromite, or tin, or during a taxable year beginning after December 31, 1940, in mining tungsten, quicksilver, manganese, platinum, antimony, chromite, tin, nickel, sheet mica, tantalum, or vanadium (all of which minerals are hereinafter referred to as strategic minerals), within the United States, the portion of its adjusted excess profits net income attributable to such mining is exempt from excess profits tax. The excess profits tax on the remaining portion of such adjusted excess profits net income is an amount which bears the same ratio to the excess profits tax computed without regard to section 731 as such remaining portion bears to the entire adjusted excess profits net income. The excess profits tax for a taxable year beginning before January 1, 1942, computed without regard to section 731 shall be an amount determined under the provisions of section 710 applicable to such year. Such excess profits tax for a taxable year beginning after December 31, 1941, shall be the lesser of

(1) An amount equal to 90 percent of the adjusted excess profits net income (section 710 (a) (1) (A)), or

(2) An amount which when added to the sum of the normal tax and surtax for the taxable year equals 80 percent of the corporation surtax net income computed under section 15 (a) but without regard to the credit under section 26 (e) for income subject to excess profits tax (section 710 (a) (1) (B)). If the excess profits tax for a taxable year beginning after December 31, 1941, computed without regard to section 731 is determined under section 710 (a) (1) (B) and subdivision (2) of this paragraph, the normal tax and surtax for such purposes shall be determined by using as the credit under section 26 (e) in computing normal tax net income and corporation surtax net income the amount of which the tax computed pursuant to section 710 (a) (1) (A) and under section 731 upon the adjusted excess profits net income other than from mining strategic minerals is 90 percent. For the computation of the excess profits tax for a taxable year beginning in 1941 and ending after June 30, 1942, see § 30.710–4 (b).

B. By changing the second sentence of paragraph (b) to read as follows:

For any taxable year, the portion of the excess profits net income attributable to such mining is the gross income derived from strategic minerals and arising out of operations which give rise to "gross income from the property", as defined in § 19.23 (m)–1 (f) of Regulations 103, less the sum of (1) allowable deductions which are directly attributable to such mining for such year, (2) any adjustments made under the provisions of section 711 applicable to such year involving items directly attributable to such mining, and (3) an allocable portion of any deductions partly attributable to such mining and of any adjustments under the provisions of section 711 applicable to such year involving items partly attributable to such mining.

C. By changing that portion of paragraph (c) immediately after subparagraph (3) and immediately preceding the example to read as follows:

The following examples illustrate the computation of the tax in the case of a corporation entitled to the benefits of section 731:

D. By changing the first and second sentences of the example under paragraph (c) to read as follows:

The M Corporation, a domestic corporation which makes its return on a calendar year basis, mines both gold and platinum (a by-product of gold) and reduces the ores containing such metals. For 1941, the corporation has an excess profits credit of $40,000.

E. By adding at the end of paragraph (c) the following new example:

Example. For 1942 the excess profits net income of the M Corporation described in the preceding example attributable to platinum mining is $40,000; that attributable to other activities is $180,000. The normal tax net income and corporation surtax net income computed without regard to the credit under section 26 (e) for income subject to excess profits tax is $200,000. The excess profits tax is $112,314.05, computed as follows:

1. Total excess profits net income		$220,000
2. Less Specific exemption	5,000	
3 Excess profits credit	40,000	
4. Item 2 plus item 3		45,000
5. Adjusted excess profits net income		175,000
6. Less portion attributable to platinum mining ($\frac{40,000}{220,000}$ of 175,000)		31,818.18
7. Remaining portion of adjusted excess profits net income		143,181.82
8 Excess profits tax on adjusted excess profits net income computed without regard to section 731 (90 percent of item 5)		157,500
9 Excess profits tax pursuant to section 710 (a) (1) (A) under section 731 on item 7, i. e., portion of item 8 which bears the same ratio to $157,500 (item 8) as portion of adjusted excess profits net income not attributable to platinum mining (item 7) bears to total adjusted excess profits net income (item 5) ($\frac{143,181.82}{175,000}$ of $157,500) (viz. 90 percent of item 7)		128,863.64
10. Corporation surtax net income computed without credit under section 26 (e) for income subject to excess profits tax		200,000
11. 80 percent of item 10		160,000
12. Total normal tax and surtax (item 19)		22,727.27
13 Item 11 minus item 12		137,272.73
14 Excess profits tax pursuant to section 710 (a) (1) (B) under section 731 on item 7, *i. e.*, portion of item 13 which bears the same ratio to $137,272.73 (item 13) as portion of adjusted excess profits net income not attributable to platinum mining (item 7) bears to total adjusted excess profits net income (item 5) ($\frac{143,181.82}{175,000}$ of $137,272.73)		$112,314.05
15. Excess profits tax under section 731 on portion of adjusted excess profits net income not attributable to platinum mining (item 7) (item 9 or item 14, whichever is the lesser)		112,314.05
Normal Tax and Surtax		
16. Normal tax net income and corporation surtax net income computed without regard to credit under section 26 (e) for income subject to excess profits tax		200,000
17. Less credit under section 26 (e) for income subject to excess profits tax (an amount of which the excess profits tax under section 731 computed without regard to section 710 (a) (1) (B) is 90 percent, i. e., an amount of which $128,863.64 (item 9) is 90 percent (viz. item 7)		143,181.82
18. Normal tax net income and corporation surtax net income		56,818.18
19. Total normal tax and surtax (40 percent of item 18)		22,727.27

PAR. 6. There is inserted immediately preceding § 30.750–1 the following:

SEC. 229. TERMINATION OF SUPPLEMENT B. (Revenue Act of 1942, Title II.)

* * * * *

(b) Sections 750 and 751 (relating to determination of property paid in, etc., in certain cases) shall not apply with respect to any taxable year beginning after December 31, 194 .

PAR. 7. Section 30.750–1 is amended to read as follows:

§ 30.750–1 *Purpose and scope of Supplement B.* The term "Supplement B," when used in these regulations, means sections 750 and 751, and is applicable only to excess profits tax taxable years beginning prior to January 1, 1942. It provides rules relative to the extent to which equity invested capital and borrowed capital are affected by the acquisition of property in an exchange meeting the requirements of section 750 (a) (see section 751[1]). Such rules are applicable in the case of exchanges occurring prior to the beginning of the acquiring corporation's first excess profits tax taxable year beginning prior to January 1, 1942, as well as exchanges occurring after such year but in an excess profits tax taxable year beginning prior to January 1, 1942. The purpose of section 751 is in general to provide a rule for the determination of the extent to which property is paid in for stock in cases involving an assumption of liabilities and the payment of boot, and to prevent a duplication in invested capital in cases where bonds as well as stock are issued as consideration for the transfer of the properties acquired.

PAR. 8. Section 30.750–3 and § 30.750–4 are stricken out.

PAR. 9. There is inserted immediately preceding § 30.751–1 the following:

SEC. 229. TERMINATION OF SUPPLEMENT B. (Revenue Act of 1942, Title II.)

* * * * *

(b) Sections 750 and 751 (relating to determination of property paid in, etc., in certain cases) shall not apply with respect to any taxable year beginning after December 31, 1941.

PAR. 10. There is added immediately after § 30.751–2 the following new section:

§ 30.751–3 *Taxable years to which applicable.* Section 751 and §§ 30.751–1 and 30.751–2 shall be applicable only with respect to taxable years beginning before January 1, 1942.

PAR. 11. There is inserted immediately preceding § 30.752–1 the following:

SEC. 229. TERMINATION OF SUPPLEMENT B. (Revenue Act of 1942, Title II.)

(a) *Retroactive repeal of section 752.*—

(1) Section 752 (relating to highest bracket amount) is repealed as of the date of enactment of the Second Revenue Act of 1940.

* * * * *

PAR. 12. Sections 30.752–1, 30.752–2, 30.752–3, 30.752–4, 30.752–5, 30.752–6, 30.752–7, and 30.752–8 are stricken out.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62) as made applicable by section 729 (a) of the Internal Revenue Code (54 Stat. 789; 26 U.S.C., 729 (a)) and secs. 202, 203, 204, 205 (a), 205 (g) (1), 222 (b), 226, and 229 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.).)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 18, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–4309; Filed, March 20, 1943; 10:05 a. m.]

Subchapter B—Estate and Gift Taxes

[T. D. 5248]

PART 80—ESTATE TAX UNDER THE REVENUE ACTS OF 1926 AND 1932, AS AMENDED

PART 81—REGULATIONS RELATING TO ESTATE TAX[1]

Article 16 of Regulations 80 (1937 ed.) and § 81.16 of Regulations 105 amended.

Article 16 (as amended by Treasury Decision 4966, approved March 5, 1940) of Regulations 80 (1937 edition) [§ 80.16, Title 26, Code of Federal Regulations] and § 81.16 of Regulations 105 [§ 81.16 of such Title 26] are amended by striking out the last paragraph of each.

(Secs. 302 (c) and 1101 of the Revenue Act of 1926 (44 Stat. 70, 111; 26 U.S.C., 1934 ed., 411 (c), 1691), in sec. 403 of the Revenue Act of 1932 (47 Stat. 245, 26 U.S.C., 1934 ed., 537), and in secs. 811 (c), 937, and 3791 of the Internal Revenue Code (53 Stat., Part 1, 121, 143, 467, 26 U.S.C. 811 (c), 937, 3791).)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 19, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–4310; Filed, March 20, 1943; 10:05 a. m.]

[1] 7 F.R. 1429.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1871]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1, and for a change in shipping point for a certain mine in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1 and a change in shipping point for the coals produced by Charles H. Burk at the Burk and Williams Mine, Mine Index No. 739; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the proposal contained in the original petition, with respect to the Burk and Williams Mine, Mine Index No. 789, be, and the same hereby is, denied, for the reason that it now appears that the successor operator of this mine desires the shipping point to remain unchanged.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.]

Mine Index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5
1231	Conner-Haines Big Vein Coal Co. (Henry Conner).	Jackson	43	Big Vein	Lonaconing, Md	W. Md.	67	(1)	(1)	D	(1)	(1)
3229	Evans Coal Co. (R. D. Evans).	Evans Coal Co. #2.	4	B	Limestone, Pa	NYC	30	G	G	G	H	H
3869	Lyda, W. J. (Lyda Coal Co.).	Lyda #3	22	Pgh	Blacklick, Pa	PRR	82			E		
3870	Kniseley Coal Company (Harvey Kniseley).	Kniseley #3	5	E	Knoxdale, Pa	P&S	119			G		
1844	Penn Eleven Coal Company (Feldman C. Hamilton).	Penn Eleven	14	B	Osceola Mills, Pa.	PRR	45			E		
3774	Freskvich, Andy	Haupt Stripping	*	D	Gillintown, Pa	NYC	44			D		
3491	Frushnok, J. P. (The Arendia Co.).	Frushnok Stripping #1.	12	C	Hooverhurst, Pa	NYC	41	G	G	G	G	G
192	Frushnok, J. P. (The Arendia Co.).	Frushnok Stripping #2.	12	D	Hooverhurst, Pa	NYC	44	G	G	G	G	G

(1) Indicated no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	Size groups: All lump, coal double screened, top size 2" and under	Double screened, top size 2" and under	Run of mine modified R/M	2" and under slack	1" and under slack
						1		3	4	5
Albright, Charles Levi	377	All right	4	Adelaney	B. V	(1)	(1)	230	(1)	(1)
Evans Coal Co. (R. D. Evans).	3229	Evans Coal Co. #2	4	Clarion	B	260	235	235	220	210
Feresy, Maxwell, Jr	3828	Feresy	5	Clearfield	B	(1)	(1)	245	(1)	(1)
Jano, Steve	3821	Steve Jano	5	Somerset	D	(1)	(1)	207	(1)	(1)
Kniseley Coal Company (Harvey Kniseley).	3870	Kniseley #3	5	Jefferson	E	(1)	(1)	230	(1)	(1)
Musser, D. J.V.	3905	Musser	41	Somerset	Pittsburgh	(1)	(1)	255	(1)	(1)
Nightingale, Thomas (Nightingale Coal Co.).	3820	Nightingale #2	40	Somerset	D			235	(1)	(1)
Penn Eleven Coal Company (Feldman C. Hamilton).	3844	Penn Eleven	14	Clearfield	B	(1)	(1)	245	(1)	(1)
Trushnok, J. P. (The Arendia Co.).	3831	Frushnok Stripping #1.	12	Jefferson	C'	260	235	235	225	215
Trushnok, J. P. (The Arendia Co.).	3902	Frushnok Stripping #2.	12	Jefferson	D	260	235	235	225	215

(1) Indicates no classification effective for these size groups.

[F. R. Doc. 43-4238; Filed, March 19, 1943; 10.09 a. m.]

[Docket No. A-1881]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, and § 323.8 (*Special prices—(b) Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R-II. § 323.8 (*Special prices—(c) Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplement R-III, and § 323.23 (*General prices*) is added by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping points and freight origin group numbers appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the shipping points and freight origin group numbers heretofore established for these mines.

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, and § 323.8 (*Special prices—(b) Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R-II. § 323.8 (*Special prices—(c) Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplement R-III, and § 323.23 (*General prices*) is added by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping points and freight origin group numbers appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the shipping points and freight origin group numbers heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.]

Mine Index No.	Code member	Mine name	Seam	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2903	Blaho Coal Company (Thomas Blaho, Sr.)	Blaho (s)	Pittsburgh	80	F	F	F	E	E	E	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
3883	McGlynn, Robert J. (MacFarlane Coal Co.)	McGlynn #1 (s)	Pittsburgh	70	G	G	G	H	H	H	H	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)
1361	McGlynn, Thos. E.	McGlynn #1 (d)	Pittsburgh	70	D	D	C	C	C	C	C	C	C	C	(1)	A	A	C	D	D
2287	McKotta, John Sr. (McKotta Coal Co.)	McKotta (S & d)	Pittsburgh	73	D	D	C	C	C	C	C	C	C	C	(1)	A	A	C	D	D
2690	Trio Coal Company (Nathan Cyse)	Trio (s)	Pittsburgh	73	D	D	C	C	C	C	C	C	C	C	(1)	A	A	C	D	D

(1) Indicates no classification effective for these size groups. Group No. 1: 2267, 2690 Group No. 2: 2038; Group No. 7: 2403; Group No. 14: 1361.

* Change in name.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Subdistrict No.	Shipping point	Base sizes: Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Stove 1" x 4"	Egg 2" x 4"	Run of mine	2" x ⅜"	⅜" slack	1¼" slack	¼" slack
						1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY																
MacFarlane, Robert (MacFarlane Coal Co.)	3883	Priness Farm	Pittsburgh	3	Outcrop, Pa	295	285	275	255	255	250	240	235	225	220	190
Quattrone, Philip	2631	Philip Quattrone	Pittsburgh	3	Oakdale, Pa	320	310	300	280	280	270	260	255	245	240	190
FAYETTE COUNTY																
Bohunicky & Byers Coal Co. (John Bohunicky).	2681	B. & B.	Pittsburgh	3	Outcrop, Pa	310	300	290	270	270	260	240	235	225	220	195
Isner, Paul F.	2849	Nelson	Freeport	3	Connellsville, Pa	305	295	285	265	265	255	235	225	215	210	190
Kilbane, Mike	2547	Kilbane	Pittsburgh	3	Vanderbilt, Pa	300	290	280	260	260	245	230	220	210	205	190
WASHINGTON COUNTY																
Margaretti, Alexis	2626	Al's	Pittsburgh	9	Dravo, Pa	305	295	285	265	265	250	230	225	215	210	190
Quattrone, Ralph & Crompton Coal Co. (Anthony J. Ritz).	2640	Wilson's Point	Pittsburgh	9	Dravo, Pa	310	300	290	270	270	260	240	235	225	220	195
WESTMORELAND COUNTY																
Hegyi, Edward	2624	Hegyi #2	Redstone	3	Redstone, Pa	285	275	265	245	245	235	215	210	200	190	180
Kemik, Paul W.	2683	Kemik #2	Pittsburgh	3	Pittsburgh, Pa	310	300	290	270	270	260	240	235	225	220	195

[F. R. Doc. 43-4239; Filed, March 19, 1943; 10.09 a. m.]

after set forth and hereby made a part

ceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 5, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
558	Adams & Guiliani Coal Co. (C. E. Adams).[1]	Cook	Bakerstown	Newburg, W. Va.[2]	B&O	70	G	G	G	G	G	G	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1389	Burress, H. C. (Delta Coal Co.)	Colfax #3 (S)	Pittsburgh	Clark, W. Va.	B&O	80	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
125	Calder Coal Sales Company, The[1]	Calder #2	Pittsburgh	Hope Mountain, W. Va.	B&O	82	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1390	Consolidation Coal Company	Consol #35-A (S)	Pittsburgh	Laura Lee Mine, W. Va.	B&O	62	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1391	Consolidation Coal Company	Consol #50-A (S)	Pittsburgh	Limestone, W. Va.	B&O	211	J	J	J	J	J	J	J	J	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)
481	Malone Coal Co. (M. R. Malone).[1]	Malone #1	H. V. Kitt	Meadow, W. Va.[2]	B&O	211	J	J	J	J	J	J	J	J	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)
45	Redwood Coal Mining Co.	Redwood #2	Sewell	Holcomb, W. Va.[2]	WVA	211	J	J	J	J	J	J	J	J	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)
756	Reitzone, Charles W.	Nellie #1	W. V. Pocs	Irma, W. Va.	B&O	50	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
910	Shaffer, R. S.[1]	Shaffer	Pittsburgh	Kinemont, W. Va.[2]	B&O	50	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)

Note: Mine Index Nos. 391 and 393 of Kittle, Frank G., Receiver, Purity Coal Company, consolidated with Mine Index No. 125, Calder Coal Sales Co., The, and are no longer applicable.
Mine Index No. 1389 prices are applicable only via the respective Freight Origin Groups, Shipping Points and Railroads previously assigned to this mine. Mine Index No. 125, Calder Coal Sales Co., The, prices are applicable only via the respective Freight Origin Groups, Shipping Points, and Railroads shown for the respective mines.
To these mines are no longer applicable.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes ports*—Supplement R-III.

Note: For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule No. 1: Group No. 1: 125, 145, 910, 1389, 1390, 1391; Group No. 3: 481, 716; Group No. 5: 455; Group No. 6: 558.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R-II.

Note: For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule No. 1. Group No. 1: 125, 145, 910, 1389, 1390, 1391; Group No. 3: 481, 716; Group No. 5: 455; Group No. 6: 558.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Seam	County	Size groups 1	2	3	4	5	6	7
Adams & Guiliani Coal Co. (C. E. Adams).[1]	558	Cook	Bakerstown	Preston	Lump over 2", egg over 2", bottom size	Lump 2", egg 2", bottom size but over 1¼"	Lump 1¼" and under, egg 1¼" and under, bottom size	All nut and pea 2" and under	Run of mine, resultant over 2"	1¼" and 2" slack	¾" slack
Burress, H. C. (Delta Coal Co).	1389	Colfax #3 (S)	Pittsburgh	Marion	243	238	238	213	213	198	188
Calder Coal Sales Company, The.[1]	125	Calder #2	Pittsburgh	Barbour	243	238	238	213	213	198	188
Consolidation Coal Company.	1390	Consol. #35-A (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Consolidation Coal Company.	1391	Consol. #50-A (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Malone Coal Co. (M. R. Malone).[1]	481	Malone #1	H. V. Kitt	Barbour	228	223	223	198	198	183	173
Shaffer, R. S.[1]	910	Shaffer	Pittsburgh	Harrison	243	238	238	213	213	198	188

[1] Change in name only.

Note: Mine Index No. 391 and Mine Index No. 393 of Kittle, Frank G., Receiver Purity Coal Company, consolidated with Mine Index No. 125, Calder Coal Sales Company, The, and are no longer applicable.

[F. R. Doc. 43-4240; Filed, March 19, 1943; 10:10 a. m.]

[Docket No. A-1836]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; for changes in shipping points of certain mines; and requesting the establishment of an additional price instruction in the schedule of effective minimum prices for District No. 4 for all shipments except truck.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4, and for changes in shipping points for the coals of certain mines in District No. 4; and further requesting the establishment of an additional price instruction in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, which would permit all coal going through any one of several preparation plants listed in said petition to be invoiced as having originated at said preparation plant irrespective of whether such coals were produced at the mine of which such preparation plant is not a part; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the matter hereinafter set forth, and that the following action is necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and, commencing forthwith, the shipping points, Freight Origin Group numbers and Railroad Fuel Price Group numbers appearing in the aforesaid Supplement R for certain mines are effective in lieu of the shipping points, Freight Origin Group numbers and Railroad Fuel Price Group numbers heretofore established for said mines.

It is further ordered, That, commencing forthwith, all references appearing in § 324.7 (*Alphabetical list of code members*) § 324.8 (*Numerical list of mines*), § 324.2 (*Seasonal discounts*), § 324.9 (*Recapitulation of price classifications*) § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*), and § 324.24 (*General prices in cents per net ton for shipment into all market areas*), as amended by the order issued in Docket No. A-1504 (7 F.R. 5857) for the West Point Mine, Mine Index No. 441, operated by Bozzo Coal Company (Emory Torrence) be, and the same hereby are, deleted therefrom, for the reason that said mine is now classified and priced in the aforesaid sections, as amended by the order issued in Docket No. A-1648 (7 F.R. 9116), as Mine Index No. 3048, operated by Marshall Mining Company.

No relief is granted herein as to the coals of the Kennard Mine (Mine Index No. 75) of Kennard Coal Company, or to the coals of the Walton Mine (Mine Index No. 805) of Isam Walton, for the reason that petitioner has requested in a letter dated February 8, 1943, that the request made in its original petition for changes in shipping points for the coals of Mine Index No. 75 and Mine Index No. 805 be deleted from said petition.

No relief is granted herein as to that part of the petition requesting the establishment of an additional price instruction to be added to the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, which would permit all coal going through any one of several preparation plants listed in said petition to be invoiced as having originated at said preparation plant irrespective of whether such coals were produced at the mine of which such preparation plant is a part, for the reasons set forth in the order issued this day designating the portion of Docket No. A-1836 relating to such relief as Docket No. A-1836 Part II.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railroad loading facilities, showing price classification by price group numbers]

Mine index No.	Code member	Mine name	Seam	Type	Subdistrict No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No.	
										On line	Off line
813	Boyle Brothers	Boyle Bros	6	Deep	5	New Straitsville	22	C&O	21	103	201-203
440	Bozzo Coal Company (Emory Torrence)	Hilltop	6 and 7	Strip	4	Lisbon [2]	71	Erie	72	[2] 108	202-204
3120	Bozzo Coal Company (Emory Torrence)	Hilltop #2	6 and 7	Strip	4	Lisbon	71	Erie	72	[2] 107	201-203
1368	Callahan Mining Company	Callahan	6	Deep	4	Lisbon [2]	171	Erie [2]	53	101	201-203
752	56 Coal Co. (John H. Ossman)	56 Coal Co	6	Deep	5	Mineral	41	B&O	53	101	201-203
840	Johnson, A. R. (Hope Hollow Coal Co.)	Hope Hollow	6	Deep	5	Mineral [2]	171	Erie [2]	72	[2] 108	202-204
3048	Marshall Mining Company	West Point	6 and 7	Strip	4	Lisbon [2]	20	B&O	3	102	202-204
3102	Williams, R. C. (R. C. Williams Coal Co.)		8	Strip	1	Bellaire	22	C&O	24	103	201-203
3119	Wolfe, F. H., Coal Co. (F. H. Wolfe)	Wolfe #2	7	Deep	5	Floodwood	73	PL&W	72	115	202-204
1448	Youngstown Sheet & Tube Company, The	Elk Run	6	Strip	4	Negley					

[1] Change in freight origin group number.
[2] Change in shipping point changes railroad price group number.
[3] Change in shipping point—No change in price group number.

NOTE.—Shipping points established in previous dockets shall no longer be applicable to the above mines granted a change in shipping point herein. Freight origin group previously assigned mines with Index Nos. 440, 1368 and 3048 are no longer applicable.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member	Mine	Mine index No.	Type	Seam	Base sizes							
					6" lump	3"-4"-5" lump	2" lump	2" x 3" egg, 2" x 3" egg	1¼" x 2" egg, 1¼" x 2" lump	Mine run, nut and pea	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—EASTERN OHIO												
BELMONT COUNTY												
Williams, R. C. (R. C. Williams Coal Co.)		3102	Strip	8	295	285	270	245	240	230	210	200
SUBDISTRICT NO. 2—CAMBRIDGE												
WASHINGTON COUNTY												
Kapis, Mike	Waller	3094	Deep	8	290	280	265	240	240	240	220	210
NOBLE COUNTY												
Oliver, Cliff	Sparling	3105	Deep	8	290	280	265	240	240	240	220	210
SUBDISTRICT NO. 3—BERGHOLZ												
JEFFERSON COUNTY												
Freshwater, Harry O		3095	Deep	8	305	295	280	255	250	240	220	210
SUBDISTRICT NO. 4—MIDDLE												
COLUMBIA COUNTY												
Bozzo Coal Company (Emory Torrence)	Hilltop #2	3120	Strip	6 & 7	320	310	295	270	265	245	225	215
COSHOCTON COUNTY												
Holskey, James L	Holskey	3091	Deep	6	300	290	280	255	250	215	185	175
Sirchel, William		3099	Deep		300	290	280	255	250	215	185	175

§ 324.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member	Mine	Mine index No.	Type	Seam	Base sizes							
					6" lump	3"-4"-5" lump	2" lump	2" x 3" egg, 2" x 3" egg	1¼" x 2" lump, 1¼" x 2" egg	Mine run, nut and pea	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT NO. —MIDDLE—Con.												
HARRISON COUNTY												
Stauffer, O. S. (Plum Run Coal Co.) [1]	Plum Run	605	Deep		295	285	270	245	240	240	210	200
STARK COUNTY												
Menogay N. L.	Oak Ridge	3121	Deep	6	295	285	270	255	255	240	210	200
SUBDISTRICT NO. 5—HOCKING												
ATHENS COUNTY												
Wolfe, F. H., Coal Co. (F. H. Wolfe)	Wolfe #2	3119	Deep	7	300	290	280	255	250	215	185	175
SUBDISTRICT NO. 7—JACKSON												
JACKSON COUNTY												
Huggins, John H	Huggins	3107	Deep	2	315	305	295	270	265	215	195	185
Landrum, P. R	Landrum	3096	Deep	1	315	305	295	270	265	215	195	185
Wyatt, Oscar & Son (Ralph Wyatt)	Wyatt	3106	Deep		315	305	295	270	265	215	195	185
LAWRENCE COUNTY												
Moore, Albert	Moore	3111	Deep	5	315	305	295	270	265	215	195	185
VINTON COUNTY												
Bradley Coal Co. (Oscar Bradley)	Bradley	3114	Deep	5	315	305	295	270	265	215	195	185
SUBDISTRICT NO. —POMEROY												
GALLIA COUNTY												
Potter, Grant	Taylor	3092	Deep	8	315	305	295	270	265	215	160	160

[1] Priced and classified in a previous Docket in Subdistrict 1 instead of Subdistrict 4.

[F. R. Doc. 43-4241; Filed, March 19, 1943; 10:10 a. m.]

[Docket No. A-1873]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for rail and truck shipments; and for a change in the shipping point for the coals of the Paskell Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for certain mines located in District No. 4, and a change of the freight origin group number and the shipping point for the coals of the Paskell Mine, Mine Index No. 104, of A. W. Paskell (Twin Coal Company), located in District No. 4; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the freight origin group number and the shipping point appearing in the aforesaid Supplement R for the coals of the Paskell Mine, Mine Index No. 104, of A. W. Paskell (Twin Coal Company), is effective in place of the freight origin group number and the shipping point heretofore established for this mine.

The petition proposed minimum f. o. b. mine prices for truck shipment for the coals produced at the Crow Hollow No. 3 Mine of the Jefferson Coal Company, which had been effective prior to the order issued in General Docket No. 21 on August 28, 1942, 7 F.R. 6943. This order increased the effective minimum prices 20 cents per net ton, effective October 1, 1942, and this increase is reflected in the minimum f. o. b. mine prices established by this order for these coals.

No relief is granted herein for the coals to be produced by W. J. Eaton (Pine Hollow Coal Company) at a new stripping operation which is designated in the petition as the Gray Bros. Mine for the reason that this operation is a part of the operation designated as Mine Index No. 326 and these coals will take the price classifications and minimum prices which have been established for such coals, in the order issued in Docket No. A-1182 on January 6, 1942.

The petition proposed minimum f. o. b. mine prices for truck shipments for the coals to be produced at the North Lima No. 2 Mine of The East Fairfield Coal Company which are not in accordance with those applicable to comparable coals produced in Mahoning County in District No. 4. The prices established by this order for the North Lima No. 2 Mine of The East Fairfield Coal Company are the same as those established for comparable coals produced in Mahoning County in District No. 4.

The petition proposed a minimum f. o. b. mine price of $1.65 per net ton for the Size Group No. 8 coals produced by George W. Riffle at the Riffle Mine, Mine Index No. 3108, for truck shipment, which price is lower than that established for analogous coals produced in Vinton County, Subdistrict No. 7, of District No. 4. Therefore, a price of $1.85 per net ton, which is the minimum price for analogous coals produced in Vinton County, in Subdistrict No. 7, of District No. 4, has been established in this order for these coals.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railroad loading facilities, showing price classification by price group numbers]

Mine index No.	Code member	Mine name	Seam	Type	Subdistrict No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No.	
										On line	Off line
946	Baker, Ivan	Badger	6	Deep	6	Crooksville	52	NYC	42	110	201-203
3126	Brownfield, Chas. W. (Brownfield Coal Company)	Brownfield #1	6	Deep	6	Moxahala	33	NYC	42	110	201-203
780	Dew, C. G. (Phoenix Coal Co.)	Phoenix Coal Co	6	Deep	5	Nelsonville	22	C&O	21	103	201-203
3104	East Fairfield Coal Company, The	North Lima #2	5	Strip	4	Willowcrest	71	Y&S	72	120	202-204
3132	Jefferson Coal Co., The	Crow Hollow #3	8	Strip	1	Smithfield	11	NYC	3	111	202-204
3129	Johnson Mining Company (I. F. Stith)	Johnson #1	8	Strip	1	Bluemeville (Official)	18	W&LE	3	119	202-204
1501	Kleen Coal Company	Kleen Coal Co	6	Strip	4	Coshocton	55	W&LE	68	119	202-204
104	Paskell, A. W. (Twin Coal Company)	Paskell	6	Deep	6	Roseville	34	PRR	12	[2] 112	201-203

For classification see § 324.9 in Minimum Price Schedule for District No. 4.
[1] Change in shipping point changes railroad price group number.
[2] Change in freight origin group number.

NOTE: Shipping point and freight origin group numbers established in previous docket shall no longer be applicable to Mine Index No. 104.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas—* Supplement T

Code member	Mine	Mine index No.	Type	Seam	Base sizes: 6" lump	3" x 6" lump	2" lump	2" x 6" egg, 3" x 6" egg	1¼" x 6" egg, 1¼" x 3" egg	Mine-run and mine-run	2" x 0 slack	3/4" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—EASTERN OHIO												
BELMONT COUNTY												
Johnsen Mining Company (E. F. Smith)	Johnsen #1	3129	Strip		8	295	285	270	245	240	230	210	200
JEFFERSON COUNTY												
Jefferson Coal Co., The	Crow Hollow #3	3132	Strip		8	295	285	270	245	240	230	210	200
SUBDISTRICT NO. 2—CAMBRIDGE												
NOBLE COUNTY												
Ewank, John Cleveland	Steamtown	3118	Deep		9	290	280	265	240	240	240	220	210
SUBDISTRICT NO. 4—MAUDE												
COLUMBIANA COUNTY												
Evans Coal Co. (Evan E. Evans)	Evans Coal Co	3117	Strip		3	320	310	295	270	265	245	225	215
Ferris Tony	Ferris Coal Co	3133	Strip		7	320	310	295	270	265	245	225	215
MAHONING COUNTY													
East Fairfield Coal Company, The	North Lima #2	3134	Strip		5	320	310	295	270	265	255	225	215
STARK COUNTY													
Metro Coal & Limestone, Inc	Metro #8	3130	Strip		5 and 6	295	285	270	255	255	230	210	200
SUBDISTRICT NO. 5—CROOKSVILLE													
PERRY COUNTY													
Brownfield, Chas W (Brownfield Coal Company)	Brownfield #1	3126	Deep		6	300	290	280	255	250	215	185	175
SUBDISTRICT NO. 7—JACKSON													
VINTON COUNTY													
Cartright, Roy	Little Virginia	3109	Strip		2	315	305	295	270	265	215	195	185
Elwerts M A	Elwerts Strip	3110	Strip		3	315	305	295	270	265	215	195	185
Morris, Seth	Carr Farm	3116	Deep		5	315	305	295	270	265	215	195	185
Riffle, George N	Riffle	3108	Deep			315	305	295	270	265	215	195	185

[F. R. Doc. 43-4242; Filed, March 19, 1943; 10:09 a. m.]

[Docket No. A-1858]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for changes in shipping points for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting changes in shipping points for the coals of certain mines in District No. 2; and requesting an additional shipping point for the coals of the Farren Mine of Tri-County Fuel Company in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping points	Railroad	Freight origin group No.	Size group No.: 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2417	Bernal Coal Company (H. A. Wonderly)*	Onelda #4*	U. Freeport	1	Utley, Pa.*	WA	*25		F	F	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
					Oneida, Pa.	B&LE			F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
330	Campbell, Charles E	Maude	Pittsburgh	7	Treveskyn, Pa.*	PRR	74		C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2578	Keefer, W. Jackson Coal Company)	Jackson (s)	Pittsburgh	7	Carnegie, Pa.*	PRR	74		C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2322	Tri-County Fuel Co. (J. H. Tuller)*	Farren	Kittanning	1	Nichols, Shilling, Annamabile, Pa.*	WA																	
						B&LE	*25		F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)

NOTE: In § 322.9 (c) in minimum price schedule add these mine index numbers in the groups shown:

Group No.	Mine Index No.
2	2322
3	2417

†Indicates no classification effective for these size groups.
*Indicates change.

NOTE: Mine Index No. 836 previously assigned was in error and is no longer effective.
NOTE: The above prices are for shipment via rail transportation to all shipping points and railroads shown for the respective mines. Freight origin groups, Shipping points and railroads previously assigned to these mines are no longer applicable.

[F. R Doc. 43-4243; Filed, March 19, 1943; 10:08 a. m.]

[Docket No. A-1846]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 18.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in Subdistricts 1 through 8 in District No. 18 for shipment by rail to all market areas to which such coals have not heretofore been priced; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

The following minimum f. o. b. mine prices shall be inserted in § 338.5 in Minimum Price Schedule for District No. 18, as amended, for mines in Sub-Districts 2 through 8, for which minimum prices for rail shipments to certain market areas have heretofore been established, and shall apply for rail shipments to all market areas other than those market areas specifically enumerated for the respective sub-districts, as set forth in § 338.5 in Minimum Price Schedule for District No. 18, as amended.

§ 338.5 *General prices; minimum prices for shipment via rail transportation.*—Supplement R.

	Size groups: 1	2	3	5	6	7	8	9	10	11	12	13	14	15
SUBDISTRICT NO. 2—CARROLLS														
All other market areas	400	-	380	385	365	340	315	290	-	265	185	145	340	340
SUBDISTRICT NO. 3—LAVENIA														
All other market areas	-	380	-	-	-	-	315	215	--	145	-	115	365	340
SUBDISTRICT NO. 4—RIO ARRIBA														
All other market areas	465	415	-	-	-	-	-	-	-	175	-	-	-	265
SUBDISTRICT NO. 5—WHITE OAKS														
All other market areas	-	515	-	-	-	-	365	-	315	-	215	-	-	415

	Size groups														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SUBDISTRICT NO. 6—CARTHAGE															
All other market areas		415				365		315	280			185	165		365
SUBDISTRICT NO. 7—HAGAN															
All other market areas		415						315	280		205	185	140		
SUBDISTRICT NO. 8—SAN JUAN															
All other market areas		265							165	115	65				215

[F. R. Doc. 43-4244; Filed, March 19, 1943; 10:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 603—SELECTIVE SERVICE OFFICERS

[Amendment 140, 2d Ed.]

APPOINTMENT OF DIRECTOR FOR NEW YORK CITY

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 603.12-1 to read as follows:

§ 603.12-1 *Director of Selective Service for New York City may be appointed.* Subject to the approval of the Director of Selective Service, the Governor of New York is authorized to recommend for appointment a second official to whom he may delegate his administrative functions relating to all selective service matters within the city of New York. This second official, hereinafter referred to as the "City Director," if so recommended and appointed, shall have jurisdiction in all selective service matters within the city of New York and in connection therewith shall have all the functions, duties, powers, and responsibilities of a State Director of Selective Service. If and when the City Director is appointed, the State Director of Selective Service for New York shall be relieved from his responsibilities and his functions, duties, and powers with reference to selective service matters within the city of New York: *Provided, however*, That the City Director shall continue to be subject to such supervision of the State Director of Selective Service as the Governor of New York shall direct, but not otherwise.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 19, 1943.

[F. R. Doc. 43-4318; Filed, March 20, 1943; 11:10 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 34]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

In the column headed "Shipping Priority Rating" the shipping priority ratings assigned to the commodities listed below, at every place where said commodities appear in said section, are deleted and in the column headed "General License Group" the group designations assigned to the commodities listed below, at every place where said commodities appear in said section, are amended to read as follows:

Commodity	Department of Commerce No.	General license group
Animal and animal products, inedible:		
Animal products, inedible, n. e. s.	0969.98	C
Animals, edible:		
Cattle for breeding	0012.01	C
Cattle, other	0012.05	C
Hogs (swine)	0013.00	C
Poultry, live	0020.00	C
Sheep (include Karakul sheep)	0010.00	C
Animal products, edible:		
Egg albumen	0098.01	C
Egg products, dried	0093.02	C
Egg products, frozen	0094.07	C
Egg products, otherwise preserved	0095.98	C
Eggs, in the shell	0092.00	C
Gelatin	0165.00	C
Meat extracts and bouillon cubes	0094.00	C
Animal products, inedible, other (exc. Rennet)	0096.00	C
Beverages:		
Fruit juices, other	1779.00	C
Malt extract and malt syrup	1701.00	C
Malt liquors, in bottles	1702.00	C
Malt liquors, in cans	1703.00	C
Malt liquors, in other containers	1704.00	C
Chemicals:		
Ammonium sulphate	$705.00	None
Calcium cyanamide	$709.00	None
Calcium nitrate	$85.00	None
Fertilizer materials, nitrogenous, n. e. s. (include ammonium chloride and ammonium nitrate)	$709.98	None
Fertilizer mixtures, prepared, n. e. s. (state ingredients)	$71.98	None
Fertilizers, nitrogenous organic waste materials	$40.00	None
Fertilizers, nitrogenous phosphatic types (include ammonium phosphate)	$40.00	None
Fertilizers, prepared mixtures (mixtures containing 25% or more ammonium nitrate, ammonium sulphate, ammonium sulphate, sodium nitrate, or urea) (report percentage of foregoing constituents in mixtures)	$551.05	None
Phosphatic fertilizer materials, phosphate materials, n. e. s. (include bone-ash dust and meal, sintered matrix, and animal carbon for fertilizer, basic slag, South Cardina river rock, castor pomace, etc.)	$520.00	None
Potassic fertilizer materials, n. e. s. (25% K_2O content equivalent)	$531.98	None
Potassic fertilizer materials, other than potassium chloride and potassium sulphate, containing 27% or more potassium oxide (K_2O) equivalent (25% K_2O content equivalent)	$531.05	None
Potassium chloride (muriate)	$531.01	None
Potassium sulphate	$531.03	None
Sodium nitrate, n. e. s.	$509.18	None
Superphosphate standard phosphate superphosphate 20%, available phosphoric acid equivalent (include acidulated phosphate)	$519.00	None
Urea	$509.25	None
	$385.25	
Dairy products:		
Buttermilk	0099.00	C
Cheese, processed	0067.25	C
Cheese, other (include in original loaves)	0067.00	C
Infants' food, malted milk, etc.	0069.00	C
Milk and cream, condensed (sweetened)	0061.00	C
Milk and cream, dried skimmed	0064.00	C
Milk and cream, dried whole milk	0063.00	C
Milk and cream, evaporated (unsweetened)	0062.00	C
Milk and cream, fresh and sterilized	0060.00	C
Dog food	0099.00	C
Fish:		
Clams and oysters, canned	0088.05	C
Crab meat and crabs, canned	0088.06	C
Lobster, canned	0088.01	C
Shellfish, canned, other	0088.98	C
Shrimp, canned	0087.03	C
Fruits—fresh and subtropical:		
Apples in barrels	1312.00	C
Apples in baskets	1310.00	C
Apples in boxes	1311.00	C
Apricots	1316.10	C
Berries	1317.00	C
Cherries	1308.00	C
Dates, fresh	1331.00	C
Grapefruit	1302.00	C
Grapes	1315.00	C
Lemons and limes	1303.00	C
Oranges and tangerines	1305.00	C
Peaches	1317.00	C
Pears	1316.00	C
Pineapples	1306.00	C
Prunes and plums	1318.00	C
Watermelons	1314.10	C
Melons, n. e. s.	1314.50	C
Fruit, fresh other	1319.50	C
Meat products:		
Beef, canned corned, hash, hamburger, steak	0036.15	C
Beef, canned, other (include beef and ox tongues)	0036.00	C
Beef, fresh or frozen	0029.01	C
Beef, pickled or cured	0031.01	C
Beef, roast or boiled	0030.15	C
Chicken, canned	0039.01	C
Mutton and lamb	0034.00	C
Pork bacon (include all pickled sides, n. e. s. and backs)	0032.00	C
Pork, canned	0035.00	C
Pork, Cumberland and Wiltshire sides	0040.00	C
Pork, fresh or frozen	0027.01	C
Pork, ham and shoulder, cured	0028.00	C
Pork, other, pickled or salted	0033.00	C
Sausage, bologna and frankfurters, canned	0038.00	C
Sausage ingredients, salted or otherwise cured	0041.00	C
Sausage, bologna, and frankfurters, not canned	0037.00	C
Veal, fresh or frozen	0040.00	C
Veal, pickled or cured	0021.00	C
Other canned meat	0039.98	C
Other meat (include smoked poultry)	0042.00	C
Sugar and related products:		
Chewing gum	1639.00	C
Glucose, dry	1644.00	C
Glucose, liquid	1643.00	C
Synthetic textiles:		
Nylon, hosiery, women's and children's	8854.10	C

[1] 8 F.R. 1494, 1616, 1709, 1879, 2146, 2187, 2327, 2415, 2749, 2773, 2966, 3082, 3160.

Commodity	Department of Commerce No.	General license group
Vegetables and preparations:		
Beans, dry or ripe	1201.10	C
Ketchup, chile sauce, and other tomato table sauces	1251.00	C
Peas, dry or ripe	1202.10	C
Seed beans	1201.50	C
Seed peas	1202.50	C
Vegetable preparations, other	1259.98	C
Vegetables, dehydrated	1259.03	C
Vegetables and juices, canned, other	1249.00	C

Shipments of the above commodities for which Office of Defense Transportation permits have been issued or which are on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under the previous general license provisions.

This amendment shall become effective March 24, 1943.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 19, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-4254; Filed, March 19, 1943; 11:24 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 937—ZINC

[General Preference Order M-11-a as Amended March 20, 1943]

Section 937.2 *Supplementary Order M-11-a* is hereby amended to read as follows:

§ 937.2 *General Preference Order M-11-a*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Zinc oxide" means all grades of zinc oxide, including lead free and leaded, produced from ores, concentrates, metallic zinc, or other primary material and from scrap, dross, ashes, skimmings or other secondary material.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(3) "Producer" means any person producing zinc oxide and any person who has zinc oxide produced for him under toll agreement.

(c) *Restrictions*—(1) *Allocated production.* Each producer of zinc oxide shall set aside from his production each month quantities of zinc oxide, to be determined from time to time by the Director General for Operations, to be delivered only upon express direction of the Director General for Operations.

(2) *Other production.* Each producer of zinc oxide shall ship all his production not set aside pursuant to paragraph (c) (1) so that each customer will receive an equal percentage of the producer's commitments to him.

(d) *Exception.* Notwithstanding the provisions of paragraph (c), a producer may satisfy his commitments to any one customer in full up to but not exceeding 2,000 pounds of zinc oxide during any one month.

(e) *Applications for allocations.* Any person who in any month cannot otherwise obtain zinc oxide in quantities required to fill his preference rated orders may apply for an allocation of zinc oxide for that month by filing with the War Production Board, Ref: M-11-a not later than the 15th of the month preceding the month in which the allocation is desired, an application on Form PD-62.

(f) *Interdepartmental shipments.* The restrictions, limitations and prohibitions in paragraph (c) of this order shall apply to any shipments of zinc oxide from any producing branch, division or department of any business enterprise to another branch, division or department in the same or any other business enterprise owned or controlled by the same person.

(g) *Limitation of inventories.* Unless specifically authorized by the Director General for Operations, no person shall knowingly make delivery of zinc oxide, and no person shall accept delivery thereof, if the inventory of zinc oxide of the person accepting delivery is, or will by virtue of such acceptance become, in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the person accepting delivery, on the basis of his current method and rate of operation.

(h) *Addressing of communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Zinc Division, Washington, D. C., Ref: M-11-a.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Effective date.* This amended order shall take effect January 1, 1943.

Issued this 20th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4312; Filed, March 20, 1943; 11:09 a. m.]

PART 1099—BEDS, SPRINGS AND MATTRESSES

[Interpretation 1 to Limitation Order L-49, As Amended February 23, 1943]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1099.1, General Limitation Order L-49, as amended February 23, 1943:

Some question has arisen as to the effect of L-49 upon the repair and renovation of used coil, flat, and fabric bedsprings. Paragraph (a) (5) of L-49 defines a manufacturer as "any person who manufactures or assembles bedding products . . ." and paragraph (a) (6) defines a renovator as "any person who repairs used bedding products."

Persons who obtain new or used parts, or used bedsprings, which they tear down completely and which they thereafter reassemble into bedsprings are engaged in manufacturing operations regardless of the fact that only used parts may be involved. As manufacturers they become subject to weight and quota limitations on bedsprings contained in L-49. Persons who take used bedsprings and remove only worn parts of such springs which they replace with either new parts or parts which have been used in bedsprings other than the specific ones being repaired are renovators and as such are not subject to any restrictions contained in L-49.

Issued this 20th day of March, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4313; Filed, March 20, 1943; 11:09 a. m.]

PART 1107—TRACK-LAYING TRACTORS AND AUXILIARY EQUIPMENT

[Supplementary General Limitation Order L-53-b as Amended March 20, 1943]

REPAIR PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain repair parts necessary to service track-laying tractors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1107.3 *Supplementary General Limitation Order L-53-b*—(a) *Definitions.* (1) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads, obtaining traction and steered by a full crawler or track-type device but

does not include Ordnance models of tank-type construction such as models M–2, M–4 and M–5.

(2) "Repair part" means:

(i) Any part manufactured for use in the repair of track-laying tractors, but shall not mean parts sold to other manufacturers for manufacturing purposes.

(ii) Tools which bear a producer's standard parts number and which are used in servicing track-laying tractors or attachments.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(4) "Producer" means any person engaged in the manufacture of track-laying tractors and repair parts.

(5) "Domestic dealer or distributor" means any person located within the United States or Canada who by a written agreement with a producer has been granted a sales territory for the sale of repair parts within the United States or Canada.

(6) "Export dealer or distributor" means any dealer or distributor who by written agreement with a producer has been granted a sales territory for the sale of repair parts outside the United States and Canada.

(7) "Certificate of minimum requirements" means a declaration in writing by a purchaser pursuant to paragraph (c) (1) of this order.

(8) "War project" means:

(i) A construction project undertaken by or contracted for by or for the account of, the Army, the Navy, Maritime Commission or Defense Plant Corporation or any other construction project granted a preference rating of AA–4 or higher under any order in the P–55 or P–19 series.

(ii) Any other project which shall be so designated by the Director General for Operations.

(9) "Essential civilian operation" means:

(i) The operation of any mine that holds a serial number under Preference Rating Order P–56;

(ii) Any operation directly incident to the production of logs of any species, including the delivery of logs to sawmills, pulp mills or other dealers in or users of logs;

(iii) Any operation directly incident to the planting, growing or harvesting of agricultural products (excluding flowers, shrubs and other plants grown for decorative purposes);

(iv) Any operation directly incident to the discovery, development or depletion of petroleum pools or the extraction, processing or storing of petroleum or petroleum products, or the transportation thereof by pipe line; or

(v) Any other operation or project which shall be so designated by the Director General for Operations.

(10) "United States" means the forty-eight states of the United States and the District of Columbia.

(11) "Foreign base" means a construction project located outside the United States or Canada being built for or under the supervision of the War Department, Navy Department or other United States Government Agency by civilian contracting or engineering organizations which normally purchase repair parts from sources located within the United States.

(12) "Military agency" means the Army, Navy, Maritime Commission, War Shipping Administration or any of the following persons when acting as the authorized procurement agents for the Navy:

(i) George A. Fuller Co. and Merritt-Chapman and Scott Corp.;

(ii) M. T. Reed Company;

(iii) Siems-Drake, Puget Sound;

(iv) Pacific Naval Air Bases.

(b) *Limitations on sales by producers.* (1) No producer shall sell or deliver repair parts to any person except:

(i) A military agency,

(ii) A domestic dealer or distributor located within the United States or Canada, or

(iii) Any person (other than a military agency or domestic dealer or distributor) for export outside the territorial limits of the United States and Canada subject to paragraph (b) (2) hereof.

(2) On and after April 15, 1943, no producer shall sell or deliver any repair parts to any person (except a military agency or an export dealer or distributor) for export outside the territorial limits of the United States and Canada, except upon receipt of Form PD–556 approved by the Director General for Operations. In order to receive such approval a purchaser shall file Form PD–556 with the Director General for Operations, War Production Board, Washington, D. C., Ref: L–53–b.

(3) No producer shall, during the period of July 1, 1942 to June 30, 1943, sell or deliver to or for the combined accounts of the military agencies any repair parts in excess of an aggregate of 40 percent of the value, at invoice price, of his total shipments of such repair parts during such period. No producer shall, during the period of July 1, 1943 to June 30, 1944, sell or deliver to or for the combined accounts of the military agencies any repair parts in excess of an aggregate of 40 percent of the value, at invoice price, of his total shipments of such repair parts during such period. This 40 percent restriction does not limit purchases made by a military agency from domestic dealers or distributors upon a certificate of minimum requirements.

(4) Except as provided in paragraph (b) (5) of this order or upon specific authorization of the Director General for Operations, pursuant to application by letter in triplicate to the War Production Board, Washington, D. C., Ref. L–53–b, no producer shall during any calendar quarter sell or ship to any domestic dealer or distributor a quantity of repair parts of a value at invoice price in excess of either $500.00 or 60 percent of the value of such producer's shipments to such domestic dealer or distributor during the preceding six calendar months, whichever is the greater.

(5) Notwithstanding the provisions of paragraph (b) (4) of this order, a producer may sell or ship to any domestic dealer or distributor during any calendar quarter repair parts in an amount up to and including 25 percent in excess of the quota of such domestic dealer or distributor as computed in accordance with the terms of paragraph (b) (4) of this order, but any sales or shipments in excess of such quota shall be charged against the quota of such domestic dealer or distributor for the next calendar quarter, and such excess shipments shall not be used in computing any base period quota thereafter.

(c) *Limitations on sales by domestic dealers and distributors.* (1) Except as provided in paragraphs (c) (3) and (c) (4) of this order, no domestic dealer or distributor of repair parts shall sell or deliver any repair parts to any person (except a producer or another domestic or export dealer or distributor) unless he has received from such person a separate certificate for each track-laying tractor for which repair parts are sought to be purchased, in substantially the form set forth below, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7, and giving all of the information called for:

Pursuant to the terms of Limitation Order L–53–b of the War Production Board the undersigned certifies to the seller and to the War Production Board that the following statements are correct:

(i) _____
Make and model of track-laying tractor for which repair parts are sought

(ii) _____
Factory serial number

(iii) _____
Owner of track-laying tractor

(iv) _____
Type of work track-laying tractor is being repaired to perform (e. g., government construction, mining, logging, agriculture, etc.)

(v) _____
Contract number of war agency or P–19 serial number and rating, if any

(vi) The purchaser hereby certifies that he has registered all construction equipment owned by him pursuant to the terms of Limitation Order L–196.

(vii) The purchaser hereby certifies that the repair parts listed on the purchase order to which this certificate pertains are the minimum quantity of repair parts immediately necessary to put such track-laying tractor in serviceable condition.

(viii) The purchaser hereby certifies that he does not have like parts on hand or on order to repair the above-described track-laying tractor.

_____ _____
Date Name of purchaser

_____
Address of purchaser

(2) No domestic dealer or distributor of repair parts shall sell or deliver:

(i) A quantity of repair parts to any person in excess of such person's certified minimum requirements.

(ii) Any repair parts to any person whose certificate such domestic dealer or distributor knows or has reason to believe is false.

(3) Notwithstanding the provisions of paragraphs (c) (1) and (c) (2) of this order, a domestic dealer or distributor may sell and deliver repair parts to a purchaser for use on a foreign base under circumstances where the distances involved, the time element, or the lack of shipping facilities make it impracticable to furnish a certificate of minimum requirements, provided such domestic dealer or distributor receives from such purchaser Form PD–556 approved by the Director General for Operations. In order to receive such approval a purchaser shall file Form PD–556 with the Director General for Operations, War Production Board, Washington, D. C., Ref: L–53–b.

(4) Notwithstanding the provisions of paragraph (c) (2) of this order, a domestic dealer or distributor may sell or deliver fuel filters and oil filters in sufficient quantity to permit 500 hours operation if he has received from the purchaser a certificate in accordance with paragraph (c) (1) hereof even though subdivisions (vii) and (viii) of such certificate are not completed.

(d) *Procedure for domestic dealer or distributor in placing orders for critical repair parts.* (1) A domestic dealer or distributor in placing a purchase order with a producer for a repair part may, if he wishes such purchase order to be entitled to the treatment by the producer required in paragraph (e) of this order, state on the purchase order (i) the name of the person for whom such repair part is being ordered, and (ii) the type of work the track-laying tractor is to be repaired to perform as shown by item (iv) of the certificate of minimum requirements of such person or by Form PD–556 in cases subject to paragraph (c) (3) relating to sales for use on a foreign base. Any repair part received by such domestic dealer or distributor pursuant to such a purchase order shall be delivered only to the person for whom it was ordered or as otherwise directed by the producer from whom it was received. Nothing in the foregoing shall be construed to require a domestic dealer or distributor to place the statements specified above on any order for a repair part placed with a producer for the purpose of building inventory stock or for any other purpose.

(e) *Procedure when inventory of producer is insufficient to fill orders.* (1) Whenever unfilled orders in the hands of a producer calling for immediate delivery of any repair part shall exceed his inventory of such repair part, he shall, so long as such condition exists, make no sale (except to military agencies and for export pursuant to paragraph (b) (2) of this order) on any purchase order not containing the statements referred to in paragraph (d) (1) of this order and shall apportion his sales of such repair part as follows:

(i) Sales directly to military agencies—not more during any month than 40 percent of his total sales of such repair part during that month.

(ii) Sales to domestic dealers and distributors for delivery to persons engaged on war projects and on foreign bases (as indicated by the purchase order of the dealer or distributor)—not more during any month than 20 percent of his total sales of such repair part during that month.

(iii) Sales to domestic dealers and distributors for delivery to persons engaged in essential civilian operations (as indicated by the purchase order of the dealer or distributor)—not more during any month than 20 percent of his total sales of such repair part during that month.

(iv) Sales for export (except to military agencies and to persons operating on foreign bases)—not more during any month than 15 percent of the total sales of such repair part during that month.

(v) Sales to persons or for purposes other than those specified in subdivisions (i) through (iv) of this paragraph (e) (1) upon authorization of the Director General for Operations on Form PD–556—the remainder of his total sales during the month.

(2) If at any time a producer has no unfilled orders for any of the categories of sales specified in subdivisions (ii), (iii) or (iv) of paragraph (e) (1), he may fill, out of the sales quota allotted to that category, any purchase order in any other of the categories of sales described in said subdivisions (ii), (iii) and (iv).

(3) Each producer shall fill purchase orders within each of the categories of sales specified in paragraph (e) (1) above in the order in which they were received by him.

(4) No producer shall fill any purchase order for a repair part which does not contain the statements specified in paragraph (d) (1) of this order so long as he has on hand unfilled orders for that repair part which do contain such statements.

(f) *Filling orders upon specific direction of the Director General for Operations.* Notwithstanding the provisions of paragraphs (d) and (e) of this order, a producer or a domestic dealer or distributor shall, upon the specific direction of the Director General for Operations on Form PD–556, make delivery of any repair part to fill any order specified in such authorization, provided that nothing in this paragraph (f) shall authorize the Director General for Operations to reduce a producer's sales of any repair part to the military agencies, during any month, below 40 percent of such producer's total sales of such repair part during that month.

(g) *Return of used repair parts.* (1) No person (other than a military agency or a person operating on a foreign base) shall purchase any metal repair part from a domestic dealer or distributor unless he:

(i) Delivers to the dealer or distributor concurrently with the purchase a used part (except in the case of repair parts consumed in use, lost or stolen) of similar kind and size for each new repair part purchased by him; or

(ii) Agrees with seller in writing to do so within 30 days or to furnish to the seller within such period a duplicate sales receipt indicating the sale or disposal of such used part through customary scrap channels.

No domestic dealer or distributor shall sell a new repair part to a person to replace a part which such domestic dealer or distributor can recondition by the use of available facilities.

(h) *Inventories and allocation of repair parts.* (1) The Director General for Operations may from time to time require any designated person, except a military agency, to submit his inventory of repair parts.

(2) Whenever the Director General for Operations determines that a critical shortage of repair parts needed for national defense exists, he may issue a schedule defining such repair parts and may thereupon according to the degree of the shortage and the immediacy of the needs:

(i) Direct any producer, dealer or distributor, except a military agency, to deliver or sell to any other person at regularly established prices and terms such quantities of such repair parts as he may determine to be in excess of the minimum requirements of the person so directed.

(ii) Prohibit any person, except a military agency, from purchasing, delivering or accepting delivery of such repair parts without the specific authorization of the Director General for Operations.

(i) *Applicability of priorities regulations.* (1) The provisions of § 944.2 through and including § 944.9 of Priorities Regulation No. 1 as amended, shall not be applicable to any purchase order for track-laying tractor repair parts placed with a producer, dealer or distributor.

(2) Except as provided in paragraph (i) (1) hereof, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, purchase orders and certificates of minimum requirements pursuant to which he has sold repair parts.

(k) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Reports.* Any person affected by this order shall file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(m) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprison-

skins for defense, for private account

(2) Deerskin leather rejected in writ- Order S–201, issued January 1, 1943, is

ment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(o) *Communications.* All reports to be filed, appeals and other communications concerning this order shall be addressed to War Production Board, Construction Machinery Division, Washington, D. C., Ref: L-53-b.

Issued this 20th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43-4314; Filed, March 20, 1943; 11:09 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule VII to Limitation Order L-217, as Amended March 20, 1943]

PUMPS

NOTE: Paragraph (d) (1) (vi) amended March 20, 1943

§ 3115.8 *Schedule VII to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule VII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of pumps as herein defined.

(3) "Pumps" means gasoline or electric motor driven pumps, skid or trailer mounted, ordinarily used by contractors for dewatering and supply of the types approved by the Associated General Contractors of America (A. G. C.), February 21, 1941, and listed below:

(i) Centrifugal self-priming pumps.
(ii) Diaphragm pumps.
(iii) Triplex piston road pumps.
(iv) Plunger pumps.

This definition does not include Underwriter's approved fire fighting pumps, farm type pumps and industrial type pumps.

(4) "Repair part" means any part manufactured for use in the repair of pumps as herein defined.

(5) "The Military" means the Army, Navy, Maritime Commission, War Shipping Administration and the following persons when acting as the authorized procurement agents for the Navy:

(i) Fuller, Merritt, Chapman and Scott Corporation.
(ii) M. T. Reed Contracting Company.
(iii) Siems Drake Puget Sound.
(iv) Pacific Naval Air Bases.

(6) "New" when applied to pumps, means any pump which has not been sold by a producer or a distributor to a person acquiring it for use, regardless of whether such pump may have been leased to any person by such producer or distributor.

(7) "Copper" means unalloyed copper metal, including unalloyed copper metal produced from scrap.

(8) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds forty percent (40%) of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Exemptions.* Nothing in this schedule shall be deemed to prevent producers from filling orders for pumps placed by or for the account of the military.

(c) *Limitation on production and assembly of pumps.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of pumps which do not conform to the sizes, types, models and designs established in paragraph (d) hereof. Nothing in this paragraph c) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(d) *Limitation on sizes and types.* Producers are limited to the following sizes, types and models of pumps, and no more than one design is permitted for each such type, size and model:

(1) *Self-priming centrifugal pumps* (Iron body construction only):

(i) 1½"—3,000 G. P. H. minimum capacity (mounted on skids only).
(ii) 2"—10,000 G P. H. minimum capacity (two wheel trailer mounting or on skids only).
(iii) 3"—20,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).
(iv) 4"—40,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).
(v) 6"—90,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).
(vi) 8"—125,000 G. P H. minimum capacity (four wheel running gear or on skids only).
(vii) 10"—180,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(2) *Diaphragm pumps:*

(i) 3" single diaphragm on 2 wheel trailer mounting with closed type discharge.
(ii) 4" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(3) *Triplex road pumps:*

(i) 125 G. P. H. at 500 pounds pressure model mounted on four wheel running gear.

(4) *Plunger pumps:*

(i) No plunger pumps are to be manufactured for dewatering purposes.

(e) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on pumps, nor use more than one color finish coat paint on any one pump and its repair parts if painted. Nothing in this paragraph (e) shall be deemed to require the repainting of any pumps or repair parts in any such producer's inventory on March 15, 1943.

(f) *Limitations on accessories.* On and after March 15, 1943, no producer shall manufacture, or receive from his supplier for resale, any of the following items, unless such items are in process or on order prior to February 25, 1943:

(1) Hand cranks, other than rope starters, to be furnished as equipment for new single cylinder engine pumps;
(2) Spring axle mountings for new pumps;
(3) Bearings, except plain or agricultural pin type bearings, for axle wheels on new pumps;
(4) Vacuum or pressure gauges, except for resale as special equipment;
(5) Skids, unless made of wood, for new pumps; or
(6) Wheel bushings containing copper or copper base alloy.

(g) *Restrictions on producers.* No producer, unless actively engaged in the current production of pumps (as indicated by his January, 1943, filing of production and shipment schedules on Form PD-697, pursuant to Limitation Order L-192) shall thereafter enter into the production thereof.

Issued this 20th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4315; Filed, March 20, 1943; 11:09 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Interpretation 1 to Limitation Order L-245]

The following interpretation is hereby issued by the Director General for Operations with respect to § 3133.17 Limitation Order L-245.

Question has arisen as to whether a "publisher" as defined in paragraph (a) (3), may purchase, for resale, books printed by a printer (or book manufacturer).

A printer (or book manufacturer) who was not a "publisher" of books during the base period, 1942, has no quota of paper for the publishing of books in 1943 under the terms of the order. He is engaged in the commercial printing of books for the account of book publishers and as such any paper which he may put into process is limited to such amount as is provided by the terms of Order L-241. Order L-241 excepts from such printer's quota "books" printed for a publisher. Consequently a publisher ordering such books must deduct the tonnage of paper represented by such books from his quota.

As between publishers, however, Order L-245 does not prohibit Publisher A from purchasing books from Publisher B where such books bear the imprint of Publisher B and where the paper for such books is deducted by Publisher B from his quota.

Issued this 20th day of March 1943

CURTIS E. CALDER,
Director General for Operations

[F. R. Doc. 43-4316; Filed, March 20, 1943; 11:09 a. m.]

PART 3222—DEERSKINS

[General Preference Order M-301]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of deerskins for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3222.1 *General Preference Order M-301*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Domestic deerskin" means the skin of any deer, except:

(i) Elk, moose, and caribou skins, and
(ii) Imported deerskin.

(2) "Deerskin leather" means any leather resulting from the tanning of deerskins.

(3) "Put in process" means to soak in water or solution before depilation.

(4) "Military order" means an order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the government of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *Restrictions on processing, splitting, shaving, skiving, distribution and use.* (1) No person shall put in process, or continue to process, any domestic deerskin or deerskin leather, except for the following purposes:

(i) To produce suitable leather meeting United States Army specification 9-75, as amended from time to time, or United States Quartermaster Corps Tentative Specification CQD-105, as amended from time to time; or

(ii) To fill a specific military order.

(2) No person shall sell or deliver any domestic deerskin leather, or incorporate or manufacture any domestic deerskin leather into any product, except against a specific military order.

(d) *Exceptions.* The restrictions of this order shall not apply to:

(1) Any deerskin or deerskin leather which does not meet either of the specifications referred to in paragraph (c) (1) above and cannot be processed by any person into suitable leather meeting either of such specifications: *Provided, however,* That the color prescribed in either of said specifications shall not be considered a part of said specification within the meaning of this paragraph (d) (1).

(2) Deerskin leather rejected in writing by the United States Army Quartermaster Depot, Chicago, Illinois.

(3) Deerskin leather colored black or dark brown before March 20, 1943.

(4) Any person who at no time processes, splits, shaves, skives, sells, delivers or uses more than 25 deerskins during any calendar month beginning with March, 1943, or causes more than 25 deerskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Records.* Any person who puts deerskins in process or uses deerskin leather for manufacturing purposes shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(g) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Leather and Shoe Branch, Washington, D. C., Ref.: M-301.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

Issued this 20th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4317; Filed, March 20, 1943; 11:09 a. m.]

PART 1010—SUSPENSION ORDERS

[Revocation of Suspension Order S-201]

SOUTHERN STOVE WORKS

Southern Stove Works, Inc., Richmond, Virginia, has appealed from the provisions of Suspension Order S-201, (8 F.R. 98) issued January 1, 1943. After reviewing the Company's appeal, it has been determined that the Company was in doubt as to the effect of War Production Board orders upon its operations during the period when its violations occurred and was not wilful or culpably negligent in failing to ascertain the exact effect of such orders. In view of the foregoing, *It is hereby ordered,* That:

§ 1010.201 *Suspension Order No. S-201.* (a) Section 1010.201, Suspension Order S-201, issued January 1, 1943, is hereby revoked.

Issued this 20th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4342; Filed, March 20, 1943; 2:35 p. m.]

PART 3155—IMPORTED COTTON YARNS AND FABRICS

[Supplementary Order M-272-a]

§ 3155.2 *Supplementary Order M-272-a.* Pursuant to paragraph (d) of Conservation Order M-272—Imported Cotton Yarns and Fabrics, which this order supplements, the percentage referred to in said paragraph (d) is hereby raised to 30% for the calendar quarter beginning April 1, 1943, and for every calendar quarter thereafter until such time as a different percentage is established.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4401; Filed, March 22, 1943; 11:24 a. m.]

PART 2157—CONTROLLED SHIPMENTS

[Interpretation 2 to General Transportation Order T-1]

The following official interpretation is hereby issued with respect to § 3157.1 *General Transportation Order T-1:*

Whenever any city or village is specifically referred to in any zone designated on List 1, the boundary of such city or village shall be deemed to include the railroad switching limits as established in duly published rail tariffs.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4402; Filed, March 22, 1943; 11:24 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 2 of CMP Reg. 1]

The following interpretation is hereby issued by the Director General for Operations with respect to § 3175.1 of CMP Regulation No. 1, as amended February 27, 1943. The question has been raised as to whether a consumer may place authorized controlled material orders or make allotments exceeding in the aggregate the total amount of his allotment if he intends to cancel the excess before delivery.

Under CMP Regulation No. 1 a consumer is prohibited from duplicating authorized controlled material orders or allotments even though he intends to cancel or reduce his delivery orders to the allotted amount prior to delivery.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4403; Filed, March 22, 1943; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen Ration Order 3A,[1] Amendment 1]

RATION BANKING: DEPOSITORS

A rationale for this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order 3A is amended in the following respects:

1. Section 1305.441 is amended to read as follows:

§ 1305.441 *Account opened where dollar account kept.* Every account opened for any establishment, or for any activity not connected with a specific establishment, must be opened at a bank carrying a dollar checking account for that establishment or activity. Every account opened for a group of establishments must be opened at a bank carrying a dollar checking account for any establishment of that group. If there is no such dollar checking account, the account may be opened at any bank.

2. Section 1305.443 is amended to read as follows:

§ 1305.443 *Number of accounts limited.* Not more than one account for any one establishment may be opened for the same rationing program, unless authorized by the Office of Price Administration. Accounts for activities not connected with any specific establishment may also be opened, if authorized by the Office of Price Administration.

3. Section 1305.461 is amended to read as follows:

§ 1305.461 *Checks and stubs filled out; use of other records in place of stubs.* Each check and its stub must be completely filled out before the check may be issued. However, a check register, duplicate voucher or any similar record may be used in place of the check stub. Both check and stub or other record must contain the name of the person to whom the check is to be issued, the date on which it is drawn and the amount of credits to be transferred. The check must bear the depositor's authorized signature or signatures Checks may not be filled out or signed in pencil.

4. Section 1305.473 is amended to read as follows:

§ 1305.473 *Depositor replaces altered and lost checks and reports lost checks to banks.* A depositor to whom an altered, mutilated or partially destroyed check is returned, or who receives notification of the loss or destruction of a check, must issue a new check to the person to whom the original was issued. He must enter on the stub or other record (used in place of the stub) of the original check the fact that it has been lost, altered, mutilated, partially or completely destroyed, and on the stub or other record of the new check the fact that it replaces the original check. Each depositor shall immediately send his bank a written description of any checks drawn on his account and lost before deposit, together with a statement of the circumstances of the loss and a description of the check issued to replace the lost check.

5. Section 1305.488 is amended to read as follows:

§ 1305.488 *Depositor keeps records.* A depositor must keep for at least two years all duplicate copies of deposit slips, notices of errors in deposit slips, statements of account made available to him, cancelled checks returned to him, all stubs from which checks have been detached or other record used in place of stubs, returned or unissued checks, and unused and spoiled check forms. He must keep a record of the disposition of each check form, whether or not it is filled out or issued. All records are subject to inspection removal or other disposition only by the Department of Justice, the Office of Price Administration or any other persons designated by the Office of Price Administration.

This amendment shall become effective March 25, 1943.

(Pub. Laws 421, 507, and 729, 77th Cong., Executive Order No. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4270; Filed, March 19, 1943; 2:55 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1130, 1149, 1963.

PART 1306—IRON AND STEEL

[Correction to Rev. MPR 230]

TUBULAR PIPES

In § 1306.464 (b) (1), the prices for pipe listed in Table I, for the sizes and weights set forth below, are corrected to read as follows:

TABLE I—PIPE OTHER THAN OIL COUNTRY TUBULAR GOODS BLACK PIPE

Description of pipe			Price per hundred feet—dollars					
Size			Zone 1		Zone 2	Zone 3	Zone 4	
			Less than $0.24 freight rate per hundred pounds		•	•	$0.75 and over but less than $1.00 freight rate per hundred pounds	
Inside diameter (inches)	Outside diameter (inches)	Weight per foot (pounds)	Threaded and coupled	Plain end	•	•	Threaded and coupled	Plain end
	4½	7.1	$24.10	$22.20	(*)	(*)	(*)	(*)
	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	5⅝	10.61	(*)	(*)	(*)	(*)		$76.10
	5⅝	8.56	(*)	(*)	(*)	(*)	$34.40	32.20
	5⅝	14.02	(*)	(*)	(*)	(*)	54.60	50.80
	5⅝	17.07	(*)	(*)	(*)	(*)	63.60	59.10
	5⅝	20.78	(*)	(*)	(*)	(*)		60.00
	6	8.76	(*)	(*)	(*)	(*)	35.20	32.90
	6	11.64	(*)	(*)	(*)	(*)	46.00	43.00
	6	15.35	(*)	(*)	(*)	(*)	57.20	53.20
	6	21.63	(*)	(*)	(*)	(*)		83.10
	6⅝	11.85	(*)	(*)	(*)	(*)	48.80	45.70
	6⅝	12.89	(*)	(*)	(*)	(*)	53.90	50.40
	6⅝	17.02	(*)	(*)	(*)	(*)	66.10	61.50
	6⅝	18.97	(*)	(*)	(*)	(*)	73.90	68.70
	6⅝	28.57	(*)	(*)	(*)	(*)		110.00
	7	10.09	(*)	(*)	(*)	(*)	43.00	40.30
	7	14.64	(*)	(*)	(*)	(*)	58.50	54.80
	7	16.7	(*)	(*)	(*)	(*)	66.50	61.90
	7	19.54	(*)	(*)	(*)	(*)	77.60	72.30
	7	23.64	(*)	(*)	(*)	(*)	94.00	87.50
	7	25.66	(*)	(*)	(*)	(*)		100.70
	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4271; Filed, March 19, 1943; 2:54 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 17]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

1. Section 1315.505 (a) (15) is added to read as follows:

(15) As a hearse, for the transportation of deceased persons.

2. Section 1315.505 (b) (1) is amended by deleting the word "hearses" and the comma following it.

3. Section 1315.506 (a) (1) (ii) is amended to read as follows:

(ii) No certificates for recapping service may be issued for farm tractor or other farm implement tires.

This amendment shall become effective March 25, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4272; Filed, March 19, 1943; 2:55 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10363; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 50]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1394.5404 is added; as set forth below:

Miscellaneous Uses

§ 1394.5404 *Electric power generation.* (a) In the area designated in paragraph (g) of this section, no ration shall be issued or used, on or after April 5, 1943, for the operation of any electric power generation equipment having an aggregate generating capacity of 100 KW., or more (except for emergency operation and except as otherwise provided in this section), unless:

(1) The consumer's electric facilities are not connected with any alternate source of power, as defined in paragraph (b) of this section, and cannot be connected with any alternate source of power without the use of an unreasonable quantity of materials essential to the war effort or without unreasonable expense; or

(2) The substitution of any such alternate source of power is not feasible because of capacity, frequency or other technical characteristics or physical limitations; or

(3) The consumer's generation of electric power is a by-produce of process steam or other requirements, and the discontinuance or reduction of such electric power generation will not result in a material reduction in the use of fuel oil; or

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887.

GALVANIZED PIPE

Description of pipe			Price per hundred feet—dollars						
Size			Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7
			Less than $0.25 freight rate[1] per hundred pounds	$0.25 and over but less than $0.50 freight rate[1] per hundred pounds	$0.50 and over but less than $0.75 freight rate[1] per hundred pounds	$0.75 and over but less than $1.00 freight rate[1] per hundred pounds	$1.00 and over but less than $1.25 freight rate[1] per hundred pounds	$1.25 and over but less than $1.50 freight rate[1] per hundred pounds	$1.50 and over freight rate[1] per hundred pounds
Inside diameter (inches)	Outside diameter (inches)	Weight per foot (pounds)	Threaded and coupled / Plain end	Threaded and coupled / Plain end	Threaded and coupled / Plain end	Threaded and coupled / Plain end	Threaded and coupled / Plain end	Threaded and coupled / Plain end	Threaded and coupled / Plain end
⅛	-----	0.24	2.62 / 2.52	2.75 / 2.64	2.88 / 2.76	3.00 / 2.88	3.12 / 3.00	3.36 / 3.24	3.48 / 3.36
¼	-----	.42	2.64 / 2.64	2.90 / 2.76	3.00 / 2.88	3.12 / 3.00	3.24 / 3.12	3.48 / 3.36	3.60 / 3.48
⅜	-----	.56	2.64 / 2.64	2.90 / 2.76	3.00 / 2.88	3.12 / 3.00	3.24 / 3.12	3.48 / 3.36	3.60 / 3.48
½	-----	.85	3.36 / 3.18	3.60 / 3.36	3.84 / 3.60	4.08 / 3.84	4.32 / 4.08	4.44 / 4.32	4.68 / 4.56
¾	-----	1.14	4.20 / 3.96	4.60 / 4.20	4.80 / 4.56	5.16 / 4.80	5.40 / 5.16	5.76 / 5.52	6.00 / 5.76
1	-----	1.67	5.88 / 5.52	6.24 / 5.88	6.72 / 6.36	7.20 / 6.84	7.68 / 7.32	8.04 / 7.68	8.52 / 8.16
1¼	-----	2.27	7.60 / 7.10	8.20 / 7.70	8.70 / 8.30	9.30 / 8.90	9.90 / 9.40	10.50 / 10.00	11.00 / 10.60
1½	-----	2.71	9.10 / 8.50	9.80 / 9.20	10.50 / 9.90	11.20 / 10.60	11.80 / 11.30	12.50 / 12.00	13.20 / 12.70
2	-----	3.67	12.20 / 11.50	13.10 / 12.40	14.00 / 13.30	15.00 / 14.30	15.90 / 15.20	16.90 / 16.10	17.80 / 17.00
2½	-----	5.85	19.30 / 18.00	20.70 / 19.60	22.20 / 21.00	23.70 / 22.50	25.20 / 24.00	26.70 / 25.40	28.10 / 26.90
3	-----	7.70	25.20 / 23.70	27.10 / 25.70	29.10 / 27.50	30.90 / 29.40	32.90 / 31.40	34.80 / 33.40	36.80 / 35.20
3½	-----	9.20	32.70 / 29.90	35.00 / 32.20	37.30 / 34.50	39.60 / 36.80	41.90 / 39.10	44.20 / 41.40	46.60 / 43.70
4	-----	10.79	38.70 / 35.40	41.40 / 38.20	44.20 / 40.80	46.90 / 43.60	49.70 / 46.30	52.30 / 49.10	55.10 / 51.90
5	-----	14.87	51.70 / 47.40	55.40 / 51.10	59.10 / 54.70	62.80 / 58.40	66.50 / 62.10	70.10 / 65.80	73.80 / 69.50
6	-----	18.97	70.00 / 61.20	75.10 / 69.10	80.00 / 74.10	85.00 / 79.00	89.90 / 84.10	95.00 / 89.00	99.90 / 94.00

[1] Established charge for transporting pipe by rail at the rate for the lowest minimum carload weight, from Lorain, Ohio, to the rail siding nearest the shipping point.

In Table II, the title on the portion of that table which was continued and reads as follows:

TABLE II—Continued

OIL COUNTRY TUBULAR GOODS—THREADED AND COUPLED—*Continued*

Steel tubing—plain—Continued

is corrected to read as follows:

TABLE II

OIL COUNTRY TUBULAR GOODS—THREADED AND COUPLED—continued

Steel casing—Continued

and is further corrected to end at the size and weight set forth below:

Description of pipe		Price per hundred feet—dollars			
Size		Zone 1			
Outside diameter (inches)	Weight per foot (pounds)	Less than $0.25 freight rate per hundred pounds	•	•	•
•	•	•	•	•	•
•	•	•	•	•	•
21½	114.00	$569.20	•	•	•

The remainder of that portion of Table II which ends with the size and weight set forth in the above paragraph is corrected by having the heading "*Steel drive pipe*" inserted in said table above the line set forth below, as follows:

Steel drive pipe

Description of pipe		Price per hundred feet—dollars			
Size		Zone 1			
Outside diameter (inches)	Weight per foot (pounds)	Less than $0.25 freight rate per hundred pounds	•	•	•
2⅜	3.75	$15.40	•	•	•
•	•	•	•	•	•
•	•	•	•	•	•

In § 1306.464 (d) (1), the example set forth in Footnote 8 is corrected to read "2" ID 3.67#" instead of "2" OD 3.67#".

In § 1306.464 (d) (2), the reference to paragraphs (b) (3) and (c) (5) of Appendix A is corrected to read (b) (2) and (c) (3) of that Appendix.

(4) Unreasonable interference with the consumer's operations would result from a denial of the ration because of the provisions of this paragraph.

(b) An alternate source of power means electric generating facilities which do not use fuel oil in the generation of electric power.

(c) Where in said area application for such ration is made on or after April 5, 1943, the applicant may, if any of the conditions of subparagraphs (1) to (4) of paragraph (a) of this section is applicable, submit with his application a statement on Form OPA R–1133, in duplicate. If the statement on Form OPA R–1133 is submitted, the Board shall forward one copy thereof to the Office of War Utilities of the War Production Board and shall pass upon the application in the manner provided in § 1394.5402. Any ration which the Board may grant to the applicant shall, however, be subject to reduction or modification in accordance with the findings and recommendation of the Office of War Utilities of the War Production Board. If the ration is reduced or modified, the applicant shall promptly upon receipt of notice thereof surrender to the board his coupon sheets or delivery receipts for reduction or modification as the case may be. If the applicant does not submit such statement (Form OPA R–1133), the ration requested shall not be granted: *Provided*, That nothing in this section shall be deemed to forbid the issuance to such applicant of a ration for the emergency operation of the generation equipment for ten (10) days.

(d) Each person in said area to whom a ration was issued prior to April 5, 1943, for the operation of any electric power generation equipment having an aggregate generating capacity of 100 KW., or more, (except where the ration was granted for the emergency operation of the equipment) shall, on April 5, 6 or 7, 1943:

(1) If none of the conditions of subparagraphs (1) to (4) of paragraph (a) of this section is applicable, surrender his coupon sheets or delivery receipts, representing the ration issued to him for the operation of such electric power equipment, to the issuing board, in which event the board will adjust the allowable ration issued for such purpose to the amount the consumer requires for the emergency operation of the electric generation equipment for ten (10) days; or

(2) If any of the conditions of subparagraphs (1) to (4) of paragraph (a) of this section is applicable, submit to the board a statement on Form OPA R–1133, prepared in duplicate. The board shall forward one copy of such statement to the Office of War Utilities of the War Production Board. The issuing board will, in accordance with the findings and recommendation of the Office of War Utilities of the War Production Board, leave unaffected, reduce, or accelerate the expiration date of, the consumer's ration. If the ration is to be so modified, the issuing board will notify the consumer accordingly, and he shall, in compliance with such notice, promptly surrender to the board his coupon sheets or Delivery Receipts, for such modification: *Provided, however*, That in no such event shall the consumer's allowable ration issued for such power generation purpose be reduced to an amount less than that required for the emergency operation of the electric generation equipment for ten (10) days.

(e) Notwithstanding that any of the conditions of subparagraphs (1) to (4) of paragraph (a) of this section is applicable, if the consumer shall certify to the board on April 5, 6, or 7, 1943, that he will, within a period not exceeding fifteen (15) days from any such date (but not later than the date his ration may be used pursuant to § 1394.5503 (h)), surrender to the board his coupon sheets or Delivery Receipts, representing his ration, for reduction pursuant to subparagraph (1) of paragraph (d) of this section, he shall not be required to file the statement on Form OPA R–1133, but shall on the date stated by him surrender his ration to the board for such reduction. No such ration shall be used by the consumer after the date fixed by him for the surrender thereof pursuant to this paragraph except as adjusted by the board after such surrender. During the period of such extension the consumer shall not accept transfers of fuel oil for the operation of such electric generation facilities in excess of the amount needed for such purpose.

(f) The findings and recommendation (as may be modified from time to time) of the Office of War Utilities of the War Production Board shall continue to limit or define the allowable ration, if any, of any such consumer who submitted a statement on Form OPA R–1133, with respect to all applications which he may make for a ration or further ration for the same purpose pursuant to §§ 1394.5551 or 1394.5552. If at the date of application for a further ration, the Office of Price Administration has not received from the Office of War Utilities of the War Production Board its findings and recommendation with respect to any statement on Form OPA R–1133 submitted by the consumer pursuant to paragraph (c) or (d) of this section, the issuing Board shall pass upon the application in the manner provided in § 1394.5402: *Provided*, That any ration which may be granted on such application shall be subject to reduction or modification in accordance with the findings and recommendation of the Office of War Utilities of the War Production Board with respect to any such statement (Form OPA R–1133).

(g) The area referred to in paragraph (a) of this section is the following: the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida (east of the Apalachicola River) and the District of Columbia.

This amendment shall become effective on March 24, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong., WPB Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of March, 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4273; Filed, March 19, 1943; 2:55 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 43]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1407.112 is added as set forth below:

Retailers and Wholesalers

§ 1407.112 *Surrender of certain expired stamps and certificates in exchange for certificates or reduction of excess inventory.* (a) A registered retailer or wholesaler may surrender to the board any stamps numbered 1 through 9 or any expired certificates in exchange for which he delivered before March 19, 1943, and within the periods specified in § 1407.141, the quantity of sugar authorized to be delivered by such stamps and certificates. If his excess inventory as adjusted pursuant to § 1407.107 is equal to or greater than the weight value of such surrendered stamps and certificates, the board shall reduce the excess inventory by the weight value of such stamps and certificates. However, if the weight value of such stamps and certificates is greater than his excess inventory as adjusted pursuant to § 1407.107, the board shall cancel the excess inventory and issue to him a certificate in weight value equal to the difference.

(b) Application for such reduction of excess inventory or a Certificate shall be made on OPA Form No. R–315 on or before April 9, 1943. The application shall state facts establishing compliance with the requirements of paragraph (a) of this section and such other information as the board may require. The application shall be accompanied by the stamps and certificates to be surrendered and such stamps shall be pasted on cards as prescribed by § 1407.142.

Effective Date

§ 1407.222 *Effective date of amendments.* * * *

(pp) Amendment No. 48 (§ 1407.112) shall become effective March 25, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, and Supp. Dir. No. 1E)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4274; Filed, March 19, 1943; 2:55 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5183, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8840, 8831, 9042, 9396, 9460, 9899, 10017, 10253, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1128, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758.

PART 1499—COMMODITIES AND SERVICES

[Order 345 Under § 1499.3 (b) of GMPR]

LOS ANGELES NUT HOUSE

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1781 *Authorization of maximum prices for sales of "Fruit and Walnut Victory Cubes", a confectionery item, manufactured by the Los Angeles Nut House, a confectionery manufacturer of Los Angeles, California* (a) On and after the 20th day of March 1943, the Los Angeles Nut House of Los Angeles, California, may manufacture and sell its "Fruit and Walnut Victory Cubes" to the 5 and 10 cent chain and syndicate stores and the 5 and 10 cent chain and syndicate stores may purchase this candy from the Los Angeles Nut House at a price not in excess of 36 cents per pound f. o. b. the Los Angeles Nut House plant.

(b) The Los Angeles Nut House shall maintain its customary discounts and allowances based on this selling price which selling price in no event, shall be higher than specified in the preceding paragraph.

(c) The 5 and 10 cent chain and syndicate stores are hereby authorized to sell "Fruit and Walnut Victory Cubes" at a price not in excess of 15 cents per ¼ pound or 60 cents per pound.

(d) The Los Angeles Nut House shall mail or otherwise supply to 5 and 10 cent chain and syndicate stores at the time of, or prior to, the first delivery of this candy to such stores, a written notice as follows:

The Office of Price Administration has authorized us to manufacture and sell "Fruit and Walnut Victory Cubes" to the 5 and 10 cent chain and syndicate stores at a price not in excess of 36 cents per pound f. o. b. our Los Angeles, California, plant. You are authorized by the Office of Price Administration to sell this item at a price not in excess of 15 cents per ¼ pound or 60 cents per pound.

LOS ANGELES NUT HOUSE

(e) This Order No. 345 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 345 (§ 1499.1781) shall become effective March 20, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4277; Filed, March 19, 1943; 2:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 216 Under § 1499.18 (b) of GMPR]

BACHMAN CHOCOLATE MANUFACTURING CO.

Order No. 216 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2723.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1816 *Adjustment of maximum prices through decrease in weight of "Old Sol Bar" manufactured and sold by Bachman Chocolate Manufacturing Company.* (a) Bachman Chocolate Manufacturing Company, Mount Joy, Pennsylvania, hereby is authorized to reduce the size and weight of its milk chocolate bar known as "Old Sol Bar" packed 24 bars to the box from 2 ounces to 1¾ ounces net per bar and sell such 1¾ ounce bar at a maximum price no higher than that established for the 2 ounce bar pursuant to the General Maximum Price Regulation. Authorization to reduce the size of "Old Sol Bar" is given on the specific condition that in reducing the size of this bar, Bachman Chocolate Manufacturing Company shall not change or alter its formula for such bar in any manner.

(b) All wholesalers and retailers who purchase "Old Sol Bar" for resale are hereby permitted to sell said bar in its new weight of 1¾ ounces at a price not in excess of the maximum price which they established for the 2 ounce "Old Sol Bar", pursuant to the General Maximum Price Regulation.

(c) All sellers are required to continue the same discounts, allowances, and price differentials as they offered in March, 1942: *Provided, however*, That sellers may change discounts, allowances, and price differentials only if such changes result in prices lower than the maximum price fixed herein.

(d) Bachman Chocolate Manufacturing Company shall mail or cause to be mailed to all persons who purchase "Old Sol Bar" from it for resale, a notice reading as follows:

The Office of Price Administration has authorized us to reduce the weight of our "Old Sol Bar" from 2 ounces to 1¾ ounces. This reduction in weight represents only that part of the cost increase which we were unable to absorb, and permission to decrease our weight was granted with the understanding that no increase in price would be made at either the wholesale or the retail level. The Office of Price Administration does, however, authorize you and all other sellers to sell the new 1¾ ounce bar at a price which is not in excess of the maximum price you established for the 2 ounce bar pursuant to the General Maximum Price Regulation.

(e) Bachman Chocolate Manufacturing Company shall attach to or place in each smallest box or other packing unit of "Old Sol Bar," a notice as follows:

The weight of our "Old Sol Bar" has been reduced to 1¾ ounces. The Office of Price Administration has authorized all retailers to sell this 1¾ ounce "Old Sol Bar" for a price not in excess of the maximum price established by each retailer for the 2 ounce "Old Sol Bar", pursuant to the General Maximum Price Regulation.

(f) All prayers of the applicant not granted herein are denied.

(g) This Order No. 216 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 216 (§ 1499.1816) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(i) This Order No. 216 (§ 1499.1816) shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4275; Filed, March 19, 1943; 2:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 217 Under § 1499.18 (b) of GMPR]

F. STRAUSS & SON

Order No. 217 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number 3193-15.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1817 *Adjustment of maximum prices of domestic and imported distilled spirits and wines sold by F. Strauss, C. M. Strauss, Irvin Shlenker, Herman Masur and David S. Sherman, a partnership doing business as F. Strauss & Son, 223 East Markham Street, Little Rock, Arkansas.* (a) F. Strauss, C. M. Strauss, Irvin Shlenker, Herman Masur and David S. Sherman, a partnership doing business as F. Strauss & Son, 223 East Markham Street, Little Rock, Arkansas (hereinafter referred to as F. Strauss & Son) may sell and deliver imported and domestic distilled spirits and wines without granting, and any person may buy and receive such commodities from F. Strauss & Son without receiving discounts as follows:

For purchases in any one month amounting to:	*Discount*
$250	2%
350	3%
450	4%
550	5%
750	6%
1,250	7%

(b) F. Strauss & Son shall not otherwise change its maximum prices or its customary allowances, discounts or other price differentials unless such change shall result in a lower selling price.

(c) Before or at the time of making each initial sale of domestic or imported distilled spirits or wine after the effective date of this order to a purchaser heretofore entitled to receive the discounts set forth in paragraph (a), F. Strauss & Son shall notify such purchaser in writing as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales of imported and domestic distilled spirits and wines by discontinuing the following discount plan on purchases from us:

For purchases in any one month amounting to:	*Discount*
$250	2%
350	3%
450	4%
550	5%
750	6%
1250	7%

This permission was granted to us with the understanding that ceiling prices of purchasers from us would not be raised. The Office of Price Administration has not permitted you or any other seller of imported

or domestic distilled spirits or wine to raise his prices because of discontinuance of these discounts. OPA requires you to keep this notice for examination.

(d) All prayers of the petition, whether prayers of F. Strauss & Son, or of joint petitioners D. B. Hamilton doing business as United Liquors, 609 West Markham Street, Little Rock, Arkansas, Harry L. Hastings, Marre Sherry Hastings and Trustees for Harry L. Hastings, Jr., a partnership doing business as Moon Distributing Company, 715 East Markham Street, Little Rock, Arkansas, and Dan and F. Silbernagel, a partnership doing business as Silbernagel & Company, 300 Ferry Street, Little Rock, Arkansas, not granted herein are denied.

(e) This Order No. 217 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 217 (§ 1499.1817) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 217 (§ 1499.1817) shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4276; Filed, March 19, 1943; 2:54 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 38, as Amended]

ACCOMMODATION SALES OF SERVICE

A statement of the considerations involved in the issuance of Supplementary Order No. 38, as amended, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1305.51 is hereby amended to read as set forth below:

§ 1305.51 *Accommodation sales of service.* (a) Any seller of services, other than a seller at retail, who in March 1942 had a fixed practice of making accommodation sales of service is hereby authorized to charge, and any person, other than a purchaser at retail, is hereby authorized to pay rates, charges, fees and compensation at an amount not exceeding the aggregate of the cost of direct labor at legally permitted wage rates and materials at actual cost to the seller or at the ceiling price thereof, whichever is lower, for the service sold or supplied.

(b) As used in this supplementary order, "accommodation sales of service" means a sale made, other than at retail, for the convenience or benefit of the purchaser at the aggregate of the cost of direct labor at legally permitted wage rates and materials at actual cost to the seller or at the ceiling price thereof, whichever is lower. It does not include a service rendered without charge, or for less than such costs, or in connection with the sale of any other service or commodity other than an accommodation sale. It does not include sales by cooperatives, non-profit or other organizations, which make sales initially above cost, but later give refunds, bonuses, dividends or other allowances to purchasers.

(c) As used in this supplementary order, "seller at retail" means one who sells to an ultimate consumer other than an industrial or commercial user. Sales to farmers shall be considered sales at retail.

(d) This Supplementary Order No. 38, as amended (§ 1205.51) shall become effective as of March 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4297; Filed, March 19, 1943; 4:50 p. m.]

PART 1340—FUELS

[Rev. MPR 122,[1] Amendment 2]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Section 1340.256 (a) (1) is amended by deleting the phrase "his handling and storage charges in effect during December 15-31, 1941, but not to exceed".

2. In § 1340.256, the text after the headnote of paragraph (c) is designated subparagraph (1) and new subparagraph (2) is added to read as follows:

(c) *Lake cargo coal.* * * *

(2) Notwithstanding the provisions of the preceding paragraph (c) (1), the maximum price of solid fuel received during 1943 via water transportation facilities at, and sold from, a dock located on the United States bank of Lake Superior or on that part of the west bank of Lake Michigan north of the Illinois-Wisconsin State line shall be a price for like sales calculated by Rule 1A of § 1340.254, plus:

(i) In the case of bituminous coal prepared at the dock as double-screened or lump sizes, the amount specified for the solid fuels following:

From mines in Districts Nos.:	
1, 2, 3, 4 or 6	$.55
7 or 8: low volatile	1.10
7 or 8: high volatile	.80

(ii) In the case of bituminous coal in all other sizes, the increase in the supplier's maximum price for each size of such coal over the weighted average price charged the dealer for the same fuel received via water transportation facilities during 1942.

(iii) In the case of Pennsylvania anthracite, the amount specified for the sizes following:

Size:	
Egg, stove and nut	$0.55
Pea	.50
Buckwheat and rice	.45
Barley	.35
Sizes smaller than barley	.30

3. Section 1340.255 (a) (3) is amended by inserting after the phrase "for the purposes of this regulation" the phrase "to the extent the supplier's maximum prices for such sizes do not exceed $7.30 per net ton".

4. Section 1340.259 (a) (5) and the following first two undesignated subparagraphs are revoked.

5. Section 1340.266 (a) (10) and (11) are added to read as follows:

(10) "Weighted average price" is that price obtained by dividing the total amount charged for a size, kind and quality of solid fuel by the total tonnage of the same fuel received or delivered, as the case may be, during the applicable period specified by this regulation.

(11) "District No." refers to the producing districts delineated and numbered by the Bituminous Coal Act of 1937, as amended.

This amendment shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4295; Filed, March 19, 1943; 4:53 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,[1] Amendment 3]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneouly herewith, has been filed with the Division of the Federal Register.*

Section 1347.58a is added to read as follows:

§ 1347.58a *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

This amendment shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4296; Filed, March 19, 1943; 4:53 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 440, 1200.

[1] 7 F.R. 1264, 2000, 2132, 2740, 3182, 8948.

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 185,[1] Under § 1499.3 (b) of GMPR]

AIROBE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register,* *It is hereby ordered:*

That Order No. 185 under § 1499.3 (b) of the General Maximum Price Regulation is revised and amended to read as follows:

§ 1499.1421 *Approval of maximum prices for sales of "Airobe".* (a) On and after December 16, 1942, Airobe Company of New York, New York may sell and deliver, and agree, offer, solicit and attempt to sell and deliver the special blanket made of cellulose and cloth described in subparagraph (1) at prices not in excess of those stated therein, and on and after March 19, 1943, may similarly sell and deliver, and agree, offer, solicit and attempt to sell and deliver the special blankets made of cellulose and cloth described in subparagraphs (2) (3) and (4) at prices not in excess of those stated therein:

(1) "Airobe", a cellulose fibre blanket consisting of ten or more layers of paper, three layers of yarn, having a cloth binding, weight approximately two and one-quarter pounds, size 68 inches by 80 inches, $1.25 each, all transportation charges on orders in excess of $50.00 to be absorbed by the seller.

(2) "Airobe", a cellulose fibre blanket consisting of six layers of paper and yarn, summer weight of approximately one and one-half pounds, having a cloth binding, size 68 inches by 80 inches, $1.00 each, all transportation charges on orders in excess of $50.00 to be absorbed by the seller.

(3) "Airobe", a cellulose fibre blanket consisting of four layers of paper and yarn, summer weight of approximately one pound, having a cloth binding, size 68 inches by 80 inches, $.85 each, all transportation charges on orders in excess of $50.00 to be absorbed by the seller.

(4) "Airobe", a cellulose fibre blanket consisting of eight layers of paper and yarn, summer weight of approximately one pound, having a cloth binding, baby blanket size 40 inches by 60 inches, $.68 each, all transportation charges on order in excess of $50.00 to be absorbed by the seller.

(b) On and after December 16, 1942, every establishment selling the special blanket described in subparagraph (1) at retail may sell and deliver and agree, offer, solicit and attempt to sell and deliver the aforesaid special blanket at prices not in excess of those stated therein, and, on and after March 19, 1943, every establishment selling the special blankets described in subparagraphs (2) (3) and (4) at retail may similarly sell and deliver and agree, offer, solicit and attempt to sell and deliver the aforesaid special blankets at prices not in excess of those stated therein:

(1) "Airobe", a cellulose fibre blanket consisting of ten or more layers of paper, three layers of yarn, having a cloth binding, weight approximately two and one-quarter pounds, size 68 inches by 80 inches, $2.00 each.

(2) "Airobe", a cellulose fibre blanket consisting of six layers of paper and yarn, summer weight of approximately one and one-half pounds, having a cloth binding, size 68 inches by 80 inches, $1.36 each.

(3) "Airobe", a cellulose fibre blanket consisting of four layers of paper and yarn, summer weight of approximately one pound, having a cloth binding, size 68 inches by 80 inches, $1.36 each.

(4) "Airobe", a cellulose fibre blanket consisting of eight layers of paper and yarn, summer weight of approximately one pound, having a cloth binding, baby blanket size 40 inches by 60 inches, $1.09 each.

(c) *Retail price labels.* Before the delivery of any "Airobe" blankets, the manufacturer must attach securely to each blanket so that it is clearly visible, a tag or label, containing in easily readable lettering, the following appropriate statement in this form:

Retail ceiling price, 13 or more layers, 68" x 80" wt. (approximately 2¼ pounds)	$2.00
Retail ceiling price, 6 layers, 68" x 80" summer wt. (approximately 1½ pounds)	1.60
Retail ceiling price, 4 layers, 68" x 80" summer wt. (approximately 1 pound)	1.36
Retail ceiling price, 8 layers, baby blanket size 40" x 60" wt. (approximately 1 pound)	1.09

This may not be removed until after delivery to the consumer.

(d) *Notification.* Anyone who delivers "Airobe" blankets for the purpose of reselling shall notify the purchaser as follows:

The Office of Price Administration has established a retail ceiling price of $2.00 on "Airobe" thirteen or more layer blankets, of $1.60 on "Airobe" six-layer summer weight blankets, of $1.36 on "Airobe" four-layer summer weight blankets, and of $1.09 on the "Airobe" four-layer summer weight blankets, and of $1.09 on the "Airobe" eight-layer baby blankets. The blankets are so labeled with this price, and you are not permitted to remove this label.

(e) *Transportation charges.* All transportation charges on orders combining any of the aforementioned commodities in excess of $50.00 shall be absorbed by the seller.

(f) The maximum selling prices set forth shall be subject to adjustment at any time by the Office of Price Administration. The manufacturing cost for the thirteen or more layer "Airobe" blanket covering the period from the inception of manufacturing operations to March 19, 1943, shall be submitted to the Office of Price Administration within 21 days from such date, also profit and loss statements and balance sheets for the same period, and a list or retail selling prices for such blanket established by leading retail stores during the same period. Within 21 days after concluding three months manufacturing operations on the six-layer summer weight blanket, the four-layer summer weight blanket, and the eight-layer baby blanket, the Airobe Company shall likewise submit to the Office of Price Administration manufacturing costs on such products for such three-month period, profit and loss statements, and balance sheets for the same period, and also a list of retail selling prices for such blankets established by leading retail stores during such period.

(g) This Revised Order No. 185 may be revoked or amended by the Office of Price Administration at any time.

This revised order shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4294; Filed, March 19, 1943; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 342 Under § 1499.3 (b) of GMPR]

INSL-X COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1778 *Approval of maximum prices for No. 85 Modified Alkyd Synthetic Lacquer.* (a) On and after March 20, 1943 Insl-X Company, Incorporated of 857 Meeker Avenue, Brooklyn, New York, may sell and deliver an arc resistant compound known as No. 85 Modified Alkyd Synthetic Lacquer, and any person may buy No. 85 Modified Alkyd Synthetic Lacquer at prices not in excess of those hereinafter set forth:

	Per gallon
100 gallons or over	$3 60
50 to 100 gallons	4.05
1 to 50 gallons	4.50

(b) The above maximum prices are f. o. b. factory with a discount of one per cent for payment within ten days; net thirty days.

(c) This Order No. 342 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 342 (§ 1499.1778) shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4298; Filed, March 19, 1943; 4:50 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 39]

LICENSING SELLERS OF CONTAINERS, AND OF SERVICES RELATING THERETO

A statement of the reasons for this supplementary order has been issued si-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10584.

(d) *Registration of licensees.* Every

§ 1307.63 *Exempt sales.* The pro-

(c) Amendment No. 3 (§§ 1307.63 (d), (e) and (f), 1307.64 (a) (2) and (7) and

When a retailer purchases butter f. o. b. seller's shipping point in no case shall

more than 10c for plucking such a bird in accordance with the Hebraic dietary

multaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority of the Emergency Price Control Act of 1942, including section 205 (f) (2) thereof, it is hereby ordered:

§1305.52 *Licensing sellers of containers, and of services relating thereto—(a) License required.* A license as a condition of selling is required of every person selling any container or any service relating thereto for which a maximum price is established by Maximum Price Regulations Nos. 117, 186, 195, or 320,[1] as now or hereafter amended or supplemented, or by any other price regulation now or hereafter issued or amended which makes applicable by reference the provisions of this supplementary order.

(b) *License granted.* Every person selling any container or any service relating thereto for which a maximum price is established by Maximum Price Regulations Nos. 117, 186, 195 or 320, as now or hereafter amended or supplemented, or by any other price regulation now or hereafter issued or amended making applicable by reference the provisions of this supplementary order, is hereby granted a license as a condition of selling such containers and services. The provisions of every regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provisions so incorporated shall be a violation of the provisions of said license. The license granted by this order shall become effective upon the effective date of this order, or when any person becomes subject to the provisions of this order, and shall, unless suspended as provided in the Emergency Price Control Act of 1942, continue in force so long as and to the extent that any such regulation or any applicable part, amendment or supplement thereof, remains in effect.

(c) *Registration and licensing provisions of General Maximum Price Regulation superseded.* This supplementary order supersedes the registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation[1] insofar as said sections may be applicable to persons making sales for which a license is required by this order.

(d) *Registration of licensees.* Every seller hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

(e) *Suspension of license.* Licensees violating any of the provisions of this order or of the license hereby granted or violating any of the provisions of the price regulations specified in paragraph (a) hereof, or violating the provisions of any applicable regulation, order or requirement under Section 202 (b) of the Emergency Price Control Act of 1942, are subject to the license suspension proceedings provided for in said Act. No person whose license is suspended in proceedings under Section 205 (f) (2) of the Act shall, during the period of suspension, sell any container or service as to which his license to sell is suspended. No proceeding for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(f) *Definitions.* When used in this supplementary order the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor, agency, or representative of any of the foregoing.

(2) "Price regulation" means a price schedule effective in accordance with the provisions of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(3) "Act" means the Emergency Price Control Act of 1942, as amended.

This supplementary order shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4319; Filed, March 20, 1943; 11:14 a. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[MPR 33,[1] Amendment 3]

CARDED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1307.63, paragraphs (d) and (e) are amended and a new paragraph (f) is added, in paragraph (a) of § 1307.64, subparagraphs (2) and (7) are amended, in § 1307.67, subparagraph (5) of paragraph (c) is amended, subparagraph (7) of paragraph (c) is deleted and a new paragraph (j) is added as set forth below:

§ 1307.63 *Exempt sales.* The provisions of this Maximum Price Regulation No. 33 shall not apply to:

* * * * *

(d) Sales of dyed carded cotton yarns or the charges for the dyeing of carded cotton yarns;

(e) Sales of yarns composed of cotton blended or in combination with other fibers; and

(f) Sales of thread, meaning any product which is concerted[2] from one or more carded cotton yarns, braided or twisted together, and which is used predominantly for sewing, darning, crocheting, tatting, embroidering or handknitting. This exclusion of thread shall in no event be construed to exclude from this Maximum Price Regulation No. 33 any of the types of yarns specifically listed in the definition of carded cotton yarn set forth in the following section.

§ 1307.64 *Definitions of terms used.* (a) When used in this Maximum Price Regulation No. 33, the term:

* * * * *

(2) "Carded cotton yarn" means grey or processed yarns which are (i) composed of cotton, (ii) spun on the cotton system and (iii) not subjected to combing in the preparatory processes. This term shall include such products, when made of carded cotton yarn, as sewing twine, bag twine, bag closing twine, broom twine, tufting twine, wrapping twine and twine.

* * * * *

(7) "Thread yarn" means carded cotton yarns sold to a producer or converter for use solely in the production of thread;

* * * * *

§ 1307.67 *Appendix B: Maximum prices for greige carded cotton yarns other than base-grade.* * * *

(c) *Premium for put-ups.*

* * *

(5) *Warps.*

* * *

Slashed warp on loom beams	2 0

* * * * *

(j) *Premiums for thread yarn.* The maximum price for carded yarn produced solely for ultimate use as thread shall be the applicable maximum price for the yarn plus an amount equal to 6% of such price. No such premium may be charged unless the seller receives and maintains for inspection by the Office of Price Administration a statement from the purchaser that the yarn is to be used solely in the manufacture or processing of the yarn into thread.[3]

§ 1307.65a. *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1307.63 (d), (e) and (f), 1307.64 (a) (2) and (7) and 1307.67 (c) (5) and (j)) to Maximum Price Regulation No. 33 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4320; Filed, March 20, 1943; 11:16 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,[1] Amendment 5]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 268 is amended in the following respects:

1. Section 1351.1103a (d) is added to read as follows:

(d) *Butter—(1) When sold by a retail store owned or operated by a creamery.* The "net cost" to be used by a retail store owned or operated by a creamery and physically separated from the premises of the creamery in calculating a maximum price for any particular score, grade and form of butter which it receives from the creamery and which is manufactured by the creamery shall be that maximum price established under Maximum Price Regulation No. 289[2] for sales by the creamery of that particular score, grade and form of butter sold to a wholesaler delivered to the city, town, village or hamlet in which the retail store pricing hereunder is located.

(2) *When sold by a retailer who prints.* When a retailer packages and prints butter he shall calculate a maximum price per pound for each resulting type of print and package and score or grade of butter. In calculating his maximum price for butter of any particular score in a print or package he shall use as his "net cost" that maximum price established under Maximum Price Regulation No. 289 which would apply to sales of that particular score or grade of butter in such print or package to a wholesaler delivered to the city, town, village or hamlet in which the customary receiving point of the retailer pricing hereunder is located. When a retailer performs the printing and packaging functions in a butter print division apart from his warehouse or individual store and then delivers the printed or packaged butter to his warehouse, the warehouse shall be considered his customary receiving point, and when it is delivered directly from the butter print division to his store, the store shall be considered his customary receiving point.

(3) *Limitation on "net cost" when purchased f. o. b. seller's shipping point.* When a retailer purchases butter f. o. b. seller's shipping point in no case shall "net cost" exceed the maximum price established under Maximum Price Regulation No. 289 for sales to him of that particular grade or score and form of butter delivered to his customary receiving point.

2. Section 1351.1103b (b) is added to read as follows:

(b) *Additional charges allowed for slaughtering and plucking poultry—(1) Additional charges allowed retailers.* A retailer may add to his maximum price otherwise established by this regulation the following:

(i) 10c for a bird killed in accordance with the Hebraic dietary laws, if such killing was done by his employee or an agent or contractor engaged and paid by him.

(ii) 10c for plucking a bird which the retailer buys live and sells live or buys "kosher-killed" and sells "kosher-killed," if such plucking is done by his employee or an agent or contractor engaged and paid by him.

(2) *Service charges by persons other than retailers.* No person shall charge a consumer more than 10c for killing a bird in accordance with the Hebraic dietary laws and no person shall charge more than 10c for plucking such a bird in accordance with the Hebraic dietary laws. No charges under this sub-paragraph are allowed if the retailer collects a sum listed in sub-paragraph (1) above from the consumer for the same service.

Section 1351.1108 is amended to read as follows:

§ 1351.1108 *Fractions of cents.* Any calculation of a maximum price for a designated unit of sale or for a greater quantity as provided in § 1351.1104 which results in a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and shall be increased to the nearest higher cent if the fraction is one-half cent or more. Any calculation of a maximum price for a quantity less than a designated unit of sale as provided in § 1351.1104 which results in a fraction of a cent shall be increased to the nearest higher cent.

4. Items 3 and 5 in the table of § 1351.1116 (a) are amended to read as follows:

(a) Maximum prices for any transactions after the effective date of this regulation must be calculated on the basis established in this regulation and a retailer will have a new maximum price whenever his "net cost" increases or decreases.

Food commodity	Day of the week on which retailer must calculate maximum prices	Figures to be multiplied by net cost of unit in determining maximum prices under this regulation					
		Independent retailer with annual volume			Class 4 Chain retailer with annual volume under $250,000	Class 5 Any retailer (chain or independent) with annual volume of $250,000 or more	Unit of sale for which base maximum selling price must be computed
		Class 1 under $20,000	Class 2 $20,000 but less than $50,000	Class 3 $50,000 but less than $250,000			
3. All poultry bought dressed and sold dressed, bought drawn and sold drawn, bought "kosher-killed" and sold "kosher-killed", bought "kosher-dressed-and-plucked" and sold "kosher-dressed-and-plucked", bought split and sold split, or bought cut-up and sold cut-up (boxed and other pack).	Thursday	1.20	1.20	1.20	1.18	1.18	1 pound
5. All poultry bought live and sold on a dressed weight basis, including poultry bought live and sold "kosher-dressed-and-plucked", (multiply live cost per pound by applicable figure in table. This establishes selling price per dressed weight pound).	Thursday	1.28	1.28	1.28	1.26	1.26	1

5. Section 1351.1116 (c) (3) is amended to read as follows:

(3) "Poultry" means all live, dressed, kosher-killed, "kosher-dressed-and-plucked," split, cut-up, drawn, and eviscerated broilers, fryers, roasters—light, medium and heavy, fowl—light, medium and heavy, capons—light and heavy, stag—light and heavy, old roosters—light and heavy, geese, guineas, squabs, pigeons, young turkeys—light, medium and heavy, old turkeys—light, medium and heavy, and all other forms of poultry sold for human consumption, excluding such day-old or started birds as are sold for development to marketable size or such birds as are sold for breeding purposes.

Poultry sold by the retailer drawn or eviscerated must be sold on a dressed weight basis applying the margin for items 3 or 5 above depending on whether the poultry was purchased live or dressed. No extra charge may be added for drawing or eviscerating. No price may be quoted for poultry on a drawn or eviscerated basis except where poultry is purchased by the retailer quick-frozen or eviscerated or drawn. When poultry is bought live, dressed or drawn and is sold split or cut-up, the aggregate price received through the sale of the cut-up

* Copies may be obtained from the Office of Price Administration.

[1] Maximum Price Regulation No. 117, Used Egg Cases and Used Component Parts, 7 F.R. 4586, 8707, 8948.

Maximum Price Regulation No. 186, Western Wooden Agricultural Containers, 7 F.R. 6968, 7364, 7966, 8948, 10779; 8 F.R. 1561.

Maximum Price Regulation No. 195, Industrial Wooden Boxes, 7 F.R. 8945, 9393.

Maximum Price Regulation No. 320, Eastern and Central Wooden Agricultural Containers, 8 F.R. 1885.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

[1] 7 F.R. 7557, 8948, 10070, 8 F.R. 2345.

[2] This exclusion shall not be construed to exempt from Maximum Price Regulation No. 33 sales of yarn of any twist by the spinner or his agent for use as thread when no converting operations have been performed.

[3] A premium may be charged under this paragraph only when the carded yarn is produced for one of the ultimate uses set forth in the definition of thread in § 1307.63 (f). This premium may not be charged by a producer for the sale of any yarn which is used for such purposes as sewing twine, bag twine, bag closing twine, broom twine, tufting twine, wrapping twine and twine.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664.

[2] 7 F.R. 10996; 8 F.R. 490, 145, 1885, 1972.

parts of any bird shall not exceed the amount which could be received through the sale of the whole bird on a live weight basis if bought live, or on a dressed weight basis if bought dressed, or on a drawn weight basis if bought drawn, and no additional charges may be made.

7. Section 1370.78 (a) (13) is amended to read as follows:

(13) The vacuum cleaner cord shall have no breaks over its entire length. It shall be at least eighteen feet long, type SV National Board of Fire Underwriters approved vacuum cleaner cord or its equivalent.

18. The new § 1370.85 (f) is amended by deleting from this paragraph, General Electric Model 69, and Singer Model R-5.

19. The new § 1370.85 (f) is amended by inserting the maximum wholesale "as is" price for the models of Hoover cleaners rebuilt by the Hoover company as follows:

Premier vacuum—Rebuilt by Electric Vacuum Cleaner Company:	
8	36.75
9	40.75
20	38.75
30	38.75
37	29.50
40	34.75
47	34.75
48	34.75

whose license is suspended may sell any of such commodities during the period of suspension.

Amendment No. 3 to Maximum Price Regulation No 117 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

§ 1377.164 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942.

* * * * *

parts of any bird shall not exceed the amount which could be received through the sale of the whole bird on a live weight basis if bought live, or on a dressed weight basis if bought dressed, or on a drawn weight basis if bought drawn, and no additional charges may be made.

6. Section 1351.1116 (c) (8) is amended by inserting after the sentence "Eggs shall be sold at retail only in retail grades.", the sentence "All cartons in which eggs are sold at retail shall be clearly marked with the grade and size or weight class of the eggs contained therein.".

This amendment shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F R Doc. 43-4321; Filed, March 20, 1943; 11:16 a. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 294,[1] Amendment 1]

USED HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS FOR HOUSEHOLD VACUUM CLEANERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 294 is amended in the following respects:

1. Section 1370.71a is amended by correcting reference to § 1370.83 to read § 1370.85.

2. Section 1370.73 (b) (8) is added to read as follows:

(8) The maximum price may not be increased because of re-plating, polishing or buffing the cleaner or any of its parts.

3. Section 1370.76 is amended by the addition of the following sentence: "Every factory rebuilt cleaner must be identified by a statement by the manufacturer, which shall be delivered to the purchaser at the time of sale, showing that such cleaner was rebuilt at the factory of the company originally manufacturing such cleaner."

4. Section 1370.77 is amended by inserting after the word "guarantee", the last word in the paragraph, the phrase "or with any guarantee other than that provided for in this regulation."

5. Section 1370.78 (a) (6) is amended to read as follows:

(6) In case excessive mechanical noise, vibration or other evidence of wear is attributable to defective motor bearings, the bearings shall have been replaced.

6. Section 1370.78 (a) (12) is amended to read as follows:

(12) Electric insulation—all cleaners shall have been subjected to a standard test for short circuits and shock hazards.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 139.

7. Section 1370.78 (a) (13) is amended to read as follows:

(13) The vacuum cleaner cord shall have no breaks over its entire length. It shall be at least eighteen feet long, type SV National Board of Fire Underwriters approved vacuum cleaner cord or its equivalent.

8. Section 1370.79 (a) (3) is amended to read as follows:

(3) "Attachments" means all supplementary devices, new or used, which may be combined with the cleaner to increase the number of its functions and improve its efficiency, except those for which maximum prices are established by Maximum Price Regulation No. 111.

9. Section 1370.79 (a) (9) is added to read as follows:

(9) "Sale at wholesale" means a sale to any person other than an ultimate user or his agent.

10. Section 1370.79 (a) (10) is added to read as follows:

(10) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or any representative of any of the foregoing and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

11. Section 1370.79 (a) (11) is added to read as follows:

(11) "Private-brand" means a vacuum cleaner not originally offered for sale at retail under the manufacturer's own brand name.

12. Section 1370.85 (b) is amended to read as follows:

(b) *Attachment sets.* The maximum price for the sale at retail of attachment sets (except where any price in paragraph (f) of this section includes attachment sets) shall be as follows:

1. Standard attachment sets	$5.50
2. Deluxe attachment sets	8.50
3. The maximum price for a tank cleaner may be increased no more than $3.00 when sold with a set of deluxe attachments.	

13. Section 1370.85 (d) is amended to read as follows:

(d) The maximum price for the sale at wholesale of a rebuilt used household vacuum cleaner or set of attachments is 62½% of the maximum price at retail.

14. Section 1370.85 (e) is re-designated as § 1370.85 (f).

15. Section 1370.85 (f) is re-designated as § 1370.85 (g).

16. A new § 1370.85 (e) is added to read as follows:

(e) The maximum "as is" or "rebuilt" price of any private-brand cleaner not specifically listed in this section shall be the maximum price allowed for the same model or type cleaner produced by the same manufacturer under his own name.

17. The new § 1370.85 (f) is amended by deleting from this paragraph, the vacuum cleaners known as Filter Queen and Healthmore, and the Bee-Vac Birtman, Cadillac-Clements, and Universal hand cleaners.

18. The new § 1370.85 (f) is amended by deleting from this paragraph, General Electric Model 69, and Singer Model R-5.

19. The new § 1370.85 (f) is amended by inserting the maximum wholesale "as is" price for the models of Hoover cleaners rebuilt by the Hoover company as follows:

Model:	*Maximum wholesale "as is" price*
105	$3.50
541	5.00
543	7.50
700	10.00
425	8.50
300	13.50
750	13.50
450	12.00
475	13.50
900	16.00
800	15.00
825	17.00

20. The new § 1370.85 (f) is amended by changing the price of "all straight suction floor cleaners other than those listed" from the "as is" price of 75 cents to a price of $1.00; and the maximum retail price rebuilt and guaranteed, from $7.00 to $12.00.

21. The new § 1370.85 (f) is amended by changing the price of "all straight suction hand cleaners other than those listed" from the "as is" price of 75 cents to a price of $1.00; and the maximum retail price rebuilt and guaranteed, from $6.50 to $8.00.

22. The new § 1370.85 (f) is amended by changing the price of "all motor driven brush floor cleaners other than those listed" from the "as is" price of $1.50 to a price of $2.50; and the maximum retail price rebuilt and guaranteed, from $14.00 to $16.50.

23. The new § 1370.85 (f) is amended by the addition of the following models of vacuum cleaners to be inserted in alphabetical order:

Trade name and model or other description	Maximum wholesale price "as is"	Maximum retail price, rebuilt and guaranteed
Airway: Hand cleaners	$2.00	$8.95
Bee-Vac Birtman:		
Hand cleaner, straight suction	1.00	5.00
Hand cleaner, motor driven brush	2.00	14.95
Cadillac-Clements:		
Hand cleaner, straight suction	1.00	8.95
Hand cleaner, motor driven brush	2.00	14.95
Delco:		
Floor cleaner, straight suction	1.00	12.95
Floor cleaner, motor driven brush	3.00	18.95
Eureka:		
G	8.00	29.95
G30	7.00	24.95
Filter Queen	20.00	79.95
General Electric 69	2.50	12.95
Healthmore:		
120	10.00	29.95
C68	6.00	24.95
Magnetic Built in Headlight	6.00	24.95
Ohio:		
4	1.00	12.95
5	2.50	17.95
6	3.50	21.95
Premier: Master	4.50	29.95
Royal: Purifier	4.00	26.95
Singer: R5	13.50	37.95
Universal:		
Hand cleaner, motor driven brush	2.00	14.95
Hand cleaner, straight suction	1.00	8.95
Hoover Cleaners—Rebuilt by The Hoover Company:		
25	17.00	49.75
150	18.00	58.75
925	17.00	57.75
Premier vacuum—Rebuilt by Electric Vacuum Cleaner Company:		
8		36.75
9		40.75
20		38.75
30		38.75
35		29.50
40		34.75
47		34.75
48		34.75
58 (steel handle)		29.50
98 Jr		21.25
99		29.50
107		33.75
109		33.75
154		38.75
155		33.75
74		20.25

These prices apply only to cleaners rebuilt by the Electric Vacuum Cleaner Company on or before January 7th, 1943. If a Premier cleaner is to be sold by any wholesaler or retailer as a factory rebuilt, the cleaners shall bear a tag, supplied by the Electric Vacuum Cleaner Company, stating that it was rebuilt by the Electric Vacuum Cleaner Company prior to January 7, 1943.

Hoover attachments:	*Maximum retail price*
5002	$8.95
5003	8.95
5410	8.95

This amendment shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250. 7 F.R 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F R Doc 43-4322; Filed, March 20, 1943; 11:16 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 117,[1] Amendment 3]

USED EGG CASES AND USED COMPONENT PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1377.16a is revoked and a new § 1377.16a is added to read as set forth below:

§ 1377.16a *Registration and licensing.* The provisions of Supplementary Order No. 39, licensing sellers of containers and of services relating thereto are applicable to every person subject to this regulation. This order provides, in brief, that a license is necessary to make sales of the containers or to provide the service for which maximum prices are established by this and other maximum price regulations. A license is automatically granted to all persons making these sales. It is not necessary to apply for the license but a registration of all sellers may later be required. The license may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell and no person whose license is suspended may sell any of such commodities during the period of suspension.

Amendment No. 3 to Maximum Price Regulation No 117 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4323; Filed, March 20, 1943; 11:15 a. m.]

PART 1377—WOODEN CONTAINERS

[Rev. MPR 186,[1] Amendment 1]

WESTERN WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1377.110 is revoked and a new § 1377.110 is added to read as set forth below:

§ 1377.110 *Registration and licensing.* The provisions of Supplementary Order No. 39, licensing sellers of containers and of services relating thereto are applicable to every person subject to this regulation. This order provides, in brief, that a license is necessary to make sales of the containers or to provide the services for which maximum prices are established by this and other maximum price regulations. A license is automatically granted to all persons making these sales. It is not necessary to apply for the license but a registration of all sellers may later be required. The license may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell and no person whose license is suspended may sell any of such commodities during the period of suspension.

Amendment No. 1 to Revised Maximum Price Regulation No. 186 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4324; Filed, March 20, 1943; 11:15 a. m.]

PART 1377—WOODEN CONTAINERS

[Rev. MPR 195,[1] Amendment 1]

INDUSTRIAL WOODEN BOXES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1377.164 (a) is amended and a new § 1377.164a is added to read as set forth below:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2998, 4586, 8707, 8948.

[1] 7 F.R. 5776, 6968, 7364, 7966, 8948, 10779, 8 F.R. 1591

[2] 7 F.R. 8945, 9393.

§ 1377.164 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942.

* * * * * *

§ 1377.164a *Registration and licensing.* The provisions of Supplementary Order No. 39, licensing sellers of containers and of services relating thereto are applicable to every person subject to this regulation. This order provides, in brief, that a license is necessary to make sales of the containers or to provide the services for which maximum prices are established by this and other maximum price regulations. A license is automatically granted to all persons making these sales. It is not necessary to apply for the license but a registration of all sellers may later be required. The license may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell and no person whose license is suspended may sell any of such commodities during the period of suspension.

Amendment No. 1 to Revised Maximum Price Regulation No. 195 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F R. Doc. 43-4325; Filed, March 20, 1943; 11:15 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 320,[1] Amendment 1]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1377.213 (a) is amended and a new § 1377.213a is added to read as set forth below:

§ 1377.213 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942.

* * * * * *

§ 1377.213a *Registration and licensing.* The provisions of Supplementary Order No. 39, licensing sellers of containers and of services relating thereto are applicable to every person subject to this regulation. This order provides, in brief, that a license is necessary to make sales of the containers or to provide the services for which maximum prices are established by this and other maximum price regulations. A license is automatically granted to all persons making these sales. It is not necessary to apply for

[1] 8 F.R. 1885.

the license but a registration of all sellers

"Lamson Lumber Company, Incorpo-

SECTION 1 *Maximum prices for scrap mica and unground mica schist.* The

Whenever a seller is unable to determine

(2) *Imported mica.* The maximum

lation No. 204,[1] on Idle or Frozen Mate-

the license but a registration of all sellers may later be required. The license may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell and no person whose license is suspended may sell any of such commodities during the period of suspension.

Amendment No. 1 to Maximum Price Regulation No. 321 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4326; Filed, March 20, 1943; 11:15 a. m.]

PART 1382—HARDWOOD LUMBER

[Rev. MPR 97,[1] Amendment 1]

SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (26) of § 1382.112 (b) is amended to read as set forth below:

§ 1382.112 *Appendix A: Maximum prices for Southern hardwood lumber in standard or near-standard grades.* * * *

(b) * * *

(26) Sycamore—Plain

Thickness (inch)	FAS	No. 1 Common and Selects; or No. 1 Common	No. 2 Common	No. 3 Common
5/4	$42.00	$32.00	$21.00	
6/4	42.00	32.00	21.00	
8	47.00	37.00	24.00	$16.00
10/4	49.00	39.00	26.00	17.00
12/4	51.00	41.00	26.00	17.00
16/4	55.00	41.00	26.00	18.00

This amendment shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4327; Filed, March 20, 1943; 11:15 a. m.]

PART 1382—HARDWOOD LUMBER

[Rev. MPR 97,[1] Amendment 2]

SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with this Division of the Federal Register.*

Maximum Price Regulation No. 97 is amended in the following respect:

1. Section 1382.112 (b) (1) (i) is amended by inserting after the words "Lamson Lumber Company, Incorporated, New Orleans, Louisiana," the words "Dixie Lumber Company, Charleston, South Carolina. Maurice W. Grundy, 8201 Fig Street, New Orleans, Louisiana."

This amendment shall become effective March 26, 1943.

(Public Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4328; Filed, March 20, 1943; 11:15 a. m.]

PART 1438—NONMETALLIC MINERALS

[MPR 347]

MICA

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for mica by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 347 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

§ 1438.101 *Maximum prices for mica.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 347 (Mica), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1438 issued under Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 347—MICA

CONTENTS

Sec
1 Maximum prices for scrap mica and unground mica schist.
2 Maximum prices for ground mica and mica schist and for water-washed mica.
3 Maximum prices for punch and sheet mica.
4 Maximum prices for fabricated mica produced from punch or sheet mica.
5 Maximum prices for mica splittings and built-up mica produced therefrom.
6 Maximum charge for bags.
7 Transportation practices.
8 Prohibition against selling mica at prices above maximum prices.
9 Less than maximum prices.
10 Export sales.
11 Idle or frozen materials.
12 Adjustable pricing.
13 Evasion.
14 Records and reports.
15 Enforcement.
16 Applications for adjustment and petitions for amendment.
17 Definitions.
18 Applicability of this Maximum Price Regulation No. 347.
19 Geographical applicability.

SECTION 1 *Maximum prices for scrap mica and unground mica schist.* The provisions of this Maximum Price Regulation No. 347 and of the General Maximum Price Regulation[1] shall not apply to sales or deliveries of scrap mica and of unground mica schist.

SEC. 2 *Maximum prices for ground mica and mica schist and for water-washed mica*—(a) *Sales or deliveries of grades of ground mica and mica schist, water-washed mica, and micronized mica sold or offered for sale by the seller during March, 1942*—(1) *Dry ground mica and mica schist and water-washed mica.* (i) The maximum prices for dry ground mica and mica schist and for water-washed mica shall be $5.00 a ton above the prices at which the seller made the greatest number of deliveries of the same grades of mica or mica schist during March, 1942, to purchasers of the same class.

(ii) If no delivery of a particular grade of such mica, mica schist, or water-washed mica was made by a seller during March, 1942, to a particular class of purchasers, his maximum price for that grade to that class of purchasers shall be the price at which he made the greatest number of offers to deliver the same grade in March, 1942, to purchasers of the same class.

(2) *Wet ground mica and mica schist and micronized mica*—(i) *All such sales or deliveries, except as provided in paragraph (a) (2) (ii) of this section.* (a) The maximum prices for water-ground mica and mica schist and for micronized mica shall be ¼¢ a pound above the prices at which the seller made the greatest number of deliveries of the same grades of mica or mica schist during March, 1942, to purchasers of the same class.

(b) If no delivery of a particular grade of such mica, mica schist, or micronized mica was made by a seller during March, 1942, to a particular class of purchasers, his maximum price for that grade to that class of purchasers shall be the price at which he made the greatest number of offers to deliver the same grade in March, 1942, to purchasers of the same class.

(ii) *Sales or deliveries of such water-ground mica by David T. Vance and the Newdale Mica Company.* David T Vance, Plumtree, North Carolina, and the Newdale Mica Company, Erwin, Tennessee, may sell and deliver, and any person may buy or receive from David T. Vance or the Newdale Mica Company, such water-ground mica at prices not in excess of $10.00 per ton above the prices at which such seller made the greatest number of deliveries of the same grade of mica during March, 1942, to purchasers of the same class.

(b) *All other sales or deliveries of ground mica and mica schist, water-washed mica, and micronized mica.*

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 142.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7444, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346, 3096.

Whenever a seller is unable to determine his maximum price or prices under paragraph (a) of this section because he did not sell or offer to sell a particular grade of mica during March, 1942, or because he did not sell to the same class of purchasers during March, 1942, he shall determine the net price or prices at which he expects to sell his product and shall then file such net price or prices with the Office of Price Administration for approval as his maximum price or prices. Such proposed selling price or prices shall be filed with the Office of Price Administration, Second and D Streets, S. W., Washington, D. C., within 15 days after the first sale made on or after March 26, 1943.

When filing such prices with the Office of Price Administration, the seller shall set forth, in addition to the net prices, his list prices, and all discounts, allowances, and differentials for all classes of buyers, a description and identification of the commodity, including the mesh size and grade or quality, a statement of facts differentiating such commodity from the other commodities sold by the seller, a statement showing how the proposed price was determined, and a description of the use or uses for which the commodity is to be produced.

Pending action by the Price Administrator on prices submitted for approval under this paragraph (b), any such seller may sell, deliver, exchange, or offer to sell, deliver or exchange, and any person may buy, offer to buy or receive from such seller any such commodity at the price submitted for approval. In the absence of notice to the contrary from the Office of Price Administration within thirty days after a seller files such selling prices with the Office of Price Administration, the prices filed shall stand approved and shall be the maximum prices applicable to that sale and to subsequent sales. If, however, the Price Administrator disapproves the prices submitted, the selling prices shall be revised downward to the maximum prices which the Price Administrator shall approve and any payment made after March 26, 1943, in excess of the prices so approved may be required to be refunded to the buyer within fifteen days after the date of the written instrument informing the seller of such revision. Notice of such revision will be given to the seller by letter in the name of the Price Executive of the Non-Ferrous Metals Branch of the Office of Price Administration. At the request of the seller, however, if made within thirty days from the date of such notice, the notice of disapproval and the revised price will be incorporated in an order.

SEC. 3. *Maximum prices for punch and sheet mica*—(a) *Strategic mica.* The provisions of this Maximum Price Regulation No. 347 and of the General Maximum Price Regulation shall not apply to sales or deliveries of strategic punch and sheet mica.

(b) *Nonstrategic mica*—(1) *Domestically produced mica.* The provisions of this Maximum Price Regulation No. 347 and of the General Maximum Price Regulation shall not apply to sales or deliveries of domestically produced nonstrategic punch and sheet mica.

(2) *Imported mica.* The maximum prices established by Revised Supplementary Regulation No. 12[2] to the General Maximum Price Regulation shall apply to all nonstrategic punch and sheet mica imported into the forty-eight States of the United States and the District of Columbia.

SEC. 4 *Maximum prices for fabricated mica produced from punch or sheet mica.*—(a) *Strategic mica.* The provisions of this Maximum Price Regulation No. 347, except as provided in Section 14, paragraph (b), and of the General Maximum Price Regulation shall not apply to sales or deliveries of fabricated mica produced from strategic punch or sheet mica.

(b) *Nonstrategic mica.* The provisions of the General Maximum Price Regulation shall continue to apply to sales and deliveries of fabricated mica produced from nonstrategic punch and sheet mica. In addition, the reporting provisions of Section 14, paragraph (b), of this Maximum Price Regulation No. 347, shall apply to domestic producers of fabricated mica produced from nonstrategic punch and sheet mica.

SEC. 5 *Maximum prices for mica splittings and built-up mica produced therefrom.* The provisions of the General Maximum Price Regulation shall continue to apply to sales and deliveries of mica splittings and built-up mica produced therefrom. In addition, the reporting provisions of Section 14, paragraph (b), of this Maximum Price Regulation No. 347, shall apply to domestic producers of built-up mica.

SEC. 6 *Maximum charge for bags.* Every seller may add to his maximum prices for dry ground mica and mica schist and for water-washed mica an amount not greater than the cost of the bags in which the mica is shipped.

SEC. 7 *Transportation practices.* A seller may not change the transportation practices which he had in effect during March, 1942, if such change would result in higher prices to his customers.

SEC. 8. *Prohibition against selling mica at prices above maximum prices.* On and after March 26, 1943, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver any mica and no person shall buy or receive any mica in the course of trade or business from any seller at a price in excess of the maximum prices established by this regulation and no person shall agree, offer, solicit, or attempt to do so.

SEC. 9 *Less than maximum prices.* Lower prices than those set forth above may be charged, demanded, paid or offered.

SEC. 10 *Export sales.* Export sales of mica shall be subject to the provisions of the Revised Maximum Export Price Regulation[3] issued by the Office of Price Administration.

SEC. 11 *Idle or frozen materials.* The maximum price at which any person may sell or deliver any idle or frozen mica shall be determined in accordance with the provisions of Maximum Price Regulation No. 204[4] on Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

SEC. 12 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where an application for adjustment or a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 13 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 347 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to mica, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

SEC. 14 *Records and reports.* (a) Every person making sales or deliveries of mica, and every person making purchases or accepting delivery of mica in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each such sale, purchase, or delivery showing the date thereof, the name of the purchaser or seller, the quantity and kind of commodity sold, purchased, or delivered, and the price received or paid therefor, and each such seller shall keep a record of all discounts, differentials and allowances which the seller had in effect during March, 1942, with a proper identification of each such discount, differential and allowance.

(b) On or before May 1, 1943, every domestic producer of ground mica and mica schist, water-washed mica, micronized mica, fabricated mica, and built-up mica shall file with the Office of Price Administration, Washington, D. C., a copy of his current price lists and discount schedules or other statements setting forth his current selling prices for all classes of buyers, indicating in each instance his maximum price as determined by this regulation.

(c) Such person shall submit such other reports to the Office of Price Administration, and keep such other records in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require.

SEC. 15. *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 347 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regu-

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[2] 7 F.R. 10532; 8 F.R. 611, 2035.

[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[4] 7 F.R. 6479, 7366, 8948.

PART 1499—COMMODITIES AND SERVICES

marked with the ceiling price as required
tion issued by the Office of Price Ad

lation No. 347, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

SEC. 16 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* The following adjustment provisions (subparagraphs (1) and (2)) permit the granting of relief to producers who are unable to maintain or expand their production under their existing maximum prices whenever, under (1), there is a general shortage in the essential supply of the commodity, or, under (2), the loss of the seller's production would result in higher prices to consumers. The extent of relief to be granted under each provision is set forth therein.

(1) Whenever it appears that a shortage exists or threatens to exist in the essential supply of any grade of mica and that a producer of such grade is unable to maintain or expand his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1[1] or on its own motion, adjust his maximum price or prices by an amount necessary to permit the maintenance or expansion of such production upon a reasonable operating margin. In determining such margin, consideration will be given to such factors as:

(i) Revenue from sales of such grade and from all other sources, and

(ii) Production, mining, development, milling, processing, and transportation costs, administrative and sales expenses, depreciation and depletion charges, taxes (excluding Federal and State income taxes), and capital investment.

(2) Whenever it appears that the loss of a seller's production of any grade of mica would force his customers to resort to higher priced sources of supply and that the seller is unable to maintain his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1 or on its own motion adjust his maximum price or prices by an amount adequate to cover his operating costs: *Provided, however*, That in no instance will the seller's maximum price be increased to a price in excess of the general level of prices prevailing for alternative sources of the supply of that grade. The term "operating costs" shall include the cost of labor, maintenance, supplies, power, taxes other than State and Federal income taxes, insurance, workmen's compensation, royalties, and other direct expenses, depreciation and depletion (whenever practicable as determined by the Bureau of Internal Revenue in the computation of the Federal income tax), and reasonable costs of selling and administration.

(3) Before filing an application for adjustment under the provisions of subparagraphs (1) and (2), it is suggested that each applicant obtain from the Office of Price Administration, Washington, D. C., a statement of the specific information that will be necessary in order that his application may receive prompt action.

(b) *Petitions for amendment.* Any person seeking amendment of any provision of this Maximum Price Regulation No. 347 may file a petition for an amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 17. *Definitions.* (a) When used in this Maximum Price Regulation No. 347, the term: (1) "Grade" means mesh, size, color, quality, or other classification used by the seller to differentiate his products.

(2) "Ground mica and mica schist" means mica and mica schist ground in the United States, whether from domestic or imported scrap or crude material. The so-called foliated talc produced by the Victor Mica Company shall be considered a grade of mica schist.

(3) "Idle or frozen materials" means any commodity, accessory, part, assembly or product not in a form normally sold by the seller in the ordinary course of his business and sold or delivered pursuant to Priorities Regulation No. 13 issued by the Division of Industry Operations of the War Production Board on July 7, 1942.

(4) "Micronized mica" means mica micronized in the United States, regardless of the source of the scrap or ground mica treated.

(5) "Nonstrategic mica" means mica that is not classified as strategic by the War Production Board.

(6) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(7) "Purchaser of the same class" refers to the practice adopted by the seller of setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, distributor, dealer, jobber, retailer, government agency, public institution, large consumer, medium consumer, small consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale. Customary differentials in discounts on price list goods shall be among the criteria which establish differences among classes of purchasers.

(8) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser," shall be construed accordingly.

(9) "Strategic mica" means mica classified as strategic by the War Production Board.

(10) "Water-washed mica" means the mica produced by the operations of the Harris Clay Company and the Carolina China Clay Company in connection with their clay operations or mica produced by similar operations.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 18. *Applicability of this Maximum Price Regulation No. 347.* The provisions of this Maximum Price Regulation No. 347 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

SEC. 19. *Geographical applicability.* The provisions of this regulation shall be applicable only to the forty-eight states of the United States and to the District of Columbia.

Effective Date

This regulation shall become effective March 26, 1943.

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4329; Filed, March 20, 1943; 11:14 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 338 Under § 1499.3 (b) of GMPR]

JOHN H. WILKINS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1774 *Authorization of maximum prices for sales of "Wilkins Victory Blend Coffee and Chicory" and "Cereolay" processed by John H. Wilkins Company, 525 Rhode Island Avenue, North East, Washington, D. C.* (a) On and after March 19, 1943, the maximum prices, delivered, for the following products of John H. Wilkins Company, shall be as set forth below:

(1) "Wilkins Victory Blend Coffee and Chicory" 28½¢ per pound, delivered.

(2) "Cereolay" 17¢ per pound, delivered.

(b) Wholesalers of these products shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of these products shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This Order No. 338 may be revoked or amended by the Administrator at any time.

(e) This Order No. 338 (§ 1499.1774) shall become effective March 19, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4330; Filed, March 20, 1943; 11:14 a. m.]

[1] 7 F.R. 8961.

PART 1499—COMMODITIES AND SERVICES

[Order 343 Under § 1499.3 (b) of GMPR]

JOVAN LABORATORIES, INC., NEW YORK CITY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1779 *Approval of maximum prices for sales of Hexovan Tablets*—(a) *Maximum prices.* Maximum prices for sales by any seller of Hexovan Tablets are established as follows:

(1) *Sales other than sales on prescription.*

	Per bottle of 100 tablets
Sales to wholesalers	$0.83
Sales to retailers	1.00
Sales at retail	1.50

(2) *Sales on prescription.* The maximum prices established by subparagraph (1) of this paragraph shall not apply to sales on prescription of Hexovan Tablets. The maximum price for a sale on prescription of Hexovan Tablets shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that no report of the maximum price so determined need be filed as required by that section.

(b) *Discounts and allowances.* Any seller making sales of Hexovan Tablets shall apply to the maximum prices established for such sales in paragraph (a) all quantity differentials, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts and allowances which were in effect in March 1942 on sales of Jovan Sulphur Compound Tablets by such seller or if such seller did not sell Jovan Sulphur Compound Tablets in March 1942, on sales of the estrogen most comparable to Hexovan Tablets which such seller sold in March 1942.

(c) *Definitions.* When used in this order the term:

(1) "Hexovan Tablets" refers to a synthetic estrogen containing 2.0 mg. hexestrel manufactured by Jovan Laboratories, Incorporated.

(2) "Jovan Sulphur Compound Tablets" refers to coated tablets containing sulphur manufactured by Jovan Laboratories, Incorporated.

(d) *Marking packages with retail ceiling price.* On and after March 20, 1943, Jovan Laboratories, Incorporated, shall mark the carton in which it packages each bottle of 100 Hexovan Tablets as follows: "Ceiling price $1.50."

This legend shall be printed or stamped in letters at least one quarter as large as those used for the name of the product on the container to be sold by the seller at retail to the ultimate consumer, when it is not sold on prescription, and the type shall be sufficiently bold and the words shall be printed or stamped in a color which sharply contrasts with the background so that the words are clearly legible. No retailer, except a person making a sale on prescription, shall make sales of Hexovan Tablets unless the package is marked with the ceiling price as required by this paragraph.

(e) *Notification of maximum prices by Jovan Laboratories, Incorporated to wholesalers.* Jovan Laboratories, Incorporated shall supply to each wholesaler before or at the time of its first delivery of Hexovan Tablets to such wholesaler a written notification of maximum prices as follows:

OPA has authorized us to charge wholesalers not more than $.83, less customary discounts and allowances, for one bottle of 100 Hexovan Tablets.

Wholesaler's maximum prices for sales of one bottle of 100 Hexovan Tablets to retailers are established at $1.00 per bottle, less customary discounts and allowances.

Retailer's maximum prices for sales of one bottle of 100 Hexovan Tablets are established at $1.50 per bottle, less customary discounts and allowances.

OPA requires that you keep a copy of this notice for examination.

(f) This Order No. 343 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 343 (§ 1499.1779) shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4299; Filed, March 19, 1943; 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 344 Under § 1499.3 (b) of GMPR]

DOW CHEMICAL COMPANY

Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation, Order No. 344.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1780 *Approval of maximum prices for sales of Coaladd "D. C. W." produced by Dow Chemical Company, Midland, Michigan*—(a) *Maximum prices for sales by Dow Chemical Company to Johnson March Corporation.* The maximum prices f. o. b. Midland, Michigan, for sales by Dow Chemical Company, of Midland, Michigan, of Coaladd "D. C. W.", a coal dusting composition prepared by it for the Johnson March Corporation of New York, New York, to the Johnson March Corporation, shall be a price equal to the cost of materials plus $6.50, per ton of Coaladd "D. C. W." The cost of materials shall be considered to be:

(i) In the case of materials for which the maximum price for sales thereof by the Dow Chemical Company has been established under any regulation issued by the Office of Price Administration, the maximum price so established.

(ii) In the case of other materials, the actual cost of such materials delivered to the Dow Chemical Company, but not in excess of the maximum price therefor, delivered to the Dow Chemical Company, as established under any regulation issued by the Office of Price Administration.

(b) *Maximum prices for sales of Coaladd "D. C. W." by Johnson March Corporation:* (1) The maximum price for sales of Coaladd "D. C. W." to any class of purchasers by the Johnson March Corporation shall be the maximum price established for sales by it under the General Maximum Price Regulation to a purchaser of the same class of that formula of Coaladd "D. C. W." which it sold and delivered during March 1942.

(2) Johnson March Corporation shall apply to the maximum prices set forth in subparagraph (1) of this paragraph all discounts and allowances and practices with regard to transportation costs which were in effect in March 1942 on its sales of Coaladd "D. C. W."

(c) This Order No. 344 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4300; Filed, March 19, 1943; 4:50 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 1,[1] Amendment 2]

PROCEDURE FOR THE ISSUANCE, ADJUSTMENT, AMENDMENT, PROTEST AND INTERPRETATION OF MAXIMUM PRICE REGULATIONS

Revised Procedural Regulation No. 1 is amended in the following respects:

1. The text of § 1300.17 is designated as paragraph (a) and new paragraph (b) is added to read as follows:

§ 1300.17 *Requests for review.* • • •

(b) Requests for review shall be deemed filed on the date received by the state or district office, or the regional office as the case may be: *Provided*, That requests for review properly addressed to the appropriate State or district office, or regional office as the case may be, bearing a post-mark dated within 15 days after the date on which the order of denial was mailed, but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark.

2. The text of § 1300.26 is designated as paragraph (a) and new paragraph (b) is added to read as follows:

§ 1300.26 *Time and place for filing protests.* • • •

(b) Protests shall be deemed filed on the date received by the Secretary, Office of Price Administration, Washington, D. C., or by the director of the appropriate territorial director, as the case may be, bearing a post-mark dated within the applicable sixty day

[1] 7 F.R. 8961; 8 F.R. 3318.

period specified above, but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark.

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued the 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4355; Filed, March 20, 1943; 4:34 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 3,[1] Amendment 2]

PROCEDURE FOR ADJUSTMENTS, AMENDMENTS; PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

Revised Procedural Regulation No. 3 is amended in the following respects:

1. The text of § 1300.209 is designated as paragraph (a) and a new paragraph (b) is added to read as follows:

(b) Applications for review shall be deemed filed on the date received by the rent director: *Provided*, That applications for review properly addressed to the rent director, bearing a postmark dated within the applicable fifteen-day period specified above, but received after the expiration thereof, shall be deemed to have been filed on the date of the postmark.

2. The text of § 1300.216 is designated as paragraph (a) and a new paragraph (b) is added to read as follows:

(b) Protests shall be deemed filed on the date received by the Secretary, Office of Price Administration, Washington, D. C.: *Provided*, That protests properly addressed to the Secretary bearing a postmark dated within the applicable sixty-day period specified above, but received after the expiration thereof, shall be deemed to have been filed on the date of the postmark.

3. Section 1300.253 is amended to read as follows:

§ 1300.253 *Effective date of Revised Procedural Regulation No. 3.* Sections 1300.209 and 1300.210 of this regulation are applicable to petitions for adjustment or other relief which are denied in whole or in part by the rent director, or to orders entered by the rent director pursuant to § 1300.207 of this regulation, on or after the effective date of this regulation. Protests against such denials or orders entered prior to February 1, 1943, shall be filed and acted upon pursuant to the applicable provisions of Procedural Regulation No. 3 as heretofore and such provisions are continued in effect for this purpose except that such protests properly addressed to the appropriate Regional Office, bearing a postmark dated within the applicable sixty-day period specified in Procedural Regulation No. 3, but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark. This regulation shall become effective February 1, 1943.

This amendment shall become effective March 20, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4356; Filed, March 20, 1943; 4:34 p. m.]

[1] 8 F.R. 526, 1798.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 346,[1] Amendment 1]

CORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 346 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2 *Prohibition against dealing in corn at prices above the maximum prices.* On and after March 12, 1943 regardless of any contract or obligation, no person shall in the course of trade or business sell, deliver, buy or receive corn at prices above the maximum prices established by this regulation, nor shall any person agree, offer, solicit or attempt to do any of the foregoing: *Provided, however,* That any contract made and entered into on and between January 13, 1943, and March 11, 1943, both dates inclusive, which complies with Temporary Maximum Price Regulation No. 25, may be performed in accordance with the terms and provisions thereof, notwithstanding any provision of this Maximum Price Regulation No. 346. However, prices lower than the maximum prices established by this regulation may be charged and paid.

2. Section 11 (a) is amended to read as follows:

SEC. 11 *Maximum prices for other grades, classes and kinds of corn*—(a) *Yellow corn.* The maximum prices for No. 1 yellow corn at all points shall be the same as the maximum prices determined under this regulation for No. 2 yellow corn. The maximum prices for all other grades of yellow corn at all points, when the grading factors which determine these prices are any factors other than moisture content, shall be the respective prices per bushel established by this regulation for No. 2 yellow corn, less the amounts set forth below:

	Cents
No. 3 yellow	½
No. 4 yellow	1
No. 5 yellow	1½
Sample yellow	2

The prices established by this regulation for all grades of yellow corn are maximum prices for these grades having a moisture content of 15½ per cent or less. For each one-half per cent or fraction thereof, of moisture in excess of 15½ per cent, the maximum price for each grade shall be decreased ½ cent.

3. Section 11 (b) (1) is amended to read as follows:

(b) *White corn.* (1) The maximum prices per bushel for No. 1 and No. 2 white corn in carload or less than carload quantities, at the terminal basing points, shall be:

Chicago	$1.23½
Milwaukee	1.23½
Duluth and Superior	1.21¼
Minneapolis and St. Paul	1.18
Peoria	1.22½
St. Louis and East St. Louis	1.21¼
Kansas City	1.14
St. Joseph, Mo.	1.14
Omaha and Council Bluffs	1.14
Sioux City	1.14

White corn for the purpose of this regulation shall include mixed corn containing 95 per cent or more of white corn.

The maximum prices for all other grades of white corn at all points, when the grading factors are any factors other than moisture content, shall be the price per bushel established by this paragraph for No. 1 or No. 2 white corn, less the respective amounts set forth below:

	Cents
No. 3 white	½
No. 4 white	1
No. 5 white	1½
Sample white	2

The prices established for all grades of white corn are maximum prices for these grades having a moisture content of 15½ per cent or less. For each one-half per cent or fraction thereof, of moisture in excess of 15½ per cent, the maximum price for each grade shall be decreased ½ cent.

This amendment shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

Approved: March 20, 1943.

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4357; Filed, March 20, 1943; 4:34 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R 3180.

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 72 Under § 1499.3 (b) of GMPR]

VULCANIZED RUBBER COMPANY

An opinion accompanying this amendment has been issued simultaneously herewith.*

Section 1499.286 (b) is amended to read as follows:

(b) Permission to sell Cole-mor-ite plastics at the prices specified in paragraph (a) shall terminate one year after the effective date of this order, September 19, 1942.

This amendment shall be effective as of March 19, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc 43-4353; Filed, March 20, 1943; 4:34 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1526—MARKETING FUEL OIL

[Supp. Order 1 to Petroleum Distribution Order 3]

The fulfillment of the requirements for the defense of the United States has created in certain areas a shortage in the supply of fuel oil for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest, to promote the national defense, and to provide adequate supplies of fuel oil for military and other essential uses:

§ 1526.2 *Supplementary Order No. 1 to Petroleum Distribution Order No. 3.*—(a) *Definitions.* The definitions of Petroleum Distribution Order No. 3 shall apply in this order.

(b) *Restrictions on delivery of fuel oil for electric power generation.* Notwithstanding the provisions of Petroleum Distribution Order No. 3, on and after April 8, 1943 no person may deliver or otherwise supply fuel oil to any person for the operation of any electric power generation equipment having an aggregate generating capacity of 100 kw. or more, and no person may accept delivery of fuel oil for such purpose, unless the person receiving fuel oil for such purpose has complied with § 1394.5404 of Ration Order No. 11, as amended, issued by the Office of Price Administration, and has furnished to the delivering supplier at the time of the first delivery on or after April 8, 1943, a certification in substantially the following form signed by a duly authorized official:

(Date)

To the Petroleum Administrator for War and the delivering supplier:

The undersigned certifies that he has complied with the terms of § 1394.5404 of Ration Order No. 11, as amended, issued by the Office of Price Administration, with the terms of which he is familiar.

(Name of person receiving fuel oil for operation of power generation equipment)

(Signature of duly authorized official)

(Address of such person).

This certification shall constitute a representation to the Petroleum Administrator for War and to the delivering supplier, and the delivering supplier is entitled to rely on such representation unless he knows or has reason to believe it to be false.

(c) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the District Director in Charge, Petroleum Administration for War, 122 East 42nd Street, New York, New York, Ref: SPD 3.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(e) *Area of applicability.* This order shall apply only to any person, or to the delivery of fuel oil, in any portion of District One, except that portion of the State of Florida west of the Apalachicola River.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law. 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-4269; Filed, March 19, 1943; 1:37 p. m.]

[Petroleum Directive 66]

PART 1527—MARKETING ASPHALT

The most effective utilization of petroleum requires that the number of grades of asphalt be limited to the minimum necessary to fulfill essential civilian and war demands, contributing thereby to the best use of the transportation and storage facilities available for asphalt; and the following operating directive is deemed necessary and appropriate, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential uses:

§ 1527.1 *Petroleum Directive 66*—(a) *Manufacture of asphalt.* No asphalt or asphaltic products for paving purposes or dust palliatives other than the grades specified in paragraph (b) shall be manufactured after the effective date of this directive.

(b) *Grades of asphalt.* The grades of asphalt and asphaltic products for paving purposes which may be manufactured after the effective date of this Directive are:

Asphalt cements:
Penetration Ranges—50–60, 60–70, 85–100, 120–150, 150–200, [2]200–300.
Federal Specifications—[2] SS–A–706a (November 26, 1940) and SS–R–406a (April 25, 1942).

[1] Same specifications as 150–200 penetration asphalt except that the softening point shall be 90–125 degrees Fahrenheit, and penetration at 77 degrees Fahrenheit, 100 grams, 5 seconds, shall be 200–300.

[2] The test, Organic Matter Insoluble, may be waived.

Medium curing cutback asphalts:
MC–1, MC–2, MC–3, MC–5.
Federal Specifications—SS–A–671a (June 20, 1941) and SS–R–406a (April 25, 1942).
Rapid curing cutback asphalts:
RC–1,[3] RC–2, RC–3, RC–5.
Federal Specifications—SS–A–671a (June 20, 1941) and SS–R–406a (April 25, 1942).
Emulsified asphalts:
Any grade manufactured from base stocks provided for in this directive.

(c) *Special provisions.* (1) At the option of the purchaser, the Heptane-Xylene Equivalent Spot Test as set forth in Specification A. A. S. H. O. designation T102–42 (using a minimum of 15 percent Xylene with normal Heptane) may be required in addition to Federal Specifications.

(2) Except as provided in paragraph (c) (1), no refiner or processor of asphalt and asphaltic products for paving purposes shall be required to meet any material test not provided for in the Federal Specifications.

(d) *Exceptions.* (1) Crack filler, joint filler, cold patch, lump or powdered asphalt and zone marking paint may be manufactured only when such products are to be transported from a refinery by means other than tanker, barge, tank car, tank truck or tank truck trailer.

(2) Flux oil may be manufactured only when such flux oil is to be used in connection with natural rock asphalt or is to be used with lump or powdered asphalt exclusively for plant mix paving mixtures.

(e) *Communications.* All communications concerning this Directive, shall, unless otherwise directed, be addressed to: The Director of Marketing, Petroleum Administration for War, The Interior Building, Washington, D. C. Ref: PD 66.

(f) *Area of applicability.* This Directive shall apply to the Continental United States.

(g) *Revocation of recommendation 61.* Sections 1504.112 to 1504.115 inclusive (Recommendation 61) (7 F.R. 9737) are hereby revoked.

(E.O. 9276, 7 F.R. 10091)

Issued this 20th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-4372; Filed, March 22, 1943; 11:05 a. m.]

Chapter XV—Board of War Communications

[Order 19A]

PART 17—INTERNATIONAL RADIOTELEPHONE COMMUNICATIONS

TERMINATION OF CERTAIN COMMUNICATIONS

Whereas, the Board of War Communications has determined that the national security and defense and the successful conduct of the war demand

[2] Rapid curing cutback asphalt RC–1 may be manufactured only when this product is to be transported from a refinery to a terminal via tank ship or barge.

the termination of certain international radiotelephone communications;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964 (6 F.R. 6367) dated December 10, 1941, Order No. 19 (7 F.R. 7917) dated September 30, 1942, is hereby amended to read as follows:

It is hereby ordered as follows:

§ 1714.1 *Termination of certain international radiotelephone communications.* From and after the date hereof, (a) non-governmental business radiotelephone calls between the United States and Great Britain shall be permitted subject to the prior approval thereof from the Office of Censorship. No personal radiotelephone calls shall be permitted between the United States and Great Britain.

(b) No non-governmental business or personal radiotelephone call shall be made to or from any foreign point outside of the Western Hemisphere other than Great Britain, or to or from the Bahama Islands or Jamaica, unless such call is made in the interest of the United States or the United Nations and unless an agency of the United States Government sponsors such call and obtains prior approval therefor from the Office of Censorship: *Provided, however,* That this provision shall not apply to American press calls or radio broadcast programs, or to such other press calls and radio programs as may be specifically approved by the Office of Censorship.

(c) No calls of any nature, over the radiotelephone circuits under the jurisdiction of the United States, no matter where such calls may originate, unless sponsored and approved as provided in paragraph (b), shall be permitted to, from, or on behalf of, the following thirteen countries: Egypt, Finland, France, Iceland, Iran, Ireland, Latvia, Lithuania, Portugal, Spain, Sweden, Switzerland, and Turkey.

(d) Personal calls other than those prohibited in the foregoing paragraphs may be completed between two points in the Western Hemisphere.

Subject to such further order as the Board may deem appropriate.

Nothing herein shall apply to existing regulations governing the use of cable, telegraph or radiotelegraph communications.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY,
Chairman.

Attest: March 17, 1943.
R. J. MAUERMAN,
Assistant Secretary.

[F. R. Doc. 43-4339; Filed, March 20, 1943; 12:00 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—REGULATIONS FOR SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

Pursuant to the authority contained in section 1, Title II of the Espionage Act approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (U.S.C. Title 50, sec. 191, 191a), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively, the regulations relating to the control of vessels in the navigable waters of the United States, are hereby amended as follows:

By amending §§ 6.3–5 to 6.3–70, inclusive, of Subpart C, to read as follows:

The Port of New York

§ 6.3–5 *Long Island Sound, New York.*—(a) *Anchorage No. 1.* Southwestward of a line, between Neptune Island and Glen Island, ranging from the flashing red light on Aunt Phebe Rock and tangent to the north edge of Glen Island; southwestward of a line tangent to the northeast edges of Glen Island and Goose Islands breakwater; southwestward of a line bearing southeasterly from the southwest end of Goose Islands breakwater and on range with the south gable of the Casino on the northeast end of Glen Island; westward of a line ranging from the east edge of the said breakwater to the west edge of the north end of Hart Island; westward of a line ranging thence toward the radio tower on Willets Point to a point off the south end of City Island; and northwestward of a line ranging from Hart Island Light to Locust Point. Boats shall not anchor in this area in buoyed channels and must be so anchored as to leave at all times an open, usable channel, at least 50 feet wide, west and south of Glen Island. Special anchorage areas within Anchorage No. 1 wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor light:

(1) *Eastchester Bay, New York; anchorage at City Island.* The portion of Anchorage No. 1 west of City Island and within the following limits: Northward of a line ranging 244° true from the Duryea Pier at the foot of City Island Avenue to Big Tom Nun Buoy No. "2" (latitude 40°50'01", longitude 73°47'25"); thence northeastward of a line ranging 329° true from Big Tom Nun Buoy No. "2" through the Rodman Neck Shoal Nun Buoy (latitude 40°50'46" longitude 73°48'01"); southeastward of a line ranging 205° true, from the east abutment of the City Island Bridge through the south tower of the Bronx-Whitestone Bridge; and southward of a line ranging 90° true from the Pelham War Memorial in Pelham Bay Park and the steeple of the church at the southeast corner of Elizabeth Street and City Island Avenue.

(2) *Anchorage along west shore.* The portion of Anchorage No. 1 along the west shore of Eastchester Bay north of and including Weir Creek, shoreward of a line ranging 349° true from the end of the timber pier at the foot of Pope Place, Edgewater, and through the transmission tower at the northeast side of the draw of the New York, New Haven and Hartford Railroad Bridge over Eastchester Creek, and having as its northerly limit the line ranging 79° true through the row of telephone poles along the north side of Watt Avenue.

(3) *New Rochelle Harbor; Travers Island Creek.* The portion of Anchorage No. 1 lying between Hog Island, Travers Island, Neptune Island and Glen Island and the mainland to the westward of a line extending from the cupola at the southeast extremity of Glen Island to the easternmost extremity of Hog Island and to the northeastward of a line extending from the southwest extremity of Hog Island to the southeast corner of Travers Island; Except, That no vessel shall anchor without lights within 25 feet of the 50-foot channel west and south of Glen Island.

(4) *Goose Islands Anchorage.* The portion of Anchorage No. 1 between Glen Island and Goose Islands breakwater, northward of a line extending from the northwest end of Goose Islands breakwater to the cupola at the north end of the bathing beach on Glen Island.

(b) *Anchorage No. 1–A.* Southwestward of a line ranging from Duck Point, Echo Bay, through Baileys Rock Lighted Buoy "3 BR"; northwestward of a line ranging from Hicks Ledge Buoy "2 H" to Old Tom Head Rocks Buoy "N 4," and from thence northwestward of a line ranging to the southerly point of Davenport Neck.

(c) *Anchorage No. 1–B.* Westward of a line ranging from the point on the southwest side of the entrance to Horseshoe Harbor, Larchmont, to the Hicks Ledge Buoy "2 H," thence northward of a line ranging to Duck Point and in Echo Bay north and west of the channel.

(d) *Anchorage No. 2.* To the westward of a line from Locust Point tangent to the northeasterly sea wall at Throgs Neck. Special anchorage area within Anchorage No. 2 wherein vessels no more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights:

(1) *Anchorage at Locust Point Harbor.* The portion of Anchorage No. 2 to the westward of a north and south line longitude 73°47'58") through the southerly corner of the concrete culvert at the southerly end of the stone wall at Locust Point.

(e) *Anchorage No. 3.* To the northeastward of a line from the south side of Barker Point to Gangway Rock Light, southeastward of a line from thence to Sands Point Reef Buoy 25, and southwestward of a line from thence through Sands Point Light.

(f) *Anchorage No. 4.* In Manhasset Bay and to the northeastward of a line ranging from Stepping Stones Light through Elm Point Buoy No. "N2"; southeastward of a line ranging from Stepping Stones Light to Gangway Rock Light, and southwestward of Anchorage No. 3. Special anchorage areas within Anchorage No. 4 wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights:

Manhasset Bay, New York

(1) *South anchorage at Port Washington.* The portion of Anchorage No. 4 northward of latitude 40°49'06"; eastward of a line ranging 346° true from the flagpole on the end of the Whitney Dock at Plandome to the flagpole on the Columbia Yacht Club pier at Manorhaven; and southward of a line (latitude 40°49'21") ranging due east to the flagpole on the dock of the Port Washington Yacht Club.

(2) *North anchorage at Port Washington.* The portion of Anchorage No. 4 northward of a line (latitude 40°49'28") ranging due west from the southwest corner of the boat sheds on the Purdy Boat Company pier at Port Washington; eastward of a line ranging 346° true from the flagpole on the end of the Whitney Dock at Plandome to the flagpole on the pier of the Columbia Yacht Club at Manorhaven; southeastward of a line ranging 53° true to the cupola of the old Sands Point schoolhouse at Port Washington; and southward of a line (latitude 40°49'51") ranging due east to the weather vane of the Port Washington Junior High School; Except, that no vessel shall anchor without lights within 100 feet of the buoyed eastwest channel leading to the town dock at Port Washington and to Mill Pond.

(3) *Anchorage at Manorhaven.* The portion of Anchorage No. 4, westward of a line (longitude 73°42'53") ranging due south from the end of the Town of North Hempstead Pier at Manorhaven; northward of a line ranging 233° true from the intersection between the shore and the northerly line of Corchang Avenue (extended) on Tom Point to Black Can Buoy No. 3 (latitude 40°49'48.5", longitude 73°43'25"); and eastward of the line (longitude 73°43'17") ranging due north to the east side of the pier of Yacht Service, Inc., on the Copp Estate at Manorhaven.

(g) *Anchorage No. 5.* In Little Neck Bay and to the eastward of a line ranging from Fort Totten flagstaff to Hart Island Light and southward of Anchorage No. 4. Special anchorage area within Anchorage No. 5 wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights:

(1) *Little Neck Bay, New York.* The portion of Anchorage No. 5 southward of a line (latitude 40°47'33") ranging due east from the flagpole at Fort Totten, Willets Point, and eastward of a line (longitude 73°46'10") ranging due north from the flagpole at the Bayside Yacht Club.

§ 6.3–10 *East River, New York.*—(a) *Anchorage No. 6.* On Hammond Flats to the northward of a line bearing 260° from the head of the pier on Throgs Neck at the foot of Pennyfield Avenue to the north tower of Bronx-Whitestone Bridge at Old Ferry Point.

(b) *Anchorage No. 7.* To the southward of a line from Whitestone Point to the outer end of Willets Point Wharf.

(c) *Anchorage No. 8.* On the north side of the channel north of a line between the north tower of Bronx-Whitestone Bridge at Old Ferry Point and East River Buoy "4".

(d) *Anchorage No. 9.* On the south side of the channel to the eastward of a line from College Point Reef Light tangent to the west side of College Point and south of a line from said light to Whitestone Point.

(e) *Anchorage No. 10.* In Flushing Bay to the southeastward of a line through Flushing Bay Lighted Bell Buoy "1" and tangent to the northwest corner of College Point; and in Bowery Bay to the southwestward of a line ranging from the Aero Beacon on the Administration Building of La Guardia Field to the easterly corner (latitude 42°47'06.2", longitude 73°53'46") of the Consolidated Edison Company of New York bulkhead on the north side of the entrance to Steinway Creek and westward of a line ranging from the corner of the bulkhead at the foot of 81st Street, Queens, to the Power House Stack on the north portion of Rikers Island.

(f) *Anchorage No. 11.* To the eastward of Rikers Island and southward of a line from the northeast corner of the T-shaped north pier of Rikers Island to Rikers Island Channel Entrance Gong Buoy, to the westward of a line from thence to Rikers Island Channel Buoy "2" and northward of a line from thence to Rikers Island Channel Buoy "4", and from thence to Rikers Island Channel Buoy "6".

(g) *Anchorage No. 12.* To the westward of Rikers Island, northward of a line from Rikers Island Channel Buoy "6" to South Brother Island Ledge Light, to the eastward of a line from thence to the west side of South Brother Island, and southward of a line through South Brother Island Light to the northwest corner of the T-shaped north pier of Rikers Island.

(h) *Anchorage No. 13.* To the westward of a line from Stony Point, Port Morris, to the northeast end of Wards Island; and between Wards Island and Randall Island, and between Randall Island and Port Morris.

(i) *Anchorage No. 14.* In Hallets Cove, to the eastward of a line from a point on shore 100 feet west of the southerly prolongation of 2nd Street, Astoria, to Gibbs Point.

(j) *Anchorage No. 15.* To the southward of a line bearing 119° prolonging the center line of East 32nd Street, westward of the Poorhouse Flats Range and westward of a line ranging 356° from the northwest corner of the American Sugar Refining Company bulkhead at the foot of Grand Street, Brooklyn, through East River Buoy "S18", and northward of a line bearing 119°, prolonging the center line of East 24th Street.

§ 6.3–15 *Hudson River, New York.*—(a) *Anchorage No. 16.* Northward of a line on a range with the north side of the north pier of the Union Dry Dock and Repair Company Shipyard, Edgewater, N. J.; westward of a line ranging 25° true from a point 120 yards east of the east end of said pier to a point 500 yards from the shore (915 yards from Fort Lee flagpole) on a line bearing 100° true and ranging between the Fort Lee flagpole and the square chimney on the Medical Center Building at 168th Street, Manhattan; and southward of said line ranging between the Fort Lee flagpole and the square chimney of the Medical Center.

(1) Subject to the provisions for naval anchorage No. 19, the Captain of the Port may shift the position of, or clear the area of, any vessel so moored as to obstruct the use of this area for additional anchorage of naval vessels when found necessary.

(b) *Anchorage No. 17.* Northward of a line bearing 66° true ranging between the south face of the building known as "Ben Marden's Riviera" north of the George Washington Bridge at Fort Lee, N. J., and the bell tower of the "Cloisters" at Fort Tryon Park, Manhattan; westward of lines ranging 29° true from spar buoy (lat. N. 40°51'34", long. W. 73°56'54") to spar buoy (lat. N. 40°52'27", long. W. 73°56'16"); thence 20° true to spar buoy (lat. N. 40°54'17", long. W. 73°55'23"); thence 15° true to spar buoy (lat. N. 40°56'20", long. W. 73°54'39"); and southward of a line (bearing 104° true) on a range with the latter buoy and the stack of the Yonkers Sewage Disposal Plant: *Provided,* That in order to give free passage for ferry boats, no vessel shall anchor within 300 yards of the line of the Englewood, N. J. to Dyckman Street, Manhattan, N. Y. ferry.

(1) Subject to the provisions for naval anchorage No. 19, the Captain of the Port may shift the position of, or clear the area of, any vessel so moored as to obstruct the use of this area for additional anchorage of naval vessels when found necessary.

(c) *Anchorage No. 18–A.* Eastward of lines bearing 8° true from the northwest corner of the crib icebreaker north of the New York Central Railroad Company drawbridge across Spuyten Duyvil Creek (Harlem River) to a point 250 yards off shore and on line with The New York Central Railroad signal bridge at the foot of 231st Street, extended, at Spuyten Duyvil, Bronx, N. Y.; thence bearing 19° true to the channelward face of the Mount St. Vincent Dock at the foot of West 261st Street, Riverdale, Bronx, N. Y.

(1) Subject to the provisions for naval anchorage No. 19, the Captain of the Port may shift the position of, or clear the area of, any vessel so moored as to obstruct the use of this area for additional anchorage of naval vessels when found necessary.

(d) *Anchorage No. 18–B.* Northward of the south side of West 181st Street, prolonged; eastward of a line ranging 28° true from Jeffreys Hook Light on Fort Washington Point and tangent to the east shore of the river at Inwood Hill Park; and southward of the line of the south ferry rack, extended due east, at Dyckman Street, Manhattan, N. Y.

(1) Subject to the provisions for naval anchorage No. 19, the Captain of the Port may shift the position of, or clear the area of, any vessel so moored as to obstruct the use of this area for additional anchorage of naval vessels when found necessary.

(e) *Anchorage No. 19 (Naval Anchorage).* An anchorage is defined and established for the mooring of naval vessels northward of the south side of West 72nd Street, Manhattan, prolonged; eastward of the east channel line of the Federally improved Weehawken-Edgewater channel, said east channel line being extended to a point opposite West 156th Street; thence eastward of a line

bearing 17° true ranging between the end of the pier at the foot of West 134th Street and a point on the George Washington Bridge 250 yards westward of the air beacon on the east bridge tower; and southward of said bridge: *Provided*, That, in order to give free passage for ferry boats, no vessel shall anchor within a limit of 300 yards of the line of the West 125th Street, Manhattan to Edgewater, N. J. ferry.

(1) In the discretion of the Captain of the Port, small commercial or pleasure vessels may anchor in this area shoreward of a line extending from the channelward end of the New York Central Railroad pier at the foot of West 70th Street to the channelward end of the pier at the foot of West 129th Street and shoreward of the pierhead line as established by the Secretary of War, between West 134th Street, and a prolongation of the bridge over the New York Central Railroad tracks located 1,000 feet south of the George Washington Bridge.

(2) The Captain of the Port may grant permission for one stake boat to occupy an area in the westerly 200-yard portion of the naval anchorage.

(3) The Captain of the Port may permit limited temporary anchorage, not to exceed 24 hours, of commercial vessels awaiting berths in the westerly portion of the naval anchorage south of West 135th Street when use of the anchorage of naval vessels will permit.

(4) The established anchorages for naval vessels having been found inadequate at times when large numbers of them are in the harbor a numbered series of anchorages is defined and established, as shown on Key Chart No. 1, and Key Chart No. 2 (not published herein) in order that when a necessity for additional anchorages arises, permission may be given naval vessels to anchor at designated points serially numbered from 2 to 40 for capital ships, from 100 to 129 for intermediate ships, from 213 to 399 for destroyers and small craft, and from 508 to 611 for the anchorage of destroyers and small craft on the east side of the river, when the space is not required for capital or intermediate ships. Berths 16 to 19, 546, 547, and 551 to 555, are for use only on occasions when the other numbered berths available are not sufficient for the accommodation of the naval ships present. The Captain of the Port, on request from the proper naval authorities, may grant permission to occupy the numbered anchorages outside of, or extending outside of, naval anchorage No. 19, provided those specified in the request can be made available, commercial conditions at the time being given proper consideration. If, in his opinion, there are reasons why the anchorage or anchorages asked for should not be assigned, he will confer with the naval officers making the request, and if other numbers can be agreed upon, will authorize their use; otherwise he will communicate the request to the Secretary of the Navy with a statement of the circumstances and with his recommendation.

Special Anchorages for Pleasure Vessels

(f) The following areas in the Hudson River are designated as special anchorage areas wherein vessels no more than sixty-five feet in length, when at anchor, shall not be required to carry or exhibit anchor lights:

(1) *Yonkers, New York.* Northward of a line on range with the footbridge across the New York Central Railroad Company tracks at the southerly end of Greystone Station, eastward of a line on range with the square, red brick chimney west of the New York Central Railroad Company tracks at Hastings-on-Hudson and the easterly yellow brick chimney of the Glenwood power house of the Yonkers Electric Light and Power Company, and southward of a line on range with the first New York Central Railroad Company signal bridge north of the Yonkers Yacht Club.

(2) *Hastings-on-Hudson, New York.* Northward of a line on range with the northerly face of the club house of the Tower Ridge Yacht Club, eastward of a line on range with the elevated tank of the Anaconda Wire and Cable Company and the channelward face of the northerly building on the waterfront of the said Company's property, and southward of a line on range with the first footbridge across the New York Central Railroad tracks, north of the Tower Ridge Yacht Club.

§ 6.3–20 *Upper Bay anchorages.*—(a) *Anchorage No. 20.* Within an area lying northeast of Ellis Island to the southeastward of a line bearing 58° from the northernmost corner of the island; to the southwestward of a line bearing 100° from the northeast corner of the Central Railroad of New Jersey Pier No. 9 to the outer end of the Staten Island Ferry Racks, on the New York shore; to the Westward of a line bearing 178° from the northeast corner of the Central Railroad of New Jersey Pier No. 5; and to the northward of a line ranging 85° from the south corner of the northerly section of Ellis Island to the outer end of the Staten Island Ferry Racks on the New York shore.

(b) *Anchorage No. 20–A.* To the southward of a line ranging from the southernmost corner of Ellis Island to Cable Lower Buoy "1" off Ellis Island; to the westward of two lines, one line in extension of the line marking the eastern limits of Anchorage No. 20 and the other line ranging 205° from Main Channel Lighted Bell Buoy "31" through Main Channel Lighted Bell Buoy "29" to the north end of the United States Marine Hospital at Stapleton, Staten Island; and to the northward of a line ranging 132° through Nun Buoy "2" and Main Channel Lighted Bell Buoy "29" toward a tall brick chimney near the foot of 52nd Street, Brooklyn, N. Y. Area 49–B in this anchorage is reserved for explosives and is excluded from use as a general anchorage. (See § 6.3–65.)

(c) *Explosive anchorage.* The portion of Anchorage 20–A located eastward of a line bearing 204.5° true from the east end of the east landing pier on Bedloe's Island through Bayonne Terminal Lighted Buoy "1", Robbins Reef Lighted Gong Buoy "27", and Coast Guard Depot North Dock Light; and south of the National Docks at Black Tom Island, is designated as an explosive anchorage. The Captain of the Port may authorize the use of this explosive anchorage by vessels loading or discharging explosives when he finds that the interests of commerce and national war effort will be promoted thereby and that the interest of safety will not be prejudiced thereby. No vessel shall occupy this anchorage without a permit from the Captain of the Port.

(d) *Anchorage No. 20–B.* To the southward of Pennsylvania Railroad Greenville Terminal dredged channel on a line from the southerly corner of the southerly pier of the Pennsylvania Railroad Company Greenville Terminal to the end of the south pier of the Bethlehem Steel Company Ship Building Division at the foot of 56th Street, Brooklyn; to the westward of a line from the Governors Island Extension Light to the tower at the westerly end of the St. George Ferry Terminal, to the northward of a line ranging 262° from Robbins Reef Gong Buoy "27", and northeast of the channel approach to the north side of Constable Point.

(1) No vessel shall anchor between Ellis Island and the piers of the Central Railroad of New Jersey, or in the dredged channel approaches to this space, or the piers and wharves of the railroad, or in the dredged channel approaches to the National Docks at Black Tom Island, to Bedloes Island, to the Greenville, Claremont and Bayonne Terminals, or in the New Jersey Pierhead Channel, or near the entrances to said channels so as to obstruct the approaches or interfere in any way with the free navigation of the same. The portion of Anchorage 20–A, north of the National Docks at Black Tom Island, and the portion of Anchorage 20–B which are east of a line ranging 204.5° true and tangent to the east end of the east landing pier of Bedloes Island through Bayonne Terminal Lighted Buoy "1", Robbins Reef Lighted Gong Buoy "27", and Coast Guard Depot North Dock Light, are set aside as temporary anchorages for vessels arriving in and leaving port. No vessel shall occupy these anchorages for a longer period than 72 hours unless a permit is obtained from the Captain of the Port for that purpose.

(e) *Anchorage No. 21.* To the southward of a line passing through Claremont Terminal Lighted Buoy "1", the easterly white spar buoy "A" marking the north limit of the anchorage ground and the middle point of the front of the New York Dock Company Pier No. 41 (Merchants Stores); to the westward of Red Hook and Bay Ridge Channels marked by anchorage and channel buoys along the western edge of the dredged channel; to the eastward of a line through Bay Ridge Channel Junction Lighted Bell Buoy and Gowanus Flats Lighted Bell Buoy "22"; to the eastward of a line from thence to Gowanus Flats Lighted Bell Buoy "24"; northerly therefrom, to the eastward of a line ranging 28° from the southeast corner of city pier No. 16, Staten Island, to the light at southwest end of Governors Island, through Gowanus Flats Lighted Bell Buoys "26", "28" and "30".

(f) *Anchorage No. 21–A.* All that portion of Anchorage No. 21 to the northward of a line ranging from the end of the 39th Street Ferry rack (northeast rack), Brooklyn, to Gowanus Flats Lighted Bell Buoy "28". This anchorage to be used for sailing vessels; deep-laden vessels to use the western half of the anchorage and light-draft vessels to use the eastern half.

(g) *Anchorage No. 21–B.* That portion of Anchorage No. 21 south of Anchorage No. 21–A as described above, and west and south of Anchorage No. 21–C described below. This anchorage shall be used by steamers; those deep-laden to use the western side and southern end of the anchorage ground, and light-draft steamers to use the eastern side, excluding the fairway described below.

(h) *Anchorage No. 21–C.* That portion of Anchorage No. 21 south of Anchorage No. 21–A as described above, northerly of a line ranging from Robbins Reef Light to the northerly of the tall chimneys of the Brooklyn Edison Company's power house at 66th Street, Brooklyn, and easterly of a line ranging from the point of Red Hook to the north corner of Pier 21 of the Pouch Terminal at Clifton, Staten Island, excluding the fairway described below. Barges drawing 12 feet or less are required to use this anchorage to the exclusion of Anchorage Nos. 21–A and 21–B.

(1) Vessels of the various types required to use Anchorage Nos. 21–A, 21–B, and 21–C may be anchored in other of these areas than those set aside for them for a limited time after first obtaining a permit from the Captain of the Port, when and to the extent that they are not needed for vessels of the types assigned to them.

(2) A fairway 600 feet wide, crossing Anchorage Nos. 21–B and 21–C, marked by buoys at each entrance, shall be excluded from the anchorage grounds. Its northerly side is on range with Claremont Terminal Lighted Buoy "1" at the entrance to Claremont Terminal Channel, and the center of the head of the north pier of the Long Island Railroad terminal at the foot of 64th Street, Bay Ridge.

(3) No vessel shall occupy these anchorages for a period longer than 30 days, unless a permit is obtained from the Captain of the Port for that purpose.

(i) *Anchorage No. 21–D.* Small vessels may, in the discretion of the Captain of the Port, anchor to the eastward of a line ranging 338.5° from the west edge of Fort Lafayette, and southward of 92nd Street; between 79th Street and 92nd Street, eastward of a line ranging from Craven Shoal Lighted Bell Buoy to the Statue of Liberty, and eastward of Bay Ridge Channel, northward of 79th Street to a point off 66th Street; but not within 100 yards of the pier at 69th Street, Brooklyn.

(j) *Anchorage No. 22 (Man-of-War Anchorage).* To the southward of a line ranging 85° from the north end of the east rack of St. George Ferry; to the westward of a line ranging 171° through the northeast corner of Bayonne Terminal; and to the northward of a line ranging 72° from the northeast corner of Pier 6, Tompkinsville, Staten Island.

(1) The Captain of the Port may permit commercial vessels to anchor, temporarily, ordinarily for a period not greater than 24 hours, in this anchorage, when he knows that it is not going to be needed for naval vessels, but two berths for capital ships of the Navy shall be reserved in the eastern portion of the anchorage, and two berths reserved for Coast Guard vessels near shore. Commercial vessels so anchored shall be moved at their own expense whenever the anchorage ground is needed for naval vessels.

(k) *Anchorage No. 23 (Temporary Anchorage).* South of a line ranging 72° from the northeast corner of Pier 6, Tompkinsville, Staten Island; to the westward of a line ranging 175° from Robbins Reef Light to the northeast corner of Quarantine Wharf, and to the northward of a line bearing 226° to the center of a large gas tank at Clifton, Staten Island. No vessel shall occupy this anchorage for a longer period than 48 hours, unless a permit is obtained from the Captain of the Port for that purpose.

(l) *Anchorage No. 24 (Quarantine Anchorage).* To the southward of a line bearing 226° to the center of the gas tank at Clifton, Staten Island, and to the westward of a line ranging from the northern end of the Quarantine Wharf, Rosebank, Staten Island to Robbins Reef Lighthouse.

(1) Vessels arriving at quarantine and awaiting inspection may anchor temporarily to the westward of a line bearing 346°, 100 yards westerly from and parallel with a line ranging from Craven Shoal Lighted Bell Buoy to Robbins Reef Lighthouse, but not south of a line bearing 270° from the north side of Fort Lafayette or north of a line ranging 85° from the north end of the east rack of the St. George Ferry Landing. As soon as cleared by the quarantine officer, vessels must vacate this temporary anchorage and, if detained in quarantine, must at once move into the quarantine anchorage.

(2) Northerly of Quarantine Wharf, Rosebank, Staten Island, vessels may be kept to the westward of the east boundary range of this temporary anchorage at all times by dropping anchors on or to the westward of a line ranging 168° from Fort Wadsworth Light when the combined lengths of anchor line and vessels swinging eastward of the line shall in no case exceed from 370 yards off Quarantine Wharf, to 270 yards opposite Pier 6, Tompkinsville, Staten Island, and proportionate lengths between such points.

(3) Whenever the temporary quarantine anchorage off Staten Island is fully utilized, vessels shall anchor as directed by the Captain of the Port. (See Quarantine Anchorage No. 44).

§ 6.3–25 *Explosives anchorage: Gravesend Bay, New York.*—(a) *Anchorage No. 25.* To the northward of a line ranging 271.5° from Coney Island Lighthouse on Norton Point to the south point of Hoffman Island to the eastward of a line ranging 342° through Main Channel Lighted Bell Buoy 20–A, a point 250 yards due west from the west edge of Fort Lafayette and a point 300 yards due east from Robbins Reef Lighthouse; and to the southward of a line ranging 70° from Main Channel Lighted Bell Buoy "20–A", through Fort Hamilton southwest Buoy "20". (See § 6.3–65).

§ 6.3–30 *Lower Bay Anchorages, New York.*—(a) *Anchorage No. 26.* In Sandy Hook Bay to the southward of a line extending from Point Comfort to Sandy Hook Point Light.

(b) *Anchorage No. 27.* Vessels may anchor on Romer Shoal and Flynn Knoll and south of Gedney Channel.

(c) *Anchorage No. 28.* To the southward of a line ranging due east from the ruins of a bulkhead at Fort Wadsworth, to Main Channel Lighted Bell Buoy "20–A" to the westward of lines ranging 154.5° from Fort Wadsworth Light to Craven Shoal Lighted Bell Buoy "19A"; thence in succession to the buoys marking the east side of West Bank and the buoys on the west side of Chapel Hill cut; thence 182° to a line extending from Sandy Hook Point Light to Point Comfort, to the northward of the latter line, and the New Jersey shore, and to the eastward of a line bearing 353° from the head of the Keansburg Steamboat Dock at Point Comfort, through Great Kills Flat Buoy "4" to the Staten Island shore.

§ 6.3–35 *Kill Van Kull Anchorages.*—(a) *Anchorage No. 29.* To the northward of a line ranging from the south face of the Tidewater Oil Company Pier 1 to the south face of the city wharf at the foot of Ingham Avenue, Bayonne, between said wharf and the Tidewater Oil Company pier; and to the westward of the westerly rack of the Bergen Point Ferry at Bayonne, N. J.; to the northward of a line ranging from the north end of Frank McWilliams, Inc., Pier 2, West New Brighton, Staten Island, N. Y.; to the southwest corner of the pier, foot of Humphreys Avenue, Bayonne, N. J.; northward of a line ranging 258° from the inshore end of the Bergen Point Ferry at Bayonne, N. J.; thence northward of a line ranging 90° from Bergen Point Light; thence southeastward of a line running 55° to the shore at Bergen Point.

(b) *Anchorage No. 30.* To the southward of lines joining the ends of the long piers between pier of the Reinauer Transportation Companies, Inc., at Port Richmond, and the power station at Livingston Point.

(c) *Anchorage No. 31.* To the southward of a line bearing 277.5° from the northwest corner of the Standard Var-

nish Works' wharf to the north end of the pier 200 feet west of Van Pelt Avenue, Mariners Harbor, Staten Island, N. Y.

(d) *Anchorage No. 32.* To the southward of a line from the northeast corner of ruins of former Downey Shipbuilding Company wharf to Kill Van Kull Channel Lighted Buoy "11," and a line from thence to the northwest corner of Pier 7 at the foot of Mersereau Avenue, Mariners Harbor, Staten Island, N. Y.

§ 6.3–40 *Newark Bay Anchorages.*—(a) *Anchorage No. 33.* To the west of Shooters Island between a line ranging from the southwest corner of Shooters Island to the twin spires on St. Peter's and Paul's Church, Elizabethport, and a line ranging from the north side of the dike at Port Ivory, Staten Island, to the northwest corner of Shooters Island.

(b) *Anchorage No. 34.* South of the bridge of the Central Railroad of New Jersey, to the westward of a line from a point on the bridge, 100 yards west of the west pier of the west lift span to Newark Bay Channel Buoy "5," and a line from thence to the east end of the dike north of Shooters Island; to the northward of the dike and to the eastward of a line ranging from the west end of the dike to the east end of the fill of the Central Railroad of New Jersey on the west side of the bay.

(c) *Anchorage No. 35.* To the northward of Anchorage No. 29, to the eastward of a line from the center of Bergen Point Light ranging to the west pier of west lift span of the Central Railroad of New Jersey bridge to a point off the north side of the pier of The Texas Company, and of a line from thence to a point 100 yards east of the east pier of the east lift span of the railroad bridge, and south of the bridge.

(d) *Anchorage No. 36.* To the southward of Port Newark Terminal Channel, and to the westward of a line ranging from a point 200 yards west of Newark Bay Light 3 to a point 100 yards west of the west pier of the west lift span of the Central Railroad of New Jersey bridge, and north of said bridge.

(e) *Anchorage No. 37.* To the northward of the Central Railroad of New Jersey bridge and to the eastward of a line ranging from a point 200 yards east of the east pier of the east lift span of the bridge to a point 200 yards east of the east end of the lift span of the Lehigh Valley Railroad bridge, and south of the latter bridge.

(f) *Anchorage No. 38.* North of the Lehigh Valley Railroad bridge and to the eastward of the dredged channel in Newark Bay and Hackensack River as marked by red channel buoys and south of the Central Railroad of New Jersey bridge on the east side of the Hackensack River.

(g) *Anchorage No. 39.* In the area between the entrance channels of the Hackensack and Passaic Rivers to the northwestward of a line from the abutment of the Central Railroad of New Jersey bridge on the west side of the Hackensack River to Hackensack River Light 1, and of a line from thence to Newark Bay Light 5 and to the eastward of a line from said light ranging toward the southeast corner of the Texas Company wharf and a line ranging from the southeast corner of Gross' wharf to the abutment and end of fill of the Central Railroad of New Jersey bridge on the east side of the Passaic River.

§ 6.3–45 *Arthur Kill Anchorages.*—(a) *Anchorage No. 40.* To the westward of a line from the head of the southerly pier of the Standard Oil Company of New Jersey to Arthur Kill Lighted Bell Buoy "9" and a line from thence to the northerly wharf of E. I. DuPont DeNemours and Company, Inc.

(b) *Anchorage No. 41.* The passage between Pralls Island and Staten Island included between a line running 29° from the extreme northwest point of Pralls Island to a point on Staten Island and a line from the southern point of Pralls Island to the north side of the mouth of Neck Creek at Linoleumville, Staten Island.

(c) *Anchorage No. 42.* To the eastward of lines ranging from the head of the Tottenville Shipyard Company pier at Tottenville, Staten Island, to the first pier of the Outerbridge Crossing west from the Staten Island shore; thence to Arthur Kill Light "6"; thence to Arthur Kill Light "7"; and thence to Smoking Point Anchorage Buoy "A", and southward of a line from thence to Smoking Point.

(d) *Anchorage No. 43.* To the southward of the southerly pier of the Lehigh Valley Railroad coal terminals, to the westward of a line ranging from the southeast corner of the northerly pier toward the outer end of the ferry rack at Perth Amboy, and northerly of the extension of the southerly line of Fayette Street, Perth Amboy.

§ 6.3–50 *Quarantine Anchorage; Raritan Bay, New Jersey.*—(a) *Anchorage No. 44.* A quarantine anchorage for vessels is established off Perth Amboy westerly of the Raritan Bay Channel leading into Arthur Kill, northeasterly of a line extending westerly from Raritan Bay Channel Buoy "15" through Anchorage Buoy "A", easterly of a line extending 331°31′ true through Great Beds Light, Cutoff Channel Light "1" and St. Peter's Church spire at Perth Amboy, and southeasterly of the Cutoff Channel between Raritan River and Arthur Kill.

(b) The following portion of Raritan Bay Quarantine Anchorage No. 44 is temporarily reserved for the anchorage of barges which are awaiting the formation of tows and which do not draw over 22 feet of water:

That portion of the Raritan Bay Quarantine Anchorage located southerly of a line extending westerly from Raritan Bay Channel Buoy "42" to Anchorage Buoy "A".

§ 6.3–55 *General anchorages; Raritan Bay, New Jersey.*—(a) *Anchorage No. 45.* Near Perth Amboy an area to westward, northward, and eastward, respectively, of the Raritan Bay Channel leading into Arthur Kill, the Raritan River Channel leading to South Amboy, and the cutoff channel between Raritan River and Arthur Kill, except that part of said area occupied by Quarantine Anchorage No. 44, described above.

(b) *Anchorage No. 45–A.* Near Perth Amboy, westward of the cutoff channel between Raritan River and Arthur Kill, northward of the Raritan River Channel and easterly of the Central Railroad of New Jersey bridge across Raritan River, but not north of Market Street, Perth Amboy in Arthur Kill.

(c) *Anchorage No. 46.* Near Staten Island, to the westward of Lower Bay Anchorage No. 28, and to the northward of the dredged channel from the deep water of the Lower Bay to Seguine Point; in Princess Bay and off the Staten Island shore between Princess Bay and Ward Point to the northward and northwestward of Raritan Bay Channel and to the northeastward of the channel entrance to Arthur Kill.

(d) *Anchorage No. 47.* To the southward of the South Amboy Channel from opposite the Sun Oil Company pier at South Amboy to South Amboy Channel Buoy "1"; thence southward of a line in the direction of the boundary beacon to a point south of Raritan Bay light "5"; thence southward of a line through Raritan Bay Buoy "EX" to Raritan Bay Light "3"; thence southward of a line to Raritan Bay Light "2"; thence southward of the buoys marking the south side of the dredged channel off Seguine Point to the west boundary of Lower Bay Anchorage No. 28; to the westward of said Anchorage No. 28, excluding Explosive Anchorage No. 49–D (see § 6.3–65), and excluding also a channel at Keyport Harbor bounded as follows: eastward, by a line ranging from Keyport Channel Buoy "1" to Channel Buoy "9", thence to Channel Buoy "11", thence to Channel Buoy "13", thence to the northeast corner of the easterly steamboat wharf, and thence by a line from the west corner of the old steamboat wharf to a point on the shore midway between Matawan and Oyster Creeks; westward, by a line extending from a point 400 yards west of Keyport Channel Buoy "1" tangent to the west shore line at the mouth of Matawan Creek.

§ 6.3–60 *Sheepshead Bay Anchorages.*—(a) *Anchorage No. 48–A.* Within an area at the western end of the bay to the southward of a line 25 feet south of and parallel to the bulkhead wall along the south side of Emmons Avenue; to the eastward of a line 200 feet easterly of and parallel to the prolonged west side of East 15th Street; to the northward of a line 200 feet northerly of and parallel to the south side of Shore Boulevard, said line extending easterly to a point 60 feet easterly of its intersection with the prolonged easterly side of Dover Street; to the northward of a line from the last-mentioned point to a point 25 feet westerly of the prolonged west side of Ocean Avenue; and 250 feet southerly of the south side of Emmons Avenue; and to the westward of a line parallel to and 25 feet west of the prolonged west side of Ocean Avenue.

(b) *Anchorage No. 48–B.* Within an area on the north side of, and in the east end of the bay to the southward of the established United States pierhead line on the north side of the bay; to the westward of the prolonged west side of Coyle Street; to the northward of a line from a point 90 feet south of said pierhead line in said prolonged west side of Coyle Street, ranging toward the intersection of the curb lines at the southwest corner of Shore Boulevard and Kensington Avenue; and to the northward of a line (intersecting said last-mentioned line westward of Brown Street, prolonged) extending westerly parallel to and 450 feet north of the south side of Shore Boulevard; to the northeastward of a line extending northwesterly from the point of intersection of the last-described line with the prolonged east side of East 28th Street to a point on the prolonged east side of East 27th Street and 245 feet south of the established United States Pierhead line on the north side of the bay, and to the eastward of the prolonged east side of East 27th Street.

(c) *Anchorage No. 48–C.* Within an area on the south side of the bay to the southward of a line extending from a point 300 feet northerly from the south side of Shore Boulevard (perpendicular distance) and in the prolonged west side of Hastings Street, to a point on the prolonged east side of Mackenzie Street 250 feet north of the south side of Shore Boulevard, and southward of a line extending thence easterly parallel to, and 250 feet north of, said south side of Shore Boulevard; to the westward of the prolonged west side of Coyle Street; to the northward of a line parallel to, and 150 feet north of, the south side of Shore Boulevard; and to the eastward of the prolonged west side of Hastings Street.

§ 6.3–65 *Anchorages for explosives in New Jersey Flats and Raritan Bay.*—(a) *Anchorage No. 49–B.* On the New Jersey Flats to the southward of a line drawn parallel to, and 500 yards to the south of the Black Tom dredged channel, to the westward of a line ranging from the east end of the east landing pier on Bedloes Island through Bayonne Terminal Lighted Buoy "1", Robbins Reef Lighted Gong Buoy "27" and Coast Guard Depot North Dock Light, and to the northward of a line parallel to and 400 yards north of a line ranging 131° true through Nun Buoy "2" and Main Channel Lighted Bell Buoy "29" toward a tall brick chimney near the foot of 52nd Street, Brooklyn, New York; and east of a line ranging 36° from the tall chimney located on Constable's Hook and the black stack located on the Pennsylvania Railroad Greenville yard terminal, *Provided:* That this anchorage does not include any portion of the channel marked on the northwest by Lighted Bell Buoy "2", Nun Buoy "4", Lighted Buoy "6"; and on the southeast by Can Buoy "1", Can Buoy "3", and Can Buoy "5".

(1) Vessels shall not anchor within 800 yards of Bedloes Island or within 500 yards of any pier.

(2) No vessel using this anchorage shall carry more than 20 tons of high explosives.

(3) No vessel carrying explosives of any kind shall anchor in this anchorage within 500 feet of any other vessel carrying high explosives; except that the Captain of the Port may authorize the placing of moorings not less than 500 feet apart within this area and the making fast thereto of not to exceed 3 barges at each mooring, provided the combined load of the barges at a mooring is not more than 20 tons of high explosives.

(4) Insofar as practicable, in the use of this anchorage, preference shall be given to vessels storing explosives for current consumption.

(5) In cases of great emergency and when weather conditions are such that it is impossible for barges, scows or lighters loaded with more than 20 tons of high explosives to proceed to Gravesend Bay or Raritan Bay, or lie at anchor there, such vessel may anchor temporarily in the Jersey Flats anchorage, but in each case the Captain of the Port must be immediately notified, and such vessel will not remain so anchored without his special permission.

(b) *Anchorage No. 49–D.* An anchorage in Raritan Bay for barges or lighters loaded with explosives as follows: To the southward of a line ranging 70° from Raritan Bay Buoy "EX" to West Bank Light; to the westward of a line ranging 137° from tower of former Princess Bay Light to tower of former Waackaack Light; to the northward of a line ranging 250° from Old Orchard Shoal Light to Boundary Beacon; and to the eastward of a line ranging 306° from Boundary Beacon to Raritan Bay Buoy "EX."

§ 6.3–70 *Randall Bay, Freeport, Long Island, N. Y.*—(a) *The anchorage area.* Vessels may anchor at Randall Bay to the southward of a line 312 feet south of and parallel to the south side of Casino Street; to the eastward of a line 215 feet east of and parallel to the east side of West Side Avenue, said line extending southerly to a point 233 feet north of the prolonged north side of Clinton Street; to the northeastward of a line from the last-mentioned point to a point 243 feet southerly of the prolonged south side of Clinton Street and 210 feet east of the east side of Prospect Street; to the eastward of a line 210 feet east of and parallel to the east side of Prospect Street; to the northward of a line 25 feet north of and parallel to the prolonged north side of Suffolk Street; to the westward of a line 210 feet west of and parallel to the west side of South Long Beach Avenue, said line extending northerly to a point 222 feet south of the prolonged south side of Queens Street; to the southwestward of a line from the last-mentioned point to a point 74 feet northerly of the prolonged north side of Queens Street and 120 feet west of the west side of Roosevelt Avenue; and to the westward of a line 120 feet west of and parallel to the west side of Roosevelt Avenue.

(1) The Captain of the Port is authorized to issue permits for maintaining mooring buoys within the anchorage. The method of anchoring these buoys will be prescribed by the Captain of the Port. No vessel shall anchor in the anchorage in such a manner as to interfere with the use of a duly authorized mooring buoy.

(2) No vessel shall be navigated within Randall Bay at a speed exceeding 6 knots.

FRANK KNOX,
Secretary of the Navy.

Approved: March 18, 1943.

FRANKLIN D ROOSEVELT.
The White House.

[F. R. Doc. 43-4237; Filed, March 19, 1943; 2:14 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 202—MINIMUM WAGE DETERMINATIONS

EMPLOYMENT OF LEARNERS AT SUBMINIMUM RATES IN DESIGNATED INDUSTRIES

In the matter of the determinations of the prevailing minimum wages in the cotton garment and allied industries, gloves and mittens industry, knitted and men's woven underwear and commercial knitting industry, seamless hosiery industry, and textile industry.

Whereas, the prevailing minimum wage determinations for the cotton garment and allied industries, issued by me on June 20, 1942, for the gloves and mittens industry, issued by me on December 16, 1942 for the knitted and men's woven underwear and commercial knitting industry, issued by me on February 3, 1942, for the seamless hosiery industry, issued by me on March 12, 1942, and for the textile industry, issued by me on May 25, 1942, provide that learners may be employed at subminimum rates in accordance with the applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act which were in effect on the respective dates of issuance of said minimum wage determinations; and

Whereas on March 10, 1943, the Administrator of the Wage and Hour Division issued Administrative Order No. 181, effective March 22, 1943, amending the learner regulations of the Wage and Hour Division applicable to the employment of learners in the hosiery industry, women's apparel industry, single pants, shirts and allied garments industry, textile industry, knitted and men's woven underwear and commercial knitting industry, knitted outerwear industry, gloves and mittens industry, and the sportswear and other odd outerwear and the belts divisions of the apparel industry, insofar as they are inconsistent with the following provisions, to be effective for the duration of the war emergency:

1. Special learner certificates may be issued upon individual applications of employers provided that it is satisfactorily shown that:

(a) Experienced labor is not available in the locality from which the employer customarily draws his labor supply;

owned by or under bareboat or time char-

14 thereof and § 522.5 (b) of the regula-

known as Legging, Seaming, Looping,

Notice of Amended Order for the Employ-

(b) Learners are available for employment at the established subminimum learner wage rate;

(c) The issue of a certificate will not tend to impair working or wage standards established for experienced workers in the industry;

(d) The issue of such certificates will not create unfair competitive labor cost advantages;

(e) The number of learners applied for will not tend to impair the statutory minimum wage rate in such plant;

(f) The applicant's piece work or hourly wage rates yield average earnings to experienced workers substantially above the minimum wage rate.

2. The subminimum wage rate which may be provided in special learner certificates shall be not less than 35 cents per hour.

3. Authorization to employ a number or percentage of learners for labor turnover in excess of that provided in learner industry regulations, issued pursuant to § 522.4 of the regulations of the Administrator of the Wage and Hour Division and presently in effect, may be granted to the extent of the actual need of an individual applicant, when that need is due to an abnormal labor turnover resulting from the war emergency.

and amending, as of March 22, 1943, certificates presently in effect in these industries insofar as they are inconsistent with paragraph 2; and

Whereas it appears advisable, for the purpose of coordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act, to adopt the above amendments for the purposes of the aforementioned prevailing minimum wage determinations, insofar as said learner regulations of the Administrator of the Wage and Hour Division are presently applicable to said minimum wage determinations,

Now, therefore upon consideration of all the facts and circumstances, I hereby determine that learners may be employed at subminimum rates in the cotton garment and allied industries, in the gloves and mittens industry, in the knitted and men's woven underwear and commercial knitting industry, in the seamless hosiery industry, and in the textile industry, only in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act, as amended on March 22, 1943, which I hereby adopt for the purposes of this determination.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after March 22, 1943, except that learners may be employed at subminimum rates, in accordance with the amended regulations of the Administrator of the Wage and Hour Division, on or after March 22, 1943, in the performance of contracts, bids for which were solicited or negotiations otherwise commenced by the contracting agency prior to that date.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Dated: March 20, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-4421; Filed, March 22, 1943; 11:50 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 16, Supp. 8]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

UNIFORM BILL OF LADING

General Order 16 (§§ 303.11 to 303.19, inclusive) is amended by adding the following paragraph at the end of Clause 3 of the Uniform Bill of Lading designated as "War Shiplading—7/1/42", as prescribed in § 303.11, *Uniform bill of lading:*[1]

§ 303.11 *Uniform bill of lading.* • • •

3. • • • In view of the necessity for the expeditious employment of all the available Merchant Marine, the exercise by the carrier or master of any of the liberties granted herein with respect to loading, departure, scope of voyage, arrival, routes, ports of call, stoppage, discharge, destination, surrender, delivery, or otherwise, shall be presumed to be for the purposes of conserving and utilizing war time, sea mileage or shipping space, and therefore prima facie reasonable and necessary in the assembling, transportation or distribution of materials essential to the war effort.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

MARCH 20, 1943.

[F. R. Doc. 43-4341; Filed, March 20, 1943; 12:59 p. m.]

[General Order 5, Supp. 2]

PART 304—LABOR

RESTRICTION OF EMPLOYMENT OF CERTAIN FOREIGN NATIONALS

The provisions of § 304.8 *Restrictions of employment of certain foreign nationals on American flag vessels* and § 304.9 *Restriction of employment of certain foreign nationals on Panamanian and Honduran flag vessels* are merged into one section, § 304.8, and are amended to read:

§ 304.8 *Restriction of employment of certain foreign nationals on American, Panamanian and Honduran flag vessels owned by or under bareboat or time charter to the War Shipping Administration.* All owners, operators and agents of vessels owned by or under bareboat or time charter to the War Shipping Administration and documented under the laws of the United States of America or under the laws of the Republic of Panama or of the Republic of Honduras shall not employ on any such vessel:

(a) Any Norwegian, Netherlands, Belgian, Polish, Yugoslavian, Greek, or British national who was not so employed on April 8, 1942, or had not been so employed prior thereto, or

(b) Any Brazilian national who was not so employed on February 1, 1943, or had not been so employed prior thereto, except by consent of a properly accredited consular representative of the nation involved.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

MARCH 19, 1943.

[F. R. Doc. 43-4311; Filed, March 20, 1943; 10:42 a. m.]

[1] 7 F. R. 5246, 6566.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 188]

MATTRESS, BEDDING, AND RELATED PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 54

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. L. D. Hammack from Industry Committee No. 54 for the Mattress, Bedding, and Related Products Industry, and do appoint in his stead Mr. Walter J. Schob of Philadelphia, Pennsylvania, as representative for the employers on such committee.

Signed at New York, New York this 20th day of March, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-4362; Filed, March 22, 1943; 9:33 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 22, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Colette Mnaufacturing Company, of Santurce, Puerto Rico, to employ fifty-five (55) learners in the operations known as Covering elastics, Machine knotting and Machine clipping at 15¢ an hour for the first 240 hours; 22½¢ an hour for the second 240 hours, and 25¢ an hour for every hour thereafter. Examining at 15¢ an hour for the first 320 hours; 22½¢ an hour for the second 320 hours, and 25¢ an hour for every hour thereafter. Knotting at 15¢ an hour for the first 480 hours; 20¢ an hour for the second 480 hours; and 25¢ an hour for every hour thereafter. Spooling at 15¢ an hour for the first 480 hours; 22½¢ an hour for the second 480 hours; and 25¢ an hour for every hour thereafter. Warping at 15¢ an hour for the first 480 hours; 17½¢ an hour for the second 480; 20¢ an hour for the third 480 hours; 22½¢ an hour for the fourth 480 hours, and 25¢ an hour for every hour thereafter. Knitting at 15¢ an hour for the first 240 hours; 20¢ an hour for the second 240 hours, and 25¢ an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate established herein, whichever is the higher, shall be paid. This certificate effective January 15, 1943 and shall remain in effect for a period not exceeding six months thereafter.

Aurele M. Gatti, Inc. of Guayama, Puerto Rico, to employ forty-five learners in the operation known as making the "V" cavity in the manufacture of "V" type jewel bearings, at the rate of 12½¢ an hour for the first 480 hours; 18¢ an hour for the second 480 hours; 25¢ an hour for the third 480 hours, and 30¢ an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one half times the applicable piece rate or the rate established herein, whichever is the higher, shall be paid. This certificate effective on November 17, 1942 and shall remain in effect for a period not exceeding one year thereafter.

Puerto Rico Mills, Inc. of Puerta de Tierra, Puerto Rico; To employ seventy-seven (77) learners in the operations known as Legging, Seaming, Looping, Topping, Footing, Winding at 10¢ an hour for the first 480 hours; 12½¢ an hour for the second 480 hours; 15¢ an hour for the third 480 hours; 18¾¢ an hour for the fourth 480 hours, and 25¢ an hour for every hour thereafter. Final Inspection, Foot Inspection, Leg Inspection, Mending at 12½¢ an hour for the first 480 hours; 18¾¢ an hour for the second 480 hours, and 25¢ an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate or the rate established herein, which ever is the higher, shall be paid. This certificate effective January 1, 1943 and shall remain in effect for a period not exceeding six months.

Signed at New York, N. Y., this 20th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4363; Filed, March 22, 1943; 9:33 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940, (5 F.R. 3591), as amended by Administrative Order March 13, 1943, (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942, (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order, September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3580), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3629).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order of regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 22, 1943. The certificate may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

H. Bomze & Brother, 1029 Arch Street, Philadelphia, Pennsylvania; Ladies' rayon and cotton dresses; 10 percent (T); March 22, 1944.

Gort Girls Frocks, Incorporated, 75 Stark Street, Wilkes Barre, Pennsylvania; Children's dresses and playsuits; 10 percent (T); March 22, 1944.

Miller Corsets, Incorporated, 10 Chapin Street, Canandaigua, New York; Corsets, girdles, foundation garments; 10 percent (T); March 22, 1944.

Knitted Wear Industry

The Trion Company, Knitting Department, Trion, Georgia; Knitted underwear and commercial knitting; 3 learners (T); March 22, 1944.

Hosiery Industry

The following certificates, which incorporate the new Seamless Hosiery Industry minimum learner rate of 35 cents an hour, are issued to correct and replace the certificates now held by the firms listed below, the expiration dates remaining unchanged.

Acme Hosiery Mills, North Street, Asheboro, North Carolina; Seamless hosiery; 10 percent (T); June 1, 1943.

Adams-Millis Corporation, High Point, North Carolina; Seamless hosiery; 5 percent (T); December 17, 1943.

Adams-Millis Corporation, Mill #2, Grimes Street, High Point, North Carolina; Seamless hosiery; 5 percent (T); December 17, 1943.

Adams-Millis Corporation, Mill #3, Washington Street, High Point, North Carolina; Seamless hosiery; December 17, 1943, 5 percent (T).

Adams-Millis Corporation, Mill #8, Tryon, North Carolina; Seamless hosiery; 5 percent (T); December 17, 1943.

Adams-Millis Corporation, Mill #4, Bodenheimer Street, Kernersville, North Carolina; Seamless hosiery; December 17, 1943, 5 percent (T).

Adams-Millis Corporation, Mill #7, English Street, High Point, North Carolina; Seamless hosiery; December 17, 1943, 5 percent (T).

The Alden Mills, 2308 Chartres Street, New Orleans, Louisiana; Seamless hosiery; 5 percent (T); February 8, 1944.

The Alden Mills, Meridian, Mississippi; Seamless hosiery; 5 percent (T); December 10, 1943.

Altamahaw Hosiery Mills, Altamahaw, North Carolina; Seamless hosiery; 5 learners (T); December 21, 1943.

Amos Hosiery Mills, 328 Mangun Avenue, High Point, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Ashe Hosiery Mills, 642 N. Gay Street, Knoxville, Tennessee; Seamless hosiery; 5 percent (T); November 30, 1943.

Atlanta Hosiery Mills, 231 Oakland Avenue, S. E., Atlanta, Georgia; Seamless hosiery; 5 percent (T); October 5, 1943.

Charles H. Bacon Company, Lenoir City, Tennessee; Seamless hosiery; 5 percent (T); November 12, 1943.

Charles H. Bacon Company, Loudon, Tennessee; Seamless hosiery; 5 percent (T); October 26, 1943.

Baker-Cammack Hosiery Mills, Inc., Webb Avenue, Burlington, North Carolina; Seamless hosiery; 5 percent (T); November 19, 1943.

Baker-Mebane Hosiery Mills, Highway 103 Mebane, North Carolina; Seamless hosiery; 5 percent (T); December 10, 1943.

Bales Hosiery Corporation, 2562 English Street, High Point, North Carolina; Seamless hosiery; 5 learners (T); November 19, 1943.

Barber Hosiery Mills, Inc., South Main Street, Mt. Airy, North Carolina; Seamless hosiery; 5 percent (T); November 19, 1943.

Barnett Hosiery Mills, Taylorsville, North Carolina; Seamless hosiery; 5 learners (T); October 8, 1943.

Bear Brand Hosiery Company, Kankakee, Illinois; Seamless hosiery; 5 percent (T); November 2, 1943.

Bear Brand Hosiery Company, 1300 Washington Street, Henderson, Kentucky; Seamless hosiery; 5 percent (T); November 2, 1943.

Bear Brand Hosiery Company, 205 East 21st Street, Gary, Indiana; Seamless hosiery; 5 percent (T); November 2, 1943.

Belknap Mills Corporation, 37 Mill Street, Laconia, New Hampshire; Seamless hosiery; 5 percent (T); June 1, 1943.

Bell Hosiery Corporation, 200 Johnson Avenue, Suffolk, Virginia; Seamless hosiery; 10 percent (T); March 30, 1943.

Belle Meade Hosiery Mills, Inc., 51st and Centennial Boulevard, Nashville, Tennessee; Seamless hosiery; 5 learners (T); July 9, 1943.

Belmont Hosiery Mills, Inc., Belmont, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Beloit Hosiery Company, 206 Wheeler Avenue, South Beloit, Illinois; Seamless hosiery; 5 percent (T); October 1, 1943.

Berton Hosiery Mills, Granite Falls, North Carolina; Seamless hosiery; 3 learners (T); August 6, 1943.

Bisher Hosiery Mill, Denton, North Carolina; Seamless hosiery; 5 learners (T); November 12, 1943.

Black Hosiery Mills Company, Midland, North Carolina; Seamless hosiery; 5 learners (T); September 28, 1943.

Joseph Black & Sons Company, 1200 W. Market Street, York, Pennsylvania; Seamless hosiery; 10 percent (T); April 13, 1943.

Black Mountain Hosiery Mills, Inc., Black Mountain Avenue, Black Mountain, North Carolina; Seamless hosiery; 5 learners (T); October 12, 1943.

Blackstone Hosiery Mills, Inc., Valdese, North Carolina; Seamless hosiery; 5 percent (T); October 29, 1943.

Boone Hosiery Mill, 815 S. Hamilton Street, High Point, North Carolina; Seamless hosiery; 5 learners (T); August 3, 1943.

Bowman Knitting Mills, East Street, Hickory, North Carolina; Seamless hosiery; 5 learners (T); January 7, 1944.

Brown Bros. Hosiery Mills, 1208 Second Street, Hickory, North Carolina; Seamless hosiery; 5 percent (T); November 12, 1943.

Browns Hosiery Mills, Inc., 102 E. Holt Street, Burlington, North Carolina; Seamless hosiery; 5 learners (T); November 16, 1943.

Burke Hosiery Mills, 1017 Filbert Street, Philadelphia, Pennsylvania; Seamless hosiery; 3 learners (T); August 3, 1943.

Burson Knitting Company, South Main and Cedar Streets, Rockford, Illinois; Seamless hosiery; 5 percent (T); October 1, 1943.

Browning Hosiery Mills, Bridgeport, Alabama; Seamless hosiery; 5 learners (T); September 28, 1943.

C & M Hosiery Mills, Inc., 100–4 South Hanover Street, Baltimore, Maryland; Seamless hosiery; 5 learners (T); September 28, 1943.

Caldwell Hosiery Mills, Inc., Granite Falls, North Carolina; Seamless hosiery; 4 learners (T); November 30, 1943.

Carmichael Hosiery Mills, McDonough, Georgia; Seamless hosiery; 5 learners (T); September 28, 1943.

Carpenter Hosiery Mills, Madison Street, Wytheville, Virginia; Seamless hosiery; 5 learners (T); November 30, 1943.

Century Hosiery Corporation, Webb Avenue, Burlington, North Carolina; Seamless hosiery; 5 percent (T); October 5, 1943.

Charleston Hosiery Processing Company, Charleston, Tennessee; Seamless hosiery; 5 learners (T); August 31, 1943.

Cherokee Hosiery Mill, 242 Highland Avenue, Hickory, North Carolina; Seamless hosiery; 5 learners (T); April 13, 1943.

Cherokee Hosiery Company, Edwards St., Cleveland, Tennessee; Seamless hosiery; 5 percent (T); November 26, 1943.

Childers Hosiery Mills, Hildebran, North Carolina; Seamless hosiery; 5 learners (T); April 13, 1943.

Chipman LaCrosse Hosiery Mills Co., Inc., East Flat Rock, North Carolina; Seamless hosiery; 5 learners (T); October 1, 1943.

Clayson Knitting Company, Star, North Carolina; Seamless hosiery; 5 learners (T); October 15, 1943.

Clayton Hosiery Mills, Inc., 95 Bridge Street, Lowell, Massachusetts; Seamless hosiery; 5 learners (T); October 8, 1943.

Cleveland Hosiery Mills, Inc., 208 Central Avenue, Cleveland, Tennessee; Seamless hosiery; 5 learners (T); October 29, 1943.

Climax Hosiery Mills, Inc., Oconee Street, Athens, Georgia; Seamless hosiery; 5 percent (T); June 15, 1943.

J. A. Cline & Son, Hildebran, North Carolina; Seamless hosiery; 5 percent (T); October 1, 1943.

Cohen Hosiery Company, 228 E. Sycamore Street, Greensboro, North Carolina; Seamless hosiery; 5 percent (T); December 3, 1943.

Conover Knitting Company, Ashe Avenue, Newton, North Carolina; Seamless hosiery; 5 percent (T); July 13, 1943.

Conover Knitting Company, Conover, North Carolina; Seamless hosiery; 5 percent (T); July 13, 1943.

Continental Hosiery Company, Dabney Road, Henderson, North Carolina; Seamless hosiery; 5 learners (T); September 28, 1943.

Commonwealth Hosiery Mills, Ellerbe, North Carolina; Seamless hosiery; 5 percent (T); August 3, 1943.

Mrs. C. H. Cowan, 35 Branford Place, Newark, New Jersey; Seamless hosiery; 2 learners (T); October 29, 1943.

Cranwell-Lee Hosiery Mills, Pikeville, Tennessee; Seamless hosiery; 5 learners (T); December 7, 1943.

Crescent Hosiery Mills, Niota, Tennessee; Seamless hosiery; 5 percent (T); November 12, 1943.

Crescent Knitting Company, Armfield Street, Statesville, North Carolina; Seamless hosiery; 5 percent (T); December 14, 1943.

Crown Hosiery Mills, Inc., 426 S. Hamilton Street, High Point, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Crystal Hosiery Mill, Peacock Avenue, Denton, North Carolina; Seamless hosiery; 5 learners (T); July 13, 1943.

Culpepper Hosiery Mills, 855 Jefferson Ext., Danville, Virginia; Seamless hosiery; 5 learners (T); December 10, 1943.

D S & W Hosiery Company, 1130 Moss Street, Reading, Pennsylvania; Seamless hosiery; 5 percent (T); November 19, 1943.

Damascus Hosiery Mills, Inc., Damascus, Virginia; Seamless hosiery; 5 learners (T); October 12, 1943.

Danville Knitting Mills, Lynn and Newton Streets, Danville, Virginia; Seamless hosiery; 5 percent (T); October 8, 1943.

John B. Davidson Woolen Mills, Inc., Eaton Rapids, Michigan; Seamless hosiery; 5 learners (T); September 28, 1943.

W. B. Davis & Son, Inc., Eighth Street, Fort Payne, Alabama; Seamless hosiery; 5 percent (T); October 8, 1943.

Dayton Hosiery Manufacturing Company, Dayton, Tennessee; Seamless hosiery; 5 percent (T); December 21, 1943.

Dependable Hosiery Mills, Inc., Liberty, North Carolina; Seamless hosiery; 5 learners (T); December 7, 1943.

Dixie Hosiery Mills, Inc., Mount Gilead, North Carolina; Seamless hosiery; 5 learners (T); January 4, 1944.

Dixie Hosiery Mills, Inc., 430 West Church Street, Newport, Tennessee; Seamless hosiery; 5 learners (T); August 24, 1943.

Dobson Hosiery Mills, Pulaski, Virginia; Seamless hosiery; 5 percent (T); November 12, 1943.

Dolly Hosiery Mills, Inc., Valdese North Carolina; Seamless hosiery; 5 learners (T); November 16, 1943.

Drexel Knitting Mills Company, Drexel, North Carolina; Seamless hosiery; 10 percent (T); June 25, 1943.

Early Bird Hosiery Mills, Airport Road, Hickory, North Carolina; Seamless hosiery; 5 learners (T); February 1, 1944.

Efland Knitting Company, Efland, North Carolina; Seamless hosiery; 5 learners (T); July 13, 1943.

Elliott Knitting Mills, Inc., Catawba, North Carolina; Seamless hosiery; 5 percent (T); November 12, 1943.

Elliott Knitting Mills, Inc., 8th Street, Hickory, North Carolina; Seamless hosiery; 10 percent (T); June 1, 1943.

Ellis Hosiery Mills, Lenoir Highway, Hickory, North Carolina; Seamless hosiery; 5 percent (T); October 8, 1943.

Elmo Hosiery Mill, 3804 Saint Elmo Avenue, Chattanooga, Tennessee; Seamless hosiery; 2 learners (T); September 14, 1943.

Espy Hosiery Mills, Inc., Espy, Pennsylvania; Seamless hosiery; 5 learners (T); October 19, 1943.

Excel Hosiery Mills, Union, South Carolina; Seamless hosiery; 10 percent (T); June 8, 1943.

Farmers Mill, Carrollton, Georgia; Anklets; 8 learners (T); October 4, 1943.

Fay Hosiery Mills, Inc., East Avenue, Elyria, Ohio; Seamless hosiery; 5 learners (T); October 26, 1943.

John L. Fead & Sons, 1635 Poplar Street, Port Huron, Michigan; Seamless hosiery; 10 percent (T); June 8, 1943.

Fidelity Hosiery Mills, Inc., Shamokin, Pennsylvania; Seamless hosiery; 5 percent (T); October 1, 1943.

Ft. Payne Hosiery Mills, Inc., Ft. Payne, Alabama; Seamless hosiery; 5 learners (T); August 24, 1943.

Fremont Hosiery Mills, Thomasville, North Carolina; Seamless hosiery; 5 percent (T); November 12, 1943.

Full-Knit Hosiery Mills, Highway 70, Burlington, North Carolina; Seamless hosiery; 21 learners (E); April 10, 1943.

G. & H. Hosiery Company, Inc., 801 Eighth Ave. & 23rd Street, Hickory, North Carolina; Seamless hosiery; 5 percent (T); October 15, 1943.

Galax Knitting Company, Inc., Virginia Street, Galax, Virginia; Seamless hosiery; 5 percent (T); November 19, 1943.

Gann Hosiery Mill, Durham, North Carolina; Seamless hosiery; 5 learners (T); April 13, 1943.

Garon's Knitting Mills, 101 N. 30th Avenue W., Duluth, Minnesota; Seamless hosiery; 3 learners (T); September 7, 1943.

Gehman Knitting Mill, Bally, Pennsylvania; Seamless hosiery; 5 learners (T); May 11, 1943.

Georgia Hosiery Mills, N. Main Street, Blakely, Georgia; Seamless hosiery; 5 learners (T); November 2, 1943.

Gilman's Hosiery, West Bow Street, Franklin, New Hampshire; Seamless hosiery; 1 learner (T); June 22, 1943.

Glenn Hosiery Company, Kivett Drive, High Point, North Carolina; Seamless hosiery; 10 percent (T); June 8, 1943.

Goldston Hosiery Mill, Inc., Goldston, North Carolina; Seamless hosiery; 5 learners (T); June 15, 1943.

Grace Hosiery Mills, Inc., Tucker Street, Burlington, North Carolina; Seamless hosiery; 5 learners (T); November 30, 1943.

Grantville Mills, Grantville, Georgia; Seamless hosiery; 5 percent (T); August 3, 1943.

Graysville Hosiery Mill, 125 East Main Street, Dayton, Tennessee; Seamless hosiery; 5 percent (T); September 24, 1943.

Great American Knitting Mills, Inc., Bechtelsville & Bally, Pennsylvania; Seamless hosiery; 5 percent (T); October 5, 1943.

Grey Hosiery Mills, 305 Fourth Avenue, East Hendersonville, North Carolina; Seamless hosiery; 5 percent (T); November 9, 1943.

Guilford Hosiery Mills, 706 Grimes Street, High Point, North Carolina; Seamless hosiery; 10 percent (T); May 25, 1943.

Lawler Hosiery Mills, Inc., Bradley Street, Carrollton, Georgia; Seamless hosiery; 28 learners (E); April 10, 1943.

Lawler Hosiery Mills, Inc., 53 Bradley Street, Carrollton, Georgia; Seamless hosiery; 5 percent (T); November 23, 1943.

Hosiery Department of Mauney Mills, Inc., Railroad Avenue, Kings Mountain, North Carolina; Seamless hosiery; 5 learners (T); July 20, 1943.

H. R. H. Silk Hosiery Mills of Illinois, Third & Spring Streets, Quincy, Illinois; Seamless hosiery; 5 learners (T); November 5, 1943.

H. R. H. Silk Hosiery Mills, Inc., 1127 North Morley Street, Moberly, Missouri; Seamless hosiery; 5 learners (T); November 9, 1943.

Hafer Hosiery Mills, #2 Hickory, North Carolina; Seamless hosiery; 5 learners (T); April 13, 1943.

Hafer Hosiery Mills, Valley Street, Hickory, North Carolina; Seamless hosiery; 5 percent (T); October 1, 1943.

Halifax County Hosiery Mills, Scotland Neck, North Carolina; Seamless hosiery; 5 percent (T); December 21, 1943.

Halton Hosiery Mill, 918 Millis Street, High Point, North Carolina; Seamless hosiery; 5 learners (T); August 20, 1943.

Hand Knit Hosiery Company, 1319 14th Street, Sheboygan, Wisconsin; Seamless hosiery; 5 percent (T); December 7, 1943.

Harriman Hosiery Mills, Harriman, Tennessee; Seamless hosiery; 10 percent (T); July 9, 1943.

Harriss and Covington Hosiery Mills, Inc., 308 Oak Street, High Point, North Carolina; Seamless hosiery; 10 percent (T); June 1, 1943.

Herbert Hosiery Mills, Inc., Penn & Arch Sts. & Washington & Noble Sts., Morristown, Pennsylvania; Seamless hosiery; 10 percent (T); June 29, 1943.

Hewitt Hosiery Mills, Depot Street, Marion, North Carolina; Seamless hosiery; 5 learners (T); February 1, 1944.

Hickory Knitting Mills, Hickory, North Carolina; Seamless hosiery; 5 learners (T); October 1, 1943.

Hillsboro Hosiery Mills, Inc., Hillsboro, New Hampshire; Seamles hosiery; 5 percent (T); September 3, 1943.

Hiwassee Hosiery Mill, Inc., Edwards Street, Cleveland, Tennessee; Seamless hosiery; 10 learners (T); July 13, 1943.

Holeproof Hosiery Co., Roselane Street, Marietta, Georgia; Seamless hosiery; 5 percent (T); April 27, 1943.

Hollar Hosiery Mills, Hickory, North Carolina; Seamless hosiery; 5 learners (T); May 28, 1943.

Holston Manufacturing Company, Ninth and Mitchell Streets, Knoxville, Tennessee; Seamless hosiery; 5 percent (T); October 12, 1943.

Hope Hosiery Mills, Willow Street, Adamstown, Pennsylvania; Seamless hosiery; 2 learners (T); March 30, 1943.

Hose, Inc., Sweetwater, Tennessee; Seamless hosiery; 4 learners (T); June 1, 1943.

The House of Byer, Inc., 18 Ames Street, Cambridge, Massachusetts; Seamless hosiery; 5 learners (T); November 26, 1943.

Hub Hosiery Mills, Perkins Street, Lowell, Mass.; Seamless hosiery; 5 percent (T); November 19, 1943.

Wm. L. Hyman Hosiery Mill, Locust Street, Ephrata, Pennsylvania; Seamless hosiery; 5 learners (T); February 4, 1944.

Illinois Knitting Company, South 12th Street, Mt. Vernon, Illinois; Seamless hosiery; 5 percent (T); November 12, 1943.

Imperial Hosiery Mills, Inc., Mocksville, North Carolina; Seamless hosiery; 5 learners (T); October 26, 1943.

Industrial Hosiery Mills, Inc., 424 Guilford Street, Lebanon, Pennsylvania; Seamless Hosiery; 10 percent (T); March 30, 1943.

Industrial Hosiery Mills, Inc., Summit & Chestnut Streets, Mohnton, Pennsylvania; Seamless hosiery; 5 learners (T); April 27, 1943.

Infants Socks, Incorporated, Brown & Catherine Streets, Middletown, Pennsylvania; Seamless hosiery; 5 learners (T); November 26, 1943.

Infants Socks, Incorporated, Eufaula, Alabama; Seamless hosiery; 5 percent (T); October 12, 1943.

Infants Socks, Inc., 235 Superior Street, Fond du Lac, Wisconsin; Seamless hosiery; 5 percent (T); October 22, 1943.

Interwoven Stocking Company, Berkeley Springs, West Virginia; Seamless hosiery; 5 percent (T); October 19, 1943.

Interwoven Stocking Company, Third and King Street, Chambersburg, Pennsylvania; Seamless hosiery; 5 percent (T); October 15, 1943.

Interwoven Stocking Company, 200 North Prospect Street, Hagerstown, Maryland; Seamless hosiery; 5 percent (T); October 15, 1943.

Interwoven Stocking Company, Martinsburg, West Virginia; Seamless hosiery; 5 percent (T); October 26, 1943.

Interwoven Stocking Company, Morristown, Tennessee; Seamless hosiery; 5 percent (T); August 17, 1943.

Invincible Hosiery Mill, 213 Pearl Street, Reading, Pennsylvania; Seamless hosiery; 3 learners (T); January 11, 1944.

Irving Knitting Mills, Lexington, North Carolina; Seamless hosiery; 4 learners (T); April 27, 1943.

W. E. Isle Company, 1121 Grand Avenue, Kansas City, Missouri; Seamless

hosiery; 3 learners (T); November 19, 1943.

Jackson Hosiery Mills, Inc., English Street, High Point, North Carolina; Seamless hosiery; 5 learners (T); November 19, 1943.

James Knitting Mills, 25th Street, Hickory, North Carolina; Seamless hosiery; 5 learners (T); December 28, 1943.

C. D. Jessup & Company, Claremont, North Carolina; Seamless hosiery; 5 learners (T); October 8, 1943.

Josephine Mills, Inc., Elizabeth Drive, Marion, North Carolina; Seamless hosiery; 5 percent (T); December 14, 1943.

Juvenile Hosiery Mills, Inc., Valley Park Drive, Greensboro, North Carolina; Seamless hosiery; 15 learners (E); June 5, 1943.

K. W. Knitting Mill, Rear 34 W. Wyomissing Ave., Mohnton, Pennsylvania; Seamless hosiery; 5 percent (T); May 4, 1943.

O. E. Kearns & Son, South Hamilton St., High Point, North Carolina; Seamless hosiery; 5 percent (T); June 1, 1943.

Kiser Hosiery Mills, Highway 70—East Hickory, Hickory, North Carolina; Seamless hosiery; 3 learners (T); April 9, 1943.

Kiser Hosiery Mill, Highway #70, East Hickory, North Carolina; Seamless hosiery; 5 learners (T); December 17, 1943.

J. H. Kissinger Knitting Company, Inc., Market Street, Millersburg, Pennsylvania; Seamless hosiery; 5 learners (T); January 14, 1944.

Knit Sox Hosiery Mills, Highland Avenue, Hickory, North Carolina; Seamless hosiery; 5 learners (T); January 4, 1944.

Koonts Hosiery Mill, Route #3, Lexington, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Kreider Manufacturing Company, White Oak Street, Annville, Pennsylvania; Seamless hosiery; 5 percent (T); March 30, 1943.

J. W. Landenberger & Co., Castor and Kensington Aves., Philadelphia, Pennsylvania; Seamless hosiery; 5 percent (T); April 27, 1943.

Leicester Leftex Hosiery Mills, Inc., 1093 Washington Ave., Bronx, New York; Seamless hosiery; 5 learners (T); April 13, 1943.

Wm. G. Leininger Knitting Co., Komet Plant, Mohnton, Pennsylvania; Seamless hosiery; 5 learners (T); November 9, 1943.

Wm. G. Leininger Knitting Company, Main Mill, Mohnton, Pennsylvania; Seamless hosiery; 5 percent (T); November 5, 1943.

Wm. G. Leininger Knitting Co., Lyons Plant, Lyons, Pennsylvania; Seamless hosiery; 5 learners (T); November 5, 1943.

Wm. G. Leininger Knitting Company, Inc., Wilton Plant, Mohnton, Penn.; Seamless hosiery; 5 learners (T); November 5, 1943.

Wm. G. Leininger Knitting Co., Inc., Eshelman Plant, Mohnton, Pennsylvania; Seamless hosiery; 5 learners (T); November 5, 1943.

Lincoln Hosiery Company, Lincoln, Pennsylvania; Seamless hosiery; 5 learners (T); October 1, 1943.

The Locke Hosiery Mills, 4937 Mulberry Street, Philadelphia, Pennsylvania; Seamless hosiery; 5 learners (T); November 30, 1943.

Lykens Hosiery Mills, Lykens, Pennsylvania; Seamless hosiery; 3 learners (T); August 24, 1943.

Lynchburg Hosiery Mills, Inc., Lynchburg, Virginia; Seamless hosiery; 10 percent (T); June 29, 1943.

Lynne Hosiery Mills, Inc., N. South Street, Mt. Airy, North Carolina; Seamless hosiery; 5 learners (T); July 23, 1943.

Lynne Hosiery Mills, Inc., N. South Street, Mt. Airy, North Carolina; Seamless hosiery; 5 learners (T); August 31, 1943.

Lutz Hosiery Mill, 107 Boundry St., Lenoir, North Carolina; Seamless hosiery; 10 learners (T); June 1, 1943.

Mac Hosiery Mill, Granite Falls, North Carolina; Seamless hosiery; 2 learners (T); October 12, 1943.

Magnet Mills, Inc., Lake City, Tennessee; Seamless hosiery; 5 learners (T); November 2, 1943.

Marion Hosiery Mills, 117 W. Court St., Marion, North Carolina; Seamless hosiery; 10 percent (T); June 22, 1943.

Marlow Hosiery Mill, Hickory, North Carolina, Route 3; Seamless hosiery; 3 learners (T); September 28, 1943.

Martinat Hosiery Mills, Inc., Valdese, North Carolina; Seamless hosiery; 5 percent (T); February 8, 1944.

Maryon Hosiery Mill, 12 Aycock Street, Carrollton, Georgia; Seamless hosiery; 5 learners (T); February 8, 1944.

Maurice Mills Company, Inc., Taylor Street, Thomasville, North Carolina; Seamless hosiery; 5 percent (T); November 2, 1943.

May Hosiery Mills, 436 Houston Street, Nashville, Tennessee; Seamless hosiery; 5 percent (T); June 29, 1943.

B. C. & C. W. Mayo, 402 Chestnut Street, Tarboro, North Carolina; Seamless hosiery; 5 percent (T); July 27, 1943.

Miller White Hosiery Mill, Taylorsville, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Millheim Hosiery Mills, Inc., Millheim, Pennsylvania; Seamless hosiery; 5 percent (T); November 2, 1943.

Milne Hosiery Mills, South Broad Street, Cleveland, Tennessee; Seamless hosiery; 5 learners (T); February 4, 1944.

Monarch Hosiery Mill, Webb Avenue, Burlington, North Carolina; Seamless hosiery; 5 learners (T); April 13, 1943.

Montgomery Knitting Mill, Commerce Street, Summerville, Georgia; Seamless hosiery; 10 percent (T); July 13, 1943.

Moers Mills, Inc., Watertown, Tennessee; Seamless hosiery; 25 learners (E); June 22, 1943.

Moreland Knitting Mills, Moreland, Georgia; Seamless hosiery; 5 percent (T); January 25, 1944.

Morris Hosiery Mills, Denton, North Carolina; Seamless hosiery; 5 learners (T); September 24, 1943.

Morristown Knitting Mils, Inc., Dandridge, Tennessee; Seamless hosiery; 10 percent (T); June 29, 1943.

Morristown Knitting Mills, Inc., Morristown, Tennessee; Seamless hosiery; 5 percent (T); October 22, 1943.

Morristown Knitting Mills, Inc., White Pine, Tennessee; Seamless hosiery; 5 percent (T); October 22, 1943.

Mountain Hosiery Mills, Englewood, Tennessee; Seamless hosiery; 5 learners (T); July 13, 1943.

Mountcastle Knitting Company, Inc., Salisbury Street, Lexington, North Carolina; Seamless hosiery; 5 learners (T); October 5, 1943.

Mountcastle Knitting Company, Inc., Salisbury Street, Lexington, North Carolina; Seamless hosiery; 12 learners (T); May 28, 1943.

Mt. Mitchell Hosiery Mills, Inc., 53 Burton Street, Asheville, North Carolina; Seamless hosiery; 5 learners (T); February 8, 1944.

Mt. Pleasant Hosiery Mills, Inc., Mt. Pleasant, North Carolina; Seamless hosiery; 5 learners (T); April 13, 1943.

Murray Hosiery Mills, Inc., S. 4th Street, Murray, Kntucky; Seamless hosiery; 10 per cent (T); June 8, 1943.

McAllister Hosiery Mills, Inc., 45th St., Chattanooga, Tennessee; Seamless hosiery; 5 percent (T); October 29, 1943.

McDonough Hosiery Mills, Inc., 110 Sims Street, McDonough, Georgia; Seamless hosiery; 5 learners (T); November 23, 1943.

McLaurin Hosiery Mills, Inc., 150 N. Park Street, Ashebro, North Carolina; Seamless hosiery; 5 percent (T); January 21, 1944.

McMillan Hosiery Company, Westbridge Road, Greensboro, North Carolina; Seamless hosiery; 4 learners (T); September 28, 1943.

McPar Hosiery Mill, Inc., 110 W. Henderson St., Marion, North Carolina; Seamless hosiery; 3 learners (T); January 11, 1944.

Nelson Knitting Company, 909 S. Main Street, Rockford, Illinois; Seamless hosiery; 5 percent (T); October 12, 1943.

Newman Hosiery Mills, Inc., Berry Avenue, Newman, Georgia; Seamless hosiery; 5 percent (T); November 16, 1943.

Newport Hosiery Mills, Newport, Pennsylvania; Seamless hosiery; 2 learners (T); March 30, 1943.

Newton Knitting Mills, Newton, North Carolina; Seamless hosiery; 5 learners (T); September 28, 1943.

Norris Hosiery Mills, Bell Buckle, Tennessee; Seamless hosiery; 5 learners (T); September 7, 1943.

Norris Hosiery Mill, 2806 Docley Street, Cleveland, Tennessee; Seamless hosiery; 5 learners (T); October 26, 1943.

Nolde & Horst Company of Tennessee, McMinnville, Tennessee; Seamless hosiery; 5 percent (T); October 1, 1943.

Parker Hosiery Mills, Hickory, North Carolina; Seamless hosiery; 5 learners (T); April 13, 1943.

Park Hosiery Mills, Carthage, North Carolina; Seamless hosiery; 5 learners (T); December 3, 1943.

Pasquotank Hosiery Company, Sixth Street, Elizabeth City, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Paul Knitting Mills, Commerce at LaGrange, Pulaski, Virginia; Seamless hosiery; 10 percent (T); July 13, 1943.

Peerless Hosiery Mills, Inc., Anthony Street, Burlington, North Carolina; Seamless hosiery; 5 learners (T); October 22, 1943.

Philadelphia Hosiery Mills, Philadelphia, Tennessee; Seamless hosiery, 5 percent (T); July 13, 1943.

Pickett Hosiery Mills, Inc., Trade Street, Burlington, North Carolina; Seamless hosiery; 5 percent (T); October 5, 1943.

Pocono Hosiery Mills, 49 Prospect Street, East Stroudsburg, Pennsylvania; Seamless hosiery; 5 learners (T); October 19, 1943.

Portage Hosiery Company, 107 E. Mullett Street, Portage, Wisconsin; Seamless hosiery; 5 percent (T); October 26, 1943.

Ragan Knitting Company, 7 Cox Avenue, Thomasville, North Carolina; Seamless hosiery; 5 percent (T); October 1, 1943.

Rambo & Regar, Inc., Main below Ford Street, Norristown, Pennsylvania; Seamless hosiery; 5 percent (T); November 5, 1943.

Renfro Hosiery Mills, Mt. Airy, North Carolina; Seamless hosiery; 5 percent (T); October 1, 1943.

Richmond Hosiery Mills, West Gordon Avenue, Rossville, Georgia; Seamless hosiery; 5 percent (T); December 31, 1943.

The Robbins Knitting Company, Spruce Pine, North Carolina; Seamless hosiery; 5 percent (T); September 28, 1943.

Robinson Mfg. Co., Elizabeth City Hosiery Mill Div., Elizabeth City, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Rockford Mitten & Hosiery Co., 418 S. Wyman Street, Rockford, Illinois; Seamless hosiery; 5 percent (T); December 7, 1943.

Rome Hosiery Mills, Sixth Avenue, Rome, Georgia; Seamless hosiery; 10 percent (T); May 18, 1943.

Roseglen Knitting Mills, 129 So. Harvin Street, Sumter, South Carolina; Seamless hosiery; October 5, 1943. 5 percent (T).

Runnymede Mills, Inc., 103 First Street, Tarboro, North Carolina; Seamless hosiery; 5 percent (T); September 24, 1943.

Rutledge Hosiery Mill Co., Inc., Rutledge, Tennessee; Seamless hosiery; 5 learners (T); October 26, 1943.

S. and W. Hosiery Mills, Englewood, Tennessee; Seamless hosiery; 5 learners (T); December 24, 1943.

Scotch Knit Hosiery Mills, 507 East 165th Street, New York, New York; Seamless hosiery; 5 learners (T); January 21, 1944.

Seagrove Hosiery Mills, Seagrove, North Carolina; Seamless hosiery; 5 learners (T); August 3, 1943.

Seneca Knitting Mills, Inc., Bridge Street, Seneca Falls, New York; Seamless hosiery; 5 percent (T); December 17, 1943.

Shuford Hosiery Mills, Inc., E. Highland Avenue, Hickory, North Carolina; Seamless hosiery; 5 percent (T); November 12, 1943.

Silver Knit Hosiery Mills, Inc., 401 S. Hamilton Street, High Point, North Carolina; Seamless hosiery; 5 percent (T); January 11, 1944.

Southland Hosiery Mills, Inc., 2210 High Point Road, Greensboro, North Carolina; Seamless hosiery; 5 learners (T); June 8, 1943.

Spalding Knitting Mills, East Broad Street, Griffin, Georgia; Seamless hosiery; 5 percent (T); November 2, 1943.

Staley Hosiery Mill Company, Staley, North Carolina; Seamless hosiery; 4 learners (T); October 22, 1943.

H. K. Stork & Company, Adamstown, Pennsylvania; Seamless hosiery; 5 learners (T); February 4, 1944.

Sulloway Hosiery Mills, Inc., River Street, Franklin, New Hampshire; Seamless hosiery; 5 percent (T); October 1, 1943.

Summers Hosiery Mills, Inc., 620 N. Shaver Street, Salisbury, North Carolina; Seamless hosiery; 5 learners (T); October 1, 1943.

Surry Hosiery Mills, Inc., 316 Willow Street, Mt. Airy, North Carolina; Seamless hosiery; 5 learners (T); January 11, 1944.

Sweetwater Hosiery Mills, 818 N. Main Street, Sweetwater, Tennessee; Seamless hosiery; 5 percent (T); August 31, 1943.

Thompson Hosiery Mills, Webb Avenue, Burlington, North Carolina; Seamless hosiery; 5 learners (T); November 30, 1943.

Thornton Knitting Company, Denton, North Carolina; Seamless hosiery; 10 learners (T); July 9, 1943.

Terry Hosiery Company 600 S. Hamilton Street, High Point, North Carolina; Seamless hosiery; 5 learners (T); October 29, 1943.

Triangle Hosiery Company, Grimes Street, High Point, North Carolina; Seamless hosiery; 5 percent (T); October 12, 1943.

Tricnit Hosiery Mill, Tenney Road, New Ipswich, New Hampshire; Seamless hosiery; 5 learners (T); August 10, 1943.

Unique Knitting Company, Acworth, Georgia; Seamless hosiery; 5 percent (T); December 17, 1943.

Vance and Crawford, Salem Street, Kernersville, North Carolina; Seamless hosiery; 8 learners (T); April 10, 1943.

Varina Knitting Company, Varina, North Carolina; Seamless hosiery; 5 learners (T); November 9, 1943.

Vaughan Knitting Co., 2 High Street, Pottstown, Pennsylvania; Seamless hosiery; 5 percent (T); September 28, 1943.

Vermont Hosiery & Machinery Co., No. Main Street, Northfield, Vermont; Seamless hosiery; 10 percent (T); June 15, 1943.

Vestal Mills, Inc., Jackson Street, Athens, Tennessee; Seamless hosiery; 5 learners (T); November 9, 1943.

Viewmont Hosiery Mills, 2nd Street, Hickory, North Carolina; Seamless hosiery; 5 learners (T); October 15, 1943.

Waldensian Hosiery Mills, Inc., Valdese, North Carolina; Seamless hosiery; 5 percent (T); October 22, 1943.

Walker County Hosiery Mills, La Fayette, Georgia; Seamless hosiery; 10 percent (T); March 30, 1943.

Walridge Knitting Mills, Arkansas Street, Helena, Arkansas; Seamless hosiery; 5 learners (T); September 24, 1943.

Walton Hosiery Mills, Inc., Fourth & Wise Streets, Statesville, North Carolina; Seamless hosiery; 5 learners (T); August 3, 1943.

Walton Knitting Mills, Church Avenue No. Mills Street, Hickory, North Carolina; Seamless hosiery; 5 learners (T); October 15, 1943.

Whisnant Hosiery Mills, Fourth Street, Hickory, North Carolina; Seamless hosiery; 5 percent (T); December 3, 1943.

Wilkes Hosiery Mills Company, North Wilkesboro, North Carolina; Seamless hosiery; 5 percent (T); September 24, 1943.

Williamson Hosiery Mills, Englewood, Tennessee; Seamless hosiery; 5 learners (T); November 23, 1943.

Willis Hosiery Mills, Inc., Academy Street, Concord, North Carolina; Seamless hosiery; 5 percent (T); December 7, 1943.

Willstrut Hosiery Mill, 16308 Foothill Boulevard, San Leandro, California; Seamless hosiery; 5 learners (T); October 1, 1943.

Wilmington Hosiery Mills, Inc., Fifth & Monroe Street, Wilmington, Delaware; Seamless hosiery; 5 percent (T); August 24, 1943.

The Winsted Hosiery Company, 196 Holabird Avenue, Winsted, Connecticut; Seamless hosiery; 5 percent (T); October 15, 1943.

Wrenn Hosiery Company, Liberty Drive, Thomasville, North Carolina; Seamless hosiery; 5 percent (T); November 2, 1943.

Wrenn Hosiery Company, Liberty Drive, Thomasville, North Carolina; Seamless hosiery; 5 percent (T); November 2, 1943.

Yorkshire Hosiery Company, 213 North 10th Street, Reading, Pennsylvania; Seamless hosiery; 5 learners (T); July 13, 1943.

Zenith Hosiery Mills, Inc., East Highway #70, Hickory, North Carolina; Seamless hosiery; 5 learners (T); November 2, 1943.

Fleetwood Hosiers, Ltd., 1238 Locust Street, Reading, Pennsylvania; Seamless hosiery; 5 learners (T); January 11, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Blue-Bell Globe Mfg. Company, Abingdon, Illinois; Civilian overalls; U. S. Navy white trousers; 10 percent (T); March 22, 1944.

Eagle Brothers, Mahanoy City, Pennsylvania; Men's and boys' shirts; 10 percent (T); March 22, 1944.

Reliance Manufacturing Company, Hattiesburg, Mississippi; Work shirts, Navy shirts, H. B. twill jackets; 75 learners (E); July 22, 1943.

Hosiery Industry

Custom Hosiery Mills, 1234 Carpenter Street, Philadelphia, Pennsylvania; Seamless hosiery; 5 learners (T); Morrow Machine Operators, Sewing Machine Operators, Menders, Seamers and Examiners for a learning period of 480

hours at 35¢ per hour until November 23, 1943.

Signed at New York, N. Y., this 20th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4364; Filed, March 22, 1943; 9:33 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6401]

WESTERN UNION TELEGRAPH CO.

ORDER GRANTING APPLICATION

In the matter of changes in directory of station listings and increased rates of The Western Union Telegraph Company for service to and from various points in the United States and Canada.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of March, 1943:

It appearing, that The Western Union Telegraph Company has filed a petition requesting elimination from the proceeding herein of certain changes in directory listings, and for termination of the suspension proceeding herein with respect to such listings, and has also filed an accompanying application for special permission to file appropriate tariff schedules to effectuate favorable action on such petition; and that it has subsequently filed an additional application for special permission to file appropriate tariffs to cancel changes proposed in certain of its listings;

It further appearing, that The Western Union Telegraph Company has submitted in informal conferences data with respect to the changes in its directory of station listings involved in this proceeding which indicate that the carrier's practices with respect to the so-called "other-line" charges should be considered on a system-wide basis;

It is ordered, That said application for special tariff permission be, and the same are hereby, granted with respect to the changes in directory listings of points set forth in Exhibit A[1] attached hereto and made a part hereof;

It is further ordered, That this proceeding be, and the same is hereby, dismissed, as of the effective date of the tariffs to be filed pursuant to the special tariff permissions herein granted, without prejudice to appropriate action in a further proceeding regarding the matters involved herein.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[Docket Nos. 6495, 6496, 6497, 6498]

MACKAY RADIO AND TELEGRAPH CO. ET AL.

ORDER GRANTING APPLICATIONS

In the matter of applications of Mackay Radio and Telegraph Company, Docket No. 6495; Press Wireless, Inc., Docket No. 6496; R. C. A. Communications, Inc., Docket No. 6497; R. C. A. Communications, Inc., Docket No. 6498; for authority to communicate with Algiers, Algeria.

At a regular session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of March, 1943:

The Commission having under consideration the petition of Press Wireless, Inc., filed on February 25, 1943, and the petition of R. C. A. Communications, Inc., filed on March 11, 1943, for reconsideration of the Commission's action of February 19, 1943, with respect to applications filed by Mackay Radio and Telegraph Company, Press Wireless, Inc., and R. C. A. Communications, Inc. for special temporary authority to communicate with Algiers, Algeria, and for other relief; and the Commission also having under consideration the opposition to the foregoing petition of Press Wireless, Inc., filed on March 5, 1943, by Mackay Radio and Telegraph Company; and upon the Commission's reconsideration of its action of February 19, 1943, with respect to the foregoing applications for authority to communicate with Algiers, Algeria;

It is ordered, That the foregoing applications of Mackay Radio and Telegraph Company (File No. T1-SA-213), Press Wireless, Inc. (File No. T1-SA-205), and R. C. A. Communications, Inc. (File No. T1-SA-228), and the application of R.C.A. Communications, Inc. for authority to communicate with Algiers, Algeria, to provide a contact control channel, (File No. T1-SA-219), be, and they are hereby designated for consolidated hearing upon the following issues:

1. To determine the method of operation proposed by each of the respective applicants for operating a communication circuit between the United States and Algiers, Algeria;

2. To determine what classifications of messages each of the respective applicants proposes to handle between the United States and Algiers, Algeria;

3. To determine what rates are proposed by each of the respective applicants for service between the United States and Algiers, Algeria;

4. To determine which of the applicants can operate a communication circuit and a contact control channel between the United States and Algiers, Algeria in a manner most consistent with public interest, convenience or necessity under wartime conditions;

5. To determine whether public interest, convenience or necessity would be served by authorizing more than one of the applicants to communicate with Algiers, Algeria;

6. To determine whether public interest, convenience or necessity would be served by authorizing one or more of such applicants to operate a communication circuit between the United States and Algiers, Algeria, and another of such applicants to provide a contact control channel between the United States and Algiers, Algeria;

7. To determine whether in the light of the foregoing issues, public interest, convenience or necessity would be served by a continuance of the special temporary authority heretofore issued to Mackay Radio and Telegraph Company, for authority to communicate with Algiers, Algeria, or any extension or renewal thereof.

It is further ordered, That the special temporary authority to communicate with Algiers, Algeria, granted to Mackay Radio and Telegraph Company on February 19, 1943, for a term of three months, be, and it is hereby, made subject to the disposition of the proceeding herein instituted;

It is further ordered, That the hearing herein ordered be held at the Commission's offices at Washington, D. C., beginning on the 19th day of April, 1943;

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-4338; Filed, March 20, 1943; 11:44 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4833]

STANLEY J. REMUS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of March, A. D. 1943.

In the matter of Stanley J. Remus, doing business as Stanley J. Remus & Company, P. E. Harris & Company, Kelley-Clarke Company, and Oceanic Sales Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under acts of Congress (38 Stat. 717; 15 U.S.C.A., section 41), and (49 Stat. 1526, U.S.C.A. section 13, as amended),

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 29, 1943, at two o'clock in the afternoon of that day (central standard time) in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-4333; Filed, March 20, 1943; 11:22 a. m.]

[1] Filed as part of original document.

OFFICE OF PRICE ADMINISTRATION.

[Order 7 Under MPR 121]

BERWIND FUEL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 7 under Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities—Docket No. 3121-30.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.247a (b) of Maximum Price Regulation No. 121, *It is ordered:*

(a) The maximum prices the Berwind Fuel Company, 310 South Michigan Avenue, Chicago, Illinois, shall charge the Canadian Government and its customers in the New England States for briquettes it manufactures at its plant in Berwind, West Virginia, from coal obtained from Mines Nos. 9 and 11 located at Havaco, West Virginia and Capels, West Virginia, respectively, of the New River and Pocahontas Consolidated Coal Company, shall not be more than 53 cents per net ton higher than the maximum prices established for such briquettes under § 1340.249 of Maximum Price Regulation No. 121, as amended.

(b) Within thirty days from the effective date of this Order No. 7, the said Berwind Fuel Company shall inform the Canadian Government and its purchasers of briquettes in the New England States of the adjustments granted in this order.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.248 of Maximum Price Regulation No. 121 shall apply to the terms used herein.

(e) This Order No. 7 shall become effective as of January 23, 1943.

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4279; Filed, March 19, 1943; 2:53 p. m.]

[Order 33 Under MPR 122, Amendment 1]

POCAHONTAS FUEL COMPANY, INCORPORATED

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 33 under Maximum Price Regulation No. 122—Solid Fuel Delivered From Facilities other than Producing Facilities—Dealers—Docket No. 3122-229.

For the reasons set forth in an opinion, issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and paragraph (c) of Order No. 33 under Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph (b) is amended to read as follows:

(b) Subject to all provisions of Revised Maximum Price Regulation No. 122, except § 1340.256 (d) which shall not apply to sales and purchases for which maximum prices are established by said Order No. 33, bituminous coal may be sold at the prices per net ton listed below for the indicated sizes delivered over the respective docks of the Pocahontas Fuel Company, Incorporated, as follows:

	Portland	Salem	New Bedford
Lorgestic run-of-mine	$7.70	$7.57	$7.35
Straight run-of-mine	7.45	7.32	7.32
Nut and slack	7.28	7.15	7.13
Slack	7.12	6.99	7.00
Nut	7.34	7.20	7.20
Lea	7.20	7.06	7.06

* * * * *

Amendment No. 1 to Order No. 33 under Maximum Price Regulation No. 122 shall become effective March 20, 1943.

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4284; Filed, March 19, 1943; 2:54 p. m.]

[Order 9 Under Rev. MPR 125]

SCOVILL MANUFACTURING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 9 under Revised Maximum Price Regulation No. 125—Nonferrous Castings—Docket No. 3125-18.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Scovill Manufacturing Company of Waterbury, Connecticut, hereinafter referred to as "the applicant," may sell and deliver and any person may buy and receive from the applicant nonferrous castings produced by the applicant's Morency-Van Buren Division of Sturgis, Michigan, the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, at the maximum prices prescribed by § 1395.3 of Revised Maximum Price Regulation No. 125: *Except*, That in determining the maximum prices of nonferrous castings under that section the applicant need not make the reductions required by paragraph (b) of that section.

(b) The applicant may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant's Morency-Van Buren Division of Sturgis, Michigan, whose maximum price cannot be determined under paragraph (a) of this Order at the maximum prices prescribed by § 1395.4 of Revised Maximum Price Regulation No. 125: *Except*, That instead of using the pricing formula or method prescribed by paragraph (a) of that section, the applicant shall use the pricing formula and method set out in a letter dated March 1, 1943, addressed to the Office of Price Administration and signed by Mr T. H. Van Buren which is a supplement to application for adjustment heretofore filed by the applicant with the Office of Price Administration and assigned Docket Number 3125-18.

(c) All prayers in the applicant's application for adjustment, Docket Number 3125-18, not granted herein, are hereby denied: *Except*, That for the purposes of the wage increase case that the applicant has pending before the War Labor Board, this application for adjustment shall be deemed to have been filed in accordance with the requirements of Supplementary Order No. 28.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of February 1, 1943.

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4280; Filed, March 19, 1943; 2:53 p. m.]

[Order 14 Under MPR 126, as Amended]

KRAMER MINES, INC.

ORDER GRANTING ADJUSTMENT

Order No. 14 under Maximum Price Regulation No. 126, as amended—Fluorspar.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) Under the provisions of § 1376.1 (c) (3) of Maximum Price Regulation No. 126, as amended, the following maximum prices, f. o. b. Salida, Colorado, are established for ceramic grade fluorspar sold or offered for sale by Kramer Mines, Inc., 201 Continental Oil Building, Denver, Colorado. These prices are determined to be in line with the level of maximum prices established by § 1376.1 of said regulation.

(1) The maximum price f. o. b. consumer's plant for any shipment of ceramic grade fluorspar shall be $30.00 a ton plus either (i) railroad freight on such shipment from Salida, Colorado, to the consumer's plant, or (ii) railroad freight from Rosiclare, Illinois, to the consumer's plant, whichever is lower.

(2) The maximum price f. o. b. Salida, Colorado, for ceramic grade fluorspar shall be the maximum delivered price as determined under subparagraph (1) less freight from Salida to the consumer's plant.

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 14 shall become effective March 20, 1943.

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4282; Filed, March 19 1943; 2:52 p. m.]

tion of Textiles, Apparel and Related

Per sq. ft.

of Price Administration has not permitted you or any other seller to raise the maxi-

been filed with the Division of the Federal Register. For the reasons set forth

and under the authority vested in the Price Administrator by the Emergency

[Order 9 Under MPR 127]

JACK ABRAMS FABRICS, ET AL.

ORDER DENYING AN EXCEPTION

Order No. 9 under Maximum Price Regulation No. 127—Finished Piece Goods.

The petitioners named in Paragraph (b) of this Order No. 9 filed petitions for exception pursuant to § 1400.82 (i) (3) of Maximum Price Regulation No. 127. Due consideration has been given to the petitions, and an opinion in support of this Order No. 9 has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) That the petitions listed in paragraph (b) of this order be, and they hereby are, denied.

(b) List of petitions.

Docket No.	*Petition and Address in New York, N. Y.*
3127-540	Jack Abrams Fabrics, 171 Madison Ave.
3127-632	Frances Brooks Fabrics, 1441 Broadway.
3127-180	City Fabric Sales Co., 141 West 40th St.
3127-656	J. F. Comins, 320 Broadway.
3127-622	Denis-Greenburg, Inc., 468 Seventh Ave.
3127-265	H. P. Greenberg Company, 350 Broadway.
3127-32	Wolff Greenberg Sons, 256 West 38th St.
3127-642	Halperin, Tratner, Inc., 1412 Broadway.
3127-338	Alfred L. Helwith, 66 Worth St.
3127-335	Daniels Lawson Co., Inc., 180 Madison Ave.
5127-467	D. Levin Textile Co., Inc., 239-241 West 39th St.
3127-140	Jacob Levin, 105 West 40th St.
3127-604	Albert B. McConnell, 1140 Broadway.
3127-178	Mart Fabrics Company, 1441 Broadway.
3127-647	A. M. Perlman, Inc., 1412 Broadway.
3127-126	Schein Textiles Corporation, 24-26 East 21st St.
3127-625	The Spunbrite Company, 1441 Broadway.
3127-174	Vanetta Sportscloth Corp., 1441 Broadway.
3127-171	Harry Vincent & Company, 395 Broadway.
3127-600	Herbert Waldman Fabrics, Inc., 171 Madison Ave.

This Order No. 9 shall become effective March 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4281; Filed, March 19, 1943; 2:53 p. m.]

[Order 22 Under MPR 157]

PURITAN KNITTING MILLS COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 22 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 1157-2-P.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1378.2 (c) of Maximum Price Regulation No. 157, *It is ordered:*

(a) The Puritan Knitting Mills Company of Altoona, Pennsylvania, may sell to the United States Army worsted O. D. knitted sweaters (conforming to the specifications of contract W669 QM-18645, Philadelphia Quartermaster Depot, United States Army) at prices not in excess of $4.083 per sweater.

(b) With respect to deliveries of the commodity described in paragraph (a) on and after June 27, 1942, The Puritan Knitting Mills Company may receive payment under Maximum Price Regulation No. 157 at a price not exceeding $4.083 per sweater.

(c) Any contracts subject to Maximum Price Regulation No. 157 entered into by the Puritan Knitting Mills Company at a price exceeding $4.083 per sweater shall be revised accordingly; any payments made to the applicant exceeding $4.083 per sweater shall be refunded to the purchaser; and within 30 days after the date on which this Order No. 22 was mailed to it, The Puritan Knitting Mills Company shall file a statement with this Office to the effect that such contracts, if entered into, were so revised and that such refunds, if required, were made.

(d) All prayers of the protest not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4283; Filed, March 19, 1943; 2:52 p. m.]

[Order 213 Under MPR 188]

ASBESTOS-LIMITED, INC.

ORDER GRANTING ADJUSTMENT

Order No. 213 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons stated in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered,* That:

(a) Asbestos-Limited, Inc., is authorized to sell, deliver, or offer for sale, and all persons are authorized to buy asbestos-cement board manufactured by the company, in carload or ten-ton truckload lots, without packaging, f. o. b. Millington, New Jersey, at the following prices:

	Per sq. ft.
For board 3/16" thick	$.05
For board ¼" thick	.05½
For board ⅜" thick	.09

(b) A charge in addition to the maximum prices provided in paragraph (a) may be made for packing. The charge may not be more than ¾ of one cent per square foot or $2.50 per crate, whichever is lower.

(c) All prayers in the petition not granted herein are denied.

(d) This Order No. 213 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4285; Filed, March 19, 1943; 2:52 p. m.]

[Order 214 Under MPR 188]

CENTURY GRANITE CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 214 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Price for Specified Building Materials and Consumers' Goods Other Than Apparel. Authorization of Maximum Prices for Granite Memorials Fabricated and Sold by Century Granite Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and under § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) The maximum prices at which Century Granite Company, Snyder, Oklahoma, is authorized to sell, deliver, or offer for sale granite memorials fabricated from "century stone" shall be a price f. o. b. point of production not higher than 52% of the prices set forth in the St. Cloud Estimating Guide.

(b) The maximum prices established in paragraph (a) above shall be subject to a discount of 5% for payment within 15 days of the date of invoice.

(c) Century Granite Company shall cause the following written notice to be sent to all persons to whom it sells granite memorials fabricated from "century stone":

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of granite memorials fabricated from "century stone", as follows:

A price not higher than 52% of the prices set forth in the St. Cloud Estimating Guide, f. o. b. point of production.

The amount of the increase of these prices over our previous maximum prices represents only that part of cost increases which we were unable to absorb, and was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise the maximum prices on a resale of any of these items.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 214 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 214 shall become effective March 20, 1943.

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4286; Filed, March 19, 1943; 2:52 p. m.]

[Order 4 Under MPR 214]

THE CALORIZING COMPANY

ORDER GRANTING RELIEF

Order No. 4 under Maximum Price Regulation No. 214—High Alloy Castings—Docket No. 3214-6.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Calorizing Company of Pittsburgh, Pennsylvania, may sell to the General Electric Company and General Electric Company may purchase from The Calorizing Company high chrome-nickel alloy castings at prices not in excess of those set forth in contract proposal No. 17447, dated January 4, 1943, to General Electric Company, a copy of which has been received and is on file with this Office.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 4 shall be effective as of January 26, 1943.

Issued this 19th day of March 1943

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4278; Filed, March 19, 1943; 2:54 p. m.]

[Order 2 Under MPR 58]

WILLIAM KAUFMAN

ORDER GRANTING ADJUSTMENT

Order No. 2 under § 1410.51 (b) (3) Maximum Price Regulation No. 58—Wool and Wool Tops and Yarns. Establishment of maximum price for 172 bales of greasy Australian wool.

On November 19, 1942, William Kaufman of 79 Wall Street, New York, New York, made application under § 1410.51 (b) (3) of Revised Price Schedule No. 58 for authorization to determine a maximum price for 172 bales of greasy Australian wool. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

(a) That William Kaufman may sell and any person may buy from him 172 bales of greasy Australian wool, or any part thereof, at a price, or prices not in excess of 98¢ per pound, clean basis, duty paid, covering all charges inclusive of war risk insurance.

(b) That William Kaufman may sell and any person may buy from him 20 bales of the greasy Australian wool hereinbefore mentioned in paragraph (a) hereof, or any part thereof, at a price, or prices not in excess of a maximum price which shall be determined in the following manner:

(1) Convert the 98¢ duty paid clean basis price to a grease basis price based upon the yield of clean wool estimated by the United States customs, then add

(i) The actual charges paid for scouring;

(ii) Transportation charges to scouring plant actually paid but in no case in excess of $.50 per hundredweight of grease wool;

(iii) Actual charges paid for sorting but in no case in excess of $1.00 per hundredweight of grease wool.

(2) Divide the sum obtained in paragraph 1 above by the number of pounds of scoured wool obtained in order to secure the price per pound scoured.

(3) Add to the price per pound scoured, the sum of 5¢ to obtain the price per pound which may be charged for the carbonized wool.

This order shall become effective March 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4293; Filed, March 19, 1943; 4:50 p. m.]

[Order 75 Under RPS 64]

OAKLAND FOUNDRY CO.

ORDER GRANTING ADJUSTMENT

Order No. 75 under Revised Price Schedule No. 64[1]—Domestic Cooking and Heating Stoves. Approval of maximum for Oakland Foundry Company, Belleville, Illinois.

On January 28, 1943, the Oakland Foundry Company, Belleville, Illinois, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for a new model coal heater designated in the application as model 20-CE.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Oakland Foundry Company may sell, offer for sale, transfer or deliver its model 20-CE to dealers in the Central States at a price not to exceed $36.30 f. o. b. factory, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 1620, as established under Revised Price Schedule No. 64.

(b) Oakland Foundry Company may sell, offer for sale, transfer or deliver its model 20-CE at a price no higher than the following:

To dealers:

$38.54 F. O. B. destination, in the New England States, and New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida

$41.00 F. O. B. destination, in the Rocky Mountain and Pacific Coast States (Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon and California).

subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable model 1620, as established under Revised Price Schedule No. 64.

(c) Dealers may sell and deliver to consumers the model 20-CE manufactured by the Oakland Foundry Company at a price no higher than that set forth below. These maximum prices do not include any amount for installation or delivery by the dealer to the consumer:

$62.70 in the Rocky Mountain and Pacific Coast States (Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, and California).

$59.50 in the New England States, and New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.

$57.00 in the Central States.

(d) Before delivering the model 20-CE the Oakland Foundry Company shall attach securely to the stove so that it is clearly visible, a durable tag or label bearing in easily readable lettering the following statement:

Retail ceiling prices for this model 20-CE coal heater:

$62.70 in Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, and California.

$59.50 in the New England States, and New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.

$57.00 in the Central States.

(e) Before offering to sell the model 20-CE, the dealer shall, in the appropriate space on the tag, fill in his selling price:

(f) This Order No. 75 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

[1] 7 F.R. 1329, 1386, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

(h) This Order No. 75 shall become effective on the 19th day of March 1943.

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4289; Filed, March 19, 1943; 4:51 p. m.]

[Amendment 1 to Order 165 Under MPR 188]

EDGAR BROTHERS COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Amendment No. 1 to Order No. 165 under § 1499.158 of Maximum Price Regulation No. 188 — Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a maximum price for Edgar Brothers Company, Metuchen, New Jersey, for "Kao-Lite" a light weight calcined aggregate.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, paragraph (a) of Order No. 165, issued pursuant to § 1499.158 of Maximum Price Regulation No. 188, is hereby amended to read as set forth below:

(a) Specific authority is hereby granted to Edgar Brothers Company, Metuchen, New Jersey, to sell and deliver to any person f. o. b. its plant located at McIntyre, Georgia, "Kao-Lite" a light weight calcined aggregate @ $40.00 per net ton.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4292; Filed, March 19, 1943; 4:53 p. m.]

[Order 210 Under MPR 188]

SQUARECUT PUZZLE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 210 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by Squarecut Puzzle Company, of a new puzzle.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Squarecut Puzzle Company, 636 Eleventh Avenue, New York, New York, is authorized to sell and deliver its new puzzle, designated in its application of January 27, 1943, as "Squarecut Puzzle", at prices to retailers, f. o. b. New York, New York, no higher than $5.00 per dozen.

(b) This Order No. 210 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 210 shall become effective on the 19th day of March 1943.

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4288; Filed, March 19, 1943; 4:51 p. m.]

[Order 211 Under MPR 188]

SPEED CHECKER COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 211 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by Speed Checker Company of a new game.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Speed Checker Company, 218 Linwood Avenue, Bogota, New Jersey, is authorized to sell and deliver its new game, designated in its application of January 23, 1943, as "Speed Checkers" at prices to chain stores, f. o. b. Bogota, New Jersey, no higher than $.063 per unit.

(b) This Order No. 211 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 211 shall become effective on the 19th day of March 1943.

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4290; Filed March 19, 1943; 4:50 p. m.]

[Order 212 Under MPR 188]

WILLIAM C. STEINDEL

APPROVAL OF MAXIMUM PRICES

Order No. 212 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by William C. Steindel, of a new game.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 212 sets maximum prices for sales of a new game, designated in the application as "House", manufactured by William C. Steindel, R. D. #3, Moscow, Pennsylvania:

(1) For a sale by the manufacturer to retailers, the maximum price is $.60 per unit, f. o. b. Moscow, Pennsylvania.

(2) For a sale by the manufacturer to the consumer, the maximum price is $1.00 per unit.

(b) This Order No. 212 may be revoked or amended by the Price Administrator at any time.

This Order No. 212 shall become effective on the 19th day of March 1943.

Issued this 18th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4291; Filed, March 19, 1943; 4:51 p. m.]

[Administrative Exception Order 1 Under Ration Order 12]

IMPORT OF GREEN COFFEE BY REPRESENTATIVES OF FOREIGN GOVERNMENTS

Section 1407.959 of Ration Order No. 12 prohibits the transfer of green coffee to a consumer. Since representatives of foreign governments are within the definition of consumers in Ration Order No. 12, the Collectors of Customs are precluded by this section from releasing green coffee to such representatives who have imported such green coffee.

To continue the courtesy customarily extended by the United States Government to certain representatives of foreign governments and to accord such representatives the courtesies extended by their governments to representatives of the United States Government

It is hereby ordered, That, upon request by the Department of State, the Treasury Department may authorize Collectors of Customs to transfer green coffee to representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937, and that such representatives of foreign governments may acquire, by import, green coffee.

This shall become effective March 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10129; WPB Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 20th day of March 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-4331; Filed, March 20, 1943; 11:14 a. m.]

[Order 215 Under MPF 188]

MASTER SURGICAL INSTRUMENT CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 215 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sale by the Master Surgical Instrument Corporation of a line of surgical instruments.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered*, That:

(a) The maximum prices at which the following surgical instruments manufactured by the Master Surgical Instrument Corporation, Irvington, New Jersey, may be sold or delivered are those set forth below:

Item	Manufacturer's maximum price to distributors		Distributor's maximum price		
			To Hospitals		To physicians, unit price
	Dozen	Gross lots, price per dozen	Unit	Dozen	
Chrome Haemostatic Forceps					
C-110 Halstead's mosquito	$21.60	$19.20	$2.70	$28.80	$3.60
C-111 Halstead's mosquito	21.60	19.20	2.70	28.80	3.60
C-112 Kelly's	21.60	19.20	2.70	28.80	3.60
C-113 Kelly's	21.60	19.20	2.70	28.80	3.60
C-114 Crile's	21.60	19.20	2.70	28.80	3.60
C-115 Crile's	21.60	19.20	2.70	28.80	3.60
C-116 Rankin-Kelly's	25.20	22.20	3.15	33.60	4.20
C-117 Rankin-Crile's	25.20	22.20	3.15	33.60	4.20
C-118 Rochester-Pean's	25.20	22.20	3.15	33.60	4.20
C-119 Rochester-Pean's	25.20	22.20	3.15	33.60	4.20
C-120 Rochester-Carmalt's	25.20	22.20	3.15	33.60	4.20
C-121 Rochester-Carmalt's	25.20	22.20	3.15	33.60	4.20
C-210 Kocher's	25.20	22.20	3.15	33.60	4.20
C-211 Kocher's	25.20	22.20	3.15	33.60	4.20
C-212 Rochester-Ochsner's	25.80	22.80	3.25	34.20	4.30
C-213 Rochester-Ochsner's	25.80	22.80	3.25	34.20	4.30
C-214 Rochester-Ochsner's	30.60	27.00	3.80	40.80	5.10
C-215 Rochester-Ochsner's	30.60	27.00	3.80	40.80	5.10
Chrome Needle Holders					
C-310 Mayo-Hegar's	30.00	26.40	3.75	39.60	5.00
C-311 Mayo-Hegar's	31.80	28.20	4.00	42.60	5.30
Chrome Towel Clamps:					
C-410 Backhaus'	23.40	21.00	2.90	31.80	3.90
C-411 Backhaus'	25.20	22.20	3.15	33.60	4.20
C-412 Backhaus-Roeder's	26.40	23.40	3.30	35.40	4.40
Chrome Tissue Forceps:					
C-413 Allis'	27.00	24.00	3.35	36.00	4.50
C-414 Allis'	27.00	24.00	3.35	36.00	4.50
C-510 Michel's Skin Clip: Applying and removing forceps	30.60	27.00	3.80	40.80	5.10
Stainless Haemostatic Forceps.					
S-110 Halstead's Mosquito	28.20	25.20	3.55	37.80	4.70
S-111 Halstead's Mosquito	28.20	25.20	3.55	37.80	4.70
S-112 Kelly's	28.20	25.20	3.55	37.80	4.70
S-113 Kelly's	28.20	25.20	3.55	37.80	4.70
S-114 Crile's	28.20	25.20	3.55	37.80	4.70
S-115 Crile's	28.20	25.20	3.55	37.80	4.70
S-116 Rankin-Kelly's	33.00	29.40	4.15	44.40	5.50
S-117 Rankin-Crile's	33.00	29.40	4.15	44.40	5.50
S-118 Rochester-Pean's	33.00	29.40	4.15	44.40	5.50
S-119 Rochester-Pean's	33.00	29.40	4.15	44.40	5.50
S-120 Rochester-Carmalt's	33.00	29.40	4.15	44.40	5.50
S-121 Rochester-Carmalt's	33.00	29.40	4.15	44.40	5.50
S-210 Kocher's	33.00	29.40	4.15	44.40	5.50
S-211 Kocher's	34.20	30.60	4.30	45.60	5.70
S-212 Rochester-Ochsner's	34.20	30.60	4.30	45.60	5.70
S-213 Rochester-Ochsner's	37.20	33.00	4.65	49.80	6.20
S-214 Rochester-Ochsner's	37.20	33.00	4.65	49.80	6.20
S-215					
Stainless Steel Needle Holders:					
S-310 Mayo-Hegar's	36.60	32.40	4.60	48.60	6.10
S-311	38.40	34.20	4.80	51.60	6.40
Stainless Towel Clamps:					
S-410 Backhaus'	30.60	27.00	3.85	40.80	5.10
S-411 Backhaus'	33.00	29.40	4.15	44.40	5.50
S-412 Backhaus-Roeder's	35.40	31.20	4.45	46.80	5.90
Stainless Tissue Forceps:					
S-413 Allis'	36.00	31.80	4.50	48.00	6.00
S-414 Allis'	36.00	31.80	4.50	48.00	6.00
S-510 Michel's Skin Clip: Applying and removing forceps	37.20	33.00	4.65	49.80	6.20
Chrome General Operating Scissors:					
C-610 operating scissors	12.00	10.80	1.50	16.20	2.00
C-611 operating scissors	12.00	10.80	1.50	16.20	2.00
C-612 operating scissors	12.00	10.80	1.50	16.20	2.00
C-613 operating scissors	12.00	10.80	1.50	16.20	2.00
C-614 operating scissors	12.00	10.80	1.50	16.20	2.00
C-615 operating scissors	12.00	10.80	1.50	16.20	2.00
C-616 operating scissors	12.00	10.80	1.50	16.20	2.00
C-617 operating scissors	12.00	10.80	1.50	16.20	2.00
C-618 Mayo dissecting scissors	12.00	10.80	1.50	16.20	2.00
C-619 Mayo dissecting scissors	12.00	10.80	1.50	16.20	2.00
C-620 Mayo dissecting scissors	15.60	13.80	1.95	20.40	2.60
C-621 Mayo dissecting scissors	15.60	13.80	1.95	20.40	2.60
Chrome Bandage Scissors:					
C-710 Lister's	12.00	10.80	1.50	16.20	2.00
C-711 Lister's	15.60	13.80	1.95	20.40	2.60
Stainless General Operating Scissors:					
S-610 operating scissors	18.00	16.20	2.25	24.60	3.00
S-611 operating scissors	18.00	16.20	2.25	24.60	3.00
S-612 operating scissors	18.00	16.20	2.25	24.60	3.00
S-613 operating scissors	18.00	16.20	2.25	24.60	3.00
S-614 operating scissors	18.00	16.20	2.25	24.60	3.00
S-615 operating scissors	18.00	16.20	2.25	24.60	3.00
S-616 operating scissors	18.00	16.20	2.25	24.60	3.00
S-617 operating scissors	18.00	16.20	5.25	24.60	3.00
S-618 Mayo dissecting scissors	18.00	16.20	2.25	24.60	3.00
S-619 Mayo dissecting scissors	18.00	16.20	2.25	24.60	3.00
S-620 Mayo dissecting scissors	22.80	20.40	2.85	30.60	3.80
S-621 Mayo dissecting scissors	22.80	20.40	2.85	30.60	3.80
Stainless Bandage Scissors:					
S-710 Lister's	18.00	16.20	2.25	24.60	3.00
S-711 Lister's	22.80	20.40	2.85	30.60	3.80

The manufacturer may add 5 percent to the price charged the distributor when less than one dozen of an item is purchased or when the order totals less than $100. The above distributor prices to physicians are net while those to hospitals shall be subject to credit terms of 2%, 10 days or net 30 days.

(b) At or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser of the maximum prices and the conditions set by this Order for resales by the purchaser. This notice may be given in any convenient form.

(c) This Order No. 215 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 215 shall become effective on the 22d day of March 1943.

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4332; Filed March 20, 1943; 11:14 a. m.]

SECURITIES AND EXCHANGE COMMISION.

[File No. 70-277]

GENERAL PUBLIC UTILITIES, INC., AND SOUTHWESTERN PUBLIC SERVICE COMPANY.

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of March A. D. 1943.

General Public Utilities, Inc., a registered holding company, and its subsidiary company, Southwestern Public Service Company, having filed with this Commission a request for the withdrawal of said companies' joint application seeking approval of the sale to Washington Gas and Electric Company of all of the issued and outstanding capital stock of the following subsidiaries of Southwestern Public Service Company, namely, Arizona Electric Power Company, Flagstaff Electric Light Company, Holbrook Light and Power Company and Southwestern Ice Company;

The capital stock of the above named subsidiary companies of Southwestern Public Service Company having been sold, Southwestern Public Service Company, Holding Company Act Release No. 4129, the Commission consents to the withdrawal of the application hereinabove referred to, and to that effect, *It is so ordered*.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4266; Filed, March 19, 1943; 12:09 p. m.]

[File Nos. 811-442, 811-211, 811-243]

STANDARD EQUITIES CORP., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March, A. D. 1943.

In the matter of Standard Equities Corporation, successor to Standard In-

vesting Corporation, and International Equities Corporation.

Standard Equities Corporation, a registered investment company, having filed an application pursuant to the provisions of section 8 (f) of the Investment Company Act of 1940 for an order declaring that Standard Investing Corporation and International Equities Corporation have ceased to be investment companies within the meaning of said Act;

It is ordered, Pursuant to section 40 (a) of the said Act, that a hearing on the aforesaid application be held on the 29th day of March 1943 at 10:00 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Building at 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Willis E. Monty, Esq., or any other officer of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4267; Filed, March 19, 1943; 12:09 p. m.]

[File No. 37-4]

MIDLAND UNITED CO., ETC., ET AL.

ORDER RECONVENING HEARING AND DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March 1943.

In the matter of Midland United Company, Trustee, Midland Stock Transfer Company, Northern Indiana Public Service Company, Chicago, South Shore and South Bend Railroad, Indiana Service Corporation.

The Commission having, on July 31, 1936, found that Midland Stock Transfer Company, a wholly owned subsidiary of Midland United Company, a registered holding company in reorganization under section 77B of the Bankruptcy Act, might appropriately function as a subsidiary service company, and having on that date issued an order permitting such operations; two amendments having subsequently been filed, one on August 8, 1942, and the other on September 4, 1942; after appropriate notice a public hearing was held on said amendments, which hearing was continued subject to the call of the trial examiner; and

It now appearing appropriate that such hearing be reconvened primarily for the purpose of closing the record; and it further appearing that the trial examiner heretofore designated to preside is now engaged in other matters and accordingly is unable to preside in this proceeding:

It is therefore ordered, That a hearing be held on March 22, 1943, at 11 o'clock a. m., or as soon thereafter as counsel can be heard, in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to where such hearing will be held.

It is further ordered, That Charles S. Moore, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act, and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4268; Filed, March 19, 1943; 12:10 p. m.]

[File No. 70-613]

ASSOCIATED ELECTRIC COMPANY AND STATEN ISLAND EDISON CORPORATION

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March, A. D. 1943.

Associated Electric Company, a registered holding company, and Staten Island Edison Corporation, a subsidiary of New York State Electric & Gas Corporation and an indirect subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed declarations, as amended, pursuant to sections 12 (b), 12 (c), and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-43 promulgated thereunder, in regard to the following transactions: Associated Electric Company proposes to acquire $2,222,000 principal amount of its own 4½% bonds, due January 1, 1953, from Staten Island Edison Corporation for a cash consideration of $1,130,442.50, plus accrued interest. State Island Edison Corporation proposes to advance the sum of $1,050,000 to its subsidiary, Richmond Light and Railroad Company, to enable such company to redeem, at the call price of 105, the entire outstanding issue of $1,000,000 principal amount of its first and collateral trust 4% 50-year gold bonds, due July 1, 1952, secured by assets of the said Staten Island Edison Corporation;

Hearings with respect to said declarations, as amended, having been held after appropriate notice, the Commission having heard oral argument, being duly advised in the premises and having entered its findings and opinion herein;

It is hereby ordered, On the basis of said findings and opinion that the aforesaid declarations be and hereby are permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4262; Filed, March 19, 1943; 12:09 p. m.]

[File No. 1-2859]

FULLER MANUFACTURING COMPANY

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March, A. D. 1943.

The Fuller Manufacturing Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on The Chicago Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, April 28, 1943, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4263; Filed, March 19, 1943; 12:09 p. m.]

[File No. 43-139]

OKLAHOMA POWER AND WATER CO.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March, A. D., 1943.

Oklahoma Power and Water Co., a subsidiary of The Middle West Corporation, a registered holding company, having filed declarations pursuant to the Public Utility Holding Company Act of 1935 regarding three proposed transactions as follows:

(1) To prepay $100,000 principal amount of its 5% unsecured promissory notes aggregating $412,000 and due August 1, 1943, as heretofore extended, to the payee, Sand Springs Home, Sand Springs, Oklahoma, and to extend the maturity of the principal amount of $312,000, so that payments will be made upon principal at the rate of $4,000 monthly from September 1, 1943 to August 1, 1947 and at the rate of $5,000 monthly from September 1, 1947 to August 1, 1949, and to issue two unsecured promissory notes in the amounts of $172,000 and $140,000, respectively, as evidence of the amount due;

(2) To prepay $100,000 principal amount of collateral notes held by Harris Trust and Savings Bank, The Chase National Bank of the City of New York, City National Bank and Trust Company of Chicago, American National Bank and Trust Company of Chicago, National Bank of Tulsa, First National Bank and Trust Company (Tulsa, Oklahoma), and First National Bank and Trust Company (Oklahoma City, Oklahoma) due July 27, 1944 in the aggregate principal amount to $1,575,000, and to cancel $420,000 principal amount of its first mortgage 5% 20 year gold bonds, Series B due February 1, 1949, and $80,000 principal amount of its first mortgage 5% 20 year gold bonds, Series A due February 1, 1948, previously deposited with said banks as collateral;

(3) To change its existing issues of common and preferred stock, all of which are held by said The Middle West Corporation into 23,141 shares of capital stock of the par value of $100 per share; and

Said declarations having been filed on February 10, 1943, and amendments thereto having been filed on March 4, 1943, and March 11, 1943, and notice of filing having been given in the form and manner prescribed in Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and Oklahoma Power and Water Co. having requested that prior action be taken upon the above proposed transactions numbered (1) and (2) and that jurisdiction be reserved with regard to transaction number (3); and

The Commission finding with respect to transactions (1) and (2) above under section 7 of said Act that the requirements of section 7 (c) are satisfied and that no adverse findings are necessary under section 7 (d) and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declarations with respect to transactions (1) and (2) above to become effective forthwith:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declarations with respect to transactions (1) and (2) be, and hereby are, permitted to become effective forthwith, and jurisdiction is reserved with regard to transaction number (3).

By the Commisison.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4264; Filed, March 19, 1943; 12:09 p. m.]

[File No. 70-664]

STANLEY CLARKE, ETC., ET AL.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of March, 1943.

In the matter of Stanley Clarke, trustee of Associated Gas and Electric Company; Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation.

ACQUISITION OF SECURITIES BY REGISTERED HOLDING COMPANY OR SUBSIDIARY—EXEMPTION

Application pursuant to section 9 (c) (3) of the Act, filed by trustees, for exemption from the provisions of section 9 (a) of the Act, regarding acquisition of securities as part of compromises of claims of the estates, granted, the compromises having been approved by the bankruptcy court and the transactions being found not detrimental to the public interest or the interest of investors or consumers.

ACQUISITION OF SECURITIES BY ISSUER—EXEMPTION

Application-declaration filed by trustees for exemption from the rules promulgated under the Act, regarding acquisition of securities as part of compromises of claims of the estates, granted under the provisions of Rule U-100, the compromises having been approved by the bankruptcy court and compliance with the requirements of Rule U-42 being found not necessary or appropriate in the public interest or for the protection of investors and consumers.

An application-declaration has been filed jointly by Stanley Clarke, Trustee of Associated Gas and Electric Company (hereinafter referred to as "Ageco"), a registered holding company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter referred to as "Agecorp"), a registered holding company. Both companies are in reorganization under Chapter X of the Bankruptcy Act.

The applicants-declarants have entered into agreements to compromise their claims and those of their direct and indirect subsidiaries and affiliates against Daniel Starch and against Travis, Brownback & Paxson. As part of such agreements Travis, Brownback & Paxson will deliver to the applicants-declarants certain debentures of Agecorp, which are to be delivered to the Trustees of Agecorp for cancellation, and certain shares of Ageco stock, which are to be delivered to the Trustee of Ageco for cancellation. The agreement to compromise claims against Daniel Starch involves the transfer and delivery from Daniel Starch to the applicants-declarants of various securities of Ageco, Agecorp, and certain subsidiary companies, together with certain other assets. After deduction for expenses of investigation, negotiation, settlement, and distribution incidental to these proposed settlements, the applicants-declarants will, with the requisite court and commission approvals, allocate and distribute said securities and other assets to, or among, the Trustees of Ageco and Agecorp, and their subsidiaries and affiliates, in such proportions as may be appropriately determined. The proposed transaction which is the subject of this application-declaration is only the initial delivery to the applicants-declarants of the securities referred to.

After appropriate notice, a public hearing was held on the matter, at which no one appeared to object to the proposed transactions.

The proposed settlements have been approved by the United States District Court for the Southern District of New York, and certified copies of the orders of that court appear in the record.

The proposed transaction by the trustees of the two estates involves an acquisition subject to the provisions of section 9 of the Public Utility Act of 1935. Pursuant to section 9 (c) (3), this Commission is empowered to grant exemptions from the provisions of section 9 (a) "within such limitations, as the Commission may by rules and regulations or order prescribe as appropriate in the ordinary course of business of a registered holding company or a subsidiary company thereof and as not detrimental to the public interest or the interest of investors or consumers."

The applicants-declarants herein are all trustees appointed in accordance with the provisions of the Bankruptcy Act, and their duties as such, as defined in section 47 (a) of that Act) include the collection of claims available to the estates. In this context, the proposed acquisitions may properly be said to be within "the ordinary course of business" of the applicants-declarants.

We find that the proposed transactions are not detrimental to the public interest, or the interest of investors or consumers, and that the proposed transactions are properly the subject for an exemption from the provisions of section 9 (a) of the Act.

We also find that compliance with the requirements of Rule U-42 of the general rules and regulations promulgated pursuant to the Public Utility Holding Company Act of 1935, is not necessary or appropriate in the public interest or for the protection of investors and consumers, and therefore that the proposed transactions are properly the subject for an exemption under the provisions of Rule U-100.

It is therefore ordered, That, pursuant to section 9 (c) (3) of the Public Utility Holding Company Act of 1935 and to Rule U-100 of the general rules and regulations promulgated thereunder, the transaction embraced by the applica-

tion-declaration herein be, and hereby is, granted an exemption from the requirements of section 9 (a) of the Act and from the rules promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4265; Filed, March 19, 1943; 12:09 p. m.]

[File No. 1-2836]

LINCOLN SERVICE CORP.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of March, A. D. 1943.

In the matter of Lincoln Service Corporation 7% Cumulative Prior Preferred Stock, $50 Par Value, Common Stock, $1 Par Value.

The Lincoln Service Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its 7% Cumulative Prior Preferred Stock, $50 Par Value, and its Common Stock, $1 Par Value, from listing and registration on the Washington Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, April 23, 1943, at the office of the Securities and Exchange Commission, 14th and K Streets, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4336; Filed, March 20, 1943; 11:44 a. m.]

[File No. 1-1797]

ALADDIN GOLD MINING CO., LTD.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of March, A. D., 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Aladdin Gold Mining Company, Ltd. common stock, 10¢ par value should be suspended or withdrawn.

I.

It appearing to the Commission:

That Aladdin Gold Mining Company, Ltd., a corporation organized under the laws of the State of Nevada, is the issuer of common stock, 10¢ par value; and

That said Aladdin Gold Mining Company Ltd., registered such common stock on the San Francisco Mining Exchange by filing with the exchange and with the Commission on or about April 15, 1938 an application on Form 8-A pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective June 19, 1938 and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by Aladdin Gold Mining Company, Ltd.; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Aladdin Gold Mining Company, Ltd., has a fiscal year ended December 31, that the annual report for its fiscal year ended December 31, 1941 was due to be filed not later than April 30, 1942; that the registrant made a request for extension of time within which to file such report; that the time for filing was extended by the Commission to September 15, 1942; that on September 29, 1942 the registrant filed a report purporting to cover a fiscal year ended June 30, 1941; that the annual report for the fiscal year ended December 31, 1941 was not filed within the time prescribed for filing said report or at any later date;

II.

The Commission having reasonable cause to believe that:

Aladdin Gold Mining Company, Ltd., has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the date prescribed for filing said report and (2) it has failed to file such annual report at any later date; and

III.

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended:

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Aladdin Gold Mining Company, Ltd., has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the common stock, 10¢ par value of Aladdin Gold Mining Company, Ltd., on said San Francisco Mining Exchange.

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing William J. Cogan, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 5th day of April, 1943, at 10:00 A. M. E. W. T. at the Regional Office of the Securities Exchange Commission, 120 Broadway, New York, N. Y., and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4335; Filed March 20, 1943; 11:44 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 19, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Serial No.	Builder	Project location	Date of issuance of revocation order
4053—77-122-000699... (1 unit of 2)	C. E. Stoll, 215 West Palm, San Diego, Calif.	Fortuna Street between Jewel and Shasta and on Roosevelt between Kendall and Sequoia, San Diego, Calif.	3/15/43
3682—77-122-000691... (2 units of 6)	John Anderson, 611 25th St., San Diego, Calif.	"G" Street between 25th and 26th Sts., San Diego, Calif.	3/15/43
212—7103-1 ..... (1 unit of 60)	Colonial Colonies Corp., 109 Eagle St., Tenafly, N. J.	Lincoln Ave., etc., Maywood, N. J.....	3/15/43
212—7103-140 ..... (1 unit of 48)	Colonial Colonies Corp., 109 Eagle St., Tenafly, N. J.	Crest Drive, N. and Crest Drive S., Cresskill, N. J.	3/15/43

[F. R. Doc. 43-4302; Filed, March 19, 1943; 5:00 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 19, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Serial No.	Builder	Project affected	Date of issuance of revocation order
New Jersey State Highway Dept., Trenton, N. J....	Middlesex Co., New Jersey (St. Rte. 18, Section 1).		3/11/43.

[F. R. Doc. 43-4303; Filed, March 19, 1943; 5:00 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 19, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Serial No.	Builder	Project location	Date of issuance of revocation order
519—77-000-588	Harry P. Giuldines, 6040 13th Place, SW., Washington, D. C.	Hanna Place, 51st St. and H St., SE. Washington, D. C.	3/15/43
152—77-081-000-342	J. W. Collins, Cline St., Clarksville, Tenn.	N. 2d St., in Cumberland Terrace Subdivision, Lot 27, Clarksville, Tenn.	3/15/43
7-126-000249	Crosley Development, Inc., 6046 N. Crosley Ave., Portland, Ore.	Sherman Ave., between 8th and 9th, Portland, Ore.	3/15/43
321—77-112-00162	William L. Quinlan, Jr., 307 Walnut Hill Lane, Dallas, Tex.	Lots 1, 2, 3, 4, 5, 6 Blk. 36; Lots 1, 2, 3, 4, 5, 6, Blk. 31 Cochran Place Addition, Dallas, Tex.	3/15/43
805—77-018-291.....	Warren-Murrell, Inc., Broadway and Railroad Ave., Bellingen, N. Y.	Riverdale and Leroy Sts., Central Park, N. Y.	3/15/43
2256—77-122-001931	H. O. Johnson, 6043 West 57th St., Los Angeles, Calif.	Hargis St., between Washington Blvd. and Venice Blvd., Los Angeles, Calif.	3/15/43
2188—77-122-001934..	Kenneth W. Soll, 901 W. 69th St., Los Angeles, Calif.	3938 Tinker Ave., 4054 Hural Ave., 3131 Tinker Ave., Culver City, Calif.	3/15/43
1592-77-122-001883..	Pearl Fain, 215 North Gower St., Los Angeles, Calif.	Victory Blvd., corner Parish Place, Burbank, Calif.	3/15/43
48-77-122-000190.....	John C. McCluskey, 148 South Maple, Monterey Park, Calif.	6550 Alleton St., Los Angeles, Calif.....	3/15/43
672-77-122-000707	Lyle M. Stone, 714 Magnolia Blvd., Burbank, Calif.	415 North Reese St., Burbank, Calif	3/15/43
132-77-122-000127	H. Turkelson, 2957 West 9th St., Los Angeles, Calif.	806 and 810 E. 120th St., Hawthorne, Calif.	3/15/43
1130-77-122-000454A	Kenneth Construction Co., 1568 North Vine St., Los Angeles, Calif.	1845 North Crescent Heights Blvd., Hollywood, California	3/15/43
600-77-122-000872	Clarence L. Fine, 1050 S. Manhattan Place, Los Angeles, Calif.	McDevitt St., Compton, Calif.	3/15/43
1022-77-122-000859	Ida V. Jones, Elizabeth Hotel, Burbank, Calif.	2206-10 North Buena Vista St., Burbank, Calif.	3/15/43
147-77-122-000890	A. C. Nelson, 3757 Wilshire Blvd., Los Angeles, Calif.	616-628-640-696 Via Barola and 650-690 670 Via Verranda, Long Beach, Calif.	3/15/43
768-77-122-000873	Victor Wilson, 1066 Huston St., North Hollywood, Calif.	Lots 61-62 Tract 8719 Phillippi St., San Fernando, Calif.	3/15/43

[F. R. Doc. 43 4301; Filed, March 19, 1943; 5:00 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 19, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A—Continued

Serial No.	Builder	Project location	Date of issuance of revocation order
77-115-000687	F. N. Milam, Pryor, Okla.	306-310 North Elliott St., Pryor, Okla.	3/9/43
5073-00645	Thomas J. Herron, 1015 N. Neufelbach, Fayetteville, Tex.	----------	3/9/43
77-102-178	Dan Lasater, 1617 Jackson Ave., Wichita, Kans.	1823 Jeanette Ave., Wichita, Kans.	3/9/43
7060-383	Globe Building Corp., 2425 Mt. Vernon Ave., Alexandria, Va.	Globe Rd., Belgesen Countrywealth Addition, Va.	3/9/43
7060-87	Wm. S. Phillips, Jr., 373 N. Globe Road, Arlington, Va.	2401 and N. Kentucky Sts., Arlington, Va.	3/9/43
7060-570	Charles W. Lipes, 2161 N. Lincoln St., Arlington, Va.	Fowler St. Lots Blk 5, W. Falls Church, Va.	3/9/43
7060-177	V. B. Connelly, 101 S. Wash. St., Alexandria, Va.	Montrose Drive, Alexandria, Va.	3/9/43
7060-245	Albert Roosenseling, 6634 Georgia Ave. N.W., Washington, D. C.	711-15 31st St. SE., bet. Mass. Ave. and K St. SE., Washington, D. C.	3/9/43
7060-90	Otto G. Dennis, 4807 11th St. N., Arlington, Va.	Cherry St., Falls Church, Va.	3/9/43

[F. R. Doc. 43-4304; Filed, March 19, 1943; 5:00 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 19, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	13570	Illinois Dept. of Pub. Wks. and Bldgs., Div. of Hwys., Springfield, Ill.	U. S. Rte. 40 Mulberry Grove toward Vandalia Ill. S.N.H. Sec. P-2(1); S.N.-FA-3-0 (2) (F. A. Rte. 12, Sec. 0-2(1)).	3/9/43

WAR HOUSING STAFF SERVICE BRANCH LIST OF PARTIAL REVOCATIONS

Serial No.	Builder	Project location	Date of issuance of revocation order
9—77-115-000190—(10 units of 28)	Harlingen Builders, Inc., Harlingen, Tex.	East Polk St., Harlingen, Tex. ----------	3/9/43
5—7115-00129—(6 units of 8)	W. D. Waddell, 1154 York Ave., Corpus Christi, Tex.	Villa and Dixon Drives, Corpus Christi, Tex.	3/9/43
78—77-031-178—(4 units of 20)	Paul Clark, 114 East Vanderbilt Dr., Corpus Christi, Tex.	Vanderbilt and Adams Dr., Corpus Christi, Tex.	3/9/43
102—77-031-24—(4 units of 40)	Merritt Park Subdivision #478, Dumont, N. J.	Sloeum Way and Mackay Drive, Fort Lee, N. J.	3/9/43
17—77-031-12—(4 units of 40)	Merritt Park Subdivision #478, Dumont, N. J.	S/S Preston Lane bet. Hathorn Airport and Schraalenburgh Roads, bet. Preston and Straat Lanes, Exton (Upper Moreland Twp., Montgomery County, Pa.	3/9/43
31—77-031-137—(4 units of 40)	Lamrose Corporation, 1143 East 16th St., Elizabeth, N. J.	Milton Ln and Gesner Sts., Linden, N. J.	3/9/43
13—77-031-113—(4 units of 40)	Joseph Ratelo, 295 Broad Ave., Palisades Park, N. J.	W/S Second St. bet. Edsall Blvd. and Palisades Blvd. Palisades Park, N. J.	3/9/43
53—77-031-253—(4 units of 40)	Quality Homes, Inc., 33 Mercer St., New York City.	Stanfish Ct., Hackensack, N. J.	3/9/43
02—77-031-24—(4 units of 40)	Merritt Park Subdivision #478, Dumont, N. J.	Hunting Drive, Dumont, N. J.	3/9/43
58—77-031-17—(4 units of 40)	Merritt Park Subdivision #478, Dumont, N. J.	Merritt Park Subdivision #478, Dumont, N. J.	3/9/43
59—77-031-12—(4 units of 40)	Persyl Const. Co., Inc., P. O. Box #13, Dumont, N. J.	Sloeum Way and Mackay Drive, Fort Lee, N. J.	3/9/43
52—77-031-000531—(4 units of 40)	Pressyl Const. Co., Inc., P. O. Box #13, Dumont, N. J.	S/S Preston Lane bet. Hathorn Airport and Schraalenburgh Roads, bet. Preston and Straat Lanes, Exton (Upper Moreland Twp., Montgomery County, Pa.	3/9/43
79—77-115-000693—(4 units of 40)	Bronton Service Corp., Girard Trust Bldg., Philadelphia, Pa.	----------	3/9/43

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	8228	International Shoe Co., St. Louis, Mo.	Wool River Tannery, Hartford, Ill.	3/11/43

WAR HOUSING STAFF SERVICE BRANCH LIST OF COMPLETE REVOCATIONS

Serial No.	Builder	Project location	Date of issuance of revocation order
079—77-115-000693—(4 units of 40)	Curtis Morgan, 1625 Olmos Drive, San Antonio, Tex.	Hagelin St. and 923 Steves Ave., San Antonio, Tex.	3/9/43
617—77-115-000692—(4 units of 40)	A. Roberts, Cor. Pleasanton Rd. and Military Drive, San Antonio, Tex.	First St., San Jose Townsite, San Antonio, Tex.	3/9/43
078—77-115-000692—(4 units of 40)	C. Roberts, Cor. Pleasanton Rd. and Military Drive, San Antonio, Tex.	First St., San Jose Townsite, San Antonio, Tex.	3/9/43
184—7115-00244—(4 units of 40)	Jon Parsur, 259 Thomas Jefferson, San Antonio, Tex.	Steves Ave., San Antonio, Tex ----------	3/9/43
201—7115-00248—(4 units of 40)	Parkview Homes, Inc., 1360 Donaldson Ave., San Antonio, Tex.	Parkview Estates, San Antonio, Tex.----	3/9/43
195—7115-00283—(4 units of 40)	Mussel Realty Co., P. O. Box, 1166, Corpus Christi, Tex.	Eighteenth, Corpus Christi, Tex.------	3/9/43
206—7115-00280—(4 units of 40)	Mrs. David Silk, c/o Archer & Archer, 312 Kiest Blvd., San Antonio, Tex.	N.W. Corner Meredith Drive, and Wilson.	3/9/43
217—7115-00305—(4 units of 40)	Mrs. Margaret E. Mills, 1009 Gulf St., San Antonio, Tex.	2840 E. Houston St., San Antonio, Tex.	3/9/43
270—7115-00311—(4 units of 40)	Elijah B. King, 325 Irs, San Antonio, Tex.	511 Elmhurst, San Antonio, Tex.------	3/9/43
234—7115-00259—(4 units of 40)	Harlingen Builders, Inc., Harlingen, Tex.	Tyler & Taylor, Harlingen, Tex.------	3/9/43
227—7115-00302—(4 units of 40)	Carl L. Duaine, 1004 Park Ave., Corpus Christi, Tex.	Roosevelt Ave., Adams St., Corpus Christi, Tex.	3/9/43
229—7115-00307—(4 units of 40)	Defense Home Builders, Inc., 508 Texas Theatre Bldg., San Antonio, Tex.	201 West Main St., San Antonio, Tex..	3/9/43
257—7115-00333—(4 units of 40)	Defense Home Builders, Inc., 508 Texas Theatre Bldg., San Antonio, Tex.	1511 Loma, San Antonio, Tex.----------	3/9/43
580—77-018-183—(4 units of 40)	Bellerose Building Co., 657 East 26th St., Brooklyn, N. Y.	N/S Harriman Ave. bet. Greenwich St. and Eldridge Pl., Hempstead, N. Y.	3/9/43
319—77-018-118—(4 units of 40)	Woodland Manor, Inc., 163-18 Jamaica Ave., New York.	214 St., S/Union Turnpike, Hollis, N. Y.	3/9/43
87—77-018-099—(4 units of 40)	Carter Construction Co. Inc., 19 Lafayette St., Rockville Center, N. Y.	Chelsea and Evans Rds., Oceanside, N. Y.	3/9/43
86—77-018-039—(4 units of 40)	Joseph Sallitte, 282 Suydam St., Brooklyn, N. Y.	Belmore Ave., Floral Gardens, Franklin Square, N. Y.	3/9/43
36—77-018-011—(4 units of 40)	Hemingway Homes, Inc., 9125-181 St., Jamaica, N. Y.	Linden Blvd., Jewel Ave., 175 and 174 Sts., Jamaica Estates, Jamaica, N. Y.	3/9/43
369—77-031-179—(4 units of 40)	Equity Builders, Inc., 233 West 42d St., New York City, N. Y.	S/E Cor. Baker St. and Goodale Ave., Dover, N. J.	3/9/43
371—77-031-257—(4 units of 40)	Equity Builders, Inc., 233 West 42d St., New York City, N. Y.	N/S/s Sanford Ave., Belleville, N. J.----	3/9/43
100—77-031-137—(4 units of 40)	Lamrose Corporation, 1143 East Jersey St., Elizabeth, N. J.	Milton Ln and Gesner Sts., Linden, N. J.	3/9/43
711—77-031-113—(4 units of 40)	Joseph Ratelo, 295 Broad Ave., Palisades Park, N. J.	W/S Second St. bet. Edsall Blvd. and Palisades Blvd. Palisades Park, N. J.	3/9/43
353—77-031-253—(4 units of 40)	Quality Homes, Inc., 33 Mercer St., New York City.	Stanfish Ct., Hackensack, N. J.	3/9/43
102—77-031-24—(4 units of 40)	Merritt Park Subdivision #478, Dumont, N. J.	Hunting Drive, Dumont, N. J.	3/9/43
158—77-031-17—(4 units of 40)	Merritt Park Subdivision #478, Dumont, N. J.	Merritt Park Subdivision #478, Dumont, N. J.	3/9/43
159—77-031-12—(4 units of 40)	Persyl Const. Co., Inc., P. O. Box #13, Dumont, N. J.	Sloeum Way and Mackay Drive, Fort Lee, N. J.	3/9/43
552—77-031-000531—(4 units of 40)	Pressyl Const. Co., Inc., P. O. Box #13, Dumont, N. J.	S/S Preston Lane bet. Hathorn Airport and Schraalenburgh Roads, bet. Preston and Straat Lanes, Exton (Upper Moreland Twp., Montgomery County, Pa.	3/9/43
079—77-115-000693—(4 units of 40)	Bronton Service Corp., Girard Trust Bldg., Philadelphia, Pa.	----------	3/9/43
617—77-115-000692—(4 units of 40)	A. Roberts, Cor. Pleasanton Rd. and Military Drive, San Antonio, Tex.	First St., San Jose Townsite, San Antonio, Tex.	3/9/43
078—77-115-000692—(4 units of 40)	C. Roberts, Cor. Pleasanton Rd. and Military Drive, San Antonio, Tex.	First St., San Jose Townsite, San Antonio, Tex.	3/9/43
184—7115-00244—(4 units of 40)	Jon Parsur, 259 Thomas Jefferson, San Antonio, Tex.	Steves Ave., San Antonio, Tex ----------	3/9/43
201—7115-00248—(4 units of 40)	Parkview Homes, Inc., 1360 Donaldson Ave., San Antonio, Tex.	Parkview Estates, San Antonio, Tex.----	3/9/43
195—7115-00283—(4 units of 40)	Mussel Realty Co., P. O. Box, 1166, Corpus Christi, Tex.	Eighteenth, Corpus Christi, Tex.------	3/9/43
206—7115-00280—(4 units of 40)	Mrs. David Silk, c/o Archer & Archer, 312 Kiest Blvd., San Antonio, Tex.	N.W. Corner Meredith Drive, and Wilson.	3/9/43
217—7115-00305—(4 units of 40)	Mrs. Margaret E. Mills, 1009 Gulf St., San Antonio, Tex.	2840 E. Houston St., San Antonio, Tex.	3/9/43
270—7115-00311—(4 units of 40)	Elijah B. King, 325 Irs, San Antonio, Tex.	511 Elmhurst, San Antonio, Tex.------	3/9/43
234—7115-00259—(4 units of 40)	Harlingen Builders, Inc., Harlingen, Tex.	Tyler & Taylor, Harlingen, Tex.------	3/9/43
227—7115-00302—(4 units of 40)	Carl L. Duaine, 1004 Park Ave., Corpus Christi, Tex.	Roosevelt Ave., Adams St., Corpus Christi, Tex.	3/9/43
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711—77-031-113—(4 units of 40)	Joseph Ratelo, 295 Broad Ave., Palisades Park, N. J.	W/S Second St. bet. Edsall Blvd. and Palisades Blvd. Palisades Park, N. J.	3/9/43
353—77-031-253—(4 units of 40)	Quality Homes, Inc., 33 Mercer St., New York City.	Stanfish Ct., Hackensack, N. J.	3/9/43
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159—77-031-12—(4 units of 40)	Persyl Const. Co., Inc., P. O. Box #13, Dumont, N. J.	Sloeum Way and Mackay Drive, Fort Lee, N. J.	3/9/43
552—77-031-000531—(4 units of 40)	Pressyl Const. Co., Inc., P. O. Box #13, Dumont, N. J.	S/S Preston Lane bet. Hathorn Airport and Schraalenburgh Roads, bet. Preston and Straat Lanes, Exton (Upper Moreland Twp., Montgomery County, Pa.	3/9/43
461—77-115-000687—(4 units of 40)	F. N. Milam, Pryor, Okla.	306-310 North Elliott St., Pryor, Okla.	3/9/43
165—7073-00645—(4 units of 40)	Thomas J. Herron, 1015 N. Neufelbach, Fayetteville, Tex.	----------	3/9/43
163—77-102-178—(4 units of 40)	Dan Lasater, 1617 Jackson Ave., Wichita, Kans.	1823 Jeanette Ave., Wichita, Kans ---	3/9/43
461—77060-383—(4 units of 40)	Globe Building Corp., 2425 Mt. Vernon Ave., Alexandria, Va.	Globe Rd., Belgesen Countrywealth Addition, Va.	3/9/43
163—77060-87—(4 units of 40)	Wm. S. Phillips, Jr., 373 N. Globe Road, Arlington, Va.	2401 and N. Kentucky Sts., Arlington, Va.	3/9/43
629—77060-570—(4 units of 40)	Charles W. Lipes, 2161 N. Lincoln St., Arlington, Va.	Fowler St. Lots Blk 5, W. Falls Church, Va.	3/9/43
450—77060-177—(4 units of 40)	V. B. Connelly, 101 S. Wash. St., Alexandria, Va.	Montrose Drive, Alexandria, Va.	3/9/43
320—77060-245—(4 units of 40)	Albert Roosenseling, 6634 Georgia Ave. N.W., Washington, D. C.	711-15 31st St. SE., bet. Mass. Ave. and K St. SE., Washington, D. C.	3/9/43
155—77060-90—(4 units of 40)	Otto G. Dennis, 4807 11th St. N., Arlington, Va.	Cherry St., Falls Church, Va.	3/9/43

[F. R. Doc. 43-4304; Filed, March 19, 1943; 5:00 p. m.]

WAR HOUSING STAFF SERVICE BRANCH LIST OF PARTIAL REVOCATIONS—Continued

Serial No.	Builder	Project location	Date of issuance of revocation order
142—7115-00187—(32 units of 40)	Jefferson Manor Co., 1001 Donaldson Ave., San Antonio, Tex.	Donaldson Ave., San Antonio, Tex.....	3/9/43
171—7115-00214—(9 units of 25)	Harlingen Builders, Inc., P. O. Box 488, Harlingen, Tex.	McKinley and Roosevelt, Harlingen, Tex.	3/9/43
234—7115-00328—(8 units of 10)	Johnson Development Corp., 1268 Milam Bldg., San Antonio, Tex.	Hearne Ave., San Antonio, Tex	3/9/43
60—77-018-196—(7 units of 10)	Morton C. Stewart Homes, Inc., Merrick Road, Copiague, N. Y.	Grant Ave., Great Neck Rd., Lincoln and Harding Sts., Copiague, N. Y	3/9/43
230—77-018-92—(9 units of 41)	Bayside Park Homes, Inc., 49-11 216 St., Bayside, N. Y.	54 Avenue, Luke Pl., 53 Ave., Bayside, N. Y.	3/9/43
174—77-018-66—(9 units of 15)	William A. Gatke, Huntington Station, N. Y.	Parkway Drive, Huntington Station, N. Y.	3/9/43
241—77-031-132—(8 units of 10)	M. & P. Builders, Inc., 880 Bergen Ave., Jersey City, N. J.	Grant Ave., South Plainfield, N. J ...	3/9/43
240—77-031-137—(8 units of 15)	Paterno-Halpern Homes, Bldrs., Inc., 159 Glenbrook Parkway, Englewood, N. J.	S. Prospect Ave., and Dudley Dr., Berrenfield, N. J.	3/9/43
211—77-031-131—(6 units of 11)	Bazzano Built Homes, River Rd. and Graphic Blvd., New Milford, N. J.	Graphic Blvd., New Milford, N. J.....	3/9/43
220—77-031-70—(1 unit of 2)	Frank Ciuneo, 342 Main St., Hackensack, N. J.	Thirteenth Ave., East Paterson, N. J...	3/9/43
240—77-031-117—(3 units of 10)	Ponte Constr. Co., Inc., 415 East 31st St., Paterson, N. J.	Maplewood Ave., East Paterson, N. J..	3/9/43
182—77-031-11—(30 units of 30)	W. H. Whyte Constr. Co., 382 Railroad Ave., Hackensack, N. J.	Redrock Estate Subdivision, Fair Lawn, N. J.	3/9/43
314—77-031-000272—(23 units of 40)	A. P. Orleans & Co., 100 W. Rockland St., Philadelphia, Pa.	5100 Block "D" St., Philadelphia Pa...	3/9/43
243—7700-103—(1 unit of 3)	Wm. E. Melton, 807 Heron Drive, Silver Spring, Md.	Langley Drive, Silver Spring, Md.....	3/9/43
172—7700-402—(66 units of 230)	Standard Construction, 416 15th St., NW., Washington, D. C.	Eastern Ave., Blair Mill Rd. and Newell St., Silver Spring, Md.	3/9/43
296—77000-129—(2 units of 8)	Consolidated Improvement Co., Inc., 1709 Girard St., NW., Washington, D. C.	4200 Blocks of Edson, Foote and Grant St., NE. Washington, D. C.	3/9/43
68—77000-9—(40 units of 69)	Mercer Bldg. Co., 549 9th St., NW., Washington, D. C.	Forrester St., Galveston St., SW., Washington, D. C.	3/9/43
86—77000-317—(8 units of 40)	Michael Walsh, 815 11th St. NW., Washington, D. C.	Foote St. and Edson Pl. between 42d St. and 44th Pl. NE., Washington, D. C.	3/9/43

[F. R. Doc 43-4305; Filed, March 19, 1943; 5:00 p. m.]

[Notice Regarding Proposed CMP Regulation No. 6]

CONSTRUCTION AND FACILITIES

The issuance of proposed CMP Regulation No. 6 covering procedures for obtaining controlled materials for construction and facilities under the Controlled Materials Plan has been postponed pending a revision of processing procedures and standardization of forms.

All current construction jobs authorized in accordance with War Production Board orders prior to February 17, 1943, have been assigned to individual Claimant Agencies. The Claimant Agencies consist of the following: War Department, Navy Department, Maritime Commission, Aircraft Resources Control Office, Office of Lend-Lease Administration, Board of Economic Warfare, Office of Civilian Supply, Department of Agriculture, Office of Defense Transportation, Office of Rubber Director, Facilities Bureau of the War Production Board, Petroleum Administration for War, National Housing Agency and Office of War Utilities Director.

Claimant Agencies have contacted jobs under their jurisdiction, requesting applications for controlled materials. The following forms are being used: Form CMP-OCE No. 1—War Department; CMP-14; CMP-15 and CMP-4C—Office of Civilian Supply; Forms CMP-16; CMP-17 and CMP-4C—Facilities Bureau; and Form CMP-4C—All other Claimant Agencies.

In the case of construction projects authorized subsequent to February 17, 1943, instructions will be issued to the consumers involved indicating the Claimant Agency to which applications for controlled materials are to be directed and the specific application forms to be used. Applications for authorization to construct will, until further notice, be made in accordance with existing procedures.

All of the provisions of CMP Regulation No. 1 are applicable to construction operations with the following exceptions. None of the provisions of such regulation respecting the authorization of or compliance with production schedules applies to construction and the provisions of paragraph (s-1), restricting the placement of authorized controlled material orders to specified quantities, do not apply to construction. Preference ratings assigned to construction projects may be applied or extended only for the purpose of acquiring those items of materials specifically approved in connection with the issuance of the authorization to construct. Numbers identifying allotments for construction may be used along with such preference ratings in the same manner as provided in CMP Regulation No. 3 governing preference ratings assigned to production schedules.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4404; Filed, March 22, 1943; 11:24 a. m.]

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MAR 26 43

FEDERAL REGISTER

VOLUME 8 NUMBER 58

Washington, Wednesday, March 24, 1943

The President

EXECUTIVE ORDER 9317

MAKING AVAILABLE FOR THE USE OF THE ARMY AND NAVY QUININE SULFATE ACQUIRED BY THE PROCUREMENT DIVISION OF THE TREASURY DEPARTMENT PURSUANT TO THE ACT OF JUNE 7, 1939

WHEREAS the Procurement Division of the Treasury Department has acquired by purchase, pursuant to the provisions of the act of June 7, 1939, 53 Stat. 811, stocks of quinine sulfate suitable for medicinal use; and

WHEREAS the Chairman of the War Production Board has reported to me that there is a need for quinine sulfate for medicinal uses by the military forces:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by section 4 of the said act of June 7, 1939, it is ordered as follows:

The Procurement Division of the Treasury Department is hereby authorized and directed to make available, from the stocks acquired by it pursuant to the said act of June 7, 1939, upon such terms of sale and delivery to the buyers and users thereof as may be mutually satisfactory to the Procurement Division and to them, a total of 3,634,782 ounces of quinine sulfate for the use of the Army and a total of 1,283,600 ounces of quinine sulfate for the use of the Navy.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 20, 1943.

[F. R. Doc. 43-4430; Filed, March 22, 1943; 3:07 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Food Distribution Administration

PART 802—SUGAR DETERMINATIONS

PRODUCTION OF SUGAR BEETS DURING 1943

Amendment to determination of farming practices to be carried out on farms in connection with the production of sugar beets during the crop year 1943.

Pursuant to the provisions of subsection (e) of section 301 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.13h *Farming practices in connection with the production of sugar beets during the crop year 1943*—(a) *For farms in States other than California.* The requirements of subsection (e) of section 301 of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to the production of the 1943 crop of sugar beets on any farm in a State other than California, if the producer and the county agricultural conservation committee certify that there has been carried out on land on the farm which is adapted to the production of sugar beets, not less than one-half acre of soil-conserving practices for each acre of sugar beets planted on the farm for harvest in 1943 for the extraction of sugar: *Provided, however,* That not in excess of 75 percent of the foregoing requirements in connection with rented acreage which would otherwise be part of another farm may consist of practices carried out on such farm in excess of any practices required thereon.

For the purposes of paragraph (a) of this section:

(1) Each of the following shall be deemed to be one acre of soil-conserving practices:

(i) Maintaining until after July 1, 1943, one acre of a protective covering of adapted perennial or biennial legumes, adapted perennial grasses, or mixtures of such legumes and grasses.

(ii) Seeding in 1943 one acre of adapted perennial legumes (except alfalfa) or biennial legumes, adapted perennial grasses, or mixtures of such legumes and grasses.

(iii) Seeding in 1943 one-half acre of adapted alfalfa.

(iv) Plowing under during 1943 one acre of a good stand and a good growth of an adapted green manure crop.

(v) Applying during 1943 eight short tons of animal manure or the amount of manure normally produced in one year by any of the following two head of cattle (of more than one year of age), two horses, two mules, four calves, four colts, ten sheep, or ten goats.

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(vi) Applying during 1943 to land on which would otherwise be part of another nure or cover crops, shall be deemed to

FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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(vi) Applying during 1943 to land on which sugar beets are planted for harvest in 1943, 75 pounds of net available nitrogen, potash and/or phosphoric acid in the form of commercial chemical fertilizer.

(2) Adapted perennial or biennial legumes or adapted perennial grasses, or mixtures thereof, or adapted green manure crops, shall be deemed to be those perennial or biennial legumes, or perennial grasses, or mixtures thereof, or green manure crops, which are approved under the 1943 State Agricultural Conservation Program as being adaptable for the State in which the farm is located.

(b) *For farms in California.* The requirements of subsection (e) of section 301 of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to the production of the 1943 crop of sugar beets on any farm in California if the producer and the county agricultural conservation committee certify that during the crop year 1943 peat land on the farm has not been burned unless the burning is approved by the county and state agricultural conservation committees as necessary to permit satisfactory crop production and that there has been carried out on land on the farm which is adapted to the production of sugar beets not less than one-half acre of the soil conserving practices approved in accordance with the provisions of subparagraph (2) of this paragraph for each acre planted to sugar beets for harvest for the extraction of sugar: *Provided, however,* That one-fourth acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1939, if a perennial legume was produced thereon in 1940 or if any legumes were produced thereon in 1941 or 1942; and three-eighths acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1940, if legumes were produced thereon in 1941 or 1942; and *Provided further,* If practice (i), (ii), or (iii), specified in subparagraph (2) of this paragraph, or any combination of such practices, is used to meet the requirements with respect to all the sugar beets on the farm, one-sixth acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1939, if a perennial legume was produced thereon in 1940, or if any legumes were produced thereon in 1941 or 1942; one-fourth acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1940, if legumes were produced thereon in 1941 or 1942; one-fourth acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1939; and one-third acre of soil conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1940: *Provided further,* That a portion of the acres of soil-conserving practices required for rented acreage of any farm which would otherwise be part of another farm may consist of acres of practices carried out on the latter farm in excess of any practices required thereon, but an acreage of soil-conserving practices equal to not less than 12.5 percent of the acres planted to sugar beets on such rented acreage shall be carried out on the farm of which such rented acreage is a part in excess of any practices which would be required if such rented acreage were not a part of such farm.

For the purposes of paragraph (b) of this section:

(1) The term "crop year" means the calendar year, except where the grower requests that the crop year be a 12-month period beginning 120 days prior to the normal planting date of sugar beets for the community, in which case the crop year shall be such 12-month period, if approval is given by the county committee.

(2) Each of the following which is recommended by the county agricultural conservation committee and approved by the state agricultural conservation committee as a practice applicable to the county for preserving and improving fertility of the soil and for preventing soil erosion shall be deemed to be one acre of soil-conserving practices:

(i) Maintaining until after July 1, 1943, one acre of protective covering of adapted perennial or biennial legumes, adapted perennial grasses, or mixtures of such legumes and grasses.

(ii) Seeding during the crop year 1943 one-half acre of land to adapted perennial grasses, or mixtures of such legumes and grasses.

(iii) Seeding and maintaining until after December 31, 1943, one acre of a good growth and a good stand of an adapted cover crop, or plowing under during the crop year 1943 one acre of a good stand and a good growth of an adapted green manure crop.

(iv) Applying during the crop year 1943 eight short tons of animal manure, or the amount of manure normally produced in one year by any of the following: two head of cattle of more than one year of age, two horses, two mules, four calves, four colts, ten sheep, or ten goats.

(v) Applying during the crop year 1943 not less than eight tons (air dry weight) of leguminous crop residues.

(vi) Applying during the crop year 1943 three tons of lime, or 1,000 pounds of 18 percent gypsum or its sulphur equivalent.

(vii) Applying during the crop year 1943 to land planted to sugar beets, or to or in connection with the seeding of legumes except when seeded in rows to be cultivated, or to or in connection with the seeding of perennial grasses, 64 pounds of net available P_2O_5 in the form of commercial fertilizers.

(viii) Applying during the crop year 1943, either just before planting or during the growth of a crop of sugar beets, 75 pounds of available nitrogen and/or potash in the form of commercial chemical fertilizers.

(3) Adapted perennial or biennial legumes, or adapted perennial grasses, or mixtures thereof, or adapted green manure or cover crops, shall be deemed to be those perennial and biennial legumes or perennial grasses or mixtures thereof, or green manure crops, and cover crops, which are approved under the 1943 State Agricultural Conservation Program as being adaptable for the State.

(4) Acres of soil-conserving practices (other than acreage qualifying under practice (i)) carried out to meet similar requirements prescribed for the 1942 sugar beet crop shall not be used to meet the requirements set forth herein for the 1943 crop.

(c) *General provision.* All the foregoing soil-conserving practices shall be carried out in accordance with the farming methods commonly used in the community in which the farm is located.

(Sec. 301, 50 Stat. 910; 7 U. S. C. 1940 ed. 1131.)

This determination supersedes the "Determination of Farming Practices to be Carried Out on Farms in Connection with the Production of Sugar Beets During the Crop Year 1943," issued December 11, 1942 (7 F.R. 10421).

Done at Washington, D. C., this 20th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary.

[F. R. Doc. 43-4420; Filed, March 22, 1943; 11:37 a. m.]

Chapter XI—Food Distribution Administration

[FDO 40]

PART 1495—EGGS AND EGG PRODUCTS

RESTRICTIONS ON THE SALE AND STORAGE OF SHELL EGGS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of eggs and egg products to meet war and essential civilian needs; *It is hereby ordered,* As follows:

§ 1495.2 *Restrictions on sale and storage of shell eggs*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "shell eggs" means the eggs of the fowl, known as the domestic or barnyard hen, in their natural state or treated with a mineral oil for the purpose of preservation.

(2) The term "storage" means a room or rooms of a total of 1500 cubic feet or more of storage space and equipped to be refrigerated to a temperature of 40° F. or less.

(3) The term "person" means any individual, partnership, corporation, association, or other business entity.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(5) The term "governmental agency" means the Food Distribution Adminis-

tration, the Army, the Navy, the Marine Corps, the Coast Guard, the War Shipping Administration, the Veterans Administration, or any other agency or instrumentality of the United States designated by the Director.

(b) *Restrictions on sale and storage of shell eggs.* (1) On May 31, 1943, each person owning shell eggs in storage shall set aside and hold such eggs for delivery to a governmental agency: *Provided*, That the Director, upon the written application of any person owning shell eggs which are set aside pursuant to this order, may release, from restriction hereunder, any or all such eggs.

(2) The shell eggs set aside pursuant to (b) (1) may be offered for sale by the owner thereof to a governmental agency at no more than the ceiling price or ceiling prices established by the Office of Price Administration and applicable to sales to governmental agencies.

(3) On and after June 1, 1943, no owner of shell eggs shall place or cause such shell eggs to be placed in storage: *Provided*, That, upon the written application of an owner of shell eggs, the Director may permit such owner to store such shell eggs.

(4) The restrictions and requirements hereof shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or deliveries of shell eggs made prior to the effective date hereof: *Provided*, That the terms of this order shall not apply to any eggs owned by a governmental agency.

(c) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director at all reasonable times of his stocks of restricted foods, and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Applicability of order.* Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or Possession of the United States with respect to such business.

(f) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD-40.

(i) *Delegation of authority.* The Director of Food Distribution is hereby designated to administer the provisions hereof.

(j) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., March 25, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 22d day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4475; Filed, March 23, 1943; 11:34 a. m.]

[FDO 41]

PART 1495—EGGS AND EGG PRODUCTS

RESTRICTIONS ON THE DISTRIBUTION AND PRODUCTION OF LIQUID, DRIED, AND FROZEN EGGS, AND EGG PRODUCTS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of eggs and egg products to meet war and essential civilian needs, *It is hereby ordered*, as follows:

§ 1495.1 *Restrictions on distribution and production of eggs and egg products*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "drier" means any person who produces spray dried whole eggs.

(2) The term "spray dried whole eggs" means the dried whole eggs, of the type produced by the spray process, defined and identified in an order (4 F.R. 3376, 21 CFR, 1939 Supp., 42.30) issued by the Secretary of Agriculture of the United States on July 19, 1939, promulgating a regulation fixing and establishing a reasonable definition and standard of identity for the food product commonly known as dried whole eggs.

(3) The term "seasonal year 1943" means the twelve-month period commencing February 1, 1943, and extending through January 31, 1944.

(4) The term "seasonal year 1942" means the twelve-month period commencing February 1, 1942, and extending through January 31, 1943.

(5) The term "egg products" means whole eggs, albumen, yolks, sugared or salted yolks, or any mixtures or emulsions thereof, either in frozen or liquid form.

(6) The term "whole eggs" means shell eggs which are broken from the shells, with yolk and albumen in their natural proportion as so broken, either in liquid or frozen form.

(7) The term "albumen" means the whites of shell eggs, either in liquid or frozen form, after the breaking of the eggs and the separation of the whites from the yolks.

(8) The term "yolks" means the egg yolk, either in frozen or liquid form, defined and identified in an order (4 F.R. 3376, 21 CFR, 1959 Supp., 42.40) issued by the Secretary of Agriculture of the United States on July 19, 1939, promulgating a regulation fixing and establishing a reasonable definition and standard of identity for the food product commonly known as egg yolks.

(9) The term "sugared or salted yolks" means yolks, either in frozen or liquid form, to which sugar or salt has been added.

(10) The term "emulsion" means a mixture of egg products, whether in liquid or frozen form, to which has been added an emulsifying agent or solvent such as glycerin.

(11) The term "mixtures" means the mixtures, either in frozen or liquid form, of two or more individual egg products.

(12) The term "dried egg yolks" means the food prepared by drying egg yolks which are defined and identified in an order (4 F.R. 3375, 21 CFR, 1939 Supp., 42.60) issued by the Secretary of Agriculture of the United States on July 19, 1939, promulgating a regulation fixing and establishing a reasonable definition and standard of identity for the food product commonly known as dried egg yolks.

(13) The term "dried albumen" means liquid albumen that has been dried and is generally sold in flaked or powdered form.

(14) The term "pan-dried whole eggs" means the dried whole eggs, of the type produced by the pan drying method, defined and identified in an order (4 F.R. 3376, 21 CFR, 1939 Supp., 42.30) issued by the Secretary of Agriculture of the United States on July 19, 1939, promulgating a regulation fixing and establishing a reasonable definition and standard of identity for the food product commonly known as dried whole eggs.

(15) The term "shell eggs" means the eggs of the fowl, known as the domestic or barnyard hen, in their natural state or treated with a mineral oil for the purpose of preservation.

(16) The term "person" means any individual, partnership, corporation, association, or other business entity.

(17) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(18) The term "governmental agency" means the Food Distribution Administration, the Army, the Navy, the Marine Corps, the Coast Guard, the War Shipping Administration, the Veterans Administration, or any other agency or instrumentality of the United States designated by the Director.

(b) *Restrictions on processing, and sale of eggs and egg products.* (1) Each drier shall set aside and hold for delivery to a governmental agency all spray dried whole eggs now owned or hereafter produced by him: *Provided*, That the Director may permit the sale of spray dried whole eggs to purchasers, other than a governmental agency, for essential civilian requirements.

(2) The spray dried whole eggs set aside pursuant to (b) (1) may be offered for sale by the drier to a governmental agency, at no more than the ceiling price or ceiling prices established by the Office of Price Administration.

(3) During the seasonal year 1943 no person shall produce liquid or frozen egg products, which will be used for purposes other than drying or furnishing to, for, or on account of a governmental agency, in a quantity in excess of the total amount of all such egg products which were produced by such person in the seasonal year 1942 and which were used for purposes other than drying.

(4) During the seasonal year 1943 no person shall produce, other than that which is produced for, or on account of, a governmental agency, dried egg yolk, dried albumen, any mixtures of dried egg yolk and dried albumen, or pan-dried whole eggs in a quantity in excess of the total amount of dried egg yolk, dried albumen, any mixtures of dried egg yolk and dried albumen, or pan-dried whole eggs, respectively, which were produced by such person in the seasonal year 1942.

(5) The restrictions and requirements hereof shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or deliveries of spray dried whole eggs, pan dried whole eggs, dried yolk, dried albumen, or egg products made prior to the effective date hereof. This order shall not, however, affect the amount of such articles which any person is required to offer, or to deliver, under any contract for the furnishing of eggs or egg products to a governmental agency; nor shall this order apply to any sale, purchase, or processing of spray dried whole eggs, pan-dried whole eggs, dried yolk, dried albumen or egg products to, by, or for, a governmental agency, or any person for use in the manufacture of any product in the fulfillment of a contract with a governmental agency.

(c) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director at all reasonable times of his stocks of restricted foods, and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Applicability of order.* Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or Possession of the United States with respect to such business.

(f) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD-41.

(i) *Delegation of authority.* The Director of Food Distribution is hereby designated to administer the provisions hereof.

(j) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., March 25, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 22d day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4474; Filed, March 23, 1943; 11:34 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 266]

PART 20—PILOT CERTIFICATES

SPECIAL CIVIL AIR REGULATION

PHYSICAL REQUIREMENTS AND MEDICAL CERTIFICATES FOR MILITARY PERSONNEL OF THE CAA WAR TRAINING SERVICE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of March 1943.

Notwithstanding the provisions of Part 20 of the Civil Air Regulations, military personnel on active or reserve status assigned by the Army, Navy, Marine Corps, or Coast Guard of the United States for pilot training to the Civil Aeronautics Administration War Training Service shall be deemed to have met the requirements of §§ 20.104 and 20.730 of the Civil Air Regulations. Such trainees may pilot aircraft without being in possession of a medical certificate or other certificate of physical fitness only during the period that they are receiving student pilot training from the Civil Aeronautics Administration War Training Service.

This regulation shall be effective for the duration of the war and not more than six months thereafter.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-4487; Filed, March 23, 1943; 11:30 a. m.]

[Regulations, Serial No. 267]

PART 20—PILOT CERTIFICATE

SPECIAL CIVIL AIR REGULATIONS

CONTACT FLIGHT OPERATIONS UNDER LOCAL INSTRUMENT VISIBILITY CONDITIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of March 1943.

The following special civil air regulation is made and promulgated to become effective March 17, 1943:

Military airplanes of the United States making ferry flights over civil airways under contact flight rules, in case of military necessity, may take-off from, land at, or fly over airports where the local visibility conditions are below the minimum visibility requirements for operation under contact flight rules, if the visibility elsewhere along the civil airways to be flown is above the minimum required by contact flight rules.

This regulation shall terminate at the end of the war.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-4488; Filed, March 23, 1943; 11:30 a. m.]

[Amendment 40-2, Civil Air Regulations]

PART 40—AIR CARRIER OPERATING CERTIFI-

istrator may, in lieu of the above specified trip permit an examination of such fields from the ground or such other

shall be filed for any such flights which are to lie within or pass through airway traffic control areas. Aircraft flying under contact flight rules along or across

(d) Proposed route to be followed.

(e) Destination and estimated time of arrival.

(f) Usable radio equipment carried in

rules within an airway traffic control area shall not exceed an altitude of 1500 feet above the airport from which such practice is being conducted.

conferred upon it by the Securities Act of 1933, particularly sections 7, 10 and 19 (a) thereof, and deeming such ac-

[Amendment 40-2, Civil Air Regulations]

PART 40—AIR CARRIER OPERATING CERTIFICATION

ROUTE COMPETENCY; FIRST PILOTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of March 1943.

Effective March 17, 1943, Part 40 of the Civil Air Regulations is amended as follows:

1. By amending § 40.2611 (b) to read as follows:

§ 40.261 *First pilots.* * * * -

§ 40.2611 (b) Each first pilot within the six months preceding his qualifications for a particular route shall have made over such route or part thereof on which he will pilot aircraft for applicant five one-ways trips, any of which may be made either as the pilot without passengers or as second pilot with or without passengers. Two of such trips shall have been made within the 60 days preceding qualification. During the qualifying trips, the pilot shall be able at least twice to observe every part of the route for which qualification is sought when the visibility is not less than five miles as observed from the cockpit. In addition, the pilot shall have made over such route or such part thereof one trip during which the visibility was not less than five miles as observed from the cockpit and during which he shall have made at least one landing at each intermediate field or a visual examination thereof from a safe low altitude if field conditions prevent such landings. During the six above specified trips he shall have made at least one landing at each terminal and scheduled intermediate stop.

For the duration of the war and not to exceed six months thereafter the Administrator may, in lieu of all or any part of the above specified trip requiring landing at or examination of intermediate fields, permit an examination of such fields from the ground or such other qualifying means as may in his opinion provide equivalent competency."

2. By amending §§ 40.2612 (c) and 40.2613 (d) to read as follows:

§ 40.2612 (c) (*Unassigned*).

§ 40.2613 (d) (*Unassigned*).

3. By amending § 40.2614 (e) to read as follows:

§ 40.2614 (e). Each first pilot within the six months preceding his qualification for an alternate route shall have made over the proposed route on which he will pilot aircraft for applicant one trip during which the visibility was not less than five miles as observed from the cockpit and during which he shall have made at least one landing at each scheduled intermediate stop and intermediate field or, in the case of an intermediate field, a visual examination thereof from a safe low altitude if field conditions prevent such landing. For the duration of the war and not to exceed six months thereafter the Administrator may, in lieu of the above specified trip permit an examination of such fields from the ground or such other qualifying means as may in his opinion provide equivalent competency.

4. By amending § 40.271 to read as follows:

§ 40.271 *First pilots.* Same as in § 40.261, except that at least one one-way trip of those trips required by § 40.2611 (b) shall have been made during the period between 1 hour after sunset and 1 hour before sunrise.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-4476; Filed, March 23, 1943; 11:30 a. m.]

[Amendment 60-10, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

MINIMUM SAFE ALTITUDES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 10th day of March 1943.

Effective April 1, 1943, § 60.3505 of the Civil Air Regulations is amended to read as follows:

§ 60.3505 Any maneuver required in student instruction or solo practice under the supervision of a certificated flight instructor, the Army, Navy, Marine Corps, or Coast Guard, or in flight tests given by an inspector of the Administrator, may be performed at an altitude less than 500 feet above the ground or water if necessary for the proper execution of such maneuver, notwithstanding the provisions of § 60.3503.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-4477; Filed, March 23, 1943; 11:30 a. m.]

[Amendment 60-12, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

CONTACT FLIGHT ON CIVIL AIRWAYS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of March 1943.

Effective April 1, 1943, Part 60 of the Civil Air Regulations is amended as follows:

1. By amending § 60.471 to read as follows:

§ 60.471 *Contact flight on civil airways.* Aircraft flying under contact flight rules along or across a civil airway during the night, except for necessary ascent and descent, shall maintain flight altitudes as described in § 60.58; and a flight plan in accordance with § 60.1330 shall be filed for any such flights which are to lie within or pass through airway traffic control areas. Aircraft flying under contact flight rules along or across a civil airway during the day, except for necessary ascent or descent, shall maintain flight altitudes as described in § 60.58 as nearly as existing conditions permit."

2. By striking § 60.4710 and inserting in lieu thereof the following:

§ 60.4710 (*Unassigned*).

3. By striking § 60.4711 and inserting in lieu thereof the following:

§ 60.4711 (*Unassigned*).

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-4475; Filed, March 23, 1943; 11:29 a. m.]

[Amendment 60-13, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

PROHIBITED ZONES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of March 1943.

Effective April 1, 1943, § 60.700 (a) of the Civil Air Regulations is amended to read as follows:

§ 60.700 (a) At any height whatsoever over a congested area of any city, town, or settlement, or over any open-air assembly of persons, or over any airport or landing area or within 1,000 feet horizontally thereof, or within the limits of a civil airway except within that portion lying adjacent to, but outside of a range approach channel.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-4479; Filed, March 23, 1943; 11:30 a. m.]

[Amendment 60-14, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

FLIGHT PLAN

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 10th day of March 1943.

Effective April 1, 1943, § 60.133 of the Civil Air Regulations is amended to read as follows:

§ 60.133 *Flight plan.* * * *

§ 60.1330 *Flight plan for contact flight.* The flight plan shall contain the following information:

(a) Identity of pilot and aircraft.

(b) Time and point of departure.

(c) Proposed cruising altitude or altitudes.

(d) Proposed route to be followed.

(e) Destination and estimated time of arrival.

(f) Usable radio equipment carried in aircraft, if any.

(g) Number of aircraft making the flight, if the aircraft are to be flown in formation.

§ 60.1331 *Flight plan for instrument or over-the-top flight.* The flight plan shall contain the following information:

(a) The aircraft identification mark, or the name of the governmental service in which the aircraft is employed, if so employed, or the name of the air carrier operator and the trip number, if engaged in scheduled air transportation service.

(b) The type of aircraft involved and the number of aircraft making the flight, if the aircraft are in formation.

(c) The name of the pilot, or of the flight commander if the aircraft are in formation.

(d) The point of departure of the particular flight for which such plan is being filed.

(e) The proposed cruising altitude or altitudes.

(f) The point of first intended landing.

(g) The proposed cruising airspeed.

(h) The radio equipment carried in the aircraft. (If no radio—NORDO; if radio receiver only—RONLY; if two-way radio, statement of transmitter frequency to be used.)

(i) The proposed time of departure. (The time of departure shall be considered as the time when the aircraft leaves the ground.)

(j) The estimated elapsed time until arrival on the ground at the point of first intended landing. (For scheduled operation, the first stop to be made, together with additional stops if requested by an airway traffic control center.)

(k) The alternate airport, if the flight is to involve instrument flight.

(l) The route, if other than a direct course, and any other pertinent information which the pilot deems useful for control purposes or which may be requested by an airway traffic control center.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-4480; Filed, March 23, 1943; 11:29 a. m.]

[Amendment 60-15, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

MAXIMUM SAFE ALTITUDE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of March 1943.

Effective April 1, 1943, Part 60 of the Civil Air Regulations is amended by adding a new § 60.3512 to read as follows:

§ 60.3512 Aircraft practicing take-offs and landings under contact flight rules within an airway traffic control area shall not exceed an altitude of 1500 feet above the airport from which such practice is being conducted.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-4481; Filed, March 23, 1943; 11:29 a. m.]

[Amendment 61-6, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

ROUTE COMPETENCY RENEWAL; FIRST PILOTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of March 1943.

Effective March 17, 1943, §§ 61.5150 (a) and 61.5151 (b) of the Civil Air Regulations are amended to read as follows:

§ 61.515 *Route competency renewal.* * * *

§ 61.5150 (a) A first pilot, who has been absent from flight duty over a regular route or part thereof for a period of less than 18 consecutive months and whose route competency has expired in accordance with the provisions of § 61.5140 (a), will be deemed competent for such route or part thereof upon completion of two one-way trips over the route or part thereof as pilot without passengers or as second pilot with or without passengers. During such trips the pilot shall be able at least once to observe every part of the route for which renewal of competency is sought, when the visibility is not less than five miles as observed from the cockpit.

§ 61.5151 (b) *Alternate route renewal.* A first pilot who has been absent from flight duty over an alternate route for a period of more than 24 consecutive months and whose competency has expired in accordance with the provisions of § 61.5141 (b) will be deemed competent for such alternate route upon completion of one one-way trip over the route as pilot without passengers or as second pilot with or without passengers.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-4482; Filed, March 23, 1943; 11:29 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 239—FORMS UNDER SECURITIES ACT OF 1933

RULE AS TO USE OF FORM S-1

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 7, 10 and 19 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the said Act, hereby takes the following action:

Instruction 1 under the caption "General Instructions" for Form S-1 is amended to read as follows:

1. *Rule as to use of Form S-1.* This form may be used for registration under the Securities Act of 1933 of securities of any issuer which would otherwise be authorized or required to use Form A-1, A-2 or E-1: *Provided, however,* That this form shall not be used for securities of investment companies registered under the Investment Company Act of 1940.

Effective March 20, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4370; Filed March 22, 1943; 10:57 a. m.]

PART 270—GENERAL RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

VALUATION OF PORTFOLIO SECURITIES OF INVESTMENT COMPANIES, ETC.

Amendment to rule relating to valuation of portfolio securities of investment companies and amendment to forms relating to annual and quarterly reports of investment companies.

The Securities and Exchange Commission acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 2 (a) (39), 30 (a), 30 (b) (1) and 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the said Act, hereby takes the following action:

I. Amendment of § 270.2A-1 [Rule N-2A-1]. Section 270.2A-1 [Rule N-2A-1] is amended to read as follows:

§ 270.2A-1 *Valuation of portfolio securities in special cases.* (a) Any investment company whose securities are qualified for sale, or for whose securities application for such qualification has been made, in any state in which the securities owned by such company are required by applicable state law or regulations to be valued at cost or on some other basis different from that prescribed by clause (A) of section 2 (a) (39) of the Act for the purpose of determining the percentage of its assets invested in any particular type or classification of securities or in the securities of any one issuer, may, in valuing its securities for the purposes of sections 5 and 12 of the Act, use the same basis of valuation as that used in complying with such state law or regulations in lieu of the method of valuation prescribed by clause (A) of section 2 (a) (39) of the Act.

(b) Any open-end company which has heretofore valued its securities at cost for the purpose of qualifying as a "mutual investment company" under the Internal Revenue Code, prior to its amendment by the Revenue Act of 1942, shall henceforth, for the purposes of sections 5 and 12 of the Act, value its securities in accordance with the method prescribed in clause (A) of section 2 (a) (39) of the Act unless such company is permitted under paragraph (a) of this rule to use a different method of valuation.

(c) A registered investment company which has adopted for the purposes of sections 5 and 12 of the Act a method of valuation permitted by paragraph (a) of this rule, shall state in its registration statement filed pursuant to section 8 [54 Stat. 803; 15 U.S.C. 80a–8] of the Act, or in a report filed pursuant to section 30 [54 Stat. 836; 15 U.S.C. 80a–30] of the Act, the method of valuation adopted and the facts which justify the adoption of such method. A registered investment company which has adopted for the purposes of sections 5 and 12 of the Act a method of valuation permitted by paragraph (a) of this rule, unless it shall have adopted such method for the purpose or partly for the purpose of qualifying as a "mutual investment company" under the Internal Revenue Code, shall continue to use that method until it has notified the Commission of its desire to use a different method, and has received from the Commission permission for such change. Such permission may be made effective on a fixed date or within such reasonable time thereafter as may be deemed advisable under the circumstances.

(d) If at any time it appears that the method of valuation adopted by any company pursuant to paragraph (a) of this rule is no longer justified by the facts, the Commission may require a change in the method of valuation within a reasonable period of time either to the method prescribed in clause (A) of section 2 (a) (39) of the Act or to some other method permitted by paragraph (a) of this rule which is justified by the existing facts.

II. Amendment of Form N–30A–1. 1. Item 48 of Form N–30A–1 is amended by inserting immediately after the item number and caption the following statement:

NOTE: This item is not required to be answered by registrants which file quarterly reports on Form N–30B–1.

2. Form N–30A–1 is amended by inserting immediately after the caption "Exhibits" on page 25 thereof the following statement:

NOTE: The exhibits required by paragraphs A and B are not required to be furnished by registrants which file quarterly reports on Form N–30B–1.

3. Item 64 of Form N–30A–1 is amended to read as follows:

64. *Regulated Investment Company.* (a) State whether registrant has elected to be a regulated investment company as defined in section 361 of the Internal Revenue Code.

(b) If registrant has elected to be a regulated investment company, state whether registrant qualified as a regulated investment company during its last taxable year.

III. Amendment of Form N–30B–1. Paragraph (e) of Item 5 of Form N–30B–1 is amended to read as follows:

(e) If registrant, in valuing its assets for the purpose of Item 5 (a), (b), (c) and (d), has adopted a method of valuation permitted by paragraph (a) of § 270.2A–1 [Rule N–2A–1], indicate the method adopted.

The foregoing action of the Commission shall become effective March 20, 1943.

(54 Stat. 796; U.S.C. 80a–2; sec. 5, 54 Stat. 800; 15 U.S.C. 80a–5; sec. 12, 54 Stat. 808; 15 U.S.C. 80a–12)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 43–4371; Filed, March 22, 1943; 10:57 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA General Order 60–5A]

PART 703—PUBLIC WAR HOUSING

OCCUPANCY OF PUBLIC WAR HOUSING

The purpose of this General Order is to amend NHA General Order No. 60–5, as to the length of time public war housing must be held for the use of eligible war workers, and the conditions under which such housing may be made available for other purposes.

Section 703.2 of NHA General Order No. 60–5 is hereby amended by deleting in its entirety the proviso clause constituting the last paragraph thereof and substituting in lieu thereof the following:

§ 703.2 *Exclusive reservation.* • • •

Provided, That after any housing accommodation, described in the foregoing § 703.2 (a), (b), (c), has been held available for occupancy by such eligible war workers for a reasonable period of time after completion or after any vacancy occurs, the NHA constituent unit having control of any such dwelling accommodation may (upon 10 days notice to the NHA Regional Representative who shall have the privilege of indicating a further holding period if he deems it desirable) permit such housing accommodations to be occupied, in the following order of preference, by (1) eligible *in-migrant* military personnel, viz, enlisted men in the naval or military services of the United States or to officers of the Army or Marine Corps not above the rank of Captain, and officers of the Navy and Coast Guard not above the grade of Lieutenant, Senior Grade, assigned to duty at military or naval reservations, posts or bases, or to duty at defense industries; (2) other civilian war workers (as defined in NHA General Order No. 60–1) or eligible military personnel; or (3) (in the event there is no present or anticipated demand for occupancy by such other civilian war workers or military personnel) to others eligible for occupancy as determined and prescribed by the NHA constituent unit having control of such dwelling accommodation. The term "reasonable period of time", as used in this proviso, shall be deemed to constitute a period of sixty days, except that a lesser period of time may be established by the NHA constituent unit having control of such dwelling accommodation, if such constituent unit (with the concurrence of the NHA Regional Representative) determines on the basis of local conditions that there is no present or anticipated demand for occupancy of such dwelling accommodations by indispensable immigrant civilian war workers.

The effective date of this General Order shall be March 23, 1943.

(E.O. 9070, 7 F.R. 1529)

JOHN B. BLANDFORD, JR., *Administrator.*

[F. R. Doc. 43–4489; Filed, March 23, 1943; 12:00 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 30]

PART 803—GENERAL ORDERS

WAGE OR SALARY RATES INCREASES

§ 803.30 *General Order No. 30.* In accordance with the provisions of section 4 of Title II of Executive Order 9250, increases in wage or salary rates which do not bring such rates above 40¢ per hour may be made without the approval of the National War Labor Board: *Provided,* That such increases shall not furnish a basis either to increase price ceilings of the commodity or service involved or to resist otherwise justified reductions in such price ceilings.

(E.O. 9250, 7 F.R. 7871)

Adopted March 12, 1943.

L. K. GARRISON, *Executive Director.*

[F. R. Doc. 43–4426; Filed, March 22, 1943; 12:20 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Order No. 347]

PART 308—REPORTS AND RECORDS

MONTHLY TONNAGE REPORTS DISTRICT 23

An order relieving code members within District No. 23 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 23 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the rules and regulations requiring tonnage reports from code members, established by order in General Docket No. 24, dated April 7, 1942, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the code members within District No. 23 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 23 monthly tonnage data on Form B. C. D. No. 718, with respect to coal produced on and after January 1, 1943.

(Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); Sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: March 10, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43–4415; Filed, March 22, 1943; 11:19 a. m.]

[Order No. 348]

PART 308—REPORTS AND RECORDS, DISTRICT No. 13

MONTHLY TONNAGE REPORTS, DISTRICT 13

On order relieving code members within District No. 13 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 13 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the rules and regulations requiring tonnage reports from code members, established by order in General Docket No. 24, dated April 7, 1942, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the code members within District No. 13 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 13 monthly tonnage data on B. C. D. Form No. 718, with respect to coal produced on and after January 1, 1943.

(Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); Sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: March 19, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43–4416; Filed, March 22, 1943; 11:18 a. m.]

[Order No. 349]

PART 308—REPORTS AND RECORDS

MONTHLY TONNAGE REPORTS, DISTRICT 17

An order relieving code members within District No. 17 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 17 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the rules and regulations requiring tonnage reports from code members, established by order in General Docket No. 24, dated April 7, 1942, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the code members within District No. 17 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 17 monthly tonnage data on Form B. C. D. No. 718, with respect to coal produced on and after January 1, 1943.

(Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); Sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: March 20, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43–4417; Filed, March 22, 1943; 11:19 a. m.]

[Docket No. A–1768]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT No. 2

MEMORANDUM OPINION, ETC.

Memorandum opinion and order of the director in the matter of the petition of District Board No. 2 for a change in minimum prices and price classifications established for Size Groups 1 and 2 for rail shipments for the coals of the Midland Mine, Mine Index No. 148 in District No. 2.

This proceeding was instituted upon a petition filed on November 27, 1942, by District Board 2 with the Bituminous Coal Division pursuant to section 4 II (d) of the Bitumious Coal Act of 1937. The petition requests the establishment of an "A" price classification for coals in Size Groups 1 and 2 produced by Pittsburgh Coal Co., a code member in District 2, at its Midland Mine (Mine Index No. 148), for rail shipment to all market areas, in lieu of the presently effective "C" classification for such coals.

Pursuant to appropriate orders and after due notice to all interested persons, a hearing in this matter was held on January 19, 1943, before D. C. McCurtain, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Petitioner and Bituminous Coal Consumers' Counsel appeared. All parties waived the preparation and filing of a report by the Examiner, and the matter was thereupon submitted to me for consideration.

The Midland mine is located in Chartiers Township of Washington County, Pennsylvania, in the Panhandle-Avella Subdistrict No. 7 of District 2. It operates in the Pittsburgh seam with an annual production of approximately 1,200,000 net tons. The sizes produced in Size Group 1 and 2 i. e., 4" lump, 6" x 4" egg, and 6" lump, are marketed for domestic consumption. The mine is equipped with a modern tipple and has modern preparation facilities.

On the basis of information available at the time, District Board 2 proposed and the Division, in General Docket No. 15, established a "C" classification. According to Francis Y. Casey, Vice-Chairman of District Board 2, the Price and Classification Committee of the District Board, of which he is a member, recently conducted investigations and obtained additional information which indicates that the "C" classification should be revised.

It appears that Pittsburgh Coal Co. regularly markets domestic coals in Size Groups 1 and 2 produced at the Midland Mine under its trade name "Champion" interchangeably with other coals under the same trade name which are produced at other mines operated by it and classified "A" in these size groups. While analytical qualities are not relatively important factors in the sale of domestic coals, Casey testified that analytically Midland coals are practically identical with coals produced at Pittsburgh Coal Co. Champion No. 1 Mine (Mine Index No. 28), for which an "A" classification was established. The record established that the real basis on which the requested classification is justified is the fact that Midland coals, in the size groups in question, are of exceptionally high quality, firm structure, favorable appearance, are produced in large block lumps, and enjoy customer acceptability comparable to similarly sized coals with "A" classification. Casey testified further that the other mines in the immediate area for which a "C" classification was established produce coals of smaller lumps, and do not enjoy customer ac-

ceptability comparable to the Midland domestic coals in Size Groups 1 and 2.[1]

No opposition to the request of District Board 2 was expressed at the hearing. The evidence adequately supports the request and establishes that the coals in question are comparable to and are of equal value with similarly sized coals produced by mines in the immediate area for which a price classification of "A" has been established. I am of the opinion that such a price classification for the coals in question would properly reflect their relative market value, and would properly relate such coals with comparable competitive coals.[2]

[1] With respect to "the large mines operating in District 2," the witness Casey testified that at the time of the original proposal of their classifications, the District Board had information only as to analytical comparisons but not as to other characteristics such as structure. To assure a proper correlation of the price classification of the coals involved herein with that of competitive, comparable coals in District 2, it is expected that the District Board will promptly undertake an investigation of the characteristics of the coals produced by such mines in District 2 and propose reclassifications where necessary to effectuate the purpose of the Act.

[2] While the foregoing relief appears warranted in this case, it should be reflected here, as has been pointed out in prior cases, that long established minimum prices will not be increased, where maximum prices may thereby be affected, unless a showing is satisfactorily made that such revision complies in all respects with the standards of the Act and effectuates the purposes thereof. See *In the Matter of the Petition of Kentucky Cardinal Coal Corporation, etc.*, Docket No. A-1478; *In the Matter of Petition of District Board No. 8 etc.*, Docket No. A-1634.

For the foregoing reasons and upon the basis of the entire record in this proceeding I find that coals in Size Groups 1 and 2, for rail shipment to all market areas, produced at the Midland Mine (Mine Index No. 148) of the Pittsburgh Coal Co. should be classified "A" instead of "C" and minimum prices therefor revised accordingly. I further find that such classification complies with the standards set forth in section 4 II (a) and (b) of the Act, and is necessary to effectuate the policy and purpose thereof.

Now, therefore, it is ordered, That effective fifteen (15) days from the date of this order § 322.7 (*Alphabetical list of code members*) be, and the same hereby is, amended by revising the price classification of coals produced by Pittsburgh Coal Co. at its Midland Mine (Mine Index No. 148) in District 2 in Size Groups 1 and 2 from "C" to "A".

Dated: March 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4414; Filed, March 22, 1943; 11:19 a. m.]

[Dockets Nos. A-1872, A-1877 and A-1890]

PART 327—MINIMUM PRICE SCHEDULE. DISTRICT NO. 7

ORDER CONSOLIDATING MATTERS, ETC.

Order consolidating matters, granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

Original petitions pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7 and for changes in shipping points for certain other mines in District No. 7; and

It appearing that said petitions should be consolidated and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 327.21 (*High volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R–II, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R–I.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
335	Charleston Coal Company	Sewell-Terry	2	Sewell	Royal, W. Va	C&O	10	A	(†)	(†)	(†)	(†)	A	A	B	B	B
336	E & S Coal Company (W. B. Swope)	E & S #2	4	Fire Creek	Davy, W. Va	N&W	30	D	(†)	(†)	(†)	(†)	C	C	C	C	(†)
571	McCling, Lawrence L	Link McCling	1	Sewell	Quinwood & Rupert, W. Va	C&O-NYC	19	D	(†)	(†)	(†)	(†)	B	B	C	C	(†)
334	Brewster, T. J. (War Poca-hontas)	Brewster #2	4	War Creek	War, W. Va	N&W	30	D	(†)	(†)	(†)	(†)	E	D	(†)	(†)	(†)
187	United States Coal & Coke Company	#3	3	Poca. 3	Gary, W. Va.[1]	N&W	20	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(†)	(†)	(†)
221	United States Coal & Coke Company	#11	3	Poca. 4	Thorpe (Gary), W. Va.[2]	N&W	20	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(†)	(†)	(†)
195	United States Coal & Coke Company	#12	3	Poca. 4	Annawalt, W. Va.[3]	N&W	20	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(†)	(†)	(†)

†When shown under a size group number, this symbol indicates no classification effective for this size group.
*When shown under a size group number, this symbol indicates coals previously classified in this size group.
[1] Deputies change in Dual Use point. Shipping point at Thorpe (Gary), W. Va., shall no longer be applicable.
[2] Deputies change in Dual Use point. Shipping point at Royal, W. Va., shall no longer be applicable.
[3] Deputies change in Dual Use point. Shipping point at Gary, W. Va., shall no longer be applicable.

§ 327.21 *High volatile coals: Alphabetical list of code members*—Supplement R–II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High-volatile seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos.																							
								For destinations other than Great Lakes																			For Great Lakes cargo only							
								1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
337	Gauley Mt. Coal Co., The	Rich Creek #1	#2 Gas	2	Bryce, W. Va	C&O	70	L	L	F	E	E	C	E	A	A	A	A	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
338	Gauley Mt. Coal Co., The	Rich Creek #3	#2 Gas	2	Bryce, W. Va	C&O	70	L	L	F	E	E	C	E	A	A	A	A	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†When shown under a size group number, this symbol indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine Index No.	Subdivision No.	County	Seam	All lump 3" or larger, all 2" and above	All nut or egg 1¼" top size or smaller	Screened M R	Straight mine run	1½" screenings	¾" screenings
						1	2	3	4	5	6
	Charleston Coal Company	Sewell-Terry	335	2	Raleigh	Sewell	350	-	300	235	215	210
	E & S Coal Company (W. B. Swope)	E & S #2	336	4	McDowell	Fire Creek	-	-	300	235	-	-
	Gauley Mt. Coal Co., The	Rich Creek #1	337	2	Fayette	#2 Gas	335	270	300	235	210	205
	McCling, Lawrence L	Link McCling	571	1	Greenbrier	Sewell	310	275	*	*	210	(*)
	Brewster, T. J. (War Poca-hontas)	Brewster #2	334	4	McDowell	War Creek	-	-	270	215	-	-
	Gauley Mt. Coal Co., The	Rich Creek #3	338	2	Fayette	#2 Gas	335	270	300	235	210	205

*When shown under a size group number, this symbol indicates coals previously classified in this size group.

[F. R. Doc. 43-4419; Filed, March 22, 1943; 11:20 a. m.]

[Docket No. A-1517, Part II]

PART 328—MINIMUM PRICE SCHEDULE. DISTRICT NO. 8

ORDER GRANTING RELIEF

Order in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

A petition was filed with the Bituminous Coal Division (the "Division") on June 23, 1942, by District Board No. 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act") requesting temporary and permanent relief by the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

The petition contains, among other proposals, the request for price classifications and minimum prices for the coals produced by certain mines (Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517) of Stearns Coal & Lumber Company for all shipments except truck from its Blue Heron Preparation Plant, some of which have heretofore been established for the coals of the various mines of Stearns Coal & Lumber Company, at various shipping points.[1]

[1] The original petition was assigned Docket No. A-1517, dated July 24, 1942. That portion of the docket relating to Mine Index Nos. 136, 441, to 445, inclusive, 531, 614, 727, and 5517 of the Stearns Coal & Lumber Company, a code member, was severed from the original docket and given the above designation of No. A-1517, Part II. By way of temporary relief the order directed that the price classifications and minimum prices requested by District Board No. 8 in the original petition for the coal of these mines be effective pending disposition of Part II of No. A-1517.

A hearing in this matter was held on August 17, 1942, before W. A. Cuff, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C., in which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. The petitioner and Stearns Coal & Lumber Company appeared. All parties waived the preparation and filing of a report by the Examiner, and the matter was thereupon submitted to me for my consideration.

The undersigned has made Findings of Fact and Conclusions of Law and has rendered an Opinion filed herewith.

Now, therefore, it is ordered, That § 328.11 (*High volatile coals—Alphabetical list of code members*) be and it is hereby amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That the request for all other relief should be denied.

Dated: March 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

DISTRICT No. 8

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *High volatile coals—Alphabetical list of code members*—Supplement R

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High-volatile seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
614	Stearns Coal & Lumber Co.	No. 17	No. 1	6	(White Oak Jct., Ky. or (Blue Heron, Ky.[4]	K&T	170	O	O	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)	(*)	(†)	O	O	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)

*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.
[4] Indicates additional shipping point from Blue Heron Preparation Plant, Blue Heron, Kentucky.

[F. R. Doc. 43-4418; Filed, March 22, 1943; 11:18 a. m.]

[Docket No. A-1618]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting permanent relief in the matter of the petition of District Board No. 8 for changes in price classifications and minimum prices in Size Groups 1 to 7, inclusive, for all shipments except truck and for truck shipments, for the coals of Red Parrot No. 2 Mine (Mine Index No. 593), of Red Parrot Coal Company, a code member in District No. 8.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the price classifications and minimum prices of the coals of the Red Parrot Coal Company, a code member in District 8, operating the Red Parrot No. 2 Mine (Mine Index No. 593), in Size Groups 1 to 7, inclusive, and 18 to 21, inclusive, for rail and lake shipment, and in Size Groups 1, 2, 4, 7, and 8 for truck shipment, should be revised, and that the seam designation of said mine should be changed, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That effective fifteen (15) days from the date hereof, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high, volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof;

It is further ordered, That the seam designation of the Red Parrot No. 2 Mine (Mine Index No. 593) be changed from "Red Parrot" to "No. 5 Block Seam."

Dated: March 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

DISTRICT No. 8

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
593	Red Parrot Coal Company, The	Red Parrot No. 2	No. 5 Block[1]	4	Prenter, W. Va.	C&O	123	G	G	G	F	(*)	(*)	(*)	(*)	(*)	F	(†)	(†)	(†)	(†)	(†)	(†)	G	G	G	E	(*)	(*)	(*)	F	(†)	(†)	(†)	(†)	(†)

[1] Indicates change in seam designation.
*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2" egg 4" x 2"	Lump 2" and under, egg 3" x 1 6"	Lump ¾" and under	Egg 2" x 1 4", 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 4—KANAWHA BOONE COUNTY, W. VA.											
Red Parrot Coal Company, The	Red Parrot No. 2	593	No. 5 Block[1]	310	290	(*)	265	(*)	(*)	195	190

[1] Indicates change in seam designation.
*Indicates previously classified these size groups.

[F. R. Doc. 43-4413; Filed, March 22, 1943; 11:19 a. m.]

[Docket No. A-1880]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
[1] 646	Harris, Henry	Harris	9	[2] 10	Greenville [3]	IC.
[1] 1062	Hart Coal Company	Moss Hill No. 3	11	" 40	Morton	L&N.
					Madisonville	IC.
[1] 926	Hodges, A. W.	A. W. Hodges	9	10	Beaver Dam	IC.
[1] 1059	Steele, Harvey	Steele	9	10	Greenville	IC.
[1] 1063	West Kentucky Coal Company	North Diamond No. 3	11	40	Earlington	L&N.
					Madisonville	IC.
[4] 1064	Thomas, Len	Thomas	6	30	Empire Mine	L&N.

[1] The f. o. b. mine prices for coal shipped by Mine Index Nos. 646, 1062, 926, 1059, 1063 to any market area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Mine Index No. 1, in Price Schedule No. 1 for District No. 9, for all shipments except truck.
[2] Freight Origin Group 30 no longer applicable.
[3] Shipping point, Bevier, Kentucky, is no longer applicable.
[4] The f. o. b. mine prices for coal shipped by Mine Index No. 1064 to any market area in any size group and for any use, including railroad locomotive fuel, are the same as the prices shown for Dawson Daylight Coal Company, Mine Index No. 19, in Price Schedule No. 1 for District No. 9, for all shipments except truck.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area.*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos.: 1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	17	18, 19, 20	21, 22	23, 24	25	26, 27	28, 29
HOPKINS COUNTY																					
Hart Coal Company	1062	Moss Hill #3	#11	210	200	190	180	175	165	165	155	145	115	55						125	120
Thomas, Len	1064	Thomas	#6	235	225	215	205	200	190	190	185	180	165	105						175	170
West Kentucky Coal Company	1063	North Diamond #3.	#11	210	200	190	180	175	165	165	155	145	115	55						125	120
MUHLENBERG COUNTY																					
Steele, Harvey	1059	Steele	#9	210	200	190	180	175	165	165	155	145	115	55						125	120

[F. R. Doc. 43-4412; Filed, March 22, 1943; 11:20 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order 93]

HARRISBURG STATE HOSPITAL PROJECT, PA.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Harrisburg State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 93. Said project, located at Harrisburg, Dauphin County, Pennsylvania, will be the base of operations for work at the Harrisburg State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Harrisburg State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Harrisburg State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Harrisburg State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

MARCH 20, 1943.

[F. R. Doc. 43-4431; Filed, March 22, 1943; 4:03 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 33]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Correction

In the list of countries in the second paragraph of the document on page 3390 of the issue for Saturday, March 20, 1943, the following item should be inserted between Iraq and Lebanon:

Kuwait	40

[Amendment 35]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

SHIPPING SPACE ALLOCATION

Paragraph (a) of § 808.3 *Space allocation for shipment of commodities weighing less than 2240 pounds*[1] is hereby amended to read as follows:

(a) An exporter shipping directly or through an agent may make not more than one shipment weighing less than 2240 pounds on a single vessel to each port of call of such vessel until such exporter or his agent has applied on Form BEW–138 and obtained shipping space for more than one such proposed shipment: *Provided, however,* That these provisions shall not apply to exports to Costa Rica, Cuba, Dominican Republics, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua and Panama.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938.)

Dated: March 22, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-4473; Filed, March 23, 1943; 10:57 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Supplementary Limitation Order L–30–a, as Amended March 22, 1943]

GALVANIZED WARE AND NON-METAL COATED METAL ARTICLES

§ 1052.2 *Supplementary Limitation Order L–30–a*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted" when applied to any products or articles, means made of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish.

(2) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(3) "Garbage, rubbish and ash receptacles" or "garbage cans and pails" do not include:

(i) Cans which are both specifically designed for, and of a type customarily used for, the disposal of oily waste or film scrap; or

(ii) Cans produced in fulfillment of preferred orders, provided such cans are constructed in accordance with United States Army Specifications Nos. 29–91 (dated October 19, 1939) or 29–91A (dated March 3, 1942), Federal Specification No. RR–C–81 (as amended May, 1936), Emergency Alternate Federal Specification No. E–RR–C–81 (dated April 30, 1941), or Bureau of Ships Specification No. 42C23 (INT) (dated June 1, 1942).

(4) "Pails," "buckets" or "tubs" do not include:

(i) Any pails, buckets or tubs designed expressly for use as packing or shipping containers; or

(ii) Any buckets produced in fulfillment of preferred orders, provided such buckets are constructed in accordance with Federal Specification No. RR–B–771a (dated March 3, 1939) or Emergency Alternate Federal Specification No. E–RR–B–771a (dated December 11, 1941).

(5) [Deleted March 22, 1943]

(6) "Manufacturer" means any person who produces or assembles any restricted product or article, or any part for such product or article.

(7) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(8) "Base period" means the twelve months ending June 30, 1941.

(b) *Restrictions on miscellaneous articles.* Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any of the following restricted articles:

(1) Watering pots,
(2) Radiator and tractor filling cans (other than blitz cans),
(3) Foot baths,
(4) Liquid and dry measures (other than oil measures with flexible spouts), except in fulfillment of preferred orders,
(5) Dippers, except in fulfillment of preferred orders,
(6) Ash sifters,
(7) Coal hods and scuttles,
(8) Utility baskets.

(c) *Restrictions on garbage, rubbish and ash receptacles.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted garbage, rubbish or ash receptacles except garbage cans and pails as permitted in Schedule A attached to this order.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of restricted garbage cans and pails permitted under Schedule A than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted garbage, rubbish and ash receptacles.

[1] 8 F.R. 1574, 2773.

(d) *Restrictions on pails, buckets and tubs.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted pails, buckets or tubs (other than fire buckets) except pails and buckets and wash tubs as permitted under Schedule A.

(2) On and after January 1, 1943, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted fire bucket.

(3) Except in fulfillment of preferred orders and orders placed by the Rubber Development Corporation, U. S. Commercial Corporation and Defense Supplies Corporation, and except as provided in paragraph (d) (4), during the period of three months beginning January 1, 1943 and during each succeeding period of three months no manufacturer shall put into process more iron and steel, by weight, in the production of:

(i) Restricted pails and buckets permitted under Schedule A than three times $16\frac{2}{3}$% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted pails and buckets (other than fire buckets and wringer buckets); or

(ii) Restricted washtubs permitted under Schedule A than three times $16\frac{2}{3}$% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of the restricted washtubs.

(4) A manufacturer may increase the percentages described in paragraph (d) (3) from $16\frac{2}{3}$% to not more than 50%, to the extent that he puts into process iron or steel which he has identified as falling within one or more of the following classes:

(i) Iron and steel in his inventory on March 22, 1943;

(ii) Iron and steel obtained by him pursuant to a special sale, as defined in Priorities Regulation No. 13, and in accordance with the terms of that regulation;

(iii) Top cuts of steel (being that portion of steel in ingot normally discarded as not meeting special quality requirements of the customer's order for which it was melted);

(iv) Bessemer processed steel;

(v) Sheet mill seconds, rejects and waivers, 28-gauge and heavier;

(vi) Tin mill black plate rejects, 29 and 30-gauge;

(vii) Iron and steel obtained by him from a warehouse (as defined in Conservation Order M–21–b).

(e) *Restrictions on wash boilers and fire shovels.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any:

(i) Restricted wash boiler except as permitted in Schedule A; or

(ii) Restricted fire shovel more than 22 inches in length.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of:

(i) Restricted wash boilers permitted under Schedule A than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him in the base period in the production of wash boilers (whether restricted or not), or

(ii) Restricted fire shovels, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire shovels.

(f) *Restrictions on funnels, refrigerator pans and cans designed for the storage of oil, kerosene or gasoline.* (1) Except as provided in paragraph (g), no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of:

(i) Any restricted funnels, except:

(*a*) In fulfillment of preferred orders or

(*b*) As permitted in Schedule A;

(ii) Any restricted refrigerator pans; or

(iii) Any restricted cans, with a capacity of one to five gallons, inclusive, designed for the storage of oil, gasoline or kerosene, except:

(*a*) In fulfillment of preferred orders,

(*b*) Cans commonly known as safety cans, used for the storage of inflammable liquids,

(*c*) Cans used as operating supplies by railroads, common carriers, or mines (as defined in Order P–56), provided that all such cans are sold only in fulfillment of purchase orders from railroads, common carriers or mines, or

(*d*) Cans designed for use on tank trucks for petroleum distribution operations.

(2) Except in fulfillment of preferred orders, no manufacturer shall put into process in the production of restricted funnels permitted under Schedule A:

(i) Any material other than iron or steel which he has identified as falling within one or more of the classes of iron and steel enumerated in subparagraphs (i) to (vii) of paragraph (d) (4); or

(ii) More iron and steel of such classes, by weight,

(*a*) During the period from March 22, 1943 to March 31, 1943, inclusive, than 50% of the average monthly amount of all iron and steel, by weight, put into process by him during the base period in the production of restricted funnels, or

(*b*) During the period of three months beginning April 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of all iron and steel, by weight, put into process by him during the base period in the production of restricted funnels.

(g) *Exceptions.* Notwithstanding the provisions of paragraphs (b), (c) (1), (d) (1), (e) (1) and (f) (1), a manufacturer may produce any restricted article mentioned in these paragraphs from iron and steel which, on November 12, 1942, had been cut or blanked to size for such restricted article by him or by any other person: *Provided,* That such restricted article is completed on or before December 7, 1942, except for the application of a zinc or other coating and the attaching of bails, handles, spouts or ears, which may be done thereafter.

(h) *Applicability of other orders.* The provisions of this order shall supersede the provisions of Limitation Order L–30 in respect to restricted articles covered by this order, but nothing in this order shall be deemed in any way to affect the provisions of said Order L–30 and other orders in respect to any other articles or products. In so far as any other order restricts the use of any material in the production of any restricted articles to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Appeal.* Any appeal from the provisions of this order should be made on Form PD–500, directed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L–30–a.

(k) *Avoidance of excessive inventories.* No manufacturer shall accumulate, for use in the manufacture of restricted articles covered by this order, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of such restricted articles as permitted by this order

(l) *Records.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(m) *Audit and inspection.* All records required to be kept by this order shall,

upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(2) Each manufacturer shall file with the War Production Board, on or before the tenth day of each calendar month, beginning December 10, 1942, a report on Form PD-655 showing all shipments of restricted articles covered by this order made during the preceding calendar month, together with a statement of stocks of such articles on hand at the beginning and end of such month.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.: L-30-a.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

[NOTE: The article "Funnels" in the table was amended March 22, 1943.]

Under paragraphs (c) (1), (d) (1), (e) (1) and (f) (1) of Limitation Order L-30-a, except as provided in paragraph (g) of that order, on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in certain restricted articles unless such restricted articles fall within the permissible sizes and other limitations set forth in this schedule. When a manufacturer is permitted by this schedule to make more than one size of any restricted article, each size he manufactures shall fall within a different one of the size ranges specified.

Articles	Number of sizes permitted each manufacturer	Size (actual capacity or dimensions)	Gauges
Garbage cans and pails (covers must not be zinc-coated).	4	5-7 gallons	26-31 gauge.
		9-11 gallons	26-31 gauge.
		20 gallons*	26-31 gauge.
		27 gallons*	22-24 gauge.
Pails and buckets (other than fire buckets and wringer buckets).	2	10 quarts*	28 gauge and lighter.
		14 quarts*	28 gauge and heavier.
Wash tubs (without stands or legs)	1	14 gallons*	28 gauge and lighter.
Wash boilers	1	11 to 14½ gallons	28 gauge and lighter.
Funnels (with or without wire strainers)	Unlimited	10" to 15" in diameter of bowl by 9⅛" to 12¾" deep.	22-30 gauge.

*The capacity or dimensions of these sizes may vary 10% from the figures stated.

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

INTERPRETATION 1

Paragraph (b) (4) of Order L-30-a, as amended February 11, 1943, refers to "liquid and dry measures (other than oil measures with flexible spouts) . . ." Oil measures which contain spouts of rigid construction but contain hinges which permit the spouts to be raised, lowered, or otherwise moved, are to be considered "measures with flexible spouts" pursuant to paragraph (b) (4) of L-30-a. (Issued March 11, 1943.)

[F. R. Doc. 43-4166, Filed, March 22, 1943, 11:24 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 8 to Limitation Order L-211]

CARBON STEEL PLATES

§ 3102.9 *Schedule 8 to Limitation Order L-211*—(a) *Definitions.* (1) "Plates" means flat hot-rolled finished steel products in the following dimensions:

3/16" (0.1875") or thicker, over 48" wide.
1/4" (0.250") or thicker, over 6" wide.
7.65 lb. per sq. ft. or heavier, over 48" wide.
10.2 lb. per sq. ft. or heavier, over 6" wide.

(2) "Carbon steel" means any steel on which the maximum of the range is specified or guaranteed to be 1.65 percent or less for manganese, 0.60 percent or less for silicon, 0.6 percent or less for copper, or on which the minimum of the range for copper is specified or guaranteed to be less than 0.40 percent, or on which no minimum content for any other alloying element is specified or guaranteed, or known to have been added to obtain a desired alloying effect.

(3) "Government order" means an order placed

(i) By the Government of the United States or any department or agency thereof, or

(ii) By any other person covering material to be physically incorporated into material to be delivered to such government, department, or agency, or

(iii) By a warehouse which has been designated by such government, department, or agency as a source of supply for government orders, for delivery to a stock maintained for that purpose.

(b) *Restrictions on specifications*—(1) *Government orders.* No person shall produce or deliver on a government order any carbon steel plate which does not conform to a specification set forth in List 1 or List 2 of this schedule.

(2) *Other orders.* No person shall produce, or deliver on any order other than a government order, any carbon steel plate which does not conform to a specification set forth in List 1 of this schedule.

(c) *Acceptance of delivery.* No person shall accept delivery of carbon steel plates which he knows or has reason to believe were produced or delivered in violation of the provisions of paragraph (b).

(d) *Exceptions.* (1) The provisions of paragraphs (b) and (c) shall not apply to carbon steel plates:

(i) The production, fabrication, delivery, or acceptance of which is specifically excepted by the Director General for Operations, or

(ii) Which have been produced or fabricated prior to March 22, 1943, or which prior to such date have been processed in such manner and to such extent that processing to conform to such specifications would be impracticable.

(iii) Which are certified by the U. S. Army or Navy to the producer or supplier as being necessary to insure the military characteristics of the item for which such carbon steel plates are required.

(2) The provisions of paragraphs (b) and (c) shall not prevent:

(i) Waiver by the purchaser or procuring agency of any of the inspection or test requirements of the specifications prescribed in paragraph (b).

(ii) Delivery or acceptance of carbon steel plates which because of errors in manufacture do not conform to the requirements of paragraph (b), providing such requirements are waived by the purchaser or procuring agency.

(e) *Records.* Each person owning or possessing carbon steel plates excepted by the provisions of paragraph (d) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST 1—SPECIFICATIONS PERMISSIBLE FOR GENERAL USE

CARBON STEEL PLATES

Tensile strength	Specification designation and grade	Specification title
SHIP HULLS		
55,000-65,000	ABS-1942, Section 39, Cold Flanging	Structural steel for hulls.
58,000-70,000	ABS-1942, Section 39, Structural	
STRUCTURAL		
45,000 Minimum	ASTM-A78-40, Grade A	Low tensile strength carbon-steel plates of structural quality for welding.
48,000-58,000	ASTM-A113-42, Cold Pressing	Structural steel for locomotives and cars.
48,000-58,000	AAR-M-116-42, Grade C	Steel, structural, shapes, plates and bars.
50,000 Minimum	ASTM-A78-40, Grade B	Low tensile strength carbon-steel plates of structural quality for welding.
50,000-65,000	ASTM-A113-42, Cars	Structural steel for locomotives and cars.
50,000-62,000	AAR-M-116-42, Grade B	Steel, structural, shapes, plates and bars.
55,000-65,000	ASTM-A113-42, Locomotives	Structural steel for locomotives and cars.
55,000-65,000	ASTM-A10-39	Mild steel plates.
60,000-72,000	ASTM-A7-42	Steel for bridges and buildings.

LIST 1—SPECIFICATIONS PERMISSIBLE FOR GENERAL USE—Continued

CARBON STEEL PLATES—continued

Tensile strength	Specification designation and grade	Specification title
STRUCTURAL—CON.		
60,000-72,000	AISC-1941, Section 3	Structural steel.
60,000-72,000	AREA-1941	Structural steel.
60,000-72,000	AASHO-M94-39	Structural steel for bridges and buildings.
60,000-72,000	AAR-M-116-42, Grade A	Steel, structural, shapes, plates and bars.
50,000-95,000	ASTM-A94-39	Structural silicon steel.
50,000-95,000	AREA-1941	Structural silicon steel.
50,000-95,000	AASHO-M95-39	Structural silicon steel.
FLANGE AND FIREBOX		
NON-SILICON		
45,000 Minimum	ASTM-A89-39, Flange, Grade A	Low tensile strength carbon-steel plates of flange and firebox qualities.
45,000 Minimum	ASTM-A89-39, Firebox, Grade A	
45,000 Minimum	ASME-S-2, 1940 Flange, Grade A	Low tensile strength carbon-steel plates of flange and firebox qualities.
45,000 Minimum	ASME-S-2, 1940 Firebox, Grade A	
50,000 Minimum	ASTM-A89-39, Flange, Grade B	Low tensile strength carbon-steel plates of flange and firebox qualities.
50,000 Minimum	ASTM-A89-39, Firebox, Grade B	
50,000 Minimum	ASME-S-2, 1940 Flange, Grade B	Low tensile strength carbon-steel plates of flange and firebox qualities.
50,000 Minimum	ASME-S-2, 1940 Firebox, Grade B	
48,000-58,000	AAR-M-116-38, Firebox, Grade B	Steel, boiler and fire-box for locomotives.
48,000-58,000	ASTM-A30-42, Firebox, Grade B	Boiler and firebox steel for locomotives.
52,000-62,000	AAR-M-115-38, Firebox, Grade A	Steel, boiler and firebox for locomotives.
52,000-62,000	ASTM-A30-42, Firebox, Grade A	Boiler and firebox steel for locomotives.
55,000-65,000	AAR-M-115-38, Flange	Steel, boiler and firebox for locomotives.
55,000-65,000	ASTM-A30-42, Flange	Boiler and firebox steel for locomotives.
55,000-65,000	ASTM-A70-42, Flange	Carbon-steel plates for stationary boilers and other pressure vessels
55,000-65,000	ASTM-A70-42, Firebox	
55,000-65,000	ASME-S-1, 1940, Flange	Carbon-steel plates for stationary boilers and other pressure vessels.
55,000-65,000	ASME-S-1, 1940, Firebox	
SILICON TYPE		
55,000-65,000	ASTM-A201-39, Flange, Grade A	Carbon-silicon-steel plates of ordinary tensile ranges for fusion-welded boilers and other pressure vessels.
55,000-65,000	ASTM-A201-39, Firebox, Grade A	
55,000-65,000	ASME-S-42, 1940 Flange, Grade A	Carbon-silicon-steel plates of ordinary tensile ranges for fusion-welded boilers and other pressure vessels
55,000-65,000	ASME-S-42, 1940 Firebox Grade A	
60,000-70,000	ASTM-A201-39, Flange, Grade B	Carbon-silicon-steel plates of ordinary tensile ranges for fusion-welded boilers and other pressure vessels.
60,000-70,000	ASTM-A201-39, Firebox, Grade B	
60,000-70,000	ASME-S-42, 1940, Flange, Grade B	Carbon-silicon-steel plates of ordinary tensile ranges for fusion-welded boilers and other pressure vessels
60,000-70,000	ASME-S-42, 1940, Firebox, Grade B	
65,000-77,000	ASTM-A212-39, Flange, Grade A	High tensile strength carbon-silicon-steel plates for boilers and other pressure vessels (plates 4½" and under in thickness).
65,000-77,000	ASTM-A212-39, Firebox, Grade A	
65,000-77,000	ASME-S-55, 1940, Flange, Grade A	High tensile strength carbon-silicon-steel plates for boilers and other pressure vessels (plates 4½" and under in thickness).
65,000-77,000	ASME-S-55, 1940, Firebox, Grade A	
70,000-82,000	ASTM-A212-39, Flange, Grade B	High tensile strength carbon-silicon-steel plates for boilers and other pressure vessels (plates 4½" and under in thickness).
70,000-82,000	ASTM-A212-39, Firebox, Grade B	
70,000-82,000	ASME-S-55, 1940, Flange, Grade B	High tensile strength carbon-silicon-steel plates for boilers and other pressure vessels (plates 4½" and under in thickness).
70,000-82,000	ASME-S-55, 1940 Firebox, Grade B	

NOTE 1: Carbon steel plates ordered to chemical composition only and those ordered to no specified tensile or chemical requirements, such as "tank" plates, "soft" plates, perforated plates, floor plates, safety tread plates and those having special surface preparation for special applications shall conform to the applicable requirements of the American Iron and Steel Institute Steel Products Manual, Section 6, revised October, 1941.

NOTE 2: ABS=American Bureau of Shipping, Rules for Building and Classing Steel Vessels
AAR=Association of American Railroads, Manual of Standard and Recommended Practice
ASTM=American Society for Testing Materials, Standard Specifications
AASHO=American Association of State Highway Officials, Standard Specifications for Highway Materials and Methods of Sampling and Testing
AREA=American Railway Engineering Association, Specifications for Steel Railway Bridges
AISC=American Institute of Steel Construction, Specification for the Design, Fabrication and Erection of Structural Steel for Buildings
ASME=American Society of Mechanical Engineers, Materials Specification Code

LIST 2—SPECIFICATIONS PERMISSIBLE FOR GOVERNMENT ORDERS ONLY

CARBON STEEL PLATES

Tensile strength	Specification designation and grade	Specification title
SHIP HULLS		
50,000 min. (Cold Flanging)	Navy 48S5, Grade F	Steel, plate, hull, structural, black (uncoated) and zinc-coated (galvanized).
55,000 Min (Common)	Navy 48S5, Grade C	
55,000-65,000 (Cold Flanging)	Federal QQ-S-751, Grade C	Steel, structural (including steel for cold flanging) and steel, rivet: (for) ships other than naval vessels.
60,000 Min. (Medium)	Navy 48S5, Grade M	Steel, plate, hull, structural, black (uncoated) and zinc-coated (galvanized).
60,000 Min. (Welding Quality)	Federal QQ-S-751, Grade A	Steel, structural (including steel for cold flanging) and steel, rivet: (for) ships other than naval vessels.
60,000 Min. (Not Welding Quality)	Federal QQ-S-751, Grade B	
Floor Plate (Ribbed)	Navy 47S18, Type A	Steel, plate, floor, rolled.
Floor Plate (Raised Diamond)	Navy 47S18, Type B	
STRUCTURAL		
48,000-58,000 (Soft)	Army 57-114, Class A	Steel: structural (for) ordnance material.
48,000-58,000 (Cold Pressing)	Federal QQ-S-731 Class C	Steel: structural (for) cars.
48,000-58,000 (Cold Pressing, Copper-Bearing)	Federal QQ-S-731, Class D	
60,000 Max.	Army 57-114-1, Class A	Steel, plates, shapes, sheets, strips and rectangular bars (or welded structures.
50,000-65,000	Federal QQ-S-731, Class A	Steel: Structural (for) cars.
50,000-65,000 (Copper-Bearing)	Federal QQ-S-731, Class B	
60,000-72,000 (Medium)	Army 57-114, Class B	Steel: structural (for) ordnance material.
60,000-72,000	Federal QQ-S-711 (Note 3): Type I, Class a	Steel, structural (including welding and rivet) (for) bridges and buildings.
60,000-72,000 (Copper-Bearing)	Type I, Class b	
60,000-72,000 (Welding Quality)	Type II, Class a	
60,000-72,000 (Welding Quality Copper-Bearing)	Type II, Class b	
60,000-72,000	Navy 22Y	Specifications for structural steel welding as amended to permit surface refinishing.
80,000-95,000 (High-Strength-Silicon)	Army 57-114, Class D	Steel: Structural, (for) ordnance material.
BOILER, PRESSURE VESSEL AND GENERAL PURPOSE		
55,000 Minimum	Navy 48P2, Class b	Steel, plate, marine-boiler
55,000-65,000	CG, MIN 51.2, Flange, Grade A	Marine boiler steel plate
55,000-65,000	CG, MIN 51.2, Firebox, Grade A	
60,000 Minimum	Navy 48P2, Class a	Steel, plate, marine-boiler
60,000-70,000	CG, MIN 51.2, Flange, Grade B	Marine boiler steel plate.
60,000-70,000	CG, MIN 51.2, Firebox, Grade B	
65,000-77,000	CG, MIN 51.2, Flange, Grade C	Marine boiler steel plate.
65,000-77,000	CG, MIN 51.2, Firebox, Grade C	
70,000-82,000	CG, MIN 51.2, Flange, Grade D	Marine boiler steel plate.
70,000-82,000	CG, MIN 51.2, Firebox, Grade D	
Commercial Quality	Navy 48P2, Class c	Steel, plate, marine boiler.

CG, MIN=U. S. Coast Guard, Marine Inspection and Navigation.

NOTE 3: Federal Specification QQ-S-711a or Federal Specification QQ-S-721a may be used pending publication and distribution of Federal Specification QQ-S-711.

NOTE 4: The applicable issue of any of the Specifications in List 2 above shall be the issue in effect on the date of the invitation to bid, or on the date of the purchase order or contract, or such subsequent issue acceptable to the manufacturer as the procuring agency may substitute in the contract.

[F. R. Doc. 43-4400, Filed, March 22, 1943; 10:24 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-256]

UNITED ENGINE & MACHINE CO.

United Engine & Machine Company, a California corporation, doing business at 310 Preda Street, San Leandro, California, is engaged in the manufacture of aluminum piston castings and finished pistons.

Between January 7, 1942 and September 30, 1942, the United Engine & Machine Company melted approximately 65,877 pounds of aluminum scrap, without the authorization of the Director of Industry Operations or the Director General for Operations. Inasmuch as the United Engine & Machine Company was specifically advised by letter dated April 24, 1942 from the War Production Board that it could not melt any plant-generated scrap and that such scrap must be disposed of through authorized smelters, but nevertheless it continued to melt its own scrap until September 30, 1942, such conduct constituted wilful violations of Supplementary Order M-1-d.

The United Engine & Machine Company, without the authorization of the Director of Industry Operations or the Director General for Operations, accepted deliveries of and melted approximately 6,000 pounds of copper wire scrap, which acts constituted wilful violations of Supplementary Order M-9-b.

These violations of Supplementary Order M-1-d and Supplementary Order M-9-b have impeded and hampered the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.256 *Suspension Order S-256.* (a) The United Engine & Machine Company, its successors and assigns, shall not accept delivery of primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part, except to enable it to fill orders having an AA-1 rating or higher, or orders which have been approved by the Regional Compliance Chief of the San Francisco Regional Office of the War Production Board.

(b) Except for the purpose of enabling the United Engine & Machine Company to fill orders having an AA-1 rating or higher, deliveries to said company shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(c) No allocations of primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part shall be made to United Engine & Machine Company, its successors and assigns, other than are necessary for the company to fill orders having an AA-1 rating or higher unless specifically approved by the Regional Compliance Chief of the San Francisco Regional Office of the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve United Engine & Machine Company, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations, or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on March 27, 1943 and shall expire on September 27, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4428; Filed, March 22, 1943; 1:15 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-258]

REAL FORM GIRDLE CO.

Meyer Dorfman, doing business as Real Form Girdle Company, 218 Bedford Avenue, Brooklyn, New York, is engaged in the business of manufacturing women's girdles and in connection therewith uses rubber yarn. Despite the fact that Conservation Order M-124, as amended August 26, 1942, prohibits the use of rubber yarn to make girdles, for a period of three months thereafter the Real Form Girdle Company continued to knit rubber yarn into elastic fabric for girdles, using in excess of 1,000 pounds of rubber yarn to do so. The failure of the Real Form Girdle Company to acquaint itself with this restriction was so grossly negligent as to constitute a wilful violation of Conservation Order M-124, and has hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.258 *Suspension Order S-258.* (a) Deliveries of material to Meyer Dorfman, doing business as Real Form Girdle Company or under any other name, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Meyer Dorfman, doing business as Real Form Girdle Company or under any other name, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Meyer Dorfman, doing business as Real Form Girdle Company or under any other name, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 24, 1943, and shall expire on June 24, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4429; Filed, March 22, 1943; 1:15 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 1]

The following direction is issued, pursuant to paragraph (t) (6) of CMP Regulation No. 1 (8 F.R. 482, 1730, 2565, 2857) to all steel producers:

(a) Orders which on or before March 22 1943, were promised for shipment during the second quarter of 1943 shall not be displaced in the absence of a specific direction to the contrary, by any order (including authorized controlled material orders) received at any time prior to April 15, 1943, notwithstanding any provision contained in any CMP regulation.

(b) Orders which on or before March 22 1943, were promised for shipment during the second quarter of 1943 may be converted into authorized controlled material orders at any time pursuant to CMP Regulation No. 1.

(c) Authorized controlled material orders or allotments converting other orders into authorized controlled material orders, which orders were not as of March 22, 1943, promised for shipment in the month indicated by the allotment number, shall be held in abeyance and not accepted until April 15, 1943.

(d) On and after April 15, 1943, authorized controlled material orders for shipment during the second quarter of 1943 shall be accepted and filled to the extent required by paragraph (t) of CMP Regulation No. 1. Such orders shall, however, be subordinated to orders mentioned in paragraph (a) above which have been converted into authorized controlled material orders prior to April 15, 1943.

(e) A consumer who receives, after March 10, 1943, an authorized production schedule in connection with a new program and is unable, by reason of this direction, to get his authorized controlled material orders accepted for shipment in time to fulfill such schedule, may apply for relief either directly or through the Claimant Agency involved to the appropriate Products Section of the Steel Division of the War Production Board. The Steel Division will, if the circumstances warrant, direct a producer to fill such order.

(f) This direction shall not apply to the acceptance or scheduling of authorized controlled material orders for shipment after June 30, 1943.

Issued this 22d day of March 1943.

H. G. BATCHELLER,
Director, Steel Division.

[F. R. Doc. 43-4427; Filed, March 22 1943; 1:15 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-259]

LERNER SHOPS OF CALIFORNIA, INC.

Lerner Shops of California, Inc., is a corporation which operates retail stores in the State of California.

After December 5, 1942, without the authorization of the Director General for Operations of the War Production Board, Lerner Shops of California, Inc., began construction and ordered, purchased and withdrew from inventory, materials to begin construction on the remodeling of a building located at 6533 Pacific Boulevard, Huntington Park, California, the estimated cost of which construction was in excess of $200.00. At the time this remodeling was undertaken, Lerner Shops of California, Inc., was familiar with the provisions of Conservation Order L-41. Nevertheless, the company elected to proceed with the project, disregarding the provisions and restrictions of said order.

Since this construction was begun in violation of Conservation Order L-41, it cannot be allowed to continue. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.259 *Suspension Order S-259.* (a) Neither Lerner Shops of California, Inc., nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue or complete construction of the remodeling of the building located at 6533 Pacific Boulevard, Huntington Park, California, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Lerner Shops of California, Inc. from any restriction, prohibition, or provision contained in any other order or regulation of the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 25, 1943.

Issued this 22d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4432; Filed, March 22, 1943; 4:30 p. m.]

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Conservation Order M-104,[1] as Amended March 15, 1943]

§ 1128.1 *Conservation Order M-104—*(a) *Definitions.* (1) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(2) "Glass container" means any bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(3) "Tinplate" means sheet steel coated with tin, and includes "primes," "seconds," "waste-waste," and all other forms of tinplate except waste.

(4) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes," "seconds," "waste-waste," and all other forms of terneplate except waste.

(5) "Blackplate" means any sheet steel, other than tinplate or terneplate, suitable for manufacture into closures, and includes "rejects," "electrolytic waste-waste," and all other forms of blackplate except waste.

(6) "Waste" means used closures and used cans, made of tinplate, terneplate, or blackplate; and scrap tinplate, terneplate, and blackplate produced in the ordinary course of manufacturing closures.

(7) "Rubber," whether a separate sealing ring or incorporated into a closure, means any polyvinyl acetate, or any crude rubber, latex, scrap rubber, reclaimed rubber, or synthetic rubber, as defined by Supplementary Order M-15-b, as amended from time to time.

(8) "Pack," unless particularly specified, means the number of closures used for packing a product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of closures.* (1) No person shall sell or deliver any closure made in whole or in part of tinplate, terneplate, blackplate, wire, rubber, or waste, except under a purchase order or contract validated by delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any such closure which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall use any tinplate, terneplate, blackplate, waste or rubber for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium such as another closure or paraffin.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (b) (3).

(3) No person shall use any tinplate, terneplate, blackplate, wire, or rubber for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule V attached to this order. No closure manufactured pursuant to Schedule V shall knowingly be sold to any person for packing any product for sale.

(4) No person shall use any tinplate, terneplate, or blackplate, except "rejects" or "electrolytic waste-waste," heavier than 90 pounds per base box, for the manufacture of crown caps.

(5) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 1.25 pounds per base box.

(c) *Restrictions upon purchase, acceptance of delivery, and use of closures.* No person shall, during any calendar year (or seasonal year or other period, when specified) purchase, accept delivery of, or use for packing a product, any closure made in whole or in part of tinplate terneplate, blackplate, or rubber, except as, and to the extent permitted in Schedules I, II, III, and IV, attached to this order: *Provided, however,* That a jobber or retailer may obtain and sell closures in conformity with the provisions of this order. Blackplate may be used wherever tinplate or terneplate is specified. Closures made of waste shall not be used for packing any product for which closures made of tinplate, terneplate, and blackplate are totally prohibited.

(d) *Exceptions.* (1) Nothing in this order shall prohibit any person who used less than 5,000 closures during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, an aggregate of 5,000 closures during any subsequent calendar year.

(2) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of closures for packing any product not listed in the schedules attached to this order, when such closures, on or before December 23, 1942, were completely manufactured or were in the form of tinplate, terneplate, or blackplate fully lithographed with a person's private design cut into strips.

(3) No certificate shall be required for the sale or delivery of closures to:

(i) Retailers;

(ii) Persons purchasing closures from retailers.

(4) Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(i) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(ii) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(iii) American Red Cross or United Service Organizations.

(iv) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) Any person in the Territory of Hawaii; provided that the exception pro-

[1] This document is a restatement of Amendment 1 to M-104 as amended January 1, 1943, which appeared in the FEDERAL REGISTER of March 16, 1943, page 3169, and reflects the order in its completed form as of March 15, 1943. The effect of this amendment is to amend certain items in Schedules I and V.

vided by this paragraph (d) (4) (v) shall be limited to closures used in connection with the packing of products to be consumed in the said Territory.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref: M-104.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made or closures made in whole or in part of tinplate, terneplate, blackplate, wire, zinc, or rubber. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-104, as heretofore amended, and that he will not use or sell any closures purchased from

_____
Name of seller

_____
Address of seller

pursuant to this or future purchase orders or contracts, in violation of the terms of such order.

Date_____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U.S.C.A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CLOSURES

[NOTE: Item 5 under "Milk and Dairy Products" was amended March 15, 1943]

A. Any person who used closures from January 1, 1942 to December 31, 1942, for packing a food product not listed in this Schedule I, may use an equal number of closures during the year 1943 for packing the products listed in this schedule, in addition to the quotas respectively specified.

B. Wherever the asterisk appears the packing quota relates to the number of closures and cans used for packing the applicable product.

C. Notwithstanding the provisions of paragraph (d) (4) of this order, the respective quotas specified for items 3 and 6 under Fruits and item 6 under Milk and Dairy Products shall include pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.

D. No product packed in a can shall be repacked for sale in a glass container, by the same or a different person, in the same or a different form, except to the extent specifically permitted in this schedule.

E. Split year items such as "1941-2" appearing in the column "1943 Packing Quota" refer to specified seasonal year base periods to be used in computing permitted packs for subsequent seasonal years.

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS				
1. Asparagus, green	Unlimited	X		X
2. Beans, with or without pork	25% 1941*	X		X
3. Beans, fresh, including green, wax, lima, green soybeans, and fresh shelled beans	Unlimited			
4. Beets, including pickled beets. No whole beets larger than U. S. standard ruby (medium) to be packed	200% 1942-3	X		X
5. Carrots. Whole carrots not to be packed	150% 1942	X		X
6. Corn, fresh, sweet, cut	Unlimited	X		X
7. Peas, fresh, green	Unlimited	X		X
8. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, polk, and turnip greens	300% 1941	X		X
9. Tomatoes	Unlimited	X		X
10. Tomato catsup and chili sauce, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids:				
Closures without rubber	200% 1942	X		X
Closures with rubber	150% of 1942	X		X
11. Tomato paste, containing not less than 25 percent, by weight, dry tomato solids	50% 1942*	X		X
12. Tomato pulp or puree, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids	100% 1942	X		X
13. Tomato sauce, including spaghetti sauce containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt the contents may contain pepper, spice oils, and other flavoring ingredients	100% 1942*	X		X
14. Vegetables, dehydrated	Unlimited		X	
15. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning	Unlimited	X		
NOTE: When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5 gallon or larger.				
FRUITS				
1. Apples, including crabapples; whole apples not to be packed	10% 1941-2*	X		X
2. Applesauce, including sauce from crabapples	10% 1941-2*	X		X
3. Apricots. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies	100% 1942	X		X
4. Blackberries, black raspberries, boysenberries, dewberries, elder berries, gooseberries, loganberries, red raspberries, and youngberries	225% 1942	X		X
5. Cherries, red sour pitted and sweet	200% 1942	X		X
6. Figs. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies	100% 1942	X		X
7. Fruit cocktail, consisting of any combination of fruits listed in this Schedule I and grapes and pineapple: *Provided*, That the combination, by drained weight, shall consist of not less than 50 percent fruits listed in this Schedule I and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans to the extent of 7 percent of the fruit cocktail	Unlimited	X		X
8. Olives, ripe or green ripe, whole or minced	75% 1941-2*	X		X
9. Peaches, clingstone, halves, segments, or slices	Unlimited	X		X
10. Peaches, freestone, halves, segments, or slices. Not to be packed in California	Unlimited	X		X
11. Pears. Whole pears, except seckle pears, not to be packed	Unlimited	X		X
12. Plums	150% 1942	X		X
13. Prunes, fresh Italian	200% 1942	X		X
FRUIT PRODUCTS				
1. Fruits, crushed	100% 1942*		X	
2. Fruit butters, conserves, jams, jellies, marmalades, and preserves	100% 1942	X		X
3. Fruit juices or mixtures thereof, other than grapefruit juice, undiluted except for the addition of sweetening	100% 1942*	X		X until 3/31/43
4. Grapefruit juice	100% 1942*	X		X
5. Fruit concentrates, liquid, when concentrated on a ratio of 5 or more to 1	Unlimited		X	
6. Fruit concentrates, dry	100% 1942*	X		
7. Nectars	100% 1942*		X	
8. Pectin, liquid	100% 1942*		X	

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
MEATS AND MEAT PRODUCTS				
1. Beef, dried	75% 1941	X		
2. Chicken, boned, and turkey, boned	50% 1942*	X		X
3. Chili Con Carne, when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow	25% 1942*	X		X
4. Corned beef hash	100% 1941*	X		
5. Lamb's tongue, pickled	100% 1942	X		
6. Meat loaf, containing not less than 90 percent meat, by uncooked weight and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning	25% 1942*	X		X
7. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products	25% 1942*	X		X
8. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight	25% 1942*	X		X
9. Mince meat, fresh apples only	100% 1942		X	
10. Pig's feet and cutlets, pickled, semi-boneless	100% 1942	X		X
11. Sausage in casings, Vienna style, containing no cereal or similar substance and not to exceed 10 percent added water, by weight	100% 1942	X		X
12. Tongue	100% 1942*	X		X
FISH AND SHELLFISH				
1. Clams, soft, hard, or razor	100% 1942	X		X
2. Clam broth	100% 1942*	X		
3. Crabmeat	100% 1942	X		X
4. Fish flakes, except dried fish flakes	100% 1942	X		X
5. Fish, pickled	Unlimited	X		
6. Fish pastes, including shellfish paste	100% 1942*		X	
7. Lobsters, including spiny lobsters	100% 1942*	X		X
8. Oysters	100% 1942	X		
9. Shrimp	100% 1942	X		X
SOUPS				
Seasonal: Limited to soups which shall contain not less than 7 percent, by weight, of dry solids, from any one or more of the following fresh unfrozen vegetables: asparagus, peas, spinach, tomatoes	Unlimited	X		
Non-seasonal: Limited to the following kinds of soup which shall contain not less than the specified percentage, by weight of dry solids from fresh, brined, or frozen vegetables, meats, or other products listed in Schedules I or II, in Order M-81, provided that no person shall use for packing such soups, more than 35 percent by weight, of the frozen vegetables which he used for this purpose during 1942	75% 1942*	X		
MILK AND DAIRY PRODUCTS				
1. Cheese spreads, processed	100% 1942	X		
2. Cheese spreads, unprocessed (e. g. limburger)	100% 1942	X		
3. Condensed milk, sweetened, as defined by the Federal Security Administration, July 2, 1940, paragraph 18,525, page 2444, Federal Register, and 18,530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974	100% 1942*	X		
4. Cultured milk—"Cultured milks" as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like	100% 1942		X	
5. Fluid milk, with or without flavoring. Quota: Until 3/1/43 100 percent, and until 6/30/43 50 percent of corresponding period of 1941	See product column		X	
6. Ice cream mix, dry. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies	50% 1942*	X		X
7. Malted milk, including chocolate milk, dry	Unlimited		X	
SYRUPS AND HONEY				
1. Syrups—blended, bottlers, cane, corn, maple, glasses, sorghum, malt	100% 1942*		X	
2. Chocolate or cocoa syrup	100% 1942*		X	
3. Honey	Unlimited		X	
OLIVES, PICKLES, RELISHES, CONDIMENTS AND SAUCES				
1. Pickles, piccalilli, and relishes	100% 1942	X		
2. Mustard	100% 1942	X		
3. Green olives	100% 1941	X		
4. Horseradish	100% 1942	X		
5. Sauces—beefsteak, cooking, soya, tobasco, and worcestershire	100% 1942	X		

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Black plate	Rubber
EDIBLE OILS AND DRESSINGS				
1. Dressings—Mayonnaise, Russian, salad and Thousand Island	125% 1942		X	
2. French dressing	100% 1942	X		
3. Oil, edible liquid	125% 1942*		X	
4. Sandwich spread, other than meat spreads	125% 1942		X	
5. Tartar sauce	100% 1942		X	
MISCELLANEOUS FOODS				
1. Baby foods:				
Consisting of food products of small particle size or in liquid or semiliquid form made from the following ingredients fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples), vegetables; meats; poultry products dairy products sugar salt or seasoning, yeast or yeast derivatives.	125% 1942	X		X
Frozen fruits and vegetable may be used, provided that no person shall use more than 35 percent, by weight, of the amount which he used for baby foods in 1942. Potatoes and cereals may be used only in combination with other permitted products and only provided the combined potato and cereal content does not exceed 12 per cent, by weight, of the total product. Pineapple from No. 10 cans and tomato products from 5-gallon reusable cans may be used in packing baby foods				
Formulas—dry or liquid	125% 1942*		X	
2. Cherries, maraschino	100% 1942*		X	
3. Bakin, powder	75% 1942		X	
4. Dyes, certified colors	100% 1942	X		
5. Extracts	100% 1942*		X	
6. Malt, dry	100% 1942		X	
7. Milk fortifiers	150% 1942		X	
8. Nut butters	100% 1942		X	
9. Soups, dehydrated	100% 1942		X	
10. Spice	100% 1942	X		
11. Vinegars	(1)	(1)	(1)	(1)
12. Special food products, for human consumption only, limited to foods other than usual table foods: Quota: No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board				

1 See product column.

SCHEDULE II—DRUG PRODUCTS CLOSURES

A From December 23, 1942, to December 31, 1942, any person may pack without quota restriction any product listed in this Schedule II.

B The packing quota relates to the number of closures and cans used for packing the applicable product.

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Black-plate	Rubber
1. Alcohol, rubbing or medicated	100% 1942		X	
2. Arsenical salts	100% 1942		X	
3. Biological preparations	Unlimited	X		X
4. Blood plasma	Unlimited	X		
5. Capsules	100% 1942		X	
6. Chemicals, dry	Unlimited	X		
7. Chemicals, liquid	Unlimited	X		
8. Citrate of magnesia	100% 1942		X	X
9. Cereals, medicinal	100% 1942		X	
10. Effervescent salts	100% 1942		X	
11. Elixirs	100% 1942		X	
12. Emulsions	100% 1942		X	
13. Extracts	100% 1942		X	
14. Flavors	100% 1942		X	
15. Fluid extracts	100% 1942		X	
16. Fluid glycerates	100% 1942		X	
17. Glycerites	100% 1942		X	
18. Glycerogelatins	100% 1942		X	
19. Honeys	100% 1942		X	
20. Jellies, aqueous	100% 1942		X	
21. Liniments	100% 1942			

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Black-plate	Rubber
22. Liniment of ammonia	100% 1942	x		
23. Local anesthetic solutions (injectible	Unlimited	x		x
24. Lotions	100% 1942		x	
25. Magmas	100% 1942	x		
26. Medicinal wines	100% 1942		x	
27. Oleoresins	100% 1942		x	
28. Oleates	100% 1942		x	
29. Oils, fixed, volatile, or medicated	100% 1942	x		
30. Ointments, cerates, petrolatum, pastes	100% 1942		x	
31. Ointments, ophthalmic	100% 1942	x		
32. Pills, tablets, troches, lozenges	100% 1942		x	
33. Powders	100% 1942		x	
34. Prescriptions	Unlimited	x		
35. Proprietary preparations	100% 1942		x	
36. Soaps	100% 1942	x		
37. Solutions, aqueous or bulk intravenous	100% 1942	x		x
38. Solution of ammonia	100% 1942	x		
39. Solution of iodine	100% 1942	x		x
40. Solution of hydrogen peroxide	100% 1942	x		
41. Solutions, parenteral	Unlimited	x		x
42. Solutions, ophthalmic or nasal	100% 1942	x		
43. Spirits	100% 1942		x	
44. Spirit of ammonia, aromatic	100% 1942	x		
45. Spirit of ammonia, anisated	100% 1942	x		
46. Spirit of ether compound and spirit of ether	100% 1942	x		
47. Suppositories	100% 1942		x	
48. Syrups	100% 1942		x	
49. Tinctures	100% 1942		x	
50. Tincture of iodine	100% 1942	x		x
51. Vinegars	100% 1942	x		
52. Waters	100% 1942		x	
53. Water, laxative, purgative or medicinal	100% 1942		x	

SCHEDULE III—CHEMICALS, HOUSEHOLD AND INDUSTRIAL SUPPLY CLOSURES

A From December 23, 1942 to December 31, 1942 any person may pack without quota restriction any product listed in this Schedule III.

B The packing quota relates to the number of closures and cans used for packing the applicable product.

Product	1943 packing quota	Closure material indicated by x		
		Tin-plate	Black-plate	Rubber
1. Adhesives, glass mucilages, and pastes	100% 1942		x	
2. Alcohol	100% 1942		x	
3. Ammonia	100% 1942	x		
4. Anti-freeze	100% 1942		x	
5. Automotive maintenance or repair items, liquid or paste	100% 1942		x	
6. Bluings	100% 1942	x		
7. Bleaches	100% 1942	x		x
8. Cements	100% 1942		x	
9. Chemicals, dry	Unlimited		x	
10. Chemicals, liquid	Unlimited	x		
11. Chemicals, reagent	Unlimited	x		
12. Cleaners	100% 1942		x	
13. Compounds for grinding, polishing, or sealing	100% 1942		x	
14 Dressings for industrial purposes	100% 1942		x	
15. Dyes	75% 1942	x		
16. Essential oils, distilled or cold pressed	100% 1942	x		
17. Embalming fluid	Unlimited		x	
18. Fire extinguisher fluids	100% 1942		x	
19. Fungicides, insecticides, and livestock or agricultural solutions or sprays	100% 1942		x	
20. Glycerin	100% 1942		x	
21. Graphite with liquid	100% 1942		x	
22. Hypochlorite powders	100% 1942	x		
23. Inks	100% 1942	x		
24 Ink eradicators	100% 1942	x		
25. Lighter fluids	100% 1942		x	
26. Lye	100% 1942		x	
27. Oils, lubricating and machine	100% 1942		x	
28. Paints, varnishes, enamels, shellacs, lacquers, lacquer thinners, lacquer stains, paint thinners, varnish removers, turpentine and linseed oil	100% 1942		x	
29. Phenols	Unlimited	x		
30. Photographic supplies	100% 1942	x		
31 Poisons	100% 1942		x	
32. Polishes, liquid or paste	100% 1942		x	
33 Putty	100% 1942		x	
34 Soap—hand	100% 1942		x	
35 Shoe white, liquid or cream	100% 1942		x	
36. Solvents	100% 1942		x	
37. Waxes	100% 1942		x	
38. Wood preservatives and fillers	100% 1942		x	

SCHEDULE IV—BEVERAGE CLOSURES

A From December 23, 1942, to December 31, 1942, any person shall have the option of using closures for the bottling of malt and non-alcoholic beverages in accordance with the provisions of Order M-104 as amended September 26, 1942, or in accordance with this schedule. On and after January 1, 1943, no person shall use closures for such purpose except in accordance with this schedule.

Product—Bottling quota	Closure material
Product: Malt beverages, including only beer, ale, porter, near-beer, and mixtures thereof. Quota: Any person who produced in 1941 less than 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 100 percent, and any person who produced in 1941 over 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding month of 1941. In the case of a person who packed all or part of his 1941 production in cans, each such can may be counted as a closure affixed to a glass container. In the case of a person who did not produce any malt beverages in 1941, such beverages bottled by him, shall be considered as having been produced by him, and his authorized usage of closures shall be calculated accordingly.	Tinplate and blackplate allocated for purposes of crown manufacture, only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.
Product: Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters, unflavored naturally carbonated and still waters; drinks consisting of fruit juices, vegetable juices, and combinations thereof, where less than 85 percent by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk. Quota: Any person who used in 1941 less than 5,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 100 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 5,000 and less than 7,000 gross of closures, may use not to exceed 5,000 gross of closures in any twelve-month period, commencing with October 1, 1942; the number used during any calendar quarter to be at the same proportionate rate he affixed closures to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 7,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941.	Tinplate and blackplate allocated for purposes of crown manufacture only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.

(1) No person, other than a jobber purchasing for resale, shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory beyond 20 percent of the number of such closures and cans which he used in 1941 for packing malt beverages and non-alcoholic beverages.

(2) *Closures for waters.* Except with regard to items listed in Schedule II, no closures made of tinplate, terneplate, or blackplate shall be affixed to glass containers smaller than 12 fluid ounces, for packing unflavored carbonated, natural or mineral waters, unless such glass containers were manufactured on or before June 1, 1942.

(3) All persons who bottle malt beverages or non-alcoholic beverages, shall report upon Form PD-519 to the Containers Division, War Production Board, Washington D. C.

SCHEDULE V—HOME CANNING CLOSURES

NOTE: Schedule V was amended in its entirety March 15, 1943.

Description of closure	Manufacturer's quota from October 1, 1942 to September 30, 1943	Closure material indicated by X		
		0.50 Tinplate	Rubber	Wire bails
1. Shoulder seal jar rings for 70 mm Mason finish.	Subject to allocation of rubber.	----	X	
2. Top seal jar rings for use with 70 mm glass disc.	Subject to allocation of rubber.	----	X	
3. Top seal metal lids, 70 mm.[1]	Unlimited	X	X	
4. Bands for 70 mm top seal metal lids.[1]	Unlimited	X	----	
5. Bands for use with 70 mm glass lids.	Unlimited	X	----	
6. Lightening type, 70 mm.	Unlimited	----	----	X
7. Top seal metal lids, smaller than 70 mm.	Unlimited	X	X	
8. One piece metal closures, 70 mm shoulder seal type.[1]	Unlimited	X	X	
9. One piece metal closures, 70 mm top seal type.[1]	Unlimited	X	X	

[1] No manufacturer or jobber of glass containers shall sell any jars, intended for home canning, which are made with 70 mm screw finish and which are manufactured on or after April 15, 1943 unless 40 percent or more of such jars have glass lids, screw bands and top seal jar rings attached to them.

CONFIDENTIAL—For use of Federal War Agencies only

Form PD-519

UNITED STATES OF AMERICA

WAR PRODUCTION BOARD

Closures for malt beverages and non-alcoholic beverages; Inventories, receipts and use by bottlers.

INSTRUCTIONS

Bottlers of malt beverages shall report monthly, and bottlers of non-alcoholic beverages by calendar quarters. On or before the tenth day following the period reported, please send one copy of this report to each supplier from whom you obtain beverage closures, and one copy to Containers Division, War Production Board, Washington, D. C. Ref: M-104. This form may be reproduced in same size and format.

Report Period (Month or Quarter) _____

Name of Company _____

Address _____

Check applicable beverages:

Malt____Non-alcoholic____

Closures made of tinplate, terneplate or blackplate:	
Permitted inventory under M-104	_____ gross
On hand first day of period	_____ gross
Received during period	_____ gross
Used, subject to quota, during period	_____ gross
Used, for sale to exempt agencies, during period	_____ gross
On hand last day of period	_____ gross
Closures made from waste:	
On hand first of period	_____ gross
Received during period	_____ gross
Used during period	_____ gross
On hand last day of period	_____ gross
Re-used crowns used during period	_____ gross

CERTIFICATION

The undersigned certifies that the above information is complete and correct to the best of his knowledge and belief:

Name of Bottler _____ Signature of Authorized Official _____

Date _____ Title _____

Section 35 (a) of the United States Criminal Code, 18 U.S.C.A. 80, makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

[F. R. Doc. 43-4432; Filed, March 22, 1943; 4:30 p. m.]

PART 937—ZINC

[General Preference Order M-11-l[1] as Amended March 23, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc dust for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.13 *General Preference Order M-11-l*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Zinc dust" means all grades of zinc dust, produced from ores, concentrates, metallic zinc or other primary material and from scrap, dross or other primary material and from scrap, dross or other secondary material.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(3) "Producer" means any person producing zinc dust and any person who has zinc dust produced for him under a toll agreement.

(4) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(c) *Restrictions*—(1) *Deliveries by producers.* No producer shall ship or deliver zinc dust to any person except on presentation by that person of an allocation certificate issued by the Director General for Operations. Upon accepting an allocation certificate, the producer shall endorse thereon the amounts of zinc dust which he agrees to ship under such certificate in the calendar month covered by the certificate. No producer shall endorse an allocation certificate for zinc dust or make any shipment thereunder if, by so doing, the total endorsements, or shipments, under the certificate will exceed the amounts authorized by such certificate.

(2) *Acceptance of deliveries.* No person shall accept any delivery of zinc dust from a producer otherwise than in accordance with the provisions of this order.

(3) *Toll agreements.* Unless specifically authorized by the Director General for Operations, no person shall produce any zinc dust under any existing or future toll agreement.

(d) *Allocation certificates.* The Director General for Operations will issue allocation certificates for zinc dust on or about the first of each month. An allocation certificate will authorize shipment of specified amounts of zinc dust during the calendar month for which it is issued by a producer to the holder of the certificate. This certificate must be presented to the producer for endorsement as provided in paragraph (c) (1) of this order. A producer need not accept a new order although supported by an allocation certificate if his entire production for the month is committed under contract and he has reason to believe that other allocation certificates will be presented during the month by the person or persons to whom his production is committed in amounts at least equal to his production.

(e) *Applications for allocation certificates.* Any person wishing to apply for an allocation of zinc dust from a producer for any month beginning with January, 1943, shall file an application with the War Production Board, Zinc Division, Washington, D. C., Ref: M-11-l, not later than the fifteenth of the month preceding the month in which the allocation of zinc dust is desired: *Provided, however,* That if application is for an allocation of zinc dust for January, 1943, it may be filed not later than December 30, 1942. Persons shall make application on Form PD-755.

(f) *Exceptions.* Exceptions from the provisions of paragraphs (c) and (d) shall be as follows:

(1) *Small order exceptions.* Any producer may ship and deliver zinc dust to any other person without an allocation certificate for zinc dust: *Provided,* That such other person shall certify to the producer in writing at the time of delivery;

(i) That the total amount of zinc dust delivered to such other person from all sources (inclusive of the amount then being delivered) has not exceeded 75 pounds in the month in which delivery is being made,

(ii) That no allocation certificate for zinc dust for that month has been issued to such other person by the Director General for Operations, and

(iii) The end use to which the zinc dust is to be put.

No person shall accept from a producer delivery of more than 75 pounds of zinc dust in any month without an allocation certificate, or of any zinc dust not endorsed on the allocation certificate if he has one.

(2) *Deliveries to the Metals Reserve Company.* Any producer may ship and deliver zinc dust without an allocation certificate to the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C. section 606 (b))

[1] The effect of this amendment is to amend paragraph (l) *Expiration date.*

TABLE 1—SINGLE-BIT AXES

Weight of head (pounds)	Length of handle (inches)	Cutting edge (inches)	Poll (inches)	Eye (inches)	Width of head (inches)	Thickness of head (inches)
2	26	3	1	1	3	1
2½	26	3	1	1	3	1
3	26	3	1	1	3	1
3½	26	3	1	1	3	1
4	26	3	1	1	3	1
4½	26	3	1	1	3	1
5	26	3	1	1	3	1

TABLE 2—DOUBLE-BIT AXES

Weight of head (pounds)	Length of handle (inches)	Cutting edge (inches)	Poll (inches)	Eye (inches)	Width of head (inches)	Thickness of head (inches)
2	26	3	1	1	3	1
2½	26	3	1	1	3	1
3	26	3	1	1	3	1
3½	26	3	1	1	3	1
4	26	3	1	1	3	1
4½	26	3	1	1	3	1
5	26	3	1	1	3	1

TABLE 3—FORGED ADZES

Weight of head (pounds)	Length of handle (inches)	Cutting edge (inches)	Poll (inches)	Eye (inches)	Width of head (inches)	Thickness of head (inches)
2	26	3	1	1	3	1
2½	26	3	1	1	3	1
3	26	3	1	1	3	1
3½	26	3	1	1	3	1
4	26	3	1	1	3	1
4½	26	3	1	1	3	1
5	26	3	1	1	3	1

TABLE 3—FORGED ADZES—Continued

shall be completely and heavily coated with

or to any duly authorized agent of any such corporation.

(3) *Special directions.* The Director General for Operations may, from time to time, issue special directions to any person as to the source, destination or amounts of zinc dust to be shipped and delivered by any producer or received by any person, and the Director may also specifically direct the manner and quantities in which such zinc dust may be processed.

(4) *Zinc dust for export.* Zinc dust may be shipped or delivered for export by any producer without an allocation certificate if shipment or delivery is to be made pursuant to an export license duly issued by the Office of Export Control of the Board of Economic Warfare.

(g) *Interdepartmental shipments.* The restrictions, limitations and prohibitions in paragraph (c) of this order shall apply not only to all shipments from one person to another person but also to all shipments and deliveries of zinc dust from any producing branch, division or department of any business enterprise to another branch, division or department in the same or any other business enterprise owned or controlled by the same person.

(h) Each producer of zinc dust shall file monthly, on Form PD–758, a report of his production, shipments and inventory of zinc dust. All producers and users of zinc dust shall file such other reports with the War Production Board at such times and in such manner and form as it may prescribe, showing such information as the War Production Board may from time to time require.

(i) *Addressing of communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Zinc Division, Washington, D. C., Ref: M–11–I.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Effective date.* The provisions of this order other than those of paragraph (e) shall not be effective until January 1, 1943. Paragraph (e) shall be effective at once.

(l) *Expiration date.* This order shall continue in effect until revoked.

Issued this 23d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4486; Filed, March 23, 1943; 11:25 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L–157, Schedule II as Amended March 23, 1943]

FORGED AXES, FORGED HATCHETS, FORGED BROAD AXES, FORGED ADZES, AND FORGED LIGHT HAMMERS

§ 1293.3 *Schedule II to Limitation Order L–157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or otherwise fabricates forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers.

(2) "Forged light hammer" means a forged hammer weighing less than 4 pounds. (Handles not included in this weight).

(3) "Put into process" means the act of material from that form in which it was received by him.

(4) "Lend-Lease Government" means the government of any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". (Lend-Lease Act).

(b) *Simplifiecd practices.* (1) Pursuant to Limitation Order No. L–157, the kinds, styles, sizes, weights and provisions set forth in Appendices A, B and C hereto, are hereby established as specifications for the manufacture of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers. Notwithstanding such limitation a producer may manufacture or otherwise fabricate forged axes not conforming to the specifications set forth in Appendix A hereto, for export under a license issued by the Board of Economic Warfare or to fill an order of a Lend-Lease Government.

(2) Forged axes, forged hatchets, forged broad axes, forged adzes or forged light hammers may be supplied with or without handles. Handles shall be limited to not more than three grades, as selected by the producer, for any one pattern (irrespective of size) of axe, hatchet, broad axe, adze, or light hammer manufactured, forged, or otherwise fabricated in accordance with this paragraph (b). On or before May 15, 1943, each producer shall file on Form PD–754, with the War Production Board, Building Materials Division, Washington, D. C., a list of the three grades of handles selected by him for each pattern.

(c) *Effective date of simplified practices.* The provisions of this Schedule II, as amended, shall take effect on the 15th day of April, 1943. On and after the 15th day of April, 1943, no producer shall put into process any ferrous metal in the manufacture of a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, which fails to conform to the specifications established by paragraph (b) of this Schedule II and as set forth in Appendices A, B, and C hereto. Notwithstanding the provisions of paragraph (b) of this Schedule II, a producer may at any time sell or deliver a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer manufactured prior to the 15th day of April, 1943.

by which a person first changes the form

(d) *Application to manufacture exceptions.* Application by a producer to manufacture a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, not in accordance with the specifications as set forth in Appendices A, B and C of this schedule shall be made in writing to the War Production Board, Building Materials Division, Washington, D. C., Ref.: L–157 The Director General for Operations may thereupon take such action as he deem appropriate.

(e) *Records covering material, types and sizes, work in process, etc.* On or before May 15, 1943, each producer of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers shall file on Form PD–754 with the War Production Board, Building Materials Division, Washington, D. C., a list of all items manufactured by him in conformance with this amended schedule.

Issued this 23d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX A TO SCHEDULE II—LIMITATION ORDER L–157

FORGED AXES

1. Patterns, bit styles and sizes shall be as specified in the following tables 1, 2 and 3, and patterns shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943. Not more than one type of any one pattern as listed shall be manufactured.

2. A "plain" bit style means a forged axe having a bit in which the transverse surface is continuous.

3. The finish on all forged axes shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit or bits. The striking face and bit or bits shall be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit or bits shall be ground and polished for a distance not to exceed 2 inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. In cases where a substitute name is shown in the listing of pattern names, the name listed first shall be the name of the pattern, but a producer or distributor may use one of the substituted names for the pattern, providing such listing does not indicate it as a different pattern. Substitute names may not be used for patterns other than as listed.

5. A manufacturing tolerance of 3 ounces plus or minus shall be permitted in the sizes as listed, but any pattern may only be catalogued and listed in the sizes as shown in the tables.

6. No alloy steel shall be used in the manufacture of any forged axes.

TABLE 1—SINGLE-BIT AXES

Pattern	Bit style	Size (weight of head in lbs.)
Dayton (also known as Yankee or Maine)	Plain	3, 3½, 4
Michigan	Plain	3, 3½, 4
Jersey (also known as Baltimore-Jersey, Caroline-Jersey)	Plain	3, 3½, 4
Connecticut	Plain	3, 3½, 4
Kentucky (also known as Southern-Kentucky)	Plain	3, 3½, 4
Dock axes (Patterns listed above with hardened head).	Plain	3, 3½, 4

TABLE 2—DOUBLE-BIT AXES

Michigan (also known as Crown) 2½# (also known as Cedar and Cruiser)	Plain	2½, 3, 3½, 4
Western (also known as Pennsylvania)	Plain	3, 3½, 4.
Reversible (also known as Half-Peeling).	Plain	3½, 4.
Falling	Plain	4, 4½.
Swamping	Plain	4, 4½.

TABLE 3—MISCELLANEOUS AXES

Light weight axe (varying handle lengths).	Plain	1¾, 2¼
Firemen's	Plain	2¾, 6
Pulaski (Forestry)	Plain	3¾
Intrenching and belt axe	(To be made in accordance with Army Specifications to fill Government Orders only.)	

APPENDIX B TO SCHEDULE II—LIMITATION ORDER L–157

FORGED HATCHETS, BROAD AXES AND ADZES

1. Patterns, sizes, widths of cutting edge and weight of head shall be as specified in the following tables 1, 2 and 3.

2. Patterns as specified shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943, but not more than one type of any one pattern of hatchet, broad axe or adze as listed shall be manufactured.

(i) When "width of cutting edge in inches" for forged hatchets, forged broad axes, and forged adzes is specified in tables 1, 2 and 3 of this appendix, a tolerance of ⅛ inch plus or minus shall be permitted.

(ii) When "approximate weight of head in pounds" for forged broad axes is specified in table 2 of this appendix, a tolerance of 8 ounces plus or minus shall be permitted.

4. No alloy steel shall be used in the manufacture of any forged hatchets, forged broad axes or forged adzes.

5. The finish on all forged hatchets, forged broad axes and forged adzes, shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit. The bit shall be, and striking face may be, ground and polished but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit shall be ground and polished for a distance not to exceed 1½ inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

TABLE 1—FORGED HATCHETS

Pattern	Size	Width of cutting edge in inches
Standard patterns:		
Half	2	3⅛
Claw	2	3⅛
Broad	2	4½
Broad	4	5½
Special patterns:		
Half—(Octagon, square or round head) thin blade*	2	3⅛
Underhill lath, milled head, 9 or 12 rows*	1	2¼
Underhill fruit box, milled head, 12 rows, Const pattern	1	2⅛
Underhill shingler—with gauge		
Produce, 12 ounces		
Packers or barrelling, 12 or 14 ounces*		
Car or rig builders, plain or milled head	2	3⅛

*Choice of only one style or size.

TABLE 2—FORGED BROAD AXES

Pattern	Width of cutting edge in inches	Weight of head in pounds
Canada	12	7
Pennsylvania	11	6½
Pennsylvania	12	7

TABLE 3—FORGED ADZES

Pattern:	Width of cutting edge in inches
Half head	4
Full head	4
Full head (railroad)	5

TABLE 3—FORGED ADZES—Continued

Pattern—Continued.	Width of cutting edge in inches
Ship carpenters, plain	4
Ship carpenters, plain	4½
Ship carpenters, lipped	4½
Ship carpenters, lipped	5
Mine track, =3 eye	3
Railroad, A. R. E. A. design	9

APPENDIX C TO SCHEDULE II—LIMITATION ORDER L–157

FORGED LIGHT HAMMERS

1. Kinds, patterns and weights of forged light hammers shall be as specified in the following tables 1 and 2.

2. Octagon or hexagon patterns indicate a hammer having an octagonal or hexagonal neck or poll, or neck and poll.

3. The finish on all forged light hammers shall be a forge finish as follows: All flash and scale to be removed with a hard wheel. Only striking faces and peins to be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. Where weights are specified in tables 1 and 2, such weights are for heads only, and a tolerance of 2 ounces plus or minus shall be permitted.

5. No alloy steel shall be used in the manufacture of any forged light hammers or special purpose hammers except machinists and magnetic tack or bill-posters hammers. Alloy steels, such as are permitted at the time of manufacture by the Steel Division of the War Production Board, may be used in the manufacture of machinists and magnetic tack or bill-posters hammers.

6. Milled faces on nail and ripping hammers will be permitted on 16 ounce and 20 ounce sizes only.

TABLE 1.—FORGED LIGHT HAMMERS

Kind	Pattern	Ounces	Pounds
Nail	Octagon or hexagon	13, 16, 20	
	Bell face	7, 13, 16, 20	
	Plain	16, 20, 24 or 28	(1)
Ripping	Bell face	16, 20	
Engineers and blacksmiths [2]	Cross pein		1½, 2, 2½, 3.
Bricklayers [2]	Plain or adze eye		1½
Coopers	Regular		3, 4.
Engineers	Double face		2½, 3.
	Octagon poll, driving	7, 10	
	Rd. poll, curved claw, driving	7, 10	
	Rd. poll, straight claw, driving	12	
Farriers	Turning		2¼.
	Fitting		2¼.
	Sharpening		2¼
Machinists	Ball pein, straight or cross pein	2, 4, 8, 12	1, 1¼, 1½, 2, 2¼, 1½.
Riveting	Plain eye	4, 8, 12	
Tinners	Riveting	8, 12	
	Paneing or setting	12	
	Raising	28	
Body workers [3]			

[1] In 24 and 28 ounce weights, one weight only to be manufactured.
[2] One weight and style only.
[3] May be manufactured to fulfill a specific Government order only.

TABLE 2—SPECIAL PURPOSE HAMMERS

Kind	Weight	
	Ounces	Pounds
Boiler maker's	9	
Hand drilling or stone cutter's		3
Pattern maker's		
Prospector's pick	13 24	
Saw setter's	8	1½
Scaling hammer		1
Electrician's	20	
Tools (machinist's or non-sparking)	12	
Bell peener's (machinist's)	8	
Tire setter's	3	
Boilermaker's, double face (*)		2, 3
Riveting (*)	32	
Tinner's riveting (*)	32	
Trimmer's drag (pistol, with cast back (*)	7	
Welder's chipping, with wire brush		1
Blacksmith's hand (set hammer with handle 13" long (*)		3
Tinner's riveting (*)	16	

(*) Must only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

[F. R. Doc. 43-4435; Filed, March 23, 1943; 11:25 a. m.]

PART 3033—PORTLAND CEMENT

[Limitation Order L-179 as Amended March 23, 1943]

The fulfillment of requirements for the defense of the United States has made imminent a shortage in the supply of portland cement for defense, for private account and for export; and the following order is deemed necessary and appropriate to protect the public interest and to promote the national war effort:

§ 3033.1 *General Limitation Order L-179*—(a) *Restrictions*—(1) *Manufacture.* On and after twenty days subsequent to August 3, 1942, no person shall manufacture any portland cement except portland cement which conforms with one or more of the following specifications as such specifications exist on August 3, 1942:

(i) Federal specifications: Emergency Alternate Federal Specification for cement: Portland-E-SS-C-191b, dated June 5, 1942;

(ii) Federal specifications: Emergency Alternate Federal Specification for cement; Portland-E-SS-C-201a, dated June 5, 1942;

(iii) Federal specifications: Emergency Alternate Federal Specification for cement; Portland E-SS-C-206a, dated June 5, 1942;

(iv) American Society for Testing Materials specifications: Emergency Alternate Specification for Portland Cement A. S. T. M. Designation EA-C 150-Type I, dated June 6, 1942;

(v) American Society for Testing Materials specifications: Emergency Alternate Specification for Portland Cement A. S. T. M. Designation EA-C 150-Type III, dated June 6, 1942;

(vi) American Society for Testing Materials specifications: Emergency Alternate Specifications for Portland Cement A. S. T. M. Designation EA-C 150-Type II, dated June 6, 1942.

(2) [Revoked February 16, 1943]

(3) *Requirements for testing.* A purchaser of portland cement may require tests of such cement, but such tests may only be made in accordance with "Federal Specifications: Emergency Alternate Federal Specifications for Cement; Portland—Dated June 5, 1942, E-SS-C-158a" or "American Society for Testing Materials Specifications: Emergency Alternate Specifications for Portland Cement A. S. T. M. Designation EA-C 150, dated June 6, 1942".

(b) *Specific exemptions.* The provisions of this order shall not apply to portland cement manufactured and stored pursuant to orders or contracts for any cement:

(1) To be used in the following named projects under the direction or control of the United States Bureau of Reclamation:

(i) Boise Project—Anderson Ranch Dam—Boise, Idaho;

(ii) Central Valley Project—Kennett Division—Redding, California;

(iii) Central Valley Project—Friant Division—Friant, California;

(iv) Davis Dam Project—Kingman, Arizona;

(2) To be used in the following project under the direction or control of United States War Department, U. S. Army Engineer Corps:

(i) Norfolk Dam—Arkansas.

(3) To be used in the following projects under the direction or control of the Tennessee Valley Authority:

(i) Fontana Dam—Fontana Dam, North Carolina;

(ii) Douglas Dam—Rural Station, Jefferson City, Tennessee;

(iii) Fort Loudon Dam—Lenoir City, Tennessee;

(iv) Kentucky Dam—Gilbertsville, Kentucky;

(v) Apalachia Dam—Farner, Tennessee;

(vi) Ocoee No. 3 Dam—McFarland, Tennessee;

(4) To be used in oil wells under conditions of high temperature, such cement being commonly known as "oil well cement";

(5) To be used pursuant to the specific authorization of the Director General for Operations.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each person to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time specify.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(h) *Applicability of other orders.* The provisions of Priorities Regulation No. 1 (§ 944.14, *Inventory restrictions*) shall not apply to this order and all transactions affected thereby. Insofar as any other order issued by the Director General for Operations, or to be issued by him after August 3, 1942, limits the use of any material to a greater extent than the limits imposed by this order the restrictions of such other order shall govern, unless otherwise specified herein.

(i) *Communications.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C., Ref.: L-179.

Issued this 23d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4484; Filed, March 23, 1943; 11:25 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 239,[1] Amendment 1]

LAMB CARCASSES AND WHOLESALE AND RETAIL CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 239 is amended in the following respects:

1. Section 1364.160 (a) (5) is amended by changing the word "resale" to read "sale."

2. Section 1364.160 (a) (9) (i) is amended by inserting the words "bracelets, chucks, kidneys," between the word "fores" and the word "steaks."

3. Section 1364.167 (a) is amended by changing the word "two" in the last sentence of the first unnumbered paragraph to read "applicable" and by deleting the word "chuck" in the second sentence of the first unnumbered paragraph.

4. Section 1364.167 (b) is amended by deleting the word "chuck."

5. Section 1364.169 is amended by changing the words "applicable zone prices" wherever they appear to read "applicable maximum prices."

6. Section 1364.170 (a) is amended by inserting the words "and carcasses" between the word "cuts" and the figure "$0.25."

7. Section 1364.170 (d) is amended to read as follows:

(d) *Freezing.* (1) For freezing and storage by the seller, cost at published commercial rate for nearest commercial freezer not to exceed $0.50 per cwt.

(2) For freezing and storage by commercial freezer, cost at commercial rate for such freezing, plus transportation charges calculated at the lowest common carrier rate for a similar haul—both not to exceed $0.50 per cwt.

(3) If the seller is a wholesaler or hotel supply house who has paid a charge for freezing and storage under subparagraphs (1) and (2), he may upon the resale of the meat upon which the charge has been made add the amount of such charge if the meat is still in its frozen form.

8. Section 1364.170 (e) is amended by inserting the words "all supplies and" between the word "For" and the word "all."

9. Section 1364.170 (g) is amended by inserting the words "or cuts" between the word "out" and the figure "$3.50."

10. Section 1364.170 (h) (2) (i) is amended by inserting the words "purveyor of meals" between the words "hotel supply house" and the words "or commercial user."

11. Section 1364.170 (h) (2) (ii) is amended by inserting the words "purveyor of meals" between the words "hotel supply house" and the words "or commercial user."

12. Section 1364.170 (h) (4) is amended to read as follows:

(4) *Limitation on total charge for transportation and delivery.* Notwithstanding any of the provisions of paragraphs (h) (1) to (h) (3), inclusive, of this section, nothing therein contained shall be construed to permit a total charge for transportation and for delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than $0.50 per cwt. in price zones 1, 5, 6, 7, 8, 9, or 10; or $0.75 per cwt. in price zones 2, 3, and 4. The additions specified in this paragraph (h) for transportation and for local delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or local delivery which is included in the maximum price charged.

13. Section 1364.174 (a) (10) (viii) is amended to read as follows:

(viii) "Chuck" means the subdivision of the foresaddle left after cutting a bracelet and consists of the neck, shoulders, shank and brisket. It includes the 1st to the 4th ribs. It is separated from the foresaddle or forequarter by cutting between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib until this rib turns to join the breast bone at which point the cut is completed by following a line through the breast at a right angle to the chine bone. It may be split through the center of the chine bone.

14. Section 1364.174 (a) (10) (ix) is amended by changing the word "mutton" to read "lamb" and by deleting the word "breast" the second time it appears and changing it to read "brisket" the third time it appears.

15. Section 1364.174 (a) (10) (x) is amended to read as follows:

(x) "Breast or shank" means either the part which remains after the 4-rib shoulder has been removed from the yoke, in which case it includes the breast, brisket and shank, or the part which remains after the 4-rib shoulder has been removed from the chuck, in which case it includes the brisket and shank.

16. The second paragraph in § 1364.174 (a) (10), "Hotel supply cuts", is redesignated as § 1364.174 (a) (11) and is amended to read as follows:

(11) "Hotel supply cuts" means the following cuts derived from the permitted wholesale cuts:

(i) "Leg, oven-prepared" means the leg cut as described in paragraph 10 (iii) of this section with all bones except the leg bone (femur) removed and tied. The leg bone means the bone between the stifle joint and the rump bone.

(ii) "Leg, boned, rolled, and tied" means the leg cut as described in paragraph (10) (iii) of this section prepared in the following manner: All bones are removed, the fell is pulled off the shank meat up to the stifle joint, the shank meat is either cut off and placed lengthwise in the pocket left by the aitch and leg bones, or folded back, and the meat is then rolled into a cylindrical shape and tied with at least four loops.

(iii) "Loin, flank on, kidneys and suet out" means the loin cut as described in paragraph (10) (iv) of this section with the kidney and all surrounding suet and the melt removed. The fat in the loin shall be trimmed smooth and trimming by a knife shall be apparent.

(iv) "Loin, flank off, kidney and suet out" means the loin prepared as described in the preceding paragraph with the flank removed. The flank shall be removed by starting at a point on the 13th rib not more than four inches down from the point of the eye and then cutting in a straight line to a point at the other end not more than four-and-a-half inches from the chine bone.

(v) "Loin chops" means chops cut from the loin, prepared as described in the preceding paragraph with the flank off and the kidney and suet out, from which the 13th rib has been removed. To make chops, the fell is removed and the loin is then split into two parts along the center of the chine bone. Each half is further separated by making cuts straight down on lines at right angles to the chine bone. Each half loin must be cut in this manner into at least four individual chops which may be of any desired size or weight.

(vi) "Loin, boned, rolled, and tied" means the loin prepared flank on, kidney and suet out, as described in paragraph (11) (iii) of this section, from which is removed one inch of the flank containing the gristle and sinews. The 13th rib and the entire chine bone are also removed. The loin meat is then rolled into a cylindrical shape and tied with at least four loops.

(vii) "Rib chops, regular" mean chops cut from the hotel rack in the following manner: The fell is removed together with all excess fat and the rack is then divided in the center of the chine bone. The single hotel rack is then divided into rib chops by splitting between the ribs into at least four rib sections which may be of any desired size or weight.

(viii) "Rib chops, 5th to 7th rib inclusive" mean chops made from the forward end of the hotel rack as described in the preceding paragraph, which include the 5th, 6th, and 7th ribs and which contain segments of shoulder-blade bone or cartilage.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10688.

(ix) "Rib chops, 8th to 12th rib, inclusive" mean chops made from the back end of the hotel rack as described in paragraph (11) (vii) of this section which include the 8th to 12th ribs and which do not contain any segments of shoulder-blade bone or cartilage.

(x) "Yoke boned, rolled and tied" means the yoke cut from a mutton carcass as described in paragraph (10) (vi) of this section with all bones removed, rolled into a cylindrical shape and tied with at least four loops.

(xi) "Yoke, boneless stew" means small cubes of boneless meat derived from the yoke, none of which is more than two cubic inches in size or contains more than one-fourth inch of fat or consists of more than 25 percent fat.

(xii) "Shoulder, boneless stew" means small cubes of boneless meat derived from the shoulder, none of which is more than two cubic inches in size or contains more than one-fourth inch of fat or consists of more than 25 percent fat.

(xiii) "Shoulder, boned, rolled, and tied" means the 4-rib shoulder cut as described in paragraph (10) (ix) of this section with all bones removed, rolled into a cylindrical shape and tied with at least four loops.

(xiv) "Shoulder, regular stew, bone in" means small cubes of meat derived from the 4-rib shoulder none of which is larger than two cubic inches in size.

(xv) "Breast and shank, regular stew, bone in" means small cubes of meat derived from the breast and shank cut as described in paragraph (10) (x) none of which is larger than two cubic inches in size.

(xvi) "Shank, braising" means the shank separated from the breast and shank cut as described in paragraph (10) (x) in the following manner: The shank is separated from the breast at the shank knuckle bones. The cut should start at the same point as that which separates the breast and shank from the shoulder. The lower fore shank bone is cut off at the knee joint.

(xvii) "Shank, regular stew, bone in" means small cubes of meat derived from the shank cut as described in the preceding paragraph none of which is larger than two cubic inches in size.

(xviii) "Breast, regular stew, bone in" means small cubes of meat derived from the breast none of which is larger than two cubic inches in size. The breast is the part of the breast and shank which is left after the shank is severed as described in paragraph (11) (xvi) of this section. It includes the brisket.

(xix) "Hotel rack, chine removed, blade bone out" means the single hotel rack as described in paragraph (10) (v) of this section with the chine bone (backbone), including the feather bones, and the shoulder blade and shoulder blade cartilage completely removed. The chine bone is removed by cutting along the line where the ribs join the backbone.

17. Section 1364.176 (c) is amended by adding a new Item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	48.75	45.25	40.00	34.00	24.25	22.00

18. Section 1364.177 (c) is amended by adding a new Item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	46.75	43.25	38.00	32.00	22.00	20.00

19. Section 1364.178 is amended by inserting the words "City of St. Louis" between the words "St. Louis" and the words "and Jefferson" in the fifth paragraph after the heading "Zone 5".

20. Section 1364.178 (c) is amended by adding a new item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	47.25	44.00	38.50	32.75	22.75	20.50

21. Section 1364.179 (c) is amended by adding a new item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	47.75	44.25	39.00	33.00	23.00	21.00

22. Section 1364.179 (c) is amended by adding a new item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	48.00	44.75	39.25	33.25	23.50	21.25

23. Section 1364.181 (c) is amended by adding a new item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	48.25	45.00	39.50	33.75	23.75	21.50

24. Section 1364.182 (c) is amended by changing the figures "25.00" at the head of the second column in the table to read "45.00" and by adding a new item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	48.75	45.25	40.00	34.00	24.25	22.00

25. Section 1364.183 (c) is amended by adding a new item to read as follows:

Item	Lamb			Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hotel rack—chine removed, blade bone out	49.00	45.75	40.25	34.50	24.50	22.25

26. Section 1364.185 (c) (3) is amended by changing the word "Common" in the heading and the body to read "Utility".

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4425; Filed, March 22, 1943; 12:14 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 16]

MEAT, FATS, FISH, AND CHEESES

Preamble: Why These Foods Are Being Rationed. This order rations meats, cheeses, canned fish, butter, oleomargarine, fats and oils. The reasons for rationing these foods are clear to all. The necessities of total war—the food requirements for our military forces and the shortage of manpower on the farms—have combined to create a scarcity in the supply of all these foods for civilians at home.

Under these circumstances there is no alternative but to see that these scarce and highly essential foods are distributed on a fair and equitable basis. Indeed in recent weeks there has been no question in anybody's mind as to the need to ration these foods—the only real problem was *how* to ration them. Rationing has had to wait merely until a fair and workable system could be set into operation.

Why These Foods Are Rationed in One Group

The foods controlled by this order represent a great variety of more or less closely related products. The word "meat", for example, covers not just one simple commodity, as does the word "sugar"—it refers to a large number of edible cuts from several kinds of animals. These cuts are not equally plentiful (there is only a limited amount of steak in every steer), and these cuts are not equally sought by all consumers. Millions of consumer choices govern the distribution of the various kinds and cuts of meats, as well as the sale of products which can be substituted for meats, such as canned fish and cheese. Obviously, no rationing system could hope to be successful if it disregarded these individual choices and attempted an equal distribution of every cut of meat, of every type of cheese and of our relatively scarce supplies of canned fish.

For these reasons the group or point system, which has already been employed for the rationing of canned fruits and vegetables, is naturally indicated as the best method for handling the rationing problems arising under this program. Under this system all related items that need to be rationed and that can effectively be rationed together are covered as a group, with a single set of point stamps for all. The point values of the various items can then be fixed according to their individual supply and their relationship to each other.

In developing the group or point plan for meats and fats, the question arose as to whether these foods should be regarded as forming one group or two. In many of their aspects, the two groups merge into one. Thus from the production or supply standpoint, meat products are converted not only into lard but also into oleomargarine. Oleomargarine in turn can be manufactured from either animal fats or vegetable oils, or both. In dealing with the production of meats and fats, we do not have two distinct supplies, but a single total or over-all supply which is, to some extent, divided into meats and fats according to the conditions of demand.

Even from the consumer standpoint, meats and fats are to a certain extent substitutes for one another. Some people get a great deal of their dietary needs for fats by eating fat meats; others prefer lean meats, and depend on butter, oleomargarine or vegetable fats for their fat needs.

It was therefore decided to treat meats and fats as a single interrelated group of foods, to be handled by one set of rationing controls and one set of rationing stamps. This plan makes for greater flexibility in the production of the various foods and also gives the housewife a larger freedom of choice in budgeting her rationing points to suit her family needs or preferences.

Aside from these considerations, the use of a single set of stamps has the advantage of simplicity and convenience. Obviously, it is more convenient for the consumer and for the trade to handle as few kinds of stamps as possible, and when the number of stamps can be reduced without damage to the basic purposes of rationing, this is a gain of no mean importance.

How the Program Operates

In its general mechanics, this program closely parallels the processed foods rationing program. The consumer is issued point stamps and gives them to the retailer when he buys the rationed goods—using only the points that are valid for a given period. The retailer turns over the points to the wholesaler when he replenishes his stock of goods. The points are either turned over in stamp form, or, if the retailer has a ration banking account, are deposited in the bank and the transfer is made by ration bank check. The wholesaler, who is required to operate a ration banking account, also gets his supplies through the transfer of points. When the packer or producer is reached, he turns over his point receipts to the Office of Price Administration.

Institutional users—restaurants and the like—will receive points in accordance with the provisions of the Institutional User Order. This means that the supplies they receive will represent a cut from past consumption like that which the ordinary consumer has to take because of rationing. Patrons of restaurants are not required to give up ration points in order to eat rationed foods.

Industrial users of rationed commodities will receive quotas of points from the local boards on the basis of their past use. Certain industrial consumers who use fats and oils for making inedible products will receive their allotments of points from the Department of Agriculture.

A number of changes from the general pattern have been made because of the character of the commodities covered by this program. Thus, because most of the items are perishable and no large inventories can be accumulated by the consumers or by retailers, there has been no general freeze on sales of all rationed items to let retailers build up inventory prior to the start of the program. Because perishability bulks so large in this program, and because no consumer registration is needed (since consumers already have their ration books) there is also no consumers' declaration of inventory on hand when rationing begins. Retailers and wholesalers get deliveries of the rationed items for the first two weeks of rationing without surrender of points, even though deliveries to consumers require points. In this manner, trade inventories can be built up while rationing is under way.

How Retailers and Wholesalers Operate

During the first two weeks of rationing, the retailer builds up his supply of points—his point capital for rationing operations—by taking in the points which his customers give him when they buy goods. At the end of that period, the retailer has both to buy and sell his points. During the fifth week of rationing (by which time it is assumed that rationing demands will have become relatively stable), the retailer keeps a record of his sales. He then registers with his rationing board and is given an "allowable inventory," based on those sales. If his actual inventory is excessive, he is required to return points to the Office of Price Administration, so that he cannot

tioned under this order must continue

ARTICLE III—HOME PRODUCERS

ARTICLE VI—RETAILERS—continued

ARTICLE XI—POINT-FREE TRANSFERS

ARTICLE XVII—RECORDS, REPORTS, AND

accumulate excessive stocks at the expense of his competitors.

The procedure for wholesalers is much the same. However, since the wholesaler makes deliveries to retailers during the first two weeks of rationing without receiving points, he has no opportunity to build up a point capital. He is, therefore, permitted to deposit in his bank account a point credit, calculated on the basis of his sales. During the fifth week of rationing, he keeps a record of his sales and then, like retailers, he registers with his local rationing board and is given an allowable inventory based on those sales. Like the retailer, he must return points matching any excessive inventory he may have.

How Small Business Is Protected Under the Rationing Program

As in previous rationing programs, the principle of an allowable inventory has been introduced for the purpose of insuring a fair distribution of business in rationed goods. Since under rationing the only way a tradesman can get goods is by giving up ration points or coupons, and since he needs to have goods in his shop in order to get these points or coupons, it is important that everybody have an equal opportunity to get goods and accumulate "ration capital" during the opening period. That is why an allowable inventory is set for each tradesman after the program has been in operation for a preliminary period. By this means, all tradesmen can get their fair share of the rationed goods for sale.

Furthermore, since retailers and wholesalers are required to give up points representing any excessive stocks they may have, no one can accumulate disproportionate inventories at the expense of his competitors or the public. Any retailer or wholesaler who finds himself handicapped in his opportunity to do business by too low an allowable inventory, can of course apply for an inventory adjustment, at any time.

Neither retailers nor wholesalers are required to register again, after their first registration on a simple form. Nor are they required to file any reports after that registration.

Special Provisions for Home Producers

Although consumers generally must surrender points to get meats, butter, and fats, a special but limited exception has been made for persons who slaughter their own livestock, or make lard or butter or other rationed foods for their personal consumption. Such persons need not surrender any points for the use of the goods they themselves produce. In addition, they are permitted to lend these foods to others, in limited amounts. Thus, the habit of pooling home production, existing in some sections of the country, can continue to operate under rationing.

How Producers and Processors (Primary Distributors) Operate

Slaughterers, packers, importers, processors and other producers of the foods rationed under this order must continue to make reports to the Office of Price Administration after they register, since they are the primary source of these foods and all rationed food must be accounted for.

In order to avoid unnecessary burdens, small primary distributors are permitted to report to their local boards, on a simplified form. The larger primary distributors report to the district offices, in somewhat greater detail.

Farmers who slaughter livestock for sale, or who produce lard and butter or other foods covered by the order for sale, are required to comply with the same regulations that govern other commercial primary distributors. They cannot make sales except for points, and they are required to register. However, they are generally entitled to use the simplified report forms for the months they operate. In order to permit farm slaughterer primary distributors to operate economically, the order allows them to sell to consumers for stamps which have not yet become valid. In this way, they can follow the practice of disposing of their primal cuts, to single consumers or families, before spoilage sets in.

§ 1407.3026. *Rationing of meats, fats, fish, and cheeses.* Under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942; Directive No. 1 and Supplementary Directive No. 1–M of the War Production Board, issued on January 24, 1942 and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and Food Directives No. 1, No. 3, No. 5, No. 6 and No. 7 issued by the Secretary of Agriculture, Ration Order No. 16 (Meat, Fats, Fish, and Cheeses), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1407.3026 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1–M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7.

RATION ORDER NO. 16—MEAT, FATS, FISH, AND CHEESES

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24.1 Definitions

Article I—Introduction[1]

SECTION 1.1 *Foods covered by this order.* (a) This order covers "meat", "canned fish", "rationed cheeses" and "rationed fats or oils".

(1) "Meat" means the carcass or any edible part of the carcass of cattle, calves, sheep, lambs or swine. It includes edible offal, bones and skins. It also includes any other edible product containing more than twenty per cent, by weight, of any of the above items.

[1] Words which are specially defined in this order are shown in quotation marks the first time they appear in each Article. Definitions are given in sec. 24.1 of the order.

(2) "Canned fish" means any of the following items, if packed in hermetically sealed containers: edible fish or shellfish or any edible part of them; fish roe, including caviar; any other edible product containing more than twenty per cent, by weight, of those items.

(3) "Rationed cheeses" include any natural cheese (but not "cream" or "cottage cheeses") and any other edible product containing thirty per cent or more, by weight, of natural cheese (other than cream or cottage cheeses). The term rationed cheeses does not include the items listed in an Appendix which will be issued as an amendment to this order.

(4) "Rationed fats or oils", which are defined in detail in section 24.1, include, among other products, "butter", "margarine", "lard", "cooking and salad oils" and "shortening". Mayonnaise, salad dressing, USP vitamin oils, fish liver oil, sperm oil and "fats" resulting from cooking done by "consumers" and "institutional users", are not included.

(b) No item which is a processed food covered by Ration Order 13 (8 F.R. 1840) or which is a pharmaceutical product, is rationed under this order, even if it comes within the above definitions.

(c) Puncturing or opening the container in which "canned fish" is packed, or merely removing it from the container, does not cause it to cease to be a "food covered by this order."

(d) When a "food covered by this order" is prepared for service and served, it is no longer considered a food covered by this order. Thus, a "person" who is served meat loaf in a restaurant, as part of a meal, is not getting a food covered by this order. Furthermore, when a food covered by this order has been used in making a product which is not rationed under this order, it ceases to be a food covered by this order. For example, butter may be used in baking peach pie—that pie, and the butter in it, are not food covered by this order.

SEC. 1.2 *Meat, cheese, and canned fish and fats and oils are rationed by the point system.* (a) All types of meat, rationed cheeses, canned fish and rationed fats or oils are rationed together, as a group, through the use of the point system of rationing. Each item is given a particular point value for each cut, pound or size in which it is sold. The point value of an article of these foods is the number of points that must be given up by any person who wants to get it, just as the money price of an article is the amount of money it costs. The point values will be fixed by the Office of Price Administration in a supplement to this order, containing the official tables of point values. These point values may be changed from time to time, as conditions require.

SEC. 1.3 *Form in which points are used.* (a) There are several forms of tokens or ration currency which represent points.

(b) The basic tokens are the red "stamps" in War Ration Book Two, which are designated by the Office of Price Administration to be used for the acquisition of all foods covered by this order. They are the form in which points are generally given up by "consumers."

(c) Other forms of ration currency authorized by the Office of Price Administration are "certificates" (OPA Form R–1201) and ration checks drawn on ration bank accounts. (During a limited period, credit authorizations, on OPA Form R–1608, may be used for deposit in ration bank accounts, but they are not used directly to get foods under this order.) A certificate is issued by the Office of Price Administration (or a person authorized by that office to issue it) and is worth the number of points stated on it. Ration checks are very much like ordinary checks. They are drawn on a bank account in which a person has deposited his points, just as an ordinary check is drawn on a bank account in which he has deposited his money.

Article II—Consumers

SECTION 2.1 *When a person is a consumer.* (a) Any "person" who buys or "acquires" "foods covered by this order" for his personal use or for use at a table at which he eats, is a "consumer". (When a person gets foods covered by this order in order to resell them or in order to use them in making other products for sale, he is not a consumer, since those are not personal uses. He is a consumer only so far as he does get foods covered by this order for personal use.)

SEC. 2.2 *Consumers may purchase after March 28, 1943 only for points.* (a) Beginning March 29, 1943, a consumer may buy or acquire foods covered by this order only by giving up points equal to the point value of the foods acquired. However, a consumer may exchange foods covered by this order with any other person for other such foods covered by this order of equal point value, without giving up points.

(b) Consumers may lend foods covered by this order to, or borrow them from, other consumers, and they may return borrowed foods. They may also acquire foods from other consumers for consumption at a common table with them. No points are to be given up for such transactions. (A transaction is not a loan if any charge is made.)

SEC. 2.3 *How points are given up by a consumer*—(a) *A consumer uses stamps.* A consumer gives up points, when he acquires foods covered by this order, by surrendering red "stamps" taken from his War Ration Book Two. A stamp is not good unless the book from which it is taken has a validation stamp properly placed on its cover, with the number of that book written across the validation stamp.

(b) *Stamps may be used only during fixed periods.* Each red stamp in War Ration Book Two is good for a limited time only and a consumer may use it only during that time. The letter printed on the stamp indicates the time when it may be used by a consumer. Stamps lettered "A", "B", "C", and "D", may be used only during the following periods:

Stamps	Time when they may be used
A----	March 29, 1943 to April 30, 1943, incl.
B----	April 4, 1943 to April 30, 1943, incl.
C----	April 11, 1943 to April 30, 1943, incl.
D----	April 18, 1943 to April 30, 1943, incl.

The other red stamps in War Ration Book Two may be used only during periods which will be fixed in a supplement to this order. These periods may be changed by the Office of Price Administration even after they have begun. A consumer who acquires "meat" from a "primary distributor" who holds a permit as a farm slaughterer under Food Distribution Order No. 27 of the Food Distribution Administration, may, however, give up, in addition to his currently valid stamps, stamps remaining in his War Ration Book Two which are not yet good, up to the total point value of the meat acquired.

(c) *General rules for the use of stamps by consumers.* A consumer must give up stamps worth exactly the point value of the foods covered by this order which he acquires, except that fractional amounts are to be handled in the way described in section 10.6. The number of points a stamp is worth is shown by the figure printed on it. Stamps must be given up at the time the foods are acquired. The stamps may be used by a consumer only if torn out of the war ration book in the presence of the person who is selling or transferring the foods. A stamp may be used only to get foods covered by this order for the consumer from whose book it is taken, or for use at a table at which he eats. If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have stamps of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept, stamps of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of loose one-point stamps. Loose one-point stamps may be used by a consumer to acquire foods covered by this order only if he has received the stamps in this way from his transferor. A transferor may accept loose one-point stamps from a consumer, unless he knows or has reason to believe that they were not acquired by the consumer in this way.

(d) *A consumer also uses certificates.* Any consumer to whom a "board" issues a "certificate" may use it to acquire foods covered by this order, just as the red stamps from War Ration Book Two are used. The number of points a certificate is worth, and the date when it expires, will be shown on that certificate. A consumer to whom a certificate has been issued must sign his name on the back before he may use it.

(e) *How mail order purchases are made.* A consumer who orders food covered by this order for delivery by mail may detach stamps from his War Ration Book Two and send them with his order. The stamps are good if the envelope in which they are enclosed is postmarked on or before the last day on which they may be used by a consumer, even if the seller does not receive them until after that date. If the seller cannot fill all or any part of the order, he will return a ration check for the difference. The consumer must exchange that check, at any board, for a certificate which he can then use to get foods covered by this order.

SEC. 2.4 *Consumers who need more foods covered by this order because of illness may apply for more points.* (a) Any consumer whose health requires that he have more foods covered by this order than he can get with War Ration Book Two, may apply for additional points. The application must be made, on OPA Form R–315, by the consumer himself or by someone acting for him, and may be made in person or by mail. The application can be made only to the board for the place where the consumer lives. He must submit with his application a written statement of a licensed or registered physician or surgeon, showing why he must have more foods covered by this order, the amounts and types he needs during the next two months, and why he cannot use unrationed foods instead.

(b) If the board finds that his health depends upon his getting more foods covered by this order, and that he cannot use or cannot get unrationed foods, it shall issue to him one or more certificates for the number of points necessary to get the additional foods covered by this order which he needs during the next two months.

SEC. 2.5 *Consumers who must purchase in quantity may apply for certificates.* (a) Some consumers may not be able to get foods covered by this order during the period when their stamps are good, either because of transportation difficulties, or because they live an unusually long distance from their market. Such a consumer may apply for a certificate in exchange for some or all of the red stamps in his War Ration Book Two, so that he can get the amount of foods to which he is entitled at a time when he is able to get them. The application must be made on OPA Form R–315, in person or by mail, to the board for the place where he lives. It must be made by the consumer himself or by someone acting for him.

(b) If the board finds that the consumer will suffer hardship because he cannot get the foods covered by this order to which he is entitled during the periods when his stamps are good (for the reasons set forth above, it may issue to him a certificate. The certificate may be for any number of points up to the value of the remaining red stamps in his War Ration Book Two. The board must remove from that book, and cancel, red stamps worth the amount of the certificate.

SEC. 2.6 *Service men on furlough may get certificates.* (a) A person in the Army, Navy, Marine Corps or Coast Guard of the United States, who is on furlough for three days or longer and who does not have a War Ration Book Two, may get a certificate for eight points for each three days (or fraction thereof) of his furlough. He may get such a certificate by presenting his leave papers to any board. The board must write on the leave papers its designation, a statement that it has issued a certificate, the amount of the certificate, and the date of issuance.

Article III—Home Producers

SECTION 3.1 *Home producers may consume what they produce and may lend limited amounts*—(a) *Points need not be given up.* Any "person" who produces any "food covered by this order" wholly from foods not covered by this order, (whether or not they are later processed) primarily for consumption in his own household, may consume what he produces and may let members of his family unit and those who eat at his table consume it, without giving up points.

(b) *Loans.* He may lend the food he so produced to any consumer, without the surrender of points. However, he may not lend a total of more than four hundred pounds of beef and veal together, one hundred and fifty pounds of any other meat, or twenty-five pounds of any other foods covered by this order, which he so produced in any one calendar year, under this section. Foods so loaned may not be sold by the person who receives them or by anyone else. (A transaction is not a loan if any charge is made.)

(c) *If the person is a primary distributor.* No primary distributor who reports or is required to report on OPA Form R–1606 may consume or lend foods pursuant to this Section without the surrender of points.

SEC. 3.2 *Consumers may purchase larger quantities of meat at a time from farm slaughterers.* (a) A primary distributor (other than one who reports or is required to report on OPA Form R–1606) who holds a permit as a farm slaughterer under Food Distribution Order No. 27, (Slaughter of Livestock) of the Food Distribution Administration may sell or transfer "meat" to a "consumer" in exchange for red "stamps" from his war ration book equal to the point value of the meat transferred, even though the stamps are not yet good. The primary distributor must not deposit in his ration bank account, if any, the stamps which are not yet good, but must enclose them with his report for the period during which he received them.

SEC. 3.3 *Consumers may arrange to have their food processed.* (a) Any consumer may bring any of his food covered by this order to another person to be processed (for example, to be cured, smoked or rendered) before it is consumed. When he gives the food to that person for processing he is entitled to receive from that person points equal to the point value of the food, and when he gets the food back after processing, he must give to that person points equal to the point value of the food he gets back.

Article IV—Primary Distributors

SECTION 4.1 *Explanation of the term primary distributor.* (a) Any "person" who has a "primary distributor establishment" is called a "primary distributor" as to that establishment. If he has more than one such establishment, he is considered a separate primary distributor as to each of them.

SEC. 4.2 *Explanation of the term primary distributor establishment.* (a) There are three main types of primary distributor establishments:

(1) A place where a "food covered by this order" is produced entirely from products not covered by this order (described in section 4.3);

(2) A place where an item or kind of food covered by this order is produced, by a processing operation, wholly or partly from another item or kind of food covered by this order (described in section 4.4);

(3) A place to which foods covered by this order are imported (described in section 4.5).

In certain cases, places at which no production or processing operations are performed are, for reasons of trade convenience, also considered primary distributor establishments. (These establishments are described in sections 4.7 and 4.9). The rules which determine whether a place is a primary distributor establishment are set forth in the sections which follow.

SEC. 4.3 *A place at which a food covered by this order is produced is a primary distributor establishment*—(a) *Meat; slaughtering.* Any place at which a person slaughters cattle, calves, sheep, lambs or swine, for sale or other "transfer", is a primary distributor establishment.

(1) If a person slaughters livestock himself, the place where he does so is his primary distributor establishment. Even if he has the slaughtering done for him by an agent or employee, the place where it is done is his primary distributor establishment, unless it comes within the following description:

(i) That place is another person's primary distributor establishment (because of other slaughtering done thereby or for that other person); and also

(ii) The agent or employee in question is that other person, or someone who works for that other person.

(b) *Canning fish.* Any place at which a person produces "canned fish", for sale or other transfer, is a primary distributor establishment. A person produces canned fish if he packs any of the items described in section 1.1 (a) (2) in hermetically-sealed containers.

(c) *Production of rationed fats or oils, or rationed cheeses.* Any place at which a person produces a "rationed fat or oil" or "rationed cheeses" for sale or other transfer, is a primary distributor establishment.

SEC. 4.4 *A place at which a food covered by this order is converted into another such food, is a primary distributor establishment.* (a) Any place at which a person, by processing, makes any item or kind of food covered by this order, wholly or in part from another item or kind of such food, for sale or other trans-

fer, is a primary distributor establishment.

(1) The term "processing" does not include cutting, grinding, boning, freezing, packaging or repackaging. It does, however, include curing, smoking, cooking, pickling, canning, blending, mixing, rendering, extracting, drying, dehydrating, or any other similar process by which an item or kind of food covered by this order is converted into another item or kind of such food. It also includes the manufacture of sausage, scrapple, souse and similar products.

(b) A place at which a person "acquires" and processes foods covered by this order is, however, not a primary distributor establishment as to any of those foods acquired and processed there if both of the following conditions are met:

(1) No foods covered by this order are produced there (other than by processing) and not more than five thousand pounds of foods covered by this order are processed there in any month; and

(2) More than fifty percent, by weight, of the transfers from there of all foods covered by this order are made to consumers; and

(3) More than fifty percent, by weight, of the foods covered by this order which were acquired and processed there are transferred from there to consumers, or to that person's own "institutional user establishment".

(For example, a delicatessen store, which buys "meat", cures it and sells most of it to consumers, is not a primary distributor establishment. This would be so even if the owner of the store transfers some of the cured meat to his own restaurant and uses it in meals he serves there. Such a store would not be a primary distributor establishment, even though foods covered by this order are processed there. It would be a "retail establishment".)

SEC. 4.5 *A place to which foods covered by this order are imported is a primary distributor establishment.* (a) Any place (including space in a public warehouse) to which a person imports foods covered by this order into the United States, from any place outside the United States, for sale or transfer, is a primary distributor establishment.

SEC. 4.6 *Place where foods covered by this order are produced or imported may be a primary distributor establishment as to foods not produced or imported there.* (a) A person may produce, process, or import foods covered by this order, at a particular price, for sale or transfer. He may also regularly keep there, for sale or transfer, foods covered by this order which he did not produce, process, or import there. That place is a primary distributor establishment, since foods are produced, processed or imported there. It would also be a retail or a "wholesale establishment" (depending on its operations) since foods not produced, processed, or imported there are regularly kept there for sale or transfer. However, if ninety percent or more, by weight, of all the foods covered by this order which are transferred from there, were produced, processed, or imported there, it is considered to be only a primary distributor establishment, as to all foods covered by this order held there for sale or transfer. In that case, it would not also be a retail or wholesale establishment.

SEC. 4.7 *A place where a person keeps foods may be a primary distributor establishment even if he does not produce or import there.* (a) Any place (including space in a public warehouse) at which a person regularly keeps foods covered by this order not produced, processed or imported there, for sale or transfer, is a primary distributor establishment as to those foods even though it does not meet the tests described in section 4.6, if both of the following conditions are met:

(1) He himself produced, processed or imported ninety per cent or more, by weight, of those foods; and

(2) More than fifty per cent, by weight, of the foods covered by this order which he keeps there are transferred from there to persons other than "industrial users", "industrial consumers", "institutional users", "retailers", or "consumers".

(b) There is also a general case in which a place where a person regularly keeps foods covered by this order which were produced, processed, or imported by someone else, is a primary distributor establishment as to those foods. If he uses ninety per cent or more, by weight, of those foods to make, by processing, other kinds or items of food covered by this order, the place where he keeps them is a primary distributor establishment. (For reasons of trade convenience, there is, in addition, a special rule covering certain places where "butter" or rationed cheeses are assembled. That rule is covered in section 4.9.)

(c) The rules set forth in this section apply whether or not the person also produces, processes or imports at that place foods covered by this order. The place is a primary distributor establishment as to any foods he produces, processes or imports there. This section, and sections 4.6 and 4.9, show when it is a primary distributor establishment as to foods he did not produce, process or import there.

SEC. 4.8. *A place is a single primary distributor establishment even if a person engages in several operations there.* (a) A place at which a person engages in more than one type of operation any one of which would make it a primary distributor establishment, is a single primary distributor establishment as to all such operations of that person. (Thus, if a person slaughters swine, renders "lard" and cures hams at the same place, that place is treated as a single primary distributor establishment of that person.) The only exception to this rule is covered in section 4.9 (c).

SEC. 4.9 *Butter and cheese assembly plant is a primary distributor establishment.* (a) Any place at which a person regularly keeps, for sale or transfer, stocks of butter or rationed cheeses which he did not produce, process or import there, is a primary distributor establishment, as to those stocks, if more than fifty per cent of them, by weight, is sold or transferred from there to persons other than industrial or institutional users, industrial consumers, retailers or consumers. However, if he keeps the stocks which are not transferred to persons other than the above, just to supply his own establishments, it is a primary distributor establishment only if it supplies:

(1) At least one of his primary distributor establishments; or

(2) At least four of his wholesale establishments.

(b) This section applies only to a place which would not be a primary distributor establishment as to those stocks under section 4.6 or section 4.7.

(c) A place to which this section applies is, for all the purposes of this order, a separate primary distributor establishment as to those stocks of butter or rationed cheeses.

SEC. 4.10 *A place where foods are produced or imported for use only is not a primary distributor establishment.* (a) A place at which a person produces, processes or imports foods covered by this order only for his personal, institutional or industrial use or for his use as an industrial consumer, (whether or not they will be used at that place), and not for sale or transfer in the form of foods covered by this order, is not a primary distributor establishment. The place does not become a primary distributor establishment because the person lends some of the foods to others, as permitted by section 3.1 (b), unless he loans more than the amount permitted by that section.

SEC. 4.11 *Primary distributors must register and file reports*—(a) *Registration.* Every primary distributor must register with the Office of Price Administration, by filing an additional copy of his first report, along with that report.

(b) *Reports.* Every primary distributor must file a report covering the operation of his primary distributor establishment during each reporting period ending on or after April 30, 1943. His first report must include his operations from March 29, 1943, to the end of his reporting period. If he has more than one primary distributor establishment, he must file a separate report for each. The report must be filed within fifteen days after the end of the reporting period it covers. A primary distributor may adopt any one of the following reporting periods:

(1) Calendar months; or

(2) Consecutive four week periods; or

(3) A system which divides the fiscal year into either four or five periods of five consecutive weeks and either seven or eight periods of four consecutive weeks.

The report must be signed by him or by his authorized agent, and is considered filed on time if the envelope in which it is enclosed is postmarked on or before the day it is due.

(c) *Form to be used.* A primary distributor who sold or transferred foods covered by this order worth $2,000 or more during any of his reporting periods from January 1, 1942 on, or who used points during the reporting period to "acquire" foods, or who imported such foods during that period, must report on OPA Form R–1606.

Any other primary distributor must report on OPA Form R–1609, but need not file a report for any reporting period during which he made no transfers of foods covered by this order (other than loans permitted by section 3.1 (b)). Once a primary distributor has reported on OPA Form R–1606, he must continue to use that form thereafter.

(d) *Information to be given.* A primary distributor must give all information called for by the form on which he reports. A primary distributor, required to report on OPA Form R–1606, must, among other things, report his inventory of rationed foods at the establishment covered by the report, at the beginning and end of the reporting period.

(e) *Inventory.* A primary distributor's inventory at his primary distributor establishment consists of all foods covered by this order which are physically located there or in transit to it, including foods which he holds there on consignment. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. He must, in that case, report the place where those foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Food stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

(f) *Place for filing report.* A primary distributor who reports on OPA Form R–1606, must file it with the district office for the place where his establishment is located. If he reports on OPA Form R–1609, he must file it with the "board" for that place.

(g) *Change in reporting period.* A primary distributor who wishes to change his reporting periods, by reason of a change in his accounting periods, may apply to the district office (or to the board) with which he files his reports, for permission to make the change.

The application must be made on OPA Form R–315, and must give the reasons for the change desired. The district office (or the board) shall act on the application according to the circumstances of the case.

SEC. 4.12 *Primary distributor may not do business if he does not file reports.* (a) No primary distributor may transfer or acquire any food covered by this order after any date on which a report is due from him, until he has filed that report.

SEC. 4.13 *A primary distributor must surrender to the Office of Price Administration all points he is not permitted to use.* (a) A primary distributor must give up to the Office of Price Administration, for cancellation, all points he receives for sales or transfers of foods covered by this order, except for points he uses for a purpose permitted by paragraph (c) or (d) of this section. He must attach to his report for each reporting period all points not so used which he received during that period for sales or transfers of such foods. If he has, or is required to have, a ration bank account, he must give them up in the form of a certified ration check (payable to the Office of Price Administration) drawn on his ration bank account. If he has no account, he must give them up in the form he received them.

(b) A primary distributor who has received "stamps" which are not yet valid, in the way permitted by section 3.2, must enclose those stamps with his report for the period in which he received them. He may not use or deposit them.

(c) A primary distributor may use points only for the following purposes:

(1) To acquire foods covered by this order, for the purpose of processing them;

(2) To acquire, for sale or transfer without processing, foods produced, processed or imported by someone else, in an amount up to (but not exceeding) ten per cent by weight of his total transfers from his primary distributor establishment during the reporting period;

(3) To acquire, for his primary distributor establishment, foods which he produced, processed or imported elsewhere;

[NOTE: It is not a primary distributor establishment as to those foods unless it meets the tests described in section 4.6 (a) or 4.7 (a). If it does not meet one of those tests, its points may not be used to acquire such foods, except as permitted by (1), (4) and (5) of this paragraph.]

(4) To return points for underdeliveries of foods, as permitted by section 10.9;

(5) To get back foods he transferred, if his transferee returns them to him.

(d) The points of a primary distributor establishment to which section 4.9 applies may, however, be used only for the following purposes:

(1) To acquire butter or rationed cheeses for that establishment;

(2) To return points for underdeliveries of butter or rationed cheeses as permitted by section 10.9;

(3) To get back butter or rationed cheeses transferred, if the transferee returns them.

SEC. 4.14 *Primary distributors may get points to acquire foods.* (a) A primary distributor who does not have enough points after April 10, 1943, to acquire foods covered by this order for a purpose permitted by section 4.13 (c) or (d), may, before May 1, 1943, deposit in his ration bank account a "credit authorization" on OPA Form R–1608, for the number of points he needs, up to the maximum permitted under the next paragraph. The credit authorization must be signed by him, or by his authorized agent, and he must give all the information it calls for. (Only one credit authorization may be deposited for any primary distributor establishment.)

(b) The maximum number of points for which a primary distributor may issue and deposit a credit authorization is three times the number of pounds of all foods covered by this order which he acquired during the first three months of 1943.

(c) A primary distributor who, after April 18, 1943, needs more points to acquire foods covered by this order, for a purpose permitted by section 4.13 (c) or (d), than he has available may apply for additional points. The application must be made, on OPA Form R–315, to the district office with which his reports must be filed. The application must show the number of points he has, the reason he needs more, the number he needs and the time for which he needs them. If the district office finds that he needs more points for one or more of the purposes described in section 4.13 (c) or (d), it may issue to him a certificate (OPA Form R–1201) for the number of points he needs. If it finds that he needs them temporarily only, it may fix a time within which he is to return the points, and he must then return them at or before the time fixed.

SEC. 4.15 *A primary distributor who has more than one establishment must operate them separately.* (a) If a primary distributor has more than one primary distributor establishment, they are treated and must be operated separately, for all the purposes of this order, just as if they were owned by different persons.

SEC. 4.16 *Primary distributors must keep records.* (a) Beginning March 29, 1943, every primary distributor must keep, at his primary distributor establishment, a record showing his production and processing, by weight, and his acquisitions and transfers, by weight and point value, of each of the following foods: meat, canned fish, rationed cheeses, butter, margarine, lard, shortening and cooking or salad oils.

(b) In addition, at the time of any change in the point value of any item of food covered by this order, every primary distributor must make and keep at his establishment, a record of the amount of the item he has in his inventory, and of its point value before and after the change.

Article V—Wholesalers

SECTION 5.1 *Explanation of the terms wholesaler and wholesale establishment.* (a) Any place (including space in a public warehouse) where a "person" who deals in "foods covered by this order" regularly keeps stocks of those foods for sale or "transfer" (other than as a "primary distributor"), is a "wholesale establishment", if fifty per cent or more of those stocks are transferred from there directly to persons other than "consumers". However, if he keeps the stocks which are not transferred to consumers,

just to supply his own establishments, it is a wholesale establishment only if it supplies:

(1) At least one of his wholesale establishments; or

(2) At least four of his "retail establishments".

(b) Any person dealing in foods covered by this order who has a wholesale establishment is called a "wholesaler", as to that establishment.

SEC. 5.2 *Wholesalers must register*—(a) *General.* Every wholesaler must register with the Office of Price Administration by filing two copies of OPA Form R–1602, at any time from May 3, 1943 to May 14, 1943, inclusive. Both copies of the form must be completed and signed by the wholesaler or his authorized agent. He must give all information called for by the form.

(b) *Filing by mail.* Where a registration form is filed by mail, it is considered filed on time if the envelope is postmarked on or before May 14, 1943.

(c) *Registration for single wholesale establishment.* A wholesaler who has only one wholesale establishment must file his registration with the "board" for the place where that establishment is located.

(d) *Registration for two or more wholesale establishments of the same person.* If a wholesaler has two or more wholesale establishments and has operated them separately under this order, just as if they were owned by different persons, he must either register each establishment separately on a separate OPA Form R–1602 or register all of them together on a single form, as he chooses. If he has not operated them separately under this order, he must register them together on the same form. (For example, he must register all of them together (1) if he has opened a single ration bank account for two or more of them; or (2) if he has drawn a ration check against an account serving one of them to "acquire" foods for another; or (3) if, after April 10, 1943, he transferred points, or foods covered by this order, from one to another without transferring foods or points of equal point value between them; or (4) if he elects to register them together when he files his credit authorization pursuant to section 5.7.)

(e) *Where and how a wholesaler who has two or more wholesale establishments must register.* If a wholesaler who has two or more wholesale establishments registers them together, he must furnish the required information for them on a single registration form and file two copies of that form with the board for the place where his principal business office is located. If he registers each of them separately, he must complete two copies of the form for each establishment and file them with the board for the place where that establishment is located.

(f) *Separately registered establishments are to be treated and operated separately.* If a wholesaler has more than one wholesale establishment and registers or is required to register them separately, each of those establishments is to be treated and operated separately for all the purposes of this order (including computation of allowable inventories), just as if the establishments were owned by different persons.

SEC. 5.3 *Wholesaler may not do business unless he has registered.* (a) No wholesaler may transfer or acquire foods covered by this order after May 14, 1943, until he has registered in the manner required.

SEC. 5.4 *Wholesalers must report their inventories.* (a) As part of his registration, a wholesaler must report, on OPA Form R–1602, the point value of his inventory of foods covered by this order at the close of business on May 1, 1943. If he has more than one wholesale establishment he must file a separate inventory report for each, whether or not they are registered separately. If any of his sales or transfers of foods covered by this order are not made from a fixed place (for example, if he sells foods from a mobile conveyance such as a truck) he need not file a separate inventory report for that conveyance.

(b) A wholesaler's inventory at his wholesale establishment consists of all foods covered by this order which are physically located at that establishment or in transit to it, including foods which he holds there on consignment. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. He must, in that case, report the place where those foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Foods stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

SEC. 5.5 *Wholesalers must report their sales and points on hand*—(a) *Sales and transfers.* A wholesaler must report, as part of his registration, the pounds of all foods covered by this order which were transferred by him from April 25, 1943 to May 1, 1943, inclusive. (If he has more than one wholesale establishment and they are registered together, he must report the total for all.) However, he is not to include in this report any exchanges of such foods, or transfers from one to another of his wholesale establishments, or to any other wholesale establishment. The report must show his sales and transfers separately of each of the following classes of foods covered by this order:

(1) Fresh and frozen "meats";

(2) "Shortening", "lard", "cooking or salad oil", "canned meats", "canned fish";

(3) All other foods covered by this order, including "rationed cheeses", "butter", "margarine", sausage and types of meats not described in (1) or (2).

(b) *Points on hand.* A wholesaler must also report, as part of his registration, the total number of points which he has available for acquiring foods covered by this order at the close of business on May 1, 1943. He must include all points which he has on hand, all in his ration bank account (except those for which ration checks are outstanding), all which he has already given up for foods not yet shipped to him, and all which he has not yet received for foods he has already shipped. However, he is not to include points he has received for foods which he has not yet shipped, or points he owes for foods already shipped to him.

SEC. 5.6 *A wholesaler is given an allowable inventory* — (a) *General.* Every wholesaler is entitled to an operating inventory, called an allowable inventory, which is based on his sales and transfers of foods covered by this order from April 25, 1943, to May 1, 1943, inclusive. This allowable inventory is stated in terms of points.

(b) *Amount of allowable inventory.* To get a wholesaler's allowable inventory, the number of pounds of foods in each of the three classes specified in section 5.5 (a) transferred by him from April 25, 1943 to May 1, 1943, inclusive, is multiplied by a factor fixed for that class by the Office of Price Administration in a supplement to this order. The numbers which result are added, and the total is his allowable inventory. Exchanges of such foods, and transfers from one to another of his wholesale establishments, or to any other wholesale establishment, must not be included in this computation.

(c) *Point inventory.* (1) In order to determine how large a stock of foods covered by this order, a wholesaler has and is in a position to get, it is necessary to find out two things:

(i) The point value of his inventory; and

(ii) The number of points he has available for acquiring such foods, since he can use these points to get additional stocks. These points include those referred to in section 5.5 (b).

(2) The sum of the above two figures at a particular time, shows the amount of foods covered by this order he has and can get at that time. That sum is called his point inventory.

(d) *When a wholesaler is entitled to a certificate.* If a wholesaler's point inventory at the close of business on May 1, 1943 is less than his allowable inventory, he is entitled to receive a "certificate" for the number of points needed to make up the difference. The certificate will be issued by the board with which he registers.

(e) *What a wholesaler must do if he has excess inventory.* If a wholesaler's point inventory at the close of business on May 1, 1943, is greater than his allowable inventory, the difference is excess inventory. He must, in that case, give up to the board, for cancellation, points equal to his excess inventory. Points for that amount must be forwarded with his registration. He must give up the points in the form of a certified check drawn on his ration bank account, made payable to the Office of Price Administration. A wholesaler who does not have enough points at the time of registration, may accumulate and forward them later, but he may not buy or acquire foods covered by this order until he has done so.

SEC. 5.7 *Wholesalers may deposit credit authorizations.* (a) A wholesaler who does not have enough points after April 10, 1943 to acquire foods covered by this order in sufficient quantity to give him an adequate working inventory, may, before May 1, 1943, deposit in his ration bank account a credit authorization on OPA Form R–1608 for the number of points he needs, up to the maximum permitted under the next paragraph. The credit authorization must be signed by him or by his authorized agent, and he must give all the information it calls for. No more than one credit authorization may be deposited for any wholesale establishment, or, if a wholesaler has more than one wholesale establishment and will register or is required to register them together, only one credit authorization may be deposited for all.

(b) The maximum number of points for which a credit authorization may be issued and deposited by a wholesaler is the sum of the following:

(1) The number of pounds of meat (excluding canned meat) sold or transferred by him during any calendar week chosen by him from the week beginning January 3, to the week ending April 3, 1943, multiplied by a factor fixed by the Office of Price Administration in a supplement to this order; and

(2) The number of pounds of all other foods covered by this order (including canned meat) which were sold or transferred by him during the calendar week chosen, multiplied by a factor fixed by the Office of Price Administration in a supplement to this order.

Exchanges of foods covered by this order, and transfers from one to another of his wholesale establishments, or to any other wholesale establishment, are not to be included in this computation.

SEC. 5.8 *Wholesalers must keep records.* (a) Every wholesaler must keep, at his wholesale establishment (or at his principal business office, if he has more than one and registers them together) a copy of his registration on OPA Form R–1602, and of any worksheets used by him in computing his allowable inventory, and his inventory.

(b) In addition, at the time of any change in the point value of any item of food covered by this order, every wholesaler must make a record of the amount, in pounds, of that item which he has in his inventory. The record must show the point value of the item before and after the change, and the amount by which the point value of his inventory was increased or decreased as a result. Even if he has more than one wholesale establishment registered together, he must make and keep such a record at each establishment.

(c) He must keep a record of his sales or transfers of foods covered by this order from April 25, 1943 to May 1, 1943, inclusive, according to the classes set forth in section 5.5 (a). The record is to separate from his other transfers, exchanges and transfers to wholesale establishments.

SEC. 5.9 *Wholesalers who sell to consumers must post table of point values.* (a) A wholesaler who makes sales or transfers to consumers at his wholesale establishment of foods covered by this order, must comply at that establishment with the provisions of section 10.4, as to the posting of the point values of the items he carries.

Article VI—Retailers

SECTION 6.1 *Explanation of the terms retailer and retail establishment.* (a) Any place (including space in a public warehouse) where a "person" who deals in "foods covered by this order" regularly keeps stocks of those foods for sale or "transfer" (other than as a "primary distributor") is a "retail establishment" if more than fifty percent of those stocks are sold or transferred from there directly to "consumers". It is also a retail establishment even if the amount sold or transferred to consumers is fifty percent or less, in the following case:

(1) If some of those stocks are transferred directly to consumers; and

(2) If the rest of those stocks are kept there just to supply his own establishments of any type; and

(3) If no "wholesale establishment", and not more than three retail establishments, are supplied from there.

(b) Any person dealing in food who has a retail establishment is called a "retailer" as to that establishment.

SEC 6.2 *Retailers must register.*—(a) *General* Every retailer must register his retail establishments with the Office of Price Administration at any time from May 3, 1943, to May 14, 1943, inclusive, on OPA Form R–1601. The registration form must be completed and signed by the retailer or his authorized agent. He must give all information called for by OPA Form R–1601.

(b) *Mailing* Where a registration form is filed by mail, it is considered filed on time if the envelope is postmarked on or before May 14, 1943.

(c) *Registration for single retail establishment.* A retailer who has only one retail establishment must file his registration with the "board" for the place where that establishment is located.

(d) *Registration for two or more retail establishments of the same person.* If a retailer has two or more retail establishments and has operated them separately under this order, just as if they were owned by different persons, he must either register each establishment separately on a separate OPA Form R–1601, or together on a single form. If he has not operated them separately under this order, he must register them together on the same form. (For example, he must register them together (1) if he has opened a ration bank account for two or more of them; or (2) if he has drawn a ration check against an account serving one of them to acquire foods for another; or (3) if, after April 10, 1943, he transferred points, or foods covered by this order, from one of his retail establishments to another of his retail establishments without transferring foods or points of equal point value between them.)

(e) *Where and how a retailer owning two or more retail establishments must register.* If a retailer who has two or more retail establishments registers them together, he must furnish the required information for them on a single registration form and file that form with the board for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the board for the place where that establishment is located.

(f) *Separately registered establishments are to be treated and operated separately.* If a retailer has more than one retail establishment and registers them separately, each of those establishments is to be treated and operated separately for all the purposes of this order (including computation of allowable inventories), just as if the establishments were owned by different persons.

SEC. 6.3. *A retailer may not do business unless he has registered.* (a) No retailer may transfer or acquire foods covered by this order after May 14, 1943, until he has registered in the manner required.

SEC. 6.4 *Retailers must report their inventories.* (a) As part of his registration, a retailer must report, on OPA Form R–1601, the point value of his inventory of foods covered by this order at the close of business on May 1, 1943.

(b) A retailer's inventory at his retail establishment consists of all foods covered by this order which are physically located at that establishment or in transit to it, including foods which he holds there on consignment. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. He must, in that case, report the place where the foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Foods stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

SEC. 6.5 *Retailers must report their sales and points on hand*—(a) *Sales and transfers.* A retailer must report, as part of his registration:

(1) The point value of all foods covered by this order which were transferred by him from April 25, 1943, to May 1, 1943, inclusive. If he has more than one retail establishment and they are registered together, he must report the total for all. However, he shall not include in his report any exchanges of foods, or transfers of them from one to another of his retail establishments, or to any other retail establishment; and

(2) The total number of points which he has available for acquiring food at the close of business on May 1, 1943. He must include all points which he has on hand, all in his ration bank account, if any (except those for which ration checks are outstanding), all which he has already given up for food not yet shipped to him, and all points which he has not yet received for foods he has already shipped. However, he is not to include points he has received for foods which he has not yet shipped, or points he owes for foods already shipped to him.

SEC. 6.6. *A retailer is given an allowable inventory*—(a) *General.* Every retailer is entitled to an operating inventory, called an allowable inventory, which is based on his sales and transfers of foods covered by this order from April 25, 1943 to May 1, 1943, inclusive. This allowable inventory is stated in terms of points.

(b) *Amount of allowable inventory.* To get a retailer's allowable inventory, the points received or receivable for all foods covered by this order transferred from his retail establishment from April 25, 1943 to May 1, 1943, inclusive, are multiplied by three. The result is his allowable inventory. Exchanges of foods, and transfers of them from one to another of his retail establishments, or to any other retail establishment, must not be included in this computation.

(c) *Point inventory.* (1) In order to determine how large a stock of foods covered by this order, a retailer has and is in a position to get, it is necessary to find out two things:

(i) The point value of his inventory; and

(ii) The number of points which he has available for acquiring food, since he can use those points to get additional stocks. These points include all those referred to in section 6.5 (a) (2).

(2) The sum of the above two figures, at the close of business on May 1, 1943, shows the amount of foods covered by this order he has and can get at that time. That sum is called his point inventory.

(d) *When a retailer is entitled to a certificate.* If a retailer's point inventory at the close of business on May 1, 1943, is less than his allowable inventory, he is entitled to receive a "certificate" for the number of points needed to make up the difference. The certificate will be issued by the board with which he registers.

(e) *What a retailer must do if he has excess inventory.* If a retailer's point inventory at the close of business on May 1, 1943, is greater than his allowable inventory, the difference is excess inventory. He must, in that case, give up to the Office of Price Administration, for cancellation, points equal to his excess inventory. Points for that amount must be forwarded with his registration. He must give up the points in the form of "stamps" or certificates, or, if he has a ration bank account, in the form of a certified check drawn on that account made payable to the Office of Price Administration. A retailer who does not have enough points at the time of registration may accumulate and forward them later, but he may not buy or acquire foods covered by this order, until he has done so.

SEC. 6.7 *Retailers may apply for emergency inventory adjustments during April 1943.* (a) Any retailer who finds, during the period from April 11, 1943, to May 1, 1943, inclusive, that he does not have an adequate stock of foods to meet demands under rationing, may apply for an adjustment. A retailer who has only one retail establishment must apply to the board for the place where that establishment is located. If he has more than one retail establishment, he must apply to the board for the place where his principal business office is located. However, if he will register his establishments separately, he may apply, for each establishment for which he requests an emergency adjustment, to the board for the place where that establishment is located. The application is to be made on OPA Form R–315, and must show the approximate point value of his stocks of foods covered by this Order, the point value of his sales or transfers, and the size of the inventory which he needs. The board may call upon him for any other information which it finds necessary in order to act upon the application.

(b) If the board finds that he does not have adequate stocks of foods, it may issue to him a certificate for the number of points needed to bring his stocks up to an adequate working level.

(c) An adjustment may be granted under this section only during the period from April 11, 1943 to May 1, 1943, inclusive.

SEC. 6.8 *Retailers must keep records.* (a) Every retailer must keep at his retail establishment a copy of his registration for that establishment. If he has more than one retail establishment and has registered them together, he must keep the copy at his principal business office. He must also keep there any work sheets used by him in computing his allowable inventory and his inventory.

(b) In addition, at the time of any change in the point value of any item of food covered by this order, every retailer must make a record of the amount, in pounds, of that item which he has in his inventory. The record must show the point value of the item before and after the change, and the amount by which the point value of his inventory was increased or decreased as a result. He must keep this record at the place where he keeps the copy of his registration. Even if he has more than one retail establishment and they are registered together, he must make and keep such a record at each establishment.

(c) A retailer who processes foods covered by this order but who is not a primary distributor (because of the provisions of section 4.4 (b)) must keep a record of the amount and type of food covered by this order which he uses for processing, and the amount, point value and type of the item he produces by processing.

(d) Every retailer must also keep a record of the point value of the foods covered by this order transferred from his retail establishment during the week from April 25, 1943 to May 1, 1943, inclusive. The record is to separate from his transfers, exchanges and transfers to retail establishments.

SEC. 6.9 *Retailers must Post Point Prices.* (a) Beginning March 29, 1943, every retailer must post the Official Tables of Consumer Point Values (OPA Forms R–1313 and R–1611) covering the items he sells, in his retail establishment in such manner that they can be plainly seen and read by customers. If he sells from a truck or other mobile conveyance, the tables must be posted in it. If a retailer carries any item for sale or transfer in a form in which it appears on the Official Table of Trade Point Values (OPA Form R–1612) and does not appear on either consumer point value table, he must keep the Official Table of Trade Point Values available for inspection by his purchasers.

(b) Every retailer must also post, at the place where he displays the items of foods covered by this order which he sells to his customers, the point value of every item of such food which he carries. The point value must be posted, in such manner that it can be plainly seen and read by consumers, in one or more of the following ways:

(1) On the item itself; or

(2) On the shelf or other place where the item is kept; or

(3) On a list attached to, or posted next to, the shelf or other place where the item is kept.

SEC. 6.10 *Up to May 31, 1943, retailer may sell at lower point value foods in imminent danger of spoilage.* (a) If any foods covered by this order which a retailer has in his inventory are in imminent danger of spoilage and he finds, in good faith, that he cannot dispose of them at their regular point value quickly enough so that they can be used before they spoil, he may sell or transfer them at less than their regular point value. He must, in doing so, comply with the conditions and follow the procedure set forth in this section. This authorization does not, however, apply after May 31, 1943, and no retailer may sell any item below its regular point value, under any condition, after that date.

(b) A retailer may reduce the point value of a food covered by this order when permitted by this section, only to the extent necessary to dispose of it before it spoils.

(c) Whenever a retailer sells or transfers an item of food covered by this order at less than its regular point value, he must sell or transfer that item so long as he has it on hand to any person who is willing to buy or acquire it at that reduced point value which he has posted for it. He must also post a notice where it may be clearly seen and read by his customers showing:

(1) The item that he is selling at the lower point value;

(2) The point value is at which he intends to sell it;

(3) That he is selling that item at less than its regular point value to prevent spoilage.

(d) If a retailer sells or transfers a food covered by this order at less than the regular point value he must make a written report (by postcard or otherwise) within twenty-four hours after he begins to transfer it at the lower point value, to the board for the place where his establishment is located. The report must be signed by the retailer or his authorized agent, and must show:

(1) The name and address of the establishment at which the food is being transferred at less than its regular point value;

(2) The particular reasons why the food is being transferred at less than its regular point value;

(3) The quantity and type of food involved.

(e) (1) Within four days after he began to transfer the food at less than its regular point value he must make a further report in writing (by postcard or otherwise) to that board, showing:

(i) The name and address of the establishment at which the food was transferred at less than its regular point value;

(ii) The types and quantity of food sold or transferred at the lower point value;

(iii) The total point value of the food so transferred.

(2) If he has made such a sale or transfer to any person other than a consumer, he must also report to the board:

(i) The name and address of the buyer or transferee;

(ii) The type and quantity of food sold or transferred to him;

(iii) The number of points received from him for that food.

(f) Any person other than a consumer who buys or acquires foods covered by this order at less than their regular point value, and who resells or retransfers them at a higher point value than that at which he bought or acquired them, must surrender the excess points to his board.

(g) A retailer who sold or transferred a food covered by this order at less than its regular point value may apply, on OPA Form R–315, for a certificate to replace the points by which his point inventory was reduced as a result of such transfers. The application must be made to the board for the place where his establishment is located, and must be signed by the retailer or his authorized agent. It must show the time when he made such transfers, the regular point value of the foods so transferred, and the number of points received for them. If the board finds that his point inventory was reduced by such transfers, it shall issue a certificate for the number of points by which it was reduced. However, no retailer may receive points under this section to replace point losses during any month in excess of two per cent of his allowable inventory. This paragraph does not apply to transfers made between March 29, 1943, and April 10, 1943, inclusive. Application to replace point losses must be made at or after registration. No application to replace point losses may be made after 30 days from the close of the month in which the point losses occurred.

(h) If a retailer suffers a point loss because, between April 11, 1943, and May 1, 1943, inclusive, he sold or transferred foods covered by this order at less than their regular point value, he must include the points so lost as part of his point inventory held at the close of business on May 1, 1943.

Article VII—Industrial users and industrial consumers

SECTION 7.1 *Explanation of the terms industrial use, industrial user, and industrial user establishment.* (a) Any use by a "person" of "foods covered by this order" in producing or manufacturing, for sale or "transfer", a food for human consumption, which is not covered by this order, or a pharmaceutical to be taken internally by humans or animals, is an "industrial use". (For example, use by a bakery of "shortening" in making bread, is an industrial use.) Industrial use also includes the use of a food covered by this order for experimental purposes. If a food covered by this order is used in producing or manufacturing a product which is neither a food covered by this order, nor a food for human consumption, nor a pharmaceutical to be taken internally by humans or animals, and if the use is not for experimental purposes, such use is not an industrial use, but is "industrial consumption". (The way foods covered by this order may be "acquired" for industrial consumption is covered in sections 7.10 and 7.11.) Moreover, the use of foods covered by this order in the preparation of food for service, or in the service of food, to "consumers", is an "institutional use", and not an industrial use. (An "institutional user" may obtain allotments of foods, and may use such foods, only in accordance with the provisions of General Ration Order 5.)

(b) Any place where a person makes an industrial use of foods covered by this order is an "industrial user establishment", and any person who has such an establishment is called an "industrial user" as to that establishment. An industrial user who ceases to make an industrial use of foods (other than temporarily) is not regarded as an industrial user after he ceases.

SEC. 7.2 *Industrial users must register*—(a) *General.* Every industrial user who operated his industrial user establishment at any time from January 1, 1942 to March 19, 1943, inclusive, must register that establishment with the Office of Price Administration, at any time from March 29, 1943, to April 10, 1943, inclusive, on OPA Form R–1605, in duplicate. The registration form must be completed and signed by the industrial user or his authorized agent. If he has more than one industrial user establishment, he must either register each establishment separately, on a separate form, or he must register them together on a single form. If he has more than one industrial user establishment, and registers them separately, each of those establishments is to be treated and operated separately for all the purposes of this order (including computation of allotments and quarterly period use) just as if the establishments were owned by different persons. If he registers them together, they are treated as a unit, for those purposes.

(b) *Place where registration must be filed.* The registration form must be filed, in person or by mail, with the "board" for the place where his principal business office is located. However, if he has more than one industrial user establishment, and registers them separately, the registration form for each must be filed with the "board" for the place where it is located. He must give all information called for by the form.

SEC. 7.3 *Industrial user may not do business unless he has registered.* (a) No industrial user may "acquire" or use foods covered by this order after April 10, 1943, until he has registered and been given an allotment under this order.

SEC. 7.4 *Industrial users must report their inventories.* (a) As part of his registration, an industrial user must report his inventory of foods covered by this order, at the close of business on March 28, 1943. If he has more than one industrial user establishment and registers them together, he must report his total inventory for all his establishments on the same registration form.

(b) An industrial user's inventory at his industrial user establishment consists of all foods covered by this order which are physically located at that establishment, or in transit to it. He may, however, assign to and include in the inventory of one of his industrial user establishments foods physically located at or in transit to another of his industrial user establishments. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. If he includes in the inventory of an industrial user establishment any foods not physically located at or in transit to it, he must report the place where those foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Foods stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

SEC. 7.5 *Industrial users must report their use of foods during certain quarterly periods.* (a) As part of his regis-

tration, an industrial user must also report the number of pounds of foods covered by this order, by groups, of which he made an industrial use at his industrial user establishments during 1942. These groups will be fixed by the Office of Price Administration in a supplement to this order. The report must show the amount he used during each of the following quarters in 1942:

(1) *Second quarter:* April to June, inclusive;

(2) *Third quarter:* July to September, inclusive;

(3) *Fourth quarter:* October to December, inclusive;

(4) *First quarter:* January to March, inclusive.

(b) If an industrial user establishment was not in operation for a full quarter, his industrial use of foods covered by this order at the establishment during that quarter is fixed, for all the purposes of this order, in the following way:

(1) *If it was in operation during a part of the quarter.* (i) The amount of foods covered by this order so used there by him during that part of the quarter is determined;

(ii) That amount is divided by the number of days it was in operation during the quarter;

(iii) The result is multiplied by the number of days the establishment would have been operated during the quarter, if it had been a normal period of operations;

(iv) The resulting figure is treated as the amount so used during the quarter.

(2) *If it was not in operation at all during the quarter but was in operation in any other part of 1942.* (i) The amount of foods covered by this order so used there by him during all of 1942 is determined;

(ii) That amount is divided by the number of days it was in operation during 1942;

(iii) The result is multiplied by the number of days the establishment would have been operated during the quarter, if it had been a normal period of operations;

(iv) The resulting figure is treated as the amount so used during the quarter.

(3) *If it was not in operation at all during 1942, but was in operation at some time between January 1, 1943 and March 19, 1943, inclusive.* (i) The amount of foods covered by this order so used there by him between January 1, 1943 and March 19, 1943, inclusive, is determined;

(ii) That amount is divided by the number of days it was in operation between January 1, 1943 and March 19, 1943, inclusive;

(iii) The result is multiplied by the number of days the establishment would have been operated during the quarter, if it had been a normal period of operations;

(iv) The resulting figure is treated as the amount so used during the quarter. (If an industrial user's establishment was not in operation at any time from January 1, 1942 to March 19, 1943, inclusive, he is treated as a new industrial user as to that establishment under the provisions of section 13.3).

(d) The rules set forth under (1) and (2) of the last paragraph do not apply where an industrial user's establishment was not in operation during all or part of a quarter because of a normal seasonal shutdown or for any similar reason. Where that is so, it is assumed that conditions will be the same during the corresponding period in 1943 and the allotment must depend upon his actual industrial use during the quarter.

SEC. 7.6 *Allotments for industrial users.*—(a) *General.* An industrial user is given an allotment to enable him to get and use foods covered by this order at his industrial user establishment. Allotments are given for fixed periods, called allotment periods. The allotment periods are: from April 1, 1943 through June 30, 1943; July 1, 1943 through September 30, 1943; October 1, 1943 through December 31, 1943; January 1, 1944 through March 31, 1944.

(b) *Application for allotments.* An industrial user's registration is treated as an application for his first allotment. His application for subsequent allotments must be made, in person or by mail, to the board with which he is registered. No particular form need be used for such an application. The application must be made not more than fifteen (15) days before, nor more than five (5) days after, the beginning of the period. The board may permit the application to be made at any time during the month preceding an allotment period under such circumstances as the "Washington Office" may direct. The board, in its discretion, may also permit an application to be made at any time within the allotment period, but if it is made more than five days after the beginning of the period, the industrial user's allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time he applies.

[NOTE: An industrial user is permitted to use foods covered by this order only up to the amount of his allotments. He needs allotments even if his stocks are sufficient, since his allotments establish his right to use these foods—they are not just a method by which he gets them.]

(c) *Amount of allotment.* An industrial user's allotment is determined on the basis of his total industrial use of foods covered by this order at his industrial user establishments during the quarter in 1942 corresponding to the allotment period. The Office of Price Administration will fix, in a supplement to this order, a factor for each of several groups of foods covered by this Order. The number of pounds of foods in each group he used during the quarter is multiplied by the factor fixed for that group. The resulting numbers are added, and the total is his allotment, stated in points. (The factor is fixed in such a way that it gives an allotment which fairly represents the average point value of the foods covered by this order and the reduction required as a result of the scarcity of those foods.)

(d) *Right to a certificate; excess inventory.* (1) An industrial user is entitled to get and use foods covered by this order up to the amount of his allotment. Therefore, he is given a certificate for the number of points he needs in order to get that amount. However, if he has stocks on hand, he can use them under his allotment and therefore needs fewer points. For that reason the point value of his inventory at the close of business on March 28, 1943, must be deducted. (The method of determining his inventory at the close of business on March 28, 1943 is covered by section 7.4.)

(2) If the point value of an industrial user's inventory is less than his allotment, he is entitled to get from the board with which he registers, a certificate for the number of points needed to make up the difference.

(3) If the point value of an industrial user's inventory is greater than his first allotment, the difference is excess inventory. If an industrial user has excess inventory he is not entitled to receive a certificate until it has been absorbed by his allotments. At that time, he is entitled to get a certificate for the difference.

(e) *Issuance of certificates.* Only one certificate will be issued by the board, for the full number of points to which an industrial user is entitled, except that if he has more than one industrial user establishment and has registered them separately, he is to get a separate certificate for each, since separately registered establishments are treated separately.

(f) *Report of point-free acquisitions.* An industrial user who acquires foods covered by this order, after March 28, 1943, without giving up points, and who is not required by any other provision of this order to account for or turn over to the Office of Price Administration points for the point value of the foods so acquired, must report such acquisitions and the amount acquired, when applying for his next allotment. The point value of the amounts so acquired shall be treated as excess inventory.

(g) *Accounting for errors.* If an industrial user receives an allotment larger than he is entitled to receive, as a result of an error, omission, or mistake made in his application or by his board, the amount of the excess shall be treated as excess inventory.

(h) *Industrial users who have unbalanced stocks.* If an industrial user is not entitled to receive a certificate because he has excess inventory, but finds that he does not have an adequate stock of a particular kind of food covered by this order, he may apply to the board with which he is registered, on OPA Form R-315, for a certificate to enable him to get that kind. The application must show the kind and amount of food which he needs and the reasons he needs it. The board may call upon him for any other information which it finds necessary in order to act upon the application. If the board finds that he does not have an adequate stock of the particular food, it may issue to him a certificate for the number of points needed, up to one-third of his allotment for that period. The points so issued must be treated as excess inventory. The granting of the application shall not be treated as an increase in his allotment. The board may grant only one such application for an industrial user.

SEC. 7.7 *Late registrants lose part of their allotment.* (a) If an industrial user was in operation at any time from January 1, 1942 to March 19, 1943, inclusive, but failed to register at the time required, the board may permit him to register and apply for an allotment at a later date. In his registration, he must report his inventory of foods covered by this order, at the close of business on March 28, 1943.

(b) His allotment is computed in the same way as that of an industrial user who registered on time. However, unless he shows good cause for his failure to register on time, his allotment is to be reduced in proportion to the part of the allotment period which had elapsed at the time he registered and he may not receive an allotment for expired allotment periods.

SEC. 7.8 *Restrictions on use of foods by industrial users.* (a) No industrial user may use, during an allotment period, more foods covered by this order than his allotment for that period plus any unused part of his allotments for earlier periods. He may also use foods up to the amount of an allotment for any future period, at any time after he has been granted that allotment.

(b) No industrial user may use, for any purpose except an industrial use, foods covered by this order which are included in his industrial user inventory at the close of business on March 28, 1943, or which he acquired with points he received as an industrial user.

SEC. 7.9 *Industrial users must keep records.* (a) Every industrial user must keep copies of all his industrial user registrations at his principal business office. In addition, if he has more than one industrial user establishment, he must keep, at each establishment, a record of its inventory at the close of business on March 28, 1943. He must also preserve his records showing his use of foods covered by this order during the quarters reported in his registration.

(b) In addition, an industrial user must keep a record of the amount of foods covered by this order which he acquires and the date of acquisition, and the amount of such food used, at each of his industrial user establishments during each allotment period.

SEC. 7.10 *Explanation of the terms industrial consumption, and industrial consumer.* (a) "Industrial consumption" means any use (other than a use for experimental purposes) of a food covered by this order in the production or manufacture of a product which is not any of the following:

(1) A food covered by this order; or

(2) A food for human consumption; or

(3) A pharmaceutical to be taken internally by humans or animals.

(For example, if a manufacturer uses "lard" in making cold cream, that use is called industrial consumption. "Industrial use" and "industrial consumption" are distinguished in section 7.1.)

(b) Any person who engages in industrial consumption (of a food covered by this order) is called an "industrial consumer".

SEC. 7.11 *Industrial consumers may apply for points to acquire foods.* (a) An industrial consumer who needs "rationed fats or oils", (other than for the purpose of making a pharmaceutical which is not taken internally by humans or animals), may apply, in writing, to the Fats and Oils Section, Food Distribution Administration, Washington, D. C., for permission to acquire and use them. If the application is granted, a certificate will be issued to the applicant by the Administrator of the Food Distribution Administration.

(b) If an industrial consumer needs any foods covered by this order, other than rationed fats or oils, or if he needs rationed fats or oils to make a pharmaceutical not taken internally by humans or animals, he may apply, on OPA Form R-315, to the district office for the place where his principal business office is located, for a certificate with which to acquire them. The application must show the kind and amount of the food needed, and the purpose for which it is to be used. He must also give any additional information the district office may request. The district office will send the application to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

(c) An industrial consumer to whom a certificate is issued for industrial consumption may use it only to acquire the foods for which he applied, and may use those foods only for the purpose for which his application was granted.

Article VIII—Combined Operations and Combined Establishments

SECTION 8.1 *A person who operates different types of establishments is treated as if he were different persons.* (a) (1) The same "person" may operate different kinds of establishments. He may have, for example, both a "wholesale establishment" and a "retail establishment." For the purposes of this order, he is both a "wholesaler" and a "retailer," since he has establishments of both kinds. The provisions of this order dealing with retailers apply to him as far as the operation of his retail establishment is concerned. The operation of his wholesale establishment is regarded as separate and is governed by the provisions dealing with wholesalers. Thus, he is treated as if he were two persons.

(2) This rule also applies to the way in which a person who is both a wholesaler and a retailer must handle the points he gets in connection with his wholesale and his retail establishment. The only points he may use as a retailer are those he gets in connection with his retail establishment. If he "transfers" food from his wholesale establishment to his retail establishment, points he has as a retailer must be given up. When those points are given up to his wholesale establishment, they become points he has as a wholesaler. Points he has as a retailer must be kept and handled separately from the points he has as a wholesaler.

(3) The same rules apply to a person who has other types of establishments, such as "primary distributor establishments" or "industrial user establishments."

(b) Where a person has establishments of more than one kind, he must operate them as if each separate kind belonged to a separate person, as far as the provisions of this order are concerned. All dealings between establishments of different kinds operated by the same person are treated just as if those establishments were operated by different persons.

SEC. 8.2 *The same person may be both a wholesaler (or retailer) and an industrial user at the same place.* (a) A person may keep stocks of "foods covered by this order", at a place, for sale or other transfer, and may also use such food at that place for the production of a food which is not rationed by this order. (For example, he may sell "butter" at a particular place and may also operate a bakery there and use butter in baking pies.) In a case of this type, the place is treated as two establishments. If food is transferred from there, it may be a retail or a wholesale establishment, depending upon the facts. It would also be an industrial user establishment, since food is used there in baking pies for sale.

(b) A place of the type described in the last paragraph must be registered as a retail or wholesale establishment, depending upon which it is. Its sales or transfers of food, and its stocks held for sale or transfer, must be included in that registration. It must also be registered as an industrial user establishment, and its stocks held for such use must be included in the industrial user registration.

SEC. 8.3 *The same person may be both a wholesaler (or retailer) and an institutional user at the same place.* (a) If, in the case described in the last section, the person operated a restaurant at that place, as well as (or instead of) a bakery, it would also be an "institutional user establishment." (Restaurants are covered by General Ration Order 5 and are called institutional user establishments in that order.) A place of that type must be registered under General Ration Order 5. Its restaurant activities and its stocks of food held for restaurant use must be included in that registration.

SEC. 8.4 *The same person may be both a primary distributor and a wholesaler (or retailer) at the same place.* (a) A person may produce or import food covered by this order at a particular place, for sale or transfer. He may also regularly keep at that place, for sale or transfer, food which he did not produce or import there. In such a case, that place is a primary distributor establishment, as to the food produced or imported there. If it does not meet the tests of sections 4.6, 4.7 or 4.9, it would also be a

retail or wholesale establishment, depending upon the facts, since he regularly keeps there, for sale or transfer foods produced or imported somewhere else.

(b) A place of the type described in the last paragraph must be registered as a primary distributor establishment. It must also be registered as a wholesale or retail establishment, depending upon which it is. Its production or imports, and its stock and shipments of food produced or imported there, must be included in the primary distributor report. The stocks which were produced or imported elsewhere (to the extent that they do not come within sections 4.6, 4.7 or 4.9) and its sales and transfers of those stocks, must be included in the wholesaler or retailer registration.

SEC. 8.5 *The same place may be more than one establishment.* (a) The situations described in the last four sections are examples of the rule that the same place may be more than one establishment, depending upon the type of business or operations carried on there. Wherever the operations at a place are such that it is more than one establishment, it is treated just as if each of those establishments were located at a different place.

(b) No place can, however, be both a retail and a wholesale establishment of the same person. Under the definitions of retail and wholesale establishments, the place may be one or the other, but not both.

(c) The word establishment, as it is used in this order thus covers the operations at a place, as well as the place itself. Where a person such as a wholesaler or a retailer, does not operate from any fixed place, his wholesale or retail operations as a whole are regarded as a single establishment.

Article IX—Ration Bank Accounts

SECTION 9.1 *A ration bank account is an account in which points are deposited.* (a) A ration bank account is a bank account very much like an ordinary checking account. A "person" who opens a ration bank account deposits in it points he receives, and issues checks drawn on it for points he uses. These checks are called ration checks. (The general rules for the opening, closing and use of ration bank accounts are covered by General Ration Order 3A.[1])

SEC. 9.2 *Who must open a ration bank account*—(a) *Primary distributors.* Every "primary distributor" who transferred "foods covered by this order" worth $2,000 or more during any of his reporting periods from January 1, 1942 on, or who uses points to "acquire" foods covered by this order, or who imports such foods, must open a seperate ration bank account for each of his "primary distributor establishments." Any other primary distributor may open an account if he wishes, but is not required to do so. No ration bank account may be opened or used for more than one primary distributor establishment.

[1] 8 F R. 1130, 1449, 1963.

(b) *Wholesalers.* Every "wholesaler" must open a ration bank account for his "wholesale establishment." If he has more than one wholesale establishment and they are to be registered separately, he must open a separate account for each. If they are to be registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account.

(c) *Retailers.* Every "retailer" whose gross sales of all foods during December 1942 were over $5,000, or who has more than one "retail establishment," must open a ration bank account. If he has more than one retail establishment and they are to be registered separately, he must open a separate account for each. If they are to be registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account. Any other retailer may open an account if he wishes, but is not required to do so.

(d) *Mail order houses.* Any primary distributor or retailer who receives "stamps" or "certificates" from and who makes "transfers" to "consumers" by mail, must open a ration bank account.

(e) *Industrial users.* An "industrial user" is entitled to open a ration bank account, but is not required to do so. If he has more than one "industrial user establishment" and they are registered together, he must, if he opens an account, either open one account for all, or a separate account for each or for any group of them, and all must have an account. If they are registered separately, he may open a separate account for any one or more of them, without opening an account for the others, but no account may be opened or used for more than one of them.

(f) *Institutional users.* The opening of ration bank accounts by "institutional users" is covered by General Ration Order 5.

(g) *Industrial consumers.* "Industrial consumers" may open ration bank accounts if they wish, but are not required to do so. They may open such accounts as they find convenient.

SEC. 9.3 *All points must be deposited in the account.* (a) Every primary distributor, wholesaler, retailer or industrial user who has a ration bank account, must deposit in his account all points he receives, whether in the form of stamps, certificates, or ration checks.[2] Industrial consumers who have accounts may deposit their certificates in them. (Sections 2.3 and 3.2 state exceptions to this paragraph.)

SEC. 9.4 *When points must be deposited.*—(a) *Stamps.* A person who has a ration bank account may not deposit stamps later than twenty (20) days after the last date on which they were good for use by a consumer. (The periods during which particular stamps are good, are fixed in the supplement to this order.)

(b) *Certificates.* He may not deposit a certificate later than twenty (20) days after the date which appears on it. (The fact that the certificate may have passed through several hands before reaching him does not give him any more time to deposit it.)

(c) *Effect of failure to deposit stamps or certificates.* A stamp or certificate which was not deposited on time is not good, and may not be used or accepted for any purpose.

(d) *Ration checks.* Ration checks may be deposited at any time.

Article X—Sales and Transfers of Foods Covered by This Order

SECTION 10.1 *Only retailers, wholesalers, and primary distributors may transfer foods covered by this order.* (a) Beginning March 29, 1943, only "retailers," "wholesalers," and "primary distributors" may sell or "transfer" "foods covered by this order." (Certain transactions between "consumers," covered in section 2.2, are excepted from this rule. Certain other exceptions are covered in Article III and Article XI.)

(b) An "industrial" or "institutional user" may, however, sell or transfer foods covered by this order which he has for use in his "industrial user" or "institutional user establishment," in the same way that a retailer is permitted to sell or transfer those foods, if he is not able to use those foods in his establishment before they spoil. He must, immediately after selling or transferring them, account to his "board" for points equal to their point value, and must give up to the board at that time any points received for them.

(c) An industrial user or "industrial consumer" may also sell or transfer any residue of foods covered by this order which he has and is no longer able to use for his purposes in his industrial user establishment or for "industrial consumption," in the same way that a retailer is permitted to sell or transfer those foods. He must, immediately after selling or transferring them, account to his board for foods he transferred, and must give up at that time all points received for them.

SEC. 10.2 *Transfers to certain persons after March 28, 1943 may be made only for points.* (a) Beginning March 29, 1943, no person may sell or transfer foods covered by this order to anyone other than a retailer, wholesaler, or primary distributor, and no person other than a retailer, wholesaler, or primary distributor may buy or acquire those foods, regardless of any contract or other agreement, unless points are given up in the way this order requires.

(b) No points may be given up by, or accepted from, a retailer, wholesaler, or primary distributor for any foods covered by this order transferred to or acquired by him before April 10, 1943.

SEC. 10.3 *Transfers to retailers, wholesalers and primary distributors after April 10, 1943 may be made only for points.* (a) Beginning April 11, 1943, no person may sell or transfer foods covered by this order to a retailer, wholesaler, or primary distributor, and no retailer, wholesaler or primary distributor may buy or acquire those foods, unless points are given up in the way this order requires. (The word "transfer", as it is defined, means to sell, as well as to transfer in other ways. The word "acquire" means to buy, as well as to get in other ways. Therefore, the only words which will generally be used, in later sections, are "transfer" and "acquire".)

The rules covering various kinds of transactions are set forth in the sections which follow.

SEC. 10.4 *How foods covered by this order are transferred to consumers*—(a) *General.* Foods covered by this order may be transferred to a consumer, and may be acquired by him, only if he gives up to the seller or transferor, points exactly equal to the point value of the foods transferred, except that fractional amounts are to be handled in the way described in section 10.6. (Certain transactions between consumers covered in section 2.2 are excepted from this rule. Certain other exceptions are covered in Article III and Article XI.) If the consumer is unable to give up points exactly equal to the point value of the foods transferred, because he does not have "stamps" of sufficiently small value to make up the proper amount, the transferor may accept stamps of the nearest higher value which the consumer has, and the transferor must return the excess points to the consumer in the form of loose one-point stamps.

(b) *How transfer may be made.* A food covered by this order made be transferred to consumers only in a form in which it appears on the Official Tables of Consumer Point Values (OPA Forms R–1313 and R–1611) or the Official Table of Trade Point Values (OPA Form R–1612).

(c) *Point values must be posted.* (1) Beginning March 29, 1943, every retailer, wholesaler or primary distributor who displays his stocks of foods covered by this order to consumers, must post at the place where he displays the stocks, the Official Tables of Consumer Point Values (OPA Forms R–1313 and R–1611) showing the items he carries, in such manner that they can be plainly seen and read by consumers. If he carries any item for sale or transfer to consumers in a form in which it appears on the Official Table of Trade Point Values (OPA Form R–1612), and does not appear on the consumer point value tables, he must keep the Official Table of Trade Point Values available for inspection.

(2) Every retailer, wholesaler, or primary distributor who has an establishment at which the foods covered by this order which he carries are displayed to consumers must post there the point value of every item of such food he carries. The point value must be posted, in such manner that it can be plainly seen and read by consumers, in one or more of the following ways:

(i) On the item itself; or

(ii) On the shelf or other place where the item is kept; or

(iii) On a list attached to, or posted next to, the shelf or other place where the item is kept.

(d) *How points are given up.* Points may be given up by, and taken from, a consumer only in the form of red "stamps" from his War Ration Book Two, a "certificate" issued for him, or loose one-point stamps.

(e) *When points must be given up.* The seller or transferor must take the points from the consumer at the time when the foods are transferred.

(f) *When stamps must be detached.* The seller or transferor may accept a stamp only if it is torn out of War Ration Book Two in his presence, and only if the book has a validation stamp on its cover. Loose stamps may not be used by a consumer and they must not be accepted by the seller or transferor. However, a transferor may accept loose one-point stamps from a consumer unless he knows or has reason to believe those stamps were not acquired by the consumer in the way permitted by paragraph (a) of this section.

(g) *When stamps are good.* Each stamp is good for a limited time and may be accepted for a transfer to a consumer only during that time. The letter printed on the stamp serves to indicate when it may be used by a consumer. Stamps lettered A, B, C and D, may be accepted from a consumer only during the following periods:

Stamps lettered:	*Time when they may be used (inclusive)*
A	March 29, 1943 to April 30, 1943.
B	April 4, 1943 to April 30, 1943.
C	April 11, 1943 to April 30, 1943.
D	April 18, 1943 to April 30, 1943.

The periods during which other stamps may be accepted from a consumer will be fixed by the Office of Price Administration in a supplement to this order. However, a primary distributor who holds a permit as a farm slaughterer under Food Distribution Order No. 27 of the Food Distribution Administration, may accept for a transfer of "meat" to a consumer, not only currently valid stamps, but also red stamps remaining in the consumer's War Ration Book Two which are not yet good, up to the total point value of the meat transferred.

(h) *Use of certificates.* A certificate may be accepted from a consumer only if it has been signed on the back by the person for whom it was issued (or by someone authorized to act for him, if he cannot write). A certificate is not valid for a transfer to a consumer after the expiration date shown on its face, and may not be used or accepted for such a transfer after that date.

(i) *Mail order sales.* (1) Foods covered by this order may be transferred to consumers by mail if a certificate or detached stamps are received with the order. Stamps or certificates which are received after the last date on which they are good in the hands of the person who sent them may be accepted if the envelope in which they are enclosed is postmarked on or before that date.

(2) If the transferor fails to deliver foods equal in point value to the points received, he shall issue and send to the consumer a ration check for the balance.

(3) Before accepting stamps from and making transfers to consumers by mail, any retailer wholesaler, or primary distributor who wishes to do so, must notify, in writing, the district office for the place where his principal business office is located. The notice must give his name and principal business address, the name and address of each establishment from which he will make transfers to consumers by mail, and must contain an estimate of the dollar volume of his mail order deliveries to consumers during 1942 of foods covered by this order. He may not make any such transfers until he has given this notice. Beginning March 29, 1943, he must keep a record of the dollar volume of his transfers to consumers by mail of foods covered by this order.

(4) No primary distributor or retailer may receive stamps or certificates from and make transfers to consumers by mail unless he has a ration bank account.

SEC. 10.5 *How foods covered by this order are transferred to persons other than consumers*—(a) *General.* Foods covered by this order may be transferred to and acquired by a retailer, wholesaler or a primary distributor after April 10, 1943, or transferred to and acquired by an industrial or institutional user or industrial consumer after March 28, 1943, only if he gives up to the seller or transferor points exactly equal to the point value of the foods transferred, except that fractional amounts are to be handled in the way described in section 10.6.[4] (Certain exceptions to this rule are covered in Article XI.)

(b) *How transfer may be made.* A food covered by this order may be transferred only in a form in which it appears on the Official Table of Trade Point Values (OPA Form R–1612) or the Official Tables of Consumer Point Values (OPA Forms R–1313 and R–1611).

(c) *Point value.* The number of points which must be given up for a transfer of these foods is determined by their point value at the time of the transfer.

(d) *When points must be given up.* The transferor must get the points from the transferee, and the transferee must give them up, at or before the time when the transfer is made. However, if the transfer is made through shipment by railroad or any other public carrier, the transferor may arrange to have the carrier get the points for him from the transferee at the time of actual delivery, or to have the points obtained for him by anyone in exchange for the bill of lading or other document entitling its holder to take possession of the foods. Where transfer is made by delivery at a time when the transferor or his authorized agent or the transferee or his authorized agent is not present, the points may be given up later, but not more than

[2] For the purposes of General Ration Order 3A, red stamps from War Ration Book Two, certificates (on OPA Form R–1201) and ration checks are to be regarded as "evidences" valid for deposit. The term "evidences" is not, however, used in this order. Credit authorizations (OPA Form R–1608) are also valid for deposit.

[4] For convenience, the retailer, wholesaler, primary distributor, industrial or institutional user, or industrial consumer, to whom the transfer is made, will sometimes be called "the transferee" in the paragraphs which follow.

seventy-two (72) hours after the delivery.

(e) *Form in which transferor must get points.* The transferor may take points from the transferee only in the form of stamps, certificates or a ration check drawn on the transferee's ration bank account.

(1) *Stamps.* No stamp may be accepted from the transferee more than ten days after the last date on which it was good for use by a consumer. The stamps must be enclosed in sealed envelopes and must be handled in all respects in accordance with the procedure described in General Ration Order 7 for the use of such envelopes.

(2) *Certificates.* A certificate may not be accepted from the transferee unless the name of the person to whom it was issued has been written on the back. The back of the certificate must also carry the signature of the transferee. The certificate may not be accepted more than ten days after the date shown on its face. However, if it was issued to the transferee, it may not be accepted after the date shown on its face.

(3) *Ration checks.* A ration check may be accepted by the transferor only if it is made payable to him, and if it is drawn by the transferee. If the transferor does not have, and is not required to have, a ration bank account, he must take the check to his "board" and get a certificate in exchange for it.

(f) *Form in which transferee must give up points.*—(1) *Primary distributors.* A primary distributor who has, or is required to have, a ration bank account, must give up points only in the form of a ration check drawn on his ration bank account. Other primary distributors may give up points in the form of stamps or certificates, except that they may give up points to a board in the form of ration checks made payable to them.

(2) *Wholesalers.* A wholesaler may give up points only in the form of a ration check drawn on his ration bank account.

(3) *Retailers.* A retailer who has, or is required to have, a ration bank account must give up points only in the form of a ration check drawn on that account. Other retailers may give up points only in the form of stamps or certificates, except that they may give up points to a board in the form of ration checks made payable to them.

(4) *Industrial and institutional users.* An industrial or institutional user who has a ration bank account must give up points only in the form of a ration check drawn on that account. Other industrial or institutional users may give up points only in the form of certificates.

(5) *Industrial consumers.* An industrial consumer may give up points either in the form of a certificate or a ration check.

(6) *General.* Points may be transferred freely between establishments of the same type, other than primary distributor establishments, operated by the same person, which are or will be registered together, and points of one of those establishments may be used to get foods covered by this order for another of them. However, this rule does not apply to the movement of points between institutional user establishments, which is covered by the provisions of General Ration Order 5.

SEC. 10.6 *Point fractions are to be computed to nearest full point.* (a) In any case in which the point value of an amount of foods transferred under this order is not a whole number, the number of points which must be given up is to be computed in the following ways:

(1) If the fraction is less than one-half point, the fraction is to be dropped;

(2) If the fraction is one-half point or more, a full point must be given up;

(3) If more than one item of food covered by this order is transferred at the same time, and the point value of the amount of two or more of those items transferred comes to a fraction of exactly one-half point, the fractions are to be added;

(4) No foods covered by this order may be transferred for less than one point, except in accordance with the provisions of section 6.10.

SEC. 10.7 *Transfers between establishments of different types or between separately registered establishments of the same type operated by the same person.* (a) All of the rules set forth above which apply to transfers from one person to another, also apply to transfers between establishments of different types operated by the same person. (For example, a person may have both a wholesale and a retail establishment. He is, therefore, both a wholesaler and a retailer. He is permitted to transfer foods covered by this order from his wholesale to his retail establishment. However, when he does so, he must give up points from the retail to the wholesale establishment just as if those establishments were operated by two different persons.

(b) The rules set forth above which apply to transfers from one person to another also apply to transfers between establishments of the same type which are operated by the same person but which are registered separately under this order.

SEC. 10.8 *Transferor may not use points he receives in advance until foods are transferred.* (a) A transferor may receive points from his transferee before he actually transfers the foods covered by this order. In that case, he may not use points so received, to get other such foods, until he has actually transferred to the transferee foods worth that number of points.

SEC. 10.9 *Points may be returned for underdeliveries of foods covered by this order.* (a) If a retailer, wholesaler, or primary distributor receives points in advance for a transfer of foods covered by this order, and is unable to transfer all or any part of the amount ordered, he may return the points in excess. He must return the points in the same form he would use to give up points for a purchase or other acquisition of such foods. (For example, a wholesaler can give up points only in the form of a ration check. He would, therefore, have to return points only in the form of a check drawn on his account.) However, since points may not be accepted in advance from consumers, this section does not apply to consumers, except in connection with mail order transactions.

SEC. 10.10 *Points must be given up for imports of foods.* (a) Any person (other than a primary distributor who follows the procedure set forth in section 11.11) who imports foods covered by this order must give up points equal to the point value of those foods to the Collector of Customs (or his deputy) at or before the time the foods are released or delivered to him by the Collector.

(b) The Collector of Customs shall turn over, each month, to the State Office for the area in which the port of entry is located, all points received by him in this way during the preceding month.

Article XI—Point-Free Transfers

SECTION 11.1 *Foods in transit to industrial or institutional users or industrial consumers on March 28, 1943, may be acquired point-free.* (a) No points need be given up for a delivery of "foods covered by this order" to an "industrial" or "institutional user," or to an "industrial consumer" if those foods were in transit to him on March 28, 1943. (NOTE: Foods which were in transit to an industrial or institutional user at the close of business on March 28, 1943, must be included in the inventory which he reports in his registration.)

SEC. 11.2 *Foods in transit to primary distributors, wholesalers, or retailers on April 10, 1943, may be acquired point-free.* (a) No points need be given up for a delivery of foods covered by this order to a "primary distributor," "wholesaler," or "retailer," if those foods were in transit to him on April 10, 1943.

SEC. 11.3 *Foods may be moved to establishment in whose inventory they are included, point-free.* (a) No points need be given up for a movement of foods covered by this order to the establishment in the inventory of which those foods were included immediately before the movement started.

SEC. 11.4 *Foods covered by this order may be exchanged for other such foods.* (a) Any "person" may exchange foods covered by this order with any other person, for such foods of equal point value, without giving up or taking points. (This rule applies even if there is a money payment to make up any difference in the money value of the foods exchanged.)

SEC. 11.5 *Lost or stolen foods may be returned, point-free.* (a) No points need be given up for a return of lost or stolen foods to the person who lost them or from whom they were stolen.

SEC. 11.6 *Stocks of foods may be moved point-free between establishments of the same person which are registered together.* (a) No points need be given up where a person moves stocks of foods covered by this order from one of his establishments, to another of his establishments of the same kind, if those establishments are, or will be, registered together. For example, a person who has two "retail establishments" which are, or will be, registered together, may move foods covered by this order from one to the other without exchanging points between them. (However, a record must be kept of the amount of stocks involved in each such movement.) When a person "transfers" foods covered by this order between establishments of different kinds—for example, from his "wholesale establishment" to his retail establishment—points must be given up just as if those establishments were operated by different persons.

(b) This rule does not apply to the movement of stocks between "institutional user establishments," which is covered by the provisions of General Ration Order 5.

SEC. 11.7 *Foods may be stored and returned from storage, point-free.* (a) No points need be given up for a delivery of foods covered by this order for storage purposes only.

(b) No points need be given up for a delivery of such foods from the place of storage to the person who stored them, or to a person to whom he has sold or transferred them. (However, that sale or transfer must be made in a way permitted by this order.)

SEC. 11.8 *Security interests in foods may be created and released, point-free.* (a) No points need be given up for a transfer of foods covered by this order, or of any interest in them, for security purposes only. (For example, if such foods are pledged or mortgaged, the person with whom they are pledged or mortgaged need not give up points.)

(b) No points need be given up for a release of a security interest in such foods, or for a return of those foods to the person who originally transferred them for security purposes. (For example, a person who pledged those foods may get them back without giving up points. Similarly, a person who gave a chattel mortgage on them need not give up points when the mortgage is ended.)

SEC. 11.9 *Foods may be transferred, point-free, for liquidation, by operation of law, or in judicial proceedings.*—(a) *General.* No points need be given up for a transfer of foods covered by this order to a person who gets them for liquidation only. Also, no points need be given for a transfer of such foods as part of a judicial proceeding, or by operation of law, order of a court, or judicial process. (For example, foods may be taken over by a creditor, under a court order, without any surrender of points. If such foods are assigned for the benefit of creditors, the person to whom they are assigned need not give up points to the person making the assignment. Also, a person need not give up points when he inherits such foods or "acquires" them by will.)

(b) *How transferee may dispose of the foods.* A person who acquires foods covered by this order in this way must, within five (5) days after acquiring them, report to the district office for the place where his principal business office is located:

(1) The kinds and the point value of the foods acquired;

(2) The name and address of the person from whom they were acquired;

(3) The way in which and the date when they were acquired.

He may not use the foods unless he gives up to the district office, for cancellation, points equal to their point value. He may, however, sell or transfer them in the same way that a "retailer" is permitted to sell or transfer such foods. He must immediately after selling or transferring them, account to the district office for points equal to their point value.

(c) *Consumer inheritance.* A consumer who gets foods covered by this order from another consumer, by inheritance or by will, may use them without giving up points.

SEC. 11.10. *Foods may be acquired, point-free, by insurers or for salvage.*—(a) *Acquisition of damaged foods.* Damaged foods covered by this order and undamaged foods covered by this order mingled with them may be transferred to, and acquired by, the following persons, without any surrender of points:

(1) A person who has paid or is liable for a claim for the damage done to the foods, and who is entitled to reimburse himself by taking them over;

(2) A person in the business of adjusting losses or of reconditioning or selling damaged articles.

(b) *Disposal of the foods.* The person acquiring the foods must, within five days after acquiring them, report to the district office for the place where his principal business office is located:

(1) The kinds and point value of the foods acquired;

(2) The name and address of the person from whom he acquired them;

(3) The way in which and the date when they were acquired. If he cannot ascertain the kinds and point value immediately, he must describe the approximate amount he received and must give the detailed information as soon as he can. He may dispose of those foods only by a sale or transfer in the same way that a retailer is permitted to sell or transfer such foods. He must, immediately after selling or transferring them, account to the district office for points equal to their point value. If he cannot dispose of them all, he must report to the district office the amount which was not salable.

SEC. 11.11 *Foods may be delivered to importer by customs official, point-free.* (a) No points need be given up for a release or delivery of foods covered by this order by an authorized customs official to a primary distributor who imported them, if the primary distributor submits a written statement to the official showing:

(1) His name;

(2) His principal business address;

(3) The name and address of his primary distributor establishment at which the foods will be kept;

(4) The name and address of the district office with which that establishment is registered; and

(5) The amount and kinds of foods imported at that time.

(b) The Collector of Customs shall turn over, each month, to the district offices named thereon, all statements received from primary distributors during the preceding month.

SEC. 11.12 *Foods may be transferred, point-free, in connection with transfer of a business.* (a) No points need be given up for a sale or transfer of foods covered by this order which are in the inventory of an establishment, as part of a sale or other transfer of the establishment itself for continued operation. A person who so buys or acquires such foods may not use them, but may hold them only for sale or transfer. However, a person who acquires an industrial user establishment may use its stocks up to the amount of any allotment he gets. (The procedure which the transferor and transferee must follow, where an establishment is transferred for continued operation, is covered in Article XII.)

Article XII—Sale of business

SECTION 12.1 *Sale or transfer of retail, wholesale, or primary distributor establishment.*—(a) *General.* (1) When any "person" sells or "transfers" to any other person the business and inventory of his "retail", "wholesale" or "primary distributor establishment", for continued operation, they must both notify the "board" at which the establishment is registered, or the district office, if it is registered there. The notice must be given in writing, within five days after the sale or transfer, and must show:

(i) The name and business address of the establishment and of the persons transferring and "acquiring" it;

(ii) The point value of the inventory transferred; and

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points sent to a supplier for "foods covered by this order" not yet shipped.

This notice will be treated as the transferee's registration and as a cancellation of the transferor's registration.

(2) If the transferor has a ration bank account, he must notify the district office, in the way required by General Ration Order 3A (the ration banking order).

(b) *Purchaser of retail or wholesale establishment may get its points.* The purchaser or transferee of a retail or wholesale establishment may get and use all of the establishment's points in the same way that the seller or transferor was entitled to use them. If the transferor has "stamps" or "certificates", he is to give them to the transferee. If the establishment has a ration bank account, the transferor is to

issue a ration check to the transferee, for the number of points in the account less outstanding ration checks. (The transferee must use the check either to open a ration bank account for the establishment, or, if he does not and is not required to open one, to get a certificate from the board.)

(c) *Seller of primary distributor establishment must give up all points to the Office of Price Administration.* A person who sells or transfers a primary distributor establishment must, within five days after the transfer, turn over to the board (or to the district office, if it is registered there), all points on hand at that establishment and all in its ration bank account. He does so by issuing and sending his certified ration check, payable to the Office of Price Administration, along with his notice of the transfer. (If any of the points represent foods not yet shipped, he must attach to his notice a statement showing the amount and the person from whom he got them.)

(d) *Same rules apply to sale of an entire chain.* The rules set forth above also apply to a person who has more than one establishment of a particular kind and who sells or transfers all of them for continued operation, whether or not the establishments were registered together. He must give the information and give up or transfer the points for all the establishments.

(e) *Sale of part of a chain.* Where the seller or transferor also has other establishments of the same kind which are not sold or transferred, the procedure described in paragraph (a) of this section must be followed. However, if the transferor's establishments were registered together, the purchaser or transferee may acquire the inventory of the transferred establishment, but he may not acquire its points. In this case, the seller or transferor keeps the points. If he is a "retailer", or "wholesaler", he may use the points with his other establishments of the same kind as the transferred establishment. If he is a "primary distributor" he must give up to the board or district office, the points received for sales and transfers of foods covered by this Order from that establishment at the time that he is required to give up points received by his other primary distributor establishments.

SEC. 12.2. *Sale or transfer of industrial user establishments.*—(a) *General.* (1) When an "industrial user" sells or transfers to any other person the business and inventory of his "industrial user establishment", for continued operation, both the transferor and transferee must notify the board at which the establishment is registered. The notice must be in writing, within five days after the sale or transfer, and must show:

(i) The name and business address of the establishment and of the persons transferring and acquiring it;

(ii) The point value of the inventory transferred;

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points sent to a supplier for foods covered by this order not yet shipped.

(2) If the transferor has a ration bank account, he must notify the district office, in the way required by General Ration Order 3A.

(b) *Transferor must give up unused points.* The seller or transferor must give up to the board all unused points he has for the establishment. If the establishment has a ration bank account, he must give up the points in the form of his certified ration check payable to the Office of Price Administration. The notice described in paragraph (a) of this section, and the surrender of unused points, will be treated as a cancellation of the transferor's registration and allotment.

(c) *Application for allotment by transferee.* The transferee may not use the stocks of foods covered by this order which are transferred with the establishment unless he receives an allotment. The application for an allotment must be made, on OPA Form R–315, to the board for the place where the establishment was registered, and must state facts showing whether:

(1) The entire establishment, including substantially all the equipment, the good will, and the inventory of foods covered by this order has been transferred;

(2) The transferee will continue to serve, from that establishment, the same general class of customers and the same area served by it before the transfer; and

(3) The transferee will continue to produce, at the establishment, the same product or products, though not necessarily under the same trade name. The board shall send the application, the notices sent to it by both parties and the transferor's registration to the district office.

(d) *Granting of allotment.* If the district office finds that the establishment will continue to be operated in substantially the same manner as before the transfer and that the tests described in paragraph (c) are satisfied, it shall assign to the transferee the transferor's allotment and quarterly use for that establishment. It shall also give him a certificate for the number of points that the transferor surrendered to the board or, if the amount of foods covered by this order transferred to the transferee with the establishment is larger than the unused part of the allotment for the current period plus any unused part of the transferor's earlier allotments, the difference shall be treated as excess inventory. The transferee may not use any part of the allotment already used by the transferor, but he may use any unused part of any prior allotment the transferor received for that establishment.

(e) *Same rules apply to sale of entire chain.* The same rules apply where a person who has more than one industrial user establishment sells or transfers all of them for continued operation, whether or not they were registered separately.

(f) *Sale of part of a chain.* (1) When the seller or transferor has more than one industrial user establishment which he registered separately, and sells or transfers one or more, but not all of them, the procedure described in paragraphs (a), (b), (c) and (d) of this section must be followed separately, as to each of the establishments transferred.

(2) When the seller or transferor has more than one industrial user establishment which he registered together, and sells or transfers one or more, but not all of them, the procedure described in paragraphs (a) and (c) of this section must be followed, except that the transferor must also apply to the board with which he registered for a redetermination of his allotment and his quarterly use. The board shall send the application and notices of both parties, and the transferor's registration, to the district office. If the district office finds that the tests described in paragraph (c) are satisfied, it shall grant an allotment to the transferee and assign to him a quarterly use. It shall first determine the amount of the transferor's allotment and quarterly use allocable to the transferred establishment. That quarterly use shall be assigned to the transferee. The transferee's allotment shall be the part of the transferor's allotment corresponding to the unexpired part of the allotment period. The quarterly use and the allotment assigned to the transferee shall be deducted from the quarterly use and current allotment of the transferor. The district office shall issue a certificate to the transferee (or determine his excess inventory) on the basis of the allotment granted to him and the amount of the inventory he acquired from the transferor. If the amount of foods covered by this order which is transferred with the establishment is less than the allotment assigned to the transferee, the transferor must give up points to the Office of Price Administration for the difference. If he does not give up points, that difference shall be treated as excess inventory.

(g) *Transferee's registration.* A transferee is regarded as registered as soon as the district office assigns an allotment and quarterly use to him.

(h) *Use of allotment by transferee.* A transferee may not use an allotment assigned to him under this section if his operation of the transferred establishment ceases to meet the tests described in paragraph (c).

SEC. 12.3 *Where and how the transferee registers the establishments acquired by him.* (a) A person who buys or otherwise acquires an establishment of any type, other than a primary distributor establishment, and who already has two or more establishments of the same type as the one acquired by him, which are registered together, must register the new establishment together with his other establishments and at the same board. If he already has his other establishments of the same type registered separately, the new establishment must be registered separately with the board for the place where it is located. If he has only one other establishment of the same type he may elect whether his establishments will be registered together or separately. If he registers them together, registration shall be at the board for the place where his principal office is located. If he registers them separately, registration shall be at the board for the place where the establishment will be located. (Primary distributor establishments must always be registered separately.)

(b) The same rules apply to industrial user establishments. If a person who acquires more than one industrial user establishment is entitled to or is required to, register them separately, the district office must compute separately the portion of the transferor's allotment and quarterly use allocable to each of the establishments acquired, in the way described in section 12.2 (f) (2).

Article XIII—New Businesses

SECTION 13.1 *New retail and wholesale establishments may be opened.*—(a) *How stocks are obtained.* A "person" who wishes to open a "retail establishment" or a "wholesale establishment", after April 25, 1943, may apply for a "certificate" to get stocks of "foods covered by this order." The application must be made on OPA Form R–315 to the "board" for the place where the establishment will be located. The application must show:

(1) The proposed name and address of the establishment;

(2) The amount he has invested or expects to invest in it;

(3) The size and type of the establishment;

(4) The number of points he needs in order to get adequate stocks;

(5) The point value of any stocks of foods covered by this order which he may have for that establishment.

(b) *Issuance of certificate.* The board will issue to him a certificate for the number of points he needs to get an adequate working inventory.

(c) *Registration.* At the end of his first full week of operation, he must register that establishment, on OPA Form R–1601 or OPA Form R–1602, whichever is applicable, in the same way that "retailers" and "wholesalers" register between May 3 and May 14, 1943. He must give all information called for by the form. However, he must show his sales and "transfers" of foods covered by this order from that establishment during his first full week of operation, instead of during the period from April 25, 1943 to May 1, 1943, and must report his point inventory at the end of that week, instead of at the close of business on May 1, 1943. When he registers, he may get a certificate or, if he has excess inventory, he must give up points to the Office of Price Administration in the same way as retailers or wholesalers who register between May 3 and May 14, 1943. He may not, however, be given a certificate for more than the amount by which his allowable inventory exceeds the amount of the certificate given to him when he applied on OPA Form R–315.

(d) *Procedure where no additional stocks are needed.* Where the person who wishes to open the retail or wholesale establishment has enough stocks, he need not apply on OPA Form R–315. He may begin operation with the stocks he has. However, before making any sales or transfers of foods covered by this order from the establishment after May 14, 1943, he must notify the board for the place where the establishment is located. The notice must be in writing and must give the name and address of the establishment and the point value of its inventory. At the end of his first full week of operation, he must register the establishment and follow the procedure described in the last paragraph.

SEC. 13.2 *New primary distributor establishments may be opened.* (a) A person who opens a primary distributor establishment which was not in operation before April 30, 1943, must notify the district office for the place where the establishment will be located, before making sales or transfers of foods covered by this order from that establishment. The notice must be in writing and must show:

(1) The name and address of the establishment;

(2) The type of foods covered by this order he produces or imports there;

(3) The inventory of that establishment on the date of the notice.

He must file reports for that establishment, on OPA Form R–1606 or OPA Form R–1609, beginning for the reporting period in which he started operations there.

SEC. 13.3 *In special cases, allotments may be granted for new industrial user establishments.* (a) A person who wishes to open an "industrial user establishment" which he did not operate at any time between January 1, 1942, and March 19, 1943, may apply for an allotment. No such application may be granted in any case, unless it is found that:

(1) The operation of the establishment will make a direct contribution to the war effort or is essential to meet civilian needs in the area it will serve; and

(2) The product it will produce cannot be obtained from any other source in the area to be supplied.

(b) The application must be made on OPA Form R–315, to the board for the place where the establishment is or will be located. The application must show:

(1) The product the applicant will make;

(2) The size of the establishment;

(3) The amount he has invested or intends to invest in it;

(4) The market to be supplied;

(5) The kinds and point value of any foods covered by this order he may have on hand for that establishment;

(6) The amount of the allotment requested.

(c) The board may call for any additional information it finds necessary. It may not pass on the application, but must forward it, together with all information received, to the district office. It may attach its recommendation, if any, as to the action to be taken. The district office must forward the entire file to the "Washington Office", for decision, or take such other action as the Washington Office may authorize or direct.

(d) An industrial user who already has an allotment, may not open another industrial user establishment and use his allotment there, unless he applies under this section and is given permission to do so.

SEC. 13.4 *Where a person who opens a new establishment registers if he already has other establishments of the same type.* (a) If a person who opens a new establishment of any type, other than a primary distributor establishment, already has two or more establishments of the same type which are registered together, he must register the new establishment together with his other establishments and at the same board. If he already has establishments of the same type registered separately, the new establishment must be registered separately with the board for the place where it is or will be located. If he has only one other establishment of the same type, he may elect whether his establishments will be registered together or separately. If he registers them together, registration must be at the board for the place where his principal business office is located. If he registers them separately, registration must be at the board for the place where the establishment is or will be located.

Article XIV—Closing of Business

SECTION 14.1 *What a person who closes his establishment must do.*—(a) *General.* (1) Any "retailer," "wholesaler", "primary distributor", or "industrial user" who goes out of the business of dealing in or using "foods covered by this order" at his establishment, must notify the "board" at which it is registered, or the district office, if it is registered there. The notice must be given in writing, within five days after he goes out of the business. It must show:

(i) The name and address of the establishment;

(ii) The point value of its inventory at the time he stopped doing business there; and

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points in the hands of his suppliers for foods not yet shipped. If he has a ration bank account, he must also notify the district office, in the way required by General Ration Order 3A (the ration banking order).

(2) He must account to the Office of Price Administration for all points he has for the establishment at which he ceased doing business. If all his stocks of foods covered by this order have not been disposed of at the time of the notice, he must account for the rest of the points as soon as the stocks have been liquidated. An industrial user who has given the notice called for above,

may sell or "transfer" his unused stocks of foods covered by this order in the same way that a retailer is permitted to make sales or transfers.

(b) *Closing of entire chain.* The rules set forth in paragraph (a) of this section, also apply to a "person" who has more than one establishment of a particular kind and who goes out of business at all of them, whether or not they were registered separately. He must give the information required, and must give up the points, for all the establishments.

(c) *Closing of part of a chain.* (1) A person who has several retail, wholesale, primary distributor, or industrial user establishments, which are registered separately, may go out of business at one or more, but may continue to operate the others. In that case, he must follow the procedure set forth in paragraph (a) of this section as to each of the establishments at which he goes out of business.

(2) A person who has several retail or wholesale establishments which are registered together may go out of business at one or more, but may continue to operate the others. In that case, he need not give up points to the Office of Price Administration at that time but may use them for the operation of the establishments which he continues. He must notify the board at which it is registered within five days after he closes it. The notice must be in writing and must give the name and address of the establishment closed.

(3) A person who has several industrial user establishments which are registered together may go out of business at one or more, but may continue to operate the others. In that case he must notify the board with which he is registered. The notification must be in writing and must state whether and to what extent he will continue to serve, from his other establishments, the same area and the same general class of customers. The board must send the notification and his registration to the district office. The district office shall determine the extent to which he remains entitled to use his entire allotment. He may keep his entire allotment only if his remaining establishments will continue to serve the same general class of customers and the same area as the establishment closed. His allotment and his quarterly use must be reduced to the extent that he will cease to serve the same class of customers and the same area. If his allotment is reduced, he must give up to the Office of Price Administration points equal to the reduction. If he does not have points to give up, the amount of the reduction shall be treated as excess inventory.

Article XV—Adjustments

SECTION 15.1 *Adjustments for lost, destroyed, or stolen foods*—(a) *How to apply.* Any "person" who had "foods covered by this order" which were lost, destroyed (other than by rotting or decaying), or stolen, or taken away by legal process or order of a court, may apply for a certificate for the number of points needed to replace them. The application must be made on OPA Form R–315. A "consumer" who wants a certificate must apply to the board for the place where he lives. Any other person must apply to the board with which he is registered (or to the district office, if he is registered there). The application must give:

(1) A description of the foods he wishes to replace, showing their point value;

(2) A description of the way in which they were lost, destroyed, stolen, or taken away.

He must also give any other information that the board (or the district office) may request.

(b) *Action on application.* If the board (or the district office) finds the statements made in the application to be true, it will issue to him a certificate for the number of points needed to replace the foods.

(c) *Recovery of lost or stolen foods.* If the applicant gets back any of the foods covered by his application, he must give back to the Office of Price Administration, for cancellation, points equal to the point value of the foods he recovered.

SEC. 15.2 *Applications may be made for other adjustments*—(a) *How to apply.* Any "retailer," "wholesaler," "primary distributor" or "industrial user" who needs an adjustment in his inventory or allotments, or other relief, may apply, on OPA Form R–315, to the board with which he is registered, or to the district office, if he is registered there. He must state in his application all facts which he claims show his need for the adjustment, and the nature and amount of the adjustment he requests. He must also give any other information that the board (or the district office) requests.

(b) *Action on application.* A board may not act upon an application under this section. It must send the application, together with all other information received, to the district office. It may attach its recommendation as to the action to be taken. The district office shall send the file to the "Washington Office," for decision, or take such other action as the Washington Office may authorize or direct.

SEC. 15.3 *Points may be received to replace inventory losses due to shrinkage (evaporation).* (a) Any wholesaler who suffers a loss in his inventory of "meat" (except "canned meat") or "rationed cheeses" (except process cheese, cheese foods, bottled cheeses or grated cheese) because of evaporation or dehydration (shrinkage) may apply to his board on OPA Form R–315 for a certificate to replace such losses. The application may be made at any time within one month after each three month period, beginning with April 1, 1943, during which he incurred such losses. The application must be signed by the wholesaler or his authorized agent, and must show:

(1) His name and principal business address;

(2) The three month period during which losses of inventory by shrinkage were incurred;

(3) The point value of his sales and transfers, during that period, of these foods;

(4) The number of pounds of these foods lost by shrinkage during that period;

(5) The point value of his inventory losses, during that period due to shrinkage of these foods. He must also give any other information which the board may request.

(b) If the board finds that the wholesaler suffered an inventory loss because of the shrinkage of these foods held by him for sale or transfer, it shall issue a certificate for the number of points necessary to replace the losses. However, no certificate may be issued to allow more than one percent of the point value of his sales and transfers of these foods during the three months in which the losses were incurred.

Article XVI—Issuance and Use of Certificates

SECTION 16.1 *How certificates are issued*—(a) *By whom issued.* "Certificates" (OPA Form R–1201) may be issued by the "Washington Office", by a "board", by a district office, by any authorized officer or representative of the Office of Price Administration, or by any person authorized by the Office of Price Administration to issue them. Certificates may be issued only in the cases and for the purposes permitted by this or any other order of the Office of Price Administration.

(b) *How certificates are issued.* The "person" who issues a certificate must insert, in ink, the words "Meats and Fats" in the appropriate space and must sign it and fill in:

(1) The number of points for which it is issued;

(2) The name of the person for whom it is issued; and

(3) The expiration date of the certificate, which is 60 days after the date on which it is issued.

A certificate which is not filled out in this way is not good for the acquisition of foods and may not be used or accepted for that purpose.

(c) Certificates may not be issued for points in fractional amounts.

SEC. 16.2 *Certificates are good for a limited time.* (a) A certificate may not be used by the person for whom it was issued after the date shown on its face. However, a "retailer" who "transferred" "foods covered by this order" for a certificate may use it to acquire such foods within ten days after the date shown on its face, if he does not have and is not required to have a ration bank account. Any person who has a ration bank account may deposit a certificate (whether it was issued to him, or received by him for a transfer of foods) within twenty days after the date shown on its face. A certificate is thus not valid for any purpose more than twenty days after the date shown on its face.

SEC. 16.3 *A certificate must be endorsed.* (a) Before it can be used, a certificate must be signed on the back by the person for whom it was issued, or by a person authorized to sign for him, if he cannot write.

(b) Any retailer, "wholesaler" or "primary distributor" who has transferred foods for a certificate must sign his name on the back of the certificate before he can deposit or use it.

SEC. 16.4 *Board may issue a certificate in exchange for a ration check.* (a) A retailer or primary distributor who does not have, and is not required to have a ration bank account, may take a ration check from a person to whom he sells or transfers foods covered by this order. He cannot use the check, but he must give it to a board and get, in return, a certificate for the same number of points. The board must give a certificate to such a retailer or primary distributor in exchange for a ration check payable to him. (He must endorse the check before exchanging it. The way in which the board then handles the ration check is covered by General Ration Order 2A.)

(b) A consumer who has received a ration check because his mail order was not filled must exchange that check for a certificate, at any board.

SEC. 16.5 *Names of persons who have been given certificates may be posted.* (a) A board may post at its office the name of any person to whom it has issued a certificate under this order. However, it shall not do so if it would reveal information of a military character, or information which any public law enforcement or investigating agency wishes to keep confidential.

SEC. 16.6 *Certificates are the property of the Office of Price Administration and may be revoked.* (a) All certificates are the property of the Office of Price Administration, whether or not they have been issued.

(b) The Office of Price Administration may suspend, cancel, or revoke any certificate issued if it finds it in the public interest to do so.

Article XVII—Records, Reports and Inspections

SECTION 17.1 *Records must be kept for two years.* (a) Every "person" must hold, for at least two years, all records which this order requires him to keep.

SEC. 17.2 *Records may be inspected by Office of Price Administration.* (a) All records kept under this order may be inspected by the Office of Price Administration, through any authorized representative. The inspection may be made at a person's place of business during regular business hours. In the case of records kept on forms prepared by the Office of Price Administration, the inspection of those records may be made at any time or place fixed by the Office of Price Administration. Every person required to keep records under this order must keep them available for such inspection.

SEC. 17.3 *Places where foods covered by this order are kept may be inspected.* (a) The Office of Price Administration, through any authorized representative, may at any reasonable time inspect any place where "foods covered by this order" are produced, imported, processed or kept. Any person who produces, imports, processes, or has foods covered by this order must permit such inspection of the place where he produces, imports, processes or keeps them. This section does not apply to a place if the only foods covered by this order which are produced or kept at that place are produced or kept by a person for his use as a consumer.

SEC. 17.4 *Records and reports are confidential.* (a) Information and documents obtained from any person under this order will not be disclosed, whether in response to a subpoena or in any other way, except to that person, unless the Administrator (or a representative of the Office of Price Administration designated by him) finds that the requested disclosure is not contrary to law and consents to it.

SEC. 17.5 *Office of Price Administration may extend time for registration and reports.* (a) The "Washington office" may, for good cause, give any person additional time to file any registration or report which this order requires him to file. Any person who needs more time for filing a registration or report may apply, in writing, to the Washington office. He must explain, in his application, why he needs more time. The Washington office may impose any conditions it finds proper, when it grants such an extension of time.

Article XVIII—Additional records to be kept by chains

SECTION 18.1 *Chains must keep records of transfers of stocks and points between establishments.* (a) Every person who has more than one "retail" or "wholesale" establishment must, if they are registered together, keep at each establishment a record, in any convenient form, which shows:

(1) The amount of "foods covered by this order" "transferred" from that establishment and "acquired" at that establishment, the date of each transfer or acquisition, and the name and address of the establishment to which the foods were transferred or from which they were acquired. The record must show the amount of foods which were transferred or acquired either by items and sizes, or by point value. (However, no such record need be kept for transfers of such foods to "consumers"); and

(2) The number of points received there (for transfers of foods covered by this order from that establishment), the disposition of those points, and the dates of their disposition.

(b) In addition, he must keep for each ration bank account used by him for more than one establishment, a record showing the number of points deposited in that account by and for each such establishment, and the dates of the deposits.

Article XIX—Appeals

SECTION 19.1 *Persons directly affected by action taken under this order can appeal.* (a) Any "person" directly affected by the action of a "board", district manager, state director or regional administrator, on any application or other matter, may appeal from that action in the way permitted by Procedural Regulation No. 9 of the Office of Price Administration.

(b) This section shall not apply to action taken on any application made under section 15.2.

Article XX—Miscellaneous Rules and Prohibitions

SECTION 20.1 *Additional prohibitions.* (a) No "person" shall use points unless he has received them in a way permitted by this or any other order of the Office of Price Administration.

(b) No person shall "transfer", "acquire", use or possess "foods covered by this order" except in a way permitted by this or any other order of the Office of Price Administration.

(c) No person shall give or transfer points, a "stamp" or a "certificate" to any other person, except in a way permitted by this or any other order of the Office of Price Administration.

(d) No person may transfer foods covered by this order for a stamp, certificate or ration check if he knows or has reason to believe that it is not valid or that the person tendering it is not entitled to use it.

(e) No person shall have a stamp, certificate or ration check in his possession except the person (or agent of the person) to whom it was issued or by whom it was acquired in a way permitted by this or any other order of the Office of Price Administration.

(f) No person shall deface, mutilate, or destroy any stamp, certificate or ration check, except where permitted by this or any other order of the Office of Price Administration. A defaced or mutilated stamp, certificate or ration check is not valid for any purpose.

(g) No person shall counterfeit, forge, or alter a stamp, certificate, credit authorization, or ration check, and no person shall transfer, acquire, possess or use a counterfeited, forged or altered stamp, certificate, credit authorization or ration check.

(h) No person may transfer foods covered by this order in violation of any applicable order of an agency of the United States.

(i) No person shall offer, solicit, attempt or agree to do, or assist in doing any act in violation of this order.

(j) Paragraphs (b), (c), (e), (f), (g) and (h) of this section do not apply to public officials who do any of those acts in the performance of their public duties.

(k) No person shall, in any registration, report, application, or other statement or record made pursuant to or required by this order, make any untrue statement of fact, or omit to state any

fact which is required to be stated or which is necessary to make a statement not misleading.

(l) No person shall, after demand, withhold a stamp, certificate or ration check from the person who is entitled to have it.

(m) No person shall sell or transfer any item of foods covered by this order at a price in excess of the applicable maximum price established for that item by the Office of Price Administration.

(n) No person shall sell or transfer any item of food covered by this order except in a form in which it appears on the Official Tables of Consumer Point Values or Official Table of Trade Point Values.

SEC. 20.2 *Stamps and certificates may not be taken by legal process or acquired by will.* (a) No stamp, certificate or ration check, or any interest in it, may be taken or seized by judicial process or by any court order. However, a person to whom a War Ration Book Two or a certificate has been issued may bring a legal proceeding to recover it from any person who is wrongfully in possession of it. He may, as part of that proceeding, take or seize it by judicial process or court order.

(b) No stamp or certificate, or any interest in it, may be transferred or acquired by inheritance or by will.

SEC. 20.3 *Office of Price Administration must be notified of legal proceedings.* (a) Any person who has a stamp, certificate or ration check must notify the district office of the Office of Price Administration immediately after the beginning of any legal proceeding involving that stamp, certificate or check.

SEC. 20.4 *Definition of meat in price order or regulation governs under this order.* (a) If any item of "meat" shown on the Official Tables of Consumer Point Values (OPA Form R–1313 or OPA Form R–1611) or the Official Table of Trade Point Values (OPA Form R–1612) has the same name as the name used for that item in any price order or regulation issued by the Office of Price Administration, the description of that item, or the definition of its name, in the price order or regulation shall be its description or definition for all purposes of this order.

ARTICLE XXI—*Exports*

SECTION 21.1 *Foods covered by this order may be exported point-free.* (a) Any "person" who exports "foods covered by this order" to any foreign country or to any territory or possession of the United States (other than the District of Columbia) need not receive points for the export.

SEC. 21.2 *Points may be obtained to acquire foods covered by this order for export.* (a) A person who needs points with which to "acquire" foods covered by this order for export to any foreign country or to any territory or possession of the United States (other than the District of Columbia), may apply, on OPA Form R–315, to the district office for the place where his principal business office is located. The application must show:

(1) His name and business address;

(2) The port (or other shipping point) from which they will be shipped, and the method of shipment;

(3) The name and address of the person to whom the foods are to be exported; and

(4) The number of points needed.

He must also give any other information which the district office may request. However, military or naval information which is secret in nature need not be disclosed.

(b) If the district office finds that the foods will be acquired for export, it shall issue a "certificate" for the number of points needed.

(c) No person may use foods acquired for a certificate issued under this section, for any purpose other than export to a foreign country or to a territory or possession of the United States (other than the District of Columbia). However, if he is unable to export them, he may dispose of them by sale or "transfer" in the way a "retailer" is permitted to do so under this order. Immediately after such a sale or transfer, he must give up to the district office all points received for them.

SEC. 21.3 *Exporter must account for all foods covered by this order exported.* (a) Any person who exports foods covered by this order (other than a "consumer" who acquired them with his "stamps") must submit a copy of a Shippers' Export Declaration (Commerce Form 7525) to the Office of Price Administration within seven days after the export. The declaration must contain a list of the foods exported and must contain a signed statement by an authorized customs official that, to the best of his knowledge and belief, those foods were exported by such person. The person who exported the foods must, if he received an advance of points under section 21.2, send the declaration to the district office from which he received the advance. If he did not receive an advance of points, he must send it to the "board" (or district office) with which he is registered or will register. If he is not required to register, he must send it to the "Washington office".

(b) If the foods were consigned to an agency of the United States and no Shippers' Export Declaration was filed at the time of the shipment the exporter may submit, instead of the Declaration, a bill of lading, manifest, or other satisfactory evidence that the foods were actually exported.

(c) A person who received an advance of points under section 21.2 must account to the district office within thirty days for all the points he received. At that time he must return any points which he did not use to acquire foods covered by this order for export. If, within that time, he exported all the foods which he acquired with the points received, he need only submit the declaration or other evidence of export.

(d) A retailer or "wholesaler" who exported foods covered by this order and who did not receive an advance of points under section 21.2 may, when he submits the declaration or other evidence of export, apply to his board on OPA Form R–315, for points equal to the point value of the foods he exported. If the board finds that the stated amount of foods was exported by the applicant and that he has not already received points with which to acquire or replace them, it shall issue a certificate to him for the number of points needed to replace the foods which he exported.

(e) An agency of the United States which has exported foods covered by this order need not submit a declaration or other evidence of export, and need not account for an advance of points under section 21.2.

Article XXII—Exempt Agencies and Other Special Cases

SECTION 22.1 *Exempt agencies may acquire foods covered by this order.* (a) Nothing in this order restricts the amount of "foods covered by this order" which may be "acquired" by the Army, Navy, Marine Corps or Coast Guard of the United States or by the War Shipping Administration, Office of Lend-Lease Administration or Food Distribution Administration. (These agencies are referred to in this order as "exempt agencies" and are exempt agencies for the purpose of General Ration Order 3B.) In addition, the Army Exchange Service, to the extent it acquires such foods for export to a foreign country or a territory or possession of the United States (except the District of Columbia), and ships' service departments afloat, are exempt agencies under this order and General Ration Order 3B, and may acquire such foods without restriction as to quantity.

SEC. 22.2 *How exempt agencies acquire foods covered by this order.* (a) Each of the agencies listed in section 22.1 is authorized to open one or more exempt ration bank accounts of the type described in General Ration Order 3B. Foods covered by this order may be "transferred" to and acquired by these agencies only in exchange for points in the form of ration checks equal to the point value of the foods transferred. However, such foods may be transferred between or within these agencies without the surrender of points.

(b) Any "person" who transfers foods covered by this order to any of these agencies must, at or before the time of delivery, submit to it an invoice or other statement for the points payable on account of the transfer. The ration check must be sent to the transferor at the time of delivery or as soon as practicable thereafter.

(c) If for any reason a ration check cannot be used when one of these agencies acquires foods covered by this order, an emergency acknowledgment shall be given to the transferor, instead of a check. This acknowledgment may be in any form, but must show the name of the agency for which the foods are acquired, the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a ration check, the point value of the foods acquired, and the date of acquisition. The acknowledgment must be signed by an authorized officer or employee of the agency, and must show his official title or rank. A person to whom such an acknowledgment is given may not exchange it at a "board" or use it to acquire foods covered by this order, but must send it to the agency activity designated thereon, and a ration check for the amount of foods transferred is to be given to him in exchange for it.

SEC. 22.3 *Post exchanges and ships' service departments ashore may acquire foods for points.* (a) Foods covered by this order may be transferred to and acquired by Army exchanges, post exchanges of the Marine Corps, and ships' service departments ashore of the Navy and Coast Guard, and other similar activities designated by the respective exempt agencies, only in exchange for points in the form of ration checks equal to the point value of the foods transferred, without regard to who transfers them. However, Army exchanges, post exchanges, ships' service departments ashore, and similar designated activities, may not open ration bank accounts with unlimited drawing privileges of the type described in General Ration Order 3B. Points needed by these activities for the acquisition of foods covered by this order will be issued to them in accordance with arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department, and the Bureau of Naval Personnel of the Navy Department, the Coast Guard and the Marine Corps. The issuance of points for use by Army exchanges, post exchanges and ships' service departments ashore for the acquisition of foods covered by this order for institutional use is covered by General Ration Order 5.)

(b) Points may be transferred freely without a transfer of foods covered by this order among ration bank accounts maintained for Army exchanges, among accounts maintained for Marine Corps post exchanges, among accounts maintained for ships' service departments ashore of the Navy, and among accounts maintained for ships' service departments ashore of the Coast Guard.

(c) On or before April 30, 1943, Army exchanges, post exchanges, ships' service departments ashore, and similar designated activities, may, if ration checks are unavailable, use emergency acknowledgments to acquire foods covered by this order, in the way described in section 22.2 (c). An emergency acknowledgment issued under this section may not be used by the person to whom it was issued to acquire foods covered by this order, but must be exchanged for a ration check at the activity designated thereon.

SEC. 22.4 *Sales commissaries, post exchanges and ships' service departments ashore may transfer foods for points.* (a) Army exchanges, post exchanges, ships' service departments ashore, sales commissaries, commissary stores, and any other activity of the Army, Navy, Marine Corps or Coast Guard and the Food Distribution Administration may transfer foods covered by this order only in exchange for points in the same way as "retailers" are permitted to make transfers under this order. However, they are not required to register as retailers, "wholesalers", or "primary distributors".

(b) All points so received by Army exchanges, post exchanges, ships' service departments ashore, sales commissaries, commissary stores, or any other activity of the Army, Navy, Marine Corps or Coast Guard or by the Food Distribution Administration must be deposited in the ration bank accounts maintained for them. These points may then be used to acquire other foods covered by this order.

SEC. 22.5 *Veterans' Administration may apply for certificates to acquire foods.* (a) The Veterans' Administration may apply to any district or State office, or to the Washington Office, for certificates to acquire foods covered by this order. Upon such application, one or more certificates will be issued to permit the acquisition of the amount of foods needed.

SEC. 22.6 *Industrial users may replenish foods used in products transferred to exempt agencies.* (a) Any "industrial user" who transfers to any exempt agency any products which he manufactured after March 28, 1943, in the manufacture of which he used foods covered by this order, may apply to and obtain from his board a "certificate" equal in point value to the foods used by him in such products. The application shall be made on OPA Form R–315, and shall set forth the nature and amount of the products, the time when the products were manufactured, the date when such products were transferred and the amount of foods covered by this order he used in such products. The application shall be accompanied by such evidence of transfer to the exempt agency as the board may require. If a certificate is issued under this section, the industrial user's allotment for the allotment period in which it is issued shall be considered increased by the amount of the certificate.

SEC. 22.7 *Ships' stores for ocean-going vessels*—(a) *The owner of the vessel must get a statement from the collector of customs.* Any person who operates an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise, or intercoastal trade, and who needs foods covered by this order as ships' stores, must get a statement signed by the Collector of Customs (or his deputy) authorizing the operator of the vessel (or his agent) to acquire a specified amount of such foods as ships' stores.

(b) *Acquisition of the foods covered by this order by the owner of the vessel.* The operator of the vessel (or his agent) may, without giving up points, acquire foods covered by this order up to the amount shown on the Cutsoms Collector's statement, by giving the statement to the person from whom he acquired the foods.

(c) *Transfer of foods covered by this order to the owner of the vessel.* In exchange for the Customs Collector's statement, any retailer, wholesaler, primary distributor may, without getting points, transfer foods covered by this order to the operator of the vessel (or his agent) up to the amount specified on the statement. A retailer or wholesaler may then exchange the Customs Collector's statement for a certificate, at his board. He must attach to the statement a signed receipt, invoice, or other evidence to prove the transfer of the foods. If the board is satisfied that the foods were transferred as ships' stores, it shall issue a certificate to the retailer or wholesaler for the number of points needed to replace the foods transferred. A primary distributor must send the Customs Collector's statement and the attached receipt or other evidence to the board or district office to which he reports, along with his report (on OPA Form R–1606 or OPA Form R–1609) for the reporting period in which he made the transfer.

SEC. 22.8 *Governmental investigatory agencies may acquire foods needed in their investigations.* (a) An investigatory agency of the United States or of any State or local government which needs foods covered by this order in order to perform its inspections or investigations, may apply for points to acquire them. The application must be in writing, on an official letterhead of the agency (if any is available), and must state the name of the agency, the purpose for which points are needed, the period during which they are needed, and the number of points required. An agency of the United States may make its application to the Washington Office, or to any district or State office. An agency of a State or local government shall apply to the district office (or, where there is none, to the State office). If the district, State, or Washington office finds that points are needed in order to carry on the investigatory activities of the agency, it shall issue one or more certificates for the number of points required.

(b) The Food and Drug Administration of the Federal Security Agency (which is hereby designated an exempt agency for this purpose) may open one or more exempt ration bank accounts of the type described in General Ration Order 3B. However, it may issue ration checks against those accounts only to acquire foods covered by this Order which are needed for inspection or investigation.

(c) Any government agency which acquires foods covered by this order under this section may, after they have served the purpose for which they were acquired, dispose of them to any federal, state or local governmental institution without receiving points for them. The institution which receives the foods shall report in writing the amount received

and the date on which they were received to the board with which it is registered under General Ration Order 5, or, if it is not registered, to the board for the area in which it is located. Its allotment shall not be regarded as increased by such acquisition, and the foods so acquired shall be treated as excess inventory.

Article XXIII—Suspension Orders

SECTION 23.1 *Office of Price Administration may issue suspension orders.* (a) Any "person" who violates this order may, by administrative suspension order, be prohibited from receiving any "transfer" or delivery of, or from selling or using or otherwise disposing of, any "foods covered by this order" or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

Article XXIV—Definitions

SECTION 24.1 *Definitions.* (a) When used in this order:

"Acquire" means to accept a "transfer" or to get possession or title in any other way.

"Board" means a war price and rationing board established by the Office of Price Administration.

"Butter" means "edible fat" extracted from cow's milk, cream, or whey, or such fat mixed with any cheeses, if the cheese is less than twenty-five per cent by weight of the mixture. It includes any substance the manufacture of which is taxable as the manufacture of adulterated or renovated butter as defined by section 1, Act of August 2, 1886 (24 Stat. 209), as amended by section 4, Act of May 9, 1902 (32 Stat. 194).

"Canned fish" means any of the following items, if packed in hermetically-sealed containers; edible fish or shellfish, or any edible part of either of them; fish roe, including caviar; any other edible product containing more than twenty per cent by weight of these items.

"Certificate" means a certificate on OPA Form R-1201.

"Cheddar cheese" (frequently called American cheese) means cheddar cheese as defined in "Standards of Identity for Cheddar Cheese, Cheese, Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941 (6 F.R. 195).

"Consumer" means any person who "acquires" "foods covered by this order" for personal use, or for use at a table at which he eats.

"Cooking or salad oil" means a "rationed fat or oil," liquid at seventy degrees Fahrenheit, composed only of unhydrogenated vegetable "fats and oils", and to which no stearin has been added.

"Cottage cheese" (and "creamed cottage cheese") has the meaning assigned in "Cream Cheese, Neufchatel Cheese, Cottage Cheese, and Creamed Cottage Cheese: Definitions and Standards of Identity," promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of December 23, 1942 (7 F.R. 10759, §§ 19.525 and 19.530).

"Cream cheese" (and "Neufchatel cheese") has the meaning assigned in "Cream Cheese, Neufchatel Cheese, Cottage Cheese, and Creamed Cottage Cheese: Definitions and Standards of Identity," promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of December 23, 1942 (7 F.R. 10758, § 19.515, and 7 F.R. 10759, § 19.520).

"District office" means a district office established by the Office of Price Administration or, where there is none for a particular area, the State office having jurisdiction over that area.

"Family unit" has the meaning given to that term in section 1.3 of General Ration Order 6.

"Fat" (or "oil") means glycerides of the higher fatty acids.

"Foods covered by this order" (or "foods" where the context indicates) means "meat," "canned fish," "rationed cheeses" or "rationed fats or oils." It does not include any item which is a processed food covered by Ration Order 13, or which is a pharmaceutical product, and no such item is included in any of the above terms even if it comes within the definition of that term.

"Industrial consumer" means any "person" who engages in "industrial consumption."

"Industrial consumption" means the use (other than a use for experimental purposes) of a "food covered by this order" in the production or manufacture of any product which is neither a food covered by this order, nor any other food for human consumption, nor a pharmaceutical to be taken internally by humans or animals.

"Industrial use" means any use of "foods covered by this order" in producing or manufacturing, for sale or "transfer," a food for human consumption, which is not covered by this order, or a pharmaceutical to be taken internally by humans or animals, or for experimental purposes.

"Industrial user" means any "person" who has an "industrial user establishment."

"Industrial user establishment" means any place where a "person" makes an "industrial use" (of a "food covered by this order").

"Institutional user" means any person who has an "institutional user establishment."

"Institutional user establishment" means an institutional user establishment as defined in General Ration Order No. 5. (With certain exceptions, it means any place where a "person" uses a rationed food in the preparation of food which he serves to "consumers" or in the service of food to consumers.)

"Lard" means a "rationed fat" containing no "fat" other than the fat extracted from any part of the carcass of a swine, and not including any form of "margarine."

"Margarine" means any substance the manufacture of which is taxable as oleomargarine, under and as defined in section 2, Act of August 2, 1886 (24 Stat. 210), as amended by section 1, Act of July 10, 1930 (46 Stat. 1022).

"Meat" means the carcass or any edible part of the carcass of cattle, calves, sheep, lambs or swine, including edible offal, bones and skins. It includes any other edible product containing more than twenty per cent, by weight, of the above items.

"Person" means not only an individual, but also a partnership, corporation, association or business trust. It includes a government, government agency and any other organized group or enterprise.

"Primary distributor" means any "person" who has a "primary distributor establishment."

"Primary distributor establishment" has the meaning given to that term in sections 4.3 to 4.10, inclusive.

"Rationed cheeses" means all cheeses of any kind, variety or description (but not including "cream" or "cottage" cheeses) and any other edible product containing thirty per cent or more, by weight, of such cheeses (other than cream or cottage cheeses). The term "rationed cheeses" does not, however, include the items listed in an Appendix which will be issued as an amendment to this order.

"Rationed fats or oils" (or "rationed fats") means any of the following substances, whether or not water, coloring matter, vitamins, or a preservative or flavoring agent has been added to it, and even if it has been bleached, hydrogenated, winterized or deodorized:

(1) Any edible "fat" extracted from cows' milk, cream, or whey;

(2) Any edible fat extracted from the carcasses of cattle, sheep, calves, lambs, or swine;

(3) Any fat extracted from cottonseed, corn germs, peanuts or soy beans, and "refined";

(4) "Margarine";

(5) Any fat extracted from fish, marine mammals or flaxseed, and refined and deodorized, but not including any which is refined and deodorized in the process of producing an inedible product and used therefor;

(6) Any edible substance which is composed of a mixture of any of the above, or of a mixture of any of the above with any other fat;

(7) "Butter".

However, "rationed fats or oils" does not include mayonnaise, salad dressing, USP vitamin oils, fish liver oil, sperm oil, or fat resulting from cooking done by a "consumer" or "institutional user."

"Refine" means to improve the edible qualities or characteristics.

"Retail establishment" means any place where a "person" who deals in foods covered by this order regularly keeps stocks of those foods for sale or "transfer" (other than as a "primary distributor"), if more than fifty per cent of those stocks are sold or transferred from there directly to "consumers". Even if the amount sold or transferred from there directly to consumers is fifty per cent or less, it is still a retail establishment in the following case:

(1) If some of those stocks are transferred directly to consumers; and

(2) If he keeps the rest of the stocks there just to supply his own establishments of any type; and

(3) If no "wholesale establishment" and not more than three retail establishments are supplied from there.

"Retailer" means any "person" who has a "retail establishment."

"Shortening" means any "rationed fat or oil" other than "butter," "lard," "margarine" or "cooking or salad oil."

"Stamp" means a red stamp in, or taken from, a War Ration Book Two.

"Transfer" means to sell, give, exchange, lend, deliver, or consign. It includes any transfer of possession or title, however accomplished, and any movement of goods from one establishment to another. The use by any "person" of foods covered by this order which he holds for sale or transfer is considered a transfer of those foods to himself. However, delivery to a carrier for shipment is not regarded as a transfer to the carrier; and delivery by the carrier to the consignee is not regarded as a transfer by the carrier.

"Washington office" means the national headquarters of the Office of Price Administration, in Washington, D. C.

"Wholesale establishment" means any place where a "person" who deals in "foods covered by this order" keeps stocks of those foods for sale or transfer (other than as a "primary distributor"), if fifty per cent or more of those stocks are transferred from there directly to persons other than "consumers." However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies:

(1) At least one of his wholesale establishments; or

(2) At least four of his "retail establishments."

"Wholesaler" means any "person" who has a "wholesale establishment."

"Weight" means pounds or equivalent fluid volume units.

Effective Date

This ration order shall become effective at 12:01 a. m. on March 29, 1943.

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4423; Filed, March 22, 1943; 12:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 5]

RATIONED FATS OR OILS

Preamble: While rationing of fats and oils is to begin on March 29th, all available evidences indicate that stocks on retailers shelves have become dangerously scarce.

It is essential that some stocks be available to meet the initial demands under rationing. It is also essential, in view of the scarcity, to make certain that the stocks which are available are not swept up by a few consumers at the expense of the others. Those stocks must be conserved until their orderly and equitable distribution begins on March 29th.

For this reason, this order prohibits the sales to consumers, during the week preceding rationing, of fats and oils. This will avoid inequities resulting from last minute hoarding and will help promote fair distribution when rationing begins.

§ 1407.5001 *Restriction on transfer of rationed fats or oils.* Under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942; Directive No. 1 and Supplementary Directive No. 1-M of the War Production Board, issued on January 24, 1942, and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and Food Directives No. 1, No. 3, No. 5, No. 6, and No. 7 issued by the Secretary of Agriculture, Restriction Order 5 (Rationed Fats or Oils), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1407.5001, issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827, Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2257; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471.

SECTION 1 *Transfers of rationed fats or oils are prohibited—*(a) *When and to whom the order applies.* During the period beginning at 12:01 a. m. on March 22, 1943, and ending at 12:01 a. m. on March 29, 1943, no "person" may "transfer" "rationed fats or oils" to a "consumer," and no consumer may "acquire" rationed fats or oils from any other person. However, a consumer may borrow them from, and return them to, another consumer, and may acquire them from another consumer for consumption at a common table with him.

(b) *Where the order applies.* This order applies only in the 48 States of the United States and the District of Columbia.

SEC. 2 *The Director of the Food Rationing Division may make exceptions.* (a) The Director of the Food Rationing Division, Office of Price Administration, Washington, D. C., may grant exceptions to this order.

(b) Any person who desires an exception to this order may apply in writing to the Director of the Food Rationing Division, Office of Price Administration, Washington, D. C., in any convenient form, stating the reasons he needs an exception. In case of an emergency the application may be made and granted by telephone.

SEC. 3. *Office of Price Administration may issue suspension orders.* Any person who violates this order may, by administrative suspension order, be prohibited from receiving any transfer or delivery of, or from selling or using or otherwise disposing of, any rationed fats or oils or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, if necessary or appropriate in the public interest and to promote the national security.

SEC. 4. *Definitions.* When used in this order:

(1) "Acquire" means to accept a transfer or to get possession or title in any other way.

(2) "Butter" means edible fat extracted from cow's milk, cream, or whey, or such fat mixed with any cheeses, if the cheese is less than twenty-five per cent by weight of the mixture. It includes any substance the manufacture of which is taxable as the manufacture of adulterated or renovated butter as defined by section 1, Act of August 2, 1886 (24 Stat. 209), as amended by section 4, Act of May 9, 1902 (32 Stat. 194).

(3) "Consumer" means any person who acquires rationed fats or oils for personal use, or for use at a table at which he eats.

(4) "Cooking or salad oil" means a rationed fat or oil, liquid at seventy degrees Fahrenheit, composed only of unhydrogenated vegetable fats or oils, and to which no stearin has been added.

(5) "Fat" (or "oil") means glycerides of the higher fatty acids.

(6) "Lard" means a rationed fat containing no fat other than the fat extracted from any part of the carcass of a swine, and not including any form of margarine.

(7) "Margarine" means any substance the manufacture of which is taxable as oleomargarine, under and as defined in section 2, act of August 2, 1886 (24 Stat. 210), as amended by section 1, Act of July 10, 1930 (46 Stat. 1022).

(8) "Persons" means not only an individual, but also a partnership, corporation, association or business trust. It includes a government, government agency and any other organized group or enterprise.

(9) "Rationed fats or oils" means any of the following substances, whether or not water, coloring matter, vitamins, or a preservative or flavoring agent has been added to it, and even if it has been bleached, hydrogenated, winterized, or deodorized:

(i) Any edible fat extracted from cows' milk, cream, or whey;

(ii) Any edible fat extracted from the carcasses of cattle, sheep, calves, lambs, or swine;

(iii) Any fat extracted from cotton seed, corn germs, peanuts or soy beans, and refined;

(iv) Margarine;

(v) Any fat extracted from fish, marine mammals or flaxseed, and refined and deodorized, but not including any which is refined and deodorized in the process of producing an inedible product and used therefor;

(vi) Any edible substance which is composed of a mixture of any of the above, or of a mixture of any of the above with any other fat;

(vii) Butter.

The term "rationed fats or oils" includes, without being limited to, "cooking or salad oils" and "shortening", as well as butter, margarine, and lard. However, it does not include mayonnaise, salad dressing, USP vitamin oils, fish liver oil, sperm oil and fats resulting from cooking done by consumers and "institutional users" (as defined in General Ration Order 5).

(10) "Shortening" means any rationed fat or oil other than butter, lard, margarine or cooking or salad oil.

(11) "Transfer" means to sell, give, exchange, lend, deliver, or consign. It includes any transfer of possession or title, however accomplished, and any movement of goods from one establishment to another. The use by any person of foods covered by this order which he holds for sale or transfer is considered a transfer of those foods to himself. However, delivery to a carrier for shipment is not regarded as a transfer to the carrier; and delivery by the carrier to the consignee is not regarded as a transfer by the carrier.

This restriction order shall become effective at 12:01 a. m. on March 22, 1943.

Issued this 21st day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc 43-4424; Filed, March 22, 1943; 12:14 p. m.]

PART 1305—ADMINISTRATION

[Gen. Ration Order 5, Amendment 6]

FOOD RATIONING FOR INSTITUTIONAL USERS

Correction

In the document appearing on page 3216 of the issue for Tuesday, March 16, 1943, the second word of the seventh line of section 27.1 should be "feed" instead of "food."

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 338]

AIRCRAFT VENEER

Correction

In Table 4 of § 1384.162 (b) appearing on page 2929 of the issue for Wednesday, March 10, 1943, the repetition of footnote 1 and the footnote reference opposite Thickness .071 should be deleted.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 846]

CORN

Correction

The authority for § 1439.352 of the document appearing on page 3180 of the issue for Tuesday, March 16, 1943, should precede the title of the order on page 3181 and should read as follows:

AUTHORITY: § 1439.352 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

The paragraph of Section 9 on page 3182 with the heading "Area V" should be designated (e).

PART 1499—COMMODITIES AND SERVICES

[Amendment 133 to Supp. Reg. 14 of GMPR]

FLUID MILK IN DALLAS REGIONAL AREA

Correction

In the Appendix of the document appearing on page 3187 of the issue for Tuesday, March 16, 1943 under the main heading "Missouri" the heading "Areas 2" should be inserted immediately above the item "All Other Communities in the following Counties except those listed above in Areas A, 1a, 1, or 2a:". The heading "Areas 3" should be inserted immediately above the item reading "All Other Communities in Missouri except those listed individually or by counties in areas A, 1a, 1, 2a, or 2 above." On page 3188 the heading "Oklahoma" should precede "Areas 1a" and "Texas" should precede "Areas A." "Texas—Continued" should be the heading for the second, third and fourth columns of areas. In the fourth column the item "Frie" should be "Frio."

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C[1], Amendment 37]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7651 is amended by inserting after the phrase "to July 21, 1943," the parenthetical phrase "(to November 21, 1943 with respect to passenger automobiles in the gasoline shortage area)".

2. Section 1394.7652 is amended to read as follows:

§ 1394.7652 *Basic ration books.* Class A coupon books, and Class D coupon books marked "Basic," shall be issued as basic rations. Class A books shall be issued for passenger automobiles and Class D books for motorcycles. Subject to the provisions of § 1394.7653 (d) each Class A and Class D ration book shall contain thirty-two (32) coupons. Each coupon contained in a basic ration book shall have a value of one unit. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below.

Coupons numbered:	*Valid period*
3	November 22, 1942, to January 21, 1943, inclusive.
4	January 22, 1943, to March 21, 1943, inclusive.
5	March 22, 1943, to May 21, 1943, inclusive outside the gasoline shortage area, and from March 22, 1943 to July 21, 1943 in the gasoline shortage area.
6	May 22, 1943, to July 21, 1943, inclusive outside the gasoline shortage area, and from July 22, 1943 to November 21, 1943 in the gasoline shortage area.

Coupons in basic Class D books shall be valid for the transfer of gasoline to a consumer at any time prior to July 22, 1943.

3. Section 1394.7653 (d) is amended by deleting the period after the phrase "during which such book is issued" and adding the phrase "except that after March 22, 1943 in the gasoline shortage area the board shall remove all expired coupons and one currently valid coupon for each full sixteen days which have elapsed in the 'valid period' during which such book is issued."

4. Section 1394.7653 (f) is amended to read as follows:

(f) No more than one basic ration may be issued for a vehicle, except as provided in §§ 1394.8007 and 1394.8103, and no person shall be entitled to more than one basic ration for the same vehicle, during the period from July 22, 1942, to July 21, 1943: *Provided*, That any person may apply for reissuance of a basic ration in any of the following cases:

(1) If he has surrendered a basic ration to a board by reason of having ceased to use the motor vehicle for which the ration was issued;

(2) If he has surrendered a basic ration to a board by reason of having removed such motor vehicle from the limitation area prior to November 22, 1942;

(3) If he has brought such motor vehicle into the gasoline shortage area after May 21, 1943, with the intention of keeping the vehicle in that area at least until November 21, 1943. In such event the applicant, at the time of application shall surrender to the board the basic ration originally issued to him.

Application for reissuance shall be made on part A of Form OPA R-534, and the applicant shall attach thereto a certification in which he shall set forth the date and place of issuance of the ration surrendered, together with the date and place of surrender thereof, the reason therefor, and the number of unused coupons remaining in the book at the time of surrender. In the event that the board is satisfied that the applicant surrendered such a ration in good faith the board shall issue a basic ration book to the applicant pursuant to the provisions of § 1394.7653: *Provided*, That no coupon book reissued for the reasons specified in items (1) or (2) of this paragraph shall contain coupons in excess of the number of coupons contained in the coupon book surrendered, and no coupon book issued for the reason specified in item (3) shall contain coupons in excess of the number prescribed in paragraph (d) of this section.

5. In § 1394.7701 (b) the first sentence is amended to read as follows:

When issued as a supplemental ration, Class B books issued outside the gasoline shortage area shall contain sixteen (16) coupons, and Class B books issued in the gasoline shortage area and Class C and D books shall contain the number of coupons specified in the tables set forth in § 1394.7705, necessary to provide the mileage allowed by the board.

6. Section 1394.7701 (d) is amended to read as follows:

(d) Applicants for supplemental rations in the gasoline shortage area are deemed to have no mileage available for occupational driving by reason of the basic ration to which they are entitled.

7. Section 1394.7704 (b) is amended by substituting the figures "360" for the figures "378" in the proviso.

8. Section 1394.7704 (d) is amended by inserting after the words "it allows for a passenger automobile" the words "outside the gasoline shortage area" and by deleting the parenthetical phrase "(or in the gasoline shortage area, 90 miles per month)."

9. Section 1394.7705 (a) (2) (i) is amended to read as follows:

(i) In the event that the mileage allowed by the board is 360 miles per month or less one or two class B books bearing expiration dates four months from the date of issuance and containing the number of coupons specified in Table IA for the mileage allowed.

10. Section 1394.7705 (a) (2) (ii) is amended by substituting the figures "360" for the figures "378".

11. In Section 1394.7705 (a) (3) Tables IA and IIA are amended as hereinafter set forth:

TABLE IA—*Determination of duration and amount of supplemental ration in gasoline shortage area*

[For passenger automobiles with an allowed mileage of 360 miles per month or less]

PASSENGER AUTOMOBILES

Allowed mileage:	*Number of coupons to be issued in "B" book or books*
1-22	2
23-45	4
46-67	6
68-90	8
91-112	10
113-135	12
136-157	14
158-180	16
181-202	18
203-225	20
226-247	22
248-270	24
271-292	26
293-315	28
316-337	30
338-360	32

TABLE IIA—*Determination of amount of supplemental ration in the gasoline shortage area*

[For passenger automobiles with an allowed mileage of more than 360 miles per month]

PASSENGER AUTOMOBILES

Allowed mileage (all in excess of 360 miles per month must be preferred mileage):	*Number of coupons in class "C" book*
361-390	26
391-420	28
421-450	30
451-480	32
481-510	34
511-540	36
541-570	38
571-600	40
601-630	42
631-660	44
661-690	46
691-720	48
721-750	50
751-780	52
781-810	54
811-840	56
841-870	58
871-900	60
901-930	62
931-960	64

(In the event allowed mileage exceeds 960 miles per month, one additional coupon shall be issued for each 15 miles or fraction thereof.)

12. Section 1394.7705 (b) is amended to read as follows:

(b) The board shall remove and cancel all coupons in Class B books in the gasoline shortage area and in Class C or Class D books in excess of the number to be issued hereunder.

13. Section 1394.7707 (a) is amended by substituting the figures "360" for the figures "378."

14. In § 1394.7751 (b) the first sentence is amended to read as follows:

(b) When issued as an official or fleet ration Class B books outside of the gasoline shortage area shall contain sixteen (16) coupons, and Class B books in the gasoline shortage area and Class C and D books shall contain the number of coupons specified in the tables set forth in §§ 1394.7705 and 1394.7755 (according to the type of book and the area in which it is issued), necessary to provide the mileage allowed by the board.

15. Section 1394.7754 (b) is amended by substituting the figures "360" for the figures "378" in the two places where such figures appear.

16. Section 1394.7755 (a) (2) (i) and (ii) are amended to read as follows:

(i) In the event that the mileage allowed by the board is 360 miles per month or less: one or two Class B books bearing expiration dates four months from the date of issuance and containing the number of coupons specified in Table IA in § 1394.7705 (a) (3) for the mileage allowed.

17. Section 1394.7755 (b) is amended by inserting after the words "and cancel all coupons" the words "in Class B books in the gasoline shortage area and".

18. Section 1394.8051 (e) is amended to read as follows:

(e) In the gasoline shortage area the board, when renewing a supplemental, fleet or official ration or a ration issued pursuant to the provisions of §§ 1394.-7757 or 1394.7758 may issue a ration to provide mileage not in excess of the following amounts:

(1) If such ration was first issued before December 21, 1942 and no adjustment has been made to compensate for mileage lost by reason of the reduction in unit value of Class B or Class C coupons, the board may not allow more than 75% of the mileage allowed in the first issuance of such ration.

(2) If such ration was first issued after December 21, 1942, or since then has been adjusted to compensate for mileage lost by reason of the reduction in unit value of Class B or Class C coupons, the board may not allow more mileage than the mileage allowed in the original or adjusted ration.

19. Section 1394.8051 (f) is amended by deleting the comma after the words "in excess of the amounts" and the phrase "or having a shorter valid period than that."

20. Section 1394.8052 (a) is amended by inserting after the phrase "miscalculation of needs" the phrase "extension of the period of validity of Class A coupons in the gasoline shortage area".

21. Section 1394.8052 (c) is amended by inserting after the phrase "in the unit value of Class A coupons" in the last sentence of the paragraph the phrase "or of the extension of the period of validity of Class A coupons in the gasoline shortage area."

22. Section 1394.8053 (b) (1) is amended by substituting the figures "360" for the figures "378".

23. In § 1394.8102 (a) the first sentence is amended to read as follows:

All Class A coupons and coupons in basic Class D books shall expire at the end of the respective valid periods provided in § 1394.7652.

24. In § 1394.8161, paragraphs (d) and (e) are revoked.

25. Section 1394.8351 (b) is amended by inserting in the proviso after the phrase "and all amendments thereto" the phrase "and the provisions of § 1394.8161 (d) and (e) of Ration Order No. 5C" and by substituting for the word "thereof" in the proviso the phrase "of Ration Order No. 5A and all amendments thereto" and by deleting the final period of the paragraph and adding the phrase "or under or pursuant to the provisions of § 1394.8161 (d) and (e) of Ration Order No. 5C prior to March 22, 1943."

This amendment shall become effective March 22, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719).

Issued this 20th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4354; Filed, March 20, 1943; 4:34 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 349]

DISTRIBUTORS' MAXIMUM PRICES FOR CERTAIN COARSE PAPER PRODUCTS

In the judgment of the Price Administrator it is necessary and proper to

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3255, 3254, 3315.

establish maximum distributors' prices for certain coarse paper products by a separate maximum price regulation. The Price Administrator has ascertained and given due consideration to distributors' prices for certain coarse paper products prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he determined and deemed to be of general applicability. So far as practical, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1347.701. *Distributors' maximum prices for certain coarse paper products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 349 (Distributors' Maximum Prices for Certain Coarse Paper Products), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.701 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 349—DISTRIBUTORS' MAXIMUM PRICES FOR CERTAIN COARSE PAPER PRODUCTS

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Appendix A: Maximum prices for distributors.

SECTION 1 *Prohibition against sales of certain coarse paper commodities above maximum prices.* On and after May 21, 1943, or earlier at the option of the distributor, regardless of any contract, agreement, lease or other obligation:

(a) No distributor shall sell, deliver or transfer any of the commodities listed in paragraph (c) of this section, and no distributor shall sell or supply any services in connection with the sale of such commodities, and no person in the course of trade or business shall buy or receive such commodities or services at prices higher than those set forth in Appendix A of this Maximum Price Regulation No. 349.

(b) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this section shall not be applicable to sales or deliveries of the commodities listed in paragraph (c) of this section to a purchaser, if prior to May 21, 1943 such commodities had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

(c) The maximum distributors' prices set forth in this regulation shall be applied to all sales of the following coarse paper products: (The pricing unit is set forth beside each product)

Commodities	*Pricing unit*
Adding machine paper	Case or carton.
Bags—all kinds (except those covered by Maximum Price Regulation No. 182).	M.
Beaming paper	Cwt.
Blasting paper	Cwt.
Boxes: Folding set-up, Corrugated, Solid fibre	M.
Cake circles	M.
Cartridge manila paper	Cwt.
Cones and cores—paper and paperboard.	M.
Corrugated paper and board	Roll. 100 sh.
Crepe paper	Dozen packages.
[1] Cups, drinking, food, ice cream.	M or case.
[1] souffle	M.
[1] baking	M.
Cutter box rolls	Case or carton.
Doilies	Gross.
Egg cartons	M.
Egg case fillers and flats	M.
Egg trays	M.
Facial tissues	Case or Carton.
Flat drinking cups	Case.
[1] Food dishes or trays	M.
[1] Forks	M.
Gummed tape—all kinds except transparent cellulose acetate.	Bundle.
Milk bottles	Case.
Milk bottle caps	M.
Napkins	Case.
Pails: Oyster	Bale.
Food	Bale.
Ice cream	Bale.
Paperboard clothes hangers.	M.
Paperboard: Single faced corrugated in rolls or sheets, and double faced corrugated in sheets.	1,000 sq. ft.
Tube and can stock	Cwt.
Single manila lined chip.	Cwt.
Bleached manila lined chip.	Cwt.
Semi bending and creasing chip.	Cwt.
Full bending chip	Cwt.
Solid bleached	Cwt.
Bleached lined solid manila.	Cwt.
Double bleached lined solid manila.	Cwt.
Solid manila	Cwt.
Solid woodpulp	Cwt.
Pattern papers—all kinds.	Cwt.
[1] Plates	Carton or bundle.
Register rolls	Case.
Round paper cans (other than liquid tight container).	M.
Sanitary closures	M.
Shirtboards	M.
Shredded papers	Cwt.
Spinning papers	Cwt.
[1] Spoons	M.
[1] Straws—drinking and soda.	Case or carton.
Table cloths	Roll.
Teletype rolls	100 rolls.
Toilet seat covers	M.
Tubes—paper and paperboard.	M.
Twisting papers	Cwt.
Twisting tissues	Ream.
Wrapping, packaging, and insulating papers regardless of fibre content, finish or treatment including, but not limited to the following grades: Miscellaneous waxed sulphite and sulphate grades covered in Appendix G of Maximum Price Regulation No. 307.	Cwt.
Sulphite	Cwt.
Sulphate	Cwt.
Groundwood other than newsprint.	Cwt.
Parchment—Unprinted	Cwt.
Printed	M.
Treated butchers	Cwt.
Colored and decorated	Cwt.
Drug bond	Cwt.
Bogus	Cwt.
[1] Tissue—Rolls	Cwt.
Sheets	Reams.
Parchment	Cwt.
Greaseproof and glassine.	Cwt.
Grades used for agricultural packaging, protection and processing are excluded from this regulation. Also excluded are made to order special design printed and or embossed papers made exclusively for a particular consumer and customarily ordered in quantities of not less than five tons.	

(As used above "M" means thousand and "cwt." means hundredweight and a case means a carton or a bundle.)

(d) All items for which maximum prices have been established for distributors by Maximum Price Regulations Nos. 130, 140, 182, 266 and Appendices A to F, inclusive, of 307 are excluded herefrom.

SEC. 2 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 349 may be charged, demanded, paid or offered.

SEC. 3 *Export sales.* The maximum prices at which a person may export coarse paper products covered by this Maximum Price Regulation No. 349 shall be determined in accordance with the provisions of the Revised Maximum Export Regulation issued by the Office of Price Administration.

SEC. 4 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of the coarse paper products covered by this Maximum Price Regulation No. 349, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however*, That the tax on the transportation of all property (excepting coal) imposed by Section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any product covered by this Maximum Price Regulation No. 349 be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 5 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery.

SEC. 6 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after May 20, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with sec. 11 shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 349.

SEC. 7 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 349 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 8 *Discounts and allowances.* Every distributor shall continue to grant to persons buying coarse paper products covered by this regulation, differentials, discounts, and allowances (excluding those given for quantities) not less favorable to the purchaser than those generally in effect during March, 1942 for a sale of such coarse paper products by a distributor to a purchaser of the same class.

SEC. 9 *Evasion.* Price limitations set forth in this Maximum Price Regulation No. 349 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to certain coarse paper products, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other trade understanding, or by modifying, discontinuing or altering any customary trade practice of the seller, or by increasing terms for the extension of credit, or by splitting orders, or by reducing the size of the sale, or by refusing to accept a large order, or by any other means.

SEC. 10 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 349 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 11 *Records and reports.* (a) Every person making sales of certain coarse paper products covered by this Maximum Price Regulation No. 349 after May 20, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records of each sale, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of such certain coarse paper products sold.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 12 *Licensing.* The provisions of Supplementary Order No. 19,[2] licensing distributors of paper and paper products, are applicable to every distributor selling any of the commodities for which maximum prices are now or hereafter established by this Maximum Price Regulation No. 349. For the purposes of such licensing, the term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

SEC. 13 *Definitions.* (a) When used in this Maximum Price Regulation No. 349, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other documents, letters and correspondence.

(3) "Sell" includes sell, supply, dispose, barter, exchange, lease and transfer, and contract and offers to do any of the foregoing. The terms "sales", "sold", "seller", "buy", "purchases" and "purchaser" shall be construed accordingly, except that nothing in this maximum Price Regulation No. 349 shall be construed to prohibit the making of a contract to sell a commodity included in this Maximum Price Regulation No. 349 at a price not to exceed the maximum price at the time of delivery.

(4) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers of kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(5) "Mark-up" refers to that amount set forth in Appendix A (a), which when added to the manufacturer's maximum price determines the distributor's maximum price.

(6) "Retailer" means any seller, the major portion of whose total sales are to ultimate consumers other than an industrial, commercial or institutional user or government agency.

(7) "Wholesale grocer" means any reseller, excluding a retailer, the major portion of whose total sales are in foodstuffs.

(8) "Wholesale druggist" means any reseller, excluding a retailer, the major portion of whose total sales are in drug products.

(9) "Manufacturer" includes any person who manufactures any of the commodities covered by this Maximum Price Regulation No. 349, and any person who distributes or sells any of these commodities as an agent of a manufacturer.

(10) "Distributor" includes any person, other than a wholesale grocer or wholesale druggist or retailer, who buys and resells any of the commodities covered by this Maximum Price Regulation No. 349.

(11) "Agent-distributor" includes any person who, although taking title to the merchandise which he resells and, invoicing it in his own name, conforms to the manufacturer's prices to distributors for the class of commodity which the agent-distributor sells. A seller becomes an agent-distributor only in the case of transactions on which he is authorized by agreement with his supplying manufacturer to act in accordance with the procedure set forth above in this paragraph.

*Copies may be obtained from the Office of Price Administration.

[1] When sold in resale packages, the pricing unit may be case or carton or gross.

[2] 7 F.R. 8561.

[3] 7 F.R. 7434, 8986, 11007.

(12) "Pricing unit" is that quantity of any one class of commodity covered by this Maximum Price Regulation No. 349, i. e., hundredweight, ton, case, bundle, bale, ream, roll, box, hundred, thousand, gross or package, etc., as set forth in section 1 (c).

(13) "Converting" means changing the form before reselling of any of the commodities covered by this Maximum Price Regulation No. 349 by a distributor who purchases such commodities for resale. Such converting may take the form of slitting, sheeting, trimming, rewinding, repackaging, die cutting, slotting, creasing, punching, etc.

(14) "Class" of commodity includes all variations in grade, size, color, basis weight, packing, etc., of one commodity.

(15) "Amalgamated sale" means a sale of any combination of types of one class of commodity.

(16) "Type" means a size, grade, color or other variant of a class of commodity.

(17) "Manufacturer's maximum price" means the manufacturer's maximum price for any of the commodities covered by this regulation which are now or hereafter established by any Maximum Price Regulation issued by the Office of Price Administration including the General Maximum Price Regulation, and shall include transportation charges (not exceeding carload rate of freight) paid by the distributor less all freight allowances. The difference between carload and l. c. l. charges, if and when paid by the distributor, may be added to the distributor's maximum price.

SEC. 14. *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 349 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries by distributors of any commodities for which maximum distributors' prices are established by this Maximum Price Regulation No. 349.

SEC. 15. *Applicability of this Maximum Price Regulation No. 349.* The provisions of this Maximum Price Regulation No. 349 shall be applicable to the continental limits of the United States.

Appendix A. Maximum prices for distributors. (a) The maximum price at which a distributor may sell any commodity covered by this regulation shall not exceed the manufacturer's maximum price for such commodity plus the following mark-ups: (Where the manufacturer has different maximum prices for various quantities sold, the distributor shall base his mark-up on the manufacturer's maximum price for the quantity customarily purchased by the distributor in accordance with his March, 1942 practice).

PRICING TABLE

Value (exclusive of transportation charges) per pricing unit	Quantity column—Number of pricing units: 1	2 to less than 5	5 to less than 10	10 to less than 25	25 to less than 100	100 to less than 500	500 to less than 1,000	1,000 and over
Less than $2.00	$0.90	$0.65	$0.45	$0.40	$0.30	$0.26	$0.22	
$2.00 to less than $3.00	1.20	.85	.70	.65	.55	.45	.40	
$3.00 to less than $4.00	1.50	1.05	.85	.80	.70	.60	.55	
$4.00 to less than $5.00	1.80	1.30	1.20	1.10	.85	.75	.70	
$5.00 to less than $7.50	2.40	1.80	1.60	1.50	1.10	.95	.90	
$7.50 to less than $10.00	3.00	2.25	2.00	1.85	1.40	1.20	1.10	
$10.00 to less than $12.50	3.60	2.75	2.40	2.25	1.70	1.45	1.35	
$12.50 to less than $15.00	4.20	3.20	2.80	2.55	2.00	1.70	1.60	
$15.00 to less than $20.00	4.80	3.80	3.45	3.10	2.40	2.05	1.95	
$20.00 and over	5%	4%	4%	4%	3%	3%	3%	

[1] Where the total manufacturer's maximum price for a sale of one class of commodity amounts to $2.50 or more, the distributor may in any case add an amount in excess of 5% of such manufacturer's maximum price.

[2] Where the manufacturer's maximum price per pricing unit is $2.00 or more, the distributor shall determine his maximum prices by adding the appropriate unit and permissible percentage set forth above.

(b) *Unit sales.* Where a sale consists of one type of one class of commodity, the distributor will determine his maximum selling price as follows:

(1) Determine the manufacturer's maximum price for one unit of the type to be priced and the dollar value bracket into which such cost falls in the table set forth in paragraph (a) of this appendix.

(2) Determine the number of these units which comprise a given sale and the quantity column in which such sale falls. The maximum mark-up appears in the appropriate quantity column and value bracket.

(3) Add the mark-up thus determined to the manufacturer's maximum price per unit. *Example.* A distributor sells 1200 pounds of wrapping paper, the manufacturer's maximum price of which is $6.00 a hundredweight. The pricing unit of this commodity is a hundredweight. The cost per unit is between $5.00 and $7.50. Referring to the above table, 12 units of one type costing between $5.00 and $7.50 per unit take a mark-up of $1.60 per unit. By adding $1.60 to $6.00, the maximum selling price of the distributor is $7.60 per hundredweight or $91.20 for the entire sale.

(c) *Amalgamated sales.* Where a sale consists of two or more types of one class of commodity, the distributor will determine his maximum selling price as follows:

(1) Determine the manufacturer's maximum prices for one unit of each type to be priced and the dollar value bracket into which the cost of each type falls in the table set forth in paragraph (a) of this appendix.

(2) Determine the total number of units of all types to be priced and the quantity column in which a sale of that total number of units falls. The maximum mark-ups for each type then appear in the quantity column representing the total number of units and the appropriate value brackets.

(3) Add the mark-ups thus derived to the manufacturer's maximum price per unit of each type. *Example.* A distributor sells an amalgamated order of 8 thousand paper food dishes consisting of 4 thousand 1-pound dishes, 3 thousand 2-pound dishes and 1 thousand 10-pound dishes. The pricing unit of this commodity is a thousand. The manufacturer's maximum prices for each of these three sizes is $1.00, $2.00 and $5.00 per thousand respectively. The cost per unit of the first type falls in the less than $2.00 value bracket. The cost of the second type falls in the $2.00 to less than $3.00 value bracket. The cost of the third type falls in the $5.00 to $7.50 value bracket. Referring to the above table, 8 units of a type costing between $1.00 and $2.00 per unit take a mark-up of $.65 per unit; 8 units of a type costing between $2.00 and $3.00 take a mark-up of $.55 per unit, and 8 units of a type costing between $5.00 and $7.50 take a mark-up of $1.90 per unit. The selling price for this order are thus derived as follows:

$1.00 +	65¢ × 4 =	$3.60
$2.00 +	85¢ × 3 =	8.55
$5.00 +	1.90 × 1 =	6.90
Total maximum selling price		$22.05

(d) *Pricing of special commodities.* Where a distributor sells for a new use a commodity covered by this Maximum Price Regulation No. 349 which is essential to the war effort, the cost of development involving the sale of which exceeds the maximum price permitted by this regulation, he may charge a price not in excess of the maximum price for the commodity set forth in this regulation plus the actual cost of development incurred by him but only until such time as these costs have been fully amortized. *Provided,* That where such prices are in excess of the maximum prices determined by this regulation, such prices must be submitted to the Office of Price Administration for approval at the time of selling. Such requests for approval of special prices must be accompanied by a statement explaining the essentiality of the commodity to the war effort, the name of the customer, the name of the producer and the producer's maximum price to the distributor, special costs for development incurred and the selling price for which approval is requested. Such prices shall be subject to the adjustment or disapproval by letter of the Office of Price Administration within twenty-one days after filing, or at the expiration thereof specified by the Office of Price Administration. If no action is taken within such twenty-one days or any extension thereof, the price shall be deemed to be approved. Approval will date back to the date of the sale. Payment shall not be made or received until such approval is granted.

(e) *Sales by distributors who buy from other distributors.* Distributors who purchase any of the commodities covered by this Regulation from other distributors may not charge a price in excess of the maximum price which would be applicable if the purchase had been made directly from the manufacturer.

(f) *Sales by agent-distributors.* Where a contractual agreement between an agent-distributor and a manufacturer provides for a discount from the maximum price at which a manufacturer of the same class of commodity would offer the commodity to other distributors, the maximum price which such agent-distributor in sales to other distributors shall not exceed such manufacturer's maximum price to other distributors. For sales to persons other than distributors the manufacturer's maximum price upon which the distributor's mark-up is based shall be that price at which a manufacturer of the same class of commodity would sell the commodity to other distributors.

(g) *Charges for delivery.* (1) The maximum prices established in this Regulation shall be f. o. b. point of delivery. Shipments to points within a free delivery zone or area within which the distributor customarily shipped or would have shipped on such basis during March, 1942.

(2) On sales of less than carload lots to points outside the recognized free delivery zone, the distributor may add the differential which he charged during March, 1942 if he made no such sale, which he would have charged on such deliveries to purchasers of the same class, or the actual freight rate over is lower.

(3) For sales involving shipment from the manufacturer directly to a person purchasing from a distributor, the maximum prices shall be those established in Appendix A of this regulation.

(4) For sales in carload lots involving shipment from the manufacturer to a person purchasing from a distributor where local delivery by the distributor from a warehouse or rail siding is required, there may be added to the maximum price established herein the actual local delivery expense (except that no rail freight shall be included), which in no event shall exceed the applicable local common carrier rate; and such expense shall be separately included in the invoice or other evidence of sale.

(h) *Charges for converting and printing.* Where a distributor buys any of the commodities listed in section 1 (c) of this regulation and changes their form before reselling them by converting or printing (whether such operations are performed by the distributor or performed for the distributor by another person), he may add to his maximum selling price as determined in Appendix A the actual amount for such converting or printing which he customarily charged during March, 1942 to purchasers of the same class. Such additional charges shall not be included in the manufacturer's maximum prices to which these mark-ups are added and such converting or printing charges shall be separately set forth in each invoice or other evidence of sale.

(i) *Charges for less than unit lots.* On sales of less than one unit lots by distributors, a mark-up may be applied which exceeds the mark-up specified in Appendix A of this regulation by an amount not in excess of the differential between the one unit and less than one unit mark-up which was applied to sales of the commodities covered by this regulation made during March, 1942 to purchasers of the same class.

(j) *Charges for cabinets, cutters, dispensers or other fixtures.* Where a distributor supplies cabinets, cutters, dispensers or other fixtures for holding, dispensing or protecting any of the commodities covered by this regulation he may make a charge for such items at a price not exceeding 150% of the cost to him of such items. Such charges must be set forth separately on each invoice or other evidence of sale, and may be amortized over a period of time.

This regulation shall become effective May 21, 1943.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4455; Filed, March 22, 1943; 4:45 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 291,[1] Amendment 4]

CERTAIN SYRUPS AND MOLASSES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 291 is amended in the following respects:

1. Section 1351.1352 (d) is added to read as follows:

(d) Where a packer during the year prior to March 1, 1942, customarily paid a premium above the prevailing market price for an item of syrup or molasses which is now subject to this regulation because it had a special quality or flavor or other attribute by reason of a special process in manufacturing such item, he may apply to the Office of Price Administration, Washington, D. C., for an order permitting him to continue to pay his established premium above the maximum prices set forth herein for such item of syrup or molasses: *Provided, however,* That he shall neither increase nor apply for an increase in the maximum prices set forth herein or in any other regulation for such item of syrup or molasses or anything made or manufactured from it, because of paying such premium.

2. In § 1351.1367 (b) (2) the first sentence of this subparagraph is amended to read as follows:

(2) Packers maximum prices at the factory for Louisiana cane syrup packaged in cases for sales to the wholesale and chain store warehouse trade and to commercial, industrial, institutional or governmental users in less than carload lots shall be:

3. In § 1351.1368 (c) (2) the first sentence of the last unlettered paragraph of this subparagraph is amended to read as follows:

(2) All of the above prices in this paragraph (c) shall be for carload lots to the wholesale and chain-store warehouse trade and to commercial, industrial, institutional, or governmental users.

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4456; Filed, March 22, 1943; 4:44 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 329. Correction to Amendment 1]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

The title of Maximum Price Regulation 329 was incorrectly printed as "Maximum Prices for Specific Food Products". The title should have read: "Purchases of Milk from Producers for Resale as Fluid Milk".

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4465; Filed, March 22, 1943; 4:45 p. m.]

PART 1367—FERTILIZERS

[Revised MPR 135[1] as Amended March 22, 1943]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

Revised Maximum Price Regulation 135 is amended in the following respects:

Sections 1367.31 and 1367.33 (a), are amended; § 1367.33 (c) is added; § 1367.34 is amended; § 1367.40 (b) (4) is added; § 1367.42 (a) (20) is amended; § 1367.42 (a) (21), (22) and (23) are added; the text of § 1367.44 Appendix A and 1 (f) are amended; §§ 1367.44 2 (e) and 1367.44 3 are added; § 1367.45 Appendix B and § 1367.46 Appendix C 1 (a) and (f) are amended so that Revised Maximum Price Regulation 135 as amended by Amendment 2 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of mixed fertilizer, superphosphate and potash which differ, for certain grades and in certain areas of the country, from those heretofore established by applicable maximum price regulations. All of the grades of mixed fertilizer permitted to be manufactured under War Production Board Conservation Order M-231 as amended are covered by this single maximum price regulation.

The Price Administrator has ascertained and given due consideration to the prices of mixed fertilizer, superphosphate and potash prevailing between October 1 and 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.[2] Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 135 is hereby issued.

Sec.
1367.31 Sales of mixed fertilizer, superphosphate and potash at higher than maximum prices prohibited.
1367.32 To what transactions, products and persons this regulation applies.
1367.33 Manufacturers' maximum prices.
1367.34 Dealers' maximum prices.

[1] 7 F.R. 11075.

[2] Copies may be obtained from the Office of Price Administration. Statements of considerations are also issued simultaneously with issuance of amendments.

[3] 7 F.R. 8961.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 11002; 8 F.R. 2713, 2714.

Sec.
1367.35 Terms of payment and conditions of delivery.
1367.36 Federal, State, and municipal taxes.
1367.37 Prohibited practices.
1367.38 Records and reports.
1367.39 Enforcement and licensing.
1367.40 Petitions for amendment.
1367.41 Relation to other regulations.
1367.42 Definitions.
1367.43 Effective date.
1367.43a Effective dates of amendments.
1367.44 Appendix A: Amounts per ton net to manufacturer which may be added to manufacturer's prices.
1367.45 Appendix B: Maximum prices for Victory Garden fertilizer.
1367.46 Appendix C: Dealers' margins.

AUTHORITY: §§ 1367.31 to 1367.46, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1367.31 *Sales of mixed fertilizer, superphosphate and potash at higher than maximum prices prohibited.* (a) On and after January 4, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver to a consumer or a dealer, and no person in the course of trade or business shall buy or receive, mixed fertilizer, superphosphate or potash at prices higher than the maximum prices established herein, and no person shall agree, offer, solicit or attempt to make such a sale, purchase or delivery.

(b) *Less than maximum prices.* Lower prices than those set forth herein may be charged, demanded, offered, paid, or received.

[§ 1367.31 as amended by Amendment 2, issued 3-22-43 and effective 3-27-43.]

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1367.32 *To what transactions, products and persons this regulation applies—*(a) *What transactions are covered.* This regulation unlike the previous fertilizer regulation (Maximum Price Regulation 135) is not limited to sales in quantities of 250 pounds or more to consumers.

It covers all sales by manufacturers to dealers and consumers, and by dealers to consumers.

(b) *What products are covered.* This Revised Maximum Price Regulation No. 135 covers all mixed fertilizer, superphosphate and potash of whatsoever kinds and grades.

(c) *What persons are covered.* Manufacturers and their agents and dealers making the sales covered by this regulation are subject to it.

§ 1367.33 *Manufacturers' maximum prices.* (a) A manufacturer's maximum prices shall be the prices set forth in the written or printed price schedule of the manufacturer in effect during the base period as hereinafter set forth, for a sale (1) to a consumer or dealer in the same locality, (2) of the same quantity, grade and kind of mixed fertilizer, superphosphate or potash, (3) delivered in the same type of container or bag, except as hereinafter provided, (4) under the same terms of payment including time, cash, discounts and maturities, and (5) by the same means and under the same conditions of delivery; and as those prices may be increased or decreased for the places of delivery and in the manner and amounts set forth in Appendix A incorporated herein as § 1367.44. The manufacturer's base period shall be the date interval February 16, 1942, to and including February 20, 1942, except that in Florida east of the Apalachicola River, for all provisions of the price schedule or list other than those referring to the price adjustment for special fertilizer ingredients, it shall be the date the manufacturer first issued a written or printed price schedule or list between July 1, 1941 and November 30, 1941; and except that in Puerto Rico it shall be October 15, 1941.

[Paragraph (a) as amended by Amendment 2 issued 3-22-43 and effective 3-27-43.]

(b) If the manufacturer cannot establish his maximum price under paragraph (a), or under Appendix B incorporated herein as § 1367.45, then his maximum price shall be determined as follows: He shall submit to the Office of Price Administration in Washington, D. C., a proposed maximum price, showing the calculations by which the proposed maximum price was determined by the manufacturer. Such proposed maximum price must be in line with the manufacturer's level of maximum prices established under paragraph (a), for a comparable quantity, grade and kind of mixed fertilizer, superphosphate or potash sold by the manufacturer to a consumer or dealer in the same locality under the same conditions in the same or comparable type of containers or bags; or in the event the manufacturer had established no prices under paragraph (a) then such proposed maximum price shall not be higher than the general level of maximum prices established under paragraph (a), and the proposed maximum price to consumers shall provide no greater margin between dealer and consumer prices than is provided in the manufacturer's own consumers' price schedule or, in the absence of such schedule of his own, no greater margin than is provided in such a schedule of his most closely competitive seller of the same class. If within 10 days of the registered mailing of such proposed maximum price it has not been disapproved by the Office of Price Administration, the manufacturer may sell, offer for sale, and deliver such mixed fertilizer, superphosphate or potash at the proposed maximum price. Notwithstanding that the Office of Price Administration does not disapprove such price within such 10 day period, it may at a later time disapprove such price or require a modification thereof on such terms and conditions as it deems advisable. All deliveries to a consumer or dealer, or shipments received by a carrier other than a carrier owned or controlled by the person making the sale (including a dealer, agent or other person) after the expiration of such 10 day period but prior to such disapproval or requirement of modification, shall not be affected by such later action on the part of the Office of Price Administration disapproving or modifying such maximum price.

(c) The Head of the Agricultural Chemicals Section, Office of Price Administration, Washington, D. C., is authorized and directed to approve, disapprove, or require modification of, established prices or proposed prices, and of terms of payment and conditions of delivery appearing in price schedules or lists submitted to, or filed with, the Office of Price Administration, Washington, D. C., such approval, disapproval, or modification to be in accordance with the relevant provisions of this Revised Maximum Price Regulation No. 135, as hereby or hereafter amended.

[Paragraph (c) as added by Amendment 2 issued 3-22-43 and effective 3-27-43.]

§ 1367.34 *Dealer's maximum prices.* A dealer's maximum price to a consumer shall be determined as follows: (a) To the dealer's net delivered cost established herein there may be added the "suggested" or "recommended" margin specified for that dealer's sales area in the manufacturer's price schedule or list effective during the base period, or (b) if the manufacturer's price schedule in effect during the base period for the dealer's sales area provided "suggested" consumer prices, then those "suggested" consumer prices, as those prices may be increased for the places of delivery and in the manner and amounts set forth in Appendix A incorporated herein as § 1367.44, shall be the dealer's maximum consumer prices; or (c) if the manufacturer, during the base period, had no consumer prices in effect and provided no "suggested" or "recommended" consumer prices or dealer margins for the dealer's sales area, then the dealer's maximum prices to consumers shall be calculated as specified in Appendix C incorporated herein as § 1367.46.

[§ 1367.34 as amended by Amendment 2, issued 3-22-43 and effective 3-27-43.]

[NOTE: Supplementary Order No. 13 (7 F.R. 6523) provides that retail sellers of commodities or services, who own more than one establishment and who have maintained a fixed practice of selling commodities or services at retail at uniform or at substantially uniform prices, may apply for authorization to determine and use uniform maximum prices.]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1367.35 *Terms of payment and conditions of delivery.* Terms of payment or conditions of delivery to a consumer or to a dealer shall not be more onerous than those in effect and applicable to such consumer or dealer for the period from February 16 to February 20, 1942 inclusive, except that terms of payment on sales made between July 1 and December 1 of any calendar year hereafter shall not be more onerous than those in effect and applicable to such consumer or dealer for the period from October 1 to October 15, 1941, inclusive.

§ 1367.36 *Federal, state and municipal taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of the mixed fertilizers, superphosphate and potash, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect from February 16 to February 20, 1942 inclusive.* If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price from February 16 to February 20, 1942 inclusive, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall be regarded as having included such amount in determining the maximum price under this Revised Maximum Price Regulation No. 135.

In all other cases if, at the time the seller determined his maximum price, the statute or ordinance imposing such tax did not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller did state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Revised Maximum Price Regulation No. 135.

(b) *As to a tax or increase in a tax which becomes effective after February 20, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased; except that the tax on transportation imposed by § 620 of the Revenue Act of 1942 shall, for the purposes of determining the applicable maximum price of any commodity subject to this regulation, be treated as though it were an increase of 3% in the amount charged by any person transporting the commodity for hire, and it shall not be treated under any provision of this regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.

§ 1367.37 *Prohibited practices—General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this Revised Maximum Price Regulation No. 135 as an outright overceiling price. This applies to changes in credit practices and cash discounts, and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

§ 1367.38 *Records and reports.* (a) Every person (including a dealer, agent or other person) making a sale of mixed fertilizer, superphosphate or potash, in quantities of 250 pounds or more, to a consumer or dealer, after January 4, 1943 shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 as amended is in effect, complete and accurate records of each sale, showing the date thereof; and name and address of the buyer, of the person (including an agent) making the sale, and of the manufacturer of the mixed fertilizer, superphosphate or potash sold; the bags or and kind of the mixed fertilizer, superphosphate or potash sold; the bags or containers in which delivered; the price charged or received therefor; the terms of payment (time, cash, discounts, etc.); and the method and conditions of delivery.

(b) (1) Not later than January 15, 1943, every manufacturer of mixed fertilizer, superphosphate or potash, who is engaged in the business of selling the same to consumers and dealers, whether by or through any agent or other person, except those manufacturers who have heretofore done so, shall file with the Office of Price Administration in Washington, D. C., one copy of each and every written or printed price schedule, whether temporary or permanent, issued by him in connection with the sale thereof to consumers and dealers from and after July 1, 1941, together with all written or printed amendments and supplements to any such schedules; but if a manufacturer has not heretofore issued a written or printed price schedule, he shall file with the Office of Price Administration in Washington, D. C., a list of maximum prices charged by seasons from and after October 1, 1941, for the grades and kinds of mixed fertilizer, superphosphate or potash sold to consumers and dealers showing types of bags, terms of payment and conditions of delivery; and each manufacturer shall continue, until further notice, to file with the Office of Price Administration in Washington, D. C., one copy of any and all subsequent price schedules and supplements and amendments, at least ten (10) days prior to the proposed effective date thereof. Each such price schedule, supplement or amendment hereafter filed with the Office of Price Administration shall be accompanied by a statement of all changes made wherein that price schedule, supplement or amendment differs from the price schedule in effect at the time of filing.

(2) In accordance with request addressed to the Office of Price Administration, Washington, D. C., copies of this Revised Maximum Price Regulation No. 135 will be furnished each manufacturer for distribution to his agents and dealers.

(3) Each dealer or agent shall post at his place of business a list of his consumers' maximum prices.

(4) Each manufacturer selling direct to consumers shall post at his office, plant and warehouse his consumer's price list in effect for the area served by each such office, plant, or warehouse.

(c) Persons affected by this Revised Maximum Price Regulation No. 135, shall submit such other information to the Office of Price Administration as it may, from time to time, require, in order to effectuate the purposes of the Emergency Price Control Act of 1942 as amended.

§ 1367.39 *Enforcement and licensing.* (a) Persons violating any provision of this Revised Maximum Price Regulation No. 135 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this Regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Maximum Price Regulation No. 135 selling at retail any mixed fertilizer, superphosphate or potash covered by this Revised Maximum Price Regulation No. 135. When used in this section, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at retail on May 18, 1942.

§ 1367.40 *Petitions for amendment—*(a) *Amendments.* Persons seeking any modification of this Revised Maximum Price Regulation No. 135 or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose de-

fense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this Revised Maximum Price Regulation 135 is impeding or threatens to impede production of mixed fertilizer, superphosphate or potash which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6.[4] A copy can be had at any office of the Office of Price Administration.

(3) As soon as the application is filed, deliveries may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to this refund.

(4) Any manufacturer who is requested by a governmental agency, or a contractor on a governmental project, to submit a bid on, and offer to supply, a grade and kind of mixed fertilizer, superphosphate or potash on which the manufacturer had not established a maximum price, may, in advance of the effective date of his proposed price to be established under § 1367.33 (b), quote a price, offer for sale, sell and deliver, such commodity to the governmental agency or contractor on a governmental project upon the condition that if the price is later disapproved by the Office of Price Administration, the manufacturer shall forthwith make the appropriate refund to the governmental agency, or its fiscal or disbursing office, or to the contractor on the governmental project, from whom he received payment for the commodity.

[Paragraph (4) as added by Amendment 2, issued 3-22-43 and effective 3-27-43]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1367.41 *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by this Revised Maximum Price Regulation No. 135 is not subject to the General Maximum Price Regulation.[5]

(b) *Maximum Export Price Regulation.* The maximum price for export sales of mixed fertilizer, superphosphate or potash is governed by the Revised Maximum Export Price Regulation.[6]

§ 1367.42 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 135, the term:

(1) "Person" includes an individual, corporation, partnership, association, farmers' or consumers' cooperative or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means a person who produces, mixes, or processes, or who markets for his own account and under his own brand or trade name, mixed fertilizer, superphosphate, potash or nitrogenous material for use as an aid to the growth of crops or plants.

(3) "Dealer" means a person who purchases mixed fertilizer, superphosphate or potash and resells it to a consumer.

(4) "Consumer" means a person purchasing mixed fertilizer, superphosphate, or potash for use in aiding the growth of crops or plants (and not for resale) and also includes Agricultural Adjustment Agency of the United States Department of Agriculture.

(5) "Mixed fertilizer" means any substance containing any two or more, of potash, superphosphate, and nitrogenous material, when marketed or sold as an aid to the growth of crops or plants.

(6) "Superphosphate" means any product which is obtained by mixing rock phosphate with either sulphuric acid or phosphoric acid or with both acids, when marketed or sold as an aid to the growth of crops or plants.

(7) "Potash" means muriate, chloride, or sulphate of potash, manure salts, and any other substance containing potassium oxide (K_2O), when marketed or sold as an aid to the growth of crops or plants.

(8) "Nitrogenous material" means any organic or inorganic substance containing nitrogen, when marketed or sold as an aid to the growth of crops or plants, except when so marketed or sold without the admixture of any potash or superphosphate.

(9) "Chemical nitrogen" means any nitrogen, other than natural organic nitrogen, including, but not limited to, ammonium sulfate, sodium nitrate, calcium cyanamid, urea and nitrogen-bearing solutions.

(10) "Natural organic nitrogen material" means a fertilizer material of vegetable or animal origin containing nitrogen, including, but not limited to, animal, fish, and other tankages, castor pomace, tobacco stems, cotton seed meal, peanut meal, soybean meal, sewage sludge and cocoa shell meal.

(11) "Grade" means the minimum guarantee of the plant food content of mixed fertilizer, superphosphate, or potash, expressed in terms of nitrogen, available phosphoric acid, and water soluble potash, e. g. 4-8-4, 3-8-5, etc.

(12) "Kind" as distinguished from the term "grade" refers only to mixed fertilizer and means the substances, and the proportions thereof, containing the guaranteed plant food content of mixed fertilizer—as, for example, in the case of nitrogenous material, 80% inorganic and 20% insoluble organic nitrogen; or in the case of potash, 75% sulphate of potash and 25% muriate of potash.

(13) "Price schedule" means any price list or statement, irrespective of form, issued by the seller, setting forth the prices, grades, kinds, terms of payment, types of containers or bags, method and conditions of delivery, and any other provisions relating to sales, of the commodities being priced.

(14) "Place of delivery" means rail or truck destination for goods sold under a price schedule quoting delivered prices, or f. o. b. plant for goods sold under a price schedule quoting f. o. b. plant prices.

(15) "Net to manufacturer" means the amount received by a manufacturer for a sale after deducting discounts and agent's compensation, if any, from his sales price.

(16) "Net delivered cost" means the manufacturer's price to the dealer of the mixed fertilizer, superphosphate or potash being sold plus the dealer's transportation costs.

(17) "Margin" means the amount of markup which may be added to the dealer's net delivered cost.

(18) "Spring season" means the fertilizer selling season from December 1 of any calendar year to and including June 30 of the next succeeding calendar year.

(19) "Fall season" means the fertilizer selling season from July 1 to November 30, inclusive, of any calendar year.

(20) "Victory garden fertilizer" means a 3-8-7 grade of mixed fertilizer for use on Victory gardens in the non-commercial production of vegetables and small fruits.

[Paragraph (20) as amended by Amendment 2, issued 3-22-43 and effective 3-27-43]

(21) "Specialty fertilizer" means a grade and kind of mixed fertilizer containing nitrogen, but not Victory garden fertilizer, which, under the provisions of Food Production Order 5 (8 F.R. 947) issued by the Secretary of Agriculture, may be manufactured, packaged and sold for unrestricted use, and which is generally marketed through retail outlets other than those selling fertilizer for commercial agricultural use.

(22) "Special fertilizer ingredient" means elemental sulphur, or chemical compounds of aluminum, boron, copper, iron, manganese, zinc, or magnesium, except magnesium in the dolomitic form when added separately by the fertilizer manufacturer to a mixed fertilizer or superphosphate.

(23) "Base period" means the date or date interval specified in § 1367.33 (a), § 1367.44 1 (f) and § 1367.45 (b) (1) (i) which shall be used in determining the manufacturer's maximum price.

[Paragraphs (21), (22) and (23) as added by Amendment 2, issued 3-22-43 and effective 3-27-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

[4] 7 F.R. 5087, 5664.
[5] 8 F.R. 3096.
[6] 7 F.R. 5059, 7242, 8829, 9000, 10530.

§ 1367.43 *Effective date.* (a) This Revised Maximum Price Regulation No. 135 (§§ 1367.31 to 1367.46 inclusive) shall become effective January 4, 1943.

(b) If mixed fertilizer, superphosphate or potash has been received before January 4, 1943 by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment remains subject to the terms of the earlier version of this regulation (Maximum Price Regulation No. 135 as amended).

(c) During the period of thirty days next following the effective date of this Revised Maximum Price Regulation No. 135, a manufacturer or dealer may offer or agree to adjust prices to or at prices not in excess of the maximum price established hereunder, but after such thirty day period has elapsed the manufacturer or dealer may offer or agree to adjust prices to or at prices not in excess of the maximum prices in effect at the time of delivery. Where a petition for amendment or for adjustment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

[Issued December 29, 1942]

§ 1367.43a *Effective dates of amendments.*

Amendment Nos. and issue dates:	*Effective*
Amendment 1, 2-1-43	2-6-43
Amendment 2, 2-22-43	2-27-43

§ 1367.44 Appendix A: Amounts per ton net to manufacturer which may be added to, or shall be deducted from, the manufacturer's base period prices for places of delivery in the states named below:

1 *Places of delivery*:

(a) New England and Middle Atlantic States.

Maine

Grade:	*Amount per ton*
0-14-14	$1.68
0-20-20	2.40
3-10-10	1.80
3-12-6	2.04
3-12-15	2.04
4-9-7	1.88
4-12-4	2.24
4-8-12	1.76
4-10-10	2.00
4-16-20	2.72
5-20-10	3.40
6-9-15	2.28
6-12-18	2.64
6-15-15	3.00
0-18-0	2.16
0-20*-0	2.40

*Or higher.

Vermont

Grade:	*Amount per ton*
0-14-14	$1.68
0-20-20	2.40
3-10-10	1.80
3-12-6	2.04
3-12-15	2.04
4-9-7	1.88
4-12-4	2.24

Vermont—Continued

	Amount per ton
4-10-10	$2.00
4-16-20	2.72
5-3-5 [1]	4.36
5-20-10	3.40
6-3-6 [1]	5.16
6-15-15	3.00
0-18-0	2.16
0-20*-0	2.40

*Or higher.
[1] Tobacco only.

New Hampshire

Grade:	*Amount per ton*
0-14-14	$1.68
0-9-27	1.08
0-20-20	2.40
3-10-10	1.80
3-12-6	2.04
3-12-15	2.04
4-9-7	1.88
4-10-10	2.00
4-12-4	2.24
4-16-20	2.72
5-3-5 [1]	4.36
6-15-15	3.00
6-3-6 [1]	5.16
6-15-15	3.00
0-18-0	2.16
0-20*-0	2.40

*Or higher.
[1] Tobacco only

Massachusetts

Grade:	*Amount per ton*
0-14-14	$1.68
0-9-27	1.08
0-20-20	2.40
3-10-10	1.80
3-12-6	2.04
3-12-15	2.04
4-9-7	1.88
4-12-4	2.24
4-10-10	2.00
4-16-20	2.72
5-3-5 [1]	4.36
5-20-10	3.40
6-3-6 [1]	5.16
6-15-15	3.00
0-18-0	2.16
0-20*-0	2.40

*Or higher.
[1] Tobacco only.

Rhode Island

Grade:	*Amount per ton*
0-9-27	1.08
0-14-14	1.68
0-20-20	2.40
3-10-10	1.80
3-12-6	2.04
3-12-15	2.04
4-9-7	1.88
4-12-4	2.24
4-10-10	2.00
4-16-20	2.72
5-20-10	3.40
6-15-15	3.00
0-18-0	2.16
0-20*-0	2.40

*Or higher.

Connecticut

Grade:	*Amount per ton*
0-9-27	$1.08
0-14-14	1.68
0-20-20	2.40
3-10-10	1.80
3-12-6	2.04
3-12-15	2.04
4-9-7	1.88
4-10-10	2.00
4-12-4	2.24
4-16-20	2.72
5-3-5 [1]	4.36

Connecticut—Continued

Grade:	*Amount per ton*
5-20-10	$3.40
6-3-6 [1]	5.16
6-15-15	3.00
0-18-0	2.16
0-20*-0	2.40

*Or higher.
[1] Tobacco only.

New York

Grade:	*Amount per ton*
0-14-7	$1.12
0-12-12	.96
0-16-8	1.28
0-14-14	1.12
0-24-12	1.60
0-20-20	1.60
2-8-10	1.04
3-12-6	1.56
3-12-15	1.56
4-10-5	1.60
4-12-4	1.76
4-8-12	1.44
4-10-10	1.60
4-16-4	2.08
4-16-8	2.08
0-18-0	1.44
0-20*-0	1.60

*Or higher.

New Jersey

Grade:	*Amount per ton*
0-14-7	$1.12
0-12-12	.96
0-16-8	1.28
0-14-14	1.12
0-24-12	1.60
0-20-20	1.60
2-8-10	1.04
2-12-6	1.36
3-12-6	1.56
3-12-15	1.56
3-18-9	2.04
4-12-4	1.76
4-10-5	1.60
4-8-12	1.44
4-10-10	1.60
4-12-8	1.76
4-16-8	2.08
0-18-0	1.44
0-20*-0	1.60

*Or higher

Pennsylvania

Grade:	*Amount per ton*
0-14-7	$1.12
0-12-12	.96
0-16-8	1.28
0-14-14	1.12
0-24-12	1.60
0-20-20	1.60
2-8-10	1.04
2-12-6	1.36
3-12-6	1.56
3-12-15	1.56
3-18-9	2.04
4-10-5	1.60
4-12-4	1.76
4-8-12	1.44
4-10-10	1.60
4-16-4	2.08
4-8-16	1.44
4-12-8	1.76
4-12-12	1.76
4-16-8	2.08
4-16-20	2.08
4-24-12	2.40
6-15-15	2.40
7-21-7	3.00
10-6-4	.48
0-18-0	1.44
0-20*-0	1.60

*Or higher.

For tobacco grades add 25¢ per unit of nitrogen to the above.

Delaware

Grade:	Amount per ton
0–14–7	$0.70
0–12–12	.60
0–16–8	.80
0–14–14	.70
0–24–12	1.00
0–20–20	1.00
2–8–10	.80
2–12–6	1.00
2–12–12	1.00
3–12–6	1.20
3–9–15	1.05
3–12–15	1.50
3–18–9	1.20
4–12–4	1.40
4–8–12	1.20
4–12–8	1.40
4–16–8	1.60
4–16–20	1.80
4–24–12	1.50
5–10–5	1.80
7–21–7	2.40
10–6–4	.30
0–18–0	.90
0–20*–0	1.00

*Or higher.

Maryland and District of Columbia

Grade:	Amount per ton
0–14–7	$0.70
0–12–12	.60
0–16–8	.80
0–14–14	.70
0–24–12	1.00
0–20–20	1.00
2–8–10	.80
2–12–6	1.00
2–12–12	1.00
3–12–6	1.20
3–9–15	1.05
3–12–15	1.20
3–18–9	1.50
4–8–12	1.20
4–12–8	1.40
4–16–8	1.60
4–16–20	1.60
4–24–12	1.80
4–12–4	1.40
5–10–5	1.50
6–6–8	1.50
7–21–7	2.40
10–6–4	.30
0–18–0	.90
0–20*–0	1.00

*Or higher.

For tobacco grades add 25¢ per unit of nitrogen to the above.

West Virginia

Grade:	Amount per ton
0–14–7	$.70
0–16–8	.80
0–24–12	1.00
2–12–6	1.00
3–18–9	1.50
4–12–4	1.40
4–12–8	1.40
10–6–4	.30
0–18–0	.90
0–20*–0	1.00

*Or higher

For tobacco grades add 25¢ per unit of nitrogen to the above

Bags. To a manufacturer's established maximum prices for sales in 100-pound paper bags, there may be added for sales in cotton bags:

$1.10 per ton in 200-pound cotton bags.
$1.35 per ton in 125-pound cotton bags.
$1.60 per ton in 100-pound cotton bags.

(b) *Virginia*

Grade:	Amount per ton
0–14–7	$0.70
0–12–12	.60
0–16–8	.80
0–14–14	.70
0–24–12	1.00
0–20–20	1.00
2–8–10	.80
2–12–6	1.00
2–12–12	1.00
3–8–5	1.05
3–9–6	1.20
3–12–6	1.05
3–9–15	1.20
3–12–15	1.50
3–18–9	1.20
4–8–4	2.25
4–9–3[1]	1.20
4–8–6	1.40
4–12–4	1.20
4–8–12	1.40
4–12–8	1.60
4–16–4	1.60
4–16–8	1.50
5–10–5	.30
10–6–4	.90
0–18–0	1.00
0–20*–0	

*Or higher.

[1] For tobacco only. For other tobacco grades add 25¢ per unit of nitrogen to the above.

Bags. To a manufacturer's established maximum prices for sales in 200-pound burlap bags, there may be added for sales in cotton bags:

$1.15 per ton for sales in 200-pound cotton bags.

$1.40 per ton for sales in 125-pound cotton bags.

$1.65 per ton for sales in 100-pound cotton bags.

For sales in 100-pound paper bags, deduct $1.15 per ton from the above determined 200-pound cotton bag price.

(c) North Carolina, South Carolina, Georgia.

North Carolina

Grade:	Amount per ton
0–10–10	$0.20
0–14–7	.28
2–8–10	.56
2–10–6	.60
2–12–6	.64
3–8–5	.76
3–9–6	.78
3–9–9	.78
3–12–6	.84
4–8–4	.98
4–9–3[1]	1.98
4–8–6	.96
4–8–8	.96
4–10–6	1.00
4–12–4	1.04
4–12–8	1.04
5–7–5	1.14
0–18–0	.36
0–20*–0	.40

*Or higher.

[1] For tobacco only. For other tobacco grades add 25¢ per unit of nitrogen to the above.

South Carolina

Grade:	Amount per ton
2–12–6	$0.40
3–8–5	.60
3–9–6	.60
3–9–9	.60
3–12–6	1.80
4–9–3[1]	.80

[1] For tobacco only. For other tobacco grades add 25¢ per unit of nitrogen to the above.

Bags. To a manufacturer's established maximum prices for sales in 200-pound cotton bags, there may be added sixty ($0.60) cents per ton.

Basis the above determined 200-pound cotton bag price:

Add $0.25 per ton for 125-pound cotton bags.

Add $0.50 per ton for 100-pound cotton bags.

Deduct $1.15 per ton for 100-pound paper bags.

(d) *Tennessee*

Bags. To a manufacturer's established maximum prices for sales in 125-pound cotton bags there may be added sixty ($0.60) cents per ton.

Basis the above determined 125-pound cotton bag price:

Add $0.25 per ton for sales in 100-pound cotton bags.

Deduct $0.25 per ton for sales in 200-pound cotton bags.

Deduct $1.35 per ton for sales in 100-pound paper bags.

(e) *New Mexico, Oklahoma, Texas, Arkansas, Louisiana, Mississippi, Alabama, Florida west of Apalachicola River.*

Bags. To a manufacturer's established maximum prices for sales in 100-pound cotton bags, there may be added sixty ($0.60) cents per ton.

Basis the above determined 100-pound cotton bag price:

Deduct $0.50 per ton for sales in 200-pound cotton bags.

Deduct $1.60 per ton for sales in 100-pound paper bags.

(f) *Florida, east of the Apalachicola River.* To the prices of mixed fertilizer, without special fertilizer ingredients, quoted in a manufacturer's written or printed price schedule first issued between July 1 1941 and November 30, 1941, plus the prices for special fertilizer ingredients quoted in the written or printed price schedule in effect from February 16, 1942, to and including February 20, 1942, there may be added amounts per ton determined as follows

[NOTE: Paragraph (f) as amended by Amendment 2, issued 3-22-43 and effective 3-27-43.]

(i) $1.30 per unit of organic nitrogen for the amount of organic nitrogen derived from natural organic materials other than cotton seed meal, soybean meal or peanut meal guaranteed to be in a particular grade and kind of mixed fertilizer

(ii) $2.15 per unit of organic nitrogen for the amount of organic nitrogen derived from cotton seed meal, soybean meal or peanut meal guaranteed to be in a particular grade and kind of mixed fertilizer.

(iii) $3.80 per unit of organic nitrogen derived from natural organic materials other than cotton seed meal, soybean meal or peanut meal when used to replace chemical nitrogen in a particular grade and kind of mixed fertilizer.

(iv) $4.65 per unit of organic nitrogen derived from cotton seed meal, soybean meal or peanut meal when used to replace chemical nitrogen in a particular grade and kind of mixed fertilizer.

(v) If a manufacturer wishes to reduce the amount of organic nitrogen guaranteed to be in a particular grade and kind of mixed fertilizer after having increased his price according to subparagraphs (i), (ii), (iii), or (iv) above, his price of that grade and kind of mixed fertilizer shall be reduced by deducting for the amount of natural organic nitrogen replaced by chemical nitrogen at the rates specified in (iii) or (iv) above for the types of natural organic nitrogen replaced by chemical nitrogen.

Bags. To a manufacturer's established maximum prices for sales in 200-pound burlap bags, there may be added for sales in cotton bags:

$1.15 per ton for sales in 200-pound cotton bags.

$1.65 per ton for sales in 100-pound cotton bags.

For sales in 100-pound paper bags, deduct $1.15 per ton from the 200-pound cotton bag price as determined above.

(g) *Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Iowa, Missouri.*

Bags. To a manufacturer's established maximum prices for sales in 100-pound paper bags, there may be added for sales in cotton bags

$1.10 per ton for sales in 200-pound cotton bags.

$1.35 per ton for sales in 125-pound cotton bags.

$1.60 per ton for sales in 100-pound cotton bags.

(h) *Washington, Oregon, California, Arizona, Colorado, Nevada, Idaho, Utah, Wyoming, Montana.*

No amounts per ton may be added to manufacturer's established maximum prices.

(i) *Puerto Rico.* To the prices of mixed fertilizer, superphosphate or potash quoted in a manufacturer's written or printed price schedule or list effective on October 15, 1941, designated herein as the base period prices, there may be added, net to the manufacturer, for each unit of ammonia, available phosphoric acid and potash an amount consisting of the difference in the cost per unit of such ammonia, available phosphoric acid or potash between (1) the manufacturer's average delivered-to-factory cost of such materials received by him during the period July 1 to December 31, 1941, inclusive, and (2) the manufacturer's average delivered-to-factory cost of such materials received by him during the period October 1 to December 31, 1942, inclusive.

Beginning on April 1, 1943, and quarterly thereafter, a manufacturer's base period prices may be increased or shall be decreased by the amount of the difference, if any, between (1) the manufacturer's average delivered-to-factory cost of such materials received by him during the period July 1 to December 31, 1941, inclusive, and (2) the manufacturer's average delivered-to-factory cost of such materials received by him during the three months' period last preceding the quarter annual adjustment date; if, during any such three months' period, no materials were received by the manufacturer, then the average cost for the next preceding three months' period shall be applied in making the appropriate increase or decrease in his base period prices.

Bags. A manufacturer's prices of mixed fertilizer, superphosphate or potash determined as above set forth may be further increased, or shall be decreased, by the amount of the average increase or decrease, as the case may be, in the cost of bags used in packaging such products. The amount of such increase or decrease per ton of such products shall be determined for the same periods and in the same manner as described above for each unit of ammonia, available phosphoric acid and potash.

[Paragraph (i) added by Amendment 1. 7 F.R. 1459]

2. *Use of natural organic nitrogen materials.* Except for deliveries in Washington, Oregon, California, Arizona, Colorado, Nevada, Utah, Idaho, Montana, Wyoming and Florida east of the Apalachicola River, amounts may be added to manufacturer's prices for use of natural organic nitrogen materials in mixed fertilizers as specified below:

(a) $2.00 per unit of organic nitrogen derived from natural organic materials other than cotton seed meal, soybean meal or peanut meal when used to replace chemical nitrogen in a particular grade and kind of mixed fertilizer.

(b) $4.20 per unit of organic nitrogen derived from cotton seed meal, soybean meal or peanut meal when used to replace chemical nitrogen in a particular grade and kind of mixed fertilizer.

(c) $2.20 per unit of organic nitrogen derived from cotton seed meal, soybean meal or peanut meal when used to replace other natural organic nitrogen materials in a particular grade and kind of mixed fertilizer.

(d) On and after the effective date of this Revised Maximum Price Regulation No. 135, no existing provision in any price schedule or list for adding to prices on account of the use of oil seed meals and other natural organic nitrogen materials in the manufacture of mixed fertilizer, inconsistent with the foregoing subparagraphs ((i), (ii) and (iii)) shall be effective or valid.

(e) If a manufacturer wishes to reduce the amount of organic nitrogen guaranteed to be in a particular grade and kind of mixed fertilizer, his price of that grade and kind of mixed fertilizer shall be reduced by deducting for the amount of natural organic nitrogen replaced by chemical nitrogen at the rates specified in (a), (b), or (c) above for the types of natural organic nitrogen replaced by chemical nitrogen.

[NOTE: Paragraph (e) as added by Amendment 2, issued 3-22-43 and effective 3-27-43]

3. *Additional grades.* For grades not listed in 1 (a), (b), or (c) above, but which may be manufactured and offered for sale under the provisions of any Food Production Order heretofore or hereafter issued by the Secretary of Agriculture pursuant to Executive Order No. 9280 (7 F.R. 10179), amounts per ton, which may be added to the manufacturer's price at his base period level, for places of delivery in States listed in 1 (a), (b), or (c) above, are:

(i) 20¢ per unit of nitrogen in mixed fertilizers except tobacco grades and grades containing 8% or more nitrogen per ton, or

(ii) 45¢ per unit of nitrogen in mixed fertilizers for tobacco, plus

(iii) 12¢ per unit of available phosphoric acid in mixed fertilizer and superphosphate up to and including 20% of available phosphoric acid per ton, for Maine, Vermont, New Hampshire, Massachusetts, Rhode Island and Connecticut, or

(iv) 8¢ per unit of available phosphoric acid in mixed fertilizer and superphosphate up to and including 20% of available phosphoric acid per ton, for New York, New Jersey and Pennsylvania, or

(v) 5¢ per unit of available phosphoric acid in mixed fertilizer and superphosphate up to and including 20% of available phosphoric acid per ton, for Delaware, Maryland, District of Columbia West Virginia and Virginia, or

(vi) 2¢ per unit of available phosphoric acid in mixed fertilizer and superphosphate up to and including 20% of available phosphoric acid per ton, for North Carolina.

[NOTE: § 3 as added by Amendment 2, issued 3-22-43 and effective 3-27-43]

§ 1367.45 *Appendix B: Victory Garden and specialty fertilizers*—(a) *Victory garden fertilizer.*

1. Maximum consumer prices of "Victory Garden Fertilizer—For Food Production Only" with its nitrogen derived entirely from chemical nitrogen materials shall be:

In 100-pound packages:	Per package
2,000 pounds or more	$3.00
1,000 pounds to 1,900 pounds	3.25
500 pounds to 900 pounds	3.35
100 pounds to 400 pounds	3.50
In smaller packages:	**Each**
50-pound package	$2.25
25-pound package	1.40
10-pound package	.80
5-pound package	.50

2. Maximum prices of Victory garden fertilizer delivered to dealers shall be:

	Each
100-pound package	$2.50
50-pound package	1.60
25-pound package	1.00
10-pound package	.56
5-pound package	.35

3. To the above consumer and dealer prices for Victory garden fertilizer in 100-pound, 50-pound, and 25-pound packages, there may be added an amount calculated at the rate of 20¢ per 100-pound package, 10¢ per 50-pound package, and 5¢ per 25-pound package for each unit of nitrogen per ton derived from natural organic nitrogen materials rather than chemical nitrogen materials.

(b) *Specialty fertilizers.* 1. Maximum prices of specialty fertilizers sold and delivered to dealers shall be: (i) the prices set forth in the written or printed price schedule or list last issued by the manufacturer prior to February 21, 1942, and effective for any portion of the period from February 16, 1942 to February 20, 1942, inclusive, for the same brand of fertilizer, regardless of the kind of nitrogen or other fertilizer materials then mixed in that brand; or (ii) a price based on the following prices for a 3–8–7 grade with nitrogen derived entirely from natural organic nitrogen materials:

Specialty fertilizer 3–8–7 (all organic nitrogen).

Size of package:[1]	Price per package
100-pound	$3.10
50-pound	1.90
25-pound	1.15
10-pound	.56
5-pound	.35

[1] The price per pound in packages of any size other than those listed shall be no higher than the price per pound in the next larger size of package which is listed.

2. For variations in nitrogen, available phosphoric acid and potash adjustments per

(e) No more than nine (9%) per cent margin on dealer's net delivered cost on deliveries

shall execute Form OPA R–544 (Revised) with respect to such transfer and shall

2. The definition of "Transfer", in section 4, is amended to read as follows:

Philadelphia Piers, via tidewater, either (a) to an unloading port on the Atlantic

transportation of which an adjustment is requested. The amount, if any, of

2 For variations in nitrogen, available phosphoric acid and potash adjustments per package shall be made at the following rates:

	Increase or decrease per unit	
	Total nitrogen	Available phosphoric acid or potash
[illegible]	$ [illegible]	$ [illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

3 If the Secretary of Agriculture at some later date approves the use of chemical nitrogen in specialty fertilizers, the prices established under (1) and (2) above shall be reduced at the rate of 20¢ per 100-pound package, 10¢ per 50-pound package and 5¢ per 25-pound package for each unit of nitrogen per ton derived from chemical rather than natural organic nitrogen materials

4 Each manufacturer shall continue to offer such quantity discounts as were set forth in his written or printed price schedule last issued prior to February 21, 1942, and effective for any portion of the period from February 16, 1942, to February 20, 1942, inclusive.

5. Maximum prices of specialty fertilizers for sales to consumers may be established by adding to the dealer's maximum price established under (b) (1), (2) or (3) above:

(i) The percentage markup over the price to dealers as recommended in the written or printed price schedule last issued by the manufacturer prior to February 21, 1942, and effective for any portion of the period from February 16, 1942 to February 20, 1942, inclusive; or

(ii) A markup of 40 per cent over the price to dealers as herein established if no recommended margin was provided in the price list in effect during the period from February 16, 1942 to February 20, 1942, inclusive

[NOTE: § 1367.45 as amended by Amendment 2, issued 3-22-43 and effective 3-27-43]

§ 1367.46 *Appendix C: Dealers' margins.*

1 Cash sales. A dealer's maximum margin on his cash sales unless otherwise determined under § 1367.34, shall be:

(a) No more than five (5) per cent margin on dealer's net delivered cost on deliveries in Alabama, Florida, west of the Apalachicola River only; Georgia; Maine, Aroostock County, Danford Township of Washington County and the part of Penobscot County north and west of Millinocket only; North Carolina; South Carolina; and Virginia

[NOTE: Paragraphs 1 and (a) as amended by Amendment 2, issued 3-22-43 and effective 3-27-43]

(b) No more than six (6) per cent margin on dealer's net delivered cost on deliveries in Delaware, Maryland, Counties of Caroline, Cecil Dorchester, Kent, Queen Annes, Somerset, Talbot, Wicomico and Worcester only; and New York, Long Island only.

(c) No more than seven (7) per cent margin on dealer's net delivered cost on deliveries in the District of Columbia; Maryland, Counties west of the Susquehanna River and Chesapeake Bay only; West Virginia except counties of Brooke, Hancock Marshall, and Ohio; and New Jersey.

(d) No more than eight (8) per cent margin on dealer's net delivered cost on deliveries in New York except Long Island.

(e) No more than nine (9%) per cent margin on dealer's net delivered cost on deliveries in Indiana; Michigan, Southern Peninsula; Ohio; Pennsylvania; and West Virginia, counties of Brooke, Hancock, Marshall and Ohio only.

(f) No more than ten (10%) per cent margin on dealer's net delivered cost on deliveries in Arizona; Arkansas; California; Colorado; Connecticut; Florida, except area west of the Apalachicola River; Idaho; Illinois, Iowa; Kansas; Kentucky; Louisiana; Maine, exclusive of Aroostook County, Danforth Township of Washington County and the part of Penobscot County north and west of Millinocket; Massachusetts; Michigan, Northern Peninsula; Minnesota; Mississippi; Missouri, Montana; Nebraska; Nevada; New Hampshire; New Mexico; North Dakota; Oklahoma; Oregon; Rhode Island; South Dakota; Tennessee; Texas; Utah; Vermont; Washington; Wisconsin; and Wyoming.

[NOTE: Paragraph (f) as amended by Amendment 2, issued 3-22-43 and effective 3-27-43]

2 Time sales—A dealer's margin on his time sales, unless otherwise determined under Section 1367.34, shall be no greater on spring season sales than he charged on similar sales during the period February 16 to February 20, 1942, inclusive; and on fall season sales no greater than he charged on similar sales during the period October 1 to October 15, 1941, inclusive.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4448; Filed, March 22, 1943; 4:43 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,* Amendment 51]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5304 (b) is amended by adding after the period at the end of the paragraph the sentence: "For 'Area B,' subcolumn 'Thermal Zone A' of column 'Area A' of such Table shall be used."

2. Section 1394.5701 (e) is added to read as follows:

(e) The provisions of this section shall not apply to the Army and the Navy.

3. Section 1394.5731 (c) is added to read as follows:

(c) The provisions of this section shall not apply to the Army and the Navy.

4. The text of § 1394.5655 (a) is amended by adding after the period at the end of the paragraph, the sentence: "When fuel oil is transferred to the Army or to the Navy within the limitation area from without the limitation area, the agency receiving such fuel oil shall execute Form OPA R-544 (Revised) with respect to such transfer and shall forward such executed form to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., before the expiration of the calendar month in which such transfer is made or within ten (10) days after such transfer, whichever is shorter."

5. In the subcolumn "Thermal Zone B" of the column "Area A" of Table VII of § 1394.5851 (d), the date "Nov. 20-Dec. 1" is amended to read "Nov. 26-Dec. 1" and the date "Mar. 6-Mar. 13" is amended to read "Mar. 5-Mar. 13"

This amendment shall become effective on March 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of March 1943

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-4457; Filed, March 22, 1943; 4:45 p. m.]

*Copies may be obtained from the Office of Price Administration

7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 444, 607, 608, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2104, 2432, 2598, 2598, 2781, 2720, 2887, 2942, 2993, 2887, 3106.

PART 1397—CONSTRUCTION OF BUILDINGS AND STRUCTURES

[MPR 251, Amendment 1]

CONSTRUCTION AND MAINTENANCE SERVICES AND SALES OF BUILDING AND INDUSTRIAL EQUIPMENT AND MATERIALS ON AN INSTALLED OR ERECTED BASIS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1397.56 (b) and § 1397.57 (b) of Maximum Price Regulation No. 251 (7 F.R. 8878) are hereby revoked.

This amendment shall become effective March 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943

PRENTISS M. BROWN
Administrator

[F. R. Doc. 43-4458; Filed, March 22, 1943; 4:40 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 5, Amendment 1]

RATIONED FATS OR OILS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Restriction Order 5 is amended in the following respects:

1. A new paragraph (c) is added to section 2, to read as follows:

(c) Exceptions may also be granted, upon such application, by the District Managers of the Office of Price Administration or, where there is no District Office, by the State Director.

2. The definition of "Transfer", in section 4, is amended to read as follows:

(11) "Transfer" means to sell, give, exchange, lend, deliver, or consign. It includes any transfer of possession or title, however accomplished, but it does not include use in the preparation of food for service or in the service of food to consumers. The use by any person of rationed fats or oils which he holds for sale or transfer is considered a transfer of those foods to himself.

This amendment shall become effective March 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, Food Dir. 7)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4459; Filed, March 22, 1943; 4:40 p. m.]

PART 1411—COMPENSATORY ADJUSTMENT

Amendment 5 to Compensatory Adjustment Reg. 1]

WARTIME INCREASES IN THE COST OF TRANSPORTING COAL

Compensatory Adjustment Regulation No. 1 is amended in the following respects:

1. Section 1411.5a (a) is amended to read as follows:

(a) (1) An application for a compensatory adjustment on account of wartime increases in the cost of transporting coal may be filed by any dealer in Pennsylvania anthracite who (i) prior to January 1, 1942 normally handled, at a business establishment, Pennsylvania anthracite transshipped from New York Harbor or Philadelphia Piers, via tidewater, either (*a*) to an unloading port on the Atlantic Coast north of and including Portsmouth, New Hampshire, or (*b*) to a yard or dock having no rail connections located at a point on the Atlantic Coast north of and including Stamford, Connecticut and south of Portsmouth, New Hampshire, except to a yard or dock located at a point in the State of New York, (ii) during the period January 1, 1942, to May 17, 1942, inclusive, received Pennsylvania anthracite transported to the same establishment at a higher cost than the cost of transporting such Pennsylvania anthracite prior to January 1, 1942, and (iii) prior to May 18, 1942, had not disposed of the Pennsylvania anthracite transported at such higher cost, or of an equivalent amount of inventory, at prices adjusted upwards over his selling prices during the month of December 1941.

(2) Such an application may also be filed by any dealer in Pennsylvania anthracite who (i) prior to January 1, 1942 normally received at a business establishment, Pennsylvania anthracite transshipped from New York Harbor or Philadelphia Piers, via tidewater, either (*a*) to an unloading port on the Atlantic Coast north of and including Portsmouth, New Hampshire, or (*b*) to a yard or dock having no rail connections located at a point on the Atlantic Coast north of and including Stamford, Connecticut and south of Portsmouth, New Hampshire, except to a yard or dock located at a point in the State of New York, and (ii) on or after May 18, 1942, incurs a greater cost for rail or combined rail and water transportation of Pennsylvania anthracite to the same business establishment: *Provided*, That with respect to the tonnage moving via tidewater transshipment as above described, prior to January 1, 1942, the total tonnage of Pennsylvania anthracite so moving to the dealer in the calendar year 1941 shall be the approximate maximum amount of tonnage which may be considered by the Office of Price Administration in the dealer's application for compensatory adjustments relating to tonnages of Pennsylvania anthracite shipped during the calendar year 1942, and: *Provided further*, That the preceding proviso shall not apply where all or approximately all of the tonnage of Pennsylvania anthracite received by the dealer in 1941 had been received by tidewater transshipment as above described.

2. Section 1411.5a (b) (2) (i) is amended to read as follows:

(i) Applications pursuant to paragraphs (a) (1) of this § 1411.5a shall be filed on or before May 20, 1943.

3. Section 1411.5a (b) (2) (ii) (*b*) is amended to read as follows:

(*b*) Applications relating to receipts during May 18-31, inclusive, 1942 and during each of the months from June 1942 to February 1943, inclusive, shall be filed on or before May 20, 1943. Applications relating to receipts during any subsequent month, beginning with March 1943, shall be filed on or before the twentieth day of the third succeeding month. For example, applications as to receipts during the month of March 1943 shall be filed on or before June 20, 1943.

4. Section 1411.5a (b) (3) (iv) (*c*) is amended to read as follows:

(*c*) The water and rail transportation cost incurred for the last cargo of Pennsylvania anthracite of the same size (or other size taking the same freight rate) received in 1941 via tidewater transshipment: *Provided*, That the information required under this subdivision (iv) need not be restated after it has been included in a previous application filed pursuant to this Compensatory Adjustment Regulation No. 1.

5. Section 1411.5a (b) (3) (v) is amended to read as follows:

(v) The amount, if any, per gross ton by which the combined rail and water transportation cost incurred by the applicant on the last cargo of Pennsylvania anthracite of the same size (or other size taking the same freight rate) received by him in 1941, via tidewater transshipment, is less than the cost incurred by the applicant on and after May 18, 1942 for the all-rail or combined rail and water transportation of the Pennsylvania anthracite for the transportation of which an adjustment is requested. The amount, if any, of such excess shall constitute the "standard adjustment", which shall be set forth in the application: *Provided*, That in the case of any rail movement on and after May 18, 1942, the standard adjustment shall be based on the lowest available rail transportation charges from the same rail origin point to the same destination point.

6. Section 1411.6 is amended to read as follows:

§ 1411.6 This Compensatory Adjustment Regulation No. 1 shall become effective as of May 18, 1942.

This Amendment No. 5 shall be effective as of May 18, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-4450; Filed, March 22, 1943; 4:41 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 244,* Amendment 4]

GRAY IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 244 is amended in the following respects:

1. Section 1421.156 is amended to read as follows:

§ 1421.156 *Adjustable pricing and pricing during the pendency of an application for adjustment or petition for amendment.* (a) It is permitted under this maximum price regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery.

(b) Where an application for adjustment has been filed pursuant to § 1421.157 (a) of this regulation and the applicant claims to meet the requirements of subparagraph (3) under paragraph (a) of said section, he may, pending the issuance of an order granting or denying the application and without securing the express permission of the Office of Price Administration, enter into or offer to enter into contracts and may make deliveries at the price requested in the application. In an appropriate situation, where a petition for amendment or application for adjustment requires extended consideration and the applicant or petitioner does not claim to meet the requirements of subparagraph (3) under § 1421.157 (a), the Administrator or, in a case properly before him, the regional administrator for the appropriate regional office of the Office of Price Administration may, upon application, grant permission to the applicant or petitioner

*Copies may be obtained from the Office of Price Administration

*7 F.R. 8558, 8942, 8948, 10781, 8 F.R. 3002.

to enter into or offer to enter into contracts and to make deliveries at the price requested in the application or petition. Whether or not the applicant or petitioner claims to meet the requirements of subparagraph (3) under § 1421.157 (a), if the order issued denies the application or petition in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant or petitioner shall be required to refund the excess. If a request for review is filed by the applicant seeking an adjustment in accordance with § 1300.17 of Revised Procedural Regulation No. 1, the applicant, pending action by the Administrator, may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued by the Administrator denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant shall be required to refund the excess.

2. Section 1421.163 is amended to read as follows:

§ 1421.163 *Maximum prices for new sellers other than transferees.* Each person engaged in, or who proposes to engage in, the business of selling gray iron castings who was not in such business at his present foundry on February 1, 1942, and who is not a transferee as described in § 1421.162, shall file a proposed pricing method for computing maximum prices with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., for approval. Such proposed pricing method shall be submitted on Form 344:2 issued by the Office of Price Administration. The various pricing factors included in such pricing method shall be computed as follows:

(a) Direct labor costs shall be based upon the labor rates which were actually in effect for such seller in his gray iron operations on February 1, 1942 for each classification of direct labor, or, if labor rates for any classification of direct labor were not in effect for such seller on February 1, 1942, on labor rates no higher than the rates for such classifications of direct labor prevailing for such seller's competitors in the same area on February 1, 1942. Overtime labor may be included in cost in accordance with the provisions of § 1421.166 (b) (2) (ii) of this regulation.

(b) Direct material costs shall be based upon the costs to such seller on February 1, 1942 for such materials, or, if the seller had no such costs at that time, on his present costs for such materials, but in any case such costs may not exceed the applicable maximum prices for such materials established by the Office of Price Administration.

(c) In determining whether items of labor or material costs are direct or indirect, the seller shall employ the same classifications and criteria which he used on February 1, 1942, or, if he was not engaged in the production of gray iron castings at that time the classifications and criteria which he would have then used.

(d) Overhead rates shall be the overhead rates in effect for such seller for a similar class of work on February 1, 1942, or, if no overhead rates were in effect for such seller for a similar class of work on February 1, 1942, the overhead rates shall be the rates such seller would have used on February 1, 1942 for a similar class of work. (NOTE: Two classes of work shall be considered not similar if the overhead rates on such classes would be materially different.)

(e) Mark up, margin, or profit shall be the mark up, margin, or profit which such seller would have used on February 1, 1942 if he had been in the business of selling gray iron castings at that time.

(f) Subcontracted machinery service costs may be computed at current levels as provided in § 1421.166 (b) (5) of this regulation.

The proposed pricing method shall be approved as filed or approved subject to such adjustments, conditions and limitations as the Office of Price Administration may provide, or shall be disapproved within twenty days from the time it is received by said Iron and Steel Branch, and in the event the Office of Price Administration does not send out in writing its approval or disapproval within twenty days as provided herein, the proposed pricing method shall be deemed approved. Pending approval or disapproval by the Office of Price Administration, the seller may sell, offer to sell and deliver gray iron castings at prices determined in accordance with the requested pricing method, but such prices shall be subject to adjustment, and the seller shall state in his contracts, offers and invoices that such prices are subject to adjustment, in accordance with the maximum prices resulting from the pricing method which is approved by the Office of Price Administration, and refunds shall be given of any payments made which are in excess of such maximum prices.

3. Section 1421.164 (a) (3) is amended to read as follows:

(3) (i) "Gray iron castings" means all ferrous or ferrous base castings other than steel (including manganese steel), malleable or high alloy castings,[2] sold either with or without subsequent processing thereon, such as (without limitation), machining, galvanizing, plating, japanning, and treating, but does not include: (*a*) gray iron castings sold in an assembly with other materials (except bolts, nuts, screws, rivets or other industrial fastenings), (*b*) gray iron castings purchased from the seller on which the purchaser has performed subsequent processing, (*c*) gray iron castings sold as another commodity by a regular manufacturer of such other commodity or by a purchaser from such manufacturer, and (*d*) gray iron castings for which maximum prices are established by Revised Maximum Price Regulation No. 236[3] issued by the Office of Price Administration.

(ii) A seller of gray iron castings is considered a regular manufacturer of another commodity when (*a*) he represents himself in the trade as a manufacturer of such other commodity through the issuance of catalogues, price lists or other advertising matter, circulated generally to the trade, in which such commodity is designated by name, (*b*) he owns the patterns used for the production of such other commodity, and (*c*) he customarily produces such other commodity for, and sells such commodity from, stock. A seller of gray iron castings who believes that he is a regular manufacturer of another commodity, but who does not meet each of the requirements specified in the foregoing items (*a*), (*b*), and (*c*) may nevertheless be considered a regular manufacturer of another commodity if he is recognized in the trade as a source of supply of such other commodity and he applies to the Office of Price Administration for a determination, or the Office of Price Administration makes a determination without such application, that he is a regular manufacturer of such other commodity.

4. Section 1421.164 (a) (13) is added to read as follows:

(13) "Seller" shall include sellers of gray iron castings who are producers and those who are not producers. For the purpose of determining maximum prices under paragraph (b) of § 1421.166 of this regulation, but for no other purpose, if a seller owns and operates a number of different foundries each such foundry shall be considered a separate seller.

5. Section 1421.164 (a) (14) is added to read as follows:

(14) "Producer of gray iron castings" and "producer" mean a person who is engaged in the business of casting the gray iron and shall include such person whether or not he performs subsequent processing on such castings or causes subsequent processing to be performed on such castings by another, the producer retaining title to the castings.

6. Section 1421.164 (a) (15) is added to read as follows:

(15) "Foundry" includes, in the case of a seller of gray iron castings who is not a producer, a plant, establishment or place of business.

7. Section 1421.166 (b) (1) (i) is amended to read as follows:

(i) The seller shall employ the applicable pricing method which was in use at the foundry on February 1, 1942 and which has been or will be filed with the Office of Price Administration in accordance with section 1421.161 herein, employing each of the pricing factors reflected in such method at the level pre-

[2] The terms "steel castings", "manganese steel castings", "malleable iron castings" and "high alloy castings" are defined in Revised Price Schedule No. 41 and Maximum Price Regulations 235, 241 and 214, respectively, reference should be made to these definitions.

[3] Revised Maximum Price Regulation No. 236 establishes maximum prices in the Eastern part of the United States for certain boiler conversion parts; reference should be made to the definitions set forth in this Regulation No. 236.

vailing at such time, except as specified in subparagraph (5) hereinbelow, including: direct labor rates (applied in accordance with subparagraph (2) below); direct material costs (applied in accordance with subparagraph (3) below); overhead (burden) rates (applied in accordance with subparagraph (4) below); subcontracted machinery service costs (applied in accordance with subparagraph (5) below); and mark-up, margin or profit (applied in accordance with subparagraph (6) below): *Provided however*, That in the case of a seller of a gray iron casting who is not the producer thereof, such seller shall compute his maximum price for such casting by adding to the price at which he purchased such casting, not to exceed the maximum price of the casting under this Regulation for the producer thereof, a mark-up, margin or profit determined in accordance with subparagraph (6) of this paragraph (b), and by adjusting this sum in accordance with the following subdivision (ii).

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4451; Filed, March 22, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 145 Under § 1499.18 (b) of GMPR]

ATLANTIC CURTAIN CO.

Amendment No. 1 to Order No. 145 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GFI-364-P; granting adjustment to Atlantic Curtain Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, paragraph (f) of § 1499.1406 is amended to read as follows:

§ 1499.1406 *Adjustment of maximum prices for sales of certain curtains by the Atlantic Curtain Company.* • • •

(f) This Order No. 145 shall become effective as of June 27, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4464; Filed, March 22, 1943; 4:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 4[1] to GMPR, Amendment 22]

INTERNATIONAL PAYROLL MACHINE CO.

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 4 to the General Maximum Price Regulation is amended in the following respect:

Section 1499.29(a)(17) is amended to read as follows:

(17) Deliveries prior to July 1, 1943, pursuant to sales, to the United States or any agency thereof, of the standard model F-4 payroll machine manufactured by the International Payroll Machine Company, Reading, Pennsylvania.

(i) The provisions of this subparagraph may be amended or revoked by the Price Administrator at any time.

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4454; Filed, March 22, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 137]

CERTAIN FOOD AND BEVERAGE SPECIALTY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (82) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • •

(82) *Certain food and beverage specialty products*—(i) *Applicability.* The provisions of this subparagraph shall apply only to those commodities listed in Appendix A hereof and only in those cases where the volume of the end-product of the new formula product is the same as or fairly equivalent to the end-product made from the old formula product.

(ii) *Method of determining maximum prices.* (*a*) The maximum prices for sales and deliveries of the food and beverage specialty products hereinafter listed in Appendix A manufactured by the identical formula and sold in the same net weight containers as they were sold and delivered in during March 1942 shall be the maximum prices determined in accordance with the provisions of the General Maximum Price Regulation.

(*b*) On and after March 27, 1943, every manufacturer of a listed specialty product who since March 1942 has changed or who shall change his formula for the manufacture of such product either by the substitution, elimination or reduction of one or more of the ingredients thereof shall determine the maximum price of his new product as follows: He shall

(*1*) Calculate the current ingredient cost per his customary selling unit of all ingredients according to the formula used in March 1942 for the product which he sold in March 1942,

(*2*) Calculate the current ingredient cost per his customary selling unit of all ingredients of his new formula for the product which he is pricing,

(*3*) Subtract new formula ingredient costs from old formula ingredient costs, (*2* from *1*), and

(*4*) Subtract the difference in ingredient costs as determined in (*3*) from his previously established maximum selling price for his old formula product. The result shall be the manufacturer's maximum selling price per his customary selling unit for his new formula product. Fractions of one-half cent or more may be increased to the next higher cent and fractions of less than one-half cent shall be decreased to the next lower cent.

(*c*) Except as provided in (vii), if the manufacturer's formula change results in the same or greater ingredient costs for his new formula product than for his old formula product, his maximum price of his new formula product shall remain unchanged from the maximum price of his old formula product.

(iii) *Discounts and allowances.* Discounts, allowances and terms, whether based on quantity, class of purchaser, or any other cause, shall be no less favorable to any purchaser of a new formula product of a listed specialty product than those in effect with respect to the same old formula product.

(iv) *Maximum prices for sellers at wholesale and retail.* Sellers at wholesale and retail of any specialty product listed in Appendix A hereof shall not increase and they are not required to reduce their maximum prices established for that product under the General Maximum Price Regulation, regardless of any change in the net weight of

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6744, 6793, 7175, 7538, 8021, 9827, 10022, 10531; 8 F.R. 130, 137, 372, 1681, 1685, 1800.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8534, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 9855, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10139, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346, 3096.

such product which may result from a producer's formula change made under the provisions of this subparagraph.

(v) *Reports.* Every manufacturer who since March 1942 has made a change in his formula of a listed specialty product subject to the provisions of this subparagraph shall file with the Office of Price Administration, Washington, D. C., a verified statement showing (*a*) his actual current purchase price for each ingredient used to produce the product by the old formula, (*b*) the actual current purchase price for each ingredient used to produce the product by the new formula, (*c*) the name of his supplier of each ingredient, (*d*) his cost of such ingredients per his customary selling unit of the manufactured product for both the old and new formula, (*e*) his previous maximum selling price, and (*f*) his new maximum selling price. If the formula change was made prior to the effective date of this amendment, such statement must be filed within 15 days after the effective date of this amendment. If the formula change is made on or after the effective date of this amendment, such statement must be filed within 5 days after the date of the first shipment of the new formula product.

(vi) *Notification.* Whenever a formula change is made and a new maximum selling price is determined under the provisions of this subparagraph, the manufacturer making such change shall before or at the time of first delivery notify in writing each of the purchasers of the new formula product from him of his new maximum selling price.

(vii) *Subsequent formula changes.* Each time a manufacturer makes a change in his formula of a listed specialty product he shall apply the provisions of this subparagraph to determine his new maximum prices of such product. Price changes, if any, shall always be in reduction of the maximum price for the product from which the change is made, except as may be otherwise authorized under subdivision (vii).

(viii) *Authorization of maximum prices.* In any case where a manufacturer by a subsequent formula change of a listed specialty product shall determine that his ingredient cost for such new formula product is greater than his ingredient cost for a previous new formula product the maximum price of which he has determined in accordance with provisions of this subparagraph, he may apply to the Office of Price Administration in Washington, D. C., for an authorization of a maximum price for his latest new formula product. Such application shall set forth (*a*) a description in detail of the product for which a maximum price is sought and wherein it differs from the product from which the change is made and (*b*) the current cost of ingredients of those two products. Such authorization will be given by the Price Administrator in writing prescribing the maximum price or a method of determining the maximum price for the applicant or for sellers of the product generally, including purchasers for resale, or for a class of such sellers. If authorization is given under the provisions of this subdivision (viii) the maximum prices so authorized shall not exceed the maximum selling prices established for the product as produced and sold in March 1942.

(ix) *Definitions.* When used in this subparagraph (82) the term:

"Beverage mix preparations" means the dry or liquid product consisting of flavoring, coloring, acid, with or without sugar, without milk ingredients or with milk ingredients not exceeding 50 per cent of the total weight or volume as packaged.

"Dehydrated soup mixes" means the dry packaged product consisting of dehydrated vegetables, salt, sugar and seasonings, with or without alimentary paste products, and with or without capsules containing fats, vitamins or minerals, and with or without dehydrated meat or poultry particles.

"Freezing mix preparations" means the liquid or semi-fluid product customarily sold in hermetically sealed containers, consisting of sugar and or dextrose, flavoring, with or without fruit particles, coloring, salt, stabilizing colloid and or any starch compound the entire combination being used to prepare frozen desserts.

"Gelatin dessert preparations" means the dry packaged product consisting of sugar, gelatin, organic acid, coloring and flavoring.

"Ice cream powders" means the dry packaged product consisting of sugar or dextrose, or both, milk powder and or skimmed milk powder, a stabilizing colloid, flavoring, coloring and salt. This definition shall also include ice cream powders with powdered rennin and sucrose.

"Starch dessert preparations" means the dry packaged product consisting of sugar or dextrose or both, corn starch or other starches or a combination of either, flavoring, coloring and salt. This definition shall also include rennin powdered dessert preparations.

(The above are general definitions to describe the commodities. The elimination of any ingredient specified, or the addition of any optional ingredient not specified does not exclude a product from the scope of the definition.)

"End-product" means the finished food or beverage prepared according to the directions on or in the container and as described by the manufacturer.

"Ingredient cost" means the actual invoice cost of a customary quantity of any ingredient plus delivery charge, if incurred, from the customary supplying point via the customary mode of transportation. In the absence of actual invoice cost, the potential cost may be substituted.

"New formula" means the combination and proportion of ingredients which constitutes the new product and which, used according to the directions on or in the container, will produce the same or fairly equivalent volume of end-product as the old formula.

"Old formula" means the combination and proportion of ingredients used to produce the listed specialty product in March 1942, or the combination and proportion of ingredients used to produce the product once calculated and reported under the provisions of this amendment where a subsequent formula change is involved.

"Previously established maximum selling price" means the maximum selling price of the product as established by the General Maximum Price Regulation or by order of the Office of Price Administration, or as recalculated and reported under the provisions of this amendment where a subsequent formula change is involved.

(x) *Appendix A: Food and beverage specialty products covered by this subparagraph.* The following food and beverage specialty products, referred to in this subparagraph as listed specialty products, are covered by and the producers thereof shall be governed by the provisions of this subparagraph:

Beverage mix preparations.
Dehydrated soup mixes.
Freezing mix preparations.
Gelatin dessert preparations.
Ice cream powders.
Starch dessert preparations, including rennin powdered dessert preparations.

This amendment shall become effective March 27, 1943.

NOTE: All reporting and record-keeping requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-4460; Filed, March 22, 1943; 4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 138

"GENERAL MANAGER TYPE" GRAIN DOORS SOLD TO RAILROADS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73 (a) (83) is added to read as follows:

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6407, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7311, 7535, 7739, 7671, 7812, 7914, 7916, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8894, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9445, 9786, 9900, 9901, 10069, 10111, 10022, 10111, 10231, 10294, 10346, 10381, 10480, 10583, 10707, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2243, 2274, 2343

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4310, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6038, 6081, 6067, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7703, 7913, 8431, 8881, 9001, 8942, 9435, 9813, 9966, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 1759, 2110, 2346, 3096.

(83) *"General Manager type" grain doors sold to railroads—*(i) *Products covered.* This amendment covers "General Manager type" grain doors, size 7'0" x 20" x 1⅝" or 7'0" x 10" x 1⅝", which meet any of the following listed, or any similar, specifications:

Chicago, Burlington and Quincy R. R. specification ≠57359
Atchison, Topeka and Santa Fe Railway specification ≠17-D-2224
Great Northern Railway specification ≠1631

(ii) *Maximum prices.* The maximum price for a "General Manager type" grain door sold to any railroad shall be the price figured as follows: The seller should take the maximum price which governed his sales of the door prior to this amendment. He should then add the amount by which the cost of lumber, charged in at market prices (but not over any ceiling price), and the cost of direct labor used in making the door increased between March 1942 and March 1, 1943. The total is the seller's maximum price for that size grain door. However, in no event can the maximum price for doors delivered on the line of the purchasing railroad be higher than the following prices:

	Hemlock or other northern softwoods or hardwoods	Ponderosa pine, fir or other western softwoods	Southern pine, cypress, basswood or other southern or eastern softwoods or hardwoods
7'0" x 20" x 1⅝"	1.17	1.23	1.23
7'0" x 10" x 1⅝"	.60	.74	.74

(iii) *Reports.* Any seller who figures a maximum price for grain doors under this amendment must report the price for each size door to the Lumber Branch, Office of Price Administration, Washington, D. C. before April 15, 1943. The report must show how the maximum price was figured by showing:

(a) The seller's maximum price before this amendment;

(b) The amount added for an increase in the cost of lumber from March 1, 1942 to March 1, 1943, and an explanation of the type of lumber used and how the increase in cost was figured; and

(c) The amount added for an increase in the cost of direct labor from March 1, 1942 to March 1, 1943, and an explanation of how the increase in cost was figured.

(iv) *Adjustment of incorrect maximum prices.* Where the report submitted shows that the seller figured the maximum price in an incorrect manner, the Office of Price Administration will, by letter, order the price reduced to the correct ceiling price. Refunds must be made to adjust the prices charged by the seller to the correct maximum price. If the Office of Price Administration does not order the price reduced before May 1, 1943, the reported price shall be considered approved.

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4461; Filed, March 22, 1943; 4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Order 37]

ROSS TRANSIT CO., INC.

The General Maximum Price Regulation, Order No. 37 under § 1499.75 (a) (3) of Supplementary Regulation No. 15; Docket No. GF3-2628.

For the reasons set forth in an Opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1337 *Adjustment of maximum prices for contract carrier services sold by the Ross Transit Company, Inc.* (a) The Ross Transit Company, Inc., of 1045 South Park Avenue, Kokomo, Indiana, may sell and deliver contract carrier services in connection with the transportation of iron and steel articles, and various industrial and domestic fabricated steel products from Kokomo, Indiana and Indianapolis, Indiana to points and places in the States of Indiana, Iowa, Kentucky, Ohio, Illinois, and Michigan for the Continental Steel Company, of Kokomo, Indiana, at the rates set forth in Exhibits 5 and 6 attached to and made a part of its application for adjustment filed with this Office on November 5, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 37 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 37 (§ 1499.1337) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 37 (§ 1499.1337) shall become effective March 23, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4462; Filed, March 22, 1943; 4:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 38 Under Supp. Reg. 15 to GMPR]

KANE TRANSFER COMPANY

Order No. 38 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-1549.

For the reasons set forth in an Opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1338 *Denial of adjustment of maximum prices for transportation services sold by Kane Transfer Company, of 2116 Fifth Street, N. E., Washington, D. C.* (a) The application for adjustment filed by the above company and assigned Docket No. GF3-1549 is denied.

(b) This Order No. 38 (§ 1499.1338) shall become effective March 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4463; Filed, March 22, 1943; 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Service Reg. 11 Under MPR 165,[1] as Amended]

HAND LAUNDRIES IN BALTIMORE AREA

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 11 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Supplementary Service Regulation No. 11 is hereby issued.

§ 1499.661 *Hand laundries in the Baltimore area.* (a) Dollars-and-cents maximum prices established for laundry services sold by hand laundries located in the Baltimore area.

(1) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for the hand laundry services specified in Table 1 are modified as hereinafter provided. The maximum prices for hand laundry services when sold by hand laundries located in the Baltimore area shall be the prices set forth in the following table:

TABLE 1—SCHEDULE FOR MAXIMUM PRICES FOR HAND LAUNDRIES IN THE BALTIMORE AREA

Laundry service	Cents
Shirts (other than dress shirts)	15
Collars	4
Sheets	13
Pillow cases	5
Kitchen towels	4
Hand towels	4
Bath towels	5
Handkerchiefs (men's & ladies')	2½
Men's socks (pair)	5
Men's undershirts (light weight)	7
Men's undershirts (heavy weight)	10
Men's shorts	7
Men's heavy drawers	10
Union suits (light weight)	15
Union suits (heavy weight)	18
Men's pajamas	20
Uniforms (maids' & nurses')	35
Dungarees or work pants	25
Overalls	25
Unionalls	35

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 6428, 6966, 8239, 8431, 8768, 8943, 8948, 9197, 9312, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060.

(2) *Definitions.* As used in this supplementary service regulation the term:

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing eight or less employees.

"Baltimore area" means the city of Baltimore, Maryland, and is limited to it.

(3) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation every hand laundry, the maximum prices of which are established by this supplementary service regulation, shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card to be supplied by the Maryland State Office of the Office of Price Administration containing the maximum prices established by this supplementary service regulation.

(4) *Other services supplied by hand laundries.* Services not listed in Table 1, but performed by hand laundries covered by this supplementary service regulation shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(5) *Less than maximum prices.* Lower prices than those established by this supplementary service regulation may be charged, demanded, paid, or offered.

This Supplementary Service Regulation No. 11 shall become effective March 27, 1943.

Issued this 22d day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-4452; Filed, March 22, 1943; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp Service Reg. 12 Under MPR 165, as Amended]

HAND LAUNDRIES IN PHILADELPHIA AREA

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 12 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, Supplementary Service Regulation No. 12 is hereby issued.

§ 1499.662 *Hand laundries in the Philadelphia area.* (a) Dollars-and-cents maximum prices established for laundry services sold by hand laundries located in the Philadelphia area.

(1) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for the hand laundry services specified in Table 1 are modified as hereinafter provided. The maximum prices for hand laundry services when sold by hand laundries located in the Philadelphia area shall be the prices set forth in the following table:

TABLE 1—SCHEDULE FOR MAXIMUM PRICES FOR HAND LAUNDRIES IN THE PHILADELPHIA AREA

Laundry service:	Cents
Shirts (other than dress shirts)	15
Sheets	15
Pillow cases	6
Face towels	5
Bath towels	6
Kitchen towels	5
Handkerchiefs (men's & ladies')	3
Men's socks, pair	5
Men's undershirts (light weight)	8
Men's undershirts (heavy weight)	10
Men's shorts	8
Men's heavy drawers	10
Men's pajamas	20
Uniforms (maids' & nurses')	40
Union suits (light weight)	16
Union suits (heavy weight)	19
Dungarees or work pants	25
Unionalls	35
Overalls	25

(2) *Definitions.* As used in this supplementary service regulation the term:

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing eight or less employees.

"Philadelphia area" means the counties of Northampton, Lehigh, Berks, Bucks, Montgomery, Chester, Delaware, and Philadelphia, in the Commonwealth of Pennsylvania and is limited to them.

(3) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation every hand laundry, the maximum prices of which are established by this supplementary service regulation, shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card to be supplied by the Philadelphia District Office of the Office of Price Administration containing the maximum prices established by this supplementary service regulation.

(4) *Other services supplied by hand laundries.* Services not listed in Table 1, but performed by hand laundries covered by this supplementary service regulation shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(5) *Less than maximum prices.* Lower prices than those established by this supplementary service regulation may be charged, demanded, paid, or offered.

This Supplementary Service Regulation No. 12 shall become effective March 27, 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4453; Filed, March 22, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Supp. Service Reg. 5,[1] to MPR 165,* as Amended]

HAND LAUNDRIES IN EASTERN MASSACHUSETTS AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. The title of Supplementary Service Regulation No. 5 is amended to read as set forth above, and the headnote of § 1499.655 is amended to read as follows: "Hand Laundries in the Eastern Massachusetts Area."

2. Section 1499.655 (b) (3) is added to read as follows:

(3) "Eastern Massachusetts Area" means the areas "A", "B", "C", and "D", as defined in this supplementary service regulation.

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-4449; Filed, March 22, 1943; 4:43 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060

[1] 7 F.R. 10557

[2] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010, 8 F.R. 1060

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Dockets Nos. A-1730, Part II, and A-[illegible]]

DISTRICT BOARD 7

ORDER GRANTING REQUEST TO POSTPONE HEARING AND POSTPONING HEARING

In the matter of the petition of District Board No. 7 for a change in the territorial boundary between Districts Nos. 7 and 8 in Nicholas County, West Virginia.

The above-entitled matter having been heretofore scheduled for hearing on March 25, 1943 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C., by an order issued herein on March 3, 1943; and

A request that said hearing be postponed until April 19, 1943 having been filed herein by the above named petitioner; and

The Director being of the opinion that good cause for the granting of said request has been shown, and that said hearing should be postponed;

Now, therefore, it is ordered, That said request be, and same hereby is, granted and that said hearing be, and the same hereby is, postponed from March 25, 1943 at 10 o'clock in the forenoon of that day to April 19, 1943 at 10 o'clock in the forenoon of that day, at the place and before the officer or officers heretofore designated;

It is further ordered, That said order issued herein on March 3, 1943, shall in all other respects remain in full force and effect.

Dated: March 20, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R Doc. 43-4409; Filed, March 22, 1943; 11:19 a. m.]

[Docket No. B-198]

BOOTH, INC.

ORDER REINSTATING REGISTRATION

An order having been issued in the above entitled matter on February 26, 1943, suspending the registration of the above-named applicant for a period of ten (10) days from the date of service of a copy of said order on the applicant; and

Said order having been duly served on the above-named applicant on March 3, 1943, and said period of suspension having expired on March 13, 1943; and

It appearing from the affidavit of A. E. Booth, president and general manager of the applicant, sworn to on March 16, 1943 and filed with the Bituminous Coal Division on March 8, 1943, pursuant to the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors and of said order of suspension issued herein on February 26, 1943, that the applicant has complied with said order of suspension and with its agreements contained in its application herein, dated March 4, 1942;

Now, therefore it is ordered, That the registration of Booth, Inc., as a registered distributor, Registration No. 0928, be, and the same hereby is reinstated effective as of 12:01 a. m. on March 13, 1943.

Dated: March 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R Doc. 43-4405; Filed, March 22, 1943; 11:19 a. m.]

[Docket No B-310]

SOUTHWESTERN ILLINOIS COAL CORPORATION

ORDER CHANGING EFFECTIVE DATE OF REVOCATION AND CANCELLATION OF CODE MEMBERSHIP

An order granting amended application filed pursuant to § 301.132 of the Rules of Practice and Procedure, terminating code membership, providing for payment of tax for restoration of code membership and to cease and desist upon restoration, having been entered herein on February 27, 1943; and

The said order having revoked and cancelled the membership of Southwestern Illinois Coal Corporation in the Code and *Provided,* That said revocation and cancellation should become effective fifteen (15) days from the date thereof and that prior to restoration of said membership there should be paid to the United States a tax in the amount of eight hundred twenty-nine dollars and thirty-seven cents ($829.37) as provided in section 5 (c) of the Act; and

Southwestern Illinois Coal Corporation having represented by telegram dated March 15, 1943, that it had mailed to the Collector of Internal Revenue its check for the full amount of said tax but that it had not been able to obtain a receipt for the payment thereof and therefore requested an extension of ten (10) days within which to pay said tax; and

The Director deeming it advisable that said request should be granted;

Now therefore it is ordered, That the effective date of the revocation and cancellation of code membership of Southwestern Illinois Coal Corporation provided by said order dated February 27, 1943 be and it hereby is changed from fifteen (15) days from the date of said order to twenty-five (25) days from the date of said order.

It is further ordered, That the provisions of the said order dated February 27, 1943, shall, in all other respects, remain in full force and effect.

Dated: March 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4408; Filed, March 22, 1943; 11:20 a. m.]

[Docket No. A-1629]

DISTRICT BOARD 11

ORDER AMENDING ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 11 for an additional shipping point for coals produced from Mine Index Nos. 746 and 1354.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act, was duly filed with the Division by the above-named party requesting the temporary establishment for 60 days of an additional shipping point at the Bobolink Mine, Mine Index No. 11, for approximately 13,000 tons of Third Vein mine run entry coal produced by the Pyramid Coal Corporation at its Honey Creek Mine, Mine Index No. 746, and Victory Mine, Mine Index No. 1354, stored on the ground at its Honey Creek Mine.

By order issued February 3, 1943, 8 F.R. 1692, in the above-entitled matter temporary relief was granted the Pyramid Coal Corporation by the establishment of the Bobolink Mine as an additional shipping point for approximately 13,000 tons of Third Vein mine run entry coal produced at its Honey Creek and Victory Mines stored on the ground of its Honey Creek Mine in accordance with the Schedule marked Supplement R annexed to said order to be effective as of January 9, 1943 and to expire on March 9, 1943.

Subsequent to the date of the order of February 3, 1943, District Board No. 11 filed a motion to amend its original petition to extend the temporary relief granted by order on February 3, 1943, to apply to an additional six or seven thousand tons of coal on the Pyramid Coal Corporation stored on the ground of its Honey Creek Mine.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, that no petitions of intervention have been filed in the matter and that the following action is necessary in order to effectuate the purposes of the Act;

Now therefore, it is ordered, That the motion to amend the order of February 3, 1943, be and the same is granted in the manner set forth herein: Commencing February 27, 1943, the Pyramid Coal Corporation shall be permitted to prepare and load over its Bobolink Mine tipple, Mine Index No. 11, approximately 7,000 tons of coal stored on the ground of its Honey Creek Mine in accordance with the Schedule marked Supplement R annexed to said order of February 3, 1943, in Docket No. A-1829, in addition to the tonnage covered in said Order of February 3, 1943.

It is further ordered, That pending further order of the Director such relief granted herein shall expire April 9, 1943.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within fifteen (15) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: March 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R Doc. 43-4411; Filed, March 22, 1943; 11:18 a. m.]

[Docket No. B-117]

J. C. FRY AND A. J. FRY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

In the matter of Andrew J. Fry and J. C. Fry, individually and as co-partners, doing business under the name and style of J. C. Fry and A. J. Fry, (also known as Camp Creek Coal Co.) code member, applicants.

A complaint dated October 13, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 14, 1941, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging that Andrew J. Fry and J. C. Fry, individually and as co-partners, doing business under the name and style of J. C. Fry and A. J. Fry, (also known as Camp Creek Coal Co.), wilfully violated the Bituminous Coal Code (the "Code") and rules and regulations promulgated thereunder; and

An order having been issued herein on February 26, 1943, revoking and cancelling the code membership of the above

named applicants, effective fifteen (15) days from the date of service of a copy of said order on said applicants, and ordering that prior to any reinstatement of membership in the Code there shall be paid to the United States a tax of three hundred and thirteen dollars and ninety-five cents ($313.95) as provided by section 5 (c) of the Act, and said order having been served on the above named applicants on March 3, 1943; and

An application dated March 3, 1943, for restoration of membership in the Code having been filed by said applicants with the Division on March 6, 1943; and

It appearing from said application that the above named applicant paid to the Collector of Internal Revenue at Huntington, West Virginia, on March 4, 1943, said tax of three hundred and thirteen dollars and ninety-five cents ($313.95) pursuant to said order issued February 26, 1943, and section 5 (c) of the Act, as a condition precedent to the restoration of said membership in the Code;

Now, therefore, it is ordered, That said application be, and the same hereby is, granted; and

It is further ordered, That the code membership of Andrew J. Fry and J. C. Fry, individually and as co-partners, doing business under the name and style of J. C. Fry and A. J. Fry (also known as Camp Creek Coal Co.) be, and the same hereby is, restored effective simultaneously with the date of revocation of said code membership.

Dated: March 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4406; Filed, March 22, 1943; 11:18 a. m.]

[Docket No. B-118]

CAMP CREEK COAL CO.

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

In the matter of Andrew J. Fry (also known as Andrew J. Fry doing business as Camp Creek Coal Company), code member, applicant.

A complaint dated October 13, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 14, 1941, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging that Andrew J. Fry (also known as Andrew J. Fry doing business as Camp Creek Coal Company), wilfully violated the Bituminous Coal Code (the "Code") and rules and regulations promulgated thereunder; and

An order having been issued herein on February 26, 1943 (revoking and cancelling the code membership of the above named applicant, effective fifteen (15) days from the date of service of a copy of said order on said applicant, and ordering that prior to any reinstatement of membership in the Code there shall be paid to the United States a tax of three hundred and thirteen dollars and ninety-five cents ($313.95) as provided by section 5 (c) of the Act, and said order having been served on the above named applicant on March 3, 1943; and

An application dated March 3, 1943, for restoration of membership in the Code having been filed by said applicant with the Division on March 6, 1943; and

It appearing from said application that the above named applicant paid to the Collector of Internal Revenue at Huntington, West Virginia, on March 4, 1943, said tax of three hundred and thirteen dollars and ninety five cents ($313.95) pursuant to said order issued February 26, 1943, and section 5 (c) of the Act, as a condition precedent to the restoration of said membership in the Code;

Now, therefore, it is ordered, That said application be, and the same hereby is, granted; and

It is further ordered, That the code membership of Andrew J. Fry, (also known as Andrew J. Fry doing business as Camp Creek Coal Company) be, and the same hereby is, restored effective simultaneously with the date of revocation of minimum prices for the coals of certain

Dated: March 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4407; Filed, March 22, 1943; 11:19 a. m.]

[Docket Nos. A-1827 and A-1827, Part II]

DISTRICT BOARD 13

ORDER WITHDRAWING PETITION, TERMINATING TEMPORARY RELIEF AND CANCELLING HEARING

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13. In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the Size Group 10 coals of the New River Mine for rail shipment.

Pursuant to section 4 II (d) of the Act, District Board No. 13 filed an original petition in Docket No. A-1827 requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13, including the coals in Size Group 10 produced for rail shipment at the New River Mine (Mine Index No. 21) of Brookside-Pratt Mining Company. Pursuant to an order issued March 11, 1943, so much of the matter in said petition as pertains to the coals in Size Group 10 produced for rail shipment at the New River Mine of Brookside-Pratt Mining Company was severed from Docket No. A-1827 and hearing in said Docket No. A-1827, Part temporary relief was granted, and a hearing in said Docket No. A-1827, Part II was scheduled to be held on March 22, 1943.

District Board No. 13 now requests that so much of its original petition as pertains to coals produced at the said New River Mine of Brookside-Pratt Mining Company should be withdrawn and has shown good cause therefor.

Now, therefore, it is ordered, That so much of the petition in the above-entitled matter as pertains to the coals in Size Group 10 produced at the New River Mine (Mine Index No. 21) of the Brookside-Pratt Mining Company in District No. 13 be, and the same hereby is withdrawn.

It is further ordered, That the temporary relief heretofore granted in the above-entitled matter with respect to the coals in Size Group 10 produced for rail shipment at the New River Mine (Mine Index No. 21) of the Brookside-Pratt Mining Company in District No. 13, be, and the same hereby is terminated.

It is further ordered, That the hearing in the above-entitled matter heretofore scheduled to be held on March 22, 1943 be, and the same hereby is cancelled.

Dated: March 20, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4410; Filed, March 22, 1943; 11:18 a. m.]

[Docket No. B-364]

RIO GRANDE COAL CO.

ORDER POSTPONING HEARING

In the matter of E. K. Olson, W. F. Olson, Francis Bradley, and Mrs. George M. Hansen, individually and as partners doing business under the name and style of Rio Grande Coal Company, code member.

The above-entitled matter having been heretofore scheduled for hearing at 10 o'clock in the forenoon of April 2, 1943, at a hearing room of the Bituminous Coal Division (the "Division") at the County Court Room, Price, Utah, by Notice of and order for hearing dated February 19, 1943; and

The above-named code member having duly filed herein with the Division on March 8, 1943, an application dated March 2, 1943, for disposition of the above-entitled matter without formal hearing pursuant to § 301.132 of the rules of practice and procedure, which application was denied by telegram dated March 11, 1943; and

The above-named code member having filed with the Division on March 17, 1943, a supplemental admission pursuant to said § 301.132, amending the aforesaid application dated March 2, 1943; and

The Director deeming it advisable to postpone said hearing in order to consider said application, as amended;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and the same hereby is postponed from 10 o'clock in the forenoon of April 2, 1943, at a hearing room of the Bituminous Coal Division at the County Court Room, Price, Utah, to a time and place to be hereafter designated by appropriate order.

Dated: March 22, 1943.

DAN H. WHEELER,
Director.

[F. R. Doc. 43-4471; Filed March 23, 1943; 10:43 a. m.]

[Docket No. A-1737]

DISTRICT BOARDS 7 AND 8

ORDER POSTPONING HEARING

In the matter of the petition of District Boards Nos. 7 and 8 for an increase in minimum prices, pursuant to section 4 II (a) and (b) of the Bituminous Coal Act of 1937.

Bituminous Coal Producers Board for District No. 3, an interested party in the above-entitled matter, filed a motion on March 17, 1943 requesting that the hearing in said matter heretofore scheduled for March 24, 1943 be postponed until April 15, 1943. In support of this motion Bituminous Coal Producers Board for District No. 3 submits that the wage negotiations between the United Mine Workers of America and the coal operators in the Appalachian area are now in progress and that any changes in costs which might result from any new agreement which might be entered into with the United Mine Workers of America should be taken into consideration at the hearing in this docket. Bituminous Coal Producers Board for District No. 3 further submits that it is authorized to state that Bituminous Coal Producers Boards for Districts Nos. 1, 2, 4, 6 and 10 approve the motion and join therein.

Good cause has been shown why said motion should be granted.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from March 24, 1943 to April 15, 1943 at the time and place heretofore designated.

Dated: March 20, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4472; Filed, March 23, 1943; 10:43 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 225]

INTEREST OF FRIED. KRUPP, A. G., IN CERTAIN CONTRACTS

Vesting Order Number 225 of October 9, 1942, is hereby amended as follows and not otherwise:

By changing the number "1,557,614" appearing in Exhibit A attached thereto and made a part thereof to "1,587,614".

All other provisions of such Vesting Order Number 225 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4373; Filed, March 22, 1943; 11:11 a. m.]

[Vesting Order 655]

CARMELITA MUELLER MEYERHOFF

Re: Capital stock and accrued dividends owned by Carmelita Mueller Meyerhoff.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, and interest of Carmelita Mueller Meyerhoff, whose last known address was represented to the undersigned as being Goettingen, Germany, in and to property described as follows:

(a) 1000 fully paid and non-assessable shares of $15 par value capital stock of the Hutchinson Sugar Plantation Company, San Francisco, California.

(b) 300 shares common capital stock of the Hawaiian Commercial & Sugar Company, Ltd., c/o Alexander & Baldwin, Ltd. Honolulu, Hawaii, and

(c) Accrued dividends on the above described 300 shares of Hawaiian Commercial & Sugar Company, Ltd., stock,

is property within the United States owned and controlled by a national of a designated enemy country (Germany), and determining that such property is necessary for the maintenance or safeguarding of other property belonging to the same national of the same designated country and subject to vesting pursuant to Section 2 of said Executive Order (and in fact vested by the undersigned pursuant to Vesting Order Number 165 issued by him under date of September 24, 1942), and further determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 9, 1942.

[SEAL] LEO T. CROWLEY
Alien Property Custodian.

[F. R. Doc. 43-4374; Filed, March 22, 1943; 11:09 a. m.]

[Vesting Order 772]

AMERICAN GIESE WIRE CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that J. H. Rud Giese, a sole proprietorship of Westig, Westphalia, Germany, is a national of a designated enemy country (Germany);

2. Finding that Hans Giese is a citizen of Germany, whose last known address is Westig, Westphalia, Germany, and is a national of a designated enemy country (Germany);

3. Finding that Svensk-Amerikanska Tradkompaniet Aktiebolag is a corporation organized and existing under the laws of the Kingdom of Sweden;

4. Determining that said Svensk-Amerikanska Tradkompaniet Aktiebolag is controlled by or acting for or on behalf of or as a cloak for said J. H. Rud. Giese and is, therefore, a national of a designated enemy country (Germany);

5. Finding that 100 shares of $100 par value capital stock of American Giese Wire Corporation, a New York corporation, New York, New York, are owned by the aforesaid persons in the following respective amounts:

Names and Number of Shares

Svensk-Amerikanska Tradkompaniet Aktiebolag, 97 (registered in the name of Svensk-Amerikanska Tradkompaniet).

Hans Giese, 1 (registered in the name of Hans Giese)

J. H. Rud Giese, 2 (one of which is registered in the name of Aaron Edwards and one in the name of Horst A. Wegener)

Total, 100.

6. Finding that said corporation is a business enterprise within the United States and that said 100 shares of stock constitute all of the outstanding capital stock of said business enterprise and represent ownership thereof;

7. Determining, therefore, that said business enterprise is controlled by and acting for or on behalf of the aforesaid persons, and is a national of a designated enemy country (Germany);

8. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

9. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

10. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4375; Filed March 22, 1943; 11:08 a. m.]

[Vesting Order 906]

K. K. SANYO SHOKAI

Re: Casting machinery owned by K. K. Sanyo Shokai.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that K. K. Sanyo Shokai is a corporation organized under the laws of Japan with its principal office in Tokyo, Japan, and is a national of a designated enemy country (Japan);

2. Finding that twenty-eight (28) cases of casting machinery located at Atlantic Dock Stores Warehouse of New York Dock Company, Pioneer Street, Brooklyn, New York, New York, are owned by said K. K. Sanyo Shokai, and therefore are property within the United States owned or controlled by a national of a designated enemy country (Japan);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such futher time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4376; Filed, March 22, 1943; 11:08 a. m.]

[Vesting Order 925]

I. G. FARBENINDUSTRIE A. G.

Re: Contract rights of I. G. Farbenindustrie A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie A. G., a corporation organized under the laws of Germany and having a place of business at Frankfort-on-the-Main, Germany, is a national of a foreign country (Germany);

2. Finding that said I. G. Farbenindustrie A. G. is the owner of the interest described in subparagraph 3 hereof;

3. Finding therefore, that the property described as follows:

The interest of I. G. Farbenindustrie A. G. in and to an agreement dated July 1, 1937, by and between I. G. Farbenindustrie A. G. and Woburn Degreasing Company of New Jersey, relating to United States Letters Patent No. 1 892 258, together with all accrued royalties and other monies payable or held with respect to such interest,

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 18, 1943.

[SEAL] LEO T. CROWLEY
Alien Property Custodian.

[F. R. Doc. 43-4377, Filed, March 22 1943, 11:10 a. m.]

[Vesting Order 928]

I. G. FARBENINDUSTRIE, A. G.

Re: Two patent applications of I. G. Farbenindustrie, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie A. G. is a corporation organized under the laws of Germany, doing business at Frankfurt-on-the-Main, Germany, and is a national of a foreign country (Germany);

2. Finding that said I. G. Farbenindustrie A. G. is the owner of the patent applications more particularly described in subparagraph 3 hereof;

3. Finding therefore that the patent applications identified as follows:

Serial No.	Filing date	Inventor	Title
368,878	12-6-40	F. Leuchl	Production of ketone from alcohols
374,814	1-17-41	G. Wyssel et al.	Pimelic acid and its derivatives and process for preparing same

are property of a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest or for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4378; Filed, March 22, 1943; 11:10 a. m.]

[Vesting Order 929]

PIONEER POTASH CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that German Potash Syndicate (Deutsches Kalisyndikat G. m. b. H.), a business enterprise with its principal office in Berlin, Germany, is a national of a designated enemy country (Germany);

2. Finding that Verrekeningskantoor ("Leata"), located in Amsterdam, Holland, is a corporation organized under the laws of The Netherlands, all of whose issued and outstanding capital stock is owned by German Potash Syndicate;

3. Determining that said Verrekeningskantoor ("Leata") is controlled by and acting for and on behalf of said German Potash Syndicate, and therefore, is a national of a designated enemy country (Germany);

4. Finding that N. V. tot Financiering van Industrieele Ondernemeingen Finindo, located in Amsterdam, Holland, is a corporation organized under the laws of The Netherlands, all of whose issued and outstanding capital stock is owned by Verrekeningskantoor ("Leata");

5. Determining that said N. V. tot Financiering van Industrieele Ondernemeingen Finindo is controlled by and acting for and on behalf of said German Potash Syndicate, and, therefore, is a national of a designated enemy country (Germany);

6. Finding that 4,000 shares of $100 par value common capital stock of Pioneer Potash Corporation, a Delaware corporation, New York, New York, are registered in the name of and owned by said N. V. tot Financiering van Industrieele Ondernemeingen Finindo;

7. Finding that said Pioneer Potash Corporation is a business enterprise within the United States and that said 4,000 shares of stock constitute all of its outstanding capital stock and are evidence of ownership thereof;

8. Determining, therefore, that said Pioneer Potash Corporation is controlled by and acting for and on behalf of said German Potash Syndicate, and, therefore, is a national of a designated enemy country (Germany);

9. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

10. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

11. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of Pioneer Potash Corporation to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4379; Filed, March 22, 1943; 11:08 a. m.]

[Vesting Order 930]

BOARD OF TRADE FOR GERMAN-AMERICAN COMMERCE, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Board of Trade for German-American Commerce, Inc., is a membership corporation organized under the laws of and doing business in the State of New York, and is a business enterprise within the United States;

2. Finding that among the members of Board of Trade for German-American Commerce, Inc., are many persons, firms and corporations who reside in, or whose principal places of business are in, Germany, and who are nationals of a designated enemy country (Germany);

3. Finding that substantial contributions to the income of Board of Trade for German-American Commerce, Inc. came from, or were paid on behalf of, persons, firms and corporations residing in, or whose principal places of business were in, Germany, and who are nationals of a designated enemy country (Germany);

4. Determining that Board of Trade for German-American Commerce, Inc. acted for and on behalf of nationals of a designated enemy country (Germany), and is a national of a designated enemy country (Germany);

5. Finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to Board of Trade for German-American Commerce Inc.,

is property of a business enterprise within the United States which is a national of the aforesaid designated enemy country (Germany);

6. Determining that to the extent that the aforesaid nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon,

on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4380; Filed, March 22, 1943; 11:09 a. m.]

[Vesting Order 960]

CONTRACT RIGHTS OF HANS THOMA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Hans Thoma of Karlsruhe, Baden, Germany, is a national of a foreign country (Germany);

2. Finding that said Hans Thoma is the owner of the interest described in subparagraph 4 hereof;

3. Finding that the heirs, executors, administrators and assigns, if any, of said Hans Thoma are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

The interest of said Hans Thoma and the aforesaid heirs, executors, administrators and assigns, and each of them, in, to and under an agreement between said Hans Thoma and Hanseatic Corporation, New York, New York, dated May 6, 1933, relating to patents Nos. 2,150,950, 2,154,710 and 2,198,891, including all accrued royalties and other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4381; Filed, March 22, 1943; 11:10 a. m.]

[Vesting Order 961]

CONTRACT RIGHT OF LEONHARD CREMER

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Leonhard Cremer is a resident of Bad Kreuznach, Germany, and is a national of a foreign country (Germany);

2. Finding that said Leonhard Cremer is the owner of the interest described in subparagraph 4 hereof;

3. Finding that the heirs, executors, administrators and assigns, if any, of said Leonhard Cremer are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

The interest of said Leonhard Cremer and the aforesaid heirs, executors, administrators and assigns, and each of them, in and under an agreement or agreements between said Leonhard Cremer and Arthur Herrmann, evidenced by a letter dated January 18, 1940 from said Leonhard Cremer to Arthur Herrmann, and relating to United States Letters Patent No. 2,245,389, including all accrued royalties and other monies payable or held with respect to said interest and all damages for breach of said agreement or agreements, together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4382; Filed, March 22, 1943; 11:10 a. m.]

[Vesting Order 962]

CONTRACT RIGHTS OF ERNST FUES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ernst Fues is a resident of Hanau an Main, Germany, and is a national of a foreign country (Germany);

2. Finding that said Ernst Fues is the owner of the interest described in subparagraph 4 hereof;

3. Finding that the heirs, executors, administrators and assigns, if any, of said Ernst Fues are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

The interest of said Ernst Fues and the aforesaid heirs, executors, administrators and assigns, and each of them, in and under a certain contract dated October 25, 1932 by and between said Ernst Fues and Antonie W. Deller, which contract relates to United States Patent Application Serial No. [illegible]532, now United States Patent No. 2,[illegible]4,695, including all accrued royalties and other monies held or payable with respect to said interest and all damages for breach of said contract together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4382; Filed, March 22, 1943; 11:10 a. m.]

dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4383; Filed, March 22, 1943; 11:10 a. m.]

[Vesting Order 965]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Contract rights of I. G. Farbenindustrie Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. Finding that I. G. Farbenindustrie Aktiengesellschaft has an interest, more particularly described in subparagraph 4 hereof, in and under a certain contract by and between said I. G. Farbenindustrie Aktiengesellschaft and Carbide and Carbon Chemicals Corporation, a New York corporation;

3. Finding that the successors, assigns, and affiliates, if any, of said I. G. Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

The interest of I. G. Farbenindustrie Aktiengesellschaft, and its successors, assigns, and affiliates, and each of them, in and under a certain contract relating inter alia to U. S. Letters Patent Nos. 1,944,731 and 1,944,732 and dated April 17, 1939, by and between said I. G. Farbenindustrie Aktiengesellschaft and the Carbide and Carbon Chemicals Corporation, a New York corporation, including all amendments of and supplements to said contract, together with all accrued royalties and other monies payable or held with respect to said contract, together with all damages for breach of said contract together with the right to sue therefor,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4384; Filed, March 22, 1943; 11:11 a. m.]

[Vesting Order 966]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Contract rights of I. G. Farbenindustrie Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany, and is a national of a foreign country (Germany);

2. Finding that I. G. Farbenindustrie Aktiengesellschaft has interests, in and under certain contracts between it and The New Jersey Zinc Company, a New Jersey corporation, and between it and The Grasselli Chemical Company, a Delaware corporation, more particularly described in Exhibit A attached hereto and made a part hereof;

3. Finding that the successors and assigns, if any, of said I. G. Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany);

4. Finding therefore that the property described as follows:

The interests of I. G. Farbenindustrie Aktiengesellschaft, its successors and assigns, and each of them, described in said Exhibit A,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4 to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1. The interest of I. G. Farbenindustrie Aktiengesellschaft, a Germany corporation, its successors and assigns, in and under a certain contract relating, inter alia, to United States Patent No. 1,693,902 and dated March 26, 1932, by and between said I. G. Farbenindustrie Aktiengesellschaft and The New Jersey Zinc Company, a New Jersey corporation, and all amendments of and supplements to said contract including, but not by way of limitation, two supplemental contracts dated February 7, 1936 and March 1, 1940, respectively, and all accrued royalties and other monies payable or held with respects to said interest, and all damages for breach of said contract together with the right to sue therefor.

2 The interest of I G Farbenindustrie Aktiengesellschaft, a Germany corporation, its successors and assigns, in and under a certain contract relating inter alia, to United States Patent No. 1,693,902 and dated September 7, 1931, by and between the said I G Farbenindustrie Aktiengesellschaft and The Grasselli Chemical Company, a Delaware corporation, and all amendments of and supplements to said contract, including, but not by way of limitation, amendments thereto set out in a certain letter dated October 15, 1931 from The Grasselli Chemical Company to I G Farbenindustrie Aktiengesellschaft, and all accrued royalties and other monies payable or held with respect to said interest, and all damages for breach of said contract together with the right to sue therefor

[F R Doc 43-4435; Filed March 22, 1943; 11:11 a. m.]

[Vesting Order 967]

I G FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Contract rights of I. G. Farbenindustrie Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the undersigned, after investigation:

1 Finding that I G Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany),

2 Finding that I G Farbenindustrie Aktiengesellschaft has interests and property, more particularly described in Exhibit A attached hereto and made a part hereof, in and under a certain contract between said I G Farbenindustrie Aktiengesellschaft and the Synthetic Nitrogen Products Corporation:

3 Finding that the successors and assigns, if any, of said I G Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany)

4 Finding, therefore, that the property described as follows

The interests and property of I G Farbenindustrie Aktiengesellschaft, its successors and assigns, and each of them, described in said Exhibit A

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5 Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

6 Deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

The entire right, title and interest, both legal and equitable of I G Farbenindustrie Aktiengesellschaft, a German corporation, and its successors and assigns, in, to and under:

(a) a certain contract by and between the said I G Farbenindustrie Aktiengesellschaft and Synthetic Nitrogen Products Corporation, a New York corporation, which contract relates inter alia to United States Letters Patent No. 2,079,324 and is evidenced in part by a document signed October 24, 1939 by said Synthetic Nitrogen Products Corporation, including all amendments of and supplements to said contract, and

(b) all monies, claims, rights and other property heretofore accrued and arising by reason of said contract

[F. R. Doc. 43-4386; Filed, March 22, 1943; 11:11 a. m.]

[Vesting Order 969]

YOSHIHARU YOKOMIZO

Re: Certain real property in California and a bank account owned by Yoshiharu Yokomizo.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the undersigned, after investigation:

1 Finding that Yoshiharu Yokomizo is a citizen of the United States whose last known address is Japan, and is a national of a designated enemy country (Japan);

2 Finding that Yoshiharu Yokomizo is the owner of the property described in subparagraph 3 hereof;

3 Finding that the property described as follows:

a All right, title, interest and estate, both legal and equitable, of Yoshiharu Yokomizo in and to that certain real property located at 670 32nd Street, Oakland, California, more particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all fixtures, improvements and appurtenances thereto and any and all claims of Yoshiharu Yokomizo for rents, refunds, benefits or other payments arising from the ownership of such property, and

b All right, title, interest and claim of any name or nature whatsoever of the aforesaid Yoshiharu Yokomizo, in and to any and all obligations (contingent or otherwise and whether or not matured) owing to him by Bank of America National Trust & Savings Association, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and including particularly the bank account in Oakland Main Office, Oakland, California of Bank of America National Trust & Savings Association, carried in said bank in the name of Clifford W. Nelle, Trustee for Yoshiharu Yokomizo,

is property within the United States owned or controlled by a national of the aforesaid designated enemy country (Japan);

4 Determining that the property hereinbefore described in subparagraph 3-b is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (or in fact vested by this order) pursuant to Section 2 of said Executive Order.

5 Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7 Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land situate lying and being in the City of Oakland, County of Alameda, State of California and bounded and particularly described as follows, to-wit:

Beginning at a point on the Northerly line of 32nd Street, distant thereon Westerly One Hundred Forty-one and $^{96}/_{100}$ feet from the point of intersection thereof with the Western line of Grove Street; running thence Westerly along said line of 32nd Street, Thirty feet; thence at right angles Northerly, One Hundred Twenty-seven and $^{74}/_{100}$ feet to a point on the Southern line of Brookhurst Street; thence Easterly along said line of Brookhurst Street, Thirty and $^{13}/_{100}$ feet; thence Southerly in a direct line One Hundred Twenty-four and $^{935}/_{1000}$ feet to the point of beginning

Being a portion of Block Lettered "G", as said block is delineated and so designated upon that certain Map entitled "Map of the Property of the Central Land Company, formerly known as the Brown Tract"—filed November 25, 1873 in Book 2 of Maps, at page 26, in the office of the County Recorder of Alameda County, and

Being a portion of Block Numbered 2042, as said block is delineated and so designated upon that certain Map entitled, "Map of the Rowland Tract, Oakland"—filed February 16, 1878 in Book 5 of Maps, at page 26, in the office of the County Recorder of Alameda County.

[F. R. Doc. 43-4387; Filed, March 22, 1943; 11:08 a. m.]

[Vesting Order 1001]

PHILLIPS AND VAN ORDEN COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation:

1 Finding that Virginia A. (Phillips) Dalla Rosa-Prati is a citizen of Italy whose last known address is the Italian diplomatic post at Lisbon, Portugal, and is a national of a designated enemy country (Italy);

2 Finding that Phillips and Van Orden Company, Inc., a California corporation, San Francisco, California, is a business enterprise within the United States and has a total issued and outstanding capital stock consisting of 7,500 shares of common stock;

3 Finding that 4,986 shares of the aforesaid capital stock are registered in the names of and owned by Margaret A. Phillips and the aforesaid Virginia A. (Phillips) Dalla Rosa-Prati, as joint tenants with the right of survivorship, and that such interest of said Virginia A. (Phillips) Dalla Rosa-Prati in said 4,986 shares constitutes a substantial interest in said business enterprise;

4 Finding, therefore, that said business enterprise is a national of a designated enemy country (Italy);

5 Finding that the property described as follows

All right, title, interest and claim of any name or nature whatsoever of said Virginia A. (Phillips) Dalla Rosa-Prati in and to all obligations, contingent or otherwise and whether or not matured, owing to her by said Phillips and Van Orden Company, Inc., including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the amount allocated by said company to Virginia A (Phillips) Dalla Rosa-Prati as stock dividends in 1942,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and such is property within the United States owned or controlled by a national of a designated enemy country (Italy);

6 Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy);

7 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8 Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian (a) the undivided interest of the aforesaid Virginia A. (Phillips) Dalla Rosa-Prati in the 4,986 shares of stock mentioned in subparagraph 3 hereof, (b) the property described in subparagraph 5 hereof and (c) all other interests of whatsoever nature which she might have in said business enterprise, to be held, used, administered, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4388; Filed, March 22, 1943; 11:11 a. m.]

[Vesting Order 1022]

RADIOAKTIENGESELLSCHAFT D. S. LOEWE

Re: Contract rights of Radioaktiengesellschaft D. S. Loewe.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Radioaktiengesellschaft D. S. Loewe is a German corporation doing business at Berlin-Steglitz, Germany, and is a national of a foreign country (Germany);

2. Finding that said Radioaktiengesellschaft D. S. Loewe is the owner of the interest described in subparagraph 3 hereof;

3. Finding, therefore, that the interest of Radioaktiengesellschaft D. S. Loewe in and to the following contracts:

a. Contract dated April 5, 1933, by and between Radioaktiengesellschaft D. S. Loewe and Loewe Radio Company, Ltd., relating to patent rights in countries outside of Germany, together with all right to receive moneys, credits or other payments arising from such contract,

b. Contract dated May 12, 1939, by and between Loewe Radio, Inc., Loewe Radio Company, Ltd., and Radio Corporation of America relating to patent rights, together with all right to receive moneys, credits or other payments arising from such contract,

is property payable or held with respect to patents or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4389; Filed, March 22, 1943; 11:10 a. m.]

[Vesting Order 1038]

AMERICAN CITIZENS LIFE INSURANCE COMPANY

Re: 59.41% of the capital stock of The American Citizens Life Insurance Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

5,941 shares (which constitute a substantial part, namely, 59.41%, of all outstanding shares) of $10 par value common capital stock of The American Citizens Life Insurance Company, an Ohio corporation, Columbus, Ohio, which is a business enterprise within the United States, the names of the owners of which, and the number of shares owned by them respectively, are as follows:

Names	Number of shares
Ince and Company holding for the benefit of Assicurazioni Generali di Trieste e Venezia, a corporation organized under the laws of the Kingdom of Italy	4,200
J. B. Glenn holding for the benefit of the aforesaid Assicurazioni Generali di Trieste e Venezia	1,291
Ignazio Hornik holding for the benefit of the aforesaid Assicurazioni Generali di Trieste e Venezia	450
Total	5,941

is property of, and represents control of said business enterprise which is, a national of a designated enemy country (Italy); and

(b) That the property described as follows:

Surplus certificates in the aggregate face amount of $8,400 issued by the aforesaid The American Citizens Life Insurance Company and held by Ince and Company for the benefit of the aforesaid Assicurazioni Generali di Trieste e Venezia, and

Surplus certificates in the aggregate face amount of $2,582 issued by the aforesaid The American Citizens Life Insurance Company and held by J. B. Glenn for the benefit of the aforesaid Assicurazioni Generali di Trieste e Venezia,

is an interest in the aforesaid business enterprise held by a national or an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Italy);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4390; Filed, March 22, 1943; 11:09 a. m.]

[Vesting Order 1040]

FRIED. KRUPP AKTIENGESELLSCHAFT AND PANTENA A. G.

Re: Contract rights of Fried Krupp Aktiengesellschaft and Pantena A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Fried. Krupp Aktiengesellschaft, a corporation organized under the laws of Germany and doing business at Essen, Germany, is a national of a foreign country (Germany);

2. Finding that Pantena A. G., a corporation organized under the laws of Switzerland and doing business at Glarus, Switzerland, is acting for the benefit of and on behalf of Fried. Krupp Aktiengesellschaft, and is a national of a foreign country (Germany);

3. Finding that Fried. Krupp Aktiengesellschaft and Pantena A. G. have interests in and under the agreement hereinafter described in subparagraph 4;

4. Finding, therefore, that the property described as follows:

The interests of Fried. Krupp Aktiengesellschaft and Pantena A. G., and each of them, in and to an agreement executed November 5, 1928, by and between Fried. Krupp Aktiengesellschaft and General Electric Company, relating to hard metal compositions and the patent rights connected therewith, subject to and including all interpretations and modifications thereof, and including, but not by way of limitation, an agreement dated April 23, 1936, between the same parties, and supplements thereto, and all agreements by way of exchange of letters as of April 23, 1936, May 11, 1936, and other dates, together with all accrued royalties and other monies payable or held with respect to such interests,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4 to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4391; Filed, March 22, 1943; 11:10 a. m.]

[Vesting Order 1048]

ORANGE PETROLEUM CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 63 of July 28, 1942, that Orange Petroleum Corporation, a Delaware corporation, is a business enterprise within the United States and is a national of a designated enemy country (Japan);

2. Finding that Kawasaki Dockyard Company, Ltd., Kobe, Japan, and its successor, Kawasaki Heavy Industries, Ltd., Osaka, Japan, are Japanese corporations and are nationals of a designated enemy country (Japan);

3. Finding that 12 shares of no par value common capital stock of said Orange Petroleum Corporation, registered as follows:

Names:	Number of shares
J. O. Sims	1
Kaname Andrew Susuki	1
H. J. L. Stark	1
William C. Blind	1
W. N. Remkes	1
Tokusuke (Tokanosuke) Yajima	2
K. Kishi	5
Total	12

are beneficially owned by said Kawasaki Dockyard Company, Ltd., Kobe, Japan, and/or its successor, Kawasaki Heavy Industries, Ltd., Osaka, Japan, and represent an interest in said Orange Petroleum Corporation;

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 12 shares of stock referred to in subparagraph 3 hereof, to be held, used, administered, liquidated, or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4392; Filed, March 22, 1943; 11:07 a. m.]

[Vesting Order 1050]

CONTRACT RIGHTS OF MAURICE CLAUDE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Maurice Claude, a resident of Issy-les-Moulineaux, France, is a national of a foreign country (France);

2. Finding that said Maurice Claude has an interest in the agreement described in subparagraph 4 hereof;

3. Finding that the heirs, executors, administrators and assigns, if any, of said Maurice Claude are nationals of a foreign country (France);

4. Finding, therefore, that the property described as follows:

The interest of Maurice Claude, his heirs, executors, administrators and assigns, and each of them, in and under an agreement relating to patents, dated June 3, 1935, between said Maurice Claude and The Linde Air Products Company, an Ohio corporation, including all accrued royalties and other monies payable or held with respect to said interest, and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (France);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4393; Filed, March 22, 1943; 11:09 a. m.]

[Vesting Order 1063]

TSUTAKAWA & CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 96 of August 6, 1942, that Tsutakawa & Co., a corporation organized under the laws of Washington, is a business enterprise within the United States and is a national of a designated enemy country (Japan);

2. Finding that S. Tsutakawa, whose last known address is Kobe, Japan, is a national of a designated enemy country (Japan);

3. Finding that 2 shares of $100 par value common capital stock of Tsutakawa Co. are registered as follows:

Names:	Number of shares
Van C. Griffin	1
B. Roy Anderson	1
Total	2

and are beneficially owned by the said S. Tsutakawa;

4. Finding therefore that the aforesaid two shares of stock are property of a national of a designated enemy country (Japan) and represent an interest in said business enterprise;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 2 shares of stock referred to in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4394; Filed, March 22, 1943; 11:07 a. m.]

[Vesting Order 1082]

MEIJI FIRE INSURANCE COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Meiji Fire Insurance Company, Ltd., a Japanese corporation, Tokio, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Meiji Fire Insurance Company, Ltd. has an established United States Branch at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such United States Branch of said Meiji Fire Insurance Company, Ltd. is in the process of administration and liquidation by the Superintendent of Insurance of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business, property and affairs of said United States Branch of Meiji Fire Insurance Company, Ltd., in possession of the Superintendent of Insurance of the State of New York, or which may hereafter come into his possession or to which he may be entitled under and by virtue of the Insurance Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the said United States Branch of said Meiji Fire Insurance Company, Ltd., remaining after payment of the claims of domestic creditors of the said United States Branch, which have been or may hereafter be allowed in accordance with the Insurance Law of the State of New York, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan) and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration and liquidation by a person acting under judicial supervision;

5. Finding also that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, said Meiji Fire Insurance Company, Ltd., other than the business, property and affairs of the United States Branch of said Meiji Fire Insurance Company, Ltd., referred to in subparagraph 4 hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

6. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 4 and 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Insurance of the State of New York to continue to retain possession of, collect and liquidate the business, property and affairs of said United States Branch of said Meiji Fire Insurance Company, Ltd., referred to in subparagraph 4 hereof, and in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Insurance by and in accordance with and subject to the provisions of the Insurance Law of the State of New York: *Provided, however*, That after the claims of the domestic creditors of said United States Branch referred to in said subparagraph 4 together with interest thereon and the expenses of liquidation, have been paid in full, the remaining assets of said United States Branch and/or the proceeds thereof in the possession of the said Superintendent of Insurance, or to which he may be or become entitled, shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4395; Filed, March 22, 1943; 11:08 a. m.]

[Vesting Order 1083]

SUMITOMO MARINE AND FIRE INSURANCE COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Sumitomo Marine and Fire Insurance Company, Ltd., a Japanese corporation, Tokio, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Sumitomo Marine and Fire Insurance Company, Ltd., has an established United States Branch at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such United States Branch of said Sumitomo Marine and Fire Insurance Company, Ltd., is in the process of administration and liquidation by the Superintendent of Insurance of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business, property and affairs of said United States Branch of Sumitomo Marine and Fire Insurance Company, Ltd. in possession of the Superintendent of Insurance of the State of New York, or which may hereafter come into his possession or to which he may be entitled under and by virtue of the Insurance Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the said United States Branch of said Sumitomo Marine and Fire Insurance Company, Ltd., remaining after payment of the claims of domestic creditors of the said United States Branch, which have been or may hereafter be allowed in accordance with the Insurance Law of the State of New York, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan) and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration and liquidation by a person acting under judicial supervision;

5. Finding also that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, said Sumitomo Marine and Fire Insurance Company, Ltd., other than the business, property and affairs of the United States Branch of said Sumitomo Marine and Fire Insurance Company, Ltd. referred to in subparagraph 4 hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

6. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 4 and 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Insurance of the State of New York to continue to retain possession of, collect and liquidate the business, property and affairs of said United States Branch of said Sumitomo Marine and Fire Insurance Company, Ltd., referred to in subparagraph 4 hereof, and in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Insurance by and in accordance with and subject to the provisions of the Insurance Law of the State of New York: *Provided, however*, That after the claims of the domestic creditors of said United States Branch referred to in said subparagraph 4, together with interest thereon and the expenses of liquidation, have been paid in full, the remaining assets of said United States Branch and or the proceeds thereof in the possession of the said Superintendent of Insurance, or to which he may be or become entitled, shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4396; Filed, March 22, 1943; 11:07 a. m.]

[Vesting Order 1084]

TOKIO MARINE & FIRE INSURANCE COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Tokio Marine & Fire Insurance Company, Ltd., a Japanese corporation, Tokio, Japan is a national of a designated enemy country (Japan);

2. Finding that said Tokio Marine & Fire Insurance Company, Ltd., has an established United States Branch at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such United States Branch of said Tokio Marine & Fire Insurance Company, Ltd. is in the process of administration and liquidation by the Superintendent of Insurance of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business, property and affairs of said United States Branch of Tokio Marine & Fire Insurance Company, Ltd. in possession of the Superintendent of Insurance of the State of New York, or which may hereafter come into his possession or to which he may be entitled under and by virtue of the Insurance Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the said United States Branch of said Tokio Marine & Fire Insurance Company, Ltd., remaining after payment of the claims of domestic creditors of the said United States Branch, which have been or may hereafter be allowed in accordance with the Insurance Law of the State of New York, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan) and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration and liquidation by a person acting under judicial supervision;

5. Finding also that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, said Tokio Marine & Fire Insurance Company, Ltd., other than the business, property and affairs of the United States Branch of said Tokio Marine & Fire Insurance Company, Ltd. referred to in subparagraph 4 hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

6. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 4 and 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Insurance of the State of New York to continue to retain possession of, collect and liquidate the business, property and affairs of said United States Branch of said Tokio Marine & Fire Insurance Company, Ltd., referred to in subparagraph 4 hereof, and in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Insurance by and in accordance with and subject to the provisions of the Insurance Law of the State of New York: *Provided, however*, That after the claims of the domestic creditors of said United States Branch referred to in said subparagraph 4, together with interest thereon and the expenses of liquidation, have been paid in full, the remaining assets of said United States Branch and or the proceeds thereof in the possession of the said Superintendent of Insurance, or to which he may be or become entitled, shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4397; Filed, March 22, 1943; 11:07 a. m.]

[Vesting Order 1085]

ESTATE OF ANDREW (ANDRAS) NAGY

In re: Estate of Andrew (Andras) Nagy, deceased; File D-9-34-50, E. T. sec. 5.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Mercer County Orphans' Court, acting under the judicial supervision of the Mercer County Orphans Court, Mercer County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
John Nagy	Hungary.
Michael Nagy, Sr.	Hungary.
Michael Nagy, Jr.	Hungary.
Mary Nagy Kozar	Hungary.
Elizabeth Bodnarik	Hungary.
Anna Nagy	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of John Nagy, Michael Nagy, Sr., Michael Nagy, Jr., Mary Nagy Kozar, Elizabeth Bodnarik and Anna Nagy, and each of them, in and to the Estate of Andrew (Andras) Nagy, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4398; Filed, March 22, 1943; 11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Exception Order 1 Under Ration Order 2B]

REGISTRATION OF AUTOMOBILES

Section 2.5 prohibits any person who has acquired or who acquires a 1942 car for the purpose of resale from registering the car unless it is registered with a clearance statement for official use by or on behalf of the armed forces of the United States. The Ohio Certificate of Title Law, section 6290–2, requires all persons acquiring motor vehicles to obtain a certificate of title from the Clerk of Court in the county in which the owner resides.

In order to permit the registration of automobiles to obtain a certificate of title but not to obtain license plates,

It is hereby ordered, that: Any person in the state of Ohio who has acquired or who acquires a 1942 automobile for resale may secure a certificate of title for the car in Ohio without presenting to the automobile registration official a certificate, clearance statement or other authorization issued by the Office of Price Administration. However, no such person may obtain license plates, other than dealer plates, except upon presentation of a certificate or clearance statement issued by the Office of Price Administration.

(Pub. Laws 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1A, 7 F.R. 698, 1493, 2229, 2729, Supp. Dir. 14, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

This shall become effective March 22, 1943.

Issued this 22d day of March 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43–4422; Filed, March 22, 1943; 12:14 p. m.]

[Order 4 Under MPR 39]

BUTLER BROS.

ORDER GRANTING ADJUSTMENT

Order No. 4 under Maximum Price Regulation No. 39—Woven Decorative Fabrics; Docket No. 3039–20.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

(a) On and after March 23, 1943, Butler Bros. of Chicago, Illinois, herein called the Petitioner, may sell and deliver and any person may purchase and receive from it the following woven decorative fabrics at prices not in excess of the prices set forth below:

Stock No.	Specifications	Maximum prices: For sales in New York, Chicago, St. Louis, and Baltimore outlets	Maximum prices: For sales in Minneapolis, Denver and San Francisco outlets
37–D316	36", 10 ounces, 4 x 4 weave	31¼¢ per yard	31½¢ per yard
37–D340	50", 14 ounces, 4 x 4 weave	41¾¢ per yard	41¾¢ per yard

(b) Except for the adjusted maximum prices granted herein, all sales of the constructions of woven decorative fabrics set forth above shall be subject to the provisions of Maximum Price Regulation No. 39.

(c) Petitioner shall mail or cause to be mailed to all persons who purchase from it the constructions of woven decorative fabrics listed above for sale at retail a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you as follows:

Stock No.	Specifications	Maximum price: For sales in New York, Chicago, St. Louis, and Baltimore outlets	Maximum price: For sales in Minneapolis, Denver and San Francisco outlets
37–D316	36", 10 ounces, 4 x 4 weave	31¼¢ per yd.	31½¢ per yd.
37–D340	50", 14 ounces, 4 x 4 weave	41¾¢ per yd.	41¾¢ per yd.

These increases allowed us raise only those parts of cost increases which we are unable to absorb and they were granted with the understanding that retail prices will not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these woven decorative fabrics.

(d) This Order No. 4 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 4 shall become effective March 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F. R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4446; Filed, March 22, 1943; 4:46 p. m.]

[Order 76 Under RPS 64]

U. S. STOVE COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 76 under Revised Price Schedule No. 64[1]—Domestic Cooking and Heating Stoves. Approval of maximum price for U. S. Stove Company South Pittsburg, Tennessee.

On February 2, 1943, the U. S. Stove Company, South Pittsburg, Tennessee, completed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model coal heater, designated in the application as model 20 Hot Blast.

Due consideration has been given to the application and an opinion issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The U. S. Stove Company may sell, offer to sell, transfer or deliver its model 20 Hot Blast at a price not to exceed $28.98 f. o. b. factory to dealers, subject to discounts, allowances, and terms no less favorable than those in effect with respect to its comparable model 22 Comfort as established under Revised Price Schedule No. 64.

(b) This Order No. 76 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 76 shall become effective on the 23d day of March 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4444; Filed, March 22, 1943; 4:44 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 6221

[Order 25 Under Rev. MPR 169]

LAZAR KOSHER SAUSAGE FACTORY

ORDER DENYING PETITION FOR ADJUSTMENT

Order No. 25 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts; Docket No. 3169–41.

On August 8, 1942, Lazar Kosher Sausage Factory, 3648 West Roosevelt Road, Chicago, Illinois, filed a petition for adjustment pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended, redesignated Revised Maximum Price Regulation No. 169, as amended.

Due consideration has been given to the petition and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the Opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with the Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered*, That the petition for adjustment be and it hereby is, denied.

This Order No. 25 shall become effective March 22nd, 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4442; Filed, March 22, 1943; 4:45 p. m.]

[Order 26 Under Rev. MPR 169]

SWIFT & COMPANY, ET AL.

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 26 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

In the matter of Swift & Company, Docket No. 3169–270; The Val. Decker Packing Company, Docket No. 3169–279–280; The E. Kahn's Sons Company, Docket No. 3169–281; Hunter Packing Company, Docket No. 3169–282–284; Swift and Company, Docket No. 3169–285; Salus & Son, Inc., Docket No. 3169–288; The Val. Decker Packing Co., Docket No. 3169–291–299; Swift & Company, Docket No. 3169–300; Kingan & Company, Docket No. 3169–301–310; Armour & Co. of Delaware, Docket No. 3169–311–313; Swift and Company, Docket No. 3169–314; Wilson and Company, Inc., Docket No. 3169–318; Wilson and Company, Inc., Docket No. 3169–321–322; Armour & Co. of Delaware, Docket No. 3169–324–325; Swift & Company, Docket No. 3169–326–327; Wilson & Company, Inc., Docket No. 3169–328–331; Armour and Company, Docket No. 3169–332–333; Wilson and Company, Inc., Docket No. 3169–334–337; Swift and Company, Docket No. 3169–338; The Kroger Grocery & Baking Company, Docket No. 3169–339; A. Salus & Son, Inc., Docket No. 3169–340–341; Wilson & Company, Docket No. 3169–342; C. F. Vissman & Company, Docket No. 3169–344; A. Salus & Son, Inc., Docket No. 3169–345; Cudahy Brothers Co., Docket No. 3169–346; Armour & Co. of Delaware, Docket No. 3169–347; Swift & Company, Docket No. 3169–348; South Philadelphia Dressed Beef Co., Docket No. 3169–349–354; Central Packing Corporation, Docket No. 3169–355; Swift & Company, Docket No. 3169–357; Armour & Co. of Delaware, Docket No. 3169–358; Cudahy Brothers Co., Docket No. 3169–359; Armour & Co. of Delaware, Docket No. 3169–360–361; South Philadelphia Dressed Beef Co., Docket No. 3169–362; Armour & Co. of Delaware, Docket No. 3169–363–365; Swift & Company, Docket No. 3169–366; Armour & Co. of Delaware, Docket No. 3169–367–368; Swift & Company, Docket No. 3169–370–371, applicants.

On or before February 17, 1943 Swift & Company, Union Stock Yards, Chicago, Illinois, The Val. Decker Packing Company, 727 East Ash Street, Piqua, Ohio, The E. Kahn's Sons Company, 3241 Spring Grove Ave., Cincinnati, Ohio, Hunter Packing Company, East St. Louis, Illinois, Salus & Son, Inc., 8 No. Delaware Ave., Philadelphia, Pennsylvania, Kingan & Co., Indianapolis, Indiana, Armour & Company of Delaware, Union Stock Yards, Chicago, Illinois, Wilson and Company, S. Ashland Ave., Chicago, Illinois, The Kroger Grocery and Baking Company, 2210 Lockbourne Road, Columbus, Ohio, C. F. Vissman & Company, Louisville, Kentucky, Cudahy Brothers Company, Cudahy, Wisconsin, South Philadelphia Dressed Beef Company, 232–50 Moore Street, Philadelphia, Pennsylvania, and Central Packing Corporation, 352 Johnson Avenue, Brooklyn, New York, filed separate applications for adjustment of maximum prices established under Revised Maximum Price Regulation No. 169, as amended, Beef and Veal Carcasses and Wholesale Cuts, in accordance with the provisions therefor contained in Procedural Regulation No. 6. The Price Administrator deems it appropriate that the several applications for adjustment be disposed of together. Due consideration has been given to the applications for adjustment and to each of them, and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration, *It is ordered:*

(a) That the foregoing applications for adjustment and each of them be, and they hereby are, denied in whole:

(b) That each applicant who has received payment for any beef carcass or wholesale cut at the price requested in its application shall refund to the purchaser the difference between such requested price and the maximum price applicable to the sale of such beef carcass or wholesale cut at the time of such sale under Revised Maximum Price Regulation No. 169.

(c) This Order No. 26 shall become effective March 23, 1943.

Issued this 22d day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4443; Filed, March 22, 1943; 4:43 p. m.]

[Rev. Order 116 Under MPR 188]

COLONIAL WOOD PRODUCTS COMPANY

APPROVAL OF MAXIMUM PRICES

Revised Order No. 116 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum price for sale by Colonial Wood Products Company of children's play pens.

Order No. 116 is amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Colonial Wood Products Company, 329 Glendale Boulevard, Los Angeles, California, is authorized to sell and deliver the children's play pens described in their letter to the Office of Price Administration, Washington, D. C., dated October 23, 1942, at prices no higher than those set forth below:

	To retailers	To wholesalers
On quantities of 12 units	$4 50	.....
On quantities of between 13 and 48 units	4 30	.....
On quantities of more than 48 units	4 15	$4 [illegible]

(b) This Revised Order No. 116 may be revoked or amended by the Price Administrator at any time.

(c) This Revised Order No. 116 shall become effective on the 23d day of March 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4447; Filed, March 22, 1943; 4:40 p. m.]

[Order 216 Under MPR 188]

BROOMS MADE OF BROOM CORN

ORDER GRANTING ADJUSTMENT

Order No. 216 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Granting adjustment of maximum prices for sales of brooms made of broom corn.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) On and after March 23, 1943, the manufacturer's maximum price for a broom made of broom corn shall be calculated by adding 10% to the maximum price as established under Maximum Price Regulation No. 188. This adjustment, however, applies only to brooms to which the manufacturer attaches a tag in accordance with the provisions of paragraph (c).

(b) For a sale at wholesale or at retail of a broom made of broom corn, delivered by the manufacturer after March 22, 1943, the maximum price shall be calculated by adding 10% to the maximum price as established under the General Maximum Price Regulation. However, this increase may be taken only on brooms bearing the tag specified in paragraph (c).

(c) The manufacturer shall attach to each broom made of broom corn, delivered by him on or after March 23, 1943, a tag containing a statement in the following form:

OPA has authorized the sale of this broom by the manufacturer, the wholesaler and the retailer at a price 10% higher than the seller's March 1942 ceiling price.

The tag shall not be detached until the broom has been delivered to the consumer.

(d) Every person delivering to a retailer brooms made of broom corn shall, at or prior to the first invoice to such purchaser after March 23, 1943, give written notice of the adjustment granted by this order. The notice shall state that the adjustment applies only to brooms which have been tagged by the manufacturer in accordance with paragraph (c). A statement in the following form will be sufficient:

The Office of Price Administration has granted relief to manufacturers of brooms made of broom corn by allowing each manufacturer, wholesaler, and retailer, an increase of 10% over March 1942 ceiling prices. The increase may be taken only on brooms which are delivered by the manufacturer on or after March 23, 1943, and which bear a tag, attached by the manufacturer, stating that the 10% increase has been authorized by the Office of Price Administration. The tag must not be detached until the broom has been delivered to the consumer.

(e) This Order No. 216 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions contained in § 1499.20 of General Maximum Price Regulation shall apply to all terms used herein.

This order shall become effective March 23, 1943.

Issued this 22d day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4439; Filed, March 22, 1943; 4:44 p. m.]

[Order 217 Under MPR 188]

V. W. BUSCH CO.

APPROVAL OF MAXIMUM PRICES

Order No. 217 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel. Approval of maximum prices for sales of a new one-pint size plastic lunch box manufactured by V. W. Busch Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No 9250, *It is ordered:*

(a) This Order No. 217 sets maximum prices for sales of a new one-pint size plastic lunch box designated as "Victory Vu-Kit", manufactured by V. W. Busch Manufacturing Company, Rushton, South Lyon, Michigan.

(1) For a sale by the manufacturer, the maximum price is $1.75 f. o. b Rushton, South Lyon, Michigan.

(2) For a sale at retail, the maximum price is $2.95.

(b) To every lunch box shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At or before the time of first delivery after the effective date of this Order No. 217, the manufacturer shall notify in writing every person who buys from it of the maximum price set by this Order No. 217 for resales by the purchaser. This written notice may be given in any convenient form; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 217 shall become effective on the 23d day of March 1943

Issued this 22d day of March 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4434; Filed, March 22, 1943; 4:47 p. m.]

[Order 218 Under MPR 188]

TELL CITY FURNITURE COMPANY, INC.

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Tell City Furniture Company, Inc., of two toy wagons.

Order No. 218 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Tell City Furniture Company, Inc., P. O. Box 120, Tell City, Indiana, is authorized to sell and deliver its toy wagons, designated in its application of February 13, 1943, as No. 10 and No. 11, at prices to retailers, f. o. b. Tell City, Indiana, no higher than those set forth below:

Model No. 10	$2 25
Model No. 11	3 [illegible]

(b) This Order No. 218 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 218 shall become effective on the 23d day of March 1943.

Issued this 22d day of March 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4433; Filed, March 22, 1943; 4:48 p. m.]

[Order 219 Under MPR 188]

STARLIGHT NOVELTY COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of a maximum price for sales by Starlight Novelty Company, of a Christmas tree top.

Order No. 219 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Starlight Novelty Company, 450 Broome Street, New York, New York, is authorized to sell and deliver its new Christmas tree top, designated in its application as "Gloria Angel Christmas Tree Top", at prices to George Borgfeldt Corporation, f. o. b. New York, New York, no higher than $3.25 per dozen.

(b) This Order No. 219 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 219 shall become effective on the 23d day of March 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4436; Filed, March 22, 1943; 4:46 p. m.]

[Order 220 of MPR 188]

SHULER RADIANT COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Shuler Radiant Company, of a new stroller.

Order No. 220 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Shuler Radiant Company, 1444 West 9th Street, Cleveland, Ohio, is authorized to sell and deliver its new stroller, described in its application of January 28, 1943, at prices to retailers, f. o. b. Cleveland, Ohio, no higher than $6.00 per unit.

(b) This Order No. 220 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 220 shall become effective on the 23d day of March 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4437, Filed, March 22, 1943; 4:44 p. m.]

[Order 221 Under MPR 188]

HARRY M. DURST

APPROVAL OF MAXIMUM PRICE

Approval of maximum prices for sales by Harry M. Durst of a new wooden rocking horse.

Order No. 221 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Harry M. Durst, 335 East 34th Street, New York, New York, authorized to sell and deliver his new wooden rocking horse, described in his application of February 1, 1943, at prices to Victory Wood Products Company, f. o. b. New York, New York, no higher than $2.71 per unit.

(b) This Order No. 221 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 221 shall become effective on the 23d day of March 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4438, Filed, March 22, 1943; 4:44 p. m.]

[Order 222 Under MPR 188]

REMBRANDT NOVELTY COMPANY, INC.

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sale by Rembrandt Novelty Table Company, Inc., 201—46 Street, Brooklyn, New York, of Porch and Out-of-Door furniture.

Order No. 222 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Rembrandt Novelty Table Company, Inc., 201—46 Street, Brooklyn, New York, is authorized to sell and deliver the following articles at prices no higher than those set forth below:

Item	Recommended price
No. 2, Chair	$8 86
No. 3, Chair	4 35
No. 4, Chair	6 93
No. 6, Chair	8 14
No. 16, Chair	6 04
No. 18, Chair	7 22
No. 11, Settee	25 18
No. 12, Chaise lounge	16 49
No. 17, Chaise lounge	17 24
No. 23, Park bench	13 54
No. 21, Saw buck table	14 95
No. 22, Saw buck bench	9 04
No. 20, Table	7 18
No. 7, Table	10 43
No. 9, Table	8 19
No. 15, Table	14 60
No. 15½, Umbrella frame only	7 85
No. 15¾, Umbrella frame only	9 00
No. 10, Tea wagon	16 36
No. 19, Tea wagon	10 77
No. 12, Chaise lounge cushion	8 63
No. 11, Glider cushion	17 63
No. 11, Glider cushion combination cloth	18 71
No. 17, Combination chaise cushion	6 63
No. 17 Combination [illegible]	7 65
No. 15½, Umbrella	8 50
No. 15¾, Umbrella	9 25
No. 2, Cushion	3 38
No. 6 Pad	3 38
No. 18, Folding bench combination steel	1 81

(b) This Order No. 222 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 222 shall become effective on the 23d day of March 1943.

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43 4440; Filed, March 22, 1943; 4:47 p. m.]

[Order 223 Under MPR 188]

CERTAIN-TEED PRODUCTS CORPORATION

AUTHORIZATION OF MAXIMUM PRICES

Order No. 223 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons stated in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered*, That:

(a) The Certain-Teed Products Corporation is authorized to sell, deliver and offer for sale, and all persons are authorized to receive or buy from it in the course of trade, "Blacout Board", a product consisting of asphalted building board further processed by spraying, manufactured and sold by the Corporation, at the price of $31.88 per 1000 square feet, in carload or ten-ton truck load lots, f. o. b. point of production, with a 2% discount from that price for payment within 10 days after the date of invoice.

(b) The authorization granted to the Certain-Teed Products Corporation in paragraph (a) above is subject to the condition that it shall notify all customers purchasing "Blacout Board" from it that the Office of Price Administration has by this order authorized its maximum price as provided in paragraph (a) above.

(c) This Order No. 223 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 223 shall become effective March 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43 4441; Filed, March 22 1943; 4:47 p. m.]

[Correction to Order 1 Under MPR 186]

HARBOR BOX AND LUMBER CO.

ORDER GRANTING ADJUSTMENT

Correction to Order No. 1 under Maximum Price Regulation No. 186—Western Wooden Agricultural Containers.

In the order for publication of the name of Harbor Box and Lumber Company of Los Angeles, California, as a "metropolitan factory" the name of the company incorrectly appears as Harper Box and Lumber Company. The company name is hereby corrected to read Harbor Box and Lumber Company.

This correction shall be effective as of March 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4445; Filed, March 22, 1943; 4:47 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 31-431, 31-436]

MANILA ELECTRIC COMPANY AND ESCUDERO ELECTRIC SERVICE COMPANY

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March 1943.

The Commission having heretofore on March 28, 1941, entered an order granting to Manila Electric Company and Escudero Electric Service Company, subsidiaries of Associated Electric Company, a registered holding company, an exemption, to the extent therein specified, from certain provisions of the Public Utility Holding Company Act of 1935 applicable to them as subsidiary companies; and

The said order further providing that the exemption therein granted should expire on March 31, 1943, without prejudice, however, to the right of the applicants to apply for an extension; and

A request for an extension of the time during which such exemption should be effective having been filed; and

The Commission finding that an extension of the exemption heretofore granted is appropriate;

It is therefore ordered, That the exemption heretofore granted to Manila Electric Company and Escudero Electric Service Company be and it hereby is extended until further order of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4369; Filed, March 22, 1943; 10:56 a. m.]

[File Nos. 54-65, 59-6, 70-658]

UNITED GAS IMPROVEMENT CO., ET AL.

ORDER APPROVING PLAN PERMITTING DECLARATIONS TO BECOME EFFECTIVE, AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of March 1943.

In the matter of The United Gas Improvement Company, File No. 54-65; The United Gas Improvement Company and Subsidiary Companies, Respondents, File No. 59-6; Philadelphia Electric Company, File No. 70-658.

The United Gas Improvement Company, a registered holding company, and its subsidiary company, Philadelphia Electric Company, having filed applications and declarations, and amendments thereto, pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, and the Rules and Regulations of the Commission promulgated thereunder, requesting an order of the Commission approving said plan, and authorizing and directing and requiring that the transactions proposed therein be consummated in accordance with its terms and provisions; and requesting that said Order of the Commission conform to the pertinent requirements of the Internal Revenue Code, as amended, including sections 371 (a), 371 (c), 371 (f) and 1808 (f) thereof, and contain the specifications therein set forth;

The Commission having, on March 4, 1940, instituted proceedings in respect of The United Gas Improvement Company and its subsidiary companies, pursuant to section 11 (b) (1) of said Act, and having ordered a consolidation of the proceedings involving said application for approval of the plan and related applications and declarations with such proceedings;

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its Findings and Opinion herein; and

The Commission having found that said plan is necessary to effectuate the provisions of section 11 (b) of said Act and is fair and equitable to the persons affected hereby; and the Commission having made and filed herein its Report on said plan pursuant to Section 11 (g) of said Act;

It is ordered, That said plan, as amended, be, and the same hereby is, approved, and that said applications and declarations, as amended, be, and the same hereby are, granted, and permitted to become effective, and The United Gas Improvement Company is authorized, directed, and required to carry out and consummate the transactions proposed in said plan in accordance with its terms and provisions;

It is further ordered, That, in accordance with the requirements of the Internal Revenue Code, as amended, including sections 371 (a), 371 (c), 371 (f) and 1808 (f) thereof, the following steps included in the transactions proposed in said plan, are specified as being necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

1. The reclassification of the authorized 15,000,000 shares of no par Common Stock of Philadelphia Electric Company into 2,369,076 shares of $1 Dividend Preference Common Stock and 12,630,924 of new Common Stock, both without nominal or par value; the issuance of all of said authorized shares of $1 Dividend Preferred Common Stock and 8,160,154 shares of said new Common Stock in exchange for its presently outstanding 10,529,230 shares of Common Stock in retirement thereof, on the basis of 9 40ths of a share of $1 Dividend Preference Common Stock and 31 40ths of a share of new Common Stock for each share of presently outstanding Common Stock; and the issuance by Philadelphia Electric Company of scrip certificates in lieu of fractional shares; and the issuance by Philadelphia Electric Company of not in excess of 2,369,076 shares of its new Common Stock in exchange for shares of its $1 Dividend Preference Common Stock, pursuant to any exercise of the conversion rights attaching to the shares of said $1 Dividend Preference Common Stock;

2. The distribution by The United Gas Improvement Company of 2,295,438 shares of the $1 Dividend Preference Common Stock of Philadelphia Electric Company received by it, together with cash, in exchange for, and in liquidation and retirement of, the presently outstanding 765,146 shares of $5 Dividend Preferred Stock of The United Gas Improvement Company, on the basis of 3 shares of $1 Dividend Preference Common Stock and $40 in cash for each share of said $5 Dividend Preferred Stock;

3. The distribution by The United Gas Improvement Company pro rata to the holders of its presently outstanding 23,252,010 shares of Common Stock, as a partial distribution of capital, of 7,750,670 shares of the new Common Stock of Philadelphia Electric Company to be received by The United Gas Improvement Company, and 1,937,667.5 shares of its present holdings of the outstanding Common Stock of Public Service Corporation of New Jersey, on the basis of 1 3rd share of the new Common Stock of Philadelphia Electric Company and 1 12th share of the Common Stock of Public Service Corporation of New Jersey for each share of the outstanding Common Stock of The United Gas Improvement Company, and the issuance of scrip certificates in lieu of fractional shares;

It is further ordered, That the Report of the Commission, made and filed herein pursuant to section 11 (g) of said Act, be and the same is hereby approved and adopted as the Report herein made by the Commission and as the form in which

copies of said Report may be used by The United Gas Improvement Company in making solicitations, pursuant to said section 11 (g), of the holders of the shares of its outstanding Common Stock in respect of the matters therein referred to;

It is further ordered, That jurisdiction be, and hereby is, reserved as to the approval or disapproval of the reasonableness of fees and expenses incurred or to be incurred, in connection with said plan and related transactions, in respect of the services of attorneys, agents and financial advisors;

It is further ordered, That jurisdiction be, and hereby is, reserved to consider all matters relating to these consolidated proceedings not disposed of by this Order, to entertain such further proceedings, to make such further and supplemental findings and to take such additional and further action as may be found by the Commission to be appropriate in the premises in connection with the consummation of said plan and related and incidental transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4367, Filed, March 22, 1943; 10:56 a. m.]

[File Nos. 65-5, 32-197, 70-135]

MICHIGAN CONSOLIDATED GAS CO., ET AL.

ORDER DISMISSING PROCEEDINGS AS TO DILLON, READ & CO. AND RELEASING JURISDICTION OVER LIMITED PAYMENT OF UNDERWRITER'S AND FINDER'S FEES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 18th day of March 1943.

In the matter of Michigan Consolidated Gas Company, Dillon, Read & Co., Files Nos. 65-5 and 32-197; Columbus and Southern Ohio Electric Company, Dillon, Read & Co., File No. 70-135.

Michigan Consolidated Gas Company, a subsidiary of The United Light and Power Company, a registered holding company, having filed on February 22, 1940 an application regarding, among other matters, the issuance and sale of its First Mortgage Bonds pursuant to the provisions of section 6 (b) of the Public Utility Holding Company Act of 1935; and

Columbus and Southern Ohio Electric Company, a subsidiary of The United Light and Power Company, having filed on August 7, 1940 an application regarding, among other matters, the issuance and sale of its First Mortgage Bonds pursuant to the provisions of section 6 (b) of the Public Utility Holding Company Act of 1935; and

The Commission having respectively on February 23, 1940 and August 22, 1940 issued orders to show cause against Dillon, Read & Co., Michigan Consolidated Gas Company and Columbus and Southern Ohio Electric Company, pursuant to Rule U-12F-2, to determine the status of Dillon, Read & Co. under said rule; and

The Commission having on March 12, 1940 issued its order approving the application of Michigan Consolidated Gas Company, but reserving jurisdiction for future determination of questions concerning affiliation and the reasonableness of the proposed finder's fees to Dillon, Read & Co.; and the Commission having also on October 21, 1940 issued its order approving the application of Columbus and Southern Ohio Electric Company, subject, however, to the stipulation of counsel for Dillon, Read & Co. that pending the determination of the questions arising under the Rule, the underwriting fees involved would be deposited in escrow and that the Commission would reserve jurisdiction over all questions of fees and affiliations under the Rules; and

Dillon, Read & Co. having proposed to reduce its finder's fees claimed from Michigan Consolidated Gas Company from $10,000 to $7,500; and having proposed to reduce its fees and compensation for all services connected with the underwriting of the bonds issued by Columbus and Southern Ohio Electric Company so that its total compensation would not exceed the compensation payable to an underwriter whose participation was not in excess of 5% of the total offering and, upon the basis of such reduced fees, having moved the Commission for an order dismissing the consolidated proceedings and releasing jurisdiction over such reduced compensation; and permitting Columbus and Southern Ohio Electric Company to pay to Dillon, Read & Co. or to its assignees the sum of $25,475.65, which amount is computed at the rate applicable to a 5% participation of the total offering; and to further permit Michigan Consolidated Gas Company to pay to Dillon, Read & Co. or to its assignees the sum of $7,500 as payment in full of finder's fees for services rendered to Michigan Consolidated Gas Company; and

The Commission deeming it in the public interest and in the interest of investors and consumers to dismiss the pending show cause orders and to release jurisdiction as to the payment of such reduced fees and compensation;

It is ordered, That the proceedings pending be and hereby are dismissed; and that jurisdiction be and hereby is released over such reduced fees and compensation payable to Dillon, Read & Co. or to its assignees.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4365, Filed, March 22, 1943; 10:56 a. m.]

[File No. 70-654]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE ET AL.

INTERIM ORDER APPROVING APPLICATION SUBJECT TO RESERVATION OF JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of March 1943.

In the matter of Public Service Company of New Hampshire, The Twin State Gas and Electric Company, New England Public Service Company, File No. 70-654.

Public Service Company of New Hampshire, a subsidiary company of New England Public Service Company, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of said Act of the issuance and sale of $20,500,000 aggregate principal amount of its First Mortgage Bonds, Series A, 3¼%, maturing January 1, 1973, said bonds to be offered at competitive bidding pursuant to the requirements of Rule U-50; and

Hearings having been held after appropriate notice and the Commission having made and filed its findings and opinion herein;

It is ordered, That the application as amended, be and the same hereby is granted for the purpose of submitting the bonds to competitive bidding, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional terms and conditions:

I. No dividends, except dividends payable in common stock shall be paid on the common stock if the payment thereof would reduce Earned Surplus below $2,300,000 or below such part of $2,300,000 as may remain after deduction thereof by:

(a) Any amount of the Electric Plant Acquisition Adjustment Account (now carried at $840,420.34 subject to a reserve of $13,968.07) which may be written off directly against Earned Surplus, and

(b) Other adjustments applicable to Earned Surplus.

II. Except as hereinafter provided, no dividends, except dividends payable in common stock shall be paid on the common stock, unless for the entire period from January 1, 1943 to the end of the calendar month preceding the month in which such declaration is made, earnings applicable to the common stock shall have been retained to an accumulated amount equal to the total obtained by computing the retention for each full calendar year of the period (and on a pro-rata basis for any fractional part of a calendar year) at the following rates:

Yearly earnings applicable to common stock as per books:	*Percentage of earnings retained (percent)*
First $100,000	100
Next $100,000	None
Next $100,000	40
Next $100,000	30
Next $200,000	25
Over $600,000	10

Provided, however, That:

(a) For the purposes of the foregoing computation, if the Company shall have made provisions for depreciation of its electric plant at the rate of less than 2% per annum of its depreciable electric plant (averaged on a calendar year basis) for any year or fractional part of a year involved in any such computation, the earnings applicable to the common stock

to be retained shall be increased by the amount of such deficiency or, if no other retention of earnings is required, then the amount of such deficiency shall be retained;

(b) After December 31, 1952, or after any earlier date on which the total earnings retained hereunder plus the amount of any cash and the value of any property received by the Company in consideration of the issue of additional common stock shall aggregate $2,300,000, all requirements for the retention of earnings and all restrictions upon the payment of dividends under this paragraph II shall cease, except as may be provided in subparagraph (a) above and except that surplus accumulated by earnings so retained, up to $1,300,000 thereof less the amounts of all adjustments at any time made under clause (c) below and less the amount of all cash and the value of all property received by the Company in consideration of the issue of additional common stock, shall not be available for the payment of dividends on the common other than dividends payable in common stock; and

(c) Earned Surplus accumulated as a result of retention of earnings under this paragraph II may be reduced by adjustments applicable to Earned Surplus.

III. Jurisdiction is hereby reserved by the Commission to impose such further terms and conditions as may be appropriate after the results of the competitive bidding have been reported pursuant to Rule U-50 (c).

It is further ordered, That applicant's request for a shortening of the ten-day period required by Rule U-50 (b) to the extent that applicant may be permitted to open bids on March 26, 1943, be and the same hereby is granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4366. Filed, March 22, 1943; 10:56 a. m.]

[File No. 70-678]

THE MILWAUKEE ELECTRIC RAILWAY & TRANSPORT COMPANY AND WISCONSIN ELECTRIC POWER COMPANY

ORDER APPROVING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of March 1943.

The Milwaukee Electric Railway & Transport Company, a wholly owned subsidiary of Wisconsin Electric Power Company, and Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company, having filed a joint application and declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to (1) the proposal of The Milwaukee Electric Railway & Transport Company to purchase for cash at par from Wisconsin Electric Power Company 8,000 shares of its own common capital stock having a par value of $100 per share or an aggregate par value of $800,000, and to retire the stock so to be purchased by it; and (2) the proposal of Wisconsin Electric Power Company to sell to The Milwaukee Electric Railway & Transport Company the said 8,000 shares of the common capital stock of The Milwaukee Electric Railway & Transport Company for the consideration above specified; and

Said joint application and declaration having been filed on the 18th day of February, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12 (c) and 12 (f) and Rules U-42 and U-43 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to approve said application and to permit said declaration to become effective;

It is hereby ordered Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said joint application be and the same is hereby approved and that said joint declaration be and the same is hereby permitted to become effective forthwith.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4368. Filed, March 22, 1943; 10:56 a. m.]

[File Nos. 54-69, 59-65]

OGDEN CORPORATION, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22nd day of March, A. D. 1943.

In the matter of Ogden Corporation and subsidiary companies, File No. 54-69; Ogden Corporation and subsidiary companies, respondents, File No. 59-65.

Notice of filing and order for hearing on plan filed pursuant to section 11 (e); notice of and order for hearing pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935 and order consolidating proceedings.

I

Notice is hereby given that Ogden Corporation, a registered holding company, and certain of its subsidiary companies,[1] have filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan, the purpose of which is to effect compliance with (1) the provisions of section 11 (b) of the Act and (2) the terms of an Amended Plan of Reorganization, dated January 10, 1939, of Utilities Power & Light Corporation, predecessor in reorganization of Ogden Corporation.[2] The plan provides for the disposition by Ogden of interests held by it, directly or indirectly, in all of its subsidiaries which are registered holding companies or public utility companies and the distribution of the proceeds thereof to Ogden's stockholders. Securities of such subsidiaries not disposed of by sale or discharged in liquidation will be distributed in kind. All interested persons are referred to said plan, which is on file at the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Ogden Corporation proposes to dispose of interests held by it, directly or indirectly, in all of its subsidiary companies which are registered holding companies or public utility companies: *Provided, however*, That in the case of The Laclede Gas Light Company, Interstate Power Company, Missouri Natural Gas Company, Central States Utilities Corporation, Central States Power & Light Corporation, and Missouri Electric Power Company, such divestment shall not be effected by means of the sale of securities prior to the recapitalization of such companies to the extent necessary to comply with section 11 (b) (2) of the Act. As described below, Ogden Corporation, The Laclede Gas Light Company, and Interstate Power Company and its subsidiaries propose to take such steps as may be nec-

[1] The following subsidiaries of Ogden Corporation have joined in the plan in so far as their respective interests are involved: Central States Utilities Corporation, Central States Power & Light Corporation, Missouri Electric Power Company, Derby Gas & Electric Corporation (Del.), The Derby Gas and Electric Company (Conn.), The Wallingford Gas Light Company, Interstate Power Company (Del.), East Dubuque Electric Company, Eastern Iowa Electric Company, Interstate Power Company of North Dakota, Interstate Power Company of Wisconsin, Laclede Power & Light Company, The Laclede Gas Light Company, Phoenix Light, Heat and Power Company (Inactive) and Missouri Natural Gas Company.

[2] See *Utilities Power & Light Corporation, et al.* 5 S.E.C. 483 (1939). The Plan of Reorganization, confirmed on January 2, 1940 by the District Court of the United States for the Northern District of Illinois, Eastern Division, provided that Ogden Corporation submit to the Commission, within thirty days after the entry of an order discharging the trustee and closing the case, a plan pursuant to the provisions of section 11 (e) of the Act, providing for the divestment of control, securities, or other assets, or for other action by Ogden Corporation, or any subsidiary thereof, for the purpose of enabling Ogden, or any subsidiary thereof, to comply with the provisions of section 11 (b) of the Act. Such order dismissing said trustee was entered on January 28, 1943.

sary to recapitalize The Laclede Gas Light Company and Interstate Power Company in such manner as to comply with section 11 (b) (2) of the Act. Central States Utilities Corporation and its subsidiaries will liquidate and dissolve.

In all instances where disposition is made by way of sale of securities of subsidiaries which are registered holding companies or public utility companies, Ogden Corporation proposes to distribute the proceeds thereof to its stockholders. Securities of such subsidiaries not disposed of by sale or discharged in liquidation will be distributed in kind.

It is proposed that the plan will be consummated in the manner described below:

(1) *Central States Utilities Corporation and subsidiaries.* Central States Utilities Corporation, its subsidiary, Central States Power & Light Corporation and Missouri Electric Power Company, a wholly-owned subsidiary of Central States Power & Light Corporation, propose to liquidate and dissolve. It is proposed that the two companies last named will dispose of all their assets for cash. Funds thus derived will first be utilized to discharge the first mortgage bonds of Central States Power & Light Corporation, and any remaining cash will be distributed to holders of securities junior to such bonds, in accordance with the determination of the Commission or, if an appeal be taken, in accordance with such determination as finally affirmed or modified.

(2) *Derby Gas & Electric Corporation and subsidiaries.* Ogden proposes to dispose of the common stock of Derby Gas & Electric Corporation either by sale or by distribution in kind.

(3) *Interstate Power Company and subsidiaries.* Interstate Power Company proposes to simplify its corporate structure and recapitalize so as fairly and equitably to distribute voting power among its security holders. Prior to or concurrently with its recapitalization, Interstate Power Company also proposes to dispose of the Bemidji-Crookston Division of its Minnesota properties as well as the properties of Interstate Power Company of North Dakota in order to comply with the provisions of section 11 (b) (1) of the Act. After consummation of such recapitalization, Ogden Corporation proposes to dispose of the new securities it receives pursuant to the plan of recapitalization either by sale or by distribution in kind.

(4) *Laclede Power & Light Company and The Laclede Gas Light Company.* Laclede Power & Light Company, The Laclede Gas Light Company, and Phoenix Light, Heat and Power Company propose to sell for cash the properties operated by Laclede Power & Light Company to Union Electric Company of Missouri and The Laclede Gas Light Company proposes to simplify its corporate structure and recapitalize. In such recapitalization, the debt will be reduced substantially, preferred stock dividend arrears eliminated, and outstanding preferred and common stocks will be converted into a single class of stock. After consummation of such recapitalization, Ogden Corporation proposes to dispose of the securities received.

(5) *Missouri Natural Gas Company.* Ogden Corporation proposes to dispose of its investment in Missouri Natural Gas Company either by sale or distribution in kind or to cause Missouri Natural Gas Company to dispose of its assets.

(6) *Plans on file with the Commission.* Plans under section 11 (e) providing for the recapitalization of Interstate Power Company and The Laclede Gas Light Company are presently on file with the Commission (File Nos. 54-36 and 54-39, respectively). A plan providing for the liquidation and dissolution of Central States Utilities Corporation and its subsidiaries is also pending before the Commission (File No. 54-42).

(7) *Provisions relating to consummation and enforcement of plan.* Ogden Corporation and each of its subsidiaries which are joint proponents of this Plan propose to effectuate such plan within the statutory period provided for under section 11 (e) of the Act; and request, in the event said plan is not consummated within two years of the filing thereof, or such extended period as may be granted by the Commission, that the Commission, pursuant to section 11 (e) of the Act, apply to a Court in accordance with the provisions of section 18 (f) of the Act, to enforce and carry out the terms and provisions of the Plan. Each of the said joint proponents authorizes the Court upon any such application made to it by the Commission, to such extent as the Court deems necessary for the purpose of carrying out the terms and provisions of this plan, to take exclusive jurisdiction and possession of Ogden Corporation, and all of its then subsidiaries which are public utility companies as defined in the Act, and of their respective assets, including securities, wherever located, and to appoint a trustee to hold or administer the same under the direction of the Court and in accordance with this plan, and the Court for such purpose may appoint the Commission as sole trustee.

II

The Commission having examined, pursuant to sections 11 (a), 18 (a), and 18 (b) of the Public Utility Holding Company Act of 1935, the corporate structure of Ogden Corporation, a registered holding company, and its subsidiary companies, the relationship among companies of said holding company system, the character of the interests thereof and the properties owned or controlled thereby, to determine the extent to which the corporate structure of such holding company system and the companies therein may be simplified, unnecessary complexities therein eliminated, voting power fairly and equitably distributed among the holders of securities thereof, and the properties and business of such system should be confined to those necessary or appropriate to the operations of an integrated public utility system or systems under the standards of section 11 (b) of the Act; and said examination having disclosed data establishing or tending to establish the following:

1. Ogden Corporation, a registered holding company, is a corporation organized under the laws of Delaware. It maintains its principal office for the doing of business in Jersey City, N. J. Ogden Corporation has twenty-two subsidiaries, twelve of which are public utility companies within the meaning of the Act, engaged in the electric and gas utility business and other businesses such as water distribution, bus transportation, ice, and steam; and the remainder of which are engaged in such diverse businesses as coal production, railroad operations, theatre ownership, etc. The operations of Ogden's utility subsidiaries are conducted within eight states of the United States, including Connecticut, Illinois, Iowa, Minnesota, Missouri, North Dakota, South Dakota, and Wisconsin.

2. The total gross book assets at December 31, 1942 of Ogden Corporation's subsidiary companies, which are public utility and holding companies within the meaning of the Act, were approximately $154,431,000 (after adjustments for intercompany items). The total assets (after adjustments for intercompany items), at December 31, 1942, of Ogden Corporation's non-utility subsidiaries were approximately $8,910,000.[3] These totals, combined with other assets of Ogden Corporation, aggregated approximately $168,595,000.

3. Central States Utilities Corporation, Central States Power & Light Company, Derby Gas & Electric Corporation, and Interstate Power Company, subsidiaries of Ogden Corporation, are also registered holding companies. The first three of these subsidiaries maintain their principal offices in Jersey City, N. J., and the last-named maintains its principal office in the City of Dubuque, Iowa.

4. The names of the subsidiary companies presently embraced in the holding company system of Ogden Corporation, the corporate relationship of these companies to each other, and the states in which such subsidiary companies are incorporated, are shown in the following table:

Name of company	*State of organization*
Ogden Corporation	Delaware.
Central States Utilities Corporation	Delaware.
Central States Power & Light Corporation	Delaware.
Missouri Electric Power Company	Missouri.

[3] Per books, with property stated (except for Litchfield and Madison Railway Company) after depreciation, depletion, and other property reserves. The figures for one subsidiary, Southampton (Fawley) Investment Corp. Ltd., are as of December 31, 1941, the latest available, and are converted into dollars at the rate of $4.03 to the pound sterling, approximately the current "official rate" of exchange. The asset total for the non-utility subsidiaries does not include United Fuels Corporation and its subsidiaries (sold by Ogden Corporation in February, 1943), but the carrying value for that investment is included in the total of all assets of the Ogden system.

Derby Gas & Electric Corporation	Delaware.
The Derby Gas and Electric Company	Connecticut.
The Wallingford Gas Light Company	Connecticut.
The Derby Gas and Electric Corporation of Connecticut (Inactive)	Connecticut.
Interstate Power Company	Delaware.
East Dubuque Electric Company	Illinois.
Eastern Iowa Electric Company	South Dakota.
Interstate Power Company of North Dakota	North Dakota.
Interstate Power Company of Wisconsin	Wisconsin.
The Laclede Gas Light Company	Missouri.
Phoenix Light, Heat and Power Company (Inactive)	Missouri.
Laclede Power & Light Company	Missouri.
Missouri Natural Gas Company	Missouri.
Newport Water Corporation (In liquidation)	Rhode Island.
City Theatres Company	New York.
Litchfield and Madison Railway Company	Illinois.
Mt. Olive & Staunton Coal Company	Illinois.
Southampton (Fawley) Investment Corporation, Ltd.	England.
Utilities Elkhorn Coal Company	Delaware.

5. The subsidiary companies of Ogden Corporation, which are public utility companies within the meaning of the Act, the states in which the businesses of such companies are conducted, and the kind of business each conducts, together with gross property accounts as of December 31, 1942 and their gross revenues for the year 1942, are shown in the following table:

Name of company	State of operations	Kind of business	Gross property per books	Gross revenues[1]
Central States Power & Light Corporation	Minnesota	E	$5,520,254	$730,221
	Iowa	E		
Missouri Electric Power Company	Missouri	E I W	5,130,548	708,145
The Derby Gas and Electric Company	Connecticut	E G S	5,089,258	2,111,894
The Wallingford Gas Light Company	Connecticut	G	391,403	115,092
Interstate Power Company	Iowa	E G B	$50,118,788	6,685,203
	Minnesota	E G H W		
	South Dakota	E		
East Dubuque Electric Company	Illinois	E B	161,352	58,350
Eastern Iowa Electric Company	Iowa	E	434,936	98,705
Interstate Power Company of North Dakota	North Dakota	E	159,580	38,638
Interstate Power Company of Wisconsin	Wisconsin	E	2,039,783	418,614
The Laclede Gas Light Company	Missouri	G	58,467,179	7,874,784
Laclede Power & Light Company	Missouri	E	9,335,530	3,257,046
Missouri Natural Gas Company	Missouri	G	750,636	265,429

[1] Net adjusted for intercompany sales.

Symbols: E—Electricity. G—Gas. S—Steam. B—Bus. W—Water. I—Ice. H—Heat.

6. The subsidiary companies of Ogden Corporation which are not public utility companies within the meaning of the Act, the states in which their major operating properties are located, the nature of the business of such subsidiary companies, together with net property accounts as of December 31, 1942, and sales for the year 1942, are as follows:

Name of company	State in which major properties are located	Kind of business	Net property per books	Sales
Central States Utilities Corporation		Holding company		
City Theatres Company	New York	Owner and lessee of theatre	$534,076	[2] $28,000
Derby Gas & Electric Corporation		Holding company		
Derby Gas & Electric Corporation of Connecticut		Inactive		
Litchfield and Madison Railway Company	Illinois	Railroad	2,880,819	[3] 1,868,411
Mt. Olive & Staunton Coal Company	Illinois	Coal mining	1,267,462	1,707,898
Newport Water Corporation		In liquidation	[4] 387,740	
Phoenix Light, Heat and Power Company		Inactive		
Southampton (Fawley) Investment Company, Ltd.	England	Owner of undeveloped land	[5] 377,983	[6] 702
Utilities Elkhorn Coal Company	Kentucky	Coal mining	932,989	1,495,830

[2] Rental.
[3] Revenues, in addition Litchfield received $42,322 of net rental income from lease of equipment.
[4] Consists entirely of cash, subject to undetermined tax liability. Of this amount, $150,000 has been made available as a liquidating dividend to preferred stockholders payable subsequent to December 31, 1942.
[5] Per December 31, 1941 Balance Sheet, latest available, converted into dollars at $4.03.
[6] Rental-year ended December 31, 1941, latest available, converted into dollars at $4.03.

7. For the year ended December 31, 1942, the operating revenues of the public utility subsidiaries of Ogden Corporation (after adjustment for intercompany items) were as follows:

	Amount	Percent
Electric	$12,067,470	[illegible]
Gas	9,360,511	[illegible]
Transportation	282,255	[illegible]
Water	52,858	[illegible]
Other	258,216	[illegible]
Total	22,030,260	[illegible]

III

8. The Laclede Gas Light Company, a subsidiary of Ogden, was incorporated by a Special Act of the Missouri Legislature on March 2, 1857, as amended by the Acts of March 3, 1857 and March 26, 1868. As of December 31, 1942, Ogden owned 73.51% of its outstanding voting securities, namely, 5,345 shares out of the 23,330 outstanding shares of the 5% cumulative Preferred Stock and 90,466 shares out of the 107,000 outstanding shares of Common stock.

9. Laclede Gas is engaged in the manufacture of gas and the distribution and sale of mixed manufactured and natural gas, and the distribution and resale of natural gas (for industrial purposes only), all within the corporate limits of the City of St. Louis, Missouri.

10. The capitalization, including surplus of Laclede Gas, as of December 31, 1942, adjusted to reflect dividend arrears on the Preferred Stock, was as follows:

	Amount	Percent
Debt:		
Refunding and Extension Mortgage 5% Gold Bonds, due April 1, 1934, extended to April 1, 1945	$9,868,000	[illegible]
First Mortgage Collateral and Refunding 5½% Gold Bonds:		
Series C, due February 1, 1953	17,500,000	[illegible]
Series D, due February 1, 1960	5,500,000	[illegible]
Collateral Trust 6% Notes, due August 1, 1942, extended to August 1, 1945	2,000,000	[illegible]
Total Debt	34,868,000	[illegible]
Preferred stock and arrears:		
5% Cumulative, $100 par value—23,330 shares preferred as to dividends only and ranks ratably, share for share, with the Common Stock upon dissolution or distribution of assets	2,333,000	[illegible]
Dividend arrears—$45.83 per share	1,069,211	[illegible]
Total Preferred and Arrears	3,402,211	[illegible]
Common stock $100 par value—107,000 shares	10,700,000	[illegible]
Surplus for common and preferred:		
Capital surplus from revaluation of fixed assets	6,080,000	[illegible]
Capital surplus from reacquisition of Preferred Stock	117,000	[illegible]
Earned Surplus	3,384,756	[illegible]
Total Surplus	9,581,756	[illegible]
Total Capitalization	58,552,967	[illegible]

11. No dividends have been paid on the Preferred Stock of Laclede Gas since October 31, 1933, nor on its Common Stock since December 15, 1933. Arrears on the Preferred Stock, as of December 31, 1942, aggregated $45.83 per share.

12. The balance sheet of Laclede Gas at December 31, 1942 states property, plant, and equipment, including intangibles, as follows:

Property, plant and equipment, exclusive of property subject to lease and sale agreement	$46,670,533
Intangible—going value, etc.	6,098,916
	52,769,449
Property leased to Laclede Power & Light Company under lease and sale agreement:	
Physical property	5,157,730
Going value	540,000
	5,697,730
Total gross property	58,467,179
Retirement reserve	1,929,808
Total net property	56,537,371

The retirement reserve applicable to the gas and electric properties was $1,211,766 and $718,042, respectively. The reserve represented only 3.3% of the total gross property and the reserve applicable to the gas property represented only 2.3% of such property.

13. As of December 31, 1942, Laclede Gas long-term debt was equivalent to 61.7% of net property; the total of long-term debt and preferred stock arrears was equivalent to 63.5% of net property.

14. The original cost of the physical property used in gas operations owned by Laclede Gas at August 31, 1942 as estimated by accountants for the Missouri Public Service Commission was $35,655,333. Net additions from September 1, 1942 to December 31, 1942 were approximately $127,000. The book value of such property at December 31, 1942 exceeds the estimated original cost by approximately $16,987,000.

15. Under a lease and sale agreement dated December 23, 1926, Laclede Gas leased to Laclede Power & Light Company, an associate company, certain of its electric properties for a term expiring on February 1, 1953. The said agreement provides that the lessee will purchase the leased properties on the expiration date thereof, and may at its option purchase such properties prior thereto, for the sum of $5,254,000, if such properties can be delivered free and clear of all liens imposed thereon by the lessor. Of such purchase price, $19,550 was received from the lessee in 1940 upon the transfer of title to a portion of the properties.

16. Laclede Gas and Laclede Power have entered into a contract to sell their electric properties to Union Electric Company of Missouri for a base price of $8,600,000 of which $2,200,000 has been assigned by the sellers to the electric property owned by Laclede Gas.

17. The net amount at which the electric properties of Laclede Gas are carried in its accounts at December 31, 1942 is $2,797,689 greater than the consideration assigned to such properties by the sellers.

18. The following table shows the balance for the preferred and common stocks (the preferred having a preference as to dividends only), after deducting preferred dividend arrears and adjusting the gas properties to original cost and the electric properties owned by Laclede Gas to the portion of the proposed sales price attributed to it ($2,200,000):

Original cost of gas properties	$35,782,333
Less: Applicable retirement reserve	1,211,766
	34,570,567
Portion of the proposed sales price of the electric properties attributed to Laclede Gas	2,200,000
	36,770,567
Excess of current and other assets over current and other liabilities	$950,571
Total fixed and other net assets	37,721,138
Securities:	
Total debt securities	34,868,000
Preferred stock dividend arrears	1,069,211
Balance for preferred and common stock	1,783,967
Total securities	37,721,138

19. As of December 31, 1942, total debt securities were 92.3% of total fixed and other net assets, as adjusted above; as of the same date, total debt securities and preferred dividend arrears were 95.2% of such assets as adjusted above.

20. The following is a summary of the income of Laclede Gas for the years 1938 to 1942, inclusive:

	Operating revenue	Gross income	Net income	Preferred dividend requirements	Balance for common
1938	$6,668,178	$1,921,702	($220,440)	$116,650	($448,090)
1939	6,753,943	1,985,129	(134,729)	116,650	(251,424)
1940	6,947,728	2,341,806	224,874	116,650	108,224
1941	7,077,718	2,745,716	625,084	116,650	508,444
1942	7,874,785	2,844,537	263,316	116,650	146,666

( ) Denotes deficit.

21. An important factor contributing to the improvement in net income of Laclede Gas during the past three years is the wartime demand for coke and for other residuals derived from the production of coal gas. Residual sales, which are treated as deductions from operating expenses on the books of Laclede Gas, amounted to $2,728,906 in 1942.

22. The Federal Income Tax returns of Laclede Gas for the years 1930 to 1941 contain deductions for depreciation which are substantially greater than the provisions for retirements in the accounts of the company during such years.

23. The Refunding and Extension Mortgage 5% Gold Bonds of Laclede Gas, dated April 1, 1904, matured on April 1, 1934. The company was unable to pay these bonds at maturity and arranged with its holders for an extension of the maturity date to April 1, 1939. Subsequently, the maturity date was again extended to April 1, 1942. A third extension was granted in 1942 by the holders of $9,868,000 principal amount of such bonds. The present extended maturity date of this issue is April 1, 1945.

24. The Collateral Trust 6% Notes of Laclede Gas issued in 1935 and outstanding in the principal amount of $3,000,000 matured August 1, 1942. At maturity, the company retired only $1,000,000 principal amount of such notes. Ogden Corporation acquired the balance of $2,000,000 from public holders at their principal amount plus accrued interest and consented to an extension of the maturity date to August 1, 1945.

25. Each share of the preferred and common stock of Laclede Gas is entitled to one vote. The common stock possesses, however, approximately 62% of the voting power, which is far out of proportion to its equity in the company.

IV

26. Central States Utilities Corporation, a registered holding company and a subsidiary of Ogden Corporation, is a corporation organized under the laws of Delaware. All of its outstanding common stock is owned by Ogden. In addition, as of December 31, 1942, Ogden owned 22,406 out of 32,000 outstanding shares of its $7 Cumulative Preferred Stock, $3,129,100 out of $3,500,000 outstanding Ten-Year 6% Secured Gold Bonds, unsecured notes of $788,625, $179,984 of advances on open account, and accrued interest receivable of $1,973,620.

27. Central States Utilities Corporation is solely a holding company whose principal asset is its investment in the outstanding common stock of Central States Power & Light Corporation, which asset is carried on its books at the figure of $1.00.

28. Since January 1, 1934, Central States Utilities Corporation has been in default as to interest payments on its Ten-Year 6% Secured Gold Bonds, and since January 1, 1938, the company has been in default as to the entire principal amount.

29. As of December 31, 1942, the accrued and unpaid interest on the Ten-Year 6% Secured Bonds aggregated $1,890,000.

30. No dividends have been paid on the preferred stock of Central States Utilities Corporation since January 1, 1932; as of December 31, 1942, the divi-

47. The consolidated balance sheet of [illegible] pany's balance sheet as of such date

It further is ordered, That such pro-

dend arrearages on the preferred amounted to $2,464,000, or $77.00 per share. No dividends have ever been paid on the common stock of Central States Utilities Corporation.

31. The principal source of revenue for Central States Utilities Corporation is its investment in the common stock of Central States Power & Light Corporation, which company has not paid dividends on its common stock since December, 1931.

32. Unless and until preferred stock dividends are in arrears for one year, the entire voting power is vested in the common stock, each share of which is entitled to one vote. As a result of dividend arrears, the preferred stock voting as a class is entitled to elect two directors.

33. Central States Power & Light Corporation, a subsidiary of Central States Utilities Corporation, is a corporation organized under the laws of Delaware. The common stock of Central States Power & Light Corporation is owned by Central States Utilities Corporation. In addition, as of December 31, 1942, Ogden owned $5,108,040 out of $5,940,000 outstanding of Central States Power & Light Corporation's 5% Debentures, and 13,473 out of 80,000 outstanding shares of its $7.00 Preferred Stock.

34. Central States Power & Light Corporation renders electric service in northern Iowa and southern Minnesota; its wholly-owned subsidiary, Missouri Electric Power Company, renders electric, water service, and also conducts an ice production and sales business in southern Missouri.

35. The consolidated capitalization, including surplus, of Central States Power & Light Corporation, as of December 31, 1942, adjusted to reflect dividend arrears and the minimum liquidating price of the preferred stock, was as follows:

	Amount	Percent
Long-term debt		
1st Mtge. and 1st Lien Gold Bonds, 3½% series due 1963	$3,581,000	
6% Debentures, due 1949	5,940,000	
Total long-term debt	9,521,000	88.7
Preferred stocks		
$7 Dividend series (Cumulative) no par stated at minimum liquidating price of $100	5,400,000	
Dividend arrears	7,120,000	
Total preferred and dividend arrears	14,120,000	131.9
Common stock and surplus		
Common shares, no par—47,500 shares	4,582,134	
Capital surplus	181,620	
Earned surplus (deficit)	(17,190,200	
Total common stock and surplus	(12,646,134)	(120.6)
Total capitalization	10,737,867	100.0

[1] Earned surplus has been charged with the preferred dividend arrearages and with the difference between the minimum liquidating value of the preferred stock and its stated value, per books.

36. No dividends have been paid on the preferred stock of Central States Power & Light Corporation since January 1, 1932, nor on its common stock since December, 1931. Arrears on the preferred stock as of December 31, 1941 aggregated $6,160,000, or $77.00 per share.

37. The consolidated balance sheet of Central States Power & Light Corporation and its subsidiaries at December 31, 1942 states property, plant, and equipment, including intangibles, as follows:

Gross property	$10,659,802
Retirement reserves	300,325
Net property	10,359,477

The reserve for retirements represented 2.8% of combined gross property.

	Operating revenues	Gross income before fixed charges	Net income before dividends	Preferred dividend requirements	Balance for common
1937	$8,884,099	$1,091,962	($7,723)	$700,000	
1938	3,765,633	976,449	(160,025)	700,000	
1939	2,946,942	904,795	(129,107)	700,000	
1940	3,280,861	1,068,457	100,880	700,000	
1941	2,450,128	756,617	(64,264)	700,000	
1942	1,447,395	322,820	(96,568)	700,000	

[1] During 1939 Central States Power & Light Sold its investments in Canada Electric Company, Ltd., Northern Electric Company, Ltd., and Manitou Electricity & Gas Company, Ltd.

[2] During 1941 the properties of Central States Power & Light Corporation of Oklahoma were sold. Central States Power & Light also sold interelectric properties in Kentucky, gas properties in Texas, an electric property in Osage, Iowa, and its gas properties in Oklahoma.

( ) Denotes deficit.

40. The Federal income tax returns of Central States Power & Light Corporation contain deductions for depreciation which are substantially greater than the provisions for retirements in the accounts of the company.

41. Unless and until preferred stock dividends are in arrears for four quarterly periods, the entire voting power is vested in the common stock, each share of which is entitled to one vote. As a result of dividend arrears, the preferred stock voting as a class now has the right to elect two directors.

V

42. Interstate Power Company, a subsidiary of Ogden, is a corporation organized under the laws of the State of Delaware. As of December 31, 1942, Ogden owned all of the common stock of Interstate, as well as 3,108 shares out of a total of 72,500 shares of its $7.00 preferred and 9,461 shares out of a total of 47,500 shares of its $6.00 preferred stock outstanding. In addition, Ogden holds a 6% demand note of Interstate in the amount of $2,475,000 and $100 principal amount of its 6% Gold Debentures.

43. Interstate is a registered holding company, as well as an operating company. It owns all the common stock of East Dubuque Electric Company, Interstate Power Company of North Dakota, and Interstate Power Company of Wisconsin, and 60% of the common stock of Eastern Iowa Electric Company.

44. Interstate and its subsidiaries furnish electric, gas, steam heat, water, and bus transportation services to a number of communities in Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin.

45. The consolidated capitalization, including surplus, of Interstate as of December 31, 1942, adjusted to reflect the minimum liquidating value of $100 per share for the preferred stocks and dividend arrears thereon, was as follows:

	Amount	Percent
Long-term debt		
1st Mtge. 3½% Bonds due 1967	$20,000,000	
6% Debenture Bonds due 1952	2,475,000	
Total long-term debt	22,475,000	68.8
6% Demand note payable to Ogden Corporation	2,475,000	4.7
Preferred stock		
$7 Cum., no par, stated at minimum liquidating price of $100—72,500 shares	7,200,000	
Dividend arrears	5,040,000	
$6 Cum., no par, stated at minimum liquidating price of $100—47,500 shares	4,700,000	
Dividend arrears	2,850,000	
Total preferred and dividend arrears	20,000,000	38.1
Minority interest	77,000	0.2
Common stock and surplus		
Common stock, no par—175,000 shares stated at	6,000,000	
Capital surplus	1,500,000	
Earned surplus (deficit)	(14,000,000)	
Total common stock and surplus	(6,500,000)	(12.8)
Total capitalization	52,552,000	100.0

[1] Stated at $6,682,659 per books.

[2] Stated at $1,000,2311 per books.

[3] Earned Surplus has been charged with the preferred dividend arrears totalling $8,625,720 and with the difference ($1,000,000) between the minimum liquidating value of the preferred stock and its stated value.

46. No dividends have been paid on either class of preferred stock of Interstate since December 20, 1933, nor on its common stock since 1931. Arrears on the $7.00 preferred and on the $6.00 preferred stocks, as of December 31, 1942, aggregated $71.19 and $61.02 per share, respectively.

47. The consolidated balance sheet of Interstate and its subsidiaries at December 31, 1942 states property, plant, and equipment, including intangibles, as follows:

Gross property	$53,214,430
Reserve for depreciation	2,207,475
Net property	51,006,954

The reserve for depreciation was 4.1% of gross property.

48. As of December 31, 1942, the percentage of long-term debt to consolidated net property was 65.7%; the percentage of long-term debt, demand note due Ogden, minority interest, and preferred stocks (stated at minimum liquidating value of $100) including arrears was 110.2%.

49. The combined electric properties of Interstate and its subsidiaries were stated, per books, at $45,792,266 as of December 31, 1942. A note to the company's balance sheet as of such date states that information now available, based on the company's studies, indicates that the original cost of the electric properties, which excludes going value, amounts to approximately $26,000,000.

The original cost of the gas and other properties also appears to be below the stated value of such properties, per books, of $7,422,173.

50. The percentage of long-term debt to such indicated original cost for the electric properties, plus the gross carrying value of the gas and other properties, after deducting the reserve for depreciation, per books, was 107.4%.

51. The operating revenues, gross income before fixed charges, net income, preferred dividend requirements, and the balance for the common stock of Interstate, on a consolidated basis, for each of the years 1938 through 1942, were as follows:

	Operating revenues	Gross income before fixed charges	Net income before dividends	Preferred dividend requirements	Balance for common
1938	$6,686,717	$2,251,716	(617,661)	$792,500	($810,151)
1939	6,276,539	1,891,967	(340,582)	792,500	(1,190,082)
1940	7,125,854	2,043,230	(83,870)	792,500	(982,370)
1941	6,926,191	1,996,459	(125,293)	792,500	(917,735)
1942	7,072,735	2,109,782	142,588	792,500	(650,602)

[1] Consolidated.

[2] Income from the properties of Interstate Power Company of Nebraska, sold at December 28, 1940, are included in [illegible].

52. Since its inception in 1925, the Federal income tax returns of Interstate contain deductions for depreciation which are substantially greater than the provisions for depreciation " recorded on the company's books.

53. Unless and until preferred stock dividends are in arrears for one year, the entire voting control of Interstate is vested in the common stock, each share of which is entitled to one vote.

54. As a result of dividend arrears, the preferred stock of Interstate has the right to elect two out of a total of seven directors.

It, therefore, tentatively appearing to the Commission, on the basis of the allegations hereinbefore set forth, that the holding company system of Ogden Corporation is not confined in its operations to those of a single integrated public utility system, within the meaning of the Act, or to those of a single integrated public utility system together with such additional integrated public utility systems as meet the requirements of section 11 (b) (1) and such other businesses as can be retained under the standards of section 11 (b), and that proceedings should be instituted under section 11 (b) (1) with respect to Ogden Corporation, holding company system; and

It further appearing to the Commission that the allegations hereinbefore set forth, that proceedings should be instituted under sections 11 (b) (2), 15 (f), and 20 (a) of the Act with respect to The Laclede Gas Light Company, Central States Utilities Corporation, Central States Power & Light Corporation, and Interstate Power Company to determine whether and what steps should be required to be taken by each of such companies pursuant to the provisions of said sections;

Wherefore it is ordered, That Ogden Corporation and each of its subsidiary companies hereinbefore named and included herein, all of which are hereby made Respondents in these proceedings, shall file with the Secretary of this Commission, on or before April 9, 1943, joint or several answers in the form prescribed by Rule U-25, admitting, denying, or otherwise explaining their respective positions as to each of the allegations set forth in paragraphs 1 through 54 hereof.

VII

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan filed by Ogden Corporation and subsidiary companies pursuant to section 11 (e).

It further appearing to the Commission that the proceedings instituted by it herein under sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Act, and the proceedings in respect of the plan filed by Ogden Corporation pursuant to section 11 (e) of the Act involve common questions of law and fact and should be consolidated.

It further is ordered, That such proceedings be, and the same hereby are, consolidated.

VIII

It is further ordered, That hearings on such matters, under the applicable provisions of the Act and the Rules of the Commission thereunder, be held on the 13th day of April, 1943, at 10:00 a. m. ewt., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing-room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, that Paul Littlefield, or any other officer or officers designated by the Commission to preside at such hearing, shall exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by the proceedings herein instituted by the Commission, particular attention will be directed at the hearing to the following matters and questions:

(a) Whether the allegations set forth in paragraphs numbered 1 to 54, inclusive, in this notice and order are true and accurate;

(b) Whether the utility properties of Central States Power & Light Corporation, Missouri Electric Power Company, The Derby Gas and Electric Company, The Wallingford Gas Light Company, Interstate Power Company and its subsidiaries, The Laclede Gas Light Company, Laclede Power & Light Company, and Missouri Natural Gas Company constitute more than a single integrated public utility system and systems additional thereto, control of which may be retained by Ogden under section 11 (b) (1) of the Act;

(c) Whether the businesses conducted by and operations of the non-utility subsidiaries of Ogden are reasonably incidental or economically necessary or appropriate to the operations of any of the utility systems of the companies named in paragraph (b) above;

(d) Whether an order should be entered requiring the recapitalization of The Laclede Gas Light Company and Interstate Power Company for the purpose of fairly and equitably distributing voting power among security holders of such companies;

(e) Whether the continued existence of Central States Utilities Corporation and Central States Power & Light Corporation is not an unnecessary corporate complexity in the Ogden holding company system and whether such companies should be liquidated and dissolved;

(f) Whether, in view of all the facts and circumstances concerning the interests of Ogden Corporation in Interstate Power Company (Del.), Central States Utilities Corporation, Central States Power & Light Corporation, and Laclede Power & Light Company, it is necessary or appropriate that in deter-

[1] Prior to January 1, 1937, Interstate Power Company and its subsidiaries made such provision on a retirement basis.

mining the allocation of the securities or assets in liquidation of such companies, as between Ogden Corporation and other security holders, the interests held by Ogden Corporation in such companies should be subordinated in whole or in part to the claims of other security holders, or otherwise accorded participation in a manner different than their relative priorities.

(g) Whether the plan filed by Ogden and subsidiaries pursuant to section 11 (e) of the Act is necessary to effectuate the provisions of section 11 (b) of the Act and is fair and equitable to the persons affected thereby.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before the 6th day of April 1943, his request or application therefor, as provided by Rule XVII of the Rules or Practice of the Commission.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this Order to Ogden and its various subsidiaries, the Public Utility Commissions of the states of Connecticut, Illinois, Missouri, North Dakota, South Dakota, and Wisconsin, not less than 10 days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to Ogden and its subsidiaries, to their security holders, and to all consumers of Ogden and its subsidiaries, to all state municipalities and political subdivisions of states within which is located any of the physical assets of said companies or under the laws of which any of said companies is incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities and instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Ogden or its subsidiaries or any of the businesses, affairs or operations of any of them, that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not later than ten days prior to the date hereinbefore fixed as the date of hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4469. Filed, March 23, 1943; 10:04 a. m.]

[File No. 812-307]

FOUNDATION INDUSTRIAL ENGINEERING CO., INC. AND FIRST YORK CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March, A. D. 1943.

In the matter of Foundation Industrial Engineering Company, Inc., (Formerly General Investment Corporation) and First York Corporation.

Foundation Industrial Engineering Company, Inc., and First York Corporation (hereinafter referred to as Foundation and York) registered closed-end management investment companies and affiliated persons, having filed a joint application under and pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of the said Act a proposed transaction involving the sale of 6 940 shares of Common Stock of Eastern Corporation at a price of $4¼ per share by Foundation to York;

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the matter of the aforesaid application be held on April 5, 1943 at 10:00 o'clock e. w. t. in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to Foundation Industrial Engineering Company, Inc., and First York Corporation, and to any other persons whose participation in such proceeding may be in the public interest and for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4467; Filed, March 23, 1943; 10:04 a. m.]

[File Nos. 59-33, 70-263, 70-371, 70-387, 70-430, 70-431]

COLUMBIA GAS AND ELECTRIC CORP., ET AL.

ORDER RELEASING JURISDICTION AS TO ATTORNEY'S FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office of the City of Philadelphia, Pennsylvania, on the 22d day of March 1943.

In the matter of Columbia Gas & Electric Corporation, Columbia Oil & Gasoline Corporation, Panhandle Eastern Pipe Line Company, et al.

The Commission having, by its orders dated January 21, 1942 and October 2, 1942 issued in the above-entitled proceeding, reserved jurisdiction relating to the payment of fees and expenses incurred by Panhandle Eastern Pipe Line Company in connection with the transactions it proposed to consummate as a part of such proceeding; and having by said orders, directed the filing of supplemental data as to the reasonableness of the fees and expenses to be paid; and

Counsel for Panhandle Eastern Pipe Line Company (Edward N. Gadsby) having submitted an itemized statement of the work performed and the disbursements and expenses incurred, and having indicated that he would accept in lieu of an aggregate of $32 000 claimed by his firm for legal services rendered Panhandle Eastern Pipe Line Company in connection with the proceedings the aggregate sum of $26.000 and an aggregate of $1465.76 of expenses, in full payment for such services; and the Commission having examined this data and having considered the reduction in the amount of said fees so consented to by said attorneys; and it appearing to the Commission that no adverse findings are required in respect of the payment of such expenses and fees as so reduced;

It is ordered, That Panhandle Eastern Pipe Line Company be and it is hereby authorized to pay Edward N. Gadsby the aggregate sum of $26.000 in full payment and discharge of his claim for legal services rendered in connection with the above-entitled proceedings and to pay the sum of $1465.76, representing the expenses and disbursements incurred.

It is further ordered, That jurisdiction be and it is hereby released with respect to said fees and expenses subject, however, to the conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4468. Filed, March 23, 1943; 10:04 a. m.]

[File No. 812-313]

DOMINION SECURITIES CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March, A. D. 1943.

Dominion Securities Corporation, a registered closed-end investment company, having filed an application pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) (2) of said Act the proposed sale to Old Dominion Mortgage Corporation, a wholly owned subsidiary of applicant, of 1,623 shares of the capital stock of Old Dominion Mortgage Corporation for $72.609.40 in cash and assets having a book value of $112,1[illegible]

and the proposed sale to three individuals, all of whom are affiliated persons of Old Dominion Mortgage Corporation which is an affiliated person of applicant, of 377 shares of the capital stock of Old Dominion Mortgage Corporation for cash, the amount of which is to be determined by the book value of such stock as of December 31, 1942;

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on March 24, 1943 at 11:00 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa.; and

It is further ordered, That Willis E. Mitchell, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4466. Filed, March 23, 1943; 10:04 a. m.]

WAR PRODUCTION BOARD.

[Preference Rating Order P-120, as Amended Oct. 6, 1942]

PRODUCERS AND BASIC FABRICATORS OF ALUMINUM AND MAGNESIUM

REVOCATION

Preference Rating Order P-120, as amended October 6, 1942, and all serial numbered copies thereof, be and they hereby are revoked effective April 1, 1943.

Issued this 23d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4433; Filed, March 23, 1943; 11:25 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 59

Washington, Thursday, March 25, 1943

The President

PROCLAMATION 2579

CANCER CONTROL MONTH—1943

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Public Resolution 82, 75th Congress, approved March 28, 1938 (52 Stat. 148), authorizes and requests the President to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month and to invite similar action on the part of the Governors of the several States, Territories, and possessions of the United States; and

WHEREAS in time of war we may forget the persistent menace of our less spectacular enemy, disease; and

WHEREAS cancer, as our second greatest cause of death, kills each year in the United States more than 150,000 people; and

WHEREAS thousands of deaths by that scourge would be prevented each year if men and women would pledge themselves to regular medical examination:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby set apart the month of April 1943 as Cancer Control Month; and I invite similar action on the part of the Governors of the several States, Territories, and possessions of the United States. And I call upon the medical profession, the schools and colleges, the press, the radio, the motion-picture industry, and all agencies and individuals interested in a national campaign for the control of cancer to spread the knowledge of the early symptoms of the disease and to publish information about the location and function of clinics and other health facilities engaged in the warfare on cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 22d day of March, in the year of our Lord nineteen hundred and forty-three, and of the Independence of the United States of America the one hundred and sixty-seventh.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-4510; Filed, March 24, 1943; 10:53 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

WARRANT OFFICERS, MARITIME AND MARITIME ENGINEER TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Section 73.371 to 73.374, inclusive, are added as follows:

§ 73.371 *General.* (a) The classifications warrant officer, maritime and maritime engineer, will apply to temporary warrant officers only.

(b) Warrant officers, maritime, will be appointed to fill vacancies in marine grades as master, first mate, and third mate; and warrant officers, maritime engineer, in marine grades as chief engineer, first assistant engineer, second assistant engineer, and third assistant engineer, in the authorized military crews of tactical boat units and certain Transportation Corps boats.

(c) Examining boards may, in appropriate cases, conduct examinations and make recommendations for changes in the highest marine grade (see (b) above) for which a warrant officer, maritime, or a warrant officer, maritime engineer, is qualified. (Act of August 21, 1941, Public

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compensation. Civilian employees permitted to take an occasional meal at the

TITLE 30—MINERAL RESOURCES

FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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Law 230, 77th Congress, 55 Stat. 651; 10 U.S.C. Sup. 593a.) [Par. 19, AR 610–15, February 27, 1943]

§ 73.372 *Eligibility.* Eligibility requirements for appointment as temporary warrant officer, maritime or maritime engineer, will be as follows:

(a) *Leadership.* An applicant must have demonstrated positive qualities of leadership.

(b) *Character.* No applicant who has been sentenced to confinement in a penitentiary, or who has been convicted in any civil or military court for an offense denounced as a felony will be eligible for appointment. Evidence of the applicant's character while in the military service will be considered, in forwarding applications.

(c) *Age.* An applicant must have attained his 18th birthday and must not have passed his 60th birthday on the date of appointment.

(d) *Citizenship.* An applicant must be a citizen of the United States or of the Philippine Islands or a citizen of a cobelligerent or friendly country who otherwise possesses the same qualifications as a citizen of the United States.

(e) *Service.* The applicant need not be serving in the Army of the United States nor have had prior service therein.

(f) *Physical.* The standard of final type physical examination will be that required for commission in the Army of the United States. The commanders authorized to appoint temporary warrant officers and those commanders to whom they delegate this authority are authorized to take final action in the granting of waivers for minor physical defects.

(g) *Education and experience.* An applicant must have such education or practical experience as will insure his satisfactory performance of the duties in the classification for which application is made. (Act of August 21, 1941, Public Law, 230, 77th Congress; 55 Stat. 651; 10 U.S.C. Sup. 593a.) [Par. 20, AR 610–15, February 27, 1943]

§ 73.373 *Appointment.* (a) The appointing authority will issue letters of temporary appointment as warrant officers, junior grade to fill existing vacancies in the appropriate classifications within his command.

(b) Applicants who successfully meet all requirements for appointment but who are not appointed will be issued a certificate of eligibility. These certificates may be accepted at the discretion of appointing authorities in lieu of final examinations (technical) at any time within 1 year from the date of last examinations in which the applicant qualified. (Act of August 21, 1941, Public Law 230, 77th Congress; 55 Stat. 651; 10 U.S.C. Sup. 593a.) [Par. 8, AR 610–15, February 27, 1943]

§ 73.374 *Termination.* Persons appointed warrant officers, maritime and maritime engineer, direct from civilian life will be returned to the place of appointment at which place termination will become effective. (Act of August 21, 1941, Public Law 230, 77th Congress; 55 Stat. 651; 10 U.S.C. Sup. 593a.) [Par. 25 AR 610–15, February 27, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General

[F. R. Doc. 43–4506; Filed, March 24, 1943; 9:46 a. m.]

PART 77—MEDICAL AND DENTAL ATTENDANCE

CERTAIN ARMY HOSPITAL REGULATIONS

Sections 77.15 (b) (1), (5), and (7), 77.18 (a), 77.19 (e), and 77.20 (a) are hereby amended as follows. The regulations in these sections are also contained in Army Regulations No. 40–590 February 2, 1942, as amended by C 6, March 4, 1943, the particular paragraph being shown in brackets at end of sections.

§ 77.15 *Persons who may be admitted to Army hospitals—*(a) *General.* When suitable facilities for hospitalization are available, sick and injured persons enumerated in paragraph (b) of this section may be admitted to Army hospitals, except that admissions to the Army and Navy General Hospital, Hot Springs, Ark., and to the Fitzsimons General Hospital, Denver, Colo., will be governed by special provisions relating to these hospitals, as published in §§ 77.24 and 77.27, respectively.

(b) *List.* (1) Officers, Army nurses, warrant officers, cadets of the United States Military Academy, aviation cadets, enlisted men in the Army, members of the Women's Army Auxiliary Corps while in active Federal Service, and militarized female personnel of the Medical Department; also contract surgeons serving full time. The admission of retired personnel on inactive status will be limited to cases which, in the judgment of the commanding officer of the hospital, will be benefited by hospitalization for a reasonable time. Those requiring merely domiciliary care by reason of age or chronic invalidism will not be admitted. Officers on the Emergency Officers' Retired List and officers retired under the provisions of the act of April 3, 1939 (53 Stat. 557; 10 U. S. C. 456) are not admissible except under the provisions of subparagraphs (16) or (20) of this paragraph.

* * * * *

(5) Officers, commissioned warrant officers, and members of the Navy Nurse Corps, warrant officers, enlisted men of the Navy or Marine Corps, and militarized female personnel of the Navy in active service or on retired, inactive, or leave (furlough) status, including enlisted men transferred to the Fleet Naval Reserve after 16 or more years of service as follows:

* * * * *

(7) Officers, cadets, and enlisted men of the United States Coast Guard, and militarized female personnel of the United States Coast Guard, on active duty, including those on shore duty, and those on detached duty, upon written authorization of the responsible Coast Guard officer. [Par. 6]

* * * * *

§ 77.18 *Subsistence and other charges for patients—*(a) *Subsistence charges.* The following is the schedule of rates for subsistence charges for patients in Medical Department establishments (except the Army and Navy and the Fitzsimons General Hospitals), who are not entitled to commutation of rations under the provisions of Army Regulations. Rates for patients in the Army and Navy and the Fitzsimons General Hospitals will be found in §§ 77.24 and 77.27.

(1) For officers, Army nurses, militarized female personnel of the Medical Department on an officer status and officers of the Women's Army Auxiliary Corps, warrant officers, cadets of the United States Military Academy, and aviation cadets, $1 a day, except in mobile hospital units, where the rate will be an amount equal to the commutation rate prescribed in Army Regulations. Retired enlisted men who have been advanced on the retired list to commissioned or warrant grades under the provisions of the act of Congress approved May 7, 1932, will be subsisted as officer patients unless they elect to be subsisted on enlisted status. See subparagraph (4) of this paragraph.

(2) For officers, militarized female personnel on an officer status, members of the Navy Nurse Corps, commissioned warrant officers, and warrant officers of the Navy and Marine Corps, active or retired, the same rates as prescribed for officers of the Army in subparagraph (1) of this paragraph.

(3) For retired enlisted men of the Army, for enlisted men of the Navy and Marine Corps, and for militarized female personnel of the Navy and Marine Corps on an enlisted status, active or retired, an amount per day equal to the commutation rate prescribed in Army Regulations. [Par. 12*a*]

* * * * *

§ 77.19 *Civilian hospital employees.* * * *

(e) *Rations.* Whenever it is found necessary or deemed desirable, civilian employees, irrespective of their rate of pay, may be either furnished meals at the hospital, or, by special authority of The Surgeon General in exceptional circumstances, furnished with a ration in kind; *Provided,* That deductions are taken from their pay for such subsistence or ration, or that reimbursement in cash is received. Civilian employees permitted or required to take meals regularly at the hospital will have appropriate deductions made from their gross compensation. Civilian employees permitted to take an occasional meal at the hospital will make reimbursement to the hospital fund in cash. The deductions for subsistence will be made according to the evaluation set forth in AR 35–3840.[1] The cash value of subsistence furnished will be determined by The Surgeon General. [Par. 13*c*]

§ 77.20 *Laundry—*(a) *General.* The hospital laundry will consist of:

(1) The linen, clothing, and bedding belonging to the Medical Department.

(2) The washable clothing of enlisted men while patients in the hospital.

(3) The white coats and trousers of enlisted attendants.

(4) The uniforms of civilian nurses, paid from Veterans' Administration or Civilian Conservation Corps funds, employed in the hospital.

(5) Washable clothing of civilian attendants when their contracts of employment entitle them to this service. [Par. 14*a*]

* * * * *

(R.S. 161; 5 U.S.C. 22)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–4507; Filed, March 24, 1943; 9:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administration of Civil Aeronautics, Department of Commerce

[Amendment 20]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF WIDTH OF CIVIL AIRWAYS

MARCH 13, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

By amending § 600.10 (a) to read as follows:

§ 600.10 (a) *Scope.* Each civil airway shall include the navigable airspace of the United States above all that area on the surface of the earth lying within five miles of the center line prescribed for each such airway, but shall not include any of the airspace of an airspace reservation set apart as provided in section 4 of the Air Commerce Act of 1926.

This amendment shall become effective 0001 e. w. t., April 1, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 43–4508; Filed, March 24, 1943; 9:48 a. m.]

[1] Administrative regulations of the War Department relating to civilian employees, allowances.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1865]

PART 343—MINIMUM PRICE SCHEDULE, DISTRICT NO. 23

ORDER GRANTING RELIEF, ETC.

Ordered granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Andersen Mine and for a change in the shipping point for the Cle Elum (Curry) Mine.

On February 6, 1943 the Bituminous Coal Producers Board for District No. 23 filed a petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Andersen Mine (Mine Index No. 176) of code member, Andersen Coal Mines, Inc., in Subdistrict "F" in District No. 23; and for a change in the shipping point previously established for the coals of the Cle Elum (Curry) Mine (Mine Index No. 110) of code member Curry, Robert (Cle Elum Coal Company) in Subdistrict "A" in District No. 23.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and no petitions of intervention having been filed with the Division in the above-entitled matter; and the following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 343.4 (*Code member price index*) is amended by adding thereto Supplement R, and § 343.21 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the price classifications and minimum prices heretofore established for the coals of the Cle Elum (Curry) Mine (Mine Index No. 110) of code member Robert Curry, when produced for rail shipment shall henceforth be applicable only when such coals are shipped from Cle Elum, Washington, Northern Pacific Railroad, Freight Origin Group 60 in lieu of Roslyn, Washington, Northern Pacific Railroad, Freight Origin Group 60, the shipping point heretofore shown for that mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before

(60) days from the date of this order, United States Government outside of the

number (if any), and the date on which delivery is needed.

(carbon .10 percent maximum) melted

of authorization to acquire material, is-

the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 23

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 343, Minimum Price Schedule for District No. 23, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 23:

Insert the following listing in proper alphabetical order under Code Member Price Index:

§ 343.4 *Code member price index*—Supplement R

[Minimum F. O. B. mine prices in cents per net ton for rail transportation into all market areas]

Producer	Mine name	Mine index No.	County	Shipping point	Sub-district price group	Railroad	F. O. G. No.	Prices section	
								Rail	Truck
Anderson Coal Mines, Inc.	Anderson..	176	King.....	Ravensdale, Wash.	"F"...	NP ..	11	§ 343.5	§ 343.21

The Anderson Mine (Mine Index No. 176) of the Anderson Coal Mines, Inc., shall be included in Sub-District "F" in District No. 23, and the coals of that mine, in the respective size groups, shall be subject to the minimum f. o. b. mine prices for shipment via rail to all market areas, for all uses, that are presently in effect for the coals of the New Black Diamond Mine (Mine Index No. 17) of the Pacific Coast Coal Company, in Sub-District "F" of District No. 23.

Insert under Sub-District "F" in proper alphabetical order the following code member name, mine name, mine index number, county, and minimum prices:

FOR TRUCK SHIPMENTS

§ 343.21 *General prices*—Supplement T.

Code member name	Mine name	Mine index No.	County	Size groups														
				2	3	4	5	7	8	9	10	11	12	13	14	15	16	22	24
SUB-DISTRICT "F"																			
Anderson Coal Mines, Inc	Anderson ...	176	King.....	515	515	475	475	475	475	475	450	425	425	400	385	385	375	350	200

NOTE: When truck coal from Sub-District "F" is sold to established retail dealers for storage, or when sold to public institutions and industrial consumers, the above prices may be reduced 25 cents per net ton.

[F. R. Doc. 43-4470; Filed, March 23, 1943; 10:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[War Production Board Regulation 1, as Amended March 24, 1943]

DELEGATION OF POWERS AND RATIFICATION OF PREVIOUS ACTIONS

Section 903.0, War Production Board Regulation No. 1, as amended February 13, 1943, is hereby further amended to read as follows:

§ 903.0 *War Production Board Regulation 1.* (a) The Executive Vice Chairman of the War Production Board may, in his own name, perform the functions and exercise all the powers, authority, and discretion now or hereafter vested in the Chairman of the War Production Board (including the amendment of this Regulation), except those conferred upon the Chairman by Public Law 603, 77th Congress (Smaller War Plants Act).

(b) All actions taken in performance of the functions or in exercise of the powers, authority and discretion now or hereafter vested in the Chairman of the War Production Board which are not taken in the name of the Chairman, or in the name of the Executive Vice Chairman pursuant to paragraph (a) of this Regulation, shall be taken in the name of the War Production Board, countersigned or attested by the Executive Secretary or the Recording Secretary of the War Production Board, except:

(1) Action under Public Law 603 referred to in paragraph (a) of this Regulation, or

(2) Action taken pursuant to paragraphs (c) or (d) of this regulation.

(c) The Chairman or Executive Vice Chairman of the War Production Board may authorize appropriate officials of the regional and district offices of the War Production Board to perform such functions and exercise such powers, authority and discretion now or hereafter vested in the Chairman as he may prescribe, either in the name of such officials or otherwise, and subject to such restrictions or conditions as he may impose.

(d) The Chairman or the Executive Vice Chairman of the War Production Board may authorize any agency of the United States Government outside of the War Production Board, or any official of such agency, to perform such functions and exercise such powers, authority and discretion now or hereafter vested in the Chairman as he may prescribe, in such manner and subject to such restrictions or conditions as he may impose.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued March 24, 1943.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 43-4522; Filed, March 24, 1943, 11:29 a. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-a, as Amended March 24 1943]

ALLOY IRON, ALLOY STEEL AND ELECTRIC FURNACE CARBON STEEL

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1 as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040; 7 F.R. 527; E.O. 9125, 7 F.R. 2719, sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

§ 962.2 *Supplementary Order M-21-a*—(a) *Definitions.* For the purposes of this order:

(1) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 0.60%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(2) "Alloy iron" means any iron containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 5.00%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect

It does not include those materials commonly known as ferro-alloys.

(3) "Electric furnace carbon steel" means any steel other than alloy iron or alloy steel that is melted in any type of electric furnace.

(4) "Producer" means any person who melts alloy iron, alloy steel or electric furnace carbon steel for subsequent conversion into rolled or forged products.

(b) *Purchasers' statements.* Each person who orders alloy iron, alloy steel or electric furnace carbon steel from a producer shall include in the purchaser's statement required by paragraph (c) of General Preference Order M-21 the end use (by general classification and specific part name) for which such material will be used, the Government contract number (if any), and the date on which delivery is needed.

(c) *Producers' forms.* Each producer shall file monthly with the War Production Board, Reference: M-21-a, melting schedules on forms PD-391, 391-a, and such other forms as may be from time to time prescribed. The Director General for Operations may make such changes in any melting schedule as to him shall seem appropriate and may from time to time issue supplementary directions with regard to melting of alloy iron, alloy steel and electric furnace carbon steel.

(d) *Melting and deliveries of alloy iron, alloy steel and electric furnace carbon steel.* Except pursuant to specific authorization or direction of the Director General for Operations, alloy iron, alloy steel or electric furnace carbon steel, shall be melted and delivered as follows:

(1) Each producer shall melt alloy iron, alloy steel or electric furnace carbon steel in accordance and only in accordance with such melting schedules as are approved by the Director General for Operations or such supplementary directions as may from time to time be issued by the Director General for Operations.

(2) Each producer shall deliver alloy iron, alloy steel or electric furnace carbon steel on an order and only on an order for which the melting has been specifically authorized or directed by the Director General for Operations.

(e) *Special directions.* The Director General for Operations may from time to time issue directions as to facilities to be used in production and directions specifying as to any alloying element the quantities and proportions which may be used in making alloy iron or alloy steel, and whether and in what proportions, any such element is to be the metal, a ferro-alloy, reclaimed metal, scrap, a chemical compound or any other material containing such element.

(f) *Restrictions of deliveries under toll agreements.* Except pursuant to specific authorization or direction of the Director General for Operations, no person shall make or accept delivery under any toll agreement whereby one person melts alloy iron, alloy steel or electric furnace carbon steel for another person.

(g) *Exceptions.* The provisions of this order shall not apply to "tool steel" as defined by Supplementary Order M-21-h, or to alloy iron, alloy steel or electric furnace carbon steel castings.

(h) *Special provisions with respect to stainless steel.* Notwithstanding the foregoing provisions of this order, and regardless of the approval of any melting schedule, no person melting stainless steel (including castings) shall use ferrochrome (including all prepared forms of chromium) in the melting of stainless steel to an extent where the aggregate chromium content derived from ferrochrome for all stainless steel melted by him in any calendar month exceeds 60 percent of the chromium content of all high carbon stainless steel (carbon over .10 percent) melted by him during such month, plus 70 percent of the chromium content of all low carbon stainless steel (carbon .10 percent maximum) melted by him during such month.

(i) *Special provisions with respect to all alloy steel, except stainless and tool steel.* Notwithstanding the foregoing provisions of this order, and regardless of the approval of any melting schedule, each person melting alloy steel (including castings) shall use each calendar month in the melting of alloy steel (other than stainless and tool steel) alloy steel turnings in an amount not less than 8 percent, including alloy steel machine shop turnings in an amount not less than 4 percent, of the total weight of ingots and castings of alloy steel (other than stainless and tool steel) produced by him during such month.

Effective date. This order, as amended, shall become effective April 1, 1943.

Issued this 24th day of March 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-4523; Filed, March 24, 1943; 11:28 a. m.]

PART 982—MINES AND SMELTERS

[Preference Rating Order P-73, as Amended March 24, 1943]

NONFERROUS SMELTERS AND REFINERS

Preference Rating Order P-73, as amended, is hereby further amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account, and for export, of materials used in the operation of nonferrous smelters and refiners, and the following order is deemed necessary and appropriate in the public interest and to promote the defense of the United States:

§ 982.2 *Preference Rating Order P-73*—(a) *Definitions.* (1) "Producer" means a person actually producing any metal listed in Schedule A by smelting or refining processes, and to whom a serial number has been issued as provided in paragraph (d) hereof.

(2) "Maintenance, repair and operating supplies" means material used for any of the following purposes by a producer in connection with his production of any metal listed in Schedule A by smelting or refining processes:

(i) Minimum upkeep necessary to continue the working condition of essential property or equipment;

(ii) Restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service;

(iii) Where such material is essential to and consumed or worn out in such operation.

(3) "Priorities assistance" means any preference rating, allotment under the Controlled Materials Plan, or other form of authorization to acquire material, issued by or under authority of the War Production Board.

(b) *Purpose and scope.* The purpose of this order is to provide procedures for producers to obtain maintenance, repair and operating supplies, and other machinery and equipment.

(c) *CMP Regulation No. 5 not applicable.* None of the provisions of CMP Regulation No. 5 shall apply to any producer and no producer shall obtain any material under said regulation.

(d) *Issuance of serial numbers.* Persons actually producing any metal listed in Schedule A by smelting or refining processes may apply to the War Production Board for serial numbers. Serial numbers may be issued to such persons and may be denied or cancelled by the Director General for Operations in appropriate cases. In taking such action and in granting priorities assistance, the Director General will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of critical material involved, and the importance to national defense of competing demands for such material.

(e) *Priorities assistance*—(1) *Maintenance, repair and operating supplies.* Producers shall apply for priorities assistance for maintenance, repair and operating supplies by filing form PD-760.

(2) *Other equipment.* Producers shall apply for priorities assistance for machinery or equipment other than maintenance, repair and operating supplies by submitting to the War Production Board a written application describing the machinery or equipment needed, the reasons why such machinery or equipment is essential for the proper operation of the producer's plant, and such other or further information as may from time to time be required, including such forms or information as may be required by the provisions of any other order with respect to any particular type of equipment.

(3) *Emergency procedure.* In case of breakdown, imminent breakdown or other emergency, application for priorities assistance may be made by telegraph.

(4) *Grant of priorities assistance.* On each application, the Director General will grant such priorities assistance as he deems appropriate.

(5) *Restrictions on use of priorities assistance.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation No. 5, no producer shall acquire any maintenance, repair, or operating supplies or other machinery or equipment through use of a preference rating or other form of priorities assistance assigned otherwise than pursuant to this order or an order in the P-19 series.

(f) *Application and extension of priorities assistance.* Preference ratings assigned and allotments of controlled materials made pursuant to this order shall be applied, extended or made in accordance with the terms of Priorities Regulation No. 3, CMP Regulation No. 1,

or other relevant War Production Board regulation. A producer in making use of any such priorities assistance, shall endorse on his contract or purchase order "P–73, Serial Number ------," inserting in the blank his serial number hereunder. The use of such endorsement by a producer shall constitute a representation, subject to the criminal penalties for misrepresentation contained in section 35A of the Criminal Code (18 U. S. C. 80), that the item ordered will be used for the purpose for which priorities assistance was granted to acquire it.

(g) *Restrictions on use and resale.* No person shall use any material obtained pursuant to this order for any purpose other than that for which priorities assistance was granted to acquire it; and no person shall resell any such material except to a producer, or with the specific approval of the Mining Equipment Division.

(h) *Records, audits, and reports.* Each producer shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order, and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each producer shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board may from time to time require.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to War Production Board, Washington, D. C., Reference: P–73.

Issued this 24th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Antimony.	Nickel.
Cobalt	Platinum.
Copper.	Tin
Iridium.	Tungsten.
Lead	Vanadium
Mercury.	Zinc
Molybdenum	

[F R Doc 43–4524; Filed, March 24 1943; 11 28 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P–98–c, as Amended March 24 1943]

Section 1041.3 *Preference Rating Order P–98–c* is hereby amended to read as follows:

To facilitate sales of idle or excess materials, equipment and facilities by persons engaged in the petroleum industry to other persons engaged in the petroleum industry and to control the acquisition of materials by persons engaged in the petroleum industry, the following order is deemed necessary and appropriate in the public interest and to promote the national war effort:

§ 1041.3 *Preference Rating Order P–98–c*—(a) *Definitions.* (1) "Operator" means any person to the extent that he is engaged in the petroleum industry.

(2) "Surplus material" means any new or used item of material (including without limitation equipment and facilities) usable for purposes other than scrap which is not required or scheduled for use during the succeeding 90 days.

(3) All other definitions of Preference Rating Order P–98–b shall apply in this order.

(b) *Sales of material between operators.* (1) Notwithstanding the provisions of Priorities Regulation No. 1, as amended from time to time, any operator may sell or transfer to any operator material from the seller's or transferor's stocks or inventories, and any such sale or transfer shall be expressly permitted within the terms of Priorities Regulation No. 13, as amended from time to time.

(2) Notwithstanding the provisions of Priorities Regulation Nos. 1 and 13, as amended from time to time, any operator may sell or transfer to any supplier, for direct sale or transfer by the supplier to another operator, material from the stocks or inventories of the operator.

(3) Where any material is to be used by an operator outside of the United States, its territories or possessions, no operator may sell, transfer or accept delivery of such material under the provisions of this paragraph (b) unless Form PD–470 is filed with the Petroleum Administration for War prior to any such sale or transfer. For the purposes of this subparagraph Form PD–470 will be treated as an information form only and not as an application.

(c) *Restrictions on acquisition and use of materials.* (1) The provisions of CMP Regulation No. 2 and paragraph (f) of CMP Regulation No. 5 shall not be applicable to the sale, delivery, or transfer of material or the use of implementing documents under the provisions of this order. The following provisions of this paragraph (c) shall apply.

(2) No operator or supplier may deliver to any operator, and no operator may accept delivery of, any material for ultimate use in the United States, its territories or possessions, or the Dominion of Canada, in a quantity which if accepted by the operator would result in surplus material for that operator.

(3) No operator may submit a contract or purchase order, effect a sale or transfer authorized by the provisions of paragraph (b) of this order, or apply or extend priorities assistance to obtain delivery of any material for ultimate use in the United States, its territories or possessions or the Dominion of Canada in a quantity which if accepted by the operator would result in surplus material for that operator.

(4) On and after May 1, 1943, no operator who is required to obtain a serial number under the provisions of the PAW-Materials Redistribution Program No. 2 may submit a contract or purchase order, effect a sale or transfer authorized by the provisions of paragraph (b) of this order, or apply priorities assistance to obtain delivery of any material unless such serial number has been assigned and is in effect prior to such submission, sale, transfer or application of priorities assistance and the serial number is clearly identified upon the contract, purchase order or other document used in completing the transaction.

(5) Any operator or supplier may deliver to any operator, and any operator may accept delivery of, material for ultimate use outside of the United States, its territories or possessions, or the Dominion of Canada only where the operator accepting delivery of such material secures priorities assistance in conformity with the provisions of Priorities Regulation No. 9 and Forms PD–311 or PD–311–c, as they may be amended from time to time.

(d) *Participation in Materials Redistribution Program.* Where any material is to be used by an operator in the United States, its territories or possessions, such operator shall file such applications as are required by the PAW-Materials Redistribution Program No. 2 and shall participate in such program to the extent required by its terms and provisions. Any operator required to obtain a serial number under the provisions of the PAW-Materials Redistribution Program No. 2 may be deprived of priorities assistance where a determination has been made that such operator has surplus material which he has not made available for redistribution in accordance with such program.

(e) *Communications and appeals.* (1) All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(i) By any person located in the United States, its territories or possessions, or elsewhere other than the Dominion of Canada to: Petroleum Administration for War, Interior Building, Washington, D. C., Ref.: P–98–c.

(ii) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P–98–c.

(2) Any person affected by this order or the applicable provisions of Part 1 of the PAW–Materials Redistribution Program No. 2, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may file an appeal with the Petroleum Administration for War, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. Such appeal shall be made by filing a letter in triplicate with the Director of Materials, Petroleum Administration for War, Interior Building, Washington, D. C., Ref.: P–98–c. Action with respect to this order and the PAW–Materials Redistribution Program No. 2 may thereupon be taken as is deemed appropriate.

(f) *Applicability of orders and regulations.* Except as provided in paragraph (c) (1), this order does not authorize acquisition, receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation. This order and all transactions affected thereby are subject to the applicable provisions of any regulation issued by the War Production Board, as amended from time to time.

(g) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

Issued this 24th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43–4525; Filed, March 24, 1943; 11:28 a. m.]

PART 1075—CONSTRUCTION

[Amendment 1 to Preference Rating Order P–55]

§ 1075.7 *Housing construction materials.* Preference Rating Order P–55, as amended February 12, 1943, and, notwithstanding the provisions of paragraph (f) thereof, all preference rating orders of the P–55 series heretofore issued, are hereby amended by striking out paragraph (c), which requires countersignature on purchase orders by an authorized governmental official.

Issued this 24th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43–4528; Filed, March 24, 1943; 11:29 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Limitation Order L–144 as Amended March 24, 1943]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of laboratory equipment and the materials entering into the manufacture thereof for the war effort, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1261.1 *General Limitation Order L–144*—(a) *Definition.* For the purpose of this order:

"Laboratory equipment" means material, instruments, appliances, devices, parts thereof, tools and operating supplies for laboratories, or for use in connection with operations usually carried on in laboratories, not including second-hand items. The term does not include reagent chemicals which are defined as any chemical prepared and packed for reagent use in laboratories.

(b) *General restrictions.* (1) No person shall sell, deliver, rent, purchase, acquire or accept delivery of laboratory equipment in which there is incorporated or used aluminum, chromium, copper, iron, magnesium, molybdenum, nickel, steel, tantalum, tin, titanium, any alloy of said metals, rubber, neoprene or other synthetic rubber, or non-cellulose base synthetic plastics, except: (i) pursuant to a purchase order or contract having certified thereon a statement in the following form, signed manually, or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose:

CERTIFICATION

The laboratory equipment herein ordered will be used or sold in conformity with the provisions of General Limitation Order No. L–144, with the terms of which the undersigned is familiar.

Name ----------
By ----------
Signature of duly authorized official

or,

(ii) Pursuant to a purchase order or contract from the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia.

(2) No person shall make the certification described in the foregoing paragraph for the acquisition of any item or quantity of the same item of laboratory equipment having a value of $50.00 or more, except for resale, or when authorized by the Director General for Operations under paragraph (b) (2) (vi) of this order pursuant to application on Form PD–620; nor shall any person make said certification for the acquisition of any laboratory equipment except for resale or use for one or more of the following purposes:

(i) Research on, or production, analysis or testing of, materials.

(ii) Research by or for the United States Army, Navy, Maritime Commission, or any other department, or agency of the government of the United States, or of any foreign country entitled to deliveries under the Act of Congress of March 11, 1941, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) [Revoked March 24, 1943.]

(iv) To the extent necessary for the replacement of essential existing equipment in laboratories affecting the public health, and in United States government, state, county, and municipal laboratories.

(v) To the extent necessary for repair parts and operating supplies for the maintenance of existing essential equipment and activities in laboratories.

(vi) For any use which the Director General for Operations determines is necessary and appropriate in the public interest, pursuant to application on Form PD–620.

(3) Said certification shall constitute a representation to the War Production Board and to the person with whom the purchase order or contract is placed, that the subject matter of the order or contract will be used or sold in accordance with the provisions of this order. Every person concerned shall be entitled to rely on said certification, unless he knows or has reason to believe it to be false.

(4) No manufacturer shall use any scarce material described in foregoing paragraph (b) (1), where and to the extent that the use of other material is practicable.

(c) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(d) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales, including copies of each purchase order or contract containing the certification hereinabove referred to.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) *Communications.* All reports required to be filed hereunder or communications concerning this order, shall, unless otherwise directed be addressed to War Production Board, Safety and Technical Equipment Division, Technical and Scientific Equipment Section, Washington, D. C.: Ref.: L–144.

Issued this 24th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc 43–4526; Filed, March 24, 1943; 11:28 a. m.]

PART 3156—CATTLE HIDE LEATHER AND CATTLE HIDE LEATHER PRODUCTS

[Revocation of Conservation Order M-273-a]

Section 3156.2 *Conservation Order M-273-a* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-273-a.

Issued this 24th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-4527; Filed, March 24, 1943; 11:30 a. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1312.401 *Maximum prices for logs and bolts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 348 (Logs and Bolts), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.401 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871

MAXIMUM PRICE REGULATION 348—LOGS AND BOLTS

CONTENTS

Sec
1 Sales of logs and bolts at higher than maximum prices prohibited.
2 To what products, transactions, and persons this regulation applies.
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9 Establishment of dollars-and-cents prices by area.
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SECTION 1 *Sales of logs and bolts at higher than maximum prices prohibited.* (a) On and after April 23, 1943, regardless of any contract or obligation, no person shall sell or deliver to any plant, and no plant shall buy or receive in the course of trade or business, any logs or bolts at prices higher than the maximum prices fixed by this regulation, and no person or plant shall agree, offer or attempt to do any of these things. However, if a contract for sale of logs or bolts was made before March 23, 1943, at prices higher than the maximum prices fixed by this regulation, the seller may apply by letter to the Lumber Branch, Office of Price Administration, Washington, D. C. for permission to deliver under the contract, at the contract price, until and including June 23, 1943. The application must include a copy of the contract, or a summary of all the terms of the contract. Permission may be granted by letter or telegram.

(b) Prices lower than the maximum prices may, of course, be charged or paid.

(c) If logs or bolts have been received before April 23, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation.

SEC. 2 *To what products, transactions, and persons this regulation applies—(a) Products covered by the regulation.* This regulation covers, under the term "logs and bolts", all diameters, lengths, grades and species of logs and bolts produced or cut anywhere in the United States. It applies to logs or bolts sold on any type of measure, including log scale, lumber scale, standards, or cubic volume (such as cord measurement). However, it specifically does not apply to the following:

(1) West Coast logs covered by Maximum Price Regulation No. 161 (West Coast Logs) [1] or any amendment or revision of that regulation;

(2) Prime grade hardwood logs covered by Maximum Price Regulation No. 313 (Prime Grade Hardwood Logs) [2] or any amendment or revision of that regulation;

(3) Sequoia or California Redwood logs and bolts;

(4) Pulpwood of any species sold for manufacture into woodpulp or pulp products;

(5) Logs and bolts sold for use as firewood or fuel;

(6) Posts, poles or piling of any species sold for use as posts, poles, or piling.

(b) *Transactions covered by the regulation.* This regulation covers all purchases of logs and bolts by plants which convert logs or bolts into finished or unfinished wood or chemical products, other than woodpulp or pulp products. It also covers all sales of logs and bolts to these plants.

(c) *Persons covered by the regulation.* Any person who makes the kind of sale or purchase covered by this regulation is subject to the regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors, or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

SEC. 3 *Maximum prices*—(a) *In general.* The highest price which any buying plant can pay for logs or bolts is the average price which that buying plant paid during September and October 1942 for the same species and grade of logs or bolts. This ceiling price is also the highest price which any seller can charge for logs or bolts sold to this particular buying plant. The term "buying plant" means any sawmill, veneer factory, stave mill, or any other operation which converts logs or bolts into finished or unfinished wood or chemical products, other than woodpulp or pulp products. If a company owns plants at more than one location, each plant shall be considered a separate buying plant.

The paragraphs that follow explain how to apply the general rule in figuring the ceiling price.

(b) *How to figure grades and scale*—(1) *In general.* Each buying plant must use the same scaling and grading rules and practices which it used during September and October 1942. In working out the grades which it used, a buying plant should consider only the species and the physical qualities of logs and bolts (such as length, diameter, and defects) which affected the prices the buying plant paid during September and October 1942. For example, if a buying plant during those two months paid the same price for all logs of a certain species, it has only one grade for this species. On the other hand, if it paid a higher price for logs 16 inches and over than for those under 16 inches in the same species, the larger logs would be one grade and the smaller logs another grade.

(2) *Combination grades.* A buying plant may buy logs or bolts on combination grades (such as "woods run"). However, the specifications of the combination grades must be the same as those used by the buying plant during September and October 1942.

(3) *Grades for logs of a kind which the buying plant did not purchase during September and October 1942.* In figuring grades for logs of a kind which a buying plant did not purchase during September and October 1942, a buying plant should use the same methods as those explained in the next paragraph for figuring average prices for these logs. That is, the buying plant should use the grades for these logs which the nearest competitive buying plant used during September and October 1942. (See subparagraph (2) of the next paragraph, "Competitor's price".) If grades for these logs cannot be figured in this manner, the buying plant should work out its own grades and send the details to the Office of Price Administration when the buying plant writes for an authorization of, or instruction to figure, an average price. (See subparagraph (3) of the next paragraph, *Application to the Office of Price Administration.*)

(c) *How to figure the average price.* The average price should be figured as follows:

(1) *Purchased logs and bolts.* If, during September and October 1942, the buying plant bought logs or bolts of the species and grade for which it is figuring an average price, the buying plant should add up the total delivered cost of all logs or bolts of that grade and species purchased during the two months, and divide this total by the total footage of these logs or bolts. In figuring the total cost of these logs or bolts, the buying plant is to include any charges paid for transporting the logs or bolts to the plant.

(2) *Competitor's price.* If, during September and October 1942, the buying plant did not buy logs or bolts of the species and grade for which it is figuring an average price, the buying plant should use the average price arrived at by the nearest competitive buying plant. A buying plant cannot use as a competitor a plant which is more than 50 miles away or which is engaged in a different kind of business. For example, a veneer factory is not a competitor of a sawmill, but is a competitor of another veneer mill located not more than 50 miles away. A buying plant must tell its average prices to a competitor upon request.

(3) *Application to the Office of Price Administration.* If an average price for logs or bolts of any grade or species cannot be figured under either of the two methods explained above, the buying plant should write a letter to the Lumber Branch, Office of Price Administration, Washington, D. C. The letter should give the name of the species and a full description of the grade. The Office of Price Administration by letter or telegram will authorize, or instruct how to figure, an average price for the species and grade in question.

(d) *Using average prices as maximum prices.* The average prices for September and October 1942 are the maximum prices for logs or bolts delivered by the seller to the buying plant. This means that the seller cannot add to the maximum prices any charge for hauling logs or bolts to the buying plant.

(e) *Reduction of maximum prices when the seller does not make delivery to the buying plant.* If the buying plant takes delivery of logs or bolts away from the plant, the maximum price must be reduced by the amount which it costs the buyer to bring the logs or bolts to the plant.

SEC. 4 *Posting, advertising and filing maximum prices*—(a) *Posting maximum prices.* Every buying plant must display in a manner plainly visible to, and understandable by, log and bolt sellers, the maximum prices permitted under this regulation. The display shall be headed "Our Ceiling Prices for Buying Logs and Bolts",[3] and shall list the species, a full and complete description of all the grades, and the maximum price for each species and grade. Also, the display must be dated and include the following notations:

(1) These are the ceiling prices for logs and bolts[3] delivered to our plant located at ———. For logs and bolts not delivered to the plant, these ceiling prices must be reduced by our cost of bringing the logs and bolts to the plant.

(2) The Federal law prohibits our paying higher prices and makes it illegal for anyone to charge us higher prices. Our purchases are subject to inspection by Federal officials. A copy of this notice has been filed with the Federal Government.

(b) *Advertising maximum prices.* Every buying plant must send to each of its log and bolt suppliers a notice or handbill which contains all the information on the display required in the above paragraph (a).

(c) *Filing maximum prices.* A copy of the notice or handbill required in the above paragraph (b) must be filed with the Lumber Branch, Office of Price Administration, Washington, D. C.

(d) *Time limit.* The things required in this section must be done before April 23, 1943.

SEC. 5 *What the invoice or billing must contain.* (a) All invoices and billings of logs or bolts must contain a sufficiently complete description of the logs or bolts covered to show whether the price is proper or not. This means that the invoices and billings must show the species (or that the sale was of a "mixed species"), the grade (or that the sale was of a combination grade), the net footage and the price of the logs or bolts purchased or sold. In addition, the invoices and billings must show to what place the seller delivered the logs or bolts, the date of sale, and the name and address of the buyer and seller.

(b) Any part of the information required on the invoice may be furnished in a tally sheet attached to and made part of the invoice.

(c) An invoice or billing may cover all logs or bolts delivered by the seller to a purchaser during a period of not more than two weeks.

(d) Either the buyer or seller may prepare the invoice or billing, but both have the responsibility for correct invoicing or billing.

(e) Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

SEC. 6 *Records—(a) Billings and invoices.* All invoices and billings must be made with two copies. Each buyer and seller must keep, as a record, one copy of all invoices and billings covering the logs or bolts purchased or sold. These must be kept for two years, for inspection by the Office of Price Administration.

(b) *Purchase records for September and October 1942.* Every buying plant must keep all records available on March 23, 1943, of purchases of logs and bolts during September and October 1942. These must be kept until April 1, 1945 for inspection by the Office of Price Administration.

SEC. 7 *Prohibited practices—(a) In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual scale content of the logs or bolts.

(2) Increasing the price of logs or bolts by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered as part of the price of the logs or bolts to be supplied by the logger.

(3) Adding to the maximum prices a charge for grading, scaling, or inspection.

(c) *Service commissions.* It is unlawful for any person to charge or receive from a buying plant, or for a buying plant to pay a commission for the service of procuring, buying, selling or locating logs or bolts, or for any related service (such as "expediting") which does not involve actual physical handling of logs or bolts, if the commission plus the purchase price results in a total payment by the buying plant which is higher than the maximum price of the logs or bolts. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the logs or bolts in connection with which the service is performed.

(d) *Adjustable pricing.* The price may be adjustable to the maximum price in effect at time of delivery. A price may not be made adjustable to a maximum price which will be in effect sometime after delivery of the logs or bolts has been completed. However, in the event a petition for amendment or adjustment has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during consideration of the petition in accordance with the disposition of the petition.

(e) *Credit terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

(f) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation for a buying plant to purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid by the buying plant for the stumpage and the logging is higher than the maximum price fixed by this regulation.

In all cases payments for contract logging are controlled by the General Maximum Price Regulation [4] or any amendment or revision of that regulation.

SEC. 8 *Applications for adjustment and petitions for amendment—(a) Government contracts.* (1) The term "government contracts" is here used to mean any contract with the United States or any of its agencies, or with the government or any government agency of any country whose defense the President deems vital to the defense of the United

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1117, 2992.

[2] 8 F.R. 1453, 2208, 2992.

[3] If a buying plant does not purchase bolts, the word "bolts" may be omitted.

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6958, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346, 3098.

States under the terms of the Act of March 1, 1941, entitled, "An Act to Promote the Defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that the maximum price established in this regulation is impeding or threatens to impede production of logs or bolts which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[3] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[4] issued by the Office of Price Administration.

SEC. 9 *Establishment of dollars-and-cents prices by areas*—(a) *Petition for "area pricing".* Any group of four or more buying plants, of any kind, may petition the Lumber Branch of the Office of Price Administration in Washington, D. C., to establish a system of dollars-and-cents prices by grades, sizes, and species for buying plants in an area of at least 400 square miles which contains at least five buying plants. The petition must relate to all grades, sizes, and species of logs and bolts bought by plants in that area, and must request establishment of a system of ceiling prices applicable to all buying plants in the area.

(b) *Contents of petition.* The petition must contain:

(1) A description of the exact boundaries of the area, and the reasons for the boundary lines chosen; that is, the reasons why the particular area constitutes a market area in which a single pricing system should prevail.

(2) Copies of the notices of maximum prices of the petitioning plants.

(3) A proposal of uniform grades with detailed specifications, uniform scaling rules, and a dollars-and-cents ceiling price system; and a comparison of these with the average prices, and the grades and rules prevailing in the area during the period September–October, 1942. The system proposed may contain price differentials within the area, based on differences in transportation rates, which will prevent diversion of logs as between buying plants in the area.

(4) A showing that the proposed prices will not cause diversion of logs or bolts away from buying plants in either this area or elsewhere.

(c) *Notice and hearing.* On receipt of a petition showing a proper case for the consideration of area pricing, the Office of Price Administration will send notices of the proposed prices, grades and scaling rules and area boundaries to all buying plants in and within 25 miles of the area whose maximum prices have been filed under section 4 (c) of this regulation. Within 20 days of the date of this notice, any person affected may submit objections to the Lumber Branch, Office of Price Administration, Washington, D. C. If there is any substantial volume of objection, the Office of Price Administration may hold a hearing on the proposal.

(d) *Action on petition.* The Price Administrator, if he believes the facts submitted justify such action, will establish a system of dollars-and-cents ceiling prices at a level in line with the general level of prices under this regulation, and establish uniform grades and scaling rules, for all buying plants in an appropriate area. The Price Administrator may depart from the original proposal, establish price differentials within an area, or set up a system based on sellers' prices for logs and bolts produced within a specified area, if necessary or proper to make the action fair and equitable and to prevent diversion. In considering requests for area pricing, the Price Administrator may consolidate petitions dealing with areas that are near each other. When a system of area pricing is approved, the prices, grades, scaling rules, and a description of the area will be published as an appendix to this regulation.

SEC. 10 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective April 23, 1943.

Issued this 23d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4495; Filed, March 23, 1943; 2:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 346 Under § 1499.3 (b) of GMPR]

ROYAL CONTAINER COMPANY

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1782 *Authorization for Royal Container Company of San Francisco, California, to determine maximum prices for meat bags and lard bags, which products differ in use, serviceability or price range from other products delivered during March, 1942 by Royal Container Company, and also differ in use, serviceability or price range from products delivered by Royal Container Company's most nearly competitive manufacture during March, 1942.* (a) The maximum prices which may be charged for meat bags and lard bags sold by Royal Container Company, hereinafter called "the manufacturer" shall be determined in accordance with the following instructions:

(1) The cost of raw materials should be computed at the cost of acquisition, which in no event shall exceed the appropriate maximum price established by the Office of Price Administration for such raw materials. All subsequent savings in the cost of raw materials shall be reflected in the maximum prices.

(2) All charges for hand or machine operations involved in the manufacture or conversion of the product shall be computed at a rate not to exceed the hourly rate at which such hand or machine operations were computed during the month of March, 1942, and the time allowance, or the resulting piece rates, for the operations shall not be in excess of those estimated or used during the month of March, 1942.

(3) The percentage margin or difference between total manufacturing costs and selling price, f. o. b. manufacturer's plant, shall not exceed that percentage margin used in determining a selling price for that item sold by the manufacturer during March, 1942 which most closely resembles the new meat bag and lard bag respectively in manufacturing cost, quantities of raw materials per unit, converting operations required and quantity of production.

(i) The manufacturer shall continue to grant its customary discounts, differentials and allowances to the different classes of purchasers in accordance with its accepted practice.

(ii) If the manufacturer's customary practice during March 1942 was to sell on a delivered basis, such practice shall be continued.

(b) Within ten days after a maximum price has been determined in accordance with this order Royal Container Company shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by it. The report shall set forth in detail a description of the new meat bag and lard bag respectively, a statement of the facts which differentiate these products from other commodities delivered during March 1942 by the manufacturer or by other competitive manufacturers of the same class, a computation of estimated costs, together with the percentage margin or difference between total manufacturing costs and selling price f. o. b. manufacturer's plant, the amount of transportation charges to be absorbed and also a statement indicating whether or not the method of handling freight charges is in line with the established policy of Royal Container Company for comparable commodities. The report shall also state the name of that commodity, delivered during March 1942 by the manufacturer, or by other competitive manufacturers of the same class, which is used to establish the proper percentage margin or difference between total manufacturing cost and selling price f. o. b. manufacturer's plant.

(c) Within ninety days after a maximum price has been determined in accordance with this Order, Royal Container Company shall file with the Office of Price Administration, Washington, D. C., a report covering the actual manufacturing costs of the new meat bags and lard bags. The report shall cover the entire period during which the new meat bags and lard bags shall have been manufactured and any change in the allocation of freight charges and those set forth in the report required by (b) above shall be indicated.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 346 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 346 (§ 1499.1782) shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4497; Filed, March 23, 1943; 2:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 218 Under § 1499.18 (b) of GMPR]

NUCO PAPER EXCELSIOR AND PAD COMPANY

Order 218 under § 1499.18 (b) of the General Maximum Price Regulation; GF3-2457. For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1818 *Adjustment of maximum prices of wood excelsior sold by Nuco Paper Excelsior and Pad Company.* (a) On and after March 24, 1943, Nuco Paper Excelsior and Pad Company, 2505 East Eighteenth Street, Kansas City, Missouri, may sell and deliver and offer, agree, and attempt to sell and deliver, and any person may buy from the Nuco Paper Excelsior and Pad Company, wood excelsior at a price no higher than $26.00 per ton, in the grade known as standard grade, put up in bales averaging about sixty-five pounds to the bale. This price is f. o. b. the plant.

(b) The above price is subject to all customary discounts and allowances in use by the seller in March 1942.

(c) This Order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 218 (§ 1499.1818) is hereby incorporated as a section of Supplementary Section 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 218 (§ 1499.1818) shall become effective on March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4496; Filed, March 23, 1943; 2:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 136 to Supp. Reg. 14 to GMPR]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES, SERVICES AND TRANSACTIONS

NEW COMMERCIAL VEHICLES

Correction

In the document appearing on page 3322 of the issue for Thursday, March 18, 1943, the fourth item under Form No. 694:190 should read "Body & Ignit. Key No." In Item 3d the engine oil number should be SAE-10. Item 10i should read "Check all belt adjustments and replace belts if necessary." In item 15e the first word of the second line should be "of" instead of "or." In item 16c the first word of the fourth line should be "of" instead of "or."

PART 1499—COMMODITIES AND SERVICES

[Order 36 Under Supp. Reg. 15 of GMPR]

JAMES A. HANNAH MOTOR TRUCK SERVICE

Correction

The effective date of § 1499.1336 (e) of the document appearing on page 3324 of the issue for Thursday, March 18, 1943, should be March 17, 1943.

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 328,[1] Amendment 1]

CANNED EASTERN AND GULF OYSTERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1364.911 (a) is amended by deleting the figures "$3.15" and "$5.80" and by inserting in their places respectively the figures "$3.35" and "$6.25".

This amendment shall become effective March 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4498; Filed, March 23, 1943; 4:16 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2193.

PART 1436—PLASTICS AND SYNTHETIC RESINS

[MPR 346]

THERMOPLASTIC SCRAP

Correction

The section heading for § 1436.11 of the document appearing on page 3320 of the issue for Thursday, March 18, 1943, should read "Adjustable pricing." The fourth word, "that," of paragraph (a) (4) of Appendix A should be deleted.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-125]

J. T. DANIELS

ORDER POSTPONING HEARING AND EXTENDING TIME TO FILE APPLICATION

The above-entitled matter having been heretofore scheduled for hearing at 10 a. m. on March 26, 1943, at a hearing room of the Bituminous Coal Division, Federal Court House, Catlettsburg, Kentucky; and

The Bituminous Coal Producers Board for District No. 8, the complainant herein, having filed with the Division on March 20, 1943, a motion to postpone the hearing herein and to extend the time for filing an application for disposition of this matter without formal hearing; and

The Director deeming it advisable to grant said motion;

Now, therefore, it is ordered, That the time for filing an application pursuant to § 301.132 of the Rules of Practice and Procedure be, and the same hereby is, extended to and including April 5, 1943;

It is further ordered, That said hearing in the above-entitled matter be and it hereby is postponed from 10 a. m. on March 26, 1943, at Catlettsburg, Kentucky, to a time and place to be hereafter designated by appropriate order.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4516; Filed, March 24, 1943; 11:15 a. m.]

[Docket No. B-195]

GERARD AND RUMPLE

ORDER CLOSING HEARING AND REQUIRING TRIAL EXAMINER TO FILE FINAL REPORT

In the matter of Frank Gerard and Heston Rumple, individually and as copartners doing business under the name and style of Gerard and Rumple.

The above-entitled matter having been noticed for hearing at Terre Haute, Indiana, on April 20, 1942, and after hearing the testimony and taking the evidence introduced thereat, the Trial Examiner having continued said hearing to a date to be fixed by subsequent order

of the Director, for the purpose of taking the testimony of Heston Rumple, one of the copartners above-named; and

By order issued June 20, 1942, the hearing in the above-entitled matter having been directed to be resumed on July 29, 1942, at Terre Haute, Indiana; and

Service of the subpoena duce tecum issued by the Acting Director on July 24, 1942, directing said Heston Rumple to appear at such resumed hearing on July 29, 1942, not having been effected, and said Heston Rumple having failed to appear at such resumed hearing and said hearing having been again continued by the Trial Examiner to a date to be fixed by subsequent Order of the Director; and

The Director deeming it inadvisable to permit any further delay in the final disposition of the above-entitled matter;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is closed and the Trial Examiner is hereby directed to proceed with the preparation of his proposed findings of fact and conclusions of law and recomendations thereon.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4515; Filed, March 24, 1943; 11:15 a. m.]

[Docket No. B-282]

WEST VIRGINIA-PITTSBURGH COAL COMPANY

ORDER GRANTING APPLICATION

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for disposition of proceeding without formal hearing, revoking and cancelling code membership and cancelling hearing.

A complaint dated June 6, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on June 6, 1942, by the Bituminous Coal Producers Board for District No. 6 (the "complainant") alleging that the West Virginia-Pittsburgh Coal Company, a code member (the "applicant") operating the Gilchrist and Locust Grove Mines, Mine Index Nos. 12 and 15, respectively, located in Brooke County, West Virginia, District No. 6, wilfully violated the provisions of the Act, the Bituminous Coal Code (the "code"), and rules and regulations promulgated thereunder by the Bituminous Coal Division (the "Division") and the Schedule of Effective Minimum Prices for District No. 6 For All Shipments Except Truck, as more fully set forth in the complaint; and

The complaint herein and notice of and order for hearing issued June 24, 1942, having been duly served on the code member on June 30, 1942, and the hearing herein noticed for August 4, 1942, having been postponed by order issued July 31, 1942, to a time and place to be thereafter designated by an appropriate order; and

Said code member having filed with the Division on July 20, 1942, its answer to the complaint herein in which it alleges that the transactions referred to in the complaint were consummated pursuant to written contracts entered into between it and the Weirton Steel Company made and entered into prior to June 16, 1933, as extended, which were exempt from the price provisions of the Act and from the effective minimum prices pursuant to Section 4 II (e) of the act; and

Said code member having filed with the Division on July 30, 1942, an application dated July 30, 1942 (the "application"), for the disposition of this proceeding without formal hearing, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division; and

Notice dated October 27, 1942, of the filing of the application having been published in the FEDERAL REGISTER on October 28, 1942, pursuant to said § 301.132, and copies of said notice having been duly mailed to interested parties, including the complainant herein; and said notice having provided that interested parties desiring to do so might within fifteen (15) days from the date thereof file recommendations or requests for informal conferences in respect to the application, and no such recommendations or requests having been filed with the Division; and

It appearing from the application that the applicant admits, for the purpose of the application only,

(a) Committing the violations as alleged in paragraph 4 of the complaint herein by selling for rail shipment approximately 4,935 tons of 1¼" lump coal produced at the above-named mines to the Weirton Steel Company during the month of March 1941 at a price of $1.90 per net ton, f. o. b. said mines, whereas the effective minimum price for such coal was $2.05 per net ton, f. o. b. said mines, and the violations as alleged in paragraph 2 (a) of the complaint herein to the extent of approximately 58.12 tons of ¾" lump coal sold to the Weirton Steel Company during the month of February 1941 at a price of $1.90 per net ton, f. o. b. said mines, upon the basis of which it consents to the entry of an order revoking its membership in the Code and requiring the payment of the sum of four thousand dollars ($4,000) to the United States as a condition precedent to the restoration of said code membership;

(b) Committing, in addition to the violations referred to in (a) hereof, the additional violations as alleged in the complaint, upon the basis of which it consents to the entry of a cease and desist order which shall be effective upon any restoration of code membership; and

It further appearing from the application that the Applicant, to the best of its knowledge and belief, has not committed any violations of the act, the Code, or rules and regulations thereunder, other than those involved in shipments to Weirton Steel Company prior to April 1, 1941.

Now therefore pursuant to the authority vested in the Division by said section 4 II (j) of the Act authorizing it to adjust complaints and to compose the differences of the parties thereto and upon the application of the Code member for disposition hereof without formal hearing and upon evidence in the possession of the Division;

It is hereby found, That:

The West Virginia-Pittsburgh Coal Company, a corporation, filed with the Division its acceptance of code membership dated June 18, 1937, which became effective as of that date, and said corporation ever since has been and now is a code member engaged in the business of mining and producing bituminous coal at its Gilchrist and Locust Grove Mines, Mine Index Nos. 12 and 15, respectively, located in Brooke County, West Virginia, District No. 6.

The alleged contract between West Virginia-Pittsburgh Coal Company and the Weirton Steel Company entered into prior to June 16, 1933, as extended, did not exempt the transactions referred to in the complaint and hereinafter referred to from the effective minimum prices.

The West Virginia-Pittsburgh Coal Company sold and delivered to the Weirton Steel Company coal produced at its above mines during the period October 1, 1940, to March 31, 1941, both dates inclusive, at prices below the effective minimum prices therefor, in wilful violation of the Act and regulations thereunder, as follows:

Tons	Size	Sales price	Effective minimum price
8,239	1¼" lump	$1.90	$2.05
7,622.19	¾" lump	1.90	2.05
9,976.17	¾" slack	.90	1.05

Now therefore on the basis of the above findings and said admissions and consent of the West Virginia-Pittsburgh Coal Company, as contained in its application filed pursuant to Section 301.132 of the Rules of Practice and Procedure before the Division, and the authority vested in the Division as aforesaid;

It is ordered, That the application be and the same hereby is granted;

It is further ordered, That pursuant to section 5 (b) of the act, the code membership of the West Virginia-Pittsburgh Coal Company be and the same hereby is revoked and cancelled, said revocation and cancellation to be effective fifteen (15) days from the date hereof;

It is further ordered, That prior to the restoration of the West Virginia-Pittsburgh Coal Company to membership in the Code, there shall be paid to the United States a tax in the amount of four thousand dollars ($4,000), as provided in section 5 (c) of the Act and that upon the payment of said tax and prompt application for restoration of said code membership, the same shall be restored as of the date of payment of said tax;

It is further ordered, That upon any restoration of the West Virginia-Pittsburgh Coal Company to code membership, said company, its representatives, servants, agents, officers, employees, attorneys, receivers, successors, and assigns, and any and all persons acting or claiming to act in its behalf or interest, shall cease and desist, and they are hereby permanently enjoined and restrained, from violating the Bituminous Coal Act, the Bituminous Coal Code, and rules and regulations issued thereunder, including, but not in limitation hereof, the making of further sales pursuant to the above alleged contracts between West Virginia-Pittsburgh Coal Company and the Weirton Steel Company, as extended or otherwise, at less than the effective minimum prices established for such coal;

It is further ordered, That upon any failure to comply with the restraining provisions of this order, the Division may apply to any Circuit Court of Appeals of the United States, having jurisdiction, for the enforcement thereof, or take other appropriate action;

It is further ordered, That the aforesaid hearing heretofore postponed by order dated July 31, 1942, to a time and place to be thereafter designated by appropriate order be and the same hereby is cancelled.

Dated: March 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4514; Filed, March 24, 1943; 11:15 a. m.]

[Docket No. B-283]

SURE FIRE COAL COMPANY

MEMORANDUM OPINION AND ORDER REVOKING CODE MEMBERSHIP

In the matter of William Dishon, Benjamin Dishon, and Stanley Dishon, individually and as copartners, doing business as Sure Fire Coal Company, Code Members.

On October 7, 1942, after notice and hearing, Charles S. Mitchell, a duly designated Examiner of the Division, submitted a report in which he found that code members William Dishon, Benjamin Dishon, and Stanley Dishon, individually and as copartners, doing business as Sure Fire Coal Company, operating the Dishon Mine (Mine Index No. 2076), in New Straitsville, Perry County, Ohio, in District No. 4, willfully violated:

(a) Section 4 II (e) of the Bituminous Coal Act of 1937, by giving or donating to Straitsville Brick Company, New Straitsville, Ohio, during the month of February 1941, five tons of 2" x 0 coal produced at the Dishon Mine, whereas the effective minimum price for such coal was $1.65 per ton f. o. b. the mine, and by selling to the Straitsville Brick Company, during the period April 1, 1941 through May 31, 1941, 185 tons of 2" x 0 coal produced at the Dishon Mine, at 75 cents per net ton f. o. b. the mine, whereas the applicable minimum price for such coal was $1.65 per ton f. o. b. the mine; and

(b) Section 4 II (a) of the Act and the corresponding section of the Bituminous Coal Code[1] and Order No. 312 of the Division, dated February 24, 1941, by falsely reporting to the Division on Form 225-S that the selling price of the 2" x 0 coal so sold to Straitsville Brick Company from April 1, 1941 through May 31, 1941, was $1.55 per net ton f. o. b. the mine, whereas the selling price was in fact 75 cents per net ton f. o. b. the mine.

The Examiner recommended that the code membership of William Dishon, Benjamin Dishon, and Stanley Dishon, individually and as copartners doing business as Sure Fire Coal Company be cancelled and revoked.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the Report and upon the entire record in this proceeding;

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director;

It is further ordered, That the code membership of William Dishon, Benjaman Dishon, and Stanley Dishon, individually and as copartners, doing business as Sure Fire Coal Company, operating the Dishon Mine (Mine Index No. 2076), in New Straitsville, Perry County, Ohio, District No. 4, is hereby cancelled and revoked;

It is further ordered, That prior to the restoration of code membership of all or any of the above-named persons, there shall be paid to the United States a tax in the amount of $122.27, as provided in Section 5 (c) of the Act.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4517; Filed, March 24, 1943; 11:15 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

[1] It would seem that section 4 II (a) of the Act empowers the Division to require the maintenance and filing of certain data and does not, without Division action, prescribe a rule of conduct. Accordingly, it might more accurately have been alleged that code members violated the requirements of Order No. 312 promulgated pursuant to section 4 II (a) of the Act.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862), and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 25, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Barbara Jean Sportswear, 860 South Los Angeles Street, Los Angeles, California; Children's sportswear, defense garments; 5 learners (T); March 25, 1944.

Franklin Manufacturing Company, 175 Lincoln Street, Manchester, New Hampshire; Women's and misses' house dresses; 10 learners (T); March 25, 1944.

LaCrosse Garment Manufacturing Company, 225 South 6th Street, LaCrosse, Wisconsin; Army insect bars, Army bush shirts; 80 learners (E); September 25, 1943.

Marshall Frock Company, 1007 Market Street, Philadelphia, Pennsylvania; Ladies' cotton dresses; 5 learners (T); March 25, 1944.

Modern Dress Company, 1427 Vine Street, Philadelphia, Pennsylvania; Ladies' blouses; 5 learners (T); March 25, 1944.

New England Sports Wear Company, 3-9 Foster Street, Peabody, Massachusetts; Suede leather and capeskin jackets; 8 learners (T); March 25, 1944.

Reliance Manufacturing Company, Mitchell, Indiana; U. S. Navy cotton shirts, children's playsuits, shortie pants; 50 learners (E); September 25, 1943.

The Reliance Manufacturing Co., 1101 12th St., Bedford, Indiana; Navy white trousers; 50 learners (E); September 25, 1943.

Sunnyvale, Incorporated, 614 Wyoming Avenue, Scranton, Pennsylvania; House dresses; 32 learner (E); September 25, 1943.

Ted's Sportswear, 121 North 7th Street, Philadelphia, Pennsylvania; Ladies' cotton dresses; 3 learners (T); March 25, 1944.

Weil-Kalter Mfg. Company, Millstadt, Illinois; Woven underwear, mattress covers; 10 percent (T); March 25, 1944.

Cigar Industry

General Cigar Company, Inc., 154 W. Church St., Nanticoke, Penn.; Cigars; 63 learners (E); 56 Cigar machine operators for a learning period of 320 hours, and 7 Cigar packers for a learning period of 240 hours at 75% of applicable minimum wage until August 7, 1943.

Signed at New York, N. Y., this 23rd day of March, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4511; Filed, March 24, 1943; 10.56 a. m.]

FEDERAL POWER COMMISSION.

[Docket No G-115]

THE EAST OHIO GAS COMPANY

ORDER POSTPONING HEARING

MARCH 23, 1943.

It appearing to the Commission that:

Good cause has been shown for the postponement of the hearing in the above-entitled matter;

The Commission *orders* that:

The hearing in the above matter heretofore set for April 7, 1943, be and the same hereby is postponed pending further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-4509; Filed, March 24, 1943; 9:46 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4828]

FRATELLI BRANCA & COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of March, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 12, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-4512; Filed, March 24, 1943; 11:18 a. m.]

[Docket No. 4933]

AUTOMATIC CANTEEN COMPANY OF AMERICA

COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of section 3 and of subsection (f) of section 2 of the Clayton Act (U. S. C. title 15, sec. 13), as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint against the said respondent, stating its charges as follows:

Count I

PARAGRAPH 1. Respondent, Automatic Canteen Company of America, is a corporation organized and existing by virtue of the laws of the State of Delaware, with its principal office and place of business located at 222 West North Bank Street, Chicago, Illinois.

PAR. 2. Respondent is now and for many years last past has been engaged in the business of leasing and licensing automatic vending machines used in the dispensing of candy bars, chewing gum and nuts, hereinafter referred to as confection and nut products. Respondent is likewise engaged in the sale and distribution to lessees or licensees of said automatic vending machine of the confection and nut products vended in said machines, which products respondent purchases from various manufacturers and sells to said lessees in a manner and under terms and conditions hereinafter described. In connection with the leasing and licensing of automatic vending machines, and in connection with the sale and distribution of confection and nut products to the lessees thereof, respondent has caused, and still causes, said vending machines when leased or licensed and the said confection and nut products when sold to be transported from its principal place of business located in the State of Illinois to the lessees, licensees and vendees thereof located in various points in the several states of the United States other than the State of Illinois, and in the District of Columbia, and said respondent now is and has been for more than five years last past constantly engaged in commerce in said vending machines and said confection and nut products between and among the various states of the United States, the territories thereof, and the District of Columbia.

PAR. 3: In the course and conduct of its said business in commerce, as aforesaid, said respondent is, and has been for many years last past, in competition with individuals, partnerships and corporations engaged in the manufacture, leasing, licensing and vending of automatic vending machines and with other individuals, partnerships, and corporations who have been and are engaged in the manufacture, sale and distribution of confection and nut products, most, if not all, of which latter competitors manufacture and/or sell and distribute confection and nut products suitable for use in respondent's vending machines. Respondent would have been, and would now be in more active and substantial competition with both said competing vending machine manufacturers, lessors and venors and with said competing manufacturers and or

sellers and distributors of confection and nut products suitable for use in vending machines but for the restrictive conditions of respondent's contracts of license, lease and sale as hereinafter more particularly set forth.

Respondent does not manufacture its own automatic vending machines but has said machines manufactured for it by other companies in accordance with specifications furnished by respondent. Respondent was organized in 1931, has enjoyed rapid growth and is now and has been for more than five years last past one of the largest concerns engaged in the business aforesaid. Respondent now has outstanding in numerous locations in 31 states of the United States, and under lease agreements hereinafter described, executed by and between respondent and some 140 lessees, numerous vending machines as follows: 88,856 selective candy machines, 27,735 standard gum machines, 37,487 selective nut machines, 50,976 selective gum machines, and an unknown but large number of standard candy machines and standard nut machines. That by reason of the rapid growth of respondent's business, as aforesaid, and by reason of the numerous machines outstanding under lease as aforesaid, respondent is a dominant factor in the business of leasing and licensing vending machines; however, such business of respondent is incidental to its business of selling and distributing confection and nut products to the lessees of said vending machines. The candy vending machines of respondent vend in excess of 200,000,000 candy bars annually. The nut vending machines of respondent vend in excess of 5,000,000 pounds of nuts annually. Respondent annually purchases from one supplier alone for resale to its gum machines lessees approximately 1,850,000 boxes (100 sticks to a box) of chewing gum. Respondent has leased and now leases its vending machines to its said lessees for specified nominal rentals; the rental charge on the selective candy machines varies from 25 cents to 37 cents per machine per period and the year is divided into thirteen periods. The lease terms of some types of respendent's gum machines are as low as four cents per period. Respondent derives little or no profit from the leasing of its vending machines, its principal source of profit being derived from the sale of confection and nut products to the lessees of its machines at terms provided for in said lease or at terms as later modified during the period of the lease by mutual agreement. The leases entered into by respondent and its various lessees covering said vending machines run for a fixed term of eighteen years without any right to terminate given to the lessees thereunder and provide that the lessees may use such machines only in a certain designated territory allotted by respondent as an exclusive franchise for the period of the lease. The approximate life and usefulness of respondent's vending machines, due to wear, deterioration and obsolescence, is approximately eight years or less than one-half of the term of the leases covering said vending machines of respondent. Pursuant to arrangements made by respondent or its said lessees, respondent's vending machines are located in industrial plants, service stations, garages and terminals, approximately 95 per cent of such vending machines being in industrial plants. The lessees are required by respondent to pay to the owners of the locations a commisison of 10 per cent on all sales made through said machines and in addition the lessees are sometimes required to pay an additional monetary consideration to the owners of choice locations. Respondent maintains certain supervision over its lessees by provisions in the lease agreement that said lessees shall follow standard practices of respondent with respect to methods employed in obtaining machine locations, in maintaining, reconditioning and servicing the machines, and in accounting and bookkeeping procedure, but said lease agreements expressly provide that the lessees are independent contractors and are in no sense the agents or representatives of the respondent.

PAR. 4. The respondent, in the course and conduct of its business hereinbefore described in paragraphs 1, 2, and 3, has leased and licensed, and is now leasing and licensing, its automatic vending machines for use in the several states and territories of the United States and in the District of Columbia on the condition, agreement or understanding that the lessees or licensees thereof will not use the said automatic vending machines to vend any confections, nut products or merchandise other than those purchased from respondent; and on the further condition, agreement or understanding that the lessees or licensees thereof, during the period of said leases, will not acquire, hold, use, operate, lease or otherwise deal with any automatic vending machines other than those of respondent; and on the further condition, agreement or understanding that if the lessees or licensees thereof fail to comply with the aforesaid conditions during a period of fifteen days after written notice from respondent, all rights of said lessees or licensees shall terminate, including the right to the use and possession of such automatic vending machines which may be thereafter immediately repossessed by respondent and removed by respondent from their respective sales locations or from the premises of said lessees or licensees; and on the further condition, agreement or understanding that the lessees or licensees thereof, upon the termination of said leases by lapse of time or by respondent, upon the breach of any of the conditions aforesaid, shall not own, lease or deal in any automatic vending machines of any kind or character, or sell any merchandise of any kind or character by means of any automatic vending machines within the franchise territory of such lessees or licensees for a period of five years after said termination of said leases.

PAR. 5. The effect of said leases or licenses on the said conditions, agreements or understandings set forth in paragraph 4 hereof may be to substantially lessen competition or tend to create a monopoly in either or both of two lines of commerce, to-wit: (1) the leasing, licensing or selling of automatic vending machines between and among the several states of the United States and in the District of Columbia; and (2) the sale of confections and nut products suitable for use in automatic vending machines between and among the various states of the United States and in the District of Columbia.

PAR. 6. The aforesaid acts, practices and methods of respondent constitute a violation of the provisions of section 3 of the hereinabove-mentioned Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (Clayton Act).

Count II

PARAGRAPHS 1 TO 3, INCLUSIVE: As paragraphs 1 to 3, inclusive, of Count II of this complaint, the Commission hereby incorporates paragraphs 1 to 3, inclusive, of Count I hereof to precisely the same extent as if each and all of them were set forth in full and repeated verbatim in this count.

PAR. 4. Respondent in the course and conduct of its business more particularly described in paragraphs 1, 2 and 3 hereof, as a result of the restrictive covenants contained in its automatic vending machine leases, more particularly described in Count I hereof, is one of the largest distributors of confection and nut products to automatic vending machine operators in the United States, and in consequence is an important outlet to manufacturers of such confection and nut products who wish extensive distribution of said products throughout the United States.

Respondent in the course and conduct of its business, now and since June, 1936, has been in substantial competition with other corporations, individuals, partnerships and firms similarly engaged in the business of buying, selling and distributing confection and nut products, except in so far as such competition has been affected by the practices which are the subject of this Count. Respondent in its business of leasing automatic vending machines, of securing additional locations for the lessees of said machines, of

increasing the number of its said machines outstanding under lease, and of supplying the lessees thereof with confection and nut products for use therein, is in active competition with jobbers of candy who supply the retail candy trade and also with the retail customers of such jobbers.

PAR. 5. Respondent and its competitors buy confection and nut products from a large number of manufacturers, jobbers and distributors located in the various states of the United States (hereinafter called sellers), representative of whom are the following:

The Curtiss Candy Company, Chicago, Ill.; Walter H. Johnson Candy Company, Chicago, Ill; Williamson Candy Company, Chicago, Ill.; Bunte Brothers, Chicago, Ill.; D. L. Clarke Company, Pittsburgh, Pa; Luden's Inc., Reading, Pa.; Nelster Candy Company, Cambridge, Wis.; Switzer's Candy Company, St. Louis, Mo.; Sperry Candy Company, Milwaukee, Wis; Queen Anne Candy Company, Hammond, Ind.; Trudeau Candies, Inc., St. Paul, Minn.; Wayne Candies, Inc., Ft. Wayne, Ind.; Chase Candy Company, St. Joseph, Mo.; Wm. Wrigley, Jr., Company, Chicago, Ill.

Each of said sellers sell and distribute confection or nut products in commerce between and among the various states of the United States and the District of Columbia causing said confection or nut products to be shipped and transported from their respective places of business in the various states of the United States to respondent at its principal place of business in Chicago, Illinois, where respondent takes possession of all of its said purchases, to competitors of respondent, and to said competitors' customers located in the various states of the United States and in the District of Columbia. That the sellers located in Chicago, Illinois, make deliveries to respondent with the knowledge that a substantial portion of respondent's purchases is intended for the use of the lessees of the respondent's automatic vending machines located in the various states of the United States other than the State of Illinois.

Respondent and respondent's competitors resell and distribute said confection and nut products in commerce between and among the various states of the United States and the District of Columbia, causing said confection and nut products to be shipped and transported from their respective places of business in the various states of the United States to their respective customers located in the various states of the United States and the District of Columbia.

PAR. 6. In the course and conduct of their respective businesses as above described said sellers have been and are now being induced by respondent to discriminate in price between different purchasers buying said confection and nut products of like grade and quality in commerce for use, consumption and resale within the United States by charging said competitors of respondent higher prices than those charged respondent. Said discriminations in prices which favor respondent are not uniform on each confection and nut product sold or from each seller. Respondent pays such sellers from approximately 10 per cent to approximately 25 per cent less for said confections and nut products of like grade and quality than respondent's competitors pay said sellers, depending upon the confection and nut product and the sellers, or either of them.

PAR. 7. The effect of said discriminations in prices as set forth in paragraph 6 hereof may be substantially to lessen competition between respondent and competing jobbers likewise engaged in the sale of candy either to vending machine companies or to retailers engaged in the sale and distribution of confection and nut products; to tend to create a monopoly in respondent in the lines of commerce in which respondent and its competitors are engaged; and to injure, destroy or prevent competition with respondent in the resale of such confection and nut products of like grade and quality puurchased from said sellers; and to injure, destroy, or prevent competition with the sellers granting said discriminations in prices to respondent.

PAR. 8. Respondent receives information as to the regular prices paid by its competitors to said sellers for said confection and nut products, refuses to purchase said confection and nut products from said sellers unless it is granted prices lower than paid by its competitors, and accepts and receives such lower prices on said confection and nut products and thereby and while engaged in commerce and in the course of such commerce as alleged in Paragraph Five hereof, is now and has been since June 19, 1936, knowingly inducing and receiving the discriminations in price alleged in Paragraph Six hereof.

PAR. 9. The foregoing alleged acts of said respondent are in violation of section 2 (f) of said Act of Congress approved June 19, 1936, entitled "An Act to amend section 2 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies and other purposes' approved October 15, 1914, as amended (U. S. C. Title 15, sec. 13) and for other purposes."

Wherefore, the premises considered the Federal Trade Commission on this 19th day of March, A. D., 1943, issues its complaint against said respondent.

NOTICE

Notice is hereby given you, Automatic Canteen Company of America, a corporation, respondent herein, that the 23d day of April, A. D. 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requires you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to the effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 19th day of March, A. D. 1943.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-4513; Filed, March 24, 1943; 11:18 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 473]

CERTAIN COPYRIGHTS AND CLAIMS OF COPYRIGHT

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property hereinafter described is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of foreign countries, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

(a) All right, title and interest, arising under the laws of the United States, of every kind or nature whatsoever, of the owners and claimants thereof in, to and under each of the copyrights described in Exhibits A and B attached hereto and made a part hereof, and the claims of copyrights described in Exhibit C attached hereto and made a part hereof, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through any or all of such owners and claimants designated in such Exhibits A and C.

(b) All right, title and interest, arising under the laws of the United States, of every kind or nature whatsoever, of each and all of the authors of the publications described in Exhibit A attached hereto and made a part hereof in, to and under each and all of the copyrights described in said Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through any or all of such authors or by their widows, children, executors or next of kin.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 10, 1942.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

EXHIBIT A

	Copyright Nos.	Nature of works	Titles of works	Name and last known addresses of copyright owners	Name and nationality of authors
A	For. 25999	Book with music.	Liber usualis et officii pro dominicis et festiscum Cantu gregoriano. (No. 780c.)	Desclee et Cie, Paris, France.	Benedictine Monks of Solesmes of Belgium.
E	For. 35283	Book with music.	Liber usualis nissae et officii; pro dominicis simis in subsidium cantorum a Solesmensibus monachis. (No. 780.)	Desclee et Cie, Tournai, Belgium.	Benedictine Monks of Solesmes of Belgium.
E	For. 37536	Book with music.	Liber usualis; with introduction and rubrics in English. (No. 801.)	Desclee et Cie, Tournai, Belgium.	Benedictine Monks of Solesmes of Belgium.
A	For. 26000	Book with music.	Paroissien romain contenant la messe et l'office pour les dimanches et les fetes. Chant gregorien. (No. 890c)	Desclee et Cie, Paris, France	Benedictine Monks of Solesmes of Belgium.
A	For. 26057	Book with music.	Paroissien romain contenant la messe et les vepres des dimanches et principales fetes. (Edition avec signes rythmiques.) (No. 904.)	Desclee et Cie, Paris, France.	Benedictine Monks of Solesmes of Belgium.
E	For. 32749	Book with music.	Paroissien romain pour les dimanches et principales fetes. (No. 904c.)	Desclee et Cie, Tournai, Belgium.	Benedictine Monks of Solesmes of Belgium.
E	For. 4122	Music	Bolero	Durand & Co., Paris, France.	M. Ravel of France.
C	5712	Music	Requiem. Reduction pour piano et chant par Roger Ducasse.	J. Hamelle, Paris, France.	Gabriel Faure of France.
E	572057	Piano solo	Bacatelles	Heugel et Cie, Paris, France	Alexander Tcherepnine, Arranger T. Philipp, Composer of France.
H	26451	Music	Cydalise et Le Chevrepied	Heugel et Cie, Paris, France	Gabriel Pierne of France.
E	For. 19863	Piano solo	Pastorale	Heugel et Cie, Paris, France.	Francis Poulenc of France.
E	For. 19864	Piano solo	Toccata	Heugel et Cie, Paris, France.	Francis Poulenc of France.
E	485894	For organ	Esquisses Byzantines	Alphonse Leduc, Paris France.	Henry Mulet of France.
E	544948	Piano solo	Histoires	Alphonse Leduc, Paris France.	Jacques Ibert of France.
E	For. 35922	Music	Little Nigar	Alphonse Leduc, Paris France.	Claude Debussy of France.
E	646347	Piano solo	Piece en Forme de Habanera	Alphonse Leduc, Paris France.	de Maurice Ravel, Arranger. Daniel Ericourt, Composer of France.
E	242270	Voice and piano	Piece en Forme de Habanera. (Low, medium and High voice.)	Alphonse Leduc, Paris France.	de Maurice Ravel, Arranger. Daniel Ericourt, Composer of France.
E	490691	For organ	Romance sans Paroles	Alphonse Leduc, Paris, France.	J. Bonnet of France.
E	For. 13517	Piano solo	Sonatine Transatlantique	Alphonse Leduc, Paris, France.	Alexandre Tansman of Poland.
E	485994	Pour grand orgue	Trois preludes et fugues	Alphonse Leduc et Cie, Paris, France.	Marcel Dupre of France.
E	242273	Pour grand orgue	Doure pieces nouvelles, op. 7	Emile Leduc P. Bertrand et Cie, Paris, France.	Joseph Bonnet of France.
C	191254	For organ	Variations de Concert Pour Grand Orgue	Emile Leduc, Paris, France.	Joseph Bonnet of France.
E	526450	Two pianos, Four hands.	Gracia	Editions Salabert, Paris, France.	Manuel Infante of France.
E	526435	Two pianos, Four hands.	Ritmo	Editions Salabert, Paris, France.	Manuel Infante of France.
E	527365	Two pianos, Four hands.	Sentimiento	Editions Salabert, Paris, France.	Manuel Infante of France.
E	351506	Piano	12 etudes, Op. 10 edition de travail. (Edition nationals, No. 5061.)	Maurice Senart, Paris, France.	Alfred Cortot of France.
E	646349	Music	Variations sur un theme populaire par cor en fa—et piano.	Alphonse Leduc et Cie, Paris, France.	Albert Dupuis of France.
E	545124	Music	10 grandes etudes nouvelles melodiques et de virtuosite. No. 1a 10 recueil. Pour le cor a pistons.	Alphonse Leduc, Paris, France.	Alphonse Maxime of France.
	609563, 609564 and 609565.	Music	"Deux cents etudes nouvelles melodiques et progressives en 6 cahiers, pour cor a pistons." 1er cah. 70 etudes tres faciles et faciles. 2e cah. 40 etudes tres faciles. 3e cah. 40 etudes moyenne.	Alphonse Leduc & Cie, Paris, France.	Alphonse Maxime of France.
E	For. 36498	Music	Prelude, Lied et Rondo. Cor et piano.	Henry Lemoine et Cie, Paris, France.	Jean Clergue of France.
F	689852	Music	Improvisationen fur horn und klavier. op. 30.	Carl Merseburger, Leipsig, Germany.	Max Buttner of Germany.

EXHIBIT B

	Copyright Nos.	Nature of works	Titles of works	Name and last known addresses of copyright owners	Name of authors
R	43311	Grand orgue	Variations de concert	Joseph Bonnet, Paris, France.	Joseph Bonnet.
R	23177	Grand orgue	Suite Gothique, Op. 25	Marie Louise, Jean et Jeanne Boellmann, Paris, France.	L. Boellmann.

EXHIBIT B—Continued

Copyright Nos	Nature of works	Titles of works	Name and last known addresses of copyright owners	Name of authors
R. 67680	Violin	Children's corner. Le coin des enfants pour les violons.	Jean Deyzac, Paris, France.	Claude Debussy.
R. 38078	Music	Images. Deuxieme. En recueil.	Jean Deyzac, Paris, France.	Claude Debussy.
R. 57684	Piano	La Fille aux cheveux de lin. (12 Preludes 1ere livre en recueil No. 8).	Jean Deyzac (Notaire), Paris, France.	Claude Debussy.
R. 60646	Piano	La Plus que lente, valse	Jean Deyzac, Paris, France.	Claude Debussy.
R. 57688	Piano	Minstrels pour piano. (12 preludes 1ere livre. Recueil No. 12.)	Jean Deyzac (Notaire), Paris, France.	Claude Debussy.
R. 57813	Piano	Preludes pour piano 1er livre	Jean Deyzac (Notaire), Paris, France.	Claude Debussy.
R. 94915	Piano	Preludes pour piano. 2 me livre.	Jean Deyzac, Paris, France	Claude Debussy.
R. 18857	Music	D'une prison, poesie de Paul Verlaine. (Six melodies, No. 5.)	Reynaldo Hahn, Paris, France.	Reynaldo Hahn.
R. 18853	Music	Ave Maria compose sur La Meditation de Thais. (Voice and Piano—low voice.)	Heugel et Cie, Paris, France.	J. Massenet.
R. 18854	Music	Ave Maria compose sur La Meditation de Thais. (Voice and Piano—high voice.)	Heugel et Cie, Paris, France.	J. Massenet.
R. 13176	Music	Ob'st Les Fleurs Avaient Des Yeux. Poeste de Buchillot. (Voice—No. 1 Pour baryton ou mezzo soprano, ton original.)	Louise Constance de Gressy Massenet, Versailles, France.	Jules Massenet.
R. 18849	Partition chant et piano.	Thais comedie lyrique en 3 actes et 7 tableaux d'Anatole, France.	Louise Constance de Gressy Massenet, Paris, France.	Jules Massenet.
R. 18822	Music	Thais, meditation; poeme de Louise Gallet.	Louise Constance de Gressy Massenet, Paris, France.	Jules Massenet.
R. 18823	Piano	Thais, meditation. (Piano a 4 mains.)	Louise Constance de Gressy Massenet, Paris, France.	Jules Massenet
R. 27930	Piano	Liebeswalzer, Op. 57, No. 5. (Fur pianoforte.)	Moritz Moszkowski, Paris, France.	Moritz Moszkowski
R. 15161	Piano	Deux arabesques. (Pour le piano.)	Emma Lea Moyse (Veve Debussy), Paris, France.	Claude Debussy.
R. 20079	Piano	En Bateau. Extrait de la petite suite. (Transcription pour piano a 2 mains.)	Emma Lea Moyse (Veuve Claude Debussy), Paris, France.	Claude Debussy.
R. 12284	Piano	Jardins sous la pluie. Estampes pour le piano. No. 3.	Emma Lea Moyse (Veuve de Claude Debussy), Paris, France.	Claude Debussy.
R. 17286	Piano	L'Isle Joyeuse	Emma Lea Moyse (Veuve de Claude Debussy), Paris, France.	Claude Debussy.
R. 12283	Piano	La Soiree dans Grenade. Estampe No. 2.	Emma Lea Moyse (Veuve de Claude Debussy), Paris, France.	Claude Debussy.
R. 12282	Piano	Pagodes. No. 1 (Pour le piano.) Estampes.	Emma Lea Moyse (Veuve de Claude Debussy), Paris, France.	Claude Debussy.
R. 2079	Piano	Pour le piano. I. Prelude. II. Sarabande. III. Toccata.	Emma Lea Moyse (Veuve de Claude Debussy), Paris, France.	Claude Debussy.
R. 12281	Piano	Reflets dans l'eau. Images 1re serie. (Pour piano a 2 mains.)	Emma Lea Moyse (Veuve Claude Debussy), Paris, France.	Claude Debussy.
R. 2080	Piano	Suite Bergamasque. I. Prelude. 2 Menuet. 3. Clair de Lune. 4. Passepied.	Emma Lea Moyse (Veuve Debussy). Paris, France.	Claude Debussy.
R. 61782	Voice	Repertoire moderne de vocalises etudes parlees. Sur la direction de A. L. Hettich. 2 serie. Volume No. 2 pour voix moyennes.	Maurice Ravel Le Belvedere a Montfort, L'Amaury, France.	Maurice Ravel.
R. 23041	Piano	Sonatina pour le piano	Maurice Ravel Le Belvedere a Montfort L'Amaury, France.	Maurice Ravel.
R. 6058	Music	L'Heure Douce. Extraits de Lakme Marotte.	Victor Staub, Paris, France.	Victor Staub.
R. 6456	Chant et piano.	L'Heure Silencieuse	Victor Staub, Paris, France.	Victor Staub.
R. 441	Piano	Sous bois. Piece pour piano Op. 6.	Victor Staub, Paris, France.	Victor Staub.
R. 2071	Music	Villanelle, pour cor et orchestre. Cor et piano.	Paul Dukas, Paris, France	Paul Dukas.

EXHIBIT C

Claims of Copyright

Nature of works	Titles of works	Name and last known addresses of copyright owners	Name of arrangers and authors
Music	Nocturne fur Waldhorn mit Begleitung der Pianoforte. Erinnerung an Schloss Wesselke.	Johann Andre, Offenbach a Main, Germany	Josef Richter.
Music	Concertino fur Horn mit Begleitung von kleinem Orchester	Richard Birrbach, Perlin, Germany.	Julius Weismann.
Music	Les Classiques du Cor, arr. by Bach.	Alphonse Leduc et Cie, Paris, France.	Edouard Vuillermoz.
Music	Les Classiques du Cor, Larghetto by Mozart.	Alphonse Leduc et Cie, Paris, France.	Edouard Vuillermoz.
Music	Sinfonie, Orchester Studien fur Horn. Heft XI and XII.	Carl Merseburger, Leipzig, Germany.	von Albin. Frelise and von Friedrich Gumbert and Anton Bruckner.
Music	Richard Wagner, Die Meistersinger von Nurnberg.	B. Schott's Sohne, Mainz, Germany.	Walther's Preislied bearb, v. F. J. Lifil.

[F R Doc. 43-4491; Filed, March 23, 1943; 12:44 p. m.]

[Vesting Order 678]

KALLE & CO., A. G., ET AL.

Re: Five patents and interests of German corporations in contracts relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Kalle & Co., A. G. and I. G. Farbenindustrie, A. G., are corporations organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

2. Finding that Helge Svenson, Goteborg, Sweden, is controlled by or acting for or on behalf of or as a cloak for the aforesaid Kalle & Co., A. G., and I. G. Farbenindustrie, A. G. and therefore is a national of a foreign country (Germany);

3. Finding that the aforesaid Kalle & Co., A. G., I. G. Farbenindustrie, A. G. and Helge Svenson own interests in the contracts referred to in subparagraph 5-a hereof;

4. Finding that the patents referred to in paragraph 5-b hereof stand of record in the United States Patent Office in the name of the aforesaid Helge Svenson and that such patents are held by him on behalf of or as a cloak for the aforesaid Kalle & Co., A. G.

5. Finding, therefore, that the property described as follows:

a. The interests in contracts described in Exhibit A attached hereto and made a part hereof, and

b. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit B attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 5, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1. All right, title and interest of Kalle & Co., A. G., its successors, assigns and affiliates, and all right, title and interest of I. G. Farbenindustrie, A. G., and Helge Svenson, in, to and under a certain "Memorandum of Agreement" dated November 1, 1934, by and between Kalle & Co., A. G., and Ozalid Corporation; subject to and including all amendments thereof and supplements thereto, including, but not by way of limitation, Amendatory Agreement dated April 23, 1936; Agreement dated July 1, 1938 by and between Kalle & Co., A. G., and Ozalid Corporation; Letter dated May 16, 1940 to Ozalid Corporation signed by Walter Schwalbe for Kalle & Co., A. G., and bearing the consent of Helge Svenson; Agreement dated May 20, 1940 by and between Kalle & Co., A. G. and Helge Svenson; Cable dated Feb. 7, 1941 from General Aniline & Film Corporation to Helge Svenson; Cable dated Feb. 11, 1941 from Helge Svenson to General Aniline & Film Corporation; Cable dated Feb. 11, 1941 from General Aniline & Film Corporation to Kalle & Co., A. G.; Cable dated Feb. 14, 1941 from Kalle & Co., A. G. to General Aniline & Film Corporation; and Cable dated Feb. 14, 1941 from General Aniline & Film Corporation to Helge Svenson, together with all claims, credits, royalties or other amounts due and payable under the said contract, and all damages for breach thereof, together with the right to sue therefor.

2. All right, title and interest of Kalle & Co., A. G., its successors, assigns and affiliates, and all right, title and interest of I. G. Farbenindustrie, A. G., and Helge Svenson, in, to and under a certain "Memorandum of Agreement" dated March 20, 1939, by and between Kalle & Co., A. G., Ozalid Corporation and Eugene Dietzgen Co., together with all claims, credits, royalties or other amounts due and payable under the said contract, and all damages for breach thereof, together with the right to sue therefor.

EXHIBIT B

Patents the titles to which stand of record in the United States Patent Office in the name of Helge Svenson, Goteborg, Sweden, and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
1,934,011	11/7/33	Maximilian P. Schmidt, et al	Light-sensitive layer.
2,058,063	10/27/36	Josef Horn	Apparatus for the Development of Photographic Printing Papers by means of Gaseous Developing Agents.
2,146,515	2/7/39	Maximilian P. Schmidt	Copying paper.
2,150,925	3/14/39	Maximilian P. Schmidt, et al	Production of Diazo Prints.
2,245,628	6/24/41	Gottlieb Von Poser, et al	Reflex Copying Process.

[F R. Doc. 43-4490; Filed, March 23, 1943; 12:44 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 224 Under MPR 188]

ARMSTRONG CORK COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 224 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons stated in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188. *It is ordered*, That:

(a) The Armstrong Cork Company of Lancaster, Pennsylvania is authorized to sell, deliver, or offer for sale, and all other persons are authorized to receive or accept in the course of trade, conductive plastic material manufactured by the Armstrong Cork Company, f. o. b. Camden, New Jersey, at the following prices:

(1) $1.75 per gallon, in ten-gallon containers;

(2) $1.75 per gallon, in five-gallon containers;

(3) $1.90 per gallon, in one-gallon containers.

(b) The above prices shall include the price for the containers themselves, and are subject to a discount of 2% for payment within ten days of the date of invoice, or of 1% for payment within 70 days of the date of invoice.

(c) All prayers in the petition not granted herein are denied.

(d) This Order No. 224 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4494; Filed, March 23, 1943; 2:28 p. m.]

[Order 3 Under MPR 193]

ED PHILLIPS AND SONS CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 3 under Maximum Price Regulation No. 193—Domestic Distilled Spirits.

Authorization of maximum prices for "Tom Burns" brand of domestic whiskey manufactured by Ed Phillips & Sons Company. Ed Phillips & Sons Company, Northwest Terminal, Minneapolis, Minnesota, rectifier of alcoholic beverages, has made application under § 1420.13 (c) of Maximum Price Regulation No. 193 for determination of maximum prices for sales of "Tom Burns" brand of domestic whiskey. That brand is a blend of straight whiskies at 86° proof, aged as follows: 5%—6 years, 5%—4 years, 15%—3 years, 35%—2 years 6 months, and 40%—2 years.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(a) On and after March 24, 1943, Ed Phillips & Sons Company, Minneapolis, Minnesota, may sell and deliver to any person and any person may buy and receive from Ed Phillips & Sons Company "Tom Burns" brand of domestic whiskey, a blend of straight whiskies at 86° proof, aged as above, at the following prices:

$19.34 plus $5.16, being the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, or a total of $24.50 per case of 12 bottles, each bottle containing one quart of such whiskey;

$19.94 plus $5.16, being the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, or a total of $25.10 per case of 24 bottles, each bottle containing one pint of such whiskey; and

$15.82 plus $4.13, being the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, or a total of $19.95 per case of 12 bottles, each bottle containing one-fifth gallon of such whiskey.

(b) The maximum prices for sales of each container size of "Tom Burns" brand of domestic whiskey, as hereinbefore described, to Monopoly States shall be the maximum price for such container size set forth in paragraph (a), plus an amount which will restore to the price any trade discount now allowed to the Monopoly State: *Provided*, That the rate of such discount shall not exceed the rate prevailing on March 31, 1942.

(1) Any Monopoly State may sell or deliver to any person and any person may buy and receive from such Monopoly State "Tom Burns" brand of domestic whiskey at maximum prices determined as follows:

(i) Add to the maximum price established at (b), exclusive of the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, for the particular container size in question the amount of freight charges, if any, at the rate applicable in March, 1942 from the rectifying plant or freight basing point from which shipment is made to the receiving point of the particular Monopoly State.

(ii) Add to the resulting figure at (i) the applicable amount of any tax incident to the sale, processing or use of the domestic whiskey to be priced hereunder in accordance with any statute in effect in the Monopoly State on March 31, 1942.

(iii) Apply to the resulting figure at (ii) the statutory or discretionary percentage markup in effect in such Monopoly State on March 31, 1942.

(iv) Add to the resulting figure at (iii) the amount of the increased Federal excise tax of November 1, 1942 applicable thereto.

(v) Divide the resulting figure at (iv) by the figure 12 in the case of quarts and fifths, and by the figure 24 in the case of pints, and follow the practice prevailing in the Monopoly State on March 31, 1942 with respect to the disposition of fractional and odd cents, if any, existing in the latter figure. The resulting figure shall be the Monopoly State's maximum price for the particular container size in question of "Tom Burns" brand of domestic whiskey.

(c) Any wholesaler or jobber may sell and deliver to any person and any person may buy and receive from such wholesaler or jobber "Tom Burns" brand of domestic whiskey, as hereinbefore described, at prices not in excess of those computed by the wholesaler or jobber as follows:

(1) Add to the amount of $19.34, $19.94 or $15.82 for cases of 12 quarts, 24 pints or 12 fifths respectively, freight charges, if any at the rate applicable in March, 1942 from the rectifying plant or freight basing point from which shipment is made to the receiving point of the particular wholesaler or jobber.

(2) Add to the resulting figure at (1) the amount of any tax incident to the sale, delivery, processing or use of the domestic whiskey to be priced hereunder which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof in effect in March, 1942: *Provided*, That the amount of such tax has been paid or shall have accrued and be payable by the seller to the proper taxing authority or to any prior vendor.

(3) Multiply the resulting figure at (2) by 1.15, or in those States or subdivisions thereof where the markup of such vendors of distilled spirits is fixed by a statute or ordinance in effect in March, 1942, by a figure which will produce a selling price for the particular vendor in accordance with the minimum requirements of such statute or ordinance.

(4) Add to the resulting figure at (3) the amount of the increased Federal excise tax of November 1, 1942 applicable thereto; and the applicable amount of any new or increased tax incident to the sale, delivery, processing, or use of the domestic whiskey to be priced hereunder which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof which became effective after March 31, 1942: *Provided*, That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authority or to any prior vendor. The resulting amount shall be the particular wholesaler's or jobber's maximum price for the particular container size in question of "Tom Burns" brand of domestic whiskey.

(5) Wholesalers' and jobbers' discounts on sales of "Tom Burns" brand of whiskey shall be applicable to the maximum prices established pursuant to (c) at a rate which is not less than the rate allowed by the wholesaler or jobber in March, 1942 on sales of domestic whiskey in the same price class to the same class of purchasers.

(d) Any retailer may sell and deliver to any person and any person may buy and receive from such retailer "Tom Burns" brand of domestic whiskey, as hereinbefore described, at prices not in excess of those computed by the retailer as follows:

(1) Multiply the resulting figure at (c) (3), as computed by the particular wholesaler or jobber from whom the retailer purchases such commodity by 1.33, or, in those states or subdivisions thereof where the markup of such vendors of distilled spirits is fixed by statute or ordinance in effect in March, 1942, by a figure which will produce a selling price for the particular vendor in accordance with the minimum requirements of such statute or ordinance.

(2) Add to the resulting figure at (1) the amount of the Federal excise tax of November 1, 1942 applicable thereto; and the applicable amount of any new or increased tax incident to the sale, processing or use of the domestic whiskey to be priced hereunder which is imposed upon the seller by any statute or ordinance of any State or subdivision thereof which became effective after March 31, 1942; *Provided*, That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authority or to any prior vendor.

(3) Divide the resulting figure at (2) by the figure 12 in the case of quarts and fifths, and by the figure 24 in the case of pints. The retailer shall adjust the figure thus arrived at to the next higher even cent if the fraction is ½ cent or over or to the next lower even cent if the fraction is less than ½ cent.

(4) Multiply the resulting figure at (3) by the percentage rate of any State or local sales tax imposed upon the retailer by any statute or ordinance of any State or subdivision thereof; *Provided*, That the amount thereof was separately stated and collected by the retailer in March, 1942, and the retailer now continues to state and collect the amount thereof separately. The resulting figure shall be rounded off to the nearest full cent in accordance with the practice of the seller in March, 1942, and added to the amount determined at (3). The resulting amount shall be the particular retailer's maximum price for the particular container size in question of "Tom Burns" brand of domestic whiskey.

(e) On or before the first delivery of this commodity after the effective date hereof Ed Phillips & Sons Company shall notify any person purchasing the commodity from them of applicant's maximum price established under paragraph (a), and applicant shall make a separate statement of the increased Federal excise tax of November 1, 1942. Such notification shall be accomplished by attaching a true and exact copy of this order to the invoice issued by the applicant in connection with the particular transaction. No notification shall be required after the first notification to any particular purchaser.

(f) On or before the first delivery of this commodity after the effective date hereof, all wholesalers and jobbers of this commodity shall notify retail purchasers thereof of the wholesalers or jobbers maximum price as established under paragraph (c); and they shall notify such retailers of the method for the computation of the retailers maximum price as follows:

Our maximum price for "Tom Burns" brand of domestic whiskey and the method whereby we have computed your maximum price for that brand is as follows:

1. Our maximum price per case of (container size in question) -- $_____
2. Subtract increased Federal excise tax of November 1, 1942 -- $_____
3. Subtract increased State or local taxes after March 31, 1942 -- $_____
4. Base for computation of retailer's maximum price -- $_____
5. Line 4 multiplied by 1.33 or minimum statutory markup -- $_____
6. Add increased Federal excise tax -- $_____
7. Add increased State or local tax -- $_____
8. Total -- $_____
9. Divide line 8 by the figure 12 for quarts and fifths and by the figure 24 for pints.
10. Add State or local sales tax or similar tax per bottle (if separately stated and collected by retailer in March, 1942 and which retailer now separately states and collects) -- $_____
11. Retailer's maximum price per (container size in question) -- $_____

The figure at line 11 is your maximum price, including all taxes, per (container size in question) for "Tom Burns" brand of domestic whiskey in accordance with OPA Order No. 3 under Maximum Price Regulation No. 193. OPA requires you to keep this notice for examination.

No notification shall be required after the first notification unless the seller's maximum price shall be adjusted for a permitted tax increase pursuant to the provisions hereof.

(g) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 3 shall become effective March 24, 1943.

Issued this 23d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4493; Filed, March 23, 1943; 2:23 p. m.]

[Order 1 Under MPR 197]

CHARLES HEWITT AND SONS CO.

APPROVAL OF MAXIMUM PRICE

Order No. 1 under Maximum Price Regulation No. 197—Canned Fruits and Canned Berries at Wholesale and Retail.

Approval of maximum price for Charles Hewitt & Sons Company, Des Moines, Iowa.

The applicant, Charles Hewitt & Sons Company, has filed an application for the specific authorization of a maximum price for 1200 cases of 4 oz. cans of fancy crushed Cuban pineapple, four dozen cans to a case, labeled as "Soroa."

Due consideration has been given to the information submitted by the applicant with respect to the merchandise in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered*, That:

(a) The applicant, Charles Hewitt & Sons Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, all or any part of a lot of 1200 cases of 4 oz. cans of fancy crushed Cuban pineapple, four dozen cans to the case, labeled as "Soroa", at no higher than the price of 77½ cents per dozen, delivered.

(b) The maximum price for such 4 oz. cans of fancy crushed Cuban pineapple, labeled as "Soroa", at retail, for any type of retailer, shall be eight cents per can.

(c) The applicant shall not report a base price or permitted increase when making sales of such merchandise.

(d) The applicant shall give each purchaser notice in writing, at the time of sale or at the time of delivery to the purchaser, of the maximum price at retail. Such notice may be given by marking the same on the cases or by attaching a notice to the cases or in any other method and such notice shall read as follows:

Official retail ceiling price, 8 cents per can.

(e) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1341.710 of Revised Maximum Price Regulation No. 233 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(g) This order shall become effective March 24, 1943.

Issued this 23d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-4492; Filed, March 23, 1943; 2:23 p. m.]

[Order 226 Under MPR 188]

CONSUMERS' ARTICLES CONTAINING NEWLY MINED DOMESTIC SILVER

MAXIMUM PRICES FOR SALES

Order No. 226 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) *Articles to which this order applies.* This order applies only to the following articles containing newly mined domestic silver:

Ecclesiastical ware.
Eyeglass and spectacle frames and mountings.
Fountain pens.
Insignia.
Jewelry, including compacts and toilet sets.
Jewelry findings.
Mechanical pencils.
Mirrors.
Silverware.
Tinsel.
Watch cases.
Zippers.

(b) *Manufacturer's maximum price.* The manufacturer's maximum price for any article listed in paragraph (a) shall be calculated as follows: The provisions of Maximum Price Regulation No. 188 shall first be applied just as if the article contained silver other than newly mined domestic. Then, to the price thus obtained for the article, shall be added 36 cents for each fine troy ounce of net content of newly mined domestic silver.

(c) *Wholesaler's maximum price.* The wholesaler's maximum price for any article for which the manufacturer's maximum price was established under paragraph (b) above shall be calculated as follows: The provisions of the General Maximum Price Regulation shall first be applied just as if the article contained silver other than newly mined domestic. Then, to the price thus obtained for the article, shall be added 36 cents for each fine troy ounce of net content of newly mined domestic silver.

(d) *Retailer's maximum price.* The retailer's maximum price for any article for which the supplier's maximum price was established under paragraph (b) or (c) above, shall be calculated as follows: The provisions of the General Maximum Price Regulation shall first be applied just as if the article contained silver other than newly mined domestic. Then, to the price thus obtained for the article, shall be added 36 cents for each fine troy ounce of net content of newly mined domestic silver.

(e) *Invoices.* Every sale other than a sale at retail of any article listed in paragraph (a) above containing newly mined domestic silver, shall be invoiced by the seller. The original invoice shall be delivered to the buyer, who shall preserve such invoice for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, and the seller shall preserve a copy of every invoice for the same period. Each such invoice shall contain:

(1) The names and addresses of the buyer and seller.

(2) A description of the article sold.

(3) The quantity and unit being sold.

(4) A statement of the maximum price of the article when made of silver other than newly mined domestic silver.

(5) A statement of the net number of troy ounces of fine silver content of newly mined domestic silver.

(6) The amount of added cost at 36 cents per ounce due to the change to newly mined domestic silver.

(f) *Notification to purchasers for resale.* Every person delivering to a purchaser for resale an article for which the seller's maximum price has been established under paragraph (b) or (c) shall, at or prior to the first invoice to such purchaser after March 23, 1943, give written notice of the adjustment granted by this order. The notice shall state that the adjustment does not apply to inventories in wholesalers' and retailers' hands on March 23, 1943. A statement in the following form will be sufficient:

The Office of Price Administration has granted relief to manufacturers of _____ (insert _____ containing newly mined name of article)

domestic silver by allowing each manufacturer, wholesaler, and retailer to charge, in addition to his March 1942 ceiling price, 36 cents for each fine troy ounce of newly mined domestic silver contained in the article. The adjustment does not apply to inventories in wholesalers' and retailers' hands on March 23, 1943. Our invoice covering each shipment will notify you how much you may charge, in addition to your maximum price as determined under the General Maximum Price Regulation, for each article in the shipment.

(g) *Determination of amount of newly mined domestic silver.* The amount of newly mined domestic silver which the particular article being priced contains may be computed in the case of wholesalers or retailers on the basis of the supplier's invoice. Manufacturers may treat as newly mined domestic silver, any silver which is certified to be such, by the supplier pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 of the General Maximum Price Regulation, or any silver which the Director of the Mint has approved, pursuant to regulations prescribed by the Secretary of the Treasury under section 4 (c) of the Act of July 6, 1939.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 23, 1943.

Issued this 23d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4499; Filed, March 23, 1943; 4:16 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-46]

LONE STAR GAS CORP., ET AL.

SUPPLEMENTAL AND AMENDATORY ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of March, 1943.

In the matter of Lone Star Gas Corporation, Lone Star Gas Company, Community Natural Gas Company, Texas Cities Gas Company, The Dallas Gas Company, Council Bluffs Gas Company, Lone Star Gasoline Company.

The Commission having entered an Order on October 22, 1942, pursuant to sections 11 (b) and 11 (e) of the Public Utility Holding Company Act of 1935,

(1) Requiring Lone Star Gas Corporation to divest itself of all interests in, and all ownership and control of, Council Bluffs Gas Company, Northern Nat-

ural Gas Company and the properties

provided therein, are hereby found to be

[File Nos. 54-67 and 59-64]

states, municipalities, or other political subdivisions having jurisdiction over

for 293,204 common shares of ENYP,

given of said hearing to the above named

ural Gas Company, and the properties and businesses of Texas Cities Gas Company located in and around the cities of El Paso and Galveston, Texas;

(2) Approving the plan of reorganization of the Lone Star Gas Corporation holding company system filed by Lone Star Gas Corporation and certain of its subsidiaries, pursuant to section 11 (e) of the act, for the purpose of enabling the Lone Star System to meet the requirements of section 11 (b) of the act, subject to the condition that the plan be amended to provide for the disposal of the properties and businesses of Texas Cities Gas Company in and around the cities of El Paso and Galveston, Texas;

(3) Directing that the several transactions, approved or authorized by the said order, should be carried out in accordance with the terms and conditions of, and for the purposes stated in, the declarations and applications, as amended, filed in such proceeding:

(4) Reserving jurisdiction to entertain such further proceedings, to make such further and supplemental findings, to approve the terms and conditions, and to take such additional and further action as may be appropriate in the premises in connection with the disposition of assets proposed in the plan of reorganization or required by the said order;

The transactions and steps ordered to be taken and provided for in the plan and in the declarations and applications, having been specifically described in the Commission's findings and opinion; the Commission having in its findings and opinion, which accompanied the said order and which formed a part thereof, concluded that the steps required to be taken by the said order and the steps proposed in the plan, which the Commission approved, were necessary to effectuate the provisions of section 11 (b) and were fair and equitable to the persons affected thereby;

Lone Star Gas Corporation having requested that the said order of the Commission be amended to describe specifically in the formal portion thereof the transactions and steps ordered to be taken and which were specifically described in the findings and opinion and provided for in the plan and in the declarations and applications so as to eliminate any doubt as to the conformity of the said order to the formal requirements specified in sections 371 (f) and 1808 (f) of the Internal Revenue Code;

It appearing that the said order should be amended to comply with such request and to eliminate any doubt as to the intent and purpose of the order:

It is ordered, That the said order be amended by inserting the following paragraphs at the end of the formal portion of such order and immediately before "By the Commission":

It is further ordered, That disposition by Lone Star Gas Corporation of all of its interests in Council Bluffs Gas Company, Northern Natural Gas Company, and the properties and business of Texas Cities Gas Company located in and around the cities of El Paso and Galveston, Texas, and the said plan and the said applications and declarations, as amended, including the following sales, distributions, exchanges, transfers, conveyances, transactions, and steps provided therein, are hereby found to be necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

(1) The sale of the securities of Council Bluffs Gas Company, consisting of 13,500 shares of common stock, par value $100 each, and a note dated June 1, 1934, payable to Lone Star Gas Corporation in the original principal amount of $1,595,000, with an unpaid principal balance of $1,000,000, for a cash consideration of approximately $1,350,000 and the use of the proceeds of such sale to reduce outstanding bank loans of Lone Star Gas Corporation;

(2) The distribution as a dividend by Lone Star Gas Corporation to its stockholders of record at the close of business on December 18, 1942 of its 304,500 shares of common stock of Northern Natural Gas Company, having a par value of $20 each, in the ratio of one share of Northern stock for each eighteen shares of Lone Star stock; only whole shares to be distributed, and shares representing undistributed fractional interests to be sold at the most favorable prices obtainable through arm's-length negotiations and the entire proceeds derived from such sales to be distributed in the form of cash to stockholders having fractional interests;

(3) The simplification of the balance of the Lone Star System by taking the following steps:

(a) The transfer of all the assets and business of Lone Star Gas Company, Community Natural Gas Company, Texas Cities Gas Company, The Dallas Gas Company, and Lone Star Gasoline Company, subsidiaries of Lone Star Gas Corporation, to Lone Star Gas Corporation in return for the surrender of all of their stock and the cancellation of all of their notes owned by Lone Star Gas Corporation and the assumption by it of all their liabilities;

(b) The dissolution of such subsidiaries and the retirement of sixty-four shares of stock of Lone Star Gas Company, held by minority stockholders, by cash payment;

(c) The transfer of all the assets then held by Lone Star Gas Corporation (after disposition of the securities of Northern Natural Gas Company and Council Bluffs Gas Company, and except the securities of Northwest Cities Gas Company) to a new Texas corporation to be named Lone Star Gas Company, but presently designated as Corporation A in exchange for the assumption by Corporation A of all of the System's liabilities and the issuance to Lone Star Gas Corporation of 5,499,000 shares of its common stock, par value of $10 per share;

(d) The dissolution of Lone Star Gas Corporation and the distribution of the stock of Corporation A to its stockholders, share for share, for its own stock;

(e) The transfer by Corporation A of approximately $1,000,000 in cash and a portion of the assets acquired by it to a second new Texas corporation to be named Lone Star Producing Company but presently designated as Corporation B, such assets consisting principally of all of the production assets of the System, including all assets owned by Lone Star Gasoline Company, the oil and gas leases, and other production properties owned by Lone Star Gas Company, and a small amount of such assets owned by Community Natural Gas Company, in exchange for the issuance to Corporation A of 85,000 shares of common stock, par value $100 per share, and the assumption of all of the liabilities of Lone Star Gasoline Company (except notes owing to Lone Star Gas Corporation, which will be cancelled).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4503; Filed, March 24, 1943; 9:47 a. m.]

[File Nos. 54-67 and 59-64]

PEOPLES LIGHT AND POWER CO., ET AL.

ORDER POSTPONING HEARING AND DESIGNATING TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of March A. D. 1943.

In the matter of Peoples Light and Power Company and subsidiary companies, applicants, file No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Company, Texas Public Service Farm Company, West Coast Power Company, Western States Utilities Company, respondents, file No. 59-64.

The Commission having on March 9, 1943, pursuant to sections 11 (b) (1), 11 (b) (2) and 11 (e) of the Public Utility Holding Company Act of 1935, ordered a hearing to be held on April 1, 1943 in the above-entitled matter; and

Peoples Light and Power Company having on March 18, 1943 filed an amendment requesting that said hearing be postponed until April 20, 1943 for the reason that by that date the management anticipates substantial progress will have been made with respect to negotiations for the sale and acquisition of certain properties considered in the plan previously filed with this Commission under section 11 (e) of the Act, the amendment stating that these developments may have an important bearing on the method proposed to be followed to consummate said plan; and

It appearing to the Commission, after due consideration of such amendment, that a postponement of said hearing until April 20, 1943 will be in the public interest:

It is ordered, That the hearing in this matter previously scheduled for April 1, 1943, be, and hereby is, postponed to April 20, 1943, at the same time and place as heretofore designated; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he is hereby designated to preside at such postponed hearing and that he shall exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice; and

It is further ordered, That the Secretary of the Commission shall serve notice of the postponement of hearing by mailing a copy of this order to Peoples and its various subsidiaries, to the Public Utility Commissions of the States of Idaho, Nevada, Oregon, and Wyoming, and the Railroad Commissions of California and Texas, not less than 20 days prior to the date hereinbefore fixed as the new date of the hearing; and that notice of said hearing is hereby given to Peoples and its subsidiaries, to their security holders, and to all consumers of Peoples' subsidiary companies, to all states, municipalities, and political subdivisions of states within which are located any of the physical assets of said companies or under the laws of which any of said companies is incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities and instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Peoples or its subsidiaries or any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not later than ten days prior to the new date hereinbefore fixed as the date of the hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4501; Filed, March 24, 1943; 9:47 a. m.]

[File No. 54-71]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING WITH RESPECT TO APPLICATION NO. 2

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pennsylvania, on the 22d day of March, 1943.

In the matter of International Hydro-Electric System, Hudson River Power Corporation, System Properties, Inc., Eastern New York Power Corporation.

Notice is hereby given that declarations and applications have been filed with this Commission by International Hydro-Electric System (hereinafter referred to as "IHES") a registered holding company, its subsidiary companies, Hudson River Power Corporation (hereinafter referred to as "Hudson River") and System Properties, Inc. (hereinafter referred to as "SPI") and by Eastern New York Power Corporation (hereinafter referred to as "ENYP"), pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 9, 10, 11 and 12 thereof and Rules U-42, U-43, U-44, U-45 and U-50 of the Rules and Regulations promulgated thereunder. Applicants and declarants have designated the filing as Application No. 2 for all necessary approvals of the proposed action as a step toward complying with section 11 of the act and the order of this Commission thereunder with respect to IHES, dated July 21, 1942 (Holding Company Act Release No. 3679). All interested persons are referred to said declarations and applications, which are on file in the office of the Commission, for a statement of the transactions therein proposed which are summarized as follows:

IHES proposes to acquire the subscription rights of the incorporators of ENYP and to advance to ENYP an amount not exceeding $25,000 for organization expenses. IHES then proposes to transfer to ENYP 95,300 shares of common stock of Hudson River and 256,510 shares of common stock of SPI, constituting all of the outstanding common stock of such companies, in return for 293,204 common shares of ENYP, constituting all of such common shares outstanding. Hudson River and SPI will then be merged into ENYP through statutory merger under the New York Stock Corporation Law by which ENYP will acquire all of the assets and assume all of the liabilities of Hudson River and SPI. ENYP will then issue 227,348 shares of common stock to IHES in discharge of demand notes of Hudson River in the amount of $3,525,000 and of SPI in the amount of $1,178,710 and of open account indebtedness of Hudson River in the amount of $980,000, all of which ENYP will then have assumed. ENYP will then also issue and sell $8,000,000 principal amount of First Mortgage Sinking Fund Bonds, 3½% Series, due 1961, and $5,968,000 principal amount of Second Mortgage Bonds, 4% Series, due 1962, secured respectively by a first mortgage and a second mortgage of substantially all of its fixed assets as then constituted, the proceeds of said sale together with other funds to be used for the redemption and retirement of $13,743,000 principal amount of First and Refunding 5% Sinking Fund Mortgage Bonds, due 1947, issued by International Paper Company which by assumption became a primary obligation of Hudson River, and for the payment of a $225,000 note held by The First National Bank of Boston and now an obligation of SPI. ENYP will also acquire for a nominal consideration certain electrical equipment situated on properties now owned by Hudson River and SPI and leased to International Paper Company which International Paper Company is obligated in any event to transfer to the owners of the properties upon expiration of the respective leases in 1962.

Applicants and declarants state that they now have tentative arrangements for a private sale of the first and second mortgage bonds of ENYP and have requested an order of the Commission exempting the issuance and sale of said bonds from the requirements of section (b) of Rule U-50.

Additional information concerning the proposed transactions is to be filed by amendment.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to such matters, that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on April 14, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations and applications shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarants and applicants and to all interested parties, said notices to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the issuance and sale by ENYP of the aforementioned securities have been expressly authorized by the State Commission of the State in which that company is organized and doing business.

2. If it be found that the issuance and sale by ENYP of the aforementioned securities have not been expressly authorized by the State commission of the State in which that company is organized and doing business, whether the securities to be issued and sold by ENYP are reasonably adopted to the earning power of ENYP and to the security structure of ENYP and other companies in the holding company system of which it is a part; whether financing by the issue and sale of the particular securities to be issued and sold are necessary or appropriate to the economical and efficient operation of the business in which ENYP is lawfully engaged or has an interest; whether the fees, commissions, or other remuneration, to whomsoever paid, directly or indirectly, in connection with the securities to be issued and sold by ENYP, are reasonable; whether the terms and conditions of the issue and sale are detrimental to the public interest or the interest of investors or consumers; and whether there has been compliance with applicable State laws with respect to the issue and sale of the securities.

3. Whether the merger of Hudson River and SPI into ENYP is detrimental to the carrying out of the provisions of Section II and whether such merger will serve the public interest by tending towards the economical and efficient development of an integrated public utility system.

4. Whether the accounting entries to be made in connection with any or all of such proposed transactions are appropriate under the standards and requirements of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder.

5. Whether the proposed action is a proper step toward compliance with the aforementioned order of the Commission, dated July 21, 1942.

6. Whether terms and conditions are appropriate in the public interest or for the protection of investors or consumers or are necessary to be imposed to ensure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder.

7. Whether the issuance and sale of the proposed first and second mortgage by ENYP should be exempted from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50.

8. Generally, whether all action proposed to be taken, complies with the requirements of such act and rules, regulations, or orders promulgated thereunder.

It is further ordered, That the trial examiner upon the convening of the hearing ordered herein shall proceed with the taking of evidence with respect to the issue of exemption from competitive bidding as specified in paragraph 7 above and that when the taking of such evidence has been completed the record with respect thereto shall be transmitted forthwith to the Commission for consideration and determination.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4505; Filed, March 24, 1943; 9:47 a. m.]

[File No. 59-37]

CENTRAL ILLINOIS PUBLIC SERVICE COMPANY

ORDER POSTPONING DATE FOR RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of March, A. D. 1943.

The Commission having on October 16, 1941, pursuant to sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935, ordered a hearing to be held in the above entitled matter, and hearings having been held therein from time to time and having been continued to April 6, 1943; and

Counsel for respondent having requested that said date for reconvening of said hearing be extended to April 13, 1943; and

It appearing to the Commission that said request should be granted:

It is ordered, That the hearing in the above matter be reconvened on April 13, 1943, instead of April 6, 1943, at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4502; Filed, March 24, 1943; 9:47 a. m.]

[File No. 60-16]

P. M. CHANDLER, ET AL.

ORDER DISMISSING PROCEEDING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of March, A. D. 1943

In the matter of P. M. Chandler, Chandler & Company, Inc., P. M. Chandler & Co., Inc., Securities Corporation General, Burr & Company, Inc., Thaddeus Rich, as trustee for Marie Louise Chandler, Arthur Bayard Chandler, Eleanor Anne Chandler and Mrs. Marie L. Chandler, Brandywine Farms Corporation, Carroll E. Gray, Mrs. Marie L. Chandler, Robert Leonard, as successor trustee for Mrs. Marie L. Chandler, Harry Williams, Jr., and Ralph P. Buell, respondents.

The Commission on October 30, 1940 having ordered, pursuant to section 2 (a) (7) (B) of the Public Utility Holding Company Act of 1935, that a hearing be held to determine whether the above-named respondents, or any one or more of them, directly or indirectly exercise, either alone or pursuant to an arrangement or understanding with each other or with one or more other persons, such a controlling influence over the management or policies of International Utilities Corporation as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that the above-named respondents, or any one or more of them, be subject to the obligations, duties and liabilities imposed by said act upon holding companies; and

The hearing aforesaid having been held on December 18, 1940, and having been continued from time to time to March 28, 1941 and said hearing on that date having been continued subject to the call of the trial examiner, so that at the present time no date has been set for continuing such hearing; and

The proceeding having previously been dismissed, by order of the Commission, as to respondents Burr & Company, Inc. and Carroll E. Gray; and

The Commission having been advised by its Public Utilities Division that numerous changes have taken place since the commencement of said proceeding, in the relationships of the several Respondents to International Utilities Corporation, including the resignation of P. M. Chandler, one of the Respondents, from his positions as President and as Chairman of the Board of International Utilities Corporation and the disposition by International Utilities Corporation of all its interest in Securities Corporation General, an investment subsidiary of International Utilities Corporation and a respondent herein, and it appearing to the Commission that the said relationships which are the subject matter of this proceeding have been so materially altered since the initiation of such proceeding that it is no longer appropriate that such proceeding be further maintained;

It is hereby ordered, That this proceeding be and the same hereby is dismissed, without prejudice to the Commission's right to review the record herein made and, if circumstances in connection therewith warrant, to institute such further proceeding with respect to the respondents herein as may appear necessary or appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4500; Filed, March 24, 1943; 9:46 a. m.]

[File No. 70-137]

SAN ANTONIO PUBLIC SERVICE CO. AND MELLON SECURITIES CORP.

ORDER DISMISSING PROCEEDINGS AND RELEASING JURISDICTION OVER LIMITED PAYMENT OF UNDERWRITER'S FEES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of March 1943.

San Antonio Public Service Company, a subsidiary of The United Light and Power Company, a registered holding company, having filed on August 10, 1940 a declaration regarding, among other things, the issuance and sale of its first mortgage bonds pursuant to the provisions of section 7 of the Public Utility Holding Company Act of 1935; and

The Commission having, on August 23, 1940, issued an order to show cause against Mellon Securities Corporation and San Antonio Public Service Company pursuant to Rule U-12F-2 to determine the status of Mellon Securities Corporation under said rule; and

The Commission having on October 23, 1940 issued its order permitting the declaration of San Antonio Public Service Company to become effective, subject, however, to the stipulation of counsel for Mellon Securities Corporation that, pending the determination of the questions arising under the rule, the underwriter's fees involved would be deposited in escrow and that the Commission would reserve jurisdiction over all questions of fees and affiliations under the rule; and

Mellon Securities Corporation having proposed to reduce its fees and compensation for all services connected with the underwriting of the bonds issued by San Antonio Public Service Company so that its total compensation would not exceed the compensation payable to an underwriter whose participation was not in excess of 5% of the total offering, and upon the basis of such reduced fees, having moved the Commission for an order dismissing the above-entitled proceedings and releasing jurisdiction over such reduced compensation; and permitting San Antonio Public Service Company to pay to Mellon Securities Corporation the sum of $2,728.37, which amounts is computed at the rate applicable to a 5% participation of the total offering; and

The Commission deeming it in the public interest and in the interest of investors and consumers to dismiss the pending show cause order and to release jurisdiction as to the payment of such reduced fees and compensation;

It is ordered, That the above-entitled proceedings be and hereby are dismissed; and that jurisdiction be and hereby is released over such reduced fees and compensation payable to Mellon Securities Corporation.

By the Commission (Chairman Purcell and Commissioners Healy, Burke and O'Brien), Commissioner Pike being absent and not participating.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4504; Filed, March 24, 1943; 9:47 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 60

Washington, Friday, March 26, 1943

The President

EXECUTIVE ORDER 9319

AMENDING EXECUTIVE ORDER NO. 9276 ENTITLED "ESTABLISHING THE PETROLEUM ADMINISTRATION FOR WAR AND DEFINING ITS FUNCTIONS AND DUTIES"

By virtue of the authority vested in me by the Constitution and statutes, as President of the United States and Commander in Chief of the Army and Navy, and in order to facilitate the performance of the responsibilities of the Petroleum Administrator, paragraph 7 of Executive Order No. 9276 of December 2, 1942, entitled "Establishing the Petroleum Administration for War and Defining Its Functions and Duties",[1] is hereby amended to read as follows:

"7. The Administrator may appoint, with the approval of the President, a Deputy Administrator, who shall report directly to the Administrator, and to whom he may delegate any and all power, authority, and discretion conferred upon him by this Order. The Deputy Administrator shall serve as Acting Administrator in the absence of the Administrator. The Administrator and Deputy Administrator may (a) exercise the powers, authority, and discretion conferred upon them by or under the provisions of this Order through such personnel of the Petroleum Administration for War and in such manner as the Administrator or Deputy Administrator may determine, and (b) accept the services of other agencies and officials of the Government in carrying out the purposes of this Order. The Administrator, within the limits of such funds as may be allocated or appropriated for the purpose, may employ necessary personnel and make provision for necessary supplies, facilities, travel, and services."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 23, 1943.

[F. R. Doc. 43-4530; Filed, March 24, 1943; 2:55 p. m.]

[1] 7 F.R. 10091.

EXECUTIVE ORDER 9320

AMENDING EXECUTIVE ORDER NO. 9108 OF MARCH 21, 1942, DIRECTING THE DIRECTOR OF THE OFFICE OF DEFENSE TRANSPORTATION TO TAKE CONTROL OF THE TOLEDO, PEORIA AND WESTERN RAILROAD COMPANY

By virtue of the authority vested in me by the Constitution and laws of the United States, and as President of the United States and as Commander in Chief of the Army and Navy, Executive Order No. 9108 of March 21, 1942,[1] directing the Director of the Office of Defense Transportation to take possession of the property, franchises, rights and other assets of the Toledo, Peoria and Western Railroad (therein referred to as the Toledo, Peoria and Western Railroad Company), is hereby amended by inserting, after paragraph 5 thereof, a new paragraph, reading as follows:

"6. As part of the terms and conditions of the possession and operation directed to be taken hereunder, the Director of the Office of Defense Transportation is authorized in his discretion to make advances from the net cash earnings of his operation of the railroad, in such amounts and on such terms as he deems desirable, for the discharge of lawful obligations of the Toledo, Peoria and Western Railroad, and for the preservation of the real and personal property, corporate organization and franchises, rights and other assets, tangible and intangible, of the Toledo, Peoria and Western Railroad, but not including payment of executive salaries beyond amounts he deems necessary for the foregoing purposes and not including payment of dividends. Advances pursuant to the authority of this paragraph shall not be repayable before the time of final determination, by settlement or adjudication, of the claim of the Toledo, Peoria and Western Railroad for compensation by reason of action taken pursuant to this order."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 24, 1943.

[F. R. Doc. 43-4531; Filed, March 24, 1943; 2:55 p. m.]

[1] 7 F.R. 2201.

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FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Chapter I—Food Distribution Administration

PART 52—CANNED FRUITS AND VEGETABLES

GRADING AND CERTIFICATION

Pursuant to the authority vested in the Secretary of Agriculture of the United States by Public Law No. 674, 77th Congress, approved July 22, 1942, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes", authorizing the establishment of an inspection service for farm products, the rules and regulations governing the grading and certification of canned fruits and vegetables, as amended (7 CFR 52.1 et seq.) are hereby further amended as follows:

1. By deleting from said rules and regulations the provisions in § 52.57.

2. By renumbering the section subsequent to § 52.57 so as to have said subsequent sections follow in numerical sequence after § 52.56.

3. The provisions hereof shall not affect the rights of any person who, prior to the effective date hereof, filed a declaration of intention pursuant to said § 52.57 of the rules and regulations.

4. The provisions hereof shall be and become effective at 12:01 a. m. e. w. t., March 24, 1943.

Done at Washington, D. C., this 24th day of March 1943. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4551; Filed, March 24, 1943; 4:17 p. m.]

Chapter IX—Food Distribution Administration

PART 913—MILK IN THE GREATER KANSAS CITY MARKETING AREA

HANDLING OF MILK

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the Greater Kansas City Marketing Area.[1]

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area, it is hereby found that the provisions of the said order relating to base ratings for producers of milk, as used in the said order, obstruct and no longer tend to effectuate the declared policy of the act with respect to the producers of milk under such marketing order.

[1] This affects § 913.10.

It is, therefore, ordered, That, effective as of 11:59 p. m., c. w. t., March 31, 1943, the provisions of the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area, which relate to base ratings for producers of milk, as used in the said order, are hereby suspended.

Done at Washington, D. C., this 24th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-4552; Filed, March 24, 1943; 4:17 p. m.]

Chapter X—Food Production Administration

[FPO 5, Amendment 1]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER

Section 1206.1 (i) (1) (ii) (8 F.R. 947) is amended to read as set forth below:

§ 1206.1 *Chemical fertilizer.* * * *
(i) *Requirements*—(i) *Group A crops.* * * *

(ii) The requirements of any person for chemical fertilizer containing chemical nitrogen for use on Group A cotton shall be the acreage of such Group A cotton to be grown by such person multiplied by either the rate of application per acre previously used in the 1940–41 or the 1941–42 season on any cotton crop by such person, or previously used in the 1940–41 or the 1941–42 season on any cotton crop on the farm for which fertilizer is being requested, or if information as to neither of such rates of application per acre is available, the rate of application per acre shall be the same as that being used to determine the requirements of persons for Group A cotton on comparable farms in the same areas: *Provided*, That in no case shall the rate of application per acre exceed the rate of application per acre recommended by the State Agricultural Experiment Station for the approved grade (straight or mixed) to be used on Group A cotton.

This amendment shall become effective March 26, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C. this 24th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4548; Filed, March 24, 1943; 4:17 p. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Chapter XI—Food Distribution Administration

[FDO 18-2]

PART 1415—IMPORTED FOODS

TEA QUOTAS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALERS

Pursuant to the authority vested in me by Food Distribution Order No. 18 (8 F.R. 1778), issued by the Secretary of Agriculture of the United States on February 6, 1943, under the authority of Executive Order No. 9280, dated December 5, 1942, and in order to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1415.4 *Tea quotas, reports, and records.* (a) For the quarterly period beginning on April 1, 1943, and for each subsequent quarterly period of three months, tea quotas, subject to any increase pursuant to (b) hereof, shall be as follows:

(1) The acceptance quota for any packer shall be one and one-third times the amount of his delivery quota under (a) (2) hereof.

(2) The delivery quota for any packer, in any quarterly period of three months, shall be 50 percent of his "net deliveries" (as defined in said Food Distribution Order No. 18) of tea during the corresponding quarterly period of three months in 1941 or 100 percent of his said net deliveries in the corresponding quarterly period of three months in 1942, whichever is the greater.

(3) Any packer who, during the first quarterly period of three months in 1943, finds it impossible to deliver his entire quota for the first quarterly period of three months in 1943 may carry over into the second quarterly period of three months in 1943 any such undelivered balance and deliver, in such second quarterly period, the aforesaid undelivered balance in addition to the respective packer's quota for the second quarterly period.

(4) The acceptance quota for any wholesale receiver shall be 50 percent of his "net deliveries" (as defined in said Food Distribution Order No. 18) of tea during the corresponding quarterly period of three months in 1941 or 100 percent of his said net deliveries in the corresponding quarterly period of 1942, whichever is the greater.

(5) Any wholesale receiver whose permissible acceptance quota for the first quarterly period of three months in 1943 was in excess of his actual acceptances may add to his acceptance quota for the second quarterly period and accept during said second quarterly period the amount by which his permissible acceptance quota for the first quarterly period exceeded actual acceptances.

(b) Any person who (1) computes a quota under (a) hereof on the basis of the specified 1941 base period and not on the basis of the 1942 base period, and (2) directly or indirectly serves any county or other area designated in Schedule D (§ 1407.244) of Rationing Order 3 (7 F.R. 6937, 10845) of the Office of Price Administration, as amended, is hereby assigned a supplementary quota for each such area. Such supplementary quota, available only for ultimate distribution in the particular increased-population area referred to in said Schedule D of Rationing Order 3, shall be computed by determining the amount of his quota under (a) hereof, by determining the portion of that amount allocable to deliveries to or for each such area, and by applying to that portion the percentage of population increase designated, in said Schedule D of Rationing Order 3, for that area for periods commencing on or after January 1, 1943.

(c) All tea accepted by any packer or wholesale receiver and all tea delivered by any packer, on or after January 1, 1943, shall be charged against the acceptance, delivery, or supplementary quota of the respective packer or wholesale receiver, as the case may be, for the respective quarterly period in which such tea was delivered or accepted, as aforesaid.

(d) Within 10 days after the end of each quarterly period, each packer shall report, by letter, to the Director the total quantity of any quota-exempt deliveries of tea made by him during that quarterly period of three months in connection with each class of persons under the provisions of § 1415.2 (c) (4) of Food Distribution Order No. 18. Each packer and each wholesale receiver, respectively, participating in any transaction to which this order is applicable shall maintain such records for at least two years (or for such other periods of time as the Director may designate) as will disclose his total monthly inventory of tea and the monthly deliveries of tea made by him, if he is a packer, or accepted by him, if he is a wholesale receiver. If the sales slips, invoices, bills, or other instruments or records customarily kept by him are sufficient to furnish the information specified herein, no additional record system need be installed to meet the requirements hereof (these record-keeping and reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942).

(e) This order shall take effect at 12:01 a. m., e. w. t., April 1, 1943.

(E.O. 9280, 7 F.R. 10179; F.D.O. 18, 8 F.R. 1778)

Issued this 23d day of March 1943.

[SEAL] C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-4550; Filed, March 24, 1943; 4:17 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 267]

SPECIAL CIVIL AIR REGULATION

CONTRACT FLIGHT OPERATIONS UNDER LOCAL INSTRUMENT VISIBILITY CONDITIONS

Correction

The part number and title of the second document appearing on page 3565 of the issue for Wednesday, March 24, 1943, should read, "Part 60—Air Traffic Rules."

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 3—DETERMINATIONS RELATING TO OVERTIME, SUNDAY AND HOLIDAY PAY

SUGAR PROCESSING INDUSTRY

Upon application of the U. S. Beet Sugar Association and the United States Sugar Corporation, a hearing was held in Washington, D. C., on March 1, 1943, pursuant to Executive Order 9248 to determine whether the provisions of section IA (1) of Executive Order 9240 requiring the payment of double time compensation on the seventh consecutive day of a regularly scheduled workweek shall apply to the sugar processing industry.

After due consideration of the testimony presented at the hearing in support of and in opposition to the application, I have found that the nature and exigencies of operations in this industry make it necessary and advisable for the successful prosecution of the war to determine that the provisions of section IA (1) of Executive Order 9240 shall not apply to the sugar processing industry as defined in this order.

Now, therefore, by virtue of the power vested in me by Executive Order 9248, *It is ordered*, That in the case of an employer engaged in the processing of sugar beets or sugar-cane into sugar (but not refined sugar) or into syrup, the provisions of section IA (1) of Executive Order 9240 shall not apply to his employees in any place of employment where he is so engaged.

Dated: March 24, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-4579, Filed, March 25, 1943; 11:25 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1866]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for rail and truck shipments and changes in shipping points for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the Freight Origin Group Numbers and the shipping points for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-II, § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 328.42 (*General prices for low volatile coals*) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping points appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1 2	3 4	5 6	7	8	9	10	11 12 13 14	15 16 17	18 19 20 21	22	23	24	25	26	For Great Lakes cargo only: 27	1 2	3 4	5 6	7	8	9	10	16 17	18 19 20 21	22	24	25	26	27
5926	Adkins, Carl	Adkins	Jellico	6	Williamsburg, Ky	L&N	111	H	H	F	E	E	C	E	B	C	G	(1)	(1)	(1)	(1)	(1)	(1)	C	H	H	F	E	C	B	C	E	K	G	(1)	(1)	(1)	(1)	C
54	Blue Diamond Coal Company	Blue Diamond No. 1	Hazard No. 6	3	Blue Diamond, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(*)	(*)	(*)	(*)	C	K	K	(*)	H	D	B	B	C	(*)	(1)	(1)	(*)	(*)	C
251	Buchanan Coal Co., Inc.	Indian Head	Hazard No. 4	3	Feoltram, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	C	(1)	(1)	C	C	K	K	H	D	B	B	C	K	G	(1)	(1)	(1)	(1)	C
2013	Chloe Elkhorn Coal Co., Inc. (O. W. Thompson)	Chloe Creek No. 3	Elkhorn No. 3	1	Pikeville, Ky	C&O	61	K	K	H	G	E	C		B	D	G	(1)	(1)	(1)	(1)	(1)	(1)	C	C	K	H	D	B	B	C	K	G	(1)	(1)	(1)	(1)	C
4011	Conner, O. F. (O. E. Conner Coal Co.)	Stone	No. 2 Gas	4	Peyton, W. Va	C&O	123	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	A	B	B	B	B	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	A	B	B	B
207	[illegible] Coal Co.)	Fearsemin	Hazard No. 4	3	Fearsemin, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	C	C	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	C	C	C

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High voltage seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1 2	3 4	5 6	7	8	9	10	11 12 13 14	15 16 17	18 19 20 21	22	23	24	25	26	27	For Great Lakes cargo only: 1 2	3 4	5 6	7	8	9	10	16 17	18 19 20 21	22	24	25	26	27
5510	Franks & Whited (B. C. Franks)	Franks & Whited	Widow Kennedy	7	Raven, Va	N&W	20	K	K	E	E	E	C	E	C	D	K	(1)	(1)	(1)	(1)	(1)	(1)	K	K	E	C	B	C	E	M	K	(1)	(1)	(1)	(1)	(1)
1181	Fugate, Milford	Milford Fugate	Elkhorn	1	Mayking, Ky	L&N	62	K	K	K	J	G	E	G	D	D	J	(1)	(1)	(1)	(1)	(1)	(1)	K	K	K	F	D	D	G	L	J	(1)	(1)	(1)	(1)	(1)
80	Gibson Fuel Company, Incorporated	Calvin	Low Splint	7	Bundy, Va.[1]	Sou	202	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(1)	(1)	(1)	(1)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(*)	(*)	(1)	(1)	(1)	(1)	(1)
236	Harvey Coal Corporation	Harvey No. 6	Hazard No. 6	3	Harveyton, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(*)	(*)	(*)	C
221	Hatfield-Campbell Creek Coal Co., The	Glomawr	Hazard No. 7	3	Glomawr, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(*)	(*)	(*)	(*)	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(*)	(*)	(*)	C
803	Hazard Mining Company, c/o Ross Blondell	Hazard Mining Company	Hazard No. 4	3	Hazard, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	C	C	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	C	C	C	C
5778	Hibbard, Oscar	Hibbard	Horse Creek	6	Sibert, Ky	L&N	111	M	M	K	J	G	E	G	E	D	K	(1)	(1)	(1)	(1)	(1)	(1)	M	M	K	G	E	E	G	M	K	(1)	(1)	(1)	(1)	C
169	Jeanne Francis Coal Company	Jeanne Francis	Hazard No. 1	3	Stronghearst, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	C	C	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	C	C	C	C
1112	Josephine Elkhorn Coal Company (Luther H. Shivel)	Roberts No. 2	Elkhorn No. 1	1	Dinwood, Ky	C&O	61	H	H	H	G	E	C	E	B	C	G	(1)	(1)	A	A	A	A	H	H	H	D	B	B	E	J	G	(1)	A	A	A	A
312	Mallory Coal Company	Mallory No. 2	Eagle	5	Landville, W. Va.[2]	C&O	150	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
315	Mallory Coal Company	Mallory No. 5	Powellton	5	Landville, W. Va.[3]	C&O	140	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
2650	Montgomery, J. S.	Montgomery No. 2	"A"	3	Cumberland, Ky	L&N	80	L	L	H	G	F	D	D	B	C	F	(1)	(1)	(1)	(1)	(1)	(1)	L	K	H	F	C	C	D	L	F	(1)	(1)	(1)	(1)	(1)
5921	O'Rourk, John (O'Rourk Coal Company)	O'Rourk	Harlan	2	Cumberland, Ky	L&N	80	O	O	L	K	F	D	D	D	D	H	(1)	(1)	(1)	(1)	(1)	(1)	O	M	K	F	C	C	D	N	H	(1)	(1)	(1)	(1)	C
385	Raccoon Coal Corporation	Raccoon	Hazard No. 4	3	Montcoe, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	C	C	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	C	C	C	C
5161	Rector, J. R.	J. R. Rector Coal Co.	Widow Kennedy	7	Raven, Va	N&W	20	K	K	E	E	E	C	E	C	D	K	(1)	(1)	(1)	(1)	(1)	(1)	K	K	E	C	B	H	E	M	K	(1)	(1)	(1)	(1)	(1)
425	Scuddy Mining Company	Scuddy	Hazard No. 4 & 7	3	Scuddy, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	C	C	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	C	C	C	C
1359	Van Zandt, Hiram	Hiram Van Zandt	Seam	3	Cumberland, Ky	L&N	80	E	E	D	C	C	A	C	A	A	E	(1)	(1)	A	A	A	A	E	E	D	A	A	A	C	F	E	(1)	A	A	A	A
5872	Webb & Keen, Roy Webb	Webb & Keen	Jawbone	8	Raven, Va	N&W	20	M	M	K	J	F	C	E	C	D	K	(1)	(1)	(1)	(1)	(1)	(1)	C	M	M	K	F	D	D	E	L	K	(1)	(1)	(1)	(1)	C
502	Wisconsin Coal Corp.	Wiscoal	Hazard No. 4 & 7	1	Wiscoal, Ky	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	(1)	C	C	C	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(1)	C	C	C	C

[1] Denotes new shipping point. Shipping point at Calvin, Va. shall no longer be applicable.
[2] Denotes new shipping point. Shipping point at Mallory, W. Va. shall no longer be applicable.
[3] Denotes new shipping point. Shipping point at Mallory, W. Va. shall no longer be applicable.
[4] Indicates change in seam designation.
[5] Indicates no classification effective for these size groups.
[6] Indicates previously classified these size groups.

§ 328.21 *Alphabetical list of code members*—Supplement R–II

[Alphabetical list of code members having *railway* loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
5912	Smith, Dale	Dale Smith	9	Red Ash	Doran, Va.	N&W	21	C	C	D	D	A	A	A	H	H	H

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2½" egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
GREENUP COUNTY, KY.											
Boggs, Orville	Melvin	5949	Clod	285	265	230	240	225	220	170	165
Virgin, Edward	Virgin	5910	Clod	285	265	230	240	225	230	170	165
LETCHER COUNTY, KY.											
Collier, Everett	Parsons	5970	"B"	295	275	240	240	225	230	180	175
PIKE COUNTY, KY.											
Chloe Elkhorn Coal Company, Inc. (O. W. Thompson)	Chloe Creek No. 2	5913	Elkhorn No. 3	295	275	240	250	235	230	190	185
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
O'Roark, John (O'Roark Coal Company)	O'Roark	5924	Harlan	280	270	245	250	230	235	195	190
SUBDISTRICT NO 3—HAZARD											
BREATHITT COUNTY, KY.											
Smith, Logan	Smith	5909	Knob	285	265	230	225	210	220	165	160
LETCHER COUNTY, KY.											
Montgomery, J. S.	Montgomery No. 2	5930	"A"	290	270	245	250	230	235	195	190
Sparkman, W. M.	V. B. Coal Co.	5830	"B"	295	275	240	240	225	230	180	175
PERRY COUNTY, KY.											
Scuddy Mining Company	Scuddy	425	Hazard No. 4 & 71	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Stidham, James	Stidham	5908	Hazard No. 4	295	275	240	245	225	230	175	170

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–I—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2½" egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 3—HAZARD—Continued											
WOLFE COUNTY, KY.											
Meriida Brothers (Chester Meriida)	Meriida	5714	Knob	285	265	230	240	225	230	170	165
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
KNOX COUNTY, KY.											
Bennett, Matt & Deber (Matt Bennett)	Bennett's	5907	Blue Gem	355	335	255	280	245	245	165	160
Helton, Lewis		5903	Jellico	275	255	245	245	225	235	175	170
LAUREL COUNTY, KY.											
Phelps, Sam	Phelps No. 2	5914	Horse Creek	285	265	240	240	225	230	175	170
ROCKCASTLE COUNTY, KY.											
Finley, Lloyd	Randolph-Finley	5918	No. 3	285	265	240	240	225	230	175	170
WHITLEY COUNTY, KY.											
Adkins, Carl	Adkins	5926	Jellico	305	285	245	260	235	235	190	185
FENTRESS COUNTY, TENN.											
Powell, E.	Big Jim No. 1	5904	Bon Air No. 2	270	250	225	230	205	215	155	150

[1] Indicates change in seam designation.
*Indicates these size groups previously classified.

§ 328.42 *General prices for low volatile coals*—Supplement T–II

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine	Mine index No.	Seam	All lump	Egg: Largest lump 3" top	Stove 3" top	Nut or pea 1¼" top or less	Screened M/R	Straight M/R	1¼" screenings	¾" screenings
				1	2	3	4	5	6	7	8
SUB-DISTRICT NO. 9—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS											
TAZEWELL COUNTY, VA.											
Smith, Dale	Dale Smith	5912	Red Ash	325	325	320	270	300	295	175	170

[F R Doc 43-4520; Filed, March 24, 1943; 11:16 a. m.]

[Docket No. A-1628]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting permanent relief in the matter of the petition of District Board No. 8 for a change in the price classifications and minimum prices for rail and truck shipments for the coals produced by certain mines in the Red Ash Seam in Southern Appalachian Subdistrict of District No. 8 for shipment to all market areas.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the price classifications and minimum prices of the coals of High Point Coal Company, operating the High Point No. 2 Mine (Mine Index No. 242), the Diamond Coal Mining Company, operating the Diamond No. 3 Mine (Mine Index No. 165), and Block Coal and Coke Company, operating the Block No. 3 Mine (Mine Index No. 560), code members in District 8, in Size Groups 1 to 7, inclusive, for rail shipment, in Size Groups 1 to 6, inclusive for lake shipment, and in Size Groups 1, 2, and 4 for truck shipment, should be revised, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That, effective fifteen (15) days from the date hereof § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

Dated: March 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule in District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Sub district No.	Shipping point	Railroad	Freight origin group No	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
560	Block Coal & Coke Corporation.	Block No. 3	Red Ash	6	Block, Tenn	Sou	180	E	E	D	C	(*)	(*)	(†)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	D	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)
165	Diamond Coal Mining Company, The.	Diamond No. 3	Red Ash	6	Hickey, Tenn	Sou	180	E	E	D	C	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	D	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)
242	High Point Coal Co.	No. 2	Red Ash	6	Caryville, Tenn	Sou	40	E	E	D	C	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	D	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)

*Indicates these size groups previously classified.

†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2½" egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
CAMPBELL COUNTY, TENN.											
Block Coal & Coke Corporation	Block No. 3	560	Red Ash	330	300	(*)	270	(*)	(*)	(*)	(*
Diamond Coal Mining Co., The	Diamond No. 3	165	Red Ash	330	300	(*)	270	(*)	(*)	(*)	(*)
High Point Coal Co	No. 2	242	Red Ash	330	300	(*)	270	(*)	(*)	(*)	(*)

*Indicates these size groups previously classified.

[F R Doc. 43-4518; Filed, March 24, 1943; 11:15 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1857]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting motion to amend petion, amending petition, granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices and for other relief.

An original petition, pursuant to section 4 II (d) of the Act, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines located in District No. 1; changes in the shipping points for the coals produced by W. R. Cowan & S. A. Copenhaver (S. A. Copenhaver) at the Copenhaver No. 2 Mine, Mine Index No. 583, and by H. C. Bonner at the Arcadia No. 96 Mine, Mine Index No. 3744, respectively, and correction of the rail loading designation for the coals produced by Morris Run Coal Mining Company, at its Morris Run (Bloss) Mine, Mine Index No. 335, and its Morris Run (Seymour) Mine, Mine Index No. 455; and

A motion having been filed herein by the above-named party, requesting that the original petition heretofore filed herein be amended by deleting therefrom the proposals therein contained with respect to the coal produced by the Brothers Valley Coal Co. at its Reed No. 2 Mine, for the reason that this mine has been heretofore classified and priced as Reed No. 2 Mine, Mine Index No. 3894, by the Order issued in Docket No. A-1807 on January 8, 1943; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That said motion to amend the original petition be, and the same hereby is, granted, and that said original petition be, and the same hereby is, amended accordingly.

It is further ordered, That commencing forthwith § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 11, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index number	Code member	Mine name	Sub-dist. number	Seam	Shipping point	Railroad	Freight origin group number	1	2	3	4	5
3744	Bonner, H. C.	Arcadia #96	12	E	Anita, Pa.[2]	PRR	[4] 50	(†)	(†)	G	(†)	(†)
3927	Buterbaugh, M. R.	Buterbaugh #2	5	D	Coal Glen, Pa.	B&O	113	(†)	(†)	E	(†)	(†)
583	Copenhaver, S. A., & W. R. Cowan (S. A. Copenhaver).	Copenhaver #2	11	E	Timblin, Pa.[3]	P&S	119	G	G	G	G	H
2163	Hill, Robert A.[1]	Corduroy (Strip)[1]	27	A'	Dean, Pa.	PRR	52	(†)	(†)	F	(†)	(†)
3923	Lansberry & Son, Abbie E.	Lansberry #1	8	B	Gray, Pa.	NYC	44	E	E	E	E	E
335	Morris Run Coal Mining Company.	Morris Run (Bloss).	3	Bloss	Morris Run, Pa.	Erie-NYC	[3]133	C	C	C	C	C
455	Morris Run Coal Mining Company.	Morris Run (Seymour).	3	Seymour	Morris Run, Pa.	Erie-NYC	[3]133	H	H	H	H	H
3919	R. & R. Coal Company (Paul B. Ross).	McWilliams #1 (s)	11	E	McWilliams, Pa.	P&S	119	(†)	(†)	G	G	H
3901	Selmars Coal Co., R. R.	Belfast #20	14	B	Philipsburg, Pa.	NYC	44	(†)	(†)	G	(†)	(†)
3925	Spencer, Harlen	Olive	6	D	Anita, Pa.	PRR	50	(†)	(†)	E	E	E

†Indicates no classification effective for these size groups.
[1] Change in name.
[2] Change in shipping point.
[3] Change in F. O. G.

NOTE: The above prices are applicable only via the respective freight Origin Groups, Shipping Points and Railroads shown for the respective mines. Freight Origin Groups, Shipping Points and Railroads previously assigned to these mines are no longer applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Sub. dist. No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine modified [1] M	2" and under slack	¾" and under slack
						1	2	3	4	5
Broadtop Coal & Lumber Co., Inc.	3924	Eagle #2	39	Bedford	Fulton	(†)	(†)	260	(†)	(†)
Brubaker, L. E. (L. E. Brubaker Coal Co.).	3858	Brubaker	5	Jefferson	E	(†)	(†)	235	(†)	(†)
Buterbaugh, M. R.	3927	Buterbaugh #2	5	Jefferson	D	(†)	(†)	245	(†)	(†)
Hartle, Edward & Earl Hartzell (Edward Hartle).	3884	Hartle & Hartzell.	1	Clarion	B	255	240	240	230	220
Lansberry & Son, Abbie E.	3923	Lansberry #1	8	Clearfield	B	270	245	245	225	225
McCleskin, James.	2616	Sugar Bush	5	Jefferson	E	260	(†)	(*)	225	(†)
M. M. L. Coal Company (Walter Lesher).	3915	Brady	7	Clearfield	E	(†)	(†)	240	(†)	(†)
R. & R. Coal Company (Paul B. Ross).	3919	McWilliams #1	11	Armstrong	E	(†)	(†)	235	225	210
Selmars Coal Co., R. R.	3904	Belfast #20	11	Centre	B	(†)	(†)	235	(†)	(†)
Seese, Samuel, Mrs. (Brookdale Coal Company).	3015	Brookdale Coal Co.	29	Cambria	C'	270	(†)	(*)	235	(†)
St. Clair, Robert & Kenneth Leasure (Robert St. Clair).	3905	St. Clair	15	Indiana	E	(†)	(†)	245	(†)	(†)
Spencer, Harlen	3925	Olive	6	Jefferson	D	(†)	(†)	245	235	225
Witherow, R. L. & W. R. (R. L. Witherow).	3880	Mill Creek (Strip)	1	Jefferson	B	265	240	240	230	220

†Indicates no classifications effective for these size groups.
*Note: Coal in this size group previously classified and priced.

[F. R. Doc. 43-4519; Filed, March 24, 1943; 11:16 a. m.]

[Dockets Nos. A-1828, A-1842 and A-1844]

PART 323—MINIMUM PRICE SCHEDULE; DISTRICT NO. 3

ORDER GRANTING RELIEF

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 3 for the establishment of price classifications and minimum prices and for changes in shipping points and freight origin group numbers for the coals of certain mines in District No. 3 and in the matter of the petition of Mountaineer Engineering Company, a code member in District No. 3, for a change in the shipping point for the coals of its Cottrell Mine located in District No. 3.

Original petitions having been duly filed with this Division by the above-named parties, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the shipping points and Freight Origin Group Numbers for the coals of certain mines in District No. 3; and

It appearing that the above-entitled petitions raise similar and related issues and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled petitions be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplements R–I and R–V, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplements R–II and R–VI, § 323.8 (*Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplements R–III and R–VII, § 323.8 (*Special prices*—(a) *Bunker fuel—tidewater*) is amended by adding thereto Supplement R–IV, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith and shipping points and Freight Origin Group Numbers appearing in the aforesaid Supplements R–I and R–V for certain mines are effective in lieu of the shipping points and Freight Origin Group Numbers heretofore established for said mines.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matter, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4, II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless otherwise ordered.

Dated: February 26, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
498	Altidel Coals (Jay I. Snoderly)	Ned (S)	Pittsburgh	Wilsonburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	†	†	†	†	†	†
491	B & H Coal Co. (E. H. Burke)	Country Club (S)	Pittsburgh	Bridgeport, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	†	†	†	†	†	†
1376	Baker, David H., Jr.	Baker Coal Co.	Pittsburgh	Fassasoxy, W. Va.	B&O	32	F	F	F	F	F	F	F	F	F	F	†	†	†	†	†	†
636	Davis Coal Company (Everett J. Davis).	Viropa	Pittsburgh	Bingamon Jct., W. Va.	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1364	Gallardi Coal & Coke Co.	Asheraft (S)	Pittsburgh	Rosebud, W. Va.	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
497	Keeley Construction Company	Keeley #1 (S)	Pittsburgh	Clarksburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
937	Scriebfield, D. L.[1]	Scriebfield #3[1]	Pittsburgh	Bingamon Jct., W. Va.	WM	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
495	Vincent Coal Co., Inc.	Furner #1 (S)	Pittsburgh	Wolf Summit, W. Va.																		
496	Vincent Coal Co., Inc.	Furner #2 (S)	Pittsburgh	Wolf Summit, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
285	Weddell, James C. (Black Diamond Coal Co.).	Clelland #1 (S)	Pittsburgh	Kingmont, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
					B&O	50	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)

[1] Indicates change in name.
†Indicates no classifications and prices effective for these size groups.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R–II.

NOTE: For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule.

Group No. 1: 285, 494, 495, 496, 497, 498, 636, 937, 1364, 1376.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports*—Supplement R–III.

NOTE: For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule.

Group No. 1: 285, 494, 495, 496, 497, 498, 636, 937, 1364, 1376.

§ 323.8 *Special prices* (a) *Bunker fuel—tidewater*—Supplement R–IV.

NOTE: Add to § 323.8 (a) in Minimum Price Schedule the following:

Bunker fuel—Tidewater.

Freight origin group Nos.	Run of mine classification	F. o. b. mine price
10–11	D	224

Docket Nos. A-1828, A-1842, and A-1844.

§323.6 *Alphabetical list of code members*—Supplement R–V

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
386	Consolidation Coal Company	[1]Consol. #22-D (S)	Pittsburgh	Monogah, W. Va.	B&O	61	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
482	Mountaineer Engineering Co.	Cottrell (S)	Pittsburgh	Fairmont, W. Va.	B&O	50	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
1522	Woolridge Coal Company	Richwood #1	Sewell	Holcomb, W. Va.	B&O	10	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

[1] Indicates change in name.
†Indicates no classifications and prices effective for these size groups.

NOTE: The above prices for Mine Index No. 386, 482, and 522 are applicable only via the respective Freight Origin Groups, Shipping Schedule.

This general license does not supersede any State or local law forbidding the purchase, possession or

Director General for Operations or of his predecessors, the Director of Industry Operations of the War Production

ing of General Preference Order M-84, as amended:

Section 1000.1 General Preference Order

corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

NOTE. The above prices for Mine Index No. 386, 482, and 522 are applicable *only* via the respective Freight Origin Groups, Shipping Points, Railroads and Railroad Fuel Groups shown for the respective mines. Freight Origin Groups, Shipping Point, Railroads and Railroad Fuel Groups shown in previous schedules are hereby deleted.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement VI.

NOTE. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b), in Minimum Price Schedule.

Group No. 1. 386, 482; *Group No. 5.* 522.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes—all ports.*—Supplement R–VII.

NOTE. For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule.

Group No. 1. 386, 482; *Group No. 5.* 522.

DISTRICT No. 3

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code number index	Mine Index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg over 2", bottom size	Lump 2", egg 2" bottom size but over 1¼"	Lump 1¼" and under, egg 1¼" and under, bottom size	All nut and pea, 2" and under	Run of mine resultant over 2"	1¼" and 2" slack	¾" slack
					1	2	3	4	5	6	7
Altdel Coals (Jay I. Snoderly).	498	Ned (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
B & H Coal Co. (E. H. Burke).	491	Country Club (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Consolidation Coal Company.	386	Consol. (S)	#22–1) Pittsburgh.	Marion	243	238	238	213	213	198	188
Davis Coal Company (Everett J. Davis).	636	Viropa	Pittsburgh	Harrison	243	238	238	213	213	198	188
Faulkner, J. W.	469	Wade Rhodes	Pittsburgh	Lewis	243	238	238	213	213	198	188
Gilardi Coal & Coke Co.	1364	Asheraft (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Keeley Construction Company.	497	Keeley #1 (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Scritchfield, D. L.	937	Scritchfield #3	Pittsburgh	Harrison	243	238	238	213	213	198	188
Vincent Coal Co., Inc.	495	Furner #1 (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Vincent Coal Co., Inc.	496	Furner #2 (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Weddell, James C. (Black Diamond Coal Co.).	285	Clelland #1 (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Woodridge Coal Company.[1]	522	Richwood #1	Sewell	Nicholas	273	268	268	243	243	233	213

[1] Indicates change in name.

[F. R. Doc. 43–4521; Filed, March 24, 1943; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 303—GENERAL LICENSES PERTAINING TO EXPLOSIVES

PURCHASER'S LICENSE FOR SPECIFIED FIREWORKS

§ 303.7 *General purchaser's license for limited quantities of specified fireworks manufactured before January 1, 1943.* A general license is hereby granted under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), to any individual not forbidden by Presidental or War Department proclamation, or regulations of the Attorney General, to possess explosives, authorizing him to purchase, possess, and use for amusement a combined total at any one time of not more than 10 pounds of the following described fireworks: colored lights, dipped sticks, paper caps in which the explosives content per cap is not more than 0.15 grains, smoke pots, snakes which do not contain any mercury salt, sparklers, torches, fountains and mines in which no explosive is used except as a propellant or expellant and no part of the contents of which will carry more than 15 feet in any direction, and wheels of which no part of the contents will carry more than 15 feet in any direction.

This general license applies orily to fireworks manufactured before January 1, 1943. It relieves persons covered by it from the duty of applying for and securing individual licenses. It does not relieve anyone who sells or distributes fireworks to such persons from the duty of keeping records of such transactions as prescribed by the Act or the regulations issued under the Act or from any other obligation with respect to explosives imposed by the Act or the regulations.

This general license does not supersede any State or local law forbidding or regulating the purchase, possession or use of fireworks.

This general license expires at midnight, July 10, 1943, unless sooner terminated.

R. R. SAYERS,
Director, Bureau of Mines.

The foregoing general license is approved, and all regulations inconsistent therewith are waived.

Dated: March 19, 1943.

MICHAEL W. STRAUSS,
First Assistant Secretary, Department of the Interior.

[F. R. Doc. 43–4590; Filed, March 25, 1943; 11:44 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 36]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Part 801—General Regulations is hereby amended by adding the following new section:

§ 801.15 *Prohibited exportations to certain consignees.* The exportation from the United States of all commodities enumerated in § 801.2 of this subchapter and all technical data as defined in § 806.1 of this subchapter to any member of the armed forces of an enemy country, who is a prisoner of war, or to any interned national of an enemy country, is hereby prohibited, regardless of destination, unless and until an individual license authorizing such exportation shall have been issued by the Office of Exports.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 24, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43–4567; Filed, March 25, 1943, 11:03 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 1 to WPB Reg. 1 as Amended March 24, 1943]

RATIFICATION AND CONFIRMATION OF PRIOR ACTIONS, ETC.

Section 903.0. *WPB Regulation No. 1,* as amended March 24, 1943 [8 F.R. 3666] is hereby further amended by adding an additional paragraph as follows:

(e) All existing rules, regulations, orders, directives, directions, certificates, delegations of authority and other actions taken by or under authority of the Director General for Operations or of his predecessors, the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management, or by the Rubber Director or the Director of War Utilities, are hereby ratified and confirmed and shall remain in full force and effect until they expire by their terms or are revoked or amended, and any references therein or in any rule, regulation, order, directive, direction, certificate or other action hereafter issued or taken, to action taken by the Director General for Operations, the Director of Industry Operations, the Director of Priorities, the Rubber Director or the Director of War Utilities shall be deemed to be references to action taken pursuant to this regulation, as amended. Pending the adoption and preparation of revised forms, and until otherwise ordered, rules, regulations, orders, directives, directions, certificates, delegations or other actions hereafter issued or taken in the name of the Director General for Operations, the Rubber Director or the Director of War Utilities in any manner heretofore or hereafter authorized shall be valid for all purposes to the same extent as if issued or taken in the manner prescribed in this regulation as amended.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued March 25, 1943.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 43–4581; Filed, March 25, 1943; 11:30 a. m.]

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1080—TEAK

[Revocation of General Preference Order M–83]

Section 1080.1 *General Preference Order No. M–83* is hereby revoked.

Issued this 25th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4582; Filed, March 25, 1943; 11:29 a. m.]

PART 1090—AGAVE FIBER, AGAVE PRODUCTS AND CERTAIN OTHER CORDAGE

[Interpretation 1 of General Preference Order M–84, as Amended]

The following official interpretation is hereby issued with respect to the meaning of General Preference Order M–84, as amended:

Section 1090.1, General Preference Order M–84, in paragraph (d) (4) prohibits processors of agave fiber from processing or selling or delivering agave cordage except for certain end uses specified in that paragraph. Paragraph (d) (5) of the same order provides that each purchaser of agave cordage must furnish his seller a certificate in a form set out in that paragraph, and prohibits any person from selling or delivering any agave cordage without obtaining a certificate in the prescribed form. The signer of the certificate is required to represent to the seller and the War Production Board that the agave cordage covered by the certificate will be used or sold only for purposes authorized in paragraph (d) (4). A question has been raised whether paragraph (d) (5) extends the limitation of paragraph (d) (4), so that agave cordage produced by a foreign processor not under the limitations of the order is permitted to be sold only for purposes permitted by paragraph (d) (4).

The restrictions of paragraph (d) (5) do not apply to cordage manufactured in a foreign country by a processor not subject to the order. Such cordage may be sold or delivered in the United States without regard to paragraph (d) (4). It is of course subject to paragraph (d) (3), to any orders of the War Production Board issued pursuant to paragraph (h), and (since it is listed on List 2 of Order M–63) to any conditions on importation imposed by the War Production Board pursuant to paragraph (b) of Order M–63.

Issued this 25th day of March 1943.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4583; Filed, March 25, 1943; 11:29 a. m.]

PART 1095—COMMUNICATIONS

[Revocation of General Conservation Order L–50, as Amended]

General Conservation Order L–50, as Amended (§ 1095.1) is hereby revoked and shall be superseded by Utilities Order U–2.

Issued this 25th day of March 1943.

J. A. KRUG,
Director, Office of War Utilities.

[F. R. Doc. 43–4584; Filed, March 25, 1943; 11:29 a. m.]

PART 3212—BUSWAYS

[General Limitation Order L–273]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3212.1 *General Limitation Order L–273*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacture" means to fabricate, process or assemble materials into busway.

(3) "Busway" means any bus duct, busway, or other device for the transmission and distribution of electric energy at 600 volts or less, and consisting of prefabricated (factory fabricated) sections or units made up of rigid copper conductors of any shape or arrangement, separated by insulators or insulating material and enclosed in a case or attached to a supporting framework, and assembled into a connected system in the course of installation, and includes plug-in devices, feed-in boxes, over-current protective devices, and any other parts designed for use therewith.

(i) "Plug-in type busway" means busway having a case (or framework) designed primarily to afford protection against accidental contact and, or extra rigidity for use with plug-in devices; and

(ii) "Feeder type busway" means busway having a case (or framework) affording mechanical protection and rigidity for the support normally required, but designed primarily to assure maximum current carrying capacity without excessive temperature rise.

(iii) The term "busway" shall no. include

(*a*) Busway designed for use with movable or rolling trolleys; or

(*b*) Busway having a cross-sectional area per conductor of less than 50,000 circular mills; or

(*c*) Extensions of any size or type of busway or conductors not exceeding ten feet in length furnished as an integral part of a switchboard, panelboard, or distribution transformer bank; or

(*d*) Step type busway designed to be used as a distribution center wherein provision is made to tap branch circuit wiring to over-current protective devices directly from the busway conductors through the use of lugs bolted on such conductors, and not having provision for the use of plug-in devices.

(b) *Restrictions on acceptance of orders, and deliveries.* On and after April 5, 1943, no manufacturer, dealer or other person shall accept any order for any new busway, or deliver any busway under any order tendered before or after that date, unless such order bears a preference rating of AA–5 or higher.

(c) *Restrictions on mechanical and electrical design.* Except as otherwise provided in paragraph (d) of this order, no person shall manufacture or deliver, and no person shall accept delivery of, any busway which is not manufactured in accordance with the following restrictions:

(1) (i) *Plug-in type busway.* No person shall manufacture any plug-in type busway having any line or phase copper conductors of any size except the sizes designated below, and such busway shall not contain more than the specified quantities of steel per linear foot:

way delivered pursuant to an order ac-

dustrial Equipment Division, Washing-

or who, in connection with this order,

Reference No.	Nominal ampere rating	Copper circular mil area for conductor	Conductor tolerance	Steel maximum lbs. per linear foot
Plug-in type			*Percent*	
1	250	134,000	±5	4.5
2	400	301,000	±5	4.5
3	600	472,000	±5	4.5

Provided, that no person shall manufacture any such busway, with provision for the use of plug-in devices, of larger size or capacity than Size No. 3 above unless and until specifically authorized to do so by the War Production Board pursuant to paragraph (d) of this order; and if authorized, the sizes of copper conductors used shall conform to the conductor sizes, and the steel used therein per linear foot shall not exceed the quantities specified below for corresponding sizes of feeder type busway.

(ii) *Feeder type busway.* No person shall manufacture any feeder type busway having any line or phase copper conductors of any size except the sizes designated below, and such busway shall not contain more than the specified quantities of steel per linear foot:

Reference No.	Nominal ampere rating	Copper circular mil area per conductor	Conductor tolerance	Steel maximum lbs. per linear foot
Feeder Type			*Percent*	
1	250	134,000	±5	4.5
2	400	301,000	±5	4.5
3	600	472,000	±5	4.5
4	800	637,000	±5	6.0
5	1,000	957,000	±5	8.0
6	1,350	1,273,000	±5	7.0
7	1,600	1,180,000	±5	8.0
8	2,000	1,914,000	±5	8.0
9	3,000	3,130,000	±5	9.0
10	4,000	5,104,000	±5	10.0

Provided, that no person shall manufacture any feeder type busway in Sizes 9 or 10 above unless and until specifically authorized to do so by the War Production Board, pursuant to paragraph (d) of this order, after it has been demonstrated to the satisfaction of the latter that the use of runs of smaller size feeder type busway would not be practicable.

(iii) For the purpose of this order, the "nominal ampere rating" shall be deemed to indicate the approximate capacity of the designated size of busway under average installation conditions and continuous operation, but shall not be construed to prohibit the use of the designated size for carrying a load in excess of, or less than, such nominal ampere rating; and the "steel maximum lbs. per linear foot" shall mean the permitted average weight in pounds of steel per linear foot included in the case (or framework), insulator supports, covers, nuts, bolts, straps, and other hardware, but excluding any hangers, or other supporting members which are used for attaching the busway to the structure in which installed.

(2) (i) No person shall manufacture more than one model or design of plug-in type busway, or of feeder type busway, in any of the sizes provided for under the preceding paragraph (c) (1), except that any person may produce not more than two models or designs in Size No. 1 of plug-in type busway. The use of any of the following types or arrangements of busway parts shall not be deemed to constitute a separate model or design within any of the sizes provided for under the preceding paragraph (c) (1):

(*a*) Conductors in single phase, two pole; three phase, three pole; three phase, four wire; two phase, four wire, or two phase, five wire;

(*b*) Use, or non-use, of plug-in or ventilating openings in Sizes No. 1 to No. 3 inclusive, of any busway;

(*c*) Use of additional sealing compound to afford weatherproof construction;

(*d*) Variations in length of sections, or in size or shape of such associated fittings as elbows, crosses, tees, connections between busway sections of different sizes or types, or special end construction to fit switchboards, panelboards and other devices not a part of the busway system.

(ii) After April 24, 1943, no person shall manufacture any plug-in type or feeder type busway, in any size, or of any design or model, unless and until he has first filed with the War Production Board on Form PD–834 a description of the size and model or design of such busway. Such description shall clearly set forth the following information with regard to such busway:

(*a*) Nominal cross-sectional dimensions of line or phase copper conductors;

(*b*) Average weight in pounds of steel used per linear foot, computed in accordance with (c) (1) (iii) above;

(*c*) Insulator spacing when ten foot sections are used;

(*d*) Type of plating or finish used on bus bar;

(*e*) Type of paint or finish used on case or framework;

(*f*) Case design with nominal dimensions and thickness, U. S. S. gauge, of the busway case (or framework).

The models or designs so described shall constitute the standard models or designs adopted by the manufacturer as those which he proposes to manufacture in accordance with paragraph (c) (2) (i) above.

(iii) Except as permitted under paragraph (c) (2) (i), no person shall alter or change any such model or design manufactured by him to such an extent that it does not substantially conform to the description adopted and furnished by him pursuant to this order, or manufacture any busway of any other model or design for any particular installation, unless and until he has been specifically authorized to do so by the War Production Board, pursuant to paragraph (d) of this order, after it has been demonstrated to the satisfaction of the latter that such change of the standard model or design would result in the conservation of additional quantities of steel or other critical materials, or the more effective utilization of labor or production facilities without increase in the use of such materials, or that the manufacture of an exceptional model or design is essential on account of the exceptional installation conditions of the particular installation.

The application for such specific authorization shall be made on Form PD–834 if a new standard model is proposed, or by letter if a variance for a particular installation is requested, and shall include a description of the proposed model or design as specified above under (c) (2) (ii). If such authorization is granted, all busway manufactured pursuant thereto shall be in conformity with such description, and if a new standard model or design is thereby established in any size for a particular manufacturer, such model or design shall replace his former model or design in such size.

(3) No person shall manufacture any feeder type busway unless it is so designed that any designated size will carry, under continuous duty, a full power load equivalent to the nominal ampere rating for such size as indicated under paragraph (c) (1) (ii) above, and without exceeding a temperature rise of 70° C. in any part of the conductors when the busway is so placed in various horizontal positions that the maximum temperature rise in any conductor is attained at the heat saturation point (when measured for "hot-spot" temperatures in accordance with American Institute of Electrical Engineers Standards, "A. I. E. E. No. 1, June 1940").

(4) No person shall manufacture any plug-in type or feeder type busway which contains in, or as a plating or finish on, the case (or framework), nuts, bolts, washers, name plates or identification plates any of the following materials: aluminum, copper, chromium, nickel, cadmium, or zinc, or alloys thereof.

(d) *Authorizations.* Application for authorization by the War Production Board under paragraphs (c) (1) (i), or (c) (1) (ii), or for a particular installation under (c) (2) (iii) above, shall be made by the manufacturer, by letter, in triplicate, setting forth facts sufficient to enable the War Production Board to determine the necessity or justification for such an authorization.

(e) *Exemptions.* The restrictions and limitations of paragraph (c) of this order shall not apply:

(1) To the manufacture and delivery of any plug-in type or feeder type busway delivered pursuant to an order accepted prior to April 5, 1943, provided such delivery is made prior to May 24, 1943.

(2) To the use of component parts of busway which on April 5, 1943, had been fabricated or processed to the extent that use in conformity with this order would be impractical; or

(3) Until 90 days after April 5, 1943, to the manufacture or delivery of any busway to be delivered for the direct use of, the Army, Navy, Maritime Commission, or War Shipping Administration, to the extent that any applicable specifications of any such organization require construction, design or materials not in accordance with the provisions of this order. As used in this paragraph, the terms "Army", "Navy", "Maritime Commission", and "War Shipping Administration" shall not include any privately operated plants or shipyards financed by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all regulations of the War Production Board, as issued and amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production, and sales of busway.

All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: L–273.

Issued this 25th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4585; Filed, March 25, 1943; 11:29 a. m.]

PART 3218—FERROCOLUMBIUM

[General Preference Order M–296]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of ferrocolumbium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3218.1 *General Preference Order M–296.*—(*a*) *Definition.* For the purpose of this order:

(1) "Ferrocolumbium" means any alloy containing 45 percent or more by weight of the element columbium.

(b) *Restrictions on use of ferrocolumbium.* No person shall melt or otherwise process ferrocolumbium except as specifically authorized by the War Production Board.

(c) *Restrictions on deliveries.* No person shall deliver or accept delivery of ferrocolumbium without the specific authorization of the War Production Board. The War Production Board will, from time to time, allocate the supply of ferrocolumbium and specifically direct the manner and quantities in which deliveries thereof to particular persons or for particular uses shall be made or withheld. Such allocations and directions will be made primarily to insure the satisfaction of all war requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(d) *Application for specific authorization.* Application for specific authorization to acquire or to melt or otherwise process ferrocolumbium shall be made on Form PD–391 or PD–707 or such other form as may be, from time to time, prescribed for the purpose, and in addition each applicant for such permission shall report on Form PD–805. Applications and reports shall be filed at such time and in such manner as may be required by the instructions accompanying the appropriate forms prescribed by the War Production Board.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(g) *Communications to War Production Board.* All reports and applications required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Steel Division, Ferro-Alloys Branch, Washington, D. C., Reference M–296.

Issued this 25th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4586; Filed, March 25, 1943; 11:29 a. m.]

Subchapter C—Director, Offices of War Utilities

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES: MATERIALS

[Supplementary Utilities Order U–1–c as Amended March 24, 1943]

Supplementary Utilities Order U–1–c is hereby amended to read as follows:

§ 4500.4 *Supplementary Utilities Order U–1–c—Connections to serve farm production equipment.* Notwithstanding the provisions of paragraph (b) of Utilities Order U–1, electric service connections may be made by producers to permit the operation of farm production equipment. *Provided*, That all of the following conditions are satisfied:

(a) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA–5 or better has been assigned to deliveries of such equipment to him:

(1) Water pump for livestock.
(2) Milking machine.
(3) Milk cooler.
(4) Incubator.
(5) Brooder.
(6) Feed grinder
(7) Milk sterilizer.

(b) There is no other means of operating such equipment on the premises.

(c) The length of such connection will not exceed 100 feet per animal unit determined in accordance with Schedule I annexed hereto, and will not exceed 5,000 feet total length, except upon specific authorization from the Director, Office of War Utilities.

(d) The prospective consumer will use electric service to operate equipment

for farm production, and has livestock on hand which, together with his estimated production of livestock for market, aggregates not less than 5 animal units, determined in accordance with Schedule I annexed hereto.

(e) Primary lines are single phase and are constructed of:

(1) No. 6 galvanized steel wire, or

(2) To the extent that it is available in the excess inventory of any producer, (i) copper-covered steel wire, (ii) No. 4 A. C. S. R. conductor, or (iii) No. 6 A. C. S. R. conductor, or

(3) Any conductor having conductivity equal to or less than that of No. 6 copper conductor, which, after March 24, 1943 is salvaged from plant.

(f) Secondary lines and services require not more than 30 pounds of nonferrous metal for any prospective consumer.

(g) The prospective consumer's application for service is accompanied by a certification from his USDA County War Board in substantially the following form:

(To the Utility Addressed):

Mr. ----------, who has livestock on hand which, together with estimated production of livestock for market, aggregates not less than five animal units, is eligible for an electric connection of ------ feet under the terms of Supplementary Utilities Order U-1-c. In the opinion of this USDA County War Board this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-c.

(For USDA County War Board)

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of March 1943.

J. A. KRUG,
Director, Office of War Utilities.

SCHEDULE I—EQUIVALENT ANIMAL UNITS

A. Livestock on hand:	
1 milk cow	One unit.
10 beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot)	One unit.
30 breeding ewes	One unit.
3 brood sows	One unit.
75 laying hens	One unit.
40 turkeys or geese	One unit.
B. Estimated production of livestock for market:	
20 cattle (in feed lot) per year	One unit.
160 lambs (in feed lot) per year	One unit.
30 feeder pigs per year	One unit.
250 chickens (not broilers) per year	One unit.
600 chickens (broilers) per year	One unit.
125 turkeys or geese per year	One unit.

[F. R. Doc. 43-4547; Filed, March 24, 1943; 3:51 p. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U-2]

General Conservation Order L-50 as heretofore amended, is hereby revoked and shall be superseded by Utilities Order U-2 as follows:

§ 4501.1 *Utilities Order U-2*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service (and such telegraph and teletypewriter service as may also be conducted by him), within, to, or from the United States, its territories or possessions.

(2) "Exchange line plant" means all that portion of an operator's local wire or cable distribution system which extends from the central office main frame, exclusive of poles, crossarms, insulators, and non-metallic conduit, and associated hardware and guys, and exclusive of drop and block wires.

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable with material of a better kind, quality or design.

(4) "Drop and block wires" means the portion of a customer's circuit (whether aerial or underground) extending from the inside wire (usually at the station protector or connecting block), or from the station equipment when no inside wire is involved, to the point of connection with the general overhead or underground system. This includes such circuit, carried by means of wire or small cables, extending to the cable terminal in cases where connection is made with a general cable system, or to the point of connection with the aerial wire plant in cases where connection is made with a general wire system, and also includes brackets, bridle rings, insulators, knobs, span clamps, screws, sleeves, strand, tubes, and other material used in the installation of drop and block wires; and the pipes or other protective covering for underground service connections.

(5) "Station installations" means the wires (or small cables) from the station apparatus to the point near the entrance to the building where the drop or block wire or cable terminates, or to the junction boxes where the house cable or other cable terminates; the wires (or small cables) used to connect station apparatus in the same building, such as main stations with extension stations, and stations of intercommunicating systems; the wires (or small cables) used to connect private branch exchange switchboards or their distributing frames with terminal stations located in the same building, and the clamps, cleats, connecting blocks, ground wire, ground rods, nails, station protectors, screws, and other material used in the installation of station apparatus and inside wires. The cables referred to above are the small cables used in station installations instead of wires, such as those run from wall outlets or floor terminals to the station apparatus. Inside wires (or small cables) installed specifically to serve as trunk, battery, or generator circuits from a private branch exchange to the point of connection with the permanent house or outside cables or wires shall be considered as a part of the station installation. The term "station installations" does not include the telephone instrument or other "station apparatus."

(b) *General.* (1) All operators shall conserve scarce and critical materials by the employment of all practical methods such as: the use of such types of equipment and facilities as will reduce the use of such materials to a practical minimum and meet necessary service requirements, the substitution of less scarce materials, when such substitution can be made without serious loss of efficiency, the reuse of existing telephone equipment and facilities.

In order to make maximum use of existing facilities and at the same time to avoid as far as practicable the use of scarce and critical materials to provide additional exchange central office call carrying capacity and exchange interoffice trunks in the event of any future substantial increase in local telephone usage, all operators shall limit the number of main telephone stations (i. e., the total number of stations and P. B. X. trunks exclusive of extension stations and P. B. X. stations) connected to any central office to 105 per cent of the number of main stations that the central office was designed to serve under prewar engineering and operating practices (except this limitation need not be applied in the case of a single-office exchange where the central office is designed to serve less than 1000 main telephone stations): *Provided, however,* That where the number of main stations now connected to a central office already exceeds the 105 per cent limit specified above, the number already connected need not be reduced so long as the service is satisfactory.

(2) All operators shall discontinue the further installation or reconnection of:

(i) Residence extensions, or jacks and plugs therefor;

(ii) Residence private branch exchange telephones, or jacks and plugs therefor;

(iii) Additional main lines or stations on party lines in substitution for (i) and (ii) above.

Temporary installation of residence extensions may be made when essential in cases of serious illness.

The installation and reconnection in residence quarters of telephones connected to private branch exchanges serving hotels, apartment houses, etc., may be made to the extent that no more than one such telephone shall be provided in any single residence quarters.

(3) All operators shall discontinue the placing of open copper wire in exchange line plant.

(4) All operators shall discontinue the further installation of dial private branch exchange systems and dial private intercommunicating systems. This does not, however, prohibit: the installation by an operator of such systems of less than 100 lines where such equipment is already in the stocks of operators; the installation of additions to such existing systems; or, moves of such systems for the same subscriber within the same exchange area, or to a contiguous exchange area of the same operator, where effected in accordance with the limitations of paragraph (e) of this order.

(5) Service, involving exchange central office equipment and/or exchange line plant, installed or reconnected on and after the 15th day of April, 1943 shall be on an interim basis only, that is, subject to regrading and disconnection as provided in paragraph (d). Exchange central office equipment and/or exchange line plant made available through normal disconnections shall be used to take care of current applications for service of the kind included in paragraph (e) (1) (i) before such facilities are used currently to complete applications for service in other categories. Idle facilities may be reserved where necessary to meet promptly the known or fairly anticipated service requirements of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii).

(6) All operators shall discontinue the further installation of teletypewriters for persons other than those of the kind included in paragraph (e) (1) (i). This does not prohibit moves of teletypewriters for the same subscriber within the same exchange.

(7) Except where necessary to meet the needs for service of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii), all operators shall limit the length along the exchange aerial cable system or the aerial wire system of further installations of drop and block wires in exchanges serving more than 1000 main telephone stations to one pole to pole span from the point of connection with the existing plant (except where this span is less than 75 feet, in which case the length along the exchange cable system or the aerial wire system shall be limited to two spans) and in exchanges serving less than 1000 main stations to two pole to pole spans from the point of connection with the existing plant.

(c) *Restrictions on replacements.* (1) All operators shall limit the replacement of equipment and facilities (except poles, crossarms, insulators and non-metallic conduit, associated hardware and guys and station installations) to the essential requirements of maintenance, repair or protection of existing service, except:

(i) Where necessary to provide a permanent installation in lieu of one temporarily made to meet an exigency;

(ii) A substitution of facilities necessitated either by decreased service demands or by the provisions of paragraphs (d) (1) or (d) (2);

(iii) A substitution of telephone sets necessary to effect a change in the "class" or "grade" of service, provided such change is not otherwise prohibited by this order. The "classes" of service involved are business, residence, semi-public, residence coin; the "grades" of services involved are individual, two-party, four-party, multi-party.

(d) *Regrading, disconnections and substitutions.* (1) To the extent necessary to meet minimum needs for service of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii), all operators shall make available additional exchange central office equipment and/or exchange line plant in the following order in so far as practicable:

(i) By regrading existing service whenever current installations of central office equipment will permit, except where regraded service will not meet the minimum service needs of residence subscribers of the kind included in paragraph (e) (1) (i) or of business subscribers. In so far as practicable such service shall be regraded in the reverse order of the dates of connection at the existing locations (i. e., the most recently connected service shall be regraded first), except that service furnished on an interim basis shall be regraded before other service.

(ii) By disconnection of service furnished on an interim basis other than that of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii). In so far as practicable disconnection of such service shall be in the reverse order of the dates of connection at the existing locations, except that residence service shall be disconnected before business service.

(2) All operators shall substitute other types of teletypewriters to the extent necessary to secure equipment needed to meet minimum needs for service of the kind included in paragraph (e) (1) (i) in so far as the minimum service needs of the persons affected permit.

(e) *Limitations on additions.* (1) All operators shall limit additions of exchange central office equipment and exchange line plant to such as are essential to the maintenance or protection of existing service, except that, when no additional facilities may be recovered or made available by the methods described in paragraph (d) above, additions may be made to the extent necessary:

(i) To meet the known or fairly anticipated demands for service essential to persons engaged in direct defense or charged with responsibility for public health, welfare or security including, but not limited to, those in the service categories shown in Schedule A attached; where their employment in direct defense or their responsibilities for public health, welfare, or security require such service for the proper discharge of such duties: *Provided,* That such additions shall not be made for residence service except in accordance with paragraphs (e) (1) (iii) and (e) (1) (iv).

(ii) To provide for the installation of public pay stations to meet essential public demands.

(iii) To provide service requested by producers of substantial quantities of food where such service is essential to such producers' operations: *Provided, however,* That in no single case shall there be used more than 100 pounds of steel or iron wire in the case of grounded circuits nor more than 200 pounds in the case of metallic circuits for each such subscriber connected.

(iv) To provide cable terminals required in existing exchange line plant to make available for use facilities not otherwise usable for known demands.

(f) *Engineering and planning.* Except in respect to poles, crossarms, insulators and non-metallic conduit, and associated hardware and guys, all operators shall:

(1) Engineer all replacements and additions to exchange plant so as to limit the margins for expected growth of service requirements of the kind described in paragraphs (e) (1) (i), (e) (1) (ii), to a period not in excess of one-half the period for which provision would be normally made, but in no event to exceed a period of three years.

(2) Engineer all replacements or additions to toll plant so as to limit the margins for expected growth of service requirements to a period not in excess of one-half the period for which provision would be normally made, but in no event to exceed a period of three years; provided, however, that this requirement shall not require the limitation of the margins of such growth to a period less than one year, and provided, further, that conductors in cables designed or suitable for use with carrier current systems may be provided (but not equipped) in such numbers that, when fully utilized by present or immediately contemplated carrier current system technique, they will provide for margins for expected growth of one-half the normal provision for such growth, even though such provision exceeds a three-year period.

(g) *Non-applicability to certain replacements and additions.* The terms of paragraphs (b), (c), (e) and (f) shall not prohibit:

(1) Replacements and or additions authorized after September 7, 1942 by the issuance of:

(i) A preference rating certificate pursuant to an application for priorities assistance on Form PD-200;

(ii) An order of the War Production Board specifically authorizing such replacement and or addition; or

(iii) Approval of an application on Form PD-685.

(2) The completion of projects in accordance with the provisions of General Conservation Order L-50 as amended September 7, 1942, the physical installation of which projects was started on or before the 25th day of March, 1943.

(h) *Reports.* All operators affected by this order shall execute and file with the Office of War Utilities such reports as the Director, Office of War Utilities, shall from time to time require.

(i) *Records.* Each operator affected by this order shall keep and preserve for not less than two years accurate and complete records concerning his use of steel or iron wire and number of main telephone stations connected under the provisions of paragraph (e) (1) (iii) subject to the inspection of the duly authorized representatives of the War Production Board.

(j) *Exemption of armed services.* The restrictions of paragraphs (b) (3), (b) (4) and (c) shall not apply to facilities for the official use of the armed services of the United States.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form PD-761, giving all information required by said form.

(l) *Violations.* Any person who wilfully violates any provision of the order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington, D. C., Ref.: U-2.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of March 1943.

J. A. KRUG,
Director, Office of War Utilities.

SCHEDULE A

GENERAL CATEGORIES OF TELEPHONE SERVICE RELATED TO DIRECT DEFENSE, PUBLIC HEALTH, WELFARE OR SECURITY

1. Official Army, Navy, Marine Corps, Coast Guard, civilian defense services.

2. Official Federal, State, county and municipal government services.

3. Official agencies of foreign governments.

4. (a) Public or private organizations directly serving the public safety, health or welfare, such as: hospitals, clinics, sanitoria; physicians, surgeons, dentists, nurses, nurses' registries, veterinarians, ambulance services, manufacturers or distributors (wholesale and retail) of drugs, surgical, medical, hospital or dental supplies or equipment; mortuaries, burial service organizations, the American Red Cross and similar agencies.

(b) Common carriers, pipe line companies, all types of public utilities.

(c) Press associations, newspapers, radio broadcasting stations.

(d) Philanthropic and eleemosynary organizations recognized as such by the Bureau of Internal Revenue, including their fund-raising offices; United Service Organizations and other similar organizations; religious establishments and their officiating clergy; Christian Science Practitioners; public and private schools; and food processing, food distribution (wholesale and retail) and food storage organizations.

5. Business concerns furnishing material, equipment or facilities under prime or subcontracts to the armed services of the United States (and their suppliers); persons rendering special services in connection with construction of defense projects as shall be authorized pursuant to Preference Rating Order P-19-h, such as contractors, engineers, architects, etc.; and labor unions having bona fide collective bargaining agreements with business concerns identified in this Category 5.

6. The business or management offices of new housing developments.

[F. R. Doc. 43-4587; Filed, March 25, 1943; 11:29 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 31,[1] Amendment 2]

TAX ON TRANSPORTATION OF PROPERTY IMPOSED BY REVENUE ACT OF 1942

A statement of the considerations involved in the issuance of this Amendment No. 2 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (b) (13) is added to § 1305.36 to read as set forth below.

§ 1305.36 *Treatment of the tax on transportation of property imposed by the Revenue Act of 1942.* * * *

(b) This Supplementary Order No. 31 shall not apply to the following price regulations:

* * * * * *

(13) Section 1351.1520 of Maximum Price Regulation No. 289[2]—Butter.

* * * * * *

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4532; Filed, March 24, 1943; 3:11 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[3] Amendment 18]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1315.610 (a) is amended to read as follows:

(a) A certificate properly executed and issued may be used by the person to whom it was issued for the purposes specified thereon.

This amendment shall become effective March 30, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4533; Filed, March 24, 1943; 3:15 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9894, 8 F.R. 1312.

[2] 7 F.R. 10996, 8 F.R. 490, 1458, 1885, 1972, 3252.

[3] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2143, 2152, 2670, 2595, 2600, 2719, 3071, 3314.

PART 1336—RADIO, X-RAY AND COMMUNICATION APPARATUS

[RPS 84,[1] Amendment 4]

RADIO RECEIVER AND PHONOGRAPH PARTS

A statement of the considerations involved in the issuance of this amendment have been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (d) in § 1336.101 is amended to read as set forth below:

(d) *Other parts.* The maximum price, exclusive of federal excise tax, for any part other than a part referred to in paragraphs (a), (b) and (c) of this section shall be in line with the net price, exclusive of federal excise tax, which the manufacturer of such part would have charged for it at any time during the period from October 1 to October 15, 1941, if such price had been calculated upon cost prevailing during such period by use of procedures and standards then employed in estimating costs and determining prices. No such part shall be offered for sale until the proposed price thereof has been approved by the Office of Price Administration on the basis of the report submitted pursuant to § 1336.101 (b). Such approval may also establish maximum prices which sellers of the parts generally may charge, including wholesalers and retailers of the parts.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4534; Filed, March 24, 1943; 3:16 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 296,[2] Amendment No. 2]

FLOUR FROM WHEAT, SEMOLINA AND FARINA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1362, 2000, 2132, 2169, 2303, 3821, 2512, 2543, 6771, 7902, 8948.

[2] 8 F.R. 158, 612, 2598.

Maximum Price Regulation No. 296 is amended in the following respects:

1. Section 1351.1651 (a) is added to read as follows:

(a) *Maximum prices for primary distributors.* Wherever in this Maximum Price Regulation No. 296 the words "miller" or "blender" are used they shall be construed to include primary distributors, as hereinafter defined.

2. Section 1351.1651 (b) is added to read as follows:

(b) *Maximum prices for flour jobbers.* From and after March 30, 1943 to and including May 31, 1943, or sooner if this section is revoked, wherever in this Maximum Price Regulation No. 296 the words "miller" or "blender" are used they shall be construed to include flour jobbers as hereinafter defined. For sales to retail outlets, the maximum price for "flour jobbers" shall be calculated under the provisions of Maximum Price Regulation No. 237.

3. Section 1351.1656 is amended to read as follows:

§ 1351.1656 *Carrying charges.* Carrying charges may be charged in addition to the maximum prices for flour from wheat, semolina and farina set forth in Appendix A hereof, except those maximum prices set forth in § 1351.1666 Appendix A, VI. Such carrying charges shall not exceed 1/6 of a cent per barrel per day for each day's delay in shipment beyond 60 days from the date of the contract of sale or beyond the delivery date specified under such contract, whichever is later, which is caused by the failure of the buyer to furnish shipping instructions (and necessary containers, if sale is made on a bulk basis) in accordance with the specifications of the contract of sale.

4. Section 1351.1658 is amended to read as follows:

§ 1351.1658 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing or use of flour from wheat, semolina or farina, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any product covered by this Maximum Price Regulation No. 296, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the basic price. Wherever in this Maximum Price Regulation No. 296 a maximum price is determined by adding a transportation charge to a basic price, the transportation charge shall be the charge computed by using the applicable transportation rate and adding thereto 3% of said transportation charge.

5. Section 1351.1663 (a) (3) is amended to read as follows:

(3) "Blender" means a secondary processor who buys flours from wheat, semolina, or farina and repacks them for sale. He may blend these products with one another and or with phosphating, enriching and self-rising ingredients.

6. Section 1351.1663 (a) (6) is amended to read as follows:

(6) "Cake flour" means a soft wheat flour containing not more than .447% ash calculated to a moisture-free basis (which equals .38% ash calculated to a 15% moisture basis) having a viscosity of not more than 70 degrees (McMichael) determined by the no-time method, and capable of producing satisfactory cake, when mixed with an equal weight of liquid and an equal weight of sugar together with other appropriate ingredients.

7. Section 1351.1663 (a) (20) is added to read as follows:

(20) "Family farina" means farina which is packed and sold for ultimate use in the home.

8. Section 1351.1663 (a) (21) is added to read as follows:

(21) "Primary distributor" means a person who buys flour from wheat, semolina and farina and resells without additional processing and in the original containers. He delivers to bakers and other commercial, institutional and governmental users in carload quantities and to wholesalers, jobbers, and retailer-owned warehouses in both carload and less-than-carload quantities.

9. Section 1351.1663 (a) (22) is added to read as follows:

(22) "Flour jobber" means a person who buys flour from wheat, semolina and farina and resells without additional processing and in the original containers in less-than-carload quantities to bakers and commercial, institutional, or governmental users: *Provided,* That this definition shall not include wholesalers, 50% or more of whose total dollar sales volume is with retail grocery stores.

10. Section 1351.1666 Appendix A. VI is amended to read as follows:

VI. *Maximum prices for family cake flour, and family whole wheat flour, and for family farina, enriched and unenriched.* (a) At all destinations, the maximum price for family cake flour and family whole wheat flour packed 12 $2^3/_4$ pound packages to the case, shall be $2.75 per case.

(b) At all destinations, the maximum price for family cake flour and family whole wheat flour packed in packages containing 5 pounds or less, but not including the package and case size covered by subparagraph (a) hereof shall be $7^1/_2$¢ per pound plus the cost of packages, labels, and shipping containers.

(c) The maximum prices for family cake flour and family whole wheat flour packed in packages containing more than 5 pounds shall be the maximum prices for family flours as otherwise determined under the provisions of this Appendix A.

(d) At all destinations maximum prices for family farina, enriched and unenriched, in packages weighing 14 ounces and 28 ounces each, and packed 24 to the case and 18 to the case respectively, shall be as follows:

	Carlots	Less-than-carlots
(i) 28 ounce packages, packed 18 to the case	$3.47½	$3.55
(ii) 14 ounce packages, packed 24 to the case	2.70	2.75

(e) At all destinations the maximum price for family farina, enriched and unenriched, packed in packages containing 5 pounds or less but not including the package sizes provided for under subparagraph (d) hereof shall be $9^3/_4$¢ per pound plus the cost of packages, labels, and shipping containers.

(f) Maximum prices for family farina in packages containing more than 5 pounds shall be the same as the maximum prices for family flour, as otherwise determined under the provisions of this Appendix A.

11. Section 1351.1666 *Appendix A.* VII (b) is amended to read as follows:

(b) *Maximum prices for farina, except family farina, delivered at specified destinations.* Maximum prices for farina, except family farina, delivered at specified destinations shall be determined by adding 40¢ per barrel to the maximum prices for flour from wheat, as otherwise determined in Paragraphs I, II, or III of this Appendix A.

12. In § 1351.1666 *Appendix A.* VII, the texts of paragraphs (c) and (c) (i) are amended to read as follows:

(c) *Maximum prices for enriched and self-rising flours from wheat, and for enriched farina, except enriched family farina in packages containing five pounds or less, delivered at specified destinations.* (i) The maximum prices for flour from wheat enriched in accordance with subparagraph (a) of § 15.010 of the Definition and Standard of Identity promulgated by the Federal Security Administrator, delivered at specified destinations shall be the applicable maximum prices as set forth in this Appendix A, plus 20 cents per barrel.

13. Section 1351.1666 *Appendix A.* VII (c) (ii) is amended to read as follows:

(ii) The maximum prices for flour from wheat enriched in accordance with subparagraphs (a), (b), (c), and (d) of § 15.010 of the Definition and Standard of Identity promulgated by the Federal Security Administrator, delivered at specified destinations shall be the applicable maximum prices as set forth in this Appendix A, plus 40 cents per barrel.

14. Section 1351.1666 *Appendix A.* VII (c) (iii) is added to read as follows:

(iii) The maximum price for farina, except family farina, in packages containing 5 pounds or less, enriched in accordance with the Definition and Standard of Identity promulgated by the Federal Security Administrator, delivered at specified destinations shall be the applicable maximum prices as set forth in paragraph VII (b) of this Appendix A, plus 20 cents per barrel.

15. Section 1351.1666 *Appendix A.* VII (c) (iv) is added to read as follows:

(iv) The maximum prices for self-rising flour, which conforms to the Definition and Standard of Identity promulgated by the Federal Security Administrator, delivered at specified destinations, shall be the maximum prices as set forth in this Appendix A, plus 25 cents per barrel.

16. Section 1351.1666 *Appendix A.* VIII (b) is amended to read as follows:

(b) *Maximum prices for flour from wheat and farina in containers other than cotton sacks holding 98 pounds.* Maximum prices for flour from wheat or farina in containers other than cotton sacks holding 98 pounds, shall be the applicable maximum prices as set forth in this Appendix A plus or minus the differentials set forth in paragraph (c) hereof: *Provided*, that family cake flour, family wholewheat flour, and family farina priced in accordance with paragraph VI hereof shall not be subject to this paragraph VIII.

17. Section 1351.1666 *Appendix A.* VIII (e) is added to read as follows:

(e) *Maximum prices for flour from wheat and farina packed in packages and/or package sizes other than those set forth in subparagraph* (c). Maximum prices for flour from wheat and farina packed in packages and/or package sizes other than those set forth in subparagraph (c) hereof shall be: (i) the appropriate proportion of the bulk price per barrel for flour from wheat or farina determined by subtracting from the applicable maximum price in 98 pound sacks, the amount of 32 cents per barrel, and

(ii) Adding thereto the cost of packages, labels, and shipping containers, and

(iii) Adding also the appropriate proportion of the per barrel differential in subparagraph (c) hereof under the heading "Buyer's packages, charge per barrel over bulk price for handling and packing buyer's packages" for the package size most nearly approximating that for which a maximum price is being calculated.

18. Section 1351.1666 *Appendix A.* VIII (f) is added to read as follows:

(f) *Added charges for containers other than those covered by subparagraph* (c). If an outside jute, cotton, or paper envelope or an outside fiber container of a size different from those set forth under subparagraph (c) hereof is used, the cost of the envelope or fiber container actually used may be added to the maximum prices for flour from wheat, or farina as otherwise set forth in this Appendix A.

19. In § 1351.1666 *Appendix A.* The texts of IX and IX (1) are amended to read as follows:

IX. *Maximum prices for other shipments or deliveries including less than carload quantities, except in the case of sales at retail.* (1) The maximum prices for shipments or deliveries of 55 barrels or more, but less than a carload quantity, f. o. b. mill or f. o. b. seller's warehouse shall be the maximum carload prices at said point (said point being deemed a destination for this purpose) as set forth in this Appendix A, plus 10¢ per barrel.

20. Section 1351.1666 *Appendix A.* IX (2) is amended to read as follows:

(2) Maximum prices for shipments or deliveries of less than 55 barrels, either f. o. b. mill or f. o. b. seller's warehouse, shall be the maximum carload prices at said point (said point being deemed the destination for this purpose) plus 35¢ per barrel.

21. Section 1351.1666 *Appendix A.* IX (3) is amended to read as follows:

(3) Maximum prices for shipments in mixed cars or pool cars delivered f. o. b. team or industry track at destination shall be the maximum carload prices as set forth in this Appendix A, plus 10¢ per barrel.

22. Section 1351.1666 *Appendix A.* IX (4) is amended to read as follows:

(4) Maximum prices for shipments or deliveries of 55 barrels or more, but less than a carload quantity delivered at any destination, except f. o. b. mill, f. o. b. seller's warehouse, or f. o. b. team or industry track in a mixed car or a pool car, shall be the maximum carload price as set forth in this Appendix A plus 25¢ per barrel.

23. Section 1351.1666 *Appendix A.* IX (5) is added to read as follows:

(5) Maximum prices for shipments or deliveries of less than 55 barrels, delivered at any destination, except f. o. b. mill, f. o. b. seller's warehouse, or f. o. b. team or industry track in a mixed car or a pool car, shall be the maximum carload price as set forth in this Appendix A, plus 65¢ per barrel.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4535; Filed, March 24, 1943; 3:15 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305, Amendment 3]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The title of the regulation is amended to read as set forth above.

In § 1351.1776 paragraph (c) the word "hominy" appearing after the phrase "corn grits" is hereby deleted.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4536; Filed, March 24, 1943; 3:14 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 335,[1] Amendment 1]

PEANUTS AND PEANUT BUTTER

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 335 is amended in the following respects:

1. Section 1351.2001 is amended by adding the following sentence:

Maximum prices for persons selling these peanut products in special situations are covered in § 1351.2006 (l).

2. In § 1351.2003, the text of (a) and (b) is amended to read as follows:

(a) • • • The maximum prices per pound, carload basis f. o. b. mill, which shellers may charge for unshelled peanuts shall be: • • •

To find his maximum price for any item on a less-carload basis, the sheller shall add to the maximum price named his established price differential, if any, between carload and less-carload lots.

(b) • • • The maximum prices per pound, carload basis f. o. b. mill, which shellers may charge for shelled peanuts shall be: • • •

To find his maximum price for any item on a less-carload basis, the sheller shall add to the maximum price named his established price differential, if any, between carload and less-carload lots.

3. In § 1351.2003 (c) an item is amended to read as follows:

(c) • • •

	California, Oregon and Washington	Other States
Virginia type:	*Cents*	*Cents*
Unblanched peanuts	9.1	8.5
Blanched peanuts	9.7	9.1

4. In § 1351.2004 (a) (3) an item is amended to read as follows:

(3) • • •

	California, Oregon and Washington	Other States
White Spanish and Runner types:	*Cents*	*Cents*
Unblanched peanuts	8.1	7.5
Blanched peanuts	8.9	8.3

5. Section 1351.2004 (a) is amended by adding the following sentences after the table in paragraph (3):

However, processors who customarily sell only to ultimate consumers (other than industrial, institutional and commercial users) and who customarily sell only at the place where the peanuts are salted shall figure maximum prices as if they were retailers pricing under §1351.2005.

Example. Although the Jones Drug Store, which sells peanuts salted on the premises, is technically a "processor," it prices as if it were merely a retailer.

6. In § 1351.2004 (b) the headnote and subparagraph (3) are amended to read as follows:

(b) *Pricing method for blanched, sliced, chopped, granulated, or roasted peanuts.* • • •

(3) The following amount for each pound of the finished item (use appropriate figure):

	Cents per pound
California, Oregon and Washington	9.6
Other states	9.0

7. Section 1351.2004 (h) is amended to read as follows:

(h) *Processors having more than one shipping point.* The maximum price for each item for a processor who has more than one shipping point shall be figured separately for each shipping point, but if any two or more shipping points had the same f. o. b. shipping point prices in 1942, a maximum price may be figured uniformly for that group by using the combined sales of that group in the computations required by paragraphs (a), (b) and (c) of this section. • • •

8. Sections 1351.2004 and 1351.2006 (f) are amended by deleting the words "f. o. b. plant" wherever they appear and substituting in each case the words "f. o. b. shipping point."

9. Section 1351.2006 (k), (l), and (m) are redesignated § 1351.2006 (n), (o), and (p).

10. Section 1351.2006 is amended by adding the following new paragraphs (k), (l), and (m):

(k) *Units of sale and fractions of a cent.* All maximum prices which have to be figured shall be stated in terms of the same general units (like pounds, dozens, cases, etc.) in which the seller has customarily quoted prices for the product. If any maximum price so figured includes a fraction of a cent, the seller shall adjust the price to the nearest fractional unit (like 1¢, ½¢, ¼¢, etc.) in which he has customarily quoted prices for the product.

(l) *Maximum prices for persons in special situations.* Any person who sells a peanut product covered by this regulation and for whom no maximum price is provided by this or any other maximum price regulation shall take as his maximum price in each case the maximum price of his supplier, plus incoming freight paid by him. However, any such person selling cleaned and graded peanuts, whether unshelled or shelled, shall take as his maximum prices the maximum prices fixed for shellers in § 1351.2003, plus incoming freight paid by him, even though his supplier was a primary jobber.

Examples. When reselling farmers' stock peanuts which it has purchased from growers, the Commodity Credit Corporation is subject to the maximum prices named for growers in Section 1351.2002. (The same is true of other buyers of farmers' stock peanuts who buy for resale.) Because it does not actually handle the peanuts, transportation charges in these cases should be figured as if the Commodity Credit Corporation were not involved.

A processor selling an excess stock of peanuts cannot price it as a primary jobber, because he does not customarily handle the item for resale. Selling in a special capacity, therefore, he takes the maximum price of his supplier, except where the item is unshelled or shelled peanuts which he bought from someone other than a sheller. In that case he takes the sheller's ceiling.

(m) *Position of brokers.* In accordance with existing trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the broker plus the amount paid by the buyer to the seller shall not exceed the seller's maximum price plus allowable transportation actually paid by the seller or by the broker.

11. Section 1351.2006 (l) (2), which is redesignated § 1351.2006 (o) (2), is amended by deleting the words "peanuts or" following the words "grading, labeling or packaging of any."

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4537; Filed, March 24 1943; 3:15 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2502.

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 252,[1] Amendment 2]

VINEGAR CURED HERRING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 252 is amended in the following respect:

1. Section 1364.303a is added to read as follows:

§ 1364.303a *Inability to fix maximum prices under § 1364.303* (a) If the final processor's maximum price for any item cannot be determined under § 1364.303, his maximum price shall be the maximum price of the most closely competitive processor.

(b) If the processor's maximum price for any item cannot be determined under § 1364.303 or under paragraph (a) of this section, the maximum price shall be a price determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a detailed description of the kind, grade, type, or style of pack, and container type and size; and (2) a statement of the facts which differentiate it from the most similar item for which he has determined a maximum price, identifying the similar item and stating the maximum price determined for it. When authorization is given, it will be accompanied by instructions for determining the maximum price. Within ten days after the price has been determined, the seller shall report it to the Office of Price Administration, Washington, D. C. This price shall be subject to adjustment at any time by the Office of Price Administration.

2. Section 1364.308a is hereby revoked.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4538; Filed, March 24, 1943; 3:16 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Rev. MPR 139]

USED HOUSEHOLD MECHANICAL REFRIGERATORS

Maximum Price Regulation No. 139 is amended to read as set forth below:

In the judgment of the Price Administrator, the maximum prices established by this revision of Maximum Price Regulation No. 139 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1380.201 *Maximum prices for used household refrigerators.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 139 (Used Household Mechanical Refrigerators), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1380.201 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

Revised Maximum Price Regulation 139—Used Household Mechanical Refrigerators

SECTION 1. *Sales and rentals of used household mechanical refrigerators at higher than maximum prices prohibited.* (a) Regardless of any contract or other obligation, no person shall sell, rent, or deliver a used household mechanical refrigerator to any other person at prices or rates higher than the maximum prices or rates fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices or rates lower than the maximum prices or rates may be charged.

SEC. 2. *To what products, transactions and persons this regulation applies*—(a) *What products are covered by the regulation.* This regulation covers sales and rentals of all household mechanical refrigerators which have ever been used, or which have been in the possession of a consumer for more than five days or were manufactured for use in the year 1940 or earlier.

(b) *What transactions are covered by this regulation.* This regulation covers all sales and rentals of used household mechanical refrigerators by any person to any other person, including sales by an individual who is selling his own refrigerator, and sales by dealers or auctioneers, except sales by a foreign seller to any domestic buyer. This exception includes domestic buyers who purchase through a bona fide agent.

(c) *What persons are covered by this regulation.* This regulation applies to any person who sells or rents a used household mechanical refrigerator except foreign sellers and domestic buyers, insofar as they purchase from the foreign sellers. The term "person" includes: An individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

SEC. 3. *Maximum prices for sales of used household mechanical refrigerators by all persons*—(a) *Reconditioned refrigerators.* As used in the table below a refrigerator is reconditioned if it meets the following standards:

(1) The refrigerator is capable of continuously maintaining, with normal cycling, an average interior cabinet temperature in the food storage space not exceeding 50° F., under no-load conditions, when placed in a room in which the temperature is 90° F.

(2) All cooling units, compressors, condensers, motors and controls, where such parts are exposed to the accumulation of dust, as well as all shelves, hardware and machine compartments, are thoroughly cleaned, and function properly. Belts on open-type units must be free from frays and splits.

(3) A defrosting tray large enough to catch all drip from the cooling unit, and a minimum of two corrosion-resistant ice cube trays with grids are provided.

(4) Cabinet exteriors, finished with either synthetic enamel or lacquer have all metal completely covered and free from chips, stains, scratches, blisters and other blemishes. Any such defects have been buffed, smoothed, filled, and either spot-sprayed, or the entire exterior resprayed, where one of these methods is necessary in order to obtain a finish similar to the original finish. Cabinet exteriors and interiors finished with porcelain are thoroughly cleaned, rust removed from any chips and patched with a suitable porcelain cement.

(b) *"As is" refrigerators.* An "as is" refrigerator is one which does not meet the standards of a reconditioned refrigerator.

(c) *Guaranties.* Every refrigerator which is sold as a reconditioned refrigerator must carry a written guaranty for at least 90 days from the date of its installation which provides that any part which proves defective within the guaranty period will be replaced without charge for labor or materials or other services. If the guaranty is to last for one year or more the higher reconditioned price appearing in the table of prices may be charged.

(d) *Table of maximum prices for certain used household mechanical refrigerators.* The maximum cash price for the following specified models of used household mechanical refrigerators (except those with factory rebuilt units) shall be:

APEX

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	451	$10.50	[illegible]
	504	10.50	[illegible]
	454-P	10.50	[illegible]
1932-3	504-P	10.50	[illegible]
	L-410	12.00	[illegible]
	L-500	12.00	[illegible]
	L-510	12.00	[illegible]
	L-800	12.00	[illegible]
	P-600	12.00	[illegible]
	P-800	12.00	[illegible]
1934	SSL-4	15.00	[illegible]
	SSL-45	15.00	[illegible]
	SSL-6	16.50	[illegible]
	SSL-7	16.50	[illegible]
	DTL-8	19.50	[illegible]
1935	749	19.50	[illegible]
	745	21.00	[illegible]
	760	22.50	[illegible]
	SSL-6	16.50	[illegible]
	DTL-6	16.50	[illegible]

COLDSPOT

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	240-C	$12.00	$49.50
	245-C	12.00	49.50
	255-C	12.00	49.50
	275-C	12.00	49.50
1932	440-C	12.00	49.50
	440-CP	12.00	49.50
	450-C	12.00	49.50
	450-CP	12.00	49.50
	460-C	13.50	51.00
	460-CP	13.50	51.00
	470-C	13.50	51.00
	470-CP	13.50	51.00
	480-CP	15.00	52.50
	540-C	15.00	52.50
1933	640-C	13.50	51.00
	740-CP	13.50	51.00
	440-C	12.00	49.50
	440-CP	12.00	49.50
	450-C	12.00	49.50
	450-CP	12.00	49.50
	460-C	13.50	51.00
	460-CP	13.50	51.00
	470-C	13.50	51.00
	470-CP	13.50	51.00
1934	940-C	21.00	58.50
	950-C	22.50	60.00
	860-C	25.50	63.00
	660-CP	27.00	64.50
	670-CP	28.50	66.00
	960-C	27.00	64.50
1935	104	30.00	67.50
	216	36.00	73.50
	326	40.50	78.00
	328	48.00	85.50
	114	30.00	67.50
	105	31.50	69.00
	106	36.00	73.50
1936	604	37.50	69.65
	606	43.50	81.00
	616	46.50	84.00
	626	55.50	93.00
	618	55.50	93.00
	628	63.00	100.50
1937	774	40.50	62.65
	704	43.50	69.65
	1106	49.50	69.65
	706	55.50	93.00
	736	58.50	96.00
	716	60.00	97.50
	726	70.50	108.00
	718	67.50	105.00
	728	78.00	115.50
1938	3874	46.50	62.65
	3876	49.50	62.65
	3884	51.00	69.65
	3886	61.50	94.15
	3836	72.00	109.50
	3816	75.00	112.50
	3820	81.00	118.50
	3838	82.50	120.00
	3818	84.00	121.50
	3828	97.50	135.00

COLDSPOT—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1939	3954	$54.00	$70.50
	3964	54.00	70.50
	3946	55.50	72.00
	3956	55.50	72.00
	3976	67.50	80.50
	39076	67.50	80.50
	3966	67.50	83.65
	3986	70.50	87.00
	39086	70.50	87.00
	3996	76.50	93.00
	3946	81.00	97.50
1940	4064	55.97	69.47
	4044	59.15	62.65
	4056	64.50	69.65
	4066	75.43	78.93
	40076	77.00	80.50
	4086	82.50	87.50
	4096	82.50	90.65
	4016	87.00	103.50
	4026	94.50	111.00
	4018	97.50	114.00

COPELAND

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	A-411	$10.50	$48.00
	A-441	10.50	48.00
	A-521	10.50	48.00
	A-551	10.50	48.00
	A-701	10.50	48.00
	D-601	10.50	48.00
	D-901	10.50	48.00
	E-661	10.50	48.00
	E-161	10.50	48.00
	E-162	15.00	52.50
	P-551	10.50	48.00
	P-701	10.50	48.00
1932	A-402	12.00	49.50
	A-442	12.00	49.50
	A-522	12.00	49.50
	A-562	12.00	49.50
	A-612	12.00	49.50
	A-772	12.00	49.50
	P-402	12.00	49.50
	P-442	12.00	49.50
	P-522	12.00	49.50
	P-562	12.00	49.50
	P-612	12.00	49.50
	P-772	12.00	49.50
1933	W-42	13.50	51.00
	W-52	15.00	52.50
	W-6	15.00	52.50
	W-7	18.00	55.50
	P-6	18.00	55.50
	P-7	18.00	55.50
	P-11	19.50	57.00
1934	454	15.00	52.50
	604	16.50	54.00
	704	16.50	54.00
	854	18.00	55.50
	P-604	18.00	55.50
	P-704	19.50	57.00
	P-854	19.50	57.00
1935	505	19.50	57.00
	635	22.50	60.00
	755	22.50	60.00
	955	27.00	64.50
1936	T-436	22.50	60.00
	T-736	30.00	67.50
	T-936	34.50	72.00
1937	437	30.00	67.50
	537	33.00	70.50
	637	36.00	73.50
	737	40.50	78.00
	937	48.00	85.50
1938	54	36.00	73.50
	S-5	39.60	76.50
	S-6	43.50	81.00
	T-7-F	51.00	88.50
	T-9-F	60.00	97.50
1939	43-J	46.50	63.00
	55-J	51.00	67.50
	63-J	52.50	69.00
	76-J	61.50	78.00
	55-JD	57.00	73.50
	63-JD	54.00	70.50
	76-JD	67.50	84.00
	T-7-F	51.00	67.50
	T-9-F	60.00	76.50
	S-5	39.00	55.50
	S-5-F	39.00	55.50
	S-6	43.50	60.00
	S-6-F	43.50	60.00
1940	M-45	55.50	72.00
	M-67	60.00	76.50
	54-KF	60.00	82.50
	66-KF	70.50	87.00

CROSLEY

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1932	C-35	$10.50	$48.00
	C-45	10.50	48.00
	C-55	10.50	48.00
1933	D-35	10.50	48.00
	D-45	10.50	48.00
	D-60	10.50	48.00
1934	EA-35	19.50	57.00
	EA-43	21.00	58.50
	EA-55	21.00	58.50
	E-43	21.00	58.50
	E-55	21.00	58.50
	E-70	24.00	61.50
1935	FR-30	24.00	61.50
	FR-35	25.50	63.00
	FR-40	25.50	63.00
	FA-35	25.50	63.00
	FA-40	25.50	63.00
	FA-50	28.50	66.00
	FA-60	31.50	69.00
	FA-70	36.00	73.50
	F-43	25.50	63.00
	F-55	28.50	66.00
	F-70	36.00	73.50
	PFA-50	28.50	66.00
	PFA-60	31.50	69.00
	PFA-70	36.00	73.50
	PF-43	25.50	63.00
	PF-55	28.50	66.00
	PF-70	36.00	73.50
1936	GAQ-30	33.00	69.65
	GAQ-35	34.50	72.00
	GAQ-43	34.50	72.00
	GAQ-50	36.00	73.50
	GAQ-60	37.50	75.00
	GAQ-70	40.50	78.00
	PGKQ-50	36.00	73.50
	PGKQ-60	37.50	75.00
	PGKQ-70	40.50	78.00
	PGKT-50	36.00	73.50
	PGKT-60	37.50	75.00
	PGKT-70	40.50	78.00
1937	HB-1-30	36.00	69.65
	HB-1-31	39.00	69.65
	HB-1-36	40.50	78.00
	HB-1-41	40.50	78.00
	HB-1-50	43.50	81.00
	HB-1-60	45.00	82.50
	HB-5-36	40.50	78.00
	HB-5-71	48.00	85.50
	HL-5-43	42.00	79.50
	HL-5-50	45.00	81.00
	HL-5-61	52.50	90.00
	HL-5-71	57.00	94.50
1938	KB-5-30	48.00	69.65
	KB-5-31	49.50	83.97
	KB-5-36	51.00	88.50
	KB-5-43	52.50	90.00
	KB-5-50	54.00	91.50
	KB-5-60	55.50	93.00
	KB-5-71	58.50	96.00
	KL-5-43	54.00	91.50
	KL-5-50	55.50	93.00
	KL-5-61	57.00	94.50
	KL-5-71	61.50	99.00
1939	LA-9-30	54.00	70.50
	LA-9-40	55.50	72.00
	LA-9-50	60.00	76.50
	LA-9-60	64.50	79.50
	LB-5-45	58.50	75.00
	LB-5-55	66.00	82.50
	LB-5-65	73.50	90.00
	LB-5-80	88.50	105.00
	LJ-5-45	61.50	78.00
	LJ-5-55	73.50	90.00
	LJ-5-65	82.50	99.00
	LL-5-80	97.50	114.00
	KW1-608	82.50	99.00
	LSB-5-60	82.50	99.00
	LSB-5-80	97.50	114.00
	LSL-5-50	97.50	114.00
	LSL-5-80	105.00	121.50
1940	MW-9-60	58.50	69.97
	MW-9-60A	63.00	76.97
	MLA-9-40	70.50	83.97
	MA-9-50-S	72.00	85.50
	MA-9-50	67.50	83.97
	MA-8-80	81.00	97.50
	MA-8-80-S	78.00	94.50
	MB-9-45	67.50	84.00
	MB-9-55	73.50	90.00
	MB-8-50	78.00	94.50
	MB-8-70	87.00	103.50
	MB-8-80	97.50	114.00
	ML-9-45	75.00	91.50
	ML-9-55	82.50	99.00
	ML-8-70	94.50	111.00
	ML-8-80	103.50	120.00
	MSL-8-75	109.50	126.00

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8875, 10476.

DAYTON

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	4-A-2	$10.50	$48.00
	5-A-2	10.50	48.00
	6-A-2	10.50	48.00
	*-A-2	10.50	48.00
1932-33	4-A-2	10.50	48.00
	5-A-2	10.50	48.00
	6-A-2	10.50	48.00
	*-A-3	10.50	48.00
	2-N-4	10.50	48.00
	2-N-5	10.50	48.00
	2-N-6	10.50	48.00
	3-N-6	10.50	48.00
	3-N-8	10.50	48.00
	6301-WP	10.50	48.00
1934	4-B-2	12.00	49.50
	5-B-2	13.50	51.00
	6-B-3	16.50	54.00
	7-B-4	18.00	55.50
	8-B-4	18.00	55.50
	2-83-P	18.00	55.50
1935	4-C-2	13.50	51.00
	5-C-2	13.50	51.00
	6-C-3	15.00	52.50
	7-C-4	16.50	54.00
	8-C-4	18.00	55.50
1936	4-S-2	16.50	54.00
	5-S-2	18.00	55.50
	6-S-4	21.00	58.50
	6-D-3	21.00	58.50
	7-D-4	21.00	58.50
	8-D-4	22.50	60.00
1937	4-E-2-U	22.50	60.00
	6-E-4-U	25.50	63.00
	7-E-6-U	28.50	66.00
	9-E-8	33.00	70.50
	6-E-4-D	28.50	66.00
	7-E-6-D	30.00	67.50
1938	4-H-2	27.00	64.50
	5-H-3	30.00	67.50
	5-H-4	30.00	67.50
	6-H-4	31.50	69.00
	6-H-5	31.50	69.00
	8-H-7	34.50	72.00
	10-H-8	45.00	82.50
1939	4-J	37.50	54.00
	5-J	45.00	61.50
	6-J	46.50	63.00
	5-JD	49.50	66.00
	6-JD	52.50	69.00
	8-JD	58.50	75.00
	10-JD	67.50	84.00
	5-JDA	51.00	67.50
	6-JDA	54.00	70.50
	8-JDA	60.00	75.00
	5-JDB	51.00	67.50
	6-JDB	54.00	70.50
	8-JDB	60.00	76.50
	10-JDC	70.50	87.00
1940	4-MP	49.50	66.00
	6-MA	55.50	72.00
	6-MAD	57.00	73.50
	6-MSD	61.50	78.00
	8-MD	67.50	84.00
	8-MSD	70.50	87.00
	8-MCS	72.00	88.50
	10-MSD	97.50	114.00
	15-RD	112.50	129.00
	20-RD	127.50	144.00

FAIRBANKS-MORSE

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1934	AL-4	$10.50	$48.00
	AL-5	10.50	48.00
	AL-6	12.00	49.50
	AP-5	12.00	49.50
	AP-6	13.50	51.00
1935	B-4	13.50	51.00
	B-5	13.50	51.00
	B-6	15.00	52.50
	B-6S	15.00	52.50
	B-8	16.50	54.00
1936	C-4A	12.00	49.50
	C-4	15.00	52.50
	C-5	15.00	52.50
	C-6	16.50	54.00
	C-6S	16.50	54.00
	C-7	13.50	51.00
1937	DX-4	16.50	54.00
	DX-5	16.50	54.00
	DX-6	16.50	54.00
	D-4	19.50	57.00
	D-5	21.00	58.50
	D-6	22.50	60.00
	D-6S	22.50	60.00
	D-7	22.50	60.00
1938	EX-4	22.50	60.00
	EX-6	25.50	63.00
	EL-5	30.00	67.50

FAIRBANKS-MORSE—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1938	EL-6	$30.00	$67.50
	EL-7	33.00	70.50
	E-4	28.50	66.00
	E-5	30.00	67.50
	E-6	30.00	67.50
	E-7	33.00	70.50

FRIGIDAIRE

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1927-28	M-52	$13.50	$51.00
	M-5	13.50	51.00
	M-7	15.00	52.50
	M-9	15.00	52.50
	M-12	24.00	61.50
	M-15	37.50	75.00
1929	V-4E	13.50	51.00
	V-4P	13.50	51.00
	V-5E	13.50	51.00
	V-5P	13.50	51.00
	D-4	16.50	54.00
	D-5	19.50	57.00
	D-6	19.50	57.00
	D-7-2	19.50	57.00
	D-9	27.00	64.50
	D-12	37.50	75.00
	AP-4	16.50	54.00
	AP-5	19.50	57.00
	AP-6	19.50	57.00
	AP-7-1	22.50	60.00
	AP-7-2	22.50	60.00
	AP-9	27.00	64.50
	AP-12	37.50	75.00
	AP-18	61.50	99.00
1930	G-3	15.00	52.50
	G-4	15.00	52.50
	G-5	18.00	55.50
	G-6	21.00	58.50
	MC-9	22.50	60.00
	MC-12	37.50	75.00
1931-32	ML-4	22.50	60.00
	ML-5	24.00	61.50
	ML-6	28.50	66.00
	S-4	22.50	60.00
	S-5	24.00	61.50
	S-6	28.50	66.00
	W-3	22.50	60.00
	W-4	24.00	61.50
	W-5	25.50	63.00
	W-6	28.50	66.00
	W-8	33.00	70.50
	W-10	42.00	79.50
	W-12	60.00	97.50
	W-18	82.50	120.00
	WP-4	24.00	61.50
	WP-5	25.50	63.00
	WP-6	28.50	66.00
	WP-7	30.00	67.50
	WP-8	33.00	70.50
	WP-10	42.00	79.50
	WP-13	60.00	97.50
	WP-18	82.50	120.00
1933	Std-43	13.50	51.00
	Std-63	15.00	52.50
	SL-43	31.50	69.00
	SL-63	36.00	73.50
	SL-73	37.50	75.00
	Sup-43	33.00	70.50
	Sup-63	39.00	76.50
	Sup-73	42.00	79.50
	Sup-93	52.50	90.00
	Sup-123	67.50	105.00
	Sup-153	82.50	120.00
	WP-18	82.50	120.00
1934	Std-434	13.50	51.00
	Std-534	15.00	52.50
	Std-634	16.50	54.00
	M-434	36.00	73.50
	M-634	40.50	78.00
	M-834	48.00	85.50
	Sup-434	40.50	78.00
	Sup-634	48.00	85.50
	Sup-734	52.50	90.00
	Sup-934	61.50	99.00
	Sup-1234	76.50	114.00
	Sup-1534	99.00	136.50
	Del-1234	82.50	120.00
	Del-1534	105.00	142.50
	WP-1834	112.50	150.00
1935	Std-435	19.50	57.00
	Std-535	22.50	60.00
	Std-635	25.50	63.00
	M-435	40.50	78.00
	M-535	46.50	84.00
	M-635	49.50	87.00
	M-835	58.50	96.00
	Sup-535	54.00	91.50
	Sup-635	58.50	96.00
	Sup-735	64.50	102.00
	Sup-935	72.00	109.50

FRIGIDAIRE—Continued

Year	Mode	Price "as is"	Price reconditioned with 90-day guaranty
1935	Sup-1235	$87.00	$124.50
	Sup-1535	109.50	147.00
	WP-1835	120.00	157.50
	Del-1235	93.00	130.50
	Del-1535	115.50	153.00
1936	D-3-36	30.00	67.50
	DRS-5-36	51.00	88.50
	DRS-6-36	54.00	91.50
	M-4-36	51.00	88.50
	M-5-36	57.00	94.50
	M-6-36	61.50	99.00
	M-7-36	67.50	105.00
	Sup-4-36	60.00	97.50
	Sup-5-36	67.50	105.00
	Sup-6-36	73.50	111.00
	Sup-7-36	79.50	117.00
	Sup-9-36	91.50	129.00
	WP-12-36	111.00	148.50
	WP-15-36	132.00	169.50
	Premier	112.50	150.00
1937	Imperial	132.00	169.50
	D-3-37	52.50	89.10
	DRS-5-37	64.50	102.00
	DRS-6-37	67.50	105.00
	DRS-7-37	75.00	112.50
	M-4-37	61.50	97.65
	M-5-37	69.00	106.50
	M-6-37	73.50	111.00
	M-7-37	79.50	117.00
	M-8-37	90.00	127.50
	Del-5-37	79.50	117.00
	Del-6-37	91.50	129.00
	Del-7-37	99.00	136.50
	Del-8-37	105.00	142.50
	Imp-37	150.00	187.50
1938	D-3	61.50	89.10
	Sp-5-38	70.50	108.00
	Sp-6-38	73.50	111.00
	Sp-7-38	79.50	117.00
	M-4-38	70.50	101.15
	M-5-38	79.50	117.00
	M-6-38	85.50	123.00
	M-7-38	93.00	130.50
	M-8-38	103.50	141.00
	Del-5-38	93.00	143.50
	Del-6-38	103.50	141.00
	Del-7-38	112.50	150.00
	Del-8-38	118.50	156.00
	Imp	172.50	210.00
1939	TDA-3	67.50	84.00
	SupV-6-39	79.50	96.00
	DA-3	67.50	83.65
	DA-4	73.50	90.00
	Sp-5-39	79.50	96.00
	Sp-6-39	84.00	100.50
	M-4-39	79.50	96.00
	M-5-39	91.50	108.00
	M-6-39	97.50	114.00
	M-8-39	117.00	133.50
	CW-5-39	115.50	142.00
	CW-6-39	124.50	141.00
	CW-8-39	145.50	162.00
	CWI-6-39	130.50	147.00
	CWI-8-39	150.00	166.50
	CWI	202.50	220.00
	WP-19	277.50	294.00
1940	TDB-3	73.50	90.00
	SV-3	73.50	92.00
	SV-4	79.10	92.00
	SV-56	75.43	78.93
	SV-6-40	85.75	88.25
	SVE-6-40	89.25	92.75
	SVP-6-40	103.50	116.25
	SV-8-40	106.50	116.73
	SVE-8-40	108.00	125.29
	M-5-40	99.75	108.25
	M-6-40	106.75	115.25
	M-8-40	132.00	140.55
	D-5-40	105.00	123.40
	D-6-40	112.50	129.00
	CWM-5-40	113.40	126.90
	CWM-6-40	123.00	127.01
	CWD-6-40	141.00	148.40
	CWD-8-40	153.00	160.50
	CWI-6-40	154.50	161.00
	CWI-8-40	165.00	181.50
	CWI-13	247.50	264.00

GENERAL ELECTRIC

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1928	S-3	$12.00	$49.50
	S-5	12.00	49.50
	P-4	12.00	49.50
	P-5	13.50	51.00
	P-7	13.50	51.00
	R-5	13.50	51.00
	RT-5	13.50	51.00
	RT-7	13.50	51.00
	RS-5	13.50	51.00

GENERAL ELECTRIC—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1928	RL-95	$13.50	$51.00
	PL-95	13.50	51.00
	PL-13	19.50	57.00
	PL-17	25.50	63.00
	DX-75	13.50	51.00
	DX-10	13.50	51.00
	DX-14	19.50	57.00
	DX-18	27.00	64.50
1929	P-4	12.00	49.50
	P-5	13.50	51.00
	P-7	13.50	51.00
	G-35	16.50	54.00
	G-40	16.50	54.00
	G-55	19.50	57.00
	G-75	19.50	57.00
	G-100	27.00	64.50
	G-135	30.00	67.50
	G-175	40.50	78.00
	PL-95	13.50	51.00
	PL-13	19.50	57.00
	PL-17	25.50	63.00
	RT-5	13.50	51.00
	RT-7	13.50	51.00
	R-5	13.50	51.00
	RL-95	13.50	51.00
	DX-75	13.50	51.00
	DX-10	13.50	51.00
	DX-14	19.50	57.00
	DX-18	27.00	64.50
1930	G-35	16.50	54.00
	G-40	16.50	54.00
	G-55	19.50	57.00
	G-75	19.50	57.00
	G-100	27.00	64.50
	G-135	30.00	67.50
	S-42	16.50	54.00
	S-62	21.00	58.50
	S-82	24.00	61.50
	S-100	27.00	64.50
	S-140	33.00	70.50
	S-180	45.00	82.50
	SS-42	12.00	49.50
	SS-62	13.50	51.00
	SS-82	13.50	51.00
	SS-95	13.50	51.00
	SS-13	30.00	67.50
1931	S-42	16.50	54.00
	S-62	21.00	58.50
	S-82	24.00	61.50
	S-100	27.00	64.50
	S-140	33.00	70.50
	S-180	45.00	82.50
	SS-42	18.00	55.50
	SS-62	22.50	60.00
	SS-82	27.00	64.50
	SS-100	31.50	69.00
	SS-140	37.50	75.00
	SS-180	52.50	90.00
	PS-5	25.50	63.00
	PS-6	27.00	64.50
	PS-7	28.50	66.00
	PS-9	31.50	69.00
	PS-13	30.00	67.50
	PS-17	52.50	90.00
1932	SS-42	18.00	55.50
	SS-44	18.00	55.50
	SS-62	22.50	60.00
	SS-82	24.00	61.50
	SS-95	28.50	66.00
	SS-107	34.50	72.00
	SS-140	37.50	75.00
	SS-182	55.50	93.00
	E-4	12.00	49.50
	E-5	12.00	49.50
	PS-45	22.50	60.00
	PS-5	25.50	63.00
	PS-55	27.00	64.50
	PS-63	30.00	67.50
	PS-95	13.50	51.00
	PS-13	30.00	67.50
	PS-17	52.50	90.00
1933	HE-4-A	19.50	57.00
	HE-5	21.00	58.50
	HE-7	22.50	60.00
	SS-44	18.00	55.50
	SS-62	22.50	60.00
	SS-82	24.00	61.50
	SS-95	28.50	66.00
	SS-107	34.50	72.00
	SS-140	40.50	87.00
	SS-182	54.00	93.00
	P-44	18.00	55.50
	P-55	19.50	57.00
	P-60	22.50	60.00
	P-67	24.00	61.50
	P-85	28.50	66.00
	P-110	36.00	73.50
	P-141	48.00	85.50
	P-170	58.50	96.00
	P-4-180	82.50	120.00
	PS-45	22.50	60.00

GENERAL ELECTRIC—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1933	PS-5	$25.50	$63.00
	PS-55	27.00	64.50
	PS-63	30.00	67.50
	PS-95	13.50	51.00
1934	M-4	25.50	63.00
	HE-4-B	19.50	57.00
	HE-5	21.00	58.50
	HE-7	22.50	60.00
	F-4	28.50	66.00
	F-5	33.00	70.50
	F-7	34.50	72.00
	SS-107	34.50	72.00
	SS-146	49.50	87.00
	SS-182	55.50	93.00
	HX-47	22.50	60.00
	HT-47	22.50	60.00
	HT-70	25.50	63.00
	T-9	58.50	96.00
	T-14	82.50	120.00
	P-110	36.00	73.50
	PS-45	22.50	60.00
	PS-5	25.50	63.00
	PS-55	27.00	64.50
	PS-63	30.00	67.50
	PS-95	13.50	51.00
1935	X-4	22.50	60.00
	X-5	37.50	75.00
	X-6	42.00	79.50
	X-7	40.50	84.00
	K-4	37.50	75.00
	K-5	42.00	79.50
	K-7	46.50	84.00
	KF-12	87.00	124.50
	KF-15	109.50	147.00
	T-5	43.50	81.00
	T-7	49.50	87.00
	T-9	58.50	96.00
	P-134	48.00	85.50
	P-170	58.50	96.00
	P-4-180	82.50	120.00
	PS-45	22.50	60.00
	PS-5	25.50	63.00
	PS-55	27.00	64.00
	PS-63	30.00	67.50
	PS-95	13.50	51.00
1936	M-5	37.50	94.50
	M-6	61.50	99.00
	M-7	67.50	105.00
	SM-66	58.50	96.00
	SMP-66	73.50	111.00
	NF-6	73.50	111.00
	V-4	48.00	85.50
	V-5	51.00	88.50
	V-7	58.50	96.00
	TM-7	79.50	117.00
	TM-9	91.50	129.00
	K-12	111.00	148.50
	K-15	132.00	169.50
1937	JB-5-37	64.50	102.00
	JB-6-37	67.50	105.00
	JB-7-37	76.50	114.00
	B-3-37	54.00	82.25
	B-4-37	61.50	99.00
	B-5-37	69.00	106.50
	B-6-37	73.50	111.00
	B-7-37	81.00	118.50
	B-8-37	91.50	129.00
	M-5-37	78.00	112.50
	M-6-37	93.00	130.50
	PB-6-37	91.50	129.00
	PB-7-37	102.00	145.50
	PB-8-37	108.00	145.50
	K-12	111.00	148.50
	K-15	132.00	169.50
1938	JB-5-38	70.50	108.00
	JB-6-38	73.50	111.00
	JB-7-38	79.50	117.00
	B-3-38	60.00	85.75
	B-4-38	70.50	101.15
	B-5-38	79.50	117.00
	D-6-38	85.50	123.00
	B-7-38	93.00	130.50
	B-8-38	106.50	144.00
	PB-5-38	91.50	129.00
	PB-6-38	103.50	141.00
	PB-8-38	118.50	156.00
	PB-12-38	165.00	202.50
	PB-16-38	195.00	252.50
1939	LB-6-39	79.50	96.00
	HY-4-39	73.50	90.00
	JB-3-39	67.50	84.00
	JB-4-39	73.50	90.00
	JB-5-39	79.50	96.00
	JB-6-39	82.50	99.00
	B-3-39	67.50	84.00
	B-5-39	91.50	108.00
	B-6-39	100.50	117.00
	B-8-39	120.00	136.50
	PB-5-39	114.00	130.50
	PB-6-39	124.50	141.00
	PB-8-39	147.00	163.50

GENERAL ELECTRIC—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
	PB-12-39	$187.50	$204.00
	PB-16-39	217.50	234.00
1940	B-3	73.50	86.75
	BY-4	94.50	109.45
	JB-5-40	90.70	95.20
	JB-6-40	109.50	114.80
	LB-6-B	76.83	80.33
	LB-3-40	75.00	85.75
	LB-4-40	82.50	87.15
	LB-6-40	90.83	94.33
	LB-8-40	94.50	125.65
	LBH-6-40	103.15	108.65
	LBH-8-40	121.50	129.15
	B-5-40	120.00	132.83
	BH-6-40	123.00	132.83
	B-6-40	132.00	146.83
	B-8-40	145.50	162.00
	PLB-6-40	114.03	118.13
	PB-5-40	142.50	150.33
	PB-6-40	154.50	164.33
	PB-8-40	165.00	181.50
	PB-12-40	232.50	249.00
	PB-16-40	307.50	324.00

GIBSON

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	All models	$10.50	$48.00
1932	All models	15.50	53.00
1933	All models	21.50	59.00
1934	All models	26.50	64.00
1935	B-4	30.50	68.00
	L-575	30.50	68.00
	L-705	30.50	68.00
	L-835	30.50	68.00
	P-575	30.50	68.00
	P-705	30.50	68.00
	P-835	30.50	68.00
1936	S-46	36.50	74.00
	S-66	42.50	80.00
	S-86	46.50	84.00
	GA-736	42.50	89.00
	CB-596	46.50	84.00
	CB-696	48.50	86.00
	CB-796	50.50	88.00
	SD-646	46.50	84.00
	PCB-696	48.50	86.00
	PCB-796	52.50	90.00
1937	S-47	45.50	83.00
	S-57	53.50	89.00
	S-67	53.50	91.00
	S-77	55.50	93.00
	CB-587	55.50	93.00
	CB-697	60.18	97.50
	CB-797	64.00	101.50
	CB-887	66.00	103.50
	PCB-587	60.00	97.50
	PCB-697	57.50	95.00
	PCB-797	60.00	103.50
	PCB-887	66.00	103.50
1938	S-48	52.50	95.00
	S-58	59.50	97.00
	S-68	62.00	99.50
	S-78	64.00	101.50
	S-88	62.00	99.50
	CB-588	66.00	103.50
	CB-698	70.50	108.00
	CB-798	78.00	112.50
	CB-888	77.00	114.50
	PCB-588	75.00	112.50
	PCB-698	81.50	119.00
	PCB-798	85.50	123.00
	PCB-888	80.00	127.50
1939	C-49	70.97	73.47
	CU-49	73.00	87.47
	CE-49	73.00	91.50
	D-59	66.00	86.47
	D-69	68.50	88.00
	D-89	73.00	89.50
	D-99	77.00	91.50
	D-79	77.50	94.00
	E-589	77.50	94.00
	E-699	79.00	96.00
	E-799	86.50	103.00
	FE-499	91.00	107.50
1940	C-430	59.47	62.97
	CU-430	66.47	69.97
	CE-430	98.00	111.53
	A-330	74.47	76.97
	A-470	87.47	90.97
	E-550	97.50	111.97
	E-640	106.50	123.00
	E-700	123.00	140.00
	F-990	144.50	158.00

HOT POINT

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1933	HP4A	$12.00	$49.50
	HP4B	12.00	49.50
	HP4C	12.00	49.50
	HP5A	12.00	49.50
	HP7A	12.00	49.50
1934	PF4	27.00	64.50
	PF5	31.50	69.00
	PF6	33.00	70.50
1935	A4	37.50	75.00
	A5	42.00	79.50
	A7	46.50	84.00
	AP5	42.00	79.50
	AP7	46.50	84.00
	AP12	82.50	120.00
	AP15	102.00	139.50
1936	AV43	43.50	81.00
	AV52	46.50	84.00
	AV70	52.50	90.00
	A4	37.50	75.00
	A5	42.00	79.50
	A7	46.50	84.00
	AP5	42.00	79.50
	AP7	46.50	84.00
	AP12	82.50	120.00
	AP15	102.00	139.50
1937	120EB31	48.00	74.20
	120EB51	61.50	99.00
	120EB61	64.50	102.00
	120EB71	70.50	108.00
	120EC41	57.00	86.95
	120EC51	66.00	103.50
	120EC61	69.00	107.50
	120EC71	76.50	114.00
	120EC81	87.00	124.50
	110ED61	87.00	124.50
	110ED81	102.00	139.50
	110ED121	135.00	172.50
	110ED161	165.00	202.50
1938	120EB32	55.50	80.25
	120EB52	67.50	105.00
	120EB62	70.50	108.00
	120EB72	76.50	114.00
	120EC42	67.50	97.65
	120EC52	75.00	112.50
	120EC62	82.50	120.00
	120EC72	88.50	126.00
	120EC82	102.00	139.50
	110ED52	87.00	124.50
	110ED62	100.50	138.00
	110ED82	115.50	153.00
	110ED122	157.50	195.00
	110ED162	195.00	232.50
1939	120FA64	78.50	98.00
	220EB33	63.00	74.50
	120EB33	63.00	74.50
	120FB43	78.50	94.00
	120EB53	82.50	98.00
	120EB63	88.50	104.00
	120EC83	91.50	106.00
	120EC63	100.50	117.00
	120EC83	124.50	144.00
	110ED63	121.50	138.00
	110ED83	142.50	158.00
	110ED123	157.50	174.00
	110ED163	195.00	214.50
1940	120EA3-40	69.00	83.50
	120EA4-40	78.00	87.15
	320EA63	76.83	80.33
	220EA6-40	90.83	94.33
	220EA8-40	111.00	123.65
	120EB3-40	69.00	83.50
	120EB5-40	94.50	108.33
	220EB6-40	109.50	111.33
	120EC5-40	115.50	132.00
	320EC6-40	118.50	132.83
	220EC6-40	127.50	144.00
	220EC8-40	142.50	159.00
	110ED6-40	141.00	157.50
	110ED8-40	165.00	181.50
	110ED140	232.50	240.00
	110ED240	307.50	321.00

ICE-O-MATIC

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

1931	Y-5	$10.50	$48.00
	Y-6	10.50	48.00
	L-53	10.50	48.00
	L-64	10.50	48.00
	L-53-T	10.50	48.00
	P-53	10.50	48.00
	P-64	10.50	48.00
	D-72	10.50	48.00
1932	D-44	10.50	48.00
	D-55	10.50	48.00
	D-66	10.50	48.00
	D-80	10.50	48.00

ICE-O-MATIC—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
	P-66	$10.50	$48.00
	P-80	10.50	48.00
1935	S-354-1	12.00	49.50
	S-355-1	12.00	49.50
	S-356-2	12.00	49.50
	P-3566-2	12.00	49.50
	P-358-2	12.00	49.50
1936	D-3641	13.50	51.00
	D-3651	13.50	51.00
	D-3662	15.00	52.50
	D-3682	15.00	52.50
	P-3662	15.00	52.50
	P-3682	15.00	52.50
	P-36122	16.50	54.00
	P-36152	16.50	54.00
	P-36192	16.50	54.00
1937	D-3741	13.50	51.00
	D-3751	13.50	51.00
	D-3762	15.00	52.50
	P-3762	15.00	52.50
	D-3782	16.50	54.00
	P-3782	16.50	54.00
	P-37122	16.50	54.00
	P-37152	18.00	55.50
	P-37192	18.00	55.50
1938-9	D-3941	22.50	60.00
	D-3951	25.50	63.00
	D-3961	27.00	64.50
	D-3962	27.00	64.50
	D-3982	30.00	67.50

KELVINATOR

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

1927-28	L-5-F	$10.50	$48.00
	L-5-P	10.50	48.00
	310	10.50	48.00
	273	10.50	48.00
	298	10.50	48.00
1929	M-4-E	10.50	48.00
	M-4-P	10.50	48.00
	M-5-P	10.50	48.00
	M-6-P	10.50	48.00
1930	U-4-P	10.50	48.00
	U-5-P	10.50	48.00
	U-7-P	10.50	48.00
	S-4	12.00	49.50
	S-5	12.00	49.50
	S-7	13.50	51.00
	S-9	13.50	51.00
	D-6	12.00	49.50
	D-8	12.00	49.50
	D-11	16.50	54.00
	D-14	28.50	66.00
1931	Y-524	12.00	49.50
	Y-5	12.00	49.50
	Y-7	13.50	51.00
	S-4	12.00	49.50
	S-5	12.00	49.50
	S-7	13.50	51.00
	S-9	13.50	51.00
	D-6	12.00	49.50
	D-8	12.00	49.50
	D-11	16.50	54.00
	D-14	28.50	66.00
1932	K-4	19.50	57.00
	K-24	19.50	57.00
	K-5	21.00	58.50
	K-6	25.50	63.00
	K-7	27.00	64.50
	PK-5	22.50	60.00
	PK-6	27.00	64.50
	PK-7	28.50	66.00
	S-4	12.00	49.50
	S-5	12.00	49.50
	S-7	13.50	51.00
	S-9	13.50	51.00
	D-6	12.00	49.50
	D-11	16.50	54.00
	D-14	28.50	66.00
1933	R-42-N	27.00	64.50
	R-42	27.00	64.50
	R-53	30.00	67.50
	R-64	31.50	69.00
	R-75	34.50	72.00
	K-40-N	28.50	66.00
	K-40	28.50	66.00
	K-50	31.50	69.00
	K-60	33.00	70.50
	K-80	37.50	75.00
1933	PK-40	30.00	67.50
	PK-50	33.00	70.50
	PK-60	34.50	72.00
	PK-70	37.50	75.00
	PK-80	40.50	78.00
	D-55	37.50	75.00
	D-65	42.00	79.50
	D-75	46.50	84.00
	D-90	51.00	88.50
	D-120	67.50	105.00
	D-150	82.50	120.00
1934	V	33.00	70.50
	N	33.00	70.50

KELVINATOR—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
	A-5	$33.00	$70.50
	NA	36.00	73.50
	NB	39.00	76.50
	SA	39.00	76.50
	SB	42.00	79.50
1934	SC	45.00	82.50
	PA	43.50	81.00
	PB	48.00	85.50
	PC	52.50	90.00
	PD	60.00	97.50
	D-2	51.00	88.50
	D-3	57.00	94.50
	D-4	63.00	100.50
	D-5	85.50	123.00
1935	KX-300	66.00	75.50
	K-425	39.00	76.50
	K-485	40.50	78.00
	K-541	43.50	81.00
	K-650	49.50	87.00
	K-740	55.50	93.00
	P-541	45.00	82.50
	P-650	51.00	88.50
	P-740	58.50	96.00
	D-513	55.50	93.00
	D-617	58.50	96.00
	D-738	64.50	102.00
	D-873	72.00	109.50
	SD-658	61.50	99.00
	SD-782	67.50	105.00
	SD-963	75.00	112.50
	SD-1268	94.50	132.00
1936	KR-4-36	30.00	67.50
	KR-4-36	40.50	78.00
	KR-5-39	51.00	88.50
	KS-5-36	51.00	88.50
	KS-6-36	54.00	91.50
	K-3-36	30.00	67.50
	K-4-36	51.00	88.50
	K-5-36	57.00	94.50
	K-6-36	61.50	99.00
	K-7-36	67.50	105.00
	PK-5-36	67.50	105.00
	PK-6-36	73.50	111.00
	PK-7-36	81.00	118.50
	SD-7-36	84.00	121.50
	SD-9-36	94.50	132.00
	SD-13-36	132.00	169.50
	SD-17-36	157.50	195.00
1937	KS-50	64.50	102.00
	KS-60	67.50	105.00
	KS-70	75.00	112.50
	K-3-37	52.50	80.15
	K-4-37	61.50	97.97
	K-5-37	69.00	108.50
	K-6-37	73.50	111.00
	K-7-37	81.00	118.50
	PK-5-37	79.50	117.00
	PK-6-37	91.50	129.00
	PK-7-37	99.00	136.50
	PK-9-37	115.50	153.00
	SD-7-37	105.00	142.50
	SD-9-37	120.00	157.50
	SD-13-37	150.00	187.50
	SD-17-37	187.50	225.00
1938	KS-5-38	70.50	108.00
	KS-6-38	75.00	112.50
	KS-7-38	81.00	118.50
	K-3-38	61.50	83.65
	K-4-38	70.50	104.15
	K-5-38	79.50	117.00
	K-6-38	85.50	123.00
	K-7-38	93.00	130.50
	PK-5-38	93.00	130.50
	PK-6-38	103.50	141.00
	PK-7-38	112.50	150.00
	SD-7-38	115.50	153.00
	SD-9-38	127.50	165.00
	SD-13-38	172.50	210.00
	SD-17-38	210.00	247.50
1939	KS-5-39	67.50	84.00
	KS-4-39	73.50	90.00
	KS-5-39	79.50	96.00
	KS-6-39	84.00	100.50
	KT-6-39	79.50	96.00
	K-4-39	79.50	96.00
	K-5-39	91.50	108.00
	K-6-39	97.50	114.00
	K-8-39	118.50	135.00
	PK-5-39	118.50	135.00
	PK-6-39	124.50	141.00
	PK-8-39	145.50	162.00
	SD-7	135.00	152.50
	SD-9	150.00	167.50
	SD-17	240.00	258.50
1940	A-3-40	66.47	69.47
	A-4-40	80.47	83.47
	GSX-6-40	76.83	79.83
	S-6-40	83.97	86.97
	S-6-40	94.47	97.47
	HS-6-40	103.50	118.50
	HD-6-40	141.00	156.00
	HD-8-40	151.50	166.50
	S-8-40	122.47	137.47
	R-6-40	109.50	124.50
	R-8-40	132.00	147.00
	PR-6-40	145.50	160.50

LEONARD

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	L5	$15.00	$52.50
	L58	15.00	52.50
	L7	16.50	54.00
	L78	16.50	54.00
1932	L40	22.50	60.00
	A450	24.00	61.50
	L450	24.00	61.50
	L650	24.00	61.50
	L750	28.50	66.00
	PA450	24.00	61.50
	PA650	24.00	61.50
	PA750	28.50	66.00
1933	L425	25.50	63.00
	L451	25.50	63.00
	L541	27.00	64.50
	L581	27.00	64.50
	L641	30.00	67.50
	L651	31.50	69.00
	L752	33.00	70.50
	PL401	27.00	64.50
	PL551	30.00	67.50
	PL751	37.50	75.00
	PL902	37.50	75.00
1934	SL1	33.00	70.50
	SL15	34.50	72.00
	SL2	36.00	73.50
	SL35	37.50	75.00
	L102	37.50	77.00
	L103	40.50	78.00
	SL12	43.50	81.00
	PL12	43.50	81.00
	PL03	48.00	85.50
	PL04	52.50	90.00
	PL05	60.00	97.50
	L300	36.00	73.50
	LA	36.00	73.50
	LB353	39.00	76.50
	SL435	36.00	73.50
	SL-525	40.50	78.00
	SL600	43.50	81.00
	SL721	48.00	85.50
	PL088	51.00	88.50
	PL704	55.50	93.00
	PL896	64.50	102.00
	PL1059	73.50	111.00
	SL525	52.50	90.00
	SL600	55.50	93.00
1935	LS5-36	48.00	85.50
	LS6-36	52.50	90.00
	L3-36	34.50	72.00
	L4-36	45.00	82.50
	L5-36	52.50	90.00
	L6-36	55.50	93.00
	L7-36	60.00	97.50
	P3-36	60.00	97.50
	P6-36	66.00	103.50
	P7-36	72.00	109.50
	P10-36	91.50	129.00
1937	LS5-37	55.50	93.00
	LS6-37	58.50	96.00
	L3-37	42.00	79.50
	L4-37	55.50	93.00
	L5-37	64.50	102.00
	L6-37	67.50	105.00
	L7-37	73.50	111.00
	P3-37	73.50	111.00
	P6-37	82.50	120.00
	P7-37	88.50	126.00
1938	LS5-38	67.50	105.00
	LS6-38	69.00	106.50
	L87-38	73.50	111.00
	L3-38	55.50	93.00
	L4-38	67.50	105.00
	L5-38	76.50	114.00
	L6-38	82.50	120.00
	L7-38	90.00	127.50
	P5-38	90.00	127.50
	P6-38	99.00	136.50
	P7-38	105.50	143.00
1939	LXB03-39	60.00	78.50
	LC6-39	76.50	93.00
	LS4-39	69.00	85.50
	LS5-39	75.00	91.50
	LS6-39	79.50	96.00
	L5-39	85.50	102.00
	L6-39	91.50	108.00
	L7-39	100.50	117.00
	P5-39	100.50	117.00
	P6-39	111.00	127.50
1940	LC5-40	67.50	80.33
	LS5-40	76.50	87.47
	LS6-40	84.00	97.97
	LS8-40	94.50	111.00
	LR6-40	97.50	114.00
	LR8-40	117.00	133.50
	LHS6-40	93.00	109.50
	LHD6-40	112.50	129.00
	LHD8-40	136.50	153.00

MAYFLOWER

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1932	F-34	$12.00	$49.50
	F-45	13.50	51.00
	F-56	15.00	52.50
	F-75	15.00	52.50
	F-86	16.50	54.00
	F-96	18.00	55.50
1933	G-45	13.50	51.00
	G-5	15.00	52.50
	G-6	16.50	54.00
	G-7	16.50	54.00
	G1-5	15.00	52.50
	G1-6	16.50	54.00
	G1-7	16.50	54.00
	G1-11	19.50	57.00
1934	H8-45	15.00	52.50
	H8-6	19.50	57.00
	H-7	21.00	58.50
	H-6	22.50	60.00
	H-7	22.50	60.00
1935	M-505	22.50	61.50
	M-555	24.00	61.50
	M-755	27.00	64.50
	M-955	30.00	67.50
	G-46	25.50	65.00
	G-56	28.50	66.00
	G-66	30.00	67.50
	G-86	34.50	72.00
	G1-66	34.50	72.00
	G1-86	40.50	78.00
1937	H-47	27.00	64.50
	H-57	30.00	67.50
	H-67	36.00	73.50
	H-87	42.00	79.50
1938	K-48	43.50	81.00
	K-58	48.00	85.50
	K-68	51.00	88.50
	K-88	58.50	96.00
	KD-58	52.50	90.00
	KD-68	64.00	97.50
	KD-88	67.50	102.00

MONTGOMERY WARD

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

1934	425	$21.00	$58.50
	650	25.50	63.00
	736	28.50	66.00
1935	S-400	28.50	66.00
	S-550	33.00	70.50
	L-6540	36.00	73.50
	L-7500	39.00	76.50
1936	S-400	34.50	69.47
	S-550	37.50	69.65
	S-4410	42.00	76.97
	E-4020	46.50	84.00
	E-6820	55.50	93.00
	E-7120	82.50	120.00
	P-4025	43.50	81.00
1937	54	45.00	69.97
	66	49.50	69.97
	86	52.50	80.47
	652	52.50	80.47
	656	63.00	100.50
	856	67.50	105.00
	116	85.50	123.00
	654	60.00	97.50
1938	Std-58	67.00	94.50
	Std-68	61.50	99.00
	Std-88	58.50	96.00
	Del-658	73.50	111.00
	Del-668	76.50	114.00
	Sup-758	78.00	115.50
	Sup-958	85.50	123.00
	Sup-118	105.00	142.50
1939	Std-48	67.00	69.97
	Std-62	60.00	69.97
	620	66.00	76.97
	622	70.50	87.00
	Del-70	73.50	90.00
	Del-60	79.50	96.00
	Del-668	82.50	99.00
	Del-940	102.00	111.97
	Sup-760	88.50	105.00
	Sup-940	106.50	123.00
	Sup-118	105.00	121.50
1940	444	62.65	64.15
	64	68.77	82.27
	604	65.80	69.30
	624	73.15	76.65
	634	82.50	87.15
	614	76.97	80.47
	6224	76.30	78.80
	631	82.50	89.80
	644	87.00	101.47
	646	94.50	111.00
	744	94.50	111.00
	924	97.50	108.47
	944	105.00	121.50
	124	120.00	136.50

NORGE

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	51	$10.50	$54.00
	51S	25.50	69.00
	61	19.50	57.00
	61U	19.50	57.00
	61D	21.00	58.50
	71D	23.00	61.50
1932	A	24.00	61.50
	B	24.00	61.50
	D	25.50	63.00
	BD	24.00	61.50
	DU	25.50	66.00
	F	30.00	67.50
1933	A44	25.50	63.00
	D5	28.50	66.00
	D66	33.00	70.50
	K	33.00	70.50
	J	28.50	66.00
	AD44	27.50	63.00
	DD66	33.00	70.50
	JU	28.50	66.00
	KU	33.00	70.50
	ML	30.00	76.50
	R	48.00	85.50
1934	A45	34.50	72.00
	A55	37.50	75.00
	A71	47.00	82.50
	L54	30.00	76.50
	L67	42.00	79.50
	S47	30.00	73.50
	SU47	30.00	73.50
	SU55	39.00	76.50
	SU71	46.50	84.00
	D71	43.50	81.00
	D67	47.00	82.50
	L78	51.00	88.50
	D91	58.50	96.00
	P110	73.50	111.00
1935	E316	36.00	73.50
	E425	40.50	78.00
	L425	40.50	78.00
	L519	46.50	84.00
	L621	49.50	87.00
	L720	54.00	91.50
	L804	58.50	96.00
	P425	42.00	79.50
	P519	52.50	90.00
	P621	58.50	96.00
	P720	64.50	102.00
	P804	67.50	105.00
	P903	72.00	109.50
	P1117	82.50	120.00
1936	E32-6	37.50	73.15
	F42-6	51.00	88.50
	F52-6	52.50	90.00
	E42-6	55.50	93.00
	L42-6	54.00	91.50
	L52-6	57.00	94.50
	L62-6	63.00	100.50
	L72-6	70.50	108.00
	L82-6	73.00	112.50
	P42-6	61.00	99.00
	P52-6	69.00	108.50
	P62-6	73.50	111.00
	P72-6	79.50	117.00
	P82-6	82.50	120.00
	P95-6	91.50	129.00
	P112-6	111.00	148.50
1937	S32-37	52.50	80.47
	S42-37	61.50	97.97
	S52-37	64.50	102.00
	S62-37	67.50	105.00
	S72-37	70.50	108.00
	N62-37	66.00	100.50
	N95-37	73.50	111.00
	S72-37	76.50	117.00
	N81-37	76.50	117.00
	P42-37	70.50	108.00
	P62-37	76.50	117.00
	P81-37	91.50	129.00
	P72-37	90.00	126.50
	P81-37	106.00	142.50
	LTP51-37	128.00	157.50
	LTP122-37	150.00	185.50
1938	A510	61.50	83.97
	S52-8	70.50	108.00
	S62-8	73.50	111.00
	S71-8	79.50	117.00
	R52-8	61.50	89.97
	R41-8	67.50	103.47
	R51-8	78.00	115.50
	E61-8	85.50	123.00
	L71-8	93.00	130.50
	L130-8	103.50	141.00
	P42-8	79.50	117.00
	P51-8	93.00	130.50
	P61-8	103.50	141.00
	P71-8	112.50	150.00
	P81-8	118.50	156.00
	LTP51-8	135.00	172.50

NORGE—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1938	LTP123-8	$180.00	217.50
1939	G3	67 50	84 00
	G4	73 50	90 00
	G5	79 50	96 00
	G6	84 00	100 50
	GO4	73 50	90 00
	GO5	79 50	96 00
	GO6	84 00	100 50
	MH5	91 50	108 00
	MH6	97 50	114 00
	M5	91 50	108 00
	M6	97 50	114 00
	M8	117 00	133 50
	SN5	94 50	111 00
	SN6	100 50	117 00
	SN8	118 50	135 00
	MHP5	115 50	132 00
	MHP6	130 50	147 00
	S5	115 50	132 00
	S6	130 50	147 00
	S8	150 00	166 50
	P6	76 50	93 00
	PO8	79 50	96 00
1940	AR5	76 97	80 47
	ARH6	76 97	80 47
	AR8A	76 97	80 47
	VR5S	73 50	83 97
	VR4	73 50	83 97
	VR5	82 50	87 47
	VR6	94 47	97 97
	VR6A	97 47	97 97
	VR8S	100 50	104 97
	VR6P	105 00	118 97
	VR8AP	112 50	125 97
	VR8SP	112 50	125 97
	MR8S	114 00	125 97
	MR5	102 00	111 65
	MR5A	102 00	111 65
	MR6	112 50	125 97
	MR8A	112 50	125 97
	DR5	120 00	132 97
	DR6	141 00	146 97
	DR8	153 00	160 50
	SR5	135 00	150 47
	SR6	167 97	167 97
	SR8	154 50	187 50

PHILCO

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1939	KX-4	$52 50	$69 00
	KX-5	57 00	73 50
	KC-5	63 00	79 50
	KC-6	66 00	82 50
	K-7	67 50	84 00
	K-5	63 00	79 50
	K-6	66 00	82 50
	K-7	67 50	84 00
1940	LS-4	61 50	78 00
	LX-5	58 50	75 00
	LS-5	72 00	88 50
	LC-5	76 50	93 00
	LT-6	82 50	99 00
	LC-6	84 00	100 50
	LT-8	97 50	115 50
	LF-6	100 50	117 00
	L-6	105 00	121 50
	LF-8	105 00	121 50
	LH-6	102 00	118 50
	LH-8	105 00	121 50

SERVEL ELECTROLUX

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1934	ED-30	$34 50	$72 00
	ED-40	37 50	75 00
	ED-50	40 50	75 00
	ED-60	43 50	81 00
	ED-70	48 00	85 50
	ED-90	78 00	115 50
	EDP-50	45 00	82 50
	EDP-60	49 50	87 00
	EDP-70	52 50	90 00
	EDP-90	64 50	102 00
	EDP-110	82 50	120 00
1935	EK-30A	30 00	76 50
	EP-40	43 50	81 00
	EE-50	46 50	84 00
	EE-60	52 50	90 00
	EE-70	57 00	94 50

SERVEL ELECTROLUX—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1934	EEL-90	$69 00	$106 50
	EEL-110	88 50	126 00
	EEP-50	51 00	88 50
	EEP-60	57 00	94 50
	EEP-70	63 00	100 50
	EELP-90	75 00	112 50
	EELP-110	93 00	130 50
1935	APTF-35	46 50	83 00
	APTF-45	49 50	87 00
	SF-45	54 00	91 50
	F-50	57 00	94 50
	F-70	72 00	109 50
	F-100	97 50	145 00
	PF-50	66 00	103 50
	PF-70	79 50	117 00
	PF-100	105 00	142 50
1936	G-410	60 00	97 50
	G-500A	67 50	105 00
	G-500	76 50	108 00
	G-700	82 50	120 00
	G-1000	112 50	156 00
	PG-500	76 50	111 00
	PG-700	90 00	127 50
	PG-1000	118 50	156 00
1937	H-300A	61 50	102 00
	H-410	73 50	97 50
	H-500A	82 50	120 00
	H-500	85 50	125 00
	H-600	91 50	129 00
	H-800	112 50	150 00
	H-1100	136 50	171 00
1938	J-301A	72 00	104 50
	J-410	82 50	104 65
	J-500A	91 50	125 65
	J-500	94 50	132 00
	J-600	102 00	139 50
	J-800	127 50	165 00
	J-1100	165 00	202 50
1939	K-300A	76 50	93 00
	K-410	80 15	83 65
	K-500A	97 65	101 15
	K-500	105 00	121 50
	K-600A	112 50	129 00
	K-600	115 50	142 00
	K-800A	130 50	153 00
	K-800	142 50	159 00
	K-1100	187 50	204 00
1940	L-300	82 50	99 00
	L-400	94 50	111 00
	L-500A	111 00	127 50
	L-500	115 50	132 00
	L-600A	121 50	138 00
	L-600	124 50	141 00
	L-800A	144 00	160 50
	L-800	148 50	165 00
	L-1100	217 50	264 00

SPARTON

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1934	464	$10 50	$48 00
	574	10 50	48 00
	724	10 50	48 00
	884	10 50	48 00
1935	S-465	21 00	58 50
	D-465	21 00	58 50
	D-525	22 50	60 00
	D-615	22 50	60 00
	D-745	27 00	64 50
	D-906	30 00	67 50
1936	S-466	25 50	63 00
	S-616	30 00	67 50
	S-746	33 00	70 50
	D-466	27 00	64 50
	D-616	34 50	72 00
	D-746	37 50	75 00
	D-906	40 50	78 00
	CD-466	28 50	66 00
	CS-616	33 00	70 50
1937	S-617	36 00	73 50
	S-747	40 50	78 00
	D-467	27 00	64 50
	D-617	40 50	78 00
	D-747	43 50	81 00
	D-947	48 00	85 50
1938	S-468	43 50	81 00
	S-38	49 50	87 00
	D-618	55 50	93 00
	D-748	58 50	96 00
	DA-618	55 50	93 00
	DA-748	58 50	96 00

SPARTON—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1938	DA-948	$66 00	$103 50
1939	S-39 Spec	63 00	79 50
	S-409	55 50	72 00
	D-619	73 50	90 00
	D-799	81 00	97 50
	DA-619	75 00	97 50
	DA-749	84 00	106 50
	DA-949	102 00	118 50

STEWART-WARNER

If a one year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1933	40	$46 50	84 00
	45	19 50	57 00
	55	21 00	58 50
	65	21 00	64 50
	77	25 50	66 00
1934	454S	19 50	57 00
	554	22 50	60 00
	564	22 50	60 00
	574	27 00	64 50
	704	27 00	64 50
	714	27 00	64 50
	724	27 00	64 50
	834	28 50	66 00
	564P	28 50	66 00
	574P	28 50	66 00
	714P	31 50	69 00
	724P	31 50	69 00
	834P	37 50	75 00
1935	455	27 00	64 50
	465	27 00	64 50
	555	30 00	67 50
	505	30 00	67 50
	605	33 00	70 50
	705	36 00	73 50
	574P	33 00	70 50
	724P	39 00	76 50
1936	456	37 50	75 00
	556	43 50	81 00
	656	46 50	84 00
	566	46 50	84 00
	666	52 50	90 00
	866	66 00	103 50
	666P	52 50	90 00
	766P	61 50	99 00
	866P	72 00	109 50
1937	700	58 50	96 00
	457	58 50	94 50
	557	63 00	100 50
	657	72 00	109 50
	567	66 00	103 50
	667	73 50	111 00
	767	81 00	118 50
	867	90 00	127 50
	567P	81 00	118 50
	667P	87 00	124 50
	767P	100 50	138 00
	867P	103 00	141 00
1938	358	55 50	93 00
	458	67 50	105 00
	558	72 00	109 50
	658	75 00	112 50
	868	79 50	117 00
	768	94 50	132 00
	568P	79 50	117 00
	668P	85 50	123 00
	768P	102 00	139 50
	550	67 50	97 50
	770	69 00	106 50
1939	499	69 00	97 50
	459	70 50	99 00
	559	75 00	103 50
	659	79 50	111 00
	769	112 50	145 00
	358	55 50	78 00
	458	61 50	78 00
	550	72 00	88 50
	770	76 50	93 00
	558	70 50	88 50
	658	76 50	93 00
	568	81 00	99 00
	668	90 00	114 00
	768	99 00	117 00
	568P	90 00	114 00
	668P	106 50	130 50
	768P	114 00	138 00
1940	D-420	76 50	103 50
	620	84 00	109 50
	510	90 00	114 00
	690	97 50	121 50
	570	105 00	129 00
	670	112 50	136 50
	690	121 50	145 00
	890	136 50	159 00

UNIVERSAL COOLER

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1930	LES-40	$10 50	$48 00
	LES-40	10 50	48 00
	LEM-40	10 50	48 00
	LPM-40	10 50	48 00
	LEH-40	10 50	48 00
	LPH-40	10 50	48 00
	LE-500	10 50	48 00
	LP-500	10 50	48 00
	LEJ-550	10 50	48 00
	LPJ-550	10 50	48 00
	LPJ-70	10 50	48 00
	P-500	10 50	48 00
	PJ-70	10 50	48 00
	P-550	10 50	48 00
	P-70	10 50	48 00
1931	LP-4	12 00	49 50
	LP-5	12 00	49 50
	LP-6	12 00	49 50
	LP-7	12 00	49 50
	P-5	12 00	49 50
	P-6	12 00	49 50
	P-7	12 00	49 50
1932	L-452	13 50	51 00
	L-552	13 50	51 00
	L-652	13 50	51 00
	L-82	13 50	51 00
	P-552	13 50	51 00
	P-652	13 50	51 00
	P-82	13 50	51 00
	P-55	13 50	51 00
	P-65	13 50	51 00
1933-4	400	18 00	55 50
	455	19 50	57 00
	X-402	19 50	57 00
	X-502	22 50	60 00
	X-604	24 00	61 50
	X-705	25 50	63 00
	X-503-P	25 50	63 00
	X-604-P	28 50	66 00
	X-705-P	30 00	67 50
1935	435	28 50	66 00
	535	31 50	69 00
	635	33 00	70 50
	835	36 00	73 50
1936	4-Plus	34 50	72 00
	5-Plus	37 50	75 00
	6-Plus	40 50	78 00
	8-Plus	45 00	82 50
	PB-4	36 00	73 50
	PB-6	42 00	79 50
	PB-8	48 00	85 50
	UNXP-6	39 00	76 50
1937	M-427	39 00	76 50
	M-547	43 50	81 00
	M-647	45 00	82 50
	5527	43 50	81 00
	5627	45 00	82 50
	D-537	45 00	82 50
	D-657	46 50	84 00
	D-757	49 50	87 00
	PD-657	51 00	88 50
1938	CL-408	49 50	87 00
	CL-528	52 50	90 00
	CL-628	55 50	93 00
	AD-538	54 00	91 50
	AD-658	57 00	94 50
	AD-758	60 00	97 50
	BD-538	55 50	93 00
	BD-658	58 50	96 00
	BD-758	61 50	99 00
	ADP-658	67 50	105 00
	BDP-658	67 50	105 00
1939	M-439	55 50	72 00
	M-539	60 00	77 50
	M-639	63 00	79 50
	D-539	69 00	85 50
	D-659	73 50	90 00
	D-759	76 50	96 00
1940	M-6-40	67 50	84 00

UNIVERSAL (LANDERS, FRARY & CLARK)

If a one year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1933-4	445	$15 00	$52 50
	450	15 00	52 50
	467	15 00	52 50
	478	15 00	52 50
	489	15 00	52 50
	897	15 00	52 50
	878	15 00	52 50
1935	1444	18 00	55 50
	1405	18 00	55 50
	1406	18 00	55 50
	1477	18 00	55 50
	1488	18 00	55 50
	1866	18 00	55 50
	1877	18 00	55 50
	1888	18 00	55 50
1937	S-4	22 50	60 00
	D-5	24 00	61 50

UNIVERSAL (LANDERS, FRARY & CLARK)—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1937	D-6	$25 80	$63 00
	D-8	27 00	64 50
1938	81	28 50	66 00
	85	30 00	67 50
	86	33 00	70 50
	88	39 00	76 50

WESTINGHOUSE

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1931	WL-45	$19 50	$67 00
	WL-73	25 50	63 00
	WL-90	25 50	63 00
	DWL-65	12 00	49 50
	DWL-70	12 00	49 50
	DWL-100	15 00	52 50
	DWL-130	18 00	55 50
	DWL-180	45 00	82 50
	DWP-55	12 00	49 50
	DWP-75	12 00	49 50
	DWP-100	15 00	52 50
	DWP-130	18 00	55 50
	DWP-180	45 00	82 50
1932	AL-45	22 50	66 00
	AL-60	28 50	66 00
	AL-73	31 50	69 00
	AL-90	36 00	73 50
	AD-45	22 50	66 00
	AP-60	28 50	66 00
	AP-73	31 50	69 00
	AP-90	36 00	73 50
	AP-130	60 00	97 50
	AP-200	82 50	120 00
1933	BL-45	31 50	69 00
	BL-45	31 50	69 00
	BL-53	33 00	70 50
	BL-55	33 00	70 50
	BL-63	37 50	75 00
	BL-65	37 50	75 00
	BL-75	42 00	79 50
	BP-45	31 50	69 00
	BP-53	33 00	70 50
	BP-65	37 50	75 00
	BP-75	42 00	79 50
1934	CL-41	36 00	73 50
	CL-45	36 00	73 50
	CL-53	39 00	76 50
	CL-55	39 00	76 50
	CL-63	42 00	79 50
	CL-65	42 00	79 50
	CL-75	46 50	84 00
	CL-95	54 00	91 50
	CP-45	36 00	73 50
	CP-53	39 00	76 50
	CP-65	42 00	79 50
	CP-75	46 50	84 00
	CP-95	54 00	91 50
1935	D-42	40 50	78 00
	D-54	45 00	82 50
	D-64	49 50	87 00
	DL-44	45 00	82 50
	DL-54	48 00	85 50
	DL-67	52 50	90 00
	DL-78	57 00	94 50
	DLX-67	52 50	90 00
	DLX-78	57 00	94 50
	DLX-95	69 00	106 50
	DP-44	49 50	87 00
	DP-54	54 00	91 50
	DP-67	61 50	99 00
	DP-78	67 50	105 00
	DPX-67	61 50	99 00
	DPX-78	67 50	105 00
	DPX-95	79 50	117 00
1936	ED-40	40 50	76 65
	ED-40	51 00	88 50
	ED-50	57 00	94 50
	ED-60	63 00	100 50
	ED-70	69 00	106 50
	EDX-41	52 50	90 00
	EDX-51	60 00	97 50
	EDX-61	70 50	108 00
	EDX-78	76 50	114 00
	EDX-95	82 50	120 00
	EPX-41	55 50	93 00
	EPX-54	63 00	100 50
	EPX-67	75 00	112 50
	EPX-78	82 50	120 00
	EPX-95	90 00	127 50
	FPX-155	117 00	154 50
	EPX-200	127 50	195 00
1937	FS-50	69 00	106 50
	FS-60	75 00	112 50
	FS-70	81 00	118 50
	FDS-30	52 50	80 15
	FDS-40	58 50	96 00
	FDS-50	64 50	102 00
	FDS-60	72 00	109 50
	FDS-70	76 50	114 00
	FD-50	73 50	111 00

WESTINGHOUSE—Continued

Year	Model	Price "as is"	Price reconditioned with 90-day guaranty
1937	FD-60	$79 50	$117 00
	FD-70	85 50	126 00
	FD-92	102 00	139 50
	FPS-50	79 50	117 00
	FPS-60	90 00	127 50
	FPS-70	97 50	135 00
	FP-92	115 50	154 50
	FPX-135	117 00	154 50
	FPX-200	127 50	195 00
1938	HS-52	70 50	108 00
	HS-62	78 00	115 50
	HS-72	84 00	121 50
	HP-50	66 00	99 00
	HDS-32	61 50	88 65
	HDS-42	70 50	101 15
	HDS-52	78 00	115 50
	HDS-62	84 00	121 50
	HDS-72	90 00	127 50
	HD-52	79 50	117 00
	HD-62	87 00	124 50
	HD-72	93 00	130 50
	HDS-95	117 00	159 50
	HPS-52	93 00	140 50
	HPS-62	103 50	141 00
	HPS-72	112 50	150 00
	HDP-62	108 00	145 50
	HDP-72	118 50	156 00
	HDP-95	135 00	172 50
	FP-135	172 50	210 00
	FP-200	217 50	256 00
1939	HL-50	61 50	78 00
	S-6-39	79 50	96 00
	H-3-39	67 50	84 00
	H-4-39	73 50	90 00
	H-5-39	79 50	96 00
	H-6-39	84 00	100 50
	A-5-39	91 50	108 00
	A-6-39	97 50	114 00
	A-8-39	120 00	136 50
	E-5-39	115 50	132 00
	E-6-39	130 50	147 00
	E-8-39	145 50	162 00
	HP-135	202 50	240 00
	HP-200	277 50	264 00
1940	LS-6-40	76 83	80 33
	U-3-40	73 50	83 83
	S-3-40	76 00	87 33
	S-4-40	83 83	87 33
	S-6-40	84 33	97 83
	S-8-40	108 00	124 50
	H-5-40	102 00	118 50
	H-6-40	106 50	122 33
	A-5-40	103 00	121 50
	A-6-40	112 50	129 00
	A-8-40	120 00	139 50
	D-6-40	141 00	153 83
	D-8-40	153 00	169 50
	E-4-40	154 50	165 83
	E-5-40	165 00	181 50
	A-135-40	247 50	264 00
	A-200-40	307 50	324 00
	E-135-40	255 00	271 50
	E-200-40	315 00	331 50

MISCELLANEOUS MAKES

If a one-year guaranty is furnished, $5 may be added to the prices in the second column for models of 1939 and 1940; and $10 for earlier models

Makes	Price "as is"	Price reconditioned
Atwater Kent	$10 50	$48 00
Belleville	10 50	48 00
Bohn	10 50	48 00
Briggs	12 00	49 50
Buckeye	10 50	48 00
Cavalier	10 50	48 00
Chilrite	10 50	48 00
Commerce	10 50	48 00
Graybar-Ilg-Kold	9 00	48 00
Grinnell	9 00	48 00
Grunow	12 00	49 50
King Kold	9 00	48 00
Lectric-Ice and Challenger	10 50	48 00
Liberty	10 50	48 00
Majestic (sealed)	9 00	48 00
Majestic (Open)	10 50	48 00
Merchant and Evans	10 50	48 00
Mohawk	12 00	49 50
Rice	9 00	48 00
Servel-Electrje (Open)	10 50	48 00
Servel-Electric (Hermetic)	9 00	48 00
Start Freeze	12 00	49 50
Trukold	9 00	48 00
U. S. Hermetic	9 00	48 00
Welsbach	10 50	48 00
White Mountain	9 00	48 00
Wurlitzer	12 00	49 50
Zerotone	12 00	49 50

(e) *Maximum prices for later model refrigerators.* The maximum cash price for any 1941 model of used household mechanical refrigerator, reconditioned and guaranteed for 90 days, shall be 70 per cent, and for any 1942 model, 75 per cent, of the original list price of the refrigerator when new. If the refrigerator is sold "as is", $3.50 must be deducted from the maximum price. If the refrigerator is sold with a one-year guaranty or more, $5 may be added to the maximum price.

(f) *Maximum prices for models for which maximum prices are not fixed in the preceding paragraphs.* If the maximum price for any used household mechanical refrigerator is not specified in the preceding paragraphs, the maximum cash price shall be determined by the maximum price of the refrigerator listed in the foregoing table which corresponds most closely to the refrigerator being priced, with regard to age, finish, capacity, type of model and mechanical and cabinet equipment. The maximum price selected from the table shall correspond to the conditions under which the refrigerator is to be sold, i.e., "as is", or reconditioned with a 90-day or a one-year guaranty.

(g) *Maximum prices for refrigerators with new or factory rebuilt units.* (1) This section shall apply only in cases in which:

(i) The refrigerator meets the standards of a reconditioned refrigerator and is sold with a one-year guaranty.

(ii) The refrigerator contains a new unit or one rebuilt by the original manufacturer, or by a reconditioner who offered such a service in February, 1942, or earlier, and furnished with it at least a one-year guaranty.

(iii) The new or rebuilt unit has been purchased by the person offering the refrigerator for sale.

(2) The maximum cash price for a refrigerator with a new or rebuilt unit meeting the qualifications of the foregoing section shall be the sum of:

(i) The "as is" maximum price for that refrigerator, and

(ii) The manufacturer's net suggested resale maximum price in effect in March, 1942, or subsequently specifically approved by the Office of Price Administration, for the replacement unit contained in the refrigerator, or if no manufacturer's suggested resale price was in existence in March, 1942, or later subsequently approved by the Office of Price Administration, the net cost to the dealer for the replacement unit, plus the dollar markup taken for the sale of the most comparable item in March, 1942.

(h) *Sales in Western states.* If the sale of the refrigerator is made to a person in the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, or Wyoming, $5.00 may be added to the maximum price.

(i) *Taxes.* Any tax upon or incident to the sale of a used household mechanical refrigerator may be added to the maximum prices established by this regulation. Thus, if the seller has paid a Federal excise tax upon the rebuilding of the refrigerator, that tax may be added.

(j) *Sales for export.* The maximum price at which a person may export any used household mechanical refrigerator is established by the provisions of the Maximum Export Price Regulation.[1]

(k) *Credit, delivery and other charges.* Any charge which is not quoted and billed separately shall for the purposes of this Regulation be considered to be part of the selling price of the refrigerator. Charges for the extension of credit or for delivery, packing or installation, may be added to the maximum retail price set forth in this section, provided: (1) the seller during the two-month period ending February 16, 1942, made a separate charge for the extension of credit, delivery, packing or installation services the amount of which was separately stated to the purchaser, (2) the amount charged for the extension of credit or for delivery, installation or packing, is not in excess of the charge in effect during the two-month period ending February 16, 1942 upon sales of used household mechanical refrigerators, and (3) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser accept any of the services mentioned.

SEC. 4. *Maximum rental rates.* (a) The maximum rate which may be charged for the rental of a refrigerator shall be determined in accordance with the maximum sale price as set forth in the table below:

Maximum sale price, reconditioned with a 90-day guaranty		Maximum monthly rental rate
From	But below	
$46.50	$55.00	$2.50
55.00	65.00	3.00
65.00	75.00	3.50
75.00	85.00	4.00
85.00	95.00	4.50
95.00	105.00	5.00
105.00	115.00	5.50
115.00	125.00	6.00

Refrigerators whose maximum sale price (reconditioned with a 90-day guaranty) is $125.00 or more may be rented at a maximum monthly rate not to exceed 5 percent of the maximum sale price, calculated to the nearest half dollar.

(b) *Delivery of rental refrigerators.* An additional amount may be added to the rental rate to cover delivery and pick-up of rented refrigerators where such service is rendered, which may not exceed $5.50.

(c) *Maintenance of rented refrigerators.* A rented refrigerator must meet the standards set forth for reconditioned refrigerators in Sec. 3 (a) and during the period of the rental must carry the guaranty provided for in Sec. 3 (c).

(d) *Rental payments in advance.* A person who supplies a rented refrigerator may not ask for or receive rental payments for more than three months in advance.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

SEC. 5. *Prohibited practices.* (a) Any practice which is devised to get the effect of a higher than ceiling price without actually raising the dollar and cents price, is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, tying agreements, tying requirements, trade understandings and the like.

(b) The following practice is specifically prohibited:

(1) Offering to sell or rent a refrigerator only on condition that the buyer agree to pay for repairs, parts, and services.

SEC. 6. *Tagging.* No person shall sell or offer to sell, or rent, a used household mechanical refrigerator unless a tag is attached to the refrigerator which states whether the refrigerator is offered for sale "as is" or "reconditioned," the length of the guarantee to be supplied, the make, model and year of the refrigerator, the maximum selling price; and if the refrigerator is offered for rent, the tag also shall state the maximum monthly rental rate. A tag in the following form is satisfactory:

Make
Model
Year
Condition (Reconditioned)
("as is")
Guaranteed for (90 days)
(one year)
Maximum selling price: $_____
(Maximum monthly rental rate: $_____)

This tag must not be removed except by the ultimate consumer. If the maximum price for the refrigerator was determined under paragraph (f) or (g) of Sec. 3, the tag shall so state, and if the refrigerator has a replacement unit, shall carry the name of the supplier of the unit.

SEC. 7. *Sales slips, receipts and invoices.* Regardless of his former practice, every person selling a used household mechanical refrigerator in the course of trade or business shall furnish the purchaser with a sales slip, receipt, invoice or other writing, stating that the refrigerator sold is either "as is" or "reconditioned", the length of the guarantee supplied, the date of the sale, the make, model, number and year, the price charged, the nature and amount of any additional charges, and the name and address of the purchaser. If the maximum price was determined under paragraphs (f) or (g) of Sec. 3, this shall also be stated. A copy of such sales slip, receipt, invoice, or other writing shall be retained by the seller for inspection by the Office of Price Administration.

SEC. 8. *Enforcement.* (a) Persons violating any provisions of this Revised Maximum Price Regulation No. 139 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 139 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

SEC. 9. *Petitions for amendment.* Persons seeking any modification of this Revised Maximum Price Regulation No. 139 or exception not provided for therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 10. *Applicability of the General Maximum Price Regulation.* The provisions of this Revised Maximum Price Regulation No. 139 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Revised Maximum Price Regulation No. 139.

SEC. 11. *Geographical applicability.* The provisions of this Revised Maximum Price Regulation apply to the forty-eight states, the District of Columbia, and the territories and possessions of the United States.

This regulation shall become effective April 15, 1943.

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4541; Filed, March 24, 1943; 3:15 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 16, Amendment 1]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 (8 F.R. 3591) is amended in the following respects:

A new Article XXX, containing section 30.1, is added as set forth below:

Article XXX—Appendix

SEC. 30.1 *Cheeses not covered by this order.* The types of cheeses commonly known by the following names are not "rationed cheeses" as that term is used in this order:

Abertam	Berliner Kuhkaese
Alemtejo	Bgug-Panir
Alpin	Bleu
Altenburg	Bleu d'Anvergne
Amberg	Bondon
Ancien Imperial	Boudaune
Anvergne	Boulette
Appetitost	Box-Soft
Armavir	Brand
Artauten	Brie
Arrigo (soft variety)	Brinsen
Baker's Pot	Brinza
Banbury	Burgundy
Barcnett	Buttermilk
Barberey	Cacio Fiore
Barden	Cambridge
Bel Paese	Camembert
Bergman Cooked	Cancoillotte
Bellelay	Canquillote
Cantal	Koppen
Carre	Krauterkase
Champoleon (soft variety)	Krutt
Chantelle	Kumbach
Chaource	Kurini
Chevret	Laguiole
Cheyrotin	Langress
Chhana	Lapland
Chiavari	Larron
Cooked	Latticini
Coulommiers	Lescin
Cottage	Liederkranz
Cream Cheese	Liptau
Cream Cheese Spreads	Livarot
Cream Spreads	Livlander
Damen	Lorraine
Danish Export	Maconnais
Daralag	Macqueline
Demisel	Maigre
Devonshire Cream	Mainz Hand
Dorset	Malakoff
Dotter	Manur
Dry	Maquee
Duel	Markisch Hand
Egg	Marolles
Elisavetpolen	Mascarpone
Epoisse	Mesitra
Estwani	Mignot
Ervy	Mintzitra
Farm	Monks Head
Ferme	Montavoner
Flower	Mont-Cenis
Fondue	Mont 'Or
Forez	Monthery
Formagelle	Mou
Formaggini (soft only)	Mozarinelli
Formaggio Tenero	Mysost
Fourme	Nessel
Freisa	Neufchatel
Fresco	Nieheim
Fromage a La Pie	Nostrale (soft only)
Fromage Bleu	Oka
Fromage D'Ambert	Olivet
Fromage De Bourgogne	Olmutzer
Fromage De Foin	Olmutzer Quargel
Fromage De Troyes	Paglia
Fromage Fort	Paneddas
Fromage Mou	Pate Bleu
Fromage Persille	Petit Carre
Fromagere	Petit Suisse
Ftinoporine	Pommel
Gammelost	Port Du Salut
Gautrias	Port L'Eveque
Gavot	Potato
Gerome	Primost
Gervais	Providence
Gex	Pultost
Gjetost	Quancheq
Glarnerkase	Quardo
Glorie des Montagnes	Quartirola
Glumse	Queso de cincho
Gold-N-Rich	Queso de hoja
Gorgonzola	Queso de mano
Gournay	Queso de puna
Gray	Queysas
Grunerkase	Rangiport
Guiole	Reblochon
Hand	Reindeer Milk
Harz	Ricotta (soft variety)
Hay	Riesengebirge
Heidelburg	Rinnen
Holstein Gesundheitskase	Riola
Holstein Health	Rocamadour
Hop	Roka
Hopfen	Rollot
Hvid Gjedeost	Roquefort
Ihlefeld	Saaland Pfarr
Isigny	Saint Benoit
Josephine	Saint Claude
Journiac	Saint Flour
Kajmak	Saint Marcellin
Karab	Saint Remy
Kasach (soft variety)	Salamana
Kascaval	Saloio
Katschkawalj	Sandwich Nut
Knaost	Sapsago
Koch Kaese	Sarraz
Kolavarer	Sassenage
Komijne Kaas	Satz
	Scanno
	Schachtel (soft variety)
	Schafzieger
	Schlesischer Weichquarq
	Schottengsied
	Senecterre
	Septmoncel
	Serra Da Estrella
	Silesian
	Slipcote
	Stracchino de Gorgonzola
	Stracchino de Milano
	Stracchino Crescenza
	Tali
	Tamie
	Tate de Moime
	Tenepete
	Theney
	Thuringia Caraway
	Tome-de-Beaumont
	Tome de Montagne
	Topfen
	Toppen
	Travnik
	Trappist
	Tourille
	Troyes
	Tuile de Flondre
	Tworog
	Tyrol
	Vacherin
	Vendome
	Villiers
	Vlasic
	Void
	Weislak
	West Friesian
	Westphalia
	Wet Jack
	Withania
	Yogurt
	Ziegel
	Zigar (soft variety)

This amendment shall become effective 12:01 a. m. March 29, 1943.

(Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827, Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4542; Filed, March 24, 1943; 3:17 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 2 to 4th Rev. Zoning O 1[1] Under RO 3[2]]

ORDER ESTABLISHING ZONES

Amendment No. 2 to Fourth Revised Zoning Order No. 1. Under Rationing Order No. 3—Sugar Rationing Regulations.

The Fourth Revised Zoning Order No. 1 is amended in the following respects:

1. Section 1407.281 (a) Zone 2 is amended to read as follows:

Zone 2: shall include the State of Connecticut; that part of the State of New York not included in Zone 2A; and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex and Union Counties in the State of New Jersey.

2. Section 1407.281 (a) Zone 2A is added to read as follows:

Zone 2A: shall include Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Cortland, Erie, Genesee, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming and Yates Counties in the State of New York.

3. Section 1407.281 (c) is amended to read as follows:

(c) Sugar may be delivered, shipped or transferred as follows:

[1] 8 F.R. 2152.

[2] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8831, 9042, 9396, 9400, 9399, 10017, 10288, 10556, 10845, 8 F.R. 166, 262, 445, 620, 1028, 1204 1288, 2026, 2153, 2432, 2433, 2675, 2758, 3176, 3160.

(1) From Zone 1 to any point in Zone 1A.
(2) From Zone 2 to any point in Zone 2A.
(3) From Zone 3 to any point in Zones 2A or 3A.
(4) From Zone 4 to any point in Zone 3A.
(5) From Zone 12 to any point in Zones 9 or 11.

4. Section 1407.281 (d) is amended to read as follows:

(d) Confectioners' sugar in bulk may be delivered, shipped, or transferred from Zone 4 to any point in Zone 5, except that part of Tennessee located in Zone 5; from Zone 6 to that part of Tennessee located in Zone 5 and to any point in Zone 7; from Zone 8 to those parts of Tennessee and Kentucky located in Zone 5; and from Zone 4, Zone 6, or Zone 8 to any point within the corporate limits of the city of Bristol, whether located in the State of Tennessee or in the State of Virginia.

5. Section 1407.281 (f) is redesignated § 1407.281 (g).

6. Section 1407.281 (f) is added to read as follows:

(f) Plantation granulated sugar and Louisiana crystals manufactured from the 1942-43 Louisiana sugar cane crop by the sulfitation process may be delivered, shipped, or transferred from Zone 8 to any point in any other zone.

This amendment shall become effective March 24, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2709; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; § 1407.168, Rationing Order No. 3)

Issued this 24th day of March 1943.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 43-4543; Filed, March 24, 1943; 3:16 p. m.]

PART 1432—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 9,[1] Amendment 6]

HEATING STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 9 is amended in the following respects:

(1) Section 1432.13 (e) is amended to read as follows:

(e) Anyone who wishes to supplement oil burning equipment which distributes heat through pipes or ducts to any essential living space or to working space essential to the public health or safety or the war effort, but which does not supply heat adequate for the health and comfort of the occupants of such space and who has not in the sixty (60) days before application disposed of any coal burning equipment which could have been used for heating the space.

(2) In § 1432.15 (b) the phrase "private dwelling property" is amended to read "premises".

This amendment shall become effective March 30, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-S, 7 F.R. 10668; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4544; Filed, March 24, 1943; 3:15 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10720; 8 F.R. 1318, 2433, 2722, 2941, 3003.

PART 1499—COMMODITIES AND SERVICES

[Order 16 Under § 1499.8 (c) of GMPR]

LUBRI-ZOL SALES COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.816 *Adjustment of maximum prices for sales of Anglamol #37 and Anglamol #53 by the Lubri-Zol Sales Company, Cleveland, Ohio.* (a) The maximum prices for sales by the Lubri-Zol Sales Company, Cleveland, Ohio, of the products known as Anglamol #37, a cutting oil additive, and Anglamol #53, a lubricating oil additive, are established as set forth below:

ANGLAMOL #53

Amount of sales:	*Prices per lb.*[1]
Tank car	$0 22
Carload drums	.2240
10 to carload drums	.2275
5 to 9 drums	.2310
1 to 4 drums	.2335

[1] F. O. B. Niagara Falls, New York.

ANGLAMOL #37

Tank cars	$0.18
Carload drums	.186
10 to carload drums	.1885
5 to 9 drums	.1910
1 to 4 drums	.1935

(b) *Discounts, allowances, and price differentials.* All discounts, trade practices, and practices relating to the payment of transportation charges in effect in March 1942 on sales of Anglamol #35 and Anglamol Base "A" liquid shall apply to the maximum prices set forth in paragraph (a) above for Anglamol #37 and Anglamol #53 respectively.

(c) The Lubri-Zol Sales Company, shall submit to the Office of Price Administration, in Washington, D. C., such reports as may from time to time be required.

(d) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

This Order No. 16 (§ 1499.816) shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4546; Filed, March 24, 1943; 3:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1, to Order 248 Under § 1499.3 (b) of GMPR]

DOUBLE-MIX, INC.

For the reasons set forth in an opinion issued simultaneously herewith, paragraphs (a), (b), (c), and (e) of Order No. 248 under § 1499.3 (b) of the General Maximum Price Regulation are amended and paragraph (h) is added; all to read as set forth below:

§ 1499.1484 *Authorization of maximum prices for sales of "Double-Mix", a reagent compound in tablet form used with milk and butter to produce a butter-like spread, packed eight 35 grain tablets to an envelope, 50 envelopes to the carton, by Double-Mix, Inc., Kansas City, Missouri, by wholesalers and by retailers.* (a) On and after March 25, 1943, the maximum selling price for 87,312 cartons of "Double-Mix" for sale by Double-Mix, Inc., Kansas City, Missouri, shall be:

Per carton of 50 envelopes, eight 35 grain tablets per envelope	$1 93

The maximum price established herein applies on a delivered basis to the purchasers' stations, and shall be subject to a discount of 2% for prompt payment.

(b) Sellers at wholesale are authorized a maximum selling price of $2.41 per carton of 50 envelopes containing eight 35 grain tablets delivered to the purchasers' customary receiving points.

(c) Sellers at retail are authorized maximum selling prices per envelope of eight 35 grain tablets of "Double-Mix" as follows: If the retailer's customary supplier is a wholesaler, such retailer's maximum price shall be 7 cents per envelope of eight 35 grain tablets. If the retailer's customary supplier is the manufacturer (Double-Mix, Inc.), such retailer's maximum price shall be 6 cents per envelope of eight 35 grain tablets for single envelope sales, and shall be 5½ cents per envelope of eight 35 grain tablets for sales of "Double-Mix" in quantities of two or more envelopes.

* * * * *

(e) On and after March 1943, Double-Mix, Inc. shall supply to each of its purchasers before or at the time of the first delivery of "Double-Mix" to such purchasers a written notification for each type of purchaser, and for a period of three months thereafter, unless its present packed stock is sooner disposed of, shall include with each carton of "Double-Mix" a written notification to retailers. If such retailer notification is enclosed *in* the carton, a legend shall be affixed to the outside of such carton to read "Retailer's Notice Enclosed." The written notifications for each type of purchaser shall include the following appropriate statements:

Notification From Double-Mix, Inc. to Purchasers

The OPA has authorized us to charge the following price for "Double-Mix":

$1 93 per carton of 50 envelopes, each envelope containing eight 35 grain tablets, subject to a discount of 2% for prompt payment.

Sellers at wholesale are authorized a maximum delivered selling price of $2.41 per carton of 50 such envelopes of "Double-Mix". Sellers at retail who customarily purchase "Double-Mix" from *wholesalers* are authorized a maximum selling price of 7 cents per envelope of eight 35 grain tablets. Sellers at retail who customarily purchase "Double-Mix" directly from us are authorized a maximum selling price of 6 cents per envelope of eight 35 grain tablets for single envelope sales and 5½ cents per envelope for sales in quantities of two or more such envelopes. A copy of a notification to retailers is included in or on every shipping unit of this item. If the initial sale of this item is a split carton sale, i. e., less than one carton of 50 envelopes, wholesalers are required to provide such retailers with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Double-Mix, Inc. to Retailers

The OPA authorizes sellers at retail the following maximum selling prices for "Double-Mix" per envelope of eight 35 grain tablets. Sellers at retail who customarily purchase "Double-Mix" from *wholesalers* are authorized a maximum selling price of 7 cents per envelope of eight 35 grain tablets. Sellers at retail who customarily purchase "Double-Mix" directly from us are authorized a maximum selling price of 6 cents per envelope of eight 35 grain tablets for single envelope sales and 5½ cents per envelope for sales in quantities of two or more such envelopes.

* * * * *

(h) This Amendment No. 1 to Order No. 248 (§ 1499.1484) shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4539; Filed, March 24, 1943; 3:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 219 Under § 1499.18 (b) of GMPR]

TRYLON PRODUCTS CORPORATION

Order No. 219 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-3159.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1819 *Adjustment of maximum prices for Meriad Bath Crystals sold by Trylon Products Corporation, Chicago, Illinois.* (a) The maximum prices for Meriad Bath Crystals, 5 lb. size, sold by Trylon Products Corporation, Chicago, Illinois, shall be as follows:

	Per dozen
Sales to wholesalers in gross lots	$4.40
Sales to retailers situated outside the city limits of Chicago, Illinois	4.87
Sales to retailers situated within the city limits of Chicago, Illinois	4.55

(b) All discounts, allowances, and practices with reference to the payment of transportation costs, in effect during March 1942 with respect to sales of Meriad Bath Crystals, 5 lb. size, by Trylon Products Corporation shall remain in effect under this Order No. 219.

(c) At the time of the first delivery of Meriad Bath Crystals, 5 lb. size, made to each wholesaler at a price specified in this Order No. 219, Trylon Products Corporation shall furnish each such wholesaler with a copy of the following notice:

The Office of Price Administration has permitted us by Order No. 219 under § 1499.18 (b) of the General Maximum Price Regulation to raise our maximum price of Meriad Bath Crystals, 5 lb. size, to you from $4.25 per dozen to $4.40 per dozen. This Order does not permit you to raise your maximum price, nor does this Order permit any retailer to raise his maximum price for sales of this product.

(d) At the time of the first delivery of Meriad Bath Crystals, 5 lb. size, made to each retailer at a price specified in this Order No. 219 Trylon Products Corporation shall furnish each such retailer with a copy of the following notice:

The Office of Price Administration has permitted us by Order No. 219 under § 1499.18 (b) of the General Maximum Price Regulation to raise our maximum price for sales of Meriad Bath Crystals, 5 lb. size, to you from (*$4.40 or $4.72 as the case may be*) per dozen to (*$4.55 or $4.87 as the case may be*) per dozen. This Order does not permit you to adjust your maximum price for sales of this product.

(e) All prayers of the applicant not granted herein are denied.

(f) This Order No. 219 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 219 (§ 1499.1819 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

This Order No. 219 (§ 1499.1819 shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4540; Filed, March 24, 1943; 3:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 139]

MOLDED VULCANIZED VEGETABLE OIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (59) (ii) (*a*) is amended by adding at the end thereof the following sentences:

Except, That for any kind of molded vulcanized vegetable oil (other than truss pads) which is individually molded and requires special hand labor which results in direct labor costs higher than the figure which would be obtained by computing the direct labor costs on the basis of average cost per pound as required by this inferior subdivision (*a*) for molded vulcanized vegetable oil generally, direct labor costs may be determined each time a quantity of such molded vulcanized vegetable oil is to be priced by multiplying the estimated number of hours of each type of labor required in the manufacture of the quantity being priced by the following wage rates: The wage rates to be used shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the kind of molded vulcanized vegetable oil being priced. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4545; Filed, March 24, 1943; 3:16 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022 10151, 10231, 10294, 10346 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865 11005, 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2374, 2343, 2346, 2507, 2665, 2760, 2877, 2878, 2886, 2872, 2888, 3209, 3254, 8 F.R. 3185.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204 1317, 2029, 2110, 2346.

PART 1340—FUEL

[RPS 88,[1] as Amended March 24, 1943]

PETROLEUM AND PETROLEUM PRODUCTS

Sections 1340.159 (a) (4) and 1340.159 (a) (5) (ii) are amended by Amendment 83 so that Revised Price Schedule No. 88 shall read as follows:

The production, refining and distribution of petroleum and petroleum products constitute one of the largest industries in the United States. Ample supplies of petroleum products are of prime importance to the armed forces and are equally essential to the industrial activity required by the war effort and to the civilian life of the nation. Inflationary increases in the prices of petroleum and its products will not only be multiplied in the whole structure of costs and prices; they will directly increase the cost of living and the burden of supplying the armed forces.

Price stabilization in the petroleum industry was initiated on the basis of informal agreements between the Office of Price Administration and members of the industry. The increasing scope of control and the growing multiplicity of informal agreements and understandings has made it necessary to embody these agreements and understandings in a price schedule. Such action will serve to clarify the price policies of this Office as they affect the petroleum industry and to protect the industry and the public from the inflationary effects of unwarranted price increases.

Sec

1340.151 Maximum prices for petroleum and petroleum products.
1340.152 Less than maximum prices.
1340.153 Evasion
1340.154 Records and reports.
1340.155 Enforcement.
1340.155a Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation
1340.156 Modification of price schedule.
1340.156a Petitions for amendment.
1340.157 Definitions
1340.158 Effective date of Revised Price Schedule No. 88
1340.158a Effective dates of amendments.
1340.159 Appendix A: Maximum prices for petroleum and petroleum products.
1340.160 Exceptions.
1340.161 Adjustable pricing.
1340.162 Notice to purchasers.
1340.163 Transfers of business or stock in trade
1340.164 Federal and State taxes.

AUTHORITY: §§ 1340.151 to 1340.164, inclusive, issued under E.O. 8734, 8875, 6 F.R. 1977, 4483, Pub. Laws 421 and 729, E.O. 9250, 7 F.R. 7871.

§ 1340.151 *Maximum prices for petroleum and petroluem products.* On and after February 2, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, except as provided in § 1340.159, no person shall sell, offer to sell, deliver or transfer petroleum or petroleum products, and no person shall buy, offer to buy, or accept delivery of crude petroleum at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1340.159.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1340.152 *Less than maximum prices.* Lower prices than those set forth in § 1340.159, Appendix A, may be charged, demanded, paid or offered.

§ 1340.153 *Evasion.* The price limitations set forth in Revised Price Schedule No. 88 shall not be evaded whether by direct or indirect methods in connection with a sale, delivery, or transfer of petroleum products, or a purchase, sale, delivery or transfer of crude petroleum, alone or in conjunction with any other materials, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding or by a change in the quality of a product, or otherwise.

§ 1340.154 *Records and reports.* (a) All purchase prices for crude petroleum as of October 1, 1941, whether or not such purchase prices were posted, shall be filed with this Office within thirty days after February 2, 1942, the effective date of Revised Price Schedule No. 88 (§§ 1340.151 to 1340.159, inclusive). Purchase prices for crude petroleum described above may be submitted in the form of such price schedules or price lists as were in use on the dates specified, provided such price schedules or price lists are corrected to indicate any variance between the schedule or list price and the purchase price.

[Paragraph (a) as amended by Amendment 8, 7 F.R. 3116, effective 4-29-42]

(b) Where a contract of the type described in paragraph (a) (3) of § 1340.159 was in effect as of October 1, 1941 duly authenticated copies of such contracts shall be filed with this Office within thirty days after August 26, 1942.

[Paragraph (b) as amended by Amendment 30, 7 F.R. 6680, effective 8-26-42]

(c) Where maximum prices for any sale or purchase of crude petroleum or sale of petroleum products are not provided for in § 1340.159, purchasers and sellers of crude petroleum and sellers of petroleum products shall, within ten days after the purchase or sale in question, submit to this Office the price and description of the crude petroleum or petroleum product in question.

[Paragraph (c) as amended by Amendment 8, 7 F.R. 3116, effective 4-29-42]

(d) Duly authenticated copies of all contracts entered into after March 7, 1942 involving the sale, purchase or exchange of the commodities exempted from §§ 1340.151 and 1340.159 by § 1340.160 shall be filed by the seller with this Office within fifteen days after the signing of such contracts, except as otherwise authorized in writing by the Office of Price Administration: *Provided*, That in lieu of the filing of duly authenticated copies of such contracts, duly authenticated summaries of such contracts may be filed by the seller with the Office of Price Administration within fifteen days after the signing of such contracts. Such duly authenticated summaries shall include the following information: seller, commodities sold, date of contract, term of contract, production origin, buyer, point of delivery corresponding to sales price, method of delivery, i. e. tanker, tank car, field pump, et cetera, volume sold barrels, price cents per US gallon, specifications of product and notes detailing special provisions of contract such as price formulae, et cetera.

[Paragraph (d) as amended by Amendment 41, 7 F.R. 9134, effective 11-12-42]

(e) Persons affected by Revised Price Schedule No. 88 shall submit such other reports to the Office of Price Administration and keep such records as it may from time to time require.

(f) Reports required to be filed with this Office under paragraphs (a) and (b) of this section may be filed up to and including March 23, 1942, notwithstanding the time limitations contained in said paragraphs.

(g) Each person participating in the pool established under Recommendation No. 12, as amended,[2] of the Office of Petroleum Coordinator for National Defense shall submit to the Price Administrator within fifteen days after March 26, 1942 a certified statement of the volume of sales and applicable revenue, classified by products, and the extra expenses incurred from the date of that person's entrance into the pool through February 28, 1942 in the transportation of petroleum and petroleum products to or in the States of Connecticut, Delaware, Florida, east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, the District of Columbia and the corporate limits of the City of Bristol, Tennessee by railroad tank car or other alternative means of transportation, or any combination thereof, over transportation by tanker under the applicable rates established by the United States Maritime Commission; and each such person shall submit prior to the 30th day of each month thereafter supplementary statements of such sales, revenue and expenses for each preceding month. All persons participating in the pool referred to above shall submit jointly to the Price Administrator on or before March 26, 1942 an audit, broken down by persons, prepared and certified to by a firm of auditors and accountants, of the volume of sales and applicable revenue, classified by products, and the extra expenses referred to above incurred in compliance with Recommendation No. 12, as amended, from September 4, 1941 through February 28, 1942 and shall submit prior to the 30th day of each month thereafter supplementary audits of such sales, revenue and expenses, broken down by persons, for each preceding month.

[Paragraphs (e), (f), and (g) as amended by Amendment 8, 7 F.R. 3116, effective 4-29-42]

§ 1340.155 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 88 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 88 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1340.155 as amended by Amendment 25, 7 F.R. 5988, effective 8-1-42]

§ 1340.155a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[3] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 88 selling at wholesale or retail any petroleum or petroleum products covered by this Revised Price Schedule No. 88. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to person selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

[§ 1340.155a added by Amendment 25, 7 F.R. 5988, effective 8-1-42]

§ 1340.156 *Modification of price schedule*—(a) *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Price Schedule No. 88 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

[Paragraph (a) as amended by Supplementary Order No. 26, 7 F.R. 8948.]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

(b) *Petitions for adjustment or exception.* (1) Any corporation subject to the provisions of Revised Price Schedule No. 88, all of whose securities are owned by another corporation, or which owns all of the securities of another corporation or all of whose securities and all of those of another corporation are owned directly or indirectly by a third corporation may (i) file a petition for exception from § 1340.159 for sales of petroleum and petroleum products to such other corporation and (ii) file a petition for adjustment of such of its maximum prices for petroleum products as are required to be calculated under § 1340.159 (b) (2) on the basis of a sale of such products to such other corporation.

(2) Such petitions for exception and/or adjustment shall be accompanied by a statement under oath setting forth (i) the percentage of shares or units of any issues of securities of the subsidiary corporation or corporations held beneficially or of record by any person or persons and the names and post office addresses of such person or persons, (ii) the hardship or inequity which would result to the petitioner from failure to grant the petition and (iii) in the case of a petition filed under subparagraph (1) (ii) of this paragraph, a statement of all the circumstances bearing on the issue of whether the last sale establishing the petitioner's maximum price under § 1340.159 (b) (2) was made at a price below that which would have been charged to a purchaser of the same class not related to the petitioner as above outlined.

[Paragraph (b) as amended by Amendment 13, 7 F.R. 3552, effective 5-13-42]

(c) *Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Revised Price Schedule No. 88, for any seller subject to the provisions thereof in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar crude petroleum and or petroleum products, and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of crude petroleum and or the same or similar products will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (c) shall be filed in accordance with Revised Procedural Regulation No. 1.

No application for adjustment filed after November 15, 1942 will be granted under this paragraph (c).

[Paragraph (c) added by Amendment 23, 7 F.R. 5867; amended by Amendment 39, 7 F.R. 8938, effective 11-4-42]

§ 1340.157 *Definitions.* When used in Revised Price Schedule No. 38 (§§ 1340.151 to 1340.164, inclusive), the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Petroleum products" means:

All grades of gasoline, including natural gasoline and blending naphthas; also special hydrocarbon fractions utilized in the manufacture of gasoline or the components thereof.
Liquefied petroleum gases.
Tractor distillates and similar distillate type motor fuels other than gasoline.
Kerosene, including range oil or stove oil.
Distillate burning, heating or fuel oils.
Diesel fuel oils.
Residual burning, heating or fuel oils.
Lubricating oils, including motor, aviation and stock oils (neutrals, bright stocks, steam refined stock and other stock oils) and all greases and industrial lubricating oils except core oils and core washing oils.
Naphthas, solvents, mineral spirits and other petroleum fractions when sold as antifreeze preparations.

For the time being industrial naphthas and solvents, and specialty products (such as household oils and spot removers) are excluded from the list of petroleum products subject to Revised Price Schedule No. 88.

[Paragraph (b) as amended by Amendment 69, 8 F.R. 2267, 2874, effective 2-25-43]

(c) "Pool" means any underground accumulation of crude petroleum or associated hydrocarbon substances, including but not limited to natural gas, constituting a single and separate reservoir or source of supply within a field, area, or horizon whether or not presently discovered or developed.

(d) "Consumer or commercial tank wagon prices" means the prices at which petroleum products are sold for delivery by tank wagon or tank truck to the ultimate consumer of such products or to persons not primarily resellers of such products.

(e) "Contract" means an agreement, the existence of which is established by written evidence.

(f) "Dealer tank wagon prices" means the prices at which petroleum products are sold for delivery by tank wagon or tank truck to resellers of such products.

(g) "Producers" means royalty owners or other sellers of crude petroleum at the well.

[Paragraphs (h) and (i) revoked by Amendment 30, 7 F.R. 6680, effective 8-26-42]

[1] 7 F.R. 1371.

[2] 8 F.R. 3096.

[3] 7 F.R. 8951.

[4] 6 F.R. 5538.

(j) "Tank wagon area" means the area in which petroleum products are distributed by tank wagon or tank truck from the given shipping point.

[Paragraphs (k) through (q) revoked by Amendment 68, 8 F.R. 2105, effective 2-20-43.]

(r) "Securities" means shares of stock of any class, voting trust certificates, participation certificates, bonds, notes, debentures and other evidences of indebtedness.

[Paragraph (r) added by Amendment 13, 7 F.R. 3552, effective 5-13-42.]

(s) "Receiving tank" means the tank of the producer of crude petroleum, sometimes called stock tank or shipping tank, in which the oil from one or more wells is first gauged or measured for sale, delivery or storage.

[Paragraph (s) added by Amendment 30, 7 F.R. 6680, effective 8-26-42.]

(t) "Seller of the same class" means a seller (i) performing the same function, (ii) of similar type, (iii) dealing in the same type of commodity, and (iv) selling to the same class of purchaser.

(u) "A seller's most closely competitive seller of the same class" shall be a seller of the same class who: (i) is selling the same commodity, (ii) is closely competitive in the sale of such commodity and (iii) is located nearest to the seller.

[Paragraphs (t) and (u) added by Amendment 31, 7 F.R. 7242, effective 9-16-42.]

(v) "Wet gas" means any natural or petroleum gas, and refinery gas, which is sold to be processed for the extraction of vapors and liquids, from which operation some residue gas results.

(w) "Dry gas" means any natural or petroleum gas, and refinery gas, sold for consumption either directly as fuel or to be consumed in the production of any other commodity or for use in gas lift, pressure maintenance or repressuring operations, and includes such gas when delivered directly from wells, and the residue gas incident to plant operations.

[Paragraphs (v) and (w) added by Amendment 32, 7 F.R. 7838, effective 10-7-42.]

(x) "Texas-Panhandle Area." Panhandle area of Texas is that portion of Texas north of the southern boundaries of the following counties: Farmer, Castro, Swisher, Briscoe, Ball and Childress.

[Paragraph (x) added by Amendment 42, 7 F.R. 9335, effective 11-17-42.]

(y) "Highest price charged during March, 1942" means:

(1) The highest price which the seller charged at the same shipping or delivery point to a purchaser of the same class for delivery of the particular petroleum product during March 1942.

(2) If the seller made no such delivery during March 1942, such seller's highest offering price to a purchaser of the same class for delivery during that month.

(3) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March, 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(4) In no event, however, shall a price charged pursuant to a contract entered into prior to March 1942 be regarded as a price charged in March 1942 unless such contract was adjustable to reflect current market conditions at or about the dates of deliveries under such contract.

(z) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it without substantially changing its composition, either to an industrial or commercial user or to any person other than an ultimate consumer.

(aa) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

[Paragraphs (y), (z), and (aa) added by Amendment 69, 8 F.R. 2267, effective 2-25-43.]

§ 1340.158 *Effective date of Revised Price Schedule No. 88.* This Schedule (§§ 1340.151 to 1340.159, inclusive) shall become effective February 2, 1942.

[NOTE: This date refers to the original issuance of Price Schedule 88.]

§ 1340.158a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following parts affected.]

§ 1340.159 *Appendix A: Maximum price for petroleum and petroleum products.* The maximum prices established by Revised Price Schedule No. 88 (§§ 1340.151 to 1340.164 inclusive) shall include the prices on all domestic, export and import transactions, sales, transfers, exchanges or purchases of crude petroleum and on all domestic, export and import transactions, sales, transfers or exchanges of petroleum products, involving contract, bid or spot sales of crude petroleum at the well, the gathering point, tank or terminal, and of petroleum products for cargo or barge shipment, harbor delivery, f. o. b. refinery and terminal, and tank car and tank wagon delivery. With the exception of industrial lubricating oils and greases, prices for petroleum products when sold at retail at service stations, garages and stores are not governed by Revised Price Schedule No. 88.

[Paragraph as amended by Amendment 69, 8 F.R. 2267, effective 2-25-43.]

[NOTE: For maximum prices on export transactions, see Revised Maximum Export Price Regulation, 7 F.R. 5059, 7242, 8829, 9000, 10530.]

No seller of petroleum or petroleum products shall reduce his discounts, such as those for quantity, prompt payment or ease of handling, to a buyer below those which he had in effect as to deliveries during the period October 1 to 15, 1941, to the same buyer, or if no delivery was made to the particular buyer during that period below those which he had in effect as to deliveries to buyers of the same general class during such period. Such discounts shall be deducted from the maximum prices established in this § 1340.159 unless, as with respect to maximum prices determined by § 1340.159 (b) (2), the maximum prices are net prices after reduction by such discounts.

[Paragraph as amended by Amendment 17, 7 F.R. 3963, effective 5-27-42.]

Except as specifically provided hereinafter, and pending the preparation of a comprehensive schedule or schedules of specific prices, the maximum prices for petroleum and petroleum products shall be the prices determined according to paragraphs (a) and (b) below.

(a) *Crude petroleum.* (1) The maximum price at the receiving tank for crude petroleum from any given pool shall be the posted purchase price as of October 1, 1941 for such pool.

(2) Where on October 1, 1941, there was for any given pool no posted purchase price, or more than one posted purchase price, the maximum price at the receiving tank for crude petroleum from such pool shall be the price paid for crude petroleum at the same receiving tank as of October 1, 1941 unless this price is below the lower or lowest of the posted purchase prices, if any, and in that case, the maximum price shall not be in excess of such lower or lowest posted purchase price: *Provided, however,* That a price paid pursuant to a contract in effect on October 1, 1941 and entered into prior to that date, shall not be considered in determining the maximum price for crude petroleum unless the contract price reflected current market conditions on or about October 1, 1941.

[Paragraph (2) as amended by Amendment 63, 8 F.R. 1312, effective 2-3-43.]

(3) Where a contract was in effect on October 1, 1941 for the purchase of crude petroleum at the receiving tank at a price in excess of any posted purchase price for the given pool applicable to such production or for the purchase of crude petroleum at a point other than at the receiving tank at a price in excess of the sum of such posted purchase price and the differential between such posted purchase price and the price at such other point in existence on October 1, 1941, such contract price shall be the maximum price at the receiving tank or at such other point for the production covered by the contract, or any renewal of such contract, or a new contract between the same buyer and seller concerning the same production.

[Paragraph (3) as amended by Amendment 30, 7 F.R. 6680, effective 8-26-42.]

(4) Where the maximum price for any sale of crude petroleum at the receiving tank cannot be determined under (1) through (3) above, the seller or purchaser may set a tentative price for the crude petroleum at the particular receiving tank or tanks which shall be in line with the maximum prices for comparable crude petroleum in the same general area. Within ten days after setting such a tentative price the seller or purchaser shall file with the Office of Price Administration at its principal office in Washington, D. C., a written request for approval of such tentative price. The person filing such request, shall file in connection therewith a statement setting forth:

(i) Such tentative price,

(ii) An explanation as to why it is impossible to determine his maximum price under subparagraphs (1), (2) or (3) of this paragraph (a),

(iii) A description of the available transportation facilities, and a description of the gravity, characteristics and source of the crude petroleum in question.

Such tentative price shall be the seller's maximum price for such crude petroleum at the particular receiving tank or tanks unless it is disapproved in writing by the Office of Price Administration within 30 days from the date it is filed as above provided or a substitute maximum price is set by the Office of Price Administration. If such tentative price is a posted price, it shall unless the Office of Price Administration disapproves it in writing within 30 days from the date it is filed as above provided, or sets a substitute maximum price, be the maximum price at the receiving tank for any crude petroleum produced from the pool from which crude petroleum covered by the sale in question is produced. This provision also covers crude petroleum produced from wells representing discovery and development of new pools subsequent to October 1, 1941. If a seller and purchaser have agreed upon a price for the sale of crude petroleum subject to the approval of the Office of Price Administration, a maximum price determined in accordance with this subparagraph (4) shall be effective retroactively to February 2, 1942 or the date of the agreement, whichever is later.

[Paragraph (4) as amended by Amendment 83, issued 3-24-43 and effective 3-30-43.]

(5) (i) The maximum price for crude petroleum purchased at a point other than the receiving tank shall be at no greater differential at such point over the maximum price for such crude at the receiving tank than existed on October 1, 1941: *Provided, however,* That such a differential established pursuant to a contract in effect on October 1, 1941 and entered into prior to that date shall not be considered in determining the maximum price at that point unless the differential reflected current market conditions on or about October 1, 1941.

(ii) Where a maximum price at a point other than at the receiving tank cannot be determined under subdivision (i) above, the seller may establish a tentative differential for a sale of crude petroleum at such point. Within ten days after setting such tentative differential the seller shall file with the Office of Price Administration at its principal office in Washington, D. C. a written request for approval of such tentative differential accompanied by a statement setting forth:

(a) Such tentative differential,

(b) An explanation as to why it is impossible to determine his maximum price at the particular point under § 1340.159 (a) (5) (i) of this price schedule.

(c) The location of the source of the crude petroleum in question and of the particular delivery point, and

(d) An itemized statement of the costs involved in transporting the crude petroleum from the receiving tank to the particular delivery point and of any other items comprising the tentative differential.

Such tentative differential shall be the seller's maximum differential for the particular sale and for all subsequent sales of crude petroleum from the same receiving tank delivered at that point unless it is disapproved in writing by the Office of Price Administration within 30 days from the date it is filed as above provided or a substitute maximum differential is set by the Office of Price Administration. If a seller and purchaser have agreed upon a price for a sale of crude petroleum at a point other than at the receiving tank subject to the approval of the Office of Price Administration, a maximum differential determined in accordance with this subdivision (ii) shall be effective retroactively to February 2, 1942 or the date of the agreement, whichever is later. The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[Paragraph (5) as amended by Amendment 63, 8 F.R. 1312, effective 2-3-43 and Amendment 83, issued 3-24-43 and effective 3-30-43.]

(b) *Petroleum products.* (1) The maximum price on each product sold, contracted to be sold, delivered, or transferred by a seller shall be the lowest quoted price published in the October 2, 1941 issue of *Platt's Oilgram* and the *Chicago Journal of Commerce*, the October 8, 1941 issue of the *National Petroleum News* or other publications designated by this Office, for a product of the same class, kind, type, condition and grade. Where such products are sold and prices are quoted on a delivered basis, then the maximum delivered price shall be the lowest quoted delivered price so published. Where products are sold and prices are quoted on an f. o. b. shipping point basis, then the maximum f. o. b. price shall be the lowest quoted f. o. b. price so published. Quotations in the above named periodicals for the States of California, Oregon, Washington, Arizona and Nevada shall not be used in determining maximum prices.

(2) Where the maximum price for a petroleum product at a given shipping or delivery point cannot be determined under subparagraph (1) of this paragraph the maximum price for each seller at such shipping point or delivery point shall not exceed the price charged at that point by him on the last sale of a substantial quantity of the same product to a purchaser of the same general class, within sixty days prior to October 15, 1941. Where the product is sold on a delivered basis at a given point the maximum price shall be the price charged on the last sale of a substantial quantity of the same product to a purchaser of the same general class made on a delivered basis at that point in the period specified. Where the product is sold at a given point on an f. o. b. shipping point basis, the maximum price shall be the price charged on the last f. o. b. shipping point sale at that point of a substantial quantity of the same product to a purchaser of the same general class in the period specified. The term "sale" in this subparagraph shall include sales and contracts of sale made during the period specified and deliveries made during the period specified under contracts made prior thereto which permitted adjustments to reflect changes made prior to the dates of such deliveries, in the prices of the petroleum and or petroleum products purchased or used by the seller in order to make deliveries under such contracts. Deliveries during the period specified under contracts entered into prior thereto which did not permit such adjustments shall not be regarded as sales for the purpose of calculating maximum prices under this subparagraph

[Paragraphs (1) and (2) as amended by Amendment 14, 7 F.R. 3552, effective 5-13-42.]

(3) Where the maximum price for any petroleum product at a given shipping or delivery point cannot be determined under subparagraphs (1) or (2) above, a seller may sell such product at the maximum price of his most closely competitive seller of the same class as determined under subparagraphs (1) or (2) above.

[Paragraph (3) as amended by Amendment 31, 7 F.R. 7242, effective 9-16-42.]

(4) Notwithstanding (1), (2) and (3), where contracts covering domestic sales of petroleum products had been made prior to November 10, 1941, the prices in such contracts may be charged pursuant to such contracts up to and including March 1, 1942.

(5) Notwithstanding (1), (2) and (3), where contracts covering export sales of petroleum products had been made prior to January 20, 1942, the prices in such contracts may be charged pursuant to such contracts up to and including March 1, 1942.

(6) Notwithstanding (1), (2) and (3), sales of petroleum products may be made up to and including March 1, 1942 under the following provisions:

(i) The maximum price on each product sold, contracted to be sold, delivered,

For any points in

(12) The maximum prices in the

amend contracts, providing for prices on

or transferred by a seller shall be the lowest quoted price published in the first issue after November 7, 1941 of the *National Petroleum News, Platt's Oilgram,* or the *Chicago Journal of Commerce,* for a product of the same class, kind, type, condition and grade. Where such products are sold and the prices are quoted on a delivered basis, then the maximum delivered price shall be the lowest quoted delivered price so published. Where products are sold and prices are quoted on an f. o. b. shipping point basis, then the maximum f. o. b. price shall be the lowest quoted f. o. b. price so published.

(ii) Where the maximum price for products at a given shipping or delivery point cannot be determined under (i) above, sellers may sell such products at the market price prevailing at the time of the sale: *Provided,* That notice of the sale and the price thereof is furnished to this Office, within fifteen days after the sale, when the price is in excess of the price of the last sale of a product of similar quality made by the seller prior to November 7, 1941.

(7) In the event that a seller is unable to determine a maximum price at a given shipping or delivery point for the sale of any petroleum product under paragraph (b) or (c) of this § 1340.159 which is not exempted from §§ 1340.151 and 1340.159 of this Revised Price Schedule No. 88, by § 1340.160 of said schedule, then the seller shall set a tentative maximum price for such product at the particular shipping or delivery point. This subparagraph shall be applicable even though a seller may have heretofore either determined his maximum price in some other manner or reported a price under § 1340.154 (c). The seller shall within 15 days after setting a tentative maximum price, file with the Office of Price Administration a written request for approval of such tentative maximum price. In connection with such request, the seller shall file with the Office of Price Administration at its principal Office in Washington, D. C., a statement setting forth:

(i) Such tentative price;

(ii) An explanation as to why it is impossible for the seller to establish a selling price under paragraph (b) or (c) of this § 1340.159;

(iii) Whenever applicable, that the price set by him is in line with the level of maximum prices for the three most closely competitive sellers of the same class and his own maximum prices for the same product at three other points nearest the point for which the tentative price was set;

(iv) Whenever subdivision (iii) is not applicable, an explanation supplemented by specifications, as to how the particular product differs from the two products having the most nearly similar specifications for which maximum prices are established by paragraph (b) or (c) of this § 1340.159 and the maximum prices of such products; and an explanation as to the seller's method of ascertaining the cost to him of the particular product and how that differs from the cost to him of the two products having the most nearly similar specifications.

Such tentative price shall be the seller's maximum price at the particular shipping or delivery point for the particular product unless it is disapproved in writing by the Office of Price Administration within thirty days from the date it is filed as above provided or a substitute price is set by the Office of Price Administration. If a substitute price is set, then such price shall be the maximum price.

[Paragraph (7) added by Amendment 31, 7 F.R. 7242, effective 9-16-42]

(8) Notwithstanding the provisions of other subparagraphs of this paragraph and § 1340.159 (c), where a seller of fuel oil of Grade No. 5 or lighter, was giving free oil burner service to purchasers located in the corporate limits of Baltimore City and the counties immediately bordering on Baltimore City, including Baltimore County, Anne Arundel County, Howard County, Harford County, and Carroll County, such seller may make additional charges for servicing such purchaser's oil burner on the following basis:

(i) Each call one dollar and fifty cents ($1.50).

(ii) In addition to the basic charge for a call authorized under subdivision (i) a charge of one dollar and fifty cents ($1.50) may be made for performance of a vacuum cleaning job once in any single twelve-month period, and a charge of one dollar ($1.00) may be made for performance of an Orsat or other instrument analysis of flue gases or products of combustion once in a single twelve-month period.

[Paragraph (8) added by Amendment 34, 7 F.R. 8478, effective October 24, 1942, except that buyers who have already made contracts with sellers to pay for service rendered at a certain rate in the event that such a charge would be authorized by the Office of Price Administration may be charged therefore in accordance with the terms of such contract if such charges do not exceed what could be charged under the terms of subparagraph (8).]

(9) Notwithstanding the provisions of other subparagraphs of this paragraph (b) or of paragraph (c) of this section, the maximum tank wagon prices for all fuel oils and heating oils including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, Diesel oil and gas oil in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia shall be 0.3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this price schedule which would otherwise govern except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

[Paragraph (9) added by Amendment 53, 7 F.R. 11112, effective 12-29-42, and amended by Amendment 81, 8 F.R. 3327, effective 3-16-43]

(10) (i) Notwithstanding the provisions of other subparagraphs of this paragraph (b), a seller may charge for any petroleum product on any sale thereof, pursuant to open and public bidding, to any governmental agency, whether state or Federal, or any state or political subdivision thereof, either

(*a*) His own maximum price under the other provisions of this paragraph (b), or

(*b*) The amount of the highest maximum price established under this price schedule for any person participating in the particular bidding for sale of the same product to the same buyer.

(ii) No bid at any such bidding regardless of the amount thereof shall be deemed to conflict with any provision of this price schedule.

[Paragraph (10) added by Amendment 55, 8 F.R. 157, effective 1-7-43]

(11) (i) Notwithstanding any other provision of § 1340.159 (b) a seller's maximum tank wagon price at a particular point for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oils, and tractor and diesel fuel shall be the maximum price of the reference tank wagon seller as specified hereunder for the same grade at the same point provided the reference tank wagon seller's maximum price is higher than the maximum price which would otherwise be applicable. Where more than one reference seller is specified for a particular point, and such reference sellers do not have the same maximum price for such point, then the maximum price of the reference seller having the lowest maximum price shall be controlling.

For a product of a particular seller to be regarded as of the same grade as a product of the reference seller, it must customarily have been so regarded in trade practice at the point of sale and it must be a product that has customarily been sold in competition with the product of the reference seller.

(ii) The companies hereinafter named are the reference tank wagon sellers for any point in the continental United States, in the State, States or district set out opposite the name of the company: *Provided,* That such company has an applicable maximum price for such point;

For any points in the State of:	*Reference tank wagon sellers*
Alabama	Standard Oil Co. (Kentucky).
Arizona	Standard Oil Co. of California.
Arkansas	Standard Oil Co. of Louisiana and Continental Oil Co.
California	Standard Oil Company of California.
Colorado	Continental Oil Co.
Connecticut	Socony-Vacuum Oil Co., Inc. and The Atlantic Refining Co.

For any points in the State of—Continued.	*Reference tank wagon sellers*
Delaware	The Atlantic Refining Co.
District of Columbia.	Standard Oil Co. of New Jersey.
Florida	Standard Oil Co. (Kentucky) and The Atlantic Refining Co.
Georgia	Standard Oil Co. (Kentucky) and The Atlantic Refining Co.
Idaho	Continental Oil Co.
Illinois	Standard Oil Co. (Indiana).
Indiana	Standard Oil Co. (Indiana).
Iowa	Standard Oil Co. (Indiana).
Kansas	Standard Oil Co. (Indiana).
Kentucky	Standard Oil Co. (Kentucky).
Louisiana	Standard Oil Co. of Louisiana.
Maine	Socony-Vacuum Oil Co., Inc.
Maryland	Standard Oil Company of New Jersey and The Atlantic Refining Co.
Massachusetts	Socony-Vacuum Oil Co., Inc., and The Atlantic Refining Co.
Michigan	Standard Oil Co. (Indiana).
Minnesota	Standard Oil Co. (Indiana).
Mississippi	Standard Oil Co. (Kentucky).
Missouri	Standard Oil Co. (Indiana).
Montana	Continental Oil Co.
Nebraska	Standard Oil Co. (Nebraska).
Nevada	Standard Oil Co. (California).
New Hampshire.	Socony-Vacuum Oil Co., Inc.
New Jersey	Standard Oil Co. of New Jersey and The Atlantic Refining Co.
New Mexico	Continental Oil Co.
New York	Socony-Vacuum Oil Co., Inc.
North Carolina	Standard Oil Co. of New Jersey and The Atlantic Refining Co.
North Dakota	Standard Oil Co. (Indiana).
Ohio	Standard Oil Co. (Ohio).
Oklahoma	Continental Oil Co.
Oregon	Standard Oil Co. of California.
Pennsylvania	The Atlantic Refining Co.
Rhode Island	Socony-Vacuum Oil Co., Inc., and The Atlantic Refining Co.
South Carolina	Standard Oil Co. of New Jersey.
South Dakota	Standard Oil Co. (Indiana).
Tennessee	Standard Oil Co. of Louisiana.
Texas	Humble Oil & Refining Co. and The Texas Co.
Utah	Continental Oil Co.
Vermont	Socony-Vacuum Oil Co., Inc.
Virginia	Standard Oil Co. of New Jersey and The Atlantic Refining Co.
Washington	Standard Oil Co. of California.
West Virginia	Standard Oil Co. of New Jersey.
Wisconsin	Standard Oil Co. (Indiana).
Wyoming	Continental Oil Co.

[Paragraph (11) added by Amendment 66, 8 F.R. 1799, effective 2-13-43]

(12) The maximum prices in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for the petroleum products listed below shall be the maximum prices as determined under Section 1340.159 (b) (1)–(3) plus the respective amounts per gallon indicated below:

Product	*Cents per gallon*
All distillate and distillate type fuel oils having a viscosity below 85 seconds Saybolt Universal (at 100° F.) except kerosene, range oil and No. 1 fuel oil and including but not limited to the following: Tractor fuel, gas house oils, distillate Diesel fuel oils, Nos. 2, 3, and 4 fuel oils, Standard light gas oil, gas house standard light gas oil and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or other distillate fuel oil use	1.5
Kerosene, range oil and No. 1 fuel oil	1.8

[Paragraph (12) added by Amendment 82, 8 F.R. 3366, effective 3-17-43]

(c) *Specific prices.* The following specific prices shall be the maximum prices for the items named at the points enumerated, notwithstanding paragraphs (a) and (b) above:

(1) *Crude petroleum—(i) Pennsylvania grade.*

Grade of crude petroleum	*Maximum price per barrel*
Pennsylvania Bradford	$3.00
Southwest Pennsylvania	2.65
Eureka	2.59
Southeastern Ohio	2.55
Oil City-Titusville:	
Group A (including Cochran, Franklin Hamilton, and Doolittle Districts)	2.93
Group B (Titusville District)	2.92
Group C (including Turkey and Tidiout)	2.91
Group D (including Bear Creek and Porkey Districts)	2.90
Group E (including Eideneau, Bowl Creek, Rough Run, Carbon, Ditner, Bredin, McJunkin, Jameson, Kennerdall, Emlenton, Tiona, Lacy, and Kinzua Districts)	2.88

(*a*) The price limitations set forth above shall prohibit the addition of commissions above said maximum prices except that persons who buy Pennsylvania grade crude petroleum for resale under contracts and who had contracts in existence on August 23, 1941 which provide that the price on resale shall be the "posted price" plus a specified commission may receive the maximum price plus said commission specified in the contracts: *Provided,* That (*a*) said contracts were entered into in writing prior to August 14, 1941; (*b*) said contracts are binding and valid in character; (c) certified copies of each such contract were filed with the Office of Price Administration within ten (10) days after August 23, 1941; and (*d*) no such contract has been extended or amended without the approval of this Office. Persons who buy for resale and wish to enter into contracts, or wish to extend or amend contracts, providing for prices on resale higher than the maximum prices listed above; may make application to this Office for permission to receive such higher prices.

(ii) *North and North Central Texas and Oklahoma.* The maximum price at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Cooke, Eastland, Fisher, Foard, Haskell, Jack, Jones, Montague, Palo Pinto, Shackelford, Stephens, Taylor, Throckmorton, Wichita, Wilbarger, and Young Counties, Texas, and in the bed of the Red River in Tillman County, Oklahoma, shall be $1.21 per barrel with the customary differentials for lower gravity crudes.

(iii) *Louisiana.* (*a*) The maximum price at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in the Caddo Pool in Louisiana shall be $1.20 per barrel with the customary differentials for lower gravity crudes.

(*b*) The maximum price at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in any pool in Ritchie Field, Acadia Parish, Louisiana, shall be $1.48 per barrel with the customary differentials for lower gravity crudes.

[Paragraph (*b*) is made effective as of February 2, 1942 by Amendment No. 19, issued June 18, 1942]

(c) The maximum prices at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in any pool in University Field, East Baton Rouge Parish, Louisiana, shall be $1.48 per barrel with the customary differentials for lower gravity crudes.

(*d*) The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in the Olla, South Olla and Little Creek Pools, LaSalle Parish, Louisiana, shall be $1.35 per barrel, with the customary differentials for lower gravity crudes.

[Paragraphs (ii) and (iii) as amended by Amendment 7, 7 F.R. 2945, effective 4-23-42; Amendment 20, 7 F.R. 4854, effective 7-2-42; and Amendment 64, 8 F.R. 1318, effective 2-3-43]

(iv) *Oklahoma.* The maximum price at the well for crude petroleum of 40° gravity and above, determined by the American Petroleum Institute method, produced in that portion of the Tussy Field located in Garvin County, and in the Healdton and Oscar Pools in Oklahoma shall be $1.25 per barrel with the customary differentials for lower gravity crudes.

[Paragraph (iv) as amended by Amendment 12, 7 F.R. 3524, effective 5-13-42]

(v) *New Mexico.* The maximum price at the well for crude petroleum of 40° gravity and above, determined by the

American Petroleum Institute method, produced in the Loco Hills Area of Eddy County, New Mexico shall be $1.12 per barrel with the customary differentials for lower gravity crudes.

[Paragraph (v) added by Amendment 12, effective 5-13-42]

(vi) *East Texas.* Effective February 2, 1942, the maximum price for East Texas crude petroleum sold by the Houston Oil Company of Texas at its tank No. 11, Peterson Tank Farm, Isaac Ruddle Survey, Rusk County, Texas, shall be $1.30 per barrel.

[Paragraph (vi) added by Amendment 16, 7 F.R. 3895, effective 5-23-42]

(vii) *Texas.* (*a*) The maximum price at the well for crude distillate produced in the Pettus field, Bee County, Texas, shall be $1.50 per barrel.

(*b*) Effective February 2, 1942, the maximum price at the receiving tank for crude distillate of 50° gravity and above produced from the Partlow lease, Hardin field, Liberty County, Texas, shall be $1.53 per barrel.

(*c*) The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Rincon field, Starr County, Texas, shall be $1.45 per barrel, with the customary differentials for lower gravity crudes.

(*d*) Effective December 1, 1942, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Shields field, Nueces County, Texas, shall be $1.35 per barrel, with the customary differentials for lower gravity crudes.

[Paragraph (vii) added by Amendment 22, 7 F.R. 5481; amended by Amendment 64, 8 F.R. 1318, effective 2-3-43]

(viii) *Wyoming.* (*a*) The maximum prices at the receiving tank for black oils produced in the fields designated below shall be:

Field:	Price per barrel
Black Mountain	$0.55
Byron	.70
Circle Ridge	.65
Dallas and Derby	.55
Frannie, light	.85
Frannie, heavy	.62
Garland	.60
Grass Creek, heavy	.65
Hamilton Dome	.60
Hudson (Lander)	.725
Maverick Springs	.6625
Notches	.75
Oregon Basin	.65
Pilot Butte	.80
South Casper Creek	.65
Poison Spider	.65
Spindletop	.65
Shoshone	.65
Salt Creek, Tensleep	.8265
Sheep Creek	.65

[Paragraph (*a*) as amended by Amendment 71, 8 F.R. 2594, effective 2-26-43. Paragraph (*b*) revoked]

(ix) *California.* Effective February 2, 1942, the maximum prices at the receiving tank for royalty crude petroleum produced in the Ventura Avenue Oil Field on all sales made to Shell Oil Company, Inc., lessee, and its successors and assigns by the persons entitled from time to time to share in the royalty interests reserved under oil leases known as the Taylor, Edison and Gosnell leases, shall be as follows:

A. P. I. gravity:	Prices per barrel
26°–26.9°	$1.075
27°–27.9°	1.11
28°–28.9°	1.14
29°–29.9°	1.1675
30°–30.9°	1.195

Maximum prices for crude petroleum of gravities higher or lower than those set forth above shall be the prices for such gravities established as of October 1, 1941 by the contract dated August 29, 1941 between Tidewater Associated Oil Company and certain of its lessors in the Ventura Avenue Oil Field.

[Paragraph (ix) added by Amendment 33, 7 F.R. 8433, effective 10-23-42]

[Paragraph (x) added by Amendment 36, 7 F.R. 8701, and revoked by Amendment 64, 8 F.R. 1318, effective 2-3-43]

(xi) *Northwestern Ohio and Northeastern Indiana. Lima Oil Field.* The maximum price for crude petroleum produced in the Lima Oil Field, located in Northwestern Ohio and Northeastern Indiana, shall be $1.50 a barrel at the receiving tank: *Provided*, That where the price paid for crude petroleum from a particular receiving tank in the Lima Oil Field as of October 1, 1941 exceeded $1.50 a barrel, the maximum price at the same receiving tank shall be the price so paid or $1.60 a barrel, whichever is the lower.

[Paragraph (xi) added by Amendment 37, 7 F.R. 8741, effective 11-2-42]

(xii) *South Arkansas.* The maximum price at the receiving tank for sour distillate produced in the McKamie pool, Lafayette County, Arkansas, and in the Dorcheat pool, the Macedonia pool and the Big Creek pool, Columbia County, Arkansas, shall be $1.25 per barrel.

(xiii) *Kentucky.* (*a*) Effective as of May 1, 1942, the maximum price at the receiving tank for crude petroleum produced in the Sebree pool, Webster County, Kentucky, shall be $1.32 per barrel.

[Paragraph (xii) and (xiii) added by Amendment 64, 8 F.R. 1318, effective 2-3-43]

(*b*) The maximum price at the receiving tank for crude petroleum produced in the Uniontown field, Union County, Kentucky shall be $1.37 per barrel.

[Paragraph (*b*) added by Amendment 67, 8 F.R. 2023, effective 2-18-43]

(2) *Gasoline*—(i) *Maximum prices for cargo transactions on the Gulf Coast market.* The maximum price on sales by the refiners listed below and their subsidiaries for cargo transactions on the Gulf Coast market shall be as follows:

Motor gasoline	Cents per gallon
Minimum 80 octane 1939 Research Method (as determined by Cooperative Fuel Research Committee) with a maximum of 2 cubic centimeters of lead	6.00
60–62 gravity, maximum 400 end point:	
72–74 octane leaded	5.75
70 octane unleaded	5.75
68 octane unleaded	5.75
65 octane unleaded	5.25
60 octane unleaded	5.00

(octane ratings as defined by American Society for Testing Materials)

Atlantic Refining Company, The.
Cities Service Company.
Consolidated Oil Corporation.
Continental Oil Company.
Gulf Oil Corporation.
Humble Oil and Refining Company.
Mid-Continent Petroleum Corporation.
National Refining Company.
Ohio Oil Company, The.
Pan American Petroleum and Transport Company.
Phillips Petroleum Company.
Pure Oil Company, The.
Shell Union Oil Corporation.
Skelly Oil Company.
Socony-Vacuum Oil Company, Inc.
Standard Oil Company of California.
Standard Oil Company (Indiana).
Standard Oil Company (New Jersey).
Sun Oil Company.
Texas Company, The.
Tidewater Associated Oil Company.

Maximum prices to be charged by other petroleum refiners for cargo transactions on the Gulf Coast market shall be as follows:

Motor gasoline	Cents per gallon
Minimum 80 octane 1939 Research Method (as determined by Cooperative Fuel Research Committee) with a maximum of 2 cubic centimeters of lead	6.5
60–62 gravity, maximum 400 end point:	
72–74 octane leaded	6.25
70 octane unleaded	6.25
68 octane unleaded	6.25
65 octane unleaded	5.75
60 octane unleaded	5.5

(octane ratings as defined by American Society for Testing Materials)

(ii) *Maximum prices for gasoline on the Eastern seaboard.*

Eastern seaboard. Maximum prices for gasoline in the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, the District of Columbia and the corporate limits of Bristol, Tennessee, shall not be in excess of 1.2 cents per gallon above the maximum prices in the above States and the District of Columbia as determined under paragraph (b) (1) to (3) inclusive, of this section. Such maximum increase of 1.2 cents per gallon shall apply to the communities in Maryland and Virginia adjacent to the District of Columbia in addition to the increase of 0.5 of a cent per gallon allowed for these communities below. Maximum prices for gasoline sold in the State of Florida, east of the Apalachicola River and in the State of Georgia shall not be in excess of 0.9 of a cent per gallon above the maximum prices as determined under paragraph (b) (1) to (3) inclusive, of this section.

[Paragraph as amended by Amendment 57, 7 F.R. 6057, effective 8-5-42]

Maryland and Virginia. The maximum tank wagon prices for those communities in Maryland and Virginia adjacent to the District of Columbia shall be not more than 0.5 of a cent per gallon in excess of the highest price between December 15, 1941 and December 31, 1941, where suppliers had been making allowances of 0.5 of a cent per gallon or more between December 15, 1941 and December 31, 1941.

MAXIMUM TANK WAGON PRICES, EXCLUDING TAXES
(In cents per gallon)

Tank wagon area	Third grade		Regular grade		Premium grade	
	Dealer	Consumer or commercial	Dealer	Consumer or commercial	Dealer	Consumer or commercial
IOWA						
Des Moines	9.4	10.4	9.9	11.4	11.4	13.4
ILLINOIS						
Quincy	.....	.....	9.4	10.9	10.9	.....
OHIO						
Geneva	9.5	12	9.5	12	11	14
WISCONSIN						
Lodi	10.1	11.1	10.6	12.1	12.1	14.1
Madison	9.9	10.9	10.4	11.9	11.9	13.9
Mazomanie	9.9	10.9	10.4	11.9	11.9	13.9
Sauk City	10.1	11.1	10.6	12.1	12.1	14.1
Stoughton	9.9	10.9	10.4	11.9	11.9	13.9
Sun Prairie	10.1	11.1	10.6	12.1	12.1	14.1
ARKANSAS						
Fort Smith	6.25	6.25	9	9	.....	.....
Little Rock	7	7	9.5	9.5	.....	.....
Texarkana	7.5	7.5	9	9	.....	.....
NEW MEXICO						
Roswell	1	1	10	10	.....	.....
NORTH DAKOTA						
Largo	.....	.....	11.4	.....	.....	.....
MONTANA						
Billings	11	11	12	12	.....	.....
Butte	10.5	10.5	11.5	11.5	.....	.....
Great Falls	11	11	12	12	.....	.....
Helena	11	11	12	12	.....	.....
OKLAHOMA						
Muskogee	6.75	6.75	7.75	7.75	.....	.....
Oklahoma City	7	7	8	8	.....	.....
Tulsa	7	7	8	8	.....	.....
WYOMING						
Cheyenne	1	9	10	10	.....	.....

[Table as amended by Amendment 56, 8 F.R. 232, effective 1-9-43]

(iii) *Puerto Rico.* Effective December 1, 1942, the maximum prices of gasoline in Puerto Rico shall be 3 cents per gallon above the maximum prices established by § 1340.159 (b) (1) to (3) to all purchasers other than the United States Government, its agencies or instrumentalities when sold to them for their exclusive use.

[Paragraph (iii) added by Amendment 50, 7 F.R. 10684, effective 12-1-42]

(3) *Distillate fuel oils.*

[Paragraph (1) revoked by Amendment 82, 8 F.R. 3366, effective 3-17-43]

(ii) Maximum tank wagon prices for No. 2 fuel oil:

Tank wagon area:	Cents per gallon
Connersville, Indiana	7.8
Minneapolis, Minnesota, 1-99 gals	8.8
100 gals. and over	7.8
Washington, D. C	9.1

[Paragraph (ii) as amended by Amendment 49, 7 F.R. 9820, effective 12-1-42]

(iii) Effective July 7, 1942, the maximum prices at the Virgin Islands of kerosene transshipped from Puerto Rico shall be 3 cents per gallon above the prices established by § 1340.159 (b) (1) to (b) (3) inclusive. This subdivision (iii) shall, unless earlier revoked or replaced, expire on September 21, 1942.

[Paragraph (iii) as amended by Amendment 26, 7 F.R. 5988, effective 7-7-42]

(iv) Maximum tank wagon prices for kerosene:

Tank wagon area:	Cents per gallon
Cheyenne, Wyo	9
Roswell, N. Mex	7
Fort Smith, Ark	8
Texarkana, Ark	7

[Paragraphs (v) and (vi) added by Amendment 35, 7 F.R. 8586; revoked by Amendment 45, 7 F.R. 9460, effective 11-16-42]

(vii) *Florida.* The maximum price of kerosene f. o. b. Jacksonville, Florida, for delivery in tank cars shall be 6.75 cents a gallon.

[Paragraph (vii) added by Amendment 40, 7 F.R. 9130, effective 11-12-42]

(viii) Maximum prices for No. 2 fuel oil f. o. b. refinery or terminal:

Location of refinery or terminal:	Cents per gallon
Minneapolis-St. Paul Area	6.2

[Paragraph (viii) added by Amendment 44, 7 F.R. 9425, effective 11-13-42]

(ix) *Lower peninsula of Michigan.* (*a*) The maximum tank wagon prices for prime white distillate, range oil, also known as stove oil or heater oil, and Nos. 1, 2 and 3 fuel oil at all points in the lower peninsula of Michigan, except in the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, shall be 0.4 of a cent per gallon above the maximum prices thereof determined under the provisions of this price schedule which would otherwise be applicable.

(*b*) In the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, in the State of Michigan, the maximum tank wagon prices for the petroleum products mentioned below shall be as follows:

	Cents per gallon
Kerosene	9.7
Range oil, also known as stove oil or heater oil:	
In quantities of 25 gallons or over	7.9
In quantities of less than 25 gallons	8.9
Prime white distillate and Nos. 1 and 2 fuel oil:	
In quantities of 100 gallons or over	7.4
In quantities of less than 100 gallons	8.4
No. 3 fuel oil:	
In quantities of 100 gallons or over	6.9
In quantities of less than 100 gallons	7.9

[Paragraph (ix) added by Amendment 45, 7 F.R. 9460, effective 11-16-42; amended by Amendment 72, 8 F.R. 2152, effective 2-22-43]

(x) *Louisiana and Texas Gulf Coast.* The maximum price for distillate Diesel oil of 28° A. P. I. gravity and above, ships' bunkers (ex lighterage) on the Louisiana and Texas Gulf Coast shall be $1.65 per barrel.

[Paragraph (x) added by Amendment 47, 7 F.R. 9621, effective 11-25-42]

(xi) *Metropolitan Boston, Massachusetts Area.* In the Metropolitan Boston, Massachusetts Area, comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Everett, Hingham, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge	6.95
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.2
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or less	10.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.8
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.3
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12

[Paragraph (xi) added by Amendment 54, 7 F.R. 11075, effective 12-29-42 and amended by Amendment 82, 8 F.R. 3366, effective 3-17-43]

(xii) *New York City, New York, Metropolitan Area.* (*a*) Within the corporate limits of New York City, New York, maximum prices for kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge	7.0
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.1
At the seller's yard for delivery into buyer's tank wagons in the Boroughs of Manhattan, the Bronx, Brooklyn, Richmond and Queens	7.5
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12.5

(*b*) Within the Counties of Westchester, Nassau and Suffolk, in the State of New York the maximum prices for kerosene, No. 1 fuel oil, range oil, also known as stove oil, and Nos. 2, 3 and 4 fuel oil at the seller's yard for delivery into the buyer's tank wagons shall be 0.1 of a cent per gallon above the maximum prices thereof determined under the provisions of this price schedule which would otherwise be applicable.

(*c*) Within the corporate limits of New York City, New York the maximum price for Nos. 2, 3 and 4 fuel oil at the seller's yard for delivery into the buyer's tank wagons shall be 7.1 cents per gallon.

[Paragraph (xii) added by Amendment 58, 8 F.R. 233, effective 1-4-43; amended by Amendment 74, 8 F.R. 2334, effective 2-22-43, and Amendment 82, 8 F.R. 3366, effective 3-17-43]

(xiii) *Petroleum fractions sold as anti-freeze preparations in 1-gallon glass jars.* (a) The maximum price of kerosene, No. 1 fuel oil and heavier distillate fuel oils when sold as anti-freeze preparations in 1-gallon glass jars shall be 30¢ a gallon f. o. b. manufacturer's plant: *Provided, however,* That in the States of Oregon, Washington, California, Idaho, Montana, Nevada, Utah, Arizona, Colorado, New Mexico and Wyoming the maximum price for kerosene, No. 1 fuel oil and heavier distillate fuel oils when sold as anti-freeze preparations in 1-gallon glass jars shall be 33¢ a gallon f. o. b. manufacturer's plant.

(b) The maximum price of naphthas, solvents and mineral spirits, when sold as anti-freeze preparations in 1-gallon glass jars shall be 35¢ a gallon, f. o. b. manufacturer's plant: *Provided, however,* That in the States of Oregon, Washington, California, Idaho, Montana, Nevada, Utah, Arizona, Colorado, New Mexico and Wyoming the maximum price for naphthas, solvents, mineral spirits and other petroleum fractions lighter than kerosene when sold as anti-freeze preparations in 1-gallon glass jars shall be 38¢ a gallon f. o. b. manufacturer's plant.

(c) The maximum price of a petroleum fraction when sold by the manufacturer thereof as an anti-freeze preparation in bulk or in any container other than a 1-gallon glass jar shall be a price f. o. b. the manufacturer's plant determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 83.

(d) There shall be placed on each 1-gallon glass jar or other container of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil sold as an anti-freeze preparation by the manufacturer thereof a label immediately below the brand name of the product containing a statement in 12 point bold face or larger type setting forth the following: "Type—(Kerosene or Naphtha)—May cause overheating and rubber deterioration."

(e) The maximum price delivered to a retail establishment which any jobber or distributor of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil sold as an anti-freeze preparation shall be the sum of the maximum price thereof f. o. b. the manufacturer's plant and 2 cents.

[Paragraph (xiii) added by Amendment 60 8 F.R. 1227, effective 2–1–43]

(xiv) *Bridgeport, Connecticut Area.* In the Bridgeport, Connecticut Area comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.5
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.5

(xv) *New Haven, Connecticut Area.* In the New Haven, Connecticut Area comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.5
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.5

(xvi) *Hartford, Connecticut Area.* In the Hartford, Connecticut Area comprising the townships and cities of Bloomfield, East Hartford, East Windsor, Glastonbury, Hartford, Newington, Wethersfield, Windsor, Windsor Locks, West Hartford and South Windsor, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.5
At seller's yard for delivery into buyer's tank wagons	7.8
At seller's yard for deliveries in containers in quantities of 10 gallons or less	10.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.5

(xvii) *Danbury, Connecticut Area.* In the Danbury, Connecticut Area comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman; and the following townships and cities in the State of New York: Brewster, Patterson and Pawling, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
At seller's yard for delivery into buyer's tank wagons	8.2
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.5
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.0

[Paragraphs (xiv), (xv), (xvi), and (xvii) added by Amendment 73, 8 F.R. 2119, 2977, 3050, effective 2–15–43; amended by Amendment 82, 8 F.R. 3366, effective 3–17–43]

(xviii) *New England States.* Until April 15, 1943, at all points in the New England States other than those within the areas defined in subdivisions (xi), (xiv), (xv), (xvi) and (xvii) above, the maximum tank wagon prices for kerosene, No. 1 fuel oil and range oil to consumers in quantities of less than 25 gallons shall be 1½ cents per gallon above the maximum tank wagon price for the particular seller at the particular point determined under applicable provisions of this price schedule for deliveries in quantities of 25 gallons or over.

[Paragraph (xviii) added by Amendment 73, 8 F.R. 2119, 2977, 3050, effective 2–15–43]

(xix) *Diesel oil: Mobile, Alabama; Pensacola, Florida; Panama City, Florida; and Port St. Joe, Florida.* The maximum price for distillate diesel oil of 28° A. P. I. gravity and above, ship's bunkers (ex lighterage) and f. o. b. refineries and terminals in bulk lots shall be as follows:

Port	*Cents per gallon*
Mobile, Alabama	4.625
Pensacola, Florida	4.75
Panama City, Florida	4.75
Port St. Joe, Florida	4.75

[Paragraph (xix) added by Amendment 75, 8 F.R. 2349, effective 3–1–43]

(xx) *Baltimore, Maryland.* Within the corporate limits of the City of Baltimore, Maryland, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.2
At the seller's yard for delivery into the buyer's tank wagons	7.45
Tank wagon deliveries to resellers	9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.0
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.0

(xxi) *Washington, D. C.* Within the Washington, D. C. tank wagon area maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
At the seller's yard for delivery into the buyer's tank wagons	8.3
Tank wagon deliveries to resellers	10.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.5
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.0

[Paragraphs (xx) and (xxi) added by Amendment 78, 8 F.R. 2594, effective 2–26–43, and amended by Amendment 82, 8 F.R. 3366, effective 3–17–43]

(xxii) *41–43 and 42–44 gravity w. w. kerosene at Texas and Louisiana Gulf Coast Ports.* (a) At all ports on the Texas and Louisiana Gulf Coast and the Mississippi River from the Gulf Coast up to and including Baton Rouge, Louisiana, the maximum price of 41–43 gravity and 42–44 gravity w. w. kerosene f. o. b. refineries and terminals in bulk lots for deliveries into tankers, barges, pipelines, tank cars or motor transports, where shipments are made to ultimate destinations in District No. 1, as defined by the Office of the Petroleum Administrator for War, shall be 4.125 cents per gallon.

(b) At all ports on the Texas and Louisiana Gulf Coast and the Mississippi River from the Gulf Coast up to and including Baton Rouge, Louisiana, the maximum price for 41–43 gravity and 42–44 gravity w. w. kerosene f. o. b. refineries and terminals in bulk lots for deliveries into tankers, barges, pipelines, tank cars or motor transports, where shipments are made to ultimate destinations in areas other than District No. 1 as defined by the Office of the Petroleum Administrator for War, shall be 4.125 cents per gallon or the maximum price established for the particular seller under the provisions of this price schedule which would otherwise govern, whichever is higher.

(c) At all ports on the Texas and Louisiana Gulf Coast and the Mississippi River from the Gulf Coast up to and including Baton Rouge, Louisiana, the maximum price for 41–43 gravity and 42–44 gravity w. w. kerosene f. o. b. refineries and terminals for delivery into special containers, such as steel drums, where shipments are made to ultimate destinations in District No. 1 as defined by the Office of the Petroleum Administrator for War shall be 4.125 cents per gallon.

[Paragraph (xxii) added by Amendment 82, 8 F.R. 3366, effective 3–17–43]

(4) *Lubricants: Maximum prices f. o. b. refinery for Pennsylvania Grade neutral stocks.*

[In cents per gallon]

Viscous Neutrals—No. 3 Color Viscosity at 70° Fahrenheit:	
200 Viscosity (180 at 100°) 420–425 Flash Point:	
0 pour test	40.5
10 pour test	39.5
15 pour test	38.5
25 pour test	33.0
150 Viscosity (143 at 100°) 400–405 Flash Point:	
0 pour test	38.5
10 pour test	37.5
15 pour test	36.5
25 pour test	31.0

[Paragraph (5) revoked by Amendment 68, 8 F.R. 2105; effective 2–20–43]

(6) *Residual fuel oils.* (i) The maximum price in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for all residual and residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above, including but not limited to Nos. 5 and 6 fuel oils, Bunker C, Navy Grade, residual diesel fuel oils, residuum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy fuel oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy Special fuel oil, Mirando and Mirando type crude when sold as No. 5, or other residual fuel oil, or as a heavy gas enrichment oil shall be not more than 30 cents per barrel in excess of the maximum prices that would otherwise govern under § 1340.159 (b) (1) to (3) and (b) (7) except that at the refineries and ocean terminals designated in Table I of subdivision (ii) the prices there specified shall be the maximum prices. Sellers who charged the increases in price authorized by Amendments Nos. 4, 10 and 27 to Revised Price Schedule No. 88 on their sales of residual fuel oil as defined in this paragraph during the March 26, 1942 to January 9, 1943 period shall not be deemed to have exceeded their maximum prices because of such additional charges.

(ii) *Maximum prices of residual fuel oils and blends thereof with distillate fuel oils, of the A. P. I. gravities indicated below and otherwise meeting current commercial standard specifications for fuel oils, except Navy Special fuel oils and all diesel fuel oils—(a) Price tables to determine maximum prices f. o. b. refineries and tanker terminals in bulk lots. (Price areas for each table are defined below such table.)*

(EXCLUSIVE OF TAXES)

TABLE I—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES, SEABOARD TANKER TERMINALS, AND RIVER TANKER TERMINALS AT ALBANY, N. Y. AND ON THE MISSISSIPPI RIVER UP TO AND INCLUDING BATON ROUGE, LOUISIANA

[Dollars per 42-gallon barrel]

A. P. I. gravity range	Price Area A	Price Area B	Price Area C	Price Area D	Price Area E	Price Area F	Price Area G	Price Area H	Price Area I	Price Area J	Price Area K	Price Area L
9.9 and below ° A. P. I.	0.85	0.80	0.74	0.85	1.00	1.43	1.47	1.68	1.68	1.89	2.10	1.85
10.0–12.9 ° A. P. I.	0.90	0.85	0.85	0.85	1.00	1.43	1.47	1.68	1.68	1.89	2.10	1.85
13.0–15.9 ° A. P. I.	1.02	0.97	0.97	0.97	1.14	1.51	1.56	1.74	1.77	1.95	2.16	1.97
16.0–19.9 ° A. P. I.	1.14	1.09	1.09	1.09	1.28	1.59	1.65	1.80	1.86	2.01	2.22	2.09
20.0–24.9 ° A. P. I.	1.26	1.21	1.21	1.21	1.42	1.67	1.74	1.86	1.95	2.07	2.28	2.21
25.0 and above ° A. P. I.	1.32	1.27	1.27	1.27	1.50	1.71	1.79	1.89	2.00	2.10	2.31	2.27

A. P. I. gravity range	Price Area M	Price Area N	Price Area O	Price Area P	Price Area Q	Price Area R	Price Area S	Price Area T	Price Area U	Price Area V
9.9 and below ° A. P. I.	1.65	1.60	1.50	1.15	1.10	0.95	0.75	0.75	0.80	1.26
10.0–12.9 ° A. P. I.	1.65	1.60	1.50	1.15	1.10	0.95	0.80	0.80	0.85	1.26
13.0–15.9 ° A. P. I.	1.77	1.72	1.62	1.27	1.22	1.15	0.92	0.95	0.96	1.36
16.0–19.9 ° A. P. I.	1.89	1.84	1.74	1.39	1.34	1.35	1.04	1.10	1.07	1.46
20.0–24.9 ° A. P. I.	2.01	1.96	1.86	1.51	1.46	1.55	1.16	1.25	1.18	1.56
25.0 and above ° A. P. I.	2.07	2.02	1.92	1.57	1.52	1.65	1.22	1.32	1.24	1.61

A comprises Kansas, excluding, however, the area within a radius of 25 miles of Kansas City, Missouri.

B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall and Childress).

C comprises New Mexico and Texas Panhandle (which is defined hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall and Childress).

D comprises Texas Gulf Coast ports and Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge.

E comprises the area within a radius of 25 miles of Kansas City, Missouri.

F comprises that part of Missouri within a radius of twenty-five miles of St. Louis, Missouri, and the following counties of Illinois: St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, Jasper.

G comprises the following counties of Kentucky: Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham, and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

H comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter and LaPorte; and the State of Michigan (excluding, however, the counties of Wayne and Monroe).

I comprises the area within a radius of 25 miles of Indianapolis, Indiana, the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs and the following counties of Kentucky: Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup and Boyd.

J comprises the following counties of Michigan: Wayne and Monroe; the following counties of Ohio: Lucas, Wood, Hancock, Putnam and Allen.

K comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, Columbiana, and the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof, West Virginia.

L comprises Albany, New York.

M comprises Portland, Maine; Portsmouth, New Hampshire; Boston and Fall River, Massachusetts; Tiverton and Providence, Rhode Island; New Haven, Connecticut; New York Harbor, Philadelphia Harbor, Baltimore, Maryland, Norfolk, Virginia.

N comprises Wilmington, North Carolina, Charleston, South Carolina; Savannah, Georgia; Jacksonville and Miami, Florida.

O comprises Tampa, Florida.

P comprises Pensacola, Florida.

Q comprises Mobile, Alabama.

R comprises the area within a radius of twenty-five miles of Denver, Colorado.

S comprises Wyoming.

T comprises the Montana counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon and counties of Montana east thereof.

U comprises the Montana counties of Hill, Chouteau, Judith Basin, Wheatland, Sweet Grass, Park and counties of Montana west thereof.

V comprises Utah.

or prices, at a particular delivery point

the maximum prices for sellers and pur-

Washington, D. C. In connection with

TABLE II—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES IN DISTRICTS 1, 2, 3 AND 4 AS DEFINED BY THE PETROLEUM ADMINISTRATOR FOR WAR AND NOT COVERED BY TABLE I

[Dollars per 42-gallon barrel]

A. P. I. gravity range	Price Area AA	Price Area BB	Price Area CC	Price Area DD	Price Area EE	Price Area FF	Price Area GG	Price Area HH	Price Area II
9.9 and below °A. P. I.	BP[1]	BP	BP	BP	BP	BP	BP	BP	BP
10.0–12.9 °A. P. I.	BP	BP+0.05	BP	BP	BP	BP+0.05	BP+0.05	BP	BP
13.0–15.9 °A. P. I.	BP+0.12	BP+0.17	BP+0.06	BP+0.09	BP+0.20	BP+0.20	BP+0.16	BP+0.10	BP+0.14
16.0–19.9 °A. P. I.	BP+0.24	BP+0.29	BP+0.12	BP+0.18	BP+0.40	BP+0.35	BP+0.27	BP+0.20	BP+0.28
20.0–24.9 °A. P. I.	BP+0.36	BP+0.41	BP+0.18	BP+0.27	BP+0.60	BP+0.50	BP+0.38	BP+0.30	BP+0.42
25.0 and above °A. P. I.	BP+0.42	BP+0.47	BP+0.21	BP+0.32	BP+0.70	BP+0.57	BP+0.44	BP+0.35	BP+0.50

[1] BP = Base Price which is to be determined as follows: If a refiner has an established maximum price under other provisions of this price schedule for fuel oil meeting No. 6 Commercial Standard specifications then the base price shall be the refiner's or terminal operator's maximum price thereunder for such No. 6 fuel oil to the class of purchasers who are the principal users of such fuel oil in that price area in which the particular refiner is located.

Base Prices established hereunder must be reported by each refiner to the Petroleum Branch of the Office of Price Administration in Washington, D. C. within 15 days after March 3, 1943, or within 15 days after the initial sales of any grade of fuel oil the maximum price for which is established by this subdivision.

If a seller cannot establish a base price hereunder then he shall file a tentative price with the Petroleum Branch of the Office of Price Administration in accordance with § 1340.159 (b) (7).

AA comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (excluding, however, counties of Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee and Orleans), Pennsylvania (excluding, however, counties of Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof), New Jersey, Maryland, District of Columbia, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi Gulf Coast ports, Louisiana Gulf Coast ports, Louisiana Mississippi river ports up to and including Baton Rouge, and Texas Gulf ports.

BB comprises Mississippi (excluding, however, Gulf Coast ports), Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports), Tennessee, Arkansas, New Mexico, Oklahoma, Kansas (excluding, however, the area within a radius of 25 miles of Kansas City, Missouri), Missouri (excluding, however, the areas within a radius of 25 miles of Kansas City, Missouri and St. Louis, Missouri), Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Nebraska, and Wyoming.

CC comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter, LaPorte; Ohio (excluding, however, the following counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs); the following counties of New York; Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other counties of Pennsylvania west thereof; West Virginia; and Michigan.

DD comprises that part of Missouri within a radius of 25 miles of St. Louis, Missouri; Illinois (excluding, however, the counties of Lake, Cook, DuPage and Will; Indiana (excluding, however, the counties of Lake, Porter and LaPorte); the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs; Kentucky.

EE comprises Colorado.

FF comprises Eastern Montana which is defined hereby as the portion of Montana east of the western boundaries of the counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon.

GG comprises Western Montana which is defined hereby as the portion of Montana west of the eastern boundaries of the counties of Hill, Chouteau, Judith Basin, Wheatland, Sweetgrass and Park; Idaho.

HH comprises Utah.

II comprises the area within a 25 mile radius of Kansas City, Missouri.

(b) Maximum delivered prices, in bulk lots, of those refiners and tanker terminal operators whose f. o. b. maximum prices are established by Tables I and II. If a refiner or terminal operator has an established maximum price or prices under other provisions of this price schedule at a particular delivery point for fuel oil meeting No. 6 commercial standard specifications, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum prices thereunder for such No. 6 fuel oil at such delivery point.

If a refiner or terminal operator has no established maximum price or prices at a particular delivery point under other provisions of this price schedule for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with § 1340.159 (b) (7).

For gravities higher than 9.9° A. P. I. gravity, such refiner's or terminal operator's maximum price or prices at a particular delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Tables I or II for refineries or ocean terminals located in the price area where the delivery is made.

(c) Maximum f. o. b. shipping point and delivery point prices for all sellers other than those refiners and tanker terminal operators covered by subdivision (a) and (b) above. If a seller other than a refiner or ocean terminal operator has an established maximum price or prices under other provisions of this price schedule at a particular shipping or delivery point for fuel oil meeting No. 6 commercial standard specification, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum price or prices thereunder for such No. 6 fuel oil at such point.

If a seller has no established maximum price or prices at a particular shipping or delivery point under other provisions of this price schedule for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price or prices at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with § 1340.159 (b) (7).

For gravities higher than 9.9° A. P. I. gravity, a seller's maximum price or prices at a particular shipping or delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Tables I or II for refineries or ocean terminals located in the price area where the delivery is made.

(d) If a refiner, ocean terminal operator, or other seller had an established maximum price or prices under other provisions of this price schedule at a particular shipping or delivery point for residual fuel oil or blends thereof with distillate fuel oils which either meets No. 5 fuel oil commercial standard specifications, or has a lower viscosity than No. 5 commercial standard specifications, his maximum price for such fuel oil at such point shall be either the price or prices which he is permitted to charge under *(a)*, *(b)* and *(c)* of this subdivision (ii) or the price or prices established under other provisions of this Price Schedule, whichever is higher.

(iii) *Diesel oil*—(a) *Louisiana and Texas Gulf Coast.* The maximum price for residual diesel oil of below 28° A. P. I. gravity ship's bunkers (ex lighterage) on the Louisiana and Texas Gulf Coast shall be $1.35 per barrel.

(iv) *California.* The maximum prices, exclusive of taxes, f. o. b. refineries and tanker terminals for Pacific Standard No. 300 fuel oil having a viscosity of not less than 25 and not more than 60 seconds Saybolt Furol (at 122° F.) and of Pacific Standard No. 400 fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (at 122° F.) when sold to consumers or refiners in bulk lots for delivery by tank car, motor transport or pipelines shall be as follows:

Area	P. S. No. 300 fuel oil	P. S. No. 400 fuel oil
Fresno County	$0.65	$0.85
Kings County	.65	.85
San Luis Obispo County[1]	.95	.85
Tulare County	.95	.85
Santa Barbara County	.65	.85
Kern County	.90	.85
Ventura County	.95	.85
Los Angeles County	.95	.85
Orange County	.95	.85
Riverside County	.95	.85
San Bernardino County	.95	.85
San Francisco Bay area	1.00	.90

[1] Maximum f. o. b. refinery and tanker terminal prices at Port San Luis shall be the maximum prices established hereunder at the San Francisco Bay area.

(v) *Reporting requirements.* § 1340.159 (c) (6) (ii) *(a)*, Table II, and *(b)* and (c), contain the following reporting provisions which have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942:

(a) Report of base price. Base prices established by each refiner must be reported to the Petroleum Price Branch of the Office of Price Administration in Washington, D. C.

(b) Report of tentative maximum price. A refiner who cannot establish a base price shall file a tentative price with the Petroleum Price Branch of the Office of Price Administration, in accordance with § 1340.159 (b) (7).

(c) Report of tentative maximum price. A refiner or terminal operator who has no established maximum price, or prices, at a particular delivery point shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

(d) Report of tentative maximum price. A seller, other than a refiner or ocean terminal operator who has no established maximum price or prices, at a particular delivery point shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

[Paragraph (d) added by Amendment 32, 7 F.R. 7838, effective October 7, 1942, except that a purchaser and seller of wet gas may, by mutual agreement, make the effective date retroactive to May 11, 1942]

[Paragraph (6) as amended by Amendment 79, 8 F.R. 2756, effective 3-3-43]

(d) *Petroleum gas; natural gas*—(1) *wet gas.* (i) A seller's maximum price at any particular time for wet gas produced from any given field shall be the highest price that could be charged at that time under the terms and conditions of any contract which was in effect on May 1, 1942 between the seller and the purchaser for the sale of wet gas produced from such field.

(ii) If a seller had no contract in effect with a particular purchaser on May 1, 1942, for wet gas produced from any given field, then such seller's maximum price to such purchaser at any given field shall be the highest price that could be charged at that time under the terms and conditions of any contract which was in effect on May 1, 1942, between such seller and a purchaser of the same class for the sale of wet gas produced from such field.

(iii) Where a maximum price for wet gas cannot be determined under (i) or (ii), or where a maximum price has been determined under (i) or (ii), and the purchaser wishes to extract, condense and save additional products from the wet gas not contemplated by the contract nor by any contract between a seller and a purchaser of the same class in the given field, a tentative maximum price may be set. The purchaser shall make a request in writing to the Office of Price Administration in Washington, D. C., for approval of such tentative maximum price within 15 days after it has been set by him or within 30 days from October 7, 1942, whichever is later. In connection with his request, the purchaser shall file with the said Office a statement setting forth *(a)* an explanation as to why it is impossible for the seller to establish a maximum price under subdivisions (i) or (ii) of this paragraph (d), *(b)* the tentative maximum price, and an explanation of the method used in arriving at such price, (c) the maximum prices for sellers and purchasers of the same class at the two nearest fields to the one in question, if known, and *(d)* if a written contract has been entered into, an authenticated copy thereof. The tentative maximum price shall be the maximum price for the production from the field to purchasers of the same class unless the tentative price is disapproved by the Office of Price Administration within 15 days from the date it is filed as provided above. Ordinarily a tentative price set under this subdivision (iii) will not be approved unless such tentative price is in line with the maximum prices for sellers and purchasers of the same class at the nearest fields to the one in question. A tentative price which has been approved as a maximum price hereunder, may subsequently be changed by Order of the Price Administrator.

(2) *Dry gas.* (i) Where a contract for the sale of dry gas was in effect on May 1, 1942, the seller's maximum price to the same purchaser for deliveries of dry gas produced from the same source or sources as the dry gas covered by the contract shall not exceed the price that could be charged for such deliveries under the terms of the contract that was in effect on May 1, 1942.

(ii) Where a seller had contracts in effect on May 1, 1942 for the sale of dry gas but did not then have a contract with a particular purchaser for dry gas produced from the same source or sources as the dry gas covered by those contracts, the seller's maximum price to that purchaser for deliveries of dry gas shall not exceed the highest price that could be charged for such deliveries under (i) to a purchaser of the same class. If the seller had no contracts in effect on May 1, 1942 with purchasers of the same class, then, his maximum price shall be determined under (iii) below.

(iii) Where a seller cannot determine his maximum price under (i) or (ii) above, then his maximum price for deliveries of dry gas shall be the highest maximum price of his most closely competitive seller of the same class to a purchaser of the same class as determined under (i).

[Paragraphs (2) (i), (ii) and (iii) as amended by Amendment 51, 7 F.R. 11069, effective 1-2-43]

(iv) *(a)* Notwithstanding the provisions of other subdivisions of this subparagraph (2), a seller's maximum price for deliveries of dry gas to a particular purchaser shall be either the maximum price established under subdivision (i), (ii), or (iii) of this subparagraph (2) or a price agreed upon between the seller and the purchaser and reported to the Office of Price Administration by such seller within 10 days of the date of the agreement, or February 10, 1943, whichever is later, which price must be in line with the level of maximum prices for dry gas generally prevailing in the particular producing area, or if there is only one producer of dry gas in one particular producing area, a price in line with the level of maximum prices prevailing in the nearest producing area in which similar conditions obtain. Once the seller has determined his maximum price for deliveries of dry gas to a particular purchaser under this subdivision (iv) that price is his maximum price to that purchaser thereafter.

(b) The report required in subdivision (iv) *(a)* shall be mailed to the Office of Price Administration, Petroleum Branch, Washington, D. C. In connection with any such report and concurrently therewith the following shall be submitted to the Office of Price Administration.

BY THE SELLER

(*i*) The seller's present maximum price for dry gas established by this price schedule and the maximum price agreed upon accompanied both by a statement as to the point (such as the well-head, the pipe line or pipe line terminus) at which delivery to the purchaser is made, and by copies of the contract (if any) on the basis of which the present maximum price is established and of the proposed renewal thereof, or of the new contract for the sale of dry gas contemplated by the parties.

(*ii*) Names and addresses of the purchasers of the seller's production.

BY THE PURCHASER

(*iii*) The disposition made of the gas purchased from the seller by each purchaser thereof.

(*iv*) Maximum prices of dry gas established for other sellers in the particular producing area or, if the seller is the only producer in the particular area, in the nearest producing areas in which similar conditions obtain. Maximum prices should be stated for each class of purchasers together with a description of each class. Estimated percentage of total volume moving at each price should be stated and the nature of the facilities used in making delivery to each purchaser should be described.

(*v*) A statement in writing signed by the purchaser or purchasers that they will absorb any increase in the cost of dry gas resulting from the reported price and that they do not intend prior to the expiration of the Emergency Price Control Act of 1942, as amended, to rely upon such cost increase as a basis of application for increase in their resale prices or in the prices of other commodities or services sold or supplied by them.

The information required to be submitted by either the purchaser or the seller may be filed either with the report or separately. Information required of either the seller or the purchaser, if filed separately, will, upon request, be treated as confidential.

(*c*) The seller may not accept payment for deliveries of dry gas subject to a maximum price determined under subdivision (iv) *(a)* until fifteen days have elapsed after mailing the report of such maximum price. Within the fifteen day period, the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

[Paragraph (iv) as amended by Amendment 65, 8 F.R. 1642, effective 2-10-43]

(v) Nothing in this subparagraph (2) shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Administration

under the Emergency Price Control Act of 1942.

(vi) Where a seller is unable to determine his maximum price for dry gas under (ii), (iii) or (iv) above, a tentative maximum price may be set, and the seller shall comply with the requirements of filing as provided in subparagraph (1) subdivision (iii), and the tentative maximum price shall be subject to disapproval and change as therein provided.

[Paragraph (vi) added by Amendment 65]

(e) *Industrial lubricating oils and greases.* Notwithstanding the provisions of paragraph (b) above, maximum prices of industrial lubricating oils and greases shall be determined as set forth below:

(1) *Producer's maximum prices for industrial lubricating oils and greases delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale by a producer of any industrial lubricating oil or grease which is the same as an industrial lubricating oil or grease which was delivered or offered for delivery in March 1942 by the seller, shall be the highest price charged by the seller during March 1942 (as defined in paragraph (y) of § 1340.157) for the industrial lubricating oil or grease: *Provided, however,* That if no price was charged during March 1942 within the meaning of said paragraph (y) of § 1340.157, the producer's maximum price shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If the industrial lubricating oil or grease was not delivered or offered for delivery by the producer during March 1942 but was delivered or offered for delivery prior thereto, the producer's maximum price thereof shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(2) *Producer's maximum prices for industrial lubricating oils and greases not delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale by a producer of any industrial lubricating oil or grease which is not the same as an industrial lubricating oil or grease which was delivered or offered for delivery during March 1942 or prior thereto shall be the price determined by the first one of the four methods set forth in subdivisions (i), (ii), (iii) and (iv) of this subparagraph (2) which applies to the industrial lubricating oil or grease.

(i) *First pricing method: Minor changes.* The maximum price of any industrial lubricating oil or grease differing from an industrial lubricating oil or grease delivered or offered for delivery by the producer during March 1942 or prior thereto, only by reason of minor changes in composition which do not substantially reduce or increase the cost of ingredients or prevent its offering substantially equivalent serviceability shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that period.

(ii) *Second pricing method: New industrial lubricating oils or greases which result from the compounding of two or more ingredients, each of which has a maximum price.* The maximum price of any industrial lubricating oil or grease which cannot be priced under subdivision (i) of this subparagraph (2) and which is produced by mixing two or more ingredients for each of which the producer has a maximum price under applicable regulations of the Office of Price Administration, shall be the weighted average by volume or by weight depending on whether the blended product is sold by volume or by weight of the maximum prices of the ingredients. In determining the weighted average mentioned above the seller shall multiply the per unit maximum price of each product being blended by the percentage (by volume or weight as above prescribed) of each ingredient and add the results of such multiplication.

(iii) *Third pricing method: Changes necessitated by shortages of ingredients.* (*a*) The maximum price of any industrial lubricating oil or grease which cannot be priced under subdivisions (i) or (ii) of this subparagraph (2) and which differs from an industrial lubricating oil or grease delivered or offered for delivery by the producer during March 1942, or prior thereto, only because of changes necessitated by shortages of ingredients, shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that month adjusted by adding or subtracting the increase or decrease in direct ingredient cost resulting from the changes. Once the seller has determined his maximum price for a particular industrial lubricating oil or grease under this subdivision (iii) that price is his maximum price thereafter.

In calculating the direct costs of the ingredients of the industrial lubricating oil or grease delivered or offered for delivery during March 1942 and the changed industrial lubricating oil or grease, such cost shall be regarded as the maximum price which the producer's suppliers of such ingredient or ingredients may charge under applicable maximum price regulations.

(*b*) *Report of maximum prices.* Within five days after a purchaser first agrees to buy an industrial lubricating oil or grease for which a mixmum price must be determined under this subdivision (iii), or at any time prior thereto, the producer shall report to the Office of Price Administration, Washington, D. C., the maximum price computed by him. The report shall set forth the following in the manner and form prescribed below:

OPA Form No. 652.171 Budget Bureau No. 08-1.[illegible]

OFFICE OF PRICE ADMINISTRATION

REPORT OF TENTATIVE MAXIMUM PRICE

DUE TO CHANGE IN INGREDIENTS RESULTING FROM SHORTAGES

INDUSTRIAL LUBRICATING OILS AND GREASES*

Name of Product ..... Class of Purchaser .....

PART A—MAXIMUM PRICE

Unit of sale (Specify by "X")	Original product	New product
1. Pounds ☐ Gallons ☐	2. ..... (As determined under this schedule)	3. ..... (Tentative)

Composition of products

Line	PART B—ORIGINAL PRODUCT Ingredient [1]	% used	Cost per unit [2]	Cost of product	Line	PART C—NEW PRODUCT Ingredient [1]	% used	Cost per unit [2]	Cost of product
	1	2	3	4		1	2	3	4
1					1				
2					2				
3					3				
	Total	100.0	XXXX			Total	100.0	XXXX	

State the Reason for Each Shortage of Ingredients Indicated in Part B—Column 1: .....

Instructions and footnotes.—Footnote No. [1] In parts B and C the ingredients listed in columns 1 should correspond line by line. Where new ingredients are used these should be listed in column 1 of Part C following the [illegible] original ingredients. Indicate ingredients changed as a result of a shortage and each substitute ingredient by an asterisk (*).

Footnote No. [2] Before computing these costs see §1340.159 (e) (iii) (a)

The unit of sale should be the same for Part A1 and Parts B and C.

*Upon written request by the producer, information contained in the report shall be treated as confidential.

The maximum price so reported shall be the seller's maximum price unless it is disapproved in writing by the Office of Price Administration within thirty days after the date it is reported as above provided or a substitute price is set by the Office of Price Administration. If a substitute price is set, then such price shall be the maximum price. Subsequent to this thirty-day period, the price reported shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

After the expiration of this thirty-day period the producer shall notify in writing each person purchasing the new industrial lubricating oil or grease for resale at wholesale that his maximum price for the new product shall be his maximum price for the product being replaced, adjusted by the amount of the difference in the cost to him of the new product.

(iv) *Fourth pricing method: Tentative maximum prices.* The maximum price for any industrial lubricating oil or grease which cannot be priced under subdivisions (i), (ii) or (iii) of this subparagraph (2) shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(3) *Maximum prices at wholesale or retail for industrial lubricating oils and greases delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale at wholesale or retail of any industrial lubricating oil or grease which is the same as an industrial lubricating oil or grease delivered or offered for delivery in March 1942 by the seller, shall be the highest price charged by the seller during March 1942 (as defined in paragraph (y) of § 1340.157) for the industrial lubricating oil or grease: *Provided, however,* That if no price was charged during March 1942 within the meaning of said paragraph (y) of § 1340.157, the seller's maximum price shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If the industrial lubricating oil or grease was not delivered or offered for delivery during March 1942 but was delivered or offered for delivery prior thereto, the seller's maximum price thereof shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If a producer's maximum price to a particular reseller for a particular industrial lubricating oil or grease as established under the General Maximum Price Regulation is increased or decreased by reason of the operation of subparagraph (1) of this paragraph (e) such reseller's maximum price for the same industrial lubricating oil or grease shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(4) *Maximum prices on wholesale and retail sales of industrial lubricating oils and greases not delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale at wholesale or retail of any industrial lubricating oil or grease which is not the same as an industrial lubricating oil or grease which was delivered or offered for delivery during March 1942 shall be determined by the first of the two methods set forth in subdivisions (i), (ii) or (iii) of this subparagraph (4) which applies to the industrial lubricating oil or grease.

(i) *First pricing method: Minor changes.* The maximum price of any industrial lubricating oil or grease differing from an industrial lubricating oil or grease delivered or offered for delivery by a seller at wholesale or retail during March 1942 or prior thereto only by reason of minor changes in composition which do not substantially reduce or increase the cost of ingredients or prevent its offering substantially equivalent serviceability shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that period.

(ii) *Second pricing method: Wholesale prices—changes necessitated by shortages of ingredients.* The maximum price for any sale at wholesale of any industrial lubricating oil or grease which cannot be priced under subdivision (i) of this subparagraph (4) and which has been priced by the producer thereof under subdivision (iii) of subparagraph (2) of this paragraph (e) shall be the seller's maximum price for the product being replaced, adjusted by the amount of the difference in the cost of the new product to the seller.

(iii) *Third pricing method: Tentative maximum prices.* The maximum price for any sale at wholesale or retail, of any industrial lubricating oil or grease which cannot be priced under subdivision (i) or (ii) of this subparagraph (4) shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(5) *Price differentials.* Every seller shall continue all his allowances, discounts or other price differentials in effect during March 1942. In the case of industrial lubricating oils or greases priced under subparagraphs (2) or (4) of this paragraph (e) every seller shall in the case of sales to different classes of purchasers adjust the maximum prices determined for one class of purchaser to reflect all allowances, discounts and other price differentials which he was accustomed to make on that type of industrial lubricating oil or grease.

(6) *Transportation costs.* No seller of industrial lubricating oils or greases shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any industrial lubricating oil or grease, than the seller required purchasers of the same class to pay during March 1942 on deliveries of the same industrial lubricating oil or grease during March 1942. In the case of industrial lubricating oils or greases priced under subparagraph (2) or (4) of this paragraph (e) no seller shall require any purchaser and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery of such industrial oil or grease, than the seller required purchasers of the same class to pay during March 1942 on deliveries of the industrial lubricating oil or grease used as a basis for determining the maximum price of the new industrial lubricating oil or grease.

[Paragraph (e) added by Amendment 69, 8 F.R. 2267, 2874, effective 2-25-43]

§ 1340.160 *Exceptions.* (a) The following petroleum products shall be exempt from §§ 1340.151 and 1340.159.

(1) All aviation gasoline of 87 octane rating or higher;

(2) The following to the extent purchased or sold for use in the manufacture of aviation gasoline of 87 octane rating or higher; components of aviation gasoline of 87 octane rating or higher, including alkylate, neohexane, iso-octane, hydrocodimers, isomate and hot acid octanes; iso-pentane, iso-butane, normal butane and butylenes, and mixtures of iso-butane, normal butane and butylenes; and aromatic hydrocarbons and base stocks or fractions to the extent manufactured for and used in aviation gasoline of 87 octane rating or higher.

(3) The following special hydrocarbon fractions utilized in the manufacture of gasoline and the components thereof and liquefied petroleum gases to the extent sold or delivered for use in the manufacture of synthetic rubber: Components of synthetic rubber, including but not limited to, butadiene and styrene; all hydrocarbons and petroleum fractions used in the manufacture of butadiene and styrene, including but not limited to ethylene, propylene, butylene, iso-butylene, propane, butane and iso-butane.

(4) Toluene manufactured from petroleum.

(5) The following to the extent sold or delivered for use in the manufacture of such toluene: base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene.

(b) All crude petroleum transported through the War Emergency Pipelines System and sold by Defense Supplies Corporation at the eastern termini of such system shall be exempt from this price schedule.

[§ 1340.160 amended by Amendment 76, 8 F.R. 2273, effective 2-19-43]

§ 1340.161 *Adjustable pricing.* Nothing in this Revised Price Schedule No. 88 shall be construed to prohibit any person from entering into, or carrying out, any agreement permitting an adjustment of prices, or from making an adjustment of prices, provided the prices as adjusted are not in excess of the maximum prices in effect at the time of delivery.

[§ 1340.161 added by Amendment 15, 7 F.R. 3576, effective 5-15-42]

§ 1340.162 *Notice to purchasers.* (a) All sellers of kerosene, No. 1 fuel oil, gasoline, distillate Diesel fuel oil or range oil in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia and in the corporate limits of Bristol, Tennessee, shall inform all persons purchasing such products from them for resale at service stations or other retail establishments in those areas that such purchasers may increase their maximum prices for those products in the amounts, if any, by which the Office of Price Administration permitted the prices of such products to them to be increased effective as of June 29, 1942, and that such purchasers are required to state in connection with the posting of their maximum prices that such increases are approved by the Office of Price Administration.

(b) All sellers of gasoline to retail dealers in Quincy, Illinois, shall notify each dealer in writing on or before the date of the initial sale to such dealer after January 9, 1943, that his maximum

prices for regular and premium gasoline

from whom he purchased, provided the

PART 1341—CANNED AND PRESERVED FOODS

(3) The maximum price for any va-

(5) The maximum price for a variety,

ment, issued simultaneously herewith,

prices for regular and premium gasoline at his retail establishment has been increased by 1½ cents per gallon effective as of January 9, 1943. Such notice shall be in the following form:

Your new OPA ceiling price for regular and premium grade gasoline at your retail establishments in Quincy, Illinois, is your former ceiling price plus 1½ cents per gallon. OPA requires you to keep this information for examination.

[§ 1340.162 added by Amendment 21, 7 F.R. 4857; amended by Amendment 56, 8 F.R. 232, effective 1-9-43]

(c) Any tank wagon seller of gasoline, kerosene, range or stove oil, distillate fuel oils, tractor and Diesel fuel, whose maximum price to a retail dealer pursuant to § 1340.159 (b) (11) of this price schedule has been increased shall notify each retail dealer in writing on or before the date of the initial sale to such dealer after February 13, 1943, that the retail dealer's maximum price for said products at his retail establishment is increased by the amount of such increase of the tank wagon seller's maximum price. Such notice shall be in the following form:

Your new Office of Price Administration ceiling price for (product) at your retail establishment is your former ceiling price plus ____ per gallon. The Office of Price Administration requires you to keep this information for examination.

[Paragraph (c) added by Amendment 66, 8 F.R. 1799, effective 2-13-43]

§ 1340.163 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any seller or any person as defined in § 1340.157 (a) are sold or otherwise transferred after October 15, 1941 and the transferee carries on the business, or continues to deal in the same or similar petroleum and/or petroleum products, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records and make reports shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the records and reports provisions of Revised Price Schedule No. 88 and Amendments thereto.

[§ 1340.163 added by Amendment 28, 7 F.R. 6167, effective 8-11-42]

§ 1340.164 *Taxes*—(a) *Lubricating oils*—(1) *Federal taxes.* Effective November 1, 1942, each seller subject to this Revised Price Schedule No. 88 may collect in addition to his maximum price for a lubricating oil subject to the Federal excise tax on lubricating oils, the amount of the increase in such tax provided by the Revenue Act of 1942 and subsequent increases therein, actually paid by him or an amount equal to the amount of such increase or increases paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, provided the seller states the amount of such increase or increases separately from the purchase price.

(2) *Puerto Rican taxes.* Effective March 5, 1943, each seller in the territory of Puerto Rico subject to this Revised Price Schedule No. 88 may collect in addition to his maximum price for a lubricating oil which is subject to Act No. 25 enacted by the Legislature of Puerto Rico and approved December 4, 1942, the amount of the 3½¢ per gallon increase in such tax effected by the said Act and the amount of subsequent increases in the lubricating oil tax actually paid by him or an amount equal to the amount of such increase or increases paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, provided the seller states the amount of such increase or increases separately from the purchase price.

[§ 1340.164 added by Amendment 42, 7 F.R. 9335, effective 11-1-42 and amended by Amendment 80, 8 F.R. 3106, effective 3-11-43]

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4553; Filed, March 24, 1943; 5:02 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Amendment 3]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.553 (b) is added to read as follows:

(b) The packed vegetables covered by this regulation are as listed below and the maximum prices for each, f. o. b. processor's plant, shall be the prices set forth in the respective section and appendix listed for each.

Item	Section	Appendix
(1) Peas	1341.584	B

2. Section 1341.584 is added to read as follows:

§ 1341.584 *Appendix B: Maximum prices for packed vegetables*—(a) *Peas.* (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government agencies, shall be as follows:

Col. 1 Item No.	Col. 2 Variety	Col. 3 Sieve size	Col. 4 Grade	Col. 5 Region I: No. 2 can	Col. 5 Region I: No. 10 can	Col. 5 Region I: Glass jar 17 fl. oz.	Col. 6 Region II: No. 2 can	Col. 6 Region II: No. 10 can	Col. 6 Region II: Glass jar 17 fl. oz.	Col. 7 Region III: No. 2 can	Col. 7 Region III: No. 10 can	Col. 7 Region III: Glass jar 17 fl. oz.	Col. 8 Region IV: No. 2 can	Col. 8 Region IV: No. 10 can	Col. 8 Region IV: Glass jar 17 fl. oz.
1	Alaska	No. 1	A or Fancy	1.22[5.7.6]	1.40	1.50[7.5]	1.38	1.47[7.4]	1.49	1.25	1.43	1.53	1.27	1.46	1.56
			B or Ex. Std.	1.37[5.6.5]	1.27	1.35[6.7]	1.25	1.32[6.6]	1.34	1.13	1.30	1.38	1.15	1.32	1.41
			C or Std.	1.22[5.6.15]	1.14	1.20[6.00]	1.12	1.17[5.90]	1.19	1.01	1.16	1.23	1.03	1.18	1.26
2	Alaska	No. 2	A or Fancy	1.47[7.40]	1.35	1.45[7.25]	1.33	1.42[7.10]	1.44	1.21	1.38	1.48	1.23	1.41	1.51
			B or Ex. Std.	1.32[6.62]	1.23	1.30[6.50]	1.21	1.27[6.40]	1.29	1.09	1.25	1.33	1.11	1.27	1.36
			C or Std.	1.17[5.90]	1.10	1.15[5.75]	1.08	1.12[5.60]	1.14	.97	1.11	1.18	.99	1.13	1.21
3	Alaska	No. 3	A or Fancy	1.37[6.90]	1.27	1.35[6.75]	1.25	1.32[6.60]	1.34	1.13	1.30	1.38	1.15	1.32	1.41
			B or Ex. Std.	1.22[6.15]	1.14	1.20[6.00]	1.12	1.17[5.90]	1.19	1.01	1.16	1.23	1.03	1.18	1.26
			C or Std.	1.12[5.65]	1.06	1.10[5.50]	1.04	1.07[5.40]	1.09	.93	1.06	1.13	.95	1.08	1.16
4	Alaska	No. 4 and up.	A or Fancy	1.27[6.40]	1.18	1.25[6.25]	1.16	1.22[6.10]	1.24	1.04	1.20	1.28	1.06	1.22	1.31
			B or Ex. Std.	1.17[5.90]	1.10	1.15[5.75]	1.08	1.12[5.60]	1.14	.97	1.11	1.18	.99	1.13	1.21
			C or Std.	1.07[5.40]	1.01	1.05[5.25]	.99	1.02[5.15]	1.04	.89	1.01	1.08	.91	1.03	1.11
5	Alaska	Ungraded	A or Fancy	1.27[6.40]	1.18	1.25[6.25]	1.16	1.22[6.10]	1.24	1.04	1.20	1.28	1.06	1.22	1.31
			B or Ex. Std.	1.12[5.65]	1.06	1.10[5.50]	1.04	1.07[5.40]	1.09	.93	1.06	1.13	.95	1.08	1.16
			C or Std.	1.02[5.15]	.97	1.00[5.00]	.95	.97[4.85]	.99	.85	.96	1.03	.87	.98	1.06
6	Sweet	No. 1	A or Fancy	1.57[7.90]	1.41	1.55[7.75]	1.42	1.52[7.60]	1.54	1.29	1.48	1.58	1.31	1.51	1.61
			B or Ex. Std.	1.42[7.15]	1.31	1.40[7.00]	1.28	1.37[6.85]	1.39	1.17	1.34	1.43	1.19	1.37	1.46
			C or Std.	1.27[6.40]	1.18	1.25[6.25]	1.16	1.22[6.10]	1.24	1.04	1.20	1.28	1.06	1.22	1.31
7	Sweet	No. 2	A or Fancy	1.52[7.65]	1.40	1.50[7.50]	1.38	1.47[7.40]	1.49	1.25	1.43	1.53	1.27	1.46	1.56
			B or Ex. Std.	1.37[6.90]	1.27	1.35[6.75]	1.25	1.32[6.60]	1.34	1.13	1.30	1.38	1.15	1.32	1.41
			C or Std.	1.22[6.15]	1.14	1.20[6.00]	1.12	1.17[5.90]	1.19	1.01	1.16	1.23	1.03	1.18	1.26
8	Sweet	No. 3	A or Fancy	1.42[7.15]	1.31	1.40[7.00]	1.28	1.37[6.85]	1.39	1.17	1.34	1.43	1.19	1.37	1.46
			B or Ex. Std.	1.27[6.40]	1.18	1.25[6.25]	1.16	1.22[6.10]	1.24	1.04	1.20	1.28	1.06	1.22	1.31
			C or Std.	1.17[5.90]	1.08	1.15[5.75]	1.06	1.12[5.60]	1.14	.97	1.11	1.18	.99	1.13	1.21
9	Sweet	No. 4 and up.	A or Fancy	1.32[6.65]	1.22	1.30[6.50]	1.20	1.27[6.35]	1.29	1.08	1.25	1.33	1.10	1.27	1.36
			B or Ex. Std.	1.22[6.15]	1.14	1.20[6.00]	1.12	1.17[5.90]	1.19	1.01	1.16	1.23	1.03	1.18	1.26
			C or Std.	1.12[5.65]	1.06	1.10[5.50]	1.04	1.07[5.40]	1.09	.93	1.06	1.13	.95	1.08	1.16
10	Sweet	Ungraded	A or Fancy	1.42[7.15]	1.31	1.40[7.00]	1.28	1.37[6.85]	1.39	1.17	1.34	1.43	1.19	1.37	1.46
			B or Ex. Std.	1.22[6.15]	1.14	1.20[6.00]	1.12	1.17[5.90]	1.19	1.01	1.16	1.23	1.03	1.18	1.26
			C or Std.	1.07[5.40]	1.01	1.05[5.25]	.99	1.02[5.15]	1.04	.89	1.01	1.08	.91	1.03	1.11
11	Prince of Wales and Laxton.	Ungraded	A or Fancy	1.47[7.40]	1.35	1.45[7.25]	1.33	1.42[7.10]	1.44	1.21	1.38	1.48	1.23	1.41	1.51
			B or Ex. Std.	1.22[6.15]	1.14	1.20[6.00]	1.12	1.17[5.90]	1.19	1.01	1.16	1.23	1.03	1.18	1.26
			C or Std.	1.07[5.40]	1.01	1.05[5.25]	.99	1.02[5.15]	1.04	.89	1.01	1.08	.91	1.03	1.11

(2) The regions set forth in paragraph (a) (1) of this section shall be as follows:

REGION I: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia and North Carolina.

REGION II: Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota, South Dakota, Kansas, Missouri, Oklahoma, Arkansas, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, Kentucky and Tennessee.

REGION III: Montana, Idaho, Wyoming, Utah, Nevada, Colorado, Arizona, New Mexico.

REGION IV: Oregon, Washington, California.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1114, 1313, 2921.

(3) The maximum price for any variety and sieve size below standard in grade shall be: in No. 2 cans, fifteen cents per dozen less than the maximum price for standard grade; in No. 10 cans, seventy-five cents per dozen less than the maximum price for standard grade; and in glass jars of 17 fluid ounces, twelve cents per dozen less than the maximum price for standard grade.

(4) Blends of sieve sizes:

(i) The maximum price of a blend of two sieve sizes of a variety and grade shall be the maximum price of the largest sieve size in the blend.

(ii) The maximum price of a blend of three sieve sizes of a variety and grade in a No. 2 can shall be five cents per dozen more than the maximum price of the largest sieve size in the blend, packed in a No. 2 can; the maximum price of a blend of three sieve sizes of a variety and grade in a No. 10 can shall be twenty-five cents per dozen more than the maximum price of the largest sieve size in the blend, packed in a No. 10 can; and the maximum price of a blend of three sieve sizes of a variety and grade in a glass jar of 17 fluid ounces shall be four cents per dozen more than the maximum price of the largest sieve size in the blend, packed in the same container.

(iii) The maximum price of a blend of four or more sieve sizes of a variety and grade shall be the same as the maximum price for ungraded sieve size of the same variety and grade in the same container.

(5) The maximum price for a variety, sieve size (including blends) and grade of peas packed in a 12 ounce vacuum can shall be ten cents per dozen less than the maximum price for the same variety, sieve size and grade packed in a #2 can.

(6) The word "ungraded", when used in connection with peas, refers to the sieve size and means not separated by sieve sizes.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4553; Filed, March 25, 1943; 5:04 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,[1] Amendment 6]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 268 is amended in the following respects:

1. In § 1351.1116 (a) item 13 is added to read as follows:

Food commodity*	Day of the week on which retailer must calculate maximum prices	Figures to be multiplied by net cost of item in determining maximum prices under this regulation: Independent retailer with annual volume— Class 1—under $20,000	Class 2—$20,000 but less than $50,000	Class 3—$50,000 but less than $250,000	Class 4—chain retailer with annual volume under $250,000	Class 5—any retailer (chain or independent) with annual volume of $250,000 or more	Unit of sale for which base maximum selling price must be calculated
13. Frozen fish	Thursday	1.28	1.28	1.28	1.26	1.26	*Pounds* 1 lb., or 1 package.

2. Section 1351.1116 (c) (1) is amended to read as follows:

(1) "White potatoes" means all white potatoes used for human consumption or for seed. Seed potatoes which are purchased as such shall not be sold except as seed potatoes for planting. Seed potatoes shall be sold only in quantities of 50 pounds or over and must be clearly tagged or labelled as seed potatoes for planting.

3. Section 1351.1116 (c) (9) is added to read as follows:

(9) "Frozen fish" means any fish which has been frozen and packed, excluding canned fish.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4555; Filed, March 24, 1943; 5:02 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271,[1] Amendment 6]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 271 is amended in the following respects:

1. Section 1351.1001a is added to read as follows:

§ 1351.1001a *Whom may remove tags.* Notwithstanding any other provision of this regulation, any seller of white potatoes or selected white seed potatoes who, on March 19, 1943, had in transit or delivered at destination carload lots or less than carload lots of white potatoes or selected white seed potatoes labeled as "selected seed potatoes" may remove the tags or labels from such white potatoes or selected white seed potatoes and sell the same for human consumption under General Maximum Price Regulation No. 271.

2. Section 1351.1019 (h) is added to read as follows:

(h) "In transit" as used in § 1351.1001a means any carload or less than carload lot of white potatoes or selected seed potatoes for which a bill of lading was issued and signed before the effective date of Amendment No. 5 to Maximum Price Regulation No. 271, March 19, 1943.

3. Section 1351.1019 (f) (3) is amended to read as follows:

(3) *Seller's tag.* When seed potatoes are sold in sacks or other containers there shall be attached to the sack, or other container, prior to shipment from the farm or the country shipping point, a label or tag stating that such potatoes are "seed potatoes not to be used or sold for human consumption" and marked with an identifying lot number plus the name and address of the seller who attached such label or tag at the farm or country shipping point: *Provided*, That such label need not be so attached prior to March 29, 1943, if printed labels are unavailable before said date.

If a seller, owns seed potatoes packed in a sack, or other container which have been labeled or tagged as seed potatoes at the country shipping point (as previously provided for by § 1351.1001), but which (as permitted prior to March 29, 1943, by the last preceding paragraph hereof) does not bear an identifying lot number or the name and address of the farmer or country shipper who attached such label at the country shipping point, he must add to the tag or label an identifying lot number, his own name and address and the words "seed potatoes not to be used or sold for human consumption."

When seed potatoes are sold in bulk by a farmer direct to a commercial, industrial or institutional user, he shall state upon an invoice or other written evidence of sale an identifying lot number and his name and address.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664.

[1] 7 F.R. 9179, 10715; 8 F.R. 233, 1748, 1981, 3397.

This Supplementary Amendment No.

(b) The wholesaler's Credit Authori-

(c) *Other reports may be required.* the maximum price for extra large

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4554; Filed, March 24, 1943; 5:03 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supp. Amendment 17 to Max. Rent Regs.]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, and 62 are amended in the following respects:

1. The second paragraph of paragraph (d) (1) of §§ 1388.16, 1388.66, 1388.116, 1388.166, 1388.216, 1388.266, 1388.316, 1388.366, 1388.416, 1388.466, 1388.516, 1388.566, 1388.616, 1388.666, 1388.716, 1388.766, 1388.816, 1388.866, 1388.916, 1388.966, 1388.1656, 1388.1706, 1388.1756, 1388.2056, 1388.3056, 1388.4056, 1388.5056, 1388.6056, 1388.7056, 1388 8056, 1388.36, 1388.136, 1388.236, 1388.386, 1388.586, 1388.686, 1388.786, and 1388.886 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 25, 26, 27, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 52, 60, and 62, respectively, is amended to read as follows:

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession.

2. The second paragraph of paragraph (d) (1) of § 1388.1016 of Maximum Rent Regulation No. 24 is amended to read as follows:

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession: *Provided, however,* That the requirements of this sentence shall not apply to housing accommodations within the City of Baltimore, Maryland, when the ground for the removal or eviction of a tenant is non-payment of rent.

3. The second paragraph of paragraph (d) (1) of § 1388.1806 of Maximum Rent Regulation No. 28 is amended to read as follows:

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession: *Provided, however,* That the requirements of this sentence shall not apply to housing accommodations within the Northeastern New Jersey Defense-Rental Area when the ground for the removal or eviction of a tenant is non-payment of rent.

4. The second paragraph of paragraph (d) (1) of § 1388.286 of Maximum Rent Regulation No. 53 is amended to read as follows:

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession: *Provided, however,* That the requirements of this sentence shall not apply to housing accommodations within the Trenton Defense-Rental Area when the ground for the removal or eviction of a tenant is non-payment of rent.

NOTE: All reporting and record-keeping requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Supplementary Amendment No. 17 shall become effective March 24, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4562; Filed, March 24, 1943; 5:04 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 52]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) (1) is amended by substituting a comma for the period after the phrase "December 19, 1942", and by adding after the comma the phrase "or in 'Area A' which was transferred subsequent to March 15, 1943."

2. Section 1394.5151 (a) (1) (iv) (c) is amended by substituting a comma for the semi-colon after the phrase "December 19, 1942", and by adding after the comma the phrase "or in 'Area A' prior to March 15, 1943;".

This amendment shall become effective March 30, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4556; Filed, March 24, 1943; 5:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Supplement 1 to Ration Order 16]

MEAT, FATS, FISH AND CHEESES

§ 1407.3027 *Supplement 1 to Ration Order 16.* The following supplement to Ration Order 16, which is annexed to and made a part of § 1407.3026, is hereby issued:

(a) Foods covered by this order shall have the point values set forth in the Official Tables of Consumer and Trade Point Values[2] (OPA Forms R-1313, 1611, and 1612) which are made a part hereof.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 698, 977, 1203, 1235, 1232, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2720, 2887, 2942, 2993, 3166.

[2] Filed with the Division of the Federal Register as part of the original document.

(b) The wholesaler's Credit Authorization factors referred to in section 5.7 (b) of Ration Order 16 are as follows:

(1) Meat (excluding canned meat)	12
(2) All other foods covered by this Order (including canned meat)	24

(c) The wholesaler's allowable inventory factors which are referred to in section 5.6 (b) of Ration Order 16 are as follows:

(1) Fresh and frozen meats	15
(2) Shortening, lard, cooking and salad oils, canned meats, canned fish	35
(3) All other foods covered by Ration Order 16, including cheese, butter, margarine, sausage and types of meats not described in (1) or (2) above	28

(d) The industrial user commodity groups which are referred to in section 7.5 (a) of Ration Order 16, the point values which are fixed for each group and the industrial user allotment factors which are referred to in section 7.6 (c) of that order are as follows:

	Point value	Factors
(i)		
Meat commodity groups:		
(i) Bone in and separated suet	5.5	3.9
(ii) Boned and boneless (and canned meat and canned fish)	7.3	5.1
(iii) Edible offal (including pork skins)	4.5	3.2
(iv) Edible bones	1.0	0.7
(ii)		
Cheese commodity groups:		
(i) American cheese (cheddar)	8	5.6
(ii) All other "rationed cheeses"	7	5.0
(iii)		
Fats and oils commodity groups:		
(i) Butter	8	5.6
(ii) Margarine	5	3.5
(iii) Lard	5	3.5
(iv) Shortening	5	3.5
(v) Cooking and salad oils	6	4.2

This supplement shall become effective 12:01 a. m., March 29, 1943.

(Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827, Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4559; Filed, March 24, 1943; 5:04 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333[1], Amendment 3]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.54 (c) is amended to read as follows:

(c) *Other reports may be required.* Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

2. Section 1429.55 (c) is amended to read as follows:

(c) *Evasion by selling f. o. b. seller's shipping point.* Except as provided in §§ 1429.67 (1), 1429.69 (b) (3), 1429.69 (c) (2), 1429.71 (b), and 1429.74 (e) hereof, the maximum prices established by this regulation are maximum prices per dozen eggs or per pound of egg products delivered to the buyer as herein provided and the provisions of this regulation shall not be evaded by selling such eggs or egg products at a price f. o. b. the seller's shipping point.

3. Section 1429.65 (r) is amended to read as follows:

(r) "Basing point city" means one of the cities for which maximum prices are specifically stated for egg items in the tables of this regulation except that Chicago, Illinois and Kansas City, Missouri, are not basing point cities.

4. Section 1429.65 (t) (1) is amended to read as follows:

(t) (1) "Area 1" means the States of Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

5. Section 1429.65 (t) (2) is amended to read as follows:

(2) "Area 2", when applied to shell eggs means all of the remaining states of the United States except those included in Area 1 above described and when applied to frozen and liquid egg products means all of the remaining states of the United States except those included in the "Eastern Area" hereinafter provided.

6. A new § 1429.65 (t) (3) is added to read as follows:

(3) "Eastern Area" as used in the determination of maximum prices for frozen and liquid egg products means the States of Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

7. Section 1429.67 (g) (1), (2), (3), (5), (6), (7), and (10) are amended to read as follows:

(1) Extra large eggs of Grade AA quality when certified as such by the United States Department of Agriculture may sell 4 cents above the price for large Grade A eggs. When not so certified, the maximum price of such eggs shall be the maximum price for extra large Grade A eggs.

(2) Large eggs of Grade AA quality when certified as such by the United States Department of Agriculture may sell 2 cents above the price for large Grade A eggs. When not so certified, the maximum price of such eggs shall be the maximum price of large Grade A eggs.

(3) Jumbo eggs of Grade AA whether certified as such by the Department of Agriculture or not and Jumbo Grade A eggs may sell at 5 cents above the price for large Grade A eggs.

(5) The maximum price for medium size eggs of A, B, and C Grades shall be 4 cents per dozen less than large eggs of the same grade.

(6) The maximum price for small eggs of Grade A, B, and C shall be 8 cents per dozen less than large eggs of the same grade.

(7) Medium and small eggs of AA Grade when certified as such by the Department of Agriculture may sell at 2 cents above the prices of similar sizes of Grade A eggs. When not so certified, the maximum prices of such eggs shall be the maximum prices of similar sizes of Grade A eggs.

(10) The maximum prices of shell eggs of consumer grades having a net weight of less than 34 pounds per case or equivalent quantity of eggs shall be 14 cents less than large eggs of the same grade.

8. A new § 1429.67 (g) (11) is added to read as follows:

(11) The maximum prices for each consecutive week in the years following 1943 shall be as indicated in the above Tables A and B the first week beginning on the first Monday in each year.

9. Section 1429.67 (k) is amended to read as follows:

(k) *Local delivery.* Except as specifically provided in this section the maximum prices established herein are for shell eggs delivered to the individual store of the retailer or to the place of use of the commercial, industrial, institutional, or non-federal governmental user. No f. o. b. shipping point sale shall be made except as specifically provided. If the place of business of the seller from or at which he makes the particular sale of shell eggs is located in the same city, town, village, or hamlet in which the individual store of the retailer purchasing them is located; or in which there is located the place of use of the commercial, industrial, institutional, or non-federal governmental user purchasing them, but the purchaser accepts such eggs at a point in such city, town, village, or hamlet other than the individual store of the retailer or place of use there shall be deducted from the maximum price at such city, town, village, or hamlet the sum of ten cents per case or equivalent quantity of eggs, and the reduced amount shall be the maximum price of such eggs at the place of acceptance.

10. A new § 1429.67 (l) is added to read as follows:

(l) *F. o. b. sales within 200 miles.* If the place of business of the seller from

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2488, 3002, 3070.

actual carlot freight rate between such places, then the lowest transportation charge by other means shall be used.

(e) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks and frozen reconstituted eggs in the cities of New York, Seattle, Los Angeles, San Francisco, San Diego, Phoenix and Tucson.*

TABLE E

Month	Jan. 1941	Feb. 1941	Mar. 1943	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted	34 3	33 0	31.3	31.3	31.7	32 0	32.3	32.7	33 0	33 1	33.7	31 0
Frozen whites	26.3	25.0	23.8	23.8	24.1	24 3	24.7	25.0	25.2	25.3	25.7	26.0
45% yolks	46 3	45.0	43.9	43.8	43.7	44.0	44.3	44.7	45.0	45.1	46.7	41 0
Sugared and salted yolks (10% sugar or salt)	41.3	40.0	38.3	38.3	38.7	39.0	39.3	39.7	40.0	40.3	40.7	41.0

(g) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs in Kansas City, Missouri and for use in pricing in "Eastern Area" (but not to be used as a "basing point city" for calculating prices in "Area 2").*

TABLE F

Month	Jan. 1941	Feb. 1941	Mar. 1943	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted	32.0	31.6	29.0	29.0	29.3	30.6	30.9	31.3	31.6	31.9	32.3	32.6
Frozen whites	24.9	24.6	21.0	21.0	22.3	22.6	22.9	23.3	23.6	23.9	24.3	24.6
45% yolks	41.9	41.6	41.0	41.0	42.3	42.6	42.9	43.3	43.6	43.9	44.3	44.6
Sugared and salted yolks (10% sugar or salt)	39.0	38.6	36.0	36.0	37.3	37.6	37.9	38.3	38.6	38.9	39.3	39.6

14. Section 1429.74 (d) (2) is amended to read as follows:

(2) When the United States or any agency thereof fails to accept delivery of dried whole eggs at the time at which the United States or such agency is obligated to accept their delivery by contract, there may be added to the maximum price $.0075 per pound for each month or fraction thereof during which acceptance of such delivery is delayed.

15. A new § 1429.74 (d) (3) is added to read as follows:

(3) When dried whole eggs contracted for sale to the United States or any agency thereof are placed in a cold storage room having a temperature of not more than 50 degrees Fahrenheit within 24 hours after completion of their manufacture and are kept continuously in such storage room having such maximum temperature until they are loaded into a carrier for delivery to the purchaser, 1 cent per pound may be added to the maximum price determined as provided in this regulation.

16. Section 1429.74 (e) is amended to read as follows:

(e) *Maximum prices for dried egg products sold f. o. b. seller's shipping point.* The maximum prices for dried egg products sold f. o. b. the seller's shipping point shall be the maximum prices for any place in which the seller's shipping point is located as determined above, paragraphs (a) through (d), in this section.

17. A new § 1429.74 (f) is added to read as follows:

(f) *Maximum prices for dried egg products sold to the United States or any agency thereof under contract.* The maximum price of any dried egg product sold to the United States or any agency thereof under contract providing a date on which the seller shall have the product ready for delivery shall be the maximum price for the particular product on such date, determined as herein provided, if the product is manufactured within 40 days of such date. If the product is not manufactured within 40 days of the date on which the seller is obligated to have it ready for delivery, then the maximum price of such product, sold and delivered to the United States or any agency thereof, shall be the maximum price on the date on which the seller is obligated by contract to have the product ready for delivery or the maximum price of such product on the date on which it is actually delivered, whichever is the lower of such maximum prices. If the product is not manufactured within 40 days of the date on which seller is obligated to have it ready for delivery and the product is sold to the United States or agency thereof F. O. B. the seller's shipping point, then the maximum price of such product shall be the maximum price on the date on which the seller is obligated by contract to have the product ready for delivery or the maximum price on the date on which the product is delivered to the carrier for delivery to the purchaser, whichever is the lower of such maximum prices.

18. Paragraphs (1) and (2) of § 1429.76 are redesignated as paragraphs (a) and (b), respectively.

19. Section 1429.76 (b) is amended to read as follows:

(b) When the dried egg products priced in § 1429.74 are sold to any purchaser other than the United States or any agency thereof and are packed in containers other than barrels, the additional labor and material cost (no other costs) incurred in packing in such other containers may be added.

20. A new § 1429.76 (c) is added to read as follows:

(c) When the dried egg products priced in § 1429.74 are sold to the United States or any agency thereof and are packed in containers other than barrels, there may be added to the maximum price determined as herein provided an amount not exceeding the average cost of the particular type of container as such average cost is determined by the purchaser. The purchasing agency or purchasing officer in such cases shall inform the Office of Price Administration as to the average prices of each type of container as may be from time to time required.

21. Section 1429.78 is amended to read as follows:

§ 1429.78 *Period provisions of this amendment shall continue in effect.* Table C of § 1429.69 (d) and Table D of § 1429.69 (e) as amended herein, shall continue in effect until 12:00 o'clock midnight on April 17, 1943, at which time the original maximum prices for the months of March and April, 1943 set forth in Table C of § 1429.69 (d) and Table D of § 1429.69 (e) of Maximum Price Regulation No. 333 as issued on February 25, 1943, shall be reinstated automatically and without further order of the Administrator and the indicated provisions of this amendment shall cease and terminate. The remaining provisions of this amendment shall continue in effect until altered or revoked by order of the Administrator.

This amendment shall be effective as of March 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4557; Filed, March 24, 1943; 5:02 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 346,[1] Amendment 2]

CORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 346 is amended by adding section 25 to read as follows:

Sec. 25 *Certain sales by the Commodity Credit Corporation are exempt.* The provisions of this regulation shall apply to sales of all types, varieties or grades of corn by the Commodity Credit Corporation to be used for feeding purposes or for the manufacture of ethyl alcohol, butyl alcohol, acetone or rubber; but not withstanding all other provisions of this regulation, corn to be used for all other purposes may be sold by the Commodity Credit Corporation at prices no higher than 10 per cent above the lowest prices at which said Corporation is permitted to sell for said last mentioned purposes under that certain act of Congress designated as Pub. Law 674, 77th Cong.: *Provided, however,* That all commodities processed from corn sold by the said Commodity Credit Corporation shall remain subject to any maximum prices prescribed by the Office of Price Administration.

This amendment shall become effective March 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4558; Filed, March 24, 1943; 5:03 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3180.

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 140]

SUPERPHOSPHATE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (84) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(84) *Superphosphate; Maximum prices for sales of ordinary superphosphate, triple superphosphate, double superphosphate, superphosphate in bags, superphosphate to Government departments and agencies, superphosphate for export, and resales of double and triple superphosphate*—(i) *Bulk sales of ordinary superphosphate.* The maximum price a producer may charge for ordinary superphosphate (containing less than 22 per cent available phosphoric acid) for sale in bulk to fertilizer manufacturers or mixers shall be:

(a) *Pulverized superphosphate.* (1) For sales of run-of-pile, basis f. o. b. cars at each producing point, the price specified for that point as listed below:

Point of production:	Maximum price per unit of available phosphoric acid
Lowell, Massachusetts	$ .75
North Weymouth, Massachusetts	.75
Woburn, Massachusetts	.75
Buffalo, New York	.70
Carteret, New Jersey	.69
Paulsboro, New Jersey	.67
Philadelphia, Pennsylvania	.67
Baltimore, Maryland	.64
Alexandria, Virginia	.64
Lynchburg, Virginia	.64
Norfolk, Virginia	.63

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1455, 1589, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2343, 2346.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

or at which he make the particular sale of shell eggs is located within 200 miles of the individual store of the retailer purchasing such eggs or is located within 200 miles of the place of use of the commercial, industrial, institutional, or non-federal governmental user purchasing such eggs and the purchaser accepts the eggs at such place of business of the seller or they are sold f. o. b. such seller's shipping point in the city, town, village, or hamlet in which seller's place of business is located, there shall be deducted from the maximum price in such city, town, village, or hamlet in which the seller's place of business is located the sum of ten cents per case or equivalent quantity of eggs and the reduced amount shall be the maximum price of such eggs at the place of sale f. o. b. seller's shipping point as the case may be.

11. Table C of § 1429.69 (d) is amended insofar as it relates to maximum prices in basing point cities for the months of March and April 1943, to read as follows:

Grade	March					April				
	1	8	15	22	29	5	12	19	26	
I	43	43	43	43	43	43	43	43	43	43
II	42.5	42.5	42.5	42.5	42.5	42.5	42.5	42.5	42.5	42.5
III	42	42	42	42	42	42	42	42	42	42
IV	41.5	41.5	41.5	41.5	41.5	41.5	41.5	41.5	41.5	41.5

12. Table D of § 1429.69 (e) is amended insofar as it relates to maximum prices in Chicago for the months of March and April 1943, to read as follows:

Grade	March					April				
	1	8	15	22	29	5	12	19	26	
I	41.4	41.4	41.4	41.4	41.4	41.4	41.4	41.4	41.4	41.4
II	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0
III	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4
IV	39.9	39.9	39.9	39.9	39.9	39.9	39.9	39.9	39.9	39.9

13. Section 1429.70 (a), (b), (c), (e) and (g) are amended to read as follows:

(a) *Maximum prices in basing point cities and Kansas City, Missouri.* The maximum prices of frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs sold and delivered in carload quantities to a purchaser at his refrigerated warehouse in a basing point city or in Kansas City, Missouri shall be the price per pound for the particular basing point city in Table E and for Kansas City in Table F of this section for the month in which delivered.

(b) *Maximum prices in Eastern Area except New York City and Miami, Florida.* In all places other than New York City and Miami, Florida within the "Eastern Area" the maximum prices of the egg products named in the heading of this section sold and delivered in carload quantities to a purchaser at his refrigerated warehouse for the month in which delivered shall be the maximum price in Kansas City, Missouri, plus the "transportation factor" from Kansas City, Missouri to the place of delivery of the egg products in the "Eastern Area" multiplied by 1.16, and in "Area 2" means the actual carlot freight rate from the place of delivery of such frozen egg products to the basing point city as provided in this section, multiplied by 1.16. If there is no actual carlot freight rate between such places, then the lowest transportation charge by other means shall be used.

(c) *Maximum prices in Eastern Area for dried egg products.* The maximum prices for dried egg products in the "Eastern Area" shall be the maximum prices for dried egg products in Chicago, plus the "transportation factor" from Chicago to the place of delivery multiplied by 1.16, and in "Area 2" means the actual carlot freight rate from the place of delivery of such dried egg products to the basing point city as provided in this section, multiplied by 1.16. If there is no actual carlot freight rate between such places, then the lowest transportation charge by other means shall be used.

(e) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks and frozen reconstituted eggs in the cities of New York, Seattle, Los Angeles, San Francisco, San Diego, Phoenix and Tucson.*

TABLE E

Month	Jan. 1941	Feb. 1941	Mar. 1943	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted	34 3	33 0	31.3	31.3	31.7	32 0	32.3	32.7	33 0	33 1	33.7	31 0
Frozen whites	26.3	25.0	23.8	23.8	24.1	24 3	24.7	25.0	25.2	25.3	25.7	26.0
45% yolks	46 3	45.0	43.9	43.8	43.7	44.0	44.3	44.7	45.0	45.1	46.7	41 0
Sugared and salted yolks (10% sugar or salt)	41.3	40.0	38.3	38.3	38.7	39.0	39.3	39.7	40.0	40.3	40.7	41.0

(g) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs in Kansas City, Missouri and for use in pricing in "Eastern Area" (but not to be used as a "basing point city" for calculating prices in "Area 2").*

TABLE F

Month	Jan. 1941	Feb. 1941	Mar. 1943	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted	32.0	31.6	29.0	29.0	29.3	30.6	30.9	31.3	31.6	31.9	32.3	32.6
Frozen whites	24.9	24.6	21.0	21.0	22.3	22.6	22.9	23.3	23.6	23.9	24.3	24.6
45% yolks	41.9	41.6	41.0	41.0	42.3	42.6	42.9	43.3	43.6	43.9	44.3	44.6
Sugared and salted yolks (10% sugar or salt)	39.0	38.6	36.0	36.0	37.3	37.6	37.9	38.3	38.6	38.9	39.3	39.6

14. Section 1429.74 (d) (2) is amended to read as follows:

(2) When the United States or any agency thereof fails to accept delivery of dried whole eggs at the time at which the United States or such agency is obligated to accept their delivery by contract, there may be added to the maximum price $.0075 per pound for each month or fraction thereof during which acceptance of such delivery is delayed.

15. A new § 1429.74 (d) (3) is added to read as follows:

(3) When dried whole eggs contracted for sale to the United States or any agency thereof are placed in a cold storage room having a temperature of not more than 50 degrees Fahrenheit within 24 hours after completion of their manufacture and are kept continuously in such storage room having such maximum temperature until they are loaded into a carrier for delivery to the purchaser, 1 cent per pound may be added to the maximum price determined as provided in this regulation.

16. Section 1429.74 (e) is amended to read as follows:

(e) *Maximum prices for dried egg products sold f. o. b. seller's shipping point.* The maximum prices for dried egg products sold f. o. b. the seller's shipping point shall be the maximum prices for any place in which the seller's shipping point is located as determined above, paragraphs (a) through (d), in this section.

17. A new § 1429.74 (f) is added to read as follows:

(f) *Maximum prices for dried egg products sold to the United States or any agency thereof under contract.* The maximum price of any dried egg product sold to the United States or any agency thereof under contract providing a date on which the seller shall have the product ready for delivery shall be the maximum price for the particular product on such date, determined as herein provided, if the product is manufactured within 40 days of such date. If the product is not manufactured within 40 days of the date on which the seller is obligated to have it ready for delivery, then the maximum price of such product, sold and delivered to the United States or any agency thereof, shall be the maximum price on the date on which the seller is obligated by contract to have the product ready for delivery or the maximum price of such product on the date on which it is actually delivered, whichever is the lower of such maximum prices. If the product is not manufactured within 40 days of the date on which seller is obligated to have it ready for delivery and the product is sold to the United States or agency thereof F. O. B. the seller's shipping point, then the maximum price of such product shall be the maximum price on the date on which the seller is obligated by contract to have the product ready for delivery or the maximum price on the date on which the product is delivered to the carrier for delivery to the purchaser, whichever is the lower of such maximum prices.

18. Paragraphs (1) and (2) of § 1429.76 are redesignated as paragraphs (a) and (b), respectively.

19. Section 1429.76 (b) is amended to read as follows:

(b) When the dried egg products priced in § 1429.74 are sold to any purchaser other than the United States or any agency thereof and are packed in containers other than barrels, the additional labor and material cost (no other costs) incurred in packing in such other containers may be added.

20. A new § 1429.76 (c) is added to read as follows:

(c) When the dried egg products priced in § 1429.74 are sold to the United States or any agency thereof and are packed in containers other than barrels, there may be added to the maximum price determined as herein provided an amount not exceeding the average cost of the particular type of container as such average cost is determined by the purchaser. The purchasing agency or purchasing officer in such cases shall inform the Office of Price Administration as to the average prices of each type of container as may be from time to time required.

21. Section 1429.78 is amended to read as follows:

§ 1429.78 *Period provisions of this amendment shall continue in effect.* Table C of § 1429.69 (d) and Table D of § 1429.69 (e) as amended herein, shall continue in effect until 12:00 o'clock midnight on April 17, 1943, at which time the original maximum prices for the months of March and April, 1943 set forth in Table C of § 1429.69 (d) and Table D of § 1429.69 (e) of Maximum Price Regulation No. 333 as issued on February 25, 1943, shall be reinstated automatically and without further order

Point of production—Con.	*Maximum price per unit of available phosphoric acid*
Portsmouth, Virginia	$.63
Richmond, Virginia	.64
Acme, North Carolina	.62
Charlotte, North Carolina	.62
Durham, North Carolina	.62
Greensboro, North Carolina	.62
Laurinburg, North Carolina	.62
Navassa, North Carolina	.59
Selma, North Carolina	.62
Wadesboro, North Carolina	.62
Wilmington, North Carolina	.59
Wilson, North Carolina	.62
Anderson, South Carolina	.62
Charleston, South Carolina	.55
Columbia, South Carolina	.60
Greenville, South Carolina	.62
Hartsville, South Carolina	.62
Lancaster, South Carolina	.62
Spartanburg, South Carolina	.62
East Tampa, Florida	.50
Jacksonville, Florida	.53
Nichols, Florida	.50
Pierce, Florida	.50
Dallas, Texas	.70
Houston, Texas	.68
Little Rock, Arkansas	.70
Texarkana, Arkansas	.70
Calumet City, Illinois	.68
Chicago Heights, Illinois	.68
East Saint Louis, Illinois	.63
Fort Wayne, Indiana	.68
Indianapolis, Indiana	.68
New Albany, Indiana	.65
Detroit, Michigan	.70
Lansing, Michigan	.70
Cincinnati, Ohio	.65
Cleveland, Ohio	.68
Columbus, Ohio	.68
Lockland, Ohio	.65
Sandusky, Ohio	.68
Silica, Ohio	.68
Toledo, Ohio	.68
Washington Court House, Ohio	.68
Stege, California	.84
Vernon, California	.84

(2) For sales of run-of-pile, basis f. o. b. cars at buyer's destination within a delivery area as described below from any producing point listed as a price basing point for that area, a price equal to the price f. o. b. the one of the price basing points listed plus the cost of transportation by rail in carload lots from that price basing point to the buyer's destination which will result in the lowest net delivered cost to the buyer, such transportation cost to include the 3 per cent tax thereon imposed by § 620 of the Revenue Act of 1942:

Delivery area	Price basing points	Maximum price per unit of available phosphoric acid
AREA 1		
State of Georgia	Albany, Ga	$.61
	Americus, Ga	.61
	Athens, Ga	.61
	Atlanta, Ga	.61
	Augusta, Ga	.61
	Columbus, Ga	.61
	East Point, Ga	.61
	La Grange, Ga	.61
	Macon, Ga	.61
	Pelham, Ga	.61
	Rome, Ga	.61
	Savannah, Ga	.55
	Tifton, Ga	.61
	Valdosta, Ga	.61
AREA 2		
State of Alabama and Florida west of the Apalachicola River.	Pensacola, Fla	$.60
	Bessemer, Ala	.60
	Birmingham, Ala	.60
	Dothan, Ala	.60
	Florence, Ala	.60
	Mobile, Ala	.60
	Montgomery, Ala	.60
	Roanoke, Ala	.60
	Troy, Ala	.60
	Nashville, Tenn	.60
AREA 3		
States of Mississippi, and Louisiana.	Pensacola, Fla	.60
	Gulfport, Miss	.625
	Hattiesburg, Miss	.625
	Jackson, Miss	.625
	Tupelo, Miss	.625
	New Orleans, La	.625
	Harvey, La	.625
	Shreveport, La	.675
	Shrewsbury, La	.625
	Nashville, Tenn	.60
AREA 4		
States of Tennessee and Kentucky.	Chattanooga, Tenn	.63
	Greenville, Tenn	.63
	Knoxville, Tenn	.63
	Memphis, Tenn	.62
	Mt. Pleasant, Tenn	.60
	Nashville, Tenn	.60
	Wales, Tenn	.60

A producer, selling for delivery outside an area for which his producing point is listed as a price basing point, or selling to a buyer who does not specify a point of destination at the time of the sale, may charge a price, basis f. o. b. cars at producing point, no higher than the price specified for that producing point.

(3) For sales of superphosphate guaranteed by the producer to contain 18 per cent, 19 per cent, or 20 per cent available phosphoric acid, with no charge for over-run, the maximum price as established under (1) or (2) plus $.015 per unit of available phosphoric acid guaranteed.

(b) *Granulated superphosphate.* The maximum price as established under (1), (2), or (3) above plus $.02 per unit of available phosphoric acid.

(ii) *Bulk sales of triple superphosphate.* The maximum price a producer may charge for triple superphosphate (containing 40 per cent or more available phosphoric acid) for sale in bulk to fertilizer manufacturers or mixers shall be:

(a) In the states of Washington, Oregon, California, Nevada, Utah, Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Colorado, Arizona, and New Mexico, a price of $.885 per unit of available phosphoric acid, basis delivered to the point of destination designated by the buyer, except that the actual cost of transportation and the 3 per cent tax thereon imposed by § 620 of the Revenue Act of 1942, from Anaconda, Montana, to the point of destination, in excess of $8.03 per ton of 2000 pounds may be charged to the account of the buyer.

(b) In the other states of the United States and in the District of Columbia, a price per unit of available phosphoric acid, basis f. o. b. railroad cars at the point of production, of:

(1) $.70 for any producing point in Montana or Tennessee;

(2) $.65 for any producing point in South Carolina;

(3) $.62 for any producing point in Florida;

(4) For any producing point located in the District of Columbia or in any state other than Montana, Tennessee, South Carolina or Florida, $.62 plus the cost per unit, of transportation by rail in carload lots, of 48 per cent superphosphate from East Tampa, Florida to that producing point, such transportation cost to include the 3 per cent tax thereon imposed by § 620 of the Revenue Act of 1942.

(iii) *Bulk sales of double superphosphate.* The maximum price per ton which a producer may charge, basis f. o. b. railroad cars at his plant, for double superphosphate (containing 22 per cent or more but less than 40 per cent available phosphoric acid) for sale in bulk to fertilizer manufacturers or mixers shall be:

(a) The product of 20 units of available phosphoric acid times the price per unit for a guaranteed grade of ordinary superphosphate, basis f. o. b. cars at producing point (i) (a) (3), plus

(b) The product of the number of units contained therein in excess of 20 units times the applicable maximum price per unit for triple superphosphate, basis f. o. b. cars at the producing point (ii). If the producer of such double superphosphate is not a producer of triple superphosphate, his applicable maximum price, for calculations required in this paragraph, shall be his actual delivered cost of triple superphosphate, or if none was purchased, the maximum price as established in (ii) (b) (4).

(iv) *Sales of superphosphate in bags.* The maximum price a producer may charge for superphosphate for sales in bags to fertilizer manufacturers or mixers shall be the applicable maximum price for bulk sales as determined under (i), (ii), or (iii) above, plus $1.00 per ton of 2000 pounds, plus the producer's actual cost of the bags used to package 2000 pounds.

(v) *Sales of superphosphate to Government departments and agencies.* The maximum price a producer may charge for sales of superphosphate to the United States Treasury, the United States Department of Agriculture or any agency of the United States shall be the applicable maximum price as established under (i), (ii), (iii), or (iv) above.

(vi) *Sales of superphosphate for export.* The maximum price a producer may charge for sales of superphosphate for export shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[3] issued by the Office of Price Administration.

[1] 7 F.R. 5059, 7242, 6829, 9000, 10530.

(vii) *Resales of double or triple superphosphate.* The maximum price which one fertilizer manufacturer or mixer may charge another fertilizer manufacturer or mixer for the sale of double or triple superphosphate not produced by the seller shall be his delivered cost of such superphosphate plus $3.00 per ton of 2000 pounds.

This amendment shall become effective March 30, 1943.

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4560; Filed, March 24, 1943; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 141]

SPHAGNUM MOSS

The statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respect:

Section 1499.73 (a) is amended by adding the following subparagraph (85):

(85) *Sphagnum Moss.* (i) *Maximum prices for Sphagnum Moss sold by distributors in Alabama, Texas, and Louisiana.* The maximum prices for Sphagnum Moss sold by distributors in Alabama, Texas, and Louisiana shall be as follows:

$1.80 per bale, f. o. b. seller's establishment, in single bale lots.

$1.70 per bale f. o. b. seller's establishment, in 10 bale lots.

(ii) *Discounts.* The above prices are subject to all the seller's customary discounts and allowances which were in effect in March 1942.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4561; Filed, March 24, 1943; 5:02 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7916, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343 2274, 2343.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4387 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9782, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

Chapter XVII—Office of Civilian Defense

[Regulations 3, Amendment 6]

PART 1903—UNITED STATES CITIZENS DEFENSE CORPS

ORGANIZATION OF STATE DIVISIONS

By virtue of the authority vested in me by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942, and Executive Order No. 9088, dated March 6, 1942, and pursuant to the Act approved January 27, 1942, *It is hereby ordered*, That §§ 1903.1 to 1903.17, inclusive, of this chapter (Regulations No. 3 of the Office of Civilian Defense), as heretofore issued and amended, be further amended, effective immediately, by adding thereto a new § 1903.18, as follows:

§ 1903.18 *Organization of State divisions of Citizens Defense Corps.* (a) The members of the defense corps in any community may be designated collectively as the [name of community] Section of the United States Citizens Defense Corps. Each State may organize, in addition to the sections of the defense corps organized by communities of the State, a section of the defense corps to operate on a State-wide basis. The State section and the community sections of the defense corps of a particular State may be designated collectively as the [name of State] Division of the United States Citizens Defense Corps.

(b) The State section of the Defense Corps shall be organized in accordance with the provisions of State law and shall be under the command and direction of such person (herein referred to as the "State commander") as shall be designated or appointed by the Governor or other authorized body in accordance with the provisions of State law. The State section shall consist of a staff unit and such other units, established pursuant to § 1903.3 (a) hereof (section 3 (a) of Office of Civilian Defense Regulations No. 3), as shall be deemed advisable for the State in the opinion of the State commander.

(c) The authority and responsibility of the State commander and members of the State staff unit and the other members of the state section of the Defense Corps shall be as provided by State law, which shall also control as to the method of designating or appointing such members.

(d) The staff unit of the state section of the Defense Corps may include persons duly assigned to duty in the district warning centers of the aircraft warning service and in the state and regional control centers within the State. Such persons shall not be required to complete the training or instruction specified in § 1903.7 (b) of this chapter (section 7 (b) of Office of Civilian Defense Regulations No. 3).

(e) All of the provisions of §§ 1903.1 to 1903.17, inclusive, of this chapter (Office of Civilian Defense Regulations No. 3) shall apply mutatis mutandis to the state section of the Defense Corps.

(Pub. Law 415, 77th Cong.; E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887)

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

MARCH 24, 1943.

[F. R. Doc. 43-4529; Filed, March 24, 1943; 1:35 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[Directive 5, Revised]

PART 321—DIRECTIVES

FORWARDING AND TRANSPORTATION OF WATER-BORNE FOREIGN COMMERCE

Directive with respect to forwarding and transportation of water-borne foreign commerce of the United States issued jointly by the Lend-Lease Administrator and the Administrator, War Shipping Administration.

To all persons (including departments, agencies and officers of the United States) engaged in the procurement, transportation or forwarding of Lend-Lease cargo, or cargo procured, transported or forwarded for the government of any country whose defense has been deemed by the President to be vital to the defense of the United States pursuant to the Act of March 11, 1941 (which government is hereinafter referred to as a Lend-Lease government); and to all departments, agencies, officers, governmental corporations and other instrumentalities of the United States engaged in or concerned with the procurement, transportation or forwarding of cargo for delivery overseas.

By virtue of the authority vested in the President by the Act of March 11, 1941 (Public Law 11, 77th Congress), and delegated to the Lend-Lease Administrator pursuant to Executive Order 8926, dated October 28, 1941 as amended; and by virtue of the authority vested in the Administrator, War Shipping Administration by the Act of March 14, 1942 (Public Law 498, 77th Congress), by Executive Order 9054, dated February 7, 1942 as amended, it is hereby directed:

Section 321.5, Directive No. 5, issued November 24, 1942, (7 F.R. 9460), as amended (7 F.R. 9790), is revised to read:

§ 321.5 *Directive No. 5.* (a) Pursuant to Directive No. 1 of the Lend-Lease Administrator, dated November 11, 1942 (7 F.R. 9359) and to Directive No. 4 of the Administrator, War Shipping Administration, revised January 26, 1943 (8 F.R. 1321) the ocean bill of lading issued by any vessel (without regard to the nationality of the vessel) for the ocean carriage of any cargo included within the scope of the aforesaid directives, or required by the Administrator to be assigned to him, shall be in the following form:

STRAIGHT BILL OF LADING—NOT NEGOTIABLE

(Short Form)

Lend-Lease Blading
3- -43

(Name of line to be inserted as required)
B/L No.

Received for shipment from the shipper hereinafter named, the goods, or packages said to contain goods, hereinafter mentioned in apparent good order and condition unless otherwise indicated in this bill of lading, to be transported to the port of discharge and there to be delivered or transshipped on the terms hereinafter stated. In every contingency whatsoever, and even in case of deviation or of unseaworthiness of the ship at time of loading or at any subsequent time, the rights and obligations, whatsoever they may be, of each and every person having any interest or duty whatsoever in respect of the receipt, care, custody, carriage, delivery or transshipment of the goods whether as shipper, consignee, holder or endorsee of the bill of lading, receiver or owner of the goods, master of the ship, carrier, shipowner, demise charterer, time charterer, operater, agent, bailee, warehouseman, forwarder, or otherwise howsoever, shall be subject to and governed by the terms of the Carrier's regular Bill of Lading, which shall be deemed to be incorporated herein, including any amendments thereto or special provisions thereof which may be in effect at the time the goods are received for shipment and applicable to the intended voyage. Copies of such Bill of Lading may be obtained on application to the Agent or the Master at the port of shipment or port of discharge or to the Administrator, War Shipping Administration, Washington. This shipment shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated herein and nothing herein contained shall be deemed as a surrender by the carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. The provisions stated in said Act shall (except as may be otherwise specifically provided in the bill of lading referred to above) govern before the goods are loaded on and after they are discharged from the ship and throughout the entire time the goods are in the custody of the carrier. Nothing herein contained, whether by express statement, reference, implication or otherwise, shall be deemed a surrender of any rights or immunities or an increase of any responsibilities or liabilities which the ship, her owner, charter, operator, agent or master or any carrier, bailee, warehouseman, or forwarder of the goods or the agent of any of them would have in the absence of this bill of lading. None of the terms of this bill of lading shall be deemed to have been waived by any person unless by express waiver signed by such person, or his duly authorized agent.

In accepting this bill of lading, the shipper, consignee, pledgee, holder or endorsee of this bill of lading, receiver, owner of the goods and each of them agree that all freight engagements, dock receipts, or other agreements whatsoever in respect of the shipment of the goods are superseded by this bill of lading, and agree to be bound by all its terms whether written, printed or stamped on the front or back thereof or incorporated by reference therein, any local customs or privileges to the contrary notwithstanding.

If requested, one signed bill of lading duly endorsed must be surrendered to the agent of the ship at the port of discharge in exchange for delivery order.

Ship: { N. S. / S. S. ------ Voyage Number ------
Port of loading ------
Shipper: ------
Consignee: ------
Arrival notice to be addressed to: ------
Port of discharge from ship: ------
Serial number of forwarding authorization ------

PARTICULARS FURNISHED BY SHIPPER OF GOODS

Loading marks	*Description of goods*	*Gross weight pounds*
(Double bottom triangle to be imprinted on form, not exceeding 11½" on each side.)		

Straight bill of lading—Not negotiable

FREIGHT AND CHARGES

------	------	per 2,240 lbs.	$------	------Ft. ------in. @ ------	per cu. ft. $------
------	------	per 2,240 lbs.	$------	------Ft. ------in. @ ------	per cu. ft. $------
------	------	per 100 lbs.	$------	------	per ------ $------
------	------	per 100 lbs.	$------	------pkgs. @ ------	per pkg. $------
------	------	per 100 lbs.	$------	------	$------
---Ft. ---in.		per 40 cu. ft.	$------	Total------	$------

If the ship is not owned by or chartered by demise to the Company designated herein (as may be the case notwithstanding anything that appears to the contrary) this bill of lading shall take effect only as a contract with the owner or demise charterer, as the case may be, as principal, made through the agency of the Company designated herein which acts as agent only and shall be under no personal liability whatsoever in respect thereof.

In witness whereof the Master of the said ship has affirmed to five bills of lading, all of this tenor and date, one of which being accomplished, the others to stand void.

Dated ------, this ------ day of ------, 19--.

For the Master

By ------

(Name of agent to be inserted as required) as Agent for the Master

By ------

Caution

This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 U. S. C. 31 and 32 amended. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

(b) The carrier, master of the vessel or agent of the vessel or of the carrier at the port of shipment shall note upon such number of original bills of lading as may be required by the War Shipping Administrator or his Agents, the name of the ship upon which the material was loaded, and the date when such loading was completed. Such notation shall be made prominently upon the face of the bill of lading by rubber stamp in the following form:

I certify that the goods herein described were loaded on board the vessel named herein at the port specified in this bill of lading.

By ------
(Representative of Carrier's Agent)

(Date)

(c) Such ocean bill of lading shall be of a uniform size, 9½ inches by 14½ inches, all of the printing to be on one side, the reverse side remaining blank. The type used shall be no smaller than 6 point type.

(d) This directive as hereby revised shall become effective on March, 1943.

E. R. STETTINIUS, Jr.,
Lend-Lease Administrator,
Office of Lend-Lease Administration.

E. S. LAND,
Administrator,
War Shipping Administration.

[F. R. Doc. 43-4549; Filed, March 24, 1943; 4:18 p. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1787, Correction]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN TERRITORY OF ALASKA

In § 401.1 (c) of the document appearing on page 2892 of the issue for Tuesday, March 9, 1943, item VII (1) of Schedule A is hereby corrected by deleting therefrom the name "Central Alaska Packing Co.," and substituting in place thereof "Shepard Point Packing Co."

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 22, 1943.

[F. R. Doc. 43-4597; Filed, March 25, 1943; 11:44 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1409]

CARL NYMAN

ORDER POSTPONING HEARING

In the matter of the petition of Carl Nyman, a code member in District No. 20 for revision in the minimum prices for the coals, for truck shipment, produced from the National Mine (Mine Index No. 179) in District No. 20, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

District Board No. 20, an intervenor, having moved that the hearing in the above-entitled matter, heretofore scheduled to be held on March 27, 1943 at 10 o'clock in the forenoon of that day, be postponed indefinitely; and the original petitioner, Carl Nyman, having concurred in said motion; and

It appearing that good cause for the postponement has been shown;

Now, therefore, it is ordered, That the hearing in the above-entitled matter, heretofore scheduled to be held on March 27, 1943, be, and the same hereby is, postponed until further order.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4575; Filed, March 25, 1943; 11:17 a. m.]

[Docket No. A-1553, A-1554]

SPRINGFIELD COAL CORP.

ORDER SEVERING DOCKETS AND TERMINATING PROCEEDINGS

In the matter of the petitions of Springfield Coal Corporation, Springfield No. 5 Mine, Mine Index No. 153, for approval of agreement to purchase the entire production of the Hurd Mine, Mine Index No. 2928, of John P. Hurd, and the entire production of the Flick Mine, Mine Index No. 743, of Carl W. Flick, code members in District No. 1, for changes in freight origin group numbers and shipping points for the coals of Mine Index Nos. 2928, 743, and 153, for rail shipments, and for permission to mix the coals of these mines.

Order severing Docket No. A-1553 from Docket No. A-1554 and terminating proceedings in Docket No. A-1554.

A petition for leave to discontinue the proceedings in Docket No. A-1554 having been filed herein by the above-named petitioner alleging the abandoning of Mine Index No. 743; and

The Director being of the opinion that good cause for the granting of said petition has been shown;

Now, therefore, it is ordered, That Docket No. A-1553 be, and it hereby is, severed from Docket No. A-1554.

It is further ordered, That the relief granted in Docket No. A-1554 by order dated August 18, 1942, 7 F. R. 6819, be and the same hereby is cancelled and terminated.

It is further ordered, That the proceedings in Docket No. A-1554 be and the same hereby are terminated.

Dated: March 24, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4576; Filed, March 25, 1943; 11:16 a. m.]

[Docket No. A-1895]

DISTRICT BOARD 2

ORDER ADVANCING HEARING AND REDESIGNATING TRIAL EXAMINER

In the matter of the petition of District Board No. 2 for increases in the minimum prices heretofore established for the coals produced by the Grippo Coal Company at its Grippo Mine, Mine Index No. 851.

The above-entitled matter having been heretofore scheduled for hearing on April 13, 1943 at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. by an order issued herein on March 13, 1943; and

A request that said hearing be advanced to April 6, 1943 having been filed herein by the above-named petitioner; and

The Director being of the opinion that good cause for the granting of said request has been shown, and that said hearing should be advanced;

Now, therefore, it is ordered, That said request be, and the same hereby is granted and that said hearing be, and the same hereby is advanced from April 13, 1943 at 10 o'clock in the forenoon of that day to April 6, 1943 at 10 o'clock in the forenoon of that day at the place heretofore designated;

It is further ordered, That Examiner Edward J. Hayes be designated examiner herein vice Examiner Charles O. Fowler who was designated examiner by the order dated March 13, 1943.

It is further ordered, That the order issued herein on March 13, 1943, shall, in all other respects, remain in full force and effect.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4577; Filed, March 25, 1943; 11:17 a. m.]

[Docket No. B-300]

JAKE ABBOTT

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On February 3, 1943, after notice and hearing, Edward J. Hayes, a duly designated Examiner of the Division, submitted a report in which he found that code member, Jake Abbott, operating the Abbott Mine, Mine Index No. 1492, located in District 8, in Belle County, Kentucky, wilfully violated the code, the rules and regulations thereunder, and the Order of the Director in General Docket No. 19, dated October 9, 1940, by selling approximately 177.5 tons of 3/8" x 0 slack, although no minimum prices had been established for such coal for rail shipment.

The examiner recommended that an order be entered requiring code member to cease and desist from selling coal when no prices, temporary or final, had been established therefor by the Division in violation of the Act, the code and the orders, rules and regulations issued thereunder, particularly the Order of the Director in General Docket No. 19, dated October 9, 1940.

Opportunity was afforded to all parties to file exceptions to the examiner's report. No exceptions have been filed.

I have considered the report of the examiner, and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the report and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That code member, Jake Abbott, operating the Abbott Mine, Mine Index No. 1492, located in Belle County, Kentucky, in District 8, his agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on his behalf or interest, cease and desist from violating the provisions of the Act, the code or the orders, rules or regulations issued thereunder, especially the Order of the Director in General Docket No. 19, dated October 9, 1940.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for enforcement thereof or may otherwise proceed as authorized by the Act.

Dated: March 24, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4578; Filed, March 25, 1943; 11:16 a. m.]

Bureau of Mines.

W. N. Ross

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

In the matter of W. N. Ross, licensee. Proceeding for revocation of license.

To: W. N. Ross, Grande Ronde, Oregon.

Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following findings of fact:

1. On February 17, 1943, a Specification of Charges against you setting forth violations of the Federal Explosives Act (55 Stat. 863) and the regulations pursuant thereto of which you were accused was mailed to you giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 30 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Grande Ronde, Oregon, does not exceed 5 days. The only answer from you was dated March 4, 1943, and was received March 8, 1943. You have not denied the charges against you, nor denied that they constitute violations of the Federal Explosives Act or of the regulations thereunder, nor offered any adequate excuse for your violations. You have not requested a hearing.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations thereunder (7 F.R. 5901), *It is hereby ordered*, That Purchaser's License No. 476,934 and all other licenses, if any, issued to you under the Federal Explosives Act (55 Stat. 863) be and they are hereby revoked as of midnight, March 31, 1943; and

That you shall surrender all licenses and all certified or photographic copies thereof, if any, issued to you under the Federal Explosives Act by delivering or mailing them to me at the Interior Department, Washington, D. C., before midnight, March 31, 1943.

Failure to surrender the licenses as provided in this order will constitute a violation of the Federal Explosives Act,

punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Dated: March 24th, 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-4591; Filed, March 25, 1943; 11:44 a. m.]

General Land Office.

[Public Land Order 97]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN AERIAL GUNNERY AND BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U. S. C., title 43, sec. 315), and also to section 3 of the act of June 17, 1902, 32 Stat. 388 (U. S. C., title 43, sec. 416), *It is ordered,* As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as an aerial gunnery and bombing range:

GILA AND SALT RIVER MERIDIAN

T. 14 S., R. 7 W.,
Secs. 6, 7, and 18.
T. 13 S., R. 8 W.,
Secs. 2 to 11, inclusive, and
Secs. 14 to 36, inclusive, unsurveyed.
T. 14 S., R. 8 W.,
Secs. 1 to 21, inclusive, and
Secs. 28 to 33, inclusive, unsurveyed.
T. 15 S., R. 8 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive, and
Secs. 28 to 33, inclusive, unsurveyed.
T. 16 S., R. 8 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive, and
Secs. 28 to 33, inclusive, unsurveyed.
T. 17 S., R. 8 W.,
Secs. 4, 5, 6, and 9, unsurveyed.
Tps. 13 to 17 S., R. 9 W., unsurveyed.
T. 7 S., R. 10 W.,
Sec. 1, lots 1, 5, 6, and 7, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, and $W\frac{1}{2}SE\frac{1}{4}$;
Sec. 2, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, and $S\frac{1}{2}$;
Sec. 3, $S\frac{1}{2}$;
Sec. 4, $S\frac{1}{2}SW\frac{1}{4}$ and $SE\frac{1}{4}$;
Sec. 5, $S\frac{1}{2}S\frac{1}{2}$;
Secs. 7 to 36, inclusive.
Tps. 13 S., to 16 S., R. 10 W., unsurveyed.
T. 7 S., R. 11 W.,
Sec. 7, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 8, $S\frac{1}{2}S\frac{1}{2}$;
Sec. 9, $S\frac{1}{2}$;
Sec. 10, $S\frac{1}{2}$;
Sec. 11 $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 12, $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$ and $S\frac{1}{2}$;
Secs. 13 to 36, inclusive.
T 7 S., R. 12 W.,
Sec. 14, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 15, $S\frac{1}{2}NE\frac{1}{4}$ and $S\frac{1}{2}$;
Sec. 16, $SE\frac{1}{4}$;
Sec. 19, lot 4, $SE\frac{1}{4}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Sec. 20, $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, and $S\frac{1}{2}$;
Sec. 21, $NE\frac{1}{4}$ and $S\frac{1}{2}$;
Secs. 22 to 36, inclusive.
Tps. 8 and 9 S., R. 12 W.
T. 7 S., R. 13 W.,
Sec. 25;
Sec. 26, $S\frac{1}{2}$;
Sec. 27, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 32, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 33, $S\frac{1}{2}NE\frac{1}{4}$ and $S\frac{1}{2}$;
Secs. 34, 35, and 36.
T. 8 S., R. 13 W.,
Secs. 1, 2, 3, and 4;
Sec. 5, lot 1 and $S\frac{1}{2}$;
Sec 6, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 7;
Secs. 8 to 36, inclusive.
T. 9 S., R. 13 W.
T 8 S., R. 14 W.,
Sec. 11, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 12, $S\frac{1}{2}NE\frac{1}{4}$ and $S\frac{1}{2}$;
Secs. 13 and 14;
Sec. 15, $S\frac{1}{2}NE\frac{1}{4}$ and $S\frac{1}{2}$;
Sec. 16, $S\frac{1}{2}SW\frac{1}{4}$ and $SE\frac{1}{4}$;
Secs. 19 to 36, inclusive.
T. 9 S., R. 14 W.
T. 8 S., R. 15 W.,
Sec. 19, $S\frac{1}{2}$;
Sec. 20, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Secs. 21 to 36, inclusive.
T. 9 S., R. 15 W.
T. 8 S., R. 16 W.,
Sec. 23, $S\frac{1}{2}S\frac{1}{2}$;
Sec. 24, $S\frac{1}{2}$;
Secs. 25 to 28, inclusive;
Sec. 29, $S\frac{1}{2}NE\frac{1}{4}$ and $S\frac{1}{2}$;
Sec. 30, $S\frac{1}{2}$;
Secs. 31 to 36, inclusive.
T. 9 S., R. 16 W.
T. 8 S., R. 17 W.,
Sec. 25, $S\frac{1}{2}$;
Sec. 26, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 31, $S\frac{1}{2}S\frac{1}{2}$;
Sec. 32, $S\frac{1}{2}$;
Sec. 33, $S\frac{1}{2}$ $NE\frac{1}{4}$ and $S\frac{1}{2}$;
Secs. 34, 35, and 36.
T. 9 S., R. 17 W., partly unsurveyed.
T. 9 S., R. 18 W.,
Secs. 1 and 2;
Sec. 3, $S\frac{1}{2}N\frac{1}{2}$, and $S\frac{1}{2}$;
Sec. 4, $S\frac{1}{2}N\frac{1}{2}$, and $S\frac{1}{2}$;
Sec. 6, $S\frac{1}{2}$;
Secs. 7 to 36, inclusive.
T 9 S., R. 19 W
Sec. 1, $S\frac{1}{2}SW\frac{1}{4}$ and $SE\frac{1}{4}$;
Sec. 5, $S\frac{1}{2}SW\frac{1}{4}$;
Sec. 6, $S\frac{1}{2}$;
Secs. 7 to 36, inclusive.
T. 9 S., R. 20 W.
Sec. 1, $SW\frac{1}{4}NW\frac{1}{4}$ and $S\frac{1}{2}$;
Sec. 2, lot 4, $S\frac{1}{2}N\frac{1}{2}$, and $S\frac{1}{2}$;
Sec. 3, lots 1 and 2, $S\frac{1}{2}N\frac{1}{2}$, and $S\frac{1}{2}$;
Sec. 4, $E\frac{1}{2}SE\frac{1}{4}$;
Secs. 7 to 36, inclusive.
T. 10 S., R. 20 W.
Secs. 1, 2, 3, 11, 12, 13, 24, and 25, unsurveyed.
T. 9 S., R. 21 W.,
Sec. 7, $W\frac{1}{2}$;
Sec. 8, $NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, and $SE\frac{1}{4}$;
Secs. 9, 10, and 11;
Sec. 12, $S\frac{1}{2}$;
Secs. 13 to 17, inclusive;
Sec. 18, $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, and $S\frac{1}{2}$;
Secs. 19 to 36, inclusive.
Tps. 10, 11, and 12 S., R. 21 W.
T. 9 S., R. 22 W.,
Sec. 11;
Sec. 12, $W\frac{1}{2}$ and $W\frac{1}{2}E\frac{1}{2}$;
Secs. 13 and 14;
Sec. 15, $SE\frac{1}{4}$;
Sec. 21, $E\frac{1}{2}$ and $E\frac{1}{2}SW\frac{1}{4}$;
Secs. 22 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 10 S., R. 22 W.,
Secs. 1 to 5, inclusive;
Secs. 6, $E\frac{1}{2}$;
Secs. 7 to 20, inclusive;
Sec. 21, $W\frac{1}{2}$;
Sec. 22, $E\frac{1}{2}$;
Secs. 23 to 36, inclusive.
Tps. 11 and 12 S., R. 22 W.

The areas described, including both public and nonpublic lands, aggregate approximately 705,300 acres.

This order shall be subject to (1) the reservation made by the Proclamation of May 27, 1907, reserving all public lands within 60 feet of the international boundary between the United States and the Republic of Mexico, and (2) the transmission line withdrawal under Federal Power Commission Project No. 482, so far as such reservations affect any of the above-described lands.

This order shall take precedence over, but shall not rescind or revoke, (1) the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, (2) the withdrawal made by Executive Order No. 8038 of January 25, 1939, establishing the Cabeza Prieta Game Range, (3) the order of the Secretary of the Interior of March 14, 1929, withdrawing certain lands for reclamation purposes, and (4) the order of the Secretary of the Interior of July 14, 1938, establishing Arizona Grazing District No. 3, so far as such orders affect any of the above-described lands. After the present national emergency has been officially terminated, this order, so far as it affects lands heretofore withdrawn for reclamation purposes, shall be ineffective upon notice to the War Department by the Secretary of the Interior that such lands are needed for reclamation purposes; and it is intended that all of the above-described public lands shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purposes for which they are reserved.

The Commanding Officer, Yuma Aerial Gunnery Range, will, after consultation with the local representatives of the Fish and Wildlife Service, Department of the Interior, designate at least two days each month on which there will be no firing affecting the lands in T. 14 S., R. 7 W., Tps. 13 to 17 S., R. 8 W., Tps., 13 to 16 S., Rs. 9 and 10 W., to enable the field personnel of the Fish and Wildlife Service to carry out normal patrol and maintenance activities.

On the lands in T. 14 S., R. 7 W., Tps. 13 to 17 S., R. 8 W., Tps. 13 to 16 S., Rs. 9 and 10 W., bombing shall be confined by the War Department to the valley floors, and shall not be permitted in the mountain areas, which are the important mountain sheep habitats, nor within a one-mile radius of all water holes, springs, wells, or tanks. Any roads and trails on such lands which may be damaged by War Department use shall be restored to good condition by the War Department upon return of the lands to the administration of the Department of the Interior.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 16, 1943.

[F. R. Doc. 43-4592; Filed March 25, 1943; 11:44 a. m.]

[Public Land Order 98]

ARIZONA

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 2 , 1942, and to section 3 of the act of June 17, 1902, 32 Stat. 388 (U. S. C., title 43, sec. 416), *It is ordered,* As follows:

Subject to valid existing rights, the following-described public land is hereby withdrawr from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for aviation purposes:

GILA AND SALT RIVER MERIDIAN

T. 7 S., R. 12 W., sec. 7
The area described contains 627.90 acres.

This order shall take precedence over, but shall not rescind or revoke, the order of March 14, 1929, of the Secretary of the Interior, withdrawing certain lands for reclamation purposes, so far as such order affects the above-described land. After the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647), this order shall become ineffective upon notice to the War Department by the Secretary of the Interior that the land is needed for reclamation purposes.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 17, 1943.

[F. R. Doc. 43-4593; Filed, March 25, 1943; 11:45 a. m.]

[Public Land Order 99]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE NAVY DEPARTMENT AS A NAVAL SUPPLY DEPOT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered,* As follows:

Subject to valid existing rights and to the transmission-line withdrawal under Federal Power Project No. 882, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Navy Department as a naval supply depot:

SAN BERNARDINO MERIDIAN

T. 9 N., R. 1 W.,
Sec. 14, $S\frac{1}{2}$;
Sec. 15, $E\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$.

The areas described aggregate 340 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 17, 1943.

[F. R. Doc. 43-4594; Filed, March 25, 1943; 11:44 a. m.]

[Public Land Order 100]

MONTANA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered,* As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for military purposes:

PRINCIPAL MERIDIAN

T. 25 N., R. 4 E.,
Secs. 11 to 14, inclusive.
T. 27 N., R. 8 E.,
Secs. 4, 5, 8, 9, 16, 17, 20, and 21.
T. 28 N., R. 8 E.,
Secs. 28, 29, 32, and 33.

The areas described, including both public and non-public lands, aggregate 10,241.20 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the public lands herein described shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 17, 1943.

[F. R. Doc. 43-4595; Filed, March 25, 1943; 11:45 a. m.]

Office of the Solicitor.

[Order No. 1799]

COMMISSIONER OR ASSISTANT COMMISSIONER OF GENERAL LAND OFFICE

AUTHORIZATION TO ACT IN CERTAIN MATTERS

MARCH 19, 1943.

Pursuant to sections 161, 453 and 2478 Rev. Stat. (5 U.S.C. sec. 22 and 43 U.S.C. secs. 2, and 1201 respectively), *It is hereby ordered,* As follows:

I. The Commissioner or Assistant Commissioner of the General Land Office may hereafter act in relation to the following classes of matters without obtaining Secretarial approval, unless the Secretary in any particular matter determines otherwise, subject in any event to an appeal to the Secretary according to the rules of practice and subject to the provisions of Part II of this order:

(a) Applications to lease public lands for public airports under the act of May 24, 1928 (45 Stat. 728; 49 U.S.C. secs. 211–214), and the issuance, assignment, modification or cancelation of such leases.

(b) Applications to lease public lands for a home, cabin, camp, health, convalescent, recreational, or business site under the act of June 1, 1938 (52 Stat. 609; 43 U.S.C. sec. 682a), and the issuance, assignment, modification or cancelation of such leases.

(c) Applications to lease public lands in Alaska for fur farms under the Act of July 3, 1926 (44 Stat. 821; 48 U.S.C. secs. 360, 361), and the issuance, assignment, modification or cancelation of such leases.

(d) Applications to lease public lands in Alaska for grazing purposes under the act of March 4, 1927 (44 Stat. 1452; 48 U.S.C. secs. 471, 471a–471o), and the issuance, assignment, modification or cancelation of such leases.

(e) Applications by States, counties or municipalities to lease public lands for recreational use under the act of June 14, 1926 (44 Stat. 741; 43 U.S.C. sec. 869), or the act of April 13, 1928 (45 Stat. 429; 43 U.S.C. sec. 869a), and the issuance, modification or cancelation of such leases.

(f) Applications to use public lands under right-of-way permits for tramroads under the act of January 21, 1895 (28 Stat. 635; 43 U.S.C. sec. 956), and the issuance, assignment, modification or cancelation of such permits.

(g) Applications to use public lands under permits for rights-of-way under the act of February 15, 1901 (31 Stat. 790; 43 U.S.C. sec. 959 and 16 U.S.C. sec. 79), and the issuance, assignments, modification or cancelation of such permits: *Provided, however,* That cancelation shall be only in the circumstances specifically prescribed in regulations of the Secretary. The authority herein prescribed shall not relate to applications or permits involving lands within national parks, Indian or other reservations of the United States.

(h) Applications to use public lands under right-of-way easements under the act of March 4, 1911 (36 Stat. 1235, 1253–54; 43 U.S.C. sec. 961), and the issuance and assignment of such easements. The authority herein prescribed shall not relate to applications or permits involving lands within national parks, Indian or other reservations of the United States, nor to the modification or revocation of any easements granted under the act of March 4, 1911.

(i) Approvals of clear lists of State selections under the act of February 28, 1891 (26 Stat. 796; 43 U. S. C. sec. 851), and section 2449, Rev. Stat. (43 U. S. C. sec. 859).

(j) Orders authorizing the issuance of patents for school sections under the act of June 21, 1934 (48 Stat. 1185; 43 U. S. C. 871a).

(k) Orders authorizing the survey of islands or omitted lands under the general authorization of the Interior Department Appropriation Acts (e. g., act of July 2, 1942, Public Law 645, 77th Cong., 2d sess., ch. 473, p. 6, slip copy; act of June 28, 1941, 55 Stat. 303, 309); the resurveys of public lands under the above-mentioned acts and the act of March 3, 1909 (35 Stat. 845), as amended by the Joint Resolution of June 25, 1910 (36 Stat. 884; 43 U. S. C. 772); and the resurvey of public and private lands under the act of September 21, 1918 (40 Stat. 965; 43 U. S. C. sec. 773).

(l) Decisions denying applications for stock driveway withdrawals or for the revocation of such withdrawals under section 10 of the act of December 29, 1916 (39 Stat. 862; 865; 43 U. S. C. sec. 300).

(m) Notation and declaration that any lands of the United States reserved for power purposes under section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. sec. 818), which the Federal Power Commission shall determine will not be injured in value for power development purposes by disposition under the public land laws, are, subject to the restrictions specified by the Commission and section 24, no longer reserved under section 24.

II. This order does not relate to or authorize the classification of public lands pursuant to section 7 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269, 1272), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C. sec. 315f), or pursuant to any other act requiring classification of public lands prior to the exercise of the functions herein prescribed, nor does it affect the responsibility of the Solicitor for the review of legal questions. All general rules, regulations, circulars and instructions must be approved by the Secretary.

III. To the extent of any inconsistency with the foregoing provisions hereof, Order 242 of August 29, 1927, Secretary Work's memorandum of August 29, 1927, to the Commissioner of the General Land Office, and all existing regulations relating to the performance of the matters herein listed, are hereby modified. Such regulations should be formally revised to incorporate the changes effected by this order.

IV. This order is effective immediately, but matters now pending before the Department will be cleared as heretofore.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-4596; Filed, March 25, 1943; 11:44 a. m.]

DEPARTMENT OF LABOR.

Wage Adjustment Board.

BUILDING AND CONSTRUCTION INDUSTRY POLICY AND PROCEDURE DECISIONS

In the matter of Policy and Procedure Decisions of the Wage Adjustment Board for the Building and Construction Industry; notice that copies of such decisions are available.

Notice is hereby given that copies of the decisions of the Wage Adjustment Board for the Building and Construction Industry are available to interested parties in Room 3124, United States Department of Labor.

Copies of such decisions are furnished by the Wage Adjustment Board to the Government contracting agencies who are parties to the Wage Stabilization Agreement of May 22, 1942, the Building and Construction Trades Department of the American Federation of Labor, the National or International Unions, and the Associated General Contractors and are made available to other contractors and sub-contractors' associations in the area to which particular decisions are applicable.

Dated: March 24, 1943.

GEORGE B. MCGAHAN,
Executive Secretary.

[F. R. Doc. 43-4580; Filed, March 25, 1943; 11:34 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

TRANSPORTATION OF AGRICULTURAL COMMODITIES AND PRODUCTS

RECOMMENDATION FOR INDUSTRY TRANSPORTATION PLANS

Recommendation for Industry transportation plans for transportation of agricultural commodities and products, as amended.

In order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, the following plan concerning the transportation of agricultural commodities and products thereof by motor vehicle is promulgated and recommended to the Chairman of the War Production Board for approval under section 12, Public Law 603, 77th Congress (56 Stat. L. 351).

1. *Industry Transportation Committee.* The producers, motor carriers, processors and dealers in agricultural commodities and products thereof within any designated area shall select a committee to be known as an Industry Transportation Committee. This committee shall be selected in a manner so as to be equally representative of such producers, motor carriers, processors and dealers. Upon the selection of such committee the members thereof shall elect a chairman. The chairman of such committee, prior to any action thereby, shall file with the Office of Defense Transportation information concerning the type of industry, membership of the committee, method of selection thereof and a description of the area within which such committee will act, together with such other information as may be required by the Office of Defense Transportation. The Office of Defense Transportation will review this information and approve or disapprove the committee as constituted, and, if approved, will reserve the right to remove at any time any person selected as a member thereof. When approved, the committee will be recognized by the Office of Defense Transportation as authorized to act within such area in the formulation of an Industry Transportation Plan.

2. *Industry Transportation Plan.* The Industry Transportation Committee shall formulate an Industry Transportation Plan, which plan shall be in conformity with the terms and provisions herein prescribed.

3. *Contents; parts.* The Industry Transportation Plan may consist of one or two parts as follows:

One part of the plan shall consist of a relocation of routes within the designated area arranged with the advice and assistance of such Committee. The routes of the motor carriers shall be revised so as to eliminate nonessential travel and to obtain maximum utilization of the motor trucks used upon the revised routes. The routes shall be so adjusted that the products of each producer will be transported to his chosen market. The price received by the producer shall not be changed by the plan.

The plan may have a second part which shall consist of a further relocation of routes within the same area, by which the products of the producer shall generally be transported to the processor or dealer who is nearest to the farm of the producer in the point of highway miles. This arrangement shall be known as zoning of market areas. Such zoning of market areas shall be arranged so that no producer will receive a price for his products which is less than the price he received under his prior arrangement unless such producer consents to receive a lesser price. The plan shall provide that the processor or dealer will receive approximately the same quantity of such products as under his prior arrangement. Likewise, the plan shall provide that the producer may deliver approximately the same quantity of his products as under his prior arrangement.

4. *Industry Transportation Plan shall be reduced to writing.* The Industry Transportation Committee shall reduce to writing the details of such Industry Transportation Plan, which writing shall be signed by all members of the Committee. The writing shall consist of one or two parts as follows:

One part shall describe the area, the number and location of the processors and dealers, the number of producers, the number of motor carriers and location of their present routes, the proposed relocation of routes, the truck mileage savings which will be accomplished by the arrangement, the nature and extent to which the proposed operation will be affected by any regulatory law or regulation, and the name and address of any motor carrier who will suspend operations.

If the plan has two parts, the writing shall contain a second part which shall contain the same information as required in respect of the first part of such plan, and, in addition, shall contain detailed information concerning the proposed zoning of market areas, a statement to the effect that the price received by the producer will not be changed by the arrangement, or, if the price received by any producer will be changed by the arrangement, that such producer has consented to receive a lesser price, and the name, address and objection of any producer, motor carrier, processor or dealer who declines to participate in the arrangement.

5. *General restrictions.* No provision shall be contained in any Industry Transportation Plan which will deny to the producer, processor or dealer the right to deliver or procure agricultural commodities and products thereof by the use of transportation facilities other than those of the motor carriers participating in the plan; and no provision shall be contained in any such plan which will require the motor carriers participating therein to perform any transportation service which is not authorized or sanctioned by law, or to render any service beyond its transportation capacity.

6. *Publication of plan.* The Industry Transportation Plan shall be publicized by the Industry Transportation Committee in such manner as will give all persons affected thereby an opportunity to examine the provisions of such plan. A true copy of this Recommendation and Certificate No. 28, as amended,[1] issued to the Attorney General in respect of such Recommendation by the Chairman of the War Production Board shall be included in such publication. The publication shall provide that any producer, motor carrier, processor or dealer in agricultural commodities and products thereof within such designated area may complain or comment in respect of the proposed relocation of routes or zoning of market areas as described in the plan. The manner and form of such publication shall be described in an appropriate certificate executed by the Chairman of the Industry Transportation Committee and such certificate shall be attached to the plan.

7. *Adjustment of complaints.* In the event complaints are received, the Industry Transportation Committee shall consider and adjust such complaints, if possible. The Committee shall, if necessary, revise the plan to accord with any adjustment made by reason of such complaints. Any complaints received by the Committee which have not been adjusted shall be attached to the plan, together with a brief statement setting forth the position of the Committee in respect of such complaint.

8. *Filing.* The Industry Transportation Plan, as revised, together with the attachments herein prescribed, shall be filed with the Office of Defense Transportation. The General Counsel of the Office of Defense Transportation will review the plan, together with the attachment, and prepare an analysis thereof. If, in his opinion, the adoption thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials without undue injustice or inequity to those affected and the plan conforms to the provisions, conditions and limitations of this Recommendation and Certificate No. 28 as amended, issued by the Chairman of the War Production Board in respect of such recommendation, he will approve the plan and direct those who have agreed, or shall hereafter agree, to participate in the plan, to put it into effect and will so certify in writing to the Chairman of the War Production Board and to the Attorney General and will transmit to each of such persons a copy of the specific plan and his analysis thereof.

9. *Administrator; Industry Advisory Committee.* The Office of Defense Transportation will designate one of its employees to act as administrator of the Industry Transportation Plan. Such administrator will act in such capacity with the advice and assistance of an Industry Advisory Committee. Such Committee shall be selected by the participating producers, motor carriers, processors and dealers located within the designated area and subject to the same conditions and limitations as prescribed for the selection for the Industry Transportation Committee.

10. *Complaints.* After the effectuation of such Industry Transportation Plan, any participating producer, motor carrier, processor or dealer may file a complaint in writing with the administrator in respect of such Industry Transportation Plan. The administrator, with the advice and assistance of the Industry Advisory Committee, will attempt to adjust such complaints. In the event no satisfactory adjustment can be made, no compulsion shall be used upon such producer, processor or dealer. Any complaint received from a participating motor carrier will be considered and decided by the administrator with the advice and assistance of the Industry Advisory Committee. If the carrier is not satisfied with the decision, he may appeal to the District Manager of the Office of Defense Transportation. If his decision is adverse, the carrier may appeal to the Director, Division of Motor Transport, Office of Defense Transportation, Washington, D. C., whose decision shall be final.

11. *Records; inspection.* The administrator shall keep a record of his acts pertaining to the operation of the plan, which record shall be available at all reasonable times for inspection by participants in the plan and by accredited representatives of the Office of Defense Transportation.

12. *Termination.* This recommendation shall remain in full force and effect until six months after the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation may designate, or until any certificate issued in respect of this recommendation shall have been withdrawn by the Chairman of the War Production Board in the manner provided by section 12, Public Law 603, 77th Congress, (56 Stat. L. 351).

[1] Supra.

Issued at Washington, D. C., this 22d day of March 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-4589; Filed, March 25, 1943; 11:38 a. m.]

[Administrative Exception Order 2 Under Ration Order 13]

PROCESSED FOODS

CIVILIAN PROGRAMS BRANCH OF FOOD DISTRIBUTION ADMINISTRATION OF DEPARTMENT OF AGRICULTURE

The Civilian Programs Branch of the Food Distribution Administration of the Department of Agriculture has requested that it be permitted to dispose of the processed foods which it now owns, by collecting the fixed amount of eight points per pound, except with respect to those items for which the price fixed by the Office of Price Administration is less than eight points per pound. Food thus disposed will be used solely for child feeding programs.

The Civilian Programs Branch obtained food for distribution through welfare agencies to eligible child feeding programs and persons receiving public assistance. Many of the foods were purchased in the public market at a time when they were in abundance and causing a depressing effect on the market. Others were acquired from the Lend-Lease Administration, because of the lack of shipping facilities, or the changing needs of our Allies. A large amount of these foods have been in storage for some time and it is necessary to release them while they are still in usable condition.

Recently, the Civilian Programs Branch has introduced a new Community School Lunch Program which enables sponsors to buy from local vendors on a reimbursable basis up to a certain maximum amount. Consequently, State Welfare Departments are anxious to terminate their agreements under the presently operating Direct Distribution Program and the Civilian Programs Branch is faced with the problem of liquidating current inventories of processed foods as soon as possible so that those foods which cannot be put back into commercial channels will be fully utilized.

Many of the schools and State Welfare Departments are unwilling to cooperate in the surrender and collection of the ration points involved in the distribution of these processed foods under the present point values because some of these commodities have a high point value and the surrender of points for them would limit the amount of food the agencies may obtain from their allotment. In addition, the task of charging the exact point prices established by the Office of Price Administration has been rendered especially difficult because of the termination of the Works Project Administration, which supplied much of the clerical help used in these projects.

Many of the commodities are labeled "not to be sold" in order to prevent their return to commercial channels. It would be too expensive and too difficult to collect and relabel them for resale, as they are widely scattered in various parts of the United States in small quantities. Furthermore, the exteriors of some of the containers have also been affected by a long storage period and could not be placed on retailers' shelves for sale.

The processed foods held by the Civilian Programs Branch will be limited to child feeding programs and the adoption of an eight point maximum value per pound would create an incentive for the child feeding programs to receive a proportion of the commodities available in each area, and would provide a non-commercial market for these processed foods that might otherwise not be utilized. The granting of the request in this instance would not in any way defeat or impair the effectiveness of the policy of the Ration Order.

It is hereby ordered, That the Civilian Programs Branch of the Food Distribution Administration of the Department of Agriculture may dispose of the processed foods which it now owns, for use in child feeding programs, by collecting the fixed amount of eight points per pound, except with respect to those items for which the price fixed by the Office of Price Administration is less than eight points per pound.

This order shall become effective March 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 24th day of March 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-4564; Filed, March 24, 1943; 5:03 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 37-25, 37-26, 37-36, and 37-57]

FEDERAL ADVISERS, INC., ET AL.

ORDER FOR CONSOLIDATION AND NOTICE OF AND ORDER FOR HEARING AND TO SHOW CAUSE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of March, A. D. 1943.

In the matter of Federal Advisers, Inc., File No. 37-26; Electric Advisers, Inc., File No. 37-25; Gas Advisers, Inc., File No. 37-36; Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Arkansas Natural Gas Corporation, Central Arkansas Public Service Corporation, Petroleum Advisers, Inc., Federal Advisers, Inc., Electric Advisers, Inc., Gas Advisers, Inc., File No. 37-57.

I

The Commission having heretofore on December 27, 1938 and on January 5, 1939 issued its separate findings, opinions and orders, pursuant to section 13 of the Public Utility Holding Company Act of 1935 and rules and regulations of the Commission thereunder, with respect to approval of the organization and conduct of operations of Federal Advisers, Inc. (Federal), Electric Advisers, Inc. (Electric) and Gas Advisers, Inc. (Gas), each a subsidiary or mutual service company in the holding company system of Cities Service Company, a registered holding company, subject to certain conditions and in particular that Federal, Electric and Gas may be required to effect any changes in organization and operation which should become necessary in order to conform with the act and present or future rules, regulations or orders thereunder; and

The Commission having subsequently on January 31, 1942 entered its separate orders extending without limit as to time its orders of January 5, 1939, with respect to the approval of Electric and Gas, reserving jursdiction therein to terminate the approval granted by said orders of January 5, 1939 at any time by written notice given at least thirty days prior to the effective date of such termination if it should deem such action necessary or appropriate to the public interest or the interest of investors or consumers; and

II

1. The Commission having authorized an investigation on November 25, 1941 under sections 13 and 18 (a) and (b) of the act which investigation establishes or tends to establish that the organization and conduct of operations of service companies in the Cities Service Company system do not meet the standards and objectives of section 13 of the act and rules, regulations and orders thereunder, in that

(a) The operating companies in the Cities Service Company system are being charged or having allocated to them, directly or through the medium of a service company, a portion of the salaries and expenses of persons who are holding company officers or employees, or whose functions relate primarily to the functions of supervision of the holding company system and review of the activities of the operating companies and their officials and staffs;

(b) Various persons whose functions relate primarily to the holding company functions of supervision of the holding company system and review of the activities of the operating companies and officials and staffs, are receiving compensation or reimbursement of expenses from operating companies through such service companies or by other arrangements;

(c) Such service companies have not confined themselves to functions which the operating companies cannot perform as efficiently and economically themselves in that the services being rendered are not limited to those of an operating nature as distinguished from managerial or policy forming functions;

(d) Federal, Electric, Gas and Petroleum Advisers, Inc. (Petroleum), a subsidiary of Cities Service Company, have engaged in substantial cross-servicing and cross-billing in the course of their operations, which, together with the commingling of holding company and service company functions (referred to in paragraphs (a), (b) and (c) hereof) seriously impairs effective regulation by the Commission to insure economical and efficient performance of service contracts for the benefit of the operating companies at cost, fairly and equitably allocated, as required by section 13 of the act;

(e) Petroleum has performed services at a charge for utility companies in the Cities Service Company system with respect to which services Petroleum has not complied with the requirements of section 13 (b) of the act and Rule U-87 thereunder;

(f) Certain operating companies in the Cities Service system have borne, either directly or through the medium of service companies or other arrangements, certain expenses in connection with pending proceedings pursuant to section 11 of the act with respect to the Cities Service system, and

2. It further appearing that Petroleum, which performs services for associate companies in the Cities Service Company system, is with respect to certain of such services exempt from the provisions of section 13 and rules and regulations thereunder by reason of Rules U-3d-15 and U-37 (b) (1), and that a continuance of such exemption may be detrimental to the public interest or the interest of investors or consumers, and that withdrawal of such exemption may be appropriate in the public interest or the interest of investors or consumers to the end that Petroleum will be subject to such limitations and prohibitions as the Commission, by rules, regulations and orders, shall prescribe as necessary or appropriate in the public interest or the interest of investors or consumers and that Petroleum should be a party herein, and

3. It further appearing that a fair and equitable allocation of costs and expenses pursuant to section 13 of the act may require a retroactive allocation to the respective holding companies in the Cities Service Company system of certain costs and expenses including compensation previously paid to various persons whose functions relate primarily to the supervision of the holding company system and review of the activities of operating companies, and

4. It further appearing that the matters concerned herein are related and should be consolidated for hearing and for consideration and disposition by the Commission and that Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Arkansas Natural Gas Corporation and Central Arkansas Public Service Corporation should be parties herein, and

III

It appearing to the Commission in the light of the foregoing that it is appropriate in the public interest and the interest of investors and consumers to institute proceedings against Federal, Electric, Gas, Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Arkansas Natural Gas Corporation, Central Arkansas Public Service Corporation, and Petroleum pursuant to section 13 of the Public Utility Holding Company Act of 1935, in order to determine whether certain orders should be entered pursuant to the provisions of said act;

It is ordered, That a proceeding be and the same is hereby instituted pursuant to section 13 of the act and that a hearing be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania on the 3rd day of May, 1943, at 10 A. M., E. W. T. to determine:

A. Whether the allegations in paragraph 1 are true and accurate;

B. Whether the services rendered by Federal, Electric, Gas and Petroleum are performed economically and efficiently for the benefit of associate companies in the Cities Service Company system at cost and whether charges therefor are fairly and equitably allocated among such companies;

C. What changes are required to be effected with respect to system servicing operations within the Cities Service Company system in order to effect compliance with the objectives and standards of section 13 of the act and rules, regulations and orders thereunder and in order to obtain the advantages of effective regulation;

D. The extent to which unfair and inequitable allocations of costs have been made in the past and the extent to which such allocations should be made fair and equitable by a retroactive order;

It is further ordered, That at said hearing (1) Federal, Electric and Gas shall show cause why the orders of December 27, 1938 and January 5, 1939 approving their organizations and the conduct of their operations should not be revoked (without limitation of Commission's right to terminate approval of Electric and Gas upon 30 days written notice); (2) Petroleum shall show cause why any exemption heretofore applicable to it should not be suspended, so that its services for associate companies should be subject to such limitations and prohibitions as the Commission by rules, regulations and orders shall prescribe;

It is further ordered, That this proceeding be consolidated for hearing with the proceedings previously held regarding Federal, Electric and Gas pursuant to Section 13, jurisdiction being reserved, however, to separate for disposition in whole or in part, any of the issues or questions hereinbefore set forth or which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved;

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer or officers designated to preside at the hearing are hereby authorized, without limitation, to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice and to conduct hearings at such times and places as may be necessary and desirable to effect a complete disposition of the matters involved herein;

It is further ordered, That notice of said hearing be and hereby is given to Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Arkansas Natural Gas Corporation, Central Arkansas Public Service Corporation, Petroleum Advisers, Inc., Federal Advisers, Inc., Electric Advisers, Inc. and Gas Advisers, Inc., to their respective security holders and consumers, to all states, municipalities and public sub-divisions of states within which are located any of the physical assets of said companies or under the laws of which any of said companies are incorporated, all State Commissions, State Security Commissions and all agencies, authorities or instrumentalities of one or more states, municipalities or other political sub-divisions that have jurisdiction over any of such companies or over any of the business affairs or operations of any of them or their subsidiaries; that the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Arkansas Natural Gas Corporation, Central Arkansas Public Service Corporation, Petroleum Advisers, Inc., Federal Advisers, Inc., Electric Advisers, Inc. and Gas Advisers, Inc.; and that notice is hereby given to any other person whose participation in these proceedings may be in the public interest or for the protection of investors or consumers, such notice to be given by publication in the FEDERAL REGISTER. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before April 26, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4565; Filed, March 25, 1943; 10:20 a. m.]

WAR PRODUCTION BOARD.

[Certificate 28, Amendment 1]

TRANSPORTATION OF AGRICULTURAL COMMODITIES AND PRODUCTS

TO THE ATTORNEY GENERAL: Referring to Certificate No. 28 (8 F.R. 1668), issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith an amended plan formulated by The Office of Defense Transportation entitled "Recommendation for Industry Transportation Plans for transportation of agricultural commodities and products, as amended".[1]

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved such amended plan; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such amended plan, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 22, 1943.

[F. R. Doc. 43-4588; Filed, March 25, 1943; 11:38 a. m.]

[1] *Supra.*

FEDERAL REGISTER

VOLUME 8 NUMBER 61

Washington, Saturday, March 27, 1943

The President

PROCLAMATION 2580

CHILD HEALTH DAY—1943

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Congress by joint resolution of May 18, 1928 (45 Stat. 617), has authorized and requested the President of the United States to issue annually a proclamation setting apart May 1 as Child Health Day:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in recognition of the vital importance of the health of children to the strength of the Nation, do hereby designate the first day of May of this year as Child Health Day.

And I call upon the people in each of our communities to renew their efforts to promote the health of children in wartime and to take special measures in behalf of those boys and girls of high school age who are combining school with part-time jobs, working during vacation, or entering full-time employment, in order that their safety, health, and normal growth may be fully assured.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of March in the year of our Lord nineteen hundred and forty-three and of the Independence of the United States of America the one hundred and sixty-seventh.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-4648; Filed, March 26, 1943; 12:18 p. m.]

EXECUTIVE ORDER 9321

AUTHORIZING THE ATTORNEY GENERAL TO ACQUIRE AND DISPOSE OF PROPERTY

By virtue of and pursuant to the authority vested in me by Title II of the Second War Powers Act, 1942, approved March 27, 1942 (56 Stat. 177), the Attorney General is hereby authorized to exercise the authority contained in said Title II of the Second War Powers Act, 1942, to acquire, use, and dispose of any real property, temporary use thereof, or other interest therein, together with any personal property located thereon, or used therewith, that shall be deemed necessary for military, naval or other war purposes.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 25, 1943.

[F. R. Doc. 43-4622; Filed, March 26, 1943; 10:33 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA [1]

ORDER SUSPENDING CERTAIN PROVISIONS

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the New York Metropolitan Marketing Area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U. S. C., 1940 ed., 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined that the provisions of such order which provide seasonal minimum prices for Class I milk

[1] 7 F.R. 2370, 9109.

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FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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Canned (M–237)	3774
Canned and processed (M–86 series)	3768
Fruit, dried (M–205, M–205–a)	3774
Gages, precision measuring tools, etc.:	
(E–5)	3771
(E–5–a)	3771
Interstate Commerce Commission; rate conference regulations (Certificate 44)	3804
Inventories, consumers' goods (L–219)	3775
Loggers and producers; maintenance, repair and operating supplies (P–138)	3780
Motor trucks, truck trailers and passenger carriers (L–1–j)	3765
Plastics molding machinery (L–159)	3771
Printing and publishing (L–244)	3779
Rubber processing machinery and equipment (L–143–a)	3772
Spices (M–127 series)	3769
Sugar (M–98 series)	3769
Tea (M–111 series)	3769
Thermoplastics (M–154)	3769

during the month of April 1943, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of the date of execution hereof, the following provisions of § 927.4 (a) (1) of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, are hereby suspended for the period ending April 24, 1943:

1. Designation of the periods "April through June," and "July through March," and

2. The prices established for the period "April through June."

Done at Washington, D. C., this 25th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–4626; Filed, March 26, 1943; 11:10 a. m.]

Chapter X—Food Production Administration

[FPO 5,[1] Amendment 2]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER

Section 1206.1 is hereby amended as set forth below:

Paragraph (a) (1) is revised to read as follows:

(1) "Chemical fertilizer" means any material used as a plant food containing one or more of the following: Nitrogen, phosphorus, or potassium, excluding, however, animal manures and animal, fish, and plant residues, unless mixed with a chemical fertilizer.

The following new subparagraphs are added to paragraph (a):

(14) "Multiple-strength grades of chemical fertilizer" means those grades of chemical fertilizer classified as such in Schedule II attached hereto, and all mixed chemical fertilizer containing 25 or more units of plant food.

(15) "Specialty fertilizer" means fertilizer which is prepared for sale primarily for use in non-farm areas on lawns, shrubbery, flowers and gardens, and is retailed at a price considerably higher than farm fertilizers.

Paragraph (b) (2) (ii) is revised to read as follows:

(ii) No fertilizer manufacturer, dealer, or agent shall deliver any chemical fertilizer containing chemical nitrogen in packages of less than eighty (80) pounds.

Paragraph (c) (1) to the end of paragraph (c) (1) (i) is revised to read as follows:

(c) *Exemptions.* (1) The restrictions provided for in paragraphs (b) (1) and (f) (3) hereof, shall not apply to:

(i) Deliveries by dealers or agents of stocks of unapproved grades of chemical fertilizer in their hands on September 12, 1942, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (i) or to the use by any person of any chemical fertilizer on hand on September 12, 1942.

The following new subdivision is added to paragraph (c) (1):

(v) Deliveries by fertilizer manufacturers, dealers, or agents of chemical fertilizer containing chemical nitrogen for the preparation of starter solutions to be used in the transplanting of vegetable crop plants, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (v) for such purpose.

That part of paragraph (c) (2) which precedes subparagraph (c) (2) (i) is revised to read as follows:

(2) The restrictions provided for in paragraphs (b) (1), (b) (2), (f) (3), and (j) hereof, shall not apply to:

Paragraph (c) (2) is hereby revoked. Paragraph (c) (1) is redesignated as paragraph (c) and is revised so that paragraph (c) shall read as follows:

[1] 8 F.R. 947.

(c) *Substitution of grades.* Set forth in Schedule II attached hereto is a list of the grades (stated on a nitrogen content basis or on a crop basis) of chemical fertilizer used in each of the States designated on such schedule during the 1940–1941 season (July 1, 1940–June 30, 1941) and a list of the approved grades for each of such States for the 1942–1943 season (July 1, 1942–June 30, 1943). The 1940–1941 grades and the 1942–1943 grades are listed in groups—each group being identified by a group number. The grades listed in a particular 1942–1943 group are the grades approved for substitution during 1942–1943 for the grades of the 1940–1941 group bearing the corresponding group number. Where a grade in one of the 1940–1941 groups was used on a particular crop during the 1940–1941 season, no grade other than a grade appearing in the corresponding 1942–1943 group shall be used on such crop during the 1942–1943 season, except as otherwise provided in this paragraph (c). For example, where a person used a grade carrying 2% nitrogen on a particular crop in Connecticut during the 1940–1941 season, he shall not use any grade other than a 0–14–14, 0–20–20, or 0–9–27 grade on such crop during the 1942–1943 season. Notwithstanding any other provision of this paragraph (c), grades containing four or less per cent nitrogen manufactured, delivered and used in 1940–1941 on crops described as vegetable crops in Schedule III may be replaced by approved grades containing the same percentage of nitrogen as the grade replaced. This paragraph (c) shall not prevent the delivery and use in the 1942–1943 season, at the election of the user, of a grade having a nitrogen content lower than that authorized for use in such 1942–1943 season. Nor shall this paragraph (c) prevent the delivery and use in the 1942–1943 season of a multiple-strength grade of chemical fertilizer instead of an ordinary analysis grade of chemical fertilizer, provided that the nitrogen content of the multiple-strength grade shall not exceed the nitrogen content of the ordinary analysis grade on a per acre application basis. In the event that information covering use in the 1940–1941 season is not available, use in the 1942–1943 season may be based on grades used in 1941–1942.

Paragraph (f) (3) is revised to read as follows:

(3) No fertilizer manufacturer, dealer, or agent shall deliver any chemical fertilizer containing chemical nitrogen in the States listed in Schedule I attached hereto for use on victory gardens other than the grade of 3–8–7, or approved grades of specialty fertilizer on hand on September 12, 1942. Such 3–8–7 grade shall be labeled "Victory Garden Fertilizer—For Food Production Only", and no person, including fertilizer manufacturers, dealers and agents, shall use any chemical fertilizer containing chemical nitrogen other than a grade so labeled or such specialty fertilizer for such purpose. Notwithstanding any provision in this order to the contrary, fertilizer authorized by this paragraph (f) (3) to be delivered for use on victory gardens may be packaged in packages of 5, 10, 25, 50, and 100 pounds net weight and may be used on victory gardens regardless of the crops raised thereon. The term "victory garden" for the purposes of this paragraph (f) (3) means any garden planted primarily for the non-commercial production of vegetables and small fruits. Nothing in this paragraph shall prohibit any person who purchases chemical fertilizer pursuant to this order for use other than on his victory garden from obtaining and using on his victory garden chemical fertilizer of the grade or grades so purchased.

The following new subparagraphs are added to paragraph (f):

(4) No fertilizer manufacturer, dealer, or agent, shall deliver any chemical fertilizer containing chemical nitrogen for use on field-grown cut-flower crops, and no person, including fertilizer manufacturers, dealers and agents, shall use any chemical fertilizer containing chemical nitrogen for such purpose.

(5) Notwithstanding any provision in this order to the contrary, any person having on hand on September 12, 1942, any chemical fertilizer containing chemical nitrogen for use and not for sale may use such fertilizer for any purpose.

Paragraph (j) (4) is revised to read as follows:

(4) Each manufacturer, dealer, or agent who, on or after January 18, 1943, delivers any chemical fertilizer to any person other than a manufacturer, dealer, or agent (or uses any chemical fertilizer on his own crops) shall keep a record of each such delivery, showing the person to whom delivery is made, the date of delivery, and the quantity of fertilizer materials or grade of mixed fertilizer (and a similar record of use on his own crops), and each such manufacturer, dealer, or agent shall retain for not less than two years records of such delivery (or own use) and all statements received by him pursuant to paragraph (j) (1) hereof. The provisions of this paragraph (j) (4) shall not apply to individual deliveries in lots of less than 250 pounds of fertilizer authorized to be delivered by paragraphs (f) (3) and (g).

Schedule I attached to Food Production Order No. 5 (8 F.R. 947) is hereby amended as follows:

To the grades of chemical fertilizer listed for *Connecticut*, 8–4–8 is added.

In the grades of chemical fertilizer listed for *Delaware*, "6–10–5;" is changed to "5–10–5;".

To the grades of chemical fertilizer listed for *Idaho*, grade 12–12–0 is added.

To the grades of chemical fertilizer listed for *Illinois*, grade 0–10–20 is added.

To the grades of chemical fertilizer listed for *Iowa*, grade 0–10–20 is added.

To the grades of chemical fertilizer listed for *Massachusetts*, grade 8–4–8 is added.

To the grades of chemical fertilizer listed for *New Hampshire*, grade 8–4–8 is added.

In the grades of chemical fertilizer listed for *New York*, "0–16–3;" is changed to "0–16–8;".

In the grades of chemical fertilizer listed for *North Carolina*, "3–8–6;" is changed to "3–9–6;".

To the grades of chemical fertilizer listed for *Oregon*, grades 12–12–0, 6–9–6, and 6–10–4 are added.

To the grades of chemical fertilizer listed for *Pennsylvania*, grade 5–10–20 is added.

To the grades of chemical fertilizer listed for *Texas*, grades 6–30–0 and 3–10–0 are added.

To the grades of chemical fertilizer listed for *Vermont*, grade 8–4–8 is added.

To the grades of chemical fertilizer listed for *Washington*, grade 12–12–0 is added.

Wherever it appears in Schedule I, the footnote "[1] For side or top-dressing vegetables only" is amended to read "[1] For side or top-dressing vegetables and fruits only."

To the list of *Grades Applicable to All States* at the end of Schedule I, the following are added:

Potash lime	0–0–6
Ammonium nitrate	34 (or higher)–0–0
Ammonium nitrate limestone	20 (or higher)–0–0
Potassium nitrate	14–0–44 (or higher)
Uramon limestone	20 (or higher)–0–0

Schedule II attached to Food Production Order No. 5 (8 F.R. 947) is hereby amended as follows:

The language "All grades used on small grains and those with less than 2% N used on other crops to be replaced by," wherever it appears under any of the States in the column headed "1940–41 grades," is amended to read "All grades with less than 2% N to be replaced by."

The language "For grades used on crops other than small grains:", wherever it appears under any of the States in the column headed "1940–41 grades," is hereby deleted.

To group (1) of the 1942–43 approved grades for Illinois, grade 0–10–20 is added.

To group (1) of the 1942–43 approved grades for Iowa, grade 0–10–20 is added

In group (1) of the 1942–43 approved grades for Maryland and District of Columbia, "0–16–18" is changed to "0–16–8".

Under Maryland and District of Columbia in the column headed "1940–41 Grades," the language "Those with 6% or more to be replaced by" is amended to read "Those with 6% or more N to be replaced by."

To group (4) of the 1942–43 approved grades for Massachusetts, grade 8–4–8 is added.

To group (4) of the 1942–43 approved grades for New Hampshire, grade 8–4–8 is added.

In group (1) of the 1942–43 approved grades for North Carolina, "10–10–10" is changed to "0–10–10".

To group (5) of the 1942–43 approved grades for Pennsylvania, grade 5–10–20 is added.

To group (2) of the 1942–43 approved grades for Texas, grade 3–10–0 is added.

To group (3) of the 1942–43 approved grades for Texas, grade 6–30–0 is added.

To group (4) of the 1942–43 approved grades for Vermont, grade 8–4–8 is added.

This amending order shall become effective 12:01 a. m.; e. w. t., March 27, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C. this 25th day of March 1943.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4598; Filed, March 25, 1943; 2:40 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS AND CHAPLAINS

ROTC HONOR GRADUATES

The following changes in the provisions of §§ 73.52 to 73.56, relating to the appointment as second lieutenants, Regular Army, of ROTC honor graduates, have been made:

(a) No selection of candidates will be made as of April 1, 1943.

(b) Candidates to fill announced quotas will be selected as of October 1, 1943, selection to be made from all eligible candidates who have been designated as honor graduates subsequent to the group designated during the academic year 1941-1942.

(c) Appointments of selected candidates will be made as of December 1, 1943.

(d) The provisions of §§ 73.52 to 73.56, inclusive, will become inoperative after October 1, 1943.

(41 Stat. 774; 10 U.S.C. 484, amended by sec. 7, 53 Stat. 557) [War Dept. Memorandum No. W605-15-43, March 18, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4618; Filed, March 26, 1943; 9:40 a. m.]

PART 79—PRESCRIBED SERVICE UNIFORM

MISCELLANEOUS AMENDMENTS

Sections 79.12 (b) (1) and (2), 79.24 (b) (2), and 79.63 are amended and §§ 79.30 (k) and 79.30c are added as follows:

§ 79.12 *Headgear.* • • •

(b) *Cap, service—(1) Officers except of the Army Air Forces and warrant officers—(i) Material.* Of adopted standard (§ 79.2 (a) (1) (i) and (2)), and felted fur, olive-drab, dark shade.

• • • • •

(2) *Officers of Army Air Forces and flight officers—(i) Material.* Of adopted standard (§ 79.2 (a) (1) and (2)), and felted fur, olive-drab, dark shade.

(R. S. 1296; 10 U.S.C. 1391) [Par. 12b, AR 600-35, November 10, 1941, as amended by C 14, March 6, 1943]

• • • • •

§ 79.24 *Insignia for collar and lapel of coat.* • • •

(b) *Other officers, Army nurses, and warrant officers.* • • •

(2) *Insignia of arm, service, and bureau.* • • •

(xv) *Medical Department—(a) Medical Corps.*—A caduceus.

• • • • •

(h) Hospital dietitians. A caduceus with the letters H D ¼ inch in height superimposed thereon.

(i) Physical therapy aides. A caduceus with the letters P T ¼ inch in height superimposed thereon.

• • • • •

(xxiv) *Tank Destroyer Forces.* 75-mm gun, motor carriage M3, in gold colored metal ½ inch in height.

(xxv) *Transportation Corps.* • • •

(xxvi) *Warrant officers.* • • •

(xxvii) *Members of the United States Army Band.* • • •

(xxviii) *First Special Service Force.* • • •

(R.S. 1296; 10 U.S.C. 1391) [Par. 24b, AR 600-35, November 10, 1941, as amended by C 14, March 6, 1943 and C 15, March 13, 1943]

§ 79.30 *Brassards.* All brassards to be of cloth 18 inches in length and 4 inches in width of the color specified. When the brassard consists of more than one color, the colors will be of equal width and will run lengthwise of the brassard.

• • • • •

(k) *Aircraft Warning Service, Army Air Forces, chief observers and observers.* A white disk about $2\frac{1}{16}$ inches diameter with blue letters "U. S. Army AWS Air Force" between two golden orange wings each about $3\frac{1}{8}$ inches in length above golden letters $\frac{7}{16}$ inch in height, all on an ultramarine blue background.

(1) Chief observer.

(2) Observer.

(R.S. 1296; 10 U.S.C. 1391) [Par. 30k, AR 600-35, November 10, 1941, as amended by C 14, March 6, 1943]

§ 79.30c *Insignia, flying instructors.* Gold wings, embroidered in silk, 2 inches from tip to tip, of the same design as the Air Corps insignia, omitting the propeller.

(R.S. 1296; 10 U.S.C. 1391) [Par. 30¾, AR 600-35, November 10, 1941, as amended by C 14, March 6, 1943]

§ 79.63 *Colors of arms, services, bureau, etc.* • • •

(w) *Tank Destroyer Forces.* Golden orange and black.

(x) *Transportation Corps.* • • •

(y) *Warrant officers.* • • •

(R.S. 1296; 10 U.S.C. 1391) [Par. 63, AR 600-35, November 10, 1941, as amended by C 15, March 13, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4619; Filed, March 26, 1943; 9:40 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Part 81 are hereby prescribed. These regulations are also contained in War Department procurement regulations dated September 5, 1942 (7 F.R. 8082), as amended by Changes No. 13, March 15, 1943.[1] In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

Section 81.111 (c) is amended as follows:

§ 81.111 *Conflicts between outside interests of officers or civilian employees and their official duties.* • • •

(c) *Regulations supplementary to basic statute.* The following regulations supplementary to the statute set forth in paragraph (a) of this section are prescribed:

(1) No officer or employee of the War Department may act as an agent of the United States in advising, recommending, making or approving the purchase of supplies or other property, or in contracting therefor, if he would be admitted to share or receive directly or indirectly any pecuniary profit or benefit from such purchase or contract.

(2) No officer or civilian employee of the War Department shall be in direct charge of the negotiation of, or exercise authority for the final approval of, any contract with any corporation, joint-stock company, association or firm, if at any time during the period subsequent to December 7, 1936 such officer or civilian employee was employed by or engaged in a course of substantial non-Governmental business dealings with such corporation, joint-stock company, association or firm the Director, Purchases Division, Headquarters, Services of Supply is authorized to make exceptions to the regulations contained in either or both of the foregoing subparagraphs. In cases where the chief of a supply service feels that the application of the regulations contained in such subparagraphs is impracticable, he should forward to the Director, Purchases Division, a request for an exemption. Such request should be accompanied by a full statement of the circumstances which are believed to make such exemption necessary.

PROPOSALS FOR LEGISLATIVE ACTION AND FOR EXECUTIVE ORDERS AFFECTING PROCUREMENT

Sections 81.114 to 81.119, inclusive, are amended as follows:

§ 81.114 *Legislation includes Executive Orders.* The terms "legislation" and "legislative", as hereinafter used in §§ 81.115 to 81.119, inclusive, refer to action taken or to be taken by Congress, other than the enactment of strictly appropriation items, and to all Executive Orders.

§ 81.115 *Legislative Division, Office of the Under Secretary of War.* With the approval and by the authority of the Under Secretary of War, the Legislative Division, Office of the Under Secretary of War, is designated as the agency charged with the coordination within that Office, the Services of Supply and the Materiel Command, Army Air Forces, of all legislative matters affecting procurement or related functions.

§ 81.116 *Proposals for legislative action affecting procurement.* (a) Except as specifically otherwise provided in paragraph (b) of this section, all proposals for legislative action affecting procurement or related functions, originating from any source whatsoever, will be referred to the Legislative Division, Office of the Under Secretary of War, for coordination.

(b) All such proposals, other than proposals for Executive Orders, originating from sources outside the Office of the Under Secretary of War, the Services of Supply or the Materiel Command, Army Air Forces, will be referred to the Legal Branch, Purchases Division, Headquarters, Services of Supply. The Legislative Section of that branch will promptly review such proposals to determine which are of sufficient importance to the Office of the Under Secretary of War, the Services of Supply, the Materiel Command, Army Air Forces, or any of them to warrant further consideration. Such of the proposals as warrant such consideration will be referred directly to the Legislative Division, Office of the Under Secretary of War, for coordination.

§ 81.117 *Action of Legislative Division.* The Legislative Division, Office of the Under Secretary of War, will, with respect to such proposals originating within the Office of the Under Secretary of War, the Services of Supply, or the Materiel Command, Army Air Forces:

(a) Take all necessary action to secure the views of those individuals and elements within the Office of the Under Secretary of War, the Services of Supply and the Materiel Command, Army Air Forces, whose responsibilities would be affected by such legislative action.

(b) Refer any questions regarding the form of the proposed legislative action to the Legal Branch, Purchases Division, Headquarters, Services of Supply, for consideration and report.

(c) Make all necessary arrangements for proper coordination with other Government departments and agencies whose functions would be affected.

(d) If it is determined by proper authority to initiate such legislative action, coordinate the matter with the Legislative and Liaison Division, War Department.

(e) Take any other necessary or appropriate action in connection therewith.

With respect to such proposals originating from sources outside the Office of the Under Secretary of War, the Services of Supply, or the Materiel Command, Army Air Forces, Legislative Division, Office of the Under Secretary of War will, upon receipt of such proposals, take the action described in paragraphs (a), (c) and (e) of this section.

§ 81.118 *Congressional hearings.* Arrangements for appropriate representation from the Office of the Under Secretary of War, the Services of Supply and the Materiel Command, Army Air Forces, at Congressional hearings on legislative proposals affecting procurement or related functions will be made through the Legislative Division, Office of the Under Secretary of War.

§ 81.119 *Reports on legislative proposals.* All requests from official sources, within or without the War Department, for reports on legislative proposals affecting procurement or related functions will, upon receipt by the Office of the Under Secretary of War, the Services of Supply or the Materiel Command, Army Air Forces, be referred to the Legislative Division, Office of the Under Secretary of War, which will secure reports from the appropriate sources within the aforesaid elements of the War Department and will forward such reports, after approval thereof by proper authority, through established channels to the sources of the requests.

DAVIS-BACON LAW

Section 81.913 (a) is amended as follows:

§ 81.913 *Requests for predetermination of wage rates—(a) Separate request for each contract.* Prior to entering into negotiations for awarding a contract to which the basic law is applicable, the contracting officer will request the Secretary of Labor, through the chief of the supply service concerned, to predetermine the wage rates to be contained in the contract. This request will be made on Department of Labor Form DB-11, and the instructions on that form will be followed. Since the Department of Labor has stated that the basic law does not apply to the following positions, no predetermination of wages is necessary in their cases:

Accountants.	Executives of any kind.
Architects.	Firefighters.
Auditors.	Foremen.
Aidemen.	Guards.
Bookkeepers.	Janitors.
Camp assistants.	Levelmen.
Chainmen.	Material checkers.
Chauffeurs.	Material clerks.
Chiefs of party.	Messengers.
Clerks.	Office machine operators.
Cooks.	Project managers.
Custodians.	Purchasing agents.
Draftsmen.	Rodmen.[2]
Engineers.[1]	Stenographers.
Storekeepers.	Sub-foremen.
Superintendents.	Telephone operators.
Timecheckers.	Timekeepers.
Tool checkers.	Transitmen.
Typists.	Watchmen.
Water boys.	

[1] Civil engineers, not to be confused with operators of power equipment, who are sometimes called operating engineers, and who are mechanics.

[2] Member of surveying gang. Not to be confused with reinforcing rod setters, who are occasionally called rodmen, but are mechanics.

• • • • •

WALSH-HEALEY PUBLIC CONTRACTS LAW

In § 81.917 (b) a new subparagraph (8) is added and subparagraphs (8) to (15), inclusive, are renumbered (9) to (16), inclusive, as follows:

§ 81.917 *Applicability of Walsh-Healey public contracts law.* • • •

(b) • • •

(8) Contracts awarded for preserved or processed butter during the period from February 3, 1943, to the termination of the present war and three months thereafter are excepted from the representations and stipulations of section 1 of the Act. (8 F.R. 1652.)

(9) Contracts awarded during the • • •

(10) Article 1 (Insertion of Stipulations) of the • • •

(11) Stipulation (c) of Article 1 of the • • •

(12) Article 103 (Overtime) of the • • •

(13) Article 501 (Records of Employment) of the • • •

(14) Articles 601, 602, 1101 and 1201 of the • • •

(15) The following Article has been • • •

(16) By order dated September 2, 1942 • • •

OVERTIME WAGE COMPENSATION

Section 81.964 is rescinded and the following substituted therefor:

§ 81.964 *Interpretations; former and present.* Prior to February 17, 1943, the Secretary of Labor issued various interpretations of Executive Order 9240 which were formerly incorporated in these procurement regulations. On February 17, 1943, the Secretary of Labor issued "Interpretative Bulletin No. 1 of Executive Order 9240." This bulletin contains the official interpretations of the order, effective March 1, 1943. It supersedes the former interpretations. The bulletin interpretations are set forth in the succeeding paragraphs of this section. As additional interpretations are issued, the procurement regulations will be amended to include such interpretations. All of the earlier interpretations have been deleted, although payments made prior to March 1, 1943 pursuant to these earlier interpretations should be considered to have been in compliance with the order.

(a) *Basic purposes of the order as stated by the Secretary of Labor.*

INTERPRETATIVE BULLETIN NO. 1 OF EXECUTIVE ORDER 9240

• • • The order was designed—(1) to facilitate round-the-clock war production, (2) to discourage absenteeism found to have resulted from the practice of paying premium rates for particular days as such, and (3) to assure in the interest of efficiency and

[1] For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640, 10906, and 8 F.R. 401, 411, 2531, and 3339.

health, observance of the principle that workers should have at least one day of rest in each week. • • •

(b) *Coverage; work to which order is applicable.*

II Coverage

1. The order went into effect October 1, 1942. By its terms it applies to "all work relating to the prosecution of the war." This is interpreted to mean all work performed by prime contractors on Government war contracts, by their subcontractors, and those who make the materials and supplies necessary for the performance of such contracts and subcontracts. The order was intended to extend to enterprises which are engaged in producing, processing, mining, or manufacturing products used by the Government in the prosecution of the war or products used by a Government contractor or subcontractor in the manufacture of war products. Enterprises which provide public transportation or communication facilities, storage, distribution, or warehousing facilities, are not covered by the order. Accordingly, employees of railroads, air lines, bus lines, trucking lines or other common or contract carriers, seagoing personnel, longshoremen, dock workers, and similar waterfront workers, are not within the scope of the order. Employees of telephone and telegraph companies and radio stations, engaged in the normal communication operations of such companies, as well as employees of newspapers, magazines, and other periodicals which disseminate general information to the public at large are also excluded. Employees of power and light, water, gas and other public utility companies which merely furnish power and other facilities to the general public are not covered even though some of their output is supplied to war contractors. On the other hand, a power plant operated, for example, by a war manufacturer furnishing power or light, or other services to the factory would properly be regarded as a plant facility and would be subject to the order. Also firms engaged exclusively in distribution which do not process any war products would not be covered. Accordingly, employees of wholesalers, retailers, storage warehouses and brokers would be exempt if their employers are not engaged in any processing activity. Agricultural workers and employees of Federal or State Governments, and political subdivisions thereof, are not subject to the order.

(c) *Coverage: classes of employees to which order is applicable.*

2. The order should be applied on the basis of operations carried on in an individual plant. Therefore, if a particular plant is engaged in war work which is within the scope of coverage, the entire plant would be subject to the order, including production, clerical, and maintenance employees. In cases where an employer in a particular plant is engaged both in the production of war goods and in noncovered work the order would apply to the entire plant in the absence of segregation. If an employee works an entire workweek exclusively in noncovered production, and his duties do not contribute or relate to work which is subject to the order, such an employee would not be covered by the order for that week. On the other hand, if that employee works a portion of a week in the performance of any function contributing to the production of war goods, he would be subject to the order for the entire workweek. The burden of establishing segregation is upon the employer.

3. The order would apply to any employee engaged in covered work if his compensation is customarily or by requirements of applicable statutes or agreements related to the number of hours worked in a day or the number of days worked in a week.

(d) *Saturday and Sunday work.*

III Saturday and Sunday Work

4. Paragraph I A of the order prohibits premium wages or extra compensation for work performed on Saturday or Sunday *as such*, that is, for work performed on either of those days without reference to the number of hours or days previously worked in the workweek. Any attempt to clothe any other day in the workweek with the status of a premium day, *as such*, would be contrary to the order.

(e) *Double time for seventh day.*

IV Double Time for Seventh Day

5. Paragraph I A (1) of the order requires the payment of double time for work on the seventh consecutive day worked in any regularly scheduled workweek. Under this requirement double time may be paid only if all 7 days fall within the same workweek. Double time for work performed on the seventh day should be computed at twice the straight-time rate paid for work on that day or twice the average straight-time hourly rate for the workweek, whichever is the customary method of computing overtime compensation. The employer's records should indicate which method is adopted.

(f) *The workweek.*

V The Workweek

6. A workweek consists of 7 successive days (see paragraph 8 below) starting on the same calendar day each week. This is the definition of a workweek under the Fair Labor Standards Act and is generally accepted by industry. The workweek may be established for the whole plant, for particular employees, or for any subdivision of the plant. The beginning of the workweek may be changed if not intended to evade the requirements of the order.

7. The order does not call for or require any particular work or shift schedule nor does it prescribe the days or hours on which work is to be performed. It is of course highly desirable that work schedules be posted in advance, thus enabling employees to know upon what days work will be required of them.

(g) *The workday.*

VI The Workday

8. The order is to be applied on a 24-hour day basis. A 24-hour period may be established as the workday for the plant or for particular employees or departments, provided such an arrangement is not designed to evade the purposes of the order. In the event no particular 24-hour period is established as the workday, the calendar day (i. e., from midnight to midnight) shall be considered as the workday. Thus, work on an established workday regardless of the number of hours worked would for the purpose of the order, be considered as 1 day of work.

(h) *Same; exceptions.*

9. Certain exceptions to this rule must be recognized. At times a shift may cut across 2 workdays. Only 1 of the 2 days is to be counted as a day worked, and that is the day on which the shift starts. Where an employee on particular occasions works beyond his normal shift and thereby works into the next workday, such excess hours should not be regarded as an additional day. However, if the employee continues to work into his day of rest to the extent of one-half his normal shift or is called back to work on his day of rest, the day must be counted as a day of work.

(i) *Effect of the order on applicable statutes and employment contracts.*

VII Effect of the Order on Applicable Statutes and Employment Contracts

10. Such provisions of employment contracts as are in conflict with the order are to that extent modified thereby. Employment contracts or agreements as those terms are used herein include practices established by custom or usage.

11. Paragraph I A (2) contemplates that applicable statutes such as the Fair Labor Standards Act and the Walsh-Healey Act, or employment agreements which provide for overtime at time and one-half on a daily or weekly basis or for the sixth day of work in a regularly scheduled workweek, shall not be disturbed by the provisions of the order. Therefore, in situations where applicable laws or employment agreements require time and one-half for overtime worked in excess of 8 hours per day or 40 hours per week, the order permits the payment of time and one-half for such overtime. Likewise, where an employment contract requires time and one-half compensation for the sixth day worked in a regularly scheduled work-week, the order permits such permium pay. If overtime compensation for hours in excess of 8 per day or 40 per week, or for the sixth day worked is not required by applicable statutes or employment agreements, nothing in the order requires the payment of such premium rates.

(j) *Same; exceptions unrelated to premium pay for work on particular days as such.*

12. It is not the purpose of the order to disturb employment contracts which contain provisions for extra compensation for onerous work, night work, or emergency work (i. e., work resulting from a sudden condition calling for immediate action); which extra compensation is in no way related to premium pay for work on Saturday, Sunday, or particular days *as such*. Accordingly, the order would not invalidate contracts, practices, or customs calling for more than time and one-half for hours in excess of 12 on a shift since such work is ordinarily regarded as particularly onerous.

13. Likewise, the order would not invalidate contracts calling for premium pay for "call-in work" where the employee is summoned to duty outside his regular work schedule, and such premium rates are unrelated to work on Saturday, Sunday, or any other day as such.

14. Furthermore, the order does not prevent the payment of shift wage differentials or bonuses, or attendance bonuses, where such payments are not in fact related to work performed on Saturday, Sunday, or particular days, as such.

(k) *Holidays; choice of sixth holiday.*

VIII. Holidays

15. Paragraph I B of the order has two requirements: (1) It requires time and one-half for work on the 6 holidays enumerated in the order, and (2) it forbids payment of any premium wage or extra compensation for work on any other holidays as such. A choice is afforded between Memorial Day and any other holiday of greater local importance. Failure to select a substitute holiday leaves Memorial Day as the sixth holiday under the order. The holiday chosen as a substitute for Memorial Day need not be the same holiday each year but only 6 holidays may be paid for at premium rates in the 12-month period beginning October first.

(l) *Holidays; computation of premium pay.*

16. The order requires that time and one-half compensation be paid for work on designated holidays but forbids payment in excess of time and one-half. Thus, if the wages of an employee include compensation for a holiday although not worked, the additional amount which must be paid under the order for work performed on that holiday is limited to such amount as brings the total compensation for the day to time and one-half.

17. Compensation for work performed on a holiday should be computed at one and one-half times the straight-time rate paid for work on that day or one and one-half times the average straight-time hourly rate for the workweek, whichever is the customary method of computing overtime compensation. The employer's records should indicate which method is adopted.

(m) *Holidays; inclusion of holidays in computing sixth and seventh days.*

18. For purposes of computing the seventh day of work in a workweek under the order, the designated holidays must be included in the count whether or not work is performed on such days. An idle holiday should be included in computing the sixth day worked in the workweek unless the employment contract specifies otherwise.

(n) *Holidays; determination of what constitutes work on.*

19. Insofar as the order requires payment of time and one-half for work on the designated holidays, it means payment of time and one-half for the hours worked on the calendar holiday, namely, hours worked between midnight at the beginning of the holiday and midnight at the close of the holiday.

20. However, in order to give all employees equal benefit of the holiday, it is permissible to compensate employees at time and one-half for all hours worked on a shift, some part of which cuts across the calendar holiday. It is not permissible to pay the time and one-half holiday rate for more than one shift in a situation in which the employee works two shifts, both of which cut across the calendar holiday. However, employees must be paid time and one-half for at least all the hours worked on the calendar holiday.

21. If one of the designated holidays falls on Sunday, either Sunday or Monday may be observed as the holiday, but not both.

(o) *Holidays; not worked.*

22. There is no provision in the order relating to compensation on holidays not worked.

(p) *Offsets crediting and pyramiding; holiday pay against other premium pay.*

IX Offsets, Crediting, and Pyramiding

23. The time and one-half premium pay required for work on the 6 holidays designated in the order may not be offset or credited against overtime or premium pay required for any *other* day or portion of the workweek by virtue of this order or applicable statute, such as the Fair Labor Standards Act, the Walsh-Healey Act, or the Federal Eight-Hour Law. For example, an employee works 6 days of 8 hours each or a total of 48 hours in a workweek. The second day is one of the designated holidays and the 8 hours worked on that day must be paid for at time and one-half. This premium pay may not be credited or offset against the time and one-half required by statute for hours over 40 during that week. Both must be paid.

(q) *Same; seventh day pay against other premium pay.*

24. Similarly, the double time required for the seventh consecutive day worked in the workweek may not be offset or credited against overtime or premium pay required for any *other* day or portion of the workweek by the order or existing law. Thus, if in the example in paragraph 23, above, the employee works an additional or seventh consecutive day in the same workweek, he must receive double time for that day. This double time may not be offset or credited against the holiday premium pay in this example, nor against the time and one-half due for the hours worked in excess of 40 prior to the seventh day.

(r) *Same; pyramiding of overtime or premium rates on a particular day.*

25. On the other hand, it is contrary to the purposes of the order to allow the pyramiding of overtime or premium rates on a particular day. Thus double time and no more may be paid for work on the seventh consecutive day worked in the workweek even though, by virtue of the employment contract or applicable statute, the hours worked on that day may exceed 8 or are in excess of 40 for the workweek or otherwise call for overtime rates of pay. For example, an employee works all 7 days of the workweek, 8 hours each day. The hours worked on the seventh day call for time and one-half under the Fair Labor Standards Act and double time under the order. The two premium rates may not be pyramided—only double time may be paid for work on that day. The same is true even though the employee works over 8 hours on the seventh day, which excess hours may also call for time and one-half.

26. Also, since the order limits premium pay for the designated holidays to time and one-half, it would be contrary to the order to pyramid the holiday rate and the weekly overtime rate required, for example, by the Fair Labor Standards Act, in cases where the holiday itself consists of hours in excess of 40 for the week. For example, the employee works 6 days of 8 hours each. The hours worked on the last day call for time and one-half under the Fair Labor Standards Act. The last day is also a holiday designated in the order. The order limits pay on that day to time and one-half.

27. For the same reason, where the holiday coincides with the sixth day worked in the workweek, which day by contract may also call for time and one-half, the order prevents the pyramiding of the two overtime rates.

28. Likewise, not more than time and one-half may be paid for work on the sixth day worked in the workweek even though the hours worked on that day may be in excess of 8 for the day or 40 for the week.

29. Even though the hours worked on the holiday in excess of 8 require time and one-half under the Walsh-Healey Act, the order limits the amount of compensation to time and one-half and prevents the pyramiding of overtime rates or the hours worked in excess of 8.

(s) *Absences; full days of absence.*

X Absences

30. Full days of absence.

(1) If an employee is absent for all of one or more days, such days are not to be included in computing the seventh day. The only two exceptions to this rule are a designated holiday on which no work is performed and the case where an employee reports with the reasonable expectation of work and is sent home because of a lack of work or other reason beyond his control. Such days should be counted in computing the seventh consecutive day.

(2) With respect to the inclusion of full days of absence for the purpose of determining whether a sixth day has been worked, the answer is to be found in the prevailing custom, practice, or agreement, in the plant. However, the counting of days of absence merely for the purpose of evading the prohibition in the order against premium pay for Saturday and Sunday work as such would be in contravention of the terms of the order.

(t) *Absences for parts of work days.*

31. Absences for parts of work days.

(1) The order does not require that any particular number of hours be worked in a day for that day to be regarded as a day worked under the order.

(2) Where an employee is absent for part of a workday for a justifiable reason, the day must be counted as a day worked for the purpose of computing the seventh day of work in the workweek. Since one of the basic purposes of the order is to discourage absenteeism, days on which an employee does not work his full schedule but absents himself for a portion of the day without justifiable cause should not be counted in computing the seventh day. It is permissible, however, for the employer to allow the employee to make up the time lost by such voluntary absence during the subsequent days of the workweek, and be compensated at the rate of double time on the seventh day of the workweek for hours worked on that day. However, double time may be paid on the seventh day only for those hours worked after the time lost has been made up by the employee.

(3) In computing the sixth day worked in the workweek, the question as to inclusion of days on which the employee has been absent for a portion of the day may be determined by the prevailing custom, practice, or agreement in the plant, provided days are not counted merely for the purpose of evading the prohibitions against premium pay for Saturday and Sunday, as such.

• • • • •

(u) *Relationship of Executive Order 9240 to 9250.* Payments required or forbidden by the terms of Executive Order 9240 do not, in the opinion of the Secretary of Labor, as stated in Interpretative Bulletin No. 1, require approval of the WLB as wage increases or decreases under the terms of Executive Order 9250. In situations where changes in the wage structure or premium rates are permitted but not required by Executive Order 9240, the procedures for the approval of wage increases as stated in §§ 81.975–81.983c of this part should be followed before such changes are initiated by the employer.

In § 81.965 paragraph (a) is amended and paragraph (d) is rescinded as follows:

§ 81.965 *Exceptions*—(a) *Shipbuilding Stabilization Agreement.* All work subject to the Zone Standards Agreement for the shipbuilding and ship repair industry has been excepted from the provisions of the order.

• • • • •

(d) [Rescinded]

Section 81.966 is amended as follows:

§ 81.966 *Future interpretations.* (a) Paragraph V of Executive Order No. 9240, as amended, requires that all questions of its interpretations and application will be referred to the Secretary of Labor. Such questions requiring action by the Secretary of Labor insofar as they are posed by representatives of the War Department, will be directed to the Director of the Industrial Personnel Divi-

sion, Services of Supply, who will take any necessary steps to obtain such interpretations in appropriate cases. The Director of Industrial Personnel will clear with the Director, Purchases Division, all such questions relating to contracting or procurement procedure. Interpretations of Executive Order 9240, made by the Secretary of Labor from time to time will be promptly forwarded to the chiefs of supply services, and to the Commanding General, Matériel Command, Army Air Forces, and will be summarized for inclusion in these regulations or in Services of Supply Circulars. Auditors, Finance officers, and other persons reviewing War Department vouchers and payments will present to the Director, Fiscal Division, all requests for instructions as to the application of the Executive Order to fiscal matters.

* * * * * * *

FORTY-EIGHT HOUR WORKWEEK

Paragraphs (a), (b), and (c) are added to § 81.985 as follows:

§ 81.985 *Forty-eight hour workweek.*
* * *

(a) The following is the text of the regulations issued by the War Manpower Commission to implement the 48-hour workweek.

By virtue of authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9301 establishing a minimum wartime workweek of 48 hours, and by Executive Orders Nos. 9139 and 9279, I hereby prescribe the following regulations:

§ 903.1 *General policy for interpretation and application of Executive Order.* Executive Order No. 9301 shall be so construed and applied as best to effectuate its fundamental purpose, which is to aid in meeting the manpower requirements of our armed forces and our expanding war production program by a fuller utilization of our available manpower. Effectuation of this purpose requires that in situations of labor shortage employers do not hire new workers when their manpower needs can effectively be met by a fuller utilization of their current labor force, and that workers who can be released by an extension of the workweek are released under circumstances which will permit and facilitate their effective utilization elsewhere in the war effort.

§ 903.2 *Application to areas and activities.* The Chairman of the War Manpower Commission will from time to time by order designate areas and activities as subject to the provisions of Executive Order No. 9301. Regional manpower directors may designate additional areas and activities within their respective regions as subject to the provisions of Executive Order No. 9301, if they find and by appropriate public notice so declare, that such action will aid in alleviating labor shortages which are impeding the war effort. Unless and until an area or activity has been so designated, employers therein will not be required to extend their workweek.

§ 903.3 *Delegation of authority.* Regional and area manpower directors are authorized and directed to determine all questions arising within their respective regions and areas with respect to the interpretation and application of these regulations, in conformity with such procedures and instructions as the Executive Director of the War Manpower Commission may issue in implementation thereof.

§ 903.4 *Minimum wartime workweek.* "Minimum wartime workweek" as used in these regulations means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases "Minimum wartime workweek" means the greatest number of hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

§ 903.5 *Extension of workweek in designated areas and activities.* If the workweek applicable to any worker employed in any plant, factory or other place of employment in an area or an activity designated as subject to the provisions of Executive Order No. 9301, is less than the minimum wartime workweek, such workweek shall be extended to the minimum wartime workweek as follows:

(a) Whenever extension of such workweek to the minimum wartime workweek would not involve the release of any workers, the affected employer shall proceed promptly to extend the workweek to the minimum wartime workweek.

(b) Whenever the Regional or Area Manpower Director or a designated representative of either determines that extension of such workweek to the minimum wartime workweek would involve the release only of workers who can be promptly placed in suitable employment with other employers, the affected employer will be notified of such determination and thereupon shall proceed promptly to extend the workweek to the minimum wartime workweek.

(c) If extension of such workweek to the minimum wartime workweek would involve the release of some workers and the Regional or Area Manpower Director or designated representative has not determined and notified the employer that such workers can promptly be placed in suitable employment with other employers, the workweek shall not be extended except as authorized below. On or before April 1, 1943, the affected employer shall submit to the Regional or Area Manpower Director or the designated representative of either director a statement as to the number of workers whose release would be involved and their occupational classification, together with a proposed schedule for the timing of such releases. The Regional or Area Manpower Director or designated representative will authorize a schedule for the extension of the workweek to the minimum wartime workweek and for the release of workers in terms of labor market needs and the employer shall thereupon proceed to extend the workweek in accordance with such schedule.

§ 903.6 *Restriction upon hiring of workers.* No employer shall hire any worker in an area or activity designated as subject to the provisions of Executive Order No. 9301, if the employer has failed in any manner to comply with the provisions of § 903.5 of these regulations in the plant, factory or other place of employment in which the worker would be employed.

§ 903.7 *Exclusions.* No provision of these regulations shall be construed or applied so as to require the extension of a workweek:

(a) In any establishment or other place of employment in which less than eight workers are regularly employed;

(b) In any establishment or place of employment principally engaged in agriculture;

(c) Of persons in the employ of any State or any political subdivision thereof, or any instrumentality of any one or more of the foregoing;

(d) Of youth under the age of sixteen years; or

(e) Of individuals who on account of other employment, household responsibilities, or physical limitations, are not available for full time work.

§ 903.8 *Definitions.* As used in these regulations:

(a) "Workweek" means the number of hours within a period of seven successive days, beginning with the same calendar day each week, during which workers are normally required to be on duty.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) The following is the text of General Order No. 5 issued by the War Manpower Commission designating certain areas as subject to the provisions of Executive Order No. 9301.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9301, establishing a minimum wartime workweek of 48 hours and in accordance with the provision of § 903.2 of the regulations prescribed by me on February 22, 1943, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Akron, Ohio.
Baltimore, Maryland.
Bath, Maine.
Beaumont, Texas.
Bridgeport, Connecticut.
Brunswick, Georgia.
Buffalo, New York.
Charleston, South Carolina.
Cheyenne, Wyoming.
Dayton, Ohio.
Detroit, Michigan.
Elkton, Maryland.
Hampton Roads, Virginia.
Hartford, Connecticut.
Las Vegas, Nevada.
Macon, Georgia.
Manitowoc, Wisconsin.
Mobile, Alabama.
New Britain, Connecticut.
Ogden, Utah.
Panama City, Florida.
Pascagoula, Mississippi.
Portland, Oregon.
Portsmouth, New Hampshire.
San Diego, California.
Seattle, Washington.
Somerville, New Jersey.
Springfield, Massachusetts.
Sterling, Illinois.
Washington, D. C.
Waterbury, Connecticut.
Wichita, Kansas.

(c) The following is the text of General Order No. 6, issued by the War Manpower Commission, designating certain activities as subject to the provisions of Executive Order No. 9301.

By virtue of the authority vested in me as Chairman of the War Manpower Commission, by Executive Order No. 9301, establishing a minimum wartime workweek of 48 hours, and in accordance with the provisions of § 903.2 of the regulations prescribed by me on February 22, 1943, I hereby designate the following activities as subject to the provisions of Executive Order No. 9301:

1. The mining (including the development of ore properties) dressing, and beneficiating (milling) of the following nonferrous metals and their ores:

Aluminum.	Mercury.
Antimony.	Molybdenum.
Arsenic.	Silver.
Beryllium.	Tantalum.
Chrome.	Tin.
Cobalt.	Titanium.
Columbium.	Tungsten.
Copper.	Uranium.
Lead.	Vanadium.
Magnesium.	Zinc.
Manganese.	Zirconium.

All other non-ferrous metals and their ores.

2. (a) All logging operations.

(b) All operations of all:

Sawmills.
Planing mills.
Veneer mills.
Plywood mills.
Cooperage-stock mills.
Cooperage establishments.
Shingle mills.
Wooden box factories.
Wood pulp mills.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4620; Filed, March 26, 1943; 9:40 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 632—MINIMUM WAGE RATE IN THE COOKING AND HEATING APPLIANCES MANUFACTURING INDUSTRY

WAGE ORDER

In the matter of the recommendation of Industry Committee No. 51 for a minimum wage rate in the Cooking and Heating Appliances Manufacturing Industry.

Whereas on October 27, 1942, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 165, (7 F. R. 8811) appointed Industry Committee No. 51 for the Cooking and Heating Appliances Manufacturing Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Cooking and Heating Appliances Manufacturing Industry in accordance with section 8 of the Act; and

Whereas the Committee included six disinterested persons representing the public, a like number of persons representing employers in the Cooking and Heating Appliances Manufacturing Industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the Cooking and Heating Appliance Manufacturing Industry is carried on; and

Whereas on November 20, 1942, the Committee, after investigating economic and competitive conditions in the Industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the Cooking and Heating Appliances Manufacturing Industry; and

Whereas after notice duly published in the FEDERAL REGISTER on December 1, 1942 (7 F.R. 9987), Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on December 16, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas by notice published in the FEDERAL REGISTER December 22, 1942 (7 F.R. 10726) opportunity to submit written briefs was afforded all parties; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8 has concluded that the Industry Committee's recommendation for the Cooking and Heating Appliances Manufacturing Industry, as defined by Administrative Order No. 165, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the matter of the Recommendation of Industry Committee No. 51 for a Minimum Wage Rate in the Cooking and Heating Appliances Manufacturing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

Now, therefore, it is ordered, That:

Sec.
632.1 Approval of recommendation of Industry Committee No. 51.
632.2 Wage rate.
632.3 Posting of notices.
632.4 Definition of the Cooking and Heating Appliances Manufacturing Industry.
632.5 Scope of the definition.
632.6 Effective date.

AUTHORITY: §§ 632.1 to 632.6, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C., Supp. IV, 208.

§ 632.1 *Approval of recommendation of Industry Committee No. 51.* The Committee's recommendation is hereby approved, and in accordance with such recommendation,

§ 632.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the Cooking and Heating Appliances Manufacturing Industry; and

§ 632.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Cooking and Heating Appliances Manufacturing Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor; and

§ 632.4 *Definition of the Cooking and Heating Appliances Manufacturing Industry.* For the purposes of this order the term "Cooking and Heating Appliances Manufacturing Industry" means:

(a) The manufacture of cooking and heating equipment and appliances, and parts and accessories thereof;

(b) The term "manufacture" as used herein covers all operations involved in the production of any article covered by this definition, including foundry operations required to produce iron castings, the fabrication and surface treatment (including enameling) of sheet metal and castings parts, and the mounting and assembling of the parts;

(c) *Provided, however,* That the manufacture of the following shall not be included: steam fittings and specialties such as thermostats and other temperature control devices, gauges, regulators, traps, and reducing valves; steam heating boilers using pressure in excess of 15 pounds per square inch; cooking utensils, electrical equipment and appliances; stove pipes; tanks for water heaters; or any product covered by a wage order for the Gray Iron Jobbing Foundry Industry or Enameled Utensil Industry.

§ 632.5 *Scope of the definition.* The definition of the Cooking and Heating Appliances Manufacturing Industry covers all occupations in the Industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping, and selling occupations, *Provided, however,* That such clerical, maintenance, shipping and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition, and *Provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 632.6 *Effective date.* This wage order shall become effective April 12, 1943.

(Sec. 8, 52 Stat. 1064; 29 U.S.C., Supp. IV, 208)

Signed at Washington, D. C., this 23d day of March 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-4621; Filed March 26, 1943; 9:31 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1883]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of the Julian No. 2 Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Julian No. 2 Mine, Mine Index No. 1386 of Standard Coal Company, in Price Group 10 in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Code member	Mine	Seam	Sub-district	Freight origin group	Price group	Shipping point	Railroad
1386	Standard Coal Company ...	Julian No. 2	V	PA	70	10	Wheatland	B&O.

Mine Index No. 1386 shall be included in Price Group 10 and shall take the same f. o. b. mine prices as other mines in price group 10 in Price Schedule No. 1, District No. 11, for all shipments except truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as have been established for Mine Index No. 117 and other mines in Freight Origin Group 70 of the Princeton-Ayrshire Subdistrict having the same freight rate.

Mine Index No. 1386 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule No. 1, District No. 11, for all shipments except truck, as are shown for Mine Index Nos. 79 and 117.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17	18, 19, 20	21	22	23	24	25	26	27	28, 29	30	31	32, 33	34
KNOX COUNTY																														
Standard Coal Company	1386	Julian No. 2	7	255	250	245	235	230	225	185	190	180	175	155	145	90	60	190	185	190	180	180	170	140	165	155	115	170	160	120	160

[F. R. Doc. 43-4571; Filed, March 25, 1943; 11:16 a. m.]

[Docket No. A-1894]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for Mine Index No. 1384.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Crosby Coal Company Mine, Mine Index No. 1384 of Crosby Coal Company (Spencer Crosby) in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16
CLAY COUNTY																	
Crosby Coal Company (Spencer Crosby).	1384	Crosby Coal Co...	5	255	250	245	235	230	225	185	190	180	175	155	145	90	60

[F. R. Doc. 43-4572; Filed, March 25, 1943; 11:16 a. m.]

[Docket No. A-1861]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15, and for a change in originating railroad for the A-G Mine (Mine Index No. 15) of code member A. Gesslein; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Prod. group No.	Shipping point	RR	Frt. origin grp. No.	Price classification by size group 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Gesslein, A. (A-G Coal Co.)	15	A-G	1	Mulberry, Kans.	J-P [1]	[2] 141	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)
Palmer & Son Coal Co. (Ira Palmer) [1]	1441	Palmer	1	Mulberry, Kans.	SL-SF	146	A	A	A	A	A	A	A	A	A	A	A	A	(†)	A	A
Sukenis, A. L. (Sukenis Coal Company)	1671	No. 5	8	Drumb, Oklahoma	MKT	101	A	A	A	A	(†)	A	(†)	A	A	A	(†)	(†)	(†)	A	(†)
Wyatt Coal Co. [1]	1084	Wyatt Coal Co.	1	Mulberry, Kans.	SL-SF	146	A	A	A	A	A	A	A	A	A	A	A	A	(†)	A	A

*Previously classified for these size groups. No changes requested.
†Indicates no classifications, effective for these size groups.
[1] Previously classified as truck mine.
[2] Denotes change in railroad. SL-SF Railroad shall no longer be applicable for this mine.
[3] Denotes change in F. O. G. number. F. O. G. Number 146 shall no longer be applicable for this mine.
A is Market Area list price as listed in Price Schedule No. 1.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Produce group No.	County	3" lump	½" up	10" x 1½"	10" x 1¼"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¾" x ⅝"	1¼" x ¾ (R)	1¼" x 0 (W)	1¼" x 0 (R)	¾" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Johnson, Ell	1668	Ell Johnson (Robbing from Robinson Pit).	2	Bates, Mo.	260	260	260	260	235	220	205	200	220	195	195	180	.....	160	45
Skinner, E. W.	1669	Stanfield #3	3	Macon, Mo.	240	240	240	240	225	215	205	195	220	190	195	180	.....	120	45
Sukenis, A. L. (Sukenis Coal Company)	1671	No. 5	8	Latimer, Okla.	445	445	445	395		335		320	395	175				150	
Thomas, Howard M. (Fort Scott Hydraulic Cement Company).	1666	Fort Scott Hydraulic Cement Company.	1	Bourbon, Kans.	270	270	270	270	245	230	215	220	230	205	180	165	.....	145	45

[F. R. Doc. 43-4573; Filed, March 25, 1943; 11:17 a. m.]

[Docket No. A-1886]

PART 339—MINIMUM PRICE SCHEDULE, DISTRICT NO. 19

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 19 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 19.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 19; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 339.4 (*Code member price index*) is amended by adding thereto Supplement R, and § 339.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 19

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 339, Minimum Price Schedule for District No. 19, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 19:

§ 339.4 *Code member price index*—Supplement R

Insert the following listings in proper alphabetical order under Code Member Index:

Producer	Mine name	Mine index No.	County	Sub-district price group	Shipping point	Railroad	F. O. B. No.	Prices	
								Rail	Truck
Davis, Richard	Davis	247	Johnson	9					§339.21
Union Pacific Coal Co., The	Stansbury	244	Sweetwater	2	Rock Springs	UP	70	8	§339.21

The Stansbury Mine (Mine Index No. 244) of the Union Pacific Coal Co., shall be included in Sub-District No. 2 in District No. 19, and the coals of that mine, in the respective size groups, shall be subject to the minimum f. o. b. mine prices for shipment via rail to all market areas, for all uses, that are presently in effect for the coals of the Rock Springs No. 4 Mine (Mine Index No. 21) of the Union Pacific Coal Co., in Sub-District No. 2 in District No. 19.

FOR TRUCK SHIPMENTS

§ 339.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Insert the following code member names, mine names, mine index numbers, and counties under Sub-Districts Nos. 2 and 9, respectively, and the following prices for shipment via truck:

Code member	Mine name	Mine index No.	County	Size groups															
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
SUBDISTRICT NO. 2																				
Union Pacific Coal Co., The	Stansbury	244	Sweetwater	370	370	340	340	340	340	315	295	280	280	215	245	215		190	190	95
SUBDISTRICT NO. 9																				
Davis, Richard	Davis	247	Johnson	245	245	245	245	245	225	205	130	130		155		130	130	105		55

[F. R. Doc. 43-4574; Filed, March 25, 1943; 11:18 a. m.]

[Docket No. A-1859]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the Petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdist. No.	Shipping point	Railroad	Freight origin group No.	Size group numbers														
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2234	Deer Field Coal Company [1]	Clement (S)	Pittsburgh	9	Renton, Pa	Unity-PRR	42	D	D	C	C	G	F	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2635	Ford, Lee S. (Ford Coal Company)	Valley Strip	Pittsburgh	3	Calumet, Pa	PRR	74	(†)	(†)	(†)	(†)	(†)	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
310	Gallardi Coal & Coke Company (Philip Gallardi). [1]	Rich Hill #3	Pittsburgh	3	Rich Hill, Pa	B&O	86	F	F	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2076	Gross, Jos. E. (Beacon Fuel Co.) [1]	David (S)	Pittsburgh	3	Masontown, Pa	Mongh	30	(†)	(†)	(†)	(†)	(†)	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2341	Highway Coal Co., The [1]	Weinberg (S)	Redstone	9	Wyano, Pa	PRR	74	G	G	G	G	G	G	G	F	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2628	Mutual Gas Coal Co. (J. P. MacKay).	Garner #1 (S)	M. Kittanning	1	Harrisville, Pa	B&LE	20	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
[2] 2634	Penowa Coal Company	Sasso Mine (S) (R)	Pittsburgh	7	Bellfield, Pa	P&WV	75	L	L	J	J	J	J	K	K	K	(†)	(†)	(†)	(†)	(†)	(†)	(†)
[2] 2634	Penowa Coal Company	Sasso Mine (S) (W)	Pittsburgh	7	Avella, Pa	P&WV	75	(†)	(†)	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)

[1] Change in name.

[2] Prices in Size Groups 1 to 16, inclusive, for Sasso Mine, Mine Index No. 2634, must be increased 10 cents per net ton for shipment into Market Areas 13 and 14. (In §322.8 in Minimum Price Schedule #1, add Mine Index No. 2634 in Note (g).)

†Indicates no classifications effective for these size groups.

NOTE: In §322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown: Group No. 1, 2635; Group No. 2, 2234, 2634, Group No. 5, 2311; Group No. 7, 310, 2076, Group No. 15, 2628.

§ 322.23 *General prices*—Supplement T

TRUCK SHIPMENTS

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x ¾"	Stove 1" x ¾"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Deer Field Coal Company.	2234	Clements (S)	Pittsburgh	290	280	270	245	230	230	220	230	205	195	185
Malli, John B.	2627	Malli	Pittsburgh	315	305	295	270	245	245	240	240	215	205	200
BUTLER COUNTY														
Mutual Gas Coal Co. (J. P. MacKay).	2628	Garner #1 (S)	M. Kittanning	345	325	305	285	280	265	265	250	210	200	190
FAYETTE COUNTY														
Cooper & DeAmicho (Henry J. Cooper). [1]	1618	Miner	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Gallardi Coal & Coke Company (Philip Gallardi). [1]	310	Rich Hill #3	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Gross, Jos. E. (Beacon Fuel Co.). [1]	2076	David (S)	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Litten, James F.	2625	Litten	Pittsburgh	300	290	280	265	245	230	230	230	220	215	195
Pennsylvania Coal Company (Myers Nobel).	38	Sturgis #2	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195

[1] Change in name.

§ 322.23 *General prices*—Supplement T—Continued

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x ¾"	Stove 1" x ¾"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
LAWRENCE COUNTY														
Booher & Hudak (Herman Booher). [1]	1778	Mayberry	Kittanning	320	320	310	300	295	285	250	250	205	195	185
WASHINGTON COUNTY														
Penowa Coal Company.	2631	Sasso Mine (S).	Pittsburgh	295	285	275	250	240	225	215	225	200	190	180
WESTMORELAND COUNTY														
Adams, H. B. (Western Pennsylvania Coal Company)	2630	Adams	U. Freeport	285	275	265	250	235	235	215	220	200	190	180
Ford, Lee S. (Ford Coal Company).	2635	Valley Strip	Pittsburgh	295	290	280	270	250	235	230	250	215	205	195
Highway Coal Co., The. [1]	2311	Weinberg (S)	Redstone	285	275	265	250	245	235	215	220	200	190	180

[F. R. Doc. 43-4568, Filed, March 25, 1943, 11:17 a. m.]

[Docket Nos. A-1891 and A-1892]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that the above-entitled petitions raise similar and related issues and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled petitions be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matter, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless otherwise ordered.

Dated: March 17, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group No.]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2647	Armbick Gas Coal Company (James Armstrong).	Armbick-Piney Fork (s&d).	Pittsburgh	7	Elrama, Pa	PRR	74	C	C	C	C	F	F	F	F	F	(1)	A	A	A	(1)	(1)	(1)
2647	Armbick Gas Coal Company (James Armstrong).	Armbick-Piney Fork (s&d).	Pittsburgh	7	Dravosburg, Pa	Monon	River	C	C	C	C	F	F	F	F	F	(1)	A	A	A	(1)	(1)	(1)
2647	Armbick Gas Coal Company (James Armstrong).	Armbick-Piney Fork (s&d).	Pittsburgh	7	Houston, Pa	PRR	74	C	C	C	C	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2641	Conoby Brothers (Thomas Conoby)	Joyce	Pittsburgh	9	Delmont, Pa	PRR	74	(1)	(1)	C	C	C	C	D	D	D	(1)	B	B	B	D	E	E
2648	Jamison, R. H., Jr. (Delmont Fuel Company).	Delmont #5 (s)	Pittsburgh																				
380	Pennsylvania Coal Company (Myers Nobel).	Sturgis #2	Pittsburgh	3	Shaw Siding, Pa	PRR	114	(1)	(1)	(1)	(1)	(1)	E	E	E	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
					Fackett, Pa	B&O																	
					Cornish, Pa	B&O																	

[1] Indicates no classification effective for these size groups.
[2] Indicates change in Shipping point.
[3] Indicates change in F. O. G.
NOTE.—In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown. Group No. 1, 2648; Group No. 2, 2641, 2647, Group No. 6, 380.

NOTE: The above classifications for Mine Index No. 380 are applicable only via the respective Freight Origin Group, Shipping Points, Railroads and Railroad Fuel Group shown for the mine. Freight Origin Group, Shipping Points, Railroad and Railroad Fuel Group shown in previous schedules are hereby deleted.

§ 322.23 *General prices*—Supplement T

TRUCK SHIPMENTS

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 1"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N.S.	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Armbick Gas Coal Company (James Armstrong).	2647	Armbick-Piney Fork (s&d).	Pittsburgh	300	290	280	255	250	235	225	235	200	190	180
FAYETTE COUNTY														
Maloy, James	2644	McDuncan	[illegible] Kitt	295	285	275	260	240	230	230	230	215	210	195
Mientus, John	2646	Mientus	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
WASHINGTON COUNTY														
Brozier, Phil	2618	Brozier #2	Pittsburgh	295	285	275	250	240	225	215	225	200	190	180
Conoby Brothers (Thomas Conoby).	2641	Joyce	Pittsburgh	315	305	295	270	260	245	230	245	210	195	190
WESTMORELAND COUNTY														
Jamison, R. H., Jr. (Delmont Fuel Company).	2648	Delmont #5 (s)	Pittsburgh	300	290	280	265	260	250	230	235	215	205	195

[F. R. Doc. 43-4569; Filed, March 25, 1943, 11:16 a. m.]

[Docket No. A-1887]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices and for other relief for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices; changes in shipping points, and changes in seam designations, for the coals of certain mines located in District No. 8; and also requesting the deletion of Mine Index No. 2496, from the Schedules of Effective Minimum Prices for District No. 8 for All Shipments Except Truck and for Truck Shipments, for the reason that this mine will be combined with Mine Index No. 716, and both mines will be operated as a unit by Miller Coal Company (Willie Miller) as Mine Index No. 716; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and that no petitions of intervention have been filed with the Division in the above-entitled matter, and that the following action is deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–II, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in Proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 12, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
1190	Adams, J. L. & Calloway	W. S. Adams	Whitesburg	1	Royalton, Ky[1]	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)
5020	Bartley, Phillip (Bartley Coal Company).	Kettlecamp	Elkhorn No. 2	1	Elkhorn City, Ky	C&O & CC&O	63	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	(†)	C	K	K	H	D	B	B	C	K	G	(†)	(†)	(†)	G
5028	Caudill, J. B	Caudill	Elkhorn	3	Whitesburg, Ky	L&N	100	K	K	K	J	G	E	G	D	D	J	(†)	(†)	(†)	(†)	(†)	(†)	K	K	K	F	D	D	G	L	J	(†)	(†)	(†)	(†)	(†)
5027	Clark & Bartley Coal Company (D. H. Clark).	Lick Branch	Upper Elkhorn	1	Hellier, Ky	C&O	61	K	K	H	G	E	C	C	B	D	G	(†)	(†)	(†)	(†)	(†)	C	K	K	H	D	B	B	C	K	G	(†)	(†)	(†)	G

§ 328.11 *Alphabetical list of code members*—Supplement R-I—Continued

Code member	Mine name	High volatile seam	Shipping point	Railroad	Subdistrict No.	Freight origin group No.	Mine index No.
Collins, Collins & Eastin (John Collins).	Collins, Jellico Coal Co.	Jellico	Williamsburg, Ky.	L&N	6	111	5947
Columbia Coal & Mining Co., Inc.	Paintsville No. 1	Millers Creek	Paintsville, Ky.[2]	C&O	1	61	296
Columbia Coal Mining Co., Inc.	Turner Branch	Millers Creek	Paintsville, Ky.[3]	C&O	1	61	3612
Conley, M. H	Conley No. 2	Upper Elkhorn	Garrett, Ky	C&O	3	61	5941
Goodman, Henry	Goodman	Glen Mary	Stanley Jct., Tenn	C&O	6	71	5098
Hensley, Dewey	Dewey Lindsay	Glen Mary	Pattons Point, Tenn.[4]	BRR	6	73	574
Loyd, R. L.	Loyd	Horse Creek	London, Ky	L&N	6	111	1740
Lyburn Mines, The	Lyburn No. 2	Island Creek	Lyburn, W. Va	C&O	8	150	5957
Miller Coal Company (Willie Miller)[5]	Hunt	Elkhorn	Marrowbone, Ky	C&O	1	61	716
Mine Index No. 2496.	Hall No. 1	Elkhorn No. 1	Drift, Ky.[4]	C&O	1	61	631
Nuttall Elkhorn Coal Company, c/o Wayne Stumbo.	No. 2	Elkhorn	Lackey, Ky	C&O	3	61	5939
Nickels, Austin, Coal Co. (Earl Castle).	No. 3	Hazard No. 4	Lackey, Ky	C&O	3	61	5940
Nickels, Austin, Coal Co. (Earl Castle).	Wolf Pit	Elkhorn No. 2	Marrowbone, Ky	C&O	1	61	5925
Reedina Coal Company (R. M. Gillespie).	Weller Branch	Mason	Ferndale, Ky	L&N	6	111	5927
Wolfe Fuel Company (Leslie N. Wolfe).	Wilkerson	Horse Creek	London, Ky.[4]	L&N	6	111	1740
Wilkerson, Jim							

[1] Denotes new shipping point. Shipping point at Paintsville, Ky., shall no longer be applicable.
[2] Denotes new shipping point. Shipping point at Millers Creek, Ky., shall no longer be applicable.
[3] Denotes new shipping point. Shipping point at East Point, Ky., shall no longer be applicable.
[4] Denotes new shipping point. Shipping point at Slick Rock, Tenn. shall no longer be applicable.
[5] Denotes new shipping point. Shipping point at Salisbury, Ky., shall no longer be applicable.
[6] Denotes new shipping point. Shipping point at East Bernstadt, Ky., shall no longer be applicable.
[7] Indicates deletion of mine index number, minimum prices and price classifications, heretofore established for the coals produced by this mine.
*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

§ 328.21 *Alphabetical list of code members*—Supplement R-II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Code member	Mine name	Sub-dist. No.	Low volatile seam	Price classification by size group number									
				1	2	3	4	5	6	7	8	9	10
				Freight origin group No.									
				Shipping point									
				Railroad									
Mine Index No.				Red Ash, Va.[1]									
				N&W									
				21									
5121	Smith Bros. Coal Co. (Wallace M. Smith)	1	Raven	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
	Smith Bros. C. Co. No. 1												

*Indicates previously classified these size groups.
[1] Denotes new shipping point. Shipping point at Doran, Va., shall no longer be applicable.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement–T

Code member index	Mine	Mine index No.	Seam	Base sizes							
				Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump 3/4" and under	Egg 2" x 4", 2" x 6"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	3/4" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
Lawrence County, Ky.: Spencer, Charles	No. 2	5934	McHenry	285	265	230	240	225	220	170	165
Letcher County, Ky.: Bentley, Moses	Bentley	5881	Elkhorn No. 3	295	275	240	240	225	230	180	175
Yonts, Roy E	Yonts	5915	Elkhorn	295	275	240	240	225	230	180	175
Pike County, Ky.: Bartley, Phillip (Bartley Coal Company).	Kettlecamp	5920	Elkhorn No. 2	295	275	240	250	235	230	190	185
Clark & Bartley Coal Company (D. H. Clark).	Lick Branch	5927	Upper Elkhorn	295	275	240	250	235	230	190	185
Miller Coal Company (Willie Miller)[1] Mine Index No. 2496.	Hunt	716	Elkhorn	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Reedina Coal Company (R. M. Gillespie).	Wolf Pit	5925	Elkhorn No. 2	295	275	240	250	235	230	190	185
SUBDISTRICT NO. 3—HAZARD											
Knott County, Ky.: Conley, M. H	Conley No. 2	5941	Upper Elkhorn	305	285	245	250	235	235	185	180
Nickels, Austin, Coal Co. (Earl Castle).	No. 2	5939	Elkhorn	305	285	245	250	235	235	185	180
Nickels, Austin, Coal Co. (Earl Castle).	No. 3	5940	Hazard No. 4	305	285	245	250	235	235	185	180
Letcher County, Ky.: Caudill, J. B	Caudill	5938	Elkhorn	295	275	240	240	225	230	180	175
SUBDISTRICT NO. 4—KANAWHA											
Kanawha County, W. Va.: Fisher, W. A	Buzzard	5917	Pittsburgh No. 8	285	265	250	250	225	240	150	150
SUBDISTRICT NO. 5—LOGAN											
Logan County, W. Va.: Lyburn Mines, The, Incorporated.	Lyburn No. 2	5957	Island Creek	(†)	(†)	240	(†)	(†)	230	(†)	(†)
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
Wyrley County, Ky.: Collins, Collins & Eastin (John Collins).	Collins Jellico Coal Co.	5947	Jellico	305	285	245	260	235	235	190	185
SUBDISTRICT NO. 8—WILLIAMSON											
Mingo County, W. Va.: Spaulding, Ira	Parsley	5880	Warfield	295	245	230	220	205	220	160	155

*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.
[1] Indicates deletion of mine index number, minimum prices and price classifications, heretofore established for the coals produced by this mine.

[F. R. Doc. 43-4570; Filed, March 25, 1943; 11:17 a. m.]

[Order No. 350]

PART 308—REPORTS AND RECORDS

MONTHLY TONNAGE REPORTS, DISTRICT 10

An order relieving code members within District No. 10 from filing monthly tonnage reports required by the Rules and Regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 10 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the rules and regulations requiring tonnage reports from code members, established by order in General Docket No. 24, dated April 7, 1942, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the code members within District No. 10 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 10 monthly tonnage data on Form B. C. D. No. 718, with respect to coal produced on and after January 1, 1943. (Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: March 25, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-4624; Filed, March 26, 1943; 10:40 a. m.]

[Docket No. A-1683]

PART 339—MINIMUM PRICE SCHEDULE, DISTRICT NO. 19

ORDER REVISING CLASSIFICATION

Order of the Director in the matter of the petition of District Board 19 for the establishment of certain minimum prices for the coals in Size Group 3 produced and shipped by rail from mines in Subdistrict 7 in District 19 and for Revision of the description of Size Group 3 to include double-screened coals with a top size over 8" and a bottom size 3" and smaller.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that Size Group 3 for all subdistricts in District 19 should be revised to include double screened coals with a maximum top size of 12" and a maximum bottom size of 3" as an alternate size with 5" lump coals and the minimum prices for Size Group 3, as herein amended, for rail shipments from Subdistrict 7 should be established at the effective minimum prices for Size Group 2 in Subdistrict 7, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That effective as of the date hereof, § 339.1 (*Price instructions and exceptions*) is amended by adding thereto as follows:

1. The classification of coals in Size Group 3 for all subdistricts is revised to include double screened coals with a maximum top size of 12" and a maximum bottom size of 3", as an alternate size with 5" lump coals.

2. The minimum prices for Size Group 3, as herein amended, for rail shipments from Subdistrict 7 are established at the effective minimum prices for Size Group 2 in said subdistrict.

Dated: March 25, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-4623; Filed, March 26, 1943; 10:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6660; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Limitation Order L-1-j]

The fulfillment of requirements for the defense of the United States having

created a shortage in the supply of fluid-food tank trucks, tank trailers and tank tractors for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 976.21 *Limitation Order L–1–j*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Fluid-food tank truck or trailer" means a motor truck or trailer on which is mounted a tank body lined with glass, or made of stainless steel or aluminum, and used or suitable for use in the transportation of milk or other fluids for use in human foods, including all such trucks and trailers used in such transportation at any time since January 1, 1933.

(3) "Fluid-food tank tractor" means a truck tractor which on or after March 26, 1943 was used, or held for standby service or in reserve, for hauling fluid-food tank trailers.

(c) *Restrictions on sale and transfer of fluid-food tank trucks and tank trailers and fluid-food tank tractors.* On or after March 26, 1943 no person owning, operating, leasing or otherwise possessing a fluid-food tank truck or trailer or a fluid-food tank tractor shall sell, lease, trade, lend, deliver, ship or transfer any such vehicle, or shall convert any such vehicle for or divert it to any usage other than that in which it is being currently operated, except with the specific authorization of the War Production Board.

(d) *Application on Form PD–556.* Any person owning a fluid-food tank truck, tank trailer or a fluid-food tank tractor, seeking the authorization of the War Production Board to sell or otherwise transfer or convert the same, shall apply to the Automotive Division, War Production Board, Washington, D. C., on Form PD–556 using a separate form for each vehicle. Form PD–556 may be obtained from the nearest Regional or District Office of the War Production Board and shall be submitted in quadruplicate, according to the following instructions:

Answer all applicable questions on the form, except questions 2, 3, 4, 7, and 8 in III.

(1) Under I, state name, address and business of person to whom applicant will transfer vehicle.

(2) Under II (a), for tank truck or for tank trailer state: make, model, year produced, type of tank and any structural peculiarities; number and condition of tires; number of live and dead axles.

(3) Under II (b) for tank truck or for tractor state: type of engine and piston displacement.

(4) Under II (c) state mileage run by vehicle to date.

(5) Under II (d) for tank truck or for tank trailer state gallon capacity of tank; for tractor, state gross vehicle weight. Do not fill in under II (e) as the form is used only for *one* vehicle.

(6) Under II (f) state original cost of vehicle and present value.

(7) Under III, 1, state fully the use to which vehicle will be put if transferred to person named in 1; territory served and routes over which vehicle, if transferred, will operate.

(8) Under III, 5, state fully present use of vehicle in milk or fluid-food transport; territory served, routes operated and average weekly mileage.

(9) Under III, 6 (a) state type and year of production of all other tank vehicles and tractors now operated by applicant in this business.

(10) Under III, 6 (b) state gallon capacity of tank trucks and tank trailers, and gross vehicle weight of tractors, described under III, 6 (a).

(11) Under III, 6 (c) state separately the number of tank trucks, tank trailers and tractors operated by applicant.

(12) Do not enter any information under III, 6 (d) and (e).

(e) *Exceptions to applicability of this order.* The terms and restrictions of this order shall not apply to any fluid-food tank truck or tank trailer, or fluid-food tank tractor (1) sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States, or (2) leased or operated under a specific order, instruction, or directive, other than a Certificate of War Necessity, of the Office of Defense Transportation.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning sales, leases or other transfers or conversions of vehicles made under this order.

(g) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(j) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref: L–1–j.

Issued this 26th day of March, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4632; Filed, March 26, 1943; 11:47 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Supplementary Limitation Order L-30-d as Amended March 26, 1943]

MISCELLANEOUS COOKING UTENSILS AND OTHER ARTICLES

§ 1052.5 *Supplementary Limitation Order L–30–d*—(a) *Definitions.* For the purposes of this order:

(1) "Preferred order" means a purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(2) "Miscellaneous cooking utensil" means any utensil containing more than 7½%, by weight, of metal, which is designed primarily for use in the preparation or cooking of food, whether for household, institutional, commercial, governmental or any other purpose, including but not limited to, glass and ceramic flameware, but excluding any utensil the production of which is governed by Supplementary Limitation Orders L–30–b or L–30–c, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

(3) "Kitchen tools" means articles containing more than 5%, by weight, of metal, commonly known as kitchen tools, including, but not limited to, can openers, jar openers, bottle openers, strainers, flour sifters, food whips, food mills, dippers, scoops, choppers, slicers, corers, mashers, shapers, beaters, graters, grinders, cutters, sieves, cake turners, basting spoons, cork screws and skewers, but excluding cutlery (which is governed by Limitation Order L–140), electrical appliances (which are governed by Limitation Order L–65), gas appliances and power-driven equipment.

(4) "Household storage articles" means articles containing more than 5%, by weight, of metal, designed for the storage of food or household supplies, including but not limited to, vegetable bins, canisters, spice sets, cake covers or safes, holders for salt, soap or cleanser cartons, step-on cans, lunch boxes, vacuum jugs and bottles, and window boxes for the storage of food, but excluding:

(i) Pails, buckets and tubs;

(ii) Containers designed for the packing, shipment or delivery of materials or products of any kind, including but not limited to, cans as defined in Conservation Orders M–81 or M–136, glass containers or closures as defined in Limitation Order L–103, and drums as defined in Limitation Order L–197; and

(iii) Articles the production of which is governed by Supplementary Limitation Orders L–30–a, L–30–b or L–30–c, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

(5) "Manufacturer" means any person engaged in the business of producing or assembling any miscellaneous cooking utensils, kitchen tools, household storage articles or any other products covered by this order, or any parts (including repair parts) for such utensils, kitchen tools, storage articles or products.

(6) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(7) "Base period" means the twelve months ending June 30, 1941.

(8) "Black steel" means uncoated, polished or lacquered carbon steel. It does not include any steel which has a metal or vitreous-enameled coating.

(9) "Joining hardware" means nuts, screws, nails, bolts, clasps, rivets and other similar items of small hardware used for joining or other similar purposes.

(10) "Repair part" means any part for an article or product which is not produced for or used in a new article or product.

(b) *Prohibition on production of miscellaneous articles.* (1) No manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the kitchen, household and other miscellaneous articles listed on Schedule A attached to this Order (whether manufactured for household or for any other purpose), or parts for such articles (including repair parts), except for the minimum amount of iron and steel (not to exceed 5% of the weight of the article) contained in necessary joining hardware.

(2) No manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of clothes wringers except (i) wringers which are integral parts of power-driven laundry equipment as covered by Limitation Orders L–6 and L–91 and (ii) hand clothes wringers which weigh 18 pounds or less and contain 50% or less of metal, by weight.

(3) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of (i) hand clothes wringers permitted under paragraph (b)(2) than three times 30% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of all hand clothes wringers and parts therefor (including repair parts); or (ii) repair parts for all hand clothes wringers than three times 5% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of all hand clothes wringers and parts therefor (including repair parts).

[NOTE: Paragraphs (c)(1), (d)(1), (e)(1) and (f)(1) were amended March 26, 1943 by deleting the term "on and after November 23, 1942,".]

(c) *Restrictions on miscellaneous cooking utensils.* (1) Except as provided in paragraph (g), no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any miscellaneous cooking utensils containing 20% or more of metal, by weight, or parts for such utensils, except

(i) Black steel frying pans having a bottom diameter of from 8 to 12 inches, inclusive;

(ii) Black steel heavy-duty roast pans without covers, having a capacity of from 675 cubic inches to 2600 cubic inches, inclusive, and having two or three reinforcing straps and wired edges; and

(iii) Black steel or tinned utensils, including liquid and dry measures (other than black steel frying pans or heavy-duty roast pans) in fulfillment of preferred orders; and

(iv) Baking pans of a type designed for use in commercial bakeries and institutions.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of

(i) Black steel frying pans than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of black steel frying pans;

(ii) Black steel heavy-duty roast pans than three times 35% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of black steel heavy-duty roast pans;

(iii) Miscellaneous cooking utensils containing more than 7½%, but less than 20%, of metal, by weight, and parts for such utensils (other than repair parts) than three times 100% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such cooking utensils and parts (including repair parts); or

(iv) Repair parts for miscellaneous cooking utensils containing more than 7½%, but less than 20%, of metal, by weight, than three times 5% of the monthly average amount of iron and steel, by weight, put into process by him during the base period in the production of such cooking utensils and parts for such utensils (including repair parts).

(d) *Restrictions on kitchen tools.* (1) Except as provided in paragraph (g) no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any kitchen tools, except

(i) The following kitchen tools:

[NOTE: Paragraphs (i) and (ii) were amended March 26, 1943]

Basting spoons, 14 to 21 inches, inclusive, in overall length.
Cake turners, 13 to 21 inches, inclusive, in overall length.

Can openers, (provided that no can opener produced on or after June 1, 1943, shall contain more than 12 ounces of metal, except in fulfillment of preferred orders).

Egg beaters, rotary type, 10 inches or longer, including handle.
Food choppers and grinders.
Food mills.
Wire strainers.
Wire whips, commercial type, 12 inches or longer.

Scoops, commercial type, 6½ to 10 inches, inclusive, in overall length, provided that no manufacturer shall put into process for such scoops any iron or steel other than that which he has identified as falling within one or more of the following classes:

(*a*) Iron and steel in his inventory on March 26, 1943;

(*b*) Iron and steel obtained by him pursuant to a special sale, as defined in Priorities Regulation No. 13, and in accordance with the terms of that Regulation;

(*c*) Top cuts of steel (that portion of steel ingot rejected because of sufficiently high quality for use on the order for which the ingot was melted but which is normally used for some other purpose);

(*d*) Bessemer processed steel;

(*e*) Sheet mill seconds, rejects and wasters, 28-gauge and heavier;

(*f*) Tin mill black plate rejects, 29 and 30-gauge;

(*g*) Iron and steel obtained by him from a warehouse (as defined in Conservation Order M–21–b).

(ii) The following kitchen tools in fulfillment of preferred orders only:

Butter cutters.
Dippers.
French fry cutters.

[Note: "Nutmeg graters" was deleted March 26, 1943.]

Skimmers.
Sugar and flour scoops.
Vegetable graters.

(iii) Any other kitchen tool in fulfillment of preferred orders for use on board ship only.

(2) Except in fulfillment of preferred orders for use on board ship, during the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of:

(i) Any kitchen tool (other than can openers) listed in paragraph (d) (1) (i) than three times 35% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such kitchen tool and parts for such tool (including repair parts);

(ii) Can openers (except in fulfillment of all preferred orders) than three times 50% of the average monthly amount of iron and steel, by weight, put into process

by him during the base period in the

thereto are hereby revoked in their en-

This action shall not be construed to

(2) Were in the possession of his ther-

by him during the base period in the production of can openers and parts therefor (including repair parts); or

(iii) Repair parts for any kitchen tool than three times 5% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such kitchen tool or parts for such tool (including repair parts).

[Paragraph (iii) was redesignated March 26, 1943.]

(e) *Restrictions on household storage articles.* (1) Except as provided in paragraph (g), no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any household storage articles, except vacuum bottles with a capacity of one quart or less and, pursuant to preferred orders, vacuum bottles and jugs with a capacity of more than one quart.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of vacuum bottles with a capacity of one quart or less than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such vacuum bottles.

(f) *Restrictions on pails, buckets and tubs.* (1) Except as provided in paragraph (g), no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any pails, buckets or tubs, except

(i) Pails or tubs designed expressly for use as packing or shipping containers;

(ii) Pails or tubs which contain iron or steel only in hoops, bails, ears, handles and joining hardware, provided that the total weight of such iron and steel does not exceed 15% of the total weight of the pail or tub, and further provided that any such pail, or any such tub with a capacity of less than 15 gallons, does not have more than two hoops containing iron or steel;

(iii) Dairy pails;

(iv) Pails, buckets or tubs when made of black steel and produced pursuant to preferred orders; and

(v) Pails, buckets or tubs the production of which is governed by Supplementary Limitation Orders L–30–a or L–30–b, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

(g) *Exceptions.* Notwithstanding the provisions of paragraphs (b) (2), (c) (1), (d) (1), (e) (1) and (f) (1), a manufacturer may complete the fabrication and assembly of any article included in such paragraphs from iron or steel which, on November 17, 1942, had been cut, blanked or otherwise formed to size for such article by him or by any other person, provided that such article is completed on or before December 31, 1942, except for the application of a coating or finish or the attaching of handles, bails or ears, which may be done thereafter.

(h) *Applicability of other orders.* The provisions of this order shall supersede the provisions of Limitation Order L–30 in respect to all articles the production of which is governed by this order. In so far as any other order restricts the use of any material in the production of any articles to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(j) *Appeal.* Any appeal from the provisions of this order should be made on Form PD–500, directed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L–30–d.

(k) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of articles the production of which is governed by this order, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production permitted by this order.

(l) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(m) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(p) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board Consumers' Durable Goods Division, Washington, D. C. Ref: L–30–d.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

[NOTE: The item "closet accessories" was amended March 26, 1943]

The following articles are subject to the provisions of paragraph (b) (1) of Order L–30–d, except for any such articles the production of which is governed by Supplementary Limitation Orders L–30–a or L–30–b, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders:

Cake coolers.
Camp grids.
Candlesticks.
Carpet beaters.
Carpet sweepers.

Closet accessories, including, but not limited to, coat and garment hangers and hooks (whether used in closets or elsewhere), tie racks and boot and shoe trees (except (a) coat and garment hangers containing iron and steel in hooks only, *provided* That either (i) all such iron and steel was in the manufacturer's inventory on November 17, 1942, in the form of hooks or wire, or (ii) the hangers are produced in fulfillment of preferred orders for use on board ship; and (b) garment bags containing iron and steel in hooks only).

Clothes pins.
Concrete garbage receptacles containing more than 5%, by weight, of metal, exclusive of the weight of separate bases or blocks.
Cup frames.
Curtain rods and fixtures and drapery attachments (except curtain rods and drapery hooks containing iron and steel in fulfillment of preferred orders for use on board ship).
Cuspidors and spittoons.
*Dish pans (except black steel dish pans in fulfillment of preferred orders).
*Dust pans, silent butlers and crumb sets.
Fire place equipment, all articles of.
Fly swatters.
*Funnels (except in fulfillment of preferred orders when constructed in accordance with Chemical Warfare Service Drawings Nos. B–18–41–2, revised January 27, 1942, E–81–5–6, dated September 11, 1941, or E–18–41–1, revised November 22, 1941, or any subsequent drawings designed for Chemical Warfare Service needs).
Picnic stoves.
Pot chains.
Pot cover holders.
*Sink accessories, including but not limited to, sink drainers, dish drainers, rinsing pans and pot scourers.
Soap dishes and soap savers.
Toilet paper holders (except when containing iron and steel in fulfillment of preferred orders for use on board ship) and other paper holders.
Tooth brush holders.
Towel bars and racks (except when containing iron and steel in fulfillment of preferred orders for use on board ship).
*Wash boards.

[F. R. Doc. 43–4641; Filed, March 26, 1943; 11:51 a. m.]

*The provisions of Order L–30–d do not prohibit a manufacturer from applying a coating or finish or from attaching handles, bails or ears to any of the articles marked with an asterisk which were otherwise completed on or before December 31, 1942.

PART 1084—CANNED AND PROCESSED FOODS

[Revocation of Conservation Order M–86, and Supplementary Orders M–86–a, M–86–b and M–86–c]

Section 1084.1 *Conservation Order M–86*, § 1084.2 *Supplementary Order M–86–a*, § 1084.3 *Supplementary Order M–86–b* and § 1084.6 *Supplementary Order M–86–c*, and all amendments thereto are hereby revoked in their entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order, amendments or supplements.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4644; Filed, March 26, 1943; 11:49 a. m.]

PART 1105—SUGAR

[Revocation of Conservation Order M–98 and Supplementary Order M–98–a]

Section 1105.1 *Conservation Order M–98* and § *1105.2 Supplementary Order M–98–a* and all amendments thereto are hereby revoked in their entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order, amendments or supplements.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4645; Filed, March 26, 1943; 11:49 a. m.]

PART 1134—TEA

[Revocation of Conservation Order M–111, Supplementary Orders M–111–a, M–111–b, M–111–c, M–111–d, and M–111–e.]

Section 1134.1, Conservation Order M–111, § 1134.2 Supplementary Order M–111–a, § 1134.3 Supplementary Order M–111–b, § 1134.4 Supplementary Order M–111–c, § 1134.5 Supplementary Order M–111–d, and § 1134.6 Supplementary Order M–111–e and all amendments thereto are hereby revoked in their entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order, amendments or supplements.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4646; Filed, March 26, 1943; 11:49 a. m.]

PART 1177—SPICES

[Revocation of Conservation Order M–127, Supplementary Order M–127–a, and Supplementary Order M–127–b]

Section 1177.1, Conservation Order M–127, § 1177.2, Supplementary Order M–127–a, and § 1177.3, Supplementary Order M–127–b and all amendments and interpretations thereto are hereby revoked in their entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order, amendments or supplements.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4647; Filed, March 26, 1943; 11:50 a. m.]

PART 1233—THERMOPLASTICS

[General Preference Order M–154, as Amended March 26, 1943]

Section 1233.1 is hereby amended in its entirety to read as follows:

§ 1233.1 *General Preference Order No. M–154*—(a) *Definitions.* For the purpose of this order "thermoplastics" means the synthetic resins and cellulose derivatives listed below, whether plasticized or unplasticized (except in the case of ethyl cellulose and cellulose nitrate), in their various primary unfabricated forms such as sheets, rods, tubes, shapes, slabs, pellets, powder, solutions, emulsions, and flake, and whether virgin or scrap, but not including yarn or textiles, coated or substrated photographic film or film scrap, or cellulose film up to .003" in gauge:

(1) Cellulose acetate butyrate.
(2) Cellulose acetate.
(3) Plasticized cellulose nitrate, except that used in explosives and protective coatings.
(4) Plasticized ethyl cellulose.
(5) Polymers and copolymers of styrene, except styrene copolymerized with butadiene.

(b) *Restriction on use.* (1) No person shall use thermoplastics in the manufacture of articles set forth in Exhibit A annexed, regardless of preference ratings.

(2) No person shall use in the manufacture of any article not set forth in Exhibit A annexed more thermoplastics than are necessary to accomplish the functional purpose of the article, and no person shall use any quantity of thermoplastics in the manufacture of decorative attachments for any article.

(c) *War use exemption.* Nothing contained in paragraph (b) (1) above shall apply to use of thermoplastics by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration, or by any person pursuant to the terms of any contract or order for thermoplastics or articles made therefrom, where such thermoplastics or articles are to be delivered to, or incorporated into products to be delivered to, the aforesaid agencies, provided that such use is expressly made subject to war use exemption in Exhibit A annexed.

(d) *Existing stocks exemption.* Notwithstanding the provisions of paragraph (b) (1) above, any person may use, in the manufacture of any article set forth in Exhibit A annexed, thermoplastics which:

(1) Were in his possession prior to the effective date of restriction on such article, or

(2) Were in the possession of his thermoplastics supplier and on his purchase order had been so processed prior to the effective date of restriction on such article as to render impracticable their use in a manner not subject to restriction by this order.

(e) *Scrap exemption.* The provisions of paragraph (b) (1) above shall not apply to the use of scrap resulting from the processing or fabrication of thermoplastics: *Provided, however,* That no person shall use or deliver thermoplastics scrap resulting from his own operations unless:

(1) Such scrap is not of a quality to permit its reuse in the operation or product from which it was obtained, and

(2) The quantity of such scrap does not exceed 15 percent of the quantity of thermoplastics from which it was obtained.

(f) *Notification of customers.* Producers of thermoplastics shall as soon as practicable notify each of their regular customers of the requirements of this order and of all amendments hereto, but failure to receive such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing in this order contained shall be construed to permit the manufacture of any item or of units of any item if the manufacture of said item has been prohibited or curtailed by the terms of any other War Production Board order, heretofore or hereafter issued.

(3) *Reports.* Each person affected by this order shall file such reports as may from time to time be required by the War Production Board.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M–154.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Item	Effective date of restriction
Advertising and miscellaneous novelties	Sept. 1, 1942
Amusement machines and parts.	Sept. 1, 1942
Animal feeding dishes and cups.	Mar. 26, 1943
Artificial fingernails	Sept. 1, 1942
Artificial flowers, flower pots, and florists supplies, including plant markers.	Sept. 1, 1942
*Automobile accessories, but not including standard equipment	Mar. 26, 1943
Baby carriage parts	Sept. 1, 1942
Baby rattles, teething rings and pacifiers	Mar. 26, 1943
*Badges, emblems and campaign buttons, except the following:	Jan. 9, 1943
Personal identification required by governmental agencies, personnel and plant identification for industrial use, tags and badges required for tax purposes by state and municipal governments, public safety personnel of state and municipal governments	
Barber shop lather dispensers	Jan. 9, 1943
Bathroom fixtures:	
*Accessories, such as toothbrush holders, drinking cups, shower curtain hooks, etc., but not including plumbing parts and fixtures.	Jan. 9, 1943
Laundry hampers	Sept. 1, 1942
*Soap dishes	Sept. 1, 1942
*Toilet seats, all plastic	Sept. 1, 1942
*Toilet seats, plastic covered for private housing.	Jan. 9, 1943
*Towel bars (war use exemption for use on board ship only).	Sept. 1, 1942
Beauty parlor equipment	Mar. 26, 1943
*Belts	Sept. 1, 1942
Beret bars	Mar. 26, 1943
Bill folds	Jan. 9, 1943
*Binoculars and opera glasses, and their parts.	Sept. 1, 1942
Bobby pins and barrettes	Mar. 26, 1943
Book covers and book marks	Mar. 26, 1943
Book ends and book stands	Sept. 1, 1942
*Bowls	Jan. 9, 1943
Broom fittings and dust pans	Sept. 1, 1942
Buttons and buckles, except for utility.	Mar. 26, 1943
Calendar holders	Mar. 26, 1943
Calendars	Jan. 9, 1943
Calling card cases	Mar. 26, 1943
Candle sticks	Sept. 1, 1942
Caskets, decorative parts	Sept. 1, 1942
Tips and lugs	
Handles and caps	
Corner pieces.	
Chime shields	Jan. 9, 1943
*Clock cases	Jan. 9, 1943
*Clock crystals	Mar. 26, 1943
Closet accessories	Sept. 1, 1942
Clothes hangers.	
Hat boxes	
Hat stands.	
Shoe horns.	
Shoe trees.	
Tie racks	
Clothes pins	Mar. 26, 1943
Coin banks and other coin holders	Jan. 9, 1943
Collars and cuffs (except for religious use).	Mar. 26, 1943
Combs	Sept. 1, 1942
Combination combs.	
*Combs with attachments.	
*Combs with plastic cases.	
Fancy side, back or tuck combs.	
*Containers, except closures, for pharmaceutical preparations in standard dosage forms, including but not limited to, pills, tablets, capsules and powders, except for export use.	Mar. 26, 1943
Cosmetic containers and accessories, except the following:	Jan. 9, 1943
Vanity cases or compacts of not more than two-inch diameter or two inches square; lipstick holders; or closures for cosmetic containers.	
Crumb scrapers	Mar. 26, 1943
*Curtain fixtures and window pulls (war use exemption for use on board ship only).	Mar. 26, 1943
Darning eggs	Mar. 26, 1943
Decorative plastic stitching	Jan. 9, 1943
Displays, including but not limited to:	Sept. 1, 1942
Advertising printing.	
Containers and packages, including all transparent boxes and food covers.	
Fixtures, mannequins and hosiery forms.	
*Signs and advertising sign letters.	
Door sills	Jan. 9, 1943
Dress spangles	Jan. 9, 1943
Eye wash cups	Mar. 26, 1943
*Food containers, except closures, adhesives and protective coatings for food containers.	Mar. 26, 1943
*Fruit juicers	Mar. 26, 1943
*Furniture, furniture parts, and upholstery except seat coverings for public transportation equipment.	Mar. 26, 1943
Games and toys	Jan. 9, 1943
Glass "shatterproofing" treatment, except laminated safety glass.	Mar. 26, 1943
*Glove fasteners	Sept. 1, 1942
Greeting cards and components.	Jan. 9, 1943
Hair bands	Jan. 9, 1943
Hair curlers	Jan. 9, 1943
Handbags and components, except handbag cement and slide fasteners.	Sept. 1, 1942
Handbag frames	Mar. 26, 1943
*Handles for carpenter tools, except screw drivers and chisels.	Sept. 1, 1942
*Handle knobs for drawers and closets.	Mar. 26, 1943
*Hats and hat ornaments	Jan. 9, 1943
House address numbers	Mar. 26, 1943
Ice cube trays	Mar. 26, 1943
Jewelry and ornaments, including hand fabricated jewelry.	Mar. 26, 1943
Jewelry cases and watch boxes.	Sept. 1, 1942
Jigger cups	Sept. 1, 1942
Lamp cord protectors	Mar. 26, 1943
*Lamp shades and bases, except industrial and office.	Mar. 26, 1943
*Laminations and covers to photographs and pictures.	Mar. 26, 1943
*Magnifying lenses	Mar. 26, 1943
*Match cases and boxes	Jan. 9, 1943
Medical instruments, nonprofessional.	Mar. 26, 1943
Throat lights.	
Tongue depressors.	
Millinery	Sept. 1, 1942
Musical instruments—decorative parts.	Sept. 1, 1942
*Nameplates, but not including equipment, data and instruction plates.	Sept. 1, 1942
Napkin rings	Sept. 1, 1942
*Pass cases, other than for industrial or governmental identification.	Jan. 9, 1943
Pencils, novelty	Jan. 9, 1943
Pharmaceutical pill tablet and capsule trays.	Mar. 26, 1943
*Phonograph or auto radio receivers and parts.	Mar. 26, 1943
*Photographic equipment and supplies.	Mar. 26, 1943
*Picture and mirror frames	Sept. 1, 1942
*Pistol grips and rifle butts, except for governmental use.	Mar. 26, 1943
Place card holders	Jan. 9, 1943
Placques and laminated placques.	Jan. 9, 1943
Plastic book binding—comb or spiral type for advertising, promotional, premium, recreational or novelty products.	Jan. 9, 1943
*Playing cards	Jan. 9, 1943
*Pocket and scout knives	Mar. 26, 1943
Poker chips	Jan. 9, 1943
Poker chip holders	Mar. 26, 1943
Premium items	Sept. 1, 1942
Price tags, except for meat and dairy products.	Jan. 9, 1943
*Protective envelopes and laminations to paper for other than documents, permanent records, blueprints and industrial charts.	Mar. 26, 1943
Ration book cases	Jan. 9, 1943
*Razor boxes	Sept. 1, 1942
*Razor sharpeners	Jan. 9, 1943
Restaurant and coin operated phonograph parts.	Sept. 1, 1942
*Salt and pepper shakers and tops.	Sept. 1, 1942
*Scales, except for industrial and commercial use.	Mar. 26, 1943
Sculptured pieces	Sept. 1, 1942
Seasonal ornaments and ornamental lighting fixtures.	Sept. 1, 1942
Sewing thread spool holders	Mar. 26, 1943
*Serving trays, except for cafeterias, restaurants and hospitals.	Jan. 9, 1943
*Shaving brush containers	Mar. 26, 1943
Shoe heels, except plastic coated.	Sept. 1, 1942
Shoe trimmings	Jan. 9, 1943
Shoe uppers, woven	Sept. 1, 1942
*Ski goggles	Mar. 26, 1943
Sleeve protectors	Mar. 26, 1943
Smokers' supplies:	
Ash trays	Sept. 1, 1942
*Cigarette and cigar holders, boxes and cases.	Sept. 1, 1942
Cigarette lighters	Mar. 26, 1943
Cigarette lighter flint containers.	Mar. 26, 1943
Pipe cases	Sept. 1, 1942
Soda fountain and beverage dispensing accessories.	Sept. 1, 1942
Beer scrapers.	
Beverage stirrers.	
Drinking straws.	
*Faucet handles and knobs (war use exemption use on board ship only).	
*Soap containers	Mar. 26, 1943
*Sporting goods, except ping pong balls for Red Cross.	Mar. 26, 1943
Stationery supplies:	
Desk sets	Jan. 9, 1943
Envelope openers	Mar. 26, 1943
Ink stands	Jan. 9, 1943
Ink wells	Jan. 9, 1943
Moisture applicators, except sealing tape machines.	Mar. 26, 1943
Paper clips	Mar. 26, 1943
Pen bases and holders	Mar. 26, 1943
Pencil sharpeners	Mar. 26, 1943
Rulers, but not including edge strips for rulers.	Jan. 9, 1943
Stapling machines	Mar. 26, 1943
*Storm sash and windows	Jan. 9, 1943
*Sun goggles, except for use with corrective lenses.	Mar. 26, 1943
Syphons for carbonated water	Sept. 1, 1942
Syrup dispensers	Mar. 26, 1943
Table mats, coasters and table ornaments.	Sept. 1, 1942
*Tableware — cups, saucers, plates, tumblers, knives, forks, spoons, except handles for knives, forks, spoons.	Mar. 26, 1943
*Tableware cases and boxes	Sept. 1, 1942
Toilet sets, except three-piece sets of mirror, brush and comb.	Sept. 1, 1942
*Toothbrush containers	Mar. 26, 1943
*Travelling bags, baggage and handles therefor.	Sept. 1, 1942
Umbrella and parasol handles	Sept. 1, 1942
Vending machines and parts	Mar. 26, 1943
*Visors, except industrial	Mar. 26, 1943
Wall shields	Mar. 26, 1943
Window lifts	Jan. 9, 1943

*Subject to war use exemption. This exemption is subject to any specific limitations on war use exemption noted opposite particular items.

NOTE.—Where a specific item previously included in a general heading is added for purpose of clarification, the governing date of restriction on such item is the effective date of the restriction on the general heading.

[F. R. Doc. 43-4636; Filed, March 26, 1943; 11:50 a. m.]

PART 1252—GAGES, PRECISION MEASURING TOOLS, TESTING INSTRUMENTS, AND CHUCKS

[Revocation of General Preference Order E-5]

Effective May 1, 1943, § 1252.1 *General Preference Order E-5* is revoked, certain of the subject matter of said order now being covered by § 1252.2 *General Preference Order E-5-a*. This action shall not be construed to affect in any way any liabilities accrued or incurred under said Order E-5.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4630; Filed, March 26, 1943; 11:47 p. m.]

PART 1252—GAGES AND PRECISION MEASURING HAND TOOLS

[General Preference Order E-5-a]

Part 1252—Gages, Precision Measuring Tools, Testing Instruments, and Chucks is amended to read as above.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of gages and precision measuring hand tools, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1252.2 *General Preference Order E-5-a*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person who is engaged in the manufacture of gages or precision measuring hand tools.

(3) "Approved user" means any of the following:

(i) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(ii) Any person producing any product or conducting any business listed on Schedule I or II of CMP Regulation No. 5, as amended from time to time.

(iii) Any person conducting any activity or rendering any service listed on Schedule I or II of CMP Regulation No. 5A, as amended from time to time.

(iv) The government of any country designated, under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), as eligible to receive lend-lease aid.

(v) Any person to whom the Board of Economic Warfare has approved the granting of an export license for gages or for precision measuring hand tools.

(vi) Any other persons specifically designated by the War Production Board.

(4) "Approved employee" means any person who is employed or is about to be employed by any approved user. A student of any vocational or other training school is not an approved employee as such, and sales to such students, whether by producers, distributors, or the vocational or training school itself are not permitted under the provisions of this order.

(5) "Distributor" means any person other than an approved user who purchases or accepts delivery of any gages or precision measuring hand tools exclusively for resale and not for use.

(6) "Gages and precision measuring hand tools" means those tools which are used to determine whether a product meets required dimensional specifications, excluding those gages specified on Exhibit A attached hereto and excluding devices made of wood.

(7) "Continental United States" means the territory comprising the several States and the District of Columbia.

(b) *Restrictions on sales by producers and distributors.* On and after May 1, 1943, no producer or distributor shall sell or deliver any gages or precision measuring hand tools except in fulfillment of the following purchase orders:

(1) Purchase orders placed by approved users, and by distributors, bearing a preference rating of A-9 or higher, accompanied by a statement substantially as follows which shall be in addition to any other certification required in applying or extending such preference rating:

Purchased pursuant to General Preference Order E-5-a. Delivery of this order will not increase the undersigned's inventory beyond a supply required by the undersigned's current practices for use or for resale during a thirty-day period, except as permitted by paragraph (e) of General Preference Order E-5-a.

(2) (i) Purchase orders placed by approved employees bearing a preference rating of AA-2X or higher, accompanied by a certification by the approved employee and an authorized official of his employer (which employer must be an approved user) signed either manually or as provided in Priorities Regulation No. 7, substantially as follows:

Preference Rating _____ (specify rating) EHT. The following gage or precision measuring hand tool _____

_____

(only one tool may be placed on each certification; specify type and size of tool)

is required by the undersigned approved employee as a condition to retaining or obtaining employment with the undersigned approved user as defined in General Preference Order E-5-a. The undersigned approved employee further certifies that he does not own or possess any similar gage or tool capable of use in his employment.

_____
Name of Approved Employee
Position: _____

_____
Name and Address of Approved User

_____
Authorized Signature.

(ii) Effective March 26, 1943, deliveries to an approved employee of gages and precision measuring hand tools which are required by him as a condition to retaining or obtaining employment with an approved user are hereby assigned the same preference rating as is assigned to such approved user's purchase of maintenance, repair and operating supplies by CMP Regulation No. 5 or CMP Regulation No. 5A. (For example: Deliveries to an approved employee of gages and precision measuring hand tools required in his employment in a plant manufacturing ammunition are assigned a preference rating of AA-1, this being the same rating assigned to his employer (an approved user) by Schedule I of CMP Regulation No. 5.)

(iii) A preference rating assigned under paragraph (b) (2) (ii) of this order shall be applied by placing the rating at the commencement of the joint certification required from the approved employee and his employer by paragraph (b) (2) (i) of this order.

(iv) A person who receives a purchase order rated and endorsed in accordance with paragraph (b) (2) of this order may extend the rating to the extent permitted by Priorities Regulation No. 3 (using the endorsement therein specified) and accompanying such endorsement with

the symbol EHT and a statement substantially in the same form as set forth in paragraph (b) (1) of this order.

(v) The symbol EHT shall constitute an "allotment symbol" for the purposes of CMP Regulation No. 3, and a purchase order bearing the symbol EHT shall have the status of a delivery order bearing a preference rating with an allotment symbol as provided in CMP Regulation No. 3.

(c) *Restrictions on sales by approved users.* On and after May 1, 1943, no approved user shall sell or deliver any gages or precision measuring hand tools except to persons employed or about to be employed by such approved user, or except pursuant to § 944.11 of Priorities Regulation No. 1.

(d) *Effect of certification.* Any certification made pursuant to this order shall constitute a representation to the seller and to the War Production Board of the truth of the facts therein set forth, upon which the seller shall be entitled to rely unless he knows or has reason to believe the same to be false.

(e) *Restrictions on inventory.* On and after May 1, 1943, no distributor or approved user shall buy or accept delivery of any gage or precision measuring hand tool the delivery of which will at the time effect an increase in his inventory beyond a supply required by his current practices for use or for resale during a thirty-day period: *Provided, however,* That the deliveries of gages or precision measuring hand tools pursuant to the following designated types of purchase orders shall be permitted to effect such an increase:

(1) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) Purchase orders placed by the Army, Navy, Maritime Commission, or War Shipping Administration for gages or precision measuring hand tools required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes or to supply such bases or supply depots outside the continental United States.

(f) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of gages or precision measuring hand tools, allocate any order for gages or precision measuring hand tools to any other producer, divert or otherwise direct the delivery of any gage or precision measuring hand tool to any other person.

(g) *Records.* Each producer and distributor shall keep and preserve for not less than two years complete records of his inventories and sales of gages and precision measuring hand tools.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(k) *General Preference Order E–5 superseded.* This order supersedes as of May 1, 1943, General Preference Order E–5, issued on June 15, 1942.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: E–5–a.

(n) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A TO E–5–a

Spark plug gages.
Camber gages.
Caster gages.
Brake shoe gages.
Brake drum gages.
Toe-in gages.
Alignment indicators.

[F. R. Doc. 43–4631; Filed, March 26, 1943; 11:47 a. m.]

PART 1260—RUBBER PROCESSING MACHINERY AND EQUIPMENT

[General Limitation Order L–143–a]

The fulfillment of requirements of the national defense has created a shortage in the supply of certain critical materials used in the manufacture of rubber processing machinery and equipment for the national defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1260.2 *General Limitation Order L–143–a*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber processing machinery or equipment" means new, used or reconditioned or rebuilt machinery or equipment, of the kinds listed in Groups I, II, III, IV, and V of List A, for use in the manufacture of rubber products. The term shall not include "retreading, recapping and repair equipment" which is subject to the provisions of General Limitation Order L–61.

(3) "New rubber processing machinery or equipment" means rubber processing machinery or equipment which has not been delivered to any person acquiring it for use.

(4) "Used rubber processing machinery or equipment" means rubber processing machinery or equipment which at any time has been delivered to any person acquiring it for use, but does not include reconditioned or rebuilt machinery or equipment.

(5) "Reconditioned or rebuilt rubber processing machinery or equipment" means rubber processing machinery or equipment which has been changed in any way in size or form or otherwise conditioned for resale or reuse.

(6) "Manufacturer" means any person producing, rebuilding or reconditioning rubber processing machinery or equipment, whether for his own use or for sale.

(7) "Dealer" means any person regularly engaged in the business of buying or otherwise acquiring new, used or reconditioned or rebuilt rubber processing machinery or equipment for resale.

(8) "Delivery" means any physical delivery of any item of rubber processing machinery or equipment or parts therefor to other persons, including but not limited to, any such disposition made at auction sale, sheriff's sale, tax sales, in liquidation of all or part of a business or in similar transactions; but does not mean or include transfers of rubber processing machinery or equipment or parts therefor within a plant or within a single corporate enterprise (including subsidiaries).

(b) *General restrictions on production, rebuilding and reconditioning, delivery and acquisition*—(1) *Production.* On and after April 9, 1943, no person shall, in any manner, produce or cause to be produced any new rubber processing machinery or equipment or parts therefor or accept delivery of any semi-fabricated or fabricated parts to be incorporated in new rubber processing machinery or equipment or parts therefor; except to fill orders pursuant to authorizations of the War Production Board in accordance with paragraph (d) of this order.

(2) *Reconditioning and rebuilding.* On and after April 9, 1943, no person shall, in any way, recondition or rebuild any rubber processing machinery or equipment either for his own use or for the use of another person, except pursuant to an authorization of the War Production Board in accordance with paragraph (d) of this order.

(3) *Delivery and acquisition.* No person shall deliver or accept delivery of any rubber processing machinery or equipment or parts therefor, except pursuant to an authorization of the War Production Board in accordance with paragraph (d) of this order: *Provided, however,* That the provisions of this subparagraph (3) shall not apply to rubber processing machinery or equipment or parts therefor physically in transit on March 26, 1943: *And provided further,* That the provisions of this subparagraph (3) shall not apply to rubber processing machinery or equipment or any part therefor to be scrapped for its material content.

(c) *Revocation of General Limitation Order L–143.* Effective April 9, 1943, General Limitation Order L–143 is hereby revoked in its entirety, but until said date, the production, rebuilding, reconditioning, delivery or acquisition of any tire machinery and equipment as defined in General Limitation Order L–143 (or parts therefor), shall be governed by the applicable provisions of General Limitation Order L–143, notwithstanding any inconsistent provision of this order.

(d) *Procedure for securing authorization.* (1) Any person seeking to acquire rubber processing machinery or equipment or parts therefor may make application on Form PD–552 (Revised) addressed to the War Production Board, Office of Rubber Director, and marked Ref. L–143–a, for an authorization on Form PD–552 (Revised) by the War Production Board permitting such acquisition. Preference ratings thereby assigned to deliveries of rubber processing machinery or equipment or parts therefor shall be applied in accordance with the provisions of Priorities Regulation No. 3, as amended from time to time. In addition to furnishing the certification required by said regulation, a person authorized to acquire rubber processing machinery or equipment or parts therefor, shall certify to the person from whom such machinery, equipment or parts are to be acquired, that an authorization on Form PD–552 (Revised) was originally issued to him for the acquisition of the particular rubber processing machinery or equipment or parts therefor specified in any purchase order or contract. Such certification shall be made in substantially the following form signed manually or as provided in Priorities Regulation No. 7:

> The undersigned hereby certifies that an authorization on Form PD–552 (Revised) was originally issued to him for the acquisition of the rubber processing machinery or equipment or parts therefor specified in the accompanying purchase order or contract.

(2) Manufacturers or dealers may apply for authorization to deliver orders on their books on March 26, 1943, by filing Form PD–553 (Revised) in accordance with paragraph (f) (6) (iii) of this order.

(3) Any person seeking to recondition or rebuild for his own use or to cause to be reconditioned or rebuilt by any other person any rubber processing machinery or equipment shall make application on Form PD–552 (Revised) addressed to the War Production Board, Office of Rubber Director, and marked Ref. L–143–a, for an authorization on Form PD–552 (Revised) by the War Production Board permitting the reconditioning or rebuilding to be done by or for the applicant.

(e) *Repair and maintenance parts.* Notwithstanding the prohibitions contained in paragraph (b) hereof, repair and maintenance parts for rubber processing machinery or equipment may be produced, delivered or acquired without an authorization as provided in paragraph (d) of this order, subject to the following limitations:

(1) No person shall produce for his own use or accept delivery of repair or maintenance parts except as follows:

(i) To repair an actual breakdown where the required repair or maintenance parts are not otherwise available;

(ii) To acquire repair or maintenance parts of any kind provided that such person does not acquire repair and maintenance parts of any kind costing more than $1,000 within any four weeks' period, for use in the repair or maintenance of any single existing item of rubber processing machinery or equipment or a single item of such machinery or equipment delivered under the terms of this order.

(2) Any manufacturer may produce repair or maintenance parts for sale in quantities not in excess of amounts required by him to maintain a minimum practicable working inventory of such maintenance and repair parts.

(f) *Miscellaneous provisions*—(1) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after the effective date of this order. No person shall be held liable for damages or penalties for default, under any contract or order which shall result directly or indirectly from his compliance with the terms of this order.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable Regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Office of Rubber Director, Washington, D. C., Ref.: L–143–a.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Records and reports.* (i) All manufacturers and dealers affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning production, deliveries, and orders for rubber processing machinery and equipment, including applications and authorizations on Form PD–552 (Revised).

(ii) All persons affected by this order shall execute and file with the Office of Rubber Director, War Production Board, such reports and questionnaires as said Office shall from time to time request.

(iii) On or before April 9, 1943, each manufacturer of, and dealer in, rubber processing machinery or equipment shall file on Form PD–553 (Revised) a record of his unfilled orders as of March 26, 1943.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

GROUP I—BASIC RUBBER PROCESSING MACHINERY (INCLUDING LABORATORY SIZES)

Bale cutters
Washers
Crackers
Grinders
Refiners
Mills
Plasticators
Masticators
Banbury mixers
Calenders
Calender shells
Strainers
Tubing machines (extruders)
Cement mixers
Dispersion mixers
Aprons for mixing mills
Mill take-off devices

GROUP II—TIRE AND TUBE MAKING EQUIPMENT

Spreaders
Bias cutters
Slitters
Let-off stands
Bead making machines
Bead covering machines
Bead flippers
Bead winders
Bead cutters
Bead piping machines
Stock servicers & turrets
Festooning machines
Tire building machines
Band & pocket building machines
Tire cores & drums
Bead locaters (or setting rings)
Stitchers
Debaggers and extractors
Vacuum expanders
Mechanical baggers & expanders
Molds, tire & tube
Molds, airbag
Matrices
Curing rings
Curing ring presses
Equalizer plates
Tube mandrels
Tread & tube cutters
Tube splicers
Valve applying machines
Tube testing devices
Vulcanizers, all types
Tire cleaners
Tire balancing machines

PART 3118—CONSUMERS' GOODS INVEN-

treated by the merchant in accordance

determining the asset value of goods,

GROUP II—TIRE AND TUBE MAKING EQUIPMENT—continued

Tire inspection machines
Buffers, curing bag
Tire wrapping machines

GROUP III—INSULATED WIRE & CABLE MACHINERY

Rubber covering machines
Vulcanizers, all types
Strainers
Extruders (tubing machines)

GROUP IV—MECHANICAL GOODS EQUIPMENT

Belt making machines
V-Belt covering machines
Belt slitters
Belt stretchers
Belt vulcanizing presses
Brushing machines
Coating machines
Cutting machines (all types for rubber products & rubberized fabrics)
Dusting machines
Hose covering machines
Hose making machines
Hose mandrels
Hose wrapping machines
Lining strippers
Spreaders
Hydraulic presses, vulcanizing all types
Vulcanizers, all types

GROUP V—DRUG & SURGICAL SUNDRIES & RUBBER FOOTWEAR

Dipping machines
Trimmers
Hydraulic presses, vulcanizing
Presses, dieing out or preforming
Rubber outsole cutting machines
Vulcanizers, all types

[F. R. Doc. 43-4633, Filed, March 26, 1943, 11:47 a. m.]

PART 3002—PLASTICS MOLDING MACHINERY

[Allocation Order L-159 as Amended March 25, 1943]

Section 3002.1 is hereby amended in its entirety to read as follows:

§ 3002.1 *Allocation Order L-159*—(a) *Definitions.* For the purpose of this order:

(1) "Plastics molding machinery" means new or used machinery of the following kinds:

Plastic injection molding presses or machines
Ceramic injection molding presses or machines capable of being used for plastics
Plastic compression molding presses or machines, hydraulic, automatic, mechanical
Plastic extrusion molding presses or machines
Plastic preforming presses or machines
Plastic laminating presses or machines
Plastic tube and rod molding presses or machines
Plastic tablet preforming molding presses or machines

(2) "Fixtures" means the following new or used parts or groups of parts for plastics molding machinery:

Cylinders
Feed screws
Straight heads
Cross heads
Jet attachments
Temperature control units
Molds

(b) *Restrictions on production and delivery.* (1) No person shall deliver or accept delivery of plastics molding machinery or fixtures except as specifically authorized by the War Production Board upon application pursuant to paragraph (c) hereof.

(2) No person shall manufacture or assemble plastics molding machinery or fixtures except in fulfillment of orders previously authorized for delivery by the War Production Board upon application pursuant to paragraph (c) hereof.

(3) No person shall accept delivery of parts or attachments made to his order on his special specifications for plastics molding machinery or fixtures, except as specifically authorized by the War Production Board upon application pursuant to paragraph (c); and no person shall manufacture, assemble or deliver such special parts or attachments, except in fulfillment of orders previously authorized for delivery.

(c) *Applications.* Each person seeking authorization to accept delivery of plastics molding machinery or fixtures shall file application on Form PD-741 with the War Production Board, Chemicals Division, Washington, D. C., Ref.: L-159.

(d) *Repair and maintenance parts.* Except as specifically authorized by the War Production Board upon application on Form PD-741:

(1) No person shall accept delivery of repair and maintenance parts for plastics molding machinery or fixtures except as follows:

(i) To repair an actual breakdown, where the required repair or maintenance parts are not available in inventory, or

(ii) To acquire repair or maintenance parts for maintenance of a minimum practicable working inventory of such parts.

(2) No person shall deliver repair or maintenance parts if he knows or has reason to believe that the acceptance of such delivery would be in violation of paragraph (d) (1) above.

(3) No person shall manufacture repair and maintenance parts for plastics molding machinery or fixtures except in minimum quantities sufficient to make deliveries permitted by the terms of this paragraph (d).

(4) No person shall use parts for plastics molding machinery or fixtures except for maintenance and repair of previously existing and completed plastics molding machinery or fixtures, or except as provided in paragraph (b) (2) above.

(e) *Special directions to producers.* The War Production Board at its discretion, may from time to time issue special directions to producers of plastics molding machinery or fixtures with respect to the machines or fixtures which they may or must manufacture or deliver, and with respect to manufacture and delivery of repair and maintenance parts for plastics molding machinery or fixtures.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of plastics molding machinery or fixtures shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: L-159.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4634; Filed, March 26, 1943; 11:47 a. m.]

PART 3038—DRIED FRUIT

[Revocation of Conservation Order M-205 and Conservation Order M-205-a]

Section 3038.1, *Conservation Order M-205* and § 3038.2 *Conservation Order M-205-a* and all amendments thereto are hereby revoked in their entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order, amendments or supplements.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4637; Filed, March 26, 1943, 11:50 a. m.]

PART 1084—CANNED FOODS

[Revocation of Conservation Order M 237]

Section 1084.15, *Conservation Order M-237*, is hereby revoked in its entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4638; Filed, March 26, 1943 11:50 a. m.]

PART 3118—CONSUMERS' GOODS INVENTORIES

[Consumers' Goods Inventory Limitation Order L-219 as Amended March 26, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of consumers' goods for defense, for private account, and for export; and the following order, limiting consumers' goods receipts and providing for inventory reports, is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3118.1 *Consumers' Goods Inventory Limitation Order L-219*—(a) *Definitions.* For the purposes of this order:

(1) "Consumers' goods" means goods suitable in form and type for sale to individual ultimate consumers for personal or household use, including but not limited to goods on List B, attached to Order L-219. Consumers' goods do not include producers' goods such as farm implements, goods used in rendering personal services such as shoe repairing, or goods sold for consumption on the vendor's premises such as fountain and restaurant fare. Consumers' goods shall not include any food or beverage for human or animal consumption, or any fuel oil, gasoline, motor oil, grease, or allied petroleum products.

(2) "Mercantile inventory" means the stock of consumers' goods held for sale by a person engaged in marketing such goods, including goods he has purchased for resale, goods he has manufactured for sale, stock consigned to him for sale, and stocks held by him on memorandum for sale.

(i) Mercantile inventory shall not include factory inventory. "Factory inventory" is an inventory of consumers' goods which are stored by the manufacturer of such goods at, or in the immediate vicinity of the place where their manufacture was completed, and which are not being offered for sale to individual ultimate consumers, or to independent dealers who sell to individual ultimate consumers, and who in most instances carry in stock less than $200 worth of consumers' goods of all kinds, at cost value. Nothing contained in this subparagraph shall be construed as indicating that such independent dealers are controlled merchants.

(ii) Stocks on consignment or on memorandum for sale are to be included in the inventory of the person actually holding them for sale, and in such case are to be excluded from the inventory of the owner. Stocks on consignment or on memorandum to a person not holding them for sale are to be included in the inventory of the owner.

(iii) Goods in transit may be either included in or excluded from inventory: *Provided*, That in all computations, records, reports, and other matters pursuant to this order, they are consistently treated by the merchant in accordance with his prior accounting or income tax return practice. Goods shall cease to be considered in transit not later than one business day after they are delivered to a merchant on his premises, to his warehouse, or to a commercial warehouse for his account; except that dutiable imported consumers' goods may be considered in transit until the import duty is paid.

(iv) Goods are held for sale and are considered as part of "inventory" even though they are not currently offered for sale, but are stored in a warehouse or elsewhere, with a view to sale at some future time, e. g., seasonal goods during the off season and goods held for speculative purposes. Goods held on the "layaway" plan pending payment of the purchase price may be included in or excluded from inventory: *Provided*, That in all computations, records, reports and other matters pursuant to this order, they are consistently treated by the merchant in accordance with his prior accounting or income tax practice.

(3) "Merchant" means any person engaged in retailing, wholesaling, jobbing or otherwise marketing consumers' goods, either of his own or another's manufacture, who maintains a mercantile inventory.

(4) "Controlled merchant" means any merchant, not in any of the exempt categories established by paragraph (b), who:

(i) On or after November 30, 1942, had a mercantile inventory of consumers' goods having a cost value of $50,000 or more at the end of any quarter of any of his federal income tax years, and also

(ii) During the twelve months preceding the end of the same quarter of his federal income tax year had net sales of consumers' goods of $200,000 or more.

Any merchant who is or becomes a "controlled merchant" within the foregoing definition shall cease to be a "controlled merchant" if at the end of each of any four consecutive quarters thereafter either his mercantile inventory has a cost value of less than $50,000 or he has failed during the preceding twelve months to make net sales of consumers' goods of $200,000 or more.

(5) "Net sales" means the amount of a merchant's gross sales of goods in dollars, including sales of goods shipped direct from a vendor to the merchant's customer, less all returns, allowances, rebates, discounts and other proper deductions. In the case of a merchant who is also engaged in manufacturing, his net sales shall not include any sales made, as a manufacturer, out of his factory inventory.

(6) "Cost value" or "cost" of goods received, sold or in inventory means the value in dollars of such goods computed by any single method of valuation which the merchant uses consistently and which meets the requirements of generally accepted accounting practice for determining the asset value of goods, e. g., income tax practice. Goods held for sale on consignment and on memorandum are to be valued at not less than the amount which the person holding them for sale would be obligated to remit to the owner if all of them were sold. Incoming transportation costs and workroom charges shall also be included in the value of goods on consignment or on memorandum if they are included in the cost value of comparable purchased goods in the inventory of the person holding them for sale. Retail merchants who consistently employ what is known as the "retail method" of pricing inventories may reduce their inventories to cost by the method prescribed for federal income tax purposes.

(7) "Inventory year" of a merchant means the recurrent twelve calendar month period beginning either December 1, January 1, or February 1, of each year, whichever corresponds with the beginning date of a quarter of his federal income tax year. An inventory year is designated by the number of the calendar year in which most of its months fall. For example, whichever of the inventory years commencing December 1, 1942, January 1, 1943, and February 1, 1943, is selected by a merchant, is his 1943 inventory year within the meaning of this order. Each inventory year shall consist of four "quarterly periods" of three calendar months each, except for the following options: Any merchant who keeps his books of account on the basis of an annual fiscal period divided into four periods of thirteen weeks each may adopt an inventory year of four thirteen-week "quarterly periods", each divided into a four-week "month", a five-week "month" and a four-week "month", in that order. Any merchant who keeps his books of account on the basis of an annual fiscal period divided into thirteen periods of four weeks each may adopt an inventory year of four "quarterly periods", in which the first "quarterly period" shall consist of sixteen weeks, divided into a five-week "month", a six-week "month" and a five-week "month", in that order, and the second, third and fourth "quarterly periods" shall each consist of twelve weeks, divided into three four-week "months". Any merchant who keeps his accounts on the basis of either of these types of fiscal year may use a date other than December 1, January 1, or February 1 as the first day of his inventory year: *Provided*, That the date selected is as near as possible to that beginning date of a quarter of his federal income tax year which falls nearest one of those three dates.

(8) "Base period" means a period of three inventory years, commencing with the beginning date of the merchant's 1939 inventory year. Ordinarily, this date will be December 1, 1938, January 1, 1939, or February 1, 1939. Any con-

solidated merchant who looks records for goods shipped direct from a vendor to

his mercantile inventories, his receipts

though the principal business of that

(k) *Inter-relation with Suppliers' In-*

percentage of tolerance with respect to

trolled merchant who lacks records for part or all of the base period so computed shall use as his special base period all the complete consecutive quarterly periods between December 1, 1938, and February 1, 1942, for which he has records. If the number of such quarterly periods is less than four, additional periods shall be taken from his 1942 inventory year sufficient to complete a single year. This treatment of inventory and sales data for such special base period shall conform as strictly as possible to the treatment of inventory and sales data for the base period prescribed in Appendix A attached to Order L–219. If a going business has changed owners since the commencement of the period which, but for such change, would have been its base period, and if the current owner possesses or can obtain the necessary data concerning his predecessor's operations, he shall compute the normal inventory of such business as if he had been its owner throughout. A controlled merchant who is unable to establish a base period, including 1942, of at least four consecutive quarterly periods, shall apply to the War Production Board for instructions, stating his monthly sales and inventories.

(9) "Normal inventory" means a mercantile inventory at the beginning of a quarterly period with a cost value no larger in relation to a merchant's projected sales during that quarterly period than he would carry at the beginning of that quarterly period when following his normal base period merchandising practices. In no event shall the normal inventory figure used by a merchant in determining his inventory limit exceed a figure correctly computed from his past inventory and sales experience by the method described and illustrated in Appendix A attached to Order L–219, and employed on Forms PD–689 and PD–690.

(10) "Allowable receipts" during a quarterly period means the cost value of the consumers' goods which a merchant will need during any quarterly period to complete his anticipated sales during that quarterly period and to begin the next succeeding quarterly period with his normal inventory, less the cost value of the mercantile inventory which he has at the beginning of the quarterly period. Except for merchants who elect under paragraph (l) to use the "retail method," the allowable receipts calculated by a merchant shall not exceed the larger of the following:

(i) A figure correctly computed from the merchant's previous experience with respect to sales and cost of goods sold by the method described and illustrated in Appendices A and C attached to Order L–219, and employed on Form PD–690, or

(ii) A figure equal to one-third of the cost of goods sold during the preceding quarterly period.

(11) "Cost of goods sold" means the cost value of goods removed from mercantile inventory by sale, spoilage, shrinkage reserve, consignment to another person or other proper deduction in accordance with generally accepted accounting practice consistently used by the merchant, plus the cost value of goods shipped direct from a vendor to the merchant's customers.

(12) "Receipts of consumers' goods" means the cost value of consumers' goods acquired by a merchant by purchase, consignment, memorandum, or otherwise, in such a way and to such an extent that they became part of the merchant's mercantile inventory, plus the cost value of consumers' goods shipped direct from a vendor to the merchant's customers. For the purposes of this order consumers' goods manufactured by a merchant are to be considered receipts by him when they first become part of his mercantile inventory. Examples are:

(i) Consumers' goods become mercantile inventory when they are transferred from factory inventory to a stock-carrying branch warehouse inventory.

(ii) Consumers' goods which are held at or in the immediate vicinity of the place where their manufacture was completed become mercantile inventory when the manufacturer first offers them for sale to individual ultimate consumers or to independent dealers as provided in paragraph (a) (2) (i) of this order.

(13) "Frozen goods" means those consumers' goods in the mercantile inventory of a controlled merchant which he is selling at a substantially less rapid rate than normal, due to governmental regulations which specifically restrict the sale of those consumers' goods, such as typewriters and automobile tires, to preferred classes of persons based upon special need.

(b) *Exemption of certain types of business.* The provisions of paragraph (d) and paragraph (e) of this order shall not apply to any merchant in any of the following exempt categories.

(1) Any merchant more than fifty per cent of whose aggregate net sales of all kinds of goods during his most recently completed inventory year were sales of goods listed on List A.

(2) Any merchant engaged in retailing, wholesaling, jobbing or otherwise marketing consumers' goods entirely outside the limits of the United States.

(3) Any governmental corporation or agency, including any United States Army or Marine Corps Post Exchange and any United States Navy Ship's Service Department.

(c) *Calculation of inventory limit.* (1) As used in paragraph (d) and paragraph (e), the "inventory limit" of a controlled merchant at the beginning of any quarterly period of his inventory year shall mean his normal inventory as of the beginning of that quarterly period plus the percentage of such normal inventory to which he is entitled as tolerance, computed by the method described and illustrated in Appendix B attached to Order L–219, and employed on Form PD–690. The percentage of tolerance with respect to mercantile inventories in the Eastern and Central Time Zones shall be 10% at the beginning of the second quarterly period of the 1943 inventory year, and 5% at the beginning of each quarterly period thereafter. The percentage of tolerance with respect to mercantile inventories in the Mountain and Pacific Time Zones shall be 15% at the beginning of the second quarterly period of the 1943 inventory year, and 10% at the beginning of each quarterly period thereafter.

(2) The War Production Board may issue specific instructions increasing or decreasing the percentage of tolerance of particular controlled merchants. A request for an increased percentage of tolerance may be made by filing Form PD–689 and Form PD–690, accompanied by a letter in triplicate stating the reasons for which such an increase is warranted.

(d) *Restrictions on receipts of consumers' goods.* (1) No controlled merchant whose mercantile inventory is greater than his inventory limit at the beginning of any quarterly period, other than the first quarterly period of the 1943 inventory year, shall have receipts of consumers' goods during the quarterly period in excess of his allowable receipts for such quarterly period.

(2) No controlled merchant whose mercantile inventory is greater than his inventory limit at the beginning of any quarterly period, other than the first quarterly period of the 1943 inventory year, shall receive more than one-third of his allowable receipts for such quarterly period during the first month, or more than two-thirds during the first two months, of such quarterly period.

(3) The War Production Board may issue specific instructions increasing or decreasing the allowable receipts of particular controlled merchants. A request for increased allowable receipts may be made by filing Form PD–689 and Form PD–690, accompanied by a letter in triplicate stating the reasons for which such an increase is warranted.

(e) *Special reports.* Any controlled merchant having a mercantile inventory which is greater than his inventory limit at the beginning of any quarterly period, except the first quarterly period of his 1943 inventory year, shall fill out in duplicate, and mail to the War Production Board one copy of each of the following reports, retaining the other copy of each in his possession.

(1) Form PD–690, on or before the twenty-fifth day of the first month of such quarterly period, together with Form PD–689. (Form PD–689 is to be submitted once only, at the time of the first filing of Form PD–690.)

(2) Form PD–713, on or before the twenty-fifth day of the second month of such quarterly period.

(3) Form PD–713, on or before the twenty-fifth day of the third month of such quarterly period.

(4) Form PD–690, on or before the twenty-fifth day of the first month of the following quarterly period.

(f) *Corporate combinations and similar enterprises*—(1) *Consolidated inventories and reports.* Except as otherwise provided in paragraphs (g) and (h), every person affected by this order shall, when computing the quantity of his sales, his mercantile inventories, his receipts, and other matters pursuant to this order, include the sales, mercantile inventories, receipts and other matters of all stores, branches, divisions and sections of his enterprise and of any other enterprise under common ownership or control with his enterprise. Moreover, the reports relating to such sales, inventories and other matters shall be consolidated and shall include the sales, inventories and other matters of all branches, divisions, or sections of all enterprises under common ownership or control without regard to corporate or other distinctions between such enterprises. Concessions and leased departments shall be treated as enterprises separate from the business of the merchant whose premises they occupy, unless under common ownership or control with such business.

(2) *Intra-company and inter-company sales.* In all computations and reports pursuant to this order, transactions within the enterprise of a single person or between stores, branches, divisions or sections of enterprises subject to common ownership or control, shall not be counted as sales or as receipts of goods, even though designated on the books of such enterprise or enterprises as sales or receipts, with the following exceptions:

(i) If one or more establishments, belonging to a group of establishments under common ownership or control, engage in manufacturing and their records are consolidated under this order, the consumers' goods manufactured by such establishments are to be considered receipts (as defined in paragraph (a) (12)) by that group of establishments when such goods first become part of its mercantile inventory.

(ii) If, pursuant to paragraph (g) or paragraph (h), establishments under common ownership or control are treated as separate entities for the purpose of this order, transfers of consumers' goods from one such establishment to another are to be deducted from the mercantile inventory of the transferor, and counted as receipts by the transferee, but the transferor shall not include in his net sales the amount of money, credit or property received in exchange for such goods.

(g) *Separate accounting for company stores.* (1) If any person, as an incident of his principal business, carries on a business enterprise consisting of one or more company stores, commissaries, industrial stores, or other similar type of business enterprise marketing consumer goods chiefly to the employees of such person and their families, then that person shall determine whether such incidental enterprise is a controlled merchant as defined in paragraph (a) (4) of this order and not exempt under paragraph (b) when separately considered.

(2) If such incidental enterprise is, in itself, a controlled merchant, then, even though the principal business of that person may consist of sales of goods on List A, such person shall keep the records, report the inventories, and restrict the receipts of goods of such incidental enterprise as a separate entity. Such person shall exclude the sales, inventories, and receipts of goods of such incidental enterprise from computations and other matters respecting his principal business.

(h) *Separate accounting for ownership groups.* If a controlled merchant consists of a number of establishments, each of which would be a controlled merchant if considered separately, which are substantially independent with respect to merchandising, buying, warehousing, selling, advertising, management, and accounting, and in the operation of which the controlled merchant does not practice centralized buying for, centralized storage for, or interchange of stocks among the constituent establishments, such controlled merchant may elect by written notice to the War Production Board, mailed before February 1, 1943, to keep the records report the inventories, and restrict the receipts of goods of each such constituent establishment as a separate entity.

(i) *Segregation of consumers' goods from other goods.* Any merchant who is engaged in marketing both consumers' goods and other goods may include such other goods with consumers goods in calculating inventories, sales, receipts of goods, and all other matters under this order if such other goods are consistently included and if their exclusion would be impracticable. The exclusion of such goods from consumers' goods may be considered impracticable only when such exclusion would require the compilation of data respecting the base period which that merchant does not already have available and which could be compiled, if at all, only by re-examining his original records of sales, purchases and inventories during the base period.

(j) *Consistency in accounting.* In the valuation of inventories, in the computation of net sales and costs of goods sold, and in all other matters of accounting under this order, unless otherwise specifically authorized by the War Production Board, a merchant must use those accounting methods and figures which are in accordance with his books of account or his income tax returns, which meet the requirements of generally accepted accounting practice for the particular purpose, and which he has consistently employed since the beginning of his base period. If, since that date, there has been a material change or inconsistency in his accounting practice affecting valuation of inventories, computation of his net sales, cost of goods sold, or other matters of accounting under this order, or if his customary accounting methods do not meet the requirements of accepted accounting practice, he shall apply by letter to the War Production Board for specific instructions concering the adjustments, if any, to be made, stating in such letter the nature of the change or inconsistency, or the variance from accepted practice.

(k) *Inter-relation with Suppliers' Inventory Limitation Order L–63.* Nothing in this order shall be construed to relieve any person of the duty of complying with § 1046.1, Suppliers' Inventory Limitation Order L–63. Any controlled merchants who market supplies, as defined in Order L–63, and who are not exempt from this order by virtue of paragraph (b) (1), shall not only comply with any restrictions of Order L–63 applicable to their operations but shall also comply with the provisions of this order without distinction between those consumers' goods which are supplies and other consumers' goods.

(l) *Optional use of the "retail method."* Any retail merchant who employed during his base period what is known as the "retail method" of pricing inventories may elect to value his mercantile inventory and to compute his allowable receipts at retail, rather than at retail reduced to "cost" or "cost value," on the following conditions:

(1) He shall employ a percentage of tolerance two per cent lower than he would otherwise be entitled to use under the provisions of paragraph (c) (1).

(2) He shall consistently value his goods at retail wherever the provisions of this order specify the use of "cost value" or "cost," except for the purpose of determining whether he is a controlled merchant under paragraph (a) (4).

(3) His allowable receipts at retail shall not exceed the larger of the following:

(i) A figure correctly computed from the merchant's previous experience with respect to sales and markdowns by the method described and illustrated in Appendix D attached to Order L–219, and employed on Form PD–690, or

(ii) A figure equal to one-third of the sum of his net sales and markdowns during the preceding quarterly period.

(4) His markdowns at retail used in computing his allowable receipts at retail shall not be a greater percentage of his projected sales than his markdown percentage in the corresponding quarterly period of the preceding inventory year.

(m) *Special deductions*—(1) *"Frozen goods."* Except for the purpose of determining whether he is a controlled merchant, a controlled merchant may deduct from the cost value of his mercantile inventory on hand at the beginning of any current quarterly period an amount in dollars equal to either of the following:

(i) The cost value on that date of his mercantile inventory of any kind of "frozen goods" which he has had in his mercantile inventory more than four months, minus the cost value of the "frozen goods" of that kind sold by him during the immediately preceding quarterly period, or

(ii) The appropriate percentage, selected from the list below, of the total cost value of the "frozen goods" in his mercantile inventory at the beginning of

the second quarterly period of the 1943 inventory year. Such total cost value shall be determined by a physical count taken at, or as near as possible to the beginning of the second quarterly period of his 1943 inventory year.

Time of deduction:	*Percentage to be Deducted*
Beginning 2nd quarterly period 1943	85
Beginning 3rd quarterly period 1943	70
Beginning 4th quarterly period 1943	55
Beginning 1st quarterly period 1944	40
Beginning 2nd quarterly period 1944	25
Beginning 3rd quarterly period 1944	10
Beginning any quarterly period thereafter	No deduction

(2) *Notice of "frozen goods" deductions.* Any controlled merchant who makes a deduction under either of the foregoing plans shall notify the War Production Board in writing, within twenty-five days after the beginning of the quarterly period, of the plan which he has adopted. A controlled merchant may use either of the two plans, but not both, and having once selected one of the two plans, may not change to the other plan in a subsequent quarterly period.

(3) *Military and naval apparel.* Except for the purpose of determining whether he is a controlled merchant, a controlled merchant licensed by the United States Army Exchange Service or by the United States Navy may exclude from his current computations, provided he does so consistently, his current receipts, sales and inventory of those articles of apparel, and only those, bearing the labels "as authorized by the United States Army", or "made and sold under the authority of the United States Navy".

(n) *Transactions between controlled merchants.* (1) Any controlled merchant, whose inventory at the beginning of any quarterly period was greater than his inventory limit, but whose receipts during the quarterly period have not exceeded his allowable receipts, may exchange consumers' goods with others during that quarterly period without including the consumers' goods so acquired when computing his receipts of consumers' goods during that quarterly period: *Provided*, That:

(i) If, during the quarterly period in which the exchange occurs, his monthly or quarterly receipts up to the date of the exchange have been less than his allowable receipts for the period, he shall include in his receipts of consumers' goods for that quarterly period the amount, expressed in dollars, of any monetary consideration and property other than consumers' goods, which he pays or contracts to pay to the other person with whom he makes the exchange to compensate such other person for the difference in dollar value between the consumers' goods exchanged, and

(ii) If, during the quarterly period in which the exchange occurs, his monthly or quarterly receipts up to the date of the exchange equal his allowable receipts for the period, he may not deliver consumers' goods less valuable than those he receives in exchange, if the difference between the values of the goods exchanged, expressed in terms of dollars, exceeds five percent (5%) of the dollar value of the goods delivered.

(2) A controlled merchant shall not include in his net sales, to be used in calculating his projected sales during succeeding quarterly periods, the amount of consumers' goods transferred, by barter or otherwise, to other persons in special transactions effected outside his ordinary method of doing business.

(3) Nothing in this paragraph shall be construed to prohibit any controlled merchant, whose inventory was not greater than his inventory limit at the beginning of any quarterly period, from making exchanges of consumers' goods.

(o) *Miscellaneous reports.* Merchants shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board may from time to time request, including reports concerning the sales and inventories of subsidiaries, branches or sales units, or of separate retailing or wholesaling divisions, or of particular departments or lines of merchandise.

(p) *Records.* (1) Every merchant shall preserve those records concerning his operations necessary to determine whether he is a controlled merchant.

(2) Every controlled merchant shall preserve his records concerning sales and inventories during the base period until further notice. Complete and accurate records kept on Form PD–689 will satisfy this requirement.

(3) Every controlled merchant shall prepare and preserve for a period of at least two years accurate and complete records concerning his sales, inventories, cost of goods sold, and receipts of goods in such form that the extent of his compliance with this order can readily be ascertained. Complete and accurate records kept on Forms PD–689, PD–690 and such other forms as are issued from time to time will satisfy this requirement.

(q) *Miscellaneous provisions*—(1) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(2) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(3) *Appeals.* Any person subject to any requirement of this Order, who feels that compliance therewith would work an exceptional or unreasonable hardship upon him, may appeal by filing Forms PD–689 and PD–690, accompanied by a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control or allocation and may be deprived of priorities assistance.

(5) *Communications to the War Production Board.* All reports, when ordered to be filed, and all communications concerning this order shall, unless otherwise directed, be sent to the War Production Board, Wholesale and Retail Trade Division, 41 East 42nd Street, New York, N. Y. Ref.: L–219.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A was amended by the addition of the item "Ice", March 26, 1943.

LINES OF GOODS (WHETHER OR NOT CONSUMERS' GOODS) QUALIFYING MERCHANTS FOR EXEMPTION

Antiques.
Coal, fuel oil, gasoline and miscellaneous heat or power fuel.
Coffins, burial caskets, and burial vaults.
Farm machinery and equipment, and attachments and repair parts therefor.
Flowers, and plants, except artificial types.
Foods and confections.
Grain.
Hay.
Ice.
Jewelry having a selling price of $200 or more per piece.
Lumber and building materials, except hardware.
Motor oil and grease.
Motor vehicles and motor vehicle replacement parts.
Non-alcoholic beverages.
Rubber tires.
Second-hand goods.
Stock food.
Seeds for farm use.
Typewriters.
"Consumers' goods" imported into the United States.
Supplies, as defined in § 1046.1 *Suppliers' Inventory Limitation Order L–63*, concerning which the merchant is required to keep and actually keeps records on Form PD–336

LIST B

EXAMPLES OF TYPICAL CONSUMERS' GOODS

Women's, misses', wearing apparel.
Women's, misses' accessories.
Baby goods.
Men's and boys' clothing.
Men's and boys' furnishings.
Work clothing.
Footwear.
Hosiery, underwear, negligees and robes.
Gloves, handbags and millinery.
Aprons, house dresses and uniforms.
Furs.
Corsets and brassieres.
Lace, trimmings, and ribbons.
Notions.
Toilet articles and toiletries (such as cosmetics, shaving equipment and soaps).
Clocks and watches.
Jewelry and silverware.
Umbrellas.
Art, needlework and yarns for home use.
Paper and paper products, stationery, books.
Giftwares.
Piece goods (silks, velvets, rayons and synthetics, woolens, cottons, linens, mixtures, wash goods and linings).
Drugs and drug sundries.
Sporting goods and cameras.
Toys and games.
Luggage and other leather goods.
Garden supplies and seeds for garden use.
Motor vehicles, replacement parts, and accessories.
Tires.
Typewriters.
Linens, including towels.
Domestics (muslins, sheetings, etc.).
Blankets, comforters and spreads.
Furniture, bedding and domestic floor coverings.
Draperies, curtains and upholstery.
Lanterns, lamps and shades.
Chinaware and glassware.
Major household appliances, including mechanical refrigerators, washing machines and cooking appliances.
Small electrical appliances, light bulbs, fixtures and dry cells.
Radios, phonographs, records and supplies.
Hardware and tools for home use.
Kitchenware, cutlery and miscellaneous housewares.
Musical instruments, pianos and sheet music.
Window shades, blinds and wallpaper.
Brushes, brooms and mops.
Soaps and household cleaning and sanitation materials.
Paints, varnishes, waxes and polishes.
Christmas ornaments and supplies.
Wheeled goods.
School supplies.
Antiques.
Coal.
Flowers and plants.
Smoking equipment.
Second-hand consumers' goods.

APPENDIX A

COMPUTATION OF A NORMAL INVENTORY

I. Computation of the normal quarterly inventory-sales ratio, using the second quarterly period ratio as an example.

A. Add the mercantile inventories for the quarterly periods of the base period years corresponding to the quarterly period for which the normal inventory is being computed.

Example

1939 Beginning 2nd quarterly period inventory	$----
1940 Beginning 2nd quarterly period inventory	----
1941 Beginning 2nd quarterly period inventory	----
Total A	$----

B. Add the net sales for the quarterly periods of the base period years corresponding to the quarterly period for which the normal inventory is being computed.

Example

1939 sales 2nd quarterly period	$----
1940 sales 2nd quarterly period	----
1941 sales 2nd quarterly period	----
Total B	$----

C. Divide Total A by Total B, computing to three decimal places.

$\frac{\text{Total A}}{\text{Total B}}$ = normal inventory-sales ratio for all second quarterly periods.

II. Computation of projected sales, using the second quarterly period of 1943 as an example.

A. In computing the projected sales for a quarterly period, divide the net sales during the second preceding quarterly period by the net sales during the quarterly period of the previous year corresponding to the second preceding quarterly period, computing to three decimal places.

Example

Sales 4th quarterly period 1942 / Sales 4th quarterly period 1941 = Sales ratio for 2nd quarterly period 1943.

B. Then multiply the sales ratio for the quarterly period by the net sales during the corresponding quarterly period of the preceding year.

Example

Sales ratio 2nd. qt. '43 × sales 2nd qt. '42 = Projected sales 2nd qt. '43.

III. Computation of the normal inventory, using the second quarterly period of 1943 as an example.

Multiply the projected sales during the quarterly period by the normal inventory-sales ratio for that quarterly period.

Example: Projected sales 2nd qt. '43 × normal inventory-sales ratio for all 2nd qts. = normal inventory beginning 2nd qt. '43.

APPENDIX B

COMPUTATION OF INVENTORY LIMIT

I. Computation of the inventory limit using as an example the second quarterly period of 1943 of a merchant in the Eastern Time Zone operating on the cost method.

A. Compute the tolerance by multiplying the normal inventory for the beginning of the quarterly period by the appropriate percentage of tolerance.

Example

Normal inventory beginning 2nd qt. '43 x .10 = Tolerance beginning 2nd qt. '43.

B. Add the tolerance thus secured to the normal inventory.

Example

Tolerance beginning 2nd quarterly period '43	$----
Normal Inventory beginning 2nd quarterly period '43	----
Inventory Limit	$----

APPENDIX C

COMPUTATION OF ALLOWABLE RECEIPTS AT COST VALUE ON THE BASIS OF PROJECTED SALES

I. Computation of the cost of projected sales for a quarterly period, using the second quarterly period of 1943 as an example.

A. Divide the cost of goods sold during the corresponding quarterly period of the preceding year by the net sales during the corresponding quarterly period of the preceding year.

Example

Cost of goods sold 2nd qt. '42 ÷ Net sales 2nd qt. '42 = Cost ratio for 2nd qt. '43.

B. If such data are not available, use the cost of goods sold and net sales on the most recent federal income tax return.

Example

Cost of goods sold during taxable year 1942 ÷ Net sales during taxable year 1942 = Cost ratio for any qt. of '43.

C. Multiply the projected sales for the quarterly period computed in accordance with Appendix A, by the cost ratio for the quarterly period.

Example

Cost ratio × projected sales 2nd qt. '43 = Cost of projected sales for 2nd qt. '43

II. Computation of allowable receipts for a quarterly period, using the second quarterly period of 1943 as an example.

A. Add the cost of projected sales for the quarterly period to the cost value of a normal inventory at the beginning of the next quarterly period.

Example

Cost of Projected sales 2nd qt. '43	$----
Normal inventory beginning 3rd qt. '43	----
Total A	----

B. Subtract from the sum thus secured the mercantile inventory on hand at the beginning of the current quarter.

Total A	$----
(Minus) Mercantile inventory beginning 2nd qt. '43	----
Allowable Receipts during 2nd qt. '43	$----

APPENDIX D

COMPUTATION OF ALLOWABLE RECEIPTS AT RETAIL VALUE USING PROJECTED SALES

I. Computation of allowable receipts for a quarterly period, using the second quarterly period of 1943 as an example.

A. Add the projected sales and the projected markdowns for the quarterly period to a normal inventory at retail value at the beginning of the next quarterly period.

Example

Projected Sales 2nd qt. '43	$----
Projected Markdowns at Retail 2nd qt. '43	----
Normal Inventory at Retail beginning 3rd qt. '43	----
Total A	$----

B. Subtract from the sum thus secured the mercantile inventory, at retail, on hand at the beginning of the quarterly period.

Example

Total A	$----
(Minus) Mercantile inventory at retail value beginning 2nd qt. '43	----
Allowable Receipts at retail during 2nd qt. '43	$----

[F. R. Doc. 43-4642; Filed, March 26, 1943; 11:49 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–244 as amended March 26, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.15 *Limitation Order L–244*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Magazine" means any periodical recognized as a magazine in the maga-

zine industry, regardless of frequency of issue.

(3) "Printing" means the act or process of printing, impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(4) "Publisher" shall include, but not by way of limitation, any person issuing one or more magazines.

(5) "Print paper" means any grade or quality of paper used in the printing of a magazine, or used in the printing of material physically incorporated into a magazine.

(6) "Base period" means the year 1942.

(7) [Revoked March 26, 1943]

(b) *General restrictions.* On and after January 1, 1943:

(1) No publisher shall use, or cause to be used for his account, print paper for the printing of his magazine or magazines, during any calendar quarter in excess of 22½% of the amount of print paper used by him or for his account, for such purpose, during the base period: *Provided*, That a publisher may, in any calendar quarter, use up to 15% more than his quarterly quota for such purpose, the excess to be deducted from the quota of the succeeding calendar quarter: *And provided further*, That a publisher may, in any calendar quarter, use additional print paper for such purpose, equivalent to the less-than-quota usage of any preceding calendar quarters.

(c) *Exceptions.* The restrictions of paragraph (b) hereof shall not apply to any publisher who shall use, after March 31, 1943, 25 tons or less of print paper in any calendar quarter for the printing of his magazine or magazines, provided that no such publisher shall use, in any calendar quarter, more print paper than the larger of the following amounts (which in no event shall exceed 25 tons):

(1) The amount he used in the corresponding calendar quarter of 1942, or

(2) Twenty-five per cent of the amount he used during the year 1942.

Any such publisher may (within the limitation of 25 tons or less of print paper in any calendar quarter), use in any calendar quarter additional print paper for the printing of his magazine or magazines equivalent to the less-than-quota use of any preceding calendar quarters.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time require.

(3) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning their inventory, use and sales of print paper, subject to the inspection of the duly authorized representative of the War Production Board.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing & Publishing Division, Washington, D. C. Ref: L–244.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4639; Filed, March 26, 1943; 11:49 a. m.]

PART 3134—DAIRY PRODUCTS

[Revocation of Conservation Order M–259]

Section 3134.1, *Conservation Order M–259*, is hereby revoked in its entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4639; Filed, March 26, 1943; 11:50 a. m.]

PART 3134—DAIRY PRODUCTS

[Revocation of Conservation Order M–267]

Section 3134.3, *Conservation Order M–267*, is hereby revoked in its entirety under the direction of the Secretary of Agriculture. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said order.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4640; Filed, March 26, 1943; 11:50 a. m.]

PART 3153—MAINTENANCE, REPAIR AND OPERATING SUPPLIES FOR LOGGERS AND PRODUCERS

[Preference Rating Order P–138, Revocation]

Section 3153.1 *Preference Rating Order P–138* is hereby revoked as of March 31, 1943.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4635; Filed, March 26, 1943; 11:50 a. m.]

Chapter XI—Office of Price Administration

PART 1302—ALUMINUM

[RPS 2, as amended,[1] Amendment 6]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 2, as amended, is amended in the following respects:

1. Note 5 in § 1302.14 (a) is amended to read as follows:

NOTE 5: Upon the sale of segregated solid aluminum plant scrap of any of the wrought aluminum or S-type alloys, except 2S and 3S, to the Aluminum Company of America, the Olin Corporation, or the Reynolds Metals Company, the following premiums may be charged, demanded, paid or offered:

	Premium (cent per pound)
If such scrap is baled or packaged, suitable for briquetting	½
If such scrap is briquetted, or in large pieces too heavy to briquette	1

The above premiums may also be charged, demanded, paid or offered upon the sale of segregated solid 17S, 24S or 52S plant scrap to any other person if, but only if, the sale is made pursuant to a specific authorization or directive from the War Production Board removing the sale from the restrictive provisions of Supplementary Order No. M–1 d

Except as provided herein, the maximum prices established for aluminum scrap by this Revised Price Schedule No. 2, as amended, shall not be increased by any charge or payment for special preparation.

2. Section 1302.15 (a) is amended by adding a new subparagraph (4) to read as follows:

(4) *Special premiums.* If 17S, 24S or 52S ingot is produced principally from 17S, 24S or 52S scrap for which the special preparation premiums provided by § 1302.14 (a), Note 5, have been paid, a charge of ½ cent per pound may be added to the maximum price for such ingot.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6468, 7973, 8200, 8585, 8948, 9315, 8 F.R. 268.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–4608; Filed, March 25, 1943; 5:10 p. m.]

PART 1306—IRON AND STEEL

[MPR 350]

PACKERS' TIN CANS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of packers' tin cans by a separate maximum price regulation. Heretofore, maximum prices for packers' tin cans have been established by the General Maximum Price Regulation.[1] The Price Administrator has ascertained and given due consideration to the prices of packers' tin cans prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this maximum price regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 350 is hereby issued.

Sec.
1306.501 Definitions.
1306.502 Maximum prices.
1306.503 Adjustable pricing.
1306.504 Taxes.
1306.505 Less than maximum prices.
1306.506 Geographical application.
1306.507 Evasion.
1306.508 Records and reports.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346, 3096.

[2] 7 F.R. 8961.

Sec.
1306.509 Enforcement.
1306.510 Petitions for amendment.
Appendix A: Maximum prices for packers' tin cans.

AUTHORITY: §§ 1306.501 to 1306.510 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1306.501 *Definitions.* (a) When used in this regulation, the term:

"Electrolytic tin plate" means standard electrolytic tin plate, with approximately .50 tin coating.

"Hot dip tin plate" means standard hot dip tin plate, whether with approximately 1.50 or 1.25 tin coating.

"Packers' tin can" means any new open-top container, made of hot dip or electrolytic tin plate, or chemically treated black plate, or both, or charcoal plate, of the types known to the trade as packers' or sanitary cans.

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

"Producer" means any person who manufactures packers' tin cans.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1306.502 *Maximum prices.* On and after March 31, 1943, regardless of any contract, agreement, lease or other obligation, no producer shall sell or deliver packers' tin cans, and no person shall buy or accept delivery of packers' tin cans from a producer in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That this section shall not apply to sales and deliveries of packers' tin cans when sold to be packed in the Territories of Hawaii or Alaska until on and after May 15, 1943: *Provided, further*, That this section shall not apply to sales and deliveries of packers' tin cans when sold to be packed in a place other than the Territories of Hawaii or Alaska if prior to March 31, 1943, such packers' tin cans had been received for shipment by a carrier other than a carrier owned or controlled by the seller, and shall not apply to sales and deliveries of packers' tin cans when sold to be packed in the Territories of Hawaii or Alaska if prior to May 15, 1943, such packers' tin cans had been received for shipment by a carrier other than a carrier owned or controlled by the seller.

§ 1306.503 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery and, where a petition for amendment has been filed pursuant to § 1306.510 of this regulation, may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.504 *Taxes.* As to any tax upon, or incidental to, sales or deliveries of packers' tin cans imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, if the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does so separately state it, the seller under this regulation may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1306.505 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

§ 1306.506 *Geographical application.* This regulation shall apply only to sales of packers' tin cans when sold to be packed in any one of the forty-eight states of the United States, the District of Columbia or the Territories of Hawaii or Alaska.

§ 1306.507 *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods.

§ 1306.508 *Records and reports.*[1] (a) Every person making a sale of packers' tin cans after the effective date of this regulation shall render to the purchaser an invoice on which shall be separately stated: (1) The date of the sale; (2) the name and address of the seller; (3) the name and address of the purchaser; (4) the quantity and description of the cans sold; (5) the selling price per thousand cans; (6) the additional charges, if any, for packages or packing services; (7) the additional charges, if any, for extra enamelling; and (8) the charge, if any, for delivery.

(b) Each invoice shall be retained by the purchaser and a copy thereof shall be retained by the seller for inspection by the Office of Price Administration, for a period of not less than two years, or as long as the Emergency Price Control Act of 1942 shall be in effect, whichever period is shorter.

(c) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1306.509 *Enforcement.* Persons violating any provision of this regulation shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for

[1] All the records and reports provisions set forth in this Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Styles	No. 1 211 x 400	No. 2 307 x 409	No. 2½ 401 x 411	No. 3 cyl. 404 x 700	No. 10 603 x 700
Hot dip tin plate, no enamel	$13.85	$19.00	$22.60	$26.10	$37.20
Hot dip tin plate, 1 enamel	13.85	20.25	24.65	28.35	63.70
Hot dip tin plate, 2 enamels	15.85	21.50	26.50	42.60	68.70
Electrolytic tin plate, 1 enamel	13.85	19.00	22.60	26.10	67.20
Electrolytic tin plate, 2 enamels	15.85	21.50	26.50	42.60	68.70
Electrolytic tin plate body, 1 enamel, C'TH ends	14.85	20.25	24.65	28.35	66.53
Electrolytic tin plate body, 2 enamels, C'TH ends	14.85	20.25	24.65	30.35	66.53

Appendix A—Maximum prices for packers' tin cans. (a) Maximum prices per thousand cans, f. o. b. seller's plant, of the sizes and styles listed in this paragraph, when sold to be packed in:

1. *Territory No. 1:* namely, the District of Columbia and any state lying east of the western boundaries of Montana, Wyoming, Colorado, and New Mexico, except that part of western Colorado which is customarily included in Territory No. 2:

Styles	Sizes[1] No. 1 211 x 400	No. 2 307 x 409	No. 2½ 401 x 411	No. 3 cyl. 404 x 700	No. 10 603 x 700
Hot dip tin plate, no enamel	$13.85	$19.00	$22.60	$26.10	$37.20
Hot dip tin plate, 1 enamel	13.85	20.25	24.65	28.35	63.70
Hot dip tin plate, 2 enamels	15.85	21.50	26.50	42.60	68.70
Electrolytic tin plate, 1 enamel	13.85	19.00	22.60	26.10	67.20
Electrolytic tin plate, 2 enamels	15.85	21.50	26.50	42.60	68.70
Electrolytic tin plate body, 1 enamel, C'TH ends	14.85	20.25	24.65	28.35	66.53
Electrolytic tin plate body, 2 enamels, C'TH ends	14.85	20.25	24.65	30.35	66.53

2. *Territory No. 2:* namely, the state of Utah, and those parts of southern Idaho and western Colorado customarily known in the industry as the territory surrounding the state of Utah:

Styles	Sizes[1] No. 1 211 x 400	No. 2 307 x 409	No. 2½ 401 x 411	No. 3 cyl. 404 x 700	No. 10 603 x 700
Hot dip tin plate, no enamel	$14.80	$20.68	$24.08	$28.08	$60.03
Hot dip tin plate, 1 enamel	15.80	21.93	26.08	30.08	65.53
Hot dip tin plate, 2 enamels	16.80	23.18	28.08	44.08	71.53
Electrolytic tin plate, 1 enamel	14.80	20.68	24.08	28.08	66.03
Electrolytic tin plate, 2 enamels	16.80	23.18	28.08	44.08	71.53
Electrolytic tin plate body, 1 enamel, C'TH ends	15.80	21.93	26.08	30.08	62.53
Electrolytic tin plate body, 2 enamels, C'TH ends	15.80	21.93	26.08	32.08	66.53

3. *Territory No. 3:* namely, Alaska and those states lying west of the western boundaries of Montana, Wyoming, Utah and New Mexico, except that part of southern Idaho which is customarily included in Territory No. 2:

Styles	Sizes[1] No. 1 211 x 400	No. 2 307 x 409	No. 2½ 401 x 411	No. 3 cyl. 404 x 700	No. 10 603 x 700
Hot dip tin plate, no enamel	$15.01	$20.85	$24.29	$28.77	$59.46
Hot dip tin plate, 1 enamel	17.01	23.35	28.29	43.27	70.96
Hot dip tin plate, 2 enamels	19.01	25.85	34.29	58.77	82.46
Electrolytic tin plate, 1 enamel	17.01	23.35	28.29	33.77	65.96
Electrolytic tin plate, 2 enamels	19.01	25.85	34.29	58.77	82.46
Electrolytic tin plate body, 1 enamel, C'TH ends	18.41	24.85	29.29	33.77	65.96
Electrolytic tin plate body, 2 enamels, C'TH ends	19.01	25.85	34.29	42.02	65.96

treble damages provided for by the Emergency Price Control Act of 1942.

§ 1306.510 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) *Maximum prices for packers' tin cans when sold to be packed in the Territory of Hawaii*—1. *Cans made of hot dip tin plate:* The prices of the American Can Company charged or in effect between October 1 and October 15, 1941, as adjusted on or before October 15, 1941, for increases in transportation charges on tin plate.

2. *Cans made of electrolytic tin plate or chemically treated black plate or both:* When enamelled on one side, the price established in subparagraph 1 of this paragraph for cans of the same size made of hot dip tin plate with no enamel; when enamelled on both sides, the price established in subparagraph 1 of this paragraph for cans of the same size made of hot dip tin plate with one enamel; when the bodies are enamelled inside only and the ends are enamelled on both sides, there may be added a charge for one enamelling of the ends, which shall not exceed the applicable charge established in paragraph (f) of this Appendix A.

(c) *Maximum prices for sizes not listed in paragraph* (a) *of this Appendix A*—1. *Cans made of hot dip tin plate:* (i) When sold to be packed in the District of Columbia or any state lying east of the western boundaries of Montana, Wyoming, Colorado and New Mexico, except that part of western Colorado which is customarily included in the territory surrounding the state of Utah, the prices established in subdivision (i) of this subparagraph as adjusted on or before March 31, 1942, for increases in transportation charges on tin plate.

(ii) When sold to be packed in the Territory of Alaska, or any state lying west of the western boundaries of Montana, Wyoming, Colorado and New Mexico, including that part of western Colorado which is customarily included in the territory surrounding the state of Utah, the prices established in subdivision (i) of this subparagraph as adjusted on or before March 31, 1942, for increases in transportation charges on tin plate.

2. *Cans made of electrolytic tin plate or chemically treated black plate or both:* When enamelled on one side, the prices established in subparagraph 1 of this paragraph for cans of the same size made of hot dip tin plate with no enamel; when enamelled on both sides, the prices established in subparagraph 1 of this paragraph for cans of the same size made of hot dip tin plate with one enamel; when the bodies are enamelled inside only and the ends are enamelled on both sides, the prices herein established for cans of the same size made of electrolytic tin plate enamelled on one side, plus a charge for one enamelling of the ends which shall not exceed the charge established in paragraph (f) of this Appendix A.

(d) *Maximum additional charges for cans made of charcoal plate:* The additional charge which the same producer charged or had in effect between October 1 and October 15, 1941, for cans of the same size and style made of charcoal plate.

(e) *Maximum additional charges for packages and packing services:* 1. For delivery in cartons, the additional charge which the same producer charged or had in effect between October 1 and October 15, 1941, for the same type of package or packing service. 2. For delivery in bags, 10 cents per bag, including packing service.

(f) *Maximum differentials for extra enamel,* if required by the purchaser in addition to the enamel included in the maximum prices established in this Appendix A, per thousand cans:

1. *For sanitary or "C" enamels:*

Size of can	Ends only	Bodies only	Complete can
No. 6 Z—202 x 508	$0.25	$0.55	$0.80
No. 208—208 x 208	.40	.50	.90
No. 1—211 x 400	.40	.60	1.00
No. 300—300 x 407	.50	.75	1.25
No. 1 Tall—301 x 411	.50	.75	1.25
No. 303—303 x 402	.50	.75	1.25
No. 2—307 x 409	.50	.75	1.25
No. 2½—401 x 411	.80	1.20	2.00
No. 3 Cylinder—404 x 700	1.00	2.25	3.25
No. 502—502 x 510	1.50	2.25	3.75
No. 10—603 x 700	2.50	4.00	6.50
No. ½ Tuna—211 x 109	.40	.35	.75
No. ½ Tuna—307 x 113	.50	.50	1.00
No. 1 Tuna—401 x 205.5	.80	.45	1.25
No. ½ Flat Salmon—307 x 205.5	.50	.50	1.00
No. 1 Flat Salmon—401 x 205.5	.80	.45	1.25
No. 2 Oval Drawn—513 x 307 x 107.5	1.50	[2] 1.75	1.25
No. 1 Oval Drawn—406 x 307 x 108	1.75	[2] 1.25	2.00

[1] End only, as body and bottom are one piece.
[2] Body and bottom.

2. *For sanitary or "C" enamels for sizes of cans not listed in subparagraph 1 of this paragraph:* If the diameter is listed in subparagraph 1 of this paragraph, the differential for the ends shall be the differential listed for ends only opposite such diameter, and the differential for the bodies shall be an amount bearing the same proportion to the differential listed for bodies only opposite such diameter as the height of the can to be enamelled bears to the height of the listed can.[4]

3. *For special enamels:* The charge which the same producer charged or had in effect between October 1 and October 15, 1941, for enamel used in packing the same product.

(g) *Maximum charges for delivery: The* lowest freight charge for the shipment of an identical quantity of cans from the factory producing cans of the same size located nearest to the buyer's plant, whether such producer's factory is owned by another or by the seller: *Provided,* That in the case of shipments in less than carload lots freight need not be equalized in excess of the carload freight rates: *And provided further,* That this paragraph shall not apply to key-opening, lithographed, or other styles of can on which freight equalization was not customarily made between October 1 and October 15, 1941.

(h) *Allowances, quantity discounts, and credit terms:* There shall be deducted from the maximum prices established herein the quantity discounts and special allowances such as for delivery by runway (but not including the over-riding discount granted by some producers in 1941) which the same producer granted, or made available, to purchasers between October 1 and October 15, 1941. Credit terms shall not be more onerous than those which were customary between October 1 and October 15, 1941.

Effective Date

This regulation shall become effective March 31, 1943, except that in so far as it establishes prices for the Territories of Hawaii and Alaska, it shall become effective May 15, 1943.

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4612; Filed, March 25, 1943; 5:08 p. m.]

[4] For example, the maximum charge for ends size 211 x 300, if such size were made, would be 40¢, as 211 ends are listed. The maximum charge for the body would be ¾ of 60¢, or 45¢.

PART 1305—ADMINISTRATION

[Gen. RO 8]

GENERAL PROHIBITIONS AND PENALTIES

§ 1305.53 *General prohibitions and Penalties.* Under the authority vested in the Administrator by Executive Order No. 9125, Directive No. 1 of the War Production Board and Food Directive No. 3 issued by the Secretary of Agriculture, General Ration Order No. 8 (General Prohibitions and Penalties) which is annexed hereto and made a part hereof, is hereby issued.

GENERAL RATION ORDER NO. 8 GENERAL—PROHIBITIONS AND PENALTIES

ARTICLE I.—SCOPE AND DEFINITIONS

SECTION 1.1 *Scope of order.* This order sets forth certain uniform prohibitions and penalties which shall apply to all ration orders.

SEC. 1.2 *Definitions.* When used in this order:

"Acquire" has the same meaning as it has in the ration order involved.

"Person" has the same meaning as it has in the ration order involved.

"Ration document" means an authorization, stamp, stamp card, ration book, coupon, coupon sheet, ration check, certificate, clearance statement, receipt and acknowledgment; any application, record, report or other document made or kept pursuant to or required by a ration order; or any part of such ration document.

"Ration order" means any order or regulation of the Office of Price Administration issued pursuant to War Production Board Directive No. 1, as supplemented, or Food Directive No. 3 of the Secretary of Agriculture, as supplemented, or pursuant to any other delegation of authority heretofore or hereafter conferred upon the Office of Price Administration, under section 2 (a) of the Act of June 28, 1940 (54 Stat. 676) as amended by the Act of May 31, 1941 (55 Stat. 236) and by Title III of the Second War Powers Act (56 Stat. 176), 50 U.S.C.A. (App.) sec. 633. It also includes an order issued pursuant to a ration order.

"Rationed commodity" means any commodity the acquisition, transfer or use of which is regulated or prohibited by a ration order.

"Transfer" has the same meaning as it has in the ration order involved.

ARTICLE II—PROHIBITIONS

SEC. 2.1 *False or misleading statements.* No person shall in any ration document make an untrue statement, or omit to state any fact required to be stated therein or necessary to make any statement therein not misleading; and no person shall furnish false information to the Office of Price Administration or omit to state any fact necessary to make a statement made to that office not misleading.

SEC. 2.2 *Alteration, defacement, mutilation or destruction of ration document.* No person shall alter, deface, mutilate or destroy a ration document except in accordance with the provisions of a ration order or unless authorized to do so by the Office of Price Administration.

SEC. 2.3 *Acquisition, use, transfer or possession of altered, defaced or mutilated ration document.* No person shall acquire, use, permit the use of, transfer, possess or control any ration document which has been altered, defaced or mutilated in violation of any ration order.

SEC. 2.4 *Counterfeiting or forging ration document.* No person shall counterfeit or forge a ration document.

SEC. 2.5 *Acquisition, use, transfer or possession of counterfeited or forged ration document.* No person shall acquire, use, permit the use of, transfer, possess or control any counterfeited or forged ration document.

SEC. 2.6 *Acquisition, use, transfer or possession of ration document.* No person shall acquire, use, permit the use of, transfer, possess or control a ration document except the person or the agent of the person to whom such ration document was issued or by whom it was acquired in accordance with a ration order or except as otherwise provided by a ration order.

SEC. 2.7 *Wrongful withholding of ration document.* No person shall upon demand of the person entitled to the pos-

session of a ration document withhold it from him.

SEC. 2.8 *Wrongful acquisition, possession, use or transfer of rationed commodity.* No person shall acquire, possess, use, permit the use of, sell or otherwise transfer a rationed commodity except in accordance with the provisions of a ration order. No person shall possess, use, permit the use of, sell or otherwise transfer any rationed commodity acquired in violation of a ration order.

SEC. 2.9 *Transfer in exchange for invalid or improperly acquired ration document.* No person shall transfer or receive any rationed commodity in exchange for a ration document if he knows or has reason to believe that the ration document was not validly issued or that it was not acquired in accordance with a ration order by the person tendering it.

SEC. 2.10 *Transfer at illegal price.* No person shall sell or otherwise transfer, and no person shall, in the course of trade or business, buy or receive, any rationed commodity at a price in excess of the applicable maximum price established for that commodity by the Office of Price Administration.

SEC. 2.11 *Hindering or interfering with rationing officials.* No person shall, by force, violence, intimidation or in any other way, hinder or interfere with any person administering or enforcing or assisting in administering or enforcing a ration order.

SEC. 2.12 *Bribing rationing officials.* (a) No person shall give or offer any money, property, or thing of value or any promise therefor, or any other bribe, to any person administering or enforcing, or assisting in administering or enforcing any ration order, with intent to influence, or because of, his official decision or action.

(b) No person administering or enforcing, or assisting in administering or enforcing, any ration order shall accept or solicit any money, property, or thing of value, or any promise therefor, or any other bribe, given or offered with intent to influence, or because of, his official decision or action.

SEC. 2.13 *Persons included under sections 2.11 and 2.12.* As used in sections 2.11 and 2.12 of this order, the following shall be deemed to be included, but without limitation, as persons administering or enforcing a ration order:

(a) Officers, agents and employees of banks participating in ration banking;

(b) Persons authorized by the Office of Price Administration to inspect and certify as to the condition of a rationed commodity;

(c) Officers, agents or employees of state, local or federal government agencies cooperating with or assisting the Office of Price Administration in administering or enforcing a ration order.

SEC. 2.14 *Exemption of public officials.* The provisions of sections 2.2, 2.3, 2.5, 2.6, 2.7 and 2.8 of this order shall not be applicable to public officials acting in the performance of their official duties.

SEC. 2.15 *Offer or attempt to violate a ration order.* No person shall, or shall permit or cause another person to, offer, solicit, attempt or agree to do or omit to do, either directly or indirectly, any act in violation of any ration order.

SEC. 2.16 *Effect of a ration order on other orders.* No ration order shall be construed to permit any act or omission which would violate any other ration order.

ARTICLE III—PENALTIES

SEC. 3.1 *Criminal prosecution.* Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any ration order, shall be fined not more than $10,000 or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by law.

ARTICLE IV—SUSPENSION ORDERS

SEC. 4.1 *Suspension orders.* Any person who violates a ration order may, by administrative suspension order, be prohibited from receiving any transfer or delivery of, or from selling, using or otherwise disposing of, any rationed commodity. Proceedings for suspension orders shall be in accordance with the provisions of Procedural Regulation No. 4[1] of the Office of Price Administration.

ARTICLE V—SAVING CLAUSE

SEC. 5.1 *Saving clause.* The amendment, revocation or repeal of a ration order, or any part thereof, shall not have the effect to release or extinguish any penalty or liability incurred under such ration order, unless the amending, revoking or repealing order shall so expressly provide, and the ration order or part thereof which was amended, revoked or repealed shall be treated as still remaining in force for the purpose of allowing or sustaining any proper action or prosecution with respect to such penalty or liability.

Effective Date

This General Ration Order No. 8 shall become effective on April 15, 1943.

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4614; Filed, March 25, 1943; 5:08 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[Correction to Amendment 10 Under RPS 53[2]]

FATS AND OILS

Section 1351.151 (b) (8) (iii) (b) is corrected by inserting, after the words "14.30 cents per pound," and before the word "delivered", the words "in tierces", to read as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(b) * * *

(8) * * *

(iii) * * *

(b) Base or standard commercial refined lard, 14.30 cents per pound, in tierces, delivered within corporate limits of basing points.

This correction shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-4616; Filed, March 25, 1943; 5:09 p. m.]

PART 1379—SMALL ARMS AND PARTS

[MPR 254,[3] Amendment 2]

NEW SMALL FIREARMS AND FIREARM PARTS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1379.13 (a) (1) is amended to read as follows:

§ 1379.13 *Definitions.* (a) When used in this Maximum Price Regulation No. 254, the term:

(1) "Firearm" means any new weapon of the type generally classed as small arms, including, for example, pistols, shotguns, and rifles, but not including tear gas guns.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-4606; Filed, March 25, 1943; 5:10 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 351]

FERROUS FORGINGS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for ferrous forgings when sold by the manufacturer performing the forging operation which differ in some respects from the maximum prices established by Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services.

The Price Administrator has ascertained and given due consideration to the prices of ferrous forgings prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this maximum price regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, this regulation is hereby issued.

Sec.
1390.201 Coverage.
1390.202 Prohibition against sales at higher than maximum prices.
1390.203 Less than maximum prices.
1390.204 Maximum prices; forgings with list prices.
1390.205 Maximum prices; forgings without list prices.
1390.206 Maximum prices; forgings without list prices and not comparable to forgings agreed to be sold between January 1 and October 1, 1941.
1390.207 Pricing formula.
1390.208 New or converted plants.
1390.209 Extra charges for emergency production.
1390.210 Federal and state taxes.
1390.211 Export sales.
1390.212 Evasion.
1390.213 Developmental contracts or subcontracts.
1390.214 Secret contract.
1390.215 Privileges accorded to certain foreign governments.
1390.216 Transfer of business or stock in trade.
1390.217 Enforcement.
1390.218 Petitions for amendment.
1390.219 Records and additional or substituted reports.
1390.220 Definitions.

AUTHORITY: §§ 1390.201 to 1390.220, inclusive issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871

§ 1390.201 *Coverage*—(a) *"Ferrous forgings".* This regulation establishes maximum prices for "ferrous forgings" when sold by the manufacturer performing the forging operation. The term "ferrous forgings" means all products of iron and or steel commonly known as "forgings" formed by the use of power-actuated hammers, pressers, or forging machines, and includes "forgings" upon which supplementary operations, such as trimming, coining, testing, inspecting, heat-treating, welding, machining, plating, or other surface coating, have been performed. The following are not included: Products commonly known as "stampings", chains, hand tools, expendable (perishable) tools, marine hardware, "iron and steel products" as defined in Revised Price Schedule No. 6—Iron and Steel Products—or automotive parts of the type covered by Maximum Price Regulation No. 136, as amended,

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1744.

[2] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.

*Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 8895; 8 F.R. 164.

Machines and Parts, and Machinery Services.

(b) *Die charges.* When in connection with the sale of "ferrous forgings" a charge is made for dies or special tools used in producing the forgings, this charge shall be deemed to be part of the price for the forgings, and shall be subject to this regulation. When such dies and special tools are sold separately, however, they are covered by Maximum Price Regulation No. 136, as amended—machines and parts, and machinery services.

(c) *Exclusions.* This regulation does not apply to the following:

(1) Any sale or delivery of a forging by the manufacturer of a machine or other mechanical device, including items specially designed for military purposes, as a component or repair part or attachment for the machine or device. In such case, the regulation, if any, covering such component or repair part or attachment establishes the applicable maximum price.

(2) Any sale or delivery of a forging pursuant to a "developmental" contract or subcontract as provided in § 1390.213.

(3) Any sale or delivery of a forging pursuant to a "secret" contract or subcontract as provided in § 1390.214.

§ 1390.202 *Prohibition against sales at higher than maximum prices.* (a) On and after March 31, 1943, regardless of any contract, lease, or other obligation,

(1) No manufacturer shall sell or deliver any ferrous forging at a price higher than the maximum price established by this regulation;

(2) No person shall buy or receive from the manufacturer in the course of trade or business any ferrous forging at a price higher than such maximum price;

(3) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in subparagraphs (1) and (2);

(4) Notwithstanding the provisions of subparagraph (2), if upon the purchase of any ferrous forging the purchaser shall receive from the manufacturer a written affirmation that to the best of his knowledge, information and belief the price charged does not exceed the maximum price established by this regulation, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section.

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, as amended.

§ 1390.203 *Less than maximum prices.* Lower prices than those set forth in this regulation may be charged, demanded, paid or offered.

§ 1390.204 *Maximum prices; forgings with list prices*—(a) *Definition.* For the purposes of this section, a "list price" is a price which may be derived from a price list or price sheet issued to the trade, or a price which may be quoted, under a system of quoting prices without further cost estimates, by the manufacturer or any of his agents from information which he has available describing types of forgings and the method of calculation of prices.

(b) *Maximum prices.* For any ferrous forging for which the manufacturer had a list price in effect on October 1, 1941, the maximum price to any purchaser shall be such list price adjusted for all extra charges, discounts, or allowances in use by the manufacturer on October 1, 1941 for a purchaser of the same class.

§ 1390.205 *Maximum prices; forgings without list prices*—(a) *General rule.* For any ferrous forging for which the manufacturer had no list price in effect on October 1, 1941, but which he agreed to sell between January 1 and October 1, 1941, the maximum price shall be the net price at which the manufacturer last agreed to sell the forging during that period. Certain modifications of this rule are set forth in the following paragraphs.

(b) *Purchasers of different classes.* If the net price at which the manufacturer last sold or agreed to sell the forging between January 1 and October 1, 1941 was applicable to purchasers of a particular class only, maximum prices to purchasers of other classes shall be determined by the use of the differentals in the price between different classes of purchasers which the manufacturer had in effect on October 1, 1941.

(c) *Quantity differentials.* If such last price was applicable only to an order of particular quantity, the maximum price applicable to an order of a smaller quantity may be adjusted, and for a larger quantity shall be adjusted, to reflect the difference in unit cost of producing the smaller or larger quantity: *Provided,* That the manufacturer customarily applied equivalent quantity differentials of the same nature, that is based on differences in unit cost, on October 1, 1941. The difference in unit cost of producing the smaller or larger quantity shall be calculated on the basis of the price determining method and cost-estimating methods which the manufacturer used on October 1, 1941, in accordance with the applicable provisions of § 1390.207.

(d) *Comparable forgings.* For any ferrous forging for which the manufacturer had no list price in effect on October 1, 1941, and which he did not agree to sell between January 1 and October 1, 1941, but which is closely comparable to a forging the manufacturer agreed to sell during that period, the maximum price shall be the last price at which the manufacturer agreed to sell the most comparable forging during that period, plus or minus the difference in total unit cost resulting from the change in specifications: However, this pricing method may be used only if it was the practice of the manufacturer on July 22, 1942, to calculate prices of forgings on the basis of prices previously charged for comparable forgings. For the purposes of this paragraph, total unit costs shall be calculated on the basis of the price-determining method and cost estimating methods which the manufacturer used

on October 1, 1941, in accordance with the applicable provisions of § 1390.207. Changes in materials used, in tolerances, and in tests required may all be regarded as specification changes.

§ 1390.206 *Maximum prices; forgings without list prices and not comparable to forgings agreed to be sold between January 1 and October 1, 1941.* (a) For any ferrous forging which cannot be priced under § 1390.204 or § 1390.205, the maximum price shall be calculated on the basis of the price-determining method and cost-estimating methods which the manufacturer used on October 1, 1941, determined in accordance with the applicable provisions of § 1390.207.

(b) After the manufacturer has acquired actual experience in the production of such a forging he shall, before accepting further repeat orders for such forgings, recompute the maximum price in accordance with this section and § 1390.207, making use of his production experience. The completion of one order for such a forging shall be deemed to provide actual production experience unless the manufacturer shall request and receive approval in writing from the Office of Price Administration for a further period for recomputation on the ground that his production experience on the initial order was inadequate to determine a maximum price. Recomputation as provided in this paragraph (b), shall not be required, however, for any ferrous forging delivered after the effective date of this regulation under a contract entered into prior to July 22, 1942, and priced in accordance with an informal agreement with the Price Administrator or informal request issued by him.

(c) If the recomputation required in paragraph (b) above results in a lower maximum price, this lower price shall then become the new maximum price for all subsequent orders, and no report shall be required. If the recomputation results in a higher maximum price, however, and if the manufacturer elects to charge this higher price, on any subsequent order, the manufacturer shall file a report with the Machinery Branch, Office of Price Administration, Washington, D. C., within ten days after quoting or entering into a contract at such price, containing the following information: (1) a description of the forging; (2) the price on the last sale prior to the price increase, the date of such sale and the name and description of the purchaser; (3) the new price and the date of quoting or entering into a contract for the new price; (4) and an explanation of the reason for the increase, including a comparison of the original cost estimate with the production experience on which the new price is based.

§ 1390.207 *Pricing formula.* (a) In calculating maximum prices of ferrous forgings to any purchaser in accordance with § 1390.206 and wherever cost calculations are required in § 1390.205, the manufacturer shall use the following:

(1) The price-determining method and cost-estimating methods which the manufacturer used on October 1, 1941. If the manufacturer had no price-determining method for ferrous forgings in use on that date, a method shall be filed with the Office of Price Administration in accordance with § 1390.208.

(2) To the extent that the price-determining method included or was based on them, the manufacturer shall use labor rates, materials prices, machine hour rates and overhead rates in use on October 1, 1941. In estimating clock hours of labor and quantities of materials required for any order, the manufacturer shall use all previous production experience. The amount of overtime (estimated and/or averaged, if necessary) required to be used in excess of that provided for in the overhead or machine hour rate in use on October 1, 1941 may be added to the cost of labor, but in no event shall any markup, overhead or profit be applied to that part of the labor cost which is in excess of the straight-time cost:

(3) To the extent that the price-determining method includes or is based on prices paid for subcontracted services or for dies or special tools purchased, the manufacturer shall use actual prices paid or to be paid, if the manufacturer has no reason to believe that the prices charged or estimated by his supplier exceed applicable maximum prices:

(4) To the extent that the price-determining method includes or is based on freight rates paid, the manufacturer shall use freight rates in effect on March 31, 1942, for the mode of transportation actually used and from the actual point of origin or to the actual destination:

(5) All applicable extra charges, discounts, or other allowances in use by the manufacturer on October 1, 1941, for a purchaser of the same class.

§ 1390.208 *New or converted plants.* If because he is operating in a new or converted plant or for any other reason a manufacturer had no price-determining method for ferrous forgings in use on October 1, 1941:

(a) *Price-determining method.* The manufacturer shall establish a price determining method and rates for use therein (labor rates, machine hour rates, overhead rates and profit rates, etc.) for the determination of maximum prices for ferrous forgings conforming as far as possible to the provisions of § 1390.207. The overhead rate so established shall be a reasonable rate in the light of the operations to be performed. In the case of a newly constructed plant for the manufacture of forgings, however, a manufacturer may use as a base date for all purposes the date upon which price quotations were first made or upon which production was started in the plant, whichever is earlier.

(b) *Reports.* The manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing (1) the proposed price-determining method and rates calculated in accordance with paragraph (a), (2) a sample, satisfactory to the Office of Price Administration, of prices for forgings determined in accordance with the proposed pricing method, (3) an explanation of the circumstances necessitating pricing under this section, and (4) any other data which the Office of Price Administration may in writing require.

(c) *Maximum prices.* (1) Prices determined in accordance with the proposed method reported under paragraph (b) may be quoted or charged for thirty days prior to filing such report and may be quoted or charged thereafter until the Office of Price Administration disapproves such price in writing or requires a new filing under paragraph (b). If the Office of Price Administration approves the proposed pricing method and the prices which result from its use, or fails to disapprove them within thirty days after receiving such report, the maximum prices for such ferrous forgings shall be determined in accordance with the proposed pricing method until a new pricing method is proposed and reported either upon the initiative of the manufacturer or as required by the Office of Price Administration. The prices previously filed shall not be regarded as fixed maximum prices, but may be modified pursuant to the proposed pricing method.

(2) The Office of Price Administration may disapprove the proposed pricing method and the prices resulting from its use in writing within the thirty-day period and upon such disapproval the manufacturer shall file a revised pricing method in accordance with the suggestions and directions contained in such disapproval and the provisions of this section shall apply in all respects to such revised method. In disapproving any proposed method of price determination within the thirty-day period, the Office of Price Administration may require that refunds be made as to all deliveries made at prices determined pursuant to such method. Such disapproval and requirements of refunds shall, upon request of the manufacturer, be embodied in an order.

(d) Not later than six months after last filing a price-determining method which was not disapproved by the Office of Price Administration, the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing (1) a comparison of his actual direct and indirect costs for the period under review with the estimates on which the pricing method being used was based and (2) so far as available, for each of the representative items for which prices were previously filed, the current price being charged and a comparison of the actual direct and indirect costs with the estimate on which the price previously filed was based.

(e) Any manufacturer may at any time file and the Office of Price Administration may at any time require the filing of a new or revised pricing method in accordance with the provisions of this section, together with a sample, satisfactory to the Office of Price Administration, of prices determined in accordance with such method.

§ 1390.209 *Extra charges for emergency production.* Notwithstanding any other provision of this regulation, any manufacturer may add to the maximum price herein provided the amount of the extra out-of-pocket expense incurred where, at the request of the customer, more than the amount of overtime estimated to be required is worked and/or materials are purchased from a source more expensive than the current usual source. However, such extra charges must be billed separately on the invoice and a copy of the invoice must be immediately forwarded to "Ferrous Forgings, Office of Price Administration, Washington, D. C."

§ 1390.210 *Federal and State taxes.* Any tax levied by any statute of the United States or statute or ordinance of any State or subdivision thereof upon the sale or delivery of any ferrous forging may be added to the maximum price if such tax is stated separately on the invoice. That tax may not be added if that tax was in effect before October 1, 1941 and was not taken into account in calculating prices on October 1, 1941. A tax on the transportation of all ferrous forgings imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

§ 1390.211 *Export sales.* The maximum price at which a person may export any ferrous forging shall be determined in accordance with the method provided in Revised Maximum Export Regulation [1] issued by the Office of Price Administration.

§ 1390.212 *Erasion.* (a) It shall be a violation of this regulation to effect a price increase above the applicable maximum price in connection with any sale or delivery of any ferrous forging, by changing discounts or customary price differentials among classes of purchasers; by making minor changes in ferrous forgings having published or confidential list prices; by requiring a customer to furnish material for processing not in accordance with previous practice; by entering into a joint venture with any other person subject hereto for cross-selling, cross-purchasing; by reducing the period of any guaranty or warranty of performance; by undervaluing commodities received in trade; or by any other change in terms or conditions of sale or contract.

(b) The Office of Price Administration may, upon request, grant written permission to any person subject to this regulation to change credit terms or guaranties in effect on October 1, 1941, where such change is necessitated by orders issued by the War Production Board, the Board of Governors of the Federal Reserve System or any other agency of the United States or becomes desirable as a matter of public policy.

§ 1390.213 *Developmental contracts or subcontracts.* (a) This regulation shall not apply to any sale or delivery of a ferrous forging pursuant to a contract or subcontract certified in writing to the Office of Price Administration by the United States or any agency thereof as being developmental: *Provided*, That a report is filed pursuant to paragraph (b). For the purposes of this section, a contract is deemed to be "developmental" during the period required for the selection of a product by the purchaser or for the accumulation of sufficient production experience by the manufacturer to permit a fair estimate of the manufacturing costs, or both. When the Office of Price Administration shall have determined after consultation with the appropriate government agency that the period necessary for development has expired, and has in writing so notified such agency and the manufacturer, this regulation shall apply to all subsequent sales and deliveries of such ferrous forging thereafter.

(b) Within ten days after entering into any such developmental contract or subcontract the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing a description of the product or products to be manufactured, a summary of the terms of the contract or subcontract including all pricing provisions, a short statement of the production plan of which this contract is a part, and an estimate of the expected duration of such developmental work.

§ 1390.214 *Secret contracts.* This regulation shall not apply to any sale or delivery of a ferrous forging pursuant to a contract or subcontract which is deemed to be a "secret" contract and is so certified to the Office of Price Administration by the United States or any agency thereof. Such certification shall set forth the date of the "secret" contract and its number or other designation. After the Office of Price Administration shall have received notice from the United States or the certifying agency that such contract is no longer deemed to be "secret" this regulation shall apply to all subsequent sales and deliveries of such ferrous forging completed thereafter.

§ 1390.215 *Privileges accorded to certain foreign governments.* The privileges accorded to the United States or any agency thereof by § 1390.213 (developmental contracts and subcontracts) and § 1390.214 (secret contracts) shall apply to the government of any country whose defense the President deems vital to the defense of the United States, under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" or to any agency of any such government.

§ 1390.216 *Transfer of business or stock in trade.* If the business assets or stock in trade of any business are sold or otherwise transferred after October 1, 1941, and the transferee carries on the business, or continues to deal in the same type of ferrous forging, in the same competitive area and in an establishment separate from any establishment which he may previously have owned or operated, the transferee shall be subject to the same maximum prices as those to which his transferor would have been subject under this regulation, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor in such cases shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

1390.217 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages or suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1390.218 *Petitions for amendment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or with any government referred to in § 1390.215 or any agency thereof, or a subcontract under such contract, who believes that the maximum price established by this regulation impedes or threatens to impede production of a ferrous forging, which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of such maximum price in accordance with Procedural Regulation No. 6 [2] issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application. If, however, the order issued denies the application in whole or in part, the contract price shall be revised downward to the maximum price previously in effect or to the maximum price ordered, and if any payment has been made at the requested prices, the applicant may be required to refund the excess.

(b) *Amendments.* Any person seeking an amendment of any provision of this regulation, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1390.219 *Records and additional or substituted reports*—(a) *Records.* Every manufacturer subject to this regula-

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[2] 7 F.R. 5087, 5664.

tion shall keep available for inspection by representatives of the Office of Price Administration, so long as the Emergency Price Control Act of 1942 remains in effect, records of the following: (1) each sale or delivery of a ferrous forging showing the name of the purchaser, the date of the sales, and identification of the forging providing a reference to a price list or to production records and the net price; (2) price-determining methods, labor rates, material prices, and overhead rates in effect on October 1, 1941, and (3) detailed cost-estimate sheets and other data showing the calculations of prices and transactions covered by this regulation for which there was no list price in effect on October 1, 1941.

(b) *Additional or substituted records.* Every manufacturer subject to this regulation shall keep such other records and submit such other reports as the Office of Price Administration may from time to time require in writing, either in addition to or in substitution for records and reports herein required.[4]

§ 1390.220 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means any person engaged in performing the completed forging operations.

(3) "Price" means any consideration in connection with a sale, exchange or other transfer of a ferrous forging and includes prices, rates and charges.

(4) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the procurement Division of the Treasury Department or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

This regulation shall become effective March 31, 1943.

Issued this 25th day of March 1943.[4]

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4605; Filed, March 25, 1943; 5:09 p. m.]

[3] Such requests shall be subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

[4] All reporting and record-keeping requirements of this Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

PART 1499—COMMODITIES AND SERVICES

[SR 14,[1] Amendment 142]

TEAR GAS EQUIPMENT

Amendment No. 142 to Supplementary Regulation No. 14—Modifications of Maximum Prices for Certain Commodities, Services and Transactions.

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (86) is added to § 1499.73 (a), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(86) *Tear gas equipment.* The maximum price for any item of tear gas equipment, including guns, shells, candles, and grenades, is the seller's maximum price as determined under § 1499.2 of the General Maximum Price Regulation or the price specified in the seller's price list in effect on April 15, 1942, whichever is higher.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4607; Filed, March 25, 1943; 5:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[2] Amendment 8]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The item "Ammunition for small arms" in § 1499.166 (b) (21) is amended to read "Ammunition for small arms, but not including tear gas equipment."

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4599; Filed, March 25, 1943; 5:11 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6389, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6775, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7610, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9053, 9196, 9397, 9391, 9495, 9496, 10181, 9639, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10354, 10356, 10381, 10480, 10583, 10537, 10705, 10583, 11005; 8 F.R. 276, 439, 535.

[2] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105.

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 227 Under § 1499.3 (b) of GMPR]

WYANDOTTE CHEMICALS CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1463 *Approval of maximum prices for sales of specialized cleaning compounds and comparable products manufactured by the J. B. Ford Division of the Wyandotte Chemicals Corporation.* (a) The maximum price for sales by the J. B. Ford Division of the Wyandotte Chemicals Corporation, Wyandotte, Michigan, of a specialized cleaning compound or other comparable product manufactured by the J. B. Ford Division for which a maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, shall be determined as follows:

The J. B. Ford Division shall determine the cost of the product being priced by the same method and using the same unit cost figures (i. e. the same charges for materials, labor, factory overhead, depreciation, shipping and general office expenses) which the J. B. Ford Company would have used on March 31, 1942. Using the cost so determined as its "replacement cost", the J. B. Ford Division shall then determine the maximum price for the product being priced in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation.

(b) Reports of prices determined under this order shall be made as required by § 1499.3 (a), except that such reports shall be sent to the Office of Price Administration in Washington, D. C. Prices so reported shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Revised Order No. 227 may be revoked or amended by the Price Administrator at any time.

(d) This Revised Order No. 227 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4610; Filed, March 25, 1943; 5:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 256 Under § 1499.3 (b) of GMPR]

CAP SALES CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, Order No. 256, under § 1499.3 (b) of the General Maximum Price Regulation (§ 1499.1492) is amended to read as follows:

§ 1499.1492 *Authorization of a maximum price for sales of quick frozen corned beef hash by the Cap Sales Corporation.* (a) On and after February 2, 1943, the maximum selling price for quick frozen corned beef hash consisting of corned beef derived from canned corned beef, and of potatoes in a mixture containing 35% corned beef and 65% potatoes suitably seasoned, prepared by the Cap Sales Corporation, New York City, New York, shall be 28 cents per pound, on sales to wholesalers, and 35 cents per pound on sales to retailers.

(b) The Cap Sales Corporation shall furnish to all wholesalers who purchase quick frozen corned beef hash from it for resale before or at the time of the initial sale of such product, a written notice to read as follows:

The Office of Price Administration has authorized us by order to sell our quick frozen corned beef hash at the maximum price of 28 cents per pound. As a wholesaler, you are authorized to sell this product at 35 cents per pound to retailers. You are required to supply all retailers with the following notice:

The Office of Price Administration authorizes retailers to determine their maximum selling price per pound for quick frozen corned beef hash in accordance with section 3 (a) of the General Maximum Price Regulation. You are required to keep this notice for examination.

You are required to keep this notice for examination.

(c) The Cap Sales Corporation shall furnish to all retailers who purchase quick frozen corned beef hash from it before or at the time of the initial sale of such product the same written notice as wholesalers are required to furnish as set out in the preceding paragraph.

(d) On or before April 15, 1943, the Cap Sales Corporation shall furnish the Office of Price Administration in Washington, D. C. with a statement reporting in detail its costs of producing and selling quick frozen canned beef hash for each month for the period from January 30, 1943, to March 30, 1943, inclusive.

(e) Every seller selling quick frozen corned beef hash to retailers shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect a complete and accurate record of each sale or delivery showing the date of sale, the name and address of the buyer, the quantities sold and the prices charged therefor.

(f) The maximum selling prices set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(g) This Revised Order No. 256 may be revoked or amended by the Office of Price Administration at any time.

(h) This Revised Order No. 256 (§ 1499.1492) shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

NOTE.—All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4609; Filed, March 25, 1943; 5:10 p. m.]

PART 1399—CONSTRUCTION, OIL FIELD, MINING AND RELATED MACHINERY

[MPR 134,[1] Amendment 7]

CONSTRUCTION AND ROAD MAINTENANCE EQUIPMENT RENTAL PRICES AND OPERATING OR MAINTENANCE SERVICE CHARGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1399.11 (b) is amended by adding thereto a new subparagraph (4) as follows:

(4) *Construction equipment used in Alaska.* Except as provided in § 1399.11 (b) (3), and notwithstanding any contrary provision of this Maximum Price Regulation No. 134, or of Maximum Price Regulation No. 194, the maximum monthly rental rate for any construction or road maintenance machinery used in the Territory of Alaska shall be the applicable monthly rate set forth in § 1399.15, Appendix A of Maximum Price Regulation No. 134, plus 25% of such rate.

This amendment shall become effective as of March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4600; Filed, March 25, 1943; 5:11 p. m.]

PART 1425—LUMBER DISTRIBUTION

[MPR 215,[2] as Amended March 25, 1943]

DISTRIBUTION YARD SALES OF SOFTWOOD

The first paragraph of § 1425.14 (c) (2), and §§ 1425.16 (b) (1) and (2) are amended by Amendment 4 so that Maximum Price Regulation No. 215 shall read as follows:

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for distribution yard sales of softwood lumber which differ in some respects from the maximum prices established by the General Maximum Price Regulation.[3] The Price Administrator has ascertained and given due consideration to the prices at which such sales were made between October 1–15, 1941. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations[3] involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,* issued by the Office of Price Administration, Maximum Price Regulation No. 215 is hereby issued.

Sec.

1425.1 Definition of distribution yard sale.
1425.2 Maximum prices for distribution yard sales of softwood lumber.
1425.3 Less than maximum prices.
1425.4 Applicability of General Maximum Price Regulation.
1425.5 Conditional agreements.
1425.6 Evasion.
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1425.9 Enforcement.
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1425.10 Petitions for amendment or adjustment.
1425.11 Export sales.
1425.12 Definitions.
1425.13 Effective date.
1425.13a Effective dates of amendments.
1425.14 Appendix A: Maximum prices of distribution yard sales of softwood lumber.
1425.15 Appendix B: Optional coverage for other sales.
1425.16 Appendix C: Special prices and rules for sales by "CPA contract yards".

AUTHORITY: §§ 1425.1 to 1425.16, inclusive, issued under the authority contained in Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871.

§ 1425.1 *Definition of distribution yard sale.* (a) "Distribution yard sale" for purposes of this Maximum Price Regulation No. 215 means a sale out of distribution yard stock of 5,000 feet or more of softwood lumber to the following persons: (*Exception*: This 5,000 feet limitation shall not apply in the case of sales to other distribution yards mentioned in subparagraph (6) below, and to sales by "CPA contract yards" defined in § 1425.12 (a) (5) below. Such sales

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3203, 3411, 3447, 7001, 8386, 9054, 8948, 9785; 8 F.R. 1975.

[2] 7 F.R. 7094, 7452.

[1] 8 F.R. 3096.

[3] Statements of considerations are also issued simultaneously with the issuance of amendments. Requests for copies should be addressed to the Office of Price Administration.

*Revised: 7 F.R. 8961.

shall be regarded as distribution yard sales regardless of quantity.)

[Paragraph (a) as amended by Amendment 3, 8 F.R. 978]

(1) To the United States or any agency thereof or to contractors and subcontractors who will use such lumber to fulfill a contract with the United States or any agency thereof;

(2) To State Governments, including the District of Columbia, or any of their political subdivisions, or any agency of any of the foregoing, but not to contractors and subcontractors who will use such lumber to fulfill a contract with the foregoing;

(3) To an industrial user for use in the fabrication, packaging, or shipping of its products;

(4) To a railroad, but not to contractors and subcontractors who will use such lumber to fulfill a contract with a railroad;

(5) To a shipbuilder, dock builder, dam builder, or a bridge builder, or to contractors and subcontractors who will use such lumber to fulfill a contract with the foregoing;

(6) To other distribution yards, wholesale or retail.

(b) The term "distribution yard sale" of any particular kind of softwood lumber shall be construed to include any sale of the type described in paragraph (a) of this section which does not "originate at a mill, rather than at a distribution yard", as that phrase, and the terms therein included, are defined in the specific maximum price regulations dealing with direct mill sales of that kind of lumber.

(c) For the purpose of paragraph (a) of this section, the size of the sale shall be determined by the size of the order, and the size of the order shall be determined by the over-all quantity involved in a single transaction. In determining the size of a sale subject to this Maximum Price Regulation No. 215, shingles shall be converted in the ratio of 10,000 shingles to 1,000 feet of lumber, and lath shall be converted in the ratio of 6,000 laths to 1,000 feet of lumber.

§ 1425.2 *Maximum prices for distribution yard sales of softwood lumber.* (a) On and after September 10, 1942, regardless of any contract or other obligation, no person shall make a distribution yard sale of softwood lumber for domestic or export use, and no person shall buy or receive in the course of trade or business softwood lumber out of a distribution yard at prices higher than the maximum prices set forth in Appendix A, § 1425.14, where the sale satisfies all of the tests of a distribution yard sale.

(b) No person shall offer, agree, solicit, or attempt to do any of the foregoing.

(c) The provisions of this Maximum Price Regulation No. 215 shall not be applicable to distribution yard sales or deliveries of softwood lumber to a purchaser if prior to September 10, 1942, such lumber had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1425.3 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1425.14, may be charged, demanded, paid, or offered.

§ 1425.4 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 215 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation, except as provided in § 1425.14 (d).

§ 1425.5 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 215 shall enter into an agreement permitting the adjustment of the price of a distribution yard sale to prices which may be higher than the maximum prices in effect upon the date of the agreement: *Provided*, That if a petition for amendment has been duly filed and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1425.6 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 215 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to a distribution yard sale, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Making charges for delivery which exceed the actual cost to the seller of such delivery except as otherwise provided in Appendix A, § 1425.14;

(2) Falsely or wrongly grading or invoicing lumber;

(3) Grading as a special grade lumber which can be graded as a standard grade;

(4) Selling as specified lengths a shipment of lumber which is substantially equivalent to standard or random lengths;

(5) Breaking up an order which would normally be a single order into a series of smaller orders or combining a number of single orders into one large order in order to evade the maximum price limitations set forth in this Maximum Price Regulation No. 215.

(6) Refusing to sell except on a delivered basis;

(7) Quoting delivered prices on the basis of estimated weights higher than those permitted by Appendix A, § 1425.14.

(c) It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating lumber, or for any related service (such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the lumber in connection with which the service is performed.

[Paragraph (c) added by Supplementary Order 37, 8 F.R. 2192]

§ 1425.8 *Records and reports.* (a) On and after September 10, 1942, every person who, during any calendar month, offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys or receives a total of 34,000 pounds or more of softwood lumber out of a distribution yard subject to this Maximum Price Regulation No. 215, in the course of trade or business, shall keep for inspection by the Office of Price Administration for a period of not less than 2 years a complete and accurate record of every such offer, agreement, purchase, sale, or delivery, showing the date thereof, the name and address of the buyer and the seller, the price paid and received, and the quantity, size, grade, specifications, and condition of seasoning of such lumber in each such sale or purchase.

(b) Every person making sales subject to this Maximum Price Regulation No. 215, who buys or receives a total of 100,000 feet or more of softwood lumber during the 60 day period following the effective date of this regulation shall, on or before December 1, 1942, file with the Lumber Branch of the Office of Price Administration a statement under oath of the following facts for all receipts of each species of softwood lumber purchased:

(1) Date of purchase;

(2) Kind purchased (grade, size, whether rough or dressed and how dressed, whether green or dry and how dried);

(3) Quantity of each purchase;

(4) From whom purchased;

(5) Shipping point;

(6) Destination;

(7) Transportation charges paid (give applicable weight and rate and state whether such charges were prepaid or collect);

(8) Prices paid (whether f. o. b. mill or delivered); and

(9) Discounts received (cash and trade discounts and amounts thereof).

(c) Such persons shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

[Paragraph (b) as amended by Amendment 2, 7 F.R. 8942]

[NOTE: Supplementary Order No. 23 (7 F.R. 8478) provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation issued prior to that date need be notarized.]

§ 1425.9 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 215 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and procedure for revocation of license provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 215 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) No War Procurement Agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 215 or the Emergency Price Control Act of 1942.

§ 1425.9a *Licensing.* The provisions of Supplementary Order No. 18[1] (§ 1305.22) licensing all persons, except mills, manufacturers or producers, selling lumber, lumber products or building materials, are applicable to every person selling softwood lumber for which maximum prices are established by this Maximum Price Regulation No. 215.

[§ 1425.9a added by Amendment 1, 7 F.R. 8942]

§ 1425.10 *Petitions for amendment or adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of softwood lumber which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum price established by this Maximum Price Regulation No. 215 in accordance with Procedural Regulation No. 6,[2] issued by the Office of Price Administration.

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 215 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

[Paragraph (b) as amended by Amendment 2, 7 F.R. 8942]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1425.11 *Export sales.* The maximum price at which a person may export softwood lumber sold out of a distribution yard subject to this Maximum Price Regulation No. 215, shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[3] issued by the Office of Price Administration.

§ 1425.12 *Definitions.* (a) This Maximum Price Regulation No. 215 and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any other Government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Softwood lumber" means any lumber or shingles subject to Maximum Price Regulations 19, 26, 94, 164, 219, 222, 253, and 290, or any revisions of these regulations that may be issued.

[Paragraph (2) as amended by Amendment 3, 8 F.R. 978]

(3) "Applicable basing points" means the points of origin to be used, based on rates set forth in the tariffs of railroad carriers, in determining incoming transportation charges.

(4) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing.

(5) "CPA contract yards" are distribution yards operating under "letter of intent" or other form of agreement with the Corps of Engineers, War Department, or any agency thereof (such as the so-called Central Procuring Agency) whereby the yard maintains a stockpile of lumber at the instruction of such Corps or agency for distribution and sale pursuant to its direction or consent.

Prices and rules for sales by these yards differ in some respects from those for sales by other yards. They are fully set out in § 1425.16, Appendix C, on "Special prices and rules for sales by 'CPA contract yards' ".

[Paragraph (5) added by Amendment 3, 8 F.R. 978]

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1425.13 *Effective date.* Maximum Price Regulation No. 215 (§§ 1425.1 to 1425.14, inclusive) shall become effective September 10, 1942.

[Issued September 5, 1942]

§ 1425.13a *Effective dates of amendments.*

Amendment Nos. and issue dates:	*Effective*
Correction, 9-18-42	9-10-42
Amendment 1, 10-15-42	10-21-42
Amendment 2, 11-2-42	11-4-42
Amendment 3, 1-19-43	1-25-43
Correction to Amendment 3, 2-11-43	1-25-43
Amendment 4, 3-25-43	3-31-43

§ 1425.14 *Appendix A: Maximum prices for distribution yard sales of softwood lumber.* (a) The maximum price at which a distribution yard sale subject to this Maximum Price Regulation No. 215 of each species, grade, and size of softwood lumber may be made shall be a price not higher than the sum of the following where the shipment originates at such yard:

(1) F. o. b. mill maximum price of such lumber as established by any applicable price regulation of the Office of Price Administration except the General Maximum Price Regulation.

(2) Inbound transportation charges to the distribution yard to be calculated on the basis set forth in paragraph (i) of this § 1425.14.

(3) (i) $5.00 per thousand feet for lumber.

(ii) $0.30 per square for shingles.

(iii) $0.60 per thousand pieces for lath.

(4) 10 percent of the total of the applicable items set forth in (1), (2), and (3) above, except that in the case of sales to other distribution yards not more than 5 percent can be used, and in the case of sales by "CPA contract yards" the mark-ups provided in § 1425.16, Appendix C, shall apply.

The maximum prices set forth above shall include loading by and at the expense of the seller on railroad car, truck, or other means of transportation, but do not include transportation to the buyer.

[Paragraph (4) as amended by Amendment 3, 8 F.R. 978]

(b) If a distribution yard sale subject to this Maximum Price Regulation No. 215 is made on a delivered basis at the request of the buyer, a delivered price in excess of the maximum price at the distribution yard as set forth in paragraph (a) hereof may be charged consisting of such maximum prices plus actual transportation costs to the extent that such costs are paid by the seller, if a carrier other than the seller's own transportation facilities are used, or actual cost of delivery if the seller's own transportation facilities are used: *Provided*, That all transportation charges to the purchaser for such delivery are separately set forth on the invoice, bill of sale, or other billing. In computing such actual transportation costs, the parties may adopt the practice of charging a sum equivalent to the one-

[1] 7 F.R. 7240, 11007.
[2] 7 F.R. 5087, 5664.
[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.

quarter of a dollar per thousand feet nearest such actual transportation costs. In addition, the parties may adopt estimated average weights where provided for by any applicable price regulation.

(c) An addition to the maximum prices established by paragraphs (a) and (b) of this § 1425.14 may be charged for workings as follows, when the working is performed by the distribution yard itself:

	4/4, 5/4, 6/4	2"	3" and 4"	5 x 5 to 8 x 8	6 x 10 and larger
S1S, S2S, S3S, S4S...	$3.00	$2.50	$2.50	$3.00	$4.00
D & M, Shiplap, Grooved, Beveled Sleepers.....	3.50	3.00	3.00	6.00	6.00
Drop Siding & Ceiling.....	3.50	3.00	.....	.....	.....
Outsawed & Special patterns.....	7.50	7.50	7.50	7.50	7.50
Cross-cutting.....	1.00	1.00	1.00	2.00	2.00
Ripping	1.50	1.50	1.50	.....	.....
Resawing.....	2.00	2.00	2.00	2.00	3.00

The above additions are for 1,000 feet BM. The cross-cutting, ripping and resawing charges are per cut per 1,000 feet BM.

The ripping and resawing charges may be added and the price of the original size ripped or resawn may be used in figuring the f. o. b. mill maximum price only where:

(1) A standard size is remanufactured into a non-standard size, or

(2) The final size to which the original size is reduced by ripping or resawing is larger than the size of boards (this covers all items under 2" in nominal thickness) or dimension (this covers all items 2" in nominal thickness in (i) the width of 12" or less and (ii) 24' or less in length).

The total charge for ripping and resawing may not include an addition for more than a total of three rips or resaws or any combination of the two per piece.

For working quantities less than 2,000 feet BM the charges for working 2,000 feet BM may be used.

[Paragraph (c) as amended by Amendment 2, 8 F.R. 978, and Amendment 4]

(d) Additions for workings, specifications, services, or other extras not expressly provided for herein shall be subject to the General Maximum Price Regulation.

(e) The maximum prices herein established shall not be increased by any charges for the extension of credit, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased by the seller on August 1, 1941. The cash and credit periods recognized by the seller on August 1, 1941, shall not be reduced.

(f) No person shall pay, and no person shall charge or receive a commission for purchasing softwood lumber out of a distribution yard, if such a purchase and sale is subject to this Maximum Price Regulation No. 215, if the amount of the commission plus the purchase price is higher than the maximum price permitted by this Maximum Price Regulation No. 215.

(g) The maximum price for sales on combination grades shall be the maximum price established in this § 1425.14 for the lowest grade named in the combination.

(h) A gross price above the maximum price established in this § 1425.14 shall not be quoted, even if accompanied by a discount, the effect of which is to bring the net price below such maximum price.

(i) In adding inbound transportation charges as provided in paragraph (a) (2) of this § 1425.14, each seller shall calculate incoming transportation charges from the basing point shown below to points of delivery in each state on the basis of carload rates applicable to each species of softwood lumber. For example, if a distribution yard located in Chicago, Illinois, buys short leaf yellow pine from a mill in Goldsboro, N. C., it applies the rate from the basing point to be used for the State of Illinois, in this instance, Hattiesburg, Miss., to the point of delivery, in this instance, Chicago. As indicated, this applies regardless of the actual point of origin of the shipment.

(1) Douglas fir and other West Coast lumber—MPR 26:

Portland, Oregon (except that in the State of Washington, use Seattle, Washington).

(2) Idaho white pine—MPR 94:

Spokane, Washington.

(3) Ponderosa pine, sugar pine, and secondary species—MPR 94:

Klamath Falls, Oregon (except: in Texas, use Susanville, California; in Washington, for Ponderosa pine only, use Spokane, Washington).

(4) Red cedar shingles—MPR 164:

Seattle, Washington.

(5) Northeastern softwoods—MPR 219:

Rochester, New Hampshire.

(6) Northern softwoods—MPR 222:

Wausau, Wisconsin (except: for imported Western white spruce lumber, use Baudette, Minnesota, for lumber shipped from mills in Saskatchewan and Manitoba, and Spokane, Washington, for lumber shipped from mills in British Columbia and Alberta).

(7) Redwood—MPR 253:

Western Area: Eureka, California.

Eastern Area: Direct-mill maximum prices are not f. o. b. mill but are delivered on a 57¢ rate. Therefore, for inbound transportation add only the excess of the actual rate from Eureka, California to the seller's yard over the 57¢ rate. If the rate is less than 57¢, deduct the resulting difference in transportation charges from the Eastern area prices in MPR 253.

(8) Shortleaf southern pine—MPR 19:

Montgomery, Ala.: Alabama.

Alexandria, La.: Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming.

Macon, Ga.: Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont.

Goldsboro, N. C.: Delaware, District of Columbia, Maryland, North Carolina, Virginia, West Virginia.

Orlando, Fla.: Florida.

Hattiesburg, Miss.: Illinois, Indiana, Kentucky, Michigan, Mississippi, Wisconsin.

Sumter, S. C.: South Carolina.

(9) Longleaf Southern pine—MPR 19:

Alexandria, La.: Alabama, Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, Wyoming.

Fort Myers, Fla.: Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia.

(10) Sitka spruce—MPR 290:

Portland, Oregon (except that in the State of Washington, use Seattle, Washington)

If the distribution yard is located at the basing point, or within a radius of 10 miles from it, a rate of 10¢ per CWT may be used to figure inbound transportation charges.

[Paragraph (i) as amended by Amendment 3, 8 F.R. 978]

(j) In the use of inbound transportation charges as provided in paragraph (i) of this § 1425.14, the parties may adopt the practice of charging a sum equivalent to the one-quarter of a dollar per thousand feet nearest such transportation charges.

In addition, the parties may adopt estimated average weights where provided for by any applicable price regulation.

§ 1425.15 *Appendix B: Optional coverage for other sales.* In the case of sales of softwood lumber in grades of No. 1 Common and lower, and also in the case of sales of shingles, where the sale is under 5,000 feet BM or to a buyer not in one of the classes listed in § 1425.1 (a), the seller may, at his option, elect to use as his maximum prices for all such sales a price determined under § 1425.14 (Appendix A) of this regulation, rather than under the General Maximum Price Regulation. Before sales may be made under this optional provision the seller must first notify the Lumber Branch of the Office of Price Administration, Washington, D. C., of his intention to make use of the option provided in this section, either with respect to sales of softwood lumber in grades of No. 1 Common and lower, or with respect to sales of shingles, or both. The notice may be sent by mail or telegraph and may be worded as follows:

(Date)

LUMBER BRANCH
Office of Price Administration
Washington, D. C.

GENTLEMEN:

The undersigned elects to price distribution yard sales of softwood lumber in grades of No. 1 Common and lower, (or shingles, or both, as the case may be), under the provisions of Maximum Price Regulation 215 rather than under the General Maximum Price Regulation, in all cases where the undersigned's maximum prices established under the General Maximum Price Regulation would otherwise apply to such sales.

(Signature)

Once an election has been made by filing the notice provided above, the seller must price all sales of softwood lumber in grades of No. 1 Common and lower, or shingles, or both, as the case may be, at ceiling prices computed under this regulation, and may not use his former ceiling prices established under the General Maximum Price Regulation for any such sales.

§ 1425.16 *Appendix C: Special prices and rules for sales by "CPA contract yards"*—(a) *General.* The special prices listed below apply to all sales of lumber covered by this regulation made by "CPA contract yards".

(b) *Special price.* (1) On Southern pine and Douglas fir boards (this covers all items under 2" in nominal thickness) and dimension this covers all items 2" in nominal thickness in (i) the width of 12" or less and (ii) 24' or less in length) in the grades of No. 1 Common and lower, the percentage mark-up (item 4 in § 1425.14, Appendix A (a) (4)), shall be five percent. This rule applies whether or not the boards or dimension are produced by ripping or resawing and applies to boards and dimension with special specifications in the Common grades, such as dense or medium grain or stress grades.

(2) On all other items, the percentage mark-up shall be ten percent, except that on sales to other distribution yards, the percentage mark-up shall be limited to five percent.

(c) *Special rule on ripping and resawing charges in emergencies.* (1) If an emergency arises whereby the Corps of Engineers (or any agency hereof such as the Central Procuring Agency), is unable to obtain needed board and dimensions for a particular job except through ripping and resawing of timber by a "CPA contract yard" such yard will be permitted to compute its maximum prices in accordance with the following special rules:

(i) The f. o. b. mill maximum price may be determined on the basis of the original size ripped or resawn.

(ii) The percentage mark-up provided in § 1425.16 (b) above may be based upon the original size ripped or resawn, i. e. 5 percent on board or dimension in grades of No. 1 Common and lower on Southern pine or Douglas fir, and 10 percent on timber and all other lumber. For example, if 2 x 12 is resawn to 1 x 12, the percentage mark-up may not exceed 5 percent. If 4 x 12 is resawn to 2 x 12, the percentage mark-up may not exceed 10 percent.

(iii) The additions for ripping and resawing provided in the table in § 1425.14 (c) may be added even though the final size is a standard size of board or dimension. These, however, shall be limited to a total charge for not more than three cuts, either rippings or resawings or any combination of the two. *Note:* This addition is made after the percentage mark-up has been added.

(2) A proper showing shall be made by the yard in such case which shall consist of certified proofs establishing that the board and dimension sold was actually derived by remanufacturing heavier lumber at the yard, a listing of the original sizes from which the board and dimension has been derived, and copies of invoices covering the transaction. These proofs must be submitted to the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days after the transaction has been completed.

(d) *Special rule on lumber in transit.* A sale by a "CPA contract yard" may be considered a sale out of distribution yard stock even if the sale was made while the lumber was in transit to the yard. Of course, if the lumber is not actually put through the yard, as, for example, where lumber sold in transit is merely rerouted to the purchaser, or reloaded and delivered, the direct-mill regulation applies.

[§ 1425.15 and 1425.16 added by Amendment 3, 8 F.R. 978]

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4613; Filed, March 25, 1943; 5:08 p. m.]

PART 1429—POULTRY AND EGGS

[Rev. MPR 269,* Amendment 7]

POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1429.20 (c) is added to read as follows:

(c) Third, the following exception is provided to paragraphs (a) and (b) of this section: When any person sells any turkey item to a purchaser who cans boned turkey meat for sale to the United States Government or any agency thereof, he may sell at his maximum base price f. o. b. his shipping point without subtracting his "freight rate" from the place where shipment begins to the place where shipment ends: *Provided,* That:

(1) The turkey items sold must be destined exclusively for processing into canned boned turkey meat, all of which must be sold and delivered to the United States Government or any agency thereof, and

(2) At the time of purchase, the purchaser of such turkey items must file with the seller and with the seller's regional or State OPA office an affidavit certifying that such purchaser has completely exhausted his own stocks of roaster, fowl, and turkey items suitable for processing into canned boned poultry meat.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4611; Filed March 25, 1943; 5:11 p. m.]

*Copies may be obtained from the Office of Price Administration.

*7 F.R. 10708, 10664, 11118; 8 F.R. 567, 856, 878, 2269.

PART 1441—CHEMICAL TRAINING MATERIALS

[MPR 352]

CHESTNUT EXTRACT

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of chestnut extract by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 352 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

§ 1441.1 *Maximum prices for chestnut extract.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 352 (Chestnut Extract), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1441.1 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 352—CHESTNUT EXTRACT

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11 Applicability of the General Maximum Price Regulation.
12 Geographical applicability.
13 Definitions.

SECTION 1 *Prohibition against sales of chestnut extract above maximum prices.* (a) On and after April 1, 1943, regardless of any contract or other obligation:

(1) No person shall sell or deliver chestnut extract at higher prices than the maximum prices set forth in this regulation.

(2) No person shall buy or receive chestnut extract in the course of trade or business at higher prices than the maximum prices set forth in this regulation.

(3) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) Nothing in this regulation or in the General Maximum Price Regulation[1] shall apply to sales or deliveries of chestnut extract by The Rosman Tanning Extract Company of Rosman, North Caroline, to the Toxaway Tanning Company and the Transylvania Tanning Company, both of 26 Ferry Street, New York, N. Y.

SEC. 2 *Maximum prices for chestnut extract*—(a) *Liquid chestnut extract.* (1) The following maximum prices are established for sales of liquid chestnut extract containing 25 per cent of tannin content:

(i) Sales by manufacturers, f. o. b. plant.

	Standard	Special
	Per 100 pounds	*Per 100 pounds*
Sales in tank cars or tank trucks	$2.25	$2.90
Sales in barrels in carloads	2.85	3.10
Sales in barrels in less than carloads	3.10	3.35

(ii) *Exceptions for certain manufacturers.* Notwithstanding the provisions of subdivision (i) above, the following maximum prices, f. o. b. plant, are established for sales by Charles A. Schieren Company, New York, New York:

	Standard
Sales in tank cars or tank trucks	$2.50 per 100 lbs.
Sales in barrels in carloads	3.10 per 100 lbs.
Sales in barrels in less than carloads	3.35 per 100 lbs.

(iii) *Sales by jobbers, f. o. b. jobber's warehouse.*

Standard	$4.10 per 100 lbs.
Special	4.35 per 100 lbs.

(2) The following maximum prices are established for sales of liquid chestnut extract containing more or less than 25 per cent tannin content:

For every 1 per cent of tannin content less than 25 per cent, there shall be deducted from the applicable basic price set forth in (1) above not less than 1/25 of such price. For every 1 per cent of tannin content more than 25 per cent, there may be added not more than 1/25 of such price.

(3) The maximum prices set forth in subparagraphs (1) and (2) above include barrels when sales are made in barrels and no additional charges may be made for such barrels.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4139, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346, 3096.

(b) *Powdered chestnut extract.* (1) The following maximum prices are established for sales of powdered chestnut extract containing 65 per cent of tannin content:

(i) *Sales by manufacturers, f. o. b. plant.*

	Standard	Special
	Per 100 pounds	*Per 100 pounds*
Sales in bags in carloads	$6.50	$7.50
Sales in bags in less than carloads	7.25	8.00

(ii) *Sales by jobbers, f. o. b. jobber's warehouse.*

Standard	$8.00 per 100 lbs.
Special	8.75 per 100 lbs.

(2) The following maximum prices are established for sales of powdered chestnut extract containing more or less than 65 per cent tannin content:

For every 1 per cent of tannin content less than 65 per cent, there shall be deducted from the applicable basic price set forth in (1) above not less than 1/65 of such price. For every 1 per cent of tannin content more than 65 per cent, there may be added not more than 1/65 of such price.

(3) The maximum prices set forth in subparagraphs (1) and (2) above do not include bags and the seller may make an additional charge for bags. Such additional charge shall not exceed the maximum price for the bag actually used as established by the applicable maximum price regulation of the Office of Price Administration, or the actual delivered cost of the bag to the seller of the chestnut extract, whichever is lower. Where an extra charge is made for a bag, such charge shall be separately stated from the charge for the chestnut extract. Where the seller retains title to bags and requires their return, he may charge a reasonable deposit to insure the return of such bags. The deposit must be refunded to the buyer upon his return of the bags in good condition within a reasonable time. Transportation costs with respect to the return of such bags shall be borne by the seller.

(c) *Credit charges.* The maximum prices established by this regulation shall not be increased by any charges for the extension of credit.

SEC. 3 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 4 *Export sales.* The maximum prices at which a person may export chestnut extract shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

SEC. 5 *Adjustable pricing.* It is permissible under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery. In appropriate situations where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

SEC. 6 *Licensing.* The provisions of Supplementary Order No. 11 (§ 1305.15) licensing distributors of chemicals and drugs, shall be applicable to every distributor of chestnut extract for which maximum prices are established by this regulation. The term "distributor" shall have the meaning given it by such Supplementary Order No. 11.

SEC. 7 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[3]

SEC. 8 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of chestnut extract alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

SEC. 9 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 10 *Records and reports.* (a) Every person making a sale of chestnut extract after March 31, 1943, for which maximum prices are established by this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect complete and accurate records of each such sale showing: The date thereof, the name and address of the buyer, a description of the chestnut extract sold, the quantity sold and the price charged.

(b) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require.

SEC. 11 *Applicability of the General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

SEC. 12 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

[3] 7 F.R. 8961.

SEC. 13 *Definitions.* (a) When used in this regulation, the term:

"Standard chestnut extract" means a mixture of water-dispersible substances derived from domestic chestnut wood and bark, resulting from the aqueous extraction and subsequent concentration in an evaporator.

"Liquid chestnut extract" means a fluid chestnut extract.

"Powdered chestnut extract" means a powdered material resulting from the evaporation of liquid chestnut extract.

"Special chestnut extract" means standard chestnut extract which has been processed additionally with blood albumen and other chemicals in order to obtain a product that is lighter in color and clearer than standard grade chestnut extract.

"Tannin content" shall be determined as prescribed by the official method of the American Leather Chemists' Association for "Analysis of Extract."

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

This regulation shall become effective April 1, 1943.

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4615; Filed, March 25, 1943; 5:09 p. m.]

PART 1340—FUEL

[RPS 88, Amendment 82]

PETROLEUM AND PETROLEUM PRODUCTS

Correction

In subdivision (xvi) *Hartford, Connecticut, area,* of the document appearing on page 3366 of the issue for Friday, March 19, 1943, the last item should read, "Tank wagon deliveries to consumers in quantities of less than 25 gallons".

PART 1436—PLASTICS AND SYNTHETIC RESINS

[MPR 345]

THERMOPLASTIC SCRAP

Correction

The section heading for § 1436.11 of the document appearing on page 3320 of the issue for Thursday, March 18, 1943, should read "Adjustable pricing". The word "that" in the fourth line of paragraph (a) (4) of Appendix A should be deleted.

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 134]

FLUID MILK AND CREAM

Correction

In the table appearing on page 3361 of the issue for Friday, March 19, 1943, under subdivision (2) *Sales at wholesale to hotels, restaurants and other eating establishments,* the adjusted maximum price (cents) for Homogenized, Vitamin D, and Homogenized-Vitamin D—Approved—½ pint—Paper, should be "5½."

In the same document on page 3362 the second item in the table under subdivision (1) *Sales at wholesale to stores* should read "Homogenized, Vitamin D, and Homogenized-Vitamin D."

PART 1499—COMMODITIES AND SERVICES

[Amendment 15 to Revised Supp. Reg. 11 to GMPR]

MILLING, SMELTING AND REFINING OF COPPER, LEAD AND ZINC ORES, ETC.

Correction

In the second paragraph of the document appearing on page 3372 of the issue for Friday, March 19, 1943, the section which is added should be § 1499.46 (b) (111) and the subparagraph immediately following should be designated (111).

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 24-6]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS AND PERMITS

SUBPART D—PASSENGER TRAIN OPERATIONS

Pursuant to § 500.42 of General Order ODT 24, as amended, it is hereby authorized, that:

§ 520.605 *Certain extra or special passenger trains authorized*—Notwithstanding the provisions of § 500.41 of General Order ODT 24, as amended, any rail carrier may operate extra or special passenger trains for the purpose of transporting property and employees of circuses, carnivals, or shows, when the railway cars in which such passengers and property are transported are owned or leased by any such circus, carnival, or show: *Provided, however,* That any contract covering the movement of any such extra or special passenger trains shall stipulate that such train movements are subject to delays and interruptions necessary to afford preference to all other train movements, whether freight, passenger, or mixed freight and passenger train movements, and that the rail carriers shall not be subject to any liability due to delays or interruptions of any such extra or special passenger train movements due to lack of available motive power, or to preference being accorded other train movements; *And provided further,* That the owner or operator of any such circus, carnival, or show furnishes evidence in writing to the carrier scheduling any such extra or special passenger train movements, that the itinerary of such circus, carnival, or show has been approved by the Office of Defense Transportation.

This General Permit ODT 24-6 shall become effective March 26, 1943.

(E.O. 8989, 6 F.R. 6725; Gen. Order ODT 24, as amended, 7 F.R. 7814, 10484)

Issued at Washington, D. C., this 26th day of March 1943.

JOSEPH B. EASTMAN,
Director of the Office of Defense Transportation.

[F. R. Doc. 43-4628; Filed, March 26, 1943; 11:44 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1846 Part II]

DISTRICT BOARD 18

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 18 for the establishment of certain price classifications and minimum prices for coals produced in Subdistrict 1 in District No. 18.

The original petitioner in the above-entitled matter having moved that the hearing scheduled to be held therein on April 2, 1943, at a hearing room of the Bituminous Coal Division, Washington, D. C., be postponed, and good cause having been shown why said motion should be granted;

Now, therefore, it is ordered, That the hearing scheduled to be held in the above-entitled matter, on April 2, 1943, at a hearing room of the Bituminous Coal Division, Washington, D. C., be, and the same hereby is, postponed pending further Order of the Director.

Dated: March 25, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4625; Filed, March 26, 1943; 10:40 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5818]

BONNEVILLE POWER ADMINISTRATION AND WASHINGTON WATER POWER COMPANY

ORDER FOR HEARING

MARCH 23, 1943.

It appearing to the Commission that:

(a) On February 15, 1943, the Commission entered an order requiring, among other things, The Washington Water Power Company to transmit and

deliver electric energy to certain Army establishments at Spokane, Washington, for the account of Bonneville Power Administration.

(b) On February 20, 1943, The Washington Water Power Company requested the Commission to grant a hearing in this matter.

(c) On March 12, 1943, The Washington Water Power Company was advised, among other things, that the reasons stated in its request for such hearing had been previously advanced by representatives of the company at a conference on December 7, 1942, and considered by the Commission before entering its aforesaid order, but that if a further hearing were desired the Commission should be so advised.

(d) On March 16, 1943, The Washington Water Power Company requested a hearing in Washington, D. C., early in April 1943, subject to the convenience of the Commission.

The Commission *orders*, That:

(A) A public hearing be held in this matter, commencing on April 5, 1943 at 9:30 a. m., Eastern War Time, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N.W., Washington, D. C.

(B) Such hearing shall be public except insofar as the presiding officer may deem otherwise appropriate in view of the war aspects of the subject matter.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 43-4627; Filed, March 26, 1943; 11:12 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 16 Under MPR 136, as Amended]

PACKARD MOTOR CAR COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 16 under Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services; Docket Nos. 3136-215, 3136-216.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) On and after January 1, 1943, Packard Motor Car Company of Detroit, Michigan is hereby authorized to sell and deliver to the Navy Department the following spare parts for marine motors at prices not in excess of the maximum price set opposite each part.

Description	Part No.	Maximum price
Socket assembly for making electric connection for coil	A-60579	$8.92
Metal fly weight for centrifugal governor	A-061012	1.31
Metal plug for cutout housing sight hole	A-061016	$0.63
Fuel line assembly for carburetor compensator	A-058709	5.47
Metal plug for optional carburetor hole	A-059790	.11
Metal hose clamp for holding rubber tube	A-34269	.06
Same description as above	A-34268	.06
Same description as above	A-55719	.06
Packing-sealing type	A-56966	.20
Metal clamp for holding packing	A-56967	.11
Metal guide for centralizing spring	A-56970	.13
Metal hose clamp for holding rubber tube	A-58244	.06
Controlling lever for magneto	A-060294	2.76
Piston pin—.010 oversize	A-59954	.50
Gear for transferring motion to planetary pinion	A-58867	72.58
Roller bearing for above gear	A-61140	4.59
Drive gear	A-61167	26.00
Oil seal to prevent oil leakage from clutch	A-61207	.26
Metal plug for plugging entry hole	A-61337	.46
Gasket for impeller casing	A-57196	.08
Oil seal ring to prevent oil leakage from impeller shaft	A-58142	.18
Tension spring for voltage regulator	A-060327	.07
Same description as above	A-060328	.07
Coil for voltage regulator	A-060348	4.83
Metal cover for voltage regulator	A-061403	4.60
Steel bolt 3/8—24 x 3¼ hex. hd	A-1718	.05
Steel bolt 5/16—24 x ¾ hex. hd	A-1928	.58
Steel screw 5/16—24 x 7/8	A-1738	.44
Steel screw ¼—28 x 5/16	A-1739	.41
Needle-type bearing for control carburetor	354080	.14
Insulating panel for voltage regulator	(60355	.12
Roller bearing for camshaft rocker lever	A-56661	.68
Steel bearing for camshaft drive gear	A-57995	11.79
Steel shaft for pivoting rocker lever	A-58442	4.54
Steel bearing for camshaft drive side gear	A-059760	8.73
Metal disc for centralizing reverse gear and engine	A-58101	1.35
Tube for carrying water to carburetor adapter	A-58199	.82
Tube for carrying water from carburetor adapter	A-58402	.9
Metal spacer for ignition cable tube support	A-59467	.04
Metal suction tube assembly for oil pump	A-57605	3.38
Piston pin	A-55465	4.46
Tube assy. to lead salt water from salt water pump	A-59388	4.02
Same as above only for opposite side of pump	A-59397	3.94
Tapered dowel pin for mounting engine	A-58264	1.13
Bearing liner to take friction from impeller case	A-56735	2.06
Same as above	A-56743	6.58
Metal spacer for supercharger impeller bearing	A-56744	.39
Metal spacer for oil seal ring	A-58143	.77
Metal space to separate oil seal rings	A-58486	1.18

Provided, That Packard Motor Car Company reduces the prices charged the Department of Navy on spare parts for marine engines to be sold to the Department of Navy so that the total sales price of all parts sold in any calendar year does not exceed the total sales price if no increase in the maximum prices for the above listed parts were granted by this order.

(b) This order may be amended or revoked by the Office of Price Administration at any time.

(c) This order shall be effective as of January 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-4604, Filed, March 25, 1943; 5:10 p. m.]

[Order 225 Under MPR 188]

GLADDING MCBEAN AND CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 225 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Authorization of maximum prices for special acid resisting refractory brick shapes for Gladding McBean and Company.

For the reasons set forth in an opinion which has been issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Specific authority is hereby granted to Gladding McBean and Company, 2901 Los Feliz Boulevard, Los Angeles, California, to sell, deliver, invoice and receive payment for special acid resisting refractory brick shapes sold f. o. b. Los Angeles, California, to the Basic Magnesium Company, Incorporated at the prices set forth below:

(1) For the first 33,304 tons delivered after October 1941 the maximum price per shape shall be as set forth in Schedule I of Appendix A attached hereto and made a part hereof.

(2) For all additional quantities of special acid resisting refractory brick shapes sold and delivered over and above the first 33,304 tons specified in subparagraph (1) above, the maximum price per shape shall be as set forth in Schedule II of Appendix A attached hereto and made a part hereof.

(b) The applicant shall submit such reports to the Office of Price Administration as it may from time to time require.

(c) This Order No. 225 may be revoked or amended by the Price Administrator at any time.

APPENDIX A

MAXIMUM PRICES FOR SPECIAL ACID RESISTING REFRACTORY BRICK SHAPES

Group	Shape	Schedule I [1]	Schedule II [2]
A	M4	$0.380	$0.359
A	M5	.1357	.127
A	M6	.1357	.127
A	M7	.1447	.136
A	P1	.1538	.144
A	P2	.3076	.288
B	A	.1628	.152
B	6	.561	.525
B	6A	.561	.525
B	7	.687	.644
B	8	.959	.898
B	9	.913	.855
B	25	.850	.796
B	25x	.796	.74
B	26	1.013	.949
B	26x	.850	.796
B	27	1.284	1.203
B	27x	.923	.864
B	28	2.027	1.898
B	28x	1.013	.949
B	29	2.198	1.967
B	29x	1.149	1.076
B	31	.968	.906
B	32	.877	.821
B	33	.470	.44
B	34	.823	.771
B	35	.649	.607
B	36	.723	.677

[1] Schedule I of the table above applies to the first 33,304 tons delivered by Gladding, McBean and Company to Basic Magnesium, Inc., after October 1941.

[2] Schedule II of the table above applies to any additional quantities delivered over and above the first 33,304 tons.

APPENDIX A—Continued

Group	Shape	Schedule I [1]	Schedule II [2]
B	45	$1.312	$1.229
B	45x	1.592	1.492
B	46	1.330	1.246
B	46L	1.303	1.305
B	46R	1.402	1.313
B	47	1.239	1.161
B	47R	1.257	1.178
B	47L	1.248	1.169
B	48	1.122	1.051
B	48R	1.339	1.254
B	48L	1.312	1.229
B	49	1.212	1.135
B	49R	1.191	1.119
B	49L	1.176	1.102
B	50	.923	.861
B	51	.932	.871
B	52	.711	.669
B	53	.841	.788
B	54	.832	.779
B	80	1.312	1.212
B	81R	1.212	1.135
B	81L	1.420	1.330
B	82R	1.149	1.076
B	82L	1.176	1.102
B	83R	1.239	1.161
B	83L	1.221	1.141
B	84R	1.248	1.169
B	84L	1.212	1.135
B	85R	.805	.754
B	85L	.814	.762
B	86	1.131	1.059
B	86A	1.140	1.068
B	87	.995	.932
B	87A	.995	.932
B	88	1.004	.940
B	88A	1.013	.949
B	8F6	.117	.110
C	A1	.434	.406
C	A2	.434	.406
C	A3	.913	.856
C	A4	.470	.440
C	A5	.488	.457
C	A6	.533	.500
C	A7	.570	.534
C	A8	.579	.542
C	A9	.561	.525
C	A10	.542	.508
C	A11	.497	.466
C	A12	.515	.483
C	A13	.470	.440
C	A14	.506	.474
C	A15	.533	.500
C	A16	.570	.534
C	A17	.579	.542
C	A18	.579	.542
C	A19	.533	.500
C	A20	.497	.466
C	A21	.479	.449
C	A22	.751	.703
C	A22A	.859	.805
C	A22B	.913	.856
C	A22C	.913	.856
C	A22D	.841	.788
C	A22F	.832	.779
C	A22F	.913	.856
C	A22G	.904	.847
C	A22H	.823	.771
C	A23	1.031	.967
C	A23A	.986	.924
C	A23B	1.049	.983
C	A23C	1.067	1.000
C	A23D	.959	.898
C	A23E	.941	.881
C	A23F	1.004	.940
C	A23G	1.049	.983
C	A23H	.986	.924
C	A24	2.597	2.432
C	A24A	2.316	2.170
C	A24B	1.601	1.500
C	A24C	2.017	1.890
C	A24D	1.637	1.534
C	A24E	1.665	1.559
C	A24F	2.017	1.890
C	A24G	1.601	1.500
C	A24H	2.217	2.076
C	A25	1.818	1.703
C	A25A	1.800	1.686
C	A25B	1.484	1.390
C	A25C	1.610	1.508
C	A25D	1.637	1.534
C	A25E	1.484	1.390
C	A25F	2.063	1.932
C	A25G	1.836	1.720
C	A25I	1.656	1.551
C	A26	.923	.864
C	A27	.913	.856
C	A28	.950	.890
C	A29	1.049	.983
C	A30	1.076	1.008
C	A31	1.113	1.042
C	A32	1.113	1.042
C	A33	1.031	.967
C	A34	.959	.898
C	A3x	3.954	3.704
C	A2x	2.841	2.661
C	A3x	2.497	2.339
C	A4x	$1.809	$1.695
C	A5x	1.927	1.805
C	A6x	1.909	1.788
C	A7x	1.818	1.703
C	A8x	2.506	2.348
C	A9x	2.379	2.229
C	A10x	2.959	2.772
C	A11x	1.782	1.670
C	AC	.289	.271
C	B1	.642	.601
C	B2	.723	.678
C	B3	.633	.593
C	B4	.624	.584
C	B5	.561	.525
C	B6	.624	.584
C	B7	.633	.593
C	B8	.714	.669
C	B9	.624	.584
C	B10	.633	.593
C	B11	.624	.584
C	B12	.633	.593
C	B13	1.710	1.602
C	B14	2.162	2.026
C	B15	1.230	1.152
C	B16	1.366	1.280
C	B17	1.384	1.297
C	B18	1.266	1.186
C	B19	1.818	1.703
C	B20	1.656	1.551
C	B21	1.637	1.534
C	B22	1.619	1.517
C	B23	1.701	1.593
C	B24	1.694	1.625
C	B24A	1.339	1.274
C	B25	1.266	1.186
C	B25R	1.764	1.653
C	B27L	1.737	1.627
C	B26	1.167	1.093
C	B26R	1.484	1.390
C	B26L	1.674	1.568
C	B27	1.194	1.119
C	B27R	1.420	1.330
C	B27L	1.574	1.475
C	B28	1.058	.991
C	B28R	1.167	1.093
C	B28L	1.257	1.178
C	B29	1.167	1.093
C	B29R	1.239	1.161
C	B29L	1.257	1.178
C	B30	1.203	1.127
C	B30R	1.167	1.093
C	B30L	1.221	1.144
C	B31	1.212	1.135
C	B32	1.212	1.135
C	B33	1.140	1.068
C	B34	1.131	1.059
C	B35	1.158	1.085
C	B1x	1.764	1.653
C	B2x	2.008	1.881
C	B3x	1.737	1.627
C	B4x	1.918	1.797
C	B5x	2.370	2.221
C	B6x	2.331	2.187
C	B7x	2.425	2.271
C	B8x	1.266	1.186
C	B9x	1.158	1.085
C	B10x	1.960	1.873
C	B11x	2.117	1.983
C	B12x	1.085	1.017
C	C1R	3.194	2.992
C	C1L	2.968	2.780
C	C2R	3.791	3.551
C	C2L	3.728	3.492
C	C3R	3.809	3.568
C	C3L	4.135	3.874
C	C4R	3.782	3.543
C	C4L	6.470	6.061
C	C5R	2.533	2.373
C	C5L	2.497	2.339
C	D8x	.732	.686
C	D8Ax	.832	.779
C	D8Lx	1.547	1.449
C	D8Rx	1.547	1.449
C	D9x	1.565	1.466
C	D10x	2.214	2.102
C	F1x	1.275	1.195
C	F2x	1.275	1.195
C	F3x	1.001	.940
C	F4x	1.122	1.051
C	F5x	1.085	1.017
C	F6x	1.203	1.127
C	F7x	1.085	1.017
C	F8x	1.085	1.017
C	F9x	1.212	1.135
C	F10x	1.004	.949
C	F11x	1.284	1.203
C	F12x	1.529	1.432
C	F13x	.932	.873
C	K1	.950	.890
C	K2	.624	.584
C	K3	.579	.542
C	K4	.515	.483
C	K5	.660	.618
C	K6	.687	.644
C	K7	.642	.601
C	K8	.995	.932
C	K9	$0.515	$0.483
C	K10	.497	.466
C	K11	.479	.449
C	K12	.597	.559
C	K14	.542	.508
C	K14	.561	.525
C	K15	.479	.449
C	K16	.579	.542
C	K17	.533	.500
C	K18	.606	.567
C	K19	.687	.644
C	K20	.687	.644
C	K21	.633	.593
C	K22S	1.013	.949
C	K22R	1.013	.949
C	K23L	1.384	1.297
C	K24R	1.547	1.449
C	K29L	1.321	1.237
C	K24L	1.176	1.102
C	K24R	1.149	1.076
C	K25L	1.167	1.093
C	K25R	1.221	1.144
C	K29L	1.239	1.161
C	K29R	1.221	1.144
C	K27L	1.447	1.356
C	K27R	1.375	1.288
C	K28	1.312	1.229
C	K29R	1.384	1.297
C	K30R	1.004	.940
C	K30L	1.022	.957
C	K31R	1.013	.949
C	K31L	1.203	1.127
C	K32R	.941	.881
C	K32L	.941	.881
C	K33R	1.085	1.017
C	K33L	1.085	1.017
C	K34	1.094	1.025
C	M1	.2624	.245
C	M2	.2895	.271
C	M3	.3257	.305
C	M12	.524	.491
C	M13	.633	.593
C	M14	.705	.661
C	M15	.787	.737
C	M16	.850	.796
C	M17	1.260	1.186
C	P3	.795	.744
C	P4	.696	.652
C	P5	.723	.678
C	P6	.742	.695
C	P7	.742	.695
C	P8	.720	.675
C	P9	.778	.729
C	P10	.805	.754
C	P11	.443	.415
C	P12	.253	.237
C	P13	.262	.245
C	P14	.289	.271
D	H	.371	.347
D	Hx	.533	.500
D	C	.380	.356
D	I	.434	.406
D	Ix	.579	.542
D	19	.451	.412
D	19A	.877	.822
D	19B	.850	.796
D	19C	.769	.720
D	19E	.832	.779
D	20	1.101	1.034
D	21	.769	.720
D	22	.774	.699
D	23	.832	.779
D	24	.823	.771
D	37	.597	.559
D	38	.678	.635
D	40	1.999	1.873
D	41	1.538	1.441
D	42	1.085	1.017
D	43	1.547	1.449
D	44	.950	.890
D	55	.687	.644
D	56	2.615	2.449
D	57	1.429	1.338
D	58	1.185	1.110
D	59	2.017	1.890
D	60	1.366	1.280
D	61	.895	.838
D	62	.895	.838
D	63R	2.135	2.000
D	63L	2.090	1.958
D	64R	1.506	1.411
D	64L	1.084	1.015
D	65R	1.782	1.670
D	65L	1.719	1.610
D	66R	1.475	1.381
D	66L	1.447	1.356
D	67	1.529	1.432
D	68	2.090	1.958
D	69	1.275	1.195
D	70	.995	.932
D	71	1.094	1.025
D	72	.901	.735
D	73	1.094	1.025
D	74	1.476	1.364
D	75	1.411	1.322

See footnote on p. 3796.

APPENDIX A—Continued

Group	Shape	Schedule I [1]	Schedule II [2]
A	M4	$0.380	$0.359
A	M5	.1357	.127
A	M6	.1357	.127
A	M7	.1447	.136
A	P1	.1538	.144
A	P2	.3076	.288
B	A	.1628	.152
B	6	.561	.525
B	6A	.561	.525
B	7	.687	.644
B	8	.959	.898
B	9	.913	.855
B	25	.850	.796
B	25x	.796	.74
B	26	1.013	.949
B	26x	.850	.796
B	27	1.284	1.203
B	27x	.923	.864
B	28	2.027	1.898
B	28x	1.013	.949
B	29	2.198	1.967
B	29x	1.149	1.076
B	31	.968	.906
B	32	.877	.821
B	33	.470	.44
B	34	.823	.771
B	35	.649	.607
B	36	.723	.677

[Order 9 Under MPR 244]

THE MILLER FOUNDRY COMPANY

ADJUSTMENT OF MAXIMUM PRICE

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 9 may be revoked or amended by the Price Administrator

amount of capital represented by each share of Common Stock Series A and Common Stock Series B, exclusive of capital surplus, will be $12.50; such

(c) .23 shares of Common Stock Series B for each share of $4.00 Cumulative Preferred Stock and all accumulated and unpaid dividends thereon, or a total of

ties therein eliminated, and voting power fairly and equitably distributed among the holders of securities thereof; and said examination having disclosed data

APPENDIX A—Continued

Group	Shape	Schedule I [1]	Schedule II [2]
D	76	$1.619	$1.517
D	77	.859	.805
D	78	.868	.813
D	79	.859	.805
D	80	.524	.491
D	90R	1.194	1.119
D	90L	1.131	1.059
D	91R	1.113	1.042
D	91L	1.113	1.042
D	92R	1.167	1.093
D	92L	1.176	1.102
D	93	1.502	1.407
D	94	.908	.850
D	95	.859	.805
D	96A	2.533	2.373
D	97B	2.551	2.390
D	98B	2.579	2.416
D	SP	.1266	.118
D	SB	7.709	7.222
D	F	12.306	11.529
D	C6	6.026	5.645
D	C6A	6.732	6.307
D	C7	7.528	7.053
D	C7A	6.913	6.476
D	K11SP	.425	.398
D	K15R/SP	.597	.559
D	K15L SP	.597	.559
D	K16R SP	.646	.557
D	K16L SP	.597	.559
D	K17R/SP	.588	.551
D	K17L SP	.588	.551
D	C5SK12.3.4	.325	.305
D	C5SK6.3.5	.162	.152

This Order No. 225 shall become effective March 26, 1943.

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4601; Filed, March 25, 1943; 5:11 p. m.]

[Order 8 Under MPR 225]

THE EVANGELICAL PRESS

ORDER GRANTING ADJUSTMENT

Order No. 8 under Maximum Price Regulation No. 225—Printing and Printed Paper Commodities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1347.469 (b) of Maximum Price Regulation No. 225, *It is hereby ordered:*

(a) The Evangelical Press, Third and Reily Streets, Harrisburg, Pennsylvania, may sell and deliver to the Scott Paper Company, Chester, Pennsylvania, and the Scott Paper Company may buy and receive from The Evangelical Press printed paper wrappers for paper towels and toilet paper at prices not in excess of the following:

No.	Per M
41	$1.14½
21	1.12½
51 (25 lb.)	.82½
14	1.83
11	2.40½
80	1.27½

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 shall become effective March 26, 1943.

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4602; Filed, March 25, 1943; 5:11 p. m.]

[Order 9 Under MPR 244]

THE MILLER FOUNDRY COMPANY

ADJUSTMENT OF MAXIMUM PRICE

Order No. 9 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-3.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by M. A. Bridge, Jr., as receiver of The Miller Foundry Company. (a) On and after December 5, 1942, M. A. Bridge, Jr., as receiver of The Miller Foundry Company, Columbus, Ohio, is hereby authorized to sell, offer to sell and deliver, and any person is authorized to buy, offer to buy and receive from said Receiver, gray iron castings at maximum prices determined in accordance with § 1421.166 of Maximum Price Regulation 244: *Provided,* That in determining maximum prices under paragraph (b) of § 1421.166, said receiver (1) may compute direct labor costs under subparagraph (2) of said paragraph (b) on the basis of the labor rates for the various classifications of direct labor, which rates prevailed in the foundry of The Miller Foundry Company in March of 1942 pursuant to the retroactive wage agreement made by said Company in April of 1942, and (2) may compute overtime labor costs under subparagraph (2) of said paragraph (b) on the basis of the labor rates specified in the foregoing clause (1).

(b) The permission herein granted to M. A. Bridge, Jr., as receiver of the Miller Foundry Company, is subject to the following condition: Said receiver shall submit to the Office of Price Administration, Washington, D. C., on or before the last day of each month following the close of each quarter year beginning with the quarter ending March 31, 1942, the following documents covering the operations of The Miller Foundry Company, signed under oath or affirmation and prepared in accordance with recognized accounting principles: (1) profit and loss statements for the preceding quarter, (2) balance sheets as of the close of the preceding quarter, (3) the profit and loss statements filed pursuant to (1) of this paragraph (b) must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided,* That said receiver need not file any of the foregoing financial data if he has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

This Order No. 9 shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4603; Filed, March 25, 1943; 5:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-72 and 59-66]

STANDARD GAS AND ELECTRIC COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 24th day of March, A. D. 1943.

In the matter of Standard Gas and Electric Company, File No. 54-72, and Standard Gas and Electric Company, respondent, File No. 59-66.

Notice is hereby given that Standard Gas and Electric Company, a registered holding company, has filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of enabling such company to comply with the provisions of section 11 (b) of said act. All interested persons are referred to said plan which is on file at the office of this Commission for a statement of the transactions proposed therein which may be summarized as follows:

Standard Gas and Electric Company (hereinafter sometimes referred to as Standard) proposes:

1. To reclassify all of its outstanding stock into 1,361,650.6 shares of new no par value Common Stock Series A and 3,493,152.06 shares of new no par value Common Stock Series B and to distribute such new stock among the holders of its notes and debentures and prior preference and preferred stock in the manner hereinafter set forth. The presently outstanding common stock of Standard is granted no participation under the plan and will be eliminated if the plan becomes effective. The new Common Stock Series A and Common Stock Series B will be identical in all respects except that as long as any part of the indebtedness represented by the 3-year collateral loan, referred to in 3 (b) hereunder, remains unpaid no dividends will be paid on the Common Stock Series B, whereas during that period the Common Stock Series A will be entitled to a cumulative preference in dividends in each year to the extent of the net income of Standard for that year, but not to exceed 85¢ per share annually. In the event of whole or partial liquidation, any unpaid accumulated dividends on the Common Stock Series A will rank ahead of any other distributions to stockholders. The amount of capital represented by each share of Common Stock Series A and Common Stock Series B, exclusive of capital surplus, will be $12.50; such amount, inclusive of capital surplus, will be $17.45.

2. To retire its outstanding notes and debentures in the aggregate principal amount of $59,202,200 by:

(a) The payment of $29,601,100, or one-half the aggregate principal amount of said notes and debentures, in cash;

(b) The distribution to the holders of said notes and debentures of 296.011 shares of the common stock of The California Oregon Power Company and 118,404.4 shares of the common stock of Mountain States Power Company, such distribution to be made at the rate of 5 shares of the common stock of The California Oregon Power Company and 2 shares of the common stock of Mountain States Power Company for each $1,000 principal amount of notes or debentures. (The holders of notes and or debentures of lesser principal amounts will participate ratably according to their holdings.

(c) The distribution to the holders of said notes and debentures of 1,361,650.6 shares of Common Stock Series A of Standard represented by an aggregate capital (exclusive of capital surplus) of $17,020,632, such distribution to be made at the rate of 23 shares of such stock for each $1,000 principal amount of notes or debentures. (The holders of notes and or debentures of lesser principal amounts will participate ratably according to their holdings.)

3. To obtain the funds necessary for the cash payment described in 2 (a) above by:

(a) The sale of all of its holdings of the common stock, namely, 200,420 shares, of Pacific Gas and Electric Company;

(b) The making of a 3-year collateral loan in the principal amount of $21,000,000 secured by a pledge of substantially all securities now owned by Standard except those to be distributed and sold as hereinbefore set forth and a part of the common stock of the Philadelphia Company; and

(c) The use of about $3,590,600 of treasury cash.

4. To retire its outstanding prior preference and preferred stock by the distribution to the holders thereof of 3,493,152.06 shares of Common Stock Series B, represented by an aggregate capital (exclusive of capital surplus) of $43,664,401, as follows:

(a) 7.3 shares of Common Stock Series B for each share of Prior Preference Stock, $7.00 Cumulative, and all accumulated and unpaid dividends thereon, or a total of 2,688,940.4 shares representing 76.98% of the Common Stock Series B to the holders of the Prior Preference Stock, $7.00 Cumulative;

(b) 6.3 shares of Common Stock Series B for each share of Prior Preference Stock, $6.00 Cumulative and all accumulated and unpaid dividends thereon, or a total of 630,000 shares, representing 18.03% of the Common Stock Series B, to the holders of the Prior Preference Stock, $6.00 Cumulative;

(c) .23 shares of Common Stock Series B for each share of $4.00 Cumulative Preferred Stock and all accumulated and unpaid dividends thereon, or a total of 174,211.66 shares, representing 4.99% of the new Common Stock Series B, to the holders of the $4.00 Cumulative Preferred Stock;

5. To liquidate the 3-year collateral loan in the principal amount of $21,000,000 at or prior to the maturity thereof by annual payments out of net income and by the sale of securities owned by Standard and pledged as security for the loan.

If this Commission should approve the proposed plan of recapitalization, Standard may request the Commission to apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of the act to enforce and carry out the terms and provisions of the plan. Submission of the plan to the security holders of Standard for their approval or rejection is not contemplated.

II

The Commission, pursuant to sections 11 (a), 18 (a), and 18 (b) of the act, having examined the corporate structure of Standard Gas and Electric Company and its subsidiary companies, the relationship among the companies in its holding company system, the character of the interests thereof, and the properties owned or controlled thereby, to determine the extent to which the corporate structure of such holding company system and of the companies therein may be simplified, unnecessary complexities therein eliminated, and voting power fairly and equitably distributed among the holders of securities thereof; and said examination having disclosed data establishing or tending to establish the following:

1. Standard Gas and Electric Company, a registered holding company, is a corporation organized in 1910 under the laws of the State of Delaware with its principal office at 231 South LaSalle Street in the City of Chicago, Illinois. Standard presently owns and controls eighty direct and indirect subsidiaries. Fifteen of its subsidiaries are public-utility companies within the meaning of section 2 (a) (5) of the Act; two, Philadelphia Company and Louisville Gas and Electric Company (Delaware), are primarily holding companies, while others are engaged in the production and transmission of natural gas, in the operation of railroad and other transportation facilities, in the production and sale of steam, to a minor extent in the production and sale of oil, or in other non-utility businesses. The operations of the public-utility subsidiaries are conducted in 15 States of the United States, namely, Pennsylvania, Kentucky, Oklahoma, California, Oregon, Idaho, Washington, Montana, Wyoming, Colorado, Arkansas, Wisconsin, Indiana, Michigan, and West Virginia, and in Mexico.

2. The names of the subsidiary companies presently embraced in the holding company system of Standard, the corporate relationship of the system companies to each other, and the State of incorporation of each subsidiary are shown in the following table:

Name of company	State of organization
Standard Gas and Electric Company	Delaware.
The California Oregon Power Company	California.
California-Oregon Power Company [1]	California.
Empresa de Servicios Publicos de los Estados Mexicanos, Sociedad Anonima	Mexico.
Horseshoe Lake Oil and Gas Company	Delaware.
The Little Wolf Power Company [1]	Wisconsin.
Louisville Gas and Electric Company	Delaware.
Louisville Gas and Electric Company	Kentucky.
Kentucky Pipe Line Company	Indiana.
Ohio Valley Transmission Corporation	Indiana.
Louisville Transmission Corporation	Kentucky.
Louisville Transmission Corporation	Indiana.
Madison Light and Power Company	Indiana.
Market Street Railway Company	California.
San Francisco and San Mateo Electric Railway Company [1]	California.
Sutro Railroad Company [1]	California.
Mountain States Power Company	Delaware.
Oklahoma Gas and Electric Company	Oklahoma.
Public Utility Engineering and Service Corporation	Delaware.
Southern Colorado Power Company	Colorado.
Tri-State Land Company	Washington.
Wisconsin Public Service Corporation	Wisconsin
Menominee and Marinette Light and Traction Company	Wisconsin and Michigan.
Philadelphia Company	Pennsylvania.
Duquesne Light Company	Pennsylvania.
Allegheny County Steam Heating Company	Pennsylvania.
Pittsburgh and West Virginia Gas Company	West Virginia.
Equitable Gas Company	Pennsylvania.
Philadelphia Oil Company	West Virginia.
Finleyville Oil and Gas Company	Pennsylvania.
Kentucky West Virginia Gas Company	West Virginia.
The Consolidated Gas Company of the City of Pittsburgh [1]	Pennsylvania.
Cheswick and Harmar Railroad Company	Pennsylvania.
Equitable Auto Company	Pennsylvania.
Equitable Real Estate Company	Pennsylvania.
Equitable Sales Company	Pennsylvania.

See footnote at end of table.

5. The funded debt of Standard re-

owns 1,160,000 shares of the common

income before dividends, the prior pref-

Company through operating agreements, leases or stock ownership. Most of such companies are subsidiaries of Pittsburgh Railways Company or direct subsidiaries of Philadelphia Company (that is, all subsidiaries whose name is followed by [3] in the list contained in paragraph numbered "2" above), while others are non-affiliates of the Philadelphia Company. On June 18, 1938 the United States District Court for the Western District of Pennsylvania acting pursuant to section 77B of the Bankruptcy Act appointed trustees for Pittsburgh Railways Company and Pittsburgh Motor Coach Company and since such appointment the trustees have had possession of and have been operating the properties comprising the Pittsburgh Railways System including those of Pittsburgh Motor Coach Company. Because of this situation, certain information concerning these transportation subsidiaries of the Philadelphia Company is omitted herein.

As of December 31, 1942 the Philadelphia Company and its consolidated subsidiaries carried their investment in the securities of the Pittsburgh Railways System at $52,459,916, had non-current indebtedness owing to them in the amount of $16,412,218 which was offset by deferred credits in the amount of $11,298,251 and a reserve of $2,396,131, and in addition had a reserve for revaluation of assets in the amount of $23,541,417.

4. A condensed corporate balance sheet [1] of Standard as of December 31, 1942 is as follows:

ASSETS

Investment securities and advances:		
Subsidiary companies, majority owned:		
Securities	$235,548,335.80	
Acct. receivable—not current	441,021.55	
		$235,989,357.35
Other statutory subsidiary companies:		
Securities	$3,437,283.00	
Acct. receivable—not current	893,456.18	
		4,330,739.18
Securities of other companies		14,781,015.07
Total investments		$255,101,111.60
Less reserve for investments		85,940,062.76
		$169,261,048.84
Remainder		9,736.71
Office furniture and fixtures (net)		606.74
Cash on deposit in sinking funds		10,583.25
Cash on deposit in retirement funds		
Current assets:		
Cash on hand and demand deposits	$5,337,723.63	
Dividends receivable from associate companies	1,597,727.75	
Dividend receivable from other company	100,210.00	
		$7,035,661.38
Deferred charges		1,040,418.46
Total		$177,358,145.38

LIABILITIES

Capital stock:		
Preferred, without par value	$67,350,943.35	
Common, without par value	21,626,070.00	
		$108,977,013.35
Funded debt		59,566,700.00
Current and accrued liabilities		1,386,351.09
Reserve for reorganization expenses, taxes and other contingencies applicable to periods prior to January 1, 1938		481,589.05
Earned surplus since December 31, 1937		6,946,491.89
Total		$177,358,145.38

[1] Subject to the applicable footnotes to Standard's balance sheet attached to the plan as Schedule C thereof.

Name of company—Continued	*State of organization*
Standard Gas and Electric Company—Continued.	
Pittsburgh Railways Company [3]	Pennsylvania.
Allegheny, Bellevue and Perrysville Railway Company [3]	Pennsylvania.
The Allenport and Roscoe Electric Street Railway Company [3]	Pennsylvania.
Bon Avon and Emsworth Street Railway Company [3]	Pennsylvania.
Bon-Air Street Railway Company [3]	Pennsylvania.
Cedar Avenue Street Railway Company [3]	Pennsylvania.
East McKeesport Street Railway Company [3]	Pennsylvania.
Mt. Washington Street Railway Company [3]	Pennsylvania.
Mt. Washington Tunnel Company [3]	Pennsylvania.
Pittsburgh, Canonsburg and Washington Railway Company [3]	Pennsylvania.
Pittsburgh & Charleroi Street Railway Company [3]	Pennsylvania.
Pittsburgh Motor Coach Company [3]	Pennsylvania.
Superior Avenue & Shady Avenue Street Railway Company [3]	Pennsylvania.
United Traction Company of Pittsburgh [3]	Pennsylvania.
Federal Street And Pleasant Valley Passenger Railway Company [3]	Pennsylvania.
Greensburg and Irwin Electric Street Railway Company [3]	Pennsylvania.
The McKeesport and Reynoldton Passenger Railway Company [3]	Pennsylvania.
The Pittsburgh, Allegheny and Manchester Traction Company [3]	Pennsylvania.
Pittsburgh, Allegheny and Manchester Passenger Railway Company [3]	Pennsylvania.
Pittsburgh Union Passenger Railway Company [3]	Pennsylvania.
Second Avenue Passenger Railway Company [3]	Pennsylvania.
Second Avenue Traction Company [3]	Pennsylvania.
The Second Avenue Traction Company [3]	Pennsylvania.
Washington and Canonsburg Railway Company [3]	Pennsylvania.
West End Traction Company [3]	Pennsylvania.
Pittsburgh, Crafton and Mansfield Street Railway Company [3]	Pennsylvania.
Pittsburgh, Neville Island and Coraopolis Railway Company [3]	Pennsylvania.
Pittsburgh and West End Railway Company [3]	Pennsylvania.
West Liberty and Suburban Street Railway Company [3]	Pennsylvania.
West Shore Electric Street Railway Company [3]	Pennsylvania.
Consolidated Traction Company [3]	Pennsylvania.
Ardmore Street Railway Company [3]	Pennsylvania.
The Central Traction Company [3]	Pennsylvania.
Central Passenger Railway Company [3]	Pennsylvania.
The Duquesne Traction Company [3]	Pennsylvania.
The Duquesne Street Railway Company [3]	Pennsylvania.
Fort Pitt Traction Company [3]	Pennsylvania.
The Pittsburgh Traction Company [3]	Pennsylvania.
The Morningside Electric Street Railway Company [3]	Pennsylvania.
Seventeenth Street Incline Plane Company [3]	Pennsylvania.
The Citizens Traction Co. [3]	Pennsylvania.
Penn Street Railway Company [3]	Pennsylvania.
Monongahela Street Railway Company [3]	Pennsylvania.

[2] Inactive companies.
[3] Subsidiaries of Pittsburgh Railways Company or direct subsidiaries of Philadelphia Company.

3. Prior to June 1938 Pittsburgh Railways Company operated a unified street railway and inclined plane railway system known as the Pittsburgh Railways System. Its subsidiary, Pittsburgh Motor Coach Company, operated a bus system as an adjunct to the railways system. The latter system was composed of the properties and franchises belonging to a large number of street railway and several inclined plane railway companies which were held by Pittsburgh Railways

5. The funded debt of Standard referred to in the foregoing balance sheet is represented by:

	Principal Amount
Twenty-year 6% gold notes, due 5/1/48	$12,021,000
6% convertible gold notes, due 5 1/48	8,095,500
6% gold debentures, Series A, due 2/1 51	12,735,300
6% gold debentures, Series B, due 12/1/66	7,964,500
6% debentures, due 2/1/57	3,582,700
Standard Power and Light Corporation 6% gold debentures, due 2 1/57 (assumed)	15,167,700
Total	[1] $59,566,700

Each of the above-listed issues of notes or debentures ranks on a parity with the other as to participation in assets in the event of the voluntary or involuntary liquidation of Standard.

6. The capital stock of Standard is represented by:

Prior preference stock, $7.00 cumulative, 368,348 shares without par value.

Prior preference stock, $6.00 cumulative, 100,000 shares without par value.

$4.00 cumulative preferred stock, 757,442 shares without par value.

Common stock, 2,162,607 shares of no par value.

The total preferred stock liability is shown on the balance sheet as $87,350,943 with no segregation as between the prior preference and cumulative preferred stock.

There is no difference between the two series of prior preference stock, other than dividend rates and redemption premiums; both have a preference as to dividends over the $4.00 cumulative preferred stock and common stock and in the event of liquidation, either voluntary or involuntary, have a preference as to distribution of assets over the $4.00 cumulative preferred stock and common stock to the extent of $100 per share and accumulated and unpaid dividends. The $4.00 cumulative preferred stock has a preference as to dividends over the common stock and in the event of liquidation, either voluntary or involuntary, has a preference over the common stock to the extent of $50 per share and accumulated and unpaid dividends.

7. Each share of prior preference, preferred and common stock has one vote per share on general corporate matters. However, in the election of directors the holders of the notes and debentures are entitled to elect one director, the holders of the prior preference stock two directors, the holders of the $4.00 cumulative preferred stock two directors, and the holders of the common stock four directors.

8. Standard Power and Light Corporation, a registered holding company which we have ordered to liquidate,[2] owns 1,160,000 shares of the common stock of Standard.[3]

	Amount or No. of shares owned
Standard Gas and Electric Company, 20-year, 6% Gold Notes, due 1948	$328,000
Standard Gas and Electric Company, 6% Convertible Gold Notes, due 1948	216,000
Standard Gas and Electric Company, 6% Gold Debentures, Series A, due 1951	146,000
Standard Gas and Electric Company 6% Debentures, due 1957	6,000
Standard Gas and Electric Company, 6% Gold Debentures, Series B, due 1966	98,000
Standard Power and Light Corporation, 6% Gold Debentures, due 1957	179,000
Standard Gas and Electric Company, Prior Preference Stock, $7 Cum	40,751.30 shs.
Louisville Gas & Elec. Co., Common Class B Stock	1,980 shs.
Mountain States Power Co. Common Stock	1,267.65 shs.
Philadelphia Company, Common Stock	9,750 shs.
Southern Colorado Power Company, Common Class A Stock	23,570 shs.

9. On a corporate basis the reported gross income before charges, the net income before dividends, the prior preference and preferred stock dividend requirements, and the balance for common stock of Standard for each of the last four years were as follows:

	Gross income	Net income	Prior preference and preferred stock dividend requirements	Balance for common stock
1939	$5,267,885	$823,357	$6,208,204	($5,384,847)
1940	5,372,540	767,605	6,208,204	(5,220,599)
1941	5,055,080	1,072,502	6,208,204	(5,135,699)
1942	4,960,183	1,130,218	6,208,204	(5,078,986)

( ) Denotes deficiency.

10. As of December 31, 1942 the dividend arrearages on the prior preference and preferred stock of Standard were as follows:

	Per share	Total
Prior preference $7.00 cumulative	$62.65	$23,077,092
Prior preference $6.00 cumulative	53.70	5,370,000
$4.00 cumulative preferred	30.33	20,792,719

11. The corporate income of Standard for the past three years was derived from the following sources:

	1940	1941	1942
From subsidiary companies:			
Dividends on preferred stocks	$267,286.00	$169,917.91	$113,597.00
Dividends on common stock	5,100,697.25	5,038,740.34	4,813,302.50
Interest on bonds	130,625.00	130,625.00	80,552.08
	5,498,608.25	5,339,283.25	5,107,361.58
Other dividends and interest	401,147.97	402,959.25	402,051.00
Total income	5,899,756.22	5,742,242.53	5,509,412.58

12. The following tabulation shows as of December 31, 1942 the outstanding securities and open account advances of each of Standard's subsidiaries [4] and the amount thereof owned (a) by Standard, (b) by other system companies, and (c) by the public:

	Outstanding	Owned by Standard Gas & Electric Company	Owned by system companies other than Standard	Owned by public
The California Oregon Power Company:				
Funded debt:				
First Mortgage bonds, 4% series, due 1966	$13,500,000			$13,500,000
Ten year serial notes	3,500,000			3,500,000
Preferred stock:				
7% cumulative, $100 par value	2,437,300			2,437,300
6% cumulative, $100 par value	779,300			779,300
6% cum., 1927 ser., $100 par value	4,576,100			4,576,100
Common stock, no par value, outstanding 312,000 shares	7,800,000	$7,800,000		
Empresa de Servicios Publicos de Los Estados Mexicanos, S. A.:				
Open account—Not current	438,495	438,495		
Capital stock, $100 par value, assessable ser., outstanding 35,000 shares	1,400,000	1,400,000		
Non-assessable series, outstanding 15,000 shares	1,500,000	1,500,000		
Louisville Gas and Electric Company (Del.):				
Capital stock:				
Class A common, no par value, outstanding 600,374 shares	15,299,504			15,299,504
Class B common, no par value, outstanding 300,949 shares	7,770,361	7,296,289		474,072
Louisville Gas and Electric Company (Ky.):				
Funded debt:				
First and ref. mtge. bonds, 3½% series, due 1966	28,000,000			28,000,000
Louisville Lighting Company first mortgage 5%, due 1953	1,000,000			1,000,000
Preferred stock:				
5% cumulative, $100 par value	2,000,000			2,000,000
5% cumulative, $25 par value	19,519,800			19,519,800
Common stock, no par value, outstanding 1,033,839 shares	16,774,892	2,010,964	14,320,991	427,937

[1] Notes and debentures in the aggregate principal amount of $364,500 have been retired since December 31, 1942 which accounts for the difference between the above total and the aggregate principal amount of notes and debentures of $59,202,200 referred to in section I hereof.

[2] In re Standard Power and Light Corporation, Holding Company Act Release No. 3607.

[3] As of December 31, 1941, Standard Power and Light Corporation also owned the following other securities of Standard and its subsidiaries:

[4] Exclusive of inactive companies having no publicly held securities and of the Pittsburgh Railways System companies and Pittsburgh Motor Coach Company.

IV

	Outstanding	Owned by Standard Gas & Electric Company	Owned by system companies other than Standard	Owned by public
Philadelphia Company:				
Funded debt:				
4½% collateral trust sinking fund bonds, due 1961	$48,000,000	.....	.....	$48,000,000
2½% Collateral trust serial notes	10,440,000	.....	.....	9,440,000
Preferred stock:				
6% cumulative, $50 par value	24,557,000	.....	.....	24,557,000
$6 cumulative, no par value, outstanding 100,000 shares	10,000,000	.....	.....	10,000,000
$5 cumulative, no par value, outstanding 55,868 shares	5,593,800	.....	.....	5,593,800
6% non-cumulative, $10 par value	18,800	.....	.....	18,800
Common stock, no par value, outstanding 5,190,647 shares	37,632,101	$36,429,728	.....	1,202,163
Common (scrip), 2691/2 shares	1,493	.....	.....	1,493
Duquesne Light Company:				
Funded debt:				
First mtge. 3½% bonds, due 1965	70,000,000	.....	.....	70,000,000
Preferred stock, 5½% cum., $100 par value	27,500,000	.....	.....	27,500,000
First 6½, 5% cum., $100 par value	.....	.....	.....	.....
Common stock, no par value, outstanding 2,152,525 shares	56,813,120	$56,813,120	.....	.....
Allegheny County Steam Heating Company:				
Capital stock, $50 par value	2,000,123	2,000,123	.....	.....
Pittsburgh and West Virginia Gas Company:				
Capital stock, no par value, outstanding 314,000 shares	8,600,880	8,600,880	.....	.....
Philadelphia Oil Company:				
Capital stock, $50 par value	2,001,400	2,001,400	.....	.....
Equitable Gas Company:				
Indebtedness to affiliate—not current	34,952,480	34,952,480	.....	.....
Common stock, $100 par value	3,300,000	3,300,000	.....	.....
Consolidated Gas Company of City of Pittsburgh:				
Capital stock, $50 par value	2,000,123	2,000,123	.....	.....
Common capital stock, $50 par value	4,000,000	4,000,000	.....	.....
Finleyville Oil & Gas Company:				
Long term debt:				
6% serial gold bonds, due serially to 1946	125,000	.....	.....	125,000
6% serial gold bonds to affiliate—not current	350,000	350,000	.....	.....
Capital stock, $100 par value	500	500	.....	.....
Equitable Auto Company:				
Capital stock, $100 par value	300,000	300,000	.....	.....
Equitable Real Estate Company:				
Long term debt:				
Real estate mortgage, due serially to 1957	1,505,141	.....	635,000	1,508,144
Indebtedness to affiliate—not current	635,000	.....	1,000,000	.....
Capital stock, $50 par value	1,000,000	.....	.....	.....
Equitable Sales Company:				
Indebtedness to affiliate—not current	581,579	.....	581,579	.....
Capital stock, $100 par value	465,300	.....	465,300	.....
Cheswick and Harmar Railroad Company:				
Capital stock, $100 par value	50,000	.....	50,000	.....

[1] $17,220,788.21 is owed to Philadelphia Company and $17,722,691.67 is owed to Pittsburgh and West Virginia Gas Company.

13. In addition to the security ownership of Standard reflected in the above tabulation, Standard owns:

11,600 shares of the Class A common stock and 729,083½ shares of the Class B common stock of Northern States Power Company (Delaware);

260,420 shares of the common stock of Pacific Gas and Electric Company 1,938 shares of the common stock of Deep Rock Oil Corporation.

14. The states in which the businesses of the several public-utility subsidiary companies are conducted and the nature of such businesses, as well as the gross property per books as of December 31, 1942 and gross revenues of such subsidiaries for the year ended December 31, 1942 are shown in the following tabulation:[5]

[5] Does not include the Philadelphia Company which although it owns some gas properties which are leased to certain of the subsidiaries is principally a holding company.

Name of company	State or country in which operations are conducted	Kind of business	Gross property per books [1]	Gross revenues
California Oregon Power Company, The	California and Oregon	Electricity and water	$36,966,487	$5,666,307
Empresa de Servicios Publicos de los Estados Mexicanos, Sociedad Anonima	Mexico	Electricity, Ice and Water	2,790,750	438,483
Louisville Gas and Electric Company	Kentucky	Electricity and Gas—also Holding Company	76,626,918	16,236,933
Madison Light and Power Company	Indiana	Electricity	824,534	288,771
Mountain States Power Company	Wyoming, Oregon, Montana, Idaho, and Washington	Electricity, Natural Gas, Steam Heating, Water and Telephone	23,638,082	4,723,086
Oklahoma Gas and Electric Company	Oklahoma and Arkansas	Electricity	76,684,422	14,857,223
Duquesne Light Company	Pennsylvania	Electricity	212,787,055	40,864,920
Pittsburgh and West Virginia Gas Company	Kentucky and West Virginia	Gas; also holding company	18,765,123	27,646,718
Equitable Gas Company	Pennsylvania	Gas	6,325,018	[2]14,709,018
Southern Colorado Power Company	Colorado	Electricity, street railway and bus transportation	17,763,623	2,639,178
Wisconsin Public Service Corporation	Wisconsin	Electricity, gas, bus transportation, also holding company	53,185,850	10,286,771
Menominee and Marinette Light and Traction Company	Wisconsin and Michigan	Electricity and gas	3,803,669	818,486
Ohio Valley Transmission Company	Indiana	Electricity	671,974	111,133
Louisville Transmission Corporation	Kentucky	Electricity and holding company	3,037,991	72,171
Louisville Transmission Corporation	Indiana	Electricity	310,579	[3]

[1] Includes intangibles and other physical property.
[2] Includes sales to Equitable Gas Company in the amount of $7,108,139.
[3] Includes revenue on property leased from others.
[4] These companies have been recently organized and during 1942 their properties were not in full operation.

15. The following tabulation sets forth the same information as that contained in the preceding one with respect to the non-public-utility subsidiaries of Standard exclusive of the Philadelphia Company and Louisville Gas and Electric Company (Delaware), inactive subsidiaries, and Pittsburgh Railways System subsidiaries and Pittsburgh Motor Coach Company:

Name of company	State in which business operations are conducted	Kind of business	Gross property per books	Gross revenues
Hancock Lake Oil and Gas Company	Oklahoma	Oil and gas leases	$7,631	.....
Kentucky Pipe Line Company	Indiana	Gas production and transmission	155,731	$22,220
Market Street Railway Company	California	Street railway and bus transportation	41,709,229	7,574,541
Allegheny County Steam Heating Company	Pennsylvania	Steam heating	7,956,753	978,954
Hancock Oil Company		Petroleum	2,182,208	112,194
Fayetteville Oil and Gas Company	Pennsylvania	Natural gas production	727,188	45,522
Kentucky West Virginia Gas Company	Kentucky and West Virginia	Natural gas production	21,776,318	4,398,159
Cheswick and Harmar Railroad Company	Pennsylvania	Railroad	408,675	92,954
Equitable Auto Company		Service company, automobile maintenance and repair	327,988	865,366
Equitable Real Estate Company	Pennsylvania	Real estate	4,638,220	502,813
Equitable Sales Company	Pennsylvania	Merchandising of electric and gas appliances	.....	(11,134)
Pittsburgh Utility Engineering and Service Corporation	Illinois	Service company	224,888	[1]1,067,772
Tri-State Land Company	Idaho	Real estate	88,720	.....

[1] Includes intangibles.
[2] The gross revenues of this company are equivalent to the company's operating expenses because it renders services at cost.

16. As of December 31, 1942 the Philadelphia Company carried its physical property account at $38,213,980 and carried its investments in the securities of its subsidiaries, other than the Pittsburgh Railways System at $82,089,231.

17. As of December 31, 1942 Louisville Gas and Electric Company (Delaware) carried its investment in the common stock of Louisville Gas and Electric Company (Kentucky) at $23,349,601 and carried its investment in the capital stock of Madison Light and Power Company at $141,577.

III

It tentatively appearing to the Commission, on the basis of the allegations

IV

It being the duty of the Commission pursuant to section 11 (b) (2) of the act, to require by order, after notice and opportunity for hearing, that each registered holding company and each subsidiary company thereof take such steps as the Commission shall find necessary to ensure that the corporate structure or continued existence of any company in a holding-company system does not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders of such holding company system, and to require each registered holding company (and any company in the same holding-company system with such holding company) to take such action as the Commission shall find necessary in order that such holding company shall cease to be a holding company with respect to each of its subsidiary companies which itself has a subsidiary company which is a holding company; and

It being appropriate in the public interest and in the interests of investors and consumers to institute proceedings against Standard under sections 15 (f) and 20 (a) of the act directed toward a determination of whether appropriate orders should be entered pursuant to said sections; and

The Commission being required by the provisions of section 11 (e) of the act to find, after notice and opportunity for hearing and before approving any plan filed thereunder, that such plan, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b), and is fair and equitable to the persons affected thereby; and

It being appropriate that notice be given and a hearing held for the purpose of determining what action should be ordered under sections 11 (b) (2), 15 (f) and 20 (a) and for the purpose of ascertaining what action be taken on the proposed plan; and the common issues of fact and law arising in connection with the proposed plan and in connection with proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) making it appropriate that the hearing on said matters be consolidated; *It is hereby ordered:*

(a) That a hearing be held on the plan filed by Standard Gas and Electric Company pursuant to section 11 (e) of the act;

(b) That proceedings be instituted against Standard Gas and Electric Company pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the act and that a hearing be held on the proceedings so instituted;

(c) That if Standard Gas and Electric Company disputes any of the allegations contained in paragraphs numbered 1 to 17, inclusive, of section II herein, it shall file an answer to such allegations in the form prescribed by Rule U-25 of the Rules and Regulations under the Act with the Secretary of the Commission on or before May 4, 1943;

(d) That the hearing on said plan and on the proceedings instituted pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the act be consolidated, subject

	Outstanding	Owned by Standard Gas & Electric Company	Owned by system companies other than Standard	Owned by public
Madison Light and Power Company:				
Open account—not current	$328,000	.....	$328,000	.....
Capital stock, $100 par value	150,000	.....	150,000	.....
Kentucky Pipe Line Company:				
Open account—not current	147,908	.....	147,908	.....
Capital stock, no par value, outstanding 100 shares	10,000	.....	10,000	.....
Kentucky West Virginia Gas Company:				
Preferred stock:				
5% cum. first pfd., $100 par value	2,937,500	.....	2,937,500	.....
5% cum. second pfd., $100 par value	5,407,500	.....	5,407,500	.....
Common stock, no par value, outstanding 100,000 shares	1,304,715	.....	1,304,715	.....
Ohio Valley Transmission Corporation:				
Open account—not current	464,000	.....	464,000	.....
Capital stock, no par value, outstanding 1,000 shares	1,000	.....	1,000	.....
Louisville Transmission Corporation (Ky.):				
Capital stock, $10 par value	10,000	.....	[1] 850	.....
Louisville Transmission Corporation (Ind.):				
Capital stock, $10 par value	310,777	.....	310,777	.....
Louisville Transmission Corporation (Ind.):				
Open account—payable to parent	10,000	.....	10,000	.....
Capital stock, $10 par value	.....	.....	.....	.....
Horse Creek Land and Mining Company:				
Capital stock, no par value, outstanding 5,000 shares	1,812	$1,812	.....	.....
Market Street Railway Company:	10,000	10,000	.....	.....
Long term debt:				
4½% S. F. gold bonds, due 1940	4,192,500	.....	.....	4,192,500
Notes and installment contracts	735,748	.....	.....	735,748
Indebtedness to parent	1,041,626	1,041,626	.....	.....
Preferred stock:				
6% preference, 6% cum., $100 par	11,618,500	.....	.....	11,618,500
6% non-cumulative, $100 par value	4,486,500	.....	.....	4,486,500
Second pfd., 6%, $100 par value	4,673,700	.....	.....	2,123,700
Common stock, $100 par value	10,647,400	.....	.....	4,464,400
Mountain States Power Company:				
Long term debt:				
First mtge. bonds, 3¾% ser., due 1965	7,500,000	.....	.....	7,500,000
Serial notes	270,000	.....	.....	270,000
Preferred stock:				
5% cumulative, $50 par value outstanding and held for sinking fund requirements, 1st pfd. stk. 240,101 shares	2,652,200	.....	.....	2,652,200
Common stock, $100 par value	5,165,550	2,912,110	.....	2,253,440
Oklahoma Gas and Electric Company				
Funded debt:				
First mtge. bonds, 3¼% ser., due 1966	35,000,000	.....	.....	35,000,000
4% serial notes due 1946	7,125,000	.....	.....	7,125,000
Preferred stock:				
5% cumulative, $100 par value	14,647,800	.....	.....	14,647,800
6% cumulative, $100 par value	2,231,700	.....	.....	2,231,700
Public Utility Engineering and Service Corp.:				
Capital stock, no par value outstanding 100,000 shares	250,000	250,000	.....	.....
Tri-State Land Company:				
Open account—not current	714	714	.....	.....
Capital stock, $100 par value	100,000	100,000	.....	.....
Southern Colorado Power Company:				
Long term debt:				
Bonds—first mortgage gold, series A, 6%, due 1947	6,783,400	.....	.....	[2] 6,783,400
Miscellaneous	68,566	.....	.....	68,566
Preferred stock:				
6% cumulative, $100 par value	4,251,600	36,000	.....	4,215,600
Common stock:				
Class A, $25 par value	2,750,000	158,175	.....	2,591,825
Class B, no par value, outstanding 75,000 shares	750,000	750,000	.....	.....
Wisconsin Public Service Corporation:				
Long term debt:				
First mortgage bonds, 3¼% series, due 1971	26,500,000	.....	.....	26,500,000
Preferred stock	13,200,000	.....	.....	13,200,000
5% cumulative, $10 par value	11,000,000	11,000,000	.....	.....
Common stock, $10 par value	.....	.....	.....	.....
Menominee and Marinette Light and Traction Co.:				
Funded debt:				
First mortgage 6% demand bonds, series A	1,324,000	.....	1,324,000	.....
Open account—not current	260,000	.....	260,000	.....
Common stock, $100 par value	1,150,000	.....	1,150,000	.....

[1] Stand

[1] Includes

[2] Consolidated

3. Standard and its subsidiary companies have complied with all applicable orders of the Commission.

4. Standard is not a party to any pledge of securities of any subsidiary company.

5. Standard has not solicited any consents from its security holders with respect to the proposed transactions.

6. Standard has not employed any person to render any advice or service in connection with the proposed transactions except its regular employees and counsel.

7. Standard has not paid any fee or commission in connection with the proposed transactions.

8. Standard has not guaranteed any obligations of any subsidiary company.

9. Standard has not made any loans to any subsidiary company.

10. Standard has not made any capital contributions to any subsidiary company.

11. Standard has not made any charges to any subsidiary company.

12. Standard has not made any charges to any subsidiary company.

13. Standard has not made any charges to any subsidiary company.

14. Standard has not made any charges to any subsidiary company.

15. Standard has not made any charges to any subsidiary company.

16. Standard has not made any charges to any subsidiary company.

17. Standard has not made any charges to any subsidiary company.

to a reservation of jurisdiction to separate the matters so consolidated either for hearing or for disposition, in whole or in part;

It is further ordered, That the consolidated hearing on the plan and on the proceedings instituted pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the Act be held on the 5th day of May, 1943, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said act; and

It is further ordered, That the Secretary of the Commission shall serve notice of such hearing by mailing a copy of this order to the Standard Gas and Electric Company forthwith; that notice of said hearing be given to Standard Gas and Electric Company and to its security holders, and to all other interested persons, regulatory authorities, municipalities or other political subdivisions by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Act; and by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Standard Gas and Electric Company mail a copy of this notice and order together with a copy of the plan referred to in section I hereof to each of its security holders at his last-known address at least thirty days prior to the 5th day of May, 1943;

It is further ordered, That any person desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission or or before the 26th day of April, 1943, a written statement relative thereto; any person proposing to intervene shall file with the Secretary of the Commission or or before such date his application therefor, as provided by Rule XVII of the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of the issues presented by the plan or by the proceedings herein instituted, that evidence having particular bearing on the following matters will be adduced at the hearing:

1. Whether the proposed plan filed pursuant to section 11 (e) of the act is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected thereby;

2. Whether the allegations contained in paragraphs numbered 1 to 17, inclusive, of section II hereof are true and correct;

3. Whether voting power is fairly and equitably distributed among the security holders of the Standard Gas and Electric Company system;

4. Whether the corporate structure and continued existence of the Standard Gas and Electric Company unduly or unnecessarily complicates the structure of the Standard Gas and Electric Company system;

5. What further action may be required by Standard Gas and Electric Company to effect complete compliance with section 11 (b) of the act;

6. What orders, if any, should be entered pursuant to sections 15 (f) and 20 (a) of the act, to require Standard Gas and Electric Company to take such steps as the Commission may find necessary to effect complete compliance with the provisions of said sections.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4566; Filed, March 25, 1943; 10:20 a. m.]

[File No. 812-286]

SOUTHERN NATIONAL INVESTMENT CORPORATION OF CORPUS CHRISTI

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of March, A. D. 1943.

Southern National Investment Corporation of Corpus Christi having filed an application pursuant to the provisions of section 6 (d) of the Investment Company Act of 1940 for an order of exemption from the provisions of said Act;

It is ordered, Pursuant to section 40 (a) of the said Act, That a hearing on the aforesaid application be held on April 12, 1943, at 11:30 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building at 18th and Locust Street, Philadelphia, Pennsylvania.

It is further ordered, That Charles S. Moore, Esq., or any other officer of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-4617; Filed, March 26, 1943; 9:40 a. m.]

WAR PRODUCTION BOARD.

[Certificate 44]

INTERSTATE COMMERCE COMMISSION RATE CONFERENCE REGULATIONS

THE ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby approve joint action by common carriers or freight forwarders, or their respective representatives, through rate bureaus, rate conferences, or other similar carrier or forwarder organizations, in the initiation and establishment of common carrier and freight forwarder rates, fares, and charges, and carrier and forwarder regulations and practices pertaining thereto: *Provided*, That such action is taken subject to and in compliance with certain regulations for rate conferences formulated by the Interstate Commerce Commission a copy of which is hereunto annexed and made a part hereof; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval herein expressed, is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

MARCH 20, 1943.

REGULATIONS FOR RATE CONFERENCES

RULE 1. *Definitions as used in these rules.* (a) The term "rate conference" means any two or more common carriers or any two or more freight forwarders who consult together, either directly or by employees or representatives, for the purpose of considering or agreeing upon rates to be charged by them, or of providing for the publication of tariffs containing such rates.

(b) The term "publishing agent" means a person or corporation controlled directly or indirectly by a rate conference which publishes and files freight or passenger tariffs.

(c) The term "rates" includes fares, charges, and classifications, and all rules, regulations, and practices affecting the charges made for the transportation of freight or passengers and services incidental to such transportation.

(d) The term "carrier" means a common carrier or a freight forwarder.

RULE 2. Any carrier performing service of the type and within the territorial and organizational scope of a rate conference's rate activities shall be eligible for membership in such rate conference upon application and upon payment of charges applicable to other members of the same class. When a rate conference consists of two or more rate conferences or their representatives, eligibility for membership in any of the rate conferences shall be considered compliance with this rule.

RULE 3. On or before April 15, 1943 each rate conference shall register with the Interstate Commerce Commission and shall file with the Commission a copy of its by-laws, the names and addresses of its officers and of the members of rate and other committees (except special or sub-committees created for temporary functioning), the rules of procedure followed by it, a copy of any agreement or other document which in any way provides for, governs, or affects such procedure, and schedules of its charges to members or, where expenses are divided among the members, statements showing how the expenses are divided; and, if a corporation, a copy of its articles of incorporation. A copy of each change in any of the above shall be filed within 30 days of the effective date of the change.

RULE 4. A publishing agent, upon request of any member of the rate conference for which the publishing agent publishes rates and upon payment of the charges, if any, applicable to carriers of that class, shall include the member as a participating carrier in its agency tariffs and publish rates therein for the individual or joint account of such member, except that this shall not require the publishing agent to publish joint rates for the account of carriers who indicate their nonconcurrence therein.

RULE 5. Each member of a rate conference may propose to such conference the initiation of or change in rates to be published in the tariffs of the publishing agent for application over the proponent's line or over the lines of other members of the conference performing the service for which the rates are proposed.

RULE 6. No rule or practice of a rate conference shall prohibit any member from publishing or having published for his account any rate or rule after ninety days from the date the rate was proposed by him, except that, in the case of a joint rate, the publishing agent shall not publish the rate for application over the line of any carrier who does not join in the request for its publication.

RULE 7. Membership in a rate conference shall not preclude a carrier, after rejection of the proposal or after 90 days from the date of the proposal, from filing individual tariffs or from participating in tariffs published by other carriers or other rate conferences. Upon the filing of such individual tariffs or upon participation in tariffs published by other carriers or other rate conferences, the rate conference or conferences in whose tariffs the earlier rates were published shall immediately provide for the removal of any conflicting or duplicating rates in its or their tariffs.

RULE 8. No boycott or other means of coercion or intimidation shall be employed by a rate conference, directly or indirectly, to restrain a carrier, either a member or a nonmember, from taking independent action, consistent with these rules, to establish rates other than those approved by a rate conference.

RULE 9. Each rate conference shall maintain accounts, records, and memoranda showing its assets, liabilities, income, and expenses; and shall maintain a file for each rate proposal which shall contain the rate proposal, all protests and memoranda submitted respecting the proposed rates, and minutes of any oral hearing which may be held. The accounts, records, memoranda, files, and all correspondence of a rate conference shall be open to inspection by duly authorized representatives of the Interstate Commerce Commission.

RULE 10. These rules are subject to modification, change, and addition as the need therefor may be shown.

[F. R. Doc. 43-4629; Filed, March 26, 1943; 11:48 a. m.]

NATIONAL ARCHIVES

FEDERAL REGISTER

VOLUME 8 NUMBER 62

Washington, Tuesday, March 30, 1943

The President

PROCLAMATION 2581

ARMY DAY, 1943

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Senate Concurrent Resolution 5, 75th Congress, 1st Session, which was agreed to by the House of Representatives on March 16, 1937 (50 Stat. 1108), provides:

"That April 6 of each year be recognized by the Senate and House of Representatives of the United States of America as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable; to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: *Provided*, That in the event April 6 falls on Sunday, the following Monday shall be recognized as Army Day";

WHEREAS the men of the United States Army have carried the flag of the United States and the ideals which it represents to every part of the earth and with their brothers-in-arms from the nations united with us are offering their lives for the future of America and of the world;

WHEREAS our soldiers on the firing lines and in posts of danger depend for their very lives on the constant flow of ammunition, weapons and supplies from their brothers at home; and on the fidelity of their countrymen to maintain the ideals which they bravely defend:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim Tuesday, April 6, 1943, as Army Day; and I invite the Governors of the States to issue proclamations appropriate to that day; and I request that on Army Day, while intensifying the war effort in factories, fields, mines, transportation lines and ports, the American people reflect upon the soldiers whose very lives they hold in trust and upon ways and means of increasing the flow of supplies to them and of maintaining in this nation a country worthy of their sacrifice and fit for their return.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 26th day of March in the year of our Lord nineteen hundred and [SEAL] forty-three and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-4785; Filed, March 27, 1943; 3:34 p. m.]

EXECUTIVE ORDER 9322

CENTRALIZING AND DELEGATING AUTHORITY WITH RESPECT TO THE PRODUCTION AND DISTRIBUTION OF FOOD

By virtue of the authority vested in me by the Constitution and the statutes of the United States, particularly by the First War Powers Act, 1941, as President of the United States and Commander in Chief of the Army and Navy, and in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs, it is hereby ordered as follows:

1. The Food Production Administration (except the Farm Credit Administration), the Food Distribution Administration, the Commodity Credit Corporation, and the Extension Service are hereby consolidated within the Department of Agriculture into an Administration of Food Production and Distribution to be under the direction and supervision of an Administrator. The Administrator shall be appointed by the President and shall be directly responsible to him.

2. All of the powers, functions, and duties conferred upon the Secretary of

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FEDERAL REGISTER

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Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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Agriculture by Executive Order No. 9280 dated December 5, 1942, are transferred to and shall be exercised by the Administrator. The Secretary of Agriculture shall, however, continue as Chairman of the Inter-Departmental Committee set up by section 7 (a) of Executive Order No. 9280 to advise the Administrator, and the Administrator shall become a member of such committee. The Secretary of Agriculture shall continue as a member of the War Production Board as provided in section 7b of Executive Order No. 9280. The Secretary of Agriculture shall continue as the American representative on the Combined Food Board.

7 F R 10179

3. The personnel, property, and records used primarily in the administration of the functions, powers, and duties transferred and consolidated by this order are transferred to the Administrator. So much of the unexpended balances of appropriations, allocations, and other funds available to the Department of Agriculture for the said purposes as the Director of the Bureau of the Budget shall determine shall be transferred to the Administrator for use in connection with the exercise of the functions, powers, and duties so transferred. The authority heretofore vested in the Secretary of Agriculture over personnel of divisions, bureaus, and agencies transferred to and consolidated under the Administrator is vested in the Administrator. The powers in respect to labor and manpower heretofore vested in the Secretary of Agriculture by the orders of the Economic Stabilization Director or the Chairman of the War Manpower Commission are vested in the Administrator. The authority heretofore vested in the Secretary of Agriculture under Title IV of Executive Order 9250 is vested in the Administrator.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 26, 1943.

[F R Doc 43-4669; Filed, March 26, 1943; 3:45 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 23—THE FEDERAL LAND BANK OF COLUMBIA

RELEASE OF SECURITY AND PERSONAL LIABILITY FEES

Sections 23.4 and 23.5 of Title 6, Code of Federal Regulations, are amended to read as follows:

§ 23.4 *Partial release of security fees.* The following fees shall be charged in connection with applications for partial release of security:

Land Bank Commissioner loan	$10.00
Direct Federal Land Bank loan	10.00
Land Bank loan through national farm loan association	10.00

The $10 fee applies also to applications for the release of timber. However, if the regular appraisal in connection with an application for release of timber indicates that a special cruise of the timber is necessary, an additional fee, equal to the cost of such cruise, will be charged.

If an application for partial release is submitted simultaneously with an application for a new loan on the same security, or on the same security plus some additional security, the regular new loan appraisal fee is charged in connection with the new loan application and a fee of $5 is charged in connection with the partial release application.

§ 23.5 *Release of personal liability fees.* The following fees shall be charged in connection with applications for release of personal liability:

Land Bank Commissioner loan	$10.00
Direct Federal Land Bank loan	10.00
Land Bank loan through national farm loan association	10.00

(Sec 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth," 723 (e), 1016 (e) and Supp.; 6 CFR 19.326) [Min. Bd. Dir. Feb. 24, 1943]

[SEAL] THE FEDERAL LAND BANK OF COLUMBIA,
By JULIAN H. SCARBOROUGH,
President.

[F R. Doc 43-4791; Filed, March 29, 1943; 9:54 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[Tobacco 703 (Burley) Part I, Supp. 2]

PART 724—BURLEY TOBACCO

MARKETING QUOTA REGULATIONS, 1943-44 MARKETING YEAR

Pursuant to the authority vested in the Secretary of Agriculture, by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of amendment to Tobacco 703 (Burley) Marketing Quota Regulations, Burley Tobacco, 1943-44 Marketing Year, Part I, Procedure for the Determination of Acreage Allotments and Normal Yields for 1943, as amended, which regulations shall be in force and effect until rescinded, suspended, amended, or superseded by regulations hereafter made by the Secretary of Agriculture under said Act.

Section 724.517 of Tobacco 703 (Burley) Part I, Marketing Quota Regulations, Burley Tobacco, 1943-44 Marketing Year, issued December 31, 1942, is hereby amended to read as follows:

§ 724.517 *Allotments by county committees.*—An amount not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. A farm shall be eligible upon application for allotment as provided hereunder (1) if the committee finds that the 1942 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other farms in the county, or (2) if tobacco was harvested on the farm in 1942 and no acreage allotment was established for the farm. In making the adjustment in the farm acreage allotment the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment available for the production of tobacco, and crop rotation practices. Particular consideration should be given to the land, labor and equipment available for the production of war crops as well as the proposed adjustment in to-

bacco acreage. In the case of any farm on which tobacco was harvested in 1942 for which no acreage allotment was established, the committee may establish an allotment not exceeding ten percent of the acreage of tobacco harvested on the farm in 1942. Without prior approval of the State committee, the acreage allotted under this section shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

(52 Stat. 37, 47; 54 Stat. 392; 53 Stat. 1261; 56 Stat. 51; 7 U.S.C. 1940 ed. 1301 (b) 1313; 52 Stat. 66; 7 U.S.C. 1940 ed. 1375 (a))

Done at Washington, D. C. this 26th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4708; Filed, March 27, 1943; 11:45 a. m.]

[Tobacco 703 (Fire-cured) Part I, Supp. 1]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1943-44 MARKETING YEAR

Pursuant to the authority vested in the Secretary of Agriculture, by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of amendment to Tobacco 703 (Fire-cured) Marketing Quota Regulations, Fire-cured Tobacco, 1943-44 Marketing Year, Part I, Procedure for the Determination of Acreage Allotments and Normal Yields for 1943, which regulations shall be in force and effect until rescinded, suspended, amended, or superseded by regulations hereafter made by the Secretary of Agriculture under said Act.

Section 726.512 of Tobacco 703 (Fire-cured) Part I, Marketing Quota Regulations, Fire-cured Tobacco, 1943-44 Marketing Year, issued January 20, 1943, is hereby amended to read as follows:

§ 726.512 *Allotments by county committees.* An amount not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. A farm shall be eligible upon application for allotment as provided hereunder (1) if the committee finds that the 1942 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other farms in the county, or (2) if tobacco was harvested on the farm in 1942 and no acreage allotment was established for the farm. In making the adjustment in the farm acreage allotment, the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment available for the production of tobacco, and crop rotation practices. Particular consideration should be given to the land, labor and equipment available for the production of war crops as well as the proposed adjustment in tobacco acreage. In the case of any farm on which tobacco was harvested in 1942 for which no acreage allotment was established, the committee may establish an allotment not exceeding ten percent of the acreage of tobacco harvested on the farm in 1942. Without prior approval of the State committee, the acreage allotted under this section including the total acreage by which 1943 preliminary allotments established under the provisions of § 726.511 hereof exceeds the 1942 acreage allotments for such farms which acreage shall be the first deduction from the acreage apportioned to the county shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

(52 Stat. 47, 202, 586; 53 Stat. 1261; 54 Stat. 392, 1209; 56 Stat. 51; 7 U.S.C. 1940 ed. 1313; 52 Stat. 66; 7 U.S.C. 1940 ed. 1375 (a))

Done at Washington, D. C. This 26th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4709; Filed, March 27, 1943; 11:45 a. m.]

[Tobacco 703 (Dark Air-cured) Part I, Supp. 1]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1943-44 MARKETING YEAR

Pursuant to the authority vested in the Secretary of Agriculture, by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of amendment to Tobacco 703 (Dark Air-cured), Marketing Quota Regulations, Dark Air-cured Tobacco, 1943-44 Marketing Year, Part I, Procedure for the Determination of Acreage Allotments and Normal Yields for 1943, which regulations shall be in force and effect until rescinded, suspended, amended, or superseded by regulations hereafter made by the Secretary of Agriculture under said Act.

Section 726.562 of Tobacco 703 (Dark Air-cured) Part I, Marketing Quota Regulations, Dark Air-cured Tobacco, 1943-44 Marketing Year, issued January 21, 1943 is hereby amended to read as follows:

§ 726.562 *Allotments by county committees.* An amount not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. A farm shall be eligible upon application for allotment as provided hereunder (1) if the committee finds that the 1942 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other farms in the county, or (2) if tobacco was harvested on the farm in 1942 and no acreage allotment was established for the farm. In making the adjustment in the farm acreage allotment the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment available for the production of tobacco, and crop rotation practices. Particular consideration should be given to the land, labor and equipment available for the production of war crops as well as the proposed adjustment in tobacco acreage. In the case of any farm on which tobacco was harvested in 1942 for which no acreage allotment was established, the committee may establish an allotment not exceeding ten percent of the acreage of tobacco harvested on the farm in 1942. Without prior approval of the State committee, the acreage allotted under this section including the total acreage by which 1943 preliminary allotments established under the provisions of § 726.561 hereof exceeds the 1942 acreage allotments for such farms which acreage shall be the first deduction from the acreage apportioned to the county shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

(52 Stat. 47, 202, 586; 53 Stat. 1261; 54 Stat. 392, 1209; 56 Stat. 51; 7 U.S.C. 1940 ed. 1313; 52 Stat. 66; 7 U.S.C. 1940 ed. 1375 (a))

Done at Washingon, D. C. this 26th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture

[F. R. Doc. 43-4710; Filed March 27, 1943; 11:45 a. m.]

[Tobacco 703 (Flue-cured) Part I, Supp. 2]

PART 727—FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1943-44 MARKETING YEAR

Pursuant to the authority vested in the Secretary of Agriculture, by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of amendment to Tobacco 703 (Flue-cured) Marketing Quota Regulations, Flue-cured Tobacco, 1943-44 Marketing Year, Part I, Procedure for the Determination of Acreage Allotments and Normal Yields for 1943, as amended which regulations shall be in force and effect until rescinded, suspended, amended, or superseded by regulations hereafter made by the Secretary of Agriculture under said Act.

Section 727.517 of Tobacco 703 (Flue-cured) Part I, Marketing Quota Regulations, Flue-cured Tobacco, 1943-44 Marketing Year, issued December 21, 1942, is hereby amended to read as follows:

§ 727.517 *Allotments by county committees.* An amount not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. A farm shall be eligible upon application for allotment as provided hereunder (1) if the committee finds that the 1942 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other farms in the county, or (2) if tobacco was harvested on the farm in 1942 and no acreage allotment was established for the farm. In making the adjustment in the farm acreage allotment, the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment available for the production of tobacco, and crop rotation practices. Particular consideration should be given to the land, labor and equipment available for the production of war crops as well as the proposed adjustment in tobacco acreage. In the case of any farm on which tobacco was harvested in 1942 for which no acreage allotment was established, the committee may establish an allotment not exceeding ten percent of the acreage of tobacco harvested on the farm in 1942. Without prior approval of the State committee, the acreage allotted under this section shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

(52 Stat. 38, 47; 54 Stat. 392; 53 Stat. 1261; 56 Stat. 51; 7 U.S.C. 1940 ed. 1301 (b) 1313; 52 Stat. 66; 7 U. S. C. 1940 ed. 1375 (a))

Done at Washington, D. C. this 26th day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4711; Filed, March 27, 1943; 11:45 a. m.]

Chapter XI—Food Distribution Administration

[FDO 28-1, Amendment 1]

PART 1410—LIVESTOCK AND MEATS

MEAT REQUIRED TO BE SET ASIDE

Pursuant to the authority vested in me by Food Distribution Order 28, dated March 5, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, Director Food Distribution Order 28-1, § 1410.5 (8 F.R. 3135), issued by the Director of Food Distribution on March 15, 1943, is amended as follows:

By amending (a) (2) thereof to read as follows:

(2) An amount of each class of meat equivalent to the percentages set forth in paragraph (b) hereof of all meats derived from the slaughter of cattle, calves, sheep, lambs, and swine during the periods from March 15 to March 28, 1943, inclusive, and from April 11 to April 30, 1943, inclusive.

This amendment shall become effective on the date of its issuance.

(E.O. 9280, 7 F.R. 10179; FDO 28, 8 F.R. 2787; FDO 28-1, 8 F.R. 3135)

Issued this 29th day of March 1943.

[SEAL] C. W. KITCHEN,
Acting Director.

[F. R. Doc. 43-4809; Filed, March 29, 1943; 11:17 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50837]

COAL, COKE, AND BRIQUETS

TAXABLE STATUS OF IMPORTS FROM CERTAIN COUNTRIES

March 27, 1943.

Coal, coke made from coal, and coal or coke briquets imported from the following country and entered for consumption or withdrawn from warehouse for consumption during the period from January 1 to December 31, 1943, inclusive, will not be subject to the tax of 10 cents per hundred pounds prescribed in the Internal Revenue Code, section 3423: Canada.

Coal, coke made from coal, and coal or coke briquets produced in the following countries, imported into the United States directly or indirectly therefrom and entered for consumption or withdrawn from warehouse for consumption during the calendar year 1943 will be exempt from the tax by virtue of the Internal Revenue Code, section 3420: United Kingdom and Union of Soviet Socialist Republics.

Coal, coke made from coal, and coal or coke briquets produced in the following country, imported into the United States directly or indirectly therefrom and entered for consumption or withdrawn from warehouse for consumption during the period from January 30 to December 31, 1943, inclusive, will be exempt from the tax pursuant to the Internal Revenue Code, section 3420: Mexico.

The above list does not include countries from which there have been no importations of coal or allied fuels since January 1, 1941. Further information concerning the taxable status of such fuels imported during the calendar year 1943 will be furnished upon application therefor to the Bureau. (441.)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

[F. R. Doc. 43-4799; Filed, March 29, 1943; 10:39 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 501—CLASS 1 AND 2 PROPERTY IMPROVEMENT LOANS

PART 502—CLASS 3 PROPERTY IMPROVEMENT LOANS

Amendment of Part 501, § 501.7 (a) of the regulations effective May 26, 1942, and Part 502, § 502.4 (a) of the regulations effective July 1, 1941, as amended, issued by the Federal Housing Commissioner in connection with property improvement loans under Title I of the National Housing Act, as amended.

Part 501, § 501.7 (a) of the regulations effective May 26, 1942 (7 F.R. 4248) is hereby amended by striking out "1943" and inserting in lieu thereof "1944".

Part 502, § 502.4 (a) of the regulations effective July 1, 1941 (6 F.R. 3325, 3383) is hereby amended by striking "1943" and inserting in lieu thereof "1944".

The amendments contained herein are hereby declared to have the same force and effect as if included in and made a part of each Contract of Insurance, and are effective July 1, 1943.

Issued at Washington, D. C., March 26, 1943.

[SEAL] ABNER H. FERGUSON,
Federal Housing Commissioner.

[F. R. Doc. 43-4797; Filed, March 29, 1943; 9:54 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

DEHYDRATION OF CITRUS PULP AND WASTE IN FLORIDA AND TEXAS

DETERMINATION AS INDUSTRY OF SEASONAL NATURE

In the matter of the determination that dehydrating of citrus pulp and waste in the States of Florida and Texas is of a seasonal nature, pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder.[1]

Whereas the Kuder Citrus Pulp Company of Florida and various other parties filed an application for the exemption of the behydrating of citrus pulp and waste from the maximum hours provisions of the Fair Labor Standards Act of 1938, as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder; and

Whereas in accordance with § 526.5 of the regulations, the Administrator of the Wage and Hour Division determined that a prima facie case for the granting of the exemption had been shown, and

[1] This document affects the table in § 526.101.

notice of this preliminary determination was published in the FEDERAL REGISTER (6 F.R. 1697) on March 29, 1941; and

Whereas within 15 days following that preliminary determination, the Administrator received objection and request for a hearing from the Citrus By-Products Workers Union No. 20831, of Los Angeles, California; and

Whereas pursuant to notice a public hearing was held on June 5, 1941 at Los Angeles, California before Presiding Officer Harold Stein, a duly authorized representative of the Administrator, who upon the basis of the record made at the hearing found that the dehydrating of citrus pulp and waste, and the manufacture of cattle feed therefrom, is not an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 of the regulations, and determined that the application should be denied, and notice of this finding was published in the FEDERAL REGISTER (6 F.R. 5647) on November 6, 1941; and

Whereas petitions were filed by the applicants pursuant to § 526.7 of the regulations for review of the said denial; and

Whereas the Administrator thereupon set the matter for further hearing pursuant to §§ 526.5 and 526.6 of the regulations before an authorized representative of the Administrator, for the purpose of taking additional evidence on the questions raised by the said petitions in lieu of reviewing the determination under the provisions of section 526.7 of the regulations; and

Whereas the Administrator then gave notice of public hearings to be held at Tampa, Florida on January 12, 1942, at San Antonio, Texas on January 20, 1942, and at Los Angeles, California on January 26, 1942, before James G. Johnson, authorized as representative of the Administrator to take testimony, to hear argument, and to determine:

Whether the dehydrating of citrus pulp and waste is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder, and if so, the appropriate limits of said industry; and

Whereas the hearing scheduled for Los Angeles was indefinitely postponed at the instance of the interested parties, and the hearings scheduled for Tampa and San Antonio were, pursuant to notice, consolidated into a public hearing held on January 16, 1942 at Washington, D. C., before James G. Johnson, as Presiding Officer, who made the following findings of fact and determination:

1. The dehydration establishments receive the citrus pulp and waste from citrus canneries as soon as it becomes available.

2. The pulp must be processed within a few hours after the juice or sections have been removed from the fruit. The dehydration plants operate during the period or periods in which citrus canning and juicing plants operate and are dependent entirely upon these plants for their principal raw materials.

3. Citrus waste is available to the dehydration industry in Texas during a period of not over six months out of each year. Citrus waste is technically available in Florida for a period of approximately eight months. However, due to various factors it is usually available as a raw material to the citrus dehydration industry for a period of time averaging six to seven months out of each year.

4. The dehydration of citrus pulp and waste and the manufacture of cattle feed therefrom, insofar as the dehydration of citrus pulp and waste in the states of Florida and Texas are concerned, is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and part 526 of the Regulations issued thereunder.

The application for seasonal exemption under section 7 (b) (3) is granted to the branch or branches of the citrus pulp and waste dehydration industry, located in the states of Florida and Texas.

Whereas it appears from the findings and determination of Presiding Officer Johnson that he concluded that the operations of dehydrating citrus pulp and waste in the states of Florida and Texas constitute a branch or branches of the dehydration of citrus pulp and waste industry and are of a seasonal nature within the meaning of the Act and the regulations; and

Whereas it appears from the statement of Presiding Officer Johnson, submitted in support of his findings and determination, that the Florida citrus pulp and waste dehydration plants shut down for about six months each year, except for an insubstantial amount of production that may be produced during a trial or experimental period shortly before the main production season; and

Whereas the findings and determination of James G. Johnson as Presiding Officer, including the statement in support thereof, were duly filed with the Administrator on January 8, 1943, and are now on file in Room 1619, National Office of the Wage and Hour Division, 165 West 46th Street, New York, New York, and are available for examination by all interested parties; and

Whereas on February 26, 1943, the Administrator caused to be published in the FEDERAL REGISTER (8 F.R. 2448) a notice which stated that, pursuant to the provisions of § 526.7 of the aforesaid regulations, any person aggrieved by the said determination might within 15 days after February 26, 1943 file a petition with the Administrator requesting that he review the action of the said representative upon the record of hearing before the said representative; and

Whereas no petition for review has been filed within the 15-day period,

Now, therefore, pursuant to the provisions of § 526.7 of the regulations, the exemption provided by section 7 (b) (3) of the Fair Labor Standards Act of 1938 will become effective on the date this notice appears in the FEDERAL REGISTER. This exemption is applicable only as specified by the aforesaid findings and determination of James G. Johnson as Presiding Officer.

Signed at New York, New York, this 25th day of March 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-4689; Filed, March 27, 1943; 11:13 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

CLYDE SHIRT COMPANY, NORTHAMPTON, PA

Notice of cancellation of special certificate for the employment of learners in the Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Notice is hereby given that the special certificate for the employment of learners authorizing the Clyde Shirt Company of Northampton, Pennsylvania to employ not in excess of ten percent of its total number of productive factory workers (not including office and sales personnel) as learners at any one time between November 13, 1941 and November 13, 1942, has been ordered cancelled as of the date of first violation because of the violation of its terms.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to § 522.13 of the Regulations. If a petition is properly filed the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York this 26th day of March 1943.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 43-4788; Filed, March 29, 1943; 9:41 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NEW ENGLAND GUILD, PORTLAND, MAINE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 29, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminmum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the Regulations and as indicated on the certificate.

Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

New England Guild, 252 Spring Street, Portland, Maine; Rugs; 1 learner (T); Rug Hooking Machine Operator for a learning period of 240 hours at 35¢ per hour until September 29, 1943.

Signed at New York, N. Y., this 27th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4789; Filed, March 29, 1943; 9:40 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940 as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacuring Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order of Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 29, 1943. The certificate may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

H. Magerman, 137 North 7th Street, Philadelphia, Pennsylvania; Men's pants; 5 learners (T); March 29, 1944.

Statler Clothing Company, 36 Pleasant Street, Watertown, Massachusetts; Men's clothing; 5 learners (T); March 29, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

C. A. Baltz and Sons, Salem, New York; Men's pajamas; 10 percent (T); March 28, 1944.

M. M. Bernstein & Sons, 213 No. Broad Street, Phillipsburg, New Jersey; Ladies' underwear; 10 percent (T); March 23, 1944.

Blackman-Hazzard Company, Cortland Street, Homer, New York; Children's play clothes; 10 learners (T); March 29, 1944.

Branch Manufacturing Company, 422 Norris Avenue, Long Branch, New Jersey; Ladies' cotton and woolen work garments, cotton beachwear, children's snowsuits; 7 learners (T); March 29, 1944.

Carefree Wear Company, 1706 Washington Avenue, St. Louis, Missouri; Ladies' playsuits, slack suits, skirts and blouses; 5 learners (T); March 29, 1944.

Creery Shirt Shop, Incorporated, 713 East Main Street, Richmond, Virginia; Custom tailor made shirts, pajamas, shorts; 2 learners (T); March 29, 1944.

W. R. Darling, 127 East 9th Street, Los Angeles, California; Ladies' work clothes; 10 learners (T); March 29, 1944.

Excelsior Manufacturing Corporation, 12 Pine Grove Avenue, Kingston, New York; Women's dresses; 10 percent (T); March 29, 1944.

M. Gitman Company, Inc., 629 Livingston Street, Elizabeth, New Jersey; Men's shirts; 10 learners (T); March 29, 1944.

Judy Ann Frocks, 110 North Fifth Street, Minneapolis, Minnesota; Jr. misses' dresses and blouses; 10 learners (T); March 29, 1944.

S. Liebovitz & Sons, Incorporated, Schuylkill County, Donaldson, Pennsylvania; Men's shirts; 10 learners (T); March 29, 1944.

Manistee Garment Company, 77 Hancock Street, Manistee, Michigan; Women's house dresses, parachute jumper coats; 10 percent (T); March 29, 1944.

Meadow Avenue Shirt Company, Cambridge, Maryland; Shorts and drawers for Army and Navy; 25 learners (E); July 29, 1943.

Lois Nordblom, 178 N. Michigan, Glendora, California; Children's sportwear; 5 learners (T); March 29, 1944.

Pella Manufacturing Corporation, 707 East Third Street, Pella, Iowa; Overalls; 10 learners (T); March 29, 1944.

S. Salis, 521 Vine Street, Philadelphia, Pennsylvania; Ladies' cotton uniforms; 4 learners (T); March 29, 1944.

Schramm and Schmieg Company, 3rd and Valley Street, Burlington, Iowa; Overalls, pants and jackets; 10 learners (T); March 29, 1944.

Standard Garment Company, Price Street, Millersville, Pennsylvania; Ladies' cotton dresses; 10 percent (T); March 29, 1944.

Oscar Stowens, Cutler Street, Hackettstown, New Jersey; Nightgowns; 4 learners (T); March 29, 1944.

E. Webster Strouse, 39 Belmont Avenue, Quakertown, Pennsylvania; Single pants; 5 learners (T); March 29, 1944.

Swineford Manufacturing Company, Swineford, Pennsylvania; Ladies' blouses, pajamas, dresses, etc.; 5 learners (T); March 29, 1944.

Glove Industry

Elmer Little & Son, 10 Glenwood Avenue, Johnstown, New York; Leather dress gloves; 5 learners (T); March 29, 1944.

Hosiery Industry

Rose Hosiery Company, Incorporated, Spencer Avenue & Park Boulevard, Wildwood, New Jersey; Full-fashioned hosiery; 8 learners (E); September 29, 1943.

Knitted Wear Industry

Ashland Knitting Mills, 11th & Pine Streets, Ashland, Pennsylvania; Knitted underwear; 5 percent (T); March 29, 1944.

Pottsville Mills, Inc., 480 Peacock Street, Pottsville, Pennsylvania; Knitted outerwear; 20 learners (T); September 29, 1943.

Textile Industry

Jordan Spinning Company, Cedar Falls, North Carolina; Carded yarn; 3 percent (T); March 29, 1944.

Signed at New York, N. Y., this 27th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4790; Filed, March 29, 1943; 9:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-255]

J. B. RUSSELL, INC.

J. B. Russell, Inc., Lexington, Missouri, is a corporation engaged in the retail distribution of lumber and builders' supplies. From October 8 to November 14, 1942, the Company made deliveries to Oscar Pangborn, Lexington, Missouri, of $512.62 worth of lumber, cement, nails, and other construction material to be incorporated in a residence for the said Oscar Pangborn the estimated cost of which was in excess of the permitted cost of construction as defined by Conservation Order L-41. Application for specific authorization for the construction of said residence was made by Oscar Pangborn to the United States Department of Agriculture County War Board and was denied on August 4, 1942. The Company was familiar with the provisions of Conservation Order L-41, assisted Oscar Pangborn in preparing his application for authorization, knew that authorization of the War Production Board was required and that such authorization had been denied. Consequently, the making of the deliveries of construction lumber and building supplies as aforesaid constituted a wilful violation of Conservation Order L-41.

This wilful violation of Conservation Order L-41 has impeded and hampered the war effort of the United States. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.255 *Suspension Order No. S-255.* (a) Deliveries of material to J. B. Russell, Inc., its successors and assigns, shall not be accorded priority directly or indirectly over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as specifically authorized by the War Production Board.

(b) No allocation shall be made to J. B. Russell, Inc., its successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve J. B. Russell, Inc., its successors and assigns, from any restriction, prohibition, or provision contained in any order or regulation of the War Production Board, whether now in force or hereafter issued, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 28, 1943 and shall expire on June 28, 1943, at which time the restrictions contained in this order are to be of no further effect.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4686; Filed, March 26, 1943; 4:59 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Amendment 1 to Direction 1 of CMP Reg. 1]

CMP Regulation No. 1, Direction No. 1 is hereby amended by changing the words "on or before March 22, 1943" in paragraphs (a) and (b) to read "as of March 22, 1943".

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4687; Filed, March 26, 1943; 4:59 p. m.]

PART 989—DOMESTIC MECHANICAL REFRIGERATORS

[Supplementary Limitation Order L-5-d as Amended March 27, 1943]

§ 989.5 *Supplementary General Limitation Order L-5-d—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity (N. E. M. A. rating) of 16 cubic feet or less. A low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick-freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero (Fahrenheit) and contains 75% or more of the total refrigerating space in the refrigerator, shall not be considered a domestic mechanical refrigerator.

(3) "New domestic mechanical refrigerator" means any domestic mechanical refrigerator which has never been used by an ultimate consumer, including any such refrigerator which has been used merely for demonstration purposes.

(4) "Manufacturer" means any person who manufactures or assembles new domestic mechanical refrigerators.

(5) "Dealer" means any person (other than a manufacturer or distributor) engaged in the business of making sales at retail of new domestic mechanical refrigerators to the public.

(6) "Distributor" means any person engaged in the business of selling new domestic mechanical refrigerators to dealers for resale.

(7) "Transfer" means to sell, lease, trade, deliver, ship or otherwise transfer a new domestic mechanical refrigerator. "Transfer" does not include a transfer of title merely for security purposes or to a person financing a conditional sale, or a similar transaction made simultaneously with the transfer of the refrigerator itself to the purchaser; nor does it include the sale, lease or delivery of any new domestic mechanical refrigerator as part of the sale, lease or delivery of the dwelling unit or other premises in which such refrigerator is installed for use.

(8) "Affiliated distributor" means any distributor which is owned or controlled by a manufacturer or under common ownership or control with a manufacturer. A person shall be deemed to be owned or controlled by another person when more than 50% of its voting capital stock is directly or indirectly owned by such other person.

(9) "Independent distributor" means any distributor other than an affiliated distributor.

(b) *Restrictions on transfers of new domestic mechanical refrigerators.* No person shall transfer or accept transfer of any new domestic mechanical refrigerator except as permitted under the provisions of this paragraph (b). Whenever any manufacturer or distributor is authorized to transfer new domestic mechanical refrigerators under subparagraph (3) of this paragraph (b) or under paragraph (c) (2) (iii), such transfer shall be made as far as is practicable through his normal distributive outlets on a basis proportionate to his distribution of new domestic mechanical refrigerators to them, respectively, during the year 1941, regardless of any previous commitments or contracts.

(1) Any new domestic mechanical refrigerator may be transferred pursuant to a certificate of transfer under the provisions of paragraph (c) or pursuant to other specific authorization of the War Production Board.

(2) Any new domestic mechanical refrigerator may be transferred in fulfillment of any contract or purchase order for delivery of any such refrigerator to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(3) Any new electric or gas (but not kerosene) domestic mechanical refrigerator, which at 10 A. M. Eastern War Time, February 14, 1942, was in the inventory of a dealer, independent distributor or any other person not a manufacturer or affiliated distributor, may be transferred by any person to any other person without limit as to the number of transfers which may be made of any such refrigerator: *Provided*, That any transfer of a new domestic mechanical refrigerator to an ultimate consumer under the provisions of this subparagraph (3) may be made only if such transferee executes a purchaser's certification, on Form PD-833, which is countersigned by the transferor.

Any new electric or gas domestic mechanical refrigerator which at 10 A. M. Eastern War Time, February 14, 1942, had been bought and fully paid for and was in the hands of the seller at that time, shall be deemed to have been in the inventory of the purchaser at 10 A. M. Eastern War Time, February 14, 1942.

(4) Any new kerosene domestic mechanical refrigerator which at 10 A. M. Eastern War Time, February 14, 1942, had been bought and fully paid for by an ultimate consumer, and was in the hands of the seller at that time may be delivered to the purchaser.

(5) Any person may distrain or levy by execution, attachment or similar form of judicial process, on any new domestic mechanical refrigerators, or repossess them on default, but may not transfer them thereafter except pursuant to the provisions of subparagraphs (1) and (2) of this paragraph (b) unless the refrigerators come within the provisions of subparagraph (3) of this paragraph (b).

(6) Any manufacturer may sell any new domestic mechanical refrigerator to Defense Supplies Corporation and Defense Supplies Corporation may resell any such refrigerators to the manufacturer from whom they were purchased.

(c) *Transfer of new domestic mechanical refrigerators by a certificate of transfer.* The War Production Board may in its discretion issue a certificate of transfer in either of the following forms:

(1) A certificate of transfer on Form PD-428 may be issued pursuant to a written application filed on Form PD-427 in accordance with the instructions contained thereon by a person desiring to purchase one or more new domestic mechanical refrigerators. Each such certificate of transfer, when signed by an authorized official of the War Production Board, authorizes the transfer to the person named of the refrigerators mentioned therein, in accordance with the terms stated. If the certificate is presented to a dealer or distributor who is unable to fill the order from his stock of refrigerators, such dealer or distributor may obtain the refrigerators necessary to fill the order by placing a written purchase order for such refrigerators with a manufacturer, distributor or other person endorsing thereon a statement in the following form:

I (We) have received Certificate of Transfer No. —, signed by an authorized official of the War Production Board, covering these refrigerators, and do not have them in stock.

Name of Company
By
Title

Any person with whom a purchase order bearing such an endorsement is placed may, if he does not have enough refrigerators in stock to fill the order, extend it by placing his own purchase order with a Manufacturer or other person holding such refrigerators and endorsing thereon a statement in the following form:

I (We) do not have these refrigerators in stock and they are required to fill an order placed with me by ——————, who certifies that he has received Certificate of Transfer, No. —, covering these refrigerators.

Name of Company
By
Title

Any person with whom a purchase order for new domestic mechanical refrigerators is placed having an endorsement in either of the above forms, unless he knows or has reason to believe it to be false, shall be entitled to rely on such endorsement and may transfer the refrigerators specified in such order in accordance with its terms.

(2) A certificate of transfer on Form PD-430 may be issued in order to permit the transfer of new domestic mechanical refrigerators:

(i) From one warehouse or place of storage to another warehouse or other place of storage, whether or not it involves any change in the ownership or title of such refrigerators;

(ii) From any person to any other person when the transfer does not come within the provisions of subparagraph (1) of this paragraph (c); or

(iii) From any manufacturer, affiliated distributor or independent distributor without limit as to the number of transfers which may be made of any such refrigerators to any person other than a person acquiring refrigerators for export to and consumption or use in any foreign country: *Provided*, That

(*a*) The words "unlimited transfer" appear on such certificate; and

(*b*) Any transfer to an ultimate consumer made under the provisions of this subdivision (iii) of this paragraph (c) (2) may be made only if such ultimate consumer executes a purchaser's certification on Form PD-833, which is countersigned by the transferor.

Whenever such certificates for "unlimited transfer" are issued by the War Production Board it shall take into consideration the number, price range, size and type of new domestic mechanical refrigerators in the stocks of manufacturers, affiliated distributors, and independent distributors on February 14, 1942 and thereafter;

(iv) From any manufacturer, affiliated distributor or independent distributor without limit as to the number of transfers which may be made of any such refrigerators to any person acquiring refrigerators for export to and consumption or use in any foreign country: *Provided*, That the words "export transfer" appear on such certificate.

(d) *Instructions and forms.* The War Production Board may issue from time to time such instructions and forms as may be required to carry out the provisions of this order.

(e) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* (1) Each manufacturer shall file with the War Production Board, on or before the next business day after any shipment to or from his stock of refrigerators a report of all such shipments on Form PD-431.

(2) Each affiliated distributor or independent distributor shall file with the War Production Board on or before the next business day after any shipment to or from his stock of refrigerators, a report of all such shipments on Form PD-431. Any refrigerators received pursuant to Form PD-430 marked "unlimited transfer" which are set aside by an affiliated distributor or independent distributor for direct shipment by such affiliated distributor or independent distributor to ultimate consumers shall be reported on Form PD-431 as a group when set aside and not as individual transfers to ultimate consumers.

(3) All persons affected by this order shall file with the War Production Board such other reports and questionnaires as the War Production Board shall, from time to time prescribe.

(h) *Communications.* All reports to be filed and other communications concerning this order should be addressed to the War Production Board, Washington, D. C. Ref.: L-5-d.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

(j) *Order L-5-b superseded.* On and after June 15, 1942 the provisions of this order shall supersede all the provisions of Supplementary Limitation Order L-5-b.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Supplementary General Limitation Order L-5-d, restricting the transfer of new domestic mechanical refrigerators, exempts from some of its restrictions a refrigerator which was in the hands of the seller at 10 a. m. Eastern War Time, February 14, 1942, and which "had been bought and fully paid for" prior to that time. The test to be employed in determining whether or not a refrigerator "had been bought and fully paid for" is whether the seller had received full payment at the specified time. If the full price of the refrigerator had been paid to the seller in cash, or by any other means, the refrigerator should be considered as "bought and fully paid for" regardless of the source of payment. It is not necessary that the full price be paid by the purchaser provided the seller had been fully paid. Thus if the purchaser had made a down payment of part of the purchase price and a finance company or bank had paid or credited the account of the seller with the balance of the price pursuant to a financing agreement with the purchaser, the refrigerators should be considered to have been "bought and fully paid for." In addition, in the absence of exceptional circumstances the receipt by the seller of a check prior to 10 a. m. Eastern War Time, February 14, 1942, for the full purchase price should be considered as payment in full before that time even though the check had not been cashed, deposited or otherwise collected. (Issued June 29, 1942.)

[F. R. Doc. 43-4692; Filed, March 27, 1943; 11:21 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[General Limitation Order L-38 as Amended March 27, 1943]

Section 1071.1 *General Limitation Order L-38* as amended is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel, copper, and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1071.1 *General Limitation Order L-38*—(a) *Definitions.* For the purpose of this order:

(1) "System" means any refrigerating or air conditioning system, consisting of an assembly or combination of machinery, equipment, or other apparatus designed primarily to lower the temperature of, or remove water vapor from gaseous, liquid, or solid matter, directly or indirectly, by mechanical, chemical, or physical means. The term shall not include a domestic mechanical refrigerator as defined in paragraph (a) (10), a domestic ice refrigerator as defined in paragraph (a) (11), or a farm milk cooler as defined in paragraph (a) (12) of this order.

(2) "Parts" means any parts, materials, insulated enclosures, implements, or devices, designed for incorporation in a system or for use therewith in causing it to perform its functions.

(3) "New", when applied to any system or part, means a system or part that has never been sold and delivered to any person acquiring it for use. "Used", when so applied, means any system or part which has been so sold and delivered, regardless of whether or not it has subsequently been reconditioned or redesigned.

(4) "Authorized order" means any order for the delivery of a system or parts, which the War Production Board has authorized on Form PD-830 or PD-831 pursuant to paragraph (c) of this order.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) "Producer" means any person to the extent that he is engaged in the manufacture, fabrication, or assembly of systems or parts. The term shall not include any sales or distribution outlet of a producer.

(7) "Dealer" means any person, other than a producer, engaged in the business of selling or distributing new, used, or reconditioned systems or parts, whether at wholesale, retail, or otherwise. The term includes any sales or distribution outlet of a producer.

(8) "Emergency repair service" means the repair of any installed system when, subsequent to its installation and operation, a breakdown occurs therein, or is immediately threatened. The term shall not include replacement of the high (pressure) side or condensing unit (with or without motor or condenser) except in sealed unit types, the low (pressure) side, or the insulated enclosure, or any change of the type of refrigerant, design, or capacity of the system; but shall include necessary replacement of any component part of the high side, low side, or insulated enclosure, if such part cannot be repaired and if the part installed is not of greater capacity than the part replaced, and shall also include the shop repair of the replaced component part.

(9) "Deliver" means to transfer physical possession, title, or ownership to another person, to install, or to place in the hands of any carrier or otherwise in transit for transfer of possession to another person, regardless of whether such transfer, installation, or shipment is for the purpose of sale, trade, loan, lease, or some other type of transaction.

(10) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating), but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(11) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(12) "Farm milk cooler" means any immersion (drop-in) type or surface (tubular) type milk cooler for use on a farm, and includes any system or parts which have been installed in any such cooler, or acquired pursuant to an "authorized order" (as defined in paragraph (a)(4)) by a manufacturer of farm milk coolers for installation in such coolers. The term shall not include any (refrigerating) system or parts (except the cabinets and insulated enclosures of farm milk coolers) prior to actual acquisition thereof by such a manufacturer.

(13) "Industrial type extended surface heating equipment" means any apparatus employing a heat transfer element and designed primarily to increase the temperature of gaseous matter, in connection with the operation of any refrigerating or air conditioning system.

(14) "Industrial type humidifying equipment" means any apparatus designed primarily to add water vapor to gaseous matter, in connection with the operation of any industrial or commercial refrigerating or air conditioning system, or for any purpose other than the health or comfort of persons.

(15) "Comfort cooling system" means any system described as such on List F (made a part of this order) as amended from time to time.

(16) "Owned," when applied to any materials means such materials as were in the possession or control of the designated person, or in transit to him, on the date indicated.

(17) "Any person acquiring the same for use" shall include any person who purchases or otherwise acquires any systems, parts, or other equipment, except a dealer or producer acquiring systems, parts, or other equipment for resale, and reselling the same.

(b) *Restrictions on deliveries*—(1) *Parts for repair service.* (i) No dealer or producer shall deliver any new or used parts to the owner, lessee, or user of any used system, and no person shall accept delivery of any such parts, unless such parts are delivered either (*a*) for use in "emergency repair service" and to fill a purchase order bearing a preference rating of AA-4 or higher, or (*b*) to fill an "authorized order," or (*c*) for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration, including orders for any Army or Marine Corps Post Exchange or any Navy Ships Service Department; and the parts replaced shall be disposed of in accordance with paragraph (e) of this order, if made of metal; and

(ii) No dealer or producer shall deliver any new or used parts to the owner, lessee, or user of a "comfort cooling system" for the repair of such system, except pursuant to an "authorized order," or pursuant to a purchase order bearing a preference rating of AA-4 or higher where all the parts necessary for the "emergency repair service" for such system do not have an aggregate sales value in excess of the following: (*a*) $25 where the aggregate installed capacity is not over 20 h. p. or tons of refrigeration (ASRE specifications), (*b*) $50 where such capacity is over 20 h. p. or tons but not over 100 h. p. or tons, or (*c*) $100 where such capacity is over 100 h. p. or tons. (If the parts required are to be obtained under several purchase orders placed either with the same supplier, or with different suppliers, so that the value of the parts furnished under each or any of such orders is less than the amounts specified above, such division shall not avoid the restriction of this subdivision (ii).) No such order for parts (having a value in excess of the applicable amount specified above) will be authorized unless it is demonstrated to the satisfaction of the War Production Board that the continued operation of such "comfort cooling system" is essential to avoid air conditions which would be intolerable or dangerous to health, and that such conditions cannot be avoided by the use of that portion of the system designed for the circulation of air, electric fans, or other power driven equipment possessed by the owner, lessee, or user of the system and/or by opening of windows or doors. No person shall accept delivery of any parts for the repair of a "comfort cooling system," except in accordance with the provisions of this subparagraph (1).

(2) *Other equipment*—(i) *List A items.* Any dealer, producer, or other person may deliver (unrestricted by this order) and any person may accept delivery of, any new or used item of equipment of any kind or type included on List A (made a part of this order as amended from time to time), or any new or used parts acquired by such dealer, producer, or other person prior to May 15, 1942 for use in any such equipment owned by him on May 15, 1942, except a new refrigeration condensing unit rated at more than ½ h. p. and designed for remote installation.

(ii) *List B, Part I, items.* No dealer or producer shall deliver any new item of equipment of any kinds included on List B, Part I, (made a part of this order as amended from time to time) to any person acquiring the same for use, except pursuant to an "authorized order" to any agency or other person designated on said list; and no person shall accept delivery of any such item of equipment, except such an agency or other person receiving delivery pursuant to an "authorized order."

(iii) *List B, Part II, items.* No dealer or producer shall deliver any new item of equipment of any kinds included on List B, Part II (made a part of this order as amended from time to time) to any person acquiring the same for use, except to an agency designated on said list; and no person shall accept delivery of any such item of equipment except such an agency.

(iv) *Items for farm milk coolers.* No dealer or producer shall deliver any new (refrigerating) systems for use in farm milk coolers or parts for such systems other than the cabinets or insulated enclosures, to a manufacturer of such coolers or any other person, except pursuant to an "authorized order." The subsequent delivery of any such systems or parts acquired pursuant to an "authorized order" by such a manufacturer, or owned by him on April 6, 1943, or of any farm milk coolers in which any such systems or parts have been installed, shall not be restricted by the terms of this order.

(v) *Items exclusive of List A and List B items and farm milk coolers.* No dealer or producer shall deliver any new system of any kind or type, not referred to under the preceding subdivisions (i), (ii), (iii), or (iv), to any person acquiring the same for use, except pursuant to an "authorized order," or for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(vi) *Parts not for emergency repair service.* No dealer or producer shall deliver any new parts of any kind or size, or any used high side, compressor, turbo blower, condenser, low side, or evaporator, designed for use with a system rated at three horse power or more or having a rated capacity of three tons or more (American Society of Refrigerating Engineers' Specifications) to any person acquiring the same for use other than for emergency repair service, except pursuant to an "authorized order," or for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(vii) *Heating or humidifying equipment.* No dealer or producer shall deliver any new "industrial type extended surface heating equipment" or any "industrial type humidifying equipment" to any person acquiring the same for use, except pursuant to an "authorized order" or for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(viii) *List C.* No purchase order for any equipment referred to under subdivisions (v), (vi), or (vii) above will be authorized if such equipment is not to be used for a purpose described on List C (made a part of this order) as amended from time to time.

(ix) *Report of orders placed under (iii), (v), (vi), and (vii) for Army, etc.* On or before the 10th day of April, 1943, and the 10th day of each succeeding calendar month, each producer shall file with the War Production Board a letter, in triplicate, showing all orders accepted by him during the preceding calendar month for any new system referred to under subdivision (iii) above, or any new equipment referred to under subdivision (v) above, or any new major part (high side, compressor, turbo blower, condenser, insulated enclosure, low side, or evaporator, of any size) referred to under subdivision (vi) above, or any new equipment referred to under subdivision (vii) above, and delivered, or to be delivered, to or for the account of (and for direct use by) the Army, Navy, Maritime Commission, or War Shipping Administration. Such letter shall also state the name of the purchasing agency, the name and address of the purchasing officer, the date of acceptance of such order, the required delivery date, and a brief description of the quantity, type, and size of the equipment ordered and the purchaser's order number. Copies of such purchase orders may be filed with such letter to furnish such detailed information, in lieu of incorporating the same therein. (This reporting requirement approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942).

(x) As used in this paragraph (b) (2), the words "Army" and "Navy", shall not include any Army or Marine Corps Post Exchange or any Navy Ships Service Department.

(c) *Method of securing authorization for an "authorized order."* (1) (i) Application for the authorization required to make any purchase order an "authorized order" shall be made to the War Production Board by the person seeking to place such order, on Form PD-830 if the system or parts to be purchased are required for use in any cold storage warehouse, industrial or commercial ice plant, frozen food locker plant, food processing plant (except a dairy or ice cream plant requiring equipment having a capacity of five (5) horsepower or five (5) tons (ASRE specifications) or less), industrial processing of products other than food, refrigerated railroad car, truck, or ship, or any air conditioning installation of any size; and on Form PD-831, if for any other purpose.

(ii) The filing of such application shall relieve the applicant from the necessity of filing the application form required to obtain authorization for the placing or acceptance of a purchase order for any component part subject to Orders L-100, L-163, or L-172, to be included in the system covered by said application, and the inclusion of such component part in the production or delivery schedule of the manufacturer thereof.

(iii) If the system, parts, or other equipment required are for use in construction work subject to the terms of Conservation Order L-41, as amended from time to time, the application on Form PD-830 or PD-831 shall include only such materials as are necessary for installation of the system, parts, or other equipment covered thereby.

(2) The War Production Board may authorize any such order on Form PD-830 or PD-831 upon such conditions, if any, as it shall specify (except as to dates of production and delivery), and may assign a preference rating thereto or rerate any such order. Such authorization will be issued to the applicant upon one of said forms, and will be accompanied by separate authorizations for each of the component parts included therein if required under Orders L-100,

L–163, and L–172 of the War Production Board for the purposes specified, which shall be transmitted by the purchaser to his supplier, and by the latter to his suppliers of component parts when necessary for delivery of such component parts.

Nothing in this order, however, shall relieve any manufacturer from filing any periodical reports of production or delivery schedules or other operations, or from complying with any requirement or direction which may be issued by the War Production Board, as to scheduling or rescheduling of production or deliveries of any such component parts, as required by any other order of the War Production Board including Orders L–109, L–163, and L–172, or any specific directions from the War Production Board.

(3) Deliveries of any component parts covered by any such accompanying authorizations shall be made in accordance with the terms of such authorizations and the War Production Board orders pursuant to which they are respectively issued.

(d) *Restrictions on production*—(1) *Types and uses prohibited altogether*—(i) *List D items.* No producer shall manufacture any new system or equipment of any kind named or described on List D (made a part of this order) as amended from time to time, for delivery to any person or for any purpose.

(ii) *List E items.* No producer shall manufacture any new system or equipment of any kind named or described on List E (made a part of this order) as amended from time to time, except for direct use by an agency or person designated on said List and for a purpose (if any) designated thereon.

(iii) *Reach-in refrigerators and walk-in coolers.* No producer of reach-in refrigerators or prefabricated sectional walk-in coolers shall manufacture any such refrigerators or coolers for any purpose other than for direct use by the Army, Navy, Maritime Commission or War Shipping Administration, unless manufactured entirely from parts or materials owned by such producer on April 6, 1943; except, however, that any such producer may acquire from another such producer any such parts or materials owned by the latter on such date, and may use such acquired parts or materials in such manufacture. As used in this subdivision (iii), the words "Army" and "Navy" shall not include any Army or Marine Corps Post Exchange or any Navy Ships Service Departments.

(2) *Production for permitted types or uses.* (i) No producer shall commence the manufacture of any compressor or turbo blower for use in any high (compression) side rated at fifty (50) horse power or fifty (50) tons (ASRE specifications) or over, unless and until such producer shall have received an "authorized order" for which compressor, turbo blower or high side or for a system in which the same is to be used or an order for such a compressor, turbo blower, or high side to be used directly by the Army, Navy, Maritime Commission, or War Shipping Administration, which has been reported by such manufacturer in accordance with paragraph (b) (2) (ix) above; and

(ii) No producer shall manufacture a greater quantity of any type of system or parts for assembly into new systems (exclusive of compressors and blowers of the sizes described under (d) (2) (i) above, and exclusive also of replacement parts described under (3) below), production of which is permitted under the terms of this order, than the following:

During the calendar quarter beginning April 1, 1943, or during any succeeding calenda quarter, no producer shall manufacture a quantity of any system or part in excess of the greater of the two quantities of such system or part determined as indicated in (*a*) and (*b*) below:

(*a*) The number of such new item for which the producer has on hand unfilled orders bearing a rating of AA–4 or higher; or

(*b*) The number of such new item delivered on order bearing a rating of A–1–J or higher during the next preceding calendar quarter.

(3) *Replacement parts; protection of production schedules.* (i) No producer shall manufacture replacement parts (for the repair or maintenance of systems) in such quantities that his production thereof will result in his acquiring an inventory of such parts in excess of his average monthly inventory of similar parts during the months of January, February, and March, 1941.

(ii) Producers of replacement parts under the terms of this order may, notwithstanding the provisions of the Priorities Regulation No. 1 (Part 944), schedule their production of replacement parts as if the orders therefor bore a rating of AA–1, but subject to any specific directions which may be issued by the War Production Board as to the scheduling of production or deliveries of any such parts as required by any other order of the War Production Board, or by any specific direction from the War Production Board.

(4) *Restrictions on deliveries to producers.* No person engaged in the production or sale of component parts or sub-assemblies designed for incorporation in any larger assembly or system shall knowingly deliver any such parts or sub-assemblies to any producer for further fabrication or assembly into larger assemblies or systems if such fabrication or assembly by such producer is prohibited by the terms of this order; and no producer shall accept delivery of any such parts ordered for a use which has been prohibited by the terms of this order unless such parts or sub-assemblies are to be used for a purpose which is not prohibited.

(e) *Required utilization of replaced parts.* (1) In replacing any parts permitted under paragraph (b) (1) of this order, no dealer or producer shall deliver any part made of metal to the owner of the system to be repaired, unless such owner agrees that he will deliver the old part to the dealer or producer if directed to do so by the latter, and if not so directed, that he will dispose of the old part to a scrap dealer, within 30 days after installation of the newly installed part. Any person making such an agreement with a dealer or producer shall deliver or dispose of the old part accordingly; and all such old parts obtained by a dealer or producer during any calendar quarter shall either be repaired or replaced in his inventory, or returned to his supplier of new parts, or disposed of to a scrap dealer, during or within 30 days after the end of such quarter. *Provided, however,* That no block tin pipe shall be replaced unless an equal quantity thereof is returned to the fabricator; but

(2) The provisions of the preceding subparagraph (1) shall not apply:

(i) Where parts are delivered for installation in any system located outside of the United States at the time of such delivery; or

(ii) Where the system requiring repair is being used directly by the Army, Navy, Maritime Commission, or War Shipping Administration; or

(iii) Where the system requiring repair is owned by any Federal, State or local governmental agency, bureau, department, or political subdivision which is prohibited by law from disposing of such replaced parts in the manner presented under the preceding subparagraph (1).

(f) *Filing of report of inventories.* (1) On or before the 15th day of April, 1943, every producer shall file a report on Form PD–829 showing such producer's inventories and such other information as shall be required on said form.

(g) *Exemptions*—(1) *Certain specific transactions.* (i) The following shall be exempted from the terms of paragraph (b) (1) (i):

The repair, by (*a*) a bottler of carbonated beverages, or (*b*) a manufacturer of ice cream for resale, or (*c*) a person engaged in the business of leasing mechanical or non-mechanical drinking water coolers, or (*d*) any other person owning (refrigerating) systems of any type included on List A or List B and used by such owner or his lessees for dispensing food or beverages at retail, of any such systems owned by such person, using new parts owned by him on May 15, 1942, or used parts obtained from the dismantling of any such used system owned by such person; but no parts shall be delivered by any dealer or producer to any such person for the repair of any such system except for "emergency repair service" thereto;

(ii) The following shall be exempted from the terms of paragraph (b) (2):

(*a*) The temporary delivery of a used system or parts to a dealer or producer for repair and redelivery to the same owner, the redelivery of a repaired system or part to the same owner, or the loan of a new or used system or parts for a period not to exceed 30 days pending the performance of "emergency repair service" to a used system or parts; or

(*b*) The delivery of a used system or parts for junking or scrapping; or

(c) The delivery of new or used mechanical or non-mechanical drinking water coolers owned on May 15, 1942, by any person engaged primarily in the business of leasing such water coolers, to any other person (and acceptance thereof).

(iii) The following shall be exempted from the terms of paragraphs (b) (2) and (d) (1) (i):

(*a*) The assembly, by any producer of single duty or double duty display cases, of any such cases, within 60 days after April 6, 1943, solely from parts which, on said date, had been fabricated or processed to the extent that use in any other type of equipment would be impracticable, if such parts were owned by such producer on said date, or were received within said period from any other such producer; and the delivery of such parts by any producer to any other producer; or

(*b*) The assembly by any producer of mechanical or non-mechanical drinking water coolers, of any such coolers not designed for use aboard ship, solely from parts or materials which, on April 6, 1943, had been fabricated or processed to the extent that use in any other type of equipment would be impracticable, if such parts or materials were owned by such producer on said date; or are received from any other such producer; and the delivery of any such parts or materials by any producer to any other producer.

(2) *Other transactions.* The following shall be exempted from paragraph (b) (2):

(i) *Creation, assignment and enforcement of liens*—(*a*) The creation, or assignment of any chattel mortgage, deed of trust, conditional sales contract or other lien on any new or used system or parts;

(*b*) The transfer of title to, and/or delivery of, any new or used system or parts, through voluntary act or by operation of law, in bankruptcy, receivership, or assignment, to a trustee or receiver for the benefit of creditors;

(*c*) The attachment or seizure of any new or used system or parts by levy or other judicial process on behalf of creditors or tax authorities, or the seizure of any such system or parts by any person upon default under the terms of a conditional sales contract, chattel mortgage or other lien (but subsequent deliveries thereof shall not be exempted).

(ii) *Disposition of assets.* The delivery of any new or used system or parts, whether incorporated in real estate or as separate personal property, as part of a larger transaction, such as a merger, consolidation, sale and purchase of entire assets, sale and purchase of entire stock and/or lease of plant, or similar transaction involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iii) *Transfers by will or intestacy.* The delivery or transfer of any new or used system or parts by will, descent or distribution, to devisees, legatees, or distributees.

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent that any provisions of this order may be inconsistent therewith, in which case such provision of this order shall govern.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production, and sales of systems and parts.

All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of prioritles assistance.

(5) *Appeals.* Any appeal from the provisions of this order (or of Conservation Orders M-9-c or M-126 applicable to any systems, parts, or other equipment subject to the terms of this order) shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref: L–38.

(i) *Effective date.* This order, as amended, shall become and be effective on and after April 6, 1943. It shall not affect, in any way, any liabilities or penalties accrued or incurred under General Limitation Order L–38 prior to this amendment.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

ITEMS WHICH MAY BE DELIVERED UNRESTRICTED

1. Beer pre-coolers
2. Beverage dispensers
3. Bottled beverage coolers, mechanical
4. Bottled beverage coolers, non-mechanical
5. Counter and back bar refrigerators
6. Display cases, single duty
7. Display cases, double duty
8. Display cases, florist
9. Display cases, frosted food
10. Display cases, full vision
11. Display cases, vegetable
12. Display cases, all other types
13. Dough retarding refrigerators
14. Draft beer equipment
15. Evaporative coolers, 2,000 c. f. m or less
16. Farm freezers (for the freezing and storing of food on a farm)
17. Florist boxes
18. Fountainettes
19. Frozen food cabinets, low temperature, not designed for use aboard ship or for use in mobile hospital units
20. Ice cream cabinets, not designed for use aboard ship
21. Ice cube makers, self-contained cabinet type
22. Salad coolers (Bain Marie), mechanical
23. Soda fountains, not designed for use aboard ship

NOTE: In no case shall the name or description of any equipment as listed above, include any fixture or item which is not within the meaning, as customarily used within the trade or industry, regardless of whether any particular fixture or item (not within such meaning) could be used for the purpose for which the equipment listed above is customarily used.

LIST B

ITEMS WHICH MAY BE DELIVERED ONLY AS INDICATED BELOW

Type of equipment	*Deliveries permitted for direct use by:*
Part I:	
1. Drinking water coolers, mechanical, not designed for use aboard ship.	Army or Navy.
2. Drinking water coolers, non-mechanical, all sizes.	Army or Navy, or under "Authorized Order" to any person.
3. Evaporative coolers, over 2,000 c. f. m.	Army or Navy.
4. Ice cream freezers, 20 quart capacity or less.	Army or Navy, for use aboard ship or in advance bases (outside the 48 States and D. C.)
5. Mortuary refrigerators	Army or Navy.
6. Portable bulk ice makers	Army or Navy.
7. Self-contained unit air conditioners, 2 h. p. or less.	Army or Navy, or under "Authorized Order" to any person.
8. Wall type display refrigerators	Army or Navy, or under "Authorized Order" to any person.

LIST B—Continued

ITEMS WHICH MAY BE DELIVERED ONLY AS INDICATED BELOW—continued

Type of equipment	*Deliveries permitted for direct use by:*
Part II:	
a. Drinking water coolers, mechanical, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship
b. Frozen food cabinets, low temperature, designed for use aboard ship or for use in mobile hospital units.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship or for use in mobile hospital units, including but not limited to hospital cars.
c Ice cream cabinets, designed for use aboard ship	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship
d Soda fountains, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.

LIST C—ESSENTIAL USES

PURPOSES FOR WHICH REFRIGERATING OR AIR CONDITIONING SYSTEMS OR MAJOR PARTS THEREOF (OTHER THAN EQUIPMENT INCLUDED ON LISTS A, B, D, E) MAY BE PRODUCED SUBJECT TO THE TERMS OF ORDER L-38, AS AMENDED

(All purchase orders are subject to approval under Order L-38, as amended, regardless of any preference ratings assigned and will be approved only:

1. For direct military use, or
2. For any other use if new or enlarged refrigerating or air conditioning capacity are proven essential, or replacement is shown essential to the war effort. New systems in which any part of the capacity is included for air conditioning for the comfort, or to increase the efficiency of personnel, will not be approved).

Part I—Applications to materials, processes or facilities

Mining, industrial, scientific, and technical processes and operations where lowering of temperature of, or removing water vapor from air, gases, materials, or products, or where freedom from dust and other impurities are proved necessary for production, storage, transportation, operation, or repair of materials or products, or precision functioning thereof, when, and to the extent proven essential for any of the following purposes:

1. Abrasives—production.
2. Aerial topography rooms aboard ship.
3. Airplanes and parts—production and repair.
4. Airport control towers.
5. Altitude and low temperature test chambers and laboratories.
6. Ammunitions and explosives—production, storage, and transportation.
7. Blood plasma—processing, storage, and transportation.
8. Blast furnaces (dry blast)—operation.
9. Ceramics electric and dielectric—production.
10. Chemicals, including acids, gases, pigments and plastics, where new, additional or continuous productive capacity is essential—production.
11. Dairy products—processing, storage, dispensing and transportation, where essential.
12. Duplicating processes, such as, photographic, photostatic and lithographic, processing and storage.
13. Communications products—production, or operation of relay stations and exchanges.
14. Films, photographic, for military purposes—production and storage.
15. Fire control calculation rooms, underground fortifications, plotting—switch-board rooms, mine casemates, command posts and seacoast battery service magazines.
16. Foods—processing, storage, dispensing and transportation, where essential.
17. Fur cloth for military purposes—storage.
18. Glass, non-shatterable—production.
19. Ice—production and storage, where essential.
20. Laboratories—research, analytical, and testing.
21. Navigation instruments — production, storage, and repair.
22. Optical goods; such as, bomb and gun sights, range finders, telescopes and microscopes—production, storage and repair.
23. Ordnance, precision parts—production.
24. Parachute and balloon production.
25. Pharmaceuticals, drugs and biological products, necessary for life or health—production, storage and transportation.
26. Petroleum products—production, storage and transportation.
27. Plants and factories (including blackout) above ground or under ground; where it is shown that otherwise unavoidable heat, contamination of air, or variations in temperature or humidity, would seriously impair the effective use or production of precision instruments, tools, or products essential in the war effort.
28. Precision instruments, tools or products—production, storage, operation and repair.
29. Synthetic critical products—production.

Part II—Applications affecting human life or physical capacity.

a. Anesthesia units, refrigerating.
b. Above ground plants and factories (including blackout)—producing essential materials; where it is shown that otherwise unavoidable heat or contamination of air would be dangerous to health or result in intolerable working conditions; and then only to the minimum extent required.
c. Celestial navigation trainers.
d. Engine test cells.
e. Hospital rooms, stationary or portable, military or civilian, for surgical operations or critical convalescent treatment (excluding normal hospitalization), X-ray rooms and Flight Surgeons Clinics.
f. Link trainer rooms.
g. Naval vessels of all types.
h. Tanks, combat.
i. Underground mines, communication rooms, air raid shelters and plants and factories, producing essential materials, where it is shown that otherwise unavoidable heat or contamination of air would be dangerous to health or result in intolerable working conditions; and then only to the minimum extent required.
j. Waller gunnery trainers.
k. "Jam Handy" and instrument trainer buildings, for military use.

LIST D

ITEMS WHICH MAY NOT BE PRODUCED FOR ANY PURPOSE

1. Beer pre-coolers.
2. Beverage dispensers.
3. Bottled beverage coolers, mechanical.
4. Bottled beverage coolers, non-mechanical.
5. Counter and back bar refrigerators.
6. Display cases, single duty.
7. Display cases, double duty.
8. Display cases, florist.
9. Display cases, frosted food.
10. Display cases, full vision.
11. Display cases, vegetable.
12. Display cases, all other types.
13. Dough retarding refrigerators.
14. Draft beer equipment.
15. Evaporative coolers, 2,000 c. f. m. or less.
16. Florist boxes.
17. Frozen food cabinets, low temperature, not designed for use aboard ship or in mobile hospital units, including but not limited to hospital cars.
18. Ice cream cabinets, not designed for use aboard ship.
19. Ice cube makers, self-contained cabinet type.
20. Salad coolers (Bain Marie), mechanical.
21. Drinking water coolers, mechanical, not designed for use aboard ship.
22. Drinking water coolers, non-mechanical, all sizes.
23. Fountainettes.
24. Soda fountains, not designed for use aboard ship.
25. Self-contained unit air conditioners 2 h. p. or less.
26. Wall type display refrigerators.
27. Farm freezers (for the freezing and storing of food on a farm).

LIST E

ITEMS WHICH MAY BE PRODUCED ONLY FOR SPECIFIC PURCHASERS AND OR PURPOSES

Type of Equipment:	Production Permitted for Direct Use By:
1. Drinking water coolers, mechanical, designed for use aboard ship	Army, Navy, Maritime Commission, or War Shipping Administration.
2. Frozen food cabinets, low temperature, designed for use aboard ship or for use in mobile hospital units.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship or for use in mobile hospital units including but not limited to hospital cars.
3. Ice cream cabinets, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration for use aboard ship.
4. Ice cream freezers, 20 quart capacity or less.	Army or Navy, for use aboard ship or advanced bases.
5. Evaporative coolers, over 2,000 c. f. m.	Army or Navy.
6. Mortuary refrigerators	Army or Navy.
7. Portable bulk ice makers	Army or Navy.
8. Soda fountains, designed for use aboard ship.	Army, Navy, Maritime Commission or War Shipping Administration for use aboard ship.

LIST F

"Comfort cooling system" means any system of any size, operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:

Amusement parks.
Animal hospitals.
Auditoriums.
Ballrooms, dancing studios, and dance halls.
Banks and loan associations.
Bars, cocktail lounges, and beer parlors.
Bowling alleys.
Concert halls.
Funeral parlors.
Golf clubs, country clubs, and athletic clubs.
Hotels and apartment houses.
Moving picture houses.
Night clubs.
Office buildings and offices, public or private.
Railway, streetcar and bus stations and terminals.
Residental buildings and dwellings of all kinds.
Restaurants, cafeterias, and other places selling meals, food or beverages.
Schools.
Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds.
Skating rinks.
Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).
Theaters.

The term "comfort cooling system" shall not include (i) any such system used to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (ii) any system designed, necessary and used, in substantial part for the refrigeration and storage or processing of food, ice (except in skating rinks), or other materials or products requiring refrigeration, temperature control, or freedom from dust or other impurities, or (iii) such part of a system as may be necessary and used for the circulation of air, or necessary and used for raising the temperature of air during cold weather to a degree which is comfortable or tolerable for persons (comfort heating).

[F. R. Doc. 43-4693; Filed, March 27, 1943; 11:22 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR-CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126 as Amended March 27, 1943]

ISSUANCE OF REQUIRED SPECIFICATIONS SCHEDULES

Section 1071.2 *Limitation Order L-126* is hereby amended so as to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel, copper, brass, bronze and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense;

§ 1071.2 *Limitation Order L-126*—(a) *Definitions.* For the purpose of this order and all schedules issued pursuant thereto:

(1) "System" means any refrigerating or air conditioning system consisting of an assembly or combination of machinery, equipment, or other apparatus designed primarily to lower the temperature of, or remove water vapor from gaseous, liquid or solid matter, directly or indirectly, by mechanical, chemical, or physical means. The term shall not include a domestic mechanical refrigerator as defined in paragraph (a) (2) or a domestic ice refrigerator as defined in paragraph (a) (3) of this order.

(2) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating) but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(3) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(4) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(5) "Required specifications" means specifications fixed for systems or parts to eliminate, reduce, or conserve the use of critical materials in such systems or parts, by standardizing the systems or parts, or specifying the operating conditions under which such systems or parts may be used, or by restricting the number of sizes, types, models or forms produced or kinds or quantities of materials used by a producer, or requiring substitution of less critical materials for more critical materials, or establishing other requirements for the manufacture, sale, delivery, installation, or use of such systems or parts.

(6) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(7) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(8) "Advanced base" means any place outside of the 48 states of the United States and the District of Columbia.

(b) *Issuance of schedules of required specifications.* The War Production Board may from time to time issue schedules establishing required specifications. Upon and after the issuance of any such schedule, no person shall manufacture, assemble, sell, deliver, or install any new system or new parts except in accordance with the terms of such schedule, and no person shall purchase, receive, install, or use any new system or new parts which he knows or has reason to believe were not manufactured, assembled, sold, delivered, or installed in accordance with the terms of such schedule.

(c) *Appeals.* Any appeal from the provisions of this order, and from the provisions of Conservation Orders M-9-c or M-126 that may be applicable to any system, parts, or other equipment subject to the terms of this order, shall be made by filing one letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent that any provision of this order may be inconsistent therewith, in which case such provision of this order shall govern.

(e) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref: L-126.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-3695; Filed, March 27, 1943; 11:22 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule I to Limitation Order L-126, as Amended March 27, 1943]

REQUIRED SPECIFICATIONS FOR SELF-CONTAINED DRINKING WATER COOLERS

Section 1071.3 *Schedule I to Limitation Order L-126* is hereby amended so as to read as follows:

§ 1071.3 *Schedule I to Limitation Order L-126*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles self-contained drinking water coolers for supplying drinking water for human consumption.

(2) "Self-contained" means a single cabinet or housing for a drinking water cooler containing or manufactured to contain two or more of the following assemblies:

(i) Water cooling low side or evaporator with or without controls.

(ii) Bubbler valve fountain assembly or assemblies, or glass- or pitcher-filler assembly or assemblies.

(iii) Electric refrigeration condensing unit with or without controls.

(3) "Bubbler type" means any type of self-contained drinking water cooler which is designed primarily for supplying drinking water through or by means of a sanitary bubbler or drinking fountain.

(4) "Design of cabinet enclosure" means a particular combination of cabinet enclosure or housing, low side or evaporator, drain receptor or receptors, bubbler valve assemblies, and glass or pitcher filler assemblies. Any change in the size or location of any of these items constitutes a change in design.

(b) *Required specifications.* Pursuant to Limitation Order L-126 the following required specifications are hereby established for self-contained drinking water coolers:

(1) *Types, sizes, and capacities.* The following types, sizes, and capacities of self-contained drinking water coolers are hereby established:

TYPE A—ELECTRIC BUBBLER STORAGE TYPE (FOR MARINE AND NAVY USE ABOARD SHIP—AIR-COOLED)

Size	Capacity, minimum	Peak load capacity in 15 minute period, minimum	Maximum fixture equipment authorized
5	5 g. p. h.	1.87 gals.	1 bubbler assembly and 1 glass filler
10	10 g. p. h.	3.75 gals.	2 bubbler assemblies and 1 glass-filler.
20	20 g. p. h.	7.50 gals.	2 bubbler assemblies and 1 glass-filler.

NOTE. Type A cooler capacities are based on the use of a waste water pre-cooler using 60° spill. The above specified capacities are based on an ambient temperature of 100° F. while reducing water from 100° F. inlet to 50° F outlet drinking water.

(2) *Restrictions of materials.* (i) In the manufacture of self-contained drinking water coolers, no producer shall use:

(*a*) Aluminum;

(*b*) Block tin tubing, or tin coatings;

(*c*) Alloy steel, stainless steel, monel, or other nickel alloy metals, except in refrigerant and electric controls, and then only provided that such use is limited to the minimum amount practicable;

(ii) In the manufacture of self-contained drinking water coolers (exclusive of condensing units, motors, controls, and wiring) no producer shall use copper or copper base alloy except in the following parts:

(*a*) Low sides,
(*b*) Pre-coolers,
(*c*) Bubblers,
(*d*) Water valves,
(*e*) Water lines,
(*f*) Liquid and suction lines,
(*g*) Refrigerant or temperature controls,
(*h*) Glass- or pitcher-fillers; and the aggregate weight of copper or copper base alloy used in all of such parts contained in any such water coolers shall not exceed the respective maximum quantity set forth below:

TYPE A—ELECTRIC

Size—	*Lbs.*
5	11
10	15
20	20

(c) *General restrictions.* (1) On and after July 3, 1942, no producer may produce more than one design of cabinet enclosure for any one type and size cooler as established in paragraph (b);

(2) On and after April 6, 1943, no self-contained drinking water coolers which do not conform to the type, sizes and capacities established by paragraph (b) hereof shall be produced or delivered by any producer or accepted by any person from such producer.

(3) The foregoing subparagraphs (1) and (2) shall not prohibit:

(i) The delivery by a producer of such self-contained drinking water coolers (and the acceptance thereof) as were in his stock in finished form on July 3, 1942, or the assembly and delivery of such coolers solely from parts which had on said date been cast, fabricated, formed, or processed in such manner that their manufacture or assembly in conformity with this schedule would be impractical; or the delivery of any parts, so fabricated on said date, by any producer to any other producer.

(ii) The production, delivery, and acceptance of self-contained drinking water coolers, for use aboard ship, delivered within 90 days after April 6, 1943, to or for the account of, and for direct use by, the United States Army or Navy, the Maritime Commission, or the War Shipping Administration, to the extent that applicable specifications of any such organization require construction, design, or materials not in accordance with the provisions of this schedule.

(iii) The delivery by a producer (and the acceptance thereof) of such self-contained drinking water coolers, designated as Type B, Type C, or Type D, described in paragraph (b) (1) of this Schedule I as it read prior to April 6, 1943, as were in his stock in finished form on such date, or the assembly and delivery of such coolers solely from parts which had on said date been cast, fabricated, formed, or processed in such manner that their manufacture or assembly in conformity with this schedule would be impractical (or the acceptance of such coolers from such a producer).

(d) *Effective date.* This amendment shall become and be effective on and after April 6, 1943.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4696; Filed, March 27, 1943; 11:22 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule II to Limitation Order L-126 as Amended March 27, 1943]

REQUIRED SPECIFICATIONS FOR REFRIGERATION CONDENSING UNITS

Section 1071.4 *Schedule II to Limitation Order L-126* is hereby amended to read as follows:

§ 1071.4 *Schedule II to Limitation Order L-126*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles refrigeration condensing units.

(2) "Refrigeration condensing unit" means a specific refrigerating machine combination, of the open type intended for remote installation, usually consisting of a compressor, receiver, base, and the usually furnished accessories, with or without motor, and with or without condenser. As used in this schedule, the term refrigeration condensing unit refers only to such units which are to be used in a "system" as defined in paragraph (a) (1) of Limitation Order No. L-126.

(3) "Open type" refrigeration condensing unit means that type of unit in which the motive power and compressor are interconnected in such a way that a refrigerant shaft seal is necessary.

(4) "Model" means a specific combination of the following items in a refrigeration condensing unit:

(i) Base.
(ii) Valves.
(iii) Condenser.
(iv) Number of cylinders.
(v) Bore and stroke.
(vi) Motor (H. P. rating).

Any change in the size or capacity of any one of the above items constitutes a change in model, except that conversion of a water cooled to an evaporatively cooled condensing unit does not constitute such a change in model.

(5) "Compressor body" means that part of a compressor which consists of a specific combination of bore, stroke, valve, and cylinder.

(6) "Duplex condensing unit" means any refrigeration condensing unit consisting of two or more compressors which are powered by one or more motors mounted on a common base, and which discharge into a common condenser.

(7) "Lend-lease country" means the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(8) "Sealed type" refrigeration condensing unit means that type of unit in which the motive power and compressor are located within the same enclosure in such a way that a refrigerant shaft seal is not necessary.

(b) *Required specifications.* Pursuant to Limitation Order L-126, the following required specifications are hereby established for refrigeration condensing units:

(1) No producer shall:

(i) Manufacture any refrigeration condensing units in sizes below $\frac{1}{6}$ h.p.

(ii) Manufacture any refrigeration condensing units up to and including 2 h.p., except in air-cooled condensing models. *Provided, however,* That water cooled condensing units below 3 h.p. may be produced for:

(*a*) Installations in which the condensing unit must operate in an ambient temperature of 110° F. or higher;

(*b*) Installations in which the condensing unit must operate within a substantially air-tight room or enclosure, such as a photographic or X-ray developing room;

(*c*) Installations in which the condensing unit is designed to operate at a refrigerant suction temperature below minus 40° F. and the unit is used as a part of a system for a low temperature test cabinet.

(iii) Manufacture any refrigeration condensing units above 2 h. p., except in water cooled and evaporatively cooled models. *Provided,* That a 3 h. p. air-cooled unit for (prefabricated sectional) walk-in refrigerators for direct use by the Army of the United States may be produced.

(iv) Manufacture any duplex condensing units up to and including 20 h. p., except for multi-stage applications;

(v) Manufacture or assemble more types of basic compressor bodies than a number equal to one-half, or less, the total number of types (by horse power rating) of refrigeration condensing units being produced by him (excluding units completed under paragraph (c) (1) (ii)), except that a person producing only one type may continue to produce one basic compressor body.

(vi) Manufacture more than one refrigeration condensing unit model or more than one sealed type of refrigeration condensing unit in any given horse power rating for the suction temperature brackets of 5° F., 20° F., and 40° F., respectively, and for each of the following refrigerant classifications:

Ammonia
Carbon dioxide
Freon, methyl chloride, sulphur dioxide:

Except that, where the refrigeration condensing unit is to be operated at suction temperatures below minus 10° F., the use of motors of larger horse power rating shall not be deemed a change in model.

(vii) Deliver any refrigeration condensing unit, or the belt-driven type, unless it includes a motor pulley and belt drive at the time of shipment.

(viii) Manufacture any refrigeration condensing unit in a h. p. rating not produced by him before May 1, 1942, nor manufacture any unit which is designed to use a refrigerant not used by him prior to May 1, 1942; or

(ix) Use any metals in the construction of the base of any refrigeration condensing unit, as herein described, or of any other types of condensing unit of either the open type or sealed type and whether intended for remote installation or not, employing a motor of 2 horse power and below, or a motor of above 20 horse power except that ferrous metals may be used for necessary bolts, washers, nuts, straps, sole plates, pipe sleeves, and adjustable motor rails: *Provided,* That the restrictions in this subdivision (ix) shall not apply to any such condensing units, of any types, for use in aircraft by the Army or Navy of the United States or for use aboard ship or at advanced bases by the Army or Navy of the United States, the Maritime Commission or War Shipping Administration.

(x) Use any metals in the construction of the fan shroud of any air-cooled refrigeration condensing unit employing a motor of 2 horse power and below except that ferrous metals may be used for necessary bolts, washers, nuts and straps: *Provided,* That the restrictions in this subdivision (x) shall not apply to any such condensing units for use aboard ship.

(xi) Manufacture or assemble more types of basic compressor bodies, for other than the open type intended for remote installations, than permitted under paragraph (b) (1) (v) of this schedule.

(xii) Use any copper or copper base alloy pipe or tubing for interconnecting refrigerant lines larger than $\frac{3}{4}$" size (O. D.), except for use aboard ship and at advanced bases, by the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) hereof shall apply to all refrigeration condensing units: *Provided, however,* That the foregoing shall not prohibit:

(i) The production, fabrication, delivery, acceptance, or installation of refrigeration condensing units, the plans of which have already been drawn and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, or Lend-Lease countries, and

(ii) The delivery by a producer of any refrigeration condensing units (or the acceptance thereof) which were in his stock in finished form on July 3, 1942, or which had on said date been cast, machined, or otherwise processed in such manner that their manufacture in conformance with this schedule would be impractical.

(d) *Effective date.* This amendment shall become and be effective on and after April 6, 1943.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4697; Filed, March 27, 1943; 11:23 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule III to Limitation Order L-126, as Amended March 27, 1943]

REQUIRED SPECIFICATIONS FOR COIL OR TUBE ASSEMBLIES FOR REFRIGERATION CONDENSERS OR COOLERS

Section 1071.5 *Schedule III to Limitation Order L-126* is hereby amended to read as follows:

§ 1071.5 *Schedule III to Limitation Order L-126*—(a) *Definitions.* For the purpose of the schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles any coil or tube assemblies for refrigeration condensers or coolers.

(2) A "coil or tube assembly for condensers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is removed from the vaporized refrigerant.

(3) A "coil or tube assembly for coolers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is absorbed by either a volatile refrigerant or a non-volatile medium such as water.

(4) "Protective coating" means a surface coating applied to any or all parts of a "coil or tube assembly for condensers or coolers" for the purpose of retarding or preventing corrosion.

(5) "Integral fin tubing" means finned tubing, the fins and tubes of which are formed from the same piece of metal by extrusion or by any machine operation.

(6) "Metallic fin bond" means a tie between tubing and fins obtained through the use of a metallic base substance usually applied with heat. The fin surface of integral fin tubing shall be considered as having a metallic fin bond.

(7) "Mechanical fin bond" means a tie obtained between tubing and fins by physical contact and without the use of a metallic base substance.

(8) "Fin height" means the distance from the outside of a pipe or tube to the nearest outside edge of the fin.

(9) "Return bend" means a semi-circular section of tubing or pipe used to join parallel runs of tubing or pipe.

(10) "Lend-lease country" means the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Required specifications.* Pursuant to Limitation Order No. L-126, the following required specifications are hereby established for coil or tube assemblies for condensers or coolers:

(1) In the manufacture of any coil or tube assembly for condensers or of any coil or tube assembly for coolers, no producer shall, except for use aboard ship,

(i) Use any non-ferrous metals, except for soldering or brazing materials for protective coatings, or for any coil or tube assembly for water cooled condensers as defined in paragraph (b) (3) of this schedule.

(ii) Use any seamless steel tubing, except

(*a*) To form integral fin tubing, or

(*b*) That which has been made into return bends but only if the radius thereof is less than $1\frac{1}{2}$ times the outside diameter of such tubing and the straight extensions thereof are not longer than

2 times the outside diameter of such tubing; or

(iii) Use any steel tubing (other than integral fin tubing) of wall thickness greater than the following:

	Wall thickness maximum inch
(a) Up to & including $\frac{3}{8}$''	0 028
(b) Over $\frac{3}{8}$'' up to & including $\frac{1}{2}$''	.035
(c) Over $\frac{1}{2}$'' up to & including $\frac{3}{4}$''	.049
(d) Over $\frac{3}{4}$'' up to & including 1''	.065
(e) Over 1'' up to & including $1\frac{1}{4}$''	.083
(f) Over $1\frac{1}{4}$'' up to & including 2''	.095
(g) Over 2'' up to & including $2\frac{1}{2}$''	.120

Provided, That where external refrigerant working pressures exceed 400 lbs. per sq. in. gauge, a producer may use a wall thickness in excess of the foregoing but not to exceed the thickness being used by him on September 2, 1942.

(2) In the manufacture of any coil or tube assembly for air-cooled condensers no producer shall

(i) Except for use aboard ship, use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023'', whichever is smaller;

(ii) Except for use aboard ship, use a metallic protective coating (other than paint) where a mechanical fin bond is employed;

(iii) Use a protective coating containing more than 7% tin where a metallic fin bond is employed;

(3) In the manufacture of any coil or tube assembly for water-cooled condensers, no producer shall, except for use aboard ship

(i) Use more than 7 lbs. of non-ferrous metals per condensing unit nominal horse power for all self-contained refrigeration condensing units: *Provided however*, That where, for the purpose of simplification, one condenser is designed to be used with either of two or more self-contained condensing units, not more than 9.0 lbs. of non-ferrous metals per condensing unit nominal horse power of the smaller unit may be used.

(ii) Use more non-ferrous metals per ton of refrigeration, for other than self-contained condensing unit condenser assemblies, than the following:

7 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures above 30° F.

8 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures from 0° to 30° F., inclusive.

9 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures below 0° F.

"Ton of refrigeration", as here used, means the removal of heat, at the low side, at the rate of 12,000 B. T. U. per hour; total tons to be based on the design operating load of the low side connected to the condensing unit or units with which the condenser is used.

(4) In the manufacture of any coil or tube assembly for evaporatively cooled condensers, no producer shall:

(i) Use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023'', whichever is smaller; or

(ii) Use a combination protective coating and metallic fin bond containing more than 7% tin.

(5) In the manufacture of any cooler coil or tube assembly for air-cooling, no producer shall:

(i) Use a metallic protective coating containing more than 7% tin, except that when the coil is used in food storage and the air passing over the coil is in direct contact with the food a hot-dipped galvanized coating or a coating containing not more than 35% tin may be used, and except also that for use aboard ship in connection with food storage the use of protective metallic coatings is not restricted by this paragraph; or

(ii) Use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023'', whichever is smaller.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) (1) to (5) inclusive, shall not prohibit:

(i) The production, fabrication, delivery, acceptance, or installation of coil or tube assemblies, the plans of which had on September 2, 1942, been drawn and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, or Lend-Lease countries, or

(ii) The use (in the production or fabrication of, or the delivery, acceptance, or installation of coil or tube assemblies for condensers or coolers) of any of the following materials in a producer's possession or control or in transit to a producer on September 2, 1942:

(*a*) Steel tubing.

(*b*) Coil or tube assemblies which on said date were in finished form or the parts for which had on said date been cast, machined or otherwise processed in such manner that the manufacture of such assemblies in conformance with this Schedule III would be impractical.

(d) *Effective date.* This amendment shall become and be effective on and after April 6, 1943.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule IV to Limitation Order L-126]

REQUIRED SPECIFICATIONS FOR REFRIGERATION VALVES, FITTINGS, ACCESSORIES, AND OTHER PARTS

§ 1071.6 *Schedule IV to Limitation Order L-126*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles valves, fittings, accessories or parts to be used in a refrigerating or air conditioning "system", as defined in paragraph (a) (1) of Limitation Order No. L-126.

(2) "Valve" means any valve to be used in a refrigerating or air conditioning "system."

(3) "Fitting" means any fitting to be used in a refrigerating or air conditioning "system" excluding wrought copper solder type fittings and pipe fittings other than hexagonal pipe bushings and hexagonal pipe plugs.

(4) "Accessory" means any accessory, assembly or part to be used in a refrigerating or air conditioning "system."

(5) "Part" means any part designed for use in any refrigerating or air conditioning "system", if fabricated in whole or in part from corrosion-resistant or heat-resistant alloy iron or alloy steel, containing 4 per cent or more by weight of chromium.

(b) *Required specifications.* Pursuant to Limitation Order No. L-126 the following required specifications are hereby established for valves, fittings, accessories, and parts:

(1) In the production of valves, no producer shall use non-ferrous metals, except for:

(i) Valves of the types and in the sizes named and described in List A issued with this schedule, and

(ii) Valve seats, gaskets, bonnets, discs, disc screws, and plating of valve stems, for use in valves of the types and in the sizes named and described on List B issued with this schedule.

(2) In the production of fittings, no producer shall use any non-ferrous metals except for fittings of the types and in the sizes named and described on List C issued with this schedule.

(3) In the production of accessories, no producer shall use any non-ferrous metals for any accessories of the types named on List D issued with this schedule, except for bulbs, bellows, screens, gaskets, small moving parts and capillary tubing less than $\frac{1}{4}$'' (O. D.).

(4) In the production of liquid indicators, manifold tubes or bars, strainers, dehydrators, and filters, designed for use in any system, no producer shall use any ferrous or non-ferrous metal except for such items of the types and in the sizes named and described on List E issued with this schedule.

(5) In the production of parts, no producer shall use any corrosion-resistant or heat-resistant alloy iron or alloy steel, containing 4 per cent or more by weight of chromium, except for the following:

(i) Diaphragm, needle, seat, and push pins of refrigeration expansion valves, and

(ii) Small moving, contact, or orifice parts where corrosion or erosion make it impossible to use parts made from other materials, including such parts in diaphragm relief valves, suction pressure regulators, solenoid valves, cartridge relief valves, and float regulator valves, and then only to the extent necessary.

(6) In the production of the items named and described in the following numbered sections of the lists issued with this schedule, no producer shall produce a greater number of types, sizes, forms, or designs than are designated in such sections: List A, Sections 6 and 13; List B, Section 3; List E, Section 3.

(c) *Applicability of this schedule.* (1) The required specifications established by subparagraphs (1) to (5) inclusive, of paragraph (b) shall not apply to, or prohibit the production, fabrication, delivery, acceptance or installation of:

(i) Valves, fittings, and accessories which are not named on said Lists A, B, C, D, or E or not included in the sizes listed on said lists, if for use aboard ship or at advanced bases by the Army or Navy of the United States, the Maritime Commission, or the War Shipping Administration.

(ii) Valves, fittings, and accessories for delivery to or for the account of, and for direct use by, the Army, Navy, Maritime Commission, or War Shipping Administration, delivered within 90 days after April 6, 1943, to the extent that any applicable specifications of any such organization require construction, design or materials not in accordance with the provisions of this schedule.

(iii) Valves, fittings, and accessories not in conformity with paragraph (b) of this schedule, from parts which were in process of fabrication or in the form of forgings on April 6, 1943, during a period of 60 days only following said date.

(iv) Compressor valves and angle valves in sizes and types not on List A or List B, to be used for repair and maintenance only, using either ferrous or non-ferrous metals.

(d) *Effective date.* This schedule shall become and be effective on and after April 6, 1943

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

1 Line valves, packless, two-way (or globe):
SAE Flare:
$\frac{1}{4}$'' $\frac{1}{2}$''
$\frac{3}{8}$'' $\frac{5}{8}$''
Sweat (O. D.) (For nominal size tubes):
$\frac{1}{4}$'' $\frac{7}{8}$''
$\frac{3}{8}$'' $1\frac{1}{8}$''
$\frac{1}{2}$'' $1\frac{3}{8}$''
$\frac{5}{8}$'' $1\frac{5}{8}$''
$\frac{3}{4}$'' $2\frac{1}{8}$''
Female Pipe Thread (For threaded pipe):
$\frac{1}{2}$'' $1\frac{1}{4}$''
$\frac{3}{4}$'' $1\frac{1}{2}$''
1'' 2''

2 Line Valves, Packless, Angle:

Side SAE Flare		Bottom Male Pipe Thread
$\frac{1}{4}$''	x	$\frac{1}{4}$''
$\frac{1}{4}$''	x	$\frac{3}{8}$''
$\frac{3}{8}$''	x	$\frac{1}{4}$''
$\frac{3}{8}$''	x	$\frac{3}{8}$''
$\frac{1}{2}$''	x	$\frac{3}{8}$''
$\frac{5}{8}$''	x	$\frac{1}{2}$''

Side and Bottom:
Sweat (O. D.) (For nominal size tubes):
$\frac{1}{4}$'' $1\frac{1}{8}$''
$\frac{3}{8}$'' $1\frac{3}{8}$''
$\frac{1}{2}$'' $1\frac{5}{8}$''
$\frac{5}{8}$'' $2\frac{1}{8}$''
$\frac{7}{8}$'' $2\frac{5}{8}$''
Female Pipe Thread (For threaded pipe):
$\frac{1}{2}$'' $1\frac{1}{4}$''
$\frac{3}{4}$'' $1\frac{1}{2}$''
1'' 2''

3 Hand Expansion (Throttle) Valves, Packless:
Sweat (O. D.) (For nominal size tubes):
$\frac{1}{4}$'' $\frac{3}{4}$''
$\frac{3}{8}$'' $\frac{7}{8}$''
$\frac{1}{2}$'' $1\frac{1}{8}$''
$\frac{5}{8}$''

4. Charging, Purging or Drain Valves, Packless, Two-Way:

Inlet		Outlet
$\frac{3}{8}$'' O. D. Sweat	x	$\frac{3}{8}$'' SAE Flare
$\frac{5}{8}$'' O. D. Sweat	x	$\frac{5}{8}$'' SAE Flare

5. Charging, Purging, or Drain Valves, Packless, Angle:

Side		Bottom
$\frac{3}{8}$'' SAE Flare	x	$\frac{3}{8}$'' O. D. Sweat
$\frac{1}{2}$'' SAE Flare	x	$\frac{1}{2}$'' O. D. Sweat

6. Line Valves, Packed (Seal Cap) Two-Way (or Globe) Either Back Seating or Non-Back Seating to Any Size Designated:
Sweat (O. D.) (For Nominal Size Tubes):
$\frac{1}{4}$'' $1\frac{5}{8}$''
$\frac{3}{8}$'' $2\frac{1}{8}$''
$\frac{1}{2}$'' $2\frac{5}{8}$''
$\frac{5}{8}$'' $3\frac{1}{8}$''
$\frac{7}{8}$'' $3\frac{5}{8}$''
$1\frac{1}{8}$'' $4\frac{1}{4}$''
$1\frac{3}{8}$''
SAE Flare:
$\frac{1}{4}$'' $\frac{1}{2}$''
$\frac{3}{8}$'' $\frac{5}{8}$''

NOTE. No producer shall produce both back seating and non-back seating styles of valves in any one section of the sizes authorized under this section.

11. Angle Valves, packed Seal Cap:

Non-Back Seating

Side	Bottom
$\frac{1}{4}$'' SAE Flare, Sweat (O.D.), or both x $\frac{1}{4}$'' M.P.T.	
$\frac{3}{8}$'' SAE Flare, Sweat (O.D.), or Both x $\frac{3}{8}$'' M.P.T.	

Back Seating

$\frac{1}{2}$'' SAE FLARE, Sweat (O.D.), or Both x $\frac{3}{8}$'' M.P.T.
$\frac{5}{8}$'' SAE Flare, Sweat (O.D.), or Both x $\frac{1}{2}$'' M.P.T.
$\frac{7}{8}$'' Sweat (O.D.) x $\frac{3}{4}$'' M.P.T.

12. Compressor Valve, Flanged Seat:
$2\frac{1}{4}$'' Bolt Center—2 Holes
13. Compressor Valve, Four Bolt Holes:
$2\frac{1}{2}$'' Bolt Hole Centers—$1\frac{7}{32}$'' Dia. Bolt Holes:
$1\frac{1}{8}$'' Sweat (O. D.)
$1\frac{3}{8}$'' Sweat (O. D.)
$1\frac{5}{8}$'' Sweat (O. D.)

NOTE: No producer shall produce more than one flange thickness in each of the above sizes.

LIST B

1. Compressor Valves, With $\frac{1}{4}$'' Male Pipe Compressor Connection:
$\frac{1}{4}$'' SAE Flare
$\frac{3}{8}$'' SAE Flare
2. Compressor Valves, With Flat Faced Flange, Two Bolt Holes:
$1\frac{5}{8}$'' Bolt Hole Centers—$1\frac{13}{32}$'' Dia. Bolt Holes:
$\frac{1}{4}$'' SAE Flare, Sweat (O. D.), or Both
$\frac{3}{8}$'' SAE Flare, Sweat (O. D.), or Both
$\frac{1}{2}$'' SAE Flare, Sweat (O. D.), or Both
$\frac{5}{8}$'' SAE Flare, Sweat (O. D.), or Both
3. Compressor Valves, With Either Ammonia Type Joint or Flat Faced Flange, Two Bolt Holes:
$1\frac{5}{8}$'' Bolt Hole Centers—$1\frac{13}{32}$'' Dia. Bolt Holes:
$\frac{3}{4}$'' SAE Flare
$\frac{7}{8}$'' Sweat (O. D.)
4. Compressor Valves, With Four Bolt Holes:
$3\frac{1}{4}$'' Bolt Hole Centers—$2\frac{13}{32}$'' Dia. Bolt Holes:
$2\frac{1}{8}$'' Sweat (O. D.)
$2\frac{5}{8}$'' Sweat (O. D.)

NOTE: No producer shall produce more than one flange thickness in each of the above sizes listed in Items 1, 2, 3, and 4.

LIST C

1. Flare Nuts, Refrigeration Standard, Tube Support—Short.
SAE Flare:
$\frac{5}{16}$'' $\frac{1}{2}$''
$\frac{1}{4}$'' $\frac{5}{8}$''
$\frac{5}{16}$'' $\frac{3}{4}$''
$\frac{3}{8}$''
Female Pipe Thread (For Threaded Pipe):
$\frac{1}{2}$'' $1\frac{1}{4}$''
$\frac{3}{4}$'' $1\frac{1}{2}$''
1'' 2''
7. Line Valves, Packed (Seal Cap) Angle:
Sweat (O. D.) (For Nominal Size Tubes):
$\frac{7}{8}$'' $2\frac{5}{8}$''
$1\frac{1}{8}$'' $3\frac{1}{8}$''
$1\frac{3}{8}$'' $3\frac{5}{8}$''
$1\frac{5}{8}$'' $4\frac{1}{8}$''
$2\frac{1}{8}$''
Female Pipe Thread (For Threaded Pipe):
$\frac{1}{2}$'' $1\frac{1}{4}$''
$\frac{3}{4}$'' $1\frac{1}{2}$''
1'' 2''
8. Relief Valves, Diaphragm, Angle:

Side	Bottom
$\frac{1}{2}$'' F.P.T. x	$\frac{1}{2}$'' F.P.T.
$\frac{5}{8}$'' Sweat (O.D.) x	$\frac{5}{8}$'' Sweat (O.D.)

9. Relief Valves, Angle:

Side	Bottom
$\frac{3}{8}$'' M.P.T. x	$\frac{3}{8}$'' SAE Flare
$\frac{1}{2}$'' M.P.T. x	$\frac{5}{8}$'' SAE Flare

10. Check Valves:
SAE Flare:
$\frac{3}{8}$'' $\frac{5}{8}$''
$\frac{1}{2}$''
Sweat (O.D.) (For Nominal Size Tubes):
$\frac{3}{8}$'' $\frac{5}{8}$''
$\frac{1}{2}$'' $\frac{7}{8}$''

2. Flare nuts, refrigeration standard, tube support—long:
SAE Flare:
$\frac{1}{4}$'' $\frac{5}{8}$''
$\frac{3}{8}$'' $\frac{3}{4}$''
$\frac{1}{2}$''
3. Flare nuts, reducing sizes, refrigeration standard, tube support—short:
SAE Flare:
$\frac{1}{4}$'' x $\frac{3}{16}$'' $\frac{1}{2}$'' x $\frac{3}{8}$''
$\frac{5}{16}$'' x $\frac{1}{4}$'' $\frac{5}{8}$'' x $\frac{1}{2}$''
$\frac{3}{8}$'' x $\frac{1}{4}$'' $\frac{3}{4}$'' x $\frac{5}{8}$''
4. Flare bonnets and gaskets:
$\frac{1}{4}$'' $\frac{5}{8}$''
$\frac{3}{8}$'' $\frac{3}{4}$''
$\frac{1}{2}$''
5. SAE flare to male pipe unions:
SAE flare:
Male pipe thread

$\frac{1}{4}$''	x	$\frac{1}{8}$''
$\frac{1}{4}$''	x	$\frac{1}{4}$''
$\frac{1}{4}$''	x	$\frac{3}{8}$''
$\frac{3}{8}$''	x	$\frac{1}{8}$''
$\frac{3}{8}$''	x	$\frac{1}{4}$''
$\frac{3}{8}$''	x	$\frac{3}{8}$''
$\frac{3}{8}$''	x	$\frac{1}{2}$''
$\frac{1}{2}$''	x	$\frac{1}{4}$''
$\frac{1}{2}$''	x	$\frac{3}{8}$''
$\frac{1}{2}$''	x	$\frac{1}{2}$''
$\frac{5}{8}$''	x	$\frac{3}{8}$''
$\frac{5}{8}$''	x	$\frac{1}{2}$''
$\frac{5}{8}$''	x	$\frac{3}{4}$''
$\frac{3}{4}$''	x	$\frac{1}{2}$''
$\frac{3}{4}$''	x	$\frac{3}{4}$''

6. Double flare union:
SAE flare:
$\frac{1}{4}$'' $\frac{1}{2}$''
$\frac{5}{16}$'' $\frac{5}{8}$''
$\frac{3}{8}$'' $\frac{3}{4}$''
7. Double Flare Reducing Union:
SAE Flare:

$\frac{3}{8}$'' x $\frac{1}{2}$''	$\frac{5}{8}$'' x $\frac{1}{2}$''
$\frac{1}{2}$'' x $\frac{1}{4}$''	$\frac{3}{4}$'' x $\frac{1}{2}$''
$\frac{1}{2}$'' x $\frac{3}{8}$''	$\frac{3}{4}$'' x $\frac{5}{8}$''
$\frac{5}{8}$'' x $\frac{3}{8}$''	

convenient reach of a person outside of

(c) Electric current carrying appara-

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8 Flare to Female Pipe Union

SAE Flare		Female Pipe
1/4"	x	1/8"
1/4"	x	1/4"
3/8"	x	1/4"
3/8"	x	3/8"
1/2"	x	3/8"
1/2"	x	1/2"
5/8"	x	1/2"
5/8"	x	3/4"

9 Female Flare to Male Flare Adapter:

Male SAE Flare		Female SAE Flare to Adapter
1/4"	x	1/8"
1/4"	x	3/8"
1/4"	x	1/2"
5/16"	x	1/2"
5/8"	x	3/8"
3/8"	x	1/4"
3/8"	x	1/2"
1/2"	x	1/4"
1/2"	x	3/8"
5/8"	x	1/2"
5/8"	x	3/4"
3/4"	x	5/8"

10 Valve Connectors, swivel:

SAE Flare	
1/4"	1/2"
3/8"	5/8"

11 Hexpipe Bushing:

Male Pipe		Female Pipe
1/4"	x	1/8"
3/8"	x	1/4"
1/2"	x	1/4"
1/2"	x	3/8"
3/4"	x	1/8"
3/4"	x	1/4"
3/4"	x	3/8"
3/4"	x	1/2"

12 Flare to Male Pipe Elbow:

SAE Flare		Male Pipe
1/4"	x	1/8"
1/4"	x	1/4"
1/4"	x	3/8"
1/4"	x	1/2"
3/8"	x	1/4"
3/8"	x	3/8"
3/8"	x	1/2"
1/2"	x	1/4"
1/2"	x	3/8"
1/2"	x	1/2"
5/8"	x	1/2"
5/8"	x	3/4"
1/4"	x	1/2"
1/4"	x	3/4"

13 Double Flare Elbow:

SAE Flare	
1/4"	5/8"
3/8"	3/4"
1/2"	

14 Male Flare to Female Pipe Elbow:

SAE Flare		
1/4"	x	1/8"
1/4"	x	3/8"
1/2"	x	1/2"
1/2"	x	1/4"
3/4"	x	1/4"
1/2"	x	3/8"
5/8"	x	1/2"

15 Flare to Pipe Tee (Pipe Thread on Branch):

SAE Flare		Male Pipe
1/4"	x	1/8"
1/4"	x	1/4"
3/8"	x	1/4"
1/2"	x	3/8"
1/2"	x	1/2"
5/8"	x	1/2"

16 Flare Tee:

SAE Flare	
1/4"	5/16"
3/8"	3/4"
1/2"	

17. Reducing SAE Flare Tee:

Straight		Branch
1/4"	x	3/8"
3/8"	x	1/4"
3/8"	x	1/2"
1/2"	x	1/4"
1/2"	x	3/8"
5/8"	x	1/2"
1/2"	x	5/8"

18. Pipe to Flare Tee (Pipe Thd. on Straight):

Male Pipe		SAE Flare
1/8"	x	1/4"
1/4"	x	1/4"
1/4"	x	3/8"
3/8"	x	3/8"
1/2"	x	1/2"
1/2"	x	5/8"

19 Seal Cap:

SAE Flare	
1/4"	5/8"
3/8"	3/4"
1/2"	

20. Refrigerant Cylinder Valve Adapter:

Female Pipe (St. Thr'd.)		SAE Flare
3/4"	x	1/4"
3/4"	x	3/8"
Female Pipe (Taper Thr'd)		
1/2"	x	1/4"

21. Flare Seal Plug:

SAE Flare	
1/4"	5/8"
3/8"	3/4"
1/2"	

22. Hex Pipe Plug:

Male Pipe Thread:	
1/8"	1/2"
1/4"	3/4"
3/8"	

23 Strainer Union (External 150 Mesh Cylindrical Screen):

SAE Flare		Strainer End
1/4"	x	5/8" (18 SAE)

24. Strainer Union (Internal 150 Mesh Conical Screen):

SAE Flare		Strainer End
1/4"	x	5/8" (18 SAE)

25 Fusible Metal Plug:

Male Pipe Thr'd.		Clear Opening
1/8"	x	7/32"
1/4"	x	11/32"
3/8"	x	11/32"

26. Fusible Metal Union:

SAE Flare		Male Pipe
1/4"	x	1/4"
3/8"	x	1/4"
3/8"	x	3/8"

LIST D

Water Regulating Valves.
Receivers.
Oil Level Indicators.
Accumulators.
Suction Pressure Regulators.

LIST E

1. Liquid Indicators With Seal Cap Over Sight Glass:
1/4" SAE Flare.
3/8" SAE Flare.
1/2" Sweat (O. D.).
5/8" Sweat (O. D.).
7/8" Sweat (O. D.).
1 1/8" Sweat (O. D.).
1 5/8" Sweat (O. D.).

2. Manifold Tubes or Bars:

For Two Valves

1/4" SAE Flare or Sweat (O. D.).
3/8" SAE Flare or Sweat (O. D.).
1/2" SAE Flare or Sweat (O. D.).
5/8" SAE Flare or Sweat (O. D.).

For Three Valves

1/4" SAE Flare or Sweat (O. D.).
3/8" SAE Flare or Sweat (O. D.).
1/2" SAE Flare or Sweat (O. D.).
5/8" SAE Flare or Sweat (O. D.).

3. Dehydrators.
(a) Six (6) sizes, by volume, in the straight through style with end connections of 1/4" up to and including 5/8" SAE flare.
(b) Three (3) sizes, by volume, in either the straight through or side outlet flanged style with connections of 3/8" up to and including 1 3/8" sweat (O. D.).

4 Strainers and filters
(a) One basic type, in not more than 3 sizes of filtering area, with end connections of 1/4" up to and including 5/8" SAE flare.
(b) One basic type, in not more than 4 sizes of filtering area, with either straight through or side outlet connections of 3/8" up to and including 2 5/8" sweat (O. D.)
(c) One basic type, in not more than 5 sizes of filtering area, with Y strainer, with end connections of 5/8" up to and including 3 5/8" sweat (O. D.)

NOTE: "Basic type" means either screen, wool, felt or sack type of strainer or filter.

[F. R. Doc. 43-4699; Filed, March 27, 1943, 11:24 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule V to Limitation Order L-126]

REQUIRED SPECIFICATIONS FOR COMMERCIAL REACH-IN AND WALK-IN (PRE-FABRICATED SECTIONAL) REFRIGERATORS

§ 1071.7 *Schedule V to Limitation Order L-126—*(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles commercial reach-in or walk-in (pre-fabricated sectional) refrigerators.

(2) "Commercial reach-in refrigerator" means an insulated enclosure designed for non-mechanical (iced) refrigeration or mechanical refrigeration and furnished with or without low (pressure) side or high (pressure) side, having one or more service doors, and of such dimensions that the products to be refrigerated are within convenient reach of a person outside of the enclosure. This term does not include:

(i) A domestic mechanical refrigerator as defined in paragraph (a) (4) hereof, or

(ii) A domestic ice refrigerator as defined in paragraph (a) (5) hereof, or

(iii) Enclosures that contain facilities for the primary purpose of displaying the products refrigerated, or

(iv) Enclosures designed for the storage of frozen food or the quick freezing of food.

(3) "Commercial walk-in refrigerator" means a pre-fabricated or sectional insulated enclosure, designed for non-mechanical (iced) refrigeration or mechanical refrigeration and furnished with or without low (pressure) side or high (pressure) side, having one or more entrance doors and of such dimensions that the products to be refrigerated, or the major portion thereof, are not within convenient reach of a person outside of the enclosure. The term does not include enclosures designed for the storage of frozen food or the quick freezing of food.

(4) "Domestic mechanical refrigerator" means any refrigerator for household use which operated either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating) but does not include any low temperature mechanical refrigerator designed for the storage of frozen food or the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(5) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(b) *Required specifications.* Pursuant to Limitation Order L-126, the following required specifications are hereby established for commercial reach-in and walk-in refrigerators:

(1) No producer shall:

(i) Manufacturer any commercial reach-in refrigerators except in the following sizes:

Approximate inside volume cu. ft.	Shelf area sq. ft.	Outside dimensions: Width	Depth	Height	No. of service doors
20	30	56"	28"	80"	2
45	60	69"	39"	80"	4
67	70	86"	42"	71"	6
85	100	115"	31"	80"	8

Provided, That a variance of 1/4" from the width, depth, and height, and a corresponding variance in the inside volume, shall be permissible, and the condensing units used in each of said sizes shall be contained within such refrigerators ("self-contained").

(ii) Manufacture any commercial walk-in refrigerators except in the following sizes:

Size (outside)	Number of service doors	Number of walk-in or entrance doors
6' x 6' x 7'6" high	2	1
6' x 8' x 7'6" high	3	1
8' x 8' x 7'6" high	None	1
8' x 10' x 7'6" high	None	1
8' x 12' x 7'6" high	None	2
8' x 14' x 7'6" high	None	2
8' x 16' x 7'6" high	None	3
8' x 18' x 7'6" high	None	3

(iii) Use any non-ferrous metals in the manufacture of commercial reach-in and walk-in refrigerators except for the following, when used, (and when not prohibited by the terms of any other order or any other schedule issued pursuant to Limitation Order L-126):

(a) High (pressure) side or condensing unit,
(b) Refrigerant connections between high (pressure) side and low (pressure) side,
(c) Electric current carrying apparatus,
(d) Controls and valves, or
(e) Galvanized coating on ice bunker, (in non-mechanical types).

(iv) Use any ferrous metals in the manufacture of commercial reach-in and walk-in refrigerators except for the following, when used, (and when not prohibited by the terms of any other order or any other schedule issued pursuant to Limitation Order L-126):

(a) High (pressure) side or condensing unit.
(b) Low (pressure) side or evaporator,
(c) Bolts, nuts, washers, nails, screws, door hinges, door fasteners, and meat hooks,
(d) Drains and drip pans,
(e) Thresholds,
(f) Ice bunkers, (in non-mechanical types),
(g) Floors clad with metal not heavier than 22 gauge, or
(h) Wire mesh for rodent proofing.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) (1) shall not prohibit:

(i) The production, delivery, and acceptance of commercial reach-in refrigerators, which are not in conformity with paragraph (b) of this schedule for use aboard ship by the United States Army or Navy, the Maritime Commission, or the War Shipping Administration, or

(ii) The production, delivery and acceptance of commercial walk-in refrigerators, which are not in conformity with paragraph (b) of this schedule for use aboard ship or at advanced bases by the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

(iii) The production, delivery, and acceptance of commercial reach-in and walk-in refrigerators delivered within 90 days, after April 6, 1943, to or for the account of, and for direct use of the United States Army or Navy, the Maritime Commission or the War Shipping Administration to the extent that applicable specifications of any such organization require construction, design or materials not in accordance with the provisions of this schedule, or

(iv) The delivery and acceptance of commercial reach-in and walk-in refrigerators which were in a producer's stock in finished form on April 6, 1943.

(v) The production, delivery, and acceptance of commercial reach-in and walk-in refrigerators produced from fabricated parts which were in a producer's stock on April 6, 1943.

(d) *Effective date.* This schedule shall become and be effective on and after April 6, 1943.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4700; Filed, March 27, 1943; 11:24 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule VI to Limitation Order L-126]

REQUIRED SPECIFICATIONS FOR REFRIGERANT AND SERVICE CONNECTIONS

§ 1071.8 *Schedule VI to Limitation Order L-126—*(a) *Definitions.* For the purpose of this schedule:

(1) "Refrigerant connections" means any pipe or tubing joining an evaporator, compressor, condenser, or receiver in the same refrigeration or air conditioning system. As used in this schedule, the term "refrigerant connection" refers only to such connections to be used in a "system" as defined in paragraph (a) (1) of Limitation Order No. L-126.

(2) "Service connection" means any pipe or tubing joining any part of a refrigeration or air conditioning system to a water or drain outlet. As used in this schedule, the term "service connection" refers only to such connections to be used in connection with a "system" as defined in paragraph (a) (1) of Limitation Order No. L-126.

(3) "Self-contained" means any refrigeration or air conditioning system where the high (pressure) side and low (pressure) side are contained within the same enclosure in such a manner that the complete system can be removed from the premises without disconnecting any refrigerant containing part.

(b) *Required specifications.* Pursuant to Limitation Order L-126, the following required specifications are hereby established for refrigerant and service connections:

(1) No person shall use copper or copper base alloy pipe or tubing for:

(i) Any refrigerant connection, except that such pipe or tubing not larger than 3/4" size (O.D.) may be used, in a "self-contained" system, or as permitted in subparagraph (b) (1) (xii) of Schedule II to Limitation Order L-126, or where such refrigerant connection does not exceed fifteen (15) feet in length; or

(ii) Any service connections.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) (1) of this schedule shall apply to all refrigerant and service connections: *Provided, however,* That the foregoing shall not prohibit:

(i) The use of copper or copper base alloy pipe or tubing for refrigerant or service connections on refrigeration or air conditioning systems to be used aboard ship or at advanced bases by the Army or Navy of the United States, the Maritime Commission, or the War Shipping Administration; or

(ii) The use of copper or copper base alloy pipe or tubing for refrigerant or service connections on refrigeration or air conditioning systems, the plans of which had on April 6, 1943, been drawn and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, or the War Shipping Administration, to the extent that such plans require construction, de-

sign or materials not in accordance with the provisions of this schedule.

(d) *Effective date.* This schedule shall become and be effective on and after April 6, 1943.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4782; Filed, March 27, 1943; 11:24 a. m.]

PART 1074—VITAMIN A

[Limitation Order L-40, as Amended March 27, 1943]

Whereas national defense requirements for vitamin A have created a shortage thereof for defense, for private account and for export, and it is necessary in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof; and

Whereas reduction in the quantities of vitamin A consumed in the manufacture of multivitamin preparations for human consumption and in the manufacture of poultry, cattle, fur-bearing or other animal feed in the manner and to the extent hereinafter provided, can be effected without impairing the effectiveness of such preparations or feeds. *Now, therefore, it is hereby ordered,* That:

§ 1074.1 *General Limitation Order L-40*—(a) *Definitions.* For the purposes of this order:

(1) "Vitamin A" shall include vitamin A and its "pro-vitamins" such as carotenes and cryptoxanthin derived from plant, animal, fish or marine animal sources.

(2) "Fish liver oils" shall mean oils containing vitamin A derived, extracted, or processed from livers of the cod, shark, halibut, or other fish.

(3) "Feed" shall mean natural or artificial feedstuffs or rations or other substances intended for poultry, cattle, fur-bearing or other animals, as a complete ration, or as a component of, or in reinforcement of, other diets.

(b) *General restrictions.* (1) Except as provided in paragraph (b) (2) of this order, no person shall, on or after April 10, 1942, manufacture any preparation represented to contain more than 5,000 U. S. P. XI units of vitamin A in the largest daily dosage recommended by the manufacturer or seller for adult use.

(2) The restrictions of paragraph (b) (1) of this order shall not apply to the manufacture of preparations represented to contain 25,000 or more U. S. P. XI units of vitamin A in the smallest daily dosage recommended by the manufacturer or seller for adult use; and the restrictions of paragraph (b) (1) of this order shall not apply to the manufacture of preparations recognized in the U. S. P. or N. F.

(3) Except as provided in paragraph (b) (4) of this order, no person shall manufacture or prepare feeds, which, in the form recommended by the manufacturer or seller to be consumed, contain more than 2,000 U. S. P. XI units of vitamin A supplied by fish liver oils or other fish oils per pound of total ration; except that for all turkey feeds and poultry breeding feeds the limitation shall be 3,000 U. S. P. XI units of vitamin A supplied by fish liver oils or other fish oils per pound of total ration; *Provided, however,* That for the purpose of manufacture or preparation in the period March 27, 1943 to May 15, 1943, inclusive, the limit for feeds in such recommended form shall be 2500 U. S. P. XI units and, for turkey feeds and poultry breeding feeds, shall be 3500 U. S. P. XI units.

(4) The restrictions of paragraph (b) (3) of this order shall not apply to stocks of fish liver oils or other fish oils, which, on February 10, 1942, were in the hands of, or in transit to, or blended and held in stock for the account of, persons who have purchased such oil for use by them as one of the ingredients of their manufactured feeds; nor shall the restrictions of paragraph (b) (3) of this order apply to any person who mixes or prepares feeds which are consumed by his own poultry or animals.

(c) *Applicability of General Preference Order M-71, as amended.* All sales, purchases, and deliveries of fish liver oils and other fish oils shall continue to be subject to the provisions and restrictions of General Preference Order M-71, as amended from time to time.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in his community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram setting forth the pertinent facts and the reasons why he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(g) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Health Supplies Division, Washington, D. C.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4694; Filed, March 27, 1943; 11:22 a. m.]

PART 1075—CONSTRUCTION

[Order P-55-b, Serial No. —]

Name of Owner: _____
Address: _____

§ 1075.10 *Preference Rating Order P-55-b; authorization of housing construction.* Construction of the housing project hereinafter described, is hereby authorized under Conservation Order L-41, subject to the following conditions and directions:

(a) This authorization is issued in lieu of Preference Rating Order P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-55 shall constitute a reference to this authorization.

(b) *Definitions.* (1) "Owner" means the specific person to whom this order is addressed above.

(2) "Builder" means the owner and any building contractor or subcontractor with whom the owner has placed a contract pursuant to which such contractor or subcontractor has agreed to furnish critical material.

(3) "Accommodations" means either family dwelling units or rooming accommodations.

(4) "Housing project" means the housing project described in the builder's application, comprising a maximum of _____ family dwelling units and _____ rooming accommodations.

(5) "Critical material" means any material or product included in the War Housing Critical List, and only such material or products. Copies of this list may be obtained from any field office of the War Production Board.

(6) "Application" means the owner's application on Form PD-105 with material list Form PD-105A, Serial No._____, dated _____.

(c) *Restrictions on use of materials.* The builder shall not order or accept delivery of any critical material to be incorporated into the housing project or incorporate any critical material into the housing project other than that specifically set forth and approved in the application, and then only in accordance with the terms of the allotment on Form CMP-H-1.

(d) *Liability of owner.* The owner and any other person who now holds or hereafter acquires any beneficial interest in the housing project or any part thereof, is hereby ordered to comply with all the representations, certifications and promises made by said owner in the application, except where and to the extent such other person is relieved of such responsibility by regulation of the National Housing Agency.

(e) *Applicability of War Production Board Regulations.* This order and all transactions affected thereby are subject to the provisions of all regulations of the War Production Board.

(f) This order shall take effect on the issuance of an authorized construction schedule with allotments or preference rating, if any, pursuant to application Forms CMP-H-1, but shall be effective for only those accommodations which are so authorized by said construction schedule within _____ days from the date this order is countersigned. This order shall be ineffective for any accommodations not authorized within the above period on Forms CMP-H-1 or for any accommodations so authorized but in excess of the maximum number specified in paragraph (b) (4) above.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

This order is not valid unless signed by the War Production Board with the machine signature of the Executive Secretary or Recording Secretary, or with their printed facsimile signature, and countersigned with the name of a Regional Director of the War Production Board.

Countersigned by:

_____
Regional Director.

By _____ _____
Title. Date.

_____
Field Office.

An allotment number and preference rating for the purchase of materials as authorized for allotment and priorities assistance on the approved copy of the application returned to the owner will be issued upon presentation of Application Form CMP H-1, properly filled in, to the office of the National Housing Agency where application for this order was first made.

[F. R. Doc. 43-4707; Filed, March 27, 1943; 11:27 a. m.]

PART 3000—PETROLEUM SULFONATES

[General Preference Order M-188 as Amended March 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of petroleum sulfonates for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3000.1 *General Preference Order M-188*—(a) *Definitions.* (1) "Petroleum sulfonates" means the original or neutralized product of the reaction between intermediate petroleum fractions and oleum or sulfuric acid, known to the trade variously as mahogany soap, mahogany sulfonate, sodium sulfonate, soap base, oil or water soluble sulfonates and their metallic salts whether in crude or refined form.

(2) "Producer" means any person who produces or refines petroleum sulfonates, and includes any person who has petroleum sulfonates produced for him pursuant to toll agreement.

(3) "Distributor" means any purchaser of petroleum sulfonates from any person for purpose of resale as petroleum sulfonates.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, no producer or distributor shall deliver use or refine petroleum sulfonates, and no person shall accept delivery of petroleum sulfonates from a producer or distributor, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month, beginning with December, 1942, will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time (including the period prior to December 1, 1942), at its discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of material to be delivered or then on hand.

(3) Each person specifically authorized to accept delivery of petroleum sulfonates shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Producers who prepare oil bases and other products from petroleum sulfonates, shall be considered users and must receive authorization for such use.

(c) *Small order exemption.* No specific authorization shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of 50 pounds or less of petroleum sulfonates in the aggregate; provided that such person has not been specifically authorized to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall certify to him in writing that he is entitled pursuant to paragraph (c) hereof to accept delivery;

(3) The use or refining by any producer in any calendar month of 50 pounds or less of petroleum sulfonates in the aggregate.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of petroleum sulfonates during any calendar month, beginning with December 1942 (except as provided in paragraph (c) hereof), whether for his own consumption or resale, shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery is requested. Applications by producers for authorization to use or refine shall be filed in the same manner. Where delivery, use or refining is to be in November 1942, such application shall be made as many days as possible in advance of the requested delivery, use or refining. In any case, such application shall be made on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-188. A producer applying for authorization to refine petroleum sulfonates shall file a separate set of Form PD-600 covering such application.

(iii) In the heading, under name of chemical, specify petroleum sulfonates; under WPB Order No., specify M-188; under unit of measure, specify pounds (dry soap basis); under name of your company, specify name and mailing address; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In columns 1, 11 and 19, specify sulfonate ingredient and percentage thereof.

(v) In columns 3, 20 and 22, specify your primary product in terms of the following:

Cutting oil base.
Lubricant additive.
Wetting agent.
Resale (as petroleum sulfonates).
Petroleum emulsion breaker.
Rust preventative.
Fat splitting.
Refining.
Others (specify).

Where the application is made by a producer for leave to refine, insert in columns 3, 20 and 22 the refined product in terms of dry soap base sulfonate.

(vi) In column 4, specify ultimate use of product (for example, if the "primary product" called for in columns 3, 20 and 22, is "lubricant additive," the "ultimate use of product" might be "lubricant for marine diesel engines"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer.

(vii) Remarks in column 10 may, if necessary, be extended on the reverse side of the sheet. Include in remarks quantity of petroleum sulfonates used in manufacture for preparation of primary products in corresponding period of year 1941. If requirements have increased appreciably, state reasons.

(2) Each producer or distributor seeking authorization to make delivery of petroleum sulfonates during any calendar month beginning with December, 1942, shall file application on or before the 20th day of the month preceding the month for which authorization is requested. Where authorization is sought for November delivery, application shall be filed as many days as possible in advance of the proposed delivery. Such application shall be made on Form PD-601, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-188, retaining the fourth copy for your files.

(iii) Producers or distributors who have filed application on Form PD-600, specifying themselves as their suppliers, shall list their own names as customers on Form PD-601, and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify petroleum sulfonates; under WPB Order No., specify M-188; under name of company, state your name and mailing address; under unit of measure, specify pounds (dry soap basis); and

state the month and year during which deliveries covered by the application are to be made.

(v) In columns 3 and 8, specify sulfonate ingredient and percentage thereof.

(vi) Column 5 may, at your discretion, be left blank.

(vii) Names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in column 1 "Total small order deliveries (estimated)" and in column 4, the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) On or before November 30, 1942, each person who as of November 1, 1942, owned 500 pounds or more of petroleum sulfonates shall report the amount of each grade of petroleum sulfonates owned on such date by letter addressed to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–188.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(e) *Notification of customers.* Each supplier shall notify his regular customers, as soon as possible, of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M–188.

(g) *Administration of Order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may take any action with respect to this Order, or with respect to any person affected by this Order, which may be taken by the War Production Board.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4702; Filed, March 27, 1943; 11:25 a. m.]

PART 3024—MEN'S WORK CLOTHING

[Limitation Order L–181 as Amended March 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of men's work clothing for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3024.1 *General Limitation Order L–181*—(a) *Definitions.* For the purpose of this order:

(1) "Men's work clothing" means any of the following garments, customarily graded as men's:

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
One-piece work suits.
Work pants.
Work shirts, (whether separate or in ensembles, but excluding uniform shirts).

(2) "Put into process" means the first cutting operation of material in the manufacture of any men's work clothing.

(3) Pro rata widths—where a certain width material is specified—narrower or wider width material shall be figured in pro rata yardages allowed or restricted.

(4) Measurements set forth refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment.

(5) Yards specified "to the dozen" shall mean the average yardage, over any 90 day period after August 15, 1942, consumed in the cutting of each type of garment.

(6) Yards specified "to the dozen" may be exceeded proportionately in the manufacture of sizes larger than specified herein to meet the needs of oversize persons.

(7) All terms used in this order shall have their usual and customary trade meanings unless stated otherwise.

(b) *General exceptions.* The prohibitions and restrictions of this order shall not apply to:

(1) Sales and deliveries by, to or for the account of the ultimate consumers by any person who does not put cloth into process for the manufacture of work clothing.

(2) Men's work clothing put into process or manufactured prior to August 15, 1942.

(3) Drills, twills, or jeans used for pocketing or waistbanding in the inventory of the manufacturer on August 15, 1942.

(4) Men's work clothing to fill purchase orders placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the Defense Supplies Corporation.

(5) Men's work clothing made and sold to conform with state, county or municipal safety laws, codes or regulations: *Provided*, That such laws, codes or regulations were in existence on August 15, 1942, and specifically required the use of work clothing not made in conformity with the provisions of this order.

(6) Garments manufactured in the home except when made for sale or for a contractor or jobber or other person who sells such garments.

(c) *General curtailments.* No person shall, after August 15, 1942, put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall, after the said date, sell or deliver any men's work clothing, the material for which was put into process after August 15, 1942, with:

(1) False or more than double stitching:

(2) Pockets or waistbands made from drills, twills or jeans heavier than 39 inch 4.00 yard, except irregulars, seconds or cuts under 40 yards in length and except as provided in paragraph (b) (3).

(3) Pockets of more than single thickness.

(d) *Additional curtailments.* No person shall after August 8, 1942, put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall sell or deliver any of the following men's work clothing, the cloth for which was put into process after August 15, 1942.

(1) *Waistband overalls or dungarees* with:

(i) More than two front or swing pockets, two hip pockets, one rule pocket and one watch pocket.

(ii) Suspender buttons or with more than four fly buttons and one button or snap fastener on waistband.

(iii) Back buckle or strap.

(iv) More than nine bartacks or rivets exclusive of those needed on belt loops.

(v) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(vi) More than 33½ yards or less than 31 yards to the dozen of 28/29 inch material: *Provided, however*, That for the sole purpose of allowing such garments when made for miners (and each miner's garment shall be designated as such by label or other marking thereon) to include not more than two front leg patch reinforcements, one double seat and one additional leg pocket, the yardage per dozen for such garments shall be not more than 45 yards or less than 37 yards to the dozen of 28/29 inch material, the extra yardage to be used, however, only for such purpose.

(2) *Bib overalls* with:

(i) More than one large or two small bib pockets, two front swing or patch pockets, two hip patch pockets, one rule pocket and one hammer loop.

(ii) More than one button on each side opening, two bib suspender buttons, one button or one snap fastener on bib, two buttons on fly through size 38 or three buttons on fly on size 40 and up.

(iii) More than fifteen bartacks.

(iv) Sizes other than 26 to 50 waist and 27 to 36 inseam;

(v) More than an average of 46 yards or less than 39 yards to the dozen of 28/29 inch material for both the bib overall and the overall jacket.

Provided, however, For the sole purpose of allowing:

(*a*) *Bib overalls for carpenters* to include not more than two double knee or leg patch reinforcements, two side leg pockets, an apron with necessary divisions, one hand axe loop, the yardage per dozen for such garments shall be not more than 66½ yards or less than 60½ yards to the dozen of 28/29 inch material, and such garments may have 15 additional bartacks.

(*b*) *Bib overalls for painters or paperhangers* to include one brush loop and one leg pocket, the yardage per dozen for such garments shall be not more than 47½ yards or less than 41½ yards to the dozen of 28/29 inch material.

(*c*) *Bib overalls for steel workers* to include not more than two knee patch reinforcements, two leg pockets, one additional hammer loop, the yardage per dozen for such garments shall be not more than 57 yards or less than 51 yards to the dozen of 28/29 inch material, and such garments may have six additional bartacks.

Each such garment shall be designated as such by label or other marking thereon and the additional yardages shall only be used for the respective purposes specified above.

(3) *Overall jumpers or coats* with:

(i) More than two patch pockets.

(ii) More than four buttons on front and one button on each cuff.

(iii) Sizes other than 34 to 50.

(iv) Blanket-lining heavier than 16 ounce, 54 to 56 inch width, of cotton or of cotton and reused wool.

(4) *One-piece work suits* with:

(i) More than two front swing or patch pockets, two breast pockets, two-patch or swing hip pockets, one rule pocket and one hammer loop.

(ii) More than four front buttons, one breast pocket button, three fly buttons and one button on each cuff.

(iii) More than 17 bartacks, exclusive of those needed on belt loops.

(iv) Sizes other than 34 to 50.

(v) More than 72 yards or less than 66 yards to the dozen of 28/29 inch material.

(5) *Work pants* with:

(i) More than two front swing pockets, two hip patch or swing pockets and one watch pocket.

(ii) Tunnel loops.

(iii) Suspender buttons on sizes other than 38 and up.

(iv) More than 11 bartacks exclusive of those needed on belt loops.

(v) Side buckle and straps.

(vi) Self belt or extension waistband.

(vii) Pleats.

(viii) More than five fly buttons, including waistband, on sizes through 38 and more than six fly buttons, including waistband, on sizes 40 and up, and with more than one hip pocket button.

(ix) Cuffs where 30 inch 2.50 gray width and weight basis material and heavier is used.

(x) More than 1½ inch hem.

(xi) More than 1½ inch cuff on material lighter than 30 inch 2.50 gray width and weight basis.

(xii) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(xiii) (*a*) More than 27½ yards or less than 24½ yards to the dozen of 36 inch material weighing less than 8 ounces per yard of 36 inch width material, or

(*b*) More than 28 yards or less than 25 yards to the dozen of any heavier material.

(6) *Work shirts* with:

(i) Other than one or two plain patch pockets but only button through or open.

(ii) More than single thickness lining in collar.

(iii) More than six buttons on front, one button each cuff and one button on each pocket.

(iv) Lined cuffs.

(v) More than four bartacks.

(vi) Eyelets or vents.

(vii) Reinforced elbow, shoulder, back or front.

(viii) Other than one or two cardboards and paper wrapping.

(ix) Less than one-half dozen packing.

(x) Sizes other than 13 to 19 or sizes small, medium and large.

(xi) More than 29½ yards or less than 26 yards to the dozen of 36-inch material on long sleeve models, or more than 24 yards or less than 23 yards to the dozen of 36-inch material on half-sleeve models. On regular or mill finish material or on 36-inch 2.85 material and heavier a total of a half yard to the dozen additional yardage may be used.

(e) *Certification.* No person, who has before August 8, 1942, or shall after August 8, 1942, put into process or cause to be put into process by others for his account any men's work clothing, shall after August 8, 1942, sell such work clothing without furnishing to his purchaser (when other than an ultimate consumer) a certification, signed by an individual duly authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his purchaser and the War Production Board that the men's work clothing covered by his invoice No. ---------- dated ---------- (or the annexed invoice) has been manufactured or sold in accordance with the curtailment and or exceptions of General Limitation Order L–181.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of men's work clothing conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board. Reference L–181, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(g) *Records and inspections.* (1) Each person affected by the order shall keep and preserve for a period of not less than two years accurate and complete records of his applicable inventories, certifications, production, sales and transactions. (2) All records required to be kept by the order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports and communications.* (1) Each person affected by the order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time. (2) All reports required hereunder, and all communications concerning the order, shall be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: L–181.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4701; Filed, March 27, 1943; 11:25 a. m.]

PART 3130—MINERAL OIL POLYMERS

[General Preference Order M–258 as Amended March 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of mineral oil polymers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3130.1 *General Preference Order*

for which authorization for delivery is requested. Applications by producers for

(iii) Producers or distributors who have filed application on Form PD–600, speci-

(g) *Administration of order.* The Petroleum Administrator for War or the

visions of Preference Rating Order P–56, as amended from time to time, the pro-

(7) "Base tonnage" of a warehouse for any product group and type means the

§ 3130.1 *General Preference Order M-258*—(a) *Definitions.* (1) "Mineral oil polymers" means the resinous product produced by the polymerization of mixtures of unsaturated hydrocarbons (either the solid resin or solvent extended product) and does not include polystyrene, polyisobutylene, polyethylene, butadiene, or the copolymers of such materials.

(2) "Producer" means any person who produces or refines mineral oil polymers, and includes any person who has mineral oil polymers produced for him pursuant to toll agreement.

(3) "Distributor" means any purchaser of mineral oil polymers from any person for purpose of resale as mineral oil polymers.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, no producer or distributor shall deliver or use mineral oil polymers, and no person shall accept delivery of mineral oil polymers from a producer or distributor, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month, beginning with December, 1942, will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time (including the period prior to December 1, 1942), at its discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted, or with respect to the use or uses which may or may not be made of material to be delivered or then on hand.

(3) Each person specifically authorized to accept delivery of mineral oil polymers shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Producers who prepare oil products from mineral oil polymers shall be considered users and must receive authorization for such use.

(c) *Small order exemption.* No specific authorization shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of 50 pounds or less of mineral oil polymers in the aggregate; provided that such person has not been specifically authorized to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall certify to him in writing that he is entitled pursuant to paragraph (c) hereof to accept delivery;

(3) The use by any producer in any calendar month of 50 pounds or less of mineral oil polymers in the aggregate.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of mineral oil polymers during any calendar month, beginning with December, 1942 (except as provided in paragraph (c) hereof), whether for his own consumption or resale, shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery is requested. Applications by producers for authorization to use shall be filed in the same manner. Where delivery or use is to be in November, 1942, such application shall be filed as many days as possible in advance of the intended acceptance of delivery or use. In any case, such application shall be made on Form PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier, three forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-258, and the fifth retained for your files.

(iii) In the heading, under name of chemical, specify mineral oil polymers; under WPB Order No., specify M-258; under unit of measure, specify pounds; under name of your company, specify name and mailing address; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, specify iodine number and percentage of solids.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Core oil
Insulation material
Plastic base
Floor covering
Fibre board impregnant
Protective coatings (specify)
Resale (as mineral oil polymers)
Others (specify)

(vi) In Column 4, specify ultimate use of product (for example, if the "primary product" called for by Columns 3, 20 and 22 is "core oil", the "ultimate use of product" might be "aircraft engine cylinders"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer.

(vii) Remarks in Column 10 may, if necessary, be extended on the reverse side of the sheet. Include in remarks quantity of mineral oil polymers used in manufacture for preparation of primary products in corresponding period of year 1941. If requirements have increased appreciably, state reasons.

(2) Each producer or distributor seeking authorization to make delivery of mineral oil polymers during any calendar month beginning with December, 1942, shall file application on or before the 20th day of the month preceding the month for which authorization is requested. Such application shall be made on Form PD-601, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-258, retaining the fourth copy for your files.

(iii) Producers or distributors who have filed application on Form PD-600, specifying themselves as their suppliers, shall list their own names as customers on Form PD-601, and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify mineral oil polymers; under WPB Order No., specify M-258; under name of company, state your name and mailing address; under unit of measure, specify pounds; and state the month and year during which deliveries covered by the application are to be made.

(v) In Columns 3 and 8, specify iodine number and percentage of solids.

(vi) Column 5 may, at your discretion, be left blank.

(vii) Names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in Column 1 "Total small order deliveries (estimated)" and in Column 4, the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) On or before November 30, 1942, each person who as of November 1, 1942 owned 500 pounds or more of mineral oil polymers shall report the amount of each grade of mineral oil polymers owned on such date by letter addressed to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-258.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers, as soon as possible, of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-258.

(g) *Administration of order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may take any action with respect to this Order, or with respect to any person affected by this Order, which may be taken by the War Production Board.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4703; Filed, March 27, 1943; 11:26 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Dir. 2 Under CMP Reg. 2]

ELECTRIC, GAS, WATER AND STEAM UTILITIES

§ 3175.102 *Inventory Direction No. 2.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered*, That:

In the case of any "producer" as defined in and who is subject to the provisions of Utilities Order U-1, as amended from time to time, the provisions of CMP Regulation 2 shall not apply and, in lieu thereof, such producer shall be subject to all the provisions of Utilities Order U-1.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4704; Filed, March 27, 1943; 11:26 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Dir. 3 Under CMP Reg. 2]

OPERATORS IN THE PETROLEUM INDUSTRY

§ 3175.103 *Inventory Direction No. 3.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered*, That:

In the case of any "operator" as defined in and who is subject to the provisions of Preference Rating Order P-98-c, as amended from time to time, the provisions of CMP Regulation 2 shall not apply and, in lieu thereof, such operator shall be subject to all the provisions of Preference Rating Order P-98-c.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4705; Filed, March 27, 1943; 11:27 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Dir. 4 Under CMP Reg. 2]

MINES

§ 3175.104 *Inventory Direction No. 4.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered*, That:

In the case of any "producer" as defined in and who is subject to the provisions of Preference Rating Order P-56, as amended from time to time, the provisions of CMP Regulation 2 shall not apply and, in lieu thereof, such producer shall be subject to all the provisions of Preference Rating Order P-56.

Issued this 27th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4706; Filed, March 27, 1943; 11:27 a. m.]

PART 962—IRON AND STEEL

[General Preference Order M-21-b-1]

GENERAL STEEL WAREHOUSES AND DEALERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 962.10 *General Preference Order M-21-b-1*—(a) *Purpose and scope.* This order tells how, under the Controlled Materials Plan, a distributor obtains deliveries of general steel products from producers and from other persons for stock or for delivery direct to a distributor's customers. The method by which a distributor obtains deliveries of merchant trade products is set forth in General Preference Order M-21-b-2. Deliveries of steel from stock by distributors to persons not purchasing for resale are governed by CMP Regulation No. 4. Deliveries by distributors to other distributors are governed by this order and not by CMP Regulation No. 4.

(b) *Definitions.* For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in each case only in the forms and shapes indicated in the CMP Materials List.

(2) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%.
Silicon, maximum of range in excess of 0.60%.
Copper, maximum of range in excess of 0.60%.
Aluminum, chromium, cobalt, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "General steel product" means any of the steel products listed in Schedule A hereto.

(5) "Product group" means any of the 16 numbered groups of general steel products listed in Schedule A hereto.

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy steel.

(7) "Base tonnage" of a warehouse for any product group and type means the tonnage of such product group and type delivered by such warehouse from stock during the first calendar quarter of 1941, or as specifically otherwise established by the War Production Board.

(8) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of receiving steel for sale or resale and who does not process the material so sold otherwise than by performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, or pipe threading; but a person who, in connection with any sale, forms bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(9) "Warehouse" means a distributor who receives physical delivery of general steel products from a producer for sale or resale in the form received, and who was engaged in the business of distributing steel from stock on August 9, 1941. The term does not include any structural shape, bar, or sheet fabricator unless his sales from stock during 1940 of general steel products in the form received represented at least 25 percent of the total tonnage of general steel products received by him in that year. If a warehouse maintains a stock at more than one location, each location shall be deemed a separate warehouse.

(10) "Dealer" means a distributor (other than a warehouse) who receives physical delivery of general steel products from persons other than producers for sale or resale in the form received, and who was engaged in the business of distributing steel from stock on August 9, 1941. The term does not include any distributor who is primarily a scrap dealer. For the purposes of this definition a distributor shall be considered primarily a scrap dealer if the tonnage of all scrap purchased for stock by him in 1940 equalled or exceeded the tonnage of steel purchased for stock by him in that year.

(11) "Delivery" includes deliveries received on consignment.

(c) *Restrictions on placing orders with producers for shipment to warehouse stock*—(1) *Product groups and types to be ordered.* No warehouse shall order or accept delivery to warehouse stock of general steel products in any product group and type except those which have been certified to such warehouse on form PD-83-b by the War Production Board. A producer shall not deliver general steel products to any warehouse stock unless such warehouse shall first have filed with such producer a copy of its PD-83-b certificate, or in any product group and type except those certified on such certificate.

(2) *Quantity restrictions on prime quality material.* No warehouse which, during 1940, purchased more than 25 percent of its tonnage of any product group in a grade now invoiced as less than prime quality may order for deliv-

ery to warehouse stock during any calendar quarter, prime quality steel products

Provided, however, That the total tonnage of any type of general steel prod-

him during the 90 days preceding the placing of such purchase order, provided

SCHEDULE A—GENERAL STEEL PRODUCTS

Types of steel

(iii) Having an iron and steel content of more than 6 pounds.

(2) (i) No person shall produce any

suant thereto, shall keep and preserve for not less than two years accurate and complete records concerning inventories.

ery to warehouse stock during any calendar quarter, prime quality steel products (requiring scheduled rollings) of the same product group from all producers in an amount greater than one-fourth of the total tonnage of such prime quality material purchased from all producers during 1940.

(3) *Quantity restriction on product groups.* No warehouse shall order steel from producers in any one product group for delivery to warehouse stock in any calendar quarter in excess of 150 percent of its base tonnage for such product group.

(4) *Quantity restrictions on types, interim period.* No warehouse shall place orders with producers for delivery to warehouse stock in the second quarter of 1943 (as to carbon general steel products) or in the period April 1–July 31, 1943 (as to stainless or other alloy general steel products) which shall aggregate, for any type of steel, more than the quantity authorized for such warehouse in CMPL–85. Orders outstanding on March 31, 1943, in excess of this quantity which call for delivery within such periods shall be suspended immediately.

(5) *Stock replacement after interim period.* Every order for delivery of carbon general steel products from a producer to a warehouse stock after June 30, 1943, or of stainless or other alloy general steel products after July 31, 1943, shall be supported by form CMP–11 duly filled out and signed by the purchasing warehouse. For the purposes of CMP–11, tonnage previously delivered from stock in one or more product groups representing the same type of steel (carbon, stainless, or other alloy) may be accumulated to support an order for any one or more product groups of the same type. During April, 1943, each warehouse may place orders with producers for delivery to stock after June 30, 1943, accompanied by form CMP–11 and in accordance with the terms of this paragraph (c) (5), amounting, for any type of steel, to one-third of its total deliveries of such type from stock during the first quarter of 1943. Thereafter, a purchase order shall be placed only to replace general steel products delivered from warehouse stock at any time during the previous 90 days on authorized controlled material orders duly confirmed in accordance with CMP Regulation No. 4, or on other orders as permitted by paragraph (d) of that regulation. In addition, a warehouse may order and report on form CMP–11 an amount to cover scrap loss not to exceed the following percentage of the tonnage reported on such form:

Product group:	Prime Quality	Second Quality
3. Plates (universal and sheared)—including skelp	8%	10%
11 Sheets and strip, hot rolled	3%	10%
12 Sheets and strip, cold reduced	3%	10%
All other general steel products	3%	8%

Provided, however, That the total tonnage of any type of general steel products ordered on this basis in any calendar quarter shall not exceed actual scrap sales of such type during the previous calendar quarter as reported on form PD–83. Orders requiring scheduled rollings shall specify delivery, in the case of carbon steel not earlier than the month 90 days following the date of order entry, and in the case of stainless or other alloy steel, not earlier than the month 105 days following the date of order entry. Orders not requiring scheduled rollings (such as rejects, wasters, waste wasters) may specify delivery at any time.

(6) *Status of warehouse orders.* Each order placed by a warehouse with a producer for delivery to warehouse stock pursuant to paragraph (c) (5) and supported by form CMP–11 shall be deemed an authorized controlled material order.

(d) *Warehouse purchases from idle or excess inventories.* A warehouse may order for delivery to its stock, without limitation as to quantity, from idle or excess inventories pursuant to Priorities Regulation No. 13 general steel products in any product group and type which has been certified to such warehouse on Form PD–83–b. Each purchase order for such material shall be endorsed in substantially the following form, and when so endorsed shall be deemed to be an authorized controlled material order:

The undersigned certifies to the seller and to the War Production Board that this order is placed pursuant to paragraph (d) of Order M–21–b–1, and is an authorized controlled material order.

Name of warehouse	By—Authorized official
Address	Date

(e) *Warehouse purchases for direct shipment to customer.* A warehouse receiving an authorized controlled material order from a customer and wishing to arrange for shipment direct to such customer by the producer or other supplier shall specify delivery to a point other than the warehouse, and shall copy on its own purchase order the endorsement made to it by its customer (including the customer's name) in accordance with CMP Regulation No. 1 or other applicable regulation or order. A purchase order specifying direct shipment and so endorsed shall be deemed an authorized controlled material order.

(f) *Earmarked warehouse stocks.* To the extent agreed upon by the Steel Division and any claimant agency, an earmarked stock of general steel products may be established in any warehouse. Deliveries to such stock and withdrawals therefrom shall be made only in accordance with the specific directions which shall be issued at the time such stock is established.

(g) *Purchases by dealers.* Purchase orders for general steel products may be placed by a dealer with persons other than producers to replace in the dealer's stock steel of the same type delivered by him during the 90 days preceding the placing of such purchase order, provided the steel to be replaced (if delivered prior to April 1, 1943) was delivered pursuant to Supplementary Order M–21–b, or (if delivered on or after April 1, 1943) was delivered pursuant to CMP Regulation No. 4. No delivery can be used more than once to support such a replacement order. Each such replacement order must carry an endorsement in substantially the following form:

The undersigned hereby certifies to the seller and to the War Production Board that the material covered by this order is to replace in stock general steel products of the same type and weight delivered by the undersigned within the 90 days preceding the date of this order and in accordance with CMP Regulation No. 4 (or Supplementary Order M–21–b). This constitutes an authorized controlled material order.

Name of dealer	By—Authorized official
Address	Date

Any order so endorsed shall be deemed an authorized controlled material order.

(h) *Reports.* Each warehouse shall file with the Bureau of the Census, Washington, D. C., on or before the 15th day of each month a report in duplicate on Form PD–83 Revised, or on such other form as may be prescribed. A warehouse having a total base tonnage of all general steel products amounting to 150 tons or less shall file such report only on or before the fifteenth day of April, July, October, and January, for the preceding calendar quarter.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(j) *Communications to War Production Board.* All appeals or other communications concerning this order shall be addressed to Warehouse Branch, Steel Division, War Production Board, Washington, D. C., Reference M–21–b–1.

(k) *Violations.* Any warehouse, dealer, or other person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Effective date.* This order shall be effective April 1, 1943.

Issued this 29th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—GENERAL STEEL PRODUCTS

Product groups	Types of steel included: Carbon	Stainless	Other alloy
1. Ingots, blooms, billets, slabs, tube rounds, and sheet and tin bars	x	x	x
2. Structural shapes and piling	x	----	x
3. Plates (universal and sheared) including skelp	x	x	x
4. Rails and track accessories, including angle bars, fish bars, fish plates, rail joints, splice bars, clip bolts, track spikes, frogs and switches, guard rods, guard rail clamps, guard rails, nut locks, rail anchors, rail clips, screw spikes, switch stands, mine ties, tie plates, track bolts, S-irons, and rail braces	x	----	x
5. Hot-rolled bars—merchant, concrete reinforcing (unfabricated), and wrought iron bars	x	x	x
6. Cold finished bars	x	x	x
7. Tool steel, including drill rod and tool bits	x	----	----
8. Mechanical tubing	x	x	x
9. Pressure tubing	x	x	x
10. Wire rods (for wire drawing only)	x	x	x
11. Sheets and strip, hot rolled (including cotton ties)	x	x	x
12. Sheets and strip, cold reduced	x	x	x
13. Tin mill black plate	x	----	----
14. Sheets and strip, all other except tin plate, short terms, and galvanized	x	----	----
15. Wheels and axles (including steel tires and tires)	x	----	x
16. Castings (rough castings only)	x	x	x

[F R Doc. 43-4810; Filed, March 29, 1943; 11:26 a. m.]

PART 993—DOMESTIC ICE REFRIGERATORS

[Supplementary Limitation Order L–7–c, as Amended March 29, 1943]

Section 993.4 (Supplementary Limitation Order L–7–c) is hereby amended to read as follows:

§ 993.4 *Supplementary Limitation Order L–7–c—(a) Definitions.* For the purpose of this order:

(1) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box designed for home use.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(3) "Iron and steel content" means the aggregate weight of iron and carbon steel contained in a finished domestic ice refrigerator, including but not limited to, latches, hinges, screws, nails, rivets, bolts, sheet steel, binder strips, drain tubes, drip pans and shelving.

(4) "Net ice capacity" means the maximum amount of standard scored ice which the ice chamber of a domestic ice refrigerator will hold.

(b) *General restrictions.* (1) No person shall produce any domestic ice refrigerator:

(i) Containing any rubber (crude, synthetic or reclaimed) or any metal other than iron and carbon steel (except metal used in galvanizing, plating, soldering, or coating steel);

(ii) Having a net ice capacity of other than 50 or 75 pounds, except that it may vary ten percent from either of these amounts; or

(iii) Having an iron and steel content of more than 6 pounds.

(2) (i) No person shall produce any domestic ice refrigerator except in accordance with a production quota assigned to him in a schedule issued by the War Production Board pursuant to this order. Such production quotas shall be assigned for periods of time to be specified in the schedule, and shall expire on the last day of the period for which they are assigned. Any person desiring to obtain a production quota shall file with the War Production Board at least 30 days before the expiration date of the schedule in effect at that time a written application to be assigned a production quota for such period as the War Production Board shall specify.

(ii) Such application should contain a statement as to the amount of iron and steel and other critical materials to be contained in each domestic ice refrigerator the applicant proposes to produce during such period. Whenever production quotas are assigned by the War Production Board, he will take into consideration the amount of iron and steel and other critical materials to be used by each applicant, the performance of the domestic ice refrigerators which each applicant proposes to produce as established by tests of the National Bureau of Standards or otherwise, and also the labor and transportation situation in the area where the plant of each applicant is located and such other factors as the War Production Board shall deem appropriate.

(iii) In addition to the number of domestic ice refrigerators which specified persons may produce in accordance with an applicable schedule, each person named in such a schedule may produce during the period the schedule remains in effect an additional number of domestic ice refrigerators pursuant to orders bearing preference ratings of AA–5 or higher, provided that such domestic ice refrigerators are delivered prior to the expiration date of such schedule.

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of domestic ice refrigerators to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(d) *Applicability of regulations.* This order (and any schedules issued pursuant thereto) and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Avoidance of excessive inventories.* No person authorized to produce domestic ice refrigerators shall accumulate for use in the production of such domestic ice refrigerators inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order and any schedules issued pursuant thereto.

(f) *Records.* All persons affected by this order or any schedule issued pursuant thereto, shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* Each person who produces any domestic ice refrigerators shall file with the War Production Board, not later than 10 days after the end of each calendar month in which he produced any domestic ice refrigerator, a report on Form PD–655, showing all domestic ice refrigerators which he produced during such month. Each person, before he offers for sale any new model of domestic ice refrigerator, shall file with the War Production Board a report on Form PD–531, setting forth a bill of material for such model. Each person affected by this order, or any schedule issued pursuant thereto, shall file such other reports and answers to questionnaires as the War Production Board shall from time to time require.

(i) *Violations.* Any person who willfully violates any provision of this order, or of any schedule issued pursuant thereto, or who, in connection with this order, or any such schedule, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any appeal from the provisions of this order, or of any schedule issued pursuant thereto, should be made on Form PD–500, filed with the Consumers Durable Goods Division, War Production Board, Washington, D. C.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, or any schedule issued pursuant thereto, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L–7–c.

Issued this 29th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R Doc. 43-4811; Filed, March 29, 1943; 11:26 a m]

PART 993—DOMESTIC ICE REFRIGERATORS

[Schedule III to Supplementary Limitation Order L–7–c]

PRODUCTION QUOTAS

§ 993.7 *Schedule III to Supplementary Limitation Order L–7–c.* Pursuant to paragraph (b) (2) of Supplementary Limitation Order L–7–c, the following production quotas for domestic ice refrigerators are hereby established for the period from April 1, 1943 to June 30, 1943, inclusive. During that period, each person named is authorized to produce without limit as to number, domestic ice refrigerators pursuant to orders

bearing preference ratings of AA–5 or

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bearing preference ratings of AA-5 or higher, provided that he delivers such domestic ice refrigerators to the person placing such orders prior to July 1, 1943, and in addition, each person named is authorized to produce the number of domestic ice refrigerators set forth below opposite his name:

Name	Number of domestic ice refrigerators
Alaska Refrigerator Co., Brooklyn, N Y	4,000
American Furniture & Fixture Co., St. Louis, Mo	5,000
American Sanitary Partition Co., Long Island City, N Y	5,000
Atkins Table & Cabinet Co., Brooklyn, N Y	3,000
Brequinda, Inc. of Florida, St Petersburg, Fla	5,000
Brunswick Refrigerator Co., Brooklyn, N Y	4,000
Coleman Furniture Co., Pulaski, Va	10,000
Colson Metal Products Co., Kansas City, Mo	5,000
The Conderator Co., Duluth, Minn	33,000
George H Dean, Inc., Norwood, R I	3,000
Dratch's Victory Refrigerator Box, Brooklyn, N Y	2,000
Fy-Boro Metal Products Co., Inc., Brooklyn, N Y	6,000
Ice Cooling Appliance Corporation, Morrison, Ill	20,000
Iceland Refrigerator Co., Inc., Brooklyn N Y	3,000
King Refrigerator Corporation, Brooklyn, N Y	5,000
Jack Langston Company, Dallas, Tex	500
Maine Manufacturing Company, Nashua, N H	13,500
Modern Refrigerator Company, Brooklyn, N Y	5,000
Modern Refrigerator Works, Glendale, Calif	4,500
Progress Refrigerator Company, Louisville Ky	10,000
L D Reeder Company, Los Angeles, Calif	5,000
Sanitary Refrigerator Co., Fond du Lac Wis	15,000
Seeger Refrigerator Company, St. Paul, Minn	20,000
Steddard Manufacturing Company, Mason City, Iowa	2,000
Success Manufacturing Company, Gloucester, Mass	6,000
Ward Refrigerator & Mfg. Company, Los Angeles, Calif	18,000

Issued this 29th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4812, Filed, March 29, 1943; 11:26 a. m.]

PART 1014—BURLAP AND BURLAP PRODUCTS

[Conservation Order M-47, Amendment 1]

Section 1014.1, Conservation Order M-47, is hereby amended by revising paragraph (b) (1) to read as follows:

(b) *Stockpiling of imports.* (1) Any importer, importing bag manufacturer, or person importing burlap shall set aside two-thirds of each cargo of burlap imported by him into the continental United States, and shall not dispose thereof except as expressly directed by the War Production Board. The bales so set aside shall be light-weights, 7½ ounce to 9 ounce inclusive, to the extent available, and shall not include any bales known to be damaged, unless instructions to the contrary are given by the War Production Board.

Issued this 29th day of March, 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4813; Filed, March 29, 1943; 11:27 a. m.]

PART 3127—NEW STEEL SHIPPING DRUMS

[General Preference Order M-255 as Amended March 29, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of new steel shipping drums for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3127.1 *General Preference Order M-255*—(a) *Definitions.* For the purposes of this order:

(1) "Drum" means any single walled, cylindrical or bilged container with a capacity of 110 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. The term shall not be deemed to refer to cans or high or low pressure gas steel cylinders, or to any container not susceptible of commercial use in the transportation and storage of commodities.

(2) "New drum" means any drum which has never been partially or wholly filled with any product or commodity for storage or shipping purposes in the course of business.

(3) "Manufacturer" means any person engaged in the business of producing drums and/or any metal part thereof (other than flanges, plugs or cap seals) for sale to others or for his own use in packing products of any kind.

(b) *Restrictions on deliveries and receipts.* (1) On and after the 16th day of November, 1942, no manufacturer shall sell or deliver any new drum or any metal part thereof (other than flanges, plugs or cap seals) except pursuant to purchase order accompanied by the authorization of the War Production Board provided for in paragraph (c) below.

(2) On and after the 16th day of November, 1942, no person shall receive or accept delivery of any new drum or any metal part thereof (other than flanges, plugs or cap seals) if he knows or has reason to believe that the delivery of such drum is prohibited by the terms of subparagraph (1) of this paragraph (b).

(3) On and after the 16th day of November 1942, no manufacturer shall use any new drum or any metal part thereof (other than flanges, plugs or cap seals), the manufacture of which was completed after the 16th day of November, 1942, except as specifically authorized by the War Production Board upon application pursuant to paragraph (c) hereof.

(c) *Procedure for obtaining authorization of the War Production Board.* (1) The authorization of the War Production Board for the sale, delivery, receipt, acceptance of delivery or use of new drums or parts thereof, required by the provisions of paragraph (b) of this order, may be applied for by the purchaser or the user.

(2) Except as otherwise permitted by subparagraph (4) of this paragraph (c), such application shall be made on Form PD-835, in the manner described therein, and supplying all data called for therein.

(3) Except as otherwise permitted in accordance with subparagraph (4) of this paragraph (c), the authorization of the War Production Board for the sale, delivery, receipt, acceptance of delivery or use of new drums or parts thereof shall be accomplished by returning to the applicant an approved copy of Form PD-835.

(4) The War Production Board may:

(i) In any particular case, require data in addition to that called for by Form PD-835 in considering applications for authorization to sell, deliver, receive or use new drums or parts thereof;

(ii) Waive the receipt of any information called for by the said Form PD-835 in considering such applications;

(iii) In cases of urgency, accept telegraphic application for authorization to sell, deliver, purchase, receive or use new drums or parts thereof, and grant such authorization by telegram.

(d) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years after November 2, 1942, accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representative of the War Production Board.

(3) *Reports.* Each manufacturer and each purchaser of new drums shall file such reports as the War Production Board may prescribe for the purpose of the effective administration of the order.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref: M-255.

Issued this 29th day of March 1943

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4814, Filed, March 29, 1943; 11:27 a. m.]

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PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 19]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

1. Section 1315.513 is added to read as follows:

(a) *Who may obtain an allotment of rear-wheel tractor-type tires and tubes.* Any dealer or any person who intends in good faith to become a dealer may obtain an allotment of rear-wheel tractor-type tires and rear-wheel tractor tubes.

(b) *Amount of allotment of rear-wheel tractor-type tires and tubes.* The maximum allotment for an establishment shall be six rear-wheel tractor-type tires and six rear-wheel tractor tubes. In determining the amount that may be granted to an applicant, the amount of unmounted rear-wheel tractor-type tires and rear-wheel tractor tubes held at the establishment must be deducted from the maximum allotment, and certificates may be issued for no more than the difference. Only one allotment for each establishment may be granted.

The State Director or District Manager may refuse to authorize the allotment if granting it will defeat or impair the effectiveness or policy of this Ratio Order No. 1A.

2. Section 1315.602 (i) is added to read as follows:

(i) *Allotment of rear-wheel tractor tires and tubes.* Application for an allotment of rear-wheel tractor-tires and tubes shall be filed on OPA Form No. R-60 with the State Director or District Manager for the area in which the establishment is located.

3. Section 1315.607 (b) (2) is amended to read as follows:

(2) *For allotment of tires and tubes.* OPA Form No. R-2 (Revised) authorizing an applicant to acquire an allotment of Grade I, Grade II or Grade III tires, passenger tubes or rear-wheel tractor-type tires or tubes.

4. Section 1315.611 (c) (2) is added to read as follows:

(2) Any dealer may, in exchange for a certificate for a truck tube, transfer to the holder thereof a passenger tube.

5. The table set forth in § 1315.804 (c) (3) is amended to read as follows:

If Part B calls for—	*Dealer or manufacturer may replenish with—*
Any size Grade I tire.	Any size Grade I, II, or III tire.
Any size Grade II tire.	Any size Grade II or III tire.
Any size Grade III tire.	Any size Grade III tire.
Any size Grade I or II tire only.	Any size Grade I or II tire.
Any size truck-type tire.	Any size truck, tractor, implement-type or Grade III tire.
Any size tractor-type tire.	Any size tractor, implement-type or Grade III tire.
Any size implement-type tire.	Any size tractor, implement-type or Grade III tire.
Any size passenger tube	Any size passenger tube.
Any size truck tube.	Any size truck or passenger tube.

This amendment shall become effective April 15, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 26th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4654; Filed, March 26, 1943; 12:14 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 331,[1] Amendment 2]

SOYBEANS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1439.203 is amended to read as follows:

§ 1439.203 *Applicability.* The provisions of this regulation shall apply only to raw and unprocessed soybeans of the 1942 or any previous crop except such as are sold for use as seed for planting in 1943 and except such as are specially cleaned for use in the production of products for human consumption not involving the extraction of soybean oil.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4355; Filed, March 26, 1943; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 59[1] Under § 1499.3 (b) of GMPR]

WEYERHAEUSER SALES COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

Items in § 1499.273 paragraph (a) are amended to read as follows:

§ 1499.273 *Approval of maximum prices for sale by Weyerhaeuser Sales Company of wood culvert staves.* (a) • • •

Description: • • • Nominal thickness and width of	Price per hundred staves in quantities of 100 or more: Length	Price
2" x 4",	3 feet	$ 9 26
nominal lengths	4 feet	12 36
3', 4', 6', and 8'.	6 feet	18 52
	8 feet	24 72

• • • • • •

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 26th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4656. Filed, March 26, 1943; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Revocation of Order 141 Under § 1499.3 (b) of GMPR]

METALS RESERVE COMPANY

Order No. 141 (§ 1499.1157) under § 1499.3 (b) of the General Maximum Price Regulation is hereby revoked.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4659, Filed, March 26, 1943; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 261[1] Under § 1499.3 (b) of GMPR]

NICKEY BROTHERS

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Order No. 261 under § 1499.3 (b) of the General Maximum Price Regulation is amended in the following respect:

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 436, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314.

[1] 8 F.R. 2343, 2781.

[1] 7 F.R. 6604.

[1] 8 F.R. 1596.

Section 1499.1497 (a) is amended by inserting after the words "practically clear grade" the following sentence: "The above price is subject to all discounts and allowances in use by the seller in March 1942."

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4664; Filed, March 26, 1943; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 350 Under § 1499.3 (b) of GMPR]

UTICA KNITTING CO.

Utica Knitting Company of Utica, New York made application for authorization to determine the maximum prices it may charge for its Style No. 86U and its Style No. 86OU, men's eyelet mesh ribbed union suits made of carded yarn. Due consideration has been given the application and it appears that these union suits cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in the opinion supporting this order, which has been issued simultaneously herewith, and has been filed with the Division of the Federal Register,* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1786 *Approval of maximum prices for Style No. 86U and Style No. 86OU, men's union suits made of carded yarn manufactured by Utica Knitting Company.* (a) On and after March 27, 1943, the maximum price at which Utica Knitting Company, Utica, New York, may sell, deliver or offer for sale Style No. 86U, men's union suits made of carded yarn, shall be $5.75 per dozen. Any person may buy and receive, and offer to buy and receive, Style No. 86U at $5.75 per dozen from Utica Knitting Company.

(b) On and after March 27, 1943, the maximum price at which Utica Knitting Company, Utica, New York, may sell, deliver or offer for sale Style No. 86OU, men's union suits made of carded yarn, shall be $5.25 per dozen. Any person may buy and receive, and offer to buy and receive, Style No. 86OU at $5.25 per dozen from Utica Knitting Company.

(c) The maximum selling prices set forth in paragraphs (a) and (b) shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 350 may be revoked or amended by the Price Administrator at any time.

*Copies may be obtained from the Office of Price Administration.

(e) This Order No. 350 (§ 1499.1786) shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4666; Filed, March 26, 1943; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 220 Under § 1499.18 (b) of GMPR]

UNITED UNION BREWERIES CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1820 *Denial of application for adjustment of maximum prices of domestic malt beverages sold by United Union Breweries Company, 350 South Second Avenue, Walla Walla, Washington.* (a) The application of the United Union Breweries Company, 350 South Second Avenue, Walla Walla, Washington, filed November 14, 1942, and assigned Docket Number GF3-3129, requesting permission to increase their prices of domestic malt beverages 20%, is denied.

(b) This Order No. 220 (§ 1499.1820) shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4667; Filed, March 26, 1943; 12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 222 Under § 1499.18 (b) of GMPR]

HUNT MANUFACTURING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1822 *Adjustment of maximum prices for sales of coal tar disinfectant by Hunt Manufacturing Company.* (a) On and after March 27, 1943, the Hunt Manufacturing Company, Cleveland, Ohio, may sell and deliver to Sears, Roebuck & Co. and to Montgomery Ward Co., its coal tar disinfectant, coefficient 3, (described and referred to more fully in its petition filed with the Office of Price Administration, bearing Docket No. GF3-3156) at a maximum price of $6.62 per dozen gallons.

(b) The maximum price set forth in the preceding paragraph shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable to the purchaser than those in effect during March 1942.

(c) The Hunt Manufacturing Company shall supply to Sears, Roebuck & Co. and to Montgomery Ward Co., at or before the time of the first sale after the effective date of this order, the following written notice:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of our coal tar disinfectant coefficient 3, to $6.62 per dozen gallons. This increase represents only that part of our increases which we were unable to absorb, and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of this product.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 222 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4668; Filed, March 26, 1943; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 14 Under § 1499.18 (c) as Amended by GMPR]

NEW ENGLAND POLE AND TREATING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1514 *Adjustment of maximum prices for preservatively treated western red cedar poles sold by New England Pole and Treating Co.*

(a) The maximum prices, f. o. b. Yarmouth, Maine, for preservatively treated western red cedar poles sold by New England Pole and Treating Co. shall be as follows:

Length	Class	Maximum price
35 feet	2	$
40 feet	2	
45 feet	2	
50 feet	2	
35 feet	3	
40 feet	3	
45 feet	3	
50 feet	3	
35 feet	4	
40 feet	4	
45 feet	4	

(b) All prayers of the application not granted herein are denied.

(c) This order may be revoked or amended at any time.

(d) This Order No. 14 (§ 1499.1514) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains notifications of maximum prices established by § 1499.2.

This order shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4665; Filed, March 26, 1943; 12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Revocation of Order 68 Under § 1499.18 (c) of GMPR]

U. S. MICA MFG. CO.

Order No. 68 (§ 1499.918) under § 1499.18 (c) of the General Maximum Price Regulation is hereby revoked.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4657; Filed, March 26, 1943; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 10 Under § 1499.29 of GMPR]

ROBERTS BRASS MANUFACTURING CO.

Revised Order No. 10 under § 1499.29 of the General Maximum Price Regulation; Docket No. III-1499.29 (b)-10.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 10 under § 1499.29 of the General Maximum Price Regulation is revised to read as follows:

§ 1499.410 *Authorization of a maximum price for certain iron pipe brass steam gauge cocks for the Roberts Brass Manufacturing Company.* (a) The Roberts Brass Manufacturing Company of Detroit, Michigan, may sell and deliver under government contract or subcontract iron pipe brass steam gauge cocks at not more than the following prices: No. 94 at $.15¼ each and No. 94 D at $.16 each, f. o. b. Detroit, Michigan.

(b) This Revised Order No. 10 shall cover only the sale of the gauge cocks described in paragraph (a) above made under a government contract or subcontract.

(c) This Revised Order No. 10 (§ 1499.410) is hereby incorporated as a section of Supplementary Regulation No. 4 which contains modifications of maximum prices established by § 1499.2.

(d) This Revised Order No. 10 may be revoked or amended by the Price Administrator at any time.

(e) This Revised Order No. 10 (§ 1499.410) shall become effective as of December 29, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4658; Filed, March 26, 1943; 12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 39 Under SR 15 to GMPR]

RALPH WERTZ

Order No. 39 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3019.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1339 *Adjustment of maximum prices for Contract Carrier Services by Ralph Wertz.* (a) Ralph Wertz, of Lawton, Oklahoma, hereinafter referred to as applicant, may increase his March, 1942 rates for motor contract carrier services for the delivery of fresh creamery butter from Lawton, Oklahoma, to Houston, Texas, for Fairmount Creamery Company to $1.25 per cwt. for quantities less than 10,000 pounds, and $1.00 per cwt. for quantities in excess of 10,000 pounds.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 39 (§ 1499.1339) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 39 (§ 1499.1339) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 39 (§ 1499.1339) shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4660; Filed, March 26, 1943; 12:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Revocation of Order 4 Under SR 15 to GMPR]

KEYSTONE FELDSPAR & CHEMICAL CO.

Order No. 4 under § 1499.75 (a) (4) of Supp. Reg. 15 to the General Maximum Price Regulation.

Order No. 4 (§ 1499.1604) under § 1499.75 (a) (4) of the General Maximum Price Regulation is hereby revoked.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4661; Filed, March 26, 1943; 12:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 348 Under § 1499.3 (b) of GMPR]

TANGLEFOOT COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register,* *It is ordered:*

§ 1499.1784 *Authorization of maximum prices for sales of certain insecticides manufactured by Tanglefoot Company.* (a) On and after March 27, 1943, the maximum prices for the sale of Not Difuso and New Difuso, insecticides manufactured by Tanglefoot Company, Grand Rapids, Michigan, shall be the prices set forth below:

Product	Size of unit	Maximum price for sales to distributors	Maximum price for sales to retailers	Maximum price for sales to consumers
Not Difuso	Case of 3 gallons or 6 half-gallons	$	$	$
	Case of 4 gallons			
	5-gallon pail			
New Difuso	Case of 3 gallons or 6 half-gallons			
	Case of 4 gallons			
	5-gallon pail			

(b) The prices set forth in the preceding paragraph shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable to the purchaser than those which were previously in effect for sales of Difuso in the corresponding size of unit.

(c) The Tanglefoot Company shall supply to each distributor, at or before the time of its first delivery of Not Difuso to the distributor, and each distributor shall supply to each retailer, at or before the time of first delivery to the retailer, a written notification, which shall read as follows:

OPA has authorized the following prices for sales of Not Difuso, subject to all customary discounts:

Size of unit	Maximum prices for sales to distributors	Maximum prices for sales to retailers	Maximum prices for sales to consumers
Case of 3 gallons or 6 half-gallons	$6.40	$8.00	$10.00
Case of 4 gallons	7.36	9.20	11.50
5-gallon pail	8.49	9.43	11.79

OPA requires the distributor to supply a copy of this notice to each retailer, at or before the time of first delivery to the retailer.

OPA requires that you keep a copy of this notice for examination.

(d) The Tanglefoot Company shall supply to each distributor, at or before the time of its first delivery of New Difuso to the distributor, and each distributor shall supply to each retailer, at or before the time of first delivery to the retailer, a written notification, which shall read as follows:

OPA has authorized the following prices for sales of New Difuso, subject to all customary discounts:

Size of unit	Maximum prices for sales to distributors	Maximum prices for sales to retailers	Maximum prices for sales to consumers
Case of 3 gallons or 6 half-gallons	$11.67	$14.56	$18.20
Case of 4 gallons	14.29	17.86	22.43
5-gallon pail	16.83	18.70	23.95

OPA requires the distributor to supply a copy of this notice to each retailer,

*Copies may be obtained from the Office of Price Administration.

lieves that the use of this method will to all sellers who sell at retail or at less than three. As used in this para-

at or before the time of first delivery to the retailer.

OPA requires that you keep a copy of this notice for examination.

(e) This Order No. 348 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 27th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4662; Filed, March 26, 1943; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 349 Under § 1499.3 (b) of GMPR]

APPALACHIAN MILLS COMPANY

Appalachian Mills Company, of Knoxville, Tennessee, made application for an authorization to determine the maximum price which it may charge for men's and women's "T" shirt-short combination garments. Due consideration has been given the application and it appears that this garment cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in the opinion supporting this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1785 *Approval of maximum prices for men's and women's "T" shirt-short combination garments manufactured by Appalachian Mills Company for H. M. McDonald, Chicago, Illinois.* (a) On and after March 27, 1943, Appalachian Mills Company, Knoxville, Tennessee, may sell, deliver and offer for sale to H. M. McDonald, Chicago, Illinois, the following described commodities at the prices set forth below:

(1) A maximum price of $7.00 per dozen for Style No. 1000 men's "T" shirt-short combination made of carded cotton yarn, with double fabric front and neck finish, double fabric sleeve and leg finish, set-in gusset in leg, with buttons no smaller than 18 line and no more than 3 inches apart, and with a finished weight of four pounds per dozen.

(2) A maximum price of $6.75 per dozen for Style No. 2000 women's "T" shirt-short combination made of carded cotton yarn, with double fabric front and neck finish, double fabric sleeve and leg finish, set-in gusset in leg, with buttons no smaller than 18 line and no more than 3 inches apart, and with a finished weight of three and three-fourths pounds per dozen.

(b) On and after March 27, 1943, the maximum price at which H. M. McDonald, Chicago, Illinois, may sell, deliver and offer for sale at wholesale the commodity described in subparagraph (1) of paragraph (a) above, shall be $7.80 per dozen.

(b) On and after March 27, 1943, the maximum price at which H. M. McDonald, Chicago, Illinois, may sell, deliver and offer for sale at wholesale the commodity described in subparagraph (2) of paragraph (a) above, shall be $7.50 per dozen.

(d) On or before July 1, 1943, Appalachian Mills Company shall file with the Office of Price Administration, Washington, D. C., in duplicate a complete and detailed analysis of the applicant's operations and cost expenses in the manufacture of men's and women's "T" shirt-short combination garments, which shall state:

(1) Direct labor cost.
(2) Direct material cost.
(3) Indirect labor.
(4) Overhead.
(5) Administrative expenses.
(6) Selling expenses.
(7) Number of units manufactured.
(8) Number of units sold and the price received therefor.

(9) An explanation in detail of the method of computing direct material cost, direct labor cost, indirect labor cost, and method of allocating overhead, administrative expenses and selling expenses.

(10) Balance sheets and profit and loss statements for year of 1942, and for the first 3 months of 1943.

(e) On or before July 1, 1943, H. M. McDonald, Chicago, Illinois, shall file with the Office of Price Administration, Washington, D. C., in duplicate, a complete and detailed analysis of his operations and expenses in the distribution of men's and women's "T" shirt-short combination garments, including facts showing services rendered, classes of purchasers and volume of sales to each class, number of salesmen employed, expenses of doing business, assumption of credit risks, if any, manner of billing customers, and manner of shipment from manufacturer to purchaser.

(f) The maximum prices set forth in paragraphs (a), (b) and (c) shall be subject to adjustment at any time by the Office of Price Administration.

(g) This Order No. 349 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 349 (§ 1499.1785) shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4663; Filed, March 26, 1943; 12:12 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 39,[1] Amendment 1]

LICENSING SELLERS OF CONTAINERS, AND OF SERVICES RELATING THERETO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The effective date provision of Supplementary Order No. 39 is amended to read as follows:

This supplementary order shall become effective April 2, 1943.

This Amendment No. 1 to Supplementary Order No. 39 shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4682; Filed, March 26, 1943; 4:53 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300,[1] Amendment 4]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 300 is amended in the following respects:

1. Section 1315.1755 is amended to read as follows:

Section 1315.1755 *Maximum prices—Specific authorization.* The maximum manufacturers' price for any rubber drug sundry, other than victory line, which it is either impossible or impracticable to price under § 1315.1753 or § 1315.1754, shall be a price, in line with the level of prices established by this regulation, determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this section shall file with the Office of Price Administration in Washington, D. C., an application setting forth:

(a) A description in detail of the rubber drug sundry for which a maximum price is sought (including the manufacturing process); (b) a statement of the facts which make it impossible or impracticable for him to use the methods for determining a maximum price set forth in §§ 1315.1753 and 1315.1754; (c) his proposed pricing method; and (d) a statement of the reasons why he believes that the use of this method will result in prices which are in line with the level of prices established by this regulation. Such authorization will be in writing and will prescribe a method of determining the maximum price for some or all of the rubber drug sundries, other than victory line, manufactured by the applicant which it is impossible or impracticable to price under either § 1315.1753 or § 1315.1754.

This section is applicable to all manufacturers of rubber drug sundries, except distributors of rubber drug sundries.

2. Section 1315.1764 (b) (1) is amended by amending the first sentence thereof to read as follows:

Before or at the time of the first delivery of any rubber drug sundry, other than victory line, to a wholesaler, other than a dental, surgical or hospital supply house, after January 31, 1943, the manufacturer shall notify the wholesaler of the maximum wholesale price of that article.

3. Section 1315.1764 (b) (2) is amended by adding a new sentence to the text to read as follows:

The notification required by this subparagraph shall also be given to dental, surgical and hospital supply houses for those types of rubber drug sundries, other than victory line, that are customarily sold at retail.

This amendment shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4683; Filed, March 26, 1943; 4:54 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 301,[1] Amendment 4]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 301 is amended in the following respects:

1. Section 1315.1776 (b) is amended to read as follows:

(b) *To what types of sellers this regulation applies.* This regulation applies to all sellers who sell at retail or at wholesale; except that it shall not apply until June 1, 1943, to sales by dental, surgical or hospital supply houses of rubber drug sundries, other than victory line, to physicians, dentists, morticians, veterinarians, laboratories, hospitals, industrial or commercial users, the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, library or to any agency of any of the foregoing.

2. Section 1315.1779 (c) is amended to read as follows:

(c) *Sales of baby feeding nipples.* Notwithstanding any other provisions of this section (§ 1315.1779), the maximum price for sales at retail of baby feeding nipples shall be determined in accordance with the applicable provisions of paragraphs (a), (b), or (c) of this section (§ 1315.1779), but in no case shall the price for baby feeding nipples, other than specially constructed baby feeding nipples exceed three for $0.25 or $0.10 each whenever the purchaser requests less than three. As used in this paragraph (c) the term "specially constructed baby feeding nipples" includes the following types: breast, semi-breast, valve, screw-on and cleft palate.

This amendment shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 7th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4684; Filed, March 26, 1943; 4:54 p. m.]

PART 1340—FUEL

[MPR 323,[1] Amendment 1]

ASPHALT AND ASPHALT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Table II in § 1340.353 (c) is amended to read as follows:

TABLE II—REFINERIES IN OREGON, WASHINGTON AND CALIFORNIA

Reference point	Asphalt cement penetration		Liquid asphalt								Roofing flux	Oxidized asphalt	
	11-40	41-200	R. C. M. C. R. O. M. C. 0 & 1	R. C. M. C. 2-3-4-5 R. O. M. C. 2-3-4-5-6	SC 0	SC 1	SC 1A	SC 2	SC 3 & 4	SC 5 & 6		110-165 M. P.	165-220 M. P.
San Francisco, Calif.	$13.40	10.90	12.90	11.40	11.40	9.00	6.80	10.10	10.10	10.90	8.65	12.40	13.40
Bakersfield, Calif.	13.40	10.90	12.90	11.40	11.15	8.00	6.50	8.50	9.40	10.40	8.65	12.40	13.40
Los Angeles, Calif.	13.40	10.40	12.40	10.90	11.15	8.00	6.50	8.40	8.90	9.90	8.65	12.40	13.40
Santa Maria, Calif.[1]	11.40	8.90	10.50	9.40	9.40	7.00	.....	8.50	8.90	8.90	8.65	12.40	13.40
Spokane, Wash.	17.90	17.90	17.90	17.90	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seattle, Wash., for water-borne transportation only.	.....	.....	.....	[2] 13.90	[2] 13.90	.....	7.70	13.40	.....	.....	.....	.....	.....

[1] Refiners in the Santa Maria Valley of California may charge a price delivered to the buyer not in excess of the sum of the maximum f. o. b. refinery or terminal price for the same product established for the refinery or terminal nearest to the particular destination and the rail freight tariff from such nearest refinery to destination.

[2] M. C. 2 and R. C. 3 and 4 only apply to bulk storage points at Portland and Seattle.

This amendment will become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4670; Filed, March 26, 1943; 4:52 p. m.]

PART 1340—FUEL

[RPS 88[1]—Amendment 87]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (c) (1) (xiv) is added to read as follows:

(xiv) *California.* (a) The maximum prices at the receiving tank for crude petroleum of the gravities specified in the table below and produced in the fields designated therein shall be as follows:

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 837, 1369, 1388, 2669.

[1] 8 F.R. 3718.

[1] 8 F.R. 2101.

[Dollars per U. S. gallon barrel]

(Fields[1]—See key below)

A. P. I. Gravity	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
8–8.9				.71																
9–9.9				.73																
10–10.9				.75																
11–11.9			.92	.77	.92															
12–12.9			.94	.79	.94			.94												
13–13.9			.96	.81	.96			.96											.91	
14–14.9		.98	.98	.83	.98	.98	.95	.98		.98	.98		.97	.97	.95	.95	.95		.93	
15–15.9		.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	.93	.96	1.01
16–16.9		.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	.93	.96	1.01
17–17.9		.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	.93	.96	1.01
18–18.9		.98	.98	....	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	.93	.96	1.01
19–19.9		.98	.98	....	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	.93	.96	1.01
20–20.9		.98	.98	....	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	.93	.96	1.01
21–21.9		.98	.98	....	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	.93	.96	1.01
22–22.9		.98	.98	....	.98	.98	.95	.98	.94	.98	1.00	1.01	.94	.97	.97	.97	.96	.97	....	....	....
23–23.9		.98	....	....	.98	.98	.95	.98	.94	....	....	1.01	.94	.97	....	.97	....	....	....	....	....
24–24.9		.98	....	....	.98	....	.95	.98	....	....	....	....	.94	.97	....	....	....	....	....	....	....
25–25.9		.98	....	....	.98	....	.95	.98	....	....	....	....	.94	....	....	....	....	....	....	....	....
26–26.9		.98	....	....	....	....	.95	.98	....	....	....	....	.94	....	....	....	....	....	....	....	....
27–27.9		....	....	....	....	....	....	.98	....	....	....	....	....	....	....	....	....	....	....	....	....
28–28.9		....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
29–29.9		....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
30–30.9		....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....

Maximum prices for gravities above those specified in the table shall be determined under other provisions of this price schedule.

Fields[1]

1. Edison, Mountain View
2. Midway, Lake View Area, Elk Hills, Buena Vista Hills.
3. Los Flores, Casmalia, Oxnard, Cat Canyon, Santa Maria Valley, Gato Ridge.
4. Round Mountain, McKittrick, Newhall, Coffee Canyon, Mt. Poso, Poso, Kern River, Kern Front, Fruitvale.
5. Belridge, Lost Hills.
6. Capitan, South Mountain, Santa Paula.
7. Coalinga
8. Venice, Playa Del Ray.
9. Orcutt.
10. Huntington Beach.
11. Inglewood.
12. Aliso Canyon.
13. Montebello.
14. Olinda, Brea Canon.
15. Torrance.
16. Richfield.
17. La Habra, Whittier, East Coyote.
18. Signal Hill.
19. Wilmington.
20. El Segundo.

2. Section 1340.159 (c) (6) (iv) is amended to read as follows:

(iv) *California.* The maximum prices, exclusive of taxes, f. o. b. refineries and tanker terminals for Pacific Standard No. 300 fuel oil having a viscosity of not less than 25 and not more than 60 seconds Saybolt Furol (at 122° F.) and of Pacific Standard No. 400 fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (at 122° F.) when sold to consumers or refiners in bulk lots for delivery into barges, tank steamers, tank car, motor transport and pipe line shall be as follows:

Area	P. S. No. 300 fuel oil	P. S. No. 400 fuel oil
Fresno County	$1.20	$1.10
Kings County	1.20	1.10
San Luis Obispo County	1.20	1.10
Tulare County	1.20	1.10
Santa Barbara County	1.20	1.10
Kern County	1.20	1.10
Ventura County	1.20	1.10
Los Angeles County	1.20	1.10
Orange County	1.20	1.10
Riverside County	1.20	1.10
San Bernardino County	1.20	1.10
San Francisco Bay Area	1.25	1.15

[1] Maximum f. o. b. refinery and tanker terminal prices at Port San Luis shall be the maximum prices established hereunder at the San Francisco Bay Area.

3. Section 1340.159 (b) (13) is added to read as follows:

(13) *Navy Grade Special—California, Washington and Oregon.* A seller's maximum price for Navy Grade Special fuel oil in the States of California, Washington and Oregon at a particular shipping or delivery point shall be the sum of his maximum price as determined by other provisions of this price schedule and $0.25 per barrel.

This amendment shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4681; Filed, March 26, 1943; 4:52 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 117,[1] Amendment 4]

USED EGG CASES AND USED COMPONENT PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 3 to Maximum Price Regulation No. 117 is amended to read as follows:

Amendment No. 3 to Maximum Price Regulation No. 117 shall become effective April 2, 1943.

This Amendment No. 4 to Maximum Price Regulation No. 117 shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4685; Filed, March 26, 1943; 4:54 p. m.]

PART 1377—WOODEN CONTAINERS

[Rev. MPR 186,[2] Amendment 2]

WESTERN WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 1 to Revised Maximum Price Regulation No. 186 is amended to read as follows:

Amendment No. 1 to Revised Maximum Price Regulation No. 186 shall become effective April 2, 1943.

This Amendment No. 2 to Revised Maximum Price Regulation No. 186 shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4674; Filed, March 26, 1943; 4:53 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2998, 4586, 8707, 8948; 8 F.R. 3529.

[2] 7 F.R. 5776, 6968, 7364, 7966, 8948, 10778; 8 F.R. 1591, 3529.

PART 1377—WOODEN CONTAINERS

[Rev. MPR 195,[1] Amendment 2]

INDUSTRIAL WOODEN BOXES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 1 to Revised Maximum Price Regulation No. 195 is amended to read as follows:

Amendment No. 1 to Revised Maximum Price Regulation No. 195 shall become effective April 2, 1943.

This Amendment No. 2 to Revised Maximum Price Regulation No. 195 shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4675; Filed, March 26, 1943; 4:53 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 320,[2] Amendment 2]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 1 to Maximum Price Regulation No. 320 is amended to read as follows:

Amendment No. 1 to Maximum Price Regulation No. 320 shall become effective April 2, 1943.

This Amendment No. 2 to Maximum Price Regulation No. 320 shall become effective March 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4673; Filed, March 26, 1943; 4:53 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[3] Amendment 8]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. Section 1407.687 items 13 and 14 are amended and items 15 and 16 are added and an undesignated paragraph is added after the table to read as follows:

Ration period	Stamp valid during ration period	Weight value of stamp
No. 13 March 8th to March 14, 1943	Book One, Stamp 14	2 pounds wheat flour.
	Book One, Stamp 24	3 pounds cornmeal.
No. 14 March 15th to March 21, 1943.	Book One, Stamp 15	2 pounds wheat flour.
	Book One, Stamp 23	3 pounds cornmeal.
No. 15 March 22 to March 28 1943.	Book One, Stamp 16	2 pounds wheat flour.
	Book One, Stamp 22	3 pounds cornmeal
No. 16 March 29 to April 4, 1943.	Book One, Stamp 17	2 pounds wheat flour.
	Book One, Stamp 21	pounds cornmeal

In the municipality of St. Croix only, the value of Stamps Nos. 14, 15, 16 and 17 is four pounds of wheat flour.

2. Section 1407.704 (a) is amended and an undesignated paragraph is added after the table to read as follows:

(a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be as follows:

Rationed commodity:	*Allowance per person—pounds per month*
Wheat Flour	8
Cornmeal	12

In the municipality of St. Croix only, the "Allowance per Person", as to wheat flour, shall be sixteen pounds per month.

This amendment shall become effective March 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong., W.P.B. Dir. 1, Supp. Dir. 1–J O.P.A. Administrative Order 19; 7 F.R. 562, 5043, 5148)

Issued this 5th day of March 1943.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 43-4678; Filed, March 26, 1943; 4:54 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12,[1] Amendment 25]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

1. Section 1407.1041 (a) is amended to read as follows:

(a) Any person, otherwise eligible to acquire green coffee, may acquire green coffee at any time and irrespective of his allowable inventory, subject, however, to the provisions of this section. If green coffee is acquired by any person whose green coffee operating inventory exceeds 50 per cent of his allowable inventory, such person, if he does not make an immediate sale of the amount of coffee so acquired, shall, within 24 hours after acquiring such green coffee, offer that amount for sale, through established coffee dealers and brokers, in conformity with Ration Order No. 12. If green coffee is acquired by any person, whose green coffee operating inventory is 50 per cent or less of his allowable inventory, in an amount which, together with the coffee in his existing inventory, exceeds his allowable inventory, such person, if he does not make an immediate sale of coffee in the amount of such excess, shall offer that amount for sale in the manner above provided: *Provided, however,* That a person whose green coffee operating inventory amounts to 50 per cent or less of his allowable inventory may acquire one carload of green coffee, and need not offer any coffee for sale pursuant to this paragraph if the amount of green coffee contained in such carload exceeds 50 per cent of his allowable inventory. If, prior to the acceptance of an offer for sale made pursuant to this paragraph the green coffee operating inventory or existing inventory of the person making the offer is reduced so that he would be entitled to acquire green coffee without offering coffee for sale, he may withdraw from the amount of coffee offered for sale pursuant to this section an amount of coffee equivalent to the amount he would be entitled to acquire without offering to sell any pursuant to this section.

2. Section 1407.1041 is amended by adding a new paragraph (c) to read as follows:

(c) Green coffee operating inventory, as used in this section, shall include all green coffee in the inventory of a roaster which is (1) in roasting plants; (2) in warehouses for his account; (3) at final destination of the coffee, as shown by bills of lading or shipping instructions or other orders of the roaster; (4) at any place within the continental United States if the roaster has not given shipping instructions within 24 hours after acceptance of tender of title or after the coffee is available for delivery to him; or (5) at any place, if, at the roaster's direction there is a delay either in shipment or by rerouting. (A person's green coffee operating inventory is a part of his existing inventory.)

This amendment shall become effective March 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10129; W.P.B. Dir. 1, Supp. Dir. 1–R; Food Dir. 3, 8 F.R. 2005)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4671; Filed, March 26, 1943; 4:52 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8945, 9393; 8 F.R. 3529.

[2] 8 F.R. 1685, 3529.

[3] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315.

[1] 8 F.R. 3400.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amendment 6]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 288 is amended in the following respects:

1. Section 1418.351 (a) (2) is amended by deleting the date "February 22, 1943" and inserting the date "March 26, 1943."

2. Section 1418.363 (b) (1) Table II is amended to read as follows:

(1) The maximum prices for all grades of evaporated milk sold at retail in the Territory of Alaska shall be:

	14½ ounce can		6 ounce can		8 pound can
	Price per can	Price for 2 cans	Price per can	Price for 2 cans	Price per can
Ketchikan	$0.12	$0.24	$0.06	$0.11	$0.90
Wrangell					
Petersburg					
Juneau					
Skagway					
Sitka					
Douglas					
Haines					
Cordova	0.125	0.25	0.06	0.12	0.95
Valdez					
Seward					
Kodiak					
Anchorage	0.14	0.26	0.07	0.14	1.10
Palmer					
Points on Alaskan Railroad South of Curry					
Curry and all points North of Curry on Alaskan Railroad	0.15	0.30	0.075	0.15	1.25
Nome	0.14	0.28	0.06	0.12	1.05

This amendment shall become effective March 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4672; Filed, March 26, 1943; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 221 Under § 1499.18 (b) of GMPR]

ROSENMAYER PICKLE COMPANY

Order No. 221 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-2588.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1821 *Adjustment of maximum prices for sales of cauliflower in brine by Rosenmayer Pickle Company, Post Office Box 308, Compton, California.* (a) The Rosenmayer Pickle Company, Post Office Box 308, Compton, California, may sell and deliver and any person may buy and receive from the Rosenmayer Pickle Company the following commodities at a maximum price no higher than the maximum price indicated:

Commodity, cauliflower in brine:	*Maximum price authorized per 50-gallon barrel f. o. b. factory cooperage included*
Field Run Whole Head	$11.47
No. 1 Pack	12.22
Buttons	12.97
Cores	6.97

(b) All prayers of the application not specifically granted herein are denied.

(c) This Order No. 221 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 221 (§ 1499.1821) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(f) This Order No. 221 (§ 1499.1821) shall become effective on March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4680; Filed, March 26, 1943; 4:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 347 Under § 1499.3 (b) of GMPR]

THE OHIO CONFECTION COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1783 *Authorization of maximum prices for sales of "Panned Milk Chocolate Covered Almonds" manufactured by The Ohio Confection Company, a confectionery manufacture of Cleveland, Ohio:* (a) On and after March 27, 1943, The Ohio Confection Company of Cleveland, Ohio, may manufacture and sell to 5 and 10 cent chain and syndicate stores and the 5 and 10 cent chain and syndicate stores may purchase from The Ohio Confection Company of Cleveland, Ohio, its panned milk chocolate covered almonds in bulk at the maximum price of 50 cents per pound f. o. b. its Cleveland, Ohio, factory.

(b) The Ohio Confection Company shall maintain all previously established discounts.

(c) The 5 and 10 cent chain and syndicate stores purchasing this item for resale shall sell this item at a price not in excess of 80 cents per pound.

(d) Purchasers from the 5 and 10 cent chain and syndicate stores are hereby authorized to pay not in excess of 80 cents per pound for this item.

(e) The Ohio Confection Company shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchasers, a written notice as follows:

The Office of Price Administration has authorized us to manufacture and sell and the 5 and 10 cent chain and syndicate stores to purchase our new product "Panned Milk Chocolate Covered Almonds" in bulk at a maximum price of 50 cents per found f. o b. our Cleveland factory. The Office of Price Administration has further authorized 5 and 10 cent chain and syndicate stores to sell and their purchasers to buy this item at a price not to exceed 80 cents per pound.

THE OHIO CONFECTION COMPANY

(f) This Order No. 347 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 347 (§ 1499.1783) shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4679; Filed, March 26, 1943; 4:54 p. m.]

PART 1306—IRON AND STEEL

[RPS 41,[1] Amendment 5]

STEEL CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 41 is amended in the following respects:

1. Section 1306.108 is amended to read as follows:

§ 1306.108 *Petitions for amendment; status of exceptions and adjustments.* (a) Any person seeking an amendment of any provision of Revised Price Schedule No. 41 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

(b) Orders issued prior to March 28, 1943 granting exceptions in regard to transportation costs are hereby revoked as of March 28, 1943.

(c) Orders issued prior to March 28, 1943 granting exceptions or adjustments to the pricing provisions of Price Schedule No. 41 or Revised Price Schedule No. 41 other than in paragraph (b) above remain in full force and effect.

2. Section 1306.112 (a) (4) is amended to read as follows:

(4) *Transportation charges or allowances.* Maximum prices in paragraph (a) in the case of any shipments of less than 100 pounds shall be computed on an f. o. b. the foundry basis. All other maximum prices in paragraph (a) shall be computed on a delivered basis: *Provided*, That transportation costs may be added to the extent that they exceed 50 cents per hundred pounds.

3. Section 1306.112 (b) is amended to read as follows:

(b) *Industrial steel castings made by a producer on or before July 15, 1941.* The term "industrial steel castings" means and includes all steel castings other than armor, navy, ordnance and ship and marine castings. The maximum prices for a producer for industrial steel castings made by such producer on or before July 15, 1941, or for steel castings substantially similar in design and specification thereto, shall be the prices, together with the extras, terms and conditions which were or customarily would have been charged by such producer on July 15, 1941: *Provided*, That in no case where his maximum prices are computed on a delivered basis need a producer compute such prices on the basis of a freight allowance in excess of 50 cents per hundred pounds.

4. Section 1306.112 (c) (4) is amended to read as follows:

(4) *Transportation charges or allowances.* Maximum prices in paragraph (c) in the case of any shipments of less than 100 pounds shall be computed on an f. o. b. the foundry basis. All other maximum prices in paragraph (c) shall be computed on a delivered basis: *Provided*, That transportation costs may be added to the extent that they exceed 50 cents per hundred pounds.

5. Section 1306.112 (d) is amended by adding thereto the following subdivision (iii):

(iii) Orders on which the estimated cost of production is less than $100.00 are exempt from the provisions of this paragraph (d) and are exempt from price control except insofar as the maximum prices for such castings are established by paragraphs (a), (b) or (c) of this § 1306.112.

6. The title of Table I of § 1306.112 is amended to read "Armor Castings (subject to ballistic test)".

7. Table I of § 1306.112 is amended by inserting the following items before Item No. 5501 in said Table I:

Item No.	Schedule reference	Classification
5496	250R	Naval range finder hoods.
5496	250R	Naval sight hoods.
5497	315R	Naval range finder and sight hood cover plates.
5498	X-316R	Hulls for existing designs of Medium Type M tanks.
5499	X-239	Hulls for designs of tanks other than existing Medium Type M tanks.
5500	X-239	Completed front or rear hull sections.

8. The title of Table II of § 1306.112 is amended to read "Navy castings (produced to Navy specifications)".

9. The schedule references of Items No. 5303, 5304, 5308 and 5309 of Table II of § 1306.112 and Items No. 8111, 8112, 8116 and 8117 of table IV of § 1306.112 are all amended to read "X-317R".

10. The schedule references of Items No. 8119, 8135, 8136, 8144, 8145 and 8148 in Table IV of § 1306.112 are amended to read as follows:

Item No.:	*Schedule reference*
8119	2B-5
8135	G-7
8136	E-2
8144	C-5
8145	D-5
8148	E-4

11. Table V of § 1306.112 is amended by adding the following price schedules:

	Per lb., one and over
X-315R	.35

X-316R

Weight per piece, lbs:	*One and over*
Under 7500	.40
7500 and over	.35

X-317R

The producer's July 15, 1941 price established in accordance with § 1306.112 (b) or, if the producer had no such price, by reference to the comprehensive report in accordance with § 1306.112 (c).

12. Section 1306.114 is revoked.

This Amendment No. 5 shall become effective March 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4755; Filed, March 27, 1943; 12:23 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 84]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.156 (b) (3) is added to read as set forth below:

(3) A petition for exception or adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1.[2]

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4766; Filed, March 27, 1943; 12:26 p. m.]

PART 1347—PAPER AND PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 30,[1] Amendment 1]

WASTEPAPER

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Footnotes 23 and 24 of § 1347.14 (a) are amended to read as follows:

[23] "Mixed books" consist of books or magazines, including outthrow not in excess of 40 per cent of the total weight of the packing. Packings which contain in excess of 40 per cent outthrow must not be sold at a price in excess of the maximum price of "No. 1 mixed paper". Packings of this grade which are sold for use in the manufacture of paperboard, regardless of outthrow percentage must not be sold at a price in excess of the maximum price of "No. 1 mixed paper". Optional method of packing—securely tied bundles or bags

[24] "No. 1 heavy books and magazines" consist of used and overissue books and magazines, stitchless stock, quire waste, and similar printed matter. The stock shall be free from heavily inked, deeply colored, gilt, aluminum, varnished, lithographed, rotogravure printed, and cover papers. This grade shall not contain more than 2% outthrow. Deliveries which fail to meet the requirement as to outthrow must be rejected or paid for only after adjustment to eliminate any payment for the excessive outthrow. Optional method of packing—securely tied bundles or, in the case of flat stock, on skids.

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4765; Filed, March 27, 1943; 12:26 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10581, 11012; 8 F.R. 28, 567, 2158, 2445.

[1] 8 F.R. 2275.

[1] 8 F.R. 3718.

[1] 7 F.R. 8961; 8 F.R. 3313.

[2] 7 F.R. 1260, 1601, 2000, 2132, 2153, 3576, 8775, 4586, 8948.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amendment 17]

CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.807a is amended to read as follows:

§ 1351.807a *Special provision for foreign-type cheese.* Sellers of cheese, except the following:

Processed cheese of all kinds.
Cheddar cheese covered by Maximum Price Regulation No. 289.[2]
Aged cheddar cheese covered by Maximum Price Regulation No. 280.
Colby cheese.
Washed curd cheese.
Monterey or jack cheese.
All other cheeses of cheddar class having a moisture content of 40% or more.
Cottage cheese.
Creamed cottage cheese.
Neufchatel cheese.
Other soft varieties of cheese (generally known as farm cheese, baker's cheese, pot cheese, and smearcase cheese).
All cheese of less than 20% butterfat content in the water free substance.

may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof: *Provided*, That this 3¢ increase shall not be applied to those stocks of cheeses which were in the seller's possession prior to February 10, 1943. However, a cheese factory may apply this increase to cheeses which it has manufactured and delivers on or after February 10, 1943, regardless of whether such cheeses were manufactured before or after that date.

"Colby cheese" and "washed curd cheese" means colby cheese and washed curd cheese as defined in the "Standards of Identity for Cheddar Cheese, Cheese, Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941, page 195.

"Cottage cheese", "creamed cottage cheese" and "neufchatel cheese" means cottage cheese, creamed cottage cheese and neufchatel cheese as defined in the "Definitions and Standards of Identity for Creamed Cheese, Neufchatel Cheese, Cottage Cheese and Creamed Cottage Cheese" promulgated by the Food and Drug Administration, and published in the Federal Register of December 23, 1942, pages 10758 and 10759.

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4767; Filed, March 27, 1943; 12:26 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995, 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070

[2] 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 8252, 3327

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 319,[1] Amendment 3]

CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 319 is amended in the following respects:

1. Section 1351.1907 is amended to read as follows:

§ 1351.1907 *Producer's wrappers must show maximum price for sales to ultimate consumers.* Wherever a producer sells a commodity listed in Appendix A hereof in a wrapper or other packaging materials after having calculated or reported his maximum price thereon, and where said commodity is intended to be sold by retailers, he shall print on the face of said wrapper or packaging material the maximum price of the retailer for sales to ultimate consumers calculated in accordance with § 1351.1904, inserting it in the following statement: "Ceiling price ---------" or where he sells said commodity directly to the ultimate consumer, he shall insert in said statement his maximum price for sales to ultimate consumers calculated in accordance with § 1351.1903: *Provided*, That where the producer has on hand a supply of wrappers or other packaging materials procured at any time prior to the effective date of this amendment and which bears, with or without description, a price of the commodity not exceeding either of said maximum prices for sales to ultimate consumers as herein specified, he may exhaust his present supply before procuring wrappers or other packaging materials bearing the precise statement above specified.

2. Section 1351.1912 is amended to read as follows:

§ 1351.1912 *Prohibitions against dealing in the commodities covered by this regulation above maximum prices determined hereunder.* Sixty days after the effective date of this regulation, regardless of any contract or other obligation, no producer, wholesaler, route seller or retailer shall, in the course of trade or business, sell, deliver, or offer to sell any commodity listed in Appendix A of this regulation unless he has calculated and reported his maximum prices thereon as provided in this regulation, nor shall any person in the course of trade or business sell, deliver, offer, buy or receive, or agree, solicit or attempt to do any of the foregoing at any time at a price higher than maximum prices permitted by this regulation.

3. The reference to § 1351. at the end of paragraph (a) of § 1351.1903 is corrected to read § 1351.1902.

This amendment shall become effective April 2, 1943.

[1] 8 F.R. 1808, 2719, 2720.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4769; Filed, March 27, 1943; 12:27 p. m.]

PART 1375—EXPORT PRICES

[Rev. Max. Export Price Reg., Amendment 5]

STEEL EXPORT PRICES

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1375.6, 1375.7, 1375.8, 1375.9, 1375.10, 1375.11 and 1375.12 are redesignated §§ 1375.7, 1375.8, 1375.9, 1375.10, 1375.11, 1375.12 and 1375.13, respectively. New § 1375.6 is added to read as follows:

§ 1375.6 *Steel export prices.* (a) In the case of an exporter who is a producer of iron and steel products as defined in Revised Price Schedule No. 6 (Iron and Steel Products), the maximum export price of such a product sold under a contract of sale entered into on or after April 2, 1943, shall be either:

(1) The aggregate of:

(i) The domestic or export base price of the product at the governing or emergency basing point, plus applicable domestic and export extras, as provided in Revised Price Schedule No. 6, and plus inland transportation charges (at export rates where applicable) from such governing or emergency basing point (whichever is applicable) to the port of exit: *Provided, however*, That if an emergency basing point is used the transportation charges shall in no case exceed the actual transportation charges from the producing mill to the port of exit; and

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter such as demurrage, storage, transfer to the export carrier, ocean or other export freight, marine and war risk insurance, and consular fees; or

(2) The aggregate of:

(i) The export base price of the product quoted by the United States Steel Export Company, f. a. s. the port of exit on April 16, 1941, plus applicable export extras, as provided in Revised Price Schedule No. 6 (see its Appendix D for such export base prices for principal ports); and

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter for demurrage, storage, and transfer to the export carrier, in excess of the amounts of such charges which were normally included in the price under § 1375.6 (a) (2) (i) above; and

(iii) Other expenses incident to exportation and incurred or to be incurred by the exporter such as ocean freight, marine and war risk insurance, and consular fees; or

(3) Where a product has no basing point base price, the maximum price established by § 1375.6 (a) (2) above, or the aggregate of:

(i) The export price, including applicable extras, which was or would have been charged for the product by the producer on April 16, 1941, plus inland transportation charges (at export rates where applicable) from the producing mill to the port of exit (except that portion of those charges which was or would have been included in such price); and

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter in excess of the amounts, if any, of such expenses which were normally included in the price under § 1375.6 (a) (3) (i) above.

Provided, That on a sale to a procurement agency buying for the account of the Office of Lend-Lease Administration, the maximum price shall be the maximum domestic price established by Revised Price Schedule No. 6, except that (1) where there are no published or filed domestic extras, export extras shall apply; (2) inland transportation charges shall be computed at export rates where applicable, otherwise at domestic rates; and (3) where there is no established domestic ceiling price for the product, the maximum price shall be determined in accordance with the provisions of § 1375.6 (a) (2) or § 1375.6 (a) (3) above.

(b) In the case of an exporter who is not a producer but a seller of iron and steel products as defined in Revised Price Schedule No. 49, the maximum export price of such a product sold under a contract of sale entered into on or after April 2, 1943, shall be either:

(1) Where the exporter has put the product being exported through "the operations commonly known as the warehousing of iron or steel products" as defined in § 1306.157 (s) of Revised Price Schedule No. 49, the aggregate of:

(i) The maximum price, including applicable extras as provided in Revised Price Schedule No. 49 which would be applicable to a sale of the product by the exporter to a domestic purchaser within the exporter's city or free delivery area (which price shall include delivery f. o. b. inland carrier within such city or free delivery area or, if shipment is to be made by boat from port located within such city or free delivery area, shall include delivery f. a. s. vessel);

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter, such as inland transportation charges (at export rates where applicable), demurrage, storage, transfer to the export carrier, ocean or other export freight, marine and war risk insurance, and consular fees; or

(2) Where the exporter has not put the product being exported through "the operations commonly known as the warehousing of iron or steel products" as defined in § 1306.157 (s) of Revised Price Schedule No. 49, the aggregate of:

(i) The maximum price, including applicable extras, which would be applicable to a current sale of the product to the exporter by the supplier thereof; and

(ii) An amount not in excess of 12½ per cent of such maximum price (but which need not be less than $20) when the total price of the order to the exporter computed at such maximum price does not exceed $1,000, or 10 per cent (but not less than $125) when such total price is over $1,000 but does not exceed $4,000, or 8 per cent (but not less than $400) when such total price is over $4,000 but does not exceed $10,000, or 6 per cent (but not less than $800) when such total price is over $10,000; and

(iii) An additional amount calculated as a percentage of the maximum price under § 1375.6 (b) (2) (i) above as follows: if the terms of payment call for letter of credit payable against ocean documents, 1½ per cent; or, if the terms call for draft payable abroad and no letter of credit is involved, 2 per cent if such draft is payable at sight plus an additional ½ of 1 per cent for each 30 days from sight at which such draft is payable; or, if the sale is made on open account, 2 per cent if the terms stated are cash on receipt of invoice, plus an additional ½ of 1 per cent for each 30 days of credit extension stipulated on the invoice, but in no event more than a total of 3½ per cent; and

(iv) Expenses incident to exportation and incurred or to be incurred by the exporter, such as inland transportation charges (at export rates where applicable), demurrage, storage, transfer to the export carrier, ocean or other export freight, marine and war risk insurance, and consular fees.

(c) Where shipment has actually been made to the intended point of exportation and war exigencies require the use of another point of exportation, the maximum export prices shall be those established under §§ 1375.6 (a) and 1375.6 (b) above, except that such maximum prices may include the additional amount actually incurred by the exporter to effect delivery at the point of exportation finally used.

(d) The maximum export prices established by §§ 1375.6 (a) and 1375.6 (b) above shall include and shall not be increased by reason of interest or financing charges connected with the transaction or by reason of any fees or commissions, including commissions paid to intermediaries, whether domestic or foreign.

§ 1375.12 *Effective date of amendments.* * * *

(e) Amendment No. 5 (§ 1375.6) shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4768; Filed, March 27, 1943; 12:27 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 222,[1] Amendment 2]

NORTHERN SOFTWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 222 is amended in the following respects:

1. Section 1381.259 (a) (3) (i) is amended by adding, after the words "Norway pine (Pinus resinosa)", and before the words "Northern white cedar (Thuja occidentalis)", the words "Jack pine (Pinus banksiana)."

2. In § 1381.264, the head-note and paragraphs of (a), (b) and (c) are amended to read as follows:

§ 1381.264 *Appendix B: Maximum prices for domestic and imported Northern white pine, Norway pine, Jack pine, Northern white cedar, and Eastern spruce lumber in standard or near standard grades*—(a) *Application of Appendix B.* The provisions of this section shall apply to Northern white pine, Norway pine, Jack pine, Northern white cedar, and Eastern spruce lumber which is:

(1) Sold on the specifications and on the grades designated in this section; and

(2) Shipped to the purchaser from mills located in the states of Wisconsin, Michigan, and Minnesota, and in the Canadian provinces of Saskatchewan and Manitoba.

(b) *Grading rules.* (1) With reference to domestically produced lumber from mills located in the state of Minnesota, and imported lumber, grade terms used herein have the meaning set forth in the "Standard Grading Rules for Northern White Pine, Norway Pine, Jack Pine, Eastern Spruce, Western White Spruce, Balsam, Tamarack, and Aspen Lumber", published by the Northern Pine Manufacturer's Association, effective May 1, 1939.

(2) With reference to domestically produced lumber from mills located in the states of Michigan and Wisconsin, grade terms used herein have the meaning set forth in "Official Grading Rules of the Northern Hemlock and Hardwood Manufacturers' Association for Northern White Pine, Norway Pine, Eastern Spruce, Balsam, Jack Pine, and Aspen", effective July 23, 1941.

(c) *Maximum prices.* The maximum price f. o. b. mill for 1,000 feet (or for 1,000 pieces, or for a square, where so designated herein) of Northern white pine, Norway pine, Jack pine, Northern white cedar, or Western spruce lumber in a rough air dried condition shipped to the purchaser from mills located in Wisconsin, Michigan, and Minnesota, and the maximum price, f. o. b. Baudette, Minnesota, for such lumber shipped to the purchaser from mills located in Saskatchewan and Manitoba shall be the price set forth in the following paragraphs of this section.

3. Section 1381.264 (j) is amended by adding the following subparagraph (3):

(3) Jack pine

No. 1 Common: Deduct $2.00 from price of No. 1 Common White Pine
No. 2 Common: Deduct $3.00 from price of No. 2 Common White Pine

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7436, 8937.

PART 1381—SOFTWOOD LUMBER

[MPR 222,[1] Amendment 3]

NORTHERN SOFTWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 222 is amended in the following respects:

1. Section 1381.259 (a) (3) (i) is amended by adding, after the words "Norway pine (Pinus resinosa)", and before the words "Northern white cedar (Thuja occidentalis)", the words "Jack pine (Pinus banksiana)."

2. In § 1381.264, the head-note and paragraphs of (a), (b) and (c) are amended to read as follows:

§ 1381.264 *Appendix B: Maximum prices for domestic and imported Northern white pine, Norway pine, Jack pine, Northern white cedar, and Eastern spruce lumber in standard or near standard grades*—(a) *Application of Appendix B.* The provisions of this section shall apply to Northern white pine, Norway pine, Jack pine, Northern white cedar, and Eastern spruce lumber which is:

(1) Sold on the specifications and on the grades designated in this section; and

(2) Shipped to the purchaser from mills located in the states of Wisconsin, Michigan, and Minnesota, and in the Canadian provinces of Saskatchewan and Manitoba.

(b) *Grading rules.* (1) With reference to domestically produced lumber from mills located in the state of Minnesota, and imported lumber, grade terms used herein have the meaning set forth in the "Standard Grading Rules for Northern White Pine, Norway Pine, Jack Pine, Eastern Spruce, Western White Spruce, Balsam, Tamarack, and Aspen Lumber", published by the Northern Pine Manufacturer's Association, effective May 1, 1939.

(2) With reference to domestically produced lumber from mills located in the states of Michigan and Wisconsin, grade terms used herein have the meaning set forth in "Official Grading Rules of the Northern Hemlock and Hardwood Manufacturers' Association for Northern White Pine, Norway Pine, Eastern Spruce, Balsam, Jack Pine, and Aspen", effective July 23, 1941.

(c) *Maximum prices.* The maximum price f. o. b. mill for 1,000 feet (or for 1,000 pieces, or for a square, where so designated herein) of Northern white pine, Norway pine, Jack pine, Northern white cedar, or Western spruce lumber in a rough air dried condition shipped to the purchaser from mills located in Wisconsin, Michigan, and Minnesota, and the maximum price, f. o. b. Baudette, Minnesota, for such lumber shipped to the purchaser from mills located in Saskatchewan and Manitoba shall be the price set forth in the following paragraphs of this section.

3. Section 1381.264 (j) is amended by adding the following subparagraph (3):

(3) Jack pine

No. 1 Common: Deduct $2.00 from price of No. 1 Common White Pine
No. 2 Common: Deduct $3.00 from price of No. 2 Common White Pine

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7436, 8937.

No. 3 Common: Deduct $3.00 from price of No. 3 Common White Pine

4. Section 1381.264 (k) is amended by inserting the following note under the table:

NOTE: No. 4 Common (mixed softwoods) may include Jack pine.

5. Section 1381.264 (l) is amended by changing the head-note to read as follows:

(l) *Mixed Northern softwoods (white pine, Norway pine, Eastern spruce, and Jack pine) common boards (rough).* (Box or crating)

6. Section 1381.264 (l) is amended by adding the following footnote 7:

7. No. 4 Common and Better (60% No. 3 Common and Better) Jack pine, add $3.00 to price of No. 4 Common.

7. Section 1381.264 (m) (1) is amended by changing the head-note to read as follows:

(1) *Mixed Northern softwoods dimension (Norway pine, Eastern spruce, and Jack pine) No. 1 (rough).*

8. Section 1381.264 (m) (2) is amended to read as follows:

(2) *Northern White Pine*

Add $5.00 to the above mixed Northern softwoods dimension price.

9. Section 1381.264 (n) is amended by changing the heading to read as follows:

(m) *Mixed Northern softwoods plank and timbers (Norway pine, Eastern spruce, and Jack pine) (rough).*

10. Section 1381.267 (e) (1) is amended by adding after the words "Norway pine" in the table of estimated weights, the words "or Jack pine".

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4757; Filed, March 27, 1943; 12:24 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 155,[1] Amendment 5]

CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 155 is amended in the following respects:

1. Section 1382.58 (a) (3) (i) is amended by inserting, after the words "tough White Ash (Fraxinus americana)," the words "Chestnut (Castanea dentata)".

2. Section 1382.61 (b) is amended by adding, after table 17, the following two tables:

(18) CHESTNUT—WHAD

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	Sound wormy	No. 2 common	No. 3 common
4/4	$51.00	$52.00	$26.00	------	------
5/4	60.00	59.00	30.00	------	------
6/4	68.00	65.00	34.00	------	------
1	120.00	75.00	40.00	$30.00	$20.00
1 1/4	125.00	80.00	44.00	30.00	21.00
1 1/2	125.00	80.00	45.00	30.00	21.00
2	130.00	85.00	50.00	30.00	22.00
2 1/2	------	------	53.00	30.00	------
3	------	------	58.00	30.00	------

(19) Chestnut—WHND

Thickness (inches)	FAS	No. 1 common and better	No. 1 common
4/4	$38.00	$32.00	$30.00
5/4	43.00	36.00	34.00
6/4	48.00	40.00	38.00
1	58.00	49.00	45.00
1 1/4	60.00	53.00	49.00
1 1/2	63.00	54.00	50.00
2	68.00	59.00	55.00

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4756; Filed, March 27, 1943; 12:23 p. m.]

PART 1390—MACHINERY & TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amendment 72]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Paragraph (O) is added to § 1390.2 to read as follows:

(O) Any lease of machines and parts by Defense Plant Corporation under a contract of lease which provides that machinery and equipment will be brought within the scope of the lease after purchase by the Defense Plant Corporation or the lessee for the account of Defense Plant Corporation but which contract of lease does not provide for specific rental prices allocable to specific machines or parts.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4762; Filed, March 27, 1943; 12:24 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[1] Amendment 54]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5461 is added to read as follows:

§ 1394.5461 *Fuel oil ration record cards.* Upon request of any registered primary supplier applying for a ration, the board may issue to him a fuel oil ration record card, Form OPA R-1131, instead of coupons, or part of the ration on such card and part in coupons. If the ration is issued for heat, or heat and hot water, the period of validity of the fuel oil ration record card shall be limited to any thermal period specified in § 1394.5266 (c) for the thermal zone in which the equipment for which the ration is required, is located. The fuel oil ration record card shall be prepared in duplicate by the board. The duplicate shall be retained for the files of the board.

2. Section 1394.5603 (a) is amended by substituting a comma for the colon after the phrase "§ 1394.5653" and inserting after such comma the phrase "or shown on a fuel oil ration record card:".

3. The headnote to § 1394.5723 is amended to read as follows:

§ 1394.5723 *Exchange of coupons, other evidences, and delivery receipts; fuel oil ration record cards.*

4 Section 1394.5723 (e) is added to read as follows:

(e) A primary supplier to whom a fuel oil ration record card has been issued, pursuant to § 1394.5461, may during the period of validity of the card, obtain from the issuing board an exchange certificate, or certificates, or coupons, not exceeding in gallonage value the balance, at that time, of the amount of fuel oil which may be transferred to or consumed by him, as shown on the duplicate of the card kept in the files of the board. If the fuel oil ration record card was issued for heat, or heat and hot water, and coupon sheets are requested, the board shall issue Class 1 or Class 2 coupon sheets containing coupons valid only in the thermal period for which the ration was issued. No fuel oil ration record card may be used as an evidence for purposes of replenishment.

This amendment shall become effective April 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4763; Filed, March 27, 1943; 12:24 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4108, 7202, 4231, 7780, 8385, 8948; 8 F.R. 3056.

[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.

[1] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10550, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2720, 2887, 2942, 2993, 2887, 3106, 3521.

has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5461 is added to read as follows:

§ 1394.5461 *Fuel oil ration record cards.* Upon request of any registered primary supplier applying for a ration, the board may issue to him a fuel oil ration record card, Form OPA R-1131, instead of coupons, or part of the ration on such card and part in coupons. If the ration is issued for heat, or heat and hot water, the period of validity of the fuel oil ration record card shall be limited to any thermal period specified in § 1394.5266 (c) for the thermal zone in which the equipment for which the ration is required, is located. The fuel oil ration record card shall be prepared in duplicate by the board. The duplicate shall be retained for the files of the board.

2. Section 1394.5603 (a) is amended by substituting a comma for the colon after the phrase "§ 1394.5653" and inserting after such comma the phrase "or shown on a fuel oil ration record card:".

3. The headnote to § 1394.5723 is amended to read as follows:

§ 1394.5723 *Exchange of coupons, other evidences, and delivery receipts; fuel oil ration record cards.*

4 Section 1394.5723 (e) is added to read as follows:

(e) A primary supplier to whom a fuel oil ration record card has been issued, pursuant to § 1394.5461, may during the period of validity of the card, obtain from the issuing board an exchange certificate, or certificates, or coupons, not exceeding in gallonage value the balance, at that time, of the amount of fuel oil which may be transferred to or consumed by him, as shown on the duplicate of the card kept in the files of the board. If the fuel oil ration record card was issued for heat, or heat and hot water, and coupon sheets are requested, the board shall issue Class 1 or Class 2 coupon sheets containing coupons valid only in the thermal period for which the ration was issued. No fuel oil ration record card may be used as an evidence for purposes of replenishment.

This amendment shall become effective April 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4763; Filed, March 27, 1943; 12:24 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amendment 47]

DRY EDIBLE BEANS, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.9 (a) (7) is amended to read as follows:

(7) Dry edible beans, leaf tobacco (whether dried or green,) all nuts, linseed oil, manure, garbage, mixed seeds for house pets, and animal and poultry tonics, condiments, medicants and other special foods not used as the entire normal or customary diet for animals or poultry but for necessary special treatment or care.

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4752; Filed, March 27, 1943; 12:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 351 Under § 1499.3 (b) of GMPR]

LEANERMAISE CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1787 *Approval of maximum prices for Vit-A-Mised, manufactured by Leanermaise Co., Inc., Boston, Mass.*— (a) *Sales by Leanermaise Co., Inc.*—(1) *Maximum prices.* The maximum prices, f. o. b. Boston, Massachusetts, for sales by Leanermaise Co., Inc., of Vit-A-Mised, are established as set forth below:

	To wholesalers, jobbers and dept. stores	To retail grocers
8 oz. jars	$2.31 per doz.	$2.75 per doz.
16 oz. jars	$4.34 per doz.	$5.23 per doz.
32 oz. jars	$7.02 per doz	$7.79 per doz.
1 gallon	$2.29 per gallon	$2.29 per gallon.

Leanermaise Co., Inc. shall continue to allow the same discounts and allowances on sales of Vit-A-Mised as it allowed during March 1942 on sales of Leanermaise.

(b) *Sales by jobbers and wholesalers*—(1) *Maximum prices.* The maximum prices, f. o. b. Boston, Massachusetts, for sales of Vit-A-Mised by wholesalers and jobbers to retailers are established as set forth below:

	To retail grocers
8 oz. jars	$2.75 per doz.
16 oz. jars	5.23 per doz.
32 oz. jars	7.79 per doz.
1 gallon	2.29 per gallon

Wholesalers and jobbers shall continue to allow on sales of Vit-A-Mised the same discounts and allowances as they allowed during March 1942 on sales of Leanermaise.

(c) *Sales by retailers*—(1) *Maximum prices for sales of Vit-A-Mised by retailers.* The maximum prices for sales of Vit-A-Mised by retailers are established as set forth below:

One 8 oz. jar	32¢
One 16 oz. jar	61¢
One 32 oz. jar	91¢

(d) Leanermaise Co., Inc. shall give notice of the maximum prices herein fixed to all wholesalers, jobbers, and retailers to whom it sells Vit-A-Mised, or who, to its knowledge, are selling Vit-A-Mised, and shall furnish all wholesalers and jobbers who sell Vit-A-Mised copies of such notice for delivery by them to any retailers to whom they may sell Vit-A-Mised, which notice shall be in the following form:

The Office of Price Administration has fixed the following maximum prices for Vit-a-Mised:

	To wholesalers, jobbers and dept. stores	To retail grocers	Sales by retailers
8 oz. jars	$2.31 per doz., f. o. b. Boston	$2.75 per doz., f. o. b. Boston	32¢ per jar.
16 oz. jars	$4.34 per doz., f. o. b. Boston	$5.23 per doz., f. o. b. Boston	61¢ per jar.
32 oz. jars	$7.02 per doz., f. o. b. Boston	$7.79 per doz., f. o. b. Boston	91¢ per jar.
1 gallon	$2.29 per gallon, f. o. b. Boston	$2.29 per gallon, f. o. b. Boston	

(e) This Order No. 351 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 351 (§ 1499.1787) shall become effective March 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4753; Filed, March 27, 1943; 12:22 p. m.]

[1] 8 F.R. 3096.

PART 1499—COMMODITIES AND SERVICES

[Order 352 Under § 1499.3 (b) of GMPR]

W. A. SHEAFFER PEN COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is ordered:*

§ 1499.1788 *Approval of maximum prices for the sale of containers of writing materials designated as Voyager No. 1 and Voyager No. 2.* (a) W. A. Sheaffer Pen Company, Fort Madison, Iowa, may sell and deliver the Voyager

No. 1 at prices no higher than the following:

In lots of 1 to 55	$ .81
In lots of 56 to 73	.77
In lots of 74 to 147	.73
In lots of 148 and over	.675

(b) W. A. Sheaffer Pen Company, Fort Madison, Iowa, may sell and deliver Voyager No. 2 at prices no higher than the following:

In lots of 1 to 75	$ .60
In lots of 76 to 99	.57
In lots of 100 to 199	.54
In lots of 200 and over	.50

(c) Voyager No. 1 and Voyager No. 2 may be sold and delivered at retail at prices no higher than the following:

Voyager No. 1	$1.35
Voyager No. 2	1.00

(d) Before delivery to any purchaser for resale, W. A. Sheaffer Pen Company shall attach to each container a tag or label which plainly states the retail ceiling price. For example, the tag or label on a Voyager No. 1 should state "Retail Ceiling Price $1.35".

(e) At or prior to the first invoice to each purchaser for resale after March 28, 1943, W. A. Sheaffer Pen Company shall notify the purchaser of the maximum price set by this Order No. 352 for sales at retail. This notice may be given in any convenient form.

(f) This Order No. 352 may be revoked or amended by the Price Administrator at any time.

This Order No. 352 shall become effective on the 29th day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4754; Filed, March 27, 1943; 12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 144]

PURPOSE OF NEW METHOD OF PRICING

A statement of the considerations of Amendment 144 to Supplementary Regulation No. 14 has been issued and filed with the Division of the Federal Register.*

Supplementary Regulation 14 is amended in the following respects:

1. Section 1499.73 (a) (7) is amended by deleting the word "food" wherever it appears.

2. Section 1499.73 (a) (7) (i) is amended to read as follows:

(i) *Explanation.* The purpose of the new method of pricing provided by this subparagraph (7) is to permit the packer who is now packing certain commodities in containers of new types and sizes (that is, types and sizes which he did not deliver or offer for delivery during March 1942) to establish maximum prices for those items. The method permits him to account for differences in container costs, and for differences in transportation costs caused by the difference in containers, without permitting him to increase the price per unit of the commodity packed in the new container. The new method, however, applies only where a previous maximum price of the commodity has been set for a container size not more than 50% larger or smaller than the new size, and only in cases where both containers are of the nonreturnable, single-use type. Packers must refigure every maximum price set under the General Maximum Price Regulation for a commodity packed in a new container type or size to which the rules of this subparagraph (7) are applicable. However, packers who before January 25, 1943, had figured the maximum price for a commodity under §§ 1499.2 (b) or 1499.3 (b) of the General Maximum Price Regulation, or under the rules formerly provided in this subparagraph, may, if they wish keep that price or instead figure a new maximum price using the new pricing method where it is applicable. The new pricing method applies to the following commodities:

(*a*) Food commodities, excepting coffee and coffee compounds (see subparagraph (53)), dog and cat foods (see subparagraph (62)).

(*b*) Granite grit.

3. Section 1499.73 (a) (7) (vi) is hereby revoked.

This amendment shall be effective April 2, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4770; Filed, March 27, 1943; 12:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amendment 9]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.161 is amended and a new § 1499.167 is added, both as set forth below:

§ 1499.161 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust any maximum price established under this Maximum Price Regulation No. 188 in the following cases:

(1) In the case of a manufacturer who shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(ii) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (1) shall be filed in accordance with Revised Procedural Regulation No. 1.[3] No application for adjustment filed after November 15, 1942, will be granted under this paragrapl. (1).

(2) In the case of any manufacturer, when it appears with respect to an article set forth in Appendix B (§ 1499.167) of this Maximum Price Regulation No. 188:

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such manufacturer and of like manufacturers for such commodity; and

(iii) That such adjustment will not create or tend to create a shortage, or need for increase in price, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each regional administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (2).

(3) In the case of any manufacturer who shows:

(i) That he is the sole manufacturer of an essential commodity such as one, the production and sale of which is affirmatively permitted by regulations or orders issued by the War Production Board.

(ii) That the maximum prices established by this regulation do not permit the recovery of total costs; and

(iii) That the operations of the company are currently being conducted at a loss.

Adjustment in price may be made to an extent sufficient to enable the manufacturer to recover total costs on the article, together with a profit. In a proper case, the manufacturer may charge a price equal to the price requested in the application, provided that he has received a letter from the Office of Price Administration stating that his is a proper case. Such price shall be tentative and refunds shall be made to each purchaser in the event that the application is denied in whole or in part. Applications for adjustment under this paragraph shall be filed in accordance with Revised Procedural Regulation No. 1.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No 188 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1499.167. *Appendix B.* The maximum prices for articles set forth below may be adjusted in accordance with provisions of § 1499.161 (a) (2) of this Maximum Price Regulation No. 188.

NOTE: The articles listed below are not intended to include (a) any commodity subject to a specific maximum price regulation or price schedule in effect on August 1, 1942, or issued any time thereafter, or (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter. Since the designations of some articles are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable to the article or type of article have been indicated. Manufacturers selling articles listed below should, before seeking an adjustment of their maximum prices in accordance with this regulation, determine whether specific price regulations or regulations supplementary to the General Maximum Price Regulation have been issued subsequent to the date of this regulation with respect to the articles so listed.

Concrete products:
- Building blocks and bricks
- Tile and tiling
- Sewer and culvert pipe
- Drain tile
- Posts, piles, and cribbing
- Septic tanks
- Grave vaults and liners
- Laundry trays

Structural clay products:
- Common brick
- Sand lime brick
- Hollow tile, unglazed

Clay drain tile
Sand and gravel
Slag
Cinders
Crushed stone:
- Construction
- Metallurgical
- Chemical

Ready-mixed concrete.
Rough stone:
- Rubble
- Riprap
- Field stone

Dimension stone:
- Limestone
- Granite
- Marble
- Sandstone
- Basalt and related rocks

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4751; Filed, March 27, 1943; 12:28 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7735, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 8495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2346, 2507.

[2] 8 F.R. 3096.

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105.

[3] 7 F.R. 8961.

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Supplement 2]

FOOD RATIONING FOR INSTITUTIONAL USERS

§ 1305.205 *Average point values, December use factor and allowance per person.* (a) The point value per pound to be used in determining the opening inventory of foods covered by Ration Order No. 16 shall be 5.0.

(b) December use factors (for determining in points the percentage reduction of December use of meat, canned fish, cheeses and rationed fats or oils).

Class of food:	*December use factor (points)*
Meat (excluding poultry, but including canned fish)	4.6
Cheeses (except cottage, pot and bakers')	6.0
Butter	6.0
Margarine	3.8
Shortening	3.8
Cooking or salad oils	4.5

(c) The allowance per person for foods covered by Ration Order No. 16 shall be 0.93.

This supplement shall become effective 12:01 a. m. on March 29, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 5, 6, 7, 8 F.R. 2251, 3471, 3471, respectively)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4771; Filed, March 27, 1943; 2:40 p. m.]

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Amendment 8]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 3.6 is added to read as follows:

SEC. 3.6 *Opening inventory of foods covered by Ration Order No. 16.* (a) As part of his application for his first allotment of "foods covered by Ration Order No. 16", an institutional user must report in pounds his inventory of each class of those foods at the close of business on March 28, 1943 in accordance with the rules stated in paragraphs (a) to (e) of section 3.2 with respect to processed foods. However, for the purpose of this section, all references to Ration Order No. 13 shall be read as Ration Order No. 16.

(b) The point value of an institutional user's inventory of food covered by Ration Order No. 16 at the close of business on March 28, 1943 is to be computed in the following way:

(1) The amount in pounds in each of the following classes is determined:

(i) Meat (except poultry but including canned fish)

(ii) Rationed cheeses

(iii) Butter (as defined in Ration Order No. 16)

(iv) Margarine (as defined in Ration Order No. 16)

(v) Shortening (as defined in Ration Order No. 16)

(vi) Cooking or salad oils (as defined in Ration Order 16)

(2) The amount in pounds in each of the above classes are added together;

(3) The resulting sum is multiplied by a factor fixed for that purpose by the Office of Price Administration (in a supplement to this order). The result is treated as the point value of his inventory.

2. Section 4.2 (b) is amended by inserting the words "or foods covered by Ration Order No. 16" immediately following the phrase "processed foods" wherever it appears in this paragraph.

3. Section 5.2 (a) is amended by inserting the following sentence between the second and third sentences:

• • • However, in the case of foods covered by Ration Order No. 16, the first allotment period is from March 29, 1943 to April 30, 1943. • • •

4. Section 5.3 (b) is amended by adding the following parenthetical sentence between the first and second sentences:

• • • (However, an institutional user who has registered under this order may apply for an allotment of foods covered by Ration Order No. 16 for the first allotment period by making a written request therefor to the Board at any time between March 29, 1943 and April 7, 1943.) • • •

5. Section 6.2 (a) is amended as follows:

The words "each rationed food" are deleted and "sugar, coffee and processed foods" are added in place thereof; and

The words "and of foods covered by Ration Order No. 16 for the second allotment period" are added between the word "periods" and the word "is".

6. Section 6.2 (b) is added to read as follows:

(b) The allotment of foods covered by Ration Order No. 16 for the first allotment period is computed in the following way:

(1) The number of persons served during December 1942 is multiplied by the "allowance per person" fixed for those foods by the Office of Price Administration as set forth in a supplement to this Order.

(2) The result is multiplied by one and one-tenth (1.1) (since the allotment is for one and one-tenth months);

(3) The figure obtained is the allotment.

7. Section 7.1 (a) (1) is amended by adding the following parenthetical sentence before the semicolon at the end thereof; • • •

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616.

(For the purpose of determining the base, all cheeses except cottage, pot and bakers', shall be included in foods covered by Ration Order No. 16.)

8. Section 7.1 (d) is amended as follows:

The words "and foods covered by Ration Order No. 16" are inserted immediately following the phrase "processed foods" wherever it appears in this paragraph; and

The phrase "sections 3.2 (f) and 3.6 (b)" is inserted in lieu of the phrase "section 3.2 (f)".

9. Section 7.2 (a) is amended by adding the following sentence at the end thereof:

* * * However, his allotment of foods covered by Ration Order No. 16 for the first allotment period, for his establishments in Group III is one and one-tenth (1.1) times his base for those foods.

10. Section 9.3 (a) is amended by inserting the words "or foods covered by Ration Order No. 16" immediately following the phrase "processed foods" wherever it appears in this paragraph.

11. Section 9.4 is added to read as follows:

SEC. 9.4 *Emergency certificates for foods covered by Ration Order No. 16.* (a) A Group II or III institutional user who has registered under this order and who needs foods covered by Ration Order No. 16 before his application for an allotment of those foods can be passed upon, may apply, in any convenient manner, for an emergency certificate for those foods. Only one application may be made under this section.

(b) The Board may issue a certificate in an amount computed in the following way:

(1) The number of persons served in December 1942 shall be multiplied by 0.93;

(2) The result shall be divided by 2;

(3) The quotient is the maximum amount (in points) of the certificate which may be issued.

(c) The amount of the emergency certificate issued shall be added to the opening inventory of the applicant and the sum shall be considered his opening inventory for the purposes of sections 9.1 and 9.2. The certificate shall not be considered to increase his allotment.

12. Section 11.2 (a) is amended as follows:

The words "of coffee, sugar or processed foods" are added between the phrase "a supplemental allotment" and the phrase "for the first"; and

The phrase "or for a supplemental allotment of foods covered by Ration Order No. 16 for the second allotment period" is added between the phrase "second allotment period", and the phrase "the Board".

13. Section 11.2 (b) is redesignated section 11.2 (c) and a new section 11.2 (b) is added to read as follows:

(b) In the case of application by a Group II user for a supplemental allotment of foods covered by Ration Order No. 16 for the first allotment period, the Board shall grant the supplemental allotment only if it finds that the number of persons he will serve during that allotment period will be more than twenty (20) percent larger than one and one-tenth (1.1) times the number he served during December 1942. The supplemental allotment is computed as follows:

(1) The number of persons he served during December 1942 is multiplied by one and one-tenth (1.1);

(2) The resulting figure is subtracted from the total number he will serve during the current period;

(3) The difference is multiplied by the allowance per person for those foods;

(4) The result is the supplemental allotment to be granted.

14. Section 11.3 (a) is amended as follows:

The words "of coffee, sugar or processed foods" are added between the phrase "a supplemental allotment" and the phrase "for the first"; and

The phrase "or of foods covered by Ration Order No. 16 for the second allotment period," is added between the phrase "second allotment period" and the phrase "the Board".

15. Paragraphs (c) and (d) are added to section 11.3, to read as follows:

(c) If a Group III user applies for a supplemental allotment of foods covered by Ration Order No. 16 for the first allotment period, the Board shall grant the supplemental allotment only if it finds that both:

(1) The number of persons he will serve during that allotment period will be more than twenty (20) percent larger than one and one-tenth (1.1) times the number he served during December 1942; and

(2) His dollar revenue during that allotment period will be more than twenty (20) percent larger than one and one-tenth (1.1) times his dollar revenue during December 1942.

(d) His supplemental allotment of foods covered by Ration Order No. 16 is to be computed in the following way:

(1) The amount of the estimated increase in the number of persons he will serve is divided by one and one-tenth (1.1) times the number he served during December 1942;

(2) The amount of the estimated increase in his dollar revenue is divided by one and one-tenth (1.1) times his dollar revenue for December 1942;

(3) The smaller of the two figures obtained in (1) and (2) above is multiplied by his allotment of those foods for the first allotment period;

(4) The result is the supplemental allotment to be granted.

16. Section 16.2 (a) is amended by adding the following sentence after the parenthetical sentence:

Only one ration bank account may be opened for the foods covered by Ration Order No. 16.

17. Section 17.1 (d) is amended as follows:

The word "blue" is inserted between the word "valid" and the word "stamps"; and

The phrase "and fourteen points (as nearly as possible) of currently valid red stamps" is inserted between the word "stamps" and the phrase "for each week".

18. Section 22.1 is amended as follows:

In the definition of "certificate", the phrase "Ration Orders No. 12, 13 or 16" is inserted in lieu of the phrase "Ration Orders No. 12 or 13."; and

In the definition of "rationed food", the phrase "foods covered by Ration Order No. 16" is inserted between the word "coffee" and the phrase "or processed foods."; and

The following definition is added: "Foods covered by Ration Order No. 16." means "meat", "canned fish", "rationed cheeses" and "rationed fats or oils". These terms have the meaning given them in Ration Order No. 16.

19. Sections 23.1 (c) and 25.1 (b) are amended by substituting the words "processed foods and foods covered by Ration Order No. 16" for the words "processed foods", wherever those words appear in those sections.

This amendment shall become effective 12:01 a. m. on March 29, 1943 except that section 9.4 shall become effective March 27, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 5, 6, 7, 8 F.R. 2251, 3471, 3471, respectively.)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4772; Filed, March 27, 1943; 2:40 p. m.]

PART 1309—COPPER

[RPS 12,[1] Amendment 6]

BRASS MILL SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1309.18 (b) is amended by adding after the last sentence the following:

It also includes copper textile print rolls which the Metals Reserve Company, the Copper Recovery Corporation or their agents have acquired or will acquire pursuant to the program for the acquisition thereof announced by the War Production Board on or about January 23, 1943 (Recovery Program MRB-23) or any supplement to or amendment of the program when such products are sold by the Metals Reserve Company, the Copper Recovery Corporation or their agents.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1234, 2132, 3520, 5515, 8650, 8948, 9392; 8 F.R. 3189.

This amendment shall become effective as of January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4773; Filed, March 27, 1943; 2:41 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Amendment 4]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.553 (b) (2) is added to read as follows:

	Item	*Section*	*Appendix*
(2)	Tomatoes	1341.584	B

2. Section 1341.584 (b) is added to read as follows:

(b) Tomatoes

(1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government agencies, shall be as follows:

Col. 1	Col. 2	Col. 3			Col. 4			Col. 5			Col. 6			Col. 7		
Item No.	Grade	Region I			Region II			Region III			Region IV			Region V		
		#2 can	#2½ can	#10 can	#2 can	#2½ can	#10 can	#2 can	#2½ can	#10 can	#2 can	#2½ can	#10 can	#2 can	#2½ can	#10 can
1	Fancy	1.325	1.775	6.30	1.30	1.75	6.20	1.225	1.675	5.85	1.25	1.70	5.95	1.275	1.725	6.05
2	Extra-Standard	1.125	1.50	5.35	1.10	1.475	5.25	1.025	1.40	4.90	1.05	1.425	5.00	1.075	1.45	5.10
3	Standard	1.025	1.375	4.85	1.00	1.35	4.75	.925	1.275	4.40	.95	1.30	4.50	.975	1.325	4.60

(2) The regions set forth in paragraph (b) (1) of this section shall be as follows:

REGION I: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York and Northern Pennsylvania (all of the State of Pennsylvania not included in Region II).

REGION II: Delaware, Maryland, Virginia, West Virginia, New Jersey, Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota, South Dakota, and Southern Pennsylvania (Bucks, Montgomery, Philadelphia, Delaware, Chester, Lancaster, York, Cumberland, Adams, Franklin, Fulton, Bedford and Somerset Counties).

REGION III: North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Kansas, Oklahoma and Texas.

REGION IV: Montana, Idaho, Wyoming, Colorado, Utah, New Mexico, Arizona and Nevada.

REGION V: Oregon, Washington and California.

(3) The maximum price for any grade below standard shall be: in #2 cans, fifteen cents per dozen less than the maximum price for standard grade in #2 cans; in #2½ cans, twenty cents per dozen less than the maximum price for standard grade in #2½ cans; and in #10 cans, seventy cents per dozen less than the maximum price for standard grade in #10 cans.

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4744; Filed, March 27, 1943; 2:40 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1114, 1313, 2921.

PART 1346—BUILDING MATERIALS

[RPS 45, as Amended,[1] Amendment 1]

ASPHALT OR TARRED ROOFING PRODUCTS

A statement of the considerations involved in the issuance of this Amendment No. 1 to Revised Price Schedule No. 45, as amended has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1346.60 (a) (2) is amended to read as set forth below:

§ 1346.60 *Definitions.* * * *

(a) When used in this Revised Price Schedule No. 45, as amended, the term:

* * * * *

(2) "Asphalt or tarred roofing products" means roll roofing, shingles and siding materials having a felt base (composed of waste rags and waste paper and/or other fibers), saturated and/or coated with asphalt or coal tar pitch, whether with or without mineral surface, of any grade, type, shape, size, kind, or color, and also includes slaters felt, and asphalt or coal tar pitch saturated and/or coated laminated fiber or felt sheets or boards not exceeding one-quarter inch in thickness.

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4775; Filed, March 27, 1943; 2:40 p. m.]

[1] 8 F.R. 1369.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271,[1] Amendment 7]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 271 is amended in the following respect:

Section 1351.1002 (a) (6) is added to read as follows:

(6) *Imported white potatoes.* For each hundred pounds of white potatoes imported from any country, the maximum price per 100 pounds at any terminal market or other wholesale receiving point shall be the maximum delivered price for the most closely similar variety of domestic white potatoes in the particular terminal market or other wholesale receiving point where such imported white potatoes are being offered for sale.

This amendment shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4776; Filed, March 27, 1943; 2:41 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[2] Amendment 6]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. SEC. 1.7 (b) is amended by changing the phrase "plus a reserve of 10 percent" to read "plus a reserve of 50 percent."

2. SEC. 1.7 (c) is amended by changing the phrase "plus a reserve of 10 percent" to read "plus a reserve of 50 percent."

3. The material in Sec. 1.10 is designated as paragraph (a) and the headnote is amended to read as follows:

SEC. 1.10 *Consumer may exchange new shoes and may get Special Shoe Stamp to replace defective shoes.*

4. SEC. 1.10 (b) is added to read as follows:

(b) A consumer may get a Special Shoe Stamp (or a Temporary Shoe Purchase Certificate) from the Board if within thirty days from the date of purchase, he returned to an establishment

[1] 7 F.R. 9179, 10715; 8 F.R. 233, 1748, 1981, 3397.

[2] 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371.

shoes, for which he had surrendered ration currency, which are defective because of workmanship or material and cannot reasonably be repaired. The applicant must present to the Board a statement signed by the establishment stating (1) that the shoes are defective because of workmanship or material and cannot reasonably be repaired; (2) that if the Board desires, the shoes may be examined by it before it acts on the application; and (3) giving the date the shoes were bought, the date returned and the nature of the defect.

5. SEC. 1.12 is amended by changing the phrase "under SEC. 1.10" to read "under SEC. 1.10 (a)."

6. SEC. 2.10 is amended by changing the phrase "by SEC. 1.10" to read "by SEC. 1.10 (a)."

This amendment shall become effective April 2, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4777; Filed, March 27, 1943; 2:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 3,[1] Amendment 3]

CANNED MEAT AND CANNED FISH

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Restriction Order 3 is amended to read as follows:

This restriction order shall be effective from 12:01 a. m., February 18, 1943, to 12:01 a. m., March 29, 1943: *Provided, however,* That the order and all amendments thereto shall remain in full force and effect after 12:01 a. m., March 29, 1943, for the purpose of allowing or sustaining any suit, action, prosecution, penalty or administrative or other proceeding commenced before or on or after March 29, 1943, with respect to any violation committed or liability incurred under or pursuant to the terms thereof prior to 12:01 a. m., March 29, 1943.

This amendment shall become effective March 28, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2214, 2499.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., as amended by Pub. Law 729, 77th Cong., Executive Order No. 9125, 7 F.R. 2719; Executive Order No. 9280, 7 F.R. 10179, W.P.B. Directive No. 1, 7 F.R. 562, and Supplementary Directive No. 1–M, 7 F.R. 7234; and Food Directive No. 1, 8 F.R. 827)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4778; Filed, March 27, 1943; 2:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as Amended,[1] Supp. Service Reg. 13]

LAUNDRIES IN THE BUFFALO AREA

Maximum Price Regulation No. 165 as Amended [1] — Services — Supplementary Service Regulation No. 13.

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 13 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 13 is hereby issued.

§ 1499.663 *Laundries in the Buffalo Area*—(a) *Dollars-and-cents maximum prices established for services sold by laundries located in the Buffalo area.* (1) The maximum prices established by Maximum Price Regulation No. 165 as amended—services—for family laundry services are modified as hereinafter provided in Appendix A. The maximum prices for family laundry services when sold by laundries located in the Buffalo Area shall be the prices set forth in Appendix A.

The maximum price of a family service which offers more elements of laundry service than a service listed in Appendix A, but does not meet the specifications of the next higher-priced service listed therein, shall be the maximum price of the lower-priced listed service.

Laundries in this area shall continue to accept in their bundle services wearing apparel and flatwork those articles which have customarily been accepted as such, but may charge for all others at list price. In finished and list price services, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts) unless the customer requests no starch. Handkerchiefs are to be treated and priced as set forth in Appendix A.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324.

(2) *Definitions:* As used in this Supplementary Service Regulation—the term:

"Buffalo area" means Erie County, the towns of Wheatfield and Pendleton in Niagara County, the towns of Alabama, Pembroke, Darien, Alexander, Batavia, and Oakfield in Genesee County, and the City of Batavia in Genesee County, all in the State of New York.

"Laundry" means a power laundry, hand laundry, laundry agent, or any other establishment located in the Buffalo area, offering laundry services for sale.

"Family laundry services" means all laundry services except linen, diaper, and garment supply services; and except laundry services offered on a commercial or institutional basis.

(3) *Posting requirements.* Within thirty days after the issuance of this Supplementary Service Regulation, every laundry located in the Buffalo area which offers family laundry services for sale shall post in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in Appendix A and for any other family laundry service which it sells, and a description of each service. On this card the description of each service listed in Appendix A and its price shall be exactly as set forth therein. This card shall also state the amount of the laundry's discount to cash-and-carry customers and that this discount is not less than that established for the laundry by Maximum Price Regulation No. 165 as amended. Also, within thirty days after the issuance of this supplementary service regulation, each laundry shall furnish to each customer a statement containing the same material as the placard or card such laundry is required to post. Thereafter, new customers shall be furnished a similar statement.

(4) *Other laundry services.* The maximum prices for services other than family laundry services shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(5) *Prohibition against indirect price increases.* A laundry may not refuse to supply any low-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same or substantially the same processes (with or without additional processes) as the low-priced service; except that a laundry may substitute for any service supplied in March 1942, the service listed in Appendix A which most closely resembles it in specifications.

(6) *Less than maximum prices.* Lower prices for each of the family laundry services listed in Appendix A may be charged, offered, demanded, or paid.

(7) *Appendix A: Maximum prices for family laundry services.*

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. In the table appearing in § 1340.224 (b) (1), in the column headed "Subdistrict No. 1", the following mine index numbers are deleted: 22, 44, 45, 56.

2. Section 1340.224 (b) (1) (i) is shifted so as to appear after the table which it now precedes.

3. Section 1340.224 (b) (1) (ii) is added to read as follows:

(ii) *Special price instruction for Mine Index Nos. 22, 44, 45, 56, 1306*—(a) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

Mine Index number	Domestic and industrial: Lump and egg	Domestic and industrial: Nut: Washed	Domestic and industrial: Nut: Raw	Domestic and industrial: Chestnut: Washed	Domestic and industrial: Chestnut: Raw	Steam: Mine run: Washed	Steam: Mine run: Raw	Steam: Washed	Steam: Raw
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
14–15	315	---	---	---	340	---	335	---	325	335	335	335	335	335	340	325	325	325	325	325	320	315
55	410	---	---	---	435	---	430	---	420	430	430	430	430	430	435	420	420	420	420	420	415	410
22–1306	540	---	---	---	560	---	555	---	545	555	555	555	555	555	560	545	545	545	545	545	540	535

4. Section 1340.224 (b) (2) is amended by deleting the phrase "from Sub-District No. 2" in the headnote, and inserting such phrase in the subsequent sentence after the phrase "truck or wagon"; and by adding § 1340.224 (b) (2) (i) to read as follows:

(i) *Special price instruction for Mine Index Nos. 22, 44, 45, 56, 1306—(a) Maximum prices in cents per net ton per shipment by truck or wagon to all destinations for all uses for mines with Index Nos. 22, 44, 45, 56, and 1306.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 90 cents per net ton.

5. Section 1340.224 (b) (3) (i) (*d*) is added to read as follows:

(*d*) *Maximum prices in cents per net ton for railroad fuel for mines with Index Nos. 22, 44, 45, 56, 1306.* Maximum prices for Railroad Fuel shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 65 cents per net ton: *Provided, however,* That when Railroad Fuel is sold to the St. Louis-San Francisco Railway for consignment west of the Mississippi River, the maximum price is $3.15 per net ton.

6. Section 1340.224 (b) (4) (i) is added to read as follows:

(i) *Special price instructions for Mine Index Nos. 22, 44, 45, 56, 1306—(a) Maximum prices in cents per net ton for blacksmithing coal for mines with Index Nos. 22, 44, 45, 56, 1306.* The maximum prices for Blacksmithing Coal shall not exceed $5.40 per net ton.

This Amendment shall be effective as of March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4787; Filed, March 27, 1943; 4:55 p. m.]

*Copies may be obtained from the Office of Price Administration.

Maximum prices

Services	
Damp wash, in which all laundry is washed and returned damp.	20 lbs. for $1.10, plus 5¢ for each additional pound. Minimum bundle 20 lbs. If requested, each shirt finished for 9¢ extra.
Thrifty, in which the wearing apparel, if any, is washed and returned damp, the flatwork is washed and returned finished, ready for use, and the handkerchiefs are washed and ironed. Bundles containing all flatwork, to be washed and returned finished, ready for use, are to be accepted under the Thrifty service.	18 lbs. for $1.60, plus 8¢ for each additional pound. Minimum bundle 18 lbs. If requested, each shirt finished for 9¢ extra.
Rough dry, in which the wearing apparel is washed and returned dry, the flatwork is washed and returned finished, ready for use, and the handkerchiefs are washed and ironed.	18 lbs. for $1.85, plus 9¢ for each additional pound. Minimum bundle of 18 lbs. If requested, each shirt finished for 9¢ extra.
Family finished, in which both wearing apparel and flatwork are washed and returned finished, ready for use.	Flat work 9¢ per pound. Wearing apparel 28¢ per pound. Minimum charge $2.00 before cash and carry discount. No extra charge for finishing shirts. Handkerchiefs are to be priced as wearing apparel.

List price, in which wearing apparel, flatwork, and specialties are washed and returned finished, ready for use.

Shirts	$0.16
Undershirts	.10
Drawers	.12
Union suits	.20
Pajamas	.25
Socks	.06
Handkerchiefs	.03
Collars (men's)	.05
Trouser slacks	.35
Sheets	$0.12
Pillow cases	.05
Hand towels	.03
Bath towels	.05
Tablecloths	.15
Napkins	.05
Smocks	.35
Nurses uniforms	.35
Overalls	.25

NOTE: The maximum prices for all items supplied on a list price basis but not set forth herein shall be the ceiling prices established by Maximum Price Regulation No. 165 as amended.

In the list price service there may be imposed a minimum charge of 60¢ (before discount) for cash-and-carry customers, and a minimum charge of $1.00 for delivery customers, unless picked up with a pound service bundle.

All laundries must offer to cash-and-carry customers for all family laundry services a percentage discount which is no less than that established for them by Maximum Price Regulation No. 165 as amended.

Where a laundry subject to this supplementary service regulation sells family laundry services to a hand laundry, laundry agent, or any other establishment located in the Buffalo area which offers laundry services for sale at retail, it must offer a discount which is not less than that established for it by Maximum Price Regulation No. 165.

No additional charges of any kind whatsoever may be added to the maximum prices listed herein.

This Supplementary Service Regulation No. 13 (§ 1499.663) shall become effective March 27, 1943.

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4779; Filed, March 27, 1943; 2:41 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 49]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amend-

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4641, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2313, 2873, 2930, 2997, 2873, 2921, 3216.

Chapter XIII—Petroleum Administrator for War

PART 1535—PETROLEUM PROCESSING AND REFINING

[PAO 10]

The fulfillment of the requirements for the defense of the United States has created a shortage of fatty oils needed for the production of petroleum lubricating greases which can be remedied in part by the substitution of fatty acids for fatty oils in the manufacture of certain lubricating greases; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of lubricating greases for military and other essential purposes:

§ 1535.1 *Petroleum Administrative Order No. 10*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum, petroleum products, and associated hydrocarbons, including but not limited to natural gas, except that natural gas which has entered into gas transmission lines from field gathering lines shall not be so included.

(3) "Fatty oils" means all fats and oils (regardless of acid content) of animal or vegetable origin, except essential oils, from which no glycerine has been recovered.

(4) "Fatty acids" means all acids obtained by the hydrolysis or saponification of fatty oils or of waxes of animal or vegetable origin.

(5) "Manufacturer" means any person who processes, reprocesses or in any manner alters (including compounding and blending) petroleum or petroleum products and who produced not less than 500 short tons of lubricating greases during the year beginning July 1, 1941 and ending June 30, 1942, or who produced 125 short tons of lubricating greases in any calendar quarter-year thereafter.

(6) "Lubricating greases" means all lubricants manufactured from petroleum or petroleum products and a soap, organic salt or ester of any fatty oil or fatty acid. This term shall not be construed to mean any compounded mineral oil which includes, among others, marine oils and soluble and non-soluble cutting oils and compounds.

(7) "Exempt greases" means those lubricating greases having a soap base of which base not less than one-half is a sodium soap or a barium soap or a lithium soap.

(b) *Limitation on use of fatty oils.* Beginning with the calendar quarter-year from April to June, inclusive, 1943 and subject to the exemptions in paragraph (c) of this section, no manufacturer shall produce lubricating greases not subject to the provisions of said paragraph (c) which in the aggregate in any calendar quarter-year consume fatty oils in excess of 50% by weight of the total amount of fatty oils and fatty acids used in such manufacture in such calendar quarter-year.

(c) *Exemptions.* The provisions of paragraph (b) of this section shall not apply to the manufacture of exempt greases or to the manufacture of those amounts of other lubricating greases which are purchased by the United States Army, Navy or Office of Lend-Lease Administration or which are exported outside the territory comprising the continental United States, Canada and Alaska.

(d) *Reports.* On the 15th day of the month immediately following the end of each calendar quarter-year, each manufacturer shall file a report for such calendar quarter-year, in the form attached hereto as Exhibit A,[1] with the Director of Refining, Petroleum Administration for War, Interio. Building, Washington, D. C. The first such report shall be for the calendar quarter-year April to June, inclusive, 1943 and shall be due on July 15, 1943 and further reports shall be due thereafter as prescribed in this paragraph (d). No manufacturer shall sell or otherwise dispose of any lubricating grease reported as "Produced for Army, Navy or Lend-Lease" or as "Produced for export" except such as are actually purchased by the United States Army, Navy or Office of Lend-Lease Administration or are actually exported outside the territory comprising the continental United States, Canada and Alaska, respectively.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate and shall be addressed to the Director of Refining, Petroleum Administration for War, Interior Building, Washington, D. C., Ref: PAO 10.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(g) *Effective date.* This order shall take effect on April 1, 1943.

(h) *Revocation of Recommendation No. 58.* Recommendation No. 58, §§ 1504.91 to 1504.96, inclusive, of this chapter, 7 F.R. 10082, is hereby revoked, effective as of the effective date of this order, except with respect to the first report required by § 1504.94 of said Recommendation No. 58 to be filed on or before April 15, 1943, which said report shall be filed with the Director of Refining, Petroleum Administration for War, Interior Building, Washington, D. C.

[1] Filed as part of the original document.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-4786; Filed, March 27, 1943; 4:41 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

BOMBING AND GUNNERY RANGE AT HARLINGEN, TEXAS

The regulations to govern the use and navigation of waters of the Gulf of Mexico and Laguna Madre along Padre Island comprising an aerial gunnery and bombing range of the Advanced Flying School at Harlingen, Texas, are hereby amended to read as follows:

§ 204.93a *Waters of Gulf of Mexico along Padre Island and Brazos Island, Texas, including a portion of Laguna Madre; Bombing and gunnery range, Advanced Flying School, Harlingen, Texas*—(a) *The danger zone.* (1) The gunnery and bombing range hereinafter referred to as the "restricted area" includes the waters of the Gulf of Mexico adjacent to Padre Island south of latitude 26° 45' N., to Brazos Santiago; including all the waters of Laguna Madre between latitude 26° 45' N. and 26° 06' N. and is described below. (See U.S.C. & G.S. Charts Nos. 1287 and 1288.) All azimuths are referred to a true meridian.

An area in the Gulf of Mexico and including an area in Laguna Madre beginning at a point on the west shore of Laguna Madre in latitude 26° 45' N., thence 90° to a point in latitude 26° 45' N., longitude 97° 14' 12" W., thence 161° to a point in latitude 26° 26' N., longitude 97° 08' W., thence 168° to a point in latitude 26° 05' N., longitude 97° 03' W., thence 270° to a point in latitude 26° 05' N., longitude 97° 06' 30" W., thence 355° to a point in latitude 26° 06' 30" N., longitude 97° 06' 40" W., thence 270° to a point on the west shore of Laguna Madre. Thence northerly along the west shore line of Laguna Madre to latitude 26° 45'.

(2) The Air Corps will broadcast over the radio any information concerning the cessation of firing. This information will be given to the Coast Guard Station at Port Isabel, Texas.

(3) On days when firing is to be held in the restricted area large red flags will be displayed at the Port Isabel Life Boat Station on Padre Island.

(b) *The regulations.* (1) All boats departing from Port Isabel shall check out through the Coast Guard Station so the airplane pilots can be informed to watch for such boats.

(2) On days when firing is scheduled and flag is being displayed as prescribed in paragraph (a) (3) above, no person, boat, vessel or craft shall enter or remain in any portion of restricted area except as provided in paragraph (b) (3): *Provided, however,* That the Commanding General, Gulf Coast Air Corps Training Center, or the Commanding Officer, Advanced Flying School, Harlingen, Texas, may designate from time to time, by suitable notice, through the United States Coast Guard or others concerned, certain times within which the public, including food fishermen may enter the restricted area on days when no firing is scheduled.

(3) These regulations shall not deny traverse of portions of the danger zone by regular cargo carrying vessels proceeding on established steamer lanes, nor by naval units (both surface and air) engaged in anti-submarine operations, nor shall they deny passage of vessels at all times within one mile of the shore in the area. In the case of the presence of any such vessel in the danger area, the officer in charge of gunnery operations shall cause the cessation or postponement of fire until the vessel has cleared the part of the area. The vessel shall proceed on its normal course and not delay its progress.

(4) No markings of the area are proposed and all aircraft and watercraft shall be presumed to know their whereabouts by distances and directions from landmarks or other topographical features along the shore.

(5) These regulations shall be enforced by the Commanding Officer, Harlingen Army Gunnery School, Harlingen, Texas, and such agencies as he may designate.

(Proclamation No. 2557, May 20, 1942) [Regs. March 17, 1943 (CE 800.2121 (Gulf of Mexico) SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-4783; Filed, March 27, 1943; 2:55 p. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 1—GENERAL REGULATIONS AFFECTING THE PUBLIC

RECIPROCAL VISITS TO COMMERCIAL PLANTS BY NATIONALS OF U. S. AND CANADA

§ 1.128 *Reciprocal visits to commercial plants by nationals of the United States and Canada.* (a) The Joint War Production Committee of Canada and the United States has recommended to the President of the United States and to the Prime Minister of Canada a policy for the facilitation of war production of the two countries. The aforesaid policy included the following statments:

(1) That administration barriers and other regulations or restrictions of any character which prohibit, prevent, delay, or otherwise impede the free flow of necessary munitions and war supplies between the two countries should be suspended or otherwise eliminated for the duration of the war;

(2) That the two Governments should take all measures necessary for the fullest implementation of the foregoing principles.

(b) The President of the United States has approved the above-mentioned policy and has requested that affected departments and agencies of the Government of the United States abide by the letter and spirit of such policy so far as lies within their power.

(c) The prevailing restrictions upon visits of Canadian nationals to domestic commercial plants are considered to be burdensome and to constitute an impediment to the progress of the joint war production of the Governments of the United States and Canada. Imperative inspections, technical discussions, exchange of ideas and manufacturing processes, etc., must not be encumbered by delay, formalities, and the inconvenience which foreign nationality necessarily evokes.

(d) Accordingly, effective March 1, 1943, and for the duration of the war, Canadian nationals will be considered as and accorded the same privileges as citizens of the United States with respect to the matter of visits to commercial manufacturing plants, or government owned privately operated plants, engaged upon naval work or equipment. For the purposes herein provided, Canadian nationals are intended to mean Canadian citizens or British subjects permanently residing in Canada, who are representatives of Canadian manufacturing plants or who represent agencies controlled by the Canadian Government.

(e) Article 128, U. S. Navy Regulations, is hereby modified, to be effective upon the date previously mentioned and for the duration of the war, to the extent that applications for visits of such Canadian nationals need not be submitted to, nor authority required from, the Navy Department. Such visits shall, on and after the date specified, be administered within the jurisdiction of the Naval Inspection Service. Upon being assured that the visits are for a purpose essential to maximum production or to the prosecution of the war, and upon presentation of proper identification, i. e., passport, employee's identification card, or other satisfactory evidence, Naval Inspectors may exercise the same latitude of discretion in the matter of visits by Canadian nationals as they now apply to visits of citizens of the United States. In acknowledgment of the primary responsibility of contractors for the security of naval production within their plants, the decision of whether or not such a visit will be permitted shall continue to be subject to the determination of the respective contractor. Except in cases of emergency, where time does not allow for correspondence, applications for visits by Canadian nationals should be directed to the company whose plant is to be visited within a reasonable time in advance of the proposed visit.

(f) The policy announced in paragraphs (a) and (b) is founded upon an agreement of mutual cooperation for a common purpose. The benefits to be derived therefrom are intended to be bilateral and reciprocal. To insure these advantages in converse the Canadian Government, contemporaneously, is adopting a policy, comparable to that herein established, for the administration of visits of United States citizens to Canadian plants.

JAMES V. FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 43-4788; Filed, March 29, 1943; 9:54 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 6—RECREATIONAL DEMONSTRATION AREA REGULATIONS

The regulations in Part 6, Title 36, Code of Federal Regulations, are amended to read as follows:

Sec.
6.1 Definitions.
6.2 Preservation of public property and natural features.
6.3 Camping.
6.4 Fishing.
6.5 Bathing.
6.6 Picnicking.
6.7 Protection of wildlife.
6.8 Firearms, etc.
6.9 Fires.
6.10 Restricted areas.
6.11 Sanitation.
6.12 Gambling.
6.13 Disorderly conduct.
6.14 Radios.
6.15 Motion or sound pictures.
6.16 Abandonment of property.
6.17 Dogs and cats.
6.18 Travel on roads and trails.
6.19 Vehicles; traffic.
6.20 Limitations on speed.
6.21 Advertisements.
6.22 Private operations.
6.23 Motor boats.
6.24 Grazing.
6.25 Special regulations.

AUTHORITY: §§ 6.1 to 6.25, inclusive, issued under sec. 3, 39 Stat. 535, sec. 209, 48 Stat. 195, 200, 206, sec. 6, 49 Stat. 115, 118, E.O. 7496, Nov. 14, 1936; 16 U.S.C. 3, 40 U.S.C. 409, 1 F.R. 1946.

§ 6.1 *Definitions.* As used in this part, unless otherwise indicated:

(a) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

(b) The term "Director" means the Director of the National Park Service.

(c) The term "manager" means the person in charge of a recreational demonstration area.

(d) The term "area" means a recreational demonstration area.

(e) The term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway.

§ 6.2 *Preservation of public property and natural features.* (a) The destruction, injury, defacement, removal, or disturbance in any way of any public building, sign, equipment, marker, or other structure, or of any tree, flower, vegetation, rock, mineral formation, or of any ruins or relic, or of any other public property of any kind, is prohibited.

(b) Collections for scientific or educational purposes are permitted only in accordance with written permits first had and obtained from the manager.

§ 6.3 *Camping.* (a) No camping is permitted outside the specially designated camp sites except by special permit from the manager.

(b) Campers shall occupy the sites designated by the manager.

(c) No camp shall be placed within 25 feet of any main road or well-defined water course.

(d) The manager may establish limitations on the time allowed for camping in any public camping area, and upon the posting of such limitation no person, party, or organization shall be permitted to camp longer than the period prescribed for the particular area during any calendar year.

(e) Campers shall keep their campgrounds clean. Combustible rubbish shall be burned on camp fires, and all other garbage and refuse of all kinds shall be placed in receptacles provided for the purpose. At new or unfrequented camps garbage shall be burned or buried.

(f) Only in areas designated by the manager may campers use any dead or fallen timber for fuel or other purposes.

(g) The installation of permanent camping facilities by visitors, or the digging or leveling of the ground in any campsite without the manager's permission, is prohibited. Camps must be completely razed and the sites cleaned before the departure of campers.

(h) Campers shall not leave their camps unattended for more than 48 hours without permission of the manager obtained in advance. Camping equipment left unattended for 48 hours or more is subject to removal by order of the manager, the expense of such removal to be paid by the person or persons leaving such equipment.

(i) No camp may be established in an area and used as a base for hunting outside such area.

(j) The manager may establish hours during which quiet must be maintained at any camp, and prohibit the running of motors at or near a camp during such hours.

§ 6.4 *Fishing.* (a) Any person desiring to fish must first procure a sporting fishing license as required by the laws of the state in which the area is situated. All fishing must be done in conformity with the laws of the state regarding open seasons, size of fish, and the limit of catch, unless otherwise provided by special regulations.

(b) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in the hand, is prohibited.

§ 6.5 *Bathing.* Bathing in any of the streams or lakes is permitted only at designated bathing places.

§ 6.6 *Picnicking.* Picnicking is permitted only in areas designated for such use.

§ 6.7 *Protection of wildlife.* (a) The areas are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, disturbing, or capturing of any bird, animal or other wildlife, except when it is necessary to prevent them from destroying human lives or inflicting personal injury, or the destruction, removal, or disturbance of the nest or eggs of any bird, is prohibited unless first authorized by the Director.

(b) During the hunting season, arrangements must be made with the manager to identify and transport through the areas, when necessary, carcasses of birds or animals legally killed outside the areas. Failure to make such arrangements shall be deemed a violation of this section.

§ 6.8 *Firearms, etc.* (a) Firearms, explosives, airguns, traps, seines, and nets are prohibited within the areas except upon written permission of the manager. Visitors shall surrender all such objects in their possession to the manager, or obtain his written permission to carry them through the area sealed. Failure to obtain such written permission shall be deemed a violation of this regulation.

(b) The manager may, in his discretion, permit the carrying of firearms by employees under his administrative jurisdiction when such possession is deemed necessary in the performance of their official duties.

(c) Authorized law enforcement officers may carry unsealed firearms while engaged in the enforcement of federal or state laws and regulations, or when otherwise necessary in the performance of their duties.

(d) The members of the armed forces of the United States shall be permitted to carry unsealed firearms; and, in the discretion of the manager, members of the armed forces of the several states or friendly foreign nations may be permitted to carry unsealed firearms. The provisions of this paragraph shall be applicable only during time of war in which the United States is engaged.

§ 6.9 *Fires.* (a) Fires shall be lighted only in designated places. On public campgrounds only the regular fireplaces constructed for the convenience of visitors may be used.

(b) No lighted cigarette, cigar, pipe heal, match, or other burning material shall be thrown from any vehicle or saddle horse or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material.

(c) Fires shall be lighted only when necessary and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

(d) Smoking or the building of fires may be prohibited or limited by the manager when, in his judgment, the hazard makes such action necessary.

(e) All persons making trips away from established camps are required to obtain written fire permits from the manager or his representative. When a written fire permit has been granted, such fires shall not be kindled near trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or mineral soil. Should camp be made in a locality where no such open space exists, the dead wood, dry leaves, etc., shall be scraped away to the rock or mineral soil over an area considerably larger than that required for the fire.

(f) The use of fireworks or firecrackers is prohibited, except with the written permission of the manager.

§ 6.10 *Restricted areas.* Visitors shall not enter restricted areas posted as being closed to the public, except upon written permission from the manager.

§ 6.11 *Sanitation.* (a) Campers and others shall not wash clothing or cooking or eating utensils in, or otherwise pollute or contaminate the waters of the areas.

(b) The cleaning of fish or the washing of clothing or cooking or eating utensils at campground hydrants is prohibited.

(c) Garbage, papers, or refuse of any kind shall not be thrown or left on or along roads, in camping or picnicking areas, or on any other area lands.

(d) All comfort stations shall be used in a clean and sanitary manner.

(e) The draining or dumping of refuse from any trailer, except in places or receptacles provided for such purpose, is prohibited.

§ 6.12 *Gambling.* Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited.

§ 6.13 *Disorderly conduct.* Persons who render themselves obnoxious by disorderly conduct or bad behavior shall be subject to the penalty provided for violation of the regulations in this part, and in addition thereto, or in lieu thereof, may be summarily removed from the area by the manager.

§ 6.14 *Radios.* The use of radios in public camps, buildings, or in vehicles is prohibited when audible beyond the immediate vicinity of the radio set. Radios shall not be operated to the annoyance of other persons nor so as to disturb the quiet of camps or other public places.

§ 6.15 *Motion or sound pictures.* Before any motion or sound picture may be filmed, except by amateurs and bona fide news reel photographers, authority must first be obtained, in writing, from the manager, which authority will be granted in the discretion of the manager under special regulations prescribed by the Secretary.

§ 6.16 *Abandonment of property.* The abandonment of any personal property within an area is prohibited.

§ 6.17 *Dogs and cats.* (a) Dogs and cats are prohibited on the Government lands unless such animals are on leash, crated, or otherwise under physical restrictive control at all times: *Provided, however,* That the Director may designate areas to which dogs and cats shall not be admitted: *Provided further,* That in special cases, the Director may authorize the keeping of dogs and cats by residents in an area under such conditions as he may prescribe.

(b) Stray dogs or cats running at large in the areas may be killed by the manager to prevent molestation of the wildlife therein.

§ 6.18 *Travel on roads and trails.* (a) Persons traveling on the trails on saddle animals shall not make short cuts but must confine themselves to the established trails.

(b) The manager may establish the hours during which any of the Government roads shall be open to the public, and the direction of travel thereon. During any period of emergency the manager may prescribe such other conditions regarding travel as may, in his judgment, appear necessary. Information regarding such hours, direction, and conditions of travel may be obtained at the office of the manager.

(c) No vehicle shall be operated outside the roadways or designated parking areas.

(d) There shall not be operated or moved upon any Government road any vehicle of any kind the face of wheels or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to injure the roadway. This regulation applies to all rings or flanges upon guiding or steering wheels of any such vehicle, but it shall not be construed as preventing the use of ordinary detachable tire or skid chains.

(e) The use of the Government roads for trucking, when such trucking is in no way connected with the operation of the area, is prohibited.

§ 6.19 *Vehicles; traffic.* (a) The areas are open to vehicles operated for pleasure, but such vehicles may not be operated outside the roads, and may be parked only in designated areas.

(b) Vehicles shall enter or leave the areas only at designated entrances and exits, and between such hours as shall be determined by the manager and indicated by appropriate signs giving notice of such hours.

(c) Drivers of vehicles shall comply with the directions of all official traffic signs posted in the areas.

(d) Muffler cut-outs shall be kept closed at all times.

(e) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

(f) The excessive acceleration of the engine of a motor vehicle while such vehicle is not moving, or is approaching a stopping place, is prohibited.

(g) No person shall cause or permit a vehicle under his control to obstruct traffic by making right or left turns from the wrong traffic lane or by weaving in and out of traffic, or in any other manner.

(h) No person driving or operating a vehicle shall fail to give proper hand signals or confuse other drivers by false signals or unnecessary extension of the hand or arm outside the vehicle. The following signals shall be given by extending the hand and arm from the left side in the following manner:

(1) Left turn. Hand and arm extended horizontally.

(2) Right turn. Hand and arm extended upward.

(3) Stop or decrease speed. Hand and arm extended downward: *Provided, however,* That in lieu of such hand signals, signals may be given by a signal lamp or signal device which conveys an intelligible signal or warning to another driver approaching from the front or rear.

(i) No person who is under the influence of intoxicating liquor or narcotic drugs shall drive or operate a vehicle within an area.

§ 6.20 *Limitations on speed.* (a) Speed of vehicles is limited to 35 miles per hour, unless a lower limit is prescribed for a particular road or roads by special regulations. In every event, vehicles shall be driven or operated at an appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(b) The provisions of this section shall not apply to:

(1) Any vehicle driven or operated by or under the direction of the military or naval forces of the United States, or State military forces organised pursuant to section 61 of the National Defense Act, as amended:

(2) Any vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety: *Provided,* That this subparagraph shall not be so construed as to authorize any such vehicle to be driven or operated at a rate of speed in excess of that which is reasonable under conditions prevailing at such time.

§ 6.21 *Advertisements.* Private notices or advertisements shall not be posted, distributed, or displayed, excepting such as the manager may deem necessary for the convenience and guidance of the public.

§ 6.22 *Private operations.* (a) No person, firm, or corporation shall engage in or solicit any business in an area without permission in writing from the Director or his duly authorized representative.

(b) No person shall reside continuously within an area covered by these regulations except designated National Park Service employees, persons expressly authorized to do so by law, concessionaires and their employees for the purpose of fulfilling their contracts, and former resident owners of land acquired for the area who have heretofore been granted permission to reside thereon.

§ 6.23 *Motorboats.* The use of boats powered with either inboard or outboard motors is prohibited, except on the Lake of the Ozarks, unless such use is first approved by the Director.

§ 6.24 *Grazing.* The running at large, herding, or grazing of livestock of any kind on the Government lands, as well as the driving of livestock over the same, is prohibited except where authority therefor has first been granted by the Director.

§ 6.25 *Special regulations.* Special regulations necessary to cover local situations will be published in the FEDERAL REGISTER and may be seen at the headquarters of the areas in which they are operative.

Issued this 18th day of March 1943.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 43-4688; Filed, March 27, 1943; 9:36 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter II—United States Children's Bureau, Department of Labor

PART 204—EMERGENCY MATERNITY AND INFANT CARE SERVICES

ALLOTMENTS TO STATES FOR EMERGENCY MATERNITY AND INFANT CARE

The following regulations are herewith issued to govern allotments to States for emergency maternity and infant care from funds made available under First Deficiency Appropriation Act, 1943 (Public Law 11—78th Congress), approved March 18, 1943.

Sec.
204.1 Emergency maternity and infant care.
204.2 Purposes for which grants may be used.
204.3 Method of allotment.
204.4 State plans.
204.5 Estimates.
204.6 Certification for payment to States.
204.7 Expenditures.

AUTHORITY: §§ 204.1 to 204.7, inclusive, issued under Pub. Law 11, 78th Cong., approved March 18, 1943.

§ 204.1 *Emergency maternity and infant care.* The term "emergency" refers to the period of the present war and 6 months following its termination.

§ 204.2 *Purposes for which grants may be used.* The sums paid to the States for emergency maternity and infant care shall be used exclusively for medical, nursing, and hospital maternity and infant care for wives and infants of enlisted men in the Armed Forces of the United States of the fourth, fifth, sixth, or seventh grades, for whom similar care is not readily available from the medical or hospital facilities of the Army or Navy or from facilities provided by or through official State or local health agencies.

§ 204.3 *Method of allotment.* The Secretary of Labor shall allot to each State submitting a plan for emergency maternity and infant care approved by the Chief of the Children's Bureau a sum based upon the estimated number of applications for care during the period covered by the plan and the estimated cost of providing such care.

§ 204.4 *State plans.* A State plan for emergency maternity and infant care

shall be considered as a supplement to

such day the Chief of the Records Sec-

October 14, 1942, cancelling a special

Krause and Gebruder Brehmer, and each of

shall be considered as a supplement to the State maternal and child-health plan for the fiscal year to which the plan relates. The plan shall be submitted for approval to the Chief of the Children's Bureau by the State health agency on official forms. The plan shall:

(a) Provide that the cost of administration in the State will be met from funds other than the sums allotted for emergency maternity and infant care;

(b) Meet the requirements of section 503 (a), subsections 2, 3, 4, and 6 of the Social Security Act, as amended;

(c) Provide that emergency maternity and infant care will be authorized under the plan as requested by or in behalf of any wife or infant of an enlisted man in the Armed Forces of the United States of the fourth, fifth, sixth, or seventh grades, irrespective of legal residence, when similar care is not readily available as specified in § 204.2 above.

§ 204.5 *Estimates.*—The State health agency shall submit to the Chief of the Children's Bureau a statement of estimated expenditures for emergency maternity and infant care activities during the period covered by the plan.

§ 204.6 *Certification for payment to States.* The Chief of the Children's Bureau shall certify funds for payment to a State from its allotment for emergency maternity and infant care services in accordance with its approved plan and estimate of expenditures.

§ 204.7 *Expenditures.* A State shall expend all funds paid to it by the Federal Government under the approved State plan for the purposes specified in the plan. State laws and regulations governing the custody and disbursement of State funds shall control the custody and disbursement of funds paid by the Federal Government to the State in accordance with its approved plan, subject to such amplification or modification as the Chief of the Children's Bureau may find to be necessary under Federal laws, regulations, orders and decisions.

Dated: March 26, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-4691; Filed, March 27, 1943; 11:32 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[Directive 5, Revised]

PART 321—DIRECTIVES

FORWARDING AND TRANSPORTATION OF WATER-BORNE FOREIGN COMMERCE

Correction

In the document appearing on page 3739 of the issue for March 26, 1943, the effective date in paragraph (d) of § 321.5 *Directive No. 5* should be March 22, 1943.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-370]

BROWN FUEL COMPANY

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing at 10:00 a. m. on March 31, 1943 at a hearing room of the Bituminous Coal Division at Court Room No. 4, New Federal Building, Pittsburgh, Pennsylvania; and

The Bituminous Coal Producers for District No. 3 and counsel for the code member having orally requested that said hearing be postponed to a date and place to be fixed by subsequent order, and good reason appearing therefor;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from 10:00 a. m. on March 31, 1943 at Pittsburgh, Pennsylvania to a time and place to be hereafter designated by appropriate order.

Dated: March 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4806; Filed, March 29, 1943; 11:11 a. m.]

[Docket No. B-308]

COAL HILL MINING CO., INC.

ORDER REINSTATING REGISTRATION

In the matter of Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675, applicant.

An order having been issued in the above-entitled matter on February 3, 1943, suspending the registration of the above-named applicant for a period of thirty (30) days from the date of service of a copy of said order on the applicant; and

Said order having been duly served on the said applicant on February 13, 1943; and

A verified application, dated March 8, 1943 for reinstatement of its license having been filed by said applicant with the Bituminous Coal Division on March 15, 1943, pursuant to the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors and of said order issued herein on February 3, 1943; and

It appearing from said verified application that Coal Hill Mining Co., Inc., represents that it had prompt notice of the entering of said order of suspension dated February 3, 1943, that on February 4, 1943, it ceased to accept discounts and immediately commenced complying with the terms of said order of suspension and that subsequent to February 4, 1943 it has not directly or indirectly transacted business as a registered distributor, nor received any discounts which registered distributors are entitled to receive, nor in any manner entered into any agreements, directly or indirectly, whereby it would receive any commissions or benefits as a registered distributor; and

Coal Hill Mining Co., Inc., having presented to the Division proof that it has refunded all discounts and sales agency commissions required to be refunded by said order of suspension, as follows:

Code member producer:	*Discounts*
Pennsylvania Coal & Coke Corporation	$145 40
Pursglove Coal Mining Co	18 02
Arrow Coal Mining Co	45 14
Reitz Coal Company	30 78
W. J. Rainey, Inc	1 89
Seger Bros. Coal Co., Inc	4 92
DuShan Coal Mining Co	5 69
Abbie E. Lansberry & Son	19 23
Goshen Valley Coal Co	12 68
	Commissions
Kristianson & Johnson Coal Co., Inc	$182 86
Dugan Coal Co	21 56
Ed. E. Carlson	12 03
Fred Barilar	12 04
Hamilton Coal Co	12 04
Nick Ferrari	12 04
Harlan Spencer	37 16
Royal Quemahoning Co	9 40
Robert O'Harah	55 24
James A. White Coal Co	12 19
Culbertson Coal Co	22 13
Ed. E. Carlson	301 23
Fred Barilar	189 96
Harlan Spencer	164 07
Hamilton Coal Co	51 40
Nick Ferrari	189 59
Royal Quemahoning Coal Co	42 52
James A. White Coal Co	155 74
Appalacha Coal Co	5 62

and it appearing that said verified application complies with the requirements of § 304.15 of the Rules and Regulations for the Registration of Distributors, and with said order of suspension issued on February 3, 1943:

Now, therefore, it is ordered, That the registration of Coal Hill Mining Co., as a registered distributor, Registration No. 1675, be, and the same hereby is, reinstated, effective as of 12:01 a. m. on March 8, 1943.

Dated: March 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4805; Filed, March 29, 1043; 11:11 a. m.]

[Docket No. A-1902]

DISTRICT BOARD 8

NOTICE OF AND ORDER FOR HEARING AND ORDER DENYING TEMPORARY RELIEF

In the matter of the petition of District Board No. 8 for increases in the minimum prices heretofore established for the coals of certain mines in District No. 8.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 20, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose, shall preside at such hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 15, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition filed by District Board No. 8 requesting increases in the minimum prices heretofore established for the coals of certain mines located in Anderson, Morgan, and Scott Counties, Tennessee, and in Knox County, Kentucky, in District No. 8, for shipment by truck and rail.

It is further ordered, That the request for temporary relief contained in said original petition be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

Dated: March 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4807; Filed, March 29, 1943; 11:10 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

STEINWAY COTHING COMPANY

NOTICE OF ORAL HEARING

Notice of oral hearing in the matter of the reconsideration of the order dated October 14, 1942, cancelling a special learner certificate issued to the Steinway Clothing Company of Erwin, Tennessee.

Notice is hereby given that an oral hearing will be held in the matter of the reconsideration of the order of October 14, 1942, cancelling a special learner certificate issued to the Steinway Clothing Company of Erwin, Tennessee, on April 20, 1943, at 10:00 a. m., at 165 West 46th Street, New York, New York.

This notice vacates the denial of respondent's petition[1] for reconsideration which was published in the FEDERAL REGISTER on March 18, 1943.

Signed at New York, New York, this 25th day of March, 1943.

ISABEL FERGUSON,
Duly Authorized Representative, of the Administrator.

[F. R. Doc. 43-4690; Filed, March 27, 1943; 11:13 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 767]

KARL KRAUSE U. S. CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the following named persons whose last known addresses are indicated opposite their respective names are nationals of a designated enemy country (Germany):

Names:	*Last known address*
Heinrich Blagosch	Leipzig, Germany.
Curt Blagosch	Leipzig, Germany.
Karl Blagosch	Leipzig, Germany.
Paul W. Suess	Plauen, Germany.
Karl Krause	Leipzig, Germany.
Gebruder Brehmer	Leipzig, Germany.

2. Finding that 400 shares of $100 par value common capital stock of Karl Krause U. S. Corporation, a New York corporation, New York, New York, are registered in the names of and owned by the following persons in the following respective amounts:

Names:	*Number of shares*
Heinrich Blagosch	116
Curt Blagosch	117
Karl Blagosch	117
Paul W. Suess	50
Total	400

3. Finding that said corporation is a business enterprise within the United States and that said 400 shares of stock constitute a substantial part (namely, 80%) of all outstanding capital stock of said business enterprise and are evidence of control thereof;

4. Determining, therefore, that said business enterprise is controlled by the persons referred to in subparagraph 2 hereof and is a national of a designated enemy country (Germany);

5. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of said Karl Krause and Gebruder Brehmer, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them or either of them, by said Karl Krause U. S. Corporation, including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations.

represents interests in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof and the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 25, 1943.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4712; Filed March 27, 1943; 11:44 a. m.]

[1] 8 F.R. 3332.

Kraska-Film, Berlin-Steglitz, Mariendorfer
"Prowerb" Der Deutsche Propaganda und
Westeuropaeische Film A. G., Berlin, SW

[Vesting Order 933]

GERMAN-OWNED MOTION PICTURE FILMS IN THE UNITED STATES

Under the authority of the Trading with the Enemy Act, as amended and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each of the individuals whose names and last known addresses are set forth in Exhibit A attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in such Exhibit is organized under the laws of, Germany and that therefore each of such individuals and companies is a national of a designated enemy country (Germany);

2. Finding that the German Government and the persons listed in said Exhibit A, jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Finding that the property described as follows:

All motion picture films in the United States owned and controlled by the German Government and or the individuals and companies and each of them whose names and last known addresses are listed in said Exhibit A,

is property within the United States owned or controlled by a designated enemy country (Germany) and or nationals thereof;

4. Determining that to the extent that the aforesaid nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

A. B. C. Film G. m. b. H., Berlin W 15, Kaiserallu 13.

Achsel & Co. Filmproduktion W., Berlin SW 68, Friedrichstr. 238.

Aco-Film G. m. b. H., Berlin SW 68, Friedrichstr. & Neubabelsbergbei Potsdamm, Luisenstr. 9a.

Allgemeine Film-Aufnahme-u. Vestriebsges. m. b. H. (Algefafilm), Berlin W 35 Grossadmiral-Von-Koester-Ufer 83.

Alliance Cinematographique, 56 Rue de Bassano, Paris, (Ufa).

Amalfi-Tonfilm Ges. m. b. H., Berlin SW 68, Friedrichstr. 22.

Ariel Film, G. m. b. H., Berlin NW 7, Unter den Linden 69.

Ariete-Film G. m. b. H., Berlin-Halensee, Paulsbornerstr.

Arko-Film, O. L. Arko, Berlin W 15, Brandenburgische Str. 23

Arnold & Richter G. m. b. H., Muenchen 13, Tuerkenstr. 89.

Arving Film Produktion, Bert, Berlin SW 68, Friedrichstr. 23

Ary-Film G. m. b. H., Muenchen 19, Tizianstr. 16.

Astra-Film Herstellungs-und Vestriebs-Ges. m. b. H., Berlin SW 68 Friedrichstr. 19.

Atalanta-Film G. m. b. H., Berlin-Charlottenburg 2, Carmerstr. 7.

Atelier Svend Noldan, Berlin W 62, Budapester Str. 4.

Atlantic-Film Hans Arnau & Co., Berlin-Dahlem, Wildpfad 30.

Badal-Filmproduktion, Vonhagen Badal, Berlin SW 68, Kochstr. 18.

Bahr-Film, Breslau 6, Berliner Str. 57.

Basse-Film G. m. b. H., Berlin-Dahlem, Breitenbachplatz 12

Bavaria-Film A. G. Muenchen, 2 SW, Sonnenstr. 15.

Bavaria-Wochenschau G. m. b. H., Berlin SW 68, Friedrichstr. 210.

Bayerische Film Gesellschaft, G. m. b. H., Munchen Sonnestrasse 15, Berlines Buro, SW 68, Friedrichstrasse 212.

Berlin Film Company, Berlin.

Beyfuss-Film Nachfolger, Dr. Edgar, Berlin NW 87, Alt-Moabit 38.

Boehner-Reklame w. Film, Fritz Boehner, Dresden, Bismarkstr. 8.

Brewing Film Richard, Berlin-Charlottenberg Brahestr. 25.

Brieger-Film Dr Herbert, Berlin-Charlottenburg 5, Horstweg 41.

Briese Schmalfilm, Berlin-Charlottenburg 9, Fredericiastr. 5.

Bundesfilm A. G., Berlin-Charlottenburg 5, Gustloffstr. 55

Casparius-Produktion, Hans, Berlin-Charlottenburg 4, Dahlmannstr. 25.

Cine-Allianz Tonfilm - Produktionsges. m. b. H., Berlin SW 68 Kochstr. 18.

Commerz-Film A. G., Berlin W 35, Woyrschstr. 37

Cserepy-Tonfilmproduktion G. m. b. H., Berlin SW 11, Koeneggraetzerstr. 72.

Deka-Film G. m. b. H., Berlin SW 68, Friedrichstr. 236.

Deutsche Film Herstellunge und Verwertungs Gesellschaft-Deutsche Films, G. m. b. H., ("D. F. G.") Berlin, W 15, Fasanen Strasse 64.

Deutsche Forst-Film Produktionsges. m. b. H., Berlin W 15, Kurfuerstendamm 200.

Deutsche Lichtbild-Gesellschaft e. V., Berlin SW 68, Markgrafenstr. 4

Deutsche Lichtbild fuer Unterricht, Institut fuer Lehr-und Werbefilme, Walter Lange, Berlin SW 11, Halenplatz 9.

Deutsche Maerchenfilm-Produktion Alf. Zengerling Berlin Zehlendorf, Jaenickestr. 105.

Diana-Tonfilm G. m. b. H., Berlin W 8, Friedrichstr. 67.

Dix-Film, Norman, Muenchen, Marienplatz 11.

Doering-Film Werke G. m. b. H., Berlin NW 40, Schiffenufer 39-31.

Dux-Film G. m. b. H., Berlin W 50, Kurfuerstendamm 236.

Eichberg-Film G. m. b. H., Berlin-Charlottenburg 4, Giesebrechtstr. 10.

Eros-Film G. m. b. H., Berlin SW 68, Friedrichstr. 19.

Euphono Film Ges. m. b. H., Berlin SW 68, Friedrichstr. 224.

Europaeische Film-Allianz (E. F. A. G. m. b. H., Berlin-Halensee, Cicerostr. 2-6.

Ewald-Filmges. m. b. H., Hans, Berlin W 35, Kluckstr. 8.

Excentric-Film Zorn & Tiller G. m. b. H., Berlin Wilmersdorf, Motzstr. 84.

Fabrikation deutscher Filme G. m. b. H. Berlin W 15, Kurfuerstendamm 226.

Fanal-Film Production G. m. b. H., Berlin W 15, Kurfuerstendamm 226.

Film-Ingenieur Lassally G. m. b. H., Berlin-Charlottenburg 5, Wilzlebenstr. 12.

Filmpeter, Peter Gscheidl, Berlin W 50, Jauentzienstr. 6.

Fink (Horu) Filmherstellung, Berlin-Leichtenberg, Hendrich Platz 25.

Fischer-Film, Berlin SW 68, Friedrichstr 214.

Fjord-Film Produktion G. m. b. H., Olaf, Berlin-Halensee, Cicerostr. 2-6.

Fortuna-Film Uwe Behrens, Berlin W 50, Budapester Str. 49.

Foto-Flink, Berlin N 20, Badstr. 8b.

Fox-Toenende Wochenschau A. G., Berlin SW 68, Friedrichstr. 225.

Deutsche Gesellschaft fuer wessenschaftliche Filme m. b. H., Berlin NW 40, Hindersinstr. 3.

Asen & Leckebusch, Muenchen 19, Tizianstr. 16.

Fritsch Tonfilm G. m. b. H., Berlin-Halensee, Cicerostr. 63.

Froelich-Film G. m. b. H., Berlin Tempelhof, Borussiastr. 45-49.

Gasparcolor Werbefilme G. m. b. H., Berlin W 50, Tauentzienstr. 3.

Gebr. Diehl Film, Berlin.

German Railroads Information Office, West 57th Street, New York, New York.

Gemeinnuetzige Kulturfilm Vertrieb, Berlin.

Gervid-Film, Berlin Grunewald, Am Vogelhud 14.

Haeseki-Filmvertrieb, Komm, Ges., Berlin SW 68, Alexandrinenstr. 137.

Hamburg-America and North German Lloyd, 57 Broadway, New York, New York

Henning Werbe-Film, Berlin-Halensee, Kurfuerstendamm 153.

Herzog-Film G. m. b. H., Berlin SW 68, Friedrichstr. 13.

Hessenland-Film Robert Fuerst, Kassel, Moenchebergstr. 44

Hisa-Film G. m. b. H., Berlin SW 68, Friedrichstr. 25-26.

Hispano-Film Produktion Johann W. Ther, Berlin SW 68, Friedrichstr. 208.

H. T. Film, G. m. b. H., Berlin SW 68, Friedrichstr. 25-26.

Imagoton Filmges. m. b. M., Berlin W 30 Mackensenstr. 19.

Internationale Kinematographen - und Film-Zentrale "Pallas" Berlin SW 68, Friedrichstr. 35—Lenauer Internationale.

Italafilm G. m. b. H., Berlin SW 68, Hedemannstr. 14.

Klagemann-Film G. m. b. H., Berlin SW 68, Friedrichstr. 225

K. L. Film G. m. b. H., Berlin SW, Friedrichstr. 13.

"Kifo" Helmut Bousset, Berlin W 8, Mohrenstr. 48

K. M. R.-Tonfilm G. m. b. H., Berlin SW 68, Friedrichstr. 207.

Koervest & Bethke, Kulturfilm-Produktion, Berlin SW 68, Kochstr. 5.

Kraska-Film, Berlin-Stiglitz, Mariendorfer Str. 45.

Krebs, Dr. Alexander, Berlin-Wilmersdorf, Landhausstr. 38.

Kruschke, Kurt, Berlin W 30, Gleditschstr. 67

Krutzberg-Film G. m. b. H., Lozia, Berlin W 50, Passauer Str. 17.

Kruse, Dr. Werner, Berlin NW 87, Siegmundshof 21.

Kuehnemann-Film Arnold, Koerbeskrug ueber Koenigswusterhausen.

Kulturfilm Institute G. m. b. H., Berlin, SW 68, Kochstrasse 6-7.

Kulturfilm Puchstein, Berlin-Templehof, Werner-Boss-Damm 7.

Lamprecht Film Produktion G. m. b. H., Gerhard, Berlin SW 68, Friedrichstr 224.

Landeskulturfilm Karl Schneider, Berlin-Templehof, Manfred-von-Richthofen Str. 179.

Leipzig Trade Fair, Inc., Leipzig, Germany—Administration of The Leipzig Fair, Leipzig, Germany.

Lemki, Geo., Berlin W 35, Buelowstr. 8.

Lex-Film, Albert Graf von Pestalozza, Berlin-Schoeneberg, Innsbruckerstr. 7.

Leydechrom G. m. b. H., Neubabelsberg bei Potsdam Schillerstr. 9-15.

Lieberenz, Paul, Berlin-Wilmersdorf, Guentzelstr. 61.

Linke & Co., C. A. Dresden, Sternplatz 1.

Luedtke, Dr. Rohnstein & Co., Berlin SW 68, Alte Jakobstr. 133.

Maer Kische Panorama, Schneider-Panorama Film G. m. b. H., Berlin, SW 68 Kochstrasse

Mal-Rodegg-Film, Berlin-Friedenau, Isoldestr. 10.

Majestic-Film Gesellschaft m. b. H., Berlin W 15, Kurfuerstendamm 225.

Marsfilm G. m. b. H., Berlin W 8, Jaegerstr. 13

Maxim-Film G. m. b. H., Berlin SW 68, Friedrichstr. 19.

Meyenfilm Aberingenieur Fritz Meyen, Berlin-Charlottenburg 2, Knesebeckstr. 28.

Minerva Tonfilm G. m. b. H., Berlin SW 68, Friedrichstr. 224.

Münzloff, Hans L., Berlin-Mariendorf, Rathausstr. 69.

Meteor-Film G. m. b. H., Berlin NW 7, Under den Linden 24.

Missionsfilm e. G. m. b. H., Berlin O 27, Alexanderstr. 45.

Moldaval Tobis-Cinema Film, Berlin, W 8, Mauerstrasse 43.

Naturfilm Hubert Schonger, Berlin SW 11, Anhalter Str 7.

Nehrke-Kurztonfilm-Produktion, Kurt, Berlin SW 68, Friedrichstr. 13.

Nerthus-Film Curt Haensel, Berlin NW 7, Unter den Linden 38.

Neuberger, Hans, Berlin SW 68, Friedrichstr 8.

Neuecphon - Tonfilm - Produktions - u Vertriebs-Ges.-m b. H., Berlin W 8 Friedrichstr. 181.

Neue Film-Komm-Ges. Erich Engels (N. F. K.) Berlin W 15, Kurfuerstendamm 32.

Niemeier, Heinz, Berlin S 42, Ritterstr. 92.

Nordmark-Film, Kulturfilme, Kiel, Tirpitzstr. 5

Oertel Cust, Berlin-Schoeneberg, Meranerstr 9.

Olympia-Film G. m. b. H., Berlin SO 36, Oberzer Str. 39.

Ondra-Lamac-Film G. m. b. H., Berlin SW 68 Friedrichstr. 12

Oppen, Paul, Berlin SW 68, Friedrichstr. 208

Pallas-Film G. m. b. H., Berlin-Charlottenburg 2, Joachimsthaler St. 38.

Panorama-Film G. m. b. H., Berlin SW 68, Kochstr. 6-7.

Patria-Film Produktion U. Vertriebs G. m. b. H., Berlin SW, Friedrichstr. 19.

Paulmann, Friedrich, Berlin-Friedenau, Begastr. 8.

Piel-"Ariel-Film"-Produktion, Harry, Berlin NW 7, Under den Linden 64.

"Prowerb" Der Deutsche Propaganda und Werbedienst G. m. b. H., Berlin-Halensee, Kurfuerstendamm 153.

Puhlfuerst, Curt, Chemnitz, Bernbachplatz 4.

Prag-Film, G. m. b. H., Prague and Berlin.

Randolf Film G. m. b. H., Rolf, Berlin SW 68, Friedrichstr. 19

Raschke Schmalfilm, Berlin NW 40, Werftstr. 1.

Rota, Berlin.

R. N. Film-Produktion G. m. b. H., Berlin W 62 Budapester Str. 3.

Saala Film-Produktions Ges. m. b. H., Berlin W 15, Kurfuerstendamm 199.

Schmeisser Trick und Werberfilm, Frank, Berlin SW 61, Bluecherstr. 13

Schmid-Wildy, L & W Film, Ludwig, Muenchen 13, Schellingstr. 93.

Schmidt Delta Filmproduktions und Vertriebs, Ges. m b. H., Hermann, Berlin W 15, Kurfuerstendamm 203-207.

Schulz & Wuellner Filmfabrikation und Vertrieb G. m. b. H., Berlin SW 68, Friedrichstr. 224

Schumann, Curt, Berlin-Charlottenburg 9, Mecklenburg-Allee 6

Schwab, Erich, Berlin-Charlottenburg, Carmerstr. 8.

Schwertfeger-Film, Berlin-Weissensee, Sedanstr. 47c.

Siegert - Film - Produktion, Chemnetz, Bretgasse 1.

"Sonne-Film" Fiedler & Siebert, Berlin SW 68, Friedrichstr 23.

Sowel Monopol Film G. m. b. H., Dresden A, Altmarket 4

Sirius-Farbenfilm G. m. b. H., Berlin SW 68 Alexandrinenstr. 137.

Stark G. m. b. H., Lother, Berlin W 50, Kurfuerstendamm 225.

Stier, Dr. Ing. Friedrich, Berlin-Charlottenburg Haidenbergstr. 40.

Stier & Linke, Ges. m. b. H., Dr., Berlin NW 87, Lessingstr. 18.

Stoecker-Film Aktiengesellschaft, Berlin W 9, Schellingstr. 7.

Stoedtner-Film Dr. F. Stoedtner, Wissenschaftliche Filme G. m. b. H., Berlin C 2, Kaiser Wilhelmstr. 55.

Suevia-Film G. m. b. H., Berlin W 8, Jaegerstr. 13

Syndikatfilm, G. m. b. H., Berlin SW 68, Hedemannstrasse 21.

Super Film, Berlin.

Telos-Film G. m. b. H., Berlin-Stiglitz, Duppelstr. 3.

Terra-Film A. G., Berlin W 8, Mauerstr. 83-84

Tiller-Film Hans Tiller, Berlin W 8, Friedrichstr 173

Tobis-Cinema Film A. G., Berlin W 7, Mauerstr. 43

Tobis-Europa Film A. G., Berlin SW 68, Friedrichstr. 207.

Tobis-Melofilm Ges. m. b. H., Berlin W 8, Mauerst 43

"Tolirag" Ton und Lichtbild-Reklame A. G., Berlin W 50, Kurfuerstendamm 236.

Tonfilm-Studio Carl Froelich & Co. O. H., Berlin Tempelhof Borussiastr. 45-49.

Tonlicht-Film G. m. b. H., Ostermayr, Berlin W 62, Wittenberghplatz 1.

Trenker-Film G. m. b. H., Luis, Berlin W 8, Friedrichstr 194-199.

Triangel-Film G. m. b. H., Berlin SW 68, Friedrichstr. 12

Trias-Film-Produktion G. m. b. H., Berlin W 15, Meinekestr. 14

Trickfilmatelier Waechter, Berlin NW 87, Brueckenaller 31.

Ulrich & Nuess K. U. Filmproduktions und Vertriebs G. m. b. H., Berlin SW 68, Friedrichstr. 23.

Universum-Film A. G. "Ufa", Berlin SW 19, Krausenstr. 38X39.

Universum Filmkunst, Berlin.

Wallis-Filmfabrikation, Erich, Berlin-Wilmersdorf Laubenheimer Platz 1.

Wehrum-Film, Berlin-Halensee, Halberstaedterstr. 4-5.

Westeuropaeische Film A. G., Berlin SW 68, Friedrichstr. 19.

Wien, G. m. b. H., Vienna, and Berlin.

Witt-Film G. m. b. H., Georg, Berlin SW 68, Hedemannstr. 4.

Woelffer Filmproduktions G. m. b. H., Hans, Berlin W 15, Kurfuerstendamm 206.

Zorn Schmalfilm, G. m. b. H., Werner, Berlin W 50, Kurfuerstendamm 237.

[F. R. Doc. 43-4713; Filed, March 27, 1943; 11:44 a. m.]

[Vesting Order 1087]

ESTATE OF FREDERICK LUNABERG

In re: Estate of Frederick, a.k.a. Fred, Lunaberg, deceased; File D–28–1869; E. T. sec. 1691.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by (Mrs.) Eliza Cowell, Executrix of the estate of Frederick, a.k.a. Fred, Lunaberg, deceased, acting under the judicial supervision of the Probate Court of the County of Los Angeles, California (Case No. 114 930);

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Wilhelmina Helms, a.k.a. Mena Helms	Germany.
Caroline S. E. Koch, a.k.a. Lena Koch	Germany.
Wilhelm Luess	Germany.
Paul Luess	Germany.
Martha Luess	Germany.
Frieda Schneekluth	Germany.
Louise D. E. A. Timm	Germany.
Ernst F. M. L. Timm	Germany.
Personal representative of John Luess, deceased.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelmina Helms, a.k.a. Mena Helms, Caroline S. E. Koch, a.k.a. Lena Koch, Wilhelm Luess, Paul Luess, Martha Luess, Frieda Schneekluth, Louise D. E. A. Timm, Ernst F. M. L. Timm, and the personal representative of John Luess, deceased, and each of them, in and to the Estate of Frederick, a.k.a. Fred, Lunaberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property

Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4714; Filed, March 27, 1943; 11:40 a. m.]

[Vesting Order 1096]

ESTATE OF ANNA S. ANDRAE

In re: Estate of Anna S. Andrae, deceased; File D–28–1770; E.T. sec. 952.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry P. Andrae, Executor, acting under the judicial supervision of the County Court in and for the County of Milwaukee, State of Wisconsin; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Magdalena Hostombe	Aschaffenburg, Germany.
Maria Hartmann	Aschaffenburg, Germany.
Babette Scheller	Aschaffenburg, Germany.
Frieda Schmidt	Bavaria, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Magdalena Hostombe, Maria Hartmann, Babette Scheller and Frieda Schmidt, and each of them, in and to the estate of Anna S. Andrae, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated, March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4715; Filed, March 27, 1943; 11:40 a. m.]

[Vesting Order 1097]

ESTATE OF VINCENZO ANGIO

In re: Estate of Vincenzo Angio, alias James Philip, deceased; File D–38–989; E. T. sec. 1377.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank Navigato, Administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Isabelle Mundo Anglo	Allesandra Del Caretto, Italy.
Florence Phean	Allesandra Del Caretto, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Isabelle Mundo Anglo and Florence Phean, and each of them, in and to the estate of Vincenzo Anglo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4716; Filed, March 27, 1943; 11:40 a. m.]

[Vesting Order 1098]

ESTATE OF ANTONIO BECCO

In re: Estate of Antonio Becco, deceased; File D–38–1110; E. T. sec. 2539.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bank of America National Trust and Savings Association, 277 "B" Street, San Mateo, California, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Mateo;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Felice Becco	Torino, Italy.
Anna Becco	Torino, Italy.
Apele Becco	Milan, Italy.
Anna Becco	Milan, Italy.
Eva Becco	Milan, Italy.
Umberto Bardelli	Milan, Italy.
Achille Valente	Torino, Italy.
Angela Maria Valente	Torino, Italy.
Maria Becco	Torino, Italy.
Angela Becco	Torino, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Felice Becco, Anna Becco (Torino, Italy), Apele Becco, Anna Becco (Milan, Italy), Eva Becco, Umberto Bardelli, Achille Valente, Angela Maria Valente, Maria Becco and Angela Becco, and each of them, in and to the estate of Antonio Becco, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4717; Filed March 27, 1943; 11:41 a. m.]

[Vesting Order 1099]

ESTATE OF IDA BERAN

In re: Estate of Ida Beran, deceased; File No. D–28–1846; E. T. sec. 1680.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Anna Beran whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Beran in and to the Estate of Ida Beran, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4718; Filed, March 27, 1943; 11:41 a. m.]

[Vesting Order 1100]

TRUST UNDER WILL OF CHRISTINE L. BIRTH

In re: Trust under the Will of Christine L. Birth, deceased; File D–28–2112; E. T. sec. 2576

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by American Trust Company, 464 California Street, San Francisco, California, Trustee, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ida Stang	Germany.
Emma Landes	Germany.
Irma Kern	Germany.
Emily Roy	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ida Stang, Emma Landes, Irma Kern and Emily Roy, and each of them, in and to the trust estate created under the Last Will and Testament of Christine L. Birth, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23. 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4719; Filed, March 27, 1943; 11:41 a. m.]

[Vesting Order 1101]

ESTATE OF KATHARINE BREDE

In re: Estate of Katharine Brede, deceased; File No. D–28–2166; E. T. sec. 2833.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J.

Brede, Executor of the estate of Katharine Brede, deceased, acting under the judicial supervison of the Surrogate's Court, Bronx County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Louise Saussele	Neuestrasse No. 15, Loechgau bei Besigheim, Wurttemberg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Louise Saussele in and to the estate of Katharine Brede, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-4720; Filed, March 27, 1943; 11:41 a. m.]

[Vesting Order 1102]

TRUST UNDER WILL OF CLARA CAMPE

In re: Trust under the Will of Clara Campe deceased; File D-28-2116; E. T. sec. 2651.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order, 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by American Trust Company, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy Country, Germany, namely,

Nationals:	*Last known address*
Wilhelmia Damerau	Germany.
Alwine Campe Dolle	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelmia Damerau and Alwine Campe Dolle and each of them in and to the trust estate created under the Will of Clara Campe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4721; Filed, March 27, 1943; 11:42 a. m.]

[Vesting Order 1103]

ESTATE OF JACOB CHRISTIAN

In re: Estate of Jacob Christian; File No. D-9-100-28-2016; E. T. sec. 2092.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Anna W. Barth	Germany.
John Zahn	Germany.
Herman Zahn	Germany.
Jacob Lamb	Germany.
Stinche Steinfelder	Germany.
Lenche Rassel	Germany.
Anna Wolf	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all actions, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna W. Barth, John Zahn, Herman Zahn, Jacob Lamb, Stinche Steinfelder, Lenche Rassel and Anna Wolf, and each of them, in and to the estate of Jacob Christian, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4722; Filed, March 27, 1943; 11:42 a. m.]

[Vesting Order 1104]

TRUST UNDER WILL OF BRINTON COXE

In re: Trust under the Will of Brinton Coxe, deceased; file D–6–152; E. T. sec. 2668.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court, in and for Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country (Vienna), Germany, namely,

Nationals:	*Last known address*
Emerich (Imre) Teuber	(Vienna) Germany.
Emerika Teuber	(Vienna) Germany.
Oskar Teuber	(Vienna) Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Vienna), Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emerich (Imre) Teuber, Emerika Teuber and Oskar Teuber and each of them in and to the trust estate created under the Will of Brinton Coxe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc. 43-4723; Filed, March 27, 1943; 11:42 a. m.]

[Vesting Order 1105]

ESTATE OF ERICH CYRIACI

In re: Estate of Erich Cyriaci, deceased; File D–28–2158; E. T. sec. 2693.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Public Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address:*
Emmy Cyriaci	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emmy Cyriaci in and to the Estate of Erich Cyriaci, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc. 43 4724; Filed, March 27, 1943; 11:42 a. m.]

[Vesting Order 1106]

TRUST UNDER WILL OF MARGUERITE DAVIT

In re: Trust under the will of Marguerite Davit, deceased; File D–38–1025; E. T. sec. 2476.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 5095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Pennsylvania Company for Insurance on Lives and Granting Annuities, Executor and Trustee, acting under the judicial supervision of the Orphans Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
David Meyron	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of David Meyron in and to the Trust created under the will of Marguerite Davit, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4725; Filed, March 27, 1943; 11: 42 a. m.]

[Vesting Order 1107]

ESTATE OF MOSE DE SANTIS

In re: Estate of Mose De Santis, deceased: File No. D–9–100–38–424; E. T. sec. 1873.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Maria De Santis, Administratrix of the estate of Mose De Santis, deceased, acting under the judicial supervision of the Surrogate's Court, Richmond County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Angelina Chiatto	Vinchiaturo (Campobasso), Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Angelina Chiatto, in and to the estate of Mose De Santis, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4726; Filed, March 27, 1943; 11:43 a. m.]

[Vesting Order 1108]

TRUST UNDER WILL OF HARMAN A. DROGE

In re: Trust under the Will of Harman A. Droge, deceased, File D–28–1930; E.T. sec. 1792.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the President and Directors of the Manhattan Company, Substituted Trustee, 40 Wall Street, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Emelie Thiene	Germany.
Augusta Beatrice Bruggemann	Germany.
Issue (names unknown) of Emelie Thiene	Germany.
Issue (names unknown) of Augusta Beatrice Bruggemann	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emelie Thiene, Augusta Beatrice Bruggemann, the issue (names unknown) of Emelie Thiene, and the issue (names unknown) of Augusta Beatrice Bruggemann, and each of them, in and to the trust estate created under the Last Will and Testament of Harman A. Droge, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4727; Filed, March 27, 1943; 11:43 a. m.]

[Vesting Order 1109]

TRUST UNDER WILL OF EDWARD W. DUFFT

In re: Trust u/w Edward W. Dufft, deceased: File D–28–1674; E. T. Sec. 553.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Chase National Bank of the City of New York, Trustee, of the trust u/w Edward W. Dufft, deceased, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Wilhelm Dufft	Germany.
Widow and children of Wilhelm Dufft	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Dufft and widow and children of Wilhelm Dufft and each of them, in and to the trust under the will of Edward W. Dufft, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4728; Filed, March 27, 1943; 11:43 a. m.]

[Vesting Order 1110]

ESTATE OF OSIAS ENGELBERG

In re: Estate of Osias Engelberg, also known as Joshua Engelberg, deceased; File D–55–352; E. T. sec. 2703.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gladys V. Sullivan, Clerk of the County Judge's Court, acting under the judicial supervision of the County Judge's Court in and for Dade County, Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Necha Laufer	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Necha Laufer in and to the Estate of Osias Engelberg, also known as Joshua Engelberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4729; Filed, March 27, 1943; 11:43 a. m.]

[Vesting Order 1111]

TRUST UNDER WILL OF WILLIAM H. ERHART

In re: Trust under the will of William H. Erhart, deceased; File D–38–994; E. T. sec. 1929.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by United States Trust Company of New York, 45 Wall Street, New York, New York; Thomas Roberts, 63 Wall Street, New York, New York, and Charles Huntington Erhart, c/o Thomas Roberts, 63 Wall Street, New York, New York, Co-Trustees, acting under the judicial supervision of the Surrogate's Court of Nassau County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Alberto Geisser Celesia di Vegliasco	Italy.
Issue of Alberto Geisser Celesia di Vegliasco	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alberto Geisser Celesia di Vegliasco and the issue of Alberto Geisser Celesia di Vegliasco, and each of them, in and to the trust estate created under the Last Will and Testament of William H. Erhart, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4730; Filed, March 27, 1943; 11:35 a. m.]

[Vesting Order 1112]

ESTATE OF EUGEN FEIBELMANN

In re: Estate of Eugen Feibelmann, deceased; File F–28–17676; E. T. sec. 1910.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward R. Peckerman, Jr., ancillary administrator of the estate of Eugen Feibelmann, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York.

(2) Such Property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Wilhelm Dufft	Germany.
Widow and children of Wilhelm Dufft	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Dufft and widow and children of Wilhelm Dufft and each of them, in and to the trust under the will of Edward W. Dufft, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4731; Filed, March 27, 1943; 11:43 a. m.]

[Vesting Order 1114]

TRUST UNDER WILL OF EDWARD W. DUFFT

In re: Trust u/w Edward W. Dufft, deceased: File D–28–1674; E. T. Sec. 553.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Chase National Bank of the City of New York, Trustee, of the trust u/w Edward W. Dufft, deceased, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Wilhelm Dufft	Germany.
Widow and children of Wilhelm Dufft	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Dufft and widow and children of Wilhelm Dufft and each of them, in and to the trust under the will of Edward W. Dufft, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4732; Filed, March 27, 1943; 11:43 a. m.]

[Vesting Order 1115]

TRUST UNDER WILL OF HARMAN A. DROGE

In re: Trust under the Will of Harman A. Droge, deceased, File D–28–1930; E.T. sec. 1792.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the President and Directors of the Manhattan Company, Substituted Trustee, 40 Wall Street, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Emelie Thiene	Germany.
Augusta Beatrice Bruggemann	Germany.
Issue (names unknown) of Emelie Thiene	Germany.
Issue (names unknown) of Augusta Beatrice Bruggemann	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emelie Thiene, Augusta Beatrice Bruggemann, the issue (names unknown) of Emelie Thiene, and the issue (names unknown) of Augusta Beatrice Bruggemann, and each of them, in and to the trust estate created under the Last Will and Testament of Harman A. Droge, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4733; Filed, March 27, 1943; 11:43 a. m.]

[Vesting Order 1116]

TRUST UNDER WILL OF EDWARD W. DUFFT

In re: Trust u/w Edward W. Dufft, deceased: File D–28–1674; E. T. Sec. 553.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Chase National Bank of the City of New York, Trustee, of the trust u/w Edward W. Dufft, deceased, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Wilhelm Dufft	Germany.
Widow and children of Wilhelm Dufft	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Dufft and widow and children of Wilhelm Dufft and each of them, in and to the trust under the will of Edward W. Dufft, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–4734; Filed, March 27, 1943; 11:43 a. m.]

Nationals:	*Last known address*
Anna Feibelmann	Germany.
Hans Hermann Feibelmann	Germany.
Administrators or personal representatives, names unknown, entitled to receive the estate of Eugen Feibelmann, who died a resident of Germany	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever, of Anna Feibelmann, Hans Hermann Feibelmann and Administrators or personal representatives, names unknown, entitled to receive the estate of Eugen Feibelmann, who died a resident of Germany, and each of them, in and to the Estate of Eugen Feibelmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of an for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4731; Filed, March 27, 1943; 11:35 a. m.]

[Vesting Order 1113]

ESTATE OF ELIZABETH FISCHER

In re: Estate of Elizabeth Fischer, deceased; File No. D–28–2173; E. T. sec. 2856.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation:

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Rose Schlaepfer and Harry Weitzel, Executors, acting under the judicial supervision of the Surrogate's Court, Kings County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
August Schafer	Helmertshausen, Kreis Alsfeld, Hessen, Germany.
Elisabeth Schafer	Helmertshausen, Kreis Alsfeld, Hessen, Germany.
John Becker	Ermenrod, Gross Felda, Alsfeld, Hessen, Germany.
Emilie Becker	Ermenrod, Gross Felda, Alsfeld, Hessen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the above-named nationals, namely, August Schafer, Elisabeth Schafer, John Becker and Emilie Becker, and each of them, in and to the estate of Elizabeth Fischer, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-4732; Filed, March 27, 1943; 11:35 a. m.]

[Vesting Order 1114]

ESTATE OF MAURIZIO GHILARDUCCI

In re: Estate of Maurizio Ghilarducci, deceased; File D–38–1080; E.T. sec 2910.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert E. Hill, Public Administrator, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Elide Ghilarducci Parante	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elide Ghilarducci Parante in and to the Estate of Maurizio Ghilarducci, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4733; Filed, March 27, 1943; 11:35 a. m.]

[Vesting Order 1115]

TRUST INTER VIVOS OF SEVILLA B. GROVE

In re: Trust Inter Vivos of Sevilla B. Grove, deceased; dated April 18, 1931. File D–28–2200; E.T. sec. 2866.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Donald B. Waltman, Clerk of the Orphans' Court, acting under the judicial supervision of the Orphans' Court of York County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Rebecca Singer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rebecca Singer in and to the trust estate created by a deed of trust of Sevilla B. Grove, deceased, dated April 18, 1931.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4734; Filed, March 27, 1943; 11:36 a. m.]

[Vesting Order 1116]

TRUST UNDER WILL OF CHARLES J. HARRAH

In re: Trust under the Will of Charles J. Harrah, deceased; File D–28–2309; E. T. sec. 3166.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, 135 South Broad Street, Philadelphia, Pennsylvania; Mrs. Florence Harrah Wood, 222 Gray's Lane, Haverford, Pennsylvania; A. H. Wintersteen, 142 Gray's Lane, Haverford, Pennsylvania; Ernest Harrah, 597 Fifth Avenue, New York, New York, Co-Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Eunice Harrah Michahelles	Germany.
Children of Eunice Harrah Michahelles (names unknown)	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eunice Harrah Michahelles and the children of Eunice Harrah Michahelles (names unknown), and each of them, in and to the trust estate created under the Last Will and Testament of Charles J. Harrah, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4735; Filed, March 27, 1943; 11:36 a. m.]

[Vesting Order 1117]

ESTATE OF JOHN JAKUBAUSKIS

In re: Estate of John Jakubauskis, deceased; File D–43–11; E. T. sec. 156.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Betz, Administrator, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Ozaukee; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Theodore Jakubauskis	26 Breslau, Konstautin, Schwerste, 63 ff Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, The Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Theodore Jakubauskis in and to the estate of John Jakubauskis, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together

with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4736; Filed, March 27, 1943; 11:37 a. m.]

[Vesting Order 1118]

ESTATE OF VINCENZO LAVAGETTO

In re: Estate of Vincenzo Lavagetto, deceased; File D–38–1650; E. T. sec. 3779.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Silvio Pienovi, Executor, acting under the judicial supervision of the Circuit Court of Multnomah County, Portland, Oregon.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals	*Last known address*
Maria Lavagetto	Italy.
Luigina Lavagetto	Italy.
Agostino Lavagetto	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Lavagetto, Luigina Lavagetto and Agostino Lavagetto, and each of them, in and to the Estate of Vincenzo Lavagetto, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4737; Filed, March 27, 1943; 11:37 a. m.]

[Vesting Order 1119]

ESTATE OF JULIA SWOPE LEWIN

In re: Estate of Julia Swope Lewin, deceased; File No. D–28–1536; E. T. sec. 179.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Gerard Swope and Herbert Bayard Swope, executors, acting under the judicial supervision of the Surrogate's Court of the County of New York, State of New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Japan and Germany, namely,

Nationals:	*Last known address*
Marie Becker	Germany.
Egon Cohn	Japan.

And determining that:

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest;

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Becker and Egon Cohn, and each of them, in and to the Estate of Julia Swope Lewin, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4738; Filed, March 27, 1943; 11:37 a. m.]

[Vesting Order 1120]

ESTATE OF ERASIMO LOCCI

In re: Estate of Erasimo Locci, deceased; File D–38–1196; E.T. sec. 4360.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Kenneth C. Cole, Public Administrator of Westchester County, New York, as Administrator of the goods, chattels and credits of Erasimo Locci, deceased, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Antonio Locci	Italy.
Rosa Manjona Locci	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Antonio Locci and Rosa Manjona Locci, and each of them, in and to the Estate of Erasimo Locci, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated, March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4739; Filed, March 27, 1943; 11:37 a. m.]

[Vesting Order 1121]

ESTATE OF CARL MICHALEK

In re: Estate of Carl Michalek, deceased; File D–28–2522; E. T. sec. 3735.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the United States National Bank, Galveston, Texas, Executor, acting under the judicial supervision of the County Court of Galveston County, Texas.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ervin T. Michalek	Germany.
Hildegard Michalek	Germany.
Ruth Michalek Kantreiter	Germany.
Child or children, names unknown, of Ervin T. Michalek, Hildegard Michalek and Ruth Michalek Kantreiter	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind, or character whatsoever of Ervin T. Michalek, Hildegard Michalek, Ruth Michalek Kantreiter and the child or children, names unknown, of Ervin T. Michalek, Hildegard Michalek and Ruth Michalek Kantreiter, and each of them, in and to the Estate of Carl Michalek, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4740; Filed, March 27, 1943; 11:38 a. m.]

[Vesting Order 1122]

TRUST UNDER WILL OF JUSTUS MULERT

In Re: Trust u/w Justus Mulert, deceased; File D–28–2324; E.T. sec. 3276.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Commonwealth Trust Co. of Pittsburgh, Trustee of the trust u/w Justus Mulert, deceased, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pa.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Dr. Botho Mulert	Germany.
Mimmi Mulert	Germany.
Gerhard Mulert	Germany.
Ida Hecke	Germany.
Mathilde Mulert	Germany.
Dr. Joseph Remele	Germany.
Hanna Remele	Germany.
Children of Joseph & Hanna Remele, names unknown	Germany.
Frau Jean Sennehenn, Guardian of Rolf Hacke	Germany.
Rolf Hacke	Germany.
Charlotte Simmgen	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dr. Botho Mulert, Mimmi Mulert, Gerhard Mulert, Ida Hacke, Mathilde Mulert, Dr. Joseph Remele, Manna Remele, Children of Joseph & Hanna Remele, names unknown, Frau Jean Sennehenn, guardian of Rolf Hacke, Rolf Hacke and Charlotte Simmgen and each of them, in and to the trust created under the will of Justus Mulert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4741; Filed, March 27, 1943; 11:38 a. m.]

[Vesting Order 1123]

ESTATE OF LENA OSWALD

In re: Estate of Lena Oswald, deceased; File D–28–1718; E.T. sec. 691.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Michael J. Duffecy, Administrator c. t. a., acting under the judicial supervision of the Probate Court of the State of Indiana, in and for the County of Marion; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
John Ahelmer---	Wurttenburg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of John Ahelmer in and to the estate of Lena Oswald, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4742; Filed, March 27, 1943; 11:38 a. m.]

[Vesting Order 1124]

ESTATE OF ANNE W. PENFIELD

In re: Estate of Anne W. Penfield, deceased; File D–6–157; E. T. sec. 3142.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company and Joseph Carson, Executors, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Countess Elsa Michaeli Di Vitturi---	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Countess Elsa Michaeli Di Vitturi in and to the Estate of Anne W. Penfield, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4743; Filed, March 27, 1943; 11:38 a. m.]

[Vesting Order 1125]

ESTATE OF GIUSEPPE PICCHIETTI

In re: Estate of Giuseppe Picchietti, deceased; File D–38–336; E.T sec. 369.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Battista Bernardi, Administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Lake; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Lucia Picchietti-----	Santana, Province of Modena, Italy.
Marina Picchietti---	Santana, Province of Modena, Italy.
Angelo Picchietti----	Santana, Province of Modena, Italy.
Giovanni Picchietti..	Santana, Province of Modena, Italy.
Stephano Picchietti..	Santana, Province of Modena, Italy.
Marianna Picchietti..	Santana, Province of Modena, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, The Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lucia Picchietti, Marina Picchietti, Angelo Picchietti, Giovanni Picchieti, Stephano Picchietti and Marianna Picchietti, and each of them, in and to the estate of Giuseppe Picchietti, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4744; Filed, March 27, 1943 11:39 a. m.]

[Vesting Order 1126]

ESTATE OF EBO PIVIROTTO

In re: Estate of Ebo Pivirotto, deceased; File D–38–348; E. T. sec. 484.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the First Trust and Savings Bank, Administrator, acting under the judicial supervision of the District Court of the State of Iowa, in and for the County of Scott; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Mrs. Marie Moretto--	Crocetta Del Montello, Treviso, Italy.
3 children of Thomas Pivirotto, deceased, brother of Ebo Pivirotto, deceased:	
1. Name unknown--	Italy.
2. Name unknown--	Italy.
3. Name unknown--	Italy.
5 children of Joseph Pivirotto, deceased, brother of Ebo Pivirotto, deceased:	
1. Madalene Luti---	6–1B, Viale Ansaldo, Genoa, Italy.
2. Lodovina De Lornezo.	Vinigo, Belluno, Italy.
3. Daughter, name unknown.	Italy.
4. Son, name unknown.	Italy.
5. Son, name unknown.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Marie Moretto; 3 children of Thomas Pivirotto, deceased, brother of Ebo Pivirotto, deceased: 1. Name unknown, 2. Name unknown, 3. Name unknown; 5 children of Joseph Pivirotto, deceased, brother of Ebo Pivirotto, deceased: 1. Madalene Luti, 2. Lodovina De Lornezo, 3. Daughter, name unknown, 4. Son, name unknown, 5. Son, name unknown, and each of them, in and to the estate of Ebo Pivirotto, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4745; Filed, March 27, 1943; 11:39 a. m.]

[Vesting Order 1127]

TRUST UNDER WILL OF ERNST REHM

In re: Trust under will of Ernst Rehm, deceased; File D–28–1733; E.T. sec. 753.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Hudson County Orphans' Court, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Henry Eberhard----------	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claims of any kind or character whatsoever of Henry Eberhard in and to the trust estate created under the last will and testament of Ernst Rehm, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4746; Filed, March 27, 1943; 11:39 a. m.]

[Vesting Order 1128]

ESTATE OF CHARLES F. SEILER

In re: Estate of Charles F. Seiler, deceased: File D–28–1840; E.T. sec. 1425.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mamie K. Peterman, Executrix, and Karl F. and Frederick W. Seiler, Executors, acting under the judicial supervision of the Probate Court of the State of Missouri, in and for the City of St. Louis; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country Germany, namely,

National:	*Last known address*
Friedricka Schittenhelm----	Grossbottwar, Wuerttenberg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Friedricka Schittenhelm in and to the estate of Charles F. Seiler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien

Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-4747; Filed, March 27, 1943; 11:39 a. m.]

[Vesting Order 1129]

ESTATE OF MARY ELIZABETH STEPHEN

In re: Estate of Mary Elizabeth Stephan, also known as M. Elizabeth Stephan, also known as Ma.ie Elizabeth Stephan, also known as Elizabeth Stephan, also known as Eliza Stephan, also known as Elisa Stephan, also known as Marie Elisabeth Stephan, deceased; File D–28–1991; E. T. sec. 2102.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Farmers and Merchants National Bank of Los Angeles, Executor, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Fritz Stephan	Germany.
Louisa Stephan	Germany.
Freda Stephan	Germany.
Ernstina Huber, or her children	Germany.
Eva Willareth, or her children	Germany.
Karolina Wikershein, or her children.	Germany.
George Stephan, or his children	Germany.
Luise Obrecht, or her children	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $1,000.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by Fritz Stephan;

The sum of $1,000.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by Louisa Stephan;

The sum of $1,000.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by Freda Stephan;

The sum of $500.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by Ernstina Huber, or her children;

The sum of $500.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by Eva Willareth, or her children;

The sum of $500.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by Karolina Wikershein, or her children;

The sum of $500.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by George Stephan, or his children;

The sum of $500.00, together with interest thereon as provided by law, in the possession of the Farmers and Merchants National Bank of Los Angeles, Executor of the above estate, payable and deliverable to, or claimed by Luise Obrecht, or her children;

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4748; Filed, March 27, 1943; 11:39 a. m.]

[Vesting Order 1131]

ESTATE OF GEORGE THEODORE

In re: Estate of George Theodore, deceased; File D–57–51; E. T. sec. 1114.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl Czepnik, Executor, acting under the judicial supervision of the Probate Court of the State of Michigan, in and for the County of Wayne; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Rumania, namely,

Nationals:	*Last known address*
Mihail Theodore	Strada Candiano Popescu, 111 Bucharest, Rumania.
Zolta Wrabie	Strada Nicoresti 36, Tecuciu, Rumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, The Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mihail Theodore and Zolta Wrabie, and each of them. In and to the estate of George Theodore, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4749; Filed, March 27, 1943; 11:40 a. m.]

[Vesting Order 1132]

ESTATE OF HERMAN WILKE

In re: Estate of Herman Wilke, deceased; File D–28–2392; E.T. sec. 3367.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Northern Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Rudolph Kuhne	Germany.
Emma Lampka	Germany.
Louise Kuhne	Germany.
Emma Kuhne	Germany.
Bertha Ritzmann	Germany.
Fritz Schonemann	Germany.
Erna Ramdoke	Germany.
City of Egeln	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rudolph Kuhne, Emma Lampka, Louise Kuhne, Emma Kuhne, Bertha Ritzmann, Fritz Schoenemann, Erna Ramdoke and City of Egeln and each of them in and to the Estate of Herman Wilke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4750; Filed, March 27, 1943; 11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under MPR 65]

STEPHEN RUG MILLS

APPROVAL OF MAXIMUM PRICES

Order No. 2 under § 1352.51 (b) (2) of Maximum Price Regulation No. 65—Resale of Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Stephen Rug Mills, 135 Madison Avenue, New York, New York, may sell and deliver the fabrics listed herein at prices no higher than those set forth below:

	Per 3¾ yard
Majestic	$2 10
Pinewood	2 40
Moresque	1 65
Concord	1 25
Hookset	3 25

subject to 5% cash discount, 10 days, F. O. B. Philadelphia, Pennsylvania.

(b) This Order No. 2 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

This order shall become effective on the 27th day of March 1943.

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4649; Filed, March 26, 1943; 12:11 p. m.]

[Order 7 Under RPS 84]

RCA MANUFACTURING COMPANY, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 7 under Revised Price Schedule No. 84—Radio Receiver and Phonograph Parts.

Approval of maximum prices for sales by RCA Manufacturing Company, Inc. of sub-standard radio receiving tubes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 7 sets maximum prices for sales of sub-standard radio receiving tubes manufactured by RCA Manufacturing Company, Inc., Camden, New Jersey.

(1) For sales by the manufacturer to distributors, the manufacturer shall allow a 15% discount on his October 1, 1941 selling price of the standard tubes.

(2) For sales by a distributor to a dealer, the distributor shall allow a 15% discount on his October, 1941 price to dealers of the standard tubes.

(3) For sales at retail, the dealer shall allow a 15% discount on the October, 1941 retail price of the standard tubes.

(b) The manufacturer must plainly mark each sub-standard tube sold, in any convenient form, so that the radio receiving tube may readily be identified as a sub-standard one.

(c) To every sub-standard radio receiving tube to be shipped to a purchaser for resale, the manufacturer shall attach a notice reading as follows:

The enclosed tube is not of standard RCA quality but is believed to be satisfactory for the use intended. It has been released by us in the interest of conserving critical materials and making the best possible use of every operable tube.

Since it is of sub-standard quality, it has been sold by us at a price that is reduced to reflect the average lowering of quality. Should you find it unsatisfactory for your use within 30 days from the date of shipment, it may be returned for replacement in kind or for full credit. If retained for more than 30 days, our usual adjustment policy will apply.

(d) To every sub-standard radio receiving tube shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(e) The manufacturer shall notify every person who buys from it of the maximum prices set by this Order No. 7 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(f) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

This order shall become effective the 27th day of March 1943.

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4650; Filed, March 26, 1943; 12:11 p. m.]

[Order 172 Under MPR 120]

B & R COAL CO., ET AL.

ORDER GRANTING ADJUSTMENT

Granting adjustment to certain mines in subdistricts F & G of District No. 23.

Order No. 172 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120–222.

For the reasons set forth in an opinion, issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maxi-

fabrics specified hereinbelow at prices

same force and effect as if the same were

(b) This Order No. 12 may be revoked

Item 311 under Stainless Steel Needle

For the reasons set forth in the opinion

mum Price Regulation No. 120. *It is ordered:*

(a) Coals in Size Groups 16 and 24 shipped by rail from the following mines in Subdistricts F and G of District No. 23 and delivered to the Western Avenue and the Post Street plants of the Puget Sound Power and Light Company, Seattle, Washington, may be sold and purchased at prices not to exceed the following respective prices per net ton f. o. b. the mine, subject to the time limitations specified in paragraph (d):

Producer	Mine index No.	Size group 16 (for use at Post St. plant)	Size group 24 (for use at Western Ave. plant)
B & R Coal Co.	104 and 105	$4.35	$2.57
Bunco Coal Mines	106	4.35	2.57
Consolidated Coal Mines, Inc.	8	4.35	.....
Palmer Coking Coal Company, Inc.	11	4.35	2.40
Harris Coal Co.	119	.....	2.60
New Lake Young Coal Co.	123	4.35	2.71
Strain Coal Co.	122	4.35	2.87
Springbrook Mining Co.	38	.....	2.50
Spring Glen Coal Co.	134	.....	2.50
Renton Mining Co., Inc.	150	.....	2.74
Hi-Heat Coal Co.	58	.....	3.00

(b) This Order No. 172 may be revoked or amended by the Price Administrator at any time;

(c) Unless the context otherwise requires, the definitions set forth in § 1340.206 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(d) This Order No. 172 shall be effective as of July 27, 1942: *Provided*, That (1) the maximum price established in paragraph (a) for Size Group 24 produced by Renton Mining Co., Inc. shall not be deemed effective beyond November 3, 1942, and (2) the maximum prices established in paragraph (a) for Size Group 24 in the case of producers other than Renton Mining Co., Inc. and Strain Coal Company shall not be deemed effective beyond February 2, 1943.

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4653; Filed, March 26, 1943; 12:13 p. m.]

[Amendment 1 to Order 8 Under MPR 163]

JAMESTOWN WORSTED MILLS COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 8 under § 1410.119 of Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabrics.

For the reasons set forth in an opinion in support of this Amendment, issued simultaneously herewith and filed with the Division of the Federal Register, paragraph (a) of Order No. 8 is hereby amended and a new paragraph (e) is added to read as follows:

(a) On and after March 27, 1943, Jamestown Worsted Mills Company may sell and any person may buy from the Jamestown Worsted Mills Company the fabrics specified hereinbelow at prices not in excess of the following applicable maximum prices:

Style No.	Specifications	Maximum price (per yard)
942 B	All wool twist; 13¾–14 ounces; 58 inches in width; 32 ends, 32 picks; 2 ply 15½...	$2.375
942 M	60% wool, 40% mohair, twist suiting; 13¾–14 ounces; 58 inches in width; 32 ends, 32 picks; 2 ply, 1 11 x 1/22	2.30
943	40% wool, 60% rayon, 13–13½ ounces; 58 inches in width, 30 ends, 32 picks.....	2.025

* * * * *

(e) If decorations are added to such fabrics, the maximum prices therefor established in paragraph (a) of this order, as amended, shall be increased or decreased in accordance with the provisions in paragraph (h) of § 1410.102 of Maximum Price Regulation No. 163.

This Amendment No. 1 to Order No. 8 shall become effective March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4651; Filed, March 26, 1943; 12:11 p. m.]

[Rev. Order 9 Under MPR 204]

METALS RESERVE COMPANY AND STEEL RECOVERY CORPORATION

ADJUSTMENT OF MAXIMUM PRICES

Order No. 9 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13—is amended to read as set forth below and its title is amended to read as set forth above.

An opinion in support of this Revised Order No. 9 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.506 of Maximum Price Regulation No. 204 and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered*, That:

(a) *Maximum prices for iron and steel products sold or delivered to the Metals Reserve Company, the Steel Recovery Corporation or their agents.* (1) The Metals Reserve Company, the Steel Recovery Corporation or their agents may buy and receive and any person may sell and deliver to the Metals Reserve Company, the Steel Recovery Corporation or their agents iron and steel products of the type described below pursuant to the War Production Board's recovery programs, identified below, for the acquisition of idle and excessive inventories of such products, at prices not higher than those set out in the Government's price schedules accompanying each such program, which are hereby incorporated herein by reference and shall have the same force and effect as if the same were herein set forth in full.

Type of products	Recovery program	WPB forms
Stainless steel products	NRB-13	1
Alloy steel products	MRB-15	1
Carbon steel nonassembled structural shapes.	MRB-22	1
Carbon steel plate and plate products.	MRB-36	1
Carbon steel bar and bar products	MRB-35	1
Carbon steel sheet and strip and sheet and strip products.	MRB-43	1
Carbon steel pipe and tubing and pipe and tubing products.	MRB-32	1
Tool steel in primary form (carbon, alloy and high-speed).	MRB-26	1
Carbon steel wire and wire products.	MRB-44	1
Carbon steel, manganese steel, and low alloy steel castings.	MRB-40	1
High alloy steel castings (corrosion-resistant and heat-resistant).	MRB-39	1
Nonassembled carbon steel forgings made from semi-finished primary forms.	MRB-45	1
Semi-finished carbon steel primary forms.	MRB-38	1
Iron castings	RD-47	2
Wrought iron	RD-42	2

(2) As used in this order, the descriptions of the type of products covered shall have the meanings given them in the respective price schedules accompanying the War Production Board's forms, identified above.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective as of October 28, 1942.

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4652; Filed, March 26, 1943; 12:14 p. m.]

[Order 12 Under MPR 185]

SPENCER PACKING COMPANY

APPROVAL OF MAXIMUM PRICES

Approved of Maximum Price for Spencer Packing Company, Lebanon, Oregon.

Order No. 12 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

The applicant, Spencer Packing Company, has filed an application for specific authorization of a maximum price for No. 2T Water Pack Loganberries, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of Loganberries in water in the size in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered* That:

(a) The applicant, Spencer Packing Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant canned No. 2T Water Pack Loganberries at a price no higher than $1.67 per dozen cans, f. o. b. factory.

(b) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942 shall be applicable to the terms used herein.

(e) This order shall become effective March 27, 1943.

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4676; Filed, March 26, 1943; 4:54 p. m.]

[Amendment 1 to Rev. Order 28 Under MPR 120]

SHAY COAL COMPANY

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Revised Order No. 28 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120-81.

Revised Order No. 28 under Maximum Price Regulation No. 120 is amended in the following respects:

1. Paragraph (a) is amended by adding the following proviso:

* * *: *Provided however*, That in the case of the Shay No. 4 and No. 5 mines, the maximum prices applicable to said Size Groups 6, 7 and 9 for the period August 22, 1942 through February 3, 1943 shall be $2.30, $2.30 and $2.15, respectively.

2. Paragraph (e) is amended to read as follows:

(e) This Revised Order No. 28 shall be effective as of February 4, 1943.

This Amendment No. 1 to Revised Order No. 28 shall be effective as of February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4677; Filed, March 26, 1943, 4:55 p. m.]

[Order 215 Under MPR 188]

MASTER SURGICAL INSTRUMENT CORP.

APPROVAL OF MAXIMUM PRICES

Correction

In the table on page 3553 of the issue for Tuesday, March 23, 1943, the item S-215 under Stainless Haemostatic Forceps should read

S-215 Rochester-Ochsner's.....

Item 311 under Stainless Steel Needle Holders should read:

S-311 Mayo-Hegar's.....

The distributor's maximum price to hospitals by the unit for C-621 Mayo dissecting scissors should be 1.95, and should be 2.25 for S-617 operating scissors.

[Order 75 Under RPS 64]

OAKLAND FOUNDRY COMPANY

ORDER GRANTING ADJUSTMENT

Correction

In the fourth line of the document appearing on page 3551 of the issue for Tuesday, March 23, 1943, the word "prices" should be inserted between "maximum" and "for".

[Order 11 Under RPS 67]

NORTON COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 11 under Revised Price Schedule 67—New Machine Tools; Docket No. 3067-15.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9230, and pursuant to Procedural Regulation No. 6, *It is hereby ordered:*

(a) The Norton Company may sell, offer to sell, deliver and transfer 25 Model P-5 Buraway Grinders to the James Donaldson Company, Inc., at a price not in excess of $2,555.00 each.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4760; Filed, March 27, 1943; 12:22 p. m.]

[Order 30 Under MPR 152]

KNIGHT PACKING COMPANY

APPROVAL OF MAXIMUM PRICES

Order 30 under Maximum Price Regulation 152—Canned Vegetables.

The Knight Packing Company, Portland, Oregon, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of cucumber pickles in 100 ounce jars.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:* That:

(a) The Knight Packing Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive cucumber pickles packed in 100 ounce glass jars at a maximum price of $8.85 per dozen f. o. b. factory.

(b) This Order No. 30 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Knight Packing Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on the 29th day of March 1943.

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4758; Filed, March 27, 1943; 12:27 p. m.]

[Order 22, Under MPR 188]

MIFFLIN MILLS

APPROVAL OF MAXIMUM PRICES

Order No. 227 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sale by the Mifflin Mills, of Mifflin, Pennsylvania, of rag rugs.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250; *It is ordered*.

(a) Mifflin Mills of Mifflin, Pennsylvania, may sell and deliver the fabrics listed herein at prices no higher than those set forth below:

Grade	Size	Sales to jobbers	Sales to retail stores
Arrow	24 x 48	$0.95	$1.25
Arrow	27 x 54	1.20	1.60
Ridgid	24 x 48	.95	1.25
Ridgid	27 x 54	1.20	1.60
Ajax	24 x 48	.95	1.25
Ajax	27 x 54	1.20	1.60
United	24 x 48	1.05	1.40
United	27 x 54	1.30	1.75
Tu-Twil	24 x 48	1.05	1.40
Tu-Twil	27 x 54	1.30	1.75

The above prices to retail stores are subject to 10 percent trade discount on

purchases of 100 rugs or more. All prices

[Order 10 Under RPS 67]

For the reasons set forth in an opinion

In order to be entitled to such maxi-

The Commission having on January

mission dated August 23, 1941, directing

purchases of 100 rugs or more. All prices subject to cash discount of 5 percent 10 days E. O. M. or 4 percent 10 days, 60 days extra dating, f. o. b. Mifflin, Pennsylvania.

(b) At or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser of the maximum price and the conditions set by this order for resale of the fabric by such purchaser. This notice may be given in any convenient form.

(c) This Order No. 227 may be revoked or amended by the Administrator at any time.

This Order shall become effective on the 29th day of March 1943.

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4759; Filed, March 27, 1943; 12:23 p. m.]

[Order 1 Under MPR 335]

NEWARK PACKING CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

Maximum prices authorized under § 1351.2006 (e) of Maximum Price Regulation No. 335, Order No. 1.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

(a) On and after March 29, 1943, the maximum price for sales of any brand, variety, container type and size of peanut butter or salted peanuts by Newark Packing Co., Inc., 217 Astor Street, Newark, New Jersey, shall be the highest price charged by it for that same item to a purchaser of the same class during the period December 19, 1942, to December 23, 1942, inclusive.

"Highest price charged" means the highest price which Newark Packing Co., Inc., charged for the item in any delivery made by it during the period from December 19, 1942, to December 23, 1942, inclusive to a purchaser of the same class. If the seller made no such delivery, "highest price charged" means its highest offering price for delivery of the item during that period to a purchaser of the same class.

(b) Newark Packing Co., Inc., shall within 10 days from the effective date of this order file a statement with the Office of Price Administration, Washington, D. C., setting forth the dollars and cents maximum price of each item, the maximum price of which is authorized by paragraph (a).

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4761; Filed, March 27, 1943; 12:22 p. m.]

[Order 10 Under RPS 67]

BRYANT CHUCKING GRINDER COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 10 under Revised Price Schedule No. 67—New Machine Tools; Docket No. 3067-50.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Bryant Chucking Grinder Company, of Springfield, Vermont, is hereby authorized to sell and deliver to the War Department the equipment and services set forth below at prices not in excess of the maximum price set opposite each item:

One #16-38 Bryant grinder	$8,749 00
Special parts and attachments for above	3,810 00
One #24-26 Bryant grinder	10,625 00
Special parts and attachments for above	3,810 00
One #24-L-36 Bryant grinder	15,625 00
Special parts and attachments for above	2,340 00

In order to be entitled to such maximum prices, Bryant Chucking Grinder Company will furnish the following services in the country to which such equipment is sent for operation:

(1) Install the equipment, within the factory, plant, or establishment;

(2) Inspect, test, adjust, and service the equipment when installed, so as to place such equipment in proper and efficient operating condition comparable with the operating condition of similar equipment installed in the United States;

(3) Train and educate available labor facilities in the efficient operation of such equipment, for and during such length of time as may be necessary to obtain operation of such equipment as efficiently as it would be operated in the United States.

(b) Except to the extent provided in paragraph (a) of this order, the application for adjustment filed February 11, 1943, by Bryant Chucking Grinder Company, of Springfield, Vermont, is denied.

(c) This Order No. 10 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 10 shall become effective March 29, 1943.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871).

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4781; Filed, March 27, 1943; 2:42 p. m.]

[Order 9 Under RPS 67]

JONES & LAMSON MACHINE COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 9 under Revised Price Schedule No. 67—New Machine Tools; Docket 3067-56.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Jones & Lamson Machine Company, of Springfield, Vermont, is hereby authorized to sell and deliver to the War Department the equipment and services set forth below at prices not in excess of the maximum price set opposite each item:

One 20 x 37" Fay automatic lathe with equipment (As described on sheets Nos. 1-B-1, 1-B-2 of applicant's application for adjustment.)	$11,066 75
One 16 x 21" Fay automatic lathe with equipment (As described on sheets Nos. 2-B-1, 2-B-2 of applicant's application for adjustment.)	15,014 00
One 12 x 45" thread grinder with equipment (As described on sheets Nos. 3-B-1, 3-B-2 of applicant's application for adjustment.)	17,059 75
One 12 x 45" thread grinder with equipment (As described on sheets Nos. 4-B-1, 4-B-2, 4-B-3 of applicant's application for adjustment.)	18,812 50
One No. 7-A J&L universal saddle type turret lathe (As described on sheets Nos. 7-B-1, 7-B-2, 7-B-3, 7-B-4 of applicant's application for adjustment.)	15,656 75
One No. 7-A universal saddle type turret lathe (As described on sheets Nos. 8-B-1, 8-B-2, 8-B-3 of applicant's application for adjustment.)	13,809 75
One 12 x 21" Fay automatic lathe with equipment (As described on sheets Nos. 9-B-1, 9-B-2, 9-B-3 of applicant's application for adjustment.)	11,693 00
One 12 x 21" Fay automatic lathe with equipment (As described on sheets Nos. 10-B-1, 10-B-2 of applicant's application for adjustment.)	9,017 50
One 8 x 21" Fay automatic lathe with equipment (As described on sheets Nos. 11-B-1, 11-B-2 of applicant's application for adjustment.)	5,684 50
One 20 x 25" Fay automatic lathe with equipment (As described on sheets Nos. 12-B-1, 12-B-2 of applicant's application for adjustment.)	9,818 50
One 20 x 25" Fay automatic lathe with equipment (As described on sheets Nos. 13-B-1, 13-B-2 of applicant's application for adjustment.)	10,604 50
One 16 x 21" Fay automatic lathe with equipment (As described on sheets Nos. 14-B-1, 14-B-2 of applicant's application for adjustment.)	15,012 00
One 20 x 25" Fay automatic lathe with equipment (As described on sheets Nos. 15-B-1, 15-B-2 of applicant's application for adjustment.)	10,528 00
One 20 x 37" Fay automatic lathe with equipment (As described on sheets Nos. 16-B-1, 16-B-2 of applicant's application for adjustment.)	13,262 00

In order to be entitled to such maximum prices, Jones & Lamson Machine Company will furnish the following services in the country to which such equipment is sent for operation:

(1) Install the equipment, within the factory, plant, or establishment;

(2) Inspect, test, adjust, and service the equipment when installed, so as to place such equipment in proper and efficient operating condition comparable with the operating condition of similar equipment installed in the United States;

(3) Train and educate available labor facilities in the efficient operation of such equipment, for and during such length of time as may be necessary to obtain operation of such equipment as efficiently as it would be operated in the United States.

(b) Except to the extent provided in paragraph (a) of this order, the application for adjustment filed March 11, 1943, by Jones & Lamson Machine Company, of Springfield, Vermont, is denied.

(c) This Order No. 9 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 9 shall become effective March 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4780; Filed, March 27, 1943; 2:42 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-11]

REDFIELD PROCTOR, ET AL.

ORDER DISMISSING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pennsylvania, on the 25th day of March 1943.

In the matter of Redfield Proctor, C. Brooks Stevens and Henry G. Wells, as trustees under a trust agreement dated January 31, 1939.

Redfield Proctor, C. Brooks Stevens and Henry G. Wells, as trustees under a trust agreement dated January 31, 1939, a registered holding company, having on February 2, 1939 filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 with respect to the sale or other disposition of the securities constituting the trust estate held by them under an agreement of trust dated January 31, 1939 between said trustees, International Paper and Power Company and International Paper Company, said securities consisting of all of the outstanding class B and common stock of International Hydro-Electric System, a registered holding company, and all of the outstanding capital stock of Olcott Falls Company; and Joseph B. Ely having replaced Redfield Proctor as a trustee under said agreement of trust; and

The Commission having on January 17, 1941, ordered said trustees to surrender the class B and common stock of Internal Hydro-Electric System to International Hydro-Electric System for a nominal consideration for the purpose of cancelation (8 SEC 485) and said class B and common stock having been surrendered for cancelation on June 16, 1941; and

The Commission having on October 31, 1942 approved the application of said Trustees for the sale of all the utility assets of Olcott Falls Company (Holding Company Act Release No. 3881); and

The Commission having on November 25, 1942 permitted said Trustees to withdraw their registration as a holding company pursuant to section 5 (d) of said Act (Holding Company Act Release No. 3934); and

It appearing to the Commission that the issues raised in said application pursuant to section 11 (e) of the Act are no longer in controversy and have become moot:

It is ordered, That the application of said trustees pursuant to section 11 (e) of the Act, bearing File No. 54-11, be and hereby is dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4784; Filed, March 27, 1943; 2:55 p. m.]

[File No. 54-51]

NATIONAL POWER & LIGHT COMPANY

ORDER GRANTING APPLICATION, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of March, A. D. 1943.

The Commission having heretofore, on August 23, 1941, entered its order pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, directing the dissolution of National Power & Light Company, a registered holding company; and

National Power & Light Company, as a step in compliance with said order of dissolution, having filed an application pursuant to the Public Utility Holding Company Act of 1935 regarding the sale by it to Equitable Securities Corporation of all of the securities of West Tennessee Gas Company, consisting of a 6% note dated November 25, 1935, due on or before November 25, 1940, in the principal amount of $585,000, and 100,000 shares of no par capital stock with a stated value of $175,000, for a consideration amounting to $712,500 in cash plus interest on said amount at the rate of 3% per annum from June 30, 1942 to the date of consummation of said sale; and

A public hearing having been held on said application after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion herein; and

The Commission having found that the proposed transaction is a step in compliance with said order of the Commission dated August 23, 1941, directing the dissolution of National Power & Light Company, and is not in contravention of the provisions of the Act, or any rules or regulations promulgated thereunder; and

National Power & Light Company having requested that the order of the Commission herein conform with the requirements of section 1808 of the Internal Revenue Code as amended by section 506 (c) and (h) of the Revenue Act of 1942 and contain the findings therein specified;

It is ordered, That subject to the terms and conditions prescribed in Rule U-24 promulgated under said Act, said application of National Power & Light Company be, and the same hereby is granted.

It is further ordered, That the sale and transfer by National Power & Light Company to Equitable Securities Corporation of the 6% note dated November 25, 1935, due on or before November 25, 1940, in the principal amount of $585,000 of West Tennessee Gas Company and the 100,000 shares of no par capital stock of said company are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

Samuel Okin, a common stockholder of Electric Bond and Share Company, having been granted the privilege of limited participation herein, and having requested the Commission to review certain rulings of the trial examiner, and to reconvene the hearings herein and for other relief, all as more fully set forth in the Commission's findings and opinion this day issued; and the Commission having therein found that no prejudice resulted to the said Samuel Okin as a result of said rulings and that no useful purpose would be served by reconvening the hearings herein;

It is ordered, That the rulings of the trial examiner herein be, and the same hereby are, affirmed, and that the motion to reconvene hearings herein be denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4792; Filed, March 29, 1943; 9:55 a. m.]

[File Nos. 54-67 and 59-64]

PEOPLES LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of March 1943.

In the matter of Peoples Light and Power Company, and Subsidiary Companies, applicants, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Company, Texas Public Service Farm Company, West Coast Power Company, Western States Utilities Company, respondents, File No. 59-64.

The Commission having, by order dated March 9, 1943, instituted proceedings under sections 11 (b) (1) and 11

(b) (2) of the Public Utility Holding Company Act of 1935 involving Peoples Light and Power Company ("Peoples"), a registered holding company, and its subsidiaries (File No. 59–64); and the said proceedings having been consolidated for the purpose of hearing with an application filed by Peoples with respect to a plan of reorganization under section 11 (e) of the Act (File No. 54–67); and the said consolidated hearing having been adjourned to April 20, 1943; and

Peoples and Texas Public Service Company ("Texas"), one of its subsidiaries, having on March 25, 1943 filed an amendment to the plan of reorganization, the transactions proposed by said amendment being summarized as follows:

Texas proposes to sell its water and irrigation businesses in Jefferson, Hardin and Liberty Counties, Texas, to the Lower Neches Valley Authority for a consideration of approximately $2,055,000 in cash. Texas contemplates the application of the said proceeds to (1) the purchase of the properties and/or capital stocks of one or more gas public-utility operating companies doing business in the State of Texas and/or (2) the retirement of outstanding First Mortgage Series A 5% Bonds of Texas due January 1, 1961.

Peoples and Texas having requested that the Commission make a preliminary determination of the retainability of said businesses under section 11 (b) (1) and that an order be entered on or before April 5, 1943 specifying such action (including the divestment of such assets) as may be required in the light of such determination and that such order conform with the requirements of sections 371 (b) and 371 (f) of the Internal Revenue Code; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on April 3, 1943, at 11 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 2, 1943, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of the issues, particular attention will be directed at such hearing to the following matters;

1. Whether the said water and irrigation businesses of Texas are reasonably incidental, or economically necessary or appropriate to the operations of the single integrated system and such additional systems to which the holding company system of Peoples should be limited under section 11 (b) (1) of said Act, and whether the Commission should order the divestment of said businesses under said section 11 (b) (1).

2. Whether the divestment of said businesses is necessary or appropriate to the integration or simplification of Peoples' holding company system, and is necessary or appropriate to effectuate the provisions of section 11 (b) of said Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43–4793; Filed, March 29, 1943; 9:55 a. m.]

[File No. 70–654]

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE ET AL.

SUPPLEMENTAL ORDER PERMITTING SALE OF BONDS

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pennsylvania, on the 27th day of March 1943.

In the matter of Public Service Company of New Hampshire, The Twin State Gas and Electric Company, New England Public Service Company, File No. 70–654.

The Commission having heretofore on March 19, 1943 issued its interim order herein granting, for the purpose of submitting bonds to competitive bidding, the application of Public Service Company of New Hampshire pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of 6 (a) of said Act of the issue and sale by said Public Service Company of New Hampshire of $20,500,000 aggregate principal amount of its First Mortgage Bonds, Series A, 3¼%, maturing January 1, 1973, subject to certain terms, conditions and reservations of jurisdiction in said order contained; and

Said application having provided that said Public Service Company of New Hampshire proposed to invite proposals for competitive bidding with respect to said bonds as provided in Rule U-50 of the general rules and regulations under the Public Utility Holding Company Act of 1935; and the Commission having reserved jurisdiction to impose such further terms and conditions as might be appropriate after the results of competitive bidding had been reported pursuant to Rule U-50 (c); and

Public Service Company of New Hampshire having filed an amendment to its application herein, which amendment specifies that said applicant has accepted the proposal of Halsey Stuart & Company, Inc., as representative and on behalf of an underwriting group to purchase said First Mortgage Bonds, Series A, 3¼%, maturing January 1, 1973, at a price of 107.1579 plus accrued interest, said bonds to be offered initially to the public by said underwriters at 108 plus accrued interest; and

The Commission having examined said amendment and having examined the record and finding no basis for imposing further terms and conditions to the issue and sale of such bonds;

It is ordered, That jurisdiction heretofore reserved with respect to the imposition of further terms and conditions after the results of competitive bidding have been reported, be and the same hereby is released, and that said application be and the same hereby is granted for the purpose of permitting the sale of said bonds as aforesaid, subject, however, to the terms and conditions contained in the Commission's order of March 19, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43–4794; Filed, March 29, 1943; 9:54 a. m.]

[File No. 70–673]

MAINE AND NEW BRUNSWICK ELECTRICAL POWER COMPANY, LIMITED, AND MAINE PUBLIC SERVICE COMPANY

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of March, A. D. 1943.

Maine Public Service Company, a registered holding company and a subsidiary of Consolidated Electric and Gas Company, and its subsidiary company, Maine and New Brunswick Electrical Power Company, Limited, a utility company operating in the Province of New Brunswick, Canada, having filed applications and declarations with amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 9, 10, and 12 thereof, and Rules U-42, U-43, and U-44, promulgated thereunder, regarding the reduction in the interest rate from 6 per centum to 3 per centum upon all the notes of Maine and New Brunswick Electrical Power Company, Limited, outstanding in the aggregate principal amount of $440,000, which notes are owned and pledged by Maine Public Service Company under an indenture securing its First Mortgage and Collateral Trust Bonds, and regarding the substitution by Maine Public Service Company of such 3 per centum notes for the 6 per centum notes pledged under the aforesaid indenture; and

Said applications and declarations having been filed on February 12, 1943, and certain amendments having been filed thereto, the last of said amendments having been filed on March 18, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said applications and declarations within the period prescribed by said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said applications, as amended, and to permit said declarations, as amended, to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid applications, as amended, be and hereby are granted forthwith and that the aforesaid declarations, as amended, be and are hereby permitted to become effective forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 43–4795; Filed, March 29, 1943; 9:55 a. m.]

[File No. 812–309]

AMERICAN GOLD, INC.

NOTICE OF AND ORDER CONTINUING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of March A. D. 1943.

The Commission having heretofore, on February 26, 1943, ordered that a hearing on the application filed by American Gold, Inc. pursuant to the provisions of section 6 (c) and section 6 (d) of the Investment Company Act of 1940 be held on March 22, 1943; and

The applicant having requested a continuance of such hearing,

It is ordered, That such hearing be convened on Tuesday, May 18, 1943, at 10 o'clock A. M., Pacific War Time, at the subregional office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such time and place as the officer hereinafter designated may determine;

It is further ordered, That John G. Clarkson, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43–4796; Filed, March 29, 1943; 9:55 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 63

Washington, Wednesday, March 31, 1943

Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 60-11, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

FLIGHT PLAN

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of March 1943.

Effective April 1, 1943, § 60.43 of the Civil Air Regulations is amended to read as follows:

§ 60.43 *Flight plan.* A flight plan is not required unless the flight is made at night and lies within or passes through airway traffic control areas as specified in § 60.471.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-4857; Filed, March 30, 1943; 10:27 a. m.]

[Amendment 60-16, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

PROXIMITY IN FLIGHT

At a session of the Civil Aeronautics Board held at its office in Washington, D C., on the 19th day of March 1943.

Effective April 1, 1943, § 60.343 of the Civil Air Regulations is amended to read as follows:

§ 60.343 *Proximity in flight.* No aircraft shall be flown closer than 500 feet to any other aircraft in flight, except that by prearrangement two or more aircraft may be flown in formation closer than 500 feet to each other. When such flight is to be made within the limits of an airway traffic control area a flight plan shall be filed in accordance with § 60.1330.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-4858; Filed, March 30, 1943; 10:27 a. m.]

[Regulations, Serial No. 268]

CONTACT FLIGHT ON CIVIL AIRWAYS BY MILITARY AIRCRAFT

EXPIRATION DATE FOR WAIVER OF CERTAIN REQUIREMENTS

Changing the expiration date for waiver of certain requirements concerning contact flight above 3,500 feet on civil airways by military aircraft from April 26, 1943, to April 1, 1943.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of March 1943.

Special Regulation Serial Number 252 (8 F.R. 472, 2697) is amended by striking the words "April 26, 1943," and inserting in lieu thereof the words "April 1, 1943."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-4856; Filed, March 30, 1943; 10:27 a. m.]

[Orders, Serial No. 2186]

PART 202—ACCOUNTS, RECORDS AND REPORTS

UNIFORM SYSTEM OF ACCOUNTS FOR INTERNATIONAL AIR CARRIERS

Amendment No. 1 to Uniform System of Accounts for International Air Carriers.

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C., on the 8th day of March 1943.

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 407 (a) and 407 (d) thereof, and finding its action necessary to carry out the provisions of said Act, and to exercise its powers and perform its duties thereunder;

It is ordered, That the Uniform System of Accounts for International Air Carriers, dated January 1, 1943 (CAB Form 2380 Manual), be and the same is amended as set forth in Amendment No. 1 attached hereto.[1]

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[1] On file with the Division of the Federal Register.

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FEDERAL REGISTER

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AMENDMENT NO. 1 TO THE UNIFORM SYSTEM OF ACCOUNTS FOR INTERNATIONAL AIR CARRIERS

The Uniform System of Accounts for International Air Carriers (CAB Form 2380 Manual) is amended as follows, said amendments to be effective on and after March 8, 1943, and to be applicable with respect to all reports for periods commencing on or after January 1, 1943:

(1) By inserting immediately after Page 1X thereof a new Page X, said page to read as attached hereto.

(2) By inserting immediately after Page 36-1 thereof a new section 37 consisting of new Pages 37-1 to 37-26, inclusive, said pages to read as attached hereto.

[F. R. Doc. 43-4879; Filed, March 30, 1943; 11:28 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4558]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL ELECTRICAL MANUFACTURERS ASSN., ET AL.

In the matter of Electrical Alloy Section of National Electrical Manufacturers Association, et al.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of unpatented electrical alloy resistance wire of any type or description, and on the part of respondent Electrical Alloy Section of National Electrical Manufacturers Association, and the five respondent corporations, together with their officers, etc., continuing, entering into, carrying out, cooperating, aiding or abetting in carrying out, any planned common course of action, agreement, understanding, or combination, express or implied, between and among any two or more of said respondents or between one or more of said respondents and any others not parties hereto, to (1) fix, establish, or maintain prices, terms, discounts, or conditions of sale for electrical alloy resistance wire, or adhere to or promise to adhere to the prices, terms, discounts, or conditions of sale so fixed; (2) exchange, distribute, or relay between and among themselves or between and among themselves and others competing with any of the respondent corporations either directly among respondent manufacturers and their competitors or indirectly through respondent Section or other common agency, information as to prices, terms, discounts, or conditions of sale of said electrical alloy resistance wire, for the purpose or with the effect of restraining competition in the offering for sale or sale of such wire; (3) fix, establish, or maintain uniform resistance standards or other uniform standards for use in connection with the manufacture of said electrical alloy resistance wire, for the purpose or with the effect of fixing or attempting to fix identical prices at which said electrical alloy resistance wire is sold or offered for sale by respondent corporations; and (4) submit uniform bids in connection with the sale or offering for sale of said electrical alloy resistance wire sold or offered for sale by respondent corporations; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Electrical Alloy Section of National Electrical Manufacturers Association, et al., Docket 4558, March 16, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of March, A. D. 1943.

In the matter of Electrical Alloy Section of National Electrical Manufacturers Association, an unincorporated trade association; George B. Cumming and William J. Donald, Executive Secretary and Managing Director, respectively, of Electrical Alloy Section of National Electrical Manufacturers Association; Alloy Metal Wire Company, Inc., a corporation; Hoskins Manufacturing Company, a corporation; Wilbur B. Driver Company, a corporation; C. O. Jelliff Manufacturing Corporation, a corporation; and Driver-Harris Company, a corporation.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, and a stipulation as to the facts entered into between the respondents herein and W. T. Kelley, Chief Counsel for the Commission, which provides, among other things, that the said Commission may proceed upon said statement of facts to make its report stating its findings as to the facts (including inferences which it may draw from said stipulated facts) and its conclusion based thereon and enter its order disposing of the proceeding without the presentation of argument or the filing of briefs, and which waives the filing of a report upon the evidence by the trial examiner; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Electrical Alloy Section of National Electrical Manufacturers Association, an unincorporated trade association, and respondent corporations, Alloy Metal Wire Company, Inc., Hoskins Manufacturing Company, Wilbur B. Driver Company, C. O. Jelliff Manufacturing Corporation, and Driver-Harris Company, together with all of said respondents' officers, representatives, agents, and employees, directly or indirectly or through any corporate or other device, in connection with the offering for sale and distribution in commerce as "commerce" is defined in the Federal Trade Commission Act, of unpatented electrical alloy resistance wire of any type or description, do forthwith cease and desist from continuing, entering into, carrying out, cooperating, aiding or abetting in carrying out, any planned common course of action, agreement, understanding, or combination, express or implied, between and among any two or more of said respondents or between one or more of said respondents and any others not parties hereto, to do or perform any of the following acts or practices.

1. Fixing, establishing, or maintaining prices, terms, discounts, or conditions of sale for electrical alloy resistance wire, or adhering to or promising to adhere to the prices, terms, discounts, or conditions of sale so fixed.

2. Exchanging, distributing, or relaying between and among themselves or between and among themselves and others competing with any of the respondent corporations either directly among respondent manufacturers and their competitors or indirectly through respondent Section or other common agency, information as to prices, terms, discounts, or conditions of sale of said electrical alloy resistance wire, for the purpose or with the effect of restraining competition in the offering for sale or sale of such wire.

3. Fixing, establishing, or maintaining uniform resistance standards or other uniform standards for use in connection with the manufacture of said electrical alloy resistance wire, for the purpose or with the effect of fixing or attempting to fix identical prices at which said electrical alloy resistance wire is sold or offered for sale by respondent corporations.

4. Submitting uniform bids in connection with the sale or offering for sale of said electrical alloy resistance wire sold or offered for sale by respondent corporations.

It is further ordered, That the case growing out of the complaint be, and the same hereby is, closed as to respondents William J. Donald, as managing director of the National Electrical Manufacturers Association, and George B. Cumming, as executive secretary of Electrical Alloy Section of National Electrical Manufacturers Association, but without prejudice to the right of the Commission, should future facts so warrant, to reopen the same and resume trial thereof in accordance with its regular procedure.

It is further ordered, That all and each of the respondents, except those against whom the complaint herein has been dismissed by this order, shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That this order be served upon the respondent Electrical Alloy Section of National Electrical Manufacturers Association by service, in accordance with the rules of the Commission, upon William J. Donald, Managing Director of National Electrical Manufacturers Association, 155 East 44th Street, New York, New York.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-4815; Filed, March 29, 1943; 11:32 a. m.]

[Docket No. 4514]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MASTER ARTISTS' ASSOCIATION, INC., ET AL.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature.* In connection with offer, etc., in commerce, of photographic enlargements or any pictures made from a photographic base, and of frames therefor, and among other things, as in order set forth, using the terms "painting", "hand-painted", "oil painting" or "painted portrait", or any other term of similar import, to designate, describe or refer to respondent's products; or otherwise representing, directly or by implication, that respondent's products are paintings; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Master Artists' Association, Inc., et al., Docket 4514, March 23, 1943]

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Exaggerated as regular and customary:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Usual as reduced or to be increased.* In connection with offer, etc., in commerce, of photographic enlargements or any pictures made from a photographic base, and of frames therefor, and among other things, as in order set forth, (1) representing that the prices at which respondent offers for sale or sells his products constitute a discount to the purchaser, or that such prices are special or reduced or introductory prices, when such prices are in fact the usual and customary prices at which respondent sells his products in the normal and usual course of business; and (2) representing as the customary or regular prices or values of respondent's products, prices and values which are in excess of the prices at which such products are regularly and customarily sold by respondent in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Master Artists' Association, Inc., et al., Docket 4514, March 23, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business as professional person or association.* In connection with offer, etc., in commerce, of photographic enlargements or any pictures made from a photographic base, and of frames therefor, and among other things, as in order set forth, (1) using the term "Artists' Association", or any other term

of similar import, to designate, describe

the City of Washington, D. C., on the

controls an organization or establish-

form minimum prices and discounts or

tions of respondent Board; (3) check

Supply Co., Inc., a Corporation,

of similar import, to designate, describe or refer to respondent's business; or otherwise representing, directly or by implication, that respondent's business is conducted by an association of artists; and (2) representing, directly or by implication, that respondent owns, operates or controls an organization or establishment possessing the equipment and employing the personnel essential to the production of tinted or colored photographs or enlargements; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Master Artists' Association, Inc., et al., Docket 4514, March 23, 1943.]

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.:* § 3.69 (b) *Misrepresenting oneself and goods — Goods — Free goods:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Usual as reduced or to be increased:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts.* In connection with offer, etc., in commerce, of photographic enlargements or any pictures made from a photographic base, and of frames therefor, and among other things, as in order set forth, using so-called "draw" or so-called "lucky" certificates or coupons, or any other device, plan or scheme whereby the representation is made, directly or by implication, that a prospective purchaser may obtain a picture or photograph free or for an amount less than that paid by purchasers generally; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Master Artists' Association, Inc., et al., Docket 4514, March 23, 1943.]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Non-standard character:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Qualities or properties:* § 3.71 (b 7) *Neglecting, unfairly or deceptively, to make material disclosure — Non-standard character:* § 3.71 (c 5) *Neglecting, unfairly or deceptively, to make material disclosure—Qualities or properties.* In connection with offer, etc., in commerce, of photographic enlargements or any pictures made from a photographic base, and of frames therefor, and among other things, as in order set forth, concealing from or failing to disclose to prospective purchasers that the finished picture or photograph, when delivered, will be so shaped and designed that it can only be fitted into a specially designed frame not ordinarily obtainable in photographic supply, furniture or other stores accessible to the consuming public; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Master Artists' Association, Inc., et al., Docket 4514, March 23, 1943.]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of March, A. D. 1943.

In the Matter of Eugene M. Woolard, an Individual Trading as Master Artists' Association, Inc., and Walter O. Wyatt, Walter E. Sneed, Bessie Swanson, L. E. Harrison, William Nadeau, E. R. Malone, G. D. Hill, Caesar Morales, Carl Rhine, D. Edwards, R. McIsaac, and Eva Metcalf, Individuals

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation as to the facts entered into between the respondent Eugene M. Woolard, an individual trading as Master Artists' Association, Inc., and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon respondent Eugene M. Woolard findings as to the facts and conclusion based thereon, and an order disposing of the proceeding as to said respondent; and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Eugene M. Woolard, individually and trading as Master Artists' Association, Inc., or trading under any other name, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of photographic enlargements or any pictures made from a photographic base, and of frames therefor, do forthwith cease and desist from:

1. Using the terms "painting," "hand-painted," "oil painting" or "painted portrait," or any other term of similar import, to designate, describe or refer to respondent's products; or otherwise representing, directly or by implication, that respondent's products are paintings.

2. Representing that the prices at which respondent offers for sale or sells his products constitute a discount to the purchaser, or that such prices are special or reduced or introductory prices, when such prices are in fact the usual and customary prices at which respondent sells his products in the normal and usual course of business.

3. Representing as the customary or regular prices or values of respondent's products, prices and values which are in excess of the prices at which such products are regularly and customarily sold by respondent in the normal and usual course of business.

4. Using the term "Artists' Association," or any other term of similar import, to designate, describe or refer to respondent's business; or otherwise representing, directly or by implication, that respondent's business is conducted by an association of artists.

5. Representing, directly or by implication, that respondent owns, operates or controls an organization or establishment possessing the equipment and employing the personnel essential to the production of tinted or colored photographs or enlargements.

6. The use of the so-called "draw" or the use of so-called "lucky" certificates or coupons, or the use of any other device, plan or scheme whereby the representation is made, directly or by implication, that a prospective purchaser may obtain a picture or photograph free or for an amount less than that paid by purchasers generally.

7. Concealing from or failing to disclose to prospective purchasers that the finished picture or photograph, when delivered, will be so shaped and designed that it can only be fitted into a specially designed frame not ordinarily obtainable in photographic supply, furniture or other stores accessible to the consuming public.

It is further ordered, That respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

It is further ordered, That this proceeding be, and it hereby is, closed as to respondents Walter O. Wyatt, Walter E. Sneed, Bessie Swanson, L. E. Harrison, William Nadeau, E. R. Malone, G. D. Hill, Caesar Morales, Carl Rhine, D. Edwards, R. McIsaac, and Eva Metcalf without prejudice to the right of the Commission, should the facts so warrant, to reopen the same and resume trial thereof in accordance with its regular procedure.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-4859; Filed, March 30, 1943; 10:45 a. m.]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

[Docket No. 4588]

LINEN SUPPLY BOARD OF TRADE OF NEW JERSEY, ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* §3.27 (h) *Combining or conspiring—To restrain and monopolize trade:* §3.39 *Dealing on exclusive and tying basis.* In connection with the leasing or renting and distribution, in commerce, of linen supplies and other like articles of merchandise, and on the part of respondent Linen Supply Board of Trade of New Jersey, seven individuals, officers and members of the Board of Directors of said Board, 22 corporations, and one firm, and their officers, etc., and among other things, as in order set forth, entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) adopt, fix or maintain schedules of uniform minimum prices and discounts or other terms and conditions for the use of their said linen supplies; (2) report to respondent Board the names of customers to whom said linen supplies have been or are being supplied, leased or rented; (3) refrain from soliciting linen supply business from customers of other respondent members except with the consent or approval of said Board, (4) adopt or maintain exclusive dealing contracts with their customers, whereby respondent members respectively require their customers to procure, rent or lease linen supplies exclusively from the respondent members at all times; (5) require as a condition precedent to the admission of independent competing linen supply houses to membership in respondent Board that such independent supply houses indemnify respondent members for business taken from them by said independent supply houses prior to the time they become members of respondent Board; and (6) require members of respondent Board who buy out independent supply houses to indemnify respondent members for business taken from them by said independent supply houses prior to the time they become members of respondent Board; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Linen Supply Board of Trade of New Jersey, et al., Docket 4588, March 23, 1943.]

§ 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise:* § 3.24 (e) *Coercing and intimidating—Suppliers of competitors—By threatening disciplinary action or otherwise:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* § 3.27 (h) *Combining or conspiring—To restrain and monopolize trade:* § 3.33 (d 5) *Cutting off competitors' supplies—Threatening disciplinary action or otherwise:* § 3.75 *Operating secret subsidiary:* § 3.90 (b) *Spying on competitors—Fictitious customer inquiries.* In connection with the leasing or renting and distribution, in commerce, of linen supplies and other like articles of merchandise, and on the part of respondent Linen Supply Board of Trade of New Jersey, seven individuals, officers and members of the Board of Directors of said Board, 22 corporations, and one firm, and their officers, etc., and among other things, as in order set forth, entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and other not parties hereto, to (1) set up or maintain an arbitration board or committee as a disciplinary or punitive agency with authority to impose fines or suspend members who fail or refuse to comply with the rules and regulations of respondent Board; (2) establish or operate "bogus" independent linen supply houses, commonly known as "whips", to take business away from independent supply houses, or to discipline respondent members who violate the rules and regulations of respondent Board; (3) check and police, by any means or methods, the prices at which respondent members supply, lease or rent said linen supplies and other like articles of merchandise to their customers; (4) coerce or attempt to coerce manufacturers of linen supplies into refusing to sell or texent credit to linen supply houses not members of respondent Board; and (5) employ or utilize respondent Board or any arbitration board, committee or other central agency as a punitive or disciplinary agency to enforce rules or regulations pertaining to costs and prices, or as an instrument, vehicle or aid in performing or doing any of the acts or things prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Linen Supply Board of Trade of New Jersey, et al., Docket 4588, March 23, 1943.]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of March, A. D. 1943.

In the Matter of Linen Supply Board of Trade of New Jersey, an Incorporated Association, and Its Officers, Board of Directors, and Members: Joseph Victor, President, Herman Maslow, Vice President, Herbert N. Farrington, Treasurer, Jack Orlinsky, Secretary, and Albert P. Gresser, Bernard Richman, Max Sack, and John M. O'Donaghue, Together With the Officers Above Named Constituting the Board of Directors, Both Individually and as Officers and Members of the Board of Directors, Respectively; Reliable Linen Supply Company, a Corporation, American Coat & Apron Supply Co., Inc., (Referred to in the Complaint as American Coat and Apron Supply Co., Inc.), a Corporation, Clean Coat, Apron & Towel Supply Co., Inc., a Corporation, Economy Coat, Apron & Towel Supply Co., Inc., a Corporation, Falcon Ideal Coat & Apron Supply Company (Referred to in the Complaint as Falcon Ideal Coat & Apron Supply Co.), a Corporation, J & R Coat, Apron & Towel Supply Co., Inc., a Corporation, Lackawanna Linen Supply & Laundry Co., a Corporation, New Jersey Toilet & Towel Supply Co., a Corporation, Noxall Linen Supply & Laundry Co. (Referred to in the Complaint as Noxall Linen Supply and Laundry Co.), a Corporation, Admiration Coat, Apron & Towel Supply Co., Inc., a Corporation, Advance Coat, Apron & Towel Supply Co., Inc., a Corporation, Banner Coat, Apron & Towel Supply Co., a Corporation, Belmont Coat, Apron & Towel Supply Co., Inc., a Corporation, Brew Coat & Apron Supply Co., Inc., a Corporation, Central Linen Service, Inc. (Referred to in the Complaint as Central Coat, Apron & Linen Supply Co.), a Corporation, Commercial Coat & Apron Supply Co., a Corporation, Commercial Towel Service, Inc. (Referred to in the Complaint as Commercial Towel Supply, Inc.), a Corporation, Eagle Barber Towel Supply Co., Inc., a Corporation, Ellery Coat & Apron Supply Co., Inc., a Corporation, Globe Coat & Apron Supply Co., Inc., a Corporation, Gotham Towel Supply Co., Inc., a Corporation Grammercy Linen Supply Co., Inc., a Corporation, Modern Silver Linen Supply Co., Inc., a Corporation, Morgan Linen Service, Inc., a Corporation, Pilgrim Coat, Apron and Linen Service, Incorporated (Referred to in the Complaint as Pilgrim Coat, Apron & Linen Service, Inc.), a Corporation, Prudential Coat, Apron & Towel Supply Co., Inc., a Corporation, Cosmopolitan Linen Supply Laundry Co., Inc., a Corporation, Westchester Coat, Apron and Towel Supply Co. Inc. (Referred to in the Complaint as Westchester Coat & Apron Supply Co., Inc.), a Corporation, Henderson Coat & Apron Supply Co., a Corporation, Long Island Coat & Apron Supply Co., Inc., a Corporation, The Gordon Supply Co. (Referred to in the Complaint as Gordon Supply Co.), and Emil A. Creutzberg and Chester A. Creutzberg, Copartners, Trading Under the Firm Name and Style of Ideal Towel Supply Company—Individually and Severally, and as Representative of the Entire Membership of Said Linen Supply Board (Referred to in the Complaint as Mutual Club)

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of all the respondents now in existence, in which answers the said respondents admit all the material allegations of fact set forth in said complaint and waive all intervening procedure and further hearing as to the facts; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of section 5 of the Federal Trade Commission Act:

It is ordered, That the respondents Linen Supply Board of Trade of New Jersey, an incorporated association; Joseph Victor, Herman Maslow, Jack Orlinsky, Albert P. Gresser, Bernard Richman, Max Sack, and John M. O'Donaghue, both individually and as officers and members of the Board of Directors of respondent Board, respectively; American Coat & Apron Supply Co., Inc., a corporation; Clean Coat, Apron & Towel Supply Co. Inc., a corporation; Economy Coat, Apron & Towel Supply Co., Inc., a corporation; Falcon Ideal Coat & Apron Supply Company, a corporation; J & R Coat, Apron & Towel Supply Co., Inc., a corporation; Lackawanna Linen Supply & Laundry Co., a corporation; New Jersey Toilet & Towel Supply Co., a corporation; Noxall Linen Supply & Laundry Co., a corporation; Admiration Coat, Apron & Towel Supply Co., Inc., a corporation; Advance Coat, Apron & Towel Supply Co., Inc., a corporation; Belmont Coat, Apron & Towel Supply Co., Inc., a corporation; Central Linen Service, Inc., a corporation; Commercial Coat & Apron Supply Co., a corporation; Commercial Towel Service, Inc., a corporation; Eagle Barber Towel Supply Co., Inc., a corporation; Ellery Coat & Apron Supply Co., Inc., a corporation; Globe Coat & Apron Supply Co., Inc., a corporation; Gotham Towel Supply Co., Inc., a corporation;

Morgan Linen Service, Inc., a corpora-

9. Checking and policing, by any

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

cember 31, 1942, a victory tax of 5 per centum upon the victory tax net income of every

(13) *Estates and trusts.* In the case of an estate or trust, the amount allowable by sub-

Morgan Linen Service, Inc., a corporation; Pilgrim Coat, Apron and Linen Service, Incorporated, a corporation; Westchester Coat, Apron and Towel Supply Co., Inc., a corporation; Henderson Coat & Apron Supply Co., a corporation; Long Island Coat & Apron Supply Co., Inc., a corporation; The Gordon Supply Co., a corporation; and Emil A. Creutzberg and Chester C. Creutzberg, copartners trading under the firm name and style of Ideal Towel Supply Company; and their officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the leasing or renting and distribution of linen supplies and other like articles of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to do or perform any of the following acts or things:

1. Adopting, fixing or maintaining schedules of uniform minimum prices and discounts or other terms and conditions for the use of their said linen supplies.

2. Reporting to respondent Board the names of customers to whom said linen supplies have been or are being supplied, leased or rented.

3. Refraining from soliciting linen supply business from customers of other respondent members except with the consent or approval of said Board.

4. Adopting or maintaining exclusive dealing contracts with their customers whereby respondent members respectively require their customers to procure, rent or lease linen supplies exclusively from the respondent members at all times.

5. Requiring as a condition precedent to the admission of independent competing linen supply houses to membership in respondent Board that such independent supply houses indemnify respondent members for business taken from them by said independent supply houses prior to the time they become members of respondent Board.

6. Requiring members of respondent Board who buy out independent supply houses to indemnify respondent members for business taken from them by said independent supply houses prior to the time they become members of respondent Board.

7. Setting up or maintaining an arbitration board or committee as a disciplinary or punitive agency with authority to impose fines or suspend members who fail or refuse to comply with the rules and regulations of respondent Board.

8. Establishing or operating "bogus" independent linen supply houses, commonly known as "whips," to take business away from independent supply houses, or to discipline respondent members who violate the rules and regulations of respondent Board.

9. Checking and policing, by any means or methods, the prices at which respondent members supply, lease or rent said linen supplies and other like articles of merchandise to their customers.

10. Coercing or attempting to coerce manufacturers of linen supplies into refusing to sell or extend credit to linen supply houses not members of respondent Board.

11. Employing or utilizing respondent Board or any arbitration board, committee or other central agency as a punitive or disciplinary agency to enforce rules or regulations pertaining to costs and prices, or as an instrument, vehicle or aid in performing or doing any of the acts or things prohibited by this order.

It is further ordered, That the foregoing respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to the respondents Herbert N. Farrington, Reliable Linen Supply Company, Banner Coat, Apron & Towel Supply Co., Brew Coat & Apron Supply Co., Inc., Grammercy Linen Supply Co., Inc., Modern Silver Linen Supply Co., Inc., Prudential Coat, Apron & Towel Supply Co., Inc., and Cosmopolitan Linen Supply Laundry Co., Inc.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-4860; Filed, March 30, 1943; 10:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5249]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

VICTORY TAX ON INDIVIDUALS

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.), relating to the income tax under the Internal Revenue Code, to section 172 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after section 33 the following:

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

* * * * *

(f) *Cross reference.*

* * * * *

(2) *Credits against tax.* The Internal Revenue Code is amended by adding after section 33 the following new sections:

SEC. 34. CREDITS AGAINST VICTORY TAX.

For credits against victory tax, see sections 453, 454, and 466 (e).

SEC. 35. CREDIT FOR TAX WITHHELD ON WAGES.

For credit against the tax for tax withheld on wages, see section 466 (e).

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

PAR. 2. There is inserted immediately preceding § 19.56-1 the following:

SEC. 172 TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

* * * * *

(f) *Cross references.*

(1) *Payment of tax.* Section 56 (f) is amended to read as follows:

(f) *Tax withheld at source.* For requirement of withholding tax at source, see sections 143, 144, and Part II of Subchapter D

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

PAR. 3. There is inserted immediately preceding section 104 the following:

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Rates of tax on citizens of certain foreign countries.* Section 103 is amended by striking out "and 362" and inserting "362 and 450"; and by striking out "or 362" and inserting "362, and 450".

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

PAR. 4. There is inserted immediately after section 131 (h) the following:

SEC. 172 TEMPORARY INCOME TAX ON INDIVIDUALS (Revenue Act of 1942, Title I.)

(d) *Foreign tax credit.*

Section 131 is further amended by adding at the end thereof the following new subsection:

(i) *Tax withheld at source.* For the purposes of this supplement the tax imposed by this chapter shall be the tax computed without regard to the credit provided in section 32 and section 466 (e).

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

PAR. 5. There is inserted immediately preceding § 19.145-1 the following:

SEC. 172 TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

* * * * *

(f) *Cross references.*

* * * * *

(3) *Penalties.* Section 145 (d) is amended by inserting "(1)" before the first paragraph and by adding the following new paragraph:

(2) For additional penalties for fraudulent receipts or failure to furnish receipts required by section 469, see section 470.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

PAR. 6. There is inserted immediately preceding § 19.291-1 the following:

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

* * * * *

(f) *Cross references.*

* * * * *

(4) *Minimum penalty for failure to file return.* Section 291 is amended by inserting "(a)" before the first paragraph and by adding the following new subsection:

(b) For minimum addition to the tax for failure of withholding agent to make and file return required by Part II of Subchapter D, see section 470 (c).

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

PAR. 7. There is inserted immediately preceding § 19.322-1 the following:

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

* * * * *

(e) *Refunds and credits.*

(1) Section 322 (a) is amended to read as follows:

(a) *Authorization.*

(1) *Overpayment.* Where there has been an overpayment of any tax imposed by this chapter, the amount of such overpayment shall be credited against any income, war-profits, or excess-profits tax or installment thereof then due from the taxpayer, and any balance shall be refunded immediately to the taxpayer.

(2) *Excessive withholding.* Where the amount of the tax withheld at the source under Part II of Subchapter D exceeds the tax imposed by this chapter (after allowance of the credits provided by sections 31, 32, and 453), the amount of such excess shall be credited against any income tax or installment thereof then due from the taxpayer, and any balance thereof shall be refunded immediately to the taxpayer.

(2) Section 322 (c) is amended to read as follows:

(c) *Presumption as to date of payment.* For the purposes of this section, any tax actually withheld and collected at the source under Part II of Subchapter D shall, in respect of the recipient of the income, be deemed to have been paid by him on the fifteenth day of the third month following the close of his taxable year in which such tax was so withheld and collected; except that in the case of a nonresident alien individual, it shall be deemed to have been paid by him on the fifteenth day of the sixth month following the close of his taxable year.

(f) *Tax withheld at source.* For refund or credit in case of withholding agent, see sections 143 (f) and 466 (f).

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

PAR. 8. There is inserted immediately after § 19.404-1 (added by Treasury Decision 5195, approved December 8, 1942) the following:

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter I the following new subchapter:

SUBCHAPTER D—VICTORY TAX ON INDIVIDUALS

PART I—RATE AND COMPUTATION OF TAX

SEC. 450. IMPOSITION OF TAX.

There shall be levied, collected, and paid for each taxable year beginning after December 31, 1942, a victory tax of 5 per centum upon the victory tax net income of every individual (other than a nonresident alien subject to the tax imposed by section 211 (a)).

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.450-1 *Victory tax on individuals.* For taxable years beginning after December 31, 1942, and before the day following the date of cessation of hostilities in the present war (determined as provided in section 475 (b)) there is imposed, in addition to the normal tax and the surtax, upon every individual (other than a nonresident alien whose tax liability is determined under section 211 (a)) a victory tax at the rate of 5 percent (subject to the limitations provided in section 456) upon the amount of the taxpayer's victory tax net income. As to what constitutes victory tax net income, see § 19.451-1.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 451. VICTORY TAX NET INCOME.

(a) *Definition.* The term "victory tax net income" in the case of any taxable year means (except as provided in subsection (c)) the gross income for such year (not including gain from the sale or exchange of capital assets as defined in section 117, or interest allowed as a credit against net income under section 25 (a) (1) and (2), or amounts received as compensation for injury or sickness which are included in gross income by reason of the exception contained in section 22 (b) (5)) minus the sum of the following deductions:

(1) *Expenses.* The expenses allowable as a deduction by section 23 (a) (1) and (2).

(2) *Interest.* Interest allowable as a deduction by section 23 (b), if the indebtedness in respect of which such interest is allowed was incurred in carrying on any trade or business, or was incurred for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income.

(3) *Taxes.* Amounts allowable as a deduction by section 23 (c), to the extent such amounts are paid or incurred in connection with the carrying on of a trade or business, or in connection with property used in the trade or business, or in connection with property held for the production of income.

(4) *Losses.* Losses (other than losses from the sale or exchange of capital assets) allowable as a deduction under section 23 (e) (1), subject to the limitation provided in section 23 (h).

(5) *Bad debts.* The amount allowable by section 23 (k) (1).

(6) *Depreciation.* The amount allowable by section 23 (l).

(7) *Depletion.* The amount allowable by section 23 (m) and (n).

(8) *Pension trusts.* The amount allowable by section 23 (p).

(9) *Net operating loss.* The net operating loss deduction allowable by section 23 (s).

(10) *Amortization.* The amount allowable by section 23 (t).

(11) *Alimony.* The amount allowable by section 23 (u).

(12) *Special deduction.* The amount allowable by section 120.

(13) *Estates and trusts.* In the case of an estate or trust, the amount allowable by subsection (a) of section 162 in addition to the amounts allowable by subsections (b) and (c) of such section.

(b) *Items not deductible.* The deductions allowable by subsection (a) shall be subject to the limitations contained in section 24 and Supplement J and, in the case of nonresident aliens subject to the victory tax, shall be subject to the limitations contained in Supplement H.

(c) *Supplement T taxpayer.* If for any taxable year a taxpayer makes his return and pays his tax under Supplement T, the term "victory tax net income" means the gross income for such year.

(d) *Basis for determining loss.* The basis for determining the amount of deduction for losses sustained, to be allowed under paragraph (4) of subsection (a), and for bad debts, to be allowed under paragraph (5) of subsection (a), shall be the adjusted basis provided in section 113 (b) for determining the loss from the sale or other disposition of property.

(e) *Rule applicable to participants in a common trust fund.* In the case of a participant in a common trust fund, he shall in respect of the common trust fund income include in computing his victory tax net income, whether or not distributed and whether or not distributable, only his proportionate share of the ordinary net income or the ordinary net loss of the common trust fund, computed as provided in section 169 (d).

(f) *Rule applicable to partners.* In the case of an individual carrying on business in partnership, he shall in respect of the partnership income include in computing his victory tax net income, whether or not distribution is made to him, only his distributive share of the ordinary net income or the ordinary net loss of the partnership, computed as provided in section 183 (b).

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of subchapter D) paid on or after such date.

§ 19.451-1 *Gross income for victory tax purposes*—(a) *Citizens or residents of the United States.* For the purposes of the determination of victory tax net income, there are excluded from gross income: (1) gain from the sale or exchange of capital assets as defined in section 117; (2) interest upon obligations of the United States and obligations of corporations organized under Act of Congress which are instrumentalities of the United States, if such interest is allowable as a credit against net income under the provisions of section 25 (a) (1) and (2); and (3) amounts received as compensation for injury or sickness which are included in gross income by reason of the exception contained in section 22 (b) (5). As to what constitutes interest allowable as a credit against net income, see § 19.22 (b) (4)-4.

A participant in a common trust fund shall, in respect of his share of the income of the common trust fund, include in gross income for the purpose of the determination of his victory tax net income only his proportionate share of the ordinary net income or the ordinary net loss of the common trust fund computed as provided in section 169 (d). As to computation of net income of participants in a common trust fund, see § 19.169-2.

A member of a partnership shall, in respect of his share of the income of the partnership, include in gross income for the purpose of the determination of his victory tax net income, only his distributive share (whether distributed or not) of the ordinary net income or the ordinary net loss of the partnership, computed as provided in section 183 (b). As to computation of partnership income, see § 19.183–1.

(b) *Nonresident alien subject to victory tax.* Nonresident aliens falling into the following classes are subject to the victory tax: (1) Such aliens (other than residents of Canada) not engaged in trade or business within the United States but deriving during the taxable year more than $15,400 gross amount of dividends, interest, and other fixed or determinable annual or periodical income from sources within the United States; and (2) such aliens who at any time during the taxable year are engaged in trade or business within the United States. Nonresident aliens not engaged in trade or business within the United States and deriving during the taxable year not in excess of $15,400 gross amount of dividends, interest, and other fixed or determinable annual or periodical income from sources within the United States, and such nonresident aliens who are residents of Canada (regardless of the amount of their fixed or determinable annual or periodical income from sources within the United States), are not subject to the victory tax. In the case of a nonresident alien subject to the victory tax, the gross income adjusted as indicated in section 451 (a) means only gross income from sources within the United States. As to what constitutes gross income from sources within the United States in such cases, see sections 110 and 212 (a), and §§ 19.212–1, 19.212–2, and 19.211–7.

(c) *United States citizens entitled to benefits of section 251.* In the case of United States citizens entitled to the benefits of section 251, gross income for the purposes of the victory tax means only gross income from sources within the United States plus all amounts received by such citizens within the United States whether derived from sources within or without the United States, the sum of such amounts being reduced by the items, if any, excluded from gross income under paragraph (a) of this section. See § 19.251–1.

§ 19.451–2 *Victory tax net income—*(a) *Citizen or resident of the United States.* The term "victory tax net income" in the case of a citizen or resident of the United States means gross income, adjusted as described in paragraph (a) of this section, less the deductions provided in the case of individuals under section 23 relating to deductions from gross income, subject, however, to the qualifications, limitations, and exceptions with respect to such deductions provided in section 451. The deductions, therefore, from gross income (as defined in paragraph (a) of § 19.451–1) allowable for the purposes of the determination of victory tax net income are those set forth in section 23 and the regulations thereunder, subject, however, to the following qualifications, limitations and exceptions:

(1) *Interest.* The deduction generally allowable for interest under the provisions of section 23 (b) is allowable for the purposes of the victory tax if, and only if, the indebtedness with respect to which such interest is allowed was incurred:

(i) In carrying on any trade or business; or

(ii) For the production or collection of income; or

(iii) For the management, conservation, or maintenance of property held for the production of income.

Hence, for example, interest upon indebtedness representing a mortgage upon the home of the taxpayer is not deductible for the purposes of the victory tax. Interest upon indebtedness incurred incident to the acquisition of property held for investment, even though it actually produces no income during the taxable year, is nevertheless deductible. For the treatment of interest as a deduction from gross income generally, see section 23 (b) and regulations thereunder.

(2) *Taxes.* The deduction generally allowable for taxes paid or incurred under the provisions of section 23 (c) is allowable for the purposes of the victory tax if, and only if, paid or incurred:

(i) In connection with the carrying on of a trade or business;

(ii) In connection with property used in the trade or business; or

(iii) In connection with property held for the production of income.

Hence, for example, taxes paid by the taxpayer with respect to ownership of his home are not deductible for this purpose. Likewise, automobile license fees are not deductible for victory tax purposes except in the case of automobiles used in connection with the carrying on of a trade or business. Taxes are not deductible which are paid or incurred by reason of ownership of property held by the taxpayer primarily as a sport, hobby, or recreation. The deduction for retail sales taxes provided in section 23 (c) (3) is not applicable for victory tax purposes. Income, war profits or excess profits taxes paid to a foreign country or to a possession of the United States are not deductible if the taxpayer chooses to take to any extent for such taxable year the benefits of section 131 relating to the credit for foreign taxes even though no credit is allowed for such taxes against the victory tax. Such taxes are deductible for victory tax purposes only when deducted for income tax purposes under the provisions of section 23 (c) and then only if they qualify under the limitations prescribed in this paragraph. See section 23 (c) (1) (C) and § 19.23 (c) (1). For the treatment of taxes as a deduction from gross income generally, see section 23 (c) and regulations thereunder.

(3) *Losses.* Only losses allowable as a deduction under section 23 (e) (1) because incurred in trade or business are deductible. Wagering losses so incurred are allowable only to the extent of gains from such transactions. Losses from the sale or exchange of capital assets including losses from worthless securities governed by section 23 (k) (2), even though sustained in trade or business, are not deductible. The basis for determining the amount of allowable losses sustained for the purposes of the victory tax is the adjusted basis for determining the loss from the sale or other disposition of the property. For treatment of such losses generally, see sections 23 (e) (1), 23 (j), 113 (b) and regulations thereunder.

(4) *Bad debts.* Only bad debts deductible under section 23 (k) (1) are allowable for victory tax purposes. Nonbusiness bad debts as defined in section 23 (k) (4) are not deductible nor is any deduction permitted on account of a worthless debt evidenced by a security as defined in section 23 (k) (3) and allowable for income tax purposes to the extent permitted by section 23 (k) (2). For treatment of bad debts generally, see section 23 (k) and regulations thereunder.

(5) *Contributions.* The deduction for charitable and other contributions allowed generally under the provisions of section 23 (o) is not allowable for the determination of the victory tax net income except, however, that in the case of any individual who qualifies under the provisions of section 120, the deduction for contributions is allowable under section 23 (c) without regard to the percentage limitation contained therein. See § 19.120–1. In the case of estates or trusts, however, the deductions provided in section 162 (a) with respect to contributions as well as those in section 162 (b) and (c) with respect to distributions by the estate or trust are allowable. See section 162 and § 19.162–1.

(6) *Specific unallowable items.* The following items allowable generally as deductions from gross income for the purpose of normal tax and surtax are not allowable for the purposes of determining victory tax net income:

(i) The deduction for amortization of bond premium provided in section 125;

(ii) The deductions allowed estates, etc. on account of decedent's deductions provided in section 23 (w);

(iii) The deduction for medical, dental, etc. expenses provided in section 23 (x);

(iv) The deduction for certain amounts paid to cooperative apartment corporations provided in section 23 (z).

(7) *Items not deductible generally.* In addition to the deductions generally allowable under chapter 1 but disallowed for the purposes of the determination of the victory tax net income as set forth in subparagraphs (1) to (6), both inclusive there are also disallowed for the purposes of the determination of the victory tax net income those additional items disallowed generally under the provisions of section 24. See §§ 19.24–1 to 19.24–7 both inclusive.

(b) *Nonresident aliens.* In addition to the qualifications, limitations, and exceptions contained in paragraphs (1) to (7), both inclusive, of paragraph (a) of this section, the general rules with respect to deductions for the purposes of the normal tax and the surtax in the case of nonresident aliens are likewise applicable to such aliens for the purposes of the victory tax. Such deductions are allowable only if and to the extent that they are connected with income from sources within the United States. See section 213 and § 19.213–1.

(c) *United States citizen entitled to benefits of section 251.* In addition to the qualifications, limitations, and exceptions contained in subparagraphs (1) to (7), both inclusive, of paragraph (a) of this section, the general rules with respect to deductions for the purposes of the normal tax and the surtax in the case of a citizen of the United States entitled to the benefits of section 251 are also likewise applicable in the case of such citizens for the purposes of the victory tax. Such deductions are allowable only if and to the extent they are connected with income from sources within the United States. See section 251 (e) (1) and § 19.251–5.

(d) *Supplement T taxpayer.* If for any taxable year an individual citizen or resident of the United States makes his return and pays his tax under Supplement T, relating to individuals with gross income from certain sources of $3,000 or less, then the victory tax net income means gross income for such year and the provisions of section 451 and of this section relating to deductions from gross income have no application to such case.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * * *

SEC. 452. SPECIFIC EXEMPTION.

In the case of every individual there shall be allowed as a credit against the victory tax net income a specific exemption of $624. In the case of a husband and wife filing a joint return under section 51 (b), if the victory tax net income of one spouse is less than $624, the aggregate specific exemption of both spouses shall be limited to $624 plus the victory tax net income of such spouse.

* * * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.452–1 *Specific exemption.* For the purposes of computing the victory tax, there is allowed against the victory tax net income but one credit, namely, a specific exemption of $624. The credits, therefore, provided in section 25 with respect to normal tax or surtax, or both, have no application for the purposes of the victory tax. Except as otherwise provided in the case of a husband and wife making a joint return, the full exemption of $624 is allowable to each taxpayer regardless of dependents or the personal status of the taxpayer. In the case of a return for a fractional part of a year, as, for instance, the return for a decedent, the $624 exemption is not required to be prorated but is allowable in full. In the case of husband and wife making separate returns for the taxable year, each is entitled to a specific exemption of $624. In the case of husband and wife making a joint return for the taxable year, if the victory tax net income of one spouse is less than $624, the aggregate specific exemption of both spouses amounts to $624 plus the victory tax net income of such spouse. Thus, if A and his wife, B, make a joint return for the year 1943 and B has victory tax net income of $300, the total specific exemption for both spouses in such case is $924. In any such case in which a specific exemption of more than $624 is claimed, the facts with respect to the victory tax net income of the respective spouses shall be set forth in an appropriate schedule attached to the return. The principles applicable for the determination of net income of the respective spouses for normal tax and surtax purposes are likewise applicable with respect to what constitutes victory tax net income of the respective spouses, subject, however, to the qualifications, limitations, and exceptions provided in section 451. See section 22 and regulations thereunder.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * * *

SEC. 453. CREDIT AGAINST VICTORY TAX.

(a) *Allowance of credit.* There shall be allowed as a credit against the victory tax for each taxable year:

(1) The amount paid by the taxpayer during the taxable year as premiums on life insurance, in force on September 1, 1942, upon his own life, or upon the life of his spouse, or upon the life of any dependent of the taxpayer specified in section 25 (b) (2) (A); and the amount paid during the taxable year as premiums on life insurance which is a renewal or conversion of such life insurance in force on September 1, 1942, to the extent that such premiums do not exceed the premiums payable on such life insurance in force on September 1, 1942.

(2) The amount by which the smallest amount of indebtedness of the taxpayer outstanding at any time during the period beginning September 1, 1942, and ending with the close of the preceding taxable year, exceeds the amount of indebtedness of the taxpayer outstanding at the close of the taxable year.

(3) The amount by which the amount of obligations of the United States owned by the taxpayer on the last day of the taxable year exceeds the greater of (A) the amount of such obligations owned by the taxpayer on December 31, 1942, or (B) the highest amount of such obligations owned by the taxpayer on the last day of any preceding taxable year ending after December 31, 1942. As used in this paragraph (i) the term "owned by the taxpayer" shall include the amount of the obligations owned solely by the taxpayer and one-half of the amount of the obligations owned jointly by the taxpayer with one other person, but shall not include such obligations acquired by the taxpayer by gift, or inheritance, or otherwise than by purchase (ii) the term "obligations of the United States" means such obligations of the United States as the Secretary may by regulations prescribe, and as are purchased in such manner and under such terms and conditions as he may specify; and (iii) the term "amount of obligations of the United States" means the amount paid for such obligations.

(b) *Limitation on credit.* The amount of such credit for the taxable year shall not exceed the amount of the post war credit or refund allowed by section 454 for such taxable year.

* * * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.453–1 *Credit against victory tax—*(a) *General.* Section 453 permits a taxpayer subject to the victory tax to apply as a credit against such tax for each taxable year all or a portion of the following items (but in an amount not in excess in any event of the post war credit or refund allowed by section 454 for such taxable year):

(1) Premiums paid by the taxpayer on life insurance;

(2) Reduction in indebtedness of the taxpayer;

(3) Increase in taxpayer's holdings of certain United States obligations.

The credit provided in section 453 does not reduce the amount of the victory tax to be withheld at the source as provided in section 466. Such credit is applied against the amount of the victory tax as shown by the taxpayer's victory tax return. The taxpayer is not required to avail himself of such credit. In such event he will be entitled to the post war credit or refund with respect to such taxable year provided in section 454.

(b) *Special items of the credit—*(1) *Premiums paid by taxpayer on life insurance.* In order to secure credit for life insurance premiums paid by the taxpayer during the taxable year, there must be in force on September 1, 1942 life insurance upon the taxpayer's own life or upon the life of his spouse or upon the life of any dependent of the taxpayer as specified in section 25 (b) (2). The amount of the post war credit or refund which may be applied as a credit against the victory tax for the taxable year by reason of payment of insurance premiums is the amount paid by the taxpayer during the taxable year as premiums upon such life insurance. If any such life insurance so in force on September 1, 1942 is renewed or converted after such date, the credit includes premiums paid with respect to such renewed or converted life insurance but the credit therefor cannot exceed the amount of the annual premiums payable on such insurance in force on September 1, 1942. In computing the amount of the credit under section 453 (a) (1), no account is to be taken of any life insurance policy taken out after September 1, 1942 and not representing renewal or conversion of a life insurance policy in force on such date. In computing the amount of premiums paid by the taxapayer under section 453 (a) (1), there shall be deducted from the gross amount of premiums paid during the taxable year the amount of dividends received during such taxable year which represents return of premiums.

(2) *Reduction in indebtedness of the taxpayer.* The amount of the post-war credit or refund which may be applied as a credit against the victory tax for the taxable year by reason of reduction, if any, in the indebtedness of the taxpayer is the excess of the smallest amount of such indebtedness outstanding at any time during the period beginning with September 1, 1942 and ending with the close of the taxable year preceding the year for which the tax is being com-

price and no credit shall be allowed to

tax paid for each taxable year begining after

and the number of his dependents during the year or years for which such victory

spect to his dependents, for the purposes of the post war credit or refund, shall be

Example (1). A and B were married on August 10, 1943, each having the status of a

puted over the amount of such indebtedness outstanding at the close of the taxable year. As used in section 453 (a) (2), the term "indebtedness" means all indebtedness for which the taxpayer is liable, whether secured or unsecured and whether or not evidenced by writing. It does not include a mere contingent or secondary liability. However, if and when a contingent liability for the payment of money becomes absolute, it is includible as indebtedness. The term includes indebtedness assumed by the taxpayer even though such indebtedness is evidenced, so far as the taxpayer is concerned, only by a contract with the person whose indebtedness has been assumed. An assumption of indebtedness includes, in addition to the customary forms of assumption, the acquisition of property subject to indebtedness. In order for any indebtedness to be included within the term, it must be bona fide.

The application of section 453 (a) (2) may be illustrated by the following example:

Example. A had outstanding as of September 1, 1942 a mortgage upon his home in the amount of $5,000 which had been reduced to $4,500 as of December 31, 1942 and to $4,250 on December 31, 1943. In such case the potential credit against the victory tax by reason of reduction of indebtedness is $4,500 minus $4,250, or $250, but such latter amount is subject to the limitation that it cannot in any event exceed the amount of post war credit or refund provided in section 454.

(3) *Increase in holdings of United States obligations.* The amount of the post war credit or refund available to the taxpayer as a credit against the victory tax for the taxable year by reason of increase in his holdings of United States obligations is measured by the excess of the amount of such obligations owned by the taxpayer as of the close of the last day of the taxable year over whichever of the following amounts is the greater: (i) the amount of such obligations owned by the taxpayer as at the close of the calendar year 1942 or (ii) the largest amount of such obligations owned by the taxpayer as at the close of the last day of any preceding taxable year ending after December 31, 1942.

As used in section 453 (a) (3), the term "owned by the taxpayer" includes only such obligations as have been acquired by the taxpayer by purchase and does not include obligations acquired by gift or inheritance. Obligations acquired by purchase include obligations acquired by the taxpayer under such circumstances that their acquisition results in the recognition of income to him. For purposes of the victory tax credit, if an obligation is registered in the names of two persons as co-owners, each shall, in the absence of evidence to the contrary, be presumed to be a purchaser and shall be entitled to the credit to the extent of one-half of the purchase price thereof. If, however, the entire purchase price is contributed by one co-owner, he may, if he so elects at the time of filing his first return under the victory tax subsequent to the purchase of the obligation, be considered to be the sole owner, in which case he shall be entitled to a credit to the full extent of the purchase price and no credit shall be allowed to the other co-owner. For the purposes of section 453 (a) (3), a United States Savings Bond registered, for example, in the name of A, payable on death to B, is not owned jointly but is owned solely by A. The term "obligations of the United States" for the purposes of the credit means only United States Savings Bonds, Series E, F and G which are purchased in such manner and under such terms and conditions as the Secretary may by regulations prescribe, subject, however, to the right of the Secretary by regulations at any time to restrict, amplify or extend the class or classes of United States obligations with respect to which the taxpayer may be entitled to a credit under the provisions of section 453 (a) (3) and the manner, terms and conditions under which obligations may be purchased. See Treasury Department Circular No. 704 approved December 29, 1942. The date as of which the bond is issued (month and year, as entered on the face panel, but not in the dating stamp of the issuing agent), shall be held to be the date of acquisition. The term "amount of obligations" as used in section 453 (a) (3) means the amount paid for the obligations and not the par value thereof and does not include the interest, if any, accrued thereon.

The application of section 453 (a) (3) may be illustrated by the following example:

Example. A and his wife B file a joint return for the calendar year 1943. On December 31, 1942, A owned a United States Savings Bond, Series E, of a par value of $500 for which he and his wife had previously paid the amount of $375, the bond being registered in the name of A or his wife B. During 1943 A and B purchased additional bonds of a par value of $200 of the same series of United States Savings Bonds for which they paid $150, such bonds being registered in the same manner as the bond previously purchased. They also acquired by inheritance a similar bond in the denomination of $1,000. The three bonds were held as of the close of the calendar year 1943. Since the $1,000 bond had been acquired by inheritance, such obligation has no effect upon the credit against the victory tax.

Since A and B file a joint return, they are entitled to a credit under section 453 (a) (3) of $150, the difference between $525 (the amount owned at the end of 1943) and $375 (the amount owned as of December 31, 1942), subject to the limitation that such credit cannot in any event exceed the amount of the post war credit or refund allowed by section 454. If A and B file separate returns, each would be entitled to a credit of $75, subject to the limitations prescribed under section 454.

For the application as a credit against the victory tax (adjusted for the credit allowed by section 453) of the tax withheld at the source under section 466, see § 19.466–5.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 454 POST WAR CREDIT OR REFUND OF VICTORY TAX.

(a) *Allowance of credit.* As soon as practicable after date of cessation of hostilities in the present war (as defined in section 475 (b)), the following amount of the victory tax paid for each taxable year begining after December 31, 1942, shall be credited against any income tax or installment thereof then due from the taxpayer, and any balance shall be refunded immediately to the taxpayer:

(1) In the case of a single person or a married person not living with husband or wife, 25 per centum of the victory tax or $500, whichever is the lesser.

(2) In the case of the head of a family, 40 per centum of the victory tax or $1,000 whichever is the lesser. In the case of a married person living with husband or wife where separate returns are filed by each spouse, 40 per centum of the victory tax or $500, whichever is the lesser. In the case of a married person living with husband or wife where a separate return is filed by one spouse and no return is filed by the other spouse, or in the case of a husband and wife filing a joint return under section 51 (b), only one such credit shall be allowed and such credit shall not exceed 40 per centum of the victory tax or $1,000, whichever is the lesser.

(3) For each dependent specified in section 25 (b), excluding as a dependent, in the case of a head of a family, one who would be excluded under section 25 (b) (2) (B), 2 per centum of the victory tax or $100, whichever is the lesser.

(b) *Change of status.* If for any taxable year the status of the taxpayer (other than a taxpayer who makes his return and pays his tax under Supplement T) with respect to his marital relationship or with respect to his dependents, changed during the taxable year, the amount of the credit or refund provided by this section for such taxable year shall be apportioned, under rules and regulations prescribed by the Commissioner with the approval of the Secretary, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

(c) *Status of Supplement T taxpayer.* If for any taxable year a taxpayer makes his return and pays his tax under Supplement T, for the purpose of the credit or refund provided by this section, his status for such year with respect to his marital relationship or with respect to his dependents shall be determined in accordance with the provisions of section 401.

(d) *Period of limitation.* No post war credit or refund of any part of the victory tax provided in this section shall be allowed or made after 7 years from the date of cessation of hostilities in the present war, unless claim for credit or refund is filed before the expiration of such date. No interest shall be allowed on such credits or refunds.

(e) *Limitation of credit.* The post war credit or refund allowed by this section shall be reduced by the amount of any credit allowed under section 453.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.454–1 *Post war credit or refund*—(a) *General.* Section 454 provides that, as soon as practicable after the cessation of hostilities in the present war (as defined in section 475 (b)), there shall be credited or refunded to the taxpayer certain designated amounts representing portions of the victory tax paid for taxable years beginning after December 31, 1942 but not in excess of certain percentages of the amount of the victory tax, such percentages being conditioned upon the marital status of the taxpayer and the number of his dependents during the year or years for which such victory tax was imposed. Such post war credit or refund applies even though there has been no previous allowance for any taxable year of the annual victory tax credit provided under section 453. However, the amount of the post war credit or refund is reduced by the aggregate amount of the annual victory tax credit previously allowed. See section 454 (e). Such post war credit or refund, to the extent it is not reduced by the amount of the annual credit previously claimed and allowed, shall be credited after the cessation of hostilities in the present war against any income tax or installment thereof then due from the taxpayer and any balance shall be refunded immediately to the taxpayer. See section 454 (d) and § 19.454–3.

(b) *Limitations on amount of post war credit or refund.* The post war credit or refund provided in section 454 is subject to the following limitations:

(1) *Single person or married person not living with husband or wife.* 25 percent of the amount of the victory tax, or $500, whichever is the lesser.

(2) *Married person living with husband or wife where separate returns are filed by each spouse.* 40 percent of the victory tax, or $500, whichever is the lesser.

(3) *Head of a family.* 40 percent of the victory tax, or $1,000, whichever is the lesser.

(4) *Married person living with husband or wife where separate return is filed by one spouse and no return is filed by the other spouse.* 40 percent of the amount of the victory tax, or $1,000, whichever is the lesser.

(5) *Married person living with husband or wife where joint return is filed.* 40 percent of the amount of the victory tax, or $1,000, whichever is the lesser.

If the taxpayer has one or more dependents for whom a credit would be allowable under section 25 (b) (2), the limitations prescribed in subparagraphs (1) to (5), inclusive, shall, for each such dependent, be increased by the addition of 2 percent to the percentage limitation and $100 to the dollar limitation. For example, in the circumstances described in subparagraph (1) if a taxpayer has one dependent, the limitations prescribed would be increased to 27 percent of the victory tax, or $600, whichever is the lesser. In the circumstances described in subparagraph (3) if the taxpayer has three dependents, but the credit for one of such dependents is disallowed by reason of the provisions of section 25 (b) (2) (B), the percentage limitations would be increased by 2 percent for each of two dependents and the dollar limitation by $100 for each of two dependents. Consequently, the limitation on the credit for victory tax purposes would be 44 percent of the victory tax, or $1,200, whichever is the lesser.

As to what constitutes dependency under section 25, see § 19.25–6.

In the application of the provisions of section 454, if a taxpayer files his return for any taxable year under Supplement T, his status for such taxable year as to his marital relationship and with respect to his dependents, for the purposes of the post war credit or refund, shall be determined in accordance with the special rules prescribed in section 401. See §§ 19.401–1 and 19.454–2.

The computation of the post war credit or refund and the operation of the limitations with respect thereto may be illustrated by the following example:

Example: Joint return. A and B, husband and wife, file joint return for 1943 and have victory tax net income (after specific exemption) of $60,000. There are two dependents.

Computation:	
Victory tax on $60,000 at 5%-------	$3,000
Post war refund:	
44% of victory tax---------	$1,320
or	
$1,000 plus $200----------	1,200
whichever is the lesser----------	1,200

Separate Returns

A has victory tax net income (after specific exemption) of $40,000 and B has victory tax net income (after specific exemption) of $20,000

Computation: *A*	
Victory tax on $40,000 at 5%------	$2,000
Limitation:	
44% of victory tax---------	$880
or	
$500 plus $200----------	700
whichever is the lesser----------	700
Computation: *B*	
Victory tax on $20,000 at 5%-------	$1,000
Limitation:	
40% of victory tax----------	$400
or $500----------	500
whichever is the lesser---------	$400

Recapitulation

Credit or refund of A----------	$700
Credit or refund of B----------	400
Total credit or refund----------	1,100

In the application of section 454 (a) to a nonresident alien subject to the victory tax, the provisions of section 214, relating to exemption and credits in the case of such taxpayer, shall be applicable and hence the additional credit for dependents provided in section 454 (a) (3) is allowed only if such taxpayer is a resident of a contiguous country.

§ 19.454–2 *Post war credit or refund where status changes during the taxable year*—(a) *General.* If the status of the taxpayer (other than a taxpayer who makes his return and pays his tax under Supplement T) with respect to his marital relationship or with respect to his dependents changes during the taxable year, the amount of the post war credit or refund under section 454 and § 19.454–1 shall be apportioned according to the number of months during which the taxpayer occupied each status. For the purposes of the apportionment, a fractional part of a month shall be disregarded unless it amounts to more than one-half of a month in which case it shall be considered as a month. In general, the post war credit or refund in the case of any taxpayer whose status as set forth above changed during the taxable year will be the sum of the amounts apportioned to the respective periods during which each status was occupied. These principles may be illustrated by the following examples:

Example (1). A and B were married on August 10, 1943, each having the status of a single person prior to such date. They have no dependents. They had a combined victory tax net income (before the specific exemption) of $25,248. The victory tax net income of each is in excess of $624. They file a joint return for 1943. The post war credit or refund in such case is computed as follows:

Victory tax for 1943 on basis of joint return 5% of $24,000 ($25,248 minus $1,248)----------	$1,200
Post war credit or refund:	
Seven Months January to July, Inclusive	
A Limitation on post war credit or refund 7/12 x (25% of $600 or 7/12 of $500	
Post war credit or refund equals----	87 50
(The figure of $87.50 applies since it is less than 7/12 of $500)	
B Limitation on post war credit or refund 7/12 x (25% of $600) or 7/12 of $500	
Post war credit or refund equals----	$87.50
(The figure of $87.50 applies since it is less than 7/12 of $500)	
Five Months August to December, Inclusive	
Limitation on post war credit or refund 5/12 x (40% of $1,200) or 5/12 of $1,000	
Post war credit or refund----------	200.00
(The figure of $200 applies since it is less than 5/12 of $1,000)	
Recapitulation—Post War Credit or Refund	
Apportioned to A----------	87.50
Apportioned to B----------	87.50
Apportioned to A and B jointly----	200.00
Total for A and B----------	375.00

Example (2). A, a widower having two dependent children under 18 years of age, married B on July 1, 1943. They filed a joint return for the calendar year 1943 showing victory tax net income of $61,248 (before the application of the specific exemption) and a victory tax of $3,000. The victory tax net income of each exceeded the specific exemption of $624. The post war credit or refund in such case is computed as follows:

First Half of Year	
A Limitation on post war credit or refund 1/2 x (42% of $1,500) or 1/2 of $1,100	
Post war credit or refund------	$315.00
(This figure applies since it is less than 1/2 of $50)	
B Limitation on post war credit or refund (44% of $3,000) or 1/2 of $500	
Post war credit or refund-------	187.50
(This figure applies since it is less than 1/2 of $500)	
Second Half of Year	
Limitation on post war credit or refund 1/2 of (44% of $3,000) or 1/2 of $1,200	
Post war credit or refund------	600.00
(This figure applies since it is less than 1/2 of (44% of $3,000))	
Recapitulation—Post War Credit or Refund	
Apportioned to A----------	315.00
Apportioned to B----------	187.50
Apportioned to A and B jointly--	600.00
Total----------	1,102.50

(b) *Status of Supplement T taxpayer.* In the case of a taxpayer making his return and paying his tax under Supple-

ment T, relating to the optional tax on

SEC. 455. RETURNS.

(a) *Individual returns.* Every individual

spouse has more than $624 gross income

shall not exceed the excess of 90 per centum of the net income of the taxpayer for the

employee for his employer, including the cash value of all remuneration paid in any

which a particular payment of wages is

ment T, relating to the optional tax on individuals with gross income from certain sources of $3,000 or less, the status of such taxpayer shall be determined by the application of the following rules:

(1) His status both with respect to marital relationship and with respect to dependents is to be determined as of July 1 of each taxable year.

(2) If such taxpayer is not the head of a family and is not living with husband or wife or is unmarried as of July 1 of the taxable year, he shall be treated as a single person, even though in fact he may become the head of a family or be married during the taxable year subsequent to July 1.

If, for example, A and his wife, B, are not living together on July 1, 1943 and for the calender year 1943 they elect to pay the tax under Supplement T, they are considered as single persons for income and victory tax purposes and hence each must file a separate return. In such case, the limitation on the post war credit or refund is determined under section 454 (a) (1) and shall in each case be 25 percent of the victory tax or $500, whichever is the lesser. However, in the case of a husband and wife living together on July 1, 1943, they may elect to file either joint or separate returns under Supplement T. If they elect to file separate returns, the limitation provided in section 454 (a) (2) applicable generally in the case of husband and wife filing separate returns is here likewise applicable and hence the post war credit or refund (without regard to dependents) cannot, in the case of each spouse, exceed 40 percent of the victory tax or $500, whichever is the lesser. If such husband and wife elect to file a joint return, the limitation on the post war credit or refund provided in section 454 (a) (2) applicable generally in respect of husband and wife filing a joint return is here applicable and such credit (without regard to dependents) cannot exceed 40 percent of the victory tax or $1,000, whichever is the lesser.

Payments made by the husband to the wife of an amount which is includible in her gross income by reason of section 22 (k) and section 171 shall not be considered as payment by the husband for the support of any dependent.

§ 19.454-3 *Period of limitation for making of post war credit or refund.* The post war credit or refund provided in section 454, to the extent such credit or refund is not applied under section 453 as a credit against the victory tax, cannot be made after seven years from the date of cessation of hostilities in the present war (as that term is defined in section 475 (b)) unless claim for credit or refund thereof is filed with the collector of internal revenue before the expiration of such seven-year period. No interest is allowable upon such credits or refunds of the victory tax. For the manner of filing claims for refund or credit generally, see § 19.322-3.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 455. RETURNS.

(a) *Individual returns.* Every individual having a gross income in excess of $624 for the taxable year, shall make, under regulations prescribed by the Commissioner with the approval of the Secretary, a return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, stating specifically the items of his gross income and the deductions and credits allowed under this subchapter.

(b) *Fiduciary returns.* Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make, under regulations prescribed by the Commissioner with the approval of the Secretary, a return under oath, for any individual, estate, or trust for which he acts, if the gross income of such individual, estate, or trust is in excess of $624 for the taxable year, stating specifically the items of gross income and the deductions and credits allowed under this subchapter. The provisions of section 142 (b) shall be applicable with respect to any return required to be made under this subsection.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.455-1 *Returns*—(a) *Individuals.* For taxable years beginning after December 31, 1942, there shall be made a victory tax return by each citizen of the United States whether residing within or without the United States, by every individual residing within the United States though not a citizen thereof, by every nonresident alien individual (other than a nonresident alien individual subject to the tax imposed by section 211 (a)), whether or not such citizen or resident or nonresident alien individual is the head of a family or has dependents, if such citizen, resident or alien has a gross income (computed without regard to the exclusion from gross income provided in section 451 (a)) for the taxable year in excess of $624. In the case of nonresident alien individuals, such gross income means only gross income from sources within the United States.

If a return is required for normal tax and surtax purposes or, in the alternative, for the purposes of the Supplement T tax, the return for victory tax purposes shall be made a part of such return. If, under the limitations contained in section 51 (a), the gross income of the taxpayer is insufficient to require a return for normal tax and surtax purposes, a return for victory tax purposes shall, nevertheless, be made in any case in which the gross income for the taxable year exceeds $624. If, for example, A has gross income for the taxable year of $850 and his wife, B, has gross income for the taxable year of $150, no return is required for normal tax and surtax purposes. However, since the gross income of A exceeds $624, a return is required for victory tax purposes. In such case A may file a separate return or A and his wife, B, may under the provisions of section 51 (b) elect to make a joint return. See § 19.51-1 (c). In the case of a married person living with husband or wife if each spouse has more than $624 gross income for the taxable year, each must make a return unless they elect to make a joint return. If one such spouse has more than $624 gross income for the taxable year and the other spouse has less than $624 gross income for the taxable year, the spouse having more than $624 gross income may file a separate return or the spouses may elect to make a joint return for the taxable year.

In the case of a husband and wife living tobether, the election to make a joint return authorized under the provisions of section 51 (b) must be exercised with respect to the tax imposed under chapter 1 considered as a whole and not with respect to the several parts of such tax considered separately. Hence, a husband and wife living together may not elect to make separate returns for the purpose of the tax imposed by sections 11 and 12 or Supplement T and a joint return for the purpose of the victory tax. Likewise, such husband and wife may not elect to make separate returns for the purpose of the victory tax and joint returns for the purpose of the other parts of the tax imposed by chapter 1.

The status of a taxpayer making his return and paying his tax under Supplement T is determined under the provisions of section 401. Under those provisions a married person not the head of a family and not living with husband or wife on July 1 of the taxable year is treated as a single person. Hence, if married persons not living together on July 1 of the taxable year elect to pay the tax under Supplement T, each spouse is required to make a separate return. If such husband and wife are married and living together on July 1 of the taxable year, they may make either joint or separate returns under Supplement T. As to the making of returns generally, see section 51 and § 19.51-1. As to exclusions from gross income and the deductions therefrom for the purposes of the victory tax, see section 451 and § 19.451-1. As to credits against the victory tax, see section 453 and § 19.453-1.

(b) *Fiduciary.* For taxable years beginning after December 31, 1942, every fiduciary and at least one of two or more joint fiduciaries must make a return for the purposes of the victory tax for any individual, estate, or trust for which he acts if the gross income (computed without regard to the exclusions from gross income provided in section 451 (a)) of such individual, estate, or trust is in excess of $624 for the taxable year. The return for victory tax purposes shall be made a part of the return of the estate or trust for normal tax and surtax purposes, if such return is required. The provisions of section 142 (a) and 142 (b) as well as section 455 (b) are applicable with respect to the return required for victory tax purposes. For form to be used in making the return under section 142 and section 455 (b), see § 19.142-1.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 456. LIMITATION ON TAX.

The tax imposed by section 450 (victory tax), computed without regard to the credits provided in sections 453, 454, and 466 (e), shall not exceed the excess of 90 per centum of the net income of the taxpayer for the taxable year over the tax imposed by sections 11 (normal tax) and 12 (surtax), computed without regard to the credits provided in sections 31, 32, and 466 (e).

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.456-1 *Limitation on the amount of the victory tax.* The amount of the victory tax, computed before the application thereto of any credit for the post war credit or refund or for the portion of the victory tax withheld at the source, cannot exceed an amount representing the excess of 90 percent of the taxpayer's net income for the taxable year over the sum of the normal tax and the surtax imposed for such taxable years by sections 11 and 12, respectively, computed before the application against such normal tax and surtax of (a) the credit for foreign income tax, (b) the credit for tax withheld at the source under section 143, and (c) the credit for victory tax withheld at the source under section 466. The application of this limitation may be illustrated by the following example:

Example. A, a married person having no dependents, has, for the calendar year 1943, a gross income of $2,000,000 and deductions (not allowable in computing victory tax net income) for interest, taxes, and contributions amounting to $200,000. His earned net income is $20,000. His wife had no gross income. His normal tax and surtax liability is computed as follows:

Gross income	$2,000,000
Less: Deductions	200,000
Net income	1,800,000
Less: Personal exemption	1,200
Surtax net income	1,798,800
Less: Earned income credit (maximum)	1,400
Normal tax net income	1,797,400
Normal tax at 6% on $1,797,400	107,844
Surtax on $1,798,800	1,450,156
Total normal tax and surtax	1,558,000

The normal tax and surtax equal 86.56 percent of the net income. The 5 percent victory tax, if computed without any limitation on such tax, will amount to $99,968.80. Thus, the total normal tax, surtax, and victory tax would amount to $1,657,968.80 which would equal 92.11 percent of the net income. Therefore, the limitation will apply and the victory tax will be reduced to $62,000, making a total tax of $1,620,000, or 90 percent of the net income.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

PAR. II—Collection of Tax at Source on Wages.

SEC. 465. DEFINITIONS.

As used in this part—

(a) *Pay-roll period.* The term "pay-roll period" means a period for which a payment of wages is ordinarily made to the employee by his employer.

(b) *Wages.* The term "wages" means all remuneration (other than fees paid to a public official) for services performed by an employee for his employer, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include remuneration paid (1) for services performed as a member of the military or naval forces of the United States, other than pensions and retired pay, (2) for agricultural labor (as defined in section 1426 (h)), (3) for domestic service in a private home, local college club, or local chapter of a college fraternity or sorority, (4) for casual labor not in the course of the employer's trade or business, (5) for services as an employee of a nonresident alien individual, foreign partnership, or foreign corporation, if such individual, partnership, or corporation is not engaged in trade or business in the United States, (6) for services as an employee of a foreign government or any wholly owned instrumentality thereof, or (7) for services performed as an employee while outside the United States (as defined in section 3797 (a) (9)), unless the major part of the services performed during the calendar year by such employee for his employer are performed within the United States.

(c) *Withholding agent.* The term "withholding agent" means any person required to withhold, collect, and pay the tax under section 466.

(d) *Employee.* The term "employee" includes an officer, employee, or elected official of the United States, a State, Territory, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any one or more of the foregoing. The term "employee" also includes an officer of a corporation.

(e) *Employer.* The term "employer" includes any person for whom an individual performs any service, of whatever nature, as the employee of such person.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.465-0 *Introductory.* Part II of Subchapter D of Chapter 1 provides for collection of tax at the source on wages. The regulations prescribed thereunder (§§ 19.465-0 to 19.476-1 inclusive) relate to the operation and effect of the provisions dealing with collection at the source and have no application in the determination of questions relating to the incidence or computation of the victory tax imposed under Part I of such Subchapter D. Hence, the fact that income of certain specified classes of individuals or income derived from certain specified sources is excluded from the definition of wages as used in Part II is not determinative of the question whether or not such income is subject to the victory tax. As to persons subject to the victory tax and the computation of victory tax net income, see §§ 19.451-1 and 19.451-2.

§ 19.465-1 *Pay-roll period.* The term "pay-roll period" means the period for which a payment of wages is ordinarily made to an employee by his employer. If the periods for which payments of wages are made to an employee by his employer are of uniform duration, each such period constitutes a pay-roll period. If, however, the periods occasionally vary in duration, the pay-roll period is the period for which a payment of wages is ordinarily made to the employee by his employer, even though that period does not coincide with the actual period for which a particular payment of wages is made. For example, if an employer ordinarily pays a particular employee for each calendar week at the end of the week, but the employee receives a payment in the middle of the week for the portion of the week already elapsed and receives the remainder at the end of the week, the pay-roll period is still the calendar week; or if, instead, that employee is sent on a trip by his employer and receives at the end of the week a single wage payment for three weeks' services, the pay-roll period is still the calendar week.

§ 19.465-2 *Wages*—(a) *In general.* The term "wages" means all remunerations for services performed by an employee for his employer unless specifically excepted under section 465 (b) or section 466 (g). (See §§ 19.465-3 and 19.466-6.)

The name by which the remuneration for services is designated is immaterial. Thus, salaries, fees, bonuses, commissions on sales or on insurance premiums, pensions and retired pay are wages within the meaning of the statute if paid as compensation for services performed by the employee for his employer.

The basis upon which the remuneration is paid is immaterial in determining whether the remuneration constitutes wages. Thus it may be paid on the basis of piece work, or a percentage of profits; and may be paid hourly, daily, weekly, monthly, or annually.

The medium in which the remuneration is paid is also immaterial. It may be paid in cash or in something other than cash, as, for example, stocks, bonds, or other forms of property. Remuneration paid in items other than cash shall be computed on the basis of the fair market value of such items at the time of payment.

Ordinarily, facilities or privileges (such as entertainment, medical services, or so-called "courtesy" discounts on purchases), furnished or offered by an employer to his employees generally, are not considered as remuneration for services if such facilities or privileges are of relatively small value and are offered or furnished by the employer merely as a means of promoting the health, good will, contentment or efficiency of his employees.

Tips or gratuities paid directly to an employee by a customer of an employer, and not accounted for by the employee to the employer, are not subject to withholding.

Remuneration for services, unless such remuneration is specifically excepted by the statute, constitutes wages even though at the time paid the relationship of employer and employee no longer exists between the person in whose employ the services were performed and the individual who performed them.

Example. A is employed by B during the month of January 1943 and is entitled to receive remuneration of $100 for the services performed for B, the employer, during the month. A leaves the employ of B at the close of business on January 31, 1943. On February 15, 1943 (when A is no longer an employee of B), B pays A a remuneration of $100 which was earned for the services per-

formed in January. The $100 is wages within the meaning of the statute.

(b) *Pensions and retired pay.* Pensions and retired pay are wages within the meaning of the statute. However, amounts receivable by an employee upon retirement which are taxed as annuities under the provisions of section 22 (b) (2) and distributions under an employees' trust taxable, because of the provisions of section 165 (b), as gain from the sale or exchange of a capital asset do not constitute wages subject to withholding. So-called pensions awarded by one to whom no services have been rendered are mere gifts or gratuities and do not constitute wages.

(c) *Traveling and other expenses.* Amounts paid or reimbursements made to employees specifically for traveling or other expenses incurred in the business of the employer are not subject to withholding.

(d) *Vacation allowances.* Amounts of so-called "vacation allowances" paid to an employee constitute wages. Thus, the salary of an employee on vacation, paid notwithstanding his absence from work, constitutes wages.

(e) *Dismissal payments.* Any payments made by an employer to an employee on account of dismissal, that is, involuntary separation from the service of the employer, constitute wages regardless of whether the employer is legally bound by contract, statute, or otherwise, to make such payments.

(f) *Deductions by employer from wages of employee.* The amount of any tax which is required by law to be deducted by the employer from the wages of an employee is considered to be a part of the employee's wages and is deemed to be paid to the employee as wages at the time the deduction is made. Other amounts deducted from the wages of an employee by an employer also constitute wages paid to the employee at the time of the deduction. It is immaterial that the Internal Revenue Code, or any Act of Congress, or the law of any State, requires or permits such deductions and the payment of the amounts thereof to the United States, a State, a Territory, or the District of Columbia, or any political subdivision of any one or more of the foregoing.

(g) *Payment by an employer of employee's tax, or employee's contributions under a State law.* The term "wages" includes the amount of any payment made by an employer on behalf of an employee (without deduction from the remuneration of, or other reimbursements from, the employee) of any payment required from an employee under a State unemployment compensation law, or of any tax imposed upon the employee by any taxing authority, including the taxes imposed by sections 1400 and 1500.

§ 19.465–3 *Exclusions from wages.*—(a) *Fees paid to a public official.* Authorized fees paid to public officials, such as notaries public, clerks of courts, sheriffs, etc., for services rendered in the performance of their official duties are excepted from the definition of the term "wages" and hence are not subject to withholding. However, salaries paid such officials by the Government, or government agency or instrumentality are subject to withholding.

(b) *Compensation of military and naval forces.* Remuneration paid for services performed as a member of the military or naval forces of the United States is excepted from the definition of the term "wages". For the purpose of the exception, the military and naval forces of the United States include (but are not necessarily limited to) the Army, the Navy, the Marine Corps, the Coast Guard, the Army Nurse Corps, female, the Navy Nurse Corps, female, the Women's Army Auxiliary Corps, the Women's Reserve Branch of the Naval Reserve (the "WAVES"), the Women's Reserve Branch of the Coast Guard Reserve (the "SPARS"), and the Marine Corps Women's Reserve.

(c) *Remuneration paid for agricultural labor*—(1) *In general.* The term "wages" does not include remuneration for services which constitute agricultural labor as defined in section 1426 (h). The term "agricultural labor" as so defined includes services of a character described in subparagraphs (2), (3), (4) and (5) of this subsection.

In general, however, the term "agricultural labor" does not include services performed in connection with forestry, lumbering, or landscaping.

(2) *Services described in section 1426 (h) (1).* Remuneration paid for services performed on a farm by an employee of any person in connection with any of the following activities is excepted as remuneration for agricultural labor:

(i) The cultivation of the soil;

(ii) The raising, shearing, feeding, caring for, training, or management of livestock, bees, poultry, fur-bearing animals, or wildlife; or

(iii) The raising or harvesting of any other agricultural or horticultural commodity.

The term "farm" as used in this and succeeding paragraphs of this section includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, orchards, and such greenhouses and other similar structures as are used primarily for the raising of agricultural or horticultural commodities. Greenhouses and other similar structures used primarily for other purposes (for example, display, storage, and fabrication of wreaths, corsages, and bouquets), do not constitute "farms".

(3) *Services described in section 1426 (h) (2).* The remuneration paid for the following services performed by an employee in the employ of the owner or tenant or other operator of one or more farms is excepted as remuneration for agricultural labor, provided the major part of such services is performed on a farm:

(i) Services performed in connection with the operation, management, conservation, improvement, or maintenance of any of such farms or its tools or equipment; or

(ii) Services performed in salvaging timber, or clearing land of brush and other debris, left by a hurricane.

The services described in (i) above may include, for example, services performed by carpenters, painters, mechanics, farm supervisors, irrigation engineers, bookkeepers, and other skilled or semi-skilled workers, which contribute in any way to the conduct of the farm or farms, as such, operated by the person employing them, as distinguished from any other enterprise in which such person may be engaged.

Since the services described in this paragraph must be performed in the employ of the owner or tenant or other operator of the farm, the exception does not extend to remuneration paid for services performed by employees of a commercial painting concern, for example, which contracts with a farmer to renovate his farm properties.

(4) *Services described in section 1426 (h) (3).* Remuneration paid for services performed by an employee in the employ of any person in connection with any of the following operations is excepted as remuneration for agricultural labor without regard to the place where such services are performed:

(i) The ginning of cotton;

(ii) The hatching of poultry;

(iii) The raising or harvesting of mushrooms;

(iv) The operation or maintenance of ditches, canals, reservoirs, or waterways used exclusively for supplying or storing water for farming purposes;

(v) The production or harvesting of maple sap or the processing of maple sap into maple sirup or maple sugar (but not the subsequent blending or other processing of such sirup or sugar with other products); or

(vi) The production or harvesting of crude gum (oleoresin) from a living tree or the processing of such crude gum into gum spirits of turpentine and gum rosin, provided such processing is carried on by the original producer of such crude gum.

(5) *Services described in section 1426 (h) (4).* (i) Remuneration paid for services performed by an employee in the employ of a farmer or a farmers' cooperative organization or group in the handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, of any agricultural or horticultural commodity, other than fruits and vegetables (see subdivision (ii) below), produced by such farmer or farmer-members of such organization or group of farmers is excepted, provided such services are performed as an incident to ordinary farming operations.

Generally services are performed "as an incident to ordinary farming operations" within the meaning of this paragraph if they are services of the character ordinarily performed by the employees of a farmer or of a farmers' cooperative organization or group as a prerequisite to the marketing, in its unmanufactured state, of any agricultural or horticultural commodity produced by such farmer or by the members of such farmers' organization or group. Services performed by employees of such farmer or farmers' organization or group in the handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, of commodities produced by persons other than such farmer or members of such farmers' organization or group are not performed "as an incident to ordinary farming operations."

(ii) Remuneration paid for services performed by an employee in the employ of any person in the handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, of fruits and vegetables, whether or not of a perishable nature, is excepted as remuneration for agricultural labor, provided such services are performed as an incident to the preparation of such fruits and vegetables for market. For example, if services in the sorting, grading, or storing of fruits, or in the cleaning of beans, are performed as an incident to their preparation for market, remuneration paid for such services may be excepted whether the services are performed in the employ of a farmer, a farmers' cooperative, or a commercial handler of such commodities.

(iii) The services described in subdivisions (i) and (ii), above, do not include services performed in connection with commercial canning or commercial freezing, or in connection with any commodity after its delivery to a terminal market for distribution for consumption. Moreover, since the services described in such subdivisions must be rendered in the actual handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, of the commodity, such services do not, for example, include services performed as stenographers, bookkeepers, clerks, and other office employees, even though such services may be in connection with such activities. However, to the extent that the services of such individuals are performed in the employ of the owner or tenant or other operator of a farm and are rendered in major part on a farm, they may be within the provisions of subparagraph (3) of this section.

(d) *Remuneration paid for domestic service.* Remuneration paid for services of a household nature performed by an employee in or about the private home of the person by whom he is employed, or performed in or about the club rooms or house of a local college club or local chapter of a college fraternity or sorority by which he is employed, is excepted from the term "wages".

A private home is the fixed place of abode of an individual or family.

A local college club or local chapter of a college fraternity or sorority does not include an alumni club or chapter.

If the home is utilized primarily for the purpose of supplying board or lodging to the public as a business enterprise, it ceases to be a private home and the remuneration paid for services performed therein is not excepted. Likewise, if the club rooms or house of a local college club or local chapter of a college fraternity or sorority is used primarily for such purpose, the remuneration paid for services performed therein is not within the exception.

In general, services of a household nature in or about a private home include services rendered by cooks, maids, butlers, valets, laundresses, furnacemen, gardeners, footmen, grooms, and chauffeurs of automobiles for family use. In general, services of a household nature in or about the club rooms or house of a local college club or local chapter of a college fraternity or sorority include services rendered by cooks, maids, butlers, laundresses, furnacemen, waiters, and housemothers.

The remuneration paid for the services above enumerated is not within the exception if performed in or about rooming or lodging houses, boarding houses, clubs (except local college clubs), hotels, hospitals, eleemosynary institutions, or commercial offices or establishments.

Remuneration paid for services performed as a private secretary, even though performed in the employer's home, is not within the exception.

(e) *Remuneration for casual labor not in the course of employer's trade or business.* The term "casual labor" includes labor which is occasional, incidental, or irregular.

The expression "not in the course of the employer's trade or business" includes labor that does not promote or advance the trade or business of the employer.

Thus remuneration paid for labor which is occasional, incidental, or irregular, and does not promote or advance the employer's trade or business is excepted.

Example. A's business is that of operating a sawmill. He employs B, a carpenter, at an hourly wage to repair his home. B works irregularly and spends the greater part of two days in completing the work. Since B's labor is casual and is not in the course of A's trade or business, the remuneration paid for such services is excepted.

The remuneration paid for casual labor, that is, labor which is occasional, incidental, or irregular, but which is in the course of the employer's trade or business, does not come within the above exception.

Example (1). C's business is that of operating a sawmill. He employs D for two hours, at an hourly wage, to remove sawdust from his mill. D's labor is casual since it is occasional, incidental, or irregular, but it is in the course of C's trade or business and the remuneration paid for such labor is not excepted.

Example (2). E is engaged in the business of operating a department store. He employs additional clerks for short periods. While the services of the clerks may be casual, they are in the course of the employer's trade or business and, therefore, the remuneration paid for such services is not excepted.

Remuneration paid for casual labor performed for a corporation does not come within this exception.

(f) *Compensation paid by nonresident alien individual, foreign partnership, or foreign corporation.* Remuneration paid for services performed as an employee of a nonresident alien individual, foreign partnership, or foreign corporation, if such individual, partnership, or corporation is not engaged in trade or business in the United States, is excepted. The exception has no application if the employer paying such remuneration is engaged in trade or business in the United States. Whether or not a nonresident alien individual, foreign partnership, or foreign corporation is engaged in trade or business within the United States depends upon the particular facts of each case and will be determined in accordance with the rules applicable under sections 211, 219 and 23[1] for income tax purposes generally.

For purposes of this exception, the citizenship or residence of the employee or the place where the services are performed is immaterial.

(g) *Compensation paid by foreign government or wholly-owned instrumentality thereof.* Remuneration paid for services performed as an employee of a foreign government or wholly-owned instrumentality thereof is excepted. The exception includes not only remuneration paid for services performed by ambassadors, ministers, and other diplomatic officers and employees but also remuneration paid for services performed as a consular or other officer or employee of a foreign government, or as diplomatic representative of such a government.

The citizenship or residence of the employee and the place where the services are performed are immaterial for purposes of the exception.

(h) *Remuneration for services performed outside the United States.* The remuneration paid by an employer for services performed outside the United States does not constitute wages and hence is not subject to withholding unless the major part of the services performed by the employee for such employer during the calendar year is performed within the United States. The term "United States" includes the several States, the Territories of Alaska and Hawaii, and the District of Columbia.

The exception relates only to the remuneration paid for the services performed outside the United States regardless of whether the major part of the services performed for such employer during the calendar year is performed within or without the United States. Thus, if an employee performs services outside the United States for more than six months of the calendar year, the remuneration paid for such services does not constitute wages and hence is not subject to withholding, but the remuneration paid for services performed within the United States for such employer during the remainder of the calendar year constitutes wages and is subject to withholding.

If, however, an employee is absent from the United States on business of his employer for less than six months of the calendar year and performs services for such employer within the United States during the remainder of the calendar year, the entire amount of the remuneration paid for services performed during the calendar year constitutes wages and is subject to withholding.

However, it is recognized that in the case of an employee performing, outside

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the United States, services of indefinite duration, it may be impossible for the employer to determine whether the major portion of the employee's services during the calendar year will be performed within the United States or outside the United States. In such case it may be presumed that such performance will continue throughout the calendar year and the liability of the employer to withhold tax on the compensation paid for such services performed outside the United States will be determined in the light of such presumption. Thus, if an employee undertakes for his employer the performance of services abroad of indefinite duration, or for a term extending beyond the end of the calendar year, and such employee has not already, within the calendar year, performed services within the United States for a length of time which would constitute, in any circumstances, the major part of the year's services for such employer, no tax is required to be withheld on the compensation paid for services performed by such employee outside the United States.

Example (1). A has been regularly employed by B, and is sent abroad under such conditions that it is not possible to know when he will return: (a) If A goes abroad on January 1, no tax is required to be withheld on compensation paid to A for services performed abroad, but on the compensation paid for services performed after his return to the United States tax should be withheld; (b) If A goes abroad on June 29, the same rules are applicable. No tax is required to be withheld on the compensation for services performed abroad but on compensation for services performed after his return to the United States tax should be withheld; (c) If A goes abroad on August 1, tax should be withheld on the compensation paid A for all services performed during the calendar year since under no circumstances could the major part of the services performed during such year be performed outside the United States.

Example (2). A begins his employment with B on July 1, and on September 1 is sent abroad under the circumstances described in Example (1). No tax is required to be withheld on the compensation paid A for the services performed abroad.

Example (3). A begins his employment with B on July 1, and on November 1 is sent abroad under the circumstances described in Example (1). Tax is required to be withheld on the compensation paid A for the services performed abroad, as well as on compensation paid for services performed within the United States, for the reasons set forth in Example (1) (c).

The presumption that employees performing services of indefinite duration outside the United States will continue to perform such services throughout the calendar year does not apply in the case of employees sent abroad during the year on business missions of limited duration when there is reasonable expectation that the employee can and will return at such time that the major portion of his services for the employer for that calendar year will be performed within the United States.

§ 19.465–4 *Withholding agent.* Any person required to withhold, collect, and pay the tax imposed by section 466 is a withholding agent. Under section 467 (a), the tax required to be withheld shall be collected by the person having control of the payment of wages. In the case of private employers, the employer is the withholding agent. In situations where neither the wage payment nor the funds from which payment is made is subject to the control of the employer, the person having such control is the withholding agent. For example, where wages such as pensions or retired pay are paid through the medium of a trust over which the employer has no control, the trustee is the withholding agent. With respect to public employees, the withholding agent is by presumption the head officer of particular offices approving and scheduling pay-rolls for payment, or, where some other form of administrative procedure for the payment of wages is in effect, the officer exercising control through such procedure.

§ 19.465–5 *Employee.* The term "employee" includes every individual performing services if the relationship between him and the person for whom he performs such services is the legal relationship of employer and employee. The term specifically includes officers and employees, whether elected or appointed, of the United States, a State, Territory, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any one or more of the foregoing.

Generally the relationship of employer and employee exists when the person for whom services are performed has the right to control and direct the individual who performs the services, not only as to the result to be accomplished by the work but also as to the details and means by which that result is accomplished. That is, an employee is subject to the will and control of the employer not only as to what shall be done but how it shall be done. In this connection, it is not necessary that the employer actually direct or control the manner in which the services are performed; it is sufficient if he has the right to do so. The right to discharge is also an important factor indicating that the person possessing that right is an employer. Other factors characteristic of an employer, but not necessarily present in every case, are the furnishing of tools and the furnishing of a place to work, to the individual who performs the services. In general, if an individual is subject to the control or direction of another merely as to the result to be accomplished by the work and not as to the means and methods for accomplishing the result, he is an independent contractor. An individual performing services as an independent contractor is not as to such services an employee.

Generally, physicians, lawyers, dentists, veterinarians, contractors, subcontractors, public stenographers, auctioneers, and others who follow an independent trade, business, or profession, in which they offer their services to the public, are independent contractors and not employees.

Whether the relationship of employer and employee exists will in doubtful cases be determined upon an examination of the particular facts of each case.

If the relationship of employer and employee exists, the designation or description of the relationship by the parties as anything other than that of employer and employee is immaterial. Thus, if such relationship exists, it is of no consequence that the employee is designated as a partner, coadventurer, agent, or independent contractor.

The measurement, method, or designation of compensation is also immaterial, if the relationship of employer and employee in fact exists.

No distinction is made between classes or grades of employees. Thus, superintendents, managers, and other superior employees are employees. An officer of a corporation is an employee of the corporation but a director as such is not. A director may be an employee of the corporation, however, if he performs services for the corporation other than those required by attendance at and participation in meetings of the board of directors.

Although an individual may be an employee under the statute, his services may be of such a nature, or performed under such circumstances, that the remuneration paid for such services does not constitute wages within the meaning of section 465 (b). (See § 19.465–3)

§ 19.465–6. *Employer.* The term "employer" includes any person for whom an individual performs any service, of whatever nature, as the employee of such person. An employer may be an individual, a corporation, a partnership, a trust, an estate, a joint-stock company, an association, or a syndicate, group, pool, joint venture, or other unincorporated organization, group, or entity. A trust or estate, rather than the fiduciary acting for or on behalf of the trust or estate, is generally the employer.

The term "employer" embraces not only individuals and organizations engaged in trade or business, but organizations exempt from income tax, such as religious and charitable organizations, educational institutions, clubs, social organizations and societies, as well as the governments of the United States, the States, Territories, and the District of Columbia, including their agencies, instrumentalities and political subdivisions.

Although a person may be an employer under the statute, services performed in his employ may be of such a nature, or performed under such circumstances, that the remuneration paid for such services does not constitute wages within the meaning of section 465 (b). (See § 19.465–3)

SEC. 172 TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 466. TAX COLLECTED AT SOURCE.

(a) *Requirement of withholding.* There shall be withheld, collected, and paid upon all wages of every person, to the extent that such wages are includible in gross income, a tax equal to 5 per centum of the excess of each payment of such wages over the withholding deduction allowable under this part. This subsection and subsection (d) shall not be applicable in any case provided for in section 143, except in the case of wages paid to residents of a contiguous country who enter and leave the United States at frequent intervals.

(b) *Withholding deduction.* (1) In computing the tax required to be withheld under subsection (a), there shall be allowed as a deduction against the wages paid for each pay-roll period an amount determined in accordance with the following schedule:

	Withholding deduction
Weekly	$12
Biweekly	24
Semimonthly	26
Monthly	52
Quarterly	156
Semiannually	312
Annually	624

(2) If a pay-roll period in respect of any wages is less than one week, the excess of the aggregate of the wages paid during each calendar week over the deduction allowed by this subsection for a weekly pay-roll period shall be used in computing the tax required to be withheld.

(3) If a pay-roll period in respect of any wages, or any other period with respect to which wages are paid, is not otherwise specifically provided for in this subsection, the deduction allowable against each payment of such wages shall be the deduction allowable in the case of an annual pay-roll period divided by 365 and multiplied by the number of days in such period, including Sundays and holidays.

(4) In any case in which wages are paid by an employer without regard to any pay-roll period or other period, the deduction allowable against each payment of such wages shall be the deduction allowable in the case of an annual pay-roll period divided by 365 and multiplied by the number of days (including Sundays and holidays) which have elapsed since the date of the last payment of such wages by such employer during the calendar year, or the date of commencement of employment with such employer during such year, or January 1 of such year, whichever is the later.

(5) The deduction allowable under this subsection in respect of any individual for any calendar year shall not exceed the total deduction which would have been allowable under paragraph (1) if the only pay-roll period of such individual had been an annual pay-roll period.

(c) *Wage bracket withholding.* (1) At the election of the employer, if his pay-roll period with respect to an employee is weekly, biweekly, semimonthly, or monthly, there shall be withheld, collected, and paid upon the wages of such employee a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be withheld under subsection (a):

For weekly pay-roll period			For biweekly pay-roll period		
If the wages are over	But not over	The amount of tax to be withheld shall be	If the wages are over	But not over	The amount of tax to be withheld shall be
$12	$16	$0.10	$24	$30	$0.10
$16	20	.30	$30	40	.70
$20	24	.50	$40	50	1.10
$24	28	.70	$50	60	1.50
$28	32	.90	$60	70	2.00
$32	36	1.10	$70	80	2.50
$36	40	1.30	$80	100	3.30
$40	50	1.60	$100	120	4.30
$50	60	2.10	$120	140	5.30
$60	70	2.60	$140	160	6.30
$70	80	3.10	$160	180	7.30
$80	90	3.60	$180	200	8.30
$90	100	4.10	$200	220	9.30
$100	110	4.60	$220	240	10.30
$110	120	5.10	$240	260	11.30
$120	130	5.60	$260	280	12.30
$130	140	6.10	$280	300	13.30
$140	150	6.60	$300	320	14.30
$150	160	7.10	$320	340	15.30
$160	170	7.60	$340	360	16.30
$170	180	8.10	$360	380	17.30
$180	190	8.60	$380	400	18.30
$190	200	9.10	$400	420	19.30
$200		[1] 9.40	$420	440	20.30
			$440	460	21.30
			$460	480	22.30
			$480	500	23.30
			$500		[2] 23.80

[1] Plus 5 percent of the excess over $200.
[2] Plus 5 percent of the excess over $500.

For semimonthly pay-roll period			For monthly pay-roll period		
If the wages are over	But not over	The amount of tax to be withheld shall be	If the wages are over	But not over	The amount of tax to be withheld shall be
$26	$30	$0.10	$52	$60	$0.20
$30	40	.40	$60	80	.90
$40	50	.90	$80	100	1.90
$50	60	1.40	$100	120	2.90
$60	70	1.90	$120	140	3.90
$70	80	2.40	$140	160	4.90
$80	100	3.20	$160	200	6.40
$100	120	4.20	$200	240	8.40
$120	140	5.20	$240	280	10.40
$140	160	6.20	$280	320	12.40
$160	180	7.20	$320	360	14.40
$180	200	8.20	$360	400	16.40
$200	220	9.20	$400	440	18.40
$220	240	10.20	$440	480	20.40
$240	260	11.20	$480	520	22.40
$260	280	12.20	$520	560	24.40
$280	300	13.20	$560	600	26.40
$300	320	14.20	$600	640	28.40
$320	340	15.20	$640	680	30.40
$340	360	16.20	$680	720	32.40
$360	380	17.20	$720	760	34.40
$380	400	18.20	$760	800	36.40
$400	420	19.20	$800	840	38.40
$420	440	20.20	$840	880	40.40
$440	460	21.20	$880	920	42.40
$460	480	22.20	$920	960	44.40
$480	500	23.20	$960	1,000	46.40
$500		[1] 23.70	$1,000		[2] 47.40

[1] Plus 5 percent of the excess over $500.
[2] Plus 5 percent of the excess over $1,000.

(d) *Tax paid by recipient.* If any tax required under this part to be withheld and collected is paid by the recipient of the income, it shall not be re-collected from the withholding agent; but such payment shall in no case relieve the withholding agent from liability for interest or additions to the tax otherwise applicable in respect of the tax imposed by this chapter.

(e) *Credit for tax withheld at source.* The tax withheld and collected under this part shall not be allowed as a deduction either to the withholding agent or to the recipient of the income in computing net income; but the amount of the tax so withheld and collected shall be allowed as a credit against the tax imposed by this chapter upon the recipient of the income. Such credit shall be allowed first against the victory tax imposed by sections 450 (adjusted for the credit allowed by section 453) and the excess of such credit, if any, over the victory tax, so adjusted, shall be allowed against the tax imposed by sections 11 and 12 or section 400, as the case may be.

(f) *Refunds.* Where there has been an overpayment of tax under this part, any refund or credit made under the provisions of section 322 shall be made to the recipient of the income; but, in any case in which such tax was not so withheld by the withholding agent, such refund or credit shall be made to the withholding agent.

(g) *Included and excluded wages.* If the remuneration paid by an employer to an employee for services performed during one-half or more of any pay-roll period constitutes wages, all the remuneration paid by such employer to such employee for such period shall be deemed to be wages; but if the remuneration paid by an employer to an employee for services performed during more than one-half of any such pay-roll period does not constitute wages, then none of the remuneration paid by such employer to such employee for such period shall be deemed to be wages.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.466–1 *Requirement of withholding*—(a) *In general.* Subject to certain prescribed conditions, section 466 provides, at the election of the employer, alternative methods for computing the tax with respect to wages includible in gross income: (1) A tax equal to 5 percent of the excess of each payment of such wages over the withholding deduction (hereinafter referred to as withholding exemption) allowable under paragraph (b), or subparagraph (2) a tax determined in accordance with the tables provided in paragraph (c). (See § 19.466 (c)). The tax is applicable to all wages actually or constructively paid on or after January 1, 1943 regardless of the period for which paid or the method of accounting followed by the employee in computing his income for tax purposes, and is collected by deducting the amount thereof from such wages as and when so paid.

Example (1). Employer X has a semimonthly pay-roll period ending on the 10th and 25th days of the month. The wages earned during such periods are customarily paid on the 15th and 30th days of the month, respectively. The wages earned during the semimonthly period ending on January 10, 1943 and paid on January 15, 1943 are subject to withholding when paid.

Example (2). Employer Y has a weekly pay-roll period based on the calendar week and the wages earned during each calendar week are customarily paid on Wednesday of the succeeding week. The wages earned during the week ending January 2, 1943 and paid on Wednesday, January 6, 1943, are subject to withholding when paid.

Wages are constructively paid within the meaning of this section when they are credited to the account of or set apart for an employee so that they may be drawn upon by him at any time although not then actually reduced to possession. To constitute payment in such a case, the wages must be credited or set apart to the employee without any substantial limitation or restriction as to the time or manner of payment or condition upon which payment is to be made, and must be made available to him so that they may be drawn upon at any time, and their payment brought within his control and disposition.

(b) *Wages includible in gross income.* Under the provisions of section 466, wages are subject to withholding only if and to the extent includible in gross income. The term "includible in gross income" as it relates to wages from which the tax is required to be deducted and withheld refers only to the taxability of the income. Thus, if an item of wages constitutes gross income under the provisions of section 22, it is includible in gross income within the meaning of this section and is subject to withholding. The fact that such wages may be includible in gross income for a taxable year other than that in which paid is immaterial. For instance, in the case of a taxpayer on the accrual basis, wages actually or constructively paid in 1944 but includible in the recipient's gross income for 1943 are subject to withholding in 1944. Likewise, the fact that wages may be includible in the gross income of a taxpayer other than the wage earner is immaterial. For instance, a part of the wages earned by a taxpayer domiciled in a community property

State may be includible for tax purposes in the gross income of his spouse. Nevertheless, the entire amount paid to the wage earner should be taken into account

porary or extra employees, if wages are paid at intervals of less than one week, the withholding exemption with respect to wages paid during any calendar week

at a specified rate plus additional wages in the form of bonuses or commissions, the aggregate of the wages paid for each such period shall be considered as a

amount of the tax to be withheld in the case of any one or more of his employees provided only that such employees are paid on a weekly, biweekly, semimonthly, or monthly basis. For example, an em-

regular pay-roll period. For example, an employee is paid a weekly salary of $65 plus a bonus determined at the end of each three-month period. For a particular three-month period, the employee

entire amount of the wages from which the tax is withheld shall be included in gross income in the return required to be made by the recipient of the income without deductions for such tax. The

State may be includible for tax purposes in the gross income of his spouse. Nevertheless, the entire amount paid to the wage earner should be taken into account in computing the amount of the tax to be withheld at source.

(c) *Nonresident aliens.* Nonresident aliens individuals are not subject to withholding under the victory tax provisions, except that such nonresident aliens who are residents of Canada or Mexico and who enter and leave the United States at frequent intervals are subject to the victory tax withholding provisions upon wages paid for services performed within the United States.

§ 19.466–2 *Withholding exemption*—(a) *In general.* In computing the amount of the tax to be withheld from wage payments, a withholding exemption is allowable against the wages paid by each employer for each pay-roll period based upon an annual exemption of $624 prorated in accordance with the length of the particular pay-roll period. Under the schedule provided in section 466 (b) (1), the amount of the exemption is as follows:

Pay-roll period:	Withholding exemption
Weekly	$12.00
Biweekly	24.00
Semimonthly	26.00
Monthly	52.00
Quarterly	156.00
Semiannually	312.00
Annually	624.00

The amount of the exemption in respect of the wages paid a particular employee is determined by reference to such employee's pay-roll period and without regard to the time the employee is actually engaged in the performance of services during such period.

Example (1). Employer X has a semimonthly pay-roll period. An employee whose wages are determined on an hourly rate basis works 20 hours and earns $24 during the pay-roll period. The amount of the withholding exemption allowable in respect of such wages is $26.

Example (2). Employer Y has a weekly pay-roll period. An employee paid at the rate of $10 per day worked two days and resigned. The amount of the withholding exemption allowable in respect of the wages paid such employee for the weekly period is $12.00.

(b) *Pay-roll period less than one week.* If the pay-roll period is less than one week, as in the case where employees are paid daily, the amount of tax withheld will be based upon the excess of the aggregate of the wages paid during the period of a calendar week over the exemption which would be allowed for a weekly pay-roll period. For instance, if an employee is paid daily at the rate of $5 per day, no tax shall be withheld with respect to the wages paid for the first two days of employment in the week. The wages paid for the third day will be subject to withholding on $3, the excess of the total wages for three days ($15) over the weekly exemption ($12). Subsequent wage payments during the same calendar week would be subject to withholding at the rate of 5 percent on the entire amount of each payment. During the following and subsequent weeks, the same procedure would apply. In the case of temporary or extra employees, if wages are paid at intervals of less than one week, the withholding exemption with respect to wages paid during any calendar week may be computed in accordance with the provisions of this subsection. As used herein, the term "calendar week" means a period of seven consecutive days beginning with Sunday and ending with Saturday.

(c) *Other pay-roll periods.* If the pay-roll period is greater than one week, and is a period not covered by the schedule set forth in section 466 (b), or if wages are paid for a period of more than one week which does not constitute a pay-roll period, the withholding exemption allowable with respect to each such payment of wages is determined by dividing the annual withholding exemption of $624 by 365 ($1.71) and multiplying by the number of days in the period, including Sundays and holidays. Thus, the withholding exemption allowable for a pay-roll period of 10 days is $17.10.

(d) *Wages paid without regard to any period.* In the case of wages paid without regard to any particular period, as, for instance, commissions paid to a salesman upon completion of a sale, the withholding exemption is measured by the number of days elapsed since the date of the last payment of wages to such employee by such employer during the calendar year, or the date on which employment with such employer began during the calendar year, or January 1 of such calendar year, whichever is the later.

Example. On April 1, 1943, A, an individual, was employed by the X Real Estate Company to sell real estate on a commission basis, commissions to be paid only upon consummation of sales. On May 20, 1943, A received a commission of $300. Again on June 15, 1943, A received a commission of $400. The amount of the withholding exemption allowable in respect of the commission paid on May 20 is ($1.71 x 50) $85.50; and the withholding exemption allowable with respect to the commission paid on June 15 is ($1.71 x 26) $44.46.

(e) *Maximum withholding exemption.* Under section 466 (b) (5) the total withholding exemption allowable to any individual with respect to wages received from any one employer during a calendar year shall not exceed the amount which would have been allowable if such individual had an annual pay-roll period. Thus, the maximum amount of the exemption allowable with respect to wages paid to an employee by any one employer during a calendar year is $624.

If the amount of the exemption allowable with respect to wages paid for any period of one week or more exceeds the amount of wages paid with respect to such period, the unused portion of the exemption allowable with respect to such period may not be carried over to a subsequent period. Thus, if an employee's wages for a semimonthly pay-roll period are less than $26, the difference between such wages and the $26 exemption allowable with respect to such pay-roll period may not be carried forward to the subsequent pay-roll period.

(f) *Bonuses and commissions.* If an employee's remuneration for each pay-roll period consists of wages computed at a specified rate plus additional wages in the form of bonuses or commissions, the aggregate of the wages paid for each such period shall be considered as a single wage payment and only one withholding exemption shall be allowed with respect to such wages.

Example (1). A is employed as a salesman at a monthly salary of $100 plus commissions on sales made during the month. A withholding exemption of $52 is allowable against the aggregate wages, consisting of salary and commissions, considered as a single wage payment.

Example (2). B is employed as a mechanic at a specified rate per hour plus a bonus on production in excess of a fixed standard. Under the employer's pay-roll practice, wages are paid weekly and each wage payment consists of the wages for the current week computed at the regular rate plus the production bonuses earned during the preceding week. A withholding exemption of $12 is allowable against each such wage payment.

If an employee's compensation consists of wages paid with respect to a particular pay-roll period and in addition thereto bonuses or commissions paid with respect to a different period or without regard to any particular period, the amount of the withholding exemption allowable with respect to such wage payments shall, at the option of the employer, be determined in accordance with either of the following methods:

(1) The amount of the withholding exemption allowable with respect to the regular wage payment and the amount allowable with respect to the bonuses or commissions may be determined independently under the rules applicable to each. Thus, if a person receives a weekly salary for a 26-week period and at the end of such period receives a bonus paid with respect to the 6-month period, a withholding exemption of $12 is allowable in respect of each weekly wage payment, or an aggregate of $312 for the 26-week period, and a withholding exemption of $312 is allowable with respect to the bonus paid for the 6-month period. Since the aggregate of the withholding exemptions allowable with respect to the weekly wage and the bonus equals the maximum allowance of $624 for the calendar year in the case of such individual, no withholding exemption is allowable with respect to any further wages paid to such employee by the same employer during the calendar year; or

(2) The withholding exemption may be determined as if the aggregate of the additional wages and the regular wages constituted a single wage payment for the regular pay-roll period. For example, an employee is paid a monthly salary of $50 plus a bonus and commissions determined at the end of each 3-month period. The bonus and commission for a particular 3-month period amount to $375 which together with his regular monthly salary of $50 make a total of $425. The amount of the withholding exemption allowable with respect to the aggregate wages of $425 is $52.

§ 19.466–3 *Wage bracket withholding.* The use of the tables provided in section 466 (c) is optional with the employer. An employer may elect to use the wage bracket tables for determining the amount of the tax to be withheld in the case of any one or more of his employees provided only that such employees are paid on a weekly, biweekly, semimonthly, or monthly basis. For example, an employer may elect to use the optional method in case of one group of employees on a particular pay roll and at the same time may use the exact 5 percent method provided in section 466 (a) in the case of another group of employees on a different pay roll.

In order to determine the amount of the tax to be withheld with respect to any wage payment, the employer merely refers to the table applicable to the particular pay-roll period. For example, an employee's earnings for a weekly pay-roll period, it will be found that the $35 to the table applicable to a weekly pay-roll period, it will be found that the $35 wage payment falls within the wage bracket from $32 to $36 and the amount of the tax to be withheld shown opposite such bracket is $1.10.

If an employer elects in the case of any employee to determine the tax under the wage bracket tables and such employee is paid in addition to his regular wages extra compensation in the form of bonuses, commissions, etc., no withholding exemption under section 466 (b) is allowable for the purpose of computing the amount of the tax to be withheld upon such additional compensation. In any such case, the amount of the tax to be withheld shall be determined in accordance with the following rules:

(a) If the employee's compensation for each pay-roll period consists of the regular wages plus such additional wages, the aggregate of the wages paid for each pay-roll period shall be considered as a single wage payment for the purpose of determining the appropriate wage bracket and the amount of the tax to be withheld under the table. For example, a salesman employed at a monthly salary of $100 plus commissions on sales made during each month received for a particular month, in addition to his regular salary, commissions amounting to $160. By reference to the table applicable to a monthly pay-roll period, it will be found that the $260 wage payment falls within the wage bracket from $240 to $280 and the amount of the tax to be withheld shown opposite such bracket is $10.40.

(b) If the employee's compensation consists of wages paid with respect to a particular pay-roll period and additional wages in the form of bonuses, commissions, etc., paid with respect to a different period or without regard to any particular period, the amount of the tax to be withheld may, at the option of the employer, be determined by either of the following methods: (1) The amount of the tax to be withheld on the regular wages shall be determined under the appropriate wage table, and the amount of the tax to be withheld on the additional wages shall be 5 percent of each such wage payment, or (2) the aggregate of the additional wages and the regular wages shall be considered as a single wage payment and the amount of the tax to be withheld shall be determined under the table applicable to the regular pay-roll period. For example, an employee is paid a weekly salary of $65 plus a bonus determined at the end of each three-month period. For a particular three-month period, the employee is paid a bonus of $115. Under the method provided in (1), the amount of the tax to be withheld on the weekly wages as shown on the table provided for a weekly pay-roll period is $2.60, and the amount of the tax to be withheld on the bonus is 5 percent of $115, or $5.75. Under the method provided in (2), the amount of the tax to be withheld on the aggregate wage payment of $180 under the table applicable to a weekly pay-roll period is $8.10.

If, in the case of an employee, the wage bracket tables for determining the amount of the tax to be withheld are used for only a portion of the calendar year, and the exact 5 percent method is used for the balance of the calendar year, the maximum withholding exemption allowable with respect to the wages paid by such employer to such employee during the portion of the calendar year following such change shall not exceed an amount equal to the product of the withholding exemption applicable with respect to such employee's pay-roll period times the number of such periods in the remaining portion of the calendar year.

Example. In the case of certain employees having a weekly pay-roll period ending on Thursday of each week, an employer used the wage bracket tables for determining the tax to be withheld during the first quarter of the calendar year 1943. For the pay-roll period ending on Thursday, April 1, 1943, and for subsequent pay-roll periods during the calendar year 1943, the employer used the exact 5 percent method for computing the amount of the tax to be withheld. The maximum amount of the withholding exemption allowable with respect to the wages paid each employee during the balance of the calendar year is $12 (the withholding exemption applicable to a weekly pay-roll period) multiplied by 40 (the number of weekly pay-roll periods remaining in the calendar year), or $480.

§ 19.466–4 *Tax paid by recipient.* Section 466 (d) provides that if the tax required to be withheld, collected and paid by the withhouding agent is paid by the recipient of the income, it shall not be re-collected from the withholding agent. Such payment does not, however, operate to relieve the withholding agent from liability for interest or additions to the tax imposed for failure to withhold, collect and pay the tax within the time prescribed by law or regulations made in pursuance of law. Interest and additions to the tax shall be computed from the date prescribed in section 468 for the making of the return and payment of the tax by the withholding agent to the date of payment of the tax by the recipient of the income. In general, for interest and additions to tax for failure to make return or pay the tax within the time prescribed by law, see sections 291 to 299, inclusive. For minimum addition to tax for failure to make return within the time prescribed by law, see section 470 (c).

§ 19.466–5 *Return of income and credit for tax withheld at source.* The entire amount of the wages from which the tax is withheld shall be included in gross income in the return required to be made by the recipient of the income without deductions for such tax. The tax withheld at source, however, is allowable as a credit against the victory tax imposed upon the recipient of the income and any excess thereof over the amount of the victory tax is allowable as a credit against the tax imposed by sections 11 and 12 or the tax imposed by section 400, as the case may be. Any excess of the tax withheld at source over the aggregate of the tax imposed by chapter 1 shall be refunded to the recipient of the income. If the tax has actually been withheld and collected at the source, refund shall be made to the recipient of the income even though such tax has not been paid over to the Government by the withholding agent. See section 322. For the purpose of the credit, the recipient of the income is the person subject to the tax imposed under chapter 1 upon the wages from which the tax was withheld. For instance, if a husband and wife domiciled in a community property State make separate returns, each reporting for income tax purposes one-half of the wages received by the husband, each spouse is entitled to one-half of the credit allowable for the tax withheld at source with respect to such wages.

Example. A and B are married and living together and have two dependent children throughout the calendar year 1943. Their joint return for 1943 discloses normal tax of $1,075.02, surtax of $6,605.33, and victory tax (before allowance of the credit provided in section 453) of $993.80. A credit under the provisions of section 453 is claimed on account of premiums paid in the amount of $628 on life insurance in force on September 1, 1942 and the purchase of War Bonds during the calendar year 1943 at a cost of $1,200. The victory tax withheld at the source from the wages of A amounts to $968.80. The tax liability of A and B for the calendar year 1943 is shown as follows:

Victory tax (gross)	$993.80
Credit claimed under section 453 (not to exceed post war credit):	
1. Premiums paid on life insurance	628.00
2. Purchase of War Bonds	1,200.00
Total	1,828.00
Post war credit: 44% of $993.80, or $1,200, whichever is the lesser	437.27
Credit allowable under section 453	437.27
Victory tax (net)	556.53
Less: Credit for tax withheld at source	968.80
Excess credit (allowable against other income tax	412.27
Income tax:	
Normal tax	1,075.02
Surtax	6,605.33
Total	7,680.35
Less: Balance of credit for tax withheld at source	412.27
Income tax payable	7,268.08

§ 19.466–6 *Included and excluded wages.* If a portion of the remuneration

paid by an employer to his employee for

is no period which constitutes a pay-roll

provisions of law, including statutes of

agent with respect to an undercollection

each of the quarters ending March 31,

final return a statement, in duplicate,

paid by an employer to his employee for services performed during a pay-roll period constitutes wages, and the remainder does not constitute wages, all the remuneration paid the employee for services performed during such period shall for purposes of withholding be treated alike, that is, either all included as wages or all excluded. The time during which the employee performs services, the remuneration for which under section 465 (b) constitutes wages, and the time during which he performs services, the remuneration for which under such section does not constitute wages, determine whether all the remuneration for services performed during the pay-roll period shall be deemed to be included or excluded.

If one-half or more of the employee's time in the employ of a particular person in a pay-roll period is spent in performing services the remuneration for which constitutes wages, then all the wages paid the employee for services performed in that pay-roll period shall be deemed to be wages.

If less than one-half of the employee's time in the employ of a particular person in a pay-roll period is spent in performing services the remuneration for which constitutes wages, then none of the wages paid the employee for services performed in that pay-roll period shall be deemed to be wages.

Example (1). Employee A is employed by B who operates a farm and a store. The remuneration paid A for services on the farm is excepted as remuneration for agricultural labor, and the remuneration for services performed in the store constitutes wages. Employee A is paid on a monthly basis. During a particular month, A works 120 hours on the farm and 80 hours in the store. None of the remuneration paid A for services performed during the month is deemed to be wages, since the remuneration paid for less than one-half of the services performed during the month constitutes wages.

During another month A works 75 hours on the farm and 120 hours in the store. All of the remuneration paid A for services performed during the month is deemed to be wages since the remuneration paid for one-half or more of the services performed during the month constitutes wages.

Example (2). Employee C is employed as a maid by D, a physician, whose home and office are located in the same building. The remuneration paid C for services in the home is excepted as remuneration for domestic service, and the remuneration paid for her services in the office constitutes wages. C is paid on a weekly basis. During a particular week C works 20 hours in the home and 20 hours in the office. All of the remuneration paid C for services performed during that week is deemed to be wages, since the remuneration paid for one-half or more of the services performed during the week constitutes wages.

During another week C works 22 hours in the home and 15 hours in the office. None of the remuneration paid C for services performed during that week is deemed to be wages, since the remuneration paid for less than one-half of the services performed during the week constitutes wages.

The rules set forth in this section do not apply with respect to any remuneration paid for services performed by an employee for his employer if the periods for which remuneration is paid by the employer vary to the extent that there is no period which constitutes a pay-roll period within the meaning of section 465 (a). In such a case withholding is required with respect to that portion of such remuneration which constitutes wages.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 467. WITHHOLDING AGENT.

(a) *Collection of tax.* The tax required to be withheld by section 466 shall be collected by the person having control of the payment of such wages by deducting such amount from such wages as and when paid. As used in this subsection, the term "person" includes officers and employees of the United States, or of a State, Territory, or any political subdivision thereof, or of the District of Columbia, or any agency or instrumentality of any one or more of the foregoing.

(b) *Indemnification of withholding agent.* Every person required to withhold and collect any tax under this part shall be liable for the payment of such tax, and shall not be liable to any person for the amount of any such payment

(c) *Adjustments.* If more or less than the correct amount of tax is withheld or paid for any quarter in any calendar year, proper adjustments, with respect both to the tax withheld or the tax paid, may be made in any subsequent quarter of such calendar year, without interest, in such manner and at such times as may be prescribed by regulations made by the Commissioner, with the approval of the Secretary.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.467–1 *Collection of and liability for tax.* Under the provisions of section 467, the withholding agent is required to collect the tax by deducting the amount thereof from the employee's wages as and when paid, either actually or constructively. The withholding agent is required to collect the tax notwithstanding the wages are paid in something other than money (for example, wages paid in stock or bonds; see § 19.465–2) and to pay the tax to the collector in money. If wages are paid in property other than money, necessary arrangements should be made between the employer and employee to insure that the amount of the tax is available for payment to the collector.

Every person required to withhold and collect the tax under section 466 from the wages of an employee is liable for the payment of such tax whether or not it is collected from the employee. If, for example, an employer deducts less than the correct amount of tax, or if he fails to deduct any part of the tax, he is nevertheless liable for the correct amount of the tax. See, however, section 466 (d) relieving the withholding agent from liability for the tax if such tax has been paid by the recipient of the income. The amount of any tax withheld and collected by a withholding agent is a special fund in trust for the United States. [§ 3661]

Except as otherwise expressly indicated or manifestly inconsistent therewith, all provisions of law, including statutes of limitations, applicable with respect to the assessment and collection and refund or credit of the taxes imposed by chapter 1 are applicable to the tax required to be collected at the source.

The withholding agent is relieved of liability to any other person for the amount of any tax withheld and paid to the collector pursuant to the provisions of section 466.

§ 19.467–2 *Quarterly adjustments*—(a) *In general.* If, for any quarter of the calendar year, more or less than the correct amount of the tax is withheld, or more or less than the correct amount of the tax is paid to the collector, proper adjustment, without interest, may be made in any subsequent quarter of the same calendar year. No adjustment, however, under the provisions of this section shall be made in respect of any quarter after the mailing of a statutory notice of deficiency under the provisions of section 272, the making of a jeopardy assessment under the provisions of section 273, or the filing of a claim for refund under the provisions of section 322, in respect of such quarter. Every return on which an adjustment for a preceding quarter is reported must have securely attached as a part thereof a statement, in duplicate, explaining the adjustment, and designating the quarterly return period in which the error occurred. If an adjustment of an overcollection of tax which the withholding agent has repaid to an employee is reported on a return, such statement shall include the fact that such tax was repaid to the employee.

(b) *Less than correct amount of tax withheld.* If none, or less than the correct amount, of the tax is deducted from any wage payment and the error is ascertained prior to the making of the return on Form V–1 for the quarter in which such wages are paid, the withholding agent shall nevertheless report on such return and pay to the collector the correct amount of the tax required to be withheld. If the error is not ascertained until after the making of the return on Form V–1 for the quarter in which such wages are paid, the undercollection may be corrected by an adjustment on the return for any subsequent quarter of the same calendar year, subject, however, to the limitations noted in paragraph (a). The amount of any undercollection adjusted in accordance with this subsection shall be paid to the collector, without interest, at the time prescribed for payment of the tax for the quarter in which such adjustment is made. If an adjustment is made pursuant to this subsection but the amount thereof is not paid when due, interest thereafter accrues. (See section 294.)

If none, or less than the correct amount, of the tax is withheld from any wage payment, the withholding agent may correct the error by deducting the amount of the undercollection from remuneration of the employee, if any, under his control after he ascertains the error. Such deduction may be made even though the remuneration, for any reason, does not constitute wages. The obligation of an employee to the withholding agent with respect to an undercollection of tax from the employee's wages not subsequently corrected by a deduction made as prescribed herein is a matter for settlement between the employee and the withholding agent. In this connection, see section 466 (d) relieving the withholding agent from liability for collection of the tax if such tax has been paid by the employee or other recipient of the wages.

(c) *More than correct amount of tax withheld.* If, in any quarter, more than the correct amount of tax is deducted from any wage payment, the overcollection may be repaid to the employee in any quarter of the same calendar year. If the amount of the overcollection is repaid, the withholding agent shall obtain and keep as part of his records the written receipt of the employee showing the date and amount of the repayment.

If an overcollection in any quarter is repaid and receipted for by the employee prior to the time the return on Form V–1 for such quarter is filed with the collector, the amount of such overcollection shall not be included in the return for such quarter.

Subject to the limitations provided in paragraph (a), if an overcollection in any quarter is repaid and receipted for by the employee after the time the return on Form V–1 for such quarter is filed and the tax is paid to the collector, the overcollection may be corrected by an adjustment on the return for any subsequent quarter of the same calendar year.

Every overcollection not repaid and receipted for by the employee as provided in this paragraph must be reported and paid to the collector with the return on Form V–1 for the quarter in which the overcollection is made.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 468. RETURN AND PAYMENT BY WITHHOLDING AGENT.

In lieu of the time prescribed in sections 53 and 56 for the return and payment of the tax imposed by this chapter, every person required to withhold and collect any tax under section 466 shall make a return and pay such tax on or before the last day of the month following the close of each quarter of each calendar year. Every such person shall include with the final return for the calendar year a duplicate copy of each receipt required to be furnished under section 469. Every such person shall also keep such records and render under oath such statements with respect to the tax so withheld and collected as may be required under regulations prescribed by the Commissioner, with the approval of the Secretary.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.468–1 *Return and payment by withholding agent.* Every person required to withhold and collect any tax under section 466 shall make a return and pay such tax on or before the last day of the month following the close of each of the quarters ending March 31, June 30, September 30, and December 31. Such return is to be made on Form V–1, Return of Victory Tax Withheld, and must be filed with the collector of internal revenue for the district in which is located the principal place of business or office of the employer, or if he has no principal place of business or office, then in the district in which is located his legal residence. There shall be included with the return filed for the fourth quarter of the calendar year, or with the employer's final return, if filed at an earlier date, a duplicate of each Statement of Victory Tax Withheld (Form V–2) (See § 19.469–1), together with Reconciliation of Quarterly Returns of Victory Tax Withheld with Statements of Victory Tax Withheld (Form V–3). In the case of a large number of duplicate statements (Form V–2), they may be forwarded to the collector in a separate package, properly identified by reference to the return (Form V–1). In such case Form V–3 should accompany the duplicate statements (Form V–2). Employers with numerous establishments or pay rolls should assemble the duplicate statements by establishment or by pay-roll.

Every person required to withhold, collect, and pay any tax under section 466 shall keep such records as will indicate the persons employed during the year, payments to whom are subject to withholding, the periods of employment, and the amounts and dates of payment to such persons. Such records shall be kept at all times available for inspection by internal-revenue officers, and shall be retained so long as the contents thereof may become material in the administration of any internal-revenue law.

The return must be signed and sworn to by the employer or other person required to withhold, collect, and pay the tax. The return may be sworn to before any person authorized by law to administer oaths for general purposes, or, without charge, before any collector of internal revenue, or deputy collector.

If the person required to withhold, collect, and pay the tax under section 466 is a corporation, the return shall be made in the name of the corporation and shall be sworn to by the officers designated in section 52.

With respect to any tax required to be withheld under section 466 by a fiduciary, the return shall be made in the name of the individual, estate, or trust for which such fiduciary acts, and shall be sworn to by such fiduciary. For returns made by one of two or more joint fiduciaries, see section 142 (b).

The last return on Form V–1 for any employer required to withhold, collect, and pay any tax under section 466 who ceased to pay wages shall be marked "Final return" by such employer. Such final return shall be filed with the collector on or before the thirtieth day after the date on which the final payment of wages is made for services performed for such employer, and shall plainly show the period covered and also the date of the last payment of wages. There shall be executed as part of each final return a statement, in duplicate, giving the address at which the records required by this section will be kept, the name of the person keeping such records and, if the business has been sold or otherwise transferred to another person, the name and address of such person and the date on which such sale or other transfer took effect. If no such sale or transfer occurred or the employer does not know the name of the person to whom the business was sold or transferred, that fact should be included in the statement. An employer who has only temporarily ceased to pay wages, including an employer engaged in seasonal activities, shall continue to file returns, but shall enter on the face of any return on which no tax is required to be reported a statement showing the date of the last payment of wages and the date when he expects to resume paying wages.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 469. RECEIPTS.

(a) *Wages.* Every employer required to withhold and collect a tax in respect of the wages of an employee shall furnish to each such employee in respect of his employment during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, on the day on which the last payment of wages is made, a written statement showing the period covered by the statement, the wages paid by the employer to such employee during such period, and the amount of the tax withheld and collected under this part in respect of such wages.

(b) *Regulations.* The statements required to be furnished by this section shall be in lieu of the return required to be furnished by the employer with respect to his employee under section 147 and shall be furnished at such other times, shall contain such other information, and shall be in such form as the Commissioner, with the approval of the Secretary, may by regulations prescribe.

(c) *Extension of time.* The Commissioner, under such regulations as he may prescribe with the approval of the Secretary, may grant to any employer a reasonable extension of time (not in excess of 30 days) with respect to the statements required to be furnished to employees on the day on which the last payment of wages is made.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.469–1 *Receipts for tax withheld at source on wages*—(a) *In general.* Every employer or other person required to withhold and collect a tax under section 466 shall furnish to each employee in respect of his employment during the calendar year a written statement on Form V–2, showing the period covered, the wages paid to the employee during such period, and the amount of tax withheld. The Form V–2 shall show all remuneration actually or constructively paid to the employee during the calendar year whether or not constituting wages and whether or not tax has been with-

held therefrom. Statements prepared in substantially like form and size, but in no case larger than 8 x 3½ inches, will be acceptable. This statement shall be furnished to the employee on or before January 31 of the succeeding calendar year, or, if his employment is terminated before the close of such calendar year, on the day on which the last payment of wages is made. Statements of Victory Tax Withheld (Form V–2) shall be prepared in duplicate, the original of which shall be furnished to the employee as prescribed. The duplicate statements shall be transmitted to the collector with Form V–1 for the fourth quarter of the calendar year and Form V–3.

For wages, salaries, or other remuneration paid in 1943 and subsequent years, the statement on Form V–2 shall take the place of Form 1099, Information Return.

(b) *Extension of time in case of termination of employment.* An extension of time, not exceeding thirty days, within which to furnish the statement required by section 469 (a) is granted any employer with respect to any employee whose employment is terminated during the calendar year. In the case of intermittent or interrupted employment where there is reasonable expectation on the part of both employer and employee of further employment, there is no requirement that a statement be immediately furnished the employee; but when such expectation ceases to exist, the statement must be furnished within thirty days from that time.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 470. PENALTIES.

(a) *Penalties for fraudulent receipt or failure to furnish receipt.* In lieu of any other penalty provided by law (except the penalty provided by subsection (b) of this section), any person required under the provisions of section 469 to furnish a receipt in respect of tax withheld pursuant to this part who wilfully furnishes a false or fraudulent receipt, or who wilfully fails to furnish a receipt in the manner, at the time, and showing the information required under section 469, or regulations prescribed thereunder, shall for each such failure, upon conviction thereof, be fined not more than $1,000, or imprisoned for not more than one year, or both.

(b) *Additional penalty.* In addition to the penalty provided by subsection (a) of this section, any person required under the provisions of section 469 to furnish a receipt in respect of tax withheld pursuant to this part who wilfully furnishes a false or fraudulent receipt, or who wilfully fails to furnish a receipt in the manner, at the time, and showing the information required under section 469, or regulations prescribed thereunder, shall for each such failure be subject to a civil penalty of not more than $50.

(c) *Failure of withholding agent to file return.* In case of any failure to make and file return required by this part, within the time prescribed by law or prescribed by the Commissioner in pursuance of law, unless it is shown that such failure is due to reasonable cause and not due to wilful neglect, the addition to the tax provided for in section 291 shall not be less than $5.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.470–1 *Penalties*—(a) *Fraudulent receipt or failure to furnish receipt.* Section 470 imposes criminal and civil penalties for the wilful failure to furnish a receipt in the manner, at the time, and showing the information required under section 469 or regulations prescribed thereunder or for wilfully furnishing a false or fraudulent receipt. The criminal penalty is a fine of not more than $1,000 or imprisonment for not more than one year, or both, and the civil penalty is a fine of not more than $50 for each such violation. Such penalties are in lieu of any other penalties provided by law respecting the failure to furnish a receipt or the furnishing of a false or fraudulent receipt.

(b) *Addition to tax for failure to file return.* In case of any failure to make and file a return required by section 468 within the time prescribed by law, unless failure to file the return within the prescribed time is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to wilful neglect, the addition to the tax provided by section 291 shall not be less than $5. For interest and additions to tax for failure to make return or pay tax within the time prescribed by law, see generally sections 291 to 299, inclusive; for criminal penalties, see section 145 and § 19.145–1.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

Part III—Expiration Date and Definitions

SEC. 475. DEFINITIONS.

(a) *Net income.* When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the term "net income" shall be construed to mean "victory tax net income" for the purposes of this subchapter.

(b) *Date of cessation of hostilities in the present war.* As used in this subchapter, the term "date of cessation of hostilities in the present war" means the date on which hostilities in the present war between the United States and the governments of Germany, Japan, and Italy cease, as fixed by proclamation of the President or by concurrent resolution of the two Houses of Congress, whichever date is earlier, or in case the hostilities between the United States and such governments do not cease at the same time, such date as may be so fixed as an appropriate date for the purposes of this subchapter.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.475–1 *Definitions*—(a) *Net income as victory tax net income.* The term "net income" as used throughout the Code, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, shall be construed to mean "victory tax net income" for the purposes of the victory tax.

(b) *Date of cessation of hostilities in the present war.* The term "date of cessation of hostilities in the present war" means the date on which hostilities in the present war between the United States and the governments of Germany, Japan, and Italy cease, as fixed by proclamation of the President or by concurrent resolution of both Houses of Congress, whichever date is earlier, or, in case the hostilities between the United States and such governments do not cease at the same time, such date as may be fixed by proclamation of the President or by concurrent resolution of both Houses of Congress as an appropriate date for the purposes of the victory tax.

SEC. 172. TEMPORARY INCOME TAX ON INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) The Internal Revenue Code is amended by inserting at the end of Chapter 1 the following new subchapter:

* * * * *

SEC. 476. EXPIRATION DATE.

The taxes imposed by this subchapter shall not apply with respect to any taxable year commencing after the date of cessation of hostilities in the present war.

* * * * *

(g) *Effective date.* The provisions of this section shall take effect on January 1, 1943, and shall be applicable to all wages (as defined in Part II of Subchapter D) paid on or after such date.

§ 19.476–1 *Expiration date.* The victory taxes shall not apply with respect to any taxable year beginning after the date of cessation of hostilities in the present war.

PAR. 9. Treasury Decision 5187, approved November 30, 1942, is hereby superseded.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62); sec. 172 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 27, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4850; Filed, March 29, 1943; 5:12 p. m.]

[T. D. 5250]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Supp.) to section 171 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding section 19.371–0 the following:

SEC. 171. AMENDMENTS TO SUPPLEMENT R. (Revenue Act of 1942, Title I.)

(a) *Exchanges and sales of property.* Section 371 (b) (relating to exchanges of property for property) is amended to read as follows:

(b) *Exchanges and sales of property by corporations.* No gain shall be recognized to a transferor corporation which is a registered holding company or an associate company of a registered holding company, if such corporation, in obedience to an order of the Securities and Exchange Commission transfers property in exchange for property, and such order recites that such exchange by the transferor corporation is necessary or appropriate to the integration or simplification of the holding company system of which the transferor corporation is a member. If any such property so received is nonexempt property, gain shall be recognized unless such nonexempt property or an amount equal to the fair market value of such property at the time of the transfer is, within 24 months of the transfer, under regulations prescribed by the Commissioner with the approval of the Secretary, and in accordance with an order of the Securities and Exchange Commission, expended for property other than nonexempt property or is invested as a contribution to the capital, or as paid-in surplus, of another corporation, and such order recites that such expenditure or investment by the transferor corporation is necessary or appropriate to the integration or simplification of the holding company system of which the transferor corporation is a member. If the fair market value of such nonexempt property at the time of the transfer exceeds the amount expended and the amount invested, as required in the second sentence of this paragraph, the gain, if any, to the extent of such excess, shall be recognized. Any gain, to the extent that it cannot be applied in reduction of basis under section 372 (a) (2) shall be recognized. For the purposes of this subsection, a distribution in cancellation or redemption (except a distribution having the effect of a dividend) of the whole or a part of the transferor's own stock (not acquired on the transfer) and a payment in complete or partial retirement or cancellation of securities representing indebtedness of the transferor or a complete or partial retirement or cancellation of such securities which is a part of the consideration for the transfer, shall be considered an expenditure for property other than nonexempt property, and if, on the transfer, a liability of the transferor is assumed, or property of the transferor is transferred subject to a liability, the amount of such liability shall be considered to be an expenditure by the transferor for property other than nonexempt property. This subsection shall not apply unless the transferor corporation consents, at such time and in such manner as the Commissioner, with the approval of the Secretary, may by regulations prescribe, to the regulations prescribed under section 372 (a) (2) in effect at the time of filing its return for the taxable year in which the transfer occurs.

(b) *Amendment of section 371 (f).* Section 371 (f) is amended to read as follows:

(f) *Application of section.* The provisions of this section shall not apply to an exchange, expenditure, investment, distribution, or sale unless (1) the order of the Securities and Exchange Commission in obedience to which such exchange, expenditure, investment, distribution, or sale was made recites that such exchange, expenditure, investment, distribution, or sale is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U.S.C., title 15, sec. 79k (b)), (2) such order specifies and itemizes the stock and securities and other property which are ordered to be acquired, transferred, received, or sold upon such exchange, acquisition, expenditure, distribution, or sale, and, in the case of an investment, the investment to be made, and (3) such exchange, acquisition, expenditure, investment, distribution or sale was made in obedience to such order, and was completed within the time prescribed therefor.

* * * * *

(g) *Technical amendment.* Section 371 (f) is amended by striking out "or (b)".

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. The last sentence of the second paragraph of § 19.371–1 is amended by striking therefrom "or (b)" and substituting therefor the following: "(or, for taxable years beginning prior to January 1, 1942, section 371 (b))".

PAR. 3. Section 19.371–3 is amended as follows:

(A) By inserting immediately after the heading the following subheading: "(a) *Taxable years beginning before January 1, 1942.*"

(B) By striking the word "the" from the beginning of the first sentence and inserting in lieu thereof the following: "For taxable years beginning prior to January 1, 1942, the".

(C) By inserting at the end thereof the following new paragraph:

(b) *Taxable years beginning after December 31, 1941—(1) Application of section 371 (b), as amended.* Section 371 (b), as amended by section 171 of the Revenue Act of 1942:

(i) Is applicable only to taxable years beginning after December 31, 1941;

(ii) Applies only to the transfers specified therein with respect to which section 371 (d) is inapplicable; and

(iii) Deals only with such transfers if gain is realized upon the sale or other disposition effected by such transfers. If loss is realized the subsection is inapplicable and the application of other provisions of the Code must be determined. (See section 371 (g).) If section 371 (b) is applicable, the provisions of section 112 (other than the provisions of paragraph 8 of subsection (b)) are inapplicable, and the conditions under, and the extent to which, the realized gain is not recognized are set forth in subparagraphs (2), (3), (4) and (5) below.

(2) *Nonrecognition of gain; no nonexempt proceeds.* No gain is recognized to a transferor corporation upon the sale or other disposition of property transferred by such transferor corporation in exchange solely for property other than nonexempt property, as defined in section 373 (e), as amended, but only if all of the following requirements are satisfied:

(i) The transferor corporation is, under the definition in section 373 (b), a registered holding company or an associate company of a registered holding company;

(ii) Such transfer is in obedience to an order of the Securities and Exchange Commission (as defined in section 373 (a), as amended) and such order satisfies the requirements of section 371 (f), as amended;

(iii) The transferor corporation has filed the required consent to the regulations under section 372 (a) (2) (see subparagraph (6) of this paragraph); and

(iv) The entire amount of the gain, as determined under section 111, can be applied in reduction of basis under section 372 (a) (2).

(3) *Nonrecognition of gain; nonexempt proceeds.* If the transaction would be within the provisions of subparagraph (2) above, if it were not for the fact that the property received in exchange consists in whole or in part of nonexempt property (as defined in section 373 (e), as amended), then no gain is recognized if such nonexempt property, or an amount equal to the fair market value of such nonexempt property at the time of the transfer:

(i) Is expended within the required 24-month period for property other than nonexempt property; or

(ii) Is invested within the required 24-month period as a contribution to the capital, or as paid-in surplus, of another corporation;

but only if the expenditure or investment is made:

(iii) In accordance with an order of the Securities and Exchange Commission (as defined in section 373 (a), as amended) which satisfies the requirements of section 371 (f), as amended, and which recites that such expenditure or investment by the transferor corporation is necessary or appropriate to the integration or simplification of the holding company system of which the transferor corporation is a member; and

(iv) The required consent, waiver, and bond have been executed and filed. See subparagraphs (6) and (7) of this paragraph.

The following, for the purposes of this subparagraph and subparagraph (4) are treated as expenditures for property other than nonexempt property:

(*a*) A distribution in cancellation or redemption (except a distribution having the effect of a dividend) of the whole or a part of the transferor's own stock (not acquired on the transfer);

(*b*) A payment in complete or partial retirement or cancellation of securities representing indebtedness of the transferor or a complete or partial retirement or cancellation of such securities which is a part of the consideration for the transfer; and

(*c*) If, on the transfer, a liability of the transferor is assumed, or property of the transferor is transferred subject to a liability, the amount of such liability.

(4) *Recognition of gain in part; insufficient expenditure or investment in case of nonexempt proceeds.* If the transaction would be within the provisions of subparagraph (3), above, if it were not for the fact that the amount expended or invested is less than the fair market value of the nonexempt property received in exchange, then the gain, if any, is recognized, but in an amount not in excess of the amount by which the fair market value of such nonexempt property at the time of the transfer exceeds the amount so expended and invested.

(5) *Recognition of gain in part; inability to reduce basis.* If the transaction would be within the provisions of

subparagraph (2) or (3) if it were not for the fact that an amount of gain cannot be applied in reduction of basis under section 372 (a) (2), then the gain, if any, is recognized, but in an amount not in excess of the amount which cannot be so applied in reduction of basis. If the transaction would be within the provisions of subparagraph (4) if it were not for the fact that an amount of gain cannot be applied in reduction of basis under section 372 (a) (2), then the gain, if any, is recognized but in an amount not in excess of the aggregate of:

(i) The amount of gain which would be recognized under subparagraph (4) if there were no inability to reduce basis under section 372 (a) (2); and

(ii) The amount of gain which cannot be applied in reduction of basis under section 372 (a) (2).

(6) *Consent to regulations under section 372 (a) (2).* To be entitled to the benefits of the provisions of section 371 (b), as amended, a corporation must file with its return for the taxable year in which the transfer occurred a consent to have the basis of its property adjusted under section 372 (a) (2) (see § 19.372–2), in accordance with the provisions of the regulations in effect at the time of filing of the return for the taxable year in which the transfer occurs. Such consent shall be made in duplicate on Form 982A in accordance with these regulations and the instructions on the form or issued therewith.

(7) *Requirements with respect to expenditure or investment.* If the full amount of the expenditure or investment required for the application of subparagraph (3) of this paragraph has not been made by the close of the taxable year in which such transfer occurred, the taxpayer shall file with the return for such year an application for the benefit of the 24-month period for expenditure and investment, reciting the nature and time of the proposed expenditure or investment. When requested by the Commissioner, the taxpayer shall execute and file (at such time and in such form) such waiver of the statute of limitations with respect to the assessment of deficiencies (for the taxable year of the transfer and for all succeeding taxable years in any of which falls any part of the period beginning with the date of the transfer and ending 24 months thereafter) as the Commissioner may specify, and such bond with such surety as the Commissioner may require in an amount not in excess of double the estimated maximum income and excess profits taxes which would be payable if the corporation does not make the required expenditure or investment within the required 24-month period.

PAR. 4. Section 19.371–7 is amended by striking from the first sentence thereof the following: "or (*b*) property of a corporation which is a registered holding company or an associate company of a registered holding company is exchanged for other property as provided for in section 371 (b)," and inserting in lieu thereof the following: "or, for taxable years beginning prior to January 1, 1942, (*b*) property of a corporation which is a registered holding company or an associate company of a registered holding company is exchanged for other property as provided for in section 371 (b) prior to its amendment by the Revenue Act of 1942,"

PAR. 5. Section 19.371–8 is amended as follows:

(A) By inserting immediately after the heading the following subheading: "(a) *Taxable years beginning before January 1, 1942.*"

(B) By changing the first sentence to read as follows:

(a) *Taxable years beginning before January 1, 1942.* For taxable years beginning prior to January 1, 1942, the term "order of the Securities and Exchange Commission" is defined in section 373 (a) prior to its amendment by the Revenue Act of 1942.

(C) By inserting at the end thereof the following new paragraph:

(b) *Taxable years beginning after December 31, 1941.* For the taxable years beginning after December 31, 1941, the term "order of the Securities and Exchange Commission" is defined in section 373 (a), as amended. In addition to the requirements specified in that definition, section 371 (f), as amended, provides that the provisions of section 371 shall not apply to an exchange, expenditure, investment, distribution, or sale unless each of the following requirements is met:

(1) The order of the Securities and Exchange Commission must recite that the exchange, expenditure, investment, distribution, or sale is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

(2) The order shall specify and itemize the stocks and securities and other property (including money) which are ordered to be acquired, transferred, received, or sold upon such exchange, acquisition, expenditure, distribution, or sale, and, in the case of an investment, the investment to be made, so as clearly to identify such property.

(3) The exchange, acquisition, expenditure, investment, distribution, or sale shall be made in obedience to such order and shall be completed within the time prescribed in such order.

These requirements were not designed merely to simplify the administration of the provisions of section 371, and they are not to be considered as pertaining only to administrative matters. Each one of the three requirements is of the essence, and must be met if gain or loss is not to be recognized upon the transaction.

PAR. 6. There is inserted at the end of paragraph (b) of § 19.371–10 the following:

(*d*) In the case of any taxable year beginning after December 31, 1941, the term "exchange" shall, wherever occurring in this paragraph (other than this subparagraph) be read as "exchange, expenditure, or investment."

PAR. 7. There is inserted immediately preceding § 19.372–0 the following:

SEC. 171 AMENDMENTS TO SUPPLEMENT R. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Amendment of section 372 (a).* Section 372 (a) is amended—

(1) by inserting after "(a) Exchanges Generally.—" the following: "(1) Exchanges subject to the provisions of section 371 (a).—;"

(2) by striking out "371 (a), (b), or (c)," and inserting in lieu thereof "371 (a) or (e)," and by striking out "371 (a) or (b)" and inserting in lieu thereof "371 (a)"; and

(3) by inserting at the end thereof the following:

(2) *Exchanges subject to the provisions of section 371 (b).* The gain not recognized upon a transfer by reason of section 371 (b) shall be applied to reduce the basis for determining gain or loss on sale or exchange of the following categories of property in the hands of the transferor immediately after the transfer, and property acquired within 24 months after such transfer by an expenditure or investment to which section 371 (b) relates on account of the acquisition of which gain is not recognized under such subsection, in the following order:

(1) Property of a character subject to the allowance for depreciation under section 23 (l);

(2) Property (not described in paragraph (1)) with respect to which a deduction for amortization is allowable under section 23 (t);

(3) Property with respect to which a deduction for depletion is allowable under section 23 (m) but not allowable under section 114 (b) (2), (3), or (4);

(4) Stock and securities of corporations not members of the system group of which the transferor is a member (other than stock or securities of a corporation of which the transferor is a subsidiary);

(5) Securities (other than stock) of corporations which are members of the system group of which the transferor is a member (other than securities of the transferor or of a corporation of which the transferor is a subsidiary);

(6) Stock of corporations which are members of the system group of which the transferor is a member (other than stock of the transferor or of a corporation of which the transferor is a subsidiary);

(7) All other remaining property of the transferor (other than stock or securities of the transferor or of a corporation of which the transferor is a subsidiary).

The manner and amount of the reduction to be applied to particular property within any of the categories described in paragraphs (1) to (7), inclusive, shall be determined under regulations prescribed by the Commissioner with the approval of the Secretary.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 8. Section 19.372–0 is amended as follows:

(A) By striking out the first sentence and substituting therefor the following:

Section 113 (a) (17) provides that if property is acquired in a taxable year beginning before January 1, 1942, in any manner described in section 372, prior to its amendment by the Revenue Act of 1942, the basis shall be that provided in such section, prior to its amendment by such Act, with respect to such property. If the property was acquired in a taxable year beginning after December 31, 1941, in any manner described in section 372 (other than paragraph (a) (2)) after its amendment by such Act, the basis shall be that prescribed in such section (after its amendment by such Act) with respect to such property.

(B) By inserting after "In general", in the third sentence, the following: "and except as provided in § 19.372–2".

PAR. 9. Section 19.372–1 is amended as follows:

(A) By changing its heading to read as follows: "*Basis of property acquired upon exchanges under sections 371 (a), 371 (b) (prior to amendment by the Revenue Act of 1942), or 371 (e).*"

(B) By inserting after "371 (b)" wherever the same appears, the following: "prior to its amendment by the Revenue Act of 1942 and in a taxable year beginning prior to January 1, 1942".

PAR. 10. Sections 19.372–2, 19.372–3 and 19.372–4 are each renumbered, respectively, 19.373–3, 19.372–4 and 19.372–5.

PAR. 11. There is inserted immediately after § 19.372–1 the following new section to read as follows:

§ 19.372–2 *Reduction of basis of property by reason of gain not recognized under section 371 (b), as amended*—(a) *Introductory.* In addition to the adjustments provided in section 113 (b), and the sections of these regulations relating thereto, which are required to be made with respect to the cost or other basis of property, a further adjustment shall be made in any case in which there shall have been a non-recognition of gain under section 371 (b), as amended, realized in a taxable year beginning after December 31, 1941. Such further adjustment shall be made with respect to the basis of the property in the hands of the transferor immediately after the transfer and of the property acquired within 24 months after such transfer by an expenditure or investment to which section 371 (b), as amended, relates, and on account of which expenditure or investment gain is not recognized. If the property is in the hands of the transferor immediately after the transfer the time of reduction is the day of the transfer; in all other cases the time of reduction is the date of acquisition. The effect of applying an amount in reduction of basis of property under such subsection is to reduce by such amount the basis for determining gain upon sale or other disposition, the basis for determining loss upon sale or other disposition, the basis for depreciation and for depletion, and any other amount which the Code prescribes shall be the same as any of such bases. For the purposes of the application of an amount in reduction of basis under such subsection, property is not considered as having a basis capable of reduction if:

(1) It is money, or

(2) If its adjusted basis for determining gain at the time the reduction is to be made is zero, or becomes zero at any time in the application of such subsection.

(b) *General rule.* Section 372 (a) (2) sets forth seven categories of property, the basis of which for determining gain or loss shall be reduced in the order stated.

The first category consists of all property of a character subject to the allowance for depreciation under section 23 (l) which is either in the hands of the transferor immediately after the transfer, or is acquired within 24 months after such transfer by an expenditure or investment resulting in the nonrecognition in whole or in part of gain, under subsection 371 (b). If any of the property in such category has a basis capable of reduction, the reduction must first be made before applying an amount in reduction of the basis of any property in the second or in a succeeding category, to each of which in turn a similar rule is applied.

In the application of the rule to each category, the amount of the gain not recognized shall be applied to reduce the cost or other basis of all the property in the category as follows: The cost or other basis (at the time immediately after the transfor or, if the property is not then held but is thereafter acquired, at the time of such acquisition) of each unit of property in the first category shall be decreased (but the amount of the decrease shall not be more than the amount of the adjusted basis at such time for determining gain, determined without regard to this section) in an amount equal to such proportion of the unrecognized gain as the adjusted basis (for determining gain, determined without regard to this section) at such time of each unit of property of the taxpayer in that category bears to the aggregate of the adjusted basis (for determining gain, computed without regard to this section) at such time of all the property of the taxpayer in that category. When such adjusted basis of the property in the first category has been thus reduced to zero, a similar rule shall be applied, with respect to the portion of such gain which is unabsorbed in such reduction of the basis of the property in such category, in reducing the basis of the property in the second category. A similar rule with respect to the remaining unabsorbed gain shall be applied in reducing the basis of the property in the next succeeding category.

(c) *Special cases.* With the consent of the Commissioner, the taxpayer may, however, have the basis of the various units of property within a particular category specified in subsection 372 (a) (2) adjusted in a manner different from the general rule set forth in paragraph (b) of this section. Variations from such general rule may, for example, involve adjusting the basis of only certain units of the taxpayer's property within a given category. A request for variations from the general rule should be filed by the taxpayer with its return for the taxable year in which the transfer of property has occurred.

Agreement between the taxpayer and the Commissioner as to any variations from such general rule shall be effective only if incorporated in a closing agreement entered into under the provisions of section 3760. If no such agreement is entered into by the taxpayer and the Commissioner, then the consent filed on Form 982A shall (except as provided in the next sentence) be deemed to be a consent to the application of such general rule, and such general rule shall apply in the determination of the basis of the taxpayer's property. If, however, the taxpayer specifically states on such form that it does not consent to the application of the general rule, then, in the absence of a closing agreement, the document filed shall not be deemed a consent within the meaning of the last sentence of subsection 371 (b).

PAR. 12. There is inserted immediately preceding § 19.373–1 the following:

SEC. 171. AMENDMENTS TO SUPPLEMENT R. (Revenue Act of 1942, Title I.)

* * * * *

(a) *Amendment of section 373 (a).* Section 373 (a) is amended to read as follows:

(a) The term "order of the Securities and Exchange Commission" means an order issued after May 28, 1938, by the Securities and Exchange Commission which requires, authorizes, permits, or approves transactions described in such order to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U.S.C., title 15, sec. 79k (b)), which has become or becomes final in accordance with law.

(c) *Amendment of section 373 (e) (1).* Section 373 (e) (1) is amended to read as follows:

(1) Any consideration in the form of evidences of indebtedness owed by the transferor or a cancellation or assumption of debts or other liabilities of the transferor (including a continuance of encumbrances subject to which the property was transferred);

(f) *Amendment of section 373 (e) (4).* Section 373 (e) (4) is amended to read as follows:

(4) Stock or securities which were acquired from a registered holding company or an associate company of a registered holding company which acquired such stock or securities after February 28, 1938, unless such or securities (other than obligations described as nonexempt property in paragraph (1), (2), or (3)) were acquired in obedience to an order of the Securities and Exchange Commission or were acquired with the authorization or approval of the Securities and Exchange Commission under any section of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U.S.C., title 15, sec. 79k (b));

* * * * *

SEC 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 13. Section 19.373–1 is amended as follows:

(A) By changing the parenthetical matter in the first sentence reading as follows: "(or must amend or supplement an order so issued and expressly state that it amends or supplements such an order)" to read as follows: "(or, in the case of an order issued during a taxable year beginning before January 1, 1942, must amend or supplement an order so issued and expressly state that it amends or supplements such an order)".

(B) By inserting in the second sentence in paragraph (a) after the words "order must" the following: "become or".

(C) By inserting in the first sentence of paragraph (e) immediately after the word "transferred" in the parenthetical clause the following: ", and for taxable years beginning after December 31, 1941, including the amount of any consideration in the form of evidences of indebtedness owed by the transferor".

(D) By changing subparagraph (4) of paragraph (e) to read as follows:

(4) For taxable years beginning before January 1, 1942, stock or securities which were acquired after February 28, 1938, unless such stock or securities were acquired in obedience to an order of the Securities and Exchange Commission (as defined in section 373 (a), prior to its amendment) and are not nonexempt property within the meaning of section 373 (e) (2) or (3). For taxable years beginning after December 31, 1941, stock or securities which were acquired from a registered holding company which acquired such stock or securities after February 28, 1938, or an associate company of a registered holding company which acquired such stock or securities after February 28, 1938 unless such stock or securities were acquired in obedience to an order of the Securities and Exchange Commission (as defined in section 373 (a), as amended) or were acquired with the authorization or approval of the Securities and Exchange Commission under any section of the Public Utility Holding Company Act of 1935, and are not nonexempt property within the meaning of section 373 (e) (1), (2), or (3).

PAR. 14. There is inserted immediately preceding § 19.113 (a) (18)–1 the following:

SEC. 171. AMENDMENTS TO SUPPLEMENT R. (Revenue Act of 1942, Title I.)

* * * * *

(h) *Basis.* Section 113 (a) (17) is amended to read as follows:

(17) *Property acquired in connection with exchanges and distributions in obedience to certain orders of the Securities and Exchange Commission.*—If the property was acquired in a taxable year beginning before January 1, 1942, in any manner described in section 372 prior to its amendment by the Revenue Act of 1942 the basis shall be that prescribed in such section (prior to its amendment by such Act) with respect to such property. If the property was acquired in a taxable year beginning after December 31, 1941, in any manner described in section 372 (other than subsection (a) (2)) after its amendment by such Act, the basis shall be that prescribed in such section (after its amendment by such Act) with respect to such property.

(Sec. 171 of the Revenue Act of 1942 (Public Law 753, 77th Congress), and section 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62).)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 27, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4851; Filed, March 29, 1943; 5:12 p. m.]

[T. D. 5251]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

TAXES AND OTHER CHARGES CHARGEABLE TO CAPITAL ACCOUNT

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 130 of the Revenue Act of 1942 (Public Law 753—77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.24–1 the following:

SEC. 130. TAXES AND OTHER CHARGES CHARGEABLE TO CAPITAL ACCOUNT NOT DEDUCTIBLE BUT TREATED AS CAPITAL ITEMS. (Revenue Act of 1942, Title I.)

(a) *Deductions not allowable.* Section 24 (a) (relating to items not deductible) is amended by inserting at the end thereof the following new paragraph:

(7) Amounts paid or accrued for such taxes and carrying charges as, under regulations prescribed by the Commissioner with the approval of the Secretary, are chargeable to capital account with respect to property, if the taxpayer elects, in accordance with such regulations, to treat such taxes or charges as so chargeable.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. There is inserted immediately following § 19.24–4 the following new section:

§ 19.24–5 *Taxes and carrying charges chargeable to capital account and treated as capital items*—(a) *General.* Under the Code prior to its amendment by the Revenue Act of 1942, such items as social security taxes and interest on construction loans could not be capitalized for income tax purposes for the sole reason that they were expressly allowed as deductions. In accordance with section 24 (a) (7) as added by section 130 of that Act, such items may, under the provisions of these regulations, now be capitalized at the election of the taxpayer. Thus for taxable years beginning after December 31, 1941, taxes and carrying charges with respect to property, of the type described in this section, are chargeable to capital account at the election of the taxpayer notwithstanding that they are expressly deductible under section 23. No deduction is permitted for any items so treated.

(b) *Taxes and carrying charges.* The following items may upon the election of the taxpayer, in the manner provided in paragraph (c), be treated as chargeable to capital account (either as a component of original cost or other basis, for the purposes of section 113 (a), or as an adjustment to basis, for the purposes of section 113 (b) (1) (A)), notwithstanding that they are expressly deductible under section 23:

(1) In the case of unimproved and unproductive real property, annual taxes, interest on a mortgage, and other carrying charges;

(2) In the case of real property, whether improved or unimproved and whether productive or unproductive, expenditures (otherwise deductible) paid or incurred in the development thereof or in the construction of an improvement or additional improvement thereon, up to the time the development or construction work has been completed, such as interest on a loan made or continued to furnish funds for this purpose (but not including theoretical interest of a taxpayer using his own funds), taxes of the owner of the property measured by compensation paid to his employees and taxes of such owner imposed on the purchase of materials for such work or on the storage, use, or other consumption in the State of materials for such work which are purchased for storage, use, or other consumption in that State, and other necessary expenditures paid or incurred in connection therewith up to the time the development or construction work has been completed. The development or construction work with respect to which such items are incurred may relate to unimproved and unproductive real estate whether the construction work will make the property productive of taxable income (as in the case of a factory) or not (as in the case of a personal residence), or may relate to property already improved or productive (as in the case of a plant addition or improvement, such as the construction of another floor on a factory or the installation of insulation therein);

(3) In the case of personal property, taxes of an employer measured by compensation for services rendered in transporting machinery or other fixed assets to his plant or in installing them therein, interest on a loan to purchase such property or to pay for transporting or installing the same, and taxes of the owner thereof imposed on the purchase of such property or on the storage, use, or other consumption of such property in the State which is purchased for storage, use, or other consumption in that State, paid or incurred up to the date of installation or the date when such property is first put into use by the taxpayer, whichever date is later.

(4) Any other taxes and carrying charges with respect to property, otherwise deductible, which in the opinion of the Commissioner are, under sound accounting principles, chargeable to capital account.

If for any taxable year there are two or more items, such as social security taxes, use taxes, or any other type of items above described, relating to the same project to which the election is applicable, the taxpayer may elect to capitalize any one or more of such items even though he does not elect to capitalize the remaining items or to capitalize items of the same type relating to other projects. However, if several items of the same type are incurred with respect to a single project the election to capitalize must, if exercised, be exercised as to all of items of that type.

Once, however, such an election is made under subparagraph (2), (3), or (4) above, to capitalize a given charge incurred with respect to a particular project, charges of the same type incurred with respect to the particular project in subsequent years, whether they be social-security taxes, use taxes, sales taxes, or any other item enumerated in any of these paragraphs, must also be capitalized for the entire period to which the election so to treat items of that type is applicable. The term "project" for this purpose in the case of items included in subparagraph (2) means the particular development or construction work with respect to which the charge as to which the election was exercised was incurred, and in the case of items included in subparagraph (3) this term means the act of transporting, installing, or putting into use of the machinery or other fixed assets. An election under subparagraph (1), however, may be exercised for a given year without regard to the manner in which the same type of item with respect to the same property was treated by the taxpayer for a prior year.

Example (1). A in 1942 and 1943 pays annual taxes and interest on a mortgage on a piece of vacant and unproductive property. Throughout 1943 he operates the property as a parking lot. A may capitalize the taxes and mortgage interest paid in 1942 but not the taxes and mortgage interest paid in 1943.

Example (2). X began in February, 1942 the erection of a building for himself. X in 1942 paid $6,000 social-security taxes in connection with the erection of the building, which in his 1942 return he elected to capitalize. X must continue to capitalize the social-security taxes paid in connection with the erection of this building until its completion in 1944.

Example (3). Assume the facts in example (2) except that in November 1942 X also begins to build a hotel which will be completed in 1945. In 1942 X pays $3,000 social-security taxes in connection with the erection of the hotel. X is not bound by the election to capitalize exercised in connection with the social-security taxes paid in erecting the building started in February 1942 but may deduct the $3,000 social-security taxes.

Example (4). X in 1942 began the erection of a building for himself, which would take three years to complete. X in 1942 paid $4,000 social-security taxes and $8,000 interest on a building loan in connection with this building. X may elect to capitalize the social-security taxes although he deducts the interest charges.

Example (5). A purchase machinery in 1943 for use in his factory. He pays social-security taxes on the labor for transportation and installation, as well as interest on a loan to obtain funds to pay for the machinery and for installation costs. A may capitalize the social-security taxes and the interest up to the date of installation or until the machinery is first put into use by him, whichever is later.

The sole effect of section 24 (a) (7) is to permit such items to be properly charged to capital account notwithstanding that a deduction is expressly provided therefor in section 23. Any item not charged to capital account which is otherwise deductible under section 23 is still deductible. An item may not be charged to capital account under this section where such treatment would be disallowed whether or not a deduction were expressly provided therefor in section 23 (such, for example, as maintenance expenses and the cost of repairs and upkeep of a personal residence). This section does not have the effect of disallowing an item to be treated as a capital item which would otherwise be allowed to be so treated nor does it have the effect of making deductible an item which is not so under section 23 (such, for example, as salaries or other compensation paid or incurred for services rendered in the construction of property).

In the absence of provision in this section for treating a given item as a capital item, this section has no effect on the treatment otherwise accorded such item. Thus, items which are otherwise deductible are deductible notwithstanding the provisions of this section, and items which are otherwise treated as capital items are to be so treated. Nor is the absence of a provision in this section to be construed as withdrawing or modifying the right now given to the taxpayer under some other provision of chapter 1 of the Code or of the regulations promulgated thereunder to elect to capitalize or to deduct a given item. (See § 19.23 (m)–16, making intangible drilling and development costs chargeable to capital or to expenses at the taxpayer's option and § 19.23 (c)–2, making certain Federal duties and excise taxes deductible unless the taxpayer has added them to the expenses of the business or the cost of the articles of merchandise.)

(c) *Manner of exercising collection.* If the taxpayer elects to capitalize an item or items under this section, such election shall be exercised by filing with the original return a statement for that year indicating the item or items (whether with respect to the same project or to different projects) which the taxpayer elects to treat as chargeable to capital account (either as a component of original cost or other basis, for the purposes of section 113 (a), or as an adjustment to basis, for the purposes of section 113 (b) (1) (A)).

(d) *Allocation.* If any tax or carrying charge with respect to property is in part a type of item described in (b) and in part a type of item or items with respect to which no option to treat as a capital item or as an allowable deduction is given, a reasonable proportion of such tax or carrying charge, determined in the light of all the facts and circumstances in each case, shall be allocated to each item. Apportionment must in all cases be reasonable.

Example. A, the owner of a factory on which a new addition is under construction, in 1942 pays its general manager, B, a salary of $4,000 and social-security taxes of $90 measured thereby. B spends nine-tenths of his time in the general business of the firm and the remaining tenth in supervising the construction work. A treats as expenses $3,600 of B's salary and charges the remaining $400 to capital account. A may also capitalize $9 of the $90 social-security taxes.

PAR. 3. The numbers of §§ 19.24–5, 19.24–6, 19.24–7, and 19.24–8 are changed to 19.24–6, 19.24–7, 19.24–8, and 19.24–9, respectively.

PAR. 4. There is inserted immediately preceding § 19.113 (b) (1)–1 the following:

SEC. 130. TAXES AND OTHER CHARGES CHARGEABLE TO CAPITAL ACCOUNT NOT DEDUCTIBLE BUT TREATED AS CAPITAL ITEMS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Technical amendment.* Section 113 (b) (1) (A) (relating to adjustment of basis) is amended by striking out", including taxes and other carrying charges on unimproved and unproductive real property".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. Section 19.113 (b) (1)–1 is amended as follows:

(A) By striking out the word "In" at the beginning of the last sentence in the second paragraph and inserting in lieu thereof the following: "For taxable years beginning before January 1, 1942, in".

(B) By inserting after the third paragraph (*Example*) the following paragraph:

For taxable years beginning after December 31, 1941, capital expenditures and carrying charges with respect to property, whether real or personal, improved or unimproved and whether productive or unproductive, such as taxes and interest, which under these regulations there is an election to treat either as chargeable to capital account or as an allowable deduction in the manner provided in § 19.24–5 (c) but which have not been taken as deductions by the taxpayer in determining net income for the taxable year, or a prior taxable year, are properly chargeable to capital account. (See § 19.24–5.) The term "taxes" for this purpose includes duties and excise taxes (see § 19.23 (c)–2), but does not include income taxes.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62) and sec. 130 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 27, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4876; Filed, March 30, 1943; 11:22 a. m.]

[T. D. 5252]

PART 21—DECLARED VALUE EXCESS-PROFITS TAX

DECLARED VALUE EXCESS-PROFITS TAX

Amendments of Treasury Decision 5091. In order to conform Treasury Decision 5091, approved October 17, 1941 [Part 21, Title 26, Code of Federal Regulations, 1941 Sup.], establishing regula-

tions relating to the declared value excess-profits tax imposed by Subchapter B of Chapter 2 of the Internal Revenue Code for income-tax taxable years ending after June 30, 1941, to sections 303 and 304 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, and to limit the application of the said regulations to years ended prior to July 1, 1942, such Treasury decision is hereby amended as follows:

PARAGRAPH 1. The heading of the Treasury decision is amended by changing the period at the end thereof to a comma and adding thereto the following: "and prior to July 1, 1942."

PAR. 2. Immediately following the quotation of section 601 there is inserted following:

SEC. 303. DECLARED VALUE EXCESS-PROFITS TAX FOR TAXABLE YEARS OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942)

(a) Section 601 (relating to the adjusted declared value) is amended by striking out the last sentence thereof.

* * * * *

(c) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

PAR. 3. Immediately following the quotation of section 602 there is inserted the following:

SEC. 304. TECHNICAL AMENDMENTS MADE NECESSARY BY CHANGE IN BASE FOR CORPORATION TAX. (Revenue Act of 1942)

Section 602 (relating to net income for purposes of the declared value excess-profits tax) is amended to read as follows:

SEC. 602. NET INCOME.

For the purposes of this subchapter the net income shall be the same as the net income for income tax purposes for the year in respect of which the tax under section 600 is imposed, computed without the deduction of the tax imposed by section 600, but with a credit against net income equal to the credit for dividends received provided in section 26 (b) of Chapter 1.

SEC. 303. DECLARED VALUE EXCESS-PROFITS TAX FOR TAXABLE YEARS OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942)

* * * * *

(b) Subchapter B of Chapter 2 is amended by inserting after section 604 the following new section:

SEC. 605. INCOME-TAX TAXABLE YEAR OF LESS THAN TWELVE MONTHS

(a) *General rule.* If the income-tax taxable year is a period of less than twelve months on account of a change in the accounting period of the taxpayer, the net income determined under section 602 for such income-tax taxable year (referred to in this section as the "short taxable year") shall be placed on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year and dividing by the number of days in the short taxable year. The tax shall be such part of the tax computed on such annual basis as the number of days in the short taxable year is of the number of days in the twelve months ending with the close of the short taxable year.

(b) *Exception.* If the taxpayer establishes the amount of the tax under section 600 for the period of twelve months beginning with the first day of the short taxable year, computed as if such twelve-month period were an income-tax taxable year, under the law applicable to the short taxable year, and using the adjusted declared value applicable in determining the tax for such short taxable year, then the tax determined under subsection (a) for the short taxable year shall be reduced to an amount which is such part of the tax computed for the twelve-month period as the net income for the short taxable year is of the net income established for such twelve-month period. The taxpayer (other than a taxpayer to which the next sentence applies) shall compute the tax and file its return without the application of this subsection. If, prior to one year from the date of the beginning of the short taxable year, the taxpayer has disposed of substantially all its assets, in lieu of the twelve-month period provided in the preceding provision of this subsection, the twelve-month period ending with the close of the short taxable year shall be used. For the purposes of this subsection, the net income for the short taxable year shall not be placed on an annual basis under the provisions of subsection (a), and the net income for the twelve-month period used shall in no case be considered less than the net income for the short taxable year. The benefits of this subsection shall not be allowed unless the taxpayer, at such time as regulations prescribed hereunder require, makes application therefor in accordance with such regulations, and such application, in the case of a taxpayer required to file return without regard to this subsection, shall be considered a claim for credit or refund. The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary for the application of this subsection.

(c) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

PAR. 4. Section 21.0 (f) is amended by inserting immediately following "June 30, 1941," first occurring therein the following: ", and prior to July 1, 1942".

PAR. 5. Section 21.1 (c) is amended to read as follows:

(c) (1) "Income-tax taxable year" means the calendar year, a fiscal year ending during such calendar year, or the fractional part of a year, for which the corporation's net income is computed and for which its income tax returns are made for Federal income tax purposes.

(2) "Short taxable year" means such fractional part of a year.

PAR. 6. Section 21.1 (d) is amended as follows:

(A) By changing the first sentence to read as follows:

(1) "Net income," in the case of a year beginning prior to January 1, 1942, means "net income" within the contemplation of section 21 of the Internal Revenue Code.

(B) By adding at the end of the section the following:

(2) "Net income," in the case of a year beginning after December 31, 1941, means "net income" within the contemplation of section 21 of the Internal Revenue Code, with the following exceptions:

(i) Interest on obligations of the United States or instrumentalities thereof which is exempt by statute from excess-profits tax is not included in gross income and no deduction for amortization of premium on such obligations is allowable.

(ii) None of the credits allowed corporations against net income for income tax purposes is applicable in respect of the declared value excess-profits tax except the credit against net income for dividends received provided in section 26 (b) of the Internal Revenue Code. This credit is limited to 85 per centum of the dividends received from a domestic corporation subject to income taxation, and may not exceed 85 per centum of the taxpayer's adjusted net income reduced by the credit under section 26 (e) for income subject to the excess profits tax imposed by Subchapter E of Chapter 2.

(iii) The declared value excess-profits tax may not be deducted from net income in computing the declared value excess-profits tax.

PAR. 7. Section 21.3 is amended to read as follows:

§ 21.3 *Measure and rate of tax*—(a) *Domestic and foreign corporations.* With respect to income-tax taxable years ending after June 30, 1941, the declared value excess profits tax is imposed in an amount equal to the sum of (1) $6^{6}/_{10}$ percent of such portion of the corporation's net income for the income-tax taxable year as is in excess of 10 percent and not in excess of 15 percent of the adjusted declared value plus (2) $13^{2}/_{10}$ percent of such portion of its net income for the income-tax taxable year as is in excess of 15 percent of the adjusted declared value, as of the close of the last preceding income-tax taxable year (or as of the date of organization if the corporation had no preceding income-tax taxable year). (See example 1, § 21.4.) No variation is permitted between the adjusted declared value set forth in the corporation's capital stock tax return and the adjusted declared value set forth in its declared value excess-profits tax return.

(b) *Short taxable years*—(1) *General*—(i) *Old adjustment method superseded.* Prior to its retroactive amendment by section 303 (a) of the Revenue Act of 1942, Code section 601 provided that if the income-tax taxable year in respect of which the declared value excess-profits tax was imposed was a period of less than twelve months the adjusted declared value should be reduced to an amount which bore the same ratio thereto as the number of months in the period bore to twelve months. By the amendment this provision for adjustment of the declared value is made inapplicable to short taxable years beginning after December 31, 1939. It remains applicable to short taxable years beginning prior to January 1, 1940. As to the method of adjustment pursuant to Code section 605 added by section 303 (b) of the Revenue Act of 1942, see succeeding paragraphs.

(ii) *Several taxable years ending in one twelve-month period.* The declared value excess-profits tax for any short income-tax taxable year is governed by the adjusted declared value for the immediately preceding capital stock tax taxable year, even though a full income-tax taxable year is covered by the same declaration. The declared value excess-profits tax for any income-tax taxable years ending during the twelve-month period ended June 30, 1942, is governed by the adjusted declared value for the capital stock tax taxable year ended June 30, 1941, regardless of the number of such income-tax taxable years ending within such twelve-month period. (See example 2, § 21.4.)

(2) *Change of accounting period*—(i) *Regular method of computation.* If, due to a change of accounting period an income-tax taxable year is a period of less than twelve months, the net income is to be placed on an annual basis for declared value excess-profits tax purposes. Under the general rule established, by Code section 605 (a) added by section 303 (b) of the Revenue Act of 1942, for declared value excess-profits tax purposes when a short taxable year is due to a change of accounting period, the net income for the short taxable year is put on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year, and dividing by the number of days in the short taxable year. The tax for the short taxable year is that part of the tax on the net income computed on such annual basis as the number of days in the short taxable year is of the number of days in the twelve-month period. (See example 3, § 21.4.) Claim for refund or credit of any amount paid in excess of the amount due in accordance with the method provided by section 605 (a) may be made within the time allowed by the applicable statute of limitations.

(ii) *Special method of computation.* Section 605 (b) provides a special method of computing the declared value excess-profits tax liability in cases where the short taxable year is due to a change of accounting period. Under this method the tax for the short taxable year is determined by computing a tax on the basis of the net income for the twelve months beginning with the first day of the short taxable year, or (if prior to one year from the date of the beginning of the short taxable year, the taxpayer disposes of substantially all its assets) on the basis of the net income for the twelve-month period ending with the close of the short taxable year. In any case the net income for the twelve-month period shall be deemed to be at least as much as the net income of the short taxable year. The tax for the short taxable year shall be an amount which is the same percentage of the tax computed on the basis of the net income of the twelve-month period as the net income of the short taxable year is of the net income of the twelve-month period. (See example 4, § 21.4.)

(iii) *Application for use of special method.* A taxpayer desiring the benefit of paragraph (b) of section 605 must file with the Commissioner an application therefor, in the form of a claim for credit or refund, not later than the expiration of the time prescribed for the filing of a claim for credit or refund, or December 31, 1943, whichever is the earlier. If there is attached to the application a statement demonstrating that substantially all the assets of the taxpayer were disposed of prior to one year from the date of the beginning of the short taxable year, there may also be included a computation of tax liability in accordance with section 605 (b). (See subdivision (ii).) Substantially all the assets of a corporation are regarded as disposed of if it has ceased business and distributed so much of the assets used in its business that it cannot resume its customary operations with the remaining assets. If disposition of substantially all the assets did not occur within the year from the date of the beginning of the short taxable year there shall be attached to the application a computation of tax liability in accordance with section 605 (a) (see subdivision (i)), and a statement showing the income of the twelve-month period beginning with the first day of the short taxable year. Any statement or computation thus required shall be made on or in accordance with the income tax form prescribed for the short taxable year, as far as practicable. If the Commissioner determines that the taxpayer has established the amount of the net income for the applicable twelve-month period, any excess of the tax paid for the short taxable year over the tax computed under section 605 (b) (see subdivision (i)) will be credited or refunded to the taxpayer in the same manner as in the case of an overpayment. For the purpose of determining liability under section 605 (b) the net income of the twelve-month period used shall in no case be considered to be less than the net income of the short taxable year.

The net income for the twelve-month period is computed under the same provisions of law as are applicable to the short period, as if the twelve-month period were an actual accounting period of the taxpayer. All items which fall in such twelve-month period must be included even if they are extraordinary in amount or of an unusual nature. If any other item partially applicable to such twelve-month period can be determined only at the end of a taxable year which includes only part of the twelve-month period, the taxpayer, subject to review by the Commissioner, shall apportion such item to the twelve-month period in such manner as will most clearly reflect the income for the twelve-month period.

PAR. 8. Section 21.4 is amended as follows:

(A) The word "example" in the heading and immediately preceding the first colon, is changed to "examples".

(B) After the word "Example" immediately preceding the statement of the example, there is inserted "(1)".

(C) At the end of the section there is inserted the following:

Example (2). The corporation indicated in example (1) properly files a return for the short taxable year beginning January 1, 1942, and ending April 30, 1942, for reasons other than a change in accounting period. The taxable net income for that period is $5,000. No declared value excess-profits tax is due since this amount of income would not be in excess of 10 percent of the value, $100,000, declared on the capital stock tax return for the year ended June 30, 1941.

Example (3). The circumstances are the same as in example (2) except that the short taxable year is due to change of accounting period. The present method of computation under section 605 (a) would be as follows:

Number of days in 12 months ending April 30, 1942	365
Number of days in short taxable year	120
$5,000 × 365/120	$15,208.33
Less: 10 percent of declared value ($100,000)	10,000.00
	5,208.33
Amount taxable at 6⁶/₁₀ percent	5,000.00
Amount taxable at 13²/₁₀ percent	208.33
Declared value excess-profits tax at 6⁶/₁₀ percent (6⁶/₁₀ percent of $5,000)	330.00
Declared value excess-profits tax at 13²/₁₀ percent (13²/₁₀ percent of $208.33)	27.50
Total declared value excess-profits tax for the twelve-month period	357.50
120/365 of $357.50 = $117.53 declared value excess-profits tax due for short taxable year	

Example (4). The same corporation as in example (2) desires its declared value excess-profits tax computed in accordance with section 605 (b) on the basis of a twelve-month period including the short taxable year. The assets having been distributed in August, 1942, which was prior to one year from the date of the beginning of the short taxable year, computation must be on the basis of the twelve months ending with the close of such short taxable year. The income of such twelve-month period is $11,000. The computation is as follows:

Income for the short taxable year	$5,000
Income for the twelve-month period	11,000
10 percent of declared value ($100,000)	10,000
Difference	1,000
Declared value excess-profits tax (6⁶/₁₀ percent of $1,000)	66
5,000/11,000 of $66 = $30	

This amount is less than that computed in accordance with section 605 (a) (see example (3)) and it may, if there has been compliance with the required procedure (see § 21.3 (b) (2) (iii)), be taken as the amount of the tax.

Amendments of Treasury Decision 4927

In order to conform Treasury Decision 4927, approved August 23, 1939, regulations relating to the excess-profits tax for years ended prior to July 1, 1941, imposed by Subchapter B of Chapter 2 of the Internal Revenue Code, to section 303 of the Revenue Act of 1942, such Treasury decision, as amended by Treasury Decision 4999, approved August 1, 1940, is hereby further amended as follows:

PARAGRAPH 1. The heading of the Treasury decision is amended by changing the period at the end thereof to a comma, and adding thereafter the following: "for years ending prior to July 1, 1941."

PAR. 2. Immediately following the quotation of section 601 there is inserted the following:

SEC. 303. DECLARED VALUE EXCESS-PROFITS TAX FOR TAXABLE YEARS OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942)

(a) Section 601 (relating to the adjusted declared value) is amended by striking out the last sentence thereof.

* * * * * *

(c) *Taxable years to which amendment applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

PAR. 3. Immediately following the quotation of section 602 there is inserted the following:

SEC. 303. DECLARED VALUE EXCESS-PROFITS TAX FOR TAXABLE YEARS OF LESS THAN TWELVE MONTHS. (Revenue Act of 1942.)

* * * * * *

(b) Subchapter B of Chapter 2 is amended by inserting after section 604 the following new section:

SEC. 605. INCOME-TAX TAXABLE YEAR OF LESS THAN TWELVE MONTHS.

(a) *General rule.* If the income-tax taxable year is a period of less than twelve months on account of a change in the accounting period of the taxpayer, the net income determined under section 602 for such income-tax taxable year (referred to in this section as the "short taxable year") shall be placed on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year and dividing by the number of days in the short taxable year. The tax shall be such part of the tax computed on such annual basis as the number of days in the short taxable year is of the number of days in the twelve months ending with the close of the short taxable year.

(b) *Exception.* If the taxpayer establishes the amount of the tax under section 600 for the period of twelve months beginning with the first day of the short taxable year, computed as if such twelve-month period were an income-tax taxable year, under the law applicable to the short taxable year and using the adjusted declared value applicable in determining the tax for such short taxable year, then the tax determined under subsection (a) for the short taxable year shall be reduced to an amount which is such part of the tax computed for the twelve-month period as the net income for the short taxable year is of the net income established for such twelve-month period. The taxpayer (other than a taxpayer to which the next sentence applies) shall compute the tax and file its return without the application of this subsection. If, prior to one year from the date of the beginning of the short taxable year, the taxpayer has disposed of substantially all its assets, in lieu of the twelve-month period provided in the preceding provision of this subsection, the twelve-month period ending with the close of the short taxable year shall be used. For the purposes of this subsection, the net income for the short taxable year shall not be placed on an annual basis under the provisions of subsection (a), and the net income for the twelve-month period used shall in no case be considered less than the net income for the short taxable year. The benefits of this subsection shall not be allowed unless the taxpayer, at such time as regulations prescribed hereunder require, makes application therefor in accordance with such regulations, and such application, in the case of a taxpayer required to file return without regard to this subsection, shall be considered a claim for credit or refund. The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary for the application of this subsection.

(c) *Taxable years to which amendment applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

PAR. 4. Section 21.0 (f) is amended by inserting immediately after the words "Internal Revenue Code" the second time occurring, the following: "for income-tax taxable years ending prior to July 1, 1941."

PAR. 5. Section 21.3 amended by Treasury Decision 4999, is further amended as follows:

(A) By adding at the end of paragraph (b) a new sentence reading as follows:

In view of the retroactive amendment by section 303 (a) of the Revenue Act of 1942 (see paragraph (c)) whereby the second sentence of Code section 601 was eliminated, this paragraph is inapplicable to returns for years beginning after December 31, 1939, except insofar as it declares that no variation is permitted between the adjusted declared value set forth in the corporation's capital stock tax return and the adjusted declared value set forth in its declared value excess-profits tax return.

(B) By adding at the end of the section the following:

(c) *Short taxable years*—(1) *General*—(i) *Retroactive amendment by the Revenue Act of 1942.* Section 303 of the Revenue Act of 1942 made amendments retroactively applicable to the declared value excess-profits tax for income-tax taxable years beginning after December 31, 1939. Section 303 (a) eliminated the second sentence of Code section 601 providing for reduction of the adjusted declared value of the capital stock in case of a declared value excess-profits tax return for a period of less than twelve months. (See last sentence of paragraph (b).) Section 303 (b) added a new Code section 605 making provision, retroactively applicable to returns for years beginning after December 31, 1939, for placing the income on an annual basis when, on account of change in the accounting period the income-tax taxable year is a period of less than twelve months. By section 605 (b) a special method of dealing with such situation is provided. The application of the amendments to short taxable years beginning after December 31, 1939, is shown by paragraph (2) (i), (ii), and (iii).

(ii) *Several taxable years ending in one twelve-month period.* The declared value excess-profits tax for any short income-tax taxable year is governed by the adjusted declared value for the immediately preceding capital stock tax taxable year, even though a full-income-tax taxable year is covered by the same adjusted declared value. The declared value excess-profits tax for any income-tax taxable year is governed by the adjusted declared value for the capital stock tax year ending June 30 next preceding the close of the income-tax taxable year, regardless of the number of such income-tax taxable years ending within the period after such June 30 and prior to July 1 the following.

(2) *Change of accounting period*—(i) *Regular method of computation.* If, due to a change of accounting period an income-tax taxable year beginning after December 31, 1939, is a period of less than twelve months, the net income is to be placed on an annual basis for declared value excess-profits tax purposes. Under the general rule established, by Code section 605 (a) added by section 303 (b) of the Revenue Act of 1942, for declared value excess-profits tax purposes when the short taxable year is due to a change of accounting period, the net income for the short taxable year is put on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year, and dividing by the number of days in the short taxable year. The tax for the short taxable year is that part of the tax on the net income computed on such annual basis as the number of days in the short taxable year is of the number of days in the twelve-month period. (See example (3), § 21.4.) Claim for refund or credit of any amount paid in excess of the amount due in accordance with the method provided by section 605 (a) may be made within the time allowed by the applicable statute of limitations.

(ii) *Special method of computation.* Section 605 (b) provides a special method of computing the declared value excess-profits tax liability in cases where the short taxable year is due to a change of accounting period. Under this method the tax for the short taxable year is determined by computing a tax on the basis of the net income for the twelve months beginning with the first day of the short taxable year or (if prior to one year from the date of the beginning of the short taxable year, the taxpayer disposes of substantially all its assets) on the basis of the net income for the twelve-month period ending with the close of the short taxable year. In any case the net income for the twelve-month period shall be deemed to be at least as much as the net income of the short taxable year. The tax for the short taxable year shall be an amount which is the same percentage of the tax computed on the basis of the net income of the twelve-month period as the net income of the short taxable year is of the net income of the twelve-month period. (See example (4), § 21.4.)

(iii) *Application for use of special method.* A taxpayer desiring the benefit of subsection (b) of section 605 must file with the Commissioner an application therefor, in the form of a claim for credit or refund, not later than the expiration of the time prescribed for the filing of a claim for credit or refund, or December 31, 1943, whichever is the earlier. If there is attached to the application a statement demonstrating that substantially all the assets of the taxpayer were disposed of prior to one year from the date of the beginning of the short taxable year, there may also be included a computation of tax liability in accordance with section 605 (b). (See subdivision (ii).) Substantially all the assets of a corporation are regarded as disposed of if it has ceased business and distributed so much of the assets used in its business that it cannot resume its customary operations with the remaining assets. If disposition of substantially all the assets did not occur within the year from the date of the beginning of the short taxable year there shall be attached to the application a computation of tax liability in accordance with section 605 (a) (see subdivision (i)), and a statement showing the income of the twelve-month period beginning with the first day of the short taxable year. Any statement or computation thus required shall be made on or in accordance with the income tax form prescribed for the short taxable year, as far as practicable. If the Commissioner determines that the taxpayer has established the amount of the net income for the applicable twelve-month period, any excess of the tax paid for the short taxable year over the tax computed under section 605 (b) (see subdivision (ii)) will be credited or refunded to the taxpayer in the same manner as in the case of an overpayment. For the purpose of determining liability under section 605 (b) the net income of the twelve-month period used shall in no case be considered to be less than the net income of the short taxable year.

The net income for the twelve-month period is computed under the same provisions of law as are applicable to the short period, as if the twelve-month period were an actual accounting period of the taxpayer. All items which fall in such twelve-month period must be included even if they are extraordinary in amount or of an unusual nature. If any other item partially applicable to such twelve-month period can be determined only at the end of a taxable year which includes only part of the twelve-month period, the taxpayer, subject to review by the Commissioner, shall apportion such item to the twelve-month period in such manner as will most clearly reflect the income for the twelve-month period.

PAR. 6. Section 21.4 is amended as follows:

(A) The word "example" in the heading and immediately preceding the first semicolon is changed to "examples".

(B) After the word "Example" immediately preceding the statement of the example there is inserted "(1)".

(C) At the end of the section there is inserted the following:

Example (2). The corporation indicated in example (1) properly files a return for the short taxable year beginning January 1, 1940, and ending April 30, 1940, for reasons other than a change in accounting period. The taxable net income for that period is $5,000. No declared value excess-profits tax is due since this amount of income would not be in excess of 10 percent of the value, $100,000, declared on the capital stock tax return for the year ended June 30, 1939.

Example (3). The circumstances are the same as in example (2) except that the short taxable year is due to change of accounting period. The present method of computation under section 605 (a) would be as follows:

Number of days in 12 months ending April 30, 1940	366
Number of days in short taxable year	121
$15,000 × 366/121	$15,123.97
Less: 10 percent of declared value ($100,000)	10,000.00
	5,123.97
Amount taxable at 6 percent	5,000.00
Amount taxable at 12 percent	123.97

Declared value excess-profits tax at 6 percent (6 percent of $5,000)	$300.00
Declared value excess-profits tax at 12 percent (12 percent of $123.97)	14.88
Total declared excess-profits tax for the twelve-month period	$314.88
121/366 of $314.88	$104.10 declared value excess-profits tax due for short taxable year. (Since the short taxable year ended prior to July 1, 1940, the 10 percent increase imposed with respect to taxable years ended after June 30, 1940, is inapplicable.)

Example (4). The same corporation as in example (2) desires its declared value excess-profits tax computed in accordance with section 605 (b) on the basis of a twelve-month period including the short taxable year. The assets having been distributed in August, 1940, which was prior to one year from the date of the beginning of the short taxable year, computation must be on the basis of the twelve months ending with the close of such short taxable year. The income of such twelve-month period is $11,000. The computation is as follows:

Income for the short taxable year	$5,000
Income for the twelve-month period	11,000
10 percent of declared value ($100,000)	10,000
Difference	1,000
Declared value excess-profits tax (6 percent of $1,000)	60
5,000/11,000 of $60 (no 10 percent increase)	$27.27

This amount is less than that computed in accordance with section 605 (a) (see example (3)) and it may, if there has been compliance with the required procedure (see § 21.3 (c) (2) (iii)), be taken as the amount of the tax.

(Secs. 62 and 603 of the Internal Revenue Code (53 Stat. 32, 111; 26 Stat. U.S.C., 1940 ed. 62, 603) and secs. 301 to 304, inclusive, Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 27, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4877; Filed, March 30, 1943; 11:22 a. m.]

[T. D. 5253]

PART 30—REGULATIONS UNDER THE EXCESS-PROFITS TAX ACT OF 1940

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] to sections[1] 201, 205 (b) and (c), 206, 207, 208, 209 (a), (b), and (d), 210, 211, 213, and 220 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding section 30.711 (a)-1 the following:

SEC. 205. COMPUTATION OF EXCESS PROFITS AND INVESTED CAPITAL OF INSURANCE COMPANIES. (Revenue Act of 1942, Title II.)

* * * * * *

(b) Section 711 (a) (1) (relating to excess profits credit computed under income credit) is amended by inserting at the end thereof the following new paragraph:

(H) *Life insurance companies.* In the case of a life insurance company, there shall be deducted from the normal tax net income, the excess of (i) the product of (I) the figure determined and proclaimed under section 202 (b) and (II) the excess profits net income computed without regard to this subparagraph, over (2) the adjustment for certain reserves provided in section 202 (c).

(c) Section 711 (a) (2) (relating to the excess profits credit computed under invested capital credit) is amended by inserting at the end thereof the following new subparagraph:

(J) In the case of a life insurance company, there shall be deducted from the normal tax net income, 50 per centum of the excess of (1) the product of (i) the figure determined and proclaimed under section 202 (b) and (ii) the excess profits net income computed without regard to this subparagraph, over (2) the adjustment for certain reserves provided in section 202 (c).

* * * * * *

SEC. 206. TECHNICAL AMENDMENTS MADE NECESSARY BY CHANGE IN BASE FOR CORPORATION TAX. (Revenue Act of 1942, Title II.)

(a) *Disallowance of credit in computing excess-profits net income.*

(1) Section 711 (a) (1) (A) (relating to adjustment for taxes in computing excess profits net income under the income credit) is amended to read as follows:

(A) *Income subject to excess profits tax.* In computing such normal-tax net income the credit provided in section 26 (e) (relating to income subject to the tax imposed by this subchapter) shall not be allowed;

(2) Section 711 (a) (2) (C) (relating to adjustment for taxes in computing excess-profits net income under the invested capital credit) is amended to read as follows:

(C) *Income subject to excess profits tax.* In computing such normal-tax net income the credit provided in section 26 (e) (relating to income subject to the tax imposed by this subchapter) shall not be allowed;

(b) *Rules for computation of charitable, etc., deductions in computing excess profits net income repealed.*

(1) Section 711 (a) (1) (G) (relating to the deduction for charitable contributions, etc., in computing excess profits net income under the income credit) is repealed.

(2) Section 711 (a) (2) (I) (relating to the deduction for charitable contributions, etc., in computing excess profits net income under the invested capital method) is repealed.

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[1] Sec. 201. Taxable years to which amendments applicable. Sec. 205 (b) and (c). Computation of excess profits and invested capital of insurance companies. Sec. 206. Technical amendments made necessary by change in base for corporation tax. Sec. 207. Capital gains and losses in the computation of excess profits net income. Sec. 208. Retroactive treatment of involuntary conversions as capital transactions. Sec. 209 (a), (b), and (d). Nontaxable income from exempt excess output of mining and timber operations and from bonus income of mines, etc. Sec. 210. Net operating loss deduction adjustment. Sec. 211. Credit for dividends received in computation of excess profits net income in connection with invested capital credit. Sec. 213. Excess profits net income placed on annual basis. Sec. 220. Amortizable bond premium on certain Government obligations.

SEC. 207. CAPITAL GAINS AND LOSSES IN THE COMPUTATION OF EXCESS PROFITS NET INCOME. (Revenue Act of 1942, Title II.)

(a) *Excess profits credit computed under income credit.* Section 711 (a) (1) (B) is amended to read as follows:

(B) *Gains and losses from sales or exchanges of capital assets.* There shall be excluded gains and losses from sales or exchanges of capital assets held for more than 6 months.

(b) *Retirement of long-term bonds.* Section 711 (a) (1) (C) is amended by striking out "eighteen months" and inserting in lieu thereof "6 months".

(c) *Excess profits credit computed under invested capital credit.* Section 711 (a) (2) (D) is amended to read as follows:

(D) *Gains and losses from sales or exchanges of capital assets.* There shall be excluded gains and losses from sales or exchanges of capital assets held for more than 6 months.

(d) *Retirement of long-term bonds.* Section 711 (a) (2) (E) is amended by striking out "eighteen months" and inserting in lieu thereof "6 months".

* * * * *

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 208. RETROACTIVE TREATMENT OF INVOLUNTARY CONVERSIONS AS CAPITAL TRANSACTIONS. (Revenue Act of 1942, Title II.)

Effective with respect to taxable years beginning after December 31, 1939, but not beginning after December 31, 1941, the second sentence of section 711 (a) (1) (B), section 711 (a) (2) (D), and section 711 (b) (1) (B) is amended to read as follows: "There shall be excluded the excess of the recognized gains from the sale, exchange, or involuntary conversion (as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof) of property held for more than eighteen months which is of a character which is subject to the allowance for depreciation provided in section 23 (l) over the recognized losses from the sale, exchange, or involuntary conversion of such property. For the purposes of this subparagraph, section 117 (h) (1) and (2) shall apply in determining the period for which the taxpayer has held property which is of a character which is subject to the allowance for depreciation provided in section 23 (l)."

SEC. 209. NONTAXABLE INCOME FROM EXEMPT EXCESS OUTPUT OF MINING AND TIMBER OPERATIONS AND FROM BONUS INCOME OF MINES, ETC. (Revenue Act of 1942, Title II.)

(a) *Income credit.* Section 711 (a) (1) (relating to excess profits credit computed under income credit) is amended by inserting at the end thereof the following new subparagraph:

(I) *Nontaxable income of certain industries with depletable resources.* In the case of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in section 735, there shall be excluded nontaxable income from exempt excess output of mines and timber blocks and nontaxable bonus income provided in section 735.

(b) *Invested capital credit.* Section 711 (a) (2) (relating to excess profits credit computed under invested capital credit) is amended by inserting at the end thereof the following new subparagraph:

(K) *Nontaxable income of certain industries with depletable resources.* In the case of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in section 735, there shall be excluded nontaxable income from exempt excess output of mines and timber blocks and nontaxable bonus income provided in section 735.

* * * * *

(d) *Retroactive exclusion of nontaxable bonus income.* The amendments made by this section inserting section 711 (a) (1) (I), section 711 (a) (2) (K), and section 735 (c), to the extent that they relate to nontaxable bonus income, shall be applicable to taxable years beginning after December 31, 1940.

SEC. 210. NET OPERATING LOSS DEDUCTION ADJUSTMENT. (Revenue Act of 1942, Title II.)

(a) Section 711 (a) (1) (relating to the excess profits credit computed under income credit) is amended by adding at the end thereof the following new subparagraph:

(J) *Net operating loss deduction adjustment.* The net operating loss deduction shall be adjusted as follows:

(i) In computing the net operating loss for any taxable year under section 122 (a), and the net income for any taxable year under section 122 (b), no deduction shall be allowed for any excess profits tax imposed by this subchapter, and, if the excess profits credit for such taxable year was computed under section 714, the deduction for interest shall be reduced by the amount of any reduction under paragraph (2) (B) for such taxable year; and

(ii) In lieu of the reduction provided in section 122 (c), such reduction shall be in the amount by which the excess profits net income computed with the exceptions and limitations specified in section 122 (d) (1), (2), (3), and (4) and computed without regard to subparagraph (B), without regard to any credit for dividends received, and without regard to any credit for interest received provided in section 26 (a) exceeds the excess profits net income (computed without the net operating lees deduction).

(b) Section 711 (a) (2) (relating to the excess profits credit computed under invested capital credit) is amended by adding at the end thereof the following new subparagraph:

(L) *Net operating loss deduction adjustment.* The net operating loss deduction shall be adjusted as follows:

(i) In computing the net operating loss for any taxable year under section 122 (a), and for such taxable year was computed under section 122 (b), no deduction shall be allowed for any excess profits tax imposed by this subchapter, and, if the excess profits credit for such taxable year, was computed under section 714, the deduction for interest shall be reduced by the amount of any reduction under subparagraph (B) of this paragraph for such taxable year; and

(ii) In lieu of the reduction provided in section 122 (c), such reduction shall be in the amount by which the excess profits net income computed with the exceptions and limitations provided in section 122 (d) (1), (2), (3), and (4) and computed without regard to subparagraph (D), without regard to any credit for dividends received, and without regard to any credit for interest received provided in section 26 (a) exceeds the excess profits net income (computed without the net operating loss deduction).

(c) The amendments made by this section shall be effective as of the date of enactment of the Excess Profits Tax Act of 1940.

SEC. 211. CREDIT FOR DIVIDENDS RECEIVED IN COMPUTATION O EXCESS PROFITS NET INCOME IN CONNECTION WITH INVESTED CAPITAL CREDIT. (Revenue Act of 1942, Title II.)

(a) Section 711 (a) (2) (A) is amended to read as follows:

(A) *Dividends received.* The credit for dividends received shall apply, without limitation, to all dividends on stock of all corporations, except that no credit for dividends received shall be allowed with respect to dividends (actual or constructive) on stock of foreign personal holding companies or dividends on stock which is not a capital asset.

(b) The amendment made by subsection (a) shall be effective as of the date of enactment of the Excess Profits Tax Act of 1940.

SEC. 213. EXCESS PROFITS NET INCOME PLACED ON ANNUAL BASIS. (Revenue Act of 1942, Title II.)

(a) *General rule.* Section 711 (a) (3) (relating to taxable years of less than twelve months) is amended to read as follows:

(3) *Taxable year less than twelve months.* (A) *General rule.* If the taxable year is a period of less than twelve months the excess profits net income for such taxable year (referred to in this paragraph as the "short taxable year") shall be placed on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year and dividing by the number of days in the short taxable year. The tax shall be such part of the tax computed on such annual basis as the number of days in the short taxable year is of the number of days in the twelve months ending with the close of the short taxable year.

(B) *Exception.* If the taxpayer establishes its adjusted excess profits net income for the period of twelve months beginning with the first day of the short taxable year, computed as if such twelve-month period were a taxable year, under the law applicable to the short taxable year, and using the credits applicable in determining the adjusted excess profits net income for such short taxable year, then the tax for the short taxable year shall be reduced to an amount which is such part of the tax computed on such adjusted excess profits net income so established as the excess profits net income for the short taxable year is of the excess profits net income for such twelve-month period. The taxpayer (other than a taxpayer to which the next sentence applies) shall compute the tax and file its return without the application of this subparagraph. If, prior to one year from the date of the beginning of the short taxable year, the taxpayer has disposed of substantially all its assets, in lieu of the twelve-month period provided in the preceding provisions of this subparagraph, the twelve-month period ending with the close of the short taxable year shall be used. For the purposes of this subparagraph, the excess profits net income for the short taxable year shall not be placed on an annual basis as provided in subparagraph (A), and the excess profits net income for the twelve-month period used shall in no case be considered less than the excess profits net income for the short taxable year. The benefits of this subparagraph shall not be allowed unless the taxpayer, at such time as regulations prescribed hereunder require, makes application therefor in accordance with such regulations, and such application, in case the return was filed without regard to this subparagraph, shall be considered a claim for credit or refund. The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary for the application of this subparagraph.

(b) *Taxable years to which amendment applicable.* The amendment made by this section shall be applicable to taxable years beginning after December 31, 1939.

PAR. 2. Section 30.711 (a)–1, as amended by Treasury Decision 5045, approved May 3, 1941, is further amended by striking out the sixth sentence thereof.

PAR. 3. Section 30.711 (a) 2, as amended by Treasury Decision 5092, approved October 21, 1941, is further amended as follows:

(A) By striking out the first two paragraphs and by inserting in lieu thereof the following paragraphs:

If the excess profits credit for the taxable year is computed under section 713, the excess profits net income for such year is the normal tax net income as recomputed with the adjustments provided in section 711 (a) (1).

For taxable years beginning before January 1, 1941, section 711 (a) (1) (A), as originally enacted, provides that the deduction for taxes is to be increased in an amount equal to the tax for the taxable year under chapter 1 (not including the tax imposed under section 102). The amount of such adjustment is the amount of such tax after the allowance of the credit for foreign taxes as provided by sections 31 and 131. For taxable years beginning after December 31, 1940, no adjustment is to be made on account of the tax under chapter 1. Furthermore, although the excess profits tax is allowed as a deduction in computing normal-tax net income under chapter 1 for taxable years beginning in 1941, and the credit provided in section 26 (e) for income subject to the excess profits tax is allowed as a credit in computing normal-tax net income for taxable years beginning after December 31, 1941 (and for the purpose of computing the tentative tax under section 108 (a) (1) (B) for fiscal years beginning in 1941 and ending after June 30, 1942), neither such deduction nor such credit is allowed under section 711 (a) (1) (A), as amended, in computing excess profits net income for taxable years beginning after December 31, 1940.

The nature of the adjustment to be made under section 711 (a) (1) (B) with respect to long-term capital gains and losses (as defined under chapter 1) is the same for all excess profits tax taxable years. The amendment made by section 207 (a) of the Revenue Act of 1942 conforms the language of section 711 (a) (1) (B) to the terms used in the definition of capital gains and losses under chapter 1 for taxable years beginning after December 31, 1941. In recomputing normal-tax net income for the purpose of determining the excess profits net income for the taxable year, both for excess profits tax taxable years beginning before January 1, 1942, and those beginning after December 31, 1941, there shall be excluded long-term capital gains and losses and the excess of short-term capital losses over short-term capital gains. For example, a corporation has $4,000 long-term capital gains, $3,000 short-term capital gains, and $6,000 short-term capital losses. The $4,000 long-term capital gains are to be excluded for excess profits tax purposes. Accordingly, the deduction for short-term capital losses for excess profits tax purposes is limited to $3,000, the amount of the short-term capital gains, as expressly provided under section 117 (d) prior to its amendment, and as resulting under section 117 (d), as amended, by reason of the exclusion of long-term capital gains. That is, for taxable years beginning after December 31, 1941, capital losses are allowed as a deduction only to the extent of capital gains, and since both long-term gains and losses are excluded for excess profits tax purposes, short-term losses are allowed only to the extent of the remaining short-term gains.

For taxable years beginning after December 31, 1939, and before January 1, 1942, there is to be excluded under section 711 (a) (1) (B), as amended by section 208 of the Revenue Act of 1942, the excess of the recognized gains from the sale, exchange, or involuntary conversion (as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof) of property held for more than 18 months which is of a character which is subject to the allowance for depreciation in section 23 (l) over the recognized losses from the sale, exchange, or involuntary conversion of such property. For this purpose, section 117 (h) (1) and (2) shall apply in determining the period for which the taxpayer has held property which is of a character which is subject to the allowance for depreciation provided in section 23 (l). For treatment of the gains and losses referred to in the first sentence of this paragraph (in case the property was held for more than 6 months), and of the gains and losses from the involuntary conversion of certain other property, as long-term capital gains and losses for taxable years beginning after December 31, 1941, see section 117 (j). Any such gains and losses treated as long-term capital gains and losses are excluded in computing excess profits net income under the provisions of section 711 (a) (1) (B), as amended by section 207 (a) of the Revenue Act of 1942.

(B) By changing the original third paragraph thereof as follows:

(a) By inserting immediately preceding the first sentence the following new sentence:

For the purpose of the adjustment under section 711 (a) (1) (C), the applicable number of months beyond which the obligation of the taxpayer must have been outstanding is 18 months for taxable years beginning before January 1, 1942, and 6 months for taxable years beginning after December 31, 1941.

(b) By striking out "18 months" wherever it appears and by inserting in lieu thereof "the applicable number of months".

(C) By inserting immediately after the original fifth paragraph thereof the following paragraphs:

Under the law applicable to taxable years beginning in 1941, in determining any deduction the amount of which is limited to a percentage of the taxpayer's net income (for example, corporate charitable contributions under section 23 (q)) or the amount of which is limited to a percentage of the taxpayer's net income from the property (for example, discovery or percentage depletion under section 114 (b) (2), (3) and (4)), such net income, or net income from the property, as the case may be, shall be computed without regard to the deduction for excess profits tax allowed in computing normal-tax net income for such years. For taxable years beginning after December 31, 1941, the deduction for excess profits tax is not allowed in computing net income under chapter 1, and, therefore, such deductions, which are limited to net income, or to net income from the property, for such taxable years, will be the same for excess profits net income as for normal-tax net income if there are no other adjustments affecting net income or, net income from the property to be made under section 711 (a) (1) in recomputing normal-tax net income. For excess profits tax taxable years, whether beginning before or after December 31, 1941, deductions which are limited by other items of income or deductions, or by the net income or the net income from property are to be computed upon the basis of such items or such net income or net income from property as adjusted under section 711 (a) (1) in recomputing normal-tax net income for the purpose of determining the amount of excess profits net income.

Section 711 (a) (1) (J) provides for recomputation of the net operating loss deduction in computing excess profits net income under the income credit for the purpose of the tax for taxable years beginning after December 31, 1939. The various steps in computing the deduction are to be taken in the same manner and for the same years as are provided in section 122 and in the regulations thereunder, except as prescribed in the rules set forth in section 711 (a) (1) (J). The exceptions prescribed by section 711 (a) (1) (J) require that in the computation of the net operating loss for any taxable year under section 122 (a) and in the computation of the net income for any taxable year under section 122 (b) no deduction shall be allowed for any excess profits tax and, if the excess profits credit was computed under the invested capital method for the taxable year in which the loss was sustained or the net income arose, the deduction for interest for such taxable year shall be reduced by the amount of any reduction for such taxable year prescribed under section 711 (a) (2) (B). Furthermore, in lieu of the reduction prescribed in section 122 (c) for converting the net operating loss carry-over for a taxable year beginning before January 1, 1941, or the aggregate of the net operating loss carry-overs and carry-backs to a taxable year beginning after December 31, 1940, into the net operating loss deduction, the reduction for such purpose shall be the amount by which the excess profits net income for the taxable year in which the deduction is allowable, computed with the exceptions and limitations specified in section 122 (d) (1), (2), (3), and (4) and computed without regard to section 711 (a) (1) (B) (excluding long-term capital gains and losses), without regard to any credit for dividends received, and without regard to any credit for interest received provided in section 26 (a) exceeds the excess profits net income for such taxable year (computed without any net operating loss deduction). The net operating loss deduction so computed with the adjustments prescribed by section 711 (a) (1) (J) is deducted in com-

puting normal-tax net income to determine excess profits net income, in lieu of the net operating loss deduction otherwise prescribed in sections 23 (s) and 122.

The computation of net operating loss, net operating loss carry-back and carry-over, and the net operating loss deduction for purposes of excess profits net income is illustrated by the following example:

Example. The X Corporation makes its income tax returns on a calendar year basis and under the accrual method of accounting. Its only net operating loss for the years 1939–1946, inclusive, occurs in 1944. Under section 122 (b), the net operating loss for 1944 first is to be carried back to 1942 and the balance of such carry-back, if any, computed as provided in sections 122 (b) and 711 (a) (1) (J) (i) is to be carried back to 1943. For 1942, 1943, and 1944, the facts with respect to the X Corporation are as follows:

	1942	1943	1944
(a) Tax exempt interest from State bonds	$1,000	$1,000	$1,000
(b) Dividends received	10,000	10,000	10,000
(c) Long-term capital gain	2,500	3,000	-------
(d) Interest from United States obligations	2,000	2,000	2,000
(e) Other items of gross income	200,000	300,000	20,000
(f) Total taxable gross income (sum of items (b), (c), (d), and (e))	214,500	315,000	32,000
(g) Deductions (other than net operating loss deduction; no capital losses)	154,500	177,000	115,000
(h) Net income or (loss)	60,000	138,000	($83,000)
(i) Credit for interest from United States obligations	2,000	2,000	2,000
(j) Adjusted net income	58,000	136,000	($85,000)
(k) Credit for dividends received (85 percent of amount in item (b) but not more than 85 percent of adjusted net income)	8,500	8,500	-------
(l) Normal tax net income (computed without net operating loss deduction and without credit for income subject to excess profits tax)	49,500	127,500	($85,000)

In order to determine the net operating loss for 1944 there must be added to the total gross taxable income of $32,000, the $1,000 of tax exempt interest, as provided in section 122 (d) (2). Accordingly, the net operating loss for 1944 is $82,000, the excess of $115,000 (item (g)) over $33,000 (the sum of item (f), $32,000, and item (a), $1,000). The net operating loss deduction for 1942 is the amount of this carry-back reduced as provided in section 711 (a) (1) (J) (ii). This reduction is the excess of the amount of excess profits net income for 1942 with certain adjustments provided in section 711 (a) (1) (J) (ii) over the amount of excess profits net income for 1942 (computed without the net operating loss deduction). The amount of excess profits net income for 1942 computed without the net operating loss deduction is $45,500, computed as follows:

Normal tax net income for 1942, as previously determined		$49,500
Less:		
Long-term capital gain	$2,500	
Credit for balance of dividends received	1,500	4,000
Excess profits net income (computed without net operating loss deduction)		45,500

The amount of excess profits net income computed with the adjustment provided in section 711 (a) (1) (J) (ii) from which the $45,500 is to be deducted is $61,000, computed as follows:

Excess profits net income (computed without net operating loss deduction in accordance with section 122 (d) (3))		$45,500
Plus:		
Tax exempt interest		1,000
Long-term capital gain		2,500
Amount of credit for dividends received		10,000
Amount of credit for interest received		2,000
Total		61,000

Since $61,000 exceeds $45,500 by $15,500, the net operating loss carry-back of $82,000 to 1942 is to be reduced by $15,500, leaving a net operating loss deduction of $66,500 for the purpose of determining excess profits net income for 1942.

In this example, the net operating loss carry-back from 1944 to 1943 is the excess of the carry-back, $82,000, over the net income for 1942 computed under sections 122 (b) (1) and 711 (a) (1) (J) (i) as follows:

Net income for 1942, as previously determined	$60,000
Plus:	
Tax exempt interest	1,000
Total	61,000

It will be noted that the excess profits tax for 1942 is not allowed under section 711 (a) (1) (J) (i) as a deduction in computing the above amount ($61,000) although it is allowed for income tax purposes as a deduction in computing net operating loss, as provided in section 122 (d) (6). The net operating loss carry-back to 1943 for purposes of excess profits tax therefore is $21,000 (the excess of $82,000 over $61,000). The net operating loss deduction for 1943 for purposes of excess profits net income for 1943 is the amount of $21,000 reduced as provided in section 711 (a) (1) (J) (ii). The amount of this reduction is computed in the same manner as the corresponding reduction was previously computed for 1942. That is, the excess profits net income for 1943, computed without net operating loss deduction, is $123,000, computed as follows:

Normal-tax net income, as previously determined		$127,500
Less:		
Long-term capital gain	$3,000	
Credit for balance of dividends received	1,500	4,500
Excess profits net income (computed without net operating loss deduction)		123,000

The amount which is in excess of this amount of $123,000 is $142,000, computed with the adjustments provided in section 711 (a) (1) (J) (ii) as follows:

Excess profits net income (computed without net operating loss deduction in accordance with section 122 (d) (3))	$123,000
Plus:	
Tax exempt interest	1,000
Long-term capital gain	3,000
Amount of credit for dividends received	10,000
Amount of credit for interest received	2,000
Total	139,000

The excess of $139,000 over $123,000 is $16,000. Since the net operating loss carry-back to 1943 ($21,000) must be reduced by this amount ($16,000) in determining the deduction for 1943, the net operating loss deduction allowable for the purpose of determining excess profits net income for 1943 is $5,000.

In this example, no net operating loss carry-over from 1944 is allowable to 1945 or 1946. The net operating loss for 1944, $82,000, does not exceed the sum of the net income for 1942 and 1943 when the net income for 1942 and 1943 is computed under section 122 (b) (2) and section 711 (a) (1) (J) (ii). The net income for 1942 as previously determined under such sections is $61,000. The net income for 1943 computed under such sections is $139,000 computed as follows:

Net income for 1943 as previously determined	$138,000
Plus: Tax exempt interest	1,000
Total	139,000

For a deduction from normal-tax net income in the case of life insurance companies for the purpose of excess profits net income for taxable years beginning after December 31, 1941, see section 711 (a) (1) (H), as added by section 205 (b) of the Revenue Act of 1942. For exclusion of nontaxable income from exempt excess output of mines and timber blocks and nontaxable bonus income provided in section 735 in the case of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in section 735, for taxable years beginning after December 31, 1940, see section 711 (a) (1) (I), as added by section 209 (a) of the Revenue Act of 1942.

(D) By inserting at the end thereof the following paragraph:

The above example is applicable equally to 1942 and subsequent years assuming the same facts are present, and assuming that the corporation did not comply with the provisions of section 22 (b) (9) for excluding income from the retirement of its bonds and that the $400,000 of normal-tax net income is computed without the credit provided in section 26 (e) for income subject to the excess profits tax. The example also would be applicable for 1942 and subsequent years if the holding period of the property described in item (2) was less than 18 months, so long as the period was more than 6 months.

PAR. 4. Section 30.711 (a)–3, as amended by Treasury Decision 5092, is further amended as follows:

(A) By changing the first two sentences thereof to read as follows:

If the excess profits credit for the taxable year is computed under section 714, then the excess profits net income for such year is the normal-tax net income recomputed with the adjustments provided in section 711 (a) (2). Under section 711 (a) (2) (A), there must be eliminated in computing normal-tax net income the credit allowed under chapter 1 for dividends received on stock which is not a capital asset as defined in section 117, such as stock held primarily for sale to customers by a dealer in securities.

(B) By changing (a) (2) by adding at the end thereof the following new sentence:

If a taxpayer in its return for a taxable year beginning after December 31, 1941, has made the election under section 720 (d), the amount of interest on obligations held during the taxable year which are described in section 22 (b) (4) shall be reduced by the amount, if any, of the amortizable bond premium under section 125 attributable to such obligations, and only the amount of interest so reduced shall be added to normal-tax net income.

(C) By inserting at the end thereof the following paragraph:

The above example is applicable equally to 1942 and subsequent years under the same assumptions of fact as were made with respect to the example in § 30.711 (a)–2 and with the additional assumption that neither the Treasury bonds nor the State bonds were purchased at a premium.

PAR. 5. Section 30.711 (a)–4 is amended to read as follows:

§ 30.711 (a)–4 *Tax for period of less than 12 months*—(a) *Methods of computing tax for short taxable year; allowance.* Section 711 (a) (3), as amended by the Revenue Act of 1942, provides rules, under a general rule and under an exception to such rule, which are applicable to all short excess profits tax taxable years beginning after December 31, 1939 for the purpose of determining 12 months' experience and computing the tax for such years. A short taxable year is any taxable period of less than 12 months. If the period from the date of incorporation of a corporation to the end of its first accounting period, or the period from the beginning of its last accounting period to the date it ceases operations and is dissolved, retaining no assets, is a period of less than 12 months, such period is a short taxable year. In every case of a short taxable year, whether of a type resulting from a change of accounting period or of a type described in the preceding sentence, the excess profits net income for a period of 12 months used for the purpose of computing the tax under this section shall be used for all other purposes under this subchapter (except as otherwise expressly provided) as the excess profits net income of the taxpayer for the short taxable year. The tax imposed by section 710 for the short taxable year shall be computed under paragraph (b) of this section, except as otherwise provided in paragraph (c) of this section.

(b) *General rule.* Section 711 (a) (3) (A) provides that the excess profits net income for a short taxable year shall be placed on an annual basis by multiplying the amount thereof by the number of days in the twelve months ending with the close of the short taxable year and dividing by the number of days in the short taxable year. A tentative tax shall then be computed as though the excess profits net income were the amount so ascertained under the preceding sentence. The actual tax for the short taxable year shall be an amount which bears the same ratio to such tentative tax as the number of days in the short taxable year bears to the total number of days in the 12 months ending with the close of the taxable year.

(c) *Exception; tax for short period determined by actual 12-month adjusted excess profits net income.* If the taxpayer applies to the Commissioner in the manner provided in paragraph (d) of this section to have its tax computed under the provisions of section 711 (a) (3) (B), and if the taxpayer establishes the amount of its adjusted excess profits net income, computed for the 12-month period hereinafter described and under the rules hereinafter prescribed, then section 711 (a) (3) (B) provides that the tax for the short taxable year shall be reduced to an amount which is such part of the tax computed on the basis of the adjusted excess profits net income which the taxpayer has established for such 12-month period as the excess profits net income for the short taxable year is of the excess profits net income for such 12-month period. If such amount, however, is greater than the tax computed under paragraph (b) of this section, the tax for the short taxable year is the tax computed under paragraph (b). The 12-month period referred to above is the 12-month period beginning with the first day of the short taxable year, except that if the taxpayer has disposed of substantially all its assets prior to the end of such 12-month period, then it is the 12-month period ending with the last day of the short taxable year. If a corporation ceases business and distributes so much of the assets used in its business that it cannot resume its customary operations with the remaining assets, it has disposed of substantially all of its assets.

In computing the tax under section 711 (a) (3) (B), the excess profits net income for the short taxable year is not placed on an annual basis as provided in section 711 (a) (3) (A). The adjusted excess profits net income for the 12-month period is computed under the same provisions of law as are applicable to the short taxable year, with the use of the credits applicable in determining the adjusted excess profits net income for such short taxable year (as if this section were not applicable), and is computed as if the 12-month period were an actual accounting period of the taxpayer. All items which fall in such 12-month period must be included even if they are extraordinary in amount or an unusual nature. The adjustments provided in section 711 (a) (1) and (2) under the law applicable to such short taxable year shall be made upon the basis of the normal-tax net income for such 12-month period. The apportionment of items to such 12-month period shall be made in accordance with the method and principles applicable under § 19.47–2 (b) of Regulations 103. The excess profits net income for the 12-month period used shall in no case be considered less than the actual excess profits net income for the short taxable year.

(d) *Application to compute tax under section 711 (a) (3) (B).* A taxpayer desiring the benefit of section 711 (a) (3) (B) must file an application therefor. If at the time the return for the short taxable year is filed the taxpayer is able to determine that the 12-month period ending with the close of the short taxable year will be used in the computations under section 711 (a) (3) (B), then the tax on the return for the short taxable year may be determined under the provisions of section 711 (a) (3) (B). In such a case, an excess profits tax return form covering the 12-month period shall be attached to the return as a part thereof, and the return will then be considered the application for the benefits of section 711 (a) (3) (B) required by that section. In all other cases, the taxpayer shall file its return and compute its tax as provided in paragraph (b), and the application for the benefits of section 711 (a) (3) (B) shall be made in the form of a claim for credit or refund. The claim shall set forth the computation of the adjusted excess profits net income and the tax thereon for the 12-month period, and must be filed not later than June 15, 1943, or the time prescribed for filing the return for the first taxable year ending with or after the twelfth month after the beginning of the short taxable year, whichever date is later. For example, the taxpayer changes its accounting period from the calendar year basis to the fiscal year basis ending September 30, and files a return for the period from January 1, 1942, to September 30, 1942. Its application for the benefits of section 711 (a) (3) (B) must be filed not later than the time prescribed for filing its return for the first taxable year which ends on or after the last day of December, 1942, the 12th month after the beginning of the short taxable year. In this case, the taxpayer must file its application not later than December 15, 1943, the time prescribed for filing the return for its fiscal year ending September 30, 1943. However, if it obtains an extension of time for filing the return for such fiscal year, it may file its application during the period of such extension. If the Commissioner determines that the taxpayer has established the amount of the adjusted excess profits net income for the 12-month period, any excess of the tax paid for the short taxable year over the tax computed under section 711 (a) (3) (B) will be credited or refunded to the taxpayer in the same manner as in the case of an overpayment.

PAR. 6. There is inserted immediately preceding section 30.711 (b)–1 the following:

SEC. 207. CAPITAL GAINS AND LOSSES IN THE COMPUTATION OF EXCESS PROFITS NET INCOME. (Revenue Act of 1942, Title II)

* * * * * * *

(e) *Taxable years in base period.* Section 711 (b) (1) (B) is amended to read as follows:

(B) *Gains and losses from sales or exchanges of capital assets.* There shall be excluded gains and losses from sales or exchanges of capital assets held for more than 6 months.

(f) *Retirement of long-term bonds.* Section 711 (b) (1) (C) is amended by striking out "eighteen months" and inserting in lieu thereof "6 months".

(g) *Capital gains and losses.* Section 711 (b) (2) is amended to read as follows:

(2) *Capital gains and losses.* For the purposes of this subsection the normal-tax net income and the special-class net income referred to in paragraph (1) shall be computed as if section 23 (g) (2), section 23 (k) (2), and section 117 were part of the revenue law applicable to the taxable year the excess profits net income of which is being computed, with the exception that the capital loss carry-over provided in subsection (e) (1) of section 117 shall be applicable to net capital losses for taxable years beginning after December 31, 1934. Such exception shall not apply for the purposes of computing the tax under this subchapter for any taxable year beginning before January 1, 1943.

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SEC. 208. Retroactive

SEC. 208. RETROACTIVE TREATMENT OF INVOLUNTARY CONVERSIONS AS CAPITAL TRANSACTIONS. (Revenue Act of 1942, Title II.)

Effective with respect to taxable years beginning after December 31, 1939, but not beginning after December 31, 1941, the second sentence of setcion 711 (a) (1) (B), section 711 (a) (2) (D), and section 711 (b) (1) (B) is amended to read as follows: "There shall be excluded the excess of the recognized gains from the sale, exchange, or involuntary conversion (as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof) of property held for more than eighteen months which is of a character which is subject to the allowance for depreciation provided in section 23 (1) over the recognized losses from the sale, exchange, or involuntary conversion of such property. For the purposes of this subparagraph, section 117 (h) (1) and (2) shall apply in determining the period for which the taxpayer has held property which is of a character which is subject to the allowance for depreciation provided in section 23 (1).

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 7. Section 30.711 (b)-1, as amended by Treasury Decision 5092, is further amended as follows:

(A) By striking out the matter in the example in the third paragraph reading "The adjustments required in computing the excess profits net income of the corporation for 1936 and 1939 are as follows:" and by inserting in lieu thereof the following: "For the purpose of computing the income credit applicable to an excess profits tax taxable year beginning before January 1, 1942, the adjustments required in computing the excess profits net income of the corporation for 1936 and 1939 are as follows:"

(B) By inserting immediately preceding the fourth paragraph the following sentences and paragraph:

For the purpose of computing the income credit applicable to an excess profits tax taxable year beginning on or after January 1, 1942, the results will be the same as those shown above although the form of the adjustments is somewhat different by reason of a change in terminology under the amendments made by the Revenue Act of 1942. The normal-tax net income for 1936 as adjusted under section 711 (b) (2), as amended, will be $72,000. The additions to normal-tax net income of $27,000 as made above, will stand (although the loss on the worthless stock and bonds will be added back because, under the amendments made by the Revenue Act of 1942, such loss will be considered a long-term capital loss; *i. e.*, loss from sale or exchange of capital assets held for more than 6 months). Under section 117 (d) (1), as amended, losses from sales or exchanges of capital assets are allowed only to the extent of gains from such sales or exchanges. It is assumed that under section 117 (j), as amended, the net loss of $5,000 from the sales of property (held for more than 6 months) of the character subject to the allowance for depreciation under section 23 (1) is an ordinary loss. Accordingly, under section 711 (b) (2), as amended, there is no deduction of net capital losses and only the $5,000 ordinary loss is to be subtracted from the $77,000 previously determined. No adjustment is required under section 711 (b) (1) (B), as amended, for 1936. For 1939, no adjustment is necessary under section 711 (b) (2), as amended. It is assumed that under section 117 (j), as amended, the $3,000 net gain from sales of property (held for more than 6 months) of the character subject to the allowance for depreciation provided in section 23 (1) is considered long-term capital gain. The adjustment for 1939 under section 711 (b) (1) (B), as amended, is the same as that shown above.

The following rules apply to the use of capital loss carry-overs to base period years when computing the income credit applicable to the excess profits tax taxable years indicated below:

(1) If the excess profits tax taxable year begins after December 31, 1940, and before January 1, 1942, the net short-term capital loss carry-over provided in section 117 (e), prior to its amendment by the Revenue Act of 1942, shall be applicable to net short-term capital losses for taxable years beginning after December 31, 1934, and for the purpose of determining such carry-over capital gains and losses shall be determined as if the provisions of section 23 (g) (2) and (k) (2) and section 117 of the Code, prior to amendment by the Revenue Act of 1942, were applicable to all of such years.

(2) If the excess profits tax taxable year begins in 1942, the net short-term capital loss carry-over provided in section 117 (e), prior to its amendment by the Revenue Act of 1942, shall be applicable to net short-term capital losses for taxable years beginning after December 31, 1934, and for the purpose of determining such carry-over capital gains and losses shall be determined as if the provisions of section 23 (g) (2) and (k) (2) and section 117 of the Code (other than section 117 (e)), as amended by the Revenue Act of 1942 were applicable to all of such years.

(3) If the excess profits tax taxable year begins on or after January 1, 1943, the capital loss carry-over provided in section 117 (e) (1), as amended by the Revenue Act of 1942, shall be applicable to net capital losses for taxable years beginning after December 31, 1934, and for the purpose of determining such carry-over capital gains and losses shall be determined as if the provisions of section 23 (g) (2) and (k) (2) and section 117 of the Code, as amended by the Revenue Act of 1942, were applicable to all of such years.

No capital loss carry-over is allowed to the base period years if the income credit is being computed for an excess profits tax taxable year beginning in 1940. Section 117 (e) (2), as added by the Revenue Act of 1942, has no application for the purposes of computing capital loss carry-overs to base period years.

(C) By inserting immediately after the original fourth paragraph the following new paragraph:

For the purpose of the adjustment under section 711 (b) (1) (C), the applicable number of months beyond which the obligation of the taxpayer must have been outstanding is 18 months if the adjustment is being made for the purpose of the income credit applicable to a taxable year beginning before January 1, 1942, but it is only 6 months if the adjustment is being made for the purpose of the income credit applicable to a taxable year beginning after December 31, 1941. The applicable number of months beyond which the obligation of the taxpayer must have been outstanding for the purpose of the adjustment under section 711 (b) (1) (D) is 18 months in every case.

PAR. 9. Section 30.711 (b)-2, as added by Treasury Decision 5045, is amended by inserting at the end of the fourth paragraph the following sentences:

If the excess profits tax taxable year is a taxable year of less than 12 months and the taxpayer places its excess profits net income on an annual basis as provided in section 711 (a) (3) (A) or establishes an adjusted excess profits net income for a 12-month period, which is used to compute the tax under section 711 (a) (3) (B), the deductions of the class as determined upon such annual basis or under such adjusted excess profits net income for such 12-month period used shall be considered as deductions of the class for the excess profits tax taxable year. Thus, the corporation in the example just given may have changed its accounting period in 1943 from a calendar year to a fiscal year ending September 30. If, in such case, the corporation had $125,000 of deductions of the class for the short taxable year January 1, 1943, through September 30, 1943, but, computed its tax under section 711 (a) (3) (B) and established an adjusted excess profits net income for the 12-month period January 1, 1943 through December 31, 1943, with $175,000 of deductions of the class, only $25,000 will be disallowed for the taxable year 1938 in determining the excess profits credit based on income for use against the excess profits net income for 1943.

PAR. 10. There is inserted immediately preceding section 30.720-1 the following:

SEC. 207. CAPITAL GAINS AND LOSSES IN THE COMPUTATION OF EXCESS PROFITS NET INCOME. (Revenue Act of 1942, Title II.)

* * * * *

(h) *Inadmissible asset ratio.*—Section 720 (c) is amended by striking out "short-term capital gain" and inserting in lieu thereof "gain from the sale or exchange of a capital asset held for not more than 6 months".

SEC. 220. AMORTIZABLE BOND PREMIUM ON CERTAIN GOVERNMENT OBLIGATIONS. (Revenue Act of 1942, Title II.)

The first sentence of section 720 (d) (relating to increase in excess profits net income where Government obligations treated as admissible assets) is amended to read as follows: "If the excess profits credit for any taxable year is computed under section 714, the taxpayer may in its return for such year elect to increase its normal-tax net income for such taxable year by an amount equal to the amount of the interest on, reduced by the amount of the amortizable bond premium under section 125 attributable to, all obligations held during the taxable year which are described in section 22 (b) (4) any part of the interest from which is excludible from gross income or allowable as a credit against net income."

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 11. Section 30.720-1, as amended by Treasury Decision 5045, is further amended as follows:

(A) By inserting in the fifth sentence, immediately after "taxable year" the first time it appears in such sentence, the following: "beginning before January 1, 1942".

(B) By inserting immediately after the fifth sentence thereof the following new sentence:

If a taxpayer in its return for a taxable year beginning after December 31, 1941 elects to increase its normal-tax net income for that year for the purpose of the excess profits tax by including all the interest derived from obligations described in section 22 (b) (4), reduced by the amount, if any, of the amortizable bond premium under section 125 attributable to such obligations (see section 19.125-1 of Regulations 103), all such obligations shall be considered admissible assets for such taxable year.

(C) By changing that part of the original sixth sentence thereof which reads "For the purpose of the preceding sentence," to read "For the purpose of the two preceding sentences,".

(D) By inserting in the first sentence of the second paragraph (not counting the divisions designated (a), (b), and (c) as paragraphs), immediately after "taxable year", the following: "(or, during a taxable year beginning after December 31, 1941, gain from sale or exchange of a capital asset held for not more than 6 months)".

(Sec. 62 of the Internal Revenue Code able year", the following: "(or, during a applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C. 729 (a)), and secs. 201, 205 (b) and (c), 206, 207, 208, 209 (a), (b), and (d), 210, 211, 213, and 220 of the Revenue Act of 1942 (Public Law 753, 77th Congress))

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: March 27, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4878; Filed, March 30, 1943; 11:22 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1888]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for rail and truck shipments and changes in the freight origin group numbers and shipping points for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the Freight Origin Group Numbers and the shipping points for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the Freight Origin Group Numbers and shipping points appearing in the aforesaid Supplement R for the mines mentioned therein are effective in place of the Freight Origin Group Numbers and shipping points heretofore established for these mines.

No relief is granted herein for the coals of the Hillside Coal Co. Mine, Mine Index No. 3912, of A. G. Sewiskey (Hillside Coal Co.) in Size Group 3, as requested, for the reason that minimum prices were established for the Size Group 3 coals of this mine as Mine Index No. 3478 for truck shipment in Docket No. A-1440 and, therefore, Mine Index No. 3912 is deleted.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief in 4 II (d) of the Bituminous Coal herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 18, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3743	Bonner, H. C.	Arcadia #83	12	E	Glen Campbell, Pa.[1]	PRR	70	†	†	G	(†)	(†)
3937	Brown, Earl M.	Brown #5	8	C	Clearfield, Pa.	B & O	113	(†)	(†)	F	(†)	(†)
1663	Bunker Hill Coal Co. (Andrew Bodnar).	Bunker Hill Coal Mine	16	D	Garman, Pa.	NYC-PRR	66	(†)	(†)	E	(†)	(†)
3831	Dorsch Coal Co. (Elmer E. Dorsch).	Dorsch Coal Co.	26	B	Twin Rocks, Pa.	PRR	53	(†)	(†)	C	(†)	(†)
3938	Ferrari, Nick	Ferrari #2	6	D	Anita, Pa	PRR	26	(†)	(†)	E	E	F
3903	Flickinger, L. S. (Mack Coal Co.).	Mack #5	23	E	Homer city, Pa.	PRR	81	(†)	(†)	G	(†)	(†)
3946	Fye, Ralph & Glenn (Glenn Fye).	Fye #5	9	D	Snow Shoe, Pa.	PRR	46	D	D	D	D	D
50	M. P. W. Coal Co., The (Arthur M. Pearce).	Matulas Coal Mining Co.	11	B	Timblin, Pa.[2]	P & S	110	H	H	H	J	J
3911	Thompson, W. O.	Thompson #1	6	D	Knoxdale, Pa.	P & S	110	(†)	(†)	E	(†)	(†)

†Indicates no classification effective for these size groups.
[1] Change in shipping point.
[2] Change in F. O. G.

NOTE: The above prices are applicable only via the respective Freight Origin Groups, Shipping Points and Railroads [illegible] to these mines are no longer applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine modified R. M.	2" and under slack	¾" and under slack
						1	2	3	4	5
Beers, A. T	3879	Beers	7	Clearfield	D	(†)	(†)	240	(†)	(†)
Brown, Earl M	3987	Brown #5	8	Clearfield	C	(†)	(†)	240	(†)	(†)
Ferrari, Nick	3948	Ferrari #2	6	Jefferson	D	(†)	(†)	245	235	225
Flickinger, L. S. (Mack Coal Co.)	3989	Mack #5	23	Indiana	E	(†)	(†)	235	(†)	(†)
Fye, Ralph & Glenn (Glenn Fye)	3946	Fye #2	4	Bentz	E	(†)	(†)	250	(†)	(†)
Kubistos, Julius	3914	Little Cambria Plain.	39	Bedford	Kelly	(†)	(†)	240	(†)	(†)
Reese, Philip	3922	Reese's	9	Clearfield	C	(†)	(†)	245	(†)	(†)
Spangole, Fred	3941	Green Valley	8	Clearfield	H	(†)	(†)	245	(†)	(†)
Thompson, W. O	3913	Thompson #1	5	Jefferson	D	(†)	(†)	245	(†)	(†)

†Indicates no classification effective for this size group.

[F. R. Doc. 43-4801; Filed, March 29, 1943; 11:10 a. m.]

[Docket No. A-1876]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines and for a change in shipping point for the coals of the Christopher No. 6 Mine of Christopher Mining Company.

An original petition, pursuant to sec- Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3, and a change in the shipping point for the coals of the Christopher No. 6 Mine of Christopher Mining Company, also in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and, commencing forthwith, the shipping point appearing in the aforesaid Supplement R for the coals produced at the Christopher No. 6 Mine, Mine Index No. 4, shall be effective in lieu of the shipping point hitherto established for the coals produced at this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size, group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
4	Christopher Mining Company[1]	Christopher #6[1]	Pittsburgh	Annabelle, W. Va.[2]	B & O	61	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
5	Clair Corporation (F. D. Sinclair)[1]	Arthur[1]	Redstone	Lost Creek, W. Va	B & O	60	F	F	F	F	F	H	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
152	Fizer & Gidley (Paul Gidley)[1]	Redbrush	Bakerstown	Snider, W. Va	W. V. N	71	G	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)
1392	Freeport Gas Coal Company, Downing, Richard, Trustee.	Hilltop #2	Pittsburgh	Clarksburg, W. Va	B & O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
699	Nixon, R. S	Nixon #1	Pittsburgh	Everson, W. Va	B & O	61	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1393	Nixon, R. S	Nixon #2	Pittsburgh	Everson, W. Va	B & O	61	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
717	Sturm, John E.[1]	Robinson	Pittsburgh	Bridgeport, W. Va	B & O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for these size groups.

[1] Indicates change in name.

[2] Indicates change in shipping point, Worthington, W. Va., no longer applicable.

NOTE.—For railroad fuel prices add these mine index numbers to the respective groups set forth in §323.8 (b) and §323.8 (c) in Minimum Price Schedule No. 1. *Group No. 1:* 4, 699, 717, 1392, 1393; *Group No. 2:* 5; *Group No. 6:* 152.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	County	Size groups: Lump over 2", exc over 3" bottom size	Lump 2", exc 2" bottom size but over 1¼"	Lump 1¼" and under, exc 1¼" and under bottom size	All nut and pea 2" and under	Run of mine resultant over 2"	1¼" and 2" slack	¾" slack
					1	2	3	4	5	6	7
Christopher Mining Company.[1]	4	Christopher #6[1]	Pittsburgh	Marion	243	238	238	213	213	198	188
Clair Corporation (F. D. Sinclair).[1]	5	Arthur[1]	Redstone	Harrison	243	238	238	213	203	198	188
DeBerry, N. W	109	DeBerry	M V Freeport	Preston	243	243	243	230	220	210	200
Fizer & Gidley (Paul Gidley).[1]	152	Redbrush	Bakerstown	Preston	255	255	255	230	230	220	210
Freeport Gas Coal Company (Downing, Richard, Trustee).	1392	Hilltop #2	Pittsburgh	Harrison	243	238	238	213	213	198	188
Nixon, R. S	1393	Nixon #2	Pittsburgh	Harrison	243	238	238	213	213	198	188
Sturm, John E.[1]	717	Robinson	Pittsburgh	Harrison	243	238	238	213	213	198	188

[1] Indicates change in name.

[F. R. Doc. 43-4803; Filed, March 29, 1943, 11:11 a. m.]

[Docket No. A-1893]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 1625.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Elliott's Mine, Mine Index No. 1625 of Ed. A. Elliott, in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 13, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index name	Mine index No.	Mine	Seam	Prices and size group numbers 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	34
SECTION NO. 5																																
GREENE COUNTY																																
Elliott, Ed. A	1625	Elliott's	2	260	255	250	240	235	230	175	170	165	160	160	160	130	120	65	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -

[F. R. Doc. 43-4800; Filed, March 29, 1943; 11:10 a. m.]

[Docket No. A-1882]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No 12; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 332.2 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and

§ 332.24 *(General prices in cents per net ton for shipment into all market areas)* is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 18, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 332.2 *Alphabetical list of code members*—Supplement R

Code member	Mine Index No.	Mine name	Mine origin group	Originating railroad	Mine origin group No.
Burk, Harold (H. B. Coal Company).	842	H. B. Coal Co. #2[1]	Lovilia	CB&Q-Wab	40
Ex-L Coal Company	840	Ex-L #2[1]	Flagler and Knoxville.	CB&Q	69
New Black Diamond Coal Co. (Guy Geneva).	404	New Black Diamond Coal Co[1].	Albia	CB&Q-M&StL	30
Vancuneltrock Coal Co	494	Vancuneltrock No. 1[1]	Flagler and Knoxville.	CB&Q	69
X-I Coal Co. (Nomie French)	837	No. 2[1]	Bussey	Wab	31

[1]Indicates mines shipping via public sidings and ramps for railway delivery.

FOR TRUCK SHIPMENTS

§ 332.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Price group No.	County	Chunk	Standard Lump	Egg 8 x 2", 6 x 2"	Small egg, 4 x 2", 3 x 1½"	Mine run	Nut, 2 x 1⅜", 1¼ x ¾"	Dom. stoker, 1⅜", 1 x ⅝"	Screenings, 2", 1½" x 1¼ x 0	Ind. stoker, Cr. 2", 1½", 1¼" x 0	⅜" x 0
					1	2	3	4	5	6	7	8	9	10
Burk, Harold (H. B. Coal Company).	842	H. B. Coal Co. #2	18	Marion	305	295	285	275	275	275	275	165	225	105
Ex-L Coal Company	840	Ex-L #2	19	Marion	315	305	295	285	275	275	275	175	235	105
Jones, Thos. H	844	Rose Hill	18	Marion	305	295	285	275	275	275	275	165	225	105

[F. R. Doc. 43-4804; Filed, March 29, 1943; 11:11 a. m.]

[Docket No. A-1827]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13, including the coals produced in Size Group 10 for rail shipment at the New River Mine (Mine Index No. 21) of Brookside-Pratt Mining Company; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 333.6 *(General prices)* is amended by adding thereto Supplement R–I, § 333.7 *(Special prices—(a) Prices for shipment to all railroads and for exclusive use of railroads)* is amended by adding thereto Supplement R–II, § 333.7 *(Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel)* is amended by adding thereto Supplement R–III, § 333.24 *(General prices)* is amended by adding thereto Supplement R–IV, § 333.25 *(Special prices—(b) Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses)* is amended by adding thereto Supplement R–V, § 333.27 *(Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama)* is amended by adding thereto Supplement R–VI, § 333.34 *(General prices in cents per net ton for shipment into all market areas)* is amended by adding thereto Supplement T–I and § 333.43 *(General prices in cents per net ton for shipment into all market areas)* is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief is granted for the coals produced in Size Group 10 for rail shipment at the New River Mine (Mine Index No. 21) of Brookside-Pratt Mining Company, as requested by petitioner for the reasons set forth in an order issued this day severing that portion of Docket No. A–1827, which relates to such coals and designating such portion as Docket No. A–1827 Part II.

Dated: March 11, 1943.

[SEAL] DAN H. WHEELER, *Director.*

§ 333.7 *Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R–III

[Sub-district No. 1, Prices F. O. B. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price differentials as indicated]

Mine index No.	Mine group	Size groups and prices applicable for steamship vessel fuel					
		14, 15, 16, 17, 18	12	1	18	19	23
1704	Black Creek			315		315	305
1710	Carlton Hill, Big Seam	275					

§ 333.24 *General prices*—Supplement R–IV

TEMPORARY AND CONDITIONALLY FINAL RELIEF FOR DISTRICT NO. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedules for District No. 13 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 *General prices*—Supplement R–I

[Prices F. O. B. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine Index No.	Code member	Mine	Sub-district	Seam	Freight origin group
	BLOUNT COUNTY, ALA.				
1722	Lowe, Elzie[1]	Millie Cash	1	Black Creek	91
	WALKER COUNTY, ALA.				
1714	Taylor, Hubert[1]	Holly Grove #2	1	Jagger	101
	WINSTON COUNTY, ALA.				
1243	West, C. V.[1]	Kilgour	1	Black Creek	111
1704	West, C. V.[1]	Kilgour #2	1	Black Creek	111

[1] Shipping Point: Warrior, Ala. Railroad: L&N. This mine shall have in size group 10 each respective price table the same price as listed therein for Mine Index No. 1309 Floyd Cooper Coal Co. Price Schedule No. 2, and will be included in Group No. 120.

[2] Shipping Point: Townley, Ala. Railroad: S. L. S. F. This mine shall have in Size Groups 1, 2, 4, 8, 12, 14, 15, 16, 17, and 18 the same respective prices as are shown for mines included in Group No. 1 in Floyd Cooper Coal Company (Hubert Taylor, Mgr.) Price Schedule No. 2. Shipping Point: Townley, Ala. Railroad: S. L. S. F. Each respective price table this mine shall have in each size group the same respective price as is shown for mines included in Group No. 1 in Floyd Cooper Coal Company (Hubert Taylor, Mgr.) Price Schedule No. 2.

[3] Shipping Point: Natural Bridge, Ala. Railroad: Sou. Ry. Change in Shipping Point and Freight Origin Group 112 shall be none the applicable.

[4] Shipping Point: Natural Bridge, Ala. Railroad: Sou. Ry. This mine shall have in Size Group 1, 4, 13, 22 and 23 each respective price table the same price as listed therein for Mine Index No. 1243 C. V. West, Kilgour Mine, Price Schedule No. 21, and will be included in Group No. 120.

The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply.

§ 333.7 *Special prices—(a) Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R

[Prices F. O. B. mines for shipment to all railroads and for exclusive use of railroads]

For all mines in subdistrict No. 1	For all sizes customarily furnished railroads for locomotive fuel				
Mine index No.	Central of Georgia Railway	Seaboard Air Line Railway	St. Louis and San Francisco Railroad (for coal shipped west of the Mississippi River	A. B. & C. Railroad	All other railroads not specifically shown
1699-1714	250	250	200	250	250

[1] Prices listed for Central of Georgia and Seaboard Air Line Railway shall also apply to controlled railroads whose purchases of coal are legally made by the controlling system.

§ 333.25 *Special prices—(b) Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R–V

[Prices F. O. B. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses]

For mines in subdistrict No. 3	Size	Price
Mine index No. 1559-1711, 1720	[For all sizes except screenings For screenings 1½" x 1¼ x 0 and more than 2" For all sizes except screenings Screenings with top size not more than 2"	275 265 275 245

§ 333.27 *Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*—Supplement R–VI

[Subdistrict 5 (Tennessee-Georgia) free alongside deliveries]

Code member index	Mine	Mine index No.	County	Seam	Lump: over 2" egg: top size over 5"	Egg: top size 5" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: Top size 1½", and under, bottom size ½" and under	Stoker: Top size ¾" and under, bottom size ¾" and under	Straight and unsifted M/R	Resultants: 5" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ¾" and under	*Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
Board Fork Coal Company	Board Fork #1	1710	Hamilton	No. 9	335	335	325	280	270	250	255	255	255	235	235	225	220	185	280
Board Fork Coal Company	Board Fork #2	1712	Hamilton	No. 11	335	335	325	280	270	250	255	255	255	235	235	225	220	185	280
Lusk & McMahan (William G. Lusk)	No. 1	1573	Marion	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Phipps, L. P.	Phipps	1718	Marion	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Smith, Bert	Montlake #2	1708	Hamilton	No. 10	335	335	325	280	270	250	255	255	255	235	235	225	220	185	280
Tate, R. L.	Tate #1 & #2	1711	Marion	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Tate & Morrison (J. R. Morrison)	Stone Coal Bank #1	1720	Sequatchie	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290

FOR TRUCK SHIPMENTS

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: over 2", Egg: Top size over 6"	Egg: Top size 6" and under	Lump: 2" and under	Nut: Top size 3" and under, bot. size over ½"		Chestnut: Top size 3" and under, bot. size 1½" and under		Chestnut: Top size 1½" and under, bot. size ¾" and under		Run of mine modified R/M	Resultants: 3" and under		Screenings: 1½" and under		Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	24, 25, 26
ALABAMA																			
BLOUNT COUNTY																			
Lowe, Elzie	Millie Cash	1722	2	Black Creek	385	385	370	375	355	340	330	325	315	315	305	295	295	280	396
WALKER COUNTY																			
Beasley & Barnett (Revis Beasley)	Early	1723	2	Black Creek	415	415	390	365	345	345	335	340	330	330	305	295	295	255	320
Taylor, Hubert	Holly Grove #2	1714	2	Jasper	310	310	305	325	305	------	------	300	280	280	265	250	250	210	290

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: Over 2", egg: top size over 5"	Egg: Top size 5" and under; bottom size 2" and under	Lump: 2" and under	Nut: Top size 2" and under; bottom size 1" and under	Stoker: Top size 1½" and under; bottom size ½" and under	Stoker: Top size ¾" and under; bottom size ⅜" and under	Straight and multi-fied M/R	Resultants: 5" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ⅜" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
HAMILTON COUNTY, TENN.																			
Board Fork Coal Company	Board Fork #1	1710	4	No. 9	335	335	325	280	270	250	255	255	255	235	235	225	220	185	280
Board Fork Coal Company	Board Fork #2	1712	4	No. 11	335	335	325	280	270	250	255	255	255	235	235	225	220	185	280
Smith, Bert	Montlake #2	1708	4	No. 10	335	335	325	280	270	250	255	255	255	235	235	225	220	185	280
MARION COUNTY, TENN.																			
Higgins, J. D.	Higgins	1717	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Lusk & McMahan (William G. Lusk)	No. 1	1573	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Phipps, L. P.	Phipps	1718	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Tate, R. L.	Tate #1 and #2	1711	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
SEQUATCHIE COUNTY, TENN.																			
Tate & Morrison (J. R. Morrison)	Stone Coal Bank #1	1720	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290

[F. R. Doc. 43-4802; Filed, March 29, 1943; 11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Conservation Order M-104,[1] as Amended March 15, 1943]

§ 1128.1 *Conservation Order M–104*—(a) *Definitions.* (1) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(2) "Glass container" means any bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(3) "Tinplate" means sheet steel coated with tin, and includes "primes," "seconds," "waste-waste," and all other forms of tinplate except waste.

(4) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes," "seconds," "waste-waste," and all other forms of terneplate except waste.

(5) "Blackplate" means any sheet steel, other than tinplate or terneplate, suitable for manufacture into closures, and includes "rejects," "electrolytic waste-waste," and all other forms of blackplate except waste.

(6) "Waste" means used closures and used cans, made of tinplate, terneplate, or blackplate; and scrap tinplate, terneplate, and blackplate produced in the ordinary course of manufacturing closures.

(7) "Rubber," whether a separate sealing ring or incorporated into a closure, means any polyvinyl acetate, or any crude rubber, latex, scrap rubber, reclaimed rubber, or synthetic rubber, as defined by Supplementary Order M–15–b, as amended from time to time.

(8) "Pack," unless particularly specified, means the number of closures used for packing a product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of closures.* (1) No person shall sell or deliver any closure made in whole or in part of tinplate, terneplate, blackplate, wire, rubber, or waste, except under a purchase order or contract validated by delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any such closure which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall use any tinplate, terneplate, blackplate, waste or rubber for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium such as another closure or paraffin.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (b) (3).

(3) No person shall use any tinplate, terneplate, blackplate, wire, or rubber for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule V attached to this order. No closure manufactured pursuant to Schedule V shall knowingly be sold to any person for packing any product for sale.

(4) No person shall use any tinplate, terneplate, or blackplate, except "rejects" or "electrolytic waste-waste," heavier than 90 pounds per base box, for the manufacture of crown caps.

(5) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 1.25 pounds per base box.

(c) *Restrictions upon purchase, acceptance of delivery, and use of closures.* No person shall, during any calendar year (or seasonal year or other period, when specified) purchase, accept delivery of, or use for packing a product, any closure made in whole or in part of tin-

[1] This document is a corrected restatement of Amendment 1 of Conservation Order M-104 as amended January 1, 1943, which appeared in the FEDERAL REGISTER of March 16, 1943, page 3610, and in the FEDERAL REGISTER of March 24, 1943, page 3579, and reflects the order in its completed form as of March 15, 1943. The effect of this amendment is to amend certain items in Schedules I and V.

plate, terneplate, blackplate, or rubber, except as, and to the extent permitted in Schedules I, II, III, and IV, attached to this order: *Provided, however,* That a jobber or retailer may obtain and sell closures in conformity with the provisions of this order. Blackplate may be used wherever tinplate or terneplate is specified. Closures made of waste shall not be used for packing any product for which closures made of tinplate, terneplate, and blackplate are totally prohibited.

(d) *Exceptions.* (1) Nothing in this order shall prohibit any person who used less than 5,000 closures during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, an aggregate of 5,000 closures during any subsequent calendar year.

(2) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of closures for packing any product not listed in the schedules attached to this order, when such closures, on or before December 23, 1942, were completely manufactured or were in the form of tinplate, terneplate, or blackplate fully lithographed with a person's private design cut into strips.

(3) No certificate shall be required for the sale or delivery of closures to:

(i) Retailers;

(ii) Persons purchasing closures from retailers.

(4) Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(i) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(ii) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(iii) American Red Cross or United Service Organizations.

(iv) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) Any person in the Territory of Hawaii: provided that the exception provided by this paragraph (d) (4) (v) shall be limited to closures used in connection with the packing of products to be consumed in the said Territory.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref: M-104.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made or closures made in whole or in part of tinplate, terneplate, blackplate, wire, zinc, or rubber. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-104, as heretofore amended, and that he will not use or sell any closures purchased from

_____
Name of seller

_____
Address of seller

pursuant to this or future purchase orders or contracts, in violation of the terms of such order.

Date_____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U.S.C.A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CLOSURES

[NOTE: Item 5 under "Milk and Dairy Products" was amended March 15, 1943.]

A. Any person who used closures from January 1, 1942 to December 31, 1942, for packing a food product not listed in this Schedule I, may use an equal number of closures during the year 1943 for packing the products listed in this schedule, in addition to the quotas respectively specified.

B. Wherever the asterisk appears the packing quota relates to the number of closures and cans used for packing the applicable product.

C. Notwithstanding the provisions of paragraph (d) (4) of this order, the respective quotas specified for items 3 and 6 under Fruits and item 6 under Milk and Dairy Products shall include pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.

D. No product packed in a can shall be repacked for sale in a glass container, by the same or a different person, in the same or a different form, except to the extent specifically permitted in this schedule.

E. Split year items such as "1941 2" appearing in the column "1943 Packing Quota" refer to specified seasonal year base periods to be used in computing permitted packs for subsequent seasonal years.

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS				
1. Asparagus, green	Unlimited	X		X
2. Beans, with or without pork	25% 1941*	X		X
3. Beans, fresh, including green, wax, lima, green soybeans, and fresh shelled beans	Unlimited	X		X
4. Beets, including pickled beets. No whole beets larger than U. S. standard ruby (medium) to be packed	200% 1942-3	X		X
5. Carrots. Whole carrots not to be packed	100% 1942	X		X
6. Corn, fresh, sweet, cut	Unlimited	X		X
7. Peas, fresh, green	Unlimited	X		X
8. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, polk, and turnip greens	300% 1941	X		X
9. Tomatoes	Unlimited	X		X
10. Tomato catsup and chili sauce, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids:				
Closures without rubber	200% 1942	X		X
Closures with rubber	150% of 1942	X		X
11. Tomato paste, containing not less than 25 percent, by weight, dry tomato solids	50% 1942*	X		X
12. Tomato pulp or puree, containing not less than 10.7 percent (specific gravity 1.045 or more than 25 percent, by weight, dry tomato solids	100% 1942*	X		X
13. Tomato sauce including spaghetti sauce containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10% percent (specific gravity 1.042) by weight total dry solids, salt free. In addition to salt the contents may contain pepper, spice oils, and other flavoring ingredients.	100% 1942*	X		X
14. Vegetables, dehydrated	Unlimited		X	

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
MEATS AND MEAT PRODUCTS—Continued				
8. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight	25% 1942*	X	X	X
9. Minee meat, fresh apples only	100% 1942		X	
10. Pig's feet and trotters, pickled, semi-boneless	100% 1942	X		X
11. Sausage, luncheon style, cooked, to consist of meat and not to exceed 10 percent added water, by weight	100% 1942*			X
12. Tongue	100% 1942*	X		X
FISH AND SHELLFISH				
1. Clams, soft, hard, or razor	100% 1942	X		X
2. Clam broth	100% 1942*	X		X
3. Crabmeat	100% 1942	X		X
4. Fish flakes, except dried fish flakes	100% 1942	X		X
5. Fish pastes, including shellfish paste	Unlimited		X	
6. Lobsters, including spiny lobsters	100% 1942*	X		X
7. Oysters	100% 1942	X		X
8. Shrimp	100% 1942	X		X
SOUPS				
Seasonal: Limited to soups which shall contain not less than 10 percent by weight (of dry solids) from any one or more of the following uniformly vegetables: asparagus, peas, spinach, tomatoes.	Unlimited	X		
Non-seasonal: Limited to the following kinds of soup which shall contain not less than the specified percentage, by weight, of fresh meat, poultry, fish, shellfish, or any combinations of meats, or other products listed in Schedules I or II, in Order M-81, provided that no person shall use for packing such soups, more than 35 percent by weight, of the frozen vegetables which be used for this purpose during 1942.	75% 1941-2*	X		
MILK AND DAIRY PRODUCTS				
1. Cheese spreads, processed	100% 1942	X		
2. Cheese spreads, unprocessed (e. g. limburger)	100% 1942	X		
3. Cheese, natural, except cheese specified by the Federal Security Administration, July 2, 1940, paragraph 18.525 page 2444, Federal Register, and 18.530, page 2445, as amended, Federal Register August 8, 1941, pages 3073 and 3074	100% 1942		X	
4. Cultured milk—"Cultured milks" as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain material to milk or skim milk such as lactic acid bacteria cultures or the like.	100% 1942			
5. Fluid milk, with or without flavoring. Quota: Until 9/30/43 100 percent of corresponding period of 1941.	See product column.	X		X until 3/31/43
6. Icecream mix, dry. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.	50% 1942*	X		X
7. Malted milk, including chocolate milk, dry	Unlimited		X	
SYRUPS AND HONEY				
1. Syrups—blended, bottlers, cane, corn, maple, molasses, sorghum, malt	100% 1942*		X	
2. Chocolate or cocoa syrup	100% 1942*		X	
3. Honey	Unlimited		X	
OLIVES, PICKLES, RELISHES, CONDIMENTS AND SAUCES				
1. Pickles, pieealilli, and relishes	100% 1942	X		X
2. Mustard	100% 1942	X		X
3. Green olives	100% 1941	X		X
4. Ripe olives	100% 1942	X		X
5. Sauces—Beefsteak, cooking, soya, tobasco, and worcestershire	100% 1942	X		X

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS—continued				
15. Vegetable juices, or mixtures thereof, unfiltered, except for the addition of sweetening or seasoning	Unlimited	X		X
NOTE: When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, or tomato juice may be repacked from reusable cans, 5 gallon or larger.				
FRUITS				
1. Apples, including crabapples: whole apples not to be packed	10% 1941-2*	X		X
2. Applesauce, including sauce from crabapples	10% 1941-2*	X		X
3. Apricots. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies	100% 1942	X		X
4. Blackberries, black raspberries, boysenberries, dewberries, elder berries, gooseberries, loganberries, red raspberries, and youngberries	225% 1942	X		X
5. Cherries, red sour pitted and sweet	200% 1942	X		X
6. Figs. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies	100% 1942	X		X
7. Fruit cocktail, consisting of any combination of fruits listed in this Schedule I and grapes and pineapple: *Provided,* That the fruit cocktail shall contain not less than 50 percent nor not less than 60 percent fruits listed in this Schedule I and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans to the extent of 7 percent of the fruit cocktail	Unlimited	X		X
8. Olives, ripe, except pitted	75% 1941-2*	X		X
9. Peaches, clingstone, halves, segments, or slices	Unlimited	X		X
10. Peaches, freestone, halves, segments, or slices. Not to be packed in California	Unlimited	X		X
11. Pears. Whole pears, except seckle pears, not to be packed	Unlimited	X		X
12. Pineapple	200% 1942	X		X
13. Prunes, fresh Italian	200% 1942	X		X
FRUIT PRODUCTS				
1. Fruits, crushed	100% 1942*	X	X	X
2. Fruit butters, conserves, jams, jellies, marmalades, and preserves	100% 1942			
3. Fruit juices or mixtures thereof, other than grapefruit juice, unfiltered except for the addition of sweetening	100% 1942*	X		X until 3/31/43
4. Grapefruit juice	100% 1942*	X		X
5. Fruit concentrates, liquid, when concentrated on a ratio of 3 to 1 or more	100% 1942*	X		X
6. Fruit concentrates, dry	Unlimited		X	
7. Nectars	100% 1942*	X		
8. Pectin, liquid	100% 1942*		X	
MEATS AND MEAT PRODUCTS				
1. Beef, dried	75% 1941	X		X
2. Chicken, boned, and turkey, boned	50% 1942*	X		X
3. Chili Con Carne, when packed without beans and containing not less than 40 percent meat, by unecoked weight, and not to exceed 10 percent added water	25% 1942*	X		X
4. Corned beef hash	100% 1941*	X		X
5. Lamb's tongue, pickled	100% 1942	X		X
6. Meat loaf, containing not less than 30 percent meat, by uncooked weight, and not to exceed 10 percent added water. When packed in glass jars, shall contain not less than 10 percent of the following ingredients cereal, whole milk, eggs, and seasoning	25% 1942*			X
7. Meat spreads, including ham, tongue, liver, feet, and sausage spreads. When packed in glass jars, shall contain not less than 30 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	25% 1942*			X

SCHEDULE I—FOOD CLOSURES—Continued

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Black plate	Rubber
EDIBLE OILS AND DRESSINGS				
1. Dressings—Mayonnaise, Russian, salad and Thousand Island.	125% 1942		X	
2. French dressing	100% 1942	X		
3. Oil, edible liquid	125% 1942*		X	
4. Sandwich spread, other than meat spreads	125% 1942		X	
5. Tartar sauce	100% 1942		X	
MISCELLANEOUS FOODS				
1. Baby foods: Consisting of food products of small particle size or in liquid or semiliquid form made from the following ingredients fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products sugar salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetable may be used, provided that no person shall use more than 35 percent, by weight, of the amount which be used for baby foods in 1942. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple from No. 10 cans and tomato products from 5-gallon reusable cans may be used in packing baby foods	125% 1942	X		X
Formulas—dry or liquid	125% 1942*		X	
2. Cherries, maraschino	100% 1942		X	
3. Baking powder	100% 1942*		X	
4. Dyes, certified colors	75% 1942		X	
5. Extracts	100% 1942	X		
6. Malt, dry	100% 1942*		X	
7. Milk fortifiers	100% 1942		X	
8. Nut butters	150% 1942		X	
9. Soups, dehydrated	100% 1942		X	
10. Spice	100% 1942		X	
11. Vinegars	100% 1942	X		
12. Special food products, for human consumption only, limited to foods other than usual table foods Quota: No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board	(1)	(1)	(1)	(1)

[1] See product column.

SCHEDULE II—DRUG PRODUCTS CLOSURES

A. From December 23, 1942, to December 31, 1942, any person may pack without quota restriction any product listed in this Schedule II.

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Black-plate	Rubber
1. Alcohol, rubbing or medicated	100% 1942		x	
2. Artificial salts	100% 1942		x	
3. Biological preparations	Unlimited	x		x
4. Blood plasma	Unlimited	x		x
5. Capsules	100% 1942		x	
6. Chemicals, dry	Unlimited	x		
7. Chemicals, liquid	Unlimited	x		
8. Citrate of magnesia	100% 1942		x	x
9. Cordials, medicinal	100% 1942		x	
10. Effervescent salts	100% 1942		x	
11. Elixirs	100% 1942		x	
12. Emulsions	100% 1942		x	
13. Extracts	100% 1942		x	
14. Flavors	100% 1942		x	
15. Fluid extracts	100% 1942		x	
16. Fluid glycerates	100% 1942		x	
17. Glycerites	100% 1942		x	
18. Glycerogelatins	100% 1942		x	
19. Honeys	100% 1942		x	
20. Jellies, aqueous	100% 1942		x	
21. Liniments	100% 1942		x	

SCHEDULE II—DRUG PRODUCTS CLOSURES—Continued

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Black-plate	Rubber
22. Liniment of ammonia	100% 1942	x		
23. Local anesthetic solutions (injectible)	Unlimited	x		x
24. Lotions	100% 1942		x	
25. Magmas	100% 1942	x		
26. Medicinal wines	100% 1942		x	
27. Oleoresins	100% 1942		x	
28. Oleates	100% 1942		x	
29. Oils, fixed, volatile, or medicated	100% 1942	x		
30. Ointments, cerates, petrolatum, pastes	100% 1942		x	
31. Ointments, ophthalmic	100% 1942	x		
32. Pills, tablets, troches, lozenges	100% 1942		x	
33. Powders	100% 1942		x	
34. Prescriptions	Unlimited	x		
35. Proprietary preparations	100% 1942		x	
36. Soaps	100% 1942	x		
37. Solutions, aqueous or bulk intravenous	100% 1942	x		x
38. Solution of ammonia	100% 1942	x		
39. Solution of iodine	100% 1942	x		x
40. Solution of hydrogen peroxide	100% 1942	x		
41. Solutions, parenteral	Unlimited	x		x
42. Solutions, ophthalmic or nasal	100% 1942	x		
43. Spirits	100% 1942		x	
44. Spirit of ammonia, aromatic	100% 1942	x		
45. Spirit of ammonia, anisated	100% 1942	x		
46. Spirit of ether compound and spirit of ether	100% 1942	x		
47. Suppositories	100% 1942		x	
48. Syrups	100% 1942		x	
49. Tinctures	100% 1942		x	
50. Tincture of iodine	100% 1942	x		x
51. Vinegars	100% 1942	x		
52. Waters	100% 1942		x	
53. Water, laxative, purgative or medicinal	100% 1942		x	

SCHEDULE III—CHEMICALS, HOUSEHOLD AND INDUSTRIAL SUPPLY CLOSURES

A. From December 23, 1942 to December 31, 1942 any person may pack without quota restriction any product listed in this Schedule III.

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product	1943 packing quota	Closure material indicated by x		
		Tin-plate	Black-plate	Rubber
1. Adhesives, glass mucilages, and pastes	100% 1942		x	
2. Alcohol	100% 1942		x	
3. Ammonia	100% 1942	x		
4. Anti-freeze	100% 1942		x	
5. Automotive maintenance or repair items, liquid or paste	100% 1942		x	
6. Bluings	100% 1942	x		
7. Bleaches	100% 1942	x		x
8. Cements	100% 1942		x	
9. Chemicals, dry	Unlimited		x	
10. Chemicals, liquid	Unlimited	x		
11. Chemicals, reagent	Unlimited	x		
12. Cleaners	100% 1942		x	
13. Compounds for grinding, polishing, or sealing	100% 1942		x	
14. Dressings for industrial purposes	100% 1942		x	
15. Dyes	75% 1942	x		
16. Essential oils, distilled or cold pressed	100% 1942	x		
17. Embalming fluid	Unlimited		x	
18. Fire extinguisher fluids	100% 1942		x	
19. Fungicides, insecticides, and livestock or agricultural solutions or sprays.	100% 1942		x	
20. Glycerin	100% 1942		x	
21. Graphite with liquid	100% 1942		x	
22. Hypochlorite powders	100% 1942	x		
23. Inks	100% 1942	x		
24. Ink eradicators	100% 1942	x		
25. Lighter fluids	100% 1942		x	
26. Lye	100% 1942		x	
27. Oils, lubricating and machine	100% 1942		x	
28. Paints, varnishes, enamels, shellacs, lacquers, lacquer thinners, lacquer stains, paint thinners, varnish removers, turpentine and linseed oil.	100% 1942		x	
29. Phenols	Unlimited	x		
30. Photographic supplies	100% 1942	x		
31. Poisons	100% 1942		x	
32. Polishes, liquid or paste	100% 1942		x	
33. Putty	100% 1942		x	
34. Soap—hand	100% 1942		x	
35. Shoe white, liquid or cream	100% 1942		x	
36. Solvents	100% 1942		x	
37. Waxes	100% 1942		x	
38. Wood preservatives and fillers	100% 1942		x	

SCHEDULE IV—BEVERAGE CLOSURES

A. From December 23, 1942, to December 31, 1942, any person shall have the option of using closures for the bottling of malt and non-alcoholic beverages in accordance with the provisions of Order M-104 as amended September 26, 1942, or in accordance with this schedule. On and after January 1, 1943, no person shall use closures for such purpose except in accordance with this schedule.

Product—Bottling quota	Closure material
Product: Malt beverages, including only beer, ale, porter near-beer, and mixtures thereof Quota: Any person who produced in 1941 less than 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 100 percent, and any person who produced in 1941 over 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding month of 1941. In the case of a person who packed all or part of his 1941 production in cans, each such can may be counted as a closure affixed to a glass container. In the case of a person who did not produce any malt beverages in 1941, such beverages bottled by him, shall be considered as having been produced by him, and his authorized usage of closures shall be calculated accordingly	Tinplate and blackplate allocated for purposes of crown manufacture, only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.
Product: Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks, unflavored carbonated waters; unflavored naturally carbonated and still waters, drinks consisting of fruit juices, vegetable juices, and combinations thereof, where less than 85 percent by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk. Quota: Any person who used in 1941 less than 5,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 100 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 5,000 and less than 7,000 gross of closures, may use not to exceed 5,000 gross of closures in any twelve-month period, commencing with October 1, 1942, the number used during any calendar quarter to be at the same proportionate rate he affixed closures to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 7,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941.	Tinplate and blackplate allocated for purposes of crown manufacture only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.

(1) No person, other than a jobber purchasing for resale, shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory beyond 20 percent of the number of such closures and caps which he used in 1941 for packing malt beverages and non-alcoholic beverages.

(2) Closures for waters. Except with regard to items listed in schedule II, no closures made of tinplate, terneplate, or blackplate shall be affixed to glass containers smaller than 12 fluid ounces, for packing unflavored carbonated, natural or mineral waters, unless such glass containers were manufactured on or before June 1, 1942.

(3) All persons who bottle malt beverages or non-alcoholic beverages, shall report upon Form PD-519 to the Containers Division, War Production Board, Washington D. C.

SCHEDULE V—HOME CANNING CLOSURES

NOTE: Schedule V was amended in its entirety March 15, 1943.

Description of closure	Manufacturer's quota from October 1, 1942 to September 30, 1943	Closure material indicated by X		
		0.50 T Inplate	Rubber	Wire bails
1. Shoulder seal jar rings for 70 mm. Mason finish	Subject to allocation of rubber.	....	X	
2. Top seal jar rings for use with 70 mm. glass disc.	Subject to allocation of rubber.	....	X	
3. Top seal metal lids, 70 mm.	Unlimited	X	X	
4. Bands for 70 mm top seal metal lids.[1]	Unlimited	X	....	
5. Bands for use with 70 mm. glass lids.	Unlimited	X	....	
6. Lightening type, 70 mm.	Unlimited	....	....	X
7. Top seal metal lids, smaller than 70 mm.	Unlimited	X	X	
8. One piece metal closures, 70 mm. shoulder seal type.[1]	Unlimited	X	X	
9. One piece metal closures, 70 mm. top seal type.[1]	Unlimited	X	X	

[1] No manufacturer or jobber of glass containers shall sell any jars, intended for home canning, which are made with 70 mm. screw finish and which are manufactured on or after April 15, 1943 unless 40 percent or more of such jars have glass lids, screw bands and top seal jar rings attached to them.

CONFIDENTIAL—For use of Federal War Agencies only

Form PD-519

UNITED STATES OF AMERICA

WAR PRODUCTION BOARD

Report Period (Month or Quarter) _____

Name of Company _____

Address _____

Check applicable beverages: Malt____Non-alcoholic____

Closures for malt beverages and non-alcoholic beverages; Inventories, receipts and use by bottlers.

INSTRUCTIONS

Bottlers of malt beverages shall report monthly, and bottlers of non-alcoholic beverages by calendar quarters. On or before the tenth day following the period reported, please send one copy of this report to each supplier from whom you obtain beverage closures, and one copy to Containers Division, War Production Board, Washington, D. C. Ref: M-104. This form may be reproduced in same size and format.

Closures made of tinplate, terneplate or blackplate:	
Permitted inventory under M-104	gross
On hand first day of period	gross
Received during period	gross
Used, subject to quota, during period	gross
Used, for sale to exempt agencies, during period	gross
On hand last day of period	gross
Closures made from waste:	
On hand first of period	gross
Received during period	gross
Used during period	gross
On hand last day of period	gross
Re-used crowns used during period	gross

CERTIFICATION

The undersigned certifies that the above information is complete and correct to the best of his knowledge and belief:

Name of Bottler _____ Signature of Authorized Official _____

Date _____ Title _____

Section 35 (a) of the United States Criminal Code, 18 U.S.C.A. 80, makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction

[F. R. Doc. 43-4817; Filed, March 29, 1943; 3:39 p. m.]

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6681; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719, sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 3208—CRITICAL COMMON COMPONENTS

[General Scheduling Order M-293, Amendment 1]

Section 3208.1 *General Scheduling Order M-293* (8 F.R. 2472, 2756) is hereby amended in the following respects:

1. Subparagraph (2) of paragraph (c) is amended by deleting the term "April 1, 1943" in the first sentence and substituting in lieu thereof "May 1, 1943" so that the subparagraph shall read as follows:

(2) On and after May 1, 1943 (or such later date as may be specified in the applicable form), notwithstanding any preference rating which other orders may bear or any directive, rule or regulation of the War Production Board, each manufacturer shall deliver Class X critical common components only in accordance with the schedule filed pursuant to paragraph (c) (1), as the same may be changed by the War Production Board.

2. Subparagraph (1) of paragraph (d) is amended by deleting the term "April 1, 1943" in the first sentence and substituting in lieu thereof "May 1, 1943" so that the subparagraph shall read as follows:

(d) *Placing and acceptance of orders for Class Y critical common components.* (1) Except as otherwise provided in the annexed schedule, on and after May 1, 1943 no person shall place an order with a manufacturer, and no manufacturer shall accept an order, for any Class Y critical common component unless accompanied by a specific authorization of the War Production Board. Such authorization may specify the manufacturer with whom the order may be placed. Applications for such authorization may be made to the War Production Board by the person seeking to place an order on the applicable form designated in Column 3 of the annexed schedule.

Issued this 29th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4852; Filed, March 29, 1943; 5:14 p. m.]

PART 1049—INCANDESCENT, FLUORESCENT AND OTHER ELECTRIC DISCHARGE LAMPS

[General Limitation Order L-28, as Amended March 30, 1943]

Whereas the demands of national defense have created a shortage of nickel, brass, copper and other materials used in the manufacture of incandescent lamps; action has already been taken to conserve the supply and direct the distribution of such materials to insure deliveries for defense and essential civilian requirements; and the present supply of these materials will be insufficient for defense and essential civilian requirements unless their use in the manufacture of incandescent lamps is curtailed;

§ 1049.1 *General Limitation Order L-28*—(a) *Definitions.* For the purposes of this order:

(1) "Incandescent lamp" means any hermetically-sealed lamp or bulb, designed primarily to produce light, which makes use of a metal or carbon filament or metal wire strip, foil, or compound as the source of light.

(2) "Fluorescent lamp" means any hermetically-sealed electric discharge lamp or tube (other than a cold-cathode tube) in which the radiant energy from the electric discharge is converted by suitable phosphor coatings into visible wave lengths.

(3) "Glow discharge lamp" means any hermetically-sealed electric discharge lamp or tube (other than a fluorescent lamp) containing gases or vapors and designed to operate at impressed voltages of less than one thousand volts to produce visible light.

(4) "Blackout lamp" means any incandescent lamp having a lumen output of less than 1 lumen per watt, with an opaque coating on more than 50% of the external or internal glass surface.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(6) "Manufacturer" means any person who produces or assembles any incandescent, fluorescent or glow discharge lamp or part therefor, or who coats, etches or otherwise marks any such lamps for use by any other person.

(7) "Wholesaler" means any person (other than a manufacturer) engaged in the business of selling incandescent, fluorescent or glow discharge lamps to dealers for resale, whether or not he also sells such lamps to the public.

(8) "Dealer" means any person (other than a manufacturer or wholesaler) engaged in the business of selling incandescent, fluorescent or glow discharge lamps to the public.

(9) "Military exemption order" means a purchase order, contract or subcontract for incandescent, fluorescent or glow discharge lamps, or parts for such lamps, to be purchased (or physically incorporated into lamps to be purchased) by or for the account of the Army or Navy of the

United States, the United States Maritime Commission, the War Shipping Administration, or the Panama Canal, or the armed forces of any country eligible for Lend-Lease assistance pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), when accompanied by a certification in the following form, signed by the appropriate procuring officer or the person placing such order:

This is to certify that all lamps (or lamp parts) specified in this order are to be used by the United States Army (or Navy, Maritime Commission, War Shipping Administration or Panama Canal, or armed services of a Lend-Lease country) on ships, aircraft, vehicles or weapons, or outside the continental limits of the United States.

Name

By ---

Any provision of this order which expressly permits the fulfillment of a military exemption order shall be deemed to permit a manufacturer to produce lamps or lamp parts to replace in his inventory lamps or lamp parts which, though not produced pursuant to military exemption orders, have been delivered by him pursuant to military exemption orders.

(b) *General restrictions.* (1) During the period of three months beginning October 1, 1942, and during each succeeding period of three months until otherwise ordered by the War Production Board, no manufacturer shall produce bases for incandescent, fluorescent and glow discharge lamps having a total weight greater than 31¼% of the total weight of such bases produced by him during 1940, except that any such manufacturer may, in addition to the foregoing quota, produce additional bases:

(i) Having a total weight equal to any part of his quota for the next succeeding period of three months: *Provided*, That he reduces his quota for such succeeding period of three months by an equivalent amount; and

(ii) Having a total weight equal to any unused part of his quota for the preceding period of three months.

(2) No manufacturer shall produce any incandescent lamps designed primarily for use on Christmas trees, or for advertising, decorative or display purposes.

(3) (i) Commencing April 1, 1943, no manufacturer shall produce or deliver any incandescent, fluorescent or glow discharge lamps except in accordance with the schedules approved or prescribed by the War Production Board as hereinafter provided; and no manufacturer shall alter such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board.

(ii) On or before April 15, 1943, each manufacturer shall file with the War Production Board a statement in writing which shall include such manufacturer's proposed production schedules and his proposed delivery schedules for incandescent, fluorescent and glow discharge lamps respectively, so far as then planned, but in any event for not less than the three calendar months following March 31, 1943. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(iii) The War Production Board will notify manufacturers of its approval or disapproval of the production and delivery schedules for the calendar quarter, or longer period, covered in such schedules. The War Production Board may at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any incandescent lamps so listed to any other person, at the established price and terms.

(iv) If any schedule for production or deliveries approved under the provisions of this order does not correspond to the authorized production schedule approved for the same quarter under the Controlled Materials Plan (on Form CMP–4B, or any other designated form), then the schedule approved under this order shall constitute the authorized production schedule of that manufacturer.

(4) No wholesaler or dealer shall sell, lease, trade, lend, deliver, ship or transfer any photoflash or photoflood incandescent lamps, except:

(i) To a manufacturer, wholesaler or dealer;

(ii) In fulfillment of purchase orders or contracts bearing preference ratings of AA–5 or higher.

(5) No manufacturer or reclaimer of bases for incandescent, fluorescent or glow discharge lamps shall sell, transfer or deliver any bases for such lamps, except with the specific authorization of the War Production Board. On or before the 20th day of each calendar month, each manufacturer or reclaimer of bases for incandescent, fluorescent or glow discharge lamps shall file with the War Production Board a statement on Form PD–532 of the total metal weight of bases for incandescent and glow discharge lamps and the total number of bases for fluorescent lamps which he expects to be able to transfer or deliver during the next succeeding calendar month. The War Production Board shall thereupon authorize on Form PD–532 each manufacturer or reclaimer of bases for incandescent, fluorescent or glow discharge lamps to deliver a maximum metal weight of bases for incandescent and glow discharge lamps and a maximum number of bases for fluorescent lamps during the succeeding calendar month to such manufacturers and other persons as said War Production Board may deem appropriate.

(6) No manufacturer shall produce any blackout lamp or convert any incandescent lamp into a blackout lamp by etching, painting or otherwise coating it, except:

(i) In fulfillment of a specific order, contract or subcontract for blackout lamps produced according to specifications approved by the Army or Navy of the United States for delivery of such lamps to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Panama Canal, or

(ii) Pursuant to specific authorization granted by the War Production Board.

(7) No manufacturer shall produce or accept delivery of any lamp leads, filament supports, terminals or lamp bases containing nickel, copper, brass or chromium, except:

(i) In electroplated coatings (except that no nickel may be used for plating lamp bases);

(ii) In alloys of controlled thermal expansion properties, provided that such alloys may be used only for sealing in glass in the minimum size and length required for such practical sealing;

(iii) Copper or nickel in sheathing on ferrous wire or strip, commonly called "copperweld" or "nickel-clad" or "copper-clad";

(iv) Brass in base eyelets, or pins;

(v) Brass bases for incandescent or glow discharge lamps in fulfillment of military exemption orders; or

(vi) Pursuant to specific authorization of the War Production Board granted on Form PD–556 pursuant to an application filed on Form PD–556.

(8) No manufacturer shall produce any incandescent, flourescent or glow discharge lamps containing brass bases, except:

(i) Incandescent or glow discharge lamps in fulfillment of military exemption orders; or

(ii) Pursuant to specific authorization of the War Production Board.

(9) Notwithstanding the provisions of Priorities Regulation No. 1, Priorities Regulation No. 3, and any other War Production Board orders or regulations, no person shall apply or extend a rating of less than AA–5 to any order for incandescent, fluorescent or glow discharge lamps, and no rating less than AA–5 shall have any force or effect with respect to the acceptance and filling of any order for incandescent, fluorescent or glow discharge lamps.

(c) *Intra-company deliveries.* The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(d) *Avoidance of excessive inventories.* Manufacturers shall not accumulate for use in the manufacture of incandescent, fluorescent or glow discharge lamps, or parts therefor, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amounts necessary to maintain production of such lamps or parts as permitted by this order.

(e) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* Each person to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by forwarding a letter addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.: L–28, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(j) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board, limits the use of any material in the production of incandescent, fluorescent or glow discharge lamps, or parts therefor, to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(k) *Applicability of regulations.* Except as provided in subparagraph (b) (9), this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(l) *Routing of Correspondence.* All reports to be filed and other communications concerning this order should be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.: L–28.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4868; Filed, March 30, 1943; 11:16 a. m.]

PART 1164—RUBBER SEALED CLOSURES FOR GLASS CONTAINERS

[Revocation of Conservation Order M–119]

Section 1164.1 Conservation Order M–119 is hereby revoked.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4870; Filed, March 30, 1943; 11:16 a. m.]

PART 3067—TEXTILE BAGS AND PAPER SHIPPING SACKS

[Conservation Order M–221, as Amended March 30, 1943]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textile and paper bags for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

NOTE: Preamble amended March 30, 1943

§ 3067.1 *Conservation Order M–221.*—(a) *Definitions.* For the purposes of this order:

(1) "Textile bag" means any shipping container made of cotton fabric, burlap, or other fabric, excepting bale covers and textile wrappings.

(2) "Paper shipping sack" means any single-wall, duplex, or multi-wall paper sack designed for packaging a particular commodity for storage or for shipment, exclusive of container shipping sacks (sacks used for combining a number of packages into a single shipping unit), overslip shipping sacks (sacks used as containers for single packages), combination textile-paper bags (bags made of laminated textile and paper), grocers and variety bags (as defined in Order L–261), and bags made wholly from special protective papers (such as cellophane, glassine, parchment, or waxed paper).

(3) [Revoked March 30, 1943]

(4) "New textile bag" means any textile bag when neither the fabric or the bag has been previously used.

(5) "Used textile bag" means any textile bag when the bag or the fabric previously has been used one or more times.

(6) [Revoked March 30, 1943]

(7) "Dealer" means any person whose principal business is that of buying, selling or reconditioning empty textile bags.

NOTE: Paragraph (7) amended March 30, 1943

(8) "User" means any person who acquires textile or paper bags for use in his business.

(9) A person shall be deemed a "commercial emptier" at such times when in any of the three immediately preceding calendar months he acquired in his business and emptied 400 filled textile bags.

(10) "Wool bag" means any new or used textile bag, made of burlap, between 5½ and 7½ feet in length, ordinarily used to package wool: *Provided*, That such bag shall not be considered a wool bag when no longer capable of carrying any of the following: grease wools, scoured wools, noils, wool wastes or mohair.

(11) A "heavy ≠1 wool bag" means a wool bag, either new or used, made of 12 ounce or heavier burlap and capable of being packed or repacked to its intended capacity with any of the following: grease wools, Territory, California or Texas wools or mohair.

(12) A "light ≠1 wool bag" means any new wool bag made of less than 12 ounce burlap.

(13) A "≠2 wool bag" means any used wool bag other than a heavy ≠1 wool bag.

(b) *General restrictions.*—(1) *Restrictions on textile bags and paper shipping sacks.* (i) No person shall manufacture, sell, offer for sale, deliver, rent, supply, distribute, purchase, accept delivery or acquire textile bags or paper shipping sacks which he has reason to believe will be used for any purpose prohibited by this order.

(ii) On and after May 1, 1943, no person shall commercially manufacture any textile bag or paper shipping sack designed for packaging any commodity listed in Schedule I of this order, except in the sizes specified for that commodity in Schedule I.

(iii) The restriction of subparagraph (b) (1) (ii) shall not apply to bags or sacks ordered by a user for packaging any listed commodity to be exported by him, provided he supplies the bag manufacturer with a written certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

The bags and sacks ordered herewith are for packaging commodities for export by the undersigned and therefore need not correspond with the sizes specified in Order M–221 for the commodities concerned.

Company---
By---
Title---
Date---

Any such certification shall constitute a representation to the War Production Board and to the bag manufacturer. The bag manufacturer shall be entitled to rely thereon unless he has reason to believe it is not true.

(2) *Restrictions on textile bags.* (i) No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric and no commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(ii) No person shall use any new or used textile bag for packing mohair unless the word "Mohair" appears in legible type on both sides of the bag.

(iii) No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war hazards.

(iv) No user or commercial emptier shall accept delivery of any full or empty new or used textile bags at a time when, or when by virtue of the delivery, the user's or commercial emptier's inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory and in no event in excess of the aggregate number of new or used empty textile bags which will be required to carry on his business during the next sixty days.

(v) No person shall use any new textile bags made of burlap for packing any material, other than mohair; wool; and wool products; agricultural products except flour, refined sugar, salt, tankage, or fertilizer: *Provided*, That this restriction shall not apply to any bags manufactured or in process of manufacture prior to January 13, 1943.

(vi) No manufacturer of or dealer in textile bags made of burlap, during any calendar year, shall sell or deliver to any user, nor shall any user accept delivery of more than 50 percent of the number of new textile bags made of burlap delivered to the user during the calendar year 1941, except that this restriction shall not apply to bags for packing mohair, wool or wool products, or to bags made of burlap of weights less than 7 ounces per 40 inch width per yard.

(vii) No dealer, user or commercial emptier shall change the size of any textile bag made of burlap while it has a commercial use as a bag with or without mending.

(viii) No user shall pack any products other than the following: agricultural products (including but not limited to beans, coffee, cotton, feed, flour, fruits, grain, meal, nuts, potatoes, poultry grits, rice, salt, seeds, starch, sugar, tobacco or vegetables) cement, chemicals, core sand, currency, coin, or securities, fertilizer, glues, gypsum, malt, meats, metal abrasives, metal parts, pastes, plaster, sand, shell-fish, tire chains or such other products as may be authorized by the War Production Board, pursuant to application on Form PD–556, in new textile bags made of cotton: *Provided*, That this restriction shall not apply to any bags manufactured or in process of manufacture prior to January 13, 1943.

(ix) No manufacturer of new textile bags shall overstitch the raw edge or selvage edge of a bag.

(x) No manufacturer of new textile bags shall incorporate therein any metal eyelets or grommets.

(xi) No dealer or commercial emptier shall sell or deliver any used textile bag to any user unless such bag shall have been processed and repaired and all holes, including trier or probe holes, properly mended or patched: *Provided*, That nothing in this paragraph (b) (2) (xi) shall prevent the delivery of any bag for the purpose of repair, or delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, brushing, vacuuming or any other method sufficient to prepare the bag for further reuse.

(xii) No dealer in textile bags or commercial emptier shall sell or deliver any textile bag which has been used for packing raw sugar, and which is capable of carrying raw sugar, to any user except for packing raw sugar.

(xiii) Unless specifically authorized by the War Production Board no person shall export any empty or filled new or used textile bag made from burlap. The requirement for such authorization is in addition to, and not in place of, any applicable export licensing requirements of the Board of Economic Warfare. For the purposes of this restriction, "export" means any shipment from the continental United States (the 48 States and the District of Columbia). Application for authorization for such export shall be made by letter or telegram to the War Production Board stating the pertinent facts, including (a) the destination of the bags or packed material, (b) the source from which the bags have been or are to be acquired, and, if the bags are to be used as export containers, (c) the products to be packed in them, and (d) whether, so far as the exporter knows, any other type of container would be satisfactory for the purpose. Such applications concerning exports which also require licensing by the Board of Economic Warfare shall be submitted through that agency to the War Production Board. The restriction of this subdivision shall not apply to:

(I) The export of empty used sugar bags to a sugar producer or sugar processor located outside the continental United States, unless the exporter of such bags has reason to believe that the bags will not be used for packing sugar (raw or refined);

(II) Completing the transshipment of textile bags which are in transit from a point outside the continental United States to another such point and which have been landed in the continental United States (in a free zone or free port or in bond) pending such transshipment.

(c) *Restrictions on wool bags.* (1) No user shall use a heavy #1 wool bag except for grading wools or for packing grease wools or mohair, known to the trade as Territory, California or Texas wools or mohair.

(2) No user shall use a light #1 wool bag except for packing Territory, California, Texas, grease or scoured wools, or mohair, carbonized wool, carbonized noils, carbonized card waste, fine white garnetts, fine white laps, cut wool tops, broken wool tops, or wool backings.

(3) No user shall use a #2 wool bag except for packing grease wools, fleece wools, pulled wools, scoured wools or noils, or wool wastes, whether or not carbonized.

(4) No user shall use any wool bag for any purpose other than for packing or wrapping wool or wool products.

(5) No user shall use any top cover bags made from burlap for any purpose other than for packing top wool.

(d) *Miscellaneous provisions.*—(1) *General exceptions.* The restrictions imposed by this order shall not apply to:

(i) Any textile bags or paper shipping sacks manufactured to meet the packaging specifications of and delivered to, or for the account of, the Army, Navy, Maritime Commission, United States Post Office, Federal Reserve System, United States Treasury Department, War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The sale, delivery, or use of any textile bag made of burlap, when such bag is manufactured from burlap set aside pursuant to any provision for Stockpiling of Imports, in Conservation Order M–47, as amended from time to time.

(2) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(3) *Reports.* On the fifteenth day of each month, every dealer, user or commercial emptier of new or used textile bags, who has (or had) in his possession at any time during the year 1942 more than 15,000 empty textile bags, exclusive of new textile bags made of cotton, shall report upon Form PD–645 to the Containers Division, War Production Board, Washington, D. C. the information required by said form.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal: *Provided*, That appeals from the restrictions of paragraph (b) (2) (vi) shall be by application in triplicate on Form PD–188–c.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—BAG AND SACK SIZES FOR SPECIFIED COMMODITIES

Textile bags and paper shipping sacks designed for any commodity listed in Column (1) below may be manufactured only in the sizes specified for that commodity in Column (2) below. The symbol "S" in Column (2) represents the following group of sizes: 2, 5, 10, 25, 50, 100 lbs. or more.

Commodity (1)	Bag sizes (*net weight capacity unless otherwise indicated*) (2)
Beans	S
Cement (Portland)	94 lbs.
Feed (livestock, poultry)	S
Flour (milled wheat)	S
Meal	S
Plaster (gypsum)	S—gross weight
Potatoes	S, 15 lbs.
Rice	S, 3 lbs.
Salt	2, 4, 10, 25, 50, 100 lbs. or more
Seeds	S, 1, 2 bus.
Starch (corn)	S
Sugar (refined cane, beet)	S, 3 lbs.

"Flour (milled wheat)" means any product resulting from the milling of wheat flour, including blends of wheat flours and bleached, bromated, enriched phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, cake flour and cereals.

[F. R. Doc. 43-4871; Filed, March 30, 1943; 11:16 a. m.]

PART 3168—FANS AND BLOWERS

[General Limitation Order L–280 as Amended March 30, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of fans and blowers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3168.1 *General Limitation Order L–280*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Fan or blower" means any new device or machine which moves, compresses or exhausts air or other gases by centrifugal, rotary or axial means; except (i) wall type propeller fans having a blade diameter of less than 17 inches; (ii) ceiling, air circulator, desk, wall bracket, and portable window fans, and pedestal type fans of a portable nature; (iii) fans and blowers manufactured by a person solely for incorporation into other machinery or devices (including pulverizers, stokers, and boilers) also manufactured by him; (iv) propeller type fans for use as a part of internal combustion engines; and (v) critical turbo-blowers as defined by Limitation Order L–163, as amended.

(3) "Manufacturer" means any person who engages in the fabrication or assembly of fans or blowers, and includes sales and distribution outlets controlled by any such person.

(4) "Dealer" means any person who purchases fans or blowers for resale; except sales and distribution outlets controlled by a manufacturer, and except persons who purchase fans or blowers solely for resale as a component part of a boiler, pulverizer or stoker.

(5) "Delivery" includes delivery of a fan or blower from one affiliate to another or from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise, where the recipient affiliate, branch, division or section will use the fan or blower.

(6) "New" as applied to a fan or blower means any fan or blower which has not been delivered to a purchaser for use.

(7) "Approved order" means:

(i) Any order for a fan or blower bearing a preference rating of AA–5 or higher; or

(ii) Any order for a fan or blower which the War Production Board approves pursuant to subparagraph (b) (3) hereof.

(b) *Restrictions on acceptance of orders for, and delivery of fans and blowers.* (1) After February 28, 1943, no manufacturer or dealer shall accept any order for a fan or blower unless the order is an approved order; and after March 31, 1943, no manufacturer shall deliver any fan or blower in fulfillment of any order unless the order is an approved order.

(2) The limitations and restrictions of paragraph (b) (1) above shall not apply to any order for repair parts (i) in an amount not exceeding $500 for any single fan or blower, or 50% of the original sales price of the fan or blower to be repaired, whichever is less in any particular case; or (ii) in any amount, for the repair of a fan or blower when there has been an actual breakdown or suspension of operations thereof because of damage, wear and tear, destruction or failure of parts or the like, and the essential repair and maintenance parts are not otherwise available.

(3) Any manufacturer or dealer may apply for authorization to deliver orders on his books which are not approved orders by filing a report thereof in duplicate on Form PD–795, together with a statement of the percentage of completion of each such order. The War Production Board may thereupon approve any such orders regardless of the rating thereof, or may rerate any such orders in order to constitute them approved orders.

(4) No manufacturer shall accept any order for a fan or blower if he knows or has reasonable cause to believe that he will be unable to make delivery on or before the delivery date specified in the order. Any order received by a manufacturer, specifying a delivery date which the manufacturer knows or has reasonable cause to believe he will be unable to meet, shall be returned by the manufacturer to the proposed purchaser within twenty days after the receipt thereof.

(5) The limitations and restrictions of this paragraph (b) shall not apply to the acceptance by a dealer of any order for centrifugal type air booster, furnace fan, or underfire coal burning fans having a capacity of 2500 CFM and less, with motors of ¼ HP and less, to be delivered for use on or in connection with a furnace.

(c) *Delivery schedules.* (1) After February 28, 1943, no manufacturer shall deliver any fan or blower unless the same has been included in a delivery schedule thertofore approved by the War Production Board in accordance with the provisions of subparagraph (2) below.

(2) On or before the 24th day of February 1943, and on or before the 18th day of each succeeding calendar month, every manufacturer of fans and blowers shall file a report on Forms PD–795 and 796, giving such information as shall be required thereby, including his delivery schedule for fans and blowers for the two calendar months immediately following. The delivery of all fans and blowers shown on such schedule as proposed to be made in such two calendar months shall be deemed to be approved by the War Production Board upon the receipt of such Forms PD–795 and 796 by the War Production Board, unless the War Production Board shall otherwise direct. The War Production Board may at any time revoke such approval as to any or all fans or blowers so listed for delivery, change the schedule of deliveries or prescribe a new schedule, allocate any order held by any manufacturer to any other manufacturer, or direct the delivery of any fan or blower, in production or completed, to any other person at the established price and terms. No manufacturer shall change the schedule of deliveries as so approved, changed or prescribed by the War Production Board, without specific authorization of the War Production Board.

(d) *Schedules of specifications.* The War Production Board may at any time, and from time to time, issue schedules (by amendments to this order) establishing required specifications for fans or blowers. Upon and after the date of issuance of any such schedule of specifications, or such other date as shall be prescribed therein, no person shall accept any order for, fabricate, assemble, sell, deliver, accept delivery of or use any fans or blowers or parts therefor except in accordance with the terms of such schedule. As used in this paragraph the term "required specifications" shall mean specifications fixed for the fabrication, assembly, production, con-

(1) Copies of Form PD–601 may be obtained at local field offices of the War Production Board. Applications for authorization to deliver orders on his books which are not approved orders shall be filed hereunder, and all communications

(iii) The coal tar oil, if processed for

struction or other manufacture of fans or blowers and designed to eliminate, reduce, or conserve the use of critical materials in fans or blowers or parts, by simplifying or standardizing the fans or blowers; specifying the operating conditions under which they may be used; restricting the numbers of sizes, types, models, or kinds produced or the kinds or quantities of materials used by a manufacturer; or requiring substitution of less critical materials for more critical materials; or by establishing other requirements for the manufacture, sale, delivery or use of such fans or blowers.

(e) *Miscellaneous provisions* — (1) *Appeals.* An appeal may be taken either by a manufacturer or by his proposed purchaser from any provision of this order or from any action taken hereunder by the War Production Board. Any such appeal shall be made by filing a letter, in triplicate, referring to the particular provision or action appealed from, and stating fully the grounds of the appeal.

(2) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All such persons shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall request from time to time.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: L-280.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4869; Filed, March 30, 1943; 11:16 a. m.]

PART 3211—BISMUTH CHEMICALS

[General Preference Order M-295 as Amended March 30, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of bismuth chemicals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3211.1 *General Preference Order M-295*—(a) *Definitions.* (1) "Bismuth chemicals" means any chemical compound of bismuth, in crude or refined form, including, but not limited to, bismuth subcarbonate bismuth subnitrate, bismuth subsalicylate, bismuth nitrate, bismuth hydrate, sodium bismuthate, etc. The term does not include standard dosage forms (tablets, capsules, ampoules, liquid preparations, etc.).

(2) "Producer" means any person engaged in the production of bismuth chemicals, and includes any person who imports bismuth chemicals or has bismuth chemicals produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases bismuth chemicals solely for the purpose of resale without further processing and without changing the form thereof.

(b) *Restrictions on deliveries and use* (1) On and after April 1, 1943, no person shall deliver, accept delivery of, or use bismuth chemicals, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries or use in each calendar month will so far as practicable be issued by the War Production Board prior to the commencement of such month but the War Production Board may at any time at its discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to, deliveries to be made or accepted, or with respect to use or uses which may or may not be made of bismuth chemicals to be delivered or then on hand. Such authorizations or directions may be made by the War Production Board without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to use or accept delivery of bismuth chemicals shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the War Production Board.

(4) Bismuth chemicals allocated for inventory shall not be used except as specifically directed by the War Production Board. Bismuth chemicals allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though allocated therefor.

(c) *Exceptions to requirement for authorization.* Notwithstanding the provisions of paragraph (b) (1), specific authorization of the War Production Board shall not be required for:

(1) Delivery by any producer or distributor to any person in any calendar month, and acceptance of delivery by any person from any producer or distributor in any calendar month, of not more than 25 lbs. of any bismuth chemical;

(2) Use by any person in any calendar month of not more than 25 lbs. of any bismuth chemical;

(3) Delivery to, or acceptance of delivery by, any person of bismuth chemicals packaged in containers of one pound or less, for resale to retail druggists, and delivery to, or acceptance of delivery by retail druggists of bismuth chemicals so packaged;

(4) Delivery of bismuth chemicals by, or use of bismuth chemicals by, the United States Army or Navy, the Coast Guard, the United States Maritime Commission and War Shipping Administration;

(5) Delivery of bismuth chemicals by any person to another person for compounding into standard dosage forms pursuant to toll agreement, where the person making delivery has received specific authority to compound such bismuth chemicals and retains title to such bismuth chemicals and to the product made therefrom; also the acceptance of delivery of bismuth chemicals by such other person for such purpose and under such terms, and the use by such other person in compounding bismuth chemicals into standard dosage forms.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of, or to use bismuth chemicals during any calendar month beginning with April, 1943, whether for his own consumption or resale, shall file application therefor on or before the 15th of the preceding month on Form PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref.: M 295, one forwarded to the producer or distributor with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy will be sent to the producer or distributor.

(iii) In the heading, under "Name of chemical," specify "Bismuth chemicals" under "WPB Order No.", specify "M-295;" under "Indicate unit of measure," specify "pounds".

(iv) In heading at top of Table I, specify the month and year for which authorization for acceptance of delivery or use is sought.

(v) In Columns 1, 11 and 19, specify grade and quality; for example, subcarbonate, nitrate, sodium bismuthate, USP, etc.

(vi) In Column 3 (Primary Product), applicant will specify the exact name of the product or products in the manufacture or preparation of which he will use bismuth chemicals or in which he will incorporate bismuth chemicals. Distributors ordering bismuth chemicals for resale, will specify "Resale". If purchase is for inventory, specify "Inventory"

(vii) In Column 4, applicant will specify in each case (including case where his purchase is for "resale") ultimate use to be made of product (as, for example, "medicinal"), and will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. If application is for bismuth chemicals for inventory, leave Column 4 blank.

(2) Each producer or distributor seeking authorization to make delivery of bismuth chemicals during any month, beginning with April, 1943, shall file application therefor on or before the 20th day of the preceding month. Such application shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board

(ii) Four copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-295, the fourth to be retained by the producer or distributor.

(iii) Each producer who has filed application on Form PD-600 specifying himself as his supplier, shall list his own name as customer on Form PD-601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading under "Name of chemical", specify "Bismuth chemicals"; under "WPB Order No.", specify "M-295"; under "This schedule is for deliveries to be made during month of ----------", specify month and year during which deliveries covered by application are to be made; under "Indicate unit of measure", specify "pounds".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. It is not necessary, however, to list names of customers to whom deliveries are to be made during the next month pursuant to paragraphs (c) (1) and (c) (3) of this order, but insert in Column 1 "Total small order and small package deliveries (estimated)", and in Column 4, state the estimated quantity. Although under paragraph (c) (4), deliveries by the government agencies there listed need not be authorized, proposed deliveries to such agencies should be listed separately in Column 1, and the quantity to be delivered specified in Column 5.

[NOTE: The last sentence of paragraph (v) was amended March 30, 1943]

(vi) In Columns 3 and 8, the producer or distributor will specify grades and quality, as indicated in the Forms PD-600 filed with him by his customers.

(vii) The producer or distributor may, if he wishes, leave Column 5 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Chemicals Division, Washington, D. C., Ref.: M-295.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4872; Filed, March 30, 1943; 11:16 a. m.]

PART 3219—COAL TAR

[Conservation Order M-297]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of coal tar acids for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3219.1 *Conservation Order No. M-297*—(a) *Definitions.* For the purpose of this order:

(1) "Coal tar" means tar produced by the destructive distillation of bituminous coal or lignite, and includes crude coal tar and refined coal tar.

(2) "Refined coal tar" means coal tar freed from water by evaporation or by distillation which is continued until the residue is of any desired consistency.

(3) "Coal tar oil" means any distillate of coal tar.

(4) "Tar acids" means phenol, cresols and xylenols, and any homologues thereof which are constituents of coal tar.

(5) "Producer" means any person who produces or imports coal tar, including any person who has coal tar produced for him pursuant to toll agreement.

(6) "Distiller" means any person who distills coal tar or who extracts tar acids from coal tar oil, including any person who has coal tar or coal tar oil so processed for him pursuant to toll agreement.

(b) *Restrictions on delivery and use.* (1) On and after May 1, 1943, no producer or distiller shall burn as fuel or otherwise use coal tar, except for purposes of distillation, and no producer or distiller shall deliver coal tar to a person other than a distiller, unless:

(i) The coal tar shall have a low-boiling tar acid content of less than ½ of 1%, determined in accordance with paragraph (c) (1); or

(ii) Specifically authorized by the War Production Board upon application pursuant to paragraph (d).

(2) On and after May 1, 1943, no distiller shall use coal tar oil, except for the extraction of tar acids, and no distiller shall deliver coal tar oil to any person other than a distiller, unless:

(i) The coal tar oil shall have been produced or received by such distiller prior to May 1, 1943; or

(ii) The coal tar oil, without processing for the extraction of tar acids, shall have a low-boiling tar acid content of less than 1½% as determined in accordance with paragraph (c) (2); or

(iii) The coal tar oil, if processed for the extraction of tar acids, shall have a low-boiling tar acid content of less than 1% as determined in accordance with paragraph (c) (2); or

(iv) Specifically authorized by the War Production Board upon application: (*a*) Pursuant to paragraph (d) hereof if the total tar acid content of the coal tar oil equals less than 5% of such oil, or (*b*) Pursuant to General Preference Order M-27, as now or hereafter amended, if the total tar acid content of the coal tar oil equals 5% or more of such oil.

(3) The War Production Board, at its discretion, may from time to time issue special directions to any producer or distiller with respect to distillation, processing, use or delivery of coal tar or coal tar oil by such producer or distiller.

(c) *Methods of test.* For the purpose of this order:

(1) The low-boiling tar acid content of any coal tar shall be determined from a representative sample of such tar by the following procedure: The sample of the coal tar shall be distilled by Method A. S. T. M. D 20-30 to an indicated temperature of 270 degrees Centigrade. The total quantity of tar acids contained in the total distillate to 270 degrees Centigrade shall be determined by Method A. S. T. M. D 453-41 (omitting distillation required by paragraph 3 (a) thereof) and shall be stated as a percentage by volume of the original sample of coal tar on a water-free basis. Such percentage shall be considered the low-boiling tar acid content of the coal tar of which the sample was representative.

(2) The low-boiling tar acid content of any coal tar oil shall be determined from a representative sample of such oil by the following procedure: The sample of the coal tar oil shall be distilled by Method A. S. T. M. D 246-42 to an indicated temperature of 270 degrees Centigrade. The total quantity of tar acids contained in the total distillate to 270 degrees Centigrade shall be determined by Method A. S. T. M. D 453-41 and shall be stated as a percentage by volume of the original sample of coal tar oil on a water-free basis. Such percentage shall be considered the low-boiling tar acid content of the coal tar oil of which the sample was representative.

(d) *Applications and reports.* (1) Each producer or distiller seeking authorization to use or deliver coal tar pursuant to paragraph (b) (1) (ii), and each distiller seeking authorization to use or deliver coal tar oil pursuant to paragraph (b) (2) (iv) when such coal tar oil has a total tar acid content of less than 5%, shall file application on Form PD-602 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) *Form PD-602.* Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

(ii) *Time.* Application on Form PD-602 shall be filed on or before the 20th day of the month preceding the month for which authorization to use or make delivery is requested.

(iii) *Number of copies.* Four copies of each application shall be prepared, of

which one shall be retained by the applicant and three certified copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–297

(iv) *Heading.* Under name of chemical, specify coal tar or coal tar oil, as the case may be; leave blank the space for grade; specify order number M–297; specify the month during which the coal tar or coal tar oil is to be used or delivered; under unit of measure, specify gallons; and otherwise fill in as indicated.

(v) *Column 1.* List alphabetically names of proposed deliveries. At the end of this list the applicant shall indicate his request for authorization for his own use by inserting words, "own use" in this column and b; filling in the other columns as in the case of any other customer.

(vi) *Column 1a.* Specify the purpose for which the coal tar or the coal tar oil will be used, either by the proposed deliveree or by the applicant. For example, specify open hearth fuel, creosote solutions, saturating roofing felt, or road paving.

(vii) *Columns 4, 5, 5a, and 6.* Fill in as indicated, leaving Column 6 blank.

(viii) *Column 7.* If application is for coal tar, state in this column whether tar wanted is crude or refined, and state the low-boiling tar acid content of such tar as determined pursuant to paragraph (c) (1). If application is for coal tar oil, state in this column the low-boiling tar acid content of such oil as determined pursuant to paragraph (c) (2).

(ix) *Rolling stock requirements.* Leave the columns blank at the end of Table 1 relating to number of covered hopper cars and number of tank cars required.

(x) *Table II.* Leave blank.

(2) Each producer or distiller who does not know the purpose for which the coal tar or coal tar oil to be delivered by him pursuant to application under paragraph (d) (1) will be used, may request such information from the prospective deliveree and such prospective deliveree shall furnish such information upon such request.

(3) Receipt by a producer or distiller of Form PD–602 signed by the War Production Board shall constitute authorization to such producer or distiller to use for the purposes specified, or to deliver, the quantities of coal tar or coal tar oil indicated in Column 6.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any producer or distiller with respect to preparing and filing Form PD–602.

(e) *Notification of customers.* Each producer and distiller shall, as soon as practicable, notify each of his regular customers of the requirements of this order and all amendments hereto, and shall, upon receipt of authorization on Form PD–602, notify each customer listed therein of the quantity of coal tar or coal tar oil authorized for delivery to him.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M–297.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4873; Filed, March 30, 1943; 11:17 a. m.]

PART 3221—RIBOFLAVIN

[General Preference Order M 299]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of riboflavin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3221.1 *General Preference Order No. M–299*—(a) *Definitions.* (1) "Riboflavin" means riboflavin (lactoflavin, vitamin G, vitamin B_2) in crude or refined form. The term does not include standard dosage forms (tablets, capsules, ampoules, solutions, etc.), combinations in feeds, foods or beverages, nor riboflavin concentrates of natural origin.

(2) "Producer" means any person engaged in the production or processing of riboflavin, and includes any person who imports riboflavin or has riboflavin produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases riboflavin solely for the purpose of resale without further processing and without changing the form thereof.

(b) *Restrictions on deliveries and use.* (1) On and after April 1, 1943, no person shall deliver, accept delivery of, or use riboflavin except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries or use in each calendar month will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time at its discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted, or with respect to the use or uses which may or may not be made of riboflavin to be delivered or then on hand. Such authorizations or directions may be made by the War Production Board without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to use or accept delivery of riboflavin shall use such material for the purpose authorized and only for such purpose, except as otherwise specifically directed by the War Production Board. Riboflavin allocated for inventory shall not be used except as specifically directed by the War Production Board.

(4) Riboflavin allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though originally allocated therefor.

(c) *Exceptions to requirement for authorization.* Notwithstanding the provisions of paragraph (b) (1), specific authorization of the War Production Board shall not be required for:

(1) Delivery by any producer or distributor to any person in any calendar month, or acceptance of delivery by any person from any producer or distributor in any calendar month, of not more than five grams of riboflavin.

(2) Use by any person in any calendar month of not more than five grams of riboflavin.

(3) Delivery of riboflavin by any person to another person for compounding into standard dosage forms pursuant to toll agreement, where the person making delivery has previously received specific authorization from the War Production Board to compound such riboflavin and retains title to such riboflavin and to the product made therefrom; also the acceptance of delivery by such other person for such purpose and under such terms, and the use by such other person in compounding riboflavin into standard dosage forms.

(d) *Applications and reports.* (1) Each person requiring authorization to accept delivery of riboflavin during any calendar month beginning with May, 1943 whether for his own consumption or for resale (or to use riboflavin in any such calendar month), shall file application therefor on or before the 15th day of the preceding month. Applications for acceptance of delivery or use in April, 1943, shall be filed as many days as possible in advance of the intended date of acceptance or use. In any case, applications shall be made on Form PD–600 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M–299, one forwarded to the producer or distributor with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with the War Production Board must be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy need be sent the producer or distributor.

(iii) In the heading, under "Name of chemical", specify "Riboflavin"; under "WPB Order No.", specify "M–299"; under "Indicate unit of measure", specify "Grams".

(iv) In heading at top of Table I, specify month and year for which authorization for acceptance of delivery or use is sought.

(v) In Columns 1, 11 and 19, specify quality; for example, USP, crude.

(vi) In Column 3 (Primary Product) applicant will specify the exact name of the product or products in the manufacture or preparation of which he will use riboflavin or in which he will incorporate riboflavin. Distributors ordering riboflavin for resale (as riboflavin) will specify "Resale". If purchase is for inventory, state "Inventory".

(vii) In Column 4 (Product End Use), applicant will specify in each case, including case where his purchase is for "resale", ultimate use to be made of product (as, for example, "medicinal"). He will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer, and in Column 10 will state contract numbers of Army, Navy or other government contracts. If application is for riboflavin for inventory leave Column 4 blank.

(2) Each producer or distributor seeking authorization to make delivery of riboflavin during any calendar month, beginning with May, 1943, shall file application therefor on or before the 20th day of the preceding month. Application for delivery in April, 1943, will be filed as many days as possible in advance of the proposed date of delivery. In any case, the application shall be made on Form PD–601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–299, the fourth to be retained by the producer or distributor. At least one of the copies filed with the War Production Board must be signed by applicant by a duly authorized official.

(iii) Each producer who has filed application on Form PD–600 specifying himself as supplier, shall list his own name as customer on Form PD–601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading under "name of chemical", specify "Riboflavin"; under "WPB Order No.", specify "M–299"; under "This schedule is for deliveries to be made during the month of ——"; specify month and year during which deliveries covered by application are to be made; under "Indicate unit of measure", specify "grams".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. It is not necessary, however, to list names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) (1) of this order, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4, state the estimated quantity. Where customer is Army, Navy, or other government agency, applicant will specify in Column 7 the applicable contract numbers.

(vi) In Columns 3 and 8, the producer or distributor will specify quality; for example, USP, crude.

(vii) The producer or distributor may, if he wishes, leave Column 5 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(3) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M–299.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4874; Filed, March 30, 1943; 11:17 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES: MATERIALS

[Supplementary Utilities Order U–1–d as Amended March 29, 1943]

§ 4500.5 *Supplementary Utilities Order U–1–d.* Notwithstanding the provisions of paragraph (h) of Utilities Order U–1, electric, gas, and water facilities may be built by producers to serve premises, the construction or remodeling of which is authorized under paragraph (b) (4) of Limitation Order L–41 by the issuance of a specific direction, order, certificate, or other authorization for construction: *Provided,* That the following conditions are satisfied:

(a) *Industrial or commercial consumers.* (1) The cost of material for such utility facilities is less than $1,500 in the case of underground construction, or $500 in the case of other construction;

(2) Facilities can be built with an expenditure (including service drop or service pipe and any portion built by or for the consumer) of not more than 60 pounds of copper in conductor for electric service, 250 pounds of iron or steel pipe for gas service (or the equivalent length of lead or lead alloy pipe or tubing) or 250 pounds of iron or steel pipe for water service, and the producer has so certified in a letter addressed to the War Production Board and attached to the builder's application for L–41 approval. Each producer must preserve on its own books a record of each work order, job, or project initiated under this paragraph.

(b) *Domestic consumers.* (1) The cost of material for such utility facilities is less than $1,500 in the case of underground construction, or $500 in the case of other construction;

(2) The electric, gas, or water facilities (including service drop or service pipe and any portion built by or for the consumer) can be built within the limits established by the Housing Utilities Standards, issued by the War Production Board, and the producer has so certified in a letter attached to the builder's application for L–41 approval. Each producer must preserve on its own books a record of each work order, job, or project initiated under this paragraph.

Issued this 29th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4818; Filed, March 29 1943; 3:39 p. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 119,[1] Amendment 2]

ORIGINAL EQUIPMENT TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 119 is amended in the following respects:

1. Section 1315.1451 (g) is added to read as follows:

(g) On any passenger-car original equipment tires or tubes on which a Defense Supplies Corporation pool charge

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3509, 8936, 8948.

has been paid, the seller may add the amount of such charge to the prices established by paragraphs (b) to (f), inclusive.

2. Section 1315.1451 (h) is added to read as follows:

(h) Notwithstanding any other provisions of this regulation, this regulation shall not apply between April 1, 1943, and June 1, 1943, to original equipment tires and tubes made in whole or in part of Buna S synthetic rubber which are sold for the equipment of vehicles which the War Department, Navy Department, Marine Corps, Coast Guard or Maritime Commission has contracted to purchase.

3. Section 1315.1454 is amended to read as follows:

§ 1315.1454 *Adjustable pricing.* No person subject to this regulation shall enter into any agreement permitting the adjustment of the prices of original equipment tires and tubes to prices which may be higher than the maximum prices provided by §§ 1315.1451 and 1315.1452, except in the following cases: Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. Any person may offer or agree to sell or buy original equipment tires and tubes at prices in excess of the maximum prices in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1943: *Provided*, That no person shall pay or receive prices for original equipment tires and tubes which are in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4821; Filed, March 29, 1943; 4:19 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 149,[1] Amendment 8]

MECHANICAL RUBBER GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.25a is added to read as follows:

§ 1315.25a *Adjustable pricing.* Notwithstanding any other provisions of this regulation, any person may offer or agree to sell or buy mechanical rubber goods at a price in excess of the maximum price in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1943: *Provided*, That no person shall pay or receive a price for mechanical rubber goods which is in excess of the maximum price in effect at the time of delivery.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4819; Filed, March 29, 1943; 4:19 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,[1] Amendment 6]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 1315.1560a is added to read as follows:

§ 1315.60a. *Adjustable pricing.* Notwithstanding any other provisions of this regulation, any person may offer or agree to sell or buy any commodity covered by this regulation at a price in excess of the maximum price in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1943: *Provided*, That no person shall pay or receive a price for any commodity covered by this regulation which is in excess of the maximum price in effect at the time of delivery.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4820; Filed, March 29, 1943; 4:19 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300,[2] Amendment 5]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 1315.1761a is added to read as follows:

§ 1315.1761a *Adjustable pricing.* Notwithstanding any other provisions of this regulation, any person may offer or agree to sell or buy rubber drug sundries at a price in excess of the maximum price in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1942: *Provided*, That no person shall pay or receive a price for rubber drug sundries which is in excess of the maximum price in effect at the time of delivery.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421, 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4822; Filed, March 29, 1943; 4:20 p. m.]

PART 1335—CHEMICALS

[RPS 99]

ACETYLSALICYLIC ACID; ORDER OF REVOCATION

Revised Price Schedule No. 99 (§§ 1335.801 to 1335.809, inclusive) is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4823; Filed, March 29, 1943; 4:12 p. m.]

PART 1335—CHEMICALS

[RPS 103]

SALICYLIC ACID; ORDER OF REVOCATION

Revised Price Schedule No. 103 (§§ 1335.951 to 1335.959, inclusive) is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4825; Filed, March 29, 1943; 4:12 p. m.]

PART 1335—CHEMICALS

[RPS 104]

VITAMIN C; ORDER OF REVOCATION

Revised Price Schedule No. 104 (§§ 1335.901 to 1335.909, inclusive) is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4824; Filed, March 29, 1943; 4:12 p. m.]

PART 1335—CHEMICALS

[MPR 354]

COPPER SULPHATE

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 354 is hereby issued.

Sec.

1335.1001 Applicability of this regulation.
1335.1002 Relation to the General Maximum Price Regulation.
1335.1003 Records and reports.
1335.1004 Prohibited practices.
1335.1005 Methods of preventing or penalizing sales at higher than maximum prices.
1335.1006 Petitions for amendment.
1335.1007 Definitions.
1335.1008 Federal and state taxes.
1335.1009 Notification of changes in maximum prices.
1335.1010 Effective dates.
1335.1011 Appendix A: Maximum prices.

AUTHORITY: §§ 1335.1001 to 1335.1011, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871.

§ 1335.1001 *Applicability of this regulation*—(a) *Commodities covered by this regulation.* This regulation applies to the grades of copper sulphate (including monohydrated copper sulphate) set forth in Appendix A (§ 1335.1011 (a) (1) (i) and (ii)). Such grades of copper sulphate are referred to as "copper sulphate" in this regulation.

(b) *Prohibition of sales at higher than maximum prices.* On and after the effective date of this regulation regardless of any contract or other obligation:

(1) No person shall sell or deliver any copper sulphate at higher prices than the maximum prices established by this regulation.

(2) No person shall buy or receive any copper sulphate in the course of trade or business at higher prices than the maximum prices established by this regulation. No agricultural consumer shall be considered a buyer in the course of trade or business.

(3) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(4) Lower prices than the maximum prices established by this regulation may be charged, demanded, offered, or paid.

(c) *Transactions excluded from this regulation and covered by other regulations*—(1) *Sales at retail for use as an agricultural insecticide or fungicide.* This regulation establishes maximum prices for sales at retail of copper sulphate for use as an agricultural insecticide or fungicide only if such sales are made in quantities of 100 pounds or more by a manufacturer or distributor of copper sulphate. Maximum prices for all other sales at retail of copper sulphate for use as an agricultural insecticide or fungicide are established by Maximum Price Regulation No. 144[2]—Retail Prices of Agricultural Insecticides and Fungicides.

(2) *Sales in the territories and possessions.* This regulation applies only to the forty-eight states of the United States and the District of Columbia and does not apply to the territories and possessions of the United States.

(3) *Exports.* This regulation does not apply to exports except as it establishes domestic maximum prices which are used as base prices for the determination of export prices. The maximum prices at which any person may export copper sulphate are established by the Revised Maximum Export Price Regulation.[3]

§ 1335.1002 *Relation to the General Maximum Price Regulation.*[4] The General Maximum Price Regulation shall not apply to sales or deliveries covered by this regulation except as specified below:

(a) The following sections of the General Maximum Price Regulation apply to all sales and deliveries covered by this regulation.

(1) Section 1499.14 (Sales slips and receipts.)

(2) Section 1499.29 (a) (5) (6) (7) of Supplementary Regulation No. 14 (Exclusion of certain sales to United States agencies).

(3) Section 1499.29 (b) of Supplementary Regulation No. 14 (War contracts with United States and other governments).

(b) The following sections of the General Maximum Price Regulation shall be applicable to sellers for whom maximum prices are established by § 1335.1011 (b).

(1) Section 1499.5 (Transfers of business or stock in trade).

(2) Section 1499.11 (Base period records).

(3) Section 1499.15 (Registration)—insofar as applicable to persons other than manufacturers selling at retail.

(4) Section 1499.16 (Licensing)—insofar as applicable to persons other than manufacturers selling at retail.

§ 1335.1003 *Records and reports.* (a) Every person making sales of copper sulphate for which maximum prices are established by § 1335.1011 (b) of this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing as precisely as possible the basis upon which he determined maximum prices for such copper sulphate. Such records shall include in the case of sales for which maximum prices are established by § 1335.101C (b) (2) the seller's existing records relating to the cost of the copper sulphate delivered to him during the month in which he determined a maximum price for such copper sulphate under the General Maximum Price Regulation or, if he received no deliveries during that month, the last month prior thereto in which he received deliveries.

(b) All sellers and all buyers in the course of trade or business of copper sulphate for which maximum prices are established by this regulation must keep records which will show a complete description of the product sold or purchased, the amount sold or purchased, the name and address of the buyer or seller, the date of the sale and the price. Such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect. No agricultural consumer shall be considered a buyer in the course of trade or business. Customary records, such as invoices, showing the above information will constitute compliance with this paragraph (b).

(c) Such person shall keep such other records and submit such other reports in addition to or in place of the records required by paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1335.1004 *Prohibited practices*—(a) *General.* Any practice which is a device to secure the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, transactions with or through the agency of subsidiaries or affiliates, or the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Securing the effect of a higher price by changing credit terms, or cash or other discounts or allowances, or practices relating to the payment of freight charges or other transportation cost from what they were during the three-month period ending March 31, 1942. This includes reducing the cash discount period, decreasing credit periods, making greater charges for the extension of credit, or requiring purchasers to pay part or all of the transportation charges where no such requirement was made during such three-month period.

(2) Breaking up an order which would normally be a single order into a series of smaller orders in order to evade the maximum price limitations set forth in this regulation.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3889, 7173, 8699, 8948, 10103, 10149, 10993; 8 F.R. 1312.

[1] 7 F.R. 8282, 8936, 8948, 11,111; 8 F.R. 1584, 2667.

[2] 8 F.R. 867, 1369, 1388, 1585, 2667, 3071.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961; 8 F.R. 3312.

[2] 7 F.R. 3720, 5665, 7248.

[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[4] 8 F.R. 3096.

after delivery of copper sulphate subject to this regulation has been completed. But the price may be made adjustable to the maximum price in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1335.1005 *Methods of preventing or penalizing sales at higher than maximum prices*—(a) *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) *Licensing.* Supplementary Order No. 11 (§ 1305.15) licenses all sellers under this regulation who are distributors as the term "distributor" is defined in the order. This order, in brief, provides that a license is necessary for resellers other than resellers at retail to make sales under this regulation. A license is automatically granted to these sellers. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order No. 11 describe the circumstances under which licenses may be suspended.

§ 1335.1006 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1335.1007 *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Purchaser of the same class" and "class of purchasers" refer to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(3) "Most closely competitive seller of the same class". Seller of the same class means a seller (i) performing the same function (for example, manufacturing, distributing, retailing), (ii) of similar type (for example, department store, mail order house, chain store, general store, cooperative, farm commissary, cut-rate store), (iii) dealing in the same type of commodities, and (iv) selling to the same class of purchaser. A seller's most closely competitive seller of the same class shall be a seller of the same class who (*a*) is selling the same or similar commodity and (*b*) is closely competitive in the sale of such commodities and (*c*) is located nearest to the seller.

(4) "Copper sulphate" means the grades of copper sulphate (including monohydrated copper sulphate) set forth in Appendix A (§ 1335.1011 (a) (1) (i) and (ii)). Except for the monohydrated grade, the other grades listed refer to the grades of the compound $CuSO_4.5\ H_2O$.

(5) "Seller's cost of acquisition per unit of the copper sulphate for which he determined a maximum price under the General Maximum Price Regulation" means the delivered price at his place of business paid by him per unit after all allowances, discounts, or other price differentials on the largest delivery of such copper sulphate to him during that month in which he determined his maximum prices for such copper sulphate under the General Maximum Price Regulation, or if he received no deliveries during that month, during the last month prior thereto in which he received deliveries.

(6) "Seller's present replacement cost per unit for copper sulphate" means the maximum prices per unit established under this regulation for such copper sulphate delivered at his place of business in the quantities normally purchased by him.

(7) "Distributor" means a reseller of copper sulphate who, during the three-month period ending March 31, 1942, sold more than fifty per cent of the copper sulphate sold by him during that period at or below the manufacturer's list prices.

(8) "Manufacturer's list prices" means the quoted or published prices of a manufacturer for sales to resellers other than distributors, or for sales to industrial consumers other than agricultural consumers.

(9) "Sale" at retail" means a sale or selling to an ultimate consumer, including an agricultural consumer, but not including other industrial or commercial consumers.

(10) "Manufacturer" means a person who produces copper sulphate.

(11) "Transportation costs" or "freight charges"shall be deemed to include the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.; approved October 21, 1942), as if it were a like increase in the rate or the amount charged by the carrier for the transportation in question.

(12) "Eastern territory" means the District of Columbia and all the states of the United States except California, Oregon, Washington, Utah, and Idaho.

(13) "Western territory" means the states of California, Oregon, Washington, Utah, and Idaho.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1335.1008 *Federal and state taxes.* Any tax upon, or incident to, the sale or delivery of copper sulphate for which maximum prices are established by this regulation imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, or any increase in such tax shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided,* That in those cases where the maximum price was determined under § 1335.1011 (b), such amount may only be collected if at the time a maximum price under the General Maximum Price Regulation was determined by the seller or by his most closely competitive seller of the same class, as the case may be, such amount was not included in the maximum price so determined.

§ 1335.1009 *Notification of changes in maximum prices.* Any manufacturer making sales to any seller at retail (other than a distributor) of copper sulphate for use as an agricultural insecticide or fungicide shall attach the following notification to the invoices sent such seller covering deliveries of copper sulphate during the period between April 3, 1943 and July 3, 1943. Any person other than a manufacturer making sales of copper sulphate to such a seller at retail shall attach the following notification to the invoices sent to such seller covering deliveries of copper sulphate during the period between May 3, 1943 and August 3, 1943.

Under an OPA maximum price regulation our ceiling price for sales of copper sulphate (specify grade and container) to you has been reduced by $\$$_____. Under the provisions of Maximum Price Regulation No. 144—Retail Prices of Agricultural Insecticides and Fungicides, you are required to reduce your ceiling prices on copper sulphate we shipped to you after (manufacturer insert April 3, 1943) (other sellers insert May 3, 1943) and which you sell at retail for use as an agricultural insecticide or fungicide by the same amount as our ceiling prices for sales to you have been reduced.

§ 1335.1010 *Effective dates.* This regulation (§§ 1335.1001 to 1335.1011, inclusive) shall become effective as to sales or deliveries by manufacturers, on April 3, 1943, and as to sales or deliveries by other persons, on May 3, 1943.

§ 1335.1011. *Appendix A: Maximum prices for copper sulphate*—(a) *Sales by manufacturers and distributors in quantities of 100 pounds or more*—(1) *Base prices*—(i) *Copper sulphate produced in Eastern territory—(a) 99% Crystals.*

Amounts	*Per cwt., f. o. b. works. Bags or barrels*
36,000 lbs. or more	$5 00
7,200 lbs. to but not including 36,000 lbs.	5.15
2,700 lbs. to but not including 7,200 lbs.	5 25
700 lbs. to but not including 2,700 lbs.	5 50

(b) *Crystal snow.*

25 cents per hundred weight may be added to the prices set forth in subdivision (*a*) above.

(c) *Powdered.*

50 cents per hundred weight may be added to the prices set forth in subdivision (*a*) above.

(d) *Monohydrated.*

Container	Per cwt. Freight paid to Missouri River and to Mississippi River south of St. Louis, Mo.	
	36,000 lbs. or more	Less than 36,000 lbs.
200 lb. drums	$8.95	$10.05
12½ lb. bags in 200 lb. drums	9.95	10.95

(e) *Application of quantity differentials.* If quantities of 36,000 pounds or more consisting of more than one grade or type of package of copper sulphate are sold, the maximum price applicable to each grade or type of package of copper sulphate shall be the price for quantities of 36,000 pounds or more.

(ii) *Copper sulphate produced in Western territory—(a) 99% crystals and snow crystals.*

Amounts	Per cwt., f. o. b. works		
	100 lb. bags	20 lb. bags	Barrels (400 or 500 lbs.)
15 tons or more	$5.00	$5.50	$5.10
10 tons to but not including 15 tons	5.10	5.60	5.30
5 tons to but not including 10 tons	5.20	5.70	5.40
2 tons to but not including 5 tons	5.30	5.80	5.50
400 lbs. to but not including 4000 lbs.	5.40	5.90	5.60
100 lbs. to but not including 400 lbs.	5.50	6.00	5.70

(b) *Powdered.*

50 cents per hundred weight may be added to the prices set forth in subdivision (*a*) above.

(c) *Cartons.*

	99 percent crystals and snow crystals	Powdered
5 lb. cartons, per case of 10	$9.00	$9.50
1 lb. cartons, per case of 50	13.00	13.50

(d) *Monohydrated.*

Containers	Per cwt., f. o. b. works	
	30,000 lbs. or more	Less than 30,000 lbs.
100 lb. drums	$9.20	$9.70
200 lb. drums	8.95	9.45
400 lb. drums	8.70	9.20

(e) *Application of quantity differentials.* If quantities of 30,000 pounds or more consisting of more than one grade or type of package of copper sulphate are sold, the maximum price applicable to each grade or type of package of copper sulphate shall be the price for quantities of 30,000 pounds or more.

(iii) *Other containers.* For sales in containers other than those for which base prices are specifically established in subdivision (i) or (ii) of this subparagraph (1), the base price per 100 pounds shall be the base price per 100 pounds established in whichever one of such subdivisions is applicable for the same grade and quantity of copper sulphate in the most nearly similar type of container of the next larger size or, if there is no next larger size, of the largest size.

(2) *Maximum prices.* On a sale to any purchaser the seller shall apply to the applicable base price established in subparagraphs (1), (2), or (3) the same cash or other discounts or allowances, credit terms, and practices relating to the payment of freight charges and other transportation costs as were applied during the three-month period ending March 31, 1942, to the manufacturer's list prices on deliveries by the seller to that purchaser, or in case no deliveries were made to that purchaser during said three-month period as were applied on deliveries to a purchaser of the same class.

(b) *Sales other than those for which maximum prices are established in paragraph* (a). Maximum prices for sales of copper sulphate other than sales for which maximum prices are established in paragraph (a) or sales at retail for use as an agricultural insecticide or fungicide are established as set forth below:

(1) *Copper sulphate produced in Eastern territory*—(i) *Where seller determined maximum prices for such sales under the General Maximum Price Regulation prior to April 3, 1943.* The maximum price for sales to any class of purchasers shall be the seller's maximum price for sales to a purchaser of the same class as determined under the General Maximum Price Regulation prior to April 3, 1943, less twenty-five cents per 100 pounds for the monohydrated grade or fifteen cents per 100 pounds for other grades.

(ii) *Where seller did not determine maximum prices for such sales under the General Maximum Price Regulation prior to April 3, 1943.* The maximum price for sales to any class of purchasers shall be the maximum price established under this regulation for sales to a purchaser of the same class by the seller's most closely competitive seller of the same class.

(2) *Copper sulphate produced in Western territory*—(i) *Where seller determined maximum prices for such sales under the General Maximum Price Regulation prior to April 3, 1943.* The maximum price per unit for sales to any class of purchasers shall be the seller's maximum price per unit for sales to a purchaser of the same class as determined under the General Maximum Price Regulation prior to April 3, 1943, less the amount computed in subdivision (a) below.

(a) From the seller's cost of acquisition per unit for the copper sulphate for which he determined a maximum price under the General Maximum Price Regulation he shall subtract his present replacement cost per unit for such copper sulphate.

(ii) *Where the seller did not determine maximum prices for such sales under the General Maximum Price Regulation prior to April 3, 1943.* The maximum price to any class of purchasers shall be the maximum price established under this regulation for sales to a purchaser of the same class by the seller's most closely competitive seller of the same class.

(c) *Containers.* No charges may be made for containers except as specified in paragraph (a). The seller may, however, require the buyer to return containers, and if he does so, he may charge a reasonable deposit for the return of such containers. Such deposit must be repaid to the buyer upon the return of the container in good condition, reasonable wear and tear excepted, within a reasonable time. Transportation costs with respect to the return of empty containers to the seller shall, in all cases, be borne by the seller. Where the seller requires the return of a container, the maximum prices for the copper sulphate contained therein as established in paragraphs (a) and (b) shall be reduced by the reasonable value of the container.

Where the return of containers is required, the amount deducted for the reasonable value of the container from the maximum prices established by paragraphs (a) or (b) shall be separately stated on the invoice.

The reasonable value of the container shall be considered to be:

(1) The specific dollar-and-cents maximum price, if any, established by any applicable regulation of the Office of Price Administration for an emptied container of the same kind which has not been reconditioned for reuse, f. o. b. buyer's plant or,

(2) If no such specific dollar-and-cents maximum price has been established, the difference between the replacement cost to the seller who packaged the copper sulphate in the container of the same kind of new container, delivered at his plant, and the sum of the average cost to him of reconditioning the used container for reuse and the average cost to him of transporting such used container to his plant. Until the end of the first full calendar month following April 3, 1943, the average cost of transportation and of reconditioning may be estimated if no actual costs are available for the preceding month. For every calendar month thereafter the average cost of transportation and of reconditioning shall be computed as equal to the actual average cost of these items during the calendar month immediately preceding.

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4826; Filed, March 29, 1943; 4:13 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237,[1] Amendment 12]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 237 is amended in the following respects:

1. In § 1351.519, item 17 is added to read as follows:

§ 1351.519 *Appendix B:*

[Figures to be used by wholesale distributors in determining new maximum prices under § 1351.503 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food product	Last date for determining new maximum prices under this regulation	Last date for filing new maximum prices with appropriate OPA district or State offices	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation		
			Class 1, retail-owned cooperative	Class 2, cash and carry	Class 3, service and delivery
17. Honey	April 15, 1943	April 25, 1943	1.115	1.14	1.19

2. Section 1351.519 (2) (q) is added to read as follows:

q. Honey shall mean all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4829; Filed, March 29, 1943; 4:14 p. m.]

[Figures to be used by retail distributors in determining new maximum prices under § 1351.503 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food product	Last day for determining new maximum prices under this regulation	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation				
		Independent retailer with annual volume			Class 4, chain retailer with annual volume under $250,000	Class 5, any retailer (chain or independent) with annual volume $250,000 or more
		Class 1, under $20,000	Class 2, $20,000 but less than $50,000	Class 3, $50,000 but less than $250,000		
17. Honey	May 1, 1943	1.32	1.32	1.32	1.31	1.31

2. Section 1351.619 (2) (q) is added to read as follows:

q. Honey shall mean all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4830; Filed, March 29, 1943; 4:15 p. m.]

[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715, 8 F.R. 373, 599, 1200, 2106, 2671.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238,[1] Amendment 13]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 238 is amended in the following respects:

1. In § 1351.619, item 17 is added to read as follows:

§ 1351.619 *Appendix B:*

[Figures to be used by retail distributors in determining new maximum prices under § 1351.603 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food product	Last day for determining new maximum prices under this regulation	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation				
		Independent retailer with annual volume			Class 4, chain retailer with annual volume under $250,000	Class 5, any retailer (chain or independent) with annual volume $250,000 or more
		Class 1, under $20,000	Class 2, $20,000 but less than $50,000	Class 3, $50,000 but less than $250,000		
17. Honey	May 1, 1943	1.32	1.32	1.32	1.31	1.31

2. Section 1351.619 (2) (q) is added to read as follows:

q. Honey shall mean all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4827; Filed, March 29, 1943; 4:13 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 255,[2] Amendment 7]

PERMITTED INCREASES FOR WHOLESALERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce
Apple juice.
Canned boned chicken and turkey.
Maple sugar.
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Peanut candy.
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A statement of the considerations involved in the issuance of Amendment 7 to Maximum Price Regulation 255 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 255 is amended in the following respects:

1. In § 1351.703 (d) paragraphs (23) and (28) are hereby revoked.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4827; Filed, March 29, 1943; 4:13 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 256,[1] Amendment 4]

PERMITTED INCREASES FOR RETAILERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Canned boned chicken and turkey.
Maple sugar.
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Bakers' fillings for fruit pie and pastry.
Peanut candy.
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A statement of the considerations involved in the issuance of Amendment 4 to Revised Maximum Price Regulation 256 has been issued and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 256 is amended in the following respects:

[1] 7 F.R. 8893, 10473; 8 F.R. 1266, 2106 [illegible].

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532, 1116, 2106, 2672.

[2] 8 F.R. 2988.

any kind. Each seller shall reduce these prices to reflect his own customarily established trade allowances, including but not limited to discounts for prompt payment and quantity of sale.

CEILING PRICES ON "PACKAGED HONEY"

[F. o. b. packing plant]

Size container	Prices on sales to wholesalers, commercial, industrial, governmental and institutional users		Prices on sales directly to retailers		Prices on sales directly to domestic users
	Price per case of 24	Price per case of 12	Price per case of 6	Price per case of 24	Price per container
2-oz.	$1.41	$.76		$1.61	$.08
3-oz.	1.53	.81		1.72	.08
4-oz.	1.81	.96		1.94	.09
4½-oz.	1.92	1.01		2.19	.10
5-oz.	2.02	1.06		2.30	.11
5½-oz.	2.14	1.12		2.44	.12
6-oz.	2.27	1.19		2.58	.13
7-oz.	2.77	1.44		3.16	.14
8-oz.	2.96	1.51		3.33	.15
9½-oz.	3.05	1.58		3.49	.16
10-oz.	3.15	1.72		3.62	.17
11-oz.	3.64	1.94		4.32	.20
11½-oz.	3.79	2.02		4.48	.21
12-oz.	3.93	2.16		4.80	.22
13-oz.	4.21	2.30		5.12	.23
14½-oz.	4.69	2.43		5.43	.25
15-oz.	4.76	2.57		5.76	.26
15½-oz.	5.04	2.71		5.97	.27
16-oz.	5.31	2.83		6.11	.28
17-oz.	5.59	2.98		6.33	.29
18-oz.	5.87	3.12		6.62	.30
19-oz.	5.98	3.26		6.84	.31
20-oz.	6.14	3.39		7.00	.32
21-oz.	6.46	3.53		7.31	.34
22-oz.	6.66	3.60		7.62	.35
23½-oz.	7.10	3.67		7.86	.37
24-oz.	7.23	3.75		8.00	.38
28-oz.	8.88	4.49		8.24	.40
30-oz.	9.42	4.76		10.12	.49
2 lbs. 1-oz.	9.73	4.88		10.74	.52
2 lbs. 2-oz.	9.90	5.01		11.09	.53
2 lbs. 3-oz.	10.38	5.21		11.83	.56
2 lbs. 4-oz.	10.62	5.36		12.11	.57
2 lbs. 5-oz.	11.10	5.57		12.65	.60
2 lbs. 6-oz.	11.34	5.72		12.93	.61
2 lbs. 7-oz.	11.62	5.86		13.57	.65
2 lbs. 8-oz.	11.90	6.00		13.90	.66
2 lbs. 9-oz.	12.19	6.15		14.23	.67
2 lbs. 10-oz.	12.48	6.29		14.55	.69
2 lbs. 11-oz.	12.77	6.43		14.87	.70
2 lbs. 12-oz.	13.04	6.57		15.18	.72
2 lbs. 13-oz.	13.32	6.71		15.52	.73
2 lbs. 14 oz.	13.61	6.85			.75
2 lbs. 15 oz.		7.27			.79
3 lbs. 1-oz.		7.56	$4.86		.82
3 lbs. 8-oz.		10.18	5.80		1.02
4 lbs.		11.78	6.00		1.11
5 lbs. 14-oz.		12.01	8.72		1.29
6 lbs.			9.64		1.32
11 lbs.			11.57		1.92
12 lbs.					2.12
					2.54

6. Section 1351.1319 (b) (5) is added to read as follows:

(5) The maximum price for "bulk honey" when sold by the producer at retail shall be 15¢ per pound, f. o. b. shipping point.

7. Section 1351.1319 (e) is amended to read as follows:

(e) *Maximum prices for bulk honey which is resold*—(1) *Resales by persons other than importers.* A seller, other than an importer, shall determine his maximum price f. o. b. shipping point, for bulk honey which he resells in the same manner as that provided for the seller of "Packaged honey": *Provided,* (i) That he must employ his "base period" price and not 102% thereof, and (ii) that in computing his "base price" he shall base his computations only upon resales of "bulk honey" made during the base period to the particular "class of purchaser" for which he is determining his maximum price. The term "class of purchaser" refers to the practice prevailing during the base period of offering classes or groups of purchasers different prices on the same honey items.

(2) *Resales by importers.* Importers who resell "bulk honey" shall determine their maximum price f. o. b. their shipping point for such resales by applying the applicable "markup" to the CIF port of entry price, duty included, which they paid for the "bulk honey". The importer's "markup" for carload sales shall be 10% and for less than carload sales 15%.

(3) *Inability to compute price under this paragraph.* Resellers of "bulk honey" who are unable to compute their maximum price under this paragraph (e) shall adopt as their own maximum prices the maximum prices established by their most closely competitive sellers of the same class who sell to the same class of purchasers.

8. Section 1351.1319 (h) is added to read as follows:

(h) A seller may take as his maximum price for any item of "packaged honey" either the prices established pursuant to paragraph (e) of § 1351.1319 or the prices set forth in the following table. Persons who price their items in accordance with

1. In § 1351.203 (b), subparagraphs (22) and (27) are hereby revoked.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4828; Filed, March 29, 1943; 4:14 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,[1] Amendment 4]

EXTRACTED HONEY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 275 is amended in the following respects:

1. Section 1351.1302 is amended to read as follows:

§ 1351.1302 *Exempt sales.* The provisions of this Maximum Price Regulation No. 275 shall not be applicable to sales at wholesale and sales at retail, except (a) that resales of "bulk honey" shall be covered by this regulation; and (b) all sales of "packaged honey" by the packager thereof shall be covered by this regulation; and (c) sales at retail of "bulk honey" by the producer shall be governed by § 1351.1319 (b) (5) of this regulation.

2. Section 1351.1314 is hereby revoked.

3. Section 1351.1319 (a) (2) is amended to read as follows:

(2) "Bulk honey" means honey in container of more than 15 pounds capacity.

4. Section 1351.1319 (a) (3) is amended to read as follows:

(3) "Packaged honey" means honey in a container of 15 pounds capacity or less.

5. Section 1351.1319 (b) (3) is amended by inserting after the phrase "CIF Port of Entry", the phrase "Duty included".

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9955, 8 F.R. 542, 1228, 2337.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

JOHN E. HAAM,
Acting Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-4836; Filed, March 29, 1943; 4:17 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR MILITARY PURPOSES

[MPR 157,[1] Amendment 7]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1378.6a is added to read as follows:

§ 1378.6a *Adjustable pricing.* Notwithstanding any other provisions of this regulation, any person may offer or agree to sell or buy a commodity containing crude rubber at a price in excess of the maximum price in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1943: *Provided,* That no person shall pay or receive a price for a commodity covered by this regulation which is in excess of the maximum price in effect at the time of delivery.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4838; Filed, March 29, 1943; 4:19 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[1] Amendment 55]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5201 (b) (7) is amended by substituting the phrase "March 29, 1943" for the phrase "April 6, 1943."

This amendment shall become effective on March 29, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4839; Filed, March 29, 1943; 4:18 p. m.]

PART 1396—FINE CHEMICALS AND DRUGS

[RPS 101, as Amended]

CITRIC ACID; ORDER OF REVOCATION

Revised Price Schedule No. 101, as amended (§§ 1396.851 to 1396.859, inclusive) is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4841; Filed, March 29, 1943; 4:12 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amendment 8]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respect:

1. Section 1.4a is added to read as follows:

SEC. 1.4a *Consumers may get extra shoes when in localities having no shoe stores.* (a) Any person residing in the United States who needs more than two pairs of shoes at one time because his occupation requires him to be away from home and in a locality where he has no access to establishments selling shoes for a long period of time, may apply to his local Board for stamps (or temporary shoe purchase certificates) for the additional number of pairs of shoes needed by him during such period. Application shall be made in writing and shall contain all information on which the eligibility of the applicant is based.

This amendment shall become effective March 29, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4846; Filed March 29, 1943, 4:18 p. m.]

Grade or type	Maximum price per pound (delivered buyer's rail receiving point)		
	St. Louis	New York	Other points
Pigs			
(1) Common lead	6.35¢	6.50¢	Base price.
(2) Corroding lead	6.45¢	6.60¢	Base price plus .10¢.
(3) Chemical lead	6.45¢	6.60¢	Base price plus .10¢.
(4) Copperized lead made from:			
(a) Common lead	6.40¢	6.55¢	Base price plus .05¢.
(b) Corroding lead	6.50¢	6.65¢	Base price plus .15¢.
Ingots			
(1) Common lead	6.60¢	6.75¢	Base price plus .25¢.
(2) Corroding lead	6.70¢	6.85¢	Base price plus .35¢.
(3) Chemical lead	6.70¢	6.85¢	Base price plus .35¢.
(4) Copperized lead made from:			
(a) Common lead	6.45¢	6.60¢	Base price plus .30¢.
(b) Corroding lead	6.75¢	6.90¢	Base price plus .40¢.
Ingots or linked ingots			
(1) Common lead	6.85¢	7.00¢	Base price plus .50¢.
(2) Corroding lead	6.95¢	7.10¢	Base price plus .60¢.
(3) Chemical lead	6.95¢	7.10¢	Base price plus .60¢.
(4) Copperized lead made from:			
(a) Common lead	6.90¢	7.05¢	Base price plus .55¢.
(b) Corroding lead	7.00¢	7.15¢	Base price plus .65¢.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1339, 2132, 2278, 2997, 8948; 8 F.R. 612.

[1] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 164, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 3106, 3521, 3628.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 7]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

Section 5.10 (c) is amended by adding "after March 31, 1943" after the phrase "processed foods".

This amendment shall become effective March 29, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4847; Filed, March 29, 1943; 4:13 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 8]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

1. The following items are added to the list in Appendix A:

Apple cider.
Apple juice.

This amendment shall become effective 12:01 a. m., March 29, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4848; Filed, March 29, 1943; 4:17 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Rev. Supp. 1]

PROCESSED FOODS

Supplement 1 and Amendment 1 thereto, to Ration Order 13, are amended to read as follows:

§ 1407.1102 *Revised Supplement 1 to Ration Order 13.* The following supplement to Ration Order 13, which is annexed to and made a part of § 1407.1101, is hereby issued:

(a) Processed food shall have the point values set forth in the Official Table of Point Values (No. 2) which is made a part hereof: [2]

(b) The industrial user allotment factors which are referred to in section 6.6 (c) of Ration Order 13 are as follows:

(1) Canned and bottled processed foods, and dry beans, peas, and lentils—2.5;

(2) Dried and dehydrated processed foods, including dried and dehydrated soups and soup mixtures—5.1;

(3) Frozen processed foods—3.3.

(c) The wholesale factor which is referred to in section 4.6 (b) of Ration Order 13 is 6.

(d) The retail factor which is referred to in section 5.8 (b) of Rational Order 13 is 3.

This supplement shall become effective 12:01 a. m. on March 29, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4842; Filed, March 29, 1943; 4:20 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 2]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. In the *Preamble* under the undesignated head note *How Retailers and Wholesalers Operate*, the word "his" between the word "sell" and the word "points" is deleted and the word "with" is inserted in its place.

2. Section 2.3 (f) is added to read as follows:

(f) *Consumers may give up points before delivery of butter or rationed cheeses.* A consumer may also acquire "butter" or "rationed cheeses" from a mobile conveyance operated on a regular delivery route by giving up stamps before he acquires the foods. If the seller or transferor cannot fill all or any part of the order, he will return a ration check for the difference. The consumer must exchange that check, at any board, for a certificate which he can then use to get foods covered by this order.

3. Section 2.5 (b) is amended by deleting the comma after the word "above" and inserting a parenthesis in its place.

4. Section 3.1 (a) is amended by deleting the words "wholly from foods not covered by this order, (whether or not they are later processed)."

5. Section 3.1 (b) is amended by deleting the first sentence and inserting in its place the following sentence: Any person may lend any foods he produces, primarily for consumption in his own household, wholly from foods not covered by this order (whether or not they are later processed) to any consumer, without the surrender of points.

6. Section 3.1 (b) is amended by inserting a comma between the word "produced" and the word "in".

7. Section 4.3 (a) (1) (i) is amended by deleting the word "thereby" and inserting the words "there by" in its place.

8. Section 4.4 (b) is amended by deleting the word "both" and inserting the word "all" in its place.

9. Section 4.6 (a) is amended by deleting the word "price" and inserting the word "place" in its place.

10. Section 6.8 (d) is amended by inserting between the word "his" and the word "transfers" the word "other".

11. Section 6.9 (a) is amended by deleting the word "customers" and inserting the word "consumers".

12. Section 6.10 (a) is amended by deleting the word "condition" and inserting the word "conditions" in its place.

13. Section 6.10 (c) (2) is amended by deleting the word "is".

14. Section 7.4 (b) is amended by inserting the following sentence between the sentence ending with the word "establishments" and the sentence beginning with the word "If"; If he has any such foods at, or in transit to, any place which is not his industrial user establishment, for industrial use at that establishment, he must include them in the inventory of that establishment.

15. The text of section 7.5 (d) is redesignated as section 7.5 (e).

16. Section 9.2 (h) is added to read as follows:

(h) *Certain primary distributors and retailers.* Any primary distributor or retailer who receives stamps or certificates from consumers before the time when "butter" or "rationed cheeses" are transferred from his mobile conveyance

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179.

[2] Filed with the Division of the Federal Register as part of the original document.

[3] 8 F.R. 3595.

operated on a regular delivery route, must open a ration bank account.

17. Section 9.3 (a) is amended by deleting the last sentence, which is within parentheses, and inserting in its place the following sentence: However, any person who sells or transfers foods covered by this order to consumers may retain and need not deposit in his ration bank account enough loose one-point stamps for use in returning excess points to consumers pursuant to section 2.3 (c). (Section 3.2 (a) states another exception to this paragraph.)

18. Section 10.2 (b) is amended by deleting the number "10" and inserting the number "11".

19. Section 10.4 (c) (1) is amended by inserting the following sentence between the sentence ending with the word "consumers" and the sentence beginning with the word "If": If he sells from a truck or other mobile conveyance, the tables must be posted in it.

20. Section 10.4 (j) is added to read as follows:

(j) *Transfers of butter and rationed cheeses from mobile conveyances.* (1) "Butter" or "rationed cheeses" may also be transferred to consumers from mobile conveyances operated on a regular delivery route if a certificate or stamps are received before the time the foods are transferred.

(2) If the transferor fails to deliver foods equal in point value to the points received, he shall issue and return to the consumer a ration check for the balance.

(3) No primary distributor or retailer may receive stamps or certificates from and make transfers to consumers under this paragraph unless he has a ration bank account.

21. Section 10.7 (b) is amended by inserting between the word "registered" and the word "separately" the words ", or are to be registered,".

22. Section 10.9 (a) is amended by adding to and at the end of the last sentence the following words: "and transfers of 'butter' and 'rationed cheeses' from mobile conveyances."

23. Section 10.10 (b) is amended to read as follows:

(b) The Collector of Customs shall turn over, each month, to the District Office for the area in which the point of entry is located, all points received by him in this way during the preceding month.

24. Section 11.10 (a) (2) is amended to read as follows:

(2) A person engaged principally and primarily in the business of adjusting losses or of reconditioning or selling damaged articles.

25. Section 12.3 (a) is amended by deleting the words "will be" between the word "establishment" and the word "located" and inserting the word "is" in their place.

26. Section 17.6 is added to read as follows:

SEC. 17.6 *Office of Price Administration may require applicants to give information.* (a) The Washington office, a "board", or a district manager, State director or regional administrator may require any person who files an application or an appeal under this order to appear in person, to bring witnesses and to supply any information needed for passing on his case.

27. Section 22.1 (a) is amended by inserting between the word "the" and the word "War" the words "Maritime Commission,".

28. The head-notes of section 22.5 and section 22.5 (a) are amended to read as follows:

SEC. 22.5 *Veterans' Administration may apply for certificates under General Ration Order 5.* (a) The Veterans' Administration may obtain foods covered by this order for institutional use and may use such foods in accordance with the provisions of General Ration Order 5.

29. Section 22.7 (b) is amended by deleting the word "Cutsoms" and inserting the word "Customs" in its place.

30. Section 24.1 (a) is amended by deleting from the definition of "butter" the quotation mark before the word "edible" and inserting a quotation mark between that word and the word "fat"; by inserting in that definition between the words "defined by" and the word "section" the words "chapter 840,"; and by inserting therein between the words "amended by" and the word "section" the words "chapter 784,".

31. Section 24.1 (a) is amended by inserting in the definition of "margarine" between the words "defined in" and the word "section" the words "chapter 840,"; by deleting from that definition the number "210" and inserting the number "209" in its place; and by inserting therein between the words "amended by" and the word "section", the words "chapter 882,".

32. Section 24.1 (a) is amended by deleting the definition of the word "refine" and inserting in its place the following definition: "Refine" means to treat with caustic soda, soda ash, or otherwise reduce the free fatty acid content.

This amendment shall become effective March 29, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471.)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F.R. Doc. 43-4843; Filed, March 29, 1943; 4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 15 Under § 1499.18(c), as Amended, of GMPR]

STEIN-HALL MANUFACTURING COMPANY

Order No. 15 under § 1499.18(c), as amended, of the General Maximum Price Regulation; Docket No. GF3-2882.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.1515 *Adjustment of maximum price for sales of wheat flour adhesive PMS-23 by Stein-Hall Manufacturing Company.* (a) The maximum price for the sale of wheat flour adhesive PMS-23 by Stein-Hall Manufacturing Company, 2841 South Ashland Avenue, Chicago, Illinois, shall be $3.48 per hundred pounds.

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of wheat flour adhesive PMS-23 by Stein-Hall Manufacturing Company shall apply to the maximum price set forth in paragraph (a).

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4845; Filed, March 29, 1943; 4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 143 to Supp. Reg. 14[1] to GMPR[2]]

SULFURIC ACID SOLD ON LONG TERM CONTRACTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (87) is added to read as follows:

§ 1499.73 (a) • • •

(87) *Sulfuric acid sold on long term contracts.* (i) The maximum prices for sales of sulfuric acid by any manufacturer thereof to any buyer under a contract entered into prior to March 1942 under which the contract price is to be adjusted for fluctuations in the cost of raw materials, labor, or both, shall be the maximum prices for such sales determined under § 1499.2 of the General Maximum Price Regulation: *Provided,* That the buyer and seller adjust prices under such a contract on any delivery completed after April 2, 1943 to a price not in excess of the maximum price established under any maximum price regulation to be issued by the Office of Price Administration specifically establishing maximum prices for sulfuric acid.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4844; Filed, March 29, 1943; 4:13 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9436, 9496, 9786, 9900, 9901, 10069, 1011, 10022, 10151, 10231 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878.

[2] 8 F.R. 3096.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 353 is hereby issued.

Sec.
1396.51 Applicability of this regulation.
1396.52 Trade practices and terms relating to maximum prices.
1396.53 Records and reports.
1396.54 Prohibited practices.
1396.55 Methods of preventing or penalizing sales at higher than maximum prices.
1396.56 Petitions for amendment.
1396.57 Definitions.
1396.58 Effective dates.
1396.59 Appendix A: Maximum prices.

AUTHORITY: §§ 1396.51 to 1396.59, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1396.51 *Applicability of this regulation*—(a) *Commodities covered by this regulation.* This regulation applies only to the fine chemicals listed below:

Saccharin.
Caffeine.
Anhydrous caffeine.
Theobromine.
Citrated caffeine.
Vanillin.
Ethyl vanillin.
Coumarin.
Salicylic acid.
Acetylsalicylic acid.
Citric acid.
Ascorbic acid.

These fine chemicals are referred to in this section as the "fine chemicals listed above."

A definition of each of these chemicals as used in this regulation is given in § 1396.57 *Definitions.*

(b) *Prohibition of sales at higher than maximum prices.* On and after April 3, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any of the fine chemicals listed above at higher prices than the maximum prices established by this regulation; no person shall agree, offer, solicit, or attempt to do any of the foregoing.

Lower prices than the maximum prices established by this regulation may be charged, demanded, offered, or paid.

(c) *Transactions excluded from this regulation and covered by other regulations.* The maximum prices established by this regulation shall apply to all sales and deliveries of the fine chemicals listed above except as provided in the following six subparagraphs:

(1) *Sales at retail.* This regulation does not apply to sales at retail. The maximum prices for sales at retail of the fine chemicals listed above are the maximum prices established by the General Maximum Price Regulation.

(2) *Sales of reagent grades.* This regulation does not apply to sales of reagent grades

(i) To a person for use in medicinal or chemical preparations where such reagent grades have been customarily used, or

(ii) To a person who purchases for resale to a person mentioned in subdivision (i).

The maximum prices for sales of reagent grades of the fine chemicals listed above to the purchasers mentioned in subdivisions (i) and (ii) are the maximum prices established by the General Maximum Price Regulation.

(3) *Sales in tablet or capsule form.* This regulation does not apply to sales in tablet or capsule form. The maximum prices for sales of the fine chemicals listed above in tablet or capsule form are the maximum prices established by the General Maximum Price Regulation.

(4) *Sales in the territories and possessions.* This regulation applies only to the forty-eight states of the United States and the District of Columbia and does not apply to the territories and possessions of the United States.

(5) *Exports.* This regulation does not apply to exports except as it establishes domestic maximum prices which are used as base prices for the determination of export prices. The maximum prices at which any person may export the fine chemicals listed above are established by Revised Maximum Export Price Regulation.[6]

(6) *Imports.* This regulation does not apply to imports. The maximum prices which an importer may charge for the fine chemicals listed above which have been imported are established by Revised Supplementary Regulation No. 12[7] to the General Maximum Price Regulation.

§ 1396.52 *Trade practices and terms relating to maximum prices*—(a) *Containers.* The maximum prices established by this regulation shall not be increased by any charges for containers. Sellers may, however, require the return of containers of 25 pound size or larger. When sales are made in containers which are to be returned, the seller may require a reasonable deposit for the return of such containers, but the deposit must be refunded to the buyer upon return of the containers in good condition within a reasonable time. Transportation costs with respect to the return of empty containers to the seller for which a deposit has been charged shall in all cases be borne by the seller. If the seller permits the buyer to furnish his own containers, the transportation costs with respect to sending the empty containers to the seller shall in all cases be borne by the seller.

(b) *Discounts, credit terms, and transportation charges.* Each seller shall apply to the maximum prices established by this regulation for each fine chemical the same discounts, credit terms, and practices relating to the payment of freight charges and other transportation costs which were in effect on October 15, 1941, on sales by the seller of the particular fine chemical.

(c) *Broker's commissions.* If the buyer purchases through a broker or other agent acting for the buyer, the sum of the price paid by the buyer to the seller plus the commission, fee, or other charge paid by the buyer to his broker or other agent may not exceed the maximum prices established by this regulation.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1393, 2132, 8203, 8948.

[2] 7 F.R. 3897, 7602, 8948.

[3] 7 F.R. 1402, 2132, 8203, 8948.

[4] 7 F.R. 1403, 2132, 7530, 8948.

[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4437, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9434, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346, 3096.

[6] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[7] 7 F.R. 10532; 8 F.R. 611, 2035.

(d) *Federal and state sales taxes.* There may be added to the maximum prices established by this regulation the amount of any tax upon the sale or delivery of a fine chemical imposed by a statute of the United States or statute or ordinance of a state or subdivision thereof, if but only if,

(1) The statute or ordinance requires or permits the seller to state the tax separately from the purchase price, and

(2) The tax is separately stated and collected by the seller.

(e) *Adjustable pricing.* A seller and a buyer may agree to adjust a purchase price to a price not in excess of the maximum price in effect at the time of delivery. But a price may not be made adjustable to a maximum price which will be in effect at some time after the delivery. For example, if a contract is made for the sale of a fine chemical to be delivered six months later, the contract may provide that the purchase price will be adjusted upward to the new maximum price if prior to the time of delivery a higher maximum price has been established for the fine chemical. But the parties may not agree to adjust the purchase price of a fine chemical to be delivered one month later to the maximum price in effect six months later.

In an appropriate situation where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1396.53 *Records and reports.* (a) Every seller making a sale of one pound or more of any of the fine chemicals for which maximum prices are established by this regulation after April 2, 1943, shall keep, for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each sale of one pound or more showing:

(1) The date,
(2) The name and address of the seller and of the buyer,
(3) The name of the fine chemical and the kind and grade,
(4) The quantity,
(5) The size of the container,
(6) The price charged or received,
(7) The cash discount or credit terms, and
(8) The transportation provisions.

If a seller retains an invoice or a duplicate copy of an invoice containing this information in his files for the specified period, he will have complied with the record requirements of this section.

(b) A primary distributor of one or more of the fine chemicals for which maximum prices are established by this regulation shall submit to the Office of Price Administration in Washington, D. C. before May 1, 1943, a list of these fine chemicals of which he is a primary distributor.

(c) Persons affected by this regulation shall submit such reports to the Office of Price Administration as may from time to time be required.

§ 1396.54 *Prohibited practices*—(a) *General.* Any practice which is a device to evade the price limitations set forth in this regulation, whether by direct or indirect methods, or by the use of commissions, service charges, transportation charges, premiums, combination sales, tying-agreements, and the like, in connection with the sale of a fine chemical alone or together with any other commodity, is prohibited by this regulation.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Securing the effect of a higher price by changing credit practices or cash discounts or practices relating to the payment of transportation charges from those in effect on October 15, 1941. This includes reducing the cash discount period, decreasing credit periods, making greater charges for extension of credit or requiring purchasers to pay part or all of the transportation charges where no such requirement was made on October 15, 1941.

(2) Selling the fine chemical in tablet or capsule form or diluted or in solution in order to evade the maximum prices established by this regulation

(3) Breaking up a sale which would normally be a single sale into a series of smaller sales in order to evade the price limitations set forth in this regulation.

(4) Charging a purchasing commission based on the quantity or value of the fine chemical purchased, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

§ 1396.55 *Methods of preventing or penalizing sales at higher than maximum prices*—(a) *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) *Licensing.* Supplementary Order No. 11[8] licenses all sellers under this regulation who are distributors as the term "distributor" is defined in the order. This order, in brief, provides that a license is necessary for primary distributors and resellers to make sales under this regulation. A license is automatically granted to these sellers. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order No. 11 describe the circumstances under which licenses may be suspended.

§ 1396.56 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[9]

§ 1396.57 *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Fine chemicals" means the following chemicals:

Saccharin.
Caffeine.
Anhydrous caffeine.
Theobromine.
Citrated caffeine.
Vanillin.
Ethyl vanillin.
Coumarin.
Salicylic acid.
Acetylsalicylic acid.
Citric acid.
Ascorbic acid.

Each of these chemicals is defined as it is used in this regulation in the subparagraphs which immediately follow.

(3) "Saccharin" includes saccharin U. S. P. and soluble saccharin U. S. P. and all other grades and kinds of saccharin.

(4) "Caffeine" includes caffeine U. S. P. and all other grades and kinds of caffeine except anhydrous caffeine.

(5) "Anhydrous caffeine" means caffeine with a water content not in excess of one percent by weight.

(6) "Theobromine" includes all grades and kinds of theobromine.

(7) "Citrated caffeine" includes citrated caffeine U. S. P. and all other grades and kinds of citrated caffeine.

(8) "Vanillin" includes vanillin U. S. P. and all other grades and kinds of vanillin.

(9) "Eugenol-vanillin" means vanillin produced by the eugenol process.

(10) "Lignin-vanillin" means vanillin produced by the lignin process.

(11) "Guaiacol-vanillin" means vanillin produced by the guaiacol process.

(12) "Ethyl vanillin" includes all grades and kinds of ethyl vanillin, a compound which is sometimes also referred to as bourbonal, ethylprotal, ethovan, vanillal, vanirome, or vanillodine.

(13) "Coumarin" includes coumarin N. F. and all other grades and kinds of coumarin.

(14) "Salicylic acid" includes salicylic acid U. S. P. and all other grades and kinds of salicylic acid.

(15) "Acetylsalicylic acid" includes acetylsalicylic acid U. S. P. and all other grades and kinds of acetylsalicylic acid.

(16) "Citric acid" include citric acid U. S. P. and all other grades and kinds of citric acid.

(17) "Ascorbic acid" includes ascorbic acid U. S. P. and all other grades and kinds of ascorbic acid, a compound which is sometimes also referred to as Vitamin C.

(18) "Producer" means a person who sells or deliver the particular fine chemical which he has synthesized, extracted, processed or otherwise made or manufactured, or which he has had some other person synthesize, extract, process or otherwise make or manufacture for him from materials supplied in whole or in part by him.

(19) "Primary distributor" means a person who purchases a particular fine chemical for resale and who, during the period from October 1, 1941, to March 31, 1942, made more than half of his purchases of that particular fine chemical during that period from producers at a discount of 5 percent or more from the producer's list prices. As used in this definition, "producer's list prices" means the quoted or published prices of a producer for sales to resellers or industrial consumers.

The determination of whether a person is a primary distributor or a reseller of a fine chemical must be made for each of the fine chemicals and a person may be a primary distributor of one fine chemical and a reseller of another.

(20) "Reseller" means any person selling a fine chemical of which he is neither the producer nor a primary distributor. A person may be a reseller of one fine chemical and a producer or a primary distributor of another. For example, a wholesale druggist will usually be a reseller.

(21) "Sale at retail" means a sale or delivery of a fine chemical to an ultimate consumer other than an industrial or commercial user.

(22) "Commercial or industrial user" means a person who purchases a fine chemical for use as a raw material in his production of a finished or semi-finished product.

(23) "Reagent grade" means a grade which is purer than the U. S. P. or N. F. grade and which was marketed and recognized as such prior to October 1, 1941.

(24) "Importer" means any person who purchases or receives a fine chemical, whenever the purchase or receipt involves the transportation of the fine chemical to the forty-eight states of the United States or District of Columbia from any place outside this area.

(b) Unless the context otherwise requires, the definitions set forth in section 203 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1396.58 *Effective dates.* This regulation shall become effective April 3, 1943, *Provided*, That Revised Price Schedules Nos. 99, 101 as amended, 103, and 104 shall remain in effect until this Maximum Price Regulation No. 353 shall become effective April 3, 1943.

§ 1396.59 *Appendix A: Maximum prices.* The maximum prices for sales in container sizes for which no maximum prices are listed in each of the tables below shall be the maximum prices applicable to the next larger container size.

(a) *Saccharin*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of saccharin by producers and primary distributors are established as follows:

SACCHARIN—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	Sold in quantities of—		
	1,000 lbs. and over	100 up to 1,000 lbs.	Less than 100 lbs.
100 lbs. or more	$1.30	$1.40	
25 lbs.	1.33	1.45	$1.60
5 lbs.	1.35	1.50	1.65
1 lb.	1.50	1.65	1.80
¼ lb.	1.65	1.80	1.95
1 oz.	2.05	2.20	2.35

(2) *Sales by resellers.* The maximum prices for sales of saccharin by resellers are established as follows:

SACCHARIN—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—			
	1,000 lbs. and over	100 up to 1,000 lbs.	10 up to 100 lbs.	Less than 10 lbs.
100 lbs. or more	$1.50	$1.61		
25 lbs.	1.53	1.67	$1.84	
5 lbs.	1.55	1.73	1.90	$2.15
1 lb.	1.73	1.90	2.07	2.34
¼ lb.	1.90	2.07	2.24	2.56
1 oz.	2.36	2.54	2.70	3.04

(b) *Caffeine*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of caffeine by producers and primary distributors are established as follows:

CAFFEINE—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	Sold in quantities of—		
	100 lbs. and over	25 up to 100 lbs.	Less than 25 lbs.
100 lbs. or more	$2.80		
25 lbs.	2.85	$2.95	
10 lbs.	2.87	3.00	$3.15
5 lbs.	2.88	3.10	3.25
1 lb.	2.95	3.05	3.25
¼ lb.	3.05	3.20	3.38
1 oz.	3.25	4.90	4.90

(2) *Sales by resellers.* The maximum prices for sales of caffeine by resellers are established as follows:

CAFFEINE—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—		
	100 lbs. and over	25 up to 100 lbs.	Less than 25 lbs.
100 lbs. or more	$3.22		
25 lbs.	3.25	$3.40	
10 lbs.	3.28	3.45	$4.10
5 lbs.	3.31	3.57	4.23
1 lb.	3.39	4.14	4.75
¼ lb.	3.51	4.52	5.16
1 oz.	3.74	5.65	6.40

(c) *Anhydrous caffeine*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of anhydrous caffeine by producers and primary distributors, except as provided in subparagraph (2), are established as follows:

ANHYDROUS CAFFEINE—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	Sold in quantities of—		
	100 lbs. and over	25 up to 100 lbs.	Less than 25 lbs.
100 lbs. or more	$3.00		
25 lbs.	3.03	$3.15	
10 lbs.	3.05	3.20	$3.35
5 lbs.	3.08	3.30	3.45
1 lb.	3.15	3.80	3.95
¼ lb.	3.25	4.13	4.28
1 oz.	3.45	4.90	4.90

(2) *Exception for sales by certain producers.* Each of the producers enumerated below may sell anhydrous caffeine of which he is the producer to industrial or commercial consumers at prices no higher than $9.00 per pound:

Casco Chemical Works, New York, New York.
Fallek Products, New York, New York.
Verona Chemical Company, Newark, New Jersey
Robert & Company, New York, New York
S. B. Penick & Company, New York, New York.
American Chlorophyll, Inc., Alexandria, Virginia.

(3) *Sales by resellers.* The maximum prices for sales of anhydrous caffeine by resellers are established as follows:

ANHYDROUS CAFFEINE—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—		
	100 lbs. and over	25 up to 100 lbs.	Less than 25 lbs.
100 lbs. or more	$3.45		
25 lbs.	3.48	$3.62	
10 lbs.	3.51	3.68	$4.00
5 lbs.	3.54	3.80	4.10
1 lb.	3.62	4.37	5.01
¼ lb.	3.74	4.75	5.41
1 oz.	3.97	5.70	6.40

(d) *Theobromine*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of theobromine by producers and primary distributors are established as follows:

THEOBROMINE—PRODUCERS AND PRIMARY DISTRIBUTORS

Container size	Maximum price per pound
25 lbs. or more	$2.80
10 lbs.	2.90
5 lbs.	3.00
1 lb.	3.15
¼ lb.	3.37
1 oz.	4.48

(2) *Sales by resellers.* The maximum prices for sales of theobromine by resellers are established as follows:

THEOBROMINE—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—	
	25 lbs. and over	Less than 25 lbs.
25 lbs. or more	$3.22	
10 lbs.	3.34	$3.77
5 lbs.	3.45	3.90
1 lb.	3.62	4.10
¼ lb.	3.88	4.40
1 oz.	5.12	5.76

[8] 7 F.R. 6167, 11007.

[9] 7 F.R. 8961; 8 F.R. 3313.

(e) *Citrated caffeine*—(1) Sales by *producers and primary distributors.* The maximum prices for sales of citrated caffeine by producers and primary distributors are established as follows:

CITRATED CAFFEINE—PRODUCERS AND PRIMARY DISTRIBUTORS

Container size:	Maximum price per pound
100 lbs. or more	$1.95
25 lbs.	2.05
10 lbs.	2.30
5 lbs.	2.30
1 lb.	2.38
¼ lb.	2.61
1 oz.	3.68

(2) *Sales by resellers.* The maximum prices for sales of citrated caffeine by resellers are established as follows:

CITRATED CAFFEINE—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—	
	25 lbs. and over	Less than 25 lbs.
100 lbs. or more	$2.25	
25 lbs.	2.36	
10 lbs.	2.65	$2.99
5 lbs.	2.65	2.99
1 lb.	2.74	3.09
¾ lb.	3.00	3.40
1 oz.	4.24	4.80

(f) *Vanillin*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of vanillin by producers and primary distributors are established as follows:

VANILLIN—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound by type of vanillin]

Container size	Eugenol-vanillin	Guaiacol-vanillin or Lignin-vanillin
25 lbs. or over	$2.60	$2.35
5 lbs.	2.65	2.40
1 lb.	2.75	2.50
¾ lb.	2.80	2.65
1 oz.	3.20	2.95

(2) *Sales by resellers.* The maximum prices for sales of vanillin by resellers are established as follows:

VANILLIN—RESELLERS

[Maximum price per pound, by type of vanillin]

Container size	Eugenol-vanillin		Guaiacol-vanillin or Lignin-vanillin	
	Sold in quantities of—		Sold in quantities of—	
	5 lbs. or more	Less than 5 lbs.	5 lbs. or more	Less than 5 lbs.
5 lbs. or over	$3.05		$2.76	
1 lb.	3.16	$3.58	2.88	$3.25
¾ lb.	3.34	3.77	3.05	3.40
1 oz.	3.68	4.16	3.39	3.84

(g) *Ethyl vanillin*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of ethyl vanillin by producers and primary distributors are established as follows:

ETHYL VANILLIN—PRODUCERS AND PRIMARY DISTRIBUTORS

Container size:	Maximum price per pound
25 lbs. or more	$5.25
5 lbs.	5.30
1 lb.	5.40
¼ lb.	5.55
1 oz.	5.85

(2) *Sales by resellers.* The maximum prices for sales of ethyl vanillin by resellers are established as follows:

ETHYL VANILLIN—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—	
	5 lbs. and over	Less than 5 lbs.
25 lbs. or more	$6.04	
5 lbs.	6.10	
1 lb.	6.21	$7.02
¼ lb.	6.38	7.22
1 oz.	6.73	7.68

(h) *Coumarin*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of coumarin by producers and primary distributors are established as follows:

COUMARIN—PRODUCERS AND PRIMARY DISTRIBUTORS

Container size:	Maximum price per pound
5 lbs. or more	$2.75
1 lb.	2.90
¼ lb.	3.10
1 oz.	3.25

(2) *Sales by resellers.* The maximum prices for sales of coumarin by resellers are established as follows:

COUMARIN—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—	
	5 lbs. and over	Less than 5 lbs.
5 lbs. or more	$3.16	
1 lb.	3.34	$3.77
¾ lb.	3.57	4.04
1 oz.	3.74	4.32

(i) *Salicylic acid*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of salicylic acid by producers and primary distributors are established as follows:

SALICYLIC ACID—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Quantity or container size	U. S. P.	Technical
Carload	$.28	$.26
100 lbs up to carload	.35	.33
50 lbs.	.37	.35
25 lbs.	.38	.36
5 lbs.	.44	.42
1 lb.	.46	.44

(2) *Sales by resellers.* The maximum prices for sales of salicylic acid by resellers are established as follows:

SALICYLIC ACID—RESELLERS

[Maximum price per pound]

Container size	U. S. P.		Technical	
	Sold in quantities of—		Sold in quantities of—	
	25 lbs. and over	Less than 25 lbs.	25 lbs. and over	Less than 25 lbs.
100 lbs. or more	$.40		$.38	
50 lbs.	.43		.40	
25 lbs.	.44		.41	
5 lbs.	.51	$.57	.48	$.55
1 lb.	.53	.60	.51	.57

(j) *Acetylsalicylic acid*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of acetylsalicylic acid by producers and primary distributors are established as follows:

ACETYLSALICYLIC ACID—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	50 mesh powdered or 20–40 mesh crystals	Any special mixture or formulae	10% starch granulation	16% starch granulation	20% starch granulation
100 lbs. or more	$.40	$.45	$.40	$.38	$.36
25 lbs.	.41	.46	.41	.39	.37
5 lbs.	.54	.59	.54	.52	.50
1 lb.	.56	.61	.56	.54	.52

(2) *Sales by resellers.* The maximum prices for sales of acetylsalicylic acid by resellers are established as follows:

ACETYLSALICYLIC ACID—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of 25 lbs. or more				
	50 mesh powdered or 20–40 mesh crystals	Any special mixture or formulae	10% starch granulation	16% starch granulation	20% starch granulation
100 lbs. or more	$.46	$.52	$.46	$.44	$.41
25 lbs.	.47	.53	.47	.45	.43
5 lbs.	.62	.68	.62	.60	.58
1 lb.	.64	.70	.64	.62	.60

[Maximum price per pound]

Container size	Sold in quantities of less than 25 lbs				
	50 mesh powdered or 20–40 mesh crystals	Any special mixture or formulae	10% starch granulation	16% starch granulation	20% starch granulation
5 lbs. or more	$.70	$.77	$.70	$.68	$.65
1 lb.	.73	.79	.73	.70	.68

(k) *Citric acid*—(1) *Sales by producers and primary distributors*—(i) *Citric acid U. S. P., granular, fine granular, and crystal.* The maximum prices for sales of citric acid U. S. P., granular, fine granular, and crystal, by producers and primary distributors are established as follows:

CITRIC ACID U. S. P., GRANULAR, FINE GRANULAR, AND CRYSTAL—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	Sold in quantities of—					
	Carload or more	10,000 lbs. up to carload	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.20	$.205	$.21			
100 lbs. or 112 lbs.	.21	.21	.215	$.215		
50 lbs.	.22	.22	.22	.225	$.23	
25 lbs.	.23	.23	.23	.235	.24	
5 lbs.	.25	.25	.25	.255	.25	$.29

(ii) *Citric acid U. S. P. powdered.* The maximum prices for sales of citric acid U.S.P., powdered, by producers and primary distributors are established as follows:

CITRIC ACID, U. S. P., POWDERED—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	Sold in quantities of—					
	Carload or more	10,000 lbs. up to carload	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.205	$.21	$.215			
100 lbs.	.215	.215	.22	$.22		
50 lbs.	.225	.225	.225	.23	$.235	
25 lbs.	.235	.235	.235	.24	.245	
5 lbs.	.255	.255	.255	.26	.265	$.30

(iii) *Citric acid anhydrous, granular and fine granular.* The maximum prices for sales of citric acid anhydrous, granular and fine granular, by producers and primary distributors are established as follows:

CITRIC ACID ANHYDROUS, GRANULAR AND FINE GRANULAR—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	Sold in quantities of—					
	Carload and over	10,000 lbs. up to carload	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.225	$.23	$.235			
100 lbs.	.235	.235	.24	$.24		
50 lbs.	.245	.245	.245	.25	$.255	
25 lbs.	.255	.255	.255	.26	.265	
5 lbs.	.275	.275	.275	.28	.285	$.315

(iv) *Citric acid anhydrous, powdered.* The maximum prices for sales of citric acid anhydrous, powdered, by producers and primary distributors are established as follows:

CITRIC ACID ANHYDROUS, POWDERED—PRODUCERS AND PRIMARY DISTRIBUTORS

[Maximum price per pound]

Container size	Sold in quantities of—					
	Carload and over	10,000 lbs up to carload	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.23	$.235	$.24			
100 lbs.	.24	.24	.245	$.245		
50 lbs.	.25	.25	.25	.255	$.26	
25 lbs.	.26	.26	.26	.265	.27	
5 lbs.	.28	.28	.28	.28	.31	$.32

(2) *Sales by resellers*—(i) *Citric acid U.S.P., granular, fine granular, and crystal.* The maximum prices for sales of citric acid U.S.P., granular, fine granular, and crystal, by resellers are established as follows:

CITRIC ACID U. S. P., GRANULAR, FINE GRANULAR, AND CRYSTAL—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—				
	10,000 lbs. and over	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.24	$.24			
100 lbs. or 112 lbs.	.24	.25	$.25		
50 lbs.	.255	.255	.29	$.30	
25 lbs.	.265	.265	.31	.31	
5 lbs.	.29	.29	.33	.36	$.35

(ii) *Citric acid U.S.P. powdered.* The maximum prices for sales of citric acid U.S.P. powdered, by resellers are established as follows:

CITRIC ACID U. S. P. POWDERED—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—				
	10,000 lbs. and over	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.24	$.24			
100 lbs. or 112 lbs.	.24	.25	$.25		
50 lbs.	.255	.255	.29	$.30	
25 lbs.	.265	.265	.31	.31	
5 lbs.	.29	.29	.33	.36	$.35

(iii) *Citric acid anhydrous, granular and fine granular.* The maximum prices for sales of citric acid anhydrous, granular and fine granular, by resellers are established as follows:

CITRIC ACID ANHYDROUS, GRANULAR AND FINE GRANULAR—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—				
	10,000 lbs. and over	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.265	$.27			
100 lbs.	.27	.275	$.31		
50 lbs.	.28	.28	.325	$.33	
25 lbs.	.295	.295	.34	.345	
5 lbs.	.315	.315	.36	.40	$.41

(iv) *Citric acid anhydrous, powdered.* The maximum prices for sales of citric acid anhydrous, powdered, by resellers are established as follows:

CITRIC ACID ANHYDROUS, POWDERED—RESELLERS

[Maximum price per pound]

Container size	Sold in quantities of—				
	10,000 lbs. and over	200 up to 10,000 lbs.	100 up to 200 lbs.	25 up to 100 lbs.	Less than 25 lbs.
200 lbs. or more	$.27	$.275			
100 lbs.	.275	.28	$.32		
50 lbs.	.29	.29	.33	$.34	
25 lbs.	.30	.30	.34	.35	
5 lbs.	.32	.32	.37	.40	$.42

(l) *Ascorbic acid.* (1) *Sales by producers and primary distributors.* The maximum prices for sales of ascorbic acid by producers and primary distributors are established as follows:

ASCORBIC ACID—PRODUCERS AND PRIMARY DISTRIBUTORS

Container size:	Maximum price per ounce
1,000 ounces or more	$1.00
500 ounces	1.01
50 ounces	1.04
25 ounces	1.07
5 ounces	1.12
1 ounce	1.20

(2) *Sales by resellers.* The maximum prices for sales of ascorbic acid by resellers are established as follows:

ASCORBIC ACID—RESELLERS

[Maximum price per ounce]

Container size	Sold in quantities of—	
	25 ounces and over	Less than 25 ounces
1,000 ounces or more	$1.15	
500 ounces	1.16	
50 ounces	1.20	
25 ounces	1.23	
5 ounces	1.29	$1.38
1 ounce	1.38	1.56

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4840; Filed, March 29, 1943; 4:12 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Petroleum Administrative Order 11]

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes.

Pursuant to Conservation Order M-68 as amended January 4, 1943, (§ 1047.1), § 1047.1 (Conservation Order M-68) is renumbered § 1515.6 of this chapter and amended to read as follows:

§ 1515.6 *Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any order issued as a supplement to this order, the provisions of this order shall be applicable to petroleum production operations in the United States, its territories or possessions, but not elsewhere, and to the delivery, acquisition, or use of material for such operations.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Petroleum" means petroleum, petroleum products, and associated hydrocarbons, including but not limited to natural gas, except that natural gas which has entered into gas transmission lines from field gathering lines shall not be so included.

(4) "Production" means any operation directly incident to:

(i) The discovery, development, or depletion of petroleum pools; or

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons.

(5) "Production operation" means any use of material for construction, expansion, improvement, reconstruction, remodeling, alteration, maintenance, repair, or replacement incident to production.

(6) "Maintenance or repair" means (without regard to accounting practice) any use of material in production consisting of any of the following:

(i) The upkeep of material or equipment in a sound working condition; or

(ii) The restoration of material or equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction, failure of parts or similar causes; or

(iii) A capital addition (excluding the installation or replacement of pumping or other artificial lifting equipment and the deepening or plugging back of any well) not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

Provided, That upkeep or restoration shall not include any use of material for the improvement of material or equipment by the replacement of material which is still serviceable in the existing material or equipment.

(7) "Exploratory well" means any well located at least two miles from every drilling or producible well: *Provided*, That exploratory well shall not include any well located in any field or area which at the time of the drilling of such well has been "proven" to be productive only of gas or condensate, or both, by the drilling of wells other than such well.

(8) "Pool" means any underground accumulation of crude petroleum or associated hydrocarbon substances, including but not limited to natural gas, constituting a single and separate reservoir or source of supply within a field, area or horizon, whether or not presently discovered or developed.

(9) "Lease equipment" means fixed or stationary equipment or material for direct or indirect use in production installed on any property located within the productive boundaries of any field including but not limited to oil treating equipment, salt water disposal or injection equipment, fresh water wells and the equipment therefor, or production office or camp facilities located adjacent to any field: *Provided*, That lease equipment shall not include: an oil, gas, or condensate well; well equipment, pumping or artificial lifting facilities, or flow, lead, and gathering lines for such well; cycling plants; pressure maintenance plants; secondary recovery plants; or plants for the extraction or recovery of natural gasoline and associated hydrocarbons or for other treatment or processing of gas.

(10) "Property interest" means any interest of an oil or gas lessee: *Provided*, That where no oil or gas lease exists on any parcel of land, the property interest in such land shall be deemed to be the aggregate of the interests in such land covering the right to drill for and produce petroleum.

(11) "Condensate field" means any field or pool designated as such by Exhibit A of this order, as amended from time to time.

(c) *Restrictions on acquisition and use of material.* Subject to the provisions of paragraph (f) of this order, no person shall accept delivery of, acquire, or use material for a production operation except where:

(1) Such material is to be used for maintenance or repair.

(2) Such material is to be used exclusively for operations directly involved in the search for and discovery of a previously unknown pool by means of geological, geophysical, or geochemical prospecting, or the drilling or completion of any exploratory well.

(3) Such material is to be used to complete any well actually being drilled on March 31, 1943, in conformity with any previously issued Conservation Order M-68 (§ 1047.1), or supplementary order thereto.

(4) Such material is to be used to construct, install, or extend a crude oil gathering line from the first valve on the discharge side of the lease or field shipping tank or battery where petroleum is first gauged to any transportation facility or such material is to be used to construct, install, or extend a field gathering line for the transmission of gas from the well-head connection to the point at which such gas leaves the gathering line: *Provided*, That material shall not be used to construct, install, or extend any such gathering line,

(i) Which duplicates in whole or in part the transportation functions of any existing gathering line or gathering lines; or

(ii) Which has a material cost when completed of more than $2,500.

(5) Such material is to be used for pumping or other artificial lifting equipment to be installed on a well located on any lease or tract on which the number of wells to which pumping or other artificial lifting equipment is attached does not at any time exceed an average of one well to every ten surface acres of the part or parts of such lease or tract which are contained within the productive limits of the field; or such material is to be used for pumping or other artificial lifting equipment to be installed on a well located on any lease or tract of ten acres or less on which no other well is located to which pumping or other artificial lifting equipment is attached and which lease or tract has not been subdivided or rearranged for the purpose of making the provisions hereof available.

(6) Such material is to be used to drill, complete, equip, connect, or provide additions to any oil well in any discovered oil field (other than a condensate field) in which the surface is divided into quarter-quarter sections (north, south, east or west quarter-quarters), on a quarter-quarter section of at least 35 surface acres in conformity with a uniform well-spacing pattern, as defined by paragraph (d) (1) of this order, of not more than one single drilling or producible well to each such quarter-quarter section.

(7) Such material is to be used to drill, complete, equip, connect, or provide additions to any oil well in any discovered oil field (other than a condensate field) in which the surface is not divided into quarter-quarter sections, in conformity with a uniform well-spacing pattern as defined by paragraph (d) (2) of this order, of not more than one single drilling or producible well to each 40 surface acres.

(8) Such material is to be used for lease equipment.

(9) Such material is to be used to plug-back and recomplete any oil well which conforms to all of the provisions of paragraph (c) (6) or (c) (7), whichever is applicable, except the provisions requiring that such well be the only well located upon the drilling unit and that such well be located at least 990 feet from every other drilling or producible well: *Provided*, That such well is not recompleted as a gas or condensate well.

(10) Such material is to be used in conformity with an exception issued under Conservation Order M-68 in response to an application in accordance with any OPC Form PD-214, an order issued as a supplement to this order, or an authorization of the Petroleum Administration for War issued in response to an application filed in accordance with paragraph (g) of this order.

(d) *Determination of uniform well-spacing pattern*—(1) *Quarter - quarter section drill units.* Each oil well located on a drilling unit consisting of a quarter-quarter section of at least 35 surface acres, pursuant to paragraph (c) (6) of this order, shall be drilled in accordance with a uniform well-spacing pattern, only where:

(i) Such well bears the same geographical relationship to the quarter-quarter section on which it is drilled as the first well spudded in the same field subsequent to December 23, 1941, on an approximately square drilling unit (consisting of at least 40 surface acres or a quarter-quarter section of at least 35 surface acres), bears to the drilling unit upon which it is located: *Provided*, That any well located within 100 feet of the point at which an identical geographical relationship would be attained or within 150 feet of the center of a quarter-quarter section shall, subject to paragraphs (d) (1) (iii) to (d) (1) (vii), inclusive, be deemed to conform to a uniform well-spacing pattern; or

(ii) Such well conforms only to paragraphs (d) (1) (iii) to (d) (1) (vii), inclusive, if it is the first well spudded in the field subsequent to December 23, 1941, on an approximately square drilling unit (consisting of at least 40 surface acres or a quarter-quarter section of at least 35 surface acres); and

(iii) All separate property interests in the quarter-quarter section upon which such well is drilled are first consolidated with each other; and

(iv) Such well is the only drilling or producible well located on the quarter-quarter section; and

(v) Such well is drilled at least 990 feet from every other drilling or producible well; and

(vi) Such well is drilled at least 330 feet from every lease line, property line, or subdivision line which separates unconsolidated property interests and from every border of the quarter-quarter section upon which such well is located; and

(vii) Such well is drilled with due diligence to maintain a vertical well-bore.

(2) *Drilling units other than quarter-quarter sections.* Each oil well located on a drilling unit consisting of not less than 40 surface acres, pursuant to paragraph (c) (7) of this order, shall be drilled in accordance with a uniform well-spacing pattern, only where:

(i) The drilling unit upon which such well is drilled consists entirely of acreage which is not attributable to any other oil well located within the same lease or property; and

(ii) All separate property interests in the drilling unit upon which such well is drilled are first consolidated with each other; and

(iii) The direct linear distance between any two points which are farthest removed from each other on the drilling unit upon which such well is drilled does not exceed the length of the diagonal of a rectangle, the length of which is twice its width and which is equivalent in surface acreage to such drilling unit; and

(iv) No portion of the drilling unit attributed to such well falls within 330 feet of any other drilling or producible well located within the same lease or property; and

(v) Such well is drilled at least 990 feet from every other drilling or producible well; and

(vi) Such well is drilled at least 330 feet from every lease line, property line, or subdivision line which separates unconsolidated property interests; and

(vii) Such well is drilled with due diligence to maintain a vertical well-bore.

(e) *Computation of attributable acreage.* (1) The acreage attributable to any well spudded on or before December 23, 1941, shall be determined by assigning to such well an acreage equivalent to that in the existing well density or drilling pattern contiguous to such well.

(2) The acreage attributable to any well spudded subsequent to December 23, 1941, shall be the same as the drilling unit assigned to such well pursuant to Conservation Order M-68, any Supplementary M-68 order, any exception issued pursuant to a determination under Conservation Order M-68, or pursuant to this order, any order issued as a supplement to this order, or any authorization issued in response to an application filed in accordance with paragraph (g) of this order, whichever is applicable.

(f) *Restrictions on installation of pumping or other artificial lifting equipment.* Notwithstanding the provisions of paragraphs (c) (5), (c) (6), (c) (7), and (c) (9), no person shall install pumping or other artificial lifting equipment upon any well prior to the time at which such well ceases to flow naturally or upon any well which will not be produced immediately after the installation of such pumping or other artificial lifting equipment and continuously thereafter to the extent permitted by law: *Provided*, That the provisions of this paragraph shall not apply to the installation of pumping or other artificial lifting equipment upon any well which has ceased to flow naturally at a rate at least equal to its "allowable production."

(g) *Application for exceptions pursuant to paragraph (c) (10).* (1) Applications for exception (authorization to accept delivery of, acquire, or use material for a production operation which does not conform to the provisions of paragraphs (c) (1) to (c) (9), inclusive) shall be made under paragraph (c) (10) of this Order in quadruplicate by letter and shall contain:

(i) The information specified in PAW Form PD-1 for any operation directly incident to the discovery, development or depletion of petroleum pools.

(ii) The information specified in PAW Form PD-2 for any operation incident to the extraction or recovery of natural gasoline or associated hydrocarbons.

(2) Information required for an authorization to accept delivery of, acquire, or use material shall be addressed to:

(i) The Director of Production where a crude oil operation, including pressure maintenance, repressuring, and secondary recovery operations; or

(ii) The Director of Natural Gas and Natural Gasoline where a natural gas, natural gasoline, or condensate operation.

Such information shall, unless otherwise directed, be submitted to the Petroleum Administration for War, Interior Building, Washington, D. C., Ref: PAO 11.

(h) *Revocation of Supplementary M-68 orders.* Supplementary Order No. M-68-1 (§ 1047.6), Supplementary Order No. M-68-2 (§ 1047.7), Supplementary Order No. M-68-4 (§ 1047.9), Supplementary Order No. M-68-6 (§ 1047.11), Petroleum Administrative Order No. 2 (§ 1515.1), and Petroleum Administrative Order No. 6 (§ 1515.2), as such orders may have been amended from time to time are hereby revoked except with respect to wells the actual physical drilling of which was either commenced or concluded pursuant to any such order on or prior to March 31, 1943, or except with respect to natural gasoline extraction plants the construction, expansion, improvement, reconstruction, remodeling, or alteration of which was either commenced or concluded pursuant to any such order on or prior to March 31, 1943. This action shall not be construed to relieve any person of the necessity of complying with any such order as to any well purportedly spudded under such order on or prior to March 31, 1943, or to affect any liabilities or penalties incurred thereunder, or to affect the status of any administrative process, any prosecution or the application of any penalty in connection with any such liabilities.

(i) *Directions.* The Petroleum Administration for War may, from time to time, issue directions with respect to the delivery, acquisition, or use of material for production purposes.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(k) This order shall be effective on and after March 31, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A—CONDENSATE FIELDS

The following fields are hereby declared to be condensate fields for the purposes of this order: *Provided*, That where the name of a field is succeeded by the names of one or more pools or geological formations in parentheses only the pools or formations so designated shall be deemed to be a condensate field:

EAST CENTRAL TEXAS

Field	County
Barron	Limestone.
Bethany	Panola.
Carthage	Panola.
Cayuga	Anderson, Henderson, Freestone.
Chapel Hill	Smith.
Grapeland	Houston.
Hawkins (Sub-Clarksville)	Wood.
Long Lake	Anderson, Freestone, Leon.
Opelika	Henderson.
Rodessa (Hill Sand)	Cass and Marion.
Tri-Cities	Henderson.
Willow Springs	Gregg.

well has attributed to it a drilling unit

as amended by Pub. Laws 89 and 507,

material to drill, complete or provide

EXHIBIT A—CONDENSATE FIELDS—Con.

TEXAS UPPER GULF COAST

Field	County
Aldine	Harris.
Alief	Harris.
Angleton	Brazoria.
Bammel	Harris.
Blessing	Matagorda.
Buckeye	Colorado.
Buttermilk Slough	Matagorda.
Chocolate Bayou	Brazoria.
Dickinson-Gillock	Galveston.
Eureka Heights (Deep)	Harris.
Francitas	Jackson.
Joyce Richardson	Harris.
Hamman	Matagorda.
Katy	Waller.
Lake Creek	Montgomery.
Lissie	Wharton.
Newkirk	Fort Bend.
North Houston	Harris.
Old Ocean	Brazoria.
Orange Hill	Austin.
Palacios	Matagorda.
Pledger	Brazoria.
Port Lavaca	Calhoun.
Provident City	Lavaca.
Red Fish Reef	Chambers.
Rosenberg	Fort Bend.
Rosslyn	Harris.
Shepherd	San Jacinto.
Sheridan	Colorado.
South Anahuac	Chambers.
Texana	Jackson.
Yoens	Lavaca.
West Aldine	Harris.
Willow Slough	Chambers.

SOUTH TEXAS

Agua Dulce	Nueces.
Alice	Jim Wells.
Banquette	Nueces.
Ben Bolt	Jim Wells.
Bluntzer	Jim Wells.
Carolina—Texas	Webb.
Calena Creek	Calhoun.
East Plymouth	San Patricio.
La Blanca	Hidalgo.
La Gloria	Jim Wells, Brooks.
La Rosa	Refugio.
La Reforma	Starr.
McAllen	Hidalgo.
McTeon	Webb.
Mercedes	Hidalgo.
North Sweden (Hiawatha)	Duval.
sand in east flank of pool, only	
Northcutt	DeWitt.
Quinta Creek	Jim Wells.
Saint Charles	Aransas.
Sarita	Jim Wells.
San Salvador	Hidalgo.
South	Duval.
Shield	Nueces.
Tordillo	San Patricio.
Stratton	Nueces, Jim Wells, Kleberg.
Tijuana, West	Bee.
Weesatche	Hidalgo.
Yorktown	DeWitt.

SOUTH LOUISIANA

Abbeville	Vermilion.
Bayou Isaac	St. Mary.
Bayou Sale	Acadia.
Belle Isle	St. Mary.
Creole	Jefferson Davis.
Deer Island	Terrebonne.
Delacroix	Terrebonne.
Delta Farms	Plaquemines, Jefferson.
Erath	Vermilion.
Gibson	Terrebonne.
Hackberry	St. Landry.
Iota	Jefferson Davis.
Jennings	Jefferson Davis.
Lake Arthur	St. Mary.
Lake Charles	Calcasieu.
Lake Pelto	Plaquemines.
Lake Washington	St. Bernard.
Lirette	Terrebonne.
Live Oak Ridge	Calcasieu.
Mermentau	Acadia.
North Lake Arthur	Vermilion.
North Lirette	Terrebonne.
Pecan Island	Vermilion.
Pepper Lake	Calcasieu.
Point au Fer	Terrebonne.
Smith Bayou	Jefferson Davis.
South Lirette	Jefferson Davis.
Thornwell	Jefferson Davis.
Tokio-Bell Point	Orleans.
West Cameron	Vermilion.
West Mermentau	Jefferson Davis.

EXHIBIT A—CONDENSATE FIELDS—Con.

NORTH LOUISIANA

Field	County
Athens	Claiborne.
Bear Creek	Bienville.
Beekman	Morehouse.
Calvin	Winn.
Cotton Valley	Webster.
Lisbon	Claiborne.
Rodessa (Hill Sand)	Caddo.
Sibley	Webster.
Sligo	Bossier.
Sugar Creek	Claiborne.

ARKANSAS

Big Creek	Columbia.
Dorcheat	Columbia.
Macedonia	Columbia.
McKamie	Lafayette.
Texarkana	Miller.

CALIFORNIA

Helm	Fresno.
Paloma	Kern.

[F. R. Doc. 43-4863; Filed, March 30, 1943; 11:00 a. m.]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Supplementary Order 1 to Petroleum Administrative Order 11]

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

§ 1515.7 *Supplementary Order No. 1 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11 or by the provisions of any authorization issued pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, the provisions of this order shall, to the extent provided herein, be applicable to natural gas production operations in the Appalachian Region, southeastern Kansas, northeastern Oklahoma, and all of the State of Missouri, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11 shall apply in this order. In addition:

(1) "Area One" means the area and formations specified in paragraph (a) of Exhibit A hereof.

(2) "Area Two" means the area and formations specified in paragraph (b) of Exhibit A hereof.

(c) *Gas wells drilled in Area One.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material for a natural gas production operation in Area One: *Provided*, That:

(1) Such material is used to drill, complete, equip, connect, or provide additions to any gas well in any gas field in conformity with a uniform well-spacing pattern, as defined by paragraph (d) of this order, of not more than one single drilling or producible gas well to each 160 surface acres.

(2) Such material is used to plug-back, deepen, recondition, recomplete, rework, or treat a gas well only within that pool from which such well is producing or last produced, for the purpose of maintaining or increasing the productivity of such well.

(3) Such material is used to plug-back or deepen from one pool to another, recondition, rework, treat, equip, connect, or provide additions to any gas well spudded in Area One on or before December 23, 1941, where such well has attributed to it a drilling unit of at least 160 surface acres, no part of which is attributable to any other gas well.

(d) *Determination of uniform well-spacing pattern in Area One.* Each gas well located in Area One on a drilling unit consisting of not less than 160 surface acres shall be drilled pursuant to paragraph (c) (1) of this order in accordance with a uniform well-spacing pattern, only where:

(1) The drilling unit upon which such well is drilled consists entirely of acreage which is not attributable to any other gas well located on the same lease or property; and

(2) No other drilling or producible gas well is drilled or located on such drilling unit; and

(3) All separate property interests in the drilling unit upon which such well is drilled are first consolidated with each other; and

(4) No portion of the drilling unit attributed to such well falls within 660 feet of any other drilling or producible well located within the same lease or property; and

(5) Such well is drilled at least 1,930 feet from every other drilling or producible gas well spudded subsequent to December 23, 1941, at least 890 feet from every other drilling or producible gas well spudded on or before December 23, 1941, and at least 990 feet from every drilling or producible oil well; and

(6) Such well is drilled at least 660 feet from every lease line, property line, or subdivision line which separates any unconsolidated property interests; and

(7) Such well is drilled with due diligence to maintain a vertical well-bore.

(e) *Gas well drilled in Area Two.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11 any person may accept delivery of, acquire, or use material for a natural gas production operation in Area Two: *Provided*, That:

(1) Such material is used to drill, complete, equip, connect, or provide additions to any gas well in any gas field in conformity with a uniform well-spacing pattern, as defined by paragraph (f) of this order, of not more than one single drilling or producible gas well to each 40 surface acres.

(2) Such material is used to plug-back, deepen, recondition, recomplete, rework, or treat a gas well only within that pool from which such well is producing or last produced, for the purpose of maintaining or increasing the productivity of such well.

(3) Such material is used to plug-back or deepen from one pool to another, recondition, recomplete, rework, treat, equip, connect, or provide additions to any gas well spudded in Area Two on or before December 23, 1941, where such well has attributed to it a drilling unit of at least 40 surface acres, no part of which is attributable to any other gas well.

(f) *Determination of uniform well-spacing pattern in Area Two.* Each gas well located in Area Two on a drilling unit consisting of not less than 40 surface acres shall be drilled pursuant to paragraph (c) (1) of this Order in accordance with a uniform well-spacing pattern, only where:

(1) The drilling unit upon which such well is drilled consists entirely of acreage which is not attributable to any other gas well located on the same lease or property; and

(2) No other drilling or producible gas well is drilled or located on such drilling unit; and

(3) All separate property interests in the drilling unit upon which such well is drilled are first consolidated with each other; and

(4) No portion of the drilling unit attributed to such well falls within 660 feet of any other drilling or producible well located within the same lease or property; and

(5) Such well is drilled at least 990 feet from every other drilling or producible gas well spudded subsequent to December 23, 1941, at least 990 feet from every other drilling or producible gas well spudded on or before December 23, 1941, and at least 990 feet from every drilling or producible oil well; and

(6) Such well is drilled at least 330 feet from every lease line, property line, or subdivision line which separates any unconsolidated property interests; and

(7) Such well is drilled with due diligence to maintain a vertical well-bore.

(g) *Computation of attributable acreage.* (1) The acreage attributable to any well spudded on or before December 23, 1941, shall be determined by assigning to such well an acreage equivalent to that in the existing well density or drilling pattern contiguous to such well.

(2) The acreage attributable to any well spudded subsequent to December 23, 1941, shall be the same as the drilling unit assigned to such well pursuant to Conservation Order M-68, any Supplementary M-68 Order, any exception issued pursuant to a determination under Conservation Order M-68, or pursuant to Petroleum Administrative Order No. 11, or any exception or supplementary order thereto.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(i) This order shall be effective on and after March 31, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A

(a) Area One includes only the Onandaga Limestone, Oriskany Sandstone and Devonian Shale horizons in the States of Kentucky, New York, Ohio, Pennsylvania, and West Virginia.

(b) Area Two includes:

(i) Any horizons other than the Onandago Limestone, Oriskany Sandstone, and Devonian Shale horizons in the States of Kentucky, New York, Ohio, Pennsylvania, and West Virginia; and

(ii) Any horizon in the State of Missouri, that portion of the State of Kansas which lies east of Range Two (2) east of the Sixth Principal Meridian, and that portion of the State of Oklahoma included in the counties of Adair, Cherokee, Craig, Creek, Delaware, Mayes, Muskogee, Nowata, Okmulgee, Osage, Ottawa, Pawnee, Rogers, Sequoyah, Tulsa, Wagoner and Washington.

[F. R. Doc. 43-4864; Filed, March 30, 1943; 11:00 a. m.]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Supplementary Order 2 to Petroleum Administrative Order 11]

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

§ 1515.8 *Supplementary Order No. 2 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11 or by the provisions of any authorization issued pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, the provisions of this order shall, to the extent provided herein, be applicable to secondary recovery operations in the discovered oil fields of the States of New York and Pennsylvania and to the drilling, completing or providing of additions to oil wells in the discovered oil fields of the States of New York, Pennsylvania, and West Virginia, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11 shall be applicable in this order.

(c) *Secondary recovery operations in New York and Pennsylvania.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material for secondary recovery operations by means of artificial water drive, gas drive, or air drive, in the discovered oil fields of Allegany and Cattaraugus Counties, New York, and McKean, Warren, Crawford, Forest, and Venango Counties, Pennsylvania.

(d) *Oil well drilling in New York, Pennsylvania, and West Virginia.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire or use material to drill, complete or provide additions to any oil well in any discovered oil field in the States of New York, Pennsylvania, and West Virginia: *Provided*, That:

(1) As to any such oil well which is drilled or completed at a depth of not more than 1,000 feet:

(i) The drilling unit upon which such well is drilled consists of at least 5 surface acres upon which no other drilling or producible well is located;

(ii) All separate property interests in the drilling unit upon which such well is drilled are first consolidated with each other;

(iii) Such well is drilled at least 400 feet from every other drilling or producible oil well;

(iv) Such well is drilled at least 200 feet from every lease line, property line or subdivision line which separates any unconsolidated property interest.

(2) As to any such oil well which is drilled or completed at a depth of more than 1,000 feet and not more than 2,500 feet:

(i) The drilling unit upon which such well is drilled consists of at least 10 surface acres upon which no other drilling or producible well is located;

(ii) All separate property interests in the drilling unit upon which such well is drilled are first consolidated with each other;

(iii) Such well is drilled at least 500 feet from every other drilling or producible oil well;

(iv) Such well is drilled at least 300 feet from every lease line, property line or subdivision line which separates any unconsolidated property interest.

(3) As to any such oil well which is drilled or completed at a depth of more than 2500 feet:

(i) The drilling unit upon which such well is drilled consists of at least 20 surface acres upon which no other drilling or producible well is located;

(ii) All separate property interests in the drilling unit upon which such well is drilled are first consolidated with each other;

(iii) Such well is drilled at least 660 feet from every other drilling or producible oil well;

(iv) Such well is drilled at least 330 feet from every lease line, property line or subdivision line which separates any unconsolidated property interest.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who willfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) This order shall be effective on and after March 31, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-4865; Filed, March 30, 1943; 11:00 a. m.]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Supplementary Order 3 to Petroleum Administrative Order 11]

GENERAL EXCEPTION PURSUANT TO PARAGRAPH (C) (9) OF PETROLEUM ADMINISTRATIVE ORDER NO. 11

§ 1515.9 *Supplementary Order No. 3 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11 or by the provisions of any authorization issued pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, the provisions of this order shall, to the extent provided herein, be applicable to "plug-back" operations in the Smackover Field Ouachita and Union Counties, Arkansas, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11 shall apply in this order.

(c) *Wells located in the Smackover Field, Ouachita and Union Counties, Arkansas.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material to plug-back any well located in the Smackover Field of Ouachita and Union Counties, Arkansas, from the formation or formations from which such well is producing to any shallower formation or formations and to recomplete such well in such shallower formation or formations.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this Order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(e) This order shall be effective on and after March 31, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-4866; Filed, March 30, 1943; 11:00 a. m.]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Supplementary Order 4 to Petroleum Administrative Order 11]

General Exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes.

§ 1515.10 *Supplementary Order No. 4 to Petroleum Administrative Order No. 11.* Pursuant to Conservation Order M-68 as amended January 4, 1943 (§ 1047.1), . § 1047.8 (Supplementary Order M-68-3) is renumbered § 1515.10 of this chapter and is reissued effective March 31, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-4867; Filed, March 30, 1943; 11:00 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Tariff Circular MF 2, Supplement 8]

PART 187—FREIGHT RATE TARIFFS, SCHEDULES AND CLASSIFICATIONS

ORDER MODIFYING CONTRACT CARRIER SCHEDULES

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 18th day of March, A. D. 1943.

In the matter of regulations governing the form, publication and inspection of schedules of contract carriers of property by motor vehicle.

The matter of regulations governing the form, publication and inspection of schedules of contract carriers of property by motor vehicle, filed pursuant to section 218 of the Interstate Commerce Act, being under consideration and good cause appearing therefor:

It is ordered, That schedules of contract carriers of property by motor vehicle, filed pursuant to section 218 of said act, shall be constructed, published, filed and kept open for public inspection in accordance with regulations heretofore adopted and promulgated in Tariff Circular MF No. 2, and Supplement No. 1 thereto (§§ 187.7 to 187.11, inclusive, of Title 49; Code of Federal Regulations), and as modified and supplemented by Supplement No. 3 to said Tariff Circular MF No. 2;

It is further ordered, That the said Supplement No. 3 to said Tariff Circular MF No. 2, be, and it is hereby approved and made effective May 1, 1943.

Sections 187.7 and 187.8 [section 2 of Tariff Circular MF No. 2] are amended as follows:

1. Cancel paragraph (a) of § 187.7 [Rule 7] and substitute:

§ 187.7 *Publication, filing, and posting of schedules.*—(a) *Schedules must be filed by contract carriers.* (1) Contract carriers shall file schedules which conform to these regulations unless otherwise authorized by the Commission.

(2) The Commission may, for reasons deemed sufficient, direct at any time the reissue of any schedule.

2. Cancel paragraph (d) of § 187.7 [Rule 7], and substitute:

(d) *Number of copies filed; letters of transmittal.* (1) Issuing carriers shall file with the Commission three copies of each schedule supplement to, or revised page of, a schedule.

(2) All copies, together with copies of actual contracts, proposed contracts, or amendments to contracts which it is necessary to file with a schedule, supplement, or revised page of a schedule to comply with § 187.8 (r) hereof, shall be included in one package accompanied by a letter of transmittal (in duplicate if a receipt is desired) listing the publications and copies of actual or proposed contracts or amendment to contracts enclosed therewith.

(3) Each transmittal letter must bear the signature of the person issuing the schedule, supplement or revised page; or it may bear the personal signature of the carrier's authorized representative: *provided*, That a properly attested authorization to submit publications for filing by such party accompanies the transmittal letter or has previously been submitted and is in effect. The Commission may decline to accept for filing any publication which is not accompanied by a transmittal letter properly signed.

(4) The package and letter of transmittal shall be addressed to the Interstate Commerce Commission, Bureau of Motor Carriers, Section of Traffic, Washington, D. C. All postage or other charges must be prepaid.

3. Cancel paragraph (p) of § 187.8 [Rule 8], and substitute:

§ 187.8 *Form and contents of schedules.* * * *

(p) *Tables of minimum rates or charges.* (1) The tables of minimum rates or charges shall be shown immediately following the rules, and shall state minimum rates or charges actually maintained and charged.

(2) The commodities on which the rates or charges apply shall be shown on the same page on which the rates or charges are published or there shall be shown on such pages a statement of the page or item containing a list of such commodities.

(3) Minimum rates or charges shall be published only on such commodities and from and to such points and for such services as are stated in actual contracts.

(4) Tables of minimum rates or charges shall be arranged alphabetically by points of origin and destination, except that, if it is desired to group points by states, they may be arranged in alphabetical order by states, the points in each state also being shown in alphabetical order.

(5) The minimum rates or charges shall be stated in cents, or dollars and cents per 100 pounds, per mile, per hour, per ton of 2,000 pounds, per ton of 2,240 pounds, per truckload (of stated amount), or other definable measure.

4. Add the following paragraph (r) to § 187.8 [Rule 8]:

(r) *Schedules covering new services.* (1) Each schedule or supplement to, or revised page of a schedule submitted for filing, which states minimum rates or charges for services not provided for in the carrier's effective schedule or schedules on file with the Commission, shall be accompanied by a true copy of the actual contract or proposed contract, or amendment to an existing contract between the carrier and the shipper for whom such services are to be performed.

(2) The actual or proposed contract or amendment to a contract, filed in accordance with the provisions of this paragraph, shall show the actual rates and charges for the services to be performed thereunder.

(3) The provisions of §§ 187.8 (p) and 187.8 (r) do not apply to the filing of contracts for the transportation of bullion, currency, jewels and other precious or very valuable articles. Copies of such contracts are not required to be filed with the Commission.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-4808; Filed, March 29, 1943; 11:17 a. m.]

Notices

WAR DEPARTMENT.

[Civilian Restrictive Order 29]

COW CREEK WAR RELOCATION PROJECT AREA

ORDER OF RESCISSION

MARCH 19, 1943.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, by Civilian Restrictive Order No. 28, this headquarters, dated January 28, 1943 (8 F.R. 1598), the boundaries of Cow Creek War Relocation Project Area were designated and particularly described, and

Whereas, Cow Creek War Relocation Project Area is no longer in use as a War Relocation Project;

Now, therefore, I, J. L. DeWitt, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare that:

1. Civilian Restrictive Order No. 28, this headquarters, is hereby rescinded.

2. Nothing herein contained shall operate to affect any offense committed or any penalty incurred because of violations of the previous Public Proclamations or Civilian Restrictive Orders heretofore issued by this headquarters.

J. L. DEWITT,
Lieutenant General, U. S. Army, Commanding.

[F. R. Doc. 43-4853; Filed, March 30, 1943; 9:37 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-310]

SOUTHWESTERN ILLINOIS COAL CORPORATION

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated August 5, 1942, having been filed herein on August 7, 1942, by Bituminous Coal Producers Board for District No. 10, complainant, pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violations by Southwestern Illinois Coal Corporation, a corporation, 1317 Fletcher Trust Building, Indianapolis, Indiana, of the Act, the Bituminous Coal Code (the "Code") and rules and regulations promulgated thereunder; and

An order having been issued herein on February 27, 1943 revoking and cancelling the code membership of said Southwestern Illinois Coal Corporation in the Code and providing, pursuant to section 5 (c) of the Act, for the payment to the United States of a tax in the amount of $829.37 as a condition precedent to the restoration of Southwestern Illinois Coal Corporation to membership in the Code; and

Southwestern Illinois Coal Corporation having filed with the Bituminous Coal Division (the "Division") on March 19, 1943, its application for restoration to code membership; and

It appearing from said application and other information in the possession of the Division that said Southwestern Illinois Coal Corporation paid to the Deputy Collector of Internal Revenue at Indianapolis, Indiana, on March 14, 1943, the sum of $829.37 as required by the Order issued herein on February 27, 1943, as a condition precedent to the restoration of its code membership;

Now, therefore, it is ordered, That the said application filed with the Division on March 19, 1943, by Southwestern Illinois Coal Corporation for restoration of its code membership be, and the same hereby is, granted.

It is further ordered, That said restoration of the code membership of Southwestern Illinois Coal Corporation be, and the same hereby is, effective as of 12:01 a. m., on March 25, 1943.

Dated: March 29, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4861; Filed, March 30, 1943; 11:02 a. m.]

[Docket No. B-360]

PROVIDENCE COAL MINING COMPANY

NOTICE OF FILING OF APPLICATION, ETC.

Notice of filing of application as amended for disposition of compliance proceeding without formal hearing pursuant to § 301.132 of the rules of practice and procedure before the Bituminous Coal Division.

Notice is hereby given that an application dated February 18, 1943, for disposition of the above entitled matter without formal hearing was filed with the Bituminous Coal Division (the "Division") on February 22, 1943, pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division by Providence Coal Mining Company, the above named code member (the "code member") which application was denied by letter dated March 4, 1943. Pursuant to permission granted by the Division the code member on March 12, 1943, filed with the Division a supplemental application dated March 10, 1943, amending the aforesaid application.

The application as amended was filed with respect to a written complaint dated October 8, 1942, filed with the Division on October 12, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") by the Bituminous Coal Producers Board for District No. 9, complainant, alleging that the said code member had violated the Act, the Bituminous Coal Code (the "Code") and rules and regulations issued thereunder, as more fully described in said complaint.

In said application as amended, the code member:

1. Admits that it is a code member operating the Providence No. 3 Mine, Mine Index No. 65, located in Webster County, Kentucky in District No. 9.

2. Admits that it wilfully violated section 4 II (e) of the Act and Part II (e) of the Code by selling during the period October 22, 1940 to April 9, 1941, inclusive, through the Kirkpatrick Coal Company, a registered distributor, Memphis, Tennessee, agent of the Kentucky Coal Agency, Madisonville, Kentucky and subagent of the Code Member, for rail shipment to various purchasers a total of 143.27 tons of various sizes of coal produced by the Code Member at prices ranging from 5 cents to 15 cents per ton below the effective minimum prices established for said coal by the Division.

3. Admits that it wilfully violated section 4 II (e) of the Act and Part II (e) of the Code by selling during the period October 26, 1940 to April 2, 1941, inclusive, for rail shipment to various purchasers a total of 771.97 tons of various sizes of coal to various purchasers at prices ranging from 10 cents to 25 cents

below the effective minimum prices established for said coal by the Division.

4. Consents to the issuance of an order directing it to cease and desist from further violations of the Act, the Code and regulations thereunder and to the entry of an order revoking and cancelling its code membership upon the basis of the foregoing admitted violations.

5. Agrees that it will pay a tax upon the basis of the foregoing admitted violations in the amount of $653.17 as a condition precedent to the restoration of its code membership.

6. Represents that, to the best of its knowledge and belief it has not committed any violations of the Act, the Code or rules and regulations thereunder other than the foregoing admitted violations and further represents that in the process of abandonment of the mine the coal referred to in paragraphs 1 and 2 hereof was coal obtained from pillars standing in the aforesaid mine for a period of years and that the said coal was of inferior quality and grade, and difficult to sell in the open market.

7. Agrees to execute any and all instruments necessary to dispose of this proceeding in the event that the application, as amended, is granted.

All interested parties may, if they desire to do so, file with the Division recommendations or requests for informal conferences with respect to said application as amended, within fifteen (15) days from the date of publication of this notice.

Dated: March 29, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4862; Filed, March 30, 1943; 11:02 a. m.]

Bureau of Reclamation.

SAN LUIS VALLEY PROJECT, COLORADO

FIRST FORM RECLAMATION WITHDRAWAL

FEBRUARY, 26, 1943.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), and that departmental order of November 25, 1941, establishing Colorado Grazing District No. 8 be modified and made subject to the withdrawal effected by this order.

SAN LUIS VALLEY PROJECT, COLORADO

NEW MEXICO PRINCIPAL MERIDIAN

Mogote Reservoir Site

Township 33 North, Range 8 East:
Section 5—All;
Section 8—All;
Section 11—NW¼;
Township 34 North, Range 8 East:
Section 33—All;
Section 34—All.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: March 23, 1943.

ARCHIE D. RYAN,
Acting Director of the Grazing Service.

I concur: March 11, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

MARCH 24, 1943.

[F. R. Doc. 43-4882; Filed, March 30, 1943; 11:49 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

LUGGAGE, LEATHER GOODS, BELTS AND WOMEN'S HANDBAG INDUSTRY

DETERMINATION OF PREVAILING MINIMUM WAGE

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), entitled "an Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On November 12, 1942, the Deputy Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor issued a Notice of Opportunity to Show Cause on or before December 3, 1942, why I should not make a determination that the prevailing minimum wage for persons employed in the Luggage, Leather Goods, Belts, and Women's Handbag Industry is not less than 40 cents an hour or $16 per week of 40 hours, provided that apprentices and learners may be employed in accordance with the applicable regulations under the Fair Labor Standards Act, and defining the Luggage, Leather Goods, Belts, and Women's Handbag Industry as follows:

(a) The manufacture from any material of luggage including, but not by way of limitation, trunks, suitcases, traveling bags, brief cases, sample cases; the manufacture of instrument cases covered with leather, imitation leather, or fabric including, but not by way of limitation, portable radio cases; the manufacture of small leather goods and like articles from any material except metal; the manufacture of women's, misses', and children's handbags, pocketbooks, purses, and mesh bags from any material except metal; but not the manufacture of bodies, panels, and frames from metal, wood, fiber, or paper board for any of the above articles.

(b) The manufacture from leather, imitation leather, or fabric of cut stock and parts for any of the articles covered in paragraph (a) of this section.

(c) The manufacture of men's, boys', women's, misses', and children's separate belts from leather, imitation leather, or other material or fabric.

The notice sets forth that: (1) The prevailing minimum wage determination for the Luggage and Saddlery Industries, issued by the Acting Secretary of Labor on July 12, 1938, as amended on September 26, 1939, provides that the prevailing minimum wage for the employees engaged in the performance of Government contracts, subject to the Walsh-Healey Public Contracts Act, for the manufacture or supply of luggage, including mail satchels or pouches, and carrier's tie straps and leather pouches (consisting of a leather pouch or pocket of holster type with belt loop used for carrying pliers and knife), is 40 cents an hour for the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, Washington, Oregon, California, Idaho, Nevada, Arizona, Montana, Wyoming, Utah, Colorado, and New Mexico, and 37½ cents for the other 26 States and the District of Columbia; (2) on July 1, 1942, the Administrator of the Wage and Hour Division issued, pursuant to the Fair Labor Standards Act of 1938, a wage order for the Luggage, Leather Goods and Women's Handbag Industry effective July 27, 1942, establishing a minimum wage of 40 cents an hour for that industry under the Fair Labor Standards Act; (3) the definition of the Luggage, Leather Goods, and Women's Handbag Industry, contained in the Wage Order of the Administrator, includes within its scope substantially all the products covered by my Luggage and Saddlery Prevailing Minimum Wage Determination, and it appears desirable, for the purpose of coordinating the administration of the Fair Labor Standards Act and the Public Contracts Act, to adopt the definition contained in the Luggage, Leather Goods, and Women's Handbag Industry Wage Order for the purposes of this wage determination; (4) it is desirable to extend the proposed wage determination to articles which are subject to the wage order of the Administrator of the Wage and Hour Division for the Belts Division of the Apparel Industry, effective July 15, 1940; (5) substantially all employees subject to the proposed wage determination for the Luggage, Leather Goods, Belts, and Women's Handbag Industry are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and, consequently, the aforementioned wage orders of the Administrator have the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the Luggage, Leather Goods, Belts, and Women's Handbag Industry as defined in the proposed wage determination; (6) it appears desirable, for the purpose of coordinating the administration of the Fair Labor Standards Act and the Public Contracts Act, to provide that apprentices and learners may be employed under the proposed determination at subminimum wage rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division.

This notice was sent to members of the industry, to trade unions, to trade associations, and publications, and was duly published in the FEDERAL REGISTER (7 F.R. 9440). No objections, protests, or any statements in opposition to the proposed amendments have been received.

On December 16, 1942, the Administrator of the Wage and Hour Division issued a notice denying the applications of the National Authority for the Ladies' Handbag Industry, and sundry other parties, to employ learners at subminimum wages in the Luggage, Leather Goods, and Women's Handbag Industry, and stating that there is no need at this time for the issuance of regulations providing for the employment of learners at subminimum wage rates in the Luggage, Leather Goods, and Women's Handbag Industry. This notice was predicated on a recommendation of the Presiding Officer, duly designated to conduct a hearing in that matter, that it is not necessary in order to prevent curtailment of opportunities for employment to provide for the employment of learners at subminimum wages in any occupation in any branch of the Luggage, Leather Goods, and Women's Handbag Industry. Consequently, it is no longer necessary that I provide that learners may be employed in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division in the performance of Government contracts for the manufacture or supply of the articles covered in paragraphs (a) and (b) of the definition of the Luggage, Leather Goods, Belts, and Women's Handbag Industry.

Upon consideration of all the facts and circumstances, I hereby determine that:

(1) The Luggage, Leather Goods, Belts, and Women's Handbag Industry is defined for the purpose of this determination as follows:

(a) The manufacture from any material of luggage including, but not by way of limitation, trunks, suitcases, traveling bags, brief cases, sample cases; the manufacture of instrument cases covered with leather, imitation leather, or fabric including, but not by way of limitation, portable radio cases; the manufacture of small leather goods and like articles from any material except metal; the manufacture of women's, misses', and children's handbags, pocketbooks, purses, and mesh bags from any material except metal; but not the manufacture of bodies, panels, and frames from metal, wood, fiber, or paper board for any of the above articles.

(b) The manufacture from leather, imitation leather, or fabric of cut stock and parts for any of the articles covered in paragraph (a) of this section.

(c) The manufacture of men's, boys', women's, misses', and children's separate belts from leather, imitation leather, or other material or fabric.

(2) The prevailing minimum wage for persons employed in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35) for the manufacture or furnishing of the products of the Luggage, Leather Goods, Belts, and Women's Handbag Industry is not less than 40 cents an hour or $16 per week of 40 hours, arrived at either upon a time or piece work basis; provided that apprentices may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act, which I hereby adopt for the purposes of this determination; and provided further that learners may be employed at subminimum rates in the performance of contracts for the manufacture or furnishing of articles covered by paragraph (c) of the definition of this industry in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act, which I hereby adopt for the purposes of this determination.

This determination shall be effective and the minimum wage hereby established shall apply to all contracts subject to the Public Contracts Acts, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after April 20, 1943.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under the Fair Labor Standards Act of 1938, or any wage order thereunder, or under any other law or agreement more favorable to employees than the requirements of this determination.

Dated: March 30, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-4884; Filed, March 30, 1943; 11:53 a. m.]

KNITTING, KNITWEAR AND WOVEN UNDERWEAR INDUSTRY

DETERMINATION OF PREVAILING MINIMUM WAGE

This matter is before me pursuant to section 1(b) of the Act of June 30, 1936 (49 Stat. 2036, 41 U.S.C. Supp. III 35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On July 8, 1942, the Assistant Administrator of the Public Contracts Division of the Department of Labor issued Notice of Opportunity to Show Cause on or before July 29, 1942, why I should not make a determination that the prevailing minimum wage for persons employed in the Knitting, Knitwear, and Woven Underwear Industry is 40 cents an hour or $16 for a week of 40 hours, *Provided*, That learners and handicapped workers may be employed in accordance with the applicable regulations under the Fair Labor Standards Act, and defining the Knitting, Knitwear, and Woven Underwear Industry as follows:

(a) The manufacturing, dyeing, or other finishing of any knitted fabric made from any yarn or mixture of yarns, and the manufacturing of knitted towels and cloths;

(b) The knitting from yarn or manufacturing from purchased knitted fabric of all knitted garments, sections of garments, or garment accessories except gloves, mittens, hosiery, and men's and boys' suits, overcoats, topcoats, tailored uniforms and men's summer wash suits;

(c) The manufacturing of underwear from any woven fabric.

The notice sets forth that: (1) On February 3, 1942, I issued a determination that the prevailing minimum wage for employees engaged in the performance of Government contracts, subject to the Walsh-Healey Public Contracts Act, in the Knitted and Men's Woven Underwear and Commercial Knitting Industry is 40 cents an hour or $16 for a week of 40 hours; (2) it appears desirable to extend the Knitted and Men's Woven Underwear and Commercial Knitting Industry determination to certain related products such as knitted outerwear, and to change the title of the determination to conform to the new definition; (3) substantially every article included in the Knitting, Knitwear, and Woven Underwear Industry, as defined for the purposes of the proposed wage determination, is covered by one of enumerated wage orders of the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938, established a minimum wage of 40 cents an hour; (4) substantially all employees subject to the proposed wage determination are engaged in commerce or in the production of goods for commerce and consequently the aforementioned wage orders of the Administrator of the Wage and Hour Division have the effect of establishing a minimum wage of not less than 40 cents an hour in the Knitting, Knitwear, and Woven Underwear Industry as defined for the purposes of the proposed determination.

This notice was sent to members of the industry, trade unions, trade associations, and publications, and was duly published in the FEDERAL REGISTER (7 F.R. 5285). Statements in opposition to the proposed amendments have been received from four trade associations and one trade union. Statements have also been received in support of the proposed amendments.

The International Ladies' Garment Workers' Union objected to the proposed rate. Since the primary purpose of this proceeding is to coordinate the applicable minimum wages under the Fair Labor Standards Act and the Public Contracts Act and the evidence submitted

seems only to support such action, I am unable to allow this objection.

The four trade associations objected solely to the proposed definition of the

made from any yarn or mixture of yarns, and the manufacturing of knitted towels and cloths;

(b) The knitting from yarn or manu-

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surance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest,

sioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational ex-

3. The carrier shall forthwith file with the Public Utility Commission of the District of Columbia, a copy of this order.

64 shall apply to terms used herein.

This Order No. 77 shall become effective on the 30th day of March 1943.

Issued this 29th day of March 1943.

seems only to support such action, I am unable to allow this objection.

The four trade associations objected solely to the proposed definition of the industry upon the ground that there was a departure from traditional trade boundary lines. The proposed definition is designed primarily for the convenience of the purchasing officers of contracting agencies and in no way affects industry lines as drawn under the Fair Labor Standards Act or for any purpose other than the administration of the Walsh-Healey Public Contracts Act. I find it advisable, however, to grant the request of the National Knitted Outerwear Association for modification of the proposed definition to include the manufacturing of bathing suits made of any woven fabric. These bathing suits are at present subject to the wage order of the Administrator of the Wage and Hour Division for the Knitted Outerwear Industry, establishing a 40-cent minimum wage, and, since it appears that substantially all employees engaged in their manufacture are engaged in commerce or in the production of goods for commerce, I find that they are manufactured under the prevailing minimum wage of not less than 40 cents an hour. Also, since belts made from purchased knitted fabric are included in the Luggage, Leather Goods, Belts, and Women's Handbag Industry, for which a determination of a prevailing minimum wage of 40 cents an hour has been proposed by Notice of Opportunity to Show Cause dated November 12, 1942, such belts should be expressly excluded from the definition of the Knitting, Knitwear, and Woven Underwear Industry contained in this determination. The language of paragraph (b) of the definition has been modified to make clear that it covers the manufacture of knitted garments, garment sections, and garment accessories by concerns engaged in making knitted fabric from yarn as well as by concerns producing such articles from purchased knitted fabric. The exceptions contained in this paragraph of the definition have also been clarified in minor respects.

I find that the proposed definition, with these modifications, is well adapted to the purpose of efficient administration of the Walsh-Healey Public Contracts Act.

On August 12, 1942, I issued regulations (ti. 41, c. 2, Code of Federal Regulations, § 201.1102), effective September 15, 1942, permitting the employment of handicapped workers at subminimum rates under the Walsh-Healey Public Contracts Act in accordance with the regulations of the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938. The issuance of these regulations makes it unnecessary to include in the proposed determination the provisions as to the employment of handicapped workers.

Upon consideration of all the facts and circumstances, I hereby determine that:

(1) The Knitting, Knitwear, and Woven Underwear Industry is defined for the purposes of this determination as follows:

(a) The manufacturing, dyeing, or other finishing of any knitted fabric made from any yarn or mixture of yarns, and the manufacturing of knitted towels and cloths;

(b) The knitting from yarn or manufacturing from knitted fabric of knitted garments, sections of garments, or garment accessories except gloves, mittens, hosiery, belts manufactured from purchased knitted fabric, and any product the manufacture of which is covered by the prevailing minimum wage determination of the Secretary for the Suit and Coat Branch of the Uniform and Clothing Industry;

(c) The manufacturing of underwear and bathing suits from any woven fabric.

(2) The prevailing minimum wage for persons employed in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C., Supp. III 35) for the manufacture or furnishing of the products of the Knitting, Knitwear, and Woven Underwear Industry is not less than 40 cents an hour or $16 for a week of 40 hours, arrived at either upon a time or piecework basis, provided that learners and apprentices may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act, which I hereby adopt for the purposes of this determination.

This determination shall be effective and the minimum wage hereby established shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or before April 20, 1943, except that learners and apprentices may be employed at subminimum rates, in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division, on or after April 20, 1943, in the performance of contracts, bids for which were solicited or negotiations otherwise commenced by the contracting agency prior to that date.

Nothing in this determination shall affect such obligations for the payment of minimum wages as the employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Dated: March 30, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-4883; Filed, March 30, 1943; 11:53 a. m.]

FEDERAL HOUSING ADMINISTRATION.

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

NOTICE OF CALL FOR PARTIAL REDEMPTION, BEFORE MATURITY

MARCH 23, 1943.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1943, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (all numbers inclusive)*
$50	1,457 to 1,511
$100	5,260 to 5,554
$500	1,706 to 1,769
$1,000	6,470 to 6,757
$5,000	453 to 485
$10,000	47 to 49

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1943, and provision will be made for the payment of final interest due July 1, 1943, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1 to June 30, 1943, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1943, or for purchase prior to that date will be given by the Secretary of the Treasury.

ABNER H. FERGUSON,
Commissioner.

Approved: March 27, 1943.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4855; Filed, March 30, 1943; 9:44 a. m.]

2¾ PERCENT HOUSING INSURANCE FUND DEBENTURES, SERIES D

NOTICE OF CALL FOR PARTIAL REDEMPTION, BEFORE MATURITY

MARCH 23, 1943.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., Title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Housing Insurance Fund debentures, Series D, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1943, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (all numbers inclusive)*
$50	1
$100	1 to 3
$500	1
$1,000	1 to 3
$5,000	1
$10,000	1 to 161

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1943, and provision will be made for the payment of final interest due July 1, 1943, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1 to June 30, 1943, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1943, or for purchase prior to that date will be given by the Secretary of the Treasury.

ABNER H. FERGUSON,
Commissioner.

Approved: March 27, 1943.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4856; Filed, March 30, 1943; 9:44 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT LB-10]

CAPITAL TRANSIT COMPANY

DIRECTION TO REFRAIN FROM OPERATION OF BUSES OVER SPECIFIED ROUTE

Pursuant to Executive Orders 8989 (6 F.R. 6725), 9156 (7 F.R. 3349) and 9294 (8 F.R. 221), and in order to assure the orderly and expeditious movement of necessary passenger traffic and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Capital Transit Company (hereinafter called carrier) shall refrain from operating buses in the District of Columbia, for the transportation of passengers over the following route:

From a terminal in Tenley Circle, southerly along Tenley Circle, Nebraska Avenue, Ward Circle, Nebraska Avenue, Loughboro Road, Maud Street and Macomb Street to Sherrier Place, thence continuing over a loop west on Sherrier Place to Manning Place, north on Manning Place to MacArthur Boulevard, east on MacArthur Boulevard to Macomb Street, thence north over southbound route reversed to Tenley Circle.

2. As used herein the term "bus" means any rubber-tired vehicle used upon the streets, highways, or other thoroughfares in the transportation of passengers.

3. The carrier shall forthwith file with the Public Utility Commission of the District of Columbia, a copy of this order.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT LB-10".

This order shall become effective March 29, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of March, 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-4849; Filed, March 29, 1943; 4:47 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 77 Under RPS 64[1]]

ENTERPRISE FOUNDRY, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 77 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On February 23, 1943, and March 2, 1943, Enterprise Foundry, Inc., Belleville, Illinois, completed applications pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for a coal heater designated in the application as Model D 28, and for a coal and wood range designated in the application as Model 4916 BE.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Enterprise Foundry Inc., may sell, offer to sell, transfer or deliver the following models to dealers at prices no higher than those specified:

	F. o. b. factory
Model D 28	$6.98
Model 4916 BE	38.87

subject to discounts, allowances and terms no less favorable than those in effect, with respect to the comparable Models K-2-E and 4916 CE respectively.

(b) This Order No. 77 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

This Order No. 77 shall become effective on the 30th day of March 1943.

Issued this 29th day of March 1943.

P. ENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4832; Filed, March 29, 1943; 4:17 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8938, 8 F.R. 1974.

[Order 173 Under MPR 120]

FRED J. BROWN

ORDER GRANTING ADJUSTMENT

Order No. 173 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120-260.

For the reasons set for in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Fred J. Brown at the Fred J. Brown Mine, Mine Index No. 1560 at Millersburg, Ohio, in District No. 4, may be sold and purchased for shipment by truck or wagon at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size group	3	6
Maximum prices	$3.40	$2.80

(b) Within thirty (30) days from the effective date of this order, the said Fred J. Brown shall notify all persons purchasing his coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 173 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 173 shall become effective March 30, 1943.

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4834; Filed March 29, 1943; 4:16 p. m.]

[Order 228 Under MPR 188]

EASTERN BATTERY CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 228 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emer-

§ 1340.308 of Maximum Price Regulation No. 189 shall apply to the terms used herein.

(d) This Order No. 4 shall become effective March 30, 1943.

It is ordered, on the basis of said findings and opinion, That the registration of Theodore T. Golden as a broker-dealer be, and it hereby is, revoked; and

It is further ordered, That the request of the said Theodore T. Golden to with-

and the interest of investors and consumers that a hearing be held with respect to such matters and that the application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such

to the Commission under section 18 (c) of said Act and to a trial examiner under the Commision's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by the application otherwise to be considered in these proceedings, particular

Rules and Regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4881; Filed, March 30, 1943; 11:49 a. m.]

other finishing of any knitted fabric that 2¾ percent Mutual Mortgage In- selected for redemption by the Commis-

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250, *It is ordered:*

(a) Eastern Battery Company, 44 West 18th Street, New York, N. Y., may sell and deliver its three new hearing aid batteries described in an application dated February 8, 1943, at prices no higher than those set forth below:

Battery	Sales to hearing aid manufacturers and distributors	Sales to dealers
22½ volt	$0.54	$0.65
33 volt	.75	.90
45 volt	.95	1.15

Ten percent may be added for sales of less than 12 batteries.

All prices are delivered prices. However, if the shipment to the purchaser weighs less than 100 pounds, because of the size of the purchaser's orders, the purchaser may be required to pay transportation charges in addition to the maximum prices.

The terms of all sales shall be 2% for cash 10 days after receipt of goods.

(b) This Order No. 228 may be revoked or amended by the Price Administrator at any time.

This Order No. 228 shall become effective on the 30th day of March 1943.

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4835; Filed, March 29, 1943; 4:15 p. m.]

[Order 4 Under MPR 189]

M. A. HANNA COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 4 under Maximum Price Regulation No. 189—Bituminous Coal Sold for Direct Use as Bunker Fuel; Docket No. 3189-4.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.307 (a) (1) of Maximum Price Regulation No. 189, *It is ordered:*

(a) The M. A. Hanna Company, Leader Building, Cleveland, Ohio, may sell and any person may purchase low volatile bituminous coal produced in Districts 7 and 8 for bunker fuel use f. o. b. Lambert's Point piers, Hampton Roads, Virginia, at prices not to exceed the price of $6.51 per gross ton.

(b) This Order No. 4 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.308 of Maximum Price Regulation No. 189 shall apply to the terms used herein.

(d) This Order No. 4 shall become effective March 30, 1943.

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4831; Filed, March 29, 1943; 4:16 p. m.]

[Correction to Order 160 Under MPR 188]

SIMMONS COMPANY

APPROVAL OF MAXIMUM PRICE

Correction to Order No. 160 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is ordered*, That the price of $.334 set forth in paragraph (a) of Order No. 160 for each 2" size of Galvanized Manila Rope Thimble is corrected to read $1.334 per Thimble instead of $.334 per Thimble.

* * * * * *

This correction to Order No. 160 shall be effective as of the 15th day of February 1943.

Issued this 29th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4833; Filed, March 29, 1943; 4:16 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

THEODORE T. GOLDEN

ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of March, A. D. 1943.

In the matter of Theodore T. Golden, 730 Fifteenth Street NW., Washington, D. C.

Proceedings having been instituted pursuant to an order of the Commission to determine whether the registration of Theodore T. Golden as a broker-dealer should be revoked pursuant to section 15 (b) of the Securities Exchange Act of 1934, hearings having been held after due notice, the Commission having considered the matter, being duly advised in the premises, having this day entered its findings and opinion herein to the effect that the said Theodore T. Golden has willfully violated certain provisions of the Securities Act of 1933 and the Securities Exchange Act of 1934, and certain Rules and Regulations of the Commission thereunder and that revocation of the said registration is in the public interest;

It is ordered, on the basis of said findings and opinion, That the registration of Theodore T. Golden as a broker-dealer be, and it hereby is, revoked; and

It is further ordered, That the request of the said Theodore T. Golden to withdraw said registration be, and it hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4880; Filed, March 30, 1943; 11:49 a. m.]

[File No. 70-691]

PUBLIC SERVICE COMPANY OF INDIANA, INC.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of March 1943.

Notice is hereby given that an application has been filed pursuant to the Public Utility Holding Company Act of 1935 by Public Service Company of Indiana, Inc., a subsidiary of Hugh M. Morris, Trustee of Midland United Company, a registered holding company;

All interested persons are referred to said application which is on file in the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows:

Public Service Company of Indiana, Inc., proposes to issue and sell to the public $38,000,000 principal amount of its First Mortgage Bonds, Series E, 3¼%, due May 1, 1973. The proceeds to be derived from the sale of such securities are to be used for the purpose of retiring the $38,000,000 aggregate principal amount of First Mortgage Bonds, Series A, 4%, due September 1, 1969, of Public Service Company of Indiana, a predecessor constituent company of applicant, whose bonds have been heretofore assumed by applicant.

At the present time there is outstanding applicable to Public Service Company of Indiana, Inc., a condition imposed by this Commission concerning a debt retirement program (Holding Company Act Release No. 3520, May 9, 1942). In connection with the issuance of the new bonds the applicant proposes certain sinking fund requirements. The application indicates that the effect of such sinking fund provisions will result in debt retirement "in an amount substantially equal to the funded debt required to be retired during such period under the provisions of said condition of this Commission". The applicant expressly requests that the Commission remove this presently effective condition.

The application indicates that the company proposes to offer the bonds for competitive bidding pursuant to Rule U-50 promulgated under the Public Utility Holding Company Act of 1935.

It appearing to the Commission that it is appropriate in the public interest

and the interest of investors and consumers that a hearing be held with respect to such matters and that the application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on the 15th day of April, 1943, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application should be granted. Any person desiring to be heard in connection with these proceedings or desiring to intervene herein shall file with the Secretary of the Commission on or before the 10th day of April, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commision.

It is further ordered, That Paul Littlefield or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commision's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by the application otherwise to be considered in these proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether it is in the public interest and in the interest of investors and consumers and in conformity with the applicable provisions of the Act to grant the application.

2. Whether it is appropriate in the public interest and for the protection of investors to abrogate the condition heretofore imposed on Public Service Company of Indiana, Inc., regarding a debt retirement program.

3. Specifically, whether the sinking fund provisions proposed in connection with the new Series E bonds of Public Service Company of Indiana, Inc., are sufficient to give adequate protection to investors, consumers and the public.

4. Whether, and to what extent, it is appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions with respect to the proposed transactions.

5. Generally, whether the proposed transactions meet the requirements of the appropriate provisions of the Act and Rules and Regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4881; Filed, March 30, 1943; 11:49 a. m.]

WAR PRODUCTION BOARD.

[Preference Rating Order P-19-e, Serial No. 758-e]

TEXAS STATE HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Texas State Highway Department, Austin, Texas. Project: On state route 117, Perryton to Lipscomb County Line. Identified as FAS 662-A (2).

The revocation of preference rating order issued on January 15, 1943 is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

Issued March 29, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4816; Filed, March 29, 1943; 3:39 p. m.]

VOL 8

APRIL

THE NATIONAL ARCHIVES
1934
OF THE UNITED STATES

FEDERAL REGISTER

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FEDERAL REGISTER

VOLUME 8 NUMBER 64

Washington, Thursday, April 1, 1943

Regulations

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 37]

PART 804—INDIVIDUAL LICENSES

WOOL FABRICS

Paragraph (b) of § 804.8 *Certificates of necessity*[1] is hereby amended by deleting from the list of commodities scheduled therein the commodity (wool fabrics) bearing Schedule B Number 3643.00.

This amendment shall become effective March 30, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 22, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-4933; Filed, March 31, 1943; 9:44 a. m.]

[Amendment 38]

PART 801—GENERAL REGULATIONS

ABRASIVES

Section 801.2 *Prohibited exportations*[2] is hereby amended in the following particulars:

In the column headed "Shipping Priority Rating" the shipping priority ratings assigned to the commodities listed below, at every place where said commodities appear in said section, are amended to read as follows:

Commodity	Department of Commerce No.	Shipping priority rating
Grindstones (include pulpstones); Natural abrasives, n. e. s. (include stones, etc., n. e. s. (include infusorial and diatomaceous earth, flint, rottenstone, tripoli, and garnet)	5406.00 5409.00	C C

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 FR. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 17, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-4934, Filed, March 31, 1943; 9:44 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-257]

C. M. CLAY'S SONS

Charles M. Clay, Jr., doing business as C. M. Clay's Sons, 26 Washington Street, Poughkeepsie, New York, is engaged in the marketing of motor fuel. During the months of April, May, June and from July 1 to July 22, 1942, C. M. Clay's Sons made total deliveries of 362,260 gallons of motor fuel to thirty-nine service stations in excess of the amounts permitted to be delivered in accordance with the provisions of Limitation Order L-70. As

(Continued on next page)

[1] 8 F.R. 1563, 2146.
[2] 8 F.R. 1494, 1616, 1709, 1879, 2146.

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(Continued on next page)

FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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the quotas for these stations decreased during that period, the deliveries made by C. M. Clay's Sons to these stations increased from 28 percent to 169 percent in excess of the permitted quotas. Despite the fact that C. M. Clay's Sons was acquainted with the provisions contained in Limitation Order L–70, these over-deliveries were made by it in such reckless disregard of the order as to constitute wilful violation thereof.

These violations of Limitation Order L–70 have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.257 *Suspension Order No. S–257.* (a) Charles M. Clay, Jr., doing business as C. M. Clay's Sons or under any other name, his successors and assigns, shall not deliver or cause to be delivered, directly or indirectly, during the months of April, May and June, 1943, any quantities of motor fuel, as defined in Limitation Order L–70, to the service stations listed below:

Chester Hauser, 652 Main St., Poughkeepsie, N. Y.
C. M. Clay's Sons, Main Street, Highland, N. Y.
E. J. Kearney, 118 N. Front St., Kingston, N. Y.
Andrew Sitare, Millbrook, N. Y.
Adolph Froemel, Marlboro, N. Y.
C. M. Clay's Sons, 26 Washington St., Poughkeepsie, N. Y.
C. G. Price, Sr., 915 Main St., Poughkeepsie, N. Y.
Maurice E. Kenny, Beacon, N. Y.
Harold Gerdes, Beacon, N. Y.
Clay's Service Station, Chatham, N. Y.
J. H. Brannigan, 789 Broadway, Kingston, N. Y.
Marshal Roosa, Kingston, N. Y.
Jesse Berrian, 31 Orange Ave., Goshen, N. Y.
Macy Sheron, Carmel, N. Y.
Louis Peppe, Pine Plains, N. Y.
Walter E. Murray, Pine Bush, N. Y.
Henry Goldsmith, Port Ewen, N. Y.
J. Andreini, Clintondale Road, Highland, N. Y.
C. M. Clay & Sons, North Road, Poughkeepsie, N. Y.
Edward M. Kearins, Philmont, N. Y.
Rustic Tavern, Phoenicia, N. Y.
A. J. Burn, 1105 Ulster Ave., Saugerties, N. Y.
George Bush, 250 South St., Poughkeepsie, N. Y.
Theron Wurster, Highland, N. Y.
Chas. Wojciechowski, Poughkeepsie, N. Y.
Adam Startup, 68 Cottage St., Millertown, N. Y.
C. H. Turner, 126 W. Main St., Walden, N. Y.
N. Buchwald, Wingdale, N. Y.
Ray B. Walcott, Maybrook, N. Y.
Myron Benson, The Narrows, Amenia, N. Y.
Walter E. Bassett, Pleasant Valley, N. Y.
John R. Tanner, Millertown, N. Y.
Fred Haller, Monticello, N. Y.
Hubert Gage, Red Hook, N. Y.
C. M. Clay's Sons, 234 Hooker Ave., Poughkeepsie, N. Y.
C. G. Price, Jr., 238 South Ave., Poughkeepsie, N. Y.
John Dilger, Wappinger Falls, N. Y.
Victor Post, Rhinebeck, N. Y.
Henry Diel, Winona Lake, Newburgh, N. Y.

(b) Nothing contained in this order shall be deemed to relieve Charles M. Clay, Jr., doing business as C. M. Clay's Sons or otherwise, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect April 1, 1943 and shall expire on June 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN
Recording Secretary.

[F. R. Doc. 43–4899; Filed, March 30, 1943; 4:07 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–262]

CRYSTAL BOTTLING CO., INC.

The Crystal Bottling Company, Inc., Cleveland, Ohio, is a corporation engaged in the business of bottling nonalcoholic beverages. Associated with it in this business is the Crystal Distributing Company, Inc., Cleveland, Ohio, a corporation which has the same President and General Manager and substantially identical stock interests with the Crystal Bottling Company. During the months of June, July, August and September, 1942, the Crystal Bottling Company affixed 106,462 metal closures to glass containers for non-alcoholic beverages in excess of the quota established for that company under the provisions of Conservation Order M–104. The Crystal Bottling Company, Inc., made no effort to compute the quota established for it under the provisions of Conservation Order M–104, although it knew of the existence of Conservation Order M–104 and that such order limited the scope of the company's operations.

This wilful violation of Conservation Order M–104, as amended, has impeded and hampered the war effort of the United States.

In view of the foregoing facts, *It is hereby ordered:*

§ 1010.262 *Suspension Order No. S–262.* (a) During each of the months from April, 1943 to September, 1943, both inclusive, the quota established under the terms of Conservation Order M–104, as amended from time to time, for use or consumption by the Crystal Bottling Company, Inc. of metal closures made of tinplate, terneplate or blackplate, affixed to glass containers for non-alcoholic beverages, shall be reduced by 25 percent; and the Crystal Bottling Company, Inc. shall not use, consume, or affix, directly or indirectly, or through or by the Crystal Distributing Company, Inc. closures in excess of the above amount.

(b) Nothing contained in this order shall be deemed to relieve the Crystal Bottling Company, Inc., its successors or assigns from any restriction, prohibition or provision of any order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1943, and shall expire on September 30, 1943.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4900; Filed, March 30, 1943; 4:07 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–264]

REFRIGERATION ENGINEERING CO.

F. H. Kaup conducts a business known as Refrigeration Engineering Company with an office at 211 Foshay Tower, Minneapolis, Minnesota. Between May 15, 1942 and October 13, 1942 he sold refrigerating equipment to persons other than producers, dealers, or other authorized channels of distribution, without preference ratings and on orders which were not "preferred orders." Such sales by the respondent were substantial in both quantity and in monetary value. These sales by the respondent were in violation of General Limitation Order L–38 and constituted wilful violations of the order. Such conduct on the part of F. H. Kaup has hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.264 *Suspension Order No. S–264.* (a) F. H. Kaup, doing business as Refrigeration Engineering Company, or under any other name, his successors and assigns, are hereby prohibited from selling, leasing, trading, lending, delivering, shipping or transferring any refrigerating or air conditioning equipment, and are also prohibited from purchasing, receiving or accepting delivery of, or having transferred to it in any manner, any refrigerating or air conditioning equipment as defined in General Limitation Order L–38 as amended, for the period during which this order is in effect, except as specifically authorized in writing by the Regional Compliance Chief of the Regional Office of the War Production Board in Chicago, Illinois.

(b) Nothing contained in this order shall be deemed to relieve F. H. Kaup, doing business as Refrigeration Engineering Company, or under any other name, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1943 and shall expire on July 1, 1943.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4901; Filed, March 30, 1943; 4:07 p. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S–231]

OAKLAWN, INC.

Oaklawn, Inc. of New Orleans, Louisiana, appealed from the provisions of Suspension Order S–231 issued by the Director General for Operations on February 3, 1943, and after a careful consideration of all the facts and circumstances, the appeal was denied. As a result of the appeal, however, the Chief Compliance Commissioner has recommended that the suspension order be amended in order to carry out the intent of the original order and to permit completion of 106 housing units instead of the 100 housing units specified in the order.

In view of the foregoing, Paragraphs (a) and (b) of §1010.231, *Suspension Order S–231*, issued February 3, 1943, are hereby amended to read as follows:

(a) Deliveries of material to Oaklawn, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned or applied to such deliveries to Oaklawn, Inc., its successors and assigns, by means of preference rating certificates, preference rating orders, general preference orders, or any other orders and regulations of the War Production Board, except as specifically authorized in writing by the War Production Board: *Provided, however*, That the preference rating heretofore assigned to Oaklawn, Inc. by Preference Rating Order P–55 may be applied to deliveries of material required for the completion of 106 units of the project on which construction has begun, with the written approval of the Regional Compliance Chief, War Production Board, Dallas, Texas, but no preference rating shall be applied in connection with the construction of the four housing units which had not been begun on January 27, 1943.

(b) No allocation shall be made to Oaklawn, Inc., its successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board: *Provided, however*, That such allocations as may be necessary to enable Oaklawn, Inc. to complete 106 units of this housing project, may be made, with the written approval of the Regional Compliance Chief, War Production Board, Dallas, Texas, but no allocations to the respondent shall be made in connection with the four housing units on which construction had not been begun on January 27, 1943.

Issued this 30th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4931; Filed, March 30, 1943; 5:14 p. m.]

Chapter XI—Office of Price Administration

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Maximum Price Regulation 341]

USED COMMERCIAL MOTOR VEHICLES

In the judgment of the Price Administrator, prices of used commercial motor vehicles have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended. The Price Administrator has ascertained and given due consideration to the prices of used commercial motor vehicles prevailing between October 1 and 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, Maximum Price Regulation No. 341 is hereby issued.

AUTHORITY: §§ 1360.501 and 1360.522, inclusive, issued under Pub. Laws 421, 729, 77th Cong.; E. O. 9250, 7 F. R. 7871.

§ 1360.501 *Commodities and transactions covered by this regulation*—(a) *Transactions covered.* This regulation establishes maximum prices for sales of used commercial motor vehicles, including sales of chassis or bodies separately. It covers sales by persons engaged in

*Copies may be obtained from the Office of Price Administration.

(1) *Complete vehicles listed in Appendix A.* The maximum price for a complete vehicle listed in Appendix A is the rail freight

the business of selling such vehicles, that is dealers, and also sales by any other person. Dealers in used commercial motor vehicles and persons making frequent sales of such vehicles as an incident of their regular business are licensed by this regulation. Sales of used commercial motor vehicles pursuant to a "recapture clause" in a rental contract entered into prior to the effective date of this regulation (but not those pursuant to a rental contract entered into after such effective date) are exempt from this regulation and from the General Maximum Price Regulation.

(b) *Commodities covered.* When used in this regulation, the term "used commercial motor vehicle" means a self-propelled vehicle, or a vehicle drawn by it, which was designed for use on or off the highways for the transportation of property or of more than ten persons and which has been driven over 1,000 miles, and bodies of any such vehicles. It includes vehicles of the following types: complete trucks, truck tractors, full-trailers, semi-trailers, ambulances, hearses, omnibuses, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, cab pickups, and chassis and bodies for all of the foregoing, but does not include passenger automobiles, taxicabs, station wagons, vehicles operated on rails, self-tracklaying vehicles nor farm and garden tractors designed and used for agricultural purposes. A vehicle which has been assembled by a manufacturer of trucks from components some of which are new and some of which are reconditioned shall not be deemed a used vehicle for the purposes of this regulation.

§ 1360.502 *General outline of this regulation*—(a) *Maximum prices.* The method of computing maximum prices for most sales is provided by §§ 1360.504 and 1360.505. Maximum prices which are higher than those established by §§ 1360.504 and 1360.505 are permitted in certain cases. Thus, § 1360.506 permits a higher price for a vehicle sold by a dealer which has been reconditioned by him and guaranteed in accordance with Appendix B; § 1360.507 in certain cases permits a higher price for the resale of such reconditioned and guaranteed vehicle by the purchaser thereof or by a person who has repossessed such a vehicle. A higher price is also permitted, by § 1360.507, on the sale of a vehicle within one year of its acquisition when new, if the price new included the 1 percent allowance for maintenance operations provided by Supplementary Regulation No. 14.[1]

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250 7289 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9405, 9496, 9637, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 876, 878, 1139, 1142, 1121, 1279, 1030, 1590, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2346, 2507, 2665.

(b) *Invoices, guarantees and tags required.* Every person selling a used commercial motor vehicle, whether or not he is a dealer, must give the purchaser a sales invoice containing the information prescribed in § 1360.512. In addition, a dealer selling a vehicle as "reconditioned and guaranteed" must furnish the purchaser with a signed guarantee in the form prescribed in Appendix B. A dealer, but not any other person, offering a vehicle for sale must also attach to such vehicle, in a conspicuous manner, a tag in the form prescribed in Appendix A.

§ 1360.503 *Prohibition against sale at a price higher than the maximum price.* (a) On and after April 26, 1943, regardless of any contract, lease, or other obligation:

(1) No person shall sell or deliver any used commercial motor vehicle at a price higher than the maximum price established by this regulation;

(2) No person in the course of trade or business shall buy or receive any used commercial motor vehicle at a price higher than such maximum price;

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in subparagraphs (1) and (2);

(4) Notwithstanding the provisions of paragraph (2), if, upon the purchase of any used commercial motor vehicle, which is sold as a reconditioned and guaranteed vehicle, the purchaser shall receive from the seller false information as to the extent of extras, parts, materials and labor used in reconditioning, and if in such case the purchaser shall have no cause to doubt the accuracy of such information and as a result of this pays a price in excess of the maximum price, the purchaser shall not be deemed to have violated the prohibition contained in paragraph (2).

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any War Procurement agency, or any contracting officer thereof, and any such contracting officer or paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, as amended.

§ 1360.504 *Maximum prices in general*—(a) *Method of computing maximum price.* In determining the maximum price for any used commercial motor vehicle, the "base price" for such vehicle shall first be computed in accordance with § 1360.505. The allowable percentage factor, corresponding to the age of the vehicle, as defined in paragraph (b) of this section, shall then be ascertained from the table of percentages contained in paragraph (c) of this section. The maximum price shall be determined by multiplying such "base price" by such allowable percentage. However, when a vehicle is sold by a dealer on a reconditioned and guaranteed basis the maximum price may be increased as provided in § 1360.506 and in certain other cases the maximum price may be increased as provided in § 1360.507.

(b) *Method of determining age of vehicle.* For the purpose of this regulation, the term "age" means the following:

(1) *For a complete used commercial motor vehicle or the chassis only of a used commercial motor vehicle.* (i) The period measured from the month and year in which the chassis of the used commercial motor vehicle was delivered when new to a person who purchased it for use and not for purposes of resale, if such date of delivery can be supported by original bill of sale or original invoice or certified copies thereof, or

(ii) If such evidence is not available, the period measured from the first day of January of the year by which the model and year of manufacture of the chassis of the vehicle is designated by its manufacturer, or

(iii) If that information cannot be ascertained, a period of more than 72 months.

(2) *For the body only of a used commercial motor vehicle, when sold separately from the chassis.* (i) The period measured from the month and year in which the body was delivered when new to a person who purchased it for use and not for purposes of resale, if such date of delivery can be supported by original bill of sale or original invoice or certified copies thereof, or

(ii) If such evidence is not available, the period measured from the first day of January of the year in which the body was manufactured, if such year can be ascertained by the body number or other manufacturer's identification, or

(iii) If that information cannot be ascertained, a period of more than 72 months.

(c) *Table of percentages corresponding to the age of the vehicle, by which the "base price" is to be multiplied.*

Age:	Percent
Six mos. or less	90
More than 6 mos. to 12 mos	81
More than 12 mos. to 18 mos	73
More than 18 mos. to 24 mos	66
More than 24 mos. to 30 mos	59
More than 30 mos. to 36 mos	53
More than 36 mos. to 42 mos	48
More than 42 mos. to 48 mos	43
More than 48 mos. to 54 mos	39
More than 54 mos. to 60 mos	35
More than 60 mos. to 66 mos	32
More than 66 mos. to 72 mos	29
More than 72 mos	26

§ 1360.505 *Computation of the "base price".* (a) The "base price" for any used commercial motor vehicle shall be the sum of

(1) The "value when new" of the vehicle, determined in accordance with paragraph (b) of this section;

(2) A transportation allowance, determined in accordance with paragraph (c) of this section; and

(3) The "value when new" of any extras, determined in accordance with paragraph (d) of this section.

(b) *Method of determining "value when new".* The "value when new" for the vehicle being priced shall be determined by the first of the following which is applicable:

(1) *Complete vehicle listed in Appendix C.* If the vehicle being priced is listed in Appendix C the "value when new" shall be the price there listed.

(2) *Only chassis listed in Appendix C.* If the chassis of the vehicle being priced is listed in Appendix C, and if the complete vehicle is not so listed, the "value when new" shall be the price listed in Appendix C for the chassis alone or the chassis with cab, whichever is appropriate, plus either one of the following:

(i) The original retail price new f. o. b. factory, for the body with which the vehicle being priced is now equipped, or

(ii) The retail price new, f. o. b. factory in effect on March 31, 1942 for the same or most comparable body.

(3) *Neither complete vehicle nor chassis listed in Appendix C.* If neither the complete vehicle nor the chassis being priced is listed in Appendix C the "value when new" shall be determined as follows:

(i) If the vehicle being priced was purchased new as a complete vehicle, the "value when new" shall be the original retail price new of the vehicle, f. o. b. factory, or

(ii) If the chassis and body were bought separately, the "value when new" of the vehicle shall be the sum of the price of the chassis or chassis with cab plus the price of the body, each determined by any one of the following methods:

(a) *The chassis or the chassis with cab.* The original retail price new, f. o. b. factory, or the retail price new, f. o. b. factory for the same or most comparable chassis of the same year of manufacture listed in Appendix C.

(b) *The body.* The original retail price new, f. o. b. factory, or the retail price new, f. o. b. factory in effect on March 31, 1942 for the same or most comparable body.

(c) *Transportation allowance to be included in "base price".* There may be included in the "base price" of a used commercial motor vehicle an allowance for transportation, determined in accordance with the following subparagraphs:

(1) *Sales within the 48 United States and the District of Columbia.* Upon any sale within the 48 United States and the District of Columbia, this allowance shall not exceed the actual rail freight at carload rates as of March 31, 1942, for a vehicle of the same wheel base, shipping weight (actual or as listed in Appendix C), and overall size as the vehicle being priced, shipped by the most direct route from the principal place of manufacture of the chassis to the freight station nearest the seller's place of business. The principal places of manufacture of the chassis are listed in Appendix C. If the transportation charge cannot be ascertained in accordance with the foregoing an allowance of $20 for transportation may be added to the "value when new".

(2) *Sales within a territory or possession of the United States.* Upon any sale occurring in any territory or possession of the United States, the transportation allowance shall be the rail freight, calculated in accordance with subparagraph (1), from the principal place of manufacture of the chassis, determined as provided in subparagraph (1), to Seattle, Washington, for the sales in the Territory of Alaska; to San Francisco, California, for sales in any other territory or possession in the Pacific Ocean; to New York, New York, for sales in any other territory or possession, plus the costs of shipment in each case from such port to the seller's place of business at the rates in effect on October 1, 1941.

(d) *Allowance for extras to be included in "base price"*—(1) *When allowance may be included.* An allowance for extras, in an amount of their "value when new" as determined pursuant to subparagraph (2), may be included in the "base price":

(i) *Upon a sale by a person other than a dealer,* only for those extras with which the vehicle is equipped at the time of sale,

(ii) *Upon a sale by a dealer,* only for those extras with which the vehicle was equipped when it was purchased by the dealer and with which it is still equipped at the time of sale. A dealer may make a charge for extras with which the vehicle was not equipped when it was purchased by such dealer only if such extras were added at the purchaser's request, and in that case, the additional charge shall be determined in accordance with paragraph (b) of § 1360.507.

(2) *Method of determining amount of allowance; "value when new" of extras.* The "value when new" of the extras shall be the sum of:

(i) For all items of extra equipment with which the vehicle was equipped when it was first purchased for use, the manufacturer's original retail list prices;

(ii) For all other extras, the original retail price new, or, if such original retail price new is not ascertainable, then the current retail prices new in the area in which the vehicle is being sold (not to exceed applicable maximum prices), for the same or most comparable extras.

(3) *Definition of "extras".* For the purposes of this paragraph (d), and of paragraph (b) of § 1360.507, the term "extras" means any accessory or special equipment not included in the price of the vehicle and/or body used to determine the "value when new" of the vehicle. The term includes such items as oversized or special axles, oversized tires, special springs, special transmissions, special brakes, optional wheel base or body frames, heaters, and radios, and also includes machines mounted on the vehicle so as to be an integral part thereof, such as power-operated cranes, winches, shovels, scoops, welding equipment, and concrete mixers.

§ 1360.506 *Reconditioned and guaranteed used vehicles sold by dealers*—(a) *Maximum price.* For any used commercial motor vehicle which has been reconditioned by a dealer and which has been guaranteed by such dealer in accordance with paragraph (c) of this section, the maximum price applicable to the sale of such vehicle by the dealer shall be the sum of subparagraphs (1), (2) and (3), except that in no event shall the maximum price for such reconditioned and guaranteed vehicle exceed the price determined by applying to the "base price", computed in accordance with § 1360.505, the applicable percentage set forth in paragraph (b) of this section. Furthermore, this special price is not available if the vehicle has been used or rented after completion of the reconditioning.

(1) The price determined by multiplying the "base price" computed in accordance with § 1360.505, by the appropriate percentage in the Table contained in paragraph (c) of § 1360.504;

(2) 5% of (1); and

(3) The prices of any parts, materials and services needed and supplied by the dealer in reconditioning the vehicle for the purpose of sale, including dismantling for purposes of inspection. These prices must not exceed applicable maximum prices for such parts, materials, and services, when supplied by the dealer in the course of a repair job for a regular customer.

(b) *Absolute ceiling for reconditioned and guaranteed vehicles; table of percentages.* The maximum price for a reconditioned and guaranteed used commercial motor vehicle shall in no event exceed the price determined by applying to the base price, computed in accordance with § 1360.505, the applicable percentage set forth below. In most cases, however, the maximum price determined in accordance with paragraph (a) of this section will be less than this absolute ceiling and will, accordingly, be the maximum price.

Age:	Percent
Six mos. or less	97
More than 6 mos. to 12 mos	91
More than 12 mos. to 18 mos	86
More than 18 mos. to 24 mos	82
More than 24 mos. to 30 mos	78
More than 30 mos. to 36 mos	75
More than 36 mos. to 42 mos	73
More than 42 mos. to 48 mos	71
More than 48 mos. to 54 mos	70
More than 54 mos. to 60 mos	69
More than 60 mos	68

(c) *Guarantee to be furnished to purchaser.* No vehicle shall be sold at a price determined in accordance with this section unless the dealer shall furnish the purchaser with a signed guarantee in the form set forth in § 1360.521, Appendix B. A dealer may grant an additional guarantee, but the maximum price shall not be increased thereby. A purchaser of such vehicle is advised to retain the guarantee furnished under this paragraph (c), as well as the sales invoice, for use in connection with a possible resale of such vehicle within one year of its purchase. (See § 1360.507 (a)).

(d) *Effect of dealer's failure to perform obligations of guarantee.* If any dealer shall fail to perform his obligations under the terms of the guarantee provided for in paragraph (c) of this section, he shall be deemed to have violated the provisions of this regulation to the extent that the price charged ex-

ceeded the price determined under § 1360.504.

§ 1360.507 *Special cases*—(a) *Maximum price for resale of reconditioned and guaranteed vehicle within one year after purchase as such.* (1) Where a used commercial motor vehicle has been sold by a dealer after April 25, 1943, as a reconditioned and guaranteed vehicle at a price determined under § 1360.506 which is higher than the maximum price determined under § 1360.504, the maximum price applicable to the resale of such vehicle by the purchaser thereof, within one year after his purchase, shall be determined as follows:

(i) Take the original purchase price paid, not exceeding the maximum price established by § 1360.506.

(ii) Compute the maximum price of such vehicle, at the time of purchase, under § 1360.504.

(iii) Deduct from item (i), one twelfth of the difference between item (i) and item (ii) for each month which has elapsed from the date of the original purchase to the date of resale.

Upon delivery of any such vehicle at such a price the seller shall give to the buyer, in addition to the sales invoice or receipt required by § 1360.512, the sales invoice or receipt and the guarantee furnished to the seller by the dealer from whom he purchased the reconditioned and guaranteed vehicle.

(2) Where a used commercial motor vehicle has been sold by a dealer after April 25, 1943, as a reconditioned and guaranteed vehicle at a price determined under § 1360.506 which is higher than the maximum price determined under § 1360.504, and where such vehicle shall have been repossessed upon default of the purchaser, the maximum price applicable to the resale of such vehicle by any person within one year of the original sale may be determined either:

(i) In accordance with § 1360.504, or

(ii) In accordance with subparagraph (1) of this paragraph (a),

but in the event that the maximum price is determined in accordance with method (ii) above, the maximum price may not exceed the amount of the unpaid portion of the loan, plus out-of-pocket expenses incurred in repossession or judicial proceedings. Any person electing to sell a vehicle at a price determined under method (ii) shall file with the Office of Price Administration, Washington, D. C., a copy of the sales invoice furnished the buyer, and the following information: a summary of the major terms of the loan which gave rise to the repossession, and the amount unpaid on such loan; and, if the vehicle is being sold by a dealer after repurchase from a finance company, the price paid to the finance company and a copy of the above report filed under this section by the finance company.

(b) *Maximum price where alterations made or extras added by dealer at purchaser's request.* Where a purchaser from a dealer requests that alterations, as distinct from reconditioning operations, be made in a used commercial motor vehicle, or that the vehicle be equipped with extras, the maximum price applicable to the sale of such vehicle by the dealer after the requested alterations have been made or the extras have been added shall be the sum of subparagraphs (1), (2) and (3). However, the prices for extras and for parts, materials and services supplied in making the alterations must be separately itemized on the sales invoice or receipt required by § 1360.512.

(1) The maximum price for the vehicle without alterations or such extras, determined in accordance with other provisions of this Regulation, and

(2) Prices for extras not to exceed applicable maximum prices. "Extras" are defined in paragraph (d) (3) of § 1360.505, and

(3) Prices for parts, materials, and services supplied in making the alterations, not to exceed applicable maximum prices for such parts, materials, and services when supplied by the dealer in the course of an alteration job to a regular customer of the same class of customers.

(c) *Maximum price for the sale of a vehicle within one year of acquisition new at new price including maintenance allowance.* Notwithstanding the provisions of § 1360.504, in the case of any used commercial motor vehicle which was purchased new at a price which included an adjustment for maintenance operations, in accordance with the provisions of paragraph (a) of Supplementary Regulation No. 14, such adjustment may be added to the "base price", upon the sale of such vehicle within one year of such purchase new.

(d) *Rental contracts with "recapture clauses"*—(1) *Rental contracts entered into prior to effective date of this regulation.* Neither this regulation nor the General Maximum Price Regulation shall apply to any sale of a used commercial motor vehicle pursuant to a rental contract entered into prior to April 26, 1943, which provided for the transfer of title to the commercial motor vehicle upon the payment in rentals, over and above a monthly carrying charge, of an amount equal to the valuation of the commercial motor vehicle, as agreed upon at the time the contract was entered into.

(2) *Rental contracts entered into after effective date of this regulation.* In any rental contract of the same type entered into after April 25, 1943, the agreed upon valuation shall not exceed the applicable maximum price for the new or used commercial motor vehicle, determined as of the date of delivery of the vehicle under the contract. If title to the vehicle is subsequently transferred to the lessee upon the payment, over and above the monthly carrying charge, of an amount equal to such agreed upon valuation, the maximum price shall remain unchanged notwithstanding the fact that the vehicle may by that time have fallen into a different age group.

§ 1360.508 *Federal and state taxes.* There may be added to the maximum price for any used commercial motor vehicle the amount of any federal tax and/or state or municipal tax upon, or incident to, the sale, delivery, processing or use of such vehicle. However, the amount of such tax must be stated separately upon the sales invoice or receipt required under § 1360.512.

§ 1360.509 *Lower than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

§ 1360.510 *Evasion.* (a) It shall be a violation of this regulation in effect to charge a price above the applicable maximum price in connection with any sale of a used commercial motor vehicle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the vehicle, to agree to make payment over a period of time; to require him to finance the purchase through any lending agency, to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the maximum price, to require him to purchase any other commodity or service, or to require him to make payment in whole or in part by exchanging or transferring or trading in any other vehicle or other product or commodity. Furthermore, the seller is prohibited from falsifying the value of the vehicles or products or commodities received in trade, increasing the "value when new" by attaching or exchanging bodies or extras, except as provided in paragraph (b) of § 1360.507; or from making any change in terms or conditions of sale, except in accordance with paragraph (b) of this section, or in any other manner.

(b) The Office of Price Administration may upon request grant written permission to any dealer subject to this regulation to change the credit terms or terms of guaranty previously extended, where such change appears necessary because of conditions caused by the war.

§ 1360.511 *Label or tag to be attached by dealer to vehicle.* Every dealer offering a used commercial motor vehicle for sale shall attach to it in a conspicuous place a label or tag not smaller than 4" x 8" in the form set forth in § 1360.520, Appendix A, on which shall be set forth legibly all of the information called for in Appendix A.

§ 1360.512 *Sales invoices to be furnished to purchaser.* Upon the sale of any used commercial motor vehicle the seller shall give to the purchaser a sales invoice or receipt showing:

(a) The name and address of the seller:

(b) The name and address of the purchaser;

(c) A description of the vehicle, specifying make, year, model, motor or serial number, wheel base, body or type, and extras, if any;

(d) The date of delivery to the purchaser;

(e) The sales price;

(f) The maximum price determined in accordance with this regulation, indicating the computation of the "base price" and the percentage factor used;

(g) The price for any extras added or alterations made at the purchaser's request, separately itemized as provided in § 1360.507 (b).

(h) The statement "guaranteed" or "not guaranteed" as the case may be;

(i) If a used vehicle is taken in trade, a description of such vehicle and a copy of the sales receipt received from the purchaser trading in such vehicle.

§ 1360.513 *Records and reports.* Every person who sells a used commercial motor vehicle shall, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, keep and make available for examination by the Office of Price Administration a copy of the sales invoice or receipt required in § 1360.512, together with a copy of the guaranty, if any, furnished in accordance with § 1360.506.

§ 1360.514 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest state, district, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1360.515 *Licensing and registration*—(a) *License required.* A license as a condition of selling is hereby required of every dealer now or hereafter selling any used commercial motor vehicle for which a maximum price is established by this regulation and of every person now or hereafter making frequent sales of such vehicles as an incident to his regular business. No person whose license is suspended shall sell any used commercial motor vehicle during the period of suspension

(b) *License granted.* Every person required to be licensed pursuant to paragraph (a) of this section is, by this section, granted a license as a condition of selling such used commercial motor vehicle. The provisions of this regulation and any amendments thereto, shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of said license. Such license shall be effective on April 26, 1943, the effective date of this regulation, or whenever any person becomes subject to the maximum price provisions of the regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, continue in force so long as, and to the extent that, this regulation or any amendment or supplement hereto remains in effect.

(c) *Registration.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator hereafter by regulation may prescribe.

§ 1360.516 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Dealer" means a person engaged, in whole or in part, in the business of buying, selling, repairing and reconditioning used commercial motor vehicles and who maintains a place of business for the display, sale, repairing, and reconditioning of such vehicles.

(3) "War procurement agency", includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation; Rubber Reserve Corporation, Metals Reserve Corporation, Defense Plant Corporation and Defense Supplies Corporation, or any agency of any of the foregoing.

§ 1360.517 *Petitions for amendment of general applicability.* Any person seeking a modification of any provision of this Regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1360.518 *Territorial applicability.* The provisions of this regulation shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1360.519 *Effective date.* This regulation shall become effective April 26, 1943.

§ 1360.520 *Appendix A: Form of tags to be attached by dealer when offering a used commercial motor vehicle for sale.*[1]

(a) Form of tag to be attached by dealer to a vehicle which is *not reconditioned and guaranteed.*

OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Form No. 694:182a

Form Approved
Budget Bureau
No. 08-R359

Name of dealer _____
Make _____ Year _____ Model _____
Body type _____ Serial No. _____
Motor No. _____ Gross vehicle weight _____
Selling price $_____
Total maximum price $_____

The maximum price as computed on this tag is in accordance with the Office of Price Administration, Maximum Price Regulation No. 341, Section 1360.504, a copy of which is available for inspection.

"Value when new" _____ $_____
Transportation allowance _____ $_____
Extras (itemized below):
(1) _____ $_____
(2) _____ $_____
(3) _____ $_____
(Etc.) _____ $_____
Total base price _____ $_____
Age: _____ months.
Percentage of base price _____ percent.
Total maximum price _____ $_____

[1] The Dealer shall be responsible for the reproduction of the tags.

(b) Form of tag to be attached by dealer to a vehicle which is *reconditioned and guaranteed.*

OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Form No. 694:182b

Form Approved
Budget Bureau
No. 08-R359

Name of dealer _____
Make _____ Year _____ Model _____
Body type _____ Serial No. _____
Motor No. _____ Gross vehicle weight _____
Selling price $_____
Total maximum price $_____

"RECONDITIONED AND GUARANTEED"

The maximum Price as computed on this tag is in accordance with the Office of Price Administration, Maximum Price Regulation No. 341, Section 1360.506, a copy of which is available for inspection.

"Value when new" _____ $_____
Transportation allowance _____ $_____
Extras (itemized below):
(1) _____ $_____
(2) _____ $_____
(3) _____ $_____
(Etc.) _____ $_____
Total base price _____ $_____
Age: _____ months.
Percentage of base price _____ percent.
Total maximum price before reconditioning _____ $_____
Allowance, 5% of above maximum price _____ $_____
Total reconditioning (see guarantee) $_____
Total maximum price _____ $_____

§ 1360.521 *Appendix B: Form of guarantee to be furnished by dealer to purchaser of a reconditioned and guaranteed vehicle.*

Form No. 694: 182c

Form approved
Budget Bureau No. 08-R359

OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Guarantee

The vehicle described below is guaranteed to be in good operating condition and to remain so under normal use and service for the mileage travelled in the first thirty days after delivery, not to exceed 1,000 miles. If any repairs to which this guarantee applies become necessary within the period of this guarantee, the undersigned must be informed of the necessity of repairs and must be given a reasonable opportunity to inspect the vehicle and to perform the necessary repairs or to designate another person to perform such repairs. It is the responsibility of the undersigned to perform or to pay for such repairs, provided that where necessary repairs are performed by a person other than the undersigned, reimbursement will be conditional upon presentation to the undersigned of the itemized bill rendered for such repairs by such other person. This guarantee does not extend to tires or tubes, or to any damage caused by misuse, negligence, or collision

The undersigned warrants that the following parts, materials and labor were needed and actually used in reconditioning the ve-

hicle since its last use. This work was started ----------, 194--, and was completed ----------, 194--.

Parts

(1) ---------- $----
(2) ----------
(3) ----------
(4) ----------
(5) ----------
(6) ----------
Etc ----------

Total $----

Materials *Labor*

(1) ---------- $---------- ---------- hours
(2) ---------- ---------- @ ---------- per hour
(3) ---------- ---------- ---------- hours
(4) ---------- ---------- @ ---------- per hour
Total---------- $---------- Total $----

Total reconditioning, $----

The prices shown do not exceed the applicable maximum prices for parts, materials, and services.

Make of vehicle---------- Model----
Date of delivery----
Serial or Motor No.----
Total Selling Price $----

(Signed)

(Address)

NOTE: Purchasers are advised to retain this guarantee and also the sales invoice furnished upon this sale for use in connection with a possible resale of the vehicle.

§ 1360.522 *Appendix C: Tables of "value when new" prices*—(a) (1) *Explanation of terms.*

Principal plant: Principal place of manufacture to be used in computing transportation allowance under § 1360.505 (c).

Numerals in first column: Manufacturers' rating. In tons unless otherwise stated.

Type: Chassis unless otherwise stated.

Base weight: To be used in computing transportation allowance as provided in § 1360.505 (c).

Price: "Value when new" prescribed in § 1360.505 (b).

(2) *Explanation of abbreviations.*

Bus---------- Omnibus.
Cap---------- Capacity.
Cb---------- Cab.
C O E---------- Cab over engine.
Ch, Chas }---------- Chassis.
Cl, Clsd }---------- Closed.
Cyl---------- Cylinders.
Del, Dly }---------- Delivery.
De L---------- De Luxe.
D W---------- Dual wheels.
Ex, Exp }---------- Express.
Fr---------- Front.
Hvy---------- Heavy.
N A---------- Not available, variable, or optional.
No---------- Number.
Pan, Pl }---------- Panel.
Sed---------- Sedan.
Sp---------- Special.
Std---------- Standard.
S W---------- Single wheels.
Tr---------- Tractor.
Wh---------- Wheel.
Wi hld, W S }---------- Windshield.
W---------- With, e g, w cab: with cab.

(B) AMERICAN BANTAM

[Manufacturer: The American Bantam Car Company. Principal Plant: Butler, Pennsylvania]

(1) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ chassis	60	60-001 to 61-999.	4	75	1,200	$290
Pickup & cab	60		4	75	1,200	465
Pickup del. & cab	60		4	75	1,200	485
Panel & cab	60		4	75	1,200	479
Panel del. & cab	60		4	75	1,200	499
½ pickup	60		4	75	1,195	405
Panel	60		4	75	1,350	479
Blvd. del	60		4	75	1,200	499
Blvd. del. DeL	60		4	75	1,300	540

(2) 1939

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
½ chassis	60	62-001 to 63-999.	4	75	1,200	$290
Cpe, bus-2	60		4	75	1,200	440
Pickup & cab	60		4	75	1,200	465
Pickup del. & cab	60		4	75	1,200	485
Panel & cab	60		4	75	1,200	479
Panel del. & cab	60		4	75	1,200	499
½ pickup	60		4	75	1,195	405
Panel	60		4	75	1,350	479
Blvd. del	60		4	75	1,200	499
Blvd. del. DeL	60		4	75	1,300	540

(3) 1940

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
½ chassis	60	64-001 to 65-499	4	75	1,200	$290
Pickup & cab	60		4	75	1,200	465
Pickup del. & cab	60		4	75	1,200	485
Panel & cab	60		4	75	1,200	479
Panel del. & cab	60		4	75	1,200	499
½ pickup	60		4	75	1,195	405
Panel	60		4	75	1,350	479
Blvd. del	60		4	75	1,200	499
Blvd. del. DeL	60		4	75	1,300	540
½ panel	Super	65-500 and up	4	75	1,350	$489
Pickup	Super		4	75	1,195	477

(4) 1941

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
½ panel	Super	65-500 and up	4	75	1,350	$489
Pickup	Super		4	75	1,195	477

(C) AUSTIN

[Manufacturer: American Bantam Car Company. Principal plant: Butler, Pennsylvania]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
1/5 pan. del	4-75	N. A.	4	N. A.	$1,250	$395
1/5 pickup	4-75		4	N. A.	1,250	395

(D) AUTOCAR

[Manufacturer: The Autocar Company. Principal plant: Ardmore, Pennsylvania]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½	R	R-7967 to 9198	6	159	5,315	$2,25
1½	R		6	171	5,346	2,25
1½	R		6	189	5,421	2,3
2	RE	RE-7967 to 9198	6	159	5,514	2,40
2	RE		6	171	5,544	2,4
2	RE		6	189	5,619	2,50
2	RF	RF-7967 to 9198	6	159	5,735	2,45
2	RF		6	171	5,765	2,45
2	RF		6	189	5,840	2,50
2½	RG	RG-7967 to 9198	6	159	5,880	2,50
2½	RG		6	159	5,940	2,55
2½	RG		6	171	5,970	2,5
2½	RG		6	189	6,030	2,50
2½	RG		6	210	6,250	2,5
2½	A	A-7967 to 9198	6	159	6,090	3,10
2½	A		6	171	6,119	3,10
2½	A		6	192	6,206	3,10

(D) AUTOCAR—Continued

(1) 1933—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
3	D	D-7967 to 9198	6	150	6,100	$3,500
3	D		6	174	6,150	3,500
3	D		6	192	6,240	3,600
3½	DE	DE-7967 to 9198	6	150	6,675	3,850
3½	DE		6	174	6,725	3,850
3½	DE		6	192	6,815	3,950
3½	DE		6	210	6,905	3,975
3½	DF	DF-7967 to 9198	6	150	6,865	3,950
3½	DF		6	174	6,915	3,950
3½	DF		6	192	7,085	4,050
4	DH	DH-7967 to 9198	6	150	6,965	4,150
4	DH		6	174	7,015	4,150
4	N	N-7967 to 9198	6	191½	8,050	4,600
4	N		6	208½	8,150	4,600
4	N		6	227	8,220	4,700
5	NE	NE-7967 to 9198	6	149	7,995	4,725
5	NE		6	170	8,045	4,725
5	NF	NF-7967 to 9198	6	191½	8,170	4,800
5	NF		6	208½	8,230	4,800
5	NF		6	227	8,301	4,900
5	NH	NH-7967 to 9198	6	149	8,025	4,925
5	NH		6	170	8,075	4,925
5	S	S-7967 to 9198	6	158	9,050	5,500
5	S		6	168	9,080	5,500
6	SE	SE-7967 to 9198	6	158	9,280	5,800
6	SE		6	168	9,320	5,800
7½	C	C-7967 to 9198	6	158	10,700	6,600
7½	C		6	176	10,750	6,600
7½	CF	CF-7967 to 9198	6	164	11,000	6,900
7½	CF		6	182	11,050	6,900
7½	T	T-7967 to 9198	6	192	9,700	6,000
7½	T		6	218	9,850	6,000
7½	T		6	242	9,890	6,100
8½	TE	TE-7967 to 9198	6	189	10,400	6,500
8½	TE		6	207	10,500	6,500
8½	TF	TF-7967 to 9198	6	195	10,820	6,800
8½	TF		6	221	10,930	6,800
8½	TF		6	247	11,140	6,900
15	6GE	6GE-7967 to 9198	6	198	16,275	11,000
15	6GE		6	216	16,400	11,100
15	6GE		6	234	16,525	11,200
3½	SHS	SHS-7967 to 9198	6	114	8,345	4,800
3½	SHS		6	138	8,478	4,800
3½	SHS		6	161	8,578	4,800

Engine Under Seat

3	UD	UD-7967 to 9198	6	89	6,170	$3,500
3	UD		6	97	6,190	3,500
3	UD		6	109	6,220	3,500
3	UD		6	127	6,250	3,550
3	UD		6	145	6,290	3,600
4	UN	UN-7967 to 9198	6	96	9,040	4,600
4	UN		6	145	9,170	4,600
4	UN		6	163	9,300	4,700
5	US	US-7967 to 9198	6	98	9,380	5,300
5	US		6	109	9,420	5,300
5	US		6	128	9,380	5,300
5	US		6	145	9,420	5,300
5	US		6	163	9,460	5,400
6	USE	USE-7967 to 9198	6	98	9,510	5,400
6	USE		6	109	9,540	5,400
6	USE		6	128	9,510	5,400
6	USE		6	145	9,550	5,400
6	USE		6	163	9,590	5,700
8½	UTE	UTE-7967 to 9198	6	98	10,050	6,100
8½	UTE		6	137	10,450	6,300
8½	UTE		6	127	10,050	6,200
8½	UTE		6	150	10,460	6,400

Conventional

2½	RG	RG-8820 to 9198	6	150	6,100	$3,000
2½	RG		6	174	6,125	3,000
2½	RG		6	192	6,185	3,100
3	D	D-8820 to 9198	6	150	6,140	3,500
3	D		6	174	6,165	3,500
3	D		6	192	6,225	3,600
3½	DF	DF-8820 to 9198	6	150	7,010	3,950
3½	DF		6	174	7,135	3,950
3½	DF		6	192	7,260	4,050
4	DH	DH-8820 to 9198	6	150	7,400	4,150
4	DH		6	174	7,685	4,150
4	N	N-8820 to 9198	6	191½	8,275	4,650
4½	N		6	208½	8,355	4,650
4½	N		6	227	8,415	4,750
5	NF	NF-8820 to 9198	6	151	8,370	4,750
5	NF		6	172	8,420	4,750
5	NF		6	191½	8,615	4,850
5	NF		6	208½	8,695	4,850
5	NF		6	227½	8,745	4,950
5	S	S-8820 to 9198	6	168	9,075	5,500
7½	T	T-8820 to 9198	6	192	9,680	5,900
7½	T		6	218	10,000	5,900
7½	T		6	242	10,300	6,000

(D) AUTOCAR—Continued

(1) 1933—Continued

Conventional—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
12	TE	TE–8820 to 9198	6	214	10,325	$6,300
12	TE		6	228	10,425	6,300
12	C	C–8820 to 9198	6	158	11,784	6,650
12	C		6	176	11,909	6,650
3	UD	UD–8820 to 9198	6	97	6,740	3,500
3	UD		6	109	6,825	3,500
3	UD		6	127	6,985	3,550
3	UD		6	145	7,035	3,600
3	UD		6	127	7,655	3,950
3½	UDF	UDF–8820 to 9198	6	145	7,750	4,000
3½	UDF		6	145	7,750	4,000
4	UN	UN–8820 to 9198	6	96	8,635	4,650
4	UN		6	109	8,645	4,650
4	UN		6	128	8,650	4,650
4	UN		6	145	8,655	4,650
4	UN		6	163	8,675	4,750
4	UNF	UNF–8820 to 9198	6	128	9,200	4,850
5	UNF		6	145	9,225	4,850
5	UNF		6	163	9,260	4,950
5	US	US–8820 to 9198	6	109	9,115	5,300
7½	UT	UT–8820 to 9198	6	128	9,650	5,900
7½	UT		6	145	9,735	5,900
7½	UT		6	163	9,860	6,000
12	UTE	UTE–8820 to 9198	6	145	10,525	6,300
12	UTE		6	163	10,620	6,300

(2) 1934

Conventional

2½	RG	RG–9199 and up	6	150	6,100	$3,000
2½	RG		6	174	6,125	3,000
2½	RG		6	192	6,185	3,100
3	D	D–9199 and up	6	150	6,140	3,500
3	D		6	174	6,165	3,500
3	D		6	192	6,225	3,600
3	DF	DF–9199 and up	6	150	7,010	3,950
3½	DF		6	174	7,135	3,950
3½	DF		6	192	7,200	4,050
4	DH	DH–9199 and up	6	150	7,400	4,150
4	DH		6	174	7,685	4,150
4½	N	N–9199 and up	6	191½	8,275	4,650
4½	N		6	208½	8,355	4,650
4½	N		6	227	8,415	4,750
5	NF	NF–9199 and up	6	151	8,370	4,750
5	NF		6	172	8,470	4,750
5	NF		6	191½	8,615	4,850
5	NF		6	208½	8,695	4,850
5	NF		6	227	8,745	4,950
5	S	S–9199 and up	6	168	9,675	5,500
5	T	T–9199 and up	6	192	9,680	5,900
7½	T		6	218	10,000	5,900
7½	T		6	242	10,300	6,000
7½	T		6	214	10,020	6,300
12	TE	TE–9199 and up	6	228	10,120	6,300
12	TE		6	158	11,784	6,650
12	C	C–9199 and up	6	176	11,909	6,650
12	C					

Engine Under Seat

3	UD	UD–9199 and up	6	97	6,750	$3,500
3	UD		6	109	6,825	3,500
3	UD		6	127	6,985	3,550
3	UD		6	145	7,035	3,600
3	UDF	UDF–9199 and up	6	127	7,655	3,950
3½	UDF		6	145	7,750	4,000
4	UN	UN–9199 and up	6	96	8,635	4,650
4	UN		6	109	8,645	4,650
4	UN		6	128	8,650	4,650
4	UN		6	145	8,655	4,650
4	UN		6	163	8,675	4,750
4	UNF	UNF–9199 and up	6	128	9,200	4,850
5	UNF		6	145	9,225	4,850
5	UNF		6	163	9,260	4,950
5	US	US–9199 and up	6	109	9,115	5,300
7½	UT	UT–9199 and up	6	128	9,650	5,900
7½	UT		6	145	9,735	5,900
7½	UT		6	163	9,860	6,000
12	UTE	UTE–9199 and up	6	145	10,525	6,300
12	UTE		6	163	10,620	6,300

Conventional

2½	RG	RG–10258 and up	6	174	6,756	$3,000
2½	RG		6	192	6,890	3,100
2½	RH	RH–10258 and up	6	174	7,215	3,400
2½	RH		6	192	7,349	3,500
3	D	D–10258 and up	6	174	6,844	3,500
3	D		6	192	7,185	3,600
3½	DF	DF–10258 and up	6	159	7,634	3,950
3½	DF		6	177	8,053	4,000

(D) AUTOCAR—Continued

(2) 1934—Continued

Conventional—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
4½	N	N–10258 and up	6	178	8,680	$4,650
4½	N		6	195	8,830	4,650
4½	N		6	213	8,941	4,750
5	NF	NF–10258 and up	6	178	9,284	4,850
5	NF		6	195	9,342	4,850
5	NF		6	213	9,559	4,950
7½	T	T–10258 and up	6	178	10,319	5,900
7½	T		6	204	10,368	5,900
7½	T		6	228	10,464	6,000

Engine Under Seat

3	UD	UD–10258 and up	6	97	7,126	$3,700
3	UD		6	109	7,289	3,800
3	UD		6	127	7,333	3,750
3	UD		6	145	7,420	3,800
3½	UDF	UDF–10258 and up	6	109	7,882	4,150
3½	UDF		6	127	7,926	4,150
3½	UDF		6	145	8,115	4,200
4	UN	UN–10258 and up	6	109	9,176	4,900
4	UN		6	128	9,113	4,900
4	UN		6	145	9,177	4,900
4	UN		6	163	9,243	5,000
5	UNF	UNF–10258 and up	6	128	9,547	5,100
5	UNF		6	145	9,640	5,100
5	UNF		6	163	9,949	5,200
7½	UT	UT–10258 and up	6	128	10,059	6,100
7½	UT		6	145	10,240	6,100
7½	UT		6	163	10,450	6,200

Dump Service—Conventional

3½	RH	RH–10258 and up	6	150	6,537	$3,100
3½	RH		6	160	6,866	3,100
3½	D	D–10258 and up	6	150	6,888	3,850
3½	D		6	160	7,215	3,850
4	DH	DH–10258 and up	6	145	7,630	4,125
4	DH		6	159	7,790	4,125
6	S	S–10258 and up	6	165	9,726	5,600
10	C	C–10258 and up	6	165	11,604	6,650

Engine Under Seat

4	UDP	UDP–10258 and up	6	100	8,587	$4,775
5	US	US–10258 and up	6	133	9,933	5,900

Tractors—Conventional

3½	RHT	RHT–10258 and up	6	150	6,537	$3,100
3½	DT	DT–10258 and up	6	150	6,687	3,600
4	DFT	DFT–10258 and up	6	135	7,504	3,950
7	NT	NT–10258 and up	6	137	9,121	4,650
7	NT		6	158	9,158	4,650
7½	NFT	NFT–10258 and up	6	137	9,253	5,000
7½	NFT		6	158	9,274	5,000
8½	TT	TT–10258 and up	6	137	9,815	5,800
8½	TT		6	158	9,853	5,800

Tractors—Engine Under Seat

5½	UDT	UDT–10258 and up	6	89	7,126	$3,700
5½	UDT		6	97	7,146	3,700
5½	UDT		6	109	7,289	3,800
7	UDFT	UDFT–10258 and up	6	91	8,196	4,500
7	UDFT		6	97	8,346	4,500
7	UDFT		6	109	8,375	4,500
6½	UNT	UNT–10258 and up	6	89	9,059	4,675
6½	UNT		6	109	9,176	4,675
6½	UNFT	UNFT–10258 and up	6	96	9,435	5,300
6½	UNFT		6	109	9,604	5,300
6	UTT	UTT–10258	6	96	9,852	6,100
6	UTT		6	109	9,853	6,100

With Auxiliary (Dead) Rear Axles—Conventional

7	6RH	6RH–10258 and up	6	174	8,286	$3,150
7	6RH		6	192	8,420	3,250
7	6D	6D–10258 and up	6	174	8,342	3,[illegible]
7	6D		6	192	8,683	3,700
6½	6DF	6DF–10258 and up	6	159	8,937	3,850
6½	6DF		6	177	9,356	3,850
9	6N	6N–10258 and up	6	178	10,787	4,[illegible]
9	6N		6	195	10,937	4,[illegible]
9	6N		6	213	11,048	4,[illegible]

(D) AUTOCAR—Continued

(2) 1934—Continued

With Auxiliary (Dead) Rear Axles—Conventional—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
10	6NF	6NF-10258 and up	6	178	11,598	$5,225
10	6NF		6	195	11,656	5,225
10	6NF		6	213	11,873	5,325
10½	6T	6T-10258 and up	6	203	12,785	6,250
10½	6T		6	217	12,932	6,350
		With Auxiliary (Dead) Rear Axles—Engine Under Seat				
6½	6UD	6UD-10258 and up	6	127	8,886	$3,850
6½	6UD		6	145	8,973	3,900
10	6UDF	6UDF-10258 and up	6	127	9,992	4,150
10	6UDF		6	145	10,181	4,200
9	6UN	6UN-10258 and up	6	128	11,416	4,800
9	6UN		6	145	11,505	4,800
9	6UN		6	163	11,350	4,900
10	6UNF	6UNF-10258 and up	6	128	11,645	5,250
10	6UNF		6	145	11,734	5,250
10	6UNF		6	163	12,043	5,350
11	6UT	6UT-10258 and up	6	145	12,707	6,450
11	6UT		6	163	12,761	6,450
		(3) 1935				
		Conventional				
2½	RG	RG-10400 to 10820	6	174	5,766	$3,000
2½	RG		6	192	6,890	3,100
6½	RH	RH-10400 to 10820	6	174	7,215	3,400
6½	RH		6	192	7,349	3,500
2¼	D	D-10400 to 10820	6	174	6,844	3,500
2½	D		6	192	7,185	3,600
4	DF	DF-10400 to 10820	6	159	7,634	3,950
4	DF		6	177	8,053	4,000
5½	N	N-10400 to 10820	6	178	8,680	4,650
5½	N		6	195	8,830	4,650
5½	N		6	213	8,941	4,750
6	NF	NF-10400 to 10820	6	178	9,284	4,850
6	NF		6	195	9,342	4,850
6	NF		6	213	9,559	4,950
7½	T	T-10400 to 10820	6	178	10,319	5,900
7½	T		6	204	10,368	5,900
7½	T		6	228	10,464	6,000
		Engine Under Seat				
3½	UD	UD-10400 to 10820	6	97	7,126	$3,700
3½	UD		6	109	7,289	3,800
3½	UD		6	127	7,333	3,750
3½	UD	UD-10400 to 10820	6	145	7,420	3,800
5	UDF	UDF-10400 to 10820	6	109	7,882	4,150
5	UDF		6	127	7,926	4,150
5	UDF		6	145	8,115	4,200
7	UN	UN-10400 to 10820	6	109	9,176	4,900
7	UN		6	128	9,113	4,900
7	UN		6	145	9,177	4,900
7	UN		6	163	9,243	5,000
7½	UNF	UNF-10400 to 10820	6	128	9,547	5,100
7½	UNF		6	145	9,640	5,100
7½	UNF		6	163	9,949	5,200
9½	UT	UT-10400 to 10820	6	128	10,059	6,100
9½	UT		6	145	10,246	6,100
9½	UT		6	163	10,450	6,200
		Dump Service—Conventional				
3½	RH	RH-10400 to 10820	6	150	6,537	$3,100
3	RH		6	160	6,886	3,100
3½	D	D-10400 to 10820	6	150	6,886	3,850
3	D		6	160	7,215	3,850
4	DH	DH-10400 to 10820	6	145	7,630	4,125
3½	DH		6	159	7,790	4,125
6	S	S-10400 to 10820	6	165	9,726	5,600
10	C	C-10400 to 10820	6	165	11,604	6,650
		Dump Service—Engine Under Seat				
4	UDP	UDP-10400 to 10820	6	100	8,587	$4,775
6	US	US-10400 to 10820	6	133	9,933	5,900

(D) AUTOCAR—Continued

(3) 1935

Tractors—Conventional

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
3½	RHT	RHT-10400 and up	6	150	6,537	$3,100
3½	DT	DT-10400 and up	6	150	6,886	3,600
4	DFT	DFT-10400 and up	6	135	7,594	3,650
7	NT	NT-10400 and up	6	137	9,121	4,650
7	NT		6	158	9,158	4,650
7½	NFT	NFT-10400 and up	6	137	9,253	5,000
7½	NFT		6	158	9,274	5,000
8½	TT	TT-10400 and up	6	137	9,815	5,900
8½	TT		6	158	9,853	5,900
		Tractors—Engine Under Seat				
5½	UDT	UDT-10400 and up	6	89	7,126	$3,700
5½	UDT		6	97	7,146	3,700
5½	UDT		6	109	7,289	3,800
7	UDFT	UDFT-10400 and up	6	91	8,196	4,500
7	UDFT		6	97	8,346	4,500
7	UDFT		6	109	8,375	4,500
6½	UNT	UNT-10400 and up	6	96	9,099	4,675
6½	UNT		6	109	9,176	4,675
6½	UNFT	UNFT-10400 and up	6	96	9,435	5,300
6½	UNFT		6	109	9,604	5,300
6	UTT	UTT-10400 and up	6	96	9,832	6,100
6	UTT		6	109	9,853	6,100
		With Auxiliary (Dead) Rear Axles—Conventional				
7	6RH	6RH-10400 to 10820	6	174	8,286	$3,150
7	6RH		6	192	8,420	3,250
7	6D	6D-10400 to 10820	6	174	8,342	3,600
7	6D		6	192	8,683	3,700
6½	6DF	6DF-10400 to 10820	6	159	8,937	3,850
6½	6DF		6	177	9,356	3,900
9	6N	6N-10400 to 10820	6	178	10,787	4,550
9	6N		6	195	10,937	4,550
9	6N		6	213	11,048	4,650
10	6NF	6NF-10400 to 10820	6	178	11,598	5,225
10	6NF		6	195	11,656	5,225
10	6NF		6	213	11,873	5,325
10½	6T	6T-10400 to 10820	6	203	12,785	6,250
10½	6T		6	217	12,932	6,350
		With Auxiliary (Dead) Rear Axles—Engine Under Seat				
6½	6UD	6UD-10400 to 10820	6	127	8,886	$3,850
6½	6UD		6	145	8,973	3,900
9½	6UDF	6UDF-10400 to 10820	6	127	9,992	4,150
9½	6UDF		6	145	10,181	4,200
9	6UN	6UN-10400 to 10820	6	128	11,416	4,800
9	6UN		6	145	11,505	4,800
9	6UN		6	163	11,350	4,900
10	6UNF	6UNF-10400 to 10820	6	128	11,645	5,250
10	6UNF		6	145	11,734	5,250
10	6UNF		6	163	12,043	5,350
11	6UT	6UT-10400 to 10820	6	145	12,707	6,450
11	6UT		6	163	12,761	6,450
		Conventional				
2½	RH	RH-10821 and up	6	174	6,920	$3,250
2½	RH		6	192	7,221	3,350
2½	D	D-10821 and up	6	174	7,082	3,550
2½	D		6	192	7,315	3,600
4	DF	DF-10821 and up	6	159	7,746	3,875
4	DF		6	177	7,825	3,975
5½	N	N-10821 and up	6	178	8,780	4,650
5½	N		6	195	9,074	4,650
5½	N		6	213	9,193	4,750
6	NF	NF-10821 and up	6	178	9,239	4,900
6	NF		6	195	9,491	4,900
6	NF		6	213	9,610	5,000
7½	T	T-10821 and up	6	178	10,028	5,900
7½	T		6	204	10,368	5,900
7½	T		6	228	10,460	6,000
8	TF	TF-10821 and up	6	236	12,102	7,500
8	TF		6	250	12,176	7,500

(D) AUTOCAR—Continued

(3) 1935—Continued

Engine Under Seat

Rated capacity and type	Model	Serial No	Number of cylinders	Wheel base	Base weight	Price
				Inches		
3½	UD	UD-10821 and up	6	109	7,393	$3,750
3½	UD		6	127	7,533	3,850
3½	UD		6	145	7,651	3,850
5	UDF	UDF-10821 and up	6	109	8,121	4,075
5	UDF		6	127	8,191	4,175
5	UDF		6	145	8,227	4,175
5½	UN	UN-10821 and up	6	109	9,023	4,875
5½	UN		6	128	9,018	4,800
5½	UN		6	145	9,061	4,800
5½	UN	UN-10821 and up	6	163	9,303	4,900
6½	UNF	UNF-10821 and up	6	128	9,495	5,100
6½	UNF		6	145	9,657	5,100
6½	UNF		6	163	9,680	5,200
7½	UT	UT-10821 and up	6	128	10,258	6,000
7½	UT		6	145	10,286	6,000
7½	UT		6	163	10,354	6,100
		Dump Service—Conventional				
3	RHD	RHD-10821 and up	6	150	6,646	$3,250
3	RHD		6	160	6,706	3,250
3½	DP	DP-10821 and up	6	150	6,918	3,725
3½	DP		6	160	7,037	3,725
4	DH	DH-10821 and up	6	145	7,831	4,050
4	DH		6	159	7,950	4,050
5	S	S-10821 and up	6	165	10,065	5,850
10	C	C-10821 and up	6	165	11,424	6,800
		Dump Service—Engine Under Seat				
4	UDP	UDP-10821 and up	6	100	8,289	$4,650
6	US	US-10821 and up	6	120	9,782	5,700
		Tractors—Conventional				
6	RHT	RHT-10821 and up	6	150	6,773	$3,250
6	RHT		6	174	6,815	3,250
6	DT	DT-10821 and up	6	150	6,876	3,550
6	DT		6	174	6,918	3,550
6	DFT	DFT-10821 and up	6	135	7,755	3,875
7½	DFT		6	159	7,797	3,875
7½	DFT		6	177	7,825	3,975
7	NT	NT-10821 and up	6	137	8,688	4,575
7	NT		6	158	8,725	4,575
7	NFT	NFT-10821 and up	6	137	8,954	4,900
7	NFT		6	158	8,991	4,900
8½	TT	TT-10821 and up	6	137	9,932	6,150
8½	TT		6	158	10,247	6,150
8½	TFT	TFT-10821 and up	6	147	11,586	7,500
8½	TFT		6	168	11,639	7,500
		Tractors—Engine Under Seat				
5½	UDT	UDT-10821 and up	6	109	7,387	$3,750
7	UDFT	UDFT-10821 and up	6	91	8,020	4,250
7	UDFT		6	109	8,112	4,250
6½	UNT	UNT-10821 and up	6	96	8,429	4,600
6½	UNT		6	109	8,451	4,600
6½	UNFT	UNFT-10821 and up	6	96	8,699	5,000
6½	UNFT		6	109	8,721	5,000
6	UTT	UTT-10821 and up	6	109	9,795	6,100
		With Auxiliary (Dead) Rear Axles—Conventional				
7	6RH	6RH-10821 and up	6	174	9,483	$3,600
7	6RH		6	192	9,724	3,700
7	6D	6D-10821 and up	6	174	9,572	3,900
7	6D		6	192	9,813	4,000
6½	6DF	6DF-10821 and up	6	159	9,779	3,950
6½	6DF		6	177	9,826	4,050
9	6N	6N-10821 and up	6	178	11,536	4,625
9	6N		6	195	11,599	4,625
9	6N		6	213	11,805	4,725
10	6NF	6NF-10821 and up	6	178	12,068	5,175
10	6NF		6	195	12,131	5,175
10	6NF		6	213	12,337	5,275
10½	6T	6T-10821 and up	6	203	13,282	6,250
10½	6T		6	217	13,358	6,350
10½	6TF	6TF-10821 and up	6	210	14,616	7,500
10½	6TF		6	233	14,727	7,500

(D) AUTOCAR—Continued

(3) 1935—Continued

With Auxiliary (Dead) Rear Axles—Engine Under Seat

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
6½	6UD	6UD-10821 and up	6	127	9,957	$4,200
6½	6UD		6	145	10,123	4,200
9	6UN	6UN-10821 and up	6	128	11,947	4,925
9	6UN		6	145	12,076	4,925
9	6UN		6	163	12,068	5,025
10	6UNF	6UNF-10821 and up	6	128	12,207	5,250
10	6UNF		6	145	12,336	5,250
10	6UNF		6	163	12,341	5,350
11	6UT	6UT-10821 and up	6	145	13,488	6,300
11	6UT		6	163	13,465	6,400
		Dump Service—4-Wheel Drive—Conventional				
4½	4N	4N-11420 and up	6	162	9,969	$6,100
4½	4NF	4NF-11420 and up	6	162	9,969	6,500
6	4S	4S-11420 and up	6	165	11,214	7,600
		(4) 1936				
2½	RH	RH-11565	6	174	6,920	$3,250
2½	RH		6	192	7,221	3,350
2½	D	D-11565	6	174	7,682	3,550
2½	D		6	192	7,315	3,650
4	DF	DF-11565	6	159	7,746	3,875
4	DF		6	177	7,825	3,975
5½	N	N-11565	6	178	8,780	4,650
5½	N		6	195	9,074	4,750
5½	N		6	213	9,193	4,750
6	NF	NF-11565	6	178	9,259	4,900
6	NF		6	195	9,491	4,900
6	NF		6	213	9,610	5,000
7½	T	T-11565	6	178	10,028	5,900
7½	T		6	204	10,308	5,900
7½	T		6	228	10,460	6,000
7½	TF	TF-11565	6	236	12,102	7,500
7½	TF		6	250	12,176	7,500
		Engine Under Seat				
3½	UD	UD-11565	6	109	7,393	$3,750
3½	UD		6	127	7,533	3,850
3½	UD		6	145	7,651	3,850
5	UDF	UDF-11565	6	109	8,121	4,175
5	UDF		6	127	8,191	4,175
5	UDF		6	145	8,227	4,175
5½	UN	UN-11565	6	109	9,023	4,875
5½	UN	UN-11565	6	128	9,018	4,800
5½	UN		6	145	9,061	4,800
5½	UN		6	163	9,303	4,900
6½	UNF	UNF-11565	6	128	9,495	5,100
6½	UNF	UNF-11565	6	145	9,657	5,100
6½	UNF		6	163	9,680	5,200
7½	UT	UT-11565	6	128	10,258	6,000
7½	UT	UT-11565	6	145	10,286	6,000
7½	UT		6	163	10,354	6,100
		Dump Service—Conventional				
3	RHD	RHD-11565	6	150	6,646	$3,250
3	RHD		6	160	6,706	3,250
3½	DP	DP-11565	6	150	6,918	3,725
3½	DP		6	160	7,037	3,725
4	DH	DH-11565	6	145	7,831	4,050
4	DH		6	159	7,950	4,050
6	S	S-11565	6	165	10,165	5,850
10	C	C-11565	6	165	11,424	6,800
		Dump Service—Engine Under Seat				
4	UDP	UDP-11565	6	100	8,289	$4,650
6	US	US-11565	6	120	9,782	5,700
		Tractor—Conventional				
6	RHT	RHT-11565	6	157	6,773	$3,250
6	RHT		6	174	6,815	3,250
6	DT	DT-11565	6	157	6,876	3,550
6	DT		6	174	6,918	3,550
7½	DFT	DFT-11565	6	142	7,755	3,875
7½	DFT		6	159	7,797	3,875
7	NT	NT-11565	6	143	8,688	4,575
7	NT		6	165	8,725	4,575
7	NFT	NFT-11565	6	143	8,954	4,900
7	NFT		6	165	8,991	4,900
8½	TT	TT-11565	6	143	9,932	6,150
8½	TT		6	165	10,247	6,150
8½	TFT	TFT-11565	6	165	11,586	7,500
8½	TFT		6	177	11,639	7,500

(D) AUTOCAR—Continued

(4) 1936—Continued

Tractor—Engine Under Seat

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
5½	UDT	UDT-11565	6	109	7,387	$3,750
7	UDFT	UDFT-11565	6	91	8,026	4,250
7	UDFT		6	109	8,112	4,250
6½	UNT	UNT-11565	6	98	8,426	4,600
6½	UNT		6	109	8,451	4,600
6½	UNFT	UNFT-11565	6	98	8,609	5,000
6½	UNFT		6	109	8,721	5,000
6	UTT	UTT-11565	6	109	9,795	6,100

With Auxiliary (Dead) Rear Axles—Conventional

7	6RH	6RH-11565	6	174	9,483	$3,600
7	6RH		6	192	9,724	3,700
7	6D	6D-11565	6	174	9,572	3,900
7	6D		6	192	9,813	4,000
6½	6DF	6DF-11565	6	159	9,779	3,950
6½	6DF		6	177	9,826	4,050
9	6N	6N-11565	6	178	11,330	4,625
9	6N		6	195	11,599	4,625
9	6N		6	213	11,805	4,725
16	6NF	6NF-11565	6	178	12,068	5,175
10	6NF		6	195	12,131	5,175
10	6NF		6	213	12,337	5,275
10½	6T	6T-11565	6	203	13,282	6,250
15	6T		6	217	13,358	6,350
15	6TF	6TF-11565	6	210	14,616	7,500
15	6TF		6	223	14,727	7,500

With Auxiliary (Dead) Rear Axles—Engine Under Seat

6½	6UD	6UD-11565	6	127	9,957	$4,200
6½	6UD		6	145	10,123	4,200
9	6UN	6UN-11565	6	128	11,947	4,925
9	6UN		6	145	12,076	4,925
9	6UN		6	163	12,068	5,025
10	6UNF	6UNF-11565	6	128	12,207	5,250
10	6UNF		6	145	12,336	5,250
10	6UNF		6	163	12,341	5,350
11	6UT	6UT-11565	6	145	13,388	6,300
11	6UT		6	163	13,465	6,400

Dump Service—4 Wh. Dr.—Conventional

4½	4N	4N-11565	6	162	9,969	$6,100
4½	4NF	4NF-11565	6	162	9,969	6,500
6	4S	4S-11565	6	165	11,214	7,600
4	4x4DF	DF-11777	6	159	8,419	5,000
4½	4x4N	N-11777	6	165	9,900	6,000
4½	4x4NF	NF-11777	6	165	10,915	6,750
6	4x4S	S-11777	6	165	11,145	7,250

Dump Service—With Double Drive Rear Axles

10	6x4DF	DF-11777	6	135	11,005	$5,750
12	6x4NF	NF-11777	6	137	11,785	7,000
13½	6x4T	T-11777	6	137	15,035	9,300

With Double Drive Rear Axles—Engine Under Seat

14	6x4UT	UT-11777	6	107	13,482	$8,850
2½	RH	RH-12219	6	164	6,855	3,250
2½	RH		6	182	6,915	3,350
2½	D	D-12219	6	164	7,215	3,550
2½	D		6	182	7,295	3,650
4	DF	DF-12219	6	164	7,845	3,875
4	DF		6	182	7,915	3,975
5½	N	N-12219	6	164	8,705	4,650
5½	N		6	182	8,785	4,650
5½	N		6	200	8,865	4,750
5½	N		6	218	8,955	4,750
6	NF	NF-12219	6	164	9,625	4,900
6	NF		6	182	9,695	4,900
6	NF		6	200	9,745	5,000
6	NF		6	218	9,825	5,000
7½	T	T-12219	6	182	10,485	5,900
7½	T		6	200	10,565	5,900
7½	T		6	218	10,625	6,000

Dump Service

3	RHD	RHD-12219	6	148	6,785	$3,250
3½	DP	DP-12219	6	148	7,275	3,775
3½	DP		6	164	7,315	3,775
4	DH	DH 12219	6	145	8,355	4,025
4	DH		6	164	8,375	4,025
6	S	S-12219	6	170	9,935	5,850
10	C	C-12219	6	170	11,385	6,800

(D) AUTOCAR—Continued

(4) 1936—Continued

Tractors

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
6	1TR	1TR-12219	6	142	6,875	$3,400
6	1TR		6	148	6,875	3,400
6	1TR		6	164	6,905	3,400
7½	2TR	2TR-12219	6	142	7,805	4,225
7½	2TR		6	148	7,815	4,225
7½	2TR		6	164	7,845	4,225
7	3TR	3TR-12219	6	148	8,375	5,000
7	3TR		6	164	8,415	5,000
7	4TR	4TR-12219	6	148	9,265	5,050
7	4TR		6	164	9,305	5,050
8½	5TR	5TR-12219	6	148	9,655	6,000
8½	5TR		6	164	9,675	6,000

With Auxiliary (Dead) Rear Axles

7	6x2RH	RH-12219	6	164	9,345	$3,350
7	6x2RH		6	182	9,415	3,450
6½	6x2DF	DF-12219	6	164	10,485	3,975
6½	6x2DF		6	182	10,545	4,075
6½	6x2DF		6	200	10,615	4,175
6½	6x2DF		6	218	10,655	4,175
10	6x2NF	NF-12219	6	182	11,665	5,050
10	6x2NF		6	200	11,715	5,150
10	6x2NF		6	218	11,785	5,150
10½	6x2T	T-12219	6	208	12,985	6,350
10½	6x2T		6	222	13,055	6,450
	RM	RM-13248	6	164	6,715	1,900
	RM		6	182	6,805	2,000
	RL	RL-13248	6	164	6,805	2,400
	RL		6	182	6,985	2,550
	D	D-13248	6	164	7,525	3,600
	D		6	182	7,645	3,700
	DF	DF-13248	6	164	8,445	4,200
	DF		6	182	8,525	4,300
	N	N-13248	6	164	8,705	4,500
	N		6	182	8,785	4,500
	N		6	200	8,865	4,600
	N		6	218	8,955	4,600
	NF	NF-13248	6	164	9,735	5,100
	NF		6	182	9,815	5,100
	NF		6	200	9,865	5,200
	NF		6	218	9,935	5,200
	T	T-13248	6	182	10,485	5,850
	T		6	200	10,565	5,850
	T		6	218	10,625	5,950
Tractors	RMT	RMT-13248	6	142	6,835	2,180
	RMT		6	164	6,865	2,180
	1TR	1TR-13248	6	142	6,875	2,587
	1TR		6	148	6,875	2,587
	1TR		6	164	6,905	2,587
	2TR	2TR-13248	6	142	7,805	4,100
	2TR		6	148	7,815	4,100
	2TR		6	164	7,845	4,100
	3TR	3TR-13248	6	148	8,375	4,800
	3TR		6	164	8,415	4,800
	4TR	4TR-13248	6	148	9,265	4,950
	4TR		6	164	9,305	4,950
	5TR	5TR-13248	6	148	9,655	5,700
	5TR		6	164	9,675	5,700
Dump service	RLD	RLD-13248	6	148	6,785	2,400
	DP	DP-13248	6	148	7,535	3,750
	DP		6	164	7,672	3,750
	DH	DH-13248	6	148	8,545	4,550
	DH		6	164	8,565	4,550
	S	S-13248	6	170	10,025	5,750
	C	C-13248	6	170	11,385	6,650
With auxiliary (dead) rear axles	6x2RL	RL-13248	6	164	9,345	2,715
	6x2RL		6	182	9,415	2,705
	6x2DF	DF-13248	6	164	10,485	4,250
	6x2DF		6	182	10,545	4,350
	6x2DF		6	200	10,615	4,450
	6x2DF		6	218	10,655	4,450
	6x2NF	NF-13248	6	182	11,665	5,300
	6x2NF		6	200	12,055	5,400
	6x2NF		6	218	12,125	5,400
	6x2T	T-13248	6	208	12,985	5,900
	6x2T		6	222	13,055	6,000
6 Wh.—With double drive rear axles	6x4DF	DF-13248	6	139	11,005	5,750
	6x4TD	TD-13248	6	184	14,115	8,550
	6x4TD		6	142	14,415	8,700
	6x4TC	TC-13248	6	142	15,045	9,500
Engine under seat	UD	UD-13248	6	109	8,280	3,800
	UD		6	127	8,400	3,900
	UD		6	145	8,440	4,000
	UDF	UDF-13248	6	109	8,870	4,650
	UDF		6	127	8,970	4,650
	UDF		6	145	9,060	4,750
	UN	UN-13248	6	109	9,400	5,000
	UN		6	128	9,380	4,950
	UN		6	145	9,500	5,050
	UN		6	163	9,670	5,100
	UNF	UNF-13248	6	128	10,110	5,400
	UNF		6	145	10,160	5,500
	UNF		6	163	10,300	5,500

(D) AUTOCAR—Continued

(4) 1936—Continued

With Auxiliary (Dead) Rear Axles—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Engine under seat	UT	UT-13248	6	128	10,770	$5,600
	UT		6	145	10,840	5,800
	UT		6	163	11,020	6,000
Tractor—engine under seat.	1UTR	1UTR-13248	6	98	7,470	3,850
	1UTR		6	109	7,770	3,850
	2UTR	2UTR-13248	6	98	9,080	4,650
	2UTR		6	109	9,070	4,650
	2UTR	3UTR-13248	6	98	9,230	5,200
	3UTR		6	109	9,500	5,200
	3UTR	4UTR-13248	6	98	9,530	5,450
	4UTR		6	109	9,810	5,450
	4UTR	5UTR-13248	6	98	10,120	5,900
	5UTR		6	109	10,400	5,900
	5UTR		6	100	8,740	4,400
Dump Service—engine under seat	UDP	UDP-13248	6	120	10,570	5,850
	US	US-13248	6	127	11,260	4,700
With auxiliary (dead) rear axles—engine under seat.	6x2UD	UD-13248	6	143	11,400	4,700
	6x2UD		6	128	11,900	5,200
	6x2UN	UN-13248	6	145	12,120	5,300
	6x2UN		6	163	12,280	5,400
	6x2UNF	UNF-13248	6	128	12,620	5,500
	6x2UNF		6	145	12,720	5,600
	6x2UNF		6	163	12,800	5,700
	6x2UT	UT-13248	6	145	13,460	5,800
	6x2UT		6	163	13,580	5,900
	6x4UTO	UTO-13248	6	118	13,920	8,500
6 Wheels—With double drive rear axles—Engine under seat.	6x4UTD	UTD-13248	6	109	13,820	8,750
Dump Service—4 Wheel drive—conventional.	4x4DF	DF-13248	6	163	8,419	5,600
	4x4N	N-13248	6	167	9,900	6,000
	4x4NF	NF-13248	6	168	10,915	6,750
	4x4S	S-13248	6	168	11,145	7,250

(5) 1937

	RM	RM-13399	6	164	6,715	$1,980
	RM		6	182	6,805	2,060
	RM		6	164	6,895	2,190
	RL	RL-13399	6	182	6,985	2,550
	RL		6	164	7,525	3,600
	D	D-13399	6	182	7,645	3,700
	D		6	164	8,445	4,200
	DF	DF-13399	6	182	8,525	4,300
	DF		6	164	8,705	4,500
	N	N-13399	6	182	8,785	4,580
	N		6	200	8,805	4,680
	N		6	218	8,905	4,660
	NF	NF-13399	6	164	9,735	5,100
	NF		6	182	9,865	5,100
	NF		6	200	9,865	5,200
	NF	NF-13399	6	218	9,935	5,280
	T	T-13399	6	182	10,485	5,850
	T		6	200	10,505	5,850
	T		6	218	10,625	5,950
Tractors	RMT	RMT-13399	6	142	6,835	2,180
	RMT		6	164	6,865	2,180
	1TR	1TR 13399	6	142	6,575	2,595
	1TR		6	148	6,575	2,595
	1TR		6	164	6,505	2,595
	2TR	2TR-13399	6	142	7,805	4,100
	2TR		6	148	7,815	4,100
	2TR		6	164	7,835	4,100
	3TR	3TR-13399	6	148	8,575	4,800
	3TR		6	164	8,415	4,800
	4TR	4TR-13399	6	148	9,205	4,950
	4TR		6	164	9,305	4,950
	5TR	5TR-13399	6	148	9,655	5,700
	5TR		6	164	9,675	5,700
Dump Service	RLD	RLD 13399	6	148	6,785	2,460
	DP	DP-13399	6	148	7,635	3,750
	DP		6	164	7,675	3,750
	DH	DH-13399	6	148	8,535	4,550
	DH		6	164	8,565	4,550
	S	S-13399	6	170	10,025	5,750
	C	C-13399	6	170	11,585	6,650
With auxiliary (dead) rear axles.	6x2RL	RL-13399	6	164	9,345	2,715
	6x2RL		6	182	9,415	2,805
	6x2DF	DF-13399	6	164	10,485	4,250
	6x2DF		6	182	10,545	4,350
	6x2DF		6	200	10,615	4,450
	6x2DF		6	218	10,685	4,450
	6x2NF	NF-13399	6	182	11,085	5,300
	6x2NF		6	200	12,055	5,400
	6x2NF		6	218	12,125	5,400
	6x2T	T-13399	6	218	12,765	5,900
	6x2T		6	222	13,055	6,000
6 wheels—with double drive rear axles.	6x4DF	DF-13399	6	139	11,695	5,750
	6x4TD	TD-13399	6	184	14,415	8,750
	6x4TD		6	142	14,415	8,700
	6x4TC	TC-13399	6	142	15,045	9,500
Engine under seat	UD	UD-13399	6	102	8,280	3,800
	UD		6	127	8,400	3,900
	UD		6	145	8,490	4,000

(D) AUTOCAR—Continued

(5) 1937—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Engine under seat	UDF	UDF-13399	6	109	8,870	$4,550
	UDF		6	127	8,970	4,650
	UDF		6	145	9,060	4,750
	UN	UN-13399	6	109	9,400	5,000
	UN		6	128	9,380	4,950
	UN		6	145	9,500	5,050
	UN		6	163	9,670	5,100
	UNF	UNF-13399	6	128	10,110	5,400
	UNF		6	145	10,160	5,500
	UNF		6	163	10,300	5,500
	UT	UT-13399	6	128	10,770	5,900
	UT		6	145	10,840	5,900
	UT		6	163	11,020	6,000
Tractors—engine under seat.	1UTR	1UTR 13399	6	98	7,470	3,850
	1UTR		6	109	7,770	3,850
	2UTR	2UTR-13399	6	98	9,080	4,650
	2UTR		6	109	9,070	4,650
	3UTR	3UTR-13399	6	98	9,230	5,200
	3UTR		6	109	9,500	5,200
	4UTR	4UTR-13399	6	98	9,530	5,450
	4UTR		6	109	9,810	5,450
	5UTR	5UTR-13399	6	98	10,120	5,900
	5UTR		6	109	10,400	5,900
Dump service—engine under seat.	UDP	UDP 13399	6	100	8,740	4,400
	US	US-13399	6	120	10,570	5,850
	6x2UD	UD-13399	6	127	11,260	4,700
	6x2UD		6	145	11,400	4,700
	6x2UN	UN-13399	6	128	11,900	5,200
	6x2UN		6	145	12,120	5,300
	6x2UN		6	163	12,280	5,400
	6x2UNF	UNF 13399	6	128	12,620	5,500
	6x2UNF		6	145	12,720	5,600
	6x2UNF		6	163	12,800	5,700
	6x2UT	UT-13399	6	145	13,460	5,800
	6x2UT		6	163	13,580	5,900
6-wheel—with double drive rear axles—engine under seat.	6x4UTO	UTO-13399	6	118	13,920	8,500
	6x4UTD	UTD-13399	6	109	13,820	8,750
Dump service—4-wheel drive—conventional.	4x4DF	DF-13399	6	163	8,419	5,000
	4x4N	N-13399	6	167	9,900	6,000
	4x4DF	DF-13399	6	168	10,915	6,750
	4x4S	S-13399	6	168	11,145	7,250
	RM	RM-1400	6	164	6,750	2,280
	RM	RM-1400	6	182	6,870	2,370
	RM		6	200	6,990	2,460
	RM		6	212	7,090	2,460
	RL	RL-1400	6	164	6,890	2,595
	RL		6	182	7,010	2,685
	RL		6	200	7,140	2,775
	RL		6	212	7,240	2,775
Tractors	RMT	RMT-1400	6	142	6,920	2,100
	RMT		6	164	6,950	2,400
	1TR	1TR-1400	6	142	6,960	2,730
	1TR		6	148	6,960	2,730
	1TR		6	164	6,990	2,730
With auxiliary (dead) rear axles.	6x2RL	RL-1400	6	164	9,430	2,850
	6x2RL		6	182	9,500	2,960
Dump service	RLD	RLD-1400	6	148	6,870	2,595
	A	A-15001	6	139	4,790	1,035
	A		6	161	4,870	1,145
	A		6	179	4,940	1,195
	B	B-15001	6	139	5,150	1,480
	B		6	161	5,230	1,530
	B		6	179	5,300	1,580
Cab over engine	UA	UA-15001	6	84	4,740	1,095
	UA		6	106	4,820	1,145
	UA		6	124	4,870	1,195
	UA		6	142	4,980	1,295
	UB	UB-15001	6	84	5,290	1,545
	UB		6	106	5,320	1,595
	UB		6	124	5,370	1,645
	UB		6	142	5,420	1,745

(6) 1938

Conventional	A	N. A.	6	139	4,790	$1,095
	A		6	161	4,870	1,145
	A		6	179	4,940	1,195
	B		6	139	5,150	1,480
	B		6	161	5,230	1,530
	B		6	179	5,300	1,580
Cab over engine	UA		6	84	4,740	1,095
	UA		6	106	4,820	1,145
	UA		6	124	4,870	1,195
	UA		6	142	4,980	1,295
	UB		6	84	5,290	1,545
	UB		6	106	5,320	1,595
	UB		6	124	5,370	1,645
	UB		6	142	5,420	1,745
Conventional	RM		6	164	6,665	2,280
	RM		6	182	6,785	2,370
	RM		6	200	6,905	2,460
	RM		6	212	7,005	2,460
	RL		6	164	6,805	2,595
	RL		6	182	6,925	2,685
	RL		6	200	7,055	2,775
	RL		6	212	7,155	2,775
	D		6	164	7,565	3,600

(D) AUTOCAR Continued

(D) AUTOCAR—Continued

(6) 1938—Continued

(D) AUTOCAR Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Conventional	D	N. A.	6	182	7,645	$3,700
	DF		6	164	8,445	4,200
	DF		6	182	8,525	4,300
	N		6	164	8,705	4,500
	N		6	182	8,785	4,500
	N		6	200	8,865	4,600
	NS		6	218	8,955	4,600
	NF		6	164	9,735	5,100
	NF		6	182	9,805	5,100
	NF		6	200	9,865	5,200
	NF		6	218	9,935	5,200
	T		6	182	10,485	5,850
	T		6	200	10,565	5,850
	T		6	218	10,625	5,950
	RMT		6	142	6,535	2,400
	RMT		6	164	6,865	2,400
	TR		6	142	6,875	2,730
	TR		6	148	6,875	2,730
	TR		6	164	6,905	2,730
	TR		6	142	8,005	4,100
	TR		6	148	8,015	4,100
	TR		6	164	8,035	4,100
	TR		6	148	8,424	4,800
	TR		6	164	8,464	4,800
	TR		6	148	9,265	4,950
	TR		6	164	9,305	4,950
	TR		6	148	9,655	5,700
	TR		6	164	9,675	5,700
Dump service	RLD		6	148	6,785	2,595
	DP		6	148	7,635	3,750
	DP		6	164	7,675	3,750
	DH		6	148	8,535	4,550
	DH		6	164	8,565	4,550
	S		6	170	10,025	5,750
	C		6	170	11,385	6,650
With auxiliary (dead) rear axles.	4x2RL		6	164	9,345	2,850
	6x2RL		6	182	9,415	2,940
	6x2DF		6	164	10,485	4,250
	6x2DF		6	182	10,545	4,350
	6x2DF		6	200	10,615	4,450
	6x2DF		6	218	10,655	4,450
	6x2NF		6	182	11,985	5,300
	6x2NF		6	200	12,055	5,400
	6x2NF		6	218	12,125	5,400
	6x2T		6	200	12,985	5,900
	6x2T		6	222	13,055	6,000
With double drive rear axles.	6x4DF		6	139	11,005	5,750
	6x4TO		6	184	14,115	8,550
	6x4TD		6	142	14,415	8,700
	6x4TC		6	142	15,045	9,500
Dump service	4x4DF		6	163	8,419	5,000
	4xN		6	167	9,500	6,000
	4x4NF		6	168	10,915	6,750
	4x4S		6	168	11,145	7,250
Engine under seat	UD		6	109	8,280	3,800
	UD		6	127	8,400	3,900
	UD		6	145	8,490	4,000
	UDF		6	109	8,870	4,550
	UDF		6	127	8,970	4,650
	UDF		6	145	9,060	4,750
	UN		6	109	9,400	5,000
	UN		6	128	9,380	4,850
	UN		6	145	9,500	5,050
	UN		6	163	9,670	5,100
	UNF		6	128	10,110	5,400
	UNF		6	145	10,160	5,500
	UNF		6	163	10,300	5,500
	UT		6	128	10,770	5,900
	UT		6	145	10,840	5,900
	UT		6	163	11,020	6,000
Tractors—engine under seat.	UTR		6	98	7,470	3,850
	UTR		6	109	7,770	3,850
	UTR		6	98	9,080	4,650
	UTR		6	109	9,070	4,650
	UTR		6	98	9,230	5,200
	UTR		6	109	9,500	5,200
	UTR		6	98	9,530	5,450
	UTR		6	109	9,810	5,450
	UTR		6	98	10,120	5,900
	UTR		6	109	10,400	5,900
	UTR		6	109	8,740	4,400
Dump service—engine under seat.	UDP		6	120	10,570	5,850
With auxiliary (dead) rear axles—engine under seat.	US		6	127	11,260	4,700
	4x2UD		6	145	11,400	4,700
	4x2UD		6	128	11,990	5,200
	4x2UN		6	145	12,120	5,300
	4x2UN		6	163	12,280	5,400
	4x2UN		6	128	12,620	5,500
	4x2UNF		6	145	12,750	5,600
	6x2UNF		6	163	12,890	5,700
	6x2UNF		6	145	13,460	5,800
	6x2UT		6	163	13,580	5,900
	6x2UT		6	118	13,920	8,500
With double drive rear axles—Engine under seat.	6x4UTO		6	109	13,820	8,750
Conventional	RLS		6	164	7,535	3,025
	RLS		6	182	7,615	3,115
	RLS		6	200	7,715	3,205

(D) AUTOCAR—Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Conventional	A	N. A.	6	139	4,790	$1,250
	A		6	161	4,870	1,300
	A		6	179	4,940	1,350
	B		6	139	5,150	1,625
	B		6	161	5,230	1,675
	B		6	179	5,300	1,725
Cab over engine	UA		6	84	4,570	1,250
	UA		6	106	4,680	1,300
	UA		6	124	4,760	1,350
	UA		6	142	5,010	1,450
	UB		6	84	5,140	1,690
	UB		6	106	5,450	1,740
	UB		6	124	5,450	1,790
	UB		6	142	5,530	1,890
Conventional	RL		6	164	6,805	2,595
	RL		6	182	6,925	2,595
	RL		6	200	7,055	2,645
	RL		6	212	7,175	2,645
	RL		6	164	7,090	2,910
	RLS		6	182	7,190	2,910
	RLS		6	200	7,290	2,960
	RLS		6	212	7,390	2,960
	4xDF		6	163	8,419	5,000
	4xN		6	163	10,455	6,000
	4xNS		6	163	12,025	7,250
	4xS		6	150	13,605	9,500
	4xC		6	157	14,255	10,000
	4xCD		6	96	6,770	2,595
Cab over engine	URL		6	106	6,830	2,595
	URL		6	124	6,940	2,595
	URL		6	142	7,050	2,845
	URL		6	86	7,540	3,110
	URLS		6	106	7,600	3,110
	URLS		6	124	7,710	3,110
	URLS		6	142	7,820	3,160
	URLS		6	142	6,165	2,100
	RB		6	164	6,285	2,100
	RB		6	182	6,405	2,150
	RB		6	200	6,535	2,175
	RB		6	86	6,250	2,250
	URB		6	106	6,310	2,250
	URB		6	124	6,420	2,250
	URB		6	142	6,530	2,300

(7) 1939

Conventional	A	N. A.	6	139	4,790	1,095
	A		6	161	4,870	1,145
	A		6	179	4,940	1,195
	B		6	139	5,150	1,480
	B		6	161	5,230	1,530
	B		6	179	5,300	1,580
Cab over engine	UA		6	84	4,740	1,095
	UA		6	106	4,820	1,145
	UA		6	124	4,870	1,195
	UA		6	142	4,980	1,295
	UB		6	84	5,290	1,545
	UB		6	106	5,320	1,595
	UB		6	124	5,370	1,645
	UB		6	142	5,420	1,742
Conventional	TR	Listing of motor and Serial Nos. by Autocar Company discontinued January 1938.	6	142	6,875	2,730
	TR		6	148	6,875	2,730
	TR		6	164	6,905	2,730
	TR		6	142	8,005	4,100
	TR		6	148	8,015	4,100
	TR		6	164	8,035	4,100
	TR		6	148	8,424	4,800
	TR		6	164	8,464	4,800
	TR		6	148	9,265	4,950
	TR		6	164	9,305	4,950
	TR		6	148	9,655	5,700
	TR		6	164	9,675	5,700
Dump service	RLD		6	148	6,785	2,595
	DP		6	148	7,635	3,750
	DP		6	164	7,675	3,750
	DH		6	148	8,535	4,550
	DH		6	164	8,565	4,550
	S		6	170	10,025	5,750
	C		6	170	11,385	6,650
	RL		6	164	6,805	2,595
	RL		6	182	6,925	2,595
	RL		6	200	7,055	2,645
	RL		6	212	7,155	2,775
	D		6	164	7,565	3,600
	D		6	182	7,645	3,700
	DF		6	164	8,445	4,200
	DF		6	182	8,525	4,300
	N		6	164	8,705	4,500
	N		6	182	8,785	4,500
	N		6	200	8,865	4,600
	NS		6	218	8,955	4,600
	NF		6	164	9,735	5,100
	NF		6	182	9,805	5,100
	NF		6	200	9,865	5,200
	NF		6	218	9,935	5,200
	T		6	182	10,485	5,850
	T		6	200	10,565	5,850
	T		6	218	10,625	5,950

(D) AUTOCAR Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Conventional	RMT	N. A.	6	142	6,535	$2,400
	RMT		6	164	6,865	2,400
	TR		6	142	6,875	2,730
	TR		6	148	6,875	2,730
	TR		6	164	6,905	2,730
	TR		6	142	8,005	4,100
	TR		6	148	8,015	4,100
	TR		6	164	8,035	4,100
	TR		6	148	8,424	4,800
	TR		6	164	8,464	4,800
	TR		6	148	9,265	4,950
	TR		6	164	9,305	4,950
	TR		6	148	9,655	5,700
	TR		6	164	9,675	5,700
Dump service	RLD		6	148	6,785	2,595
	DP		6	148	7,635	3,750
	DP		6	164	7,675	3,750
	DH		6	148	8,535	4,550
	DH		6	164	8,565	4,550
	S		6	170	10,025	5,750
	C		6	170	11,385	6,650
	RL		6	164	6,805	2,595
	RL		6	182	6,925	2,595
	RL		6	200	7,055	2,645
	RL		6	212	7,155	2,775
	D		6	164	7,565	3,600
	D		6	182	7,645	3,700
	DF		6	164	8,445	4,200
	DF		6	182	8,525	4,300
	N		6	164	8,705	4,500
	N		6	182	8,785	4,500
	N		6	200	8,865	4,600
	NS		6	218	8,955	4,600
	NF		6	164	9,735	5,100
	NF		6	182	9,805	5,100
	NF		6	200	9,865	5,200
	NF		6	218	9,935	5,200
	T		6	182	10,485	5,850
	T		6	200	10,565	5,850
	T		6	218	10,625	5,950

(D) AUTOCAR—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
With auxiliary (dead) rear axles.	6x2RL	Listing of motor and Serial Nos. by Autocar Company discontinued January 1938.	6	164	9,345	$2,850
	6x2RL		6	182	9,415	2,940
	6x2DF		6	164	10,485	4,250
	6x2DF		6	182	10,545	4,350
	6x2DF		6	200	10,615	4,450
	6x2DF		6	218	10,655	4,450
	6x2NF		6	182	11,985	5,300
	6x2NF		6	200	12,055	5,400
	6x2NF		6	218	12,125	5,400
	6x2T		6	200	12,985	5,900
	6x2T		6	222	13,055	6,000
With double drive rear axles.	6x4DF		6	139	11,005	5,750
	6x4DF		6	184	14,115	8,550
	6x4TD		6	142	14,415	8,700
	6x4TC		6	142	15,045	9,500
Dump service.	6x4DF		6	163	8,410	5,000
	6x4N		6	167	9,900	6,000
	6x4NF		6	168	10,915	6,750
	6x4S		6	168	11,145	7,250
Engine under seat.	CD		6	109	8,280	3,800
	CD		6	127	8,400	3,900
	CD		6	145	8,490	4,000
	CDF		6	109	8,870	4,550
	CDF		6	127	8,970	4,650
	CDF		6	145	9,060	4,750
	CN		6	109	9,400	5,000
	CN		6	128	9,380	4,950
	CN		6	145	9,500	5,050
	CN		6	163	9,670	5,100
	CNF		6	128	10,110	5,400
	CNF		6	145	10,190	5,500
	CNF		6	163	10,300	5,500
	CT		6	128	10,770	5,800
	CT		6	145	10,840	5,900
	CT		6	163	11,020	6,000
Tractors—engine under seat.	1CTR		6	98	7,470	3,850
	1CTR		6	109	7,770	3,850
	2CTR		6	98	9,080	4,650
	2CTR		6	109	9,070	4,650
	3CTR		6	98	9,230	5,200
	3CTR		6	109	9,500	5,200
	4CTR		6	98	9,530	5,450
	4CTR		6	109	9,810	5,450
	5CTR		6	98	10,120	5,900
	5CTR		6	109	10,400	5,900
Dump service—engine under seat.	CDF		6	100	8,740	4,400
	CS		6	120	10,570	5,850
With auxiliary (dead) rear axles—engine under seat.	6x2CD		6	127	11,260	4,700
	6x2TD		6	145	11,400	4,700
	6x2CN		6	128	11,990	5,200
	6x2CN		6	145	12,120	5,300
	6x2CN		6	163	12,280	5,400
	6x2CNF		6	128	12,620	5,500
	6x2CNF		6	145	12,720	5,600
	6x2CNF		6	163	12,890	5,700
	6x2CT		6	145	13,490	5,800
	6x2CT		6	163	13,580	5,900
With double drive rear axles—engine under seat.	6x4TCO		6	118	13,920	8,500
	6x4TCD		6	109	13,820	8,750
Conventional.	RLS		6	164	7,535	3,025
	RLS		6	182	7,615	3,115
	RLS		6	200	7,715	3,205
	A		6	139	4,790	1,250
	A		6	161	4,870	1,300
	A		6	179	4,940	1,350
	B		6	139	5,150	1,625
	B		6	161	5,230	1,675
	B		6	179	5,300	1,725
Cab over engine.	UA		6	84	4,570	1,250
	UA		6	109	4,680	1,300
	UA		6	128	4,760	1,350
	UA		6	142	5,010	1,450
	UB		6	84	5,140	1,690
	UB		6	106	5,350	1,740
	UB		6	128	5,450	1,790
	UB		6	142	5,530	1,890
Conventional.	RL		6	164	6,805	2,595
	RL		6	182	6,925	2,595
	RL		6	200	7,055	2,645
	RL		6	212	7,155	2,645
	RL		6	164	7,090	2,910
	RLS		6	182	7,190	2,910
	RLS		6	200	7,290	2,960
	RLS		6	212	7,390	2,960
	RLS		6	163	8,419	5,000
	4x4DF		6	163	10,455	6,000
	4x4N		6	163	12,025	7,250
	4x4S		6	150	13,565	9,500
	4x4C		6	157	14,255	1,000
	4x4CD		6	96	6,770	2,795
Cab over engine.	URL		6	106	6,840	2,795
	URL		6	124	6,940	2,795
	URL		6	142	7,050	2,845
	URL		6	96	7,540	3,110
	URLS		6	106	7,600	3,110
	URLS		6	124	7,710	3,110
	URLS		6	142	7,820	3,160
	URLS		6	142	6,165	2,100
	RB		6	164	6,285	2,100
	RB		6	182	6,405	2,150

(D) AUTOCAR—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Cab over engine.	RB	Listing of motor and Serial Nos. by Autocar Company discontinued January 1938.	6	200	6,535	$2,175
	ERB		6	96	6,250	2,250
	TRB		6	106	6,310	2,250
	TRB		6	124	6,420	2,250
	TRB		6	142	6,530	2,300

(8) 1940

Four wheel drive—Conventional.	C-10	Listing of motor and Serial Nos. by Autocar Company discontinued January 1938.	6	179	4,790	$1,250
	C-10-T		6	161	N. A.	N. A.
	DC-10		6	179	4,925	2,550
	DC-10-T		6	161	N. A.	N. A.
	C-20		6	179	5,150	1,625
	C-20-T		6	161	N. A.	N. A.
	DC-20		6	179	5,285	2,925
	DC-20-T		6	161	N. A.	N. A.
	C-30		6	200	6,410	2,150
	C-30-T		6	164	N. A.	N. A.
	C-40		6	200	6,890	2,850
	C-40-T		6	164	7,060	3,000
	C-40-D		6	164	7,200	3,100
	C-50		6	200	7,175	3,125
	C-50-D		6	164	7,810	3,325
	C-60		6	200	8,190	3,600
	C-60-T		6	164	8,240	4,100
	C-70		6	200	8,740	4,500
	C-70-T		6	164	8,330	4,000
	C-70-D		6	164	N. A.	N. A.
	C-80		6	200	9,770	5,100
	C-80-T		6	164	9,300	4,900
	C-80-D		6	170	10,060	5,750
	C-90		6	200	10,520	5,850
	C-90-T		6	164	9,720	5,700
	C-90-D		6	170	13,325	6,650
	DC-100-T		6	174	11,420	8,100
	DC-100-D		6	158	12,200	9,500
Four wheel drive—Conventional.	C-6044		6	103	8,475	5,000
	C-7044		6	163	10,510	6,000
	C-8044		6	163	12,080	7,250
	C-9044		6	150	13,720	9,800
	DC-10044		6	157	13,320	11,000
Six wheeler—2-wheel drive.	C-4062		6	182	9,165	3,150
	C-7062		6	182	11,600	4,550
	C-8062		6	200	12,040	5,300
	C-9062		6	222	13,040	6,050
	DC-10062		6	216	15,870	8,000
Six wheeler—4-wheel drive—Conventional.	C-4064		6	139	10,480	4,500
	C-7064		6	182	11,060	6,000
	C-8064		6	182	14,170	8,200
	C-9064		6	142	15,100	9,000
	DC-10064		6	145	19,450	13,000
Cab over engine.	C-10		6	142	4,650	1,350
	C-10-T		6	106	N. A.	N. A.
	DC-10		6	142	N. A.	N. A.
	DC-10-T		6	106	N. A.	N. A.
	C-20		6	142	5,220	1,725
	C-20-T		6	106	N. A.	N. A.
	DC-20		6	142	N. A.	N. A.
	DC-20-T		6	106	N. A.	N. A.
	C-30		6	142	6,430	2,300
	C-30-T		6	106	N. A.	N. A.
	C-40		6	142	6,970	3,050
	C-40-T		6	106	7,265	3,200
	C-40-D		6	96	6,910	3,300
	C-50		6	142	7,530	3,435
Six wheeler—2-wheel drive—cab over engine. Engine under seat.	C-4062		6	124	9,135	3,350
	C-60		6	145	7,970	3,800
	C-60-T		6	109	8,380	4,500
	C-60-D		6	100	8,400	4,400
	C-7		6	163	8,290	5,000
	C-70-T		6	109	8,400	5,000
	C-80		6	163	9,770	5,400
	C-80-T		6	109	9,190	5,450
	C-80-D		6	120	10,070	5,850
	C-90		6	163	10,430	6,000
	DC-90-T		6	109	9,780	6,000
	DC-90-D		6	120	12,410	6,850
Six wheelers—2-wheel drive—Engine under seat.	C-7062		6	145	11,580	5,200
	C-8062		6	145	12,760	5,500
	C-9062		6	145	13,600	6,100
Six wheelers—4-wheel drive—Engine under seat.	C-7064		6	109	14,075	6,500
	C-8064		6	118	14,060	5,500
	C-9064		6	145	14,060	9,000
Six wheelers—2-wheel drive—Conventional.	C-4062		6	182	9,165	3,150
	C-7062		6	182	11,600	4,550
	C-8062		6	200	12,040	5,300
	C-9062		6	222	13,040	6,050
	DC-10062		6	216	15,870	8,000
Six wheelers—4-wheel drive—Conventional.	C-4064		6	139	10,480	4,500
	C-7064		6	182	11,060	6,000
	C-8064		6	182	14,170	8,200
	C-9064		6	142	15,100	9,000
	DC-10064		6	145	19,450	13,000
Cab over engine.	U-10		6	142	4,650	1,350
	U-10-T		6	106	N. A.	N. A.
	DU-10		6	142	N. A.	N. A.
	DU-10-T		6	106	N. A.	N. A.

(D) AUTOCAR

(5) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Cab over engine	U-20	Listing of motor and Serial Nos. by Autocar Company discontinued January 1939.	6	142	5,220	$1,725
	U-20-T		6	106	N. A.	N. A.
	DC-20		6	142	N. A.	N. A.
	DC-20-T		6	106	N. A.	N. A.
	U-30		6	142	6,440	2,300
	U-30-T		6	106	N. A.	N. A.
	U-40		6	142	6,970	3,050
	U-40-T		6	106	7,365	3,200
	U-40-D		6	96	6,940	3,300
	U-50		6	142	7,530	3,435
Six wheelers—2-wheel drive —Cab over engine.	U-4062		6	124	9,135	3,350
Engine under seat	U-60		6	145	7,970	3,800
	U-60-T		6	109	8,380	4,500
	U-60-D		6	109	8,400	4,400
	U-70		6	163	8,290	5,000
	U-70-T		6	109	8,400	5,000
	U-80		6	163	9,770	5,400
	U-80-T		6	109	9,150	5,450
	U-80-D		6	120	10,070	5,850
	U-90		6	163	10,430	6,000
	U-90-T		6	109	9,780	6,000
	U-90-D		6	120	12,410	6,850
Six wheelers—2-wheel drive —Engine under seat.	U-7062		6	145	11,580	5,200
	U-8062		6	145	12,760	5,500
	U-9062		6	145	13,600	6,100
Six wheelers—4-wheel drive —Engine under seat.	U-7064		6	109	14,075	6,500
	U-8064		6	118	14,060	8,500
	U-9064		6	146	14,060	9,000

Model Years 1941 and 1942

Models, Specifications, and prices as for 1940.

(E) BROCKWAY

[Manufacturer: Brockway Motor Company, Inc. Principal Plant: Cortland, N. Y.]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½–2	80	8293 and up		N. A.	3,900	$1,210
2–2½	90	8294 and up	6	N. A.	4,315	1,510
2–3	100	8306 and up	6	N. A.	4,985	1,855
2–3	120	8419 and up	6	N. A.	5,510	2,260
2½–3½	140	8318 and up	6	N. A.	6,175	2,850
3–4	141	8295 and up	6	N. A.	7,540	3,355
2½–3½	150	8296 and up	6	N. A.	6,150	2,660
3½–4	160	8298 and up	6	N. A.	6,895	3,295
3–4	170	8300 and up	6	N. A.	7,510	3,640
3–4	175X	8341 and up	6	N. A.	7,720	4,290
6 Wheel						
5–7½	180SBT	8309 and up	6	N. A.	9,435	4,350
5	195	8256 and up	6	N. A.	7,910	4,230
7½	200	8291 and up	6	N. A.	8,430	4,940
2–3	125	8325 and up	6	N. A.	5,390	2,100
5–7½	240	8249 and up	6	N. A.	8,950	5,130
7½–10	200	8241 and up	6	N. A.	9,585	6,030
15 tr	V-1200	8267 and up	12	N. A.	12,350	10,500
1½–2	78	8529 and up	6	N. A.	3,955	895
2	87	8483 and up	6	N. A.	4,305	1,240
2–2½	90X	8503 and up	6	N. A.	4,545	1,470
2–2½	96	8557 and up	6	N. A.	5,075	1,740
2½–3	110	8579 and up	6	N. A.	5,435	1,900
2½–3	125X	8499 and up	6	N. A.	5,500	2,175
3–3½	150	8580 and up	6	N. A.	6,995	2,245
3–3½	145	8643 and up	6	N. A.	6,150	2,385
3–3½	150X4	8622 and up	6	N. A.	6,300	2,680
3–3½	150X5	8564 and up	6	N. A.	6,300	2,710
3½–5	175SBT	8316 and up	6	N. A.	9,200	3,300
4–5	160X	9001 and up	6	153	7,350	3,295
4–5	170X	9073 and up	6	153	7,960	3,640
5–7	165X	9085 and up	6	153	8,150	3,795
5–7½	175X	9162 and up	6	153	8,550	4,290
5–7½	195X	9087 and up	5	153	8,650	4,230
7½–10	230X	9109 and up	6	153	9,050	4,930
6–7½	240X	9383 and up	6	153	8,590	5,130
10	260X	9144 and up	6	195	9,720	6,030

(E) BOCKWAY—Continued

(2) 1936

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½–2	78	9935 and up	6	138	3,965	$895
2–2½	87	9939 and up	6	144	4,435	1,240
2½–3	90X	9953 and up	6	150	4,635	1,470
2½–3	96	9926 and up	6	156	5,150	1,740
3	110	9941 and up	6	156	5,490	1,900
3	125X	9954 and up	6	164	5,570	2,075
3–4	130	9926 and up	6	164	6,270	2,245
3–4	145	9956 and up	6	176	6,390	2,385
3½–4	150X4	9943 and up	6	176	6,520	2,680
3½–4	150X5	9940 and up	6	176	6,570	2,710
4–5	160X	9936 and up	6	153	7,350	3,295
4–5	170X	9958 and up	6	153	7,960	3,640
5–7	165X	9925 and up	6	153	8,150	3,795
5–7½	175X	9908 and up	6	153	8,550	4,290
5–7½	195X	9951 and up	6	153	8,650	4,230
7½–10	220X	9953 and up	6	153	9,050	4,930
6–7½	240X	9926 and up	6	153	8,590	5,130
10	260X	9905 and up	6	195	9,720	6,030
15 tractor	V-1200		12	155½	12,400	10,500
Electric						
1–1½	50–E			91	2,450	1,380
2–3	125–E	9924 and up		136	4,800	2,400
5–6	170–E	9937 and up		148	6,700	3,850
6–7	195–E			160	8,040	4,200
1½–3	88	10104 and up	6	150	4,490	1,290
1½–4	92	10140 and up	6	150	4,740	1,560
1½–5	94	10139 and up	6	156	5,280	1,850
5–7 6 wh	180SBT	9926 and up	6	195	9,800	4,350
5–7 6 wh	180SBT	9926 and up	6	195	10,270	4,950

(3) 1937

1½–2	78	12051 and up	6	138	3,965	$895
1½–3	88	11943 and up	6	150	4,430	1,290
1½–4	92	12034 and up	6	150	4,740	1,560
1½–5	94		6	156	5,280	1,850
2–2½	87	12040 and up	6	144	4,435	1,240
2½–3	90X	12094 and up	6	150	4,635	1,470
2½–3	96	12137 and up	6	156	5,150	1,740
3	110	12045 and up	6	156	5,490	1,900
3	125X	12059 and up	6	164	5,570	2,075
3–4	130		6	164	6,270	2,245
3–4	145	12045 and up	6	176	6,390	2,385
3½–4	150X4	12111 and up	6	176	6,520	2,680
3½–4	150X5	12036 and up	6	176	6,570	2,710
4–5	160X	12024 and up	6	153	7,350	3,295
4–5	170X	12082 and up	6	153	7,960	3,640
5–7	165X	12054 and up	6	153	8,150	3,795
5–7½	175X	12025 and up	6	153	8,550	4,290
5–7½	195X	12144 and up	6	153	8,650	4,230
6–7½	240X	12103 and up	6	153	8,590	5,130
7½–10	220X	12022 and up	6	153	9,050	4,930
10	260X	12029 and up	6	195	9,720	6,030
15 trac	V-1200		6	155½	12,400	10,500
1½–2½	83	12325 and up	6	138	4,100	1,195
2½–3	120		6	156	6,385	2,850
3–3½	140		6	170	7,450	3,355
3½–4	141		6	164	6,250	2,525
4–4½	130–PS		6	195	10,000	6,380
10	260S		6	195	9,800	4,350
5–7	180XSBT		6	195	10,270	4,950
5–7 spl	180XSBT					
Electric						
1	50E	12105 and up		91	2,850	1,500

(4) 1938

2–2½	87		6	144	4,435	$1,240
2½–3	90X	14111 and up	6	150	4,635	1,470
2½–3	120		6	156	5,300	2,260
3–3½	140		6	156	6,385	2,850
3½–4	141		6	170	7,450	3,355
10	260S		6	195	10,000	6,380
15 tractor	V-1200		12	156	12,400	10,500
Six wheelers						
5–7	180SSBT		6	195	9,800	4,350
5–7 spl	180SSBT		6	195	10,270	4,950
1½–2	78	14075 and up	6	138	3,965	895
1½–2½	83	14073 and up	6	138	4,100	1,195
1½–3	88	14074 and up	6	150	4,500	1,290
1½–4	92	14072 and up	6	150	4,700	1,560
1½–5	94	14329 and up	6	156	5,050	1,850
2½–3	96		6	156	5,150	1,740
3	112	14210 and up	6	150	5,155	1,710
3	110	14083 and up	6	156	5,490	1,900
3	125X	14103 and up	6	164	5,570	2,075
3½–4	128	14270 and up	6	156	5,630	1,950
3½–4	130	14113 and up	6	164	6,270	2,245
3½–4	145	14077 and up	6	176	6,390	2,385
4	150X4	14071 and up	6	176	6,520	2,680
4	150X5	14102 and up	6	176	6,570	2,710
4–5	160X	14104 and up	6	153	7,350	3,295
4–5	170X	15554 and up	6	153	7,960	3,640

(E) BOCKWAY—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Six wheelers—Con.				*Inches*		
5–7	165X	14076 and up	6	153	8,150	$3,795
5–7½	175X	14138 and up	6	153	8,550	4,290
5–7½	195X	14391 and up	6	153	8,650	4,230
6–7½	240X	14094 and up	6	153	8,560	5,130
7½–10	220X	14078 and up	6	153	9,050	4,930
10	260X	14094 and up	6	195	9,720	6,030

(5) 1939

2–2½	87		6	144	4,435	$1,240
2½–3	90X	14111 and up	6	150	4,635	1,470
2½–3	120		6	156	5,800	2,260
3–3½	140		6	156	6,385	2,850
3½–4	141		6	170	7,450	3,355
10	260S		6	195	10,000	6,380
Tractors						
15	V–1200		12	156	12,400	10,500
Six wheelers						
5–7	180X-SBT		6	195	9,800	4,350
5–7 Spl	180X-SBT		6	195	10,270	4,950
1½–2	78	14075 and up	6	138	3,965	895
1½–2½	83	14073 and up	6	138	4,100	1,195
1½–3	88	14074 and up	6	150	4,500	1,290
1½–4	92	14072 and up	6	150	4,700	1,560
1½–5	94	14329 and up	6	156	5,050	1,850
2½–3	96		6	156	5,150	1,710
3	112	14210 and up	6	150	5,155	1,710
3	110	14083 and up	6	156	5,490	1,900
3	125X	14103 and up	6	164	5,570	2,075
3½–4	128	14270 and up	6	156	5,630	1,950
3½–4	130	14113 and up	6	164	6,270	2,245
3½–4	145	14077 and up	6	176	6,390	2,385
4	150X4	14071 and up	6	176	6,520	2,680
4	150X5	14102 and up	6	176	6,570	2,710
4–5	160X	14104 and up	6	153	7,350	3,295
4–5	170X	15554 and up	6	153	7,960	3,640
5–7	165X	14076 and up	6	153	8,150	3,795
5–7½	175X	14138 and up	6	153	8,550	4,290
5–7½	195X	14391 and up	6	153	8,650	4,230
6–7½	240X	14094 and up	6	153	8,560	5,130
7½–10	220X	14078 and up	6	153	9,050	4,930
10	260X	14094 and up	6	195	9,720	6,030

(6) 1940

1½–2	78	18050 and up	6	138	3,965	$895
1½–2½	83		6	138	4,100	1,195
1½–3	88		6	150	4,500	1,290
1½–4	92		6	150	4,700	1,560
1½–5	94		6	156	5,050	1,850
2½–3	96		6	156	5,150	1,710
3	112		6	150	5,155	1,710
3	110		6	156	5,490	1,900
3	125X		6	164	5,570	2,075
3½–4	128		6	156	5,630	1,950
3½–4	130		6	164	6,270	2,245
3½–4	145		6	176	6,390	2,385
4	150X4		6	176	6,520	2,680
4	150X5		6	176	6,570	2,710
4–4½	130-PS		6	176	6,250	2,525
4–5	160X		6	164	7,350	3,295
4–5	170X		6	153	7,960	3,640
5–7	165X		6	153	8,150	3,795
5–7½	175X		6	153	8,550	4,290
5–7½	195X		6	153	8,650	4,230
6–7½	240X		6	153	8,560	5,130
7½–10	220X		6	153	9,050	4,930
10	260X		6	153	10,000	6,030
10	260S		6	195	10,000	6,380

(7) 1941

1½–2	78	20069 and up	6	138	3,965	$895
1½–2½	83		6	138	4,100	1,195
1½–3	88		6	150	4,500	1,290
1½–4	92		6	150	4,700	1,560
1½–5	94		6	156	5,050	1,850
3	110		6	156	5,490	1,900
3	112		6	150	5,155	1,710
3	125X		6	164	5,570	2,075
3½–4	128		6	156	5,550	1,950
3½–4	130		6	164	6,270	2,245
4–4½	130-PS		6	164	6,250	2,525
3½–4	145		6	176	6,390	2,385
3½–4	146		6	126	6,090	2,090
4	150X-4		6	176	6,520	2,680
4	150X-5		6	176	6,570	2,710
4	152		6	126	6,150	2,870
4–5	160X		6	153	7,370	3,295
4–5	162		6	121	7,250	3,150
5–7	166		6	121	7,500	4,070
4–5	170X		6	153	7,960	3,640

(E) BOCKWAY—Continued

(7) 1941—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
5–7	165X	20069 and up	6	153	8,150	$3,795
5–7½	175X		6	153	8,550	4,290
5–7½	195X		6	153	8,650	4,230
7½–10	220X		6	153	9,050	4,930
6–7½	240X		6	153	8,560	5,130
10	260X		6	195	9,720	6,030
10	260S		6	195	10,000	6,380
Tractor type trucks	167		6	132	6,000	2,855
	153		6	132	6,400	3,025
	154		6	132	6,300	3,050
	156		6	132	6,950	3,700

(8) 1942

1½–2	78	23053 and up	6	138	3,965	$ 895
1½–2½	83		6	138	4,100	1,195
1½–3	88		6	150	4,500	1,290
1½–4	92		6	150	4,700	1,560
1½–5	94		6	156	5,050	1,850
2	112		6	150	5,150	1,710
3½–4	128		6	156	5,550	1,950
3½–4	146		6	126	6,000	2,690
4	152		6	126	6,350	2,870
4–5	162		6	121	7,250	3,450
5–7	166		6	121	7,500	4,070
5–7½	175X		6	153	8,550	4,290
7½–10	220X		6	153	9,050	4,930
6–7½	240X		6	153	8,560	5,130
10	260X		6	195	9,720	6,030
10	260S		6	195	10,000	6,380
Tractor type trucks	167		6	132	6,000	2,855
	153		6	132	6,400	3,025
	154		6	132	6,300	3,050
	156		6	132	6,950	3,700

(F) CHEVROLET

[Manufacturer: General Motors Corporation. Principal Plant: Flint, Michigan]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ sed. del	"CB"	Model prefix-1001 and up for each model	6	109	2,750	$545
Chas	"CB"		6	109	1,995	330
Sp. ch	"CB"		6	109	2,025	345
Ch. clos. ch	"CB"		6	109	2,345	420
Ch. w/el. cb. pickup box	"CB"		6	109	2,565	440
Ch. w/pl. bdy	"CB"		6	109	2,750	530
Sp. ch. w/pl	"CB"		6	109	2,775	545
Single wheel						
1½	"OA"		6	131	2,830	480
Closed cb	"OA"		6	131	3,175	570
Dual wheel						
1½ ch	"OB"		6	131	2,945	505
Closed cab	"OB"		6	131	3,295	595
Single wheel						
Chas	"OC"		6	157	2,920	510
Closed cab	"OC"		6	157	3,290	600
Dual wheel						
Chas	"OD"		6	157	3,055	535
Closed cab	"OD"		6	157	3,420	625

(2) 1934

½ ch	"DB"	Model prefix-1001 and up for each model.	6	112	2,120	$355
Closed cab	"DB"		6	112	2,465	445
Closed cab, pickup box	"DB"		6	112	2,695	465
Closed cab, pickup box, top.	"DB"		6	112	2,850	495
Special ch	"DB"		6	112	2,150	375
Sp. chas. closed cab	"DB"		6	112	2,485	465
Special ch. closed cab, pickup box.	"DB"		6	112	2,730	485
Panel	"DB"		6	112	2,935	575
Special pl	"DB"		6	112	2,960	595

(F) CHEVROLET—Continued

(2) 1934—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Single wheel						
1½ chassis	"PA"	Model prefix—1001 and up for each model.	6	131	2,995	$485
Closed cab	"PA"		6	131	3,355	575
Panel body	"PA"		6	131	4,050	750
Dual wheel						
1½ chassis	"PB"		6	131	3,105	505
Chassis	"PB"		6	131	3,155	535
Chassis	"PB"		6	131	3,180	550
Closed cab	"PB"		6	131	3,450	505
Closed cab	"PB"		6	131	3,505	625
Closed cab	"PB"		6	131	3,540	640
Closed cab stake body	"PB"		6	131	4,270	680
Closed cab stake body	"PB"		6	131	4,320	710
Closed cab stake body	"PB"		6	131	4,345	725
Single wheel						
Chassis	"PC"		6	157	3,040	515
Closed cab	"PC"		6	157	3,385	605
Dual wheel						
Chassis	"PD"		6	157	3,185	535
Chassis	"PD"		6	157	3,250	565
Chassis	"PD"		6	157	3,265	580
Closed cab	"PD"		6	157	3,550	625
Closed cab	"PD"		6	157	3,580	655
Closed cab	"PD"		6	157	3,610	670
Closed cab stake body	"PD"		6	157	4,530	740
Closed cab stake body	"PD"		6	157	4,615	770
Closed cab stake body	"PD"		6	157	4,635	785

(3) 1935

½ chassis	"EB"	Model prefix—1001 and up for each model.	6	112	2,135	$355
Closed cab	"EB"		6	112	2,480	445
Closed cab pickup box	"EB"		6	112	2,700	465
Closed cab, top pickup box	"EB"		6	112	2,795	495
Special chassis	"EB"		6	112	2,235	375
Special chassis closed cab	"EB"		6	112	2,585	465
Special chassis closed cab, pickup box	"EB"		6	112	2,810	485
Panel	"EB"		6	112	2,920	560
Special panel	"EB"		6	112	3,035	580
Single wheel						
1½ chassis	"QA"		6	131	3,000	485
Closed cab	"QA"		6	131	3,350	575
Panel body	"QA"		6	131	4,095	750
Dual wheel						
1½ chassis	"QB"		6	131	3,135	505
Chassis	"QB"		6	131	3,170	535
Chassis	"QB"		6	131	3,190	550
Chassis	"QB"		6	131	3,485	625
Closed cab	"QB"		6	131	3,485	595
Closed cab	"QB"		6	131	3,520	625
Closed cab	"QB"		6	131	3,540	640
Closed cab	"QB"		6	131	3,835	715
Closed cab stake body	"QB"		6	131	4,320	680
Closed cab stake body	"QB"		6	131	4,380	710
Closed cab stake body	"QB"		6	131	4,410	725
Closed cab stake body	"QB"		6	131	4,600	800
Single wheel						
Chassis	"QC"		6	157	3,040	515
Closed cab	"QC"		6	157	3,395	605
Dual wheel						
1½ chassis	"QD"		6	157	3,185	535
Chassis	"QD"		6	157	3,225	565
Chassis	"QD"		6	157	3,245	580
Chassis	"QD"		6	157	3,545	655
Closed cab	"QD"		6	157	3,570	625
Closed cab	"QD"		6	157	3,615	655
Closed cab	"QD"		6	157	3,635	670
Closed cab	"QD"		6	157	3,935	745
Closed cab stake body	"QD"		6	157	4,530	740
Closed cab stake body	"QD"		6	157	4,615	770
Closed cab stake body	"QD"		6	157	4,645	785
Closed cab stake body	"QD"		6	157	4,965	840

(F) CHEVROLET—Continued

(4) 1936

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ chassis	FB	Model prefix—1001 and up for each model.	6	112	2,095	$360
Closed cab	FB		6	112	2,475	450
Closed cab pickup box	FB		6	112	2,700	475
Panel	FB		6	112	2,885	565
Suburban (all seats)	FB		6	112	3,255	685
Single wheel						
1½ chassis	RA		6	131	3,055	500
Chassis	RA		6	131	3,265	565
Panel	RA		6	131	4,065	765
Closed cab	RA		6	131	3,440	590
Dual wheel						
Chassis	RB		6	131	3,110	520
Closed cab	RB		6	131	3,520	610
Closed cab	RB		6	131	3,575	645
Closed cab	RB		6	131	3,585	662
Closed cab	RB		6	131	3,845	750
Closed cab stake body	RB		6	131	4,305	695
Closed cab stake body	RB		6	131	4,335	730
Single wheel						
Closed cab	RC		6	157	3,075	615
Closed cab	RC		6	157	3,450	625
Dual wheels						
Chassis	RD		6	157	3,175	545
Closed cab	RD		6	157	3,580	635
Closed cab	RD		6	157	3,665	670
Closed cab	RD		6	157	3,780	732
Closed cab	RD		6	157	3,940	777
Closed cab	RD		6	157	3,610	688
Closed cab stake body	RD		6	157	4,620	750
Closed cab stake body	RD		6	157	4,840	785
Closed cab stake body	RD		6	157	4,725	802

(5) 1937

½ chassis	GC	Model prefix—1001 and up for each model.	6	112	2,190	$360
With cab	GC		6	112	2,575	450
Cab and pickup box	GC		6	112	2,805	475
Panel body	GC		6	112	3,030	575
Single unit canopy express	GC		6	112	3,050	560
Suburban body	GC		6	112	3,330	685
¾ chassis	GD		6	123¼	2,410	430
With cab	GD		6	123¼	2,780	525
Cab and box	GD		6	123¼	3,020	565
Cab and stake body	GD		6	123¼	3,290	600
1 chassis	GE		6	123¼	2,585	465
With cab	GE		6	123¼	2,955	560
Cab and box	GE		6	123¼	3,195	600
Cab and stake body	GE		6	123¼	3,465	635
Single wheel						
1½ chassis	SA		6	131½	3,030	500
Closed cab front bumper	SA		6	131½	3,390	590
Panel body	SA		6	131½	4,055	765
Canopy express body	SA		6	131½	4,075	755
Dual Wheel						
Chassis	SB		6	131½	3,120	520
Chassis	SB		6	131½	3,490	648
Closed cab	SB		6	131½	3,490	610
Closed cab	SB		6	131½	3,550	645
Closed cab	SB		6	131½	3,580	662
Closed cab	SB		6	131½	3,720	695
Closed cab stake body	SB		6	131½	4,535	780
Closed cab stake body	SB		6	131½	4,295	695
Closed cab stake body	SB		6	131½	4,370	730
Single Wheel						
Chassis	SC		6	157	3,075	525
Closed cab	SC		6	157	3,435	615
Dual Wheel						
Chassis	SD		6	157	3,200	545
Closed cab	SD		6	157	3,560	635
Closed cab	SD		6	157	3,630	670
Closed cab	SD		6	157	3,750	723
Closed cab	SD		6	157	3,875	762
Closed cab	SD		6	157	3,640	687
Closed cab stake body	SD		6	157	4,595	750
Closed cab stake body	SD		6	157	4,655	802
Closed cab stake body	SD		6	157	4,850	877
Closed cab stake body	SD		6	157	4,895	835

(F) CHEVROLET—Continued

(6) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ chassis	HB	Model prefix—1001 and up for each model.	6	112	2,095	$360
Closed cab	HB		6	112	2,475	450
Closed cab pickup box	HB		6	112	2,700	475
Panel	HB		6	112	2,885	565
Suburban (all seats)	HB		6	112	3,255	685
Single wheel						
1½ chassis	JA		6	131	3,055	500
Chassis	JA		6	131	3,265	565
Panel	JA		6	131	4,065	765
Closed cab	JA		6	131	3,440	590
Dual wheel						
Chassis	JB		6	131	3,110	520
Closed cab	JB		6	131	3,520	610
Closed cab	JB		6	131	3,575	645
Closed cab	JB		6	131	3,585	662
Closed cab	JB		6	131	3,845	750
Closed cab stake body	JB		6	131	4,305	695
Closed cab stake body	JB		6	131	4,335	730
Single wheel						
Closed cab	JC		6	157	3,075	615
Closed cab	JC		6	157	3,450	625
Dual wheels						
Chassis	JD		6	157	3,175	545
Closed cab	JD		6	157	3,580	635
Closed cab	JD		6	157	3,665	670
Closed cab	JD		6	157	3,780	732
Closed cab	JD		6	157	3,940	777
Closed cab	JD		6	157	3,610	688
Closed cab stake body	JD		6	157	4,620	750
Closed cab stake body	JD		6	157	4,840	785
Closed cab stake body	JD		6	157	4,725	802

(F) CHEVROLET—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ chassis	GC	Model prefix—1001 and up for each model.	6	112	2,190	$360
With cab	GC		6	112	2,575	450
Cab and pickup box	GC		6	112	2,805	475
Panel body	GC		6	112	3,030	575
Single unit canopy express	GC		6	112	3,050	560
Suburban body	GC		6	112	3,330	685
¾ chassis	GD		6	123¼	2,410	430
With cab	GD		6	123¼	2,780	525
Cab and box	GD		6	123¼	3,020	565
Cab and stake body	GD		6	123¼	3,290	600
1 chassis	GE		6	123¼	2,585	465
With cab	GE		6	123¼	2,955	560
Cab and box	GE		6	123¼	3,195	600
Cab and stake body	GE		6	123¼	3,465	635
Single wheel						
1½ chassis	SA		6	131½	3,030	500
Closed cab front bumper	SA		6	131½	3,390	590
Panel body	SA		6	131½	4,055	765
Canopy express body	SA		6	131½	4,075	755
Dual Wheel						
Chassis	SB		6	131½	3,120	520
Chassis	SB		6	131½	3,490	648
Closed cab	SB		6	131½	3,490	610
Closed cab	SB		6	131½	3,550	645
Closed cab	SB		6	131½	3,580	662
Closed cab	SB		6	131½	3,720	695
Closed cab stake body	SB		6	131½	4,535	780
Closed cab stake body	SB		6	131½	4,295	695
Closed cab stake body	SB		6	131½	4,370	730
Single Wheel						
Chassis	SC		6	157	3,075	525
Closed cab	SC		6	157	3,435	615
Dual Wheel						
Chassis	SD		6	157	3,200	545
Closed cab	SD		6	157	3,560	635
Closed cab	SD		6	157	3,630	670
Closed cab	SD		6	157	3,750	723
Closed cab	SD		6	157	3,875	762
Closed cab	SD		6	157	3,640	687
Closed cab stake body	SD		6	157	4,595	750
Closed cab stake body	SD		6	157	4,655	802
Closed cab stake body	SD		6	157	4,850	877
Closed cab stake body	SD		6	157	4,895	835

(F) CHEVROLET—Continued

(6) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1 Chassis with cowl	HE	Model prefix—1001 and up for each model.	6	122¼	2,575	$585
Cab	HE		6	122¼	2,950	681
Cab and box	HE		6	122¼	3,200	722
Panel body	HE		6	122¼	3,445	833
Cab and stake body	HE		6	122¼	3,440	757
Single wheel						
1½ chassis			6			
With cowl front bumper	TA		6	131½	3,035	593
Closed cab front bumper	TA		6	131½	3,410	680
Panel body	TA		6	131½	4,035	862
Canopy express body	TA		6	131½	4,040	852
Dual wheel						
With cowl	TB		6	131½	3,120	694
With cowl auxiliary springs	TB		6	131½	3,460	766
Closed cab	TB		6	131½	3,485	700
Closed cab	TB		6	131½	3,545	745
Closed cab auxiliary springs	TB		6	131½	3,575	768
Closed cab stake body	TB		6	131½	3,740	813
Closed cab stake body	TB		6	131½	4,260	787
Closed cab stake body	TB		6	131½	4,320	832
Closed cab stake body auxiliary springs	TB		6	131½	4,515	899
½ Chassis with cowl	HC		6	112	2,200	465
Cab	HC		6	112	2,505	592
Cab and box	HC		6	112	3,015	684
Panel body	HC		6	112	3,030	678
Canopy express body	HC		6	112	3,205	834
Closed suburban body	HC		6	122¼	2,420	543
¾ chassis with cowl	HD		6	122¼	2,785	639
Cab	HD		6	122¼	3,035	680
Cab and box	HD		6	122¼	3,280	792
Panel body	HD		6	122¼	3,300	716
Cab and stake body	HD					
Single wheel						
1½ chassis with cowl	TC		6	157	3,055	609
Closed cab	TC		6	157	3,415	705
Dual wheel						
1½ chassis with cowl	TD		6	157	3,195	629
Closed cab	TD		6	157	3,590	726
Closed cab	TD		6	157	3,620	771
Closed cab	TD		6	157	3,650	793
Closed cab auxiliary springs	TD		6	157	3,815	838
Closed cab auxiliary springs	TD		6	157	3,900	888
Closed cab stake body	TD		6	157	4,535	842
Closed cab stake body auxiliary springs	TD		6	157	4,625	910
Closed cab stake body auxiliary springs	TD		6	157	4,790	955
Closed cab stake body auxiliary springs	TD		6	157	4,875	1,005

(7) 1939

½ chassis with cowl	JC	Model prefix—1001 and up for each model.	6	113½	2,185	$450
Cab	JC		6	113½	2,780	542
Cab and box	JC		6	113½	2,785	572
Panel body	JC		6	113½	3,030	658
Canopy express body	JC		6	113½	3,025	714
Closed suburban	JC		6	113½	3,210	808
¾ chassis with cowl	JD		6	123¾	2,355	528
Cab	JD		6	123¾	2,745	619
Cab and box	JD		6	123¾	3,035	660
Panel body	JD		6	123¾	3,275	767
Cab and stake body	JD		6	123¾	3,305	690
Single wheel						
1 chassis with cowl front bumper	VA		6	133	2,905	582
Closed cab front bumper	VA		6	133	3,285	644
Single wheel						
1½ chassis with cowl front bumper	VA		6	133	2,975	568
Closed cab front bumper	VA		6	133	3,350	660
Panel body	VA		6	133	4,000	837
Canopy express body	VA		6	133	4,010	883
Dual wheel						
With cowl	VB		6	133	3,105	590
With cowl auxiliary springs	VB		6	133	3,445	745
Closed cab	VB		6	133	3,485	681
Closed cab	VB		6	133	3,545	723

(F) CHEVROLET—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Dual wheel—Continued				*Inches*		
Closed cab	VB	Model prefix—1001 and up for each model	6	133	3,575	$744
Closed cab auxiliary springs	VB		6	133	3,750	789
Closed cab stake body	VB		6	133	4,300	762
Closed cab stake body	VB		6	133	4,360	804
Closed cab stake body auxiliary springs	VB		6	133	4,565	870
Single wheel						
With cowl	VC		6	158½	3,040	594
Closed cab	VC		6	158½	3,415	685
Dual wheel						
With cowl	VD		6	158½	3,175	615
Closed cab	VD		6	158½	3,570	707
Closed cab	VD		6	158½	3,630	749
Closed cab	VD		6	158½	3,660	770
Closed cab auxiliary springs	VD		6	158½	3,835	814
Closed cab auxiliary springs	VD		6	158½	3,929	861
Closed cab stake body	VD		6	158½	4,580	818
Closed cab stake body auxiliary springs	VD		6	158½	4,740	894
Closed cab stake body auxiliary springs	VD		6	158½	4,845	873
Closed cab stake body auxiliary springs	VD		6	158½	4,935	973
Single wheels						
With cowl and w/s	VE		6	107⅜	3,230	685
Closed cab	VE		6	107⅜	3,485	796
Dual wheels						
With cowl and w/s	VF		6	107⅜	3,355	707
Closed cab	VF		6	107⅜	3,620	818
Closed cab stake body	VF		6	107⅜	4,450	890
Single wheels						
With cowl and w/s	VG		6	131⅜	3,315	710
Closed cab	VG		6	131⅜	3,580	822
Dual wheels						
With cowl and w/s	VH		6	131⅜	3,450	732
Closed cab	VH		6	131⅜	3,715	844
Closed cab stake body	VH		6	131⅜	4,775	955
Dual wheels						
With cowl	VU		6	193⅜	3,485	686
Single wheels						
With cowl and w/s	VM		6	156⅜	3,420	736
Closed cab	VM		6	156⅜	3,685	848
Dual wheels						
With cowl and w/s	VN		6	156⅜	3,540	757
Closed cab	VN		6	156⅜	3,810	869

(8) 1940

½ chassis	KC	Model prefix—1001 and up for each model	6	113½	2,195	$450
Chassis and cab	KC		6	113½	2,595	541
Cab and box	KC		6	113½	2,840	572
Panel	KC		6	113½	3,050	658
Suburban	KC		6	113½	3,300	808
Canopy	KC		6	113½	3,050	694
Panel	KP		6	113½	3,550	1,028
¾ chassis	KD		6	123¾	2,355	528
Chassis and cab	KD		6	123¾	2,755	619
Cab and box	KD		6	123¾	3,110	660
Panel	KD		6	123¾	3,325	766
Platform	KD		6	123¾	3,150	670
Stake	KD		6	123¾	3,330	691
¾ panel	KP		6	133	3,700	813
1 chassis	WA		6	133	2,940	558
Chassis and cab	WA		6	133	3,335	649
Open express	WA		6	133	3,835	735
Panel	WA		6	133	3,985	826
Canopy	WA		6	133	3,970	867
Platform	WA		6	133	3,850	704
Stake	WA		6	133	4,115	730
1½ chassis	WA		6	133	3,000	569
Chassis and cab	WA		6	133	3,395	660
Open express	WA		6	133	3,895	746
Panel	WA		6	133	4,045	837
Canopy	WA		6	133	4,030	878
Platform	WA		6	133	3,910	715
Stake	WA		6	133	4,175	741

(F) CHEVROLET—Continued

(8) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Dual wheel				*Inches*		
Closed cab	WB	Model prefix—1001 and up for each model	6	133	3,575	$744
Closed cab auxiliary springs	WB		6	133	3,750	789
Closed cab stake body	WB		6	133	4,300	762
Closed cab stake body	WB		6	133	4,360	804
Closed cab stake body auxiliary springs	WB		6	133	4,565	870
Single wheel						
With cowl	WC		6	158½	3,040	594
Closed cab	WC		6	158½	3,415	685
Dual wheel						
With cowl	WD		6	158½	3,175	615
Closed cab	WD		6	158½	3,570	707
Closed cab	WD		6	158½	3,630	749
Closed cab	WD		6	158½	3,660	770
Closed cab auxiliary springs	WD		6	158½	3,835	814
Closed cab auxiliary springs	WD		6	158½	3,929	861
Closed cab stake body	WD		6	158½	4,580	818
Closed cab stake body auxiliary springs	WD		6	158½	4,740	894
Closed cab stake body auxiliary springs	WD		6	158½	4,845	873
Closed cab stake body auxiliary springs	WD		6	158½	4,935	973
Single wheels						
With cowl and w/s	WE		6	107⅜	3,230	685
Closed cab	WE		6	107⅜	3,485	796
Dual wheels						
With cowl and w/s	WF		6	107⅜	3,355	707
Closed cab	WF		6	107⅜	3,620	818
Closed cab stake body	WF		6	107⅜	4,450	890
Single wheels						
With cowl and w/s	WG		6	131⅜	3,315	710
Closed cab	WG		6	131⅜	3,580	822
Dual wheels						
With cowl and w/s	WH		6	131⅜	3,450	732
Closed cab	WH		6	131⅜	3,715	844
Closed cab stake body	WH		6	131⅜	4,775	955
Dual wheels						
With cowl	WU		6	193⅜	3,485	686
Single wheels						
With cowl and w/s	WM		6	156⅜	3,420	736
Closed cab	WM		6	156⅜	3,685	848
Dual wheels						
With cowl and w/s	WN		6	156⅜	3,540	757
Closed cab	WN		6	156⅜	3,810	869

(F) CHEVROLET—Continued

(10) 1942

(F) CHEVROLET—Continued

(8) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ chassis	WB	Model prefix—1001 and up for each model.	6	158½	3,065	$594
Chassis and cab	WB		6	158½	3,470	685
Platform	WB		6	158½	4,145	790
Stake	WB		6	158½	4,445	797
Stock rack	WB		6	158½	4,750	827
Express stake	WB		6	158½	4,515	812
School bus						
Chassis	WC		6	193¾	3,555	724
Cab over engine						
1½ chassis	WD		6	107⅜	3,310	685
Chassis and cab	WD		6	107⅜	3,520	797
Platform	WD		6	107⅜	4,030	852
Stake	WD		6	107⅜	4,285	878
Cab over engine						
1½ chassis	WE		6	131¾	3,405	711
Chassis and cab	WE		6	131¾	3,605	822
Platform	WE		6	131¾	4,345	892
Stake	WE		6	131½	4,690	934
Stock Rack	WE		6	131¾	4,905	964
Cab over engine						
1½ chassis	WF		6	156¾	3,510	736
Chassis and cab	WF		6	156¾	3,725	847

(9) 1941

½ chassis	AK	Model prefix—1001 and up for each model.	6	115	2,235	$478
Chassis and cab	AK		6	115	2,630	569
Cab and box	AK		6	115	2,870	690
Panel	AK		6	115	3,090	686
Suburban	AK		6	115	3,330	837
Canopy	AK		6	115	3,085	722
¾ chassis	AL		6	125¾	2,400	556
Chassis and cab	AL		6	125¾	2,795	648
Cab and box	AL		6	125¾	3,120	689
Panel	AL		6	125¾	3,355	795
Platform	AL		6	125¾	3,205	699
Stake	AL		6	125¾	3,355	719
¾ panel	AN		6	134½	3,770	848
1½ chassis	YR		6	134½	2,970	601
Chassis and cab	YR		6	134½	3,410	693
Open express	YR		6	134½	3,925	780
Panel	YR		6	134½	4,055	871
Canopy	YR		6	134½	4,065	912
Platform	YR		6	134½	3,960	749
Express	YR		6	134½	4,230	775
1½ chassis	YS		6	160	3,225	627
Chassis and cab	YS		6	160	3,650	719
Platform	YS		6	160	4,355	790
Stake	YS		6	160	4,665	831
Stock rack	YS		6	160	4,960	861
Stake express	YS		6	160	4,710	846
School bus						
Chassis	YT		6	195⅜	3,720	758
Cab-over-engine						
Chassis	YU		6	109⅜	3,340	719
Chassis and cab	YU		6	109⅜	3,550	831
Platform	YU		6	109⅜	4,100	887
Stake	YU		6	109⅜	4,370	912
Cab-over-engine						
Chassis	YV		6	132⅜	3,415	744
Chassis and cab	YV		6	132⅜	3,615	856
Platform	YV		6	132⅜	4,320	927
Stake	YV		6	132⅜	4,630	968
Cab-over-engine						
Chassis	YW		6	158¾	3,645	770
Chassis and cab	YW		6	158¾	3,860	882

(F) CHEVROLET—Continued

(9) 1941

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
¼ panel	BJ	Model prefix—1001 and up for each model.	6	115	3,665	$1,065
½ chassis	BK		6	115	2,235	495
Chassis and cab	BK		6	115	2,630	585
Cab and box	BK		6	115	2,870	615
Panel	BK		6	115	3,090	700
Suburban	BK		6	117	3,330	815
Canopy	BK		6	115	3,085	735
¾ chassis	BL		6	125¾	2,400	770
Chassis and cab	BL		6	125¾	2,795	660
Cab and box	BL		6	125¾	3,120	700
Panel	BL		6	125¾	3,375	805
Platform	BL		6	125¾	3,205	710
Stake	BL		6	125¾	3,355	730
Panel	BM		6	134½	3,770	855
1½ chassis	MR		6	134½	2,970	620
Chassis and cab	MR		6	134½	3,410	710
Open exp	MR		6	134½	3,925	785
Panel	MR		6	134½	4,055	885
Canopy	MR		6	134½	4,065	925
Platform	MR		6	134½	3,960	785
Stake	MR		6	134½	4,230	780
1½ chassis	MS		6	160	3,225	645
Chassis and cab	MS		6	160	3,650	735
Platform	MS		6	160	4,355	805
Stake	MS		6	160	4,665	847
Stock rack	MS		6	160	4,960	875
Stake express	MS		6	N. A.	4,710	860
Cab over engine						
Chassis	MV		6	109⅜	3,340	735
Chassis and cab	MV		6	109⅜	3,550	845
Platform	MV		6	109⅜	4,100	900
Stake	MV		6	109⅜	4,370	925
Chassis	MV		6	132⅜	3,415	760
Chassis and cab	MV		6	132⅜	3,615	870
Platform	MV		6	132⅜	4,320	940
Stake	MV		6	132⅜	4,630	980
Chassis	MW		6	158¾	3,645	785
Chassis and cab	MW		6	158¾	3,860	895
School bus chassis						
Chassis	MT		6	195	4,070	900
Chassis	MY		6	160	3,525	780

(G) DIAMOND T

[Manufacturer: Diamond T Motor Car Company. Principal plant: Chicago, Illinois]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½	210SF	54353 to 56757	6	N. A.	3,250	$775
1½	210FF		6	N. A.	3,250	595
1½	211SF	57001 to 58244	6	N. A.	3,250	625
1½	211FF		6	N. A.	3,250	645
1½	225	63351 to 63513	6	N. A.	3,500	745
1½	226	63701 to 64186	6	N. A.	3,500	725
1¾	241	75401 to 75614	6	N. A.	3,500	825
2	261	89001 to 89061	6	N. A.	4,000	975
2	311	98701 to 99247	6	N. A.	4,200	1,025
2½	326B	99021 to 99043	6	N. A.	4,600	1,225
2½	326DK		6	N. A.	4,700	1,395
2½	351	97601 to 97783	6	N. A.	4,700	1,325
3	376	92611 to 92617	6	N. A.	5,250	1,695
3	410A	45808 to 45879	6	N. A.	5,400	1,795
4	425	16001 to 16018	6	N. A.	6,200	2,395
4	510	62043 to 62110	6	N. A.	6,000	2,095
5	525	73051 to 73075	6	N. A.	7,200	2,695
3–4	603A	24480 to 24508	6	N. A.	7,540	3,300

(2) 1934

1	211SF-L	58245 to 60000	6	N. A.	3,250	$595
1	211FF-L		6	N. A.	3,250	615
1½	210SF	56758 to 56931	6	N. A.	3,250	575
1½	210FF		6	N. A.	3,250	595
1½	211SF-D	58245 to 60000.	6	N. A.	3,250	625
1½	211FF-D		6	N. A.	3,250	645
1½	211SF-S		6	N. A.	3,250	595
1½	211FF-S		6	N. A.	3,250	615
1½	225	63514 to 63519.	6	N. A.	3,500	745
1½	226	64187 to 65471.	6	N. A.	3,500	725
1¾	241	75015 to 75816.	6	N. A.	3,500	845
2	261	89062 to 89119.	6	N. A.	4,000	960
2	311	99248 to 99515.	6	N. A.	4,200	1,095

(G) DIAMOND T—Continued

(2) 1934—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½	326B	99044 to 99247	6	N. A.	4,600	$1,225
2½	326DK		6	N. A.	4,700	1,395
2½	351	97601 to 97783	6	N. A.	4,700	1,325
3	376	92611 to 92617	6	N. A.	5,250	1,695
3	410A	45808 to 45879	6	N. A.	5,400	1,795
4	425	16001 to 16018	6	N. A.	6,200	2,395
4	510	62043 to 62110	6	N. A.	6,000	2,095
5	525	73051 to 73075	6	N. A.	7,200	2,695
3–4	603A	24480 to 24508	6	N. A.	7,540	3,300

(3) 1935

1	211SF-L	58245 to 60000	6	N. A.	3,250	$595
1	211FF-L		6	N. A.	3,250	615
1½	210SF	56758 to 56931	6	N. A.	3,250	575
1½	210FF		6	N. A.	3,250	595
1½	211SF-D	58245 to 60000.	6	N. A.	3,250	625
1½	211FF-D		6	N. A.	3,250	645
1½	211SF-S		6	N. A.	3,250	595
1½	211FF-S		6	N. A.	3,250	615
1½	225	63514 to 63519.	6	N. A.	3,500	745
1½	226	64187 to 65471.	6	N. A.	3,500	725
1¾	241	75015 to 75816.	6	N. A.	3,500	845
2	261	89062 to 89119.	6	N. A.	4,000	960
2	311	99248 to 99515.	6	N. A.	4,200	1,095
2½	326B	99044 to 99247	6	N. A.	4,600	1,225
2½	326DK		6	N. A.	4,700	1,395
2½	351	97601 to 97783	6	N. A.	4,700	1,325
3	376	92611 to 92617	6	N. A.	5,250	1,695
3	410A	45808 to 45879	6	N. A.	5,400	1,795
4	425	16001 to 16018	6	N. A.	6,200	2,395
4	510	62043 to 62110	6	N. A.	6,000	2,095
5	525	73051 to 73075	6	N. A.	7,200	2,695
3–4	603A	24480 to 24508	6	N. A.	7,540	3,300

(G) DIAMOND T—Continued

(6) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½	201	1001 to 1500	6	115	2,235	$495
½	201	1501 to 1800	6	115	2,235	525
½	201	1801 to 2000	6	115	2,235	545
½	201	2001 to 2500	6	115	2,235	565
½	201	2501 to 3000	6	115	2,235	585
½	201	3001 to 3500	6	115	2,235	605
½	201	3501 to 4000	6	115	2,235	625
½	201	4001 to 4500	6	115	2,235	645
½	201	4501 to 5000	6	115	2,235	665
½	201	5001 to 5500	6	115	2,235	685
½	201	5501 to 6000	6	115	2,235	705
½	201	6001 to 6500	6	115	2,235	725
½	201	6501 to 7000	6	115	2,235	745
½	201	7001 to 7500	6	115	2,235	765
½	201	7501 to 8000	6	115	2,235	785
½	201	8001 to 8500	6	115	2,235	805
½	201	8501 to 9000	6	115	2,235	825
½	201	9001 to 9500	6	115	2,235	845
½	201	9501 to 10000	6	115	2,235	865
½	201	10001 to 10500	6	115	2,235	885
½	201	10501 to 11000	6	115	2,235	905
½	201	11001 to 11500	6	115	2,235	925
½	201	11501 to 12000	6	115	2,235	945
½	201	12001 to 12500	6	115	2,235	965
½	201	12501 to 13000	6	115	2,235	985
½	201	13001 to 13500	6	115	2,235	1,005
½	201	13501 to 14000	6	115	2,235	1,025
½	201	14001 to 14500	6	115	2,235	1,045
½	201	14501 to 15000	6	115	2,235	1,065
½	201	15001 to 15500	6	115	2,235	1,085
½	201	15501 to 16000	6	115	2,235	1,105
½	201	16001 to 16500	6	115	2,235	1,125
½	201	16501 to 17000	6	115	2,235	1,145
½	201	17001 to 17500	6	115	2,235	1,165
½	201	17501 to 18000	6	115	2,235	1,185
½	201	18001 to 18500	6	115	2,235	1,205
½	201	18501 to 19000	6	115	2,235	1,225
½	201	19001 to 19500	6	115	2,235	1,245
½	201	19501 to 20000	6	115	2,235	1,265
½	201	20001 to 20500	6	115	2,235	1,285
½	201	20501 to 21000	6	115	2,235	1,305
½	201	21001 to 21500	6	115	2,235	1,325
½	201	21501 to 22000	6	115	2,235	1,345
½	201	22001 to 22500	6	115	2,235	1,365
½	201	22501 to 23000	6	115	2,235	1,385
½	201	23001 to 23500	6	115	2,235	1,405
½	201	23501 to 24000	6	115	2,235	1,425
½	201	24001 to 24500	6	115	2,235	1,445
½	201	24501 to 25000	6	115	2,235	1,465
½	201	25001 to 25500	6	115	2,235	1,485
½	201	25501 to 26000	6	115	2,235	1,505
½	201	26001 to 26500	6	115	2,235	1,525
½	201	26501 to 27000	6	115	2,235	1,545
½	201	27001 to 27500	6	115	2,235	1,565
½	201	27501 to 28000	6	115	2,235	1,585
½	201	28001 to 28500	6	115	2,235	1,605
½	201	28501 to 29000	6	115	2,235	1,625
½	201	29001 to 29500	6	115	2,235	1,645
½	201	29501 to 30000	6	115	2,235	1,665
½	201	30001 to 30500	6	115	2,235	1,685
½	201	30501 to 31000	6	115	2,235	1,705
½	201	31001 to 31500	6	115	2,235	1,725
½	201	31501 to 32000	6	115	2,235	1,745
½	201	32001 to 32500	6	115	2,235	1,765
½	201	32501 to 33000	6	115	2,235	1,785
½	201	33001 to 33500	6	115	2,235	1,805
½	201	33501 to 34000	6	115	2,235	1,825
½	201	34001 to 34500	6	115	2,235	1,845
½	201	34501 to 35000	6	115	2,235	1,865
½	201	35001 to 35500	6	115	2,235	1,885
½	201	35501 to 36000	6	115	2,235	1,905
½	201	36001 to 36500	6	115	2,235	1,925
½	201	36501 to 37000	6	115	2,235	1,945
½	201	37001 to 37500	6	115	2,235	1,965
½	201	37501 to 38000	6	115	2,235	1,985
½	201	38001 to 38500	6	115	2,235	2,005
½	201	38501 to 39000	6	115	2,235	2,025
½	201	39001 to 39500	6	115	2,235	2,045
½	201	39501 to 40000	6	115	2,235	2,065
½	201	40001 to 40500	6	115	2,235	2,085
½	201	40501 to 41000	6	115	2,235	2,105
½	201	41001 to 41500	6	115	2,235	2,125
½	201	41501 to 42000	6	115	2,235	2,145
½	201	42001 to 42500	6	115	2,235	2,165
½	201	42501 to 43000	6	115	2,235	2,185
½	201	43001 to 43500	6	115	2,235	2,205
½	201	43501 to 44000	6	115	2,235	2,225
½	201	44001 to 44500	6	115	2,235	2,245
½	201	44501 to 45000	6	115	2,235	2,265
½	201	45001 to 45500	6	115	2,235	2,285
½	201	45501 to 46000	6	115	2,235	2,305
½	201	46001 to 46500	6	115	2,235	2,325
½	201	46501 to 47000	6	115	2,235	2,345
½	201	47001 to 47500	6	115	2,235	2,365
½	201	47501 to 48000	6	115	2,235	2,385
½	201	48001 to 48500	6	115	2,235	2,405
½	201	48501 to 49000	6	115	2,235	2,425
½	201	49001 to 49500	6	115	2,235	2,445
½	201	49501 to 50000	6	115	2,235	2,465
½	201	50001 to 50500	6	115	2,235	2,485
½	201	50501 to 51000	6	115	2,235	2,505
½	201	51001 to 51500	6	115	2,235	2,525
½	201	51501 to 52000	6	115	2,235	2,545
½	201	52001 to 52500	6	115	2,235	2,565
½	201	52501 to 53000	6	115	2,235	2,585
½	201	53001 to 53500	6	115	2,235	2,605
½	201	53501 to 54000	6	115	2,235	2,625
½	201	54001 to 54500	6	115	2,235	2,645
½	201	54501 to 55000	6	115	2,235	2,665
½	201	55001 to 55500	6	115	2,235	2,685
½	201	55501 to 56000	6	115	2,235	2,705
½	201	56001 to 56500	6	115	2,235	2,725
½	201	56501 to 57000	6	115	2,235	2,745
½	201	57001 to 57500	6	115	2,235	2,765
½	201	57501 to 58000	6	115	2,235	2,785
½	201	58001 to 58500	6	115	2,235	2,805
½	201	58501 to 59000	6	115	2,235	2,825
½	201	59001 to 59500	6	115	2,235	2,845
½	201	59501 to 60000	6	115	2,235	2,865
½	201	60001 to 60500	6	115	2,235	2,885
½	201	60501 to 61000	6	115	2,235	2,905
½	201	61001 to 61500	6	115	2,235	2,925
½	201	61501 to 62000	6	115	2,235	2,945
½	201	62001 to 62500	6	115	2,235	2,965
½	201	62501 to 63000	6	115	2,235	2,985
½	201	63001 to 63500	6	115	2,235	3,005
½	201	63501 to 64000	6	115	2,235	3,025
½	201	64001 to 64500	6	115	2,235	3,045
½	201	64501 to 65000	6	115	2,235	3,065
½	201	65001 to 65500	6	115	2,235	3,085
½	201	65501 to 66000	6	115	2,235	3,105
½	201	66001 to 66500	6	115	2,235	3,125
½	201	66501 to 67000	6	115	2,235	3,145
½	201	67001 to 67500	6	115	2,235	3,165
½	201	67501 to 68000	6	115	2,235	3,185
½	201	68001 to 68500	6	115	2,235	3,205
½	201	68501 to 69000	6	115	2,235	3,225
½	201	69001 to 69500	6	115	2,235	3,245
½	201	69501 to 70000	6	115	2,235	3,265
½	201	70001 to 70500	6	115	2,235	3,285
½	201	70501 to 71000	6	115	2,235	3,305
½	201	71001 to 71500	6	115	2,235	3,325
½	201	71501 to 72000	6	115	2,235	3,345
½	201	72001 to 72500	6	115	2,235	3,365
½	201	72501 to 73000	6	115	2,235	3,385
½	201	73001 to 73500	6	115	2,235	3,405
½	201	73501 to 74000	6	115	2,235	3,425
½	201	74001 to 74500	6	115	2,235	3,445
½	201	74501 to 75000	6	115	2,235	3,465
½	201	75001 to 75500	6	115	2,235	3,485
½	201	75501 to 76000	6	115	2,235	3,505
½	201	76001 to 76500	6	115	2,235	3,525
½	201	76501 to 77000	6	115	2,235	3,545
½	201	77001 to 77500	6	115	2,235	3,565
½	201	77501 to 78000	6	115	2,235	3,585
½	201	78001 to 78500	6	115	2,235	3,605
½	201	78501 to 79000	6	115	2,235	3,625
½	201	79001 to 79500	6	115	2,235	3,645
½	201	79501 to 80000	6	115	2,235	3,665
½	201	80001 to 80500	6	115	2,235	3,685
½	201	80501 to 81000	6	115	2,235	3,705
½	201	81001 to 81500	6	115	2,235	3,725
½	201	81501 to 82000	6	115	2,235	3,745
½	201	82001 to 82500	6	115	2,235	3,765
½	201	82501 to 83000	6	115	2,235	3,785
½	201	83001 to 83500	6	115	2,235	3,805
½	201	83501 to 84000	6	115	2,235	3,825
½	201	84001 to 84500	6	115	2,235	3,845
½	201	84501 to 85000	6	115	2,235	3,865
½	201	85001 to 85500	6	115	2,235	3,885
½	201	85501 to 86000	6	115	2,235	3,905
½	201	86001 to 86500	6	115	2,235	3,925
½	201	86501 to 87000	6	115	2,235	3,945
½	201	87001 to 87500	6	115	2,235	3,965
½	201	87501 to 88000	6	115	2,235	3,985
½	201	88001 to 88500	6	115	2,235	4,005
½	201	88501 to 89000	6	115	2,235	4,025
½	201	89001 to 89500	6	115	2,235	4,045
½	201	89501 to 90000	6	115	2,235	4,065
½	201	90001 to 90500	6	115	2,235	4,085
½	201	90501 to 91000	6	115	2,235	4,105
½	201	91001 to 91500	6	115	2,235	4,125
½	201	91501 to 92000	6	115	2,235	4,145
½	201	92001 to 92500	6	115	2,235	4,165
½	201	92501 to 93000	6	115	2,235	4,185
½	201	93001 to 93500	6	115	2,235	4,205
½	201	93501 to 94000	6	115	2,235	4,225
½	201	94001 to 94500	6	115	2,235	4,245
½	201	94501 to 95000	6	115	2,235	4,265
½	201	95001 to 95500	6	115	2,235	4,285
½	201	95501 to 96000	6	115	2,235	4,305
½	201	96001 to 96500	6	115	2,235	4,325
½	201	96501 to 97000	6	115	2,235	4,345
½	201	97001 to 97500	6	115	2,235	4,365
½	201	97501 to 98000	6	115	2,235	4,385
½	201	98001 to 98500	6	115	2,235	4,405
½	201	98501 to 99000	6	115	2,235	4,425
½	201	99001 to 99500	6	115	2,235	4,445
½	201	99501 to 100000	6	115	2,235	4,465

(G) DIAMOND T—Continued

(2) 1934—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½	326B	99044 to 99084	6	N. A.	4,600	$1,250
2½	326D R		6	N. A.	4,600	1,425
2½	351	97784 to 97959	6	N. A.	4,700	1,395
3	376	92618 to 92630	6	N. A.	5,000	1,650
3	410A	45980 to 45991	6	N. A.	5,400	1,795
4	425	16019 to 16032	6	N. A.	6,200	2,395
4	510	62111 to 62120	6	N. A.	6,400	2,095
5	525	73079 to 73085	6	N. A.	7,200	2,695
5	603A	24509 to 24511	6	N. A.	8,100	3,300
5–6	740	94403 to 94410	6	N. A.	8,500	3,900
5–7	750	94285 to 94290	6	N. A.	10,000	4,200
1¾	242	77051 to 77197	6	N. A.	3,850	845
1¾	262	89201 to 89321	6	N. A.	4,200	995
2	311B	70101 to 70453	6	N. A.	4,500	1,060
2½	351B	96251 to 96453	6	N. A.	5,125	1,375
2½	311D R	99101 to 99107	6	N. A.	4,600	1,345
3	411B	46001 to 46060	6	N. A.	5,600	1,895
3	351D R	92651 to 92994	6	N. A.	5,300	1,650
4	511B	62201 to 62214	6	N. A.	6,600	2,195
4	411D R	46502 to 46521	6	N. A.	6,200	2,195
5	511D R	62701 to 62726	6	N. A.	7,200	2,550

(3) 1935

1½	211A	77001 to 80000	6	N. A.	3,400	$545
1½	220	71201 to 20322	6	N. A.	3,600	645
1½	227	16021 to 82725	6	N. A.	3,600	725
1½	243	76251 to 76600	6	N. A.	4,000	845
2	311C	70501 to 76908	6	N. A.	4,600	1,125
2	312	72921 to 72984	6	N. A.	4,600	1,225
2½	351C	96501 to 96650	6	N. A.	5,125	1,425
2½	352	93021 to 93400	6	N. A.	5,125	1,525
3	412B	46071 to 46148	6	N. A.	6,600	2,140
4	412D R	46531 to 46605	6	N. A.	7,300	2,440
4	512B	62221 to 62297	6	N. A.	7,300	2,440
5	512D R	62751 to 62857	6	N. A.	7,700	2,760
1½	212A	204001 to 204375	6	139¾	3,450	595
1	212A L		6	139¾	3,450	595
1½	212H	68201 to 68270	6	139¾	3,550	635
1½	221	34551 to 34758	6	139¾	3,750	695
1½	228	16601 to 16621	6	139¾	3,900	795
2	244	18301 to 18382	6	139¾	4,300	925
2	313	21701 to 21731	6	139¾	4,700	1,125
2	320	22301 to 22326	6	139¾	4,800	1,225
2½	353	96651 to 96660	6	151¾	5,200	1,425
2½	360	93401 to 93443	6	151¾	5,300	1,525

(4) 1936

1½	212A	204476 to 209275	6	139¾	3,450	$625
1	212A L		6	139¾	3,450	625
1½	212B	68271 to 80200	6	139¾	3,550	665
1½	221	34759 to 37361	6	139¾	3,750	750
1½	228	16624 to 16810	6	139¾	3,900	795
2	244	18383 to 19268	6	139¾	4,300	950
2	313	21732 to 21977	6	139¾	4,700	1,160
2	320	22327 to 22618	6	139¾	4,800	1,260
2½	353	96661 to 96814	6	151¾	5,200	1,475
2½	360	93444 to 93992	6	151¾	5,300	1,575
3	412B	46149 to 46170	6	147¾	6,600	2,140
4	412D R	46606 to 46609	6	147¾	7,300	2,540
4	512B	62268 to 62346	6	147¾	7,300	2,440
5	512D R	62858 to 62940	6	147¾	7,700	2,760

(5) 1937

¾	80	302904 to 304323	6	119	2,750	$560
1	212A L	209276 to 213076	6	139	3,500	695
1½	212A	209276 to 213076	6	139	3,500	695
1½	212B	80201 to 89427	6	139	3,600	735
1½	221	37362 to 39423	6	139	3,750	825
2	244	19209 to 20416	6	151	4,300	1,020
2	313	21978 to 22268	6	151	4,700	1,250
2	320	22619 to 22820	6	151	4,800	1,350
2 Diesel	320	40551 to 40700	6	151	5,400	2,280
2½	353	96815 to 96930	6	151	5,200	1,575
2½	360	93993 to 94863	6	151	5,300	1,675
2½ Diesel	1030	41519 to 41605	6	151	6,300	2,800
4	512B	62347 to 62385	6	189	7,300	3,100
4	412D R	46670 to 46759	6	189	7,300	3,200
5	512D R	62941 to 62955	6	189	7,700	3,450
1	301	3010001 to 3010426	6	135	3,100	615
1	304	3040001 to 3040190	6	150	3,200	650
Cab over engine						
1½	401	4010001 to 4010007	6	96	4,400	1,025
1½	402	4020001 to 4020037	6	96	4,600	1,065
2	507	5070001 to 5070029	6	96	5,100	1,350
2	607	6070001 to 6070010	6	96	5,700	1,600
2½	609	6070001 to 6090016	6	96	6,200	1,900

(G) DIAMOND T—Continued

(6) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab over engine—Con.				*Inches*		
¾	80S	304334 to 304951	6	119	2,750	$560
¾	80D	304334 to 304951	6	119	2,750	620
1	301S	3010427 to 3010750	6	135	3,100	615
1	301D		6	135	3,100	675
1	304S	3040191 to 3040434	6	150	3,200	650
1	304D		6	150	3,200	710
1	212A SL	213077 to 213686	6	139	3,500	695
1	212A DL		6	139	3,500	750
1	307S	3070001 to 3070116	6	150	3,500	695
1½	307D		6	150	3,500	755
1½	212A S	213077 to 213686	6	139	3,500	695
1½	212A D		6	139	3,500	750
1½	212B S	89428 to 89681	6	139	3,600	735
1½	212B D	89428 to 89681	6	139	3,600	790
1½	221S	39424 to 39705	6	139	3,750	825
1½	221D		6	139	3,750	880
2	244S	26417 to 26589	6	151	4,300	1,020
2	244D	26417 to 26589	6	151	4,300	1,080
2	313D	22069 to 22113	6	151	4,700	1,250
2	320D	22807 to 22885	6	151	4,800	1,350
2½	353D	96931 to 96935	6	151	5,200	1,575
2½	360D	94864 to 94926	6	151	5,300	1,675
4	412D R	46740 to 46777	6	189	7,300	3,200
4	512B	62386 to 62405	6	189	7,300	3,100
5	512D R	(62906 to 63000) (65501 to 655107)	6	189	7,700	3,450
1½	401	4010008 to 4010060	6	96	4,400	1,095
1½	402	4020038 to 4020121	6	96	4,600	1,135
2	507	5070030 to 5070122	6	96	5,100	1,350
2	607	6070011 to 6070040	6	96	5,700	1,600
2½	609	6090017 to 6090068	6	96	6,200	1,900
Super de luxe						
1	404S L	4040001 to 4041932	6	139	3,500	695
1½	404S		6	139	3,500	695
1½	404D		6	139	3,500	785
1½	405S	4050001 to 4050442	6	139	3,600	800
1½	405D		6	139	3,600	850
1½	406S	4060001 to 4060940	6	139	3,600	950
1½	406D		6	139	3,750	1,040
2	509S	5090001 to 5090424	6	151	4,300	1,050
2	509D		6	151	4,300	1,140
2	611D	6110001 to 6110026	6	151	4,700	1,290
2	612D	6120001 to 6120111	6	151	4,800	1,390
2½	613D	6130001 to 6130064	6	151	5,200	1,590
2½	614D	6140001 to 6140304	6	151	5,300	1,690
Diesel equipped						
2	D20	40701 to 40723	6	151	5,400	2,280
2½	D30	41606 to 41613	6	151	6,300	2,800
1	201	2010001 to 2010367	6	119	2,750	575
1	305	3050001 to 3050283	6	135	3,100	630
1¼	306	3060001 to 3060182	6	150	3,500	710
Cab over engine						
4–6	802	8020001 to 8020001	6	96	7,500	3,000
4–5	803	8030001 to 8030005	6	96	7,500	2,900
5	804	8040001 to 8040002	6	96	8,000	3,200
Diesel equipped						
2	513	5130001 to 5130020	6	151	5,600	2,320
2½	615	6150001 to 6150010	6	151	6,500	2,850
Dor-to-dor forward drive						
1	231	2310001 to 2310024	6	119	2,600	660
1½	332	3320001 to 3320008	6	135	3,000	690
1½	333	3330001 to 3330002	6	150	3,200	750

(7) 1939

1	201	2010368 to 2011011	6	119	2,750	$575
1	305	3050284 to 3050456	6	135	3,500	630
1¼	306	3060183 to 3061285	6	127	3,500	650
1½	404	4041033 to 4045002	6	139¾	4,250	765
1½	404 D		6	139¾	4,400	825
1½	405	4050443 to 4050512	6	139	3,500	835
1½	406	4060941 to 4061852	6	139¾	4,500	950
2	509	5090425 to 5091059	6	151¾	4,900	1,050
2	509 D		6	151¾	5,200	1,115
2	611	6110027 to 6110031	6	151	4,700	1,290
2	612	6120112 to 6120274	6	151¾	5,250	1,390
2	612 D		6	151¾	5,500	1,530
2	613	6130065 to 6130072	6	151	5,200	1,590
2½	614	6140305 to 6140754	6	151¾	5,700	1,690
2½	614 D		6	151¾	6,000	1,777
4	412D R	46778 to 46783	6	189¾	7,300	3,200
4	512B	62406 to 62430	6	189¾	7,300	3,100
5	512D R	65511 to 65529	6	189¾	7,700	3,450
Diesel Equipped						
2	513	5130001 to 5130020	6	151	5,600	2,320
2½	615	6150001 to 6150015	6	151	6,500	2,850

(G) DIAMOND T—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Dor-to-dor forward drive				*Inches*		
1	231	2310025 to 2310367	6	119	2,600	$660
1½	332	3320009 to 3320035	6	135	3,000	690
1½	333	3330003 to 3330007	6	150	3,200	750

(8) 1940

1	201	2011012 to 2011111	6	119	2,750	$575
1	305	3050457 to 3050500	6	135	3,500	630
1¼	306	3061286 to 3061335	6	127	3,500	650
1½	404	4045003 to 4045102	6	139¾	4,250	765
1½	404 D		6	139¾	4,400	825
1½	405	4050513 to 4050612	6	139	3,500	835
1½	406	4061853 to 4062000	6	139¾	4,500	950
2	509	5091060 to 5091159	6	151¾	4,900	1,050
2	509 D		6	151¾	5,200	1,115
2	611	6110032 to 6110131	6	151	4,700	1,290
2	612	6120275 to 6120312	6	151¾	5,250	1,390
2	612 D		6	151¾	5,500	1,530
2	613	6130073 to 6130112	6	151	5,200	1,590
2½	614	6140755 to 6140804	6	151¾	5,700	1,690
2½	614 D		6	151¾	6,000	1,777
4	412D R	46784 to 46789	6	189¾	7,300	3,200
4	512B	62431 to 62450	6	189¾	7,300	3,100
5	512D R	65530 to 65548	6	189¾	7,700	3,450
Diesel Equipped						
2	513	5130021 to 5130040	6	151	5,600	2,320
2½	615	6150016 to 6150030	6	151	6,500	2,850

(G) DIAMOND T—Continued

(9) 1941 and 1942

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab over engine				*Inches*		
1	201	2011112 to 2011211	6	119	2,750	$575
1	305	3050501 to 3050550	6	135	3,500	630
1¼	306	3061336 to 3061385	6	127	3,500	650
1½	404	4045103 to 4045202	6	139¾	4,250	765
1½	404 D		6	139¾	4,400	825
1½	405	4050613 to 4050712	6	139	3,500	835
1½	406	4062001 to 4062150	6	139¾	4,500	950
2	509	5091160 to 5091259	6	151¾	4,900	1,050
2	509 D		6	151¾	5,200	1,115
2	611	6110132 to 6110231	6	151	4,700	1,290
2	612	6120313 to 6120350	6	151¾	5,250	1,390
2	612 D		6	151¾	5,500	1,530
2	613	6130113 to 6130152	6	151	5,200	1,590
2½	614	6140805 to 6140854	6	151¾	5,700	1,690
2½	614 D		6	151¾	6,000	1,777
4	412D R	46790 to 46795	6	189¾	7,300	3,200
4	512B	62451 to 62470	6	189¾	7,300	3,100
5	512D R	65549 to 65567	6	189¾	7,700	3,450
Diesel Equipped						
2	513	5130041 to 5130060	6	151	5,600	2,320
2½	615	6150031 to 6150045	6	151	6,500	2,850

(G) DIAMOND T—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Dor-to-Dor Forward Drive				*Inches*		
1	201C	20100001 to 20100037	6	119	2,600	$660
1	231	2310025 to 2310028	6	119	2,600	660
1	305C	30500001 to 30500003	6	135	3,000	690
1½	306C	30600001 to 30600013	6	127	3,200	750
Cab Over Engine						
1½	401	4010061 to 4010093	6	96	4,400	1,095
1½	402	4020122 to 4020132	6	96	4,600	1,135
1½	404C	40400001 to 40400101	6	96	5,000	1,095
1½	404CH		6	96	5,650	1,155
2	507	5070123 to 5070129	6	96	5,100	1,350
2	509C	509C0001 to 509C0089	6	96	5,500	1,350
2	509CH		6	96	5,800	1,415
2	607	6070041 to 6070041	6	96	5,700	1,660
2	612C	612C0001 to 612C0033	6	96	5,800	1,600
2	612CH		6	96	6,050	1,728
2	609	6090069 to 6090072	6	96	6,200	1,900
2½	614C	614C0001 to 614C0089	6	96	6,300	1,900
2½	614CH		6	96	6,550	1,925
4	803C	803C0001 to 803C0021	6	96	7,500	2,900
5	804C	804C0001 to 804C0003	6	96	8,000	3,200
1	306L	3060184 to 3061258	6	127	3,400	660
Pak-Age car						
1	91	91-2003 to 91-2639	4	90	1,980	1,095
1	117	117-2003 to 117-2639	4	116	1,980	1,195
1½	306SC	306SC0001 to 306SC0077	6	106	3,800	775
1½	404SC	404SC0001 to 404SC0147	6	106	4,500	880
1½	404SCH		6	106	4,650	940
4	805	8050001 to 8050004	6	172	7,600	3,410
4	805W	805W0001 to 805W0004	6	172	7,600	3,660
5	806	8060001 to 8060005	6	172	8,200	3,600
5	806W	806W0001 to 806W0005	6	172	8,200	3,850
7½	900W	900W0001 to 900W0015	6	172	9,500	5,400

(8) 1940

1 ch	201	2011012 and up	6	119	2,750	$590
Pickup			6	119	N. A.	795
Stake			6	119	N. A.	807
Panel			6	119	N. A.	895
1½	306	3061259 and up	6	127	3,300	695
1½	404	4045003 and up	6	139	4,000	830
1½	404H		6	139	4,100	880
1½	406	4061853 and up	6	139	4,200	1,040
2	509	5091060 and up	6	151	4,650	1,240
2	509H		6	151	4,850	1,345
2	612	6120275 and up	6	151	5,000	1,540
2	612H		6	151	5,200	1,690
2½	614	6140755 and up	6	151	5,450	1,920
2½	614DR		6	151	5,450	2,243
2½	614H		6	151	5,600	2,321
2½	614HDR		6	151	5,700	2,456
3	805	8050005 and up	6	172	7,600	3,600
5	806	8060006 and up	6	172	8,200	3,700
7½	900	9000016 and up	6	172	9,500	5,400
Cab forward						
1½	306SC	306SC0078 and up	6	106	3,500	875
1½	404SC	404SC0148 and up	6	106	4,150	980
1½	404SCH		6	106	4,250	1,030
2	509SC	509SC0001 and up	6	106	4,650	1,360
2	612SC	612SC0001 and up	6	106	5,400	1,620
Cab over engine						
1	201C	201C0038 and up	6	119	2,800	660
1½	404C	404C0102 and up	6	96	4,650	1,200
2	509C	509C0090 and up	6	96	5,050	1,580
2	612C	612C0034 and up	6	96	5,400	1,850
2½	614C	614C0090 and up	6	96	6,000	2,200
3	805C	805C0005 and up	6	96	7,500	3,450
5	806C	806C0006 and up	6	96	7,800	3,700
Diesel powered						
2	513	5130063 and up	6	151	5,700	2,320
2½	615	6150016 and up	6	151	6,400	2,850
5	807	8070001 and up	6	172	9,000	5,600
5	808	8080001 and up	6	172	9,000	5,600
Cab over engine—Diesel powered						
2	513C	513C0001 and up	6	96	6,400	2,540
2½	615C	615C0007 and up	6	96	7,100	3,100
Pak-Age car						
1	91	913001 and up	4	90	1,980	1,215
1	117	1173001 and up	4	116	1,980	1,315
Six wheel—4-wh. drive						
2½	614	6140755 and up	6	177	9,200	3,895
5	806W	806W0005 and up	6	156	10,500	5,450
7½	900W	900W0016 and up	6	168	13,000	7,075
7½	900W		6	188	14,000	8,665

(G) DIAMOND T—Continued

(9) 1941 and 1942

Rated capacity, model, and type	Serial No.	Number of cylinders	Wheel base	Base weight	Price cab	Price chassis
Single wheel equipment			*Inches*			
91	3762 and up	4	N. A.	3,150	..	$1,250
117		4	N. A.	3,400	..	1,350
201, 201L	2011639 and up	6	N. A.	3,200	$115	600
306, 306L, 306E	3062472 and up	6	N. A.	4,000	115	720
306H, 306HL, 306HE		6	N. A.	4,400	115	768
Dual wheel equipment						
404, 404L, 404E	4046817 and up	6	N. A.	4,250	152	880
404H, 404HL, 404HE		6	N. A.	4,550	172	940
406, 406L, 406E	4062510 and up	6	N. A.	4,500	152	1,080
509, 509L, 509E	5091699 and up	6	N. A.	4,900	152	1,320
509H, 509HL, 509HE		6	N. A.	5,000	152	1,390
612, 612L, 612E	6120465 and up	6	N. A.	5,250	152	1,600
612H, 612HL, 612HE		6	N. A.	5,350	152	1,740
614, 614L, 614E	6141167 and up	6	N. A.	5,700	172	1,960
614H, 614HL, 614E		6	N. A.	5,800	152	2,010
702, 702L, 702E	7020069 and up	6	N. A.	7,200	275	3,000
805, 805L, 805E	8050053 and up	6	N. A.	8,300	275	3,600
806, 806L, 806E	8060068 and up	6	N. A.	8,500	275	3,750
806H, 806HL, 806HE		6	N. A.	8,600	275	4,000
900, 900L, 900E	9000024 and up	6	N. A.	9,500	275	5,400
900H, 900HL, 900HE		6	N. A.	9,600	275	5,910
Cab forward—SW equipment						
306SC, 306SCL, 306SCE	306SC0268 and up	6	N. A.	4,500	170	820
306SCH, 306SCHL, 306SHE		6	N. A.	4,600	170	868
Cab forward—DW equipment						
404SC, 404SCL, 404SCE	404SC0782 and up	6	N. A.	4,400	185	1,000
404SCH, 404SCHL, 404SCHE		6	N. A.	4,500	185	1,060
509SC, 509SCL, 509SCE	509SC0075 and up	6	N. A.	4,900	185	1,400
509SCH, 509SCHL, 509SCHE		6	N. A.	5,000	185	1,470
612SC, 612SCL, 612SCE	612SC0042 and up	6	N. A.	5,400	185	1,660
612SCH, 612SCHL, 612SCHE		6	N. A.	5,500	185	1,800
614SC, 614SCL, 614SCE	614SC0001 and up	6	N. A.	5,850	185	2,000
614SCH, 614SCHL, 614SCHE		6	N. A.	5,950	185	2,050
Cab over engine—SW equipment						
201C, 201CL	201C0079 and up	6	N. A.	2,500	.....	680
Cab over engine—DW equipment						
404C, 404CL, 404CE	404C0157 and up	6	N. A.	5,400	260	1,240
404CH, 404CHL, 404CHE		6	N. A.	5,500	260	1,300
509C, 509CL, 509CE	509C0169 and up	6	N. A.	5,500	260	1,620
509CH, 509CHL, 509CHE		6	N. A.	5,600	260	1,690
612C, 612CL, 612CE	612C0045 and up	6	N. A.	5,700	260	1,860
612CH, 612CHL, 612 CHE		6	N. A.	5,800	260	2,000
614C, 614CL, 614CE	614C0205 and up	6	N. A.	6,300	260	2,240
614CH, 614CHL, 614CHE		6	N. A.	6,400	260	2,290
702C, 702CL, 702CE	702C0001 and up	6	N. A.	7,300	300	3,200
805C, 805CL, 806CE	805C0009 and up	6	N. A.	7,500	300	3,600
Diesel equipped						
513, 513L, 513E	5130091 and up	6	N. A.	4,900	152	N. A.
615, 615L, 615E	6150019 and up	6	N. A.	5,700	152	N. A.
807, 807L, 807E	807001 and up	6	N. A.	9,300	277	5,600
808, 808L, 808E	8080002 and up	6	N. A.	9,300	275	5,600
910, 910L, 910E	9100006 and up	6	N. A.	12,500	275	7,600

(H) DIVCO

[Manufacturer: Divco-Twin Truck Company. Principal plant, Detroit, Michigan]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ comp	R-35	17190 and up	4	N. A.	3,140	$1,425
1½ comp	Q-35	16063 and up	4	N. A.	3,320	1,475

(2) 1936

1 113.5"	S (3 wide)	18000 and up	4	N. A.	2,740	$1,140
	S (4 wide)		4	N. A.	2,775	1,215

(3) 1937

	S (3 wide)	19555 and up	4	N. A.	2,740	$1,170
	S (4 wide)	20501 and up	4	N. A.	2,775	1,250

(H) DIVCO—Continued

(I) DODGE BROTHERS

(H) DIVCO—Continued

(4) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
House to house delivery				*Inches*		
1 panel	U1	21000 and up	4	100¾	2,925	$1,250
½ panel	UB	26000 and up	4	100¾	2,410	1,250
¾ panel	UL	29000 and up	4	127½	2,600	1,350

(5) 1939

1 panel	U1	21000 and up	4	100¾	2,925	$1,250
½ panel	UB	26000 and up	4	100¾	2,410	1,250
¾ panel	UL	29000 and up	4	127½	2,600	1,350

(6) 1940

½ panel	UB	26054 and up	4	100¾	2,410	$1,125
¾ panel	UL	29029 and up	4	127½	2,600	1,350
1 panel	UM	23887 and up	4	100¾	2,923	1,250
1½ panel	ULM	29107 and up	6	127½	3,366	1,450

(7) 1941

½ panel	UBM	26131 and up	4	100¾	2,410	$1,235
1 panel	UM	25570 and up	4	100¾	2,925	1,250
1½ panel	ULM	29202 and up	6	127½	3,366	1,500
1½ panel	UM	28080 and up	4	100¾	2,900	1,300
1½ panel	ULM	29295 and up	6	127½	3,366	1,575

[1] Changed to UM.

(I) DODGE BROTHERS

[Manufacturer: Chrysler Corporation. Principal plant: Detroit, Michigan]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ ch. and cowl	[1]F10	9200300 to 9200313	4	N. A.	1,925	$375
½ ch. and cowl	F10	9212689 to 9212724	6	N. A.	1,975	445
¾-1	H20	8483101 to 8492872	6	N. A.	2,559	502
¾-1	H21	9259101 to 9259529	6	N. A.	2,684	532
1½	H30		6	N. A.	2,612	490
1½	H31		6	N. A.	2,737	520
1½	G30	8481871 to 8482122	6	N. A.	2,560	585
1½	G31	9258945 to 9259001	6	N. A.	2,710	610
1½	UG30	8351688 to 8351846	4	N. A.	2,490	525
1½	UG31	9243544 to 9243557	4	N. A.	2,640	550
1½	H-31X	8483101 to 8492872	6	N. A.	2,712	520
1½	H-34X		6	N. A.	3,525	825
1½	H-33	8510001 to 8510019	6	N. A.	3,350	795
1½	H-34		6	N. A.	3,575	825
2	G43	8602371 to 8603503	6	N. A.	3,345	795
2	F40		6	N. A.	5,173	1,995
2	F41	8700866 to 8701174	6	N. A.	5,211	2,085
2	F42		6	N. A.	5,311	2,180
2	H43		6	N. A.	3,350	795
2	H44X	8604101 to 8606321	6	N. A.	3,525	825
2	H44	9273101 to 9273277	6	N. A.	3,575	825
2	G44	8602371 to 8603503	6	N. A.	3,400	896
3	F60		6	N. A.	5,543	2,640
3	F61	8760871 to 8761119	6	N. A.	5,789	2,575
3	F62		6	N. A.	5,901	2,695
4	G80		8	N. A.	7,640	5,255
4 ch. and cowl	G81	8850025 to 8850027	8	N. A.	7,840	5,285
4 ch. and cowl	G82		8	N. A.	8,040	5,350
4 ch. and cowl	G83		8	N. A.	8,400	5,415
Coml. sed	HC	8007301 to 8017443	6	N. A.	1,775	340
Coml. sed	HCL	9201001 to 9201576	6	N. A.	1,805	365
Six-wheel trucks						
1½ ch. and cowl	UGS30	8351688 to 8351846	4	N. A.	3,575	875
		9243544 to 9243557				
1½ ch. and cowl	GS30	8481871 to 8482122	6	N. A.	3,650	935
		9258945 to 9259001				
2 ch. and cowl	GS55	8602371 to 8603503	6	N. A.	4,450	1,260
		9272708 to 9272778				
3 ch. and cowl	FS75	8760874 to 8761119	6	N. A.	8,350	3,995
2 ch. and cowl	G-43	8602371 to 8603503	6	N. A.	3,345	795
		9272708 to 9272778				
2 ch. and cowl	F-40	8700866 to 8701174	6	N. A.	5,173	1,995
3 ch. and cowl	F-60	8760874 to 8761119	6	N. A.	5,543	2,645
4 ch. and cowl	G-80	8850025 to 8850027	6	N. A.	7,640	5,250

(I) DODGE BROTHERS

(2) 1934

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Coml. sed	HC	8017444 to 8022486	6	N. A.	1,775	$340
Coml. sed	HCL	9201577 to 9201947	6	N. A.	1,805	365
Coml. sed	KC	8023001 to 8042421	6	N. A.	1,775	365
Coml. sed	KCL	9202001 to 9203201	6	N. A.	1,805	395
¾ ch. and cowl	KH-15	8220101 to 8222758	6	N. A.	2,550	490
¾ ch. and cowl	KH-16	9242751 to 9242916	6	N. A.	2,575	490
¾ ch. and cowl	KH-17		6	N. A.	2,625	520
¾ ch. and cowl	KH-18		6	N. A.	2,700	520
¾-1 ch. and cowl	H-20	8492873 to 8498804	6	N. A.	2,559	502
¾-1 ch. and cowl	H-21		6	N. A.	2,684	532
¾ ch. and cowl	K-20	8103001 to 8105509	6	N. A.	2,559	515
1 ch. and cowl	K-21X	9260001 to 9260137	6	N. A.	2,612	515
1 ch. and cowl	KH-20		6	N. A.	2,600	490
1 ch. and cowl	KH-21	8220101 to 8222758	6	N. A.	2,625	490
1 ch. and cowl	KH-22	9242751 to 9242916	6	N. A.	2,675	520
1 ch. and cowl	KH-23		6	N. A.	2,750	520
1½ ch. and cowl	K-30	8103001 to 8105509	6	N. A.	2,667	515
1½ ch. and cowl	K-30	9260001 to 9260137	6	N. A.		515
1½ ch. and cowl	KH-30	8220101 to 8222758	6	N. A.	2,675	490
1½ ch. and cowl	KH-31	9242751 to 9242916	6	N. A.	2,700	490
1½ ch. and cowl	K-32		6	N. A.	2,885	545
1½ ch. and cowl	K-33	8351901 to 8368251	6	N. A.	2,975	575
1½ ch. and cowl	K-34	9243601 to 9244371	6	N. A.	3,105	575
1½ ch. and cowl	H-30	8492873 to 8498804	6	N. A.	2,612	490
1½ ch. and cowl	H-31X	9259630 to 9259840	6	N. A.	2,712	520
1½ ch. and cowl	H-33		6	N. A.	2,737	520
1½ ch. and cowl	H-35		6	N. A.	3,350	795
1½ ch. and cowl	H-34X	8510019 to 8510054	6	N. A.	3,525	825
1½ ch. and cowl	H-34		6	N. A.	3,575	825
1½ ch. and cowl	K-35		6	N. A.	3,580	870
1½ ch. and cowl	K-36	8608001 to 8612650	6	N. A.	3,670	890
1½ ch. and cowl	K-37	9273401 to 9273537	6	N. A.	3,715	900
1½ ch. and cowl	KH-32	8220101 to 8222758	6	N. A.	2,750	520
1½ ch. and cowl	KH-33	9242751 to 9242917	6	N. A.	2,825	520
1½ ch. and cowl	K-38	8608001 to 8612650	6	N. A.	3,790	945
		9273401 to 9273537				
2 ch. and cowl	H-43	8606322 to 8607643	6	N. A.	3,350	795
2 ch. and cowl	H-44X	9273278 to 9273359	6	N. A.	3,525	825
2 ch. and cowl	H-44		6	N. A.	3,575	825
2 ch. and cowl	K-43	8608001 to 8612650	6	N. A.	3,675	870
2 ch. and cowl	K-42		6	N. A.	3,810	900
2 ch. and cowl	K-48		6	N. A.	3,885	945
2 ch. and cowl	F-40	8701175 to 8701380	6	N. A.	5,173	1,995
2 ch. and cowl	F-41		6	N. A.	5,211	2,085
2 ch. and cowl	F-42		6	N. A.	5,311	2,180
2 ch. and cowl	K-50	8701400 to 8701495	6	N. A.	5,175	1,995
2 ch. and cowl	K-51		6	N. A.	5,210	2,085
2 ch. and cowl	K-52		6	N. A.	5,310	2,180
3 ch. and cowl	K-70	8761400 to 8761452	6	N. A.	5,540	2,645
3 ch. and cowl	K-71		6	N. A.	5,790	2,575
3 ch. and cowl	K-72		6	N. A.	5,915	2,695
3 ch. and cowl	F-60	8761120 to 8761318	6	N. A.	5,543	2,645
3 ch. and cowl	F-61		6	N. A.	5,789	2,575
3 ch. and cowl	F-62		6	N. A.	5,901	2,695
3 ch. and cowl	FS-75		6	N. A.	8,350	3,995
4 ch. and cowl	G-80	8850028 to 8850047	8	N. A.	7,640	5,250
4 ch. and cowl	G-81		8	N. A.	7,840	5,285
4 ch. and cowl	G-82		8	N. A.	8,040	5,350
4 ch. and cowl	G-83		8	N. A.	8,400	5,415
Tractor type trucks						
1½ ch. and cowl	K-32	8351901 to 8368250	6	N. A.	2,885	545
1½ ch. and cowl	K-33	9243601 to 9244371	6	N. A.	2,975	575
1½ ch. and cowl	K-34		6	N. A.	3,105	575
1½ ch. and cowl	K-35	8608001 to 8612650	6	N. A.	3,580	870
1½ ch. and cowl	K-36	9273401 to 9273537	6	N. A.	3,670	890
1½ ch. and cowl	K-37		6	N. A.	3,715	900
1½ ch. and cowl	K-47		6	N. A.	3,675	870
1½ ch. and cowl	K-46		6	N. A.	3,765	890
1½ ch. and cowl	K-47		6	N. A.	3,810	900
1½ ch. and cowl	K-50	8701400 to 8701495	6	N. A.	5,175	1,995
1½ ch. and cowl	K-51		6	N. A.	5,210	2,085
1½ ch. and cowl	K-70	8761400 to 8761452	6	N. A.	5,540	2,645
1½ ch. and cowl	K-71		6	N. A.	5,790	2,575
Six wheel, 3 axles						
3	KS-75	8761400 to 8761452	6	N. A.	8,350	3,995

(3) 1935

Coml. sed	KC	8042422 to 8072564	6	N.A.	1,775	$365
Coml.	KC1	9203202 to 9206587	6	N.A.	1,805	395
¾ ch. and cowl	KH-15	8234301 to 8242776	6	N.A.	2,550	490
¾ ch. and cowl	KH-16	9260151 to 9260514	6	N.A.	2,575	490
¾ ch. and cowl	KH-17		6	N.A.	2,625	520
¾ ch. and cowl	KH-18		6	N.A.	2,700	520
1 ch. and cowl	KH-20		6	N.A.	2,600	490
1 ch. and cowl	KH-21	8234301 to 8242776	6	N.A.	2,625	490
1 ch. and cowl	KH-22	9260151 to 9260514	6	N.A.	2,675	520
1 ch. and cowl	KH-23		6	N.A.	2,750	520
1½ ch. and cowl	KH-30		6	N.A.	2,675	490
1½ ch. and cowl	KH-31		6	N.A.	2,700	490
1½ ch. and cowl	KH-32		6	N.A.	2,750	520
1½ ch. and cowl	KH-32		6	N.A.	2,825	520
1½ ch. and cowl	K-32		6	N.A.	2,885	545
1½ ch. and cowl	K-33	8368251 to 8378036	6	N.A.	2,975	575

(I) DODGE BROTHERS—Continued

(3) 1935—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ ch. and cowl	K 34	9244372 to 9245108	6	N. A.	3,105	$575
1½ ch. and cowl	K 35		6	N. A.	3,580	870
1½ ch. and cowl	K 36		6	N. A.	3,670	890
1½ ch. and cowl	K 37		6	N. A.	3,715	900
1½ ch. and cowl	K 38	8612651 to 8616231	6	N. A.	3,790	915
2 cowl and ch	K 45	9273538 to 9274790	6	N. A.	3,675	870
2 ch. and cowl	K 46		6	N. A.	3,765	890
2 ch. and cowl	K 47		6	N. A.	3,810	900
2 ch. and cowl	K 48		6	N. A.	3,885	945
2 ch. and cowl	K 50		6	N. A.	5,175	1,695
2 ch. and cowl	K 51	8701496 to 8701604	6	N. A.	5,210	2,085
2 ch. and cowl	K 52		6	N. A.	5,310	2,180
3 ch. and cowl	K 70		6	N. A.	5,540	2,645
3 ch. and cowl	K 71		6	N. A.	5,790	2,525
3 ch. and cowl	K 72	8761453 to 8761519	6	N. A.	5,915	2,695
3-6 wh	K 75		6	N. A.	8,350	3,995
4 ch. and cowl	K 80	8850048 to 8850050	6	N. A.	7,640	5,250
¾ ch. and cowl	KH16V		6	N. A.	2,850	495
¾ ch. and cowl	KH17V		6	N. A.	2,925	525
¾ ch. and cowl	KH18V		6	N. A.	3,000	525
1 ch. and cowl	KH21V	8243301 to 8242776	6	N. A.	2,850	495
1 ch. and cowl	KH22V	9260151 to 9260514	6	N. A.	2,925	525
1 ch. and cowl	KH23V		6	N. A.	3,000	525
1½ ch. and cowl	KH31V		6	N. A.	2,925	495
1½ ch. and cowl	K32V	8380501 to 8388168	6	N. A.	3,125	545
		9245151 to 9245667	6			
1½ ch. and cowl	K35V	8616401 to 8618686	6	N. A.	3,760	895
		9273801 to 9273975				
1½ ch. and cowl	KH32V	8243401 to 8242776	6	N. A.	3,000	525
		9260151 to 9260514				
1½ ch. and cowl	K33V	8380501 to 8388168	6	N. A.	3,225	575
		9245151 to 9245667				
1½ ch. and cowl	K36V	8616401 to 8618686	6	N. A.	3,860	925
		9273801 to 9273975				
1½ ch. and cowl	K1133V	8243401 to 8242776	6	N. A.	3,075	525
		9260151 to 9260514				
1½ ch. and cowl	K34V	8380501 to 8388168	6	N. A.	3,350	575
		9245151 to 9245667				
1½ ch. and cowl	K37V	8616401 to 8618686	6	N. A.	3,910	955
1½ ch. and cowl	K38V	9273801 to 9273975	6	N. A.	3,965	990
2 ch. and cowl	K45V		6	N. A.	3,900	895
2 ch. and cowl	K50V	8761601 to 8761929	6	N. A.	5,235	1,695
2 ch. and cowl	K46V	8616401 to 8618686	6	N. A.	4,000	925
		9273801 to 9273975				
2 ch. and cowl	K51V	8761901 to 8761929	6	N. A.	5,335	1,715
2 ch. and cowl	K47V	8616401 to 8618686	6	N. A.	4,050	955
		9273801 to 9273975				
2 ch. and cowl	K52V	8761601 to 8761929	6	N. A.	5,385	1,735
2 ch. and cowl	K48V	8616401 to 8618686	6	N. A.	4,125	990
		9273801 to 9273975				
2 ch. and cowl	K53V	8761601 to 8761929	6	N. A.	5,435	
3 ch. and cowl	K60V		6	N. A.	5,425	1,695
3 ch. and cowl	K61V		6	N. A.	5,525	1,715
3 ch. and cowl	K62V		6	N. A.	5,575	1,745

(4) 1936

Com'l sed	D2	4017051	6	116	1,935	$565
Com'l sed	LC	8107601, 9287701	6	129	2,775	505
¾ ch. and cowl	LE15	8278051, 9260551	6	136	2,800	505
¾ ch. and cowl	LE16	8278051, 9260551	6	162	2,925	535
¾ ch. and cowl	LE17	8278051, 9260551	6	129	2,775	505
1 ch. and cowl	LE20	8243801, 9260551	6	136	2,800	505
1 ch. and cowl	LE21	8278051, 9260551	6	162	2,925	535
1 ch. and cowl	LE22	8278051, 9260551	6	129	3,140	555
1 ch. and cowl	LE28	8388201, 9047601	6	136	3,640	985
1 ch. and cowl	LH29	8510101, 9274901	6	151	3,750	935
1 ch. and cowl	LH30	8510101, 9274901	6	129	2,875	505
1½ ch. and cowl	LE30	8278051 and up	6	129	3,100	505
1½ ch. and cowl	LE35	8388201 and up	6	136	2,900	505
1½ ch. and cowl	LE31	8278051 and up	6	136	3,125	555
1½ ch. and cowl	LE36	8388201 and up	6	136	3,635	905
1½ ch. and cowl	LG40	8510101 and up	6	151	3,785	935
1½ ch. and cowl	LG41	8510101 and up	6	162	3,025	535
1½ ch. and cowl	LE32	8278051 and up	6	162	3,250	585
1½ ch. and cowl	LE37	8388201 and up	6	162	3,845	965
1½ ch. and cowl	LG42	8510101 and up	6	180	3,910	1,000
1½ ch. and cowl	LG43		6	136	3,775	905
2 ch. and cowl	LH45		6	151	3,925	935
2 ch. and cowl	LH46	8510101 and up	6	152	5,245	1,695
2 ch. and cowl	K50V	8761930 and up	6	162	3,975	965
2 ch. and cowl	K51V	8510101 and up	6	170	5,335	1,715
2 ch. and cowl	LH48	8761930 and up	6	180	4,050	1,000
2 ch. and cowl	K52V	8510101 and up	6	188	5,385	1,735
2 ch. and cowl	K53V	8761930 and up	6	205	5,435	1,770
3 ch. and cowl	K60V		6	152	5,425	1,695
3 ch. and cowl	K61V	8761930 and up	6	170	5,525	1,715
3 ch. and cowl	K62V		6	188	5,575	1,735
3 ch. and cowl	K63V		6	205	5,625	1,770
Tractor type trucks						
1½ ch. and cowl	LE30	8278051 and up	6	129	2,875	505
1½ ch. and cowl	LE31		6	136	2,900	505
1½ ch. and cowl	LE35	8388201 and up	6	129	3,100	555
1½ ch. and cowl	LE36		6	136	3,125	555
1½ ch. and cowl	LE37		6	162	3,250	585

(I) DODGE BROTHERS—Continued

(4) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Tractor type trucks—Con.				*Inches*		
1½ ch. and cowl	LG40	8510101 and up	6	136	3,635	$905
1½ ch. and cowl	LG41		6	151	3,785	935
1½ ch. and cowl	LG42		6	162	3,835	965
2 ch. and cowl	LH45		6	136	3,775	905
2 ch. and cowl	LH46		6	151	3,925	935
2 ch. and cowl	LH47		6	162	3,975	965
2 ch. and cowl	K50V	8761930 and up	6	152	5,235	1,695
2 ch. and cowl	K51V		6	170	5,335	1,715
3 ch. and cowl	K60V		6	152	5,425	1,695
3 ch. and cowl	K61V		6	170	5,525	1,715

(5) 1937

Com'l	MC	8156701 and up	6	116	1,975	$389
¾ ch. and cowl	MD15	8072601 and up	6	120	2,425	484
¾ ch. and cowl	MD16		6	136	2,450	499
¾ ch. and cowl	ME15	8263301 and up	6	126	2,925	534
¾ ch. and cowl	ME16		6	133	2,950	534
¾ ch. and cowl	ME17		6	159	3,075	564
¾ ch. and cowl	MF28	8407601 and up	6	126	3,425	584
1 ch. and cowl	MD20	8072601 and up	6	120	2,425	481
1 ch. and cowl	MD21		6	136	2,450	495
1 ch. and cowl	ME20	8263301 and up	6	126	2,925	531
1 ch. and cowl	ME22		6	133	2,950	531
1 ch. and cowl	ME23		6	159	3,075	560
1 ch. and cowl	MH20	8516401 and up	6	133	3,900	576
1½ ch. and cowl	ME31	8263301 and up	6	126	3,025	530
1½ ch. and cowl	ME33		6	133	3,050	530
1½ ch. and cowl	ME32		6	159	3,175	559
1½ ch. and cowl	MF33	8407601 and up	6	126	3,250	580
1½ ch. and cowl	MF36		6	133	3,275	580
1½ ch. and cowl	MF37		6	159	3,400	609
1½ ch. and cowl	MG40	8516401 and up	6	133	3,885	875
1½ ch. and cowl	MG41		6	148	3,960	905
1½ ch. and cowl	MG42		6	159	4,010	934
1½ ch. and cowl	MG43		6	177	4,110	969
2 ch. and cowl	MH45		6	133	4,025	865
2 ch. and cowl	MH46		6	148	4,100	895
2 ch. and cowl	MH47		6	159	4,150	924
2 ch. and cowl	MH48		6	177	4,250	959
2 ch. and cowl	ML50	8763301 and up	6	152	5,675	1,840
2 ch. and cowl	K50V		6	152	5,235	1,740
2 ch. and cowl	K51V		6	170	5,335	1,759
2 ch. and cowl	K52V		6	188	5,385	1,779
2 ch. and cowl	K53V		6	205	5,435	1,814
3 ch. and cowl	K60V		6	152	5,425	1,707
3 ch. and cowl	K61V	8762884 and up	6	170	5,525	1,727
3 ch. and cowl	K62V		6	188	5,575	1,746
3 ch. and cowl	K63V		6	205	5,625	1,781
3 ch. and cowl	MK60	8763301 and up	6	152	5,675	1,897
Tractor type						
1½	ME30	8263301 and up	6	126	3,025	530
1½	ME31		6	133	3,050	530
1½	ME32		6	159	3,175	559
1½ ch. and cowl	MF35	8407601 and up	6	126	3,250	580
1½ ch. and cowl	MF36		6	133	3,275	580
1½ ch. and cowl	MF37		6	159	3,400	609
1½ ch. and cowl	MG40	8516401 and up	6	133	3,885	875
1½ ch. and cowl	MG41		6	148	3,960	904
1½ ch. and cowl	MG42		6	159	4,010	934
2 ch. and cowl	MH46		6	133	4,025	865
2 ch. and cowl	MH46		6	148	4,100	895
2 ch. and cowl	MH47		6	159	4,150	924
2 ch. and cowl	K50V	8762884 and up	6	152	5,235	1,740
2 ch. and cowl	K51V		6	170	5,335	1,759
3 ch. and cowl	K60V		6	152	5,425	1,707
3 ch. and cowl	K61V		6	170	5,525	1,728

(6) 1938

Com'l	Del. wb	30001001 and up	6	115	2,250	$997
½ com'l	RC	8186701 and up	6	116	1,975	462
¾ ch. and cowl	RD15	8082101 and up	6	120	2,375	530
¾ ch. and cowl	RD16		6	136	2,400	579
¾ ch. and cowl	RD18		6	120	2,450	559
¾ ch. and cowl	RD19		6	136	2,475	609
¾ ch. and cowl	RE15	8276801 and up	6	126	2,925	579
¾ ch. and cowl	RE16		6	133	2,950	578
¾ ch. and cowl	RE17		6	159	3,075	64
¾ ch. and cowl	RF28	8423401 and up	6	126	3,425	630
1 ch. and cowl	RD20	8082101 and up	6	120	2,450	587
1 ch. and cowl	RD21		6	136	2,475	608
1 ch. and cowl	RE20	8276801 and up	6	126	2,925	577
1 ch. and cowl	RE21		6	133	2,950	577
1 ch. and cowl	RE22		6	159	3,075	603
1½ ch. and cowl	RE30	8276801 and up	6	126	2,925	578
1½ ch. and cowl	RE31		6	133	2,950	578
1½ ch. and cowl	RE32		6	159	3,075	604
1½ ch. and cowl	RF35	8423001 and up	6	126	3,250	629
1½ ch. and cowl	RF36		6	133	3,275	629
1½ ch. and cowl	RF37		6	159	3,400	659
1½ ch. and cowl	RF38		6	190	3,500	759

(I) DODGE BROTHERS—Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ ch. and cowl	RG40	8753501 and up	6	133	3,885	$959
1½ ch. and cowl	RG41		6	148	3,960	989
1½ ch. and cowl	RG42		6	159	4,010	1,019
1½ ch. and cowl	RG43		6	177	4,110	1,054
1½ ch. and cowl	RG44		6	220	4,210	1,159
2 ch. and cowl	RH45		6	133	4,025	949
2 ch. and cowl	RH46		6	148	4,100	979
2 ch. and cowl	RH47		6	159	4,150	1,008
2 ch. and cowl	RH48		6	177	4,250	1,043
2 ch. and cowl	RH49		6	220	4,350	1,146
2 ch. and cowl	RL50	8763601 and up	6	152	5,625	1,899
2 ch. and cowl	RL51		6	170	5,850	1,928
2 ch. and cowl	RL52		6	188	5,950	1,948
2 ch. and cowl	RL53		6	205	6,000	1,996
3 ch. and cowl	RK60		6	152	5,675	1,866
3 ch. and cowl	RK61		6	170	5,900	1,896
3 ch. and cowl	RK62		6	188	6,000	1,916
3 ch. and cowl	RK63		6	205	6,150	1,965
Cab Over Engine						
2 ch. and cowl	RO55	8234011 and up	6	96	6,725	2,308
2 ch. and cowl	RO56		6	108	6,775	2,329
2 ch. and cowl	RO57		6	122	6,875	2,349
2 ch. and cowl	RO58		6	140	6,975	2,384
3 ch. and cowl	RP65		6	96	6,775	2,276
3 ch. and cowl	RP66		6	108	6,825	2,296
3 ch. and cowl	RP67		6	122	6,925	2,316
3 ch. and cowl	RP68		6	140	7,025	2,351
Tractors						
1½ ch. and cowl	RE30	8276801 and up	6	126	2,925	578
1½ ch. and cowl	RE31		6	133	2,950	578
1½ ch. and cowl	RE32		6	159	3,075	604
1½ ch. and cowl	RF35	8423601 and up	6	126	3,250	629
1½ ch. and cowl	RF36		6	133	3,275	629
1½ ch. and cowl	RF37		6	159	3,400	659
1½ ch. and cowl	RG40	8753501 and up	6	133	3,885	959
1½ ch. and cowl	RG41		6	148	3,960	989
1½ ch. and cowl	RG42		6	159	4,010	1,019
2 ch. and cowl	RH45	8753501 and up	6	133	4,025	949
2 ch. and cowl	RH46		6	148	4,100	979
2 ch. and cowl	RH47		6	159	4,150	1,008
2 ch. and cowl	RL50	8763601 and up	6	152	5,625	1,899
2 ch. and cowl	RL51		6	170	5,850	1,928
3 ch. and cowl	RK60		6	152	5,675	1,866
3 ch. and cowl	RK61		6	170	5,900	1,896
Tractors—Cab over engine						
2 ch. and cowl	RO55	8234001 and up	6	96	6,725	2,309
2 ch. and cowl	RO56		6	108	6,775	2,329
3 ch. and cowl	RP65		6	96	6,775	2,276
3 ch. and cowl	RP66		6	108	6,825	2,296

(7) 1939

½ ch. and cowl	TC	8520301 and up	6	116	2,175	$442
¾ ch. and cowl	TD 15	8234401 and up	6	120	2,350	510
1 ch. and cowl	TD-20	8087501 and up	6	120	2,625	554
1 ch. and cowl	TD-21		6	133	2,650	593
1 ch. and cowl	TE-20	8284501 and up	6	126½	3,050	564
1 ch. and cowl	TE-21		6	133	3,075	564
1 ch. and cowl	TE-22		6	160	3,200	588
1½ ch. and cowl	TE-30		6	126½	3,050	564
1½ ch. and cowl	TE-31		6	133	3,075	564
1½ ch. and cowl	TE-32		6	160	3,200	589
1½ ch. and cowl	TF-35	8436301 and up	6	126½	3,275	604
1½ ch. and cowl	TF-36		6	133	3,300	604
1½ ch. and cowl	TF-37		6	160	3,425	634
1½ ch. and cowl	TF-38		6	190	3,525	734
1½ ch. and cowl	TG-40	8701651 and up	6	136	3,985	959
1½ ch. and cowl	TG-41		6	148	4,060	989
1½ ch. and cowl	TG-42		6	160	4,110	1,019
1½ ch. and cowl	TG-43		6	178	4,210	1,054
1½ ch. and cowl	TG-44		6	220	4,310	1,159
2 ch. and cowl	TH-45		6	133	4,125	949
2 ch. and cowl	TH-46		6	148	4,200	979
2 ch. and cowl	TH-47		6	160	4,250	1,008
2 ch. and cowl	TH-48		6	178	4,350	1,043
2 ch. and cowl	TH-49		6	220	4,450	1,146
Tractor type trucks						
1½ ch. and cowl	TE-30	8284501 and up	6	126½	3,050	564
1½ ch. and cowl	TE-31		6	133	3,075	564
1½ ch. and cowl	TE-32		6	160	3,200	589
1½ ch. and cowl	TF-35	8436301 and up	6	126½	3,275	604
1½ ch. and cowl	TF-36		6	133	3,300	604
1½ ch. and cowl	TF-37		6	160	3,425	634
1½ ch. and cowl	TG-40	8701651 and up	6	136	3,985	959
1½ ch. and cowl	TG-41		6	148	4,060	989
1½ ch. and cowl	TG-42		6	160	4,110	1,019
2 ch. and cowl	TH-45		6	136	4,125	949
2 ch. and cowl	TH-46		6	148	4,200	978
2 ch. and cowl	TH-47		6	160	4,250	1,008

(I) DODGE BROTHERS—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab over engine				*Inches*		
2 ch. and cowl	RO-55	8234059 and up	6	96	6,725	$2,309
2 ch. and cowl	RO-56		6	108	6,775	2,329
2 ch. and cowl	RO-57		6	122	6,875	2,349
2 ch. and cowl	RO-58		6	140	6,975	2,384
3 ch. and cowl	RP-65		6	96	6,775	2,277
3 ch. and cowl	RP-66		6	108	6,825	2,297
3 ch. and cowl	RP-67		6	122	6,925	2,317
3 ch. and cowl	RP-68		6	140	7,025	2,352
Tractors—Cab-over-engine						
2 ch. and cowl	RO-55		6	96	6,725	2,309
2 ch. and cowl	RO-56		6	108	6,775	2,329
3 ch. and cowl	RP-65		6	96	6,775	2,277
3 ch. and cowl	RP-66		6	108	6,825	2,297
1¼ ch. and cowl	TFA-35	8436301 and up	6	126½	3,400	714
1½ ch. and cowl	TFA-36		6	133	3,425	714
1½ ch. and cowl	TFA-37		6	160	3,550	744
1½ ch. and cowl	TFA-38		6	190	3,650	844
1½ ch. and cowl	TGA-40	8701651 and up	6	136	4,085	1,089
1½ ch. and cowl	TGA-41		6	148	4,170	1,119
1½ ch. and cowl	TGA-42		6	160	4,220	1,149
1½ ch. and cowl	TGA-43		6	178	4,320	1,184
1½ ch. and cowl	TGA-44		6	220	4,420	1,289
2 ch. and cowl	THA-45		6	136	4,225	1,079
2 ch. and cowl	THA-46		6	148	4,310	1,109
2 ch. and cowl	THA-47		6	160	4,360	1,138
2 ch. and cowl	THA-48		6	178	4,460	1,173
2 ch. and cowl	THA-49		6	220	4,560	1,276
2 ch. and cowl	TL-50	8764001 and up	6	152	5,825	1,899
2 ch. and cowl	TL-51		6	170	5,850	1,928
2 ch. and cowl	TL-52		6	188	5,950	1,948
2 ch. and cowl	TL-53		6	205	6,100	1,996
2 ch. and cowl	TLA-50		6	152	5,850	2,099
2 ch. and cowl	TLA-51		6	170	6,075	2,129
2 ch. and cowl	TLA-52		6	188	6,175	2,149
2 ch. and cowl	TLA-53		6	205	6,325	2,196
3 ch. and cowl	TK-60		6	152	5,675	1,867
3 ch. and cowl	TK-61		6	170	5,900	1,896
3 ch. and cowl	TK-62		6	188	6,000	1,916
3 ch. and cowl	TK-63		6	205	6,150	1,965
3 ch. and cowl	TKA-60		6	152	5,900	2,067
3 ch. and cowl	TKA-61		6	170	6,125	2,096
3 ch. and cowl	TKA-62		6	188	6,225	2,116
3 ch. and cowl	TKA-63		6	205	6,375	2,165
Diesel equipped						
2 ch. and cowl	TLD-50	8827001 and up	6	152	6,075	3,194
2 ch. and cowl	TLD-51		6	170	6,300	3,223
2 ch. and cowl	TLD-52		6	188	6,400	3,243
2 ch. and cowl	TLD-53		6	205	6,500	3,291
2 ch. and cowl	TLDA-50		6	152	6,300	3,394
2 ch. and cowl	TLDA-51		6	170	6,525	3,423
2 ch. and cowl	TLDA-52		6	188	6,625	3,443
2 ch. and cowl	TLDA-53		6	205	6,775	3,491
3 ch. and cowl	TKD-60		6	152	6,125	3,143
3 ch. and cowl	TKD-61		6	170	6,350	3,173
3 ch. and cowl	TKD-62		6	188	6,450	3,193
3 ch. and cowl	TKD-63		6	205	6,600	3,242
3 ch. and cowl	TKDA-60		6	152	6,350	3,343
3 ch. and cowl	TKDA-61		6	170	6,575	3,373
3 ch. and cowl	TKDA-62		6	188	6,675	3,393
3 ch. and cowl	TKDA-63		6	205	6,825	3,442
Tractor type trucks						
1¼ ch. and cowl	TFA-35	8436301 and up	6	126½	3,400	714
1½ ch. and cowl	TFA-36		6	133	3,425	714
1½ ch. and cowl	TFA-37		6	160	3,550	744
1½ ch. and cowl	TGA-40	8701651 and up	6	136	4,085	1,089
1½ ch. and cowl	TGA-41		6	148	4,170	1,119
1½ ch. and cowl	TGA-42		6	160	4,220	1,149
2 ch. and cowl	THA-45		6	136	4,225	1,079
2 ch. and cowl	THA-46		6	148	4,310	1,109
2 ch. and cowl	THA-47		6	160	4,360	1,138
2 ch. and cowl	TL-50	8764001 and up	6	152	5,825	1,899
2 ch. and cowl	TL-51		6	170	5,850	1,928
2 ch. and cowl	TLA-50		6	152	5,850	2,099
2 ch. and cowl	TLA-51		6	170	6,075	2,129
2 ch. and cowl	TLA-52		6	188	6,175	2,149
2 ch. and cowl	TLA-53		6	205	6,325	2,196
3 ch. and cowl	TK-60		6	152	5,675	1,867
3 ch. and cowl	TK-61		6	170	5,900	1,896
3 ch. and cowl	TK-62		6	188	6,000	1,916
3 ch. and cowl	TK-63		6	205	6,150	1,965
3 ch. and cowl	TKA-60		6	152	5,900	2,067
3 ch. and cowl	TKA-61		6	170	6,125	2,096
3 ch. and cowl	TKA-62		6	188	6,225	2,116
3 ch. and cowl	TKA-63		6	205	6,375	2,165
Diesel equipped						
2 ch. and cowl	TLD-50	8827001 and up	6	152	6,075	3,194
2 ch. and cowl	TLD-51		6	170	6,300	3,223
2 ch. and cowl	TLD-52		6	188	6,400	3,243
2 ch. and cowl	TLD-53		6	205	6,550	3,291
2 ch. and cowl	TLDA-50		6	152	6,300	3,394
2 ch. and cowl	TLDA-51		6	170	6,525	3,423

(I) DODGE BROTHERS—Continued

(I) DODGE BROTHERS—Continued

(8) 1940—Continued

(I) DODGE BROTHERS—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Diesel equipped—Con.				*Inches*		
2 ch. and cowl	TLDA-52	8827001 and up	6	188	6,625	$3,443
2 ch. and cowl	TLDA-53		6	205	6,775	3,491
3 ch. and cowl	TKD-60		6	152	6,125	3,143
3 ch. and cowl	TKD-61		6	170	6,350	3,173
3 ch. and cowl	TKD-62		6	188	6,450	3,193
3 ch. and cowl	TKD-63		6	205	6,600	3,242
3 ch. and dowl	TKDA-60		6	152	6,350	3,343
3 ch. and cowl	TKDA-61		6	170	6,575	3,373
3 ch. and cowl	TKDA-62		6	188	6,675	3,393
3 ch. and cowl	TKDA-63		6	205	6,825	3,442
Tractor type trucks						
1½ ch. and cowl	TFA-35	8436301 and up	6	126½	3,400	714
1½ ch. and cowl	TFA-36		6	133	3,425	714
1½ ch. and cowl	TFA-37		6	160	3,550	743
1½ ch. and cowl	TGA-40	8701651 and up	6	136	4,095	1,088
1½ ch. and cowl	TGA-41		6	148	4,170	1,119
1½ ch. and cowl	TGA-42		6	160	4,220	1,149
2 ch. and cowl	THA-45		6	136	4,235	1,079
2 ch. and cowl	THA-46		6	148	4,310	1,108
2 ch. and cowl	THA-47		6	160	4,360	1,138
2 ch. and cowl	TL-50	8764001 and up	6	152	5,625	1,899
2 ch. and cowl	TL-51		6	170	5,850	1,928
2 ch. and cowl	TLA-50		6	152	5,850	2,099
2 ch. and cowl	TLA-51		6	170	6,075	2,128
3 ch. and cowl	TK-60		6	152	5,675	1,867
3 ch. and cowl	TK-61		6	170	5,900	1,896
3 ch. and cowl	TKA-60		6	152	5,900	2,067
3 ch. and cowl	TKA-61		6	170	6,125	2,096
Tractor type trucks—Diesel equipped						
2 ch. and cowl	TLD-50	8827001 and up	6	152	6,075	3,194
2 ch. and cowl	TLD-51		6	170	6,300	3,223
2 ch. and cowl	TLDA-50		6	152	6,300	3,294
2 ch. and cowl	TLDA-51		6	170	6,525	3,423
3 ch. and cowl	TKD-60		6	152	6,125	3,143
3 ch. and cowl	TKD-61		6	170	6,350	3,173
3 ch. and cowl	TKDA-60		6	152	6,350	3,343
3 ch. and cowl	TKDA-61		6	170	6,575	3,373

(8) 1940

½ ch. and cowl	VC	8543001 and up	6	116	2,200	$445
¾ ch. and cowl	VD-15		6	120	2,325	514
1 ch. and cowl	VD-20	8093476 and up	6	120	2,550	557
1 ch. and cowl	VD-21		6	133	2,650	597
1 ch. and cowl	VF-20	8766001 and up	6	126½	3,300	587
1 ch. and cowl	VF-21		6	133	3,325	587
1 ch. and cowl	VF-22		6	160	3,450	612
1½ ch. and cowl	VF-30		6	126½	3,300	588
1½ ch. and cowl	VF-31		6	133	3,325	588
1½ ch. and cowl	VF-32		6	160	3,450	613
1½ ch. and cowl	VF-33		6	190	3,575	638
1½ ch. and cowl	VFA-30		6	126½	3,425	693
1½ ch. and cowl	VFA-31		6	133	3,450	693
1½ ch. and cowl	VFA-32		6	160	3,575	718
1½ ch. and cowl	VFA-33		6	190	3,700	743
1½ ch. and cowl	VG-40	8950101 and up	6	136	3,855	900
1½ ch. and cowl	VG-41		6	148	4,005	930
1½ ch. and cowl	VG-42		6	160	4,030	960
1½ ch. and cowl	VG-43		6	178	4,055	995
1½ ch. and cowl	VG-44		6	220	4,330	1,100
1½ ch. and cowl	VGA-40		6	136	3,955	1,020
1½ ch. and cowl	VGA-41		6	148	4,105	1,050
1½ ch. and cowl	VGA-42		6	160	4,130	1,080
1½ ch. and cowl	VGA-43		6	178	4,155	1,113
1½ ch. and cowl	VGA-44		6	220	4,430	1,220
2 ch. and cowl	VH-45		6	136	3,900	892
2 ch. and cowl	VH-46		6	148	4,050	922
2 ch. and cowl	VH-47		6	160	4,075	952
2 ch. and cowl	VH-48		6	178	4,100	986
2 ch. and cowl	VH-49		6	220	4,375	1,090
2 ch. and cowl	VHA-45		6	136	4,000	1,012
2 ch. and cowl	VHA-46		6	148	4,150	1,042
2 ch. and cowl	VHA-47		6	160	4,175	1,072
2 ch. and cowl	VHA-48		6	178	4,200	1,106
2 ch. and cowl	VHA-49		6	220	4,475	1,210
2 ch. and cowl	VL-50	8274701 and up	6	152	5,625	1,912
2 ch. and cowl	VL-51		6	170	5,850	1,941
2 ch. and cowl	VL-52		6	188	5,950	1,961
2 ch. and cowl	VL-53		6	205	6,100	2,010
2 ch. and cowl	VLA-50		6	152	5,850	2,092
2 ch. and cowl	VLA-51		6	170	6,075	2,121
2 ch. and cowl	VLA-52		6	188	6,175	2,141
2 ch. and cowl	VLA-53		6	205	6,325	2,190
3 ch. and cowl	VK-60		6	152	5,675	1,878
3 ch. and cowl	VK-61		6	170	5,900	1,907
3 ch. and cowl	VK-62		6	188	6,000	1,927
3 ch. and cowl	VK-63		6	205	6,150	1,976
3 ch. and cowl	VKA-60		6	152	5,900	2,058
3 ch. and cowl	VKA-61		6	170	6,128	2,087
3 ch. and cowl	VKA-62		6	188	6,225	2,107
3 ch. and cowl	VKA-63		6	205	6,375	2,156

(I) DODGE BROTHERS—Continued

(8) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab over engine				*Inches*		
1½ ch. and cowl	VM-35	8292601 and up	6	105	3,450	$733
1½ ch. and cowl	VM-37		6	129	3,575	757
1½ ch. and cowl	VMA-35		6	105	3,575	838
1½ ch. and cowl	VMA-37		6	129	3,700	862
Diesel						
2 ch. and cowl	VLD-50	8504436 and up	6	152	6,075	3,214
2 ch. and cowl	VLD-51		6	170	6,300	3,243
2 ch. and cowl	VLD-52		6	188	6,400	3,263
2 ch. and cowl	VLD-53		6	205	6,550	3,312
2 ch. and cowl	VLDA-50		6	152	6,300	3,294
2 ch. and cowl	VLDA-51		6	170	6,525	3,423
2 ch. and cowl	VLDA-52		6	188	6,625	3,443
2 ch. and cowl	VLDA-53		6	205	6,775	3,492
3 ch. and cowl	VKD-60		6	152	6,125	3,161
3 ch. and cowl	VKD-61		6	170	6,350	3,191
3 ch. and cowl	VKD-62		6	188	6,450	3,211
3 ch. and cowl	VKD-63		6	205	6,600	3,260
3 ch. and cowl	VKDA-60		6	152	6,350	3,341
3 ch. and cowl	VKDA-61		6	170	6,575	3,371
3 ch. and cowl	VKDA-62		6	188	6,675	3,391
3 ch. and cowl	VKDA-63		6	205	6,825	3,440
Tractor type trucks						
1½ ch. and cowl	VF-30	8766001 and up	6	126½	3,300	589
1½ ch. and cowl	VF-31		6	133	3,325	589
1½ ch. and cowl	VF-32		6	160	3,450	613
1½ ch. and cowl	VFA-30		6	126½	3,425	693
1½ ch. and cowl	VFA-31		6	133	3,450	693
1½ ch. and cowl	VFA-32		6	160	3,575	718
1½ ch. and cowl	VG-40	8950101 and up	6	136	3,855	900
1½ ch. and cowl	VG-41		6	148	4,005	930
1½ ch. and cowl	VG-42		6	160	4,030	960
1½ ch. and cowl	VGA-40		6	136	3,955	1,020
1½ ch. and cowl	VGA-41		6	148	4,105	1,050
1½ ch. and cowl	VGA-42		6	160	4,130	1,080
2 ch. and cowl	VH-45		6	136	3,900	892
2 ch. and cowl	VH-46		6	148	4,050	922
2 ch. and cowl	VH-47		6	160	4,075	952
2 ch. and cowl	VHA-45		6	136	4,000	1,012
2 ch. and cowl	VHA-46		6	148	4,150	1,042
2 ch. and cowl	VHA-47		6	160	4,175	1,072
2 ch. and cowl	VL-50	8274701 and up	6	152	5,625	1,912
2 ch. and cowl	VL-51		6	170	5,850	1,941
2 ch. and cowl	VLA-50		6	152	5,850	2,092
2 ch. and cowl	VLA-51		6	170	6,075	2,126
3 ch. and cowl	VK-60		6	152	5,675	1,878
3 ch. and cowl	VK-61		6	170	5,900	1,907
3 ch. and cowl	VKA-60		6	152	5,900	2,058
3 ch. and cowl	VKA-61		6	170	6,125	2,087
Cab over engine						
1½ ch. and cowl	VM-35		6	105	3,450	733
1½ ch. and cowl	VM-37		6	129	3,575	757
1½ ch. and cowl	VMA-35		6	105	3,575	838
1½ ch. and cowl	VMA-37		6	129	3,700	862
Diesel						
2 ch. and cowl	VLD-50	8504436 and up	6	152	6,075	3,214
2 ch. and cowl	VLD-51		6	170	6,300	3,243
2 ch. and cowl	VLDA-50		6	152	6,300	3,294
2 ch. and cowl	VLDA-51		6	170	6,525	3,423
3 ch. and cowl	VKD-60		6	152	6,125	3,161
3 ch. and cowl	VKD-61		6	170	6,350	3,191
3 ch. and cowl	VKDA-60		6	152	6,350	3,341
3 ch. and cowl	VKDA-61		6	170	6,575	3,371
Cab over engine						
1½ ch. and cowl	VM-38	8292601 and up	6	159	3,725	782
1½ ch. and cowl	VMA-38		6	159	3,850	887
1½ ch. and cowl	VIG-40	8764301 and up	6	105	4,205	1,161
1½ ch. and cowl	VIG-42		6	129	4,330	1,220
1½ ch. and cowl	VIG-43		6	159	4,480	1,285
1½ ch. and cowl	VIGA-40		6	105	4,305	1,281
1½ ch. and cowl	VIGA-42		6	129	4,430	1,340
1½ ch. and cowl	VIGA-43		6	159	4,580	1,375
2 ch. and cowl	VS-45		6	105	4,250	1,154
2 ch. and cowl	VS-47		6	129	4,375	1,214
2 ch. and cowl	VS-48		6	159	4,525	1,249
2 ch. and cowl	VSA-45		6	105	4,350	1,274
2 ch. and cowl	VSA-47		6	129	4,475	1,334
2 ch. and cowl	VSA-48		6	159	4,625	1,369
Tractor type—Cab over engine						
1½ ch. and cowl	VIG-40		6	105	4,205	1,161
1½ ch. and cowl	VIG-42		6	129	4,330	1,220
1½ ch. and cowl	VIGA-40		6	105	4,305	1,281
1½ ch. and cowl	VIGA-42		6	129	4,430	1,340
2 ch. and cowl	VS-45		6	105	4,250	1,154
2 ch. and cowl	VS-47		6	129	4,375	1,214
2 ch. and cowl	VSA-45		6	105	4,350	1,274
2 ch. and cowl	VSA-47		6	129	4,474	1,334

(I) DODGE BROTHERS—Continued

(I) DODGE BROTHERS—Continued

(I) DODGE BROTHERS—Continued

(9) 1941

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ ch. and cowl	WC	8562291 and up	6	116	2,200	$475
¾ ch. and cowl	WD-15	8210351 and up	6	120	2,325	518
1 ch. and cowl	WD-20	81200101 and up	6	120	2,500	607
1 ch. and cowl	WD-21		6	133	2,600	626
1 ch. and cowl	WF-20	8788151 and up	6	126½	3,250	617
1 ch. and cowl	WF-21		6	135 5/16	3,275	616
1 ch. and cowl	WF-22		6	160	3,400	641
1½ ch. and cowl	WF-30		6	126½	3,300	616
1½ ch. and cowl	WF-31		6	135 5/16	3,325	616
1½ ch. and cowl	WF-32		6	160	3,450	641
1½ ch. and cowl	WF-33		6	190	3,575	665
1½ ch. and cowl	WFA-30		6	126½	3,425	721
1½ ch. and cowl	WFA-31		6	135 5/16	3,450	721
1½ ch. and cowl	WFA-32		6	160	3,575	746
1½ ch. and cowl	WFA-33		6	190	3,700	770
1½ ch. and cowl	WG-40	8956351 and up	6	136	3,855	926
1½ ch. and cowl	WG-41		6	148	4,005	956
1½ ch. and cowl	WG-42		6	160	4,030	986
1½ ch. and cowl	WG-43		6	178	4,055	1,020
1½ ch. and cowl	WG-44		6	220	4,330	1,125
1½ ch. and cowl	WGA-40		6	136	3,955	1,046
1½ ch. and cowl	WGA-41		6	148	4,105	1,076
1½ ch. and cowl	WGA-42		6	160	4,130	1,106
1½ ch. and cowl	WGA-43		6	178	4,155	1,140
1½ ch. and cowl	WGA-44		6	220	4,430	1,245
2 ch. and cowl	WH-45		6	136	3,900	917
2 ch. and cowl	WH-46		6	148	4,050	947
2 ch. and cowl	WH-47		6	160	4,075	976
2 ch. and cowl	WH-48		6	178	4,100	1,011
2 ch. and cowl	WH-49		6	220	4,375	1,114
2 ch. and cowl	WHA-45		6	136	4,000	1,037
2 ch. and cowl	WHA-46		6	148	4,150	1,067
2 ch. and cowl	WHA-47		6	160	4,175	1,096
2 ch. and cowl	WHA-48		6	178	4,200	1,131
2 ch. and cowl	WHA-49		6	220	4,475	1,234
2 ch. and cowl	WL-50	8275051 and up	6	152	5,625	1,932
2 ch. and cowl	WL-51		6	170	5,850	1,981
2 ch. and cowl	WL-52		6	188	5,950	1,981
2 ch. and cowl	WL-53		6	205	6,100	2,029
2 ch. and cowl	WLA-50		6	152	5,850	2,102
2 ch. and cowl	WLA-51		6	170	6,075	2,131
2 ch. and cowl	WLA-52		6	188	6,175	2,151
2 ch. and cowl	WLA-53		6	205	6,325	2,149
3 ch. and cowl	WK-60		6	152	5,675	1,894
3 ch. and cowl	WK-61		6	170	5,900	1,924
3 ch. and cowl	WK-62		6	188	6,000	1,943
3 ch. and cowl	WK-63		6	205	6,150	1,993
3 ch. and cowl	WKA-60		6	152	5,900	2,064
3 ch. and cowl	WKA-61		6	170	6,125	2,094
3 ch. and cowl	WKA-62		6	188	6,225	2,113
3 ch. and cowl	WKA-63		6	205	6,375	2,163
Cab over engine						
1½ ch. and cowl	WFM-35	8294401 and up	6	105	3,375	719
1½ ch. and cowl	WFM-37		6	129	3,500	744
1½ ch. and cowl	WFM-38		6	159	3,650	768
1½ ch. and cowl	WFMA-35		6	105	3,500	824
1½ ch. and cowl	WFMA-37		6	129	3,625	849
1½ ch. and cowl	WFMA-38		6	159	3,775	873
1½ ch. and cowl	WGM-40	8764501 and up	6	105	4,130	1,079
1½ ch. and cowl	WGM-42		6	129	4,255	1,139
1½ ch. and cowl	WGM-43		6	159	4,405	1,173
1½ ch. and cowl	WGMA-40		6	105	4,230	1,199
1½ ch. and cowl	WGMA-42		6	129	4,355	1,259
1½ ch. and cowl	WGMA-43		6	159	4,505	1,293
2 ch. and cowl	WHM-45		6	105	4,175	1,070
2 ch. and cowl	WHM-47		6	129	4,300	1,129
2 ch. and cowl	WHM-48		6	159	4,450	1,163
2 ch. and cowl	WHMA-45		6	105	4,275	1,100
2 ch. and cowl	WHMA-47		6	129	4,400	1,249
2 ch. and cowl	WHMA-48	8764501 and up	6	159	4,550	1,283
Diesel						
2 ch. and cowl	WLD-50	8422211 and up	6	152	6,075	3,142
2 ch. and cowl	WLD-51		6	170	6,300	3,161
2 ch. and cowl	WLD-52		6	188	6,400	3,181
2 ch. and cowl	WLD-53		6	205	6,550	3,229
2 ch. and cowl	WLDA-50		6	152	6,300	3,302
2 ch. and cowl	WLDA-51		6	170	6,525	3,331
2 ch. and cowl	WLDA-52		6	188	6,625	3,351
2 ch. and cowl	WLDA-53		6	205	6,775	3,399
3 ch. and cowl	WKD-60		6	152	6,125	3,073
3 ch. and cowl	WKD-61		6	170	6,350	3,102
3 ch. and cowl	WKD-62		6	188	6,450	3,122
3 ch. and cowl	WKD-63		6	205	6,600	3,171
3 ch. and cowl	WKDA-60		6	152	6,350	3,244
3 ch. and cowl	WKDA-61		6	170	6,575	3,272
3 ch. and cowl	WKDA-62		6	188	6,675	3,292
3 ch. and cowl	WKDA-63		6	205	6,825	3,341
Tractor type trucks						
1½ ch. and cowl	WF-30	8788151 and up	6	126½	3,300	619
1½ ch. and cowl	WF-31		6	135 5/16	3,325	616
1½ ch. and cowl	WF-32		6	160	3,450	641
1½ ch. and cowl	WFA-30		6	126½	3,425	721
1½ ch. and cowl	WFA-31		6	135 5/16	3,450	721
1½ ch. and cowl	WFA-32		6	160	3,575	746

(I) DODGE BROTHERS—Continued

(9) 1941—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Tractor type trucks—Con.						
				Inches		
1½ ch. and cowl	WG-40	8956351 and up	6	136	3,855	$926
1½ ch. and cowl	WG-41		6	148	4,005	956
1½ ch. and cowl	WG-42		6	160	4,030	986
1½ ch. and cowl	WGA-40		6	136	3,955	1,046
1½ ch. and cowl	WGA-41		6	148	4,105	1,076
1½ ch. and cowl	WGA-42		6	160	4,130	1,106
2 ch. and cowl	WH-45		6	136	3,900	917
2 ch. and cowl	WH-46		6	148	4,050	947
2 ch. and cowl	WH-47		6	160	4,075	976
2 ch. and cowl	WHA-45		6	136	4,000	1,037
2 ch. and cowl	WHA-46		6	148	4,150	1,067
2 ch. and cowl	WHA-47		6	160	4,175	1,096
2 ch. and cowl	WL-50	8275051 and up	6	152	5,625	1,932
2 ch. and cowl	WL-51		6	170	5,850	1,965
2 ch. and cowl	WLA-50		6	152	5,850	2,102
2 ch. and cowl	WLA-51		6	170	6,075	2,135
3 ch. and cowl	WK-60		6	152	5,675	1,894
3 ch. and cowl	WK-61		6	170	5,900	1,924
3 ch. and cowl	WKA-60		6	152	5,900	2,064
3 ch. and cowl	WKA-61		6	170	6,125	2,094
Tractor type—Cab over engine						
1½ ch. and cowl	WFM-35	8294401 and up	6	105	3,375	719
1½ ch. and cowl	WFM-37		6	129	3,500	744
1½ ch. and cowl	WFMA-35		6	105	3,500	824
1½ ch. and cowl	WFMA-37		6	129	3,625	849
1½ ch. and cowl	WGM-40	8764501 and up	6	105	4,130	1,079
1½ ch. and cowl	WGM-42		6	129	4,255	1,139
1½ ch. and cowl	WGM-43		6	159	4,405	1,173
1½ ch. and cowl	WGMA-40		6	105	4,230	1,199
1½ ch. and cowl	WGMA-42		6	129	4,355	1,259
1½ ch. and cowl	WGMA-43		6	159	4,505	1,293
2 ch. and cowl	WHM-45		6	105	4,175	1,070
2 ch. and cowl	WHM-47		6	129	4,300	1,129
2 ch. and cowl	WHMA-45		6	105	4,275	1,100
2 ch. and cowl	WHMA-47		6	129	4,400	1,249
Tractor type—Diesel						
2 ch. and cowl	WLD-50	8422211 and up	6	152	6,075	3,132
2 ch. and cowl	WLD-51		6	170	6,300	3,161
2 ch. and cowl	WLDA-50		6	152	6,300	3,302
2 ch. and cowl	WLDA-51		6	170	6,525	3,331
3 ch. and cowl	WKD-60		6	152	6,125	3,073
3 ch. and cowl	WKD-61		6	170	6,350	3,102
3 ch. and cowl	WKDA-60		6	152	6,350	3,243
3 ch. and cowl	WKDA-61		6	170	6,575	3,272

(10) 1942

2 ch. and cowl	WH-45	8962375 and up	6	136	3,800	$991
2 ch. and cowl	WH-46		6	148	4,025	1,022
2 ch. and cowl	WH-47		6	160	4,050	1,052
2 ch. and cowl	WH-48		6	178	4,100	1,087
2 ch. and cowl	WH-49		6	220	4,325	1,122
2 ch. and cowl	WHA-45		6	136	3,900	1,119
2 ch. and cowl	WHA-46		6	148	4,125	1,150
2 ch. and cowl	WHA-47		6	160	4,150	1,180
2 ch. and cowl	WHA-48		6	178	4,200	1,215
2 ch. and cowl	WHA-49		6	220	4,425	1,250
2 ch. and cowl	WL-50	8275630 and up	6	152	5,625	2,074
2 ch. and cowl	WL-51		6	170	5,850	2,105
2 ch. and cowl	WL-52		6	188	5,950	2,124
2 ch. and cowl	WL-53		6	205	6,100	2,176
2 ch. and cowl	WLA-50		6	152	5,850	2,259
2 ch. and cowl	WLA-51		6	170	6,075	2,290
2 ch. and cowl	WLA-52		6	188	6,175	2,309
2 ch. and cowl	WLA-53		6	205	6,325	2,361
2 ch. and cowl	WK-60		6	152	5,675	2,074
3 ch. and cowl	WK-61		6	170	5,900	2,105
3 ch. and cowl	WK-62		6	188	6,000	2,124
3 ch. and cowl	WK-63		6	205	6,150	2,176
3 ch. and cowl	WKA-60		6	152	5,900	2,259
3 ch. and cowl	WKA-61		6	170	6,125	2,290
3 ch. and cowl	WKA-62		6	188	6,225	2,309
3 ch. and cowl	WKA-63		6	205	6,375	2,361
Cab over engine						
1½ ch. and cowl	WFM-35	8296487 and up	6	105	3,300	769
1½ ch. and cowl	WFM-37		6	129	3,375	794
1½ ch. and cowl	WFM-38		6	159	3,525	819
1½ ch. and cowl	WFMA-35		6	105	3,425	877
1½ ch. and cowl	WFMA-37		6	129	3,500	902
1½ ch. and cowl	WFMA-38		6	159	3,650	927
1½ ch. and cowl	WGM-40	8707103 and up	6	105	4,055	1,146
1½ ch. and cowl	WGM-42		6	129	4,180	1,205
1½ ch. and cowl	WGM-43		6	159	4,330	1,240
1½ ch. and cowl	WGMA-40		6	105	4,155	1,274
1½ ch. and cowl	WGMA-42		6	129	4,280	1,333
1½ ch. and cowl	WGMA-43		6	159	4,430	1,368
2 ch. and cowl	WHM-45		6	105	4,100	1,146
2 ch. and cowl	WHM-47		6	129	4,225	1,205
2 ch. and cowl	WHM-48		6	159	4,375	1,240
2 ch. and cowl	WHMA-45		6	105	4,200	1,274
2 ch. and cowl	WHMA-47		6	129	4,325	1,333
2 ch. and cowl	WHMA-48		6	159	4,475	1,368

(I) DODGE BROTHERS—Continued

(10) 1942—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Diesel				*Inches*		
2 ch. and cowl	WLD–50	8422443 and up	6	152	6,075	$3,298
2 ch. and cowl	WLD–51		6	170	6,300	3,328
2 ch. and cowl	WLD–52		6	188	6,400	3,348
2 ch. and cowl	WLD–53		6	205	6,550	3,399
2 ch. and cowl	WLDA–50		6	152	6,300	3,483
2 ch. and cowl	WLDA–51		6	170	6,525	3,513
2 ch. and cowl	WLDA–52		6	188	6,625	3,533
2 ch. and cowl	WLDA–53		6	205	6,775	3,584
3 ch. and cowl	WKD–60		6	152	6,125	3,298
3 ch. and cowl	WKD–61		6	170	6,350	3,328
3 ch. and cowl	WKD–62		6	188	6,450	3,348
3 ch. and cowl	WKD–63		6	205	6,600	3,399
3 ch. and cowl	WKDA–60		6	152	6,350	3,483
3 ch. and cowl	WKDA–61		6	170	6,575	3,513
3 ch. and cowl	WKDA–62		6	188	6,675	3,533
3 ch. and cowl	WKDA–63		6	205	6,825	3,584
Tractor type trucks						
1½ ch. and cowl	WF–30	81302818 and up	6	126⅜	3,225	666
1½ ch. and cowl	WF–31		6	135 5/16	3,250	666
1½ ch. and cowl	WF–32		6	160	3,375	691
1½ ch. and cowl	WFA–30		6	126½	3,350	774
1½ ch. and cowl	WFA–31		6	135 5/16	3,375	774
1½ ch. and cowl	WFA–32		6	160	3,500	799
1½ ch. and cowl	WG–40	8962375 and up	6	136	3,755	991
1½ ch. and cowl	WG–41		6	148	3,980	1,022
1½ ch. and cowl	WG–42		6	160	4,005	1,052
1½ ch. and cowl	WGA–40		6	136	3,855	1,119
1½ ch. and cowl	WGA–41		6	148	4,080	1,150
1½ ch. and cowl	WGA–42		6	160	4,105	1,180
2 ch. and cowl	WH–45		6	136	3,800	991
2 ch. and cowl	WH–46		6	148	4,025	1,022
2 ch. and cowl	WH–47		6	160	4,050	1,052
2 ch. and cowl	WHA–45		6	136	3,900	1,119
2 ch. and cowl	WHA–46		6	148	4,125	1,150
2 ch. and cowl	WHA–47		6	160	4,150	1,180
2 ch. and cowl	WL–50	8275630 and up	6	152	5,625	2,074
2 ch. and cowl	WL–51		6	170	5,850	2,105
2 ch. and cowl	WLA–50		6	152	5,850	2,259
2 ch. and cowl	WLA–51		6	170	6,075	2,290
3 ch. and cowl	WK–60	8962375 and up	6	152	5,675	2,074
3 ch. and cowl	WK–61		6	170	5,900	2,105
3 ch. and cowl	WKA–60		6	152	5,900	2,259
3 ch. and cowl	WKA–61		6	170	6,125	2,290
Tractor type—Cab over engine						
1½ ch. and cowl	WFM–35	8296487 and up	6	105	3,300	769
1½ ch. and cowl	WFM–37		6	129	3,375	794
1½ ch. and cowl	WFMA–35		6	105	3,425	877
1½ ch. and cowl	WFMA–37		6	129	3,500	902
1½ ch. and cowl	WGM–40	8707103 and up	6	105	4,055	1,146
1½ ch. and cowl	WGM–42		6	129	4,180	1,205
1½ ch. and cowl	WGMA–40		6	105	4,155	1,274
1½ ch. and cowl	WGMA–42		6	129	4,280	1,333
2 ch. and cowl	WHM–45		6	105	4,100	1,146
2 ch. and cowl	WHM–47		6	129	4,225	1,205
2 ch. and cowl	WHMA–45		6	105	4,200	1,274
2 ch. and cowl	WHMA–47		6	129	4,325	1,333
Tractor type—Diesel						
2 ch. and cowl	WLD–50	8422443 and up	6	152	6,075	3,298
2 ch. and cowl	WLD–51		6	170	6,300	3,328
2 ch. and cowl	WLDA–50		6	152	6,300	3,483
2 ch. and cowl	WLDA–51		6	170	6,525	3,513
3 ch. and cowl	WKD–60		6	152	6,125	3,298
3 ch. and cowl	WKD–61		6	170	6,350	3,328
3 ch. and cowl	WKDA–60		6	152	6,350	3,483
3 ch. and cowl	WKDA–61		6	170	6,575	3,513

(J) FEDERAL

[Manufacturer: Federal Motor Truck Company. Principal plant: Detroit, Michigan]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ w/cab	15	74746 to 77194	6	N. A.	3,300	$695
2 w/cab	20		6	N. A.	3,700	1,095
2½ w/cab	25		6	N. A.	4,300	1,398
2½ w/cab	30		6	N. A.	5,730	1,945
2½ w/cab	A7		6	N. A.	5,730	1,945
3½ w/cab	A8		6	N. A.	6,230	2,340
3½ w/cab	A8DF		6	N. A.	6,230	2,456
3 w/cab	E2SWL		4	N. A.	3,925	1,150
3 w/cab	L2SW		6	N. A.	3,975	1,150
3 w/cab	V2D		4	N. A.	4,235	1,350
3 w/cab	E2DL		6	N. A.	4,310	1,450

(J) FEDERAL—Continued

(1) 1933—Continued

Rated capacity and type	Model	Serial No	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½ w/cab	A500	74746 to 77194	6	N. A.	5,350	$1,745
3 w/cab	A500T		6	N. A.	6,150	2,045
3 w/cab	A500TW		6	N. A.	6,150	2,180
3 w/cab	T3W		4	N. A.	6,110	1,595
3½ w/cab	T10B		6	N. A.	6,550	2,350
3½ w/cab	T10W		6	N. A.	6,550	2,685
3½ w/cab	T10DR		6	N. A.	6,550	2,685
3½ w/cab	40		6	N. A.	6,230	2,340
3½ w/cab	40DR		6	N. A.	6,230	2,465
7 w/cab	T10SW		6	N. A.	9,600	3,895
4½ w/cab	U6		6	N. A.	7,420	3,860
4½ w/cab	U6DR		6	N. A.	7,420	3,860
6 w/cab	C7		6	N. A.	9,550	4,485
6 w/cab	C7W		6	N. A.	9,550	4,485
6 w/cab	C8		6	N. A.	9,650	4,895
6 w/cab	C8W		6	N. A.	9,650	4,895
7½ w/cab	X8		4	N. A.	9,750	4,735
7½ w/cab	X8RDR		6	N. A.	9,750	4,735
(2) 1934						
1½ w/cab	15	77195 to 81113	6	N. A.	3,300	$695
2 w/cab	20		6	N. A.	3,700	1,095
2½ w/cab	25		6	N. A.	4,300	1,395
2½ w/cab	30		6	N. A.	5,730	1,945
3½ w/cab	40		6	N. A.	6,230	2,340
3½ w/cab	40DR		6	N. A.	6,230	2,465
4½ w/cab	U6		6	N. A.	7,420	3,860
4½ w/cab	U6DR		6	N. A.	7,420	3,860
6 w/cab	C7		6	N. A.	9,550	4,485
6 w/cab	C7W		6	N. A.	9,550	4,485
6 w/cab	C8		6	N. A.	9,650	4,895
6 w/cab	C8W		6	N. A.	9,650	4,895
4 wheel models						
¾ w/cab	DM		4	N. A.	2,950	875
6 wheel models						
3 w/cab	F2SWL		6	N. A.	3,850	1,150
3 w/cab	F2DL		6	N. A.	4,185	1,015
3 w/cab	16		6	N. A.	4,100	1,320
3 w/cab	17		6	N. A.	4,500	1,570
4½ w/cab	36		6	N. A.	7,480	2,795
4½ w/cab	37		6	N. A.	7,880	3,175
7 w/cab	T10SW		6	N. A.	9,300	3,895
(3) 1935						
¾ w/cab	DM	81114 to 85199	4	108	2,900	$950
¾ w/cab			4	120	2,950	975
1½ w/cab	15X		6	137	3,300	645
1½ w/cab			6	153	3,350	680
1½ w/cab			6	162	3,400	690
1½ w/cab			6	174	3,450	720
1½ w/cab	15		6	137	3,300	745
1½ w/cab			6	153	3,350	780
1½ w/cab			6	162	3,400	790
1½ w/cab			6	174	3,450	820
Drop frame models						
1½ w/cab	B15		6	162	3,700	1,070
1½ w/cab			6	174	3,750	1,100
1½ w/cab			6	187	3,800	1,115
2 w/cab	B20		6	162	3,850	1,390
2 w/cab			6	174	3,900	1,415
2 w/cab			6	187	3,975	1,450
2 w/cab	18X		6	137	3,600	875
2 w/cab			6	153	3,650	910
2 w/cab			6	162	3,700	920
2 w/cab			6	174	3,750	950
2 w/cab			6	187	3,800	985
2 w/cab	20		6	137	3,700	1,065
2 w/cab			6	153	3,750	1,105
2 w/cab			6	162	3,800	1,120
2 w/cab			6	174	3,850	1,145
2 w/cab			6	187	3,900	1,190
2½ w/cab	25		6	137	4,300	1,325
2½ w/cab			6	153	4,350	1,365
2½ w/cab			6	162	4,400	1,380
2½ w/cab			6	174	4,450	1,405
2½ w/cab			6	187	4,500	1,440
2½ w/cab			6	201	4,550	1,470
2½ w/cab	825		6	162	4,450	1,475
2½ w/cab			6	174	4,500	1,700
2½ w/cab			6	187	4,575	1,735
2½ w/cab			6	201	4,650	1,765
2½ w/cab	30		6	153	5,730	2,095
2½ w/cab			6	163	5,780	2,095
2½ w/cab			6	175	5,830	2,095
2½ w/cab			6	185	5,880	2,130
2½ w/cab			6	197	5,950	2,165
2½ w/cab			6	210	6,010	2,200
2½ w/cab			6	223	6,080	2,235

(J) FEDERAL—Continued

(3) 1935—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
3½ w/cab	A8	81114 to 85199	6	137	6,230	$2,340
3½ w/cab	A8DF		6	153	6,230	2,456
3½ w/cab			6	162	6,230	2,465
3½ w/cab			6	174	6,230	2,465
3½ w/cab			6	187	6,230	2,465
3½ w/cab			6	201	6,230	2,465
3 w/cab	E2SWL		4	120	3,925	1,150
3 w/cab	L2SW		6	137	3,975	1,150
3 w/cab			6	153	3,975	1,150
3 w/cab			6	162	3,975	1,150
3 w/cab			6	174	3,975	1,150
3 w/cab	V2D		4	120	4,235	1,350
3 w/cab			4	137	4,235	1,350
3 w/cab	E2DL		6	137	4,310	1,450
3 w/cab			6	153	4,310	1,450
3 w/cab			6	162	4,310	1,450
3 w/cab			6	174	4,310	1,450
3 w/cab			6	187	4,310	1,450
3 w/cab			6	201	4,310	1,450
4½ w/cab	U6		6	137	7,420	3,860
4½ w/cab			6	153	7,420	3,860
4½ w/cab			6	162	7,420	3,860
4½ w/cab			6	174	7,420	3,860
4½ w/cab			6	187	7,420	3,860
4½ w/cab			6	201	7,420	3,860
4½ w/cab	U6DR		6	137	7,420	3,860
4½ w/cab			6	153	7,420	3,860
4½ w/cab			6	162	7,420	3,860
4½ w/cab			6	174	7,420	3,860
4½ w/cab			6	187	7,420	3,860
4½ w/cab			6	201	7,420	3,860
6 w/cab	C7		6	137	9,550	4,485
6 w/cab			6	153	9,550	4,485
6 w/cab			6	162	9,550	4,485
6 w/cab			6	174	9,550	4,485
6 w/cab			6	187	9,550	4,485
6 w/cab			6	201	9,550	4,485
6 w/cab	C7W		6	137	9,550	4,485
6 w/cab			6	153	9,550	4,485
6 w/cab			6	162	9,550	4,485
6 w/cab			6	174	9,550	4,485
6 w/cab			6	187	9,550	4,485
6 w/cab			6	201	9,550	4,485
6 w/cab	C8		6	137	9,650	4,895
6 w/cab			6	153	9,650	4,895
6 w/cab			6	162	9,650	4,895
6 w/cab			6	174	9,650	4,895
6 w/cab			6	187	9,650	4,895
6 w/cab			6	201	9,650	4,895
6 w/cab	C8W		6	137	9,650	4,895
6 w/cab			6	153	9,650	4,895
6 w/cab			6	162	9,650	4,895
6 w/cab			6	174	9,650	4,895
6 w/cab			6	187	9,650	4,895
6 w/cab			6	201	9,650	4,895
7½ w/cab	X8		4	137	9,750	4,735
7½ w/cab			4	153	9,750	4,735
7½ w/cab			4	162	9,750	4,735
7½ w/cab			4	174	9,750	4,735
7½ w/cab			4	187	9,750	4,735
7½ w/cab			4	201	9,750	4,735
7½ w/cab	X8RDR		6	137	9,750	4,735
7½ w/cab			6	153	9,750	4,735
7½ w/cab			6	162	9,750	4,735
7½ w/cab			6	174	9,750	4,735
7½ w/cab			6	187	9,750	4,735
7½ w/cab			6	201	9,750	4,735

(J) FEDERAL—Continued

(4) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ w/cab	15	85200 to 90199	6	137	3,300	$695
1½ w/cab			6	153	3,350	730
1½ w/cab			6	162	3,400	740
1½ w/cab			6	174	3,450	770
1½ w/cab			6	187	3,500	805
1½ w/cab			6	201	3,550	820
2 w/cab	20		6	137	3,700	1,095
2 w/cab			6	153	3,750	1,135
2 w/cab			6	162	3,800	1,150
2 w/cab			6	174	3,850	1,175
2 w/cab			6	187	3,900	1,220
2 w/cab			6	201	3,950	1,235
2½ w/cab	25		6	137	4,300	1,395
2½ w/cab			6	153	4,350	1,435
2½ w/cab			6	162	4,400	1,450
2½ w/cab			6	174	4,450	1,475
2½ w/cab			6	187	4,500	1,510
2½ w/cab			6	201	4,550	1,540
2½ w/cab	825		6	162	4,450	1,545
2½ w/cab			6	174	4,500	1,770
2½ w/cab			6	187	4,575	1,805
2½ w/cab			6	201	4,650	1,835
2½ w/cab	30		6	153	5,730	2,165
2½ w/cab			6	163	5,780	2,165
2½ w/cab			6	175	5,830	2,165
2½ w/cab			6	185	5,880	2,200
2½ w/cab			6	197	5,950	2,235
2½ w/cab			6	210	6,010	2,270
2½ w/cab			6	223	6,080	2,305

(J) FEDERAL—Continued

(3) 1935—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Drop frame models—Con.				*Inches*		
2½ w/cab	30	81114 to 85199	6	237	6,155	$2,320
3½ w/cab	40		6	153	6,230	2,490
3½ w/cab			6	163	6,280	2,490
3½ w/cab			6	175	6,330	2,490
3½ w/cab			6	185	6,380	2,525
3½ w/cab			6	197	6,450	2,560
3½ w/cab			6	210	6,510	2,595
3½ w/cab			6	223	6,580	2,630
3½ w/cab			6	237	6,655	2,715
Double reduction drive						
3½ w/cab	40DR		6	153	6,230	2,615
3½ w/cab			6	163	6,280	2,615
3½ w/cab			6	175	6,330	2,615
3½ w/cab			6	185	6,380	2,650
3½ w/cab			6	197	6,450	2,685
3½ w/cab			6	210	6,510	2,720
3½ w/cab			6	223	6,580	2,775
3½ w/cab			6	237	6,655	2,840
4½ w/cab	50		6	153	6,830	3,078
4½ w/cab			6	163	6,880	3,075
4½ w/cab			6	175	6,930	3,075
4½ w/cab			6	185	6,980	3,110
4½ w/cab			6	197	7,050	3,145
4½ w/cab			6	210	7,110	3,180
4½ w/cab			6	223	7,180	3,215
4½ w/cab			6	237	7,255	3,300
Worm double reduction drive						
6 w/cab	C1&C7W	81114 to 85199	6	153	9,185	4,710
6 w/cab			6	165	9,245	4,710
6 w/cab			6	177	9,305	4,710
6 w/cab			6	185	9,380	4,710
6 w/cab			6	195	9,550	4,710
6 w/cab			6	213	9,670	4,785
6 w/cab			6	231	9,820	4,860
6 w/cab			6	249	9,960	4,935
6 w/cab	C8&C8W		6	153	9,015	5,120
6 w/cab			6	165	9,075	5,120
6 w/cab			6	177	9,135	5,120
6 w/cab			6	185	9,210	5,120
6 w/cab			6	195	9,380	5,120
6 w/cab			6	213	9,500	5,195
6 w/cab			6	231	9,650	5,270
6 w/cab			6	249	9,790	5,345
S.W. drive, six wheel						
3 w/cab	21		6	172	4,600	1,420
3 w/cab			6	185	4,650	1,475
3 w/cab			6	198	4,700	1,550

(4) 1936

6 w/cab	C7–C7W	85200 to 91249	6	153	9,185	$4,710
6 w/cab			6	165	9,245	4,710
6 w/cab			6	177	9,305	4,710
6 w/cab			6	185	9,380	4,710
6 w/cab			6	195	9,550	4,710
6 w/cab			6	213	9,670	4,785
6 w/cab			6	231	9,820	4,860
6 w/cab			6	249	9,960	4,935
6 w/cab	C8 & C8W		6	153	9,015	5,120
6 w/cab			6	165	9,075	5,120
6 w/cab			6	177	9,135	5,120
6 w/cab			6	185	9,210	5,120
6 w/cab			6	195	9,380	5,120
6 w/cab			6	213	9,500	5,195
6 w/cab			6	231	9,650	5,270
6 w/cab			6	249	9,790	5,345
Bevel drive						
Chassis w/cab	DM		4	108	3,000	950
Chassis w/cab	DM		4	120	3,050	975
& body w/cab	DM		4	108	3,000	1,375
& body w/cab	DM		4	120	3,050	1,425
¾ w/cab	10		4	128	2,950	545
¾ w/cab			4	143	3,050	580
¾ w/cab			4	152	3,100	590
1½ w/cab	15		6	136	3,500	645
1½ w/cab			6	147	3,550	680
1½ w/cab			6	156	3,600	690
1½ w/cab			6	168	3,650	720
1½ w/cab			6	181	3,700	755
1½ w/cab			6	195	3,750	785
2 w/cab	18		6	136	3,800	875
2 w/cab			6	147	3,850	910
2 w/cab			6	156	3,900	920
2 w/cab			6	168	3,950	950
2 w/cab			6	181	4,000	985
2 w/cab			6	195	4,050	1,015

(J) FEDERAL—Continued

(4) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Bevel drive—Continued				*Inches*		
2 w/cab	20	85200 to 91249	6	136	3,900	$1,025
2 w/cab			6	147	3,950	1,095
2 w/cab			6	156	4,000	1,080
2 w/cab			6	168	4,050	1,105
2 w/cab			6	181	4,100	1,140
2 w/cab			6	195	4,150	1,170
2½ w/cab	25		6	136	4,600	1,275
2½ w/cab			6	147	4,650	1,315
2½ w/cab			6	156	4,700	1,330
2½ w/cab			6	168	4,750	1,355
2½ w/cab			6	181	4,800	1,390
2½ w/cab			6	195	4,850	1,420
2½ w/cab	28		6	136	4,800	1,445
2½ w/cab			6	147	4,850	1,485
2½ w/cab			6	156	4,900	1,500
2½ w/cab			6	168	4,950	1,525
2½ w/cab			6	181	5,000	1,560
2½ w/cab			6	195	5,050	1,590
3 w/cab	29		6	136	4,900	1,695
3 w/cab			6	147	4,950	1,745
3 w/cab			6	156	5,000	1,750
3 w/cab			6	168	5,050	1,775
3 w/cab			6	181	5,100	1,810
3 w/cab			6	195	5,150	1,840
3 w/cab	30		6	153	5,950	2,175
3 w/cab			6	163	6,000	2,175
3 w/cab			6	175	6,050	2,175
3 w/cab			6	185	6,100	2,210
3 w/cab			6	197	6,170	2,245
3 w/cab			6	210	6,230	2,305
3 w/cab			6	223	6,300	2,340
3 w/cab			6	237	6,375	2,425
4 w/cab	40		6	153	6,450	2,500
4 w/cab			6	163	6,500	2,500
4 w/cab			6	175	6,550	2,500
4 w/cab			6	185	6,600	2,625
4 w/cab			6	197	6,670	2,660
4 w/cab			6	210	6,730	2,720
4 w/cab			6	223	6,800	2,790
4 w/cab			6	237	6,875	2,845
Double reduction drive						
4 w/cab	40dr		6	153	6,450	2,715
4 w/cab			6	163	6,500	2,715
4 w/cab			6	175	6,550	2,715
4 w/cab			6	185	6,600	2,750
4 w/cab			6	197	6,670	2,785
4 w/cab			6	210	6,730	2,845
4 w/cab			6	223	6,800	2,885
4 w/cab			6	237	6,875	2,970
5 w/cab	50		6	153	7,050	3,195
5 w/cab			6	163	7,100	3,195
5 w/cab			6	175	7,150	3,195
5 w/cab			6	185	7,200	3,250
5 w/cab			6	197	7,270	3,265
5 w/cab			6	210	7,330	3,325
5 w/cab			6	223	7,400	3,395
5 w/cab			6	237	7,475	3,450
Bevel drive commercial						
1½ w/cab	B15		6	156	3,900	960
1½ w/cab			6	168	3,950	960
1½ bus ch			6	156	3,900	960
1½ bus ch			6	181	3,830	1,010
2 w/cab	B20		6	156	4,050	1,250
2 w/cab			6	168	4,100	1,275
2 w/cab			6	181	4,175	1,310
2 bus ch			6	181	4,150	1,295
2 bus ch			6	195	4,200	1,330
2½ w/cab	B25		6	156	4,750	1,675
2½ w/cab			6	168	4,800	1,700
2½ w/cab			6	181	4,850	1,735
2½ w/cab			6	195	4,900	1,765
2½ bus ch			6	181	4,875	1,720
2½ bus ch			6	195	4,950	1,755

(5) 1937

6 w/cab	C7–C7W	91250 to 95699	6	153	9,185	$4,710
6 w/cab			6	165	9,245	4,710
6 w/cab			6	177	9,305	4,710
6 w/cab			6	185	9,380	4,710
6 w/cab			6	195	9,550	4,710
6 w/cab			6	213	9,670	4,785
6 w/cab			6	231	9,820	4,860
6 w/cab			6	249	9,960	4,935
6 w/cab	C8 & C8W		6	153	9,015	5,120
6 w/cab			6	165	9,075	5,120
6 w/cab			6	177	9,135	5,120
6 w/cab			6	185	9,210	5,120
6 w/cab			6	195	9,380	5,120
6 w/cab			6	213	9,500	5,195
6 w/cab			6	231	9,650	5,270
6 w/cab			6	249	9,790	5,345

(J) FEDERAL—Continued

(5) 1937—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Bevel drive—Continued				*Inches*		
2 w/cab	20	91250 to 95699	6	136	3,900	$1,025
2 w/cab			6	147	3,950	1,095
2 w/cab			6	156	4,000	1,080
2 w/cab			6	168	4,050	1,105
2 w/cab			6	181	4,100	1,140
2 w/cab			6	195	4,150	1,170
2½ w/cab	25		6	136	4,600	1,275
2½ w/cab			6	147	4,650	1,315
2½ w/cab			6	156	4,700	1,330
2½ w/cab			6	168	4,750	1,355
2½ w/cab			6	181	4,800	1,390
2½ w/cab			6	195	4,850	1,420
2½ w/cab	28		6	136	4,800	1,445
2½ w/cab			6	147	4,850	1,485
2½ w/cab			6	156	4,900	1,500
2½ w/cab			6	168	4,950	1,525
2½ w/cab			6	181	5,000	1,560
2½ w/cab			6	195	5,050	1,590
3 w/cab	29		6	136	4,900	1,695
3 w/cab			6	147	4,950	1,745
3 w/cab			6	156	5,000	1,750
3 w/cab			6	168	5,050	1,775
3 w/cab			6	181	5,100	1,810
3 w/cab			6	195	5,150	1,840
3 w/cab	30		6	153	5,950	2,175
3 w/cab			6	163	6,000	2,175
3 w/cab			6	175	6,050	2,175
3 w/cab			6	185	6,100	2,210
3 w/cab			6	197	6,170	2,245
3 w/cab			6	210	6,230	2,305
3 w/cab			6	223	6,300	2,340
3 w/cab			6	237	6,375	2,425
4 w/cab	40		6	153	6,450	2,500
4 w/cab			6	163	6,500	2,500
4 w/cab			6	175	6,550	2,500
4 w/cab			6	185	6,600	2,625
4 w/cab			6	197	6,670	2,660
4 w/cab			6	210	6,730	2,720
4 w/cab			6	223	6,800	2,790
4 w/cab			6	237	6,875	2,845
Double reduction drive						
4 w/cab	40dr		6	153	6,450	2,715
4 w/cab			6	163	6,500	2,715
4 w/cab			6	175	6,550	2,715
4 w/cab			6	185	6,600	2,750
4 w/cab			6	197	6,670	2,785
4 w/cab			6	210	6,730	2,845
4 w/cab			6	223	6,800	2,885
4 w/cab			6	237	6,875	2,970
5 w/cab	50		6	153	7,050	3,195
5 w/cab			6	163	7,100	3,195
5 w/cab			6	175	7,150	3,195
5 w/cab			6	185	7,200	3,250
5 w/cab			6	197	7,270	3,265
5 w/cab			6	210	7,330	3,325
5 w/cab			6	223	7,400	3,395
5 w/cab			6	237	7,475	3,450
Bevel drive commercial						
1½ w/cab	B15		6	156	3,900	960
1½ w/cab			6	168	3,950	960
1½ bus ch			6	156	3,900	960
1½ bus ch			6	181	3,830	1,010
2 w/cab	B20		6	156	4,050	1,250
2 w/cab			6	168	4,100	1,275
2 w/cab			6	181	4,175	1,310
2 bus ch			6	181	4,150	1,295
2 bus ch			6	195	4,200	1,330
2½ w/cab	B25		6	156	4,750	1,675
2½ w/cab			6	168	4,800	1,700
2½ w/cab			6	181	4,850	1,735
2½ w/cab			6	195	4,900	1,765
2½ bus ch			6	181	4,875	1,720
2½ bus ch			6	195	4,950	1,755

(6) 1938

6 w/cab	C7–C7W	95700 to 99999	6	153	9,185	$4,710
6 w/cab			6	165	9,245	4,710
6 w/cab			6	177	9,305	4,710
6 w/cab			6	185	9,380	4,710
6 w/cab			6	195	9,550	4,710
6 w/cab			6	213	9,670	4,785
6 w/cab			6	231	9,820	4,860
6 w/cab			6	249	9,960	4,935
6 w/cab	C8 & C8W		6	153	9,015	5,120
6 w/cab			6	165	9,075	5,120
6 w/cab			6	177	9,135	5,120
6 w/cab			6	185	9,210	5,120
6 w/cab			6	195	9,380	5,120
6 w/cab			6	213	9,500	5,195
6 w/cab			6	231	9,650	5,270
6 w/cab			6	249	9,790	5,345

(J) FEDERAL—Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Bevel drive—Continued				*Inches*		
2 w/cab	20	95700 to 99999	6	136	3,900	$1,025
2 w/cab			6	147	3,950	1,095
2 w/cab			6	156	4,000	1,080
2 w/cab			6	168	4,050	1,105
2 w/cab			6	181	4,100	1,140
2 w/cab			6	195	4,150	1,170
2½ w/cab	25		6	136	4,600	1,275
2½ w/cab			6	147	4,650	1,315
2½ w/cab			6	156	4,700	1,330
2½ w/cab			6	168	4,750	1,355
2½ w/cab			6	181	4,800	1,390
2½ w/cab			6	195	4,850	1,420
2½ w/cab	28		6	136	4,800	1,445
2½ w/cab			6	147	4,850	1,485
2½ w/cab			6	156	4,900	1,500
2½ w/cab			6	168	4,950	1,525
2½ w/cab			6	181	5,000	1,560
2½ w/cab			6	195	5,050	1,590
3 w/cab	29		6	136	4,900	1,695
3 w/cab			6	147	4,950	1,745
3 w/cab			6	156	5,000	1,750
3 w/cab			6	168	5,050	1,775
3 w/cab			6	181	5,100	1,810
3 w/cab			6	195	5,150	1,840
3 w/cab	30		6	153	5,950	2,175
3 w/cab			6	163	6,000	2,175
3 w/cab			6	175	6,050	2,175
3 w/cab			6	185	6,100	2,210
3 w/cab			6	197	6,170	2,245
3 w/cab			6	210	6,230	2,305
3 w/cab			6	223	6,300	2,340
3 w/cab			6	237	6,375	2,425
4 w/cab	40		6	153	6,450	2,500
4 w/cab			6	163	6,500	2,500
4 w/cab			6	175	6,550	2,500
4 w/cab			6	185	6,600	2,625
4 w/cab			6	197	6,670	2,660
4 w/cab			6	210	6,730	2,720
4 w/cab			6	223	6,800	2,790
4 w/cab			6	237	6,875	2,845
Double reduction drive						
4 w/cab	40dr		6	153	6,450	2,715
4 w/cab			6	163	6,500	2,715
4 w/cab			6	175	6,550	2,715
4 w/cab			6	185	6,600	2,750
4 w/cab			6	197	6,670	2,785
4 w/cab			6	210	6,730	2,845
4 w/cab			6	223	6,800	2,885
4 w/cab			6	237	6,875	2,970
5 w/cab	50		6	153	7,050	3,195
5 w/cab			6	163	7,100	3,195
5 w/cab			6	175	7,150	3,195
5 w/cab			6	185	7,200	3,250
5 w/cab			6	197	7,270	3,265
5 w/cab			6	210	7,330	3,325
5 w/cab			6	223	7,400	3,395
5 w/cab			6	237	7,475	3,450
Bevel drive commercial						
1½ w/cab	B15		6	156	3,900	960
1½ w/cab			6	168	3,950	960
1½ bus ch			6	156	3,900	960
1½ bus ch			6	181	3,830	1,010
2 w/cab	B20		6	156	4,050	1,250
2 w/cab			6	168	4,100	1,275
2 w/cab			6	181	4,175	1,310
2 bus ch			6	181	4,150	1,295
2 bus ch			6	195	4,200	1,330
2½ w/cab	B25		6	156	4,750	1,675
2½ w/cab			6	168	4,800	1,700
2½ w/cab			6	181	4,850	1,735
2½ w/cab			6	195	4,900	1,765
2½ bus ch			6	181	4,875	1,720
2½ bus ch			6	195	4,950	1,755

(J) FEDERAL—Continued

(5) 1937—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
¾ chassis	9	91250 to 95999	4	105	2,850	$695
Chassis			4	121	2,850	710
Milk dely			4	105	2,850	1,095
Milk dely			4	121	2,850	1,130
¾ w/cab	10		4	128	2,950	645
			4	143	2,950	680
			4	152	2,950	690
¾ w/cab	11		6	128	2,950	655
			6	143	2,950	690
			6	152	2,950	700
1½ w/cab	15		6	135	4,230	755
			6	146	4,230	790
			6	155	4,230	800
			6	167	4,230	830
			6	180	4,230	865
			6	194	4,230	895
2 w/cab	18		6	135	4,340	995
			6	146	4,340	1,030
			6	155	4,340	1,040
			6	167	4,340	1,070
			6	180	4,340	1,105
			6	194	4,340	1,135
2 w/cab	20		6	135	4,440	1,150
			6	196	4,440	1,190
			6	155	4,440	1,205
			6	167	4,440	1,230
			6	180	4,440	1,265
			6	194	4,440	1,295
2½ w/cab	25		6	135	5,220	1,395
			6	146	5,220	1,435
			6	155	5,220	1,450
			6	167	5,220	1,475
			6	180	5,220	1,510
			6	194	5,220	1,540
3 w/cab	29		6	135	5,660	1,850
			6	146	5,660	1,890
			6	155	5,660	1,905
			6	167	5,660	1,930
			6	180	5,660	1,965
			6	194	5,660	1,995
4 w/cab	40		6	135	7,200	2,775
			6	145	7,200	2,775
			6	157	7,200	2,775
			6	167	7,200	2,810
			6	179	7,200	2,845
			6	192	7,200	2,905
			6	205	7,200	2,945
			6	219	7,200	3,030
4 w/cab	40DR		6	135	7,200	2,950
			6	145	7,200	2,950
			6	157	7,200	2,950
			6	167	7,200	2,985
			6	179	7,200	3,020
			6	192	7,200	3,080
			6	205	7,200	3,120
			6	219	7,200	3,205
5 w/cab	50		6	135	7,900	3,375
			6	145	7,900	3,375
			6	157	7,900	3,375
			6	167	7,900	3,410
			6	179	7,900	3,445
			6	192	7,900	3,505
			6	205	7,900	3,545
			6	219	7,900	3,630
5 w/cab	70H		6	157	8,300	3,855
Cab over engine						
1½ w/cab	75		6	104	4,280	960
			6	120	4,280	960
			6	132	4,280	1,005
			6	145	4,280	1,040
			6	159	4,280	1,070
2 w/cab	80		6	104	4,500	1,295
			6	120	4,500	1,310
			6	132	4,500	1,350
			6	145	4,500	1,385
			6	159	4,500	1,415
2½ w/cab	85		6	104	5,280	1,555
			6	120	5,280	1,570
			6	132	5,280	1,610
			6	145	5,280	1,645
			6	159	5,280	1,675
3 w/cab	89		6	104	5,720	2,000
			6	120	5,720	2,015
			6	132	5,720	2,055
			6	145	5,720	2,090
			6	159	5,720	2,120
1–1½ w/cab	11H		6	128	3,500	695
1½–3 w/cab	15H		6	135	4,650	995
2–3½ w/cab	18H		6	135	4,750	1,180
3–4 w/cab	20H		6	135	4,850	1,320
2½–4½ w/cab	25H		6	135	5,550	1,565
3–5 w/cab	29H		6	135	6,000	2,050
7½ w/cab	C8H		6	185	11,200	5,950
Cab over engine						
1½–3 w/cab	75H		6	104	4,700	1,190
2–4 w/cab	80H		6	104	4,900	1,465
2½–4½ w/cab	85H		6	104	5,600	1,725
3–5 w/cab	89H		6	104	6,050	2,200

(J) FEDERAL—Continued

(6) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
6 w/cab	C7&C7W	96000 up	6	153	9,185	$4,710
6 w/cab			6	165	9,245	4,710
6 w/cab			6	177	9,305	4,710
6 w/cab			6	185	9,380	4,710
6 w/cab			6	195	9,550	4,710
6 w/cab			6	213	9,670	4,785
6 w/cab			6	231	9,820	4,860
6 w/cab			6	249	9,960	4,935
6 w/cab	C8&C8W		6	153	9,015	5,120
6 w/cab			6	165	9,075	5,120
6 w/cab			6	177	9,135	5,120
6 w/cab			6	185	9,210	5,120
6 w/cab			6	195	9,380	5,120
6 w/cab			6	213	9,500	5,195
6 w/cab			6	231	9,650	5,270
6 w/cab			6	249	9,790	5,345
¾ w/cab	10		6	128	2,950	645
			6	143	2,950	680
			6	152	2,950	690
¾ w/cab	11		6	128	2,950	655
			6	143	2,950	690
			6	152	2,950	700
1½ w/cab	15		6	135	4,230	755
			6	146	4,230	790
			6	155	4,230	800
			6	167	4,230	830
			6	180	4,230	865
			6	194	4,230	895
2 w/cab	18		6	135	4,340	995
			6	146	4,340	1,030
			6	155	4,340	1,040
			6	167	4,340	1,070
			6	180	4,340	1,105
			6	194	4,340	1,135
2½ w/cab	25		6	135	5,220	1,395
			6	146	5,220	1,435
			6	155	5,220	1,450
			6	167	5,220	1,475
			6	180	5,220	1,510
			6	194	5,220	1,540
3 w/cab	29		6	135	5,660	1,850
			6	146	5,660	1,890
			6	155	5,660	1,905
			6	167	5,660	1,930
			6	180	5,660	1,965
			6	194	5,660	1,995
4 w/cab	40		6	135	7,200	2,775
			6	145	7,200	2,775
			6	157	7,200	2,775
			6	167	7,200	2,810
			6	179	7,200	2,845
			6	192	7,200	2,905
			6	205	7,200	2,945
			6	219	7,200	3,030
4 w/cab	40DR		6	135	7,200	2,950
			6	145	7,200	2,950
			6	157	7,200	2,950
			6	167	7,200	2,985
			6	179	7,200	3,020
			6	192	7,200	3,080
			6	205	7,200	3,120
			6	219	7,200	3,205
5 w/cab	50		6	135	7,900	3,375
			6	145	7,900	3,375
			6	157	7,900	3,375
			6	167	7,900	3,410
			6	179	7,900	3,445
			6	192	7,900	3,505
			6	205	7,900	3,545
			6	219	7,900	3,630
Cab over engine						
1½ w/cab	75		6	104	4,280	960
			6	120	4,280	970
			6	132	4,280	1,005
			6	145	4,280	1,040
			6	159	4,280	1,070
2½ w/cab	85		6	104	5,280	1,555
			6	120	5,280	1,570
			6	132	5,280	1,610
			6	145	5,280	1,645
			6	159	5,280	1,675
3 w/cab	89		6	104	5,720	2,000
			6	120	5,720	2,015
			6	132	5,720	2,055
			6	145	5,720	2,090
			6	159	5,720	2,120
¾ chassis	9		4	105	2,850	695
Chassis			4	121	2,850	710
Milk del'y			4	105	2,850	1,095
Milk del'y			4	121	2,850	1,130
1 w/cab	11H		6	127	3,500	695
			6	143		750
			6	152		740
			6	164		770

(J) FEDERAL—Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ w/cab	15H	96000 up	6	135	4,650	$995
			6	146		1,030
			6	155		1,040
			6	167		1,070
			6	180		1,105
			6	194		1,135
2 w/cab	15H		6	135	4,750	1,180
			6	146		1,215
			6	155		1,225
			6	167		1,255
			6	180		1,290
			6	194		1,320
2 w/cab	20		6	135	4,440	1,120
			6	146	4,440	1,160
			6	155	4,440	1,175
			6	167	4,440	1,200
			6	180	4,440	1,235
			6	194	4,440	1,265
2 w/cab	20H		6	135	4,850	1,290
			6	146		1,330
			6	155		1,345
			6	167		1,370
			6	180		1,405
			6	194		1,435
2½ w/cab	25H		6	135	5,550	1,565
			6	146		1,605
			6	155		1,620
			6	167		1,645
			6	180		1,680
			6	194		1,710
3 w/cab	29H		6	135	6,000	2,050
			6	146		2,090
			6	155		2,105
			6	167		2,130
			6	180		2,165
			6	194		2,195
5 w/cab	50H		6	157	8,300	3,855
			6	135		3,855
			6	145		3,855
			6	167		3,890
			6	179		3,925
			6	192		3,985
			6	205		4,025
			6	219		4,110
7½ w/cab	68H		6	185	11,200	5,950
			6	153		5,950
			6	165		5,950
			6	177		5,950
			6	195		5,950
			6	213		6,025
			6	231		6,100
			6	249		6,175
Cab over engine						
1½ w/cab	75H		6	104	4,700	1,190
			6	120		1,200
			6	132		1,235
			6	145		1,270
			6	159		1,300
2 w/cab	80		6	104	4,500	1,265
			6	120	4,500	1,280
			6	132	4,500	1,320
			6	145	4,500	1,355
			6	159	4,500	1,385
2 w/cab	80H		6	104	4,900	1,435
			6	120		1,450
			6	132		1,490
			6	145		1,525
			6	159		1,555
2½ w/cab	85H		6	104	5,600	1,725
			6	120		1,740
			6	132		1,780
			6	145		1,815
3 w/cab	89H		6	159	6,050	1,845
			6	104		2,200
			6	120		2,215
			6	132		2,255
			6	145		2,290
			6	159		2,320
Six wheelers—single drive						
2 w/cab	202		6	162	6,650	1,950
			6	175	6,650	1,985
			6	190	6,650	2,025
			6	200	6,650	2,080
			6	215	6,650	2,120
2½	252		6	162	7,650	2,545
			6	175	7,650	2,580
			6	190	7,650	2,620
			6	200	7,650	2,675
			6	215	7,650	2,715
3	292		6	162	8,650	3,290
			6	175	8,650	3,325
			6	190	8,650	3,365
			6	200	8,650	3,425
			6	215	8,650	3,465

(J) FEDERAL—Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
4	402	96000 up	6	162	10,150	$4,275
			6	175	10,150	4,315
			6	190	10,150	4,385
			6	200	10,150	4,430
			6	215	10,150	4,525
4	402D R		6	162	10,150	4,450
			6	175	10,150	4,490
			6	190	10,150	4,560
			6	200	10,150	4,605
			6	215	10,150	4,700
5	502		6	162	11,700	5,990
			6	175	11,700	6,030
			6	190	11,700	6,100
			6	200	11,700	6,145
			6	215	11,700	6,240
Six wheelers—single drive—cab over engine						
2 w/cab	802		6	127	6,700	2,075
			6	140	6,700	2,110
			6	155	6,700	2,150
			6	165	6,700	2,200
			6	180	6,700	2,240
2½ w/cab	852		6	127	7,700	2,680
			6	140	7,900	2,715
			6	155	7,700	2,755
			6	165	7,700	2,805
			6	180	7,700	2,845
3 w/cab	892		6	127	8,700	3,415
			6	140	8,700	3,450
			6	155	8,700	3,490
			6	165	8,700	3,540
			6	180	8,700	3,580
Six wheelers—dual drive						
2 w/cab	204		6	162	7,200	2,550
			6	175	7,200	2,585
			6	190	7,200	2,625
			6	200	7,200	2,680
			6	215	7,200	2,720
2½ w/cab	254		6	162	8,050	3,000
			6	175	8,050	3,035
			6	190	8,050	3,075
			6	200	8,050	3,130
			6	215	8,050	3,170
3 w/cab	294		6	162	9,200	3,900
			6	175	9,200	3,935
			6	190	9,200	3,975
			6	200	9,200	4,035
			6	215	9,200	4,075
5 w/cab	504		6	162	11,000	5,075
			6	175	11,000	5,115
			6	190	11,000	5,185
			6	200	11,000	5,230
			6	215	11,000	5,325
5 w/cab	504A		6	162	12,500	6,675
			6	175	12,500	6,715
			6	190	12,500	6,785
			6	200	12,500	6,830
			6	215	12,500	6,925

(7) 1939

1½ w/cab	11	99000 up	6	127	3,450	$655
1½ w/cab	12		6	127	3,450	680
1½ w/cab	14		6	127	3,500	735
1½ w/cab	15		6	135	4,230	795
2 w/cab	18		6	135	4,350	945
2 w/cab	20		6	135	4,850	1,150
2½ w/cab	25		6	135	5,550	1,450
3 w/cab	29		6	135	5,660	1,850
3 w/cab	29H		6	135	6,000	2,080
4 w/cab	40		6	135	7,200	2,800
5 w/cab	50		6	135	7,900	3,375
5 w/cab	50H		6	135	8,300	3,855
6 w/cab	62		6	141	10,400	5,675
6 w/cab	63		6	141	10,250	5,675
6 w/cab	65		6	141	11,300	6,425
6 w/cab	66		6	141	11,150	6,425
Cab over engine						
1½ w/cab	75		6	104	4,280	930
2 w/cab	80		6	104	4,900	1,260
2½ w/cab	85		6	104	5,660	1,565
3 w/cab	89		6	104	5,720	1,945
3 w/cab	89H		6	104	6,050	2,175
Cab over engine—Six wheelers—Single drive						
2 w/cab	802		6	127	6,700	2,040
2½ w/cab	852		6	127	7,700	2,645
3 w/cab	892		6	127	8,700	3,355

(J) FEDERAL—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Six wheelers—Single drive				*Inch*		
2 w/cab	202	99000 up	6	162	6,650	$1,950
2½ w/cab	252		6	162	7,650	2,545
3 w/cab	302		6	162	8,650	3,290
4 w/cab	402		6	162	10,150	4,275
5 w/cab	502		6	162	11,700	5,990
Six wheelers—Dual drive						
2 w/cab	204		6	162	7,200	2,550
2½ w/cab	254		6	162	8,050	3,000
3 w/cab	304		6	162	9,200	3,900
5 w/cab	504		6	162	11,000	5,075
5 w/cab	504A		6	162	12,500	6,675
¾ w/cab	7		4	102	2,425	595
¾ w/cab	8		6	102	2,500	595

(8) 1940

¾ w/cab	7	101800 up	4	102	2,425	$595
¾ w/cab	8		6	102	2,500	595
1½ w/cab	11		6	127	3,450	680
1½ w/cab	12		6	127	3,500	735
1½ w/cab	14		6	135	4,230	795
1½ w/cab	15		6	135	4,350	945
2 w/cab	18		6	135	4,850	1,150
2 w/cab	20		6	135	5,550	1,450
2½ w/cab	25		6	135	5,660	1,850
3 w/cab	29		6	135	6,000	2,080
3 w/cab	29H		6	135	7,200	2,800
4 w/cab	40		6	135	7,900	3,375
5 w/cab	50		6	135	8,300	3,855
5 w/cab	50H		6	141	10,400	5,675
6 w/cab	62		6	141	10,250	5,675
6 w/cab	62		6	141	11,300	6,425
6 w/cab	66		6	141	11,150	6,425
6 w/cab	66					
Cab over engine						
1½ w/cab	73		6	104	4,280	895
2 w/cab	83		6	104	4,900	1,260
2½ w/cab	83		6	104	5,600	1,565
3 w/cab	83		6	104	5,720	1,945
3 w/cab	83H		6	104	6,050	2,175
Cab over engine—Six wheelers—Single drive						
2 w/cab	822		6	127	6,700	2,040
2½ w/cab	852		6	127	7,700	2,645
3 w/cab	852		6	127	8,700	3,355
Six wheelers—Single drive						
2 w/cab	202		6	162	6,650	1,950
2½ w/cab	252		6	162	7,650	2,545
3 w/cab	302		6	162	8,650	3,290
4 w/cab	402		6	162	10,150	4,275
5 w/cab	502		6	162	11,700	5,990
Six wheelers—Dual drive						
2 w/cab	204		6	162	7,200	2,550
2½ w/cab	254		6	162	8,050	3,000
3 w/cab	304		6	162	9,200	3,900
5 w/cab	504		6	162	11,000	5,075
5 w/cab	504A		6	162	12,500	6,675
3½ w/cab	36		6	140	6,700	2,395
4 w/cab	46		6	140	7,300	2,950
5 w/cab	56		6	140	8,000	3,525
5 w/cab	56H		6	140	8,400	4,005
Six wheelers—Single drive						
4 w/cab	452		6	167	10,250	4,425
5 w/cab	552		6	167	11,800	6,140
Six wheelers—Dual drive						
5 w/cab	554		6	167	11,100	5,225
5 w/cab	554A		6	167	12,600	6,825
1½ w/cab	13	104,825 up	6	135	3,960	695
1½ w/cab	17		6	135	4,000	795
1½ w/cab	16		6	135	4,280	895
1½ w/cab	77		6	116	6,800	2,660
3½ w/cab	90		6	116	7,400	3,050
4 w/cab	92		6	116	8,100	3,645
5 w/cab	94		6	116	8,500	4,125
5 w/cab	94H					

(J) FEDERAL—Continued

(9) 1941

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
¾ w/cab	8	104825 up	6	102	2,500	$595
1½ w/cab	16		6	135	3,960	695
1½ w/cab	17		6	135	4,250	795
2 w/cab	18		6	135	4,350	945
2 w/cab	20		6	135	4,850	1,150
2½ w/cab	25		6	135	5,550	1,450
3 w/cab	29		6	135	5,660	1,850
3½ w/cab	35		6	140	6,700	2,395
4 w/cab	45		6	140	7,300	2,950
5 w/cab	55		6	140	8,000	3,525
6 w/cab	62		6	141	10,400	5,675
Cab-Over engine						
1½ w/cab	76	104825 and up	6	104	4,000	795
1½ w/cab	77		6	104	4,300	895
2 w/cab	80		6	104	4,900	1,260
2½ w/cab	85		6	104	5,600	1,565
3 w/cab	89		6	104	5,720	1,945
3½ w/cab	90		6	116	6,600	2,560
4 w/cab	92		6	116	7,200	3,095
5 w/cab	94		6	116	7,900	3,645
Six wheelers—Dual drive						
3 w/cab	296 x 4		6	162	9,200	4,675
3½ w/cab	356 x 4		6	167	10,700	5,300
5 w/cab	556 x 4		6	167	11,200	6,550
6 w/cab	626 x 4		6	168	14,000	8,750
Cab over engine—Six wheelers—Dual drive						
3 w/cab	896 x 4		6	127	9,100	4,755
3½ w/cab	906 x 4		6	140	10,600	5,445
5 w/cab	946 x 4		6	140	11,100	6,690

(10) 1942

1½ w/cab	16	107901 and up	6	135	3,960	$745
1½ w/cab	17		6	135	4,250	870
1½ w/cab	76		6	135	4,000	855
1½ w/cab	77		6	135	4,280	980
2 w/cab	18		6	135	4,350	1,045
2 w/cab	20		6	135	4,850	1,245
2½ w/cab	25		6	135	5,500	1,545
3 w/cab	29		6	135	5,660	1,960
3½ w/cab	35		6	140	6,700	2,495
4 w/cab	45		6	140	7,300	3,145
5 w/cab	55		6	140	8,000	3,695
6 w/cab	62		6	141	10,400	3,945
Cab over engine						
1½ w/cab	76		6	104	4,000	855
1½ w/cab	77		6	104	4,300	980
2 w/cab	80		6	104	4,900	355
2½ w/cab	85		6	104	5,600	1,655
3 w/cab	89		6	104	5,720	2,055
3½ w/cab	90		6	116	6,600	2,695
4 w/cab	92		6	116	7,200	3,320
5 w/cab	94		6	116	7,900	3,845
Six wheeler—Dual drive						
3 w/cab	296 x 4		6	162	9,200	4,895
3½ w/cab	356 x 4		6	167	10,700	5,550
5 w/cab	556 x 4		6	167	11,200	6,875
6 w/cab	626 x 4		6	168	14,000	9,245
Cab over engine—Six wheelers—Dual drive						
3 w/cab	896 x 4		6	127	9,100	4,975
3½ w/cab	906 x 4		6	140	10,600	5,750
5 w/cab	946 x 4		6	140	11,100	7,025

(K) FORD

[Manufacturer: Ford Motor Company. Principal plant: Dearborn, Michigan]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Com'l 3,950 lb. chassis	46	N. A.	4	112	1,650	$320
3,950 lb. w'rench	46		4	112	2,031	405
3,950 lb. pickup ch. and cab.	46		4	112	2,367	430
3,950 lb. pan. std	46		4	112	2,645	510
3,950 lb. pan. del	46		4	112	2,665	530
3,950 lb. sed. del			4	112	2,543	540
3,950 lb. chassis	46		8	112	1,730	360
3,950 lb. pickup cb. and cab.	46		8	112	2,447	470
3,950 lb. pan. std	46		8	112	2,733	550
3,950 lb. pan. del. De L.	46		8	112	2,733	565
3,950 lb. sed. del	46		8	112	2,648	570
1½ chassis	(BB) 46		4	131½	2,770	470
1½ chassis			4	157	2,880	500
Single rear wheels						
1½ chassis	(BB) 40		8	131½	2,858	500
1½ chassis			8	157	2,968	520
Dual rear wheels						
1½	BB		4	157	2,986	545
1½			8	131½	3,035	525

(2) 1934

Single rear wheels						
1½ chassis		5189491 and up	4	131½	2,770	$460
1½ chassis			4	157	2,880	485
1½ ch. cab		18-457478 thru	8	131½	3,267	570
1½ pan. del		18-1234356	8	131½	4,200	740
1½ exp. hvy. duty cl. cab	BB		8	131½	N. A.	675
1½ cl. cab	BB		8	157	3,267	595
Dual rear wheels						
1½ chassis			4	131½	2,947	480
1½ chassis			4	157	2,986	505
1½ ch. cl. cab	BB		8	131½	3,473	590
1½ pan. del			8	131½	4,200	760
1½ exp. hvy. duty cl. cab			8	131½	4,312	695
1½ hydraulic dump	204-A		8	131½	4,727	800
1½ platform cl. cab			8	131½	4,062	650
1½ stake cl. cab	BB		8	157	4,416	735
1½ cl. cab			8	157	3,507	615
1½ pan. del			8	157	4,644	870
Com'l 3,950 lb. chass	46	5189491 and up	4	112	1,650	335
3,950 lb. pickup cl. cab			4	112	2,367	445
3,950 lb. pan. std			4	112	2,645	525
3,950 lb. pan. De L.			4	112	2,665	540
3,950 lb. sed. del			4	112	2,543	540
3,950 lb. chassis		18-457478 through 18-1234356	8	112	1,730	360
3,950 lb. pickup cl. cab			8	112	2,447	470
3,950 lb. pan. std			8	112	2,733	550
3,950 lb. pan. del			8	112	2,753	565
3,950 lb. sed. del			8	112	2,648	566
1½ dump chassis			4	131½		495
1½ platform ch. cab			8	157	4,344	690
1½ stake cl. cab			8	157	4,720	735
Dump			8	131½		515

(3) 1935

Sed. del		18-1234337 through 18-2207110	8	112	N. A.	$585
½ chassis			8	112	1,877	360
½ cab			8	112	2,238	455
Pan. del			8	112	2,943	565
Pickup cl. cab			8	112	2,633	480
Del. pan. del			8	112	3,051	580
Single rear wheels						
1½			8	131½	3,109	500
1½ cl. cab			8	131½	3,475	595
1½ pan. del			8	131½	4,499	760
1½ hydraulic dump cl. cab			8	131½	4,897	800
1½ platform cl. cab			8	131½	4,182	650
1½ stake cl. cab			8	131½	4,513	675
1½ chassis			8	157	3,186	525
1½ cl. cab			8	157	3,518	620
1½ platform cl. cab			8	157	4,391	690
1½ stake cl. cab			8	157	4,740	735

(K) FORD—Continued

(4) 1936

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Sed. del	68	18-2207111 thru 18-3331856		112	2,840	$590
Com'l chassis	67			112	2,027	360
Com'l cab	67			112	2,408	450
Pan. del	67			112	3,026	560
Del. pan	67			112	3,063	580
Pickup cab	67			112	2,690	480
1½ chassis	51	BB18-2207810 thru BB18-3352046		131½	3,220	500
1½ cab	51			131½	3,559	590
1½ stake	51			131½	4,624	670
1½ platform	51			131½	4,295	645
1½ pan	51			131½	4,674	765
1½ dump	51			131½	3,441	530
1½ dump	51			131½	3,847	620
1½ dump	51			131½	5,141	795
Bus ch	51			131½		740
1½ chassis	51			157	3,297	525
1½ cab	51			157	3,629	615
1½ stake	51			157	4,851	790
1½ platform	51			157	4,502	685
Bus ch	51			157		765

(5) 1937

Commercial—60 h. p.						
½ chassis	73	54-39101 thru 54-358334	8	112	1,784	$360
Ch. and cab	73		8	112	2,121	450
Pick-up	73		8	112	2,347	470
Platform	73		8	112	2,467	485
Stake	73		8	112	2,637	500
Pan. dely	73		8	112	2,756	560
Pan. dely	73		8	112	N. A.	570
Sed. dely	73		8	112	2,536	585
85 h. p.	77	18-3331857 thru to 184186446	8	112	1,989	
½ chassis	77		8	112	2,337	370
Ch. and cab	77		8	112	2,594	460
Pickup	77		8	112	2,672	480
Platform	77		8	112	2,842	495
Stake	77		8	112	2,971	510
Pan. dely	77		8	112	N. A.	570
Pan. dely	77		8	112		580
Sed. dely	77		8	112	2,741	595
Trucks S. W. equipped—60 h. p.						
1½ chassis	75	BB54-39101 thru BB54-358334	8	131½	2,803	495
Ch. and cab	75		8	131½	3,235	585
Platform	75		8	131½	3,944	640
Stake	75		8	131½	4,274	665
Pan. dely	75		8	131½	4,247	760
S. W. equipped—85 h. p.						
1½ chassis	79	BB18-3552047 thru BB18-4186446	8	131½	3,123	505
Dump ch.	79		8	131½	3,324	521
Ch. and cab	79		8	131½	3,465	595
Dump ch. and cab	79		8	131½	3,557	616
Platform	79		8	131½	4,174	650
Stake	79		8	131½	4,504	675
Pan. dely	79		8	131½	4,497	770
Hyd. dump and cab	79		8	131½	5,047	810
1½ chassis	79		8	157	3,184	530
Ch. and cab	79		8	157	3,524	620
Platform	79		8	157	4,387	685
Stake	79		8	157	4,803	730
(Transit bus) chassis	79		8	141	9,025	1,400

(6) 1938

Commercial—60 h. p.						
½ ch. open	82c	54-358335 up	8	112	1,973	$455
Ch. cl.			8	112	1,820	475
Ch. and cab			8	112	2,199	550
Pickup and cab			8	112	2,526	580
Platform and cab			8	112	2,502	600
Stake and cab			8	112	2,655	615
Panel			8	112	2,788	675
Panel			8	112	2,780	685
Sed. dely			8	112	2,574	690
Truck 60 h. p.						
1 ch. open	827	54-358335 up	8	122	2,373	505
Ch. cl.			8	122	2,400	585
Ch. and cab			8	122	2,748	660
Exp. and cab			8	122	3,300	720
Platform and cab			8	122	3,319	715
Stake and cab			8	122	3,579	735
Panel			8	122	3,510	840

(K) FORD—Continued

(K) FORD—Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
85 h. p.				*Inches*		
½ ch. open	81C	18-4186447 thru 18-46610000	8	112	1,989	$465
Ch. cl.			8	112	2,016	485
Ch. and cab			8	112	2,425	560
Pickup and cab			8	112	2,684	590
Platform and cab			8	112	2,700	610
Stake and cab			8	112	2,842	625
Panel			8	112	2,987	685
Panel			8	112	2,905	695
Sed. dely			8	112	2,755	700
Trucks						
1 ch. open	81Y		8	122	2,614	575
Ch. cl.			8	122	2,641	595
Ch. and cab			8	122	2,939	670
Exp. and cab			8	122	3,482	730
Platforms and cab			8	122	3,448	725
Stake and cab			8	122	3,713	745
Panel			8	122	3,711	850
Trucks—85 h. p.						
1½ ch. open	81T	BB1S-4156447 thru BB1S-4661000		131	3,463	590
Ch. cl.				134	3,490	610
Ch. and cab				134	3,845	685
Platform and cab				134	4,483	745
Stake and cab				134	4,822	770
Panel				134	4,635	870
1½ ch. open	817T			157	3,533	615
Ch. cl.				157	3,560	635
Ch. and cab				157	3,905	710
Platform and cab				157	4,730	780
Stake and cab			8	157	5,115	825
Dump trucks						
1½ ch. open	81U		8	134		605
Ch. cl.			8	134		625
Ch. and cab			8	134		700
Body and cab			8	134		930
School bus chassis			8	134		735
Cab over engine						
1½ ch.	811W	BB1S-4156447 thru BB1S-4661000	8	101	3,369	820
Ch. and cab			8	101	3,846	895
Platform and cab			8	101	4,523	955
Stake and cab			8	101	4,853	980
Cab over engine						
1½ ch	81W	BB1S-4156644 thru BB1S-4661000	8	134	3,468	845
Ch and cab			8	134	3,945	920
Platform and cab			8	134	4,705	940
Stake and cab			8	134	5,090	1,035
1½ ch	817W		8	157		870
Ch. and cab			8	157		945
Dump—cab over engine						
1½ body and cab	811Z		8	101	5,146	1,140

(7) 1939

Commercial—60 h. p.						
1½ ch. and cowl	922C	1939 ending No. BB-54506500	8	112	1,902	$445
Ch. and wnshl			8	112	1,980	465
Ch. and cab			8	112	2,259	540
Pickup			8	112	2,544	570
Stake			8	112	2,857	610
Platform			8	112	2,715	590
Pan. dely			8	112	2,874	655
Sed. dely			8	112	2,670	670
Trucks—60 h. p.						
1 ch. and cowl	92Y		8	122	2,485	535
Ch. and wnshl			8	122	2,513	555
Ch. and cab			8	122	2,816	630
Express			8	122	3,393	695
Stake			8	122	3,618	710
Platform			8	122	3,373	685
Panel			8	122	3,596	805
Commercial—85 h. p.						
1½ ch. and cowl	91C	18-4661001 thru 18-5210700	8	112	2,068	460
Ch. and wnshl			8	112	2,116	480
Ch. and cab			8	112	2,445	555
Pickup			8	112	2,730	585
Stake			8	112	3,043	625
Platform			8	112	2,901	605
Pan. dely			8	112	3,060	670
Sed. dely			8	112	2,856	685

(K) FORD—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Trucks—85 h. p.				*Inches*		
1 ch. and cowl	91Y	18-4661001 thru 18-5210700	8	122	2,671	$550
Ch. and wnshl			8	122	2,699	670
Ch. and cab			8	122	3,002	645
Express			8	122	3,579	710
Stake			8	122	3,804	725
Platform			8	122	3,589	700
Panel			8	122	3,782	820
1½ ch. and cowl	91T		8	134	3,307	580
Ch. and wnshl			8	134	3,335	600
Ch. and cab			8	134	3,667	675
Stake			8	134	4,669	765
Platform			8	134	4,390	735
Panel			8	134	4,422	860
1½ ch. and cowl	917T		8	157	3,363	605
Ch. and wnshl			8	157	3,395	625
Ch. and cab			8	157	3,730	700
Stake			8	157	4,906	830
Platform			8	157	4,517	770
Ch. and cowl	911T		8	191	3,880	710
Dump—85 h. p.						
1½ ch. and cowl	91U	18-4661001 thru 18-5210700	8	134	3,327	595
Ch. and wnshl			8	134	3,355	615
Ch. and cab			8	134	3,687	690
Body and cab			8	134	4,931	930
Cab over engine—85 h. p.						
Ch. and wnshl	911W	18-4661001 thru 18-5210700	8	101	3,469	770
Ch. and cab			8	101	3,703	845
Stake			8	101	4,680	935
Platform			8	101	4,350	905
1½ ch. and wnshl	91W		8	134	3,544	795
Ch. and cab			8	134	3,778	870
Stake			8	134	4,923	990
Platform			8	134	4,538	940
1½ ch. and wnshl	917W		8	157	3,611	820
Ch. and cab			8	157	3,845	895
Dump—cab over engine—85 h. p.						¢
Body and cab	911Z	18-4661001 thru 18-5210700	8	101	5,087	1,100
Trucks—95 h. p.						
1½ ch. and cowl	99T	99T-1 thru 99T-101700	8	134	3,307	605
Ch. and wnshl			8	134	3,335	625
Ch. and cab			8	134	3,667	700
Stake			8	134	4,669	790
Platform			8	134	4,330	760
Panel			8	134	4,422	885
1½ ch. and cowl	997T		8	157	3,363	630
Ch. and wnshl			8	157	3,395	650
Ch. and cab			8	157	3,730	725
Stake			8	157	4,906	845
Platform			8	157	4,517	795
Ch. and cowl	991T	99Y-1 thru 99Y-101700	8	191	3,880	735
Dump—95 h. p.						
1½ ch. and cowl	99U	99T-1 thru 99T-101700	8	134	3,327	620
Ch. and wnshl			8	134	3,355	640
Ch. and cab			8	134	3,687	715
Body and cab			8	134	4,931	955
Cab over engine—95 h. p.						
1½ Ch. and wnshl	991W	99T-1 thru 99T-101700	8	101	3,469	795
Ch. and cab			8	101	3,703	870
Stake			8	101	4,680	960
Platform			8	101	4,350	930
1½ ch. and wnshl	99W		8	134	3,544	820
Ch. and cab			8	134	3,778	895
Stake			8	134	4,923	1,015
Platform			8	134	4,538	965
1½ ch. and wnshl	997W		8	157	3,611	845
Ch. and cab			8	157	3,845	920
Dump—cab over engine						
1½ body and cab	991Z	99T-1 thru 99T-101700	8	101	5,087	1,125
Rear engine transit bus						
Ch. 27 passenger	09-B		8	148½		1,950
Ch. and body			8	148½	9,720	4,600

(K) FORD—Continued

(8) 1940

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Commercial—60 h. p.				*Inches*		
½ ch. and cowl	022C	BB-506501 up	8	112	1,786	$465
Ch. and wnshl			8	112	1,813	485
Ch. and cab			8	112	2,119	555
Pickup			8	112	2,450	585
Platform			8	112	2,428	610
Stake			8	112	2,568	630
Pan. dely			8	112	2,706	675
Sed. dely. del			8	112	2,638	690
Trucks—60 h. p.						
¾ Ch. and Cowl	02D		8	122	2,061	525
Ch. and Wnshl			8	122	2,088	545
Ch. and cab			8	122	2,391	615
Express			8	122	2,960	680
Stake			8	122	3,156	695
Platform			8	122	2,903	670
Panel			8	122	3,268	785
1 Ch. and Cowl	02Y		8	122	2,220	560
Ch. and Wnshl			8	122	2,275	580
Ch. and Cab			8	122	2,578	650
Express			8	122	3,103	715
Platform			8	122	3,021	705
Stake			8	122	3,274	730
Panel			8	122	3,328	820
Commercial—85 h. p.						
½ Ch. and Cowl	01C	18-5210701 thru 18-5896294	8	112	1,965	490
Ch. and Wnshl			8	112	2,013	500
Ch. and Cab			8	112	2,319	570
Pickup			8	112	2,645	595
Platform			8	112	2,622	625
Stake			8	112	2,764	645
Panel dely			8	112	2,906	690
Sed. Dely. DeL			8	112	2,844	705
85 h. p.—3 speed transmission						
¾ Ch. and cowl	01D	18-5210701 thru 18-5896294Y	8	122	2,247	540
Ch. and wnshl			8	122	2,274	560
Ch. and cab			8	122	2,577	630
Express			8	122	3,146	695
Stake			8	122	3,342	710
Platform			8	122	3,089	685
Panel			8	122	3,442	800
85 h. p.—truck transmission						
1 Ch. and cowl	01Y	BB-18-5210701Y thru BB-18-5896294Y	8	122	2,416	575
Ch. and wnshl			8	122	2,461	595
Ch. and cab			8	122	2,764	665
Express			8	122	3,289	730
Stake			8	122	3,460	745
Platform			8	122	3,297	720
Panel			8	122	3,514	835
1½ ch. and cowl	01T	BB18-5210701 thru BB18-5896294	8	134	2,957	590
Ch. and wnshl			8	134	2,994	610
Ch. and cab			8	134	3,293	680
Stake			8	134	4,314	770
Platform			8	134	3,975	740
Panel			8	134	4,174	870
Dump	018T		8	134	4,751	940
1½ ch. and cowl			8	158	3,053	615
Ch. & wnshl			8	158	3,063	635
Ch. & cab			8	158	3,366	705
Stake			8	158	4,635	825
Platform			8	158	4,195	775
1½ ch. and cowl			8	194	NA	715
Cab over engine—85 h. p.						
1½ ch. and cab	011W		8	101	3,468	865
Stake			8	101	4,485	965
Platform			8	101	4,146	925
1½ ch. and cab	01W		8	134	3,549	890
Stake			8	134	4,820	1,010
Platform			8	134	4,376	960
1½ ch. and cab	018W		8	158	3,597	915
Trucks—85 h. p.						
1½ ch. and cowl	09T	99T-101 701 thru 99T-257100	8	134	2,967	615
Ch. and wnshl			8	134	2,994	635
Ch. and cab			8	134	3,300	705
Stake			8	134	4,314	795
Platform			8	134	3,975	765
Panel			8	134	4,174	895
Dump	09U		8	134	4,751	965
1½ ch. and cowl	098T		8	158	3,053	640
Ch. and wnshl			8	158	3,063	660
Ch. and cab			8	158	3,366	730
Stake			8	158	4,635	850
Platform			8	158	4,195	800
1½ ch. and cowl			8	194		740

(K) FORD—Continued

(8) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab over engine—95 h. p.				*Inches*		
1½ ch. and cab	091W		8	101	3,468	$890
Stake			8	101	4,485	980
Platform			8	101	4,146	950
1½ ch. and cab	09W		8	134	3,549	915
Stake			8	134	4,820	1,035
Platform			8	134	4,376	985
1½ ch. and cab	098W		8	158	3,597	940

(9) 1941—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Commercial—90 h. p.						
½ Ch. and cowl	1NC	9C-38 up	4	112	1,905	$470
Ch. and wnshl			4	112	1,932	490
Ch. and cab			4	112	2,238	560
Pickup			4	112	2,575	585
Platform			4	112	2,552	620
Stake			4	112	2,694	640
Pan. del			4	112	2,861	680
Sed. del		9A-38 up	4	112	2,705	710
Trucks—90 h. p.						
¾ Ch. and cowl	1ND	9Y-38 up	4	122	2,295	549
Ch. and wnshl			4	122	2,232	569
Ch. and cab			4	122	2,535	639
Platform			4	122	3,047	694
Express			4	122	3,105	704
Stake			4	122	3,300	719
Panel			4	122	3,395	809
1 Ch. and cowl	1NY	9Y-38 up	4	122	2,429	584
Ch. and wnshl			4	122	2,510	604
Ch. and cab			4	122	2,813	674
Platform			4	122	3,208	729
Express			4	122	3,272	739
Stake			4	122	3,461	754
Panel			4	122	3,511	844
Commercial—85 h. p. Includes 4 speed transmission						
½ Ch. and cowl	11C	18-5896 295 up	8	112	2,075	490
Ch. and wnshl			8	112	2,102	510
Ch. and cab			8	112	2,408	580
Pickup			8	112	2,745	605
Platform			8	112	2,722	640
Stake			8	112	2,864	660
Pan. del			8	112	3,031	700
Sed. del			8	112	2,875	730
85 h. p.—5 speed transmission						
¾ ch. and cowl	11D	18-5896295 up	8	122	2,375	555
Ch. and wnshl			8	122	2,402	575
Ch. and cab			8	122	2,705	645
Platform			8	122	3,217	700
Express			8	122	3,274	710
Stake			8	122	3,470	725
Panel			8	122	3,494	815
1 ch. and cowl	11Y	590BB18-5896295 Y up	8	122	2,635	590
Ch. and wnshl			8	122	2,680	610
Ch. and cab			8	122	2,983	680
Platform			8	122	3,378	735
Express			8	122	3,442	745
Stake			8	122	3,631	760
Panel			8	122	3,681	850
85 h. p.—truck transmission						
1½ ch. and cowl	11T	BB18-5896295 up	8	134	3,138	605
Ch. and wnshl			8	134	3,165	625
Ch. and cab			8	134	3,472	695
Platform			8	134	4,122	755
Stake			8	134	4,461	785
Panel			8	134	4,274	885
Dump	11U		8	134	4,833	960
1½ ch. and cowl	11ST	BB18-5896295 up	8	158	3,254	630
Ch. and wnshl			8	158	3,270	650
Ch. and cab			8	158	3,492	720
Platform			8	158	4,318	790
Stake			8	158	4,787	835
1½ ch. and cowl	114T	BB18-5896295 up	8	194	N. A.	740
Cab-over-engine—85 h. p.						
1½ ch. and cab	111W	BB18-5896295 up	8	101	3,547	840
Platform			8	101	4,181	900
Stake			8	101	4,520	930
1½ ch. and cab	11W	BB18-5896295 up	8	134	3,705	860
Platform			8	134	4,530	930
Stake			8	134	4,974	975
1½ ch. and cab	118W	BB18-5896295 up	8	158	3,701	885

(K) FORD—Continued

(K) FORD—Continued

(K) FORD—Continued

(9) 1941—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Trucks—95 h. p.				*Inches*		
1½ ch. and cowl	19T	99T-257101 up	8	134	3,138	$630
Ch. and wnshl			8	134	3,165	650
Ch. and cab			8	134	3,472	720
Platform			8	134	4,122	780
Stake			8	134	4,461	810
Panel			8	134	4,274	910
Dump	19U		8	134	4,833	985
1½ ch. and cowl	19ST	99T-257101 up	8	158	3,216	655
Ch. and w/s			8	158	3,270	675
Ch. and cab			8	158	3,492	745
Platform			8	158	4,318	815
Stake			8	158	4,787	860
1½ ch. and cowl	194T	99T-257101 up	8	194	N. A.	765
Cab-over-engine—95 h. p.						
1½ ch. and cab	191W	99T-257101 up	8	101	3,547	865
Platform			8	101	4,181	925
Stake			8	101	4,520	955
1½ ch. and cab	19W	99T-257101 up	8	134	3,705	885
Platform			8	134	4,530	985
Stake			8	134	4,974	1,000
1½ ch. and cab	198W	99T-257101 up	8	158	3,701	910

(10) 1942

Trucks—40 h. p.						
¾ ch. and cowl	2nd	9Y13201 up	4	122	2,241	$614
Ch. and wnshl			4	122	2,364	634
Ch. and cab			4	122	2,618	709
Platform			4	122	3,076	759
Express			4	122	3,171	764
Stake			4	122	3,329	784
Panel			4	122	3,365	879
1 ch. and cowl	2NY	9Y13201 up	4	122	2,486	659
Ch. and Wnshl			4	122	2,519	679
Ch. and cab			4	122	2,873	754
Platform			4	122	3,223	809
Express			4	122	3,343	809
Stake			4	122	3,475	834
Panel			4	122	3,537	924
Commercial—90 p. h.						
½ ch. and cowl	2GC	1GC-34801 up	6	114	2,155	540
Ch. and wnshl			6	114	2,178	560
Ch. and cab			6	114	2,532	630
Pickup			6	114	2,805	660
Platform			6	114	N. A.	705
Stake			6	114	N. A.	728
Pan. slats			6	114	N. A.	755
Sed. dely			6	114	N. A.	810
Trucks—90 h. p.						
¾ ch. and cowl	2GD	1GY-34801 up	6	122	2,379	605
Ch. and wnshl			6	122	2,402	625
Ch. and cab			6	122	2,756	700
Platform			6	122	3,214	750
Express			6	122	3,309	765
Stake			6	122	3,467	775
Panel			6	122	3,503	870
1 ch. and cowl	2GY	1GY-34801 up	6	122	2,640	650
Ch. and wnshl			6	122	2,672	670
Ch. and cab			6	122	3,046	745
Platform			6	122	3,375	800
Express			6	122	3,496	800
Stake			6	122	3,628	825
Panel			6	122	3,690	915
1½ ch. and cowl	2GT	1GT-34801 up	6	134	3,164	665
Ch. and wnshl			6	134	3,187	685
Ch. and cab			6	134	3,541	760
Platform			6	134	4,121	815
Stake			6	134	4,452	850
Panel			6	134	4,262	945
Dump	2GU		6	134	4,962	1,045
1½ ch. and cowl	2GST		6	158	3,239	690
Ch. and wnshl			6	158	3,262	710
Ch. and cab			6	158	3,616	785
Platform			6	158	4,461	855
Stake			6	158	4,737	900
1½ ch. and cowl	2G4T		6	194	3,510	795
Commercial—60 H. P.						
½ ch. and cowl	21C	18-6760036 up	8	114	2,170	555
Ch. and wnshl			8	114	2,193	575
Ch. and cab			8	114	2,547	645
Pickup			8	114	2,820	675
Platform			8	114	N. A.	720
Stake			8	114	N. A.	740
Pan. slats			8	114	N. A.	770
Sed. dely			8	114	N. A.	825

(K) FORD—Continued

(10) 1942—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Trucks—90 hp				*Inches*		
¾ ch. and cowl	21D	18-6760036Y up	8	122	2,401	$620
Ch. and wnshl			8	122	2,424	640
Ch. and cab			8	122	2,778	715
Platform			8	122	3,236	765
Express			8	122	3,331	770
Stake			8	122	3,489	790
Panel			8	122	3,525	885
1 ch. and cowl	21Y	BB18-6760036Y up	8	122	2,661	665
Ch. and wnshl			8	122	2,684	685
Ch. and cab			8	122	3,048	760
Platform			8	122	3,397	815
Express			8	122	3,518	815
Stake			8	122	3,650	840
Panel			8	122	3,712	930
1½ ch. and cowl	21T	BB18-6760036 up	8	134	3,186	680
Ch. and wnshl			8	134	3,209	700
Ch. and cab			8	134	3,563	775
Platform			8	134	4,143	830
Stake			8	134	4,516	865
Panel			8	134	4,284	960
Dump	21U		8	134	4,984	1,060
1½ ch. and cowl	21ST	BB18-6760036 up	8	158	3,217	705
Ch. and wnshl			8	158	3,240	725
Ch. and cab			8	158	3,594	800
Platform			8	158	4,483	870
Stake			8	158	4,783	915
1½ ch. and cowl	214T	BB18-6760036 up	8	194	3,532	810
Cab over engine—90 hp						
1½ ch. and cab	211W	BB18-6760036 up	8	101	3,584	900
Platform			8	101	4,184	955
Stake			8	101	4,557	990
1½ ch. and cab	21W		8	134	3,704	920
Platform			8	134	4,500	990
Stake			8	134	5,054	1,035
1½ ch. and cab	218W	BB18-6760036 up	8	134	3,734	945
Commercial—100 hp.						
½ ch. and cowl	29C	99A-466701 up	8	114	2,170	580
Ch. and wnshl			8	114	2,193	600
Ch. and cab			8	114	2,547	670
Pickup			8	114	2,820	700
Platform			8	114	N A	745
Stake			8	114	N A	765
Panel			8	114	N A	795
Sed. dely			8	114	N A	850
Trucks—100 hp						
¾ ch. and cowl	29D	99Y-466701 up	8	122	2,401	645
Ch. and wnshl			8	122	2,424	665
Ch. and cab			8	122	2,778	740
Express			8	122	3,331	795
Platform			8	122	3,236	790
Stake			8	122	3,489	815
Panel			8	122	3,525	910
1 ch. and cowl	29Y	99Y-466701 up	8	122	2,661	690
Ch. and wnshl			8	122	2,684	710
Ch. and cab			8	122	3,048	785
Express			8	122	3,518	840
Platform			8	122	3,397	840
Stake			8	122	3,650	865
Panel			8	122	3,712	955
Trucks—100 hp.						
1½ ch. and cowl	29T	99T-466701 up	8	134	3,186	705
Ch. and wnshl			8	134	3,209	725
Ch. and cab			8	134	3,563	800
Platform			8	134	4,143	855
Stake			8	134	4,516	890
Panel			8	134	4,284	985
Dump	29U		8	134	4,984	1,085
1½ ch. and cowl	29ST	99T-466701 up	8	158	3,217	730
Ch. and wnshl			8	158	3,240	750
Ch. and cab			8	158	3,594	825
Platform			8	158	4,483	895
Stake			8	158	4,783	940
1½ ch. and cowl	294T	99T-466701 up	8	194	3,532	835
Cab-over-engine—100 hp.						
1½ ch. and cab	291W		8	101	3,584	925
Platform			8	101	4,148	980
Stake			8	101	4,557	1,015
1½ ch. and cab	29W	99T-466701 up	8	134	3,704	945
Platform			8	134	4,500	1,015
Stake			8	134	5,054	1,060
1½ ch. and cab	298W	99T-466701 up	8	158	3,734	970

Ch. and cab			8	114	N. A.	720
Pickup			8	114	N. A.	740
Platform			8	114	N. A.	770
Stake			8	114	N. A.	825
Pan. slats						
Sed. dely						

(L) F. W. D.

[Manufacturer: Four Wheel Drive Auto Company. Principal plant: Appleton, Wisconsin]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½–2	H–4	55420 to 55433	4	N. A.	5,300	$3,325
2–2½	H–6		6	N. A.	5,900	3,385
2½–3	HH–6	90058 to 90071	6	N. A.	6,900	4,135
2½–3	HM	90001 to 90071	6	N. A.	6,860	4,185
3	B	28209 to 28335	4	N. A.	6,460	4,200
3½–4	CU–6		6	N. A.	8,000	4,985
3½–4	CU–6A	28207 to 28335	6	N. A.	7,800	4,685
4–5	SSU	28210 to 28335	6	N. A.	8,300	5,135
4–5	SSU–A		6	N. A.	8,100	4,835
5–6	LBU		6	N. A.	9,000	4,800
5	MF–6	75097 to 75112	6	N. A.	9,100	5,785

(2) 1934

1½–2	H–4	55434 and up	4	N. A.	5,300	$3,325
1½–2	HS	100001 and up	6	N. A.	4,500	2,400
2–2½	H–6	55434 and up	6	N. A.	5,900	3,385
2–2½	LM		6	N. A.	5,900	3,650
2½–3	HH–6	90072 and up	6	N. A.	6,900	4,135
2½–3	HM		6	N. A.	6,900	4,185
2½–3	OFS		6	N. A.	7,000	4,711
2½–3	B	28336 and up	4	N. A.	6,460	4,200
3	CU–6		6	N. A.	8,000	4,985
3½–4	CU–6A		6	N. A.	7,800	4,685
3½–4	SSU		6	N. A.	8,300	5,135
4–5	SSUA		6	N. A.	8,100	4,835
4–5	LBU		6	N. A.	9,000	4,800
5–6	MF–6	75113 and up	6	N. A.	9,770	5,785
5–6	MJ–5	75001 and up	6	N. A.	11,600	6,335
5–7½	MJ–5	75113 and up	6	N. A.	11,800	7,400
5–7½	M–5	75113 and up	6	N. A.	11,500	6,750
6–7	MJ–6	75001 and up	6	N. A.	13,100	8,800
6–7½	MJ–7	75001 and up	6	N. A.	13,000	8,500
7½–10	M–7	75113 and up	6	N. A.	14,000	9,600
7½–10	M–10	75001 and up	6	N. A.	10,000	6,345
10–12	T–60	28336 and up	6	N. A.	10,450	7,000
60000 lb. tr	T–72	75113 and up	6	N. A.	12,500	9,100
72000 lb. tr	TD–72		6	N. A.	12,650	7,385
36000 lb	X–6	28336 and up	6	N. A.	17,800	12,255
48000 lb	MX–6	75113 and up				

(3) 1935

1½	HS	100025 and up	6	N. A.	5,400	$2,400
1½–2	H–4	55483 and up	4	N. A.	5,300	3,325
2–2½	H–6		6	N. A.	5,900	3,385
2–2½	LM		6	N. A.	7,000	3,650
2½–3	HH–6	90135 and up	6	N. A.	7,400	4,135
2½–3	HM		6	N. A.	7,400	3,985
3	B	28457 and up	4	N. A.	6,500	4,200
3½–4	CU–6		6	N. A.	8,200	4,985
3½–4	CU–6A		6	N. A.	8,000	4,685
4–5	SSU		6	N. A.	8,400	5,135
4–5	SSUA		6	N. A.	8,100	4,835
5–7½	M–5	75137 and up	6	N. A.	11,200	7,400
5–6	MF–6	75150 and up	6	N. A.	9,100	5,785
5–6	LBU	28457 and up	6	N. A.	9,000	4,800
5–6	MJ–5	75146 and up	6	N. A.	11,300	6,335
5–6	MJ–6	75001 and up	6	N. A.	11,500	6,750
6–7	MJ–7		6	N. A.	13,100	8,800
7½–10	M–7	75143 and up	6	N. A.	12,400	8,500
7½–10	M–10	75001 and up	6	N. A.	1,400	9,600
10–12	T–60	28457 and up	6	N. A.	10,000	6,300
20–25	T–72	75150 and up	6	N. A.	10,450	7,000
25–30	X–6	28166 and up	6	N. A.	13,400	8,165
10–12	MX–6	75150 and up	6	N. A.	17,100	12,255
10–12						

(4) 1936

1–1½	HS	100077	6	132	5,200	$2,400
1½–2	H–4		4	120	5,300	3,325
1½–2	H–6	55546	6	133	6,250	3,560
2–2½	HH–6	90160	6	138	7,500	4,285
2½–3	HM	90135 and up	6	138	7,400	3,985
2½–3	B	28641	4	124	6,500	4,200
3	CU–6		6	147	8,770	5,145
3½–4	CU–6A		6	147	8,570	4,845
3½–4	SSU		6	147	9,000	5,295
4–5	SSU A		6	147	8,700	4,995
4–5	MF–6	75240	6	146	9,600	5,935
5–6	MJ–5		6	150	11,300	6,435
5–6	MJ–6		6	150	11,500	6,750
6–7	M–6		6	165	11,600	7,600
6–7½	M–7		6	150	13,000	8,575
7½–10	MJ–7	75001 and up	6	150	13,100	8,800
7½–10	M–10	75240	6	150	14,000	9,600
10–12	T–26	100077	6	127	4,950	2,500
6–7 tme	T–60	28641	6	134	10,500	6,345
20–25 tme	T–72		6	120	11,100	7,000
25–30 tme	LBU		6	171	9,000	4,800
5–6 fr. dr						
Six wheel drive						
10–12	X–6		6	190	1,400	8,165
10–15	MX–6	75240	6	200	17,800	12,225

(L) F. W. D.—Continued

(5) 1937

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½	HS	101001 and up	6	132	5,300	$2,600
2½–3	HH–6	91001 and up	6	138	8,600	4,380
5–6	MJ–5	76001 and up	6	150	12,000	6,700
6–7½	MJ–6		6	150	12,200	7,040
7½–10	MJ–7		6	150	13,100	8,800
10–12	M–10		6	150	14,200	10,400
Road maintainer						
	HM	91001 and up	6	138	7,700	4,240
4–5	SUA	60001 and up	6	150	9,400	5,440
4–5	SU		6	150	9,700	5,640
5–6	YU		6	150	10,300	6,300
Tractors	T–26	101001 and up	6	132	5,300	2,900
	T–32		6	150	9,400	4,890
	T–40	60001 and up	6	150	10,300	5,450
	T–60		6	150	10,300	6,980
	T–65		6	150	13,100	9,120
	T–72	76001 and up	6	150	14,200	10,400
Six wheel drive						
10	MJ–6x6		6	184	18,000	10,800
15	M–6x6		6	204	19,000	12,800
Road maintainer	HG	101001 and up	6	156	6,530	3,260

(6) 1938

1½	HS	Serial numbers continued	6	132	5,300	$2,600
			6	144	5,400	2,650
			6	156	5,600	2,675
3–4	HH–6		6	138	7,900	4,380
			6	150	8,100	4,430
			6	160	8,300	4,455
			6	170	8,500	4,480
4–5	SUA		6	150	9,400	5,440
			6	162	9,600	5,490
			6	172	9,800	5,515
			6	182	9,800	5,540
4–5	SU		6	150	9,700	5,640
			6	162	9,900	5,690
			6	172	10,100	5,715
			6	182	10,300	5,740
5–6	YU		6	150	10,300	6,300
			6	162	10,500	6,350
			6	172	10,700	6,375
			6	182	10,900	6,400
5–6	MJ–5		6	150	12,000	6,700
			6	165	12,200	6,775
			6	180	12,500	6,800
6–7½	MJ–6		6	150	12,200	7,040
			6	165	12,400	7,115
			6	180	12,600	7,140
7½–10	M–7		6	150	13,100	8,800
			6	165	13,300	8,875
			6	180	13,600	8,900
10–12	M–10		6	150	14,200	10,400
			6	165	14,400	10,475
			6	180	14,600	10,500
Tractors	T–26		6	132	5,300	2,900
	T–32		6	150	9,400	4,890
	T–40		6	150	10,300	5,450
	T–60		6	150	10,300	6,980
	T–65		6	150	13,100	9,120
	T–72		6	150	14,200	10,400
Six wheelers						
10	MJ–6 x 6		6	184	18,000	10,800
			6	204	18,500	10,900
15	M–6 x 6		6	204	19,000	13,585
			6	184	19,000	
			6	228	19,500	13,685
Road maintainer	HG		6	156	6,530	3,600
	HM		6	138	7,700	4,240
3–4	CUA	60277 and up	6	150	7,800	4,640
3–4	CU		6	150	8,100	4,920

(7) 1939

1½	HS	1001201 and up	6	132	5,950	$2,600
2½–3	HH–6	91037 and up	6	138	7,900	4,380
3–4	CUA	60300 and up	6	150	8,600	4,640
3–4	CU		6	150	8,900	4,920
4–5	SUA		6	150	9,400	5,440
4–5	SU		6	150	9,700	5,640
5–6	YU		6	150	10,300	6,300
5–6	MJ–5	76125 and up	6	150	12,000	6,700
6–7½	MJ–6		6	150	12,200	7,040
7½–10	M–7		6	150	13,100	8,800
10–12	M–10		6	150	14,200	10,400

(L) F. W. D.—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Tractors	T-26	101200 and up	6	144	5,800	$2,900
	T-32		6	138	7,550	3,995
	T-40	60200 and up	6	134	10,300	5,450
	T-60		6	134	11,800	6,980
	T-65	76125 and up	6	150	13,900	9,120
	T-72		6	150	14,650	10,400
Six wheelers						
10	MJ-6 x 6	76125 and up	6	184	18,000	10,800
15	M-6 x 6		6	204	19,000	13,585
Road maintainer	HG	101200 and up	6	154	6,530	3,900
	HM	91037 and up	6	138	7,700	4,240

(8) 1940

1½	HS	101200 and up	6	132	5,460	$2,600
2½-3	HH-6	91037 and up	6	138	7,100	4,380
3-4	CUA	60200 and up	6	150	7,800	4,640
3-4	CU		6	150	8,100	4,920
4-5	SUA		6	150	8,600	5,440
4-5	SU		6	150	8,900	5,640
5-6	YU		6	150	9,500	6,300
5-6	MJ-5	76125 and up	6	150	11,200	6,700
6-7½	MJ-6		6	150	11,400	7,040
7½	M-7		6	150	12,300	8,800
10-12	M-10		6	150	13,400	10,400
Tractors	T-26	101200 and up	6	144	6,000	2,900
	T-32		6	138	7,550	3,995
	T-40	60200 and up	6	134	10,500	5,450
Six wheelers						
10	MJ-6 x 6	76125 and up	6	184	17,200	11,575
15	M-6 x 6		6	204	18,200	14,555
Road Maintainer	HG	101200 and up	6	154	6,800	3,600
	HM	91037 and up	6	138	7,700	4,240
Cab-over-engine	T-26 COE	101200 and up	6	108	5,960	3,236
	T-32 COE		6	111	8,230	4,360
Tractors	T-45	60200 and up	6	134	11,940	7,725
2	HS	101200 and up	6	132	6,080	2,750
3½	HH-6	91037 and up	6	138	8,400	4,450
4	CUA	60200 and up	6	150	8,300	4,640
4	CU		6	150	8,600	4,920
5	SUA		6	150	9,100	5,440
5	SU		6	150	10,600	5,640
6	YU		6	150	11,070	6,300
6½	MJ-5	76125 and up	6	150	11,700	6,700
7½	MJ-6		6	150	11,950	7,040
10	M-7		6	150	12,850	8,800
12	M-10		6	150	13,950	10,400
Tractor type trucks	T-26	101200 and up	6	132	6,080	2,965
	T-32		6	138	7,550	3,995
	T-40	60200 and up	6	134	11,000	5,450
	T-45	76125 and up	6	134	11,640	7,725
Six wheels						
10	MJ-6 x 6	76125 and up	6	184	17,750	11,575
15	M-6 x 6		6	204	18,750	14,555

(9) 1941

1½	HS	Serial numbers continued	6	132	5,580	$2,750
2½-3	HH-6		6	138	7,900	4,450
3-4	CUA		6	150	7,800	4,640
3-4	CU		6	150	8,100	4,920
4-5	SUA		6	150	10,050	5,440
4-5	SU		6	150	10,100	5,640
5-6	YU		6	150	10,570	6,300
5-6	MJ-5		6	150	11,200	6,700
6-7½	MJ-6		6	150	11,450	7,040
7½-10	M-7		6	150	12,350	8,800
10-12	M-10		6	150	13,450	10,400
Tractor type truck	T-26		6	132	5,580	2,965
	T-32		6	138	7,050	3,995
	T-40		6	134	10,500	5,450
	T-45		6	134	11,140	7,725
Six-wheel drive	MJ-6 x 6		6	184	17,250	11,575
	M-6 x 6		6	184	18,250	14,555

(10) 1942

	HS	101785 and up	6	132	6,600	$2,960
	HA		6	132	6,800	3,430
	HR		6	144	7,800	3,880
	CUA	64712 and up	6	150	9,350	4,640
	CU		6	150	9,500	4,920
	SUA		6	150	10,050	5,440
	SU		6	150	10,150	5,640
	YU		6	150	10,300	6,300
	MJ-6	76506 and up	6	150	13,350	7,040
	M-6		6	150	13,800	7,850
	M-7		6	150	14,000	8,800
	M-10		6	150	14,300	10,400
Tractor type truck	T-26	101785 and up	6	132	6,600	2,990
	T-30		6	132	6,800	3,430
	T-32		6	132	7,800	4,010
Six wheel drive	CU-6x6	64712 and up	6	184	14,700	8,700
	MJ-6x6	76506 and up	6	184	18,000	11,575
	M-6x6		6	184	19,000	14,555

(M) GENERAL MOTORS

[Manufacturer: General Motors Truck and Coach Co. Principal plant: Pontiac, Michigan]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2	T-25A	N. A.	6	N. A.	3,475	$1,290
2	T-25B		6	N. A.	3,600	1,215
2	T-25C		6	N. A.	3,650	1,260
2	T-25D		6	N. A.	3,700	1,285
3½	T-50A	Start 101, finish 1125	6	N. A.	5,765	2,480
3½	T-50B		6	N. A.	5,865	2,545
3½	T-50C		6	N. A.	5,915	2,530
3½	T-50D		6	N. A.	5,980	2,595
3½	T-56A	N. A.	6	N. A.	5,975	2,640
3½	T-56B		6	N. A.	6,050	2,740
3½	T-56C		6	N. A.	6,125	2,790
3½	T-56D		6	N. A.	6,200	2,840
5	T-86A	Start 101, finish 285	6	N. A.	10,400	5,620
5	T-86B		6	N. A.	10,600	5,625
5	T-86C		6	N. A.	10,750	5,740
6½	T-96A	Start 101, finish 197	6	N. A.	13,200	7,685
6½	T-96B		6	N. A.	13,400	7,725
6½	T-96C		6	N. A.	13,600	7,745
2½	T-3A	N. A.	6	N. A.	4,475	1,695
2½	T-3B		6	N. A.	4,425	1,725
2½	T-3C		6	N. A.	4,475	1,745
2½	T-3D		6	N. A.	4,525	1,770
3	T-45A		6	N. A.	4,925	1,845
3	T-45B		6	N. A.	4,975	1,890
3	T-45C		6	N. A.	5,025	1,915
3	T-45D		6	N. A.	5,075	1,940
1½	T-18A	Start 6051, finish 8550	6	N. A.	2,820	695
1½	T-18B		6	N. A.	2,920	725
1½	T-19A		6	N. A.	3,120	715
1½	T-19B		6	N. A.	3,170	770
1½	T-19C	N. A.	6	N. A.	3,175	795
1½	T-19D		6	N. A.	3,325	820
1½	T-23A	Start 776, finish 3925	6	N. A.	3,000	715
1½	T-23B		6	N. A.	3,100	740
4	T-64A	Start 318, finish 746	6	N. A.	7,055	3,710
4	T-64B		6	N. A.	7,120	3,735
4	T-64C		6	N. A.	7,205	3,760
4	T-64D		6	N. A.	7,250	3,785
4½	T-84A	Start 195, finish 320	6	N. A.	7,440	4,205
4½	T-84B		6	N. A.	7,480	4,230
4½	T-84C		6	N. A.	7,525	4,255
4½	T-84D		6	N. A.	7,610	4,280
5	T-90A	N. A.	6	N. A.	9,245	4,690
5	T-90B		6	N. A.	9,370	4,715
5	T-90C		6	N. A.	9,495	4,740
7½	T-110A	Start 001, finish 008	6	N. A.	12,450	8,110
7½	T-110B		6	N. A.	12,630	8,145
7½	T-110C		6	N. A.	12,800	8,180
10	T-120A	Start 001, finish 001	6	N. A.	14,095	9,400
10	T-120B		6	N. A.	14,275	9,525
10	T-120C		6	N. A.	14,575	9,560
1½	T-18A	Start 6051, finish 8550	6	N. A.	3,020	675
1½	T-18B		6	N. A.	3,075	715
1½	T-23A	Start 776, finish 3925	6	N. A.	3,310	745
1½	T-23B		6	N. A.	3,365	840
1½	T-23C		6	N. A.	3,405	915
2	T-33A	Start 001, finish 1265	6	N. A.	4,215	1,225
2	T-33B		6	N. A.	4,235	1,250
2	T-33C		6	N. A.	4,265	1,275
2	T-33D		6	N. A.	4,315	1,300
2½	T-43A	Start 001, finish 700	6	N. A.	4,735	1,525
2½	T-43B		6	N. A.	4,775	1,550
2½	T-43C		6	N. A.	4,805	1,575
2½	T-43D		6	N. A.	4,850	1,600
3½	T-51HA	Start 101, finish 1125	6	N. A.	6,385	2,800
3½	T-51HB		6	N. A.	6,425	2,825
3½	T-51HC		6	N. A.	6,700	2,850
3½	T-51HD		6	N. A.	6,740	2,875
5	T-67HA	Start 101, finish 295	6	N. A.	10,740	6,195
5	T-67HB		6	N. A.	10,880	6,220
5	T-67HC		6	N. A.	11,030	6,245
3½	T-61WA	Start 101, finish 1125	6	N. A.	6,675	2,700
3½	T-61WB		6	N. A.	6,695	2,725
3½	T-61WC		6	N. A.	6,805	2,750
3½	T-61WD		6	N. A.	6,850	2,775
5	T-44A	Start 001, finish 082	6	N. A.	8,925	1,745
5	T-44B		6	N. A.	9,125	4,750
5	T-44C		6	N. A.	9,225	4,745
2	T-33LA	Start 001, finish 1265	6	N. A.	4,120	1,085
2	T-33LB		6	N. A.	4,140	1,110
2	T-33LC		6	N. A.	4,140	1,135
2	T-33LD		6	N. A.	4,220	1,160
2½	T-43TA	Start 001, finish 700	6	N. A.	5,035	1,935
2½	T-43TB		6	N. A.	5,095	1,960
2½	T-43TC		6	N. A.	5,140	1,985

(2) 1934

1½	T-18A	Start 8551, finish 12900	6	N. A.	3,020	$645
1½	T-18B		6	N. A.	3,075	685
1½	T-23A	Start 3926, finish 5909	6	N. A.	3,310	795
1½	T-23B		6	N. A.	3,365	840
1½	T-23C		6	N. A.	3,405	915

(M) GENERAL MOTORS—Continued

(2). 1934—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2	T-33A	Start 1251, finish 2507	6	N. A.	4,215	$1,225
2	T-33B		6	N. A.	4,235	1,250
2	T-33C		6	N. A.	4,285	1,275
2	T-33D		6	N. A.	4,315	1,300
2	T-33LA		6	N. A.	4,120	1,160
2	T-33LB		6	N. A.	4,140	1,170
2	T-33LC		6	N. A.	4,190	1,180
2	T-33LD		6	N. A.	4,220	1,190
2½	T-43A	Start 701, finish 1500	6	N. A.	4,735	1,745
2½	T-43B		6	N. A.	4,755	1,755
2½	T-43C		6	N. A.	4,805	1,765
2½	T-43D		6	N. A.	4,830	1,775
2½	T-43TA		6	N. A.	5,035	1,995
2½	T-43TB		6	N. A.	5,055	2,005
2½	T-43TC		6	N. A.	5,105	2,015
3½	T-51A	Start 1126, finish 1575	6	N. A.	5,765	2,480
3½	T-51B		6	N. A.	5,805	2,505
3½	T-51C		6	N. A.	5,915	2,530
3½	T-51D		6	N. A.	5,980	2,555
3½	T-51HA		6	N. A.	6,585	2,800
3½	T-51HB		6	N. A.	6,625	2,825
3½	T-51HC		6	N. A.	6,735	2,850
3½	T-51HD		6	N. A.	6,780	2,875
3½	T-51WA		6	N. A.	6,655	2,700
3½	T-51WB		6	N. A.	6,695	2,725
3½	T-51WC		6	N. A.	6,805	2,750
3½	T-51WD		6	N. A.	6,850	2,775
4	T-61A	Start 676, finish 918	6	N. A.	7,055	3,710
4	T-61B		6	N. A.	7,120	3,735
4	T-61C		6	N. A.	7,206	3,760
4	T-61D		6	N. A.	7,250	3,785
4½	T-83A	Start 313, finish 367	6	N. A.	7,440	4,205
4½	T-83B		6	N. A.	7,480	4,230
4½	T-83C		6	N. A.	7,565	4,255
4½	T-83D		6	N. A.	7,610	4,280
5	T-84A	Start 1166, finish 1169	6	N. A.	8,925	4,745
5	T-84B		6	N. A.	9,125	4,770
5	T-84C		6	N. A.	9,275	4,795
5	T-85A	N. A.	6	N. A.	10,400	5,600
5	T-85B		6	N. A.	10,600	5,625
5	T-85C		6	N. A.	10,750	5,650
5	T-85HA		6	N. A.	10,710	6,195
5	T-85HB		6	N. A.	10,880	6,220
5	T-85HC		6	N. A.	11,035	6,245
6½	T-95A		6	N. A.	13,200	7,695
6½	T-95B		6	N. A.	13,400	7,720
6½	T-95C		6	N. A.	13,600	7,745
7½	T-110A		6	N. A.	12,450	8,110
7½	T-110B		6	N. A.	12,630	8,145
7½	T-110C		6	N. A.	12,800	8,180
10	T-130A		6	N. A.	14,195	9,490
10	T-130B		6	N. A.	14,375	9,525
10	T-130C		6	N. A.	14,575	9,560
1½	T-23A	Start 3926, finish 5969	6	N. A.	2,350	795
1½	T-23B		6	N. A.	3,405	820
2	T-33A	Start 1251, finish 2507	6	N. A.	4,270	1,495
2	T-33B		6	N. A.	4,290	1,505
2	T-33C		6	N. A.	4,340	1,515
2	T-33D		6	N. A.	4,365	1,525

Cab-over engine

3½	T-73A	Start 001, finish 032	6	N. A.	5,705	2,995
3½	T-73B		6	N. A.	5,745	3,005
3½	T-73C		6	N. A.	5,775	3,015
3½	T-73D		6	N. A.	5,825	3,025
3½	T-51A	Start 1126, finish 1575	6	N. A.	6,635	2,925
3½	T-51B		6	N. A.	6,675	2,940
3½	T-51C		6	N. A.	6,715	2,955
3½	T-51D		6	N. A.	6,755	2,970
3½	T-51HA		6	N. A.	7,420	3,295
3½	T-51HB		6	N. A.	7,465	3,310
3½	T-51HC		6	N. A.	7,505	3,325
3½	T-51HD		6	N. A.	7,545	3,340
3½	T-51WA		6	N. A.	7,490	3,095
3½	T-51WB		6	N. A.	7,535	3,110
3½	T-51WC		6	N. A.	7,575	3,125
3½	T-51WD		6	N. A.	7,615	3,140
4	T-61A	Start 676, finish 918	6	N. A.	8,065	4,395
4	T-61B		6	N. A.	8,110	4,410
4	T-61C		6	N. A.	8,150	4,425
4	T-61D		6	N. A.	8,190	4,440
4½	T-83A	Start 313, finish 367	6	N. A.	8,415	5,185
4½	T-83B		6	N. A.	8,450	5,200
4½	T-83C		6	N. A.	8,515	5,215
4½	T-83D		6	N. A.	8,565	5,230
5	T-84A	Start 1166, finish 1169	6	N. A.	8,565	5,760
5	T-84B		6	N. A.	8,600	5,775
5	T-84C		6	N. A.	8,665	5,790
5	T-84D		6	N. A.	8,715	5,805
1½	T-16A	Start 001, finish 4001	6	N. A.	3,140	595
1½	T-16B		6	N. A.	3,195	625
1½	T-18A	Start 8551, finish 12800	6	N. A.	3,190	675
1½	T-18B		6	N. A.	3,330	700
2½	T-73HA	Start 001, finish 032	6	N. A.	6,070	3,160
2½	T-73HB		6	N. A.	6,100	3,170
2½	T-73HC		6	N. A.	6,150	3,180
2½	T-73HD					

(M) GENERAL MOTORS—Continued

(2) 1934—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½	T-74A	Start 001, finish 040	6	N. A.	6,630	$3,695
2½	T-74B		6	N. A.	6,670	3,705
2½	T-74C		6	N. A.	6,700	3,715
2½	T-74D		6	N. A.	6,750	3,725
3½	T-74HA		6	N. A.	7,530	4,150
3½	T-74HB		6	N. A.	7,570	4,160
3½	T-74HC		6	N. A.	7,600	4,170
3½	T-74HD		6	N. A.	7,650	4,180
4	T-75A	Start 001, finish 045	6	N. A.	8,430	5,490
4	T-75C		6	N. A.	8,530	5,505
4	T-75D		6	N. A.	8,600	5,520
4	T-75E		6	N. A.	8,675	5,535
4	T-75T	Start 001, finish 045	6	N. A.	7,825	5,340
4½	T-75HA		6	N. A.	8,430	5,790
4½	T-75HB		6	N. A.	8,530	5,805
4½	T-75HC		6	N. A.	8,600	5,820
4½	T-75HD		6	N. A.	8,675	5,835
5	T-78A	Start 001, finish 049	6	N. A.	9,370	6,160
5	T-78B		6	N. A.	9,470	6,175
5	T-78C		6	N. A.	9,530	6,190
5	T-78D		6	N. A.	9,590	6,205
5	T-78T		6	N. A.	8,775	5,950
2	T-23A	Start 3926, finish 5969	6	N. A.	3,930	925
2	T-23B		6	N. A.	4,080	950
2	T-23C		6	N. A.	4,050	970
3½	T-46A	Start 001, finish 205	6	N. A.	5,425	2,285
3½	T-46B		6	N. A.	5,482	2,295
3½	T-46C		6	N. A.	5,565	2,305
3½	T-46D		6	N. A.	5,600	2,315

(3) 1935

1½	T-16A	Start 4001, finish 9050	6	N. A.	3,140	$570
1½	T-16B		6	N. A.	3,195	595
1½	T-18A	Start 12801, finish 17600	6	N. A.	3,190	675
1½	T-18B		6	N. A.	3,330	700
1½	T-23A	Start 5970, finish 7251	6	N. A.	3,310	795
1½	T-23B		6	N. A.	3,365	840
1½	T-23C		6	N. A.	3,405	915
1½	T-23A		6	N. A.	3,330	795
1½	T-23B		6	N. A.	3,395	820
2	T-23A		6	N. A.	3,900	925
2	T-23B		6	N. A.	4,080	950
2	T-23C		6	N. A.	4,050	970
2	T-33A	Start 2508, finish 3105	6	N. A.	4,270	1,495
2	T-33B		6	N. A.	4,280	1,505
2	T-33C		6	N. A.	4,340	1,515
2	T-33D		6	N. A.	4,365	1,525
2	T-33LA		6	N. A.	4,120	1,160
2	T-33LB		6	N. A.	4,140	1,170
2	T-33LC		6	N. A.	4,190	1,180
2	T-33LD		6	N. A.	4,220	1,190
2½	T-43A	Start 1501, finish 1825	6	N. A.	4,735	1,745
2½	T-43B		6	N. A.	4,755	1,755
2½	T-43C		6	N. A.	4,805	1,765
2½	T-43D		6	N. A.	4,830	1,775
2½	T-43TA		6	N. A.	5,035	1,995
2½	T-43TB		6	N. A.	5,055	2,005
2½	T-43TC		6	N. A.	5,105	2,015
3½	T-46A	Start 206, finish 905	6	N. A.	5,425	2,285
3½	T-46B		6	N. A.	5,485	2,295
3½	T-46C		6	N. A.	5,565	2,305
3½	T-46D		6	N. A.	5,600	2,315
3½	T-51A	N. A.	6	N. A.	5,765	2,480
3½	T-51B		6	N. A.	5,805	2,505
3½	T-51C		6	N. A.	5,915	2,530
3½	T-51D		6	N. A.	5,980	2,555
3½	T-51A		6	N. A.	6,635	2,925
3½	T-51B		6	N. A.	6,675	2,940
3½	T-51C		6	N. A.	6,715	2,955
3½	T-51D		6	N. A.	6,755	2,970
3½	T-51HA		6	N. A.	7,420	3,295
3½	T-51HB		6	N. A.	7,465	3,310
3½	T-51HC		6	N. A.	7,505	3,325
3½	T-51HD		6	N. A.	7,545	3,340
3½	T-51WA		6	N. A.	7,490	3,095
3½	T-51WB		6	N. A.	7,535	3,110
3½	T-51WC		6	N. A.	7,575	3,125
3½	T-51WD		6	N. A.	7,615	3,140
4	T-61A		6	N. A.	8,065	4,395
4	T-61B		6	N. A.	8,110	4,410
4	T-61C		6	N. A.	8,150	4,425
4	T-61D		6	N. A.	8,190	4,440
4½	T-83A		6	N. A.	8,415	5,185
4½	T-83B		6	N. A.	8,450	5,200
4½	T-83C		6	N. A.	8,515	5,215
4½	T-83D		6	N. A.	8,565	5,230
5	T-84A	Start 1001 finish 1156	6	N. A.	8,565	5,760
5	T-84B		6	N. A.	8,600	5,775
5	T-84C		6	N. A.	8,665	5,790
5	T-84D		6	N. A.	8,715	5,805

(M) GENERAL MOTORS—Continued

(3) 1935—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab-over-engine				*Inches*		
2	T-73A	Start 033 finish 068	6	N. A.	5,705	$2,995
2	T-73B		6	N. A.	5,745	3,005
2	T-73C		6	N. A.	5,775	3,015
2	T-73D		6	N. A.	5,825	3,025
2	T-73HA		6	N. A.	6,030	3,150
2½	T-73HB		6	N. A.	6,070	3,160
2½	T-73HC		6	N. A.	6,100	3,170
2½	T-73HD		6	N. A.	6,150	3,180
2½	T-74A	Start 041 finish 074	6	N. A.	6,630	3,695
2½	T-74B		6	N. A.	6,670	3,705
2½	T-74C		6	N. A.	6,700	3,715
2½	T-74D		6	N. A.	6,750	3,725
3½	T-74HA		6	N. A.	7,530	4,150
3½	T-74HB		6	N. A.	7,570	4,160
3½	T-74HC		6	N. A.	7,600	4,170
3½	T-74HD		6	N. A.	7,650	4,180
3½	T-75A	Start 046 finish 083	6	N. A.	8,430	5,400
4	T-75B		6	N. A.	8,530	5,505
4	T-75C		6	N. A.	8,600	5,520
4	T-75D		6	N. A.	8,675	5,535
4	T-75T		6	N. A.	7,825	5,340
4½	T-75HA		6	N. A.	8,430	5,700
4½	T-75HB		6	N. A.	8,530	5,805
4½	T-75HC		6	N. A.	8,600	5,820
4½	T-75HD		6	N. A.	8,675	5,835
4½	T-78A	Start 050 finish 082	6	N. A.	9,370	6,160
5	T-78B		6	N. A.	9,470	6,275
5	T-78C		6	N. A.	9,530	6,190
5	T-78D		6	N. A.	9,590	6,205
5	T-78T		6	N. A.	8,775	5,950
1½	T-18A	Start 4001 finish 9050	6	N. A.	3,240	620
1½	T-16B		6	N. A.	3,285	645
1½	T-18A	Start 12801 finish 17600	6	N. A.	3,690	777
1½	T-18B		6	N. A.	3,790	812
2	T-23A	Start 5970 finish 7251	6	N. A.	3,895	1,115
2	T-23B		6	N. A.	4,045	1,150
2	T-23C		6	N. A.	4,085	1,160
2	T-33A	Start 2508 finish 3105	6	N. A.	4,280	1,655
2	T-33B		6	N. A.	4,300	1,665
2	T-33C		6	N. A.	4,350	1,675
2	T-33D		6	N. A.	4,375	1,685
2½	T-43A	Start 1501 finish 1825	6	N. A.	4,530	1,795
2½	T-43B		6	N. A.	4,540	1,805
2½	T-43C		6	N. A.	4,600	1,815
2½	T-43D		6	N. A.	4,625	1,825
3½	T-46HA	Start 306 finish 905	6	N. A.	6,285	2,625
3½	T-46HB		6	N. A.	6,335	2,635
3½	T-46HC		6	N. A.	6,415	2,645
3½	T-46HD		6	N. A.	6,455	2,655

(4) 1936

Single rear wheels						
1-1½	T-16	Start 9051 finish 18801	6	131	3,240	$595
1-1½	T-16		6	157	3,285	630
1-1½	T-18	Start 17601 finish 22311	6	140¾	3,690	777
1-1½	T-18		6	164¾	3,790	812
Dual rear wheels						
2	T-23	Start 7252 finish 8502	6	142	3,895	1,115
2	T-23		6	166	4,045	1,150
2	T-23		6	184	4,085	1,160
2	T-33	Start 3106 finish 3811	6	142	4,280	1,655
2	T-33		6	154	4,300	1,665
2	T-33		6	166	4,350	1,675
2	T-33		6	184	4,375	1,685
2	T-43	N. A.	6	142	4,530	1,795
2½	T-43		6	154	4,540	1,805
2½	T-43		6	166	4,600	1,815
2½	T-43		6	184	4,625	1,825
3½	T-46	Start 906 finish 1687	6	145	5,435	2,285
3½	T-46		6	157	5,485	2,295
3½	T-46		6	169	5,565	2,305
3½	T-46		6	187	5,600	2,315
3½	T-46H		6	145	6,285	2,625
3½	T-46H		6	157	6,335	2,635
3½	T-46H		6	169	6,415	2,645
3½	T-46H		6	187	6,455	2,655
3½	T-51	N. A.	6	145	6,635	2,925
3½	T-51		6	157	6,675	2,940
3½	T-51		6	175	6,715	2,955
3½	T-51		6	193	6,755	2,970
3½	T-51H		6	145	7,420	3,295
3½	T-51H		6	157	7,465	3,310
3½	T-51H		6	175	7,505	3,325
3½	T-51H		6	193	7,545	3,340
3½	T-51W		6	145	7,490	3,095
3½	T-51W		6	157	7,535	3,110
3½	T-51W		6	175	7,575	3,125
3½	T-51W		6	193	7,615	3,140
4	T-61	Start 919, finish 1059	6	145	8,065	4,395
4	T-61		6	157	8,110	4,410
4	T-61		6	175	8,150	4,425
4	T-61		6	193	8,190	4,440

(M) GENERAL MOTORS—Continued

(4) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab-over-engine				*Inches*		
2	T-73	N. A.	6	94	5,705	$2,785
2	T-73		6	106	5,745	2,795
2	T-73		6	124	5,776	2,805
2	T-73		6	142	5,825	2,815
2½	T-73H		6	94	6,030	2,940
2½	T-73H		6	106	6,070	2,950
2½	T-73H		6	124	6,100	2,960
2½	T-73H		6	142	6,150	2,970
2½	T-74		6	94	6,630	3,695
2½	T-74		6	106	6,670	3,705
2½	T-74		6	124	6,700	3,715
2½	T-74		6	142	6,750	3,725
3½	T-74H		6	94	7,530	4,150
3½	T-74H		6	106	7,570	4,160
3½	T-74H		6	124	7,600	4,170
3½	T-74H		6	142	7,650	4,180
4	T-75		6	94	8,330	5,880
4	T-75		6	106	8,430	5,895
4	T-75		6	124	8,530	5,910
4	T-75		6	142	8,600	5,925
4	T-75		6	160	8,675	5,940
4½	T-75H		6	106	8,430	5,790
4½	T-75H		6	124	8,530	5,805
4½	T-75H		6	142	8,600	5,820
4½	T-75H		6	160	8,675	5,835
5	T-78		6	94	9,270	6,480
5	T-78		6	106	9,370	6,495
5	T-78		6	124	9,470	6,510
5	T-78		6	142	9,530	6,525
5	T-78		6	160	9,590	6,540
Single rear wheels						
½	T-14	Start 001, finish 11281	6	120	2,210	425
¾	T-16L	Start 9051, finish 18801	6	131	3,360	525
¾	T-16L		6	157	3,440	550
¾	T-16M		6	131	3,360	525
1-1½	T-16		6	131	3,360	525
1-1½	T-16		6	157	3,440	550
1-1½	T-16H		6	130½	3,805	645
1-1½	T-16H		6	163½	3,855	670
1-1½	T-16H		6	181½	3,955	685
Dual rear wheels optional at extra cost						
1-1½	T-18	Start 17601, finish 22311	6	136	4,180	815
1-1½	T-18		6	160	4,200	845
1-1½	T-18		6	178	4,240	860
Dual rear wheels						
1-1½	T-16	Start 9051, finish 18801	6	131	3,490	545
1-1½	T-16		6	157	3,570	570
1-1½	T-16H		6	130½	3,935	695
1-1½	T-16H		6	163½	3,985	690
1-1½	T-16H		6	181½	4,085	705
1-1½	T-18H	Start 17601, finish 22311	6	136	4,595	895
1-1½	T-18H		6	160	4,615	895
1-1½	T-18H		6	178	4,655	925
2	T-23	Start 7252, finish 8502	6	136	4,670	940
2	T-23		6	160	4,690	1,285
2	T-23		6	178	4,720	1,315
2	T-23		6	196	4,800	1,330
2	T-23H		6	136	4,935	1,355
2	T-23H		6	160	4,955	1,515
2	T-23H		6	178	4,985	1,545
2	T-23H		6	196	5,065	1,590
2½	T-33	Start 3106 finish 3811	6	136	5,510	1,585
2½	T-33		6	160	5,600	1,785
2½	T-33		6	178	5,670	1,815
2½	T-33		6	196	5,790	1,830
2½	T-33H		6	136	6,630	1,855
2½	T-33H		6	160	6,720	2,135
2½	T-33H		6	178	6,790	2,165
2½	T-33H		6	196	6,865	2,180
3½	T-46	Start 906 finish 1687	6	136	7,330	2,205
3½	T-46		6	160	7,440	2,485
3½	T-46		6	178	7,580	2,515
3½	T-46		6	196	7,740	2,530
4	T-61	Start 919 finish 1059	6	136	8,705	2,555
4	T-61		6	160	8,750	4,835
4	T-61		6	178	8,790	4,865
4	T-61		6	196	8,890	4,880
5	T-61H		6	136	9,640	4,905
5	T-61H		6	160	9,675	5,175
5	T-61H		6	178	9,740	5,230
5	T-61H		6	196	9,790	5,245

(M) GENERAL MOTORS—Continued

(M) GENERAL MOTORS—Continued

(5) 1937

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½	T-14	Start 11252 finish 34527	6	126	2,210	$425
¾	T-6L	Start 18802, finish 36415	6	131	3,360	525
¾			6	157	3,440	550
¾	T-16		6	131	3,360	525
1½			6	157	3,440	550
1½	T-16		6	131	3,490	545
1½			6	157	3,570	570
1½	T-16H		6	139½	3,505	645
1½			6	163½	3,855	670
1½			6	181½	3,955	685
1½			6	139½	3,955	665
1½			6	163½	3,985	690
1½			6	181½	4,065	705
1½	T-18	Start 22312, finish 27076	6	136	4,180	815
1½			6	170	4,200	845
1½			6	178	4,240	860
1½	T-18H		6	136	4,595	895
1½			6	160	4,615	925
1½			6	178	4,655	940
2	T-23	Start 8503, finish 9778	6	136	4,670	1,285
2			6	160	4,690	1,315
2			6	178	4,720	1,330
2	T-23H		6	196	4,800	1,355
2			6	136	4,935	1,515
2			6	160	4,955	1,545
2			6	178	4,985	1,560
2			6	196	5,065	1,585
2	T-33	Start 3812, finish 4512	6	136	5,510	1,785
2½			6	160	5,600	1,815
2½			6	178	5,670	1,830
2½	T-33H		6	196	5,730	1,855
2½			6	136	6,630	2,135
2½			6	160	6,720	2,165
2½			6	178	6,790	2,180
2½			6	196	6,865	2,205
2½	T-46	Start 1688, finish 2296	6	136	7,330	2,485
3½			6	160	7,440	2,515
3½			6	178	7,580	2,530
3½			6	196	7,745	2,555
3½	T-61	Start 1060, finish 1192	6	136	8,705	4,835
4			6	160	8,750	4,865
4			6	178	8,790	4,880
4			6	196	8,830	4,905
4	T-61H		6	136	9,640	5,175
5			6	160	9,675	5,205
5			6	178	9,740	5,220
5			6	196	9,790	5,245
½	T-14	Start 11252, finish 34527	6	112	2,195	410
½			6	126	2,260	440
¾	T-16L	Start 18802, finish 36415	6	131½	3,155	535
¾			6	157	3,235	570
1½			6	131½	3,155	535
1½	T-16		6	157	3,235	570
1½			6	131½	3,280	555
1½			6	157	3,360	590
1½	T-16H		6	130	3,345	700
1½			6	155½	3,425	725
1½			6	174¼	3,495	740
1½			6	130	3,470	720
1½			6	155½	3,550	745
1½			6	174¼	3,620	760
1½	T-18	Start 22312, finish 27076	6	136	4,375	895
1½			6	160	4,415	925
1½			6	178	4,475	940
1½	T-18H		6	136	4,655	1,045
1½			6	160	4,695	1,075
1½			6	178	4,755	1,090
1½	T-23	Start 8503, finish 9778	6	136	4,895	1,345
2			6	160	4,995	1,375
2			6	178	5,165	1,390
2	T-23H		6	196	5,365	1,415
2			6	136	5,420	1,635
2			6	160	5,520	1,665
2			6	178	5,590	1,680
2			6	196	5,740	1,705
2	T-33	Start 3812, finish 4512	6	136	5,875	1,915
2½			6	160	5,935	1,945
2½			6	178	6,035	1,960
2½	T-33H		6	196	6,215	1,985
2½			6	136	6,400	2,315
2½			6	160	6,480	2,345
2½			6	178	6,580	2,360
2½			6	196	6,715	2,385
3½	T-46	Start 1688, finish 2296	6	136	7,255	2,625
3½			6	160	7,345	2,655
3½			6	178	7,425	2,670
3½			6	196	7,515	2,695
4	T-61	Start 1060, finish 1192	6	136	8,555	4,125
4			6	160	8,720	4,155
4			6	178	8,945	4,170
4			6	198	9,085	4,195
4	T-61H		6	136	9,530	4,205
5			6	160	9,420	4,525
5			6	178	9,640	4,540
5			6	196	9,780	4,565

(M) GENERAL MOTORS—Continued

(5) 1937—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab-over-engine				*Inches*		
¾	F-16L	Start 002, finish 1847	6	108	3,230	$545
¾			6	130	3,310	680
¾			6	155½	3,380	695
1½	F-16		6	108	3,230	645
1½			6	130	3,310	680
1½			6	155½	3,380	695
1½			6	108	3,355	665
1½			6	130	3,435	700
1½			6	155½	3,505	715
1½	F-16H		6	108	3,415	780
1½			6	130	3,495	805
1½			6	155½	3,565	820
1½			6	174¼	3,645	847
1½	T-16H	Start 18802, finish 36415	6	108	3,540	800
1½			6	130	3,620	825
1½			6	155½	3,690	840
1½			6	174¼	3,770	862
1½	F-18	Start 001, finish 813	6	108	4,445	1,025
1½			6	136	4,525	1,055
1½			6	160	4,595	1,070
1½			6	178	4,625	1,095
1½	F-18H		6	108	4,725	1,175
1½			6	136	4,805	1,205
1½			6	160	4,845	1,220
1½			6	178	4,905	1,245
2	F-21	Start 8503, finish 9778	6	108	4,915	1,515
2			6	136	5,015	1,535
2			6	160	5,085	1,550
2			6	178	5,280	1,575
2	F-21H		6	196	5,400	1,600
2			6	108	5,610	1,795
2			6	136	5,760	1,825
2			6	160	5,900	1,840
2			6	178	6,040	1,865
2			6	196	6,160	1,890
2½	F-33	Start 002, finish 210	6	108	5,925	2,095
2½			6	136	6,025	2,125
2½			6	160	6,140	2,140
2½			6	178	6,285	2,165
2½	F-33H		6	196	6,405	2,190
2½			6	108	6,450	2,495
2½			6	136	6,550	2,525
2½			6	160	6,675	2,540
2½			6	178	6,890	2,565
2½			6	196	6,975	2,590
3½	F-46	Start 002, finish 158	6	108	7,655	2,805
3½			6	136	7,735	2,835
3½			6	160	7,815	2,850
3½			6	178	7,905	2,875
3½			6	196	7,995	2,900
4	F-61	Start 001, finish 097	6	108	8,855	4,305
4			6	136	9,025	4,335
4			6	160	9,245	4,350
4			6	178	9,385	4,375
4			6	196	9,460	4,400
5	F-61H		6	108	9,360	4,575
5			6	136	9,530	4,605
5			6	160	9,750	4,620
5			6	178	9,890	4,645
5			6	196	10,055	4,670

(6) 1938

½	T-14	Start 34528, finish 41217	6	112	2,195	$410
½			6	126	2,260	440
½			6	112	2,360	445
½			6	126	2,375	475
¾	T-16S	Start 001, finish 1319	6	126	2,470	515
¾	T-16	Start 5001, finish 6066	6	131½	2,655	545
¾	T-16S	Start 001, finish 1601	6	131½	2,795	595
1½	T-16(S)	Start 36419, finish 40203	6	131½	3,155	580
1½			6	157	3,235	615
1½	T-16(D)		6	131½	3,280	605
1½			6	157	3,360	635
1½	T-16H(S)		6	130	3,345	805
1½			6	155½	3,425	835
1½			6	174¼	3,495	850
1½	T-16H(D)	Start 27076, finish 29885	6	130	3,470	825
1½			6	155½	3,550	855
1½			6	174¼	3,620	870
1½	T-18		6	136	4,375	965
1½			6	160	4,415	995
1½			6	178	4,475	1,010
1½	T-18H		6	136	4,655	1,140
1½			6	160	4,695	1,170
1½			6	178	4,755	1,185
2	T-23	Start 9779, finish 10788	6	136	4,895	1,440
2			6	160	4,995	1,470
2			6	178	5,165	1,485
2			6	196	5,365	1,510
2	T-23H		6	136	5,420	1,735
2			6	160	5,520	1,765
2			6	178	5,590	1,780
2			6	196	5,740	1,805

(M) GENERAL MOTORS—Continued

(6) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½	T-33	Start 4513, finish 4968	6	136	5,875	$2,010
2½			6	160	5,935	2,040
2½			6	178	6,035	2,055
2½			6	196	6,215	2,080
2½	T-33H		6	136	6,400	2,475
2½			6	160	6,490	2,505
2½			6	178	6,580	2,520
2½			6	196	6,715	2,545
3½	T-46	Start 2297, finish 2542	6	136	7,255	3,235
3½			6	160	7,345	3,265
3½			6	178	7,425	3,280
3½			6	196	7,515	3,305
3½	T-61	Start 1193, finish 1376	6	136	8,555	4,695
4			6	160	8,720	4,725
4			6	178	8,945	4,740
4			6	196	9,085	4,755
4	T-61H		6	136	9,250	5,065
5			6	160	9,420	5,095
5			6	178	9,640	5,110
5			6	196	9,780	5,135
Cab-over-engine						
1½	F-16 (S)	Start 1848, finish 2393	6	108	3,230	755
1½			6	130	3,310	785
1½			6	155½	3,380	800
1½	F-16 (D)		6	108	3,355	775
1½			6	130	3,435	805
1½			6	155½	3,505	820
1½	T-16H (S)		6	108	3,415	920
1½			6	130	3,495	950
1½			6	155½	3,565	965
1½			6	174½	3,645	990
1½	F16H (D)		6	108	3,540	940
1½			6	130	3,620	970
1½			6	155½	3,690	985
1½			6	174½	3,770	1,010
1½	F-18	Start 814, finish 1065	6	108	4,445	1,110
1½			6	136	4,525	1,140
1½			6	160	4,565	1,155
1½			6	178	4,625	1,180
1½	F-18H		6	108	4,725	1,285
1½			6	136	4,805	1,315
1½			6	160	4,845	1,330
1½			6	178	4,905	1,355
1½	F-23	Start 300, finish 382	6	108	4,915	1,615
2			6	136	5,015	1,645
2			6	160	5,085	1,660
2			6	178	5,280	1,685
2	F-23H		6	196	5,400	1,710
2			6	108	5,610	1,910
2			6	136	5,760	1,940
2			6	160	5,900	1,955
2			6	178	6,040	1,980
2			6	196	6,160	2,005
2	F-33	Start 002, finish 265	6	108	5,925	2,205
2½			6	136	6,025	2,235
2½			6	160	6,140	2,250
2½			6	178	6,285	2,275
2½			6	196	6,405	2,300
2½	F-33H		6	108	6,450	2,670
2½			6	136	6,550	2,700
2½			6	160	6,675	2,715
2½			6	178	6,890	2,740
2½			6	196	6,975	2,765
3½	F-46	Start 159, finish 256	6	108	7,555	3,460
3½			6	136	7,735	3,490
3½			6	160	7,815	3,505
3½			6	178	7,905	3,530
3½			6	196	7,995	3,555
4	F-61	Start 098, finish 153	6	108	8,855	4,920
4			6	136	9,025	4,950
4			6	160	9,245	4,965
4			6	178	9,385	4,990
4			6	196	9,460	5,015
5	F-61H		6	108	9,360	5,175
5			6	136	9,530	5,205
5			6	160	9,750	5,220
5			6	178	9,890	5,245
5			6	196	10,055	5,270

(7) 1939

½	AC-100	Start 001, finish 11213	6	113½	2,230	$460
½			6	123¾	2,290	490
¾	AC-150	Start 001, finish 2392	6	123¾	2,470	535
1	AC-250	Start 001, finish 2830	6	133	2,660	555
1 parcel dely	AF-230	N. A.	6	112	4,440	1,385
1	ACL-300		6	133	3,050	575
1			6	157½	3,100	605
1½	AC-300	Start 001, finish 12945	6	133	3,050	575
1½			6	157½	3,100	605
1½	AC-350	Start 001, finish 1788	6	133¾	3,300	795
1½			6	157¾	3,350	825
1½			6	175¾	3,410	840
1½			6	193¾	3,580	890

(M) GENERAL MOTORS—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Dual wheels				*Inches*		
1½	AC-400	Start 001, finish 12945	6	133	3,180	$595
1½			6	157½	3,230	625
1½	AC-450	Start 001, finish 1788	6	133¾	3,430	815
1½			6	157¾	3,490	845
1½			6	175¾	3,550	860
1½			6	193¾	3,610	910
1½	AC-400	Start 001, finish 2461	6	133¾	3,610	950
1½			6	157¾	3,670	980
1½			6	175¾	3,720	995
1½			6	193¾	3,780	1,020
1½	AC-450	Start 001, finish 1363	6	133¾	4,050	1,125
1½			6	157¾	4,120	1,155
1½			6	175¾	4,160	1,170
1½			6	193¾	4,220	1,195
2	AC-400	Start 001, finish 701	6	136	5,040	1,465
2			6	160	5,100	1,495
2			6	178	5,150	1,510
2			6	196	5,220	1,535
2	AC-450	Start 001, finish 283	6	136	5,380	1,795
2			6	160	5,440	1,825
2			6	178	5,490	1,840
2			6	196	5,560	1,865
2½	AC-600	Start 001, finish 509	6	136	5,930	2,010
2½			6	160	5,990	2,040
2½			6	178	6,040	2,055
2½			6	196	6,110	2,080
2½	AC-650	Start 001, finish 698	6	136	6,680	2,455
2½			6	160	6,730	2,485
2½			6	178	6,770	2,500
2½			6	196	6,850	2,525
3½	AC-700	Start 001, finish 272	6	136	7,010	3,235
3½			6	160	7,090	3,265
3½			6	178	7,150	3,280
3½			6	196	7,240	3,305
4	AC-900	Start 001, finish 057	6	136	8,160	4,695
4			6	160	8,290	4,725
4			6	178	8,390	4,740
4			6	196	8,470	4,765
5	AC-850	Start 001, finish 083	6	136	8,450	5,215
5			6	160	8,580	5,245
5			6	178	8,680	5,260
5			6	196	8,760	5,285
Cab-over-engine—single wheelers						
1½	AF-300	Start 001, finish 220	6	108	3,390	745
1½			6	131½	3,450	775
1½			6	157	3,510	790
1½	AF-350	Start 001, finish 182	6	108	3,540	910
1½			6	133¾	3,600	940
1½			6	157¾	3,660	955
1½			6	175¾	3,740	980
1½			6	193¾	3,800	1,030
Cab-over-engine—dual wheelers						
1½	AF-300	Start 001, finish 220	6	108	3,510	765
1½			6	131½	3,570	795
1½			6	157	3,630	810
1½	AF-350	Start 001, finish 182	6	108	3,660	930
1½			6	133¾	3,720	960
1½			6	157¾	3,780	975
1½			6	175¾	3,860	1,000
1½			6	193¾	3,920	1,050
1½	AF-400	Start 001, finish 201	6	108	3,840	1,035
1½			6	133¾	3,880	1,125
1½			6	157¾	3,940	1,140
1½			6	175¾	3,980	1,165
1½			6	193¾	4,040	1,190
1½	AF-450	Start 001, finish 145	6	108	4,270	1,270
1½			6	133¾	4,340	1,300
1½			6	157¾	4,370	1,315
1½			6	175¾	4,480	1,340
1½			6	193¾	4,550	1,365
2	AF-500	Start 001, finish 110	6	108	5,270	6,140
2			6	136	5,310	1,670
2			6	160	5,370	1,885
2			6	178	5,420	1,710
2			6	196	5,490	1,735
2	AF-550	Start 001, finish 033	6	108	5,610	1,970
2			6	136	5,650	2,000
2			6	160	5,710	2,015
2			6	178	5,760	2,040
2			6	196	5,830	2,065
2½	AF-600	Start 001, finish 061	6	108	5,880	2,205
2½			6	136	5,920	2,235
2½			6	160	5,980	2,250
2½			6	178	6,030	2,275
2½			6	196	6,100	2,300
2½	AF-650	Start 001, finish 014	6	108	6,620	2,650
2½			6	136	6,650	2,680
2½			6	160	6,720	2,695
2½			6	178	6,760	2,720
2½			6	196	6,850	2,745
3½	AF-700	Start 001, finish 183	6	108	7,070	3,460
3½			6	136	7,120	3,490
3½			6	160	7,210	3,505
3½			6	178	7,260	3,530
3½			6	196	7,340	3,555

(M) GENERAL MOTORS—Continued

(7) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
4	AF-800	Start 001, finish 025	6	108	8,250	$4,920
4			6	136	8,330	4,950
4			6	160	8,450	4,965
4			6	178	8,550	4,990
4			6	196	8,630	5,015
4	AF-850	Start 001, finish 094	6	108	8,410	5,325
5			6	136	8,490	5,355
5			6	160	8,600	5,370
5			6	178	8,700	5,395
5			6	196	8,810	5,420
5						
Two cycle Diesel equipped—dual wheelers						
2	ADC-500	Start 001, finish 040	3	136	5,870	3,300
2			3	160	5,920	3,330
2			3	178	5,980	3,345
2			3	196	6,050	3,370
2	ADC-600	Start 001, finish 049	3	136	6,530	3,895
2½			3	160	6,580	3,925
2½			3	178	6,940	3,940
2½			3	196	7,000	3,965
2½	ADC-700	Start 001, finish 051	4	136	7,980	5,385
3½			4	160	8,070	5,415
3½			4	178	8,190	5,430
3½			4	196	8,290	5,455
3½	ADC-800	Start 001, finish 030	4	136	8,970	6,550
4			4	160	9,100	6,580
4			4	178	9,200	6,595
4			4	196	9,280	6,620
4	ADC-850	Start 001, finish 016	4	136	9,260	7,000
5			4	160	9,390	7,030
5			4	178	9,490	7,045
5			4	196	9,570	7,070
5						
Two cycle Diesel equipped—Cab-over-engine dual wheelers						
2	ADF-500	Start 001, finish 007	3	108	6,100	3,475
2			3	136	6,140	3,505
2			3	160	6,190	3,520
2			3	178	6,250	3,545
2			3	196	6,320	3,570
2	ADF-600	Start 001, finish 009	3	108	6,780	4,090
2½			3	136	6,820	4,120
2½			3	160	6,880	4,135
2½			3	178	6,930	4,160
2½			3	196	7,000	4,185
3½	ADF-700	Start 001, finish 012	4	108	8,050	5,610
3½			4	136	8,100	5,640
3½			4	160	8,190	5,655
3½			4	178	8,240	5,680
3½			4	196	8,320	5,705
4	ADF-800	Start 001, finish 006	4	108	9,100	6,775
4			4	136	9,180	6,805
4			4	160	9,300	6,820
4			4	178	9,400	6,845
4			4	196	9,480	6,870
4	ADF-850	Start 009, finish 070	4	108	9,250	7,110
5			4	136	9,310	7,140
5			4	160	9,420	7,155
5			4	178	9,520	7,180
5			4	196	9,630	7,205
5						
Cab-over-engine—Single wheelers						
1½	AF-310	Start 637, finish 2452	6	107⅜	3,375	690
1½			6	131⅜	3,425	720
1½			6	155⅜	3,485	735
1½						
Cab-over-engine—Dual wheels						
1½	AF-310		6	107⅜	3,480	710
1½			6	131⅜	3,550	740
1½			6	155⅜	3,610	755
Single wheelers						
1½	AC-304	N. A.	6	177¼	3,260	655
Dual wheelers						
1½	AC-304		6	177¼	3,375	675
4	AC-773		6	160	8,150	4,125
5	ACX-874		6	166	9,435	5,800
6	ACX-894		6	166	13,175	6,915
Two cycle Diesel equipped—Dual wheeler						
4	ADC-773		4	160	9,270	6,275
5	ADCX-874		4	166	10,210	7,585
6	ADCX-894		4	166	13,985	8,700

(M) GENERAL MOTORS—Continued

(8) 1940

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Two cycle Diesel equipped—Dual wheeler—Con.				*Inches*		
	AC-100	Start 7375, finish 18890	6	113¼	2,230	$460
				123¾	2,290	475
	AC-150	Start 2393, finish 6434	6	123¾	2,470	535
	AC-250	Start 1903, finish 5683	6	133	2,660	555
	AF-240	N. A.	6	112	4,630	1,365
	AC-L-300		6	133	3,050	575
				158½	3,100	605
				177½	3,250	655
	AC-300 S	Start 10015, finish 20220	6	133	3,050	575
				158½	3,100	605
				177¼	3,250	655
	AC-300 D		6	133	3,180	595
				158½	3,230	625
				177¼	3,375	675
	AF-310 S	Start 637, finish 2452	6	107⅜	3,370	690
				131⅜	3,400	715
				155⅜	3,445	740
	AF-310 D		6	107⅜	3,505	710
				131⅜	3,535	745
				155⅜	3,580	760
			6	133¾	3,300	795
				157¼	3,350	825
				175¾	3,410	840
				193¾	3,580	890
	AC-350 D	Start 1776, finish 3212	6	133¾	3,430	815
				157¼	3,490	845
				175¾	3,550	860
				193¾	3,610	910
	AF-350 S	Start 180, finish 310	6	108	3,540	910
				133¾	3,600	940
				157¼	3,660	955
				175¾	3,740	980
	AF-350 D	Start 183, finish 310	6	193¾	3,800	17030
				108	3,660	930
				133¾	3,720	960
				157¼	3,780	975
				175¾	3,890	1,000
				193¾	3,930	1,050
	AF-360 S	Start 001, finish 130	6	107⅜	3,545	970
				133¾	3,645	1,000
				157⅜	3,705	1,015
				175⅜	3,830	1,040
				193⅜	3,950	1,090
	AF-360 D		6	107⅜	3,680	990
				133⅜	3,750	1,020
				157⅜	3,840	1,035
				175⅜	3,965	1,060
				193⅜	4,085	1,110
	AC-400	Start 2462, finish 4268		133¾	3,610	950
				157¾	3,670	980
				175¾	3,730	995
				193¾	3,780	1,020
	AF-400	Start 202, finish 332	6	108	3,840	1,095
				133¾	3,880	1,125
				157¾	3,940	1,140
				175¾	3,880	1,165
				193¾	4,040	1,190
	AF-410	Start 001, finish 121	6	107⅝	3,880	1,155
				133⅛	3,960	1,185
				157⅜	4,050	1,200
				175⅜	4,095	1,225
				193⅜	4,215	1,250
	AC-450	Start 1332, finish 2397	6	133¾	4,050	1,125
				157¾	4,120	1,155
				175¾	4,160	1,170
				193¾	4,220	1,195
	AF-450	Start 146, finish 244	6	108	4,270	1,270
				133¾	4,340	1,300
				157¾	4,370	1,315
				175¾	4,480	1,340
				193¾	4,550	1,365
	AF-460	Start 001, finish 089	6	107⅜	4,195	1,330
				133⅜	4,275	1,360
				157⅜	4,365	1,375
				175⅜	4,410	1,400
				193⅜	4,530	1,425
	AC-600	Start 662, finish 1598	6	136	5,040	1,465
				160	5,100	1,495
				178	5,150	1,510
				196	5,220	1,535
	ADF-500 [1]	Start 041, finish 077	3	136	5,870	3,300
				160	5,920	3,330
				178	5,980	3,345
				196	6,050	3,370
	AF-600	Start 109, finish 265	6	108	5,270	1,640
				136	5,310	1,670
				160	5,370	1,685
				178	5,420	1,710
				196	5,490	1,735
	ADF-500 [1]	Start 007, finish 020	3	108	6,100	3,475
				136	6,140	3,505
				160	6,190	3,520
				178	6,250	3,545
				196	6,320	3,570
	AC-630	Start 282, finish 535	6	136	5,380	1,795
				160	5,440	1,825
				178	5,490	1,840
				196	5,560	1,865

[1] Truck models with 2-cycle Diesel engines.

(M) GENERAL MOTORS—Continued

(8) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Two-cycle Diesel equipped—Dual wheeler—Con.				*Inches*		
	AF-550	Start 034, finish 073	6	108	5,610	$1,970
				136	5,650	2,000
				160	5,710	2,015
				178	5,760	2,040
				196	5,830	2,065
	AC-600	Start 495, finish 1,037	6	136	5,930	2,040
				160	5,990	2,040
				178	6,040	2,055
				196	6,110	2,088
	ADC-600 [1]	Start 050, finish 078	3	136	6,830	3,895
				160	6,890	3,925
				178	6,940	3,940
				196	7,000	3,965
	AF-600	Start 062, finish 163	6	108	5,880	2,205
				136	5,920	2,235
				160	5,980	2,270
				178	6,030	2,275
				196	6,100	2,300
	ADF-600 [1]	Start 010, finish 043	3	108	6,780	4,090
				136	6,820	4,120
				160	6,880	4,135
				178	6,930	4,160
				196	7,000	4,185
	AC-650	Start 099, finish 206	6	136	6,680	2,455
				160	6,730	2,485
				178	6,770	2,500
				196	6,850	2,525
	AF-650	Start 015, finish 041	6	108	6,620	2,650
				136	6,650	2,680
				160	6,720	2,695
				178	6,760	2,720
				196	6,850	2,745
	AC-700	Start 269, finish 588	6	136	7,010	3,235
				160	7,090	3,265
				178	7,150	3,280
				196	7,240	3,305
	ADC-700 [1]	Start 052, finish 092	4	136	7,980	5,385
				160	8,070	5,415
				178	8,130	5,430
				196	8,200	5,455
	AF-700	Start 180, finish 272	6	108	7,070	3,460
				136	7,120	3,490
				160	7,210	3,505
				178	7,260	3,530
				196	7,340	3,555
	ADF-700 [1]	Start 013, finish 024	4	108	8,050	5,610
				136	8,100	5,640
				160	8,190	5,655
				178	8,240	5,680
				196	8,320	5,705
	AC-773	Start 029, finish 041	6	160	8,150	4,125
	ADC-773 [1]	Start 001, finish 001	4	160	9,270	6,275
	AC-790	Start 055, finish 132	6	136	8,160	4,695
				160	8,290	4,725
				178	8,390	4,740
				196	8,470	4,765
	ADC-800 [1]	Start 031, finish 045	4	136	8,970	6,550
				160	9,100	6,580
				178	9,200	6,595
				196	9,280	6,620
	AF-800	Start 026, finish 062	6	108	8,250	4,920
				136	8,330	4,950
				160	8,450	4,965
				178	8,550	4,990
				196	8,630	5,015
	ADF-800 [1]	Start 007, finish 009	4	108	9,100	6,775
				136	9,180	6,805
				160	9,300	6,820
				178	9,400	6,845
				196	9,480	6,870
	AC-850	Start 084, finish 144	6	136	8,470	5,215
				160	8,580	5,245
				178	8,680	5,260
				196	8,760	5,285
	ADC-850 [1]	Start 017, finish 021	4	136	9,260	7,000
				160	9,390	7,030
				178	9,490	7,045
				196	9,570	7,070
	AF-850	Start 088, finish 174	6	108	8,410	5,325
				136	8,490	5,355
				160	8,600	5,370
				178	8,700	5,395
				196	8,810	5,420
	ADF-850 [1]	Start 009, finish 070	4	108	9,230	7,110
				136	9,310	7,140
				160	9,420	7,155
				178	9,520	7,180
				196	9,630	7,205
	ACX-874	Start 003, finish 017	6	166	9,435	5,800
	ADCX-874 [1]	Start 001, finish 011	4	166	10,240	7,585
	ACX-894	Start 004, finish 016	6	166	13,175	6,915
	ADCX-894 [1]	N. A.	4	166	13,985	8,700
Delivery trucks	ACW-100	Start 7375, finish 18890	6	113½	3,695	1,035
	AFP-240	Start 001, finish 172	6	100	4,955	1,495

(M) GENERAL MOTORS—Continued

(8) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Tractor type trucks	ACR-520	Start 001, finish 131	6	*Inches* 135	4,660	$1,660
				160	4,710	1,680
	ADCR-520 [1]	Start 001, finish 001	3	130	2,800	3,385
				160	4,960	3,415
	AFR-520	Start 001, finish 022	6	108	4,875	1,835
				136	4,980	1,865
	ADFR-520 [1]	Start 001, finish 001	3	108	6,125	3,560
				136	6,215	3,590
	ACR-720	Start 010, finish 077	6	136	6,395	3,815
				160	6,480	3,845
	ADCR-720 [1]	Start 001, finish 007	4	136	7,330	5,355
				160	7,620	5,385
	AFR-720	N. A.	6	108	6,370	4,040
				136	6,500	4,070
	ADFR-720 [1]	Start 001, finish 008	4	108	7,515	5,580
				136	7,630	5,610
	ACR-750	Start 001, finish 004	6	136	6,725	4,040
				160	6,810	4,070
	ADCR-750 [1]		4	136	7,675	5,990
				160	7,765	6,020
	AFR-750		6	108	6,700	4,815
				136	6,830	4,845
	ADFR-750 [1]	Start 001, finish 001	4	108	7,990	6,165
				136	7,715	6,195
	ADC-900 [1]	Start 002, finish 024	6	150	10,130	7,650
				174	11,285	7,680
				192	11,390	7,695
				210	11,440	7,720
Four-wheel drive	ACG-350 [1]	N. A.	6	133¾	4,400	1,980
Six-wheel drive	ACGW-350		6	157¾	4,710	2,070
			6	162	6,145	3,045

[1] Truck models with 2-cycle Diesel engines.

(9) 1941 and 1942

	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price cab	Price chassis
				Inches			
Series 100	CC-101	Start 001, finish 16713	6	115	2,335	$104	$515
	CC-102		6	125¾	2,575		530
Series 150	CC-152	Start 001, finish 5629	6	125¾	2,575	104	595
Series 250	CC-251	Start 001, finish 5575	6	115	2,325	104	620
	CCX-252		6	125¾	2,575		620
	CC-253		6	134¼	2,685	104	620
Series 260	CC-262	Start 001, finish 1550	6	134½	2,950	104	635
Series 300	CC-302	Start 001, finish 29315	6	134½	3,070	104	645
	CC-303		6	160	3,755	104	675
	CC-304		6	178¾	3,915		725
	CCS304		6	178¾	3,965		795
	CCS305		6	193¾	N. A.		845
	CF-301	Start 001, finish 2803	6	109⅛	3,880	135	765
	CF-302		6	132⅛	3,940	135	790
	CF-303		6	158⅜	4,000	135	815
Series 350	CC-352	Start 001, finish 26423	6	135½	4,330	104	865
	CC-353		6	159¾	4,290	104	895
	CC-354		6	177¾	4,210	104	940
	CC-355		6	193¾	4,540	104	960
	CCS356		6	207¾	N. A.		1,025
	CCS357		6	222¼	N. A.		1,050
	CCT352		6	157¾	4,430	104	1,580
	CCT353		6	181¾	4,540	104	1,610
	CCT354		6	193¾	4,640	104	1,625
	CCW352		6	157¾	4,875	104	1,990
	CCW353		6	181¾	4,970	104	2,020
	CCW354		6	193¾	5,110	104	2,035
	CF-351	Start 001, finish 710	6	109⅛	4,480	135.20	1,050
	CF-352		6	134⅛	4,540	135.20	1,080
	CF-353		6	158⅜	4,600	135.20	1,095
	CF-354		6	176⅞	4,710	135.20	1,120
	CF-355		6	194⅜	4,850	135.20	1,170
	CFT352		6	156⅜	6,160	135.20	1,795
	CFT353		6	180⅞	6,280	135.20	1,810
	CFW352		6	156⅞	6,600	135.20	2,205
	CFW353		6	180⅞	6,750	135.20	2,220
Series 400	CC-402	Start 001, finish 4024	6	135¼	3,835	104	985
	CC-403		6	159¼	4,570	104	1,015
	CC-404		6	177¼	4,610	104	1,030
	CC-405		6	193¼	4,815	104	1,065
	CCS406		6	207¼	N. A.		1,125
	CCS407		6	222¼	N. A.		1,150
	CCT402		6	157¼	5,920	104	1,665
	CCT403		6	181¼	6,010	104	1,695
	CCT404		6	193¼	6,110	104	1,710
	CCW402		6	157¼	4,935	104	2,075
	CCW403		6	181¼	5,040	104	2,015
	CCW404		6	193¼	5,165	104	2,122
	CF-401	Start 001, finish 661		109⅛	4,700	135.20	1,245
	CF-402			134⅛	4,770	135.20	1,275
	CF-403			158⅜	4,870	135.20	1,290
	CF-404			176⅞	4,910	135.20	1,315
	CF-405			194⅜	4,980	135.20	1,340
	CFT402			156⅜	6,230	135.20	1,955

(M) GENERAL MOTORS—Continued

(M) GENERAL MOTORS—Continued

(M) GENERAL MOTORS—Continued

(9) 1941 and 1942—Continued

	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price cab	Price chassis
				Inches			
Series 400	CFT403	Start 001, finish 661		180¾	6,270	$135.20	$1,970
	CFW402			150¾	N. A.	135.20	2,365
	CFW403			180¾	N. A.	135.20	2,380
Series 450	CC-452	Start 001, finish 2702		135¾	4,180	104	1,225
	CC-453			159¾	4,865	104	1,255
	CC-454			171¾	4,905	104	1,270
	CC-455			195¾	5,110	104	1,295
	CCS457S			222¾	N. A.		1,435
	CCS458			251¾	N. A.		1,460
	CF-451	Start 001, finish 369		109¾	4,950	135.20	1,440
	CF-452			134¾	5,040	135.20	1,470
	CF-453			158¾	5,140	135.20	1,485
	CF-454			176¾	5,180	135.20	1,510
	CF-455			194¾	5,250	135.20	1,535
Series 500	AC-502	Start 1590, finish 4591	6	136	5,040	161.20	1,605
	AC-503		6	160	5,100	161.20	1,635
	AC-504		6	178	5,150	161.20	1,650
	AC-505		6	196	5,220	161.20	1,675
	AC-507		6	224	N. A.		1,800
	AC-508		6	250	N. A.		1,825
	ACT502		6	159	5,655	161.20	2,445
	ACT503		6	183	5,780	161.20	2,465
	ACT504		6	201	5,925	161.20	2,480
	ACT505		6	219	6,060	161.20	2,505
	ADC502[1]	Start 078, finish 141	3	136	5,870	161.20	3,150
	ADC503[1]		3	160	5,930	161.20	3,180
	ADC504[1]		3	178	5,980	161.20	3,195
	ADC505[1]		3	196	6,050	161.20	3,220
	AF-501	Start 266, finish 453	6	108	5,270	244.40	1,790
	AF-502		6	136	5,310	244.40	1,820
	AF-503		6	160	5,370	244.40	1,835
	AF-504		6	178	5,420	244.40	1,860
	AF-505		6	196	5,490	244.40	1,885
	AFT502		6	159	6,095	244.40	2,650
	AFT503		6	183	6,250	244.40	2,665
	ADF501[1]	Start 021, finish 027	3	108	6,160	244.40	3,335
	ADF502[1]		3	136	6,140	244.40	3,305
	ADF503[1]		3	160	6,150	244.40	3,380
	ADF504[1]		3	178	6,250	244.40	3,405
	ACF505[1]		3	196	6,300	244.40	3,430
Series 520	AC-522	Start 126, finish 1417	6	136	5,820	161.20	1,810
	AC-523		6	160	5,860	161.20	1,840
	ADC522[1]	Start 002, finish 027	3	136	6,950	161.20	3,480
	ADC523[1]		3	160	7,020	161.20	3,510
	AFR521	Start 032, finish 428	6	108	6,040	244.40	1,995
	AFR522		6	136	6,160	244.40	2,025
	ADFR521[1]	Start 002, finish 020	4	108	7,090	244.40	4,695
	ADFR522[1]		4	136	7,220	244.40	3,695
Series 570	AC-552	Start 536, finish 827	6	136	5,380	161.20	1,955
	AC-553		6	160	5,490	161.20	1,985
	AC-554		6	178	5,490	161.20	2,000
	AC-555		6	196	5,560	161.20	2,025
	AF-551	Start 074, finish 157	6	108	5,610	244.40	2,135
	AF-552		6	136	5,650	244.40	2,165
	AF-553		6	160	5,710	244.40	2,180
	AF-554		6	178	5,760	244.40	2,205
	AF-555		6	196	5,830	244.40	2,230
Series 600	AC-602	Start 983, finish 2040	6	136	5,950	161.20	2,185
	AC-603		6	160	5,990	161.20	2,215
	AC-604		6	178	6,040	161.20	2,230
	AC-605		6	196	6,110	161.20	2,255
	ACT603		6	183	6,885	161.20	3,325
	ACT604		6	201	7,040	161.20	3,340
	ACT605		6	219	7,205	161.20	3,365
	ACW603		6	183	7,130	161.20	3,735
	ACW604		6	201	7,285	161.20	3,750
	ACW605		6	219	7,430	161.20	3,775
	ADC602[1]	Start 079, finish 090	3	136	6,850	161.20	3,775
	ADC603[1]		3	160	6,890	161.20	3,805
	ADC604[1]		3	178	6,940	161.20	3,820
	ADC605[1]		3	196	7,000	161.20	3,845
	AF-601	Start 164, finish 448	6	108	5,880	244.40	2,390
	AF-602		6	136	5,930	244.40	2,420
	AF-603		6	160	5,980	244.40	2,435
	AF-604		6	178	6,030	244.40	2,460
	AF-605		6	196	6,100	244.40	2,485
	AFT602		6	159	6,940	244.40	3,520
	AFT603		6	183	7,160	244.40	3,545
	AFT604		6	201	7,290	244.40	3,570
	AFW602		6	159	7,185	244.40	3,940
	AFW603		6	183	7,405	244.40	3,955
	AFW604		6	201	7,535	244.40	3,980
	ADF601[1]	Start 044, finish 093	3	108	6,780	244.40	3,980
	ADF602[1]		3	136	6,820	244.40	4,010
	ADF603[1]		3	160	6,890	244.40	4,025
	ADF604[1]		3	178	6,930	244.40	4,050
	ADF605[1]		3	196	7,000	244.40	4,075
Series 620	AC-6022	Start 006, finish 232	6	136	8,130	161.20	2,870
	AC-6023		6	160	8,240	161.20	2,900
	ADC-6022[1]	Start 001, finish 051	4	136	7,530	161.20	4,535
	ADC-6023[1]		4	160	7,620	161.20	4,565
	AFR621	Start 015, finish 100	6	108	7,130	161.20	3,075
	AFR622		6	136	7,280	161.20	3,105
	ADFR621[1]	Start 001, finish 026	4	108	8,150	244.40	4,740
	ADFR622[1]		4	136	8,310	244.40	4,770
Series 650	AC-652	Start 203, finish 392	6	136	6,660	161.20	2,650
	AC-653		6	160	6,730	161.20	2,680
	AC-654		6	178	6,770	161.20	2,695
	AC-655		6	196	6,850	161.20	2,720

[1] Models with Diesel engines.

(M) GENERAL MOTORS—Continued

(9) and (10) 1941 and 1942—Continued

	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price cab	Price chassis
				Inches			
Series 650	AF-651	Start 042, finish 096	6	108	6,220	$244.40	$2,855
	AF-652		6	136	6,550	244.40	2,885
	AF-653		6	160	6,720	244.40	2,900
	AF-654		6	178	6,780	244.40	2,925
	AF-655		6	196	6,850	244.40	2,950
Series 700	AC-702	Start 589, finish 1370	6	136	7,012	161.20	3,470
	AC-703		6	160	7,090	161.20	3,500
	AC-704		6	178	7,150	161.20	3,515
	AC-705		6	196	7,240	161.20	3,540
	ACT703		6	184	7,960	161.20	5,255
	ACT704		6	202	8,095	161.20	5,270
	ACT705		6	220	8,260	161.20	5,295
	ACW703		6	184	8,465	161.20	6,295
	ACW704		6	202	8,600	161.20	6,310
	ACW705		6	220	8,765	161.20	6,335
	ADC702[1]	Start 093, finish 132	4	136	7,980	161.20	5,445
	ADC703[1]		4	160	8,070	161.20	5,475
	ADC704[1]		4	178	8,130	161.20	5,490
	ADC705[1]		4	196	8,200	161.20	5,515
	AF-701	Start 273, finish 419	6	108	7,050	244.40	3,705
	AF-702		6	136	7,120	244.40	3,735
	AF-703		6	160	7,210	244.40	3,750
	AF-704		6	178	7,260	244.40	3,775
	AF-705		6	196	7,340	244.40	3,800
	AFT702		6	160	5,045	244.40	5,490
	AFT703		6	184	8,275	244.40	5,505
	AFT704		6	202	8,420	244.40	5,530
	AFW702		6	160	8,520	244.40	6,530
	AFW703		6	184	8,760	244.40	6,545
	AFW704		6	202	8,925	244.40	6,570
	ADF701[1]	Start 025, finish 035	4	108	8,050	244.40	5,680
	ADF702[1]		4	136	8,100	244.40	5,710
	ADF703[1]		4	160	8,190	244.40	5,725
	ADF704[1]		4	178	8,130	244.40	5,750
	ADF705[1]		4	196	8,200	244.40	5,775
	AY-701	Start 006, finish 026	6	120	10,500		4,990
	AY-702		6	138	10,600		5,020
Series 720	ACR722	Start 078, finish 222	6	136	6,395	161.20	4,080
	ACR723		6	160	6,480	161.20	4,110
	ADCR722[1]	Start 008, finish 096	4	136	7,530	161.20	5,625
	ADCR723[1]		4	160	7,620	161.20	5,655
	AFR721	Start 023, finish 098	6	108	6,370	244.40	4,315
	AFR722		6	136	6,500	244.40	4,345
	ADFR721[1]	Start 009, finish 124	4	108	7,515	244.40	5,860
	ADFR722[1]		4	136	7,630	244.40	5,890
Series 750	ACR752	Start 005, finish 141	6	136	6,725	161.20	4,945
	ACR753		6	160	6,810	161.20	4,975
	ADCR752[1]	Start 005, finish 028	4	136	7,675	161.20	6,290
	ADCR753[1]		4	160	7,765	161.20	6,320
	AFR751	Start 002, finish 081	6	108	6,700	244.40	5,130
	AFR752		6	136	6,830	244.40	5,160
	ADFR751[1]	Start N. A., finish 014	4	108	7,660	244.40	6,475
	ADFR752[1]		4	136	7,775	244.40	6,505
Series 770	AC-773	Start 042, finish 095	6	160	8,150	161.20	4,405
	ADC773[1]	N. A.	4	160	9,270	161.20	6,380
Series 800	AC802	Start 133, finish 294	6	136	8,160	161.20	5,020
	AC803		6	160	8,290	161.20	5,050
	AC804		6	178	8,390	161.20	5,065
	AC805		6	196	8,470	161.20	5,090
	ACW803		6	184	9,765	161.20	8,120
	ACW804		6	202	9,945	161.20	8,135
	ACW805		6	220	10,105	161.20	8,160
	ADC802[1]	Start 046, finish 056	4	136	8,970	161.20	6,665
	ADC803[1]		4	160	9,100	161.20	6,695
	ADC804[1]		4	178	9,200	161.20	6,710
	ADC805[1]		4	196	9,280	161.20	6,735
	ADCW803[1]		4	184	10,795	161.20	9,770
	ADCW804[1]		4	202	10,975	161.20	9,785
	ADC805[1]		4	220	11,135	161.20	9,810
	AF801	Start 063, finish 161	6	108	8,250	244.40	5,255
	AF802		6	136	8,330	244.40	5,285
	AF803		6	160	8,450	244.40	5,300
	AF804		6	178	8,550	244.40	5,325
	AF805		6	196	8,630	244.40	5,350
	AFW802		6	160	9,765	244.40	8,360
	AFW803		6	184	10,010	244.40	8,375
	AFW804		6	202	10,195	244.40	8,400
	ADF801[1]	Start 068, finish 013	4	108	9,100	244.40	6,905
	ADF802[1]		4	136	9,180	244.40	6,935
	ADF803[1]		4	160	9,300	244.40	6,950
	ADF804[1]		4	178	9,400	244.40	6,975
	ADF805[1]		4	196	9,480	244.40	7,000
	ADFW802[1]		4	160	10,790	244.40	10,000
	ADFW803[1]		4	184	11,035	244.40	10,015
	ADFW804[1]		4	202	11,220	244.40	10,040
	AY801	Start 016, finish 065	6	120	11,880		6,425
	AY802		6	138	12,040		6,455
Series 830	AC852	Start 145, finish 431	6	136	8,450	161.20	5,665
	AC853		6	160	8,580	161.20	5,595
	AC854		6	178	8,680	161.20	5,610
	AC855		6	196	8,760	161.20	5,635
	ACT853		6	186	9,995	161.20	8,120
	ACT854		6	204	10,175	161.20	8,135
	ACT855		6	222	13,020	161.20	8,160
	ACW853		6	186	10,754	161.20	8,980
	ACW854		6	204	10,925	161.20	8,995
	ACW855		6	222	11,070	161.20	9,020
	ADC852[1]	Start 022, finish 029	4	136	9,260	161.20	7,140
	ADC853[1]		4	160	9,390	161.20	7,170
	ADC854[1]		4	178	9,490	161.20	7,185

[1] Models with Diesel engines.

(M) GENERAL MOTORS—Continued

(9) and (10) 1941 and 1942—Continued

	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price cab	Price chassis
				Inches			
Series 830	ADCS551	Start 022, finish 029	4	195	9,570	$161.20	$7,210
	ADCT851		4	186	11,020	161.20	9,695
	ADCT854		4	204	11,205	161.20	9,710
	ADCT855		4	222	11,350	161.20	9,735
	ADCW851		4	186	11,770	161.20	10,550
	ADCW854		4	204	11,955	161.20	10,565
	ADCW855		4	222	12,100	161.20	10,590
	AF851	Start 175, finish 225	6	108	8,440	244.40	5,680
	AF852		6	126	8,490	244.40	5,710
Series 850	AF853		6	160	8,600	244.40	5,725
	AF854		6	178	8,700	244.40	5,750
	AF855		6	196	8,810	244.40	5,775
	AFT852		6	162	9,925	244.40	8,240
	AFT853		6	186	10,170	244.40	8,255
	AFT854		6	204	10,355	244.40	8,280
	AFW852		6	162	10,675	244.40	9,095
	AFW853		6	186	10,920	244.40	9,110
	AFW854		6	204	11,105	244.40	9,135
	ADF851	Start 071, finish 073	4	108	9,220	244.40	7,255
	ADF852		4	126	9,310	244.40	7,285
	ADF853		4	160	9,420	244.40	7,300
	ADF854		4	178	9,520	244.40	7,335
	ADF855		4	196	6,930	244.40	7,350
	ADFT852		4	162	10,950	244.40	9,810
	ADFT853		4	186	11,175	244.40	9,825
	ADFT854		4	204	11,360	244.40	9,850
	ADFW852		4	162	11,680	244.40	10,670
	ADFW853		4	186	11,925	244.40	10,685
	ADFW854		4	204	12,110	244.40	10,710
	AY851	Start 020, finish 077	6	120	12,230		7,150
	AY852		6	138	12,480		7,180
Series 870	ACX874	Start 018, finish 062	6	166	10,465	161.20	6,880
	ADCX874	Start 012, finish 020	4	166	11,325	161.20	7,755
Series 890	ACX894	Start 017, finish 041	6	166	13,175	161.20	7,350
	ADCX894	Start N. A., finish 002	4	166	13,985	161.20	8,325
Series 900	ADC902	Start 025, finish 147	6	150	11,030	161.20	8,035
	ADC903		6	174	11,190	161.20	8,065
	ADC904		6	192	11,300	161.20	8,080
	ADC905		6	210	11,450	161.20	8,105
Series 950	ADCT952	Start 013, finish 055	6	176	10,790	161.20	10,780
	ADCT953		6	200	11,005	161.20	10,810
	ADCT954		6	218	11,255	161.20	10,825
	ADCW952		6	174	10,650	161.20	10,970
	ADCW953		6	198	10,865	161.20	11,000
	ADCW954		6	216	11,065	161.20	11,115
Series 970	ADCW972	Start 002, finish 044	6	176	15,450	161.20	11,500
	ADCW973		6	200	15,810	161.20	11,530
	ADCW974		6	218	16,150	161.20	11,545
Suburban	CC-100	Start 001, finish 16713	6	115	3,325		875
Delivery	CCV-100	Start 001, finish 313	6	115	2,255		1,100
	AF-240	Start 128, finish 318	6	112	4,630		1,430
	AFJ240		6	160	4,965		1,560
Series 350	ACK352	Start 3213, finish 3248	6	133¾	4,650		2,110
	ACK353		6	157¾	4,720		2,140
	ACKW353		6	162	6,820		3,330

[1] Models with Diesel engines.
[2] Price includes panel-type body and chassis.
[3] Price includes cab and chassis.

(N) HUDSON

[Manufacturer: Hudson Motor Car Company. Principal plant: Detroit, Michigan]

(1) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ chassis	112	8901	6	112		$495
Ch. and cab			6	112	2,375	593
Pickup and cab			6	112	2,750	625
Pan. dely			6	112	2,975	774

(2) 1939

½ chassis	112	90101 to 9054902	6	112	2,025	$516
Ch. and cab			6	112	2,369	615
Pickup and cab			6	112	2,770	651
Panel dely. cus			6	112	2,922	808
"Big Boy" series						
¾ chassis	98	98101 to 9854902	6	119	2,155	547
Ch. and cab			6	119	2,556	652
Pickup and cab			6	119	2,940	695
Panel del. custom			6	119	3,072	864
¾ panel del. custom	91	91101 to 9154902	6	118	3,037	830

(N) HUDSON—Continued

(3) 1940

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½ ch. and cab	112	40101 to 4089192	6	113	2,575	$633
Pickup and cab			6	113	2,945	671
Panel dely			6	113	3,225	828
"Big Boy" series						
¾ ch. and cab	48	48101 to 4889192	6	125	2,675	672
Pickup and cab			6	125	3,045	715
Panel del			6	125	3,310	884

(4) 1941

½ ch. and cab	10	C10101 to C1092988	6	116	2,575	$697
Pickup and cab			6	116	2,935	732
Coach utility			6	116	2,900	782
Cpe. utility			6	116	2,890	724
Del			6	116	3,120	1,118
"Big Boy" series						
¾ ch. and cab	18	C18101 to C1892988	6	128	2,670	737
Pickup and cab			6	128	3,040	775
Sed. carry-all			6	128	3,200	1,022

(5) 1942

Cpe. utility	T20	T20101 to T2041232	6	116	2,900	$829
Coach utility					2,905	867
½ pickup	C20	C20101 to C2041232	6	116	2,910	828
¾ pickup	C28	C28101 to C2841232	6	128	3,040	872

(O) INDIANA

[Manufacturer: The White Motor Company. Principal plant: Cleveland, Ohio]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½	85	Not available for any model	6	N. A.	3,950	$1,025
2	95		6	N. A.	4,400	1,195
2½	95DR		6	N. A.	4,650	1,525
3	95SW75		6	N. A.	5,800	2,000
3	95SWT151		6	N. A.	6,125	1,975
3	17		6	N. A.	6,600	2,450
3	17DR		6	N. A.	6,700	2,675
3	17ASW151		6	N. A.	7,500	3,450
3	17A		6	N. A.	6,300	2,300
3	17ADR		6	N. A.	6,350	2,475
3½	19DR		6	N. A.	7,600	3,400
3½	18X4		6	N. A.	8,000	5,850
4	17SBT251		6	N. A.	8,850	3,500
4	17SW251		6	N. A.	9,500	3,900
5	43DR		6	N. A.	10,500	7,500
5	47DR		6	N. A.	10,500	7,500
Bus	16		6	N. A.	10,510	6,600
Bus	14B		6	N. A.	5,100	1,890

(2) 1936

1½-2	86	Not available for any model	6	131	3,300	$595
2	87		6	131	3,800	895
2½-3½	95DR		6	141	4,400	1,525
4	17		6	170	6,600	2,450
4	17DR		6	170	6,700	2,675
4½	19DR		6	170	7,600	3,400
4½ Diesel	20DR		6	170	9,300	5,250
5½	22DR		6	172	8,100	3,600
6	43DR		6	170	8,000	4,300
7½ Diesel	47DR		6	188	10,500	7,500
7½	49DR		6	188	10,900	7,350
3½	95SW75		6	168	5,800	1,900
4	95SBT151		6	168	6,125	1,875
6	17SW251		6	188	9,500	3,900
6	17SBT251		6	188	8,850	3,500

(O) INDIANA—Continued

(3) 1937

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½–2	86	Not available for any model	6	131	3,300	$595
2	87		6	131	3,800	895
2½–3½	96DR		6	144	4,400	1,525
4	42		6	170	6,600	2,450
4	47DR		6	170	6,700	2,675
4½	49DR		6	170	7,600	3,400
4½ Diesel	50DR		6	170	9,300	5,250
5½	22DR		6	172	8,100	3,600
6	43DR		6	170	8,000	4,300
7½ Diesel	47DR		6	188	10,500	7,500
7½	49DR		6	188	10,900	7,350
3½	168W75		6	168	5,800	1,900
4	168BT151		6	168	6,125	1,875
6	175W251		6	188	9,500	3,900
6	175BT251		6	188	8,850	3,500
1	34		4	180	3,250	745
1½	36		6	192	3,350	765
2	37		6	192	3,850	955
4	47ADR		6	212	6,350	2,475
5	22DR		6	196	7,700	3,600
6	45DR		6	224	8,700	4,800
Diesel equipped						
4½	20DR		6	224	9,300	5,750
7½	47DR		6	224	10,900	7,500

(4) 1938

1½	86	Not available for any model	6	N.A.	3,350	$825
2	87		6	N.A.	3,850	955

(5) 1939

1½	86	Not available for any model	6	N.A.	3,350	$825
2	87		6	N.A.	3,850	955

(6) 1940

1½	86	Not available for any model	6	N.A.	3,350	$825
2	87		6	N.A.	3,850	955

(7) 1941

1½	86	Not available for any model	6	N.A.	3,350	$825
2	87		6	N.A.	3,850	955

(P) INTERNATIONAL

[Manufacturer: International Harvester Company. Principal plant: Springfield, Ohio]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½	C–1	Model prefix—501 and up for each model.	6	113	2,220	$400
½	C–1		6	125	2,265	425
¾	C–10		4	133	3,089	575
1	M–2		4	118	3,215	850
1–1½	C–20		4	133	3,089	575
1–1½	C–20		4	157	3,254	610
1 ½	C–30		6	133	3,210	595
1–½	C–30		6	157	3,385	630
1–½–2	C–35		6	136	3,629	795
1 ½–2	C–35		6	160	3,804	840
1 ½–2	C–35		6	175	3,839	885
2–3	C–40		6	145	4,386	1,145
2–3	C–40		6	155	4,421	1,160
2–3	C–40		6	170	4,473	1,175
2–3	C–40		6	185	4,525	1,190
3–4	C–50		6	145	5,550	1,705
3–4	C–50		6	156	5,624	1,820
3–4	C–50		6	170	5,718	1,845
3–4	C–50		6	185	5,818	1,870
3½	W–2		4	130	8,218	3,300
3½	W–2		4	148	8,418	3,300
3½	W–2		4	170	8,683	3,350
3½	W–2		4	185	8,733	3,400
3½	W–2		4	200	8,783	3,450
3½–4½	C–55		6	140	6,606	2,450
3½–4½	C–55		6	156	6,681	2,450
3½–4½	C–55		6	170	6,746	2,475
3½–4½	C–55		6	190	6,839	2,500
3½–4½	C–55		6	210	6,932	2,525
3½–4½	C–60		6	140	6,685	2,575
3½–4½	C–60		6	156	6,760	2,575

(P) INTERNATIONAL—Continued

(1) 1935—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
3½–4½	C–60	Model prefix—501 and up for each model.	6	170	6,825	$2,600
3½–4½	C–60		6	190	6,918	2,625
3½–4½	C–60		6	210	7,011	2,650
5–7½	A–7		6	160	11,590	6,200
5–7½	A–7		6	180	11,820	6,250
5–7½	A–7		6	200	11,990	6,300
5–7½	A–7		6	225	12,240	6,350
7½	A–8		6	180	11,550	6,300
7½	A–8		6	180	11,820	6,350
7½	A–8		6	200	11,990	6,400
7½	A–8		6	225	12,240	6,450

(2) 1936

½	C–1	Model prefix—501 and up for each model.	6	113	2,220	$415
½	C–5		4	125	2,265	440
			4	113	2,100	415
				125	2,145	440
¾	C–10		4	133	3,089	590
¾–1	C–15		6	136	2,706	545
1–1½	C–20		4	133	3,089	590
1–1½	C–20		4	157	3,254	625
1	M–3		4	118	3,215	850
1–½	C–30		6	133	3,210	610
1½	C–30		6	157	3,385	645
1½	C–30		6	172	3,410	670
1½	CS–30		6	133	3,415	705
1½	CS–30		6	157	3,490	740
1½	CS–30		6	172	3,515	765
1½–2	CS–35		6	136	3,734	800
1½–2	CS–35		6	160	3,809	835
1½–2	CS–35		6	175	3,944	960
2–3	CS–40		6	145	4,501	1,280
2–3	CS–40		6	155	4,536	1,295
2–3	CS–40		6	170	4,588	1,310
2–3	CS–40		6	185	4,646	1,325
3½–4½	C–60		6	140	6,685	2,575
3½–4½	C–60		6	156	6,760	2,575
3½–4½	C–60		6	170	6,825	2,600
3½–4½	C–60		6	190	6,918	2,625
3½–4½	C–60		6	210	7,011	2,650
1½–4	C–35–T		6	168	5,050	1,575
				186	5,125	1,575
1½–4	CS–35–T		6	168	5,155	1,670
1½–4	CS–35–T		6	186	5,230	1,670
2–5	C–40–T		6	168	6,100	2,260
2–5	C–40–T		6	186	6,190	2,280
2–5	C–40–T		6	204	6,280	2,300
2–5	CS–40–T		6	168	6,215	2,335
2–5	CS–40–T		6	186	6,305	2,335
2–5	CS–40–T		6	204	6,395	2,335
2–5	C–40–F		6	168	6,600	2,975
2–5	C–40–F		6	186	6,690	2,975
2–5	C–40–F		6	204	6,780	2,975
3–6	C–50–T		6	170	7,718	3,300
3–6	C–50–T		6	188	7,843	3,300
3–6	C–50–T		6	206	8,013	3,300
3½–7	C–55–T		6	170	9,630	3,950
3½–7	C–55–T		6	206	9,185	3,950
3½–7	C–55–T		6	224	9,420	3,950
3½–7	C–55–F		6	170	9,705	4,050
3½–7	C–55–F		6	206	9,860	4,050
3½–7	C–55–F		6	224	10,095	4,050
3½–7	C–60–T		6	170	9,105	4,075
3½–7	C–60–T		6	206	9,260	4,075
3½–7	C–60–T		6	224	9,495	4,075
3½–7	C–60–T		6	N.A.	----	----

(3) 1937

½	C–1	Model prefix—501 and up for each model.	6	113	2,092	$415
½	C–5		4	113	1,989	415
¾	C–10		4	133	2,888	590
¾–1	C–75		6	136	2,633	545
1–1½	C–20		4	133	2,917	590
1–1½	CS–20		4	133	3,000	605
1	M–3		4	118	3,163	850
1–½	C–30		6	133	3,038	610
1–½	CS–30		6	133	3,121	705
1½–2	C–35		6	136	3,417	795
1½–2	CS–35		6	136	3,535	890
2–3	C–40		6	145	4,185	1,145
2–3	CS–40		6	145	4,271	1,280
3–4	C–50		6	145	5,453	1,835
3–4	CS–50		6	145	5,528	1,985
3½–4½	C–55		6	140	6,407	2,490
4–5	C–60		6	140	6,480	2,615
6–7½	A–7		6	160	11,233	6,500
7½	A–8		6	160	11,233	6,600
Engine—Under seat						
1½	C–300		6	99	3,192	695

(P) INTERNATIONAL—Continued

(3) 1937—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Buses				*Inches*		
1-1½	O-35-B	Model prefix—501 and up for each model.	6	175	3,603	$990
1-1½	OS-35-B		6	175	3,633	995
Six wheelers						
1½-4	O-35-T		6	168	5,233	1,575
1½-4	OS-35-T		6	168	5,263	1,670
2-5	O-40-F		6	168	7,023	2,975
2-5	O-40-T		6	168	6,313	2,260
2-5	OS-40-T		6	168	6,343	2,335
3-6	O-50-F		6	170	8,268	3,950
3-6	O-50-T		6	170	7,708	3,300
3-6	OS-50-T		6	170	7,783	3,450
3-6	O-55-F		6	170	9,971	4,950
3½-7	O-55-T		6	170	9,116	3,950
3½-7	O-60-T		6	170	9,196	4,075
4½-7	O-7-F		6	190	13,262	8,950
5-7½	D-2		6	113	2,200	475
½ chassis	D-2		6	113	2,725	610
Ch. and cab	D-2		6	113	3,505	653
Express	D-2		6	113	3,210	750
Panel	D-2		6	125	2,315	500
Chassis	D-2		6	125	2,750	635
Ch. and cab	D-2		6	125	3,590	693
Express	D-2		6	125	3,315	787
Panel	D-2		4	113	2,170	490
½ chassis	D-5		4	125	2,195	515
½ chassis	D-15		6	130	2,880	695
¾-1 chassis	D-15		6	130	3,235	740
Ch. and cab	D-15		6	130	4,170	818
Express	D-15		6	130	4,000	940
Panel	D-15		4	118	3,280	850
1 chassis	M-3		4	118	4,580	1,100
DM body	M-3		6	128	3,510	650
1½ chassis	D-30		6	128	3,945	785
Ch. and cab	D-30		6	155	3,395	685
Chassis	D-30		6	155	4,030	820
Ch. and cab	D-30		6	173	3,685	710
Chassis	D-30		6	173	4,120	845
Ch. and cab	D-30		6	128	3,610	765
1½ chassis	DS-30		6	128	4,045	900
Ch. and cab	DS-30		6	155	3,695	800
Chassis	DS-30		6	155	4,130	935
Ch. and cab	DS-30		6	173	3,785	825
Chassis	DS-30		6	173	4,220	960
Ch. and cab	DS-30		6	137	4,120	970
1½-2 ch	D-35		6	137	4,555	1,115
Ch. and cab	DS-35		6	149	4,145	1,015
Chassis	D-35		6	149	4,580	1,160
Ch. and cab	DS-35		6	161	4,170	1,040
Chassis	D-35		6	161	4,605	1,185
Ch. and cab	DS-35		6	161	4,205	1,055
Chassis	D-35		6	179	4,640	1,200
Ch. and cab	DS-35		6	137	4,220	1,085
1½-2 ch	DS-35		6	137	4,655	1,230
Ch. and cab	DS-35		6	149	4,245	1,130
Chassis	D-35		6	149	4,780	1,275
Ch. and cab	DS-35		6	161	4,270	1,155
Chassis	DS-35		6	161	4,705	1,300
Ch. and cab	DS-35		6	179	4,305	1,170
Chassis	DS-35		6	179	4,740	1,315
Ch. and cab	DS-35		6	134	4,805	1,365
2-3 ch	D-40		6	134	5,240	1,510
Ch. and cab	D-40		6	146	4,850	1,380
Chassis	D-40		6	146	5,295	1,525
Ch. and cab	D-40		6	158	4,855	1,395
Chassis	D-40		6	158	5,290	1,540
Ch. and cab	D-40		6	176	4,895	1,410
Chassis	D-40		6	176	5,330	1,555
Ch. and cab	D-40		6	137	6,215	1,975
3-4 ch	D-50		6	137	6,650	2,120
Ch. and cab	D-50		6	149	6,245	2,010
Chassis	D-50		6	149	6,680	2,155
Ch. and cab	D-50		6	161	6,275	2,035
Chassis	D-50		6	161	6,710	2,180
Ch. and cab	D-50		6	179	6,345	2,060
Chassis	D-50		6	179	6,770	2,205
Ch. and cab	D-50		6	149	7,190	2,795
3½-4½ ch	D-60		6	149	7,625	2,940
Ch. and cab	D-60		6	161	7,265	2,820
Chassis	D-60		6	161	7,700	2,965
Ch. and cab	D-60		6	179	7,320	2,845
Chassis	D-60		6	179	7,755	2,990
Ch. and cab	D-60		6	197	7,375	2,870
Chassis	D-60		6	197	7,850	3,015
Ch. and cab	D-60		6	149	7,265	2,945
4-5 ch	DR-60		6	149	7,700	3,090
Ch. and cab	DR-60		6	161	7,340	2,970
Chassis	DR-60		6	161	7,775	3,115
Ch. and cab	DR-60		6	179	7,395	2,995
Chassis	DR-60		6	179	7,830	3,140
Ch. and cab	DR-60		6	197	7,450	3,020
Chassis	DR-60		6	197	7,885	3,165
Ch. and cab	DR-60		6	149	8,190	4,195
4-6 Ch	DR-70		6	149	8,535	4,310
Ch. and cab	DR-70		6	161	8,175	4,230
Chassis	DR-70		6	161	8,610	4,365
Ch. and cab	DR-70		6	179	8,230	4,245
Chassis	DR-70		6	179	8,665	4,380
Ch. and cab	DR-70		6	197	8,285	4,270
Chassis	DR-70					

(P) INTERNATIONAL—Continued

(3) 1937—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Six wheelers—Con.				*Inches*		
Ch. and cab	DR-70	Model prefix—501 and up for each model.	6	197	8,720	$4,415
5-7½ chassis	A-7		6	160	11,520	6,100
Ch. and cab	A-7		6	160	12,420	6,425
Chassis	A-7		6	180	11,820	6,150
Ch. and cab	A-7		6	180	12,650	6,425
Chassis	A-7		6	200	11,990	6,200
Ch. and cab	A-7		6	200	12,820	6,525
Chassis	A-7		6	225	12,240	6,250
Ch. and cab	A-7		6	225	13,070	6,575
7-chas.	A-9		6	160	11,590	6,200
Cab and chassis	A-9		6	160	12,420	6,525
Chassis	A-9		6	180	11,820	6,250
Ch. and cab	A-9		6	180	12,650	6,575
Chassis	A-9		6	200	11,990	6,300
Ch. and cab	A-9		6	200	12,820	6,625
Chassis	A-9		6	225	12,240	6,350
Ch. and cab	A-9		6	225	13,070	6,675
Cab-over-engine						
1½-2 ch	D-300		6	99	3,345	750
½-2 ch	D-300		6	117	.....	785
1½-2 ch. and cab	D-300		6	99	3,450	1,075
1½-2 ch and cab	D-30		.....	117	.....	1,110
1½-2 ch	DS-300		6	99	3,445	865
1½-2 ch	DS-300		.....	117	.....	900
1½-2 ch. and cab	DS-300		6	99	3,550	1,190
1½-2 ch. and cab	DS-30		.....	117	.....	1,225

(4) 1938

½ chassis	D-2	Model prefix—501 and up for each model.	6	113	2,290	$475
Ch. and cab	D-2		6	113	2,725	610
Express	D-2		6	113	3,565	653
Canopy top express	D-2		6	113	3,565	775
Panel	D-2		6	113	3,210	750
DM or DB body	D-2		6	113	3,295	860
Chassis	D-2		6	125	2,315	500
Ch. and cab	D-2		6	125	2,750	635
Express	D-2		6	125	3,590	693
Stake	D-2		6	125	3,625	695
Canopy top express	D-2		6	125	3,625	810
Panel	D-2		6	125	3,315	787
½ chassis	D-5		4	113	2,170	490
Ch. and cab	D-5		4	113	2,605	625
Express	D-5		4	113	3,445	668
Canopy exp	D-5		4	113	3,545	750
Panel	D-5		4	113	3,090	765
DM or DB body	D-5		4	113	3,175	875
Chassis	D-5		4	125	2,195	515
Ch. and cab	D-5		4	125	2,630	650
Express	D-5		4	125	3,470	708
Stake	D-5		4	125	3,505	710
Canopy exp	D-5		4	125	3,470	785
Panel	D-5		4	125	3,195	802
¾-1 chassis	D-15		4	113	2,770	605
Ch. and cab	D-15		6	113	3,205	712
Express	D-15		6	113	4,140	750
DM or DB body	D-15		6	113	3,775	1,000
Stordor body	D-15		6	113	AS-A-	1,255
Chassis	D-15		6	130	2,800	605
Ch. and cab	D-15		6	130	3,235	712
Express	D-15		6	130	4,170	785
Stake	D-15		6	130	4,110	787
Canopy Ex	D-15		6	130	4,170	930
Panel	D-15		6	130	4,000	872
1½ chassis	D-30		6	128	3,510	650
Ch. and cab	D-30		6	128	3,945	757
Stake	D-30		6	128	4,820	857
Panel	D-30		6	128	5,010	1,173
Chassis	D-30		6	155	3,595	685
Ch. and cab	D-30		6	155	4,030	792
Stake	D-30		6	155	5,080	912
Panel	D-30		6	155	5,295	1,235
Chassis	D-30		6	173	3,685	710
Ch. and cab	D-30		6	173	4,120	847
Stake	D-30		6	173	4,885	967
1½ chassis	DS-30		6	128	3,610	705
Ch. and cab	DS-30		6	128	4,045	872
Stake	DS-30		6	128	4,920	972
Panel	DS-30		6	128	5,110	1,290
Chassis	DS-30		6	155	3,695	800
Ch. and cab	DS-30		6	155	4,130	907
Stake	DS-30		6	155	5,180	1,027
Panel	DS-30		6	155	5,395	1,350
Chassis	DS-30		6	173	3,785	825
Ch. and cab	DS-30		6	173	4,220	922
Stake	DS-30		6	173	4,985	1,082
1½-2 chassis	D-35		6	137	4,135	970
Ch. and cab	D-35		6	137	4,570	1,115
Chassis	D-35		6	149	4,160	1,015
Ch. and cab	D-35		6	149	4,595	1,160
Chassis	D-35		6	161	4,185	1,040
Ch. and cab	D-35		6	161	4,620	1,185
Chassis	D-35		6	179	4,220	1,055
Ch. and cab	D-35		6	179	4,655	1,200

(P) INTERNATIONAL—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
1½ chassis	D-30	Model prefix—501 and up for each model.	6	128	3,945	$785
Ch. and cab	D-30		6	155	3,395	685
Chassis	D-30		6	155	4,030	820
Ch. and cab	D-30		6	173	3,685	710
Chassis	D-30		6	173	4,120	845
Ch. and cab	D-30		6	128	3,610	765
1½ chassis	DS-30		6	128	4,045	900
Ch. and cab	DS-30		6	155	3,695	800
Chassis	DS-30		6	155	4,130	935
Ch. and cab	DS-30		6	173	3,785	825
Chassis	DS-30		6	173	4,220	960
Ch. and cab	DS-30		6	137	4,120	970
1½-2 ch	D-35		6	137	4,555	1,115
Ch. and cab	DS-35		6	149	4,145	1,015
Chassis	D-35		6	149	4,580	1,160
Ch. and cab	DS-35		6	161	4,170	1,040
Chassis	D-35		6	161	4,605	1,185
Ch. and cab	DS-35		6	179	4,205	1,055
Chassis	D-35		6	179	4,640	1,200
Ch. and cab	DS-35		6	137	4,220	1,085
1½-2 ch	DS-35		6	137	4,655	1,230
Ch. and cab	DS-35		6	149	4,245	1,130
Chassis	D-35		6	149	4,780	1,275
Ch. and cab	DS-35		6	161	4,270	1,155
Chassis	DS-35		6	161	4,705	1,300
Ch. and cab	DS-35		6	179	4,305	1,170
Chassis	DS-35		6	179	4,740	1,315
Ch. and cab	DS-35		6	134	4,805	1,365
2-3 ch	D-40		6	134	5,240	1,510
Ch. and cab	D-40		6	146	4,850	1,380
Chassis	D-40		6	146	5,295	1,525
Ch. and cab	D-40		6	158	4,855	1,395
Chassis	D-40		6	158	5,290	1,540
Ch. and cab	D-40		6	176	4,895	1,410
Chassis	D-40		6	176	5,330	1,555
Ch. and cab	D-40		6	137	6,215	1,975
3-4 ch	D-50		6	137	6,650	2,120
Ch. and cab	D-50		6	149	6,245	2,010
Chassis	D-50		6	149	6,680	2,155
Ch. and cab	D-50		6	161	6,275	2,035
Chassis	D-50		6	161	6,710	2,180
Ch. and cab	D-50		6	179	6,345	2,060
Chassis	D-50		6	179	6,770	2,205
Ch. and cab	D-50		6	149	7,190	2,795
3½-4½ ch	D-60		6	149	7,625	2,940
Ch. and cab	D-60		6	161	7,265	2,820
Chassis	D-60		6	161	7,700	2,965
Ch. and cab	D-60		6	179	7,320	2,845
Chassis	D-60		6	179	7,755	2,990
Ch. and cab	D-60		6	197	7,375	2,870
Chassis	D-60		6	197	7,850	3,015
Ch. and cab	D-60		6	149	7,265	2,945
4-5 ch	DR-60		6	149	7,700	3,090
Ch. and cab	DR-60		6	161	7,340	2,970
Chassis	DR-60		6	161	7,775	3,115
Ch. and cab	DR-60		6	179	7,395	2,995
Chassis	DR-60		6	179	7,830	3,140
Ch. and cab	DR-60		6	197	7,450	3,020
Chassis	DR-60		6	197	7,885	3,165
Ch. and cab	DR-60		6	149	8,190	4,195
4-6 Ch	DR-70		6	149	8,535	4,310
Ch. and cab	DR-70		6	161	8,175	4,230
Chassis	DR-70		6	161	8,610	4,365
Ch. and cab	DR-70		6	179	8,230	4,245
Chassis	DR-70		6	179	8,665	4,380
Ch. and cab	DR-70		6	197	8,285	4,270
Chassis	DR-70					

(P) INTERNATIONAL—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Ch. and cab	DR-70	Model prefix—501 and up for each model.	6	197	8,720	$4,415
5-7½ chassis	A-7		6	160	11,520	6,100
Ch. and cab	A-7		6	160	12,420	6,425
Chassis	A-7		6	180	11,820	6,150
Ch. and cab	A-7		6	180	12,650	6,425
Chassis	A-7		6	200	11,990	6,200
Ch. and cab	A-7		6	200	12,820	6,525
Chassis	A-7		6	225	12,240	6,250
Ch. and cab	A-7		6	225	13,070	6,575
7-chas.	A-9		6	160	11,590	6,200
Cab and chassis	A-9		6	160	12,420	6,525
Chassis	A-9		6	180	11,820	6,250
Ch. and cab	A-9		6	180	12,650	6,575
Chassis	A-9		6	200	11,990	6,300
Ch. and cab	A-9		6	200	12,820	6,625
Chassis	A-9		6	225	12,240	6,350
Ch. and cab	A-9		6	225	13,070	6,675
Cab-over-engine						
1½-2 ch	D-300		6	99	3,345	750
½-2 ch	D-300		6	117	.....	785
1½-2 ch. and cab	D-300		6	99	3,450	1,075
1½-2 ch and cab	D-30		.....	117	.....	1,110
1½-2 ch	DS-300		6	99	3,445	865
1½-2 ch	DS-300		.....	117	.....	900
1½-2 ch. and cab	DS-300		6	99	3,550	1,190
1½-2 ch. and cab	DS-30		.....	117	.....	1,225

(4) 1938

½ chassis	D-2	Model prefix—501 and up for each model.	6	113	2,290	$475
Ch. and cab	D-2		6	113	2,725	610
Express	D-2		6	113	3,565	653
Canopy top express	D-2		6	113	3,565	775
Panel	D-2		6	113	3,210	750
DM or DB body	D-2		6	113	3,295	860
Chassis	D-2		6	125	2,315	500
Ch. and cab	D-2		6	125	2,750	635
Express	D-2		6	125	3,590	693
Stake	D-2		6	125	3,625	695
Canopy top express	D-2		6	125	3,625	810
Panel	D-2		6	125	3,315	787
½ chassis	D-5		4	113	2,170	490
Ch. and cab	D-5		4	113	2,605	625
Express	D-5		4	113	3,445	668
Canopy exp	D-5		4	113	3,545	750
Panel	D-5		4	113	3,090	765
DM or DB body	D-5		4	113	3,175	875
Chassis	D-5		4	125	2,195	515
Ch. and cab	D-5		4	125	2,630	650
Express	D-5		4	125	3,470	708
Stake	D-5		4	125	3,505	710
Canopy exp	D-5		4	125	3,470	785
Panel	D-5		4	125	3,195	802
¾-1 chassis	D-15		4	113	2,770	605
Ch. and cab	D-15		6	113	3,205	712
Express	D-15		6	113	4,140	750
DM or DB body	D-15		6	113	3,775	1,000
Stordor body	D-15		6	113	AS-A-	1,255
Chassis	D-15		6	130	2,800	605
Ch. and cab	D-15		6	130	3,235	712
Express	D-15		6	130	4,170	785
Stake	D-15		6	130	4,110	787
Canopy Ex	D-15		6	130	4,170	930
Panel	D-15		6	130	4,000	872
1½ chassis	D-30		6	128	3,510	650
Ch. and cab	D-30		6	128	3,945	757
Stake	D-30		6	128	4,820	857
Panel	D-30		6	128	5,010	1,173
Chassis	D-30		6	155	3,595	685
Ch. and cab	D-30		6	155	4,030	792
Stake	D-30		6	155	5,080	912
Panel	D-30		6	155	5,295	1,235
Chassis	D-30		6	173	3,685	710
Ch. and cab	D-30		6	173	4,120	847
Stake	D-30		6	173	4,885	967
1½ chassis	DS-30		6	128	3,610	705
Ch. and cab	DS-30		6	128	4,045	872
Stake	DS-30		6	128	4,920	972
Panel	DS-30		6	128	5,110	1,290
Chassis	DS-30		6	155	3,695	800
Ch. and cab	DS-30		6	155	4,130	907
Stake	DS-30		6	155	5,180	1,027
Panel	DS-30		6	155	5,395	1,350
Chassis	DS-30		6	173	3,785	825
Ch. and cab	DS-30		6	173	4,220	922
Stake	DS-30		6	173	4,985	1,082
1½-2 chassis	D-35		6	137	4,135	970
Ch. and cab	D-35		6	137	4,570	1,115
Chassis	D-35		6	149	4,160	1,015
Ch. and cab	D-35		6	149	4,595	1,160
Chassis	D-35		6	161	4,185	1,040
Ch. and cab	D-35		6	161	4,620	1,185
Chassis	D-35		6	179	4,220	1,055
Ch. and cab	D-35		6	179	4,655	1,200

(P) INTERNATIONAL—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½ chassis	DS-35	Model prefix—501 and up for each model.	6	137	4,135	$1,085
Ch. and cab	DS-35		6	137	4,570	1,230
Chassis	DS-35		6	149	4,160	1,130
Ch. and cab	DS-35		6	149	4,595	1,275
Chassis	DS-35		6	161	4,185	1,155
Ch. and cab	DS-35		6	161	4,620	1,300
Chassis	DS-35		6	179	4,220	1,170
Ch. and cab	DS-35		6	179	4,655	1,315
Chassis and cab	DS-35		6	134	4,805	1,365
2-3 chassis	D-40		6	134	5,240	1,510
Ch. and cab	D-40		6	146	4,830	1,380
Chassis	D-40		6	146	5,265	1,525
Ch. and cab	D-40		6	158	4,855	1,395
Chassis	D-40		6	158	5,290	1,540
Ch. and cab	D-40		6	176	4,895	1,410
Chassis	D-40		6	176	5,330	1,555
Ch. and cab	D-40		6	137	6,215	1,975
3½ chassis	D-50		6	137	6,650	2,120
Ch. and cab	D-50		6	149	6,245	2,010
Chassis	D-50		6	149	6,680	2,155
Ch. and cab	D-50		6	161	6,275	2,035
Chassis	D-50		6	161	6,710	2,180
Ch. and cab	D-50		6	179	6,335	2,060
Chassis	D-50		6	179	6,770	2,205
Ch. and cab	D-50		6	149	7,190	2,795
3½–4½ chassis	D-60		6	149	7,625	2,940
Ch. and cab	D-60		6	161	7,265	2,820
Chassis	D-60		6	161	7,700	2,965
Ch. and cab	D-60		6	179	7,320	2,845
Chassis	D-60		6	179	7,755	2,990
Ch. and cab	D-60		6	197	7,375	2,870
Chassis	D-60		6	197	7,810	3,015
Ch. and cab	D-60		6	149	7,190	2,945
4-5 chassis	DR-60		6	149	7,625	3,090
Ch. and cab	DR-60		6	161	7,265	2,970
Chassis	DR-60		6	161	7,700	3,115
Ch. and cab	DR-60		6	179	7,320	2,995
Chassis	DR-60		6	179	7,755	3,140
Ch. and cab	DR-60		6	197	7,375	3,020
Chassis	DR-60		6	197	7,810	3,165
Ch. and cab	DR-60		6	149	8,100	4,195
4-6 chassis	DR-70		6	149	8,535	4,340
Ch. and cab	DR-70		6	161	8,175	4,220
Chassis	DR-70		6	161	8,610	4,365
Ch. and cab	DR-70		6	179	8,230	4,245
Chassis	DR-70		6	179	8,665	4,390
Ch. and cab	DR-70		6	197	8,285	4,270
Chassis	DR-70		6	197	8,720	4,415
Ch. and cab	DR-70		6	160	12,035	6,200
5-7 1-2 chassis	A-8		6	160	12,650	6,525
Ch. and cab	A-8		6	180	12,265	6,250
Chassis	A-8		6	180	12,880	6,575
Ch. and cab	A-8		6	200	12,435	6,300
Chassis	A-8		6	200	13,050	6,625
Ch. and cab	A-8		6	225	12,685	6,350
Chassis	A-8		6	225	13,300	6,675
Ch. & cab	A-8					
Cab over engine						
1½–2 chassis	D-300		6	99	3,345	750
Ch. and cab	D-300		6	99	4,025	1,075
Ch. and fr. end	D-300		6	99	3,695	995
Chassis	D-300		6	117	3,450	785
Ch. and Cab	D-300		6	117	4,130	1,110
Ch. and fr. end	D-300		6	117	3,800	990
1½–2 chassis	DS-300		6	99	3,445	865
Ch. and cab	DS-300		6	99	4,125	1,190
Chassis	DS-300		6	117	3,550	900
Ch. and cab	DS-300			117	4,230	1,190
Six-wheelers						
2-4 chassis	D-216-T		6	176	6,370	1,760
Ch. and cab	D-216-T		6	176	6,805	1,905
Chassis	D-216-T		6	194	6,430	1,775
Ch. and cab	D-216-T		6	194	6,865	1,920
2-4 chassis	DS-216-T		6	176	6,370	1,945
Ch. and cab	DS-216-T		6	176	6,805	2,090
Chassis	DS-216-T		6	194	6,430	1,960
Ch. and cab	DS-216 T		6	194	6,865	2,105
2½–5 chassis	D-246-T		6	161	8,185	2,850
Ch. and cab	D-246-T		6	161	8,620	2,995
Chassis	D-246-T		6	179	8,405	2,875
Ch. and cab	D-246-T		6	179	8,840	3,020
Chassis	D-246-T		6	197	8,505	2,900
Ch. and cab	D-246-T		6	197	8,940	3,045
Chassis	D-246-T		6	215	8,635	2,925
Ch. and cab	D-246-T		6	215	9,070	3,070
2½–5 chassis	D-246-F		6	161	8,440	3,300
Ch. and cab	D-246-F		6	161	8,875	3,445
Chassis	D-246-F		6	179	8,565	3,325
Ch. and cab	D-246-F		6	179	9,000	3,470
Chassis	D-246-F		6	197	8,790	3,350
Ch. and cab	D-246-F		6	197	9,225	3,495
Chassis	D-246-F		6	215	9,035	3,375
Ch. and cab	D-246-F		6	215	9,470	3,520
3½–7 chassis	DR-346-F		6	161	10,245	5,000
Ch. and cab	DR-346-F		6	161	10,680	5,145
Chassis	DR-346-F		6	197	10,515	5,025
Ch. and cab	DR-346-F		6	197	10,950	5,170

(P) INTERNATIONAL—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Six-wheelers—Con.				*Inches*		
Chassis	DR-346-F	Model prefix—501 and up for each model.	6	215	10,645	$5,050
Ch. and cab	DR-346-F		6	215	11,080	5,195
3½–7 chassis	D-346-T		6	161	11,215	5,900
Ch. and cab	D-346-T		6	161	11,650	6,045
Chassis	D-346-T		6	197	11,485	5,925
Ch. and cab	D-346-T		6	197	11,920	6,070
Chassis	D-346-T		6	215	11,615	5,950
Ch. and cab	D-346-T		6	215	12,070	6,095
5-8 chassis	DR-426-F		6	161	12,775	7,500
Ch. and cab	DR-426-F		6	161	13,190	7,645
Chassis	DR-426-F		6	215	13,295	7,525
Ch. and cab	DR-426-F		6	215	13,730	7,670
Chassis	DR-426-F		6	233	13,465	7,550
Ch. and cab	DR-426-F		6	233	13,900	7,695
10-15 chassis	AR-626-F		6	180	18,355	12,500
Ch. and cab	AR-626-F		6	233	18,970	12,825
½ metro body	D-2		6	113	N.A.	1,200
2-3 chassis	DS-40		6	134	4,805	1,550
Ch. and cab	DS-40		6	134	5,240	1,695
Chassis	D-40		6	146	4,830	1,595
Ch. and cab	D-40		6	146	5,265	1,740
Chassis	D-40		6	158	4,855	1,580
Ch. and cab	D-40		6	158	5,290	1,725
Chassis	D-40		6	176	4,895	1,595
Ch. and cab	D-40		6	176	5,330	1,740
3-4 ch	DR-50		6	137	6,350	2,140
Ch. and cab	DR-50		6	137	6,785	2,285
Chassis	DR-50		6	149	6,380	2,175
Ch. and cab	DR-50		6	149	6,815	2,320
Chassis	DR-50		6	161	6,410	2,200
Ch. and cab	DR-50		6	161	6,845	2,345
Chassis	DR-50		6	179	6,470	2,225
Ch. and cab	DR-50		6	179	6,905	2,370
3-4 ch	DS-50		6	137	6,215	2,185
Ch. and cab	DS-50		6	137	6,650	2,330
Chassis	DS-50		6	149	6,245	2,220
Ch. and cab	DS-50		6	149	6,680	2,365
Chassis	DS-50		6	161	6,275	2,245
Ch. and cab	DS-50		6	161	6,710	2,390
Chassis	DS-50		6	179	6,335	2,270
Ch. and cab	DS-50		6	179	6,770	2,415
Cab over engine						
1½–2 Chassis	D-300		6	87	3,270	715
Ch. and cab	D-300		6	87	3,950	1,040
Ch. and fr. end	D-300		6	87	3,620	920
1½–2 ch	DS-300		6	87	3,370	830
Ch. and cab	DS-300		6	87	4,050	1,155
Ch. and fr. end	DS-300		6	87	3,720	1,035
Ch. and fr. end	DS-300		6	99	3,795	1,035
Ch. and fr. end	DS-300		6	117	3,900	1,070
Six wheelers						
1½–3½ ch	D-186-T			148	5,390	1,475
Ch. and cab	D-186-T			148	5,825	1,582
Chassis	D-186-T			173	5,520	1,490
Ch. and cab	D-186-T			173	5,965	1,597
Chassis	D-186-T			191	5,585	1,505
Ch. and cab	D-186-T			191	6,020	1,612
1½–3½ ch	DS-186-T			148	5,490	1,590
Ch. and cab	DS-186-T			148	5,925	1,697
Chassis	DS-186-T		6	173	5,620	1,605
Ch. and cab	DS-186-T		6	173	6,055	1,712
Chassis	DS-186-T		6	191	5,685	1,620
Ch. and cab	DS-186-T		6	191	6,120	1,727
2½–5 ch	DR-246-T		6	161	8,320	3,015
Ch. and cab	DR-246-T		6	161	8,755	3,160
Chassis	DR-246-T		6	179	8,535	3,040
Ch. and cab	DR-246-T		6	179	8,970	3,185
Chassis	DR-246-T		6	197	8,635	3,065
Ch. and cab	DR-246-T		6	197	9,070	3,210
Chassis	DR-246-T		6	215	9,770	3,090
Ch. and cab	DR-246-T		6	215	9,205	3,235
2½–5 ch	DS-246-T		6	161	8,185	3,060
Ch. and cab	DS-246-T		6	161	8,620	3,205
Chassis	DS-246-T		6	179	8,405	3,085
Ch. and cab	DS-246-T		6	179	8,840	3,230
Chassis	DS-246-T		6	197	8,505	3,110
Ch. and cab	DS-246-T		6	197	8,940	3,255
Chassis	DS-246-T		6	215	8,635	3,135
Ch. & cab	DS-246-T		6	215	9,070	3,280

(P) INTERNATIONAL—Continued

(P) INTERNATIONAL—Continued

(5) 1939[1]

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price chassis	Price chassis w/ cab
				Inches			
Metro body	D-2-M	Model prefix-601 and up for each model.	6	102	3,800	------	[2]$1,110
	D-2-M		6	113	3,925	------	[2] 1,170
Chassis	D-5		6	113	2,170	$490	598
	D-5		6	125	2,195	515	623
Metro body	D-15-M		6	102	4,275	------	[2] 1,240
	D-15-M		6	113	4,425	------	[2] 1,310
Chassis	D-500		6	94	6,850	2,210	2,560
	D-500		6	106	7,030	2,235	2,585
	D-500		6	124	7,180	2,260	2,610
	D-500		6	94	6,965	2,375	2,725
	DR-500		6	106	7,155	2,400	2,750
	DR-500		6	124	7,315	2,425	2,775
	DR-500		6	94	6,830	2,420	2,770
	DS-500		6	106	7,020	2,445	2,795
	DS-500		6	124	7,180	2,470	2,820
	DS-500		6	94	8,530	4,250	4,600
	DR-700		6	106	8,645	4,275	4,625
	DR-700		6	124	8,755	4,300	4,650
	DR-700		6	142	8,930	4,325	4,675
	DR-700						

[1] Models, specifications, and prices for 1938 continue unchanged for 1939 except as noted.
[2] Price includes body.

(6) 1940

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price cab	Price chassis
				Inches			
Conventional 4-wheel equipment.	D-2	Model prefix—501 and up for each model.	6	113	2,290	108.00	$475
	D-2-H		6	125	2,315	108.00	500
	D-2-M		6	102	2,045		1,100
	D-2-M		6	113	2,055		1,170
	D-2-M		6	113	2,170	108.00	400
	D-5		6	125	2,195	108.00	515
	D-5		6	113	2,770	108.00	605
	D-15		6	113	2,770		605
	D-15-L		6	130	2,900	108.00	605
	D-15-LL	528 up	6	102	2,325		1,240
	D-15-M		6	113	2,424		1,310
	D-15-ML		6	128	3,510	108.00	650
	D-29	661 up	6	143	3,555	108.00	685
	D-29		6	155	3,595	108.00	685
	D-29		6	173	3,685	108.00	710
	D-29		6	128	3,610	108.00	765
	DS-29		6	143	3,655	108.00	800
	DS-29		6	155	3,695	108.00	800
	DS-29		6	173	3,785	108.00	825
	DS-29		6	128	3,510	108.00	650
	D-30, D-30-L	62, 775 up	6	143	3,555	108.00	685
	D-30-D		6	155	3,595	108.00	685
			6	173	3,685	108.00	710
			6	128	3,610	108.00	768
	DS-30, DS-80-L	6, 978 up	6	143	3,655	108.00	800
	DS-30-D		6	155	3,695	108.00	800
			6	173	3,785	108.00	825
	D-35, D-35-L	20,161 up	6	137	4,135	145.50	970
	D-35-H, D-35-HH		6	149	4,160	145.00	1,015
	D-35-HHH		6	161	4,185	145.00	1,040
			6	179	4,220	145.00	1,055
	DS-35-HHH		6	137	4,135	145.00	1,085
			6	149	4,160	145.00	1,130
	D-39, D-40	14488 up	6	161	4,185	145.00	1,155
	D-40-L, D-40-H		6	179	4,220	145.00	1,170
			6	134	4,805	145.00	1,365
			6	146	4,830	145.00	1,380
			6	158	4,855	145.00	1,395
			6	176	4,895	145.00	1,410
	DS-39, DS-40	1804 up	6	134	4,930	145.00	1,550
	DS-40-L, DS-40-H		6	146	4,955	145.00	1,565
			6	158	4,980	145.00	1,580
			6	176	5,020	145.00	1,595
	D-50, D-50-LS	3072 up	6	137	6,215	145.00	1,975
	D-50-LL, D-50-L		6	149	6,245	145.00	2,010
	DH-50-H		6	161	6,275	145.00	2,035
			6	179	6,335	145.00	2,060
	DS-50, DS-50-LS	839 up	6	137	6,215	145.00	2,185
	DS-50-LL		6	149	6,245	145.00	2,220
	DS-50-L, DS-50-H		6	161	6,275	145.00	2,245
			6	179	6,335	145.00	2,270
	DR-50, DR-50-LS	1189 up	6	137	6,350	145.00	2,140
	DR-50-LL		6	149	6,380	145.00	2,175
	DR-50-L, DR-50-H		6	161	6,410	145.00	2,200
			6	179	6,470	145.00	2,225
	D-60, D-60-SB	1028 up	6	149	7,190	145.00	2,795
	D-60-L, D-60-H		6	161	7,265	145.00	2,820
			6	179	7,320	145.00	2,845
			6	197	7,375	145.00	2,870
	DR-60	1959 up	6	149	7,190	145.00	2,945
	DR-60-SR		6	161	7,265	145.00	2,970
	DR-60-L, DR-60-H		6	179	7,320	145.00	2,995
			6	197	7,375	145.00	3,200

(P) INTERNATIONAL—Continued

(6) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price cab	Price chassis
				Inches			
Conventional 4-wheel equipment.	DR-70, DR-70-LS	1061 up	6	140	8,100	$145.00	$4,195
	DR-70-L, DR-70-H		6	161	8,175	145.00	4,250
			6	179	8,200	145.00	4,275
			6	197	8,285	145.00	4,360
	A-8, A-8-L, A-8-H	1043 up	6	160	12,405	225.00	6,200
			6	180	12,465	225.00	6,250
			6	208	12,485	225.00	6,300
			6	225	12,585	225.00	6,350
Six wheel equipment	D-186-T, D-186-TL	520 up	6	148	7,500	108.00	1,475
	D-186-TH		6	173	7,525	108.00	1,490
			6	191	7,585	108.00	1,505
	DS-186-T		6	148	7,440	108.00	1,500
	DS-186-TL		6	173	7,465	108.00	1,665
	DS-186-TH		6	191	7,585	108.00	1,720
	D-216-T, D-216-TL		6	176	6,570	108.00	1,760
	D-216-TH		6	194	6,630	108.00	1,775

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price, stand-ard cab	Price, stand-ard chassis
				Inches			
	DS-216-T, DS-216-TL	712 up	6	176	6,445	$145.00	$1,945
	DS-216-TH		6	194	6,505	145.00	1,960
	D-216-F, D-216-FL	508 up	6	167	6,805	145.00	2,185
	D-216-FH		6	179	6,840	145.00	2,200
	D-246-T, D-246-TL	593 up	6	194	N/A	145.00	2,215
	D-246-TH		6	194	8,185	145.00	2,850
			6	179	8,045	145.00	2,875
			6	197	8,045	145.00	2,900
	DS-246-T, DS-246-TL		6	207	8,635	145.00	2,925
	DS-246-TH	528 up	6	194	8,187	145.00	3,000
			6	179	8,401	145.00	3,050
			6	197	8,060	145.00	3,150
	DR-246-T, DR-246-TL	520 up	6	215	8,697	145.00	3,175
	DR-246-TH		6	194	8,541	145.00	3,190
			6	179	8,502	145.00	3,040
			6	197	8,043	145.00	3,065
	D-246-F, D-246-FL	928 up	6	207	8,773	145.00	3,090
	D-246-FH		6	194	8,681	145.00	3,150
			6	179	8,567	145.00	3,175
			6	197	8,701	145.00	3,200
	DR-346-T, DR-346-TL	542 up	6	215	9,042	145.00	3,225
	DR-346-TH		6	194	10,240	145.00	3,900
			6	197	10,715	145.00	3,925
			6	207	11,045	145.00	3,950
	D-346-F, D-346-FL	660 up	6	194	11,207	145.00	3,750
	D-346-FH		6	197	11,482	145.00	3,775
			6	207	11,644	145.00	3,800
	DR-426-F, DR-426-TL	565 up	6	194	12,797	145.00	3,900
	DR-426-TH		6	215	13,205	145.00	3,925
			6	207	13,165	145.00	3,950
	AR-626-F		6	180	18,500	325.00	12,500
			6	208	18,770	325.00	12,700
Diesel equipped	DD-50, DD-50-L	720 UP	4	137	7,147	145.00	3,277
	DD-50-H		4	149	7,467	145.00	3,310
			4	161	7,587	145.00	3,335
			4	179	7,707	145.00	3,360
	DSD-50, DS-D-50-L	508 UP	4	137	7,345	145.00	3,485
	DSD-50-H		4	149	7,467	145.00	3,520
			4	161	7,587	145.00	3,545
			4	179	7,707	145.00	3,570
	DRD-50, DRD-50-L	904 UP	4	137	7,805	145.00	3,445
	DRD-50-H		4	149	7,925	145.00	3,475
			4	161	7,945	145.00	3,500
			4	179	7,965	145.00	3,525
	DD-60, DD-60-L	501 UP	4	149	8,260	145.00	4,005
	DD-60-H		4	161	8,347	145.00	4,030
			4	179	8,417	145.00	4,115
			4	197	8,475	145.00	4,170
	DRD-60, DRD-60-L	508 UP	4	149	8,260	145.00	4,245
	DRD-60-H		4	161	8,347	145.00	4,270
			4	179	8,417	145.00	4,295
			4	197	8,475	145.00	4,345
	DRD-70, DRD-70-L	524 UP	6	146	10,625	145.00	5,725
	DRD-70-H		6	161	10,710	145.00	5,740
			6	179	10,775	145.00	5,775
			6	197	10,840	145.00	5,800
	AD-8, AD-8-L, AD-8-H	507 up	6	160	12,415	325.00	7,185
			6	189	13,145	325.00	7,235
			6	208	13,515	325.00	7,285
			6	225	13,565	325.00	7,335
	DD-246-T, DD-246-TL	504	4	161	9,445	145.00	4,100
	DD-246-TH		4	179	9,505	145.00	4,125
			4	197	9,565	145.00	4,200
	DSD-246-T	501 up	4	215	9,805	145.00	4,225
	DSD-246-TL		4	161	9,445	145.00	4,050
	DSD-246-TH		4	179	9,335	145.00	4,185
			4	197	9,735	145.00	4,210
	DRD-246-T		4	215	9,805	145.00	4,345
	DRD-246-TL		4	161	9,445	145.00	4,395
	DRD-246-TH		4	179	9,870	145.00	4,420
			4	197	9,870	145.00	4,467
	DD-246-FL	506 up	4	215	10,000	145.00	4,490
	DD-246-FH		4	197	9,550	145.00	4,460
			4	179	9,655	145.00	4,475

(P) INTERNATIONAL—Continued

(P) INTERNATIONAL—Continued

(P) INTERNATIONAL—Continued

(6) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Standard cab	Price standard chassis
				Inches			
Diesel equipped	DD-246-FH	506 up	4	197	9,940	$145.00	$4,500
			4	215	10,220	145.00	4,505
	DRD-346-T, DRD-346-TL	505 up	6	161	11,315	145.00	6,530
	DRD-346-TH		6	197	11,585	145.00	6,555
			6	215	11,715	145.00	6,580
	DD-346-F, DD-346-FL	510 up	6	161	12,815	145.00	7,280
	DD-346-FH		6	197	13,515	145.00	7,305
			6	215	13,645	145.00	7,330
	DRD-426-F	504 up	6	161	14,355	145.00	9,030
	DRD-426-FL		6	215	15,325	145.00	9,055
	DRD-426-FH		6	233	15,495	145.00	9,080
	ARD-626-F, ARD-626-FL		6	180	18,805	325.00	13,485
	ARD-626-FH		6	233	19,650	325.00	13,845
Cab over engine	D-300-D-300-L	3862 up	6	87	3,270	225.00	715
	D-300-H		6	99	3,345	325.00	715
			6	117	3,450	325.00	750
	DS-300, DS-300-L	744 up	6	87	3,370	325.00	830
	DS-300-H		8	99	3,445	325.00	830
			6	117	3,550	325.00	865
	D-500, D-500-LS	530 up	6	94	6,185	325.00	2,210
	D-500-LL, D-55-H		6	106	6,215	325.00	2,235
			6	124	6,275	325.00	2,260
	DS-500, DS-500-LS	501 up	6	94	6,185	350.00	2,420
	DS-500-LL, DS-500-L		6	106	6,215	350.00	2,445
	DS-500-H	506 up	6	124	6,275	350.00	2,470
	DR-500, DR-500-LS		6	94	6,310	350.00	2,375
	DR-500-LL, DR-500-L		6	106	6,340	350.00	2,400
	DR-500-H		6	124	6,400	350.00	2,425
	DR-700, DR-700-LS	502 up	6	94	7,795	350.00	4,250
	DR-700-L, DR-700-H		6	106	7,835	350.00	4,275
			6	124	7,895	350.00	4,300
			6	142	7,935	350.00	4,325
Passenger bus chassis	D-30-S	889 up	6	155	3,705		785
			6	173	3,795		810
	DS-30-B	506 up	6	155	3,805		900
			6	173	3,895		925
	D-35-B	885 up	6	179	4,525		1,170
	DS-35-B	511 up	6	179	4,560		1,285
School bus chassis	D-30, D-30-L	62775 up	6	128	3,510		650
	D-30-D		6	143	3,555		685
			6	155	3,595		685
			6	173	3,685		710
			6	191	3,971		745
	DS-30, DS-30-L	6978 up	6	128	3,610		765
	DS-30-D		6	143	3,655		800
			6	155	3,695		800
			6	173	3,785		825
			6	191	4,003		860
	D-35, D-35-L	20161 up	6	161	4,185		1,040
	D-35-H, D-35-HH		6	179	4,220		1,055
	D-35-HHH		6	197	4,620		1,090
			6	218	4,998		1,130
	DS-35, DS-35-L	6966 up	6	161	4,185		1,155
	DS-35-H, DS-35-HH		6	179	4,220		1,170
	DS-35-HHH		6	197	4,620		1,205
			6	218	4,998		1,245
	D-40, D-40-L, D-40-H	14488	6	176	4,895		1,420
			6	215	5,620		1,495
			6	233	5,858		1,535
			6	253	6,065		1,625
	DS-40, DS-40-L	1804 up	6	176	5,020		1,595
	DS-40-H		6	215	5,745		1,680
			6	235	5,983		1,720
			6	253	6,190		1,810
	D-50	3,072 up	6	256	7,033		2,210
	DS-50	839 up	6	256	7,168		2,420
	DR-50	1,189 up	6	256	7,303		2,375
	D-12-SB	505 up	6	130	2,820		885
	D-21-SB	506 up	6	155	4,045		855
	D-21-SBB	501 up	6	155	4,401		1,195
	D-31-SB	525 up	6	155	4,045		855
	D-31-SBB	501 up	6	155	4,510		1,195
	D-37-SB	531 up	6	187	4,367		920
	D-37-SBB	501 up	6	187	4,675		1,225
	D-43-SB	522 up	6	212	4,985		1,325
	D-49-SH	549 up	6	231	5,350		1,695
	D-49-SHB	501 up	6	231	5,350		1,845
	D-55-SB	530 up	6	250	7,133		2,560
	D-55-SBB	501 up	6	250	7,133		2,635

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price chassis	Price chas. w/cab
				Inches			
Light duty trucks—single wheel equipment.	K-1, K-1-H	501 up	6	113	2,250	$490	$508
			6	125	2,275	510	618
	K-2, K-2-L		6	125	2,285	520	630
	K-3-H, K-3		6	113	3,000	620	730
	K-3-L, K-3-H		6	130	3,030	620	730

(P) INTERNATIONAL—Continued

(6) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price chassis	Price chas. w/cab
				Inches			
Light duty trucks—Single wheel equipment.	K-4, K-4-L, K-4-H	501 up	6	113	3,250	$645	$753
			6	135	3,300	645	753
			6	147	3,360	665	773
	K-5, K-5-L, K-5-H		6	156	3,470	685	793
			6	135	3,555	645	753
			6	147	3,620	645	753
			6	159	3,665	665	773
			6	177	3,715	685	793
Light duty truck—dual wheel equipment.	K-5, K-5-L, K-5-H		6	135	3,660	690	798
			6	147	3,725	710	818
			6	159	3,770	730	838
			6	177	3,820	750	858
Medium duty trucks—dual wheel equipment.	K-6, K-6-L, K-6-H		6	134	4,475	1,005	1,170
			6	146	4,515	1,025	1,190
			6	158	4,560	1,045	1,210
			6	176	4,620	1,065	1,230
	K-7, K-7-L, K-7-H		6	134	4,905	1,270	1,535
			6	146	4,950	1,290	1,555
			6	158	4,995	1,410	1,575
			6	176	5,065	1,430	1,595
	K-8, K-8-L, K-8-H		6	137	6,250	1,910	2,075
			6	149	6,310	1,930	2,095
			6	161	6,370	1,970	2,115
			6	179	6,460	1,970	2,135
Heavy duty truck—Dual wheel equipment	K-10, K-10-L, K-10-H		6	197	6,550	1,990	2,155
			6	149	7,095	2,700	2,865
			6	161	7,170	2,720	2,885
			6	179	7,225	2,740	2,905
			6	197	7,280	2,760	2,925
Heavy duty truck—Double reduction axle—Dual wheel equipment	KR-11, KR-11-L, KR-11-H		6	149	8,021	3,960	4,065
			6	161	8,096	3,240	4,085
			6	179	8,151	3,940	4,105
			6	197	8,206	3,960	425

(7) 1941 and 1942

Light duty trucks—Single wheel equipment	K-1, K-1-H	501 up	6	113	2,250	N. A.	$663
			6	123	2,275	N. A.	682
Metro	K-1-M				3,800	N. A.	[1] 1,170
Body and chassis	K-1-MH				4,010	N. A.	[1] 1,215
	K-2, K-2-L, K-2-H		6	125	2,285	$580	$693
	K-3, K-3-L, K-3-H		6	113	3,000	680	793
			6	130	3,030	680	793
Metro body and chassis	K-3-M, K-3-LM, K-3-HM		6	102	4,235	N. A.	1,280
			6	113	4,535	N. A.	1,325
	K-4, K-4-L, K-4-H		6	113	3,240	710	823
			6	147	3,360	730	843
			6	159	3,410	750	863
	K-5, K-5-L, K-5-H		6	134	3,690	770	883
			6	146	3,725	790	903
			6	158	3,770	810	923
			6	176	3,820	830	943
Medium duty truck—dual wheel equipment.	K-6, K-6-L, K-6-H		6	134	4,475	1,125	1,295
			6	146	4,515	1,145	1,315
			6	158	4,560	1,165	1,335
			6	176	4,620	1,185	1,355
	K-7, K-7-L, K-7-H		6	134	4,905	1,490	1,660
			6	146	4,950	1,510	1,680
			6	158	4,995	1,530	1,700
			6	176	5,065	1,550	1,720
	K-8, K-8-L, K-8-H		6	137	6,250	2,155	2,325
			6	149	6,310	2,175	2,345
			6	161	6,370	2,195	2,365
			6	179	6,460	2,215	2,385
			6	197	6,550	2,235	2,405
Heavy duty trucks—dual wheel equipment.	K-10, K-10-L, K-10-H		6	149	7,095	3,025	3,195
			6	161	7,170	3,045	3,215
			6	179	7,225	3,065	3,235
			6	197	7,280	3,085	3,255
Heavy duty trucks—double reduction axle—dual wheel equipment.	KR-11, KR-11-L, KR-11-H		6	149	8,021	4,225	4,395
			6	161	8,096	4,245	4,415
			6	179	8,151	4,265	4,435
			6	197	8,206	4,285	4,455
Light duty trucks—cab-over-engine—Dual wheel equipment.	K-5-COE, K-5-L-COE		6	87	N. A.	965	1,140
	K-5-H-COE		6	99	N. A.	965	1,140
			6	117	N. A.	985	1,160
Medium duty truck—cab-over-engine—Dual wheel equipment.	K-7-COE, K-7-L-COE		6	87	5,290	1,730	1,965
	K-7-H-COE		6	99	5,270	1,750	1,985
			6	117	5,355	1,770	2,005
			6	153	5,600	1,810	2,045
	K-8-COE, K-8-L-COE		6	94	6,810	2,530	2,805
	K-8-H-COE		6	106	7,000	2,550	2,825
			6	124	7,160	2,570	2,845
			6	124	7,330	2,590	2,868

(P) INTERNATIONAL—Continued

(7) 1941 and 1942—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price chassis	Price chassis w/cab
				Inches			
Heavy duty trucks—cab-over-engine—double reduction axle DW—equipment.	KR-11-COE	501 up	6	94	8,530	$4,650	$4,925
	KR-11-L-COE		6	106	8,645	4,670	4,945
	KR-11-H-CEO		6	124	8,755	4,690	4,965
			6	142	8,930	4,710	4,985
Six wheel—2 wheel drive—dual wheel equipment.	K-6-T, K-6-TL, K-6 TH		6	176	6,370	1,915	2,165
			6	194	6,430	2,015	2,185
	K-8-T, K-8-TL, K-8-TH		6	161	8,215	3,115	2,285
			6	179	8,335	3,135	3,305
			6	197	8,535	3,155	3,325
			6	215	8,665	3,175	3,345
Six wheel—2 wheel drive—double reduction axle—DW equipment.	KR-11-T, KR-11-TL		6	161	10,450	4,785	4,955
	KR-11-TH		6	197	10,950	4,825	4,995
			6	215	11,250	4,845	5,015
Six wheel—4 wheel drive—dual wheel equipment.					6,750		
	K-6-F, K-6-FL		6	151		2,445	2,615
	K-6-FH		6	176	6,875	2,465	2,635
			6	194	7,000	2,485	2,655
	K-8-F, K-8-FL		6	161	8,470	3,525	3,695
			6	179	8,600	3,545	3,715
			6	197	8,880	3,565	3,735
			6	215	9,170	3,585	3,755
	K-11-F, K-11-FL		6	161	10,925	5,420	5,590
	K-11-FH		6	197	11,425	5,460	5,630
			6	215	11,725	5,680	5,650
School bus chassis							865
	K-5		6	195	N. A.		1,220
	K-6		6	194	N. A.		1,290
			6	212	N. A.		1,635
	K-7		6	212	N. A.		1,675
			6	230	N. A.		1,765
	K-8		6	248	N. A.		2,305
			6	251	N. A.		

(Q) MACK

[Manufacturer: Mack International Motor Truck Corp. Principal plant: Allentown, Pennsylvania]

(1) 1935

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
					Inches		
Chassis	BG	Not available for any model.	6	Single reduction	138	5,200	$3,000
Tractor	BG		6	Single reduction	148	5,300	3,150
Chassis	BF		6	Single reduction	156	5,350	3,750
Chassis	BF		6	Dual reduction	156	6,700	4,000
Tractor	BF		6	Dual reduction	138	N. A.	4,150
Chassis	AB		4	Chain drive	156	6,900	4,000
Tractor	AB		4	Chain drive	138	N. A.	4,150
Chassis	AB		4	Dual reduction	156	6,900	4,200
Tractor	AB		4	Dual reduction	138	N. A.	4,350
Chassis	BM		6	Dual reduction	157	N. A.	4,700
Tractor	BM		6	Dual reduction	138	N. A.	4,850
Chassis	CH[1]		6	Dual reduction	132	8,400	5,200
Tractor	CH[1]		6	Dual reduction	104	N. A.	5,350
Chassis	CJ[1]		6	Dual reduction	132	9,600	6,100
Tractor	CJ[1]		6	Dual reduction	104	N. A.	6,250
Chassis	BX		6	Chain drive	171	9,400	5,750
Tractor	BX		6	Chain drive	136	N. A.	5,900
Chassis	BX		6	Dual reduction	171	9,400	5,600
Tractor	BX		6	Dual reduction	136	N. A.	5,750
Chassis: 6 wheel, 2 wheel drive.	BX		6	Dual reduction	180	N. A.	7,500
Chassis: 6 wheel, 4 wheel drive.	BX		6	Dual reduction	178	N. A.	7,950
Chassis	BQ		6	Dual reduction	176	10,800	6,800
Tractor	BQ		6	Dual reduction	141	N. A.	6,950
Chassis: 6 wheel, 2 wheel drive.	BQ		6	Dual reduction	187	N. A.	8,850
Chassis: 6 wheel, 4 wheel drive.	BQ		6	Dual reduction	185	N. A.	9,350
Chassis	AK		4	Dual reduction	162	9,400	5,250
Tractor	AK		4	Dual reduction	143	N. A.	5,400
Chassis	AK		6	Dual reduction	174	N. A.	6,800
Tractor	AK		6	Dual reduction	155	N. A.	6,950
Chassis	AC		4	Chain drive	174	10,200	5,750
Tractor	AC		4	Chain drive	138	N. A.	5,900

(Q) MACK—Continued

(2) 1936

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
					Inches		
Chassis	EH	Not available for any model.	6	Single reduction	146	N. A.	$2,095
Tractor	EH		6	Single reduction	130	N. A.	2,245
Chassis	BG		6	Single reduction	138	N. A.	2,500
Tractor	BG		6	Single reduction	148	N. A.	2,650
Tractor[1]	EC[1]		6	Single reduction	108	N. A.	3,600
Tractor[1]	EC[1]		6	Single reduction	96	N. A.	3,750
Chassis	BF		6	Dual reduction	144	N. A.	3,450
Tractor	BF		6	Dual reduction	138	N. A.	3,600
Chassis	EB[1]		3	Dual reduction	108	N. A.	4,250
Tractor	EB[1]		6	Dual reduction	96	N. A.	4,400
Chassis	BM		3	Dual reduction	157	N. A.	4,250
Tractor	BM		6	Dual reduction	138	N. A.	4,400
Chassis	CH[1]		6	Dual reduction	119	N. A.	5,150
Tractor	CH[1]		6	Dual reduction	98	N. A.	5,300
Chassis	BX		6	Dual reduction	171	N. A.	5,250
Tractor	BX		6	Dual reduction	136	N. A.	5,400
Chassis: 6 wheel, 2 wheel drive.	BX		6	Dual reduction	180	N. A.	7,000
Chassis	CJ[1]		6	Dual reduction	112	N. A.	6,100
Tractor	CJ[1]		6	Dual reduction	98	N. A.	6,250
Chassis: 6 wheel, 2 wheel drive.	CJ[1]		6	Dual reduction	136	N. A.	7,850
Chassis: 6 wheel, 4 wheel drive.	CJ[1]		6	Dual reduction	134	N. A.	8,350
Chassis	BF		6	Chain drive	144	N. A.	4,200
Tractor	BF		6	Chain drive	138	N. A.	4,350
Chassis	AB		6	Chain drive	144	N. A.	4,000
Tractor	AB		6	Chain drive	138	N. A.	4,150
Chassis	AB		6	Dual reduction	144	N. A.	4,200
Tractor	AB		6	Dual reduction	138	N. A.	4,350
Chassis	BX		6	Chain drive	160	N. A.	6,250
Tractor	BX		6	Chain drive	136	N. A.	6,400
Chassis: 6 wheel, 4 wheel drive.	BX		6	Chain drive	178	N. A.	7,500
Chassis	BQ		6	Dual reduction	176	N. A.	7,600
Tractor	BQ		6	Dual reduction	141	N. A.	7,750
Chassis: 6 wheel, 2 wheel drive.	BQ		6	Dual reduction	187	N. A.	8,850
Chassis: 6 wheel, 4 wheel drive.	BQ		6	Dual reduction	185	N. A.	9,350
Chassis	AK		4	Dual reduction	156	N. A.	5,500
Tractor	AK		4	Dual reduction	138	N. A.	5,650
Chassis	AK		6	Dual reduction	165	N. A.	7,600
Tractor	AK		6	Dual reduction	145	N. A.	7,750
Chassis	AC		4	Chain drive	156	N. A.	6,150
Tractor	AC		4	Chain drive	138	N. A.	6,300
Chassis	AC		6	Chain drive	165	N. A.	8,250
Tractor	AC		6	Chain drive	145	N. A.	8,400
Chassis	AP		6	Chain drive	174	N. A.	9,000
Tractor	AP		6	Chain drive	156	N. A.	9,150

(3) 1937

Chassis	EE	Not available for any model.	6	Single reduction	133	N. A.	$985
Tractor	EE		6	Single reduction	132	N. A.	1,135
Chassis	EJ		6	Single reduction	146	N. A.	1,625
Tractor	EJ		6	Single reduction	139	N. A.	1,775
Chassis	EH		6	Single reduction	146	N. A.	2,095
Tractor	EH		6	Single reduction	139	N. A.	2,245
Chassis	EM		6	Single reduction	146	7,350	2,750
Tractor	EM		6	Single reduction	141	N. A.	2,900
Chassis	EQ		6	Dual reduction	146	8,100	3,250
Tractor	EQ		6	Dual reduction	141	N. A.	3,400
Chassis	BM		6	Dual reduction	157	N. A.	4,250
Tractor	BM		6	Dual reduction	138	N. A.	4,400
Chassis	BX		6	Dual reduction	171	N. A.	5,250
Tractor	BX		6	Dual reduction	136	N. A.	5,400
Chassis: 6 wheel, 2 wheel drive.	BX		6	Dual reduction	180	N. A.	7,000
Chassis: 6 wheel, 4 wheel drive.	BX		6	Dual reduction	178	N. A.	7,500
Chassis	EC[1]		6	Single reduction	108	N. A.	3,600
Tractor	EC[1]		6	Single reduction	96	N. A.	3,750
Chassis	EH[1]		6	Dual reduction	108	N. A.	4,250
Tractor	EH[1]		6	Dual reduction	96	N. A.	4,400
Chassis	CH[1]		6	Dual reduction	119	N. A.	6,100
Tractor	CH[1]		6	Dual reduction	98	N. A.	5,300
Chassis	CJ[1]		6	Dual reduction	119	N. A.	6,100
Tractor	CJ[1]		6	Dual reduction	98	N. A.	6,250
Chassis: 6 wheel, 2 wheel drive.	CJ[1]		6	Dual reduction	136	N. A.	5,870
Chassis: 6 wheel, 4 wheel drive.	CJ[1]		6	Dual reduction	134	N. A.	8,350
Chassis	FR		6	Chain drive	146	7,350	2,950
Chassis	BF		6	Chain drive	144	8,100	4,200
Tractor	BF		6	Chain drive	138	N. A.	4,350
Chassis	BX		6	Chain drive	160	N. A.	6,250
Tractor	BX		6	Chain drive	136	N. A.	6,400
Chassis	BQ		6	Dual reduction	165	N. A.	7,600
Tractor	BQ		6	Dual reduction	141	N. A.	7,750
Chassis: 6 wheel, 2 wheel drive.	BQ		6	Dual reduction	187	N. A.	8,850
Chassis: 6 wheel, 4 wheel drive.	BQ		6	Dual reduction	185	N. A.	9,350
Chassis	AK		6	Dual reduction	165	N. A.	7,600
Tractor	AK		6	Dual reduction	145	N. A.	7,750
Chassis	AC		4	Chain drive	156	N. A.	6,150
Tractor	AC		4	Chain drive	138	N. A.	6,300

[1] Cab over engine.

(Q) MACK—Continued

(Q) MACK—Continued

(3) 1937—Continued

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
					Inches		
Chassis	AC	Not available for any model.	6	Chain drive	165	N. A.	$8,250
Tractor	AC		6	Chain drive	141	N. A.	8,400
Chassis	AP		6	Chain drive	174	N. A.	9,000
Tractor	AP		6	Chain drive	156	N. A.	9,150
Chassis	FC		6	Chain drive	N. A.	N. A.	9,250
Chassis	EF		6	Single reduction	132	N. A.	1,195
Tractor	EF		6	Single reduction	132	N. A.	1,295

(4) 1938

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
Chassis	ED	Not available for any model.	6	Single reduction	120	N. A.	$675
Chassis	EE		6	Single reduction	132	4,650	985
Chassis	EEU [1]		6	Single reduction	107	4,800	1,180
Tractor	EE		6	Single reduction	132	4,650	985
Tractor	EEU [1]		6	Single reduction	107	4,800	1,180
Chassis	EF		6	Single reduction	132	4,900	1,195
Chassis	EFU [1]		6	Single reduction	107	5,000	1,390
Tractor	EFT		6	Single reduction	132	N. A.	1,345
Tractor	EFUT [1]		6	Single reduction	107	N. A.	1,540
Chassis	EG		6	Single reduction	132	5,150	1,495
Chassis	EGU [1]		6	Single reduction	107	5,200	1,690
Chassis	EH		6	Single reduction	146	N. A.	2,095
Chassis	EHU [1]		6	Single reduction	108	N. A.	2,320
Tractor	EH		6	Single reduction	139	N. A.	2,095
Tractor	EHU [1]		6	Single reduction	108	N. A.	2,320
Chassis	EM		6	Single reduction	146	N. A.	2,495
Chassis	EMU [1]		6	Single reduction	108	N. A.	2,720
Tractor	EM		6	Single reduction	141	N. A.	2,495
Tractor	EMU [1]		6	Single reduction	108	N. A.	2,720
Chassis	EQ		6	Dual reduction	146	N. A.	2,995
Chassis	EQU [1]		6	Dual reduction	108	N. A.	3,220
Tractor	EQ		6	Dual reduction	141	N. A.	2,995
Tractor	EQU [1]		6	Dual reduction	108	N. A.	3,220
Tractor	EG		6	Single reduction	132	5,150	1,495
Tractor	EGU		6	Single reduction	107	5,200	1,690
Chassis	BM		6	Dual reduction	153	N. A.	4,250
Tractor	BM		6	Dual reduction	134	N. A.	4,250
Chassis	BX		6	Dual reduction	171	N. A.	5,250
Tractor	BX		6	Dual reduction	136	N. A.	5,250
Chassis: 6 wheel, 4 wheel drive	BX		6	Dual reduction	178	N. A.	7,500
Chassis	CH [1]		6	Dual reduction	119	N. A.	5,150
Tractor	CH [1]		6	Dual reduction	98	N. A.	5,150
Chassis	CJ [1]		6	Dual reduction	119	N. A.	6,100
Tractor	CJ [1]		6	Dual reduction	98	N. A.	6,100
Chassis 6 wheel, 4 wheel drive	CJ [1]		6	Dual reduction	134	N. A.	8,350
Chassis	EC [1]		6	Single reduction	108	N. A.	3,600
Tractor	EC [1]		6	Single reduction	96	N. A.	3,600
Chassis	EB [1]		6	Dual reduction	108	N. A.	4,250
Tractor	EB [1]		6	Dual reduction	96	N. A.	4,250
Chassis	BR		6	Chain drive	146	N. A.	2,950
Chassis	BS		6	Chain drive	158	N. A.	4,000
Tractor	BS		6	Chain drive	158	N. A.	4,000
Chassis	BX		6	Chain drive	160	N. A.	6,250
Tractor	BX		6	Chain drive	136	N. A.	6,250
Chassis	BQ		6	Dual reduction	168	N. A.	7,600
Tractor	BQ		6	Dual reduction	141	N. A.	7,600
Chassis	AK		6	Dual reduction	165	N. A.	7,600
Tractor	AK		6	Dual reduction	145	N. A.	7,600
Chassis	AC		4	Chain drive	156	N. A.	6,150
Tractor	AC		4	Chain drive	138	N. A.	6,150
Chassis	AC		6	Chain drive	165	N. A.	8,250
Tractor	AC		6	Chain drive	141	N. A.	8,250

(5) 1939

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
Chassis	ED	Not available for any model.	6	Single reduction	120	3,800	$675
Chassis	DE		6	Single reduction	136	N. A.	790
Chassis	EE		6	Single reduction	132	4,800	985
Chassis	EEU [1]		6	Single reduction	107	5,125	1,180
Chassis	EE		6	Single reduction	132	4,800	985
Chassis	EEU [1]		6	Single reduction	107	5,125	1,180
Chassis	EED		[2] 4	Single reduction	132	5,350	1,785
Chassis	EED		[2] 6	Single reduction	132	5,350	2,385
Chassis	EEUD [1]		[2] 4	Single reduction	107	5,675	1,980
Chassis	EEUD [1]		[2] 6	Single reduction	107	5,675	2,580
Chassis	EF		6	Single reduction	132	5,275	1,195
Chassis	EFU [1]		6	Single reduction	167	5,500	1,390
Tractor	EFT		6	Single reduction	132	N. A.	1,345
Tractor	EFUT [1]		6	Single reduction	107	N. A.	1,540
Chassis	EFD		[2] 6	Single reduction	132	6,000	2,595
Chassis	EFUD [1]		[2] 6	Single reduction	107	6,200	2,790
Chassis	EG		6	Single reduction	132	5,500	1,495
Chassis	EGU [1]		6	Single reduction	107	5,625	1,690
Tractor	EG		6	Single reduction	132	5,500	1,495
Tractor	EGU [1]		6	Single reduction	107	5,625	1,690
Chassis	EGD		[2] 6	Single reduction	132	6,250	2,995
Chassis	EGUD [1]		[2] 6	Single reduction	107	6,375	3,190
Chassis	EH		6	Single reduction	132	N. A.	2,095
Chassis	EHU [1]		6	Single reduction	107	6,500	2,320
Tractor	EH		6	Single reduction	146	6,350	2,095
Tractor	EHU [1]		6	Single reduction	108	6,550	2,320
Chassis	EHD		[2] 6	Single reduction	139	N. A.	4,075
Chassis	EHUD [1]		[2] 6	Single reduction	108	7,150	4,300
Chassis	EM		6	Single reduction	146	7,850	2,495

[1] Cab over engine.
[2] Diesel engines.

(Q) MACK—Continued

(5) 1939—Continued

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
					Inches		
Chassis	EMU [1]	Not available for any model.	6	Single reduction	108	7,775	$2,720
Tractor	EM		6	Single reduction	146	7,850	2,4[illegible]
Tractor	EMU [1]		6	Single reduction	108	7,775	2,720
Chassis	EMD		[2] 6	Single reduction	141	N. A.	4,27[illegible]
Chassis	EMUD [1]		[2] 6	Single reduction	108	8,72[illegible]	4,500
Chassis	EQ		6	Dual reduction	146	7,950	2,9[illegible]
Chassis	EQU [1]		6	Dual reduction	108	8,000	3,220
Tractor	EQ		6	Dual reduction	146	7,950	2,995
Tractor	EQU [1]		6	Dual reduction	108	8,000	2,2[illegible]
Chassis	EQD		[2] 6	Dual reduction	14[illegible]	8,850	4,275
Chassis	EQUD		[2] 6	Dual reduction	108	8,900	4,950
Chassis	BM		6	Dual reduction	[illegible]	[illegible]	4,500
Tractor	BM		6	Dual reduction	134	N. A.	4,500
Chassis	CH		6	Dual reduction	11[illegible]	N. A.	5,150
Tractor	CH [1]		6	Dual reduction	[illegible]	N. A.	5,150
Chassis	BX		6	Dual reduction	17[illegible]	N. A.	5,[illegible]
Tractor	BX		6	Dual reduction	1[illegible]	N. A.	5,[illegible]
Chassis: 6 wheel, 4 wheel drive	BX		6	Dual reduction	178	14,[illegible]	7,[illegible]
Chassis	CJ [1]		6	Dual reduction	119	N. A.	6,100
Tractor	CJ [1]		6	Dual reduction	98	N. A.	6,100
Chassis 6 wheel, 4 wheel drive	CJ [1]		6	Dual reduction	134	N. A.	8,[illegible]

(6) 1940

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
Chassis	ED	Not available for any model.	[illegible]	Single reduction	120	3,800	$6[illegible]
Chassis	DE		[illegible]	Single reduction	13[illegible]	4,8[illegible]	7[illegible]
Chassis	EE		[illegible]	Single reduction	132	4,800	[illegible]
Chassis	EEU [1]		[illegible]	Single reduction	107	5,125	1,1[illegible]
Chassis	EED		[2] 4	Single reduction	132	5,350	1,[illegible]
Chassis	EEUD [1]		[2] 4	Single reduction	107	5,675	1,9[illegible]
Chassis	EF		[illegible]	Single reduction	132	5,275	1,1[illegible]
Chassis	EFU [1]		[illegible]	Single reduction	107	5,500	1,[illegible]
Chassis	EFD		[2] 6	Single reduction	132	6,000	2,[illegible]
Chassis	EFUD		[2] 6	Single reduction	107	6,200	2,8[illegible]
Chassis	EG		[illegible]	Single reduction	132	5,500	1,49[illegible]
Chassis	EGU [1]		[illegible]	Single reduction	107	5,625	1,6[illegible]
Chassis	EGD		[2] 6	Single reduction	132	6,250	3,[illegible]45
Chassis	EGUD [1]		[2] 6	Single reduction	107	6,375	3,18[illegible]
Chassis	EH		6	Single reduction	14[illegible]	6,500	2,[illegible]
Chassis	EHU		6	Single reduction	108	6,550	2,[illegible]
Chassis	EHD		[2] 6	Single reduction	146	7,050	4,150
Chassis	EHUD [1]		[2] 6	Single reduction	148	7,150	4,[illegible]
Chassis	EM		6	Single reduction	14[illegible]	7,850	2,4[illegible]
Chassis	EMU [1]		6	Single reduction	1[illegible]	7,775	2,6[illegible]
Chassis	EMD		[2] 6	Single reduction	146	8,000	2,[illegible]
Chassis	EMUD [1]		[2] 6	Single reduction	108	8,725	4,[illegible]
Chassis	EQ		6	Dual reduction	14[illegible]	7,950	2,99[illegible]
Chassis	EQU [1]		6	Dual reduction	108	8,000	3,[illegible]
Chassis	EQD		[2] 6	Dual reduction	146	8,850	4,8[illegible]
Chassis	EQUD		[2] 6	Dual reduction	1[illegible]	8,[illegible]	[illegible]20
Chassis	LF		6	Dual reduction	17[illegible]	N. A.	3,700
Chassis	BM		6	Dual reduction	1[illegible]	9,500	4,500
Chassis	LJ		6	Dual reduction	170	N. A.	4,900
Chassis	LM		6	Dual reduction	170	N. A.	6,1[illegible]
Chassis. 6 wheel, 4 wheel drive.	LM		6	Dual reduction	1[illegible]	N. A.	8,6[illegible]
Chassis	CH [1]		6	Dual reduction	119	11,000	7,150
Chassis	CJ [1]		6	Dual reduction	119	11,450	6,7[illegible]
Chassis 6 wheel, 4 wheel drive	CJ		6	Dual reduction	134	N. A.	9,2[illegible]
Tractor	EFT		6	Single reduction	132	N. A.	1,4[illegible]
Tractor	EFUT [1]		6	Single reduction	1[illegible]	N. A.	1,[illegible]
Chassis 6 wheel, 4 wheel drive.	LF		6	Dual reduction	16[illegible]	N. A.	8,77[illegible]
Chassis	EFTD		[2] 6	Single reduction	1[illegible]2	N. A.	3,0[illegible]
Chassis	EFUTD [1]		[2] 6	Single reduction	107	N. A.	3,14[illegible]
Tractor	EHT		6	Single reduction	141	N. A.	2,2[illegible]0
Tractor	EHUT [1]		6	Single reduction	108	N. A.	2,4[illegible]0
Chassis	EHTD		[2] 6	Single reduction	141	N. A.	4,2[illegible]5
Chassis	EHUTD [1]		[2] 6	Single reduction	108	N. A.	4,425
Tractor	EMT		6	Single reduction	141	N. A.	2,700
Tractor	EMUT [1]		6	Single reduction	108	N. A.	2,870
Chassis	EMTD		[2] 6	Single reduction	141	N. A.	4,780
Chassis	EMUTD [1]		[2] 6	Single reduction	108	N. A.	4,950
Tractor	LFT		6	Dual reduction	140	N. A.	4,[illegible]
Tractor	BM		6	Dual reduction	134	N. A.	4,[illegible]00
Tractor	LJT		6	Dual reduction	140	N. A.	5,600
Tractor	LMT		6	Dual reduction	140	N. A.	6,850
Tractor	CH		6	Dual reduction	98	N. A.	5,150
Tractor	CJ		6	Dual reduction	98	N. A.	6,750

(7) 1941-1942

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
Chassis	ED	Not available for any model.	6	Single reduction	120	3,800	$655
Chassis	DE		6	Single reduction	13[illegible]	4,8[illegible]6	765
Chassis	EE		6	Single reduction	132	4,800	1,025
Chassis	EEU [1]		6	Single reduction	107	5,125	1,165
Chassis	EF		6	Single reduction	132	5,275	1,245
Chassis	EFU [1]		6	Single reduction	107	5,500	1,385
Chassis	EG		6	Single reduction	132	5,500	1,545
Chassis	EGU [1]		6	Single reduction	107	5,625	1,685
Chassis	EH		6	Single reduction	146	6,350	2,170
Chassis	EHU [1]		6	Single reduction	108	6,500	2,340
Chassis	EM		6	Single reduction	146	7,850	2,595

[1] Cab over engine.
[2] Diesel engines.

(Q) MACK—Continued

(7) 1941-1942—Continued

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price

(S) REO

[Manufacturer: Reo Motors Incorporated. Principal plant Lansing, Michigan]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price

(Q) MACK—Continued

(7) 1941–1942—Continued

Rated capacity and type	Model	Serial No.	Number cylinders	Rear axle	Wheel base	Base weight	Price
					Inches		
Chassis	EMU [1]	Not available for any model.	6	Single reduction	108	7,775	$2,765
Chassis	EQ		6	Dual reduction	146	7,950	3,120
Chassis	EQU [1]		6	Dual reduction	168	8,000	3,290
Chassis	LF		6	Dual reduction	176	N. A.	3,700
Chassis 6 wheel, 4 wheel drive.	LF		6	Dual reduction	165	N. A.	6,575
Chassis	LJ		6	Dual reduction	176	N. A.	4,900
Chassis	LM		6	Dual reduction	176	N. A.	6,150
Chassis 6 wheel, 4 wheel drive.	LM		6	Dual reduction	165	N. A.	8,650
Chassis	LJU [1]		6	Dual reduction	135	N. A.	5,550
Chassis	LMU [1]		6	Dual reduction	135	N. A.	6,750
Chassis 6 wheel, 4 wheel drive.	LMU [1]		6	Dual reduction	134	N. A.	9,250
Tractor	RFT		6	Single reduction	132	N. A.	1,540
Tractor	RFU [1]		6	Single reduction	107	N. A.	1,640
Tractor	RHT		6	Single reduction	141	N. A.	2,275
Tractor	RHU [1]		6	Single reduction	108	N. A.	2,445
Tractor	RMT		6	Single reduction	141	N. A.	2,800
Tractor	RMU [1]		6	Single reduction	108	N. A.	2,970
Tractor	TFT		6	Dual reduction	140	N. A.	4,350
Tractor	TJU		6	Dual reduction	140	N. A.	5,650
Tractor	TMT		6	Dual reduction	140	N. A.	6,850
Tractor	TMU [1]		6	Dual reduction	112	N. A.	6,300
Tractor	TMU [1]		6	Dual reduction	112	N. A.	7,450

[1] Cab over engine.

(R) PLYMOUTH

[Manufacturer: Chrysler Corporation. Principal plant: Detroit, Michigan]

(1) 1936

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Commercial				*Inches*		
Com'l sed.	P-1	1111701 to 1183569	6	113	2,785	$605
Sta. wagon	P-1	9000101 to 9012724 3157151 to 3162965.	6	113	2,920	765

(2) 1937

Com'l ch. and cab	PT-50	8850101 to 8861664 9185701 to 9185718. 9208901 to 9208110. No. T50-1001 to T50-17519	6	116	2,400	$473

(3) 1938

Com'l ch. and cab	PT-57	8618701 to 8624034 9185301 to 9186417 9208201 to 9208708 No. PT57-1001 to PT57-9717.	6	116	2,320	$537

(4) 1939

Com'l ch. and cab	PT-81	8624201 to 8630419 9208851 to 9209341 Motor No. PT81-1001 to PT81-45162	6	116	2,600	$522
Panel dely. sed. util. 2DR-2	P-7	1298001 to 1377476	6	114	1,985	692
			6	114	2,844	662
	Evansville	9150401 to 9164594				
	Los Angeles	3110001 to 3114681				
		Motor No. P8-1001 to P8-411924				

(5) 1940

Com'l 1000 ch. and cab	PT-105		6	116	2,610	$532
Com'l 750 pan. dely.	P-9		6	117	1,941	607
Com'l 750 sed. util. 2DR-2	P-9		6	117	1,941	676

(6) 1941

Com'l 1000 ch. and cab	PT-125		6	116	2,615	$565
Com'l 1000 pickup	PT-125		6	116	2,615	600
Com'l 750 pan. del.	P-11		6	117	1,994	730
Com'l 750 sed. util. 2DR-2	P-11		6	117	1,994	735

(S) REO

[Manufacturer: Reo Motors Incorporated. Principal plant: Lansing, Michigan]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
½	S4P	SP-100 and up	6	N. A.	2,565	$495
1	1A4Y	1-4AY-100 and up	6	N. A.	2,805	535
1½	1B	1B-26029 and up	6	N. A.	3,260	595
1½	1D	1D-45199 and up	6	N. A.	3,360	625
1½	1A4	1-4A-100 and up	6	N. A.	2,805	535
1½	1C4	1-4C-100 and up	6	N. A.	2,930	575
2	2B	2B-5497 and up	6	N. A.	3,865	845
2	2D	2D13208 and up	6	N. A.	4,015	891
2	2L	2L-4150 and up	6	N. A.	3,970	1,065
2½	2H	2H-1876 and up	6	N. A.	4,475	1,245
2½	2J	2J-5272 and up	6	N. A.	4,650	1,295
2½	2K	2K-2957 and up	6	N. A.	4,765	1,365
3	2HR	2HR-1478 and up	6	N. A.	4,865	1,575
3	2JR	2JR-1670 and up	6	N. A.	5,040	1,625
3	2KR	2KR-1198 and up	6	N. A.	5,255	1,695
3	3H	3H-1030 and up	6	N. A.	5,125	1,795
3	3J	3J-2483 and up	6	N. A.	5,285	1,845
3	3K	3K-2692 and up	6	N. A.	5,400	1,895
3	3M	3M-1350 and up	6	N. A.	5,540	1,975
3½	3HR	3HR-1141 and up	6	N. A.	5,485	2,275
3½	3JR	3JR-1176 and up	6	N. A.	5,645	2,325
3½	3KR	3KR-1172 and up	6	N. A.	5,760	2,375
3½	3MR	3MR-1132 and up	6	N. A.	5,900	2,455
4	4H	4H-1498 and up	8	N. A.	6,210	2,595
4	4J	4J-1515 and up	8	N. A.	6,340	2,670
4	4K	4K-1731 and up	8	N. A.	6,455	2,745
4	4M	4M-1206 and up	8	N. A.	6,570	2,865
¾	BN	BN-8860 and up	6	N. A.	2,800	530
1	1BY	1BY-1553 and up	6	N. A.	2,926	595
3	3LC	3LC-1206 and up	6	N. A.	6,300	2,170
1	1BY4	1-4BY-100 and up	6	N. A.	2,985	595
1½	1B4	1-4B-100 and up	6	N. A.	3,298	595
1½	1D4	1-4D-100 and up	6	N. A.	3,383	655
2	2B4	2-4B-100 and up	6	N. A.	3,785	845
2	2D4	2-4D-100 and up	6	N. A.	3,940	920
21-25 PS.	3L-8	3L8-1177 and up	8	N. A.	6,515	2,555
21-25 PS.	3L-6	3L6-1585 and up	6	N. A.	6,375	2,425

(2) 1936

				Inches		
½	6AP	6AP-573	6	118	2,250	$447
1	1A4Y	1-4AY-261	6	139	2,805	577
1	1A4HY	14AHY-101 and up	6	139	3,045	641
1	1C4Y	14CY-101 and up	6	166	3,060	695
1	1H4	14HY-1001 and up	6	139	3,240	686
1	1D4Y	1D4Y-1001 and up	6	166	3,325	745
1½	1A4	1-4A-5697	6	139	2,750	595
1½	1C4	1-4C-5681	6	166	2,750	635
1½	1A4H	1-4AH-101 and up	6	139	3,045	641
1½	1C4H	1-4CH-101 and up	6	166	3,150	681
1½	1H4H	1-4BH-101 and up	6	139	3,240	775
1½	1D4H	1-4DH-101 and up	6	166	3,325	825
1½	1BL	1-4B-13890	6	139	3,260	695
1½	1D4	1-4D-21815	6	166	3,200	745
1½	1L5	1-5L-179	6	166	3,765	885
2	2D4M	2-40M-103 and up	6	166	4,050	1,027
2	2D4MH	2-4KMH-101 and up	6	166	4,060	1,155
2	1H4R	1-4BR-13119	6	139	3,353	761
2	1D4R	1-4DR-5029	6	166	3,353	841
1½	1B4M	1-4BM-104	6	139	3,700	1,025
2½	2H5	2-5H-101 and up	6	142	4,211	1,195
2½	2J5	2J-101 and up	6	166	4,338	1,265
1½	1B4M	1-4DM-219	6	166	3,850	1,075
2	2B4	2-4S-2894	6	142	3,700	920
2	2D4	2-4D-11213	6	142	3,700	920
2	2D4M	2-4DM-103	6	166	4,020	1,075
2½	2D4R	2-4DR-144	6	142	3,815	1,044
2½	2D4R	2-4DR-175	6	142	3,840	1,044
2	2L4	2-4L-3064	6	166	4,100	1,155
2½	2L4H	2-LH-3064	6	166	4,350	1,420
2	2LM	2LM-629	6	166	4,200	1,350
2½	2LMH	2LMH-487	6	166	4,450	1,665
2	2H	2H-2262	6	142	4,875	1,445
2	2J	2J-7285	6	166	5,050	1,488
2	2K	2K-4235	6	184	5,165	1,520
2½	2HR	2HR-1651	6	142	4,950	1,740
2½	2JR	2JR-2405	6	166	5,125	1,790
2½	2KR	2KR-1405	6	184	5,240	1,865
3	3L8	3L8-1353	6	188	6,750	2,825
2 six wh.	1D4	1-4D-21815	6	188	4,275	1,225
2 six wh.	2D4	2-4D-11213	6	188	4,890	1,511
3	3H	3H-2112	6	153	5,125	2,055
3	3J	3J-3734	6	170	5,125	2,055
3	3K	3K-3767	6	185	5,125	2,055
3	3M	3M-1609	6	205	5,125	2,055
3½	3HR	3HR-1303	6	153	5,400	2,570
3½	3JR	3JR-1332	6	170	5,560	2,570
3½	3KR	3KR-1457	6	185	5,675	2,570
3½	3MR	3MR-1202	6	190	5,815	2,760
3	3L6	3L6-2265	6	188	6,550	2,405
4	4H	4H-1727	8	150	6,280	3,080
4	4J	4J-1812	8	170	6,280	3,080
4	4K	4K-2002	8	190	6,280	3,080
4	4M	4M-1501	8	205	6,280	3,080
3	3H5	3-5H-101 and up	6	153	5,300	1,745
3	3J5	3-5H-101 and up	6	170	5,400	1,795

(S) REO—Continued

(2) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
	3K5	4-3K-101 and up	6	185	5,500	$1,895
	3HR5	4-3HR-101 and up	6	174	5,325	2,065
	3JR5	4-3JR-101 and up	6	170	5,475	2,115
	3KR5	4-3KR-101 and up	6	185	5,550	2,185
	4H5	4-4H-101 and up	6	156	6,400	2,775
	4J5	4-4J-101 and up	6	170	6,800	2,850
	4K5	4-4K-101 and up	6	190	6,600	2,940
		(3) 1937				
	4G0	4G0-101 and up	4	111	1,973	$845
	4G0L	4G0L-101 and up	4	120	2,064	870
	4G0	4G0-101 and up	4	114	2,100	885
	4G0L	4G0L-101 and up	4	120	2,190	905
	4J5	4J5-101 and up	4	111	2,165	940
	4J5L	4J5L-101 and up	4	120	2,185	960
	4J7	4J7-101 and up	4	114	2,300	945
	4J7L	4J7L-101 and up	4	120	2,320	965
	4H5	4H5-101 and up	6	134	2,953	946
	6G0	6G0-101 and up	6	120	2,183	970
	6G0L	6G0L-101 and up	6	138	2,203	995
	6A0	6A0-1115 and up	6	138	2,203	995
	6G0	6G0-101 and up	6	114	2,120	955
	6G0L	6G0L-101 and up	6	138	2,220	985
	6J5	6J5-101 and up	6	139	2,365	980
	6J5L	6J5L-101 and up	6	114	2,370	1015
	6J5	6J5-101 and up	6	139	2,420	1045
	6J5L	6J5L-101 and up	6	139	2,775	1085
	14AY	14AY-276 and up	6	154	3,473	1147
	14AHY	14AHY-105 and up	6	166	3,691	1085
	14AY	14AY-1501 and up	6	166	3,845	1085
	14CHY	14CHY-101 and up	6	139	3,245	1095
	14BY	14BY-25 and up	6	166	3,527	1145
	14DY	14DY-101 and up	6	166	3,527	1205
	14A	14A-1501 and up	6	166	3,675	1045
	14AH	14AH-1405 and up	6	166	3,675	1145
	14C	14C-1501 and up	6	166	3,675	1145
	14CH	14CH-281 and up	6	166	3,845	1095
	14B	14B-1445 and up	6	139	3,270	1095
	14BH	14BH-245 and up	6	139	3,458	1175
	14D	14D-2502 and up	6	166	3,525	1145
	14DH	14DH-266 and up	6	166	3,490	1205
	2B4	2B4-2170 and up	6	142	3,750	1065
	2J4	2J4-2455 and up	6	166	3,875	1085
	2J4M	2J4M-122 and up	6	166	3,870	1,097
	2J4MH	2J4MH-139 and up	6	166	4,020	1,155
	2H5	2H5-103 and up	6	142	4,295	1,197
	2J5	2J5-248 and up	6	166	4,410	1,205
	2J5L	2J5L-106 and up	6	184	6,280	1,745
	4H5	4H5-143 and up	6	130	6,160	1,705
	4J5	4J5-123 and up	6	185	6,300	1,895
	3H5	3H5-103 and up	6	174	6,470	2,065
	3J5	3J5-148 and up	6	170	6,450	2,115
	3KR5	3KR-169 and up	6	185	6,490	2,185
	4G0	4G0-103 and up	6	156	7,270	2,775
	4J5	4J5-103 and up	6	170	7,140	2,850
	4K5	4K5-107 and up	6	190	6,975	2,950
Bus chassis						
	11J5	11J5-243 and up	6	166½	4,100	1,155
	2J4	2J4-2651 and up	6	166	4,260	1,350
	2J4M	2J4M-604 and up	6	166½	4,300	1,555
	2J4MH	2J4MH-264 and up	6	166	4,400	1,735
	2L7MH	2L7MH-101 and up	6	142	4,655	1,698
	3L6H	3L6H-2282 and up	6	188	6,850	2,895
		(4) 1938				
	4G0	4G0-451 and up	4	114	1,973	$837
	6G0	6G0-871 and up	6	114	2,063	890
	4G0L	4G0L-184 and up	4	120	2,063	871
	6G0L	6G0L-297 and up	4	120	2,143	905
	4J5	4J5-124 and up	4	114	2,081	905
	6J5	6J5-165 and up	6	114	2,171	730
	4J5L	4J5L-170 and up	4	120	2,161	738
	6J5L	6J5L-170 and up	6	120	2,251	794
	6J7L	6J7L-170 and up	6	139	2,930	700
	14AY	14AY-2310 and up	6	139	3,315	745
	14AHY	14AHY-2205 and up	6	166	3,315	745
	14CY	14CY-2201 and up	6	166	3,150	745
	14CHY	14CHY-101 and up	6	166	3,370	790
	14BY	14BY-2000 and up	6	139	3,405	793
	14DY	14DY-2201 and up	6	166	3,530	849
	14A	14A-9437 and up	6	139	2,930	700
	14AH	14AH-2203 and up	6	139	3,315	745
	14C	14C-9125 and up	6	166	3,150	745
	14CH	14CH-2973 and up	6	166	3,370	790
	14B	14B-9822 and up	6	139	3,425	793
	14BH	14BH-2218 and up	6	166	3,550	849
	14D	14D-2098 and up	6	166	3,550	849
	14DH	14DH-2165 and up	6	166	3,565	912
	11J5	11J5-2164 and up	6	166½	3,850	957
	11J5H	11J5-1128 and up	6	142	3,860	1,099
	2B4	2B4-2770 and up	6	166	3,935	1,168
	2J4	2J4-3495 and up	6	166½	4,105	1,325
	2L4	2L4-5393 and up	6	166½	4,260	1,503
	2L7M	2L7M-725 and up	6	166	4,655	1,698
	2L7MH	2L7MH-101 and up	6	142	4,655	1,698

[1] Includes chassis and cab.
[2] Includes chassis, cab, and pickup body.

(S) REO—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2	2L7MF	2L7MF101 and up	6	175	4,700	$1,769
2	2L7MF	2L7MF101 and up	6	190	4,830	1,840
2½	2H5	25H2250 and up	6	142	4,240	1,368
2½	2J5	25J2527 and up	6	166	4,525	1,446
2½	2L4H	24LH5394 and up	6	166½	4,560	1,777
2½	2LMH	2LMH534 and up	6	166	4,400	1,977
2½	2L7MH	2L7MH101 and up	6	142	4,950	2,132
2½	2L7MHF	2L7MHF101 and up	6	175	5,000	2,203
2½	2L7MHF	2L7MHF101 and up	6	190	5,125	2,274
3	3H5	35H131 and up	6	153	6,280	1,981
3	3J5	35J182 and up	6	170	6,300	2,037
3	3K5	35K175 and up	6	185	6,345	2,115
3	3L6H	36L2297 and up	6	188	6,400	3,062
3	3L6HW	3L6HW102 and up	6	188	6,800	3,535
3½	3HR5	35HR127 and up	6	153	6,470	2,308
3½	3JR5	35JR123 and up	6	170	6,490	2,394
3½	3KR5	35KR122 and up	6	185	6,535	2,472
4	4H5	45H128 and up	6	156	7,270	3,133
4	4J5	45J125 and up	6	170	7,320	3,216
4	4K5	45K115 and up	6	190	7,375	3,306
Cab-over-engine						
1	1B7MY	1B7MY101 and up	6	105	3,915	967
1	1B7MY		6	125	4,015	1,002
1	1B7MY		6	147	4,040	1,037
1	1B7MY		6	166	4,065	1,072
1¼	1B7M	1B7M101 and up	6	105	3,915	967
1½	1B7M		6	125	4,015	1,002
1½	1B7M		6	147	4,040	1,037
1½	1B7M		6	166	4,065	1,072
2½	2B7M		6	105	4,095	1,269
2½	2B7M		6	125	4,195	1,313
2½	2B7M		6	142½	4,270	1,349
2½	2B7M		6	166	4,295	1,385
2	2H32		6	142	4,260	1,317
2	2J32		6	166	4,525	1,389
		(5) 1939				
½ pick-up and cab	4-50	450–998 and up	4	114	1,973	$579
½ pick-up and cab	6-50	650–1664 and up	6	114	2,063	613
½ pick-up and cab	4-50L	450L–257 and up	4	120	2,053	606
½ pick-up and cab	6-50L	650L–1569 and up	6	120	2,143	641
¾ pick-up and cab	4-75	475–141 and up	4	114	2,081	661
¾ pick-up and cab	6-75	675–241 and up	6	114	2,171	696
¾ pick-up and cab	4-75L	475L–326 and up	4	120	2,161	689
¾ pick-up and cab	6-75L	675L–1296 and up	6	120	2,251	723
1 pick-up and cab	1A4Y	14AY–2523 and up	6	139	2,930	657
1	1A4HY	14AHY–2309 and up	6	139	3,315	702
1	1C4Y	14CY–2202 and up	6	166	3,150	711
1	1C4HY	14CHY–2093 and up	6	166	3,370	756
1	1B4Y	14BY–2596 and up	6	139	3,405	732
1	1D4Y	14DY–2206 and up	6	166	3,530	789
1½	1A4	14A–10162 and up	6	139	2,930	657
1½	1A4H	14AH–2465 and up	6	139	3,315	702
1½	1C4	14C–9864 and up	6	166	3,150	711
1½	1C4H	14CH–2693 and up	6	166	3,370	756
1½	1B4	14B–17402 and up	6	139	3,405	732
1½	1B4H	14BH–2290 and up	6	139	3,425	822
1½	1D4	14D–27613 and up	6	166	3,530	789
1½	1D4H	14DH–2625 and up	6	166	3,550	879
2	2B4	24B–7989 and up	6	142	3,800	989
2	2D4	24D–15629 and up	6	166	3,935	1,061
2 Bus chassis	2LC	24LC–2304 and up	6	166½	3,850	1,206
2 Bus chassis	2L4	24L–5593 and up	6	166½	4,100	1,327
2 Bus chassis	2L7M	2L7M–148 and up	6	142	4,655	1,698
2 Bus chassis	2L7MF	2L7MF–148 and up	6	175	4,700	1,769
2½	2H5Z	25HZ–2318 and up	6	142	4,260	1,317
2½	2J5Z	25JZ–2754 and up	6	166	4,525	1,389
2½ Bus chassis	2L4H	24LH–5593 and up	6	166½	4,560	1,777
2½ Bus chassis	2L7MH	2L7MH–147 and up	6	142	4,950	2,132
2½ Bus chassis	2L7MHF	2L7MHF–147 and up	6	175	5,000	2,203
3	3H5	35H–144 and up	6	153	6,280	1,909
3	3J5	35J–216 and up	6	170	6,300	1,965
3	3K5	35K–195 and up	6	185	6,345	2,043
3	3L6H	3L6H–2308 and up	6	188	6,400	3,062
3	3L6HW	3L6HW–104 and up	6	188	6,800	3,472
3½	3HR5	35HR–138 and up	6	153	6,470	2,296
3½	3JR5	35JR–134 and up	6	170	6,490	2,322
3½	3KR5	35KR–130 and up	6	185	6,535	2,400
4	4H5	45H–130 and up	6	156	7,270	2,988
4	4J5	45J–134 and up	6	170	7,320	3,072
4	4K5	45K–119 and up	6	190	7,375	3,161
Cab-over-engine						
1 ch. and cowl	1B7MY	1B7MY–267 and up	6	105	3,915	967
1 ch. and cowl	1B7MY		6	125	4,015	1,002
1 ch. and cowl	1B7MY		6	147	4,040	1,037
1 ch. and cowl	1B7MY		6	166	4,065	1,072
1¼ ch. and cowl	1B7M	1B7M–267 and up	6	105	3,915	967
1½ ch. and cowl	1B7M		6	125	4,015	1,002
1½ ch. and cowl	1B7M		6	147	4,040	1,037
1½ ch. and cowl	1B7M		6	166	4,065	1,072
2½ ch. and cowl	2B7M	2B7M–189 and up	6	105	4,095	1,269
2½ ch. and cowl	2B7M		6	125	4,195	1,313
2½ ch. and cowl	2B7M		6	147	4,270	1,349
2½ ch. and cowl	2B7M		6	166	4,295	1,385

(S) REO—Continued

(S) REO—Continued

(6) 1940

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½	19A	19A–101 and up	6	120	3,760	$891
	19B	19B–101 and up	6	145	3,933	924
	19C	19C–101 and up	6	165	3,968	951
2	20A	20A–101 and up	6	120	4,320	1,142
	20B	20B–101 and up	6	145	4,445	1,178
	20C	20C–101 and up	6	165	4,514	1,206
2½	21A	21A–101 and up	6	120	4,820	1,443
	21B	21B–101 and up	6	145	4,945	1,479
	21C	21C–101 and up	6	165	5,014	1,508
3	22A	22A–101 and up	6	120	5,825	1,871
	22B	22B–101 and up	6	145	5,957	1,908
	22C	22C–101 and up	6	165	6,034	1,937
4	23A	23A–101 and up	6	120	6,525	2,467
	23B	23B–101 and up	6	145	6,657	2,503
	23C	23C–101 and up	6	165	6,737	2,533
School bus	119	119B–101 and up	6	145	3,834	971
School bus	120	120C–101 and up	6	165	4,400	1,256
School bus	121	121D–101 and up	6	195	5,174	1,629
School bus	122	122E–101 and up	6	215	6,264	2,125
School bus	123	123F–101 and up	6	235	6,364	2,258
Conventional trucks	19R	19R–101 and up	6	120	3,760	941
	21R	21R–101 and up	6	120	4,970	1,550
	22R	22R–101 and up	6	120	6,025	1,980
	23R	23R–101 and up	6	120	6,815	2,673

(7) 1941

1½	19A	Continuation of 1940 Serial Nos. 3123	6	120	3,760	$891
	19B		6	145	3,933	924
	19C		6	165	3,968	951
2	20A		6	120	4,320	1,142
	20B		6	145	4,445	1,178
	20C		6	165	4,514	1,206
2½	21A		6	120	4,820	1,443
	21B		6	145	4,945	1,479
	21C		6	165	5,014	1,508
3	22A		6	120	5,825	1,871
	22B		6	145	5,957	1,908
	22C		6	165	6,034	1,937
4	23A		6	120	6,525	2,467
	23B		6	145	6,657	2,503
	23C		6	165	6,737	2,533
School bus	119		6	145	3,843	971
School bus	120		6	165	4,440	1,256
School bus	121		6	195	5,174	1,629
School bus	122		6	215	6,264	2,125
School bus	123		6	215	6,364	2,258
Conventional trucks						
	19R		6	120	3,807	941
	21R		6	120	4,970	1,550
	22R		6	120	6,025	1,980
	23R		6	120	6,815	2,673
1½–2½	19	19A–101 to 3123	6	120	3,760	891
2–3	20	20A–101 to 3123	6	120	4,320	1,142
2–4	21	21A–101 to 3123	6	120	4,820	1,443
2–4	21H	21H–2561 to 3123	6	120	4,844	1,515
3–5	22	22–101 to 3123	6	120	5,825	1,871
3–5	22H	22H–2561 to 3123	6	120	5,825	1,908
4–6	23	23–101 to 3123	6	120	6,525	2,467
4–6	23H	23H–2561 to 3123	6	120	6,630	2,925
3–5	OSL41	OSL41–101 to 3123	6	145	6,250	2,729
4–6	NLW41	NLW41–101 to 3123	6	145	8,126	3,398

(8) 1942

1½	19A	3124 and up	6	120	3,760	$949
	19B			145	3,933	980
	19C			165	3,968	1,007
2	20A		6	120	4,320	1,211
	20B			145	4,445	1,247
	20C			165	4,514	1,297
2½	21A		6	120	4,820	1,550
	21B			145	4,945	1,586
	21C			165	5,014	1,614
2–4	21A	5700 and up	6	120	4,844	1,730
	21B			145	4,967	1,766
	21C			165	5,036	1,794
2–4	21AH	3124 and up	6	120	4,844	1,710
	21BH			145	4,967	1,746
	21CH			165	5,036	1,774
3	22A		6	120	5,825	1,988
	22B			145	5,957	2,025
	22C			165	6,034	2,054
3–5	22A	5700 and up	6	120	5,825	2,103
	22B			145	5,957	2,140
	22C			165	6,034	2,169
3–5	22AH	3124 and up	6	120	5,825	2,054
	22BH			145	5,957	2,091
	22CH			165	6,034	2,120
4	23A		6	120	6,525	2,591
	23B			145	6,657	2,628
	23C			165	6,737	2,657

(S) REO—Continued

(8) 1942—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
4–6	23AH	3124 and up	6	120	6,630	$3,050
	23BH			145	6,762	3,087
	23CH			165	6,842	3,116
5–7	25A		6	120	7,339	3,768
	25H			145	7,631	3,895
	25C			165	7,751	3,857
6–8	27A		6	132	8,586	5,792
	27B			157	8,718	5,831
	27C			177	8,798	5,862
3–5	OSL41B		6	145	6,250	3,137
	OSL41C			165	6,350	3,168
4–6	NWL41B			145	8,126	3,792
	NWL41C			165	8,236	3,823

(T) STERLING

[Manufacturer: Sterling Motor Truck Company Incorporated. Principal Plant: Milwaukee, Wisconsin]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
3½	FB80	80B–649 to 657	6	N. A.	6,525	$2,915
3½	FD90	90D–628 to 636	6	N. A.	6,775	3,030
4			6	N. A.	7,175	3,175
4			6	N. A.	7,425	3,285
5	FD97	97D652 to 660	6	N. A.	8,235	4,825
5			6	N. A.	8,535	4,990
5	FD97D		6	N. A.	8,985	7,155
5	FD97H		6	N. A.	9,335	7,985
5	FC100	100C629 to 648	6	N. A.	7,835	4,375
5			6	N. A.	8,185	4,805
5	FC100D		6	N. A.	8,935	7,135
5	FC100H		6	N. A.	9,210	7,965
5	HC100		6	N. A.	8,085	4,595
5			6	N. A.	8,435	5,025
6	FD115	115D683 to 693	6	N. A.	8,685	5,225
6			6	N. A.	8,985	6,130
6	FD115H		6	N. A.	9,685	8,220
7	FDT130	130BT601 to 604	6	N. A.	7,225	4,105
6	FC135	135C687 to 6123	6	N. A.	8,835	4,905
6			6	N. A.	9,135	5,075
6	FC135H		6	N. A.	9,835	8,070
7	HC140	140C648 to 670	6	N. A.	9,485	5,295
7			6	N. A.	9,785	5,465
7	HC140D		6	N. A.	10,585	7,800
9	HC170	170C609 to 613	6	N. A.	10,485	7,175
9	HC170H		6	N. A.	11,085	9,345
12	FCT200	200CT615 to 626	6	N. A.	11,985	7,645
12	FCT200H		6	N. A.	12,985	10,640
12	FDT200	200DT603 to 605	6	N. A.	11,985	7,920
12	FCS210	210CS617 to 621	6	N. A.	14,435	10,435
12	HCS210H		6	N. A.	15,285	12,990
DeLuxe						
2	FB50	50B–608S to 609S	6	N. A.	4,900	1,905
2½	FB60	60B–629S to 635S	6	N. A.	5,150	2,055
3	FB70	70B–609S to 643S	6	N. A.	5,475	2,305

(2) 1936

2	Del. FB50	50B–609S to 614S	6	162	4,900	$1,905
2½	Del. FB60	60B–635S to 647S	6	162	5,150	2,055
3	Del. FB70	70B–643S to 670S	6	162	5,475	2,305
3½	FB80	80B–657 to 670	6	155	6,525	2,915
3½			6	155	6,775	3,030
4	FD90	90D636 to 647	6	155	7,175	3,175
4			6	155	7,425	3,285
4		90C609 to 618	6	162	6,775	3,090
4½	FC95	95C601 to 602	6	177	7,775	3,830
4½		95D601 to 610	6	177	7,850	3,610
5	FD97	97D660 to 677	6	151	8,235	4,825
5			6	151	8,535	4,990
5	FC100	100C648 to 672	6	151	7,835	4,480
5			6	151	8,185	4,775
6	FD115	115D693 to 698	6	151	8,385	5,055
6			6	151	8,685	5,225
6			6	161	8,985	6,215
6	FC135	135C6123 to 6198	6	151	8,835	4,905
6			6	151	9,135	5,075
7	HC140	140C670 to 6151	6	145	9,485	5,030
7			6	145	9,785	5,175
9	HC170	170C613 to 628	6	155	10,485	7,175
5	FD97H	97D660 to 677	6	161	9,335	7,625
5	FC100H	100C648 to 672	6	161	9,210	7,580
6	FD115H	115D693 to 698	6	161	9,685	8,010
6	FC135H	135C6123 to 6198	6	161	10,135	7,810
9	HC170H	170C613 to 628	6	155	11,085	8,960

(T) STERLING—Continued

(2) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Six wheelers				*Inches*		
8	FBT152	152BT603 to 606	6	177	9,475	$4,880
8	HCS210	210CS621 to 627	6	181	9,975	5,350
12	HCS210H		6	129	14,685	10,545
12			6	129	15,285	12,435

(3) 1937

2	Del. FB50	50B614S to 620	6	177	4,900	$1,915
2½	Del. FB60	60B647S to 650	6	177	5,150	2,065
3	Del. FB70	70B670S to 684	6	177	5,470	2,315
3			6	177	5,670	2,635
3		70D 621 to 626	6	177	5,540	2,384
3		80D670 to 676	6	177	6,525	3,070
3½	FB80	80B670 to 676	6	177	6,775	3,230
3½	FC90	90C618 to 627	6	177	7,225	3,690
	FD90	90D647 to 666	6	177	7,175	3,360
			6	177	7,225	3,500
	FC95	95C602 to 647	6	177	7,775	4,035
4½			6	177	8,025	4,085
4½		95D610 to 617	6	177	8,325	3,810
4½	FD97	97D678 to 697	6	195	8,245	5,300
5			6	195	8,275	5,320
	FC100	100C672 to 6110	6	195	8,185	5,245
			6	195	7,925	4,805
	FD115	115D698 to 6102	6	195	8,725	5,580
6	FC135	135C618 to 6302	6	195	9,135	5,415
			6	195	8,835	5,580
	HC140	140C6151 to 6262	6	189	9,485	5,550
7			6	189	9,285	5,715
9	HC170	170C628 to 640	6	199	10,335	6,755
9			6	199	10,485	7,705
				*182		
12	HCS210	210CS628 to 635	6	−52	14,535	11,595
10	FDS180	180DS601 to 601	6	181	13,500	8,400
12	HC250H	250C601 to 691	6	177	18,000	9,795
				*177		
8	FBT152	152BT606 to 615	6	−52	9,515	4,105
				*154		
8	FWS152	152WS606 to 614	6	−52	9,475	4,960
				*154		
	FD97H	97D677 to 697	6	−52	9,675	5,095
8	FD115H	115D698 to 6102	6	203	9,335	8,360
5	FC135H	135C618 to 6302	6	203	9,685	8,615
6	HC170H	170C628 to 640	6	203	10,135	8,470
			6	199	11,085	9,625
				*182		
12	HCS210H	210CS628 to 635	6	−52	15,285	13,520
7	FD140	140D607 to 690	6	195	9,850	7,025

(4) 1938

Chassis tractor or dump						
2	FB50	50B261S up	6	177	4,900	$1,915
2½	FB60	60B651S up	6	177	5,150	2,065
3	FB70	70B688S up	6	177	5,470	2,315
3	FD70	70D627 up	6	177	5,470	2,385
3½	FB80	80B677 up	6	177	6,525	3,070
4	FD90	90D697 up	6	177	7,175	3,340
4	FC90	90C628 up	6	177	7,225	3,250
4½	FD95	95D613 up	6	177	8,325	3,840
4½	FC95	95C618 up	6	195	7,775	4,035
5	FD97	97D698 up	6	195	8,235	5,300
5	FC100	100C6111 up	6	195	8,185	5,245
5			6	203	9,210	8,305
6	FD115	115D6103 up	6	195	8,825	5,745
6	FC135	135C6303 up	6	195	9,135	5,580
6			6	203	10,135	8,470
7	FD140	140D610 up	6	195	9,850	6,860
7	HC140	140C6263 up	6	189	9,285	5,550
7			6	189	9,485	5,715
9			6	195	11,785	8,930
	HC185	185HC601 up	6	195	14,985	9,895
	HC200	200HC601 up	6	177	16,985	11,495
	HC250	250HC605 up	6	177	9,515	4,105
	FBT152	152BT616 up		177		
				+52		
8	FWS152	152WS615 up	6	177	9,865	4,960
				+52		
	FDS180	180DS602 up	6	181	12,985	8,490
				+52		
12	HCS210	210CS636 up	6	177	14,835	11,595
				+52		
12	HCS210	210CS636 up	6	185	17,485	13,265
				+52		

*Plus or minus.

(T) STERLING—Continued

(5) 1939

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½–3	FB60	60B653S to 654S	6	N. A.	5,150	$2,065
3–4	FB70	70B695S to 698S	6	N. A.	5,470	2,365
3–5	MB75	75MB601 to 602	6	N. A.	6,350	2,520
3½–5½	MD85	85MB601 to 604	6	N. A.	6,675	2,770
4–6½	NB90B	90NB603 to 603	4	N. A.		5,045
4–6½	HD90	90HD601 to 601	6	N. A.	7,650	3,485
4½–7	MC96	96MC601 to 607	6	N. A.	7,875	3,600
5–8	HC105	105HC606 to 614	6	N. A.	8,825	4,085
5–8	JD105	105JD602 to 602	6	N. A.	9,050	5,585
5–8	HD105	105HD603 to 611	6	N. A.	8,680	3,770
5–8½	HD110	110HD605 to 607	6	N. A.	9,070	5,020
5–8½	HD110	110HD608 to 608	6	N. A.	10,700	7,115
6–9	JC115	115JC603 to 631	6	N. A.	10,650	7,370
6–9	HC115	115HC604 to 647	6	N. A.	9,375	5,185
6–9	HC115		6	N. A.	9,445	5,310
6–9	HC115		4	N. A.	10,215	6,980
6–9	HC115		6	N. A.	10,650	7,370
6–9	JD115	115JD601 to 601	6	N. A.	9,245	5,210
6–9	HD115	115HD602 to 602	6	N. A.	10,875	7,300
6–10	ND135	135ND601 to 602	6	N. A.	11,200	7,890
6–10	HD135	135HD603 to 603	6	N. A.	10,025	5,900
6–10	JC137	137JC610 to 658	6	N. A.	11,150	7,825
6–10	HC137	137HC610 to 658	6	N. A.	11,150	7,825
6–10	HC137		6	N. A.	9,750	5,715
6–10	JD137	137JD604 to 613	6	N. A.	11,150	8,060
6–10	HD137	137HD604 to 613	6	N. A.	11,150	8,060
7–8	HC140	140C6352 to 6358	6	N. A.	9,485	5,715
7–8			6	N. A.	9,285	5,550
7–10	JWS128	128JWS601 to 601	6	N. A.	10,775	5,325
7–10	NWS128	128NWS602 to 602	6	N. A.	10,775	5,325
7–10	HWS128	128HWS603 to 603	6	N. A.	10,775	5,325
7–11	HC145	145HC602 to 661	6	N. A.		5,565
7–11	HC145		6	N. A.	10,375	5,565
7–11	HC145		6	N. A.	12,375	8,400
7–11	JC145	145JC602 to 661	6	N. A.	12,375	7,930
7–11	HD145	145HD604 to 608	6	N. A.	10,750	6,565
7–11	HD145		6	N. A.	12,025	8,615
7–11	HC147	147HC612 to 639	6	N. A.	10,600	5,910
8–12	HC147		6	N. A.		5,660
8–12	HC156	156HC601 to 605	6	N. A.	11,050	6,130
8–12	JWS160	160JWS602 to 614	6	N. A.	13,950	10,240
8–12	NWS160	160NWS602 to 614	6	N. A.	13,950	10,240
8–12	RWS160	160RWS602 to 614	6	N. A.	13,950	*10,240
8–12	HC165	165HC612 to 625	6	N. A.	11,275	6,480
8–12	HC165		6	N. A.	12,925	9,170
8–12	HD165	165HD601 to 601	6	N. A.	12,900	9,025
9–12½	HC175	175HC602 to 638	6	N. A.	12,600	7,360
9–14	HC175		6	N. A.	13,500	9,430
9–14	HC185	185HC608 to 611	6	N. A.	14,400	9,930
10–15	HCS225	225HCS601 to 604	6	N. A.	14,600	9,980
10–15	HCS225		6	N. A.	15,780	11,985
10–15	HWS235	235HWS601 to 601	6	N. A.	14,750	11,165
12–18	HC255	255HCS613 to 625	6	N. A.	16,425	12,545
12–18	GCS255	255GCS613 to 625	6	N. A.		13,550
15–20	HCS285	285HCS602 to 606	6	N. A.		14,205
18–25	HCS300	300HCS601 to 620	6	N. A.		15,065

(6) 1940

2½–4	MB65	65MB602 to 602	6	N. A.	6,100	$2,180
3–5	MB75	75MB603 to 605	6	N. A.	6,350	*2,520
3–5	MD75	75MD602 to 604	6	N. A.	6,675	2,770
3–5	MD75		4	N. A.	8,320	3,990
3½–5½	MB85	85MB601 to 604	6	N. A.	6,575	*2,680
3½–5½	MD85	85MD605 to 608	6	N. A.	6,675	2,770
4–6	MC87	87MC601 to 601	6	N. A.	7,200	*3,260
4–6½	HB90	90HB604 to 608	6	N. A.	7,600	3,385
4–6½	HB90	90HB604 to 608	6	N. A.	8,380	4,740
4–6½	RB90	90RB609 to 609	6	N. A.	9,500	5,090
4–6½	JD90	90JD602 to 602	6	N. A.	7,650	3,485
4–6½	HD90	90HD603 to 603	6	N. A.	7,650	3,485
4–6½	MB90	90MB601 to 601	6	N. A.	6,950	*2,910
4–6½	MB90	90MB602 to 602	6	N. A.	7,030	2,995
4–6½	MD90	90MD601 to 608	6	N. A.	7,010	2,962
4–6½	MD90		6	N. A.	7,090	3,087
4½–7	MC96	96MC608 to 614	6	N. A.	7,825	*3,600
4½–7	MC96		6	N. A.	2,905	3,585
4½–7	MC96		6	N. A.	8,425	5,300
4½–7	MD96	96MD601 to 603	6	N. A.	7,550	*3,250
5–8	HC105	105HC615 to 620	6	N. A.	8,825	4,085
5–8	HC105		6	N. A.	9,375	5,095
5–8	JD105	105JD612 to 612	6	N. A.	8,855	4,070
5–8	HD105	105HD613 to 617	6	N. A.	8,600	3,770
5–8	HD105		6	N. A.	10,500	5,535
5–8½	HC110	110HC601 to 601	4	N. A.	10,200	5,695
5–8½	HD110	110HD609 to 618	6	N. A.	9,000	4,895
5–8½	HD110		6	N. A.	9,085	5,020
5–8½	HD110		6	N. A.	9,425	5,950
5–8½	HD110		6	N. A.	10,700	7,115
5–8½	GD110	110GD613 to 613	6	N. A.	9,485	5,840
6–9	JC115	115JC648 to 650	6	N. A.	10,650	7,370
6–9	HC115	115HC649 to 698	6	N. A.	9,445	5,310
6–9	HC115		6	N. A.	9,645	5,310
6–9	HC115		4	N. A.	10,125	6,800
6–9	HC115		6	N. A.	10,650	7,370
6–9	HC115		6	N. A.	9,375	5,185

*Plus or minus.

(T) STERLING—Continued

(6) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
6-9	HD115	115HD663 to 623	6	N. A.	9,175	$5,085
6-9	HD115		6	N. A.	9,240	5,210
6-9	HD115		6	N. A.	10,875	7,300
6-9	HW115	115HW612 to 621	6	N. A.	10,875	7,300
6-9	HD115	115HD641 to 661	6	N. A.	11,140	7,880
6-10	RD145	145HD665 to 666	6	N. A.	11,200	7,850
6-10	HC167	167HC662 to 664	6	N. A.	11,750	7,825
6-10	HC167	167HC624 to 691	6	N. A.	11,140	7,825
6-11	HC167		6	N. A.	11,140	8,040
6-11	HC167	167HD611 to 614	6	N. A.	10,775	5,325
6-11	NW128	128NW614 to 621	6	N. A.	11,750	5,625
6-11	RW128	128HW614 to 621	6	N. A.	11,205	5,750
7-10	HW128		6	N. A.	10,775	5,325
7-10	HA128		6	N. A.	11,250	7,200
7-10	HD128	128HD608 to 618	6	N. A.	10,175	5,200
7-10	RC141	141HC611 to 617	6	N. A.	10,775	5,765
7-11	HC147	147HC623 to 630	6	N. A.	12,375	8,100
7-11	RC145	145HC608 to 610	6	N. A.	12,425	8,615
7-11	HD147	147HD608 to 613	6	N. A.	10,660	5,910
7-11	HC147	147HC640 to 661	6	N. A.	11,650	6,130
7-11	HC147	147HC608 to 617	6	N. A.	12,375	8,165
8-12	HD156	156HD621 to 623	6	N. A.	12,775	8,165
8-12	HW160	160HW615 to 619	6	N. A.	13,050	10,240
8-12	HW160		4	N. A.	13,000	9,765
8-12	HW160	160HW615 to 616	6	N. A.	13,050	10,240
8-12	RW160		6	N. A.	13,000	10,000
8-12	RW160		6	N. A.	13,000	9,775
8-12	RW160		6	N. A.	13,050	10,240
8-12	NW160	160NW617 to 617	6	N. A.	13,050	10,240
8-12	RW160	160HW615 to 623	6	N. A.	12,925	9,170
8-12	HC165	165HC628 to 633	6	N. A.	12,900	9,400
8-12	HC165	127HC633 to 640	6	N. A.	11,900	9,660
8-12	HC165	187HC624 to 629	6	N. A.	13,125	11,770
8-12	HC165	2[illegible]	6	N. A.	13,050	12,880
8-12	HC165	2[illegible]	6	N. A.	14,800	12,600
8-12	HC165	2[illegible]	6	N. A.	13,750	11,105
8-12	RW165	2[illegible]	6	N. A.	12,800	12,165
8-12	HC165	2[illegible]	6	N. A.	14,125	13,740
8-12	HC165	2[illegible]	6	N. A.	13,300	12,350
8-12	HC165	2[illegible]	6	N. A.	13,925	13,180
8-12	HC165	2[illegible]	6	N. A.	18,825	15,000
15-20	HC297	297HC601 to 607	6	N. A.	18,825	15,000

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6-8	MB120	120MB601 to 606	6	N. A.	5,750	$2,990
6-8	HD140	140HD601 to 606	6	N. A.	9,100	2,185
6-8	HD145	145HD601 to 606	6	N. A.	8,200	2,590
6-9	HC115	115HC601 to 608	6	N. A.	7,041	2,700
6-9	MB115	115MB601 to 609	4	N. A.	7,741	3,000
6-9	HC115	115HC609 to 616	6	N. A.	6,675	2,500
6-9	HD115	115HD601 to 608	6	N. A.	6,975	2,500
6-9	HD115	115HD609 to 618	6	N. A.	7,300	2,820
6-9	MB115	115MB601 to 608	6	N. A.	7,100	2,820
6-9	HC115	115HC617 to 628	6	N. A.	7,200	4,370
6-9	MC87	87MC602 to 603	6	N. A.	7,100	2,900
6-9	HB90	90HB610 to 611	6	N. A.	7,610	2,962
6-9	MB90	90MB601 to 619	6	N. A.	7,610	2,962
6-9	MB90	90MB601 to 609	6	N. A.	7,700	3,087
6-9	MD90	90MD603 to 619	6	N. A.	7,700	3,087
6-9	MC96	96MC601 to 619	6	N. A.	7,750	3,600
6-9	MB90	90MB603 to 619	6	N. A.	7,700	4,600
6-9	MD90	90MD601 to 619	6	N. A.	7,925	3,160
6-9	MC96	96MC615 to 654	6	N. A.	7,965	3,585
6-9	MC96		6	N. A.	7,750	3,500
6-9	MD96	96MD604 to 604	6	N. A.	8,825	4,085
6-9	HC105	105HC621 to 633	6	N. A.	9,150	4,445
6-9	HC105		6	N. A.	9,375	3,665
6-9	HC105		6	N. A.	10,550	5,905
6-9	HC105		6	N. A.	8,600	3,770
6-9	HD105	105HD618 to 619	6	N. A.	8,125	5,380
6-9	HD105		6	N. A.	9,000	4,847
6-9	HD105	105HD623 to 628	6	N. A.	9,085	5,020
6-9	HD110		6	N. A.	9,315	6,020
6-9	HD110		6	N. A.	10,425	6,940
6-9	HD110		6	N. A.	10,700	7,115
6-9	HD110		6	N. A.	9,105	5,285
6-9	HC115	115HC609 to 6196	6	N. A.	9,445	5,310
6-9	HC115		6	N. A.	10,800	7,250
6-9	HC115		4	N. A.	10,125	6,900
6-9	HC115		6	N. A.	10,650	7,370
6-9	HC115		6	N. A.	9,695	5,440
6-9	HC115		6	N. A.	9,685	5,490
6-9	HC115		6	N. A.	9,235	5,210
6-9	HD115	115HD624 to 6114	6	N. A.	10,875	7,300
6-9	HD115		6	N. A.	11,240	6,125
6-9	GW128	128GW611 to 611	6	N. A.	10,775	5,325
6-9	HD128	128HD612 to 621	6	N. A.	10,775	5,325
7-10	HW128	128HW612 to 621	6	N. A.	11,200	7,800
7-10	HD145	145HD662 to 647	6	N. A.	11,665	8,700
7-10	GD155	155GD662 to 667	6	N. A.	11,150	7,825
7-11	HC147	147HC692 to 692	6	N. A.	10,175	5,530
7-11	HC144	144HC648 to 680	6	N. A.	10,375	5,595
7-11	HC145	145HC6147 to 6297	6	N. A.	12,375	8,400
7-11	HC145		6	N. A.	10,475	6,565
7-11	HD145	145HD614 to 619	6	N. A.	12,025	8,617
7-11	HD145		6	N. A.	10,600	5,910
7-11	HC147	147HC642 to 650	6	N. A.	11,050	6,130
8-12	HC156	156HC611 to 616	6	N. A.	12,600	8,820
8-12	HC156					

(T) STERLING—Continued

(7) 1941—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
8-12	HWS160	160HWS637 to 6111	6	N. A.	13,950	$10,240
8-12	RWS160	160RWS637 to 6111	6	N. A.	13,950	10,240
8-12	HWS160	160HWS637 to 6111	6	N. A.	13,325	9,115
8-12	RWS160	160RWS637 to 6111	6	N. A.	13,325	9,115
8-12	HC165	165HC634 to 644	6	N. A.	11,275	6,480
8-12	HC165		6	N. A.	12,025	9,170
9-12½	HC175	175HC650 to 659	6	N. A.	13,500	9,430
9-14	HC185	185HC620 to 623	6	N. A.	14,400	9,930
10-15	HCS235	235HC610 to 617	6	N. A.	16,050	12,880
10-15	HDS235	235HCS605 to 606	6	N. A.	13,200	9,115
10-15	HDS235	235HDS605 to 606	6	N. A.	14,750	11,165
12-18	HC250	250HC607 to 608	6	N. A.	12,000	12,465
12-18	HCS265	265HCS610 to 613	6	N. A.	16,925	13,480
12-18	HCS265		6	N. A.	16,300	12,350
15-20	HCS297	297HCS608 to 648	6	N. A.	18,825	15,000
18-25	HCS330	330HCS601 to 603	6	N. A.	21,650	16,350
2-3½	MB60	60MB601 to 607	6	N. A.	5,900	2,270
2½-4	MB65	65MB603 to 608	6	N. A.	6,175	2,385
2½-4	MB65		6	N. A.	6,305	2,535
3-5	MB75	75MB606 to 609	6	N. A.	6,450	2,560
3-5	MB75		6	N. A.	7,450	4,060
3½-5½	MB85	85MB609 to 618	6	N. A.	6,700	2,760
3½-5½	MDS5	85MD609 to 618	6	N. A.	6,700	2,760
3½-5½	MB85	85MB609 to 618	6	N. A.	7,025	2,990
3½-5½	MDS5	85MD609 to 618	6	N. A.	7,025	2,990
4-6	MC87	87MC602 to 606	6	N. A.	7,250	3,175
4-6½	MB90	90MB603 to 619	6	N. A.	7,100	3,020
4-6½	MD90	90MD603 to 619	6	N. A.	7,100	3,020
4-6½	MB90	90MB603 to 619	6	N. A.	7,180	3,145
4-6½	MD90	90MD603 to 619	6	N. A.	7,180	3,145
4-6½	MB90	90MB603 to 619	6	N. A.	7,775	4,980
4-6½	MD90	90MD603 to 619	6	N. A.	7,775	4,980
4½-7	MC96	96MC615 to 654	6	N. A.	8,000	3,605
4½-7	MC96		6	N. A.	8,080	3,780
4½-7	MD96	96MD604 to 604	6	N. A.	7,700	3,420
5-8	HC105	105HC621 to 633	6	N. A.	8,900	5,420
5-8	HC105		6	N. A.	9,225	5,770
5-8	HC105		6	N. A.	9,600	7,600
5-8	HC105		6	N. A.	10,775	7,960
5-8	HD105	105HD618 to 619	6	N. A.	8,650	4,800
5-8	HD105		6	N. A.	9,375	7,060
6-9	HC115	115HC609 to 6196	6	N. A.	9,085	6,175
6-9	HC115		6	N. A.	10,025	6,180
6-9	HC115		6	N. A.	11,300	8,150
6-9	HC115		4	N. A.	10,625	7,800
6-9	HC115		6	N. A.	11,575	8,800
6-9	HC115		6	N. A.	11,425	9,200
6-9	HC115		6	N. A.	11,825	9,600
6-9	HC115		6	N. A.	10,225	6,420
6-9	HC115		6	N. A.	10,265	6,360
6-9	DD115	115DD601 to 611	6	N. A.	10,800	7,250
6-9	HD115	115HD624 to 6114	6	N. A.	9,600	6,069
6-9	HD115		6	N. A.	11,150	8,330
6-9	HD115		6	N. A.	10,250	8,400
6-8	MBS120	120MBS601 to 606	6	N. A.	9,750	4,720
7-10	HDS140	140HDS601 to 606	6	N. A.	10,975	6,900
7-10	HWS140	140HWS601 to 601	6	N. A.	10,975	6,900
7-10	HDS140	140HDS601 to 606	6	N. A.	11,580	7,450
7-10	HWS140	140HWS601 to 606	6	N. A.	11,580	7,450
7-11	HC144	144HC608 to 680	6	N. A.	10,475	6,540
7-11	HC144		6	N. A.	10,675	6,680
7-11	HC144		6	N. A.	10,715	6,720
7-11	HC145	145HC6147 to 6297	6	N. A.	10,475	6,540
7-11	HC145		6	N. A.	12,025	8,960
7-11	DD145	145DD601 to 601	6	N. A.	13,400	10,050
7-11	HD145	145HD614 to 619	6	N. A.	10,500	6,650
7-11	HD145		6	N. A.	12,200	8,993
7-11	HC147	147HC642 to 650	6	N. A.	10,900	6,670
8-12	HC156	156HC611 to 616	6	N. A.	11,925	7,900
8-12	HC156		6	N. A.	13,300	10,050
8-12	HD156	156HD617 to 617	6	N. A.	13,000	9,040
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,450	10,260
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,450	10,260
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,650	10,600
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,650	10,600
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,355	9,980
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,355	9,980
8-12	HWS160	160HWS637 to 7111	6	N. A.	12,280	9,180
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,280	9,180
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,025	9,380
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,025	9,380
8-12	HC165	165HC634 to 644	6	N. A.	12,000	7,600
8-12	HC165		6	N. A.	12,315	8,200
8-12	HC165		6	N. A.	13,350	10,050
9-12½	HC175	175HC650 to 659	6	N. A.	14,100	10,320
9-14	HC185	185HC620 to 623	6	N. A.	14,625	11,000
10-15	HCS235	235HCS610 to 617	6	N. A.	15,905	12,925
10-15	HDS235		6	N. A.	15,830	12,180
10-15	HCS235		6	N. A.	16,200	13,650
10-15	HDS235	235HDS605 to 606	6	N. A.	13,275	9,600
10-15	HDS235		6	N. A.	14,825	11,850
12-18	HC250	250HC607 to 608	6	N. A.	17,950	13,200
12-18	HCS265	265HCS210 to 613	6	N. A.	17,450	14,250
12-18	HCS265		6	N. A.	16,825	13,000
15-20	HCS297	297HCS608 to 648	6	N. A.	20,375	15,800
18-25	HCS330	330HCS601 to 603	6	N. A.	21,775	17,000

(T) STERLING—Continued

(7) 1941—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
6-9	MB90	90MB601 to 608	6	N. A.	5,750	$2,990
6-9	MB65	65MB601 to 608	6	N. A.	6,100	2,185
6-9	MC87	87MC601 to 606	6	N. A.	6,200	2,590
6-9	MB75	75MB606 to 609	6	N. A.	6,041	2,700
6-9	MB85	85MB601 to 608	4	N. A.	7,741	3,000
6-9	MB85	85MB601 to 618	6	N. A.	6,675	2,500
6-9	MD85	85MD601 to 618	6	N. A.	6,975	2,500
6-9	MB85	85MB601 to 608	6	N. A.	7,300	2,820
6-9	MD85	85MD601 to 608	6	N. A.	7,100	2,820
6-9	MC87	87MC602 to 603	6	N. A.	7,200	4,370
6-9	HB90	90HB610 to 611	6	N. A.	7,100	2,900
6-9	MB90	90MB601 to 619	6	N. A.	7,610	2,962
6-9	MB90	90MB601 to 609	6	N. A.	7,610	2,962
6-9	MD90	90MD603 to 619	6	N. A.	7,700	3,087
6-9	MC96	96MC601 to 619	6	N. A.	7,700	3,087
6-9	MB90	90MB603 to 619	6	N. A.	7,750	3,600
6-9	MD90	90MD601 to 619	6	N. A.	7,700	4,600
6-9	MC96	96MC615 to 654	6	N. A.	7,925	3,160
6-9	MD96	96MD604 to 604	6	N. A.	7,965	3,585
6-9	HC105	105HC621 to 633	6	N. A.	7,750	3,500
6-9	HC105		6	N. A.	8,825	4,085
6-9	HC105		6	N. A.	9,150	4,445
6-9	HC105		6	N. A.	9,375	3,665
6-9	HC105		6	N. A.	10,550	5,905
6-9	HC105		6	N. A.	8,600	3,770
6-9	HD105	105HD618 to 619	6	N. A.	8,125	5,380
6-9	HD105		6	N. A.	9,000	4,847
6-9	HD105	105HD623 to 628	6	N. A.	9,085	5,020
6-9	HD110		6	N. A.	9,315	6,020
6-9	HD110		6	N. A.	10,425	6,940
6-9	HD110		6	N. A.	10,700	7,115
6-9	HD110		6	N. A.	9,105	5,285
6-9	HC115	115HC609 to 6196	6	N. A.	9,445	5,310
6-9	HC115		6	N. A.	10,800	7,250
6-9	HC115		4	N. A.	10,125	6,900
6-9	HC115		6	N. A.	10,650	7,370
6-9	HC115		6	N. A.	9,695	5,440
6-9	HC115		6	N. A.	9,685	5,490
6-9	HC115		6	N. A.	9,235	5,210
6-9	HD115	115HD624 to 6114	6	N. A.	10,875	7,300
6-9	HD115		6	N. A.	11,240	6,125
6-9	GW128	128GW611 to 611	6	N. A.	10,775	5,325
6-9	HD128	128HD612 to 621	6	N. A.	10,775	5,325
7-10	HW128	128HW612 to 621	6	N. A.	11,200	7,800
7-10	HD145	145HD662 to 647	6	N. A.	11,665	8,700
6-10	GD155	155GD662 to 667	6	N. A.	11,150	7,825
7-11	HC147	147HC692 to 692	6	N. A.	10,175	5,530
7-11	HC144	144HC648 to 680	6	N. A.	10,375	5,595
7-11	HC145	145HC6147 to 6297	6	N. A.	12,375	8,400
7-11	HC145		6	N. A.	10,475	6,565
7-11	HD145	145HD614 to 619	6	N. A.	12,025	8,617
7-11	HD145		6	N. A.	10,600	5,910
7-11	HC147	147HC642 to 650	6	N. A.	11,050	6,130
8-12	HC156	156HC611 to 616	6	N. A.	12,600	8,820
8-12	HC156					

(T) STERLING—Continued

(7) 1941—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
8-12	HWS160	160HWS637 to 6111	6	N. A.	13,950	$10,240
8-12	RWS160	160RWS637 to 6111	6	N. A.	13,950	10,240
8-12	HWS160	160HWS637 to 6111	6	N. A.	13,325	9,115
8-12	RWS160	160RWS637 to 6111	6	N. A.	13,325	9,115
8-12	HC165	165HC634 to 644	6	N. A.	11,275	6,480
8-12	HC165		6	N. A.	12,025	9,170
9-12½	HC175	175HC650 to 659	6	N. A.	13,500	9,430
9-14	HC185	185HC620 to 623	6	N. A.	14,400	9,930
10-15	HCS235	235HC610 to 617	6	N. A.	16,050	12,880
10-15	HDS235	235HCS605 to 606	6	N. A.	13,200	9,115
10-15	HDS235	235HDS605 to 606	6	N. A.	14,750	11,165
12-18	HC250	250HC607 to 608	6	N. A.	12,000	12,465
12-18	HCS265	265HCS610 to 613	6	N. A.	16,925	13,480
12-18	HCS265		6	N. A.	16,300	12,350
15-20	HCS297	297HCS608 to 648	6	N. A.	18,825	15,000
18-25	HCS330	330HCS601 to 603	6	N. A.	21,650	16,350
2-3½	MB60	60MB601 to 607	6	N. A.	5,900	2,270
2½-4	MB65	65MB603 to 608	6	N. A.	6,175	2,385
2½-4	MB65		6	N. A.	6,305	2,535
3-5	MB75	75MB606 to 609	6	N. A.	6,450	2,560
3-5	MB75		6	N. A.	7,450	4,060
3½-5½	MB85	85MB609 to 618	6	N. A.	6,700	2,760
3½-5½	MDS5	85MD609 to 618	6	N. A.	6,700	2,760
3½-5½	MB85	85MB609 to 618	6	N. A.	7,025	2,990
3½-5½	MDS5	85MD609 to 618	6	N. A.	7,025	2,990
4-6	MC87	87MC602 to 606	6	N. A.	7,250	3,175
4-6½	MB90	90MB603 to 619	6	N. A.	7,100	3,020
4-6½	MD90	90MD603 to 619	6	N. A.	7,100	3,020
4-6½	MB90	90MB603 to 619	6	N. A.	7,180	3,145
4-6½	MD90	90MD603 to 619	6	N. A.	7,180	3,145
4-6½	MB90	90MB603 to 619	6	N. A.	7,775	4,980
4-6½	MD90	90MD603 to 619	6	N. A.	7,775	4,980
4½-7	MC96	96MC615 to 654	6	N. A.	8,000	3,605
4½-7	MC96		6	N. A.	8,080	3,780
4½-7	MD96	96MD604 to 604	6	N. A.	7,700	3,420
5-8	HC105	105HC621 to 633	6	N. A.	8,900	5,420
5-8	HC105		6	N. A.	9,225	5,770
5-8	HC105		6	N. A.	9,600	7,600
5-8	HC105		6	N. A.	10,775	7,960
5-8	HD105	105HD618 to 619	6	N. A.	8,650	4,800
5-8	HD105		6	N. A.	9,375	7,060
6-9	HC115	115HC609 to 6196	6	N. A.	9,085	6,175
6-9	HC115		6	N. A.	10,025	6,180
6-9	HC115		6	N. A.	11,300	8,150
6-9	HC115		4	N. A.	10,625	7,800
6-9	HC115		6	N. A.	11,575	8,800
6-9	HC115		6	N. A.	11,425	9,200
6-9	HC115		6	N. A.	11,825	9,600
6-9	HC115		6	N. A.	10,225	6,420
6-9	HC115		6	N. A.	10,265	6,360
6-9	DD115	115DD601 to 611	6	N. A.	10,800	7,250
6-9	HD115	115HD624 to 6114	6	N. A.	9,600	6,069
6-9	HD115		6	N. A.	11,150	8,330
6-9	HD115		6	N. A.	10,250	8,400
6-8	MBS120	120MBS601 to 606	6	N. A.	9,750	4,720
7-10	HDS140	140HDS601 to 606	6	N. A.	10,975	6,900
7-10	HWS140	140HWS601 to 601	6	N. A.	10,975	6,900
7-10	HDS140	140HDS601 to 606	6	N. A.	11,580	7,450
7-10	HWS140	140HWS601 to 606	6	N. A.	11,580	7,450
7-11	HC144	144HC608 to 680	6	N. A.	10,475	6,540
7-11	HC144		6	N. A.	10,675	6,680
7-11	HC144		6	N. A.	10,715	6,720
7-11	HC145	145HC6147 to 6297	6	N. A.	10,475	6,540
7-11	HC145		6	N. A.	12,025	8,960
7-11	DD145	145DD601 to 601	6	N. A.	13,400	10,050
7-11	HD145	145HD614 to 619	6	N. A.	10,500	6,650
7-11	HD145		6	N. A.	12,200	8,993
7-11	HC147	147HC642 to 650	6	N. A.	10,900	6,670
8-12	HC156	156HC611 to 616	6	N. A.	11,925	7,900
8-12	HC156		6	N. A.	13,300	10,050
8-12	HD156	156HD617 to 617	6	N. A.	13,000	9,040
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,450	10,260
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,450	10,260
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,650	10,600
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,650	10,600
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,355	9,980
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,355	9,980
8-12	HWS160	160HWS637 to 7111	6	N. A.	12,280	9,180
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,280	9,180
8-12	HWS160	160HWS637 to 6111	6	N. A.	12,025	9,380
8-12	RWS160	160RWS637 to 6111	6	N. A.	12,025	9,380
8-12	HC165	165HC634 to 644	6	N. A.	12,000	7,600
8-12	HC165		6	N. A.	12,315	8,200
8-12	HC165		6	N. A.	13,350	10,050
9-12½	HC175	175HC650 to 659	6	N. A.	14,100	10,320
9-14	HC185	185HC620 to 623	6	N. A.	14,625	11,000
10-15	HCS235	235HCS610 to 617	6	N. A.	15,905	12,925
10-15	HDS235		6	N. A.	15,830	12,180
10-15	HCS235		6	N. A.	16,200	13,650
10-15	HDS235	235HDS605 to 606	6	N. A.	13,275	9,600
10-15	HDS235		6	N. A.	14,825	11,850
12-18	HC250	250HC607 to 608	6	N. A.	17,950	13,200
12-18	HCS265	265HCS210 to 613	6	N. A.	17,450	14,250
12-18	HCS265		6	N. A.	16,825	13,000
15-20	HCS297	297HCS608 to 648	6	N. A.	20,375	15,800
18-25	HCS330	330HCS601 to 603	6	N. A.	21,775	17,000

(T) STERLING—Continued

(8) 1942

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2–3½	MB60	60MB608 up	6	N. A.	5,900	$2,270
2½–4	MB65	65MB669 up	6	N. A.	6,175	2,385
3–5	MB75	75MB610 up	6	N. A.	6,450	2,560
3½–5½	MB85	85MB619 up	6	N. A.	6,700	2,760
4–6	MC87	87MC607 up	6	N. A.	7,250	3,175
4–6½	MB90	90MB620 up	6	N. A.	7,100	3,020
4½–7	MC96	96MC655 up	6	N. A.	8,000	3,605
4½–7	MD96	96MD605 up	6	N. A.	7,700	3,420
5–8	HC105	105HC634 up	6	N. A.	5,900	5,420
5–8	HD105	105HD620 up	6	N. A.	8,650	4,890
6–9	HC115	115HC6196 up	6	N. A.	10,025	6,180
6–9	HD115	115HD6115 up	6	N. A.	9,660	6,060
6–8	MBS120	120MBS607 up	6	N. A.	9,750	4,720
7–10	HDS140	140HDS607 up	6	N. A.	10,975	6,900
7–10	HWS140	140HWS607 up	6	N. A.	10,975	6,900
7–11	HC144	144HC686 up	6	N. A.	10,475	6,540
7–11	HC145	145HC6298 up	6	N. A.	10,500	6,650
7–11	HD145	145HD620 up	6	N. A.	10,900	6,670
7–11	HC147	147HC651 up	6	N. A.	10,800	6,900
7–12	HC148	148HC601 up	6	N. A.	10,875	7,050
7–12	HC150	150HC601 up	6	N. A.	11,225	2,050
7–12	HC152	152HC601 up	6	N. A.	11,925	7,600
8–12	HC156	156HC618 up	6	N. A.	11,475	8,430
8–12	HDS160	160HDS6112 up	6	N. A.	11,475	8,430
8–12	HWS160	160HWS6112 up	6	N. A.	12,000	7,600
8–12	HC165	165HC645 up	6	N. A.	13,725	8,850
9–12½	HC175	175HC660 up	6	N. A.	13,425	9,050
9–12½	HD175	175HD601 up	6	N. A.	14,275	9,500
9–14	HC185	185HC624 up	6	N. A.	15,325	10,250
10–15	HC200	200HC601 up	6	N. A.	15,800	12,100
10–15	HCS235	235HCS618 up	6	N. A.	14,525	10,400
10–15	HDS235	235HDS607 up	6	N. A.	14,525	10,400
10–15	HWS235	235HWS607 up	6	N. A.	17,600	11,630
12–18	HC250	250HC609 up	6	N. A.	17,100	12,800
12–18	HCS265	265HCS614 up	6	N. A.	20,025	14,250
15–20	HCS297	297HCS649 up	6	N. A.	21,425	15,600
18–25	HCS330	330HCS604 up	6	N. A.	21,425	15,600

(U) STEWART

[Manufacturer: Stewart Motor Corporation. Principal plant: Buffalo, New York]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1	41H	41H200 to 284	6	124	2,990	$685
1	41H		6	134	2,990	685
1	41H		6	145	3,040	735
1½	46H	46H500 to 1205	6	134	3,310	695
1½	46H		6	145	3,360	735
1½	46H		6	160	3,410	775
1½	46H		6	176	3,460	795
2	47H	47H300 to 602	6	134	4,070	895
2	47H		6	145	4,120	935
2	47H		6	160	4,170	975
2	47H		6	176	4,220	995
2	47H		6	190	4,270	1,035
2	47H	48H200 to 291	6	134	4,570	1,395
2½	48H		6	145	4,570	1,395
2½	48H		6	160	4,620	1,435
2½	48H		6	176	4,670	1,475
2½	48H		6	190	4,720	1,515
2½	48H	49H100 to 288	6	145	5,325	1,695
3	49H		6	160	5,375	1,735
3	49H		6	176	5,425	1,775
3	49H		6	190	5,475	1,815
3	49H		6	220	5,525	1,895
3	49H	29XS1100 to 1106	6	135	5,190	1,895
2½	29XS		6	145	5,190	1,895
2½	29XS		6	160	5,240	1,935
2½	29XS		6	176	5,290	1,975
2½	29XS		6	190	5,340	2,015
2½	29XS		6	220	5,390	2,095
2½	29XS		6	148	5,460	2,190
3	32X	32X1000 to 1010	6	165	5,460	2,190
3	32X		6	176	5,510	2,290
3	32X		6	190	5,560	2,290
3	32X		6	220	5,610	2,390
3	32X		8	160	6,025	2,390
3	58–8	58200 to 58202	8	170	6,025	2,390
3	58–8		8	180	6,075	2,490
3	58–8		8	196	6,125	2,490
3	58–8		8	226	6,175	2,590
3	58–8		8	241	6,225	2,690
3	58–8		6	160	6,800	2,890
3½	18XS	18XS2000 to 2014	6	176	6,850	2,990
3½	18XS		6	190	6,900	2,990
3½	18XS		6	220	6,950	3,090
3½	18XS		6	235	7,000	3,190
3½	18XS					

(U) STEWART—Continued

(1) 1935—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
3½	48–8	48300 to 48304	8	160	6,750	$3,090
3½	48–8		8	170	6,750	3,090
3½	48–8		8	180	6,800	3,190
3½	48–8		8	196	6,850	3,190
3½	48–8		8	226	6,900	3,290
3½	48–8		8	241	6,950	3,390
3½	38–8	38400 to 38405	8	160	7,600	4,090
3½	38–8		8	170	7,600	4,090
3½	38–8		8	180	7,650	4,190
3½	38–8		8	196	7,700	4,190
3½	38–8		8	226	7,750	4,290
3½	38–8		8	241	7,800	4,390
3½	38–6	38X–400 to 402	6	160	7,600	4,090
3½	38–6		6	170	7,600	4,090
3½	38–6		6	180	7,650	4,190
3½	38–6		6	196	7,700	4,190
3½	38–6		6	226	7,750	4,290
3½	38–6		6	241	7,800	4,390
5	31X	31X400 and up	6	165	9,340	5,490
5	31X		6	175	9,390	5,590
5	31X		6	190	9,440	5,590
5	31X		6	220	9,490	5,690
5	31X		6	235	9,540	5,790
3½	58X	58X100 to 137	6	160	6,250	2,490
3½	58X		6	176	6,300	2,540
3½	58X		6	190	6,350	2,590
3½	58X		6	220	6,400	2,640
1½	40H	40H101 to 480	4	133	2,110	495
2½	50H	50H100 to 158	6	134	4,250	1,095
2½	50H		6	145	4,300	1,135
2½	50H		6	160	4,350	1,175
2½	50H		6	176	4,400	1,195
2½	50H		6	190	4,450	1,215
¾	60H	60H101 to 108	6	120	2,325	545
¾	60H		6	128	2,325	545

(2) 1936

1½	40H	40H500 to 785	4	113	2,110	$495
¾	60H	60H200 to 512	6	120	2,325	545
¾	60H		6	128	2,325	545
1	41H	41H300 to 310	6	124	2,990	685
1	41H		6	134	2,990	685
1	41H		6	145	3,040	735
1½	46H	46H1300 to 1572	6	134	3,310	695
1½	46H		6	145	3,360	735
1½	46H		6	160	3,410	775
1½	46H		6	176	3,460	795
2	47H	47H700 to 872	6	134	4,070	895
2	47H		6	145	4,120	935
2	47H		6	160	4,170	975
2	47H		6	176	4,220	995
2	47H		6	190	4,270	1,015
2½	50H	50H200 to 294	6	134	4,250	1,095
2½	50H		6	145	4,300	1,135
2½	50H		6	160	4,350	1,175
2½	50H		6	176	4,400	1,195
2½	50H		6	190	4,450	1,215
2½	48H	48H300 to 345	6	145	4,570	1,395
2½	48H		6	134	4,570	1,395
2½	48H		6	160	4,620	1,435
2½	48H		6	176	4,670	1,475
2½	48H		6	190	4,720	1,495
3	49H	49H300 to 481	6	145	5,325	1,695
3	49H		6	160	5,375	1,735
3	49H		6	176	5,425	1,775
3	49H		6	190	5,475	1,795
3	49H		6	220	5,525	1,845
3½	58X	58X200 to 300	6	160	6,250	2,490
3½	58X		6	155	6,250	2,490
3½	58X		6	176	6,300	2,540
3½	58X		6	190	6,350	2,590
3½	58X		6	220	6,400	2,640
3½	18XS	18XS2100 to 2115	6	160	6,800	2,890
3½	18XS		6	155	6,800	2,890
3½	18XS		6	176	6,850	2,940
3½	18XS		6	190	6,900	2,990
3½	18XS		6	220	6,950	3,040
3½	18XS		6	235	7,000	3,090
3½	38–8	38500 to 38502	8	170	7,600	4,090
3½	38–8		8	160	7,600	4,090
3½	38–8		8	180	7,650	4,140
3½	38–8		8	196	7,700	4,190
3½	38–8		8	226	7,750	4,240
3½	38–8		8	241	7,800	4,290
3½	38–6	38X500 to 532	6	170	7,600	4,090
3½	38–6		6	160	7,600	4,090
3½	38–6		6	180	7,650	4,140
3½	38–6		6	196	7,700	4,190
3½	38–6		6	226	7,750	4,240
3½	38–6		6	241	7,800	4,290
5	31X	31X500 to 504	6	165	9,340	5,490
5	31X		6	175	9,390	5,540
5	31X		6	190	9,440	5,590
5	31X		6	220	9,490	5,640
5	31X		6	235	9,540	5,690
1	45HT	45HT101 to 638	6	130	3,165	595
	45HT		6	142	3,205	595

(U) STEWART—Continued

(2) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1½	45H	45H101 to 638	6	130	3,165	$595
1½	45H		6	142	3,205	595
1½	45H		6	165	3,265	635
1½	45H		6	176	3,315	675
1½	46H	46H1573 to 1634	6	134	3,310	695
1½	46H		6	145	3,360	735
1½	46H		6	160	3,410	775
1½	46H		6	176	3,460	795
1½	46H		6	190	3,510	815

(3) 1937

½	40H	40H800 to 999	4	113	2,110	$495
¾	60H	60H601 to 729	6	120	2,300	545
¾	60H		6	128	2,325	545
1	45AT	45AT101 to 672	6	134	3,490	645
1	45AT		6	144	3,540	685
1½	45A	45A101 to 672	6	154	3,490	645
1½	45A		6	144	3,540	685
1½	45A		6	154	3,590	705
1½	45A		6	170	3,640	725
1½	45A		6	188	3,690	765
1½	45A		6	134	3,540	845
1½	45AS	45AS101 to 131	6	144	3,590	845
1½	45AS		6	154	3,640	865
1½	45AS		6	170	3,690	885
1½	45AS		6	188	3,740	925
1½	45AS		6	130	3,165	595
1¾	45H	45H701 to 715	6	142	3,205	595
1¾	45H		6	165	3,265	635
1¾	45H		6	176	3,315	675
1¾	45H		6	134	4,070	895
2	47H	47H900 to 904	6	145	4,120	935
2	47H		6	160	4,170	975
2	47H		6	176	4,220	995
2	47H		6	190	4,270	1,015
2	47H		6	134	4,340	945
2	47A	47A101 to 275	6	144	4,390	985
2	47A		6	154	4,440	1,005
2	47A		6	170	4,490	1,025
2	47A		6	188	4,540	1,065
2	47A		6	205	4,590	1,135
2	47A		6	134	4,490	1,145
2½	50A	50A101 to 154	6	144	4,540	1,185
2½	50A		6	154	4,590	1,205
2½	50A		6	170	4,640	1,225
2½	50A		6	188	4,690	1,265
2½	50A		6	205	4,740	1,335
2½	50A		6	134	4,540	1,275
2½	50AS	50AS101 to 131	6	144	4,590	1,295
2½	50AS		6	154	4,640	1,315
2½	50AS		6	170	4,690	1,355
2½	50AS		6	188	4,740	1,375
2½	50AS		6	205	4,790	1,445
3	49A	49A101 to 174	6	144	5,640	1,695
3	49A		6	154	5,690	1,735
3	49A		6	170	5,740	1,775
3	49A		6	188	5,790	1,795
3	49A		6	205	5,840	1,820
3	49A		6	220	5,890	1,845
3½	58XH	58XH401 to 413	6	155	6,670	2,490
3½	58XH		6	160	6,690	2,490
3½	58XH		6	176	6,740	2,540
3½	58XH		6	190	6,790	2,590
3½	58XH		6	220	6,840	2,640
3½	58XH		6	235	6,890	2,690
3½	18XS	18XS2200 to 2231	6	155	7,170	2,890
3½	18XS		6	160	7,190	2,890
3½	18XS		6	176	7,240	2,940
3½	18XS		6	190	7,290	2,990
3½	18XS		6	220	7,340	3,040
3½	18XS		6	235	7,390	3,090
3½	18XS		6	160	8,050	4,090
3½	38-6	38X600 to 600	6	170	8,070	4,090
3½	38-6		6	180	8,120	4,140
3½	38-6		6	196	8,170	4,190
3½	38-6		6	226	8,220	4,240
3½	38-6		6	165	9,490	5,490
5	31X	31X600 to 699	6	175	9,540	5,540
5	31X		6	190	9,590	5,590
5	31X		6	220	9,640	5,640
5	31X		6	235	9,690	5,690
5	31X		4	113	2,190	595
¾	40HC	40HC1001 to 1999	4	121	2,220	630
¾	40HC		6	164	6,840	2,590
3½	58A	58A101 to 199	6	140	6,790	2,590
3½	58A		6	148	6,790	2,590
3½	58A		6	178	6,890	2,640
3½	58A		6	208	6,940	2,690
3½	58A		6	224	6,990	2,740
3½	58A		6	164	7,340	2,990
3½	59A	59A101 to 199	6	140	7,290	2,990
3½	59A		6	148	7,290	2,990
3½	59A		6	178	7,390	3,040
3½	59A		6	208	7,440	3,090
3½	59A		6	224	7,490	3,140
3½	59A		6	128	2,325	645
¾	60H	60H730 to 899	6	120	2,325	645

(U) STEWART—Continued

(3) 1937—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1	45AT	45AT673 to 1099	6	134	3,490	$745
1	45AT		6	128	3,490	745
1	45AT		6	144	3,540	785
1½	45A	45A673 to 1099	6	134	3,490	745
1½	45A		6	128	3,490	745
1½	45A		6	144	3,540	785
1½	45A		6	154	3,590	805
1½	45A		6	170	3,640	825
1½	45A		6	188	3,690	865
1½	45AS	45AS132 to 199	6	144	3,590	945
1½	45AS		6	134	3,590	945
1½	45AS		6	154	3,640	965
1½	45AS		6	170	3,690	985
1½	45AS		6	188	3,740	1,025
2	47A	47A276 to 499	6	134	4,340	1,045
2	47A		6	144	4,390	1,085
2	47A		6	154	4,440	1,105
2	47A		6	170	4,490	1,125
2	47A		6	188	4,540	1,165
2	47A		6	205	4,590	1,205
2½	50A	50A155 to 299	6	134	4,490	1,245
2½	50A		6	144	4,540	1,285
2½	50A		6	154	4,590	1,305
2½	50A		6	170	4,640	1,325
2½	50A		6	188	4,690	1,365
2½	50A		6	205	4,740	1,405
2½	50AS	50AS132 to 199	6	144	4,590	1,395
2½	50AS		6	134	4,590	1,395
2½	50AS		6	154	4,640	1,415
2½	50AS		6	170	4,690	1,435
2½	50AS		6	188	4,740	1,475
2½	50AS		6	205	4,790	1,515
3	49A	49A175 to 299	6	144	5,640	1,795
3	49A		6	154	5,690	1,835
3	49A		6	170	5,740	1,875
3	49A		6	188	5,790	1,895
3	49A		6	205	5,840	1,935
3	49A		6	220	5,890	1,965
3½	38-6	38X607 to 699	6	170	8,070	4,190
3½	38-6		6	160	8,070	4,190
3½	38-6		6	180	8,120	4,240
3½	38-6		6	196	8,170	4,290
3½	38-6		6	226	8,220	4,340
3½	38-6		6	241	8,270	4,390
5	31X	31X600 to 699	6	165	9,490	5,590
5	31X		6	175	9,540	5,640
5	31X		6	190	9,590	5,690
5	31X		6	220	9,640	5,740
5	31X		6	235	9,690	5,790
3	51A	51A101 to 199	6	144	5,840	1,995
3	51A		6	154	5,890	2,035
3	51A		6	170	5,940	2,075
3	51A		6	188	5,990	2,095
3	51A		6	205	6,040	2,135
3	51A		6	220	6,090	2,165
1	61A		6	123	2,800	680
1			6	132	2,825	680
1			6	140	2,875	720
1			6	148	2,900	720
1			6	163	2,960	740

(4) 1938

¾	40HC	40HC2000 to 2025	4	113	2,190	$595
¾	40HC		4	121	2,220	630
¾	60H	60H900 to 925	6	120	2,325	645
¾	60H		6	128	2,325	645
1	61A	61A200 to 299	6	123	2,800	680
1	61A		6	132	2,825	680
1	61A		6	140	2,875	720
1	61A		6	148	2,900	720
1	61A		6	163	2,950	740
1	45AT	45AT1100 to 1250	6	128	3,490	745
1	45AT		6	134	3,490	745
1	45AT		6	144	3,540	785
1½	45A	45A1100 to 1250	6	128	3,490	745
1½	45A		6	134	3,490	745
1½	45A		6	144	3,540	785
1½	45A		6	154	3,590	805
1½	45A		6	170	3,640	827
1½	45A		6	188	3,690	865
1½	45AS	45AS200 to 1250	6	134	3,590	945
1½	45AS		6	144	3,590	945
1½	45AS		6	154	3,640	965
1½	45AS		6	170	3,690	985
1½	45AS		6	188	3,740	1,025
2	47A	47A500 to 699	6	134	4,340	1,045
2	47A		6	144	4,390	1,085
2	47A		6	154	4,440	1,105
2	47A		6	170	4,490	1,125
2	47A		6	188	4,540	1,165
2	47A		6	205	4,590	1,205
2½	50A	50A300 to 399	6	134	4,490	1,245
2½	50A		6	144	4,540	1,285
2½	50A		6	154	4,590	1,305
2½	50A		6	170	4,640	1,325
2½	50A		6	188	4,690	1,365
2½	50A		6	205	4,740	1,405

(U) STEWART—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½	50AS	50AS132 to 199	6	144	4,590	$1,395
2½	50AS		6	134	4,590	1,395
2½	50AS		6	154	4,640	1,415
2½	50AS		6	170	4,690	1,435
2½	50AS		6	188	4,740	1,475
2½	50AS		6	205	4,790	1,515
3	49A	49A175 to 299	6	144	5,640	1,795
3	49A		6	154	5,690	1,835
3	49A		6	170	5,740	1,875
3	49A		6	188	5,790	1,895
3	49A		6	205	5,840	1,935
3	49A		6	220	5,890	1,965
3½	38-6	38X607 to 699	6	170	8,070	4,190
3½	38-6		6	160	8,070	4,190
3½	38-6		6	180	8,120	4,240
3½	38-6		6	196	8,170	4,290
3½	38-6		6	226	8,220	4,340
3½	38-6		6	241	8,270	4,390
5	31X	31X600 to 699	6	165	9,490	5,590
5	31X		6	175	9,540	5,640
5	31X		6	190	9,590	5,690
5	31X		6	220	9,640	5,740
5	31X		6	235	9,690	5,790
3	51A	51A101 to 199	6	144	5,840	1,995
3	51A		6	154	5,890	2,035
3	51A		6	170	5,940	2,075
3	51A		6	188	5,990	2,095
3	51A		6	205	6,040	2,135
3	51A		6	220	6,090	2,165
1	61A		6	123	2,800	680
1			6	132	2,825	680
1			6	140	2,875	720
1			6	148	2,900	720
1			6	163	2,960	740

(U) STEWART—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1	45AT	45AT1100 to 1250	6	128	3,490	$745
1	45AT		6	134	3,490	745
1	45AT		6	144	3,540	785
1½	45A	45A1100 to 1250	6	128	3,490	745
1½	45A		6	134	3,490	745
1½	45A		6	144	3,540	785
1½	45A		6	154	3,590	805
1½	45A		6	170	3,640	827
1½	45A		6	188	3,690	865
1½	45AS	45AS200 to 1250	6	134	3,590	945
1½	45AS		6	144	3,590	945
1½	45AS		6	154	3,640	965
1½	45AS		6	170	3,690	985
1½	45AS		6	188	3,740	1,025
2	47A	47A500 to 699	6	134	4,340	1,045
2	47A		6	144	4,390	1,085
2	47A		6	154	4,440	1,105
2	47A		6	170	4,490	1,125
2	47A		6	188	4,540	1,165
2	47A		6	205	4,590	1,205
2½	50A	50A300 to 399	6	134	4,490	1,245
2½	50A		6	144	4,540	1,285
2½	50A		6	154	4,590	1,305
2½	50A		6	170	4,640	1,325
2½	50A		6	188	4,690	1,365
2½	50A		6	205	4,740	1,405

(U) STEWART—Continued

(4) 1938—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
2½	50AS	50AS200 to 299	6	134	4,590	$1,395
2½	50AS		6	144	4,590	1,395
2½	50AS		6	154	4,640	1,415
2½	50AS		6	170	4,690	1,435
2½	50AS		6	188	4,740	1,475
2½	50AS		6	205	4,790	1,515
2½	50AS		6	144	5,640	1,795
3	49A	49A300 to 399	6	154	5,690	1,835
3	49A		6	170	5,740	1,875
3	49A		6	188	5,790	1,895
3	49A		6	205	5,840	1,935
3	49A		6	220	5,890	1,965
3	49A		6	144	5,840	1,995
3	51A	51A200 to 299	6	154	5,890	2,035
3	51A		6	170	5,940	2,075
3	51A		6	188	5,990	2,095
3	51A		6	205	6,040	2,135
3	51A		6	220	6,090	2,165
3	58A	58A200 to 299	6	140	6,790	2,590
3	58A		6	148	6,790	2,590
3	58A		6	164	6,840	2,590
3½	58A		6	178	6,890	2,640
3½	58A		6	208	6,940	2,690
3½	58A		6	224	6,990	2,740
3½	59A	59A200 to 299	6	140	7,290	2,990
3½	59A		6	148	7,290	2,990
3½	59A		6	164	7,340	2,990
3½	59A		6	178	7,390	3,040
3½	59A		6	208	7,440	3,090
3½	59A		6	224	7,490	3,140
3½	38A	38X700 to 710	6	160	8,070	4,190
3½	38-6		6	170	8,070	4,190
3½	38-6		6	180	8,120	4,240
3½	38-6		6	196	8,170	4,290
3½	38-6		6	226	8,220	4,340
3½	38-6		6	241	8,270	4,390
3½	38-6		6	165	9,490	5,590
3½	31X	31X700 to 710	6	175	9,540	5,640
5	31X		6	190	9,590	5,690
5	31X		6	220	9,640	5,740
5	31X		6	235	9,690	5,790
5	31X		4	117	2,190	595
2½	40A	40A101 to 299	4	123	2,220	630
2½	40A		6	117	2,325	645
3½	60A	60A1001 to 1199	6	123	2,325	645
3½	60A		6	128	3,540	795
3½	45AL	45AL101 to 399	6	134	3,540	795
1½	45AL		6	144	3,590	835
1½	45AL		6	154	3,640	855
1½	45AL		6	170	3,690	875
1½	45AL		6	188	3,740	915
1½	45AL		6	104	3,690	1,045
1½	1COE	1COF101 to 124	6	112	3,720	1,060
1½	1COE		6	120	3,750	1,075
1½	1COE		6	132	3,780	1,095
1½	1COE		6	148	3,810	1,105
1½	1COE		6	164	3,840	1,125
1½	1COE		6	104	4,540	1,260
2	2COE	2COE201 to 124	6	112	4,570	1,275
2	2COE		6	120	4,600	1,290
2	2COE		6	132	4,640	1,310
2	2COE		6	148	4,660	1,320
2	2COE		6	164	4,690	1,340
2	2COE		6	180	4,720	1,380
2	2COE		6	196	4,770	1,400
2	2COE		6	164	4,690	1,380
2	3COE	3COE301 to 324	6	112	4,720	1,405
2½	3COE		6	120	4,750	1,420
2½	3COE		6	132	4,780	1,440
2½	3COE		6	148	4,810	1,450
2½	3COE		6	164	4,840	1,470
2½	3COE		6	180	4,870	1,510
2½	3COE		6	196	4,900	1,530
2½	3COE		6	104	5,440	1,890
2½	4COE	4COE401 to 424	6	112	5,470	1,905
3	4COE		6	120	5,500	1,925
3	4COE		6	132	5,530	1,940
3	4COE		6	148	5,560	1,950
3	4COE		6	164	5,590	1,970
3	4COE		6	180	5,620	2,010
3	4COE		6	196	5,650	2,030
3	4COE		6	128	3,100	695
1½	62A	62A101 to 299	6	123	3,100	695
1½	62A		6	140	3,150	735
1½	62A		6	145	3,175	735
1½	62A		6	163	3,225	755
1½	62A		6	176	3,250	795
1½	62A		6	140	8,030	4,190
2½	38A	38A101 to 199	6	150	8,050	4,190
2½	38A		6	160	8,070	4,190
2½	38A		6	183	8,120	4,240
2½	38A		6	199	8,170	4,290
2½	38A		6	210	8,220	4,340
2½	38A		6	140	9,450	5,590
5	31A	31A750 to 799	6	150	9,470	5,590
5	31A		6	160	9,490	5,590
5	31A		6	183	9,540	5,640
5	31A		6	199	9,590	5,690
5	31A		6	210	9,640	5,740
5	31A					

(U) STEWART—Continued

(5) 1939

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
1	62AT	62AT300 and up	6	128	3,100	$695
1			6	123	3,100	695
1			6	140	3,150	735
1			6	145	3,175	755

(6) 1940

3	49A	49A401 to 425	6	220	5,640	$2,015
3½	58A	58A325 to 350	6	224	6,790	2,840
3½	59A	59A325 to 340	6	224	7,290	3,240

(7) 1941

3	49A	49A401 to 449	6	224	5,690	$2,095
3½	58A	58A330 to 374	6	220	7,000	2,995
4	59A	59A302 to 324	6	224	7,400	3,340
5	38A	38A201 to 224	6	210	8,300	4,340

(8) 1942

3	49A	49A450 and up	6	224	5,690	$2,095
3½	58A	58A375 and up	6	220	7,000	2,995
4	59A	59A329 and up	6	224	7,400	3,340
5	38A	38A225 and up	6	210	8,300	4,340

(V) STUDEBAKER

[Manufacturer, The Studebaker Corporation. Principal Plant: South Bend, Indiana]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Single wheel equipment				*Inches*		
1-1-2	1-T-2	1-T-2-1801 to 1-T-2-4335	6	130	3,025	$565
1-1-2	1-T-2		6	141	3,065	610
1-1-2	1-T-2		6	165	3,115	615
Dual wheel equipment						
2	1-T-6	1-T-6-1001 to 1-T-6-1764	6	141	3,970	945
2			6	153	4,010	970
2			6	165	4,055	995
2			6	183	4,270	1,045
3	1-W-8	1-W-8-501 to 1-W-8-769	6	141	5,615	1,845
3			6	165	5,685	1,895
3			6	183	5,775	1,920
Dual wheel equipment						
2-1-2	1-W-7	1-W-7-101 to 1-W-7-769	6	141	5,070	1,545
2-1-2			6	165	5,110	1,595
2-1-2			6	183	5,220	1,620

(2) 1936

Single wheel equipment						
1-1-1-2 Ace	2-T-2	2-T-2-4401 to 2-T-2-7045	6	125	3,230	$595
1-1-2 Ace	2-T-2		6	133	3,270	635
1-1-2 Ace	2-T-2		6	157	3,390	655
Dual wheel equipment						
1-1-1-2 Ace	2-T-2		6	125	3,360	563
1-1-1-2 Ace	2-T-2		6	133	3,400	623
1-1-1-2 Ace	2-T-2		6	157	3,520	643
2-Boss	2-W-6	2-W-6-101 to 2-W-6-1025	6	133	4,140	945
2-Boss	2-W-6		6	157	4,225	965
2-Boss	2-W-6		6	175	4,295	1,045
3-Chief	2-W-8	2-W-8-801 to 2-W-8-1268	6	141	6,035	1,845
3-Chief	2-W-8		6	165	6,080	1,895
3-Chief	2-W-8		6	183	6,195	1,920
Dual wheel equipment						
2½ Mogul	2-W-7	2-W-7-401 to 2-W-7-578	6	141	5,200	1,475
2½ Mogul	2-W-7		6	165	5,270	1,525
2½ Mogul	2-W-7		6	183	5,345	1,550

(V) STUDEBAKER—Continued

(V) STUDEBAKER—Continued

(V) STUDEBAKER—Continued

(2) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Single wheel equipment cab forward				*Inches*		
1–1½ Ace	2-M-2	2-M-2-101 to 2002-1405	6	101	3,025	$595
1–1½ Ace	2-M-2		6	125	3,125	635
Dual wheel equipment cab forward						
1–1½ Ace	2-M-2		6	101	3,155	623
1–1½ Ace	2-M-2		6	125	3,255	643
2–Boss	2-M-6	2-M-6-101 to 2-M-6-959	6	101	3,855	945
2–Boss	2-M-6		6	125	3,970	995
2–Boss	2-M-6		6	157	4,090	1,045
Bus chassis						
1–1½ SW	2-TB-2	2-T-2-B-101 to 2-T-2-B-198	6	157	3,535	765
2-BW	2-MB-6	2-M-6-B-101 to 2-M-6-B-191	6	167	4,505	1,195

(3) 1937

Coupe express	J-5	J-5-001 to 3125	6	116	2,840	$595
Suburban 8			6	116	3,175	865
Suburban 8			6	116	3,245	885
1½–2	J-15	J-15-001 to 4828	6	138	3,405	685
1½–2			6	162	3,485	715
Cab forward						
1½–2	J-15-M	J-15-M-001 to 734	6	101	3,140	685
1½–2			6	138	3,270	715
1½–2			6	162	3,355	755
Buses	J-15-B	J-15-B-001 to 143	6	187	N. A.	885
2–3	J-20	J-20-001 to 944	6	138	4,210	990
2–3			6	162	4,290	1,040
2–3			6	180	4,350	1,090
1½–3½	J-25	J-25-001 to 137	6	138	5,077	1,535
2½–3½			6	162	5,127	1,585
2½–3½			6	180	5,297	1,635
3–4	J-30	J-30-001 to 319	6	142	5,886	1,930
3–4			6	166	6,046	1,980
3–4			6	184	6,086	2,030
Cab forward						
2–3	J-20-M	J-20-M-001 to 315	6	101	4,117	990
2–3			6	138	4,177	1,040
2–3			6	162	4,257	1,090
2½–3½	J-25-M	J-25-M-001 to 065		101	4,987	1,535
2½–3½				138	5,047	1,585
2½–3½				162	5,097	1,635
3–4	J-30-M	J-30-M-001 to 059		101	5,800	1,930
3–4				142	5,000	1,980
3–4				166	6,060	2,030
3–4	J-20-MB	J-20-MB-001 to 060	6	187	N. A.	1,290
Buses	J-25-MB	J-25-MB-001 to 225	6	187	N. A.	1,675

(4) 1938

½ Cpe. exp. (pickup)	K-5*	K-5-001 to 1001	6	116	3,105	$690
1	K-10	K-10-001 to 388	6	130	2,685	645
1½–3	K-15	K-15-001 to 1299	6	138	3,240	725
2–3	K-20	K-20-001 to 270	6	138	4,050	1,035
2–3 Diesel	K-20-D	K-20-D-001 to 008	6	138	5,050	2,530
2½–4	K-25	K-25-001 to 038	6	138	4,750	1,585
3–5	K-30	K-30-001 to 035	6	142	5,490	1,985
Cab forward						
1½–2	K-15-M	K-15-M-001 to 213	6	101	2,975	725
Cab forward						
2–3	K-20-M	K-20-M-001 to 147	6	101	3,780	1,035
2½–4	K-25-M	K-25-M-001 to 018	6	101	4,405	1,585
3–5	K-30-M	K-30-M-001 to 017	6	101	5,300	1,985
Sub wagon	K-5	K-5-001 to 1001	6	116	3,385	1,175
Buses	K-15-B	K-15-B-001 to 029	6	187	3,770	930
	K-20-MB	K-20-MB-001 to 016	6	187	4,407	1,315
	K-25-MB	K-25-MB-012	6	187	5,247	1,725

(5) 1939

Coupe express						
½ ch. and cab	L-5	L-5-001 to 1201	6	116	2,370	$657
Express and cab			6	116	3,105	702
1	K-10	K-10-388 to 620	6	130	2,700	620
1½	K-15	K-15-1309 to 3071	6	138	3,405	710
1½			6	162	3,535	740
2	K-20	K-20-271 to 638	6	138	4,210	1,035
2			6	162	4,290	1,085
2			6	180	4,350	1,135

(V) STUDEBAKER—Continued

(5) 1939—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Coupe express—Con.				*Inches*		
2½	K-25	K-25-039 to 164	6	138	5,077	$1,585
2½			6	162	5,127	1,635
2½			6	180	5,297	1,685
3	K-30	K-30-036 to 091	6	142	5,886	1,985
3			6	166	6,046	2,035
3			6	184	6,086	2,085
Cab-over-engine						
1½	K-15-M	K-15-M-214 to 533	6	101	3,140	710
1½			6	138	3,270	740
1½			6	162	3,355	780
2	K-20-M	K-20-M-148 to 248	6	101	4,117	1,035
2			6	138	4,177	1,085
2			6	162	4,257	1,135
2½	K-25-M	K-25-M-019 to 034	6	101	4,987	1,585
2½			6	138	5,047	1,635
2½			6	162	5,097	1,685
3	K-30-M	K-30-M-018 to 051	6	101	5,800	1,985
3			6	142	5,800	2,035
3			6	166	6,060	2,085
Buses	K-15-B	K-15-B-030 to 144	6	187	3,770	930
	K-20-MB	K-20-MB-017 to 037	6	187	4,407	1,315
	K-25-MB	K-25-MB-013 to 025	6	187	5,247	1,725

(6) 1940

Single wheel equipment						
1 ch	K-10	K-10-630 and up	6	130	2,840	$620
Ch. and cab			6	130	3,240	755
1½ ch	K-15	K-15-3072 and up	6	138	3,405	710
Ch. and cab			6	138	3,805	850
Ch			6	162	3,485	740
Ch. and cab			6	162	3,885	880
Dual wheel equipment						
1 ch		K-10-630 and up	6	130	2,940	662
Ch. and cab			6	130	3,340	797
1½		K-15-3072 and up	6	138	3,610	745
Ch. and cab			6	138	4,010	880
Ch			6	162	3,690	775
Ch. and cab			6	162	4,090	920
2 ch	K-20	K-20-639 up	6	138	4,315	1,035
Ch. and cab			6	138	4,715	1,185
Ch			6	162	4,365	1,085
Ch. and cab			6	162	4,765	1,235
Ch			6	180	4,415	1,135
Ch. and cab			6	180	4,815	1,285
2½ ch	K-25	K-25-165 up	6	138	5,030	1,585
Ch. and cab			6	138	5,450	1,740
Ch			6	162	5,110	1,635
Ch. and cab			6	162	5,510	1,790
Ch			6	180	5,165	1,685
Ch. and cab			6	180	5,565	1,840
3 ch	K-30	K-30-092 up	6	142	5,800	1,985
Ch. and cab			6	142	6,200	2,140
Ch			6	166	6,050	2,035
Ch. and cab			6	166	6,450	2,190
Ch			6	184	6,105	2,085
Ch. and cab			6	184	6,505	2,240
Cab-over-engine—Single wheel equipment						
1½ ch	K-15-M	K-15-M-534 up	6	101	3,140	710
Ch. and cab			6	101	3,740	915
Ch			6	138	3,270	740
Ch. and cab			6	138	3,870	945
Ch			6	162	3,370	780
Ch. and cab			6	162	3,970	987
Cab-over-engine—Dual wheel equipment						
1½ ch	K-15-M	K-15-M-534 up	6	101	3,345	740
Ch. and cab			6	101	3,945	950
Ch			6	138	3,475	775
Ch. and cab			6	138	4,075	980
Ch			6	162	3,575	815
Ch. and cab			6	162	4,175	1,020
2 ch	K-20-M	K-20-M-249 up	6	101	4,040	1,035
Ch. and cab			6	101	4,640	1,245
Ch			6	138	4,125	1,085
Ch. and cab			6	138	4,725	1,295
Ch			6	162	4,270	1,135
Ch. and cab			6	162	4,810	1,345
2½ ch	K-25-M	K-2-M-035 up	6	101	4,765	1,585
Ch. and cab			6	101	5,365	1,815
Ch			6	138	4,825	1,635
Ch. and cab			6	138	5,425	1,855
Ch			6	162	4,865	1,685
Ch. and cab			6	162	5,465	1,905

(V) STUDEBAKER—Continued

(6) 1940—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Cab-engine-Dual wheel equipment—Continued				*Inch*		
2½ ch	K-25-MR	K-25-MR-005 up	6	101	4,765	$1,685
Ch. and cab			6	101	5,365	1,905
Ch			6	138	4,825	1,735
Ch. and cab			6	138	5,425	1,955
Ch			6	162	4,865	1,785
Ch. and cab			6	162	5,465	2,005
3 ch	K-30-M	K-30-M-052 up	6	101	5,610	1,985
Ch. and cab			6	101	6,210	2,205
Ch			6	142	5,670	2,035
Ch. and cab			6	142	6,270	2,255
Ch			6	166	5,950	2,085
Ch. and cab			6	166	6,550	2,305
Buses—single wheel—equipment.	K-15-B	K-15-B-145 up	6	187	3,780	880
Buses—dual wheel—equipment.	K-15-B		6	187	3,910	915
	K-20-MB	K-20-MB-038 up	6	187	4,325	1,275
	K-25-MB	K-25-MB-026 up	6	187	4,940	1,725
Champion sedan del.—2.6E-5 (tires)						
5.50/16 (4)		G-30501 and up	6	190½	2,340	707
5.50/16 (6)		Motor No. 34101 up	6	190½	2,360	719
6.00/16 (6)			6	190½	2,380	730
5.50/16 (4)		G-30501 up	6	190½	2,330	650
6.00/16 (4)		Motor No. 34101 up	6	190½	2,350	658
6.00/16 (6)			6	190½	2,370	674

(7) 1941

Single wheel equipment						
½ chassis	M-5	M-5-001 to 4685	6	113	1,965	$532
Ch. and cab			6	113	2,365	680
Pickup and cab			6	113	2,700	680
1½ chassis	M-15	M-15-001 to 1221	6	129	2,730	652
Ch. and cab			6	120	3,130	774
Pickup and cab			6	120	4,080	841
Chassis			6	128	2,805	678
Ch. and cab			6	128	3,205	800
Chassis			6	152	2,920	703
Ch. and cab			6	152	3,320	825
1½ chassis	M-16	M-16-001 to 2724	6	128	3,260	720
Ch. and cab			6	128	3,660	852
Chassis			6	152	3,375	725
Ch. and cab			6	152	3,775	877
Chassis			6	195	3,575	796
Ch. and cab			6	195	3,975	948
Dual wheel equipment						
1½ chassis	M-15	M-15-001 to 1221	6	120	2,830	699
Ch. and cab			6	120	3,230	821
Chassis			6	128	2,905	725
Ch. and cab			6	128	3,305	847
Chassis			6	152	3,020	770
Ch. and cab			6	152	3,420	873
1½ chassis	M-16	M-16-001 to 2824	6	128	3,460	776
Ch. and cab			6	128	3,860	899
Chassis			6	152	3,575	802
Ch. and cab			6	152	3,975	924
Chassis			6	195	3,775	842
Ch. and cab			6	195	4,175	965

(8) 1942

Coupe express	M-5	M-5-4686 and up	6	113	1,970	$545
½ chassis			6	113	2,370	664
Ch. and cab			6	113	2,660	695
Pickup and cab			6	113	2,905	772
Stake and cab						
STANDARD TRUCK SERIES						
Single wheel equipment	M-15	M-15-1222 and up	6	120	2,680	664
1½ chassis			6	120	3,080	788
Ch. and cab			6	120	3,680	856
Express and cab			6	120	3,765	910
Stake and cab	M-15		6	128	2,750	690
1½ chassis			6	128	3,150	814
Ch. and cab	M-15		6	152	2,860	716
1½ chassis			6	152	3,260	840
Ch. and cab						
Dual wheel equipment	M-15		6	120	2,840	713
1½ chassis			6	120	3,240	838
Ch. and cab			6	120	3,925	909
Stake and cab			6	128	2,910	739
1½ chassis	M-15		6	128	3,310	864
Ch. and cab			6	128	4,185	1,006
Stake and cab			6	152	3,020	765
1½ chassis	M-15		6	152	3,420	890
Ch. and cab			6	152	4,520	1,050
Stake and cab						

(V) STUDEBAKER—Continued

(8) 1942—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
HEAVY DUTY TRUCK SERIES						
Single wheel equipment				*Inch*		
1½ chassis	M-16	M-16-2725 and up	6	128	3,180	$744
Ch. and cab			6	128	3,580	868
1½ chassis	M-16		6	152	3,290	770
Ch. and cab			6	152	3,690	894
1½ chassis	M-16		6	195	3,535	841
Ch. and cab			6	195	3,935	966
Dual wheel equipment						
1½ chassis	M-16		6	128	3,375	792
Ch. and cab			6	128	3,775	917
Stake and cab			6	128	4,650	1,080
Dump and cab			6	128	5,225	1,302
1½ chassis	M-16		6	152	3,485	815
Ch. and cab			6	152	3,885	940
Stake and cab			6	152	4,905	1,103
1½ chassis	M-16		6	195	3,730	890
Ch. and cab			6	195	4,130	984

(W) TERRAPLANE

[Manufacturer: Hudson Motor Car Company. Principal plant: Detroit, Michigan]

(1) 1933

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Terraplane				*Inches*		
½ del. sed		264125 to 372899	6	106	2,295	$545
½ pan. del			6	106	2,210	530
½ cab pickup			6	106	2,330	440
½ chassis			6	106	1,805	375

(2) 1934

Terraplane Com'l						
½ del. sed		370001 to 416991	6	112	2,080	$585
½ util			6	112	2,590	590
½ cab pick-up			6	112	2,675	515
½ chas. w/cab			6	112	2,250	480
½ chassis			6	112	1,950	405

(3) 1935

¾ sed. pan. del		51101 to 5137772	6	112	2,770	$695
½ util			6	112	2,585	595
¾ cab pick-up			6	112	2,675	545
¾ chas. w/cab			6	112	2,305	515
¾ chassis			6	112	1,950	430

(4) 1936

¾ cus. pan. del		61601 to 6169750	6	115	2,960	$685
½ util			6	115	2,725	580
¾ cab pick-up			6	115	2,790	560
¾ chassis			6	115	2,045	445
¾ chas. w/cab			6	115	2,390	530

(5) 1937

Commercial						
½ utility cpe	70	70101 to 76801	6	117	2,855	$665
Utility coach	70		6	117	2,885	640
¾ chassis	70		6	117	2,080	495
Ch. and cab	70		6	117	2,445	590
¾ pickup exp	70		6	117	2,980	620
Cus. pan. dely	70		6	117	3,150	745
"Big Boy"						
¾ chassis	78	78101 to 781051	6	124	2,170	525
Ch. and cab	78		6	124	2,540	620
Pickup exp	78		6	124	3,080	660
Cus. pan. del	78		6	124	3,210	795

(W) TERRAPLANE—Continued

(6) 1938

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Terraplane				*Inches*		
½ chassis	80	80101	6	117	2,105	$551
Ch. and cab			6	117	2,540	650
Pickup and cab			6	117	2,585	680
Cus. pan. dely			6	117	3,135	843
½ chassis	88	88101	6	124	2,210	583
Ch. and cab			6	124	2,645	680
Pickup and cab			6	124	3,020	720
Cus. pan. dely			6	124	3,195	893

(X) WHITE

[Manufacturer: The White Motor Company. Principal plant: Cleveland, Ohio

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
1 ¾	701	Not available for any model	6	N. A.	4,020	$1,185
1½	702		6	N. A.	4,405	1,295
2½	620		6	N. A.	7,505	4,350
2½	707		6	N. A.	5,085	1,790
2½	621		6	N. A.	7,955	4,650
3	621K		6	N. A.	9,125	4,850
3	620K		6	N. A.	8,555	4,675
3	712		6	N. A.	6,080	2,550
3	630		6	N. A.	8,950	5,000
3	640		6	N. A.	10,185	6,100
3	640K		6	N. A.	10,365	6,300
3	630K		6	N. A.	9,205	5,200
3	790		12	N. A.	10,940	6,000
3	718		6	N. A.	6,850	2,950
3	731		12	N. A.	11,360	6,800
3½	631		6	N. A.	9,424	5,750
3½	641		6	N. A.	10,460	6,450
3½	641		6	N. A.	10,660	6,650
3½	641K		6	N. A.	10,660	6,650
3½	631K		6	N. A.	9,605	5,950
4	642		6	N. A.	11,345	6,750
5	643		6	N. A.	11,655	6,950
7½	58SS		4	N. A.	9,300	5,300
7	691		6	N. A.	12,200	7,250
9	630SW320W		6	N. A.	10,000	6,657
12	643SW420		6	N. A.	14,400	8,550
Bus	65		6	N. A.	7,795	4,850
Bus chassis	65A		6	N. A.	9,100	5,450
Bus	685		12	N. A.	19,300	16,000
Bus	684		12	N. A.	14,000	11,000
Bus chassis	54A		6	N. A.	11,240	8,000
Bus chassis	54		6	N. A.	10,600	7,500
Bus chassis	613		6	N. A.	5,780	2,950
Bus chassis	713		6	N. A.	5,860	2,950

(2) 1936

1¼	701	Not available for any model	6	N. A.	4,020	$1,185
1½	702		6	N. A.	4,405	1,295
2½	620		6	N. A.	7,505	4,350
2½	707		6	N. A.	5,085	1,790
3	621		6	N. A.	7,955	4,650
3	621K		6	N. A.	9,125	4,850
3	620K		6	N. A.	8,555	4,675
3	712		6	N. A.	6,080	2,550
3	630		6	N. A.	8,950	5,000
3	640		6	N. A.	10,185	6,100
3	640K		6	N. A.	10,365	6,300
3	630K		6	N. A.	9,205	5,200
3	790		12	N. A.	10,940	6,000
3	718		6	N. A.	6,850	2,950
3½	731		12	N. A.	11,360	6,800
3½	631		6	N. A.	9,424	5,750
3½	641		6	N. A.	10,460	6,450
3½	641K		6	N. A.	10,660	6,650
3½	631K		6	N. A.	9,605	5,950
4	642		6	N. A.	11,345	6,750
5	643		6	N. A.	11,655	6,950
7½	58SS		4	N. A.	9,300	5,300
7	691		6	N. A.	12,200	7,250
9	630SW320W		6	N. A.	10,000	6,657
12	643SW420		6	N. A.	14,400	8,550
Bus	65		6	N. A.	7,795	4,850
Bus chassis	65A		6	N. A.	9,100	5,450
Bus	685		12	N. A.	19,300	16,000
Bus	684		12	N. A.	14,000	11,000
Bus chassis	54A		6	N. A.	11,240	8,000
Bus chassis	54		6	N. A.	10,600	7,500
Bus chassis	613		6	N. A.	5,780	2,950
Bus chassis	713		6	N. A.	5,860	2,950
1	703		6	N. A.	4,233	1,240
1½	704		6	N. A.	4,608	1,350
2½	709		6	N. A.	5,547	1,940
8–10 trac	704K		6	N. A.	5,520	1,850
3	718		6	N. A.	6,830	2,990

(X) WHITE—Continued

(2) 1936—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Bus 32 Ps	684	Not available for any model	12	N. A.	14,000	$11,000
Bus 36 Ps	686		12	N. A.	15,500	12,000
Bus 16 Ps	706		6	N. A.	4,640	1,850
Bus 23 Ps	706M		6	N. A.	10,000	5,850
3½	721		6	N. A.	8,460	4,175
4	722		6	N. A.	9,500	N. A.

(3) 1937

¾	700P	Not available for any model.	6	N. A.	3,350	N. A.
1	700		6	N. A.	4,148	$1,025
1	703		6	N. A.	4,450	1,350
1½	704		6	N. A.	4,740	1,475
1½	705		6	N. A.	4,885	1,765
1½	709		6	N. A.	5,543	2,010
2	700H		6	N. A.	4,610	1,280
2	704A		6	N. A.	4,855	1,550
2	710		6	N. A.	5,959	2,260
3	709A		6	N. A.	5,657	2,110
3	712		6	N. A.	6,540	2,680
3	718		6	N. A.	6,840	3,075
3	718S		6	N. A.	6,850	3,115
3½	720		6	N. A.	8,200	4,370
4	712A		6	N. A.	6,600	2,865
4	722		6	N. A.	9,300	5,350
4½	718A		6	N. A.	7,300	3,185
Cab-over-engine						
1½	805		6	N. A.	4,895	1,790
1½	809		6	N. A.	5,643	2,115
2	810		6	N. A.	6,010	2,560
3	812		6	N. A.	6,940	2,980
3	818		6	N. A.	6,940	3,375
3½	730		12	N. A.	10,940	6,100
4	731		12	N. A.	11,360	6,900
Tractors	700K		6	136	4,450	1,305
	704K		6	136	5,220	1,965
	720T		6	N. A.	8,100	4,350

(4) 1938

1	700	Not available for any model	6	136	4,148	$1,095
1	703		6	136	4,450	1,350
1½	700A		6	136	4,520	1,390
1½	700H		6	136	4,610	1,390
1½	704		6	136	4,740	1,550
1½	709		6	136	5,543	2,140
2	710		6	136	5,959	2,450
2	704H		6	136	4,858	1,650
2	704A		6	136	4,855	1,670
3	712		6	130	6,540	2,750
3	709A		6	136	5,657	2,315
3	718		6	130	6,850	3,175
4	712A		6	130	6,600	2,915
4½	718A		6	130	7,300	3,395
4½	751		6	136	7,552	3,600
5	720		6	134	8,200	4,500
8	722		6	134	9,300	5,500
Cab-over-engine						
1	800		6	102	2,820	900
1½	802		6	95	4,800	995
1½	805		6	97	4,895	1,850
1½	809		6	97	5,643	2,050
2	810		6	97	6,010	2,060
3	812		6	97	6,940	2,950
3 with cab	818		6	97	6,950	3,475
5 with cab	820		6	109	8,816	5,400
8	822		6	109	9,403	6,400
Tractors	704K		6	136	5,520	2,050
	750T		6	136	7,168	3,660
	720T		6	134	8,100	4,500
Six wheelers—4 wheel drive	904		6	160	7,365	3,185
	918		6	154	9,450	4,595
	920		6	158	12,555	7,595
	922		6	158	13,920	9,650
	942		6	172	15,570	9,800
	950		6		10,300	5,520
	991		6	149	15,825	10,400
Bus chassis	54		6	N. A.	10,600	7,000
	54A		6	N. A.	11,385	8,300
	65A		6	N. A.	9,150	5,850
	705		6	N. A.	4,625	2,250
	706M		6	N. A.	5,800	2,850
	805M		6	N. A.	10,000	5,200
	810M		6	N. A.	N. A.	4,270
Bus	784		12	N. A.	14,800	11,000
Bus	786		12	N. A.	15,500	12,400
Bus	788		12	N. A.	18,800	13,600
3	710A		6	136	6,075	2,615

No. 64——16

(X) WHITE—Continued

(5) 1939

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
1	500	Not available for any model	6	N. A.	3,695	$950
1	700		6	N. A.	4,148	1,095
1½	700H		6	N. A.	4,610	1,390
1½	704		6	N. A.	4,895	1,550
1½	708		6	N. A.	5,520	2,050
2	710		6	N. A.	6,290	2,250
3	718		6	N. A.	7,680	2,975
4½	750		6	N. A.	7,745	3,500
5	720		6	N. A.	8,200	4,500
8	722		6	N. A.	9,300	5,500
Tractors	750T		6	N. A.	7,168	3,600
	720T		6	N. A.	8,100	4,500
Cab-over-engine						
1	800		6	N. A.	2,820	975
1½	802		6	N. A.	3,527	995
1½	804		6	N. A.	3,640	1,050
1½	805		6	N. A.	5,150	1,850
2	810		6	N. A.	6,329	2,550
3	818		6	N. A.	7,025	3,275
4½	850		6	N. A.	7,275	3,830
5	820		6	N. A.	10,106	5,400
8	822		6	N. A.	10,693	6,400
Six wheelers—4 wh drive	904		6	N. A.	7,365	3,185
	918		6	N. A.	9,450	5,520
	920		6	N. A.	12,555	7,550
	922		6	N. A.	13,920	9,350
	950		6	N. A.	10,650	5,520
White Horse						
½	99		4	99	3,500	1,260
½	116		4	116	3,800	1,450

(6) 1940

1	500	Not available for any models	6	N. A.	3,695	$950
1	700		6	N. A.	4,148	1,095
1½	510		6	N. A.	3,700	995
1½	700H		6	N. A.	4,610	1,390
1½	704		6	N. A.	4,895	1,550
1½	708		6	N. A.	5,520	2,050
2	710		6	N. A.	6,209	2,250
3	718		6	N. A.	7,680	2,975
4½	750		6	N. A.	7,745	3,600
5	720		6	N. A.	8,200	4,500
8	722		6	N. A.	9,300	5,500
Tractors	750T		6	N. A.	7,168	3,600
	720T		6	N. A.	8,100	4,500
Cab-over-engine						
1	800		6	N. A.	2,820	975
1½	802		6	N. A.	3,527	995
1½	804		6	N. A.	3,640	1,050
1½	805		6	N. A.	5,150	1,850
2	810		6	N. A.	6,329	2,550
3	818		6	N. A.	7,025	3,275
4½	850		6	N. A.	7,275	3,830
5	820		6	N. A.	10,106	5,400
8	822		6	N. A.	10,693	6,400
Six wheelers—4 wheel drive	904		6	N. A.	7,365	3,185
	918		6	N. A.	9,450	5,520
	920		6	N. A.	12,555	7,550
	922		6	N. A.	13,920	9,350
	950		6	N. A.	10,650	5,520
White Horse						
½	99		4	N. A.	3,500	1,260
½	116		4	N. A.	3,800	1,450

(7) 1941 and 1942

1	WA14	Not available for any model	6	136	4,555	$1,175
1	WA114		6	97	4,815	1,425
1½	WA18		6	136	5,291	1,625
1½	WA118		6	97	5,150	1,825
1½	WA20		6	136	5,740	2,065
1½	WA120		6	97	6,270	2,265
2	WA22		6	136	6,340	2,540
2	WA122		6	109	6,990	2,780
4½	WA26		6	136	7,745	3,375
4½	WA126		6	109	7,295	3,575
5	WA34		6	136	8,745	4,375
5	WA134		6	109	8,429	4,575
6	722		6	134		5,050
8	822		6	109		6,550
5	720		6	N. A.	8,200	4,500
6	820		6	N. A.	10,106	5,400
White Horse						
½	99		4	99	3,800	1,360
½	899		4	99	3,850	1,360
½	116		4	116	4,300	1,525
½	S116		4	116	4,350	1,450
½	H116		4	116	4,550	1,650
½	720T		6	134		4,650
Tractors	820T		6	109		5,550

(X) WHITE—Continued

(7) 1941 and 1942—Continued

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
Six wheelers—4 wheel drive						
7–8 tons	WA2064	Not available for any model	6	160		$3,690
8–12 tons	WA2264		6	160		4,950
10–14 tons	WA3464		6	160		5,800
12–16 tons	920		6	158		7,400
14–18 tons	922		6	158		8,900
Diesel						
1–3½	WA14D		6	136		2,700
1½–4	WA18D		6	136		3,185
2–5	WA22D		6	136		5,150
8–10	722D		6	134		7,650
45C rear axle	720PC		6	212		6,130
34C rear axle	720PC		6	212		5,870
SW3000 rear axle	720PC		6	235		7,595
School busses	W14B		6	148		1,480
	W18B		6	166		1,870
	W20B		6	178		2,420
Transit model coaches						
Coach	782		6	168		8,100
Chassis	782		6	168		3,800
	786		12	191		9,500
	788		12	214		10,200
	798		12	238		10,750
Suburban model coaches	782		6	168		9,625
	786		12	191		
	788		12	214		12,250
	798		12	238		12,950
Dash one model coaches	782–1		6	168		8,100
	786–1		12	191		9,500
	788–1		12	214		10,200
	798–1		12	238		10,750
Bus chassis	WA16		6	170		2,450
New York State school busses	W–14BN–315		6	166		1,670
	W–14BN–375		6	178		1,740
	W–14BN–376		6	178		1,925
	W–18BN–439		6	196		2,575
	W–18BN–498		6	214		2,625
	W–18BN–499		6	214		2,825
	W–20BN–555		6	234		3,335

(Y) WILLYS

[Manufacturer: Willys-Overland Motors, Incorporated. Principal plant: Toledo, Ohio]

(1) 1935

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
				Inches		
Cab pick-up	77	27001 to 37425	4	100	2,040	$395
Pan. del.	77	27001 to 35938	4	100	2,195	415

(2) 1936

Cab pick-up	77	37426 to 61000	4	100	2,040	$395
Pan. del.	77	35939 to 61000	4	100	2,195	415

(3) 1937

750 lb. pick-up	77	61000 to 68526	4	100	2,000	$395
Pan. del.	77		4	100	2,130	415

(4) 1938

½ chassis	38	65001 to 89000	4	100	1,285	$330
Ch. and cowl			4	100	1,677	400
Ch. and cab			4	100	1,908	490
Pick-up and cab			4	100	2,226	530
Stake and cab			4	100	2,220	545
Canopy			4	100	2,356	573
Cab-over-engine						
Panel			4	100	2,568	824

(Y) WILLYS—Continued

(5) 1941

Rated capacity and type	Model	Serial No.	Number of cylinders	Wheel base	Base weight	Price
½ Pick-up	441	50001 to 80100	4	104	2,207	$535
Cab-over-engine						
½ Panel del	441P	50001 to 80300	4	100	2,024	840
½ Pick-up	441		4	104	2,223	575
Cab-over-engine						
½ Panel del	441P		4	100	2,730	849

(6) 1942

½ Pick-up	442	80101 to 92011	4	104	2,238	$785
Cab-over-engine						
¾ Panel del	442		4	104	2,708	1,010

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-4932; Filed, March 31, 1943; 8:55 a. m.]

PART 1340—FUEL

[MPR 137,[1] as Amended March 30, 1943]

PETROLEUM PRODUCTS SOLD AT RETAIL

Section 1340.91 (r) is amended by Amendment 29 so that Maximum Price Regulation 137 shall read as follows:

In the judgment of the Price Administrator, the prices of motor fuel and Diesel fuel, sold at service stations, have risen or are threatening to rise to an extent, and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 137 are necessary to check inflation and to effectuate the purpose of the Act.

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 137 are generally fair and equitable. So far as practicable, the Price Administrator gave due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability. So far as practicable the Price Administrator consulted with representatives of the industry which will be affected by this Maximum Price Regulation No. 137.

A statement of the considerations[2] involved in the issuance of this Maximum Price Regulation No. 137 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority invested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[3] issued by the Office of Price Administration, Maximum Price Regulation No. 137 is hereby issued.

Sec.

1340.81 Maximum prices for petroleum products sold at retail establishments.
1340.82 Federal and State taxes.
1340.83 Less than maximum prices.
1340.84 Evasion.
1340.85 Records and reports.
1340.86 Statement and posting of maximum prices of motor fuels sold at retail establishments.
1340.87 Sales slips and receipts.
1340.88 Enforcement.
1340.88a Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1340.89 Procedure for adjustment or amendment.
1340.90 Definitions.
1340.91 Appendix A: Maximum prices for petroleum products sold at retail establishments.
1340.92 Applicability.
1340.93 Effective date.
1340.93a Effective dates of amendments.
1340.94 Applicability of the General Maximum Price Regulation.
1340.95 Transfer or changes in operators of service stations.

AUTHORITY: §§ 1340.81 to 1340.95, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1340.81 *Maximum prices for petroleum products sold at retail establishments.* On and after May 18, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver petroleum products at retail establishments at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1340.91; and no person shall agree, offer, solicit or attempt to sell petroleum products at retail establishments at prices higher than the maximum prices.

[§ 1340.81 as amended by Amendment 4, 7 F.R. 4853]

[NOTE: Under Supplementary Order No. 13 (7 F.R. 6523) retail sellers operating more than one establishment may apply for authorization to determine and use uniform maximum prices.]

§ 1340.82 *Federal and state taxes.* Any tax upon or incident to the sale, delivery, processing, or use of petroleum products, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such petroleum products and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining his maximum price under this Maximum Price Regulation No. 137.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 137.

(b) *As to a tax or increase in a tax which becomes effective after March 13, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That in the case of the increase in the federal excise on lubricating oils provided by the Revenue Act of 1942, effective November 1, 1942, a seller of motor lubricating oil subject to this Maximum Price Regulation No. 137 who separately states the amount of such increase and who actually pays the amount of such increase or an amount equal thereto paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, may collect in addition to the maximum price, an additional sum as follows:

On each sale of five quarts or less, one cent; on each sale of more than five quarts, the total amount of the increase, adjusted to the nearest cent.

[§ 1340.82 as amended by Amendment 12; 7 F.R. 9335]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1340.83 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1340.91), may be charged, demanded or offered.

§ 1340.84 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 137 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to petroleum products sold at retail establishments, alone or in connection with any other commodity by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise. Without limiting the generality of the foregoing, no person subject to this Maximum Price Regulation No. 137 shall change his customary allowances, discounts or other price differentials unless such change results in a lower price.

[§ 1340.84 as amended by Amendment 4; 7 F.R. 4853]

[NOTE: Supplementary Order No. 29 (7 F.R. 9816) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1340.85 *Records and reports*—(a) *Base period records.* Every person selling petroleum products at service stations subject to this Maximum Price Regulation No. 137 shall:

(1) Preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for such petroleum products as he delivered during March 1942 and his offering prices for delivery of petroleum products during such month; and

(2) Prepare, on or before July 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(i) The highest prices which he charged for such petroleum products as he delivered during March 1942, and his offering prices for delivery of petroleum products during such month, together with an appropriate description or identification of such petroleum products by reference to kind and grade;

(ii) All his customary allowances, discounts and other price differentials.

(b) *Current records.* Every person selling petroleum products at service stations subject to this Maximum Price Regulation No. 137 shall keep, and make available for examination by the Office of Price Administration records of the same kind as he customarily kept, relating to the prices which he charged for such motor fuel as he sold at service stations after May 18, 1942, and, in addition, records showing as precisely as possible, the basis upon which he determined maximum prices for such motor fuel.

[§ 1340.85 as amended by Amendment 4, 7 F.R. 4853]

§ 1340.86 *Statement and posting of maximum prices of motor fuels sold at retail establishments.* (a) Every person selling petroleum products at service stations subject to this Maximum Price Regulation No. 137 shall post the maximum price chargeable to purchasers of the class to whom he made the bulk of his sales for each grade of petroleum products in a manner plainly visible to and understandable by, each purchaser. Such postings shall be marked "maximum prices", "ceiling prices" or "our ceiling", beneath which shall be marked each grade of the petroleum product offered for sale and opposite each grade shall be stated the maximum price for that grade. Notwithstanding anything to the contrary contained in the General Maximum Price Regulation[4] or in § 1340.86 (d) of Maximum Price Regulation No. 137 every person whose maximum prices are increased pursuant to authorization by the Office of Price Administration shall indicate separately either for 60 days after such authorization or for so long as the increase remains effective, whichever period is shorter, the amount by which the maximum prices were increased, and the fact that such increase was authorized by the Office of Price Administration. In making this representation such person shall use the following language: "Amount of Increase—cents per gallon—Approved by the Office of Price Administration" or any other statement supplying the same information.

(b) On or before July 1, 1942, every person subject to this Maximum Price Regulation No. 137 shall file with the appropriate War Price and Rationing Board of the Office of Price Administration a statement showing his maximum price for each grade of motor fuel together with an appropriate description of its specifications. Such statement shall be kept up to date by such person by filing on the tenth day of every succeeding month a statement of his maximum price for each grade of motor fuel newly offered for sale by him at a service station during the previous month together with an appropriate description of its specifications.

[Paragraphs (a) and (b) as amended by Amendment 10, 7 F.R. 7902]

(c) Any person subject to the provisions of this section may mark or post maximum prices for commodities for which maximum prices are established by this regulation, either in accordance with the provisions of this section or with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.

[Paragraph (c) as amended by Amendment 14, 7 F.R. 11088]

(d) (1) Any seller who takes advantage of § 1340.91 (f) and after October 4, 1942, increases the price charged for a particular grade of motor fuel above the level that he would otherwise be permitted to charge shall file with the appropriate War Price and Rationing Board of the Office of Price Administration within five days after such adjustment is required or made, a statement setting forth the following with respect to such grade:

(i) the seller's maximum price as determined by § 1340.91 (a) (b) and or (c) and his delivered cost at the time the adjustment is made;

(ii) the exact extent of the margin enjoyed by him during the major portion of the period October 1–15, 1941;

(iii) the prices charged by him for the particular grade of motor fuel at that retail establishment during the major portion of the period October 1–15, 1941;

(iv) the delivered cost of the particular grade of motor fuel on which the margin enjoyed during the major portion of the period, October 1–15, 1941, was calculated.

(2) Any seller who makes an initial increase after October 4, 1942, in the price charged for a particular grade of motor fuel under § 1340.91 (f), and reports that increase under (1) above, may hereafter have a further adjustment in price, either by being required to lower the price or by raising the price upon being granted permission for an increase. In the case of either such adjustment the seller shall file with the appropriate War Price and Rationing Board of the Office of Price Administration, within five days after such adjustment is required or made, a statement setting forth his delivered cost at the time the adjustment in his selling price is made, and his new maximum price.

(3) Any seller who increases his price upon the basis of § 1340.91 (c) for a particular grade of motor fuel shall at the time he makes his initial increase file a statement setting forth his maximum price for that grade prior to the increase and his delivered cost at the time the adjustment is made. The statement shall be filed with the appropriate War Price and Rationing Board of the Office of Price Administration within five days after the seller makes such increase. If the seller increases his price upon more than one grade, the seller may file either separate statements or one combined statement.

(4) Any seller who increases or decreases his price under § 1340.91 (c), after reporting an initial increase under (3) above, shall file with the appropriate War Price and Rationing Board within five days thereafter a statement setting forth his delivered cost at the time the increase or decrease is made, and his new maximum price.

[Paragraph (d) added by Amendment 14, 7 F.R. 11008]

[1] 7 F.R. 3165.

[2] Statements of considerations also have been issued simultaneously with the issuance of amendments. Requests for copies should be addressed to the Office of Price Administration.

[3] Revised, 7 F.R. 8961.

[4] 8 F.R. 3096.

Carolina: Fannin, Murray, Whitfield,

tral storage to the buyer's retail estab-

margin exceeds 3 cents a gallon, except

(e) (1) Any person subject to the provisions of this Maximum Price Regulation No. 137 selling naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil as anti-freeze preparations at retail establishments shall file with the appropriate War Price and Rationing Board within 5 days after February 1, 1943, or the initial sale, whichever is later, a written statement setting forth the following with respect to such petroleum fractions:

(i) The seller's maximum price as determined by § 1340.91 (l),

(ii) The delivered cost at the particular retail establishment, and

(iii) A description thereof by reference to trade name and type, such as naphtha type or kerosene type.

(2) Any change in delivered cost of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil sold as an anti-freeze preparation shall be reported in writing to the appropriate War Price and Rationing Board within 5 days after such change occurs.

[Paragraph (e) added by Amendment 19, 8 F.R. 1226]

§ 1340.87 *Sales slips and receipts.* Any person subject to this Maximum Price Regulation No. 137, who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from a purchaser any person subject to this Maximum Price Regulation No. 137 shall give the purchaser a receipt showing the date, the name and address of the seller, the kind, grade and quantity of the petroleum products sold, and the price received for it.

[§ 1340.87 as amended by Amendment 4, 7 F.R. 4853]

§ 1340.88 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 137 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damage provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 137 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1340.88a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation selling at wholesale or retail any petroleum product covered by this Maximum Price Regulation. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

[§ 1340.88a added by Amendment 7, 7 F.R. 5941]

§ 1340.89 *Procedure for adjustment or amendment.* (a) The Office of Price Administration or any duly authorized representative thereof, may adjust any maximum price established under the Maximum Price Regulation No. 137 in the case of any seller of a petroleum product at a retail establishment who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of such petroleum product established for other sellers thereof at retail establishments; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1.

No application for adjustment filed after November 30, 1942 will be granted under this paragraph (a).

[Paragraph (a) as amended by Amendment 11, 7 F.R. 8938]

(b) *Petitions for amendment.* Any person seeking an amendment of this Maximum Price Regulation No. 137 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (b) as amended by Supplementary Order 26, 7 F.R. 8948]

[Paragraph (c) added by Amendment 6; revoked by Amendment 11, 7 F.R. 8938]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.90 *Definitions.* (a) When used in this Maximum Price Regulation No. 137, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Motor fuel" means liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motor boats, and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Service station" means any place of business or part thereof, where motor fuel is delivered into the fuel supply tanks of motor vehicles or motorboats,

(4) "Appropriate War Price and Rationing Board" means the War Price and Rationing Board for the area in which is located the seller's service station from which petroleum products are offered for sale.

[Paragraph (4) as amended by Amendment 4, 7 F.R. 4853]

(5) "Seller." (i) Where a seller makes sales through more than one service station, each separate service station shall be deemed to be a separate seller, except that for the purposes of § 1499.16 of the General Maximum Price Regulation, granting licenses to sellers subject to this Maximum Price Regulation No. 137, the owner of the business shall be considered the seller regardless of the number of separate places of business he owns.

(ii) "Seller of the same class" means a seller (*a*) performing the same function, (*b*) of similar type, (*c*) dealing in the same type of commodity, and (*d*) selling to the same class of purchaser.

[Paragraph 5 as amended by Amendment 1, 7 F.R. 3749]

(6) "A seller's most closely competitive seller of the same class" shall be a seller of the same class who: (i) is selling the same commodity, (ii) is closely competitive in the sale of such commodity and (iii) is located nearest to the seller.

(7) "Offering price" means the price at which petroleum products were offered for sale at the seller's motor fuel pumps. But "offering price" shall not include a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(8) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for petroleum products at service stations to different purchasers or kinds of purchasers located in different areas or for different quantities or grades under different conditions of sale.

[Paragraphs (7) and (8) as amended by Amendment 4, 7 F.R. 4853]

(9) "Sell" includes sell, supply, dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing.

(10) "Highest price charged during March, 1942" means the highest price which the seller charged for motor fuel delivered by him at a service station during March 1942; or if the seller made no such delivery during March, 1942, his highest offering price for delivery during that month.

(11) "Curtailment area" means:

(i) The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North

Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Apalachicola River in the State of Florida: *Provided*, That if any part of any incorporated or unincorporated city, town or village or if any part of any service station is located within the aforementioned area, all of such city, town, village or service station shall be considered as within the said area.

(ii) The States of Oregon and Washington.

[Paragraph (11) added by Amendment 1, 7 F.R. 3749]

(12) "Petroleum products" means motor fuel as defined in § 1340.90 (a) (2), kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, cleaner's or other naphthas, motor lubricating oil, and solvents, mineral spirits and all distillate fuel oils and other petroleum fractions when sold as anti-freeze preparations.

[Paragraph (12) as amended by Amendment 22, 8 F.R. 2152]

(13) "Eastern seaboard" means the states of Connecticut, Delaware, Florida, east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

(14) "Retail establishment" means the physical location of the store, shop, garage, service station, or other place of business in which petroleum products are sold at retail other than by delivery in tank wagon or larger lots.

[Paragraphs (13) and (14) added by Amendment 4, 7 F.R. 4853]

(15) "Margin" means the difference between the selling price of the particular grade of motor fuel at the retail establishment and the delivered cost thereof to the retail establishment.

[Paragraph (15) added by Amendment 10, 7 F.R. 7902]

(16) "Delivered cost" for the purposes of paragraphs (c) and (f) of § 1340.91 of this Maximum Price Regulation No. 137 shall consist of one of the following:

(i) In the case of tank wagon buyers, the net price charged to such buyer.

(ii) In the case of tank car or transport truck buyers who buy on a delivered basis, (*a*) the net laid-down cost at the point of buyer's central storage, and (*b*) the actual cost of transportation from the buyer's point of central storage to the buyer's retail establishment.

(iii) In the case of tank car or transport truck buyers who buy f. o. b. a shipping point, (*a*) the net f. o. b. shipping point price, (*b*) the actual cost of transportation to the point of buyer's central storage, and (*c*) the actual cost of transportation from the point of buyer's central storage to the buyer's retail establishment.

(iv) In the case of a retail establishment operated by a supplier who is a refiner, the net tank wagon price charged by the supplier to undivided dealers in the tank wagon circuit in which the particular retail establishment is located.

[Paragraph (16) added by Amendment 10; amended by Amendment 14, 7 F.R. 11008]

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* (a) The seller's maximum price for each grade of a petroleum product shall be:

(1) The highest price charged to a purchaser of the same class by a seller during March 1942 for each grade of a petroleum product.

(2) If seller did not sell a particular grade of a petroleum product at a retail establishment during March 1942, the highest price charged to a purchaser of the same class during March 1942 by the most closely competitive seller of the same class for a petroleum product of the same grade.

[Paragraph (a) as amended by Amendment 4, 7 F.R. 4853]

(b) *Eastern seaboard.* In the Eastern seaboard, and within the corporate limits of Bristol, Tennessee, the maximum price of gasoline sold at service stations, determined under § 1340.91 (a) (1) and (2) may be increased by not more than 0.4 of a cent a gallon. In the Eastern seaboard the maximum price determined under § 1340.91 (a) (1) and (2) of kerosene, No. 1 fuel oil and range oil sold at retail establishments may be increased by not more than 1.4 cents a gallon and of Diesel fuel sold at retail establishments by not more than 1.1 cents a gallon.

[Paragraph (b) as amended by Amendment 8, 7 F.R. 6057 and Amendment 23, 8 F.R. 3365]

(c) A seller of motor fuel at a retail establishment may, at any time, choose his maximum price for any particular grade in either one of two ways:

(1) He may accept the maximum price as determined under the other provisions of § 1340.91.

(2) He may fix a maximum price at the particular retail establishment which will permit him a margin of 3 cents a gallon. His "margin" shall be computed as defined in § 1340.90 (a) (15).

A maximum price fixed upon the basis of a 3-cent margin will change automatically as the seller's margin is affected by changes in the delivered cost. When the delivered cost goes up thus reducing a seller's margin below 3 cents a gallon, then the maximum price will go up by the amount the margin is reduced below 3 cents. When the delivered cost goes down, then the maximum price will go down by the amount the margin exceeds 3 cents a gallon, except that the seller does not have to reduce his maximum price below that provided for in other provisions of this § 1340.91. For the purposes of this provision, the margin is deemed to change not at the time the delivered cost changes, but only after the seller has sold an amount equal to that volume on hand at the time the change in the delivered cost occurs. Any seller who increases or decreases his price upon the basis of this 3-cent margin provision shall file a statement as provided in § 1340.86 (a) (3) and (4).

Illustration: A service station operator's maximum price on December 1 was 19 cents a gallon. On that date he received at his station a delivery by tank wagon of 500 gallons at a delivered cost of 16.5 cents a gallon. He had on hand 500 gallons. Prior thereto his delivered cost had been 15.5. After he has sold 500 gallons at a price no higher than 19 cents a gallon he may increase his price to 19.5 cents a gallon.

Assuming that he increases his price to 19.5 cents a gallon, the tank wagon price may later be reduced. Suppose that he has 400 gallons on hand on December 28, and that the tank wagon price is then reduced to 16.2 cents a gallon. After he sells 400 gallons, he is required to reduce his price to 19.2 cents a gallon or less.

[Paragraph (c) added by Amendment 1, 7 F.R. 3749; amended by Amendment 14, 7 F.R. 11008]

(d) *Montana.* Maximum prices as determined under § 1340.91 (a) (1) and (2) for service station operators within the Great Falls, Montana tank wagon area who reduced their prices on third grade and regular grade gasoline between February 25 and February 28, 1942, inclusive, are increased by the amount of such decrease but by not more than 1½ cents per gallon.

[Paragraph (d) added by Amendment 5, 7 F.R. 5363]

(e) *Pennsylvania grade motor oils in the Pacific Coast Area.* (1) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by The Pennzoil Company are increased to 35 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

(2) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by Hyvis Oils, Inc., of California are increased to 35 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

(3) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by Kern Oil Company, Limited are increased to 30 cents a quart in any case where the maximum prices of such

field, New Milford, Newtown and Sher-

§ 1340.95 *Transfer or changes in op-*

by this regulation are and will be

sellers under said § 1340.91 (a) (1) and (2) are below that amount.

[Paragraph (e) added by Amendment 9, 7 F.R. 6896]

(f) When the maximum price for any grade of motor fuel at a retail establishment as determined by paragraphs (a), (b), (c) and (d) permits the seller a margin for a particular grade of motor fuel below that enjoyed by the seller at that particular retail establishment during the major portion of the period October 1–15, 1941, such seller's maximum price shall be increased to a level which will permit him a margin equal to that enjoyed during the major portion of the above period. In no event, however, shall the seller exceed the price received by him for such grade of motor fuel during the major portion of the period October 1–15, 1941, plus the total of any increases authorized or permitted by the Price Administrator and currently in effect. The maximum price of a seller for a particular grade of motor fuel at the particular retail establishment shall be automatically adjustable as the seller's margin changes. For the purposes of this provision, the margin is deemed to change not at the time the delivered cost changes but only after the seller has sold an amount equal to that volume on hand at the time the change in the delivered cost occurs.

[Paragraph (f) added by Amendment 10, 7 F.R. 7902; corrected 7 F.R. 8353, 10684]

(g) *Puerto Rico.* (1) In addition to the maximum price as determined by § 1340.91 (a) (1) and (2), sellers of gasoline at retail establishments in the Territory of Puerto Rico may charge from and after December 1, 1942, 3 cents per gallon inasmuch as the additional excise tax of 3 cents per gallon, which became effective on December 1, 1942, is not collectible, in addition to the maximum price, pursuant to § 1340.82 of this Maximum Price Regulation No. 137. This additional charge may not be collected from the United States Government, its agencies or instrumentalities when sold to them for their exclusive use.

(2) In addition to the maximum price as determined by § 1340.91 (a) (1) and (2) sellers of lubricating oil at retail establishments in the Territory of Puerto Rico may charge, from and after March 5, 1943, $3\frac{1}{2}$ cents per gallon to cover the tax increase on lubricating oils imposed by Act No. 25 enacted by the Legislature of Puerto Rico, and approved December 4, 1942, except that the total amount charged on each lot shall be adjusted to the nearest cent.

[Paragraph (g) added by Amendment 13, 7 F.R. 10684, amended by Amendment 26, 8 F.R. 3105]

(h) Notwithstanding the provisions of other paragraphs of this section, the maximum prices for kerosene, range oil, No. 1 or Pacific Specification No. 100 fuel oil and diesel fuel oil for sellers at retail establishments in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Washington, Wisconsin and in the District of Columbia shall be 0.3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this maximum price regulation which would otherwise govern, except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

[Paragraph (h) added by Amendment 15, 7 F.R. 11112, and amended by Amendment 22, 8 F.R. 2152, and Amendment 27, 8 F.R. 3327]

(i) In the Metropolitan Boston, Massachusetts Area comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Everett, Hingham, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.3 cents a gallon.

[Paragraph (i) added by Amendment 16, 7 F.R. 11075 and amended by Amendment 28, 8 F.R. 3365]

(j) In Quincy, Illinois, the maximum prices of regular and premium grade gasoline sold at retail establishments determined under § 1340.91 (a) (1) and (2) may be increased by not more than 1.5 cents a gallon.

[Paragraph (j) added by Amendment 17, 8 F.R. 231]

(k) Within the corporate limits of New York City, New York, the maximum prices for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be 14.0 cents per gallon.

[Paragraph (k) added by Amendment No. 18, 8 F.R. 232 and amended by Amendment 28, 8 F.R. 3365]

(l) The maximum price at a retail establishment for naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil or heavier distillate fuel oil when sold as anti-freeze preparations shall be the sum of the delivered cost per gallon thereof at the retail establishment and 3¢ per gallon. The maximum price for the particular product at the particular retail establishment shall be automatically adjustable as the delivered cost thereof at the particular retail establishment changes. For the purposes of this paragraph (l) the delivered cost shall be deemed to change only after the seller has sold an amount equal to the volume on hand at the time the change in the delivered cost occurs.

(2) In connection with each sale at a retail establishment of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil or heavier distillate fuel oil as an anti-freeze preparation, the seller shall notify the purchaser that the anti-freeze preparation is a petroleum fraction describing it by reference to type such as naphtha type or kerosene type and that the preparation may cause overheating and rubber deterioration.

[Paragraph (l) added by Amendment 19, 8 F.R. 1226. Corrected 8 F.R. 1586]

(m) If the maximum tank wagon price of a particular petroleum product to a retail dealer is increased pursuant to § 1340.159 (b) (11) of Revised Price Schedule No. 88 or if such maximum price is increased pursuant to any amendment to Revised Price Schedule No. 88 adopted after February 13, 1943, such retail dealer's maximum price for such petroleum product shall be increased by the same amount.

[Paragraph (m) added by Amendment 20, 8 F.R. 1799]

(o) Within the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne in the State of Michigan the maximum prices for sellers at retail establishments of kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, also known as stove oil or heater oil, shall be as follows:

	Cents per gallon
In the case of kerosene	14.2
In the case of range oil, also known as stove oil or heater oil	11.2
In the case of prime white distillate and Nos. 1 and 2 fuel oil	10.7

[Paragraph (o) added by Amendment 22, 8 F.R. 2152]

(p) In the Bridgeport, Connecticut Area, comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.5 cents per gallon.

(q) In the New Haven, Connecticut Area, comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.5 cents per gallon.

(r) In the Hartford, Connecticut Area, comprising the townships and cities of Bloomfield, East Hartford, Glastonbury, Hartford, Newington, Wethersfield, Windsor, Windsor Locks, East Windsor, South Windsor and West Hartford, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.7 cents per gallon.

(s) In the Danbury, Connecticut Area, comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman; and the following townships and cities in the State of New York: Brewster, Patterson, and Pawling, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 13.0 cents per gallon.

[Paragraphs (p), (q), (r), and (s) added by Amendment 23, 8 F.R. 2120, 2997, and amended by Amendment 28, 8 F.R. 3365]

(t) (1) *Baltimore, Maryland.* Within the corporate limits of the City of Baltimore, Maryland the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 13.0 cents per gallon.

(2) *Washington, D. C.* Within the Washington, D. C. tank wagon area the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 14.5 cents per gallon.

[Paragraph (t) added by Amendment 25, 8 F.R. 2594 and amended by Amendment 28, 8 F.R. 3365]

§ 1340.92 *Applicability.* The provisions of this Maximum Price Regulation No. 137 shall be applicable to the United States, its territories and possessions and the District of Columbia.

§ 1340.93 *Effective date.* All of the provisions of this Maximum Price Regulation No. 137 (§§ 1340.81 to 1340.93 incl.) shall become effective on May 18, 1942.

[Issued April 28, 1942]

§ 1340.93a *Effective dates of amendments.*

Amendment Nos. and Issue Dates:	Effective
Amendment 1, 5-18-42	5-19-42
Amendment 2, 6-4-42	6- 4-42
Amendment 3, 6-26-42	6-30-42
Amendment 4, 6-27-42	6-29-42
Amendment 5, 7-11-42	7-15-42
Amendment 6, 7-28-42	8- 1-42
Amendment 7, 7-30-42	7-31-42
Amendment 8, 8-3-42	8- 5-42
Amendment 9, 8-29-42	9- 4-42
Amendment 10, 10-2-42	10- 5-42
Correction 10-14-42	10- 5-42
Correction 12-18-42	
Amendment 11, 11-2-42	11- 4-42
Amendment 12, 11-12-42	11- 1-42
Amendment 13, 12-18-42	12- 1-42
Amendment 14, 12-26-42	12- 1-42
Amendment 15, 12-29-42	12-29-42
Amendment 16, 12-29-42	12-29-42
Amendment 17, 1-4-43	1- 9-43
Amendment 18, 1-4-43	1- 4-43
Amendment 19, 1-26-43	2- 1-43
Correction, 2-2-43	2- 1-43
Amendment 20, 2-8-43	2-13-43
Amendment 22, 2-16-43	2-22-43
Amendment 23, 2-15-43	2-15-43
Amendment 24, 2-26-43	3- 4-43
Amendment 25, 2-26-43	2-26-43
Amendment 26, 3-11-43	3-11-43
Amendment 27, 3-16-43	3-16-43
Amendment 28, 3-17-43	3-17-43
Amendment 29, 3-30-43	4- 5-43

§ 1340.94 *Applicability of the General Maximum Price Regulation.* Except as otherwise specifically provided in Maximum Price Regulation No. 137, all of the provisions of the General Maximum Price Regulation other than §§ 1499.2 and 1499.3 thereof, govern the sale of petroleum products at retail establishments other than service stations.

§ 1340.95 *Transfer or changes in operators of service stations.* If the service station or service station lease is sold or transferred, or if the operator of the service station is changed after April 1, 1942 and the transferee or new operator continues to sell petroleum products at the service station not previously owned or operated by him, the maximum prices of the transferee or new operator shall be the maximum prices which the transferor or previous operator would have been subject to if no such change had taken place, and his obligations to keep records sufficient to verify such prices shall be the same insofar as possible. The transferor in the case of a transfer taking place after June 28, 1942 shall either preserve and make available or turn over to the transferee all records of sale prior to the transfer which are necessary to enable the transferee to comply with the record and statement provisions of this Regulation.

[§§ 1340.94 and 1340.95 added by Amendment 4, 7 F.R. 4853]

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4886; Filed, March 30, 1943; 3:47 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Revised MPR 169[1] as amended March 30, 1943]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

Revised Maximum Price Regulation 169 is amended by Amendment 4 as follows:

Preamble: In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 issued by the President on October 3, 1942, to maintain as the maximum prices for processed products the prices prevailing with respect thereto during the period March 16 to March 28, 1942, inclusive, and to establish for beef and veal carcasses and wholesale cuts specific prices slightly higher than those prevailing during such period. These prices are established as provided in §§ 1364.451 and 1364.452 for beef; §§ 1364.466 and 1364.467 for veal; and § 1364.476 for processed products. The Price Administrator has ascertained and given due consideration to the prices of beef and veal carcasses and wholesale cuts prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act and Executive Order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which beef and veal carcasses and wholesale cuts and processed products are produced a price for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by the Executive Order of October 3, 1942.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 169 is hereby issued.

[NOTE: Preamble as amended by Amendment 4, issued March 30, effective April 3, 1943]

AUTHORITY: §§ 1364.401 to 1364.530, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

SUBPART A—GENERAL PROVISIONS

Sec.
1364.401 Prohibition against selling beef and veal carcasses and wholesale cuts, and processed products at prices above the maximum.
1364.402 Exempt sales.
1364.403 Export sales.
1364.404 Less than maximum prices.
1364.405 Conditional agreements.
1364.406 Evasion.
1364.407 Records and reports.
1364.408 Enforcement.
1364.409 Licensing.
1364.410 Petitions for amendment.
1364.411 Duty to maintain and identify grades.
1364.412 Applicability of General Maximum Price Regulation.
1364.413 Revocation of orders issued under Maximum Price Regulation No. 169.
1364.414 Effective date.

SUBPART B—PROVISIONS AFFECTING BEEF

1364.451 Maximum prices for beef carcasses and wholesale cuts.
1364.452 Schedule I: Beef price zones and applicable zone prices.
1364.453 Schedule II: Amounts which must be deducted from zone prices listed in Schedule I.
1364.454 Schedule III: Amounts which may be added to zone prices listed in Schedule I.
1364.455 Definitions applicable to beef.

SUBPART C—PROVISIONS AFFECTING VEAL

1364.466 Maximum prices for veal carcasses and wholesale cuts.
1364.467 Schedule IV: Veal price zones and applicable zone prices.

*Copies may be obtained from the Office of Price Administration. Statements of considerations are also issued simultaneously with issuance of amendments.

[1] 7 F.R. 10381, 10719; 8 F.R. 164, 491.

[2] 7 F.R. 8961; 8 F.R. 3313.

Sec.
1364.468 Schedule V: Amounts which must be deducted from zone prices listed in Schedule IV.

product and no person shall buy or receive any processed product at a price higher than the maximum price permitted by § 1364.476; and no person shall

vision of any prices fixed in such contracts;

[Paragraph (a) amended, (c) added, (d) redesignated by Amendment 4, issued

processed products, or otherwise: *Provided,* That a payment by a buyer to a seller for icing services performed by the seller after April 2, 1943, and before delivery of any beef carcass or wholesale

(b) Every person making a sale of any beef carcass, beef wholesale cut, veal carcass, or veal wholesale cut, processed product, or other meat item subject to this revised regulation, on or after De-

enumerated in (ii) hereof and the average selling price therefor, (all sales of kosher meat shall be shown separately).

(2) Not later than January 11, 1943, every person making sales to purveyors

Sec.
1364.468 Schedule V: Amounts which must be deducted from zone prices listed in Schedule IV.
1364.469 Schedule VI: Amounts which may be added to zone prices listed in Schedule IV.
1364.470 Definitions applicable to veal.

SUBPART D—PROVISIONS AFFECTING PROCESSED PRODUCTS

1364.476 Maximum prices for processed products.
1364.477 Definitions applicable to processed products.
1364.478 Petitions for adjustment.

SUBPART E—APPENDICES

1364.526 Appendix A: Formula for meat marking fluid
1364.527 Appendix B: Rules and regulations of the Secretary of Agriculture governing the grading and certification of meats for class, quality (grade), and condition.
1364.528 Appendix C: Specifications for grades of carcass beef.
1364.529 Appendix D: Specifications for grades of veal carcasses.
1364.530 Appendix E: Beef cutting charts.

SUBPART A—GENERAL PROVISIONS

§ 1364.401 *Prohibition against selling beef and veal carcasses and wholesale cuts, and processed products at prices above the maximum*—(a) *Beef carcasses and wholesale cuts.* On and after December 16, 1942, regardless of any contract, agreement, or other obligation no person shall sell or deliver any beef carcass or beef wholesale cut, and no person shall buy or receive any beef carcass or beef wholesale cut at a price higher than the maximum price permitted by § 1364.451; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Revised Maximum Price Regulation No. 169 shall not be applicable to sales or deliveries of beef carcasses or beef wholesale cuts to a purchaser, if, prior to December 10, 1942, such beef carcasses or beef wholesale cuts have been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser. "Person," "beef carcass," and "beef wholesale cut" are defined in § 1364.455.

(b) *Veal carcasses and wholesale cuts.* On or after April 3, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any veal carcass or veal wholesale cut and no person shall buy or receive any veal carcass or veal wholesale cut at a price higher than the maximum price permitted by § 1364.466, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this Revised Maximum Price Regulation No. 169 shall not be applicable to sales or deliveries of veal carcasses or veal wholesale cuts if, prior to April 3, 1943 such veal carcasses or veal wholesale cuts have been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser. "Person," "veal carcass," and "veal wholesale cut" are defined in § 1364.470.

(c) *Processed products.* On and after December 16, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any processed product and no person shall buy or receive any processed product at a price higher than the maximum price permitted by § 1364.476; and no person shall agree, offer, solicit or attempt to do any of the foregoing. "Person" and "processed product" are defined in § 1364.477.

(d) *Maximum prices for slaughtering services.* Any person who slaughters cattle or calves as a service for the purchaser of such cattle or calves shall remit to such purchaser an amount sufficient to make the cost of the dressed beef or veal carcass or of the wholesale cuts derived therefrom, to such purchaser, equal to or less than the costs which would be incurred by the purchaser, if he purchased the carcass or cuts from the slaughterer at the slaughterer's maximum prices therefor: *Provided*, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses or cuts for resale in any form: *Provided further*, That this requirement shall not apply with respect to the slaughter of cattle or calves for a purchaser who resells the meat derived therefrom other than at retail in those cases where the following circumstances exist and the slaughterer and purchaser have filed with the appropriate district, state, or regional office of the Office of Price Administration, evidence based upon regular business records showing that: (1) the slaughterer during the period January 1941 to March 1942 inclusive, (i) did not sell any beef or veal carcasses or wholesale cuts and (ii) regularly slaughtered cattle or calves for such purchaser on a continuing contractual basis; and (2) during such period the purchaser (i) did not himself slaughter cattle or calves and (ii) procured at least 75 percent of the beef or veal sold by him from cattle or calves slaughtered for him by such slaughterer.

To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the cattle or calves slaughtered.

[Paragraphs (b) and (d) amended, paragraph (c) added by Amendment 4 issued March 30, effective April 3, 1943]

§ 1364.402 *Exempt sales.* The provisions of this Revised Maximum Price Regulation No. 169 shall not apply

(a) To sales at retail:

(1) As defined in § 1364.455 with respect to sales of beef; and

(2) As defined in § 1364.470 with respect to sales of veal; and

(3) As defined in § 1364.477 with respect to sales of processed products;

(b) To deliveries of beef made to any political subdivision or agency of any state or of the United States, under contracts entered into prior to December 10, 1942: *Provided*, That this exemption shall not be construed to permit the upward revision of any prices fixed in such contracts;

(c) To deliveries of veal made to any political subdivision or agency of any state or of the United States, under contracts entered into prior to April 3, 1943: *Provided*, That this exemption shall not be construed to permit the upward revision of any prices fixed in such contracts;

[Paragraph (a) amended, (c) added, (d) redesignated by Amendment 4, issued March 30, effective April 3, 1943]

(d) To sales outside of the forty-eight states of the United States and the District of Columbia.

§ 1364.403 *Export sales.* The maximum price at which a person may export any beef carcass or wholesale cut, veal carcass or wholesale cut, processed product, or other meat item subject to this Revised Regulation shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1364.404 *Less than maximum prices.* Lower prices than those established in §§ 1364.451, and 1364.452, for beef, in §§ 1364.466 and 1364.467 for veal and in § 1364.476 for processed products may be charged, demanded, paid or offered.

[§ 1364.404 amended by Amendment 4, issued March 30, effective April 3, 1943]

§ 1364.405 *Conditional agreements.* No seller subject to this Revised Maximum Price Regulation No. 169 shall enter into an agreement permitting or providing for the adjustment of the prices of beef carcasses or wholesale cuts, veal carcasses or wholesale cuts, processed products or other meat items subject to this Revised Regulation to prices which may be higher than the maximum prices provided by §§ 1364.451 and 1364.452 for beef, by §§ 1364.466 and 1364.467 for veal and by § 1364.476 for processed products, in the event this Revised Maximum Price Regulation No. 169 is amended, or is determined by a court to be invalid, or upon any other contingency; *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that the public interest would be served, the Administrator may grant an exception for the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Request for such an exception may be included in the aforesaid petition.

[§ 1364.405 amended by Amendment 4, issued March 30, effective April 3, 1943]

§ 1364.406 *Evasion.* (a) The price limitations set forth in this Revised Regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to beef, veal, or processed products separately or in conjunction with any other commodity or services, or by way of any commission, service, transportation, wrapping, packaging or other charge, or discount premium or other privilege, or by tying agreement or other trade understanding, or by changing the selection of, grading, or the style of dressing, cutting, trimming, cooking or otherwise processing or the canning, wrapping or packaging of beef, veal or

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

processed products, or otherwise: *Provided*, That a payment by a buyer to a seller for icing services performed by the seller after April 2, 1943, and before delivery of any beef carcass or wholesale cut or veal carcass or wholesale cut to a railroad whose charges are paid directly to such railroad by the buyer shall not be construed as an evasion of such price limitations, if the charge for such icing services is no higher than the cost actually incurred by the seller in performing such service and in no event, higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing beef or veal through any distribution point in order to obtain a higher zone price or for the purpose of making a higher transportation or local delivery charge.

(2) Falsely or incorrectly grading or invoicing beef, veal, or processed products.

(3) Selling or invoicing kosher beef, kosher veal, or kosher processed products to purchasers who are not bona fide buyers of kosher meat.

(4) Selling or invoicing beef or veal at the prices established for sales by hotel supply houses to buyers other than bona fide purveyors of meals, war procurement agencies, or other government agencies.

(5) Offering, selling or delivering beef, veal or any processed product on condition that the purchaser is required to purchase some other commodity.

(6) Making or receiving a charge for delivery on the basis of a route different from that actually followed and in excess of that permitted for the route by which beef or veal was actually delivered.

(7) Selling or transferring title to cattle or calves by a purchaser thereof at a lower price than was paid for such cattle or calves and/or repurchasing, purchasing or receiving title to dressed carcasses or wholesale cuts derived from such cattle or calves after the cattle or calves have been slaughtered by a custom slaughterer.

(8) Charging, paying, billing, or receiving any consideration for or in connection with any service for which a specific allowance has not been provided in this Revised Maximum Price Regulation No. 169.

[Paragraphs (a), (b) (1), (4), (6), and (8) amended by Amendment 4, issued March 30, effective April 3, 1943]

§ 1364.407 *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget.

(a) Not later than December 16, 1942, every person making sales subject to § 1364.476 of this Revised Maximum Price Regulation No. 169 shall keep for examination by any purchaser during ordinary business hours, a statement showing and enumerating separately the maximum selling prices of each grade of processed product for (1) carloads, (2) car routes, and (3) sales other than in carload lots and via car routes.

(b) Every person making a sale of any beef carcass, beef wholesale cut, veal carcass, or veal wholesale cut, processed product, or other meat item subject to this revised regulation, on or after December 16, 1942, in the course of trade or business or otherwise dealing therein, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer and seller, the quantity, grade or grades and weight of all beef carcasses, beef wholesale cuts, veal carcasses, veal wholesale cuts, processed products or other meat items subject to this revised regulation sold, and the price charged or received therefor.

[Paragraph (b) amended by Amendment 3, 8 F.R. 491, effective 1-16-43]

(c) Persons affected by this Revised Maximum Price Regulation No. 169 shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration as it may from time to time require.

(d) Not later than May 3, 1943 every person who slaughters cattle or calves and whose slaughter plant or plants are located north of the Potomac River in the area designated as Zone 9 in § 1364.452 (i) (1) shall file with the Office of Price Administration at Washington, D. C., a true copy of the abattoir stamp used in each slaughter plant, and shall identify each abattoir stamp by indicating alongside thereof the name and business address of the slaughter plant at which each such abattoir stamp is used.

[Paragraphs (a), (c), and (d) amended by Amendment 4, issued March 30, effective April 3, 1943]

(e) (1) Every person making sales to purveyors of meals, war procurement agencies, or other government agencies pursuant to the provisions of paragraph (o) of § 1364.452 shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, a complete and accurate record in schedule form for each calendar month commencing with January 1943, showing separately: (i) the total inventory in pounds at the beginning of each month of each grade of each beef carcass, beef wholesale cut, fabricated beef cut, beef offal item and beef byproduct (bones, fat, tallow, waste, etc.); the total additions to inventory in pounds during the month for each grade of each such item; and the total inventory in pounds at the end of each month for each grade of each such item; (ii) the total sales in pounds during the month of each grade of beef carcass, beef wholesale cut, fabricated beef cut, beef offal item, and beef byproduct (bones, fat, tallow, waste, etc.), showing separately the sales in pounds of each grade of each item made to purveyors of meals, war procurement agencies and other government agencies and the sales in pounds made to other buyers; (iii) the total sales realization for each item separately enumerated in (ii) hereof and the average selling price therefor, (all sales of kosher meat shall be shown separately).

(2) Not later than January 11, 1943, every person making sales to purveyors of meals, war procurement agencies, or other government agencies pursuant to the provisions of paragraph (o) of § 1364.452, shall file with the Office of Price Administration at Washington, D. C., a statement of the applicable zone price for each grade of each fabricated beef cut determined in accordance with subparagraph (2) thereof.

[Subparagraph (2) amended by Amendment 2, 8 F.R. 164, effective 1-8-43]

(f) Every person making a sale of any beef carcass, beef wholesale cut, veal carcass, veal wholesale cut, processed product or other meat item subject to this revised regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the name and address of the buyer and seller; identifying each such item sold; and setting forth the quantity, the grade, including sex identification as to cow, stag, and bull, and the weight thereof, and the price charged and received therefor, including a separate statement of the transportation and local delivery charge as required by § 1364.454 (a) (6).

[Paragraph (f) added by Amendment 3, 8 F.R. 491, effective 1-16-43]

§ 1364.408 *Enforcement.* (a) Persons violating any provisions of this Revised Maximum Price Regulation No. 169 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended: *Provided*, That no war procurement agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Revised Maximum Price Regulation No. 169 or the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 169 or any price schedule, regulation or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1364.409 *Licensing*—(a) *Applicability of Supplementary Order No. 14.*[1] The provisions of Supplementary Order No. 14 (§ 1305.18 *Licensing sellers of meat and meat products*) are applicable to every seller subject to this Revised Maximum Price Regulation No. 169 now or hereafter selling any beef carcass, beef wholesale cut, veal carcass, veal wholesale cut, processed product, or other meat item for which maximum prices are established by this Revised Maximum Price Regulation No. 169. For the purposes of this § 1364.409, the term "seller" shall have the meaning given it by Supplementary Order No. 14.

[1] 7 F.R. 7033, 11007.

§ 1364.410 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 169 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, as amended, issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1364.411 *Duty to maintain and identify grades.* No person shall sell, offer to sell, deliver or break any beef carcass or veal carcass, unless each such carcass has been identified by grade in accordance with the provisions of this section. No custom slaughterer shall ship or deliver any beef carcass or wholesale cut, or veal carcass or wholesale cut unless each such carcass or wholesale cut has been identified by grade in accordance with the provisions of this section. Each person shall maintain uniform grades, as specified in paragraph (a) of this section; shall determine his maximum prices upon the basis of such uniform grades rather than upon the basis of his own grades, as provided in paragraph (b) of this section; and shall have his products identified by grade designations, as provided by paragraph (c) of this section.

(a) *Uniform grades.* (1) Beef carcasses and wholesale cuts derived from steers, heifers and cows shall be graded into the following uniform grades: choice, good, commercial, utility, cutter and canner; except, that no cow carcass or wholesale cut shall be graded choice. Beef carcasses and wholesale cuts derived from bulls and stags shall be graded in the same manner, except that no bull carcass or wholesale cut shall be graded choice or good, and no stag carcass or wholesale cut shall be graded choice. In determining the grade of each beef carcass or beef wholesale cut, the "Specifications for Official United States Standards for Grades of Carcass Beef",[3] set forth in Appendix C hereof, and incorporated herein as § 1364.528, shall be used, except that the specifications therein for the two grades, prime and choice, shall be combined and treated as a single grade choice, and the specifications therein for the two grades, cutter and canner, shall be combined and treated as a single grade.

(2) Veal carcasses and wholesale cuts shall be graded into the following uniform grades: choice, good, commercial, utility, and cull. In determining the grade of each such carcass or wholesale cut the "Specifications for Official United States Standards for Grades of Veal and Calf Carcasses",[4] set forth in Appendix D hereof, and incorporated herein as § 1364.529, shall be used except that the specifications therein for the two grades, prime and choice, shall be combined and treated as a single grade, choice.

(b) *Duty to determine maximum prices on the basis of uniform grades.* The word "grade", as used in §§ 1364.451, 1364.452, 1364.466 and 1364.467 and in paragraph (c) of this section, means any uniform grade referred to in paragraph (a) of this section, and shall not be construed to mean the private grade of an individual seller.

Irrespective of the private grading system heretofore used by the seller, it shall be the duty of the seller, except as provided in paragraph (c) (3), to have classified into the uniform grades provided for in paragraph (a) of this section, by an official grader of the United States Department of Agriculture, the beef carcasses and beef wholesale cuts of cattle and the veal carcasses and veal wholesale cuts of calves slaughtered by the seller or sold by the seller, and then to determine the maximum price for each grade of beef carcass and beef wholesale cut by reference to §§ 1364.451 and 1364.452, and veal carcass and veal wholesale cut by reference to §§ 1364.466 and 1364.467.

(c) *Duty to identify products by grade marks.* (1) No person shall sell, offer to sell, deliver or break any beef or veal carcass unless a stamp has been placed thereon with harmless marking fluid conforming to the formula for violet branding fluid approved by the United States Department of Agriculture, Bureau of Animal Industry, set forth in Appendix A hereof, and incorporated herein as § 1364.526, marking the appropriate grade letter, as hereinafter designated, in such manner as to identify by such letter the uniform grade of each beef wholesale cut or veal wholesale cut which may be derived from the carcass, except that in the case of a calf or veal carcass sold with the skin on, the grade letter shall be stamped only on the shanks and briskets. The purchaser of a calf or veal carcass with the skin on shall not sell, offer to sell or break such carcass after removal of the skin unless a stamp has been placed thereon, marking the appropriate grade letter, as hereinafter designated, in such manner as to identify by such letter the uniform grade of each veal wholesale cut which may be derived from such carcass.

The sex identification shall be similarly stamped on all bull and stag carcasses and wholesale cuts. The grade and prescribed sex identification of each beef carcass and wholesale cut, and veal carcass and wholesale cut must appear on the seller's invoice.

(2) The appropriate grade letter for each uniform grade shall be as follows:

Beef grade	Grade letter	Veal grade
Choice	AA	Choice.
Good	A	Good.
Commercial	B	Commercial.
Utility	C	Utility.
Cutter, Canner	D	Cull.

The grade letter shall be at least ½ inch in height and width. In stamping any beef or veal carcass determined by an official grader of the United States Department of Agriculture to conform to the grade standards contained in this Revised Maximum Price Regulation No. 169, such official grader may use the grade designations U. S. choice or choice, U. S. good or good, U. S. commercial or commercial, U. S. utility or utility, U. S. cutter or cutter, U. S. canner, or canner, U. S. cull or cull, whichever is appropriate, in lieu of the grade letters established in this subparagraph.

(3) No person shall sell, offer to sell, deliver or break any beef or veal carcass irrespective of grade unless such carcass has been examined and graded by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc."[5] as modified to the extent set forth in Appendix B hereof, and thus incorporated herein as § 1364.527, and unless a stamp has been placed upon such carcass by such official grader in the manner set forth in paragraph (c) (1) of this section: *Provided*, That in any instance where any person is unable to procure the services of an official grader within 24 hours after such person has made an application for grading, pursuant to Section 3 of Regulation No. 4 (Grading Service) contained in § 1364.527 hereof, then the provisions of this subparagraph shall not apply, for so long a period as the Food Distribution Administration of the United States Department of Agriculture certifies in writing that it is unable to provide such person with the services of an official grader. During such period such beef and veal carcasses shall be graded by the seller in the manner provided in paragraphs (a), (b), (c) (1) and (c) (2) of this § 1364.411.

[Paragraphs (a), (b), (c) (2) and (3) amended by Amendment 4, issued March 30, effective April 3, 1943]

(4) Whenever any person having a financial interest in any beef or veal carcass which has been graded and grade stamped by an official grader pursuant to paragraph (c) (3) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading and grade stamping by making an application for appeal grading in the manner provided in Regulation No. 5 (appeal grading) contained in § 1364.527 hereof, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

(d) *Use of other grading and branding systems.* Any seller may use a private grading and branding system in addition to that required by the foregoing paragraphs of this section: *Provided*, That he shall identify his private grading and branding system in such manner as to distinguish it from the official grade stamp as required by paragraph (c) of this section.

§ 1364.412 *Applicability of General Maximum Price Regulation.*[6] The provisions of this Revised Maximum Price Regulation No. 169 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this revised regulation.

§ 1364.413 *Revocation of orders issued under Maximum Price Regulation No. 169.* (a) The order issued in the matter of Meyer Kornblum Packing Company (Docket No. 3169–8; July 27, 1942) and orders numbered 2, 3, 4, 5, 9, 10, 13, 15, 16, and 17 under Maximum Price Regulation No. 169 are hereby revoked.

(b) The orders issued in the matters of Jones Country Veal (Docket No. 3169–66[7]; October 2, 1942, Order No. 11, and Earl H. Schurr (Docket No. 3169–43); October 28, 1942, Order No. 18, under Maximum Price Regulation No. 169 are hereby revoked.

[§ 1364.413 redesignated (a); (b) added by Amendment 4, issued March 30, effective April 3, 1943]

§ 1364.414 *Effective date.* Revised Maximum Price Regulation No. 169 (§§ 1364.401 to 1364.414, inclusive; §§ 1364.451 to 1364.455, inclusive; §§ 1364.476 to 1364.477, inclusive; and §§ 1364.526 to 1364.530, inclusive) shall become effective December 16, 1942, except that it shall become effective December 10, 1942 as to sales to a war procurement agency.

[7] 8 F.R. 3096.

[3] Service and Regulatory Announcement No. 99, Official United States Standards for the Grades of Carcass Beef, United States Department of Agriculture, Food Distribution Administration, issued as amended May 1942.

[4] Service and Regulatory Announcement No. 114, Official United States Standards for Grades of Veal and Calf Carcasses, United States Department of Agriculture, Food Distribution Administration, issued as amended October 1940.

[5] Service and Regulatory Announcement No. 98 (Revised), Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, Prepared meats, Meat Food Products, and Meat By-Products for Class, Quality (Grade) and Condition, United States Department of Agriculture, Food Distribution Administration, issued as amended September 26, 1942.

SUBPART B—PROVISIONS AFFECTING BEEF

§ 1364.451 *Maximum prices for beef carcasses and wholesale cuts.* Subject to the pricing instructions contained in paragraph (a), the maximum price of each grade of each beef carcass or wholesale cut shall be the maximum price determined as provided in paragraph (b).

(a) *Pricing instructions.* (1) Whenever used in this Revised Maximum Price Regulation No. 169, the term "lower price zone" means a price zone having a lower zone price, and the term "higher price zone" means a price zone having a higher zone price; the words "lower" and "higher" used in the respective terms shall not be construed to refer to the numerical designation of any zone.

(2) Except for the additions permitted in Schedule III hereof, incorporated herein as § 1364.454, the zone price shall be the delivered price anywhere within the zone to which such price applies. Schedule I (paragraphs (a) to (j), inclusive) hereof, incorporated herein as § 1364.452, contains a statement describing the geographical limits of each price zone and the zone prices established therefor.

(3) The applicable zone price shall be the price specified in Schedule I (§ 1364.452) for the zone in which is located the seller's distribution point:

(i) At which the buyer takes actual physical possession of the meat; or

(ii) From which local delivery to the buyer's place of business begins; or

(iii) From which the meat, consigned to the buyer, (*a*) is delivered to a common carrier, other than a railroad, for shipment to the buyer, who pays the shipping charges directly to the carrier, or (*b*) is delivered to a railroad for shipment at the carload rate to the buyer who pays the shipping charges directly to the carrier.

(iv) In the case of a less than carload rail shipment, other than an express shipment to a purveyor of meals, the applicable zone price shall be the price for the zone in which is located the rail unloading station nearest to the buyer's place of business.

(v) On sales to purveyors of meals the distribution point may be, in addition to those listed, the point at which meat consigned to the buyer is delivered to a railway express company for shipment by express to the buyer who pays the shipping charges directly to the carrier.

(4) Except as permitted in paragraph (l), (m), (n), or (o) of Schedule I (§ 1364.452), regardless of any contract, agreement or other obligation, no person shall sell or deliver any beef or any part or portion of any beef carcass and no person in the course of trade or business shall buy or receive any beef or any part or portion of any beef carcass unless such beef or part or portion is a beef carcass or a beef wholesale cut as defined in § 1364.455, for which applicable prices have been established.

(b) *Maximum price.* The maximum price for each grade of each beef carcass or beef wholesale cut shall be the applicable zone price determined in accordance with the provisions of paragraph (a) of this § 1364.451 and specified in Schedule I (incorporated herein as § 1364.452), minus the required deductions, if any, specified in Schedule II (incorporated herein as § 1364.453), plus the permitted additions, if any, specified in Schedule III (incorporated herein as § 1364.454).

§ 1364.452 *Schedule I: Beef price zones and applicable zone prices.*—(a) *Zone 1.* (1) Zone 1 includes the following area:

Washington, Oregon, California, and Nevada.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 1.* Subject to the provisions of paragraph (k) of this section, the Zone 1 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable zone (4) price) plus $1.75 per cwt.

(b) *Zone 2.* (1) Zone 2 includes the following area:

Idaho, Montana, Wyoming, Utah, and Arizona.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 2.* Subject to the provisions of paragraph (k) of this section, the Zone 2 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone (4) price) plus $1.00 per cwt.

(c) *Zone 3.* (1) Zone 3 includes the following area:

Colorado and New Mexico.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 3.* Subject to the provisions of paragraph (k) of this section, the Zone 3 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price).

(d) *Zone 4.* (1) Zone 4 includes the following area:

North Dakota, South Dakota, Minnesota, Nebraska, Kansas, Oklahoma, and Texas.

All that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.

Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

All that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madison, Wayne, and Butler.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) the applicable zone prices for Zone 4 are as follows:

[All prices are on dollars per hundredweight bases; the price for any fraction of a hundredweight shall be reduced accordingly]

	Grade					
	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, canner or D	Bologna bulls (Equivalent cutter and canner grade)
STEER OR HEIFER						
(i) Beef carcass or side	$22.00	$21.00	$19.00	$17.00	$14.50	$16.00
(ii) Hindquarter	25.25	23.75	21.25	18.75	14.50	16.00
(iii) Forequarter	19.00	18.50	17.00	15.50	14.50	16.00
(iv) Round	24.25	22.75	20.25	17.50	.....	.....
(v) Trimmed full loin	34.75	32.50	29.00	25.50	.....	.....
(vi) Flank	11.00	11.00	11.00	11.00	.....	.....
(vii) Flank steak	25.00	25.00	25.00	25.00	.....	.....
(viii) Short loin	41.50	38.75	35.00	30.50	.....	.....
(ix) Sirloin	29.25	27.50	24.25	21.50	.....	.....
(x) Cross cut chuck	19.75	18.375	17.00	15.375	.....	.....
(xi) Regular chuck	20.75	20.25	18.75	16.75	.....	.....
(xii) Brisket	16.00	16.00	14.00	13.00	.....	.....
(xiii) Fore shank	10.00	10.00	10.00	10.00	.....	.....
(xiv) Rib (Kosher or trayer)	27.75	26.25	23.00	21.50	.....	.....
(xv) Short plate	14.50	11.50	10.50	10.50	.....	.....
(xvi) Back	22.625	21.875	20.25	18.00	.....	.....
(xvii) Triangle	17.375	17.125	15.75	14.50	.....	.....
(xviii) Arm chuck	19.25	18.875	17.50	15.75	.....	.....

The applicable Zone 4 price of each cow carcass or wholesale cut of cutter and canner grade or utility grade shall be the same as the Zone 4 price of the carcass or corresponding wholesale cut of steer or heifer of the same grade; the applicable Zone 4 price of each cow carcass or wholesale cut of commercial grade or good grade shall be the same as the Zone 4 price of the carcass or corresponding wholesale cut of steer or heifer of commercial grade.

The applicable Zone 4 price of each stag carcass or wholesale cut of cutter and canner grade, utility grade, commercial grade or good grade shall be the same as the Zone 4 price of the carcass or corresponding wholesale cut of steer or heifer of the same grade.

The applicable Zone 4 price of each bull carcass or wholesale cut of utility grade or commercial grade shall be the same as the Zone 4 price of the carcass or corresponding wholesale cut of steer or heifer of the same grade. The applicable Zone 4 price of each bologna bull carcass and wholesale cut, which are equivalent to cutter and canner grade are specified above.

The applicable zone price of each beef carcass or beef wholesale cut which does not bear a grade stamp (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest-priced carcass or corresponding wholesale cut.

(3) *Kosher beef wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) of this § 1364.452 and paragraph (b) of Schedule III (§ 1364.454), the applicable zone prices of kosher wholesale cuts for Zone 4 are as follows:

[All prices are on dollars per hundredweight bases; the price for any fraction of a hundredweight shall be reduced accordingly]

	Grade					
	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, canner or D	Bologna bulls (Equivalent cutter and canner grade)
STEER OR HEIFER						
(i) Forequarter	$19.46	$18.50	$17.40	$15.90	$14.90	$16.40
(ii) Flank	17.875	17.625	16.25	15.00	.....	.....
(iii) Cross cut chuck	19.25	18.875	17.50	15.875	.....	.....
(iv) Regular chuck	21.25	20.75	19.25	17.25	.....	.....
(v) Brisket	16.50	16.50	14.50	13.50	.....	.....
(vi) Fore shank	10.50	10.50	10.50	10.50	.....	.....
(vii) Short plate	12.00	12.00	11.00	11.00	.....	.....
(viii) Arm chuck	19.75	19.375	18.00	16.25	.....	.....

The applicable Zone 4 price of each kosher cow wholesale cut of cutter and canner grade or utility grade shall be the same as the Zone 4 price of the corresponding kosher wholesale cut of steer or heifer of the same grade; the applicable Zone 4 price of each kosher cow wholesale cut of commercial grade or good grade shall be the same as the Zone 4 price of the corresponding kosher wholesale cut of steer or heifer or commercial grade.

The applicable Zone 4 price of each kosher stag wholesale cut of cutter and canner grade, utility grade, commercial grade or good grade shall be the same as the Zone 4 price of the corresponding kosher wholesale cut of steer or heifer of the same grade.

The applicable Zone 4 price of each kosher bull wholesale cut of utility grade or commercial grade shall be the same as the Zone 4 price of the corresponding kosher wholesale cut of steer or heifer of the same grade. The applicable Zone 4 price of each kosher bologna bull forequarter, which is equivalent to cutter and canner grade, is specified above.

The applicable zone price of each kosher beef wholesale cut which does not bear a grade stamp (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest priced corresponding kosher wholesale cut.

(e) *Zone 5.* (1) Zone 5 includes the following area:

All that portion of Michigan west of and including the counties of Marquette and Menominee.

All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.

The following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

All that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair, and Monroe.

The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St Charles, St. Louis, and Jefferson.

The following counties in Indiana: Lake, Newton, Benton, and Warren.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 5.* Subject to the provisions of paragraph (k) of this section, the Zone 5 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus 50 cents per cwt.

(f) *Zone 6.* (1) Zone 6 includes the following area:

The following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa, and Berrien.

Indiana except the counties of Lake, Newton, Benton, and Warren.

All that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

The following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin, and Pemiscot.

All that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg, and Todd.

The following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.

The state of Arkansas.

All that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point the Point Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin, and Iberia.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 6.* Subject to the provisions of paragraph (k) of this section, the Zone 6 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus 75 cents per cwt.

(g) *Zone 7.* (1) Zone 7 includes the following area:

The Lower Peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

The State of Ohio.

The following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

All that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette.

All that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan, and Mingo.

All that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler, and Logan.

All that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.

All that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar.

All that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo, and Issaquena.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 7.* Subject to the provisions of paragraph (k) of this section, the Zone 7 price for each grade of each class of beef carcass and wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.00 per cwt.

(h) *Zone 8.* (1) Zone 8 includes the following area:

All that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua.

The following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Centre, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton.

All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell; but excluding the counties of Berkeley and Jefferson.

The following counties of Maryland: Garrett and Allegany.

All that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

All that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton.

All that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

All that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield.

All that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

All that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.

All that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Point Coupee, Iberville, Assumption, and Saint Mary.

All that portion of Florida west of and including the counties of Leon and Wakulla.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 8.* Subject to the provisions of paragraph (k) of this section, the Zone 8 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.25 per cwt.

(i) *Zone 9.* (1) Zone 9 includes the following area:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island.

All that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.

All that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin.

New Jersey and Delaware.

All that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys.

The District of Columbia.

The following counties in West Virginia: Berkeley and Jefferson.

All that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.

All that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

All that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

All that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Tolfair, Coffee, Berrien, Cook, and Brooks.

The following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando, and Pasco.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 9.* Subject to the provisions of paragraph (k) of this section, the Zone 9 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.50 per cwt.

(j) *Zone 10.* (1) Zone 10 includes the following area:

All that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 10.* Subject to the provisions of paragraph (k) of this section, the Zone 10 price for each grade of each class of beef carcass and beef wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.75 per cwt.

(k) *Applicable zone price of miscuts.* For any beef wholesale cut which has been miscut or for any piece or portion of beef which has been cut in a manner not authorized by this Revised Maximum Price Regulation No. 169, the zone price used for the determination of the maximum price shall be the applicable zone price of the lowest priced wholesale cut.

(l) *Boneless beef for Army canned meat.* (1) On and after December 10, 1942, regardless of any contract, agreement, or other obligation no person shall sell or deliver any boneless beef for Army canned meat, and no person shall buy or receive any boneless beef for Army canned meat at a price higher than the maximum price permitted in paragraph (1) (2) of this section; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(2) The maximum delivered price for boneless beef for Army canned meat in each of the following price zones shall be:

Price zone:	*Zone price per cwt. frozen*
1	$23.75
2	23.00
3	22.00
4	22.00
5	22.50
6	22.75
7	23.00
8	23.25
9	23.50
10	23.75

(3) "Boneless beef for Army canned meat" as used in this paragraph (2) means beef derived from the grades and classes and satisfying the specifications and requirements contained in Notice No. 22, "Beef for canned meats," issued August 8, 1942, by the Chicago Quartermaster Depot of the United States Army. Any boneless beef for canned meat which has been rejected by a war procurement agency, or any of its authorized agents or representatives shall not be sold as boneless beef for Army canned meat.

(4) The miximum delivered price for boneless beef which does not qualify as boneless beef for Army canned meat or which has been rejected by a war procurement agency or any of its authorized agents or representatives shall be 50¢ per cwt. lower than the applicable zone price established for boneless beef

roasts, steaks, stewing meat, etc.) made

the method of transportation used, but

method of delivery used, but in no event

for Army canned meat in paragraph (l) (2) of this section.

(5) In any case where the seller's plant at which the boneless beef for Army canned meat is boned, is located in a higher price zone than the canner's place of business, or the point of delivery designated by a war procurement agency, or any of its authorized agents or representatives, the price specified in paragraph (l) (2) of this section for the zone in which the seller's boning plant is located shall be the seller's f. o. b. boning plant price.

(6) In the event boneless beef for Army canned meat is ordered and delivered fresh, chilled or refrigerated, but unfrozen, the seller shall deduct 35¢ per cwt. from the applicable zone price specified in paragraph (l) (2) of this section.

(m) *Frozen boneless beef (Army specifications).* (1) On and after December 10, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver frozen boneless beef (Army specifications) to any purchasing agency of a war procurement agency at a price higher than the maximum price permitted therefor in paragraph (m) (2) of this section.

(2) The maximum f. o. b. boning plant price for frozen boneless beef (Army specifications) in each of the following price zones shall be:

(Carload or less than carload quantities; in dollars per hundredweight)

Price zone	Grade	
	Good or A	Commercial or B
1	30.75	28.00
2	30.00	27.25
3	29.00	26.25
4	29.50	26.75
5	29.75	27.00
6	30.00	27.25
7	30.25	27.50
8	30.50	27.75
9	30.75	28.00
10	30.75	28.00

(3) "Frozen boneless beef (Army specifications)" as used in this paragraph (m) means beef, frozen and boneless, derived from steers and heifers of the grades good or commercial and satisfying the specifications and requirements contained in "C. Q. D. No. 11 C—Specifications for Beef: Boneless, Frozen", issued May 11, 1942, by the Chicago Quartermaster Depot of the United States Army. Any frozen boneless beef which has been rejected by the purchasing agency of a war procurement agency shall not be sold as frozen boneless beef (Army specifications).

(n) *Boneless processing beef.* (1) On and after December 16, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any boneless processing beef, and no person shall buy or receive any boneless processing beef at a price higher than the maximum price permitted therefor in paragraph (n) (2) of this section.

(2) The maximum delivered price for each of the following items of boneless processing beef shall be:

(A)

[All prices are on a dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly]

Zone	I	II	III	IV
	Boneless bull (cutter or canner) fresh or frozen	Fresh or frozen cutter or canner (other than bulls)	Fresh kosher boneless bull forequarter (cutter or canner). Note 1.	Fresh kosher boneless bull forequarter (cutter or canner). Note 2.
1	$23.625	$22.875	----------	$24.375
2	22.875	22.125	----------	23.625
3	21.875	21.125	----------	22.625
4	21.875	21.125	----------	22.625
5	22.375	21.625	----------	23.125
6	22.625	21.875	----------	23.375
7	22.875	22.125	----------	23.625
8	23.125	22.375	----------	23.875
9	23.375	22.625	$25.625	24.125
10	23.625	22.875	----------	24.375

[1] Price subject to conditions 1 and 2 hereinafter set forth.

[2] Prices subject to condition 1 hereinafter set forth.

Condition 1: The price established for kosher boneless bull forequarters shall apply only on sales of kosher boneless processing beef as such to processors of kosher processed products and no seller shall sell or deliver any boneless bull forequarter at the price established therefor or at a price higher than established for non-kosher boneless bull meat in column I hereof, unless the buyer of such kosher boneless bull forequarter is a bona fide processor of kosher processed products. For the sale of any kosher boneless bull forequarter to a person other than a bona fide processor of kosher processed products, the price shall be determined by use of the applicable zone price established for non-kosher boneless bull meat in column I, and the seller shall remove all stamps and designations which identify the boneless bull meat as kosher.

Condition 2: For kosher boneless bull forequarters derived from bologna bulls (equivalent of cutter and canner grade) slaughtered in that portion of Zone 9 north of the Potomac River, and which clearly bear the abattoir stamp at the time of sale, the seller may charge the price established in column III hereof: *Provided*, That such kosher boneless bull forequarter shall be sold to a bona fide processor of kosher processed products located in that portion of Zone 9 north of the Potomac River. The column III price shall not be charged or received for the sale of any kosher boneless bull forequarter which does not bear the abattoir's stamp clearly legible.

Condition 3: Revoked by Amendment 4, issued March 30, 1943 and effective April 3, 1943.

(B)

[All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly]

Zone	VI	VII	VIII	IX
	Beef boneless (cutter and canner including bull) fresh or frozen	Beef trimmings 95% trimmable fat fresh or frozen	Boneless chucks (cutter and canner including bull) 75% trimmable fat fresh or frozen	Boneless shank meat fresh or frozen
1	$20.75	$20.125	$23.125	$21.625
2	20.00	19.375	22.375	20.875
3	19.00	18.375	21.375	19.875
4	19.00	18.375	21.375	19.875
5	19.50	18.875	21.875	20.375
6	19.75	19.125	22.125	20.625
7	20.00	19.375	22.375	20.875
8	20.25	19.625	22.625	21.125
9	20.50	19.875	22.875	21.375
10	20.75	20.125	23.125	21.625

[Subparagraph (2) amended by Amendment 1, 7 F.R. 10719, effective 12-19-42]

(3) "Boneless processing beef" as used in this paragraph (n) of this § 1364.452 means any beef carcass of cutter and canner grade, including any bull carcass of equivalent grade, commonly designated as "bologna bull", from which the bones have been removed and which has been trimmed. Boneless processing beef includes the items, beef tenderloins and boneless chucks (regular chucks from which the bones have been removed), derived from boneless carcasses of cutter and canner grade, including bologna bulls. Beef trimmings of any grade, boneless foreshanks of any grade, and boneless hindshanks of cutter and canner grade are separate items of boneless processing beef.

(o) *Applicable zone prices for fabricated beef cuts sold by hotel supply houses.* (1) Subject to the pricing instructions contained in paragraph (a) of § 1364.451, the maximum price for each grade of each fabricated beef cut shall be the applicable zone price determined in accordance with the provisions of paragraph (o) (2) of this § 1364.452, minus the required deductions, if any, specified in Schedule II (§ 1364.453, substituting for the purposes of this paragraph (o) the term "fabricated beef cut" whenever the words "wholesale cut" or "wholesale cuts" are used in said paragraphs of Schedule II), plus the permitted additions, if any, specified in Schedule III (§ 1364.454, substituting for the purposes of this paragraph (o) the term "fabricated beef cut" whenever the words "wholesale cut" or "wholesale cuts" are used in said Schedule III).

(2) The applicable zone price for each grade of each fabricated beef cut sold by a hotel supply house to a purveyor of meals, war procurement agency or other government agency shall be determined as follows:

(i) Each individual hotel supply house shall fix a price for each such fabricated cut on the basis of the relationship which prevailed during the month of November, 1942, between the price received by such hotel supply house for such fabricated cut and the prices received by it for the other fabricated cuts derived from the beef wholesale cut of the same grade: *Provided*, That no packing or slaughtering plant, packing branch house, wholesaler or other distributor shall sell fabricated cuts unless regularly engaged in such practice during November, 1942.

(ii) In the event that the total gross proceeds obtainable through sales at the prices so fixed of all fabricated cuts derived from such beef wholesale cut and sales at the maximum prices of all bones, fat, waste, trimmings and/or processed products obtained in making such fabricated cuts exceeds 120% of the applicable zone price for the beef wholesale cut, the hotel supply house shall adjust downward the prices of such cuts to remove the excess. In making such adjustments, the seller shall not change the relationship of such prices as established pursuant to paragraph (o) (2) (i). The price so fixed and adjusted shall be the applicable zone price for the fabricated beef cut.

(3) "Fabricated beef cut" as used in this paragraph (o) means any part or portion of a beef wholesale cut (i. e. roasts, steaks, stewing meat, etc.) made for a purveyor of meals, which part or portion is obtained by boning or sawing through the bones of the beef wholesale cuts so as to prepare these fabricated cuts for cooking without further cutting or trimming. Beef wholesale cuts which have been trimmed and from which at least 25% of the bone has been removed, to facilitate cutting into steaks or roasts by a purveyor of meals, shall also be considered fabricated beef cuts.

[In § 1364.452 box heads in tables in (d) (2) and (3), table in (n) (2) (A) and Condition 2, paragraph (o) (2) (i), amended; Condition 3 in (n) (2) (A) revoked by Amendment 4, issued March 30, effective April 3, 1943]

§ 1364.453 *Schedule II: Amounts which must be deducted from zone prices listed in Schedule I.* As hereinafter provided, the following shall be deducted from the applicable zone prices:

(a) *For beef carcasses and beef wholesale cuts not graded by an official grader.* For the sale of any beef carcass or beef wholesale cut which does not bear the grade mark and identification of an official grader of the United States Department of Agriculture at the time of sale, the seller shall deduct 12½ cents per cwt. from the applicable zone price.

[Paragraph (a) amended by Amendment 4, issued March 30, effective April 3, 1943.]

(b) *Carload discount.* For all beef carcasses and/or beef wholesale cuts, and or other meat items subject to this subpart B delivered in a straight or mixed carload shipment or sold as part of a straight or mixed carload sale, the seller shall deduct 75¢ per cwt. from the applicable zone price.

(c) *Wholesaler's quantity discount.* For beef carcasses and/or beef wholesale cuts sold to a wholesaler in a straight or mixed less-than-carload sale, the seller shall deduct 50¢ per cwt. from the applicable zone price.

§ 1364.454 *Schedule III: Amounts which may be added to zone prices listed in Schedule I.* Subject to the conditions hereinafter provided, the following may be added to the applicable zone price:

(a) *For transportation and/or local delivery.* (1) For transportation from the point at which the meat was slaughtered in Price Zone 3 or 4 to a distribution point located in either of those price zones, other than another slaughter, packing or processing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 50¢ per cwt.

(2) For transportation from the point at which the meat was slaughtered in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10 to a distribution point located in the same price zone as the slaughter point, other than another slaughter, packing or processing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 25¢ per cwt.

(3) For local delivery made within a radius of 25 miles from a slaughter plant, packing house, car-route unloading point, railroad unloading station or branch house, to the place of business of a seller at retail, wholesaler (not owned or controlled by the shipper or consignor), hotel supply house (not owned or controlled by the shipper or consignor), or commercial user, or the designated delivery point of a war procurement agency, or other government agency; or

For local delivery made within a radius of 25 miles from the place of business of a wholesaler or hotel supply house, to the place of business of a seller at retail, purveyor of meals, or commercial user, or the designated delivery point of a war procurement agency, or other government agency: the seller may add 25¢ per cwt.

(4) For local delivery made from a slaughter plant, packing house, car-route unloading point, railroad unloading station or branch house, located in Price Zone 3 or 4 to the place of business of a seller at retail, wholesaler (not owned or controlled by the shipper or consignor), hotel supply house (not owned or controlled by the shipper or consignor), or commercial user, or the designated delivery point of a war procurement agency, or other government agency, located more than 25 miles from such shipping point; or

For local delivery made from the place of business of a wholesaler or hotel supply house located in Price Zone 3 or 4 to the place of business of a seller at retail, purveyor of meals, or commercial user, or the designated delivery point of a war procurement agency, or other government agency, located more than 25 miles from such shipping point: the seller may add the actual cost of local delivery computed at the lowest common carrier rate for the method of transportation used, but in no event more than 75¢ per cwt.

(5) For local delivery made from a slaughter plant, packing house, car-route unloading point, railroad unloading station, or branch house, located in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10, to the place of business of a seller at retail, wholesaler (not owned or controlled by the shipper or consignor), hotel supply house (not owned or controlled by the shipper or consignor), or commercial user, or the designated delivery point of a war procurement agency, or other government agency, located more than 25 miles from such shipping point; or

For local delivery made from the place of business of a wholesaler or hotel supply house located in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10, to the place of business of a seller at retail, purveyor of meals or commercial user, or the designated delivery point of a war procurement agency or other government agency, located more than 25 miles from such shipping point: the seller may add the actual cost of local delivery computed at the lowest common carrier rate for the method of delivery used, but in no event more than 50¢ per cwt.

(6) Notwithstanding any of the provisions of paragraph (a) (1) to (a) (5), inclusive, of this § 1364.454, nothing therein contained shall be construed to permit a total charge for transportation and/or local delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50¢ per cwt. in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10, or 75¢ per cwt. in Price Zone 3 or 4. The transportation and local delivery additions permitted in this paragraph (a) are on a hundredweight basis, and the charge for transportation and/or local delivery for any fraction of a hundredweight shall be reduced accordingly. The additions specified in this paragraph (a) for transportation and/or local delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or local delivery which is included in the maximum price charged.

[Subparagraph (6) amended by Amendment 2, 8 F.R. 164, effective 1-8-43]

(b) *For kosher beef wholesale cuts.* The applicable zone price established for kosher beef wholesale cuts (which includes the additions permitted) shall apply only on sales of kosher beef as such to buyers of kosher meat and no seller shall sell or deliver any kosher beef wholesale cut and no buyer shall buy or receive any kosher beef wholesale cut at the price established therefor or at a price higher than established for the corresponding non-kosher wholesale cut in § 1364.452 (Schedule I), unless the buyer of such wholesale cut is a bona fide buyer of kosher meat. For the sale of any kosher beef wholesale cut to a buyer other than a bona fide buyer of kosher meat the maximum price shall be determined by use of the applicable zone price established for the corresponding non-kosher wholesale cut, and the seller shall remove all stamps and designations which identify the wholesale cut as kosher. Any beef carcass or wholesale cut which has been derived from cattle slaughtered in the manner of kosher slaughter but rejected as non-kosher shall not be sold, unless all stamps and designations which identify the carcass or wholesale cut as kosher have been removed.

(c) *For kosher wholesale cuts derived from cattle slaughtered in a limited area of Zone 9.* (1) For any grade of kosher beef triangle or kosher beef wholesale cut or cuts obtained from the kosher triangle, except the grades utility, cutter or canner, which cuts are derived from steers or heifers slaughtered in that por-

tion of Zone 9 north of the Potomac River and which clearly bear the abattoir stamp at the time of sale, the seller may add $1.50 per cwt. to the applicable Zone 9 price: *Provided*, That such wholesale cut shall be sold to a bona fide buyer of kosher meat located in that portion of Zone 9 north of the Potomac River. In the case of kosher forequarters derived from steers, heifers or bulls slaughtered in the same area and sold under the same conditions, the seller may add $1.20 per cwt. to the applicable Zone 9 price.

(2) [Revoked by Amendment 4, issued March 30 and effective April 3, 1943]

(3) The provisions of paragraph (b) of this section governing the sale of kosher wholesale cuts shall apply to sales made pursuant to this paragraph (c). No addition permitted by this paragraph (c) shall be added for the sale of any kosher wholesale cut which does not bear the abattoir's stamp clearly legible. No slaughterer shall charge the addition for kosher beef slaughtered in the limited areas of Price Zone 9 described in subparagraphs (1) or (2) hereof, until he shall have filed the report required in paragraph (d) of § 1364.407 of this Revised Maximum Price Regulation No. 169.

(d) *Wholesaler's and independent hotel supply house's selling addition.* On sales of any beef carcass or beef wholesale cut not obtained through custom slaughtering, a wholesaler or independent hotel supply house may add 25¢ per cwt. to the applicable zone price.

(e) *Packaging for war procurement agencies.* On sales of beef carcasses and beef wholesale cuts to a war procurement agency, the seller may add for packaging or wrapping, and freezing, (U. S. Government specifications) ..... 50¢ per cwt.

(f) *Boxing.* On sales to a seller at retail, purveyor of meals, war procurement agency, commercial user (not wholesaler, branch house, hotel supply house, etc.), war procurement agency, or other government agency, the seller may add 15¢ per cwt. for packing in boxes.

(g) *Peddler-truck selling addition.* On a peddler truck sale involving delivery of not more than 100 pounds of beef in a total delivery of not more than 150 pounds of meats and meat products in any one day from such peddler-truck to any buyer's store door, a peddler may add to the prices specified in § 1364.452 (Schedule I) the sum of $1.25 per cwt. This addition shall be in lieu of any local delivery and/or transportation addition permitted in § 1364.454.

[Paragraph (c) (1) amended, (c) (2) revoked, (g) added by Amendment 4, issued March 30, and effective April 3, 1943]

§ 1364.455 *Definitions applicable to beef.* (a) When used in this Revised Maximum Price Regulation No. 169 and when applicable to beef, the term:

(1) "Person" means any individual, corporation, partnership, association or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any agency of any of the foregoing: *Provided*, That no punishment provided by this Revised Maximum Price Regulation No. 169 shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Carload" means:

(i) A shipment by rail of fresh or frozen wholesale meat cuts, and/or cured meat cuts, meat or processed products and/or carcasses, or any combination of the foregoing to a single delivery point, of at least the minimum weight upon which the railroad carload rate from the point of shipment to the delivery point, as evidenced by the tariffs of railroad carriers, is based: *Provided*, That where the transportation charge for shipment of a lesser weight at the railroad carload rate would be lower than the transportation charge for such a shipment at the railroad less-than-carload rate, such lesser weight shall be considered a carload;

(ii) A shipment by motor truck or trucks to a single delivery point of 15,000 pounds or more of fresh or frozen wholesale meat cuts and/or cured meat cuts, meat or processed products and/or carcasses, or any combination of the foregoing, as a single bulk sale transaction; and

(iii) Any single bulk sale transaction wherein the buyer takes delivery at the seller's place of business of 15,000 pounds or more of fresh or frozen wholesale meat cuts and/or cured meat cuts, meat or processed products and/or carcasses, or any combination of the foregoing.

(3) "Beef" means meat derived from the carcasses of bovine animals which does not qualify as veal as defined in § 1364.470 (3) of this regulation.

(4) "Car route unloading point" means any point on a car route at which a stop is made for the purpose of transferring meat to the possession of the buyer or to a truck for local delivery to the buyer.

(5) "Distribution point" includes a packing or slaughtering plant, packer's branch house, wholesaler's or jobber's or hotel supply house's warehouse, car route unloading point, or railroad unloading station.

(6) "Local delivery" means delivery by the seller otherwise than by rail, commencing at the seller's distribution point, or in the case of car routes, at the car unloading point and continuing to the buyer's place of business or other point of delivery.

(7) "Price Zone 1 to 10, inclusive" means the geographical areas described in § 1364.452.

(8) "Beef carcass" means and is limited to the dressed carcass, side, or sides of beef, which shall be dressed with the 1st and 2nd tail (caudal) vertebrae, kidney knob or knobs and hanging tender left on. The beef carcass shall not be broken in any other manner than provided in paragraph (a) (9) of this § 1364.455.

(9) "Beef wholesale cut" means and is limited to any of the following cuts meeting the following minimum specifications, derived from the beef carcass, but excluding the offal and any item not included herein. (All measurements prescribed herein shall be made with a rigid straight ruler. All cuts shall be made according to the definite guides and measurements specified. Ribs are designated as 1st to 13th, inclusive, counting as the 1st rib that one which is nearest the neck end of the side.)

(i) "Hindquarter" means the posterior portion of the side remaining after the severance of the 12-rib forequarter from the side, and comprising the round, full loin including the 13th rib, flank, kidney and hanging tender all in one piece, which posterior portion shall be obtained by cutting the beef side between the 12th and 13th ribs keeping the knife firmly against the 12th rib while cutting down the length of the rib to the point at the end of the rib where the rib joins the rib (costal) cartilage, from which point passing through the cartilage and meat of the flank and short plate in the same straight line, completing the cut.

(ii) "Forequarter" means the anterior portion of the side remaining after the severance of the 1-rib hindquarter from the side, and comprising the rib, regular chuck, brisket, short plate and foreshank all in one piece, which anterior portion contains the 1st to the 12th rib, inclusive. All heart (mediastinal) fat, but no other fat, shall be removed from the forequarter. The skirt (diaphragm) shall not be removed from any cut or part of the forequarter to which it is attached.

(iii) "Round" means the portion of the hindquarter remaining after the severance of the untrimmed full loin, and flank from the hindquarter, which portion shall be obtained as follows: the untrimmed full loin and flank shall be severed from the hindquarter by cutting in a straight line perpendicular to the contour of the outside or skin surface of the hindquarter. The cut shall be made on a straight line formed by and starting from that point on the backbone which is the juncture of the last (5th) sacral vertebra and the first (1st) tail (caudal) vertebra, and passing through that point which just misses the end of the protuberance of the femur bone and exposes the ball of the femur bone, continuing in the same straight line beyond the second point to complete the cut. Two tail vertebrae shall be left on the round. Attached to the tail bone of the round shall be the tip or rear corner of the fifth sacral vertebra. All cod, udder and pelvic fat remaining on the round after its severance from the full loin and flank shall remain on the round.

(iv) "Trimmed full loin" means the portion of the hindquarter remaining after the severance of the round, flank, hanging tender (from the open side), kidney knob and excess loin (lumbar) and pelvic (sacral) fat from the inside of the loin, from the hindquarter, and comprising the short loin and sirloin (loin end) in one piece, the back bone of which portion shall include one and one-half (1½) thoracic vertebrae, six (6) lumbar vertebrae, and five (5) sacral vertebrae (the tip or rear corner of the fifth sacral vertebra shall have been sawed off in severing the round from the full loin and flank), and which portion shall be obtained as follows: Part of the kidney knob, all of the kidney and the fat lying closely around the kidney in open (left) and closed (right) sides shall be removed first by a cut starting at the rear end of the kidney and slanting directly to the front edge of the half of the 12th thoracic vertebra at the point of severance of the hindquarter and forequarter.

Second, the hanging tender, which means the cylindrical shaped piece of lean meat attached at one end under the kidney knob in open (left) side hindquarters shall be removed entirely from open side loins by being severed at a point opposite the juncture of the 1st and 2nd lumbar vertebrae.

Third, after the severance of the round from the hindquarter, the flank shall be severed from the full loin by a cut starting at the heavy end of the full loin at the ventral point of severance of the round from the hindquarter and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line from the center of the protruding edge of the 13th thoracic vertebra, but in making the cut no more than one (1) inch of cod or udder fat shall be left on the flank side of the face of the loin.

NOTE: The 10-inch measurement shall be made from the center of the protruding edge of the 13th thoracic vertebra and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebra.

Fourth, the excess loin (lumbar) and pelvic (sacral) fat shall be trimmed from the inside of the full loin by placing the full loin upon a flat surface, with no other support to change its position, meat side down, and removing all fat which extends above a flat plane parallel with the flat surface supporting the full loin and on a level with the full length of the protruding edge of the lumbar section of the chine bone. Then all fat shall be removed which extends above a flat plane using the following two lines as guides for each edge of the plane: an imaginary line parallel with the full length of the protruding edge of the lumbar section of the chine bone which line extends 1 inch directly above such protruding edge; a line on the inside of the loin two inches from the flank edge and running parallel with such edge for the full length of the loin. All fat obstructing the measurement of the second line shall first be removed. In addition to the foregoing all rough fat in the pelvic cavity of the heavy end of the loin (sirloin) shall be trimmed smooth and trimming by a knife shall be apparent. No fat remaining in the pelvic cavity shall exceed one inch in depth.

(v) "Flank" means the portion of the hindquarter remaining after the severance of the round and untrimmed full loin from the hindquarter, which shall be obtained after the removal of the round by separation from the untrimmed full loin, starting the cut at the point at the lower end of the loin end (sirloin) which was the ventral point of separation of the full loin and round, leaving no more than one inch of cod or udder fat attached to the flank side of the face of the full loin, and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line along the 13th rib from the center of the protruding edge of the 13th thoracic vertebra.

NOTE: The 10-in. measurement shall be made from the center of the protruding edge of the 13th thoracic vertebra and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebra.

(vi) "Flank steak" means the flat, oval-shaped lean muscle of meat imbedded in the cod or udder end of the flank which shall be obtained by loosening the narrow end of the steak piece at the cod or udder end of the flank, cutting through the membrane along both sides of the steak, then pulling and cutting the steak loose and severing it from the thick membrane which lies directly under and to which it is attached. None of the thick membrane shall be left on the steak. All fat shall be trimmed from the steak, but the thin membrane on the top surface of the steak shall not be removed.

(vii) "Short loin" means that portion of the trimmed full loin remaining after the severance of the sirloin (loin end) from the trimmed full loin, which portion shall be obtained by a cut perpendicular to the contour of the outside or skin surface of the trimmed full loin begun at a point which is the juncture on the chine bone of the 5th and 6th lumbar vertebrae and continuing in a straight line perpendicular to the contour of the outside or skin surface of the trimmed full loin to and through a point flush against the end of the hip (pin) bone, but leaving no part of the hip (pin) bone in the short loin. The backbone of the short loin shall include five (5) lumbar vertebrae, one and one-half (1½) thoracic vertebrae and part of the 13th rib.

(viii) "Sirloin" (loin end) means the thick portion of the trimmed full loin remaining after the severance of the short loin from the trimmed full loin. The backbone of the sirloin shall include one (1) lumbar vertebra, five (5) sacral vertebrae (the tip or rear corner of the fifth (5th) sacral vertebra shall have been sawed off in separating the round from the trimmed full loin and flank), and the entire hip bone (ilium).

(ix) "Cross cut chuck" (kosher or trefer) means the portion of the forequarter remaining after the severance of the rib and short plate from the forequarter, and comprising the regular chuck, brisket and foreshank all in one piece, which portion shall be obtained by cutting through the forequarter in a straight line between the 5th and 6th ribs, keeping the knife firmly against the 5th rib while cutting to the point where the 5th rib joins the rib (costal) cartilage, at which point the cut shall continue in the same straight line through the cartilage, the breast bone (sternum) and the meat of the brisket and short plate to complete the severance. The cross cut chuck shall contain five (5) ribs (1st to 5th, inclusive).

(x) "Regular chuck" means the portion of the cross cut chuck remaining after the severance of the foreshank and brisket from the cross cut chuck, and containing most of the blade bone (scapula), part of the (humerus) arm bone, parts of the five ribs (1st to 5th, inclusive), that section of the back bone attached to the ribs, and the neck bone (cervical vertebrae from 1 to 7, inclusive), which portion shall be obtained by a cut through the cross cut chuck made in a straight line perpendicular to the contour of the outside or skin surface of the cross cut chuck (thereby separating the brisket and foreshank from the cross cut chuck) starting at a fixed point on the inside of the 5th rib determined by measuring off ten (10) inches along the 5th rib in a straight line from the center of the protruding edge of the 5th thoracic vertebra, continuing in the same straight line to the tip of the forward end of the breast bone (forward end of 1st segment of sternum), and passing through the (humerus) arm bone in the same straight line to complete the cut.

NOTE: The 10-inch measurement shall be made from the center of the protruding edge of the 5th thoracic vertebra and not from the hollow of the chine bone where the 5th rib joins the 5th thoracic vertebra.

(xi) "Foreshank" means the portion of the cross cut chuck remaining after the severance of the regular chuck and brisket from the cross cut chuck, which portion shall be obtained (after separation of the regular chuck) by separation from the brisket by a cut following the natural seam and leaving the entire lip, or web muscle on the brisket.

(xii) "Brisket" means the portion of the cross cut chuck remaining after the severance of the regular chuck and foreshank from the cross cut chuck, which portion contains parts of four ribs (2nd to 5th, inclusive), part of the breast bone and the rib (costal) cartilages which connect the ends of the rib bones with the breast bone. All heart (mediastinal) fat, but no other fat shall be removed from the brisket.

(xiii) "Rib" means the portion of the forequarter remaining after the severance of the cross cut chuck and short plate from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), that section of the back bone attached to the ribs, posterior tip and cartilage of the blade bone (scapula), part of the blade bone (scapula) which portion shall be obtained (by separation from the short plate) by a straight cut across the ribs starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside protruding edge of the 12th thoracic vertebra and continuing to and through a fixed

point determined by measuring off 10 inches on the inside of the 6th rib along the 6th rib from the center of the inside protruding edge of the 6th thoracic vertebra.

NOTE: The 10-inch measurements shall be made from the centers of the protruding edges of the 6th and 12th thoracic vertebrae, and not from the hollow of the chine.

(xiv) "Short plate" means the portion of the forequarter remaining after the severance of the cross cut chuck and the rib from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), the rib (costal) cartilages attached to them, and part of the breastbone.

(xv) "Back" means the portion of the forequarter remaining after the severance of the short plate, brisket and foreshank from the forequarter, and containing the rib and regular chuck all in one piece, which portion shall be obtained by a cut made in a straight line starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside protruding edge of the 12th thoracic vertebra and continuing to and through a fixed point at the tip of the forward end of the breastbone (forward end of 1st segment of sternum) through the (humerus) arm bone in the same straight line to complete the cut.

NOTE: Measurements shall be made from the center of the protruding edge of the 12th thoracic vertebra, and not from the hollow of the chine.

(xvi) "Triangle" (kosher or trefer) means the portion of the forequarter remaining after the severance of the rib from the forequarter, and containing the short plate, brisket, foreshank and regular chuck all in one piece, which portion shall be obtained by removing the rib from the forequarter by a straight cut across the ribs starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside of the protruding edge of the 12th thoracic vertebra and continuing to a fixed point determined by measuring off 10 inches on the inside of the 6th rib along the 6th rib from the center of the inside protruding edge of the 6th thoracic vertebra, and severing the rib from the forequarter by a second cut made in a straight line between the 5th and 6th ribs keeping the knife firmly against the 5th rib to the point where the second cut meets the end of the first cut.

NOTE: Measurements shall be from the center of the protruding edge of the 12th and 6th thoracic vertebra, and not from the hollow of the chine.

(xvii) "Arm chuck" means the portion of the cross cut chuck remaining after the severance of the brisket from the cross cut chuck and containing the regular chuck and foreshank all in one piece.

(10) "Kosher beef wholesale cut" means any beef wholesale cut derived from cattle or calves slaughtered, approved and stamped as kosher under rabbinical supervision, and sold under rabbinical supervision.

(11) "Buyer of kosher meat" means a person who maintains a selling establishment at or through which he regularly and generally sells kosher meat as such, or a person who is a purveyor of kosher meals.

(12) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, the Marine Corps, the Coast Guard, the War Shipping Administration, or any agency of the foregoing.

(13) "Hotel supply house" means a seller of beef, veal or processed products who as an established practice handles and bones, trims, cuts or otherwise fabricates beef and or veal for sale to hotels, restaurants or other purveyors of meals.

(14) "Wholesaler" means a person other than a hotel supply house or peddler-truck seller who buys beef carcasses and or beef wholesale cuts for resale other than at retail and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled, in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

(15) "Independent hotel supply house" means a hotel supply house which buys beef for resale to hotels, restaurants, and other purveyors of meals and which does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and which is not controlled in whole or in substantial part, by any other person who owns or controls in substantial part any slaughtering plant or facilities.

(16) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no wholesaler, processor, packer, slaughterer, branch house, car route, hotel supply house, purchaser for resale, commercial user, purveyor of meals, war procurement agency, or other government agency shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals on usual retail terms by a retailer at least 80% of whose sales of meat during the preceding calendar month were made to ultimate consumers shall be deemed a sale at retail.

(17) "Peddler-truck sale" means a sale of beef from a truck by a person who purchases beef at or below the maximum price from a seller with whom he has no other financial affiliations or relationship, who takes a delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck, owned and driven by him: *Provided*, That the first record of the transaction is made by the salesman concurrently with the delivery of the products sold.

[Paragraphs (a) (3), (13), (14) amended (17) added, by Amendment 4, issued March 30, effective April 3, 1943]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SUBPART C—PROVISIONS AFFECTING VEAL

[NOTE: Title of Subpart C amended and §§ 1364.466 to 1364.470 added by Amendment 4, issued March 30, effective April 3, 1943]

§ 1364.466 *Maximum prices for veal carcasses and wholesale cuts.* Subject to the pricing instructions contained in paragraph (a), the maximum price of each grade of each veal carcass or veal wholesale cut shall be the maximum price determined as provided in paragraph (b).

(a) *Pricing instructions.* (1) Whenever used in this Revised Maximum Price Regulation No. 169, the term "lower price zone" means a price zone having a lower zone price, and the term "higher price zone" means a price zone having a higher zone price; the words "lower" and "higher" used in the respective terms shall not be construed to refer to the numerical designation of any zone.

(2) Except for the additions permitted in Schedule VI hereof, incorporated herein as § 1364.469, the zone price shall be the delivered price anywhere within the zone to which such price applies. Schedule IV (paragraphs (a) to (j), inclusive) hereof, incorporated herein as § 1364.467, contains a statement describing the geographical limits of each price zone and the zone prices established therefor.

(3) The applicable zone price shall be the price specified in Schedule IV § 1364.467, for the zone in which is located the seller's distribution point:

(i) At which the buyer takes actual physical possession of the meat; or

(ii) From which local delivery to the buyer's place of business begins; or

(iii) From which the meat, consigned to the buyer, (a') is delivered to a common carrier, other than a railroad, for shipment to the buyer, who pays the shipping charges directly to the carrier, or (b') is delivered to a railroad for shipment at the carload rate to the buyer who pays the shipping charges directly to the carrier.

(iv) In the case of a less than carload rail shipment, other than an express shipment to a purveyor of meals, the applicable zone price shall be the price for the zone in which is located the rail unloading station nearest to the buyer's place of business.

(v) On sales to purveyors of meals the distribution point may be, in addition to those listed, the point at which meat consigned to the buyer is delivered by a railway express agency for shipment by express to the buyer who pays the shipping charges directly to the carrier.

(4) Except as permitted in paragraph (l), (m) or (n), of Schedule IV § 1364.467, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any veal or any part or portion of any veal carcass, and no person in the course of trade or business shall buy or receive any veal or any part or portion of any veal carcass unless such veal or part or portion is a veal carcass or a veal wholesale cut as defined in § 1364.470 for which applicable prices have been established.

(b) *Maximum price.* The maximum price for each grade of each veal carcass or veal wholesale cut shall be the applicable zone price determined in accordance with the provisions of paragraph (a) of this § 1364.466 and specified in Schedule IV incorporated herein as § 1364.467, minus the required deductions, if any, specified in Schedule V incorporated herein as § 1364.468, plus the permitted additions, if any, specified in Schedule VI incorporated herein as § 1364.469.

§ 1364.467 *Schedule IV: Veal price zones and applicable zone prices*—(a) *Zone 1.* (1) Zone 1 includes the area designated as Zone 1 in § 1364.452 (a) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 1.* Subject to the provisions of paragraph (k) of this section, the Zone 1 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $2.50 per cwt.

(b) *Zone 2.* (1) Zone 2 includes the area designated as Zone 2 in § 1364.452 (b) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 2.* Subject to the provisions of paragraph (k) of this section, the Zone 2 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.50 per cwt.

(c) *Zone 3.* (1) Zone 3 includes the area designated as Zone 3 in § 1364.452 (c) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 3.* Subject to the provisions of paragraph (k) of this section, the Zone 3 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $.75 per cwt.

(d) *Zone 4.* (1) Zone 4 includes the area designated as Zone 4 in § 1364.452 (d) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) of this section, the applicable zone prices for Zone 4 are as follows:

	Grade				
	Choice or AA	Good or A	Commercial or B	Utility or C	Cull or D
1. Carcass—hide on—57 lbs. to 170 lbs.	21 50	20 50	18 25	17 00	14 75
2. Carcass—hide on—over 170 lbs. to 375 lbs.	22 00	20 00	18 25	16 50	14 25
3. Carcass—hide on—under 57 lbs.	19 75	20 00	18 25	16 50	14 25
4. Carcass or side—hide off—50 lbs. to 375 lbs.	22 00	21 00	19 00	17 00	14 50
5. Carcass or side—hide off—under 50 lbs.	22 00	20 00	18 00	16 00	13 50
6. Foresaddle or forequarter[1]	19 50	19 00	17 75	16 25	13 00
7. Kosher foresaddle or forequarter[1]	20 00	19 50	18 25	16 75	13 50
8. Hindsaddle or hindquarter[1]	24 75	23 25	20 50	18 00	16 25
9. Leg, double or single[1]	21 75	20 75	18 50	17 75	14 75
10. Loin or leg[1]	25 75	24 00	21 25	18 75	17 00

[1] To be sold only from veal carcasses weighing 50 to 375 pounds hide off.
[2] These prices are further subject to the provisions of paragraph (b) of Schedule VI (§ 1364.469).

NOTE: All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be computed accordingly. Weight limitations apply to entire carcass and not to sides.

The applicable zone price of each veal carcass or veal wholesale cut which does not bear a grade stamp (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest-priced carcass or corresponding wholesale cut.

The applicable zone price of each kosher veal foresaddle or forequarter which does not bear a grade stamp (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest priced kosher wholesale cut.

(e) *Zone 5.* (1) Zone 5 includes the area designated as Zone 5 in § 1364.452 (e) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 5.* Subject to the provisions of paragraph (k) of this section, the Zone 5 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus 50 cents per cwt.

(f) *Zone 6.* (1) Zone 6 includes the area designated as Zone 6 in § 1364.452 (f) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 6.* Subject to the provisions of paragraph (k) of this section, the Zone 6 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus 75 cents per cwt.

(g) *Zone 7.* (1) Zone 7 includes the area designated as Zone 7 in § 1364.452 (g) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 7.* Subject to the provisions of paragraph (k) of this section, the Zone 7 price for each grade of veal carcass and wholesale cut shall be the price specified therefor in paragraph (d) hereof (applicable Zone 4 price) plus $1.00 per cwt.

(h) *Zone 8.* (1) Zone 8 includes the area designated as Zone 8 in § 1364.452 (h) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 8.* Subject to the provisions of paragraph (k) of this section, the Zone 8 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.25 per cwt.

(i) *Zone 9.* (1) Zone 9 includes the area designated as Zone 9 in § 1364.452 (i) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 9.* Subject to the provisions of paragraph (k) of this section, the Zone 9 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.50 per cwt.

(j) *Zone 10.* Zone 10 includes the area designated as Zone 10 in § 1364.452 (j) (1) and is incorporated herein by reference.

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 10.* Subject to the provisions of paragraph (k) of this section, the Zone 10 price for each grade of veal carcass and veal wholesale cut shall be the price specified therefor in paragraph (d) hereof (the applicable Zone 4 price) plus $1.75 per cwt.

(k) *Applicable zone price of miscuts.* For any veal wholesale cut which has been miscut or for any piece or portion of veal which has been cut in a manner not authorized by this Revised Maximum Price Regulation No. 169, the zone price used for the determination of the maximum price shall be the applicable zone price of the lowest-priced wholesale cut.

(l) *Frozen boneless veal (Federal Surplus Commodities Corporation Specifications).* (1) On or after April 3, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver frozen boneless veal (F. S. C. C. Specifications) to any purchasing agency of a war procurement agency at a price higher than the maximum price permitted therefor in paragraph (1) (2) of this section.

(2) The maximum f. o. b. boning plant price for frozen boneless veal (F. S. C. C. Specifications), including cost of boxing and freezing, in each of the following price zones shall be:

Price zone:	Zone price per cwt.
1.	$26 25
2.	25 25
3.	24 50
4.	23 75
5.	24 25
6.	24 50
7.	24 75
8.	25 00
9.	25 25
10.	25 50

(3) Frozen boneless veal (F. S. C. C. Specifications) as used in this paragraph means veal derived from veal carcasses of the cull grade, and satisfying the specifications and requirements of Item 69–a of Schedule FSC–10 (as amended) of the Food Distribution Administration, issued December 2, 1942.

(m) *Boneless and miscellaneous veal cuts.* (1) On or after April 3, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any boneless or miscellaneous veal cut and no person shall buy or receive any boneless or miscellaneous veal

cut at a price higher than the maximum price permitted therefor in paragraph (m) (2) of this section.

(2) The maximum price for each boneless or miscellaneous veal cut, not including boxing, in each price zone shall be:

Items	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
1. Boneless veal leg or round	28.25	27.25	26.50	25.75	26.25	26.50	26.75	27.00	27.25	27.50
2. Boneless veal sirloin strip	28.00	27.00	26.25	25.50	26.00	26.25	26.50	26.75	27.00	27.25
3. Veal tenderloin	28.00	27.00	26.25	25.50	26.00	26.25	26.50	26.75	27.00	27.25
4. Boneless veal regular (rib) roll	27.75	26.75	26.00	25.25	25.75	26.00	26.25	26.50	26.75	27.00
5. Boneless veal shoulder clod	27.25	26.25	25.50	24.75	25.25	25.50	25.75	26.00	26.25	26.50
6. Boneless veal shoulder clod, rolled and tied veal roll	26.00	25.00	24.25	23.50	24.00	24.25	24.50	24.75	25.00	25.25
7. Boneless veal trimmings	24.50	23.50	22.75	22.00	22.50	22.75	23.00	23.25	23.50	23.75
8. Boneless kosher veal forequarter (Note 1)	25.00	24.00	23.25	22.50	23.00	23.25	23.50	23.75	24.00	24.25
9. Veal neckbones	7.50	6.50	5.75	5.00	5.50	5.75	6.00	6.25	6.50	6.75

All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly.

All prices are fresh or frozen, unless purchased by a war procurement agency in which case freezing charge may be added if product is frozen.

NOTE 1: The prices established for the sale of boneless kosher veal forequarter shall apply only on sales to a bonafide buyer of kosher meat. For the sale of any boneless kosher veal forequarter to a buyer other than a buyer of kosher meat, the maximum price shall be determined by use of the applicable zone price established for boneless veal trimmings. Any veal carcass or wholesale cut which has been derived from calves slaughtered in the manner of kosher slaughter but rejected as non-kosher shall not be sold, unless all stamps and designations which identify the carcass or wholesale cut as kosher have been removed.

(n) *Applicable zone prices for fabricated veal cuts sold by hotel supply houses.*

(1) Subject to the pricing instructions contained in paragraph (a) of § 1364.456, the maximum price for each grade of each fabricated veal cut shall be the applicable zone price determined in accordance with the provisions of paragraph (n) (2) of this § 1364.467 minus the required deductions, if any, specified in Schedule V, § 1364.469, substituting for the purposes of this paragraph (n) the term "fabricated veal cut" whenever the words "wholesale cut" or "wholesale cuts" are used in paragraphs (b) and (c) of said Schedule V, plus the permitted additions, if any, specified in Schedule VI (§ 1364.469, substituting for the purposes of this paragraph (n) the term "fabricated veal cut" whenever the words "wholesale cut" or "wholesale cuts" are used in said Schedule VI, except in paragraph (d) of said Schedule VI.)

(2) The applicable zone price for each grade of each fabricated veal cut sold by a hotel supply house to a purveyor of meals, war procurement agency or other government agency shall be determined as follows:

(i) Each individual hotel supply house shall fix a price for each such fabricated cut on the basis of the relationship which prevailed during the month of November 1942, between the price received by such hotel supply house for such fabricated cut and the prices received by it for the other fabricated cuts derived from the veal wholesale cut of the same grade; *Provided*, That no packing or slaughtering plant, packing branch house, wholesaler or other distributor shall sell fabricated cuts unless regularly engaged in such practice during November 1942.

(ii) In the event that the total gross proceeds obtainable through sales at the prices so fixed of all fabricated cuts derived from such veal wholesale cut and sales at the maximum prices of all bones, fat, waste, trimmings and or processed products obtained in making such fabricated cuts exceeds 120% of the applicable zone price for the veal wholesale cut, the hotel supply house shall adjust downward the prices of such cuts to remove the excess. In making such adjustments, the seller shall not change the relationship of such prices as established pursuant to paragraph (n) (2) (i). The price so fixed and adjusted shall be the applicable zone price for the fabricated veal cut.

(3) "Fabricated veal cut" as used in this paragraph (n) means any part or portion of a veal wholesale cut (i. e. roasts, steaks, chops, cutlets and stewing meat) made for a purveyor of meals, which part or portion is obtained by boning or sawing or otherwise cutting through the bones of the veal wholesale cut so as to prepare these fabricated cuts for cooking without further cutting or trimming. Veal wholesale cuts which have been trimmed and from which at least 25% of the bone has been removed, to facilitate cutting into roasts, steaks, cutlets or chops by a purveyor of meals, shall also be considered fabricated veal cuts.

§ 1364.468 *Schedule V: Amounts which must be deducted from zone prices listed in Schedule IV.* As hereinafter provided, the following shall be deducted from the applicable zone prices:

(a) *For veal carcasses and veal wholesale cuts not graded by an official grader.* For the sale of any veal carcass or veal wholesale cut which does not bear the grade mark and identification of an official grader of the United States Department of Agriculture at the time of sale, the seller shall deduct 12½ cents per cwt. from the applicable zone price.

(b) *Carload discount.* For all veal carcasses and or veal wholesale cuts, and or other meat items subject to this Subpart C delivered in a straight or mixed carload shipment or sold as part of a straight or mixed carload sale, the seller shall deduct 75 cents per cwt. from the applicable zone price.

(c) *Wholesaler's quantity discount.* For veal carcasses and or veal wholesale cuts sold to a wholesaler in a straight or mixed less-than-carload sale, the seller shall deduct 50 cents per cwt. from the applicable zone price.

§ 1364.469 *Schedule VI: Amounts which may be added to zone prices listed in Schedule IV.* Subject to the conditions hereinafter provided, the following may be added to the applicable zone price:

(a) *For transportation and/or local delivery.* (1) For transportation from the point at which the calf or calves were slaughtered in Price Zone 4 to a distribution point located in this price zone, other than another slaughter, packing or processing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 50 cents per cwt.

(2) For transportation from the point at which the calf or calves were slaughtered in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10 to a distribution point located in the same price zone as the slaughter point, other than another slaughter, packing or processing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 25 cents per cwt.

(3) For local delivery made within a radius of 25 miles from a slaughter plant, packing house, car-route unloading point, railroad unloading station or branch house, to the place of business of a seller at retail, wholesaler (not owned or controlled by the shipper or consignor), hotel supply house (not owned or controlled by the shipper or consignor), or commercial user, or the designated delivery point of a war procurement agency, or other government agency; or

For local delivery made within a radius of 25 miles from the place of business of a wholesaler or hotel supply house, to the place of business of a seller at retail, purveyor of meals, or commercial user, or the designated delivery point of a war procurement agency, or other government agency: the seller may add 25 cents per cwt.

(4) For local delivery made from a slaughter plant, packing house, carroute unloading point, railroad unloading station or branch house, located in Price Zone 4 to the place of business of a seller at retail, wholesaler (not owned or controlled by the shipper or consignor), hotel supply house (not owned or controlled by the shipper or consignor), or commercial user, or the designated delivery point of a war procurement agency, or other government agency, located more than 25 miles from such shipping point; or

For local delivery made from the place of business of a wholesaler or hotel supply house located in Price Zone 4 to the place of business of a seller at retail, purveyor of meals, or commercial user, or the designated delivery point of a war procurement agency, or other government agency, located more than 25 miles from such shipping point; the seller may add the actual cost of local delivery computed at the lowest common carrier rate for the method of delivery used, but in no event more than 75 cents per cwt.

(5) For local delivery made from a slaughter plant, packing house, car route unloading point, railroad unloading station, or branch house, located in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10, to the place of business of a seller at retail, wholesaler (not owned or controlled by the shipper or consignor), hotel supply house (not owned or controlled by the shipper or consignor), or commercial user, or the designated delivery point of a war procurement agency, or other government agency, located more than 25 miles from such shipping point; or

For local delivery made from the place of business of a wholesaler or hotel supply house located in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10, to the place of business of a seller at retail, purveyor of meals or commercial user, or the designated delivery point of a war procurement agency or other government agency, located more than 25 miles from such shipping point; the seller may add the actual cost of local delivery computed at the lowest common carrier rate for the method of delivery used, but in no event more than 50 cents per cwt.

(6) Notwithstanding any of the provisions of paragraphs (a) (1) to (a) (5), inclusive, of this § 1364.469, nothing therein contained shall be construed to permit a total charge for transportation and or local delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50 cents per cwt. in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10, or 75 cents per cwt. in Price Zone 4. The transportation and local delivery additions permitted in this paragraph (a) are on a hundredweight basis, and the charge for transportation and or local delivery for any fraction of a hundredweight shall be reduced accordingly. The additions specified in this paragraph (a) for transportation and or local delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any additions for transportation or local delivery which is included in the maximum price charged.

(b) *For kosher veal foresaddle or forequarter.* The applicable zone price established for kosher veal foresaddle or forequarter (which includes the additions permitted) shall apply only on sales of kosher veal as such to buyers of kosher meat; and no seller shall sell or deliver any kosher veal foresaddle or forequarter and no buyer shall buy or receive any kosher veal foresaddle or forequarter at the price established therefor or at a price higher than that established for the corresponding non-kosher foresaddle or forequarter in § 1364.467 (Schedule IV) unless the buyer of such wholesale cut is a bona fide buyer of kosher meat. For the sale of any kosher veal foresaddle or forequarter to a buyer other than a bona fide buyer of kosher meat the maximum price shall be determined by use of the applicable zone price established for the corresponding non-kosher foresaddle or forequarter, and the seller shall remove all stamps and designations which identify the wholesale cut as kosher. Any veal carcass or veal wholesale cut which has been derived from calves slaughtered in the manner of kosher slaughter but rejected as non-kosher shall not be sold, unless all stamps and designations which identify the carcass or wholesale cut as kosher have been removed.

(c) *For kosher foresaddles or forequarters derived from calves slaughtered in a limited area of Zone 9.* (1) For any grade of kosher veal foresaddle or forequarter, except the cull grade, which cuts are derived from calves slaughtered in that portion of Zone 9 north of the Potomac River and which clearly bear the abattoir stamp at the time of sale, the seller may add $1.50 per cwt. to the applicable Zone 9 price: *Provided*, That such foresaddle or forequarter shall be sold to a bona fide buyer of kosher meat located in that portion of Zone 9 north of the Potomac River.

(2) The provisions of paragraph (b) of this section governing the sale of kosher foresaddle or forequarter shall apply to sales made pursuant to this paragraph (c). No addition permitted by this paragraph (c) shall be added for the sale of any kosher foresaddle or forequarter which does not bear the abattoir stamp clearly legible. No slaughterer shall charge the addition for kosher veal foresaddle or forequarter from calves slaughtered in the limited area of Price Zone 9 described in subparagraph (1) hereof until he shall have filed the report required in paragraph (d) of § 1364.407 of this Revised Maximum Price Regulation No. 169.

(d) *Wholesalers' and independent hotel supply houses' selling addition.* On sales of any veal carcass or veal wholesale cut not obtained through custom slaughtering, a wholesaler or independent hotel supply house may add 25 cents per cwt. to the applicable zone price.

(e) *Packaging and wrapping for war procurement agencies.* On sales of veal carcasses or veal cuts to a war procurement agency, the seller may add to the applicable zone price:

(i) For wrapping veal carcasses or veal cuts for domestic shipment, U. S. Army or Navy specifications, 25 cents per cwt.

(ii) For wrapping veal carcasses or veal cuts for overseas shipment, U. S. Army or Navy specifications, 75 cents per cwt.

(iii) For wrapping veal carcasses or veal cuts, Federal Surplus Commodities Corporation Specifications, 50 cents per cwt.

(f) *Boxing or barreling.* On sales to a seller at retail, purveyor of meals, commercial user (not wholesaler, branch house, hotel supply house, etc.), or government agency, other than a war procurement agency, the seller may add 25 cents per cwt. for packing in closed or sealed boxes or barrels, delivered to the buyer's place of business.

(g) *Wrapping for civilian sales.* (1) For wrapping veal carcasses or wholesale cuts in one stockinette or Kraft paper bag, there may be added 12½ cents per cwt.

(2) For wrapping veal carcasses or wholesale cuts in two stockinettes or one stockinette and one Kraft paper bag or for other special wrapping or dressing involving a cost in excess of 12½ cents per cwt., there may be added 25 cents per cwt.

(h) *Freezing and storage.* On sales of veal carcasses and cuts to a war procurement agency, the seller may add the cost of freezing and storage: *Provided*, That the cost shall not exceed 35 cents per cwt.

(i) *Peddler-truck selling addition.* Where the seller makes a peddler-truck sale involving delivery of not more than 100 pounds of veal in a total delivery of not more than 150 pounds of meat and meat products in any one day from such peddler-truck to any buyer's store door, he may add to the price specified in § 1364.467 (Schedule IV), the sum of $1.25 per cwt. This addition shall be in lieu of any local delivery and or transportation addition permitted in this § 1364.469.

§ 1364.470 *Definitions applicable to veal.* (a) When used in this Revised Maximum Price Regulation No. 169 and when applicable to veal, the term:

(1) "Person" means any individual, corporation, partnership, association or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any agency of any of the foregoing; *Provided*, That no punishment provided by this Revised Maximum Price Regulation No. 169 shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Carload" means:

(i) A shipment by rail of fresh or frozen wholesale meat cuts, and or cured meat cuts, meat or processed products and or carcasses, or any combination of the foregoing to a single delivery point, of at least the minimum weight upon which the railroad carload rate from the point of shipment to the delivery point, as evidenced by the tariffs of railroad carriers, is based: *Provided*, That, where the transportation charge for shipment of a lesser weight at the railroad carload rate would be lower than the transportation charge for such a shipment at the railroad less-than-carload rate, such lesser weight shall be considered a carload;

(ii) A shipment by motor truck or trucks to a single delivery point of 15,000 pounds or more of fresh or frozen wholesale meat cuts and or cured meat cuts, meat or processed products and or carcasses, or any combination of the foregoing, as a single bulk transaction; and

(iii) Any single bulk transaction wherein the buyer takes delivery at the seller's place of business of 15,000 pounds or more of fresh or frozen wholesale meat cuts and or cured meat cuts, meat or processed products and or carcasses, or any combination of the foregoing.

(3) "Veal" means meat derived from the carcasses of immature bovine animals, including calf carcasses as well as

veal carcasses, which have predominantly veal characteristics as determined by United States Department of Agriculture standards,* and particularly by the color and texture of the flesh and by the color and consistency of the fat and bones. Such carcasses shall not exceed 275 pounds, skin off, chilled, or 315 pounds, skin on, chilled.

(4) "Car route unloading point" means any point on a car route at which a stop is made for the purpose of transferring meat to the possession of the buyer or to a truck for local delivery to the buyer.

(5) "Distribution point" includes a packing or slaughtering plant, packer's branch house, wholesaler's or jobber's or hotel supply house's warehouse, or a car route unloading point, or railroad unloading station.

(6) "Local delivery" means delivery by the seller otherwise than by rail, commencing at the seller's distribution point, or in the case of car routes, at the car unloading point and continuing to the buyer's place of business or other point of delivery.

(7) "Price Zones 1 to 10, inclusive" means the geographical areas described in § 1364.452.

(8) "Veal carcass" means and is limited to the dressed carcass, "skin on", or "skin off", or side of veal which shall be dressed with the kidney knob or knobs in, pluck out, and without caul fat dressing. Tail or caudal vertebrae are not to exceed two in number. The veal carcass shall not be broken in any manner other than provided for in paragraph (a) (9) or (a) (10) of this § 1364.470.

(9) "Veal wholesale cut" means and is limited to any of the following cuts meeting the following minimum specifications, derived from the veal carcass, but excluding the offal and any item not included herein. Ribs are designated as first to thirteenth, inclusive, counting as the first rib that one which is nearest the neck end of the side.

(i) "Hindsaddle or hindquarter" means the portion of the carcass or side, respectively, remaining after the severance of the 12-rib foresaddle or forequarter and comprising the legs or leg, and loin, double or single, including the 13th rib, flank and kidney, all in one piece, which portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs, keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut. Tail or caudal vertebrae to be left on the hindsaddle or hindquarter are not to exceed 2 in number.

(ii) "Foresaddle or forequarter" means the anterior portion of the carcass or side, respectively, remaining after the severance of the one-rib hindsaddle or hindquarter, which anterior portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut.

(iii) "Legs or leg" means the portion of the hindsaddle or hindquarter remaining after the severance of the loin from the hindsaddle or hindquarter, which portion shall be obtained by cutting squarely in a line at a right angle to the chine bone, starting at the juncture of the 5th and 6th lumbar vertebra and continuing in the same straight line through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hipbone in the leg. The cut shall be made in a straight line perpendicular to the contour of the outside or skin surface of the hindsaddle. The pair of legs may be split through the center to make 2 single legs. The tail or caudal vertebrae remaining on the legs or leg are not to exceed 2 in number.

(iv) "Loin, double or single", means that portion of the hindsaddle or hindquarter remaining after severance of the legs, which portion shall be obtained by cutting in a straight line at a right angle to the chine bone, starting at the juncture of the 5th and 6th lumbar vertebrae, and continuing through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hipbone in the leg. The cut shall be made in a straight line perpendicular to the contour of the outside or skin surface of the hindsaddle or hindquarter. The double loin is split through the center of the chine bone to make 2 single loins. The loin includes the 13th rib and is untrimmed, that is, it includes the flank, kidney, and fat.

(v) "Kosher veal foresaddle or forequarter" means a veal foresaddle or forequarter derived from calves slaughtered, approved and stamped as kosher under rabbinical supervision, and sold under rabbinical supervision.

(10) "Boneless and miscellaneous veal cuts" means and is limited to any of the following cuts meeting the following minimum specifications, derived from veal carcasses of the cull grade:

(i) "Boneless veal leg or round" means the single veal leg separated from the loin as described in paragraph (a) (9) (iii) of this section from which all bone, the gambrel cord (Achilles tendon) and the shank meat have been removed. The shank muscles and shank bone shall be completely removed by a cut following the natural seam starting on the inner side of the gambrel cord and extending the cut through the stifle joint and by severing the gambrel cord where it joins the muscle. The cod fat or udder fat and the flank are left intact.

(ii) "Veal tenderloin" means the muscle lying in the body cavity of the veal carcass between the kidney fat and chine bone, extending from the butt end of the loin to approximately the 13th rib. The tenderloin shall be entirely boneless and the surplus fat shall be smoothed and tapered down from the butt end to the point where the fat is firmly attached and in no case shall the fat extend beyond the center of the length of the tenderloin. All strings and ragged edges are to be removed.

(iii) "Boneless veal sirloin strip" means the eye or top muscle of the single veal loin, extending from the pin bone end of the pelvis to and over the 13th rib, entirely boneless and with the flank removed by a cut parallel to the side of the eye and one-half inch from the eye muscle.

(iv) "Boneless veal regular (rib) roll" means the rib eye muscle that extends over the top of the veal rib bones from the 3rd to the 12th rib, inclusive. The small wedge-shaped muscle that lies along the plate edge and the covering over the rib eye muscle shall all be removed.

(v) "Boneless veal shoulder clod" means the thick meaty muscle which lies over the blade bone of the veal shoulder and which extends from the chine bone edge to the elbow joint of the shoulder. The chine bone end of the clod shall not be more than four inches wide and the cut along the rib side of the clod shall be straight and at a right angle to the four inch chine bone end.

(vi) "Boned, rolled and tied veal roll" means the complete forequarter of the veal carcass from which all bone, cartilage and gristle have been removed. The heavy sinews from the navel section of the plate and from the chuck and rib also shall be excluded. The rib eye muscle and the shoulder clod muscle shall be included. It is rolled into a cylindrical shape and tied with circular loops one and one-half inches apart, each loop being individually tied. The ends of the roll shall be squared or trimmed of loose or irregular portions. It is permissible in the case of heavy veal to divide the boneless meat from each veal forequarter into two or more rolls.

(vii) "Boneless kosher forequarter veal" means the boneless meat from the entire kosher veal forequarter, but excluding sinews, cords and neckstraps.

(viii) "Boneless veal trimmings" means boneless veal meat from any part of the veal carcass, but excluding the pluck, kidneys, sinews, cords and neckstraps.

(ix) "Veal neckbones" means the neck (cervical) vertebrae with some meat left between the projections on the vertebrae, but generally reasonably well trimmed in accordance with practical operations.

(11) "Buyer of kosher meat" means a person who maintains a selling establishment at or through which he regularly and generally sells kosher meat as such, or a person who is a purveyor of kosher meals.

(12) "War procurement agency", includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, the Marine Corps, the Coast Guard, the War Shipping Administration, or any agency of the foregoing.

(13) "Hotel supply house" means a seller of beef, veal or processed products who as an established practice handles and bones, trims, cuts or otherwise fabricates beef and/or veal for sale to hotels, restaurants or other purveyors of meals.

(14) "Wholesaler" means a person other than a hotel supply house or peddler truck seller who buys veal carcasses and veal wholesale cuts for resale other than at retail and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled, in whole or in any substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

(15) "Independent hotel supply house" means a hotel supply house as defined in subparagraph (13) hereof, which buys veal for resale to hotels, restaurants, and other purveyors of meals and which does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and which is not controlled, in whole or in substantial part, by any other person who owns or controls in substanial part any slaughtering plant or facilities.

(16) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no wholesaler, processor, packer, slaughterer, branch house, car route, hotel supply house, purchaser for resale, commercial user, purveyor or meals, war procurement agency, or other government agency shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals on usual retail terms by a retailer at least 80% of whose sales of meat during the preceding calendar month were made to ultimate consumers shall be deemed a sale at retail.

(17) "Peddler-truck sale" means a sale of veal from a truck by a person who purchases veal at or below the maximum price from a seller with whom he has no other financial affiliation or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck owned and driven by him: *Provided*, That the first record of the transaction is made by the salesman concurrently with the delivery of the products sold.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SUBPART D—PROVISIONS AFFECTING PROCESSED PRODUCTS

[NOTE: Subpart D title inserted, §§ 1364.476 and 1364.477 amended by Amendment 4, issued March 30, effective April 3, 1943.]

§ 1364.476 *Maximum prices for processed products.* Except as provided by paragraphs (d), (e), (f), and (j) of this section, each seller's maximum prices for processed products which are shipped otherwise than via car route or by carload shall be computed as provided by paragraph (a) of this section; his maximum prices for such processed products shipped via car route shall be computed as provided by paragraph (b) of this section; and his maximum prices for such processed products shipped by carload shall be computed as provided by paragraph (c) of this section. Maximum prices for processed products which cannot be determined under paragraphs (a), (b), or (c) shall be computed as provided by paragraph (g). Maximum prices for processed products which cannot be determined under paragraph (a) or (g) shall be determined pursuant to paragraph (h). Maximum prices for processed products which cannot be determined under paragraph (c) or (g) shall be computed pursuant to paragraph (i). Each seller shall report to the Office of Price Administration his maximum prices as provided in paragraph (k).

(a) *Maximum prices for processed products not shipped via car route or by carload.* Except as provided in paragraphs (d) and (j) of this section, each seller's maximum price for each grade of processed product not shipped via car route or by carload shall be computed as follows:

(1) The maximum price for each grade of each processed product shall be the highest price actually charged by the seller during the period March 16 to March 28, 1942, at or above which at least 70% of the total weight volume of the seller's sales of processed products of the same grade were made during such period.

Example: Assume that the seller's sales of a processed product, during the base period March 16 to March 28, 1942, were as follows:

Price per lb.	Weight volume in lbs.	Percentage of total weight volume (percent)
24¢	1,000	4
23¾¢	2,000	8
23½¢	4,000	16
23¼¢	5,000	20
23¢	8,000	32
22¾¢	4,000	16
21½¢	1,000	4
Total weight volume	25,000	

The seller's maximum price for the processed product is 22¾¢ per lb. for that is the highest price actually charged by him at or above which he made at least 30% of the total weight volume of his sales of such processed product during the base period; 23¢ cannot be his maximum price, because only 28% of the total weight volume of sales was made at or above that price; 22½¢ cannot be his maximum price, for he made no sales during the base period at that price.

(2) The maximum price for each grade and brand of each processed product (i. e., beef and veal which are canned, ground, or processed) shall be the highest price actually charged by the seller during the period March 16 to March 28, 1942, at or above which at least 30% of the total weight volume of the seller's sales of such processed product was made during such period.

Note: In making computations of total weight volume required by paragraph (a) of this section, the seller shall omit all sales of products which he shipped via car route or by carload.

(b) *Maximum prices for processed products, shipped via car route.* Except as provided in paragraphs (d) and (e) of this section, each seller's maximum price for each grade of each processed product delivered via car route shall be computed as follows:

(1) The seller shall ascertain zones for all car routes operated from the same shipping point, upon the basis of 25¢ per cwt. differences in transportation and icing charges. If the car route is operated by truck, such transportation and icing charges shall be determined by reference to the tariff of any common carrier trucker who has filed such tariff with the Interstate Commerce Commission.

(2) As used in this paragraph (b) of § 1364.476, the term "average transportation charge" means the transportation charge in any zone determined by adding to the lowest transportation and icing charge in such zone the highest transportation and icing charge in such zone and dividing the resulting sum by two.

(3) The seller shall deduct from the prices charged by him for products delivered in each zone during the period March 16 to March 28, 1942, the average transportation and icing charge in such zone.

(4) Using the prices computed under paragraph (b) (3) of this section, the seller shall determine f. o. b. shipping point prices for each grade of each processed product in the manner provided for in subparagraphs (1) and (2) of paragraph (a) of this section.

(5) Maximum prices in each car route zone shall be determined by adding to the f. o. b. shipping point prices determined under paragraph (b) (4) of this section the average transportation charge in such zone, except that in sales to a war procurement agency or to the Federal Surplus Commodities Corporation the maximum prices shall be determined by adding to such f. o. b. shipping point prices the transportation charge to destination which is actually incurred, which actual transportation charge shall in no instance exceed the highest transportation charge used as the basis for determining the average transportation charge in the zone of such destination point.

(c) *Maximum prices for processed products shipped by carload.* Except as provided in paragraphs (d) and (j) of this section, each seller's maximum price, f. o. b. the seller's shipping point of each grade of each processed product sold for carload delivery, shall be the highest price actually charged by the seller during the period March 16 to March 28, 1942, at or above which at least 30% of the total weight volume of the seller's sales of processed products were sold in carload shipments from such shipping point during such period: *Provided*, That, in determining such maximum price, the seller shall deduct from all delivered prices charged in his carload sales during such period the actual transportation costs from the shipping point to all points of delivery.

(d) *Maximum prices for products purchased by certain governmental agencies.* The maximum price for each grade of each processed product which is purchased for any institution of any state, or political subdivision thereof, or of the United States by an authorized purchasing agency (other than purchases by a war procurement agency or the Federal Surplus Commodities Corporation) shall be either:

* Circular No. 103, Market Classes and Grades of Dressed Veal and Calf Carcasses, United States Department of Agriculture, issued as revised February, 1937.

(1) The highest price which such agency contracted to pay for such grade of processed product in contracts specifying comparable delivery and entered into during the 30-day period commencing on March 16, 1942, or actually paid for such grade of processed products during such period; or

(2) The seller's maximum price determined under the applicable provisions of paragraph (a), (b), or (c) of this section. The purchaser shall, in issuing requests for bids, state which of the two formulae for determining maximum prices set out in subparagraphs (1) and (2) of this paragraph (d) shall be applicable to such bids: *Provided*, That, if the purchaser states that the maximum price is the alternative set forth in said subparagraph (1), the purchaser shall quote in its invitation for bids the maximum price for each grade of processed product to be purchased.

(e) *Adjustment of maximum prices for products sold to certain governmental agencies to include certain special charges.* In any sale of processed products to a war procurement agency or to the Federal Surplus Commodities Corporation the seller may add to the maximum prices determined under paragraphs (a), (b), and (c) of this section the actual cost of freezing and wrapping or packaging such products if such products are frozen and wrapped or packaged pursuant to specifications applicable to products for overseas shipment or supply ship delivery: *Provided*, That the actual cost of freezing shall in no event exceed the lowest commercial rate for such freezing in the market area.

(f) *Adjustment of maximum prices.* In the event that any maximum price computed pursuant to paragraphs (a), (b), or (c) of this section results in a price containing a fraction of a cent which fraction is indivisible exactly into eighths, the seller shall adjust such maximum price to the nearest eighth of a cent.

(g) *Maximum prices which cannot be priced under the foregoing paragraphs.* Except as provided in paragraph (j) of this section, if the maximum price for any grade of any processed product cannot be determined under paragraphs (a), (b), or (c) of this section, the maximum price for such processed product shall be the maximum price of the most nearly competitive seller.

(h) *Maximum prices for products which cannot be priced under paragraphs (a) or (g).* If the maximum price for any processed product cannot be determined under paragraph (a) or (g) of this section, the seller shall apply to the Office of Price Administration, Washington, D. C., for authorization to establish a maximum price, setting forth in such sworn application a detailed description of the grade and kind of processed product for which a price is sought, including, where appropriate: a description of the nature and degree of processing and the maximum prices, if any, established for the sale by the seller of other grades of processed product; the manner in which the processed product differs from the most similar processed product for which a maximum price is established, and the maximum price for such processed product; the costs of any of the operations which are added to or eliminated from the processing of the most similar processed product; a statement of the reasons why the new manner of processing is being undertaken; a statement of the price requested, and the method by which the requested price was arrived at. Authorization to establish a maximum price for such processed product will be accompanied by instructions as to the method for determining the maximum price. Within 10 days after such price has been determined, the seller shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(i) *Maximum prices for products which cannot be priced under paragraphs (c) or (g).* Except as provided in paragraph (j) of this section, if the maximum price for any grade of any processed product shipped by carload cannot be determined under paragraph (g) of this section, the maximum price, f. o. b. the seller's shipping point for each grade of each processed product sold for carload delivery, shall be determined by subtracting ½¢ per pound from the seller's maximum price for such grade of processed product as determined pursuant to paragraph (a) of this section, or as determined pursuant to paragraph (g) or (h) in lieu of paragraph (a), if such maximum price cannot be determined pursuant to paragraph (a).

(j) *Maximum prices for products sold for export.* The maximum price at which a person may sell or deliver any commodity for export shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(k) *Duty to report maximum prices and adhere to reported prices.* Each seller shall report to the Office of Price Administration, pursuant to the provisions of § 1364.407, his maximum prices on all processed products which he sells. The seller shall in no event charge any prices higher than those so reported as his maximum prices.

§ 1364.477 *Definitions applicable to processed products.* (a) When used in this Revised Maximum Price Regulation No. 169 and when applicable to processed products the term:

(1) "Person" means any individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided*, That no punishment provided by this Revised Maximum Price Regulation No. 169 shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Seller" means any person who sells, supplies, disposes, barters, exchanges, transfers or delivers, and contracts and offers to do any of the foregoing. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller, except that all places of business owned or controlled by the same person, and selling in the same market area shall be regarded as a single seller. Each shipping point from which a car route or car routes originate shall be deemed a separate seller. If more than half of the sales at any one place of business are sales of kosher processed products the sales at such place of business shall not be included with sales at any other place of business in computing maximum prices. All sales by any person to hotels and restaurants from one or more selling places in the same market area may be treated, at the option of such person, as sales by a separate seller.

(3) "Processed products" means ground, cured, pickled, spiced, smoked, dried or otherwise processed beef and or veal, including ground hamburger and sausage containing any proportion of beef or veal: *Provided*, That any beef carcass, or cut thereof, including any beef wholesale cut which has been boned as permitted in subpart B of this Revised Regulation or otherwise, or any veal carcass, or cut thereof, including any veal wholesale cut which has been boned as permitted in subpart C of this Revised Regulation or otherwise shall not be deemed a processed product. Products of each grade and brand, and in each stage of processing, shall be considered separate processed products. Each type of canned and packaged meat, made entirely from beef and or veal shall be considered a separate processed product. Kosher processed products shall for the purposes of § 1364.476 be regarded as separate processed products.

(4) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, the Marine Corps, the Coast Guard, the War Shipping Administration or any agency of the foregoing.

(5) "Carload" means:

(i) A shipment by rail of fresh, frozen and/or processed meat, and/or wholesale cuts or meat and/or carcasses, to a single delivery point of at least the minimum weight as set forth in the tariffs of railroad carriers, upon which shipment the railroad carload rate from the point of shipment to the point of destination is based: *Provided*, That where a smaller quantity is shipped which could move at a railroad carload rate rather than at a railroad less-than-carload rate because a lower transportation charge is produced thereby, such smaller quantity shall be considered a carload lot;

(ii) A shipment by motor truck or trucks, to a single delivery point of 15,000 pounds of fresh, frozen and/or processed meat and/or wholesale cuts or meat and/or carcasses as a single bulk sale transaction; and

(iii) Any single bulk sale transaction wherein the buyer takes delivery, at the seller's place of business, of 15,000 pounds or more of fresh, frozen and/or processed meat and/or wholesale cuts or meat and/or carcasses.

(6) "Purchasing agency" refers to the authorized purchasing agency which contracts for future delivery of any processed products according to fixed specifications.

(7) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no wholesaler, processor, packer, slaughterer, branch house, purchaser for resale, car route or commercial user, shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals, by a person regularly and generally engaged in selling at retail, made on usual retail terms, shall be regarded as a sale at retail.

(8) "Car route" means a shipment by rail or truck, other than a carload, to a place outside of the market area in which the shipping point is located.

(9) "Market area" means any municipality or group of municipalities, each of which has a common boundary with another: *Provided*, That such market area shall in no event extend in any direction further than 50 miles from the seller's shipping point.

(10) "Packaged meat" means meat sold in prepared containers of uniform size and appearance, which containers bear an identification of the contents and a statement of the weight of volume thereof.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.478 *Petitions for adjustment.* (a) The Office of Price Administration may, by order, adjust any maximum price established under §§ 1364.401 to 1364.413, inclusive, §§ 1364.476 and 1364.477 for any seller who petitions for such adjustment in accordance with Revised Procedural Regulation No. 1,[9] issued by the Office of Price Administration, in any case in which such seller shows:

(1) That such maximum price causes him hardship and is abnormally low in relation to the maximum prices established for competitive sellers:

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after December 15, 1942, will be granted under this section.

[§ 1364.478 added by Amendment 2, 8 F.R. 164, effective 1-8-43.]

SUBPART E—APPENDICES

[NOTE: Subpart E redesignated by amendment 4, issued March 30, and effective April 3, 1943.]

§ 1364.526 *Appendix A: Formula for meat marking fluid.* The following formula has been approved by the United States Department of Agriculture, Bureau of Animal Industry, Meat Inspection Laboratory, to be used for marking meats under the provisions of meat inspection law:

Water	gallons	45
Pure grain alcohol, 95 percent	gallons	38
Granulated cane sugar	pounds	100
Methyl violet	pounds	10

The methyl violet is dissolved in the alcohol and a portion of the water; the sugar is dissolved in the remaining portion of the water and added to the methyl violet solution. Thorough stirring facilitates solution of the methyl violet.

It is not necessary that the above-mentioned formula be adhered to in every detail, but the proportions indicated should not be subjected to any considerable variation; otherwise the marking qualities of the fluid may be impaired. Instead of the pure grain alcohol specified in the formula there may be employed pure grain alcohol, denatured according to formula 33 of the United States Bureau of Internal Revenue. When such denatured alcohol is used, it should be employed in the proportion indicated above. No additional methyl violet should be added. Instead of granulated cane sugar, pure granulated glucose may be used in the same proportion, or heavy corn sirup, if of suitable purity, may be used, provided due allowance is made for the water introduced in that way. All the ingredients used in preparing the marking fluid must be free from poisonous and harmful substances.

§ 1364.527 *Appendix B: Rules and regulations of the Secretary of Agriculture governing the grading and certification of meats for class, quality (grade), and condition.*

REGULATION 1 DEFINITIONS

Section 1. Words in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

Section 2. For the purpose of these regulations, unless the context otherwise requires, the following terms shall be construed, respectively, to mean—

Paragraph 1. *Secretary.* Secretary or Acting Secretary of Agriculture of the United States.

Paragraph 2. *Bureau.*[10] Agricultural Marketing Administration of the United States Department of Agriculture.

Paragraph 3. *Official grader.* Employee of the Department of Agriculture or other person authorized by the Secretary to investigate and certify to shippers and other interested parties the class, quality, grade, and condition of products under the act.

Paragraph 4. *Office of grading.* The office of an official grader of products covered by these regulations.

Paragraph 5. *Grading certificate.* Certificate of the class, quality (grade), and condition of products issued by an official grader under the act.

Paragraph 6. *Interested party.* Anyone having a financial interest in the products involved, including the shipper, the receiver, or the carrier, or any authorized person in behalf of such party.

Paragraph 7. *Regulations.* Rules and regulations of the Secretary under the act.

Paragraph 8. *Class.* Class is a subdivision of a given commercial product based on essential physical characteristics that differentiate between major groups of the same kind or species, for instance, the classes in beef are: steer, heifer, cow, stag, and bull.

Paragraph 9. *Quality.* Quality in a product is a combination of its inherent properties which determines its relative degree of excellence.

Paragraph 10. *Condition.* Condition of a commercial product denotes those characteristics affecting its merchantability—with special reference to state of preservation, cleanliness, soundness, wholesomeness, and fitness for human food.

Paragraph 11. *Grade.* Grade is the last important commercial subdivision of a product based on certain definite value and preference-determining factors, such as conformation, finish, and quality in meats.

Paragraph 12. *Products.* Includes carcasses and wholesale cuts.

REGULATION 4 GRADING SERVICE

Section 1. *Kind of service.* Examination, identification, and certification of products shall be made according to class, quality (grade), and condition.

Section 2. *Who may obtain service.* Application for grading may be made by any financially interested person or his authorized agent, including Federal, State, county, and municipal governments, and common carriers.

Section 3. *How to make application.* Application for grading shall be filed in the office of grading or with an official grader. It may be made in writing, orally, or by telegraph or telephone. If made orally, the official grader may require that it be confirmed in writing or by telegraph, stating the facts required by Section 4 of this regulation.

Section 4. *Form of application.* Each application for grading shall include the following information: (a) the date of application; (b) the description and location of the product to be graded; (c) the name and post office address of the applicant and of the person, if other than the applicant, making the application in his behalf; (d) the interest of the applicant (except an official of the Federal Government or a State) therein; (e) the name, post office address, and interest of all other known parties, except carriers, interested in the products involved; (f) the shipping point and destination of the product; (g) type of service desired; and (h) such other information as may be necessary for proper identification of the product or as may be required by the Chief of Bureau.

Section 5. *When application deemed filed.* An application for grading shall be deemed filed when delivered to the proper office of grading. Record showing date and time of filing shall be made in such office.

Section 6. *When application may be rejected.* Any application may be rejected by the official grader in charge of the office of grading in which it is filed for noncompliance with the act or any applicable regulation thereunder, failure to make product available for examination, abusive language or act of violence, or interference with grader while performing grading, and such official grader shall immediately notify the applicant of the reasons for such rejection.

Section 7. *Authority of agent.* Proof of the authority of any person applying for service in behalf of another may be required in the discretion of the official grader.

Section 8. *Accessibility of product.* The applicant shall cause the products for which service is requested to be made accessible for grading and to be so placed as to disclose class, quality, and condition.

Section 9. *Basis of service.* Examination, identification, and certification for class, grade, and condition shall be based upon the official or tentative standards of the Department of Agriculture as contained in this Maximum Price Regulation No. 169.

[9] 7 F.R. 8961.

[10] "Agricultural Marketing Administration" is substituted wherever the terms, "Bureau" or "Bureau of Agricultural Economics of the United States Department of Agriculture" are used in this § 1364.527. This is in accordance with the Order issued by the Secretary of Agriculture.

Section 10. *Order of grading.* Service shall be rendered in the order in which applications are received, except that precedence may be given to applications made by another branch of the Federal Government, a State, or a municipality, and appeal grading.

Section 11. *Financial interest of official grader.* No official grader shall grade any products in which he is directly or indirectly financially interested.

Section 12. *Investigation on motion of graders.* A grader may of his own motion and without the use of any force, when authorized by the Chief of the Bureau, investigate the class, quality (grade), and condition of any products at such points as are provided under regulation 3, and may issue and transmit to the shipper of such products and other parties interested therein certificates or copies thereof showing the results of such investigations.

Section 13. *Certificate, form of.* Certificates shall include the following information: (1) the number of the certificate; (2) name of designated market and place of grading; (3) date and time of grading, (4) names and addresses of applicant, party in possession, and shipper and buyer, if known; (5) exact number of carcasses, sides, quarters, cuts, and packages of products by classes and grades examined, if graded; (6) if previously examined, reference to previous certificate by numbers; (7) if rejected or not graded, reason for rejecting or not grading; (8) for purposes of identification, the weight of each class, grade and lot; (9) the amount of fees and expenses; (10) name of official grader or graders; (11) additional facts necessary to fully describe condition, class, and grade, or as may be required by the Chief of Bureau.

Section 14. *Certificates, issuance.* The official grader shall sign and issue certificates covering lots of products personally graded by him unless through special arrangements approved by the Chief of Bureau this be not required, in which case complete records of the grading shall be furnished the Bureau; but in no case shall any grader sign a certificate covering any product not graded by him. Graders shall stamp, brand, tag, label, seal, or otherwise identify or supervise the stamping, branding, tagging, labeling, sealing, or otherwise identifying of each unit of product or package or container thereof with its class and quality (grade) as far as practicable, or the applicant may issue, when authorized by the Chief of the Bureau, certificates of quality of such forms as are approved by the Chief of the Bureau, the certificates of quality issued by the applicant to be used only by the applicant in such manner and for such purpose as is approved by the Chief of the Bureau.

Section 15 *Disposition of certificates.* The original certificate, and not to exceed two copies if requested, upon issuance shall be immediately delivered or mailed to the applicant or a person designated by him. One copy shall be filed in the office of the official grader and one copy forwarded to the Chief of Bureau. Copies will be furnished to other financially interested parties as outlined in regulation 7, section 1, paragraph 6.

Section 16. *Advance information.* Upon request of an applicant, all or any part of the contents of the certificate may be telegraphed, telephoned, or radioed to him, or to any person designated by him, at his expense

REGULATION 5. APPEAL GRADING

Section 1. *When appeal may be taken.* An application for appeal grading may be made whenever any financially interested party is dissatisfied with the determination stated in the original certificate.

Section 2. *How to obtain.* Appeal grading may be obtained by the applicant or other person financially interested in the product by filing a request for such appeal grading (a) with the official in charge of the meat grading service at nearest designated market, or (b) with the grader who did the original grading, or (c) with the Chief of the Bureau. The application for appeal shall state the reasons therefor, and may be accompanied by a copy of any previous grading certificate or report, or any other information which the applicant shall have received regarding the product at the time of the original grading. Such application may be made in writing or orally, by telegraph, telephone, or otherwise. If made orally, the person receiving the application may require that it be confirmed in writing.

Section 3. *Record of filing time.* A record showing the date and time of filing such application shall be immediately made by the receiver thereof.

Section 4 *When appeal may be refused.* If it shall appear that the reasons stated in an application for appeal grading are frivolous or unsubstantial, or that the quality or condition of the products has undergone a material change since the original grading, or that the products cannot be made accessible for thorough grading, or that the identity has been lost, or that these regulations have not been complied with, the application may be denied.

Section 5. *When appeal may be withdrawn.* An application for appeal grading may be withdrawn by the applicant at any time before the appeal grading has been performed upon payment of any expenses incurred in connection therewith.

Section 6. *When second grading is not an appeal.* Gradings requested to determine factors of quality or condition which may have undergone material change since the original grading shall not be considered appeal gradings within the meaning of this regulation. Second grading, requested for the purposes of securing an up-to-date certificate and not involving any question as to the correctness of the original certificate covering the lot in question, shall not be considered appeal grading within the meaning of this regulation.

Section 7. *Order in which made.* Appeal gradings shall be performed as far as practicable at time requested by applicant and in the order in which applications are received. They shall take precedence over all other pending applications.

Section 8. *Who shall pass upon appeals.* Appeal grading shall be passed upon by official graders designated therefor by the Chief of Bureau, and such grading shall be conducted jointly by two official graders when practicable. No appeal grader shall pass upon an application involving the correctness of a certificate issued by him.

Section 9. *Appeal findings.* Immediately after an appeal grading has been made a certificate designated as "appeal grading certificate" shall be signed and issued referring specifically to the original certificate and stating the quality and condition of the product as shown by the appeal grading. In all other respects the provisions of regulation 4 shall apply to such appeal grading certificates except that if the applicant for appeal grading be not the original applicant, a copy of the appeal grading certificate shall be mailed to the original applicant.

Section 10. *Superseded certificates.* When a grading certificate shall have been superseded under these regulations by an appeal grading certificate such grading certificate shall become null and void and shall not thereafter represent the class, quality, or condition of the product described therein. If the original and all copies of the superseded certificate are not delivered to the person with whom the application for appeal grading is filed, the officer or officers issuing the appeal grading certificate shall forward notice of such issuance and of the cancelation of the original certificate to such persons as he considers necessary to prevent fraudulent use of the canceled certificate.

REGULATION 7. FEES AND EXPENSES

Section 1. Amount of, rates, etc. * * *

Paragraph 1. *Basis for charges.* Fees and charges for grading services shall be based on the actual time required to render the services, including the time required for travel of the official grader in connection therewith, at the rate of $2.20 per hour for each official grader assigned unless otherwise provided by special agreement approved by the Chief of the Bureau: *Provided*, That no grading services shall be rendered for less than a minimum charge of $1.10; *Provided further*, That the Chief of the Bureau may, in lieu of the fixed charge of $2.20 per hour, fix other reasonable charges for the grading and certification of products at rates which, in his judgment, will cover the costs of the services.

Paragraph 2. *Charges by graders employed or licensed by Department of Agriculture.* Charges for services by employees of the Department and by graders licensed by the Secretary shall be at rates established herein.

Paragraph 3. *Charges under cooperative agreement.* Charges for grading under cooperative agreements shall be those provided for by such agreements.

Paragraph 4. *For appeal grading.* Fees and charges for appeal grading shall be double those for original grading; except that appeal grading for Federal Government agencies shall be at actual cost; provided that when on appeal grading it is found that there was error in determination based upon the original grading equal to or exceeding 10 percent of the total weight of the products, no charge will be made unless special agreement with applicant is made in advance.

Paragraph 5. *For copies of grading certificates.* For not to exceed three copies of a certificate to any person financially interested in a product involved the fee shall be $1.

Section 2. *How fee shall be paid.* Fees and other charges shall be paid by the applicant in accordance with directions on the fee bill furnished him, and in advance if required by the official grader.

Section 3. *Disposition of fees.*

Paragraph 1. *By graders exclusively employed by the Department.* Fees for grading done by graders exclusively employed by the Department shall be remitted to the Bureau for deposit into the Treasury as Miscellaneous Receipts.

Paragraph 2. *By graders under cooperative agreements.* Fees for grading done by graders acting under cooperative agreements with a State or municipal organization or other cooperating party, shall be disposed of in accordance with the terms of such agreements. Such portion of fees collected under cooperative agreements as may be due the United States shall be remitted to the Bureau for deposit into the Treasury.

§ 1364.528 *Appendix C: Specifications for grades of carcass beef*—(a) *Choice.* Choice grade beef carcasses and wholesale cuts shall be relatively blocky and compact and thickly fleshed throughout. Loins and ribs shall be thick and full. The rounds shall be plump. The chucks shall be short and thick, and the neck and shanks short. The fat covering shall be fairly smooth and uniform and shall extend over the entire exterior surface of the carcass. The interior fat shall be abundant in the pelvic cavity and over the kidney. The protrusion of fat between the chine bones shall be fairly liberal and the "overflow" of fat over the inside of the ribs shall be distinctly in evidence and fairly evenly distributed. The intermingling of fat with the lean in evidence between the ribs, called feathering, shall be extensive. Both the interior and the exterior fat shall be firm, brittle, and somewhat waxy, but may be slightly wavy or rough. The fat is usually white or creamy white but a slight yellowish tinge will not exclude beef from this grade, provided the character of the fat meets the requirements for the grade in other respects. The cut surface of the lean muscle shall be firm and possess a smooth velvety appearance. It shall be well marbled and the marbling shall be relatively extensive, especially in the heavier carcasses. The color shall be uniform and bright and may range from a pale red to a deep blood red. The bones are usually soft and red, terminating in soft pearly white cartilages but some ossification of the cartilages and hardening in the bone as indicated by a tinge of whiteness will not disqualify beef produced from mature cattle from this grade.

Only beef produced from beef-type steers and heifers that show a relatively high degree of perfection in breeding and feeding will qualify for the choice grade. Beef produced from cows is not eligible for this grade.

(b) *Good.* Good grade beef carcasses and wholesale cuts shall be moderately blocky and compact and shall be moderately thick-fleshed throughout. A tendency for the loins and ribs to be slightly flat and for the rounds to be slightly flat and to taper toward the shank is permitted. Chucks and neck may be only moderately short and thick and shanks may be only moderately short. The fat covering shall extend well over the exterior surface but may show a moderate degree of waste or patchiness, particularly in heavy mature beef. The interior fat shall be fairly plentiful in the pelvic cavity and around the kidney. There is usually a slight protrusion of fat between the chine bones. The "overflow" of fat over the inside of the ribs may be apparent to a slight extent. A limited amount of intermingling of fat with the lean between the ribs, called feathering, shall be in evidence. Both the interior and the exterior fat are usually fairly firm and brittle. The quantity of fat required of beef within this grade will vary within relatively wide limits dependent upon the age and class of cattle from which it is produced. That produced from lightweight steers and heifers which were slaughtered when relatively young may have a relatively thin exterior fat covering and only a moderate quantity of interior fat, whereas that produced from heavier, older cattle may possess a relatively thick exterior fat covering and fairly heavy interior fat deposits in the pelvic cavity, over the kidney, and on the inside of the forequarters. The fat is usually creamy white but it may possess a distinctly yellowish tinge. The cut surface of the lean muscle may be only moderately firm and smooth and velvety in appearance. Beef within this grade will show a relatively wide range of marbling. That produced from young cattle may show only a limited degree of marbling which is apparent only in the thicker cuts whereas that produced from the older, more mature cattle shall show rather extensive marbling throughout. The color is usually uniform and bright but may be slightly two-toned or slightly shady. It usually ranges from a light red to a slightly dark red. The bone will range from soft and red in lightweight beef produced from young cattle to a relatively hard bone that is tinged with white in the beef produced from older, more mature cattle. It is, however, necessary that the chine bones show cartilages, termed "buttons", in order to qualify for this grade.

Beef produced from steers, heifers, and relatively young well-finished beef-type cows may qualify for the Good grade.

(c) *Commercial.* Commercial grade beef carcasses and wholesale cuts may be somewhat rangy, angular, and irregular in conformation and the fleshing may be slightly thin throughout. Loins and ribs tend to be flat and somewhat thinly fleshed. The rounds are relatively long, flat, and tapering. Chucks are usually slightly flat and thinly fleshed. The neck is somewhat long and thin and the shanks somewhat long and tapering. The quantity of fat required of beef within this grade will vary within wide limits dependent upon the age and class of cattle from which it is produced. That produced from relatively young lightweight steers and heifers that were slaughtered when relatively young may have a thin exterior fat covering that does not extend over the round or chucks and a relatively small quantity of interior fat. In such beef there will be practically no protrusion of fat between the chine bones and there will be no "overflow" of fat on the inside of the ribs and no feathering between the ribs. Beef produced from heavier, older cattle, and particularly from mature animals, will possess a moderately thick exterior fat covering that may be uneven and wasty, and fairly heavy interior fat deposits in the pelvic cavity, over the kidney, and on the inside of the forequarters. The fat may be slightly yellow, somewhat soft, and slightly oily. The cut surface of the lean muscle may be somewhat soft and watery in beef produced from younger cattle, but in that produced from older cattle it is usually firm but is also usually coarse. Beef within this grade produced from yearling cattle will have little if any marbling whereas that produced from mature cattle, and particularly cows, will show a moderate degree of marbling through the thicker cuts. The color may be two-toned or shady and usually ranges from a light red to a dark red. The character of the bone will vary from fairly soft and red in the beef produced from the young cattle to white and hard in that produced from mature cattle.

Beef produced from steers, heifers, and cows may qualify for the commercial grade.

(d) *Utility.* Utility grade beef carcasses and wholesale cuts may be decidedly rangy, angular, and irregular in conformation. The fleshing is usually thin. The loins and ribs are flat and thinly fleshed. The rounds are long, flat, and tapering. The chucks are flat and thinly fleshed. The neck and shanks are long and tapering. The hip and shoulder joints are prominent. The degree of fat covering varies from very thin in beef produced from young steers and heifers to a slightly thick covering that may be somewhat uneven in beef produced from cattle that are more or less advanced in age. The quantity of interior fat varies from very little in beef that is produced from young and immature steers and heifers to a moderate quantity in that produced from mature cattle. The fat is usually soft and varies in color from a grayish white to decidedly yellow. The cut surface of the lean muscle is usually soft and watery in the beef produced from younger cattle but in that produced from more mature cattle it is usually fairly firm but coarse. The beef in this grade will show practically no marbling except in that produced from aged cattle which may show a little marbling in the thicker cuts. The color may be two-toned or shady and usually ranges from a light red to a very dark red. The bone is usually hard and white.

The utility grade of beef may be produced from steers, heifers, or cows.

(e) *Cutter and canner.* Cutter grade beef carcasses and wholesale cuts may be very rangy, angular, and irregular in conformation and very thinly fleshed throughout. The loins and ribs are very flat, thin, and shallow. The rounds are very long, flat, and tapering. The chucks are very flat, thin, and shallow. The neck and shanks are very long and tapering, the hip and shoulder joints are very prominent. The degree of exterior fat covering may vary from a very thin covering that is confined almost entirely to the ribs and loins in the beef produced from younger cattle to a thin, more extensive covering in the beef produced from mature cattle. The interior fat is confined largely to the pelvic cavity and the kidney and may vary from a very small quantity, if any, in these parts in beef produced from younger cattle to a limited quantity in that produced from mature cattle. The color of both the interior and the exterior fat may vary from grayish white to a deep yellow. The cut surface of the lean muscle shows no marbling, is coarse, and is usually soft and watery. The color may be two-toned or shady and usually ranges from a slightly dark red to a very dark red. The bone is usually hard and white.

The cutter grade of beef may be produced from steers, heifers, and cows. That produced from cows constitutes a relatively large percentage of the beef eligible for this grade.

Canner grade beef carcasses and wholesale cuts shall be extremely rangy, angular, and irregular in conformation and extremely thinly fleshed throughout. All cuts are extremely thinly fleshed. Loins and ribs are extremely thin, flat, and shallow. The rounds are very long, flat and tapering, and the chucks are extremely thin, flat, and shallow. The neck and shanks are extremely long and the hips and shoulder joints are extremely tapering. Beef of this grade is practically devoid of both interior and exterior fat. The outside surface usually has a very dark appearance. The cut surface of the lean muscle is usually coarse and is soft and watery in appear-

ance. It shows no marbling. The color may be two-toned or shady and usually ranges from a moderately dark red to an extremely dark red or brownish black. The bones are nearly always hard and white.

A very large percentage of the beef of the canner grade is produced from mature cows that are somewhat advanced in age.

§ 1364.529 *Appendix D: Specifications for grades of veal carcasses*—(a) *Choice.* A choice grade veal carcass is markedly superior in conformation, finish and quality.

In general shape or outline it is blocky and compact. It is broad and deep in proportion to its length. All parts are thickly fleshed, each part having its proper proportionate thickness. Because of the thickness of fleshing the carcass presents a plump, full, well-rounded appearance. The different parts are developed and balanced in such a way as to result in a high proportion of back, loin, and round combined.

The shanks are short and thick. Rounds are thick and bulging. Loin and back are full and plump. Shoulders and breasts are broad and thick. The neck is short and thick.

There is a thin covering of fat over the rump, loin, back and top of the shoulders, and over the inner walls of the chest and abdomen. There are moderately large deposits of fat in the breast, flanks, and crotch, and around the kidneys. All exterior fat is smooth. The color of fat is a creamy white tinged with pink.

The flesh ranges from light gray to pinkish brown in color. It is firm, fine-grained and, in a cut surface, is velvety to sight and touch. All bones are small in proportion to the size and weight of the carcass and are soft and red.

(b) *Good.* A good grade veal carcass possesses a moderately high degree of conformation, finish, and quality.

In general shape or outline it tends to be blocky and deep in proportion to its length. All parts are moderately broad and deep in proportion to its length. All parts are moderately thick-fleshed, each part having its proper proportionate thickness. Because of the thickness of fleshing, the carcass presents a moderately plump, full, well-rounded appearance. The different parts are developed and balanced in such a way as to result in a moderately high proportion of back, loin, and round combined.

The shanks are moderately short and thick. Rounds are moderately thick and bulging. Loin and back are moderately full and plump. Shoulders and breast are moderately broad and thick. The neck is moderately short and thick.

There is a very thin covering of fat over the loin and back and over the inner walls of the chest and abdomen. There are slightly small deposits of fat in the breast, flanks, and crotch, and around the kidneys. All exterior fat is moderately smooth. The color of fat is usually a creamy white. The flesh ranges from a pinkish brown to a light tan in color, is moderately firm, fine-grained and, in a cut surface, is moderately velvety but may be slightly moist to sight and touch. All bones are moderately small in proportion to the size and weight of the carcass and are moderately soft and red.

(c) *Commercial.* A commercial grade veal carcass is slightly deficient in conformation, finish, and quality.

In general shape or outline it is slightly rough and rangy. It is slightly narrow and shallow in proportion to its length. All parts are slightly deficient in fleshing, each part being proportionately lacking in this respect. Because of the relative thinness of fleshing the carcass presents a slightly empty, sunken, or hollowed-out appearance. The different parts are developed and balanced in such a way as to result in a slightly low proportion of back, loin, and round combined.

The shanks are slightly long and thin. Rounds are slightly thin and tapering. Loins and back are slightly depressed. Shoulders and breast are slightly narrow and thin. The neck is slightly long and thin.

There are extremely thin patches of fat over the back and loin and over a portion of the inner walls of the chest and abdomen. There are very small deposits of fat in the breast, flanks, and crotch, and around the kidneys, the latter usually being incompletely covered. The color of fat is white but it lacks the pinkish tinge.

The flesh is usually pinkish brown in color, is slightly soft, is coarse-grained and, in a cut surface, is slightly moist to the touch. All bones are slightly large in proportion to the size and weight of the carcass, are moderately soft but are slightly lacking in redness.

(d) *Utility.* A utility grade veal carcass is very deficient in conformation, finish, and quality.

In general shape or outline it is very rough and rangy. It is very narrow and shallow in proportion to its length. All parts are very deficient in fleshing, each part being proportionately lacking in this respect. Because of the relative thinness of fleshing the carcass presents a very depressed or hollowed-out appearance. The different parts are developed and balanced in such a way as to result in a very low proportion of back, loin, and round combined.

The shanks are very long and thin. Rounds are very thin and tapering. Loin and back are very shallow and depressed. Shoulders and breast are very narrow and thin. The neck is very long and thin.

There is no fat covering over the back, loin, or inner walls of the chest and abdomen. Usually there are extremely small deposits of fat in the breast, flanks, and crotch, and around the kidneys. The color of the fat usually is grayish white tinged with yellow.

The flesh ranges from pinkish brown to dark tan in color, is soft, very coarse-grained and, in a cut surface, is very moist to the touch. All bones are large in proportion to the size and weight of the carcass, are moderately soft but are lacking in redness.

(e) *Cull.* A cull grade veal carcass is extremely deficient in conformation, finish, and quality.

In general shape or outline it is extremely narrow and shallow in proportion to its length. All parts are extremely deficient in fleshing, each part being proportionately lacking in this respect. Because of the relative thinness of fleshing the carcass presents an extremely shallow, depressed, or hollowed-out appearance. The different parts are developed and balanced in such a way as to result in an extremely low proportion of back, loin, and round combined.

The shanks are extremely long and thin. Rounds are extremely thin and tapering. Loin and back are extremely depressed. Shoulders and breast are extremely narrow and thin. The neck is extremely long and thin.

There is no fat covering over any part of the exterior of the carcass and none on the inner walls of the chest and abdomen. There are no discernible fat deposits in the breast, flanks, or crotch, and only extremely small quantities around the kidneys.

The flesh usually is reddish brown in color, is very soft, coarse-grained and watery. All bones are very large in proportion to the size and weight of the carcass and are decidedly lacking in softness and redness.

§ 1364.530 *Appendix E: Beef cutting charts.*

NOTE: Charts designated "(a) Beef skeletal chart" and "(b) Beef chart" were filed as part of the original document. Copies may be obtained from the Office of Price Administration.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4885; Filed, March 30, 1943; 3:47 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 94[1], Amendment 1]

WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 94 is amended in the following respects:

1. Section 1381.502 (b) (2) is amended to read as follows:

(2) *Species and areas covered.* The following species from the following areas are covered by this regulation:

(i) Ponderosa pine (pinus ponderosa), Idaho White pine (pinus monticola), Sugar pine (pinus lambertiana), Lodgepole pine (pinus contorta), Mexican White pine (pinus strobiformis), Limber pine (pinus flexilis), Arizona pine (pinus arizonica), Apache pine (pinus apacheca), Chihuahua pine (pinus chihuahuana), and any other pine commercially sold as Ponderosa, Western, or Mexican pine, produced in Oregon, Washington, California, Idaho, Montana, South Dakota, Wyoming, Colorado, Utah, Arizona, New Mexico, or in Canada or Mexico.

(ii) Douglas fir (pseudotsuga taxifolia), West Coast hemlock (tsuga heterophylla, tsuga mertensiana), True fir (abies), and Inland Larch (larix occidentalis), produced in Idaho, Montana, South Dakota, Wyoming, Colorado, Utah, Arizona, New Mexico, and California, and in those portions of Washington, Oregon, and Canada east of the crest of the Cascade Mountains. If a mill is located near the crest of the Cascade Mountains or in California and has customarily graded and sold its lumber of these species under the West Coast Lumbermen's Association Standard Grading and Dressing Rules No. 11, it may apply to the Portland, Oregon office of the Office of Price Administration for special permission to use the maximum prices in Maximum Price Regulation No. 26, instead of the prices in Maximum Price Regulation No. 94.

(iii) Engelmann Spruce (picea), Red cedar (thuja plicata), and Incense cedar (libocedrus decurrens) produced in Idaho, Montana, South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico, California, Mexico, and in those portions of Oregon, Washington and Canada east of the crest of the Cascade Mountains.

2. Section 1381.504 (a) (2) is amended to read as follows:

(2) *Private truck.* (i) When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M'; over 10 and up to and including 20 miles, $2.00 per M'; and over 20 and up to and including 30 miles, $2.50 per M'. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or $3.00 per M', whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(ii) The provisions of this § 1381.504 (a) (2) and (3) shall not apply to sales and deliveries of mixed species, log run lumber from mills in the "fringe area." As to these transactions, the permitted additions for trucking by private truck and trucking to railhead are shown separately in footnotes (1) and (2) to Table 1 under § 1381.521, Appendix I.

3. Section 1381.504 (a) (4) is amended to read as follows:

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, there may be added for the delivery an amount not greater than the addition permitted by subparagraphs (1) and (2) of this paragraph, whichever is applicable.

4. Section 1381.513 The text is amended to read as follows:

§ 1381.513 *Appendix A: Maximum prices for Ponderosa pine lumber.* For Ponderosa pine lumber (and other species commercially sold as Ponderosa, Western, or Mexican pine lumber, if not specifically priced in another appendix) the maximum prices f. o. b. mill per one thousand feet board measure, surfaced, and air dried or kiln dried (except where otherwise specified in price tables), in mixed or straight load shipments, shall be as follows:

5. Section 1381.513 Table 1, Note 2 (B) is amended to read as follows:

(B) For restricted random lengths 10' and longer, 4/4 and thicker, add $2.00.

6. Section 1381.513 Table 1, note 2 (F) is amended to read as follows:

(F) For stained selects that for defects other than stain would grade B and Better, deduct $5.00 from the price of B and Better Select. For stained selects that for defects other than stain would grade C or C and Better, deduct $5.00 from the price of C Select. For stained selects that for defects other than stain would grade D Select or D and Better, deduct $5.00 from the price of D Select.

7. Section 1381.513. Table 2 is amended to read as follows:

TABLE 2—SHOP LUMBER (PONDEROSA PINE)

S2S RW and RL	4/4	5/4	6/4	8/4	10/4	12/4	16/4
4/4 shop common	$30.50						
No. 3 clear	42.00	$56.00	$56.00	$70.00	$84.00	$98.00	$98.00
No. 1 shop		42.00	42.00	54.00	65.00	69.00	78.00
No. 2 shop		35.00	35.00	41.00	47.00	48.00	56.00
No. 3 shop		28.00	28.00	29.00	33.00	35.00	39.00

8. Section 1381.513, Table 2, Note 2, items (A) and (B) are amended to read as follows, and Notes (C) and (D) are deleted.

(A) 4/4 shop, deduct 5 percent.

(B) 5/4 and thicker, all grades, deduct 10 percent.

9. Section 1381.513, Table 3 is amended to read as follows:

TABLE 3—COMMON BOARDS (PONDEROSA PINE)

RL, S2S or S4S (13" and wider RW S2S only)	1 x 4"	1 x 6"	1 x 8"	1 x 10"	1 x 12"	1 x 14"	1 x 16"	1 x 18"	1 x 20"
No. 1 Common	$43.00	$43.00	$43.00	$44.00	$49.00				
No. 2 Common	37.00	36.00	35.00	35.00	37.00	$40.00	$44.00	$48.00	$52.00
No. 3 Common	32.00	32.00	31.00	31.00	31.00	32.00	34.00	36.00	38.00
No. 4 Common	21.00	22.00	23.00	23.00	23.00				
No. 5 Common	14.00	14.00	15.00	15.00	15.00				

10. Section 1381.513, Table 3, Note 2 is amended by adding item (E) to read as follows:

(E) No. 5 Common 1 x 6 and wider, $14.50.

11. Section 1381.513, Table 3, Note 3 (B), items (2) and (4) are amended to read as follows:

(2) For restricted random lengths 10' and longer, 4/4 and thicker, add $1.00.

(4) For No. 4 and No. 5 Common specified lengths, 10' to 20', add $2.00; 8' same as R/L, 6' deduct $3.00.

12. Section 1381.513, Table 5, Note 3 is amended to read:

3. No. 3, deduct $10.00.

13. Section 1381.513, Table 5, Note 6 is added to read:

6. Random length same price as 14'.

14. Section 1381.513, Table 6 is amended to read as follows:

TABLE 6—*Mill Run Box (Ponderosa Pine)*

[Product of log below No. 2 shop as produced by the mill]

1. Rough 5/4, 6/4, and thicker R/L air dried	$25.50
2. 4/4 stock, rough	24.50
3. S2S, add to rough	1.00
4. Specified widths, no additions.	
5. Shop droppings, same price as mill run Box of same thickness.	

15. Section 1381.513, Table 7, Note 1 is amended to read:

1. Shorts when sold separately 8' and shorter, in B or Better, C, and D, deduct $8.00. E deduct $6.00.

16. Section 1381.513, Table 11, is amended to read as follows:

TABLE 11—*Lath (Ponderosa Pine)*

	Per thousand pieces
No. 1, 4'	$5.00
No. 2, 4'	4.00
No. 1, 32"	2.25
Fence Lath (80% No. 1—20% No. 2)	6.25

17. Section 1381.513, Table 13, is amended by inserting a price "$47.00" in the column for D, 9/16".

18. Section 1381.513. In the Table entitled Differentials and Rules Applicable to All Grades of Ponderosa Pine, Rules 13 and 19 are amended and Rules 20 and 21 are added, to read as follows:

13. Patterns not conforming to Association Standard Patterns where additional expense is entailed due to special machine set-ups and or making special knives, add $2.50.

19. All prices shown, except where otherwise specified (plank and timbers), are for dry lumber. For green lumber not specified green in tables, No. 1 Common and lower grades, deduct $2.00, No. 1 Dimension and lower grades, deduct $2.00, Mill Run Box Lumber, deduct $1.50, all other grades deduct 10 percent from dry price. Lumber shall be considered green if, when shipped, the moisture content is greater than 19 percent.

20. Any prices based on a percentage addition or deduction are to be figured to the nearest 25 cents.

21. When 8/4 Common is resawn for the purpose of procuring 4/4 boards, the product must be regraded and sold at the grade price applying to the 4/4 size of the grade actually produced.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10848; 8 F.R. 859, 1138.

19. Section 1381.514, Table 1, Note 2 (c) is amended to read:

(c) For restricted random lengths, 10' and longer, 4 4 and thicker, add $2.00.

20. Section 1381.514, Table 1, Note 4 (B) is amended to read:

(B) For stained selects that for defects other than stain would grade B and Better, deduct $5.00 from the price of B and Better Select. For stained selects that for defects other than stain would grade C Select or C and Better, deduct $5.00 from the price of C Select. For stained selects that for defects other than stain would grade D Select or D and Better, deduct $5.00 from the price of D Select.

21. Section 1381.514, Table 2, Note 3 is amended to read as follows:

3 For stained:
4 4 shop common deduct 5 percent.
5 4 and thicker, all grades, deduct 10 percent

22. Section 1381.514, Table 3, Note 2, items (B) and (C) are amended to read as follows:

(B) No. 4 and 5 Common specified lengths, 10 to 20', add $2.00; 8' same as Random Length; 6' deduct $3.00.
(C) Restricted Random Lengths, 10' and longer 4 4 and thicker, add $1.00.

23. Section 1381.514, Table 3, Note 3 (H) is amended to read:

(H) Specified widths over 12", for each inch over 12", add $2.00 to 13" and wider price

24. Section 1381.514, Table 4, Note 1 is amended to read:

1 Shorts when sold separately 8' and shorter in B and Better, C, and D, deduct $7.50. E deduct $6.00

25. Section 1381.514, Table 5 is amended by inserting a price "$47.00" in the column for D, "1¼".

26. Section 1381.514, Table 7 is amended to read as follows:

(TABLE 7—*Lath (Idaho White Pine)*

	Per thousand pieces
No. 1, 4'--	$5.00
No. 2, 4'--	4.00
No. 1, 32"--	2.25
Fence Lath (80% No. 1—20% No. 2)--	6.25

27. Section 1381.515, Table 1, Note 1, is amended to read as follows:

1. For stained selects that for defects, other than stain, would grade B and Better, deduct $5.00 from the price of B and Better Select. For stained selects that for defects, other than stain, would grade C Select or C and Better, deduct $5.00 from the price of C Select. For stained selects that for defects, other than stain, would grade D Select or D and Better, deduct $5.00 from the price of D Select.

28. Section 1381.515, Table 3, Note 2, is amended to read as follows:

2 No. 2 and Better and No. 3 Common Boards. Differentials and rules as set forth in Appendix A, Table 3, apply to the same grades and sizes, except that for specified widths in No. 3 Common, 4", 6", 8", 10", and 12", add $1.00; for 14"—add $2.00; for 16"—add $4.00; for 18"—add $6.00 to random width price of same grade. For No. 2 and Better, 4", 6", 8", 10", and 12", no addition; for 14", add $4.00; for 16", add $8.00; for 18", add $12.00 to random width price of same grade.

29. Section 1381.515, Table 6, is amended to read as follows:

TABLE 6—*Mill Run Box (Sugar Pine)*

[Product of log below No. 2 shop as produced by mill]

1 Rough 5/4, 6/4 and thicker R L---	$25.50
2. 4/4 stock, rough----------	24.50
3. S2S Add to rough----------	1.00
4. Shop droppings same price as mill run Box of same thickness.	

30. Section 1381.515, Table 8, Note 3, is amended to read:

3 No. 3, deduct $10.00.

31. Section 1381.515, Table 8, Note 6, is added to read as follows:

6. Random length same price as 14'.

32. Section 1381.515, Table 11, is amended to read as follows:

TABLE 11—*Lath (Sugar Pine)*

	Per thousand pieces
No. 1, 4'----------	$5.00
No. 2, 4'----------	4.00
No. 1, 32"----------	2.25
Fence Lath (80% No. 1—20% No. 2)--	6.25

33. Section 1381.516, Table 1, Note 5, is amended to read:

5. Additions and deductions for thickness:
(A) 5/4 and 6/4—4 to 10", add $5.00.
(B) 5/4 and 6/4—12" add $3.00.
(C) 5/4 and 6/4—4" and wider add $4.00.
(D) 8/4—4", 6" and 8" add $3.00.
(E) 8/4—10" and 12" add $2.00.

34. Section 1381.516, Table 2 is amended by deleting the words "or rough" in the column heading "RL, S2S, S4S or rough".

35. Section 1381.516, Table 2, Note "*Specified Lengths*" items (1) through (5) are revoked and new items (1), (2), and (3) are added to read as follows:

(1) No. 4 and No. 5 for specified lengths 10 to 20' add $2.00; 8' same as Random length.
(2) For specified lengths 8 to 20' in No. 1 and 2, No. 3 and No. 3 and Better, add $2.00 to Random length price.
(3) 6' all widths and all grades, deduct $3.00 from Random length price.

36. Section 1381.516, Table 2, Note "Miscellaneous", items (7) and (8) are added to read as follows:

(7) For 5/4 and thicker in No. 1 and 2, No. 3 and No. 3 and Better, add $3.00.
(8) For 5/4 and thicker in No. 4 and No. 5, add $2.00.

37. Section 1381.516, Table 3. Notes (1) through (7) are revoked and new Notes (1) through (8) are added to read as follows:

Notes on No. 1 Dimension (Larch-Douglas Fir and Hemlock).
1 RL same price as 14'.
2 1¼₆" dimension, deduct $2.00.
3 For 1¾" add: No. 1—$2.25, No. 2—$2.00, No. 3—$1.75.
4 No. 2 Dimension, deduct $3.00.
5 No. 3 Dimension, deduct $10.00.
6. For Common Structural, add $3.00
7 Worked to pattern, D and M, shiplap and well curbing, add $2.00.
8 6' all widths $2.00 less than 8'.

38. Section 1381.516, Table 4. Notes (1) through (5) are revoked and new Notes (1) through (7) are added, to read as follows:

Notes on No. 1 Plank and Timbers (Larch-Douglas Fir and Hemlock) Green.
1 Common Structural, add $3.00.
2. 8' length, same as 16' price.
3. No. 2 plank and timbers, deduct $5.00 from No. 1 price.
4. No. 3 plank and timbers, deduct $10.00 from No. 1 price.
5. Worked to pattern, add $2.00.
6. For dry, add $10.00.
7. Random Length same price as 14'.

39. Section 1381.516, Table 5 is amended to read as follows:

TABLE 5—*Lath (Larch-Douglas fir and hemlock)*

	Per thousand pieces
No. 1, 4'----------	$3.75
No. 2, 4'----------	2.85
Fence Lath (80% No. 1—20% No. 2)--	5.00

40. Section 1381.517, The text, and Tables 1 through 5, and Notes under those Tables are amended by inserting after the words "White Fir", wherever they appear, the words "and Lodgepole pine".

41. Section 1381.517, Table 3, Notes (1) through (6) are revoked and new Notes (1) through (7) are added, to read as follows:

Notes on No. 1 Dimension (White Fir and Lodgepole Pine).
1. Random Length same as 14' price.
2. 1¼₆" dimension, deduct $2.00.
3. 1¾" dimension, add No. 1—$2.25, No. 2—$2.00, No. 3—$1.75.
4. Common Structural, add $3.00.
5. No. 2 dimension, deduct $3.00.
6. No. 3 dimension, deduct $10.00.
7. Worked to pattern, D and M, shiplap and well curbing, add $2.00.

42. Section 1381.517 Table 4 is amended to read as follows:

TABLE 4—*Lath (White Fir and Lodgepole Pine)*

	Per thousand piece
No. 1, 4'----------	$3.00
No. 2, 4'----------	2.50
Fence Lath (80% No. 1—20% No. 2)---	4.75

43. Section 1381.517 Table 5, Notes (1) through (5) are revoked and new Notes (1) through (7) are added, to read as follows:

Notes on No. 1 Plank and Timbers (White Fir and Lodgepole Pine) Green:
1. 8' length same as 16' price.
2 For Common Structural, add $3.00
3. No. 2 Plank and Timbers, deduct $5.00 from No. 1 price.
4. No. 3 Plank and Timbers, deduct $10.00 from No. 1 price.
5. Worked to pattern, add $2.00.
6. For dry, add $10.00.
7. Random Length same price as 14'.

44. Section 1381.518 Table 3, Note 3 is amended to read:

3. 1¾" dimension, add No. 1, $2.25; No. 2, $2.00; No. 3, $1.75.

45. Section 1381.518 Table 4, Notes (1) through (5) are revoked and new Notes (1) through (6) are added, to read as follows:

Notes on No. 1 Plank and Timbers (Engelmann Spruce) Green:
1. 8' length same as 16' price.
2. No. 2 Plank and Timbers, deduct $5.00 from No. 1 price.
3. No. 3 Plank and Timbers, deduct $10.00 from No. 1 price.
4. Worked to pattern, add $2.00.
5. For dry, add $10.00.
6. Random Length same price as 14'.

46. Section 1381.518 Table 6, Note 1 is amended to read as follows:

1. Shorts when sold separately 8' and shorter B and Better, C, and D, deduct $8.00. E deduct $6.00.

47. Section 1381.518 Table 7 is amended to read as follows:

TABLE 7—*Lath (Engelmann Spruce)*

	Per thousand pieces
No. 1, 4'----------	$4.85
No. 2, 4'----------	3.85
Fence Lath (80% No. 1—20% No. 2)--	6.10

48. Section 1381.519, Table 4, Note 1, is amended to read:

1. Shorts when sold separately 8' and shorter in B and Better, C, and D, deduct $8.00. E, deduct $6.00.

49. Section 1381.519, Table 5, is amended to read as follows:

TABLE 5—*Lath (Inland Red Cedar)*

	Per thousand pieces
No. 1, 4'----------	$4.60
No. 2, 4'----------	3.75
Fence Lath (80% No. 1—20% of No. 2)-	5.85

50. Section 1381.521 is revoked, and a new § 1381.521 is added to read as follows:

§ 1381.521 *Appendix I: Maximum prices for mixed species, log run.* For Mixed Species (not separated as to species) Log Run (not separated as to grade), produced in the States of South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, and New Mexico, the maximum prices f. o. b. mill per thousand feet board measure, in any size load or shipment, shall be as follows:

TABLE 1—*Mixed species—log run*

Green rough----------		$28.50
For surfaced stock----------	add--	3.00
For dry----------	add--	2.00
For specified lengths----------	add--	1.00

Notes on mixed species—log run.

(1) *Trucking delivery by private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M; over 10 miles and up to and including 20 miles, $2.00 per M; over 20 miles and up to and including 30 miles, $2.50 per M; over 30 miles an addition of 5 cents per mile per M feet may be added to the $2.50 per M charge permitted for first 30 miles. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(2) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases a mill may apply for special permission to make an addition:

(i) Where the mill prior to the shortage of tires and gasoline shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(ii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

51. Section 1381.522 is added to read as follows:

§ 1381.522 *Appendix J: Maximum prices in the "fringe area" and Canada and Mexico.* In the States of South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, and New Mexico, in that part of California within or south of the Counties of Monterey, San Benito, Fresno, Madera, and Inyo, and in Canada and Mexico, when the lumber is separated as to species and sold on grade, the maximum prices per thousand feet board measure, shall be the prices set up in preceding Tables covering various species and grades, plus freight based on the estimated weights in Appendix K, times the freight rate from Spokane, Washington, Klamath Falls, Oregon, or Susanville, California, whichever is lower.

52. Section 1381.523 is added to read as follows:

§ 1381.523 *Appendix K: Permitted estimated weights.* The following estimated weights for dry lumber may be used in computing freight charges even though higher than actual weights.

When shipped with a moisture content greater than 19 percent, the estimated green weights may be used in quoting a delivered price, even though higher than actual weights.

Schedule of estimated weights (ponderosa pine, Idaho white pine, white fir, Engelmann spruce, Lodgepole pine, and any other species commercially sold as ponderosa, western, or Mexican pine)

	Per M ft. B. M. lbs. dry	lbs. green
Selects, commons, and shop:		
Standard surfacing 5/4" S2S, S4S, or pattern----------	1,900	2,450
Standard surfacing, or pattern 5/4" and thicker----------	2,200	2,900
Surfaced, or pattern 1 13/16"----------	1,650	2,150
Rough, 5/4----------	2,400	3,100
Rough, 6/4 and thicker----------	2,600	3,300
Dimension:		
Standard surfacing 1 5/16" S1S1E or S4S----------	2,000	2,700
Substandard surfacing 1 1/16" S1S1E, or S4S----------	1,800	2,500
Surfaced thicker than Standard 1¾" S1S1E or S4S----------	2,200	2,900
Rough----------	2,600	3,300
Plank and timbers:		
Surfaced S1S1E or S4S----------	2,200	2,900
Rough----------	2,600	3,300
Lath:		
4 ft. (per M pieces)----------	450	750
32" (per M pieces)----------	300	500
Snow fence----------	700	1,100
Cut stock:		
Machined to pattern----------	1,600	----------
S2S----------	2,000	----------
Rough----------	2,500	----------
Other grades and patterns:		
Log cabin siding----------	1,600	----------
5/8" or ¾" panel stock----------	1,400	----------
Bevel siding----------	750	----------
Additions and deductions:		
Pitchy Selects, add 300 lbs. to corresponding items.		
SUGAR PINE:		
4/4 & thicker, S4S or S2S----------	2,000	2,550
4/4 & thicker, rough----------	2,800	3,000
All other sugar pine items, same weights as Ponderosa pine.		

	Per M ft. B. M. lbs. dry	lbs. green
RED CEDAR:		
4/4 all grades, surfaced or pattern	1,600	2,200
4/4 all grades, rough----------	2,100	2,800
5/4 and thicker, surfaced or pattern----------	2,000	2,700
5/4 and thicker, rough----------	2,300	3,000
Timbers and plank surfaced----------	2,000	2,700
Bevel siding----------	700	----------
Lath----------	450	750
INCENSE CEDAR:		
Pencil stock----------	2,300	----------
All other incense cedar items, same weights as Ponderosa pine.		
LARCH-DOUGLAS FIR:		
4/4 S2S or S4S----------	2,200	2,800
4/4 Run to pattern----------	2,000	2,600
1", 1¼", 1½" or 2" all Grades rough----------	2,700	3,300
Timbers and Plank, Surfaced----------	2,800	3,400
Timbers and Plank, Rough----------	3,400	3,700
Dimension, Standard Surfacing:		
2 x 4----------	2,200	2,800
2 x 6 and 2 x 8----------	2,250	2,850
2 x 10 and 2 x 12----------	2,300	2,900
¾ and thicker, surfaced or pattern same widths as corresponding widths of standard dimension.		
1 5/16" Dimension----------	2,000	2,600
1 9/16" Dimension—all Douglas Fir----------	1,800	2,500
Log Cabin siding----------	1,700	2,200
5/8" stock machined to pattern----------	1,400	----------
3/8" stock machined to pattern----------	800	----------
½" Bevel siding----------	800	----------
5/4 x 8 and 10" Bevel siding----------	1,300	----------
4' Lath---------- per M pieces	600	900
32" Lath---------- per M pieces	350	550
Snow Fence Lath per M pieces	800	1,100
Battens (all above species):		
1" Battens plain or O. G. per M lineal feet	300	----------
3/8" Battens---per M lineal feet	200	----------

HEMLOCK. Rough or surfaced, dry: Clears, Boards and shiplap, Drop siding, etc., Flooring, Ceiling, Stepping, and Plank and small timbers S4S: Use same weights as shown for Larch-Douglas fir.

Surfaced, green: Clears, Boards and shiplap, Dimension, S4S, Plank and small timbers S4S, and Timbers, S1S1E or S4S, standard: Add 400 lbs. to Larch-Douglas fir weights.

Rough-green:	*Pounds*
Boards and shiplap----------	3,800
Dimension, plank and timbers----------	3,800
Clears----------	4,000
All other grades----------	3,800

Square edge flooring, add 200 lbs. to corresponding item of Larch-Douglas fir weights.

Ceiling, worked to 25 32" net, deduct 100 lbs. from Larch-Douglas fir flooring weight.

8" width, drop siding, etc., add 100 lbs. to 6" pattern, in Larch-Douglas fir pattern weights.

Bevel and bungalow siding, add 100 lbs. to Larch-Douglas fir weight.

1" Battens, plain or OG per M lineal feet, 300 lbs.

3/8" Battens per M lineal feet, 200 lbs.

Shipping Weight Formula for Sizes Not Listed. Rough or surfaced, dry, all grades, same weight basis as Larch-Douglas fir, and deducting the equivalent to the percentage of difference between the rough and surfaced size, breaking on the next greater fifty pounds.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4887; Filed, March 30, 1943; 8:48 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] as Amended March 30, 1943]

PUERTO RICO

Sections 1418.1 (a) 6, 1418.14 (f), Table VI, amended; §§ 1418.1 (a) (17), 1418.11 (a) (27) and 1418.14 (dd), Table XXV, added; so that Maximum Price Regulation 183 as amended by Amendment 20 shall read as follows:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1* issued by the Office of Price Administration, Maximum Price Regulation No. 183 is hereby issued.

Sec

1418.1 Maximum prices.
1418.2 Less than maximum prices.
1418.3 Adjustable pricing.
1418.4 Evasion.
1418.5 Records and reports.
1418.6 Licensing
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1418.9 Applicability of General Maximum Price Regulation.
1418.10 Petitions for amendment and applications for adjustment.
1418.11 Definitions.
1418.12 Applicability.
1418.13 Effective dates.
1418.13a Effective dates of amendments.
1418.14 Tables of maximum prices.

AUTHORITY: §§ 1418.1 to 1418.14, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

(1) On and after January 4, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver rice in the Territory of Puerto Rico and no person shall buy or receive rice in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (a), Table I; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this subparagraph shall not be applicable to sales or deliveries of rice to a purchaser if prior to July 20, 1942, such rice had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

[Paragraph (1) as amended by Amendment 16, 8 F.R. 324]

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency or government whose defense is vital to the defense of the United States.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5620, 8 F.R. 8961.

(2) On and after January 4, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued by the Office of Price Administration, no person shall sell or deliver pork fat backs in the Territory of Puerto Rico and no person shall buy or receive pork fat backs in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (b) Table II; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this subparagraph shall not be applicable to sales or deliveries of pork fat backs to a purchaser if prior to August 20, 1942, such pork fat backs had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

[Paragraph (2) added by Amendment 2, F.R. 6659; amended by Amendment 16]

(3) On and after October 1, 1942, regardless of any price regulation heretofore issued by the Office of Price Administration, no person shall sell or deliver cigarettes at retail in the Territory of Puerto Rico and no person shall buy or receive cigarettes in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (c), Table III; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

[Paragraph (3) added by Amendment 4, 7 F.R. 7843]

(4) On and after October 5, 1942, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued by the Office of Price Administration, no person shall sell or deliver canned corned beef to retailers or at retail in the Territory of Puerto Rico, and no person selling at retail or buying at retail shall buy or receive canned corned beef in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (d), Table IV; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

[Paragraph (4) added by Amendment 5, 7 F.R. 7945]

(5) On and after October 21, 1942, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued by the Office of Price Administration, no person shall sell or deliver bulk or bottled milk, whether raw or pasteurized, or require a deposit on any glass bottle container used in connection therewith, in the Territory of Puerto Rico, and no person shall buy or receive such fluid milk or leave a deposit on any glass bottle container used in connection therewith, in the Territory of Puerto Rico, at prices or in amounts higher than the maximum prices set forth in § 1418.14 (e); and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

[Paragraph (5) added by Amendment 6, 7 F.R. 8558]

(6) On and after April 6, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy codfish or bloaters in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (f), Table VI; and no person shall offer, solicit, or attempt to do any of the foregoing.

(7) On and after January 4, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy, dried beans in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (g), Table VII; and no person shall offer, solicit, or attempt to do any of the foregoing.

(8) On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy onions in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (h), Table VIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

(9) On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy butter in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (i), Table IX; and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraphs (7), (8) and (9) added by Amendment 9, 7 F.R. 9341 and amended by Amendment 16]

(10) On and after November 13, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy evaporated milk in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (j), Table X; and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraph (10) added by Amendment 9]

(11) On and after November 21, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy corn meal and cheese in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (k), Table XI; (o), Table XV; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy certain cereals, certain packing house products and garlic in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (l), Table XII; (m), Table XIII; (n), Table XIV; and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraph (11) added by Amendment 10, 7 F.R. 9731; amended by Amendment 16, 8 F.R. 324]

(12) On and after December 5, 1942, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy laundry soap or canned Vienna sausage in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (r), Table XVII; (s), Table XVIII; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy wheat flour in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (q), Table XVI; and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraph (12) added by Amendment 11, 7 F.R. 9975; amended by Amendment 16]

(13) On and after December 9, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver oleomargarine in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (u), Table XIX; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver certain processed fruits and vegetables in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (v), Table XX; and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraph (13) added by Amendment 12, 7 F.R. 10225; amended by Amendment 16]

(14) On and after December 15, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver frozen pork loins or turkeys in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (x), Table XXI; and (y), Table XXII; and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraph (14) added by Amendment 13, 7 F.R. 10559]

(15) On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver cattle sold for slaughter in Puerto Rico, beef produced from such cattle at wholesale or beef from such cattle at retail in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14, paragraph (aa), Table XXIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraph (15) added by Amendment 15, 8 F.R. 149]

(16) On and after February 16, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver and no person shall buy or receive bread in the Territory of Puerto Rico at prices higher than the maximum prices permitted by § 1418.14 (cc), and no person shall offer, solicit, or attempt to do any of the foregoing.

[Paragraph (16) added by Amendment 19, 8 F.R. 2158]

(17) On and after April 6, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver and no person shall buy or receive matches of any variety in the Territory of Puerto Rico, at prices higher than the maximum prices permitted by § 1418.14 (dd), Table XXV, and no person shall offer, solicit, or attempt to do any of the foregoing.

§ 1418.2 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 183 may be charged, demanded, paid, or offered.

§ 1418.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1418.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 183 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1418.5 *Records and reports*—(a) *Records to be kept.* (1) Every person making sales at wholesale of the commodities subject to this Maximum Price Regulation No. 183 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the mark-up charged, and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation No. 183 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, the quantity purchased, and the mark-up charged by the seller to the buyer.

(b) *Prices to be marked and posted.* On and after the date any commodity becomes subject to this Maximum Price Regulation No. 183, every person offering to sell at retail any such commodity shall mark the maximum price of such commodity in a manner plainly visible to and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price $------" or "Our Ceiling $------".

(c) *Lists to be filed.* On or before 30 days following the date commodities become subject to this Maximum Price Regulation No. 183, every person offering to sell at retail commodities subject to this regulation, shall file with the Office of Price Administration for the Territory of Puerto Rico a list showing the maximum price for each commodity subject to this Maximum Price Regulation No. 183 then offered for sale, together with an appropriate identification of each such commodity. Such statement shall be kept up-to-date by such person by filing on the tenth day of every succeeding calendar month a statement of his maximum price for any commodity subject to this regulation newly offered for sale during the previous calendar month, together with an appropriate description or identification of the commodity.

(d) *Sales slips and receipts.* Every seller at retail of the commodities subject to this Maximum Price Regulation No. 183 who has customarily given purchasers sales slips or receipts shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

§ 1418.6 *Licensing*—(a) *License required.* A license as a condition of selling, is hereby required of every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 183.

(b) *License granted.* Every person subject to this regulation now or hereafter selling a commodity for which a maximum price is established by this Maximum Price Regulation No. 183 is hereby granted a license as a condition of selling any such commodity. Such license shall be effective on the effective date of this regulation, or when any person be-

comes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Act, continue in force so long as and to the extent that said regulation or any amendment or supplement thereto remains in force.

(c) *Licensing section of General Maximum Price Regulation superseded.* This section supersedes the provisions of § 1499.16 of the General Maximum Price Regulation [3] insofar as said section may be applicable to persons selling any commodity for which a maximum price is established by this Maximum Price Regulation No. 183.

§ 1418.7 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

[NOTE: Supplementary Order No 33 (7 F.R. 10535) requires sellers of commodities and industrial and institutional buyers of food commodities in Puerto Rico to register on December 12, 1942 with the Office of Price Administration. Any wholesale, retail, industrial or institutional establishment established after December 12, 1942 is required to be registered within 10 days after such establishment is opened for business.]

§ 1418.8 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 183 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 183, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the Office of Price Administration for the Territory of Puerto Rico or the principal Office in Washington, D. C.

§ 1418.9 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 183 supersede the provisions of the General Maximum Price Regulation, except as otherwise provided herein, with respect to sales or deliveries of commodities for which maximum prices are established by this regulation.

§ 1418.10 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 183 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1418.10 amended by Amendment 8, 7 F.R. 8946]

§ 1418.10a *Applications for adjustment.* Any person seeking an adjustment of the maximum prices established by this Maximum Price Regulation No. 183 may file a petition for adjustment in accordance with the provisions of Procedural Regulation No. 7.[4]

[§ 1418.10a added by Amendment 8]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions on any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1418.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 183, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any purchaser for resale or to a commercial or industrial user.

(3) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

(4) "The direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller: *Provided*, That in computing the costs of shipment incurred by the seller, war risk insurance costs shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

[Paragraph (4) amended by Amendment 1, 7 F.R. 6744]

(5) "Sales and deliveries to buyers in the Territory of Puerto Rico" does not include sales from a seller outside the Territory of Puerto Rico to a purchaser in the Territory of Puerto Rico. Export sales, from a seller in the continental United States to a purchaser in the Territory of Puerto Rico shall be governed by the maximum prices established for export sales by the Maximum Export Price Regulation.[5]

(6) "Pocket" means a bag or other container of 100 pounds net of rice.

(7) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(8) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(9) "Milk" means cow's milk produced, processed, distributed, and sold for consumption in fluid form as whole milk.

(10) "Pasteurized milk" means milk that has been pasteurized by submitting it to a temperature between 142° F. and 145° F. for thirty minutes, and that has been immediately cooled and thereafter maintained at a maximum temperature of 53.6° F. or of 12° C., and has not been repasteurized.

(11) "Raw milk" means milk that has not been pasteurized.

(12) "Bulk milk" means milk sold from containers having a liquid measure of more than one (1) quart.

(13) "Bottled milk" means milk specially bottled for sale and delivery to consumers in glass bottle or paper containers of quart, pint, or half-pint size.

(14) "Producer of milk" means any person who is in the business of selling milk to distributors.

(15) "Distributor of milk" means any person, not excluding a producer of milk, who sells at wholesale, or who sells and delivers directly to ultimate consumers, not through a store.

(16) "Store" means any retail establishment, including a puesto, booth, stall, stand, or any retail outlet of any distributor of milk, selling milk at retail to ultimate consumers.

[Paragraphs (9) through (16) added by Amendment 6, 7 F.R. 8558]

(17) "Cattle" means all animals of the domesticated bovine species.

(18) "Cows" means only those female cattle which have conceived or which are five years or more of age.

(19) "Oxen" means castrated male cattle which are five years or more of age and which have been worked two years or more, or male cattle which are five years or more of age.

(20) "Arroba" means the live weight equivalent of 25 pounds of dressed meat.

(21) "Tenderloin" means filete.

(22) "Round meat" (carne de bifte) means lomillo, masa de cadera, masa redonda, masa larga, bubilla and landrecilla.

(23) "Stew meat" (carne de guisar) means faldilla, pecho, cubrepecho, pescuezo, espalda and sobrelomo.

(24) "Soup meat" (carne de sopa) means garrón, patas and bones with 25% or more of meat.

[Paragraphs (17) through (24) added by Amendment 15, 8 F.R. 149]

(25) "Bread" means the article of food sold in standard loaves prepared by moistening, kneading and baking meal or flour usually with the addition of yeast or leaven, such as "pan francaise" or "pan de agua" (French bread), "pan de sandwich" (Sandwich bread), and "pan sobado" (Breaked bread (sic)).

(26) "Specialty bread" means raisin bread, cracked wheat bread or any variety of bread, other than "pan francaise", "pan de agua", "pan de sandwich" or "pan sobado", which constituted 10% or less of the gross sales of the bread produced by the bakery during the month of January, 1943.

[Paragraphs (25) and (26) added by Amendment 19, 8 F.R. 2158]

(27) "Boxed wooden safety matches" means wooden matches, with a specially prepared head such as Signal Light, Palmer, Independence, Hav-a-Lite, Red Top and Criterion, which normally light only when struck on a specially prepared chemical surface and which are packed in two piece wooden splint or paperboard boxes generally containing 35 to 50 matches.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1418.12 *Applicability.* The provisions of this Maximum Price Regulation No. 183 shall be applicable to the Territory of Puerto Rico.

§ 1418.13 *Effective dates.* (a) This Maximum Price Regulation No. 183 (§§ 1418.1 to 1418.14, inclusive) shall become effective July 20, 1942.

[Issued July 20, 1942]

§ 1418.13a *Effective dates of amendments.*

Amendment Nos. and issue dates:	*Effective*
Amendment 1, 8-24-42	8-29-42
Amendment 2, 8-20-42	8-20-42
Amendment 3, 9-19-42	9-25-42
Amendment 4, 10-1-42	10- 1-42
Amendment 5, 10-5-42	10- 5-42
Amendment 6, 10-21-42	10-21-42
Amendment 7, 10-29-42	10-30-42
Amendment 8, 11-2-42	11- 4-42
Amendment 9, 11-12-42	11-13-42
Amendment 10, 11-20-42	11-21-42
Amendment 11, 11-28-42	12- 5-42
Amendment 12, 12-4-42	12- 9-42
Amendment 13, 12-15-42	12-15-42
Amendment 14, 12-22-42	12-27-42
Amendment 15, 1-1-43	1- 4-43
Amendment 16, 1-4-43	1- 4-43
Amendment 17, 1-19-43	1-18-43
Amendment 18, 2-2-43	2- 2-43
Amendment 19, 2-16-43	2-16-43
Amendment 20, 3-30-43	4- 6-43

§ 1418.14 *Tables of maximum prices.*

(a) *Table I: Maximum prices for rice.* (1) The maximum prices for rice sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
All grades of imported rice	$.0655	$.07	$.08

For sales of different quantities the maximum price shall be computed proportionately.

[Paragraph (a) as amended by Amendment 18, 8 F.R. 324]

(b) *Table II: Maximum prices for pork fat backs.* (1) The maximum prices for pork fat backs sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per cwt.	*Price per cwt.*	*Price per pound*
Pork fat backs, dry salt	$14.00	$15.55	$0.18
Pork fat backs, pickled	14.17	15.55	.18

For sales of different quantities the maximum price shall be computed proportionately.

[Paragraph (b) added by Amendment 2; amended by Amendment 16]

(c) *Table III—Maximum retail prices for cigarettes.* (1) The maximum retail prices for cigarettes sold or delivered in the Territory of Puerto Rico shall be:

Brands	*Maximum retail price per package of 20 cigarettes*
Camel	$.16
Chesterfield	.16
Lucky Strike	.16
Old Gold	.16
Philip Morris	.16
Raleigh	.16
Pall Mall	.16

The maximum retail price for these brands of cigarettes not sold in packages of 20 cigarettes shall be a maximum price in line with the above prices. Any reduction in the number of cigarettes shall be accompanied by a proportionate reduction in price. For example: The maximum retail price for 10 cigarettes shall be 8 cents, the maximum retail price for 5 cigarettes shall be 4 cents, and the maximum retail price for any quantity less than 5 cigarettes shall be 1 cent per cigarette.

The maximum retail price for all other brands of cigarettes shall continue to be governed by the General Maximum Price Regulation.

On and after the effective date of this amendment, all persons selling cigarettes to retailers in the Territory of Puerto Rico shall insert in the first shipment to each retailer the following notification:

The maximum retail price for Camels, Chesterfields, Lucky Strikes, Old Golds, Philip Morris, Raleighs and Pall Mall which you are allowed to charge is 16 cents per package. Any reduction in the number of cigarettes shall be accompanied by a proportionate reduction in price. For example: The maximum retail price for 10 cigarettes shall be 8 cents, the maximum retail price for 5 cigarettes shall be 4 cents, and the maximum retail price for any quantity less than 5 cigarettes shall be 1 cent per cigarette. The maximum retail price for all other brands of cigarettes continues to be the highest price charged by you between April 10 and May 10, 1942.

[Paragraph (c) added by Amendment 4, 7 F.R. 7843]

(d) *Table IV: Maximum prices for canned corned beef present stocks.*

(1) The maximum prices for present stocks of canned corned beef sold to retailers or at retail in the Territory of Puerto Rico shall be:

	Sales to retailers		Sales at retail	
	Per case of 48 12 oz. tins	Per case of 48 8 oz. tins	12 oz. tin	8 oz. tin
First grade (sold by Libby, McNeill & Libby under the "Libby" brand label)	$13.03	$11.00	$0.32	$0.25
Second grade (all others)	11.25	9.50	.27	.21

The maximum prices for all other sizes of canned corned beef shall be a price in line with the maximum prices set forth above. The maximum prices for other tin sizes are to be computed by adding to or subtracting from the maximum prices set forth above the customary trade price differentials for tins of other sizes.

(2) Every person selling to a retailer shall, after the effective date of this amendment, before or at the time of his first delivery to each purchaser, supply the purchaser with the following statement:

OPA maximum prices for present stocks of canned corned beef in the Territory of Puerto Rico.

	Sales at retail	
	12 oz. tin	8 oz. tin
First Grade (sold by Libby, McNeill & Libby under the "Libby" brand label)	$0.32	$0.25
Second grade (all others)	.27	.21

The maximum prices for all other sizes of canned corned beef shall be a price in line with these maximum prices. The maximum price for other tin sizes are to be computed by adding to or subtracting from the maximum prices set forth above the customary trade price differentials for tins of other sizes. For future supplies these maximum prices will be revised by the Director of the Office of Price Administration for the Territory of Puerto Rico.

(3) *Future supplies.* The Director of the Office of Price Administration for the Territory of Puerto Rico, may, if the costs of imported canned corned beef increases or decreases, revise these maximum prices, both as to existing and future supplies, whenever in his judgment such action is advisable. Such revision shall be made by amendment to this Maximum Price Regulation No. 183 and the prices so established shall be fair and equitable. The maximum prices established by the Director in such an amendment shall in no event permit any person selling at

[3] 8 F.R. 3066.

[4] 7 F.R. 4779; 8 F.R. 970.

[5] Revised, 7 F.R. 5059, 7242, 8829, 9000, 10530.

retail to obtain a mark-up over direct cost in excess of the following:

[Paragraph (d) added by Amendment 5, 7 F.R. 7945]

(e) *Table V: Maximum prices for milk:*

	Quart	Pint	Half-pint
	Cents	*Cents*	*Cents*
Raw bulk milk:			
Sale by producer	12	----	----
Sale by store	15	8	4
Raw bottled milk:			
Sale by distributor to store	14	7	3½
Sale and delivery by distributor to consumer	17	9	5
Sale by store to consumer	16	8	----
Pasteurized bottled milk			
Sale by distributor to store	15	8	----
Sale and delivery by distributor to consumer	18	10	5
Sale by store to consumer	17	9	5

(1) *Deposits on glass bottle containers.* No deposit in excess of 5 cents on any glass bottle container delivered in connection with the sale of bottled milk shall be required, and no person shall deposit more than 5 cents for any such glass bottle container. The deposit shall be refunded by the seller upon the return of such glass bottle container.

(2) *Charges for long distance deliveries.* No increase in the prices set forth in paragraph (e) of § 1418.14 of this Maximum Price Regulation No. 183 shall be made, nor shall any charges for deliveries be collected, regardless of the distance required to be traveled in the delivery of milk to any purchaser: *Provided, however,* That, in connection with the sale and delivery of milk to the armed forces of the United States and to municipal and Insular institutions, the following charges may be added:

Less than 20 kilometers	No charge.
20 kilometers and less than 60 kilometers	1¢ per quart.
60 kilometers and less than 100 kilometers	2¢ per quart.
100 kilometers or more	3¢ per quart.

The above distance shall be computed, not from the place of business of the seller, but from the nearest business establishment of any distributor of similar milk via the shortest route to the point of delivery.

(3) The prices set forth in paragraph (e) of § 1418.14 of this Maximum Price Regulation No. 183 are gross prices, before discounts of any nature, and include all commissions and other charges.

[Paragraph (e) added by Amendment 6]

(f) *Table VI: Maximum prices for codfish and bloaters.* (1) The maximum prices for codfish and bloaters sold and delivered on and after April 6, 1943, shall be:

	Sales to wholesalers (price per pound)	*Sales at wholesale (price per pound)*	*Sales at retail (price per pound)*
Codfish, hard dried	$0.145	$0.155	$0.18
Bloaters, hard dried, semi-dried, smoked	0.145	0.155	0.18

The maximum prices for all other grades of codfish and bloaters are to be computed by subtracting from the maximum price set forth above the customary trade price differentials.

(2) Every person selling to a retailer shall on and after April 6, 1943, before or at the time of his first delivery to each purchaser, supply the purchaser with the following statement:

OPA MAXIMUM RETAIL PRICES FOR CODFISH

In the Territory of Puerto Rico

	Sales at retail (price per pound)
Codfish, hard dried	$0.18
Bloaters, hard dried, semi-dried or smoked	0.18

The maximum prices for all other grades of codfish or bloaters are to be computed by subtracting from the maximum price for codfish or bloaters, the customary trade price differentials.

Your attention is called to that provision of Maximum Price Regulation No. 183, which requires that on and after April 6, 1943, every person offering to sell codfish or bloaters at retail shall mark the maximum price of such commodity in a manner plainly visible to and understandable by the purchasing public.

(g) *Table VII: Maximum prices for dried beans.* (1) The maximum price for dried beans sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
All grades of dried beans except garbanzos	$0.0655	$.07	$.08

For sales of different quantities the maximum price shall be computed proportionately.

(h) *Table VIII: Maximum prices for onions.* (1) The maximum price for onions sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 50-lb. bag	*Price per 50-lb. bag*	*Price per pound*
Onions	$2.30	$2.75	$.07

For sales of different quantities the maximum price shall be computed proportionately.

[Paragraphs (g) and (h) added by Amendment 9 (7 F.R. 9341) and amended by Amendment 16, 8 F.R. 324]

(i) *Table IX: Maximum prices for butter.* (1) The maximum price for butter sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
Butter	$0.4945	$0.55	$0.65

For sales of different quantities the maximum price shall be computed proportionately. This regulation does not apply to unopened tins of butter packed outside the Territory of Puerto Rico.

[Paragraph (i) added by Amendment 9 amended by Amendments 16 and 18, 8 F.R. 324, 1589]

(j) *Table X: Maximum prices for evaporated milk.* (1) The maximum prices for evaporated milk sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesaler (case of 48 14½ oz. cans)	Sales at wholesale (case of 48 14½ oz. cans)	Sales at retail (per 14½ oz. can)
Evaporated milk	$3.95	$4.18	$0.10

The maximum prices for cans of different sizes shall be adjusted proportionately.

(2) Every person selling evaporated milk to a retailer on and after November 13, 1942, before or at the time of his first delivery to each purchaser shall supply the purchaser with the following statement:

OPA MAXIMUM RETAIL PRICES FOR EVAPORATED MILK IN THE TERRITORY OF PUERTO RICO

	Sales at retail (per 14½ oz. can)
Evaporated milk	$0.10

The maximum prices for cans of different sizes shall be adjusted proportionately.

[Paragraph (j) added by Amendment 9, 7 F.R. 9341]

(k) *Table XI: Specific maximum prices for corn meal.*

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 98-lb. bag	*Price per 98-lb. bag*	*Price per lb.*
Corn meal	$4.75	$5.10	$0.06

For sales of different quantities the maximum price shall be proportionately computed.

[Paragraph (k) added by Amendment 10, amended by Amendment 14, 7 F.R. 10812]

(l) *Table XII: Maximum prices for certain cereals.* (1) The maximum prices for certain cereals sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per case 36-20 oz.	*Price per case 36-20 oz.*	*Price per 20-oz. pkg.*
Rolled oats	$2.89	$3.22	$.11
	Price per case 24-20 oz.	*Price per case 24-20 oz.*	*Price per 20-oz. pkg.*
	$1.96	$2.20	$.11
Wheat flakes	*Price per case 24-8 oz.* $2.10	*Price per case 24-8 oz.* $2.35	*Price per 8 oz. pkg.* .1
Farina	*Price per case 12-28 oz.* $1.56	*Price per case 12-28 oz.* $1.75	*Price per 28 oz. pkg.* .17
Corn flakes	*Price per case 36-8 oz.* $2.24	*Price per case 36-8 oz.* $2.55	*Price per 8 oz. pkg.* .1

For sales of different quantities the maximum price shall be proportionately computed.

[Paragraph (l) added by Amendment 10, amended by Amendment 16]

(m) *Table XIII: Maximum prices for certain packing house products.* (1) The maximum prices for certain packing house products sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 100 lb.	*Price per 100 lb.*	*Price per pound*
Lard, pork fat rendered	$15.45	$16.70	$0.19
Lard, refined lard in tierces	16.05	17.30	.20
Lard, refined lard in [illegible] lb.	16.00	17.25	.20
Lard, refined lard in 34-lb. to 37-lb. tins	16.70	17.75	.20
Hogs, pickled heads and feet	15.15	16.15	.19
Pork, spare ribs, cured	21.25	23.25	.27
Pork, snouts, cured	11.85	12.80	.16
Smoked jowls	20.10	23.60	.31
Beef, pickled or jerked	20.35	24.85	.29
Lard, refined, hydrogenated prints	*Price per 100 lb.* $.1965	*Price per pound* $.181	*Price per pound* $.22

For sales of different quantities the maximum price shall be computed proportionately.

[Paragraph (m) added by Amendment 10; amended by Amendment 16]

(n) *Table XIV: Maximum prices for garlic.* (1) The maximum prices for garlic sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 50-lb. bag	*Price per 50-lb. bag*	*Price per pound*
Garlic	$3.35	$3.70	$.09

For sales of different quantities the maximum price shall be computed proportionately. These maximum prices are not applicable to garlic sold on strings.

[Paragraph (n) added by Amendment 10, amended by Amendment 16]

(o) *Table XV: Specific maximum prices for cheese.*

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 100 lbs.	*Price per 100 lbs.*	*Price per lb.*
Natural American Cheddar	$29.00	$31.20	$0.35

For sales of different quantities the maximum price shall be proportionately computed.

(p) Every person selling any of the commodities listed in paragraphs (k) to (o), inclusive, of this section, to a retailer on and after November 21, 1942, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

[Paragraphs (o) and (p) added by Amendment 10]

(q) *Table XVI: Maximum prices for wheat flour.* (1) The maximum prices for wheat flour sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per bale 4-24 1-2-lb. bags	*Price per bale 4-24 1-2-lb. bags*	*Price per pound*
Grade A	$4.15	$4.65	$0.06
	Price per bale 2-24-lb. bags	*Price per bale 2-24-lb. bags*	
Grade A	$4.00	$4.45	.06
	Price per 98-lb. bag	*Price per 98-lb. bag*	
Grade A	$3.85	$4.25	.05
	Price per bale 4-24 1-2-lb. bags	*Price per bale 4-24 1-2-lb. bags*	
Grade C	$4.15	$4.65	.06
	Price per bale 2-24-lb. bags	*Price per bale 2-24-lb. bags*	
Grade C	$4.00	$4.45	.06
	Price per 98-lb. bag	*Price per 98-lb. bag*	
Grade C	$4.00	$4.45	.06

	Sales to wholesalers or industrial users	Sales by wholesalers
	Price per 98-lb. bag	*Price per 98-lb. bag*
Enriched hard wheat 14% minimum protein	$7.80	$8.55
Enriched hard wheat 12% minimum protein	7.75	8.25
Enriched hard wheat clear 14½% minimum protein	7.40	7.95
Enriched hard wheat clear 12½% protein	7.40	7.95
Grade A	7.80	8.35

For sales of different quantities the maximum price shall be computed proportionately.

[Paragraph (q) added by Amendment 11 7 F.R. 9975; amended by Amendment 16, 8 F.R. 324]

(r) *Table XVII: Specific maximum prices for laundry soap.*

	Sales to wholesalers	Sales to retailers	Sales at retail
	Case of 24-6 lb. bars	*Case of 24-6 lb. bars*	*Price per pound*
Blue Splash	$6.90	$7.60	$0.09
Blue Mottle	6.90	7.50	.09
	Case of 10-5 lb. bars	*Case of 10-5 lb. bars*	
Blue Splash	$3.45	$3.75	.09
Blue Mottle	3.45	3.75	.09

For sales of different quantities the maximum price shall be proportionately computed.

(s) *Table XVIII: Specific maximum prices for canned Vienna sausage.*

	Sales to wholesalers	Sales to retailers	Sales at retail
	Case of 48-4 oz. cans	*Case of 48-4 oz. cans*	*Price per 4 oz. can*
Canned Vienna sausage	$3.35	$3.70	$0.10

For sales of different quantities the maximum price shall be proportionately computed.

(t) Every person selling any of the commodities listed in paragraphs (q) to (s), inclusive, of this section, to a retailer on and after December 5, 1942, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

[Paragraphs (r), (s), and (t) added by Amendment 11]

(u) *Table XIX—Specific maximum prices for oleomargarine*

	Sales to wholesalers (price per pound)	Sales to retailers (price per pound)	Sales at retail (price per pound)
Oleomargarine	$.18	$1.20	$0.24

For sales of different quantities the maximum price shall be proportionately computed.

[Paragraph (u) added by Amendment 12, 7 F.R. 10225]

(v) *Table XX: Maximum prices for certain processed vegetables and fruits.* (1) The maximum prices for certain processed vegetables and fruits sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Case 24 No. 2 cans	*Case 24 No. 2 cans*	*Price per No. 2 can*
Carrots	$2.25	$2.61	$0.14
Corn			
Creamed style, Grades B, C	2.05	2.40	.12
Whole kernel (extra standard)	2.40	2.80	.17
Whole kernel fancy	3.10	3.60	.18
Peas			
B	3.10	3.60	.18
C	2.45	2.80	.15
Tomatoes	2.00	2.20	.10
	Case 48 No. 2 cans	*Case 48 No. 2 cans*	*Price per 2 cans*
Tomato soup	$2.15	$2.40	$0.08
Vegetable soup	2.05	2.40	.08
	Case 24-8 oz. cans	*Case 24-8 oz. cans*	*Price per 8 oz. can*
Tomato sauce	$3.50	$3.90	$0.07

For sales of different quantities the maximum price shall be computed proportionately. The references to soup do not include "new-formula condensed soups" which are covered by Maximum Price Regulation No. 181.*

[Paragraph (v) added by Amendment 12, amended by Amendment 16]

(w) Every person selling any of the commodities listed in paragraphs (u) and (v) of this section, to a retailer on and after December 9, 1942, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

[Paragraph (w) added by Amendment 12]

* 7 F.R. 5560, 5775, 8948, 10470.

(x) *Table XXI: Specific maximum prices for frozen pork loins.*

	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*
Frozen pork loins, 8 to 12 lb. unit	$0.345	$0.44

For sales of different quantities the maximum price shall be proportionately computed.

(y) *Table XXII: Specific maximum prices for turkeys.*

	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*
Turkeys, hard chilled, dressed, Grade B, old and young	$0.475	$0.60
Hens, 8 to 14 pound unit	.455	.60
Toms, 16 to 20 pound unit	.415	.60
Toms, over 20 pounds		

For sales of different quantities the maximum price shall be proportionately computed.

The maximum price for all other grades of turkeys shall be a price in line with the maximum prices above, and shall be computed by adding to or subtracting from the maximum prices set forth above the customary trade price differentials for other grades.

(z) Every person selling any of the commodities listed in paragraphs (x) and (y) of this section, to a retailer on and after December 15, 1942, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

[Paragraphs (x), (y), and (z) added by Amendment 13]

(aa) *Table XXIII. Specific maximum prices for cattle and beef.* (1) The maximum prices for cows and oxen sold for slaughter shall be $5.00 per arroba. For all other cattle sold for slaughter the maximum price shall be $6.25 per arroba. Where the estimated weight involves a fraction of an arroba the maximum price of such fractional part shall be proportionately computed.

(2) The maximum wholesale price for all meat derived from cattle slaughtered in the Territory of Puerto Rico shall be 21¢ per pound.

(3) The maximum retail prices for beef derived from cattle slaughtered in Puerto Rico shall be:

(i) Where the seller customarily sold beef in accordance with the classifications: Tenderloin, round meat, stew meat and soup meat, he shall continue to sell by these classifications at prices no higher than the following:

	Sales at retail (per pound)
Tenderloin	$0.65
Round meat	0.45
Stew meat	0.25
Soup meat	0.12

(ii) Where the seller has not customarily sold beef in accordance with the classifications set forth in paragraph (i) above, the maximum retail prices shall be as follows:

	Sales at retail (per pound)
Tenderloin	$0.65
All meat excepting tenderloin	0.27

Meat sold at 27¢ per pound in accordance with this paragraph shall not contain more than 25% of bone.

(bb) Every person selling any of the commodities listed in paragraph (aa) of this section, to a retailer on and after January 4, 1943, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

[Paragraphs (aa) and (bb) added by Amendment 15, 8 F.R. 149]

(cc) *Table XXIV: Specific maximum prices for bread.*

(1) The maximum prices for bread sold or delivered in the Territory of Puerto Rico shall be:

At bakery to wholesaler	At bakery to retailers	Delivered to retailers	Delivered to institutional and commercial users	All sales at retail
Price per lb.	*Price per lb.*	*Price per lb.*	*Price per lb.*	*Price per lb.*
$0.0775	$0.080	$0.085	$0.085	$0.10

For sales of different quantities the maximum price shall be completed proportionately. Maximum prices for specialty bread continue to be governed by the General Maximum Price Regulation.

[Paragraph (cc) added by Amendment 19, 8 F.R. 2158]

(dd) *Table XXV: Specific maximum prices for matches.* (1) The maximum prices for all varieties of boxed wooden safety matches to retailers and at retail shall be as follows:

Sales at wholesale: $1.15 per gross, or a price derived by applying a mark-up over direct cost of 10¢ per gross, whichever results in a lower price.

Sales at retail: 1¢ per box

(2) No sale of matches other than boxed wooden safety matches, imported after the effective date of this amendment, shall be made by the importer until the maximum price for such matches has been authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. An importer who seeks a maximum price for such matches, shall file with the Puerto Rico office of the Office of Price Administration an application setting forth:

(i) A description of the matches for which the maximum price is sought;

(ii) A complete statement of all costs in connection with such matches;

(iii) The quantity of such matches for which an order has been placed, or which have been imported and are awaiting distribution, or which are on hand; and

(iv) Any other facts which the seller wishes to submit in support of his application. The seller shall also submit such additional pertinent information as the Puerto Rico office of the Office of Price Administration may require. Such authorized price will be given in the form of an amendment or of an order by the Director of the Office of Price Administration for the Territory of Puerto Rico, prescribing the maximum price for the applicant or for sellers of matches generally including purchasers for resale, or for a class of such sellers.

(3) The maximum prices established on sales by importers of matches, by wholesalers, and by retailers, shall be fair and equitable and shall consist of mark-ups not to exceed:

(i) A mark-up of 10% over direct cost on all sales by an importer of matches, except on sales direct to retailers, in which case a 15% mark-up may be authorized;

(ii) A mark-up of 10% on sales by wholesalers; and

(iii) A mark-up of 25% on sales at retail.

In establishing maximum prices in accordance with this section, fractions of one-half cent or more shall be adjusted to the next higher cent, and fractions of less than one-half cent to the next lower cent.

(4) The direct cost to the importer may not exceed the cost of a reasonably expeditious shipment via the most efficient, readily and regularly available route and means.

(5) Every sale, except at retail, of matches, shall be accompanied either by a sales invoice or by a statement containing whichever of the following statements applies to the particular case:

(i) Boxed wooden safety matches:

OPA MAXIMUM PRICES FOR MATCHES IN THE TERRITORY OF PUERTO RICO

X brand of safety matches sold in wooden splint or paperboard boxes, is a variety of matches for which specific prices have been established by the Office of Price Administration under Maximum Price Regulation No. 183 as follows:

To wholesaler ----------
To retailer ----------
To consumer ----------

(ii) All matches other than boxed wooden safety matches:

OPA MAXIMUM PRICES FOR MATCHES IN THE TERRITORY OF PUERTO RICO

Y brand of matches sold in ----------, is a product for which maximum prices have been authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico under the Office of Price Administration Maximum Price Regulation No. 183 as follows:

To wholesaler ----------
To retailer ----------
To consumer ----------

Issued this 30th day of March 1943

PRENTISS M. BROWN,
Administrator.

[F. D. Doc. 43-4889; Filed, March 30, 1943; 3:47 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amendment 7]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respect:

1. Section 1.7a is added to read as follows:

§ 1.7a *Employer may get stamps for safety shoes.* (a) Any employer having employees who require safety shoes for the protection of their health or safety and whose plant is not served by a Plant Area Board may make application to, and upon approval obtain from, the district office the number of special shoe stamps (or temporary shoe purchase certificates) necessary to allow the acquisition by his employees of a two months' supply of safety shoes. The employer shall apply in writing and shall furnish to the district office all information necessary to show his eligibility and the number of stamps required during the two month period.

(b) Any employer acquiring stamps under this section shall appoint some person or committee to issue the stamps to his employees and shall notify the district office of the appointment and obtain its approval of the appointment. When a stamp is issued by such person or committee to an employee, he shall write on it the date of issuance and the number of the employee's War Ration Book or if the employee does not have a War Ration Book, he shall write on it the words "No book". A stamp may be issued only to an employee who has filled out an application under section 1.5 and who meets the need requirements of section 1.5. These individual applications shall be filed by the employer with the district office when he makes his next application under this section. Application may be made by the employer before he has exhausted his supply of stamps but he must state in his application the number of stamps he has on hand and the number of individual applications he is forwarding.

(c) Whenever the term "stamp" is used in this section it shall refer also to a "temporary shoe purchase certificate".

This amendment shall become effective April 5, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4838, Filed, March 30, 1943; 3:49 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371.

PART 1499—COMMODITIES AND SERVICES

[Order 353 under § 1499.3 (b) of GMPR]

MAXIMUM PRICES FOR ALUMINUM PIG

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and section 3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1789 *Maximum prices for aluminum pig.* (a) The following maximum prices are specifically authorized for aluminum pig sold by producers of primary aluminum:

Grade	*Maximum price (cents per pound)*
(1) Unalloyed grades (average aluminum content):	
97% minimum	13
99% minimum	14
99.6% minimum	14½
99.7% minimum	15
99.8% minimum	16
99.85% minimum	17
99.9% minimum	24
(2) Alloy grades (approximate composition):	
80-20 Al-Cu	14
88-8-4 Al-Cu-Ni	15
88-12 Al-Si	14
90-10 Al-Si	14
87.5-10-2.5 Al-Si-Cu	14½
95-5 Al-Mn	14
90-10 Al-Ni	16½
97.5-2.5 Al-Cr	16

(b) The average aluminum content of all aluminum pig supplied under any single order or contract shall determine the classification of the unalloyed grades.

(c) The maximum prices authorized in this order shall be subject to the discounts, quantity premiums, transportation allowances and other terms of sale employed by producers in sales of primary aluminum ingot during March 1942.

(d) (1) "Pig" is unrefined aluminum of variable composition, as cast from the electric reduction furnaces. It is ordinarily supplied in pieces weighing approximately 50 pounds.

(2) "Producer" means the Aluminum Company of America, The Olin Corporation, Reynolds Metals Company and any other person producing aluminum principally from alumina.

(e) This order may be revoked or amended by the Administrator at any time.

Issued and effective this 30th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4891; Filed, March 30, 1943; 3:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 4[1] to GMPR,[2] Amendment 23]

FORTY PERCENT OLEUM

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.29 (a) (30) is added to read as follows:

(30) Sales or deliveries until July 3, 1943 of 40 per cent oleum (109 per cent sulfuric acid) to an ordnance plant or works operated by or for the United States or any agency thereof.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4890, Filed, March 30, 1943; 3:47 p. m.]

PART 1301—MACHINE TOOLS

[RPS 1,[3] Amendment 3]

SECOND-HAND MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1301.1a is added to read as follows:

§ 1301.1a *Sales by Defense Plant Corporation.* Notwithstanding any other provision of this Revised Price Schedule, the maximum price applicable to the sale by the Defense Plant Corporation of any second-hand machine tool or extra which was acquired by the Defense Plant Corporation for purposes of rental shall be computed as provided in subparagraphs (a) and (b) below:

(a) *Where the purchaser is the first lessee of the machine tool or extra under an agreement with the Defense Plant Corporation.* The maximum price shall be computed by adding the sum of the following:

(1) The cost of the machine tool or extra to the Defense Plant Corporation, f. o. b. the plant of the manufacturer of the machine tool or extra;

(2) The freight paid by the Defense Plant Corporation from the plant of the manufacturer of the machine tool or extra to the plant of the purchaser;

(3) The cost to the Defense Plant Corporation of unloading the machine tool or extra at the plant of the purchaser;

(4) The cost to the Defense Plant Corporation of the installation of the machine tool or extra in the plant of the purchaser;

(5) Interest on Items (1) to (4), inclusive, at the rate actually charged the

[1] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 8827, 10022, 10110, 10531; 8 F.R. 130, 137, 372, 1685, 1681, 1893.

[2] 8 F.R. 3096.

[3] 7 F.R. 1202, 2132, 8996, 8948, 101618.

purchaser under the agreement of lease between the Defense Plant Corporation and the purchaser, or if no interest rate was specified in such agreement the average rate charged by the Defense Plant Corporation to other lessees of comparable machine tools and extras, such interest to be computed from the date that each of such items was paid by the Defense Plant Corporation to the date of sale.

(6) Direct expenses actually incurred by Defense Plant Corporation and normally charged the purchaser under the agreement of lease between Defense Plant Corporation and the purchaser; or, if no provision for direct expenses is specified in such agreement, direct expenses actually incurred by Defense Plant Corporation and normally charged by Defense Plant Corporation to other lessees of comparable machine tools and extras.

From the sum of Items (1) to (5), inclusive, *deduct* depreciation on the original total cost of acquisition by Defense Plant Corporation at the rate of eight per cent (8%) per annum from the date of installation and initial use after acquisition by Defense Plant Corporation of such machine tool or extra to the date of sale, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

(b) *Where the purchaser is a person other than the first lessee of the machine tool or extra.* The maximum price delivered to the plant of the purchaser shall be computed by adding the sum of the following:

(1) The cost of the machine tool or extra to the Defense Plant Corporation, f. o. b. the plant of the manufacturer of the machine tool or extra;

(2) An allowance equal to the freight charge for the transportation of such machine tool or extra from the location of the machine tool or extra at the time of sale by Defense Plant Corporation to the plant of the purchaser. From the sum of Items (1) and (2), *deduct* depreciation on the original total cost of acquisition by Defense Plant Corporation at the rate of eight per cent (8%) per annum from the date of installation and initial use after acquisition by Defense Plant Corporation of such machine tool or extra to the date of sale, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4926; Filed, March 30, 1943; 5:02 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 149,[1] Amendment 7]

MECHANICAL RUBBER GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 149 is amended in the following respects:

1. Section 1315.31 (a) (6) is amended to read as follows:

(6) "Rubber" means all forms and types of rubber, including synthetic and reclaimed rubber and balata.

2. Section 1315.34 is amended by amending the text thereof to read as follows:

§ 1315.34 *Appendix A: Mechanical rubber goods whose maximum price is established by paragraph (a) of § 1315.21a.* Paragraph (a) of § 1315.21a establishes the maximum prices (base date, October 1, 1941) for the following kinds and types of mechanical rubber goods, when made in whole or in part of rubber:

3. Section 1315.35 is amended by amending the text thereof to read as follows:

§ 1315.35 *Appendix B: Mechanical rubber goods whose maximum price is established by paragraph (b) of § 1315.21a.* Paragraph (b) of § 1315.21a establishes the maximum prices (base date, January 5, 1942) for the following kinds and types of mechanical rubber goods, when made in whole or in part of rubber:

• • • • • •

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4911; Filed, March 30, 1943; 5:03 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,[2] Amendment 5]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3889, 7173, 8699, 8948, 10103, 10143, 10993; 8 F.R. 1312.

[2] 7 F.R. 7282, 8936, 8948, 11111; 8 F.R. 1584, 2667.

Maximum Price Regulation 220 is amended in the following respects:

1. Section 1315.1568 (h) (6) is revoked.

2. Section 1315.1568 (h) (7) is redesignated § 1315.1568 (h) (6).

3. Section 1315.1568 (h) (8) is redesignated § 1315.1568 (h) (7).

4. Section 1315.1568 (h) (9) is redesignated § 1315.1568 (h) (8).

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4909; Filed, March 30, 1943; 5:03 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 85]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respect:

1. Section 1340.159 (c) (3) (xvi) is amended to read as follows:

(xvi) *Hartford, Connecticut Area.* In the Hartford, Connecticut Area comprising the townships and cities of Bloomfield, East Hartford, East Windsor, Glastonbury, Hartford, Newington, Weathersfield, Windsor, Windsor Locks, West Hartford and South Windsor, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gal.
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.7
At seller's yard for delivery into buyer's tank wagons	8.0
At seller's yard for deliveries in containers in quantities of 10 gallons or less	10.5
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.2
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.7

This amendment shall become effective April 5, 1943.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3985, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2594, 2152, 2334, 2349, 2273, 2501, 2594, 2756, 2874, 2977, 3050, 3106, 3327, 3366.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4924; Filed, March 30, 1943; 5:02 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 86]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.154 (d) is hereby revoked.

2. Section 1340.160 (c) is amended to read as follows:

(c) The following special hydrocarbon fractions utilized in the manufacture of gasoline and the components thereof and liquefied petroleum gases to the extent sold or delivered for use in the manufacture of synthetic rubber: Components of synthetic rubber, including but not limited to butadiene and styrene; all hydrocarbons and petroleum fractions used in the manufacture of the components of synthetic rubber, including but not limited to ethylene, propylene, butylene, iso-butylene, propane, butane, and iso-butane.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4916; Filed, March 30, 1943; 5:01 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIAL FOR PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 266,[1] Amendment 3]

CERTAIN TISSUE PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 266 is amended in the following respects:

1. Section 1347.515 (a) (3) (iii) is added to read as follows:

(iii) In special cases in which test runs of toilet tissue are made at the request of the War Production Board, such runs to be of limited quantities only, and for a limited period of time, and to be made only to discover improved methods of conserving materials, and for cost-finding purposes, the Administrator may, if he deems such procedure to be in the interest of the successful prosecution of the war, authorize by letter appropriate temporary maximum prices for such test runs of toilet tissue. The temporary maximum price or prices may in no event exceed the maximum price for that product for which the substitution is made. Any manufacturer desiring to obtain such temporary maximum prices for such purposes may request permission by letter, setting forth fully the reasons for such test-run, its duration and scope, the temporary maximum price or prices requested, and any other pertinent information.

2. Section 1347.516 (a) (2) is amended by designating the undesignated paragraph following the words "Special products" as subdivision (i).

3. Section 1347.516 (a) (2) (ii) is added to read as follows:

(ii) In special cases in which test runs of paper towels are made at the request of the War Production Board, such runs to be of limited quantities only, and for a limited period of time, and to be made only to discover improved methods of conserving materials, and for cost-finding purposes, the Administrator may, if he deems such procedure to be in the interest of the successful prosecution of the war, authorize by letter appropriate temporary maximum prices for such test runs of paper towels. The temporary maximum price or prices may in no event exceed the maximum price for that product for which the substitution is made. Any manufacturer desiring to obtain such temporary maximum prices for such purposes may request permission by letter, setting forth fully the reasons for such test-run, its duration and scope, the temporary maximum price or prices requested, and any other pertinent information.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4902; Filed, March 30, 1943; 4:59 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 10]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Paragraphs (c) and (d) of section 9.1 are amended to read as follows:

Section 9.1 (c) Not more than six (6) certificates are to be issued, regardless of the size of the allotment. Certificates for pounds shall not be issued in fractions of pounds, but shall be issued to the nearest pound.

(d) If an institutional user has establishments in more than one group, his opening inventory and his allotments are determined separately for each group and he is to receive separate certificates for each group. If he has registered his establishments separately, his opening inventory and his allotments are determined separately for each establishment and he is to receive separate certificates for each.

This amendment shall become effective March 30, 1943.

(Pub. Law 671, 76 Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6, 7, 8 F.R. 2005, 2251, 3741, respectively.)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4921; Filed, March 30, 1943; 5:04 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amendment 18]

CHEESE

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 18 to Maximum Price Regulation No. 280 is amended to read as follows:

This Amendment No. 18 shall become effective March 11, 1943.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4913; Filed, March 30, 1943; 5:01 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2152, 2334, 2349, 2273, 2350, 2501, 2594, 2756, 2874, 2977, 3050, 3106, 3327, 3366.

[2] 7 F.R. 9335, 10714, 8 F.R. 531, 2431.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616.

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg.]

Revised Maximum Export Price Regulation

In calculating the maximum export price on sales of bituminous coal to all other destinations, the maximum domestic price to be used shall be the maximum

(b) The difference between the greater cost of installation and other necessary services involved in the sale and

by section 5 (a). In the event that a maximum domestic price for such a sale of the commodity by the exporter is

and the freight which would have been incurred had a normal port of exit been used. When the maximum domestic price which is used by the exporter as

Such promulgation or promulgations, shall be in the form of amendments to this Maximum Export Price Regulation, and shall be inserted as subparagraphs of

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg.]

Revised Maximum Export Price Regulation is amended to read as follows:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register."

§ 1375.1 *Maximum export prices.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, the Second Revised Maximum Export Price Regulation which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1375.1 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7671.

SECOND REVISED MAXIMUM EXPORT PRICE REGULATION

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SECTION 1 *Export sales to procurement agencies of the United States for the account of the Office of Lend-Lease Administration.* On a sale to a procurement agency buying for the account of the Office of Lend-Lease Administration, established under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," the maximum price shall be the seller's maximum domestic price applicable to the transaction plus the following charges if separately shown on the seller's invoice:

(a) Extra packing costs to be determined in accordance with Supplementary Order No. 34[1] issued by the Office of Price Administration;

[1] 7 F.R. 10779.

(b) The difference between the greater cost of installation and other necessary services involved in the sale and the cost of installation and other necessary services which would have been involved in a domestic sale, if such installation or services are contracted for by an agency of the United States, whether such installation or services are performed directly by the seller or by his distributor or agent:

Except that if the applicable domestic price regulation expressly allows and provides for any of the expenses on sales for the account of the Office of Lend-Lease Administration, that provision of the domestic price regulation shall govern.

SEC. 2 *Sales to exporters.* On a sale to a person who buys for his own account a commodity for shipment outside the continental United States, the maximum price shall be the seller's maximum domestic price applicable to the transaction plus the following charges if separately shown on the seller's invoice:

(a) Extra packing expenses as allowed by section 4 (b); and

(b) The difference between the greater cost of installation and servicing involved in the sale and the cost of installation and servicing involved in a comparable domestic sale, whether such installation or servicing is performed directly or by a distributor or agent:

Except that if the applicable domestic price regulation expressly provides for installation and servicing on such sales, that provision of the domestic price regulation shall govern.

SEC. 3 *Maximum export prices for export sales other than to procurement agencies of the United States for an account of the Office of Lend-Lease Administration.* On and after April 5, 1943, regardless of the terms of any contract of sale or purchase, or of any export license thereafter issued by the Board of Economic Warfare or other governmental agency, no exporter or other seller in a transaction dealt with below shall sell, offer to sell, transport, ship, or participate in the transportation or shipment of, any commodity at a price in excess of the following maximum prices:

(a) In the case of an exporter other than the manufacturer or producer of the commodity the maximum export price shall be either:

(1) The price at which the commodity was acquired or the maximum domestic price which would be applicable to a current sale of the commodity to the exporter by the supplier thereof, plus the additions thereto authorized by paragraphs (a) and (b) of section 4 and less the deductions provided by section 5 (a); or

(2) The maximum domestic price, at the point from which the commodity is to be shipped for export, which would be applicable to a sale of the commodity by the exporter to a domestic purchaser similar to the purchaser outside the Continental United States, plus the allowable expenses authorized by section 4 (b), and less the deductions provided by section 5 (a). In the event that a maximum domestic price for such a sale of the commodity by the exporter is not determinable, a price in line with the maximum undelivered price which would be applicable to such a sale by the domestic jobber or wholesaler located nearest the point from which the commodity is to be shipped for export may be substituted as the basic price and the addition of allowable expenses authorized by section 4 (b) and the deductions provided by section 5 (a) made thereto: *Provided*, That on an export sale of the goods dealt with in section 7, a premium not in excess of that specified therein may be added.

(b) In the case of an exporter who is the manufacturer or producer of the commodity to be exported, the maximum export price shall be his maximum domestic price for the commodity to a domestic purchaser similar to the purchaser outside the continental United States or, in case there is no such price, shall be his maximum domestic price to such a similar purchaser for the most nearly similar commodity of equal or lower quality or grade plus the additions thereto authorized by sections 4 (a) or 7, and 4 (b), and less the deductions provided by section 5 (b).

(c) In the case of an exporter who is the manufacturer or producer of a commodity which is not sold domestically by any seller and for which there is no similar domestic product, or which is not sold domestically by any manufacturer or producer to the class of purchaser to which the exporter sells outside the continental United States, the maximum export price shall be the highest price charged in the export market by the manufacturer or producer to the same purchaser or to a similar purchaser outside the continental United States during the period March 1 to April 15, 1942, or the price on the last sale of the commodity by the exporter to such a purchaser prior to that period. No such price shall be charged until after an affidavit has been filed with the Office of Export-Import Price Control, Office of Price Administration, Washington, D. C. stating either that no similar product sold in the domestic market exists, or that no similar product is sold domestically by any manufacturer or producer of the product to a purchaser of the same class as the purchaser outside the continental United States; showing the maximum export price proposed to be charged on export sales of the commodity, and indicating the transaction or transactions in the March 1 to April 15, 1942 period or prior to that period upon which the proposed price is based. The Price Administrator may disapprove or adjust the prices proposed if in his opinion the requirements of this section are not met, or if in his opinion the price is excessive.

(d) In the case of solid fuels exported to the Territories of Alaska and Hawaii, the Dominion of Canada and Newfoundland, the maximum export price shall be that established by Maximum Price Regulations Nos. 120, 121, and 122 to the extent that such regulations are applicable.

In calculating the maximum export price on sales of bituminous coal to all other destinations, the maximum domestic price to be used shall be the maximum price for the same coal at the port of embarkation, determined by the seller under Maximum Price Regulation No. 189, unless the sale shall have been made on a prepared size basis, in which event the maximum domestic price shall be determined in accordance with the applicable domestic price regulation.

SEC. 4 *Export premiums and allowable expenses on export sales other than to procurement agencies of the United States for the account of the Office of Lend-Lease Administration.* (a) An amount (stated either as a percentage of the basic price or as a flat amount, depending upon the customary practise in the trade) not in excess of 125 per cent of the average premium charged in the export trade during the period July 1 to December 31, 1940 for the particular services or functions performed, or 125% of the average premium charged in the export trade during the period March 1 to April 15, 1942, for the particular services or functions performed, whichever figure is the lower, may be added by the exporter to his maximum domestic price or other basic price, as provided in section 3 of this regulation. If the commodity being exported was, during the period March 1 to April 15, 1942, covered by a specific price schedule or regulation which contained no express provision for export sales or which expressly prohibited the charging of an export premium, the maximum premium shall be 125 per cent of the average premium charged during the period July 1 to December 31, 1940. In determining the applicable premium, due recognition shall be given to differences in the amount of the premium charged by different types of exporters during the controlling base period, and to differences in premiums resulting from variations in the size or value of exports, the terms of credit, the destination of the goods, and the functions performed by agents or subsidiaries at the destination: *Provided*, That no premium may be included in a maximum export price computed under section 3 (a) (2) unless otherwise provided for therein, or under section 3 (c): *Provided further*, That the applicable average export premium shall not be increased by reason of the fact that more than one exporter participates in the process of exportation.

(b) An amount may be added by the exporter to his basic price to compensate for expenses, such as freight, marine and war risk insurance, consular fees, freight forwarders' fees packing costs in excess of those incurred on domestic sales, demurrage charges, and other shipping charges, incident to exporting the commodity and incurred or to be incurred by the exporter. When the maximum domestic price which is used by the exporter as his basic price under sections 3 (a) (2) or 3 (b) is a delivered price and the exporter uses an emergency port of exit, he may add to the maximum delivered price at the normal port of exit the difference between the inland freight actually incurred to the emergency port and the freight which would have been incurred had a normal port of exit been used. When the maximum domestic price which is used by the exporter as his basic price under sections 3 (a) (2) or 3 (b) is established f. o. b. interior shipping point with an allowance of all or part of the inland freight and the exporter uses an emergency port of exit, he may add to such basic price the inland freight actually incurred to the emergency port less the amount of freight which he would be required to allow on shipments to the normal port.

SEC. 5 *Deductions from maximum export price on export sales other than to procurement agencies for the account of the Office of Lend-Lease Administration.* (a) Where an exporter other than the manufacturer or producer of the commodity is entitled and lays claim to any drawback of import duties or excise taxes or export subsidy the amount of such drawback or such subsidy, with allowance for the expenses incurred in obtaining such drawback or subsidy, shall be deemed an addition to the price charged by the exporter and may only be retained by him provided that it does not increase his premium beyond the amount allowed by sections 4 (a) or 7 of this regulation.

(b) Where an exporter who is the manufacturer or producer of the commodity is entitled and lays claim to any drawback of import duties or excise taxes or export subsidy the amount of such drawback or subsidy, with allowance for the expenses incurred in obtaining such drawback or subsidy, shall be deemed an addition to the price charged by the exporter to the extent to which his cost of manufacture of the commodity is reduced below the cost of manufacture of the same or similar commodity sold domestically. This addition may be retained to the extent that it does not increase his premium beyond the amount allowed by sections 4 (a) or 7 of this regulation.

SEC. 6 *Promulgation of specific maximum export premiums for export sales other than to procurement agencies for the account of the Office of Lend-Lease Administration.* The Office of Price Administration may from time to time promulgate figures which shall reflect the average premium charged in the export trade for the particular services or functions performed during either the period July 1 to December 31, 1940 or March 1 to April 15, 1942, whichever average premium is lower.

Moreover, if the periods July 1 to December 31, 1940 or March 1 to April 15, 1942 are determined by the Price Administrator to be inappropriate base periods, or where the trade or industry finds great difficulty in discovering an appropriate premium in the base periods the Office of Price Administration may promulgate a specific export premium for the trade or industry. In case of such promulgation, and pursuant to and subject to the terms of the promulgation, the premium therein stated shall become the maximum premium to be charged in the export trade unless the alternative of the average export premium of the trade is specifically allowed by the Administrator. Such promulgation or promulgations, shall be in the form of amendments to this Maximum Export Price Regulation, and shall be inserted as subparagraphs of section 7.

SEC. 7 *Specific maximum export premiums for export sales other than to procurement agencies for the account of the Office of Lend-Lease Administration*—(a) *Textiles.* The maximum export premium to be charged on an export sale of textiles, whether woven, twisted, or knitted, containing 75 per cent or more by weight of cotton or artificial fiber, or a mixture of cotton and artificial fiber, including but not limited to finished piece goods and grey goods regardless of width, and articles which are transformed from piece goods into finished articles simply by cutting and or hemming and or overedging (but not including wearing apparel), and yarn, thread, twine and rope of cotton or artificial fiber, shall be either:

(1) An amount as defined in section 4 (a), which may be added to the basic price as defined in sections 3 (a) (1) or 3 (b); or

(2) An amount not in excess of 7 per cent of the domestic maximum price which is applicable to a sale by the exporter to a domestic purchaser similar to the purchaser located outside the continental United States, which may be added to the basic price as defined in sections 3 (a) (2) or 3 (b).

(b) *Domestic chrome ores and concentrates.* The maximum export premium to be charged on an export sale of domestic chrome ores and concentrates of 38% to 44% to Cr_2O_3 content shall be $6.00 per gross ton of 2240 pounds.

(c) *Bituminous coal.* The maximum export premium to be charged on an export sale of bituminous coal, except to the Territories of Alaska and Hawaii, the Dominion of Canada and Newfoundland, shall be 25 cents per net ton of 2,000 pounds.

SEC. 8. *Export prices for iron and steel products subject to Revised Price Schedule 6 or Revised Price Schedule 49 in the domestic market.* (a) In the case of an exporter who is a producer of iron and steel products as defined in Revised Price Schedule No. 6 (Iron and Steel Products), the maximum export price of such a product sold under a contract of sale entered into on or after April 2, 1943 shall be either:

(1) The aggregate of:

(i) The domestic or export base price of the product at the governing or emergency basing point, plus applicable domestic and export extras, as provided in Revised Price Schedule No. 6, and plus inland transportation charges (at export rates where applicable) from such governing or emergency basing point (whichever is applicable) to the port of exit: *Provided, however*, That if an emergency basing point is used the transportation charges shall in no case exceed the actual transportation charges from the producing mill to the port of exit; and

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter such as demurrage, storage, trans-

fer to the export carrier, ocean or other export freight, marine and war risk insurance, and consular fees; or

(2) The aggregate of:

(i) The export base price of the product quoted by the United States Steel Export Company f. a. s. the port of exit on April 16, 1941, plus applicable export extras, as provided in Revised Price Schedule No. 6 (see its appendix D for such export base prices for principal ports); and

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter for demurrage, storage, and transfer to the export carrier, in excess of the amounts of such charges which were normally included in the price under section 8 (a) (2) (i) above; and

(iii) Other expenses incident to exportation and incurred or to be incurred by the exporter such as ocean freight, marine and war risk insurance, and consular fees; or

(3) Where a product has no basing point base price, the maximum price established by section 8 (a) (2) above, or the aggregate of:

(i) The export price, including applicable extras, which was or would have been charged for the product by the producer on April 16, 1941, plus inland transportation charges (at export rates where applicable) from the producing mill to the port of exit (except that portion of those charges which was or would have been included in such price); and

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter in excess of the amounts, if any, of such expenses which were normally included in the price under section 8 (a) (3) (i) above.

Provided, That on a sale to a procurement agency buying for the account of the Office of Lend-Lease Administration, the maximum price shall be the maximum domestic price established by Revised Price Schedule No. 6, except that (a) where there are no published or filed domestic extras, export extras shall apply; (b) inland transportation charges shall be computed at export rates where applicable, otherwise at domestic rates; and (c) where there is no established domestic ceiling price for the product, the maximum price shall be determined in accordance with the provisions of sections 8 (a) (2) or 8 (a) (3) above.

(b) In the case of an exporter who is not a producer but a seller of iron and steel products as defined in Revised Price Schedule No. 49,[3] the maximum export price of such a product sold under a contract of sale entered into on or after April 2, 1943 shall be either:

(1) Where the exporter has put the product being exported through "the operations commonly known as the warehousing of iron or steel products" as defined in § 1306.157 (s) of Revised Price Schedule No. 49, the aggregate of:

(i) The maximum price, including applicable extras, as provided in Revised Price Schedule No. 49 which would be applicable to a sale of the product by the exporter to a domestic purchaser within the exporter's city or free delivery area (which price shall include delivery f. o. b. inland carrier within such city or free delivery area or, if shipment is to be made by boat from port located within such city or free delivery area, shall include delivery f. a. s. vessel);

(ii) Expenses incident to exportation and incurred or to be incurred by the exporter, such as inland transportation charges (at export rates where applicable), demurrage, storage, transfer to the export carrier, ocean or other export freight, marine and war risk insurance, and consular fees; or

(2) Where the exporter has not put the product being exported through "the operations commonly known as the warehousing of iron or steel products" as defined in § 1306.157 (s) of Revised Price Schedule No. 49, the aggregate of:

(i) The maximum price, including applicable extras, which would be applicable to a current sale of the product to the exporter by the supplier thereof; and

(ii) An amount not in excess of 12½ per cent of such maximum price (but which need not be less than $20) when the total price of the order to the exporter computed at such maximum price does not exceed $1,000, or 10 per cent (but not less than $125) when such total price is over $1,000 but does not exceed $4,000, or 8 per cent (but not less than $400) when such total price is over $4,000 but does not exceed $10,000, or 6 per cent (but not less than $800) when such total price is over $10,000; and

(iii) An additional amount calculated as a percentage of the maximum price under section 8 (b) (2) (i) above, as follows: if the terms of payment call for letter of credit payable against ocean documents, 1½ per cent; or, if the terms call for draft payable abroad and no letter of credit is involved, 2 per cent if such draft is payable at sight plus an additional ½ of 1 per cent for each 30 days from sight at which such draft is payable; or, if the sale is made on open account, 2 per cent if the terms stated are cash on receipt of invoice, plus an additional ½ of 1 per cent for each 30 days of credit extension stipulated on the invoice, but in no event more than a total of 3½ per cent; and

(iv) Expenses incident to exportation and incurred or to be incurred by the exporter, such as inland transportation charges (at export rates where applicable), demurrage, storage, transfer to the export carrier, ocean or other export freight, marine and war risk insurance, and consular fees.

(c) Where shipment has actually been made to the intended point of exportation and war exigencies require the use of another point of exportation, the maximum export prices shall be those established under sections 8 (a) and 8 (b) above, except that such maximum prices may include the additional amount actually incurred by the exporter to effect delivery at the point of exportation finally used.

(d) The maximum export prices established by sections 8 (a) and 8 (b) above shall include and shall not be increased by reason of interest or financing charges connected with the transaction or by reason of any fees or commissions, including commissions paid to intermediaries, whether domestic or foreign.

SEC. 9 *Exceptions.* (a) The Provisions of this Maximum Export Price Regulation shall not be applicable to any export made pursuant to a contract of sale entered into prior to April 30, 1942 for which an export license is not required or which is made under a validly outstanding export license issued by the Board of Economic Warfare or the Department of State prior to April 30, 1942: *Provided*, That the exception here granted shall apply to exports for which an export license is not required or which are made under general or unlimited licenses issued by the Board of Economic Warfare only if the commodity was actually transported outside of the continental United States prior to October 1, 1942.

(b) The Administrator, subject to such terms and conditions as he shall determine to be necessary or desirable, may grant an exception to the provisions of this Maximum Export Price Regulation in any case in which a certificate is received by the Administrator from the Board of Economic Warfare certifying that such exception is necessary for considerations of political or military necessity or because of the requirements of economic warfare.

(c) The provisions of this regulation shall not be applicable to any export under a contract of sale entered into prior to April 30, 1942, the price for which was determined under the export provisions of a specific price schedule or regulation issued by the Office of Price Administration prior to April 25, 1942.

(d) The provisions of this regulation shall not apply to commodities shipped into the continental United States from outside thereof for transhipment, in bond, to any destination outside the continental United States.

(e) The provisions of this regulation shall not be applicable to goods sold while stored in a free port established by the laws of the United States.

(f) The provisions of this regulation shall not be applicable to the export sale of a commodity which would not be governed by a domestic price regulation if sold domestically by the exporter to a domestic purchaser of the same class as the foreign purchaser.

(g) The provisions of this regulation shall not be applicable to sales or resales by an agent of the exporter or a firm owned or controlled by the exporter when the commodity has been sold or invoiced to such agent or firm at a price not in excess of the price permitted by this regulation, if

(1) The agent or the owned or controlled firm has processed, fabricated or otherwise substantially changed the form of the commodity exporter; or

(2) The sale by the agent or the owned or controlled firm is through a regularly established retail outlet owned or operated by the agent or subsidiary; or

(3) The sale is made by an agent of a manufacturer or producer of the commodity, or by a firm controlled by the manufacturer or producer and is made in the United Kingdom, the Dominions of Australia, New Zealand, the Union of South Africa and Canada.

(h) The provisions of this regulation shall not be applicable to export sales by the United States Commercial Company made under a directive of the Board of Economic Warfare in connection with its preclusive buying program.

SEC. 10. *Records.* (a) Each exporter, in connection with any export for which a specific export license is required either in the space provided under question 17 of the duplicate and triplicate copies of the export license application to be filed with the Office of Export Control, Board of Economic Warfare, or in the space provided in any form of export license application hereafter promulgated, or in any other manner which the Office of Price Administration or the Board of Economic Warfare shall prescribe, shall state the following information:

(1) In the case of an exporter other than the manufacturer, the price at which the commodity was acquired or other basic price (exclusive of any expenses incident to export), or in the case of the manufacturer, the maximum domestic price or other basic price to which the additions authorized by paragraphs (a) and (b) of sections 4 or 7 are to be made, and

(2) The amount of the premium to be added pursuant to sections 4 (a) or 7.

(b) In addition, each exporter shall, for a period of not less than two years from the date of export, retain a record of each export transaction which shall contain all the facts pertinent thereto, including:

(1) (i) In the case of an export by a person other than the manufacturer, the price at which the commodity was acquired and name and address of the person from whom the commodity was acquired, or other basic price authorized by section 3 (a).

(ii) In the case of an export by a manufacturer or producer the maximum domestic price or other basic price authorized by paragraphs (b) and (c) of section 3.

(2) The name and address of the importer to whom the export sale was made, and

(3) The aggregate price charged, the amount of the premium added pursuant to section 4 (a) or 7 and the amount of each additional item of expense added pursuant to section 4 (b) together with a copy of the invoice, bill of lading or other statement rendered to the importer in connection with the export sale.

(c) Such records shall be available for inspection by duly authorized representatives of the Office of Price Administration and the Administrator may require their submission for periodical inspection if he deems such inspection necessary or desirable.

SEC. 11 *Definitions.* (a) When used in this maximum export price regulation the term:

(1) "Export" or "export sale" means:

(i) Any sale of a commodity by a seller or his agent in the continental United States to a purchaser outside thereof in which the selling or invoicing is done in the continental United States, or is done outside the continental United States on behalf of a principal or parent firm in the continental United States, and the commodity sold is or has been transported from the continental United States to a point outside thereof;

(ii) Any sale to a procurement agency of the United States for the account of the Office of Lend-Lease Administration;

(iii) Any sale to an agency of a foreign government;

(iv) Any sale to an agent in the United States who discloses that he takes title on behalf of a principal outside the continental United States, provided such disclosure is noted by the seller on his invoice; and

(v) Any sale of the exported commodity by an agent abroad of the exporter for the exporter's account, or by a firm owned or controlled by the exporter, within a period of two years after the date of shipment of the commodity from the continental United States except as provided in section 9 (g).

(2) "Exporter" means any individual, partnership, association or corporation, including a manufacturer, export agent, export merchant, or commission merchant, engaging or participating, as the seller or his agent in any selling or invoicing in connection with an export sale.

(3) "Continental United States" means only the forty-eight States and the District of Columbia.

(4) "Maximum domestic price" means the highest price at which the seller may, under any applicable price schedule, regulation or order issued by the Office of Price Administration, sell, offer to sell, deliver or transfer a particular commodity to a given class of purchaser within the continental United States.

(5) "Exporter who is the manufacturer or producer" shall include wholly owned subsidiaries, related companies all of whose stock is owned by a common parent, and persons to whose specifications and under whose supervision products are manufactured by another, as well as the actual manufacturer or producer.

(6) The term "domestic purchaser similar to the purchaser outside the continental United States" means a domestic purchaser of the same general class as the purchaser outside the continental United States, e. g., manufacturer, wholesaler, jobber, exclusive distributor, retailer, government agency, public institution, individual consumer, or other class of purchaser for which the seller has an established price.

(7) "Basic price" shall mean the cost of acquisition or other domestic price referred to in section 3 of this regulation.

(8) "Similar commodities" shall have the meaning given it in § 1499.2 of the General Maximum Price Regulation.

(9) "Normal port of exit" means the port of exit in the continental United States from which the commodity being exported would have customarily been shipped in export to a particular destination during the period July 1 to December 31, 1941.

(10) "Emergency port" means the port from which the commodity being exported is actually shipped in export, when the "normal port of exit" is not available.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 12. *Petitions for adjustment.* Any person seeking an adjustment of any provision of this Second Revised Maximum Export Price Regulation may file a petition for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 13 *Enforcement.* (a) Any person violating either directly or indirectly the provisions of this maximum export price regulation shall be subject to the civil and criminal penalties, civil enforcement actions, suits for treble damages or other enforcement procedures authorized by the Emergency Price Control Act of 1942.

(b) Any person having evidence of any violation of this regulation or any maximum price schedule, regulation or order issued by the Office of Price Administration is urged to communicate with the nearest regional or field office of the Office of Price Administration or its principal office in Washington, D. C.

(c) No exporter shall invoice goods, whether to his buyer or any other person at a price in excess of the maximum export price which he may charge that person under the terms of this regulation: *Provided*, That an exporter may include in his invoice to a purchaser outside the continental United States any purchasing commission which he paid to his buyer's purchasing agent in the continental United States under specific instructions of the buyer: *Provided*, That such commission is separately stated on the invoice rendered to the buyer.

SEC. 14 *Existing maximum price schedules, regulations or orders.* No provision of any maximum price schedule, regulation or order heretofore promulgated by the Office of Price Administration shall be deemed to authorize any action inconsistent with the provisions of this regulation and, to the extent that the provisions of any existing schedule, regulation or order are inconsistent or in conflict with the provisions of the Maximum Export Price Regulation, such provisions are hereby revoked and superseded.

Nothing in this regulation shall be construed as superseding any provision in any schedule, regulation, or order issued by the Office of Price Administration which requires the filing or reporting of

[3] 7 F.R. 1300, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 6948, 10844; 8 F.R. 319, 1583, 2388.

[3] 7 F.R. 6961; 8 F.R. 3313.

Table 25—Sawn stakes, B and Better,

PART 1394—RATIONING OF FUEL AND FUEL

(ii) *Terms of sale.* Net 10 days,

the prices charged on sales to procurement agencies buying for the account of the Office of Lend-Lease Administration.

SEC. 15 *Effective date.* This revised regulation shall become effective April 5, 1943.

Issued this 30th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4903, Filed, March 30, 1943; 4:58 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATION FOR WAR PROCUREMENT AGENCIES

[MPR 156,[1] Amendment 4]

CERTAIN BEEF AND BEEF PRODUCTS PURCHASED BY CERTAIN FEDERAL AGENCIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1378.52 (b)[1] is amended to read as follows:

§ 1378.52 (b) The maximum prices, f. o. b. the seller's shipping point, for each of the following canned products shall be:

Product	*Size of can*	*Price per doz. cans*
Vienna sausage	24 oz.	$7.50
Corned beef	6 lb.	32.00

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4917; Filed, March 30, 1943; 5:01 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 253,[2] Amendment 2]

REDWOOD LUMBER AND MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 253 is amended in the following respects:

1. Section 1381.403 is amended to read as follows:

§ 1381.403 *Adjustable pricing.* The price may be made adjustable to the maximum price in effect at the time of delivery. Where a petition for amendment is pending, the Administrator may, on special application, permit the use of a price which is adjustable to the price finally permitted by the action on the petition.

2. Section 1381.412, Table 1 (E), is amended by deleting the column of figures headed "Add for dry".

3. Section 1381.412, Table 1, footnotes 38, 39, 54, and 61 are amended, and Note 63 (V) is added, to read as follows:

38. Notching: Add $3.50.
39. Slotting: Add $5.00.
54. Running guard rail and posts S4S, beveled corner: Add $5.00.
61. Standard or non-standard patterns of Gutter or Trunking: Add $15.00.
63 (V). Stock thicker than 3", countersunk hole: Add $0.10 net per hole.

4. Section 1381.412, Table 4, under the column headed "Siding" the phrase "Bevel (Pattern 360)" is amended to read "Bevel (Patterns 360, 380, 400)".

5. Section 1381.412, Table 4, footnote 1 is amended to read:

1. Specified lengths:
(I) Bevel siding, 3' to 12': Same price.
(II) Bevel siding, 14' to 20': Add $3.00.
(III) Bungalow and Mount Vernon siding: Add $2.00.

6. Section 1381.412, Table 7, the heading is amended to read as follows: Table 7—Sawn stakes, B and Better, rough, unpointed, bundled, per M' BM.

7. Section 1381.412, Table 8, the heading is amended to read as follows: Table 8—Sawn garden stakes, B and Better, S4S, pointed, bundled, per M' BM.

8. Section 1381.412, Table 13, the heading is amended to read as follows: Table 13—Standard patterns of mouldings, B and Better, 6' to 16' or 6' to 20' random lengths, bundled, per M lineal feet.

9. Section 1381.412, Table 15, the heading is amended to read as follows: Table 15—General Notes.

10. Section 1381.412, Table 15, Note 6 is added to read as follows:

6. On standard bundled items, when not bundled, deduct $2.00 per thousand board feet or the equivalent in other designated measure.

11. Section 1381.412, Table 16, is amended by inserting immediately below the item "Log cabin siding 2" and thicker", two new items to read as follows:

	BM
Gutter	2,400
Bevel and moulded sill	2,800

12. Section 1381.413, Table 2, is amended by deleting the figure "89.00" in the column headed "A" and the line headed "1" x 10"", and inserting the figure "87.00" in its place.

13. Section 1381.413, Table 2, Note 11 is amended to read as follows:

11. Slotting: Add $5.00.

14. Section 1381.413, Table 3, in Note 4 the sub-headings in column headed "Widths" are amended to read as follows:

2", 3", 4", 5", and 6".	8", 10", and 12".

15. Section 1381.413, Table 3, Notes 5 (II), 28, and 29 are amended, and a new Note 47 is added, to read as follows:

5. (II). More than 4' and less than 6' inclusive: Same as 6', and compute footage on 6" multiples.
28. Notching: Add $3.50.
29. Slotting: Add $5.00.
47. Pointing: For one angle cut add $2.00; for two angle cuts add a total of $3.00 per MBM.

16. Section 1381.413, Table 4, footnote 24 (V) is added to read as follows:

(V) Stock thicker than 3", countersunk hole: Add $0.10 per hole.

17. Section 1381.413, Table 6, note headed "*Estimated Weight (Pounds)*", and Notes 18, 19, and 27 are amended, and new Notes 12 (a), 28 (V), and 31 are added, to read as follows:

	Estimated weight (pounds)
3" Dry	2,800
4" Dry	3,000
3" Green	4,000
3" Green	4,000
5" and thicker green	4,000

12 (a). Partially dry: 3" x 3", 3" x 4", 4" x 4". Clear all heart: Deduct $5.00.
18. Notching: Add $3.50.
19. Slotting: Add $5.00.
27. Standard or non-standard patterns of Gutter or Trunking: Add $12.00. (Estimated weights: Dry, 1,400 pounds; Green, 2,400 pounds.)
28. (V) Stock thicker than 3", countersunk hole: Add $0.10 net per hole.
31. Resawing 3" and wider: Add $4.00.

18. Section 1381.413, Table 11, Notes 10 and 12 are amended, and Notes 13 (V) and 16 are added, to read as follows:

10. Slotting: Add $5.00.
12. Standard or non-standard patterns of Gutter or Trunking: Add $12.00. (Estimated weights: Dry, 1,400 pounds; Green, 2,400 pounds.)
13 (V). Stock thicker than 3", countersunk hole: Add $0.10 net per hole.
16. Ripping, except taper: Add $2.00.

19. Section 1381.413, Table 12, Notes 25, 26, 37, and 40 are amended, and Note 41 (V) is added, to read as follows:

25. Notching: Add $3.50.
26. Slotting: Add $5.00.
37. Running guard rail and posts S4S, beveled corner: Add $2.00.
40. Standard or non-standard patterns of Gutter or Trunking: Add $12.00. (Estimated weights: Dry, 1,400 pounds; Green, 2,400 pounds.)
41 (V). Stock thicker than 3", countersunk hole: Add $0.10 net per hole.

20. Section 1381.413, Table 13, Footnotes 19, 20, 28, and 31 are amended, and Footnote 32 (V) is added, to read as follows:

19. Notching: Add $3.50.
20. Slotting: Add $5.00.
28. Running guard rail and posts S4S, beveled corner: Add $2.00.
31. Standard or non-standard patterns of Gutter or Trunking: Add $12.00. (Estimated weights: Dry, 1,400 pounds; Green, 2,400 pounds.)
32 (V). Stock thicker than 3", countersunk hole: Add $0.10 net per hole.

21. Section 1381.413, Table 20, the heading is amended to read as follows: Table 20—Cooling tower filler strips, all heart, bundled, per C pieces.

22. Section 1381.413—Table 25, the heading is amended to read as follows: Table 25—Sawn stakes, B and Better, rough, pointed, bundled, per C pieces.

23. Section 1381.413, Table 26, the heading is amended to read as follows: Table 26—Sawn plant stakes, B and Better, S4S, pointed, bundled, per C pieces.

24. Section 1381.413, Table 28, the heading is amended to read as follows: Table 28—Standard patterns of mouldings, B and Better, 6' to 16' or 6' to 20' random lengths, bundled, per M lineal feet.

25. Section 1381.413, Table 29, the heading is amended and footnote 6 is added, to read as follows: Table 29—General Notes.

(6) On standard bundled items, when not bundled, deduct $2.00 per thousand board feet or the equivalent in other designated measure.

26. Section 1381.413 (d) is added to read as follows:

(d) On contracts of over 35,000 feet BM, only, sellers may sell to a cooling tower manufacturer for use in the construction of cooling towers all of the Redwood lumber needed to fulfill the requirements of that manufacturer in grades of Clear All Heart and No. 1 Heart Common, not further worked than S4S or T and G, for delivery in the Eastern area, at an average price of $81.50 per MBM f. o. b. 57 cent freight rate territory in lieu of the specific item prices shown in this section, and they may use an estimated weight of 3,250 pounds per MBM.

Where the lumber is fabricated beyond S4S or T and G, the average price for delivery in the Eastern area shall be $80.00 per MBM f. o. b. 57 cent freight rate territory in lieu of the specific item prices shown in this section. To this price may be added the costs of workings as set forth in this section. An estimated weight of 3,000 pounds per MBM may be used.

27. Section 1381.414 (a) is amended by deleting the phrase "but referred to in one or more of the publications set forth in § 1381.408 (a) (15)".

28. Section 1381.414 (a) (2) (ii) is amended by deleting the period and adding the phrase ", or, if not listed in those publications, a detailed description as to grade, working, and other specification."

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4904; Filed, March 30, 1943; 4:58 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4230, 7032, 5760, 8948, 10379, 8 F.R. 121

[2] 7 F.R. 9230, 10848, 8 F.R. 1139.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[1] Amendment 57]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5051 (b) is amended by deleting therefrom the phrase "1394.-5310".

This amendment shall become effective on March 30, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4923; Filed, March 30, 1943; 5:03 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118, Amendment 17]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 118 is amended in the following respect:

1. Section 1400.118 (d) (34) is added to read as follows:

(34) *Grey insulation tubing.* (i) The following are the maximum prices for grey insulation tubing of the following constructions made by the following manufacturers:

	Construction	Manufacturer	Cents per tubular yard
27"	68 x 72 3.37	Union Buffalo Mills Co.	18.25
27"	68 x 72 3.37	Gainesville Cotton Mills	18.25
39½"	68 x 72 2.35	Pacific Mills	26.50
27"	72 x 68 4.15	Utica & Mohawk Cotton Mills	20.00

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 3106, 3521, 3628, 3733.

(ii) *Terms of sale.* Net 10 days, f. o. b. mill.

(iii) *Seconds and shorts.* For offgoods each seller shall grant the same discount as those observed by the seller or sellers of the particular construction during the last three months of 1942.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4927; Filed, March 30, 1943; 5:02 p. m.]

PART 1407—RATIONING OF FOODS AND FOOD PRODUCTS

[RO 16,[1] Amendment 3]

MEATS, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 9.2 (c) is amended to read as follows:

(c) *Retailers.* Every "retailer" whose gross sales of all foods during December 1942, or during any single calendar month since December 1942, were over $2,500, or who has more than one "retail establishment," must open a ration bank account. If he has more than one retail establishment and they are to be registered separately, he must open a separate account for each. If they are to be registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account. No other retailer may open an account unless he is required to do so pursuant to paragraphs (d) or (h) (because he makes "transfers" of foods to consumers by mail, or receives stamps or certificates from consumers before the time he transfers "butter" or "rationed cheeses" to them from a mobile conveyance).

This amendment shall become effective March 30, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, Food Dir. 7)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4919; Filed, March 30, 1943; 5:01 p. m.]

[1] 8 F.R. 3591, 3715.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 19]

MEAT

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1407.915 (b) is added to read as follows:

(b) Every slaughterer shall, not later than 30 days after the close of Quota Period 2, file with the Office of Price Administration on OPA Form No. RSO1:2[2] the information called for therein pertaining to such quota period. Not later than April 30, 1943 every slaughterer who has not previously done so shall file with the Office of Price Administration on such form the information called for therein pertaining to Quota Period 1, except that it need not be filed by a slaughterer who elected to have Quota Period 1 end on December 20, 1942 and who filed the statement required by § 1407.905 (a). A copy of OPA Form No. RSO1:2 shall be completed and executed in duplicate for each such period and signed by the slaughterer, a partner (if a partnership), an officer (if a corporation), or a manager of the slaughterer. The Director of the Food Rationing Division of the Office of Price Administration may, for good cause shown, extend the time for filing such form.

This amendment shall become effective March 30, 1943.

(Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess., and by Pub. Law 207, 77th Cong., 2d Sess., Pub. Law 421, 77th Cong., 2d Sess., Pub. Law 729, 77th Cong., 2d Sess., W.P.B. Directive No. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4920; Filed, March 30, 1943; 5:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 1[1] to GMPR,[2] Amendment 57]

SYNTHETIC RUBBER COMPONENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 1 to the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.26 (a) (25) (iv) is amended to read as follows:

(iv) The following to the extent sold or delivered for use in the manufacture of synthetic rubbers: components of synthetic rubbers, including but not limited to butadiene and styrene; all hydrocarbons and petroleum fractions used in the manufacture of the components of synthetic rubber, including but not limited to ethylene, propylene, butylene, isobutylene, propane, butane, and isobutane; hydrogen, acetaldehyde, acetylene, vinylactylene, vinyl chloride, vinyl acetate, sebacate esters, phthalate esters, tricresyl phosphate, hydrochloric acid, calcium carbide, ethylene dichloride, dichlorethyl ether, sodium polysulfide, butylene glycol, acrylonitrile, and ethylalcohol, and furfural, dehydrogenation catalysts including but not limited to chrome-alumina and magnesia-alumina dehydrogenation catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel.

2. Section 1499.26 (a) (25) (viii) is hereby revoked.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4908; Filed, March 30, 1943; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 1[1] to GMPR,[2] Amendment 58]

CRUDE RUBBER, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.26 (a) (43) is added to read as follows:

(43) Crude rubber, guayule rubber and liquid latex.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4922; Filed, March 30, 1943; 5:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 4[1] to GMPR,[2] Amendment 24]

EXCEPTIONS; SALES TO UNITED STATES AGENCIES

A statement of the considerations involved in the issuance of Amendment No. 24 to Revised Supplementary Regulation No. 4 has been issued and filed with the Division of the Federal Register.*

Section 1499.29 (a) is amended by adding the following new subparagraph:

(31) Sales or deliveries to the United States, or any of its agencies, to the Government or agencies of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or to any contractor or subcontractor therewith, of the following Army field and emergency rations and commodities:

(i) Completed rations: C; D; K; Five-in-One; Mountain; Jungle; Bail Out; Combat; Life Raft; Corned Beef Hash (5½ lb. can); Meat and Vegetable Stew (30 oz. can); Meat and Vegetable Hash (6 lb. 12 oz. can); Chili Con Carne (6 lb. 8 oz. can).

(ii) All finished component parts of these rations (for example, finished biscuits, finished drink powders, etc., as distinct from their ingredients). However, the following finished component parts shall be subject to maximum prices in sales to these buyers:

Breakfast cereals.
Milk, condensed (covered by Maximum Price Regulation No. 289).
Milk, unsweetened evaporated, unsweetened dehydrated (powdered skim) (covered by Maximum Price Regulation No. 289).
Canned fruits, fruit juices and nectars (covered by Maximum Price Regulations Nos. 185 and 306).
Dried fruits (covered by Maximum Price Regulation No. 227).
Raisins (covered by Maximum Price Regulation No. 242).
Canned vegetables and vegetable juices (covered by Maximum Price Regulations Nos. 152 and 306).
Dehydrated potato shreds.
Canned sliced bacon (covered by Maximum Price Regulation No. 148).
Canned pork sausage (covered by Maximum Price Regulation No. 148).
Canned corned pork (covered by Maximum Price Regulation No. 148).
Canned corned beef (covered by Maximum Price Regulation No. 156).
Spaghetti (covered by Maximum Price Regulation No. 325).
Cheese (covered by Maximum Price Regulation No. 280).
Peanuts (covered by Maximum Price Regulation No. 335).
Fruit preserves, jams, jellies (covered by Maximum Price Regulation No. 226).
Powdered puddings.
Tea (covered by Price Schedule No. 91).
Sugar (covered by Price Schedule No. 60).
Salt & salt tablets.
Hard candy.
Chewing gum.
Cigarettes (covered by Revised Price Schedule No. 62).
Toilet paper (coverd by Maximum Price Regulation No. 266).

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4918; Filed, March 30, 1943; 5:01 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3201, 3372, 3416, 3328.

[2] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8 F.R. 3096.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 6366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8930, 8833, 9082, 9131, 9616, 9622, 9975, 9976, 10022, 10718, 10557, 11118; 8 F.R. 130, 265, 927, 1454, 1813, 2274, 3068, 3209.

[2] 8 F.R. 3096.

[1] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372, 1685, 1681, 1893, 8631.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11[1] to GMPR, Amendment 16]

CEMETERY, CREMATORIUM AND MAUSOLEUM SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.46 (b) (112) is added to read as follows:

(112) Cemetery, crematorium and mausoleum services and facilities—rates and charges for: burial plots and their upkeep; grave excavating; interment; incineration and storage of human remains.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4925; Filed, March 30, 1943; 5:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 145]

TEA BAGS OR TEA BALLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Regulation No. 14 is amended in the following respects:

1. Section 1499.73 (a) (88) is added to read as follows:

(88) *Tea packers' maximum price for tea bags (tea balls) packed 200 and 250 to the pound which were formerly packed in other weights*—(i) *Calculations of prices for new size tea bags by tea packers.* Packers who formerly packed tea in weights other than 200 and 250 tea bags to the pound and have changed them to those new sizes shall determine their maximum prices for such new weights of tea bags by calculating as follows:

(*a*) Calculate the total weight of tea in the shipping case containing the old size tea bags (tea bags packed other than 200 and 250 to the pound).

(*b*) Calculate the total weight of tea for the same number of *new size* tea bags (tea bags packed 200 or 250 to the pound).

(*c*) Subtract the smaller weight from the larger weight determined in (*a*) and (*b*)

(*d*) Multiply the difference in weight of tea found in (*c*) by the "cost per pound of tea." "Cost per pound of tea" shall mean the delivered maximum price per pound of bulk tea, used in the manufacturers blend, determined in accordance with the provisions of §§ 1351.261 and 1351.262 of RPS 91 with ocean freight, war risk insurance and marine insurance computed at the lowest rates available on the effective date of this amendment.

(*e*) If the new size tea bags weigh more than the old size tea bags, add the figure obtained in (*d*) above, to the maximum price for the shipping case containing the old size tea bags. If less, subtract the figure obtained in (*d*).

(*f*) If the shipping case containing the new size bags does not contain the same number of tea bags as the shipping case containing the old size tea bags, the figure obtained in (*e*) above shall be changed in the exact proportion that the number of new size tea bags bears to the number of old size tea bags.

(*g*) If the price results in a fraction of one-half cent or more, it shall be raised to the next higher cent. If it results in a fraction of less than one-half cent, it shall be lowered to the next lower cent. The result of the above calculation shall be the maximum price for a shipping case of the new size tea bags.

Example: A tea packer desires to obtain a new maximum price on "XX" Brand Tea Bags formerly packed 175 to the pound of tea, in packages containing 25 tea bags each and sold in shipping cases of 24 packages at a ceiling price of $5.40, which he intends to pack 200 to the pound of tea, 25 bags to the package, 12 packages to the shipping case. He intends to use a blend of bulk tea which cost at maximum prices determined according to §§ 1351.261 and 1351.262 of RPS 91, 48½¢ per pound. He makes the following calculation:

(a)	Weight of tea in the old size case of tea bags. 25 tea bags in packages multiplied by 24 packages in case = 600 tea bags 600 tea bags divided by 175 tea bags to the pound = 3.42 lbs. of tea	
(b)	Weight of tea in the same number of new size tea bags. 600 tea bags divided by 200 tea bags to the pound = 3 lbs. of tea.	
(c)	Subtract from the weight of the tea in the old size tea bags (the larger figure)	3.42 lbs.
	the weight of the tea in the new size tea bags (the smaller figure)	3. lbs.
		.42 lbs.
(d)	Difference in weight of	.42 lbs.
	Multiplied by the cost per lb. of tea	$ .465
	Total	$ .19530
(e)	The maximum price for the old size tea bags	$5 40
	Less the figure obtained in (d)	.1953
		$5.2047

(f) Since the shipping container of the new size tea bags contains only 300 tea bags, we must take 300 600ths or ½ of $5.2047, the figure obtained in (e) which results in the figure $2.6023.

(g) Since 23 100ths of a cent is less than ½ cent, round out the figure of $2.6023 to $2.60.

(ii) *Definitions.* "Tea packers" means the processor and packer of tea bags or tea balls or one who sells tea bags or tea balls which are packed for his account by another.

(iii) *Report of prices.* Within 30 days after determining the established maximum prices under the provisions of this subparagraph 88, the tea packers shall send to the Imported Foods Section, Office of Price Administration, Washington, D. C., a letter enclosing a copy of the detailed figures for each brand by which their maximum prices were calculated, explained as in the example in (i) above.

(iv) *Customary discounts, allowances and price differentials.* The same customary discounts, allowances, and price differentials which apply to sales and deliveries of the old size tea bags shall apply to sales and deliveries of the new size tea bags.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4906; Filed, March 30, 1943; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 146]

TRANSPORTATION OF MOLASSES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

In § 1499.73 (a) (43) (i) (*a*), the proviso is amended to read as follows:

(*a*) *Provided*, That in no case may the seller add to the applicable f. o. b. price an amount in excess of the lower of the following:

(*1*) The exact charge, at the lowest available freight rate for the transportation of an identical quantity from the mill or factory producing the molasses being sold to the point designated by the buyer as his receiving point, or

(*2*) the exact sum in dollars and cents actually paid for the transportation of the molasses being shipped, at the lowest available freight rate, from the mill or factory producing the molasses being sold to the buyer's designated receiving point.

This amendment shall become effective the 5th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4905; Filed, March 30, 1943; 4:59 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6426, 6965, 7604, 7759, 8282, 8431, 8810, 915, 9894, 130, 149, 2215, 3068, 3372.

Chapter III—Bureau of Mines

defaced or stolen. A licensee needing a

son to whom explosives or ingredients

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 147]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (55) (viii) is amended to read as follows:

(viii) *Maximum prices of manufacturers, private brand dealers, custom mixer and mineral feed manufacturers who did not engage in business during specified months of 1942.* The maximum prices of every manufacturer, and of every private brand dealer, and of every custom mixer and of every mineral feed manufacturer who did not engage in business or who has no records upon which to compute his margins, during the months of January, March, May, October, November and December 1942, shall be governed by the maximum prices of his closest competitor for whom maximum prices are prescribed hereunder.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4910; Filed, March 30, 1943; 5:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[3] to GMPR,[4] Amendment 148]

CERTAIN PACKAGED COSMETICS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (89) is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1139, 1590, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2343, 2354, 2274, 2346, 2507.

[2] 8 F.R. 3096.

[3] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7265, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8958, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878.

[4] 8 F.R. 3096.

(89) *Certain 5 and 10 cent sizes of cosmetics*—(i) *Maximum prices.* Where a cosmetic is packaged by or for the manufacturer thereof in a package contracted for by the manufacturer or packager prior to September 11, 1942, and where such package contains a lesser quantity of cosmetic than was contained in a package of cosmetic of the same kind, quality, and brand name sold at retail for 5 or 10 cents for which maximum prices for sales by the manufacturer were established under § 1499.2 of the General Maximum Price Regulation, the maximum prices for sales by any seller of such package of cosmetic containing a lesser quantity of cosmetic shall be the maximum prices established under the General Maximum Price Regulation for sales by such seller of the package of cosmetic which contained a greater quantity of cosmetic.

(ii) *Definition.* As used in this subparagraph (89), "manufacturer" means a person who packages a cosmetic under his own brand name or causes the same to be packaged for him under his own brand name.

(iii) *Notification*—(a) *By manufacturers.* The manufacturer of a package of cosmetic containing a lesser quantity of cosmetic for which maximum prices are established under this paragraph (89) shall with or prior to the first delivery thereof to any purchaser furnish him with a notice reading as follows:

Maximum prices for sales by any seller of (describe package of cosmetic containing lesser quantity) are the same as the maximum prices established under the General Maximum Price Regulation for sales by that seller of (describe package of cosmetic containing greater quantity).

(*b*) *By wholesalers.* Any wholesaler of such a package of cosmetic shall with or prior to the first shipment thereof to a retailer furnish such retailer with the notice of the same kind as set forth in subdivision (*a*) above.

This amendment shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4907; Filed, March 30, 1943; 4:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 152]

CHICAGO AREA FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (b) (105) of Supplementary Regulation 14 to the General Maximum Price Regulation is amended to read as follows:

(105) Amendment No. 104 [§ 1499.73 (a) (1)] to Supplementary Regulation 14 shall become effective February 2, 1943.

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4914; Filed, March 30, 1943; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 153]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment 134 to Supplementary Regulation 14 to the General Maximum Price Regulation is amended to read as follows:

This Amendment No. 134 shall become effective March 11, 1943.

This Amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4915; Filed, March 30, 1943; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amendment 10]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 1499.163 (a) (3) is amended to read as set forth below:

§ 1499.163 *Definitions.* (a) When used in Maximum Price Regulation No. 188, the term:

* * * * * * *

(3) "Manufacturer" means the person who makes the first sale of an article listed in Appendix A (§ 1499.166) of this Regulation after the article has been completed to the point indicated by the terminology of the Appendix.

* * * * * * *

§ 1499.165a *Effective dates of amendments.* * * *

(g) Amendment No. 10 to Maximum Price Regulation No. 188 (§ 1499.163 (a) (3) shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4912; Filed, March 30, 1943; 5:02 p. m.]

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155, 8 F.R. 537, 1815, 1980, 3105.

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred by section 18 of the act of December 26, 1941 (55 Stat. 863), as amended, the regulations under the Federal Explosives Act heretofore promulgated are hereby amended as follows:

[NOTE: See 7 F.R. 305, 1103, 1976, 3876, 4758, 5901, 8175, 9606; 8 F.R. 1343, 3080.]

Section 301.3 is amended by changing paragraph (a) (4) and the title to paragraph (b) (3) to read as follows:

§ 301.3 *Application of act and regulations; exceptions*—(a) *Persons and operations excepted.* * * *

(4) *Exportation and importation.* No license under the Federal Explosives Act is required for the exportation or importation of explosives or ingredients, license for which is required under the provisions of the following statutes, or under any proclamation or regulation issued pursuant thereto: Act of January 31, 1922 (42 Stat. 361), prohibiting unrestricted export of arms to certain countries where domestic violence occurs; the Neutrality Act of November 4, 1939 (54 Stat. 4); and the National Defense Act of July 2, 1940 (54 Stat. 712). However, persons who export or import explosives or ingredients under the above statutes must keep a record of such transactions, which shall include the quantity and description of the explosives and ingredients, the dates of shipment and delivery, the name of the vessel used, the name and address of the consignee, consignor, vendor, purchaser, carrier, and other interested parties. This record shall be retained by the exporter or importer until called for by the Director, or until one year after the termination of the present war, and shall be open for inspection at all times by the Director or his authorized representatives. No license under the Federal Explosives Act is required for the exportation of explosives or ingredients which constitute defense articles within the meaning of section 2 of the Lend-Lease Act of March 11, 1941 (55 Stat. 31), and which under the authority of section 3 (a) (2) of that Act have been disposed of to the government of any country whose defense the President deems vital to the defense of the United States.

(b) *Explosives and ingredients excepted.* * * *

(3) *Cartridges and ships' equipment.* * * *

Section 301.5 (a) is amended by substituting for the first sentence, the following sentences:

§ 301.5 *Licenses, term and transferability*—(a) *Term of licenses.* Licenses are valid for a term of one year from the date of issuance. They may be reissued as provided in § 301.23.

Section 301.10 is amended by changing the title and paragraphs (a) and (b) to read as follows:

§ 301.10 *Copies of licenses*—(a) *Duplicates to replace licenses lost, destroyed, defaced or stolen.* A licensee needing a duplicate copy of a license to replace a license that has been lost, destroyed, defaced, or stolen shall make application for the duplicate to the licensing agent who issued the original license. If that licensing agent has resigned, died or been removed, the application shall be addressed to his successor, or, if his successor does not have the original records, to the Director. Duplicate copies of original licenses issued by the Director may be obtained only from the Director. No form is provided for applications for duplicate copies of licenses, but such applications must be executed and sworn to in the same manner as is required for original licenses, must state all the facts known to the applicant concerning the loss, destruction, defacement or theft of the original license, and must refer to the application upon which the original license was issued. If the issuing officer applied to is satisfied with the showing made by the applicant, he shall issue a duplicate copy of the license on a special unnumbered form for duplicate licenses and shall insert the same number and date as on the original license. Duplicates issued by successor licensing agents shall bear the name of the orginal licensing agent and, in addition, shall be endorsed by the successor licensing agent. If a defaced license is available, or if a lost or stolen license is afterwards recovered, it must be surrendered to the issuing officer who issued the duplicate.

(b) *Certified copies of licenses.* A licensee needing a certified copy of his license in the conduct of his business may make applications for it to any licensing agent or to the Director, but if made to an issuing officer other than the one who issued the original license, the original license must be exhibited. No form is provided for applications for certified copies of licenses, but such applications must be in writing and signed by the licensee, and must state the number of copies desired and the purpose for which they are sought. If the issuing officer applied to is satisfied with the showing made by the applicant, he shall issue the certified copies on special unnumbered forms for certified copies and shall insert the same number and date as on the original license. Certified copies issued by an issuing officer other than the one who issued the original license shall bear the name of the issuing officer who issued the original license, and, in addition, shall be certified by the signature of the issuing officer issuing the copy.

Section 301.11 (c) is amended by changing the first sentence to read as follows:

§ 301.11 *Licensing Agents; instructions.* * * *

(c) *Forms and records.* Licensing agents will be supplied with all necessary forms.

Section 301.18 (a) is amended by changing the second sentence to read as follows:

§ 301.18 *Special instructions for vendors*—(a) *Necessity for license.* * * * Every jobber, even though he does not physically handle the explosives or ingredients dealt in, as well as every person to whom explosives or ingredients are consigned for sale, must have his own individual vendor's license.

Section 301.19 (a) is amended to read as follows:

§ 301.19 *Special instructions for manufacturers*—(a) *Licenses needed.* Every manufacturer of explosives or ingredients, except as provided in § 301.3, will require:

(1) A manufacturer's license.

(2) A vendor's license if a part of the sales made by the manufacturer consists of explosives or ingredients which he has purchased for the purpose of resale.

R. R. SAYERS,
Director.

Approved: March 30, 1943.

MICHAEL W. STRAUS,
First Assistant Secretary of the Interior.

[F. R. Doc. 43-4953; Filed March 31, 1943; 11:42 a. m.]

Notices

OFFICE OF PRICE ADMINISTRATION.

[Order 174 Under MPR 120]

MORRIS RUN COAL MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 174 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120-312.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals in Size Group 1 produced by the Morris Run Coal Mining Company, Wilkes-Barre, Pennsylvania, at its Bloss Mine, Mine Index No. 335, in District No. 1 may be sold and purchased for shipment by truck or wagon at prices not to exceed $4.25 per net ton f. o. b. the mine.

(b) Within thirty (30) days from the effective date of this order, the Morris Run Coal Mining Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 174 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 174 shall become effective March 31, 1943.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4896; Filed, March 30, 1943; 3:48 p. m.]

[Order 175 Under MPR 120]

RACCOON COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 175 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120-340.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Size Group 6 coal produced by Curtis Hopkins, doing business as Raccoon Coal Company, Rosedale, Indiana, at his Raccoon Mine, Mine Index No. 478, in District No. 11, may be sold and purchased for shipment by truck or wagon at a price not to exceed $3.25 per net ton f. o. b. the mine;

(b) Within 30 days from the effective date of this order, the said Curtis Hopkins, doing business as Raccoon Coal Company, shall notify all persons purchasing his coal of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122;

(c) This Order No. 175 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 175 shall become effective March 31, 1943.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-4897; Filed, March 30, 1943; 3:48 p. m.]

[Order 229 Under MPR 188]

DELTA ELECTRIC COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 229 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' maximum prices for specified building materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales of two new lanterns manufactured by the Delta Electric Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 229 sets maximum prices for sales of two new lanterns designated as "A-2030 Relay Operated Emergency Lantern" and "A-2051 Float Light" manufactured by Delta Electric Company, Marion, Indiana.

(1) For sales by the manufacturer, the maximum prices are the following:

A-2030 relay operated emergency lantern	$3.375
A-2051 float light	2.925

These prices are subject to manufacturer's customary terms.

(2) For sales by jobbers, in lots of six or more, the maximum prices are:

A-2030 relay operated emergency lantern	$4.50
A-2051 float light	3.90

For sales by jobbers, in lots of five or less, the maximum prices are:

A-2030 relay operated emergency lantern	$5.00
A-2051 float light	4.33

These prices are subject to the jobber's customary terms and discounts.

(3) For sales by retailers, the maximum prices are:

A-2030 relay operated emergency lantern	$7.50
A-2051 float light	6.50

(b) To every relay operated emergency lantern and float light, shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him, of the maximum prices set by this Order No. 229 for resales by the purchaser. This written notice may be given in any convenient form; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 229 may be revoked or amended by the Price Administrator at any time.

This Order No. 229 shall become effective on the 31st day of March 1943.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4898; Filed, March 30, 1943; 3:49 p. m.]

[Order 9 Under RPS 41]

HARTFORD ELECTRIC STEEL CORPORATION AND ROXBURY STEEL CASTING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 9 under Revised Price Schedule No. 41—Steel Castings; Docket No. 3041-19.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices of Hartford Electric Steel Corporation and Roxbury Steel Casting Company. (a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41, Hartford Electric Steel Corporation and Roxbury Steel Casting Company may sell and deliver steel castings at prices not to exceed their respective maximum prices established by Revised Price Schedule No. 41 prior to Amendment No. 4: *Provided*, That in the case of navy, ordnance and ship and marine steel castings each of said companies may, at its option, sell and deliver at prices not in excess of the applicable maximum prices established by Amendment No. 4 or subsequent amendments to Revised Price Schedule No. 41: *Provided further*, That Hartford Electric Steel Corporation and Roxbury Steel Casting Company shall file with the Office of Price Administration, Washington, D. C., quarterly profit and loss statements and quarterly balance sheets within thirty days after the close of each quarter year beginning with the first quarter of the year 1943, except that such information need not be filed if it is furnished within the time required above on the *Form B—Interim Financial Reports* issued by the Office of Price Administration.

(b) Persons may buy and receive castings from Hartford Electric Steel Corporation and Roxbury Steel Casting Company at prices not in excess of those set forth in paragraphs (a) and (b) above.

(c) The provisions of paragraphs (a) and (b) above shall be applicable to all steel castings shipped by Hartford Electric Steel Corporation and Roxbury Steel Casting Company on or after March 6, 1943.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 9 shall be effective March 31, 1943.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4892; Filed, March 30, 1943; 3:49 p. m.]

[Order 78 Under RPS 64 [1]]

MT. VERNON FURNACE & MFG. CO.

APPROVAL OF MAXIMUM PRICE

Order No. 78 under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

On February 22, 1943, the Mt. Vernon Furnace and Mfg. Co. of Mt. Vernon, Illinois, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for four new models of coal heating stoves, designated in the application as 63-14, 63-16, 63-18, and 63-20, respectively.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Mt. Vernon Furnace & Mfg. Co. may sell, offer to sell, transfer or deliver the models 63-14, 63-16, 63-18 and 63-20 at a price no higher than the following:

To distributors:
$25.94 f. o. b. factory for model 63-14
$31.52 f. o. b. factory for model 63-16
$35.25 f. o. b. factory for model 63-18
$40.10 f. o. b. factory for model 63-20
To dealers:
$32.43 f. o. b. factory for model 63-14
$39.40 f. o. b. factory for model 63-16
$44.06 f. o. b. factory for model 63-18
$50.13 f. o. b. factory for model 63-20

(b) This Order No. 78 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 78 shall become effective on the 31st day of March 1943.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4895; Filed, March 30, 1943; 3:49 p. m.]

[Order 79 Under RPS 64 [1]]

PRENTISS WABERS PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 79 Under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

On January 29, 1943, the Prentiss Wabers Products Company, Wisconsin Rapids, Wisconsin, completed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model kerosene oil cooker, designated in the application as model 623 P. E.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Prentiss Wabers Products Company may sell, offer to sell, transfer or deliver its model 623 P. E. kerosene oil cooker at a price no higher than $31.00 to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to its comparable model 623 P. as established under Revised Price Schedule No. 64.

(b) This Order No. 79 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 79 shall become effective on the 31st day of March 1943.

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4929; Filed, March 30, 1943; 5:00 p. m.]

[Rev. Gen. Order 32, Amendment 3]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

General Order 32 is amended in the following respects:

1. Subparagraph (1) of paragraph (a) is amended by adding at the end thereof the following clause:

or applications relating to the classification of retail stores under section 16 of Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts).

2. Subparagraph (1) of paragraph (b) is amended by adding at the end thereof the following clause:

or applications relating to the classification of retail stores under section 16 of Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts).

This amendment shall become effective March 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4928; Filed, March 30, 1943; 5:03 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director, Office of War Utilities of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 30, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-a	2441-A	City of Woodstock, Woodstock, Ill.	Municipal power plant, Woodstock, Ill.	3/26/43
PD-2	C-96521	General Electric Co., Cleveland, Ohio	Interlake Iron Corporation, Cleveland, Ohio.	3/29/43

[F. R. Doc. 43-4875; Filed, March 30, 1943; 11:17 a. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934 LITTERA SCRIPTA MANET

VOLUME 8 NUMBER 65

Washington, Friday, April 2, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, it is hereby determined that the provision of such order which provides seasonal minimum prices for Class I milk during the months of April, May, and June 1943, is a provision which obstructs and does not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is therefore ordered, That, effective as of the date of execution hereof, the following provisions of § 930.5 (a) (1) of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, are hereby suspended:

* * * during the delivery period of June 1942; and thereafter add the following amount per hundredweight:

Delivery period:	*Amount (dollars per hundredweight)*
July through March	0.90
April, May, and June	.80

Done at Washington, D. C., this 31st day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5042; Filed, April 1, 1943; 11:30 a. m.]

Chapter XI—Food Distribution Administration

[FDO 19-1, Am. 1]

PART 1455—SPICES

RESTRICTED SPICES QUOTAS

Pursuant to the authority vested in me by Food Distribution Order No. 19 (8 F.R. 1827), issued by the Secretary of Agriculture of the United States on February 8, 1943, under the authority of Executive Order No. 9280, dated December 5, 1942, and in order to effectuate the purposes of such orders, *It is hereby ordered*, That Director Food Distribution Order No. 19-1 (8 F.R. 1829) be, and the same hereby is, amended to read as follows:

§ 1455.2 *Quotas for restricted spices.* (a) For the quarterly period of three months beginning on April 1, 1943, and for each subsequent quarterly period of three months, the quota of any restricted spice, as listed hereinafter, for any packer, any receiver, or any industrial user shall be the following percentage of the amount of such spice delivered by such person (if a packer), accepted by such person (if a receiver), or used by such person (if an industrial user) during the corresponding quarterly period of 1941 or during such other base period as is provided for in § 1455.1 (b) (5) of Food Distribution Order No. 19:

Restricted spice:	*Quota percentage*
Black pepper	45
Cassia (cinnamon)	30
Cloves	90
Ginger	100
Mace	40
Nutmeg	60
Pimento (allspice)	75
White pepper	45

(b) Any packer may, in lieu of a quota computed pursuant to (a) hereof, avail himself of a quota of a total of one hundred pounds of any restricted spice or any combination of restricted spices.

(c) This order shall take effect at 12:01 a. m., e. w. t., April 1, 1943. With respect to any violation of Director Food Distribution Order No. 19-1 prior to the effective time of this amendment, Director Food Distribution Order No. 19-1

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the manufacture of any finished product, and shall include all other persons di-

specified in such Schedule A of his average quarterly use or consumption of fats

FEDERAL REGISTER

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IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 19, 8 F.R. 1827.)

Issued this 31st day of March 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-4956; Filed, March 31, 1943; 11:49 a. m.]

[FDO 42]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of fats and oils to meet war and essential civilian needs, *It is hereby ordered*, As follows:

1460.1 *Use of fats and oils.* (a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "fats and oils" means all the raw, crude, refined, and pressed fats and oils, whether vegetable, animal, fish, or other marine animal, their by-products and derivatives, including grease (lard) oil, sulfonated and similarly processed fats and oils, fatty acids, and lard and rendered pork fat, but not including cocoa butter, butter, wool greases, essential oils, tall oil, mineral oils, and vitamin-bearing oils derived from fish or other marine animal livers or viscera.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "manufacturer" means any person who uses any fats or oils in the manufacture of any finished product, and shall include all other persons directly controlling or controlled by such person and all persons under direct or indirect common control with such person. The term shall not include any crusher, renderer, refiner, or other processor except as and to the extent that his operations result in the production of a finished product, and shall also not include any person who uses fats and oils in the home in the preparation of food for household consumption. Blending alone shall not constitute a person a manufacturer.

(4) The "inventory" of a manufacturer at any time shall include all fats and oils held or controlled by him and all fats and oils purchased by him for future delivery.

(5) The term "finished product" means any product of a manufacturer produced for sale as his finished product and carried on his books as his finished product. Other than for the purposes of paragraph (d) hereof, "finished product" shall not include:

(i) grease (lard) oil; (ii) sulphonated or similarly processed fat or oil; (iii) fatty acids; (iv) lard or rendered pork fat; (v) any fat or oil product intended for sale to another manufacturer for further processing in the manufacture of, or for inclusion in, any product (excepting a product falling within paragraph (a) (5) (vi) hereof); (vi) any edible product of which a fat or oil is not the principal ingredient; (vii) any edible product produced by any hotel or restaurant for consumption on the premises; (viii) any medicinal preparation, including vitamin preparations, other than medicated soap; (ix) olive oil; or (x) poultry fat.

(6) The term "crusher" means any person who presses, expels, or extracts oils from any seed, bean, nut, or corn or other oil-bearing materials.

(7) The term "principal ingredient" as used in paragraph (a) (5) (vi) hereof means the largest single ingredient by weight, subject to the qualification that mayonnaise and salad dressing are to be considered products of which a fat or oil is not the principal ingredient regardless of the fat or oil composition thereof in the particular case.

(8) The term "soap" means the product commonly known by that term, including all types of shaving soap and cream, excluding, however, soap used for non-detergent purposes (including the processing of textiles).

(9) The term "base period use" means the average use during the corresponding calendar quarter of the years 1940 and 1941.

(10) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on manufacture.* (1) No manufacturer, except as provided in paragraph (b) (5) hereof, shall in any calendar quarter use or consume any fat or oil in any class of use listed in Schedule A annexed hereto in a quantity in excess of the percentage specified in such Schedule A of his average quarterly use or consumption of fats and oils in such class of use during the corresponding calendar quarters of the two years, 1940 and 1941.

(2) If any manufacturer does not, in any calendar quarter, use or consume the quantity of fat or oil permitted by paragraph (b) (1) hereof, the unused part of his quota for such quarter shall, for the purposes of such paragraph (b) (1), be carried forward and added to his permitted quota for the succeeding quarters: *Provided, however*, That any unused part of his permitted quota for any prior quarter shall not be carried forward beyond June 30, 1943, and beyond the 30th day of June of each year thereafter.

(3) For the purpose of determining the quantity of raw "foots" which may be used or consumed, use or consumption shall be calculated on the basis of total fatty acid content.

(4) The restrictions on the use or consumption of fats and oils imposed hereby are imposed with respect to the use or consumption of fats and oils in the aggregate, and such restrictions are not to be construed to limit a manufacturer to the use or consumption of the same fat or oil used or consumed by him in the base period.

(5) Nothing in paragraph (b) (1) hereof shall restrict:

(i) The use or consumption of fats and oils in any calendar quarter by any manufacturer whose aggregate use or consumption of fats and oils in such period is less than 6,000 lbs.

(ii) The use of fats and oils in the manufacture of any edible product or soap delivered or to be delivered to:

(*a*) the Army of the United States (including post exchanges outside the continental United States);

(*b*) the Navy of the United States (including the Coast Guard and Marine Corps, and including ships' service stores outside the continental United States);

(*c*) the War Shipping Administration;

(*d*) the Panama Railroad Company;

(*e*) any agency of the United States for delivery to or for the account of the government of a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(*f*) the Food Distribution Administration for export, or for shipment to any territory or possession of the United States;

(*g*) any wholesaler or jobber for delivery to any of the persons or agencies named in this paragraph (b) (5 (ii) hereof;

(*h*) any person, feeding, under contract (directly or indirectly), personnel of the Army, Navy, Marine Corps, or Coast Guard, for use in the preparation of meals for such personnel;

(*i*) any person using an edible product in the preparation of meals to be served on vessels operated under the War Shipping Administration; or

(*j*) another manufacturer for use in the manufacture of any edible product to be delivered to any of the persons or agencies named in this paragraph (b) (5) (ii) hereof.

Deliveries to the persons named in paragraphs (b) (5) (ii) (*g*), (*h*), (*i*), and (*j*) hereof shall be non-quota only if supported by a certificate issued to the person having the prime contract with the agencies named in paragraphs (b) (5) (ii) (*a*), (*b*), (*c*), (*d*), (*e*), and (*f*) hereof. This certificate shall be issued by the Quartermaster General of the Army, the Chief of the Bureau of Supplies and Accounts or the Chief of the Bureau of Naval Personnel of the Navy, the Commandant of the United States Coast Guard, the Quartermaster of the United States Marines, the Administrator of the War Shipping Administration, the Vice President of the Panama Railroad Company, the Director, or the duly authorized representative of any of them. It shall specify the name of the manufacturer supplying such fats and oils or soap, and shall state that the final products are for direct Army, Navy, Coast Guard, or Marine Corps issue or for sale in post exchanges or ships' service stores outside the continental United States, for contract feeding of Army, Navy, Coast Guard, or Marine Corps personnel, for consumption on ships operated under the War Shipping Administration, for consumption in the Panama Canal Zone, for export or shipment to any territory or possession of the United States, or for delivery pursuant to such Lend-Lease Act; and that the delivery or manufacture of such products will require a stated quantity of fats and oils or soap. The prime contractor shall furnish copies of such certificate, certified by him to be true and correct, to the persons from whom he obtains such products, and such certified copies shall be transmitted through trade channels to the manufacturer named thereon.

(iii) The use of fats and oils in the manufacture of all protective coatings, coated fabrics, linoleum, oilcloth, and felt base floor coverings, delivered or to be delivered to, or used on or incorporated in material and equipment delivered or to be delivered to, the Army, Navy, Marine Corps, or Coast Guard of the United States, to the United States Maritime Commission, or to the United States War Shipping Administration, or delivered pursuant to the Act of March 11, 1941 (Lend-Lease Act), and for the military, naval, and maritime requirements of the United Nations: *Provided, however*, That any manufacturer claiming exemption under this paragraph (b) (5) (iii) hereof shall file War Production Board Form PD–600, or such other form or forms that may be prescribed by the Director, and receive authorization for such exemption from the Director. Forms may be obtained at local field offices of the War Production Board or the Food Distribution Administration of the United States Department of Agriculture. Five copies shall be prepared, four of which shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref. FD 42; the fifth to be retained in the manufacturer's files. For the purpose of this order, if War Production Board Form PD–600 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(*a*) Under the heading Table 1, change to "Application for exemption", instead of "Application for delivery and/or use required for your next month's operations".

(*b*) In the heading, under "Name of chemical", specify linseed oil, sardine oil, or other kind of fatty oil or fatty acid required; under "WPB order No." specify FD 42; under "Name of company", state name; under "Mailing address", state mailing address; under "Delivery destination", leave blank; under "Supplier with whom this order is placed", leave blank; under "Shipping point", leave blank; under "Unit of measure", state pounds.

(*c*) Under column 1, specify grade required, for example: boiled linseed oil, soyabean oil, herring oil, fatty acid, dehydrated castor oil.

(*d*) Under column 2, specify the quantity for each kind or grade of fatty oil required and the end use for which the finished coating or material is to be used.

(*e*) Under column 3, specify paint, varnish, lacquer, enamel, oilcloth, synthetic resin (specify type).

(*f*) Under column 4, specify ultimate use of product (for example, airplane, warship, rifle, merchantship, anti-aircraft gun, military trucks).

(*g*) Under column 9, specify contract number and award date.

(*h*) Under column 10, specify procurement agency, such as Signal Corps, United States Army, Signal Corps, United States Marine Corps, Naval Bureau of Ordnance, Quartermaster General of the Army, Food Distribution Administration.

(*i*) In table 2 under column 11, list each grade of each type of fatty oil or fatty acid.

(*j*) Column 13, fill in.

(*k*) Column 14, show the quantity of each grade for which exemption is claimed.

(*l*) Column 15, show quantity of each grade on hand at the end of the month preceding date of filing.

(*m*) Columns 15–a, 15–b, 15–c, leave blank.

(*n*) Column 16, state quantity of each grade used applying against your quota.

(*o*) In table 3, under column 17, each applicant on his first request for exemption shall state his allowable quota on the basis of 70 percent of the base period use for the first calendar quarter of 1943, and the allowable quota for the second quarter of 1943 (April 1 to June 30) on the basis of an allowed quota of 50 percent of the base period use.

(iv) The use of fats and oils in the manufacture of products to be exported (*a*) to the Dominion of Canada where such Dominion has granted a license for the import of such products, or (*b*) to any other country pursuant to any export license issued by the Board of Economic Warfare.

(6) For the purposes of determining a manufacturer's permissible use or consumption under paragraph (b) (1) hereof there shall be excluded from the calendar quarter during which use or consumption is hereby limited, any fat or oil used in the manufacture of the products referred to in paragraph (b) (5) (ii), (iii), and (iv) hereof, and there shall be excluded from the base period use any fat or oil used by such manufacturer in such base period in the manufacture of any product delivered by him to the Army or Navy of the United States or delivered by him, as a prime contractor, pursuant to the Lend-Lease Act, or exported to the Dominion of Canada or to any other country, or shipped to any territory or possession of the United States except Hawaii, either directly or through wholesalers or jobbers.

(7) A person who acquires all the manufacturing facilities of another person in a particular class of use shall thereby become entitled to the quota of such other person in such class of use, whether or not he continues to operate such facilities in whole or in part: *Provided, however*, That he shall within 30 days following such acquisition inform the Director of the facilities acquired, their location, whether or not operation will be continued in the same or another location, and the amount of quota which he claims to have acquired in each class of use.

(8) Fats and oils processed by a person pursuant to toll agreement shall be chargeable, not to the quota of the processor, but to the quota of the owner of such fats and oils: *Provided, however*, That title to the product shall remain in the hands of the owner of the fats and oils and that such owner shall market, invoice, and collect for such product through his own organization.

(9) Each manufacturer of soap may, in any calendar quarter, substitute, in whole or in part, for the fats and oils (other than foots made from domestic vegetable oils or the fatty acids made from such foots) which he would be entitled to use under Schedule A in such manufacture, foots made from domestic vegetable oils or the fatty acids made from such foots. The quantity of such foots or their fatty acids which may be used or consumed shall be 100 percent of the base period use of fats and oils.

(*c*) *Restrictions on deliveries of linseed oil.* (1) No person selling linseed oil (whether crushed or processed by him or purchased for resale) shall deliver in the aggregate to persons other than manufacturers during any calendar quarter more linseed oil (whether raw or processed) than 50 percent of the average quarterly amount of linseed oil so delivered by him during the corresponding calendar quarters of the two years, 1940 and 1941.

(2) In reducing deliveries pursuant to paragraph (c) (1) hereof, no person shall make discriminatory cuts as between customers, whether new or old.

(3) This order shall not restrict the delivery by any person of linseed oil to the Army, Navy, Marine Corps, or Coast Guard of the United States, to the United States Maritime Commission, or pursuant to the Act of March 11, 1941 (Lend-Lease Act), and any amount so delivered by him shall be excluded both from the base period use on which his quota is based and from the period or quarter during which future deliveries are hereby limited.

(d) *Restrictions on processing and inventories.* (1) No person shall accept delivery of fats and oils for his raw material inventory if the fats and oils in his raw material inventory are, or would through such acceptance become, in excess of a practicable working minimum inventory. This paragraph (d) (1) does not, however, restrict the inventories of any fat or oil in the form in which it is first produced by the crusher or renderer of any vegetable oil foots or their fatty acids.

(2) No manufacturer shall hereafter change the condition of any fat or oil in his raw materials inventory, or add any additional materials thereto, except to the extent necessary to store any such fat or oil in his raw materials inventory in a form necessary to prevent deterioration thereof, or except to put such fats or oils into process for the manufacture of his products subject to the limitations of paragraph (d) (3).

(3) No manufacturer shall hereafter increase the rate at which fats and oils are put into process by him, except to the extent necessary to meet the required deliveries of his finished products within the limitations established by this order and to maintain only a practicable minimum working inventory of such finished products. The term "practicable minimum working inventory" as used in paragraph (d) (1) and (3), shall be strictly construed. The mere fact that the turn-over has increased, or that materials are difficult to obtain, does not justify maintaining inventories above the minimum at which his operations can be continued.

(e) *Prohibited uses of fats and oils.* (1) No person shall use or consume any butter or any of the following fats and oils in any class of use listed in Schedule A other than the manufacture of margarine or the manufacture of other edible finished products:

Lard
Rendered pork fat
Oleo oil
Oleo stearin
Oleo stock
Edible tallow
Edible olive oil
Peanut oil
Sunflower oil
Sesame seed oil
Raisin seed oil
Tomato seed oil
Cottonseed oil
Corn oil
Soyabean oil
Whale oil (excluding sperm)

(2) No person shall use or consume, in the manufacture of soap, any sardine oil, pilchard oil, or herring oil.

(3) Nothing in paragraphs (e) (1) or (e) (2) hereof shall restrict the use of any fat or oil in any inedible product or soap where and to the extent that:

(i) the quantity of any such fat or oil owned by such person on December 31, 1942, is less than 60,000 lbs.;

(ii) any such fat or oil is used in the manufacture, preparation, or finishing of protective coatings and coated fabrics under the provisions of paragraph (b) (5) (ii) hereof, or in the manufacture of USP XII soap for medicinal use; or soft soap, hospital grade, according to United States Army specifications No. 4–1027A (February 5, 1941) for delivery to the United States Army;

(iii) any such fat or oil is a by-product or residue (except stearin) of the permitted processing of any fat or oil; or consists of tank bottoms of any fat or oil;

(iv) such fat or oil consists of soyabean oil and is used either in the manufacture of synthetic resins or as a plasticizer in the manufacture of lacquers and coated fabrics, exclusive of linoleum and oil cloth; or

(v) the use by any person of any such fat or oil in any class of use which has been specifically authorized by the Director, on such person's establishing to the satisfaction of the Director by letter addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 42, that such fat or oil was owned by him on December 31, 1942, and was on such date unfit for edible use.

(f) *Existing contracts.* The restrictions of this order concerning delivery, acceptance, use, processing, and consumption of fats and oils shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Records and reports.* (1) Each manufacturer, who in any calendar quarter uses or consumes more than 6,000 lbs. of fats and oils in the aggregate, shall file with the Bureau of Census, Washington, D. C., each of the following reports in the following manner.

(i) He shall file on or before the 20th day of each month Bureau of Census Form BM 1, or such other form or forms as may be prescribed by the Director, showing the consumption of fats and oils during the preceding month; and

(ii) He shall file on or before the 20th day of the second month of the succeeding quarter, Bureau of Census Form BM 2, or such other form or forms as may be prescribed by the Director, showing the consumption of fats and oils during the preceding quarter.

(2) Every manufacturer and every other person subject to this order shall maintain such records for at least two years (or for such other period of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(h) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(j) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref.: FD 42.

(l) *Effect of other orders.* Insofar as any other order of the Secretary of Agriculture or the Director, heretofore or hereafter issued, limits or curtails to a greater extent than herein provided the use, acquisition, or disposition of any fat or oil, the limitations of such other order shall control.

(m) *General Preference Order M–71 superseded.* This order supersedes in all respects General Preference Order M–71[1] of the War Production Board except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof said General Preference Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said General Preference Order shall be considered under paragraph (i) hereof.

(n) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

[1] 8 F R 315.

(o) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(p) *Effective date.* This order shall be effective on April 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 31st day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

SCHEDULE A

Class of use:	Permitted percentage
Manufacture of margarine	80
Manufacture of other edible finished products, including shortening	88
Manufacture of soap, exclusive of soap made from domestic vegetable oil foots or the fatty acids from such foots	84
Manufacture of soap from foots made from domestic vegetable oils or the fatty acids from such foots	100
Manufacture of paints, varnishes, lacquers and all other protective coatings, except water paints	50
Manufacture of water paints (on the basis of one pound of oil for each gallon of paste water paint manufactured during the base period and one pound of oil for each eight pounds of dry casein or dry protein paint manufactured during the base period)	50
Manufacture of linoleum, oilcloth, and felt base floor coverings	50
Manufacture of oilcloth (for all purposes other than floor coverings) and all other coated fabrics	50
Manufacture of printing inks, including lithographing, offset, silk screen, and other processing inks	90

[F. R. Doc. 43-4990; Filed, March 31, 1943; 4:17 p. m.]

[FDO 43]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, SALE, AND DELIVERY OF COCOANUT, BABASSU, PALM KERNEL, AND OTHER HIGH LAURIC ACID OILS

Pursuant to authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of cocoanut, babassu, palm kernel, and other high lauric acid oils to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.10 *Use, processing, sale, and delivery of cocoanut, babassu, palm kernel, and other high lauric acid oils restricted.*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "high lauric acid oils" means cocoanut oil, babassu oil, palm kernel oil, and all other oils having a lauric acid content of thirty-five percent (35%) or higher, whether crude, refined, bleached, or deodorized.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Prohibited uses.* The use or consumption by any person of high lauric acid oils in the following manufactures, processes, or uses is prohibited:

(1) Any manufacture, process, or use in which glycerine is not produced;

(2) Any manufacture or process in which glycerine is produced, where the recovery of glycerine does not meet the requirements of Food Distribution Order No. 33. (8 F. R. 3475)

(c) *Permitted uses.* (1) Any person may use or consume high lauric acid oils without regard to the restrictions imposed by paragraphs (b) (1) and (b) (2) hereof, in the following instances:

(i) Where the total use or consumption of high lauric acid oils by any person is less than 3,000 pounds in each of the several three month periods of the year commencing January 1, April 1, July 1, and October 1; or

(ii) Where any person uses or consumes Tucum and Muru-muru oils in the manufacture of any edible product, without limitation on such use or consumption: *Provided*, That such use or consumption shall be subject to the provisions of paragraph (f) hereof.

(2) Notwithstanding the provisions of paragraphs (c) (1) (i) and (ii) hereof, no person shall use or consume high lauric acid oils in the manufacture of any margarine, shortening, or cooking fats.

(d) *Reports of unusable oils.* Any high lauric acid oils at any time remaining in the hands of any person which, by reason of any of the provisions of paragraphs (b) (1) and (2) and (c) (1) (i), (ii) and (2) hereof, may not be used or consumed by him, shall be reported to the Director.

(e) *Restrictions on processing.* After the effective date of this order, no person shall process or change the condition of any high lauric acid oils in preparation for any manufacture or use permitted by this order, except to the extent necessary for such preparation, and then only in such quantities as may be necessary to meet his normal production schedule or, if such oils are to be manufactured or used by another person, then the normal production schedule of such other person.

(f) *Withholdings of high lauric acid oils.* Every person who was required by General Preference Order M-60 (7 F.R. 2185) of the War Production Board to set aside an inventory quota shall use, put in process, sell, or deliver, all or any part of such inventory quota only upon express instruction of the Director: *Provided*, That this paragraph (f) shall not be construed to prevent crushing of copra or other seeds or nuts, or to prevent changing the condition of such oil so set aside to the extent necessary to prevent deterioration while carried in inventory. Such quota shall be held subject to the direction of the Director.

(g) *Restrictions on sales and deliveries.* No person shall sell or, directly or indirectly, deliver, or cause to be delivered, any high lauric acid oils for any use prohibited by paragraphs (b) (1) and (2), and (c) (1) (i), (ii) and (2) hereof; or in violation of paragraph (f) hereof; and no person shall accept deliveries of any high lauric acid oils for any prohibited use or for any greater quantities or proportions than permitted for consumption.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise owned or controlled by the same person.

(i) *Existing contracts.* The restrictions of this order concerning the use, processing, sale, and delivery of high lauric acid oils shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(j) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(k) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(l) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections of his stocks of cocoanut, babassu, palm kernel, and other high lauric acid oils, and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(m) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(n) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(o) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washinton, D. C., Ref: FD 43.

(p) *General Preference Order M-60 of the War Production Board superseded.* This order supersedes in all respects General Preference Order M-60 (7 F.R. 2185) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order M-60 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said order shall be considered under paragraph (m) hereof.

(q) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(r) *Effective date.* This order shall be effective on April 1, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 31st day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4991; Filed, March 31, 1943; 4:17 p. m.]

MEAT RESTRICTION ORDER [1]

TRANSFER OF ADMINISTRATION TO DEPARTMENT OF AGRICULTURE

Pursuant to the provisions of Executive Order No. 9024, dated January 16, 1942 (7 F.R. 329), Executive Order No. 9040, dated January 24, 1942 (7 F.R. 527), Executive Order No. 9280, dated December 5, 1942 (7 F.R. 10179), Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), Directive No. 1 (7 F.R. 562) and Supplemental Directive No. 1-M (7 F.R. 7234) of the War Production Board, and Directives 3 (8 F.R. 2005) and 7 (8 F.R. 3471) issued by the Secretary of Agriculture, and in order to facilitate the effective regulation and control over meat, *It is hereby ordered*, As follows:

(a) The functions of administering and enforcing the provisions of Restriction Order 1, as amended, issued by the Office of Price Administration, are transferred as of April 1, 1943, from the Office of Price Administration to the United States Department of Agriculture. Notwithstanding the transfer of the administration and enforcement thereof, Restriction Order 1, as amended, is continued in full force and effect.

(b) No provision of this order shall affect any suit, action, prosecution, penalty, or administrative or other proceeding, regardless of when commenced, or any judgment, order, decree, or verdict, regardless of when made, entered, or returned, with respect to any violation committed or liability incurred under or pursuant to the terms of Restriction Order 1, as originally issued or subsequently amended, prior to April 1, 1943.

(c) Restriction Order 1, as amended, issued by the Office of Price Administration, and all actions heretofore taken by the Office of Price Administration pursuant to such order (including, without limitation, all adjustments and exceptions granted) are hereby ratified, affirmed, and adopted, the same as if they were specifically set forth herein, and are hereby continued in full force and effect until they expire by their terms or are revoked or amended by appropriate authority within the United States Department of Agriculture, and any condition imposed or any requirement that any act be done pursuant to such order shall also remain in full force and effect.

This order shall become effective April 1, 1943.

Issued this 31st day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

PRENTISS M. BROWN,
Administrator, Office of Price Administration.

[F. R. Doc. 43-4972; Filed, March 31, 1943; 4:17 p. m.]

[Special Regulation]

MEAT RESTRICTION ORDER

MISCELLANEOUS AMENDMENTS

Amendment of Restriction Order 1, as issued and amended by Office of Price Administration.[1]

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322 (8 F.R. 3807) dated March 26, 1943, and to implement the administration and enforcement of Restriction Order 1, as amended, the administration of which has been transferred from the Office of Price Administration to the United States Department of Agriculture, Restriction Order 1, as amended, is amended as follows:

1. By amending § 1407.903 (a) thereof to read as follows:

§ 1407.903 *Quotas established.* (a) The quota of a slaughterer for each type of controlled meat for Quota Period 3 shall be the conversion weight obtained by multiplying the quota base for such type of controlled meat by the percentage set forth below:

Type of controlled meat:	Percentage
Beef	65
Veal	65
Lamb and mutton	70
Pork	75

2. By deleting the provisions of § 1407.904a (a) thereof.

3. By deleting from § 1407.903 (b) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

4. By deleting from § 1407.904a (b) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

5. By deleting from § 1407.906 (b) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

6. By deleting from § 1407.908 (c) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

7. By deleting from § 1407.912 (a) (5) thereof the words "Director of the Food Rationing Division of the Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

8. By deleting from § 1407.912a (c) (5) thereof the words "Director of the Food Rationing Division of the Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

9. By deleting from § 1407.912a (f) thereof the words "Director of the Food Rationing Division of the Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

10. By deleting from § 1407.914 (b) thereof the words "Office of Price Administration", wherever those words appear, and inserting in lieu thereof the words "United States Department of Agriculture."

11. By deleting from § 1407.914 (d) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

12. By adding at the end of § 1407.914a (f) thereof the following new sentence: "Any disputes arising under § 1407.914a not determined prior to April 1, 1943, will be determined by the United States Department of Agriculture."

13. By deleting from § 1407.915 (a) thereof the words "Office of Price Ad-

[1] 7 F.R. 7839.

[1] 7 F.R. 7839; 8 F.R. 3201, 3328, 3372, 3416.

ministration" and inserting in lieu thereof the words "United States Department of Agriculture."

14. By deleting from § 1407.916 (c) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

15. By deleting from § 1407.916 (d) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

16. By deleting from §§ 1407.917 (a), (b) and (c) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

17. By amending § 1407.917 (d) thereof to read as follows:

(d) If it is found that there is an area in which controlled meat is unavailable to such an extent that efficiency and despatch in the war effort or public health or morale are or will be seriously threatened, the United States Department of Agriculture will grant, with or without written application, such exceptions to slaughterers or non-quota slaughterers as shall be deemed necessary to remove such threat.

18. By deleting from § 1407.918 (a) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

19. By deleting the provisions of § 1407.919a thereof.

20. By deleting from § 1407.920 thereof the words "Office of Price Administration," wherever the words appear, and inserting in lieu thereof the words "United States Department of Agriculture."

21. By amending § 1407.923 thereof to read as follows:

§ 1407.923 *Communications.* All registration statements and reports required to be filed hereunder and all communications concerning Restriction Order 1, as amended, shall be addressed to: United States Department of Agriculture, Food Distribution Administration, Washington, D. C.

22. By adding a new section as § 1407.923a thereto to read as follows:

§ 1407.923a *Saving clause.* No amendment made herein shall be construed to affect any suit, action, prosecution, penalty, or administrative or other proceeding, regardless of when commenced, or any judgment, order, decree, or verdict, regardless of when made, entered, or returned, with respect to any violation committed or liability incurred under or pursuant to the terms of Restriction Order 1, as originally issued or subsequently amended, prior to April 1, 1943.

This order shall become effective April 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Issued this 31st day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-4973; Filed, March 31, 1943; 4:17 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4370]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WESTVILLE REFINERY, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Refiner:* § 3.66 (g) *Misbranding or mislabeling—Producer status of dealer or seller:* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller.* In connection with offer, etc., in commerce, of respondent's oil, and among other things, as in order set forth, using the word "Refinery", or any other word of similar import, as a part of respondent's corporate or trade name; or otherwise representing, directly or by implication, that respondent owns, operates, or controls a refinery; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Westville Refinery, Inc., Docket 4370, March 27, 1943].

§ 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (e) *Misbranding or mislabeling—Old, secondhand, reclaimed or reconstructed as new:* § 3.96 (a) *Using misleading name—Goods—Composition:* § 3.96 (a) *Using misleading name—Goods—Nature.* In connection with offer, etc., in commerce, of respondent's oil, and among other things, as in order set forth, (1) using the word "Pennsylvania", "Penn", or "Para-Penn", or any other word of similar import, to designate or describe respondent's products; or otherwise representing, directly or by implication, that respondent's products are Pennsylvania oil; (2) representing, directly or by implication, that respondent's products are made entirely from oils having a paraffin base; and (3) representing, directly or by implication, that respondent's products are new and unused oil made from virgin crude oil; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Westville Refinery, Inc., Docket 4370, March 27, 1943].

§ 3.6 (o) *Advertising falsely or misleadingly—Old or reclaimed as new:* § 3.66 (e) *Misbranding or mislabeling—Old, secondhand, reclaimed or reconstructed as new:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Old, secondhand, reclaimed or reconstructed as new:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Old, used or reclaimed as unused or new.* In connection with offer, etc., in commerce, of respondent's oil, and among other things, as in order set forth, advertising, offering for sale, or selling respondent's products without disclosing clearly and conspicuously in respondent's advertising and invoices, and on the containers in which such products are displayed and sold, that such products are used oil which has been reclaimed; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3.52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Westville Refinery, Inc., Docket 4370, March 27, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it (no evidence having been offered by respondent), report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Westville Refinery, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's oil in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Refinery", or any other word of similar import, as a part of respondent's corporate or trade name; or otherwise representing, directly or by implication, that respondent owns, operates, or controls a refinery.

2. Using the word "Pennsylvania," "Penn," or "Para-Penn", or any other word of similar import, to designate or describe respondent's products; or otherwise representing, directly or by implication, that respondent's products are Pennsylvania oil.

3. Representing, directly or by implication, that respondent's products are made entirely from oils having a paraffin base.

4. Representing, directly or by implication, that respondent's products are new and unused oil made from virgin crude oil.

5. Advertising, offering for sale, or selling respondent's products without disclosing clearly and conspicuously in respondent's advertising and invoices, and on the containers in which such products are displayed and sold, that such products are used oil which has been reclaimed.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5038; Filed, April 1, 1943; 11:17 a. m.]

[Docket No. 4493]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KARASTAN RUG MILLS

§ 3.66 (c 20) *Misbranding or mislabeling—Manufacture or preparation:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Foreign, in general:* § 3.96 (a) *Using misleading name—Goods—Nature:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Foreign, in general.* In connection with offer, etc., in commerce, of rugs, (1) using the words "Karashah", "Kara Kirman", "Karavere", or "Kharol", or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs; (2) using the word "Kirman" or any other name of any genuine Oriental rug in combination with other words or syllables, coined or otherwise, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name; (3) using the word "Karshah" or any other word or combination of words or syllables the spelling, sound, or written appearance of which closely simulates or suggests the name of a genuine Oriental rug, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name; or (4) using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method of manufacture, and material; prohibited, subject to the provision, however, that order herein shall not be construed as prohibiting the respondent from using the term "Karastan" to designate or describe its rugs, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs so designated and described are woven on power looms in the United States. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Karastan Rug Mills, Docket 4493, March 27, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D., 1943.

In the matter of Marshall Field & Company, a corporation, trading and doing business under the name Karastan Rug Mills.

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Marshall Field & Company, a corporation trading and doing business under the name Karastan Rug Mills, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of rugs in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Karashah," "Kara Kirman," "Karavere," or "Kharol," or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs.

2. Using the word "Kirman" or any other name of any genuine Oriental rug in combination with other words or syllables, coined or otherwise, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name.

3. Using the word "Karshah" or any other word or combination of words or syllables the spelling, sound, or written appearance of which closely simulates or suggests the name of a genuine Oriental rug, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name.

4. Using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method of manufacture, and material.

It is further ordered, That no provision of this order to cease and desist shall be construed as prohibiting the respondent from using the term "Karastan" to designate or describe its rugs, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs so designated and described are woven on power looms in the United States.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5039; Filed, April 1, 1943; 11:17 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects, Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

MISSION MISCELLANEOUS IRRIGATION UNITS, CALIFORNIA

FEB. 23, 1943.

§ 130.140 *Charges.* Pursuant to the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the reimbursable costs of operating and maintaining the Miscellaneous Irrigation Units under the jurisdiction of the Mission Indian Agency in California are apportioned on a per acre basis against the irrigable lands of the respective units and for the calendar year 1943, and each succeeding calendar year until further order, there shall be collected, as a partial reimbursement of such costs, from each acre of irrigable land to which water can be delivered through constructed works of the project, a charge of $1.00 per acre per annum against lands in Indian ownership, not under lease to a non-Indian, and $3.00 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.

§ 130.141 *Payment.* The annual charges fixed in the preceding section shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the Superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.142 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads water.

(§§ 130.140 to 130.142 inclusive, issued under 38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387)

[The source of §§ 130.140 to 130.142 inclusive, is Regulations for operation and maintenance of Miscellaneous Irrigation Units under the Mission Indian Agency, California, Asst. Sec. Int. Feb. 23, 1943]

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-4968; Filed, March 31, 1943; 2:57 p. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

GANADO INDIAN IRRIGATION PROJECT, ARIZONA

MARCH 1, 1943.

This order as approved by the First Assistant Secretary of the Interior on December 24, 1931 (CFR, Title 25, Part 130, §§ 130.41 to 130.43 inclusive) is hereby amended to read as follows:

§ 130.41 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387) the reimbursable cost of operating and maintaining the Ganado Indian Irrigation Project in Arizona, is apportioned on a per acre basis against the irrigable lands of the project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of $1.00 per acre per annum, against lands in Indian ownership not under lease to a non-Indian, and $3.00 per acre per annum against lands in non-Indian ownership and Indian lands under lease to a non-Indian lessee.

These charges shall not apply to any lands furnished irrigation water under contract between the Department of the Interior and any company or corporation or individual person, which contract contains provisions for payment for furnishing or carrying water, differing from the conditions herein provided. In all such cases collections shall be made in accordance with the terms of the respective contracts.

§ 130.42 *Payment.* The annual charges fixed in the § 130.41 of this part shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay his charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency. To all charges assessed against lands in non-Indian ownership and lands in Indian ownership under base to a non-Indian lessee there shall be added a penalty of one-half of one per cent per month or fraction thereof if not paid on or before July 1, following the due date.

§ 130.43 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.41 to 130.43 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C. 385, 387)

[The source of §§ 130.41 to 130.43 inclusive, is Regulations for operation and maintenance of Ganado Indian Irrigation Project, Arizona, First Asst. Sec. Int., December 24, 1931, as amended Asst. Sec. Int., March 1, 1943]

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-4964; Filed, March 31, 1943; 2:56 p. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

HOGBACK INDIAN IRRIGATION PROJECT, NEW MEXICO

MARCH 1, 1943.

This order as approved by the First Assistant Secretary of the Interior on February 7, 1935 (CFR, Title 25, Part 130, §§ 130.44 to 130.46, inclusive) is hereby amended to read as follows:

§ 130.44 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387), the reimbursable cost of operating and maintaining the Hogback Indian Irrigation Project in New Mexico, is apportioned on a per acre basis against the irrigable lands of that project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of $1.00 per acre per annum, against lands in Indian ownership not under lease to a non-Indian, and $3.00 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.

For tribal lands operated by the Northern Navajo School and Agency or for tribal lands under assignment to Indians the charge shall be $3.00 per acre per annum.

For domestic water delivered through the project canal and lateral system to permittees on the reservation lands, $5.00 for each cistern.

§ 130.45 *Payment.* The annual charges fixed in § 130.44 of this part shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.46 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.44 to 130.46 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C. 385, 387)

[The source of §§ 130.44 to 130.46 inclusive, is Regulations for operation and maintenance of Hogback Indian Irrigation Project, New Mexico, First Asst. Sec. Int. Feb. 7, 1935, as amended Asst. Sec. Int. March 1, 1943.]

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-4965; Filed, March 31, 1943; 2:56 p. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

PALA INDIAN IRRIGATION PROJECT, CALIFORNIA

MARCH 1, 1943.

This order as approved by the Assistant Secretary of the Interior on February 28, 1938 (CFR, Title 25, Part 130, §§ 130.51 to 130.53 inclusive), is hereby amended to read as follows:

§ 130.51 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210, 25 U.S.C. 385, 387), the reimbursable cost of operating and maintaining the Pala Indian Irrigation Project in California is apportioned on a per acre basis against the irrigable lands of that project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of $1.00 per acre per annum against lands in Indian ownership, not under lease to a non-Indian, and $6.50 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.

§ 130.52 *Payment.* The annual charges fixed in § 130.51 of this part shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.53 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.51 to 130.53 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387)

[The sources of §§ 130.51 to 130.53 inclusive, is Regulations for operation and maintenance of the Pala Indian Irrigation Project, Asst. Sec. Int., February 28 1938, amended Asst. Sec. Int., March 1, 1943]

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-4966; Filed, March 31, 1943; 2:57 p. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

RINCON INDIAN IRRIGATION PROJECT, CALIFORNIA

MARCH 1, 1943.

This order as approved by the Assistant Secretary of the Interior on February 28, 1938 (CFR, Title 25, Part 130, §§ 130.58 to 130.60 inclusive), is hereby amended to read as follows:

§ 130.58 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210, 25 U.S.C. 385, 387), the reimbursable cost of operating and maintaining the Rincon Indian Irrigation Project in California, is apportioned on a per acre basis against the irrigable lands of the project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of $1.00 per acre per annum against lands in Indian ownership, not under lease to a non-Indian, and $6.50 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.

§ 130.59 *Payment.* The annual charges fixed in the preceding section shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modifications upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.60 *Water users responsible for water after delivery.* It is duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.58 to 130.60 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387)

[The source of §§ 130.58 to 130.60 inclusive, is Regulations for operation and maintenance of the Rincon Indian Irrigation Project, Asst. Sec. Int., February 28, 1938, amended Asst. Sec. Int. March 1, 1943]

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-4967; Filed, March 31, 1943; 2:57 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1719]

PARTS 321, 322, 328—MINIMUM PRICE SCHEDULE, DISTRICT NOS. 1, 2, AND 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the deletion of mine index numbers of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting that uniform price classifications, minimum prices and mine index numbers be established for the coals produced by deep and strip mining methods, respectively, at each of certain mines located in District No. 2, by deleting certain price classifications, minimum prices and mine index numbers hitherto established and assigned to said mines in the Schedules of Effective Minimum Prices for District No. 2 for All Shipments Except Truck and for Truck Shipments; and

Petitions of intervention having been filed herein by District Boards Nos. 1 and 8, respectively, requesting, among other things, that relief similar to that prayed for in the original petition herein be granted with respect to certain mines located in Districts Nos. 1 and 8, respectively; and

It appearing that said petitions of intervention should be granted as set forth below, and, in all other respects should be denied, and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

The following action being deemed necessary to effectuate the purposes of the Act;

It is ordered, That the petitions for intervention filed herein by Bituminous Coal Producers Boards for Districts Nos. 1 and 8, respectively, be and the same hereby are granted, only, however, to the extent and in the manner as set forth herein, and in all other respects, said petitions be, and the same hereby are, denied;

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

1. Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 322.23 (*General prices*) is amended by adding thereto Supplement T–I, which supplements are hereinafter set forth and hereby made a part hereof; and

2. Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–II, and § 321.24 (*General prices*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof; and

3. Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–III, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–IV, § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–III, and § 328.42 (*General prices for low volatile coals*) is amended by adding thereto Supplement T–IV, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937; and

It is further ordered, That the relief granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICTS NO. 1, 2, AND 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size Group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1617	Coates, J. & T., Mine Index No. 2302.[1]	Beatrice	Pittsburgh	7	Imperial, Pa	Mont	72	D	D	C	C	F	E	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1676	Fresa & Sowers, Mine Index No. 2278.[1]	Fresa & Sowers #6	Pittsburgh	3	Grays Landing, Pa	Monon. River	.....	(†)	(†)	(†)	(†)	(†)	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1676	Fresa & Sowers, Mine Index No. 2278.[1]	Fresa & Sowers #6	Pittsburgh	3	Masontown, Pa	Mongh	30	(†)	(†)	(†)	(†)	(†)	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2492	Keedy & O'Laughlin, Mine Index No. 2486.	Moorewood	Pittsburgh	3	Nixon Siding, Alverton, Pa.	PRR	31	(†)	(†)	(†)	(†)	(†)	B	B	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1008	Klenes, Mike, Mine Index No. 2406.[1]	Davis	Sewickley	3	Waltersburg, Pa	PRR	31	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2251	Lynch, H. W., Mine Index No. 2277.[1]	Lynch	Pittsburgh	9	Belle Vernon, Pa	Monon. River	.....	D	D	C	C	C	C	C	C	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2266	Mammoth Coal & Coke Co., c/o A. B. Kelly, Mine Index No. 2276.[1]	Mammoth	Pittsburgh	3	Mammoth, Pa	PRR	74	(†)	(†)	E	E	C	C	B	B	B	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2226	Opperman, Fred S. (Connellsville Blinstone Co.), Mine Index No. 2233.[1]	Opperman	Pittsburgh	3	Connellsville, Pa	PRR	31	(†)	(†)	(†)	(†)	(†)	B	C	C	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2239	Parshall & Crow Coke Co. (Frank R. Crow, Jr.), Mine Index No. 2245.[1]	Warman	Pittsburgh	3	Leckrone, Pa	B&O–PRR	114	(†)	(†)	(†)	(†)	(†)	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2391	Revere Coal & Coke Co., (Wm J Reilly, Mine Index No. 2405.[1]	Alice	Sewickley	3	Reilly Sdg., S. Union No. 1, Pa.	PRR–B&O	114	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1750	Treasure, Francis L., Mine Index No. 2228.[1]	Willyard #1	Pittsburgh	8	Parnassus, Pa	PRR	79	D	D	C	C	C	D	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†In I ndes no prices or classifications in these size groups.

[1] Indicates deletion of mine index numbers, minimum prices, price classifications and railroad fuel groups heretofore established for the coals produced by these mines.

NOTE—In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown. Group No. 1: 2266, Group No. 2: 1617; Group No. 6: 2226, 2239, 2492, Group No. 7: 1676; Group No. 8: 1008, 2391, Group No. 9: 1750.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T–I

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 1"	Lump 1"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N.S.	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Coates, J. & T., Mine Index No. 2302.[1]	1617	Beatrice	Pittsburgh	295	285	275	260	235	230	230	240	200	190	180
FAYETTE COUNTY														
Fresa & Sowers, Mine Index No. 2278.[1]	1676	Fresa & Sowers #6.	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Klenes, Mike, Mine Index No. 2406.[1]	1008	Davis	Sewickley	300	290	280	265	245	230	230	230	220	215	195
Opperman, Fred S., Connellsville Blinstone Co., Mine Index No. 2233.[1]	2226	Opperman	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Parshall & Crow Coke Co., Frank R. Crow, Jr., Mine Index No. 2245.[1]	2239	Warman	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Revere Coal & Coke Co., Wm. J. Reilly, Mine Index No. 2405.[1]	2391	Alice	Sewickley	295	285	275	260	240	230	230	230	215	210	195
WESTMORELAND COUNTY														
Keedy & O'Laughlin, Mine Index No. 2486.[1]	2492	Moorewood	Pittsburgh	300	290	280	265	250	240	235	255	215	205	195
Lynch, H. W., Mine Index No. 2277.[1]	2251	Lynch	Pittsburgh	300	290	280	265	250	250	230	235	215	205	195
Mammoth Coal & Coke Company, c/o A. B. Kelly, Mine Index No. 2276.[1]	2266	Mammoth	Pittsburgh	310	300	290	280	260	250	250	245	225	215	195
Treasure, Francis L., Mine Index No. 2228.[1]	1750	Willyard #1	Pittsburgh	295	285	275	255	245	240	235	235	215	205	195

[1] Indicates deletion of Mine Index Numbers, minimum prices and price classifications heretofore established for the coals produced by these mines.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R–II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.

Mine index	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3498	B & M Coal Co. (John Barger), Mine Index No. 3310.[1]	B & M Coal Co. #3.	36	Pittsburgh	Braswell, Pa	B&O	100	(†)	(†)	E	E	E

§ 321.7 *Alphabetical list of code members*—Supplement R–II—Continued

Mine index	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3638	Christy Coal Co., H. J. (H. J. Christy), Mine Index No. 3633.[1]	Reesedale	10	B	Reesedale, Pa	P & S	119	(†)	(†)	H	(†)	(†)
3581	Danncker & Fox (Henry Danncker), Mine Index No. 3573.[1]	Oak Hill Coal Mine.	13	D	Amesville Siding, Pa.	PRR	45	(†)	(†)	D	(†)	(†)
3596	DeRomo, Michael, Mine Index No. 3501.[1]	DeRomo	8	B	Philipsburg, Pa	PRR	45	(†)	(†)	E	(†)	(†)
3646	Koshko, Michael, Mine Index No. 3647.[1]	Lehigh #25	9	A	Show Shoe, Pa	PRR	49	(†)	(†)	D	(†)	(†)
3627	Matthews, John H., Mine Index No. 3636.[1]	Matthews #5.	7	D	Grampian, Pa	PRR	45	(†)	(†)	F	F	F
3632	Pine Hill Smokeless Coal Company, Mine Index No. 3637.[1]	Ponfeigh #6 A.	11	Sewickley	Pine Hill, Pa	B & O	100	(†)	(†)	E	(†)	(†)
3660	Woolridge Coal Company, Mine Index No. 3659.[1]	Woolridge #1.	8	E	Woodland, Pa	NYC	44	(†)	(†)	E	(†)	(†)

†Indicates no prices or classifications in these size groups.

[1] Indicates deletion of mine index numbers, minimum prices and price classifications heretofore established for the coals produced by these mines.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T–II

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened, top size 2" and over	Double screened, top size 2" and under	Run of mine modified R.M.	2" and under slack	¾" and under slack
						1	2	3	4	5
B & M Coal Co. (John Barger), Mine Index No. 3310.[1]	3498	B & M Coal Co. #3.	36	Somerset	Pittsburgh	(†)	(†)	245	235	225
Christy Coal Co., H. J. (H. J. Christy), Mine Index No. 3633.[1]	3638	Reesedale	10	Armstrong	B	255	235	235	215	205
Danncker & Fox (Henry Danncker), Mine Index No. 3573.[1]	3581	Oak Hill Coal Mine.	13	Clearfield	D	(†)	(†)	250	(†)	(†)
DeRomo, Michael, Mine Index No. 3501.[1]	3596	DeRomo	8	Clearfield	B	(†)	(†)	245	(†)	(†)
Koshko, Michael, Mine Index No. 3647.[1]	3646	Lehigh #25	9	Centre	A	(†)	(†)	250	(†)	(†)
Matthews, John H., Mine Index No. 3636.[1]	3627	Matthews #5	7	Clearfield	D	(†)	(†)	240	230	220
Pine Hill Smokeless Coal Company, Mine Index No. 3637.[1]	3632	Ponfeigh #6A	11	Somerset	Sewickley	(†)	(†)	245	(†)	(†)
Woolridge Coal Company, Mine Index No. 3659.[1]	3660	Woolridge #1	8	Clearfield	E	(†)	(†)	245	(†)	(†)

†Indicates no prices or classifications in these size groups.

[1] Indicates deletion of mine index numbers, minimum prices and price classifications heretofore established for the coals produced by these mines.

NOTE The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto

§ 328.11 *Alphabetical list of code members*—Supplement R–III

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Sub district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
46	Birchton Coal Company, Mine Index No. 5555.[1]	Birchton	Cedar Grove & L. Cedar Grove.	4	Birchton, W. Va.	C&O	123	K	K	G	F	G	E	E	B	C	D	E	D	A	A	A	B	J	J	G	D	D	C	E	J	D	E	A	A	A	B
76	Buffalo Chilton Coal Co., Mine Index No. 729.[1]	Buffalo	Chilton & Island Creek.	5	Kistler, W. Va.	C&O	150	Q	Q	L	K	H	F	H	D	D	F	L	(†)	C	C	C	E	O	N	L	G	D	D	H	M	F	L	C	C	C	E
123	Clover Splint Coal Company, Inc., Mine Index No. 5635.[1]	Clover Splint	High & Low Splint.	2	Closplint, Ky.	L&N	80	A	A	A	A	A	A	C	C	C	E	K	(†)	A	A	A	A	A	A	A	A	C	E	L	K	(†)	(†)	(†)	(†)	C
643	Consumers Mining Corporation, Mine Index Nos. 3640, 3641, 5225.[1]	Graceland	Upper Banner	7	Red Ash, Va.	N&W	20	M	M	K	J	F	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	C	M	M	K	F	D	D	E	L	K	(†)	(†)	(†)	(†)	C
137	Cornett Lewis Coal Company, Mine Index No. 5653.[1]	Corlew	High & Low Splint.	2	Louellen, Ky.	L&N	80	A	A	A	A	A	A	C	C	C	G	M	(†)	A	A	A	A	(†)	A	A	A	A	A	C	B	G	M	A	A	A	(†)
225	Garmenda Coal Co., Mine Index No. 5649.[1]	Garco	Lower Hignite & Red Springs.	6	Murtea, Ky.	L&N & Sou.	113	M	H	F	E	D	C	E	D	D	K	(†)	(†)	B	C	D	E	H	H	F	C	C	D	E	M	K	(†)	B	C	D	E
278	Kemmerer Gem Coal Company, Mine Index Nos. 669, 892, 5215, 5214.[1]	No. 1 & 2	No. 5.	7	St. Charles, Va.	L&N & Sou.	204	E	E	E	D	D	C	C	B	C	F	J	(†)	A	C	C	B	E	E	E	D	C	C	C	H	F	J	A	C	C	B
446	Ruth Elkhorn Coals, Inc., Mine Index No. 732.[1]	Steinman	Upper Banner	7	Steinman, Va.	CC&O	10	K	K	E	D	E	C	E	A	A	B	(†)	(†)	(†)	(†)	(†)	(†)	A	K	K	J	D	A	A	E	H	B	(†)	(†)	(†)	(†)	A
5648	Sizemore Mining Corporation, c/o J. H. Cooley, Mine Index No. 5651.[1]	Turner	Elkhorn No. 1 & 2.	1	McDowell, Ky.	C&O	61	H	H	H	G	E	C	E	B	C	G	L	(†)	A	A	A	A	H	H	H	D	B	B	E	J	G	L	A	A	A	A

†Indicates no classification effective for these size groups.

[1] Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.

§ 328.21 *Alphabetical list of code members*—Supplement R–IV

[Alphabetical list of code members having railway loading facilities showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
798	Consumers Mining Corporation Mine Index Nos. 3642, 5075, 5731.[1]	Red Ash	9	Red Ash	Red Ash, Va.	N&W	21	C	C	D	D	A	A	A	H	H	H
362	Page Pocahontas Coal Corporation Mine Index No. 5615.[1]	Page	9	Cary	Page, Va.	N&W	180	C	C	D	D	D	C	C	E	E	E

[1] Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T–III

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump, over 2", egg 4" x 6",	Lump 2" and under, egg 3" x 6"	Lump 1¼" and under	Egg 2" x 1¼", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
FLOYD COUNTY, KY.											
Sizemore Mining Corporation, c/o J. H. Cooley, Mine Index No. 5651.[1]	Turner	5648	Elkhorn No. 1 & 2	305	285	245	250	235	235	190	185
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Clover Splint Coal Company, Inc., Mine Index No. 5635.[1]	Clover Splint	123	High & Low Splint	355	335	245	280	245	235	195	190
Cornett Lewis Coal Company, Mine Index No. 5653.[1]	Corlew	137	High & Low Splint	355	335	245	280	245	235	190	185
SUBDISTRICT NO. 4—KANAWHA											
RALEIGH COUNTY, W. VA.											
Birchton Coal Company Mine Index No. 5555.[1]	Birchton	46	Cedar Grove & U. Cedar Grove.	295	275	245	255	225	235	205	200
SUBDISTRICT NO. 5—LOGAN											
LOGAN COUNTY, W. VA.											
Buffalo Chilton Coal Company Mine Index No. 729.[1]	Buffalo No. 1	76	Chilton & Island Creek.	265	245	240	235	220	230	200	195
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
BELL COUNTY, KY.											
Garmenda Coal Co. Mine Index No. 5649.[1]	Garco	225	Lower Hignite & Red Springs.	305	285	240	260	235	230	165	160
SUBDISTRICT NO. 7—VIRGINIA											
DICKENSON COUNTY, VA.											
Ruth Elkhorn Coals, Inc., Mine Index No. 732.[1]	Steinman	446	Upper Banner	295	275	255	265	235	245	215	210
LEE COUNTY, VA.											
Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214.[1]	No. 1 & 2	278	No. 5	320	300	245	265	235	235	195	190
TAZEWELL COUNTY, VA.											
Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225.[1]	Graceland	643	Upper Banner	285	265	240	240	235	230	175	170

[1] Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.

§ 328.42 *General prices for low volatile coals*—Supplement T–IV

[Prices in cents per net ton for Shipment into all market areas]

Code member index	Mine	Mine index No.	Seam	All lump	Egg: larger than 3" top size	Stove: 3" top size	Nut or pea: 1¼" top or less	Screened mine run	Straight mine run	1¼" screenings	¾" screenings: ¾"
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 9—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS											
BUCHANAN COUNTY, VA.											
Page Pocahontas Coal Corporation, mine index No. 5615.[1]	Page	362	Cary	325	325	310	250	290	225	190	185
TAZEWELL COUNTY, VA.											
Consumers Mining Corporation, mine index Nos. 3642, 5075, and 5731.[1]	Red Ash	798	Red Ash	325	325	320	270	300	235	175	170

[1] Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.

[F. R. Doc. 43–4937; Filed, March 31, 1943; 10:42 a. m.]

[Docket No. A–1568]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting permanent relief in the matter of the petition of District Board No. 8 for a change to higher price classifications and higher minimum prices for rail shipments for the coals of Mine Index Nos. 339, 278, 892, 5215, 5214, 669, and 480 in the No. 5 seam, in Virginia Subdistrict, District No. 8.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the classifications and minimum prices of the coals of Blue Diamond Coal Company, operating the Monarch Mine (Mine Index No. 339), Kemmerer Gem Coal Company, operating Mine No. 1 & 2 (Mine Index No. 278,[1] and the Virginia-Lee Company, operating the Virginia-Lee Mine (Mine Index No. 480), in the No. 5 Seam of the Virginia subdistrict of District 8, in Size Goups 1 to 22, inclusive, for rail shipment, should be revised, and pursuant to sections 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That effective fifteen (15) days from the date hereof, § 328.11 (*Alphabetical list of code members*) shall be amended by revising the classifications and minimum prices of the coals of Blue Diamond Coal Company, operating the Monarch Mine (Mine Index No. 339), Kemmerer Gem Coal Company, operating Mine No. 1 & 2 (Mine Index No. 278) and The Virginia-Lee Company, operating the Virginia-Lee Mine (Mine Index No. 480), in the No. 5 Seam of the Virginia subdistrict of District 8, in Size Groups 1 to 22, inclusive, for rail shipment, in accordance with the classifications and minimum prices contained in Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

Dated: March 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[1] By order of the Director, dated March 16, 1943, Mine Nos. 2, 3, 5 and 6 and Millers Cove Mine (Mine Index Nos. 278, 892, 5215, 5214, and 669) were consolidated and designated in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck, as Mine No. 1 & 2 (Mine Index No. 278).

PERMANENT EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and the supplement thereto.

FOR RAIL SHIPMENTS

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classification by size groups for all uses except as separately shown]

Mine or Co.*	Code number	Mine post office	Subdistrict No.	Freight origin group	Price classifications by size groups. For destinations other than Great Lakes: 1, 2, 3, 4, 5, 6, 7	8	9	10	11, 12, 13, 14, 15, 16, 17	18, 19, 20, 21	22, 23	24	25	26	27	For Great Lakes cargo only: 1, 2, 3, 4, 5, 6, 7	8	9	10	11, 12, 13, 14, 15, 16, 17	18, 19, 20, 21	22	24	25	26	27
79	Blue Diamond Coal Co., The	Monarch	No. 5	7	St. Charles, Va	S. O. U. & L. & N.	204	A	A	A	A	A	A	A	E	H	(*)	(*)	(*)	(*)	A	A	A	A	A	A	A	A	D	(*)	(*)	(*)	(*)
278	Kentucky Coin Coal Co., The	No. 1 & 2	No. 5	7	St. Charles, Va	S. O. U. & L. & N.	204	A	A	A	A	A	A	A	E	H	(*)	(*)	(*)	(*)	A	A	A	A	A	A	A	A	E	H	(*)	(*)	(*)
480	Virginia Lee Company, The	Virginia Lee	No. 5	7	St. Charles, Va	S. O. U. & L. & N.	204	A	A	A	A	A	A	A	E	H	(*)	(*)	(*)	(*)	A	A	A	A	A	A	A	A	E	H	(*)	(*)	(*)

*Indicates no classification effective for these size groups.

[F. R. Doc. 43-4938; Filed, March 31, 1943; 10:42 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 977—MANILA FIBER AND MANILA CORDAGE

[General Preference Order M-36, as Amended March 31, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Manila fiber and Manila cordage for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Now, therefore, it is hereby ordered, That:

§ 977.1 *General Preference Order M-36—*(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Manila fiber" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp (either stripped or decorticated), Sumatra abaca and Panama abaca. Except as provided in paragraph (d) (1), Manila fiber does not mean the fiber grades of T, O, W, or Y, as established by the Insular Government of the Philippine Islands.

(2) "Manila cordage" means cables and ropes ¼ inch in diameter and larger, and twines used for fishing nets, in which Manila fiber either alone or in combination with other materials is used, but does not include Manila cordage sold or delivered for its scrap value.

(3) "Class A cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will at least equal the fiber quality requirements of Federal Specification T-R-601a.

(4) "Class B cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will give a Becker value not in excess of thirty-nine, such Becker value to be determined according to the methods set forth in said Federal Specification T-R-601a.

(5) "Cordage processor" means any person other than the Navy of the United States who spins, twists, weaves or otherwise uses Manila fiber in the production of Manila cordage.

(6) "Processing" means any use of Manila fiber for the manufacture of any other article or commodity into which the Manila fiber goes or of which it becomes a part.

(7) "Dealer" means any person who procures Manila cordage for storage or for sale, and includes selling agents, and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such Manila cordage, but shall not include an importer.

(8) "Basic monthly poundage" with respect to any cordage processor shall be the average number of pounds per month of Manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any cordage processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(9) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, and shipments in bond into the continental United States for transshipment to Canada, Mexico or any foreign country.

(c) *Restrictions on deliveries of Manila fiber.* No person shall hereafter make or accept delivery of any Manila fiber unless specifically authorized by the War Production Board: *Provided, however,* That deliveries of Manila fiber may be made:

(1) By and to the Navy of the United States.

(2) By and to the Defense Supplies Corporation.

(3) By and to persons importing or otherwise handling Manila fiber in accordance with written instructions from the Navy of the United States or from Defense Supplies Corporation, provided that such Manila fiber is to be delivered, either processed or unprocessed, directly, or through one or more other persons, to the Navy of the United States or to Defense Supplies Corporation.

(4) By importers to cordage processors of Manila fiber rejected by the Navy of the United States or Defense Supplies Corporation as unfit for their use.

(5) By cordage processors to cordage processors of Manila fiber which at the time of any such delivery had been previously imported into the United States.

(d) *Restrictions on processing of Manila fiber.* (1) No person shall begin the processing of any Manila fiber, including the fiber of grades T, O, W, or Y, as established by the Insular Government of the Philippine Islands, except for the purpose of manufacturing Class A or Class B cordage for sale or delivery to fulfill the orders hereafter specified in paragraph (e) (2), or such cordage as may be required to meet the specifications of orders of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents.

(2) No cordage processor shall put into process in any month, commencing January 1, 1943, more Manila fiber than 37% of his basic monthly poundage, of which percentage not more than 20% shall be put into process to fill purchase orders for Manila cordage uses specified in paragraph (e) (2) (ii).

(3) Any cordage processor shall, notwithstanding the limitations of paragraphs (d) (2) and (e) (1), and in addition to any action permitted thereunder:

(i) Process into Manila cordage any Manila fiber furnished to the said cordage processor by the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, and sell and deliver such cordage to, or for the account of, the agencies furnishing the fiber.

(ii) Process into Manila cordage such additional amounts of Manila fiber and sell and deliver such additional amounts of Manila cordage as may from time to time be determined by the War Production Board to be necessary in the public interest and to promote the national defense.

(e) *Restrictions on sales and deliveries of manila cordage.* (1) During the period January 1 through March 31, 1943, and each following three-month period, no cordage processor shall sell or deliver more manila cordage than 124½% of his basic monthly poundage, of which quantity not more than 20% shall be sold or delivered to fill purchase orders for manila cordage uses specified in paragraph (e) (2) (ii).

(2) In addition to the limitations in paragraphs (e) (1) and (e) (3) no cordage processor or dealer shall sell or deliver any Manila cordage and no person shall purchase or accept delivery of any Manila cordage except to fill the following:

(i) Orders for Manila cordage for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, or for physical incorporation in other products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its general or operating agents. Every such purchase order for physical incorporation into products to be delivered to or for the account of the foregoing named agencies shall be accompanied by a certificate in substantially the following form:

The undersigned hereby represents to his vendor and to the War Production Board that the Manila cordage covered by the annexed purchase order is for physical incorporation into the products to be delivered to

_____
(Here insert name of one of the foregoing named agencies)

pursuant to contract No. _____.

_____
Name of purchaser

Date _____

By _____
Authorized person

(ii) Purchase orders for the following categories and uses:

(*a*) Purse lines for use in commercial fishing;

(*b*) Lines not less than 4½ inches in circumference used exclusively in towage or by ocean-going vessels engaged in the carriage of cargo and passengers as common carriers;

(*c*) Manila drilling cables for use in drilling oil wells, gas wells, and mines;

(*d*) Manila torpedo lines for use in handling explosives;

(*e*) Manila shot lines;

(*f*) Life boat falls for use on ocean, coastal or Great Lakes vessels of one thousand tons or over.

(iii) Purchase orders for Manila cordage:

(*a*) Carrying a preference rating of A-1-j or higher, evidenced by a preference rating certificate, or

(*b*) For use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage or in fishing for commercial fish markets or canneries, for use in hoisting for the loading or discharge of cargo of such vessels, and for uses of shipbuilding: *Provided, however,* That the Manila fiber for the manufacture of cordage covered by the purchase order of the type specified in this paragraph (e) (2) (iii) (*a*) shall have been put into process by a cordage processor on or before September 14, 1942: *And provided further,* That Manila fiber for the manufacture of cordage covered by purchase orders of the categories specified in paragraph (e) (2) (iii) (*b*) shall have been put into process by a cordage processor on or before July 4, 1942.

(iv) Orders placed by Defense Supplies Corporation or Metals Reserve Company: *Provided, however,* That no cordage processor or dealer shall deliver any Manila cordage upon any order placed with him pursuant to paragraph (e) (2) (ii) or (e) (2) (iii) (*b*), unless and until such processor or dealer shall have first received from the person placing such order a certificate signed on behalf of such person by a duly authorized individual in substantially the following form:

The undersigned hereby represents that the Manila cordage covered by this order will be used by the undersigned only for the uses specified in paragraph (e) (2) of General Preference Order M-36, as amended, with the terms of which the undersigned is familiar.

(3) No person, other than the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or its operating or general agents, the Defense Supplies Corporation, the Metals Reserve Company or an importer, shall hereafter order or accept delivery of any Manila cordage if the amount of the Manila cordage held or under control of such person exceeds one and one half months' supply for such person; and no person, other than those hereinabove excepted, shall have outstanding at any one time orders for future deliveries of Manila cordage in an amount greater than one month's supply for such person. "Supply" as used in this paragraph means the average monthly amount of Manila cordage withdrawn from the inventory of such person, which has been resold or put into actual use by such person, in the three calendar months immediately preceding the calendar month in which said order is placed or delivery is accepted, or in the three calendar months of the previous year which immediately follow the calendar month of that year corresponding with the month in which said order is placed or delivery is accepted, whichever shall be the higher: *Provided, however,* No person shall be entitled to count as withdrawn from inventory and resold or put into actual use, for the purpose of calculating his permitted supply, any lots of Manila cordage purchased expressly for and resold or delivered to the Army or Navy of the United States, the United States Maritime Commission, the Defense Supplies Corporation, or the Metals Reserve Company, but every such person shall be entitled to include in the said calculation as withdrawn from inventory and resold or put into actual use any lots of Manila cordage sold to any of the foregoing from his general supply of Manila cordage where such lots, or their equivalent, were not purchased by him expressly for such resale: *And provided further,* That nothing herein contained shall prohibit the importation of, or restrict the inventory of, imported Manila cordage which may be held by any dealer for whose account such Manila cordage was imported.

(f) *Control of stocks of Manila fiber.* Control is hereby taken of the distribution and use of Manila fiber. Any Manila fiber at any time hereafter in the inventory of any person shall be sold and delivered by such person if and as specifically directed in any order of the War Production Board which may be issued whenever the War Production Board shall determine that a shortage of any particular grade of Manila fiber for defense, or for private account and for export, renders it necessary or appropriate so to allocate such Manila fiber in the public interest or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No person shall dispose of or use Manila fiber in any manner inconsistent with any such order.

(g) *Exclusions from this order.* The terms and provisions of this order shall not apply to:

(1) Sales and/or deliveries by any cordage processor or dealer of Manila cordage of any class from stocks on hand or in process as of February 20, 1942, of the following types:

(i) Manila lariat rope,

(ii) Manila yacht lariat rope,

(iii) Manila transmission rope,

(iv) Manila left laid spinning lines, not including cordage of cable construction suitable for use as drilling cables even though such products may have been purchased or sold for spinning lines.

(2) Any sales and/or deliveries by any cordage processor or dealer of Manila cordage which on December 19, 1941, was in the form of cut lengths of less than 200 feet.

(3) Any stock of Manila cordage which contains no Manila fiber of the following grades—AB Davao or non-Davao, 1 Davao, JI Davao, G. Davao,—S2 Davao, and which is so processed that the Manila fiber therein contained is combined or mixed with at least an equal amount of fiber other than Manila fiber, in the hands of a dealer or cordage processor, or in transit on February 20, 1942, or made from Manila fiber actually placed on machines by a cordage processor on or prior to December 19, 1941.

(4) Any Manila cordage imported into the United States on or after July 4, 1942, and which has been offered for sale to, and rejected in writing by, any two of the following:

(i) The Army of the United States,

(ii) The Navy of the United States,

(iii) The United States Maritime Commission, or

(iv) The War Shipping Administration or its operating or general agents.

(5) Delivery by or to any person having temporary custody of Manila cordage or Manila fiber solely for the purposes of transportation or the public warehousing thereof.

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Manila fiber conserved, or that compliance with this order would disrupt or impair a program of conversion for nondefense work to defense work, may appeal to the War Production Board by letter or telegram Ref: M–36, setting forth the pertinent facts and the reason he considers he is entitled to relief, or upon such form or forms as may hereafter be prescribed. The War Production Board may thereupon take such action as it deems appropriate. Applications for specific exceptions from the limitations of paragraph (e) (3) should be made in writing by the person desiring to use the cordage.

(i) *Reports.* Every importer of Manila fiber or Manila cordage and every processor of Manila fiber shall file with the U. S. Tariff Commission, acting for the War Production Board, not later than the tenth day of the following month, a report on form PD–128 and/or PD–129, and all persons affected by this order shall file with the War Production Board such reports as may from time to time be required by said Board.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions pursuant to this order, and shall from time to time, upon request, submit all records required to be kept by this order to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications to the War Production Board.* All reports to be filed, appeals and other communications concerning this order, unless otherwise stated, shall be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M–36.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4946; Filed, March 31, 1943; 11:22 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L–211, Schedule 3 as Amended March 31, 1943]

BARBED WIRE, WIRE FENCE, WIRE NETTING AND WIRE FLOORING

§ 3102.4 *Schedule 3 to Limitation Order L–211*—(a) *Restrictions on barbed wire.* (1) No person shall produce, fabricate or deliver barbed wire except two point barbed wire of 14 gauge strands and 16 gauge barbs, or two or four point barbed wire of 12½ gauge strands and 14 gauge barbs, the spacing of the barbs in each style to be not less than four inches.

(2) No person shall produce or fabricate in any calendar quarter commencing April 1, 1943 a greater tonnage of barbed wire of 12½ gauge strands and 14 gauge barbs than barbed wire of 14 gauge strands and 16 gauge barbs.

(3) No person shall supply barbed wire except on 80 rod spools.

(b) *Restrictions on wire fence, wire netting and wire flooring.* No person shall produce, fabricate or deliver woven or welded wire fence, wire netting or wire flooring, except in the styles, specifications and in the length of rolls set forth in List 1 attached hereto.

(c) *Restrictions on use of copper.* No person shall add any copper to steel to be used in the production of wire for fabrication of barbed wire, woven or welded wire fence, wire netting or wire flooring.

(d) *Restrictions on galvanizing.* No person shall apply any zinc coating to barbed wire, or woven or welded wire fence in excess of the weights specified in Weight A, Table IV, Federal Specification QQ–W–461, issued June 16, 1941, except that half gauges shall take the weight classification of the next heavier gauge specified.

(e) *Acceptance of delivery.* No person shall accept delivery of material which he knows or has reason to believe was produced, fabricated or delivered in violation of the provisions of paragraphs (a), (b), (c), or (d).

(f) *General exceptions.* The provisions of paragraphs (a), (b), (c), (d), and (e) shall not apply to material:

(1) The production, fabrication, delivery or acceptance of which is specifically permitted by the War Production Board, or

(2) Which has been produced or fabricated before November 12, 1942, or which before such date has been processed in such manner and to such extent that processing to conform to such provisions would be impracticable, or

(3) To be purchased by or for the account of any of the following, to the extent that such material is called for by the specifications applicable to the contract, subcontract, or purchase order:

(i) The Army or Navy of the United States, the United States Maritime Commission, and the War Shipping Administration;

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(iii) The government of any country listed above, or any other country, including those in the Western Hemisphere, where the contract or purchase order is placed by any agency of the United States Government, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(g) *Exception to restriction on length of rolls.* The restrictions as to length of rolls contained in paragraphs (a) and (b) shall not be applicable to deliveries on preference ratings assigned by the Board of Economic Warfare, deliveries on Lend-Lease orders, or to deliveries by any person to the ultimate consumer.

(h) *Records.* Each producer or fabricator owning or possessing material excepted by the provisions of paragraph (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1

POULTRY FENCE—10 ROD ROLLS ONLY

Styles*	Inches between stays	Filler wire gauge	Top-bottom wire gauge
1948	6	14½	11
1948	6	15½	12½
2048	6	15½	12½
2148	6	15½	12½

HOG AND CATTLE FENCE—20 ROD ROLLS ONLY

726	6	14½	11
726	6	12½	10
832	6	14½	11
832	12	12½	10
939	12	12½	10
635	12	12½	10

WIRE NETTING—150 FOOT ROLLS ONLY

Height	Mesh	Wire gauge
48"	2"	20
12"	1"	20
60"	2"	20

WIRE FLOORING—100 FOOT ROLLS ONLY

36"	1" x 2"	14

*The classification of styles of woven or welded wire fence is designated by numbers in accordance with recognized trade practice. The last two digits of such numbers refer to the height of the fence and the first digit (or two digits) refer to the number of horizontal bars or line wires. For example: Style 1948 means a fence having 19 line wires and a height of 48 inches.

[F. R. Doc. 43–4947; Filed, March 31, 1943; 11:22 a. m.]

PART 3169—KNIT UNDERWEAR

[Limitation Order L–247 as Amended March 31, 1943]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials for knit underwear for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3169.1 *Limitation Order L–247*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Knit underwear" means all underwear made of knitted fabrics. The term shall not include slips, pajamas or gowns, other than infants' gowns.

(2) Unless otherwise indicated all trade terms shall have their customary trade meanings.

(c) *General restrictions on manufacture.* No person shall cut any fabric for or manufacture knit underwear, except in conformity with the following requirements:

(1) The types and number of permitted fabrics and models for each type shall be as shown in Schedule A. Any variation in either construction, fiber content of yarn, type of stitch, or weight, shall constitute a different fabric. Any variation in either cut, trim, or sleeve or leg length shall constitute a different model. A variation in color, method of finishing or size shall not constitute a different model.

(2) No knit underwear shall have any rayon striping, or any decorative trimming which does not add to the serviceability of the garment, unless permitted by Schedule A.

(3) The weight of any circular knit rayon fabric used shall not be lighter than 6.00 yards per pound or heavier than 3.50 yards per pound both based on 36 inch width.

(4) The rayon content in men's shirts, shorts or union suits or any types of infants' knit underwear shall be less than 50%.

(d) *Exception.* The prohibitions and restrictions of paragraph (c) shall not apply to knit underwear delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(e) *Fair distribution of products.* No person shall discriminate, in the acceptance or filling of orders, sales or deliveries, of knit underwear as between any of his customers who meet his established prices and terms.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(g) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference L–247.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Effective date.* This order shall take effect on May 1, 1943.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Permitted types (all without decorative trim unless otherwise noted)	Maximum number and kinds of permitted fabrics	Maximum number of models per each type irrespective of fabric used
Men's knit union suits		
Heavyweight (over 9 lbs. per doz., for size 42, long sleeve-ankle length).	3 all cotton 2 wool percentages	2
Lightweight	3	4
Wool spun—flat	2 wool percentages	2
Wool spun—ribbed	3 wool percentages	2
Fleeced	2	1
Men's knit shirts		
Heavyweight (over 7 lbs. per doz., for size 42, long sleeve).	2 all cotton 2 wool percentages	2
Lightweight (with sleeves)	2 all cotton 1 wool percentage	2
Wool spun—flat	3 wool percentages	2
Wool spun—ribbed	3 wool percentages	2
Fleeced	2	1
Athletic shirts (sleeveless)	3	2
Men's knit drawers		
Heavyweight (over 5 lbs. per doz., for size 38, ankle length)	2 all cotton 2 wool percentages	2
Lightweight	2 all cotton 1 wool percentage	3
Wool spun—flat	3 wool percentages	1
Wool spun—ribbed	3 wool percentages	1
Fleeced	2	1
Sleeping garments		
Men's	3	2
Boys'	3	2
Boys' knit union suits		
Heavyweight (over 5½ lbs. for size 34, long sleeve ankle length).	2 all cotton 2 wool percentages	3
Lightweight	2	2
Fleeced	1	1

[1] Except as to bottom finish.

30th day of May 1943, no person shall

SCHEDULE A—Continued

Permitted types (all without decorative trim unless otherwise noted)	Maximum number and kinds of permitted fabrics	Maximum number of models per each type irrespective of fabric used
Men's knit shirts—Continued		
Boys' knit shirts		
Shirts (with sleeves)	3 all cotton; 2 wool percentages	2
Athletic shirts (sleeveless)	3	12
Fleeced	2	2
Boys' knit drawers		
Drawers	3 all cotton; 2 wool percentages	3
Ladies' and misses' knit union suits		
Heavyweight (over 6 lbs. per doz., for size 38, long sleeve, ankle length)	2 all cotton; 2 wool percentages, no rayon; 2 no rayon	4
Lightweight	2 wool percentages, no rayon	3
Tuck stitch	2 all cotton	
Ladies' non-rayon knit tests, pants, briefs and bloomers		
Heavyweight	2 all cotton	6
Lightweight	2 all cotton	6
Tuck stitch	2 wool percentages, no rayon; 2 all cotton	4
Ladies' and misses' all rayon knit underwear		
Untrimmed vests	3 flat circular knit; 3 tricot warp knit; 1 milanese warp knit; 1 ribbed knit	1 1 1 1
Trimmed panties	3 flat circular knit; 3 tricot warp knit; 1 milanese warp knit; 3 flat circular knit	2 3 3 4
Untrimmed panties	3 tricot warp knit; 1 milanese warp knit; 1 ribbed knit; 3 flat circular knit	4 3 1 1 2
Untrimmed chemise	3 tricot warp knit; 1 milanese warp knit	2 1
Trimmed chemise	3 tricot warp knit; 1 milanese warp knit	1 1
Children's (sizes 8-16) rayon knit underwear		
Vests; Pantas; Combinations	2 (The same two fabrics shall be used for all three types.)	2 3 1
Children's (sizes 2-16) non-rayon knit underwear		
Union suits (other than tuck stitch)	1 lightweight all cotton; 2 heavyweight all cotton; 1 wool percentage	4 2
Tuck stitch union suits	3 one all cotton and two wool percentage or one wool percentage and two all cotton)	
Combinations (sizes 2-6 only)	1 lightweight all cotton; 2 heavyweight all cotton; 1 wool percentage	4
Waist suits (sizes 2-6 only)	1 lightweight all cotton; 2 heavyweight all cotton; 1 wool percentage	4
Vests	2 lightweight all cotton; 2 heavyweight all cotton; 1 wool percentage	2 3
Pants, briefs and bloomers	2 lightweight all cotton; 2 heavyweight all cotton; 1 wool percentage	3
Tuck stitch vest	2 all cotton; 1 wool percentage	2
Tuck stitch pants, briefs and bloomers	2 all cotton; 1 wool percentage	3
Infants' knit underwear		
Pants	1 lightweight all cotton; 1 heavyweight all cotton	2 2
Shirts	1 lightweight all cotton; 1 heavyweight all cotton; 2 heavyweight wool percentages	3
Binders	1 all cotton; 1 wool percentage	1
Pants and training pants	2 lightweight all cotton; 2 heavyweight all cotton; 1 wool percentage	3
Combinations	2 lightweight all cotton; 2 heavyweight all cotton; 1 wool percentage	2 2 2
Gowns	2	1
Kimonos	2	1
Infants' and Children's Knit Sleeping Garments	3 all cotton; 1 wool percentage	8

[F. R. Doc. 43-4949; Filed, March 31, 1943; 11:22 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 1 as Amended March 26, 1943 [1]]

The following direction is issued, pursuant to paragraph (t) (6) of CMP Regulation No. 1 (8 F.R. 482, 1730, 2565, 2857) to all steel producers:

NOTE.—Paragraphs (a) and (b) amended by changing the words "on or before March 22, 1943" to read "as of March 22, 1943."

(a) Orders which as of March 22, 1943, were promised for shipment during the second quarter of 1943 shall not be displaced, in the absence of a specific direction to the contrary, by any order (including authorized controlled material orders) received at any time prior to April 15, 1943, notwithstanding any provision contained in any CMP regulation.

(b) Orders which as of March 22, 1943, were promised for shipment during the second quarter of 1943 may be converted into authorized controlled material orders at any time pursuant to CMP Regulation No. 1.

(c) Authorized controlled material orders, or allotments converting other orders into authorized controlled material orders, which orders were not as of March 22, 1943, promised for shipment in the month indicated by the allotment number, shall be held in abeyance and not accepted until April 15, 1943.

(d) On and after April 15, 1943, authorized controlled material orders for shipment during the second quarter of 1943 shall be accepted and filled to the extent required by paragraph (t) of CMP Regulation No. 1. Such orders shall, however, be subordinated to orders mentioned in paragraph (a) above which have been converted into authorized controlled material orders prior to April 15, 1943.

(e) A consumer who receives, after March 10, 1943, an authorized production schedule in connection with a new program and is unable, by reason of this direction, to get his authorized controlled material orders accepted for shipment in time to fulfill such schedule, may apply for relief either directly, or through the Claimant Agency involved, to the appropriate Products Section of the Steel Division of the War Production Board. The Steel Division will, if the circumstances warrant, direct a producer to fill such order.

(f) This direction shall not apply to the acceptance or scheduling of authorized controlled material orders for shipment after June 30, 1943.

Issued this 26th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4950; Filed, March 31, 1943; 11:23 a. m.]

PART 3103—INCANDESCENT LIGHTING FIXTURES

[General Limitation Order L-212]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3103.1 *General Limitation Order No. L-212*—(a) *Definitions.* For the purposes of this order:

(1) "Incandescent lighting fixture" means any equipment designed or constructed for the purpose of illumination and employing or used in connection with an incandescent electric light source. Incandescent lighting fixture shall include, but is not limited to a portable fixture designed for use in conjunction with any industrial machine, tool, assembly bench or other similar factory equipment. Incandescent lighting fixture shall not include

(i) A portable lamp as defined by Limitation Order L-33; or

(ii) A floodlight, searchlight, blackout and dimout lighting fixture; or

(iii) A traffic signal, street and highway luminaire; or

(iv) Automotive and airport lighting equipment; or

(v) A flashlight, any portable battery operated lighting device; or

(vi) Any lighting fixture specifically designed for use on ships, or as a dental or surgical operating room fixture.

(2) "Industrial incandescent lighting fixture" means an incandescent lighting fixture designed and constructed to provide general or localized illumination for an area of manufacturing, processing, storage or transportation including, but not limited to, a machine shop, laboratory, warehouse, power plant, yard, platform, dock, pier, passageway, or arsenal, or for a camp or cantonment. For the purpose of this order an office or a drafting room is not an area in which manufacturing or processing is performed.

(3) "Heavy duty fixture" means an industrial incandescent lighting fixture consisting of a drawn or spun steel threaded hood supporting a reflector which reflector is made with a three to three and one-half inch threaded neck.

(4) "Residential incandescent lighting fixture" means an incandescent lighting fixture designed and constructed to provide illumination in a human habitation.

(5) "Utility incandescent lighting fixture" means an incandescent lighting fixture other than an industrial or residential incandescent lighting fixture.

(6) "Reflector" means that part or parts of an incandescent lighting fixture which part or parts are designed and constructed to redirect the light from an incandescent light source in a desired direction or directions or to shield or intercept the light from an incandescent light source.

(7) "Globe holder" means that part of an incandescent lighting fixture which part is designed and constructed to hold the socket and the enclosing globe.

(8) "Canopy" means that part of an incandescent lighting fixture which part is designed and constructed to protect any connection of such fixture to an electrical system or a building.

(9) "Hood" means that part of an incandescent lighting fixture which part is designed and constructed to contain a lamp holding device or socket and to support a reflector.

(10) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him.

(11) "Maintenance" means the minimum upkeep necessary to the continued and safe operation of any incandescent lighting fixtures.

(12) "Repair" means the restoration of any incandescent lighting fixture to a sound working condition after wear and tear, damage or destruction has made it unfit or unsafe for service.

(b) *Restrictions*—(1) *Manufacture of industrial, residential and utility incandescent lighting fixtures.* On and after the 10th day of April 1943, notwithstanding any contract or agreement to the contrary, no person shall put into process any material in manufacture of any industrial, residential or utility incandescent lighting fixture or any component part of any industrial, residential or utility incandescent lighting fixture except:

(i) Glass, materials used in making glass, or any other material specifically authorized by the War Production Board.

(ii) Materials which were acquired by him prior to March 31, 1943, *Provided*, That copper, copper base alloys or copper products shall be used only in accordance with limitations established by General Conservation Order M-9-c; or

(iii) Materials which were acquired by him subsequent to March 31, 1943, pursuant to orders or contracts which bear rating of A-1-j or better, *Provided*, That copper, copper base alloys or copper products shall be used only in accordance with limitations established by General Conservation Order M-9-c.

(2) *Manufacture of industrial incandescent lighting fixtures.* On and after the 30th day of May 1943, no person shall put into process in the manufacture of an industrial incandescent lighting fixture

(i) Any ferrous metal sheet of a gauge heavier than 22 U. S. Standard, for such a fixture designed and constructed to use a bulb of 750 or more watts; or

(ii) Any ferrous metal sheet of a gauge heavier than 24 U. S. Standard, for such a fixture designed and constructed to use a bulb of less than 750 watts; or

(iii) Any ferrous metal for protective covering enveloping glass reflectors; or

(iv) Any ferrous metal for such a fixture designed and constructed to be detached in whole or in part, except

(*a*) For a heavy duty fixture so designed and constructed; or

(*b*) For a mechanical lowering hanger.

(3) *Manufacture of residential incandescent lighting fixtures.* On and after the 30th day of May 1943, no person shall manufacture or assemble a residential incandescent lighting fixture containing more than six (6) ounces of ferrous metal.

(4) *Manufacture of utility incandescent lighting fixtures.* On and after the 30th day of May 1943, no person shall without specific authorization of the War Production Board put into process in the manufacture of a utility incandescent lighting fixture any

(i) Ferrous metal globe holder exceeding six (6) inches in diameter; or

(ii) Ferrous metal canopy exceeding six (6) inches in diameter; or

(iii) Ferrous metal louver, shield, baffle, or reflector; or

(iv) Ferrous metal protective covering enveloping a glass reflector.

(c) *Exceptions.* The restrictions and limitations of this order shall not apply to the manufacture, assembly or sale of sockets or switches.

(d) *Sale and delivery of industrial or utility incandescent lighting fixtures.* On and after the 10th day of April 1943, notwithstanding any contract or agreement to the contrary, no person shall sell or deliver any new industrial or utility incandescent lighting fixture or new component part of such an incandescent lighting fixture (that is, which has never been used by an ultimate consumer) except that a person may:

(1) Sell or deliver an industrial or utility incandescent lighting fixture which fixture was wholly manufactured or assembled from component parts manufactured prior to March 31, 1943; or

(2) Sell or deliver a component part of an industrial or utility incandescent lighting fixture which component part was manufactured before March 31, 1943; or

(3) Sell or deliver an industrial or utility incandescent lighting fixture or component part pursuant to an order or contract bearing a preference rating of A-1-j or better; or

(4) Sell or deliver any component part of any industrial or utility incandescent lighting fixture for the purpose of maintenance or repair; or

(5) Deliver an industrial or utility incandescent lighting fixture or any component part of any industrial or utility incandescent lighting fixture to be used solely for the purposes of demonstration, test or storage of such industrial or utility incandescent lighting fixture or component part thereof; or

(6) Deliver an industrial or utility incandescent lighting fixture or component part thereof from one branch, division, or section of a single enterprise to another branch, division, or section of such enterprise.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who wilfully violates any provision of this order,

[1] This document is a restatement of Amendment 1 to Direction 1 of CMP Reg. 1, which appeared in the FEDERAL REGISTER of March 30, 1943, page 3814, and reflects the regulation in its completed form as of March 26, 1943.

or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is

(2) "Burlap" means burlap of the Hessian cloth type, other than brattice cloth and linoleum cloth, which weighs more than six and not more than six-

aside burlap in accordance with the provisions of paragraph (b) (1) shall not deliver, sell, manufacture, process, use or otherwise release burlap from the

1935-1939, inclusive, through ports on the same coast—Pacific, North Atlantic or Gulf, as the case may be—bear to the average total imports of all importers

The undersigned hereby certifies that the burlap to be delivered to the undersigned pursuant to the above purchase order is needed by the undersigned to put into process for the manufacture of agricultural bags

burlap may sell the same free and clear of the restrictions of this order: *Provided, however*, That every such person shall make and file the following certifi-

or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal under the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of appeal.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(k) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(l) *Routing of correspondence.* Applications for authorization by the War Production Board under the provisions of this order shall be made by letter in triplicate, and such applications, reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C., Ref: L–212.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–4948; Filed, March 31, 1943; 11:22 a. m.]

PART 1014—BURLAP AND BURLAP PRODUCTS

[Conservation Order M–47, as Amended March 29, 1943 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of burlap for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1014.1 *Conservation Order M–47.*—(a) *Definitions.* For the purpose of this order, unless the context otherwise requires:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Burlap" means burlap of the Hessian cloth type, other than brattice cloth and linoleum cloth, which weighs more than six and not more than sixteen ounces per yard of cloth forty inches wide.

(3) "Importer" means any person who imported burlap during the year 1940, other than an importing bag manufacturer.

(4) "Importing bag manufacturer" means any person who imported burlap during the year 1940 and manufactured bags from such burlap.

(5) "Non-importing bag manufacturer" means a bag manufacturer who purchases burlap from an importer or an importing bag manufacturer and manufactures bags for sale or for his own use.

(6) "Pacific port" means any port on the Pacific coast of the United States or any inland port of entry for goods from other ports on the Pacific coast of North America.

(7) "North Atlantic port" means any port on the Atlantic coast of the United States, north of Wilmington, N. C., or any inland port of entry for goods from other ports on the North Atlantic coast of North America.

(8) "Gulf port" means any port on the Gulf coast of the United States, the port of Wilmington, N. C., and the ports on the Atlantic coast of the United States to the south thereof, or any inland port of entry for goods from other ports on the Gulf or South Atlantic coast of North America.

(9) "Agricultural bag" means a new textile bag, as defined in Textile Shipping Bags Conservation Order M–221, as amended from time to time, made of burlap.

(10) "Full bales unbroken" means bales not fully opened so that the content could not readily be restored to the same bale, and includes bales which have been sampled.

(11) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico or any other foreign country.

(b) *Stockpiling of imports.* (1) Any importer, importing bag manufacturer, or person importing burlap shall set aside two-thirds of each cargo of burlap imported by him into the continental United States, and shall not dispose thereof except as expressly directed by the War Production Board. The bales so set aside shall be lightweights, 7½ ounce to 9 ounce inclusive, to the extent available, and shall not include any bales known to be damaged, unless instructions to the contrary are given by the War Production Board.

(2) Any importer, importing bag manufacturer, or person who has set aside burlap in accordance with the provisions of paragraph (b) (1) shall not deliver, sell, manufacture, process, use or otherwise release burlap from the quantity so set aside, without further authorization of the War Production Board, except in the following instances:

(i) To fill any order for burlap bearing a preference rating of A–1–c or higher assigned by a preference rating certificate on form PD–1A, PD–3A, PD–300 or PD–408 (but not a preference rating assigned in any other manner) expressly specifying burlap and issued directly to the person placing the order; and such person in applying the rating to his supplier, in addition to making the endorsement upon his purchase order as required, shall furnish to the supplier a photostatic copy (or another copy accompanied by his sworn statement that it is a true copy) of such preference rating certificate, together with a certificate manually signed by a duly authorized official that purchase orders for an amount in excess of the quantity of burlap delivery of which has been rated by such certificate have not been placed by him with any source of supply and rated under the said certificate. Reproduction of any preference rating certificate for the foregoing purposes is hereby permitted;

(ii) To fill any order placed by the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing: *Provided, however,* That the burlap so obtained shall not be disposed of except as specifically authorized by the War Production Board.

(c) *Restrictions on delivery or processing.* Except as provided in paragraphs (b) (2) and (h) (3), or upon express authorization of the War Production Board, no person shall knowingly sell, deliver or in any manner distribute, and no person shall purchase, accept delivery of or in any manner receive burlap for any use other than for the manufacture of agricultural bags, and no person shall process or use any burlap other than for the manufacture of agricultural bags. This prohibition against processing or use shall not apply to bales that were not full bales unbroken on December 22, 1941.

(d) *Quotas for importers and importing bag manufacturers.* (1) The quota of each importer or importing bag manufacturer out of each cargo of burlap imported to the continental United States (but excluding any amount in such cargo imported by the United States Government, the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, or any non-importing bag manufacturer) shall be an amount bearing the same ratio to the amount of such cargo as the average annual imports of such importer or importing bag manufacturer in the period 1935–1939, inclusive, through ports on the same coast—Pacific, North Atlantic or Gulf, as the case may be—bear to the average total imports of all importers and importing bag manufacturers through ports on the same coast in the same period; *Provided, however,* That whenever the War Production Board shall determine that there has been a substantial change in the relative amounts of cargoes discharged at Pacific, North Atlantic or Gulf ports as compared with the period 1935–1939, inclusive, he may make such adjustment as he deems appropriate by directing the distribution, in whole or in part, of any cargo or cargoes discharged at any port to importers or importing bag manufacturers not otherwise entitled to the same under the terms of this paragraph.

(2) Any importer or importing bag manufacturer not desiring to take up his quota out of any cargo may assign such quota, in whole or in part, to one or more importers or importing bag manufacturers in exchange for an equal yardage, without regard to constructions, out of the quotas with respect to expected future cargoes of such importers or importing bag manufacturers. Unused quotas, not so assigned, may be reallocated by the War Production Board.

(e) *Restrictions on importation.* (1) No person (other than the United States Government, the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, or a non-importing bag manufacturer) shall import burlap who did not import burlap in 1940.

(2) Any person securing shipping space for burlap in Calcutta or other point of shipment for import to the continental United States shall fill such shipping space with ten ounce constructions or heavier to the extent available.

(f) *Quotas for non-importing bag manufacturers.* (1) Each importer or importing bag manufacturer shall, out of his receipts of burlap (other than burlap stockpiled under paragraph (b)) make available to each non-importing bag manufacturer who purchased burlap from him during the years 1939 and 1940 the same percentage of burlap delivered by him to that non-importing bag manufacturer out of his total deliveries of burlap to all non-importing bag manufacturers during the years 1939 and 1940. This burlap shall be made available in each month, so far as practicable, and at regularly established prices and terms of sale or payment.

(2) No non-importing bag manufacturer may receive delivery from any importer or importing bag manufacturer of any burlap which will not be put into process by him for the manufacture of agricultural bags within sixty days after the receipt thereof. Each non-importing bag manufacturer shall certify to each importer or importing bag manufacturer from whom he receives delivery of burlap, as a condition to receiving such delivery, the following, on the purchase order for such burlap:

The undersigned hereby certifies that the burlap to be delivered to the undersigned pursuant to the above purchase order is needed by the undersigned to put into process for the manufacture of agricultural bags within sixty days after physical receipt thereof by the undersigned.

Name

Date ---------- By ----------
(Authorized official)

(3) If, for any reason, a non-importing bag manufacturer does not take up all or part of his quota in any given month, the importer or importing bag manufacturer shall reallocate all or part of the unused quota among the non-importing bag manufacturers to whom such importer or importing bag manufacturer is obligated to furnish quotas. This reallocation shall be made as far as practicable in proportion to existing quotas and to the extent that such non-importing bag manufacturers are willing to participate. Unused quotas not reallocated in any month shall be reallocated in successive months until consumed.

(4) The term "non-importing bag manufacturer" for the purposes of this paragraph (f) shall include any importing bag manufacturer to the extent of his receipts of burlap from each importer or each importing bag manufacturer, or from himself to the extent of his burlap cut up into bags during 1939 and 1940.

(g) *Calculation of quotas.* Quotas of importers, importing bag manufacturers and non-importing bag manufacturers shall be calculated to the nearest twenty-five bales, except that any quota amounting to less than twenty-five bales shall be calculated to the nearest bale.

(h) *Damaged burlap.* (1) Burlap set aside for Government use shall be deemed damaged when rejected by a writing identifying the said burlap after inspection by a Government inspector. Burlap not set aside for the Government stockpile shall be deemed damaged when inspected and rejected as damaged by a writing identifying the said burlap by representatives of the insurance company or companies required to meet the claim because of the damage involved.

(2) Notwithstanding the provisions of paragraph (b) (2) burlap set aside for Government use deemed to be damaged, in the manner described in the foregoing paragraph, may be sold, delivered or distributed to, and purchased, received, processed or used by any importing or non-importing bag manufacturer for the manufacture of agricultural bags: *Provided, however,* That such burlap shall be computed in the quota of such importing or non-importing bag manufacturer.

(3) In the event that the extent of damage is such that at least two bag manufacturers have rejected all or any portion of the burlap found to be damaged in the manner described in subparagraph (1) hereof as unsuitable for use in the manufacture of agricultural bags after an inspection thereof by their representatives, who shall not be persons connected with the persons offering such burlap, any person entitled to sell such burlap may sell the same free and clear of the restrictions of this order: *Provided, however,* That every such person shall make and file the following certificate with the War Production Board on or before the third business day following such sale:

The undersigned hereby certifies to the War Production Board that ---------- bales of ---------- burlap ex(ship) ---------- bale nos. ---------- which arrived at (port) ---------- on (date) ---------- have been rejected as damaged by (*insurance company representative or Government inspecting officer*), as evidenced by his attached certificate

This burlap has been offered to (*names of not less than two bag manufacturers*) and has been rejected by them as unsuitable for use in the manufacture of agricultural bags as evidenced by their attached certificates.

(Name of seller)

Date ---------- By ----------
(Authorized signature)

The certificates of rejecting bag manufacturers shall be in substantially the the following form:

The undersigned hereby certifies to the War Production Board that the undersigned is a bag manufacturer, that the undersigned has been offered by (name of seller) a lot of ---------- bales of ---------- burlap ex ---------- bale nos. ---------- deemed to be damaged and that after inspection thereof by our representatives, who are not persons connected with the persons offering such burlap, we have rejected the said burlap as unsuitable for use in the manufacture of agricultural bags as to bales nos. ----------

(i) *Adjustments and appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may apply for relief to the War Production Board by telegram or letter setting forth the pertinent facts and the reason such person considers that he is entitled to relief.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(k) *Reports and communications.* (1) Each importer, importing bag manufacturer and non-importing bag manufacturer shall file with the War Production Board on form PD–188 a monthly report of his inventories, receipts and deliveries of burlap.

(2) Each person participating in any transaction involving burlap shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(3) All reports required to be filed under, and all communications concerning, this order shall be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M–47.

(l) *Records and inspection.* (1) Each person participating in any transaction involving burlap shall keep and preserve for a period of not less than two years

[1] This document is a restatement of Amendment 1 of M–47 which appeared in the FEDERAL REGISTER of March 30, 1943, page 8836, and reflects the document in its completed form as of March 29, 1943.

(2) Aluminum, magnesium, alloy steel (including stainless steel), and copper,

allotments under the Controlled Materials Plan will not be received in time

der a statement in the following form, signed by an official duly authorized for

accurate and complete records of his transactions therein, and his production, sales and inventories thereof.

(2) All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 29th day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4971; Filed, March 31, 1943; 4:07 p. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Amendment 1 to Limitation Order L-1-h as Amended January 7, 1943]

Section 976.18 *Limitation Order L-1-h* as amended January 7, 1943 [8 F.R. 311] is amended as follows:

Paragraph (c) *Production of heavy trucks authorized* is hereby amended to read as follows:

(c) *Production of heavy trucks authorized.* Irrespective of the terms of General Limitation Order L-1-e, as amended, and in order to replace 3017 heavy trucks withdrawn prior to December 31, 1942 by the Army, Navy and Lend-Lease Administration from stocks intended for rationing to civilian uses under General Conservation Order M-100, producers are hereby authorized to produce heavy trucks in such quantities, of such types and within such periods of time as may be specifically authorized by the War Production Board.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5005; Filed, March 31, 1943; 5:10 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 11A as Amended April 1, 1943]

PRP FOR SECOND QUARTER OF 1943

§ 944.32A *Priorities Regulation 11A*—(a) *Purpose.* The Second Quarter of 1943 is the transition period from the Production Requirements Plan to the Controlled Materials Plan. In order to insure the receipt of materials by manufacturers during the transitional period, authorizations will be made under the Production Requirements Plan and under the Controlled Materials Plan. Preference ratings will be authorized under PRP as provided herein and in addition, most manufacturers will receive allotments under the Controlled Materials Plan. It is therefore essential that the utmost care be observed by manufacturers not to duplicate their orders for materials under both authorizations, and it is the purpose of this regulation to provide priorities assistance to PRP Units during this transition period and to require reductions in PRP authorizations or CMP allotments to the extent necessary to eliminate duplication.

(b) *Definitions.* (1) The definitions contained in Priorities Regulation No. 11 and CMP Regulation No. 1 shall apply to this regulation.

(2) "PRP rating" means any preference rating which a PRP Unit is entitled to apply pursuant to authorizations on a PRP certificate or pursuant to paragraph (c) of this regulation.

(3) "First quarter production material rating" means a preference rating assigned to a PRP Unit for production materials (as distinguished from supplies as defined in Priorities Regulation No. 11) on its PRP certificates for the first quarter of 1943.

(4) "CMP rating" means a preference rating which a person is authorized to apply or extend under the Controlled Materials Plan.

(5) "Listed production material" means any listed material, as defined in Priorities Regulation No. 11, which constitutes production material as defined therein.

(6) For the purposes of this regulation, any person who is a PRP Unit as of March 31, 1943, shall continue to be deemed a PRP Unit through June 30, 1943, or until such time as he ceases entirely to operate under the Production Requirements Plan.

(c) *Assignment of ratings to production materials.* Subject to the restrictions contained in paragraph (d) of this Regulation:

(1) Each PRP Unit may apply its first quarter production material ratings to the delivery to it of not more than 40% during April, 1943, nor 70% during the entire second quarter of 1943 of the total amount of each listed material which was authorized on its first quarter PD-25A certificate and on any first quarter PD-25F certificates issued prior to March 1, 1943, such percentages to be applied after deducting from such total the amount of each such material received or scheduled to be received during said first quarter for supplies.

(2) In addition, unless otherwise specifically directed by the War Production Board by March 31, 1943, each PRP Unit may, during the second quarter of 1943, apply its first quarter production material ratings to deliveries in the quarter of the remaining 30% of said authorized quantities of listed production materials, computed as provided in subparagraph (1) of this paragraph (c).

(3) Each PRP Unit may apply its first quarter production material ratings to the delivery during the second quarter of 1943 of production materials (including listed fabricated items) other than listed materials, but only (i) in the quantities and at the rate necessary to maintain the production schedules permitted by the quantities of listed materials it is authorized to receive as a PRP Unit, or (ii) in the quantities authorized by its first quarter PD-25A and PD-25F certificates, after deducting from such quantities the amount of each material received or scheduled to be received during said first quarter for supplies, whichever of said (i) or (ii) is greater, subject, however, to the inventory restrictions of Priorities Regulation No. 1.

(4) CMP Ratings may be applied or extended as provided in CMP Regulation No. 3.

(d) *Elimination of duplications under PRP and CMP*—(1) *Controlled materials.* If a PRP Unit receives an allotment of controlled material under CMP, to the delivery of which it is authorized to apply PRP ratings under paragraph (c) of this regulation, it must reduce the amount to which it applies such PRP ratings by the amount of such material which it obtains for its own use by means of the allotment, but need not, unless it included the requirements of secondary consumers in its first quarter PRP application, deduct the portion thereof which it allots to its secondary consumers producing Class A products for it. If, at the time of receiving its allotment, it has already received by use of the PRP rating or otherwise any or all its requirements of controlled material for the production schedule for which the allotment is made, or elects to obtain the same by PRP rating, it must reduce or cancel the allotment as provided in paragraph (v) of CMP Regulation No. 1.

(2) *Other materials and fabricated items.* If a PRP Unit is authorized to apply a CMP rating to the same material (other than a controlled material) or fabricated item to which it is authorized to apply a PRP rating for delivery during the second quarter, it may apply either rating to the quantity authorized therefor, but may not apply ratings under both authorizations to more than is covered by the greater of the two authorizations.

(e) *Quantitative restrictions as to receipt of listed production materials.* No PRP Unit shall accept delivery during the second quarter of 1943 of any listed production material in excess of the amount thereof to which it is entitled to apply preference ratings pursuant to the provisions of paragraph (c) of this regulation, except that a PRP Unit may accept deliveries of:

(1) Any materials to the extent that it is permitted by paragraph (e) of Priorities Regulation No. 11 to accept deliveries in excess of the amounts authorized on its PRP certificates.

(2) Aluminum, magnesium, alloy steel (including stainless steel), and copper, in the forms specified in Materials List No. 1 Revised accompanying the first quarter Form PD-25A, in quantities approved for delivery to the PRP Unit by the Aluminum and Magnesium Division, the Steel Division or the Copper Division, respectively.

(3) Listed production materials to the extent required to meet a production schedule authorized under the Controlled Materials Plan.

(f) *Quantitative restrictions as to receipt of other materials and products.* A PRP Unit may receive during the second quarter of 1943 production materials in the form of fabricated items (whether listed or not) and in the form of materials other than listed materials, in the amounts to which it is entitled to apply preference ratings under paragraph (c) (3) of this regulation or in the amounts required to meet a production schedule authorized under the Controlled Materials Plan.

(g) *Advance quarter authorizations.* A PRP Unit which has received, on a PRP certificate for the first quarter of 1943, an advance quarter authorization for the second quarter of 1943 may, as to any particular material, elect to use the ratings thereby authorized for the amounts therein specified in lieu of the ratings and amounts permitted by paragraphs (c) and (d) of this regulation. A PRP Unit which has placed rated purchase orders for delivery in the third quarter of 1943, or any subsequent quarter, pursuant to an advance quarter authorization on a PRP certificate, need not cancel or rerate the same, except as otherwise expressly provided in any regulation or order of the War Production Board, and may receive delivery of the materials or fabricated items covered by such purchase orders, subject to any applicable regulations or orders of the War Production Board.

(h) *Maintenance, repair and operating supplies.* A PRP Unit may, prior to the third business day after the date of issuance of CMP Regulation No. 5, apply to the delivery to it of supplies (as defined in Priorities Regulation No. 11) during the second quarter of 1943 the same ratings authorized on its PRP certificates for the first quarter of 1943, in amounts not exceeding the amounts of such supplies actually received or scheduled for receipt during the first quarter. After said third business day, a PRP Unit may apply to maintenance, repair and operating supplies as defined in CMP Regulation No. 5 only the ratings and only to the amounts authorized by said regulation and may rerate deliveries previously rated pursuant to this paragraph (h).

(i) *PD-25F applications.* A PRP Unit which finds that the authorizations provided by this regulation and by the Controlled Materials Plan are insufficient to cover the quantities of materials required during the second quarter for essential production may file an application on Form PD-25F for an increased authorization. Such authorizations will not be granted to consumers of controlled materials unless it appears that allotments under the Controlled Materials Plan will not be received in time to obtain the materials required for the production contemplated under the Plan.

(j) *Applicability of Priorities Regulation 12.* Wherever a rating is applied pursuant to the provisions of this regulation to a delivery to which another rating has previously been applied, such rerating shall be effected in the manner provided in paragraphs (g) and (h) of Priorities Regulation 12 and subject to the limitations contained in paragraph (i) of said regulation.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5045; Filed, April 1, 1943; 11:38 a. m.]

PART 962—IRON AND STEEL

[General Preference Order M-21 as Amended April 1, 1943]

Whereas the national defense requirements have created a shortage of steel, as hereinafter defined, for defense, for private account, and for export and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 962.1 *General Preference Order M-21*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 as amended from time to time, except to the extent that any provision thereof may be inconsistent herewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes indicated in the CMP Materials List, and also carbon and alloy steel forgings.

(2) "Iron products" means cast iron pipe and all other iron castings, gray and malleable (rough as cast), including all items of ferrous foundry manufacture not classified as steel.

(3) "Producer" means any person who produces steel or iron products.

(c) *Purchasers' statements.* (1) The filing of form PD-73 is not required with orders for steel for delivery on or after June 1, 1942, or with orders for iron products. On orders for steel for delivery on or before May 31, 1942, form PD-73 shall be filed as heretofore.

(2) Except as permitted by this paragraph (c), on and after June 1, 1942, no producer shall accept an order for steel or iron products from or deliver steel or iron products to any person unless such person has endorsed on his purchase order a statement in the following form, signed by an official duly authorized for such purpose, specifying the name of the appropriate group classification as described in Schedule A hereto, and no purchase order shall include material for more than a single group classification:

The undersigned certifies to the producer and to the War Production Board that the material ordered herein is to fill orders in group classification ----------

---
Name of Purchaser

Authorized Official

Title

(3) Except for orders in group classifications, lend-lease, other export, and warehouse, on orders placed on or before May 31, 1942, with deliveries to be made after that date, a purchaser's statement in the above form must be filed with the producer on or before May 31, 1942, together with a description of the purchase orders to which each such statement applies.

(4) On export sales (except lend-lease sales and sales to purchasers in the Dominion of Canada) the purchaser's statement may be furnished by the accredited agent of the purchaser or by the export division of the producer.

(5) On shipments by a producer direct to the customer of a warehouse the purchaser's statement shall be furnished to the producer by the customer and not by the warehouse.

(6) In all cases where the purchase order can be identified by a Controlled Materials Plan allotment number or symbol, such allotment number or symbol shall accompany the purchase order, in lieu of the purchaser's statement above described.

(d) *Producers' reports.* Each producer shall file with the War Production Board, Washington, D. C., Reference: M-21, reports at such times and on such forms as may from time to time be prescribed.

(e) *Restriction on deliveries.* No person shall deliver steel or iron products except:

(1) Any person may make delivery on an authorized controlled material order.

(2) Prior to July 1, 1943, any person may make delivery on orders bearing a preference rating of A-10 or higher.

(3) Distributors may make delivery to the extent permitted by the provisions of CMP Regulation No. 4, as from time to time amended.

(4) Any person may make delivery as permitted by the provisions of Priorities Regulation No. 13, as from time to time amended.

(5) Any person may make a delivery specifically authorized or directed by the War Production Board.

(f) *Specific directions.* The War Production Board may from time to time issue specific directions to any person or persons as to the type, description,

amount, source, or destination of steel or iron products to be produced, deliv-

(2) Deliveries from a producer of any

(2) In addition, a warehouse may re-

than the warehouse, and shall copy on

amount, source, or destination of steel or iron products to be produced, delivered, or acquired by such person or persons.

Issued this 1st day of April 1943.

WAR PRODUCTON BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—GROUP CLASSIFICATIONS

Army. Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to the War Department (including the Panama Canal), including construction and maintenance of plants owned by the War Department.

Navy. Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to the Navy Department (including the Marine Corps and Coast Guard), including construction and maintenance of plants owned by the Navy Department.

Maritime. Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to the Maritime Commission, or to commercial shipyards (CSY) for ship repair under the supervision of the Coordinator for Ship Repair and Conversion, including construction and maintenance of plants owned by the Maritime Commission.

Defense Projects. Orders for steel and iron products for construction and maintenance of defense plants or projects under preference ratings, including, but not limited to, ratings assigned by preference rating orders in the P–19 series, and not included in other classifications.

Lend-Lease. Orders for steel and iron products for export on lend-lease contracts placed by any U. S. government agency, identified by the symbol "DA" on the order form.

Other Export. Orders for steel and iron products for export (except to U. S. possessions and off-shore bases), not included in the Lend-Lease classification.

Railroad. Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to U. S. railroads.

Warehouse. Orders for steel and iron products for warehouses for resale (except CSY orders).

All Other. Other orders for steel and iron products which cannot be identified under any of the preceding classifications.

INTERPRETATION 1

The terms "steel" and "iron products" as defined in General Preference Order M–21, as amended (§ 962.1), do not include salvaged or used materials. (Issued September 2, 1942.)

[F. R. Doc. 43–5046; Filed, April 1, 1943; 11:38 a. m.]

PART 962—IRON AND STEEL

[Revocation of Supplementary Order M–21–b]

WAREHOUSES AND DEALERS

Section 962.3 *Supplementary Order M–21–b* is hereby revoked.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5047; Filed, April 1, 1943; 11:39 a. m.]

PART 962—IRON AND STEEL

[General Preference Order M–21–b–2]

MERCHANT TRADE PRODUCTS WAREHOUSES AND DEALERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 962.11 *General Preference Order M–21–b–2*—(a) *Purpose and scope.* This order tells how, under the Controlled Materials Plan, a distributor obtains deliveries of merchant trade products from producers and from other persons for stock or for delivery direct to a distributor's customers. The method by which a distributor obtains deliveries of general steel products is set forth in General Preference Order M–21–b–1. Deliveries of steel from stock by distributors to persons not purchasing for resale are governed by CMP Regulation No. 4. Deliveries by distributors to other distributors are governed by this order and not by CMP Regulation No. 4.

(b) *Definitions.* For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel and wrought iron, in each case only in the forms and shapes indicated in the CMP Materials List.

(2) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 0.60%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "Merchant trade products" means any of the steel products listed in Schedule I hereto.

(5) "Product group" means any of the twelve numbered groups of merchant trade products listed in Schedule I hereto.

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy steel.

(7) "Base period" means

(i) With respect to merchant trade products in product groups 17–22, inclusive, of Schedule I, the calendar year 1940.

(ii) With respect to merchant trade products in product groups 23–28, inclusive, of Schedule I, the 12 months ending June 30, 1941.

(8) "Base tonnage" of a warehouse for any product group means the tonnage of such product group delivered by producers to the stock of such warehouse during the base period, or as specifically otherwise established by the War Production Board.

(9) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer, who is engaged in the business of receiving steel for sale or resale and who does not process the material so sold otherwise than by performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, or pipe threading; but a person who, in connection with any sale, forms, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(10) "Warehouse" means a distributor who receives physical delivery of merchant trade products from a producer for sale or resale in the form received, and who was engaged in the business of distributing steel from stock on August 9, 1941. The term does not include any pipe, sheet, or wire fabricator unless his sales from stock during 1940 of merchant trade products in the form received represented at least 25 percent of the total tonnage of merchant trade products received by him in that year. If a warehouse maintains a stock at more than one location, each location shall be deemed a separate warehouse.

(11) "Dealer" means a distributor (other than a warehouse) who receives physical delivery of merchant trade products from persons other than producers for sale or resale in the form received.

(12) "Delivery" includes deliveries received on consignment.

(c) *General restrictions on placing orders by warehouses*—(1) *Product groups and types to be ordered.* No warehouse shall order or accept delivery to warehouse stock of merchant trade products in any product group and type except those for which it has a base tonnage with a producer pursuant to this order.

(2) *Quantity restrictions on prime quality material.* No warehouse which, during 1940, purchased more than 25 percent of its tonnage of any product group in a grade now invoiced as less than prime quality may order for delivery to warehouse stock during any calendar quarter, prime quality steel products (requiring scheduled rollings) of the same product group from all producers in an amount greater than one-fourth of the total tonnage of such prime quality material purchased from all producers during 1940.

(d) *Warehouse orders for certain wire and sheet products.* The following rules apply to deliveries to warehouse stock of products in products groups 22, 26, 27 and 28:

(1) A warehouse shall not accept delivery of any product in these product groups from any producer (and a producer shall not deliver such products to a warehouse) unless the warehouse has a base tonnage for that product group with that producer. By the use of form PD–83–e, a warehouse may shift its total base tonnage for any of these product groups from one producer to another.

(2) Deliveries from a producer of any of these product groups to a warehouse stock shall be made only up to the following percentages of the base tonnage of the warehouse with the producer:

Product group	(Beginning January 1, 1943) During any calendar half year	During any calendar year
	Percent	*Percent*
22. Galvanized or painted formed roofing and siding	50	60
26. Wirecloth, ties	100	160
27. Wire (barbed and twisted, wire fence (woven or welded), and netting	100	120
28. Farm posts and gates	100	120

Warehouse orders for these products shall not be considered authorized controlled material orders, unless accompanied by Form CMP–11 in the manner provided for in paragraph (d) (3). Nevertheless (and in spite of the provisions of any other WPB regulation or order), a producer may, in any month, within the limits of his production directive for the particular product group, make delivery of these products to warehouses on orders which are not authorized controlled material orders, after he has filled all authorized controlled material orders for the same product group calling for delivery in the same month. Deliveries on warehouse purchase orders of this sort shall be distributed by the producer among the warehouses which have a base tonnage with it as nearly as possible in proportion to the base tonnage of each warehouse with that producer.

(3) If a warehouse wishes to obtain earlier delivery on an order placed in accordance with paragraph (d) (2) it may give any such order the status of an authorized controlled material order by filing with the producer a copy of Form CMP–11 to support such purchase order. On this form the warehouse may report only the tonnage of any merchant trade products which it delivered during the preceding 90 days on authorized controlled material orders bearing definite allotment numbers issued by claimant agencies or on orders rated AA–5 or higher.

(e) *Warehouse orders for all other merchant trade products.* The following rules apply to deliveries to warehouse stock of products in product groups, 17, 18, 19, 20, 21, 23, 24 and 25:

(1) For most of these products, each producer operates under a warehouse load directive which instructs it to reserve each month a certain percentage of its production of each product group to fill warehouse orders. The orders of any warehouse on a producer up to this percentage of its base tonnage with that producer shall be considered authorized controlled material orders. A warehouse can place orders of this sort only with producers with which it has a base tonnage. No form is required for placing such orders. By the use of Form PD–83–e a warehouse can shift its total base tonnage for any of these product groups from one producer to another.

(2) In addition, a warehouse may replace in stock, without limit as to quantity, merchant trade products of the same type (carbon, stainless, or other alloy) which it has sold during the preceding 90 days on authorized controlled material orders bearing definite allotment numbers issued by claimant agencies or orders rated AA–5 or higher. Form CMP–11 will be used for this purpose. Orders of this sort can be placed with any producer and will be considered authorized controlled material orders.

(f) *Time for placing orders.* Orders for all merchant trade products requiring scheduled rollings shall specify delivery, in the case of carbon steel, not earlier than the month following the date of order entry, and, in the case of alloy steel, not earlier than the month 105 days following the date of order entry. Orders for such material not requiring scheduled rollings (such as rejects, wasters, waste wasters, and shorts) may specify delivery at any time.

(g) *Alternative use of Form PD–83–g.* Up to July 1, 1943, Form PD–83–g may be used instead of Form CMP–11 to extend allotment numbers of specific claimant agencies or orders rated AA–5 or higher. Each order placed by a warehouse with a producer for delivery to warehouse stock and supported by Form CMP–11 or Form PD–83–g shall be deemed an authorized controlled material order.

(h) *Restrictions on inventories.* On and after July 1, 1943, no warehouse whose base tonnage of pipe (product groups 17 to 19), tin and terne plate (product group 20), galvanized or painted sheets (product groups 21 to 22), or wire products (product groups 23 to 28) exceeds 240 net tons shall accept a delivery of steel in any product group and type which will result in an inventory at the end of a calendar quarter greater than one-half its base tonnage for such product group and type.

(i) *Purchases from idle or excess inventories.* A warehouse or dealer may order for delivery to its stock, without limitation as to quantity, from idle or excess inventories pursuant to Priorities Regulation No. 13, merchant trade products in any product group and type for which such warehouse has a base tonnage. Each purchase order for such material shall be endorsed in substantially the following form, and when so endorsed shall be deemed to be an authorized controlled material order:

The undersigned certifies to the seller and to the War Production Board that this order is placed pursuant to paragraph (i) of Order M–21–b–2, and is an authorized controlled material order.

Name of Warehouse or Dealer

By ---
Authorized Official

Address

Date.

(j) *Warehouse purchases for direct shipment to customer.* A warehouse receiving an authorized controlled material order for a customer and wishing to arrange for shipment direct to such customer by the producer or other supplier, shall specify delivery to a point other than the warehouse, and shall copy on its own purchase order the endorsement made to it by its customer (including the customer's name) in accordance with CMP Regulation No. 1 or other applicable regulation or order. A purchase order specifying direct shipment and so endorsed shall be deemed an authorized controlled material order.

(k) *Earmarked warehouse stocks.* To the extent agreed upon by the Steel Division and any claimant agency, an earmarked stock of one or more merchant trade products may be established in any warehouse. Deliveries to such stock and withdrawals therefrom shall be made only in accordance with the specific directions which shall be issued at the time such stock is established.

(l) *Deliveries to dealers.* Dealers obtain deliveries of merchant trade products to stock in the following ways:

(1) *Steel delivered on allotment numbers (or on orders rated AA–5 or higher).* Merchant trade products which a dealer has delivered on definite allotment numbers of particular claimant agencies (or on orders rated AA–5 or higher) within the previous 90 days may be replaced with an equivalent tonnage of the same or any other merchant trade product by sending to a supplier with the purchase order a list of such deliveries showing for each the weight delivered, the allotment number (or preference rating), and the date of delivery. Such a purchase order is an authorized controlled material order. The warehouse, for the purposes of paragraphs (d) (3) and (e) (2), is entitled to use deliveries on these orders to support replacement orders filed with Form CMP–11.

(2) *Other deliveries.* In addition, a dealer may place orders for merchant trade products with warehouses without limit as to quantity. Such orders shall not be considered authorized controlled material orders. Nevertheless (and in spite of the provisions of any other War Production Board regulation or order) a warehouse may make delivery on such orders.

(m) *Reports.* (1) Each warehouse whose base tonnage of pipe (product groups 17 to 19), tin and terne plate (product group 20), galvanized or painted sheets (product groups 21 to 22), or wire products (product group, 23 to 28) exceeds 240 net tons shall file with the Bureau of the Census, Washington, D. C., a quarterly report in duplicate on Form PD–83–i.

(2) Each producer of a product for which a warehouse load has been established shall file quarterly reports with the War Production Board on Form PD–83–f.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(o) *Communications to War Production Board.* All appeals or other communications concerning this order shall be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington, D. C., Reference: M–21–b–2.

(p) *Violations.* Any warehouse, dealer, or other person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I.—MERCHANT TRADE PRODUCTS

Product group	Types of steel included		
	Carbon	Stainless	Other alloy
17. Standard merchant and line pipe	x		
18. Oil country casing, tubing and drill pipe	x		
19. Wrought iron pipe	x		
20. Tin plate and terneplate (electrolytic)	x		
21. Galvanized sheets (flat sheets only)	x		
22. Galvanized or painted formed roofing and siding	x		
23. Nails (cut and wire), and fence and railroad staples	x		
24. Wire rope and strand	x		
25. Wire, drawn	x	x	x
26. Wire bale ties	x		
27. Wire (barbed and twisted), wire fence (woven or welded), and netting	x		
28. Fence posts and gates	x		

[F. R. Doc. 43-5048; Filed, April 1, 1943; 11:38 a. m.]

PART 1049—INCANDESCENT, FLUORESCENT AND OTHER ELECTRIC DISCHARGE LAMPS

[Amendment 1 to Supplementary Limitation Order L-28-a]

Section 1049.2 *Supplementary General Limitation Order L-28-a* is amended by deleting the words, "On and after November 1, 1942," from paragraph (b) (1) of Order L-28-a, and by inserting in lieu thereof the words, "Except pursuant to specific authorization of the War Production Board."

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R Doc 43-5049; Filed, April 1, 1943; 11:38 a. m.]

PART 1095—COMMUNICATIONS

[Revocation of Preference Rating Order P-130, as Amended]

Preference Rating Order P-130, as amended (§ 1095.3) is hereby revoked and shall be superseded by Utilities Order U-3.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5050; Filed, April 1, 1943; 11:39 a. m.]

PART 1095—COMMUNICATIONS

[Revocation of General Conservation Order L-148 as Amended]

General Conservation Order L-148, as amended (§ 1095.4) is hereby revoked and shall be superseded by Utilities Order U-5.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5051; Filed, April 1, 1943; 11:38 a. m.]

PART 1095—COMMUNICATIONS

[Revocation of Preference Rating Order P-132]

§ 1095.15 *Preference Rating Order P-132.* Preference Rating Order P-132 is hereby revoked and shall be superseded by Utilities Order U-4.

Issued this first day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5052; Filed, April 1, 1943; 11:39 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Direction 1 under CMP Regulation 2]

COMMUNICATIONS

§ 3175.101 *Inventory Direction No. 1.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered*, That:

In the case of any "operator" as defined in and who is subject to the provisions of Utilities Order U-3, as amended from time to time, the provisions of paragraph (b) (1) of CMP Regulation 2 shall not apply and, in lieu thereof, such operator shall be subject to the inventory limitations contained in Utilities Order U-3. All other provisions of CMP Regulation 2 shall remain applicable to such operator except that appeals under paragraph (j) and communications under paragraph (k) (2) shall be addressed to War Production Board, Communications Division, Washington, D. C.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5053; Filed, April 1, 1943; 11:39 a. m.]

PART 3225—CALCIUM METAL

[General Preference Order M-303]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of calcium metal for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3225.1 *General Preference Order M-303*—(a) *Definitions.* (1) "Calcium metal" means any product containing the element calcium not in chemical combination, and in which any metallic constituents other than calcium do not constitute more than 15 per cent, by weight.

(2) "Producer" means any person engaged in the production of calcium metal, and includes any person who imports calcium metal or has calcium metal produced for him pursuant to toll agreement.

(3) "Distributor" means any person (other than an importer) who purchases calcium metal for the purpose of resale.

(b) *Restrictions on deliveries and use.* (1) On and after April 1, 1943, no person shall deliver, accept delivery of, or use calcium metal, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries or use in each calendar month will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time at its discretion issue directions with respect to deliveries to be made or accepted, or with respect to use or uses which may or may not be made of calcium metal to be delivered or then on hand. Such authorizations or directions may be made by the War Production Board without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to use or accept delivery of calcium metal shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the War Production Board. Calcium metal allocated for inventory shall not be used except as specifically directed by the War Production Board.

(4) Calcium metal allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though allocated therefor.

(c) *Application and reports.* (1) Each person seeking authorization to accept delivery of, or to use calcium metal during any calendar month beginning with May, 1943, whether for his own consumption or resale, shall file application therefor on or before the 15th day of the proceding month. Applications respecting acceptance of delivery or use in April, 1943, shall be filed as many days as possible in advance of the desired date of acceptance or use. In any case, such application shall be made on Form PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-303, one forwarded to the producer or distributor with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy will be sent to the producer or distributor.

(iii) In the heading, under "Name of chemical", specify "Calcium metal"; under "WPB Order No.", specify "M-303"; under "Indicate unit of measure", specify "pounds".

(iv) In heading at top of Table I, specify the month and year for which authorization for acceptance of delivery or use is sought.

(v) In Columns 1, 11 and 19, specify grades; for example, carrots, castings, turnings, sublimed.

(vi) In Columns 3, 20 and 22 (Primary product), applicant will specify the product or products in the manufacture or preparation of which he will use calcium metal in terms of the following:

Magnesium castings.
Stainless steel alloys.
Special alloys.
Zirconium.
Other metals (specify).
Chemicals (specify).
Other products (specify).
Resale (as calcium metal).
Inventory (as calcium metal).

(vii) In Column 4 (Product end use), applicant will specify with respect to each primary product the ultimate use to which such primary product will be put. For example, if the "primary product" called for in Column 3 is "magnesium castings", the ultimate use might be "airplane engines". Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. If application is for calcium metal for resale or for inventory, leave Column 4 blank.

(2) Each producer or distributor seeking authorization to make delivery of calcium metal during any month, beginning with May, 1943, shall file application therefor on or before the 20th day of the preceding month. Applications respecting delivery in April, 1943, shall be filed as many days as possible in advance of the desired delivery date. Such applications shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-303, the fourth to be retained by the producer or distributor.

(iii) Each producer who has filed application on Form PD-600 specifying himself as his supplier, shall list his own name as customer on Form PD-601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading, under "Name of chemical", specify "Calcium metal"; under "WPB Order No.", specify "M-303"; under "This schedule is for deliveries to be made during the month of ————", specify month and year during which deliveries covered by application are to be made; under "Indicate unit of measure", specify "pounds".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(vi) In Columns 3 and 8, producer or distributor will specify grades as indicated in the Forms PD-600 filed with him by his customers.

(vii) The producer or distributor may, if he wishes, leave Column 5 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(d) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(3) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M-303.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5054; Filed, April 1, 1943; 11:39 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Supplementary Utilities Order U-1-c]

VICTORY GARDENS

§ 4500.6 *Supplementary Utilities Order U-1-c.* Notwithstanding the provisions of paragraph (h) of Utilities Order U-1, water service extensions of not more than 250 feet (including any portion built by or for the consumer) may be made or connected by producers to provide water for gardens: *Provided*, That all of the following conditions are satisfied:

(a) There is no alternative source of water which would require less critical material.

(b) Water from each such extension will be used to provide water for not less than 5,000 square feet of land devoted to the production of edible crops.

(c) Extensions are made with not more than 5 feet of pipe for each 500 square feet of cultivated land.

(d) Pipe of the smallest practicable size, and in no event having a nominal inside diameter greater than 1¼", is used.

(e) No copper or copper base alloy pipe or tubing is used.

(f) No extension or enlargement of mains is required.

(g) The consumer agrees in writing with the producer that his use of water for the purposes of this supplementary order will be subject to rules promulgated by the producer in the interest of water conservation, including requirements for off-peak usage and interruption of service during periods of water shortage.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4951; Filed, March 31, 1943; 11:22 a. m.]

PART 4502—COMMUNICATIONS

[Utilities Order U-3 [1]]

§ 4502.1 *Utilities Order U-3*—(a) *Definitions.* For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States and any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service (and such telegraph and teletypewriter service as may also be

[1] Preference Rating Order P-130 has been revoked and is superseded by this order.

conducted by him), within, to, or from the United States, its territories or possessions.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design.

(4) "Operating supplies" means any material (other than that used for maintenance and repair and items listed on Schedule A) which is essential to and used in the operation of communication services by an operator: *Provided*, That such use is permitted under the provisions of Utilities Order U-2, as amended from time to time, and conforms to the limitations set forth in paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) hereof. The term shall also include such items as hand tools, customarily purchased by the employer-operator for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge.

(5) "Operator's inventory of material" shall include all items of new and/or salvaged material and supplies on hand, whether held for current use or for sale as junk, until physically incorporated into plant by way of maintenance, repair, construction or otherwise, and without regard to whether or not such items of material are carried in the operator's accounting records under "Material and Supplies Account". "Operator's inventory of material" shall not include:

(i) Any surplus material listed by the operator for sale on Form UF-6, and filed with the Communications Division, Office of War Utilities as required by said form. Each item of such surplus material shall be identified by the operator for sale to operators for use for maintenance, repair, construction or operating supplies. Records of withdrawals from and additions to such surplus equipment shall be maintained and preserved as provided in paragraph (g) hereof, and shall be reported to the Communications Division upon the request of the War Production Board.

(ii) Any material identified for use on projects which have been specifically authorized by the Director General for Operations of the War Production Board or the War Production Board upon application by an operator.

(iii) Any operating supplies which are in the process of being consumed by an operator.

(iv) Any material (other than material ordinarily carried in stock for the day-to-day operations and for emergency repairs) which is, or has been, set aside in a reserve to restore plant damaged by enemy action or sabotage provided that authorization is or has been granted by the Director General for Operations of the War Production Board or the War Production Board, upon application of an operator made on Form PD-200. Any material withdrawn from such reserve shall be used only for the restoration of plant damaged by enemy action or sabotage and such use shall be reported by letter to the Office of War Utilities within thirty days after such withdrawal.

(v) Any stock of lead covered cable or bare line wire maintained by an operator for the repair of major breakdowns of his existing facilities due to storms, floods, etc., reported as prescribed on Form UF-5 unless disapproved by the Office of War Utilities.

(vi) Poles; crossarms; insulators; non-metallic conduit; furniture and office equipment; printing, stationery and office supplies; house service supplies; and, coal and petroleum products.

(b) *Preference ratings, CMP allotment symbol MRO-U*—(1) *Assignment of ratings.* Subject to the terms of this order operators are assigned the following preference ratings:

(i) AA-1 for deliveries to an operator, of materials, other than controlled materials, required for maintenance, repair, and operating supplies;

(ii) For deliveries to an operator, of materials, other than controlled materials, for the construction of facilities necessary to serve such defense projects as may be authorized pursuant to Preference Rating Order P-19-h, bearing a rating of AA-5 or better, the same rating as is assigned to such defense project; except that where such project is assigned two or more ratings and both or all of these are AA-5 or better such deliveries to an operator are assigned the lowest rating which is assigned to such defense projects.

Before applying the preference rating assigned by this paragraph (b) (1) (ii), however, an operator shall first file Form PD-685 with the Communications Division, Office of War Utilities, setting forth in detail the appropriate information requested on said form, and in addition thereto, such other information as may be from time to time required. The War Production Board will thereupon notify the operator if, and to what extent, the application is approved.

(2) *Application or extension of ratings.* By placing on his delivery order substantially the certification set forth below in (b) (4), an operator may apply and a supplier may extend the ratings assigned by (b) (1) (i) and (b) (1) (ii) in the manner provided in Priorities Regulation No. 3 and CMP Regulation No. 3.

An order for materials, other than controlled materials, bearing the rating assigned in (b) (1) (i) or (b) (1) (ii) when bearing the CMP allotment symbol MRO-U, and accompanied by the certification, substantially as set forth below in (b) (4), shall have the same status as a rated order bearing a CMP allotment symbol under all applicable CMP regulations. Such symbol shall constitute an allotment number or symbol for the purposes of CMP Regulation No. 3.

(3) *The delivery of controlled materials.* For the delivery of controlled materials, except aluminum, required for maintenance, repair, or operating supplies, an operator is authorized to use CMP allotment symbol MRO-U, and shall place on his delivery order substantially the certification set forth below in (b) (4).

An order bearing such certification shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment number under all applicable CMP regulations. Such symbol shall constitute an allotment symbol for the purposes of CMP Regulation No. 3.

(4) *Certification for use of ratings and allotment symbols.* CMP allotment symbol MRO-U. Preference Rating ------. The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders, and under all provisions of Utilities Order U-2 and U-3, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Such certification shall in every case be signed manually or as provided in Priorities Regulation No. 7.

(c) *Restrictions on use of ratings and allotment symbol.* (1) In addition to the limitations in paragraphs (c) (2) and (c) (5) below, the preference ratings assigned and/or the allotment symbol authorized by this order shall not be applied by an operator:

(i) To obtain deliveries of materials containing copper, iron, steel, or nickel where such metals could be eliminated therefrom by the substitution of less scarce metals without serious loss of efficiency.

(ii) To obtain materials for exchange plant of any kind (exclusive of telegraph and/or teletypewriter plant) or for toll telephone central office equipment or for combined exchange and toll telephone central office equipment where the cost of such material to which the rating and/or allotment symbol is applied, in any single case, exceeds $2,500 or the total cost of material (both new and reused) in a single case exceeds $5,000, or to obtain PBX switchboards required to serve subscribers other than those set forth in paragraphs (e) (1) (i) and (e) (1) (ii) of Utilities Order U-2.

(iii) To obtain material for toll line plant where the cost of material (both new and reused) in any single case exceeds $500.

(iv) To obtain material for teletypewriters where the cost of material (both new and reused) in any single case exceeds $500 or to obtain teletypewriters to meet other than the minimum needs for service of the kind included in paragraph (e) (1) (i) of Utilities Order U-2.

(v) To obtain material for telegraph and/or teletypewriter plant, other than teletypewriters, where the cost of material (both new and reused) in any single case exceeds $2,500.

(2) No operator shall apply the ratings assigned by this order to obtain material for repairs to buildings except in accordance with, and to the extent authorized by, Order L-41.

(3) The foregoing dollar limitations in paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) shall not apply to the portions of the material or equipment obtain from the operator's inventory or plant to meet temporary traffic or emergency requirements other than those occasioned by regularly recurring seasonal or holiday requirements. Any material or equipment so employed to meet such requirements shall, upon the termination of such temporary traffic or emergency requirements, be restored to the location in plant from which it was taken, if the service requirements at that time justify, or placed in inventory. In case the requirements for use of such material or equipment extends in any single instance beyond a period of thirty (30) days, the operator shall on or before the thirtieth day of such use make application to the Office of War Utilities on Form PD-716 for authorization to continue the use of such material or equipment, setting forth in detail the appropriate information requested on said form, and in addition thereto, such other information as may, from time to time, be required.

(4) Excepted from the foregoing provisions of paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) are maintenance and repair materials and materials authorized on Form PD-685 under the provisions of paragraph (b) (1) (ii).

(5) No operator shall subdivide a single order, job, or project to qualify the same under the terms of this order.

(d) *Sales of material from operator's excess stock.* An operator may sell to any other operator material from his stocks only where a preference rating assigned by this order, or a preference rating certificate, order or other direction issued by the Director General for Operations of the War Production Board or the War Production Board is extended by the operator purchasing such material to the operator selling such material. Any such sale made in conformity with the terms of this paragraph shall be deemed to be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(e) *Restrictions on deliveries, inventory and use.* (1) Except as provided in paragraph (f) below, no operator who has applied any rating assigned or the allotment symbol authorized by this order shall at any time accept deliveries of material (whether or not rated pursuant to this order) to be used for any purpose:

(i) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working minimum. Such practical working minimum shall in no event exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and office equipment; printing, stationery and office supplies; house service supplies; and coal and petroleum products.

(ii) If the receipt thereof would increase the dollar value of the operator's inventory of material to an amount in excess of normal requirements which in no event shall exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and office equipment; printing, stationery and office supplies; house service supplies; and coal and petroleum products.

(iii) If the receipt thereof would increase the operator's inventory of a specific size, type and gauge of cable, wire or strand in excess of the estimated use of that specific size, type and gauge for the next 60 days: *Provided, however*, That this restriction shall not apply to that portion of a minimum standard reel of cable or strand which is in excess of the estimated use for the next 60 days nor where the lengths of cable in inventory are not such as will meet the requirements of a project for which cable is needed.

(2) No operator shall use the allotment symbol or preference ratings assigned to obtain maintenance, repair or operating supplies during any calendar quarter in an aggregate dollar amount exceeding one-fourth of his aggregate dollar usage for maintenance, repair and operating supplies during the calendar year 1942 except that an operator to meet seasonal conditions may use such allotment symbol or preference ratings to obtain during any calendar quarter, up to, but not in excess of, his aggregate dollar usage for maintenance, repair and operating supplies during the corresponding quarter of 1942. In no event, however, shall any operator use such allotment symbol or preference ratings to obtain maintenance, repair and operating supplies during the 12 months ending March 31, 1944, in an amount exceeding his aggregate dollar usage for maintenance, repair and operating supplies during the calendar year 1942.

(f) *Exemptions.* (1) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942, did not exceed $10,000, shall be exempt from the provisions of paragraphs (e) (1) (i) and (e) (1) (ii).

(2) Any operator whose use of materials during the year 1942 did not exceed $10,000, shall be exempt from the provisions of paragraph (e) (2) above.

(3) Material delivered pursuant to paragraph (b) (1) (ii) shall be exempt from the provisions of paragraph (e) above.

(4) From time to time, the War Production Board may determine that certain operators are exempt in whole or in part from the restrictions contained in paragraph (e) above.

(g) *Records and reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve for a period of not less than two years, accurate and complete records of all such supplies so acquired and used, which shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Office of War Utilities as may from time to time be required by the War Production Board.

(h) *Applicability of regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulation No. 5 shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of that Regulation.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(j) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Office of War Utilities, War Production Board, Washington, D. C. Ref: U-3.

(k) All official actions taken pursuant to Preference Rating Order P-130, prior to April 1, 1943 in the name of the Director General for Operations or the Director, Office of War Utilities, are hereby ratified.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

1. "Strapping" as defined in Order M-261, on fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered
2. Fuel or electric power
3. Office machinery or office equipment
4. Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specifically designed and used to furnish protection against specific occupational hazards (other than weather):
   a. Asbestos clothing.
   b. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

c. Safety industrial rubber gloves and

dealer shall sell, lend, lease, rent, deliver

hibited from making or obtaining further

c. Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.

d. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

e. Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.

f. Safety industrial leather clothing other than gloves or mittens.

g. Metal mesh gloves, aprons and sleeves.

h. Plastic and fiber safety helmets.

5. Automotive replacement parts as defined by Order L-158.

[F. R. Doc. 43-5055; Filed, April 1, 1943; 11:39 a. m.]

PART 4504—COMMUNICATIONS

[Utilities Order U-5 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain types of wire communication equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 4504.1 *Utilities Order U-5*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person manufacturing wire communication equipment, parts or attachments thereto, of the kinds listed in Schedule A, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Distributor" means any person other than a manufacturer regularly engaged in the business of leasing or selling wire communication equipment, parts or attachments thereto, to dealers.

(4) "Dealer" means any person (other than one engaged in rendering wire or radio communication service), regularly engaged in the business of offering wire communication equipment, parts or attachments thereto for sale or lease at retail to the consumer.

(5) "Wire communication equipment" shall include, but not by way of limitation, new and used wire telephone and telegraph communication equipment, parts and attachments thereto (including wire intercommunicating systems) of the kinds listed in Schedule A.

(b) *General restrictions.* (1) Regardless of the terms of any contract of sale, purchase, rental or other commitment, no manufacturer, distributor or dealer shall accept any purchase, rental or other order for wire communication equipment, parts or attachments thereto including, but not limited to, those included in Schedule A which is attached and made a part of this order, except a purchase, rental or other order bearing a preference rating of AA-4 or higher; and no manufacturer, distributor or dealer shall sell, lend, lease, rent, deliver or otherwise transfer any such wire communication equipment, parts or attachments thereto, nor shall any person receive or accept deliveries of any such equipment, parts or attachments thereto, from a manufacturer, distributor or dealer except to fill a purchase, rental or other order bearing a preference rating of AA-4 or higher. *Provided, however,* That this paragraph shall not prohibit the transfer or delivery of wire communication equipment to a manufacturer for repair or storage or the return of said equipment to the owner thereof after repair has been effected or storage terminated.

(2) Notwithstanding the provisions of paragraph (b) (1), wire communication equipment, the order for which bears a preference rating of A-7 or higher and has been accepted by a manufacturer, distributor or dealer prior to January 2, 1943 or which bears a preference rating of A-1-a or higher and has been accepted by a manufacturer, distributor or dealer prior to April 1, 1943, may be manufactured and/or transferred and/or delivered.

(3) Notwithstanding the provisions of paragraph (b) (1), no telephone "operator" as defined in Utilities Order U-3 and no telegraph "operator" as defined in Utilities Order U-4, shall sell, lend, lease, rent, deliver or otherwise transfer any wire communication equipment to any other such "operator" except in accordance with the provisions as to sale of materials by an operator from stock contained in Utilities Order U-3 or Utilities Order U-4, as the case may be.

(c) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after September 25, 1942. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with the terms of this order.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington, D. C., Ref.: U-5.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(h) *Reports.* All persons affected by this order shall execute and file such reports as the War Production Board shall from time to time require.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

General categories of wire communication equipment, parts or attachments thereto, to the extent used for and/or in conjunction with wire communication, limited by Utilities Order U-5.

1. Switchboards and switching systems including local telephone, central office, toll telephone, PBX telephone and telegraph.
2. Telephones including transmitters, receivers, dials, subscriber sets.
3. Relays, condensers, repeaters, coils, filters and carrier systems.
4. Testing apparatus.
5. Wire and strand.
6. Cable.
7. Cable terminals.
8. Pole line hardware.
9. Plugs, jacks, cords, keys.
10. Wire intercommunicating systems.
11. Varioplex, multiplex, facsimile and telautograph equipment.
12. Teletypewriters, printing telegraph machines, tape perforating apparatus and accessories.
13. Appliances used for manual telegraph.
14. Time clocks, time switches, call boxes, signaling and selector equipment used for telephone and telegraph systems and or used for wire protective alarm systems.
15. Motors, generators, storage batteries, rectifiers, transformers, power panels and associated equipment.

[F. R. Doc. 43-5057; Filed, April 1, 1943; 11:39 a. m.]

PART 4503—COMMUNICATIONS

[Utilities Order U-4 [1]]

Section 4503.1 *Utilities Order U-4*—(a) *Definitions.* For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States and any political, corporate, administrative or other division or agency thereof to the extent engaged in rendering within, to or from the United States, its territories or possessions, wire telegraph, cable or related communications service (exclusive of telegraph and teletypewriter service rendered by operators of telephone communications systems), either private or public in character, which involves the transmission and reception of coded impulse signals in numerical variety not less than the number of characters in the English alphabet.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design.

(4) "Operating supplies" means any material (other than that used for maintenance and repair and items on Schedule B) which is essential to and used in the operation of wire telegraph, cable, or related communication service by an operator provided that such use conforms to the limitations set forth in paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) hereof. The term shall also include such items as hand tools, customarily purchased by the employer-operator for sale to his employees for use only in his business, in those cases where they could constitute operating supplies under established accounting practice if issued to employees without charge.

(5) "Operator's inventory of material" shall include all items of new and/or salvaged material and supplies on hand, whether held for current use or for sale as junk, until physically incorporated into plant by way of maintenance, repair, construction, or otherwise, and without regard to whether or not such items of material are carried in the operator's accounting records under "Material and supplies account". "Operator's inventory of material" shall not include:

(i) Any surplus material listed by the operator for sale with the Communications Division of the War Production Board. Such surplus material shall be available to the industry for use for maintenance, repair, construction or operating supplies. Records of withdrawals from and additions to such surplus equipment shall be maintained and preserved as provided in paragraph (g) hereof, and reported to the Communications Division upon the request of the War Production Board.

(ii) Any material identified for use in projects which have been specifically authorized either by the Director General for Operations or the Director, Office of War Utilities upon application by an operator.

(iii) Any operating supplies which are in the process of being consumed by an operator.

(iv) Any material (other than material ordinarily carried in stock for the day-to-day operations and for emergency repairs) which is set aside in a reserve to restore plant damaged by enemy action or sabotage provided that authorization is granted either by the Director General for Operations or by the Director, Office of War Utilities, upon application of an operator made on Form PD-200. Any material withdrawn from such reserve shall be used only for the restoration of plant damaged by enemy action or sabotage and such use shall be reported by letter to the Office of War Utilities, within thirty days after such withdrawal.

(v) Any stock of ocean cable, lead-covered cable, or bare line wire maintained for the purpose of repairing major breakdowns of existing facilities due to storms, floods, earthquakes, tidal disturbances, etc., reported as prescribed on Form UF-12, unless disapproved by the Office of War Utilities.

(vi) Poles; crossarms; insulators; non-metallic conduit; furniture and fixtures; printing, stationery and office supplies; house service supplies; clothing (uniforms, etc.); and coal and petroleum products.

(b) *Preference ratings, CMP allotment symbol MRO-U*—(1) *Assignment of rating.* Subject to the terms of this order, operators are assigned the preference rating of AA-1 for deliveries to an operator of materials, other than controlled materials, required for maintenance, repair, and operating supplies;

(2) *Application or extension of rating.* By placing on his delivery order substantially the certification set forth below in paragraph (b) (4), an operator may apply or a supplier may extend the rating assigned by paragraph (b) (1) in the manner provided in Priorities Regulation No. 3 and CMP Regulation No. 3. An order for materials, other than controlled materials, bearing the rating assigned in paragraph (b) (1) when bearing the CMP allotment symbol MRO-U, and accompanied by the certification, substantially as set forth below in paragraph (b) (4), shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such a symbol shall constitute an allotment number or symbol for the purposes of CMP Regulation No. 3.

(3) *The delivery of controlled materials.* For the delivery of controlled materials, except aluminum, required for maintenance, repair, or operating supplies, an operator is authorized to use CMP allotment symbol MRO-U, and shall place on his delivery order substantially the certification set forth below in paragraph (b) (4). An order bearing such certification shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment number under all applicable CMP regulations. Such symbol shall constitute an allotment number or symbol for the purposes of CMP Regulation No. 3.

(4) *Certification for use of rating and allotment symbol.* CMP Allotment Symbol MRO-U. Preference Rating ——. The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any preference rating or allotment number or symbol which the undersigned has placed on this order. Such certification shall in every case be signed manually or as provided in Priorities Regulation No. 7.

(c) *Restrictions on use of rating and allotment symbol.* (1) In addition to the limitation in paragraphs (c) (2) and (c) (3) below, the preference ratings and/or allotment symbol assigned shall not be applied by an operator:

(i) To obtain deliveries of materials containing copper, iron, steel, or nickel where such metals could be eliminated therefrom by the substitution of less scarce metals without serious loss of efficiency.

(ii) To obtain materials for telegraph and/or teletypewriter plant including printing telegraph machines unless the same are reasonably required to meet the known or fairly anticipated demands for wire telegraph, cable and related service required by persons engaged in direct defense or charged with responsibility for public health, welfare or security including, but not limited to, those in the service categories shown in Schedule A, where their employment in direct defense or their responsibilities for public health, welfare, or security requires such service for the proper discharge of such duties; or unless required to provide for the installation of, or additions to, public telegraph facilities to meet essential public requirements.

(iii) To obtain material for printing telegraph machines to be installed in other than central or branch offices of an operator where the cost of material (both new and reused) in any single case exceeds $500.

(iv) To obtain material for telegraph plant or equipment where the cost of material (both new and reused) in any single case exceeds $2500.

(2) No operator shall apply the ratings assigned by this order to obtain material for repairs to buildings except in accordance with, and to the extent authorized, by Order L-41.

(3) No operator shall subdivide a single order, job, or project to qualify the same under the terms of this order.

(d) *Sales of material from operator's excess stock.* An operator may sell to any other operator material from his stocks but only where a preference rating

[1] General Conservation Order L-148 has been revoked and is superseded by this order.

[1] Preference Rating Order P-132 has been revoked and is superseded by this order.

assigned by this order, or a preference rating certificate, order or other direction issued by the Director General for Operations of the War Production Board, or the War Production Board is extended by the operator purchasing such material to the operator selling such material. Any such sale made in conformity with the terms of this paragraph shall be deemed to be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(e) *Restrictions on deliveries, inventory and use.* (1) Except as provided in paragraph (f) below, no operator who has applied the rating or the allotment symbol authorized hereby shall at any time accept deliveries of material (whether or not rated pursuant to this order) to be used for any purpose:

(i) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working minimum. Such practical working minimum shall in no event exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and fixtures; printing; stationery and office supplies; house service supplies; clothing (uniforms, etc.); and coal and petroleum products.

(ii) If the receipt thereof would increase the dollar value of the operator's inventory of material to an amount in excess of normal requirements which in no event shall exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and fixtures; printing, stationery and office supplies; house service supplies; clothing (uniforms, etc.); and coal and petroleum products.

(iii) If the receipt thereof would increase the operator's inventory of a specific size, type, and gauge of cable, wire or strand in excess of the estimated use of that specific size, type and gauge for the next 60 days: *Provided, however,* That this restriction shall not apply to that portion of a minimum standard reel of cable or strand which is in excess of the estimated use for the next 60 days nor where the lengths of cable in inventory are not such as will meet the requirements of a project for which cable is needed.

(2) No operator shall use the allotment symbol or preference ratings assigned to obtain maintenance, repair or operating supplies during any calendar quarter in an aggregate dollar amount exceeding one-fourth of his aggregate dollar usage for maintenance, repair and operating supplies during the calendar year 1942 except that an operator to meet seasonal conditions may use such allotment symbol or preference rating to obtain during any calendar quarter, up to, but not in excess of, his aggregate dollar usage for maintenance, repair and operating supplies during the corresponding quarter of 1942. In no event, however, shall any operator use such allotment symbol or preference ratings to obtain maintenance, repair and operating supplies during the 12 months ending March 31, 1944, in an amount exceeding his aggregate dollar usage for maintenance, repair and operating supplies during the calendar year 1942.

(f) *Exemptions.* (1) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942 did not exceed $10,000 shall be exempt from the provisions of paragraphs (e) (1) (i) and (e) (1) (ii).

(2) Any operator whose use of materials during the year 1942 did not exceed $10,000 shall be exempt from the provisions of paragraph (e) (2) above.

(3) From time to time, the Director of the Office of War Utilities may determine that certain operators are exempt in whole or in part from the restrictions contained in paragraph (e) above.

(g) *Records and Reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired and also of the use to which supplies are put, which shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Office of War Utilities as may from time to time be required by the War Production Board.

(h) *Applicability of Regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulation No. 5 shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of that regulation.

(i) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from asking or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(j) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Office of War Utilities, War Production Board, Washington, D. C. Ref: U-4.

(k) All official actions pursuant to Preference Rating Order P-132 prior to April 1, 1943, in the name of the Director General for Operations or the Director, Office of War Utilities, are hereby ratified.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

General categories of wire telegraph and cable service related to direct defense, public health, welfare or security.

1. Official Army, Navy, Marine Corps, Coast Guard, civilian defense services.
2. Official Federal, state, county and municipal government services.
3. Official agencies of foreign governments.
4. (a) Public or private organizations directly serving the public health, welfare or security, such as: hospitals, clinics, sanitoria, air raid warning systems, etc.
(b) Common carriers, pipeline companies, all types of public utilities.
(c) Press associations, newspapers, radio broadcasting stations.
5. Business concerns furnishing material, equipment or facilities under prime or subcontracts to the armed services of the United States, and their suppliers.

SCHEDULE B

1. Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.
2. Fuel or electric power.
3. Office machinery or furniture and fixtures.
4. Clothing, shoes, or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):
a. Asbestos clothing.
b. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.
c. Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.
d. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.
e. Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.
f. Safety industrial leather clothing other than gloves or mittens.
g. Metal mesh gloves, aprons and sleeves.
h. Plastic and fibre safety helmets.
5. Automotive replacement parts and automotive replacement storage batteries as defined in General Conservation Orders L-158 and L-180 respectively.

[F. R. Doc. 43-5056; Filed, April 1, 1943, 11:39 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 39[1], Amendment 2]

LICENSING SELLERS OF CONTAINERS AND OF SERVICES RELATING THERETO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1305.52 the No. 117 is deleted from the list of maximum price regulations specified in paragraphs (a) and (b).

Amendment No. 2 § 1305.52 (a) and (b) to Supplementary Order No. 39 shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4999; Filed, March 31, 1943; 4:58 p. m.]

[1] 8 F.R. 3525, 3840.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 20]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendm nt has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.806 (o) is added to read as follows:

(o) A dealer or manufacturer may, without certificate, acquire tires, tubes or camelback which he has transferred pursuant to a conditional sales contract or chattel mortgage. The dealer or manufacturer shall notify his State or district office within ten days of the amount, type and grade of tires, tubes or camelback acquired.

2. Section 1315.1005 (f) is added to read as follows:

(f) Any dealer or manufacturer who acquires tires, tubes or camelback pursuant to § 1315.806 (o) shall notify his State or district office within ten days of the amount, type and grade of tires, tubes or camelback acquired.

3. The text of § 1315.1007 is amended to read as follows:

Every person (except a manufacturer of vehicles) engaged in the business of selling or holding for sale tires, tubes or vehicles, and every person extending credit to another upon the security of a vehicle under an agreement permitting the lender to take possession of the vehicle shall:

4. Section 1315.1007 (c) is amended by inserting the word, "State or district office" in place of the words "regional office".

This amendment shall become effective April 6, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5001; Filed, March 31, 1943; 5:00 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 21]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register*

Ration Order No. 1A is amended in the following respect:

1. The effective date provision of Amendment No. 19 to Ration Order No. 1A is amended to read as follows:

This Amendment No. 19 shall become effective April 9, 1943.

This amendment shall become effective March 31, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5000; Filed, March 31, 1943; 5:00 p. m.]

PART 1340—FUEL

[MPR 121,[2] Amendment 12]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.248 (a) (2) is amended to read as follows:

(2) "Miscellaneous solid fuels" or "miscellaneous solid fuel" means anthracite other than that produced in the State of Pennsylvania; semi-anthracite; lignite; all coke, including low temperature coke and petroleum coke (except by-product foundry coke and by-product blast furnace coke, and beehive oven furnace coke produced in Pennsylvania and in Monongalia, Preston and Upshur Counties, West Virginia); briquettes made from coke or coal; packaged coal; and sea-coal used for foundry facings.

This amendment shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5002; Filed, March 31, 1943; 4:59 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Amendment 5]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.553 (b) (3) is added to read as follows:

Item	*Section*	*Appendix*
(3) Corn	1341.584	B

2. Section 1341.584 (c) is added to read as follows:

(c) *Corn.* (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government agencies, shall be as follows:

[1] 8 F.R. 1114, 1313, 2921, 3732.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521.

[2] 7 F.R. 3237, 3989, 4483, 5941, 6002, 6386, 8537, 8521, 8938, 8948, 10529; 8 F.R. 1395, 2756.

Col. 1	Col. 2	Col. 3	Col. 4 Region I			Col. 5 Region II			Col. 6 Region III		
Item No.	Variety and style	Grade	No. 2 can	12 oz. vacuum can	No. 10 can	No. 2 can	12 oz. vacuum can	No. 10 can	No. 2 can	12 oz. vacuum can	No. 10 can
1	Whole grain, all varieties	A or fancy	1.36	1.21	6.80	1.31	1.26	6.55	1.29	1.24	6.45
2		B or extra standard	1.26	1.21	6.30	1.21	1.16	6.05	1.19	1.14	5.95
3		C or standard	1.16	1.11	5.80	1.11	1.06	5.55	1.09	1.04	5.45
4	Cream style, except evergreen and narrow grain	A or fancy	1.26	1.21	6.30	1.21	1.16	6.05	1.19	1.14	5.95
5		B or extra standard	1.16	1.11	5.80	1.11	1.06	5.55	1.09	1.04	5.45
6		C or standard	1.06	1.01	5.30	1.01	.96	5.05	.99	.94	4.95
7	Cream style, evergreen and narrow grain	A or fancy	1.16	1.11	5.80	1.11	1.06	5.55	1.09	1.04	5.45
8		B or extra standard	1.11	1.06	5.55	1.06	1.01	5.30	1.04	.99	5.20
9		C or standard	1.06	1.01	5.30	1.01	.96	5.05	.99	.94	4.95

[1] Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521.

(2) The regions set forth in paragraph (c) (1) of this section shall be as follows:

REGION I: Maine, New Hampshire, Washington, Oregon, California and Southwestern Idaho (Washington, Payette, Gem, Canyon, Ada and Owyhee counties).

REGION II: Ohio, Indiana, Illinois, Iowa, Nebraska, North Dakota, South Dakota, Michigan, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, and the portion of Idaho not included in Region I.

REGION III: All states not included in Region I or Region II

(3) The maximum price for any variety and style in a grade below standard shall be: in #2 cans, fifteen cents per dozen less than the maximum price for standard grade in #2 cans; in #10 cans, seventy-five cents per dozen less than the maximum price for standard grade in #10 cans.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5004; Filed March 31, 1943; 4:58 p. m.]

PART 1345—COKE

[RPS 77,[1] Amendment 6]

BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1345.58 (b) is amended to read as follows:

(b) "Beehive oven furnace coke produced in Pennsylvania" means coke produced in Pennsylvania, and in Monongalia, Preston and Upshur Counties, West Virginia, in beehive ovens, and commonly used for smelting in the ferrous and non-ferrous industries, and for other industrial purposes: *Provided*, That foundry coke when used in an iron foundry shall not be deemed beehive oven furnace coke within the meaning of this section.

This amendment shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5003; Filed, March 31, 1943; 4:59 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1352, 2000, 2132, 2760, 6386, 8948; 8 F.R. 1313, 1800, 2334.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 182,[1] Amendment 6]

KRAFT WRAPPING PAPERS, CERTAIN KRAFT BAG PAPERS AND CERTAIN BAGS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 182 is amended in the following respects:

1. In § 1347.301 (a) the tabulation of maximum prices in sales by manufacturers is amended to read as follows:

(a) *Tabulation of maximum prices in sales by manufacturers.*

Grades	Maximum base prices per cwt.
Standard Kraft wrapping paper (30 pound basis weight and heavier)	$4.75
No. 1 Kraft wrapping paper (30 pound basis weight and heavier)	5.00
Superstandard Kraft wrapping paper (30 pound basis weight and heavier)	5.25
Imitation Kraft wrapping paper (40 pound basis weight and heavier)	4.50
Standard unbleached Kraft butchers wrapping paper (40 pounds basis weight and heavier)	5.00
No. 1 unbleached Kraft butchers wrapping paper (40 pound basis weight and heavier)	5.25
Machine glazed Kraft wrapping paper (25 pound basis weight and heavier)	[2] 5.50
Standard Kraft bag paper (30 pound basis weight and heavier)	4.375
Variety Kraft bag paper (30 pound basis weight and heavier)	4.625
Machine glazed Kraft bag paper (25 pound basis weight and heavier)	[3] 5.25

[2] On sales of this grade by Fox Paper Company, Lockland, Ohio, Nekoosa-Edwards Paper Company, Port Edwards, Wisconsin, and Thilmany Pulp and Paper Company, Kaukauna, Wisconsin, the maximum price established in this paragraph shall be $5.75 per cwt.

[3] On sales of this grade by Fox Paper Company, Lockland, Ohio, Nekoosa-Edwards Paper Company, Port Edwards, Wisconsin, and Thilmany Pulp and Paper Company, Kaukauna, Wisconsin, the maximum price established in this paragraph shall be $5.50 per cwt.

2. In § 1347.315 (b) the tabulation of maximum prices in sales by manufacturers is amended to read as follows:

(b) *Tabulation of maximum prices in sales by manufacturers.*

Grades	Maximum prices in basic discounts from standard base lists [1]
Self-opening (automatic) Kraft grocer's bags	25 5s
Square & Flat Kraft grocer's bags	26 5s
Self-opening (automatic) White M. F. grocer's bags	21 5s

[1] These discounts are from the respective industry base lists. The lists and computations of discounts are set forth in § 1347.317 herein.

[1] 7 F.R. 5712, 6048, 7974, 8997, 8948, 9724, 10811.

Grades	Maximum prices in basic discounts from standard base lists
Square & flat white M. F. grocer's bags	22 5s
Garment and pants bags:	
30 # M. F. Brown Kraft	9 5s
25 # M. F. Brown Kraft	11 5s
Liquor bottle bags 35 # M. F. Brown Kraft	25 5s
Millinery and notion bags:	
25 # M. G. brown stripe Kraft	25 10 5s
25 # M. G. grey stripe Kraft	25 9 5s
25 # M. F. brown Kraft	25 11 5s
25 # M. F. Grey Kraft	25 10 5s
30 # M. F. brown Kraft	25 9 5s
30 # M. F. grey Kraft	25 8 5s
Shopping bags [2]	17 5s
Standard, poultry, and bundle sacks [2]	20 5s
Sugar bags [2]	25 5s

[2] Brown M. F. Kraft in the basis weights as stated in the simplification report submitted to the War Production Board by Conservation Committee for the Paper Bag Industry.

* * * * *

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4992; Filed, March 31, 1943; 4:58 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 187,[1] Amendment 3]

CERTAIN PAPERBOARD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1347.401 (c) (1), the first sentence is amended to read as follows:

(1) *Raw material costs.* The delivered purchase price at which the raw materials are acquired by a converting plant, or the transfer price of an integrated mill to its converting plant, neither of which shall in any event exceed the maximum prices for such raw materials in effect on March 31, 1943, as established by the Office of Price Administration.

* * * * *

This amendment shall become effective April 1, 1943 and remain in effect until June 1, 1943. The Price Administrator may at any time amend, replace, extend or make permanent such amendment.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4975; Filed, March 31, 1943; 4:42 p. m.]

[1] 7 F.R. 5780, 8948, 9823, 10618.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 225,[1] as Amended March 31, 1943]

PRINTING AND PRINTED PAPER COMMODITIES

Section 1347.469 is amended by Amendment 4 issued March 31, and effective April 6, 1943, so that Maximum Price Regulation No. 225 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of printing and printed paper products by a separate maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation, which apply to the sale of certain printed paper commodities and to printing and related services in connection therewith, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act.

So far as practicable the Price Administrator has given due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability, and has consulted with representatives of trade and industry.

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, this Maximum Price Regulation No. 225 (Printing and Printed Paper Commodities) is hereby issued.

NOTE: The meaning of certain provisions and terms of this Maximum Price Regulation No. 225 is further explained and defined in § 1347.472. The explanations and definitions are set forth in alphabetical order. The terms explained and defined are quoted the first time they appear in the text.

Sec.

1347.451 Prohibition against dealing in commodities or services above maximum prices.
1347.452 Maximum prices for commodities and services; general provisions.
1347.453 Maximum prices for services and for "original sales" of commodities which cannot be priced under § 1347.452.
1347.454 Maximum prices for "resales" of commodities which cannot be priced under § 1347.452.
1347.455 Similar commodities or services subsequently sold.
1347.456 Maximum prices for commodities and services which cannot be priced under the foregoing provisions of this regulation.
1347.457 Transfers of business or stock in trade.
1347.458 Export sales.
1347.459 Federal and state taxes.
1347.460 Less than maximum prices.
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1347.472 Definitions and explanations.
1347.473 Applicability.
1347.474 Effective date.
1347.474a Effective dates of amendments
1347.475 Appendix A: Commodities.
1347.476 Appendix B: Services.
1347.477 Appendix C: Exceptions to pricing provisions of §§ 1347.452 through 1347.456.

AUTHORITY: §§ 1347.451 to 1347.476, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F. R. 7871.

§ 1347.451 *Prohibition against dealing in commodities or services above maximum prices.* (a) On and after September 29th, 1942, regardless of any contract or other obligation:

(1) No "person" shall "sell" or deliver any of the "commodities" listed in Appendix A (§ 1347.475) and no person shall sell or supply any of the "services" listed in Appendix B (§ 1347.476) at a price higher than the maximum price permitted by this Maximum Price Regulation No. 225, and

(2) No person, in the course of trade or business, shall buy or receive any of said commodities or services at a price higher than the maximum price permitted by this Maximum Price Regulation No. 225: *Provided*, That in the case of the sale or supply of services or the original sale of commodities for which a maximum price has been established by this Maximum Price Regulation No. 225, the purchaser shall be deemed to have complied with this subparagraph (2) if: (i) the purchaser shall receive from the "seller" a written affidavit that the seller has calculated the maximum price for said commodity or service in accordance with the provisions of this regulation and has filed with the Office of Price Administration the reports required by § 1347.463, and (ii) the purchaser shall have no knowledge of the maximum price applicable beyond the statements made to him by the seller, and no cause to doubt the accuracy of the affidavit, and (iii) the price paid by the purchaser is not in excess of the maximum price as sworn to by the seller.

(b) The provisions of this § 1347.451 shall not be applicable to sales of any service or to sales or deliveries of any commodity to a purchaser if, prior to September 29, 1942, the commodity sold or in connection with which the service had been rendered had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

(c) The provisions of this Maximum Price Regulation No. 225 shall not be applicable to any persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed "papers" and printed paper products and services in connection therewith did not exceed $20,000. This exemption, however, shall not apply to any person who was not engaged primarily in any of said businesses, or any combination thereof, throughout the calendar year 1941. Such person shall be subject to the provisions of this regulation unless and until he shall have been primarily engaged in one or more of said businesses, or any combination thereof, for an entire calendar year, during which year his total gross sales of printed papers and printed paper products and services in connection therewith did not exceed $20,000

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1347.452 *Maximum prices for commodities and services; general provisions.* Each seller of any commodity or service subject to this Maximum Price Regulation No. 225 must determine his maximum price by applying the first one of the methods set forth in sequence in §§ 1347.452 through 1347.456, which fits the commodity or service being priced. A few exceptions to this pricing procedure are set forth in Appendix C (§ 1347.477) and take precedence over all other pricing provisions of this regulation.

As the first pricing method under this regulation, each seller must, if possible, take as his maximum price the "highest price which he charged during March, 1942" as defined in § 1347.472, paragraph (a) (6) of this regulation.

(a) For the same commodity or service; or

(b) If no charge was made for the same commodity or service, for the "similar commodity or service" most nearly like it.

[§ 1347.452 as amended by Amendment 3, 8 F.R. 1060, effective 1-21-43]

[NOTE: Under Supplementary Order No. 38 (8 F.R. 2996) any person who in March 1942 had a fixed practice of making accommodation sales of services is authorized to charge, and any person purchasing accommodation services is authorized to pay, for such services, rates, charges, fees and compensation therefor in an amount not exceeding the aggregate of the cost of direct labor at legally permitted wage rates and materials at actual cost thereof to the seller or at the ceiling price thereof, whichever is lower, for the service sold or supplied.]

§ 1347.453 *Maximum prices for services and for "original sales" of commodities, which cannot be priced under § 1347.452.* The seller's maximum price for a service or for an "original sale" of a commodity which cannot be priced under § 1347.452 of this Maximum Price Regulation No. 225 shall be established in accordance with the seller's customary methods of computing prices on the basis of cost of materials, production charges and margins. Such maximum price shall be a combination of the items set forth below in this § 1347.453.

*Copies may be obtained from the Office of Price Administration. Statements of considerations are also issued simultaneously with issuance of amendments.

[1] 7 F.R. 7593, 8929, 8939, 8948; 8 F.R. 1060.

(a) *Cost of materials.* An item for the actual "delivered" net cost to the seller of the materials used in producing the commodity or supplying the service: *Provided,* That in no event shall such cost exceed the maximum price, for purchase of the materials by the seller, established by the Office of Price Administration. If during March, 1942, the seller used, or, if in making such sale, would have used a method of averaging or otherwise computing his material costs, he shall continue such method in employing this pricing provision.

(b) *Production charges.* An item for charges for hand and machine operations which shall employ the same hourly and piece rates used by such seller in determining the selling price of the most nearly "comparable commodity or service" sold or "supplied" or offered for sale or supply by him during March, 1942. The same standards of production and the same methods or principles of applying production charges shall be employed as were employed during March, 1942, so that direct and indirect production charges shall be computed in the manner customarily employed during March, 1942. Charges for a different type of operation employed in producing any product or service (for example, hand rather than machine operation) shall not be substituted for customary production charges as a means of increasing the price of the product or the service. No hourly or piece rate, other than a lower rate for an identical operation, shall be employed which was not used by the seller in March, 1942, until it has been filed with the Office of Price Administration in Washington, D. C. in the manner provided in § 1347.463 of this Maximum Price Regulation No. 225. Such new hourly or piece rate shall be a rate which the seller would have used in March, 1942, and shall be in line with the seller's schedule of production charges actually employed during March, 1942.

(c) *Margin.* An item for a margin over the cost of materials and production charges (i. e., paragraph (a) plus paragraph (b)) computed on the same percentage basis, or on the same rate per unit of material, or on a combination thereof and by the same method as the seller employed in pricing the most nearly comparable commodity or service sold, supplied or offered for sale or supply during March, 1942, to a "purchaser of the same class" as defined in § 1347.472, paragraph (13) of this regulation. If during March, 1942, the seller employed the practice of including his charges for margin in his hourly and piece rates for hand and machine operations, he shall continue such practice in pricing any commodity or service under this section, and in such a case the seller shall make no duplicate calculation for margin under this paragraph (c). No new rate for margin, other than a lower rate for the sale of a comparable commodity or service to a purchaser of the same class, shall be employed which was not used by the seller in March, 1942, until it has been filed with the Office of Price Administration in Washington, D. C., in the manner provided in § 1347.463 of this Maximum Price Regulation No. 225. Such new rate for margin shall be a rate which the seller would have used in March 1942, and shall be in line with the seller's schedule of rates for margin actually employed during March 1942.

(d) No seller shall change his customary allowances, discounts, or other price differentials unless such change results in a lower price.

(e) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or in the supply of any commodity or service, than the seller required purchasers of the same class to pay during March, 1942, on deliveries or supplies of comparable types of commodities or services.

§ 1347.454 *Maximum prices for "resales" of commodities which cannot be priced under § 1347.452.* The seller's maximum price for the "resale" of a commodity which cannot be priced under § 1347.452 of this Maximum Price Regulation No. 225 shall be:

(a) The highest price charged during March, 1942, by the "most closely competitive seller of the same class" as defined in § 1347.472, paragraph (7) of this regulation:

(1) For the same commodity; or

(2) If no charge was made for the same commodity, for the similar commodity most nearly like it; or

(b) If a maximum price cannot be ascertained under paragraph (a) of this § 1347.454, a price determined by the seller in accordance with the following procedure:

(1) The seller shall select from the same general classification and price range as the commodity being priced under this paragraph (b) the comparable commodity for which a maximum price is established under § 1347.452 and of which the seller delivered the largest number of units during March, 1942:

(2) The seller shall divide his maximum price for that commodity by his "replacement cost" of that commodity; and

(3) The seller shall multiply the percentage so obtained by the cost to him of the commodity being priced under this paragraph (b).

The resulting figure shall be the maximum price of the commodity being priced. Within ten days after determining such maximum price under this paragraph (b), the seller shall report such price to the appropriate field office of the Office of Price Administration upon a form to be obtained from such office, duly filled out and signed under oath or affirmation.

[NOTE: Supplementary Order No. 23 (7 F.R. 8478) provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation issued prior to that date need be notarized.]

§ 1347.455 *Similar commodities or services subsequently sold.* Any maximum price determined under § 1347.453, or paragraph (b) of § 1347.454 shall be subject to adjustment in writing at any time by the Office of Price Administration. In the absence of such adjustment, the maximum price so determined shall be the maximum price for all commodities or services subsequently sold or supplied which are the same or similar to the commodity or service for which a maximum price has been so determined, without regard to subsequent changes in cost.

§ 1347.456 *Maximum prices for commodities and services which cannot be priced under the foregoing provisions of this regulation.* Where a maximum price is sought for a commodity or a service which cannot be priced under the foregoing provisions of this Maximum Price Regulation No. 225, the maximum price for the commodity or service shall be a price approved by the Office of Price Administration. Application for such approval shall be filed in duplicate with the Office of Price Administration in Washington, D. C. The application shall contain:

(a) An "appropriate description and identification" of the commodity or service for which a price is being requested;

(b) A statement of the reasons why it cannot be priced except under this § 1347.456;

(c) A statement of the proposed maximum price. In the case of the sale of a service or the original sale of a commodity, the seller shall set forth separately the amount included in the proposed price for cost of materials, production charges and margin. In the case of the resale of a commodity, he shall set forth separately his purchase price, transportation charges, if any, and mark-up.

Unless the Office of Price Administration or an authorized representative thereof shall, by letter mailed to the applicant within 21 days from the date of filing the application, disapprove the maximum price as reported, such price shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

[NOTE: Supplementary Order No 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 13 (7 F.R. 6523) provides that retail sellers of commodities or services, who own more than one establishment and who have maintained a fixed practice of selling commodities or services at retail at uniform or at substantially uniform prices, may apply for authorization to determine and use uniform maximum prices.]

[NOTE: Supplementary Order No. 29 (7 F.R. 9816) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1347.457 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee and his status with regard to the exemptions provided for in §§ 1347.451 (c) and 1347.463 (c) shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all the records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 225.

§ 1347.458 *Export sales.* The maximum price at which a person may export any commodity shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1347.459 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the sale or supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum prices for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 225.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 225.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1347.460 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 225 may be charged, demanded, paid or offered.

§ 1347.461 *Conditional agreements.* No seller of any commodity or service for which maximum prices are established by this Maximum Price Regulation No. 225 shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by this regulation, in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided,* That if a petition for amendment or for adjustment or for exception under § 1347.469 has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Request for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception under § 1347.469).

§ 1347.462 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 225 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities and services for which maximum prices are established by this regulation alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1347.463 *Base-period "records" and reports*—(a) *Preservation of existing records.* Every person selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall preserve for examination by the Office of Price Administration for a period of two years all his existing records relating to the prices which he charged for such of those commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 as he delivered or supplied during March 1942, and his "offering prices" for delivery or supply of such commodities or services during such month.

(b) *Statements by all sellers.* Every person making sales of commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall prepare, on or before October 29th, 1942, to the full extent of all available information and records, a statement showing:

(1) The highest prices which he charged for such of those commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 as he delivered or supplied during March 1942, and his offering prices for delivery or supply of such commodities or services during such month, together with an appropriate description or identification of each such commodity or service; and

(2) All his customary allowances, discounts and other price differentials.

Persons supplying a service or making an original sale of a commodity shall keep such statement for examination by a duly authorized representative of the Office of Price Administration. Persons making a resale of a commodity shall keep such statement for examination by any person during ordinary business hours.

(c) *Reports required from persons supplying services or making original sales.* Every person selling or supplying services or making original sales of commodities for which maximum prices are established by this Maximum Price Regulation No. 225 shall file, signed under oath or affirmation upon Form No. 325:1 to be obtained from the "appropriate field office of the Office of Price Administration:"

(1) A report showing all hourly and piece rates for hand and machine operations and all percentage and per piece rates for margins, and any combinations thereof, together with a statement of "pricing methods" and customary allowances, discounts and other price differentials employed by such person during March 1942, in determining the selling prices of any such commodities delivered and services supplied or offered for delivery or supply by such person during that period. Such report shall be filed with the Office of Price Administration in Washington, D. C., on or before November 28th, 1942.

(2) A report of any hourly and piece rates and rates for margin, not used by such person in March 1942, but subsequently proposed to be employed. Such report shall be filed with the Office of Price Administration in Washington, D. C., prior to the employment of such rates. Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to such person within 21 days from the filing of such report, disapprove such hourly and piece rates and rates for margin as reported, they shall be deemed to have been approved.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

No report, however, under this paragraph (c) shall be required from persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed papers and printed paper products and services in connection therewith did not exceed $50,000. This exemption, however, shall not apply to any person who was not engaged primarily in any of said businesses, or any combination thereof, throughout the calendar year 1941. Such person shall be subject to the provisions of this paragraph (c) unless and until he shall have been primarily engaged in one or more of said businesses, or any combination thereof, for an entire calendar year, during which year his total gross sales of printed papers and printed paper products and services in connection therewith did not exceed $50,000.

§ 1347.464 *Current records.* Every person selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept, relating to the prices which he charged for such of those commodities or services as he sold after the effective date of this regulation; and, in addition, records showing, as precisely as possible, the basis upon which he determined the maximum prices for those commodities and services.

§ 1347.465 *Sales slips and receipts.* Any seller of commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser, any such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

§ 1347.466 *Licensing*—(a) *License required.* A license as a condition of selling is hereby required of every person subject to this Maximum Price Regulation No. 225 now or hereafter making a resale of a commodity for which a maximum price is established by this regulation.

(b) *License granted.* Every person now or hereafter making a resale of any commodity for which a maximum price is established by this Maximum Price Regulation No. 225 is hereby granted a license as a condition of making such resale of such commodity. The provisions of this Maximum Price Regulation No. 225 shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of this regulation, or when any such person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, continue in force as long as such regulation, or any amendment or supplement thereto, remains in effect.

§ 1347.467 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

§ 1347.468 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 225 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 225 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district office, state office, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.469 *Applications for adjustment*—(a) *When adjustments may be granted.* The Office of Price Administration may adjust the maximum price established by this Maximum Price Regulation No. 225 for any seller of a commodity or service whenever it finds that such seller is unable to deliver or supply this commodity or service at this price and that either:

(1) His supply of this commodity or service is required to meet military or essential civilian needs; or

(2) The loss of this seller's supply of this commodity or service will force his customers to resort to higher priced sources of supply, and that no adequate substitute for this commodity or service is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

(b) *Amount of relief.* The relief granted under this section shall be limited to the amount necessary to permit the seller to supply this commodity or service, provided, however, that where an application is filed under paragraph (a) (2) above, the seller's maximum price will not be raised above the general level of prices prevailing for alternative sources of supply of this commodity or service or for an adequate substitute therefor.

(c) *Method of filing.* Applications for adjustment shall be filed in accordance with Subpart B of Revised Procedural Regulation No. 1,[1] in any office of the Office of Price Administration. In addition to the material required in that procedural regulation, the applicant shall set forth in his application the following data:

(1) Statement of the seller's maximum price, the section of Maximum Price Regulation No. 225 under which such price is determined, and the proposed adjusted price.

(2) Evidence that the seller comes within either of the classes listed in paragraph (a) above. If the application is based on part (2) of that paragraph, the applicant shall submit statements from his largest customers upon this point.

(3) Analyses as of March 1942, and as of the date of the application, of the following factors:

(i) Costs.—per unit of commodity or service—of paper, other materials used, and any other outside purchases.

(ii) Charges.—per unit of commodity or service—for each productive operation.

(iii) Charges.—per unit of commodity or service—for each type of margin including profit.

(iv) Hourly and or piece rates upon which the unit production charges in (ii) above are based.

(v) Percentage rates upon which the unit charges for margin in (iii) above are based.

(4) If the applicant considers that he did not receive a reasonable operating margin on the sale of this commodity or service in March 1942, he may also submit an analysis of the points listed in paragraph (3) above, for the period next preceding March 1942, in which he received a reasonable operating margin, together with a statement of the reasons why the operating margin in March was not reasonable. This material shall be in addition to the analysis for March, 1942, required by paragraph (3).

(5) Description of the grade and delivered net cost per cwt. of the paper used in said commodity or service in each of the periods reported in paragraphs (3) and (4) above.

(6) Detailed statement of the changes in costs of each productive operation which occurred between each of the periods reported in paragraphs (3) and (4) above.

(7) Dollar volume of sales by the applicant of this commodity or service, and total dollar volume of all other sales by the applicant during each of the two fiscal years immediately preceding the filing of the application.

(8) Number of units of this commodity or service sold during each of the two fiscal years immediately preceding the filing of the application.

(9) Annual profit and loss statements for the applicant's business from 1936 through the latest complete fiscal year. Quarterly profit and loss statements should be included, if possible, for each quarterly period subsequent to the year covered by the most recent annual statement.

If the application concerns the adjustment of prices of a large number of different commodities or services or of the seller's general rate structure, the cost and sales data required in this paragraph (c) may be presented in summary form.

If any of the foregoing data is already on file with the Office of Price Administration, the seller shall so state in his application, and it will not be necessary for him to file such data again. If any of this data is not available, applicant may so state, giving the reasons therefor.

[NOTE: This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.]

§ 1347.470 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 225 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1347.470 as amended by Supplementary Order No. 26, 7 F.R. 8948, 9460, 10448, effective 11-4-42]

[NOTE: *Procedural Regulation No. 6* (7 F.R. 5687, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1347.471 *Applicability of General Maximum Price Regulation.*[4] The provisions of this Maximum Price Regulation No. 225 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of commodities and services for which maximum prices are established by this Maximum Price Regulation No. 225.

§ 1347.472 *Definitions and explanations.* (a) When used in this Maximum Price Regulation No. 225:

(1) "Appropriate description and identification" means a complete listing of the specifications, processes and other characteristics of the commodity or service, or of the various grades of commodities or services.

(2) "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from which his sales of commodities and services are made.

(3) "Commodity" includes articles, products, and materials.

(4) "Comparable commodities and services". For the purposes of § 1347.453 only, one commodity or service shall be deemed comparable to another commodity or service if (i) the first has the same use as the second, (ii) affords the purchaser fairly equivalent serviceability, (iii) is produced by the same or substantially the same productive operations, and (iv) is customarily priced by the same pricing method as the first, although its price as determined by such pricing method is not the same or substantially the same as the first.

(5) "Delivered". A commodity shall be deemed to have been "delivered" during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(6) "Highest price charged during March, 1942" means:

(i) The highest price which the seller charged for a commodity delivered or service supplied by him during March, 1942, to a purchaser of the same class; or

(ii) If the seller delivered no such commodity or supplied no such service during March 1942, his highest offering price for such delivery or supply during that month to a purchaser of the same class; or

(iii) If the seller did not deliver the commodity or supply the service to be priced and had no offering price for such commodity or service to a purchaser of the same class, it shall be the highest price charged by the seller during March 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers;

(iv) If, however, prior to April 1, 1942, the seller raised his prices for the sale of a commodity or supply of a service to his classes of purchasers generally, and if, during March 1942, he delivered such commodity or supplied such service at the higher price to at least one class of purchasers, the highest price charged during March 1942, for each class of purchaser:

(*a*) To which the commodity was not delivered or the service not supplied during March, 1942 at the higher price, and

(*b*) To which the commodity was not delivered or the service not supplied during March, 1942 at a lower price after the price rise, except pursuant to a firm commitment entered into before such price rise,

shall be the seller's highest offering price for delivery or supply to such class of purchaser during March 1942, or, if he had no such offering price for supply to a particular class of purchaser during March 1942, the highest price charged by the seller during March 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(v) No seller shall change such of his customary allowances, discounts or other price differentials as were in effect in March 1942, unless such change results in a lower price.

(vi) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service, than the seller required purchasers of the same class to pay during March, 1942 on deliveries or supplies of the same or similar types of commodities or services.

(7) "Most closely competitive seller of the same class" means a seller of the same class who (i) is selling the same or a similar commodity or service, and (ii) is closely competitive in the sale of such commodities or services, and (iii) is located nearest to the seller.

(8) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner or the price determined by the pricing method which the seller regularly adopted, except that in the case of sales of commodities by an establishment selling at retail, the offering price shall be the price at which the commodity was offered for sale at the immediate point of sale (for example, the shelves or counters). But offering price shall not include a price intended to withhold a commodity or service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(9) "Original sale" means the sale of a commodity by a person who has created or substantially changed the form of the commodity being sold.

(10) "Paper" and "paper products" shall, for the purpose of this Maximum Price Regulation No. 225, include all kinds, types, and grades of paper, paperboard and cellophane-type materials (regenerated cellulose, cellulose acetate and ethyl cellulose), but exclude, however, wallpaper.

(11) "Person" means an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(12) "Pricing methods" means the formulas by which the seller figures his price for any commodity or service, whether such formulas are disclosed to the purchaser or are merely the seller's devices for figuring costs of materials, production charges, and margin.

(13) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(14) "Records" means books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices,

[1] 7 F.R. 8961; 8 F.R. 3313, 3533.

[4] 7 F.R. 3096.

bills of lading, and other papers and documents.

(15) "Replacement cost" means the net price paid by the seller after September 29th, 1942, or the net price which the seller would have to pay to replace such commodity after such date.

(16) "Resale" means a sale by a person other than the creator of a commodity who receives delivery thereof and resells it, without substantially changing its form.

(17) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(18) "Sell" means sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly. Nothing in this Maximum Price Regulation No. 225 shall be construed to prohibit the making of a contract to sell a commodity or service at a price not to exceed the maximum price permitted by the Office of Price Administration at the time of delivery or supply.

(19) "Seller" includes a seller of any commodity or service for which maximum prices are established by this Maximum Price Regulation No. 225. Where a seller makes sales or supplies services through more than one selling unit, other than salesmen making sales at uniform prices, each separate place of business of the seller shall be deemed to be a separate seller, except that for the purposes of § 1347.466 of this regulation, the owner of the business shall be considered the seller regardless of the number of separate places of business he owns.

(20) "Seller of the same class" means a seller (i) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, repairing, typesetting, platemaking or publishing); (ii) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store, printer, electrotyper or photo-engraver); (iii) dealing in the same type of commodity or service, and (iv) selling to the same class of purchaser.

(21) "Service" means any service rendered or supplied, otherwise than as an employee, in connection with the processing, distribution, storage, repair, or negotiation of purchase or sale of a commodity, and generally, without limiting the foregoing, all services which preserve or add to the value or utility of a commodity.

(22) "Similar commodities or services". One commodity shall be deemed similar to another commodity, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold for the same or substantially the same price. In determining the similarity of such commodities, differences merely in style or design which do not substantially affect use, or serviceability, or the price for which such commodities would ordinarily have been sold, shall not be taken into account. One service shall be deemed similar to another service if the first has the same use and purpose as the second and belongs to a type which would ordinarily be sold for the same or substantially the same price. For the purpose of determining maximum prices for services and for original sales of commodities under § 1347.452, a similar commodity or service is further defined as a commodity or service which is produced to the same or substantially the same specifications and is produced by the same or substantially the same productive operations.

(23) "Supplied". A service shall be deemed to have been supplied during March, 1942, if during such month the service was completed and the commodity in connection with which the service was rendered was delivered to the purchaser.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.473 *Applicability.* The provisions of this Maximum Price Regulation No. 225 shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1347.474 *Effective date.* All provisions of this Maximum Price Regulation No. 225 (§§ 1347.451 to 1347.476 inclusive) shall become effective September 29, 1942. [Issued September 24, 1942.]

§ 1347.474a. *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1347.475 *Appendix A: Commodities.* This Maximum Price Regulation No. 225 shall apply to the following commodities:

Bound blank books, including but not limited to:

General books of account, such as bill books, cash books, cash sales books, check or voucher registers, columnar books, combination books, day books, figuring books, journals, ledgers, note records, records, and trial balance books.

Books of account or record for specific uses, such as bank forms, bond and mortgage records, business records, club registers, collection books, corporate records, counter books, delivery books, due ledgers, engineers' field books, garage registers, guest registers, hotel registers, index books, insurance registers, investment and income records, law record books, merchandise stock books, milkmen's account books, notarial records, order registers, payroll books, receiving clerks' records, rent collection books, roll books, sales records, scale books, shipping records, social security books, tally books, time books, tourist registers, used car records, and wage rate books.

Columnar pads, such as accounting pads and analysis pads.

Detachable forms, such as bill heads, bills of lading, business blanks, check books, correspondence books, draft books, invoice books, note books, order books, package receipt books, parcel post records, purchase order books, receipt books, remittance books, rent receipt books, sales books, statements, trade acceptances, and warrants.

Memorandum books, such as appointment books (except for resales), date books (except for resales), diaries (except for resales), memo books, pass books, telephone-address books, telephone call pads, and travelers' expense books.

Scrap book type books, such as autograph books, match-book albums, photograph albums, post-card albums, record albums, and scrap books.

Books for personal use, such as baby books, brides' books, budget books, family expense books, graduation books, household expense books, pocket wallets for stamps, recipe books, service books, stamp approval books, trip books, and wedding books.

Miscellaneous blank books, such as bookkeeping blanks, composition books, letter copying books, note books, perforated scratch pads, stenographers' notebooks, and students' notebooks.

Looseleaf binders and covers, including but not limited to:

Chain binders.
Compression binders.
Ledger binders.
Magazine type, single and multi-blade binders.
Prong binders.
Ring binders.
Screw, post and screw-post binders and covers.
Storage and transfer binders.
Binders and covers with fastening devices other than the above.
Spring binders, sheet and chart holders, and slip binders.

Plain and faint-ruled fillers and printed commercial forms, produced for use in any of the looseleaf binders or covers above specified.

Indexes, indexing systems, index tabs and blank division sheets for indexing purposes, to supplement any of the looseleaf binders and covers listed above.

Greetings cards and related products, as follows:

Greeting cards (except resales of Christmas and New Year's nonpersonalized greeting cards).
Decorated tags, seals, and enclosures (except resales of Christmas and New Year's tags, seals and enclosures).
Printed gift wrapping papers (except resales of Christmas and New Year's printed gift wrapping papers).
Gift money holders (except resales of Christmas and New Year's gift money holders).
Mottoes.
Printed decorative paper ribbons and tapes (except resales of Christmas and New Year's printed decorative paper ribbons and tapes).
Social calendars (except for resales).
Souvenir post cards.

Printed and engraved social stationery, as follows:

Imprinted papeteries.
Engraved papeteries.
Book plates.
Calling cards.
Wedding invitations and announcements.
Birth announcements.
Death announcements.
All other social announcements.

Tablets, pads and related products, as follows:

Composition books.
Drawing papers.
Exercise books.
Graph papers.
Plain and faint-ruled loose leaf fillers.
Memorandum books.
Music books (blank).
Music papers (blank).
Note books.
Pads.
Quadrille pads and papers.
Ruled papers.
Second sheets.
Stenographers' note books.
Tablets.
Typewriter papers.

Commercial supplies, as follows:

Bonds
Certificates.
Commercial calendars (except separate bases made of materials other than paper and paperboard, and except for resales).
Commercial forms
Commercial letter heads.
Coupons, checks, and tickets (except pin tickets and marking machine tickets).
Currency.
File folders and dividers.
Guide cards.
Index cards.
Labels, package wraps, and bands.
Legal forms and contracts.
Ruled legal papers.
Blotters.

[§ 1347.475 as amended by Amendment 1, 7 F.R. 8929, effective 11-7-42]

§ 1347.476 *Appendix B: Services.* This Maximum Price Regulation No. 225 shall apply to the services of publishing, printing, typesetting, platemaking, binding, and related services rendered in connection with:

(a) The commodities listed in Appendix A (§ 1347.475) of this Maximum Price Regulation No. 225.

(b) All papers and paper products, other than those listed in Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 11 to the General Maximum Price Regulation and any and all amendments and supplements to said supplementary regulations now or hereafter issued, when such services are performed by persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services or any combination thereof.

§ 1347.477 *Appendix C: Exceptions to pricing provisions of §§ 1347.452 through 1347.456*—(a) *Sales by school stores.* (1) Maximum prices for sales of any of the items listed in Appendix A (§ 1347.475) by school stores which during March 1942 dealt in the same or similar articles shall be the cost of acquisition plus the highest percentage mark-up charged by the school store during March 1942, on the same or a similar article. Prices may be rounded to the nearest whole cent; 5c may be taken as 1c.

(2) *Definitions.* For the purpose of this parargaph (a) of § 1347.477 only, the following definitions shall be used:

(i) "Same article" means an article identical in all respects with another article, except that it may contain a different number of sheets.

(ii) "Similar article" means a similar commodity as defined in § 1347.472 (a) (22) except that it may contain a different number of sheets.

(iii) "School store" means any store operated by an elementary or secondary school or by a board of education for the benefit of elementary or secondary school students and not for profit directly or indirectly.

[§ 1347.477 added by Amendment 3, 8 F.R. 1069, effective 1-21-43]

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4976; Filed, March 31, 1943; 4:43 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,[1] Amendment 4]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 32 is amended in the following respects:

1. Section 1347.62 (a) is amended to read as follows:

(a) *Liners—0.016.*

	Price per M square feet
0.016—42 lb. Fourdrinier Kraft	$1.32
0.016—47 lb. Fourdrinier Kraft	1.48
0.016—50 lb. Fourdrinier Kraft	1.58
0.016—52 lb. Fourdrinier Kraft	1.64
0.015—52-58 lb. Cylinder Kraft—100 lb. Test	1.82
0.016—56 lb. Fourdrinier Kraft	1.90
0.016—56-68 lb. Jute—100 lb. Test	1.92

2. Section 1347.62 (b) is amended to read as follows:

(b) *Liners heavier than 0.016.*

0.023—Jute (See Paragraph G.)	
0.023—72 lb. Fourdrinier Kraft	$2.27
0.030—96-110 lb. Jute—135 lb. Test	3.30
0.030—90 lb. Fourdrinier Kraft	2.84
0.030—90-104 lb. Cylinder Kraft—135 lb. Test	2.88
0.030—90-106 lb. Cylinder Kraft—150 lb. Test	3.00
0.030—90-106 lb. Cylinder Kraft—170 lb. Test	3.12

3. Section 1347.62 (c) is amended to read as follows:

(c) *Liners lighter than 0.016.*

0.009—32 lb. Fourdrinier Kraft	$1.09
0.012—33 lb. Fourdrinier Kraft	1.04
0.012—48-52 lb. Jute	1.63
0.014—38 lb. Fourdrinier Kraft	1.20
0.014—43 lb. Fourdrinier Kraft	1.35

4. Section 1347.62 (d) is amended to read as follows:

(d) *Corrugating grades.*

0.009—30-34 lb. Strawboard	$.96
0.009—26 lb. Fourdrinier Kraft	.82
0.009—26 lb. Chestnut	.78
0.009—25-30 lb. "Bogus" Corrugating Material	.90
0.009—26 lb. Canadian Sulphite and Ground Wood	.78

* * * * *

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4974; Filed, March 31, 1943; 4:42 p. m.]

PART 1372—SEASONAL COMMODITIES

[Rev. MPR 315]

ARSENICAL INSECTICIDES

Maximum Price Regulation 315 is amended to read as set forth herein.

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, issued by the President on October 3, 1942, that maximum prices for the sale of arsenical insecticides by manufacturers and distributors be established by a specific maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable, and will effectuate the purposes of the said act, as amended, and of the said executive order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has ascertained and given due consideration to the prices of arsenical insecticides prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

§ 1372.201 *Maximum prices for arsenical insecticides.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, Revised Maximum Price Regulation No. 315 (Arsenical Insecticides), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1372.201 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

REVISED MAXIMUM PRICE REGULATION 315—ARSENICAL INSECTICIDES

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Sec.
1 To what transactions and commodities this regulation applies, and the relation to other regulations.
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9 Enforcement.
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SECTION 1. *To what transactions and commodities this regulation applies, and the relation to other regulations.*—(a) *What transactions are covered.* This regulation applies to sales of arsenical insecticides by manufacturers and by distributors, other than sales at retail. It does not apply to sales to consumers by manufacturers, distributors, or dealers, prices for which are established by Maximum Price Regulation 144,[1] as amended.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1264, 2000, 2132, 2740, 2182, 2648, 2524.

[1] 7 F.R. 3720, 5665, 7248.

(b) *What commodities are covered.* The arsenical insecticides covered by this

STANDARD LEAD ARSENATE POWDER

BASIC LEAD ARSENATE POWDER—Con.

(6) *Magnesium arsenate*

fication of the price change to each of the distributors and dealers to whom he sells, and the distributor shall give no-

premium, or other privilege, or by tying agreement or other trade understanding,

PART 1377—WOODEN CONTAINERS

[MPR 117,[1] Amendment 5]

(b) *What commodities are covered.* The arsenical insecticides covered by this regulation are lead arsenate, calcium arsenate, Paris green, zinc arsenite, London purple, magnesium arsenate, and zinc arsenate. Other arsenical insecticides remain under the General Maximum Price Regulation.[1]

(c) *Exempt transactions.* This regulation does not apply to sales or deliveries of arsenical insecticides which prior to April 6, 1943, were received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser. In the case of sales by distributors, the provisions of this regulation apply only to goods shipped to them by manufacturers on or after April 6, 1943, except that lead arsenate shipped by manufacturers to distributors on or after February 8, 1943, and resold by them on or after April 6, 1943, shall be subject to the provisions of this regulation.

(d) *Geographic applicability.* The provisions of this regulation apply to the forty-eight states of the United States and to the District of Columbia.

(e) *Export sales.* The maximum prices at which a person may export arsenical insecticides shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

(f) *Relation to the General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation. The following sections of the General Maximum Price Regulations, as well as amendments to them, shall apply to manufacturers and distributors of arsenical insecticides.

(1) Transfers of business or stock in trade (§ 1499.5).
(2) Federal and state taxes (§ 1499.7).
(3) Current records (§ 1499.12).
(4) Registration (§ 1499.15).
(5) Licensing (§ 1499.16).

SEC. 2. *Prohibition against dealing in arsenical insecticides at prices above the maximum.* (a) On and after April 6, 1943, regardless of any contract or obligation, no person shall sell or deliver arsenical insecticides at prices higher than the maximum prices established by this regulation. No person shall buy or receive arsenical insecticides in the course of trade or business at prices higher than the maximum prices established by this regulation, nor shall any person agree, offer, solicit, or attempt to do any of these things. However, prices lower than the maximum prices may be charged and paid.

SEC. 3. *Maximum prices which manufacturers may charge for arsenical insecticides.* (a) The maximum prices that manufacturers may charge for each arsenical insecticide, delivered to the purchaser, when sold in quantities of 96 pounds or more, shall be:

(1) *Lead arsenate.*

STANDARD LEAD ARSENATE POWDER

Item and quantity	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to dealers
3-pound containers or larger:		
Carlots	$0.11	$0.11½
Less than carlots	.11½	.12
1-pound bags:		
Carlots	.16	.20
Less than carlots	.16½	.20½
1-pound cartons:		
Carlots	.18	.22
Less than carlots	.18½	.22½
½-pound cartons:		
Carlots	.21	.25
Less than carlots	.21½	.25½

STANDARD LEAD ARSENATE PASTE

Carlots	$0.05¾	$0.06
Less than carlots	.06	.06¼

BASIC LEAD ARSENATE POWDER

3-pound containers or larger:		
Carlots	$0.11½	$0.12
Less than carlots	.12	.12½
1-pound cartons:		
Carlots	.18½	.22½
Less than carlots	.19	.23

(2) *Calcium arsenate*

3-pound containers or larger:		
Carlots	$0.07	$0.07½
Less than carlots	.07½	.08
1-pound bags:		
Carlots	.09½	.13½
Less than carlots	.10	.13
1-pound cartons:		
Carlots	.11½	.14½
Less than carlots	.12	.15
½-pound cartons:		
Carlots	.16½	.19½
Less than carlots	.17	.20

(3) *Paris green*

250 to 270-pound containers:		
Carlots	$0.20	$0.25
Less than carlots	.21	.26
100-pound containers:		
Carlots	.22	.27
Less than carlots	.23	.28
14 to 25-pound containers:		
Carlots	.24	.29
Less than carlots	.25	.30
2 to 5-pound cartons or cans:		
Carlots	.26	.34
Less than carlots	.27	.35
1-pound cartons or cans:		
Carlots	.29	.37
Less than carlots	.30	.38
½-pound cartons or cans:		
Carlots	.31	.39
Less than carlots	.32	.40
¼-pound cartons or cans:		
Carlots	.33	.43
Less than carlots	.34	.44

(4) *Zinc arsenite*

3 or 4-pound bags:		
Carlots	$0.11¾	$0.13¼
Less than carlots	.12¼	.13¾
1-pound bags:		
Carlots	.14½	.18½
Less than carlots	.15	.19

(5) *London purple*

3 or 4-pound bags:		
Carlots	$0.07	$0.08
Less than carlots	.07½	.08¼
1-pound cartons:		
Carlots	.13	.16½
Less than carlots	.13½	.17
¼-pound cartons:		
Carlots	.25	.31½
Less than carlots	.25½	.32

BASIC LEAD ARSENATE POWDER—Con.

(6) *Magnesium arsenate*

Item and quantity	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to dealers
100-pound containers:		
Carlots	$0.15¾₀	$0.1[illegible]
Less than carlots	.15¾₀	.1[illegible]
2-pound bags:		
Carlots	.17	.2[illegible]
Less than carlots	.17	.2[illegible]
12-ounce cartons or cans:		
Carlots	.25½	.[illegible]
Less than carlots	.25½	.[illegible]

(7) *Zinc arsenate*

3 or 4-pound bags:		
Carlots	$0.10	$0.11
Less than carlots	.10½	.11½

(b) Sales of any arsenical insecticide in quantities of less than 96 pounds may be made at the above maximum prices f. o. b. the manufacturer's factory or warehouse.

(c) Nothing in this regulation shall be construed to prevent the sale of any arsenical insecticide in quantities of 96 pounds or more, f. o. b. the manufacturer's factory or warehouse: *Provided*, That the sum of the purchase price paid by the purchaser and the transportation charges incurred in shipment to the purchaser's destination shall not exceed the maximum prices set forth in this regulation.

(d) The maximum prices set forth in this regulation for sales of arsenical insecticides to distributors are net prices to the manufacturer, after the allowance to the distributor of a functional or service fee.

SEC. 4. *Maximum prices which distributors may charge for arsenical insecticides*—(a) *If the distributor was engaged in such business in the calendar year 1942.* The maximum prices that a distributor may charge for any arsenical insecticide, on sales other than sales to consumers, shall be the maximum prices that a manufacturer may charge the distributor under the provisions of this regulation, plus the dollar-and-cent margin most frequently obtained by the distributor from a purchaser of the same class in the calendar year 1942.

(b) *If the distributor was not engaged in such business in the calendar year 1942.* If a distributor was not engaged in such business in the calendar year 1942, his maximum prices shall be the maximum prices for arsenical insecticides of his most closely competitive seller of the same class established under this regulation.

SEC. 5. *Customary discounts.* No manufacturer or distributor is permitted to change his customary discounts, unless such change results in a lower net price.

SEC. 6. *Notification by manufacturers and distributors of price changes.* If reductions or increases of the manufacturer's or distributor's maximum prices for any arsenical insecticide result from the provisions of this regulation, the manufacturer shall give notification of the price change to each of the distributors and dealers to whom he sells, and the distributor shall give notification of the price change to each of the dealers to whom he sells, on or before the date of the manufacturer's or distributor's first delivery of the product to such purchaser at the changed maximum prices.

(a) The notification by a manufacturer to a distributor shall read as follows, and the notification by a distributor to a dealer shall read as indicated therein:

Attached (or listed below) is a list of our ceiling prices for [names of products for which there are price changes] according to Revised Maximum Price Regulation 315. Distributor's ceilings on sales of these insecticides to dealers are to be established by adding to our ceiling prices to distributors the dollar-and-cent margin most frequently obtained by the distributor on sales to dealers in 1942. Distributors' new ceilings apply only to lead arsenate delivered to them on or after February 8, 1943 and to other arsenical insecticides delivered to them on or after April 6, 1943. If the distributor's ceiling is changed by this provision, he must send a notification to each of the dealers to whom he sells on or before the date of his first delivery to the dealer at the new ceiling price. OPA requires that the notification read as follows:

The OPA has permitted us to increase (or required us to reduce) our ceiling prices on [names of commodities affected] as follows:

[The statement shall here list the amount of price increase or reduction for each package size of each commodity for which a change in ceiling price has resulted from the provisions of the regulation.]

Dealers are permitted to increase (or required to reduce) their ceilings by the same amounts on merchandise delivered to them under our new ceiling prices. OPA requires dealers to keep a copy of this notice for examination.

(b) The notification by a manufacturer to a dealer shall read as set forth above for a distributor's notification to a dealer.

SEC. 7. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration. In any case in which a petition for amendment may require extended consideration, the Price Administrator may, on the request of the petitioner, grant permission to the petitioner to agree to adjust prices of arsenical insecticides, delivered while the petition is pending, in accordance with the final disposition of the petition.

SEC. 8. *Evasive practices.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt, of or relating to arsenical insecticides, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means.

SEC. 9. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942 as amended. Persons having evidence of any violation of this regulation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration, or with the principal office in Washington, D. C.

SEC. 10. *Definitions.* When used in this regulation, the term:

"Basic lead arsenate powder" means a chemical combination of arsenic pentoxide and lead monoxide containing not less than 22 per cent of arsenic pentoxide and not more than one part of arsenic pentoxide to 3.10 parts of lead monoxide.

"Calcium arsenate" means a material in which arsenic is present essentially as tricalcium arsenate, and which contains a minimum of 40 per cent arsenic pentoxide.

"Carlot" means 30,000 pounds or more of arsenical insecticides, except that arsenical insecticides shipped in a mixed carlot of 30,000 pounds or more of dry insecticides or fungicides shall be considered a carlot quantity.

"Dealer" in any arsenical insecticide means a person other than a manufacturer or a distributor who sells the arsenical insecticide to consumers.

"Distributor" means a person why buys any arsenical insecticide and resells it to a purchaser other than an ultimate consumer, except that a manufacturer of any arsenical insecticide may not be considered a distributor of that arsenical insecticide.

"Lead arsenate" means standard lead arsenate powder, standard lead arsenate paste, and basic lead arsenate powder.

"London purple" means a mixture of calcium arsenate and calcium arsenite in approximately the proportion of 7 parts of calcium arsenate to one part of calcium arsenite.

"Magnesium arsenate" means trimagnesium orthoarsenate ($Mg_3(AsO_4)_2$) and dimagnesium orthoarsenate ($MgHAsO_4$) as commercially prepared and sold as an agricultural insecticide.

"Paris green" is essentially copper acetoarsenite ($Cu(CH_3COO)_2 \cdot 3Cu(AsO_2)_2$).

"Standard lead arsenate paste" means a mixture of standard lead arsenate powder and water, containing not more than 50 per cent water.

"Standard lead arsenate powder" means a dry chemical combination of arsenic pentoxide and lead monoxide containing not less than 30 per cent arsenic pentoxide.

"Zinc arsenate" means the compound $Zn_3(AsO_4)_2$ as commercially prepared and sold as an agricultural insecticide.

"Zinc arsenite" means the compound $Zn_3(AsO_2)_2$ as commercially prepared and sold as an agricultural insecticide.

This regulation shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4993; Filed, March 31, 1943; 4:59 p. m.]

[1] 8 F.R. 3096.
[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.
[4] 7 F.R. 8961; 8 F.R. 3313, 3533.

PART 1377—WOODEN CONTAINERS

[MPR 117,[1] Amendment 5]

USED EGG CASES AND USED COMPONENT PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1377.16a as added by Amendment 3 is revoked, and former § 1377.16a is reinserted, to read as set forth below:

§ 1377.16a *Licensing*—(a) *License required.* A license as a condition of selling, is hereby required of every person subject to this Maximum Price Regulation No. 117 now or hereafter selling used egg cases or used component parts for which maximum prices are established by this regulation.

(b) *License granted.* Every person subject to this regulation now or hereafter selling used egg cases or used component parts for which maximum prices are established by this Maximum Price Regulation No. 117 is hereby granted a license as a condition of selling any such used egg cases or used component parts. Such license shall be effective on June 22, 1942, or when any person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Emergency Price Control Act of 1942 continue in force so long as and to the extent that Maximum Price Regulation No. 117 or any amendment or supplement thereto remains in force.

(c) *Licensing section of General Maximum Price Regulation superseded.* This section supersedes the provisions of § 1499.16 of the General Maximum Price Regulation in so far as said § 1499.16 may be applicable to persons selling any used egg cases or used component parts.

(d) *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

Amendment No. 5 (§ 1377.16a) shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4994; Filed, March 31, 1943; 4:58 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Correction to Amendment 37]

MILEAGE RATIONING; GASOLINE REGULATIONS

Section 1394.7755 (a) (2) (ii) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 2998, 4586, 8707, 8948, 8 F.R. 3529, 3842.
[2] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1613, 1895, 2098, 2213, 2286, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3255, 3253, 3254, 3254; 8 F.R. 3315.

(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of § 1394.7754 exceeds 360 miles per month: Class C books bearing expiration dates three months from the date of issuance and containing the number of coupons specified in Table IIA in § 1394.7705 (a) (3) for the mileage allowed.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4995; Filed, March 31, 1943; 4:59 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 4,[1] Amendment 1]

FOOD COMMODITIES RESTRICTION

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Restriction Order 4 is amended in the following respects:

1. Section 1407.5009 (f) is added to read as follows:

(f) Each institutional user which is an agency of, or whose food purchases are controlled by, the Insular Government shall be entitled to receive from the board having jurisdiction its food purchase certificates (OPA Form PRF-3 revised) at the beginning of each even-numbered quota period for that period and the next succeeding, as set forth in § 1407.5009 (a) for quantities of commodities specified in this section, commencing March 22, 1943 with quota period number 2.

This amendment shall become effective on March 22, 1943 at 8:00 a. m.

(Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., W.P.B. Dir. No. 1, Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, Supp. Dir. No. 1-J, 7 F.R. 8731; E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005)

Issued this 31st day of March 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration,
for Puerto Rico.

[F. R. Doc. 43-4978; Filed, March 31, 1943; 4:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[2] Amendment 9]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

Ration period	Stamp valid during ration period	Weight value of stamp
No. 16 Mar. 22 to Mar. 28, 1943	Book One, stamp 16	3 lbs. wheat flour.
	Book One, stamp 22	3 lbs. cornmeal.
No. 17 Mar. 29 to Apr. 14, 1943	Book One, stamp 17	3 lbs. wheat flour.
	Book One, stamp 21	3 lbs. cornmeal.
No. 18 Apr. 5 to Apr. 12, 1943	Book One, stamp 18	3 lbs. wheat flour.
	Book One, stamp 20	3 lbs. cornmeal.

In the municipality of St. Croix only, the value of Stamps Nos. 16, 17 and 18 is four pounds of wheat flour.

2. Section 1407.704 (a) is amended and an undesignated paragraph after the table is amended to read as follows:

(a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be as follows:

Rationed commodity:	*Allowance per person*
Wheat Flour	12 pounds per month.
Cornmeal	12 pounds per month.

In the municipality of St. Croix only, the "allowance per person", as to wheat flour, shall be sixteen pounds per month.

This amendment shall become effective March 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong., W. P. B. Dir. No. 1, Supp. Dir. No. 1-J, O. P. A. Administrative Order No. 19; 7 F.R. 562, 5043, 5148)

Issued this 20th day of March 1943.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 43-4977; Filed, March 31, 1943; 4:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 223 Under § 1499.18 (b) of GMPR]

COMMERCIAL MOLASSES CORPORATION

Commercial Molasses Corporation; Docket No. GF3-682.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1823 *Adjustment of maximum prices for beet blackstrap molasses sold by the Commercial Molasses Corporation.* (a) Commercial Molasses Corporation, New York, New York, may charge, and any person may pay $39.50 per short ton of beet blackstrap molasses, f. o. b. tank car or tank trucks, Weehawken, New Jersey for all sales or deliveries made since Commercial Molasses Corporation filed application given Docket No. GF3-682, with the Office of Price Administration.

(b) The adjustment is granted to Commercial Molasses Corporation on the condition that purchasers from it shall not raise their maximum prices for said beet blackstrap molasses or for any product manufactured from said beet blackstrap molasses, at wholesale or retail because of the increase granted herein.

(c) All sellers are required to continue the same discounts, allowances and price differentials as were offered in March 1942: *Provided, however,* That sellers may change their discounts, allowances and price differentials if such changes result in prices lower than the maximum prices fixed herein.

(d) All prayers of the Applicant not granted herein are denied.

(e) This Order No. 223 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 223 (§ 1499.1823) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 223 (§ 1499.1823) shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4982; Filed, March 31, 1943; 4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 16 Under § 1499.18 (c), as amended, of GMPR[1]]

HICKORY PICKER STICK BLANKS

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1516 *Adjustment of maximum prices for hickory picker stick blanks, color no defect, produced or concentrated in North Carolina and South Carolina—*(a) *Products covered.* This amendment covers, under the term "hickory picker stick blanks, color no defect", all sizes of all-white, mixed-color, and all-red picker stick blanks manufactured or concentrated in North Carolina and South Carolina, which satisfy the following specifications:

Manufactured from live, tough, heavy weight hickory logs; and to be bright, free from all timber defects, straight and straight grained, and color no defect.

(b) *Maximum prices—*(1) *Direct mill shipments.* The maximum prices for direct mill shipments of hickory picker stick blanks, color no defect, produced in North Carolina and South Carolina are the following prices, which are f. o. b. the mill:

Dry size:	*Maximum price*
1" x 2" x 36"	10¢ per blank.
1⅛" x 2⅛" x 40"	12½¢ per blank
All other sizes	$200.00 per 1,000 bd (figured on dry scale basis).

(2) *Concentration plant sales.* The maximum prices, f. o. b. concentration plant, for hickory picker stick blanks, color no defect, sold out of concentration plants located in North Carolina and South Carolina are the maximum prices established in subparagraph (1) plus 1¢ per blank. A concentration plant is any establishment which buys for resale picker stick blanks from primary producers.

(c) *Addition for delivery.* The seller may add to the appropriate f. o. b. maximum price the actual charge or cost paid or incurred by the seller in making delivery to the purchaser.

(d) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 16 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This Order No. 16 shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4981; Filed, March 31, 1943; 4:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 154]

TRANSPORTATION OF FRESH MEAT, MEAT PRODUCTS OR PACKING HOUSE PRODUCTS AND SUPPLIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73 (a) (91) is added to read as follows:

(91) *Transportation of fresh meat, meat products or packing house products and supplies by carriers other than common carries—maximum prices.* (i) Carriers other than common carriers who transport shipments of fresh meat, meat products or packing house products and supplies from points of origin in Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, West Virginia or Wisconsin, may increase by not more than 8% their maximum prices established for such service at March 1942 levels pursuant to the provisions of the General Maximum Price Regulation except that where the Office of Price Administration has heretofore granted to any such carrier an adjustment of maximum prices for such service, such adjusted maximum prices may, to the extent authorized, be charged by such carrier in lieu of the maximum prices authorized herein.

(ii) Carriers who establish maximum prices pursuant to subparagraph (91) (i) above shall furnish to the Office of Price Administration, Transportation and Public Utilities Division, Transportation Branch, Washington, D. C.:

(*a*) A statement of the maximum prices established pursuant to this amendment and the maximum March 1942 prices prescribed by the General Maximum Price Regulation for such service; such statement shall be furnished within 30 days of the establishment of maximum prices under this subparagraph.

(*b*) Detailed profit and loss statements by quarters, beginning with the first quarter of 1943, supported by balance sheets for the same period, together with a reconciliation statement of surplus, if the carrier is a corporation, or of net worth, if the carrier is other than a corporation; such statements shall be furnished within 30 days after the end of each quarter.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4979; Filed, March 31, 1943; 4:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, Amendment 1 to Supp. Service Reg. 13]

LAUNDRIES IN THE BUFFALO AREA

Maximum Price Regulation No. 165 as Amended[1]—Services, Amendment No. 1 to Supplementary Service Regulation No. 13.[2]

A statement of the considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, this Amendment is hereby issued.

The effective date provision is amended to read as follows:

This Supplementary Service Regulation No. 13 (§ 1499.663) shall become effective May 26, 1943.

This amendment shall become effective March 31, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43 4996; Filed, March 31, 1943; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 17 Under § 1499.3 (c) of GMPR]

H. C. OSWALD SUPPLY CO.

Authorization of maximum prices for certain cast-iron steam boilers for the H. C. Oswald Supply Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and § 1499.3 (c) of the General Maximum Price Regulation, *It is hereby ordered that:*

§ 1499.817 *Authorization of maximum prices for certain cast-iron steam boilers for the H. C. Oswald Supply Company.* (a) The H. C. Oswald Supply Company of 1990 Park Avenue, New York, New York, a wholesaler, may sell and deliver and any person may buy and receive from H. C. Oswald Supply Company the following designated cast-iron steam boilers manufactured by the Richardson and Boynton Company, at not more than the prices indicated.

H-5-S	$83.00
H-6-S	95.00
H-7-S	107.00
H-8-S	119.00
H-9-S	131.00
245-S	151.00
246-S	169.00
247-S	187.00
248-S	205.00
249-S	223.00
2410-S	241.00
2411-S	259.00
326-S	279.00
327-S	313.00
328-S	347.00
329-S	381.00
3210-S	415.00
3211-S	449.00
3212-S	483.00

(b) The maximum prices established under paragraph (a) above shall be subject to the same extension of discounts, the same rendition of services, and the same absorption of transportation charges which H. C. Oswald Supply Company extended, rendered or absorbed or would have extended, rendered or absorbed, to purchasers of the same class on comparable sales on March 1, 1942.

(c) All prayers in the application not herein granted are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 17 shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4980; Filed, March 31, 1943; 4:43 p. m.]

Chapter XV—Board of War Communications

[Order No. 27-A]

PART 1722—PRECEDENCE FOR TELEGRAPH MESSAGES ESSENTIAL TO THE WAR EFFORT OR PUBLIC SAFETY

Whereas The Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that certain

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3417

[2] 7 F.R. 6887, 8523, 8607.

[1] 8 F.R. 3096.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8946, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324.

[2] 8 F.R. 3854.

telegraph messages relating to the war effort and public safety be given preferred handling:

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964[1] of December 10, 1941, prescribing regulations governing the preference and priority of communications, and by Executive Order No. 9089[2] of March 6, 1942, prescribing regulations governing the use, control, supervision and closing of stations and facilities for wire communications:

It is hereby ordered, As follows:

§ 1722.1 *Precedence.* Effective February 15, 1943, all wire-line telegraph, cable and radiotelegraph carriers shall upon specific designation by the sender give precedence in the handling of telegraph, cable, and radiotelegraph messages in accordance with the provisions of and in the order set forth below:

(a) *US Urgent.* To apply to domestic and international messages filed by the War and Navy Departments and to international messages filed by the State Department and the Federal Bureau of Investigation of the Department of Justice.

(b) *OP Priority.* To apply to domestic and international messages filed only by the War and Navy Departments.

(c) *Priority.* To apply to domestic and international messages filed by the State, War, or Navy Departments and the Federal Bureau of Investigation of the Department of Justice and to any other domestic message requiring immediate transmission for war purposes or to safeguard life or property and which relates to one or more of the following matters:

Immediate dangers due to the presence of the enemy.
Emergency communications in connection with actual military or naval requirements.
Hurricane, flood, earthquake, or other disaster.

Messages designated US Urgent, OP Priority, and Priority shall interrupt the transmission of all telegraph messages of lower precedence.

(d) *Rapid.* To apply to any domestic message which requires prompt transmission and delivery for the national defense and security, the successful conduct of the war, or to safeguard life or property and which involves matters of the following type:

Important governmental functions.
Machinery, tools, or raw materials for war plants.
Production, movement, and diversion of essential supplies.
Maintennace of essential public services.
Supply, movement, and diversion of food.
Civilian defense or public health and safety.

§ 1722.2 *Procedure for indicating priorities.* The priority indicators "US Urgent", "OP Priority", "Priority", and "Rapid" should be written by the sender in the "To" space immediately before the address on messages being transmitted over commercial circuits. They are to be transmitted in plain language.

§ 1722.3 *Other messages.* Messages not designated with one of the foregoing priorities shall be handled in accordance with legally established classifications and tariffs on file with the Federal Communications Commission.

§ 1722.4 *Definition of domestic message.* As used in this Order, domestic message means any telegraph message originating in the Continental United States and destined to a point in the Continental United States, Canada, or Mexico.

§ 1722.5 *Priorities procedures.* The Federal Communications Commission is hereby requested and authorized in cooperation with the carriers concerned to evolve procedures and routines to effectuate the precedence and requirements set forth in this Order.

§ 1722.6 *Violations.* Any sender of a telegraph message who wilfully obtains or attempts to obtain priority for a telegraph message by fraudulently designating such message as a priority message or by furnishing false information to any telegraph carrier for the purpose of obtaining a priority, shall be subject to appropriate governmental action.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY,
Chairman.

[F. R. Doc. 43-4955; Filed, March 31, 1943; 11:43 a. m.]

[1] 6 F.R. 6367.
[2] 7 F.R. 1777.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard Department of the Navy

PART 5—REGULATIONS, UNITED STATES COAST GUARD AUXILIARY[1]

MISCELLANEOUS AMENDMENTS

The regulations, United States Coast Guard Auxiliary (6 F.R. 1356), as amended, are hereby further amended as follows:

1. Section 5.1 *Definitions* is amended by revising paragraphs (h) and (i) to read as follows:

(h) "District Coast Guard Officer" means an officer in command of a Coast Guard District. When the Coast Guard is operating as part of the Navy, the words "District Coast Guard Officer" as used in these regulations shall refer to the District Coast Guard Officer in a Naval District or Naval District Sector.

(i) "Director" means the Coast Guard Officer or Coast Guard Reserve Officer assigned to the Staff of the District Coast Guard Officer to assist that officer in administering the Auxiliary.

2. Section 5.2 *Organization and administration* is amended by revising subparagraphs (2), (4), (5), (6), (8) and (16) of paragraph (b) *The Coast Guard districts* to read as follows:

(2) The New York District, with District Headquarters at New York, N. Y., comprises: The State of Connecticut; the State of New York (not included in the Cleveland District); and the northern part of New Jersey, including counties of Mercer, Monmouth, and all counties north thereof.

(4) The Norfolk District, with District Headquarters at Norfolk, Virginia, comprises: The States of Maryland and Virginia, and the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, Pamlico, Craven, Jones, Carteret and Onslow, in North Carolina; and all United States Naval Reservations in the Islands of Bermuda.

(5) The Miami District, with district headquarters at Miami, Florida, comprises: The State of Florida, less Nassau and Duval counties and the counties west of the Apalachicola River.

(6) The New Orleans District, with district headquarters at New Orleans, Louisiana, comprises: The States of Texas and Louisiana; that part of the States of Alabama, Mississippi, and Arkansas south of latitude 34° N.; and that part of the State of Florida not included in the Miami District.

(8) The Cleveland District, with district headquarters at Cleveland, Ohio, comprises: The States of New York (west of longitude 74°39' W. and north of latitude 42° N.), Pennsylvania (west of longitude 79° W. and north of latitude 41° N.), Ohio (north of latitude 41° N.), Michigan (not included in the Chicago District), and that part of Wisconsin and Minnesota (north of latitude 46° 20' N).

(16) The Charleston District, with district headquarters at Charleston, South Carolina, comprises: The States of South Carolina, Georgia, and North Carolina, except the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, and Onslow; the counties of Nassau and Duval in the State of Florida.

By revising the second sentence of paragraph (d) *Use of members in administration* to read as follows:

Any member performing such service shall, upon authorization by the Commandant, be entitled to actual necessary traveling expense, including subsistence or a per diem in lieu thereof, as prescribed for civilian employees of the Government.

By revising subparagraphs (1), (2) and (5) of paragraph (e) to read as follows:

(e) *District board*—(1) *Composition.* The district board, shall be composed of the district Coast Guard Officer, the Director, the Commodore, the Vice-Commodore, and a representative from each division within the district, except that the Commodore and the Vice-Commodore shall, when available for this duty serve as representatives of their respective divisions.

The Captain of each division, or a member of his division designated by him shall, except for the two divisions of which the Commodore and the Vice-Commodore are members, serve as division representatives on the district board. When the Commodore, or the Vice-Commodore is not able to attend a meeting of the district board, the Captain of the division of which such Commodore or Vice-Commodore is a member, shall himself serve, or shall appoint a member of his division to serve, as division representative for that board meeting. Each member of the district board shall have one vote.

(2) *Election of officers.* The division representatives shall, at some time prior to December 1st of each year, elect two district officers to serve for the ensuing calendar year. These two officers shall not be members of the same division. The titles of these officers shall be in the following order of precedence: Commodore; Vice-Commodore.

(5) *Officers, term of office.* A member of the Auxiliary elected to the office of Commodore or Vice-Commodore, shall hold office for the calendar year following date of election. Vacancies in these two offices, caused by death or resignation, shall be filled by election by the district beard.

By revising subparagraphs (1), (2) and (5) of paragraph (f) to read as follows:

(f) *Division board*—(1) *Composition.* The division board shall be composed of the division Captain, Vice-Captain, Junior Captain, and a representative from each flotilla in the division except that the division Captain, Vice-Captain and Junior Captain shall, when available for this duty, serve as representatives of their respective flotillas. The district Coast Guard officer, Director, and Commodore shall be ex-officio members of each division board within the district.

The Commander of each flotilla, or a member of his flotilla designated by him, shall except for the three flotillas of which the Captain, Vice-Captain and Junior Captain are members, serve as flotilla representatives on the division board. When the Captain, or the Vice-Captain or the Junior Captain, is not able to attend a meeting of the division board, the Commander of the flotilla of which such Captain, Vice-Captain or Junior Captain is a member, shall himself serve, or shall appoint a member of his flotilla to serve as flotilla representative for that board meeting. Each member of the division board shall have one vote for each group of ten members of his flotilla and one additional vote for a group of less than ten but more than five members.

(2) *Election of officers.* The flotilla representatives shall, at some time prior to November 1st of each year, elect three division officers to serve for the ensuing calendar year. No two of these officers shall be members of the same flotilla. The titles of these officers shall be in the following order of precedence: Captain; Vice-Captain; Junior Captain.

(5) *Officers, term of office.* A member of the auxiliary elected to the office of Captain, Vice-Captain or Junior Captain shall hold office for the calendar year following date of election. Vacancies in these three offices caused by death or resignation shall be filled by election by the division board.

By adding the following at the end of subparagraph (1) of paragraph (g) *Flotilla:*

Associate memberships may be granted to citizens of the United States who are potential crew members of vessels in a flotilla and who show the proper interest in Auxiliary instruction activities. Associate members shall have all the rights and privileges of regular members, with the following exceptions: (i) They shall not have the right to vote; (ii) they may not hold office; and (iii) Auxiliary flags and pennants may not be flown on a vessel when *only* associate members are aboard. The applications for enrollment and all other records in connection with associate memberships shall be handled in the same manner as for regular memberships. The membership certificate and identification card issued associate members shall have the words "Associate Member" stamped prominently across the face thereof. The number of associate members in a flotilla shall not exceed the number of regular members of the flotilla, except in such cases where it may be necessary to increase this number to adequately take care of required or anticipated operations.

And by revising subparagraphs (2) and (5) of paragraph (g) to read as follows:

(2) *Personnel, election of officers.* The regular members of each flotilla shall, at some time prior to October 15th of each year, elect three flotilla officers to serve for the ensuing calendar year. The titles of these officers shall be in the following order of precedence: Commander; Vice-Commander; Junior Commander.

A secretary shall be appointed by the Flotilla Commander and he may be one of the officers of the flotilla.

(5) *Officers, term of office.* A member of the Auxiliary elected to the office of Commander, Vice-Commander or Junior Commander shall hold office for the calendar year following date of election.

3. Section 5.3 *Personnel* is amended by revising paragraph (a) to read as follows:

(a) *Eligibility.* Any citizen, over 18 years of age, who owns not less than a twenty-five per cent interest in any yacht or motorboat shall be eligible for membership in the Auxiliary, subject to the regulations as hereinafter set forth.

By revising the language preceding subparagraph (1) of paragraph (e) to read as follows:

(e) *Advancement.* Two lines of advancement, those of Deck and Engineering, are established. The designations in these specialties will be as follows:

Deck:
Senior Navigator
Master Navigator—Master Pilot
Engineer:
Engineer
Senior Engineer
Master Engineer

By adding the following subparagraph (4) at the end of paragraph (e):

(4) A member to be eligible for advancement to the designation of master pilot must have the same qualifications required for the rating of master navigator, except that the member will not be required to have knowledge of Celestial Navigation. He must, however, produce satisfactory evidence that he has successfully completed all the courses for the rating of master navigator and that he has had not less than five years of experience in the active operation of small vessels.

By revising paragraph (g) to read as follows:

(g) *Method of advancement.* The district Coast Guard officer shall designate at least one date each year for the examination of members for advancement. Each member shall be advised of the dates of the examinations to be held and shall, if he desires advancement, make application to the district Coast Guard officer in writing for examination.

The district Coast Guard officer shall convene an Examining Board of not less than three members, at least one of whom shall be the Director and the remainder commissioned Coast Guard officers or members of the Auxiliary who have been awarded the designation for which the examination is to be held.

The Examining Board shall prepare the examination questions, grade the papers, investigate the eligibility of each applicant for advancement and notify the district Coast Guard officer of the results obtained. The written examination may be supervised by a sub-board, which sub-board shall transmit the examination papers to the Examining Board.

Members who qualify in all respects for advancement will be recommended by the district Coast Guard officer to the Commandant for advancement.

Upon receipt of the recommendation, the Commandant will appoint the member to the proper designation.

Members who fail to attain a passing mark in any examination shall be so notified, and will be entitled to be reexamined on the next designated examination date.

By adding the following subparagraphs (6) and (7) of paragraph (i) *Disenrollment* immediately following subparagraph (5):

(6) An associate member shall be disenrolled (i) on request, for cause, (ii) upon direction of the district Coast Guard officer.

(7) Upon the death of a member.

By adding the following sentence at the end of paragraph (i):

The District Board shall have the power to delegate its authority to hold hearings to a board appointed by the district Coast Guard officer.

4. Section 5.4 *Vessels* is amended by adding the following sentence at the end of paragraph (c) *Merit designation:*

The number of vessels awarded the merit rating of "Excellent" in any one flotilla shall not exceed the number nearest to 40% of the total number of vessels in the flotilla.

5. Sections 5.6 *Flags, pennants, and insignia* is amended by revising paragraph (d) to read as follows:

(d) *Insignia.* The insignia for members shall consist of the emblem of the Auxiliary in gold metal or gold colored

[1] 6 F.R. 1356, 5595; 7 F.R. 2868, 4765.

metal except that the space not occupied by the gold letters within the two concentric circles shall be of dark blue enamel.

(55 Stat. 9; 14 U.S.C. 260)

R. R. WAESCHE,
Commandant.

Approved:

FRANK KNOX,
Secretary of the Navy.

MARCH 30, 1943.

[F. R. Doc. 43-4970; Filed, March 31, 1943; 11:04 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 201—PROCEDURE FOR THE STIPULATION OF CONDITIONS IN GOVERNMENT PURCHASE CONTRACTS

RECORDS OF INJURY FREQUENCY RATES

Addition of § 201.502 to regulations for administration of the Act of June 30, 1936, Public No. 846, 74th Congress.

By virtue of the authority vested in me by section 4 of the Act approved June 30, 1936, 49 Stat. 2036, 41 U.S.C., secs. 35–45, I hereby amend Regulations No. 504, prescribed by me under Public Act No. 846, Seventy-fourth Congress (Series A), by the addition of the following section which shall become effective May 1, 1943:

§ 201.502 *Records of injury frequency rates.* Every person who is or shall become a party to a Government contract which is subject to the provisions of the Walsh-Healey Public Contracts Act and the Regulations thereunder, or who is performing or shall perform any part of such contract subject to the provisions of such Act or Regulations, shall maintain the records specified below which shall be available for inspection by authorized representatives of the Secretary of Labor:

(a) Records of injury frequency rates as defined in paragraphs (b) and (c) below, calculated quarterly on a calendar basis commencing the first of January of each year;

(b) The injury frequency rate shall be the number of disabling injuries to all employees per 1,000,000 manhours of exposure, obtained by multiplying the total number of disabling injuries by 1,000,000 and dividing that sum by the total manhours of exposure;

(c) For the purpose of this section (1) "disabling injury" is one which causes disability to any employee extending beyond the day or shift during which the injury occurred, (2) "total manhours of exposure" shall be the total manhours actually worked by all employees during the quarter, (3) "employee" shall mean any employee in any department of the factory or establishment, including protection, maintenance, transportation, clerical, office and sales, regardless of whether such employee is engaged in the performance of a contract subject to this Act.

Such records shall be kept on file for at least four years after the date of entry thereof.

Dated: March 20, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-4943; Filed, March 31, 1943; 10:57 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4433, 4438, 4440, 4481, 4482, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167, 54 Stat. 1028 (46 U.S.C. 375, 391a, 392, 404, 411, 224, 228, 474, 475, 481, 489, 367, 526–526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations, and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam More That 65 Feet in Length

PART 28—SPECIFICATIONS AND PROCEDURE FOR APPROVAL OF EQUIPMENT

Section 28.4–4 (g) is amended to read as follows:

§ 28.4–4 *Specifications for block-cork life preserver.* * * *

(g) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

Section 28.4–5 (g) is amended to read as follows:

§ 28.4–5 *Specifications for balsa-wood life preserver.* * * *

(g) *Stitching.* This shall be the same as provided in § 28.4–4 (g).

Subchapter D—Tank Vessels

PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

Section 37.6–4 (g) is amended to read as follows:

§ 37.6–4 *Specifications for standard type block-cork life preserver.* * * *

(g) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

Section 37.6–5 (g) is amended to read as follows:

§ 37.6–5 *Specifications for standard type balsa-wood life preserver.* * * *

(g) *Stitching.* This shall be the same as provided in § 37.6–4 (g).

Subchapter F—Marine Engineering

PART 52—CONSTRUCTION

Section 52.6–3 (j) is amended to read as follows:

§ 52.6–3 *Materials and workmanship.* * * *

(j) The minimum width of bearing surface for a gasket on a manhole opening shall be one-half inch. No gasket for use on a manhole or handhole of any boiler shall have a thickness greater than one-fourth inch, when compressed.

Section 52.11–4 (g) is amended to read as follows:

§ 52.11–4 *Detail requirements.* * * *

(g) Corrugated furnaces may be manufactured by any approved process of forge or fusion welding. Where fusion welding is employed in making the longitudinal joints, the following modifications in the requirements for Class I fusion welding will be acceptable:

(1) The customary test plates need not be furnished provided each furnace has sufficient material left on one end to obtain a satisfactory guided side bend specimen, which shall not be detached until all work and heat treatment on the furnace has been completed.

(2) Radiographic examination of the furnace seam, either before or after corrugations are formed, is not required, but will be accepted in lieu of the guided side bend specimen. If radiographs are taken, they shall be examined by and acceptable to an inspector.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Sections 59.55 (f) (7) and (g) (7) are amended to read as follows:

§ 59.55 *Life preservers.* * * *

(f) *Specifications for standard type block-cork life preserver.* * * *

(7) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

(g) *Specifications for standard type balsa-wood life preserver.* * * *

(7) *Stitching.* This shall be the same as provided in § 59.55 (f) (7).

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Sections 60.48 (f) (7) and (g) (7) are amended to read as follows:

§ 60.48 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Sections 76.52 (f) (7) and (g) (7) are amended to read as follows:

§ 76.52 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Sections 94.52 (f) (7) and (g) (7) are amended to read as follows:

§ 94.52 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.13 is amended by changing the first paragraph thereof to read as follows:

§ 113.13 *Construction of metallic lifeboats.* Metallic lifeboats 20 feet in length and under shall be constructed of metal of not less thickness than No. 18 B. W. G. Metallic lifeboats of over 20 and not over 24 feet in length shall have a thickness of metal of not less than No. 16 B. W. G. Metallic lifeboats over 24 feet in length shall be constructed of metal of not less thickness than No. 14 B. W. G.

* * * * * * *

Sections 113.44 (f) (7) and (g) (7) are amended to read as follows:

§ 113.44 *Life preservers.* * * *

(f) *Specifications for standard type block-cork life preserver.* * * *

(7) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

(g) *Specifications for standard type balsa-wood life preserver.* * * *

(7) *Stitching.* This shall be the same as provided in § 113.44 (f) (7).

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.6 (u) is amended to read as follows:

§ 153.6 *Additional equipment for life boats on ocean and coastwise vessels.* * * *

(u) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors having approximately 20 square inches of reflecting surface. The mirrors shall be wrapped in a waterproof container plainly marked "Signaling mirrors".

On and after 1 May 1943 all signaling mirrors supplied as new or replacement equipment shall be of an approved type.

Section 153.7 (i) is amended to read as follows:

§ 153.7 *Additional equipment for life rafts on ocean and coastwise vessels.* * * *

(i) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors having approximately 20 square inches of reflecting surface. The mirrors shall be wrapped in a waterproof container plainly marked "Signaling mirrors".

On and after 1 May 1943 all signaling mirrors supplied as new or replacement equipment shall be of an approved type.

Section 153.7 is further amended by the addition of a new paragraph (k) reading as follows:

(k) *Daytime distress signals.* Four self-contained smoke signals of an approved type. Such signals shall be positively and easily operated and under adverse weather conditions, shall produce, while floating on the surface of the water, smoke in sufficient intensity, volume, and color as to be easily visible from aircraft.

Part 153 is amended by the addition of a new § 153.21a reading as follows:

§ 153.21a *Portable electric megaphones.* Mechanically propelled ocean and coastwise vessels of 3,000 gross tons and over shall be equipped with two approved self-contained electric portable megaphone units for communication purposes in the event of failure of the regular interior communication systems. Each unit shall be provided with an extra set of tubes and batteries packaged in a suitable container.

PART 155—LICENSED OFFICERS AND CERTIFICATED MEN; REGULATIONS DURING EMERGENCY

Section 155.34 (a) is amended to read as follows:

§ 155.34 *Inland mates of rivers, steam or motor vessels.* * * *

(a) Whenever any person presents himself for examination for license as mate of inland or river steamers the Merchant Marine Inspector in Charge shall examine him as to his knowledge, experience, and skill in loading cargo and in handling and stowage of freight, his knowledge of the operation and handling of fire apparatus, the launching and handling of lifeboats, his knowledge of life preservers and the method of adjusting them, his ability to manage the crew and direct and advise the passengers in case of emergency, and his general familiarity with his duties in maintaining discipline and protecting the passengers, and if found qualified he shall grant him a license as such, but no such license shall be granted to any person who has not had at least eighteen months' experience in the deck department of a steam vessel, sail vessel, motor vessel, or barge consort, six months of such service to have been in a steam or motor vessel.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

SAFETY VALVES

Consolidated Type 1426 M Duplex Safety Valve, 2", 2½", 3" and 4" types (Dwg. Nos. F-6209-R, F-6225-T, F-6174-AC, and F-6285-F) (Maximum working pressure of 250 pounds per square inch and maximum temperature of 406° F.), manufactured by Consolidated Safety Valve Division, Manning, Maxwell & Moore, Inc., Bridgeport, Conn.

LOW-PRESSURE HEATING BOILER

Hot water boiler, class OB (Dwg. No. G-235, dated 23 April 1942) (Maximum working pressure of 30 pounds per square inch), manufactured by Bethlehem Foundry & Machine Company, Bethlehem, Pa.

LIFEBOAT WINCH

Model DM lifeboat winch (Dwgs. Nos. 1201 RT 183 and 1202 RT 183, both dated 27 July 1942) (Working load of 1,920 pounds direct pull on each drum), manufactured by Frank Morrison & Son Company, Cleveland, Ohio.

LIFE RAFTS

20-person improved type life raft (General Arrangement Dwg. No. 4US-303, dated 22 February 1943), manufactured by Globe American Corporation, Kokomo, Indiana.

Taylor life raft, Model II, 20 persons (Plan No. R-101), manufactured by W. J. Jaeger Furniture Company, Los Angeles, California.

BILGE PUMPS FOR LIFEBOATS

Bilge pump for lifeboats (Size U. S. C. G. No. 2) (Dwg. Fig. 965, dated 26 February 1943, revised 27 February 1943), manufactured by Goulds Pumps, Inc., Seneca Falls, New York.

No. 1 Wing pump for lifeboats (Size U. S. C. G. No. 1) (Dwg. No. 81, dated 8 January 1943), manufactured by Allied Marine Equipment Division of Taprite Products Corporation, Hackensack, N. J.

No. 1570, Size 1, lifeboat bilge pump, (Size U. S. C. G. No. 2) (Dwg. No. R-4232½, dated 20 February 1943, issued 22 February 1943), manufactured by The Deming Co., Salem, Ohio.

RING LIFE BUOYS

Type B cork ring life buoy, Approval No. B-174; Type B balsa wood ring life buoy, Approval No. B-178; Type C cork ring life buoy, Approval No. B-179; and Type C balsa wood ring life buoy, Approval No. B-180 (Drawing No. 14, dated 23 November 1942), manufactured by Atlantic-Pacific Mfg. Corp., Brooklyn, N. Y.

LIFE PRESERVERS

Adult quilted type kapok life preserver (Dwg. Fig. No. 104, dated 7 December 1942), Approval No. B-181, manufactured by Atlantic-Pacific Manufacturing Corporation, Brooklyn, N. Y.

PORTABLE ELECTRIC MEGAPHONES

Portable Electric Megaphone and Amplifier, Serial No. 1274 (Dwg. Nos. G-925, G-926, H-981 and H-993), manufactured by Guided Radio Corporation, New York, N. Y.

FIRE-RESISTIVE SUBSTANCE

Textilco fire and weather resistant treatment of cotton drill for life preserver cover fabric, manufactured by Textileather Corporation, Toledo, Ohio.

LUMINOUS CLOTH OR TAPE FOR MAKING INTERIOR ACCOMMODATIONS, ETC.

Type A luminous tape, manufactured by Century Lighting, Inc., New York, N. Y.

Type A luminous tape, manufactured by E. I. DuPont de Nemours & Company, New

spect to 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public

ury, the assignment, redemption, and purchase of ninth-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes,

7 A ninth-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1943, upon an appro-

Series D. The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial re-

proved by the Secretary of the Treasury, the assignment, redemption, and purchase of called debentures will be governed by the general regulations of the

LUMINOUS CLOTH OR TAPE FOR MAKING INTERIOR ACCOMMODATIONS, ETC.

Type A luminous tape, manufactured by Century Lighting, Inc., New York, N. Y.

Type A luminous tape, manufactured by E. I. DuPont de Nemours & Company, New York, N. Y.

DAYTIME DISTRESS SIGNALS (SMOKE)

Jackson's Daytime Distress Signal, Model No. I, manufactured by Samuel Jackson's Sons, Inc., Bristol, Pa.

R. R. WAESCHE,
Commandant.

MARCH 30, 1943.

[F. R. Doc. 43-4945; Filed, March 31, 1943; 11:04 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 15, Rev.-4]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS, AND PERMITS

SUBPART E—TRANSPORTATION OF COAL BETWEEN UNITED STATES PORTS ON THE ATLANTIC OCEAN

Pursuant to § 502.37 of General Order ODT 15, Revised,

It is hereby ordered, That:

§ 522.628 *Suspension of provisions of § 502.31 (b) of General Order ODT 15, Revised.* All provisions of § 502.31 (b) of General Order CDT 1[F], Revised, shall be and the same are hereby suspended until further order of the Office of Defense Transportation.

(E.O. 8989, 6 F.R. 6725; Gen. Order ODT 15, Revised, 7 F.R. 10487.)

Issued at Washington, D. C., this 31st day of March 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-4944; Filed, March 31, 1943; 10:56 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service, Bureau of the Public Debt.

[1943 Dept. Circ. 712]

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

PARTIAL REDEMPTION BEFORE MATURITY, NINTH CALL

MARCH 27, 1943.

I. *Notice of ninth call for partial redemption, before maturity, of 2¾ percent Mutual Mortgage Insurance Fund Debentures, Series B.* The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1943, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (all numbers inclusive)*
$50	1,457 to 1,511
$100	5,260 to 5,554
$500	1,706 to 1,769
$1,000	6,470 to 6,757
$5,000	453 to 485
$10,000	47 to 49

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1943, and provision will be made for the payment of final interest due July 1, 1943, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1 to June 30, 1943, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1943, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. *Transactions in ninth-called debentures.* 1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1943, are hereby designated ninth-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, and are hereinafter referred to as ninth-called debentures.

2. Transfers and denominational exchanges in ninth-called debentures will terminate at the close of business on March 31, 1943.

III. *Redemption or purchase.* 1. Holders of ninth-called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1943, with interest in full to that date, at the rate of $13.75 per $1,000. Interest on ninth-called debentures will cease on July 1, 1943.

2. Holders of ninth-called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1943, inclusive, for purchase at par and accrued interest, at the rate of $0.075967 per $1,000 per day from January 1, 1943, to date of purchase.

IV. *Rules and regulations governing redemption and purchase.* 1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of ninth-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of ninth-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Ninth-called debentures presented for redemption on July 1, 1943, or for purchase from April 1 to June 30, 1943, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., accompanied by appropriate written advice. (Use Form PD 1834 attached hereto.[1]) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1943, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of ----------," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any ninth-called debentures, whether purchased prior to or redeemed on or after July 1, 1943, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

[1] Filed as part of the original document.

7. A ninth-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1943, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1943, and in case of assignments for redemption on or after July 1, 1943, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of ninth-called debentures on July 1, 1943, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1943. Such early presentation by holders will insure prompt payment of principal and interest when due.

V. *General provisions.* 1. Any further information which may be desired regarding the redemption of ninth-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of ninth-called debentures.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4941; Filed, March 31, 1943; 10:31 a. m.]

[1943 Dept. Circ. 713]

2¾ PERCENT HOUSING INSURANCE FUND DEBENTURES, SERIES D

PARTIAL REDEMPTION BEFORE MATURITY

MARCH 27, 1943.

I. *Notice of call for partial redemption, before maturity, of 2¾ percent Housing Insurance Fund Debentures, Series D.* The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Housing Insurance Fund debentures, Series D:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Housing Insurance Fund debentures, Series D, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1943, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (All numbers inclusive)*
$50	1
$100	1 to 3
$500	1
$1,000	1 to 3
$5,000	1
$10,000	1 to 161

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1943, and provision will be made for the payment of final interest due July 1, 1943, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1 to June 30, 1943, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1943, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. *Transactions in called debentures.* 1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1943, are hereby designated called 2¾ percent Housing Insurance Fund debentures, Series D, and are hereinafter referred to as called debentures.

2. Transfers and denominational exchanges in called debentures will terminate at the close of business on March 31, 1943.

III. *Redemption or purchase.* 1. Holders of called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1943, with interest in full to that date, at the rate of $13.75 per $1,000. Interest on called debentures will cease on July 1, 1943.

2. Holders of called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1943, inclusive, for purchase at par and accrued interest, at the rate of $0.075967 per $1,000 per day from January 1, 1943, to date of purchase.

IV. *Rules and regulations governing redemption and purchase.* 1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Called debentures presented for redemption on July 1, 1943, or for purchase from April 1 to June 30, 1943, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., accompanied by appropriate written advice. (Use Form PD 1835 attached hereto.[1]) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1943, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of ----------," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any called debentures, whether purchased prior to or redeemed on or after July 1, 1943, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

[1] Filed as part of the original document.

7. A called debenture registered in the

sional approval as a marketing agency.

A request that said hearing be ad-

properly. You have denied the charge that you have not kept full and detailed

that on July 2, 1942, and again on September 18, 1942, you were storing ex-

than one year, or by both such fine and imprisonment.

7. A called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1943, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officers' authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accrdance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1943, and in case of assignments for redemption on or after July 1, 1943, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of called debentures on July 1, 1943, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1943. Such early presentation by holders will insure prompt payment of principal and interest when due.

V. *General provisions.* 1. Any further information which may be desired regarding the redemption of called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of called debentures.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-4942; Filed, March 31, 1943; 10:31 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1508-FD]

INDIANA COALS CORP.

ORDER OF THE DIRECTOR

In the matter of the application of the Indiana Coals Corporation for provisional approval as a marketing agency.

Upon the basis set forth in the memorandum opinion of the Director, filed simultaneously herewith, wherein it appears that certain conditions of the order of May 27, 1941, as amended, should be suspended at this time;

It is ordered, That Conditions 2, 4 and 7 of the order of May 27, 1941, as amended, be suspended until further order of the Director.

It is further ordered, That the provisional approval of applicant as a marketing agency, heretofore granted by order of the Director dated May 27, 1941, as amended from time to time and as amended herein, be continued until further order of the Director.

It is further ordered, That the supplemental motion of applicant filed March 19, 1943, is granted to the extent set forth above and is in all other respects denied.

Dated: March 30, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4940; Filed March 31, 1943; 10:42 a. m.]

[Docket No. A-78]

TECUMSEH COAL CORP.

ORDER POSTPONING HEARING

In the matter of the petition of Tecumseh Coal Corporation for revision of the effective minimum prices for the coals of Mine Index No. 105, District No. 11, in Size Groups Nos. 17-25, inclusive, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Tecumseh Coal Corporation, the original petitioner, and District Board No. 11, an intervenor, having moved that the hearing in the above-entitled matter, heretofore scheduled to be held on April 6, 1943, be postponed, and having shown good cause therefore;

Now, therefore, it is ordered, That the hearing in the above-entitled matter, heretofore scheduled to be held on April 6, 1943, be, and the same hereby is postponed until further order.

Dated: March 30, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-4939; Filed, March 31, 1943; 10:42 a. m.]

[Docket No. A-1697]

DISTRICT BOARD NO. 2

ORDER ADVANCING HEARING

In the matter of the petition of District Board No. 2 for the establishment of an additional price exception in the schedule of effective minimum prices for District No. 2 for all shipments except truck.

The above entitled matter having been heretofore scheduled for hearing on April 13, 1943 at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. by an order issued herein on March 16, 1943; and

A request that said hearing be advanced to April 7, 1943, having been filed herein by the above named petitioner; and

The Director being of the opinion that good cause for the granting of said request has been shown, and that said hearing should be advanced;

Now, therefore, it is ordered, That said request be, and the same hereby is granted and that said hearing be, and the same hereby is advanced from April 13, 1943 at 10 o'clock in the forenoon of that day to April 7, 1943 at 10 o'clock in the forenoon of that day at the place and before the officer heretofore designated.

It is further ordered, That the order issued herein on March 16, 1943 shall, in all other respects, remain in full force and effect.

Dated: March 31, 1943.

[SEAL] DAN H. WHEELER
Director.

[F. R. Doc. 43-5036; Filed, April 1, 1943; 11:05 a. m.]

Bureau of Mines.

JOHNS BROTHERS, LICENSEE

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following findings of fact:

1. On February 22, 1943, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and the regulations pursuant thereto of which you were accused, was mailed to you giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 30 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Arnegard, North Dakota, does not exceed 5 days. The only answer from you was dated March 3 and received March 8. You have not denied that on November 10, 1942, and again on January 4, 1943, you were storing explosives in a manner not adequately protecting them against the risk of theft, or that you thereby violated section 17 (a) of the regulations. You have not denied that on November 10, 1942, and again on January 4, 1943, you failed to post on premises where you stored explosives a sign containing the words "Explosives—Keep Off," or that you thereby violated section 12 of the act and section 17 (b) of the regulations. You have not denied that you failed and refused to reply to a letter dated January 15, 1943, from the Explosives Control Division requiring a reply within 15 days from its date, or that you thereby violated section 10 of the act. You have not offered any excuse or justification for any of the above violations, although you allege that you now store explosives properly. You have denied the charge that you have not kept full and detailed records of your transactions in explosives as required by section 5 of the act and section 14 (d) of the regulations, but you have not submitted a copy of your records as evidence of your allegation that they have been sufficient. You have not requested a hearing.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in my by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations thereunder (7 F. R. 5901), I hereby order, That Vendor's License No. 130.230, and all other licenses, if any, issued under the Federal Explosives Act to you individually or as a partnership be and they are hereby revoked as of midnight April 10, 1943.

That prior to midnight April 10, 1943, you shall dispose of all of your explosives or ingredients thereof by selling or otherwise disposing of them to persons licensed under the Federal Explosives Act, or by destroying them.

That prior to midnight April 10, 1943, you shall surrender all licenses and certified or photographic copies thereof, if any, issued to you under the Federal Explosives Act, by delivering or mailing them to me at the Interior Building, Washington, D. C.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated: March 27th, 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-4969; Filed, March 31, 1943; 2:57 p. m.]

W. A. SANDEFUR MERCANTILE CO.

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following

Findings of Fact

1. On March 1, 1943, a Specification of Charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and regulations pursuant thereto of which you were accused, was mailed to you at the above, your last known address, giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 25 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Vandervoort, Arkansas does not exceed five days. The only answer from you was dated March 7 and received March 10. You have not denied that on July 2, 1942, and again on September 18, 1942, you were storing explosives in a manner not adequately protecting them against the risk of theft, or that by such storage you violated section 17 (a) of the regulations. You have not denied that you have failed to keep a full, detailed and tabulated record of your transactions in explosives, or that by such failure you violated section 5 of the act and section 14 (d) of the regulations. You have not denied that you failed and refused to reply to a letter from the Explosives Control Division, dated August 31, 1942, or that by such failure you violated section 10 of the act. You have not offered any excuse or justification for any of the above violations. You have not denied that you failed and refused to reply to a letter from the Explosives Control Division, dated January 23, 1943, requiring a reply within 15 days from its date, or that you thereby violated section 10 of the act, although you have sought to excuse that violation by an allegation that you failed to see the letter. Your answer alleges that you have destroyed the caps formerly in your possession, that you have buried the dynamite formerly in your possession, which you allege was damaged and deteriorated, and that you have no other explosives in your possession. You have not requested a hearing.

3. The charges against you are true. The excuse offered by you for your failure to reply to the letter of January 23 is insufficient. The dynamite which you buried has not been destroyed. It is still in your possession and is kept in violation of section 17 (a) of the regulations.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and section 22 of the regulations thereunder (7 F.R. 5901), I hereby

Order

1. That Vendor's License No. 131197 and all other licenses, if any, issued to you under the Federal Explosives Act be and they are hereby revoked as of the date of this order, except that you will be allowed not to exceed ten days thereafter within which to comply with the second and third provisions of this order;

2. That within ten days from the date of this order, you shall dispose of all the dynamite which you have buried in the ground by destroying it or having it destroyed;

3. That within ten days from the date of this order, you shall surrender all licenses and certified or photographic copies thereof, if any, issued to you under the Federal Explosives Act, by delivering or mailing the same to me at the Interior Building, Washington, D. C., attaching to the licenses a sworn statement showing the manner of destruction of the buried dynamite, and that you have no more explosives or ingredients in your possession.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Dated: March 30, 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-5040; Filed, April 1, 1943; 11:22 a. m.]

General Land Office.

[Stock Driveway Withdrawal 144, Wyo 18]

WYOMING

STOCK DRIVEWAY WITHDRAWAL ENLARGEMENT

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300), *It is ordered*, As follows:

The following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 144, Wyoming No. 18:

SIXTH PRINCIPAL MERIDIAN

T. 32 N., R. 82 W.,
Sec. 26, SW¼;
Sec. 27, E½SE¼;
Sec. 34, E½SE¼;
Sec. 35, W½.
The area described aggregates 640 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

March 19, 1943.

[F. R. Doc. 43-5041; Filed, April 1, 1943; 11:22 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

E. S. WATERBURY

DELEGATION OF AUTHORITY

Order delegating to E. S. Waterbury, Administrator, Food Distribution Order 28, authority to perform certain functions.

1. Pursuant to the authority vested in me by Food Distribution Order 23, dated March 5, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, E. S. Waterbury, an employee of the United States Department of Agriculture, and the Administrator of Food Distribution Order 28, is hereby authorized to perform, subject to such

instructions with respect to policy and procedure as may from time to time be issued by the Director or by the Deputy

and rendered pork fat required to be set aside by any person pursuant to the provisions of Food Distribution Order 20.

section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16,

SHEPPTON SPORTSWEAR COMPANY

NOTICE OF CANCELLATION, ETC., OF LEARNER

Abraham Marcus, Memphis, Tennessee; Boris Shishkin, Washington, D. C.

For the Employers: John H. Bryson,

FEDERAL TRADE COMMISSION.

[Docket No. 4795]

In the matter of the application of the Indiana Coals Corporation for provi-

ton, D. C. by an order issued herein on March 16, 1943; and

of the above violations, although you allege that you now store explosives

instructions with respect to policy and procedure as may from time to time be issued by the Director or by the Deputy Director, the following functions which the Director of Food Distribution is now authorized or required to perform:

(a) To issue authorizations to processors to purchase meats required to be set aside and reserved pursuant to Food Distribution Order 28.

(b) To allocate, through written notices, to or among governmental agencies and authorized processors, meats required to be set aside and reserved pursuant to Food Distribution Order 28.

(c) To specify, through written notices, the cuts and grades of meats required to be set aside and reserved pursuant to Food Distribution Order 28.

(d) To give instructions, through written notices, with respect to the selection and to the manner of processing, cutting, and packaging of reserved meats, or to authorize any governmental agency, as defined in Food Distribution Order 28, to issue such instructions.

(e) To release at any time, through written notices, under such terms and conditions as he may prescribe, any or all reserved meat, whether held by slaughterers or by authorized processors.

2. The authority conferred by this order is in addition to any authority heretofore conferred upon E. S. Waterbury and shall not be construed to limit any authority heretofore conferred upon him as the Administrator of Food Distribution Order 28.

3. The provisions of this order shall not affect the authority of the Director of Food Distribution to perform any function or exercise any authority conferred upon him by the Secretary of Agriculture.

Done at Washington, D. C., this 31st day of March 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-5043; Filed, April 1, 1943; 11:30 a. m.]

ROBERT BURROWS AND JOHN E. JACOBSEN

DELEGATION OF AUTHORITY

Order delegating to Robert Burrows and John E. Jacobsen, Administrator and Alternate Administrator, respectively, Food Distribution Order 20, authority to perform certain functions.

1. Pursuant to the authority vested in me by Food Distribution Order 20, dated February 11, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, Robert Burrows or John E. Jacobsen, employees of the United States Department of Agriculture, and Administrator and Alternate Administrator, respectively, of Food Distribution Order 20, is hereby authorized, subject to such instructions with respect to policy and procedure as may from time to time be issued by the Director or by the Deputy Director, to release at any time any or all of the lard and rendered pork fat required to be set aside by any person pursuant to the provisions of Food Distribution Order 20.

2. The authority conferred by this order is in addition to any authority heretofore conferred upon Robert Burrows and shall not be construed to limit any authority heretofore conferred upon him as Administrator of Food Distribution Order 20.

3. The provisions of this order shall not affect the authority of the Director of Food Distribution to perform any function or exercise any authority conferred upon him by the Secretary of Agriculture.

Done at Washington, D. C., this 31st day of March 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-5044; Filed, April 1, 1943; 11:30 a. m.]

Rural Electrification Administration.

[Administrative Order 746]

ALLOCATION OF FUNDS FOR LOANS

MARCH 18, 1943.

I hereby amend:

(a) Administrative Order No. 115, dated July 8, 1937, by reducing the allocation of $95,000 therein made for "Iowa 8045G Jackson (designation changed to read "Iowa 8045G1 Maquoketa Public" in conformity with Amendment to General Order No. 84, dated August 1, 1939) by $309.35, so that the reduced allocation shall be $94,690.65;

(b) Administrative Order No. 268, dated July 7, 1938, by reducing the allocation of $10,000 therein made for "Virginia 9029W1 Nelson" by $1,119.89, so that the reduced allocation shall be $8,880.11;

(c) Administrative Order No. 476, dated July 1, 1940, by rescinding the allocation of $3,000 therein made for "Washington 1038W1 Douglas";

(d) Administrative Order No. 478, dated July 1, 1940, by rescinding the allocation of $72,000 therein made for "Washington 1038A1 Douglas";

(e) Administrative Order No. 444, dated March 23, 1940, by rescinding the allocation of $10,000 therein made for "Wisconsin 0052W1 Crawford."

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-4957; Filed, March 31, 1943; 11:49 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16 1941 (6 F.R. 2446), as amended by Administrative Order March 12, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 1, 1943. The certificate may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Womens' Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Phillips-Lester Manufacturing Company, 2300 First Avenue N., Birmingham, Alabama; Trousers and overalls; 10 percent (T); [illegible] 1, 1944.

M. Truitt [illegible]sboro, Delaware; Children's dress[illegible]; 10 learners (T); April 1, 1944.

Signed at New York, N. Y., this 30th day of March 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-4936; Filed, March 31, 1943; 10:26 a. m.]

SHEPPTON SPORTSWEAR COMPANY

NOTICE OF CANCELLATION, ETC., OF LEARNER EMPLOYMENT CERTIFICATES

Notice of cancellation of one special certificate for the employment of learners and affirmation of another in the Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Notice is hereby given that the special certificate for the employment of learners authorizing the Sheppton Sportswear Company of Sheppton, Pennsylvania, to employ not in excess of ten percent of its total number of productive factory workers (not including office and sales personnel) as learners at any one time between March 16, 1942 and March 16, 1943, has been ordered concelled as of the date of first violation because of the violation of its terms, and that the special certificate for the employment of learners authorizing the above named firm to employ not more than 17 learners at any one time between June 29, 1942 and December 29, 1942 has been ordered affirmed.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to § 522.13 of the regulations. If a petition is properly filed, the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York this 29th day of March 1943.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 43-4935; Filed, March 31, 1943; 10:26 a. m.]

[Administrative Order 189]

COTTONSEED AND PEANUT CRUSHING INDUSTRY

APPOINTMENT OF INDUSTRY COMMITTEE NO. 57

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene for the cottonseed and penut crushing industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public: Robert Preston Brooks, Chairman, Athens, Georgia; James E. Chace, Gainesville, Florida; Richard Lester, Durham, North Carolina; Alva W. Taylor, Nashville, Tennessee.

For the Employees: O. L. Farr, Selma, California; Harry Koger, Suffolk, Virginia; Abraham Marcus, Memphis, Tennessee; Boris Shishkin, Washington, D. C.

For the Employers: John H. Bryson, Dothan, Alabama; R. M. Hughes, Greer, South Carolina; P. A. Laws, Memphis, Tennessee; Henry G. Womble, Caldwell, Texas.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "Cottonseed and Peanut Crushing Industry" means:

The manufacture from cottonseed and peanuts of crude oil and by-products, including, but without limitation, cake, hulls, and linters: *Provided, however,* That this definition shall not include the manufacture of feeds.

3. The definition of the cottonseed and peanut crushing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person, who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on April 26, 1943 at the Peabody Hotel, Memphis, Tennessee, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 27th day of March 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-5009; Filed, April 1, 1943; 9:42 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4795]

R. J. REYNOLDS TOBACCO COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 20, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Hearing Room, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-4954; Filed, March 31, 1943; 11:46 a. m.]

[Docket No. 4898]

THE CARLAY COMPANY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of March, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 19, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 1121, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed imme-

diately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5037; Filed, April 1, 1943; 11:17 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 964]

THE JAPANESE ASSOCIATION, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that The Japanese Association, Inc. (also known as The Japanese Association of New York, Inc.) is a membership corporation organized under the laws of the State of New York and is a business enterprise doing business in the State of New York;

2. Finding that many members of The Japanese Association, Inc. are Japanese subjects interned in the United States, and that said The Japanese Association, Inc. has performed various functions for the Japanese Government, including the taking of the census of the Japanese in the United States and the collection of funds for the Japanese Government;

3. Determining that said The Japanese Association, Inc. acted for or on behalf of a designated enemy country (Japan), and is, therefore, a national of a designated enemy country (Japan);

4. Finding that the property described as follows

All property of any nature whatsoever situated in the United States and owned or controlled by, payable to, or held on behalf of or on account of or owing to The Japanese Association, Inc., New York, N. Y.

is property of a business enterprise within the United States which is a national of a designated enemy country (Japan);

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute as admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4958; Filed, March 31, 1943; 1:44 p. m.]

[Vesting Order 1130]

ESTATE OF CHARLOTTE COXE TEUBER

In re: Estate of Charlotte Coxe Teuber, deceased; File D-6-163; E. T. sec. 3206.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Austria (Germany), namely,

Nationals:	*Last known address*
Emerick (Imre) Teuber.	Austria (Germany).
Emerika Teuber	Austria (Germany).
Oskar Teuber	Austria (Germany).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Austria (Germany); and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emerick (Imre) Teuber, Emerika Teuber and Oskar Teuber and each of them in and to the Estate of Charlotte Coxe Teuber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute as admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4958; Filed, March 31, 1943; 1:44 p. m.]

[Vesting Order 1143]

ESTATE OF ROSE SCHWARTZ

In re: Estate of Rose Schwartz, also known as Rosa Wallenberg, and Rose Wohlenberg, deceased; File D-28-6485; E. T. sec. 3794.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Public Administrator of the County of New York, Administrator, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address:*
Cecilia Q. Stolzke	Danzig.
Hulda W. Franche	Germany.

And determining that—

(3) Cecilia Q. Stolzke, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Danzig, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Cecilia Q. Stolzke and Hulda W. Franche, and each of them, in and to the estate of Rose Schwartz, also known as Rosa Wallenberg, and Rose Wohlenberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute as admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4959; Filed, March 31, 1943; 1:44 p. m.]

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat. Code
188,181	10-9-37	C. Bohler	Devices for the conveyance of cigars during their manufacture	49
278,526	6-10-39	H. Hellmann	Diphenylamine derivatives and process for making same	49
250,025	12-30	T. Reichstein	Derivatives of the cyclopentanopolyhydrophenanthrene series	49
315,074	1/22/40	J. Trivelli	Munition shells of ferrous materials and processes for manufacture	44
			Turning same.	
335,154	5/14/40	H. Thurnauer	Tubular belts of insulating material	44
405,411	8-4-41	J. Schlumberger	Mixtures of fluorinated hydrocarbons, particularly plate glass	27 and 44
417,580	11-1-41	H. Greenbaum	System of radio communications	27 and 55
460,260	9/23/42	W. Jaszczolski	Fluid operated power transmitter	27 and 55

[F. R. Doc. 43-5011; Filed, April 1, 1943; 10:25 a. m.]

[Vesting Order 1025]

TWO PATENTS OF MAX OW-ESCHINGEN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Max Ow-Eschingen is a citizen of Germany whose last known address is Vienna, Germany, and is a national of a foreign country (Germany);

2. Finding that although said Max Ow-Eschingen agreed by contract dated May 3, 1939, to assign to "Colos" International Company for Commerce and Industry, a corporation of the United States doing business at New York, New York, the patents hereinafter described and did in fact execute such assignments which were recorded in the United States Patent Office, said Max Ow-Eschingen has never furnished said company with certain instructions dealing with the application of inventions in accordance with such agreement and said company has never paid any money or other consideration to him for the assignment of said patents, and therefore finding that said Max Ow-Eschingen is the owner of said patents;

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all profits and damages recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent No.	Patent date	Inventor	Title
1,800,645	12/13/32	M. Ow-Eschingen	Process of metalizing.
2,100,805	8/3/35	M. Ow-Eschingen	Process for the production of metal coatings on colloidal substrates.

is property of a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise, and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-4960; Filed, March 31, 1943; 1:44 p. m.]

[Vesting Order 1024]

PATENT APPLICATIONS OF CITIZENS AND RESIDENTS OF ENEMY-OCCUPIED COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of Luxembourg, Poland or Netherlands, as represented by the code numbers set forth under the heading "NAT. CODE" in said Exhibit A in accordance with the following:

27 represents France.
44 represents Luxembourg.
49 represents Netherlands.
55 represents Poland.

2. Finding, therefore, that said persons are nationals of the foreign countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code;

3. Finding, therefore, that such patent applications are property of nationals of foreign countries;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5012; Filed, April 1, 1943; 10:25 a. m.]

[Vesting Order 1026]

PATENT APPLICATIONS OF CITIZENS OF ENEMY COUNTRIES RESIDING IN ENEMY-OCCUPIED COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of the enemy countries, and residents of the enemy-occupied countries, represented by the code numbers set forth under the heading "NAT. CODE" in said Exhibit A in accordance with the following:

27 represents France.
28 represents Germany.
34 represents Hungary.
38 represents Italy.
46 represents Monaco.
57 represents Roumania.

2. Finding, therefore, that said persons are nationals of the foreign countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code;

3. Finding therefore that such patent applications are property of nationals of foreign countries;

4. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat code
257,003	2/17/39	H. Mayr	System of transmission and reception	27 and 28
289,048	8/8/39	S. Vasilach et al	Means for amplifying mechanical vibrations	27 and 28
313,429	1/11/40	F. Willheim et al	Typewriting machines	27 and 28
313,845	1/15/40	L. Mai	Atomizers for liquids	27 and 28
339,411	6/8/40	U. Finzi	Gradual speed changing device	27 and 28
375,075	1/18/41	G. Lenta	One-piece safety razors	27 and 28
400,874	7/2/41	R. Ghezzi	Devices for saving gasoline, etc	38 and 46
435,294	3/18/42	O. Bignelli	Method and machine for constricting a tube by means of a revolving die.	27 and 28
436,280	3/20/42	J. Couelle et al	Electric apparatus simultaneously producing dissociation of water into hydrogen and oxygen, fixation of oxygen and the utilization of hydrogen as combustible.	27 and 57
436,281	3/20/42	J. Couelle et al	Economical obtention of hydrogen and of oxygen by dissociation of water in order to realize industrially a gaseous fuel extremely rich in calories.	27 and 57
458,607	9/16/42	P. Naldi	Fermenting process	27 and 28
458,608	9/16/42	P. Naldi	Method of manufacturing fatty acids and their derivatives by fermentation of cellulose-like hydrolysates.	27 and 28
458,609	9/16/42	P. Naldi	Method of manufacturing fatty acids, aldehydes, cetones and alcohols.	27 and 28
458,610	9/16/42	P. Naldi	Lacto-butyric and cellulosolytic fermentation of liquors residual in the manufacture of paper paste.	27 and 28

[F. R. Doc. 43–5013; Filed, April 1, 1943; 10:25 a. m.]

[Vesting Order 1027]

PATENT APPLICATIONS OF CITIZENS AND RESIDENTS OF ENEMY COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens and residents of foreign countries (Germany, Italy and Japan) and therefore are nationals of such foreign countries;

2. Finding therefore that such patent applications are property of nationals of foreign countries (Germany, Italy and Japan);

3. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and

4. Deemed it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
35,304	8/8/35	J. Erich et al	Method of mixing or granulating pulverulent and plastic materials of all kinds.
160,170	8/20/37	R. Matteucci	Air propeller with adjustable pitch during flight.
203,242	4/21/38	U. Gottesmann et al	Electrolytic production of manganese compounds.
245,285	12/12/38	H. Yamamoto	Method of manufacturing stainless glass sheets.
278,926	6/13/39	F. Nessler	Method for recovering the acid still adhering to the nitrocellulose in the case of producing the latter from cellulose by means of nitrating mixed acids.
314,962	1/22/40	W. Engel et al	Conversion methods.
318,000	2/8/40	K. Papello et al	Device for directing and calculating apparatus.
324,722	3/18/40	A. Volz et al	Washing and cleaning compositions.
345,220	7/12/40	G. Rustishauser	Method and apparatus for the production of curled threads from cellulose acetate.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
65,536	2/24/36	J. Lepelit	Electric wires and method for making same.
178,411	12/6/37	J. Lepelit	Incombustible end pieces.
187,354	1/28/38	J. Reutter	Thermostatic switch.
190,788	2/16/38	J. Chabert	Tubular rivets and like hollow elements.
190,775	2/16/38	J. Lepelit	Hydraulic transmitter for propelling bodies.
200,136	4/5/38	P. Sabrii	Hydraulic power transmission device.
214,489	6/18/38	R. Fermer	Electric circuit breakers with compressed fluid blow out.
217,628	7/5/38	A. Berges	Apparatus for purifying paper pulp.
218,808	7/22/38	C. Sabrii	Electric cables.
237,661	12/21/38	R. Berthier	Process for the preparation of polyamines and their derivatives, and products obtained therefrom.
251,396	1/17/39	A. Tchitchulaine	Cannalizations.
252,235	1/21/39	F. Jacquier	Cyanide furnace or light trap.
252,236	1/21/39	A. Thiebaud	Apparatus for realizing the alcoholic fermentation of fermentescible liquid, or for sterilizing said liquids.
263,490	3/22/39	J. Sandstrom	Process for the preparation of catalysts for hydrogenation.
265,695	4/1/39	J. Zellner	Centrifugal pumps or the like.
265,577	4/4/39	P. Sabrii	Hydraulic power transmission apparatus.
266,793	4/10/39	P. Sabrii	Process for the production of a cellulose layer against corrosion on the surface of metals or alloys.
273,526	5/13/39	J. Lepelit	Manufacture of electric cables or other insulated electric conductors for power conduction or heating purposes.
275,568	6/23/39	F. Tomlinson et al	Electric cables or other insulated conductors.
280,184	7/7/39	J. Lepelit	Explosimeters.
284,196	7/7/39	J. Cruse	Insulated electric conductors.
285,304	7/19/39	J. Lepelit	Methods of fixing tubular rivets.
286,712	7/26/39	J. Chabert	Methods of fixing tubular rivets.
287,313	7/31/39	J. Chabert	Electric circuit breakers with compressed fluid blow out.
287,318	7/31/39	P. Sabrii	Shoes and the like.
280,928	8/8/39	S. Braitlel et al	Hydraulic power transmission apparatus.
280,763	8/12/39	P. Sabrii	Electric circuit breakers.
280,911	8/15/39	Lepelit et al	Sectioning screw propellers.
301,182	12/7/39	R. Lepelit et al	Electric circuit breakers of the limited rise type.
308,888	12/12/39	J. Vallerraud	Process for obtaining wetting, foaming, metallic salt, dispersing and emulsifying agents and the agents obtained by this process.
312,698	2/15/40	A. Faure et al	Portable building structures.
326,884	5/29/40	A. Wilmot et al	Breathing apparatus for swimmers.
329,753	7/11/40	J. Lepelit	Mechanism for transmitting motion.
334,359	9/10/40	J. Tremolieres	Container for fuse powder.
436,547	5/22/40	E. Borel	Electric furnace for melting glass.
312,769	4/4/40	C. Jenssen	Electric circuit breakers.
355,772	10/7/40	P. Sabrii	Process for the production of textile threads of all kinds.
360,215	10/8/40	E. Mazzabraud	Process for the production of hydrated aluminum triformate.
361,305	10/17/40	J. Vanel	Switching-gear for electric pocket lamps.
365,454	11/13/40	H. Hook	Electrical multiple instruments for the electric heated type such as organs.
373,761	1/8/41	B. Brunin	Switch of the one way clutch type permitting rotational transmission of mechanical motion in either direction.
373,859	1/9/41	R. Dardelet	Compression or depression pumps of the liquid ring type.
374,950	1/17/41	V. Petroff	Devices for starting with air the explosion chamber of internal combustion motors.
377,387	2/7/41	R. Hirsch	Electric furnaces.
381,153	2/28/41	G. Drexlius	Slack adjusting devices of the frictional type.
381,154	2/28/41	G. Drexlius	Turbopumps.
382,281	3/7/41	G. Drexfus	Machine for compressing gases by centrifugal effect.
384,787	4/4/41	J. Zyglowski	Centrifugal machine for the production of explosive turbo-compressor for feeding internal combustion engines.
384,011	4/8/41	L. Mazzoni	Centrifugal machine.
386,581	4/26/41	V. Pinchaire	Method of producing chlorine and chlorides of cyclohexane.
386,582	4/26/41	A. Lardin	Current generating gear for locks and electric lamps.
386,583	4/26/41	A. Lardin	Electric circuit breakers.
386,117	4/24/41	L. Baron	Explosive and method of making the same.
388,158	5/12/41	Fael Intruffer	Combined machine for surface grinding and polishing glass and other materials.
395,584	7/5/41	D. Herbrueckel et al	Process for the production of nitrogen-phosphoric acid compounds.

[F. R. Doc. 43–5014; Filed, April 1, 1943; 10:25 a. m.]

[Vesting Order 1028]

PATENT APPLICATIONS OF CITIZENS AND RESIDENTS OF FRANCE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens and residents of France and therefore are nationals of a foreign country (France);

2. Finding therefore that such patent applications are property of nationals of a foreign country (France);

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A—Continued

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
350,902	9/4/40	J. Diehter	Machine for shaping plastic materials.
374,950	1/17/41	R. Schobelt	Apparatus for producing an electrical manimate to be magnified or controlled.
381,053	2/6/41	G. Wagermann	Sampling machine.
418,696	11/12/41	F. Muhlhausen et al	Speed regulator for such motor compressors.
422,790	12/12/41	K. Schulte	Means for determining the angular acceleration of aircraft.
427,480	1/20/42	E. Zdansky	Charging apparatus for network connection for accumulator packet lamps.
434,616	3/13/42	A. Volz	Process for the prevention of pellous precipitations in paper making
434,619	3/13/42	P. Schumieh	Process of the production of polymeric metaphosphoric acids.
434,621	3/13/42	H. Rudy et al	Process for the conversion of salts of polymeric metaphosphoric acids into a water-soluble salt.
434,622	3/13/42	H. Rudy et al	Process for the manufacture of condensation products from sulphite lye.
434,623	3/13/42	R. Watzel	Process for the production of nitrogen-phosphoric acid compounds.

[F. R. Doc. 43–5014; Filed, April 1, 1943; 10:25 a. m.]

EXHIBIT A—Continued

Patent applications in the United States Patent Office which are identified as follows—Continued

Serial No.	Filing date	Inventor	Title
463,696	10-28-42	M. Mother	Hydraulic presses.
464,558	11-4-42	NJ Dumont	Rose plant.
464,557	11-4-42	C. Mallerin	Rose plant.
464,559	11-4-42	H. DePrance	Systems for use in connection with television and the like.
464,641	11-4-42	H. DePrance	Electrical apparatus.
465,044	11-9-42	R. Issaly	Wooden soles for shoes.
465,915	11-9-42	E. Aubert	Change speed devices by means of a wheel of variable diameter.
D-160,875	5-8-41	A. Desenjs	Pillows.

[F. R. Doc. 43-5015; Filed, April 1, 1943; 10:26 a. m.]

[Vesting Order 1029]

PATENT APPLICATIONS OF CITIZENS OF SWITZERLAND RESIDING IN FRANCE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof are citizens of Switzerland residing in France and therefore are nationals of foreign countries (France and Switzerland);

2. Finding therefore that such patent applications are property of nationals of foreign countries (France and Switzerland);

3. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
246,211	12-16-38	E. Piquerez	Lubrication of aero and other engines.
251,010	1-14-39	E. Piquerez	Apparatus for testing and indicating the condition of vehicle brakes.
261,161	3-6-39	E. Piquerez	Fluid delivery meter.
269,273	4-21-39	A. Gazda	Double piston devices for engines, pumps and the like.
278,582	6-13-39	J. Müller	Laminated tube construction.
280,621	7-11-39	A. Gazda	Ultimate fuses.
815,594	9-11-39	A. Gazda	A drum type cartridge magazine.
294,385	9-11-39	E. Dorings	Control system for motor vehicles.
306,598	11-28-39	E. Schmid	Fourstroke cycle internal combustion engines of the sleeve valve type.
311,713	1-18-40	E. Piquerez	Lifting fingers.
318,571	2-12-40	A. Gazda	Impact fuse.
318,602	2-12-40	E. Bitterli et al	Propellers.
318,603	2-12-40	E. Bitterli et al	Molded material.
320,127	3-15-40	A. Gazda	Aircraft wing system.
324,446	5-10-40	A. Gazda	Ship bodies.
324,447	5-10-40	A. Gazda	Aircraft wing systems.
326,450	6-27-41	G. Cuttat	Automatic slicing lathes.
326,451	6-27-41	G. Cuttat	Lathes for metal jobs.
326,452	6-27-41	G. Cuttat	Automatic lathes.
327,988	6-13-41	E. Piquerez	Dispersing material.
327,994	6-13-41	E. Piquerez	Plant for the remote control of a gate-valve by means of a fluid under pressure.
478,541	9-22-42	A. Schroter	Method and device for filtering and purifying the gases of gas producers.

[F. R. Doc. 43-5016; Filed, April 1, 1943; 10:26 a. m.]

[Vesting Order 1030]

TEN PATENTS AND INTEREST OF GERMAN CORPORATION RELATING TO PATENTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Kalle & Co., A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. Finding that said Kalle & Co., A. G. has an interest in the contract referred to in subparagraph 4-a hereof and is the owner of the patents referred to in subparagraph 4-b hereof;

3. Finding that the successors, assigns and affiliates, if any, of the aforesaid Kalle & Co., A. G. are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

a. The interest of said Kalle & Co., A. G., its successors, assigns and affiliates, and each of them, in, to and under a contract relating to patents dated May 7, 1929, by and between it and DuPont Cellophane Company, Inc., including all amendments and supplements thereto, and all accrued royalties and other moneys payable or held with respect to said interest, and all damages for breach of said contract, together with the right to sue therefor,

b. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patent which are identified as follows and the titles to which stand of record in the United States Patent Office in the name of E. I. DuPont de Nemours & Co., a Delaware corporation, Wilmington, Delaware:

Patent No.	Date of issue	Inventor	Title
1,9[illegible]902	5/23/33	Maximilian P. Schmidt, et al.	Method of producing films.
1,9[illegible]965	10/17/33	Waldemar Schwalbe, et al	Method and apparatus for coating.
1,93[illegible]924	11/14/33	Waldemar Schwalbe, et al	Tracing material.
1,98[illegible]268	6/ 5/34	Julius Voss	Method of treating cellulose.
1,97[illegible]695	11/ 6/34	Otto Hermann	Method of coating and the product resulting therefrom.
1,97[illegible]850	12/ 4/34	Rudolph Muller	Roll shifting device.
1,98[illegible]879	12/11/34	Ulrich Ostwald	Laminated material and method of preparing same.
1,98[illegible]881	12/11/34	Ulrich Ostwald	Method of laminating.
2,0[illegible]9,021	9/ 3/35	Arthur Schade, et al	Extrusion device and process.
2,2[illegible]3,991	8/12/41	Philipp Muller, et al	Moistureproof sheet.

is property of, or is property payable or held with respect to patents or rights relating thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5017; Filed April 1, 1943; 10:26 a. m.]

[Vesting Order 1031]

PATENT APPLICATIONS OF CITIZENS OF NEUTRAL COUNTRIES OR OF THE UNITED STATES AND RESIDENTS OF ENEMY COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of Sweden, Switzerland or the United States and residents of Germany, Italy or Japan, as represented by the code numbers set forth under the heading "NAT CODE" in said Exhibit A in accordance with the following:

28 represents Germany.
38 represents Italy.
39 represents Japan.
62 represents Sweden.
63 represents Switzerland.
66 represents United States.

2. Finding, therefore, that said persons are nationals of the countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code;

3. Finding, therefore, that such patent applications are property of nationals of foreign countries;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated

Executed at Washington, D. C., on

[Vesting Order 1037]

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat. code
423,270	10-13-41	A. Rupp	Screw propeller	38 and 63
278,641	6-11-39	P. Flury	Device for the speed regulation of electric commutator machines	38 and 63
322,274	3-9-40	O. De Matteis	Filter machines for coffee	38 and 66
332,711	5-1-40	I. Troedsson	Circulation systems of pulp digesters	39 and 62
361,661	7-13-40	P. Baldwin	Hydraulic pressure transmission systems	38 and 66
364,104	10-14-40	J. Bessire	Escape boat from submarines	38 and 63
388,441	4-14-41	J. Robinson	Medicinal applicator and dispenser	39 and 66
389,706	4-29-41	W. Dallenbach	Arrangement for ultra short waves	38 and 63
405,302	8-21-41	E. Zollinger	Paper films conveyor	38 and 63
405,303	8-21-41	E. Zollinger	Supplying water to photographic machines	38 and 63
409,101	8-29-41	E. Guignard	Apparatus for continuous fractional distillation	38 and 63

[F. R. Doc. 43-5018; Filed, April 1, 1943; 10:26 a. m.]

[Vesting Order 1032]

PATENT APPLICATIONS OF CITIZENS OF ALLIED OR NEUTRAL COUNTRIES OR OF THE UNITED STATES RESIDING IN ENEMY-OCCUPIED COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of the allied or neutral countries or of the United States, and residents of the enemy-occupied countries, represented by the code numbers set forth under the heading "NAT. CODE" in said Exhibit A in accordance with the following:

7 represents Belgium.
10 represents Brazil.
17 represents Czechoslovakia.
27 represents France.
49 represents Netherlands.
66 represents United States
65 represents Union of Soviet Socialist Republics.
61 represents Spain.
62 represents Sweden.
63 represents Switzerland.

2. Finding therefore, that such persons are nationals of the countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code;

3. Finding, therefore that such patent applications are property of nationals of foreign countries;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat. code
224,291	8-11-38	A. Abramson	Carburetors for internal combustion engines	17 and 65
224,292	8-11-38	A. Abramson	Carburetors for internal combustion engines	17 and 65
295,709	1-14-39	D. De Lavaud	Propeller having an automatically variable pitch	10 and 27
302,687	11-7-39	F. Moser	Lubricating oil composition	49 and 63
302,688	11-7-39	F. Moser	Heteropolyweric peroxide from aliphatic ketones	49 and 63
306,307	12-14-39	E. Salsas	Endless flat elastic belts	7 and 61
322,259	3-9-40	W. Grunberg	Method of and means for instructing and training student operaters.	27 and 65
422,175	1-8-41	P. Osorio	Processes of filming, taking and photography and kinematographic projections rendering possible to obtain on an ordinary screen pictures in relief and natural colors.	10 and 27
429,011	2-3-42	T. Carlander	Cellulose boding	27 and 62
429,857	4-21-42	W. Lawrenson	Anti-freezing composition	27 and 66
431,014	5-12-42	V. Borsak-vsky	Method of obtaining perfectly conservable integral meal	27 and 65

[F. R. Doc. 43-5019; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1037]

42 PATENTS OF CARL ZEISS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Carl Zeiss is a German firm doing business at Jena, Germany, and is a national of a foreign country (Germany);

2. Finding that N. V. Nederlandsche Instrumenten Compagnie (Nedinsco), a corporation organized under the laws of Holland, doing business at Venlo, Holland, is a subsidiary of, and is owned or controlled by said Carl Zeiss and, therefore, is a national of a foreign country (Germany);

3. Finding that Carl Zeiss and N. V. Nederlandsche Instrumenten Compagnie (Nedinsco), by virtue of a contract dated November 26, 1926, assigned to Bausch & Lomb Optical Company, the patents which stand of record in the United States Patent Office in the name of Bausch & Lomb Optical Company, which patents are listed in Exhibit A attached hereto and made a part hereof;

4. Finding that by a decree of the District Court of the United States for the Southern District of New York, dated July 9, 1940 in a case entitled United States of America vs. Bausch & Lomb Optical Company, et al, Civil Action No. 9-404, it was found that the aforesaid agreement of November 26, 1926 was unlawful;

5. Finding, therefore, that the aforesaid Carl Zeiss and N. V. Nederlandsche Instrumenten Compagnie (Nedinsco) are the owners of the patents referred to in subparagraph 6, hereof;

6. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof.

is property of nationals of a foreign country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patents which are identified as follows, and which stand of record in the United States Patent Office in the name of Bausch and Lomb Optical Company:

Patent No.	Patent date	Inventor	Title
1,581,771	4-20-26	R. Meehan	Electric current interrupter.
1,861,742	6-7-32	O. Eppenstein	Telescope.
1,887,137	11-8-32	S. Van den Bergh	Range finder for mechanical multiplication of two factors.
1,896,111	2-7-33	R. Meehan	Receivers for heat rays.
1,904,575	4-18-33	R. Meehan	Indicators for heat rays.
1,904,577	4-18-33	R. Meehan	Antiaircraft fire-control apparatus.
1,922,193	8-15-33	W. Merton	Range finder.
1,922,194	8-15-33	W. Merton	Range finder.
1,935,754	11-21-33	A. Steinle	Immelman Apparatus for firing at movable targets.
1,945,812	2-6-34	O. Eppenstein	Instrument for finding the range-difference of two similar points.
1,947,732	2-20-34	S. Van den Bergh	Antiaircraft fire-control apparatus.
1,948,512	2-20-34	A. Steinle	Fire control apparatus for firing at movable targets.
1,950,725	3-13-34	S. Van den Bergh	Fire control instruments for firing at movable targets.
1,960,512	5-29-34	F. Stimpel	Optical signals.
1,967,252	7-24-34	A. Steinle	Fire control apparatus for firing at movable targets.
1,975,257	10-2-34	O. Eppenstein	Means for the determination of the position of targets with respect to lines of sight.
1,981,549	11-20-34	H. Meehan	Mechanism for determining the position of targets with respect to lines of sight.
1,928,602	10-3-33	O. Eppenstein	Binocular range finders.
1,951,814	3-20-34	A. Steinle	Fire control apparatus for firing at movable targets.
1,964,372	6-26-34	S. Van den Bergh	Device for fire control apparatus.
1,971,896	8-21-34	O. Eppenstein	Telescope for observing strong sources of light.
1,973,189	9-11-34	R. Meehan	Optical signalling apparatus.
1,981,729	11-20-34	A. Steinbrecher	Stabilized range finder.
1,982,478	12-18-34	O. Eppenstein	Sighting telescope for aircraft.
2,008,703	7-16-35	S. Van den Bergh	Self-contained base range finders.
2,008,716	7-16-35	A. Pulz	Apparatus for photoelectrons and the like.
2,010,313	8-6-35	R. Meehan et al	Experience having optical images that consist of two systems and a photo system.
2,015,527	9-24-35	A. König	Support for portable optical instruments.
2,015,869	10-1-35	A. Pulz	Support for portable optical instruments.
2,040,171	5-12-36	O. Eppenstein	Sight line horizon determining means.
2,042,040	5-26-36	O. Eppenstein	Apparatus for following a target.
2,071,424	2-23-37	K. Pajello	Calculating apparatus for firing directors for shooting at a moving aerial target.
2,071,425	2-23-37	K. Pajello	Sighting device for following targets.
2,105,865	1-18-38	O. Eppenstein	Stereoscopic range finder as for stationary measuring marks.
2,106,631	1-25-38	O. Eppenstein	Supplementary devices for binocular range finders.
2,106,632	1-25-38	O. Eppenstein	Stereoscopic range finders.
2,118,257	5-24-38	O. Eppenstein	Measuring marks for stereoscopic range finders.
2,130,572	9-20-38	O. Eppenstein et al	Binocular range finder for flight rays.
2,130,581	9-14-39	O. Eppenstein	Apparatus for gunnery calculators.
2,174,380	9-26-39	K. Pajello	

[F. R. Doc. 43-5020; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1039]

PATENTS AND CONTRACTUAL INTERESTS OF CERTAIN FOREIGN NATIONALS

Re: Patents and contractual interests of foreign nationals who have patent licensing agreements with Bendix Aviation Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patents listed in Exhibit A attached hereto and made a part hereof, and referred to under the heading "Record Owners" in said Exhibit A are organized under the laws of or have their principal places of business in, or are citizens or residents of, the foreign countries set forth after their names in said Exhibit A

scribed in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 8, 1943.

LEO T. CROWLEY,
Alien Property Custodian.

[SEAL]

EXHIBIT A

Patents which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the persons indicated, respectively:

Patent No.	Date	Record owner	Inventor	Title
1,506,720	8-17-26	Eugene Vion, Trustee for Etablissements Ed. Jaeger—National Society.	Eugene Vion	Compass for navigation purposes.
1,621,133	3-15-27	Etablissements Ed. Jaeger—Naamlooze Vennootschap.	Charles H. H. Rodanet	Control for speed indicators or the like.
1,626,697	5-3-27	Société Anonyme des Etablissements Ed. Jaeger—National Society.	Charles H. H. Rodanet	Construction of speed indicators.
1,636,074	7-19-27	Société Anonyme des Etablissements Ed. Jaeger—National Society.	Charles H. H. Rodanet	Mechanism for controlling speed indicators or the like.
1,639,582	8-16-27	Air Equipment Company, French.	Paul Viet	Automatic starting device for international combustion engines.
1,641,377	10-4-27	Société Anonyme des Etablissements Ed. Jaeger—Naamlooze Vennootschap.	Charles H. H. Rodanet	Lamp for instrument boards of motor vehicles.
1,675,753	7-31-28	Air Equipment, Naamlooze Vennootschap.	Paul Viet	Vibrometer for testing devices, for [illegible].
1,693,262	8-28-28	Société Anonyme des Etablissements Ed. Jaeger—National Society.	Charles H. H. Rodanet	Device for measuring [illegible]

[Vesting Order 1040]

PATENTS AND CONTRACTUAL INTERESTS OF CERTAIN FOREIGN NATIONALS

1. Finding that the record owners of the patents listed in Exhibit A attached hereto and made a part hereof, and referred to under the heading "Record Owners" in said Exhibit A are organized under the laws of or have their principal places of business in, or are citizens or residents of, the foreign countries set forth after their names in said Exhibit A

EXHIBIT A—Continued

Patent Number	Date	Record owner	Inventor	Title
1,[illegible]	12-11-28	Air Equipment; Nationality, French.	Paul Viet	Automatic starting device for I. C. engines.
1,[illegible]	[illegible]-[illegible]-28	Societe Anonyme Etablissements Ed. Jaeger Nationality, French.	Charles H. H. Rodanet	Resistor wheel.
1,[illegible]	1-1-29	Societe Anonyme, Etablissements Ed Jaeger; Nationality, French	Charles H. H. Rodanet	Electrical measuring apparatus.
1,[illegible]	7-1-29	Societe Anonyme, Etablissements Ed. Jaeger, Nationality, French	Charles H. H. Rodanet	Recording meter.
1,[illegible]	2-5-32	Air Equipment; Nationality, French.	Louis Thomas	Apparatus for supplying fuel gas mixture to Cylinders of I. C. engines.
1,[illegible]	5-17-32	Arnold Zoller; Nationality, French.	Arnold Zoller	Engine provided with a rotary compressor.
1,[illegible]	2-14-33	Societe Generale des Carburateurs Zenith; Nationality, French	Louis L. Viel	Regulator for the fuel pressure of I. C. engines.
1,[illegible]	2-14-33	Air Equipment; Nationality, French.	Leon Gerard	Automatic pressure regulating device.
1,[illegible]	4-11-33	Etablissements Ed. Jaeger; Nationality, French.	Rene J. H. Planiol	Speed indicator.
1,[illegible]	5-2-33	Societe du Carburateur Zenith —Nationality, French.	Edmund Montgomery	Carburetor.
1,[illegible]	10-3-33	Societe Generale des Carburateurs Zenith—Nationality, French.	Louis L. Viel	Carburetor.
1,[illegible]	12-12-33	Air Equipment—Nationality, French.	Leon Gerard	Starter for I. C. engines.
1,944,641	1-23-34	P. Viet—Nationality French	Leon Gerard	Starter for I. C. engines.
1,[illegible]	4-17-34	Societe Generale des Carburateurs Zenith—Nationality, French.	Louis L. Viel	Device for controlling the fuel supply of I. C. engines.
1,[illegible]	11-20-34	P. Viet Nationality—French	Leon Gerard	Starter for I. C. engines.
2,011,902	5-10-35	Societe Generale des Carburateurs Zenith—Nationality, French.	Louis L. Viel	Suction actuated carburetor governor.
2,048,[illegible]	7-21-36	Arnold Zoller; Nationality, German.	Arnold Zoller	I. C. engines.
2,068,[illegible]	1-26-37	Societe Generale des Carburateurs Zenith; Nationality, French.	Louis L. Viel	Regulator for the fuel pressure in I. C. engines.
2,081,711	5-25-37	Societe Generale des Carburateurs Zenith; Nationality, French.	Paul X. A. & J. Lichtenstein.	Carburetor.
2,092,687	9-7-37	Societe Generale des Carburateurs Zenith; Nationality, French.	Louis L. Viel	Fuel injection device for I. C. engines.
2,[illegible]	9-14-37	Societe Generale des Carburateurs Zenith; Nationality, French.	Maurice C. P. Thiouhn & Paul X. A.	Priming Device for I. C. engines.
2,[illegible]	9-21-37	Fabrica Italiana Magneti Marelli Societa Anonima Nationality, Italian.	Gistucci Umberto Quintavalle	Centrifugal Governor.
2,[illegible]	10-26-37	Societe Anonyma Etablissements Ed. Jaeger; Nationality French	Charles H. H. Rodanet	Tachymeter or speed indicator of the chronometric type with remote electric control.
2,124,[illegible]	7-26-38	Societe Anonyme Air Equipment Nationality; French.	Charles R. Waseige	Driving mechanism.
2,[illegible]	11-8-38	Societe Anonyme Etablissements Ed. Jaeger Nationality, French.	Charles H. H. Rodanet	Altimeter.
2,144,[illegible]	1-17-39	Societe Generale des Carburateurs Zenith —Nationality, French.	Paul X. A. Gistucci	Carburetor.
2,152,[illegible]	4-4-39	Societe Anonyme Air Equipment Nationality, French.	Charles R. Waseige	Engine starting mechanism.
2,[illegible]	4-18-39	Societe Anonyme Air Equipment Nationality, French.	Charles R. Waseige	Driving mechanism.
2,[illegible]	4-25-39	Societe Generale des Carburateurs Zenith—Nationality, French	Paul X. A. Gistucci & J. Lichtenstein.	Carburetor.
2,[illegible]	4-25-39	Societe Generale des Carburateurs Zenith Nationality, French.	Maurice C. P. Thiouhn	Carburetor.
2,[illegible]	[illegible]-[illegible]-39	Societe Generale des Carburateurs Zenith Nationality, French.	Paul X. A. Gistucci & J. Lichtenstein.	Carburetor.
2,[illegible]	[illegible]-[illegible]-39	Antoine I. Odier Nationality, French.	Antoine I. Odier	Means for measuring a quantity of liquid in a tank.
2,[illegible]	[illegible]-[illegible]-39	Siemens Apparate und Maschinen G. m. b. H., Nationality, German	Karl Saur	Apparatus for measuring the quantity of fluid in vessels or containers.
2,[illegible]	2-29-40	Societe Anonyme Air Equipment, Nationality, French.	Charles R. Waseige	Driving mechanism.
2,[illegible]	7-9-40	Societe Anonyme Jaeger Aviation, Nationality, French.	Charles H. H. Rodanet	Gyroscopic horizon allowing the reading of great longitudinal inclinations.
2,[illegible]	11-12-40	Siemens Apparate und Maschinen G. m. b. H.—Nationality, German.	Heinrich Langenstr	Means for controlling servomotors.
2,[illegible]	[illegible]-[illegible]-40	Siemens Apparate und Maschinen G. m. b. H.—Nationality, German.	Pius Obermeier	Gyroscopic device.
2,[illegible]	4-4-41	Societe Generale des Carburateurs Zenith—Nationality, French	Paul X. A. Gistucci	Altimetric control device for carburetors.
2,[illegible]	9-2-41	S. A. Jaeger-Aviation—Nationality, French.	Jean B. P. H. Galle	Radio direction finding.
2,[illegible]	9-2-41	Societe Anonyme Jaeger-Aviation—Nationality, French.	Charles H. H. Rodanet	Indicating pointer.
2,[illegible]	9-9-41	Societe Anonyme Air Equipment—Nationality, French.	Charles R. Waseige	Engine starting mechanism.
2,[illegible]	4-7-42	Societe Anonyme Etablissements Ed. Jaeger,—Nationality, French.	Charles H. H. Rodanet	Device for verifying the dimension and sphericity of balls.
Des. 111,714	[illegible]-[illegible]-38	Societe Anonyme Jaeger Aviation—Nationality, French.	Charles H. H. Rodanet	Airplane landing wheel position indicator.

EXHIBIT B

Interests in contracts identified as follows, and in which the nationality of the person whose interest is vested is indicated below the identification of the contract:

1. The interest of Siemens Apparate und Maschinen G. m. b. H. and its successors and assigns in and to an agreement signed at Paris, December 17, 1936, by and between Bendix Aviation Corporation and Siemens Apparate und Maschinen G. m. b. H., involving certain enumerated aircraft instruments and the patent rights connected therewith, including all modifications and supplements of this agreement, and including, but not by way of limitation, all agreements by exchange of letters as of August 30, 1938, and other dates, together with all accrued royalties and other monies payable or held with respect to such interests. Last known address: Berlin, Germany. Nationality: Germany.

2. The interest of Robert Bosch G. m. b. H. and its successors and assigns in and to an agreement made October 24, 1935, by and between Eclipse Aviation Corporation and Robert Bosch Aktiengesellschaft, relating to "Eclipse" de-icers and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interests. Last known address: Stuttgart, Germany. Nationality: Germany.

3. The interest of Ottico Meccanica Italiana and its successors and assigns in and to a license agreement made January 16, 1937, by and between Ottico Meccanica Italiana and Bendix Aviation Corporation, relating to aerophotographic apparatuses and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Rome, Italy. Nationality: Italy.

4. The interest of Compagnia Generale di Elettricita and its successors and assigns in and to a license agreement made April 26, 1940, by and between Bendix Aviation Corporation, Bendix Radio Corporation, and Compagnia Generale de Elettricita, relating to certain enumerated devices and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Milan, Italy. Nationality: Italy.

5. The interest of Eugene Vion and his heirs, executors, administrators, and assigns in and to an agreement made May 7, 1937, by and between Eugene Vion and Bendix Aviation Corporation, relating to compensating devices for magnetic compasses and similar instruments and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Paris, France. Nationality: France.

6. The interest of Antoine Isidore Odier and his heirs, executors, administrators, and assigns in and to an agreement made June 2, 1937, by and between Antoine Isidore Odier and Eclipse Aviation Corporation, relating to methods and means for measuring the quantity of liquid in a tank and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Paris, France. Nationality: France.

7. The interest of Societe Anonyme Jaeger-Aviation and its successors and assigns in and to a license agreement dated September 1, 1936, by and between Societe Anonyme Jaeger-Aviation and Bendix Aviation Corporation, relating to certain enumerated aircraft devices and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Levallois-Perret, France. Nationality: France

8. The interest of Etablissements Ed Jaeger Société Anonyme and its successors and assigns in and to an agreement executed May 9 1936, by and between Etablissements Ed. Jaeger Société Anonyme, Etablissements Ed. Jaeger of Le Sentier, Switzerland, and Bendix Aviation Corporation, relating to instruments and accessories for motor vehicles and boats and the patent rights connected therewith, including all supplements and modifications of this agreement, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Levallois-Perret, France. Nationality: France.

9. The interest of Arnold Zoller and his heirs, executors, administrators, and assigns in and to an agreement made March 29, 1932, by and between Arnold Zoller and Bendix Aviation Corporation, relating to internal combustion engines and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Berlin, Germany, Nationality: Germany.

10. The interest of Charles Waselge and his heirs, executors, administrators, and assigns in and to an agreement dated March 26, 1930, by and between Charles Waselge and Eclipse Aviation Corporation, relating to improvements in speed-reducing gears and the patent rights connected therewith, subject to and including all supplements and modifications of this agreement and including, but not by way of limitation, all agreements by way of exchange of letters as of March 27, 1930, and other dates, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Rueil, Seine-et-Oise, France. Nationality: France.

[F. R. Doc. 43-5021; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1041]

CONTRACT RIGHTS OF OSKAR RENNER, JR.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Oskar Renner, Jr., a resident of Budapest, Hungary, is a national of a foreign country (Hungary);

2. Finding that Oskar Renner, Jr. has interests in and under the agreements referred to in subparagraph 4 hereof;

3. Finding that the heirs, legal representatives and assigns, if any, of said Oskar Renner Jr. are nationals of a foreign country (Hungary);

4. Finding that the property described as follows:

a. The interest of Oskar Renner, Jr., his heirs, legal representatives and assigns, and each of them, in and under a certain agreement dated July 1, 1937, between said Oskar Renner, Jr., and Union Carbide and Carbon Research Laboratories, Inc., a New York corporation, relating among other things to a patent application now issued as United States Letters Patent No. 2,231,027, including all royalties or other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor; and

b. The interest of Oskar Renner, Jr., his heirs, legal representatives and assigns, and each of them, in and under a certain agreement dated November 1, 1939, between Union Carbide and Carbon Research Laboratories, Inc., a New York corporation, and The Linde Air Products Company, an Ohio corporation, relating among other things to United States Letters Patent No. 2,231,027, including all royalties or other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Hungary);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5022; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1047]

COPYRIGHT INTERESTS IN GERMAN-OWNED MOTION PICTURE FILMS IN THE UNITED STATES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each of the individuals whose names and last known addresses are set forth in Exhibit A attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in such Exhibit is organized under the laws of, Germany and that therefore each of such individuals and companies is a national of a foreign country (Germany);

2. Finding that the German Government and the persons listed in said Exhibit A, jointly or severally own or control the property hereinafter described in subparagraph 3.

3. Determining that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the motion picture films in the United States owned or controlled by the German Government and/or the individuals and companies, and each of them, whose names and last known addresses are listed in said Exhibit A;

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

d. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a foreign country (Germany) and or nationals thereof;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admis-

sion of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

A B C Film G. m. b. H., Berlin W 15, Kaiserallu 13.
Achsel & Co. Filmproduktion W., Berlin SW 68, Friedrichstr. 238.
Aco-Film G. m. b. H., Berlin SW 68, Friedrichstr & Neubalelsbergei Potsdamm, Luisenstr. 9a.
Allgeine Film-Aufnahme-u. Vestriebsges. m. b. H. (Algefafilm), Berlin W 35 Grossadmiral-Von-Koester-Ufer 83.
Alliance Cinematographique, 56 Rue de Bassano, Paris, (Ufa).
Amalfi-Tonfilm Ges. m. b. H., Berlin SW 68, Friedrichstr. 22.
Ariel Film G. m. b. H., Berlin NW 7, Unter den Linden 69.
Ariete-Film G m. b H, Berlin-Halensee, Paulsbornerstr.
Arko-Film, G. L. Arko, Berlin W 15, Brandenburgische Str. 23
Arnold & Richter G m b. H., Muenchen 13, Tuerkenstr. 89.
Arving Film Produktion, Bert, Berlin SW 68, Friedrichstr. 23.
Arya-Film G. m. b. H, Muenchen 19, Tizianstr. 16.
Astra-Film Herstellungs-und Vestriebs-Ges. m. b. H. Berlin SW 68 Friedrichstr. 19
Atalanta-Film G. m. b. H., Berlin-Charlottenburg 2, Carmerstr. 7.
Atelier Svend Noldan, Berlin W 62, Badapester Str. 4
Atlantic-Film Hans Arnau & Co., Berlin-Dahlem, Wildpfad 30
Badal-Filmproduktion, Vonhagen Badal, Berlin SW 68, Kochstr 18
Bahr-Film, Breslau 6 Berliner Str 57
Basse-Film G m b H, Berlin-Dahlem, Breitenbachplatz 12.
Bavaria-Film A G Muenchen, 2 SW, Sonnenstr. 15
Bavaria-Wochenschau G m b. H, Berlin SW 68 Friedrichstr 210
Bayerische Film Gesellschaft, G m. b H, Muenchen, Sonnestrasse 15, Berlines Buro, SW 68, Friedrichstrasse 212
Berlin Film Company, Berlin.
Beyfuss-Film Nachfolger, Dr Edgar, Berlin NW 87, Alt-Moabit 38.
Boehner-Reklame w. Film, Fritz Boehner, Dresden, Bismarkstr. 8
Brewing Film Richard, Berlin-Charlottenburg Brahestr. 25.
Brieger-Film Dr. Herbert, Berlin-Charlottenburg 5, Horstweg 41.
Briese Schmalfilm, Berlin-Charlottenburg 9, Fredericiastr. 5.
Bundesfilm A G., Berlin-Charlottenburg 5, Gustloffstr. 55
Casparius-Produktion, Hans, Berlin-Charlottenburg 4, Dahlmannstr. 25.
Cine-Allianz Tonfilm-Produktionsges. m b H., Berlin SW 68, Kochstr. 18.
Commerz-Film A. G., Berlin W 35, Woyrschstr. 37.
Cserepy-Tonfilmproduktion G. m. b. H., Berlin SW 11, Koeneggraetzerstr. 72
Deka-Film G. m. b. H., Berlin SW 68, Friedrichstr. 236.
Deutsche Film Herstellunge und Verwertungs Gesellschaft-Deutsche Films, G m. b H., ("D. F. G.") Berlin, W 15, Fasanen Strasse 64.
Deutsche Forst-Film Produktionsges. m b H. Berlin W 15, Kurfuerstendamm 200.
Deutsche Lichtbild-Gesellschaft e. V., Berlin SW 68, Markgrafenstr. 4.
Deutsche Lichtbilt fuer Unterricht, Institut fuer Lehr-und Werbefilme, Walter Lange, Berlin SW 11, Halenplatz 9.
Deutsche Maerchenfilm-Produktion Alf. Zengerling Berlin Zehlendorf, Jaenickestr. 105.
Diana-Tonfilm G. m. b. H., Berlin W 8. Friedrichstr. 67.
Dix-Film, Norman, Muenchen, Marienplatz 11.
Doering-Film Werke G m. b. H., Berlin NW 40, Schlieffenufer 39-31.
Dux-Film G. m. b. H., Berlin W 50, Kurfuerstendamm 236.
Eichberg-Film G m b H., Berlin-Charlottenburg 4, Giesebrechtstr. 10.
Eros-Film G. m. b. H., Berlin SW 68, Friedrichstr 19.
Euphono Film Ges. m. b. H., Berlin SW 68, Friedrichstr. 224.
Europaeische Film-Allianz (E. F. A) G. m. b. H., Berlin-Halensee, Cicerostr. 2-6.
Ewald-Filmges, m. b H., Hans, Berlin W 35, Kluckstr. 8
Excentric-Film Zorn & Tiller G. m b H., Berlin Wilmersdorf, Motzstr. 84.
Fabrikation deutscher Filme G. m. b H, Berlin W 15, Kurfuerstendamm 226.
Fanal-Film Production G. m. b. H., Berlin W 15, Kurfuerstendamm 226.
Film-Ingenieur Lassally G. m. b H., Berlin-Charlottenburg 5, Wilzlebenstr. 12.
Filmpeter, Peter Gscheidl, Berlin W 50, Jauentzienstr. 6.
Fink (Horu) Filmherstellung, Berlin-Leichtenberg, Hendrich Platz 25.
Fischer-Film, Berlin SW 68, Friedrichstr. 214.
Fjord-Film Produktion G. m. b. H., Olaf, Berlin Halensee, Cicerostr. 2-6.
Fortuna-Film Uwe Behrens, Berlin W 50, Budapester Str. 49.
Foto-Flmk, Berlin N 20 Badstr. 8b
Fox-Tceende Wochenschau A. G, Berlin SW 68, Friedrichstr. 225.
Deutsche Gesellschaft fuer wessenschaftliche Filme m. b. H., Berlin NW 40, Hindersinstr 3
Asen & Lockebusch, Muenchen 19, Tizianstr. 16
Fritsch Tonfilm G. m. b. H, Berlin-Halensee, Cicerostr. 63.
Froelich-Film G m. b H, Berlin-Tempelhof, Borussiastra 45-49
Gasparcolor Werbefilme G m. b. H. Berlin W 50, Tauentzienstr. 3.
Gebr. Diehl Film, Berlin.
German Railroads Information Office, West 57th Street, New York, New York.
Gemeinnuetzige Kulturfilm Vertrieb, Berlin
Gervid-Film, Berlin Grunewald, Am Vogelhud 14
Haeseki-Filmvertrieb. Kemm, Ges., Berlin SW 68, Alexandrinenstr. 137.
Hamburg-America and North German Lloyd, 57 Broadway, New York, New York
Henning Werbe-Film, Berlin-Halensee, Kurfuerstendamm 153.
Herzog-Film G. m. b. H., Berlin SW 68, Friedrichstr. 13.
Hessenland-Film Robert Fuerst, Kassel, Moenchebergstr. 44.
Hisa-Film G. m. b. H., Berlin SW 68, Friedrichstr 25-26
Hispano-Film Produktion Johann W. Ther, Berlin SW 68, Friedrichstr. 208.
H. T. Film, G m. b. H., Berlin SW 68, Friedrichsar. 25-26.
Imagoton Filmges. m. b. H. Berlin W. 30, Mackensenstr. 19
Internationale Kinematographen-und Film-Zentrale "Pallas" Berlin SW 68, Friedrichstr. 35—Lenauer Internationale.
Italafilm G. m. b. H., Berlin SW 68, Hedemannstr 14.
Klagemann-Film G. m. b. H., Berlin SW 68, Friedrichstr 225.
K. L. Film G. m. b. H, Berlin SW, Friedrichstr. 13.
"Klfo" Helmut Bousset, Berlin W 8, Mohrenstr. 48
K M R-Tonfilm G. m. b H., Berlin SW 68, Friedrichstr. 207.
Koervesi & Bethke, Kulturfilm-Produktion, Berlin SW 68, Kochstr. 5.
Kraska-Film, Berlin-Stiglitz, Mariendorfer Str. 45.
Krebs, Dr. Alexander, Berlin-Wilmersdorf, Landhausstr. 38.
Kruschke, Kurt, Berlin W 30, Gleditschstr. 67.
Krutzberg-Film G. m. b. H., Lola, Berlin W 50, Passauer Str. 17.
Kruse, Dr. Werner, Berlin NW 87, Siegmundshof 21.
Kuehnemann-Film Arnold, Koerbeskrug ueber Koenigswusterhausen.
Kulturfilm Institute G. m. b. H., Berlin, SW 68, Koehstrasse 6-7.
Kulturfilm Puchstein, Berlin-Tempelhof, Werner-Boss-Dam 7.
Lamprecht Film Produktion G. m. b. H, Gerhard, Berlin SW 68, Friedrichstr. 224.
Landeskulturfilm Karl Schneider, Berlin-Tempelhof, Manfred-von-Richthofen Str. 179
Leipzig Trade Fair, Inc., Leipzig, Germany—Administration of The Leipzig Fair, Leipzig, Germany.
Lemki, Geo., Berlin W 35, Buelowstr. 8.
Lex-Film, Albert Graf von Pestalozza, Berlin-Schoeneberg, Innsbruckerstr. 7.
Leydechrom G.m.b.H., Neubabelsberg bei Potsdam Schillerstr. 9-15.
Lieberenz, Paul, Berlin-Wilmersdorf, Guentzelstr. 61.
Linke & Co., C A. Dresden, Sternplatz 1
Luedtke, Dr. Rohnstein & Co., Berlin SW 68, Alte Jakobstr. 133.
Maer Kische Panorama Schneider—Panorama Film G m.b.H., Berlin, SW 68, Kochstrasse.
Mal-Rodegg-Film, Berlin-Friedenau, Isoldestr. 10.
Majestic-Film Gesellschaft m.b H., Berlin W 15, Kurfuerstendamm 225.
Marsfilm G m b H., Berlin W 8, Jaegerstr 13
Maxim-Film G m b.H, Berlin SW 68, Friedrichstr. 19.
Meyenfilm, Aberingenieur Fritz Meyer, Berlin-Charlottenburg, 2 Knesebeckstr 28
Minerva Tonfilm G.m.b.H., Berlin SW 68 Friedrichstr. 224.
Minzloff, Hans L., Berlin-Mariendorf, Rathausstr. 69
Meteor-Film G m b H. Berlin NW 7, Unter den Linden 24.
Missionsfilm e.G.m b H., Berlin O 27, Alexanderstr. 45.
Moldaval Tobis-Cinema Film, Berlin, W 8 Mauerstrasse 43.
Naturfilm Hubert Schonger, Berlin SW 11, Anhalter Str. 7.
Nehrke - Kurztonfilm - Produktion, Kurt, Berlin SW 68, Friedrickstr. 13.
Nerthus-Film Curt Haensel, Berlin NW 7 Unter den Linden 38.
Neuberger, Hans, Berlin SW 68, Friedrichstr. 8.
Neucophon - Tonfilm - Produktions-u Vertriebs-Ges.-m b H., Berlin W 8, Friedrichstr 181.
Neue Film-Komm-Ges. Erich Engels (N F. K.) Berlin W 15, Kurfuersendamm 32
Niemeier, Heinz, Berlin S 42, Ritterstr. 92
Nordmark-Film, Kulturfilme, Kiel, Tirpitzstr. 5.
Oertel Cust, Berlin-Schoeneberg, Meranerstr. 9.
Olympia-Film G.m.b H., Berlin SO 36, Harzer Str. 39.
Ondra-Lamac-Film G m b H, Berlin SW 68 Friedrichstr. 12.
Oppen, Paul, Berlin SW 68, Friedrichstr 238.
Pallas-Film G m.b.H., Berlin-Charlottenburg 2, Joachimsthaler St. 38.
Panorama-Film G.m.b.H., Berlin SW 68, Kochstr. 6-7.
Patria-Film Produktion U. Vertrieb G m b.H., Berlin SW, Friedrichstr 19.
Paulmann, Friedrich, Berlin-Friedenau, Begasstr. 8.
Piel-"Ariel-Film"-Produktion, Harry, Berlin NW 7, Under den Linden 64.
"Prowerb" Der Deutsche Propaganda und Werbedienst G m.b.H., Berlin-Halensee, Kurfuerstendamm 153.
Puhlfuerst, Curt, Chemnitz, Bernbachplatz 4
Prag-Film, G m. b. H., Prague and Berlin.
Randolf Film G. m. b. H., Rolf, Berlin SW 68 Friedrichstr. 19.
Raschke Schmalfilm, Berlin NW 40, Werftstr. 1.
Rota, Berlin.
R N Film-Produktion G. m. b. H., Berlin W 62 Budapester Str. 3.
Scala Film-Produktions Ges. m. b H., Berlin W 15, Kurfuerstendamm 199
Schmeisser Trick und Werberfilm, Frank, Berlin SW 61, Bluecherstr. 13.
Schmid-Wildy, L & W Film, Ludwig, Muenchen 13, Schellingstr. 93.
Schmidt Delta Filmproduktions und Vertriebs, Ges. m. b. H., Hermann, Berlin W 15 Kurfuerstendamm 206-207.
Schulz & Wuellner Filmfabrikation und Vertrieb G. m. b. H., Berlin SW 68, Friedrichstr. 224.
Schumann, Curt, Berlin-Charlottenburg 9, Mecklenburg-Allee 6.
Schwab, Erich, Berlin-Charlottenburg, Carmerstr. 8.
Schwertfeger-Film, Berlin-Weissensee, Sedanstr. 47c.
Siegert-Film-Produktion, Chemnetz, Bretgasse 1.
"Sirius-Film" Fiedler & Siebert, Berlin SW 68 Friedrichstr. 23.
Siegel Monopol Film G m b H, Dresden A, Altmarket 4.
Sirius-Farbenfilm G. m b H., Berlin SW 68, Alexandrinenstr. 137.
Stark G. m b. H., Lother, Perlin W 50, Kalimbacker Str. 14.
Stier Dr. Ing. Friedrich, Berlin-Charlottenburg Hardenbergstr. 40.
Stier & Linke, Ges. m. b. H., Dr., Berlin NW 87 Lessingstr 18.
Stinecker-Film Aktiengesellschaft Berlin W 9, Schellingstr. 7.
Stoedtner-Film Dr F. Stoedtner, Wessenschaftliche Filme G. m. b. H., Berlin C 2 Kaiser Wilhelmstr. 55.
Sueva-Film G. m. b. H., Berlin W 8, Jaegerstr. 13.
Syndikatfilm, G. m. b. H., Berlin SW 68, Hedemannstrasse 21.
Super Film, Berlin.
Tobis-Film G. m. b. H., Berlin-Stuglitz, Dueppelstr. 3.
Tirra-Film A. G., Berlin W 8, Mauerstr. 83-84.
Tiller-Film Hans Tiller, Berlin W 8, Friedrichstr 173.
Tobis-Cinema Film A G, Berlin W 7, Mauerstr 43
Tobis-Europa Film A. G., Berlin SW 68, Friedrichstr. 207.
Tobis Melofilm Ges m. b. H., Berlin W 8, Mauerstr. 43.
"Tolirag" Ton und Lichtbild-Reklame A. G Berlin W 50, Kurfuerstendamm 236.
Tonfilm-Studio Carl Froelich & Co. O. H., Berlin Tempelhof Borussiastr. 45-49.
Tonlicht-Film G. m. b. H., Ostermayr, Berlin W 62, Wittenberghplatz 1.
Tonker-Film G. m. b. H., Luis, Berlin W 8, Friedrichstr. 194-199.
Triangel-Film G. m. b. H., Berlin SW 68, Friedrichstr. 12.
Trias-Film-Produktion G. m b. H., Berlin W 15 Meinekestr. 14.
Tuckfilmatelier Waechter, Berlin NW 87, Bruckenallee 31.
Ufaton & Nuess K. U. Filmproduktions und Vertriebs G. m. b. H., Berlin SW 68, Friedrichstr. 23.
Universum-Film A. G. "Uta", Berlin SW 19, Krausenstr. 38-39.
Universum Filmkunst, Berlin.
Wallis-Filmfabrikation, Erich, Berlin-Wilmersdorf Laubenheimer Platz 1.
Wehrum-Film, Berlin-Halensee, Halberstaedterstr. 4-5.
Westeuropaeische Film A. G., Berlin SW 68, Friedrichstr. 19.
Wien, G. m. b. H., Vienna, and Berlin.
Witt-Film G. m. b. H., Georg, Berlin SW 68, Hedemannstr. 14.
Woelffer Filmproduktions G. m. b. H., Hans, Berlin W 15, Kurfuerstendamm 206.
Zorn Schmalfilm, G. m b. H., Werner, Berlin W 50, Kurfuerstendamm 237.

[F. R. Doc 43-5023; Filed, April 1, 1943; 10:30 a. m.]

[Vesting Order 1049]

CONTRACT RIGHTS OF ETTORE BUGATTI

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ettore Bugatti of Molsheim, Bas-Rhin, France is a national of a foreign country (France);

2. Finding that said Ettore Buzatti has an interest in a certain license described in subparagraph 4 hereof;

3. Finding that the heirs, legal representatives and assigns, if any, of said Ettore Bugatti are national of a foreign country (France);

4. Finding that the property described as follows:

The interest of Ettore Bugatti, his heirs, legal representatives and assigns, and each of them, in and under a certain license granted to him by Goodyear-Zeppelin Corporation, Akron, Ohio, which license relates to an United States Patent Application Serial No. 88,687, filed June 5, 1936 (now United States Letters Patent No. 2,269,685), and is evidenced by a document executed on July 21, 1939 by said Goodyear-Zeppelin Corporation.

is property payable on held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a nation or nationals of a foreign country (France);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-5024; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1051]

CONTRACT RIGHTS OF KARL IMHOFF

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Karl Imhoff, a resident of Germany, is a national of a foreign country (Germany);

2. Finding that said Karl Imhoff has an interest in the agreement described in subparagraph 4 hereof;

3. Finding that the heirs, legal representatives and assigns, if any, of said Karl Imhoff are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

The interest of Karl Imhoff, his heirs, legal representatives and assigns, and each of them, in and under a certain agreement dated December 29, 1938, between said Karl Imhoff and The Dorr Company, Inc., a Delaware corporation, and relating among other things to United States Letters Patent No. 1,797,147, including all royalties or other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor.

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on

Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5025; Filed, April 1, 1943; 10:28 a. m.]

[Vesting Order 1052]

PATENT APPLICATIONS OF GALVANOCOR, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Galvanocor, A. G. is a corporation organized under the laws of Switzerland doing business at Bergdorf, Switzerland, and is a national of a foreign country (Switzerland);
2. Finding that said Galvanocor, A. G. is the record owner of the patent application described in subparagraph 3 hereof;
3. Finding, therefore, that the property described as follows:

Serial No.	Filing date	Inventor	Title
8[illegible] 422	3-[illegible]-40	T. Weinberger	Device for conveying wires through baths.

is property of a national of a foreign country (Switzerland);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5026; Filed, April 1, 1943; 10:28 a. m.]

[Vesting Order 1053]

CONTRACT RIGHTS OF FURUKAWA DENKIKOGYO KABUSHIKI KAISHA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Furukawa Denkikogyo Kabushiki Kaisha is a corporation organized under the laws of and having its principal place of business in Japan, and is a national of a foreign country (Japan);
2. Finding that said Furukawa Denkikogyo Kabushiki Kaisha has an interest in the contract described in subparagraph 4 hereof;
3. Finding that the successors and assigns, if any, of said Furukawa Denkikogyo Kabushiki Kaisha are nationals of a foreign country (Japan);
4. Finding, therefore, that the property described as follows:

The interest of Furukawa Denkikogyo Kabushiki Kaisha, its successors and assigns, and each of them, in, to and under a certain contract relating to patents, dated February 1, 1935, by and between said Furukawa Denkikogyo Kabushiki Kaisha and General Cable Corporation, a New Jersey corporation, and all amendments of and supplements to said contract including, but not by way of limitation, three letters dated February 7, 1935, April 2, 1935, and April 30, 1935, respectively, and all accrued royalties and other monies payable or held with respect to said interest, and all damages for breach of said contract together with the right to sue therefor,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5027; Filed, April 1, 1943; 10:29 a. m.]

[Vesting Order 1054]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement between it and The Goodyear Tire and Rubber Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of, and having its principal place of business in, Germany and is a national of a foreign country (Germany);
2. Finding that said I. G. Farbenindustrie Aktiengesellschaft has an interest in the agreement described in subparagraph 4 hereof;
3. Finding that the successors and assigns, if any, of said I. G. Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany);
4. Finding, therefore, that the property described as follows:

The interest of I. G. Farbenindustrie Aktiengesellschaft, its successors and assigns, and each of them, in and under a certain agreement dated November 5, 1936, by and between The Goodyear Tire and Rubber Company, a corporation of Ohio, and said I. G. Farbenindustrie Aktiengesellschaft, which

agreement relates to the United States Patent Applications Serial Nos. 688,437, 752,123, and 755,022, now United States Patents Nos. 2,173,809, 2,188,280 and 2,247,917 respectively,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interest held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5028; Filed, April 1, 1943; 10:28 a. m.]

[Vesting Order 1055]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with Hercules Powder Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany doing business at Frankfort-on-the-Main, Germany, and is a national of a foreign country (Germany);
2. Finding that said I. G. Farbenindustrie Aktiengesellschaft has an interest in the agreement described in subparagraph 4 hereof;
3. Finding that the successors and assigns, if any, of said I. G. Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany);
4. Finding, therefore, that the property described as follows:

The interest of I. G. Farbenindustries Aktiengesellschaft, its successors and assigns, and each of them, in and under an agreement dated June 28, 1940, by and between Hercules Powder Company, a Delaware corporation, and the said I. G. Farbenindustrie Aktiengesellschaft, relating, among other things, to United States Letters Patent No. 1,921,856, pertaining to the manufacture of hydrogen and carbon monoxide from gaseous hydrocarbons, including all royalties and other monies payable or held with respect to said interest, and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5029; Filed, April 1, 1943; 10:28 a. m.]

[Vesting Order 1056]

PATENT OF VICTOR MORITZ GOLDSCHMIDT AND INTEREST IN AN AGREEMENT RELATING TO PATENTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Victor Moritz Goldschmidt, a resident of Oslo, Norway, is a national of a foreign country (Norway);
2. Finding that said Victor Moritz Goldschmidt is the owner of the property described in subparagraph 4 hereof;
3. Finding that the heirs, administrators, executors and assigns, if any, of said Victor Moritz Goldschmidt are nationals of a foreign country (Norway);
4. Finding, therefore, that the property described as follows:

a. All right, title and interest in and to the following United States Letters Patent, which stands of record in the United States Patent Office in the name of said Victor Moritz Goldschmidt, including all royalties and all damages recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

Patent number	Date of issue	Inventors	Title
1,9[illegible]6,094	9-12-33	Victor Moritz Goldschmidt, Gottingen and Karl Siedentopf, Frankfort-on-the-Main, Germany.	Process of manufacturing highly refractory products.

b. The interest of Victor Moritz Goldschmidt, his heirs, administrators, executors and assigns, and each of them, in and under an agreement relating to patents, dated April 25, 1934, between said Victor Moritz Goldschmidt and Harbison-Walker Refractories Company, a Pennsylvania corporation, subject to and including all amendments thereof and supplements thereto including, but not by way of limitation, an agreement dated October 31, 1935 between said Victor Moritz Goldschmidt and said Harbison-Walker Refractories Company and a letter dated October 28, 1940 addressed to said Harbison-Walker Refractories Company and signed by Victor Moritz Goldschmidt, and all royalties and other monies payable or held with respect to said interest and all damages for breach of said agreement and the amendments thereof and supplements thereto, together with the right to sue therefor,

is property of or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Norway);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an ap-

propriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5030; Filed, April 1, 1943; 10:28 a. m.]

[Vesting Order 1057]

BADISCHE ANILIN & SODA FABRIK AND I. G. FARBENINDUSTRIE A. G.

Re: Interest of Badische Anilin & Soda Fabrik and I. G. Farbenindustrie A. G. in an agreement relating to United States Patent Number 1,557,844.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Badische Anilin & Soda Fabrik is, or if it has ceased to exist was, a corporation organized under the laws of and having its principal place of business in Germany, and is (or, if it has ceased to exist, was) a national of a foreign country (Germany);

2. Finding that I. G. Farbenindustrie A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

3. Finding that I. G. Farbenindustrie A. G. is the successor in business of Badische Anilin & Soda Fabrik;

4. Finding that said Badische Anilin & Soda Fabrik had, and I. G. Farbenindustrie A. G. has, an interest in the agreement described in subparagraph 6 hereof;

5. Finding that the successors and assigns, if any, of said Badische Anilin & Soda Fabrik and I. G. Farbenindustrie A. G. are nationals of a foreign country (Germany);

6. Finding, therefore, that the property described as follows:

The interests of Badische Anilin & Soda Fabrik and I. G. Farbenindustrie A. G., their successors and assigns, and each of them, in and under an agreement dated April 20, 1921 between said Badische Anilin & Soda Fabrik, Adolf Kuttroff and Rohm & Haas Company, a Delaware corporation, which agreement relates, among other things, to Patent Application Serial No. 395,127, which subsequently matured into Patent No. 1,557,844, including all royalties and other monies payable or held with respect to said interests and all damages for breach of said agreement, together with the right to sue therefor,

is propery payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5031; Filed, April 1, 1943; 10:29 a. m.]

[Vesting Order 1058]

CONTRACT RIGHTS OF FRANZ MEIWALD AND SIEMENS & HALSKE A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Franz Meiwald is a resident of Vienna, Germany, and is a national of a foreign country (Germany);

2. Finding that Siemens & Halske A. G., is a corporation organized under the laws of Germany doing business at Berlin-Siemensstadt, Germany, and is a national of a foreign country (Germany);

3. Finding that the heirs, executors, administrators and assigns, if any, of said Franz Meiwald are nationals of a foreign country (Germany);

4. Finding that the successors and assigns, if any, of said Siemens & Halske A. G. are nationals of a foreign country (Germany);

5. Finding that said Franz Meiwald and Siemens & Halske A. G. have interests in the agreement described in subparagraph 6 hereof;

6. Finding, therefore, that the property described as follows:

The interest of Franz Meiwald, his heirs, executors, administrators and assigns, and each of them, and the interest of Siemens & Halske A. G., its successors and assigns, and each of them, in and under a certain agreement between the said Franz Meiwald and Associated Electric Laboratories, Inc., a Delaware corporation, dated November 2, 1935, and recorded in the assignment records of the United States Patent Office on November 21, 1935, in Liber Z 164, page 124, which agreement relates among other things, to United States Letters Patent No. 1,978,501, including all royalties and other monies payable or held with respect to said interests and all damages for the breach of the said agreement together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5032; Filed, April 1, 1943; 10:29 a. m.]

[Vesting Order 1059]

TRADE-MARK "L'OFFRANDE" AND REGISTRATION THEREOF OWNED BY PETER MUELHENS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Peter Muelhens, whose last known address is Cologne, Germany, is a national of a foreign country (Germany);

2. Finding that Peter Muelhens is the owner of the property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

The trade-mark registered in the United States Patent Office on March 13, 1923 under the number 165,585 (the title to which stands of record in the name of Peter Muelhens, of Cologne, Germany) and the registration thereof, together with the good will of the business in the United States and all its possessions to which the trade-mark is appurtenant and any and all indicia of such good will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment) and any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good will and trade-mark and registration thereof, including without limitation all accrued royalties payable or held with respect to said trade-mark and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

is property in which a national of a foreign country (Germany) has an interest;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5033; Filed, April 1, 1943; 10:29 a. m.]

[Vesting Order 1062]

PATENT INTEREST OF ERNST WEISSE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ernst Weisse is a resident of Berlin-Steglitz, Germany, and a national of a foreign country (Germany);

2. Finding that said Ernst Weisse is the owner of an interest in the patent described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

All right, title and interest in and to an undivided 3/5ths (60%) interest, which stands of record in the United States Patent Office in the name of Ernst Weisse, in and to United States Letters Patent No. 2,080,352, dated May 11, 1937, Inventor Ernst Weisse, for Optical Instrument, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property payable or held with respect to a patent in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5034; Filed, April 1, 1943; 10:30 a. m.]

[Vesting Order 1144]

ESTATE OF GAUDENZIO EUSEBIO TAVASCI

In re: Estate of Gaudenzio Eusebio Tavasci, also known as Gaudenzio E. Tavasci, G. E. Tavasci and Joe Tavasci, deceased; File D–38–1171; E.T. sec. 3234.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor of the estate of Gaudenzio Eusebio Tavasci, also known as Gaudenzio E. Tavasci, G. E. Tavasci and Joe Tavasci, deceased, Margherita Tavasci, Salvatore Tavasci, Tranquillo Tavasci, Tilda Tavasci and Lea Tavasci, in the possession of the Bank of America National Trust and Savings Association, Executor, Los Angeles, California, and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Executor, administrator, next of kin and heirs at law, names unknown of Bernardo Tavasci, deceased	Italy.
Margherita Tavasci	Coloredo, Gordona, Province of Sondrio, Italy.
Salvatore Tavasci	Coloredo, Gordona, Province of Sondrio, Italy.
Tranquillo Tavasci	Coloredo, Gordona, Province of Sondrio, Italy.
Tilda Tavasci	Coloredo, Gordona, Province of Sondrio, Italy.
Lea Tavasci	Coloredo, Gordona, Province of Sondrio, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash in the sum of $7,000.00, the property of the executor, administrator, next of kin and heirs at law, names unknown, of Bernardo Tavasci, deceased, Margherita Tavasci, Salvatore Tavasci, Tranquillo Tavasci, Tilda Tavasci and Lea Tavasci, in the possession of the Bank of America National Trust and Savings Association, Executor, Los Angeles, California,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and interests and any

[Order 8 Under MPR 20]

(d) This order shall become effective

Articles for Military Purposes; Docket No. 3157–46.

this order has been issued simultaneously herewith and has been filed with the

subject to adjustment at any time by the Office of Price Administration

Such property, and interests and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5035; Filed, April 1, 1943; 10:30 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Revocation of Order 11 Under MPR 169]

JONES COUNTRY VEAL

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 11 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts; Docket No. 3169-66.

Order No. 11 to Maximum Price Regulation No. 169, as amended, effective November 2, 1942, is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4893; Filed, March 30, 1943; 3:47 p. m.]

[Revocation of Order 18 Under MPR 169]

EARL H. SCHURR

ORDER GRANTING ADJUSTMENT

Order No. 18 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts; Docket No. 3169-43.

Order No. 18, to Maximum Price Regulation No. 169 as amended, effective November 28, 1942, is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4894; Filed, March 30, 1943; 3:48 p. m.]

[Order 8 Under MPR 20]

UNIVERSAL METAL & SMELTING CORP.

ORDER GRANTING EXCEPTION

Order No. 8 under Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1309.70 (g) (4) of Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) Universal Metal & Smelting Corp., of Brooklyn, N. Y., may pay and any person may charge Universal Metal & Smelting Corp., the premiums for No. 1 Copper Wire and No. 1 Heavy Copper, No. 1 Tinned Copper Wire and No. 1 Tinned Heavy Copper, Copper Borings, and No. 2 Copper Wire and Mixed Heavy Copper in briquettes or in crucible shape, provided for in § 1309.70 (d) (1) (i) of Maximum Price Regulation No. 20.

(b) The terms used in this order shall have the meaning given them by Maximum Price Regulation No. 20.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective as of March 22, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4924; Filed, March 31, 1943; 4:44 p. m.]

[Order 9 Under MPR 20]

HIGH DUTY BRONZE AND ALUMINUM, INC.

ORDER GRANTING EXCEPTION

Order No. 9 under Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1309.70 (g) (4) of Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) High Duty Bronze and Aluminum, Inc., of Seattle, Washington, may pay and any person may charge High Duty Bronze and Aluminum, Inc., the premiums for No. 1 Copper Wire and No. 1 Heavy Copper, No. 1 Tinned Copper Wire and No. 1 Tinned Heavy Copper, copper borings, and No. 2 Copper Wire and mixed heavy copper in briquettes or in crucible shape, provided for in § 1309.70 (d) (1) (i) of Maximum Price Regulation No. 20.

(b) The terms used in this order shall have the meaning given them by Maximum Price Regulation No. 20.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective as of March 22, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4985; Filed, March 31, 1943; 4:44 p. m.]

[Order 31 Under MPR 152]

GREEN VALLEY FOOD PRODUCTS, INC.

APPROVAL OF MAXIMUM PRICE

Order No. 31 Under Maximum Price Regulation No. 152—Canned Vegetables.

Approval of maximum price for Green Valley Food Products, Incorporated, 606 West Wisconsin Avenue, Milwaukee, Wisconsin.

The Green Valley Food Product, Incorporated, 606 West Wisconsin Avenue, Milwaukee, Wisconsin, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of fancy quartered beets in sixteen ounce glass containers.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered that:*

(a) The Green Valley Food Products, Incorporated, may sell, offer to sell or deliver and any person may buy, offer to buy or receive fancy quartered beets packed in sixteen ounce glass containers at a maximum price of $1.02 per dozen f. o. b. factory.

(b) This Order No. 31 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Green Valley Food Products, Incorporated shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended shall be applicable to the terms used herein.

(e) This order shall become effective on April 1, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4989; Filed, March 31, 1943; 4:44 p. m.]

[Order 23 Under MPR 157]

BROAD BROOK COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 23, under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes; Docket No. 3157-46.

On February 2, 1943, the Broad Brook Company of Broad Brook, Connecticut, filed an application under Maximum Price Regulation No. 157 for adjustment of its maximum prices on O. D. Woolen Blankets—Type I, 66" x 84", All Foreign Wool, which it has contracted to deliver to the Philadelphia Quartermaster Depot against Contract W 699 qm—24667. Due consideration has been given to said application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Broad Brook Company may sell and deliver to the Quartermaster Corps of the United States Army or to any other war procurement agency of the United States Government the following commodity at a price not in excess of the following price:

$7.00 per blanket for 60,000 O. D. woolen blankets—Type I, 66" x 84", all foreign wool, which it has contracted to deliver to the Philadelphia Quartermaster Depot against Contract W 699 qm—24667.

(b) With respect to deliveries of the commodity described in paragraph (a) on and after February 5, 1943, the Broad Brook Company may receive payments under Maximum Price Regulation No. 157 at a price not exceeding $7.00 per blanket.

(c) This Order No. 23 shall apply only to the deliveries of 60,000 O. D. woolen blankets—Type I, 66" x 84", all foreign wool, made under Contract W 699 qm—24667.

This order shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4988; Filed, March 31, 1943; 4:44 p. m.]

RIVER MILLS, INCORPORATED

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 13 under § 1410.119 of Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabrics.

The River Mills, Incorporated of Fall River, Massachusetts, made application under § 1410.119 of Maximum Price Regulation No. 163 for authorization to determine maximum prices for its fabrics, style numbers 700, 800, 1600 and 600. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

(a) On and after April 1, 1943, the River Mills, Incorporated may sell and any person may buy from the River Mills, Incorporated the fabrics specified hereinbelow at prices not in excess of the following applicable maximum prices:

Style No. of fabric	Specifications	Maximum price (per yard)
700	Covert type of fabric; 57-58 inches in width; 16-16½ ounces in weight; 59 ends; 38 picks; 62-64's wool; 3¼ run; stock dyed blend	$3.00
800	Covert type of fabric 57-58 inches in width; 14-14½ ounces in weight; 54 ends; 36 picks; 3¼ run; 62-64's wool; stock dyed blend	2.77
1600	Flannel suiting; 57-58 inches in width; 12½-13 ounces in weight; 38 ends; 38 picks; 62-64's wool, 3¼ run, stock dyed blend	2.625
600	Flannel suiting; 57-58 inches in width; 12½-13 ounces in weight; 45 ends; 38 picks; 62-64's wool; 3¼ run; stock dyed blend	2.625

(b) If decorations are added to such fabrics, the maximum prices therefor established in paragraph (a) of this order shall be increased or decreased in accordance with the provisions of paragraph (h) of § 1410.102 of Maximum Price Regulation No. 163.

(c) The maximum prices established in paragraph (a) of this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 13 may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4986; Filed, March 31, 1943; 4:43 p. m.]

[Amendment 1 to Order 1 Under MPR 177]

JOSEPH H. COHEN & SONS VANITY CLOTHES, INC.

ORDER GRANTING MAXIMUM PRICES

Amendment 1 to Order No. 1[1] under § 1389.118 (c) of Maximum Price Regulation 177[2]—Men's and Boys' Tailored Clothing; Docket No. 3177-1.

The opinion in support of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 1 under § 1389.118 (c) of Maximum Price Regulation 177 is amended in the following respects:

(1) Paragraph (h) is amended by substituting the date "September 30, 1943" in place of the date "March 31, 1943."

(2) Paragraph (i) is amended to read as follows:

(i) List of materials:

[1] 7 F. R. 7983.

[2] 7 F.R. 5182, 7475, 6792, 7100, 7944, 8940, 9000, 8940, 8948.

Mill	Fabric	Yardage	Price
Santa Isabella	Urrutia Grey Birdseye	1,309	$3.92
	Urrutia Blue Birdseye	1,218	3.92
	Urrutia Brown Birdseye	1,306	3.92
Busqueta	Derby 49	824	3.495
	Derby 47	295	3.495
	Derby 22	1,748	3.495
	Derby 21	811	3.495
	Derby 79	122	3.495
	Derby 44	154	3.495
	Derby 122	1,168	3.495
	Derby 43	48	3.495
	Derby 75	121	3.495
	Derby 113	41	3.495
	Derby 74	42	3.495
El Nuevo Mundo	Oxford 175 x	21	3.952
	Oxford 276	171	3.952
	Oxford 80	26	3.952
	Oxford 363	24	3.952
	Oxford 12	29	3.952
	Oxford 247	69	3.952
	Oxford 151	24	3.952
	Oxford 272	66	3.952
San Ildefonso	Popotillo Azul	1,500	4.012
	Popotillo Cafe	102	4.012
	Vicuna Azul x	2,457	4.026
	Vicuna Cafe x	1,187	4.026
	Vicuna Azul	45	4.026
	Vicuna Cafe	163	4.026
Santiago	Urrutia Azul	3,319	3.65
	Urrutia Cafe	511	3.65
El Palacio de Hierro	Londres 180	45	4.033
	Londres 42	200	4.033
	Londres 58	127	4.033
	Londres 95	200	4.033
	Londres 163	164	4.033
	Londres 80	41	4.033
	Londres 86	39	4.033
	Londres 130	214	4.033
	Londres 133	41	4.033
	Londres 189	129	4.033

Mill	Fabric	Yardage	Price
San Ildefonso	Royal 4	835	$5.859
	Royal 4A	1,991	5.859
	Royal 11	886	5.859
	Royal 21A	661	5.859
	Royal 51C	172	5.859
	Royal 20	77	5.859
	Royal 51	2,196	5.859
	Royal 28	20	5.859
	Marcella 53	297	3.88
	Marcella 52	117	3.88
	Marcella 51D	58	3.88
	Marcella 51B	548	3.88
	Marcella 52B	748	3.88
	Marcella 52C	250	3.88
	Marcella 53A	240	3.88
	Marcella 52A	710	3.88
	Marcella 51E	777	3.88
	Marcella 53C	252	3.88
	Marcella 25856	940	3.88
	Marcella 25857	715	3.88
	Marcella 49	965	3.88
	Marcella 55	1,044	3.88
	Marcella 9	1,161	3.88
	Marcella 25802	750	3.88

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4997; Filed, March 31, 1943; 4:58 p. m.]

[Order 10 Under MPR 244]

CHEMUNG FOUNDRY CORPORATION

ADJUSTMENT OF MAXIMUM PRICES

Order No. 10 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 1244-1-P.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration: *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Chemung Foundry Corporation. (a) On and after November 16, 1942, Chemung Foundry Corporation is hereby authorized to sell, offer to sell and deliver gray iron castings of the following descriptions to the following purchasers, and said purchasers are hereby authorized to buy, offer to buy and receive said castings, at prices not in excess of the following maximum prices, f. o. b. Elmira, New York:

Purchaser	Description of castings	Maximum prices (cents per lb.)
Shepard Niles Crane & Hoist Corporation, Montour Falls, N. Y.	Castings for cranes, hoists and electric motors.	1 to 25 lbs ..... .09 26 to 250 lbs ..... .085 251 to 500 lbs ..... .08 501 to 1,000 lbs ..... .075 1,000 lbs. up ..... .07
International Business Machines Corporation, Endicott, N. Y.	Castings for accounting machines	1 to 50 lbs ..... .09 51 to 100 lbs ..... .085 101 lbs. up ..... .0725
The Hilliard Corporation, Elmira, N. Y.	Power transmission equipment castings (mechanical) and oil reclaimer castings.	1 to 25 lbs ..... .0875 26 to 50 lbs ..... .0825 51 to 500 lbs ..... .0775 501 lbs. up ..... .0675
Ward LaFrance Truck Division, Elmira, N. Y.	Heavy Army M-1 wrecker castings (alloy)	..... .105

(b) The permission herein granted to the Chemung Foundry Corporation is subject to the following condition: Said Company shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., the following documents all prepared in accordance with recognized accounting principles and submitted under oath or affirmation: (1) Monthly profit and loss statements covering its gray iron castings operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (2) monthly profit and loss statements covering its over-all operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (3) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the first calendar quarter of 1943; (4) statements of its average per pound price for gray iron castings sold each month and its average per pound costs for the gray iron castings sold, said statements to be filed within thirty days after the close of each month beginning with the month of March 1943; (5) the profit and loss statements filed pursuant to (1) and (2) of this paragraph must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profits taxes: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

This Order No. 10 shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4998; Filed, March 31, 1943; 4:59 p. m.]

[Order 14 Under RPS 53]

SPENCER KELLOGG AND SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 14 under Revised Price Schedule No. 53—Fats and Oils.

Establishing Maximum Prices for Spencer Kellogg and Sons, Incorporated, Buffalo, New York, on its "Kellko" Brand of shortening.

On November 12, 1942, Spencer Kellogg and Sons, Incorporated, Buffalo, New York, filed an application for adjustment of its maximum price on its Kellko shortening. On November 30, it filed a supplemental application, and on February 15, 1943, it filed additional information by letter.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53, *It is hereby ordered:*

(a) The maximum delivered price of Spencer Kellogg and Sons, Inc.'s Kellko shortening, in that area defined in § 1351.151 (b) (12) (viii) as North, shall be the following prices:

	Cents per lb.
Kellko shortening, in packages	10
Kellko shortening, in bulk	11

(b) The provisions of §§ 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this order for Kellko.

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

This Order No. 14 shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4987; Filed, March 31, 1943; 4:44 p. m.]

[Order 3 Under Supp. Order 9]

RAY-O-VAC COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 3 under § 1305.12 of Supplementary Order No. 9—Commodities or Services under Government Contracts—Application for Adjustment of Maximum Prices.

Granting adjustment of maximum prices for sales of Models BA-32 and BA-41 Batteries by Ray-O-Vac Company to the United States Army.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Ray-O-Vac Company, Madison, Wisconsin, is authorized to sell and deliver to the United States Government or any agency thereof, and to any person who holds a contract or subcontract under which the batteries are to be supplied for the ultimate use of the United States Government, the following batteries at price per unit, f. o. b. factory, no higher than those set forth below:

Model:	*Price*
BA-32	$3.33
BA-41	1.80

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

This Order No. 3 shall become effective on the 6th day of April 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-4983; Filed, March 31, 1943; 4:44 p. m.]

[Restriction Order 1]

MEAT RESTRICTION ORDER

TRANSFER OF ADMINISTRATION TO DEPARTMENT OF AGRICULTURE

NOTE: For text of joint order of Office of Price Administration and Department of Agriculture transferring from the former to the latter the administration of Restriction Order 1 see page 4151 of this issue.

Regional Office, Region I.

[Amendment 5 to Emergency Order 5 Under RO 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (c) (13) of Emergency Order No. 5 is amended to read as follows:

(c) *Order.* * * *

(13) *Effective period.* Emergency Order No. 5 shall terminate at 12:00 p. m., April 2, 1943 unless extended by further order.

Effective date of Amendment 5. Amendment 5 to Emergency Order No. 5 shall be effective at 12:00 p. m., March 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125; 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 23d day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-4930; Filed, March 30, 1943; 5:04 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-72 and 59-66]

STANDARD GAS AND ELECTRIC COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

Correction

Footnote 3 appearing on page 3801 of the issue for Saturday, March 27, 1943 should read as follows:

[3] As of December 31, 1941, Standard Power and Light Corporation also owned the following other securities of Standard and its subsidiaries:

	Amount or No. of shares owned
Standard Gas and Electric Company, 20-year, 6% Gold Notes, due 1948	$328,000
Standard Gas and Electric Company, 6% Convertible Gold Notes, due 1948	216,000
Standard Gas and Electric Company, 6% Gold Debentures, Series A, due 1951	146,000
Standard Gas and Electric Company, 6% Debentures, due 1957	6,000
Standard Gas and Electric Company, 6% Gold Debentures, Series B, due 1966	98,000
Standard Power and Light Corporation, 6% Gold Debentures, due 1957	179,000
Standard Gas and Electric Company, Prior Preference Stock, $7 Cum	40,751.30 shs.
Louisville Gas & Elec. Co., Common Class B Stock	1,980 shs.
Mountain States Power Co. Common Stock	1,267.65 shs.
Philadelphia Company, Common Stock	9,750 shs.
Southern Colorado Power Company, Common Class A Stock	23,570 shs.

[File No. 70-687]

THE RAILWAY AND BUS ASSOCIATES

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1943.

Sale of securities by registered holding company or subsidiary; sale to associate companies or affiliates; Declaration concerning sale of securities to issuing affiliate at substantially the current market price permitted to become effective, the Commission observing no basis for adverse findings. Appearances: David I. Bursten, for the Public Utilities Division of the Commission; Carlos L. Israels, for The Railway and Bus Associates.

The Railway and Bus Associates, an indirect subsidiary of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, a registered holding company, has filed a declaration concerning a proposed sale by the declarant to Syracuse Transit Corporation (hereafter referred to as "Syracuse"), an affiliate, of $211,300 principal amount of Syracuse Transit Corporation Thirty-Year Non-cumulative Income Notes, due September 1, 1969. The securities are to be sold at 80, the total consideration amounting to $169,040.

After appropriate notice, a public hearing was held. No member of the public has objected to the proposal.

The acquiring company is also an indirect subsidiary of the Trustees of Associated Gas and Electric Corporation, by reason of the declarant's ownership of 7,845 shares of common stock, which comprises 12.76% of the voting securities of Syracuse.[1] However, an application under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that the company is not a subsidiary is presently pending before this Commission. Under the provisions of section 2 (a) (8), the filing of such an application in good faith exempts the applicant from any obligation, duty or liability imposed by the Act upon the applicant as a subsidiary until the Commission has acted upon such application.

The net income of Syracuse for the year ended December 31, 1942, amounted to $249,703, which represents a substantial increase over the net incomes for the preceding years. Net income amounted to $153,829 for 1941 and $19,580 for 1940. This large increase may, however, be ascribed to the abnormal conditions created by the war.

The securities being sold are not listed on any securities exchange but are actively traded over-the-counter. The proposed sale is at approximately the present market price, as judged from the over-the-counter sales at the time of the agreement, as well as since that date.

Section 12 (f) of the Act and Rule U-43 promulgated thereunder are applicable to the transaction. In the light of the standards and requirements of section 12 (f) and Rule U-43, we have examined the conditions of the proposed sale, including the consideration to be

[1] An order of this Commission dated August 13, 1942 (Denis J. Driscoll and Willard L. Thorp, as Trustees, Holding Company Act Release No. 3729), directed the Trustees of Associated Gas and Electric Corporation to divest themselves of all direct and indirect interest in Syracuse (among others).

received, accounts, costs, disclosures of interest, maintenance of competitive conditions, and similar matters; and we observe no basis for adverse findings.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4961; Filed, March 31, 1943; 2:56 p. m.]

[File No. 70-566]

WEST TEXAS UTILITIES CO. AND THE MIDDLE WEST CORP.

ORDER EXTENDING TIME FOR PURCHASE OF SECURITIES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of March, A.D. 1943.

On January 25, 1943, this Commission, after a public hearing, issued its order with respect to a combined application and declaration, as amended, filed by West Texas Utilities Company and The Middle West Corporation regarding a proposed offer by West Texas Utilities Company to purchase all the outstanding securities of Pecos Valley Power & Light Company. Said application was granted and said declaration was permitted to become effective subject to certain conditions.

The purchase offer became effective January 30, 1943 for a thirty-day period and, at the option of the company, was subsequently extended to and including March 30, 1943. It is represented that at the close of business on March 27, 1943, 92.40% of the outstanding First Mortgage Bonds, 91.03% of the outstanding Income Debentures and 89.94% of the outstanding Common Stock of Pecos Valley Power & Light Company had been deposited pursuant to the terms of said offer.

The offer as made by the applicant provided that West Texas Utilities Company had the right at its option to purchase all securities offered if at least 90% of the principal amount of the bonds, 90% of the principal amount of the debentures and 80% of the shares of common stock of Pecos Valley Power & Light Company were deposited pursuant to such offer. Such percentages having been deposited, West Texas Utilities Company has elected to purchase all the securities deposited.

West Texas Utilities Company has filed its supplemental application requesting an extension of the period within which it may purchase the securities in question to June 30, 1943. The company represents that due to illness, absence in the military service and for other reasons, several holders of the securities of Pecos Valley Power & Light Company are unable to accept the offer and to deposit their securities prior to the expiration date of the offer, and that holders of substantial amounts of the bonds and debentures will deposit their securities pursuant to said offer if the same be extended for a reasonable period.

It appearing appropriate to the Commission that such request be granted for the period from March 30, 1943 to June 30, 1943;

It is ordered, That the period within which West Texas Utilities Company may purchase the outstanding securities of Pecos Valley Power & Light Company be and the same is hereby extended to and including June 30, 1943, subject to the same conditions imposed by our order of January 25, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS.
Secretary.

[F. R. Doc. 43-4963; Filed, March 31, 1943; 2:56 p. m.]

[File No. 70-10]

INTERNATIONAL UTILITIES CORPORATION

ORDER PERMITTING WITHDRAWAL OF APPLICATION AND DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of March, A. D. 1943.

International Utilities Corporation, a registered holding company under the Public Utility Holding Company Act of 1935, having filed on March 14, 1940, an application and a declaration under sections 7 and 11 (g) of said Act seeking this Commission's approval of a plan of reorganization and the solicitation of proxies in connection therewith; and

International Utilities Corporation having requested leave of the Commission to withdraw its application and declaration; and

It appearing to the Commission that the withdrawal thereof would not be detrimental to the public interest or the interests of investors or consumers;

It is ordered, That the request of International Utilities Corporation to withdraw said application and declaration be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-4962; Filed, March 31, 1943; 2:56 p. m.]

[File No. 70-692]

ROCHESTER TRANSIT CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of March 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Rochester Transit Corporation, an indirect subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of the Estate of Associated Gas and Electric Corporation, a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Rochester Transit Corporation proposes to expend up to the sum of $200 000 for the purpose of acquiring its Twenty-year Secured 4½% Income Notes, Series A, due September 1, 1958, which acquisition will be accomplished by notice to the holders of said securities to tender them for sale to Rochester Transit Corporation at the office of The Marine Midland Trust Company, as its agent, at 120 Broadway, New York, New York.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter, and that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matter under the applicable provisions of said Act and rules of the Commission thereunder be held on April 13, 1943, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application or declaration (or both) shall become effective or be granted. Notice is hereby given of said hearing to the above named declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of the Commission on or before April 8, 1943, an appropriate request or application to be heard as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of issues presented by said application or declaration (or both) otherwise to be considered in this proceeding, particular attention will be directed in this hearing to the following matters and questions:

1. Whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations or orders promulgated thereunder.

2. Whether terms and conditions are necessary to be imposed to insure compliance with the provisions of said Act or rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5006; Filed, April 1, 1943; 9:42 a. m.]

[File No. 70-680]

PANHANDLE EASTERN PIPE LINE CO., ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of March 1943.

In the matter of Panhandle Eastern Pipe Line Company, Illinois Natural Gas Company, and Michigan Gas Transmission Corporation.

Panhandle Eastern Pipe Line Company and its two wholly-owned subsidiaries, Illinois Natural Gas Company and Michigan Gas Transmission Corporation, all non-utility companies, having filed a joint declaration and application and amendments thereto under sections 9, 10, 12(b) and 12(c) and Rules U-42 and U-45 of the Public Utility Holding Company Act of 1935 for approval of the merger of the three companies upon the following basis: (a) Panhandle Eastern Pipe Line Company to acquire all the assets and assume the liabilities of Illinois Natural Gas Company and Michigan Gas Transmission Corporation; (b) Panhandle Eastern Pipe Line Company to surrender to Illinois Natural Gas Company and Michigan Gas Transmission Corporation for cancellation and retirement, all of their respective stock and Michigan's indebtedness; (c) Illinois Natural Gas Company and Michigan Gas Transmission Corporation thereupon to dissolve; and

Public hearings having been held after appropriate notice and the Commission having examined the record and made and filed its findings and opinion herein;

It is ordered, That said applications and declarations, as amended, be and they hereby are granted and permitted to become effective, subject, however, to compliance with the terms and conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5007; Filed, April 1, 1943; 9:42 a. m.]

[File Nos. 54-64; 59-60]

INDIANA HYDRO-ELECTRIC POWER CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March 1943.

In the matter of Indiana Hydro-Electric Power Company, File No. 54-64; Indiana Hydro-Electric Power Company, Hugh M. Morris, Trustee of the Estate of Midland United Company, File No. 59-60.

Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan of recapitalization of said Indiana Hydro-Electric Power Company; and the Commission having issued, on December 23, 1942, an order for hearing on such plan, and an order instituting proceedings and for hearing under sections 11 (b) (2), 15 (f), and 20 (a) with respect to Indiana Hydro-Electric Power Company and Hugh M. Morris, Trustee of the Estate of Midland United Company; and said order having consolidated the matters for hearing, and the Commission by further order, dated February 6, 1943, having designated April 5, 1943, as the date for public hearing in the consolidated matters embraced by the said order of December 23, 1942; and

Hugh M. Morris, Trustee of the Estate of Midland United Company, having requested that the hearing in this matter be postponed for a period of thirty days; and the Commission having considered said request and deeming it appropriate that said request be granted and that the hearing be postponed to May 10, 1943;

It is ordered, That the hearing in this matter previously scheduled for April 5, 1943, be and hereby is postponed to May 10, 1943, at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5008; Filed, April 1, 1943; 9:42 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 31, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	38534	South Texas Peacock Military Academy, San Antonio, Tex.	San Antonio, Texas	3/18/43
P-19-e	13993-e	Texas State Highway Dept., Austin Tex.	SN-FAP 215(3), SN-FAP 215-B-(2).	3/18/43
P-19-e	18533-e	Connecticut State Hwy. Dept., Hartford Conn.	Groton, Conn, SN-FAP 133-C(1).	3/15/43
P-19-h	44809	F. W. A., Washington, D. C.	Harrison Co., Gulfport, Miss. (WPW 22-179).	3/17/43
P-19-e	20617-e	Connecticut St. Hwy. Dept., Hartford Conn	Groton, Conn., SN-FAP 72-B(1).	3/15/43
P-19-e	19596-e	Connecticut St. Hwy. Dept., Hartford, Conn.	Groton, Conn., SN-FAP 72-C(1).	3/15/43

[F. R. Doc. 43-4952; Filed, March 31, 1943; 11:23 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 66

Washington, Saturday, April 3, 1943

The President

EXECUTIVE ORDER 9323

AMENDMENT OF EXECUTIVE ORDER No. 8809 OF JUNE 28, 1941, ESTABLISHING THE GOOD CONDUCT MEDAL

Executive Order No. 8809 of June 28, 1941, establishing the Good Conduct Medal,[1] is hereby amended to read as follows:

"By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Army and Navy of the United States, it is ordered as follows:

"There is hereby established the Good Conduct Medal, which shall include suitable appurtenances. Such medal may be awarded for exemplary behavior, efficiency, and fidelity, under such regulations as the Secretary of War shall prescribe, to those enlisted men of the Army of the United States who on or after August 27, 1940, had or shall have honorably completed three years of active Federal military service, or who after December 7, 1941, have or shall have honorably served one year of active Federal military service while the United States is at war."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 31, 1943.

[F. R. Doc. 43-5071; Filed, April 1, 1943; 2:15 p. m.]

EXECUTIVE ORDER 9324

AMENDING THE MANUAL FOR COURTS-MARTIAL, UNITED STATES ARMY (1928)

By virtue of the authority vested in me by Chapter II of the act entitled "An Act to amend an Act entitled 'An Act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920 (41 Stat. 759, 787), and as President of the United States, the Manual for Courts-Martial, United States Army (1928), hereinafter referred to as the Manual, is hereby amended as follows:

1. The second subparagraph of paragraph 14 of the Manual is amended to read:

"Under the authority of A. W. 13 commissioned officers and persons of equivalent relative or assimilated rank are hereby excepted from the jurisdiction of special courts-martial."

2. The last sentence in the second subparagraph of paragraph 85*a* of the Manual is amended to read:

"These notes may be destroyed after final disposition of the case under A. W. 48, 50½, or 51."

3. Paragraph 87*b* of the Manual is amended by inserting the words "and privates first class" after the words "noncommissioned officers" in the seventh line of the second subparagraph.

4. Paragraph 87*c* of the Manual is amended by striking out the last sentence of the third subparagraph, and by changing the first subparagraph to read:

"*c Disposition of record and related matters.—General Court-Martial.* The record, with the decisions and orders of the reviewing authority thereon, will be transmitted, ordinarily without letter of transmittal, direct to The Judge Advocate General of the Army. With the record will be forwarded the accompanying papers (see 85), six authenticated copies of the order, if there be any, promulgating the result of the trial, and two signed copies of the review of the staff judge advocate. In cases involving more than one accused an additional copy of the order of promulgation, if any, will be forwarded for each additional accused. This applies equally to cases in which the sentence is suspended under A. W. 51, but where action by a confirming authority other than the President is necessary, the record, etc., will be transmitted to such authority. Where the order of execution is withheld under A. W. 50½, the reviewing authority will, before forwarding the record, take therefrom the data necessary for drafting a general court-martial order, and when

(Continued on next page)

[1] 6 F R 3209.

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FEDERAL REGISTER

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such order is issued the same number of copies thereof will be forwarded as in the case of an order not so withheld."

5. Paragraph 91 of the Manual is amended by striking out the last two sentences and inserting in lieu thereof the following:

"Special and summary court records shall be retained in the office of the staff judge advocate until notification is received that their destruction has been authorized under the provisions of the act of August 5, 1939, 53 Stat. 1219, or that The Judge Advocate General of the Army has authorized their storage elsewhere."

6. Paragraph 94 of the Manual is amended by striking out the second subparagraph.

7. Paragraph 96 of the Manual is amended by striking out the second subparagraph and inserting in lieu thereof the following:

"Any officer of any component of the Army of the United States on active duty in Federal service commissioned in or assigned or detailed to duty with the Judge Advocate General's Department, any staff judge advocate or acting staff judge advocate, the President of a general or special court-martial, any summary court-martial, the trial judge advocate or any assistant trial judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant, assistant adjutant, or personnel adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and shall also have the general powers of a notary public in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents and all other forms of notarial acts to be executed by persons subject to military law. (A. W. 114.)

"A warrant officer serving as assistant adjutant of any command has power to administer oaths for all purposes of military administration. (Sec. 4, act of Aug. 21, 1941, 55 Stat. 653)"

8. Paragraph 103*d* of the Manual is amended by inserting the words "or private first class" after the words "noncommissioned officer" and before the comma in the third line, and after the words "noncommissioned officer" in the seventh line.

9. Paragraph 125 of the Manual is amended by adding to the fourth subparagraph the words "the seal of The Adjutant General's Office;", and by inserting the following subparagraph after the ninth subparagraph thereof:

"The seal of The Adjutant General's Office on a certificate is *prima facie* evidence that the signature thereon is that of The Adjutant General or one of his assistants."

10. Paragraph 129 of the Manual is amended by deleting from the fourth subparagraph of the subparagraph entitled "Proof" the sentence reading "As to who are such assistants reference may be had to the Army List and Directory."

11. Paragraph 155 of the Manual is amended by striking out the words "The Adjutant General" in the third line and inserting in lieu thereof the words "The Judge Advocate General".

12. Appendix 4 of the Manual is amended by inserting "(per os) (per anum)" immediately after the word "connection" in the third line of Form 98.

13. Appendix 10, paragraph *a*, of the Manual is amended by inserting the words "In violation of Article of War 61," immediately after the comma before the words "is approved" in the third line of Form 4, and by inserting the words "and will be duly executed" after the word "approved" and before the comma in the first line of Form 6.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 31, 1943.

[F. R. Doc. 43-5070; Filed, April 1, 1943; 2:15 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 27, Amendment 1]

PART 1410—LIVESTOCK AND MEATS

PERMIT REQUIRED FOR SLAUGHTER

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, Food Distribution Order 27, § 1410.4 (8 F.R. 2785), issued by the Secretary of Agriculture on March 5, 1943, is amended as follows:

1. By amending the caption of (b) thereof to read as follows:

(b) *Permits required for slaughter.*

2. By amending (b) (1) thereof to read as follows:

(1) Notwithstanding the terms of any contract, agreement, or commitment, no person except persons registered pursuant to the provisions of Meat Restriction Order No. 1, as amended,[1] shall slaughter any livestock for delivery of meat unless he has a valid and effective permit issued under this order at the time of such slaughter, except that a farm slaughterer may deliver meat from livestock slaughtered for home consumption, upon obtaining a permit subsequent to such slaughter authorizing such delivery.

3. By amending (e) (9) thereof to read as follows:

(9) The Director may issue regulations authorizing regional, State, or county agencies of the United States Department of Agriculture, including State or county United States Department of Agriculture War Boards, to adjust the quotas for any butcher or farm slaughterer in the following cases:

(i) In any area in which the Director determines that adjustments for butchers or farm slaughterers are needed because the total quantity of meat available is insufficient to fill ration requirements and that the quantity of livestock available for slaughter exceeds the quantity that may be slaughtered within the quotas of all classes of slaughterers, or

(ii) In any instance in which the slaughter of any butcher or farm slaughterer in the corresponding period of 1941 was not normal for him.

4. By adding at the end of (e) thereof the following new provision:

(10) Any person receiving a permit pursuant to the provisions of paragraph (b) of this order, as amended, who was not engaged in the business of slaughtering livestock for the entire year of 1941, or who began slaughtering livestock for the purpose of delivering meat after December 31, 1941, and prior to April 1, 1943, and who is not registered as a slaughterer pursuant to the provisions of Meat Restriction Order No. 1, as amended, may be assigned a temporary quota or quota base by the agency issuing the permit pending the establishment of such permanent quota or quota base as the Director may deem just and equitable, upon consideration of (i) the volume of livestock slaughtered by the applicant during the period which he has engaged in business, (ii) the availability of facilities for slaughtering, (iii) the amount of meat necessary for civilian consumption in the area, and (iv) the extent to which his operations may promote the public health and the efficiency of the war effort. No such person shall slaughter any livestock until he has been assigned a temporary or permanent quota or quota base. The temporary or permanent quota or quota base assigned to such person, together with a consideration of any facts disclosing whether such person is chiefly engaged in producing agricultural products as a resident operator of a farm, shall determine whether he shall be classed as a local slaughterer, butcher, or farm slaughterer for the purposes of Food Distribution Order 27, as amended.

This order shall become effective at 12:00 o'clock midnight on March 31, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Issued this 1st day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5148; Filed, April 2, 1943; 11:55 a. m.]

[FDO 44]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON THE SALE OF SPECIFIED CANNED FISH AND CANNED SHELLFISH

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of canned fish and canned shellfish to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1465.20 *Allocation and restriction on sales of 1943 pack of canned fish and canned shellfish*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "canner" means any person engaged in the business of canning fish or canning shellfish in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "pack" means the total amount, by net weight, of all grades of fish and shellfish enumerated in groups 1 to 9, inclusive, in (b) (1) hereof, packed by any canner during the period from April 1, 1943, to February 29, 1944, inclusive.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(5) The term "governmental agency" means the Food Distribution Administration or any other agency or instrumentality of the United States designated by the Director.

(6) The term "delivery to governmental agencies" means the transfer of title of the canned fish or canned shellfish to any governmental agency; and such delivery may be evidenced by exe-

[1] 7 F.R. 7839; 8 F.R. 3201, 3328, 3372, 3416.

cution of bill of lading, receipt, or other document acceptable to the Director or the designated governmental agency.

(b) *Restrictions on canners.* (1) No canner after April 1, 1943, may sell or deliver any part of his pack of the fish and shellfish, enumerated in this paragraph, packed by the respective canner at any time from April 1, 1943, to February 29, 1944, inclusive, except as permitted by the provisions of this order. The fish and shellfish, included in this order, are, by groups, as follows:

Group 1—Salmon: Red, sockeye or blueback (Oncorhynchus nerka); Pink (Oncorhynchus gorbuscha); Silver, silverside, medium red, or coho (Oncorhynchus kisutch); Chum or keta (Oncorhynchus keta); King, chinook or spring (Oncorhynchus tschawytscha); Steelhead, or steelhead trout (Salmo irideus and S. Clarki, sometimes called S. Gairdneri).

Group 2—Pilchard: Sardinia caerulea, by whatever name known, including sardines.

Group 3—Sea herring: Atlantic (Clupea harengus), by whatever name known, including sardines.

Group 4—Mackerel: Atlantic (Scomber scombrus); Pacific (Pneumatorphorus japonicus diego).

Group 5—Horse mackerel: Pacific (Trachurus symmetricus).

Group 6—Shrimp: (Peneus setiferus and Peneus brasiliensis).

Group 7—Tuna: Albacore, or white-meat (Germo alalunga); Yellowfin, or light-meat (Neothunnus macropterus); Skip jack, or striped (Katsuwonus pelamis, sometimes called Euthynnus pelamis); Bluefin, or leaping (Thunnus thynnus, sometimes called Thunnus saliens).

Group 8—Yellowtail: (Seriola dorsalis).

Group 9—Bonito: (Sarda chiliensis).

(2) Each canner may deliver to governmental agencies the quotas, but not in excess of such quotas specified in (b) (3) hereof, of the canned fish and canned shellfish, listed in (b) (1) hereof, packed at any time by such canner during the period from April 1, 1943, to February 29, 1944, inclusive.

(3) The following percentages by net weight are hereby established as each canner's quota percentages for sale to governmental agencies, of his pack of each species of fish and shellfish enumerated, by groups, in (b) (1) hereof, packed by such canner:

55 percent of each of the groups 1 to 6, inclusive; and 60 percent of each of the groups 7 to 9, inclusive.

(4) The Food Distribution Administration is hereby allocated the quantities prescribed in (b) (3) of this order, and authorized to purchase, for governmental requirements, those quantities, designated as each canner's quota, and such other and further quantities as may be allocated to it from time to time.

(5) Any canner who, during any period from April 1, 1943, to February 29, 1944, inclusive, has delivered to governmental agencies the quota of his pack, stated in (b) (3) hereof, of any species of any group of canned fish and canned shellfish listed in (b) (1) hereof, may deliver to persons other than governmental agencies the remainder of his pack of such species, packed in that period; and such remainder of the pack may be delivered by such canner in advance of delivery of his quota to governmental agencies if so authorized by the Director.

(6) The Director may issue specifications at any time as to the packing of the canned fish or canned shellfish, the containers, container treatment, can marking, labeling, boxing, and strapping in connection therewith, or he may authorize any governmental agency to issue such specifications. Any person subject to the provisions of this order shall comply with any such specification, issued by the Director or authorized governmental agency, applicable to the canned fish or canned shellfish processed by such person.

(c) *Inspection and grading.* Any canned fish and canned shellfish required to be set aside under this order shall be subject to inspection and grading at any time by the Director or any governmental agency.

(d) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of canned fish and canned shellfish and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(f) *Applicability of order.* Any person doing business in one or more of the 48 States, the District of Columbia, or the Territory of Alaska, is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any other Territory or Possession of the United States with respect to such business.

(g) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(i) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD–44.

(j) *Effective date.* This order shall take effect on April 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 1st day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–5107; Filed, April 1, 1943; 4:50 p. m.]

[FDO 45]

PART 1491—BEANS AND PEAS

RESTRICTIONS ON THE SALE OR DISTRIBUTION OF BEANS, PEAS, AND SPLIT-PEAS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of beans, peas, and split-peas to meet war and essential civilian needs, *It is hereby ordered*, as follows:

§ 1491.1 *Restrictions on sales and distribution of beans, peas, and split-peas*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "beans" means dry threshed beans of the following classes, as defined in the United States Standards for Beans, as revised, effective September 1, 1941: Pea beans; Great Northern beans; Small White beans; Flat Small White beans; Light Red Kidney beans; Dark Red Kidney beans; Western Red Kidney beans; Cranberry beans; Small Red beans; Pink beans; Pinto beans; Baby Lima beans; and Lima beans.

(2) The term "peas" means dry threshed peas of the following classes, as defined in the United States Standards for Dry Peas, as revised, effective July 20, 1937: Alaska; Scotch Green; White Canada; First and Best; and Marrowfat.

(3) The term "split-peas" means split-peas of the following classes, as defined in the United States Standards for Split-peas, effective August 10, 1937: Green split-peas and Yellow split-peas.

(4) The term "producer" means any person who grows or produces beans or peas for his own account or for the joint account of himself and another.

(5) The term "first owner" means (i) any person who owns, on the effective date hereof, beans, peas, and split-peas, in an amount exceeding 10,000 pounds, which he has purchased from a producer or producers; and (ii) with respect to beans, peas, or split-peas acquired during any calendar month after the effective date hereof, a person shall, during any calendar month, be a "first owner" if his purchases or sales of beans, peas, and split-peas, during the respective calendar month, exceeds 5,000 pounds.

(6) The term "processor" means any person who cleans, polishes, splits, or otherwise processes or prepares beans, peas, or split-peas for sale or delivery in the dry uncooked state, whether for his own account or the joint account of himself and another; and such includes, but is not necessarily limited to, producer cooperatives and associations, but does not include commission merchants or brokers who do not acquire title in or to the beans, peas, or split-peas thus handled. A person shall not, however, be considered as a "processor" during the calendar month of April 1943, unless his purchases or sales during March 1943 exceeded 5,000 pounds of beans, peas, and split-peas; and with respect to beans, peas, or split-peas acquired during any calendar month after April, 1943, a person shall, during any such calendar month, be considered as a "processor" only if his purchases or sales of beans, peas, and split-peas, during the respective calendar month, exceeds 5,000 pounds.

(7) The term "person" means any individual, partnership, corporation, association, or other business entity.

(8) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(9) The term "governmental agency" means the Food Distribution Administration, the Army, the Navy, the Marine Corps, the Coast Guard, the Veterans Administration, the War Shipping Administration, or any other agency or instrumentality of the United States designated by the Director.

(b) *Restrictions on processors and first owners.* (1) Each processor and first owner, respectively shall set aside and hold for delivery to a governmental agency at least 55 percent of all beans of each of the classes listed in (a) (1) hereof as to which he is or becomes the processor or first owner during each respective calendar month.

(2) Each processor and first owner, respectively, shall set aside and hold for delivery to a governmental agency at least 60 percent of all peas of each of the classes listed in (a) (2) hereof as to which he is or becomes the processor or first owner during each resspective calendar month.

(3) Each processor and first owner, respectively, shall set aside and hold for delivery to a governmental agency at least 60 percent of all split-peas of each of the classes listed in (a) (3) hereof as to which he is or becomes the processor or first owner during the first calendar month after the effective date of this order.

(4) The beans, peas, or split-peas, respectively, set aside pursuant to the provisions hereof shall be of U. S. No. 2 grade or better, as specified in the United States Standards for the respective commodity.

(5) The beans, peas, or split-peas set aside pursuant to the provisions hereof may be offered for sale by the processor or first owner at no more than the ceiling price or ceiling prices established by the Office of Price Administration, to a governmental agency in response to announcements or notices issued by such agency to the effect that offers for the beans, peas, or split-peas will be received on specified dates.

(6) The restrictions hereof shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or deliveries of beans, peas, or split-peas made prior to the effective date hereof. This order shall not, however, be construed as reducing the amount of beans, peas, or split-peas which any person is required to offer or to deliver under any existing contract made with a governmental agency, but any quantity of a particular class of beans, peas, or split-peas required to be delivered, after the effective date of this order, to any governmental agency pursuant to a contract, entered into prior to the effective date hereof, shall be allowed as a credit to such person in determining the quantity of the respective class of beans, peas, or split-peas required to be offered to a governmental agency pursuant to the provisions hereof.

(7) *Seed beans and peas excepted.* Nothing herein shall be construed as applying to beans and peas sold and delivered on or before June 30, 1943, exclusively for seed purposes, in compliance with State and Federal seed laws.

(c) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of beans, peas, and split-peas, respectively, and the premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Applicability of order.* Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or Possession of the United States with respect to such business.

(f) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 USC 1940 ed. 80), under Paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all applicable laws.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD 45.

(i) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(j) *Effective date.* This order shall take effect on April 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 1st day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–5108; Filed, April 1, 1943; 4:50 p. m.]

[FDO 46]

PART 1460—FATS AND OILS

COCOANUT, BABASSU, AND PALM KERNEL OILS SET ASIDE

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, and to assure an adequate supply and efficient distribution of cocoanut, babassu, and palm kernel oils to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.11 *Cocoanut, Babassu and Palm Kernel Oils; required to be set aside*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "cocoanut, babassu, and palm kernel oils" means crude, refined, bleached, or deodorized cocoanut, babassu, and palm kernel oils and the content of such oils in mixtures, blends, fatty acids, and soap stocks of which such oils are a part, as well as the fatty acids of such oils in mixtures or blends of fatty acids, and soap stocks.

(2) The term "oil bearing materials" means copra and other seeds and nuts from which cocoanut, babassu, and palm kernel oils are obtained.

(3) The term "import" means to bring into the continental United States. An

importation with respect to any cocoanut, babassu, and palm kernel oils or

by the provisions of AR 410–5.' (R.S. 3, 52 Stat. 112; 15 U.S.C., sec. 45b)

4. That chicks from each of respond-

importation with respect to any cocoanut, babassu, and palm kernel oils, or oil bearing materials, shall be deemed to have been completed upon the physical discharge of such oils or oil bearing materials from a vessel at a continental United States port, or the arrival of such oils or oil bearing materials in the continental United States by rail or otherwise.

(4) The term "person" means any individual, partnership, corporation, association, or other business entity.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Withholding of cocoanut, babassu, and palm kernel oils.* (1) Every person who, after the effective date of this order, shall import cocoanut, babassu, or palm kernel oils, in the form of oil or contained in oil bearing materials, shall set aside and hold intact 25% of such imports.

(2) No person shall use, put in process, sell, or deliver all or any part of the inventory or imports required to be set aside and held intact pursuant to paragraphs (b) (1) or (3) hereof, or Supplementary Order M-60-a, of the War Production Board (7 F.R. 7311), except on express instruction of the Director or as provided in paragraphs (b) (3), (b) (4), or (b) (5) hereof.

(3) Notwithstanding the provisions of paragraphs (b) (1) and (b) (2) hereof, any consignee of cocoanut, babassu, and palm kernel oils and oil bearing materials imported into the United States may deliver all of such oils or oil bearing materials to any person who contracted to purchase such oils or oil bearing materials prior to their importation. The person receiving such oils or oil bearing materials shall reserve 25% thereof as provided in paragraph (b) (1) hereof.

(4) Nothing contained in paragraphs (b) (1) and (b) (2) hereof shall prevent any person from selling all or any part of his reserved oils to the Commodity Credit Corporation.

(5) Oil required to be set aside shall be reserved, insofar as possible, in the form of crude whole oil; if the oil reserved cannot be set aside in the form of crude whole oil, it shall be set aside in the form of refined, bleached, or deodorized whole oil which has not been further processed by pressing or hydrogenation. Holders of oil bearing materials who do not have sufficient crude whole oil or refined oil as heretofore described shall crush (or have crushed) sufficient oil bearing materials to furnish the necessary reserve in the form of crude oil.

(6) The restrictions of this order concerning the use, processing, sale, and delivery of cocoanut, babassu, and palm kernel oils and oil bearing materials shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(c) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise owned or controlled by the same person.

(d) *Records and resports.* (1) Each person who, by reason of paragraphs (b) (1) or (b) (3) hereof or Supplementary Order M-60-a of the War Production Board (7 F.R. 7311), is, or was, required to set aside a portion of his inventory or imports of cocoanut, babassu, and palm kernel oils and oil bearing materials shall file a report with the Director of Food Distribution, United States Department of Agriculture, setting forth the amount, grades, and location of such inventory or imports and the amount, grades, and location of the oils and oil bearing materials set aside by him. Such a report with respect to inventories or imports set aside pursuant to Supplementary Order M-60-a, shall be filed within 10 days after the effective date of this order. The report required hereunder with respect to oils or oil bearing materials set aside pursuant to paragraph (b) (1) hereof, shall be filed within 10 days after such oils or oil bearing materials are imported, and the report required with respect to oils or oil bearing materials set aside pursuant to paragraph (b) (3) hereof, shall be filed within 10 days after such oils or oil bearing materials are delivered by the consignee to the person contracting for the purchase of such oils or oil bearing materials prior to their importation.

(2) Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(e) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of cocoanut, babassu, and palm kernel oils, and oil bearing materials and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD 46.

(j) *War Production Board Supplementary Order M-60-a superseded.* This order supersedes in all respects Supplementary Order M-60-a, issued by the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Supplementary Order M-60-a, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Supplementary Order M-60-a shall be considered under paragraph (g) hereof.

(k) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(l) *Effective date.* This order shall be effective on April 1, 1943, 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 1st day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5109; Filed, April 1, 1943; 4:50 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

REQUESTS FOR MILITARY INFORMATION

Section 5.5 (a) is amended as follows:

§ 5.5 *Requests for military information.* (a) All requests from private individuals, firms, or corporations and Federal or State agencies or departments for classified military information (except those requests defined under paragraphs (b) and (c) of this section) are governed by the provisions of AR 410-5.[1] (R.S. 161; 5 U.S.C. 22) [Par 14*a*, AR 380-5, September 28, 1942, as amended by C8, February 24, 1943]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5126; Filed, April 2, 1943; 9:44 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4696]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ERDLEY HATCHERIES, ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others:* § 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—In general.* In connection with offer, etc., in commerce, of respondent's baby chicks, and on the part of respondent Erdley, his agents, etc., and among other things, as in order set forth, representing, directly or by implication, that respondent is a member of the Colorado Poultry Improvement Board, or is participating in the National Poultry Improvement Plan, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Erdley Hatcheries, et al., Docket 4696, March 27, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government endorsement:* § 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—In general:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (l) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (ee 5) *Advertising falsely or misleadingly—Tests and investigations:* § 3.18 *Claiming indorsements or testimonials falsely.* In connection with offer, etc., in commerce, of respondent's baby chicks, and on the part of respondent Erdley, his agents, etc., and among other things, as in order set forth, representing, directly or by implication, (1) that respondent's hatchery is approved by the United States Government, or that respondent's baby chicks are hatched from eggs produced by a flock approved by the United States Government, when such is not the fact; (2) that respondent's baby chicks are "check tested", unless adequate check tests are in fact made; and (3) that chicks from each of respondent's parent flocks are brooder tested for health and livability, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Erdley Hatcheries, et al., Docket 4696, March 27, 1943]

§ 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—In general:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering.* In connection with offer, etc., in commerce of respondent's baby chicks, and on the part of respondent Montgomery Ward & Co., its officers, etc., and among other things, as in order set forth, representing, directly or by implication, that respondent's baby chicks are from flocks approved by the United States Government, or that they are hatched in hatcheries approved by the United States Government, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Erdley Hatcheries, et al., Docket 4696, March 27, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D., 1943.

In the Matter of John F. Erdley, an Individual Trading as Erdley Hatcheries, and Montgomery Ward & Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent John F. Erdley (no answer having been filed by respondent Montgomery Ward & Company), testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent John F. Erdley, individually and trading as Erdley Hatcheries, or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's baby chicks in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That respondent is a member of the Colorado Poultry Improvement Board, or is participating in the National Poultry Improvement Plan, when such is not the fact.

2. That respondent's hatchery is approved by the United States Government, or that respondent's baby chicks are hatched from eggs produced by a flock approved by the United States Government, when such is not the fact.

3. That respondent's baby chicks are "check tested," unless adequate check tests are in fact made.

4. That chicks from each of respondent's parent flocks are brooder tested for health and livability, when such is not the fact.

It is further ordered, That respondent Montgomery Ward & Company, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's baby chicks in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

That respondent's baby chicks are from flocks approved by the United States Government, or that they are hatched in hatcheries approved by the United States Government, when such is not the fact.

It is further ordered, That the respondents shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5139; Filed, April 2, 1943; 11:30 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter I—United States Employees' Compensation Commission

Subchapter E—Extension of the Longshoremen's and Harbor Workers' Compensation Act to Persons Engaged in Employment at Military, Air and Naval Bases, Upon Lands Occupied and Used for Military or Naval Purposes, or Under Public Works Contracts, Outside Continental United States

REVISION OF SUBCHAPTER

PART 51—GENERAL ADMINISTRATIVE PROVISIONS

Sec.
51.1 General administrative provisions.
51.2 Establishment of compensation districts.
51.3 Establishment of sub-offices; filing of reports, notices, claims, and other papers.
51.4 Prehearing conferences.
51.5 Commutation of payments in cases of aliens and non-nationals of the United States.

AUTHORITY: §§ 51.1 to 51.5, inclusive, issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939, as made applicable to military, air and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208, 77th Cong., as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

§ 51.1 *General administrative provisions.* (a) Except as herein modified, the regulations in Subchapter C of this chapter, governing the administration of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424; 33 U.S.C. Chapter 18), shall so far as not inapplicable govern the administration of Public Law No. 208, 77th Con-

[1] Administrative regulations of the War Department relative to litigation.

gress, approved August 16, 1941, as amended (42 U.S.C. 1651; 55 Stat. 622), extending the Longshoremen's and Harbor Workers' Compensation Act to persons engaged in employment at military, air, and naval bases, upon lands occupied and used for military or naval purposes, or under public works contracts, outside continental United States, and every person subject to, claiming benefits under, or acting under, the said Public Law, as amended, shall conform to the procedure prescribed in the Longshoremen's and Harbor Workers' Compensation Act and in the regulations under Subchapter C and this subchapter. The term "Commission" as used in this subchapter means the United States Employees' Compensation Commission.

(b) The said Public Law No. 208, as amended, applies in respect to the injury or death of any employee engaged in any employment (1) at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government; or (2) upon any lands occupied or used by the United States for military or naval purposes in any Territory or possession outside the continental United States (including Alaska; the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone); or (3) upon any public work in any Territory or possession outside the continental United States (including Alaska; the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone), if the employee is engaged in employment at such place under the contract of a contractor (or any subcontractor or subordinate contractor with respect to the contract of such contractor) with the United States (but excluding any employee of such contractor or subcontractor who is engaged exclusively in furnishing materials or supplies under his contract); or (4) under a contract entered into with the United States or any executive department, independent establishment, or agency thereof (including any corporate instrumentality of the United States), or any subcontract or subordinate contract with respect to such contract, where such contract is to be performed outside the continental United States and at places not within the areas above described under (1), (2) and (3), for the purpose of engaging in public work (but excluding any employee of such contractor or subcontractor who is engaged exclusively in furnishing materials or supplies under his contract). Such Public Law, as amended, applies with respect to injuries occurring during employment at such places, irrespective of the place where the injury or death occurs, and includes any injury or death occurring to any such employee during transportation to or from his place of employment, where the employer or the United States provides the transportation or the cost thereof.

(c) The term "public work" as used in (3) and (4), paragraph (b) of this section means any fixed improvement or any project involving construction, alteration, removal, or repair for public use of the United States or its Allies, including but not limited to projects in connection with the war effort, dredging, harbor improvements, dams, roadways, and housing, as well as preparatory and ancillary work in connection therewith at the site or on the project. A "contractor," as used in the same reference, means any individual, partnership, corporation, or association, and includes any trustee, receiver, assignee, successor, or personal representative thereof.

(d) The said Public Law, as amended, does not apply in respect to the injury or death of (1) an employee subject to the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (39 Stat. 742; 5 U.S.C. 751–793), as amended; (2) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, or profession of the employer; or (3) a master or member of a crew of any vessel. (Certain other exclusions with respect to any employee of a contractor, engaged exclusively in furnishing materials or supplies, are referred to under (3) and (4), paragraph (b) of this section.)

§ 51.2 *Establishment of compensation districts.* (a) Pursuant to the provisions of section 39 (b) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1442; 33 U.S.C. 939 (b)) and section 3 (a) of said Act of August 16, 1941 (Public Law 208, 77th Congress), as amended, the Commission hereby establishes the following compensation districts and extends the following existing compensation districts established under the regulations in § 31.2, Subchapter C, of this chapter:

(1) *Caribbean District.* This district comprises the West Indies, Central and South America, and the Canal Zone, with headquarters at San Juan, Puerto Rico.

(2) *Pacific District.* This district comprises all land areas in the Pacific Ocean south of the 45th degree north latitude, with headquarters at Honolulu, T. H.

(3) *Foreign District.* This district comprises the areas outside continental United States not included in any compensation district herein established, with headquarters at New York, N. Y.

(4) *District No. 1.* This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Canada east of the 75th degree west longitude, Newfoundland and Greenland, with headquarters at Boston, Massachusetts.

(5) *District No. 2.* This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Bermuda, with headquarters at New York, N. Y.

(6) *District No. 10.* This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Canada west of the 75th degree and east of the 110th degree west longitude, with headquarters at Chicago, Illinois.

(7) *District No. 14.* This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include all land areas in the Pacific Ocean north of the 45th degree north latitude, Canada west of the 110th degree west longitude, and Alaska, with headquarters at Seattle, Washington.

(b) In the administration of such Act of August 16, 1941 (Public Law No. 208, 77th Congress), as amended, and as administrative exigencies from time to time require, the Commission by administrative order may establish areas outside the United States (or change or modify any areas so established), whether or not they are included within an established compensation district, designating them as "jurisdictional areas", and include such areas within the jurisdiction of any compensation district, and the deputy commissioner thereof, as established by paragraph (a) hereof, or as established by § 31.2 of the regulations in Subchapter C of this chapter, for the administration of such Public Law by the deputy commissioner.

§ 51.3 *Establishment of sub-offices: filing of reports, notices, claims, and other papers.* (a) As administrative exigencies from time to time require, the Commission may by administrative order establish within compensation districts (or jurisdictional areas of such districts) under said Act of August 16, 1941, as amended, a sub-office or sub-offices in each such district (or area thereof), to be in charge of an assistant deputy commissioner, claims examiner or other designated person, who shall be under the administrative supervision of the deputy commissioner for the particular compensation district.

(b) Where a sub-office or sub-offices have been established by the Commission pursuant to this section, report by the employer of injury or death, notice of injury or death, claim for compensation, and application for review of a compensation case as required, respectively, under §§ 31.3, 31.4, 31.5 and 31.15 of the regulations in Subchapter C of this chapter, together with all correspondence and supplementary or other reports relative thereto, in a case arising within the area served by such sub-office, may be filed at the sub-office of the deputy commissioner for such place. Reports in cases arising at other places within a compensation district or jurisdictional area of such district may be filed with the deputy commissioner in charge thereof, at his headquarters.

(c) The files in individual cases arising within the area served by any such sub-office of the deputy commissioner shall remain at the sub-office until the case is closed, final action is taken, or the employee is transferred, after which they shall be sent to the headquarters of the deputy commissioner. All applications pertaining to benefits and other moving papers may be filed in such sub-office, if the case is pending in such sub-office, unless otherwise directed by the deputy commissioners. (Sec. 19 (a), 44 Stat. 1435; 33 U.S.C. 919 (a))

§ 51.4 *Prehearing conferences.* (a) In order to expedite and simplify formal administrative proceedings, in all cases

in which there are issues of fact or law, and, whenever practicable, no formal hearings will be set until after prehearing conferences. Such conferences may be held by the deputy commissioner, assistant deputy commissioner, a claims examiner or other person designated for such purpose by the deputy commissioner or the assistant deputy commissioner.

(b) The purposes of such prehearing conferences are (1) amicably to dispose of controversies wherever possible; (2) to narrow issues; and (3) to simplify the subsequent methods of proof.

(c) Prehearing conferences may be set upon ten days' notice to the parties in interest (or a longer period if the circumstances require, or shorter period if agreed upon by the parties). They shall be kept characteristically informal, and shall not be stenographically reported. It shall be the duty of the deputy commissioner, assistant deputy commissioner, claim examiner or other person in charge of the conference to guide the discussion toward the achievement of the purposes of such conference, giving the parties the benefit of his specialized knowledge and experience.

(d) At the termination of such conferences the person in charge thereof shall prepare stipulations, for the signatures of the parties, covering agreements as to all or part of the facts, admissions, narrowing of issues, or simplification of methods of proof. Such stipulations when signed by the parties in interest shall be made and become part of the formal record of the case. Where stipulations relate to evidence to be used at a later formal hearing, such evidence may then be received as such evidence and appropriately identified by marking such evidence, respectively, as claimant's or respondents' exhibits, consecutively numbered in each respect. At the termination of such a conference, the person in charge thereof shall prepare for the file in the case a memorandum setting forth the purpose for which the conference was held, the matters discussed and the results achieved. Should a conference terminate without complete achievement of the purpose thereof, and the remaining issue or issues be of such character as not to present a difficult basis for adjustment by amicable agreement of the interested parties, the person in charge, after review of the record of the case, may by letter addressed to the parties in interest make his recommendation to dispose of the matter in controversy, setting a date for reply thereto. Every such letter should advise the interested parties that the purpose thereof is to recommend a basis for agreement, upon such issue or issues, as appears from review of the information contained in the current record of the case, and that such recommendation is not a "decision" in the case and will not affect or prejudice the rights of any party, or the further adjustment of the case, should the recommendation not be accepted by such parties and a later hearing be found necessary. (Sec. 23 (b), 44 Stat. 1437; 33 U.S.C. 923 (b))

§ 51.5 *Commutation of payments in cases of aliens and non-nationals of the United States.* Applications under section 2 (b) of the said Act of August 16, 1941, as amended, for commutation of future installments of compensation payable to aliens and non-nationals of the United States, not residents of the United States or Canada, shall be made to the deputy commissioner, who shall in turn transmit such applications promptly to the Commission. Such commutation shall be made as of the date such application is received by the office of the deputy commissioner, whether addressed to him at his headquarters or at a sub-office within his district, or such later date as the application may show to be proper. No such commutation shall be made except upon the basis of a compensation order fixing the right of the beneficiary to compensation.

PART 52—AUTHORIZATION OF INSURANCE CARRIERS

Sec.
52.1 Applicants currently authorized to write insurance under other Federal workmen's compensation laws.
52.2 Workmen's compensation endorsement.
52.3 Report by carrier of issuance of policy or endorsement; form.
52.4 Report; by whom sent.
52.5 Agreement to be bound by card report.
52.6 Report by employer operating temporarily in another compensation district.
52.7 Name of one employer only shall be reported on one card.

AUTHORITY: §§ 52.1 to 52.7, inclusive, issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939, as made applicable to military, air, and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208, 77th Cong., as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

§ 52.1 *Applicants currently authorized to write insurance under other Federal workmen's compensation laws.* Any applicant currently authorized by the Commission to write insurance under the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424; 33 U.S.C. Chapter 18) or under the District of Columbia workmen's compensation law (45 Stat. 600; 19 D.C. Code, 11, 12) need not support its application with the evidence required by the regulations in Part 32, Subchapter C of this chapter, except the form of policy and endorsement which it proposes to use, unless specifically requested by the Commission, but instead its application may refer to the fact that it has been so authorized.

§ 52.2 *Workmen's compensation endorsement.* (a) The following form of endorsement applicable to the standard workmen's compensation and employers' liability policy shall be used with the form of policy approved by the Commission for use by an authorized carrier:

For attachment to Policy No. ———.

The obligations of paragraph one (a) of the Policy include the Longshoremen's and Harbor Workers' Compensation Act, being Public Law No. 803 of the 69th Congress, approved March 4, 1927, as extended by the provisions of the Act of Congress providing compensation for disability or death resulting from injury to persons employed at military, air, and naval bases and at certain other places, being Public Law No. 208 of the 77th Congress, approved August 16, 1941, and all laws amendatory thereof or supplementary thereto which may be or become effective while this policy is in force.

The Company will carry out the provisions of section 35 of said Act. Insolvency or bankruptcy of the employer and/or discharge therein shall not relieve the Company from payment of compensation and other benefits lawfully due for disability or death sustained by an employee during the life of the policy.

The Company agrees to abide by all the provisions of this Act and all lawful rules, regulations, orders, and decisions of the United States Employees' Compensation Commission and of the deputy commissioner, having jurisdiction, unless and until set aside, modified, or reversed by a court having jurisdiction of the parties and the subject matter.

This endorsement shall not be canceled prior to the date specified in this policy for its expiration until at least thirty days have elapsed after a notice of cancelation has been sent to the Commission, to the Deputy Commissioner, and to this employer.

All terms, conditions, requirements, and obligations expressed in this policy or in any other endorsement attached thereto which are not inconsistent with or inapplicable to the provisions of this endorsement are hereby made a part of this endorsement as fully and completely as if wholly written herein.

References to the law of any State in Conditions B and D of this policy are hereby declared to include for the purpose of this endorsement only, the provisions of the Longshoremen's and Harbor Workers' Compensation Act and the said Act of Congress approved August 16, 1941 (Public Law No. 208, 77th Congress), as amended.

(b) The following paragraphs may at the option of the insurer be included in the form of endorsement which is provided above. No other provision, alteration of any prescribed provision, or alteration of any optional provision shall be made or used in any such endorsement except after submission to the Commission and its specific approval thereof.

If this employer is a contractor the subject of whose contract includes operations covered by this policy and he shall sub-contract all or any part of such contract to one or more sub-contractors, the remuneration of all the direct employees of all such sub-contractors shall be included in the return of remuneration under the provisions of this policy upon which premium is computed. Such remuneration so reported shall be considered the remuneration of employees of this employer and shall in all instances be governed by the same terms, conditions, requirements, and obligations of the policy as the remuneration of the direct employees of this employer. The requirements of this paragraph shall not apply as respects any such sub-contractor who has secured compensation for his direct employees as required by the Longshoremen's and Harbor Workers' Compensation Act, but this employer shall not claim the benefit of this exemption unless and until he shall satisfy the company by certificate or otherwise that any such sub-contractor has legally secured the payment of compensation to his own direct employees and then only respecting any sub-contractor who has furnished such proof.

If the premium as determined in accordance with the provisions of the policy is less than $300, there shall be added thereto an expense constant of $10, unless such addition shall increase the premium to an amount in excess of $300, in which event only such part of the expense constant shall

be added as will bring the amount of the

the names and addresses of the employ-

mit to the deputy commissioner of such

discretion may require the applicant to

military, air, and naval bases outside the

be added as will bring the amount of the premium up to $300. Inclusion of the expense constant or any part thereof in the estimated advance premium is subject to final adjustment upon audit, all in accordance with the provisions hereof. The minimum premium of the policy includes the expense constant.

(c) In applying the regulations in Part 32 Subchapter C of this chapter as the regulations issued under this subchapter, all references to the Longshoremen's endorsement shall be construed as having reference to the workmen's compensation endorsement prescribed herein.

§ 52.3 *Report by carrier of issuance of policy or endorsement; form.* (a) A carrier which has executed the agreement provided for in § 52.5 shall report to the deputy commissioner assigned to a compensation district each policy and endorsement issued by it to an employer who carries on operations in such compensation district. The report shall be made upon a printed card to be provided by such carrier. Such card shall be 50 percent rag, light yellow, light weight, and 3 by 5 inches. The printing thereon shall be as follows:

Employer _____
Address _____
_____
Policy No. Dates of beginning and expiration

Report is made of the issue of approved form of policy and endorsement under Longshoremen's and Harbor Workers' Compensation Act, as extended to military, air and naval bases and other places by the Act of August 16, 1941, as amended.

_____ Insurance Company
By _____
Cancellation _____ _____
Effective date Date notice received by deputy

This card shall be sent to the Deputy Commissioner of the United States Employees' Compensation Commission for the compensation district indicated by the Employer's address.

(b) Each such carrier will print its name at the place indicated. The note at the bottom designating the place to which the card shall be sent should be in small type, about 6 point, and if desired this designation may be printed on the back of the card. The space below the word "employer" should be sufficient to allow two additional lines of typewriting and space should be left to allow two additional lines for typing below the word "address". The word "employer" should be about ¾ of an inch from the top margin. The line for cancellation date will be filled in only by the office of the deputy commissioner.

§ 52.4 *Report; by whom sent.* The report of issuance of a policy and endorsement provided for in § 52.3 shall be sent by the home office of the carrier to the deputy commissioner at his headquarters, except that any carrier may authorize its agency or agencies in any compensation district to make such reports to the deputy commissioner, provided the carrier shall notify the deputy commissioner in such district of the agent or agencies so duly authorized. The deputy commissioner in turn shall supply to his sub-offices current lists showing the policies so reported, giving the names and addresses of the employers, with the names of their respective carriers, the policy numbers and the dates of beginning and expiration of the policies. Similar current lists of cancelations shall also be furnished to sub-offices.

§ 52.5 *Agreement to be bound by card reports.* (a) Except as provided in this section, each employer shall present to the deputy commissioner in the compensation district in which he has operations, the policy which he has procured in compliance with section 32 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1439; 33 U.S.C. 932), as extended by the Act of August 16, 1941, as amended, covering his operations in such district. Any carrier desiring to do so may make such presentation of such policy unnecessary in any particular case by transmitting to the Commission an agreement signed by its President and Secretary (or other authorized officers in cases of foreign or mutual companies or State funds), in the following form, and making reports, accordingly, of the issuance of a policy in such particular case:

The _____ Insurance Company hereby agrees, in consideration of the acceptance by the United States Employees' Compensation Commission and its deputy commissioners of reports of issue of approved form of policy and endorsement under the Longshoremen's and Harbor Workers' Compensation Act as extended to military, air and naval bases and other places by the Act of August 16, 1941 (Public Law 208, 77th Congress), as amended, in the form prescribed by the Commission in § 52.3 of its regulations, that it will be liable, and hereby accepts the full liability expressed in the approved form of endorsement, under said law in all cases in which it has heretofore and may hereafter use the prescribed form of report to deputy commissioners and transmit the same to the proper deputy commissioner; the sending of such report of issue of policy to the deputy commissioner shall be accepted by the Commission and its deputy commissioners as conclusive evidence (1) of the issuance of a policy to the employer named in such report under the Act of August 16, 1941, as amended, in approved form and having attached an approved form of endorsement under applicable regulations of the Commission, and (2) of the effectiveness of such policy during the period as stated in such report; and it further agrees that such liability shall not be terminated prior to the expiration of the policy, except in case of cancelation, and then at the time and in the manner which is prescribed in said law, in the regulations of said Commission, and in the endorsement referred to.

(b) An insurance carrier desiring to withdraw from such agreement may do so upon giving 30 days notice to the Commission by registered mail.

§ 52.6 *Report by employer operating temporarily in another compensation district.* Where an employer having operations in one compensation district (or jurisdictional area of such district) contemplates engaging in work subject to the said Act of August 16, 1941, as amended, in another compensation district, a carrier which has executed the agreement provided for by § 52.5, and desires to report coverage as to work performed in such other district, may submit to the deputy commissioner of such latter district a report on the card form prescribed by § 52.3, containing the address of the employer in the first mentioned district with the additional notation "No present address in_____ compensation district. Certificate requested when address given."

§ 52.7 *Name of one employer only shall be reported on one card.* A separate report of the issuance of a policy and endorsement, provided for by § 52.3, shall be made for each employer covered by a policy. If a policy is issued insuring more than one employer, a separate card report for each employer so covered shall be sent to the deputy commissioner concerned, with the name of only one employer on each such report. Unless a card report is received by the deputy commissioner for a compensation district, the deputy commissioner shall regard an employer as an uninsured employer in the particular compensation district (except in cases where such employer is a duly authorized self-insurer, or the employer himself has presented a policy for inspection by the deputy commissioner).

PART 53—AUTHORIZATION OF SELF-INSURERS

Sec.
53.1 Authorization of self-insurers.
53.2 Reports required of self-insurers; examination of accounts of self-insurer.

AUTHORITY: §§ 53.1 and 53.2 issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939 as made applicable to military, air, and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208 77th Cong. as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

§ 53.1 *Authorization of self-insurers.* The provisions of the regulations in Part 33, Subchapter C of this chapter, shall govern the authorization of the self-insurance privilege under the said Act of August 16, 1941, as amended. An application shall contain (a) a statement of the amount of the employer's pay roll of employees, within the purview of such Act, for the preceding 12 months; (b) a statement by classifications of the average number of employees engaged in employments within the purview of said law for the preceding 12 months; (c) a statement of the number of injuries to such employees resulting in disability of more than 7 days duration, or in death, during each of 3 years next preceding the date of the application; (d) an itemized statement of the assets and liabilities of the employer, and current profit and loss statement; (e) a description of the safety organization maintained by the employer for the prevention of injuries at his places of work; (f) a description of the facilities maintained or the arrangements made for the medical and hospital care of injured employees; (g) a statement describing any excess loss insurance or stop-loss insurance arrangement made by the employer, giving the name of the carrier, with full details of any such excess loss coverage; and (h) a statement describing the plan adopted by the employer to set aside a reserve fund for the payment of workmen's compensation benefits (and loss adjustment expenses) under said law. The Commission in its discretion may require the applicant to submit such further information or such evidence as the Commission may deem necessary to have in order to enable it to give adequate consideration to such application. Such application shall be signed by the applicant over his typewritten name and if the applicant is not an individual, by the principal officer of the applicant duly authorized to make such application, over his typewritten name and official designation, and shall be sworn to by him. If the applicant is a corporation, the corporate seal shall be affixed. The application shall be filed with the Commission. The regulations in this part shall be binding upon each applicant hereunder and the applicant's consent to be bound by all requirements of the said regulations shall be deemed to be included in and a part of the application, as fully as though written therein.

§ 53.2 *Reports required of self-insurers; examination of accounts of self-insurer.* (a) At such times as the Commission may require or prescribe, each self-insurer shall submit such of the following reports as may be requested:

(1) A sworn itemized statement of the self-insurer's assets and liabilities (or a balance sheet), and current profit and loss statement.

(2) A sworn statement showing by classifications the pay roll of employees of the self-insurer who are engaged in employments within the purview of the said Act of August 16, 1941, as amended.

(3) A sworn statement of payments of compensation in current cases during any specified quarter, showing the nature of injury in each case.

(4) A sworn statement covering the 6 months' period preceding the date of such report, listing by compensation districts all death and injury cases which have occurred during such period, together with a report of the status of all outstanding claims, showing the particulars of each case.

(b) Whenever it deems it to be necessary, the Commission may inspect or examine the books of account, records, and other papers of a self-insurer for the purpose of verifying any financial statement submitted to the Commission by such self-insurer or verifying any information furnished to the Commission in any report required by this section, or any other section of the regulations in this subchapter, and such self-insurer shall permit the Commission or its duly authorized representative to make such an inspection or examination as the Commission shall require. In lieu of this requirement the Commission may in its discretion accept an adequate report of a certified public accountant.

PART 54—ISSUANCE OF CERTIFICATES OF COMPLIANCE

Sec.
54.1 Issue of certificates of compliance.
54.2 Same; employer operating temporarily in another compensation district.
54.3 Return of certificates of compliance.

AUTHORITY: §§ 54.1 to 54.3, inclusive, issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939, as made applicable to military, air, and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208, 77th Cong., as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

§ 54.1 *Issue of certificates of compliance.* (a) Every employer who has secured the payment of compensation by obtaining a policy of insurance as provided by section 32 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1439; 33 U.S.C. 939) and by Part 52 of the Regulations in this subchapter will receive from the deputy commissioner in the compensation district in which he has operations (or for the jurisdictional area of such compensation district), and to whom such insurance has been reported, a certificate that such employer has secured the payment of such compensation. Only one such certificate will be issued to an employer in a compensation district, and it will be valid only during the period for which such employer has secured such payment. An employer so desiring may have photostatic copies (or other facsimile copies) of such a certificate made for use in different places within the compensation district or jurisdictional area thereof. A certificate of compliance will be issued by the deputy commissioner to any employer having operations in his district (a) upon receipt by the deputy commissioner and acceptance by him of a card report of the issuance of a policy to the employer concerned, as provided by §52.3, by an authorized insurance carrier which has filed an agreement to be bound by such card report in conformity with § 52.5, or (b) upon presentation to the deputy commissioner by the employer concerned (and not by an insurance carrier, insurance agent, or broker) of the applicable policy of insurance, and endorsement thereon, issued to the employer in conformity with Part 52 by an authorized insurance carrier which has not filed the agreement provided for by § 52.5.

(b) Every employer who has been granted the privilege of self-insurance as provided by section 32 of the Longshoremen's and Harbor Workers' Compensation Act and by Part 53 of the regulations in this subchapter will receive from the deputy commissioner a certificate that he has complied with the said law with respect to the securing of the payment of compensation. Only one such certificate will be issued to an employer by a deputy commissioner in a compensation district and it will be valid only during the period stated in such certificate.

(c) Two forms of such certificates have been provided by the Commission, one form for use where the employer has obtained insurance generally under the regulations in this subchapter and one for use where the employer has been authorized as a self-insurer.

§ 54.2 *Same; employer operating temporarily in another compensation district.* A deputy commissioner receiving a card report of the issue of a policy of insurance, with the notation authorized by § 52.6 will file such card report until he receives from the insured employer named therein a request for a certificate of compliance, giving the address of the employer within the compensation district of such deputy commissioner. Upon receipt of such a request the deputy commissioner will send the proper certificate of compliance to such employer at such address.

§ 54.3 *Return of certificates of compliance.* Upon the termination by expiration, cancelation or otherwise, of a policy of insurance issued under the provisions of said Act of August 16, 1941, as amended, and the regulations in this subchapter, or the revocation or termination of the privilege of self-insurance granted by the Commission, all certificates of compliance issued on the basis of such insurance or self-insurance shall be void and shall be returned by the employer to the deputy commissioner issuing them with a statement of the reason for such return. An employer, holding a certificate of compliance under an insurance policy which has currently expired, pending the renewal of such insurance need not return such certificate of compliance if such expired insurance is promptly replaced. An employer who has secured renewal of insurance upon the expiration of a policy under said Act, or whose self-insurance thereunder is reauthorized without a break in the continuity thereof need not return an expired certificate of compliance.

Amendment to regulations issued September 12, 1941.

JEWELL W. SWOFFORD,
Chairman.
JNO. J. KEEGAN,
Commissioner.
ALBERT H. LADNER, JR.,
Commissioner.

[F. R. Doc. 43-5127; Filed, April 2, 1943; 9:47 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[1943 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

APRIL 1, 1943.

Section 129.6 *Calendar year 1943* is amended by the addition of the following paragraph:

(b) *Quarter beginning April 1, 1943.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning April 1, 1943, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per

PART 130—REGULATIONS RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE,

Class IV-E, may be assigned to said camp in lieu of their induction for military

Camp Operations Division of National Selective Service Headquarters

VALUES OF FOREIGN MONETARY UNITS—Continued

[At par as regards gold units; nongold units have no fixed par with gold]

Country	Monetary unit	Value in terms of U. S. money	Remarks
Hungary	Pengö	.2961	Exchange control established July 17, 1931.
India (British)	Rupee	.4780	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Piaster	----	Piaster pegged to French franc at the rate of 1 piaster=10 French francs; conversion of notes into gold suspended Oct. 2, 1936.
Ireland	Pound	$ 2397	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0526	Note-issuing privilege suspended Sept. 27, 1935; lira established by monetary law of Oct. 5, 1936.
Japan	Yen	.2984	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat	.8440	Currency pegged to sterling Sept. 28, 1936, at 2.622 lats=£100; on Sept. 13, 1939, a law was passed providing that the pound sterling should be converted into gold at the current rate of exchange in the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by means of gold or some other monetary unit.
Liberia	Dollar	1.0031	British money is principal circulating medium.
Lithuania	Litas	.1093	Free export of gold suspended Oct. 15, 1935.
Mexico	Peso	.2076	Unit of value, the silver dollar, left the monetary unit, the peso, to be later defined by law.
Netherlands and colonies.	Guilder (florin)	.5806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936; gold export prohibition reenacted by decree of June 28, 1939; Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.00 guilders for £1 sterling. By act of Sept. 20, 1940, the Netherlands Indies Volksraad was authorized to issue currency notes which are legal tender and which have the value of its stocks of gold coin and bullion at Fl. 2.121 per kilogram fine.
Newfoundland	Dollar	1.0031	Newfoundland and Canadian notes legal tender.
New Zealand	Pound	3.2397	Conversion of notes into gold suspended and export of gold restricted by act of Mar. 16, 1933; embargo lifted Dec. 1, 1939.
Nicaragua	Cordoba	1.0933	Embargo on gold exports Nov. 13, 1931.
Norway	Krone	.1537	Conversion of notes into gold suspended Sept. 29, 1931.
Panama	Balboa	1.0000	U. S. money is principal circulating medium.
Paraguay	Peso (Argentine)	1.0335	Paraguayan paper currency is used; exchange control established Dec. 23, 1940.
Persia (Iran)	Rial	.0324	Obligation to pay out gold deferred Mar. 13, 1939; exchange control established Mar. 1, 1936.
Peru	Sol	.4740	Conversion of notes into gold suspended May 19, 1932.
Philippine Islands	Peso	.5000	By act approved Mar. 16, 1935.
Poland	Zloty	.1879	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0350	Gold coin and bullion standard suspended Dec. 31, 1931.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Salvador	Colon	.3466	Conversion of notes into gold suspended Oct. 7, 1936.
Spain	Peseta	.0824	
Straits Settlements	Dollar	.5613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc	.2320	U. S. money is principal circulating medium.
		.4537	Conversion of notes into gold suspended Feb. 9, 1932.
		.3386	Conversion of notes into gold suspended Sept. 21, 1931.
		8.3962	
Thailand (Siam)	Baht (Tical)	.7491	Conversion of notes into gold suspended June 28, 1933.
Turkey	Piaster	.0744	Conversion of notes into gold suspended Oct. 12, 1931.
		.4537	Provisions of monetary law of Oct. 1, 1936, providing for gold
Union of South Africa	Pound	8.2397	content of franc, superseded by decree of June 30, 1937, which
Union of Soviet Republics.	Chervonetz	8.7123	stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until
Uruguay	Peso	.5583	such decree is issued the franc is to maintain the present relationship between the franc and foreign currencies.
		.4033	Exchange control established July 13, 1931.
Germany	Reichsmark	8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Great Britain	Pound Sterling	.0229	Conversion of notes into gold suspended Apr. 20, 1932.
Greece	Drachma	1.0031	Conversion of notes into gold suspended Mar. 6, 1933.
Guatemala	Quetzal	.2000	National bank notes redeemable on demand in U. S. dollars.
Haiti	Gourde	.1965	Gold exports prohibited Mar. 27, 1931; lempira circulates as equivalent of half of U. S. dollar.
Honduras	Lempira	.5466	

[F. R. Doc. 43-5010; Filed, April 1, 1943; 9:53 a. m.]

centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372)

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

VALUES OF FOREIGN MONETARY UNITS

[At par as regards gold units; nongold units have no fixed par with gold]

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentine Republic	Peso	$1.6335	Given valuation is of gold peso. Paper nominally convertible at par of new value. Conversion suspended Dec. 16, 1929.
Australia	Pound	3.2397	Control of gold stocks and exports authorized Dec. 17, 1929.
Belgium	Belga	.1695	By decree of Mar. 31, 1935, the belga ceased to be a unit of value. Unofficial agreement of June 27, 1940, fixed the rate of exchange of the Belgian franc and the franc of the Belgian Congo at 176.625 francs for £1 sterling.
Bolivia	Boliviano	.0190	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Cruzeiro (Milreis)	.0666	Based upon official rate for cruzeiro in terms of the dollar as established by the Bank of Brazil. Government Stabilization Office notes into gold suspended Nov. 22, 1929. Under decree law of October 6, 1942, the cruzeiro became the unit of currency, replacing the milreis.
British Honduras	Dollar	1.0031	Conversion of notes suspended.
Bulgaria	Leva	.0122	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.0031	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.
Chile	Peso	.0060	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for one gold peso. Conversion of notes into gold suspended Sept. 4, 1931.
China	Yuan	.7879	Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate (for British currency primarily fixed at about 1 s. 2½ d., or about 29½¢ U. S. per yuan. Treasury notes, issued by the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935; exchange fund created to control exchange rate.
Colombia	Peso	.5714	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .56424 grams of gold 9/10 fine established by monetary law of Nov. 30, 1936, effective Dec. 30, 1936.
Costa Rica	Colon	.7879	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Cuba	Peso	1.0000	By law of May 25, 1934.
Czechoslovakia	Koruna	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Denmark	Krone	.1931	U. S. money is principal circulating medium.
Dominican Republic	Dollar	1.0031	Conversion of notes into gold suspended Feb. 9, 1932.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Sept. 21, 1931.
Egypt	Pound (100 piasters)	8.3962	
Estonia	Kroon	.4537	Conversion of notes into gold suspended June 28, 1933.
Finland	Markka	.0195	Conversion of notes into gold suspended Oct. 12, 1931.
France	Franc	.4537	Provisions of monetary law of Oct. 1, 1936, providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until such decree is issued the franc is to maintain the present relationship between the franc and foreign currencies.
		.4033	Exchange control established July 13, 1931.
Germany	Reichsmark	8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Great Britain	Pound Sterling	.0229	Conversion of notes into gold suspended Apr. 20, 1932.
Greece	Drachma	1.0031	Conversion of notes into gold suspended Mar. 6, 1933.
Guatemala	Quetzal	.2000	National bank notes redeemable on demand in U. S. dollars.
Haiti	Gourde	.1965	Gold exports prohibited Mar. 27, 1931; lempira circulates as equivalent of half of U. S. dollar.
Honduras	Lempira	.5466	

PART 130—REGULATIONS RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, TRANSFERS OF CREDIT, PAYMENTS, AND THE EXPORT OR WITHDRAWAL OF COIN, BULLION AND CURRENCY; AND TO REPORTS OF FOREIGN PROPERTY INTERESTS IN THE UNITED STATES

SPECIAL BLOCKED PROPERTY

Revocation of Special Regulation No. 1 (7 F.R. 2184), Relating to Transactions in Special Blocked Property.*

Special Regulation No. 1, Relating to Transactions in Special Blocked Property, as therein described, heretofore prescribed by the Federal Reserve Bank of San Francisco, as Fiscal Agent of the United States, by virtue of the authority vested in such bank pursuant to section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, and other authority vested in such bank, is hereby revoked.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong.; E.O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, E.O. 8998, Dec. 26, 1941, E.O. 9066, Feb. 19, 1942, E.O. 9095, Mar. 11, 1942)

Made at San Francisco, California, this 16th day of March 1943.

Federal Reserve Bank of San Francisco (Fiscal Agent of the United States).

[SEAL] WILLIAM A. DAY,
President.

Confirmed:

RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5072; Filed, April 1, 1943; 3:53 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 94]

TRENTON PROJECT, NORTH DAKOTA

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Trenton Project to be work of national importance, to be known as Civilian Public Service Camp No. 94. Said camp, located at Trenton, Williams County, North Dakota, will be the base of operations for land development and irrigation work in the State of North Dakota, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 94 will consist of land development and the construction of irrigation and drainage facilities, and shall be under the technical direction of the Farm Security Administration of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

MARCH 27, 1943.

[F. R. Doc. 43-5073; Filed, April 1, 1943; 4:22 p. m.]

[Order No. 95]

BUCKLEY PROJECT, WASHINGTON

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Buckley Project to be work of national importance, to be known as Civilian Public Service Camp No. 95. Said project, located at Buckley, Pierce County, Washington, will be the base of operations for work at the Western State Custodial School, an institution under the State mental hospital system of Washington, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Buckley Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Western State Custodial School, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Western State Custodial School. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

MARCH 27, 1943.

[F. R. Doc. 43-5074; Filed, April 1, 1943; 4:22 p. m.]

[Order No. 96]

ROCHESTER STATE HOSPITAL PROJECT, MINNESOTA

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Rochester State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 96. Said project, located at Rochester, Olmsted County, Minnesota, will be the base of operations for work at the Rochester State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Rochester State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Rochester State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Rochester State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

MARCH 27, 1943.

[F. R. Doc. 43-5075; Filed, April 1, 1943; 4:22 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 39]

PART 802—GENERAL LICENSES

SHIPMENTS VALUED AT $25 OR LESS

Paragraph (a) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the following:

*Copies may be obtained from the Office of Price Administration.

Commodity	*Schedule B No.*
Acetone	8316.00
Ammonium sulphate	8505.00
Aspirin	8127.92, 8135.30
Babbitt metal	6620.00
Barbed wire	6083.00
Bismuth salts and compounds	8396.30 thru 8396.38
Bleaching powder	8340.00
Calf upper leather	0304.10, 0304.20, 0305.20, 0305.10
Casein plastics	8258.01
Cellulose acetate plastics	8265.05, 8265.98
Cellulose nitrate plastics	8264.00
Citric acid	8303.07
Copper, copper base alloy, manufactures, and copper sulphate.[1]	6401.00 thru 6479.98, 8201.00
Cotton pulp (includes cottonseed hull, shavings pulp, cotton pulpboard, and bleached and purified linters).	3006.00
Cotton yarn, mercerized	3012.00
Cotton yarn, unmercerized	3013.10, 3013.20
Cresylic acid and cresols	8024.09
Cryolite, natural and artificial	5960.10, 5960.15
Ferrochrome	6220.50
Ferrotungsten	6220.96
Formaldehyde[1]	8320.01, 8320.03, 8320.05
Graphite, flake content in manufactures	5480.55
Methyl alcohol	8310.00
Molybdenum content of ferromolybdenum	6220.85
Nails and bolts (except railroad)	6092.00 thru 6099.00
Nickel-chrome, electric resistance wire	6630.00
Nickel, metal, salts, and compounds	6545.01 thru 6549.98, 8397.61 thru 8397.68
Paris green	8205.91, 8397.02
Plain wire	6081.00, 6082.00
Platinum group metals, salts and compounds[1]	6920.00, 6922.05, 6922.09, 6929.05, 6929.98, 8398.70 thru 8398.78
Platinum jewelry	9620.00
Potash salts	8531.01, 8531.03, 8531.05
Potassium chlorate and perchlorate[1]	8359.09, 8359.21
Resins, other	8258.98, 8260.98, 8261.98
Sisal and henequen cordage	3419.09
Sole leather: other than backs, bends and sides	0332.05, 0332.98
Tin, metal, salts, and compounds[1]	6565.01 thru 6565.98, 8381.01 thru 8381.98
Tin plate, circles, strips, cobbles and scroll-shear butts.	6013.00
Tin plate, waste-waste	6014.00
Type metal	6670.00
Wire and manufactures, other	6085.00 thru 6091.98
Wood pulp	4601.00 thru 4619.00
Wool rags	3622.00
Wool molls and waste	3626.00
Wool tops	3628.00
Wool yarns	3633.00
Wool fabrics	3642.00, 3642.01, 3649.00
Wool felts	3663.00, 3664.00
Wool blankets	3666.00, 3666.01
Woven belting for machinery (include duck woven 12" and narrower).	3140.00
Zinc, metal (except finished articles), salts, and compounds.[1]	8398.45 thru 8398.48, 8299.90, 8429.19, 8411.00, 6570.00 thru 6589.98

[1] Includes forms previously on list.

Shipments of the above commodities, which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under previous general license provisions.

This amendment shall become effective April 7, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated March 29, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-5136; Filed, April 2, 1943; 11:21 a. m.]

[Amendment 40]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Subdivision (iv) of subparagraph (1) of § 802.13 *Ship and plane stores, supplies and equipment* is hereby amended as follows:

(iv) Of registry of countries designated by numbers 1 to 3, 5, 6, 7, 8 to 58, 60 to 67, 71 to 81, or 99 in § 802.2 (a) of this subchapter, or of the Netherlands, Norway, or Poland: *Provided*, That the destination of such vessels shall be one of the aforenumbered countries;

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 29, 1943.

A. N. ZIEGLER,
Acting Chief of Office
Office of Exports.

[F. R. Doc. 43-5137; Filed, April 2, 1943; 11:21 a. m.]

[Amendment 41]

PART 802—GENERAL LICENSES

GENERAL LICENSE GUS

Section 802.8 *Exports to the United States Government* is hereby amended as follows:

A general license, designated GUS, is hereby granted permitting the exportation of all commodities to representatives of the United States Government or to members of the United States military forces: *Provided*, That such commodities are shipped in quantities sufficient solely for the personal use of the consignees or his immediate family.

Shipments which are on dock, on lighter, laden aboard the exporting carrier or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provision. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may be exported under previous general license provisions.

This amendment shall become effective April 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: March 29, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-5138; Filed, April 2, 1943, 11:21 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 FR. 2719, sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-261]

TANK CAR OIL CO., INC.

The Tank Car Oil Company, Inc., 1015 Bankhead Avenue NW., Atlanta, Georgia, is engaged in the marketing of motor fuel. It owns and operates eight service stations located in the Atlanta, Georgia region. During the months of April, May, June and from July 1 to July 22, 1942, the Tank Car Oil Company, Inc. accepted delivery at its eight service stations of a total of approximately 196,000 gallons of motor fuel in excess of the amounts permitted to be delivered in accordance with the provisions of Limitation Order L-70. As the quotas for these stations decreased during that period, the deliveries of motor fuel which were accepted by the Tank Car Oil Company, Inc. at these eight stations increased from 22 per cent to 194 per cent in excess of their permitted quotas.

Although Tank Car Oil Company, Inc. was fully aware of the provisions of Limitation Order L-70, these over-deliveries were accepted by it in careless disregard of the provisions thereof, and constituted wilful violations of that Order which have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.261 *Suspension Order S-261.* (a) During each of the months of April, May, June and July 1943, Tank Car Oil Company, Inc., its successors and assigns, shall not accept the delivery of any motor fuel, as defined in Limitation Order L-70, at each of the following service stations in excess of 25 per cent of the average monthly sales by each service station during the period of September 1942 through February 1943:

Station No. 1, Macon, Georgia.
Station No. 2, 953 Marietta Street NW., Atlanta, Ga.
Station No. 3, 195 Decatur Street SE., Atlanta, Ga.
Station No. 4, 1015 Bankhead Avenue NW., Atlanta, Ga.
Station No. 5, Cartersville, Georgia.
Station No. 6, Vienna, Georgia.
Station No. 7, Ft. Valley, Georgia.
Station No. 8, Hightower & Gordon Roads, Atlanta, Ga.

(b) Nothing contained in this order shall be deemed to relieve Tank Car Oil Company, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5110; Filed, April 1, 1943; 5:05 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-266]

BLACK & KOENIG

Black & Koenig, 52 Dey Street, New York, New York, a partnership, was, during the period May through September 1942, a roaster of coffee which it distributed at retail in the New York metropolitan area. During the months May through September 1942, the company delivered approximately 11,776 lbs. of coffee roasted by it in excess of its quota under Conservation Order M-135. During this period, the company's deliveries of coffee were several times the deliveries during the corresponding period of 1941; in fact, its deliveries during the restricted period greatly exceeded its total deliveries during the entire year 1941. During the period October 1942 through February 1943, inclusive, its sales of coffee have averaged 439 lbs. per month.

These violations of Conservation Order M-135 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.266 *Suspension Order S-266.* (a) In each calendar month, during which this order shall be in effect, Black & Koenig, its successors and assigns, shall not deliver any coffee, except as specifically authorized in writing by the War Production Board: *Provided, however*, That nothing herein contained shall be deemed to prevent Black & Koenig from delivering such coffee as they may have in their store at 52 Dey Street, New York, New York, on the effective date of this order.

(b) Nothing contained in this order shall be deemed to relieve Black & Koenig, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 3d day of April 1943 and shall expire on the 3d day of July 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5111; Filed, April 1, 1943; 5:05 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-267]

AMERICAN GROCERY CO.

American Grocery Company, a corporation having its principal office at 158 14th Street, Hoboken, New Jersey, roasts coffee which it distributes to its own retail stores. These stores are engaged in the business of selling groceries at retail on a large scale, and are located in Long Island, Brooklyn, N. Y., and New Jersey. In addition to selling coffee, which it roasts, the company sells other brands. During the months of May, June and September 1942, the company delivered approximately 19,000 lbs. of coffee roasted by it in excess of its quota under Conservation Order M-135. Its monthly sales of coffee have averaged 7,338 lbs. for each month from October 1942 through February 1943, inclusive.

These violations of Conservation Order M-135 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.267 *Suspension Order S-267.* (a) During the period that this order remains in effect, the aggregate deliveries of coffee by the American Grocery Company, its successors and assigns, shall not exceed 24,000 lbs, except as specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the American Grocery Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 3, 1943 and shall expire on October 3, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5112; Filed, April 1, 1943; 5:05 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-b as Amended April 1, 1943]

§ 1041.2 *Preference Rating Order P-98-b*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Operator" means:

(i) Any person located in the United States, its territories or possessions, to

the extent that he is engaged in the

than such as may be contained in other

The operator shall place the allotment

shall confirm such information within

the extent that he is engaged in the petroleum industry; or

(ii) Any person located in the Dominion of Canada to the extent that he is engaged in the petroleum industry and to whom and in whose name a copy of this order or of Preference Rating Order P–98, Extended and Amended, is or has been specifically issued and to whom a serial number has been assigned.

(3) "Supplier" means any person with whom a delivery order is placed for delivery of material to an operator or to another supplier.

(4) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(5) "Petroleum Industry" means any operation directly incident to:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline production);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, refining or compounding of finished or unfinished petroleum products (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing);

(vi) The investigation into more efficient or more effective methods of conducting petroleum industry operations by means of research or technical laboratories (research).

(6) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(7) "Maintenance, repair and operating supplies" means that material specified in Schedule A hereof.

(8) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule 1 attached to CMP Regulation No. 1 of the War Production Board.

(9) "Allotment" means a determination by the Petroleum Administration for War as to the portion of its allotment of controlled materials which may be received by an operator.

(10) "Class A product" means any product which is not a Class B product (as defined in subparagraph (11) below), and which contains any steel, copper, or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule 1 attached to CMP Regulation No. 1, other than such steel, copper, or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(11) "Class B product" means any product listed in the "Official CMP Class B Product List" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper, or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule 1 attached to CMP Regulation No. 1, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(12) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(13) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph (e) of this order or which is specifically designated to be such by any regulation or order of the Petroleum Administration for War or the War Production Board.

(b) *Scope of order.* (1) Except as provided in Schedule "B" hereof, this order shall apply to the delivery of any maintenance, repair and operating supplies to any operator for use in the petroleum industry upon the terms and conditions hereinafter set forth.

(2) No operator may use an allotment symbol or apply a preference rating to secure delivery of any maintenance, repair and operating supplies other than in accordance with the applicable provisions of this order.

(3) Any allotment symbol issued or any preference rating assigned to any operator prior to April 1, 1943 shall not be considered revoked by the provisions of subparagraph (2) of this paragraph (b).

(4) Supplementary orders or directions with respect to the use of allotment numbers or preference ratings or the delivery or use of material under the provisions of this order may be issued from time to time.

(c) *Method of securing maintenance, repair and operating supplies.* (1) To secure deliveries of maintenance, repair and operating supplies—including without limitation controlled materials (other than aluminum), Class A, or Class B products—an operator is hereby authorized to use allotment symbol MRO–P–98–b and is hereby assigned a preference rating of AA–1.

(2) In using such allotment symbol or preference rating, the operator shall be subject to all the applicable provisions of this order and shall endorse upon each delivery order for maintenance, repair and operating supplies a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

> The undersigned purchaser certifies, subject to the penalties of Section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

The operator shall place the allotment symbol and preference rating indicated in subparagraph (1) of this paragraph (c) on the delivery order in every case where the above certification is used.

(3) Any operator requiring aluminum (in any of the forms or shapes constituting a controlled material) for essential maintenance, repair and operating supplies, where the use of other material for this purpose is impracticable, may obtain such aluminum from a controlled material producer or from an approved aluminum warehouse in amounts of not to exceed 100 pounds from all sources during any one calendar quarter, by endorsing upon any delivery order a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

> The undersigned purchaser certifies, subject to the penalties of Section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, the materials covered by this order are required as essential maintenance, repair and operating supplies; that the use of other materials for such purpose is impracticable; and that the amount of aluminum covered by this order, together with all other amounts received by, or on order for delivery to the undersigned, from all sources, for such purposes during the same quarter, will not exceed 100 pounds.

Any supplier (producer or warehouse) receiving a delivery order bearing such certification shall be entitled to rely thereon and may fill the order, unless he knows or has reason to believe the certification to be false.

(4) Prior to placing with a supplier a delivery order bearing the allotment symbol and preference rating indicated in subparagraph (1) of this paragraph (c) for maintenance, repair and operating supplies, each operator shall, subject to the provisions of paragraph (e) of this order, comply with the following conditions:

(i) Each operator shall submit, for information purposes only, (to the appropriate District Office of the Petroleum Administration for War or the Office of Oil Controller) a copy of any delivery order where the total cost to the operator of all items on the delivery order is $100.00 or more, but less than $1000.00, and the cost of every item on the delivery order is less than $500.00.

(ii) Each operator shall submit for approval by the appropriate District Office of the Petroleum Administration for War or the Office of Oil Controller two copies of every delivery order where the cost to the operator of any item on the delivery order is less than $500.00 and the total cost to the operator of all items on the delivery order is $1000.00 or more.

(iii) Each operator shall submit for approval by the Washington Office of the Petroleum Administration for War or the Office of Oil Controller two copies of any delivery order where the cost to the operator of any item on the delivery order is $500.00 or more.

In submitting a delivery order to the Petroleum Administration for War or the Office of Oil Controller in accordance with paragraph (c) (4) (ii) or (c) (4) (iii), an operator shall furnish an accompanying statement indicating the use to which the material is to be put and such additional explanations as may be necessary to enable the proper officials to make an accurate determination of the operator's needs. No delivery order need be submitted by an operator prior to placing such order with a supplier where the total cost to the operator of all items on the delivery order is less than $100.00.

(5) No operator may place with a supplier any delivery order submitted in accordance with paragraph (c) (4) (ii) or (c) (4) (iii) until approval has been received from the authorized official of the Petroleum Administration for War or the Office of Oil Controller.

(6) In placing a delivery order bearing an allotment symbol or preference rating, no operator shall alter the customary designation of any item or subdivide an ordinary purchase of any item or items for the purpose of making it appear that an item costs less than $500.00; that the total cost of all items on the delivery order is less than $1000.00 or that the total cost of all items on the delivery order is less than $100.00.

(7) Whenever submission of a delivery order to the District Office of the Petroleum Administration for War or the Office of Oil Controller is required by the provisions of paragraph (c) (3) of this order, the operator as defined in paragraph (a) (2) (i) shall submit such delivery order to the District Office of the Petroleum Administration for War in the District where the material is to be used and the operator as defined in paragraph (a) (2) (ii) shall submit such delivery order to the Oil Controller of the Dominion of Canada.

(d) *Emergency provisions.* (1) If there has been an actual breakdown or suspension of operations and if the method specified in paragraph (c) (4) (ii) or (c) (4) (iii) for using the allotment symbol and preference rating will not permit an operator to obtain material on the date when such material is required, the operator to obtain delivery of material for this emergency may communicate by letter, telegram or telephone with the Petroleum Administration for War, Washington, D. C., Ref: P–98–b, supplying the following information:

(i) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected;

(ii) Description of equipment to be repaired and its function in maintaining continuous operation; and

(iii) Price, quantity, and detailed description of necessary material (including weight if a controlled material).

A delivery order for maintenance, repair and operating supplies for emergencies need not be sent to the Petroleum Administration for War but in every instance the number and date of the delivery order must be transmitted to the Petroleum Administration for War, Washington, D. C. Whenever any information required to be furnished to the Petroleum Administration for War under this paragraph (d) is furnished by telephone, the operator furnishing such information shall confirm such information within seven days by a letter or telegram containing information requested in paragraph (d) (1) (i), (ii) and (iii).

(2) No operator may place a delivery order with a supplier, where approval has been requested pursuant to paragraph (d) (1), until approval has been received from the authorized official of the Petroleum Administration for War. In placing any such delivery order the operator shall use the certification provided in paragraph (e) (2) in the same manner and to the same extent as provided therein.

(e) *Placement of delivery orders; application and extension of preference ratings.* (1) An operator who has complied with the provisions of paragraph (c) or (d) of this order may place a delivery order with any supplier for delivery of material authorized pursuant to such paragraphs and may place upon such delivery order the allotment symbol and preference rating which have been duly authorized in accordance with the provisions of this order. Any delivery order rated under this order shall be identified by placing thereon the allotment symbol provided for in paragraph (c) (1) of this order.

(2) Any delivery order for controlled materials (other than aluminum) placed pursuant to this order and bearing the certification provided for in paragraph (c) (2) hereof shall constitute an authorized controlled material order: *Provided*, That such delivery order must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same, except that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(3) Any delivery order rated pursuant to this order and bearing the certification provided for in paragraph (c) (2) hereof shall have the same status as an order bearing an allotment symbol and preference rating under CMP Regulation No. 3. The allotment symbol MRO–P–98–b shall constitute an allotment symbol for the purposes of CMP Regulation No. 3.

(f) *Restrictions.* No operator shall use the allotment symbol or the preference rating provided for in this order:

(1) To obtain deliveries of material in greater amounts or on earlier dates than required to fulfill the purpose authorized pursuant to the provisions of this order.

(2) To obtain deliveries of material for any purpose other than a purpose authorized pursuant to the provisions of this order.

(3) To obtain deliveries of material which can be secured without the use of an allotment symbol or preference rating.

(4) To obtain deliveries of material the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design.

(5) To obtain deliveries of material in such amounts or at such dates that receipt of such amounts on the requested dates would result in surplus material, as defined in or modified by Preference Rating Order P–98–c.

(6) To obtain deliveries of material unless such operator is on or after May 1, 1943, a participant in the PAW Materials Redistribution Program No. 2 in the event that participation by the operator in such program is required by the terms of the program.

(7) To obtain deliveries of material in violation of any applicable order or regulation of the Petroleum Administration for War or of the War Production Board.

(g) *Applicability of other orders and regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulation Nos. 2 or 5 shall apply to operators as defined in paragraph (a) (2) of this order, and no such operator shall obtain any material under or be limited by the provisions of such regulations.

(h) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Petroleum Administration for War, Interior Building, Washington, D. C., Ref: P–98–b.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref: P–98–b.

(i) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

Issued this first day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

PART 1—MAINTENANCE AND REPAIR

"Maintenance and repair" means, without regard to accounting practice, any material which:

(1) Is used in production or natural gasoline production for any of the following purposes:

(i) The upkeep of material or equipment in a sound working condition.

(ii) The restoration of material or equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction, failure of parts or similar causes.

(iii) A capital addition (excluding the installation or replacement of pumping or other

artificial lifting equipment and the deepening or plugging back of any well) not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

Provided, That upkeep or restoration shall not include any use of material for the improvement of material or equipment by the replacement of material which is still serviceable in the existing material or equipment.

(2) Is used in transportation, refining, or research for any of the following purposes:

(i) The upkeep of material or equipment in a sound working condition.

(ii) The restoration of material or equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction, failure of parts or similar causes.

(iii) A capital addition not exceeding in material cost $500 for any one complete addition which has not been subdivided for the purpose of coming within this definition.

Provided, That upkeep or restoration shall not include any use of material for the improvement of material or equipment by the replacement of material which is still serviceable in the existing material or equipment.

(3) Is used in marketing for any of the following purposes:

(i) The upkeep of any structure or equipment in a sound working condition.

(ii) The restoration of any structure or equipment or part thereof to a sound working condition when such structure or equipment or part thereof has been rendered unsafe or unfit for further service by wear or tear, damage, destruction, or failure of parts or similar causes.

(iii) A capital addition to any terminal or bulk plant (but not to any service station or retail outlet) not exceeding in material cost $500 for any one complete addition which has not been subdivided for the purpose of coming within this definition.

Provided, That upkeep or restoration shall not include any use of material for the improvement of any structure or equipment by the replacement of material which is still serviceable in the existing structure or equipment or any use of material for a capital addition to any service station or retail outlet.

PART 2—OPERATING SUPPLIES

"Operating supplies" means any material (other than maintenance and repair material) which is essential to and consumed in production, natural gasoline production, transportation, refining, marketing, or research and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense:

Provided, That the term "Operating Supplies" shall not include any material specified in Schedule "B" of this order which is declared by such schedule not to be operating supplies.

SCHEDULE B

PART 1

(1) No operator other than as specifically provided for in this Schedule, may apply a preference rating assigned by or pursuant to this order to obtain delivery of any of the following items:

(a) Automotive replacement parts or maintenance equipment other than specialized petroleum industry equipment.

(b) Clothing, shoes, or other wearing apparel, if made of leather or textiles: *Provided*, That such a preference rating may be applied to obtain delivery of the following items which shall be considered as operating supplies obtainable under the provisions of this order when specifically designed and used to furnish protection against specific occupational hazards (other than weather):

(i) Asbestos clothing.

(ii) Safety clothing impregnated or coated for the purpose of making the same resistants against fire, acids, other chemicals, or abrasives.

(iii) Safety industrial rubber gloves and hoods and linesman's rubber gloves and sleeves.

(iv) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(v) Other safety leather gloves or mittens but only if steel stitched or steel reinforced.

(vi) Safety industrial leather clothing other than gloves or mittens.

(vii) Metal mesh gloves, aprons, and sleeves.

(viii) Plastic and fiber safety helmets.

(c) Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered: *Provided*, That such a preference rating may be applied to obtain delivery of the following items which shall be considered as operating supplies obtainable under the provisions of this order:

(i) Sample cans used by an operator for the purpose of moving samples to laboratories.

(ii) Lead seals, box strapping, dunnage, and other materials used for any of these packaging purposes.

(iii) Material necessary for the further continued use of existing fabricated containers.

(d) Fuel, electric power or lubricants.

(e) Office machinery or office equipment.

(f) Paper, paperboard, and products manufactured therefrom—moulded pulp products: *Provided*, That such a preference rating may be applied to obtain deliveries of the following items which shall be considered as operating supplies obtainable under the provisions of this order:

(i) Photographic and sensitized paper.

(ii) Tracing paper.

(g) Printed matter and stationery.

(h) Softwood lumber as defined in Conservation Order M-208.

PART 2—MATERIAL EXCLUDED FROM PROVISIONS OF THIS ORDER

(1) No operator may apply a preference rating assigned by or pursuant to this order to obtain delivery of any of the following material:

(a) Material or equipment which is to be used by consumer accounts for or in the storage or dispensing of petroleum, including liquefied petroleum gas.

(b) The material listed below where it is to be used in service station operations:

(i) Drills, reamers, and taps manufactured of high speed steel as defined in Supplementary Order M-21-h of the War Production Board.

(ii) Hack-saw blades manufactured of high speed steel as defined in Supplementary Order M-21-h of the War Production Board.

(iii) Hand service operating tools.

(iv) Precision measuring hand tools.

(v) Portable electric tools.

(c) Material or equipment which is to be used in transportation by mobile facilities: *Provided*, That such a preference rating may be applied to obtain delivery of Material:

(i) Where such material is to be used on a tank truck or trailer and is specialized petroleum material or equipment which is actually to be attached to the truck or trailer and is necessary to the containing, dispensing, measuring the movement of, or distributing of petroleum.

(ii) Where such material is to be used on railroad rolling stock and the rolling stock is owned or leased by the operator, used on his premises and in the petroleum industry, and is not under the jurisdiction of the Interstate Commerce Commission.

(iii) Where such material is to be used on marine equipment and the marine equipment is used or chartered by the operator, is used on or in the vicinity of his premises and in the petroleum industry, and is not under the jurisdiction of the United States Maritime Commission, the Navy Department, or any other federal agency for the purpose of establishing methods by which material incident to the operation of the marine equipment may be made available.

[F. R. Doc. 43-5113; Filed, April 1, 1943; 5:05 p. m.]

PART 958—REPAIRS, MAINTENANCE AND OPERATING SUPPLIES

[Revocation of Preference Rating Order P-100]

Section 958.2 *Preference rating order P-100* is hereby revoked as of April 2, 1943, except that any serial numbered copy of said order issued to a producer located in the Dominion of Canada shall remain in effect until either (1) the same is specifically revoked, or (2) such producer becomes eligible to apply the ratings assigned by CMP Regulation No. 5.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5143; Filed, April 2, 1943; 11:45 a. m.]

PART 977—MANILA FIBRE AND MANILA CORDAGE

[General Conservation Order M-294 as Amended April 2, 1943]

WASTE MANILA ROPE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of waste manila rope for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 977.6 *General Conservation Order M-294*—(a) *Definitions.* For the purpose of this order:

(1) "Waste manila rope" means used manila rope, which is acquired for any purpose whatsoever excepting only that which is acquired for reuse as rope. The material resulting from any shredding, parting or other type of separation of the strands or fibres of used manila rope shall be deemed to be "waste manila rope".

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation, or agency or any organized group of persons whether incorporated or not.

(3) "Permitted use" means with respect to each grade or type of paper designated on List A, the uses described for such paper on List A.

[NOTE: Paragraph (3) was former paragraph (4); former paragraph (3) revoked April 2, 1943]

(b) *Limitations on use of waste manila rope.* (1) From and after March 19, 1943, no person shall use waste manila rope as a raw material in the manufacture of any product or products other than in the manufacture of rope or in the manufacture of paper.

(2) From and after March 19, 1943, no person shall use waste manila rope in the manufacture of any grade or type of paper other than the grades and types of paper shown on List A.

(c) *Limitation on use of grades and types of paper shown on List A. From* and after March 19, 1943, no person who accepts delivery of any quantity of any grade or type of paper shown on List A in which waste manila rope is used as a raw material shall use the same for any purpose or use other than the permitted uses for such grade or type of paper shown on List A, except that this restriction shall not apply to any grade or type of paper containing waste manila rope, manufactured prior to March 19, 1943.

(d) *Limitations on use of waste manila rope in the manufacture of flour and cereal sack papers.* (1) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks to an extent in excess of 35% of the total fibre content of such paper; provided, however, that the amount of waste manila rope used by him in the manufacture of such paper during any one month shall not exceed 35% of the amount used by him in the manufacture of such paper during the month of December 1942.

(2) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks on and after June 1, 1943.

(e) *Obligation to examine and refuse certain orders.* From and after March 19, 1943:

(1) No person using waste manila rope in the manufacture of the grades and types of paper shown on List A shall sell or deliver any such paper which he knows or has reason to know will be used for any purpose or use other than a permitted use.

[NOTE: Headnote of paragraph (e) amended April 2, 1943]

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(h) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales.

(i) *Communications.* All reports required to be filed hereunder, all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed be addressed to War Production Board, Pulp and Paper Division, Washington, D. C., Ref: M-294.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Grade or type of paper	*Permitted use*
Insulating papers	In the manufacture of insulation for communication wiring and cables and for electrical wiring and cables.
Gasket base papers	In the manufacture of gaskets.
Artificial leather base papers.	In the manufacture of artificial leather for delivery to shoe manufacturers.
Flour or cereal products sack papers.	For use in the manufacture of flour or cereal products sack papers for quantities of flour of 25 pounds or more.
Tag papers	In the manufacture of casualty tags, shipping tags, and identification tags for delivery to the Armed Forces.
Any grade or type of paper which cannot be satisfactorily produced from other fibres provided that the use of waste manila rope in the manufacture of such paper is specifically approved by the War Production Board	For delivery to the Armed Forces or for use in the manufacture of material or equipment for delivery to the Armed Forces.

[F. R. Doc. 43-5141; Filed, April 2, 1943; 11:44 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63 as Amended April 2, 1943]

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD-222C, addressed to the War Production Board, Ref.: M-63, Washington, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any material subject to this order after the governing date unless such bank or person has received either a copy of the authorization issued by the War Production Board, or, if the transaction comes within the exceptions set forth in paragraph (b) (4), an affidavit stating the facts which show the exception.

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) To materials imported by mail where the value of the shipment is less than $100.00; or

(v) To materials consigned as gifts or as samples, or for use as samples, or imported for personal use, where the value of each consignment or shipment is less than $200.00; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States.

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on, the governing date and which, on December 28, 1942, was in transit to a point within the continental United States.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form PD–222A, which form shall be addressed to the War Production Board. Ref.: M–63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Any material on List II or List III, which is imported after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD–222B in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M–63, Washington, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington, D. C., Ref.: M–63.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: List I was amended April 2, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import Class No.	Governing date
Alpaca tops	N. S. C.	1/18/43
Alpaca noils	N. S. C.	1/18/43
Alpaca, llama, and vicuna hair	3535.000-3655.400 inc.	[1]7/2/42
Asphalt	5078.100	7/2/42
	5079.100	7/2/42
	5394.000	7/2/42
Beef and mutton tallow—includes oleo stock	0036.000	5/22/42
Beef and mutton tallow (inedible—includes oleo stock	0815.000	5/22/42
Brazilian pebble (quartz crystals), unmanufactured	6120.000	10/6/42
Brazilian pebble (quartz crystals), manufactured and semimanufactured in blanks, slabs, bars, etc.	N. S. C.	10/6/42
Bristles, hog and pig	0917.000	[2]3/14/42
	0979.100	[2]3/14/42
Cachalot oil	N. S. C.	1/18/43
Cachalonganche seeds	N. S. C.	3/5/43
Castor beans	2231.000	4/8/42
Cinchona bark or other bark from which quinine may be extracted	2201.000	5/22/42
Cod oil	0864.000	5/22/42
Coir fiber	3409.000	11/23/42
Coir yarn	3420.000	11/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	11/23/42
Columbium ore (columbite) or concentrates	6270.300	4/8/42
Cottonseed oil, crude, refined	1423.100	5/22/42
	1423.200	5/22/42
Dividivi pods	2320.140	7/2/42
Dyewoods, hemlock, and chestnut extracts	2345.000	7/2/42
Flaxseed (linseed)	2233.000	5/22/42
Goose down	N. S. C.	7/2/42
Graphite or plumbago: Amorphous, natural (except of Mexican origin)	5730.100	4/8/42
Crystalline, flake	5730.300	12/28/41
Crystalline, crucible lump and chip graphite	5730.410	4/8/42
Crystalline, dust and other crystalline lump and chip graphite	5730.650	4/8/42
Hemp (Cannabis Sativa type only), unmanufactured:	-	
Hackled, including "line of hemp"	3263.000	9/11/42
Not hackled	3263.200	9/11/42
Tow	3263.300	9/11/42
Hides and skins: Deer buck or doe	0293.100	[3]9/11/42
Horsehair and tail hair, raw and drawn, including switches	3694.000	3/14/42
	3694.100	3/14/42
Iperua crude and advanced in value or condition	2210.450	[4]1/18/43
	2220.170	[4]1/18/43
Lac crude, seed, button and stick	2105.000	[4]4/8/42
Lard oil	N. S. C.	3/5/43
Lard (including rendered pork fat)	0036.000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0036.100	3/5/43
Linseed oil, and combinations and mixtures, in chief value of such oil	2254.000	5/22/42
Mangrove bark	2320.180	[4]7/2/42
Manganese extract (including Philippine catch)	2342.000	7/2/42
Muru muru nut oil	N. S. C.	8/21/42
Myrobalan fruit and extract	2304.000	7/2/42
	2345.800	7/2/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808.950	5/22/42
Oiticica oil	0036.200	8/21/42
Peanut (ground nut) oil	1427.000	5/22/42
Peanuts: Shelled	1307.000	4/2/43
Not shelled	1308.000	4/2/43
Pyrethrum, or insect flowers	2202.000	10/21/42

[1] Moved from List III 1/18/43.
[2] Moved from List II 11/23/42.
[3] Moved from List II 10/6/42.
[4] Moved from List III 3/5/43.
[5] Moved from List III 4/2/43.

Material	Commerce import Class No.	Governing date
Pyrethrum, or insect flowers, advanced in value or condition	2220.310	10/21/42
Quebracho extract	2344.000	7/2/42
Quebracho wood	2305.000	[4]7/2/42
Rapeseed	2237.000	[5]2/22/42
Red squill	1210.650	10/21/42
Rotenone bearing roots (cube root (timbo or barbasco), derris and tuba), crude and advanced	2210.250	5/4/42
	2210.300	5/4/42
	2220.360	5/4/42
	2220.370	5/4/42
Rubber seed	2239.000	5/22/42
Rubber seed oil	N. S. C.	5/22/42
Rundle	6270.100	12/28/41
Seal oil	0816.000	4/2/43
Sesame oil, edible and inedible	1428.200	[4]7/21/42
	2249.000	[4]7/21/42
Sunflower oil, edible and denatured	1421.000	5/22/42
	2247.000	5/22/42
Sunflower seed	2240.000	5/22/42
Tanning extracts, not specially provided for (including urunday)	2345.400	[4]7/2/42
Tantalum ore (tantalite)	6270.400	4/8/42
Tara	2320.230	7/2/42
Tucum oil	N. S. C.	5/21/42
Valonia beards and valonia extract	2307.000	7/2/42
	2345.100	7/2/42
Vermiculite	N. S. C.	3/5/43
Wattle bark	2309.000	[4]7/2/42
Wattle extract	2345.500	7/2/42
Whale oil (other than sperm)	0803.500	5/22/42
Wool grease, including degras or brown wool grease (all grades)	0813.200	5/22/42
	0813.300	5/22/42
	0813.700	5/22/42
Zirconium ore	6270.600	12/28/41

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II was amended April 2, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semimanufactures: Sisal cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417.010	1/18/43
	3417.110	1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	1/18/43
Cords and twines of agave fibers	N. S. C.	1/18/43
Fabrics woven of agave fiber	N. S. C.	9/11/42
Other manufactures of agave fibers	N. S. C.	1/18/43
Aluminum scrap	6302.300	6/1/42
Antimony	6650.000	12/28/41
	6651.000	12/28/41
	6651.100	12/28/41
	8380.180	12/28/41
	8380.210	12/28/41
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500.010	1/13/42
	5500.020	1/13/42
	5500.050	1/13/42
	5500.300	1/13/42
	5500.500	1/13/42
	5501.000	1/13/42
	5501.100	1/13/42
	5501.900	1/13/42
	5502.100	1/13/42
Babassu nuts and kernels	2239.130	4/8/42
	2239.150	4/8/42
Babassu nut oil	2257.100	4/8/42
Balsa wood: Logs	4029.100	6/10/42
Sawed boards, planks, deals and sawed timber	4118.000	6/10/42

Material	Commerce import Class No.	Governing date
Beryl ore or beryllium ore	6270.040	5/4/42
Beryllium oxide, carbonate and other beryllium salts	5380.063	5/4/42
Cashew nut kernel oil	2257.400	4/8/42
Cashew nut shell oil	2260.050	4/8/42
Castor oil	2260.020	4/8/42
Cattle, ox, and calf tail hair including switches	3696.100	7/2/42
Chrome ore (chromite)	6213.100	12/28/41
	6213.300	12/28/41
	6213.500	12/28/41
Coconut oil	2242.500	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	8/21/42
Copper	6401.100	12/28/41
	6417.100	3/14/42
	6430.000	3/14/42
	6418.300	6/1/42
Copper and brass scrap	6401.000	12/28/41
	6418.100	7/2/42
	6453.000	6/1/42
	6760.020	6/1/42
Copper, brass, and bronze manufactures: Copper table, household, kitchen, and hospital utensils, and hollow or flat ware, n. s. p. f.	6430.000	4/2/43
Manufactures of copper, not plated with platinum, gold, or silver, n. s. p. f.	6430.100	4/2/43
Brass blow torches, and kerosene or gasoline	6458.700	4/2/43
Brass table, household, kitchen, and hospital utensils, and hollow or flat ware, n. s. p. f.	6458.800	4/2/43
Manufactures of brass, not plated with platinum, gold, or silver, n. e. s.	6458.900	4/2/43
Manufactures of bronze, not plated with platinum, gold, or silver, n. s. p. f.	6459.900	4/2/43
Finished manufactures of copper, brass, or bronze, n. e. s.	N. S. C.	4/2/43
Copra	2232.000	1/13/42
Corn or maize oil (edible)	1442.000	5/22/42
Corundum and emery in grains, or ground, pulverized, or refined	6450.010	5/22/42
Corundum ore	6450.000	5/22/42
Cotton linters, munitions or chemical grades only (Grades 3–6 inc. according to Department of Agriculture Classification)	N. S. C.	4/8/42
Cotton yarns and fabrics: Airplane cloth, type MM	N. S. C.	8/21/42
Balloon fabric, type LH	N. S. C.	8/21/42
Balloon fabric, type SS	N. S. C.	8/21/42
Cotton rope for spinning mules	N. S. C.	11/23/42
Decating apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 55's and finer	N.S.C.	11/23/42
Filter cloth	N.S.C.	11/23/42
Grey tracing cloth fabric	N.S.C.	11/23/42
Lithograph moleskin cloth	N.S.C.	11/23/42
Pruters molleton	N.S.C.	11/23/42
Tracing cloth	5570.000	8/21/42
Typewriter ribbon fabric	N.S.C.	8/21/42
Cottonseed hull fiber	N.S.C.	7/21/42
Flax, unmanufactured (all types): Hackled, including "dressed line"	3201.000	7/2/42
Not hackled: Valued less than $340 per ton	3202.500	7/2/42
Valued $340 or more per ton	3202.600	7/2/42
Noils	3202.700	7/2/42
Tow	3202.800	7/2/42
Straw	3202.900	7/2/42
Glycerine, crude and refined	8200.000	5/22/42
	8291.100	5/22/42
Goat and kid skin furs	0711.400	7/21/42
Hides and skins: Buffalo hides, dry and wet	0203.000	1/13/42
	0240.100	1/13/42
Calfskins or hairsheep skins	0205.000	7/2/42
Calf, dry and wet	0207.000	1/13/42
	0208.000	1/13/42
Cattle hides, dry and wet	0201.000	1/13/42
	0202.000	1/13/42
Goat and kidskins, dry and wet	0241.000	7/2/42
	0242.000	7/2/42
Kip, dry and wet	0205.000	1/13/42
	0206.000	1/13/42
Shearlings (includes dry and green salted skins)	0231.300	7/2/42
Iron and steel scrap, fit only for remanufacture	6004.000	6/1/42
	6004.100	6/1/42
Istle or Tampico fiber, manufactured in whole or in part (dressed)	3410.010	3/5/43
Istle or tampico fiber manufactures (including all istle products)	N. S. C.	11/23/42

[4] Moved from List I 3/5/43.

Material	Commerce import Class No.	Governing date
Istle or tampico fiber, unmanufactured (including istle waste)	3403.000	3/14/42
Jute, unmanufactured	3241.000	10/6/42
Jute bags or sacks	3249.000	4/2/43
	3249.100	4/2/43
Jute butts, unmanufactured	3242.000	10/6/42
Kapok	3403.100	7/2/42
Kyanite and sillimanite	5930.950	12/28/41
Lead	6564.000	12/28/41
	6505.000	1/9/42
	6505.100	12/28/41
	6506.100	1/9/42
	6506.200	1/9/42
	6506.600	6/1/42
	6507.000	1/9/42
	6509.000	1/9/42
Loofa (Luffa) sponges	N. S. C.	5/21/42
Magnesium, metallic and scrap	6760.310	6/1/42
Maguey or cantala, unmanufactured	3409.200	1/18/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.100	7/21/42
Mahogany furniture and prefabricated parts thereof	N. S. C.	3/5/43
Mahogany logs	4031.000	7/2/42
Mahogany, rough (not further manufactured than sawed)	4202.100	7/21/42
Mercury-bearing ores and concentrates	N. S. C.	4/8/42
Mercury or quicksilver (metallic)	6682.000	12/28/41
Meshita fiber	N. S. C.	10/6/42
Metallic beryllium, caesium, lithium, and potassium	8380.570	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6740.100	6/1/42
Mica,	5960.700	3/14/42
	5960.800	3/14/42
	5960.810	3/14/42
	5960.820	3/14/42
	5960.830	3/14/42
	5960.840	3/14/42
	5960.850	3/14/42
	5960.860	3/14/42
	5960.870	3/14/42
	5960.880	3/14/42
	5960.890	3/14/42
	5961.600	3/14/42
	5961.700	7/21/42
	5961.800	3/14/42
	5961.810	3/14/42
	5961.820	3/14/42
	5961.830	3/14/42
	5961.850	3/14/42
	5961.900	3/14/42
	5964.000	3/14/42
	5964.200	3/14/42
Milkweed	N. S. C.	1/18/43
Nutgalls or gall nuts	2310.000	9/11/42
Oiticica oil	2255.000	4/8/42
Ouricury (uricury) nuts and kernels	2239.610	5/22/42
	2239.620	5/22/42
Ouricury (uricury) oil, inedible and edible	2257.800	5/22/42
	2257.830	5/22/42
Palm nut kernels	2256.500	3/14/42
Palm kernel oil	2248.000	3/14/42
Palm oil	2243.000	1/13/42
Punga fiber	N. S. C.	3/5/43
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	8102.000	3/5/43
Quinine alkaloid	8103.200	3/5/43
Other salts and derivatives of quinine	8103.300	3/5/43
Cinchonidine and its salts	8103.400	3/5/43
Cinchonine and its salts	8103.500	3/5/43
Quinidine and its salts	8103.600	3/5/43
Totaquine and totaquine compounds	N. S. C.	3/5/43
Rapeseed oil, denatured and not denatured	2246.000	5/22/42
	2253.000	1/13/42
Shellac, unbleached and bleached	2107.200	3/14/42
	2108.000	3/14/42
Silk		
Cocoons	3703.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3799.000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702.000	10/21/42
Silk waste	3704.000	10/21/42
Wild silk or tussah	3702.100	10/21/42
Silver		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819.500	7/21/42
Silver—Continued.		
Bullion, refined	6819.600	7/21/42
Coin, foreign	6819.800	7/21/42
Sweepings and scrap, including silver sulphides	6819.900	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (includes flume tow and bagasse waste)	3401.000	1/18/43
Sperm oil crude, refined or otherwise processed	0803.000	5/22/42
	0803.100	5/22/42
Talc, steatite (magnesium silicate), containing not to exceed 1½% lime and 1½% ferric oxide:		
Crude and unground	N. S. C.	11/23/42
Ground, washed, powdered, or pulverized	N. S. C.	11/23/42
Tin		
Alloys, chief value tin, n. s. p. f. (including alloy scrap)	6551.000	6/1/42
Bars, blocks, pigs, grain or granulated	6551.500	6/1/42
Metallic scrap (except alloyed scrap)	6551.500	6/1/42
Tin-plate scrap	6740.050	7/2/42
Tung oil (China wood oil)	2241.000	1/13/42
Tungsten ore and concentrates	6232.000	12/28/41
Urena lobata fiber	N. S. C.	10/6/42
Vanadium ore	6260.000	12/28/41
Wool, apparel, finer than 44's	3520.000	7/2/42
	3521.100	7/2/42
	3521.200	7/2/42
	3521.300	7/2/42
	3522.000	7/2/42
	3523.100	7/2/42
	3523.200	7/2/42
	3523.300	7/2/42
	3526.000	7/2/42
	3527.100	7/2/42
	3527.200	7/2/42
	3527.300	7/2/42
	3528.000	7/2/42
	3529.100	7/2/42
	3529.300	7/2/42
Wool (apparel, finer than 40's but not finer than 44's)	5513.000	7/2/42
	3514.100	7/2/42
	3514.200	7/2/42
	3514.300	7/2/42
	3524.000	7/2/42
	3525.100	7/2/42
	3525.200	7/2/42
	3525.300	7/2/42
Yucca fiber	N. S. C.	3/5/43
Zinc base alloys, value chiefly of zinc, including "Kirksite"	N. S. C.	3/5/43
Zinc, blocks, pigs, or slabs	6558.200	12/28/41
Zinc, dross and skimmings	6558.100	1/18/43
Zinc, old and worn out, fit only for remanufacture	6558.000	1/18/43

N.S.C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce Statistical Classification of Imports.

List III

NOTE: List III was amended April 2, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import Class No.	Governing date
Alewives and other pickled or salted fish, n. s. p. f.	0073.300–0073.900 inc.	7/2/42
Alfalfa seed	2401.000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067.000	7/2/42
Anchovies, in oil or in oil and other substances	0064.200	1/18/43
	0064.300	1/18/43
Annatto and annatto extracts	2320.600	7/2/42
Argols, tartar and wine lees, and crude calcium tartrate	8329.000	7/2/42
	8330.000	7/2/42
	8380.013	7/2/42
Balata, Massaranduba	N. S. C.	3/5/43
Balata, Peruvian, F. A. Q., white	N. S. C.	3/5/43
Balsams, crude, not containing alcohol (except Canada balsam)	2141.000	7/2/42
	2141.300	7/2/42
	2141.400	7/2/42
	2141.500	7/2/42
	2141.900	7/2/42
Bananas, green or ripe	1301.000	7/2/42
Barley malt	1080.000	7/2/42
Baskets and bags of wood, straw, etc.	4221.000	7/2/42
	4221.200	7/2/42
	4221.500	7/2/42
	4221.600	7/2/42
	4221.900	7/2/42
	1192.000	7/2/42
Beans, dried	0020.000	7/2/42
Beef and veal, pickled or cured	0028.000	7/2/42
Beef, canned, including corned beef	0972.000	7/2/42
Beeswax	0972.100	7/2/42
	0974.000	7/2/42
	8505.000	7/2/42
Blood, dried	0990.130	7/2/42
Bone black, bone char, and blood char	0911.200	7/2/42
Bones, crude	0911.300	7/2/42
Bones, ground, ash, dust, meal and flour	4033.000	7/2/42
Borwood logs	1181.000	7/2/42
Bran; shorts; and other wheat by-product feeds	1356.000	7/2/42
Brazil or cream nuts	1357.000	7/2/42
	2936.000	11/23/42
Broomcorn	0041.000	7/2/42
Butter	0041.200	1/2/43
Buttermilk, dried	1420.000	7/2/42
Cacao butter (cocoa butter)	3560.000	11/1/43
Camel's hair tops	2452.000	7/2/42
Canary seed	2252.000	7/2/42
Candelilla wax	2251.000	7/2/42
Carnauba wax	4092.800	7/2/42
Caroa fiber	N. S. C.	1/18/43
Caroa manufactures	N. S. C.	1/18/43
Caroa yarn	0943.000	7/2/42
Casein or lactarene	1377.000	4/5/42
Cashew nuts and kernels		
Cashmere goat hair, Angora rabbit hair, and hair of other like animals, n. e. s.	3535.500	4/2/43
	3535.600	4/2/43
	3535.700	4/2/43
	3535.800	4/2/43
	3535.900	4/2/43
Cassia buds, unground	1533.000	1/9/42
Cassia, cassia vera, unground	1533.100	10/6/42
Cassia, cassia buds and cassia vera, ground	1550.070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8509.100	1/18/43
Cheese	0045.100–0046.900 inc.	7/2/42
Chickpeas and garbanzos, dried	1200.000	7/2/42
Chicle, crude and refined or advanced	2131.000	7/2/42
	2189.300	7/2/42
China clay or Kaolin	5301.000	5/21/42
Cinnamon and chips of, unground	1526.000	10/6/42
Cinnamon and chips of, ground	1550.030	10/6/42
Cocoa beans or cacao beans	1501.300	7/2/42
Cocoa powder, unsweetened and sweetened	1502.100	1/18/43
	1502.300	1/18/43
	1502.900	1/18/43
Coconuts, in the shell	1351.000	10/21/42
Coconut meat, shredded and desiccated or similarly prepared	1379.000	10/21/42
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil etc., and not in airtight containers, weighing, with contents, not over 15 lbs. each)	0069.000	4/2/43
	0069.200	4/2/43
	0069.900	4/2/43
Coffee, raw or green; roasted or processed	1511.000	7/2/42
	1511.100	7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260.120	7/21/42
Corn	1031.000	7/2/42
Corn, cracked	1090.180	7/2/42
Cotton linters, other than minimations, & chemical grades (Grades 1-2 according to Department of Agriculture Classification)	N. S. C.	7/2/42

Material	Commerce import Class No.	Governing date
Cotton, raw (all staple length)	3001.060	7/2/42
	3003.600	7/2/42
	3003.700	7/2/42
Cotton waste	3003.800	7/2/42
	3006.100	7/2/42
	3006.200	7/2/42
	3006.310	7/2/42
	3006.330	7/2/42
	3006.350	7/2/42
	3006.600	7/2/42
	3230.380	7/2/42
	3230.390	7/2/42
Cotton—Merino waste	9850.002	7/2/42
Crabs, fresh or frozen, prepared or preserved	0086.400	7/2/42
	0086.500	7/2/42
Cream, dried	0041.300	4/2/43
Dog food	1190.700	7/2/42
	1190.800	7/2/42
Egg albumen, dried	0094.600	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0095.000	3/5/43
Eggs (chicken), whole, in the shell	0088.100	7/2/42
Eggs, dried	0090.000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091.000	3/5/43
Eggs of poultry other than chicken, whole, in the shell	0088.500	3/5/43
Egg yolks, dried	0092.000	3/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0093.000	3/5/43
Ergot	2210.330	10/6/42
Fatty acids, not specifically provided for, derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260.220	5/22/42
Linseed oil	2260.210	7/21/42
Soybean oil	2260.230	7/21/42
Other, not elsewhere specified	2260.240	7/21/42
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified	2260.250	7/21/42
Fish scrap and fish meal	0976.000	7/2/42
	8509.700	7/2/42
Floor coverings:		
Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.	3660.000–3670.570 inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3660.100	10/21/42
Pile mats and floor coverings of rattan	3660.300	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3963.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton	3963.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s.	5963.000	10/21/42
Fluorspar	5301.000	7/2/42
	5301.100	7/2/42
Garlic	1205.000	7/2/42
Ginger root unground, not preserved or candied	1536.300	10/6/42
Ginger root, ground, not preserved or candied	1550.080	10/6/42
Glue, except glue size and fish glue (value—under 40¢ lb.)	6940.100	7/2/42
Goat and kid hair except Angora (mohair) and Cashmere	3666.200	7/2/42
Grapefruit and pomeloes	1302.000	7/2/42
Grapes, fresh (other than hothouse)	1315.500	7/2/42
Guano	8504.000	7/2/42
Gum arabic or senegal (Acacia gum)	2161.000	10/21/42
Gum ghatti	N. S. C.	10/21/42
Gum kadaya (karaya) and talka	2163.000	10/21/42
Gum tragacanth	2162.000	10/21/42
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	3/5/43
Hempseed	2238.000	5/22/42
Hempseed oil	2260.000	7/21/42
Herring (including sprats, pilchards and anchovies), all types	0070.000–0070.600 inc.	7/2/42
Hibiscus cannabinus or ferox	N. S. C.	7/2/42
Hide cuttings, raw	0930.800	7/2/42
Hides and skins:		
Horse, colt, and ass	0211.100	7/2/42
	0211.300	7/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Sheep and lamb skins, except shearlings, cabrettas, etc.:		
Pickled skins, not split, no wool	0234.000	7/2/42
Hides and skins—Cont.		
Sheep and lamb skins—Cont.		
Pickled fleshers, split, flesh side	0234.100	7/2/42
Pickled skivers, split, grain side	0234.200	7/2/42
Slats, dry, no wool	0231.700	7/2/42
Other wooled, (wool on) except shearlings	0231.500	7/2/42
Honey	1654.800	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260.100	7/21/42
Ilmenite (including ilmenite sand)	6270.100	7/2/42
Iodine	8300.000	7/2/42
	8380.030	7/2/42
Iron ore	6001.000	7/2/42
Kola nuts	2210.400	7/2/42
Lamb and sheep fur, except Caracul and Persian lamb	0711.300	7/21/42
Leather, unmanufactured	0300.100–0345.900 inc.	7/2/42
Leche caspi (including crude sorva gum)	2170.000	3/5/43
Lentils	1199.000	7/2/42
Linaloe oil or Bois de Rose	2280.270	7/2/42
Limes	1304.000	7/2/42
Lobsters, canned and not canned	0083.000	7/2/42
	0084.000	7/2/42
Lupines	1199.100	7/2/42
Mace, unground	1540.000	10/6/42
Mace, ground	1550.090	10/6/42
Mace, Bombay or wild, unground	1549.200	10/6/42
Mace, Bombay or wild, ground	1550.100	10/6/42
Maté	2210.570	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770.000	10/6/42
Meats, canned, n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0032.960	10/21/42
Meat extracts, including fluid	0096.000	7/2/42
Melons	1330.420	7/2/42
	1330.430	7/2/42
Milk, condensed and evaporated	0040.000	7/2/42
	0040.100	7/2/42
	0040.700	7/2/42
Milk, skimmed, dried	0041.100	4/2/43
Milk, whole, dried	0041.000	4/2/43
Mohair (Angora goat hair)	3530.000–3530.400 inc.	7/2/42
Mohair tops	3560.100	1/18/43
Mohair yarns	3570.300–3570.600 inc.	1/18/43
Molasses and sugar sirup, edible and inedible	1630.450–1640.000 inc.	7/2/42
Monazite sand and other thorium ore	5930.300	7/2/42
Muru muru nuts and kernels	2239.630	5/22/42
	2239.640	5/22/42
Nitrates, Sodium and Potassium	8506.000	7/2/42
	8527.500	7/2/42
	8527.900	7/2/42
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	8509.800	1/18/43
Nutmegs, unground	1539.000	10/6/42
Nutmegs, ground	1550.110	10/6/42
Oats, hulled and unhulled	1041.000	7/2/42
	1041.100	7/2/42
Offal, edible	0023.000	7/2/42
Oil cake and oil cake meal:		
Coconut or copra	1111.000	3/5/43
Soybean	1112.000	3/5/43
Cottonseed	1114.000	7/2/42
Linseed	1115.000	3/5/43
Peanut	1119.000	7/2/42
Hempseed	1119.700	7/2/42
Other, n.s.p.f.	1119.900	7/2/42
Oleo stearin	0036.300	7/2/42
Onions, edible	1206.100	7/2/42
Orange flower or neroli oil	2280.250	1/18/43
Orange oil (including mandarin)	2277.000	1/18/43
Orange oil, terpeneless (including mandarin)	2277.100	1/18/43
Ouricury (uricury) wax	2252.300	7/2/42
Paper base stock:		
Rags for paper stock	4691.000	7/2/42
Waste bagging, gunny cloth and bags	4692.000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n. e. s.	4692.900	7/2/42
Peaches, green, ripe, or in brine	1330.610	7/2/42
Pears, green, ripe or in brine	1330.660	7/2/42
Peas, dried and split	1197.000	7/2/42
	1198.000	7/2/42
Peppers	1210.050	7/2/42
Piassava fiber	3409.350	7/2/42
Piassava fiber manufactured in whole or in part (dressed cut to length, etc.)	3410.050	3/5/43
Pigeons, racing or fancy	0895.500	7/2/42
Pigeons, other	N. S. C.	7/2/42
Pimento (allspice), unground	1543.000	10/6/42
Pimento (allspice), ground	1550.130	10/6/42
Pony fur skins, undressed	0721.000	1/18/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	0030.900	7/2/42
	0031.500	7/2/42
Rice, broken	1059.200	7/2/42
Rye	1044.000	7/2/42
Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere specified, or from fatty acids thereof	2260.200	7/21/42
Sardines, in oil or in oil and other substances	0063.200	4/2/43
	0063.300	4/2/43
Sausage casings, sheep, lamb and goat only	0084.000	7/2/42
Sausage casings, other	0085.500	7/2/42
Sesame seed	2234.000	5/22/42
Soap (except Castile) and soap powder	8712.200–8719.900 inc.	7/2/42
Soap bark or quillaya	2210.820	7/2/42
Sugar, cane	1610.750–1610.000 inc.	7/2/42
Syrups and extracts for use in the manufacture of beverages	N. S. C.	3/5/43
Tallow, vegetable	2250.000	7/2/42
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	0975.000–5809.000	7/2/42
Tapioca, tapioca flour, and cassava (including mandioca flour)	1228.000	7/2/42
Tea, not specially provided for	1521.000	7/21/42
Textile waste, not elsewhere specified (incl. jute thread and flax, etc.)	9850.905	7/2/42
Tobacco, unmanufactured	2601.000–2610.000 inc.	7/2/42
Tonka beans	1546.000	7/2/42
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n. e. s.	3560.500	1/18/43
Tucum nuts and kernels	2239.650	5/22/42
	2239.660	5/22/42
Tuna fish, fresh or frozen	0058.000	7/2/42
Tuna fish, in oil or in oil and other substances	0065.200	4/2/43
Turtles	0086.200	7/2/42
Vanilla beans	1545.000	7/2/42
Vegetable ivory or tagua nuts	2911.000	7/2/42
Vegetable oil foots, other than olive	N. S. C.	7/21/42
Vegetable soapstock	N. S. C.	7/21/42
Wool, advanced, n. e. s.	3560.900	1/18/43
Wool, apparel, 40's or coarser	3506.000–3509.300 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	3514.000	7/2/42
	3525.000	7/2/42
Wool, carpet	3501.000–3502.300 inc.	7/2/42
Wool mungo	3503.900	11/23/42
Wool noils and wastes	3550.000–3553.700 inc.	7/2/42
Wool press cloth waste	9850.903	7/2/42
Wool rags	3554.000	11/23/42
Wool shoddy and wool extract	3553.800	11/23/42
Wool tops	3560.400	1/18/43
Wool yarns and yarns of other hair	3574.300–3574.600 inc.	1/18/43
Yarns wholly or in chief value of Angora rabbit hair	3572.400–3573.800 inc.	1/18/43

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

Interpretation 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is

necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order. (Issued June 30, 1942.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M–63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

[F. R. Doc. 43-5140; Filed, April 2, 1943; 11:44 a. m.]

PART 1119—METAL PLASTERING BASES AND METAL PLASTERING ACCESSORIES

[Supplementary Limitation Order L–59–b as Amended April 2, 1943]

Section 1119.3 *Supplementary Limitation Order No. L–59–b* is hereby amended to read as follows:

§ 1119.3 *Supplementary Limitation Order L–59–b*—(a) *Definitions.* For the purpose of this order:

(1) "Metal plastering base" means any expanded or sheet metal lath, woven or welded wire lath, wire cloth or wire fabric, or stucco mesh (with or without paper or other backing), and any combination of the foregoing, of the types thereof commonly used as base for the application of interior or exterior plaster or stucco, or as a combination form and reinforcement for concrete or gypsum floor and roof slabs.

(2) "Metal plastering accessory" means any article (other than a metal plastering base, a nail, clip, or any device for holding plaster base other than metal plastering base), which is of a type commonly used as a guide, support, reinforcement or means of attachment for metal plastering bases, and which is made in whole or in part of metal including, but not limited to, the following: corner lath (cornerite), corner beads, base screed, corner bead clips, metal partition studs, floor and ceiling track for partitions, steel plastering shapes such as channels and rods, and concealed picture mold and trim to be applied before plastering.

(b) *General restrictions.* Notwithstanding any contract, agreement or preference rating:

(1) No person shall manufacture or fabricate any metal plastering base, except:

(i) To fill an order from or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration when such metal plastering base is authorized by the Army, Navy Munitions Board List of Prohibited Items for Construction Work, as amended, or as authorized as an exception to said list: or

(ii) Rib type metal lath suitable as a combination form and reinforcement for cast-in-place concrete or gypsum floor and roof slabs; or

(iii) For use by such person in the manufacture or assembly of, or for delivery to a manufacturer of

(*a*) Metal reinforced mineral wool insulation blankets, or

(*b*) Metal reinforced mineral wool insulating pipe coverings, or

(c) Metal reinforced filters, or

(*d*) Crude oil reduction equipment, or

(iv) Upon specific approval by the War Production Board upon application made by letter in triplicate addressed to War Production Board, Building Materials Division, Washington, D. C.

(2) No person shall manufacture or fabricate any metal plastering accessory.

(3) No person shall sell or deliver any metal plastering base or metal plastering accessory, except

(i) To fill an order from or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration when such metal plastering base is authorized by the Army, Navy Munitions Board List of Prohibited Items for Construction Work, as amended, or as authorized as an exception to said List; or

(ii) Rib type metal lath suitable as a combination form and reinforcement for cast-in-place concrete or gypsum floor and roof slabs, pursuant to preference ratings of AA–5 or better, and no person shall use rib type metal lath for any purpose other than as such combination form and reinforcement; or

(iii) To a person engaged in the manufacture or assembly of

(*a*) Metal reinforced mineral wool insulation blankets, or

(*b*) Metal reinforced mineral wool insulating pipe coverings, or

(c) Metal reinforced filters, or

(*d*) Crude oil reduction equipment,

but no such person engaged in such manufacture shall use such metal plastering base except in the manufacture or assembly of the materials set forth in this paragraph (b) (3) (iii) of Order L–59–b; or

(iv) Metal plastering base or metal plastering accessory in his possession prior to the 2nd day of April 1943; or

(v) Upon specific approval by the War Production Board, upon application made by letter in triplicate addressed to War Production Board, Building Materials Division, Washington, D. C.

(c) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD–500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Routing of correspondence.* Reports to be filed and communications concerning this order, other than appeals, shall be addressed to the War Production Board, Building Materials Division, Washington, D. C. Ref.: L–59–b.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5145; Filed, April 2, 1943; 11:44 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 1 of CMP Reg. 3]

In § 3175.3 the provisions of paragraph (c) of CMP Regulation No. 3 with respect to the superiority of a rating with an allotment number over the same rating without an allotment number are subject to the provisions of Priorities Regulation No. 12 regarding reratings. The receipt of an allotment number against a delivery order previously rated without an allotment number is equivalent to a rerating of the delivery order.

Attention is called specifically to paragraph (1) of Priorities Regulation No. 12 which provides that a rerating takes effect as if the new rating had been applied or extended when the original rating was applied or extended, except that (1) there are restrictions on the diversion of items already completed or scheduled for completion in 15 days and (2) no person is required by reason of a rerating to terminate or interrupt a production schedule within 40 days after receipt of the rerating where such termination or interruption would result in a substantial loss in production.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5146; Filed, April 2, 1943; 11:45 a. m.]

PART 3214—MEN'S, WOMEN'S, CHILDREN'S, AND INFANTS' HOSIERY

[General Limitation Order L–274]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of silk, nylon, rayon, cotton, wool and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3214.1 *General Limitation Order L–274*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order, unless otherwise expressly defined all trade terms shall have their usual and customary meanings.

(c) *Restrictions on the manufacture of certain types of hosiery.* (1) On and after May 15, 1943, no person shall put into production women's full-fashioned plain-knit hosiery, women's seamless, circular-knit hosiery, men's hosiery, or misses', children's or infants' hosiery, except in accordance with Schedules A, B, C, and D, which are a part of this order, or in paragraphs (c) (2), (c) (3) and (c) (4).

(2) Any person having a substantial number of machines which on May 15, 1943, or within one year prior thereto were in use to manufacture products referred to in paragraph (c) (1), but which cannot be used or converted to produce the products permitted by this order without a substantial allotment of critical materials for conversion, may, if he desires, so report in writing to the War Production Board, attention of Textile, Clothing and Leather Division, setting forth all pertinent facts. The War Production Board, if it determines that the output of such machines is necessary to maintain production at adequate levels, may establish specifications for products to be manufactured with such machines, such specifications to apply to such products alone, and to supersede the applicable limitations of this order.

(3) The restrictions of paragraph (c) (1), and the schedules therein referred to, and any specifications established pursuant to paragraph (c) (2), do not apply to the manufacture of any hosiery for or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(4) Any hosiery manufacturer may use to produce hosiery not permitted by this order any material which was in his inventory on April 2, 1943, and which with his existing machines he cannot use to manufacture products permitted by this order.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing & Leather Division, Washington, D. C. Ref.: L–274.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Records.* All manufacturers affected by this order shall keep and preserve for not less than two years, accurate and complete records of production, type and poundage of raw materials consumed, and shipments made by date, quantity, and name of consignee.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

WOMEN'S FULL-FASHIONED HOSIERY

(a) This schedule does not apply to full-fashioned over-all cotton hosiery of any gauge, or to any so-called "Run-Proof" hosiery, or any mesh hosiery made on modified or full lace attachments, and the manufacture of such products is not restricted by this order. The schedule does not prohibit constructions of cotton, wool, continuous filament, or spun rayon yarn in any combination yarns.

(b) No person shall produce any women's full-fashioned rayon plain-knit hosiery unless it meets the minimum specifications shown on the following table:

Gauge	Welt		Leg		Minimum total courses	Heel and sole splicing	Toe equivalent to—
	Yarn	Minimum turns per inch	Rayon yarn	Minimum turns per inch			
39	150 den. rayon	8	150	8	1,190	100 den. or 120/2	200 den.
39	70/2 cotton		120	8	1,150	100 den. or 120/2	250 den.
42	150 den. rayon	8	150	8	1,240	100 den. or cotton	250 den.
42	80/2 cotton		150	8	1,200	100 den. or cotton	250 den.
42	150 den. rayon	8	100	20	1,340	100 den. or cotton	200 den.
42	80/2 cotton		100	20	1,300	100 den. or cotton	200 den.
45 or 48	150 den. rayon	8	100	20	1,400	100 den. or cotton	200 den.
45 or 48	100/2 cotton		100	20	1,360	100 den. or cotton	200 den.
45 or 48	100 den. rayon	10	75	25	1,450	100 den. or cotton	200 den.
45 or 48	100/2 cotton		75	25	1,410	100 den. or cotton	200 den.
51 and up	75 den. rayon	15	120	30	1,600	75 den. or cotton	150 den.
51 and up	140/2 cotton		120	30	1,560	75 den. or cotton	150 den.

[1] Can use only viscose rayon yarn qualifying as yarn of 50 denier or finer and having an average tenacity of 2.3 grams per denier or higher irrespective of elongation.

(c) The leg length shall be 29 inches with a 1½ inch tolerance plus or minus. Any person who manufactured proportioned length hosiery outside the tolerances permitted by this paragraph (c) in 1942 may apply to the War Production Board for permission to continue such manufacture. Such application shall be in writing, and shall set forth all pertinent facts. The War Production Board may take such action on such application as it may deem proper.

(d) The minimum length of the welt shall be 3½ inches and of the afterwelt 1½ inches.

(e) The minimum number of needles used in knitting hosiery shall be the full 14 inch bar less two needles at each end of the bar on all gauges.

(f) The minimum number of courses are to be counted in conventional or legger-footer construction, from the first course in the welt to the loose course in the heel; in single unit or rack-back constructions, from the first course in the welt to the course in the heel on which the widest course in the rack-back falls.

(g) The heel splicing shall measure 4½ inches from the bottom of the heel with a ½ inch tolerance, plus or minus.

(h) All seams shall be made with a minimum of 16 stitches to the inch and be made of a good quality two or three ply seaming yarn.

(i) Based on a 14 inch head, the maximum number of total flare and calf narrowings shall be:

39 gauge	40 narrowings.
42 gauge	42 narrowings.
45 gauge	44 narrowings.
48 gauge	46 narrowings.
51 gauge	50 narrowings.
54 gauge and up	Optional.

(j) The reinforcing yarn in the toe must start within 10 courses from the first toe narrowing.

(k) Where two-ply cotton yarns are specified the equivalent count in single yarns may be used.

Needles	If cotton	Welt construction if rayon		Body or boot construction if rayon		Splicing yarns when used	Heel and toe yarns	Minimum total courses of all-over rayon construction		Total minimum courses if made with cotton welts	Minimum total courses if all-over cotton construction	
		Denier	Minimum twist	Denier	Minimum twist			Boot yarn	Total courses		Welt and boot yarn	Total courses
240 and below	60/2	150	Producers	150	Producers	50 denier rayon or 70/1 cotton	40/2	150	900	852	60/2	852
260	60/2	150	Producers	150	Producers	50 denier rayon or 80/1 cotton	50/2	150	960	912	70/2	960
280	70/2	150	Producers	150	Producers	50 denier rayon or 90/1 cotton	60/2	150	1,008	960	80/2	1,008
300	80/2	150	Producers	100	15 turns	50 denier rayon or 100/1 cotton	70/2	100	1,104	1,056	100/2	1,104
320	100/2	100	10 turns	100 (or 75)	15 turns, 20 turns	50 denier rayon or 100/1 cotton	80/2	100 (or 75)	1,152	1,104 (or 1,152)	120/2	1,200
340	120/2	100	10 turns	75	20 turns	50 denier rayon or 100/1 cotton	100/2	75	1,260	1,212	140/2	1,296
Above 340	140/2	100	10 turns	75	20 turns	None	140/2	75	1,320	1,296	140/2	1,356

(b) Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns, and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used.

(c) Where two-ply cotton yarns are specified in the table the equivalent counts in single yarns may be used.

(d) The leg length of women's seamless hosiery shall be 30 inches with 1 inch tolerance plus or minus. All welts to finish 4 inches with ½ inch tolerance.

(e) The specified minimum total courses are to be counted from the first course in the welt to the end of the high splicing where the reciprocating motion is started for the heel.

(f) Mesh or tuck stitch constructions in women's circular knit hosiery are restricted to the following constructions:

(1) On single-end tuck stitch knitting, no finer than one end of 100 denier rayon yarn may be used in the leg on any machine regardless of number of needles.

(2) On double-end mesh knitting no finer than 75 denier rayon yarn may be used in the leg on any machine regardless of number of needles.

(3) Minimum number of turns per inch in the rayon yarn in mesh or tuck stitch constructions are to be the same as shown in above table for plain knit constructions for similar deniers.

(g) All sole splicing yarns are prohibited in women's circular knit all-over cotton hosiery and in women's circular knit rayon hosiery when the main end is 100 denier rayon yarn or heavier.

(h) No manufacturer of women's circular knit hosiery shall put in dye or knit ingrain more than seven basic body colors for any one six months spring or fall season, and no more than five of these seven colors in any one style number in any corresponding six months period. In addition to the foregoing colors, white is also permitted.

(i) Plied ends of single rayon yarn may be used if they make the equivalent denier of yarns shown in the table.

(m) In single unit or rack-back construction the total minimum number of courses may be no more than 40 courses less than the minimums for conventional constructions shown in the above table.

(n) No lace bands, fancy designs or numerals are to be knit in welt or after-welt. No picot stitches are to be placed more closely than ¾ inch apart except for the top ½ inch of the welt.

(o) No manufacturer shall put in dye or knit ingrain more than 7 basic body colors for any six months spring (Jan. 1st-June 30th) or six months fall (July 1st-Dec. 31st) season and no more than five of these seven colors in any one style number in any corresponding six months period. In addition to the foregoing colors, white is also permitted.

SCHEDULE B

WOMEN'S SEAMLESS, CIRCULAR KNIT HOSIERY

(a) No manufacturer shall produce any women's seamless or circular plain-knit hosiery unless it meets the minimum specifications shown on the following table:

SCHEDULE C

MEN'S HOSIERY

(a) The following limitations apply to men's hosiery but do not apply to the manufacture of men's work socks or bundle socks made of wool, part wool, or cotton.

(b) No manufacturer may produce in any mill fancy half-hose patterns which were not in actual production in such mill during the sixty-day (60) period immediately prior to April 2, 1943. Any machines that have been idle for this entire period may be set-up on patterns of the mill's choosing, but when so set-up, they are subject to the limitations of this clause.

(c) (1) In any six months period, no one mill shall put in dye or knit ingrain more than seven (7) basic colors and no more than five (5) of such seven basic colors in any one style, to which may be added white and three War Service colors.

(2) No limitations are placed upon the use of various colors in yarns used purely for decorative purposes in men's fancy half-hose.

(d) No men's half-hose are to be manufactured with any splicing or reinforcing yarn in the sole.

(e) The doubling, turning or welting or hemming of true ribbed tops in men's half-hose or those made on N-H or Komet machines is prohibited.

(f) No men's half-hose are to be manufactured with any mock-seams.

SCHEDULE D

MISSES', CHILDREN'S AND INFANTS' HOSIERY

(a) No manufacturer shall put in production any fancy or novelty patterns or designs, not actually in production in the period between October 1st, 1942, and April 2, 1943.

(b) No manufacturer shall produce any children's half-socks in a foot-size larger than seven and one-half (7½). Infants' ribbed long hose may not be produced in a foot-size exceeding 5½ or in a color other than white.

(c) (1) The total finished leg-length of all misses', children's, and infants' anklets either straight-up or cuff-top is not to exceed the measurements shown in Table #10 of U. S. Commercial Standards, C. S. 46-40, as follows:

TABLE 10.—STANDARD LENGTHS OF ANKLETS (FOLDED AND SINGLE CUFFS)

Size	Number of needles	Size of cylinder (diameter)	Standard length	Tolerance
		Inches	*Inches*	*Inch*
5–5½	120–160	2¼–2½	4	±¼
6–6½	120–180	2¼–3	4½	±¼
7–7½	130–200	2½–3¼	5	±¼
8–8½	140–220	2½–3½	5½	±¼
9–9½	150–240	2¾–3½	6	±¼
10–10½	160–240	3–3½	6	±¼
11–11½	120–180	3¼–3¾	6	±¼

(2) No cuff may be turned down or folded more than once, and shall not be made of more than one thickness of fabric before folding.

(3) No top or cuff either straight-up or folded is to measure when finished more than two (2) inches in length.

(d) (1) No true-ribbed, topped-on anklets or anklets made on H-H or Komet machines in sizes 8 and up are to be manufactured with other than straight-up tops. No cuff or turned tops.

(2) All folded down or cuff top anklets in sizes 8 and up are to be manufactured with sewed-on tops.

(e) No misses', children's or infants' hosiery shall be manufactured with any splicing or reinforcing yarn in the sole of the foot.

(f) In any six months period, no manufacturer of misses', children's or infants' hosiery shall knit or put in dye more than seven (7) basic body colors and, in staples, no more than six (6) of such basic colors in any one style and in novelties no more than four (4) of such basic colors in any one style. In addition to the foregoing colors, white is also permitted. No restriction is placed upon the use of any colored yarns in the manufacture of decorative stripes, designs and figures in any part of any misses', children's or infants' hosiery.

[F. R. Doc. 43-5144; Filed, April 2, 1943; 11:44 a. m.]

PART 3236—QUINACRINE

[General Preference Order M-306]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of quinacrine for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3236.1 *General Preference Order M-306*—(a) *Definitions.* (1) "Quinacrine" means the chemical compound of that name or the name "Quinacrine Hydrochloride U. S. P.", whether sold under either of such names or under a trade name (including the name "atabrine"). The term includes the chemical compound quinacrine in any medicinal tablet or other dosage form, except ampoules.

(2) "Producer" means any person who produces or imports quinacrine or has quinacrine prepared for him pursuant to toll agreement, or who makes quinacrine tablets or other dosage forms of quinacrine, except ampoules.

(b) *Restrictions on deliveries and use.* (1) No producer shall deliver or use any quinacrine except as specifically authorized or directed by War Production Board. No person shall accept delivery of any quinacrine which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions with respect to deliveries or use of quinacrine by producers in each calendar month will so far as practicable be issued by War Production Board prior to the commencement of such month (in the normal case on Form PD-602 filed pursuant to paragraph (c)(1)), but War Production Board may at any time issue directions to any person with respect to deliveries to be made or with respect to the use or uses which may or may not be made of quinacrine to be delivered or then on hand.

(3) In the event that any producer, after receiving notice from War Production Board with respect to a delivery of quinacrine which he is authorized or directed to make to any specific customer, shall be unable to make such delivery either because of receipt of notice of cancellation from such customer or otherwise, such producer shall forthwith give notice of such fact to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-306, and shall not, in the absence of specific authorization or direction from War Production Board sell or otherwise dispose of the quinacrine which he is unable to deliver as aforesaid.

(c) *Applications and reports.* (1) Each producer seeking authorization to deliver or use quinacrine during any calendar month, beginning with May 1943, shall file application on or before the 20th day of the preceding month. Application for authorization to deliver or use quinacrine, in April, 1943, shall be filed as many days as possible in advance of the proposed date of delivery or use. In any case, application shall be made on Form PD-602 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared of which three shall be filed with the War Production Board, Washington, D. C., Ref.: M-306, the fourth being retained for producer's files. At least one of the copies filed with War Production Board shall be manually signed by producer by a duly authorized official. Where the application is for authorization to deliver both uncompounded (bulk) quinacrine and quinacrine in tablet or other dosage form, one set of Form PD-602 shall be filed for deliveries of uncompounded (bulk) quinacrine and a second set of such Form PD-602 for deliveries of quinacrine in tablet or other dosage forms.

(iii) In the heading under "Name of material", specify "Quinacrine"; under "Grade", indicate whether uncompounded (bulk) or in dosage form (specifying particular dosage form); under "WPB Order No.", specify "M-306"; under heading "This schedule is for delivery to be made during month/quarter ----------, 194--", strike out the word "quarter" and specify the month and year during which deliveries covered by the application are to made; under "Unit of measure", specify "pounds" (or number of tablets or other dosage units); under "Name of company", producer should specify his name and the address of the plant or warehouse from which he proposes to make shipment.

(iv) In Column 1, each producer who seeks authorization to deliver uncompounded (bulk) quinacrine to any other person in the applicable month for the manufacture of tablets or other dosage forms, will list the name and delivery destination of each such other person. In no other case, however, whether the product to be delivered is uncompounded (bulk) quinacrine or quinacrine in dosage form, is it necessary to list names and delivery destinations, but classes of customers will be lumped as provided in subparagraph (v).

(v) Except as provided in subdivision (iv), any order or orders falling within one of the following classes need not be itemized, but producer shall list in Column 1 the applicable class heading (viz. one of those specified in this subparagraph) and in each case will specify in Column 4, opposite the applicable class heading, the total quantity of quinacrine ordered for delivery to such class during the month to which the application relates:

Army
Navy
Maritime Commission
War Shipping Administration
Civilian
Lend-Lease
Export other than Lend-Lease to (name country and show separate total for order for each country).

In Column 7, applicant will enter contract numbers applicable to orders placed by Branch of Service or Government Agency or, in case of purchase for export, the export license number, if any.

(vi) Where the application is for authorization to deliver uncompounded (bulk) quinacrine to another person for the manufacture of tablets or other dosage forms, producer will specify in Column 1a "Manufacture of ----------" (specifying particular dosage form).

(vii) A producer requiring permission to use all or part of his own production of quinacrine (whether or not for use in the manufacture of tablets or other dosage forms) shall list his own name on Form PD-602 as a customer, specifying in Column 1a, where that is the case, that his use is the manufacture of tablets or other dosage forms.

(viii) Each producer will fill out Table II in its entirety. In Column 8 under "Grade", producer will specify "uncompounded" or "tablets" or other dosage form.

(2) On or before the 5th day of each month beginning with May, 1943, each producer shall file Form PD-602, subject to the following special instructions:

(i) Two copies shall be prepared of which one shall be filed with War Production Board, Washington, D. C., Ref: M-306, the second copy to be retained for producer's file. The filed copy shall be manually signed by producer by a duly authorized official. Where in the preceding month producer delivered both uncompounded (bulk) quinacrine and quinacrine in dosage forms, one Form PD-602 shall be filed for deliveries of uncompounded (bulk) quinacrine and a second Form PD-602 for deliveries of quinacrine in dosage form.

(ii) The same information shall be given as specified in paragraph (c) (1) (iii) hereof with the following change; under the heading "This schedule is for deliverie to be made during the month/quarter, ----------, 194--", strike out the words "to be" and "quarter" and specify the month and year preceding the month in which such Form PD-602 is filed.

(iii) In column 1, producer will list the name and delivery destination of each customer (exclusive of Army, Navy, Maritime Commission, War Shipping Administration, Lend-Lease or other person or agency, purchasing for export) to whom he delivered quinacrine in the preceding month, and in Column 4 will indicate the quantity delivered to each.

(iv) In all other respects, Form PD-602 will be left blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions with respect to preparing and filing Form PD-602.

(d) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Notification of customers.* Each supplier shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give notice shall not excuse any such person from complying with the terms hereof.

(3) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Pro-

duction Board, Chemicals Division, Washington, D. C.; Ref: M-306.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5142; Filed, April 2, 1943; 11:44 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RPS 88,[1] Amendment 88]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (b) (14) is added to read as follows:

(14) *Heavy fuel oil, District 5 as defined by the Petroleum Administrator for War.* A seller's maximum price or prices at a particular shipping or delivery point in District 5 as defined by the Petroleum Administrator for War for (a) Pacific Standard No. 300 fuel oil having a viscosity of not less than 25 and not more than 60 seconds Saybolt Furol (at 122° F.) and for (b) Pacific Standard No. 400 fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (at 122° F.) shall be the sum of his maximum price or prices established prior to April 1, 1943 under § 1340.159 (b) and 25 cents per barrel.

2. Section 1340.159 (d) (2) (i) is amended to read as follows:

(i) Where a contract for the sale of dry gas was in effect on May 1, 1942, the seller's maximum price to the same purchaser for deliveries of dry gas produced from the same source or sources as the dry gas covered by the contract shall not exceed the price that could be charged for such deliveries under the terms of the contract that was in effect on May 1, 1942: *Provided, however,* That where, under the terms of any contract in effect on May 1, 1942 between a seller and a purchaser, the price for dry gas was adjustable to the price of fuel oil, the seller's maximum price to such purchaser shall be computed by regarding the maximum price of fuel oil on May 1, 1942 as the price of such fuel oil.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5078; Filed, April 1, 1943; 4:18 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718, 3795, 3845, 3841.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPERS AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 182,[1] Amendment 5]

KRAFT WRAPPING PAPERS AND CERTAIN BAG PAPERS AND CERTAIN BAGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 182 is amended in the following respects:

1. Section 1347.301 (b) (1) (iii) is added to read as follows:

(iii) Zone D ---------- Same as Zone A in the Spokane trading area including Spokane and Pullman, Washington and Coeur d'Alene, Wallace, Moscow and Lewiston, Idaho. In the remainder of Zone D, no differential may be added, but maximum prices may be f. o. b. docks or cars Seattle, Tacoma and Vancouver in Washington, Portland in Oregon, San Francisco, Oakland, San Pedro, Long Beach or Wilmington in California, or f. o. b. cars Los Angeles, California, with no further freight allowance.

2. In § 1347.301 (b) (2) the next to the last sentence is amended to read as follows:

(Quantity includes the total weight of any combination of the grades listed in paragraph (a) of this section and § 1347.11 (a) (6) of Maximum Price Regulation No. 129, and the bags listed in § 1347.315 of this Regulation. * * *)

3. Section 1347.301 (b) (7) (i) is amended to read as follows:

(i) Chipboard top and bottom ------ no differential.

4. Section 1347.301 (b) (7) (vi) is amended to read as follows:

(vi) Ream wrapping, sealing or banding----------[1] 25¢

[1] Plus the actual cost in excess of 25¢.

5. Section 1347.301 (b) (9) is amended to read as follows:

(9) Differentials for colors other than tints, more costly finishes, excluding variety bag paper, special machine markings other than machine glazed striping or felt striping, brightness of over 35 to 50 G. E. inclusive, and test specifications definitely in excess of those herein defined, shall not be in excess of the minimum of each such differential that was actually charged or offered during the period of October 1 to October 31, 1941, inclusive. Within ten days after the first sale involving the application of any such differential subsequent to July 28, 1942, the seller shall submit to the Office of Price Administration, Washington, D. C., a report setting forth the amount of such differential, to what grade herein defined the differential was applied, a description of the grade sold and the purpose to which it is to be put, and the estimated tonnage of such paper to be manufactured during the succeeding six months. Any changes in differentials already reported by manufacturers shall be reported to the Office of Price Administration in Washington, D. C., within ten days after the effective date of this Amendment No. 5. All such differentials used or reported shall be subject to adjustment or disapproval at any time by the Office of Price Administration.

6. Section 1347.311 Footnote 4 is amended to read as follows:

[4] "Unbleached sulphate" means woodpulp produced by the sulphate process from either coniferous or broadleaf wood either bleached or unbleached to a General Electric brightness of 35 or less.

7. Section 1347.311 (a) (6) is amended to read as follows:

(6) "Standard kraft wrapping paper" means any machine finished wrapping paper 25 lb. basis weight or over, containing 50% or more unbleached sulphate [4] fibre and testing less than 86% of the basis weight Mullen Test under Standard TAPPI testing procedure. Wrapping papers 18 lb. to less than 25 lb. basis weight otherwise meeting these specifications shall be "No. 1 kraft wrapping paper".

8. Section 1347.311 (a) (7) is amended to read as follows:

(7) "No. 1 kraft wrapping paper" means any machine finished wrapping paper 18 lb. basis weight or over containing 100% unbleached sulphate [4] fibre and testing 86% and not more than 96% of the basis weight Mullen Test under Standard TAPPI testing procedure. All rolls and bundles must be stencilled or labeled with a designation including the words, "No. 1 kraft".

9. Section 1347.311 (a) (9) is amended to read as follows:

(9) "Imitation kraft wrapping paper" means any wrapping paper 18 lb. basis weight or over containing 60% or more of any one or any combination of waste paper, groundwood or screenings, but also containing 25% or more of unbleached sulphate [4] pulp or kraft waste, kraft screenings, or kraft clippings. All rolls and bundles must be stencilled or labeled with a designation including the words "Imitation kraft".

10. Section 1347.311 (a) (10) is amended to read as follows:

(10) "Standard unbleached kraft butchers wrapping paper" means any wrapping paper containing 85% or more unbleached sulphate [4] fibre testing less than 70% of the basis weight Mullen Test under Standard TAPPI testing procedure and possessing sizing, formation, etc., to make it suitable for butchers' use and sold for butchers' use.

11. Section 1347.311 (a) (11) is amended to read as follows:

(11) "No. 1 unbleached kraft butchers wrapping paper" means any wrapping paper containing 100% unbleached sulphate [4] fibre testing not less than 70% of the basis weight Mullen Test under Standard TAPPI testing procedure, possessing sizing, formation, etc., to make it suitable for butchers' use and sold for butchers' use. All rolls and bundles must be stencilled or labeled with a designation including the words "No. 1 kraft butchers".

12. Section 1347.311 (a) (13) is amended to read as follows:

(13) "Standard kraft bag paper" means any paper 30 lb. basis weight or over containing 50% or more unbleached sulphate fibre [4] and testing less than 96% of the basis weight Mullen Test under Standard TAPPI testing procedure, and shipped in rolls 20" or more diameter for conversion into grocery bags.

13. Section 1347.311 (a) (14) is amended to read as follows:

(14) "Variety kraft bag paper" means any machine finish paper 25 lb. basis weight or over containing 50% or more unbleached sulphate fibre and testing less than 96% of the basis weight Mullen Test under Standard TAPPI testing procedure and shipped in rolls 20" or more diameter for conversion into variety bags such as millinery bags, notion bags, liquor bottle bags, banana bags, doughnut bags, garment bags, pants bags, laundry bags, nail bags, shopping bags and sugar bags, excluding bags of specialty papers and transparent materials.

14. Section 1347.311 (a) (15) is amended to read as follows:

(15) "Machine glazed kraft bag paper" means any paper 18 lb. basis weight or over containing 50% or more unbleached sulphate fibre, glazed on one side by drying on a Yankee machine and shipped in rolls 20" or more diameter, for conversion into bags and testing less than 90% of the basis weight Mullen Test under Standard TAPPI testing procedure.

15. Section 1347.311 (a) (18) is amended to read as follows:

(18) Zone A means all the area of the continental United States east of the eastern boundaries of the states of New Mexico, Colorado, Wyoming, South Dakota and North Dakota, but including the cities of Sioux Falls, Yankton, Aberdeen, Huron, Brookings, Mitchell and Watertown, South Dakota, and Grand Forks, Fargo and Wahpeton, North Dakota.

16. Section 1347.311 (a) (21) is added to read as follows:

(21) Zone D means all the states of California, Oregon and Washington, and Coeur d'Alene, Wallace, Moscow and Lewiston, Idaho.

17. In § 1347.315 (b) the first line following the words "Millinery and notion bags" is amended to read as follows:

25= M. G Brown stripe Kraft--- 25-11/5s

18. Section 1347.315. Footnote 3 is hereby revoked.

19. Section 1347.315 (c) (1) (iii) is amended to read as follows:

(iii) *Zone D.* Same as Zone A in the Spokane trading area including Spokane and Pullman, Washington and Coeur d'Alene, Wallace, Moscow and Lewiston, Idaho. In the remainder of Zone D, no differential may be added, but maximum prices may be f. o. b. docks or cars Seattle, Tacoma and Vancouver in Washington, Portland in Oregon, San Francisco, Oakland, San Pedro, Long Beach or Wilmington in California, or f. o. b. cars Los Angeles, California, with no further freight allowance.

20. Section 1347.301 (c) (5) is hereby revoked.

21. Section 1347.315 (d) is amended to read as follows:

(d) *Definitions.* When used in this Amendment No. 3 the term:

22. Section 1347.315 (d) (5) is hereby revoked.

23. Section 1347.315 (d) (6) is hereby revoked.

24. Section 1347.315 (d) (7) is hereby revoked.

25. Section 1347.315 (d) (8) is hereby revoked.

26. In § 1347.317 List and Discount Table for Handle Shopping Bags is amended to read as follows:

LIST AND DISCOUNT TABLE FOR HANDLE SHOPPING BAGS

Size	Net cost on $100	14½ x 17¾—4¾		17 x 17¾—5⅞		17 x 20—5⅞	
Basis wgt.		70	80	70	80	70	80
List per M		36.50	40.00	41.00	43.50	43.50	46.55
1/8	95.00	34.68	38.00	38.95	41.33	41.33	44.22
2/8	90.25	32.94	36.10	37.00	39.26	39.26	42.01
3/8	85.74	31.30	34.30	35.15	37.30	37.30	39.91
4/8	81.45	29.73	32.58	33.39	35.43	35.43	37.92
5/8	77.38	28.24	30.95	31.73	33.66	33.66	36.02
6/8	73.51	26.83	29.40	30.14	31.98	31.98	34.22
7/8	69.83	25.49	27.93	28.63	30.38	30.38	32.51
8/8	66.34	24.21	26.54	27.20	28.86	28.86	30.88
9/8	63.02	23.00	25.21	25.84	27.41	27.41	29.34
10/8	59.87	21.85	23.95	24.55	26.04	26.04	27.87
11/8	56.88	20.76	22.75	23.32	24.74	24.74	26.48
12/8	54.04	19.72	21.62	22.16	23.51	23.51	25.15
13/8	51.33	18.74	20.53	21.05	22.33	22.33	23.90
14/8	48.77	17.80	19.51	20.00	21.21	21.21	22.70
15/8	46.33	16.91	18.53	19.00	20.15	20.15	21.56
16/8	44.01	16.06	17.60	18.04	19.14	19.14	20.49
17/8	41.81	15.26	16.72	17.14	18.19	18.19	19.46
18/8	39.72	14.50	15.89	16.29	17.28	17.28	18.49
19/8	37.74	13.78	15.10	15.47	16.42	16.42	17.57
20/8	35.85	13.09	14.34	14.70	15.59	15.59	16.69
21/8	34.06	12.43	13.62	13.96	14.82	14.82	15.85
22/8	32.35	11.81	12.94	13.26	14.07	14.07	15.06
23/8	30.74	11.22	12.30	12.60	13.37	13.37	14.31
24/8	29.20	10.66	11.68	11.97	12.70	12.70	13.59
25/8	27.74	10.13	11.10	11.37	12.07	12.07	12.91

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5101; Filed, April 1, 1943; 4:24 p. m.]

[4] 7 F.R. 5712, 6048, 7974, 8997, 8948, 9724, 10811.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 336,[1] Amendment 1]

RETAIL CEILING PRICES FOR PORK CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The last sentence of section 6 of Maximum Price Regulation No. 336 is amended to read as follows:

If you display any pork cut, as in your show case, you must put on it your selling price for that cut.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5102; Filed, April 1, 1943; 4:24 p. m.]

PART 1369—METAL ORES

[MPR 356]

ROYALTIES ON COPPER, LEAD AND ZINC ORES

In the judgment of the Price Administrator it is necessary and proper to establish maximum royalties to be paid on the mining of copper, lead and zinc ores in order to ensure that money paid by the Metals Reserve Company under the Premium Price Plan shall not be dissipated but shall make possible greater production of copper, lead and zinc for the war effort. Such regulation is likewise necessary in order to restrain further increases in royalty payments which will so increase costs of production as to discourage the exploitation of marginal ores of copper, lead and zinc or compel the Metals Reserve Company, pursuant to the Premium Price Plan, to pay substantially larger amounts of public moneys in order to enable mine operators to bear the increased cost entailed in higher royalties.

The Administrator has given due consideration to royalties on the mining of copper, lead, and zinc ores which were charged and paid between October 1 and 15, 1941, and to relevant factors of general applicability. So far as practicable the Price Administrator has consulted with representatives of lessors and producers.

In the judgment of the Administrator the maximum royalties on copper, lead and zinc ores established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation, issued simul-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2859.

taneously herewith, has been filed with the Division of the Federal Register.*

§ 1369.51 *Maximum prices payable on the mining of copper, lead and zinc ores.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 356 (Royalties on Copper, Lead and Zinc Ores), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1369.51 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 356—ROYALTIES ON COPPER, LEAD AND ZINC ORES

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4 Records and reports.
5 Where this regulation applies.
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SEC. 1 *Royalties covered by this regulation.* As the price paid for ores by a miner extracting them from land owned by another person is generally called a royalty, the maximum prices established by this regulation for copper, lead and zinc ores are stated in terms of the maximum royalties which may be paid by the miner of such ores (called the "lessee") or received by the party owning or controlling the mining property (called the "lessor"). The term "royalty," as used in this regulation, means the price or charge paid by the lessee for copper, lead or zinc bearing ores, or the metals contained therein, together with the right of removing the same. It is the charge or price received by the lessor for copper, lead or zinc bearing ores as they exist in the ground and is payable on those ores, or the metals contained therein, as they are mined and processed by the lessee.

This regulation covers royalties charged and paid for the mining of copper, lead and zinc bearing ores and is limited to cases (a) where the lessee pays to the lessor a definite sum for each unit (as per pound of metal or per ton of ore) mined or produced or (b) where the lessee pays to the lessor a part or percentage of the market price of the metals mined, smelter returns, or some other sum, so that the amount paid by the lessee is based on the amount of ore mined or metal produced.

This regulation does not apply to any case where the lessee pays a flat sum for the right to mine any quantity of ore which he may be able to remove from a property during a stated period and any such agreement shall not, for the purposes of this regulation, be considered a lease. Neither does this regulation apply to the sale or grant of mineral rights for a fixed sum as distinguished from a lease granting the right to mine and carrying the obligations to pay for ore mined or metal produced. (This is true even though the purchase price is payable as royalty.) It does, however, apply to a royalty payable under a lease even though the lease contains or is accompanied by an option to purchase. This regulation applies to overriding royalties and to royalties payable under sub-leases as well as prime leases.

For the purposes of this regulation a mine, slag, or tailings dump is considered as ore in the ground and producing from a dump is considered as mining.

SEC. 2 *Maximum royalties on copper, lead and zinc ores mined from properties and workings under lease on December 31, 1942.* The maximum royalty which may be paid or received on copper, lead and zinc ores mined from any property or working which was under lease on December 31, 1942, shall be a royalty determined according to the terms of the lease in effect on December 31, 1942. A lease shall be considered to have provided for the payment of a royalty determined on the basis of premium or bonus money if during 1942, or within normal settlement time thereafter, a royalty so determined was in fact paid for ores mined during 1942 from the property or working covered by such lease. In no case, however, shall any royalty be calculated, paid or received on the basis of premium or bonus money in excess of 5¢ per pound of copper, 2¾¢ per pound of lead, and 2¾¢ per pound of zinc, which is received from the Metals Reserve Company pursuant to the Premium Price Plan or a special contract with the lessee. Where premium or bonus money is paid by the Metals Reserve Company on the basis of production of concentrates, equivalent figures shall be used in lieu of 2¾¢ per pound of lead and 2¾¢ per pound of zinc. As of the date of the issuance of this regulation $41.80 per ton for 80% lead concentrates and $29.70 per ton for 60% zinc concentrates are the equivalent figures for the Tri-State District.

The maximum royalty payable on copper, lead or zinc ores mined from any property or working shall be determined by the lease in effect on such property or working on December 31, 1942, even though a new lease has been, or may be, made or the lessor and lessee are, or may be, different from the parties to the lease which was in effect on December 31, 1942.

For the purposes of this regulation no property or working shall be considered to have been under lease on December 31, 1942, if the lease thereon was signed or executed prior to January 1, 1941, and no operational or developmental work was done on such property or working from January 1, 1941 to and including December 31, 1942.

As used in this section and hereafter a "property" means a mine or a group of mines operated as one producing unit and a "working" means a limited part of a single producing mine as a specified level or limited area within a mine. In every case where a group of mines was covered by a single lease on December 31, 1942, that lease, for the purpose of this section, shall be considered as having been applicable to each mine separately as well as collectively.

The following are examples of maximum royalties determined on the basis of a lease in effect on December 31, 1942:

Example 1. A five year lease on Mine A was signed in 1939, which provided for a 10% royalty on net smelter returns. This property was mined under this lease through August 1942 but was closed the last four months of 1942.

The maximum royalty which may be paid on ore produced from Mine A is 10% of net smelter returns unless royalty was also paid on the basis of premium money during 1942. If royalty was paid on the basis of premium money received for production for any month from February through August 1942, royalty may be paid on the basis of the first series of premiums but not on the basis of premium money in excess of 5¢ per pound for copper or 2¾¢ per pound each for lead and zinc.

The above is true as to the maximum royalty payable on production from Mine A even though title to the mine or ownership of the lease has changed since the property was last mined.

Example 2. Mine B was under a lease on December 31, 1942, which provided for a royalty of 3% if combined lead and zinc assay was less than 5%, for 10% if 5 to 10% combined grade and for 15% if better than 10% combined grade. The combined assay for December 1942 was 8% and a 10% royalty was therefore paid under the lease.

If lead-zinc assay for April 1943 is 11% the maximum royalty which may be paid is 15%. On the other hand, if the combined grade for April drops to 4.75%, the maximum royalty which may be paid is 3%.

Example 3. In August 1942 a five year lease on Mine C was signed, which provided for a 5% royalty until June 1, 1943 and a 10% royalty thereafter.

In April 1943 the maximum royalty which may be paid on ore produced from Mine C is 5%. For production in June 1943 and thereafter the maximum royalty will be 10%.

Example 4. In 1937 a ten year lease on Mine D was signed, which provided for a 12% royalty. There has been no mining or development of this property since 1938.

The maximum royalty which may be paid on ore produced from Mine D is not 12% but a royalty to be negotiated between the parties and approved by the Administrator as provided in section 3.

SEC. 3 *Maximum royalties on copper, lead and zinc ores mined from properties and workings not under lease on December 31, 1942.* The maximum royalty which may be paid or received on copper, lead or zinc ores mined from any property or working which was not under lease on December 31, 1942, shall be a royalty approved by the Administrator. No royalty shall, however, be calculated, paid or received on the basis of premium or bonus money in excess of 5¢ per pound for copper, 2¾¢ per pound for lead or 2¾¢ per pound for zinc, or equivalent figures if payment is on the basis of concentrates.

Every royalty covered by the provisions of this section must be reported by the lessor within 30 days after the effective date of this regulation or within 30 days after the lease providing for it has been signed or executed. This report shall be made by letter addressed to the Non-Ferrous Metals Branch, Office of Price Administration, Washington, D. C., and the royalty reported may be approved or disapproved by a letter signed by the Price Executive of the Non-Ferrous Metals Branch. In approving or disapproving the royalty provisions of such lease, the Office of Price Administration will take account of the royalty provisions generally in effect for similar properties in the mining district in which the property is situated. Pending such approval or disapproval the lessee may pay and the lessor may receive royalty calculated according to the terms submitted for approval. Where a royalty is disapproved by letter, the Administrator will issue a formal order to the same effect if within 30 days any party to the lease requests him to do so.

The report called for by this section shall include (a) the name and address of the lessee and lessor, (b) the royalty terms submitted for approval, (c) a description of the property as to name and location, (d) a statement of royalty rates paid during the last operation of the property, (e) a list of the major items of equipment owned by the lessor to be used by the lessee, (f) a list of the workings in the property to be used by the lessee, (g) a statement describing any ore reserves in the property to be worked by the lessee with respect to tonnage and grade thereof and the cost, if any, to the lessor of the development of those ore reserves and the dates between which such cost was incurred, (h) a statement that the property or working was not under lease on December 31, 1942. This report may be made by the lessee as agent for the lessor.

SEC. 4 *Records and reports.* (a) On and after April 1, 1943, every person paying or receiving any royalty on copper, lead or zinc ores shall keep for inspection by the Office of Price Administration, for so long as the Price Control Act of 1942 remains in effect, complete and accurate records of each such payment and receipt showing (1) the amount and date thereof, (2) the names and addresses of the parties, (3) the source of the ore on which such royalty is paid and the period during which it was mined, and (4) a copy of the lease under which the payment was made.

(b) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require.

SEC. 5 *Where this regulation applies.* This regulation shall apply only to the forty-eight states and the District of Columbia.

SEC. 6 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration.

SEC. 7 *Prohibition against paying or receiving higher than maximum royalties.* (a) On and after April 1, 1943, regardless of any contract, agreement, lease or other obligation, no person shall pay or receive any royalty in excess of the maximum royalty permitted by this regulation and no person shall agree or offer to pay or receive such royalty. This regulation shall not, however, apply to any royalty paid by reason of ores or concentrates shipped to a custom mill or smelter prior to April 1, 1943.

(b) Any practice or device which is an attempt to get the effect of a royalty higher than the maximum without actually charging a higher royalty is prohibited and is as much a violation of this regulation as an outright excessive royalty.

(c) No person operating a custom mill or smelter, and no paying officer thereof, shall be subjected to any liability under this regulation by reason of any disbursement of funds to lessors and lessees when the person disbursing such funds is serving as a paying agent and has no interest in the funds.

(d) Royalties lower than the maximum royalties permitted by this regulation may be paid or received.

SEC. 8 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 9 *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Royalty" means the price paid on the mining of copper, lead or zinc ores as defined and limited in SEC. 1.

(3) "Copper, lead or zinc ore" means any ore mined from (i) a property or working on which a quota for copper, lead or zinc is established under the Premium Price Plan for Copper, Lead and Zinc or from (ii) a property or working which is being mined pursuant to a special contract with the Metals Reserve Company, or some other governmental agency, which contract is for the purchase of copper, lead or zinc, or ores or concentrates containing these metals.

(4) "Premium or bonus money" means any money paid by the Metals Reserve Company pursuant to the Premium Price Plan for Copper, Lead and Zinc. It likewise includes any money paid by the Metals Reserve Company, or other governmental agency, pursuant to a special purchase contract to the extent that such purchase price is designed to and does exceed the current market price for such copper, lead or zinc ores, concentrates or metals in the locality where delivery is made. It does not include any part of the price which may be paid by the Metals Reserve Company pursuant to a published price schedule applicable to all sellers of such material.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

Effective Date

This regulation shall become effective April 1, 1943.

NOTE. All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5103; Filed, April 1, 1943; 4:20 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 56]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) [1] (15) is amended by inserting a comma after the phrase "any other liquid petroleum product" and by inserting after the comma the phrase "except used lubricating oil whether or not re-refined,".

2. Section 1394.5503 (c) is amended by adding after the period at the end of the paragraph the sentence "If such coupon sheet was issued as a ration for heat or both heat and hot water, however, it need not be so surrendered until application is made for a ration for the same purpose for the next heating year."

3. Section 1394.5503 (h) is amended by inserting the parenthetical phrase "(other than for heat or both heat and hot water)" between the phrase "the current ration" and the phrase "after the expiration date thereof."

This amendment shall become effective on April 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5079; Filed, April 1, 1943; 4:19 p. m.]

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* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961; 8 F.R. 3313.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 3106, 3521, 3628, 3733.

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[Correction to MPR 339 [1]]

WOMEN'S RAYON HOSIERY

In the first part of Table 4 of Appendix C (§ 1401.116 (b) (4) (i)), the price for 360 needle count and higher of seconds, grade B, is corrected to read "2.50" instead of "3.50."

In the second part of Table 4 of Appendix C (§ 1401.116 (b) (4) (ii)), the price for 280 needle count, irregulars, premium constructions, is corrected to read "2.72" instead of "7.72."

This correction shall become effective April 15, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5082; Filed, April 1, 1943; 4:24 p. m.]

PART 1412—SOLVENTS

[MPR 28,[2] Amendment 1]

ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 28 is amended in the following respects:

1. Section 1412.263 (b) (1) (ii) is amended by inserting after the phrase "To the maximum tank car price for 100 gallons," the phrase "of the undenatured ethyl alcohol being used," and deleting the phrase "of SD2B ethyl alcohol ($48.00 in the case of fermentation ethyl alcohol and $24.50 in the case of synthetic ethyl alcohol)."

2. The first sentence in § 1412.263 (h) (1) is amended by deleting the phrase "having a capacity of less than 15,000 gallons per day and."

3. The last sentence in § 1412.263 (h) (2) is amended to read as follows:

The prices for each succeeding calendar quarterly period shall be computed on the basis of the actual cost items for the preceding period, except that the costs of grain used in the production of the ethyl alcohol may be computed on the basis of the estimated grain costs for the period for which prices are being determined, in which case the report shall state that grain costs are estimated and shall give the basis of the calculation of the estimated costs.

4. A new § 1412.263 (i) is added as follows:

(i) For the purposes of this regulation, whenever a sale of ethyl alcohol is made by one manufacturer, and ethyl alcohol of another manufacturer is actually delivered in accordance with or pursuant to an order or request of the Office of Defense Transportation, the transaction may be treated as if delivery had been made of ethyl alcohol produced by the manufacturer making the sale, and a price may be charged not in excess of the maximum price established for such ethyl alcohol, except that no purchaser may be required to pay any transportation expenses not actually incurred.

This amendment shall become effective as of February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5081; Filed, April 1, 1943; 4:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 [3] to GMPR [2], Amendment 149]

TRANSPORTATION OF COAL IN BARGES ALONG THE ATLANTIC COAST

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

On item in subparagraph (5) or paragraph (a) of § 1499.73 is amended to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(5) *Transportation of coal in barges along the Atlantic Coast.* (i) Maximum prices for the transportation of coal in barges along the Atlantic Coast between the origins and destinations referred to below by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942 shall be as follows:

MAXIMUM RATES FOR TRANSPORTATION OF COAL IN BARGES

From New York to:	Weight of cargo in net tons per barge				
	700 or less	Over 700 but not over 1,200	Over 1,200 but not over 1,800	Over 1,800 but not over 2,600	Over 2,600
Portland, Maine (Fort McKinley)	3.55	3.40	3.15	3.00	2.70

This amendment shall become effective April 7, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5083; Filed, April 1, 1943; 4:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR,[1] Amendment 150]

SALES OF GREASE BY INDEPENDENT COLLECTORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation 14 to the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.73 (a) (3) (ii) (*d*) is amended to read as follows:

(*d*) Six cents per pound on sales by an independent collector to a renderer of grease collected in those areas in which an independent collector or renderer collected fat bearing or oil bearing waste materials during the period from May 1, 1942 to July 6, 1942, inclusive. This maximum price of six cents per pound shall be the maximum price of the grease delivered to the renderer, except that where the grease is shipped to the renderer by common carrier, the maximum price shall be six cents per pound f. o. b. point of shipment.

2. Section 1499.73 (a) (3) (ii) (*e*) is added to read as follows:

(*e*) Seven cents per pound on sales by an independent collector to a renderer of grease collected in those areas in which no independent collector or renderer collected fat bearing or oil bearing waste materials during the period from May 1, 1942 to July 6, 1942, inclusive. If the grease is not picked up by the renderer at the place of business of the independent collector but is shipped to the renderer with the cost of transportation being paid by the independent collector, the actual cost of transportation may be added to the maximum prices herein specified.

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5100; Filed, April 1, 1943; 4:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 356 Under § 1499.3 (b) of GMPR]

NEHI CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1792 *Approval of maximum prices for sales of new Royal Crown Cola concentrate by Nehi Corporation of Columbus, Georgia.* (a) On and after April 2, 1943 the maximum price for new Royal Crown Cola concentrate sold by Nehi Corporation of Columbus, Georgia shall be $12.00 per unit f. o. b. Columbus, Georgia, such unit being the amount of concentrate that will produce 1664-12 ounce bottles of finished Royal Crown Cola by Nehi Corporation's standard bottling formula.

(b) Nehi Corporation shall apply to its maximum price for new Royal Crown Cola concentrate the same discounts, allowances, price differentials and terms with respect to payment of transportation charges as it customarily applied in March 1942 to its sales of its former Royal Crown Cola concentrate, unless a change therein results in a lower selling price.

(c) Before or at the time of its first delivery of new Royal Crown Cola concentrate to any purchaser Nehi Corporation shall give a written notification to such purchasers as follows:

OPA has authorized us to sell new Royal Crown Cola concentrate at a maximum price of $12 per unit f. o. b. Columbus, Georgia. Such unit is an amount of concentrate that will produce 1664-12 ounce bottles of finished Royal Crown Cola by our standard bottling formula. Discounts, allowances, price differentials and terms with respect to payment of transportation charges are to be the same as those customarily applied in March 1942 to our sales of the former Royal Crown Cola concentrate unless a change therein results in a lower price. Your ceiling prices for sales of Royal Crown Cola are not affected by this authorization. OPA requires you to keep this notification for examination.

(d) This Order No. 356 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 356 (§ 1499.1792) shall become effective as of April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5105; Filed, April 1, 1943; 4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 358 Under § 1499.3 (b) of GMPR]

LIBBY, M'NEILL & LIBBY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1794 *Authorization of maximum price for sales by Libby, McNeill & Libby of olives packed in a new style and a new container.* (a) On and after April 2, 1943 Libby, McNeill & Libby, Chicago, Illinois, may sell and deliver its "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers at a price, f. o. b. factory, no higher than $2.06 per dozen.

(b) Libby, McNeill & Libby shall apply to its maximum selling price of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) Until the Office of Price Administration issues a new general regulation governing the sale of this item by wholesalers and retailers, sellers at wholesale and retail of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers shall determine their maximum selling prices in accordance with the provisions of section 1499.3 (a) of the General Maximum Price Regulation.

(d) On and after April 2, 1943, and until the Office of Price Administration issues a new general regulation governing the sale of this item by wholesalers and retailers, Libby, McNeill & Libby shall supply written notifications to wholesalers and retails of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers, as follows:

(1) Before or at the time of the first delivery to each of its purchasers, Libby, McNeill & Libby shall supply to such purchaser a written notification including the following appropriate statements:

Notification from Libby, McNeill & Libby to Purchasers. The OPA has authorized us to charge the following price for "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers:

$2.06 per dozen containers, subject to the same discounts, allowances and price differentials which we customarily apply to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

Until the Office of Price Administration issues a new general regulation governing the sale of this item by wholesalers and retailers, sellers at wholesale and retail are required to determine their maximum selling prices in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation. A copy of a notification for retailers is included in or on every shipping unit of the item. OPA requires that you keep this notice for examination.

(2) With every shipping unit of the item, Libby, McNeill & Libby shall include, for each dozen containers, a written notification to retailers. If such retailer's notification is enclosed with the containers in a case, package or carton, a legend shall be affixed to such case, package or carton to read "Retailer's Notice Enclosed". The written notification to retailers shall include the following appropriate statement:

Notification from Libby, McNeill & Libby to Retailers. The OPA requires that, until it issues a new general regulation governing the sale of this item by wholesalers and retailers, sellers at wholesale and retail of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers shall determine their maximum selling prices in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation.

(e) This Order No. 358 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 358, § 1499.1794, shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5106; Filed, April 1, 1943; 4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 359 Under § 1499.3 (b) of GMPR]

THE QUAKER MAID COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1795 *Authorization of maximum prices for sales of "Ann Page" Frozen Baked Beans in 16 ounce cartons, 24 to a case by The Quaker Maid Company, Inc., New York, New York, and by retailers.* (a) On and after April 2, 1943, the maximum delivered selling price for "Ann Page" Frozen Baked Beans in 16 ounce round cartons packed 24 to a case by The Quaker Maid Company, Inc., having its principal place of business at 420 Lexington Avenue, New York, New York, shall be $2.66 per case.

(b) The Quaker Maid Company, Inc. shall apply to its maximum selling price for "Ann Page" Frozen Baked Beans the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) Sellers at retail are authorized a maximum selling price of 15 cents per 16 ounce carton of "Ann Page" Frozen Baked Beans.

(d) The Quaker Maid Company, Inc. shall, before or at the time of first delivery of "Ann Page" Frozen Baked Beans in 16 ounce round cartons, supply a written notification to each purchaser thereof from it as follows:

OPA has authorized us to sell "Ann Page" Frozen Baked Beans in 16 ounce round car-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2930, 3215.

[2] 8 F.R. 2339.

[3] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7671, 7739, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9901, 9910, 10069, 10111, 10022, 10150, 10231, 10294, 10346, 10381, 10131, 10480, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 494, 535, 589, 863, 876, 878, 980, 1030, 9900, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2041, 2718, 2343, 2354, 2274, 2346, 2507, 2665, 2760, 2877, 2878, 2886, 2996, 2872, 2888, 3176, 3209, 3254, 3321, 3185, 3360, 3420, 3322, 3616, 3631, 3633, 3673.

[1] 8 F.R. 3096.

[2] 8 F.R. 3096.

PART 1499—COMMODITIES AND SERVICES

[Order 354 Under § 1499.3 (b) of GMPR]

DRI-KLEEN COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1790 *Approval of maximum prices for sales of Dri-Kleen by the Dri-Kleen Company.* (a) The maximum prices for sales by the Dri-Kleen Company, 325 West Huron Street, Chicago, Illinois, of Dri-Kleen in 20-ounce containers shall be the prices set forth below:

Sales to department stores—$.60 per 20-ounce container.

Sales to jobbers—$.50 per 20-ounce container.

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of Dri-Kleen by the Dri-Kleen Company shall apply to the maximum prices set forth in paragraph (a).

(c) This Order No. 354 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5119; Filed, April 1, 1943; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 355 Under § 1499.3 (b) of GMPR]

SHEET METAL SPECIALTY COMPANY

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1791 *Authorization to Sheet Metal Specialty Company for sale of Victory Pattern milk cans.* (a) Specific authorization is hereby given to Sheet Metal Specialty Company, Pittsburgh, Pennsylvania, to sell or offer to sell Victory Pattern milk cans manufactured by it at prices not to exceed the prices set forth in paragraph (b) hereof, and any person may buy or offer to buy such cans from Sheet Metal Specialty Company at such maximum prices.

(b) Maximum prices per can f. o. b. factory:

Model	Capacity (quarts)	Neck size (inches)	Carload	300 or more but less than carload	25 to 299	24 or less
VM-695	20	1¾	$2.80	$3.00	$3.10	$3.25
VT-732	32	1¾	3.70	3.90	4.05	4.25
VT-740	40	1¾	3.85	4.05	4.20	4.40

[1] When Model VT-732 or 740 is produced with neck size 6⅛ inches, deduct 5¢ per can from price.

(c) All freight equalization practices, and allowances, extras and discounts applicable to the sale of the old cans for which these new cans are now being substituted, whether based on quantity, type of purchaser or any other cause shall be applicable to the sales of these new cans.

(d) Sheet Metal Specialty Company shall advise all brokers, wholesalers, jobbers and retailers to whom it sells, and such brokers, wholesalers and jobbers shall advise all retailers to whom they sell, of the maximum prices established by this Order.

(e) This Order 355 may be revoked or amended by the Price Administrator at any time.

(f) This Order 355 shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5122; Filed, April 1, 1943; 5:19 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 50]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

A new subdivision (i) is added to § 1340.221 (b) (3), to read as follows:

(i) *Special price instructions.* (a) Maximum Prices for Railroad Locomotive Fuel shall not exceed:

Size:	*Maximum price*
6" x 1¼" egg	$2.25
Mine run	2.20
Screenings	1.85

for the following mines:

Mine	Producer	Mine Index No.
Beckemeyer	Beckemeyer Coal Co.	6
East	Citizens Coal Co., Frank B. Mieman, Trustee, Breese, Ill	43
North	Clinton County Mining Co., Breese, Ill	1317
Eureka No. 2	Forsyth Carterville Coal Co., St. Louis, Mo	45
Golden Rule	Golden Rule Coal Company	49
Lenzburg	Lenzburg Coal Co., Belleville, Ill	83
Lenzburg	Lenzburg Coal Co., Lenzburg, Ill	83
New National	New National Coal & Mining Co., Belleville, Ill	1074
Mareen No. 6	North Side Coal Co., Belleville, Ill	103
Vinegar Hill	Vinegar Hill Coal Company	179
Washed Coal Co	Washed Coal Co. of Belleville, Belleville, Ill	188

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5117; Filed, April 1, 1943; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 108 Under § 1499.3 (b) of GMPR, Amendment 1]

HIGH WINES

For the reasons set forth in an opinion issued simultaneously herewith, the last sentence in § 1499.972 (b) is amended to read as follows:

The prices for each succeeding calendar quarterly period shall be computed on the basis of the actual cost items for the preceding period, except that the costs of grain used in the production of the high wines may be computed on the basis of the estimated grain costs for the period for which prices are being determined, in which case the report shall state that grain costs are estimated and shall give the basis of the calculation of the estimated costs.

This amendment shall become effective as of April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5118; Filed, April 1, 1943; 5:20 p. m.]

[1] 7 F.R. 3168, 3447, 3801, 4338, 4342, 4404, 4540, 4541, 4700, 5099, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6525, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8154, 8650, 8948, 9164, 10470, 10581, 10749, 10993, 11008, 11012; 8 F.R. 926, 1338, 1396, 1597, 1773, 2025, 2026, 2027, 2273, 2501, 2497, 2715, 2875, 2920, 2997, 3021, 3216, 3355.

[2] *Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 360 Under § 1499.3 (b) of GMPR]

METALS RESERVE COMPANY

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1796 *Authorization to Metals Reserve Company for the sale of certain railroad bridges.* (a) Specific authorization is hereby given to Metals Reserve Company, Lafayette Building, Washington, D. C., to sell or offer to sell certain railroad bridges mentioned in paragraph (b) hereof at prices not to exceed the applicable amounts set forth in said paragraph, and any person may buy or offer to buy such bridges from Metals Reserve Company at prices not to exceed those herein set forth.

(b) Maximum prices, at locations indicated:

(1) Two bridges located on the former Elkhart & Santa Fe (Atchison, Topeka & Santa Fe) Railway branch line between Boise City, Oklahoma, and Farley, New Mexico, as described in report 4895—T. A. K. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated October 16, 1942: Bridge No. 170–B, in place near Harmer, Oklahoma, $60.00 per net ton; bridge No. 220–B, in place near Mt. Dora, New Mexico, $60.00 per net ton.

(2) One bridge formerly located on the Florence-El Dorado, Kansas branch line of the Atchison, Topeka & Santa Fe Railway system, as described in report 4896—T. A. K. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated October 17, 1942: Bridge No. 167–B, in yards at Florence, Kansas, $1,973.44 net.

(3) Seven bridges formerly located on the Danville & Western Railway Company branch line between Fieldale and Stuart, Virginia, as described in report 296 J. W. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated September 28, 1942: The 67-foot span, at Burnt Chimneys, Virginia, $56.00 per net ton; bridges 1, 2 and 3, at Burnt Chimneys, Virginia, $40.00 per net ton, each; bridges 4, 5 and 6, at Burnt Chimneys, Virginia, $20.00 per net ton, each.

(4) One bridge located at Mile Post 163 over Walkers Creek on the former Louisville and Nashville Railroad branch line between Maloney and Fincastle, Kentucky, as described in report 4967—T. A. K. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated February 13, 1943: Bridge No. 69–A, in place, $56.00 per net ton.

(c) This Order 360 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order 360 shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5077; Filed, April 1, 1943; 4:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 361 Under § 1499.3 (b) of GMPR]

KNICKERBOCKER MILLS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1797 *Authorization of maximum prices for imitation allspice, imitation nutmeg, imitation ginger, imitation cloves and Syntha-Mon, a cinnamon substitute, manufactured by the Knickerbocker Mills Company, 601 West 26th Street, New York, New York.* (a) On and after April 2, 1943, the maximum prices, f. o. b. New York, New York, for the following products of Knickerbocker Mills Company, packed approximately 240 lbs. to the barrel, shall be as follows:

(1) Imitation Allspice—34½¢ per pound.
(2) Imitation Nutmeg—35½¢ per pound.
(3) Imitation Ginger—39½¢ per pound.
(4) Imitation Cloves—36¢ per pound.
(5) Syntha-Mon—39¢ per pound.

The above barrel prices shall be subject to the following packaging differentials for smaller packages:

(1) 100 lb. drums—barrel price plus 1¢ per pound.
(2) 25, 30, 50, 60, and 75 lb. drums—barrel price plus 2¢ per pound.
(3) 6 and 10 lb. cartons—barrel price plus 2¢ per pound.
(4) 6 and 10 lb. wood boxes—barrel price plus 3¢ per pound.
(5) 5 and 10 lb. tins—barrel price plus 4¢ per pound.
(6) 5 and 10 lb. canisters—barrel price plus 3½¢ per pound.
(7) 3 lb. cartons—barrel price plus 3¢ per pound.
(8) 2 lb. cartons—barrel price plus 4¢ per pound.
(9) 1 lb. canisters—barrel price plus 7¢ per pound.
(10) 1 lb. paper packages—barrel price plus 2¢ per pound.
(11) 1 lb. cartons—barrel price plus 5¢ per pound.
(12) 1 lb. tins—barrel price plus 9¢ per pound.
(13) ½ lb. tins—barrel price plus 10¢ per pound.
(14) ¼ lb. tins—barrel price plus 14¢ per pound.

(c) Knickerbocker Mills Company shall maintain, for the products covered by this order, all discounts and differentials for different classes of purchasers which were in effect for the corresponding products in March 1942.

(d) This order may be revoked or amended by the Administrator at any time.

(e) This Order No. 361 (§ 1499.1797) shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5124; Filed, April 1, 1943; 5:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 362 Under § 1499.3 (b) of GMPR]

BATCHELDER & SNYDER CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1798 *Authorization of a maximum price for sales of "Snyder-Grade New England Frosted Oven Baked Pea Beans" in 5 lb. and 15 lb. containers by Batchelder & Snyder Company, Inc., Boston, Massachusetts.* (a) On and after April 2, 1943, the maximum price for sales by Batchelder & Snyder Company, Inc., 45–71 Blackstone Street, Boston, Massachusetts, of "Snyder-Grade New England Frosted Oven Baked Pea Beans" in 5 lb. and 15 lb. containers shall be 16 cents per pound, f. o. b. packing plant.

(b) Batchelder & Snyder Company, Inc. shall apply to its maximum selling price of "Snyder-Grade New England Frosted Oven Baked Pea Beans" the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) This Order No. 362 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 362 (§ 1499.1798) shall become effective as of April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5120; Filed, April 1, 1943; 5:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 40 Under SR 15 to GMPR]

HEWITT H. BOOTH

Order No. 40 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GFP–2912.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1340 *Adjustment of maximum prices for contract carrier services by Hewitt H. Booth, of Arabi, Louisiana.* (a) Hewitt H. Booth, of Arabi, Louisiana, may sell and deliver contract carrier services at prices not to exceed One

Hundred ($100) Dollars per month above the maximum prices heretofore established for him by the General Maximum Price Regulation.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 40 (§ 1499.1340) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 40 (§ 1499.1340) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 40 (§ 1499.1340) shall become effective April 2, 1943.

(Pub. Law No. 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5125; Filed, April 1, 1943; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 5 Under SR 15 to GMPR]

S. W. SHATTUCK CHEMICAL COMPANY

Order No. 5 under § 1499.75 (a) (4) of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1605 *Adjustment of maximum prices for technical grade tungstic oxide sold by the S. W. Shattuck Chemical Company.* (a) On and after April 2, 1943, the S. W. Shattuck Chemical Company of Chicago, Illinois, may sell and deliver, and any person may buy and receive in the course of trade or business from the S. W. Shattuck Chemical Company, technical grade tungstic oxide (WO_3) at a price not in excess of $2.53 per pound delivered.

(b) This order may be revoked or amended by the Administrator at any time.

(c) This order is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This order shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5076; Filed, April 1, 1943; 4:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 224 Under § 1499.18 (b) of GMPR]

KEOKUK CANNING CO.

Order No. 224 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. 3152.9.

For the reasons set forth in an Opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1824 *Adjustment of maximum prices for Kosher Dill Pickles quart size containers for sale by the Keokuk Canning Company, Keokuk, Iowa.* (a) The Keokuk Canning Company, Keokuk, Iowa, may sell and deliver and any person may buy and receive from the Keokuk Canning Company, Kosher Dill Pickles packed in quart size containers at a price no higher than the maximum price of $1.75 per dozen f. o. b. factory.

(b) All prayers of the application not specifically granted herein are denied.

(c) This Order No. 224 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 224 (§ 1499.1824) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(f) This Order No. 224 (§ 1499.1824) shall become effective on the 2d day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5121; Filed, April 1, 1943; 5:19 p. m.]

PART 1358—TOBACCO

[MPR 363]

CERTAIN FLUE-CURED TOBACCO PLANTS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of flue-cured tobacco plants (Type Nos. 11 (a), 11 (b), 12, 13 and 14) by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250. So far as practical the Price Administrator has advised and consulted with the members of the industry which will be affected by this regulation.

§ 1358.251 *Maximum prices for flue-cured tobacco plants (Type Nos. 11 (a), 11 (b), 12, 13 and 14).* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 363—Flue Cured Tobacco Plants (Type Numbers 11 (a), 11 (b), 12, 13 and 14) which is annexed hereto and made a part hereof, is hereby issued.

Authority: 1358.251 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 363—FLUE-CURED TOBACCO PLANTS (TYPE NUMBER 11 (A), 11 (B), 12, 13 AND 14)

CONTENTS

Sec.
1 Prohibition against sales or purchases of flue-cured tobacco plants above maximum prices.
2 Less than maximum prices.
3 Definitions.
4 Maximum prices for all sellers.
5 Export sales.
6 Evasive practices.
7 Records.
8 Enforcement.
9 Petitions for amendment.
10 Applicability.

SECTION 1. *Prohibition against sales or purchases of flue-cured tobacco plants above maximum prices.* On and after April 1, 1943 regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any flue-cured tobacco plants at a price in excess of the maximum price therefor provided by section 4 of this regulation.

(b) No person in the course of trade or business shall purchase or receive any flue-cured tobacco plants at a price in excess of the maximum price therefor provided by section 4 of this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those established by or under this regulation may be charged, demanded, paid or offered.

SEC. 3. *Definitions.* (a) When used in this regulation the term:

(1) "Plants" means seedlings.

(2) "Flue-cured tobacco plants (type numbers 11 (a), 11 (b), 12, 13 and 14)" or "Flue-cured tobacco plants" means plants of United States type numbers 11 (a), 11 (b), 12, 13 and 14 as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

SEC. 4. *Maximum prices for all sellers.* The maximum price of any seller for any sale of flue-cured tobacco plants shall be at the rate of $3.50 per thousand plants sold. Such maximum price includes all charges of the seller for preparing the plants for delivery to the buyer, and all charges for transporting the plants to the place where the seller or his agent delivers them to the buyer.

SEC. 5. *Export sales.* Maximum prices for which flue-cured tobacco plants may be exported shall be determined in accordance with the provisions of the Revised Maximum Export Regulation[1] issued by the Office of Price Administration.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

SEC. 6. *Evasive practices.* (a) The maximum prices provided in this regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of or relating to flue-cured tobacco plants, or in connection with any other commodity or by way of commission, services, transportation or any charge or discount, premium or other privilege or by tying agreement or other understanding or otherwise.

(b) Specifically but not exclusively the following practices are prohibited:

(1) Requiring, as part of the purchase price of flue-cured tobacco plants, that the buyer give, or agree to give the seller, or a nominee of the seller, an interest in the tobacco to be produced by such plants.

SEC. 7. *Records.* Every person selling any flue-cured tobacco plants shall make and keep available for examination by the Office of Price Administration for as long as the Emergency Price Control Act of 1942 remains in effect, records of the same kind as he customarily kept relating to the prices which he charged for such flue-cured tobacco plants sold after the effective date of this regulation.

SEC. 8. *Enforcement* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration, or any action or practices which constitute such violation, are urged to communicate with the nearest Field or Regional Office of the Office of Price Administration or with its principal office in Washington, D. C.

SEC. 9. *Petitions for amendment.* Any person seeking an amendment to this regulation of general applicability may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration.

SEC. 10. *Applicability.* The provisions of this regulation shall be applicable to the 48 states of the United States and to the District of Columbia.

Effective Date

This regulation shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M BROWN,
Administrator.

Approved:

CHESTER A. DAVIS,
Administrator of Food Production and Distribution.

[F. R. Doc. 43-5150; Filed, April 1, 1943; 4:40 p. m.]

[1] 7 F.R. 8961; 8 F.R. 3313, 3533.

Chapter XIII—Petroleum Administration for War

[Supp. Order 5 to PAO 11[1]]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

§ 1515.11 *Supplementary Order No. 5 to Petroleum Administrative Order No. 11.*—(a) *Petroleum Administrative Order No. 2, as amended, renumbered and reissued.* Petroleum Administrative Order No. 2 as amended January 31, 1943 (§ 1515.1) and as revoked by Petroleum Administrative Order No. 11 (§ 1515.6), is renumbered § 1515.11 of this chapter and is reissued effective April 1, 1943. This order shall continue in effect until revoked.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended from time to time, shall apply in this order.

(c) *Oil well drilling in Illinois and portions of Indiana and Kentucky.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11 (§ 1515.6), any person may accept delivery of, acquire, or use material where such material is to be used in conformity with this order.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-5058; Filed, April 1, 1943; 11:47 a. m.]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Correction to PAO 11[1]]

The references to PAW Form PD-1 and PAW Form PD-2 in § 1515.6 (g) (1) (i) and (ii), respectively, are corrected to read PAW Form 3 and PAW Form 4, respectively.

[1] 8 F.R. 3955, 3958, 3960, 3961.

[Petroleum Directive 64]

PART 1545—PETROLEUM SUPPLY

The fulfillment of the requirements for the defense of the United States has created in District Two a shortage in the supply of certain crude oils and in the supply of transportation facilities for the movement of crude oil and petroleum products for defense, for private account, and for export; and the following operating directive is deemed necessary and appropriate in the public interest, to provide for the most effective utilization of such crude oils, and to provide adequate supplies of petroleum products for military and other essential uses:

§ 1545.4 *Petroleum Directive 64.*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "District Two" means the States of Ohio, Kentucky, Tennessee, Michigan, Indiana, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma.

(3) "Refiner" means any person in District Two engaged in the processing, refining or compounding of crude petroleum or finished or unfinished petroleum products.

(b) *Contribution to the crude oil supply pool.* (1) The Supply and Distribution Committee for District Two shall prepare and submit to the Director of Petroleum Supply, Petroleum Administration for War, a schedule of all persons in District Two who in the month of December 1942 ran an average of 2,000 barrels or more a day of crude petroleum from producing properties in District Two, indicating the average daily amount of crude petroleum which each such person ran from producing properties in District Two during such month.

(2) The Director of Petroleum Supply, Petroleum Administration for War, shall prepare a schedule of the amount of crude petroleum produced in District Two which each person included within the schedule required by paragraph (b) (1) shall make available for sale to such refiners as the Director of Petroleum Supply, Petroleum Administration for War, may designate pursuant to paragraph (c) (2). The amount of crude

petroleum which each person included

General Committee for District Two, to act for and on behalf of the Supply and

use of the transportation facilities, including pipe lines, lake tankers, barges,

petroleum products and petroleum trans-

petroleum which each person included within the schedule required by paragraph (b) (1) shall make available for sale to refiners pursuant to this directive shall, so far as is practicable, be the same proportion of an amount to be determined by the Director of Petroleum Supply, which shall not exceed 40,500 barrels a day, as such person's average daily run in the month of December, 1942, of crude petroleum from producing properties in District Two bears to the total of the average daily runs in the month of December, 1942, of crude petroleum from producing properties in District Two of all persons included within the schedule required by paragraph (b) (1). In establishing the amount of crude petroleum which each person included within the schedule required by paragraph (b) (1) shall make available for sale to refiners pursuant to this directive, deviations from the proportion established in this paragraph shall be based on a consideration of the person's capacity for contributing to the production of war products, the supply of crude petroleum available to the person, and the efficient use of transportation facilities.

(c) *Distribution from the crude oil supply pool.* (1) Any refiner, other than a person who is required to make crude petroleum available pursuant to paragraph (b) (2), may apply for permission to purchase any of the crude petroleum made available pursuant to paragraph (b) (2). Such application shall be filed with the Director of Petroleum Supply, Petroleum Administration for War, Washington, D. C. A copy of such application shall be filed with the Supply and Distribution Committee for District Two, which shall within three days forward its recommendation with respect to such application to the said Director.

(2) The Director of Petroleum Supply, Petroleum Administration for War, shall on receipt of applications pursuant to paragraph (c) (1) designate the refiners who shall purchase crude petroleum made available pursuant to paragraph (b) (2), the persons from whom they shall purchase such crude petroleum, and the quantity of such crude petroleum to be purchased. These designations may be made by schedule or directive, at the discretion of such Director, and shall be based upon a consideration of the purchasing refiner's capacity for producing war products, the supply of crude petroleum available to the purchasing refiner, and the efficient use of transportation facilities.

(3) The terms and conditions of any sale to be made pursuant to this directive shall be negotiated between the individual parties to such transaction with such assistance as may be required from the Supply and Distribution Committee of District Two with respect to the details of the physical transfer: *Provided*, That no price agreed upon shall exceed the applicable ceiling price established by General Maximum Price Regulation, as amended or supplemented, or other order of the Price Administrator and, *Provided further*, That if the individual parties to any such transaction are unable to agree upon a fair and reasonable price or other terms and conditions for furnishing any of the crude petroleum required to be sold by this directive, any such dispute shall be referred to the Director of Petroleum Supply, Petroleum Administration for War, for such action as he may direct.

(d) *Impairment of delivery obligations.* Each person who runs crude petroleum from producing properties in District Two shall continue to make such deliveries of crude petroleum, whether or not such deliveries were required by contract obligations, as such person made on January 1, 1943: *Provided*, That if the supply of crude petroleum available to such person is insufficient to permit continuance of all such deliveries in full, all such deliveries shall be reduced proportionately. Nothing in this paragraph shall be construed to require the continuance of any such delivery of crude petroleum to the extent that such delivery was arranged by or through the Supply and Distribution Committee for District Two. The Supply and Distribution Committee shall submit to the Director of Petroleum Supply a statement of all such arrangements for the delivery of crude petroleum made by or through such committee.

(e) *Effectuation of schedules and directions.* (1) All schedules required to be submitted pursuant to paragraph (b) (1) shall become operative only after such modification or revision as the Director of Petroleum Supply, Petroleum Administration for War, shall determine to be necessary to conform such schedules to the terms of paragraph (b) (1).

(2) All schedules prepared by the Director of Petroleum Supply, Petroleum Administration for War, pursuant to paragraph (b) (2) and all designations by such Director pursuant to paragraph (c) (2) shall be transmitted to the Chief Counsel of the Petroleum Administration for War. No such schedule or designation shall become effective until it has been approved by the Chief Counsel of the Petroleum Administration for War and issued by the Petroleum Administrator for War or the Deputy Petroleum Administrator for War. Upon the approval of any such schedule or designation by the Chief Counsel and the issuance of such schedule or designation by the Petroleum Administrator for War or the Deputy Petroleum Administrator for War, copies thereof shall be forwarded to the appropriate committees and subcommittees and to all persons named therein, and all committees, subcommittees, and persons affected by such schedule or designation shall carry such schedule or designation into effect according to its terms, conditions, and intent. Should any person refuse to comply with the provisions of this directive or of any schedule or designation, this fact shall be reported immediately by the appropriate committee to the Director of Petroleum Supply, Petroleum Administration for War.

(f) *Administration.* In carrying out the duties, responsibilities, and functions under this directive, the committees mentioned and all persons directly affected shall hold meetings and shall consult with other committees and subcommittees to the extent that proposals or activities hereunder may affect such other committees and subcommittees, and to this end all such persons, committees, and subcommittees shall supply the committee or subcommittee charged with the responsibility of carrying any part of this directive into effect with such information, material, and assistance as may be necessary and desirable to accomplish the purposes and intent of this directive. Such committees and subcommittees shall maintain such staff and appoint such persons as may be necessary to carry out their responsibilities, duties, and functions under this directive. Operating expenses of such committees and subcommittees shall be met as provided in § 1500.7 (j) of this chapter.

(g) *Appeals.* Any person affected by this directive or by any schedule or direction provided for hereunder, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Petroleum Administrator for War. Such appeals shall be made in quadruplicate and shall be addressed to the Director of Petroleum Supply, Petroleum Administration for War, Interior Building, Washington, D. C., Ref.: PD 64.

(E.O. 9276, 7 F.R. 10091)

Issued this 12th day of March 1943.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 43-5060; Filed, April 1, 1943; 12:01 p. m.]

[Petroleum Directive 65]

PART 1545—PETROLEUM SUPPLY

The shortage of facilities for the transportation of petroleum has created in certain areas shortages in the supply of petroleum and has made it imperative that all such facilities be used with maximum efficiency, that all back hauling, cross hauling, and unnecessary movement of petroleum be eliminated, and the following operating directive is deemed necessary for the prosecution of the war:

§ 1545.5 *Petroleum Directive 65*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Original supplier" means any person who, at the date of the issuance of this directive, refines petroleum in the United States and sells petroleum for delivery in District Two, or who distributes petroleum through a terminal in District Two.

(3) "Petroleum products" means motor fuel, kerosene, range oil, tractor fuel, distillate fuel oils, and residual fuel oils.

(4) "District Two" means the States of Ohio, Kentucky, Tennessee, Michigan, Indiana, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma.

(5) "Manager" means the person designated and appointed as such by the General Committee for District Two, to act for and on behalf of the Supply and Distribution Committee of the General Committee for District Two, in accordance with instructions and policies of the General Committee for District Two in connection with the operation and administration of this directive.

(6) "Terminal" means any storage plant supplied with petroleum products by pipe line or by river barge or lake tanker, as distinguished from bulk distributing stations or refineries.

(b) *Surveys and investigations.* Subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, the Manager and the Supply and Distribution Committee of the General Committee for District Two shall obtain, analyze, and keep current such pertinent and available facts, figures, and other data with respect to the available supplies of petroleum products and petroleum transportation in, to, and from District Two as may be necessary or appropriate in connection with the performance of the functions and duties with which the Supply and Distribution Committee of the General Committee for District Two is charged hereunder: *Provided*, That whenever available, such facts, figures, and other data shall be obtained from other appropriate committees or subcommittees rather than by new surveys or investigations.

(c) *District Two petroleum supply operations.* Subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, the Manager shall arrange for purchases, sales, exchanges, and loans of petroleum products among, and for the common use of facilities by, original suppliers in District Two only when any such transaction will:

(1) Eliminate or shorten the movement of petroleum products by pipe line, lake tanker, barge, tank car, or transport truck facilities within the confines of District Two: *Provided*, That such transaction does not result in a wasteful use of any such transportation facility within or outside of District Two; or

(2) Eliminate a movement or movements of petroleum products from District One to District Two; or

(3) Eliminate a movement or movements of petroleum products in a generally southerly or westerly direction and substitute therefor a movement or movements in a generally northerly or easterly direction; or

(4) Result in a substitution of a pipe line movement, or movements, of petroleum products for a movement, or movements, by lake tanker, barge, tank car, or transport truck; or

(5) Eliminate any cross hauling or back hauling of petroleum products; or

(6) Result in furnishing petroleum products to original suppliers from refineries or terminals within each respective area described in Exhibits A and B hereof.

(d) *Elimination of unnecessary movements within District Two.* In order to balance and coordinate available supplies of petroleum products in District Two with requirements to conserve the use of the transportation facilities, including pipe lines, lake tankers, barges, tank cars, and transport trucks, to increase the movement of petroleum products in a northerly and easterly direction, and to accomplish the other objectives of this directive, the Manager shall, subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, arrange for exchanges, loans, sales, and purchases of petroleum products between and among original suppliers in District Two which will tend to eliminate to the maximum extent practicable the movement of petroleum products, except residual fuel oil, between the areas described in Exhibit A hereof, and the movement of residual fuel oil between the areas described in Exhibit B hereof. Original suppliers in District Two shall eliminate to the greatest extent practicable interarea shipments between such areas and shall obtain necessary supplies and dispose of surpluses of petroleum products by means of exchanges, loans, sales, and purchases as provided in the foregoing sentence: *Provided*, That there shall be no tank car shipments of motor fuel, kerosene or distillate fuel oil to meet the requirements of any individual area except as approved by the Manager and the Director of Petroleum Supply, or such District Director as he may designate. Each original supplier in District Two shall file with the Manager on or before Friday of the succeeding week a complete weekly report of all inter-area shipments made by such supplier, together with a statement of the reasons for each such shipment. Nothing herein contained shall be deemed to prohibit or to require the reporting of the shipment from any area into any county adjacent thereto in any adjoining area.

(e) *Sales, loans, and exchanges.* (1) The terms and conditions of any exchange, loan, sale, or purchase made pursuant to this directive shall be subject to negotiation between the parties to any such transaction: *Provided*, That no price agreed upon shall exceed any applicable ceiling price established by the Office of Price Administration, and, *Provided, further*, That if the parties to any such transaction are unable to agree upon the price or other terms and conditions for furnishing any of the petroleum required to be sold, exchanged or loaned under this directive, or for the use of any facilities, any such dispute shall be referred to the Director of Petroleum Supply, or such District Director as he may designate, for such action as he may direct;

(2) All exchanges, loans, sales, and purchases pursuant to this directive shall be effected in such a manner as to provide to customers, including intermediate suppliers, of original suppliers in each of the areas an equitable share of the supplies of petroleum products available in each such area.

(f) *Determination of requirements.* The Supply and Distribution Committee of the General Committee for District Two, in collaboration with the Refining Committee for District Two, shall analyze and determine the amounts of petroleum products and petroleum transportation facilities available to any area to meet the needs of such area and shall make recommendations to the Director of Refining and the Director of Petroleum Supply with respect to such refinery yields of petroleum products as may be necessary to balance available supplies with requirements without interfering with the maximum production of critical war products.

(g) *Movement of surpluses to District One.* The Supply and Distribution Committee of the General Committee for District Two shall arrange with the appropriate committee for District One and with the Petroleum Administration for War for transportation facilities to move to District One such surpluses of petroleum as may be created in any area of District Two by the operation of this directive. Such arrangements shall be in accordance with the provisions of Petroleum Directive 59, as Amended (7 F.R. 10621) or as hereafter amended.

(h) *Coordination of product pipe lines.* The Supply and Distribution Committee of the General Committee for District Two and all persons affected by such arrangements shall coordinate the movement of petroleum products through product pipe lines in District Two in such manner and as directed by the Petroleum Administration for War, so as to adjust such movements to supply requirements and to minimize the use of lake tanker, barge, tank car, or transport truck facilities.

(i) *Administration.* In carrying out the duties, responsibilities, and functions imposed upon him by this directive, the Manager shall consult with appropriate committees and subcommittees to the extent that activities hereunder may affect such committees and subcommittees. Meetings of the Supply and Distribution Committee of the General Committee for District Two, the Manager, and other persons who may be affected by this directive, may be held from time to time for the purpose of doing all things necessary to carry into effect the provisions of this directive. The Supply and Distribution Committee of the General Committee shall maintain such staff and appoint such persons as it finds necessary to carry out its responsibility, duties, and functions under this directive. Operating expenses of the Committee and the Manager shall be met as provided in § 1500.7 of this chapter.

(j) *Appeals.* Any person affected by this directive or any action taken hereunder who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the District Director in Charge of the Office of Petroleum Administration for War for District Two, setting forth the pertinent facts and reasons why he considers himself entitled to relief, which Director shall act promptly upon such appeal and render a decision thereon within a period of fifteen days. If dissatisfied with the decision of the District Director in Charge, such person may appeal within fifteen days after receipt of notice of the District Director's decision to the Deputy

Petroleum Administrator, or such representative as he may designate.

(E.O. 9276, 7 F.R. 10091)

Issued this 17th day of March 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A—DISTRICT TWO SUPPLY AND DISTRIBUTION AREAS

MOTOR FUEL, KEROSENE, RANGE OIL, TRACTOR FUEL, DISTILLATE FUEL OILS

Area 1.—The entire western part of the State of North Dakota up to and including the Counties of Rolette, Pierce, Wells, Kidder, Logan, and McIntosh; the entire western part of the State of South Dakota up to and including the Counties of Campbell, Walworth, Potter, Sully, Hughes, Lyman, and Tripp; the entire western part of the State of Nebraska up to and including the Counties of Cherry, Thomas, Logan, Lincoln, Frontier, and Red willow.

Area 2.—The Counties of Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove, Greeley, Wichita, Scott, and Lane of the State of Kansas.

Area 3.—The Counties of Hamilton, Kearney, Finney, Stanton, Grant, Haskell, Gray, Ford, Morton, Stevens, Seward, Meade, and Clark of the State of Kansas; the Counties of Cimarron, Texas, Beaver, Harper, Woods, Ellis, and Woodward of the State of Oklahoma.

Area 4.—The Counties of Towner, Cavalier, Pembina, Benson, Ramsey, Walsh, Nelson, and Grand Forks of the State of North Dakota; the Counties of Kittson, Roseau, Lake of the Woods, Marshall, Beltrami, Polk, Pennington, Red Lake, Clearwater, Hubbard, Wadena, Cass, Crow Wing, Aitkin, Itasca, Koochiching, Saint Louis, Lake, Cook, Carlton, and Pine of the State of Minnesota; the Counties of Douglas, Bayfield, Ashland, Iron, Vilas, Burnett, Washburn, Sawyer, Rusk, Price, Taylor, Oneida, and Lincoln of the State of Wisconsin; the Counties of Gogebic and Ontonagon of the State of Michigan.

Area 5. The Counties of Eddy, Griggs, Steele, Traill, Foster, Stutsman, Barnes, Cass, La Moure, Ransom, and Richland in the State of North Dakota; the Counties of Norman, Mahnomen, Clay, Becker, Wilkin, Otter Tail, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec, Benton, Isanti, Chisago, Stevens, Pope, Stearns, Sherburne, Anoka, Washington, Swift, Kandiyohi, Meeker, Wright, Hennepin, Ramsey, McLeod, Carver, Sibley, Scott, Dakota, Goodhue, LeSueur, Rice, Wabasha, Waseca, Steele, Dodge, Olmsted, Winona, Freeborn, Mower, Fillmore, and Houston in the State of Minnesota; the Counties of Polk, Barron, Saint Croix, Dunn, Chippewa, Pierce, Pepin, Eau Claire, Clark, Buffalo, Trempealeau, Jackson, La Crosse, Monroe, and Vernon in the State of Wisconsin.

Area 6. The Counties of Dickey and Sargent in the State of North Dakota; the Counties of McPherson, Brown, Marshall, Roberts, Edmunds, Day, Grant, Faulk, Spink, Clark, Codington, Deuel, Hamlin, Hyde, Hand, Beadle, Kingsbury, Brookings, Buffalo, Jerauld, Sanborn, Miner, Lake, Moody, Brule, Aurora, Davison, Hanson, Gregory, McCook, Minnehaha, Charles Mix, Douglas, Hutchinson, Turner, and Lincoln in the State of South Dakota; the Counties of Traverse, Big Stone, Lac qui Parle, Chippewa, Yellow Medicine, Renville, Lincoln, Lyon, Redwood, Brown, Blue Earth, Nicollet, Pipestone, Murray, Cottonwood, Watonwan, Rock, Nobles, Jackson, Martin, and Faribault in the State of Minnesota; the Counties of Lyon, Osceola, Dickinson, Emmet, Kossuth, Sioux, O'Brien, Clay, Palo Alto, Pocahontas, and Humboldt in the State of Iowa.

Area 7. The Counties of Bon Homme, Yankton, Clay, and Union in the State of South Dakota; the Counties of Keyapaha, Boyd, Brown, Rock, Holt, Knox, Cedar, Dixon, Dakota, Blaine, Loup, Garfield, Wheeler, Antelope, Pierce, Wayne, Thurston, Madison, Stanton, Cuming, Burt, Custer, Valley, Greeley, Boone, Nance, Sherman, Howard, Platte, Colfax, Dodge, Washington, Dawson, Buffalo, Hall, Merrick, Hamilton, Polk, Butler, Saunders, Douglas, Sarpy, Cass, Otoe, York, Seward, Lancaster, Gosper, Phelps, Kearney, Adams, Clay, Fillmore, Saline, Gage, Furnas, Harlan, Franklin, Webster, Nuckolls, Thayer, and Jefferson in the State of Nebraska; the Counties of Plymouth, Cherokee, Buena Vista, Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison, Shelby, Audubon, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Union, Fremont, Page, Taylor, and Ringgold in the State of Iowa.

Area 8. The Counties of Jewell, Republic, Washington, Mitchell, Cloud, Clay, Lincoln, Ottawa, Dickinson, Geary, Trego, Ellis, Russell, Ellsworth, Saline, Morris, Ness, Rush, Barton, Rice, McPherson, Marion, Chase, Lyon, Coffey, Franklin, Miami, Anderson, Linn, Hodgeman, Pawnee, Stafford, Reno, Harvey, Butler, Greenwood, Woodson, Allen, Bourbon, Edwards, Pratt, Kiowa, Comanche, Barber, Kingman, Harper, Sedgwick, Sumner, Cowley, Elk, Chautauqua, Wilson, Neosho, Crawford, Montgomery, Labette, and Cherokee in the State of Kansas; the Counties of Nowata, Craig, and Ottawa in the State of Oklahoma; the Counties of Cass, Bates, Vernon, Barton, Jasper, Newton, McDonald, Johnson, Henry, Saint Clair, Cedar, Dade, Lawrence, Barry, Pettis, Benton, Hickory, Polk, Greene, Christian, Stone, and Taney in the State of Missouri.

Area 9. The Counties of Alfalfa, Major, Blaine, Grant, Garfield, Kingfisher, Canadian, Kay, Noble, Logan, Oklahoma, Cleveland, Pottawatomie, Osage, Pawnee, Payne, Lincoln, Creek, Okfuskee, Seminole, Hughes, Washington, Tulsa, Okmulgee, McIntosh, Rogers, Wagoner, Muskogee, Mayes, Delaware, Adair, Cherokee, and Sequoyah in the State of Oklahoma.

Area 10. The Counties of Roger Mills, Beckham, Harmon, Greer, Jackson, Dewey, Custer, Washita, Kiowa, Tillman, Caddo, Comanche, Cotton, Grady, Stephens, Jefferson, McClain, Garvin, Murray, Carter, Love, Pontotoc, Johnston, Marshall, Coal, Atoka, Bryan, Pittsburg, Haskell, Latimer, Pushmataha, Choctaw, LeFlore, and McCurtain in the State of Oklahoma.

Area 11. The Counties of Winnebago, Worth, Mitchell, Howard, Winneshiek, Allamakee, Hancock, Cerro Gordo, Floyd, Chickasaw, Fayette, Clayton, Wright, Franklin, Butler, Bremer, Calhoun, Webster, Hamilton, Hardin, Grundy, Black Hawk, Buchanan, Delaware, Dubuque, Green, Boone, Story, Marshall, Tama, Benton, Linn, Jones, Jackson, Guthrie, Dallas, Polk, Jasper, Poweshiek, Iowa, Johnson, Cedar, Clinton, Scott, Muscatine, Madison, Warren, Marion, Mahaska, Keokuk, Washington, Louisia, Clark, Lucas, Monroe, Wapello, Jefferson, Henry, Des Moines, Decatur, Wayne, Appanoose, Davis, Van Buren, and Lee in the State of Iowa; the Counties of Richland, Crawford, Grant, Iowa, and Lafayette in the State of Wisconsin; the Counties of Jo Daviess, Carroll, Whiteside, Rock Island, Henry, Mercer, Warren, Henderson, and Hancock in the State of Illinois.

Area 12. The Counties of Atchison, Holt, Nodaway, Andrew, Buchanan, Platte, Worth, Gentry, DeKalb, Clinton, Clay, Jackson, Harrison, Daviess, Caldwell, Ray, Lafayette, Mercer, Grundy, Livingston, Carroll, Saline, Putnam, Sullivan, Linn, Chariton, Schuyler, Adair, and Macon in the State of Missouri; the Counties of Marshall, Nemaha, Brown, Doniphan, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Shawnee, Wabaunsee, Osage, Douglas, and Johnson in the State of Kansas; the Counties of Johnson, Pawnee, Nemaha, and Richardson in the State of Nebraska.

Area 13. The Counties of Dallas, Webster, Douglas, Ozark, Laclede, Wright, Pulaski, Texas, Howell, Phelps, Dent, Shannon, Oregon, Crawford, Reynolds, Carter, Ripley, Washington, Iron, Jefferson, Saint Francois, Sainte Genevieve, Madison, Wayne, and Butler in the State of Missouri.

Area 14. The Counties of Forest, Florence, Marinette, Langlade, Oconto, Marathon, Shawano, Wood, Portage, Waupaca, Outagamie, Brown, Kewaunee, Juneau, Adams, Waushara, Winnebago, Calumet, Manitowoc, Marquette, Greenlake, Door, Fond Du Lac, Sheboygan, Sauk, Columbia, Dodge, Washington, Ozaukee, Dane, Jefferson, Waukesha, and Milwaukee in the State of Wisconsin; the Counties of Houghton, Keweenaw, Baraga, Iron, Marquette, Dickinson, Menominee, Alger, Delta, Schoolcraft, Luce, Mackinac, and Chippewa in the State of Michigan.

Area 15. The Counties of Allegan, Barry, Eaton, Van Buren, Kalamazoo, Calhoun, Berrien, Cass, Saint Joseph, and Branch in the State of Michigan; the Counties of Lake, Porter, Newton, Jasper, Benton, Warren, Fountain, Tippecanoe, White, Pulaski, Starke, Laporte, Saint Joseph, Marshall, Fulton, Miami, Cass, Carroll, Clinton, Howard, Tipton, Elkhart, Kosciusko, Wabash, Grant, Lagrange, Noble, Whitley, Huntington, Steuben, DeKalb, Allen, Wells, and Adams in the State of Indiana; the Counties of Stephenson, Ogle, Lee, Bureau, Putnam, Marshall, Winnebago, Boone, DeKalb, LaSalle, Livingston, Ford, McHenry, Cook, Lake, Kane, Du Page, Kendall, Will, Grundy, Kankakee, and Iroquois in the State of Illinois; the Counties of Green, Rock, Walworth, Racine, and Kenosha in the State of Wisconsin.

Area 16. The Counties of Knox, Fulton, McDonough, Schuyler, Adams, Brown, Pike, Calhoun, Jersey, Greene, Scott, Morgan, Cass, Mason, Peoria, Stark, Woodford, McLean, Tazewell, Logan, Menard, Sangamon, Macoupin, Madison, Saint Clair, Monroe, Randolph, Jackson, Williamson, Franklin, Perry, Hamilton, Wayne, Jefferson, Washington, Clinton, Marion, Clay, Effingham, Fayette, Bond, Shelby, Montgomery, Christian, Moultrie, Piatt, Macon, and DeWitt in the State of Illinois; the Counties of Scotland, Knox, Clark, Lewis, Shelby, Marion, Monroe, Ralls, Pike, Randolph, Howard, Boone, Audrain, Callaway, Montgomery, Lincoln, Warren, Saint Charles, Saint Louis, Franklin, Gasconade, Osage, Maries, Cole, Miller, Camden, Morgan, Moniteau, and Cooper in the State of Missouri.

Area 17. The Counties of Champaign, Vermilion, Douglas, Coles, Edgar, Clark, Cumberland, Jasper, Crawford, Lawrence, Richland, Edwards, Wabash, White, Saline, and Gallatin in the State of Illinois; the Counties of Vermillion, Parke, Vigo, Clay, Sullivan, Greene, Knox, Owen, Monroe, Lawrence, Martin, Daviess, Orange, Crawford, Dubois, Pike, Gibson, Posey, Vanderburgh, Warrick, Spencer, and Perry in the State of Indiana; the Counties of Union, Henderson, Webster, McLean, Hopkins, Muhlenberg, Butler, Warren, Edmonson, Grayson, Ohio, Daviess, Hancock, Breckinridge, and Mead in the State of Kentucky.

Area 18. The Counties of Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac in the State of Illinois; the Counties of Perry, Bollinger, Cape Girardeau, Scott, Stoddard, New Madrid, Mississippi, Dunklin, and Pemiscot in the State of Missouri; the Counties of Hickman, Carlisle, Ballard, McCracken, Fulton, Graves, Marshall, Calloway, Trigg, Lyon, Caldwell, Crittenden, and Livingston in the State of Kentucky; the Counties of Lake Obion, Weakley, Henry, Carroll, Gibson, Dyer, Crockett, Lauderdale, Tipton, Haywood, Madison, Henderson, Shelby, Fayette, Hardeman, Chester, and McNairy in the State of Tennessee.

Area 19. The Counties of Emmet, Charlevoix, Cheboygan, Presque Isle, Alpena, Montmorency, Otsego, Antrim, Leelanau, Benzie, Grand Traverse, Kalkaska, Crawford, Oscoda, Alcona, Manistee, Wexford, Missaukee, Roscommon, Ogemaw, Iosco, Mason, Lake, Osceola, Clare, Arenac, Gladwin, Bay, Huron, Tuscole, Sanilac, Saginaw, Gratiot, Midland, Isabella, Mecosta, Montcalm, Newaygo, Oceana, Muskegon, Ottawa, Kent, Ionia, Clinton, Shiawassee, Genesee, Lapeer, and Saint Clair in the State of Michigan.

Area 20. The Counties of Montgomery, Boone, Hamilton, Madison, Delaware, Jay, Blackford, Randolph, Wayne, Fayette, Rush, Henry, Hancock, Shelby, Bartholomew, Decatur, Johnson, Marion, Morgan, Hendricks, Putnam, and Brown in the State of Indiana.

Area 21. The Counties of Jackson, Jennings, Ripley, Jefferson, Scott, Clark, Floyd, Harrison, and Washington in the State of Indiana; the Counties of Carroll, Trimble, Oldham, Henry, Owen, Scott, Harrison, Robertson, Bracken, Mason, Nicholas, Montgomery, Bourbon, Fayette, Franklin, Shelby, Jefferson, Bullitt, Spencer, Anderson, Woodford, Jessamine, Garrard, Boyle, Mercer, Bath, Washington, Nelson, Hardin, Larue, Hart, Warren, Monroe, Metcalfe, Green, Taylor, Marion, Adair, Cumberland, Clinton, Wayne, Russell, Pulaski, Casey, Lincoln, Rockcastle, Laurel, Clay, Jackson, Madison, Clark, Estill, Powell, Menifee, Wolfe, Lee, Breathitt, Owsley, Perry, Knott, Letcher, and Leslie in the State of Kentucky.

Area 22. The Counties of Christian, Todd, Logan, Simpson, Allen, McCreary, Whitley, Knox, Bell, and Harlan in the State of Kentucky; the Counties of Stewart, Houston, Benton, Humphreys, Decatur, Perry, Hardin, Wayne, Lawrence, Giles, Maury, Lewis, Hickman, Williamson, Dickson, Montgomery, Robertson, Cheatham, Davidson, Sumner, Macon, Trousdale, Wilson, Rutherford, Bedford, Marshall, Lincoln, Moore, Franklin, Coffee, Cannon, De Kalb, Smith, Jackson, Clay, Pickett, Putnam, Overton, White, Warren, Grundy, Marion, Van Buren, Bledsoe, Sequatchie, Hamilton, Bradley, Polk, McMinn, Monroe, Meigs, Rhea, Cumberland, Fentress, Scott, Morgan, Campbell, Anderson, Roane, Loudon, Blount, Sevier, Jefferson, Knox, Union, Claiborne, Hancock, Grainger, Hamblen, Hawkins, Cocke, Greene, Sullivan, Washington, Unicoi, Carter, and Johnson in the State of Tennessee.

Area 23. The Counties of Ingham, Livingston, Oakland, Macomb, Jackson, Washtenaw, Wayne, Hillsdale, Lenawee, and Monroe in the State of Michigan; the Counties of Williams, Defiance, Paulding, Van Wert, Mercer, Fulton, Henry, Putnam, Allen, Auglaize, Shelby, Lucas, Wood, Hancock, Hardin, Logan, Ottawa, Sandusky, Seneca, Wyandot, Marion, Union, Erie, Huron, Crawford, and Richland in the State of Ohio.

Area 24. The Counties of Darke, Preble, Butler, Hamilton, Clermont, Warren, Montgomery, Miami, Champaign, Clark, Greene, Clinton, Brown, Highland, Fayette, and Madison in the State of Ohio; the Counties of Boone, Kenton, Campbell, Pendleton, Grant, and Gallatin in the State of Kentucky; the Counties of Union, Franklin, Dearborn, Ohio, and Switzerland in the State of Indiana.

Area 25. The Counties of Lewis, Fleming, Rowan, Morgan, Magoffin, Floyd, Pike, Martin, Johnson, Lawrence, Elliott, Carter, Boyd, and Greenup in the State of Kentucky; the Counties of Morrow, Delaware, Knox, Franklin, Pickaway, Ross, Pike, Adams, Scioto, Lawrence, Gallia, Jackson, Meigs, Vinton, Athens, Hocking, Fairfield, Perry, Licking, Holmes, Coshocton, Muskingum, Morgan, Washington, Noble, Monroe, Belmont, Guernsey, Tuscarawas, Carroll, Harrison, and Jefferson in the State of Ohio.

Area 26. The Counties of Lorain, Cuyahoga, Lake, Ashtabula, Ashland, Medina, Wayne, Stark, Columbiana, Summit, Portage, Mahoning, Trumbull, and Geauga in the State of Ohio.

EXHIBIT B—DISTRICT TWO SUPPLY AND DISTRIBUTION AREA RESIDUAL FUEL OILS

Area 1. The States of Oklahoma and Kansas; all of the State of Missouri except the counties of Saint Louis, Saint Charles, and Jefferson; the entire western part of the State of Iowa up to and including the counties of Howard, Chickasaw, Bremer, Blackhawk, Benton, Iowa, Keokuk, Wapello, and Davis; the entire eastern part of the State of Nebraska up to and including the counties of Cedar, Pierce, Madison, Platte, Polk, York, Fillmore, and Thayer.

Area 2. The States of North Dakota and South Dakota; that part of the State of Nebraska not included in Area 1; the entire western part of the State of Minnesota up to and including the counties of Koochiching, Itasca, Aitkin, Kanabec, Millelacs, Benton, Stearns, Kandiyohi, Renville, Brown, Blue Earth, Waseca, Steele, and Freeborn.

Area 3. That part of the State of Minnesota not included in Areas 2 and 4: that part of the State of Iowa not included in Area 1; the counties of Saint Charles, Saint Louis, and Jefferson of the State of Missouri; the entire western part of the State of Wisconsin up to and including the counties of Iron, Vilas, Oneida, Langlade, Marathon, Portage, Waushara, Greenlake, Columbia, Dane, Jefferson, and Rock, except the counties of Douglas and Bayfield; the entire western part of the State of Illinois up to and including the counties of Stephenson, Ogle, Lee, LaSalle, Livingston, McLean, Logan, Sangamon, Montgomery, Bond, Clinton, Washington, and Monroe; the counties of Gogebic and Ontonagon of the State of Michigan.

Area 4. The counties of Saint Louis, Lake, Cook, Carlton, and Pine of the State of Minnesota; the counties of Douglas and Bayfield in the northwestern part of the State of Wisconsin; the counties of Waukesha, Milwaukee, Walworth, Racine, and Kenosha in the southeastern part of the State of Wisconsin; the counties of Winnebago, Boone, McHenry, Lake, DeKalb, Kane, Cook, Kendall, Grundy, DuPage, Will, and Kankakee of the State of Illinois; and the counties of Lake, Porter, LaPorte, and Saint Joseph of the State of Indiana.

Area 5. That part of the State of Indiana not included in Area 4 except the counties of Posey, Vanderburgh, Warrick, Spencer, Dubois, Perry, Crawford, Orange, Washington, Harrison, Floyd, Scott, Clark, Jefferson, Jennings, Ripley, Franklin, Dearborn, Ohio, and Switzerland; the southeastern part of the State of Illinois up to and including the counties of Iroquois, Ford, Champaign, DeWitt, Macon, Christian, Shelby, Fayette, Marion, Jefferson, Perry, and Randolph.

Area 6. The State of Tennessee: the southern part of the State of Kentucky up to and including the counties of Webster, McLean, Ohio, Grayson, Hart, Larue, Marion, Washington, Mercer, Garrard, Madison, Jackson, Lee, Wolfe, Breathitt, Magoffin, Floyd, and Pike.

Area 7. That part of the State of Wisconsin not included in Areas 3 and 4; the northern peninsula of the State of Michigan except for the counties of Gogebic and Ontonagon, and the western part of the State of Michigan up to and including the counties of Emmet, Charlevoix, Antrim, Kalkaska, Missaukee, Osceola, Newaygo, Kent, Barry, Eaton, Calhoun, and Branch.

Area 8. All that part of the State of Michigan not included in Area 7.

Area 9. All that part of the State of Kentucky not included in Area 6; the southern part of the State of Indiana not included in Areas 4 and 5; the southern part of the State of Ohio up to and including the counties of Preble, Montgomery, Greene, Fayette, Pickaway, Fairfield, Perry, Morgan, Noble, Belmont, and Jefferson.

Area 10. All that part of the State of Ohio not included in Area 9.

[F. R. Doc. 43-5061; Filed, April 1, 1943; 12:01 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order 111]

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

MINIMUM OPERATING SCHEDULES

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 30th day of March, 1943:

It appearing (1) that the demand by the military services has decreased the supply of trained personnel available for the operation of broadcast stations, and (2) that there is a scarcity of materials for the maintenance of broadcast stations, and

It further appearing that a relaxation of the Commission's rules, regulations and other requirements with respect to minimum operating schedules for broadcast stations will serve the public interest; *Now, therefore, it is ordered:*

That until further order of the Commission § 3.261 (a) and (b) of the rules and regulations with respect to minimum operating schedules of high frequency (FM) broadcast stations be, and it is hereby, suspended; and in lieu thereof, except Sundays, the minimum operating schedule of high frequency broadcast stations shall be six hours during the period from 6 a. m. to midnight, local standard time, of which two hours shall be devoted to programs not duplicated simultaneously as primary service in the same area by any standard broadcast station or any high frequency broadcast station; except that if in an emergency, due to causes beyond the control of the licensee, it becomes impossible to continue operating, the station may cease operation for a period of not to exceed 10 days, provided that the Commission and the Inspector in Charge shall be notified in writing immediately after the emergency develops.

Federal Communications Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-5134; Filed, April 2, 1943; 10:51 a. m.]

[Order 112]

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

FIELD INTENSITY MEASUREMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of

March, 1943, the Commission having under consideration the relaxation of certain of its requirements, and

It appearing that the demand of the military services and industry for skilled personnel and equipment has increased as a result of the war and that such demand has decreased the skilled personnel, material and manufacturing facilities available for use by broadcast stations resulting in a shortage;

It is ordered, That until further order of the Commission, § 3.229 of the Commission's rules and regulations requiring that field intensity measurements be made and submitted to the Commission within one year of the first date of regular operation of a high frequency (FM) broadcast station be, and is hereby suspended.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-5135; Filed, April 2, 1943; 10:51 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 115]

PART 95—CAR SERVICE

FRUIT AND VEGETABLE CARS HELD FOR DIVERSION OR RECONSIGNMENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of April, A. D. 1943.

It appearing, That carload shipments of fresh or green fruits or vegetables moving from points in the south are being held for diversion or reconsignment at points south of Potomac Yard, Va., and thereby delaying unduly the movement of trains; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.306 *Cars of fruit and vegetables held for diversion or reconsignment.* (a) The operation of Atlantic Coast Line Railroad Company Tariff I.C.C. No. 660 (Agent Hoke), Seaboard Air Line Railway Company Tariff I.C.C. No. 660 (Agent Hoke), Southern Railway Company Tariff I.C.C. No. A 10944, and Richmond, Fredericksburg & Potomac Railroad Company Tariff I.C.C. No. 660 (Agent Hoke), which provide rules and charges governing diversion and reconsignment of cars of fresh or green fruits and vegetables is hereby suspended insofar as said tariffs authorize or permit shipments of such commodities originating in the States of Florida, Georgia, Alabama, Mississippi, and Louisiana, to be held at points on the Atlantic Coast Line east of Atlanta and north of Waycross, Ga., Seaboard Air Line Railway east of Atlanta and north of Savannah, Ga., Southern Railway east of Atlanta and north of Savannah, Ga., and the Richmond, Fredericksburg & Potomac Railroad, Richmond and north, for diversion, reconsignment, or holding for orders as defined in said tariffs.

(b) Each of said railroads, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).

It is further ordered, That this order shall become effective April 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon the above-named railroads and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-5133; Filed, April 2, 1943; 10:48 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 36]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART Y—COMMON CARRIERS OF PASSENGERS BY MOTOR VEHICLE IN LOCAL SERVICE IN PUERTO RICO

Pursuant to Executive Orders 8989, 9156, 9214, and 9294, and in order to conserve and providently utilize vital transportation equipment, material and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

Sec.
501.322 Definitions.
501.323 Applicability.
501.324 Elimination of wasteful operation.
501.325 Operating requirements.
501.326 Special and general permits.
501.327 Submission of plans for joint action.
501.328 Records and reports.
501.329 Suspension of provisions.
501.330 Communications.

AUTHORITY: §§ 501.322 to 501.330, inclusive, issued under E.O. 8989, 9156, 9214, and 9294; 6 F.R. 6725; 7 F.R. 3349, 6097; 8 F.R. 221.

§ 501.322 *Definitions.* As used in this order (§§ 501.322 to 501.330, inclusive), or in any order, permit, regulation, recommendation or certificate issued hereunder or in respect hereof, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, and includes any agency of the United States or of any other government, the Insular Government of Puerto Rico, or any political subdivision or agency thereof, or any trustee, receiver, assignee, or personal representative.

(b) "Motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power and used upon the streets or highways (but not on rails) in the transportation of passengers.

(c) "Common carrier" means any person that holds himself out to the general public to engage in transportation of passengers by motor vehicle for compensation.

(d) "Taxicab" means any motor vehicle used in the call-on-demand transportation of passengers for compensation to or from points chosen or designated by the passengers, and not operated on a fixed schedule, between fixed termini, or over specific routes.

(e) "Local service" means all transportation of passengers by motor vehicle performed as a common carrier wholly within any urban zone and an area extending 8 air kilometers from the boundaries thereof, or between contiguous urban zones, except transportation by taxicab.

(f) "Local passenger vehicle" means any motor vehicle used in the transportation of passengers in local service.

§ 501.323 *Applicability.* This order shall be applicable only within the Island of Puerto Rico.

§ 501.324 *Elimination of wasteful operation.* Every person engaged in performing local service operations shall:

(a) Eliminate waste in operations and unnecessary duplication of parallel services, and curtail schedules and services to the extent necessary to carry out the purposes of this order;

(b) Conserve and properly maintain tires, vehicle equipment, and other facilities necessary in conducting the local service operations of such person.

§ 501.325 *Operating requirements.* No person shall:

(a) Engage in the performance of local service unless there is in force in respect of such person a license, permit, certificate, or other grant of authority issued by the Insular Government of Puerto Rico, or by a governmental subdivision thereof, authorizing said person to engage in such local service;

(b) Extend or inaugurate local service (notwithstanding the terms of any license, permit, certificate, or other grant of authority referred to in paragraph (a) of this § 501.325) without the prior approval of the Office of Defense Transportation, over any route not being served in local service by such person on the effective date of this order;

(c) Perform local service for the primary purpose of supplying transportation to or from a golf course, athletic field, race track, theatre, dancing pavilion, or other place conducted primarily for purposes of amusement or entertainment;

(d) Operate any local passenger vehicle without distinctly marking such vehicle to indicate that it is engaged in local service;

(e) Operate any local passenger vehicle for any purpose (including social or recreational purposes) personal to the driver or operator.

§ 501.326 *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardships.

§ 501.327 *Submission of plans for joint action.* (a) Whenever directed in writing so to do by the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico, any two or more persons engaged in performing local service operations competitively shall meet, or cause their representatives to meet, for the purpose of formulating a plan of joint action to the end that maximum utilization of equipment and facilities may be effected during the period of the war emergency by such method or methods as may be recommended or approved by the Office of Defense Transportation.

(b) Within such time as may be fixed by said Regional Director, any such persons shall jointly submit to said Regional Director any plan of joint action so formulated, or a statement setting forth the reasons why no plan of joint action has been agreed on by them: *Provided, however*, That nothing contained in this order shall be so construed as to authorize any person to engage in such joint action unless directed so to do by specific order of the Office of Defense Transportation.

§ 501.328 *Records and reports.* Every person engaged in performing local service operations shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may hereafter require for the purpose of this order, and shall keep all records required hereunder available and open for inspection by accredited representatives of the Office of Defense Transportation at all reasonable times.

§ 501.329 *Suspension of provisions.* The provisions of this order, or any part thereof, may be suspended from time to time by order of the Office of Defense Transportation.

§ 501.330 *Communications.* Communications concerning this order should refer to "General Order ODT 36", and should be addressed to the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico.

This General Order ODT 36 shall become effective April 1, 1943.

Issued at Washington, D. C., this 27th day of March, 1943.

C. D. YOUNG, *Deputy Director, Office of Defense Transportation.*

[F. R. Doc. 43-5064; Filed, April 1, 1943; 12:01 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-1874, A-1885]

STEEL TIPPLE COAL CO. AND O. B. C. COAL CO.

ORDER CONSOLIDATING MATTERS, GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Steel Tipple Coal Company for a change in shipping point. In the matter of the petition of O. B. C. Coal Company, for a change in loading point.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division in Docket No. A-1874 by Chester Wasson, a code member, owner and operator of Steel Tipple Coal Company, requesting a change in shipping point for the coals produced at the Steel Tipple Mine, Mine Index No. 1222, in District No. 10; and in Docket No. A-1885 by Homer Choate, a code member, owner and operator of O. B. C. Coal Company, requesting a change in loading point for the coals in Size Groups 1-16, inclusive, and 26 and 27 produced at the O. B. C. Coal Company Mine, Mine Index No. 1367, located in District No. 10; and

Petitions of intervention having been filed in both of these matters by District Board No. 10 and in Docket No. A-1885 by McLaren Fuel Company, in each of which petitions of intervention it is alleged that the original petitions in these matters should be denied because they will prejudice the parties affected by the order, dated February 17, 1942, in Docket No. A-1079; and

It appearing that said matters should be consolidated and that they raise issues upon which the interested parties herein should be given an opportunity to be heard; and

It further appearing, however, that a reasonable showing of necessity has been made for the granting of temporary relief in both matters in the manner hereinafter set forth, pending further order of the Division; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That said petitions be, and the same hereby are, consolidated.

It is further ordered, That pending final disposition of the above-entitled matters temporary relief be, and the same hereby is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck is amended and supplemented to include the matters set forth in the schedules marked "Supplement R [1]," which are annexed hereto and made a part hereof.

[1] Not filed with the Division of the Federal Register.

It is further ordered, That a consolidated hearing in the above-entitled matters under the applicable provisions of said Act and the rules of the Division be held on April 8, 1943, at 10 o'clock in the forenoon of that day, in Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matters. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to these proceedings may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petitions is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 3, 1943.

All persons are hereby notified that the hearing in the above-entitled matters and any orders entered therein, may concern, in addition to the matters specifically alleged in the petitions, other matters necessarily incidental and related thereto, which may be raised by amendment to the petitions, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of these petitions.

The matters concerned herewith are in Docket No. A-1885, in regard to the original petition of Homer Choate, code member, owner and operator of the O. B. C. C. Coal Company, requesting that that company be permitted to load the coals in Size Groups 1-16 and 26 and 27 produced at the O. B. C. Coal Company Mine, Mine Index No. 1367, District No. 10, over its ramp at Marion, Illinois, on the Missouri Pacific Railroad rather than over the tipple of McLaren Fuel Company at Marion, Illinois, on the Illinois Central and Missouri Pacific Railroads, and in Docket No. A-1874, the original petition of Chester Wasson, code member, owner and operator of Steel Tipple Coal Company requesting a change in shipping point from the tipple of McLaren Fuel Company at Marion, Illinois, to New Dennison, Illinois, for the

coals produced at the Steel Tipple Mine, Mine Index No. 1222, in District No. 10.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-5132; Filed, April 2, 1943; 10:15 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

TEXAS

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VIII—TEXAS

Red River County: Locality I—Consisting of Precinct 1, $3,725; Locality II—Consisting of Precinct 2, $1,691; Locality III—Consisting of Precinct 3, $3,901; Locality IV—Consisting of Precinct 4, $2,791; Locality V—Consisting of Precinct 5, $1,984; Locality VI—Consisting of Precinct 6, $2,495; Locality VII—Consisting of Precinct 7, $4,821; Locality VIII—Consisting of Precinct 8, $2,202.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: March 30, 1943.

[SEAL] C. B. BALDWIN, *Administrator.*

[F. R. Doc. 43-5140; Filed, April 2, 1943; 11:55 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-18]

FLAMINGO TRUCK LINES, INC., AND FOGARTY BROS. TRANSFER, INC.

COORDINATED OPERATION BETWEEN TAMPA AND SARASOTA, FLA.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of property in less-than-truckload lots between Tampa and Sarasota, Fla., filed with the Office of Defense Transportation by Flamingo Truck Lines, Inc., Jacksonville, Fla., and Fogarty Bros. Transfer, Inc., Bradenton, Fla., as governed by § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694), and

It appearing that such coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies, and to assure the maximum utilization of such transportation equipment, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered,* That:

1. Flamingo Truck Lines, Inc., shall discontinue the transportation of shipments in less-than-truckload lots from Tampa, Fla., or through that gateway, to Sarasota, Fla., and intermediate points on its routes, and in the reverse direction; and in respect of such shipments moving from or through Tampa, Fla., to such other points, shall divert such shipments to Fogarty Bros. Transfer, Inc.

2. Fogarty Bros. Transfer, Inc., shall accept from Flamingo Truck Lines, Inc., all shipments diverted to it pursuant hereto and shall forward such shipments and pursuant to the lawfully applicable rates, charges, rules, and regulations of the carrier issuing the bill of lading.

3. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

4. The records of the carriers shall be available for examination and inspection at all reasonable times by a representative of the Office of Defense Transportation.

5. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any shipper. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

6. Each of the carriers shall file forthwith with the appropriate regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until the further order of such regulatory body or bodies or of the Office of Defense Transportation, tariffs, or supplements to filed tariffs, setting forth any changes in rates, charges, rules, regulations, and practices which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission to file such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-18," and should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

8. This Supplementary Order ODT 3, Revised-18, shall become effective April 5, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of March 1943.

C. D. YOUNG, *Deputy Director, Office of Defense Transportation.*

[F. R. Doc. 43-5063; Filed, April 1, 1943; 12:01 p. m.]

PORTSMOUTH MILK MARKETING AREA, OHIO

JOINT ACTION PLAN OF DISTRIBUTORS

Recommendation of joint action plan of milk distributors in the Portsmouth Milk Marketing Area of Ohio.

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 6, as amended, (7 F.R. 3008, 3532, 4184) superseded in part by General Order ODT 17, as amended (7 F.R. 5678, 7694)), the private carriers named in the Appendix hereof have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of dairy products in the Portsmouth Milk Marketing Area, Ohio.

The participants have agreed that all retail delivery service in such area shall be on an every-other-day basis; that all motor trucks operated in retail delivery service shall transport maximum loads when departing from the plant of any participant; that no motor truck being operated in retail delivery service shall depart from any such plant prior to 8 o'clock a. m. during any calendar day; that all motor trucks shall be operated by the most direct route when used in retail delivery service, making only one trip during any calendar day over any street which is a part of such route, without "back tracking" over any segment of such route.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 30th day of March 1943.

JOSEPH B. EASTMAN, *Director, Office of Defense Transportation.*

APPENDIX

1. Ideal Milk Co.
2. Portsmouth Pure Milk Co.
3. Malone's Dairy.
4. John E. Rapp.
5. Borden's Modern Dairy.
6. Eck Dairy.
7. Select Dairy.
8. Carl E. Covell.
9. Cline Gilpine.
10. Lawson Dairy.

[F. R. Doc. 43-5062; Filed, April 1, 1943; 12:02 p. m.

OFFICE OF PRICE ADMINISTRATION.

[Order 15 Under RPS 53 [1]]

C. F. SIMONIN'S SONS, INC.

ORDER ESTABLISHING MAXIMUM PRICES

Order No. 15 under Revised Price Schedule No. 53—Fats and Oils—Docket No. 3053-14.

On November 12, 1942, C. F. Simonin's Sons, Inc. of Philadelphia, Pennsylvania, filed an application for adjustment of its maximum prices of its Yolanda Salad and Cooking Oil, Medaglia D'Oro Salad and Cooking Oil, Keystone Cooking Oil, Yolanda Shortening, Century Salad Oil, and Simoco Shortening. On November 26, 1942, and January 7, 1943, it filed supplemental petitions. On February 3, 1943, it withdrew its petition insofar as its Century Salad Oil and its Simoco Shortening were concerned.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53, *It is hereby ordered:*

(a) *Yolanda Salad and Cooking Oil and Medaglia D'Oro Salad and Cooking Oil.* The maximum delivered price of C. F. Simonin's Sons, Inc.'s Yolanda Salad and Cooking Oil and Medaglia D'Oro Salad and Cooking Oil, in the area defined in § 1351.151 (b) (12) (viii) as North, shall be the following prices:

6 1-gallon cans, per case	*12 ½-gallon can, per case*	*24 ¼-gallon cans, per case*
$8.20	$8.80	$9.40

(b) The maximum delivered prices of C. F. Simonin's Sons, Inc.'s products hereinabove set forth, on sales made by it in territories other than that defined in § 1351.151 (b) (12) (viii) as North, shall be the maximum prices above set forth plus or minus, as the case may be, the differential set forth in § 1351.151 (b) (12) (iii) for sales in such other territories, adjusted for size and type of container.

(c) The provisions of § 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this Order for the products hereinabove named.

(d) All prayers of the petition not withdrawn by Applicant that are not granted herein, are denied, except that this order is without prejudice to Applicant's right to sell its Keystone Cooking Oil at the highest price charged by its nearest competitor for the same or most nearly similar product sold by it during the period January 16, 1942 to January 31, 1942.

(e) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

This Order No. 15 shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-5088; Filed, April 1, 1943; 4:19 p. m.]

[Order 80 Under RPS 64 [1]]

SIEGLER ENAMEL RANGE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 80 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On February 24, 1943, Siegler Enamel Range Company, Centralia, Illinois, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model gas range designated in the application as Model VMG-43.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Siegler Enamel Range Company may sell, offer to sell, transfer or deliver its Model VMG-43 at a price no higher than $27.75 f. o. b. factory, to dealers, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable model 70-36-FD.

(b) This Order No. 80 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

This Order No. 80 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-5093; Filed, April 1, 1943; 4:25 p. m.]

[Order 12 Under RPS 67]

OLIVER P. HOBBS

AUTHORIZATION OF MAXIMUM PRICES

Order No. 12 under Revised Price Schedule No. 67—New Machine Tools; Docket No. 3067-55.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Oliver P. Hobbs is hereby authorized and permitted to sell and deliver, for the gross price of $110.00 each;

Machine tools known as "Utility" Grinder manufactured by Oliver P. Hobbs, Manufacturer, of Los Angeles, California.

(b) This Order No. 12 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 12 shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-5092; Filed, April 1, 1943; 4:25 p. m.]

[Order 10 Under Rev. MPR 125]

NEW PROCESS BRONZE AND ALUMINUM FOUNDRY COMPANY

ORDER ADJUSTING MAXIMUM PRICES

Order No. 10 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-16.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and section 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered,* That:

(a) Anything in Revised Maximum Price Regulation No. 125 to the contrary notwithstanding. Charles Kapovich of Cleveland, Ohio, doing business as the New Process Bronze and Aluminum Foundry Company, hereinafter referred to as "the applicant", may sell and de-

[1] 7 F.R. 1309, 1386, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

liver to the International Metal Hose Company, Inc. of Cleveland, Ohio, and

(b) All prayers of the application not granted herein are denied.

rail at prices not to exceed the following respective prices per ton f. o. b. the mine:

of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 237 shall become effective April 2, 1943.

ized to sell and deliver its three new toys, described in its application of

liver to the International Metal Hose Company, Inc. of Cleveland, Ohio, and the International Metal Hose Company, Inc. may buy and receive from the applicant nonferrous castings produced by the applicant of the type set forth below at a price not higher than 1½¢ per pound above the maximum price that would have governed sales of such castings to the International Metal Hose Company, Inc. if this order had not been issued.

Type of castings subject to this order

Hose connections made from yellow brass scrap.
Hose connections made from yellow brass ingot.
Hose connections made from red brass scrap.

(b) All prayers in the applicant's application for adjustment, Docket Number 3125–16, not granted herein are hereby denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of February 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5085; Filed, April 1, 1943; 4:21 p. m.]

[Order 14 Under MPR 163]

NATIONAL DIXIE MILLS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 14 under Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabrics; Docket No. 3163–21.

On October 31, 1942, the National Dixie Mills, Incorporated, 261 Fifth Avenue, New York, New York, filed an application for adjustment pursuant to § 1410.109 of Maximum Price Regulation No. 163. Due consideration has been given to the application and an opinion supporting this Order No. 14 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) On and after April 2, 1943, the National Dixie Mills, Incorporated, may sell and any person may buy from the National Dixie Mills, Incorporated, the fabric specified hereinbelow at prices not in excess of the following applicable maximum price:

Style No. of fabric	Specification	Maximum price (per yard)
3860	All wool twist; 58–60 inches in width, 13–13½ ounces in weight; 3/7 ends and 30 picks; 1½ x 1½—2 ply; 50% of 44's wool; 50% of 56's wool; stock dyed fabric.	$2.375

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

This Order No. 14 shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5098; Filed, April 1, 1943; 4:21 p. m.]

[Order 27 Under Rev. MPR 169]

PALESTINE KOSHER SAUSAGE MANUFACTURING COMPANY

DENYING PETITION FOR ADJUSTMENT

Order No. 27 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts; Docket No. 3169–40.

On August 7, 1942, Palestine Kosher Sausage Manufacturing Company, 4500 Cermak Road, Chicago, Illinois, filed a petition for adjustment pursuant to Section 1364.60 of Maximum Price Regulation No. 169, as amended, redesignated Revised Maximum Price Regulation No. 169, as amended.

Due consideration has been given to the petition and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the Opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with the Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered,* That the petition for adjustment be, and it hereby is, denied.

This Order No. 27 shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5086; Filed, April 1, 1943; 4:20 p. m.]

[Order 177 Under MPR 120]

CRESCENT MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 177 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120–378.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Crescent Mining Company at its LaMarsh No. 1 Mine, Mine Index No. 81, in District No. 10, may be sold and purchased for shipment by rail at prices not to exceed the following respective prices per ton f. o. b. the mine:

Size groups							Mine run less than 6"
1	2	3	4	5	6	7	
$2.60	2.60	2.60	2.60	2.60	2.60	2.60	2.60

(b) Within thirty (30) days from the effective date of this order, Crescent Mining Company shall notify all persons purchasing its coal of the adjustments granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this Order do not authorize any increase in the purchaser's resale prices except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 177 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) This Order No. 177 shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5115; Filed, April 1, 1943; 5:20 p. m.]

[Order 178 Under MPR 120]

MINE "B" COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 178 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120–334.

Order No. 178 under Maximum Price Regulation No. 120 is hereby revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by The Mine "B" Coal Company at its Mines "A" and "B" (Mine Index Nos. 28 and 97), respectively, in District No. 10, may be sold and purchased for shipment for railroad locomotive fuel use at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Railroad locomotive fuel

Modified mine run	*Mine run*
$2.60	$2.55

(b) This Order No. 178 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) All prayers of the applicant not granted herein are hereby denied.

(e) This Order No. 178 shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5116; Filed, April 1, 1943; 5:20 p. m.]

[Order 237 Under MPR 188]

FELLOWS BURIAL VAULT SERVICE CO., INC.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 237, Under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) The Fellows Burial Vault Service Company, Inc., of Marlette, Michigan, is authorized to sell, deliver, or offer for sale concrete burial vaults delivered in place and sealed, within the area of Marlette, Michigan, and the surrounding territory of Sanilac, Huron, Tuscola, Lapeer and St. Clair Counties, Michigan, at the maximum prices set forth below:

Trade sizes:	*Maximum price*
6–6	$50.00
6–3	45.00
5–6	40.00
4–6	35.00
3–6	30.00
2–6	30.00

(b) The Fellows Burial Vault Service Company, Inc., shall cause the following written notice to be sent to all persons to whom it sells concrete burial vaults:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of concrete burial vaults as follows:

Trade sizes:	*Maximum prices*[1]
6–6	$50.00
6–3	45.00
5–6	40.00
4–6	35.00
3–6	30.00
2–6	30.00

[1] These prices include delivery in place and sealing after the funeral.

The amount of the increase of these prices over our previous maximum prices represents only that part of cost increases which we were unable to absorb, and was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise the maximum prices on a resale of any of these items.

(c) This Order No. 237 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 237 shall become effective April 2, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5123; Filed, April 1, 1943; 5:19 p. m.]

[Order 230 Under MPR 188]

WRIGLEY BROS.

APPROVAL OF MAXIMUM PRICES

Order No. 230 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Wrigley Bros., of three new toys. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Wrigley Bros., 39–47 West 19th Street, New York, New York, is authorized to sell and deliver its three new toys, designated in its application of March 1, 1943, as "Miniature Army Toy Jeep #1262", "Miniature Army Commando Barge #1265", and "Miniature 75 mm Mobile Toy Gun #1267", at prices to Victory Wood Products Company, f. o. b. New York, New York, no higher than those set forth below:

Miniature Army Toy Jeep	#1263	$0.655
Miniature Army Commando Barge	#1265	.60
Miniature 75 mm Mobile Toy Gun	#1267	.55

(b) This Order No. 230 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 230 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5097; Filed, April 1, 1943; 4:21 p. m.]

[Order 231 Under MPR 188]

ROBERT ANDRESEN

APPROVAL OF MAXIMUM PRICES

Order No. 231 under § 1499.158 of maximum price regulation No. 188—Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

Approval of maximum prices for sales by Robert Andresen, of three new toys. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Robert Andresen, 625 W. 55th Street, New York, New York, is authorized to sell and deliver its three new toys, described in its application of November 5, 1942, at prices to Victory Wood Products Company, f. o. b. New York, New York, no higher than those set forth below:

	Cents per unit
Commando #1265	60
75 mm. Gun #1267	54
U. S. Army Miniature Jeep #1263	65

(b) This Order No. 231 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 231 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5094; Filed, April 1, 1943; 4:25 p. m.]

[Order 232 Under MPR 188]

GENERAL DRY BATTERIES, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 232 under § 1499.158 of Maximum Price Regulation No. 188[1]—Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

Maximum prices for sales by General Dry Batteries, Inc., of three new hearing aid batteries. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) General Dry Batteries, Inc., Cleveland, Ohio, may sell and deliver the following new hearing aid "B" batteries at prices no higher than those set forth below, subject to the seller's customary terms.

(1) For sales to hearing aid manufacturers:	
22½ volt—(No. 901)	$ .50
33 volt—(No. 902)	.75
45 volt—(No. 903)	.90
(2) For sales to retailers:	
22½ volt—(No. 901)	$ .62½
33 volt—(No. 902)	.93¾
45 volt—(No. 903)	1.12½

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective April 2, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5095; Filed, April 1, 1943; 4:25 p. m.]

[Order 234 Under MPR188]

MONOLITH PORTLAND CEMENT COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 234 under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105.

Building Materials and Consumers' Goods Other Than Apparel.

For the reasons stated in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.161 of Maximum Price Regulation No. 188, *It is ordered,* That:

(a) The Monolith Portland Cement Company of Los Angeles, California, is hereby authorized to sell, deliver and offer for sale, and all persons are authorized to buy or receive from it in the course of trade, crude or rock gypsum at the following prices:

(1) To the points, Davenport, Simla, Redwood City, Cowell, Kentucky House and Merced, California, at the price of $3.19 per net ton, f. o. b. Gerlach, Nevada, less a discount of 25¢ per ton for payment by the tenth day of the month following the date of invoice, and

(2) To the points Victorville, Colton, Crestmore and Los Angeles, California, at the price of $3.19 per net ton, f. o. b. Arden, Nevada, less a discount of 25¢ per ton for payment by the tenth day of the month following the date of invoice.

(b) All prayers in the petition not granted herein are denied.

(c) This Order No. 234 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5096; Filed, April 1, 1943; 4:24 p. m.]

[Order 235 Under MPR 188]

BRUNSWICK-BALKE-COLLENDER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 235 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Brunswick-Balke-Collender Company of a new table tennis table.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Brunswick-Balke-Collender Company, 623 South Wabash Avenue, Chicago, Illinois, may sell and deliver to the United States Government or any agency thereof its new Table Tennis Table designated in the application as "Commando", manufactured by it at a price no higher than $29.58 per unit.

(b) This Order No. 235 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 235 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5084; Filed, April 1, 1943; 4:21 p. m.]

[Order 236 Under MPR 188]

BRUNSWICK-BALKE-COLLENDER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 236 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturer's Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Brunswick-Balke-Collender Company of a new bowling ball locker.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Brunswick-Balke-Collender Company, 623 South Wabash Avenue, Chicago, Illinois, may sell and deliver its new Bowling Ball Locker designated in the application as "Centennial" manufactured by it, subject to discounts, allowances and terms no less favorable than those customarily granted by it, at a price no higher than $66.06 per unit.

(b) This Order No. 236 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 236 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5099; Filed, April 1, 1943; 4:21 p. m.]

APPENDIX A: TABLE OF GARMENTS AND PRICES

Lot No.	Fabric	Sizes	Price
	MEN'S BIB OVERALLS		
33	Denim—2.20 mill finish blue	28–50	$12 60
600, 6147	Denim—2.20 sanforized blue	28–50	13 30
52	Denim—8 oz. sanforized blue	28–50	14 00
66	Denim—8 oz. sanforized blue	34–50	15 00
68, 210, 6232	Denim—8 oz. sanforized blue	28–50	15 90
263, 269, 6225	Denim—8 oz. sanforized hickory or express	28–50	15 90
264, 6229	Denim—8 oz. sanforized hickory	28–50	16 15
	BOYS' BIB OVERALLS		
6076, 9113	Denim—3.00 mill finish blue	2–12	9 75
6068, 9150	Denim—2.20 mill finish blue	2–16	8 00
6069	Denim—2.20 mill finish liberty	2–16	8 00
350, 6066, 9157	Denim—2.20 sanforized blue	2–16	8 75
6002	Denim—8 oz. sanforized blue	2–16	10 10
249, 9133	Denim—8 oz. sanforized blue	2–16	11 85
253B, 269B	Denim—8 oz. sanforized hickory or express	2–16	11 85
6034	Denim—8 oz. sanforized liberty	2–16	11 25
264B	Denim—8 oz. sanforized liberty	2–16	11 90

APPENDIX A: TABLE OF GARMENTS AND PRICES—Continued

Lot No.	Fabric	Sizes	Price
	MEN'S OVERALL COATS		
35	Denim—2.20 mill finish blue	34–50	12 60
602, 6145	Denim—2.20 sanforized blue	34–50	13 30
54	Denim—8 oz. sanforized blue	34–50	14 00
212, 6230	Denim—8 oz. sanforized blue	34–50	15 90
6224	Denim—8 oz. sanforized hickory	34–50	15 90
256, 6228	Denim—8 oz. sanforized liberty	34–50	16 15
	BOYS' OVERALL COATS		
9134	Denim—2.20 mill finish blue	8–18	8 30
5501, 6065	Denim—2.20 sanforized blue	8–18	8 85
6030	Denim—8 oz. sanforized blue	8–18	11 10
	MEN'S WAISTBAND OVERALLS OR DUNGAREES		
6176	Denim—2.45 mill finish blue	28–50	9 40
519	Denim—2.20 mill finish blue	28–46	9 75
400	Denim—8 oz. sanforized blue	28–46	11 25
209, 218, 6164, 6165	Denim—8 oz. sanforized blue	28–50	11 25
402	Denim—8 oz. sanforized victory	28–46	11 40
19	Denim—9 oz. sanforized blue	28–46	12 25
6160	Denim—10 oz. sanforized blue	28–46	13 25
	BOYS' WAISTBAND OVERALLS OR DUNGAREES		
5818	Denim—2.45 mill finish blue	2–16	7 40
5103	Denim—2.20 mill finish blue	2–16	8 10
450	Denim—2.20 sanforized blue	2–16	8 25
6053, 9116	Denim—8 oz. sanforized blue	2–16	8 75
1918	Denim—9 oz. sanforized blue	2–16	9 50
	ONE-PIECE WORK SUITS		
6270	Denim—3.00 mill finish blue	36–50	17 00
6260	Denim—2.75 (36") mill finish hickory	36–50	18 90
600	Denim—2.40 mill finish hickory	36–50	19 75
6265	Denim—2.25 (36") mill finish hickory	36–50	18 675
6200, 604	Denim—2.20 mill finish blue	36–50	20 75
688	Denim—2.20 sanforized hickory	36–50	24 25
4402, 6282, 628	Denim—8 oz. sanforized blue	36–50	25 70
6811	Denim—8 oz. sanforized hickory	34–46	23 90
4403	Denim—8 oz. sanforized hickory	36–50	25 70
4401	Denim—8 oz. sanforized victory	36–50	26 00
4407, 6284	Denim—8 oz. sanforized blue and gold	36–50	29 00
6274	Covert—2.30 mill finish ranger	36–50	18 75
6891	Covert—8 oz. sanforized gladiator	34–46	22 75
689	Covert—8 oz. sanforized gladiator	36–50	24 75
6267	Drill—2.50 sanforized	36–50	23 00
6271	Drill—2.35 mill finish white	36–50	16 60
668	Herringbone—2.25 sanforized blue	36–50	29 00
4406	Herringbone—2.25 mill finish white	36–50	30 00
661	Herringbone—2.25 sanforized white	36–50	30 50
4407, 6285	Herringbone—2.25 sanforized white	36–50	31 00
6280	Herringbone—2.25 sanforized white	36–50	31 50
4410	Herringbone—2.25 sanforized O. D	36–50	31 50
662	Herringbone—2.25 sanforized O. D	36–50	27 25
662	Twill—2.35 sanforized O. D	36–50	21 50
	WORK PANTS		
8220, 5999	Denim—8 oz. sanforized blue	28–50	13 50
8220Y	Denim—8 oz. sanforized blue	2–16	11 50
10	Drill—8 oz. sanforized tan	28–50	15 00
508	Twill—8.2 oz. army type IV	28–50	17 75
515	Twill—8.2 oz. army type I	28–50	24 00
	WORK SHIRTS		
1020	Jeans—2.85 sanforized tan	14–17	11 25
1508	Twill—8.2 oz. army type IV	14–17	16 00
1515	Twill—8.2 oz. army type I	14–17	22 50

This order shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5091; Filed, April 1, 1943; 4:19 p. m.]

[Order 1[1] Under MPR 275,[2] Amendment 2]

H. J. HEINZ CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 2 to order No. 1[1] under Maximum Regulation No. 275[2]—Extracted Honey.

Authorization of maximum prices of "Lakeshore" Brand Extracted Honey for H. J. Heinz Co., Pittsburgh, Pennsylvania.

An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Order No. 1 under Maximum Price Regulation No. 275 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The H. J. Heinz Co. may sell and deliver to retailers the one pound jar of extracted honey, brand name "Lakeshore" at the following delivered prices:

Zone:	*Maximum prices per dozen*
1	$3.02
2	3.02
3	3.11
4	3.06
5	3.12
Zone—Continued.	
6	$3.12
7	3.12

2. Paragraph (c) is amended to read as follows:

(c) The prices set forth in paragraph (a) are prices before discounts of any kind. Heinz Co. shall reduce these prices to reflect their own regularly established trade allowances including but not limited to discounts for prompt payment and quantity of sale.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O 9250, 7 F.R. 7871).

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5087; Filed, April 1, 1943; 4:20 p m.]

[Order 3 Under MPR 327]

A. W. WHITFORD

APPROVAL OF MAXIMUM PRICES

Order No. 3 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered,* That:

(a) A. W. Whitford, Watsontown, Pennsylvania, may sell and deliver, and any person may buy and receive from A. W. Whitford, the following grades of granules f. o. b. Darlington, Pennsylvania, at prices not in excess of the prices set forth in the following table:

Grade:	*Price per ton*
No. 4 Buff (10–35 mesh)	$16.00
No. 5 Buff (16–35 mesh)	17.00
No. 5 Buff (10–35 mesh)	16.00
No. 6 Buff (10–35 mesh)	16.00
No. 6 Buff (8–28 mesh)	17.00
No. 1085 Buff (8–35 mesh)	16.50
No. 1085 Buff (10–35 mesh)	17.00
No. 75 Buff (8–35 mesh)	17.00
No. 5341 Gray (10–35 mesh)	25.50
No. 5341 Gray (16–35 mesh)	28.00
No. 1814 Yellow (10–35 mesh)	30.00
No. 945 White (10–35 mesh)	32.00
No. 945 White (16–35 mesh)	32.50

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 3 shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5089; Filed, April 1, 1943; 4:18 p. m.]

[Order 4 Under MPR 327]

INDUSTRIAL MINERALS & CHEMICAL COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 4 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

[1] 8 F.R. 2408.
[2] 7 F.R. 9955; 8 F.R. 542, 1228, 2337.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) On and after April 2, 1943, the Industrial Minerals & Chemical Company, 6th & Gilman Streets, Berkeley, California, may sell and deliver, and any person may buy and receive from the Industrial Minerals & Chemical Company, the following grades of barite f. o. b. Modesto or Berkeley, California, at prices not in excess of the prices set forth in the following table:

Grade:	Prices (ton)
Crude Barite containing at least 96% $BaSO_4$	$10.65
Crude Barite containing at least 98.5% $BaSO_4$ and no more than .35% Fe_2O_3	14.10
Ground Barite containing at least 98.5% $BaSO_4$ and no more than .35% Fe_2O_3	18.75

(b) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 4 shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5090; Filed, April 1, 1943; 4:19 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 45]

PETROLEUM SUPPLY

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit Petroleum Directive No. 64 of the Office of Petroleum Administrator for War.

For the purposes of the aforesaid section 12, I hereby approve said Petroleum Directive No. 64;[1] and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such Directive, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5065; Filed, April 1, 1943; 12:02 p. m.]

[1] *Supra.*

[Certificate No. 46]

PETROLEUM SUPPLY

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit Petroleum Directive No. 65 of the Office of Petroleum Administrator for War.

For the purposes of the aforesaid section 12, I hereby approved said Petroleum Directive No. 65;[1] and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such Directive, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5066; Filed, April 1, 1943; 12:02 p. m.]

[Certificate No. 47]

COORDINATED MOTOR OPERATIONS IN FLORIDA

The ATTORNEY GENERAL.

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Supplementary Order ODT 3, Revised-18,[1] issued by the Deputy Director of The Office of Defense Transportation, in respect of coordinated motor carrier operations between Tampa and Sarasota, Florida.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 3, Revised-18, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 30, 1943.

[F .R. Doc. 43-5067; Filed, April 1, 1943; 12:02 p. m.]

[Certificate No. 48]

LOCAL MOTOR VEHICLE CARRIERS IN PUERTO RICO

The ATTORNEY GENERAL.

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith General Order ODT 36,[1] issued by the Deputy Director of The Office of Defense Transportation, in respect of common carriers of passengers by motor vehicle in local service in Puerto Rico.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with General Order ODT 36, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5068; Filed, April 1, 1943; 12:02 p. m.]

[Certificate No. 49]

TRANSPORTATION OF DAIRY PRODUCTS IN PORTSMOUTH, OHIO

The ATTORNEY GENERAL.

I submit herewith a recommendation by the Director of the Office of Defense Transportation of a plan for joint action by the persons named therein with respect to the transportation of dairy products by motor vehicle in the Portsmouth Milk Marketing Area, Portsmouth, Ohio.[1]

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan as described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5069; Filed, April 1, 1943; 12:02 p. m.]

MATERIAL ENTERING INTO THE PRODUCTION OF HEALTH SUPPLIES (HEALTH SUPPLIES RATING PLAN)

[Revocation of Preference Rating Order P-29]

It is hereby ordered that Preference Rating Order P-29, as amended, and all serially numbered copies thereof, heretofore issued, are revoked.

This revocation shall take effect immediately.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary

[F. R. Doc. 43-5147; Filed, April 2, 1943; 11:45 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 67

Washington, Tuesday, April 6, 1943

The President

PROCLAMATION 2582

CAPTURE OF PRIZES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Act of August 18, 1942, Public Law 704, 77th Congress, contains in part the following provisions:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the district courts shall have original jurisdiction of all prizes captured during the present war on the high seas if said capture was made by authority of the United States or was adopted and ratified by the President of the United States and the prize was brought into the territorial waters of a cobelligerent or was taken or appropriated for the use of the United States on the high seas or in such territorial waters, including jurisdiction of all proceedings for the condemnation of such property taken as prize.

* * * * * *

"SEC. 3. The jurisdiction of prizes brought into the territorial waters of a cobelligerent shall not be exercised under authority of this Act, nor shall prizes be taken or appropriated within such territorial waters for the use of the United States, unless the government having jurisdiction over such territorial waters consents to the exercise of such jurisdiction or to such taking or appropriation.

* * * * * *

"SEC. 7. A cobelligerent of the United States which consents to the exercise of the jurisdiction herein conferred with respect to prizes of the United States brought into its territorial waters and to the taking or appropriation of such prizes within its territorial waters for the use of the United States shall be accorded, upon proclamation by the President of the United States, like privileges with respect to prizes captured under authority of such cobelligerent and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of such cobelligerent. Reciprocal recognition and full faith and credit shall be given to the jurisdiction acquired by courts of a cobelligerent hereunder and to all proceedings had or judgments rendered in exercise of such jurisdiction."

WHEREAS the Government of New Zealand, a cobelligerent, has consented to the exercise of the jurisdiction conferred by the said Act with respect to prizes of the United States brought into the territorial waters of the Dominion of New Zealand and its dependencies and to the taking or appropriation of such prizes within the territorial waters of the Dominion of New Zealand and its dependencies for the use of the United States:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the said Act of August 18, 1942, do proclaim that the Government of the Dominion of New Zealand shall be accorded like privileges with respect to prizes captured under authority of the said Government and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of the said Government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of April in the year [SEAL] of our Lord nineteen hundred and forty-three, and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-5177; Filed, April 2, 1943; 4:52 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 945—MILK IN THE WASHINGTON, D. C., MARKETING AREA

AMENDED ORDER REGULATING THE HANDLING OF MILK

It is provided in Public Act No. 10, 73rd Congress (May 12, 1933), as amended and

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IMPORTANT NOTICE

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as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue and amend orders regulating such handling of certain agricultural commodities (including milk and its products) as are in the current of interstate or foreign commerce, or which directly burden, obstruct, or affect interstate or foreign commerce in such commodities.

Sec.
945.1 Findings and determinations.
945.2 Order relative to handling.
945.3 Definitions.
945.4 Market administrator.
945.5 Reports of handlers.
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945.8 Application of provisions.
945.9 Determination and announcement of uniform price.
945.10 Payments for milk.
945.11 Expense of administration and marketing services.
945.12 Effective time, suspension, or termination.
945.13 Emergency milk committee.
945.14 Agents.
945.15 Liability.

AUTHORITY: §§ 945.1–945.15 inclusive issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.

§ 945.1 *Findings and determinations*—(a) *Findings.* Pursuant to the act and rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 2813), a public hearing was held upon certain proposed amendments to the tentatively approved amended marketing agreement and to the amended order regulating the handling of milk in the Washington, D. C., marketing area. Upon the basis of evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid amended order and all of the terms and conditions of said amended order will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Washington, D. C., marketing area, a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect marketing supplies of and demand for such milk, and the minimum prices set forth in the aforesaid amended order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid amended order regulates the handling of milk in the same manner as and is applicable only to persons in their respective classes of commercial and industrial activity specified in the aforesaid tentatively approved amended marketing agreement upon which a hearing has been held.

(a) *Determinations.* It is hereby determined that handlers with at least 50 percent of the volume of milk covered by this amended order which is marketed within the Washington, D. C., marketing area refused or failed to sign the tentatively approved amended marketing agreement, regulating the handling of milk in the Washington, D. C., marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign such said tentatively amended marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this amended order is the only practical means pursuant to the declared policy of the act of advancing the interest of producers of milk which is produced for sale in the Washington, D. C., marketing area;

(3) The issuance of this amended order is approved or favored by at least three-fourths of the producers who participated in a referendum on the questions of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Washington, D. C., marketing area.

§ 945.2 *Order relative to handling.* It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Washington, D. C., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order.

§ 945.3 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(c) "Washingon marketing area," hereinafter referred to as the "marketing area," means the territory included within the boundary lines of the District of Columbia and that territory in the State of Maryland included between the District of Columbia line and the following boundaries: Beginning at the junction of the southeastern boundary of the District of Columbia line and Route 224, thence south on Route 224 to Oxon Hill, thence east on St. Barnaby Road to Gordon's Corner, thence northeast on Suitland-Silver Hill Road continuing Suitland to the junction of Route 4, thence northwest on Route 4 to Hillside, thence north on Crystal Spring Road continuing through Capitol Heights to 61st Street, thence north on 61st Street to the District of Columbia line, thence northeasterly and thence northwesterly along said District line to Kenilworth Avenue, thence north on Kenilworth Avenue to Defense Highway, thence east on Defense Highway, thence north on Edmonston Road to Greenbelt, and around the outside limits of Greenbelt, then returning on Edmonston Road to Branchville Road, thence west on Branchville Road to the Baltimore-Washington Boulevard, thence south on the Baltimore-Washington Boulevard to Metzerott Road, thence west on Metzerott Road to Riggs Valley Road, thence to County Road, thence west to Blair Road, thence north to Piney Branch Road, continuing north on Piney Branch Road to White Oak at intersection of Colesville Road, thence continuing north on Colesville Road to Colesville, thence west on Glenmont Road to Brookville Road, thence south on Brookville Road to Wheaton, thence on Lincoln Avenue to Kensington, thence west on Knowles Avenue and continuing west on Strathmore Avenue to Rockville Pike, thence south on Rockville Pike to Grosvenor Lane, thence west on Grosvenor Lane to Old Georgetown Road, thence north on Old Georgetown Road to Bellsmill Road, thence west on Bellsmill Road to the Seven Locks Road, thence south on Seven Locks Road to Bradley Road, thence west on Bradley Road continuing to Conduit Road, thence southeasterly on Conduit Road to the District of Columbia Line.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk on a farm from which milk is delivered direct to (1) a plant located in the marketing area which is approved or licensed for sale of milk for fluid consumption in the marketing area, or (2) a plant located outside the marketing area from which milk was shipped to the marketing area for fluid consumption during May 1942.

(f) "Handler" means any person, irrespective of whether such person is also a producer or a cooperative association

of producers, who engages in such handling of milk, skim milk, or cream for fluid consumption in the marketing area as is in the current of interstate commerce, or which directly burdens, obstructs, or affects such commerce, in milk and its products: *Provided*, That this definition shall not include producers or cooperative associations of producers with respect to milk or cream not handled through their own receiving or bottling plant.

(g) "Market administrator" means the person designated pursuant to § 945.4 as the agency for the administration hereof.

(h) "Cooperative association" means any cooperative association of producers which the Secretary determines (1) to have its entire activities under the control of its members, and (2) to have and exercise full authority in the sale of milk of its members.

(i) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(j) "Producer's milk plant" means any milk plant currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of producers for fluid sale or disposition in fluid form in the marketing area.

(k) "Farmer's milk plant" means any milk plant other than a "producer's milk plant" currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of persons who are not producers as defined in (e) of this section.

(l) "Emergency milk" means all milk, skim milk, cream, condensed milk, condensed skim milk, whole milk powder, and skim milk powder received at a producer's milk plant from a farmer's milk plant; and "emergency skim milk" means all of the skim milk in emergency milk.

§ 945.4 *Market administrator.*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violations of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety threon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 945.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 945.5 or (ii) made payments pursuant to § 945.10;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check the weight and butterfat test of milk, skim milk, and cream received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of such receipts by handlers.

§ 945.5 *Reports of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 5th day after the end of each delivery period the receipts of milk, skim milk, and cream at each producer's milk plant from producers, including milk produced by such handler, the weighted average test thereof, and the utilization of such receipts, computed pursuant to § 945.6.

(2) On or before the 11th day after the end of each delivery period, (i) the receipts of milk, skim milk, and cream at each producer's milk plant for the account of a handler or of a cooperative association, from each producer's milk plant and each farmer's milk plant, and the average butterfat content of each product from each source; (ii) the utilization of all emergency milk received; (iii) the receipts at each producer's milk plant from new producers and the average test thereof; (iv) the name and address of each new producer; (v) the names of handlers from whom or to whom milk, skim milk, or cream was received or delivered; and (vi) the address of each farmer's milk plant from which milk, skim milk, or cream was received at a producer's milk plant.

(3) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator, (i) the name and address of such producer; (ii) the total pounds of milk, skim milk, and cream delivered and the average butterfat test thereof; (iii) the farm scores and cattle scores recorded by the respective health departments requiring permits to sell milk to handlers in the marketing area; and (iv) the number of days upon which deliveries were made.

(4) On or before the 19th day after the end of each delivery period, at the request of the market administrator, his producer pay roll which shall show for each producer, (i) the total delivery of milk, skim milk, and cream with the average butterfat test thereof; (ii) the premium rate paid; (iii) the net amount of payment made pursuant to § 945.10; and (iv) the deductions and charges made by the handler with authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to those records and facilities which are necessary for:

(1) The verification of the information contained in the reports submitted in accordance with this section;

(2) The verification of the payments required by §§ 945.7 and 945.10;

(3) The checking of the weighing and sampling of milk, skim milk, and cream received by such handlers; and

(4) Determining the utilization of milk, skim milk, and cream by the handler.

§ 945.6 *Classification of milk.*—(a) *Milk to be classified.* All milk, skim milk, and cream received by each handler in his producer's milk plant shall be classified in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Except as provided in (c) of this section, the classes of utilization of milk shall be as follows:

(1) Class I–A shall be all skim milk in milk, skim milk, and cream received at a producer's milk plant that is not classified as Class II–A.

(2) Class I–B shall be all butterfat in milk, skim milk, and cream received at a producer's milk plant.

(3) Class II–A shall be all skim milk in milk, skim milk, and cream received at a producer's milk plant that is used in the manufacture of ice cream, ice cream mix, skim milk powder, whole milk powder, condensed milk, and condensed skim milk, which is not disposed of by the handler in the form of milk, milk drinks, or cottage cheese.

(c) *Transfers of milk and cream.* (1) The skim milk in milk, skim milk, and cream received at a producer's milk plant from another producer's milk plant shall be allocated to Class I–A: *Provided*, That it shall be allocated to Class II–A if the market administrator is requested in writing by the receiving handler and the selling handler to make such an allocation: *Provided further*, That the amount so allocated to any class shall not be greater than the amount used in that class by the receiving handler after deduction of any skim milk pursuant to (2) of this paragraph.

(2) The skim milk in milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant shall be allocated to Class II–A, except that any of this skim milk in excess of the amount of Class II–A disposed of at the producer's milk plant shall be allocated to Class I–A.

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk, skim milk, and cream received at a producer's milk plant, the burden rests upon the handler who received the milk, skim milk, or cream from producers or from a farmer's milk plant, to prove that it should not be classified as Class I–A and Class I–B.

§ 945.7 *Minimum prices*—(a) *Class prices.* Each handler shall pay not less than the following prices subject to (a), (b), (c), (d), (e), and (f) of § 945.10, for milk, skim milk, and cream purchased or received from producers and associations of producers:

(1) Class I–A: Subtract 4 times the price of Class I–B, determined pursuant to (2) of this paragraph, from $4.00 and divide by 96: *Provided*, That for Class I–A disposed of by a handler from a plant not having a health department permit to sell fluid milk or fluid cream in the District of Columbia, the price shall be 0.48 of a cent less.

(2) Class I–B: Add all market quotations (using midpoint of any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved for "Pennsylvania only" and for "Pennsylvania, Newark, and lower Merion Township" in the Philadelphia, Pennsylvania, market, reported by the United States Department of Agriculture prior to the 6th day of the month for each of the last 4 weeks ending within the preceding month, divide by the number of quotations, divide by 33.48, and subtract 3.0 cents.

(3) Class II–A: Subtract 4.5 cents from the average of all price quotations for carlots of dry skim milk in barrels for human consumption (roller process), f. o. b. New York City, as published by the United States Department of Agriculture prior to the 6th day of the month for each of the last 4 weeks ending within the month, multiply by 7.5, and divide by 96. In the event the United States Department of Agriculture does not publish such skim milk powder prices, the maximum prices established by the Office of Price Administration for bulk powdered skim milk for human consumption (roller process) shall be used.

(b) *Class I–A cost adjustment.* When the total pounds of Class I–A disposed of by all handlers from producers' milk plants exceed 97 percent in any month from July to April inclusive, and 92 percent in May and June of the total pounds of skim milk in milk, skim milk, and cream received from all producers during any delivery period, the cost per pound to handlers of Class I–A, computed pursuant to (a) of this section, shall be adjusted through the handler-settlement fund, as provided by § 945.10 (g), by an amount computed by subtracting the total value for all handlers of the emergency skim milk needed by the market, as determined pursuant to (c) and (e) of this section, from the total cost of such emergency skim milk determined pursuant to (d) of this section, and dividing the resulting amount by the total pounds of Class I–A disposed of from producers' milk plants by all handlers.

(c) *Emergency skim milk needed by the market.* The quantity of emergency skim milk needed by the market shall be considered as not exceeding for any handler the difference between 103 percent in any month from July to April inclusive, and 108 percent in May and June, of his Class I–A disposed of within 21 miles of the milestone in Washington, D. C., and the pounds of skim milk in milk, skim milk, and cream received from producers by such handler.

(d) *Cost of emergency skim milk.* The cost per pound of emergency skim milk purchased or received by a handler that was needed by such handler, which in no event shall exceed the price per pound for Class I–A plus 0.5 of a cent, shall be determined by the market administrator as follows:

(1) Where a handler purchases or receives emergency skim milk from a farmer's milk plant not owned by such handler, the cost shall be determined by subtracting the Class I–B value from the cost of the emergency milk f. o. b. Washington, D. C., as shown by the sales and transportation records: *Provided*, That if the total pounds of emergency skim milk purchased or received by a handler exceed the amount needed, as determined pursuant to (c) of this section, the emergency skim milk needed shall be considered to be that skim milk other than that included in condensed milk, condensed skim milk, whole milk powder, and skim milk powder used in products not disposed of for fluid consumption, costing the least amount per pound during the delivery period; and

(2) Where a handler received emergency skim milk from a farmer's milk plant owned by such handler, the cost per pound of emergency skim milk received by a handler from such plant shall be determined by the market administrator on the basis of the prevailing price being paid for milk of similar quality to farmers in the same area, less the Class I–B value of such milk, plus the prevailing charge for hauling milk from the area in which the farmer's milk plant is located to the producer's milk plant, as determined by the market administrator, plus a country station allowance of 0.16 of a cent per pound.

(e) *Class value of emergency skim milk needed.* The class value of the emergency skim milk needed by each handler shall be computed as follows:

(1) Multiply the pounds of such emergency skim milk allocated to Class I–A by the Class I–A price specified in (a) of this section, less the applicable location differential determined pursuant to § 945.10 (d);

(2) Multiply the pounds of such emergency skim milk allocated to Class II–A, which is not in excess of 3 percent in any month from July to April inclusive, or 8 percent in May and June, of the total pounds of Class I–A disposed of by such handler, by the Class II–A price specified in (a) of this section;

(3) Multiply the total pounds of emergency skim milk needed by such handler by 97 percent in any month from July to April inclusive, and 92 percent in May and June, of the weighted average premium payable to producers by him pursuant to § 945.10 (e) for the delivery period; and

(4) Add together the resulting amounts.

§ 945.8 *Application of provisions*—(a) *Handlers who are also producers.* No provision hereof shall apply to a handler who is also a producer and who purchases or receives no milk from producers or an association of producers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(b) *Virginia handlers.* Any handler whose plant is located in the State of Virginia and who is subject to such regulation of the Virginia Milk Commission as provides for the payment to producers of prices identical with, or in excess of, the prices set forth in § 945.7 hereof, who complies with §§ 945.5 (a) (1), (2), (3), and (b), 945.7 (b), (c), (d), and (e), 945.9 (b), and 945.10 (g), (h), (i), and (j) of this order, and who reports the total payments made for milk received from producers as directed by the market administrator, shall not be subject to other provisions of this order.

§ 945.9 *Determination and announcement of uniform prices*—(a) *Computation and announcement for each handler of uniform prices to be paid producers.* On or before the 7th day after the end of each delivery period the market administrator shall announce the Class I–B price and the uniform price per pound of skim milk to be paid producers by each handler for such delivery period. The market administrator shall compute the uniform prices of skim milk as follows: (1) Multiply the pounds of skim milk received from producers that were allocated to each class by the prices applicable pursuant to § 945.7 (a); (2) add together the resulting amounts; and (3) divide the result obtained by the total pounds of skim milk in milk, skim milk, and cream received from producers.

(b) *Net pool obligations of handlers for emergency skim milk received at a producer's milk plant.* The net pool obligation of each handler for emergency

skim milk needed by the market received at producers' milk plants during each delivery period shall be a sum of money computed by multiplying the pounds of Class I–A disposed of by the handler, excluding Class I–A disposed of for the account of an association of producers, by the Class I–A cost adjustment determined pursuant to § 945.7 (b).

(c) *Announcement of other market information.* As soon after the 11th day to each class.

after the end of each delivery period as such information becomes available, the following data shall be compiled and listed separately by the market administrator for handlers not disposing of any milk, skim milk, or cream for fluid consumption in the District of Columbia and for handlers disposing of milk, skim milk, or cream for fluid consumption in the District of Columbia:

(1) The total pounds of butterfat and skim milk in milk, skim milk, and cream received from producers and the total pounds of such skim milk allocated to each class.

(2) The total pounds of butterfat and skim milk in emergency milk received at each producer's milk plant, the total pounds of emergency skim milk needed at each producer's milk plant, and the total pounds of such skim milk allocated to each class.

(3) The cost of emergency skim milk, received at a producer's milk plant from each farmer's milk plant, that was needed by the market, as determined by the market administrator pursuant to § 945.7 (d).

(4) The name and address of all farmers' milk plants shipping milk, skim milk, or cream to a producer's milk plant during the delivery period.

(5) The Class I–A adjustment determined pursuant to § 945.7 (b).

§ 945.10 *Payments for milk.*—(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period, each handler shall make payments, subject to (b), (c), (d), (e), and (f) of this section, for all milk, skim milk, and cream received from producers at the prices announced pursuant to § 945.9 (a) as follows:

(1) To each producer, except as provided in (2) of this paragraph, at not less than the prices announced pursuant to § 945.9 (a); and

(2) To a cooperative association for (i) milk, skim milk, and cream which is caused to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payment, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph, minus an amount equal to the pounds of skim milk and butterfat in milk, skim milk, and cream disposed of for the account of the association, times the composite price of skim milk and the Class I–B price, respectively, announced pursuant to § 945.9 (a), plus the weighted average premium payable to producers by such handler, times the pounds of skim milk and butterfat in such products; and (ii) other milk, skim milk, and cream in each use classification, determined pursuant to § 945.6 (c), received by such handler for the account of an association of producers, at not less than the class prices specified in §945.7 (a), plus the weighted average premium payable to producers by such handler.

(b) *Errors in payment.* Errors in making the payment prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors.

(c) *Butterfat content of milk, skim milk, and cream received from producers and of emergency milk.* The butterfat content of milk, skim milk, and cream received from producers shall be determined by taking the average of not less than 5 separate butterfat tests made from fresh samples during each delivery period. The butterfat content of emergency milk shall be determined at the producer's milk plant where it is received. The market administrator may designate an independent laboratory to make these tests.

(d) *Location adjustments to producers.* In making payments pursuant to (a) of this section the handlers may deduct 18 cents per hundredweight with respect to milk received from producers who have been delivering their entire supply of milk for the preceding 4 full delivery periods at a plant in which no milk is bottled or finally processed for distribution to consumers and which is located more than 35 miles from the District of Columbia: *Provided,* That handlers may make such a deduction on all milk received at such plant from new producers whose milk is not received on truck routes transferred to such a plant.

(e) *Premiums to be paid by handlers.* (1) In making payments pursuant to (a) of this section, handlers shall pay premium differentials on all milk, skim milk, and cream received from producers at producers' milk plants determined by applying the premium rates set forth in this paragraph for each producer on the same percentage of each producer's total deliveries as that percentage which the pounds of skim milk in milk, skim milk, and cream received from producers classified in Class I–A is to the total pounds of skim milk in milk, skim milk, and cream received from producers less the pounds of skim milk in milk, skim milk, and cream returned for the account of an association of producers. The premium rates referred to in this paragraph shall be determined from the following schedule with respect to the cattle scores and farm scores recorded for each producer by the respective health departments requiring permits to sell milk to handlers in the marketing area:

Farm score	With cattle score under 95	With cattle score 95 or over, but under 98	With cattle scores 98 or over
	Per hundredweight	*Per hundredweight*	*Per hundredweight*
Under 80	$0.00	$0.00	$0.00
80.0–84.9	.00	.03	.06
85.0–89.9	.02	.08	.11
90.0–94.9	.08	.14	.17
95.0–97.9	.20	.26	.29
Over 97.9	.31	.37	.40

(2) If more than one score has been recorded during any month, the simple average of the scores so recorded shall be used. Producers who are subject to health department regulations which do not provide for cattle scores in their scoring system shall be considered as having a cattle score of 98 or over and the score given them by the health department shall be considered the farm score for the purpose of applying premiums under the above schedule.

(f) Handlers may distribute the payments they are required to make to producers for milk, skim milk, and cream received by them on any uniform basis, other than that specified above in this section, that is approved by the market administrator.

(g) *Handler-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "handler-settlement fund" into which he shall deposit all payments made by handlers pursuant to (h) and (j) of this section and out of which he shall make all payments to handlers pursuant to (i) and (j) of this section: *Provided,* That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the Class I–A cost adjustment for each delivery period the market administrator shall compute the amount by which each handler's net pool obligation is in excess of or less than the amount obtained by subtracting the cost of emergency skim milk received by the handler that was needed by him, determined pursuant to § 945.7 (d) from the value of such emergency skim milk, determined pursuant to § 945.7 (e) and shall enter such amount on each handler's account as to such handler's pool debit or pool credit, as the case may be, and render such handler a transcript of his account.

(h) *Payments to the handler-settlement fund.* On or before the 15th day after the end of each delivery period each handler shall make full payment to the market administrator of any pool debit balance shown on the account rendered, pursuant to (g) of this section, for the preceding delivery period.

(i) *Payments out of the handler-settlement fund.* On or before the 18th day after the end of each delivery period, the market administrator shall pay to each handler the pool credit balance shown on the account rendered, pursuant to (g) of this section, if any, for the preceding delivery period, less any unpaid obligations of the handler. If at such time the balance in the handler-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(j) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the handler-settlement fund, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall, within 5 days, make such payment to such handler, provided the balance in the handler-settlement fund is sufficient to make such payments.

§ 945.11 *Expense of administration and marketing services.*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler, except those handlers exempted pursuant to § 945.8, shall pay to the market administrator on or before the 18th day after the end of each delivery period an amount equal to 2 cents per hundredweight with respect to all milk, skim milk, and cream received by him from a farmer's milk plant, producers, associations of producers, or produced by him during such delivery period, or such lesser amount, the exact amount to be determined by the market administrator: *Provided,* That each handler which is a cooperative association shall pay such prorata share of the expense of administration only on such milk, skim milk, and cream actually received at a producer's milk plant operated by such cooperative association. If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers as permitted by § 945.10 (c), each handler shall pay to the market administrator an amount equal to the cost of such tests of emergency milk and one-half the cost of such tests of producers' milk, skim milk, cream, the exact amount to be determined by the market administrator.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers, as permitted under § 945.10 (c), each handler shall deduct from his payments to each producer an amount equal to one-half the cost per test, the exact amount to be determined by the market administrator, and shall pay such deduction to the market administrator on or before the 18th day after the end of each delivery period. Such moneys shall be used by the market administrator to pay the independent laboratory for the verification of weight, sampling, and testing of milk, skim milk, and cream received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

§ 945.12 *Effective time, suspension, or termination.*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this amended order or any provision hereof whenever he finds that this amended order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This amended order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct; and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 945.13 *Emergency milk committee.* Handlers may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk for all handlers desiring to purchase their emergency milk through a single importing agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the Secretary and such person or persons as the Secretary may designate shall be permitted to attend and take part in such meetings.

§ 945.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

§ 945.15 *Liability.* The liability of handlers hereunder is several and not joint and no handler shall be liable for the default of any other handler.

Issued at Washington, D. C., this 3d day of April 1943, to be effective on and after the 8th day of April 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: April 5, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-5303; Filed, April 6, 1943; 11:39 a. m.]

Chapter XI—Food Distribution Administration

[FDO 4–1, Amendment 1]

PART 1450—TOBACCO

ALLOCATIONS OF 1942 CROP BURLEY TOBACCO

Pursuant to the authority vested in me by Food Distribution Order No. 4

(8 F.R. 335) dated January 7, 1943, issued under the authority of Executive Order No. 9280, dated December 5, 1942, and in order to effectuate the purposes of said orders: *It is hereby ordered*, That Food Distribution Order No. 4–1 (8 F.R. 392) issued by the Director on January 8, 1943, be, and the same hereby is, amended by deleting therefrom the provisions in § 1450.2 (c) (6) and inserting, in lieu thereof, the following:

(6) *Modification and amendment.* Allocations as set forth in (c) (1) and (2) hereof may be modified, amended, or supplemented from time to time by notices or letters, issued by the Director, addressed to any manufacturer or dealer.

The provisions hereof shall become effective on April 5, 1943. Any violation of Food Distribution Order No. 4–1, prior to the effective time of this amendment, shall not be deemed to be released, waived, or affected by the provisions of this amendment.

(E.O. 9280, 7 F.R. 10179; F.D.O. 4, 8 F.R. 335)

Issued this 3d day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-5302; Filed, April 5, 1943; 11:39 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[General Order C-31, Supplement 2]

PART 120—ALIEN SEAMEN

ADMISSION AND DEPORTATION

MARCH 22, 1943.

Pursuant to the authority contained in sections 23 and 33 of the Act of February 5, 1917 (39 Stat. 892, 896; 8 U.S.C. 102, 168); sections 14, 15, 20, and 24 of the Act of May 26, 1924 (43 Stat. 162, 162, 164, 166, 47 Stat. 524, 54 Stat. 711; 8 U.S.C. 214, 215, 167, 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); section 90.1, Title 8, Chapter I, Code of Federal Regulations (7 F.R. 6753) and all other authority conferred by law, the following changes in Part 120 of the said regulations are hereby promulgated:

Sections 120.21 and 120.37 are amended to read respectively as follows:

§ 120.21 *Alien seaman seeking entry in pursuit of calling; when ordered detained; waiver of crew list visa.* (a) Any alien who upon arrival establishes that he is a bona fide seaman as defined in § 120.2 of this part, is admissible as a nonimmigrant under section 3 (5) of the Immigration Act of 1924 and is not inadmissible under the other provisions of this part and of Part 175, may be temporarily admitted for such period of time as the examining immigrant inspector shall designate, not to exceed, however, the time the vessel on which the alien arrives remains in the United States and in no event to exceed 30 days, if

(1) His name appears on the duly visaed crew list of the vessel on which he arrives, unless such vessel is excepted from the requirement of submitting a visaed crew list under the applicable Executive Order and regulations prescribing the requirements for crew list visas; and

(2) He is in possession of a passport, or some other document in lieu thereof, which is acceptable under the applicable Executive Order and regulations prescribing the documents required of alien seamen and which satisfactorily establishes his identity and nationality; and

(3) He has been registered as an alien and presents an appropriate alien registration receipt card or is registered as an alien at the time of inspection.

(b) Extensions of such a temporary admission may be granted by the officer in charge at the port of arrival if exceptional circumstances exist which justify such extensions, but the officer in charge shall in no event grant an extension or extensions which will authorize the alien seaman to remain in the United States for a period more than 60 days after his arrival. Any request for an extension beyond that period shall be referred to the Central Office for decision.

(c) The period of temporary admission of any seaman admitted for the period of time the vessel on which he arrives remains in the United States shall be deemed to be terminated if such vessel fails to depart to a foreign port or place within 30 days after its arrival at the port where the seaman was admitted, unless an extension of the alien's period of admission beyond 30 days from the date of the arrival of the vessel has been granted.

(d) An alien seaman whose name is not included in the visa of an alien crew list, or who is not in possession of an acceptable passport or document in lieu thereof, may nevertheless be admitted temporarily if otherwise entitled to such admission, if permission of the Secretary of State is obtained.

(e) Where the immigration officer is not satisfied that an alien applying for temporary admission as a bona fide alien seaman is entitled thereto, the immigration officer shall order the owner, charterer, agent, consignee, or master of the vessel on which such seaman arrived to detain him on board and deport him in the manner provided by law.

§ 120.37 *Arrest and deportation of seamen; procedure.* (a) An alien temporarily admitted as a bona fide seaman pursuant to section 3 (5) of the Immigration Act of 1924 for the time and under the conditions stated in § 120.21 of this part shall be deemed to have remained in the United States for a longer time than permitted by the terms of his admission or to have failed to maintain the status under which he was admitted if

(1) He is found in the United States after the expiration of the time for which he was temporarily admitted or the expiration of any authorized extension of such period; or

(2) He engages in or seeks employment ashore for hire; or

(3) He engages in or seeks employment in the coastwise trade; or

(4) He engages or seeks to engage, for profit, in any business not connected with his calling as a seaman; or

(5) He evidences an intention, by any other conduct or by spoken word, to violate the conditions of his temporary admission or to remain in the United States for a longer period than that for which he was admitted, although the period of his temporary admission has not expired; or

(6) He violates or is found to have violated in any way the terms and conditions under which he was admitted, as prescribed by the regulations in force and effect at the time of his admission.

(b) Any such alien shall be taken into custody and deported in accordance with the provisions of section 14 of the Immigration Act of 1924: *Provided, however*, And notwithstanding any other provisions of this chapter, that any such alien, upon indicating a willingness and ability to reship foreign may, in the discretion of the officer in charge, be placed on board any vessel for reshipment foreign at any time prior to the issuance of a warrant of deportation.

(Sec. 33, 39 Stat. 896, 8 U.S.C. 168; secs. 3(5), 14, 15, 20, 43 Stat. 154, 162, 162, 164 47 Stat. 524, 607, 54 Stat. 711, 711, 8 U.S.C. 203 214, 215, 167; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458)

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 43-5248; Filed, April 3, 1943; 2:39 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

DISCLOSURE OF INFORMATION IN COMPLETING SELECTIVE SERVICE AFFIDAVIT

Section 81.393 is hereby added as follows:

§ 81.393 *Disclosure of information in connection with completing Selective Service affidavit.* (a) It appears that some industrial firms have been setting forth detailed information on their war production activities, including dollar value of contracts, in completing the Affidavit—Occupational Classification (Industrial) (D. S. S. Form 42A,[1] Selective Service System).

(b) The information elicited on the reverse side of this form, pertaining to activities, production, contemplated conversion and numbers of employees, will be stated in general terms only. Detailed confidential data will not be included.

(c) All companies holding War Department contracts will be informed by the chiefs of the supply services that they must avoid any inclusion of confidential war production and related data in completing above-mentioned forms.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the first War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601–622) [Army Service Forces memorandum No. S5–66–43, March 29, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5178; Filed, April 2, 1943; 5:08 p. m.]

[1] 6 F.R. 5331.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3866]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WALTER KIDDE & COMPANY, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—History:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Reputation, success or standing.* In connection with offer, etc., in commerce, of fire-extinguishing equipment, and among other things, as in order set forth, representing, directly or by implication (1) that the respondent originated or pioneered the carbon-dioxide method of fire extinguishing or that respondent has developed every important improvement in carbon-dioxide equipment and technique; or (2) that all fire-extinguishing equipment involving carbon dioxide and every basic improvement thereof are developments of the respondent; or that any extinguishing equipment or improvement thereof not originated and designed solely by the respondent is a development of the respondent; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Walter Kidde & Company, Inc., Docket 3866, March 29, 1943].

§ 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages.* In connection with offer, etc., in commerce, of fire-extinguishing equipment, and among other things, as in order set forth, representing, directly or by implication (1) that any feature or value of respondent's fire-extinguishing equipment is an exceptional or exclusive feature of respondent's fire-extinguishing equipment either through the use of the term "extra values" or any other term of similar import or meaning to designate such features, or in any other manner, when such features so claimed to be exceptional or exclusive are in fact found in, and form a part of, fire-extinguishing equipment other than that sold by the respondent; (2) that no fire-extinguishing apparatus, device, or equipment other than respondent's will put out airplane fires both on the ground and in flight; or (3) that respondent's equipment is the only fire-extinguishing apparatus approved by the United States Army or Navy as equipment for use in extinguishing airplane fires both on the ground and in flight; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat., 112; 15 U.S.C., sec. 45b) [Cease and desist order, Walter Kidde & Company, Inc., Docket 3866, March 29, 1943].

§ 3.48 (a) *Disparaging competitors and their products—Competitors—Business facilities, service, size or scope:* § 3.48 (a) *Disparaging competitors and their products—Competitors—Reliability, history and financial condition:* § 3.48 (b) *Disparaging competitors and their products—Goods—History.* In connection with offer, etc., in commerce, of fire-extinguishing equipment, and among other things, as in order set forth, making or causing to be made in any form or manner any false or disparaging statements (1) with reference to the length of time that any competitor has been in business or the length of time that any competitive equipment has been on the market; or (2) with reference to the ability of any competitor to supply parts for emergency use or representing that any competitor does not have warehouse facilities for supplying parts for emergency use when such warehouse facilities are in fact in existence; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Walter Kidde & Company, Inc., Docket 3866, March 29, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and a stipulation as to the facts entered into between the respondent herein by its counsel, Colladay, Colladay & Wallace, and Richard P. Whiteley, assistant chief counsel for the Federal Trade Commission, which provides, among other things, that the Commission may proceed upon said statement of facts to make its report stating its findings as to the facts and its conclusion based thereon and enter its order disposing of the proceeding without the presentation of argument or the filing of briefs; and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Walter Kidde & Company, Inc., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of fire-extinguishing equipment in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that the respondent originated or pioneered the carbon-dioxide method of fire extinguishing or that respondent has developed every important improvement in carbon-dioxide equipment and technique.

2. Representing directly or by implication that all fire-extinguishing equipment involving carbon dioxide and every basic improvement thereof are developments of the respondent or that any extinguishing equipment or improvement thereof not originated and designed solely by the respondent is a development of the respondent.

3. Representing directly or by implication that any feature or value of respondent's fire-extinguishing equipment is an exceptional or exclusive feature of respondent's fire-extinguishing equipment either through the use of the term "extra values" or any other term of similar import or meaning to designate such

features, or in any other manner, when such features so claimed to be exceptional or exclusive are in fact found in, and for a part of, fire-extinguishing equipment other than that sold by the respondent.

4. Representing directly or by implication that no fire-extinguishing apparatus, device, or equipment other than respondent's will put out airplane fires both on the ground and in flight.

5. Representing directly or by implication that respondent's equipment is the only fire-extinguishing apparatus approved by the United States Army or Navy as equipment for use in extinguishing airplane fires both on the ground and in flight.

6. Making or causing to be made in any form or manner any false or disparaging statements with reference to the length of time that any competitor has been in business or the length of time that any competitive equipment has been on the market.

7. Making or causing to be made in any form or manner any false or disparaging statements with reference to the ability of any competitor to supply parts for emergency use or representing that any competitor does not have warehouse facilities for supplying parts for emergency use when such warehouse facilities are in fact in existence.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-5270; Filed, April 5, 1943; 10:49 a. m.]

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank System

[Bulletin 18]

PART 6—FEDERAL HOME LOAN BANK ADMINISTRATION [1]

SEMI-ANNUAL ASSESSMENTS AGAINST FEDERAL HOME LOAN BANKS

MARCH 31, 1943.

Paragraph (a) of § 6.1 of the Rules and Regulations for the Federal Home Loan Bank System is hereby amended, effective April 2, 1943, to read as follows

[1] Formerly Home Loan Bank Board.

§ 6.1 *General powers*—(a) *Assessments against Banks for Administration's Expenses.* Each semi-annual assessment under the provisions of subsection (b) of section 18 of the Act to meet the estimated expenses of the Administration shall be made on the following basis: Each Bank will be charged $2,500, and any additional amount which may be necessary to meet the Administration's expenses will be assessed upon the several Banks in the same proportion as the total gross operating income, as determined by the Governor, of the respective Banks for the six months' period next preceding, hereinafter prescribed, bears to the total gross operating income of all the Banks for the same period of time. For the assessment for the first half of a calendar year, total gross operating income shall be determined from information contained in the reports of the respective Banks for each month during the period from June 1 through November 30, and for the assessment for the last half of a calendar year such determination shall be made from information contained in the reports of the respective Banks for each month during the period from December 1 through May 31. Payment by the Banks of said assessment shall be made in such manner as the Comptroller of the Federal Home Loan Bank Administration shall request.

(Secs. 17 and 18 (b) of the FHLBA, 47 Stat. 736, 737; 12 U.S.C. 1437, 1438 and Sup.; E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a minor character within the provisions of paragraph (b) of § 8.3 of the Rules and Regulations for the Federal Home Loan Bank System.

[SEAL] JAMES TWOHY, *Governor.*
HAROLD LEE, *General Counsel.*
JOHN M. HAGER, *Executive Assistant to the Commissioner.*

[F. R. Doc. 43-5151; Filed, April 2, 1943; 1:59 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1908]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for rail and truck shipments and changes in shipping points for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the Freight Origin Group Numbers and the shipping points for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the Freight Origin Group Numbers and the shipping points appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the Freight Origin Group Numbers and the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 24, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

§ 321.7 *Alphabetical list of code members*—Supplement R

FOR ALL SHIPMENTS EXCEPT TRUCK

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.]

Mine Index No.	Code member	Mine name	Subdistrict No.	County	Seam	Sub-district No.	Freight origin group No.	Railroad	Shipping point	1	2	3	4	5
2360	B. & R. Coal Company (Irvin Herkelibo)	Wagner	6	Jefferson	D	37	100	B&O	Kantner Dr., Stoystown, Pa	(1)	(1)	E	(1)	(1)
3945	Lawson, John, Sr. (Richland Coal Mining Co.)	Richland #3	7	Clearfield	E	18	52	PRR	Dean, Pa	(1)	(1)	D-G	(1)	(1)
1627	O'Dwyer, William	Bittner #1	18	Cambria	H	41	100	B&O	Pino Hill, Pa	(1)	(1)	G	(1)	(1)
2865	O'Dwyer, William	Pine Hill #3					100	B&O	Pine Hill, Pa	(1)	(1)	G	(1)	(1)
3944	O'Dwyer, William	Pine Hill #4				41	100	B&O	Pine Hill, Pa	(1)	(1)	G	(1)	(1)
3683	Olson, Charles	Olson				9	44	NYC	Karthaus, Pa	(2)	(2)	E	(2)	(2)
369	Frutchnik, J. J. (The Arcadia Company)	Hatchin #4				32	44	NYC	Uniontown, Pa	(2)	(2)	E	(2)	(2)
3946	Roddy & Sons (Charles Roddy)	Roddy #3				33	40	PRR	Wheeler (E. Fork Br.) Pennsylvania	(1)	(1)	E	(1)	(1)
2926	Turnbull Brothers Coal Co. (Thos. Turnbull)	Fruitality				18	52	PRR	Deon, Pa	(2)	(2)	E	(2)	(2)
3999	Tyger, H. G.	Arcadia #10				12	150	PRR	Glen Campbell, Pa. [2]	(2)	(2)	E	(2)	(2)

†Indicates no classification and prices for these size groups. [1] Indicates change in shipping point. [2] Indicates change in Freight Origin Groups.

[3] Classification in these size groups to be deleted since facilities used at former rail loading point not available at new dock. The above prices are applicable only via the respective Freight Origin Groups, shipping points and railroads shown for respective mines. Shipping points, railroads and Freight Origin Groups previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Mine Index No.	Code member Index	Mine	Subdistrict No.	County	Seam	All lump coal, double screened, top size 2" and over	Double screened, top size 2" and under	Run of mine, washed R/M	2" and under slack	3/4" and under slack
						1	2	3	4	5
3936	Bloom, J. M. (Brockway Coal Co.)	J. M. Bloom #1	6	Jefferson	D	270	245	245	235	225
8-95	Fish Mines (W. G. Fish)	Fish	7	Clearfield	E	265	(1)	(*)	230	(1)
3945	Lawson, John, Sr. (Richland Coal Mining Co.)	Richland #3	18	Cambria	H	(1)	(1)	(1)	270	(1)
3928	Learn, C. J.	C. J. Learn	18	Indiana	D	(1)	(1)	(1)	240	(1)
3944	O'Dwyer, William	Pine Hill #3	41	Somerset	Upper Freeport	(1)	(1)	(1)	235	(1)
3946	Roddy, Charles (Charles Roddy)	Roddy #3	33	Somerset	C	(1)	(1)	(1)	245	(1)
3926	Turnbull Brothers Coal Co. (Thos. Turnbull)	Fruitality	18	Cambria	E	(1)	(1)	(1)	240	(1)
3999	Tyger, H. G.	Arcadia #10	12	Indiana	E	(1)	(1)	(1)	235	(1)

†Indicates no classification and prices for these size groups.

*Indicates previously classified and priced in these size groups.

[F. R. Doc. 43-5129; Filed, April 2, 1943; 10:15 a. m.]

[Docket No. A-1901]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8 and for changes in shipping points.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8 and for changes in shipping points; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-II, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group No. — For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
1781	Abney, Elijah, Jr	Abney	Horse Creek	6	Brush Creek, Ky.	L&N	111	M	M	K	J	G	E	G	E	D	K	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	G	E	E	G	M	K	(†)	(†)	(†)	(†)	(†)
177	Adams, Conrad	Holbrook	Elkhorn	3	Whitesburg, Ky	L&N	100	K	K	K	J	G	E	G	D	D	J	(†)	(†)	(†)	(†)	(†)	(†)	K	K	K	F	D	D	G	L	J	(†)	(†)	(†)	(†)	(†)
1479	Adkins, John	Lower (Adkins)	Alma	5	Midkiff, W. Va	C&O	150	Q	Q	L	K	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)	P	O	M	H	F	F	H	O	K	(†)	(†)	(†)	(†)	(†)
5923	Ash Log Coal Co. (D. A. Riffe).	Ash Log	Little Eagle	5	Jaeger, W. Va	N&W	241	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	A	(†)	(†)	(†)	(†)	(†)	(†)	(†)	A	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	A
2147	Baker, Sump	Sump Baker	No. 3	7	Manoes, Va	L&N & Sou	204	M	M	K	J	G	E	G	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
944	Bartley & Ratliff Coal Co. (John E. Bartley).	Shop Ridge	Elkhorn No. 1	1	Shelby Gap, Ky	C&O	61	K	K	H	G	E	C	C	H	D	G	(†)	(†)	(†)	(†)	(†)	C	K	K	H	D	B	B	C	K	G	(†)	(†)	(†)	(†)	C
543	Bernie, P. L. (Clendenin Fuel Co.).	Clendenin	No. 5 Block	4	Clendenin, W. Va.	B&O	120	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
1651	Bertha Jellico Coal Co.	Ferrell	Jellico	6	Bertha, Ky.[1]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
2256	Cox, W. H.	Cox	Lorn Lee	7	Murress, Va	L&N & Sou	204	M	M	K	J	G	E	G	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
3236	Edwards Coal Corporation, c/o C. L. Edwards.	Edwards Coal Corporation.	Lower Banner	7	Cochurn, Va	N&W	30	M	M	K	J	F	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	F	D	D	E	L	K	(†)	(†)	(†)	(†)	(†)
5371	Florence Mining Co., The	Jno. F. Mosgrove	Elkhorn	1	Mayking, Ky	L&N	62	K	K	K	J	G	E	G	D	D	J	(†)	(†)	(†)	(†)	(†)	(†)	K	K	K	F	D	D	G	L	J	(†)	(†)	(†)	(†)	(†)
5959	Greene, A. M	Wilton-Jellico No. 61.	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5960	Greene, A. M	Wilton-Jellico No. 62.	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5961	Greene, A. M	Wilton-Jellico No. 63.	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5962	Greene, A. M	Wilton-Jellico No. 64.	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5963	Greene, A. M	Wilton-Jellico No. 65.	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5964	Greene, A. M	Wilton-Jellico No. 66.	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5965	Greene, A. M	Wilton-Jellico No. 67.	Jellico	6	Woodbine, Ky	L&N	111	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
1179	Hall, Ice	Hall	Elkhorn	1	Mayking, Ky	L&N	62	K	K	K	J	G	E	G	D	D	J	(†)	(†)	(†)	(†)	(†)	(†)	K	K	K	F	D	D	G	L	J	(†)	(†)	(†)	(†)	(†)
3487	Helton, Shearmon	Shearmon No. 2	Jellico	6	Myrick, Ky	A-J	140	O	O	J	H	G	E	G	E	F	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	J	F	D	D	G	M	K	(†)	(†)	(†)	(†)	(†)
5943	McIntyre, Taylor (Viper Coal Co.).	Viper Coal Co	Hazard No. 4	3	Viper, Ky	L&N	100	K	K	J	H	G	E	G	D	D	K	(†)	(†)	(†)	(†)	(†)	(†)	C	K	K	J	F	D	D	G	L	K	(†)	(†)	(†)	(†)	C
5931	Mauger Construction Co		Sewanee	6	Crab Orchard, Tenn.	TC	72	P	P	M	L	K	J	M	H	G	O	(†)	(†)	C	C	C	C	P	O	M	H	F	F	M	Q	O	(†)	C	C	C	C
3523	Neal Branch Coal Co. (Tom Patterson). 4	Neal Branch	Straight Creek	6	Pineville, Ky	L&N	111	F	F	E	D	C	C	A	B	C	H	(†)	(†)	(†)	(†)	(†)	(†)	A	F	F	E	C	P	C	A	J	H	(†)	(†)	(†)	(†)	A
2341	Neeley, Elbert	Neeley	Lower Banner	7	Cochurn, Va.[3]	N&W	30	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5969	Nickels, Austin Coal Co. (Earl Castle).	No. 4	Hazard No. 4	3	Lackey, Ky.	C&O	61	H	H	H	G	E	C	E	B	C	H	(†)	(†)	(†)	(†)	(†)	C	H	H	H	D	B	B	E	K	H	(†)	(†)	(†)	(†)	C
5968	Phillips, Leonard	Howard H. Baker	Glen Mary	6	Mill Creek, Tenn.	B. R. R	73	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
5130	Rader, J. R. (Rader Coal Co.).	Rader	Hazard No. 4	6	Hilton, Ky.[4]	L & N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5951	Rainey, George & Sons (Albert Rainey).	Rainey	Poplar Creek	6	Poplar, Tenn.	Sou	40	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)	(†)	O	M	L	F	D	B	F	G	K	(†)	(†)	(†)	(†)	(†)
5981	Red Jacket Coal Corporation.	No. 10	Glen Mary	6	Hunter, Tenn.	B. R. R	73	K	K	H	G	F	D	E	C	D	K	(†)	(†)	C	C	C	C	K	K	H	E	C	D	E	M	K	(†)	C	C	C	C
5199	Reynolds, Andrew	Reynolds	Blue Gem	6	Verne, Ky.[3]	L & N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5477	Semet-Solvay Company	Henry Clay	Elkhorn No. 2	1	Henry Clay, Ky	C & O	61	H	H	E	E	E	C	C	A	(*)	D	H	(†)	(†)	(†)	(†)	(†)	H	H	E	C	B	B	C	(*)	D	H	(†)	(†)	(†)	(†)	(*)
5219	Trent, Robert	Trent Brothers	Elkhorn	3	Whitesburg, Ky	L & N	100	K	K	K	J	G	E	G	D	D	J	(†)	(†)	(†)	(†)	(†)	(†)	K	K	K	J	G	E	G	L	J	(†)	(†)	(†)	(†)	(†)
5970	Van Zandt, Blaine	Van Zandt No. 2	"B"	3	Cumberland, Ky.	L & N	80	E	E	D	C	C	A	C	A	A	E	(†)	(†)	A	A	A	A	E	E	D	A	A	A	C	F	E	(†)	A	A	A	A
5958	Wilder, R. J	New Bon Jellico Coal Co.	Jellico	6	Williamsburg, Ky	L & N	111	H	H	F	E	E	C	E	B	C	G	(†)	(†)	(†)	(†)	(†)	(†)	H	H	F	C	B	C	E	K	G	(†)	(†)	(†)	(†)	(†)
5956	Wyatt Coal Co	Laing No. 3	Belmont	4	Cane Fork, W. Va.	C & O	123	M	M	L	K	G	E	G	D	D	J	(†)	(†)	C	C	C	(†)	M	M	L	G	D	D	G	K	J	(†)	C	C	C	(†)

*Indicates previously classified these size groups.
[1] Indicates new shipping point. Shipping point at Tacoma, Va., shall no longer be applicable.
[2] Denotes new shipping point. Shipping point at Coeburn, Va., shall no longer be applicable.
[3] Denotes new shipping point. Shipping point at Corbin, Ky., shall no longer be applicable.
[4] Denotes new shipping point. Shipping point at New Hilton, Ky., shall no longer be applicable.

§ 328.21 *Alphabetical list of code members*—Supplement R–II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
1460	Hell Roarin Coal Company (Perry J. Amick).	Hell Roarin	9	Sewell	Quinwood, W. Va.	C&O & NYC.	231	D	D	C	A	A	B	B	C	C	(†)

†Indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2" egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 6"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
BOYD COUNTY, KY.											
McKnight, Thomas	McKnight	5916	No. 6	285	265	230	240	225	220	170	165
ELLIOTT COUNTY, KY.											
Wagoner & Buckner (Luther Wagoner).	Pritchard	5952	No. 7	285	265	230	240	225	220	170	165
PIKE COUNTY, KY.											
Bartley & Ratliff Coal Company (John E. Bartley).	Shop Ridge	5944	Elkhorn No. 1	295	275	240	250	235	230	190	185
Howell, Tom	Howell	5942	Elkhorn No. 1	295	275	240	250	235	230	190	185
Semet-Solvay Company	Henry Clay	5477	Elkhorn No. 2	305	285	(*)	260	235	(*)	205	200
SUBDISTRICT NO. 3—HAZARD											
KNOTT COUNTY, KY.											
Nickels, Austin, Coal Co. (Earl Castle).	No. 4	5969	Hazard No. 4	305	285	245	250	235	235	185	180
LETCHER COUNTY, KY.											
Van Zandt, Blaine	Van Zandt No. 2	5970	"B"	295	275	240	240	225	230	180	175
PERRY COUNTY, KY.											
McIntyre, Taylor (Viper Coal Company).	Viper Coal Co	5943	Hazard No. 4	295	275	240	245	225	230	180	175
SUBDISTRICT NO. 4—KANAWHA											
FAYETTE COUNTY, W. VA.											
Jenkins, G. W. & G. W. Valentine.	Big Eagle	5945	Big Eagle	286	265	250	250	225	240	185	180

*Indicates previously classified these size groups.

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2" egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 6"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 4—KANAWHA—Continued											
KANAWHA COUNTY, W. VA.											
Wyatt Coal Co	Laing No. 3	5956	Belmont	300	280	240	250	225	230	180	175
SUBDISTRICT NO. 5—LOGAN											
WYOMING COUNTY, W. VA.											
Ash Log Coal Company (D. A. Riffe.)	Ash Log	5923	Little Eagle	305	285	255	270	245	245	195	190
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
CLAY COUNTY, KY.											
Henson, Ed	Ed Henson No. 2	5967	Horse Creek	285	265	240	240	225	230	175	170
KNOX COUNTY, KY.											
Greene, A. M	Wilton-Jellico No. 61	5959	Jellico	275	255	245	245	225	235	175	170
Greene, A. M	Wilton-Jellico No. 62	5960	Jellico	275	255	245	245	225	235	175	170
Greene, A. M	Wilton-Jellico No. 63	5961	Jellico	275	255	245	245	225	235	175	170
Greene, A. M	Wilton-Jellico No. 64	5962	Jellico	275	255	245	245	225	235	175	170
Greene, A. M	Wilton-Jellico No. 65	5963	Jellico	275	255	245	245	225	235	175	170
Greene, A. M	Wilton-Jellico No. 66	5964	Jellico	275	255	245	245	225	235	175	170
Greene, A. M	Wilton-Jellico No. 67	5965	Jellico	275	255	245	245	225	235	175	170
ROCKCASTLE COUNTY, KY.											
Taylor, John M. (Sleepy Hollow Coal Co.).	Sleepy Hollow	5930	No. 3	285	265	240	240	225	230	175	170
WHITLEY COUNTY, KY.											
Wilder, R. J	New Bon Jellico Coal Co.	5958	Jellico	305	285	245	260	235	235	190	185
ANDERSON COUNTY, TENN.											
Borum, W. M	W. M. Borum	5937	Coal Creek	275	255	245	250	225	235	165	160
Hoskins, Albert	Albert Hoskins	5954	Hooper	275	255	245	250	225	235	165	160
Rainey, George & Sons (Albert Rainey).	Rainey	5951	Poplar Creek	275	255	245	250	225	235	165	160
CUMBERLAND COUNTY, TENN.											
Barnes, Lee	Clondike	5921	Bon Air No. 2	270	250	225	230	205	215	155	150
Mauger Construction Company.		5931	Sewanee	270	250	225	230	205	215	155	150
MORGAN COUNTY, TENN.											
Cofer, W. E. (Bill)	Bill Cofer	5955	Hooper	275	255	245	250	225	235	165	160
SCOTT COUNTY, TENN.											
Phillips, Leonard	Howard H. Baker	5968	Glen Mary	275	255	235	230	220	225	175	170
Red Jacket Coal Corporation	No. 10	5981	Glen Mary	275	255	235	230	220	225	175	170

[F. R. Doc. 43–5128; Filed, April 2, 1943; 10:15 a. m.]

[Docket No. A-1867]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R–I, § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R–II, § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R–III, § 333.24 (*General prices*) is amended by adding thereto Supplement R–IV, § 333.25 (*Special prices*—(b) *Prices for shipment to all railroad for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R–V, § 333.27 (*Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River, to f. a. s. consumers in the States of Tennessee and Alabama*) is amended by adding thereto Supplement R–VI, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedules for District No. 13 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 *General prices*—Supplement R–I

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, ALA.				
1721	Skinner, Ira[1]	Madge	1	Black Creek	1
	MARION COUNTY, ALA.				
1731	Boston Coal Company (J. B. Bell)	Boston Coal Co.	1	Black Creek	1
	WALKER COUNTY, ALA.				
1722	Jones, Grady W., & Co. (Grady W. Jones)	Jones	1	Mary Lee	1

[1] Shipping Point: Warrior, Ala. Railroad: L. & N. This mine shall have in size Group 13, on each respective price table, the same price as is listed therein for Mine Index No. 1374 (William Muckle, Young mine, Price Schedule No. 2) and will be included in Group No. 120.

[2] Shipping Point: Brilliant, Ala. Railroad: L. C. R. R. This mine shall have in Size Groups 1, 2, 4, 7, 11, 14, 22 and 23 on each respective price table, the same prices as are listed thereon for Mine Index No. 426 (Evans & Rowe (Landy Evans), Bell #1 mine, Price Schedule No. 2) and will be included in Group No. 30.

[3] Shipping Point: Jasper, Ala. Railroad: St. L.-S. F. Change in shipping point, railroad and Freight Origin Group. Shipping point at Gamble Mines, Ala., on the Sou. Ry., in Freight Origin Group 11 shall no longer be applicable.

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R–II

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than as stated above, commercial prices as listed in other sections of this price schedule shall apply. For all mines in Subdistrict No. 1. For all sizes customarily furnished railroads for Locomotive Fuel]

Mine index No.	Central of Georgia[1]	Seaboard Air Line Ry.[1]	St. Louis & San Francisco RR. for consignment west of the Mississippi River	St. Louis & San Francisco RR. for consignment east of the Mississippi River	A. B. & C. Railroad	All other railroads not specifically shown
115–1731	250	250	230	250		25

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

§ 333.7 *Special prices*—(c) *Prices for shipment by railroad applicable to all coal sold for steamship vessel fuel*—Supplement R–III

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions]

Subdistrict No. 1 mine index No.	Size groups and prices applicable for steamship vessel fuel				
	Mine group	14, 15, 16, 17, 18	12	13	23
1731	Black Creek			315	305

§ 333.24 *General prices*—Supplement R–IV—Continued

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	VAN BUREN COUNTY, TENN.				
1092	Cumberland Mountain Coal Co.[1]	Rhodes Coal Bank	3	Bon Air	145
	WARREN COUNTY, TENN.				
1434	Cumberland Mt. Coal Co.[2]	Panther Creek	3	Bon Air	145

[1] Shipping Point: Doyle, Tenn. Railroad: N., C. & St. L. On each respective price table, except that for Market Area 12, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12 on each respective price table for Market Area 12 this mine shall have in each size group a price which is 25 cents less than is shown for mines included in Group No. 12.

[2] Shipping Point: McMinnville, Tenn. Railroad: N., C. & St. L. On each respective price table, except that for Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12 and on the price table for Market Area 112 this mine shall have in each size group a price which is 25 cents less than is shown for mines included in Group No. 12.

§ 333.25 *Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R–V

[Prices f.o.b. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	GRUNDY COUNTY, TENN.				
1051	Graham, Homer[1]	Graham	3	Sewanee	140
	HAMILTON COUNTY, TENN.				
1698	Big Gulch Mining Company (A. W. Kelley)[2]	Big Gulch	3	#7	190
1795	Locroy & Alexander (Paul Locroy)[3]	Bellows Opening	3	No. 10	200
	MARION COUNTY, TENN.				
1726	Elliott, W. H. (Elliott Coal Company)[4]	Elliott #1	3	No. 11	210
150	Grisham, Hiner[5]	Gaulish	3	Sewanee	140
	RHEA COUNTY, TENN.				
1713	McDaniel, Lee Roy[6]	Old Darwin	3	Nelson	200
1693	McDaniel, Lee Roy[7]	Old Evans	3	Sewanee	200

[1] Shipping Point: Tracy City, Tenn. Railroad: N., C. & St. L. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12. This mine shall have in each size group the same respective prices as are shown for mines included in Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 4; and on the price table for Market Area 112 this mine shall have in each size group a price which is 50 cents more than is shown for mines included in Group No. 4.

[2] Shipping Point: Dales, Tenn. Railroad: C., N. O. & T. P. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 1.

[3] Shipping Point: Flat Siding, North Chattanooga, Tenn. Railroad: Chattanooga Traction Company R. R. On each respective price table this mine shall have in each size group the same respective prices as is shown for mines included in Group No. 1.

[4] Shipping Point: Tracy City, Tenn. Railroad: N., C. & St. L. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12, except that for Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 4; and on the price table for Market Area 112 this mine shall have in each size group a price which is 17 cents less than is shown for mines included in Group No. 4.

[5] Shipping Point: Tracy City, Tenn. Railroad: N., C. & St. L. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12, except that for Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 4; and on the price table for Market Area 112 this mine shall have in each size group a price which is 17 cents less than is shown for mines included in Group No. 4.

[6] Shipping Point: Dayton, Tenn. Railroad: C., N. O. & T. P. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 6.

FREE ALONGSIDE DELIVERIES

§ 333.27 *Prices—Shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*—Supplement R–VI

Code member index	Mine	Mine index No.	County	Seam	Lump; over 2" Egg: top size over 2"	Egg: top size 2" and under, bottom size 2" and under	Lump; 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size 2" and under	Stoker: top size ¾" and under, bottom size ¾" and under	Stamplt and Model Coal M K	Mostlams; 3" and under	Mostlams; 4" and under	Screenings; 1½" and under	Screenings; 1" and under	Screenings; ¾" and under	Screenings; ¾" and under	Screenings; ¾" and under	Industrial Coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA (SUBDISTRICT 5)																			
Locroy & Alexander (Paul Locroy)	Bellows Opening	1795	Hamilton	No. 10	335	335	325	280	270	250	255	255	255	235	225	225	220	195	280
Elliott, W. H. (Elliott Coal Co.)	Elliott #1	1726	Marion	No. 11	345	345	355	280	280	275	265	265	265	235	235	225	220	195	280

FOR TRUCK SHIPMENTS

§ 333.34 *General prices in cents per net ton for shipment into all market areas—Supplement T–I*

Code member index	Mine	Mine index No.	Sub-district No.	Seam	Lump: over 3" over 2" and under top size over 6"	Egg: over 2" top size 6" and under top size over 4"	Lump: 3" and under top size over 2"	Egg: Top size 2" and under, bot. size 2" and under	Lump: 2" and under	Nut: Top size 2" and under, bot. size 1" and under	Stoker: Top size 1½" and under, bot. size ¾" and under	Stoker: Top size ¾" and under, bot. size ¼" and under	Slabrit and mediums No. 1 K/R	Resultants: 4" and under	Resultants: 3" and under	Resultants: 2" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: ¾" and under	Screenings: ¼" and under	Industrial coal
1	2				3		4		5	6		7	8	9	10	11	12	13	14	15
ALABAMA					Wash 6"	Raw 7"	Wash 8"	Raw 9"	Wash 10"	Raw 11"	Raw 12"	Raw 13"	Wash 14"	Wash 15"	Raw 16"	Wash 17"	Raw 18"	Wash 19"	Raw 20"	Wash 21"	Raw 22"	Raw 23, 25, 26
BLOUNT COUNTY																					
Bryant, J. J.	Bryant	1737	2	Berry M1	370	345	345	345	345	345	345	345	330	305	305	305	305	305	305	305	320
Skinner, Ira	Madge	1721	2	Black Creek	370	345	345	345	345	345	345	345	330	305	305	305	305	305	305	305	320
MARION COUNTY																					
Boston Coal Company (J. R. Bell)	Boston Coal Co	1731	2	Black Creek	415	390	390	365	365	340	315	240	165	125	110	90	305	280	255	305	320
Cumula, W. H.	Cumula	1726	2	Black Creek	415	390	390	365	365	340	315	240	165	----	115	95	305	280	255	305	320

§ 333.43 *General prices in cents per net ton for shipment into all market areas—Supplement T–II*

Code member index	Mine	Mine index No.	Sub-district No.	Seam	Lump: Over 3", 2" size to top size over 6"	Egg: Top size 2" and under, bot. size 2" and under	Lump: 3" and under	Egg: Top size 2" and under, bot. size 2" and under	Lump: 2" and under	Nut: Top size 2" and under, bot. size 1" and under	Stoker: Top size 1½" and under, bot. size ¾" and under	Stoker: Top size ¾" and under, bot. size ¼" and under	Slabrit and mediums No. 1 K/R	Resultants: 4" and under	Resultants: 3" and under	Resultants: 2" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: ¾" and under	Screenings: ¼" and under	Industrial coal
1	2				3		4		5	6		7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA					Wash 6"	Raw 7"	Wash 8"	Raw 9"	Wash 10"	Raw 11"	Raw 12"	Raw 13"	Wash 14"	Wash 15"	Raw 16"	Wash 17"	Raw 18"	Wash 19"	Raw 20"	Wash 21"	Raw 22"	Raw 23, 25, 26
HAMILTON COUNTY, TENN.																					
Lacroy & Alexander (Paul Lacroy)	Bellows Opening	1725	4	No. 10	335	315	280	270	250	235	205	165	255	205	235	205	235	205	185	290	290
MARION COUNTY, TENN.																					
Elliott, W. H. (Elliott Coal Company)	Elliott #1	1726	4	No. 11	335	315	280	270	250	235	205	165	255	205	235	205	235	205	185	290	290

[F. R. Doc. 43-5131; Filed, April 2, 1943; 10:16 a. m.]

[Docket No. A-1004]

PART 342—MINIMUM PRICE SCHEDULE, DISTRICT NO. 22

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 22 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 22;

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 22 for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the above-entitled proceeding, temporary relief is granted as follows: Commencing forthwith, § 342.4 (*Code member price index*) is amended by adding thereto Supplement T–I, and § 342.21 (*General prices*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER, *Director*.

[F. R. Doc. 43-5131; Filed, April 2, 1943; 10:16 a. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 22

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 342, Minimum Price Schedule for District No. 22 and Supplements thereto.

FOR TRUCK SHIPMENTS

§ 342.4 *Code member price index*—Supplement T–I. The following price classifications and minimum prices shall be inserted in Minimum Price Schedule for District No. 22: Insert the following listings in proper alphabetical order under Code Membership Price Index:

Producer	Mine	Mine index No.	County	Sub-district price group	Prices—section	
					Rail	Truck
Pilati Co. (Leo Pilati)	Pilati No. 2	308	Carbon	2		342.21
Woodrow, Walter M.	Woodrow	309	Cascade	2		342.21

§ 342.21 *General prices*—Supplement T–II. Insert the following code member names, mine names, and counties under Sub-Districts Nos. 2 and 7, and the following prices:

Code member	Mine	Mine index No.	County	Size groups											
				1	2	3	4	5	6	7	8	9	10	11	12
SUB-DISTRICT NO. 2															
Pilati Company (Leo Pilati).	Pilati #2	308	Carbon	415	390	415	----	365	----	265	240	165	125	110	90
SUB-DISTRICT NO. 7															
Woodrow, Walter M.	Woodrow	309	Cascade	415	390	390	365	365	340	315	240	165	----	115	95

[F. R. Doc. 43-5130; Filed, April 2, 1943; 10:15 a. m.]

[Docket No. A-1917]

PART 326—MINIMUM PRICE SCHEDULE, DISTRICT NO. 6

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 6 for a change in shipping point of Bethany Mine, Mine Index No. 5, in District No. 6.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by the above-named party, requesting a change in the shipping point of Bethany Mine, Mine Index No. 5, of P. V. & K. Coal Company, in District No. 6, from Bethany-Wellsburg, West Virginia, on the Pennsylvania Railroad to Wellsburg (McKinleyville), West Virginia, on the said railroad, for rail shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the above-entitled proceeding, temporary relief is granted as follows: Commencing forthwith, in § 326.6 (*Numerical list of mines*) the price classifications and minimum prices effective for the coals of the Bethany Mine, Mine Index No. 5, of P. V. & K. Coal Company, for rail shipments, shall be applicable only for shipments on the Pennsylvania Railroad from Wellsburg (McKinleyville), West Virginia, from the P. V. & K. tipple formerly known as the Standard No. 2 Mine tipple, and shall no longer be applicable for shipments on the Pennsylvania Railroad from Bethany-Wellsburg, West Virginia. All allowances or adjustments required or permitted mines in Freight Origin Group No. 30 shall be applicable for all shipments of the coals of the said mine from Wellsburg (McKinleyville), West Virginia, on the Pennsylvania Railroad.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 2, 1943.

[SEAL] DAN H. WHEELER, *Director*.

[F. R. Doc. 43-5226; Filed, April 3, 1943; 10:23 a. m.]

[Docket No. A-1747]

PART 337—MINIMUM PRICE SCHEDULE, DISTRICT NO. 17

ORDER ESTABLISHING MINIMUM PRICES

Order of the Director in the matter of the petition of Bituminous Coal Producers Board for District No. 17 requesting establishment of minimum prices of new size groups—Lump coal over 8", and double-screened coal 12" x 3" and 12" x 1½" or 1¼".

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the classification of the coals included in Size Groups 1 and 2 should be revised to include lump coal 8" and larger in size, double-screened coal with a maximum top screen opening of 12" and maximum bottom screen openings of 3" and 1½" (or 1¼") respectively, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That effective as of the date hereof § 337.2 (*Size Group table*) is amended as follows:

1. The classification of coals in Size Group 1 should be revised to include lump coal 8" and larger in size and double-screened coal with a maximum top screen opening of 12" and a maximum bottom screen opening of 3".

2. The classification of coals in Size Group 2 should be revised to include double-screened coal with a maximum top screen opening of 12" and a maximum bottom screen opening of 1½".[1]

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER, *Director*.

[F. R. Doc. 43-5266; Filed, April 5, 1943; 10:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 143, 2d Ed.]

PART 653—WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

DUTIES OF ASSIGNEES

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 653.12 to read as follows:

§ 653.12 *Duties.* Assignees shall report to the camp to which they are assigned; remain therein until released or transferred elsewhere by proper authority, except when performing assigned duties or on authorized missions or leave outside of camp; perform their assigned duties promptly and efficiently; keep their persons, clothing, equipment, and quarters neat and clean; conserve and protect Government property; conduct themselves both in and outside of the camp so as to bring no discredit to the individual or the organization; and comply with such camp rules as may be

[1] The 12" x 1¼" size applies to Subdistricts 1 to 6, inclusive.

prescribed or such directions as may be

(b) The government appeal agent a recommendation that the State Direc-

1. The title of § 804.20 *Appeals from*

3. Subparagraph (2) in paragraph

[Amendment No. 45]

prescribed or such directions as may be issued from time to time by the Director of Selective Service.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 31, 1943.

[F. R. Doc. 43-5260; Filed, April 3, 1943; 5:07 p. m.]

[Amendment 144, 2d Ed.]

PART 625—APPEARANCES BEFORE LOCAL BOARD

STAY OF INDUCTION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 625.3 to read as follows:

§ 625.3 *Induction stayed.* A registrant shall not be inducted during the period afforded him to appear in person before a member or members of his local board, and if the registrant requests a personal appearance, he shall not be inducted until 10 days after the Notice of Classification (Form 57) is mailed to him by the local board, as provided in paragraph (d) of § 625.2.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 2, 1943.

[F. R. Doc. 43-5261; Filed, April 3, 1943; 5:07 p. m.]

[Amendment 145, 2d Ed.]

PART 627—APPEAL TO BOARD OF APPEAL

MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman thority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 627.2 to read as follows:

§ 627.2 *Who may appeal registrant's classification to board of appeal under certain circumstances.* * * *

(b) The government appeal agent may take any appeal authorized under paragraph (a) of this section at any time within 10 days after the date when the local board mails to the registrant a Notice of Classification (Form 57) or at any time before the registrant is mailed an Order to Report for Induction (Form 150).

2. Amend § 627.31 to read as follows:

§ 627.31 *Action of local board if board of appeal does not change classification.* If the board of appeal affirms the local board classification, the local board, upon receiving the file from the board of appeal, shall proceed as follows:

(1) Mail a Notice of Continuance of Classification (Form 58) to the registrant and a Classification Advice (Form 59) to the government appeal agent and to the person who made the appeal, if other than the registrant or the government appeal agent.

(2) If one or more members of the board of appeal dissented from the determination of that board, the local board shall indicate on such notice and advice the numerical division of the board of appeal.

(3) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(4) Enter on the Classification Record (Form 100) the fact that the board of appeal affirmed the local board clasification.

3. Amend § 627.32 to read as follows:

§ 627.32 *Action of local board if board of appeal changes classification.* If the board of appeal does not affirm the local board classification, the local board, upon receiving the file from the board of appeal, shall proceed as follows:

(1) Mail a Notice of Classification (Form 57) to the registrant and a Classification Advice (Form 59) to the government appeal agent and to the person who made the appeal, if other than the registrant or the government appeal agent.

(2) If one or more members of the board of appeal dissented from the determination of that board, the local board shall indicate on such notice and advice the numerical division of the board of appeal.

(3) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(4) Enter on the Classification Record (Form 100) the board of appeal classification and, with red ink, draw a line through the local board classification.

4. Amend paragraph (b) of § 627.61 to read as follows:

§ 627.61 *Reconsideration of board of appeal determination.* * * *

(b) At any time within 10 days after the date when the local board mails to the registrant either a Notice of Continuance of Classification (Form 58) or a Notice of Classification (Form 57), as provided in §§ 627.31 and 627.32, or at any time before the registrant is mailed an Order to Report for Induction (Form 150), the government appeal agent, if he deems it to be in the national interest or necessary to avoid an injustice, may prepare and place in the registrant's file a recommendation that the State Director of Selective Service either request the board of appeal to reconsider its determination or appeal to the President. The registrant's file shall then be forwarded to the State Director of Selective Service. As soon as the State Director of Selective Service has acted upon the government appeal agent's request he shall advise the local board and, if he determines neither to request the board of appeal to reconsider its determination nor to appeal to the President, he shall return the file to the local board.

5. The foregoing amendments to the Selective Service regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 2, 1943.

[F. R. Doc. 43-5262; Filed, April 3, 1943; 5:07 p. m.]

[Amendment 146, 2d Ed.]

PART 628—APPEAL TO THE PRESIDENT

STAY DURING PERIOD OF APPEAL

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 628.7 to read as follows:

§ 628.7 *Appeal to the President stays induction.* (a) When a registrant is classified by the board of appeal and one or more members of the board of appeal dissent from such classification, the registrant shall not be inducted during the period afforded him to take an appeal to the President.

(b) A registrant shall not be inducted during the time an appeal to the President is pending.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 3, 1943.

[F. R. Doc. 43-5263; Filed, April 3, 1943; 5:07 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. 43]

PART 804—INDIVIDUAL LICENSES

APPEALS

Section 804.20 *Appeals from rejections of applications for export licenses, extensions thereof, and revocations* is hereby amended in the following particulars:

1. The title of § 804.20 *Appeals from rejections of applications* etc., is revised to read:

§ 804.20 *Appeals from rejections of applications for export licenses and release certificates, extensions thereof, and revocations.*

2. Paragraph (d) is hereby amended as follows:

(d) The rejected application for an export license or release certificate, the rejected application for the extension of an export license or release certificate, or the revoked export license or release certificate, as the case may be, shall be forwarded to the Office of Exports as part of an appeal. Photostatic or certified copies of any such documents may be furnished in lieu of the originals. Documents submitted in appeals involving release certificates shall bear the following notation: "Appeals: Program license release certificate", together with either the word "rejection", "extension refused", or "revocation", as the case may be.

3. Paragraph (h) is hereby amended by adding at the end of said paragraph the following:

The submission of "appeal letters" in appeals involving release certificates shall be made in duplicate.

This amendment shall become effective April 1, 1943.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5298; Filed, April 5, 1943; 11:26 a. m.]

[Amendment No. 44]

PART 802—GENERAL LICENSES

CANCELLATION OF CERTAIN GENERAL LICENSES

Part 802, General Licenses, is hereby amended in the following particulars:

1. Paragraph (a) of § 802.3 *General license country groups* is hereby amended by placing before the name of the countries Brazil and Argentina listed therein the letter "a" wherever the name of such countries appear in this section.

2. Paragraph (b) of § 802.3 *General license country groups* is hereby amended as follows:

(b) When a commodity is placed under general license to a particular "country group" it may, subject to the provisions of this subchapter, be exported to any country in that group: *Provided*, That wherever there appears before the name of a country designated in a "country group" the letter "a" no exportation may be made to such country pursuant to general licenses granted in § 802.7 and in paragraphs (c) and (d) of § 802.10 of this subchapter.

3. Subparagraph (2) in paragraph (b) of § 802.9 *General in transit licenses* is hereby amended to read as follows:

(2) The words "western hemisphere" when used in this section to designate countries of origin shall include only those countries designated by the following "general license numbers": 3 through 24 inclusive, 61, 62, 68 and 69. Such words when used in this section to designate countries of destination shall include only the following "general license numbers": 3, 5, 7 through 24 inclusive, 61, 62, 68 and 69.

The amendments set forth herein shall become effective on March 1, 1943 for the exportation of commodities to Brazil and effective on April 1, 1943 for the exportation of commodities to Argentina: *Provided*, That the following commodities may be exported to Brazil under previous general licenses until April 1, 1943.

Commodity:	*Schedule B number*
Coal	5001.00
	5002.00
	5003.00

and the following list of commodities may be exported to Brazil under general license provisions until May 1, 1943:

Commodity:	*Schedule B number*
Rosin, gum	2110.00
Rosin, wood	2111.00
Turpentine, gum	2114.00
Turpentine, wood	2115.10
Glass and glass products:	
Chemical glassware	5291.00
Cylinder, crown, and sheet	5215.00
Electric insulators	5292.00
Pharmaceutical	5232.00
Plate	5212.00
Rolled, cylinder, crown, and sheet glass	5220.00
Rolled including wire	5218.00
Clay and clay products:	
Bricks	5369.00
Electrical porcelain	5335.00
	5336.00
Firebrick	5368.00
Fire clay	5303.00
Fire-clay brick	5366.00
	5367.00
Silica brick	5363.00
	5364.00
Sulphur	5714.00
	5715.00
Caustic soda	8373.00
Soda ash	8365.00
Newsprint	4711.00

The above amendments shall not apply to shipments of commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of said amendments, or to shipments of commodities made pursuant to valid Office of Defense Transportation permits which have been issued prior to the effective date of these amendments.

(Sec. 6, 54 Stat. 714; Public Law 75th, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5299; Filed, April 5, 1943; 11:26 a. m.]

[Amendment No. 45]

PART 810—PROGRAM LICENSES

Subchapter B, Export Control, is hereby amended by issuing the following additional part: Part 810—Program Licenses.

Sec.

810.1 Definitions.
810.2 General provisions.
810.3 Who may apply for release certificate.
810.4 Appeals.

AUTHORITY: §§ 810.1 to 810.4, inclusive, issued pursuant to sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 810.1 *Definitions.* When used in this part:

(a) "Program" means a determination of the amounts and permissible end-uses of those commodities required by a designated country or countries and suppliable from the United States during a specific period.

(b) "End-use" means the specific ultimate use of an exported commodity.

(c) "Program license" means a license authorizing the exportation to a specified destination of those commodities specified in a "program".

(d) "Release certificate" means that document used to certify that designated commodities may be exported pursuant to a program license.

(e) "Certifying agency" means any agency (including the Office of Exports) authorized in a program license to issue release certificates.

(f) "Lend-Lease requisition" means a determination by the Office of Lend-Lease Administration to supply to a certain country designated commodities included within a "program".

§ 810.2 *General provisions.* (a) The commodities enumerated in § 801.2 of this subchapter may be exported pursuant to "program licenses": *Provided*, That such "program licenses" are issued subject to the following conditions:

(1) Such license will authorize the exportation of only those amounts of commodities specified in the "program" which are not exported pursuant to Lend-Lease requisitions.

(2) Such license shall authorize the exportation of only those commodities in the amounts and for the permissible "end-use" specified in the "program" for which it is issued.

(3) Such license shall be issued only for a "program" approved by the Office of Exports.

(4) Such license shall be valid only for that period stated in the program for which it is issued.

(5) Unless otherwise specifically authorized by the Office of Exports an exportation may be made under such license solely to the destination or destinations specified therein and may not be made with the knowledge or intention that the commodity so exported is to be re-exported from such destination or destinations.

(6) No exportation may be made pursuant to such license unless and until a

"release certificate" has been issued therefor by the "certifying agency" specified in such license.

(7) A person to whom a release certificate is issued may export the commodities specified therein under the program license designated by such certificate.

(8) The Office of Exports may amend, revoke, condition or qualify a license or the program for which it is issued but the same shall not be changed, altered or amended except by written approval of the Office of Exports.

§ 810.3 *Who may apply for release certificate.* Any person wishing to export commodities to a country or countries for which a program license has been issued may apply to the certifying agency for a release certificate.

§ 810.4 *Appeals.* (a) Any person whose application for a release certificate or for an extension thereof has been rejected or whose release certificate has been revoked by a certifying agency may appeal from such rejection or revocation to the Office of Exports.

(b) All appeals under this section shall be made in accordance with the provisions of § 804.20.

(c) When an appeal has been granted by the Office of Exports the exportation of the commodities or any of them subject to such appeal will be authorized by the issuance of either a release certificate or an individual license.

This amendment shall become effective April 1, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5300; Filed, April 5, 1943; 11:26 a. m.]

[Amendment No. 46]

PART 804—INDIVIDUAL LICENSES

EXTENSION OF INDIVIDUAL LICENSES FOR EXPORTATIONS TO CERTAIN BRITISH EMPIRE DESTINATIONS

Paragraph (f) of § 804.1 *General provisions* is hereby amended by adding thereto subparagraph (4) as follows:

(4) Provided that all individual licenses to export commodities to destinations in the British Empire (except Newfoundland and Middle East countries) which were valid and outstanding on March 31, 1943 shall remain valid until July 1, 1943.

This amendment shall become effective April 1, 1943.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9647)

PAUL CORNELL,
Chief of Office,
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5301; Filed, April 5, 1943; 11:27 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-265]

MOHAWK GAS AND OIL CORP.

Mohawk Gas and Oil Corporation, 42 Van Guysling Avenue, Schenectady, New York, is engaged in the marketing of motor fuel. During the months of April, May, June and from July 1 to July 21, 1942, the Mohawk Gas and Oil Corporation delivered to twenty service stations a total of 85,558 gallons of motor fuel in excess of the amounts permitted to be delivered in accordance with the provisions of Limitation Order L-70. These excess deliveries were made by the Mohawk Gas and Oil Corporation in such reckless disregard of the provisions of Limitation Order L-70 as to constitute wilful violations thereof.

These violations have impeded and hampered the war effort of the United States by diverting motor fuel to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.265 *Suspension order S-265.* (a) During each of the months of April, May, June and July, 1943, Mohawk Gas and Oil Corporation, its successors and assigns shall not deliver or cause to be delivered, directly or indirectly, any motor fuel, as defined in Limitation Order L-70, to any of the following service stations in excess of 75 per cent of the average monthly gallonage delivered to each such service station by Mohawk Gas and Oil Corporation during the period of October 1942 through January 1943:

Altrock's Service Station, Broadway and Curry Rd., Schenectady, N. Y.
Albany Street Service Station, 744 Albany Street, Schenectady, N. Y.
Edison Tydol Service Station, Edison Ave. and Weaver St., Schenectady, N. Y.
Bovee's Service Station, 1769 State St., Schenectady, N. Y.
Union Street Garage, 1634 Union St., Schenectady, N. Y.
Baldwin's Service Station, Amsterdam Road, Schenectady, N. Y.
Guy's Service Station, 1000 State St., Schenectady, N. Y.
Old Tollgate Filling Station, Curry Rd., Schenectady, N. Y.
Parkview Service Station, 1500 State St., Schenectady, N. Y.
Nott Terrace Service Station, 135 Nott Terrace, Schenectady, N. Y.
Maxson's Service Station, 2244 Broadway, Schenectady, N. Y.
Boulevard Service Station, 145 Erie Boulevard, Schenectady, N. Y.
Marshall's Service Center, 1001 Chrisler Avenue, Schenectady, N. Y.
Mitchell's Service Station, 1759 Union Street, Schenectady, N. Y.
Mohawk Avenue Garage, 25 Mohawk Avenue, Scotia, N. Y.
Oswald's Service Station, 970 Emmett Street, Schenectady, N. Y.
Ogle's Service Station, 265 Mohawk Ave., Scotia, N. Y.
Steven's Garage, 1837 Guilderland Ave., Schenectady, N. Y.
H. Salamak, 52 Sacandaga Road, Scotia, N. Y.
Union Service Station, 423 Union Street, Schenectady, N. Y.

(b) Nothing contained in this order shall be deemed to relieve Mohawk Gas and Oil Corporation, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5152; Filed, April 2, 1943; 3:47 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 8, as Amended April 3, 1943]

REPORTS

§ 944.29 *Priorities Regulation 8; certain reporting requirements revoked.* All orders heretofore issued which require any person to report upon any of the forms listed in Appendix A to this regulation are hereby amended so as to revoke such requirements.

Issued this 3d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Reports on the following forms need no longer be filed:

Forms PD:

6	45	58A
6A	45A	63
13	46	63A
14	46A	64
30	47	65
30A	47A	68
38	48	68A
41	48A	74
41A	52	74A
42	52A	81
42A	56	81A
43	56A	93
43A	57	119
44	57A	
44A	58	

[F. R. Doc. 43-5228; Filed, April 3, 1943; 11:03 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-252]

H. W. HUNT COMPANY

H. W. Hunt Company, a corporation, of 167 Pleasant Street, Reading, Massachusetts, is engaged in the manufacture of brass pipe nipples and steel pipe nipples, and operates under the provisional of the Production Requirements Plan. During the second and third quarters of 1942 the company applied higher preference ratings to deliveries to it of brass and steel pipe than were authorized under the Production Requirements Plan, and applied preference ratings to deliveries of greater quantities of brass and steel pipe than were authorized by the Production Requirements Plan. These improper applications of preference ratings, and these over-purchases were wilful violations of Preference Rating Order No. P-90, Priorities Regulation No. 11 as amended and Priorities Regulation No. 1 as amended.

These violations have impeded and hampered the war effort of the United States by diverting brass and steel to users unauthorized by the War Production Board. In view of the foregoing facts; *It is hereby ordered,* That:

§ 1010.252 *Suspension Order No. S-252.* (a) Deliveries of material to H. W. Hunt Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except to enable it to fill orders bearing Preference Rating AA-2X or higher, and except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to H. W. Hunt Company, its successors and assigns, of any materials the supply or distribution of which is governed by any order of the War Production Board, except to enable it to fill orders bearing Preference Rating AA-2X or higher and except as hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve H. W. Hunt Company, its successors and assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board, whether now in force or hereafter issued, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect April 5, 1943 and shall expire on July 5, 1943, at which time the restrictions contained in this order are to be of no further effect.

Issued this 3d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5230; Filed, April 3, 1943; 11:03 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-260]

KENNY BOILER AND MANUFACTURING COMPANY

The Kenny Boiler and Manufacturing Company of St. Paul, Minnesota, is a corporation engaged in the business of installing, equipping and repairing boilers and related equipment, and operates under the Production Requirements Plan. During the third quarter of 1942 the Kenny Boiler and Manufacturing Company purchased approximately 20 tons of seamless steel boiler tubes, 20,965 feet of oxygen and acetylene, 1,140 pounds of bolts, nuts and rivets, $837.50 worth of pipe and fittings, 18,713 pounds of cast iron bars, doors, frames, grates, etc., and 92 pounds of copper ferrets; and in the fourth quarter of 1942 11.5 tons of boiler tubes, 866 pounds of bolts and nuts, $390.00 worth of valves and fittings, and 8 tons of iron castings. All of this material was in excess of the amount of such material which the company was authorized to purchase under the Production Requirements Plan. The company was familiar with the provisions and limitations of the Production Requirements Plan and consequently, the above over-purchases were wilful violations of Priorities Regulation No. 11 as amended.

These wilful violations of Priorities Regulation No. 11 have impeded and hampered the war effort of the United States. In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.260 *Suspension Order No. S-260.* (a) Deliveries of material to Kenny Boiler and Manufacturing Company, its successors and assigns, shall not be accorded priority, directly or indirectly, over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Kenny Boiler and Manufacturing Company, its successors and assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Kenny Boiler and Manufacturing Company, its successors and assigns, from any restrictions, prohibition, or provision contained in any order or regulation of the War Production Board, whether now in force or hereafter issued, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 5, 1943, and shall expire on July 5, 1943, at which time the restrictions contained in this Order are to be of no further effect.

Issued this 3d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5231; Filed, April 3, 1943; 11:03 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-263]

DART BOARD EQUIPMENT COMPANY

J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company, 306 Cherry Street, Philadelphia, Pennsylvania, are engaged in the production of darts and dart boards, and other toys and games. From November 25, 1942 to December 31, 1942, Dart Board Equipment Company used lead or lead base alloy, iron and steel to make 224,892 darts. Prior to November 25, 1942, J. W. Tempest, T. W. Tempest and Edward A. McTague, General Manager of the company, knew that darts were toys and that Conservation Order M-38-c prohibited the use of lead or lead base alloy in their production, that darts were game devices and that Conservation Order M-126 prohibited the use of iron or steel in their assembly, and that Limitation Order L-81 prohibited the use of iron and steel in the processing, fabrication and assembly of darts, which are toys and games.

This use of lead or lead base alloy, iron and steel constituted wilful violations of Conservation Orders M-38-c, Conservation Order M-126 and Limitation Order L-81, which have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board.

In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.263 *Suspension Order No. S-263.* (a) Deliveries of material to J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, jointly or separately, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board except as specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, jointly or separately, their successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, jointly or separately, their successors and assigns, shall not accept deliveries of, or use, any iron, steel, lead or lead base alloy in the processing, manufacturing, fabrication or assembly of any article whatsoever, except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 5, 1943 and shall expire on October 5, 1943, at which time the restrictions

contained in this order shall be of no further effect.

Issued this 3d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5232; Filed, April 3, 1943; 11:03 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-269]

STAPLETON HEATING COMPANY

Stapleton Heating Company, Johnstown, Pennsylvania, is an individual proprietorship, owned and operated by R. A. Stapleton, engaged in the business of selling metal heating equipment. From July 1 to September 11, 1942, the company sold and delivered thirteen new metal hot water heating systems to ultimate consumers at prices ranging from $430 to $1,750. All of these sales were made on orders which did not bear any preference ratings or certifications and which had not been specifically authorized by the Director General for Operations. During this period the company knew of the restrictions contained in Limitation Order L-79 and its sales constituted wilful violations of that order.

These violations of Limitation Order L-79 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.269 *Suspension Order No. S-269.* (a) R. A. Stapleton, individually or doing business as Stapleton Heating Company or otherwise, shall not sell, transfer, deliver, install, accept delivery of or otherwise deal in any new metal heating equipment as the same is defined in Limitation Order L-79, except as specifically authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve R. A. Stapleton from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 6, 1943, and shall expire on October 6, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 3d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5233; Filed, April 3, 1943; 11:03 a. m.]

PART 3229—FISH NETTING

[General Limitation Order L-282]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of fish nets for defense, for private account and export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3229.1 *General Limitation Order L-282.*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order.

(1) "Fish netting" means any meshed fabric of the type customarily used for catching fish for commercial purposes.

(2) "Military order" means an order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(c) *Restriction on production and sales.* (1) After April 5, 1943, no person who produced during the calendar year 1942 more than twelve tons of fish netting shall manufacture, or process in any stage of manufacturing, any netting except

(i) That required to fill specific military orders for camouflage netting;

(ii) Fish netting.

(2) No such person shall sell or deliver any netting which he knows or has reason to believe will be used for any purpose other than camouflage or the catching of fish for commercial purposes.

(d) *Assignment of preference rating to producers of fish netting.* A preference rating of A-2 is hereby assigned to producers of fish netting for deliveries of yarn. No person shall utilize any yarn obtained by the use of this rating, except in the manufacture of camouflage netting covered by specific military orders or fish netting.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may from time to time be required by said Board.

(g) *Records.* All producers of fish netting shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: L-282.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

Issued this 3d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5229; Filed, April 3, 1943; 11:03 a. m.]

PART 3032—FILM

[General Limitation Order L-178, as Amended April 1, 1943]

Section 3032.1 (General Limitation Order L-178) is hereby amended to read as follows:

§ 3032.1 *General Limitation Order L-178.*—(a) *Definitions.* For the purposes of this order:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras and other than film in strips of less than 100 linear feet.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of 35 mm. film by one person to any other person, but shall not include:

(i) Transfers of 35 mm. film from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control, located within the 48 states and the District of Columbia of the United States of America;

(ii) Transfers of title merely for security purposes;

(iii) Transfers of 35 mm. film to and from warehouses where no substantial change in right, title or ownership to such 35 mm. film is effected;

(iv) Transfers to and from carriers in order to effect the transfers specified in this paragraph;

(v) The following transfers of 35 mm film when actually delivered to the second named persons within the 48 states and the District of Columbia of the United States of America:

(*a*) Eastman Kodak Company to J. E. Brulatour, Inc.

(*b*) Du Pont, E. I. de Nemours & Company to Smith & Aller, Ltd.

(*c*) Agfa Ansco to Agfa Raw Film Corporation.

(4) "Class A producer" means any of the following producing companies and their subsidiaries:

Columbia Pictures Corporation
Hollywood Square
Hollywood, California
Metro-Goldwyn-Mayer
Culver City, California
Paramount Pictures, Inc.
5451 Marathon Street
Hollywood, California
Radio-Keith-Orpheum Corporation
780 North Gower Street
Hollywood, California
Republic Pictures Corporation
4024 Radford Avenue
North Hollywood, California
Universal Pictures Company, Inc.
Universal City, California
Twentieth Century Fox Film Corporation
10201 West Pico Boulevard
Los Angeles, California
Warner Brothers Pictures, Inc.
400 West Olive Street
Burbank, California

(5) "Class B producer" means any person other than a Class A producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters, at least one of whose motion pictures produced during 1941 was distributed by any Class A or Class B distributor.

(6) "Class C producer" means any person other than a Class A or Class B producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters.

(7) "Class A distributor" means any of the following distributing companies and their subsidiaries:

Columbia Pictures Corporation
729 Seventh Avenue
New York, New York
Loew's Inc. (Metro-Goldwyn-Mayer)
1540 Broadway
New York, New York
Paramount Pictures, Inc.
1501 Broadway
New York City
Radio-Keith-Orpheum Corporation
1270 Sixth Avenue
New York, New York
Republic Pictures Corporation
1790 Broadway
New York, New York
Twentieth Century Fox Film Corporation
444 West 56th Street
New York, New York
Universal Pictures Company, Inc.
1250 Sixth Avenue
New York, New York
Vitagraph, Inc. (Warner Brothers)
321 West 44th Street
New York, New York

(8) "Class B distributor" means any of the following distributing companies and their subsidiaries:

Monogram Productions, Inc.
4376 Sunset Drive
Hollywood, California
Producers Releasing Corporation
1501 Broadway
New York, New York
United Artists Corporation
729 Seventh Avenue
New York, New York

(9) "Class C distributor" means any person other than a Class A or Class B distributor, who distributes 35 mm. prints of entertainment, factual, or special pictures for exhibition.

(10) "Expose", "exposing" or "exposed" includes, in addition to its normal meaning, to process by an imbibition method, such as technicolor.

(11) "Entertainment picture" means any picture, including a trailer for such picture, other than a factual or special picture or a newsreel.

(12) "Factual picture" means any picture whose main function is informational or instructional, including advertising and sales promotion pictures and newsreels produced by Class B newsreel producers, but not including special pictures or pictures whose main function is entertainment.

(13) "Newsreel" means any picture whose main function is to report news events.

(14) "Class A newsreel producer" means any of the following producing companies and their subsidiaries:

Paramount Pictures, Inc., producing Paramount News
Pathe News, Inc.
Universal Pictures Company, Inc., producing Universal Newsreel
News-of-the-Day Newsreel, Inc.
Movietonenews, Inc.
Time, Inc., producing the March of Time.

(15) "Class B newsreel producer" means any person other than a Class A newsreel producer who produces newsreels.

(16) "Special picture" means any picture (i) Produced for scientific research purposes, such as recording and measuring;

(ii) Produced for micro-filming purposes;

(iii) Produced for identification picture purposes;

(iv) Produced for such other special purposes as the War Production Board may from time to time specify.

(b) *Restrictions on transfers of 35 mm. film for exposure in connection with entertainment pictures.* (1) No person shall transfer any 35 mm. film to any other person whatsoever for exposure in connection with entertainment pictures, except (i) Motion picture laboratories and other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A or B distributors; or

(ii) With specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Production Board, the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of the following persons exposing such film in connection with entertainment pictures:

(i) Any Class A producer and its Class A distributor in an amount not to exceed that specified in Schedule A of this order;

(ii) Any Class B distributor in an amount not to exceed that specified in Schedule A of this order;

(iii) Any Class B producer in such amounts as the War Production Board shall, from time to time, determine after taking into account the amounts of 35 mm. film which such Class B producer has obtained from, or, through a charge against the account of, any Class A or Class B distributor;

(iv) Any Class C producer or Class C distributor in an amount not to exceed 22% of the 35 mm. film exposed by or for the respective account of such Class C producer or Class C distributor during the calendar year 1941.

(3) In addition to the amount of 35 mm. film which the War Production Board will authorize to be transferred pursuant to paragraph (b) (2) of this order, the War Production Board will authorize the transfer of additional amounts of 35 mm. film to any Class A, B or C distributor in amounts equal to 50% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Army of the United States for distribution and exhibition by the Army of the United States in the preceding calendar quarter, and 100% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Navy of the United States for distribution and exhibition by the Navy of the United States in the preceding calendar quarter.

(c) *Restrictions on transfers of 35 mm. film for exposure in connection with factual pictures.* (1) No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with factual pictures except pursuant to (i) Such rules and regulations as the Bureau of Motion Pictures of the Office of War Information shall from time to time specify; or

(ii) The specific authorization of the War Production Board.

(2) During the three months period beginning April 1, 1943, and during each three months period thereafter until otherwise ordered, the War Production Board and the Bureau of Motion Pictures of the Office of War Information shall not authorize the transfer of more 35 mm. film for exposure in connection with factual pictures than 25,150,000 linear feet.

(d) *Restrictions on transfers of 35 mm. film for exposure in connection with special pictures.* No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with special pictures except pursuant to the specific authorization of the War Production Board.

(e) *Restrictions on transfers of 35 mm. film for exposure by Class A newsreel producers.* (1) No person shall transfer any 35 mm. film for exposure by Class A newsreel producers in connection with newsreels produced by them, except (i) Motion picture laboratories or other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A newsreel producers; or

(ii) Pursuant to specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Produc-

tion Board, the War Production Board

tion Board, the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of Class A newsreel producers for exposure in connection with newsreels in an amount not to exceed the amount specified opposite such Class A newsreel producer's name in Schedule B of this order.

(f) *Restrictions on exposure of 35 mm. film by laboratories.* No motion picture laboratory or other service organization processing 35 mm. film shall expose any such film, except (1) For the account of any person who has been authorized by the Bureau of Motion Pictures of the Office of War Information to obtain a transfer of 35 mm. film;

(2) For the account of any Class A or Class B distributor;

(3) For the account of any person who has been authorized by the War Production Board to obtain a transfer of 35 mm. film; or

(4) With the specific authorization of the War Production Board.

(g) *Applications for authorizations to transfer 35 mm. film.* Any person may apply to the War Production Board for a specific authorization to transfer 35 mm. film by executing and filing Form PD–763 with the Motion Picture and Photographic Section of the Consumers Durable Goods Division of the War Production Board, Washington, D. C.

(h) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Every motion picture laboratory and other service organization processing 35 mm. film shall execute and file with the War Production Board, Washington, D. C., Ref: L–178, on or before the 10th day following the close of each calendar month, Form PD–764.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Appeals.* Any appeal from the provisions of this order must be made on Form PD–500.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L–178.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A	*Linear feet*
Columbia Pictures Corporation	30,253,296
Metro-Goldwyn-Mayer and Loew's, Inc	42,147,476
Monogram Productions, Inc	5,848,397
Paramount Pictures, Inc	30,722,843
Producers Releasing Corporation	3,177,974
Radio-Keith-Orpheum Corporation	27,435,119
Republic Pictures Corporation	18,380,444
Twentieth Century Fox Film Corporation	31,803,298
United Artists Corporation	15,086,803
Universal Pictures Company, Inc	27,448,441
Warner Brothers Pictures, Inc. and Vitagraph, Inc	33,742,077
SCHEDULE B	
Movietonenews, Inc	12,121,701
News-of-the-Day Newsreel, Inc	11,685,076
Paramount Pictures, Inc., producing Paramount News	11,627,566
Pathe News, Inc	7,865,750
Time, Inc., producing the March of Time	2,164,195
Universal Pictures Company, Inc., producing Universal Newsreel	7,085,524

[F. R. Doc. 43–5114; Filed, April 1, 1943; 5:05 p. m.]

PART 1188—RAILROAD EQUIPMENT

[Limitation Order L–229, Revoked]

MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR ELECTRIC RAILWAY CARS AND TROLLEY COACHES

Section 1188.6 *Limitation Order L–229* is hereby revoked effective April 5, 1943.

Issued this 5th day of April 1943.

THE WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5286; Filed, April 5, 1943; 11:20 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Limitation Order L–103 as Amended April 5, 1943]

Section 1198.1 *Limitation Order L–103* is hereby amended to read as follows:

§ 1198.1 *Limitation Order L–103*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Glass container" means any machine made bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(2) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(3) "Finish" of a glass container means the configuration of the neck or opening which serves to engage specific parts of the closure in order to affix it to the glass container.

(4) "Design" of a glass container means the particular shape, weight, size, capacity, and contour of the body of such container (other than the finish), and shall include any lettering or decoration molded thereon, except the container manufacturers' identification marks.

(5) A "design in existence" means a design for which one or more molds have been cast and is further limited to the exact size and capacity of container produced therefrom.

(6) Any specification which refers to or includes the letters "G. C. A." means a specification (including the tolerances recognized with respect to such specification) issued by the Glass Container Association of America and in effect on May 11, 1942.

(7) "Exhibit" refers to the particular specifications set forth opposite an exhibit number (e. g. 10–40; 10–75; 50–23, etc.) as applied to the shape or contour appearing on the drawing, attached to this order, in connection with which such exhibit is listed. Any applicable footnotes appearing on said drawing shall be deemed to be incorporated in such specifications.

(c) *Issuance of schedules of simplification of lines.* The War Production Board may from time to time issue schedules establishing simplification practices with respect to the designs and/or finishes of glass containers for specific products. From and after the date of issuance of any such schedule no such containers shall be manufactured or used contrary to the provisions of such schedule, *Provided, however,* That

(1) Subject to the provisions of subparagraph (2) of this paragraph (c), nothing in this order or any schedule hereof shall prevent the manufacture, sale, delivery or use, for the packaging of any product, of any glass container which differs from any standard glass container established for such product by any schedule solely by reason of:

(i) The location of indented or other label space;

(ii) The degree of curvature of the shoulder and heel of the container;

(iii) The amount and location of any lettering which indicates capacity only;

(iv) A difference in height or weight when such difference does not exceed 5 percent of the height or weight shown for the applicable standard glass container;

(v) The existence or location of stippling or fluting.

(2) No person shall manufacture, sell, deliver or use any glass container pursuant to the provisions of subparagraph (1) of this paragraph (c) unless

(i) Such glass container is manufactured within nine months after the date of issuance of any applicable schedule; and

(ii) Such glass container is manufactured from a mold which was actually in existence prior to the date of issuance of any applicable schedule; and

(iii) The design of such glass container has been submitted to the War Production Board, Washington, D. C., Ref. L–103, and approved as within the exemption provided by subparagraph (1) of this paragraph (c).

(d) *Exhibits.* The exhibits listed on the drawings attached to this order shall have no application except as they are specifically referred to in this order or are established as standard glass containers by the provisions of any schedule issued pursuant to paragraph (c) hereof.

(e) *Freezing of all glass container designs not established as standards pursuant to any schedule of this order.* No person shall manufacture a glass container except:

(1) Where the design of such container was in existence on May 11, 1942; or, failing this, where any variations from a design then in existence have been effected by alterations of molds in existence on or before May 11, 1942.

(2) Where the design of such container corresponds to any exhibit attached to this order.

(3) Where the design of such container has been submitted by any person to the War Production Board, Washington, D. C., Ref. L–103, and approved under one of the following conditions:

(i) When no suitable glass container exists for packing a product not previously packed in glass;

(ii) When it is necessary to design a special glass container in order that it can be used on an existing filling or packing line.

(4) Nothing in subparagraphs (1), (2) or (3) of this paragraph (e) shall be deemed to permit the manufacture or use of glass containers contrary to the provisions of any schedule issued pursuant to paragraph (c) of this order.

(f) *Allowance of normal operating tolerances.* (1) Nothing in this order or any schedule hereof shall

(i) Prevent variations in the design or finish of a glass container within the limits of normal operating tolerances.

(ii) Prohibit the usual differences in glass container design when manufactured on glass container machinery of different types.

(g) *Interchangeable finishes.* (1) Unless specifically stated to the contrary in any schedule, nothing in this order or any schedule hereof shall prevent the interchange of finishes on glass containers described in an exhibit attached to this order, *Provided:*

(i) Such interchange can be effected without alteration of the specified body mold; and

(ii) The interchanged finish is no greater in diameter than that appearing on the exhibit for the body design to which it is to be applied, or, if another type of finish is used, no larger than the corresponding size of that type of finish.

(iii) The capacity resulting from such interchange is no less than the capacity shown in the applicable exhibit.

(2) Nothing in this order or any schedule hereof shall prevent the modification of the weight, height, or capacity of a glass container described in any exhibit of this order to the minimum extent required by any interchange of finishes in accordance with the conditions of subparagraph (1) of this paragraph (g).

(h) *Extent of prohibitions against replacement of molds.* (1) Whenever any provision of this order or any schedule hereof prohibits the replacement of existing molds, such prohibition shall extend to the body mold only and shall not be deemed to prohibit the use of new neck rings nor new blank molds or other equipment necessary for use with a body mold.

(i) *Export.* Nothing in this order or any schedule hereof shall affect the manufacture, sale or delivery of glass containers intended to be shipped outside of the forty-eight states of the United States and the District of Columbia: *Provided,* That the said glass containers are made from molds in existence on or before May 11, 1942.

(j) *Miscellaneous provisions.*—(1) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref. L–103.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

DRAWING NO. 1—PLAIN ROUND JAR

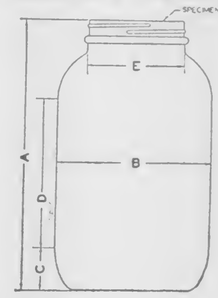

PLAIN ROUND JAR

EXHIBIT SERIES 10-00

Exhibit No.	Overflow capacity, ounces	Maximum weight, ounces	A	B, maximum	C	D	E	G, C. A. finish No.
10–14	4¼	3½	3 27/64	2 1/64	1 7/64	1 49/64	1 49/64	48–400
10–20	6¼	4½	3 59/64	2 35/64	2⅛	2 1/16	1 13/32	53–400
10–29	8⅝	6	4 9/32	2 47/64	1 11/16	2 9/64	1 13/32	58–400
10–27	8⅝	6	4 9/32	2 47/64	1 11/16	2 9/64	2⅛	58–400
10–28	8¾	6	4 13/32	2 17/32	2¼	2 31/64	2⅛	58–400
10–36	11⅜	7¾	4 29/32	2 51/64	1 29/32	2 7/16	2⅛	58–400
10–39	12½	7½	4 29/32	2 29/32	1 29/64	2⅜	1 13/32	53–400
10–40	12½	7½	4 29/32	2 29/32	1 29/64	2⅜	2⅛	58–400
10–48	15½	9¾	5 3/8	3 9/64	1 13/16	2 11/16	2⅛	63–400
10–51	16½	9	5 7/32	3 13/64	2 7/32	2 45/64	2⅛	63–400
10–52	17	9¼	5 13/32	3 3/16	2 7/32	2 45/64	2⅛	63–400
10–53	18⅝	9½	5⅜	3 9/32	2 3/8	2 49/64	2⅛	63–400
10–60	22¼	11½	5⅞	3½	1 7/8	3 1/64	2⅛	63–400
10–63	24½	11¾	5 31/64	3 9/32	2 7/32	3 5/64	2⅛	63–400
10–67	27½	13	6¼	3 45/64	1	3 25/64	2⅛	63–400
10–72	31	13¾	6 31/64	3 61/64	1 15/32	3 33/64	2⅛	63–400
10–75	32⅝	14	6¾	3 57/64	1 9/16	3 45/64	2⅛	63–400
10–77	34	14½	6 47/64	3 31/32	1 19/32	3 45/64	2⅛	63–400
10–81	48¾	20½	7 41/64	4 29/64	1¾	4 17/64	2⅛	70–400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 2—PLAIN ROUND QUART JAR

DRAWING NO. 5—VEGETABLE AND FRUIT JAR

VEGETABLE AND FRUIT JAR

DRAWING NO. 2—PLAIN ROUND QUART JAR

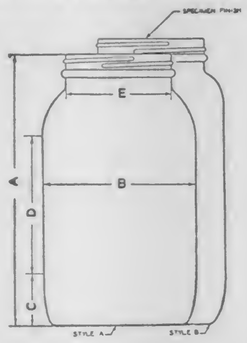

PLAIN ROUND QUART JAR

EXHIBIT SERIES 11-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B max.	C	D	E	G. C. A. finish No.
11-75	A	32 3/8	14	6 1/4	3 5 15/64	1 5/16	3 7/16	2 5/8	70-400
11-76	B	32 3/8	14 1/2	7 1/4	3 41/64	1 3/8	4 1/4	2 5/8	70-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 3—LARGE SIZE JAR

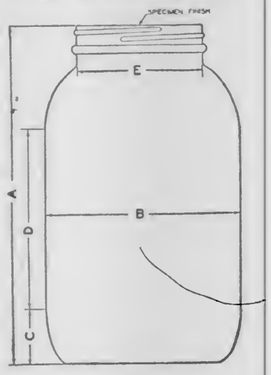

LARGE SIZE JAR

EXHIBIT SERIES 12-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	max. B	C	D	E	G. C. A. finish No.
12-86	½ gal	65 1/8	28	8 3/8	4 2 9/32	1 3/8	4 1/2	3 1/8	83-400
12-91	No. 10	105 5/8	37	9 9/32	6 1/64	1 1/2	4 1/2	3 1/8	83-400
12-96	1 gal	130 1/2	46	10 5/16	6 3/64	1 1/4	5 5/16	3 3/8	89-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 4—WIDE MOUTH PAIL

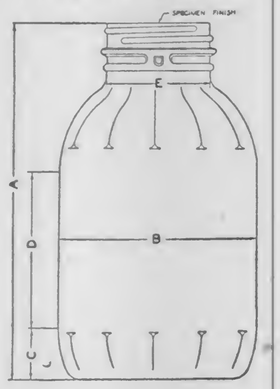

WIDE MOUTH PAIL

EXHIBIT SERIES 14-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
14-85	5 lb	68 1/2	24	8 9/32	4 13 5/16	1 5/16	4 1/4	2 5/8	G-450
14-87	½ gal	66	26	8 27/32	5 1/64	1 3/8	4 1/4	2 5/8	G-450
14-90	No. 10	103	35	10	5 57/64	1 1/2	4 1/2	2 5/8	G-450
14-92	10 lb	116	41	10 3/16	6 9/32	1 1/2	4 5/8	2 5/8	G-450
14-96	1 gal	132	44	10 5/8	6 1 13/32	1 3/4	4 3/4	2 5/8	G-450

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Stippling may be substituted for fluting in the decorated areas shown at shoulder and heel. Containers shall be either fluted or stippled, never plain.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 5—VEGETABLE AND FRUIT JAR

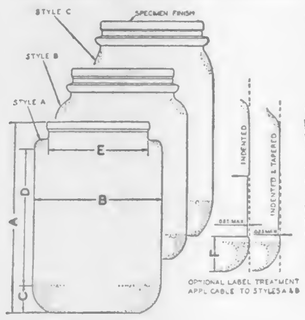

VEGETABLE AND FRUIT JAR

EXHIBIT SERIES 15-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
15-50	A	17	7 1/2	4 13 5/16	3 15 5/64	2 3/32	3 5/16	2 1/4	66-mm.
15-51	B	17	8	4 13 5/16	3 5/8	1 1/16	2 5/16	2 1/4	66-mm.
15-52	C	17	8 1/2	5 19/64	3 5/64	3/4	3	2 1/4	66-mm.
15-68	A	28 3/4	12	4 7/8	4 5/64	2 1/32	3 11/32	3 1/8	83-mm.
16-69	B	28 3/4	13	4 7/8	4 5/8	1	2 5/16	3 1/8	83-mm.
15-70	C	28 3/4	13 1/2	6 1/8	3 5/64	5/64	3 5/16	3 1/8	83-mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C", "D" and "D" dimensions.
4. Style "C" shall be straight sided only. Styles "A" and "B" may be straight-sided or, with 2" minimum and 1 5/8" maximum for the "E" dimension. The label space may be indented or tapered as shown.
5. Shoulder and heel stippling as indicated is optional.
6. Container shall be round.
7. Bottom stippling optional.

DRAWING NO. 6—25½ OZ. JUICE JAR

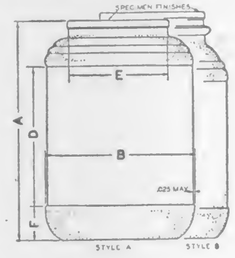

25½ OZ. JUICE JAR

EXHIBIT SERIES 16-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	G. C. A. finish No.
16-64	A	25 1/2	11	5 7/16	3 3/4	2 7/32	3 15/64	2 1/4	66-mm.
16-65	B	25 1/2	11 1/2	5 43/64	3 7/64	2 1/32	3 1/64	2 1/4	66-mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 7—49 OZ. JUICE JAR

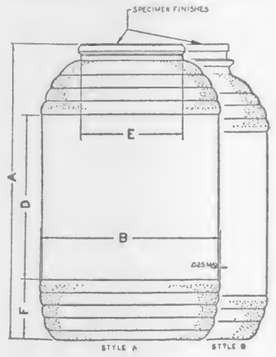

49 OZ. JUICE JAR

EXHIBIT SERIES 16-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	G. C. A. finish No.
16-80	A	49	20	7 13/32	4 13/32	1 1/4	4 1/32	2 1/4	66-mm.
16-81	B	49	20	7 13/32	4 1/2	1 5/16	4 3/32	2 1/8	66-mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 8—OLIVE BOTTLE

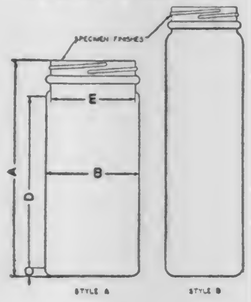

OLIVE BOTTLE

EXHIBIT SERIES 17-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
17-22	A	6 13/16	6 5/8	4 49/64	2 9/64	9/32	3 21/32	1 15/16	53-400
17-26	A	8 1/8	8 1/16	5 21/64	2 1/4	9/32	4 7/32	2 1/8	58-400
17-38	A	12 3/8	10	6 1/64	2 17/32	5/16	4 21/32	2 1/8	58-400
17-50	A	16 3/8	11 1/4	6 41/64	2 23/32	1 3/32	5 7/32	2 3/8	63-400
17-56	A	20 1/4	14 1/2	7 3/8	2 13/16	3/8	5 1/2	2 3/8	63-400
17-76	A	32 5/8	14 3/4	7 27/32	3 15/32	7/16	5 7/8	2 3/8	63-400
17-09	B	2 1/2	3 3/4	3 7/8	1 19/32	5/16	2 23/32	1 1/4	38-400
17-11	B	3 1/2	4 3/4	5 1/64	1 13/16	5/16	3 29/64	1 3/4	38-400
17-17	B	5 3/4	5 3/4	5 15/16	1 3/4	5/32	4 5/64	1 17/32	43-400
17-23	B	7 7/8	7 3/8	6 23/32	1 67/64	1/4	5 5/64	1 3/4	48-400
17-33	B	10 3/4	10 3/4	7 7/16	2 1/8	5/32	6 1/64	1 15/16	53-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 9—CHERRY BOTTLE

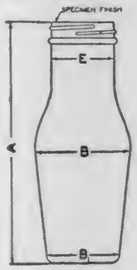

CHERRY BOTTLE

EXHIBIT SERIES 18-00

Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	B_1, max.	E	G. C. A. finish No.
18-08	2 1/16	4 1/8	4 45/64	1 45/64	1 23/64	1 3/8	38-400
18-14	4 7/16	5 1/8	5 23/64	1 53/64	1 1/2	1 3/8	38-400
18-22	7	6 3/4	6	2 3/64	1 3/4	1 17/32	43-400
18-42	13 1/2	13 1/2	8 7/64	2 13/64	2 1/4	1 15/16	53-400
18-62	24 3/4	20 1/2	10 5/16	3 9/32	2 29/64	1 15/16	53-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" and "B_1" dimensions.
3. Profiles similar to that illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 10—SHORTENING JAR

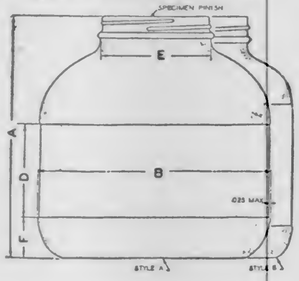

SHORTENING JAR

EXHIBIT SERIES 19-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, maximum	F	D	E	Finish size
19-57	A	20	10	4 3/4	3 59/64	1/2	1 13/16	3 1/8	83-400
19-83	A	58 3/16	24	6	5 3/4	1	2 5/16	3 1/8	83-400
19-58	B	20	11 1/2	4 1/4	3 25/32	1/2	2 1/2	3 1/8	89-400
19-86	B	58 3/16	24	6	5 29/64	1 3/16	3	3 1/8	89-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "F" and "D" dimensions. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 11—TUMBLERS

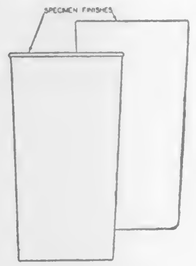

TUMBLERS

EXHIBIT SERIES 20-00

Exhibit No.	Overflow capacity, oz.	Capacity overflow, plus or minus, oz.	G. C. A. finish No., plus.
20-13	3 3/4 to 4 1/4	1/4	58 mm.
20-16	4 1/4 to 5 1/4	1/4	63 mm.
20-19	5 1/4 to 6 1/4	1/4	63 mm.
20-20	6 1/4 to 6 3/4	1/4	63 mm.
20-23	7 to 7 1/2	1/4	68 mm.
20-26	8 to 8 1/2	1/4	68 mm.
20-30	9 1/4 to 9 3/4	1/4	68 mm.
20-32	9 3/4 to 10 1/4	1/4	73 mm.
20-39	11 1/4 to 12 1/4	1/4	73 mm.
20-44	13 1/4 to 14 1/4	1/4	80 mm.

NOTES

1. Container shall be round.
2. Bottom stippling optional.

DRAWING NO. 12—STUBBY ROUND BOTTLE

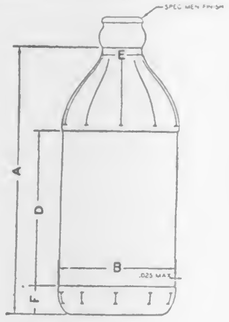

STUBBY ROUND BOTTLE

EXHIBIT SERIES 50-00

Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	I	D	E	Finish size
50-08	2 1/4	3	3 19/32	1 9/32	5/8	2 5/32	1 1/16	20-400
50-14	4 1/4	4 1/2	4 7/16	1 7/8	7/16	2 9/16	1	20-410
50-21	6 3/32	7 1/2	4 15/16	2 9/32	1/2	2 25/32	1	20-410
50-25	8 3/4	9	5 9/32	2 17/32	15/16	3 5/16	1	20-410
50-40	12 3/4	13	6 9/64	2 13/16	5/8	3 1/2	1	20-410
50-51	16 5/8	16 1/2	6 11/16	2 61/64	1 1/16	3 7/8	1	20-410
50-52	17 1/8	16 1/2	6 11/16	2 61/64	1 1/16	3 7/8	1	20-410
50-64	25 3/8	24	7 11/16	3 11/32	2 9/32	4 7/16	1	20-410
50-70	33 7/16	32	8 3/8	3 29/64	2 9/32	5	1	20-410
50-77	34	32	8 3/8	3 27/32	2 9/32	5	1	20-410
50-81	48 1/2	43	8 29/32	4 15/64	1 3/4	5 3/16	1	20-410
50-85	58 1/8	52	11 5/8	4 17/32	3 15/32	5 29/32	1 7/16	30-700
50-91	105 3/8	37	13 1/2	6 5/64	1 7/16	4 3/16	1 7/16	30-700

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "I" and "D" dimensions. A label recess must be maintained.
4. Bottles shall be fluted as shown.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 13—GLASS JUG

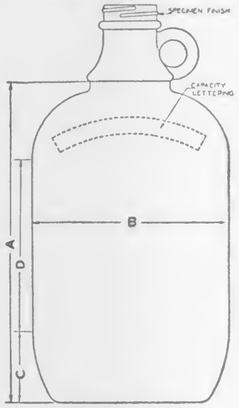

GLASS JUG

EXHIBIT SERIES 51-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	G. C. A. finish No.
51-86	Half gallon	66	31	8	4 31/32	1 45/64	4 3/4	38-400
51-87	Half gallon	66	31	8	4 31/32	1 45/64	4 3/4	70-450
51-88	Half gallon	67	31	8	5	1 45/64	4 3/4	38-400
51-89	Half gallon	67	31	8	5	1 45/64	4 3/4	70-450
51-92	Gallon	130	46	9 3/8	6 7/8	1 31/32	4 3/4	38-400
51-93	Gallon	130	46	9 3/8	6 29/64	1 31/32	4 3/4	70-450
51-94	Gallon	131 1/2	46	9 3/8	6 1/2	1 31/32	4 3/4	38-400
51-95	Gallon	131 1/2	46	9 3/8	6 1/2	1 31/32	4 3/4	70-450
51-96	Gallon	134 1/2	48	9 3/8	6 19/32	1 31/32	4 3/4	38-400
51-97	Gallon	134 1/2	48	9 3/8	6 19/32	1 31/32	4 3/4	70-450
51-98	Gallon	136	48	9 3/8	6 31/64	1 31/16	4 1/2	38-400
51-99	Gallon	136	48	9 3/8	6 31/64	1 31/16	4 1/2	70-450

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 14—CHILI SAUCE BOTTLE

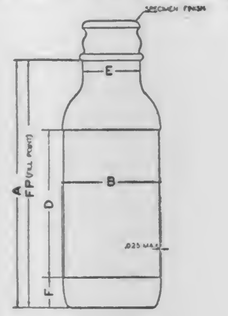

CHILI SAUCE BOTTLE

EXHIBIT SERIES 52-00

Exhibit No.	Capacity to F. P., oz.	Maximum weight, oz.	FP	A	B, max.	F	D	E	G. C. A. finish No.
52-33	10¼	9⅛	6 1/16	6 1/16	2 29/64	⅝	8 21/32	1 7/16	86-250

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profile illustrated shall be maintained for the above exhibit. A label recess must be maintained.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 15—CATSUP BOTTLE

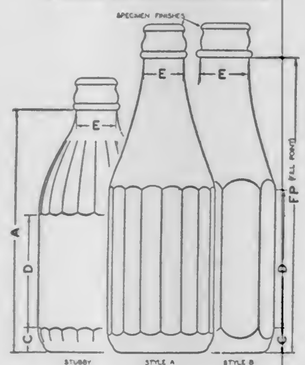

CATSUP BOTTLE

EXHIBIT SERIES 53-00

Exhibit No.	Style	Capacity to F. P., oz.	Maximum weight, oz.	FP up	A	C, No. of panels: 8	C: 16	C: 20	D, No. of panels: 8	D: 16	D: 20	E	G. C. A. finish No.
53-38	Stubby	12½	8⅛	5 15/16	5 15/16			⅝			2 31/32	1 3/16	26-250
53-39	A	12¼	10½	7⅜	7⅜	5/16	½		3 7/16	3 9/16		1 3/16	26-250
53-40	B	12 3/16	10½	7⅜	7⅜	5/16	½		3 7/16	3 9/16		1 5/16	31-250

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the body diameters.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. The stubby style is made with 20 panels only. Styles "A" and "B" may be made with either 8 or 16 panels.
5. Container shall be round.
6. Bottom stippling optional.

[F. R. Doc. 43-5279; Filed, April 5, 1943; 11:18 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule A to Limitation Order L-103, as Amended April 5, 1943]

DISTILLED SPIRITS

§ 1198.2 *Schedule A to Limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Distilled spirits" means whiskey, gin, brandy, and rum.

(2) A "standard glass container for distilled spirits" means a glass container described in Exhibits A-1-a, A-2-a, A-3-a, A-4-a, A-5, or A-6 of this schedule which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Simplified practice.* (1) Until further order of the War Production Board, the manufacture of glass containers for distilled spirits is limited to the following capacities: 1 quart (32 fluid ounces); ⅕ quart (25.6 fluid ounces); 1 pint (16 fluid ounces), and ½ pint (8 fluid ounces) and the manufacture of glass containers for all other liquors (such as cordials, cocktails, and specialties) is limited to capacities of ½ pint (8 fluid ounces) or more.

(2) (i) Prior to September 1, 1942, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(*a*) If of quart capacity, not more than 22 oz. avoir.;

(*b*) If of ⅘ quart capacity, not more than 20½ oz. avoir.;

(*c*) If of pint capacity, not more than 15 oz. avoir.;

(*d*) If of half-pint capacity, not more than 10 oz. avoir.

(ii) On and after September 1, 1942, and prior to January 1, 1943, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(*a*) If of quart capacity, not more than 20½ oz. avoir.;

(*b*) If of ⅘ quart capacity, not more than 19 oz. avoir.;

(*c*) If of pint capacity, not more than 13½ oz. avoir.;

(*d*) If of half-pint capacity, not more than 8½ oz. avoir.

(3) (i) No mold for a glass container for distilled spirits may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a "standard glass container for distilled spirits."

(ii) On and after January 1, 1943, only standard glass containers for distilled spirits may be produced.

(4) No provision of this schedule shall be construed to restrict the sale, delivery or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for distilled spirits shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A-1-a OF SCHEDULE A, LIMITATION ORDER L-103

Standard Glass Container—Distilled Spirits Bottle, 32 ounce capacity

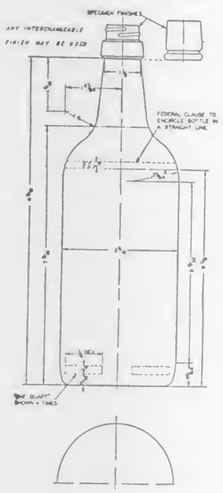

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.
Bottles must be round—19 oz. wt.

EXHIBIT A-2-a OF SCHEDULE A, LIMITATION ORDER L-103

Standard Glass Container—Distilled Spirits Bottle 25.6 ounce capacity

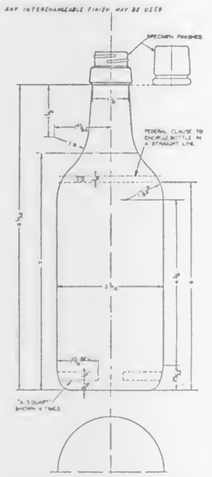

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.
Bottle must be round—17 oz. wt.

EXHIBIT A-3-a OF SCHEDULE A, LIMITATION ORDER L-103

Standard Glass Container—Distilled Spirits Flask, 16-ounce capacity

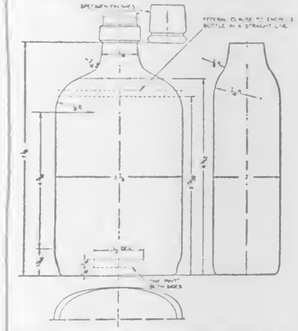

Any interchangeable finish may be used.
Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.
Bottle wt. 13½ oz.

EXHIBIT A-4-a OF SCHEDULE A, LIMITATION ORDER L-103

Standard Glass Container — Distilled Spirits Flask, 8 ounce capacity

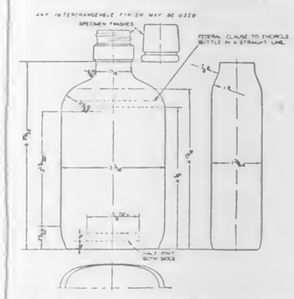

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.
Bottle wt. 8½ oz.

EXHIBIT A-5 OF SCHEDULE A, LIMITATION ORDER L-103

Standard Glass Container — Distilled Spirits Bottle, 25.6 ounce capacity—Rum

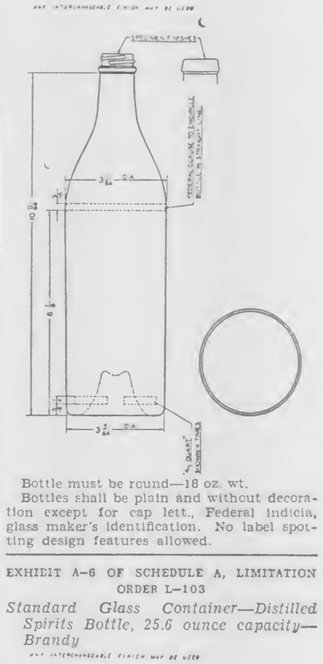

Bottle must be round—18 oz. wt.
Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

EXHIBIT A-6 OF SCHEDULE A, LIMITATION ORDER L-103

Standard Glass Container—Distilled Spirits Bottle, 25.6 ounce capacity—Brandy

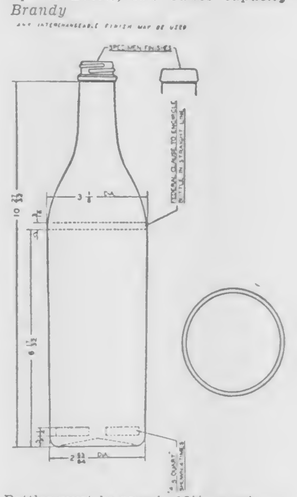

Bottles must be round—18½ oz. wt.
Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

[F. R. Doc. 43-5280; Filed, April 5, 1943; 11:18 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule B to Limitation Order L–103, as Amended April 5, 1943]

MALT BEVERAGES

§ 1198.3 *Schedule B to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Malt beverages" means beer, ale, stout, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted barley with or without other food products, and with hops or hop extracts.

(2) A "standard glass container for malt beverages" means a glass container described in Exhibits B–1, B–2, B–3–a, B–4, B–5–a, B–6 to B–9, inclusive, B–10–a, and B–11 to B–13, inclusive of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L–103.

(b) *Simplified practice.* (1) Until further order of the War Production Board, the manufacture of glass containers for malt beverages is limited to the following capacities: 12 fluid ounces; 1 quart (32 fluid ounces); and one-half gallon (64 fluid ounces).

(2) No glass container for malt beverages shall be manufactured which has a glass weight heavier than the following:

(i) If of one-half gallon capacity, not more than 39 oz. avoir.;

(ii) If of quart capacity, not more than 30 oz. avoir.:

(iii) If of 12 fluid ounce capacity, and (*a*) in the so-called "steinie" shape, not more than 10½ oz. avoir.; (*b*) in the so-called "export", "ale", or "select" shapes, not more than 12 oz. avoir.

(3) (i) No mold for a glass container for malt beverages may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a standard glass container for malt beverages.

(ii) On and after January 1, 1943, only standard glass containers for malt beverages may be produced.

(iii) On and after April 15, 1943, the standard glass containers described in Exhibits 12 and 13 shall be manufactured only for malt beverages to be shipped outside of the forty-eight states of the United States of America and the District of Columbia.

(4) No provision of this schedule shall be construed to restrict the sale, delivery, or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule the lettering on standard glass containers for malt beverages shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT B–1 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Steinie Shape Beer Bottle for Unpasteurized Beer 64 ounce capacity, 6½ overflow

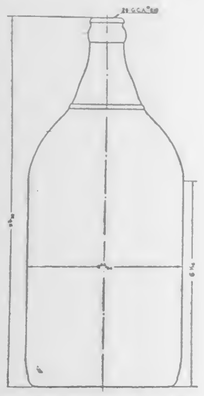

Bottles must be round—34 oz. wt.

EXHIBIT B–2 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Steinie Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow

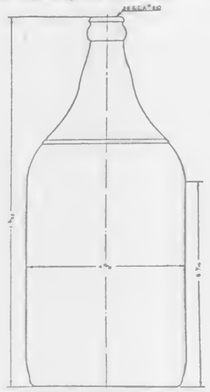

Bottles must be round—39 oz. wt.

EXHIBIT B–3–A OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Steinie Shape Beer Bottle, 32 ounce capacity, 33¼ overflow

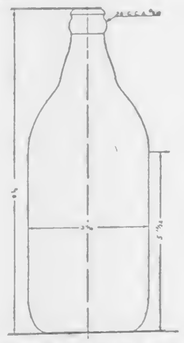

Any interchangeable finish may be used.
Optional weights 20 and 24 oz.—adjust diameter to make capacity.
Bottles must be round.

EXHIBIT B–4 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Steinie Shape Beer Bottle, 12 ounce capacity, 12$\frac{33}{32}$ overflow

Bottles must be round 9¾ oz. wt.

EXHIBIT B–5–A OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Export Shape Beer Bottle, 32 ounce capacity, 33¼ overflow

Bottles must be round—28 oz. wt.
Any interchangeable finish may be used.

EXHIBIT B–6 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Export Shape Beer Bottle, 12 ounce capacity, 12$\frac{33}{32}$ overflow

Bottles must be round—12 oz. wt.

EXHILIT B–7 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Select Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow

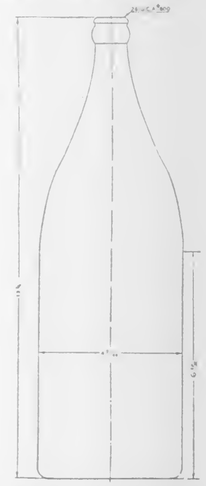

Bottles must be round—39 oz. wt.

EXHIBIT B–8 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Select Shape Beer Bottle for Unpasteurized Beer, 64 ounce capacity, 65½ overflow

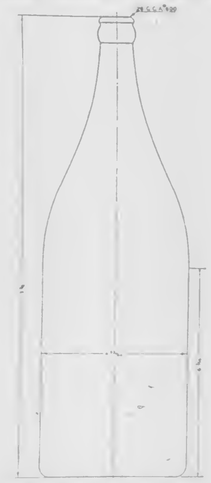

Bottles must be round—36 oz. wt.

EXHIBIT B–9 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Select Shape Beer Bottle, 12 ounce capacity, 12$\frac{33}{32}$ overflow

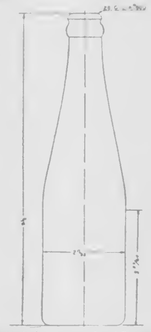

Bottles must be round—12 oz. wt.

EXHIBIT B–10–A OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Ale Bottle, 32 ounce capacity, 33¼ overflow

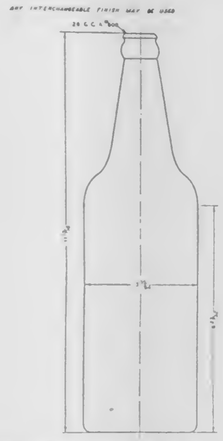

Bottles must be round—28 oz. wt.

EXHIBIT B–11 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Ale Bottle, 12 ounce capacity, 12$\frac{31}{32}$ overflow

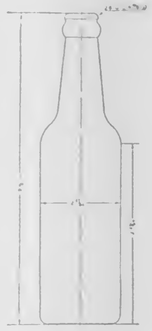

Bottles must be round—12 oz. wt.

EXHIBIT B–12 OF SCHEDULE B, LIMITATION ORDER L–103

Standard Glass Container—Single Trip Beer Bottle, 12 ounce capacity, 12$\frac{31}{32}$ overflow

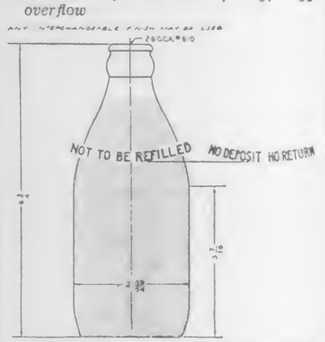

The bottle shall be round with stippling and lettering as shown—8 oz. max. weight.

EXHIBIT B–13, LIMITATION ORDER L–103

Standard Glass Container—Single Trip Beer Bottle, 32 ounce capacity, 33¾ overflow

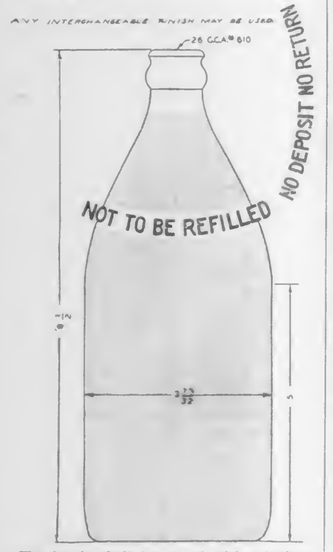

The bottle shall be round with stippling and lettering as shown—18 oz. max. weight.

[F. R. Doc. 43-5281; Filed, April 5, 1943; 11:18 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule C to Limitation Order L–103 as Amended April 5, 1943]

GLASS CONTAINERS FOR CERTAIN FOOD PRODUCTS

Section 1198.4 *Schedule C to Limitation Order L–103* is hereby amended to read as follows:

§ 1198.4 *Schedule C to Limitation Order L–103*—(a) *Definition.* For the purposes of this schedule:

"Standard glass container" means a container constructed in accordance with the specifications and design prescribed by any exhibit set forth in Drawings 1 to 15, inclusive, annexed to Order L–103, which possesses the finish prescribed for such exhibit or, subject to the provisions of paragraph (b) (2) hereof, any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L–103.

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after July 4, 1943, no person shall use a glass container for the packing for sale of any product listed in the annexed table, except a standard glass container, having a capacity equal to or greater than that specified for such product in column II of said table.

(2) Notwithstanding the provisions of paragraph (g) of Order L–103, no person shall use for the packing for sale of any product listed in the table annexed to this schedule any glass container with a "deep screw cap" finish, except as specifically permitted by an exhibit authorized for such product.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use, for the packing of any product listed in the annexed table, of any glass containers which were completely manufactured before the 4th day of July 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers with a capacity larger than 140 fluid ounces, or designs that existed on May 11, 1942.

(3) Nothing in this schedule shall prohibit any person who packed less than a total of 5,000 containers with all of the products listed in the annexed table during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, during any subsequent calendar year, a maximum of 5,000 glass containers for packing such products.

(4) Except as specifically permitted by the drawings and exhibits annexed to Order L–103 molded lettering or decoration on standard glass containers for the respective products listed in said table shall be limited to the manufacturer's identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* (1) No person shall manufacture, sell, or deliver any glass container which he knows, or has reason to believe, will be used in violation of any provision of this schedule.

(2) On and after the 5th day of April 1943, no molds may be manufactured for a container for any of the products listed in the annexed table which does not conform to the specifications of a standard glass container usable for such product, nor may any mold for a container for a product listed in the annexed table be replaced—whether because of wear or for any other reason—except by a mold which conforms to said specifications.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE

	I. Product	II. Minimum Overflow capacity in fluid ounces
1	Fruit butter	12
2	Preserves	12
3	Jelly	[1]9
4	Salad dressings (including products using salad dressing as a base)	[1]8
5	Olive oil	2
6	Edible oils (other than olive oil)	16
7	Shortenings	20
8	Maple syrup	12
9	Syrups (except chocolate and maple), including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups	16
10	Chocolate syrup	[1]8
11	Tomato catsup	[2]12
12	Chili sauce and cocktail sauce	10
13	Tomato paste Not less than 25% by weight dry tomato solids	[1]6
14	Tomato pulp and puree Not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids	12
15	Vinegar	16
16	Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries	16
17	Honey	[1]6
18	Pickles and relishes	[1]8
19	Peanut butter	[1]8
20	Fruit and vegetable juices and mixtures thereof	12
21	Olives, green	3
22	Maraschino cherries	4
23	Cranberries and cranberry sauce	[1]8
24	Pectin, liquid	8

[1] Any tumbler may be used (in addition to standard) for packing the applicable product provided:

(i) Such tumbler was made from a mold that was actually in existence on or before April 5, 1943;

(ii) Such tumbler has no larger than a 70 mm. finish;

(iii) The capacity of such tumbler is no less than 8 fl. oz. and no greater than 9¾ fl. oz.

[2] Until completion of the 1943 packing season for tomato catsup, any bottle of a design previously used for tomato catsup may be used therefor, in addition to the specified standards, provided:

(i) Said bottle was made from a mold actually in existence on April 5, 1943;

(ii) Such bottle is made to hold 14 oz. by weight of tomato catsup;

(iii) The height of such bottle to the "fill point" does not exceed 7⅞ inches.

After completion of 1943 tomato catsup packing season, only the containers permitted for said product pursuant to paragraph (b) (1) of this schedule may be used.

[F. R. Doc. 43-5282; Filed, April 5, 1943; 11:18 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule D to Limitation Order L–103, as Amended April 5, 1943]

GLASS CONTAINERS FOR WINES

§ 1198.5 *Schedule D to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Wine" means the product of the normal alcoholic fermentation of the juice of grapes, fruits, or other agricultural products, with or without added brandy or other spirits, and shall include, but shall not be limited to, sparkling and carbonated wine vermouth, flavored wines, cider, perry, sake, in each instance only if containing not less than 7 per centum and not more than 24 per centum alcohol by volume.

(2) A "standard glass container for wines" means a glass container described in Exhibits D–1–A, D–2–A, D–3, D–4, D–5, D–6, D–7, D–8–A and D–9–A of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L–103.

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after October 1, 1942, no person shall use a glass container of other than the following capacities for the packaging of wines for sale:

(i) One gallon.
(ii) One half-gallon.
(iii) 26 fluid ounce champagne.
(iv) 13 fluid ounce champagne.
(v) 1 quart, flat bottom.
(vi) 4/5 quart, push-up bottom.
(vii) 4/5 quart, flat bottom.
(viii) 4/5 pint, flat bottom.
(ix) 1 pint, flat bottom.

(2) With the exceptions set forth in paragraph (c) of this schedule, on and after March 1, 1943, no person shall use a glass container other than a standard glass container as herein defined for the packaging of wines for sale.

(c) *Exemptions.* (1) Nothing in this schedule shall prevent the use for the packaging of wines of any non-standard glass containers which were:

(i) Completely manufactured on or before the first day of October, 1942, or

(ii) Which have the same capacity as any standard glass container described in this schedule and which were completely manufactured prior to March 1, 1943, from a mold actually in existence prior to the 2d day of January, 1943.

(2) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for wines shall be limited to manufacturers' identification, (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

(d) *Manufacture.* (1) No molds may be manufactured for a wine bottle or finish which do not conform to the specifications of a standard glass container for wines, nor may any mold for a glass container for wines be replaced, whether because of wear or for any other reason, except by a mold which conforms to said specifications.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT D–1–a

Standard Glass Container Wine Bottle—12.8 oz. capacity, bulb neck, flat bottom.

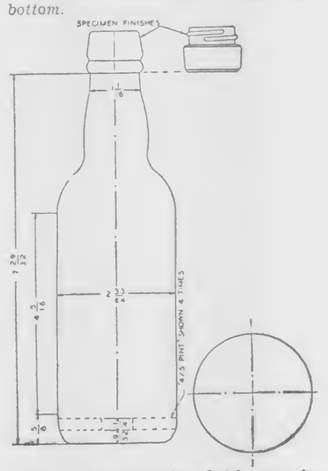

Any interchangeable finish may be used.

Bottles must be round, 11 oz. max. wt.

EXHIBIT D–2–a

Standard Glass Container Wine Bottle—25.6 oz. capacity, bulb neck, flat bottom.

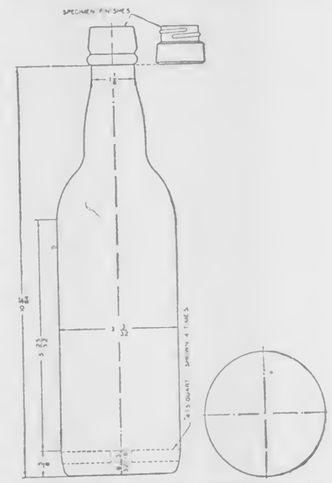

Any interchangeable finish may be used.

Bottles must be round, 19 oz. max. wt.

EXHIBIT D–8–a

Standard Glass Container Wine Bottle—32 oz. capacity, bulb neck, flat bottom.

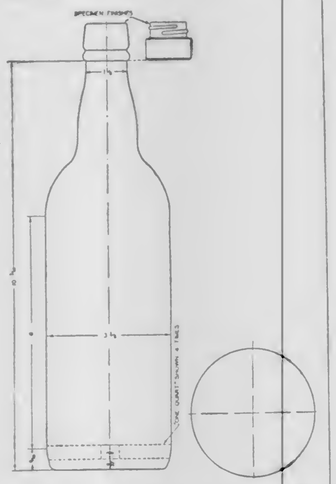

Any interchangeable finish may be used. Bottles must be round, 20 oz. max. wt.

EXHIBIT D–3

Standard Glass Container—Wine Bottle, 25.6 ounce capacity, straight neck pushup bottom.

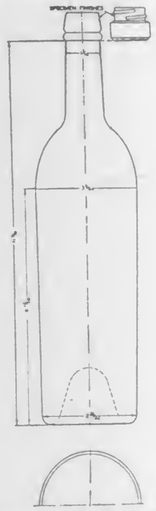

Any interchangeable finish may be used. Bottles must be round, 21 oz. max. wt.

EXHIBIT D–5

Standard Glass Container—Champagne Bottle, 26 ounce capacity

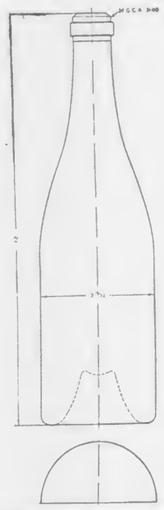

Any interchangeable finish may be used Bottles must be round, 37 oz. max. wt.

EXHIBIT D–9–a

Standard Glass Container Wine Bottle—16 oz. capacity.

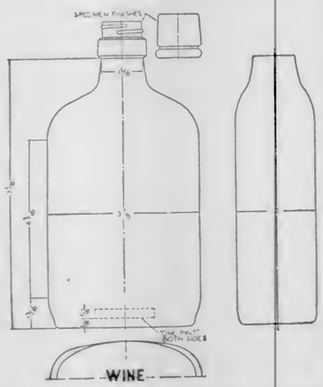

Any interchangeable finish may be used. Bottle wt. 13½ oz. max.

EXHIBIT D–4

Standard Glass Container—Champagne Bottle, 13 ounce capacity

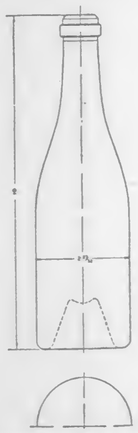

Any interchangeable finish may be used. Bottles must be round, 20 oz. max. wt.

EXHIBIT D–6

Standard Glass Container—Wine Bottle, 64-ounce capacity

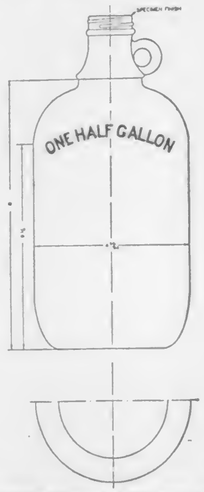

Any interchangeable finish may be used. Bottles must be round, 31 oz. max. wt.

EXHIBIT D–7

Standard Glass Container—Wine Bottle, 128 ounce capacity

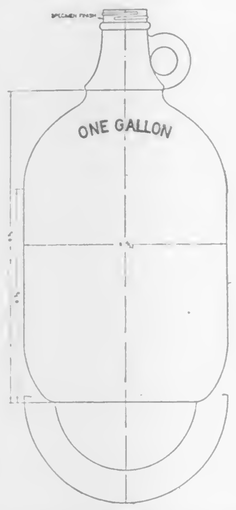

Any interchangeable finish may be used. Bottles must be round, 46 oz. max. wt.

[F. R. Doc. 43–5283; Filed, April 5, 1943; 11:18 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule E to Limitation Order L–103, as Amended April 5, 1943]

GLASS CONTAINERS FOR PROTECTIVE COATINGS

§ 1198.6 *Schedule E to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Protective coatings" means paints (including paste water paints), varnishes, lacquers, shellacs, stains, linseed oil, turpentine, benzine, mineral spirits, varnish and paint removers, thinners and driers. The term shall not include inks or artists' supplies.

(2) A "standard glass container for protective coatings" means:

(i) A glass container described in Exhibits E–1 to E–9, inclusive, of this schedule;

(ii) A glass container described in Exhibits 10–14, 10–20, 10–40, 10–48, 10–67, 10–72, 10–77, 51–86, 51–88, 51–92, 51–94, 51–96, 51–98, 12–86 and 12–96 of Limitation Order L–103;

which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L–103.

(b) *Restrictions on use.* With the exceptions set forth in paragraph (c) of this schedule, on and after January 1, 1943,

(1) No person shall use a glass container other than a standard glass container as herein defined for the packaging of protective coatings for sale or for sample purposes.

(2) [Deleted April 5, 1943]

(3) No person shall use any standard glass containers with a finish larger than 38 mm. for the packing, for sale or for sample purposes, of shellacs and clear varnishes, and jobbing items (including but not limited to linseed oil, turpentine, benzine, mineral spirits, lacquer thinners, varnish and paint removers, and driers).

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use for the packaging of protective coatings of any non-standard glass containers which were completely manufactured on or before the 1st day of February, 1943, and in the hands of the user thereof on or before the 1st day of March, 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers, made from a mold actually in existence on the 7th day of December, 1942, which have an overflow capacity of between 65 and 70 fl. oz. or between 130 and 140 fl. oz.; but such molds may not be replaced except in accordance with paragraph (d) of this schedule.

(3) Lettering on standard glass containers for protective coatings shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* On and after the 7th day of December, 1942, no molds may be manufactured for a protective coating jar or finish which does not conform to the specifications of a standard glass container for protective coatings, nor may any mold for a glass container for protective coatings be replaced—whether because of wear or for any other reason—except by a mold which conforms to the said specifications.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT 1 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED

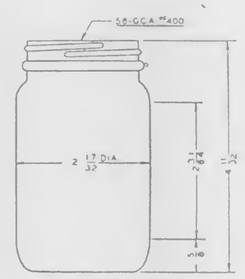

EXHIBIT 2 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED

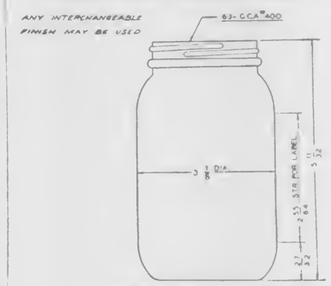

EXHIBIT 3 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED

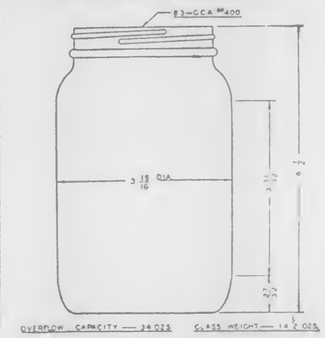

EXHIBIT 4 OF SCHEDULE E

Standard Glass Container—N. M. Round

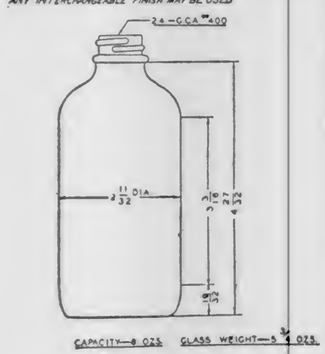

EXHIBIT 5 OF SCHEDULE E

Standard Glass Container—N. M. Round

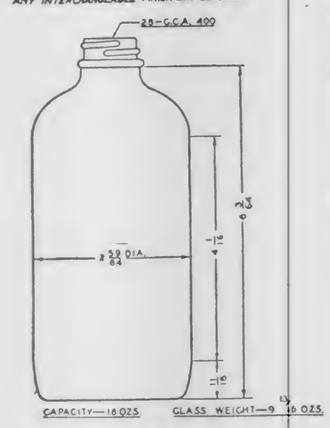

EXHIBIT 6 OF SCHEDULE E

Standard Glass Container—N. M. Round

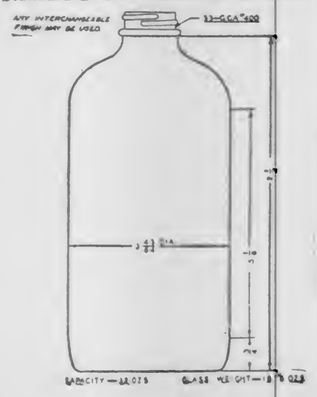

EXHIBIT 7 OF SCHEDULE E

Standard Glass Container—N. M. Round

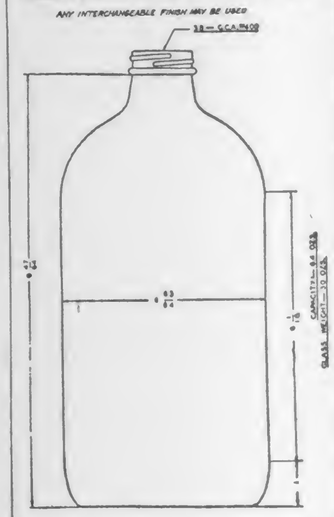

EXHIBIT 8 OF SCHEDULE E

Standard Glass Container—N. M. Round

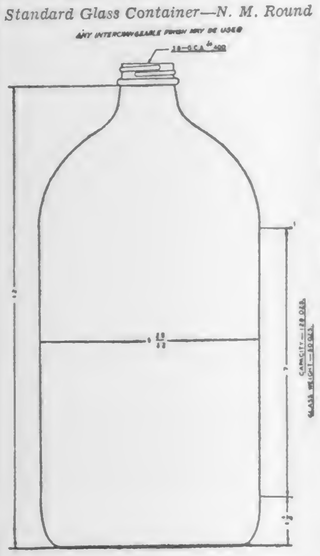

EXHIBIT 9 OF SCHEDULE E

Standard Glass Container—Paint

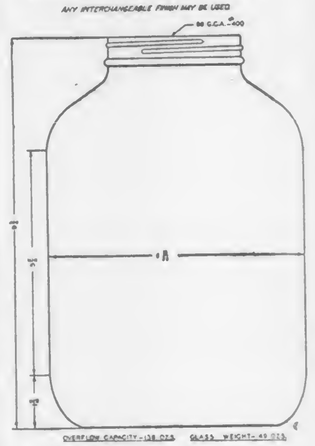

[F. R. Doc. 43-5284; Filed, April 5, 1943; 11:18 a. m.]

PART 1273—STYRENE

[Supplementary Order M-170-a]

POLYSTYRENE

§ 1273.2 *Supplementary Order M-170-a*—(a) *Definitions.* For the purpose of this order:

(1) "Polystyrene" means the polymers of styrene (vinyl benzene), but does not include the copolymers of styrene with other monomers such as butadiene or methyl methacrylate. The term "polystyrene" does not include fabricated forms of polystyrene such as sheets, rods, tubes, molded parts or coated fabric, and does not include polystyrene scrap or polystyrene consisting entirely of reprocessed scrap.

(2) "Producer" means any person engaged in the production of polystyrene.

(3) "Distributor" means any purchaser of polystyrene who resells it in the form of polystyrene as defined, with or without further compounding or processing.

(b) *Restrictions on use and delivery of polystyrene.* (1) On and after May 1, 1943, no producer or distributor shall use or deliver polystyrene, and no person shall accept delivery of polystyrene from a producer or distributor, except as specifically authorized by the War Production Board upon application pursuant to paragraph (d).

(2) Each person authorized to accept delivery of polystyrene shall use such polystyrene for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board at its discretion may at any time issue special directions to any person with respect to use or delivery of polystyrene by such person, or of products made from polystyrene allocated to such person, notwithstanding the provisions of paragraph (c) hereof, or special directions to any producer with respect to the kinds of polystyrene which he may produce or manufacture.

(c) *Small order exemption.* Notwithstanding the provisions of paragraph (b) (1):

(1) Any person may accept delivery of, and any producer or distributor may use, 50 pounds or less of polystyrene in the aggregate during any one calendar month without specific authorization.

(2) Each producer or distributor may deliver during each calendar month to persons entitled to accept delivery pursuant to paragraph (c) (1), without regard to preference ratings, a quantity of polystyrene not exceeding in the aggregate the total amount which he shall have been specifically authorized by the War Production Board to deliver for small orders during such month.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of polystyrene from a producer or distributor, and each producer or distributor seeking authorization to use polystyrene during any calendar month, shall file application on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order.

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Applications shall be made in time to ensure that copies will have reached the producer or distributor and the War Production Board on or before the 15th day of the month preceding the month for which authorization for use or acceptance of delivery is sought, except that distributors may apply on Form PD-600 on or before the 19th day of the month.

Number of copies. Five copies shall be prepared, of which one (in which Tables II, III and IV may be left blank) shall be forwarded to the producer or distributor, and three certified and completely filled out copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-170-a.

Number of sets. A separate set of PD-600 application forms shall be submitted for each supplier and each different delivery destination or plant of the applicant.

Heading. Under name of chemical specify polystyrene; under War Production Board order number, specify M-170-a; under unit of measure, specify pounds or gallons; and otherwise fill in as indicated.

Use from stock. If application is made exclusively for use of polystyrene in inventory, specify "own stock" as supplier in heading. If application is made partly for use of polystyrene in inventory, and partly for delivery of polystyrene by a producer or distributor, so indicate in Column 10 and specify the producer or distributor as "supplier" in the heading.

Table I. Specify in the heading the month and year for which authorization for use or acceptance of delivery is sought.

Column 1. Specify supplier's formula number or identification symbols or trade name specification, if known. If not known, identify physical form, as molding powder, solution, etc.

Column 2. Specify separately quantities required for each primary product and product use, and indicate whether unit of measure is pounds or gallons.

Column 3. Fill in as follows (as the case may be):

Molded coil form.
Extruded rod.
Battery cement.
Other (specify).
Resale (as polystyrene).
Inventory (as polystyrene).

Column 4. Identify and specify end use of finished product or assembly, and identify where possible the government agency as, for example: Signal Corps radio.

Opposite "inventory" in Column 3, add "subject to paragraph (e)" in Column 4.

In the case of a distributor, opposite "resale" in Column 3, add "pursuant to further authorization or for paragraph (c) small orders" in Column 4.

Columns 5 through 10. Leave blank, except for remarks, if any, in Column 10.

Tables II and III. Fill in as indicated.

Table IV. Leave blank.

(2) Each producer or distributor seeking authorization to make delivery of polystyrene shall file application each month on Form PD-601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Producers and distributors shall apply on Form PD-601 in time to ensure that copies will have reached the War Production Board on or before the 22nd day of the month prior to the allocation month.

Number of copies. A set of four copies shall be prepared; one copy shall be retained by the applicant and three certified copies shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Reference: M-170-a.

Number of sets. Each producer or distributor shall file a separate set of PD-601 reports for each of his plants or principal distribution points.

Heading. Under name of chemical, specify polystyrene; under War Production Board order number, specify M-170-a; specify allocation month; under unit of measure, specify pounds or gallons; and otherwise fill in as indicated.

Column 1. List all customers who have filed Form PD-600 with the applicant. After the customers' names, list "aggregate small orders" and fill in other columns accordingly.

Column 2. Fill in as indicated.

Column 3. Specify grade or physical form as stated in each customer's PD-600.

Column 4. Fill in as indicated, specifying pounds or gallons as the unit of measure.

Columns 5, 5a, 6. Leave blank.

Column 7. Use to correct any inaccuracies in grade listed by customer, as shown in Column 3.

Rolling stock. Leave blank the columns at the end of Table I referring to hopper cars and tank cars required.

Table II. Producers shall fill in as indicated, leaving Columns 15 and 16 blank. Distributors shall fill in Columns 8, 10, 12, and 13 as indicated, leaving the rest of the table blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed and may issue special instructions to any such person with respect to preparing and filing forms PD-600 and PD-601.

(e) *Allocations for inventory.* Polystyrene allocated for inventory shall not be used for any purpose except as specifically authorized by the War Production Board, or except to fill orders for specifically authorized uses pending arrival of the polystyrene allocated to fill such orders. Upon arrival of such polystyrene the allocated inventory shall be restored.

(f) *Notification of customers.* Each producer is requested to notify his regular customers as soon as possible of the requirements of this order but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Reference: M-170-a.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5289; Filed, April 5, 1943; 11:20 a. m.]

PART 3053—CONVEYING MACHINERY AND MECHANICAL POWER TRANSMISSION EQUIPMENT

[General Limitation Order L-193 as Amended April 5, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials, and in the engineering and other facilities, used in the manufacture of conveying machinery and mechanical power transmission equipment, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3053.1 *General Limitation Order L-193*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Conveying machinery" means any machinery (and any important component part thereof) used for the me-

chanical handling of materials; except (i) belting, (ii) farm machinery, (iii) machinery or parts used on board ship in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operating of aircraft, tanks, ordnance, or similar combat equipment, (iv) power and hand lift trucks, (v) cranes, hoists and platform elevators, (vi) construction mixers, pavers, graders, drag lines and power shovels, and similar construction machinery, (vii) cars and car dumpers, (viii) steel mill tables, (ix) sintering conveyors, (x) metal pig conveyors, and (xi) underground mining machinery;

(3) "Mechanical power transmission equipment" means equipment (and any important component part thereof) of the following kinds (except equipment or parts used in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operation of aircraft, tanks, ordnance or similar combat equipment):

(i) Open and enclosed gearing for transmitting more than ¼ horsepower; except marine propulsion gears, gears manufactured by a person for incorporation into other machinery also produced by him, gears built into turbines, and gears used on household, manually powered, automotive, or farm machinery;

(ii) Mechanical drives and parts thereof for transmitting more than ¼ horsepower; except belting, drives manufactured by a person for incorporation into other machinery also produced by him, and drives used on household, manually powered, automotive, or farm machinery.

(4) "Order" includes any arrangement for the delivery of conveying machinery or mechanical power transmission equipment, whether by purchase and sale, lease, rental or otherwise.

(5) "Engineering services" means services of an engineering nature rendered for a customer or prospective customer in connection with an order or prospective order for the planning, designing, manufacture, delivery, installation, extension, or rearrangement of conveying machinery, or in connection with any bid or estimate or prospective bid or estimate for such an order; but does not include preliminary conferences, discussions, or advice, or the making of line drawings for preliminary purposes, prior to the formulation of a bid or estimate.

(6) "Bid or estimate" means a definitive bid or estimate for the planning, designing, manufacture, delivery, installation, extension, or rearrangement of conveying machinery, but does not include preliminary estimates not intended to form a basis for a firm order.

(7) "Manufacture" means fabrication or shop assembly of conveying machinery or mechanical power transmission equipment, or any component part thereof; but does not include the making of engineering drawings, blue prints, designs, estimates, or surveys.

(8) "Restricted order" means any order for new conveying machinery or mechanical power transmission equipment or parts, in the amount of $5,000 or more (not including amounts applicable to foundations or erection labor); and any order which is part of a planned group of orders for new conveying machinery or mechanical power transmission equipment, aggregating $5,000 or more in amount (not including amounts applicable to foundations or erection labor) for items, units or parts of conveying machinery or mechanical power transmission equipment having related operational functions.

(9) "Anti-friction bearings" means all types of ball, needle and roller bearings.

(b) *Restrictions on acceptance and placing of orders.* (1) On and after October 7, 1942 no person shall place or tender, and no person shall accept, any restricted order, unless the order has been authorized by the War Production Board as provided in paragraph (d) below.

(2) On and after October 7, 1942 no person shall render engineering services, or make any bid or estimate, for any restricted order, and no person shall order or request any such engineering services or invite any such bid or estimate; except with respect to an order theretofore authorized by the War Production Board, in accordance with the provisions of paragraph (d) below.

(3) The provisions of paragraph (b) shall not apply to any order for machinery or equipment for the direct use of the Army, Navy, Maritime Commission, or War Shipping Administration (as defined in paragraph (c) (3)) or to any engineering services or bid or estimate in connection therewith.

The provisions of paragraph (b) (2) above shall not apply to any engineering services in connection with any restricted order accepted by the manufacturer prior to October 7, 1942, or to any engineering services in connection with any bid or estimate which was in the process of formulation on that date.

(c) *Restrictions on manufacture and delivery.* (1) Except as otherwise provided in paragraph (c) (3) hereof, on and after October 7, 1942 no person shall commence or continue the manufacture of any conveying machinery or mechanical power transmission equipment or parts therefor, in fulfillment of any restricted order, and no person shall deliver or accept delivery of any such machinery or equipment or parts therefor, in fulfillment of any restricted order; unless the order shall have been authorized by the War Production Board, in accordance with the provisions of paragraph (d) below. No person shall maintain an inventory of parts for conveying machinery or mechanical power transmission equipment in excess of a minimum practicable working inventory.

(2) Except as otherwise provided in paragraph (c) (3) hereof, on and after October 7, 1942 no person shall manufacture or deliver, and no person shall knowingly accept the delivery of, any conveying machinery or mechanical power transmission equipment, or parts therefor, unless such machinery or equipment or parts are manufactured in accordance with the restrictions on the use of materials prescribed in Schedule A hereto: *Provided, however,* That parts fabricated or processed, prior to October 7, 1942 to the point where other use is impracticable, may be used in fulfillment of any order at any time.

(3) The limitations and restrictions of paragraph (c) shall not apply:

(i) To the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer prior to August 1, 1942.

(ii) For ninety days following October 7, 1942, to the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer on or after August 1, 1942 but prior to October 7, 1942.

(iii) For ninety days following October 7, 1942 to the manufacture or delivery in fulfillment of any order for the use of the Army, Navy, Maritime Commission or War Shipping Administration, to the extent that any applicable specifications of the Army, Navy, Maritime Commission, or War Shipping Administration, require construction, design, or materials not in accordance with the provisions of this order. As used herein, the terms "Army", "Navy", "Maritime Commission" or "War Shipping Administration" shall not include any privately operated plant or shipyard financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis. For the purposes of this paragraph (c) an order for machinery or equipment shall be deemed to have been in the process of manufacture on October 7, 1942 only if fabrication or assembly of a component part, in fulfillment of such order and not for inventory or stock, was begun prior to October 7, 1942.

(d) *Procedure for obtaining authorization of War Production Board.* (1) The authorization of the War Production Board for orders accepted on or after October 7, 1942, required by the provisions of paragraph (b), may be applied for by the purchaser by filing an application on Form PD-681 with the War Production Board.

(2) The authorization for orders accepted prior to October 7, 1942 by the manufacturer, required by the provisions of paragraph (c) (1), may be applied for by the manufacturer. Such application shall be made by letter in duplicate filed with the War Production Board and shall contain a list of restricted orders of such manufacturer then on hand, together with the name of the purchaser, the date of each order and value thereof, a description of the equipment or machinery, the specified delivery date, the percentage of completion of the order on October 7, 1942, the Production Code symbols, the preference rating and preference rating certificate or general preference rating order number applicable to each order.

(3) The authorization of the War Production Board shall apply not only to the order by the original purchaser for the machinery or equipment covered by the above mentioned Form PD-681 or the application under subparagraph (2) above, but also to any orders for conveying machinery or mechanical power transmission equipment placed by such purchaser's suppliers in fulfillment of the authorized order. The original purchaser shall either (i) transmit a reproduction of the authorization of the War Production Board to his supplier of the authorized order or (ii) furnish him with the following certification (on the order or in an attached document):

I hereby certify that the within (or attached) order has been authorized by the War Production Board under the provisions of paragraph (d) of General Limitation Order L-193, by authorization No. , dated , , covering the within described machinery or equipment.

---------- Company

By ----------
(authorized official)

The purchaser's supplier shall furnish a similar certification on or in connection with any restricted order which he places in fulfillment of the purchaser's authorized order.

Any such certification shall be signed by a duly authorized official of the purchaser or supplier making the certification and shall constitute a representation to the War Production Board, as well as to the person to whom addressed, of the facts certified therein.

(e) *Production schedules.* On or before November 15, 1942, and on or before the 15th day of each succeeding calendar month, every manufacturer shall file, in triplicate, a report on Form PD-682 showing such production and delivery schedules for restricted orders and such other information as shall be required by said form. The War Production Board may at any time change such schedule of deliveries or production or direct the adoption of any other schedule; allocate any order listed on the schedule to any other manufacturer; or direct the delivery of any conveying machinery or mechanical power transmission equipment listed on the schedule to any other person, at the price and terms previously established with such variation as may be justified under the circumstances.

(f) *Miscellaneous provisions*—(1) *Manufacturers' responsibility with respect to orders less than $5000.* Notwithstanding any other provision of this order, an order in an amount less than $5000 which is a restricted order (as defined in paragraph (a) (8)) because it is part of a planned group of orders aggregating $5000 or more, shall be deemed to be unrestricted with respect to the manufacturer (but not the purchaser), unless the manufacturer has reason to believe that such order is a restricted order.

(2) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time request.

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(5) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reasons he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C. Ref.: L-193.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

RESTRICTIONS AND LIMITATIONS ON THE USE OF MATERIALS IN CONVEYING MACHINERY OR MECHANICAL POWER TRANSMISSION EQUIPMENT

(a) As used in this schedule, (1) "alloy steel" and "alloy iron" mean alloy steel and alloy iron as defined in Order M-21-a, as amended and supplemented from time to time; and (2) "line shafting" means any shaft driving two or more machines or any single length or rigidly coupled lengths of shafting supported by three or more bearings.

(b) *Conveying machinery.* The materials listed below are restricted or prohibited in the construction of conveying machinery, as prescribed below; except as the War Production Board may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Bins, bunkers, hoppers and tanks (when used as part of conveying machinery or equipment).* No metal shall be used in bins, hoppers, tanks, or bunkers having a capacity of more than 400 cubic feet, level filled, except in clips, gussets, bolts, nuts, screws, lag screws, hinges, tension rods, reinforcing bars or mesh, washers, and hopper bottoms of less than 400 cubic feet capacity. No steel plate of a thickness in excess of ¼ inch shall be used in bins, tanks, or hoppers with a capacity of less than 400 cubic feet, level filled. No liner plates of steel or rubber shall be used in steel bins, steel tanks, or steel hoppers. Steel liners for wood bins or wood bunkers shall not exceed No. 10 U. S. gage in thickness.

(2) *Conveyors and elevators.* No alloy steel or alloy iron shall be used for parts of chains (other than chains for the transmission of power); except for (i) pins and bushings in steel conveyor chains or cast sprocket chains, or (ii) chains used in the heat zone of heat treating and metallurgical furnaces, to the extent permitted under Order M-21-g. No bushings other than carbon steel or gray iron shall be inserted in bores of conveyor chain rollers.

(3) *Conveyor and elevator sprockets.* No alloy steel or alloy iron shall be used in chain sprocket wheels, except for sprockets to be used in the heat zone of heat treating and metallurgical furnaces, to the extent permitted under Order M-21-g.

(4) *Conveyor structures.* (i) No steel, except in clips, bearing brackets, gussets, bolts, nuts, screws, lag screws, hinges, tension rods, reinforcing bars, mesh, and washers, shall be used in the following structural parts:

(A) Supports for fixed conveyor frames, except supports for gravity, live roll and package conveyors when the height of the support does not exceed 36 inches.

(B) Fixed bulk material belt conveyor frames (including stringers).

(C) Conveyor galleries.

(D) Belt conveyor decking.

(E) Walkways, toe boards, handrails, stairways, and platforms.

(F) Guards of housing used only for protection.

(G) Bucket elevator casings; except corner angle iron for self-supporting casings, and boot lining and loading legs. Such corner angle iron for self-supporting casings, and boot lining and loading legs shall not exceed ¼ inch in thickness.

(H) Troughs or trough covers for fixed flight, drag, scraper or screw conveyors; except where liquids or semi-liquids are being conveyed, or where the trough is a structural member of the supporting framework; and except for materials or parts used for repairs to such troughs or trough covers. The above mentioned exception for repairs shall not be construed to permit the replacement of non-metallic parts with metal parts, the use of steel to a greater extent or with a greater thickness than used in the part being repaired or replaced, or the use of alloy steels for the replacement of carbon steel materials.

(I) Continuous stream, conduit elevator-conveyor casings; except for (1) terminal sections, (2) curved sections, (3) straight casings for carrying strands only, and (4) wearing bars for return strands only: *Provided, however,* That no steel exceeding $\frac{3}{16}$" in thickness shall be used in the manufacture of such exempted items.

(ii) Trough linings for fixed conveyors shall not exceed No. 10 U. S. gage in thickness.

(iii) Steel for chutes and spouts shall not exceed $\frac{3}{16}$ inch in thickness.

(iv) No steel or rubber liner plates shall be used in steel chutes or steel spouts.

(v) Steel linings for wood chutes or wood spouts shall not exceed No. 10 U. S. gage in thickness.

(vi) No copper bearing sheets or plates shall be used.

(vii) Steel troughing belt carriers and steel return belt idler rolls shall not exceed 5 inches nominal diameter on idlers up to 42 inches; and shall not exceed 6 inches on

idlers 42 inches and over; provided that this limitation shall not apply to parts used for repair or replacement purposes.

(c) *Mechanical power transmission equipment.* The materials listed below are restricted or prohibited in the construction of mechanical power transmission equipment as prescribed below; except as the War Production Board may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Anti-friction bearings.* (i) Anti-friction bearings shall not be used in hangers, pillow blocks, loose pulleys, and clutch pulleys for line shafting except for the following purposes, as certified by the purchaser:

(A) The reduction or elimination of fire hazards resulting from the combustible nature of the material being processed.

(B) Reduction or elimination of waste due to spoilage.

(C) Reduction of starting or running loads where the use of anti-friction bearings will correct an overload pertaining to the primary source of power.

(D) The repair or replacement of bearings for line shafting: *Provided, however,* That no anti-friction bearings shall be used for repair or replacement purposes for line shafting not previously equipped with such bearings.

The above mentioned certification by the purchaser shall be included in or shall accompany the purchase order, shall be signed by a duly authorized official of the purchaser, and shall be in the following form:

"The undersigned hereby certifies that the anti-friction bearings covered by order ------ (here give ---------- order number or other pertinent description) are for the following purposes as permitted by the provisions of Item (c) (1) of List A to Order L-193:

---------- (here fill in the purposes for which the bearings will be used)

---------- Company

By ----------"

Such certification shall be deemed a representation to the War Production Board as well as to the supplier to whom the order is tendered.

(ii) No alloy steel or alloy iron shall be used in bearing housings.

(2) *Bearings.* No alloy steel or alloy iron shall be used in base, cap or liner castings for sleeve bearings; or in bearing hangers, base plates, floor stands, or wall brackets for line shafting.

(3) *Chains.* (i) No alloy steel or alloy iron shall be used in cast sprocket chains.

(ii) No alloy steel shall be used in semi-finished or finished roller chain, bushed drive chain, or silent chain except in those parts thereof which the manufacturer made of alloy steel prior to January 21, 1943.

(4) No alloy steel or alloy iron shall be used in chain sprocket wheels.

(5) *Shafting appliances.* No alloy steel or alloy iron shall be used in the construction of shafting appliances in rigid couplings, collars, or pulleys and sheaves.

(6) *Gears.* No alloy steel or alloy iron shall be used in cast teeth or molded teeth gears and pinions or in gear housings.

(d) *Rust proofing.* No metallic plating or coating shall be used in the rust proofing of conveyor machinery or mechanical power transmission equipment, except that galvanizing may be used to prevent contamination of feed or in the case of anchor bolts set in concrete and subject to corrosive chemical action.

[F. R. Doc. 43-5271; Filed, April 5, 1943; 11:18 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule IX to Limitation Order L-217]

TANK CAR HEATERS AND PUMPING BOOSTERS OR CIRCULATORS

§ 3115.10 *Schedule IX to Limitation Order L-217*—(a) *Definitions.* For the purpose of this Schedule IX:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of tank car heaters or pumping boosters or circulators.

(3) "Tank car heater" means a mechanical device consisting of a steam boiler (with adjustable low pressure oil burner and a type of closed circuit return condensation system), designed for raising the temperature of bituminous materials in railroad tank cars to permit proper temperature applications thereof.

(4) "Pumping booster," otherwise known as a "circulator," means a mechanical device consisting of a direct fired heating unit with asphalt pump and engine assembly equipment and adjustable low pressure oil burner system, designed for the heating, circulating, and pumping of bituminous materials to a distributor or other unit.

(5) "Repair part" means any part manufactured for use in the repair of tank car heaters or pumping boosters or circulators.

(6) "The military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of tank car heaters or pumping boosters or circulators which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of tank car heaters or pumping boosters or circulators, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any tank car heaters or pumping boosters or circulators.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of tank car heaters.* Producers are limited to one model in each of the following sizes and types of tank car heaters:

(1) Two car size of 26-36 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(2) Three car size of 40-55 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(d) *Limitations on sizes and types of pumping boosters or circulators.* Producers are limited to one model of pumping booster or circulator, which shall be of a size capable of raising the temperature of a 10,000 gallon tank car 50 degrees per hour when pumping and unloading, at 175 gallons per minute, bituminous materials of a viscosity less than penetration asphalt; this size may be two or four wheel trailer mounted or truck or skid mounted.

(e) *Conservation of materials.* On and after April 5, 1943, except to fill orders placed by or for the account of the military, no producer shall manufacture any tank car heaters or pumping boosters or circulators requiring rubber tires.

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5272; Filed, April 5, 1943; 11:19 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule X to Limitation Order L-217]

BITUMINOUS PAVING FINISHERS

§ 3115.11 *Schedule X to Limitation Order L-217*—(a) *Definitions.* For the purpose of this Schedule X:

(1) "Persons" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous paving finishers.

(3) "Bituminous paving finishers" means a self-propelled, hopper type machine, designed for spreading, levelling, and screed-finishing either hot or cold mix bituminous materials for road surfacing.

(4) "Repair part" means any part manufactured for use in the repair of bituminous paving finishers.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous paving finishers, except in one model of the 10-foot size, with cut-off and extension attachments. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous paving finishers, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous paving finishers.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule XI to Limitation Order L-217]

BITUMINOUS DISTRIBUTORS AND BITUMINOUS DISTRIBUTOR PUMPS

§ 3115.12 *Schedule XI to Limitation Order L-217*—(a) *Definitions.* For the purpose of this Schedule XI:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous distributors or bituminous distributor pumps.

(3) "Bituminous distributor" means a truck or trailer mounted heater and application machine, consisting of a tank, flues and burners heating system, positive displacement pump, gasoline engine, applying spraybar, and temperature and application gauges and controls, designed for bituminous road surfacing.

(4) "Bituminous distributor pump" means a rotary gear or impeller, or rotating plunger type pump, positive displacement, and positive uniform pressure, which is designed to pump no more bituminous material than is sprayed, and which is mounted at rear lowest drain point of the bituminous distributor in direct line flow to spraybar.

(5) "Repair part" means any part manufactured for use in the repair of bituminous distributors or bituminous distributor pumps.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous distributors or bituminous distributor pumps, which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous distributors or bituminous distributor pumps, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of bituminous distributors or bituminous distributor pumps.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on Sizes and Types of Bituminous Distributors.* Producers are limited to one model in each of the following sizes and types of bituminous distributors:

(1) 800 gallons capacity, trailer or truck mounted.

(2) 1,250 gallons capacity, trailer or truck mounted.

both sizes to be manufactured in accordance with U. S. Army, Corps of Engineers Specification AB-1503.

(d) *Limitation on Sizes and Types of Bituminous Distributor Pumps.* Producers are limited to bituminous distributor pumps of the following specifications only:

The rated capacity of the pump shall be not less than 375 gallons per minute, and the pump shall have not less than 4" intake and 3" discharge openings.

(e) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

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WAR PRODUCTION BOARD,
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Recording Secretary.

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PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule XII to Limitation Order L-217]

BITUMINOUS HEATING KETTLES

§ 3115.13 *Schedule XII to Limitation Order L-217*—(a) *Definitions.* For the purpose of this Schedule XII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous heating kettles.

(3) "Bituminous heating kettle" means a wheel, skid or leg mounted device, consisting of a steel container with burner heating equipment with or without flue system, or with other heating equipment, together with miscellaneous operation attachments, designed for the heating of tars, asphalts and like bituminous materials, and the applying thereof.

(4) "The Military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(5) "Repair part" means any part manufactured for use in the repair of bituminous heating kettles.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous heating kettles which do not conform to the sizes established in paragraph (c) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous heating kettles, as indicated in paragraph (c) hereof, shall enter into the production of any bituminous heating kettles.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to one model in each of the following sizes of bituminous heating kettles:

(1) 30 gallons capacity.
(2) 80 gallons capacity.
(3) 110 gallons capacity.
(4) 165 gallons capacity.

(d) *Conservation of materials.* On and after April 5, 1943, except to fill orders placed by or for the account of the military, no producer shall incorporate any of the following items into bituminous heating kettles:

Rubber tires
More than one draw off cock
Mercury type thermometers (except hand inspector pencil type)
Power spray attachments
Barrel warming hoods
Barrel hoists
More than one burner shut off valve
Mud guards

(e) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule XIII to Limitation Order L-217]

BITUMINOUS MATERIALS MAINTENANCE UNITS

§ 3115.14 *Schedule XIII to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule XIII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous materials maintenance units or pumps.

(3) "Bituminous materials maintenance unit", otherwise known as a sprayer, utility, or tank unit, means a wheel or truck mounted mechanical unit, consisting of a tank and pump, one or more spray attachments, and with or without tank heating system and spraybar, designed for spraying light bituminous materials.

(4) "Pump" means a rotary, positive displacement type pump, designed for use on bituminous materials maintenance units.

(5) "The Military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(6) "Repair part" means any part manufactured for use in the repair of bituminous materials maintenance units or pumps.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous materials maintenance units or pumps which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous materials maintenance units or pumps, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous materials maintenance units or pumps.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of bituminous materials maintenance units.* Producers are limited to one model in each of the following sizes of bituminous materials maintenance units:

(1) 120 gallon capacity, two wheel mounted.

(2) 300 gallon capacity, two wheel mounted.

(3) 600 gallon capacity, two wheel mounted.

(d) *Limitation on types of pumps.* Producers are limited to pumps of the following specifications only:

The rated capacity of the pump shall be not more than 100 gallons per minute.

(e) *Conservation of materials.* On and after April 5, 1943, except to fill orders placed by or for the account of the military, no producer shall manufacture any bituminous materials maintenance units requiring rubber tires.

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule XIV to Limitation Order L-217]

BITUMINOUS PATCH PLANTS

§ 3115.15 *Schedule XIV to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule XIV:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous patch plants.

(3) "Bituminous patch plants" means maintenance plants of any of the following types:

(i) Drum type, in which the aggregate and bitumens are mixed in a power driven revolving drum;

(ii) Cold mix portable or stationary type plant, consisting of a horizontal pug mill mixer, side elevating charging skip, side discharge gates, and equipped with pump, power unit, and heater (optional);

(iii) Hot or cold mix patch portable type, consisting of an aggregate hopper and measuring device, feeder or weighing device, pug mill, bitumen kettle, metering pump, optional heaters and dryers, and with or without boiler (depending upon the type of mix), with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit; or

(iv) Continuous portable type, consisting of a calibrated gate measuring device, pug mill, asphalt metering pump, optional bitumen heaters and dryers, with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit.

(4) "Repair part" means any part manufactured for use in the repair of bituminous patch plants.

(b) *Limitations on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous patch plants which do not conform to the sizes established in paragraph (c) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous patch plants, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous patch plants.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to one model in each of the following sizes of bituminous patch plants:

(1) 10 tons per hour capacity.

(2) one size only between 15 and 30 tons per hour capacity.

(d) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule XV to Limitation Order L-217]

ASPHALT SURFACE HEATERS

§ 3115.16 *Schedule XV to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule XV:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of asphalt surface heaters.

(3) "Asphalt surface heater" means a machine designed for heating sheet asphalt and for softening old bituminous surfaces for the purpose of levelling and patching.

(4) "Repair part" means any part manufactured for use in the repair of asphalt surface heaters.

(b) *Limitations on production of surface heaters.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of asphalt surface heaters except in one model of the 4' x 6' size (24 sq. ft. area). Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of asphalt surface heaters, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any asphalt surface heaters.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 3 of CMP Reg. 1]

A manufacturer of equipment who also sells controlled materials merely for use in the operation of such equipment may include such controlled materials in his application for allotment as manufacturer of the equipment, but such requirements must be separately indicated. For example, a manufacturer of a metal gun or a wire stitcher who sells rod or wire for use with his product (whether he makes such sales with the product or separately) may include his requirements for such rod or wire in his application for controlled materials needed to manufacture the gun or stitcher, but he should indicate separately on his application or in an attached note the amount of controlled material required for such purposes as distinct from the manufacture of the gun or stitcher.

Issued this 5th day of April 1943.

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By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5292; Filed, April 5, 1943; 11:20 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 1 of CMP Reg. 5]

Office supplies are not included in List A of CMP Regulation No. 5 and consequently the procedures provided by the regulation may be used to obtain such supplies provided they do not come within the following categories which are specifically mentioned in List A:

Item

2. Printed matter and stationery. This refers only to printed matter and items such as letterheads, envelopes and forms.

3. Paper, paperboard, and products manufactured therefrom; molded pulp products.

5. Office machinery or office equipment.

Safety shoes are included in List A of the regulation and consequently the procedures provided by the regulation may not be used to obtain them. Safety shoes are not included among the items constituting exceptions to item 6 of the list.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5293; Filed, April 5, 1943; 11:20 a. m.]

PART 3177—MOTOR TRUCK AND TRAILER BODIES

[Limitation Order L-253,[1] as Amended April 5, 1943]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of iron, steel and other materials required in the production of motor truck and trailer bodies for defense, for private account and export, the following limitation order is deemed necessary and appropriate in the public interest:

§ 3177.1 *Limitation Order L-253—(a) Definitions.* For the purposes of this order:

(1) "Truck" means a motor truck chassis designed for use on or off the highway for the transportation of property or materials.

(2) "Trailer" means a semi-trailer chassis or full trailer chassis designed for use on or off the highway for the transportation of property or materials.

(3) "Body" means a superstructure, including built-in parts, produced for mounting on a truck or trailer, or built integrally as a trailer by the attachment of axle and wheel equipment, but does not include concrete and asphalt mixers, crushing plants and similar items of construction and machinery.

(i) "Dump body" means a body designed to transport solid materials in bulk and to unload by tipping, through bottom openings or otherwise by gravity.

(ii) "Tank body" means a body produced to transport liquid or gaseous materials in bulk.

[1] The effect of this amended order is to amend Schedule A.

(4) "Built-in parts" means parts which are integral parts of a body, or parts which are not readily detachable from such bodies including but not limited to cabinets, hanger rails, inside wheelhouses, partitions, racks, and shelving.

(5) "Producer" means any individual, partnership, association, corporation, or other organization engaged in the production of bodies.

(6) "Iron and steel" means any material, the principal ingredient of which is ferrous metal not including screws, nails, bolts, rivets, and other joining hardware.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(b) *Limitations on use of iron and steel in bodies.* (1) On and after March 1, 1943, no producer shall, unless as authorized in paragraphs (e) and (j) of this order, use any iron or steel in the manufacture of bodies, except in the following:

(i) Parts to reinforce (but not to cover) frames and platforms; body outrails; iron castings; trailer coupling devices; cross and longitudinal frame members (but not body cross bolsters); electrical equipment, including lights, fixtures, or signaling devices; essential body hardware; reflectors; louver or static type ventilators; wheelhouse mudguards and frames.

(ii) Parts necessary in the mounting of bodies, including but not limited to brackets, drive-shaft guards, chassis frame extensions and reinforcements, outriggers, spring leaves and auxiliary springs.

(2) Steel used in any of the parts enumerated in subparagraphs (1) (i) and (ii) above shall in no instance be alloy steel.

(c) *Limitations on dimensions and weights of dump bodies.* (1) On and after March 1, 1943, no producer shall, except as provided in paragraphs (e) and (j) of this order, produce any dump body which does not conform to the following dimensions and weights:

(i) Light dump bodies: an inside length of not less than seven (7) or more than eight (8) feet and a capacity of not less than two and one-half ($2\frac{1}{2}$) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of nine hundred and twenty-five (925) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(ii) Medium dump bodies: an inside length of not less than nine (9) or more than ten (10) feet and a capacity of not less than four (4) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of one thousand six hundred fifty (1650) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(d) *Prohibition of production of tank bodies.* On and after February 10, 1943, no producer shall produce any tank body except as specifically authorized by the War Production Board, or as provided for in paragraph (e) of this order.

(e) *Army and Navy exemptions.* In respect to bodies sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States:

(1) Until May 1, 1943, the provisions of paragraphs (b), (c) and (d) shall not apply to such bodies.

(2) On and after May 1, 1943, the provisions of paragraphs (b), (c) and (d) of this order shall not apply to any body of a type listed on Schedule A to this order, as amended from time to time, provided that where a date is stated on Schedule A in connection with any listed type of body, the restrictions of paragraphs (b) and (c) shall apply to such type of body on and after the date stated.

(f) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information, to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(j) *Appeals.* An appeal from the provisions of this order shall be made by filing Form PD-792, in triplicate with the War Production Board, Automotive Division, Ref.: L-253, referring to the particular provision appealed from and stating fully the information called for by Form PD-792.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Automotive Division, Washington, D. C., Ref.: Order L-253.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A was amended in its entirety April 5, 1943.

Body type	Dates on and after which the provisions of paragraphs (b) and (c) shall apply.
Pintle loaded trailers:	
Armored	None specified
¼ ton cargo, 2 wheel Amphibian	None specified
½ ton dump, 2 wheel	Dec. 31, 1943
½ ton public address, 2 wheel	None specified
1 ton cargo, 2 wheel	Sept. 30, 1943
1 ton, 250 gallon water tank	Dec. 31, 1943
Chlorination, 2 wheel	None specified
Water purification, 2 wheel	None specified
Horse van, 2 wheel	Dec. 31, 1943
Pilots	None specified
K38	Dec. 31, 1943
Semitrailers:	
Armored	None specified
Mobile laundry	None specified
Shoe repair	Dec. 31, 1943
Clothing repair	Dec. 31, 1943
Instrument repair	Dec. 31, 1943
Textile repair	Dec. 31, 1943
Tire repair	Dec. 31, 1943
Refrigerator, 10 ton, 15 ton	Dec. 31, 1943
K22	None specified
K35	Dec. 31, 1943
K65	Dec. 31, 1943
K67	Dec. 31, 1943
K78	None specified
Pilots	None specified
Oil tanks	None specified
Fuel tanks	None specified
Water, tank, 1500 gal	None specified
Trailers:	
Asphalt, with coils, 1500 gal	None specified
Armored	None specified
Bathing unit, portable, field	Dec. 31, 1943
Distributor, bituminous, 1250 gal	None specified
Generator housing	None specified
Map reproduction van type, 10 ton	Dec. 31, 1943
Mobile record unit	None specified
40 ton, tank transporter	Dec. 31, 1943
K28	Dec. 31, 1943
K34	Dec. 31, 1943
K39	Dec. 31, 1943
K43, K44	Dec. 31, 1943
K50	Sept. 30, 1943
K72	Dec. 31, 1943
K75	Dec. 31, 1943
K76	Dec. 31, 1943
K77	Dec. 31, 1943
SKD 2226	June 30, 1944
SKD 2226-1	June 30, 1944
1 ton, parts stockroom	June 30, 1944
2 ton, parts stockroom	June 30, 1944
3 ton, darkroom	June 30, 1944
5 ton, machine shop	June 30, 1944
6 ton, van	June 30, 1944
Oil tanks	None specified
Fuel tanks	None specified
Pilots	None specified
Trucks:	
Armored	None specified
Mobile machine shop	None specified
¼ ton, 4 x 4, amphibian	None specified
¼ ton, 4 x 4, reconnaissance	None specified
¾ ton, 4 x 4, ambulance	June 30, 1944
¾ ton, 4 x 4, command reconnaissance	June 30, 1944
¾ ton, 4 x 4, weapons carrier	Dec. 31, 1943
1 ton, 4 x 4, combat	June 30, 1944
1½ ton, 4 x 4, earth borer	Dec. 31, 1943
1½ ton, 6 x 6, cargo	June 30, 1944
1½ ton, bomb service	None specified
1¼ ton, 4 x 4, telephone construction	Dec. 31, 1943
1½ ton, 4 x 4, enclosed general purpose	Dec. 31, 1943
2½ ton, 4 x 2, 1½, 2, 2½ cubic yd. dump	Dec. 31, 1943
2½ ton, 6 x 6, 3½ cu. yd. dump	None specified
2½ ton, 6 x 6, amphibian	None specified
2½ ton, 6 x 6, earth borer	June 30, 1944
2½–4 ton, 6 x 6, map reproduction	Dec. 31, 1943
2½ ton, 6 x 6, surgical operating	None specified
2½ ton, 6 x 6, 700 gal. water tank	None specified
2½ ton, 4 x 4, prime mover	June 30, 1944
3 ton multilith	None specified
4 ton, 6 x 6, 800 gal. bituminous supply	None specified
4 ton, 6 x 6, 800 gal. distributor	None specified
4 ton, 6 x 6, 1000 gal. water distributor	June 30, 1944
5 ton, refrigerator	June 30, 1944
5 ton, communications	Dec. 31, 1943
5 ton, 4 x 2, 5 cu. yd. dump	Dec. 31, 1943
5–6 ton, 4 x 4, tractor, pontoon	Dec. 31, 1943
6 ton, 6 x 6, bridge construction	None specified
6 ton, 6 x 6, van	Sept. 30, 1943
M–1 wrecker	June 30, 1944
K30	Dec. 31, 1943
K31	Dec. 31, 1943
K53	Dec. 31, 1943
K56	Sept. 30, 1943
K60	Dec. 31, 1943
K62	Dec. 31, 1943
Garbage, tamper type	Dec. 31, 1943
Pilots	None specified
Oil tanks	None specified
Fuel tanks	None specified

This schedule will be amended from time to time by the addition or removal of body types or changes in dates, or otherwise.

[F. R. Doc. 43-5287; Filed, April 5, 1943; 11:20 a. m.]

PART 3203—MATERIAL ENTERING INTO THE PRODUCTION OF MAINTENANCE EQUIPMENT FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS, AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-270]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of automotive maintenance equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3203.1 *Limitation Order L-270*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture or assembly of any automotive maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed on Schedules A, B, and C, to this order, as the same may be amended from time to time, which are manufactured or assembled for automotive repair usage.

(4) "Automotive repair usage" means repairing, reconditioning, rebuilding, renewing, servicing, or maintaining automotive vehicles or parts of automotive vehicles.

(5) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers, and off-the-highway motor vehicles.

(6) "Original equipment" means any automotive maintenance equipment produced for or purchased by manufacturers of automotive vehicles for shipment with such vehicles and included in the manufacturer's sales price of the automotive vehicle.

(c) *Restrictions on production.* On and after April 30, 1943:

(1) No producer shall manufacture or assemble any automotive maintenance equipment listed in Schedule A.

(2) No producer shall manufacture or assemble in any calendar quarter any item of automotive maintenance equipment listed in Schedule B in excess of twenty (20) per cent of the number of like items of automotive maintenance equipment sold by him for other than original equipment in the corresponding calendar quarter of 1941.

(i) In the event that the limitation imposed by paragraph (c) (2) should result in restricting production, in any calendar quarter, to less than his minimum practical factory run of any item of automotive maintenance equipment listed in Schedule B, a producer may, notwithstanding the provision of paragraph (c) (2), produce a minimum practical factory run, provided that his dollar volume of sales of such item, in any calendar quarter shall not exceed twenty (20) per cent of the total dollar volume of his sales of such item in the corresponding calendar quarter of 1941. But in no event may his production of such items during three consecutive calendar quarters exceed twenty (20) per cent of his production of such items during the three corresponding calendar quarters of 1941.

(3) No producer shall manufacture or assemble in any calendar quarter any item of automotive maintenance equipment listed in Schedule C in excess of seventy-five (75) per cent of the number of like items of automotive maintenance equipment sold by him for other than original equipment in the corresponding calendar quarter of 1941.

(4) No producer shall manufacture or assemble in any calendar quarter a dollar volume of repair or replacement parts for automotive maintenance equipment in excess of ten (10) per cent of the total dollar volume of automotive maintenance equipment sold by him in the corresponding calendar quarter of 1941.

(5) No producer shall use copper products or copper base alloy products in the manufacture of automotive maintenance equipment, except: for conducting electric current; in bearings, bushings, and check valves; where noncorrosive metal is required; and when so used, such copper products and copper base alloy products shall be reduced to the minimum quantity and minimum gauges, size and grade of copper product or copper base alloy product necessary for the proper operation of the automotive maintenance equipment.

(6) No producer shall use any aluminum, steel, or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical materials is practicable and, when so used, such aluminum, steel, or other critical materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(d) *Restriction of sales by producers.* No producer shall sell, transfer or deliver to any person any automotive maintenance, equipment, or any replacement parts for automotive maintenance equipment except pursuant to orders bearing a preference rating of AA-5 or higher.

(e) *Exceptions to applicability of this order.* (1) The terms and restrictions of this order shall not apply to any automotive maintenance equipment sold to or produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission, or the War Shipping Administration.

(2) The terms and restrictions of paragraphs (c) (2), (3) and (4) shall not apply to any automotive maintenance equipment sold to or produced under contracts or orders for delivery to or for the account of:

(i) The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(iii) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States," (Lend-Lease Act).

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Appeals.* Any appeal from the provisions of this order may be made by filing Form PD-500 in triplicate with the Automotive Division, War Production Board, stating therein the information called for.

(k) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C. Reference: Order L-270.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Air towers.
Alignment machines (in excess of 500 pounds gross weight).
Analyzers, combustion.
Battery boosters.
Battery carrier straps (metal except post lugs).
Battery chargers, fast type.
Battery chargers, trickle type (except industrial installation).
Body and fender tools (hand, pneumatic, hydraulic, or electric operated).
Brake testing machines.
Car Washers.
Creepers (metal except casters).
Degreasing machines.
Distributor setting machines, synchrograph type.
Dynamometers, chassis.
Engine Cleaners (internal or external).
Frame Straightening Racks.
Frame straightening machines.
Front end combination inspection and/or Correction Machines (in excess of 500 pounds gross weight).
Gasoline mileage testers.
Headlight testers.
Jacks, service—portable type, mechanical or hydraulic (except three, five, eight, twelve, and twenty ton capacity).
Jacks, shop—wheel type, mechanical or hydraulic (except four and ten ton capacity).
Lifts—electric, hydraulic, pneumatic (excepting jacks).
Motor analyzers.
Motor repair stands (metal).
Scuff Detectors (in excess of 55 pounds metal content).
Tire air pressure gauges (except pencil type and truck service type).
Tire pumps, hand operated (except with 1½" x 20' barrel, flat base and two ply hose).
Wheel balancers.
Wheel dollies (metal).

SCHEDULE B

Alignment machines (metal content, 500 pounds or less)
Air chucks
Axle bending bars
Battery cell testers (prong type)
Battery chargers (wall type, twelve battery or over capacity)
Battery charging clips
Battery fillers
Battery jumpers
Brake fillers
Brake lining appliers
Brake riveters
Brake shoe gauges
Cam angle meters
Camber gauges
Caster gauges
Circuit testers
Cleaners, steam or vapor
Coil testers
Condenser testers
Front axle straighteners (metal content, 450 pounds or less)
Front end combination inspection and/or correction machines (metal content, 500 pounds or less)
Horses or trestles (metal)
Hydraulic rams
Jacks, push-pull (hydraulic or mechanical)
Jacks, shop-wheel type, hydraulic or mechanical (four and ten ton capacity)
Piston expanders
Piston ring compressors
Ring groove cleaning tools
Scuff detectors (metal content, 55 pounds or less)
Spark plug gauges
Spark plug cleaners
Spark plug tire pumps
Spark plug tire pump adapters
Tire pumps, foot operated
Tire pumps, hand operated (1½" x 20' barrel, flat base end two ply hose)
Tire pumps, automobile engine operated
Toe-in gauges
Turning radius plates
Wrecking cranes
Wheel straighteners

SCHEDULE C

Air pressure gauges (Pencil type and truck service type)
Align reamers
Anti-freeze testers
Battery hydrometers
Brake drum gauges
Brake drum grinders
Brake drum lathes
Clutch rebuilders
Compression gauges
Connecting rod aligners
Connecting rod grinders
Connecting rod reamers
Crankshaft grinders
Cylinder boring bars
Cylinder grinders
Cylinder hones
Cylinder ridge reamers
Jacks, service—Portable type, hydraulic or mechanical (three, five, eight, twelve and twenty ton capacity)
Main bearing boring equipment
Piston grinders
Piston pin grinders
Piston pin hones
Piston pin reamers
Pressure plate grinders
Ring gear riveters
Timing lights
Tire air pressure gauges (Pencil type and truck service type)
Transmission jacks
Vacuum gauges
Valve grinders
Valve guide reamers
Valve refacers
Valve seat insert tools
Valve seat insert grinders
Valve seat reamers

[F. R. Doc. 43-5288, Filed, April 5, 1943, 11:20 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142]

Preference Rating Order: For the purpose of facilitating the acquisition of materials for maintenance, repair, operating supplies and certain other requirements of transportation systems in the public interest and to promote the national defense, preference ratings are hereby assigned to deliveries of such materials upon the following terms:

§ 3216.1 *Preference Rating Order P-142*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(3) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation No. 4, and who has not elected to operate under this Order P-142 pursuant to paragraph (g) (1) hereof; such person shall continue to operate under the provisions of CMP Regulation No. 5 and all other applicable regulations.

(4) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(5) "Controlled material" means controlled material as defined in Schedule I of CMP Regulation No. 1, as amended from time to time.

(6) "Maintenance and repair" means the upkeep or restoration of any unit of the operator's property or equipment by using the minimum amount of material necessary

(i) To keep the unit usable for the purpose intended in its existing design.

(ii) To restore parts of the unit to their original usefulness, or

(iii) To renew parts to restore the unit to its usefulness for the purpose intended in its existing design.

The term does not include the use of material for "heavy repair of locomotives" or "heavy repair of railroad cars" as those terms are defined hereinafter; except that the following may be deemed maintenance and repair: modernization of locomotives when the cost of labor and material per locomotive does not exceed $500, and the new installation on railroad cars of truck snubbers, bottom rod guards and break beam safety devices.

(7) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith, but not including those items shown in List A of CMP Regulation No. 5, as amended from time to time. In addition there may be included as operating supplies minor items of productive capital equipment not exceeding $500 per unit (excluding cost of labor).

(8) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(9) "Heavy repair of locomotives" means any of the following:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileage (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair);

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and or specialties to the locomotive.

(10) "Heavy repair of railroad cars" means either of the following:

(i) Program repair for any group of cars, or, if the operator does not so program such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

(b) *Preference ratings.* (1) Subject to the restrictions of this order, the following procedure is established for the assignment of preference ratings to orders to be placed by an operator after March 31, 1943, for material other than controlled materials for a use authorized by paragraph (d) hereof, except that preference ratings for Class A products for which an allotment is required will be assigned at the time the allotment is made:

(i) The War Production Board may assign in writing specific preference ratings to deliveries of specific materials essential for emergency repairs, upon application made pursuant to paragraph (g) (2) hereof;

(ii) The War Production Board may specifically assign in writing preference ratings to deliveries of materials, in the quantities, for the periods, and on the terms and conditions specified in the copy of Form PD-844 returned to the operator, upon application made pursuant to paragraph (g) (3) hereof.

(2) The ratings assigned in accordance with paragraph (b) (1) hereof may be applied by an operator to deliveries of material other than controlled material only by use of a certification in substantially the following form (in lieu of the endorsement specified in Priorities Regulation No. 3, and the certification required in CMP Regulation No. 5), signed manually or as provided in Priorities Regulation No. 7:

Preference Rating • • • (specify rating)—CMP allotment symbol MRO—P 142. No. ____ (show serial No.). The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that all material and items covered by this order are required for an essential use authorized by paragraph (d) of Preference Rating Order P-142; that this order is rated and placed in compliance with said Order P-142; and that the delivery requested has been duly authorized on the applicable Form PD-844 returned to the undersigned.

However, in lieu of the above certification, the certification specified in CMP Regulation No. 7 may be used, *Provided*, That the designation P-142 and appropriate serial number is included therein.

(3) The ratings applied in accordance with paragraph (b) (2) hereof may be extended in the manner provided in Priorities Regulation No. 3, subject, however, to the restrictions contained in CMP Regulation No. 3.

(4) An order for material, other than controlled material, bearing a rating applied or extended in accordance with this paragraph (b) and the CMP allotment symbol MRO—P-142, No. -- shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such symbol shall constitute an "allotment number or symbol" for the purpose of CMP Regulation No. 3.

(c) *Controlled materials.* (1) Subject to the restrictions of this order, any operator requiring delivery after March 31, 1943, of any controlled material, except aluminum, for a use authorized by paragraph (d) hereof, may obtain such controlled material (to the extent authorized pursuant to application made upon Form PD-844 in accordance with paragraph (g) (3) hereof) by placing on his delivery order substantially the following certification, signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO—P-142. No. ____ (Show serial No.). The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled material covered by this order is required for an essential use authorized by paragraph (d) of Preference Rating Order P-142, and that delivery thereof has been duly authorized on the applicable Form PD-844 returned to the undersigned.

However, in lieu of the above certification, the certification specified in CMP Regulation No. 7 may be used, *Provided*, That the designation P-142 and appropriate serial number is included therein.

(2) An order for controlled material for a use authorized by paragraph (d) hereof, and bearing the CMP allotment symbol MRO-P-142, No. — and the certification required in this paragraph (c), shall constitute an authorized controlled material order under all applicable CMP regulations.

(3) Aluminum for delivery after March 31, 1943, required by an operator for any purpose authorized by this order, may be obtained only upon specific application to the War Production Board, pursuant to paragraph (g) (2) hereof.

(d) *Restrictions on use of material.* (1) No operator shall use any material (including controlled materials, Class A products, Class B products, and other products and materials) acquired under the provisions of paragraph (b) or (c) of this order, nor make withdrawals of any material from inventory, except for the following purposes:

(i) Maintenance, repair and operating supplies;

(ii) Heavy repair of locomotives;

(iii) Heavy repair of railroad cars;

(iv) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice; or

(v) For any other use when specifically authorized in writing by the War Production Board.

(2) No operator shall make withdrawals of any material from inventory for construction except to the extent specifically permitted by Conservation Order L-41, as amended from time to time; *Provided*, That any new materials (in excess of $500 for any one project) so used from inventory shall be replaced only pursuant to the provisions of an approved order in the P-19 series.

(e) *Conservation of materials.* (1) Every operator shall, whenever possible, use conservation measures such as substitution, redesign and respecification to eliminate scarce materials normally used; and shall plan his operation, maintenance and repair schedules in accordance with the relative urgency and national need for transportation, subject to the provisions of this order. The War Production Board may from time to time issue supplementary orders or schedules requiring the elimination or diminution of the use of any material with or without the substitution of other materials, and may specify the use to which specific types of materials can be put.

(f) *Inventory control.* Notwithstanding any provision of this order, and unless otherwise specifically authorized in writing by the War Production Board, no operator shall accept delivery of any item of material (except fuel) if his storehouse inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item he will be required by his current practices to put into a use authorized by this order during the succeeding 60-day period. Nothing in this paragraph (f) shall be deemed to prevent any operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. Shipment of material from the storehouse in advance of its actual need shall be deemed contrary to the intent of this paragraph.

(g) *Procedure*—(1) No operator shall be entitled to any assistance under the provisions of this order (except as provided under paragraph (m) hereof), until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation No. 4. In addition, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an operator under all the provisions of this Order P-142.

(2) An operator, in order to secure authorization or exemption under paragraphs (b) (1) (i), (c) (3), (d) (1) (v), (f) or (h) (2) hereof, must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify such operator in writing whether, and to what extent, his application is approved.

(3) An operator, in order to secure authorization for delivery of material under paragraphs (b) (1) (ii) and (c) (1) hereof, must forward to the War Production Board, 60 days prior to the beginning of each calender quarter, an application on Form PD-844 filled out in accordance with instructions thereon, and in accordance with any supplemental instructions covering all or any one or more operators, or specific classes of operators, under the provisions of this Order P-142. A supplemental application on Form PD-844 may be filed as the need arises. The War Production Board will in each case return such Form, notifying the operator whether, and to what extent, his application is approved.

(h) *Resale of materials.* (1) An operator may resell material (whether or not obtained with the assistance of this order):

(i) To any other operator,

(ii) To another person when such material is to be physically incorporated in repairs of equipment that is used in the maintenance, repair, or operations of the operator's own property, *Provided*, That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order.

(iii) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or its subsidiaries, or

(iv) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads,

and any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation No. 13: *Provided*, That nothing in this paragraph (h) (1) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(2) In addition, an operator may resell such material when specifically authorized in writing by the War Production Board.

(i) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to

the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Records, audits and reports.* Each operator shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each operator shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board shall from time to time require.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Applicability of regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (3) of this order, and no such operator shall obtain any material under the provisions of either of those regulations; except that operators of common carrier passenger motor bus systems may obtain material for delivery in the second quarter of 1943 under the provisions of CMP Regulation No. 5.

(m) *Applicability of Order P–88.* This order shall supersede Preference Rating Order P–88 as of April —, 1943, and all ratings assigned or issued thereunder are revoked as of that date; except that ratings assigned on Form PD–351 for the second quarter of 1943, and authorizations for deliveries of material in quantities, and on the terms and conditions specified on said Form PD–351 for that quarter, shall remain valid just as if they were ratings and authorizations specified on Form PD–844, pursuant to the provisions of this Order P–142.

(n) *Communications.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington, D. C.: Ref.: P–142.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5291; Filed, April 5, 1943; 11:20 a. m.]

PART 3237—ADIPIC ACID AND DERIVATIVES

[Conservation Order M-304]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of adipic acid and its derivatives for defense, for private account and for export; and the following order is deemed necessary and appropriate for the public interest and to promote the national defense:

§ 3237.1 *Conservation Order M–304*—(a) *Definitions.* (1) "Adipic acid" means adipic acid in any form and from whatever source derived.

(2) "Derivative" means any chemical compound other than "Nylon" derived from adipic acid, including but not limited to diisobutyl adipate.

(3) "Producer" means any person who produces adipic acid, whether for his own account or for another person pursuant to toll agreement.

(b) *Restrictions on use and delivery.* (1) No producer shall use or deliver adipic acid or its derivatives, and no person shall accept delivery of adipic acid or its derivatives from a producer, except:

(i) For the manufacture of "Nylon"; or

(ii) As specifically authorized by the War Production Board upon application pursuant to paragraph (c).

(2) Each person authorized to accept delivery of adipic acid or its derivatives shall use such material for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board, at its discretion, may at any time issue special directions to any person with respect to the use, delivery or production of adipic acid or its derivatives, or of products made from adipic acid or its derivatives allocated to such person.

(c) *Applications and reports.* (1) Each person seeking authorization to accept delivery of, and each producer seeking authorization to use, adipic acid or any of its derivatives, for a purpose other than the manufacture of "Nylon", shall file application on Form PD–600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD–600. Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

Number of copies. If the applicant is seeking delivery of adipic acid or any of its derivatives from a producer he shall prepare a set of five copies, retaining one and forwarding four certified copies to the War Production Board. One such copy may have Tables II, III and IV blank and this will be the copy mailed by the War Production Board to the producer.

If the applicant is a producer seeking authorization to use his own stock of adipic acid or any of its derivatives, he shall prepare a set of four copies, retaining one and forwarding three certified copies to the War Production Board.

Heading. Under name of chemical, specify adipic acid or the particular derivative sought; under War Production Board order number, specify M-304; specify pounds as unit of measure; and otherwise fill in as indicated.

Table I. Fill in as indicated, leaving Column 1 blank. In Column 3 specify product to be manufactured from the material requested, and in Column 4 specify the end use of the primary product.

Also explain fully in Column 4 why the material sought is essential to the manufacture of the primary product, what attempt at substitution has been made, and how much longer the material sought will be required in such manufacture.

Tables II, III and IV. Fill in as indicated, leaving Column 11 blank.

(2) Receipt by a producer from the War Production Board of a copy of Form PD–600 signed by the Executive Secretary or Recording Secretary, shall constitute authorization for the purpose of this order to make the deliveries called for by the form.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Form PD–600.

(d) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Previous directives.* This order supersedes and cancels previous directives with respect to adipic acid and its derivatives, but does not alter or modify previous special directives with respect to "Nylon".

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Chemical Division, Washington, D. C.; Ref: M–304.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5290; Filed, April 5, 1943; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 9]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. The title to Article XXIV is amended to read as follows: *"Article XXIV—War Relocation Authority, Department of Justice and Veterans' Administration Obtain Allotments from Washington Office."*

2. Section 24.2 is added to read as follows:

SEC. 24.2 *How the Veterans' Administration obtains rationed foods for institutional use.* (a) The Veterans' Administration is not required to register with a board under this order establishments operated by it which make an institutional use of rationed foods. The Veterans' Administration may, at any time apply to the Washington Office for allotments of rationed foods for such establishments. Allotments will be given in accordance with arrangements made with the Office of Price Administration. The Washington Office will issue one certificate for each rationed food for each allotment period. The amount for which the certificate is issued may be distributed, through the use of ration checks, to the various establishments operated by the Veterans' Administration.

(b) Ration bank accounts may be opened for establishments operated by the Veterans' Administration.

This amendment shall become effective April 8, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively, Food Dir. 5, 6, 7, 8 F.R. 2251, 3471, 3471, respectively)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5171; Filed, April 2, 1943; 4:23 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 40]

EFFECT OF REPEAL, REVOCATION, AMENDMENT OR OTHER MODIFICATION OF PRICE REGULATIONS

A statement to accompany this Supplementary Order No. 40 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

§ 1305.54 *Effect of repeal, revocation, amendment or other modification of price regulations.*—(a) The repeal, revocation, amendment or other modification of a price regulation or any part thereof shall not have the effect to release or extinguish any penalty or liability incurred under such price regulation unless otherwise expressly provided but such price regulation or part thereof shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution or proceeding with respect to such penalty or liability.

(b) The term "price regulation" means a price schedule effective in accordance with section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued, or any amendment or supplement thereto or order thereunder heretofore or hereafter issued.

This order shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5181; Filed, April 2, 1943; 5:20 p. m.]

PART 1306—IRON AND STEEL

[RPS 49,[1] Correction to Amendment 12]

RESALE OF IRON OR STEEL PRODUCTS

Amendment No. 12 to Revised Price Schedule No. 49 is corrected in the following respects:

1. In § 1306.104, Table I—Base prices for rejects, the figure "3.58" for Plate at New York is corrected to read "3.38".

2. In § 1306.164, Table IV—Base prices for side and end shearings, the figure "2.69" for hot rolled sheets at San Francisco (city) is corrected to read "2.96".

3. In § 1306.164, Table VIII—Permissible extras on plates and sheets sheared to specifications, in F. under "Only permissible extras," after the words "90% of mill gauge extra for plates," the words "and 90% of mill extra for pickling (if pickled) of plates" are added.

4. In § 1306.164, Table IX—Sheet and plate shearing, slitting and flame-cutting schedule, under "A. Sheet shearing and slitting charges," "I. To length only," the phrase "12" to under 24"" is corrected to read "Under 24"."

5. In § 1306.164, Table IX—Under "B. Plate shearing charges," under "Length", the phrase "6" to under 12"" is corrected to read "Under 12"."

This correction shall be effective as of March 1, 1943.

(Pub. Laws, 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5162; Filed, April 2, 1943; 4:24 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 109,[1] Amendment 3]

AIRCRAFT LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 109 is amended in the following respects:

1. Section 1312.361, Table 1 Note 6 is amended and Note 7 is added, to read as follows:

6. For rough lumber, footage of all thicknesses shall be computed on net rough size board measure.

7. For surfaced lumber, the maximum prices shall be the prices set forth in this table, but the seller may use the following rules for computing board footage content:

(i) For sizes surfaced thicker than $\frac{3}{4}$":

Thicker than—	And not thicker than—	Compute as nominal thickness of—
$\frac{3}{4}$"	$1\frac{3}{32}$"	$1\frac{1}{4}$"
$1\frac{3}{32}$"	$1\frac{11}{32}$"	$1\frac{1}{2}$"
$1\frac{11}{32}$"	$1\frac{19}{32}$"	$1\frac{3}{4}$"
$1\frac{19}{32}$"	$2\frac{7}{32}$"	2"
$2\frac{7}{32}$"	$2\frac{27}{32}$"	$2\frac{1}{4}$"

(ii) For sizes surfaced $\frac{3}{4}$" and thinner, add $\frac{1}{4}$" to the finished thickness.

2. Section 1312.361, Table 4, Notes 6, 7, 8, and 9 are renumbered 7, 8, 9, and 10, respectively and Note 5 is amended and Note 6 is added, to read as follows:

5. For rough lumber, footage of all thicknesses shall be computed on net rough size board measure.

6. For surfaced lumber, the maximum prices shall be the prices set forth in this Table, but the seller may use the following rules for computing board footage content:

(i) For sizes surfaced thicker than $\frac{3}{4}$":

Thicker than—	And not thicker than—	Compute as nominal thickness of—
$\frac{3}{4}$"	$1\frac{3}{32}$"	$1\frac{1}{4}$"
$1\frac{3}{32}$"	$1\frac{11}{32}$"	$1\frac{1}{2}$"
$1\frac{11}{32}$"	$1\frac{19}{32}$"	$1\frac{3}{4}$"
$1\frac{19}{32}$"	$2\frac{7}{32}$"	2"
$2\frac{7}{32}$"	$2\frac{27}{32}$"	$2\frac{1}{4}$"

(ii) For sizes surfaced $\frac{3}{4}$" and thinner, add $\frac{1}{4}$" to the finished thickness.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616.

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 8948, 10344; 8 F.R. 319, 1583, 2388.

[1] 7 F.R. 2238, 2543, 5667, 8585, 10100; 8 F.R. 270.

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5080; Filed, April 1, 1943, 4:25 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 143[1] as Amended April 2, 1943]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

Section 1315.1501 (a), (b), and (d) amended; §§ 1315.1501 (c) (3), and (d) (5), 1315.1510 (a) (10) added; § 1315.1501 (d) (5) redesignated (d) (6) and amended so that Maximum Price Regulation No. 134, as amended by Amendment 4, shall read as follows:

In the judgment of the Price Administrator, the wholesale prices of new rubber tires and tubes have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the wholesale prices of new rubber tires and tubes prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations[2] involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[3]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1[4] issued by the Office of Price Administration, Maximum Price Regulation No. 143 is hereby issued.

Sec.

1315.1501 Maximum wholesale prices for new rubber tires and tubes.
1315.1502 Less than maximum prices.
1315.1503 Adjustable pricing.
1315.1504 Evasion.
1315.1505 Records and reports.
1315.1506 Enforcement.
1315.1507 Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1315.1508 Applicability of General Maximum Price Regulation.
1315.1509 Petitions for amendment.
1315.1510 Definitions.
1315.1511 Effective date.
1315.1512 Effective dates of amendments.

AUTHORITY: §§ 1315.1501 to 1315.1512 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1315.1501 *Maximum wholesale prices for new rubber tires and tubes.* On and after May 18, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver new rubber tires or tubes at wholesale, and no person shall buy or receive new rubber tires or tubes at wholesale in the course of trade or business at prices higher than the maximum prices, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of new rubber tires or tubes at wholesale to a purchaser if prior to May 18, 1942 such new rubber tires or tubes had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

(a) (1) *Tires and tubes other than passenger-car.* The maximum wholesale price for any new rubber tires or tubes, except passenger-car tires and tubes, shall be the first applicable price among the prices set forth in the following subdivisions (i) to (iv), inclusive:

(i) The highest net price charged by the seller for new rubber tires or tubes of the same brand, type, quality and size delivered during March, 1942, to a purchaser of the same class.

(ii) A price determined by taking the highest net price charged by the seller for new rubber tires or tubes of the same brand, type, quality and size delivered during March, 1942 to the most comparable purchaser and adjusting such price in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942.

(iii) A price determined by ascertaining in accordance with the provisions of subdivisions (i) or (ii), the maximum price for the new rubber tires or tubes which are most comparable as to type, quality, and size, and adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality, and size.

(iv) A price determined by taking the net price charged by the seller for the last delivery prior to March 1942, of new rubber tires or tubes which are comparable as to type, quality, and size and adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality, and size and for differences between purchasers.

(2) Notwithstanding any provision of subparagraph (1), the maximum wholesale price for any factory second truck tires or tubes shall be calculated by applying a percentage discount to the maximum wholesale price which would apply to the tire or tube under subparagraph (1) if it were not a factory second. The percentage discount to be applied shall be as follows on the following items:

truck tires	20
truck tubes	25

(b) (1) *Passenger-car tires and tubes other than Exhibit C tires and tubes and reclaimed rubber war tires.* The maximum wholesale price for any new rubber passenger-car tires or tubes, except Exhibit C passenger-car tires and tubes and passenger-car reclaimed rubber war tires, shall be the first applicable price among the prices set forth in the following subdivisions (i) to (iv), inclusive:

(i) The highest net price charged by the seller for new rubber passenger car tires or tubes of the same brand, type, quality and size delivered during March, 1942, to a purchaser of the same class, increased by a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63,[5] apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for such new rubber passenger-car tires or tubes.

(ii) A price determined by taking the highest net price charged by the seller for new rubber passenger-car tires or tubes of the same brand, type, quality and size delivered during March, 1942, to the most comparable purchaser, adjusting such price in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942, and adding to such adjusted price a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for such new rubber passenger-car tires or tubes.

(iii) A price determined by ascertaining in accordance with the provisions of subdivisions (i) or (ii), for the new rubber passenger-car tires or tubes which are most comparable as to type, quality and size, the base price to which the percentage of the maximum retail price is to be added under these subparagraphs, adjusting such base price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size, and adding to such adjusted base price a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the particular new rubber passenger-car tires or tubes for which a maximum wholesale price is being determined under this subdivision (iii).

(iv) A price determined by taking the net price charged by the seller for the last delivery prior to March, 1942, of new rubber passenger-car tires or tubes which are comparable as to type, quality and size, adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size and for differences between purchasers, and adding to such adjusted price a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the particular new rubber passenger-car tires or tubes for which a maximum wholesale price is being determined under this subdivision (iv).

(2) Notwithstanding any provision of subparagraph (1), the maximum wholesale price for any factory second passenger-car tires or tubes, except Exhibit C passenger-car tires and tubes and passenger-car reclaimed rubber war tires, shall be calculated by applying a discount of 25% to the maximum wholesale price which would apply to the tire or tube under subparagraph (1) if it were not a factory second.

(c) *Exhibit C passenger-car tires and tubes.* (1) The maximum wholesale price for any Exhibit C passenger-car tires or tubes shall be a price determined according to whichever of the following subdivisions (i) to (iii) is applicable:

(i) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth consumer list prices, the maximum price for such tires or tubes shall be a price determined by taking the price set forth on the Exhibit C list for tires or tubes of the same brand, type, quality and size; deducting the prescribed 20, 40, or 60 percent discount set forth for such tires or tubes on the Exhibit C; applying to the price which results after such prescribed discount is deducted all discounts from consumer list prices which the seller had in effect on March 1, 1942, for a purchaser of the same class on current brands of tires or tubes which are comparable as to type, quality and size; and increasing that resultant price by a dollar amount equal to 16% of the price set forth on the Exhibit C list, after deducting the prescribed 20, 40, or 60% discount, for the tires or tubes for which a maximum wholesale price is being computed.

(ii) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth net wholesale prices, the maximum price for such tires or tubes applicable to the manufacturer or distributor who filed such Exhibit C, shall be a price determined by taking the price set forth on the Exhibit C list for tires or tubes of the same brand, type, quality and size which is applicable to the class of purchasers in which the particular buyer falls; deducting the prescribed 20, 40, or 60% discount set forth for such tires or tubes on the Exhibit C; applying to the price which results after such prescribed discount is deducted all discounts, if any, from such net wholesale prices which the seller had in effect on March 1, 1942, for a purchaser of the same class on current brands of tires or tubes which are comparable as to type, quality and size; and increasing that resultant price by a dollar amount equal to 16% of a consumer list price for the tires or tubes for which a maximum wholesale price is being computed, which consumer list price shall be computed as follows:

Take the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the passenger-car tires or tubes of the same manufacturer or distributor which are most comparable as to type, quality, and size; adjust such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size; and adding to such adjusted base price a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the particular new rubber passenger-car tires or tubes for which a maximum wholesale price is being determined under this subdivision (ii).

(iii) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth net wholesale prices, the maximum price for such tires or tubes applicable to any seller other than the manufacturer or distributor who filed such Exhibit C, shall be a price determined by taking the price set forth on the Exhibit C list for tires or tubes of the same brand, type, quality and size which is applicable to the seller on his purchases of such tires; deducting the prescribed 20, 40, or 60 per cent discount set forth for such tires or tubes on the Exhibit C; applying to the price which results after such prescribed discount is deducted the normal mark-up which the seller had in effect on March 1, 1942 for a purchaser of the same class on current brands of tires or tubes which are comparable as to type, quality and size; and increasing that resultant price by a dollar amount equal to 16% of a consumer list price for the tires or tubes for which a maximum wholesale price is being computed, which consumer list price shall be computed as follows:

Take the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the passenger-car tires or tubes of the same manufacturer or distributor which are most comparable as to type, quality, and size; adjust such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size; and deduct the prescribed 20, 40 or 60 per cent discount set forth in Exhibit C for the tires or tubes for which a maximum wholesale price is being computed. (Paragraph (c) (1) as amended by Amendment No. 3, 8 F.R. 320)

(2) It shall be the duty of the seller to determine which of the tires or tubes he is selling appear on the Exhibit C filed with the Office of Price Administration by the manufacturer or distributor thereof, the prices set forth for such tires or tubes on the Exhibit C list, whether such prices are consumer list prices or net wholesale prices, whether a discount of 20, 40, or 60 per cent is prescribed by the Exhibit C for such tires or tubes, and any other information which is necessary to enable the seller to determine the maximum prices for Exhibit C passenger-car tires or tubes under subparagraph (1) of this paragraph. Such information can ordinarily be obtained from the manufacturer or distributor of the tires or tubes involved. All such information can be obtained by any seller by writing to the Office of Price Administration, Washington, D. C., where an accurate Exhibit C for each manufacturer and distributor is on file and available for inspection at all times.

(3) Notwithstanding any provision of subparagraph (1), the maximum wholesale price for any factory second Exhibit C passenger-car tires or tubes shall be calculated by applying a discount of 25% to the maximum wholesale price which would apply to the tire or tube under subparagraph (1) if it were not a factory second.

(d) *Passenger-car reclaimed rubber war tires.* The maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be a price determined according to whichever of the following subparagraphs (1) to (5) is applicable:

(1) *Sales on the basis of consumer price lists.* (i) For any seller who quoted wholesale prices during March, 1942, by applying discounts to a consumer price list, the maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be determined by deducting from the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, a percentage discount equal to the smallest discount from maximum retail prices at which the seller delivered, or if he did not deliver, at which he offered for delivery, during March, 1942, to a purchaser of the same class, the brand of passenger-car tires listed in paragraph

[1] 7 F.R. 3664.

[2] Statements of considerations are also issued simultaneously with the issuance of amendments.

[3] 7 F.R. 8961.

[4] Copies may be obtained from the Office of Price Administration.

[5] 8 F.R. 2110, 2663.

(b) of §§ 1315.110 or 1315.111 of Revised

first sale or delivery of the tires to the

divisions (i), (ii), (iii) or (iv) is less

directly by the private brand distributor,

purposes of this inferior subdivision (b)

chaser of the same class, the highest

(b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on such reclaimed rubber war tires.

(ii) If such seller did not deliver or offer for delivery during March, 1942, to a purchaser of the same class, any tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be determined by calculating the maximum wholesale price for the most comparable purchaser in accordance with the provisions of subdivision (i), and adjusting the price so calculated in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942. (Paragraphs (d) (1) (i) and (ii) added by Amendment No. 2. 7 F.R. 9890.)

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) For any sale or delivery by a manufacturer where the maximum wholesale price determined under subdivisions (i), (ii) or (iii) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), or (iii) of this subparagraph (1), on the first sale or delivery of the tires to the purchaser. (Subdivisions (iii) and (iv) added by Amendment No. 3. 8 F.R. 320.)

(2) *Sales on the basis of net wholesale price lists.* (i) For any seller who quoted wholesale prices during March, 1942, on the basis of a net wholesale price list, the maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be determined by taking the highest net price at which the seller delivered, or if he did not deliver, at which he offered for delivery, during March, 1942, to a purchaser of the same class, the 6.00—16 size of the brand of passenger-car tires listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on such reclaimed rubber war tires, expressing that price as a percentage of the maximum retail price for the 6.00—16 size of the same brand, as established by Revised Price Schedule No. 63 apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, and applying that percentage to the maximum retail prices for the reclaimed rubber war tires, as established by Revised Price Schedule No. 63.

(ii) If such seller did not deliver or offer for delivery during March, 1942, to a purchaser of the same class, any 6.00—16 size tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be determined by calculating the maximum wholesale price for the most comparable purchaser in accordance with the provisions of subdivision (i), and adjusting the price so calculated in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942. (Subparagraph 2 (i) and (ii) added by Amendment No. 2. 7 F.R. 9890)

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any 6.00–16 size tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) Notwithstanding the provisions of subdivisions (i), (ii) or (iii), the maximum wholesale price for any new passenger-car reclaimed rubber war tires on which the name General Tire and Rubber Co. appears, shall be the price applicable to a purchaser of the same class calculated in accordance with the provisions of subdivisions (i), (ii) or (iii), increased by 7 percent.

(v) For any sale or delivery by a manufacturer where the maximum wholesale price determined under subdivisions (i), (ii), (iii) or (iv) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), (iii) or (iv) of this subparagraph (2), on the first sale or delivery of the tires to the purchaser. (Subdivisions (iii), (iv) and (v) added by Amendment No. 3. 8 F.R. 320.)

(3) *Manufacturers' sales to private brand distributors.* Notwithstanding any provision of subparagraphs (1) and (2) of this paragraph, the maximum wholesale price for any sale or delivery by a manufacturer to a private brand distributor of new passenger-car reclaimed rubber war tires bearing the distributor's company name or brand name shall be the price determined upon the manufacturer's first sale or delivery of such tires to the private brand distributor, by applying to the factory cost of the particular size of reclaimed rubber war tire, determined according to subdivision (i), the percentage mark-up applicable to the purchaser, determined according to subdivision (ii). The maximum wholesale price so established shall be the maximum wholesale price for all future deliveries of such reclaimed rubber war tires by the manufacturer to the same private brand distributor.

(i) *Computation of factory cost.* The factory cost of a reclaimed rubber war tire shall be the sum total of direct labor costs, direct materials costs including waste, and factory overhead. The direct labor costs shall be determined by multiplying the number of hours of each type of labor required in the manufacture of the tire by the wage rates determined in accordance with inferior subdivision (*a*) of this subdivision (i). The direct materials costs shall be determined by multiplying the quantity of each type of material required in the manufacture of the tire by the materials prices determined in accordance with inferior subdivision (*b*) of this subdivision (i). If any materials are supplied or paid for

directly by the private brand distributor, the cost of such materials shall not be included in calculating the factory cost of the reclaimed rubber war tire.' Waste shall be determined by applying the same methods as were used or would have been used by the manufacturer in similar production during March, 1942, adjusted to reflect the actual quantity of waste in the production of the reclaimed rubber war tire. The factory overhead shall include the following items: expense materials, supplies and miscellaneous expense; indirect labor and salaries; repairs and maintenance; depreciation; insurance; taxes, excluding income and excess profits taxes; power; royalties; mold depreciation if the manufacturer owns the mold; factory warehousing and shipping expenses (at location in the same town or city as the factory is located). The factory overhead shall be determined by using the bases and predetermined rates which the manufacturer had in effect on November 1, 1941, in determining the factory overhead on the brand of passenger-car tire listed in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 for the private brand distributor whose company name or brand name appears on the reclaimed rubber war tire. If the manufacturer did not manufacture during November, 1941, any tires of the brand so listed for that distributor, the factory overhead shall be determined by using the rates and bases actually used by the manufacturer during November, 1941, in determining the factory overhead on the brand of tires most comparable thereto.

(*a*) *Wage rates.* The wage rates applicable to any tire shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the tire. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(*b*) *Materials prices.* The price of any materials used in the tire being priced shall be the highest price charged during March, 1942, (as defined in subdivision (iii) of this subparagraph (3)) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier during March, 1942 the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be (*1*) his March, 1942, supplier of the material, or (*2*) lacking a March, 1942, supplier of the material, his most recent supplier of the material. If neither of these exists; it shall be his potential supplier. For the purposes of this inferior subdivision (*b*) if the manufacturer shall receive a written affirmation from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the affirmation, and if, as of the time of his determination of the price of a tire, the maximum price of which is established by this paragraph, the manufacturer shall have no reason to believe that the selling price of the material is in excess of the maximum price established by the Office of Price Administration, the price as affirmed by the seller shall be deemed to be the maximum price established by the Office of Price Administration for that material.

(ii) *Percentage mark-up.* The percentage mark-up to be applied to the factory cost of any size of reclaimed rubber war tire in determining its maximum price to any particular private brand distributor shall be the difference between the manufacturer's actual factory cost in November, 1941, for the 6.00–16 size tire of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery, by the manufacturer during November, 1941, to that private brand distributor, expressed as a percentage of such November, 1941, factory cost. In determining the actual November, 1941, factory cost on the 6.00–16 size tire of the brand specified above, the manufacturer shall consider the same elements of cost as those specified by subdivision (i) of this subparagraph (3) for determining the factory cost of a reclaimed rubber war tire. If the manufacturer did not deliver or offer for delivery to a particular private brand distributor during November, 1941, any 6.00–16 size tires of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, the percentage mark-up to be applied in determining the maximum price to that distributor shall be a mark-up approved in writing by the Office of Price Administration upon application by the manufacturer as provided in subdivision (v) of this subparagraph (3).

(iii) *Definitions.* When used in subdivision (i) (*b*) of this subparagraph (3), the phrase "highest price charged during March, 1942", means:

(*a*) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to the same manufacturer in a quantity normal for that manufacturer.

(*b*) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to a purchaser of the same class as the manufacturer in a quantity normal for that purchaser.

(*c*) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer or to a purchaser of the same class, the highest price charged by the seller during March, 1942, to a purchaser of a different class, in a quantity normal for that purchaser, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(iv) *Report of maximum prices.* Within five days after a private brand distributor first agrees to buy tires for which a maximum price must be determined under this subparagraph (3) or within five days after the completion of the production of the tires for the first sale or delivery of such tires to such a purchaser, whichever is later, the manufacturer shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him for each size of tire. The report shall show in detail the computation of the factory cost of each size of reclaimed rubber war tire and shall include a detailed showing of how the percentage mark-up to be applied was determined. The showing of how the percentage mark-up was determined either shall give in detail a breakdown of the November, 1941, factory cost of the 6.00–16 size tire of the brand listed for the same distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 and set forth the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery by the manufacturer during November, 1941, to the same private brand distributor, or it shall state that application for approval of a percentage mark-up has been made pursuant to subdivision (v) of this subparagraph (3). The report under this subdivision (iv) shall be made on Form 243:1, copies of which are available at the Office of Price Administration, Washington, D. C., and shall include in detail all the information called for on that form. The manufacturer may not accept payment for any such tires until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. If the fifteen days elapse without the Office of Price Administration making any adjustment in the price reported, that price shall be the maximum wholesale price to that purchaser and shall apply to all future deliveries of such tires until adjusted by written order of the Office of Price Administration. If within this fifteen day period the Office of Price Administration has not disapproved in writing a mark-up requested in accordance with subdivision (v) of subparagraph (3), the manufacturer may consider that mark-up as approved. Subsequent to this fifteen day period, the price reported shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(v) *Application for approval of a percentage mark-up.* If the manufacturer did not deliver or offer for delivery to a particular private brand distributor during November, 1941, any 6.00–16 size tires of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, the manu-

facturer must apply to the Office of Price Administration for approval of a percentage mark-up to be used in determining the maximum price to such dis-

size tire of the brand designated in the next sentence, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was

name, type, sizes and plies; (2) a statement of the facts which make it impossible for him to determine a maximum price under paragraphs (a) to (d), in-

Maximum Price Regulation No. 143 shall enter into any agreement permitting the adjustment of the wholesale prices of new rubber tires or tubes to prices

seller may not accept payment for the tires or tubes until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price

discount allowed to each class of purchasers or the highest net price charged to each class of purchasers for the 6.00-16 size. The report shall also set

facturer must apply to the Office of Price Administration for approval of a percentage mark-up to be used in determining the maximum price to such distributor under this subparagraph (3). Such application for approval must set forth the mark-up requested along with a showing that it is in line with other mark-ups determined according to subdivision (ii) of this subparagraph (3) and a detailed explanation of the basis for determining such mark-up. The application must be made at the same time as or prior to the report of maximum prices under subdivision (iv) of this subparagraph (3). The Office of Price Administration will approve or disapprove in writing the percentage mark-up for which approval is requested. (Subparagraph (3) added by Amendment No. 2. 7 F.R. 9890.)

(4) *Other sales under cost-plus contracts*—(i) *Manufacturers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by a manufacturer to a purchaser to whom the manufacturer was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be a price calculated in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires by a manufacturer to the private brand distributor. This inferior subdivision (i) does not apply to a sale or delivery of private brand tires to the private brand distributor, which is priced under subparagraph (3). When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11. All provisions of subparagraph (3), including the reporting provision, must be followed.

(ii) *Other sellers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by any seller other than a manufacturer to a purchaser to whom the seller was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be the price determined upon the seller's first sale or delivery of such tires to the particular purchaser, by applying to the seller's net buying price of the particular size of reclaimed rubber war tire, the percentage mark-up applicable to the purchaser. The percentage mark-up to be applied to the seller's net buying price of any size of reclaimed rubber war tire in determining its maximum price to any particular purchaser shall be the difference between the seller's net buying price in November, 1941, of the 6.00–16 size tire of the brand designated in the next sentence, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery, by the seller during November, 1941, to that purchaser, expressed as a percentage of the seller's November, 1941, net buying price. The brand of tire to be used in calculating the percentage mark-up shall be whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the seller to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11 if the seller is pricing a manufacturers' brand under this subdivision or closest to $15.37 if the seller is pricing a private brand under this subdivision. The maximum wholesale price so established shall be the maximum wholesale price for all future deliveries of such reclaimed rubber war tires by the seller to the same purchaser. The seller shall report his maximum prices in accordance with the provisions of subdivision (iv) of subparagraph (3) of this paragraph, except that he need not use Form 243:1 in making his report and he shall show on his report his own net buying prices which he used in making his calculations instead of the factory costs referred to in that subdivision (iv). (Subparagraph (4) added by Amendment No. 3. 8 F.R. 320)

(5) *Factory seconds.* Notwithstanding any provision of subparagraph (1) to (4), inclusive, the maximum wholesale price for any factory second passenger-car reclaimed rubber war tires shall be calculated by applying a discount of 25 percent to the maximum wholesale price which would apply to the tire under subparagraphs (1) to (4), inclusive, if it were not a factory second.

(6) *Retail price labels.* On and after December 1, 1942, before the delivery of any passenger-car reclaimed rubber war tire to any purchaser, every manufacturer and private brand distributor must, for those tires which bear its own company name or brand name, attach or cause to be attached securely to each such tire or to the wrapping on the tire, so that it is clearly visible, either a tag or a label displaying the following statement, with the maximum retail price of the tire at least one inch in height:

OPA retail ceiling price $------ plus Federal Excise Tax. This notice may not be removed until delivered to the consumer.

[Paragraph (4) added by Amendment No. 2, 7 F.R. 9890, and redesignated (6) by Amendment No. 4.

(c) *Other tires and tubes.* The maximum wholesale price for any new rubber tires or tubes which cannot be priced under paragraphs (a) to (d), inclusive, of this section shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (1) a description in detail of the tires or tubes for which a maximum price is sought, including the brand name, type, sizes and plies; (2) a statement of the facts which make it impossible for him to determine a maximum price under paragraphs (a) to (d), inclusive; (3) his proposed pricing method; and (4) a statement of the reasons why he believes that the use of this method will result in a maximum price which is in line with the level of maximum prices established by this Maximum Price Regulation No. 143. Such authorization will be given in the form of an order prescribing a method of determining the maximum price. (Paragraph (e) added by Amendment No. 2. 7 F.R. 9890)

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

(f) *Sales for export.* The maximum wholesale price at which a person may export any new rubber tires or tubes shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration on April 25, 1942.

(g) *Taxes.* (1) If the seller customarily stated and collected separately from the purchase price during March, 1942, the Federal Excise Tax levied in respect to tires and tubes, the seller shall not include the tax in determining the maximum price under paragraphs (a) or (b) of this section and in such case may collect the dollar amount of such tax in addition to the maximum price.

(2) If the seller did not customarily state and collect separately from the purchase price during March 1942, the Federal Excise Tax levied in respect to tires and tubes, the seller shall include the tax in determining the maximum price under paragraphs (a) or (b) of this section and in such case may not collect the tax in addition to the maximum price. (Paragraphs (d) and (e) redesignated (f) and (g) by Amendment No. 2. 7 F.R. 9890)

(3) The dollar amount of the Federal Excise Tax levied in respect to tires and tubes may be added to the maximum prices established by paragraphs (c) and (d) of this section. (Subparagraph (3) amended by Amendment No. 2. 7 F.R. 9890)

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that:

"Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1315.1502 *Less than maximum prices.* Lower prices than those set forth in § 1315.1501 may be charged, demanded, paid or offered.

§ 1315.1503 *Adjustable pricing.* No person subject to the provisions of this

[5] 7 F.R. 5059, 7242, 8829, 9000, 10530.

Maximum Price Regulation No. 143 shall enter into any agreement permitting the adjustment of the wholesale prices of new rubber tires or tubes to prices which may be higher than the maximum prices, except that any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1315.1504 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 143 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to new rubber tires or tubes, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1505 *Records and reports.* (a) Every person making a sale or purchase, subject to Maximum Price Regulation No. 143, of new rubber tires or tubes after May 17, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase showing the date thereof, the name and the address of the buyer and seller, the price paid or received, and the quantity of each brand, type, quality and size of new rubber tires and tubes sold or purchased.

(b) Any manufacturer or private brand distributor who proposes to sell for the first time any tires or tubes, except passenger-car tires or tubes, of a brand, size, or type which was not on the price list from which that brand owner quoted prices on November 25, 1941, shall report to the Office of Price Administration, Washington, D. C., at least five days before he offers any such tires or tubes for sale, the maximum wholesale prices for such tires or tubes as determined by the seller under subparagraph (3) or (4) of paragraph (a) of § 1315.1501. The report shall set forth the brand name of the tires or tubes, indicating their type, the sizes and plies in which such brand is to be manufactured, and the maximum wholesale prices for each class of purchasers. It shall also give in detail the basis used for determining the maximum wholesale prices, including the brand name, type, maximum wholesale prices, and maximum retail prices of the comparable tires or tubes which are used as the basis for the determination under subparagraph (3) or (4) of paragraph (a) of § 1315.1501, and including a detailed explanation of the differences in type, quality, size, and cost between the tires or tubes for which maximum prices are being established and such comparable tires or tubes and any other reasons supporting the adjustments made. The seller may not accept payment for the tires or tubes until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. (Paragraph (b) amended by Amendment No. 2. 7 F.R. 9890)

(c) Every manufacturer who produces passenger-car reclaimed rubber war tires shall file a report with the Office of Price Administration, Washington, D. C., stating the unit costs as of January 1, 1943, and as of the first day of every calendar quarter thereafter, for each size of passenger-car reclaimed rubber war tire it produces. The unit costs shall be reported on Form 243:2 and shall show labor costs and materials costs on the basis of wage rates and materials prices prevailing during March 1942, and factory overhead and other elements of unit cost computed by using the same rates and bases as were actually used during November 1941 for computing unit costs on the brand of passenger-car tire listed for the same manufacturer in paragraph (b) of § 1315.110 of Revised Price Schedule No. 63, giving in detail all the unit cost information called for on Form 243:2. Copies of Form 243:2 are available at the Office of Price Administration, Washington, D. C. The reports shall be filed not later than thirty days after the date as of which they must state the unit costs.

(d) On or before January 1, 1943, every manufacturer and private brand distributor shall file with the Office of Price Administration, Washington, D. C., a report covering every one of its brands, sizes, and types of tires or tubes, except reclaimed rubber war tires, which was not on the price list from which that brand owner quoted prices on November 25, 1941, but which has been sold on the market for the first time between that date and November 25, 1942. Such report shall list each brand name, indicating the type of tire or tube, show the sizes and plies in which each of those brands is manufactured, set forth the maximum wholesale prices established for such tires or tubes for each class of purchasers, and give in detail the basis which was used for determining the maximum wholesale prices, indicating the exact provision of this regulation which was applied.

(e) On or before January 1, 1943, every manufacturer and private brand distributor shall file with the Office of Price Administration, Washington, D. C., a detailed report of its complete discount structure or net selling prices which are applicable to passenger-car reclaimed rubber war tires under subparagraphs (1) and (2) of § 1315.1501 (d). Such report shall indicate the highest prices charged for the brand of passenger-car tire listed for such manufacturer or distributor in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63, to each class of purchasers during March, 1942, by showing either the maximum retail price list from which discounts were allowed and the smallest discount allowed to each class of purchasers or the highest net price charged to each class of purchasers for the 6.00–16 size. The report shall also set forth a complete list of all the classes of purchasers to whom such seller delivered or offered such tires during March, 1942, indicating in detail all the bases, such as volume of purchases or function in the trade, used by the seller in distinguishing between classes of purchasers.

(f) Such persons shall submit such other reports to the Office of Price Administration and keep such other records in addition to or in place of the records and reports required in paragraphs (a) to (d) of this section as the Office of Price Administration may from time to time require or permit. (Paragraphs (c), (d), (e) and (f) added by Amendment No. 2, 7 F.R. 9890.)

§ 1315.1506 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 143 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 143 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1507 *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[6] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 143 selling at wholesale any rubber tires or tubes covered by this Maximum Price Regulation No. 143. When used in this section the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation. (§ 1315.1507 as amended by Amendment No. 1, 7 F.R. 5712)

§ 1315.1508 *Applicability of General Maximum Price Regulation.* Except as provided in § 1315.1507, the provisions of this Maximum Price Regulation No 143 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1315.1509 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 143 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1. (§ 1315.1509 as amended by Supplementary Order No. 26, 7 F.R. 8948)

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applica-

[6] 8 F.R. 3096.

tions for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.1510 *Definitions.* (a) When used in this Maximum Price Regulation No. 143 the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sale at wholesale" means any sale, other than a sale to a vehicle manufacturer for original equipment of such vehicle, except a sale at retail.

(3) "Sale at retail" means any sale to a purchaser for use by such purchaser and not for resale.

(4) "Tires and tubes" means any rubber tires and tubes manufactured for use on passenger-cars, trucks, busses, off-the-road equipment, motorcycles, industrial and commercial tractors, trailers, industrial equipment and farm implements.

(5) "New" as applied to tires and tubes means a tire or tube that has been used less than 1,000 miles.

(6) "Rubber" means all forms and types of rubber including synthetic and reclaimed rubber.

(7) "Passenger-car tires and tubes" means tires and tubes primarily designed for use on a passenger automobile.

(8) "Exhibit C passenger-car tires and tubes" means any new rubber passenger-car tires and tubes of a brand, type, quality and size listed on the Exhibit C filed with the Office of Price Administration in March, 1942, by the manufacturer or distributor of such tires or tubes in connection with the Tire Return Plan sponsored by the Office of Price Administration, and made part of the contract between such manufacturer or distributor and Defense Supplies Corporation.

(9) "Passenger-car reclaimed rubber war tire" means any passenger-car tire, regardless of the brand or other name appearing thereon, which is manufactured primarily of reclaimed rubber under restrictions of the War Production Board applicable to such war tires, and which has the words "War Tire" marked on the sidewall. (Subparagraph (9) added by Amendment No. 2. 7 F.R. 9890.)

(10) "Factory second" means any new rubber tire or tube upon which the manufacturer or distributor has placed a special identifying mark to indicate that he has found it to be defective in his final inspection.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of The Emergency Price Control Act of 1942, shall apply to other terms used herein. (Paragraph (b) added by Amendment No. 2. 7 F.R. 9890)

§ 1315.1511 *Effective date.* This Maximum Price Regulation No. 143 (§§ 1315.1501 to 1315.1511, inclusive) shall become effective May 18, 1942. On or after May 11, 1942 and before May 18, 1942, new rubber tires or tubes may be sold or delivered at wholesale either at the maximum prices established by the General Maximum Price Regulation or at the maximum prices established by this Maximum Price Regulation No. 143. (Issued May 14, 1942.)

§ 1315.1512 *Effective dates of amendments.*

Amendment Nos. and Issuance dates:	*Effective*
Amendment 1, 7-23-42	7-24-42
Amendment 2, 11-25-42	11-25-42
Amendment 3, 1-6-43	1-21-43
Amendment 4, 4-2-43	4-8-43

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-5170; Filed, April 2, 1943; 4:23 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 63,[1] Amendment 9]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 63, as amended in the following respects:

1. Section 1315.104 (c) is amended by adding at the end thereof the following sentence:

Except, That any such seller may strike from the tag or label on a passenger-car reclaimed rubber war tire the notation that the tire is a Grade III tire.

2. Section 1315.108 (a) (9) is added to read as follows:

(9) "Factory second" means any new rubber tire or tube upon which the manufacturer or distributor has placed a special identifying mark to indicate that he has found it to be defective in his final inspection.

3. Section 1315.110 (b) is amended by inserting the brand name "Streamline" as the brand of passenger-car tire in the item in the table in which The Armstrong Rubber Company is listed as the manufacturer.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1323, 2132, 3036, 3791, 5708, 6048, 6215, 7364, 8948, 9868; 8 F.R. 2110, 2663.

4. Section 1315.110 (m) (1) is amended to read as follows:

(1) The Armstrong Rubber Company: (i) Maximum prices for the 6.00—16, (4 ply) "Air Coaster" and "Standard" brands of passenger-car tires shall be $12.90 and $10.05, respectively. Other sizes and plies of these brands shall remain in the same percentage relationship to these prices as they bore on The Armstrong Rubber Company's Consumer price list in effect on November 25, 1941. Maximum prices for the "Mud and Snow" brand of passenger-car tires shall be:

Size	Ply	Maximum price
6.00–16	4	[illegible]
6.00–16	6	[illegible]
6.50–16	4	[illegible]
6.50–16	6	[illegible]
5.25–5.50–17	4	[illegible]
7.25–7.50–17	6	[illegible]
6.00–6.50–17	6	[illegible]
5.25–5.50–18	4	[illegible]
5.25–5.50–18	6	[illegible]
4.75–5.00–19	4	[illegible]
4.75–5.00–19	6	[illegible]

(ii) Maximum prices for the following sizes in the following brands of truck tires shall be:

(a) HEATMASTER

Size	Ply	Maximum price
6.75–15	12	[illegible]
7.50–16	6	[illegible]
7.00–17	8	[illegible]
6.00–20	6	[illegible]
11.00–20 (10.25 x 20)	12	[illegible]
12.00–24 (11.25 x 24)	14	[illegible]
14.00–24	16	[illegible]

(b) MUD AND SNOW—NONDIRECTIONAL

6.00–16	4	[illegible]
7.50–16	6	[illegible]
7.50–18	8	[illegible]
7.00–20	10	[illegible]
7.50–20	10	[illegible]

(c) FAMOUS COACH

10.00–20 (38 x [illegible])	14	[illegible]
10.00–24 (11 x [illegible])	14	[illegible]

5. Section 1315.110 (m) (5) is added to read as follows:

(5) Cupples Company: Maximum prices for the "Safe-Ride" brand of passenger-car tubes shall be the consumer list prices of such tubes on file with the Office of Price Administration which were in effect on November 25, 1941.

6. Section 1315.110 (m) (6) is added to read as follows:

(6) The Firestone Tire and Rubber Company:

(i) Maximum prices for the following sizes in the following brands of truck tires shall be:

(a) TRANSPORT

Size	Ply	Maximum price
7.50–15	6	[illegible]
9.00–15	12	[illegible]
10.00–15	12	[illegible]
10.00–15	14	[illegible]

(b) HEAVY DUTY

Size	Ply	Maximum price
7.00–21	8	$53.60

(c) GROUND-GRIP TYPE G

21.00–24	24	$828.55

(ii) Maximum prices for the following sizes in the following brands of truck tubes shall be:

(a) *Transport*

Size:	*Maximum price*
9.00—13	$5.90

7. Section 1315.110 (m) (7) is added to read as follows:

(7) The Gates Rubber Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

(i) VULCO II. D. TRUCK AND BUS

Size	Ply	Maximum price
[illegible] (32 x 6)	8	$35.30
8.25–20	12	77.95
9.00–20	12	94.60
[illegible]	14	123.45
[illegible]	14	129.05
11.00–20	14	145.30
11.00–24	14	152.55

(ii) VULCO II. D. COMMERCIAL

7.00–16	6	$29.00

(iii) VULCO TRACTION TREAD II. D.

11.00–20 (10.50 x 20)	14	$152.05
11.00–20 (9.75 x 20)	14	129.10

8. Section 1315.110 (m) (8) is added to read as follows:

(8) The General Tire and Rubber Company:

(i) Maximum prices for the following sizes in the following brands of truck tires shall be:

(a) NONDIRECTIONAL

Size	Ply	Maximum price
7.50–16	6	$38.05
11.00–20	12	126.52
11.00–20	12	227.25
14.00–20	16	253.44
11.00–22	12	113.25

(b) SUPER HIGHWAY

7.00–17	8	$35.59

(c) RAYOWAY (SUPER HIGHWAY TREAD)

11.00–22	12	$121.32

(d) HIGHWAY

6.00–16	6	$25.21
7.50–16	8	29.25

(e) YALE COMMERCIAL

6.00–16	6	$20.95
6.50–16	6	24.20

(ii) Maximum prices for the following sizes in the following brands of truck tubes shall be:

(a) *Jumbo Junior*

Size:	*Maximum price*
8 x 3.00—4	$1.52
10 x 3.50—4	1.56
12 x 4.00—6	1.61
16 x 5.00—8	1.87
6.50—10	2.56

9. Section 1315.110 (m) (9) is added to read as follows:

(9) Lee Tire and Rubber Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

(i) RAYON TIRES

Size	Ply	Maximum price
8.25–20	10	$76.40
8.25–20	12	87.80
9.00–20	10	91.15
10.00–20	12	115.55
11.00–20	12	136.65

10. Section 1315.110 (m) (10) is added to read as follows:

(10) The Mansfield Tire and Rubber Company:

(i) Maximum prices for the following sizes in the following brands of truck tires shall be:

(a) HIWAY TREAD (MANSFIELD, CENTURY, RICHLAND, UNITED)

Size	Ply	Maximum price
8.25–15	12	$70.00
7.00–17	8	38.55
9.00–22	10	83.75
10.00–24	12	110.85

(b) MUD AND SNOW (MANSFIELD AND UNBRANDED)

7.50–18	8	$48.70
10.00–18	10	88.90
6.00–20 (32 x [illegible])	8	37.00
9.00–20 (36 x [illegible])	12	100.90
11.00–20	12	126.50

(ii) Maximum prices for the following sizes in the following brands of truck tubes shall be:

(a) *Mansfield*

Size:	*Maximum price*
8.25—15	$9.85
9.00—22	12.25

11. Section 1315.110 (p) is amended by designating the text thereof subparagraph (1) and adding a new subparagraph (2) to read as follows:

(2) Notwithstanding any other provision of subparagraph (1), the maximum retail prices for the following brands of tires and tubes owned by the following manufacturers shall be as follows:

(i) The Firestone Tire and Rubber Company: Maximum prices for the following sizes in the following brands of tires shall be:

(a) TRACTOR TIRE—ANS TREAD

Size	Ply	Maximum price
10 x 24	6	$47.05

(b) GROUND GRIP EXCAVATOR

8.25—20	12	$[illegible]
9.00—20	12	[illegible]
11.00—24	14	[illegible]

(c) ROCK GRIP EXCAVATOR

10.00—20	14	$[illegible]
11.00—24	14	[illegible]
12.00—24	16	[illegible]

(d) ALL TRACTION EXCAVATOR

8.25—20	12	$[illegible]
9.00—20	12	[illegible]
10.00—20	14	[illegible]
11.00—24	14	[illegible]

(ii) The General Tire and Rubber Company: Maximum prices for the following sizes in the following brands of tires shall be:

(a) TRACTOR GRADER

Size	Ply	Maximum price
13.00–20	10	$126.96
14.00–20	12	[illegible]
9.00–24	10	88.91

(b) EARTH MOVER

8.25–20	10	$64.12
13.00–20	14	[illegible]

(c) ROCK SPECIAL

11.00–24	14	$162.82

(d) JUMBO JUNIOR SILENT GRIP

8 x 3.00—4	4	$4.44
10 x 3.50—4	4	4.93
12 x 4.00—6	4	5.77
16 x 5.00—8	6	11.10

12. Section 1315.110 (q) is added to read as follows:

(q) The maximum retail prices for factory seconds of manufacturers' brands of passenger-car and truck tires and tubes shall be calculated by applying a percentage discount to the maximum retail price which would apply to the tire or tube under paragraphs (a) to (o), inclusive, of this section, if it were not a factory second. The percentage discount to be applied shall be as follows on the following items:

	Percent
Truck tires	20
Passenger-car tires	25
Truck tubes	25
Passenger-car tubes	25

13. Section 1315.111 (b) is amended by revoking the item in the table which reads "Hicks Rubber Co., Inc.—Lone

Star—Star Masterpiece" and by inserting in the table, in the appropriate places for the distributors' names to appear in alphabetical order, the following items, as shown below under the table headings:

Distributor	Brand of passenger-car tires	Brand of truck tires
Anchor Tire & Battery Co.	Interstate Super	Interstate Heavy Duty.
Continental Products, Inc.	Brighton Deluxe	Brighton Heavy Duty.
Harrison Wholesale Co.	Pilot	
Star Rubber Co.	Lone Star	Star Masterpiece.

14. Section 1315.111 (d) is amended by revoking the item in the table which reads "Hicks Rubber Co., Inc.—Meteor Red" and by inserting in the table, in the appropriate places for the distributors' names to appear in alphabetical order, the following items, as shown below under the table headings:

Distributor	Brand of passenger-car tubes	Brand of truck tubes
Anchor Tire & Battery Co.	Interstate Heavy Duty	Interstate Heavy Duty.
Central Rubber & Supply Co.	Hilab	Hilab.
Central Tire Co., Inc.	Gem Red & Cream Reinforced	
Continental Products, Inc.	World	World.
Daniels' Supply Store	Daniels' Deluxe	
Hardman Tire Service	Hardman	Hardman.
Harrison Wholesale Co.	Templeton	Betterbilt.
Hi-Speed Tire & Accessory Co.	Speed Master Heavy Duty	Speed Master Heavy Duty.
R. A. Hyde Oil Co.	Deluxe Heavy Duty	
Johnson City Tire & Retreading Co.	Lifebelt	Lifebelt.
Kaufman & Chernick, Inc.	Yankee Hi-Speed	
Lehr Auto & Electrical Supply Co.	Biltrite	Biltrite.
Marler Boot and Auto Supply Co.		Marler's Deluxe.
Motor Parts and Auto Supply Co.		Evertite Heavy Duty.
Penn-Jersey Auto Stores, Inc.	Lion	
Star Rubber Co.	Meteor Red	
The Stockwood Co., Inc.	Stockwood Heavy Duty	Stockwood Pinch Proof.
Tire Rebuilders	Tybil	Tybil.
Trutred Tires, Inc.	Trutred Heavy Duty	Trutred Heavy Duty.
Warwick H. Laubie	Defiance	Defiance.

15. Section 1315.111 (e) (1) is amended by inserting in the table, in the appropriate places for the distributors' names to appear in alphabetical order, the following items, as shown below under the table headings:

(i) STAR MASTERPIECE

Size	Ply	Maximum price
7.50-16	6	$32.62
7.00-17	8	32.00
7.50-17	8	38.67
7.50-18	8	41.02
9.00-18	10	70.29
10.00-18	12	89.64
8.25-20	12	76.11
9.00-20 (36 x 8)	12	85.05
9.00-20 (38 x 8)	14	93.55
10.00-20	12	92.11

(ii) MUD GRIP

6.50-20 (32 x 6)	8	$33.30

Distributor	Brand of passenger-car tubes	Maximum price
Marler Boot and Auto Supply Co.	Marler's Deluxe	$2.75
Motor Parts & Supply Co.	Evertite Heavy Duty.	2.91

16. Section 1315.111 (e) (2) is amended by revoking the item in the table which reads "Hicks Rubber Co., Inc.—Star Deluxe—10.25" and by inserting in the table, in the appropriate place for the distributors' names to appear in alphabetical order, the following item, as shown below under the table headings:

Distributor	Brand of truck tubes	Maximum price
Star Rubber Co.	Star Deluxe	$10.25

17. Section 1315.111 (m) (3) is added to read as follows:

(3) Star Rubber Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

18. Section 1315.111 (q) is added to read as follows:

(q) The maximum retail prices for factory seconds of private brands of passenger-car and truck tires and tubes shall be calculated by applying a percentage discount to the maximum retail price which would apply to the tire or tube under paragraphs (a) to (o), inclusive, of this section, if it were not a factory second. The percentage discount to be applied shall be as follows on the following items:

	Percent
Truck tires	20
Passenger-car tires	25
Truck tubes	25
Passenger-car tubes	25

19. Section 1315.112 (b) is added to read as follows:

(b) The maximum retail prices for factory seconds of passenger-car retreaded rubber war tires shall be calculated by applying a discount of 25% to the prices listed in paragraph (a).

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5176; Filed, April 2, 1943; 4:26 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 89]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.159 (b) (9) is amended to read as follows:

(9) Notwithstanding the provisions of other subparagraphs of this paragraph (b) or of paragraph (c) of this section, the maximum tank wagon prices, and delivered container prices, when delivery is made in single lots of 260 gallons or less, for all fuel oils and heating oils including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, diesel oil and gas oil in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Idaho (but only in the counties of Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington), Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia, shall be .3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this price schedule which would otherwise govern except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5183; Filed, April 2, 1943; 5:20 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718.

PART 1340—FUEL

[MPR 137,[1] Amendment 31]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.91 (h) is amended to read as follows:

(h) Notwithstanding the provisions of other paragraphs of this section, the maximum prices for kerosene, range oil, No. 1 or Pacific Specification No. 100 fuel oil and diesel fuel oil for sellers at retail establishments in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Idaho (but only in the Counties of Adah, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington), Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia shall be .3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this maximum price regulation which would otherwise govern except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5182; Filed, April 2, 1943; 5:20 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,[2] Amendment 26]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (g) is added to § 1351.151, as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(g) *Brokers' commissions paid by buyers.* (1) All maximum prices established by Revised Price Schedule No. 53 are modified as follows:

Where the buyer pays a broker or other person a commission or other contingent compensation for services in bringing about, or otherwise connected with, any purchase, sale, delivery, acquisition, or other transfer of any fats or oils for which a maximum price is established by Revised Price Schedule No. 53, (i) the maximum total price that the buyer may pay for the fats or oils and as such commission or other contingent compensation, shall be the maximum prices for such fats or oils specified in Revised Price Schedule No. 53, and (ii) the maximum price that the seller may receive for the fats or oils sold shall be that sum which, when added to such commission or other contingent compensation paid by the buyer, equals the maximum prices for such fats or oils specified in said Revised Price Schedule No. 53.

(2) *Exception.* The provisions of subdivision (1) hereof (§ 1351.151 (g) (1)) shall not apply to purchases made from the United States Government, or any state, municipal or other governmental unit, or any agencies of any of them, where the buyer customarily has paid broker's commissions or fees during the two years preceding the month of March 1942; in such case the buyer, in addition to paying the broker's commissions or fees, may pay the seller, and the seller may receive, the maximum prices specified in Revised Price Schedule No. 53.

§ 1351.159 *Effective dates of amendment.* * * *

(z) Amendment No. 26 (§ 1351.159 (g)) to Revised Price Schedule No. 53 shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5164; Filed, April 2, 1943; 4:24 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amendment 19]

CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.807a is amended to read as follows:

§ 1351.807a *Special provision for foreign-type cheese.* Sellers of cheese, except the following:

Processed cheese of all kinds.
Cheddar cheese covered by Maximum Price Regulation No. 289.[2]
Aged cheddar cheese covered by Maximum Price Regulation No. 280.
Colby cheese.
Washed curd cheese.
Monterey or jack cheese.
All other cheeses of cheddar class having a moisture content of 40% or more.
Cottage cheese.
Baker's cheese.
Pot cheese.
Smearcase cheese.
Neufchatel cheese.
All other cheese of less than 20% butterfat content in the water free substance.

may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof: *Provided*, That this 3¢ increase shall not be applied to those stocks of cheeses which were in the seller's possession prior to February 10, 1943. However, a cheese factory may apply this increase to cheeses which it has manufactured and delivers on or after February 10, 1943, regardless of whether such cheeses were manufactured before or after that date.

"Colby cheese" and "washed curd cheese" means colby cheese and washed curd cheese as defined in the "Standards of Identity for Cheddar Cheese, Cheese, Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941, Page 195.

"Cottage cheese", and "neufchatel cheese" means cottage cheese, and neufchatel cheese as defined in the "Definitions and Standards of Identity for Creamed Cheese, Neufchatel Cheese, Cottage Cheese and Creamed Cottage Cheese" promulgated by the Food and Drug Administration, and published in the FEDERAL REGISTER of December 23, 1942, pages 10758 and 10759.

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5168; Filed, April 2, 1943; 4:23 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 8]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 289 is amended in the following respects:

1. Section 1351.1501 (e) and (f) are added to read as follows:

(e) Industrial casein (inedible)[2]

(f) Whey powder (except that which is for human consumption)[2]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799.

[2] 7 F.R. 1369, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070, 3846.

[2] 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327.

[1] 7 F.R. 10996; 8 F.R. 490, 1455, 1885, 1972, 3252, 3227.

[2] Casein and whey powder which are manufactured for human consumption shall continue to be priced pursuant to Maximum Price Regulation No. 280.

2. In § 1351.1503 (a), the first sentence is amended to read as follows:

(a) On and after December 30, 1942, or the effective date of any amendment fixing maximum prices for additional listed dairy products or affecting the maximum price of any listed dairy product, regardless of any contract, agreement or other obligation, no person shall sell or deliver a listed dairy product, and no person in the course of trade or business, shall buy or receive a listed dairy product at a price higher than the maximum price permitted by this Maximum Price Regulation No. 289, and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

3. Section 1351.1523 is added to read as follows:

§ 1351.1523 *Maximum prices for industrial casein (inedible).*—(a) *Definitions.* (1) "Casein" means the chemical compound which is precipitated from skim milk by the action of rennet or of one of several acids customarily selected as a precipitating agent. For the purpose of this amendment, the curd resulting from the precipitation shall not be deemed "industrial casein" unless it is prepared for the purpose of ultimate utilization in one or more manufactured commodities that are not consumed as edible products by human beings.

(2) "Processed acid-casein", means acid-precipitated "industrial casein" which is dried, ground, screened and blended with other individual quantities of such casein in such manner as to produce a product of uniform quality that will meet the needs of individual consumers. Such processed acid-casein shall be cream or light yellow in color, be nearly odorless with no more than a trace of sourness, have a moisture content of not more than 10%, contain not more than 2.25% fat (moisture-free basis) or less than 14.2% nitrogen (moisture-, fat-, and ash-free basis) or more that 4.0% ash (moisture-free basis), and the total acidity shall not be more than 10.5 c. c. of N/10 alkali per gram.

(3) "Processed rennet-casein", means rennet-precipitated "industrial casein" which is dried, ground, screened, and blended with other individual quantities of such casein in such manner as to produce a product of uniform quality that will meet the needs of individual consumers. Such processed rennet-casein shall be light cream or cream in color, be nearly odorless with no more than a trace of sourness, have a moisture content of not more than 10%, contain not more than 1% fat (moisture-free basis) or less than 14.2% nitrogen (moisture-, fat-, and ash-free basis) or less than 7.5% ash (moisture-free basis), and the total acidity shall not be more than 2.5 c. c. of N/10 alkali per gram.

(4) "Dry acid-casein", means acid-precipitated "industrial casein", the curd of which has been dried but has not been ground, or screened or blended.

(5) "Dry rennet-casein", means rennet-precipitated "industrial casein", the curd of which has been dried but has not been ground, or screened or blended.

(6) "Wet curd acid-casein", means acid-precipitated "industrial casein" which has not been dried, or ground, or screened or blended.

(7) "Wet curd rennet-casein", means rennet precipitated "industrial casein" which has not been dried, or ground, or screened or blended.

(8) "Bag" means the burlap or other container holding approximately 100 pounds in which casein is customarily packed by the manufacturer or blender. It may or may not be lined with paper or another similar substance.

(b) *Maximum prices for processed acid-casein and processed rennet-casein.* Maximum prices for sales and deliveries of processed acid-casein or processed rennet-casein to any person shall be those listed in the following Table A:

TABLE A

Quantity	Cents per pound	
	Acid	Rennet
100 bags or more	21	22½
20 bags to 99 bags inclusive	21¼	22¾
Less than 20 bags	21½	23

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the casein is shipped. Where the seller produces the casein in several plants and then transports it to a warehouse before shipping it to the buyer, the casein shall be sold f. o. b. such shipping point and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, then maximum delivered price shall be the f. o. b. price listed for each quantity in Table A above, plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(c) *Maximum prices for wet curd acid-casein, wet curd rennet-casein, dry acid-casein and dry rennet-casein.* Maximum prices for sales and deliveries of wet curd acid-casein, wet curd rennet-casein, dry acid-casein and dry rennet-casein, to any person in any quantity shall be the prices listed in the following Table B; except that a seller who customarily extended a quantity discount, shall continue to do so as provided below in paragraph (e):

TABLE B

Type of casein	Cents per pound
Wet curd acid-casein, dry basis	14¾
Wet curd rennet-casein, dry basis	16¾
Dry acid-casein	17¾
Dry rennet-casein	19¼

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the casein is shipped. Where the seller produces the casein in several plants and then transports it to a warehouse before shipping it to the buyer, the casein shall be sold f. o. b. such shipping point and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, then maximum delivered price shall be the f. o. b. price listed for each type in Table B above, plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(d) *Quality differentials.* The maximum prices established in this section for each type of casein shall not be increased by any charge for a special mesh, viscosity, or any other process or treatment in manufacturing. In no case shall the seller charge more per pound than the prices provided in this section. Where, however, the casein does not meet the standards set forth in the definitions for each type of casein, the maximum prices set forth herein shall be reduced to reflect the customary differential between the price for casein which meets the standards set forth herein and such sub-standard casein.

(e) *Discounts and allowances.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. However, the maximum prices shall be decreased to reflect the seller's customary discounts and allowances including those for prompt payment.

(f) *Evasion.* Specifically, the provisions of this section shall not be evaded by any requirement by the seller or agreement between the buyer and seller that a seller may ship or a buyer receive casein in smaller quantity than that which was actually ordered or would have been ordered but for the attempted evasion.

4. Section 1351.1524 is added to read as follows:

§ 1351.1524 *Maximum prices for whey powder (except that which is for human consumption).*—(a) *Definitions.* (1) "Whey powder", means the substance which is derived from the reduction of the moisture content of liquid whey. It is a byproduct of the manufacture of cheese or casein or both. The dried product shall contain at least 65% lactose (milk sugar) and shall otherwise meet specifications set forth on page 22 of "Official Publication" published by the Association of American Feed Control Officials Incorporated.

(2) "Bag" means the burlap or other container holding approximately 100 pounds in which whey powder is customarily packed by the manufacturer or blender. It may or may not be lined with paper or another similar substance.

(3) "Wholesaler" means any person who buys whey powder, unloads his purchase into a warehouse and resells the same, in the original container without mixing it.

(4) "Retailer" means any person who buys whey powder and resells the same, without mixing it, to the consumer in lots of 5 bags or less.

(5) "Consumer" means any person who buys whey powder for the purpose of actually feeding it to animals or poultry.

(b) *Maximum prices for sales and deliveries of whey powder by manufacturers.* Maximum prices for sales and deliveries of whey powder by a manufacturer to any person shall be the prices listed in the following Table A:

TABLE A

Quantity	Cents per pound
100 bags or more	8
6 to 99 bags inclusive	8⅛
5 bags or less	8¼

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the whey powder is shipped. Where the seller produces the whey powder in several plants and then transports it to a warehouse before shipping it to the buyer, the whey powder shall be sold f. o. b. such shipping point and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, then maximum delivered price shall be the f. o. b. price listed for each quantity in Table A above, plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(c) *Maximum prices for sales and deliveries of whey powder by wholesalers.* The maximum price in cents per pound that any wholesaler may charge for whey powder shall be:

¼¢ (maximum profit margin) over the price listed in Table A for whey powder in quantities of 100 bags or more, which is 8¢ per pound, plus all applicable transportation charges actually paid for moving such whey powder to his place of business at the lowest available freight rate.

Transportation charges to be added, shall be determined by dividing the total charge for a shipment by the number of pounds shipped. If, on the other hand, the wholesaler buys whey powder on a delivered basis, he shall determine his cost for such whey powder by dividing the cost to him of the whey powder delivered by the number of pounds delivered and then add ¼¢ per pound (maximum profit margin) to determine his maximum price.

Where the wholesaler delivers the whey powder he may add to the maximum prices established pursuant to this paragraph, the lowest of the following delivery charges:

(1) His actual cost for transporting the whey powder from his shipping point to buyer's receiving point.

(2) His customary delivering charge, if he had an established charge for such deliveries prior to the effective date of this paragraph.

(3) The published common carrier rate for shipping a like quantity of whey powder from his shipping point to buyer's receiving point.

(d) *Maximum prices for sales and deliveries of whey powder by retailers.* The maximum price in cents per pound that any retailer may charge for whey powder shall be:

(1) ½¢ per pound (maximum profit margin) for sales of 1 to 5 bags inclusive, and

(2) ¾¢ per pound (maximum profit margin) for sales of less than 1 bag over the maximum price paid by him in cents per pound to his supplier, plus all applicable transportation charges actually paid for moving such whey powder to his place of business at the lowest available freight rate. Transportation charges to be added shall be determined by dividing the total charge for a shipment by the number of pounds shipped. If, on the other hand, the retailer buys whey powder on a delivered basis, he shall determine his cost for such whey powder by dividing the cost to him of the whey powder delivered by the number of pounds delivered and then add his appropriate differential (½¢ of ¾¢ per pound as the case may be) to determine his maximum price.

Where the retailer delivers the whey powder he may add to the maximum prices established pursuant to this paragraph, the lower of the following delivery charges:

(1) His actual cost for transporting the whey powder from his shipping point to buyer's receiving point.

(2) His customary delivering charge, if he had an established charge for such deliveries prior to the effective date of this paragraph.

(e) *Method of computation and fractions of a cent.* In computing maximum prices pursuant to this amendment, the wholesaler or retailer shall carry all calculations to the third decimal of a cent to arrive at his maximum price per pound. He shall then multiply this price (carried to the third decimal of a cent) by the number of pounds he is selling in each individual sale. The result arrived at by this multiplication shall be his maximum price for the sale. Any fractions of a cent resulting from such multiplication shall be adjusted to the next higher cent if they are one-half cent or more, and to the next lower cent if they are less than one-half cent.

(f) *Discounts and allowances.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. However, the maximum prices shall be decreased to reflect the seller's customary discounts and allowances including those for prompt payment.

(g) *Evasion.* Specifically, the provisions of this section shall not be evaded by any requirement by the seller or agreement between the buyer and seller that a seller may ship or a buyer receive whey powder in smaller quantity than that which was actually ordered or would have been ordered but for the attempted evasion.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5160; Filed, April 2, 1943; 4:25 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 10]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 289 is amended in the following respects:

1. Section 1351.1519 (a) (1) is amended to read as follows:

(1) *In the State of Wisconsin.* The maximum price for Cheddar Cheese delivered at all places in the state of Wisconsin regardless of the point of origin, shall be as set forth in Table A below, except as provided in subparagraph (5) below for "cheddars," "twins," and larger styles of 37.7% moisture content or less.

TABLE A

Maximum price (cents per lb.)	Style	Approximate weight (lbs.)
23¼	Cheddars, Twins, and larger styles	70 and over
23¼	Flats	55
23¾	Double Daisies	43
23¾	Triple Daisies	66
24	Single Longhorns	22
24	Longhorns	32
24	Young Americas	10
24¼	Square prints	12
24¼	Flemes and midgets	
24¾	Natural loaf and smaller styles.	5 or less

2. Section 1351.1519 (a) (2) is amended to read as follows:

(2) *Outside the State of Wisconsin.* The maximum prices for Cheddar Cheese delivered at all places outside the state of Wisconsin, regardless of the point of origin, shall be the prices listed in Table A above plus transportation charges. The transportation charges shall be the lowest published railroad carlot freight rate per pound gross weight from Plymouth, Wisconsin to that place times 1.15. Calculation of transportation charges on a cents per pound basis shall be carried to the second decimal point.

3. Section 1351.1519 (a) (5) is amended to read as follows:

(5) *Maximum prices for "cheddars", "twins", and larger styles of a moisture content of 37.7% or less.* The maximum price for any of the following sales of "cheddar", "twin", or larger styles of cheddar cheese of a moisture content of 37.7% or less shall be as provided in subdivisions (i) and (ii) of this subparagraph: All sales by any factory producing the cheese sold; sales by any seller to the U. S. Government or any agency thereof; sales by any seller to a cheese processer for manufacture into processed cheese; sales by any seller to any manufacturer of food products for use in the manufacture of such food products.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327.

(i) For delivery at all places in the state of Wisconsin, the maximum price shall be as set forth in Table B below.

(ii) For delivery in all places outside the state of Wisconsin, the maximum price shall be the appropriate price in Table B for the particular cheese sold plus transportation charges. The transportation charges shall be those described in subparagraph (2) above.

TABLE B

Where moisture content is—	*Maximum price, cents per pound*
33.2% or less	25.54
Over 33.2% but not over 33.7%	25.35
Over 33.7% but not over 34.2%	25.16
Over 34.2% but not over 34.7%	24.97
Over 34.7% but not over 35.2%	24.77
Over 35.2% but not over 35.7%	24.58
Over 35.7% but not over 36.2%	24.39
Over 36.2% but not over 36.7%	24.20
Over 36.7% but not over 37.2%	24.01
Over 37.2% but not over 37.7%	23.82

4. Section 1351.1519 (a) (6) is amended to read as follows:

(6) *Assembling costs.* (i) Whenever assembling operations are performed by an "authorized cheese assembler" one cent per pound may be added to the maximum prices established in subparagraphs (1), (2), and (5) of this paragraph for each pound of Cheddar cheese so assembled. An "authorized cheese assembler" means a cheese assembler authorized by the Food Distribution Administration of the United States Department of Agriculture pursuant to Food Distribution Order No. 15—Cheddar Cheese issued by the United States Department of Agriculture.

(ii) For the purposes of this subparagraph no person shall be entitled to the additional cent per pound for assembling unless he performs the following functions: accumulates cheese; grades it in accordance with legal requirements or, in the absence of such requirements, in accordance with customary industry practices; paraffins it; stores it in a refrigerated space; weighs it; and customarily ships it in carload lots. For the purpose of this subparagraph paraffining means a covering of all surfaces of the cheese by dipping in paraffin having a temperature of not less than 240° Fahrenheit. The cheese before paraffining must have dry, clean surfaces free of mold and be not less than three days old at time of dipping.

(iii) This allowance of one cent per pound shall include transportation costs, if any, from the cheese factory to the assembling warehouse, whether the assembling warehouse is located inside or outside the state of Wisconsin.

5. Paragraph (b) of Table D in § 1351.1519 (c) (1) (i) is hereby revoked.

6. The following sentence is added to § 1351.1519 (c) (2): *Provided, further,* That the maximum price for all sales of Cheddar cheese aged or cured 2 months or longer, to the U. S. Government or any of its agencies, made pursuant to a contract entered into before April 1, 1943 shall be the maximum price established by Maximum Price Regulation No. 280[2]

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070, 3846, 4131.

Provided, That such cheese is delivered to the buyer prior to May 1, 1943.

7. Section 1351.1519 (g) is added to read as follows:

(g) All sales of Cheddar cheese by a cheese factory to an assembler are exempted from the requirements of § 1351.1505 of this regulation. However, for all such sales, the cheese factory shall preserve for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, remittance statements furnished the cheese factory by the assembler.

8. Section 1351.1519 (a) (8) is added to read as follows:

(8) In addition to the maximum prices established by this paragraph, a cheese assembler may compensate any cheese factory that has customarily transported the cheese manufactured by it from the cheese factory to the assembling warehouse, for such transportation service: *Provided, however,* That no amount may be paid by a cheese assembler, or charged by a cheese factory for such service greater than the maximum price established for such service by the General Maximum Price Regulation.[3]

This amendment shall become effective April 2, 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5184; Filed, April 2, 1943; 5:20 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[4] Amendment 11]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[5]

1. Section 1351.1505 is amended to read as follows:

§ 1351.1505 *Records and reports.* (a) Every sale of a listed dairy product covered by this Maximum Price Regulation No. 289, except as hereafter provided in this regulation, shall after the effective date of this regulation be invoiced by the seller. The original invoice shall be delivered to the buyer and shall state (1) the date of purchase, (2) the name and address of the buyer and seller, (3) the quantity, grade and type of package of each listed dairy product sold, (4) the price per unit of sale and in total, (5) the geographical place for which the price is calculated.

2. Section 1351.1520 is amended to read as follows:

§ 1351.1520 *Maximum prices for butter*—(a) *Bulk butter*—(1) *Definition.* "Bulk butter" means unprinted butter packed solid in fibre boxes or other shipping containers except wooden tubs.

(2) *Sales by a creamery or manufacturer of butter.* The maximum price for any of the following sales of bulk butter by a creamery or manufacturer of butter shall be as set forth in the following subdivisions (i) to (ix) inclusive, of this subparagraph: A sale to any purchaser on the basis of F. O. B. the creamery or place of manufacture; a sale for delivery to a primary distributor, jobber, or retailer distributing warehouse; a sale for delivery to any purchaser who alone or in combination with other purchasers buys in carload lots for single delivery.

(i) The maximum price for bulk butter of the following scores or grades delivered in the cities of Chicago (and all of Cook County, Illinois), New York, and San Francisco shall be as follows:

TABLE A

	Chicago	New York	San Francisco
	Cents per lb.	*Cents per lb.*	*Cents per lb.*
U. S. grade AA or U. S. 93 score	46¾	47¾	48
U. S. grade A or U. S. 92 score	46	47¼	47½
U. S. grade B or U. S. 90 score	45¾	46¼	47¼
U. S. grade C or U. S. 89 score	45¼	46	46¾
U. S. cooking grade	44	45¼	45½
No grade	40	40¾	41½

(ii) The maximum price for any particular score or grade of bulk butter delivered at any place east of a line running south from the Canadian Border along the eastern shore of Lake Michigan, the Illinois-Indiana State Line, the Illinois-Kentucky State line, and then south along the eastern bank of the Mississippi River to the state of Louisiana, and thence along the Mississippi-Louisiana state line to the Gulf of Mexico, shall be the maximum price in Chicago for that particular score or grade of butter, as stated in Table A above, plus the lowest published railroad car lot freight rate per lb. gross weight from Chicago to the place of delivery with no adjustment allowed for tare or icing.

(a) *Provided, however,* That any place in the states of Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, and Vermont and in the District of Columbia, the maximum price shall not exceed the maximum price in New York City for that particular score or grade of butter as stated in Table A above.

(iii) The maximum price for any particular score or grade of bulk butter delivered at any place in Minnesota, Wisconsin, the upper peninsula of Michigan, Iowa, Missouri, and Illinois (except the city of Chicago and Cook County) shall be the maximum price in New York City for such score or grade of butter, as stated in Table A above, less transportation charges to New York City. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from that place to New York City times 1.15.

(iv) The maximum price for any particular score or grade of bulk butter delivered at any place in the states of Washington and Oregon shall be as follows:

	Cents per lb.
U. S. grade AA or U. S. 93 score	47¾
U. S. grade A or U. S. 92 score	47¼
U. S. grade B or U. S. 90 score	47
U. S. grade C or U. S. 89 score	46½
U. S. cooking grade	45¼
No grade	41¼

(v) The maximum price for any particular score or grade of bulk butter delivered at any place in the states of California, Nevada, and Arizona, shall be as follows:

	Cents per lb.
U. S. grade AA or U. S. 93 score	48
U. S. grade A or U. S. 92 score	47½
U. S. grade B or U. S. 90 score	47¼
U. S. grade C or U. S. 89 score	46¾
U. S. cooking grade	45½
No grade	41½

(vi) The maximum price for any particular score or grade of bulk butter delivered at any place in the state of Arkansas and at Fort Worth and Dallas, Texas, shall be as follows:

	Cents per lb.
U. S. grade AA or U. S. 93 score	46½
U. S. grade A or U. S. 92 score	46
U. S. grade B or U. S. 90 score	45¾
U. S. grade C or U. S. 89 score	45¼
U. S. cooking grade	44
No grade	40

(vii) The maximum price for any particular score or grade of bulk butter delivered at any place in Louisiana or at any place in Texas except that area lying north of the line formed by the southern boundaries of the following counties: Andrews, Martin, Howard, Mitchell, Noland, Taylor, Callahan, Eastland, Palo Pinto, Parker, Wise, Denton, Collin, Lamar, Fannin, and Red River, shall be the maximum price for that particular score or grade stated in foregoing subdivision (vi) of this subparagraph plus transportation charges from Fort Worth, Texas to that place. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from Fort Worth to that place times 1.15.

(viii) The maximum price for any particular score or grade of bulk butter delivered at any place in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, New Mexico, Colorado, Utah, Wyoming, Montana, Idaho, and that part of Texas not included in the foregoing subdivision (vii) of this subparagraph shall be the maximum price for that particular score or grade in San Francisco, as stated in Table A above, less transportation charges from that place to San Francisco. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from that place to San Francisco, times 1.15.

(ix) The maximum prices established in the foregoing subdivisions (i) to (viii) inclusive, of this subparagraph are for sales of bulk butter delivered to the purchaser at any place. Bulk butter sold f. o. b. any place shall be considered "delivered" to the purchaser at that place.

(3) *Sales by a primary distributor*—(i) *Definition.* A "primary distributor" is a person who customarily receives butter from a creamery or manufacturer of butter and who sells to primary distributors, jobbers, retailer distributing warehouses, non-federal governmental users, or to commercial, institutional, or industrial users. A branch warehouse or branch sales agency of a creamery or manufacturer of butter shall be deemed a primary distributor if such branch warehouse or branch sales agency is located in a town or city other than the town or city in which the butter sold by it is manufactured.

(ii) The maximum price for the sale of any particular score or grade of bulk butter by a primary distributor delivered to the purchaser at any place shall be the maximum price for "sales by a creamery" of that particular score or grade in that place established in subparagraph (2) of this paragraph, plus:

¼¢ per lb for sales of 20,000 lbs. or more
½¢ per lb. for sales of less than 20,000 lbs.
¾¢ per lb. for sales of less than 20,000 lbs. where before such sale the primary distributor receives physical possession of the butter and stores it in a warehouse or in his place of business.

(4) *Sales by a jobber*—(i) *Definition.* A "jobber" means anyone who sells to, and makes delivery to the physical premises of, an individual retail store, a non-federal government user (such as a state or municipal hospital), an individual commercial user (such as a restaurant, hotel, or club), an individual institutional user (such as a hospital or school), or an individual industrial user (such as a baker or other food processor who uses butter in his manufacturing process). No sale where delivery is not made to the physical premises of a purchaser designated in this subdivision shall be deemed a sale by a jobber within the meaning of this subparagraph.

(ii) The maximum price for the sale of any particular score or grade of bulk butter in any place by a jobber shall be the maximum price for "sales by a creamery" of that particular score or grade in that place as established in subdivisions (i) to (viii) inclusive, of paragraph (2) of this paragraph, plus:

2¾¢ per lb. for deliveries of 1 to 200 lbs. inclusive
2½¢ per lb. for deliveries of over 200 but not over 500 lbs.
2¼¢ per lb. for deliveries of over 500 but not over 1500 lbs.
¾¢ per lb. for deliveries of over 1500 to 5000 lbs. inclusive

(iii) Sales of bulk butter to individual retail stores, non-federal governmental users, or to individual commercial, institutional, or industrial users, where the quantity sold is over 5000 lbs. or where delivery is not made to the physical premises of the individual retail store, non-federal governmental user, commercial user, institutional user, or industrial user, shall be considered "sales by a primary distributor", and the maximum price for such sales shall be determined by the provisions of subparagraph (3) (ii) of this paragraph establishing maximum prices for "sales by a primary distributor." *Provided however,* That this subdivision shall have no application to sales by a creamery or manufacturer, or to sales by a creamery or manufacturer of butter to any purchaser who f. o. b. the creamery or place of manufacturer, or to sales by a creamery or manufacturer of butter to any purchaser who alone or in combination with other purchasers buys in carload lots for single delivery.

(5) *Sales to the United States Government.* (i) The maximum price for the sale of any particular score or grade of bulk butter in any place to the United States government or any agency thereof shall be determined in accordance with subparagraph (2) of this paragraph establishing maximum prices for "sales by a creamery."

(ii) *Provided, however,* That this maximum price for sales to the United States government or any agency thereof may be increased by the following amounts where a sale is made to, and delivery made to the physical location of, an individual military or naval establishment, or a federal hospital, school, or penal institution:

2¾¢ per lb. for deliveries of 1 to 200 lbs. inclusive
2½¢ per lb. for deliveries of over 200 but not over 500 lbs.
2¼¢ per lb. for deliveries of over 500 but not over 1500 lbs.
¾¢ per lb. for deliveries of over 1500 to 5000 lbs. inclusive

However, where delivery is not made to the physical location of the purchaser, *or* where the sale is of a quantity greater than 5000 lbs., no amount may be added to the maximum price established in subdivision (i) of this subparagraph.

(b) *Butter in prints or packages.* (1) The maximum price for the sale of any particular score or grade of butter in prints or packages delivered at any place shall be the maximum price for bulk butter of that score or grade in that place by that type of seller to that type of purchaser, as determinable from the provisions of paragraph (a) of this section, plus the appropriate following sum:

1¼¢ per lb. for ½ lb. or 1 lb. prints or rolls parchment wrapped
1¾¢ per lb. for ½ lb. to 1 lb. prints in cartons
2¢ per lb for ¼ lb. prints in cartons
1½¢ per lb. for ¼ lb. prints without cartons
3¢ per lb. for butterettes, chiplets, or similar types of restaurant cut butter
1¢ per lb. for all other consumer packages
½¢ per lb. for unprinted butter packed in tubs

Except in the case of butter packed in tubs, the above prices are for butter in prints or packages packed in cases or boxes.

(2) Any creamery or manufacturer of butter who either directly or indirectly through an agent or association leases or rents equipment for the printing or packaging of butter or who enters into any agreement with another person for the printing or packaging of butter for him, may not sell such printed or packaged butter to any person at a price higher than the maximum price established by paragraph (a) of this section for sales of bulk butter by creameries or manufacturers of butter to such person plus the exact sum paid by the creamery or manufacturer for such printing or packaging. *Provided, how-*

[2] 8 F.R. 3096.

[3] 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327.

[4] Copies may be obtained from the Office of Price Administration.

[5] 8 F.R. 3096.

ever, That in no case may the sum which may be added for printing or packaging exceed the appropriate allowance for printing or packaging established in Table B of this paragraph.

(3) The maximum price in any place for the sale, for shipment beyond the shores of the continental United States, of any particular score or grade of butter in the form of 1 lb. prints or rolls parchment wrapped and immersed in salt brine in paraffined barrels lined with a cotton bag, shall be the maximum price for that score or grade established by paragraph (a) of this section for that particular sale, plus the appropriate following sum:

Barrels containing:	*Cents per lb.*
Not over 25 lbs.	6
Over 25 lbs. but not over 50 lbs.	4½
Over 50 lbs. but not over 56 lbs.	4½
Over 56 lbs. but not over 60 lbs.	4
Over 60 lbs. but not over 100 lbs.	3½
Over 100 lbs. but not over 112	3
Over 112 lbs.	2½

(c) *Sales at retail by retail route-sellers.* (1) A "retail route-seller" is a person who customarily makes sales of butter directly from a truck or wagon operated by a driver-salesman over a regular route. A "retail route-seller" shall include a dairy company operating delivery routes through driver-salesmen, but shall not include a grocery store or meat market which delivers butter.

(2) The maximum price for any particular score or grade and form of butter sold at retail in any place by a retail route-seller shall be the maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section, plus the appropriate sum for that particular form as determinable from the provisions of Table B of paragraph (b) of this section, plus 8½¢ per lb.

(d) *Sales at retail by a creamery or manufacturer of butter.* (1) The maximum price for any particular score or grade and form of butter sold at retail in any place by a creamery or manufacturer of butter shall be the maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section, plus the appropriate sum from Table B of this section for that particular form, plus 7¢ per lb.

(2) For the purposes of this paragraph, no sale of butter to a purchaser in excess of 2 lbs. shall be considered a sale at retail.

(e) *Maximum prices for any sale not provided for.* (1) The maximum price for the sale of any particular score or grade of butter by any person to another for which a maximum price has not been established by the foregoing paragraphs shall be:

(i) The maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section if such butter is in bulk.

(ii) The maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section plus the appropriate sum designated in Table B of paragraph (b) (1) of this section if such butter is in prints or packages.

(f) *Maximum price in places not on railroad line or siding.* The maximum price for any sale of butter by any person to a purchaser in any place not located on a railroad line or siding shall be the maximum price established by the provisions of this section for a sale by such person to a purchaser of the same type in that closest place which is located on a railroad line or siding and which is in the same area, as determinable from the provisions of subdivisions (i) to (viii), inclusive, of paragraph (a) (2) of this section.

(g) *Reference to Food Distribution Order No. 2.* The Dairy Products Marketing Association shall be considered an agency of the United States Government for purposes of purchasing butter set aside by a creamery for sale to the United States Government. The Dairy Products Marketing Association or any other agency of the United States Government may compensate any "authorized receiver" of butter for services rendered in assembling unprinted butter for sale to the United States Government to an amount not to exceed ½ cent per pound for each pound of butter assembled. An "authorized receiver" for the purposes of this paragraph means an authorized receiver as defined in Food Distribution Order No. 2 issued by the Food Distribution Administration of the United States Department of Agriculture.

(h) *Process butter*—(1) *Definition.* "Process butter" is butter, as defined in Bureau of Dairy Industry Order No. 1 Revised, issued December 24, 1936 by the United States Department of Agriculture, which has been subjected to any process by which it is melted, clarified, or refined and made to resemble genuine butter. It does not include adulterated butter as defined in section 4 of the Act of May 9, 1902 (32 Stat. 195).

(2) The maximum price for any sale of process butter shall be determined in accordance with the appropriate provisions of this section establishing a maximum price for sales of butter of "no grade".

(i) *Labelling.* On and after June 1, 1943 the wrappers or cartons covering prints of butter of 93 score or Grade AA sold by any person, including retailers who print, to any other person must be clearly labelled either "93 score" or "Grade AA".

(j) *Calculations.* (1) In calculating transportation charges referred to in the foregoing paragraphs, the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall not be included. All calculations of transportation charges shall be made on a cents per lb. basis and shall be carried to the second decimal point.

(2) All maximum prices for butter of any score or grade or form shall be calculated as follows: In sales of quantities of 1 lb. or less, the fractional price per lb. shall be adjusted to the nearest cent, or the next higher cent where the fractional price is ½¢. In multiple pound sales, the fractional price per lb. shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or to the next higher cent where the total price ends with the fraction of ½¢. Sales at retail by retail route-sellers shall be deemed multiple pound sales unless separate collections are made for each single delivery of 1 lb. or less.

(k) *Special provisions for records and reports.* The provisions of § 1351.1505 of this regulation shall apply to all sales of butter except sales at retail by creameries, manufacturers of butter, or retail route-sellers. Any retail route-seller, or creamery or manufacturer of butter selling at retail which has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so, and upon request from a purchaser, regardless of previous custom, shall give the purchaser such a receipt. This receipt shall state those facts required by § 1351.1505 of this regulation to be stated on an invoice.

(l) *Exempt sales*—(1) *Sales at retail.* The provisions of this section shall not be applicable to sales of butter at retail except as provided above in paragraphs (c) and (d) of this section with respect to sales and deliveries at retail by route-sellers and sales at retail by creameries, or manufacturers of butter.

(2) The sales exempted under subparagraph (1) of this paragraph are in addition to the sales exempted by the application of certain provisions of the General Maximum Price Regulation as provided in § 1351.1511 hereof.

(m) *Definitions*—(1) *Butter.* "Butter" means the food product, commonly known as butter, which is made exclusively from milk or cream, or both, with or without the addition of common salt or coloring matter, and containing not less than 80% by weight of milk fat, all tolerance being allowed for. Such percentage of milk fat requirement shall equal that determined by the method prescribed in official and tentative methods of analysis of the Association of Official Agricultural Chemists, 5th edition, 1940.

(2) *Score or grade of butter.* "Score or grade of butter" means the quality of butter determined in accordance with the Official United States Standards for U. S. Grades of Creamery Butter issued in January, 1943 by the United States Department of Agriculture and effective February 1, 1943.

(3) *Form of butter.* "Form of butter" means the form in which it is sold and delivered, namely, bulk, prints, or packages.

(4) *Place.* "Place" means any city, town, village, or hamlet in the United States.

(5) *Retailer distributing warehouse.* A "retailer distributing warehouse" is a place where butter is received and held for distribution to retail stores, or retail route-sellers. Chain store warehouses, retailer owned cooperative warehouses, and dairy companies operating retail routes or retail stores are included within the meaning of "retailer distributing warehouses."

This amendment shall become effective April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5185; Filed, April 2, 1943; 5:19 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,* as Amended, Amendment 73]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.†

In § 1390.32 (h) the item "Gas welding and cutting equipment" is amended to read as follows: "Gas welding and cutting equipment, welding rods, welding wire, electrodes, and supplies."

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871).

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5172; Filed, April 2, 1943; 4:25 p. m.]

PART 1390—MACHINERY & TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,* Amendment 74]

MACHINERY AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.†

Maximum Price Regulation No. 136, as amended, is amended in the following respects:

1. In § 1390.32 (b) the item "Soot blowers and cleaners, industrial and marine" is amended to read as follows and placed therein in alphabetical order:

Power operated industrial and marine soot blowers and tube cleaners.

2. In § 1390.32 (c) the item "Foundry machinery" is amended to read as follows:

Foundry machinery (including ladles not over 40 ton capacity).

3. In § 1390.32 (f) the item "Freight cars" is amended to read as follows:

Freight cars (including all types and sizes of flanged wheel mining and industrial cars).

4. In § 1390.32 (g) the items "Furnaces and ovens, (industrial)" and "material handling equipment, industrial (cars, trucks, racks, etc.)" are amended to read as follows and placed therein in alphabetical order:

Industrial furnaces and ovens (not including space heating furnaces and stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits, coke ovens, and industrial furnaces used solely for the manufacture of pig iron or steel).

Material handling equipment (including skid platforms; cars and trucks except those equipped with flanged wheels, racks except shelving and stationary storage racks, etc.).

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5166; Filed, April 2, 1943; 4:24 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,* Amendment 75]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.†

In § 1390.34 the item diamond dies smaller than .002 inches in diameter is amended to read as follows:

Diamond dies.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5159; Filed, April 2, 1943; 4:25 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,* Amendment 38]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.†

Ration Order 5C is amended in the following respects:

Section 1394.8007 is amended to read as follows:

§ 1394.8007 *Lost, stolen, destroyed, mutilated, or wrongfully withheld coupon books or bulk coupons.* In the event of loss, theft, destruction, or mutilation of any coupon book or bulk coupons or the wrongful withholding of such coupons from the rightful holder, the person entitled to the possession thereof shall make application for the replacement of such book or coupons pursuant to the provisions of Procedural Regulation No. 12:‡ *Provided*, That where application is made for replacement of a coupon book or bulk coupons which have been lost or stolen, the board shall waive all waiting periods provided for in paragraphs (a) and (b) of § 1300.954 of Procedural Regulation No. 12 where such requirement will result in extreme hardship upon the individual, impede essential transportation or will be contrary to the public interest; *Provided further*, That where application is made to a board other than the board of original issuance of the coupon book or bulk coupons, an additional copy of the application shall be made to be forwarded to the board of original issuance.

This amendment shall become effective April 8, 1943.

NOTE: All reporting or record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5175; Filed, April 2, 1943; 4:26 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,* Amendment 39]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith,

*Copies may be obtained from the Office of Price Administration.

†7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6967, 7010, 7246, 7320, 7365, 7509, 7602, 6973, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.

‡7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6967, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 6948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9399, 10109, 10230, 10555; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.

*Copies may be obtained from the Office of Price Administration.

†7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1026, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2789, 2720, 3096, 3201, 3253, 3255, 3253, 3254, 3315

‡8 F.R. 3171.

has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.8052 (c) the first sentence is amended to read as follows:

If a board determines that, for one or more of the reasons specified in paragraph (a) of this section, more mileage is needed, or in the case of a non-highway ration, more gasoline is required, than that stated in the application on the basis of which the current ration was issued, it may, upon receiving the surrender of the former ration, issue a new and further ration in accordance with the provisions of paragraph (b) of § 1394.8054

2. Section 1394.8053 (d) is amended to read as follows:

(d) If the board determines that the vehicle or vehicles for which an application is made are being operated in such fashion as to obtain the maximum mileage per gallon of gasoline reasonably possible, it may, upon receiving the surrender of the former ration, issue a new and further ration in accordance with the provisions of paragraph (b) of § 1394.8054.

Section 1394.8054 (b) is amended to read as follows:

(b) Except as provided in paragraph (c) of this section, when granting a further ration pursuant to the provisions of §§ 1394.8052 or 1394.8053 for use prior to the original expiration date of a current ration, the board shall require the surrender of such current ration and upon receiving the surrender thereof shall issue a new ration valid from the date of issuance.

This amendment shall become effective April 8, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5186; Filed, April 2, 1943; 5:19 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amendment 9]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1840, 2283, 2677, 2681, 2684, 2943, 3179.

Ration Order 13 is amended in the following respects:

1. Section 3.1 (a) is amended to read as follows:

(a) *A place where processed foods are produced is a processor establishment.* Any place at which a "person" produces "processed foods" for sale or other "transfer", is a "processor establishment." (This article does not apply with respect to dry beans, peas, or lentils, to "growers" or to "country shippers." Article XXIV sets forth the definitions and rules controlling growers and country shippers with respect to dry beans, peas, and lentils. However, any person who is a grower or country shipper of dry beans, peas, or lentils as well as a "processor" of other processed foods is controlled by both Article XXIV and Article III of this order.)

(1) A person produces processed foods:

(i) If he bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) If he packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) If he sorts, washes, and dries or dehydrates fruits; or

(iv) If he packs fruit or vegetable juices from containers over one (1) gallon into hermetically sealed containers of one (1) gallon or less and sterilizes them by the use of heat; or

(v) If he packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or

(vi) If he precooks dry beans, peas, or lentils; or

(vii) If he packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products for use as a dried soup or soup base; or

(viii) If he uses processed foods to produce other processed foods (as, if he uses canned peaches to make canned fruit salad).

Note: Not all items in the above groups are processed foods as that term is defined. For example, fruit and vegetable juices packed in containers over one gallon are not processed foods. Canned olives are not processed foods. Therefore, a person who packs fruit juices in containers over one gallon, or who cans or bottles olives, does not thereby produce a processed food.

2. Section 4.1 (a) is amended to read as follows:

(a) Any place, including a public warehouse, where a "person" who deals in "processed foods" keeps stocks of those foods for sale or other "transfer" is a "wholesale establishment," if fifty percent or more of those stocks are transferred from there directly to persons other than "consumers." However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies:

(1) At least one of his wholesale establishments; or

(2) At least four of his "retail establishments."

(A place where a person regularly keeps for sale or transfer only stocks of processed foods which he himself produced or imported is a "processor establishment" and not a wholesale establishment. In addition, this Article does not apply, with respect to dry beans, peas, or lentils, to "growers" or to "country shippers." Article XXIV sets forth the definitions and rules controlling growers and country shippers with respect to dry beans, peas, and lentils. However, any person who is a grower or country shipper of dry beans, peas, or lentils as well as a "wholesaler" of other processed foods, is controlled by both Article XXIV and Article IV of this order.)

3. Section 6.1 (c) is added to read as follows:

(c) A wholesaler or retailer who marks or labels dry beans, peas, or lentils in accordance with applicable federal or state seed laws (or, if none is applicable, in accordance with the standards stated in the federal seed law), does not thereby become an industrial user.

4. Section 9.2 (a) is amended to read as follows:

(a) Beginning March 1, 1943, only "retailers", "wholesalers", "processors", "country shippers", and "growers" may sell or transfer processed foods. (Certain transactions between consumers, covered in § 2.3 (b); certain transactions by seed dealers, covered in § 14.7; and certain other transactions, covered in Article X are excepted from this rule.)

5. Section 9.8 (a) is amended to read as follows:

(a) If a retailer, wholesaler, processor, country shipper, or grower receives points in advance for a transfer of processed foods, and is unable to transfer all or any part of the amount ordered, he may return the points in excess. He must return the points in the same form he would use to give up points for a purchase or other acquisition of processed foods. (For example, a wholesaler can give up points only in the form of a ration check. He would, therefore, deposit all the points received by him, and draw a check for any amount to be returned. However, this section does not apply to consumers, except in connection with mail order transactions.)

6. Section 10.2 (a) is amended to read as follows:

(a) Any person may exchange processed foods with any other person for processed foods of equal point value without giving up or taking points. (This rule applies even if there is a money payment to make up any difference in the money value of the processed foods exchanged.) However, neither a "grower" nor a "country shipper" may exchange dry beans, peas, or lentils for other processed foods.

7. Section 10.9 is amended to read as follows:

SEC. 10.9 *Processed foods may be transferred to prospective buyers for sampling, point-free and may be used for sampling and demonstration.* (a) A processor, country shipper, or grower may deliver processed foods to prospective buyers (other than consumers) for sampling, without getting points. However, he may not deliver in this way more than one-fortieth of one percent of the total amount of processed foods produced or imported by him.

(b) A retailer or "wholesaler", who acquires processed foods from a processor, country shipper, or grower, may sample some of them in order to check grades and quality, and may use some of them to demonstrate them to prospective purchasers other than consumers. However, he may not use for this purpose more than one-tenth of one percent of the total amount of processed foods acquired by him. A wholesaler shall attach to his monthly report to the Washington Office on OPA Form R-1310 a statement accounting for the amount of processed foods used by him for sampling or demonstration to prospective purchasers.

8. Section 10.13 is added to read as follows:

SEC. 10.13 *Grower of dry beans, peas, or lentils may transfer them to country shippers point-free.* (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by a "grower" to a "country shipper". At the time of the point-free sale or transfer, the country shipper must give to the grower, and the grower must get from the country shipper, a written receipt on which the country shipper's O. P. A. registration number appears.

9. Section 10.14 is added to read as follows:

SEC. 10.14 *Country shipper or grower of dry beans, peas, or lentils may transfer them point-free to growers for seed purposes.* (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by a country shipper or grower to a grower, when the transferee acquires the dry beans, peas, or lentils for use as seed.

10. Section 10.15 is added to read as follows:

SEC. 10.15. *Wholesaler or retailer may transfer dry beans, peas, or lentils point-free for seed.* (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by a wholesaler or retailer to a person when such person acquires the dry beans, peas, or lentils for use as seed. However, when the transferor sells or transfers, point-free for use as seed, dry beans, peas, or lentils which were in his inventory on March 1, 1943, or which he acquired for points, he shall make and keep a record of the name and address of the transferee, the date of the sale or transfer, and the amounts of dry beans, peas, or lentils transferred point-free for use as seed.

11. Section 10.16 is added to read as follows:

SEC. 10.16 *Dry beans, peas, or lentils may be transferred point-free between country shippers.* (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by one country shipper to another country shipper. At the time of the point-free sale or transfer, the country shippers must exchange written receipts and invoices on which their respective names and addresses and O. P. A. registration numbers appear.

12. Section 14.6 is added to read as follows:

SEC. 14.6 *Wholesaler or retailer may apply for points to replace dry beans, peas, or lentils transferred point-free for seed.* (a) Any wholesaler or retailer who sells or transfers, point-free for use as seed, dry beans, peas, or lentils which were in his inventory on March 1, 1943, or which he acquired for points, may apply on OPA Form R-315 to the Board with which he is registered (or to the Washington Office, if he is registered there) for a certificate for the number of points which he would have received if his transferees had given up points for the dry beans, peas, or lentils so transferred.

(b) The application must contain a statement:

(1) Of the amounts of such dry beans, peas, or lentils sold or transferred point-free for seed purposes;

(2) That the applicant did not receive points for the sales or transfers;

(3) Of the number of points which he would have received if his transferees had given up points for the dry beans, peas, or lentils sold or transferred point-free for use as seed; and

(4) Of the dates between which the sales or transfers were made. The total number of points for which application is made must not exceed the total point value of the amounts of dry beans, peas, and lentils which were in the applicant's inventory on March 1, 1943, or which he acquired for points and which he sold or transferred point-free for use as seed and of which records are kept as required by § 10.15 (a).

(c) If the Board (or the Washington Office) finds the statements made in the application to be true, it will issue to him a certificate for the number of points needed to replace the dry beans, peas, or lentils sold or transferred point-free for use as seed.

13. Section 14.7 is added to read as follows:

SEC. 14.7 *Person acquiring seed beans, peas, or lentils may transfer them as food only for points.* (a) Any person who, for sale or transfer, acquired dry beans, peas, or lentils marked or labeled in accordance with any applicable federal or state seed laws (or, if none is applicable, in accordance with the standards stated in the federal seed law), may transfer them for use as food only if the transferee gives up points equal to the point value of the processed foods so sold or transferred.

(b) Points received for dry seed beans, peas, or lentils, acquired point-free for use or transfer as seed but sold or transferred for use as food, may not be used by the transferor for any purpose. They must, within 5 days of the sale or transfer, be given up to the board for the place where the principal business office of the transferor is located. At the time the points are given up, the transferor must report in writing to the board:

(1) The amounts of dry seed beans, peas, or lentils sold or transferred as food;

(2) The reason that the dry seed beans, peas, or lentils were sold or transferred as food; and

(3) The names and addresses of the persons to whom they were transferred.

14. A new Article XXIV, containing §§ 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, and 24.9, is added to read as follows:

Article XXIV—Growers and Country Shippers of Dry Beans, Peas, and Lentils

SEC. 24.1 *Explanation of terms grower and country shipper with respect to dry beans, peas, and lentils*—(a) *Grower.* Any "person" who, for sale or "transfer", grows or produces dry beans, peas, or lentils for his own account or for the account of himself and others, is a "grower" with respect to the dry beans, peas, and lentils grown or produced by him. However, if he is a "country shipper", he is a country shipper even with respect to the dry beans, peas, and lentils grown or produced by him.

(b) *Country shipper.* A country shipper is:

(1) The first person who "acquires" dry beans, peas, or lentils from a grower for purposes of sale or "transfer" if such person is regularly engaged in the distribution of dry beans, peas, or lentils and if more than fifty percent of the dry beans, peas, and lentils sold or transferred by him are sold or transferred to persons other than "consumers", "retailers", or "industrial" or "institutional users"; or

(2) A person who imports dry beans, peas, or lentils for purposes of sale or transfer.

Note: Such person is a country shipper whether he acquires the dry beans, peas, or lentils by warehouse receipt, or otherwise. A person operating a warehouse in which dry beans, peas, or lentils are sorted or cleaned for the account of another person is not a country shipper unless the warehouseman acquires title to the dry beans, peas, or lentils.

(c) *Country shipper may not be grower, processor, or wholesaler.* A person who is a country shipper may not be a grower, "processor", or "wholesaler" with respect to dry beans, peas, or lentils, nor may he include dry beans, peas, or lentils in the inventory or transfers of any of his processor or "wholesale establishments". Any country shipper of dry beans, peas, or lentils who is also a processor of other "processed foods" is covered by Article III with respect to the other processed foods and by Article XXIV with respect to dry beans, peas, or lentils.

(d) *A person who is a country shipper or a grower and also a retailer must be treated as two separate persons.* A person who has a "retail establishment" and who is also a country shipper or a grower must be treated as two separate persons.

SEC. 24.2 *Country shippers must register and file reports*—(a) *Registration.* Every country shipper of dry beans, peas, or lentils must register with the Office of Price Administration by filing OPA Form R–1303 at any time before April 20, 1943. The form must be completed and signed by the country shipper or his authorized agent.

(b) *Reports.* Every country shipper of dry beans, peas, or lentils must file a monthly report, also on OPA Form R–1303, covering his operations during the month before. The reports must be signed by him or his authorized agent. His first report will cover March 1943, and will be his registration. Reports for each subsequent month must be filed within 20 days after the end of the month. Any country shipper of dry beans, peas, or lentils who is also a processor of other processed foods must file monthly reports on both OPA Form R–1305 and OPA Form R–1303.

(c) *Some country shippers need not file reports for months after March 1943.* A country shipper of dry beans, peas, or lentils who handled less than 10,000 pounds of dry beans, peas, and lentils during 1942 must register but need not file a report for any month after March 1943. However, if the dry beans, peas, and lentils transferred by him in 1943 reach a total of 10,000 pounds, he must file reports beginning for the month in which that figure was reached.

(d) *Country shippers must give information called for by form.* Country shippers of dry beans, peas, or lentils must give all the information called for by OPA Form R-1303.

(e) *Registration and reports must be filed in Washington.* The Country shipper's registration and monthly reports must be filed by mailing OPA Form R–1303 to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C. The form is considered filed on time if the envelope is postmarked on or before the last day it is due.

SEC. 24.3 *Country shipper is given a registration number.* (a) After a country shipper of dry beans, peas, or lentils has registered, the "Washington Office" will send him a card giving him his registration number. After he gets the registration number, he must use it on each report, invoice, or similar document prepared in connection with any sale or transfer by him of dry beans, peas, or lentils. (A country shipper who is also a processor of other processed foods will receive two registration numbers. He will receive one registration number as a processor when he registers by filing OPA Form R–1305. That number must be used on his documents prepared in connection with his sales or transfers of processed foods other than dry beans, peas, and lentils. He will receive a different registration number when he registers by filing OPA Form R–1303. That second number must be used on his documents prepared in connection with his sales, transfers, and acquisitions of dry beans, peas, or lentils.)

SEC. 24.4 *Country shipper may not do business if he does not register and file reports.* (a) No country shipper may transfer or acquire dry beans, peas, or lentils after April 20, 1943 unless he has registered in the manner required.

(b) No country shipper may transfer or acquire dry beans, peas, or lentils after any date on which a report is due from him, unless he has filed that report.

SEC. 24.5 *Country shippers must report their inventories.* (a) As part of his registration and monthly reports, a country shipper must report his inventory.

(b) A country shipper's inventory consists of all dry beans, peas, and lentils owned or possessed by him, or in transit to him. However, the following items are not part of that inventory:

(1) Dry beans, peas, or lentils stored for the account of persons other than his purchasers or transferees;

(2) Dry beans, peas, or lentils held by him as security for a loan made by him to another (or similar transaction); or

(3) Dry beans, peas, or lentils in transit to him for either of those purposes.

SEC. 24.6 *A country shipper must turn over the points he receives to the Washington office.* (a) A country shipper of dry beans, peas, or lentils is not permitted to buy or acquire processed foods with the points he gets for sale or transfer of dry beans, peas, and lentils which were part of the inventory reported by him, except for one purpose: to get back dry beans, peas, or lentils which he sold or transferred, if his transferee returns them to him.

(b) A country shipper must give up to the Office of Price Administration for cancellation, all points he receives for sales or transfers of dry beans, peas, and lentils. Not later than the 20th day of every month he must issue and mail to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C., his certified ration check (payable to the Office of Price Administration) for all those points he received during the month before. A country shipper who is required to file monthly reports on OPA Form R–1303, must attach his check to the report. A country shipper who does not have to file monthly reports must send his check in a sealed envelope, enclosing a statement showing his name, principal business address, and registration number.

(c) A country shipper who used some of those points to get back dry beans, peas, or lentils which he transferred must issue and send his check for the rest. He must enclose with his check a statement giving the name of the person who returned the dry beans, peas, or lentils and their point value.

SEC. 24.7 *A country shipper must keep records.* (a) Beginning April 1943, every country shipper of dry beans, peas, or lentils must keep at his principal business office a record showing:

(1) All dry beans, peas, and lentils acquired by him;

(2) All dry beans, peas, and lentils sold or transferred for points;

(3) All dry beans, peas, and lentils sold or transferred for purposes of seed;

(4) All dry beans, peas, and lentils sold or transferred point-free to other country shippers; and

(5) All weight adjustments.

(b) He must also keep, at his principal business office, a copy of his registration and of his monthly report on OPA Form R–1303 (if any are required).

(c) In addition, at the time of any change in the point value of dry beans, peas, or lentils, every country shipper must make a record of the amount of that item which he has in his inventory. The record must show the point value of the item before and after the change and the amount by which the point value of his inventory was increased or decreased as a result.

SEC. 24.8 *Country shippers must open a ration bank account.* (a) Every country shipper must open at least one ration bank account for his operations in dry beans, peas, and lentils. If he has more than one business office, he may, if he wishes, open a separate account for each or for any group of them.

SEC. 24.9 *Growers who sell or transfer dry beans, peas, or lentils to persons other than country shippers must do so only for points.* (a) Any grower, who sells or transfers dry beans, peas, or lentils directly to persons other than country shippers, must do so only for points equal to the point value of the dry beans, peas, and lentils sold or transferred.

(b) Points, received by a grower as a result of sales or transfers of dry beans, peas, or lentils directly to persons other than country shippers, may not be used by the grower for any purpose. They must, between the 1st and 10th days of the following month, be given up to the Board for the place where the dry beans, peas, or lentils were grown.

15. Section 21.1 (a) (12) is amended to read as follows:

(12) "Processor establishment" means any place where a "person" produces "processed foods" for sale or "transfer". This does not apply, with respect to dry beans, peas, or lentils, to "growers" or to "country shippers". A person is considered to "produce" if he:

(i) Bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) Packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) Sorts, washes and dries or dehydrates fruits; or

(iv) Packs fruit or vegetable juices from containers over one (1) gallon into hermetically sealed containers of one (1) gallon or less and sterilizes them by the use of heat; or

(v) Packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or

(vi) Precooks dry beans, peas, or lentils; or

(vii) Packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products for use as a dried soup or soup base; or

(viii) Uses processed foods to produce other processed foods.

The term "processor establishment" also means any place to which a person imports processed foods into the United States, from any place outside the United States, for sale or transfer. It also includes a place at which a person does not produce or import processed foods, if he regularly keeps there, for sale or transfer, only processed foods which he himself produced or imported. Finally, there is one case in which a place where a person keeps stocks of processed foods produced or imported by someone else is a processor establishment. If he keeps those stocks at that place just to use them to produce other processed foods, that place is a processor establishment.

16. Section 21.1 (a) (18) is amended to read as follows:

(18) "Wholesale establishment" means any place (other than a "processor establishment" or a place at which dry beans, peas, or lentils are kept by a "grower" or "country shipper") where a "person" who deals in "processed foods" keeps stocks of those foods for sale or transfer, if fifty percent or more of those stocks are transferred from there directly to persons other than "consumers". However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies;

(i) At least one of his wholesale establishments; or

(ii) At least four of his "retail establishments".

17. Section 21.1 (a) (20) is added to read as follows:

(20) "Country shipper" means:

(i) The first "person" who "acquires" dry beans, peas, or lentils from a "grower" for purposes of sale or "transfer" if such person is regularly engaged in the distribution of dry beans, peas, or lentils and if more than fifty percent of the dry beans, peas, and lentils sold or transferred by him are sold or transferred to persons other than "consumers", "retailers", or "industrial" or "institutional users";

(ii) A person who imports dry beans, peas, or lentils for purposes of sale or transfer.

18. Section 21.1 (a) (21) is added to read as follows:

(21) "Grower" means any "person" who, for sale or "transfer", grows or produces dry beans, peas, or lentils for his own account or for the account of himself and others. Such person is a grower with respect to the dry beans, peas, and lentils grown or produced by him. However, if he is a "country shipper", he is a country shipper even with respect to the dry beans, peas, and lentils grown or produced by him.

This amendment shall become effective 12:01 a. m. on April 2, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5167; Filed, April 2, 1943; 4:23 p. m.]

PART 1428—SPONGES AND CHAMOIS

[MPR 267, Amendment 1]

SPONGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MPR 267 is amended in the following respects:

1. Section 1428.9 (b) is hereby revoked.

2. Section 1428.10 is amended by deleting the phrase "except as provided in § 1428.14 hereof,".

3. Section 1428.11 (a) (3) is amended to read as follows:

(3) "Packer" means a person who buys sponges from a producer and removes, grades, sorts, trims, and packs them for resale.

4. Section 1428.11 (a) (4) is amended to read as follows:

(4) "Distributor" means a person other than a jobber or retailer who acquires sponges from a packer and who further processes the sponges and repacks them for resale in the distributor trade channels; or a person who purchases sponges from a seller located outside the limits of continental United States and further processes and repacks them for resale in usual distributor trade channels.

5. Section 1428.11 (a) (6) is amended by inserting after "4 6," the number "6s," and by inserting after "8 10," the number "10s,".

6. Section 1428.11 (a) (7) is amended to read as follows:

(7) "Bale" means a lot in excess of 25 pounds in weight of a single size group of sponges corresponding in the bulk to any of the descriptions specified in the left hand columns of the tables of prices set forth in 1428.13 and 1428.14, packed in the manner usual in the trade.

7. Section 1428.13 (a) is amended to read as follows:

(a) The prices set forth below are maximum prices per pound for sponges, f. o. b. packing plant, when sold to distributors. The maximum prices are gross prices for sales to distributors and the seller shall deduct therefrom his customary allowances, or discounts related to the quantity of sponges sold or the time of payment.

TABLE OF PRICES—A

	1 10	10 12	12 16	16 20	20 30
Rock Island Wool #1 A, B Forms	$12.60	$11.50	$10.90	$10.65	------
Rock Island Wool #1, B & C Forms	11.75	10.75	10.35	10.10	------
Rock Island Wool C Forms	11.00	10.10	9.80	9.50	------
Rock Island Wool #1 Cuts	12.60	11.20	10.35	10.10	------
Rock Island Wool #1 & B Cuts	11.75	10.75	9.80	9.50	------
Rock Island Wool B Cuts	11.00	10.10	9.50	9.25	------
Rock Island Wool #2 Forms	9.80	9.50	9.25	9.25	$8.40
Rock Island Wool #2 Cuts	9.80	9.50	8.95	8.70	8.10
Rock Island Wool #3	8.75	8.10	7.85	7.50	7.50
Rock Island Wool #4	6.15	5.90	5.70	5.65	4.25
Florida Yellow #1 and #2	5.95	5.95	5.95	5.70	5.70
Florida Yellow #3	4.60	4.60	4.05	3.50	3.50
Florida Yellow #4	2.05	2.05	2.05	1.75	1.75
Florida Grass #1 and #2	4.95	4.95	4.95	4.60	4.05
Florida Grass #3	3.50	3.50	3.15	3.00	2.90
Florida Grass #4	1.75	1.75	1.75	1.65	1.45

8. Section 1428.13 (b) is amended to read as follows:

(b) All packing or packaging shall be in a manner and must conform to the grades listed in Tables A, B, and C.

9. The head-note of § 1428.14 Appendix B is amended to read as follows:

§ 1428.14 *Appendix B: Maximum packer's and distributor's prices for sponges.*

10. Section 1428.14 (a) is amended to read as follows:

(a) Prices set forth below are maximum prices per pound for sponges, f. o. b. cars at the locality of the seller's warehouse, when sold in bales to jobbers. When sold in bales to retailers or consumers, the maximum prices shall be the prices set forth in Table B, plus 10%. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, or discounts related to the quantity of sponges sold or the time of payment.

*Copies may be obtained from the Office of Price Administration.

(7 F.R. 9318.

TABLE OF PRICES—B

	1/10	10/12	12/16	16/20	20/30
Rock Island Sheepswool #1 & B Forms	$17.65	$16.05	$15.25	$14.90	-------
Rock Island Sheepswool #1, B & C Forms	16.40	15.00	14.45	14.10	-------
Rock Island Sheepswool C Forms	15.30	14.10	13.65	13.30	-------
Rock Island Sheepswool #1 Cuts	17.65	15.60	14.45	14.10	-------
Rock Island Sheepswool #1 & B Cuts	16.40	15.00	13.65	13.30	-------
Rock Island Sheepswool B Cuts	15.30	14.10	13.30	12.95	-------
Rock Island Sheepswool #2 Forms	13.65	13.30	12.95	12.95	$11.70
Rock Island Sheepswool #2 Cuts	13.65	13.30	12.50	12.15	11.35
Rock Island Sheepswool #3	11.95	11.35	11.00	10.20	10.20
Rock Island Sheepswool #4	8.60	8.25	7.45	7.00	6.65
Florida Yellow #1 and #2	8.50	8.50	8.50	8.20	8.20
Florida Yellow #3	6.60	6.60	5.80	5.00	5.00
Florida Yellow #4	2.95	2.95	2.95	2.75	2.55
Florida Grass #1 and #2	7.10	7.10	7.10	6.60	6.30
Florida Grass #3	5.10	5.60	4.55	4.25	4.20
Florida Grass #4	2.55	2.55	2.55	2.35	2.10

11. Section 1428.14 (a) (1) is added to read as follows:

(1) The prices set forth below are maximum prices per pound for Cuban Wool and Cuban Grass sponges, f. o. b. cars at the locality of the distributors' warehouse when sold in bales to jobbers. When sold in bales to retailers or consumers the maximum prices shall be the prices set forth in Table "C" plus 10%. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances or discounts related to the quantity of sponges sold or the time of payment.

TABLE OF PRICES—C

(Distributors prices for Cuban Sponges in bales to Jobbers)

	4/12	12/30	All sizes
Cuba Wool #1 Forms or Cuts	$13.60	$12.95	-------
Cuba Wool #2 Forms or Cuts	12.80	11.90	-------
Cuba Wool #3 Forms & Cuts	11.90	10.80	-------
Cuba Wool #4 Forms & Cuts	10.80	9.10	-------
Cuba Wool #5 Forms & Cuts	-------	-------	$6.20
Cuba Wool #6 Forms & Cuts	-------	-------	6.05
Cuba Grass #1 Forms & Cuts	-------	-------	7.70
Cuba Grass #2 Forms & Cuts	-------	-------	6.95
Cuba Grass #3 Forms & Cuts	-------	-------	6.20
Cuba Grass #4 Forms & Cuts	-------	-------	5.50
Cuba Grass #5 Forms & Cuts	-------	-------	3.80
Cuba Grass #6 Forms & Cuts	-------	-------	2.05

12. Section 1428.14 (b) is amended to read as follows:

(b) The maximum prices for sales of sponges by weight in lots of less than a bale shall be the price per pound obtained by adding to the price specified for each type, size, and grade of sponges, in paragraph (a) of this section, (1) for sales in lots over ten pounds of a single type, size and grade of sponges, ten percent per pound, or (2) for sales in lots of ten pounds or less of a single type, size, and grade of sponges, fifteen percent of the price specified in paragraph (a).

13. Section 1428.14 (c) is amended by deleting the phrase "Except where a petition for exception under paragraph (b) of § 1428.9 has been allowed," by inserting after the phrase "the quantity by number" the phrase "or by net weight", and by inserting after the phrase "rather than by" the word "gross".

14. Section 1428.14 (c) (1) is amended by inserting after the phrase "10 pounds or less" the words "107 percent".

15. Section 1428.14 (c) (3) is amended by inserting after "4s," the number "6s," and by inserting after "8s," the number "10s,".

16. Section 1428.14 (c) (4) is added to read as follows:

(4) For sponges known to the trade as "Boxed sponges", which have been washed, bleached or tagged and placed in corrugated or display containers with the retail price attached, add 50¢ per pound to the prices set forth in § 1428.14 (c) (1).

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5173; Filed, April 2, 1943; 4:25 p. m.]

PART 1440—PROCESSED FOOD COMMODITIES

[MPR 326,[1] Amendment 1]

MACARONI PRODUCTS AND NOODLE PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 326 is amended in the following respects:

1. Section 1440.3a is added to read as follows:

§ 1440.3a *Wagon wholesalers' maximum prices.* Wagon wholesalers shall determine their maximum prices per dozen or other unit of each variety, type, brand, container size and style of macaroni products and noodle products by adding to their net cost thereof a markup of 25% of such net cost. These maximum prices shall be recalculated on receipt of an item whenever there is any change in the net cost.

"Net cost" means the invoice price for macaroni products and noodle products delivered in a customary quantity from a customary supplier by the customary mode of transportation at the wagon wholesaler's customary receiving point less all discounts allowed him, except the discount for prompt payment. No charge or cost for local unloading or local trucking shall ever be included.

A "wagon wholesaler" for the purposes of this regulation is a wholesaler who distributes macaroni products or noodle products from an inventory stocked in trucks or other conveyances to retail outlets, or to commercial, industrial or institutional users. Such conveyances must be under the supervision of driver salesmen who make delivery at the time and point of sale.

Such wholesaler is a wagon wholesaler only for the macaroni products and noodle products which he buys and resells in this manner.

2. Section 1440.3b is added to read as follows:

§ 1440.3b *Primary distributors' maximum prices.* The maximum price per dozen or other unit which a primary distributor may charge for each variety, type, brand, container size and style of macaroni products and noodle products to each class of wholesalers thereof shall be:

(a) The primary distributor's maximum price per dozen or other unit for each variety, type, brand, container size and style of macaroni products and noodle products figured in accordance with the General Maximum Price Regulation, plus

(b) The difference between his supplier's maximum price for that item figured in accordance with this regulation and his supplier's maximum price for that item established under the General Maximum Price Regulation.

A "primary distributor" for the purposes of this regulation is one who purchases macaroni products or noodle products from a producer thereof and resells them to wholesalers and retail distributing warehouses.

Such distributor is a primary distributor only for the macaroni products and noodle products which he buys and resells in this manner.

3. Section 1440.7 is amended to read as follows:

§ 1440.7 *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

4. Section 1440.11 is amended to read as follows:

§ 1440.11 *Applicability of the General Maximum Price Regulation*[2] *and Maximum Price Regulation No. 262*[3] (a) Except as provided in paragraph (b) of this section, the provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of macaroni products and noodle products for which maximum prices are established by this regulation. They also supersede the provisions of Maximum Price Regulation No. 262 with respect to egg noodles.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every wagon wholesaler and primary distributor subject to this regulation.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5187; Filed, April 2, 1943; 5:19 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2098.

[2] 8 F.R. 3096.

[3] 7 F.R. 9244, 10844; 8 F.R. 262, 273, 973, 2285.

PART 1442—CORDAGE

[MPR 340[1], Amendment 1]

JUTE AND ISTLE YARN, ROVE AND ROPE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 340 is amended in the following respects:

1. Section 2 (b) (2) is amended to read as follows:

(2) *Rope.* This regulation covers all sales of No. 1 jute rope and No. 2 jute and istle rope by a manufacturer or by a jobber.

Manufacturers' and jobbers' sales of such rope are divided into three categories: (i) sales to jobbers and military purchases; (ii) sale to industrial users; (iii) sales to retail stores.

The term "jobber" means a person who purchases rope for the purpose of resale to industrial users and retail stores.

The term "industrial user" means any person who in 1942 was treated by the seller as an industrial user of rope as evidenced by price quotations and business correspondence, and any other person purchasing rope in substantially similar quantities and under substantially similar circumstances. The term is limited to a person who purchases rope for use and not for resale, and in general refers to persons who purchase rope in substantial quantities.

The term "military purchases" means purchases by the War Department, the Department of the Navy, the United States Maritime Commission or the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States or any agency of the foregoing.

The term "retail store" means a person who purchases rope for the purpose of resale to ultimate users other than industrial users.

2. Section 4 (a) is amended by inserting, after the phrase "Price to jobber" in each of the first and fourth price columns in the table of maximum prices, the words "and for military purchases".

3. Section 13 is added to read as follows:

SEC. 13 *Emergency military purchases.* The provisions of this regulation or any other regulation issued by the Office of Price Administration shall not apply to any emergency purchase for immediate delivery of any jute or istle rope for which a maximum price is established by this regulation by the War Department, the Department of the Navy, the United States Maritime Commission or the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States or any agency of the foregoing: *Provided*, That a person making such emergency purchases on behalf of any of the foregoing agencies files a report with the Office of Price Administration, Washington, D. C., within five days after such purchase is made, certifying that it was made in a situation in which it was imperative to secure the rope immediately and in which it was impossible to secure, or unfair to require, immediate delivery at the applicable maximum price and setting forth (a) the name and address of the seller (b) the date of purchase (c) date of delivery (d) description of the rope purchased (e) quantity purchased (f) price at which purchased and (g) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5174; Filed, April 2, 1943; 4:26 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amendment 48]

USED TIN CANS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.9 (b) (2) of the GMPR is amended to read as follows:

(2) By any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale: *Provided, however*, That the exception contained in this subparagraph shall not apply to the following:

(i) Sales or deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a, issued by the Director General for Operations, War Production Board;

(ii) Sales or deliveries of scrap burlap and scrap bagging or bale coverings composed of jute, hemp, istle, sisal, or simflar fibers.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5165; Filed, April 2, 1943; 4:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR,[1] Amendment 151]

HICKORY PICKER STICK BLANKS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73 (a) (90) is added to read as follows:

(90) *Hickory picker stick blanks, color no defect*—(i) *Products covered.* This amendment covers, under the term "hickory picker stick blanks, color no defect", all sizes of picker stick blanks which satisfy the following specifications: manufactured from live, tough, heavy weight hickory logs; and to be bright, free from all timber defects, straight and straight grained, and color no defect.

(ii) *Maximum price.* The maximum price for any size hickory picker stick blank, color no defect, is to be the price which before this amendment was the seller's ceiling price for the same size hickory picker stick blank, color a defect. This means that the seller's maximum prices for hickory blanks made entirely of white sapwood shall also be the seller's ceiling prices for hickory blanks which contain any amount of red heartwood.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2nd day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5163; Filed, April 2, 1943; 4:24 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2994.

[1] 7 F.R. 3155, 3330, 3666, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5783, 5775, 5784, 6058, 6091, 6007, 6216, 6613, 6794, 6939, 7093, 7322, 7434, 7758, 7915, 8431, 8681, 9004, 8942, 9435, 3990, 9615, 9618, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 156]

CRUDE RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (92) is added to read as follows:

(92) *Commodities made in whole or in part of crude rubber.* The maximum prices for commodities made in whole or in part of crude rubber shall be those established by §§ 1499.2 or 1499.3 of the General Maximum Price Regulation. Notwithstanding any other provisions of the General Maximum Price Regulation, any person may offer or agree to sell or buy a commodity made in whole or in part of crude rubber at a price in excess of the maximum price in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1943: *Provided*, That no person shall pay or receive for a commodity made in whole or in part of crude rubber a price which is in excess of the maximum price in effect at the time of delivery.

This amendment shall become effective April 2, 1943.

(Pub. Laws. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5188; Filed, April 2, 1943; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 363 Under § 1499.3 (b), GMPR]

BAYER-SEMESAN COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1799 *Authorization of maximum prices for sales of Arasan manufactured by Bayer-Semesan Company.* (a) On and after April 3, 1943, the maximum prices for the sale of Arasan, a fungicide, manufactured by Bayer-Semesan Company of Wilmington, Delaware shall be the prices set forth below:

Product	Size of unit	Maximum prices for sales to jobbers	Maximum prices for sales to retailers	Maximum prices for sales to consumers
Arasan	Case of 144 1-ounce packages	$11.05	$13.80	
	1-ounce package			$0.16

(b) The prices set forth in the preceding paragraph shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable to the purchaser than those which are in effect for sales of Arasan in the next larger size of unit.

(c) The Bayer-Semesan Company shall furnish to each jobber, at or before the time of its first delivery of Arasan to the jobber, and each jobber shall furnish to each retailer, at or before the time of first delivery to the retailer, a written notification, which shall read as follows:

OPA has authorized the following prices for sales of Arasan, subject to all customary discounts.

Product	Size of unit	Maximum prices for sales to jobbers	Maximum prices for sales to retailers	Maximum prices for sales to consumers
Arasan	Case of 144 1-ounce packages	$11.05	$13.80	
	1-ounce package			$0.16

OPA requires each jobber to furnish a copy of this notice to each retailer, at or before the time of first delivery to retailer.

OPA requires that you keep a copy of this notice for examination.

(d) This Order No. 363 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5169; Filed, April 2, 1943; 4:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as amended,[1] Supp. Service Reg. 7 as amended]

SERVICES RENDERED IN CONNECTION WITH THE NEGOTIATION OF PURCHASE OR SALE OF A COMMODITY

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 7 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 7 is hereby amended to read as follows:

§ 1499.657 *Modification of maximum prices established by Maximum Price Regulation No. 165, as amended, for commission selling of fuel and heating oils in certain States and District of Columbia.* (a) Any person engaged in the service of commission selling or commission distribution, from tank wagons, of fuel oil and heating oil, including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, Diesel oil and gas oil in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia is hereby permitted to charge, and any person purchasing such service is hereby permitted to pay, three-tenths of a cent per gallon in addition to the maximum price established for such seller under this regulation.

(b) This Supplementary Service Regulation No. 7, as amended (§ 1499.657) shall become effective April 8, 1943.

(Pub. Laws. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5161; Filed, April 2, 1943; 4:25 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,[1] Amendment 27]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 53 is amended in the following respects:

1. Section 1351.151 (b) (12) (v) (*f*) is amended by deleting from the last sentence thereof the words "by the distributing units of processors, and."

2. Section 1351.151 (b) (12) (v) (*i*) is added to read as follows:

(*i*) Where a processor sells a brand of standard or hydrogenated shortening enumerated in §§ 1351.151 (b) (12) (i) or (ii) hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (*1*) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (*4*) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 106% of the lesser of (*i*) the amount that he bills his branch house or car route for the shortening so sold, or (*ii*) the maximum price permitted him by §§ 1351.151 (b) (12) (i) (v) (*h*) hereof for carlot shipments of the shortening so sold.*

3. Section 1351.151 (b) (12) (v) (*j*) is added to read as follows:

(*j*) Where a processor sells a brand of salad or cooking oil enumerated in §§ 1351.151 (b) (12) (iii) or (iv) hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (*1*) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (*4*) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 110% of the lesser of (*i*) the amount that he bills his branch house or car route for the oil so sold, or (*ii*) the maximum price permitted him by §§ 1351.151 (b) (12) (i) to (v) (*h*) hereof for carlot shipments of the oil so sold.

This amendment shall become effective April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-5243; Filed, April 3, 1943; 1:06 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,[1] Amendment 28]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 53 is amended in the following respects:

1. The table in § 1351.151 (b) (8) (iv) is amended by inserting an additional line in said table, after the line reading "Neutral lard . . . 1 cent per pound over base or standard commercial refined lard." and before the line reading "Lard flakes . . . 1½ cents per pound over base or standard commercial refined lard." which additional line shall read as follows: "Edible lard oil . . . 1½ cents per pound over base or standard commercial refined lard."

2. Section 1351.151 (b) (8) (viii) is amended to read as follows:

(viii) The maximum price per pound, f. o. b. shipping point, for lard sold to the Federal Surplus Commodity Corporation shall be the maximum delivered price, per pound, permitted by this schedule for carload quantities of similar lard, similarly packed, sold to other purchasers, and delivered at the point of shipment.

3. Section 1351.151 (b) (8) (xii) (*l*) is revoked, and a new § 1351.151 (b) (8) (xii) (*l*) is added, to read as follows:

(*l*) "Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard, which oil has a minimum stability of seven hours measured by the active oxygen method, has been previously conditioned by seeding under controlled temperatures, and conforms to the following specifications:

Moisture.—Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists, 6th ed., 1940, P. 423.

Suspended matter.—Shall be free from any appreciable amount of suspended matter.

F.F.A.—Shall not exceed 0.5% as tested by Association of Official Agricultural Chemists, 6th ed., 1940, P. 436.

Taste and odor.—Shall be mild, sweet, and normal for pure lard.

Viscosity.—At 100° F., Saybolt Method, shall be not more than 200 seconds.

This amendment shall become effective April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5244; Filed, April 3, 1943; 1:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 225 Under § 1499.18 (b) GMPR]

ECONOMY BLOUSE COMPANY

Order No. 225 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GFI-111-P.

For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1825 *Adjustment of maximum prices for boys' shirts manufactured by Economy Blouse Company.*—(a) Economy Blouse Company of 1225 Broadway, New York, New York, may sell and deliver, and any person may buy from that company, boys' shirts, Range No. 450, at prices not in excess of $6.50 per dozen.

(b) The maximum price set forth in paragraph (a) herein shall be subject to protestant's customary discounts and trade practices.

(c) Economy Blouse Company shall cause the following written notice to be sent to all persons to whom it sells boys' shirts, Range No. 450:

The Office of Price Administration has permitted me to raise my maximum price for sales to you of boys' shirts, Range No. 450, to $6.50 per dozen. The amount of the increase to this price over any previous maximum price represents only that part of the cost increases which I am unable to absorb and was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise the maximum price on a resale of this item.

(d) All prayers in the protest not granted herein are denied.

(e) This Order No. 225 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 225 (§ 1499.1825) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established for § 1499.2.

(g) This Order No. 225 (§ 1499.1825) shall become effective April 5, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5245; Filed, April 3, 1943; 1:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 364 Under § 1499.3 (b) of GMPR]

PORTER SHOE COMPANY

The Porter Shoe Company of Milford, Massachusetts, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of maximum prices for its new line of men's Cavalier or Faust slippers. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

§ 1499.1851 *Approval of maximum prices for sale by Porter Shoe Company of Milford, Massachusetts of men's Kid Cavalier or Faust slipper.* (a) On and after April 5, 1943, the maximum prices at which the Porter Shoe Company of Milford, Massachusetts may sell, deliver and offer for sale its men's Kid Cavalier or Faust slippers shall be as follows:

Stock No.	Maximum prices		
	Wholesalers	Chain stores	Small retailers
804	$1.70	$1.85	$2.00
805	1.70	1.85	2.00
600	1.70	1.85	2.00
601	1.70	1.85	2.00

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6217, 6939, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6001, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 3324.

[1] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.

(b) The maximum prices authorized by this Order No. 364 shall be subject to discounts, allowances and terms no less favorable than those in effect during March 1942 for sales by Porter Shoe Company of its men's Romeo slipper.

(c) The maximum prices authorized by paragraph (a) of this Order No. 364 shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 364 may be amended or revoked by the Office of Price Administration.

(e) This Order No. 364 shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5246; Filed, April 3, 1943; 1:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 18 Under § 1499.3 (c) of GMPR]

BUHL SONS COMPANY

For the reasons set forth in an opinion issued simultaneouly herewith and filed with the Division of the Federal Register.* *It is ordered:*

§ 1499.818 *Method of determining maximum retail prices of certain carpets.*—(a) The maximum price for a resale of one of the following carpets previously sold by Buhl Sons Company, Detroit, Michigan, shall be determined as set forth in subparagraphs (1) and (2) below:

16393–T, 36" Tap	$1.29½
16393–V, 45" Tap	1.62
16395–J, 36" Velvet	1.67
16395–S, 45" Velvet	2.10
16395–L, 45" Velvet	2.22
16392–T, 45" Velvet	2.30

(1) To determine the maximum price in the case of a retail sale, the seller shall multiply his landed costs by 166⅔ percent.

(2) To determine the maximum price in the case of a sale in a retailer's contract department or by a contractor, the seller shall multiply his landed costs by 133⅓ percent.

(b) "Landed costs" for the purposes of this section shall be Buhl Sons Company's f. o. b. Detroit, Michigan, price for the fabric plus the costs paid by the seller for transportation from Buhl Sons Company's warehouse in Detroit, Michigan, to the reseller's place of business. Transportation costs allowed in computing landed costs may not exceed the costs of direct transportation from Buhl Sons Company's warehouse in Detroit, Michigan, to the seller's place of business by the least expensive readily available method of public carrier.

(c) This Order No. 18 (§ 1499.818) may be revoked or amended by the Price Administrator at any time.

* Copies may be obtained from the Office of Price Administration.

This Order No. 18 shall become effective on the 5th day of April, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5247; Filed, April 3, 1943; 1:04 p. m.]

PART 1300—PROCEDURE

[Procedural Reg 9,[1] Amendment 6]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation No. 9 is amended in the following respects:

Section 1300.611 (f) is amended to read as follows:

(f) *Region VI.* Illinois: Chicago, Moline, Peoria, Rockford, Springfield; Iowa: Des Moines, Sioux City; Minnesota: Duluth, St. Paul; Nebraska: Lincoln, North Platte, Omaha; North Dakota: Bismarck, Fargo; South Dakota: Pierre, Sioux Falls; Wisconsin: Green Bay, La Crosse, Milwaukee.

This amendment shall become effective April 3, 1943.

(Pub. Law 507, 77th Cong., WPB Dir. 1, 7 F.R. 562, E.O. 9125, 7 F.R. 2719)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5251; Filed, April 3, 1943; 5:05 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[2] Amendment 58]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5456 is amended to read as follows:

§ 1394.5456 *Lost, stolen, destroyed, mutilated or wrongfully withheld coupon sheets and delivery receipts.* (a) If a consumer's coupon sheet is lost, stolen, destroyed, mutilated or wrongfully withheld, the person in whose name it was issued may apply for replacement thereof in the manner provided by Procedural Regulation No. 12.

[1] 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2594, 2941.

[2] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 287, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2720, 2887, 2942, 2993, 2887, 3106, 3521, 3628, 3733.

(b) In the event of the loss, destruction or mutilation of any delivery receipt, the person to whom such delivery receipt was issued may apply to the issuing board for replacement thereof. Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The date and place of issuance, and, if possible, the expiration date and the serial number of such receipt;

(3) A description of the premises, vehicle, boat, equipment or process for which the receipt was issued;

(4) A statement of the amount of fuel oil acquired in exchange for receipts (if any) which were issued together with the receipts so lost, destroyed or mutilated;

(5) A description of the manner and circumstances of the loss, destruction, or mutilation.

(c) If the board is satisfied that such delivery receipt has been lost or destroyed, or so damaged or mutilated as to be rendered unfit for use, it may, in its discretion issue a delivery receipt limited to the same gallonage value as the unused receipt sought to be replaced; it shall enter on any delivery receipt issued, the expiration date that appeared on the delivery receipt replaced. No person receiving a delivery receipt under this paragraph shall use, attempt to use or permit the use of the original receipt. A damaged or mutilated receipt shall be surrendered to the board.

(d) All applications for the replacement of lost, destroyed or mutilated coupon sheets made on or before March 28, 1943 shall be governed by the former provisions of this section which are continued in effect for this purpose.

This amendment shall become effective as of March 29, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive 1–O, as amended; 7 F.R. 8416; E.O. 9125, 7 F.R. 2719).

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5253; Filed, April 3, 1943; 5:05 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 4]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (1) and the definition of "meat" in section 24.1 (a) are amended by inserting, at the end of each, the following sentences:

[1] 8 F.R. 3591, 3715.

Meat does not include gelatin or glue. Neither does it include casings or visceral parts to be used in making casings. (Casings are visceral parts specially prepared for use in holding sausage or other foods.)

This amendment shall become effective April 9, 1943.

(Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827, Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5252; Filed, April 3, 1943; 5:05 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 21]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 183 is amended in the following respects:

1. Section 1418.1 (a) (6), (7), (8), (9), (10), (11), (12), (13) and (14) are amended to read as follows:

(6) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy certain fish in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (f), Table VI; and no person shall offer, solicit, or attempt to do any of the foregoing.

(7) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy, dried beans and dried peas in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (g), Table VII; and no person shall offer, solicit or attempt to do any of the foregoing.

(8) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy onions in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (h), Table VIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

(9) On and after April 5, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy butter in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (i), Table IX; and no person shall offer, solicit, or attempt to do any of the foregoing.

(10) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy evaporated milk in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (j), Table X; and no person shall offer, solicit, or attempt to do any of the foregoing.

(11) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy cornmeal, certain cereals, certain packing house products, garlic or cheese in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (k), Table XI; (l), Table XII; (m), Table XIII; (n), Table XIV; (o), Table XV; and no person shall offer, solicit, or attempt to do any of the foregoing.

(12) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy wheat flour, laundry soap or canned Vienna sausage in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (q), Table XVI; (r), Table XVII; (s), Table XVIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

(13) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver oleomargarine or certain processed vegetables and fruits in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (u), Table XIX; (v), Table XX; and no person shall offer, solicit or attempt to do any of the foregoing.

(14) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver frozen pork loins or turkeys in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (x), Table XXI; and (y), Table XXII; and no person shall offer, solicit, or attempt to do any of the foregoing.

2. Section 1418.5 (e) is added to read as follows:

(e) *Notification to retailers.* On and after the date any commodity becomes subject to this Maximum Price Regulation No. 183, or the maximum price of any commodity subject to this Maximum Price Regulation No. 183 is changed, every person selling any such commodity to a retailer shall before or at the time of his first delivery to each retailer supply the retailer with a statement of the maximum retail prices for the commodity or commodities delivered.

3. Section 1418.14 (d) (2), (f) (2), (j) (2), (p), (t), (w), (z) and (bb) are hereby revoked.

4. Section 1418.14 (f) Table VI is amended to read as follows:

(f) *Table VI: Maximum prices for certain fish.* (1) The maximum prices for codfish, bloaters, herring, cusk, link, mackerel, pollock, haddock, hake and white fish sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
If hard dried, semi-dried or smoked	$0.14	$0.15	$0.18
If pickled	.14	.15	.18

For sales of different quantities the maximum price shall be computed proportionately.

5. Section 1418.14 (g) Table VII is amended to read as follows:

(g) *Table VII: Maximum prices for dried beans and dried peas.* (1) The maximum prices for dried beans and dried peas sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
All grades of imported dried beans and imported dried peas, except garbanzos	$0.055	$0.07	$0.08

For sales of different quantities the maximum price shall be computed proportionately.

6. Section 1418.14 (h) Table VIII is amended to read as follows:

(h) *Table VIII: Maximum prices for onions.* (1) The maximum prices for onions sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per 50 lbs.)	Sales at wholesale (price per 50 lbs.)	Sales at retail (price per pound)
Onions	$3.00	$3.68	$0.10

For sales of different quantities the maximum price shall be computed proportionately.

7. Section 1418.14 (i) Table IX is amended to read as follows:

(i) *Table IX: Maximum prices for butter.* (1) The maximum price for butter sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Butter in boxes and tubs, grade A	$0.52	$0.58	$0.70
Butter in prints, not in cartons, grade A	.54	.60	.71
Butter in prints, in cartons, grade A	.55	.61	.72

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4122.

For sales of different quantities the maximum price shall be computed proportionately. This regulation does not apply to unopened tins of butter packed outside the Territory of Puerto Rico.

8. Section 1418.14 (j) Table X is amended to read as follows:

(j) *Table X: Maximum prices for evaporated milk.* (1) The maximum prices for evaporated milk sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (case of 48 14½ oz. cans)	Sales at wholesale (case of 48 14½ oz. cans)	Sales at retail (per 14½ oz. can
Evaporated milk...	$4.39	$4.62	$0.11

The maximum prices for cans of different sizes shall be adjusted proportionately.

9. Section 1418.14 (l) Table XII is amended to read as follows:

(l) *Table XII: Maximum prices for certain cereals.* (1) The maximum prices for certain cereals sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Rolled oats	*Price per 36-20 oz. cardboard packages* $3.00	*Price per 36-20 oz. cardboard packages* $3.35	*Price per 20 oz. cardboard package* $0.12
	Price per 24-20 oz. cardboard packages $2.00	*Price per 24-20 oz. cardboard packages* $2.25	*Price per 20 oz. cardboard package* $0.12
	Price per 50-20 oz. tin containers $6.00	*Price per 50-20 oz. tin containers* $6.35	*Price per 20 oz. tin container* $0.21
Wheat flakes	*Price per case 24-20 oz.* $2.10	*Price per case 24-20 oz.* $2.35	*Price per 8 oz. package* $0.12
Farina	*Price per case 12-24 oz.* $1.63	*Price per case 12-24 oz.* $1.85	*Price per 8 oz. package* $0.18
Corn flakes:	*Price per case 36-8 oz.*	*Price per case 36-8 oz.*	*Price per 8 oz. package*
Kellogg	$2.70	$3.05	$0.10
Ralston	2.24	2.55	0.09
Canquest	2.24	2.55	0.09

For sales of different quantities the maximum prices shall be proportionately computed.

(2) The maximum price for all other varieties of corn flakes shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. A seller who seeks a maximum price for a variety not enumerated in Table XII above shall file with the Puerto Rico Office of the Office of Price Administration an application setting forth: (i) a description of the variety of corn flakes for which the maximum price is sought; (ii) a complete statement of all costs in connection with such variety of corn flakes; (iii) the quantity of such variety of corn flakes for which an order has been placed, or which has been imported and is awaiting distribution, or which is on hand; and (iv) any other facts which the seller wishes to submit in support of his application. The seller shall also submit such additional pertinent information as the Puerto Rico Office of the Office of Price Administration may require. Such authorized price will be given in the form of an amendment or of an order by the Director of the Office of Price Administration for the Territory of Puerto Rico, prescribing the maximum price for the applicant or for sellers of corn flakes generally including purchasers for resale, or for a class of such sellers.

(3) The maximum prices established on sales to wholesalers, at wholesale and at retail, shall be fair and equitable prices and either in line with the usual or normal differentials for grades above or below the prices for enumerated brands or with mark-ups established in this section on enumerated brands.

(4) The direct cost to the importer may not exceed the cost of a reasonably expeditious shipment via the most efficient, readily and regularly available route and means.

10. Section 1418.14 (m) Table XIII is amended to read as follows:

(m) *Table XIII: Maximum prices for certain packing house products.* (1) The maximum prices for certain packing house products sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Lard pork fat rendered	$0.17	[1] $0.18	$0.21
Pure refined lard in tierces	.17	[1] .18	.21
Pure refined lard in cases 50#	.17	[1] .18	.21
Pure refined lard in 3# to 37# tins	.17	.1825	.21
Lard refined, hydrogenated prints	.1750	.1875	.22
Pork pickled heads and tails	.155	.17	.21
Pork spare ribs, cured	.2125	.2325	.28
Pork snouts, cured	.12	.13	.17
Smoked picnic hams	.31	.34	.41
Beef pickled or jerked	.2335	.2485	.29

[1] On sales of less than a full container the maximum wholesale price may be increased by one quarter of a cent ($0.0025) per pound.

For sales of different quantities the maximum prices shall be computed proportionately.

11. Section 1418.14 (n) Table XIV is amended to read as follows:

(n) *Table XIV: Maximum prices for garlic.* (1) The maximum prices for garlic sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (Price per 50 lbs.)	Sales at wholesale (price per 50 lbs.)	Sales at retail (price per pound)
Garlic	$4.25	$4.75	$0.12

For sales of different quantities the maximum price shall be computed proportionately.

12. Section 1418.14 (o) Table XV is amended to read as follows:

(o) *Table XV: Maximum prices for cheese.* (1) The maximum prices for cheese sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Natural American cheddar	*Price per pound* $0.20	*Price per pound* $0.3125	*Price per pound* $0.[illegible]
Daisy, U. S. #1	.29	.3125	.[illegible]
Processed cheddar	*Price per case, 6/5 lbs.* $9.30	*Price per case, 6/5 lbs.* $9.98	.40

For sales of different quantities the maximum price shall be computed proportionately.

13. Section 1418.14 (c) Table XVI is amended to read as follows:

(q) *Table XVI: Maximum prices for wheat flour.* (1) The maximum prices for wheat flour sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Hard, plain clear 14½–17½% protein, 58% ash	*Price per 98#* $3.80	*Price per 98#* $4.06	*Price per pound* $0.[illegible]
Hard, plain straight 12–14% protein, 60% ash	3.85	4.12	.05
Hard, enriched straight 14% minimum protein, 58% ash	3.95	4.23	.06
Hard, plain straight 14.1–16% minimum protein, 58% ash	4.00	4.28	.06
Hard, enriched clear 14.1–17.5% protein, 60% ash	*Price per 200# bag* $7.90	*Price per 200# bag* $8.45	.[illegible]
Hard, enriched patent 12–14% protein, 57% ash	8.35	8.93	.[illegible]
Hard, enriched patent 14.1–16% protein, 58% ash	8.65	9.26	.[illegible]
Soft, enriched straight 10.1–11.5% protein, 50% ash	9.55	10.21	.[illegible]
Soft, enriched straight, special protein, 60% ash	8.75	9.36	.[illegible]
Soft, plain straight 10.1–11.5% protein, 53% ash	*Price per 14#* $6.70	*Price per 14#* $7.17	.[illegible]
Soft, plain special mill, special protein, 72% ash	5.85	6.26	.[illegible]
Hard, plain patent 14½–16% protein, 58% ash	*Price per 196#* $8.30	*Price per 196#* $8.88	.[illegible]

14. Section 1418.14 (r) Table XVII is amended to read as follows:

(r) *Table XVII: Maximum prices for laundry soap.* (1) The maximum prices for laundry soap sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Blue splash	*Case of 200 5 lb. bars* $7.75	*Case of 200 5 lb. bars* $8.40	*Price per* [illegible]
Blue mottle	7.75	8.40	.[illegible]
Blue splash	*Case of 100 5 lb. bars* $3.88	*Case of 100 5 lb. bars* $4.20	.[illegible]
Blue mottle	3.88	4.20	.[illegible]
Blue streak	*Case of 100 1 lb. bars* $4.65	*Case of 100 1 lb. bars* $5.04	.10

For sales of different quantities the maximum price shall be computed proportionately.

15. Section 1418.14 (s) Table XVIII is amended to read as follows:

(s) *Table XVIII: Maximum prices for canned Vienna sausage.* (1) The maximum prices for canned Vienna sausage sold or delivered in the Territory of Puerto Rico shall be:

	Sales to Wholesalers	Sales at wholesale	Sales at retail
Canned vienna sausage ends	*Case of 48 4-oz. cans* $3.37	*Case of 48 4-oz. cans* $3.72	*Price per 4 oz. can* $0.10
	Case of 24 20-oz. cans $5.30	*Case of 24 20-oz. cans* $5.85	*Price per 20 oz. can* $0.32
Canned vienna sausage whole	*Case of 48 24-oz. cans* $15.70	*Case of 48 24-oz. cans* $17.30	*Price per 24 oz. can* $0.45

For sales of different quantities the maximum price shall be proportionately computed.

16. Section 1418.14 (u) Table XIX is amended to read as follows:

(u) *Table XIX: Maximum prices for oleomargarine.* (1) The maximum prices for oleomargarine sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Oleomargarine	$0.19	$0.206	$0.25

For sales of different quantities the maximum price shall be computed proportionately.

17. Section 1418.14 (v) Table XX is amended to read as follows:

(v) *Table XX: Maximum prices for certain processed vegetables and fruits.* (1) The maximum prices for certain processed vegetables and fruits sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Peas	*Case 24 No. 2 cans*	*Case 24 No. 2 cans*	*Price per No. 2 can*
B	$3.30	$3.70	$0.19
C	3.15	3.60	0.19
Corn			
Cream style, golden	2.85	3.25	0.17
Whole kernel, extra, standard	3.15	3.55	0.18
Whole kernel, fancy	3.30	3.70	0.19
Tomatoes, grade C	2.45	2.85	0.15
Tomatoes	2.65	3.00	0.16
	Case 24 No. 2½ cans	*Case 24 No. 2½ cans*	*Price per No. 2½ cans*
Tomatoes, grade C	$3.40	$3.85	$0.20
	Case 72 8 oz. cans	*Case 72 8 oz. cans*	*Price per 8 oz. cans*
Tomato sauce	$3.55	$3.95	$0.07
	Case 48 10½ oz. can	*Case 48 10½ oz. can*	*Price per 10½ oz. can*
Vegetable soup	$2.80	$3.25	$0.09
Tomato soup	2.80	3.25	0.09

For sales of different quantities the maximum price shall be computed proportionately. The references to soup do not include "new-formula condensed soups" which are covered by Maximum Price Regulation No. 181.[1]

18. Section 1418.14 (x) Table XXI is amended to read as follows:

(x) *Table XXI: Maximum prices for frozen pork loins.* (1) The maximum price for frozen pork loins sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Frozen pork loins, 4 to 12 lb. unit	$0.30	$0.345	$0.44

For sales of different quantities the maximum price shall be computed proportionately.

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5259; Filed, April 3, 1943; 5:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 4[2] to GMPR,[3] Amendment 25]

EXCEPTIONS; SALES TO UNITED STATES AGENCIES

A statement of the considerations involved in the issuance of Amendment No. 25 to Revised Supplementary Regulation No. 4 has been issued and filed with the Division of the Federal Register.*

Section 1499.29 (a) is amended by adding the following new subparagraph.

(32) Sales or deliveries of canned fish flakes to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government. Duly authenticated copies of all contracts entered into on or after April 3, 1943, the effective date of this subparagraph, involving the sale, purchase or exchange of canned fish flakes, shall be filed by the seller with the OPA within fifteen days after the signing of such contracts: *Provided*, That in lieu of the filing of duly authenticated copies of such contracts duly authenticated summaries of such contracts may be filed by the seller with the OPA within fifteen days after the signing of such contracts. Such duly authenticated summaries shall include the following information: seller, date of contract, term of contract, species and manner of preparation, price, quantity, buyer, point of delivery corresponding to sales price, and method of delivery.

NOTE: The record keeping and reporting requirements in this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5250; Filed, April 3, 1943; 5:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Order 13 Under § 1499.3 (b) of GMPR]

NUTONE INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is ordered:*

Paragraph (a) (2) of § 1499.50 is amended as set forth below:

§ 1499.50 *Maximum prices for sales of a mail box manufactured by Nutone Incorporated.* (a) This Order No. 13 sets maximum prices per unit for sales of a wood mail box, 6½" wide by 9" high by 18" long, manufactured by Nutone Incorporated, Third and Eggleston Avenue, Cincinnati, Ohio.

* * * * *

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5560, 5775, 8948, 10470; 8 F.R. 2998.

[2] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10531; 8 F.R. 130, 137, 372, 1615 1681, 1893, 3631, 4129, 4138.

[3] 8 F.R. 3096, 3849.

[4] 8 F.R. 3096, 3849.

(2) For sales at wholesale in quantities of six or more, the maximum prices are:

In the eastern zone	$1.67
In the western zone	1.85

Five percent may be added for a sale of less than six boxes. The wholesale prices are delivered prices. However, if the shipment to the retailer weighs less than 100 pounds, because of the size of the retailer's order, the retailer may be required to pay the transportation charges in addition to the maximum price.

Generally, the location of the seller's place of business shall determine which zone price is applicable. However, on shipments weighing 100 pounds or more from a wholesaler in the eastern zone, to a retailer in the western zone, the western zone maximum price may be charged.

* * * * *

This amendment shall become effective on the 2d day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5254; Filed, April 3, 1943; 5:05 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-260]

A & B COAL CO.

ORDER EXTENDING EFFECTIVE DATE OF REVOCATION OF CODE MEMBERSHIP

In the matter of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, code members.

On March 17, 1943, an order was entered in this proceeding revoking and cancelling the code membership of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, in District 8, Overton County, Tennessee, effective fifteen (15) days from the date thereof.

Thereafter, on March 29, 1943, the Bituminous Coal Producers Board for District No. 8 ("District Board 8") filed with the Division its Petition for Modification of Findings, Conclusion and Order, requesting a reconsideration and modification by the Director of the above mentioned revocation order. On March 30, 1943, District Board 8 filed a further Motion for Interim Modification of Order, requesting that the effective date of the Order Revoking Code Membership, dated March 17, 1943, be extended to allow additional time, pending reconsideration of the revocation order.

The Director finds that there is a reasonable showing of necessity for reconsideration and extension of time, as requested;

Accordingly, the second paragraph of the Order Revoking Code Membership dated March 17, 1943 should be amended to read as follows:

It is ordered, That effective April 30, 1943, the code membership of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, in District No. 8, be and it hereby is cancelled and revoked; and

Moreover, in order to aid the Director in reconsidering the Order Revoking Code Membership, District Board 8 or any other party to this proceeding should file with the Division affidavits in support of the Petition for Modification, setting forth specifically and in detail any extenuating circumstances which may warrant modification of the order, supported by a statement of the financial condition of J. A. Allred and W. B. Brown, individually and as copartners doing business under the name and style of A & B Coal Company, or such other facts as may be deemed pertinent.

In these respects, the motions of District Board 8 should be granted.

Accordingly, *It is so ordered.*

Dated: April 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5227; Filed, April 3, 1943; 10:23 a. m.]

MERCHANTS FUEL CO., AND WELLS CO., INC.

ORDER REVOKING CERTAIN REGISTRATIONS

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, *It is so ordered.*

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

EXHIBIT A

Registration Number	*Name and address*
6365	Merchants Fuel Co., Room 301, 11 S. La Salle St., Chicago, Ill.
9573	Wells Co., Inc., 350 Frances Bldg., Sioux City, Iowa.

[F. R. Doc. 43-5269; Filed, April 5, 1943; 10:36 a. m.]

RIPSLINGER BROS.

APPLICATION FOR REGISTRATION

An application for registration as a distributor has been filed by the following and is under consideration by the Director:

Name and address	*Date application filed*
Ripslinger Bros, 2600 Carrollton St., Saginaw, Mich.	Mar. 19, 1943

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of the above-named applicant for registration as a distributor under the provisions of the Bituminous Coal Act and the rules and regulations for the registration of distributors, is invited to furnish such information to the Division on or before May 3, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5268; Filed, April 5, 1943; 10:36 a. m.]

[Docket No. B-188]

J. W. BENNETT

ORDER REVOKING CODE MEMBERSHIP

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that code member wilfully violated the order of the Director in General Docket No. 19, dated October 9, 1940, and pursuant to sections 4 II (j) and 5 (b) and other provisions of the Bituminous Coal Act of 1937;

It is ordered, That J. W. Bennett, code member, operating the Cardiff Mine, Mine Index No. 283, located in Jefferson County, Alabama, in District 13, cease and desist from further violating the order of the Director in General Docket No. 19, dated October 9, 1940, and from otherwise violating the Act or rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with the provisions of this order, the Division may appeal to a Circuit Court of Appeals from the enforcement thereof, or may take other appropriate action as authorized by the Act.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5267; Filed, April 5, 1943; 10:36 a. m.]

Bureau of Reclamation.

HASSAYAMPA PROJECT, ARIZONA

FIRST FORM RECLAMATION WITHDRAWAL

FEBRUARY 20, 1943.

THE SECRETARY OF THE INTERIOR.

Sir: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

HASSAYAMPA PROJECT, ARIZONA

BOX CANYON RESERVOIR SITE

Gila and Salt River Meridian

Township 8 North, Range 4 West:
Sec. 1—Lots 1, 2, 3, 4, 5, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 2—Lots 1, 3, 4, $S\frac{1}{2}N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 3—Lot 2, $S\frac{1}{2}N\frac{1}{2}$, $S\frac{1}{2}$;
Sec. 4—All;
Sec. 6—All;
Sec. 7—Lots 5 to 16, inclusive;
Sec. 8—$N\frac{1}{2}$, $SW\frac{1}{4}$;
Sec. 9—$SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}$, $NE\frac{1}{4}SE\frac{1}{4}$;
Sec. 10—All;
Sec. 11—Lot 1, $NE\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}$;
Sec. 12—All;
Sec. 13—All;
Sec. 14—All;
Sec. 15—All;
Sec. 17—Lots 1, 2, 3, 4, $S\frac{1}{2}NW\frac{1}{4}$;
Sec. 18—All;
Township 9 North, Range 4 West:
Sec. 33—$S\frac{1}{2}$;
Sec. 34—All;
Sec. 35—$N\frac{1}{2}$, $N\frac{1}{2}SW\frac{1}{4}$;
Sec. 36—$N\frac{1}{2}$;
Township 8 North, Range 5 West:
Sec. 1—All;
Sec. 9—All;
Sec. 10—All;
Sec. 11—All;
Sec. 12—All;
Sec. 13—Lots 1, 2, 3, 4, $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$;
Sec. 14—$N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$;
Sec. 15—All.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: March 19, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

OSCAR L. CHAPMAN,
Assistant Secretary.

MARCH 27, 1943.

[F. R. Doc. 43-5192; Filed, April 3, 1943; 9:49 a. m.]

WINSLOW PROJECT, ARIZONA

FIRST FORM RECLAMATION WITHDRAWAL

FEBRUARY 20, 1943.

THE SECRETARY OF THE INTERIOR.

Sir: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in Section 3 of the Act of June 17, 1902 (32 Stat. 388).

WINSLOW PROJECT, ARIZONA

WILD CAT RESERVOIR SITE

Gila and Salt River Meridian

Township 14 North, Range 14 East:
Sec. 1—All;
Sec. 12—All;
Sec. 25—All;
Township 14 North, Range 15 East:
Sec. 2—All;
Sec. 3—All;
Sec. 4—All;
Sec. 5—All;
Sec. 6—Lots 1, 4, 5, 6, 7, 8, 9, $SW\frac{1}{4}NE\frac{1}{4}$-$NW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$-$SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 7—All;
Sec. 8—All;
Sec. 9—All;
Sec. 11—All;
Sec. 12—All;
Sec. 13—All;
Sec. 14—All;
Sec. 17—All;
Sec. 18—All;
Sec. 19—All;
Sec. 23—All;
Sec. 24—All;
Sec. 25—All;
Sec. 26—All;
Sec. 30—All.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: March 19, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

OSCAR L. CHAPMAN,
Assistant Secretary.

MARCH 27, 1943.

[F. R. Doc. 43-5193; Filed, April 3, 1943; 9:49 a. m.]

General Land Office.

[Public Land Order 101]

NEVADA

WITHDRAWAL OF PUBLIC LAND FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat., 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war.

MOUNT DIABLO MERIDIAN

T. 21 S., R. 62 E.,
sec. 25, $SW\frac{1}{4}SW\frac{1}{4}$.
The area described contains 40 acres.

The order of the Secretary of the Interior of November 11, 1936, establishing Nevada Grazing District No. 5 is hereby modified to the extent necessary to permit the use of the land as herein provided.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 27, 1943.

[F. R. Doc. 43-5189; Filed, April 3, 1943; 9:49 a. m.]

[Public Land Order 104]

UTAH

AMENDMENT OF ORDER WITHDRAWING LAND FOR USE OF WAR DEPARTMENT

Amending Public Land Order No. 66 of November 30, 1942, as to the use of the lands thereby reserved.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Public Land Order No. 66 of November 30, 1942, withdrawing certain lands for the use of the War Department as an Ordnance Storage Depot is hereby amended so as to reserve the lands described in that order for the use of the War Department as a Chemical Warfare Service Depot.

The order of the Secretary of the Interior of April 8, 1935, establishing Utah Grazing District No. 2, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 29, 1943.

[F. R. Doc. 43-5190; Filed, April 3, 1943; 9:49 a. m.]

[Public Land Order 105]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS BOMBING TARGET SITES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as bombing target sites:

NEW MEXICO PRINCIPAL MERIDIAN

T. 19 S., R. 3 W., sec. 31, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$.
T. 20 S., R. 3 W.,
sec. 5, lots 3 and 4;
sec. 6, lots 1 and 2.
T. 21 S., R. 3 W.,
sec. 13, $S\frac{1}{2}$;
sec. 24, $N\frac{1}{2}$.
T. 22 S., R. 3 W.,
sec. 24, $S\frac{1}{2}$;
sec. 25.

T. 23 S., R. 3 W.,
sec. 26, S½;
sec. 35.
T. 25 S., R. 3 W.,
sec. 1, S½N½ and S½;
sec. 12, N½ and N½S½.
T. 26 S., R. 3 W.,
sec. 24;
sec. 25, N½.
T. 21 S., R. 4 W., sec. 5.
T. 22 S., R. 4 W.,
sec. 11, S½NE¼, SE¼NW¼, and S½;
sec. 14, N½N½.
T. 24 S., R. 4 W., sec. 4.
T. 25 S., R. 4 W.,
sec. 11, SW¼;
sec. 14, W½;
sec. 15, E½.
T. 26 S., R. 4 W.,
sec. 21, E½;
sec. 22, W½.
T. 19 S., R. 5 W.,
sec. 26, S½;
sec. 35.
T. 25 S., R. 5 W.,
sec. 7, S½;
sec. 18.
T. 26 S., R. 5 W.,
sec. 29;
sec. 30, E½.
T. 15 S., R. 6 W.,
sec. 34, E½;
sec. 35.
T. 18 S., R. 6 W.,
sec. 18;
sec. 19, N½.
T. 21 S., R. 6 W., sec. 1, W½.
T. 25 S., R. 7 W.,
sec. 14, S½;
sec. 23.
T. 26 S., R. 7 W.,
sec. 34;
sec. 35, W½.
T. 25 S., R. 8 W., sec. 9, S½.

The areas described aggregate 15,504.99 acres.

This order shall take precedence over, but shall not rescind or revoke, the order of July 11, 1935, of the Secretary of the Interior, establishing New Mexico Grazing District No. 3, so far as such order affects any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 29, 1943.

[F. R. Doc. 43-5191; Filed, April 3, 1943; 9:49 a. m.]

National Park Service.

PLATT NATIONAL PARK, OKLAHOMA

ASSUMPTION OF JURISDICTION BY UNITED STATES

MARCH 4, 1943.

MY DEAR GOVERNOR KERR: The United States has acquired under the authority of the Act of Congress, approved June 18, 1940 (54 Stat. 406, 447), certain lands in Murray County, State of Oklahoma, as an addition to the Platt National Park.

Notice is hereby given, in accordance with the provisions of the Act of Congress, approved October 9, 1940 (54 Stat. 1083, 40 U.S.C. sec. 255), that the United States assumes exclusive jurisdiction over said lands, effective as of the fifteenth day of April 1943, at 12:00 A.M. Such jurisdiction was provided for by the Act of Congress, approved June 16, 1906, sec. 7 (34 Stat. 267, 272; 16 U.S.C. sec. 153).

The lands covered by this notice are those acquired by the United States by condemnation proceedings entitled United States of America vs. 63.75 acres of land in Murray County, Oklahoma, and Rilla Giles, et al., No. 427 Civil, in the District Court of the United States for the Eastern District of Oklahoma, and are described in the final judgment of that Court, entered January 26, 1942, a certified copy of which was recorded on February 18, 1942, at 10:00 A. M. in Book 78, Page 580, in the Office of the County Clerk of the County of Murray, State of Oklahoma.

In accordance with the procedure recommended by the Attorney General of the United States, it is requested that you endorse the duplicate of this notice of acceptance, indicating the date of its receipt, and return the duplicate to me.

Sincerely yours,

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

Received this 20th day of March 1943, at 8 a. m.

ROBT. S. KERR,
Governor of Oklahoma.

[F. R. Doc. 43-5194; Filed, April 3, 1943; 9:49 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 5, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Hampstead Clothing Company, Hampstead, Maryland; Men's clothing; 5 percent (T); April 5, 1944.

The Moses-Rosenthal Company, 302-316 North Second Street, Booneville, Indiana; Men's and boys' woven underwear, U. S. Navy underwear; 35 learners (T); November 30, 1943.

Resisto-Tru-Fast Tie Company, Inc., 42 S. Paca Street, Baltimore, Maryland; Men's neckwear; 5 learners (T); April 5, 1944.

Robinson Manufacturing Company, Dayton, Tennessee; Men's & boys' woven cotton underwear; 15 learners (T); September 28, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Ar-Cel Garment Company, Wilkes & Fay Streets, Columbia, Missouri; Wash dresses, sportswear, ladies' underwear; 10 percent (T); April 5, 1944.

M. M. Bernstein and Sons, 213 North Broad Street, Phillipsburg, New Jersey; Ladies' underwear; 10 percent (T); March 29, 1944. (This certificate corrects and replaces the certificate issued effective March 23, 1943 and expiring March 23, 1944.)

The Brunner Company, 3911 Cleveland Avenue, Ashtabula, Ohio; Dresses, slacks and housecoats; 15 learners (T); October 26, 1943.

Charming Lady Cottons, Inc., 1727 Broad Street, South Greensburg, Pennsylvania; Women's cotton dresses; 10 percent (T); October 5, 1943.

Cornbleet Brothers, Harrisburg, Illinois; Rayon content dresses and cotton dresses; 90 learners (E); October 5, 1943.

Ely & Walker Dry Goods Company, Delmar & East "B" Streets, Belleville, Illinois; Leather jackets, wool jackets and mackinaws; 18 learners (T); October 5, 1943.

Stanley M. Feil Company, 2073 East 4th Street, Cleveland, Ohio; Cotton housedresses; 7 learners (T); April 5, 1944.

Gopher Manufacturing Co., 310 Broadway Street, St. Paul, Minnesota; Overalls and jackets; 10 learners (T); April 5, 1944.

Hazleton Sportswear Co., Inc., 313-319 W. 20th Street, Hazleton, Pennsylvania; Sportswear; 50 learners (E); October 5, 1943.

The Hercules Trouser Company, Wellston, Ohio; Single pants; 25 learners (T); October 26, 1943.

Kinston Shirt Company, King Street, Kinston, North Carolina; Shirts; 40 learners (T); December 7, 1943.

La Crosse Garment Manufacturing Company, 117 North Second Street, La Crosse, Wisconsin; Nurses uniforms, bush shirts and dress goods; 10 percent (T); April 5, 1944.

Little and Martin, Ltd., 1108 South Los Angeles Street, Los Angeles, California; Children's dresses and playclothes; 10 learners (T); April 5, 1944.

E. S. Lurie Manufacturing Company, 407 East Commercial Street, Springfield, Missouri; Trousers; 10 percent (T); April 5, 1944.

A. E. Oppenheimer & Brother, 1304 Arch Street, Philadelphia, Pennsylvania; Women's work garments, sportswear; 10 learners (T); April 5, 1944.

Phillips-Jones Corporation, Sunbury Street, Minersville, Pennsylvania; Army shirts; 10 percent (T); April 5, 1944.

Phillips-Jones Corporation, Barnesboro, Pennsylvania; Army shirts; 10 percent (T); April 5, 1944.

Phillips-Jones Corporation, Sixth and Ruddle Streets, Coaldale, Pennsylvania; Army shirts; 10 percent (T); April 5, 1944.

Sharp Brothers, 121 North 7 Street, Philadelphia, Pennsylvania; Boys' suits, boys' single pants, lumberjackets and mackinaws; 15 learners (T); October 5, 1943. (This certificate will replace the certificate which expires May 18, 1943.)

Simon and Mogilner, 4th and Rosabel Streets, St. Paul, Minnesota; Children's play togs, sleeping garments, snowsuits, Government contract insect field bars; 10 percent (T); April 5, 1944.

Stylecraft Frocks, Inc., 1427 Vine Street, Philadelphia, Pennsylvania; Ladies' dresses; 10 learners (T); April 5, 1944.

Undergarment Manufacturing Company, 121 East Main Street, Fort Wayne, Indiana; Ladies' and misses' slips and sleeping wear; 8 learners (T); April 5, 1944.

Unity Shirt Company, 300 Seymour Avenue, Derby, Connecticut; Men's shirts; 10 percent (T); October 5, 1943.

Gloves Industry

H & P Glove Company, 5-11 Fourth Avenue, Johnstown, New York; Leather dress gloves; 5 learners (T); April 5, 1944.

Stott & Son Corporation, 220 East Third Street, Winona, Minnesota; Work gloves; 12 learners (T); July 5, 1943.

Hosiery Industry

Barber Hosiery Mills, Inc., Mount Airy, North Carolina; Seamless hosiery; 5 percent (T); November 19, 1943.

Belmont Hosiery Mills, Inc., 117 Chronicle Street, Belmont, North Carolina; Seamless hosiery; 23 learners (T); October 5, 1943.

Ellis Hosiery Mills, Hickory, North Carolina; Seamless hosiery; 33 learners (T); October 5, 1943.

Graysville Hosiery Mills, 125 East Main Street, Dayton, Tennessee; Seamless hosiery; 20 learners (T); October 5, 1944.

Harriman Hosiery Mills, Harriman, Tennessee; Seamless hosiery; 100 learners (T); October 5, 1943.

John-Massey Hosiery Company, Valdese, North Carolina; Seamless hosiery; 12 learners (T); April 5, 1944.

Lawler Hosiery Mills, Inc., 53 Bradley Street, Carrollton, Georgia; Seamless hosiery; 31 learners (T); November 23, 1943.

Martinat Hosiery Mills, Valdese, North Carolina; Seamless hosiery; 5 percent (T); October 5, 1943.

Murray Hosiery Mills, Inc., Murray, Kentucky; Seamless hosiery; 32 learners (T); October 5, 1943.

Renfro Hosiery Mills, Mount Airy, North Carolina; Seamless hosiery; 50 learners (T); October 1, 1943.

Knitted Wear Industry

Vogue Knitting Company, Inc., Second and Jefferson Streets, Womelsdorf, Pennsylvania; Knitted underwear; 4 learners (T); April 4, 1944.

Textile Industry

Blue Ridge Cord Company, Locust Street, Hendersonville, North Carolina; Yarn; 35 learners (T); October 5, 1943.

The Dellinger Spread Company, 1943 N. Broad Street, Rome, Georgia; Chenille bedspreads; 48 learners (T); April 5, 1944.

The Duplan Corporation, Mulberry Street, Berwick, Pennsylvania; Cotton, silk, rayon, nylon and synthetic thread; 7 percent (T); November 19, 1943.

The Duplan Corporation, Washington Street, Nanticoke, Pennsylvania; Yarn; 7 percent (T); November 19, 1943.

The Duplan Corporation, Eley Street, Kingston, Pennsylvania; Yarn; 7 percent (T); November 19, 1943.

The Duplan Corporation, Diamond Avenue, Hazelton, Pennsylvania; Yarn; 3 percent (T); November 19, 1943.

Signed at New York, N. Y., this 3d day of April 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-5265; Filed, April 5, 1943; 9:53 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective April 5, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Bonnie Tie and Embroidery Shop, 1924 North 17th Street, Kansas City, Kansas; Embroidery; 1 learner (T); Embroidery Machine Operator for a learning period of 4 weeks (160 hours) at 32½ cents per hour until June 14, 1943.

Christian Steinmetz and Sons Company, 25th & Wood Streets, Wheeling, W. Va.; Set-Up paper boxes, Converted paper products; 3 learners (T); Staying machine operator and Wrapping machine operator for a learning period of 6 weeks (240) hours at 35 cents per hour until October 5, 1943.

Empire Carton Company, 119 East Washington Street, McAdoo, Pennsylvania; Converted Paper, Set-Up paper box branch; 3 learners (T); Turner in for a learning period of 4 weeks (160 hours), Staying Machine Operator, Stripper, Wrapper for a learning period of 6 weeks (240) hours at 35c per hour until October 5, 1943.

Royal Manufacturing Company, Alburtis, Pennsylvania; Men's and boys' athletic and broadcloth shirts; 10 learners (T); Knitters and machine operators for a learning period of 320 hours, at 35 cents per hour until December 14, 1943.

Signed at New York, N. Y., this 3d day of April 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-5264; Filed, April 5, 1943; 9:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 273 [1]]

PATENTS AND PATENT APPLICATIONS OF CHEMICAL MARKETING COMPANY, INC.

Whereas, Pursuant to Vesting Order Number 273 of October 29, 1942, the undersigned intended to vest, among other things, the patent applications identified as follows:

[1] 7 F.R. 10164.

Serial Nos.	Filing dates	Inventors	Titles
293,315	9-5-39	E. Lyschkewitsch	Process for the production of highly-sintered ceramic pieces.
306,199	11-25-39	H. Beier	Process for the disposal of waste cyanide solutions.
364,355	11-4-40	K. Frohlich	Friction stressed solid and hollow tips.

Whereas, In describing such patent applications in Exhibit B attached to and made a part of such Vesting Order Number 273, the serial numbers thereof were, through clerical error, inadvertently designated as "293,315", "306,913", and "364,355", respectively, and the filing date on the second patent application hereinbefore described was, through clerical error, inadvertently designated as "11 10 39".

Now, Therefore, Vesting Order Number 273 of October 29, 1942 is hereby amended by substituting, in Exhibit B attached to such order and made a part thereof, (a) the serial number "293,515" for the serial number "293,315", (b) the serial number "306,199" for the serial number "306,913", (c) the serial number "364,335" for the serial number "364,355" and (d) the filing date "11-25-39" appearing immediately after the changed serial number "306,199" for the filing date "11 10 39" appearing immediately after the incorrect serial number "306,913".

All other provisions of said Vesting Order Number 273 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5198; Filed, April 3, 1943; 9:58 a. m.]

[Amendment of Vesting Order 287 [1]]

ICHIRO AOKI

Vesting Order Number 287 of November 2, 1942, is hereby amended as follows and not otherwise:

By striking from paragraph (b) thereof appearing after the phrase "That the property described as follows", the words:

All right, title, interest and claim of any name or nature whatsoever of Ichiro Aoki in and to all indebtedness, whether or not matured, owing to him by the Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, and including particularly all his right, title, interest and claim in and to two checking accounts at the aforesaid Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, which are carried in the respective names of Ichiro Aoki and R. F. Cross, Trustee Account,

and by substituting therefor the following:

(1) All right, title, interest and claim, of any name or nature whatsoever of said Ichiro Aoki, in and to all obligations, contingent or otherwise and whether or not matured, owing to him, by the Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in the Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, in the name of I. Aoki, which bank account is due and owing to, and held for, Ichiro Aoki.

(2) All right, title, interest and claim, of any name or nature whatsoever of said Ichiro Aoki, in and to all obligations, contingent or otherwise and whether or not matured, owing to him, by the Bank of America N. T. & S. A., Visalia Branch, Visalia, California, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in the Bank of America N. T. & S. A., Visalia Branch, Visalia, California, in the name of R. F. Cross, Trustee for I. Aoki, which bank account is due and owing to, and held for, R. F. Cross, Trustee for I. Aoki.

All other provisions of such Vesting Order Number 287 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 31, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5225; Filed, April 3, 1943; 10:03 a. m.]

[Vesting Order 1148]

INTEREST OF CARLOS F. SAAVEDRA

Re: Interest of Carlos F. Saavedra in certain trust property.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Carlos F. Saavedra is a resident of Italy whose last known address is Florence, Italy, and is a national of a designated enemy country (Italy);

2. Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of said Carlos F. Saavedra in and to that certain property held in trust by the Girard Trust Company, Philadelphia, Pennsylvania, as Trustee, under an indenture dated August 26, 1937, for the benefit of Carlos F. Saavedra,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5199; Filed, April 3, 1943; 10:03 a. m.]

[Vesting Order 1149]

GUSTAV ALBRECHT

In re: Trusteeship under Declaration of Trust dated November 22, 1929 with Gustav Albrecht; File D-28-2247; E.T. sec. 3154.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Berks County Trust Company, 35 North 6th Street, Reading, Pennsylvania, Succeeding Trustee, acting under the judicial supervision of the Orphans' Court of Berks County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Three children (names unknown) of Herman Albrecht, deceased brother of Gustav Albrecht	Germany.
The legal heirs (names unknown) of the three children of Herman Albrecht, deceased	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the three children of Herman Albrecht, deceased, names unknown, their legal heirs, names unknown, and each of them, in and to the trust estate created by Declaration of Trust dated November 22, 1929 with Gustav Albrecht,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5200; Filed, April 3, 1943; 9:58 a. m.]

[Vesting Order 1150]

ESTATE OF JOSEPHINE ALFS

In re: Estate of Josephine Alfs, deceased; File D-28-3398; E. T. sec. 1002.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Anglo California National Bank of San Francisco, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Willy Ulbright (Ulbricht)	Germany.
Anna Schade	Germany.
Johanne Mittag	Germany.
Hans Ulbright (Ulbricht)	Germany.
Grete Schindler	Germany.
Rudolf Richter	Germany.
Franz Richter	Germany.
Fritz Richter	Germany.
Carl Richter	Germany.
Lottie Erythropel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Willy Ulbright (Ulbricht), Anna Schade, Johanne Mittag, Hans Ulbright (Ulbricht), Grete Schindler, Rudolf Richter, Franz Richter, Fritz Richter, Carl Richter and Lottie Erythropel, and each of them, in and to the Estate of Josephine Alfs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5201; Filed, April 3, 1943; 9:58 a. m.]

[Vesting Order 1151]

ESTATE OF ADELHIDE ANDERSON

In re: Estate of Adelhide Anderson, deceased; File D-28-1771; E. T. sec. 953.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The United States National Bank of Galveston, 2201 Market Street, Galveston, Texas, Administrator, acting under the judicial supervision of the County Court of Galveston County, State of Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Max Robert Bromundt	Germany.
Herman Gustav Bromundt	Germany.
Adelhide Hedwig Auguste Bromundt	Germany.
Friedrich Wilhelm Bromundt	Danzig.
Other children or issue of deceased children (names unknown) of Mrs. Adelhide Bromundt, nee Roeske, deceased.	Germany.

And determining that—

(3) Friedrich Wilhelm Bromundt, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Danzig, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Max Robert Bromundt, Herman Gustav Bromundt, Adelhide Hedwig Auguste Bromundt, Friedrich Wilhelm Bromundt, and other children or issue of deceased children (names unknown) of Mrs Adelhide Bromundt, nee Roeske deceased, and each of them, in and to the estate of Adelhide Anderson, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time

[1] 7 F.R. 10870.

as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5202; Filed, April 3, 1943; 9:58 a. m.]

[Vesting Order 1152]

TRUST UNDER THE WILL OF ALFRED NATHAN BAER

In re: Trust under the Will of Alfred Nathan Baer, deceased; File D-28-1766; E. T. sec. 928.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter Reitman, Trustee, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Rosl Charlotte Rudolf	Germany.
Franz Werner Rudolf	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rosl Charlotte Rudolf and Franz Werner Rudolf, and each of them, in and to the trust estate created under the Last Will and Testament of Alfred Nathan Baer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5203; Filed, April 3, 1943; 9:58 a. m.]

[Vesting Order 1153]

ESTATE OF MARY MILLER BAUCH

In re: Estate of Mary Miller Bauch; File F-9-100-28-6114; E. T. sec. 1396.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Sterling St. John, Executor, of the estate of Mary Miller Bauch, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
August Bauch	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of August Bauch in and to the Estate of Mary Miller Bauch, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefits of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5204; Filed, April 3, 1943; 9:59 a. m.]

[Vesting Order 1154]

TRUST UNDER THE WILL OF HANNAH SINGER BERKOWITZ

In re: Trust under the will of Hannah Singer Berkowitz, deceased; File D-6-150; E.T. sec. 2595.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Pennsylvania Company for Insurance on Lives and Granting Annuities, Whitney Ashbridge and Oscar I. Stern, Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, (Austria) Germany, namely,

National:	*Last known address*
Poldi Stern	(Austria) Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Austria) Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Poldi Stern in and to the Trust created under the will of Hannah Singer Berkowitz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5205; Filed, April 3, 1943; 9:59 a. m.]

[Vesting Order 1155]

ESTATE OF LOUIS BITTJEMANN

In re: Estate of Louis Bittjemann, deceased; File D-28-2113; E.T. sec. 2577.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by W. J. Hildebrandt, 306 West Adams Street, Jacksonville, Florida, Executor, acting under the judicial supervision of the County Court of Duval County, State of Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Sophie Betjemann	Germany.
Martin Ehricks (Martin Ehrichs)	Germany.
Anna Brodmann (Anna Brodtmann)	Germany.
Sophie Bottjer	Germany.
Frederick Heins (Friedrich Heins)	Germany.
Karl Heins (Carl Heins)	Germany.
Hinrich Heins	Germany.
Katherine Heins	Germany.
Anna Renken	Germany.
Adele Kuck	Germany.
Adline Kuck (Adeline Kuck)	Germany
Sophie Mehrtens	Germany.
Hedwig Renken	Germany.
Mathilde Tietjen	Germany.
Henrich Haase, Jr. (Hinrich Haase, Jr.)	Germany.
The child or children (names unknown) of each of the above persons	Germany.
Hinrich Grabau	Germany.
Anna Grabau	Holland.
Kathe Pflueger	Germany.
Adele Martens	Germany.
Katharine Meyer	Germany.

And determining that—

(3) Anna Grabau, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied country, Holland, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interests of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of (a) Sophie Betjemann, Martin Ehricks (Martin Ehrichs), Anna Brodmann (Anna Brodtmann), Sophie Bottjer, Frederick Heins (Friedrich Heins), Karl Heins (Carl Heins), Hinrich Heins, Katharine Heins, Anna Renken, Adele Kuck, Adline Kuck (Adeline Kuck), Sophie Mehrtens, Hedwig Renken, Mathilde Tietjen, Henrich Haase, Jr. (Hinrich Haase, Jr.); (b) the child or children (names unknown) of each of the persons named in (a); and (c) Hinrich Grabau, Anna Grabau, Kathe Pflueger, Adele Martens and Katharine Meyer; and each of them, in and to the estate of Louis Bittjemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5206; Filed, April 3, 1943; 9:59 a. m.]

[Vesting Order 1156]

ESTATE OF MARIA DELFRINO

In re: Estate of Maria Delfrino, deceased; File D-38-1114; E. T. sec. 2511.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Tony Perry, New Castle, Colorado, Executor, acting under the judicial supervision of the County Court of Garfield County, State of Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Nunzio Delfrino, whose last known address is Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Nunzio Delfrino in and to the estate of Maria Delfrino, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claims arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5207; Filed, April 3, 1943; 9:59 a. m.]

[Vesting Order 1157]

ESTATE OF DOMENICO GUERRA

In re: Estate of Domenico Guerra, deceased; File D-38-1069; E. T. sec. 3116.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Maurice G. Salmina, Executor, acting under the judicial supervision of the Superior Court of San Luis Obispo County, State of California,

[Vesting Order 1160]

[Vesting Order 1161]

the meanings prescribed in section 10 of

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Giacomo Guerra	Italy.
Ricardo Guerra	Italy.
Antonia Guerra	Italy.
Celesta Guerra	Italy.
Desolina Guerra	Italy.
Carolina Guerra Maggini	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Giacomo Guerra, Ricardo Guerra, Antonia Guerra, Celesta Guerra, Desolina Guerra and Carolina Guerra Maggini, and each of them, in and to the Estate of Domenico Guerra, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5208; Filed, April 3, 1943; 10:03 a. m.]

[Vesting Order 1158]

ESTATE OF KATHARINE HAUG

In re: Estate of Katharine Haug, deceased; File F-28-17502; E. T. sec. 1959.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the German Society of the City of New York, Ancillary Administrator of the estate of Katharine Haug, deceased, acting under the judicial supervision of Surrogate's Court, Columbia County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Executors, administrators or personal representatives, names unknown, entitled to receive the estate of Katharine Haug, who died a resident of Germany	Germany.
Frida Burkhardt	Germany.
Anna Gruenewald	Germany.
Mathilde Mohr	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Executors, administrators or personal representatives, names unknown, entitled to receive the estate of Katharine Haug, who died a resident of Germany, Frida Burkhardt, Anna Gruenwald and Mathilde Mohr, and each of them, in and to the Estate of Katharine Haug, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5209; Filed, April 3, 1943; 9:59 a. m.]

[Vesting Order 1159]

ESTATE OF HERMINE Z. HANSEN

In re: Estate of Hermine Z. Hansen, deceased; File D-28-1801; E.T. sec. 1051.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Clarence H. Cranz, Executor, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Summit; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
The Museum of Heidenheim	Wuertemberg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the Museum of Heidenheim, in and to the estate of Hermine Z. Hansen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5210; Filed, April 3, 1943; 9:59 a. m.]

[Vesting Order 1160]

ESTATE OF HENRY N. HESS

In re: Estate of Henry N. Hess, deceased; File D-66-452; E. T. sec. 3049.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wheeling Dollar Savings & Trust Co. and Andrew C. M. Hess, Executors of the estate of Henry N. Hess, deceased, acting under the judicial supervision of the County Court of Ohio County, West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Henry Ward Zimmer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Henry Ward Zimmer in and to the Estate of Henry N. Hess, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5211; Filed, April 3, 1943; 10:00 a. m.]

[Vesting Order 1161]

ESTATE OF META KLENK

In re: Estate of Meta Klenk, deceased; File D-28-2246; E. T. sec. 3153.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Register of Wills and Clerk of the Probate Court, District Court House, Washington, D. C., Depositary, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Johanna Schwenker	Germany.
Gesine Gerken	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Johanna Schwenker in the sum of $100.00 and to Gesine Gerken in the sum of $4,406.07, which amounts were deposited in the Registry of the Probate Court, Washington, D. C., on April 28, 1942, pursuant to order of the court of April 14, 1942, to the credit of the aforesaid nationals,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5212; Filed, April 3, 1943; 10:00 a. m.]

[Vesting Order 1162]

J. HENRY KRAUSE AND J. JACOB KRAUSE

In re: J. Henry Krause and J. Jacob Krause, as Trustees under the Will of Alarich Krause, deceased, vs. Walter Krause, Jacob Krause, Martha Krause Kehe, Margareth Krause Kehe, Lottie Hansohm, Peter Hansohm; and Unknown Owners; File D-28-1943; E. T. sec. 1822

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Find that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Sonnenschein, Clerk, Superior Court of Cook County, Illinois, acting under the judicial supervision of the Superior Court of the State of Illinois, in and for the County of Cook; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals	*Last known address*
Lottie Hansohm	Kiel, Germany.
Peter Hansohm	Kiel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, The Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lottie Hansohm and Peter Hansohm, and each of them, in and to the Trust Estate created under the Will of Alarich Krause, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-5213; Filed, April 3, 1943; 10:00 a. m.]

[Vesting Order 1163]

ESTATE OF AUGUST KRIENKE

In re: Estate of August Krienke, deceased; File No. D–28–1659; E. T. sec. 504.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraph (a) are property which is in the process of administration by Marie LaFlamme and Vincent Garvey, as Executors, acting under the judicial supervision of the Probate Court of LaSalle County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
William Krienke	Germany.
Otto Maass	Germany.
Waldermar Maass	Germany.
Mrs Waldermar Maass	Germany.
Frederick Krienke and his issue	Germany.
Alvina Krienke and her issue	Germany.
Paulina Maass and her issue	Germany.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Frederick Krienke and his issue	Germany.
Alvina Krienke and her issue	Germany.
Paulina Maass and her issue	Germany.

And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

(5) The rents, refunds, benefits or other payments referred to in subparagraph (b) are necessary for the maintenance or safeguarding of other property (namely, real property described in subparagraph (b)) belonging to Frederick Krienke, Alvina Krienke and Paulina Maass, and their issue, and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order.

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of William Krienke, Otto Maass, Waldermar Maass, Frederick Krienke, Alvina Krienke, Paulina Maass, and the wife of the aforesaid Waldermar Maass, name unknown, who is a daughter of a brother of the mother of August Krienke, the issue of the said Frederick Krienke, Alvina Krienke, Paulina Maass, and each of them, in and to the estate of August Krienke, deceased;

(b) All right, title, interest and estate, both legal and equitable, of Frederick Krienke, Alvina Krienke, and Paulina Maass, and their issue, and each of them, in and to real property situated in LaSalle County, Illinois, and Kossuth County, Iowa, with all improvements and appurtenances thereto, hereinafter described, and any and all claims of Frederick Krienke, Alvina Krienke, and Paulina Maass, and their issue, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such real property and the right to sue for and collect the same;

Parcel I: The Southeast quarter (¼) of Section twenty-nine (29) in Township thirty-four (34), North, Range one (1) East of the Third (3rd) Principal Meridian, in the Town of Dimmick, LaSalle County, Illinois, excepting fifty (50) acres off of the West side thereof.

Parcel II: The East one-half (½) of the South one-half (½) of the Northeast quarter (¼) of Section twenty (20) in Township thirty-three (33), North, Range one (1) East of the Third Principal Meridian, in the Town of Peru, LaSalle County, Illinois.

Parcel III: The Northwest quarter (¼) of Section twenty-three (23), in Township ninety-five (95), North, Range twenty-eight (28) West of the Fifth (5th) Principal Meridian, Kossuth County, Iowa.

Parcel IV: The South sixty-seven feet (67) of lots one (1) and two (2) and the South sixty-seven (67) feet of the East one-half (½) of lot three (3); the East one-half (½) of lot eight (8), lots nine (9) and ten (10), all in block one hundred ninety (190) in Brewster's Addition to Ninewa, the same being an Addition in and a part of the City of Peru, LaSalle County, Illinois, excepting however from the aforesaid premises the East fifty (50) feet of the South eighty-nine feet (89) of said lot ten (10).

Parcel V: The South fifty-seven (57) feet of lot five (5) and the South fifty-seven (57) feet of the West fifteen (15) feet of lot four (4) all in block one hundred seventy-one (171) in Brewster's Addition to Ninewa, the same being an Addition in and a part of the City of Peru, LaSalle County, Illinois, excepting and reserving any and all coal and mining rights theretofore conveyed.

Parcel VI: Lots eight (8) and sixteen (16) in Bull's Subdivision of the North fifty acres (50) of the West one-half (½) of the North West one-quarter (¼) of Section No ten (10) in Township No. thirty-three (33), North Range one (1) East of the Third (3d) Principal Meridian, LaSalle County, Illinois, excepting the underlying coal and mining rights which have heretofore been conveyed.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5214; Filed, April 3, 1943; 10:00 a. m.]

[Vesting Order 1164]

TRUST UNDER WILL OF CARL MECHEL

In re: Trust under the Will of Carl Mechel, deceased; File D–28–5292; E. T. sec. 1275.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by First Wisconsin Trust Company, of 735 North Water Street, Milwaukee, Wisconsin, Trustee, acting under the judicial supervision of Milwaukee County Court of the State of Wisconsin, in and for the County of Milwaukee; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Marianne Maetz, whose last known address is Class Zeile 28, Berlin-Zehlendorf, Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marianne Maetz in and to the Trust Estate created under the Last Will and Testament of Carl Mechel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5215; Filed, April 3, 1943; 10 a. m.]

[Vesting Order 1165]

ESTATE OF FRANCIS J. PACKWOOD

In re: Estate of Francis J. Packwood, deceased; File D–66–209; E. T. sec. 1245.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraphs (a) and (b) are property which is in the process of administration by Florida National Bank of Jacksonville, Administrator, acting under the judicial supervision of the County Judge's Court of the State of Florida in and for the County of Duval;

(2) Such property and interests are payable or deliverable to, or claimed by, national of a designated enemy country, Italy, namely,

National:	*Last known address*
Millicent Drake	Italy.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid national of a designated enemy country Italy; and

Determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Millicent Drake in and to the estate of Francis J. Packwood, deceased; and

(b) All right, title, interest and estate, both legal and equitable of Millicent Drake in and to the real property situated in the State of Florida, and described as follows:

S½ of N 52 46½ chains of Jane Murray Grant 104 acres, Section 49, Township 18 South, Range 34 East, Volusia County, Florida, and S½ of N 52 46½ chains of E 8 chains of Jane Murray Grant (21 acres) Section 48, Township 18 South, Range 34 East, Volusia County, Florida, including riparian rights,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5216; Filed, April 3, 1943; 10:01 a. m.]

[Vesting Order 1166]

ESTATE OF SUSIE PIROLA, ETC.

In re: Estate of Susie Pirola, also known as Assunta Pirola, or Miss A. Pirola, deceased, File D–38–1024; E. T. sec. 2328.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John F. Hennessey, Administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Suor. Epifania Pirola	Ospedale Civile (Torino) Foglizzo, Italy
Sig. Guiseppina Pirola	16 Via Trieste Cassano Magnago, Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Suor. Epifania Pirola and Sig. Guiseppina Pirola, and each of them, in and to the estate of Susie Pirola, also known as Assunta Pirola, or Miss A. Pirola, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5217; Filed, April 3, 1943; 10:01 a. m.]

[Vesting Order 1167]

TRUSTS UNDER WILL OF ALICE POTTER

In re: *Trusts under the will of Alice Potter, deceased;* File D–28–2459; E. T. sec. 3511

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Pennsylvania Company for Insurance on Lives and Granting Annuities, Trustee, acting under the judicial supervision of the Orphans Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

tionals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Suor. Epifania Pirola and Sig. Guiseppina Pirola, and each of them, in and to the estate of Susie Pirola, also known as Assunta Pirola, or Miss A. Pirola, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5217; Filed, April 3, 1943; 10:01 a. m.]

[Vesting Order 1167]

TRUSTS UNDER WILL OF ALICE POTTER

In re: *Trusts under the will of Alice Potter, deceased;* File D–28–2459; E. T. sec. 3511

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Pennsylvania Company for Insurance on Lives and Granting Annuities, Trustee, acting under the judicial supervision of the Orphans Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Crescenzia (Cresoenzia) Scheller, also known as Cenzie Scheller	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Crescenzia (Cresoenzia) Scheller, also known as Cenzie Scheller, in and to the Trust Estates created under the will of Alice Potter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5218; Filed, April 3, 1943; 10:01 a. m.]

[Vesting Order 1168]

ESTATE OF BARBARA RICHMOND

In re: Estate of Barbara Richmond, deceased; File D–28–2350; E. T. sec. 3543.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bank of America National Trust & Savings Association, Executor and Trustee of the estate of Barbara Richmond, deceased, acting under the judicial supervision of the Superior Court of Alameda County, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Luise Ruckstuhl	Germany.
Mina Ruckstuhl	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $1,000.00, of which Luise Ruckstuhl and Mina Ruckstuhl are entitled to $500.00 each under the will of Barbara Richmond, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5219; Filed, April 3, 1943; 10:01 a. m.]

[Vesting Order 1169]

ESTATE OF FRED SCHOY

In re: Estate of Fred Schoy, deceased; File D–28–2504; E. T. sec. 4919.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Karl Bauer, Executor, 7321 Lawndale Avenue, Philadelphia, Pennsylvania, acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Marie Schoy	Germany
Mathilda Schoy	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claims of any kind or character whatsoever of Marie Schoy and Mathilda Schoy, and each of them, in and to the estate of Fred Schoy, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5220; Filed, April 3, 1943; 10:01 a. m.]

[Vesting Order 1170]

ESTATE OF VITO ANTHONY SICA

In re: Estate of Vita Anthony Sica, deceased; File No. D–38–317; E. T. sec. 308.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Theresa Perry, administratrix of the goods and chattels of Vita Anthony Sica, deceased, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely Benedetto Sica whose last known address is Italy:

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Benedetto Sica in and to the Estate of Vito Anthony Sica, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5221; Filed, April 3, 1943; 10:02 a. m.]

[Vesting Order 1171]

ESTATE OF MARGHERITA STAGNARO

In re: Estate of Margherita Stagnaro, deceased; File D–38–1222; E. T. sec. 4108.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert B. Ferrera, Administrator, acting under the judicial supervision of the Circuit Court of Multnomah County, Portland, Oregon;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Person or persons, names unknown, entitled to receive the estate or any portion thereof of Margherita Stagnaro, deceased.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of a person or persons, names unknown, entitled to receive the estate or any portion thereof of Margherita Stagnaro, deceased, and each of them, in and to the Estate of Margherita Stagnaro, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc 43-5222; Filed, April 3, 1943; 10:02 a. m.]

[Vesting Order 1172]

TRUST UNDER WILL OF WILLIAM WELKER

In re: Trust u/w William Welker, deceased; File D–28–1543; E. T. sec. 286.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Elisabeth Welker, Trustee of the trust under the will of William Welker, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pa.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Jacob Welker	Germany.
Palentin Welker	Germany.
Adam Welker	Germany.
Linir Welker	Germany.
Peter Welker	Germany.
Coa Welker	Germany.
James Welker	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Jacob Welker, Palentin Welker, Adam Welker, Linir Welker, Peter Welker, Coa Welker, James Welker and each of them, in and to a trust created under the will of William Welker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5223; Filed, April 3, 1943; 10:02 a. m.]

[Vesting Order 1173]

ESTATE OF JOHN ZANIER

In re: Estate of John Zanier, deceased;

OFFICE OF PRICE ADMINISTRATION.

[Order 26 Under SR 1 to GMPR]

THEODORE D. HELPRIN

Approval of maximum price for Turlock Co-operative Growers, Modesto, California.

The applicant, Turlock Co-operative Growers, has filed an application for

(c) This Order No. 238 shall become effective on the 3d day of April 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,

is authorized to sell and deliver the biological surgical ligatures listed herein at prices no higher than those set forth below:

Price Regulation. This notice may be given in any convenient form.

(c) This Order No. 3 may be revoked or amended by the Administrator at any time.

[Vesting Order 1173]

ESTATE OF JOHN ZANIER

In re: Estate of John Zanier, deceased; File D–66–511; E. T. sec. 4354.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Register of Wills and Clerk of the Probate Court, Depositary, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Dirce Zanier	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Dirce Zanier in the sum of $254.41, which amount was deposited in the Registry of the Probate Court, Washington, D. C., on July 17, 1942, pursuant to order of the court of July 1, 1942, to the credit of the aforesaid national,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC 1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5224; Filed, April 3, 1943; 10:02 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 26 Under SR 1 to GMPR]

THEODORE D. HELPRIN

APPROVAL OF REGISTRATION

An opinion in support of this order has been rendered simultaneously herewith and filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as engaged principally and primarily in the business of reconditioning and selling damaged commodities received in connection with the adjustment of losses from insurance companies, transportation companies, and agents of the United States Government, and whose other activities do not include the buying or selling for its own account of new, used, or otherwise sound merchandise: Theodore D. Helprin, 116 John Street, New York, N. Y.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.26 (b) (1), as amended, of Supplementary Regulation No. 1, under the General Maximum Price Regulation, *It is hereby ordered:*

(a) That sales or deliveries by Theodore D. Helprin, New York City, N. Y., be, and they hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 26 shall become effective April 3, 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5158; Filed, April 2, 1943; 4:26 p. m.]

[Order 238 Under MPR 188]

ALLIED CABINET CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 238 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Allied Cabinet Corporation, 1052 West Monroe Street, Chicago, Illinois, is authorized to sell and deliver its new toys, designated in its application of February 4, 1943, at prices, f. o. b. Chicago, Illinois, no higher than those set forth below:

	Jobber	*Retailer*
#300	$5.94	$6.75
#400	5.68	6.45
#500	6.63	7.58
#600	7.58	8.61

(b) This Order No. 238 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 238 shall become effective on the 3d day of April 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5179; Filed, April 2, 1943; 5:19 p. m.]

[Order 239 Under MPR 188]

DRITZ-TRAUM COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 239 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Dritz-Traum Company, 11 East 26th Street, New York, New York, is authorized to sell and deliver its new play sewing sets, designated in the application of February 15, 1943, as "Peggy", at prices to retailers, f. o. b. New York, New York, no higher than those set forth below:

	Per unit
#6601	$1.125
#6602	1.75
#6603	2.75
#6605	.75
#6606	1.00

(b) This Order No. 239 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 239 shall become effective on the 3d day of April 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5180; Filed, April 2, 1943; 5:19 p. m.]

[Order 4 Under Supp. Order 9]

ARMOUR & COMPANY

ORDER GRANTING ADJUSTMENT OF MAXIMUM PRICES

Order No. 4, under § 1305.12 of Supplementary Order No. 9—Commodities or Services under Government Contracts—Application for Adjustment of Maximum Prices.

Granting adjustment of maximum prices for sales of surgical ligatures by Armour Laboratories Division of Armour & Company to the U. S. Army Medical Depot.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 *It is ordered:*

(a) Armour Laboratories Division of Armour and Company, Chicago, Illinois, is authorized to sell and deliver the biological surgical ligatures listed herein at prices no higher than those set forth below:

Type	Size	Maximum price per tube
Plain	0	$0.13
Plain	1	.139
Plain	2	.16
Chromic	0	.135
Chromic	1	.135
Chromic	2	.1625

(b) Any payment made to Armour Laboratories Division of Armour and Company in excess of the prices set forth in paragraph (a) hereof shall be refunded to the purchaser, and within 30 days after the effective date of this Order No. 4, the applicant shall file a statement with the secretary, Office of Price Administration in Washington, D. C., to the effect that all its contracts have been revised in accordance with the terms of this Order No. 4 and wherever required, refunds have been made.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 4 shall become effective on the 5th day of April, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5236; Filed, April 3, 1943; 1:06 p. m.]

[Order 3 Under MPR 65]

BUHL SONS COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 3 Under § 1352.51 (b) (2) of Maximum Price Regulation No. 65—Resale of Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The Buhl Sons Company of Detroit, Michigan, may sell and deliver the fabrics listed herewith at prices no higher than those set forth below:

	Per lineal yard f. o. b. Detroit
10193 T. 36" Tap	$1.29½
10303 V. 45" Tap	1.62
10295 J. 36" Velvet	1.67
10295 S. 45" Velvet	2.10
10295 L. 45" Velvet	2.22
10302 T. 45" Velvet	2.30

These prices shall be subject to Buhl Sons Company's customary discounts, allowances and rebates in effect on October 13, 1941.

(b) Prior to the first invoice to each purchaser for resale of one of the floor coverings set forth in paragraph (a) hereof, Buhl Sons Company shall notify the purchaser of the maximum prices, and the conditions set forth for resale by the purchaser in Order No. 18 under § 1499.3 (c) of the General Maximum Price Regulation. This notice may be given in any convenient form.

(c) This Order No. 3 may be revoked or amended by the Administrator at any time.

(d) This Order No. 3 shall become effective on the 5th day of April 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5242; Filed, April 3, 1943; 1:04 p. m.]

[Order 17 Under MPR 136, as Amended]

SYLVANIA ELECTRIC PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 17 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services.

For the reasons set forth in an opinion issued simultaneouly herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Notwithstanding any contrary provision of Maximum Price Regulation No. 136, as amended, from and after November 14, 1942, the maximum list price at which Sylvania Electric Products, Incorporated, Emporium, Pennsylvania, is authorized to sell and deliver any of the radio tubes listed below, upon government contract or subcontract, shall be the prices set forth opposite each of said types of tubes, viz.:

Type of tube:	*Maximum list price*
VR91	$1.018 each
6L6G	0.495 each
5U4G	0.328 each

(b) Sylvania Electric Products, Incorporated, shall, six months from the date of this order and every six months thereafter, file with the Office of Price Administration, Washington, D. C., a report showing the gross dollar volume of its sales of each of the types of tubes listed above for the six months' period preceding such report.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

(d) This order shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5238; Filed, April 3, 1943; 1:05 p. m.]

[Order 13 Under MPR 185]

TURLOCK CO-OPERATIVE GROWERS

APPROVAL OF MAXIMUM PRICES

Order No. 13 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum price for Turlock Co-operative Growers, Modesto, California.

The applicant, Turlock Co-operative Growers, has filed an application for specific authorization of a maximum price for No. 6/10 hand packed pie clingstone peach halves, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to information submitted by the applicant with respect to the packing of clingstone peaches in the size, grade and style in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered,* That:

(a) The applicant, Turlock Co-operative Growers, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from applicant No. 6/10 hand packed pie clingstone peach halves at a price no higher than $6.39 per dozen cans, f. o. b. factory.

(b) This order No. 13 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the content otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942 shall be applicable to the terms used herein.

(e) This order shall become effective April 5, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5240; Filed, April 3, 1943; 1:04 p. m.]

[Order 240 Under MPR 188]

O. J. MCCLURE TALKING PICTURES

ORDER DENYING APPLICATION FOR ADJUSTMENT

Order No. 240 under § 1499.161 (a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel; Docket No. GF3–44.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The application of O. J. McClure Talking Pictures, 1115 West Washington Boulevard, Chicago, Illinois, filed May 14, 1942, and assigned Docket No. GF3–44, requesting an adjustment of its maximum prices for sales of certain sound

projection equipment manufactured by it, is denied.

This order shall become effective April 5, 1943.

Issued April 3d, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5237; Filed, April 3, 1943; 1:06 p. m.]

[Order 1 Under MPR 300]

BELL AND BALDWIN, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 300—Maximum Manufacturers' Prices for Rubber Drug Sundries.

On March 13, 1943, Bell and Baldwin, Inc. of Akron, Ohio, made application under the provision of § 1315.1755 of Maximum Price Regulation No. 300 for approval of a maximum price of dropper bulbs manufactured by them. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. *It is hereby ordered:*

(a) The maximum price for sales by Bell and Baldwin, Inc. of the first 50,000 dropper bulbs made of Tygon is $50.38 per 1,000.

(b) The maximum price for all sales by Bell and Baldwin, Inc. of any additional dropper bulbs made from Tygon shall be $21.38 per 1,000.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 5, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5239; Filed, April 3, 1943; 1:04 p. m.]

[Order 11 Under MPR 244]

THE CLEVELAND CO-OPERATIVE STOVE COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 11 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-5.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by The Cleveland Co-operative Stove Company. (a) The Cleveland Co-operative Stove Company, 2323 East 67th Street, Cleveland, Ohio, is hereby authorized to sell, offer to sell and deliver, and any person is authorized to buy, offer to buy and receive from said Company (1) "heavy gray iron castings" at prices not in excess of the following maximum prices, f. o. b. Cleveland, Ohio:

Weight:	*Maximum prices (Cents per pound)*
1 to 25 lbs. each	9¼
26 to 100 lbs. each	8¾
101 to 500 lbs. each	8½
501 to 1,000 lbs. each	8

and (2) "light gray iron castings" at prices not in excess of said Company's applicable maximum prices under Maximum Price Regulation 244, plus 15% of said maximum prices before the addition of charges, if any, for transportation.

(b) The permission herein granted to the Cleveland Co-operative Stove Company is subject to the following condition: Said Company shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., the following documents all prepared in accordance with recognized accounting principles and submitted under oath or affirmation: (1) Monthly profit and loss statements covering its gray iron castings operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (2) monthly profit and loss statements covering its over-all operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (3) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the first calendar quarter of 1943; (4) statements of its average per pound price for gray iron castings sold each month and its average per pound costs for the gray iron castings sold, said statements to be filed within thirty days after the close of each month beginning with the month of March 1943; (5) the profit and loss statements filed pursuant to (1) and (2) of this paragraph must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on *Form A—Annual Financial Report* or *Form B—Interim Financial Report*, issued by the Office of Price Administration.

(c) The maximum prices specified in paragraph (a) for "heavy gray iron castings" shall be applicable to all shipments of such castings made by The Cleveland Co-operative Stove Company on and after October 26, 1942.

(d) When used in this order the term: (1) "Heavy gray iron castings" means all gray iron castings produced by the Cleveland Co-operative Stove Company weighing more than 25 pounds each, and also those gray iron castings weighing up to and including 25 pounds each produced on the bench and made from loose, ungated wood patterns;

(2) "Light gray iron castings" are all gray iron castings produced by the Cleveland Co-operative Stove Company which are not included within the definition of "heavy gray iron castings," herein.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

This Order No. 11 shall become effective April 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5241; Filed, April 3, 1943; 1:04 p. m.]

[Rev. Gen. Order 33]

GLEN E. EDGERTON

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125 (7 F.R. 2719) and by War Production Board Directive No. 1-L the following order is prescribed:

(a) Glen E. Edgerton, Rationing Administrator for the Panama Canal Zone, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of petroleum products and rubber tires in the Panama Canal Zone;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Glen E. Edgerton pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5258; Filed, April 3, 1943; 5:04 p. m.]

[Rev. Order 20 Under MPR 152]

C. S. KALE CANNING CO.

MODIFICATION OF ORDER DENYING PETITION

Revised Order No. 20 under Maximum Price Regulation No. 152—Canned Vegetables; Docket No. 3152-24.

Modification of order denying petition for adjustment of maximum prices filed by C. S. Kale Canning Company, Everson, Washington.

Order No. 20 under Maximum Price Regulation No. 152 is amended to read as follows:

On October 20, 1942, the Applicant, C. S. Kale Canning Company filed a petition pursuant to Procedural Regulation No. 1 and Procedural Regulation No. 6 issued by the Office of Price Administration for specific authorization to adjust maximum prices established under Maximum Price Regulation No. 152. This petition was denied by Order No. 20 (8 F.F. 2618) under Maximum Price Regulation No. 152 issued and effective February 27, 1943. On March 15, 1942, Applicant filed a request for review of Order No. 20 insofar as such order denied adjustment under Procedural Regulation No. 6 of its maximum prices requested for sales of green beans to the Quartermaster Depots of the United States Army.

Due consideration has been given to the information submitted by Applicant in its original petition and in its request for review of Order No. 20 with respect to the packing for its general commercial trade of green beans in No. 2 and No. 10 size cans and with respect to the packing for the Quartermaster Depots of the United States Army of extra standard (choice) 4 sieve cut green beans and extra standard (choice) 5 sieve cut green beans in No. 10 size cans, which formed the basis of its contracts with the Quartermaster Depots.

For the reasons set forth in the opinion which accompanies this Revised Order No. 20 and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and pursuant to Revised Procedural Regulation No. 1 and Procedural Regulation No. 6 it is hereby ordered that:

(a) The C. S. Kale Canning Company may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army and the Quartermaster Depots of the United States Army may buy, offer to buy or receive No. 10 size cans of extra standard (choice) 4 sieve cut green beans at a price no higher than the maximum price of $6.125 per dozen f. o. b. factory and No. 10 size cans of extra standard (choice) 5 sieve cut green beans at a maximum price no higher than the maximum price of $5.875 per dozen f. o. b. factory.

(b) Applicant's petition filed under Procedural Regulation No. 1 for adjustment of its maximum prices for sales to its general commercial trade of green beans packed in No. 2 and No. 10 size cans is hereby denied.

(c) This Revised Order No. 20 may be revoked or amended by the Price Administrator at any time.

(e) The Applicant, C. S. Kale Canning Company shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(f) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(g) This Revised Order No. 20 shall becomes effective on April 6, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5255; Filed, April 3, 1943; 5:04 p. m.]

[Order 233 Under MPR 188]

GARDEL INDUSTRIES

APPROVAL OF MAXIMUM PRICES

Order No. 233 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Gardel Industries, of five new toy soldier sets.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Gardel Industries, 106 East 19th Street, New York, New York, is authorized to sell and deliver five new toy soldier sets, described in its application of January 16, 1943, at prices f. o. b. New York, New York, no higher than those set forth below:

	To retailers	To jobbers
#50	$0.33	$0.28
#100	.67	.50
#200	1.33	1.00
#125P	.75	.60
#10P	.06	.05

(b) This Order No. 233 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 233 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5257; Filed, April 3, 1943; 5:05 p. m.]

[Order 247 Under MPR 188]

UNITED STATES GYPSUM COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 247 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an Opinion issued simultaneously herewith and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) The United States Gypsum Company may sell, deliver or offer for sale, and any purchaser may receive or buy in the course of trade, K-Fac block insulation manufactured by the United States Gypsum Company, at the following prices, f. o. b. mill, with freight equalization with any producing point of 85% magnesia pipe and block insulation on sales to railroads and with full freight allowed on sales to other purchasers:

[Per sq. ft.]

Thickness	Distributors		Railroads		Jobbers		National industrials		All others	
	C/L	LCL	C/L	LCL	C/L	LCL	C/L	LCL	C/L	LCL
1"	.12	.126	.135	.135	.138	.15	.144	.15	.153	.165
1¼"	.136	.142	.153	.153	.156	.17	.163	.17	.173	.187
1½"	.152	.159	.171	.171	.174	.19	.182	.19	.193	.209
1¾"	.168	.176	.189	.189	.193	.21	.201	.21	.214	.231
2"	.18	.189	.202	.202	.207	.225	.216	.225	.229	.247
1⅝"	.196	.205	.220	.220	.225	.245	.235	.245	.249	.269
1¾"	.212	.222	.238	.238	.243	.265	.254	.265	.27	.291
1⅞"	.228	.239	.256	.256	.262	.285	.273	.285	.29	.314
2"	.24	.252	.270	.270	.276	.30	.288	.30	.306	.33
2⅛"	.256	.268	.288	.288	.294	.32	.307	.32	.326	.352
2¼"	.272	.285	.306	.306	.312	.34	.326	.34	.346	.374
2⅜"	.288	.302	.324	.324	.331	.36	.345	.36	.367	.396
2½"	.30	.315	.337	.337	.345	.375	.36	.375	.382	.412
2⅝"	.316	.331	.355	.355	.363	.395	.379	.395	.402	.434
2¾"	.332	.348	.373	.373	.381	.415	.398	.415	.423	.456
2⅞"	.348	.365	.391	.391	.40	.435	.417	.435	.443	.478
3"	.36	.378	.405	.405	.414	.45	.432	.45	.459	.495

(b) The prices authorized in paragraph (a) above are conditioned upon the submission, not later than July 15, 1943, by the United States Gypsum Company to the Office of Price Administration of a report giving a detailed statement of total manufacturing cost per unit during a recent stated period of production of the product, including the quantity produced.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 3, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5256; Filed, April 3, 1943; 5:04 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-634, 70-635]

THE MAUCH CHUNK HEAT, POWER AND ELECTRIC LIGHT CO., AND NATIONAL POWER AND LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of March, A. D. 1943.

National Power & Light Company, a registered holding company, and The Mauch Chunk Heat, Power & Electric Light Company, a subsidiary of Republic Service Corporation, a registered holding company, having filed an application and declarations pursuant to sections 9, 10, 12 (c) and 12 (d) of the Public Utility

Holding Company Act of 1935 and Rules

[File No. 1-2859]

office in the City of Philadelphia, Pa., on the 2d day of April, A. D. 1943.

nated, and that at the outset of said hearing cause shall be shown why the

It is ordered, That the jurisdiction heretofore reserved with respect to a re-

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF IS-

Holding Company Act of 1935 and Rules U–42, U–43 and U–44 promulgated thereunder, relating to (1) the sale by National Power & Light Company of its entire interest in The Mauch Chunk Heat, Power & Electric Light Company to the latter, consisting of 61 shares of $25 par value 6% cumulative preferred stock and 597 shares of $25 par value common stock, for $30,000 cash; and (2) the acquisition by The Mauch Chunk Heat, Power & Electric Light Company of such securities from National Power & Light Company for the consideration above specified, and to retain the same as treasury stock; and

National Power & Light Company having requested that the Commission waive the requirement of Account 100 of the Uniform System of Accounts for Public Utility Holding Companies with respect to the segregation of the group investment which includes the securities of The Mauch Chunk Heat, Power & Electric Light Company, presently held by National Power & Light Company; and

The Commission having heretofore on August 23, 1941, entered its order pursuant to section 11 (b) (2) of the Act directing the dissolution of National Power & Light Company; and

A joint public hearing on said application and declarations having been held after appropriate notice; and the Commission having examined the record and having made and filed its findings herein, including the finding that the proposed sale by National of the securities hereinabove mentioned is a step in compliance with said order of the Commission dated August 23, 1941, and is not in contravention of the provisions of the Act, or any rules or regulations promulgated thereunder;

It is ordered, That the said application be, and hereby is, granted and that the said declarations be, and hereby are, permitted to become effective forthwith subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations promulgated under said Act.

It is further ordered, That the requirement of Account 100 of the Uniform System of Accounts for Public Utility Holding Companies be, and hereby is, waived, for the purposes of this transaction only, insofar as it imposes a duty to segregate the remainder of the group investment in the accounts of National Power & Light Company.

It is further ordered, That the sale and transfer by National Power & Light Company to The Mauch Chunk Heat, Power & Electric Light Company of the latter's securities, consisting of 61 shares of 6% cumulative preferred stock and 597 shares of common stock, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5195; Filed, April 3, 1943; 9:50 a. m.]

[File No. 1-2859]

FULLER MANUFACTURING CO.

ORDER POSTPONING HEARING

In the matter of Fuller Manufacturing Company, Common Stock, $1 Par Value.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March, A. D. 1943.

The Commission having on March 18, 1943, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, ordered a hearing to be held on April 28, 1943 in the above-entitled matter; and

Counsel for the applicant having requested that said hearing be postponed until May 17, 1943; and

It appearing to the Commission that the granting of said request will be in the public interest;

It is ordered, That the hearing in this matter previously scheduled for April 28, 1943, be, and hereby is, postponed to May 17, 1943, at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5196; Filed, April 3, 1943; 9:50 a. m.]

[File No. 1-2836]

LINCOLN SERVICE CORP.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March, A. D. 1943.

In the matter of Lincoln Service Corporation, 7% Cumulative Prior Preferred Stock, $50 Par Value, Common Stock, $1 Par Value.

The Commission having on March 19, 1943, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, ordered a hearing to be held on April 23, 1943 in the above-entitled matter; and

A postponement having been requested; and

It appearing to the Commission that the granting of said request will be in the public interest;

It is ordered, That the hearing in this matter now set for April 23, 1943, be and the same is postponed until April 28, 1943 at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5197; Filed, April 3, 1943; 9:50 a. m.]

[File Nos. 59-34, 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSOCIATION ET AL.

ORDER POSTPONING HEARING AND TO SHOW CAUSE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of April, A. D. 1943.

In the matter of New England Gas and Electric Association, Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, Francis G. Goodale, as Trustee of Utility Investing Trust, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, Stanley Clarke, as Trustee of Associated Gas and Electric Company, File No. 59–34. In the matter of New England Gas and Electric Association, File No. 59–56.

The Commission, by order dated September 30, 1941, having instituted proceedings under section 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to New England Gas and Electric Association, a registered holding company; and hearings having been held, briefs having been filed, and the Commission having heard oral argument and taken said matter under advisement; and by order dated September 26, 1942, having instituted proceedings under section 11 (b) (1) of said Act with respect to New England Gas and Electric Association and by order dated February 17, 1943, having instituted further proceedings with respect to New England Gas and Electric Association under sections 11 (a), 11 (b) (2), 12 (f), 12 (g), 15 (f), and 20 (a) of the said Act, and having consolidated such proceedings for hearing with the proceedings under section 11 (b) (1) of the said Act, and having named certain persons as additional parties to said proceedings; a hearing having been held on the consolidated matter on March 4, 1943, and said hearing having been continued until April 5, 1943; and

The Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation having filed a motion requesting that the issues set forth in the Commission's order of February 17, 1943, with respect to the extent and validity of certain claims of the said Trustees against New England Gas and Electric Association be broadened to include any and all claims which the said Trustees or their subsidiaries may have against New England Gas and Electric Association and having requested that the continued hearing in this matter, scheduled for April 5, 1943, at the offices of the Securities and Exchange Commission, Philadelphia, Pennsylvania, be postponed until after the decision of the Commission with respect to the pending motion; and

It appearing to the Commission that the hearing in this matter should be postponed to April 6, 1943, and that at the outset of said hearing, cause should be shown why such motion should be granted;

It is ordered, that the continued hearing in this matter scheduled to be held April 5, 1943, at the offices of the Securities and Exchange Commission, Philadelphia, Pennsylvania, at 10 a. m., e. w. t., be postponed to April 6, 1943, at the same time and place and before the same trial examiner heretofore designated, and that at the outset of said hearing cause shall be shown why the motion filed by the Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation should be granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5234; Filed, April 3, 1943; 11:35 a. m.]

[File No. 70-657]

PUGET SOUND POWER & LIGHT COMPANY

SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of April 1943.

The Commission having heretofore on March 16, 1943 issued its interim order herein, making effective for the purpose of submitting bonds to competitive bidding the declaration of Puget Sound Power & Light Company pursuant to section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale of $52,000,000 aggregate principal amount of its First Mortgage Bonds, due December 1, 1972, at competitive bidding pursuant to Rule U–50, and the issue and sale of $6,500,000 aggregate principal amount of 3⅛% promissory note maturing serially 1943 to 1948, by private sale at par to certain banks pursuant to the exemption provided in paragraph (a) (2) of said Rule U–50; and

Said declaration having provided that said Puget Sound Power & Light Company proposed to invite proposals at competitive bidding with respect to said bonds as provided in Rule U–50 of the general rules and regulations under the Public Utility Holding Company Act of 1935, and the Commission in said order having provided that the effectiveness of said declaration was subject to the Commission's approval by further order after the terms of the bond financing and the savings, if any, to be derived therefrom had been determined by competitive bidding; and

Puget Sound Power & Light Company, having filed an amendment to its declaration herein, which amendment specifies that said applicant has accepted the proposal of Stone & Webster and Blodget, Incorporated, Lehman Brothers and Halsey, Stuart & Co., Inc., as representatives and on behalf of an underwriting group, to purchase said First Mortgage Bonds at 102.05 plus accrued interest, said bonds to be offered initially to the public by said underwriters at 104.25 and to bear a coupon rate of 4¼%; and

The Commission having examined said amendment and having considered the record herein, and having found that the price and spread as aforesaid is not unreasonable and having found that substantial savings may result from the refinancing proposed;

It is ordered, That the jurisdiction heretofore reserved with respect to a reconsideration of the proposed financing after the results of competitive bidding had been reported, be and the same hereby is released, and that the declaration be and the same hereby is declared effective forthwith for the purpose of permitting the sale of said bonds and notes as aforesaid.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5235; Filed, April 3, 1943; 11:35 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with certain synthetic rubber and high octane gasoline facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating No.	Builders serial No.	Name of builder and address	Location of project
13	2965	Continental Oil Co., Ponca City, Okla.	Lake Charles, La.
14	20410	Continental Oil Co., Ponca City, Okla.	Wichita Falls, Tex.
17a	11454	Shell Oil Co., New York, N. Y.	Norco, Calif.
17c	17583	Standard Oil Co. (La.), Baton Rouge, La.	Baton Rouge, La.
17f	26760	Richfield Oil Co., Los Angeles, Calif.	Watson, Calif.
17h	24107	Skelly Oil Co., Tulsa, Okla.	Eldorado, Kans.
17j	32636	Tide Water Assoc. Oil Co., San Francisco, Calif.	Avon, Calif.
17k	15613	Standard Oil Co. (N. J.), New York, N. Y.	Bayway, N. J.
17l	18140	Standard Oil Co. (N. J.), New York, N. Y.	Linden, N. J.
17o	25448	Colonial Beacon Oil Co., Everett, Mass.	Everett, Mass.
17p	30666	Standard Oil Co. (Ohio), Cleveland, Ohio	Toledo, Ohio.
17q	29010	Pure Oil Co., Chicago, Ill.	Cabin Creek, W. Va.
17r	31822	Danciger Oil & Refg. Co., Pampa, Tex.	Pampa, Tex.
17s	34340	Aurora Gasoline Co., Detroit, Mich.	Detroit, Mich.
17t	34927	Northwest Refining Co., Cut Bank, Mont.	Cut Bank, Mont.
17u	39898	Independent Ref. Co., Arp, Tex.	Arp, Tex.
17v	40321	Pan American Oil Co., New York, N. Y.	Texas City, Tex.
17w	40940	Continental Oil Co., Ponca City, Okla.	Ponca City, Okla.
26	2240	Shell Oil Co., New York, N. Y.	Wilmington, Del.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5153; Filed, April 2, 1943; 3:47 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 2, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	635-e	Georgia State Highway Bd., Atlanta, Georgia.	Everett City, FA 355 C (1)	3-18-43

[F. R. Doc. 43-5155; Filed, April 2, 1943; 3:47 p. m.]

[Preference Rating Order P-19-e, Serial No. 120-e]

MONTANA STATE HIGHWAY PROJECT

AMENDMENT TO REVOCATION ORDER

Builder: Montana State Highway Commission, Helena, Montana. Project: FAP 119 B (1).

Notwithstanding the revocation issued December 24, 1942 of the above serially numbered preference rating order, the builder is hereby permitted to complete the grading and base surfacing only on State Project FAP 119 B (1); the ratings assigned by said preference rating order are hereby restored to the extent required to acquire materials necessary for such further construction.

Issued April 2, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5154; Filed, April 2, 1943; 3:47 p. m.]

PROJECT AT BLACKFEET, MONT.

AMENDMENT TO STOP CONSTRUCTION ORDER

Builder: U. S. Dept. of Interior, Indian Affairs, Washington, D. C. Project: Blackfeet, Montana.

Paragraphs 1 and 2 of stop construction order addressed to the United States Department of the Interior, Indian Affairs, issued on December 16, 1942, are hereby amended to read as follows:

1. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials, and further construction being a canal and headgate to replace the former canal system near Cut Bank, Montana and rehabilitation of seven miles of canal.

2. *Prohibition of deliveries of material.* Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except such materials as may be required and permitted further construction as designated in paragraph (1) hereof. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

Issued April 2, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5156; Filed, April 2, 1943; 3:47 p. m.]

GILA PROJECT, ARIZ.

AMENDMENT TO STOP CONSTRUCTION ORDER

Builder: U. S. Dept. of Interior, Bureau of Reclamation, Denver, Colorado. Project identified as the Gila Project, Arizona.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

It is therefore ordered:

1. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project described above except for permitted further construction being construction necessary for the development of guayule and the levelling, irrigation and cultivation of approximately 3,000 acres adjacent to the Army Air Forces Advanced Flying School, for purposes of dust control and solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated.

2. *Prohibition of deliveries of materials.* Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery nor shall it prohibit the delivery or acceptance of delivery for materials to be used for permitted further construction as defined in paragraph (1) hereof.

3. *Reports.* The builder shall file with the War Production Board, Materials Redistribution Branch, such reports as may be required by the Director General for Operations.

4. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

5. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the War Production Board for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The War Production Board may thereupon take such action as it deems appropriate, including restoration or temporary restoration of any rating herein revoked. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref.: P-19, Washington, D. C.

6. *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project.

7. *Communications.* Comunications concerning this revocation shall be addressed to the War Production Board, Ref.: P-19, Washington, D. C.

Issued April 2, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5157; Filed, April 2, 1943, 3:47 p. m.]

[Revocation of Preference Rating Order P-88]

MATERIAL ENTERING INTO RAILROAD MAINTENANCE, REPAIR AND OPERATING SUPPLIES

Preference Rating Order No. P-88, issued March 16, 1942, as amended, and all serial numbered copies thereof, are hereby revoked effective April 5, 1943, and shall be superseded in all respects by Preference Rating Order P-142 as of that date.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5285; Filed, April 5, 1943; 11:21 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 68

Washington, Wednesday, April 7, 1943

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

APPOINTMENT, RELEASE FROM GOVERNMENT EMPLOYMENT, AMENDMENTS

Section 18.5 *Appointment* (7 F.R. 7723, 8007) and § 18.10 *Release from government employment* issued, as amended, on September 26, 1942 (7 F.R. 7723) are amended as follows:

§ 18.5 *Appointment.* * * *

(e) *Persons employed in private enterprises taken over by Federal agencies.* Any person holding a position in a private enterprise which is taken over by the Federal government during the present war may be given a war service appointment by the Federal agency taking over such enterprise. All appointments made under this paragraph shall be reported immediately to the Commission. No person given a war service appointment under this paragraph shall acquire a classified civil service status unless at the end of the war the position occupied by him becomes a permanent Federal position and he is at that time the incumbent thereof. For the duration of the war and for six months thereafter the provisions of § 2.6 of this chapter are hereby suspended in so far as they relate to persons occupying positions in private enterprises which are taken over by Federal agencies.

§ 18.10 *Release from government employment.* * * *

(d) *Consent for reappointment, reinstatement and reemployment.* No department or agency will effect the transfer or the appointment, reappointment, reinstatement, or reemployment within thirty days of separation from the service of any employee or former employee, as the case may be, of another department or agency without the express prior approval of the Commission.

(E.O. 9063, 7 F.R. 1075)

By the United States Civil Service Commission

[SEAL] H. B. MITCHELL, *President.*

APRIL 1, 1943.

[F. R. Doc. 43-5380; Filed, April 6, 1943; 12:08 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects, Operation and Maintenance

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

AHTANUM INDIAN IRRIGATION PROJECT, WASHINGTON

FEBRUARY 19, 1943.

This order consisting of §§ 130.1 to 130.5a, inclusive, as amended by the Assistant Secretary of the Interior on November 13, 1940 (5 F.R. 4676), is hereby further amended by modifying § 130.1 to read as follows:

§ 130.1 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583 and 45 Stat. 120; 25 U.S.C. 385, 387), the operation and maintenance charges on lands of the Ahtanum Indian Irrigation Project, Yakima Indian Reservation, Washington, are hereby fixed, until further notice, at $1.00 per acre per annum for each irrigable acre of land to which water can be delivered from the project works.

(36 Stat. 583, 45 Stat. 210; 25 U.S.C., 385, 387)

[SEAL] OSCAR L. CHAPMAN, *Assistant Secretary.*

[F. R. Doc. 43-5351; Filed, April 6, 1943, 10:19 a. m.]

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

COLORADO RIVER INDIAN IRRIGATION PROJECT, ARIZONA

FEBRUARY 18, 1943.

This order consisting of §§ 130.6 to 130.8b, inclusive, as amended by the As-

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sistant Secretary of the Interior on January 15, 1941 (6 F.R. 622) is hereby further amended by modifying § 130.6 to read as follows:

§ 130.6 *Basic water charges.* Pursuant to the provisions of the Acts of August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the annual basic charge against the land to which water can be delivered, under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed until further notice at $4.50 per acre, for the delivery of not to exceed 3 acre-feet of water per acre per annum, except in instances where arrangements may be made with the approval of the superintendent for planting certain alkali tracts to rice with a view to reclaiming the lands. In such instances, water may be delivered at the rate of $2.00 per acre per annum for the delivery of 3 acre-feet of water per acre: *Provided*, That water shall not be furnished at this rate for more than two successive seasons.

(38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387)

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43–5352; Filed, April 6, 1943; 10:18 a. m.]

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

FORT PECK INDIAN IRRIGATION PROJECT, MONTANA

MARCH 9, 1943.

This order consisting of §§ 130.38 to 138.40, inclusive, as amended by the Acting Assistant Secretary of the Interior on June 24, 1940 (5 F.R. 2543) is hereby further amended by modifying §§ 130.38 and 139.39 to read as follows:

§ 130.38 *Charges.* Pursuant to the Acts of August 1, 1914 and May 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387) and the Act of May 18, 1916 (39 Stat. 142), irrigation water will be furnished on the Fort Peck Indian Irrigation Project, Montana, for the calendar year 1943 and each year thereafter until further notice upon the rates and conditions hereinafter set forth.

(a) On the Poplar River Unit and that part of the Big Porcupine Unit not served by the Wiota Pumping Plant, water when available will be furnished upon approved application during each irrigation season at a flat rate of $1.00 per acre per annum for all irrigable lands included in the farm unit or allotment described in the application, whether water is used or not.

(b) On that part of the Big Porcupine Unit that is under the service area of the Big Porcupine or Wiota Pumping Plant, water when available will be furnished to all irrigable non-Indian lands and to all Indian owned allotments leased to non-Indians, to which delivery of water can be made, at a minimum rate of $1.00 per acre per annum. Payment of the minimum rate entitles the water user to the delivery of one acre-foot of water per acre of irrigable land included in each farm unit or allotment. Any additional water delivered shall be charged for at the rate of $1.00 per acre-foot or fraction thereof.

(c) For Indian land farmed by the Indian owner or leased and farmed by Indians, under the part of the Big Porcupine Unit that is within the service area of the Wiota Pumping Plant, water when available will be furnished at the minimum rate of $1.00 per acre per annum for the entire irrigable area included in the allotment for which application for water delivery is filed. Payment of the minimum rate entitles the Indian water user to the delivery of one acre-foot of water per acre included in the allotment. Any additional water delivered shall be charged for at the rate of $1.00 per acre-foot or fraction thereof.

(d) On the Frazer-Wolf Point Unit (comprising all irrigable lands supplied with water from the Little Porcupine Reservoir and the Fraser Pumping Plant) water when available will be furnished at a minimum rate of $1.00 per acre per annum for non-Indian owned farm units or former Indian allotments, which are under the constructed works (whether subjugated or not). Water when available will be furnished at a like minimum rate for the irrigable area of all subjugated Indian owned allotments under the constructed works. This minimum rate shall entitle the water user to the delivery of one acre-foot of water per irrigable acre per annum. For additional water the rate shall be $1.00 per acre-foot or fraction thereof.

(e) For all Indian owned land in the Frazer-Wolf Point Unit, not subjugated but to which water can be delivered, water will be furnished on an application basis at a minimum rate of $1.00 per acre for the entire irrigable area included in the allotment for which an application is filed, whether water is used or not, and payment of this charge shall entitle the water user to the delivery of one acre-foot of water per acre per annum as covered by the application. Additional water may be delivered to the allotment at the rate of $1.00 per acre-foot or fraction thereof.

§ 130.39 *Payment.* The flat rate and the minimum charges fixed in § 130.38 of this part shall become due and payable on April 1 of each calendar year. The charges for excess water delivered during any irrigation season shall be included in the bill for the ensuing season and shall be due and payable on April 1 following the season in which the excess water is delivered, except in the case of excess water deliveries to lessees of Indian lands where payment is required in advance of the delivery of water.

No water shall be delivered to any lands until all charges shall have been paid except in the case of Indian trust lands farmed by Indians to which water may be delivered upon certification by the superintendent of the reservation that satisfactory written arrangements have been made providing for the payment of such charges from the proceeds of the crops or from proceeds received in payment for labor performed by the water user on the project works. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. Any unpaid assessments, in instances where the superintendent has certified the Indian owner is financially unable to pay the charges, shall be entered on the accounts as a lien against the land but without penalty for delinquency.

To all charges assessed against lands in non-Indian ownership and Indian lands under lease to non-Indian lessees which are not paid on or before July 1 of each year there shall be added a penalty of one-half of one per cent per month or fraction thereof from the due date, April 1, so long as the delinquency continues.

(38 Stat. 583, 25 U.S.C. 385, 39 Stat. 142, 45 Stat. 210; 25 U.S.C. 387)

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43–5353; Filed, April 6, 1943; 10:19 a. m.]

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

UINTAH INDIAN IRRIGATION PROJECT, UTAH

MARCH 1, 1943.

This order as amended by the Assistant Secretary of the Interior on March 25, 1941 (6 F.R. 1783), is further amended by modifying § 130.77 thereof to read as follows:

§ 130.77 *Basic water charges.* Pursuant to the provisions of the Acts of June 21, 1906 (34 Stat. 375) and March 7, 1928 (45 Stat. 210, 25 U.S.C. 387), the reimbursable costs expended in the operation and maintenance of the Uintah Indian Irrigation Project, Utah, are apportioned on a per acre basis against the irrigable lands of all units of the project and for the calendar year 1943, and each succeeding year until further order, there shall be collected from each acre of irrigable land to which water can be delivered from the constructed works, a uniform basic charge of $0.85 per acre per annum, where not otherwise established by contract, and with the exception of small tracts of land, containing 15 acres or less in non-contiguous ownership, which is covered in § 130.77a, Part 130.

(34 Stat. 375, 45 Stat. 210; 25 U.S.C. 387)

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43–5354; Filed, April 6, 1943; 10:19 a. m.]

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

WALKER RIVER INDIAN IRRIGATION PROJECT, NEVADA

MARCH 1, 1943.

This order as approved by the First Assistant Secretary of the Interior on January 6, 1933 (25 CFR §§ 130.83 to 130.85, inclusive), is hereby amended to read as follows:

§ 130.83 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the reimbursable cost of operating and maintaining the Walker River Indian Irrigation Project, Nevada, is apportioned on a per acre basis against the irrigable lands of the project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of $0.50 per acre per annum against lands in Indian ownership, not under lease to a non-Indian, and $1.25 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.

§ 130.84 *Payment.* The annual charges fixed in § 130.83 of this part shall become due on April 1 of each year and are payable on or before that date. The delivery of water may be refused to tracts of land for which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency. To all charges assessed against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee there shall be added a penalty of one-half of one per cent per month or fraction thereof, from the due date, if not paid on or before July 1 following the due date.

§ 130.85 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(38 Stat. 583, 45 Stat. 210; 25 U.S.C., 385, 387)

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43–5355; Filed, April 6, 1943; 10:19 a. m.]

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

FEBRUARY 19, 1943.

This order consisting of §§ 130.86 to 130.94, inclusive, as amended by the Assistant Secretary of the Interior on November 15, 1940 (5 F.R. 4860) is hereby further amended by modifying § 130.86 to read as follows:

§ 130.86 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the operation and maintenance charges on assessable lands under the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington, for each calendar year, until further notice, are hereby fixed as follows:

(a) *Minimum charges.* For all tracts in noncontiguous single ownership, $5.00.

(b) *Flat rate.* Upon all farm units or tracts, for each assessable acre, $1.50.

(c) *Storage operation and maintenance.* For all lands with a storage water right, known as "B" lands, in addition to other charges per acre, 20¢.

(38 Stat. 583, 39 Stat. 154, 45 Stat. 210; 25 U.S.C., 385, 387)

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-5356; Filed, April 6, 1943; 10:19 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5254]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS ACT OF 1940

POST-WAR REFUND OF EXCESS PROFITS TAX AND CREDIT FOR DEBT RETIREMENT

In order to conform Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] to section 250 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21 1942, such regulations are amended by inserting at the end thereof the following:

SEC. 250 POST-WAR REFUND OF EXCESS PROFITS TAX. (Revenue Act of 1942.)

Subchapter E of Chapter 2 is amended by inserting at the end thereof the following new Part:

PART III—POST WAR REFUND OF EXCESS PROFITS TAX

SEC. 780. POST-WAR REFUND OF EXCESS PROFITS TAX.

(a) *In general.* The Secretary of the Treasury is authorized and directed to establish a credit to the account of each taxpayer subject to the tax imposed under this subchapter, for each taxable year ending after December 31, 1941 (except in the case of a taxable year beginning in 1941 and ending before July 1, 1942), and not beginning after the date of cessation of hostilities in the present war, of an amount equal to 10 per centum of the tax imposed under this subchapter for each such taxable year. For the purposes of this part, in the case of a taxpayer whose tax is determined under section 710 (a) (3), the term "tax imposed under this subchapter" means the excess of the tax imposed by such section 710 (a) (3) over the tax that would be imposed if such section 710 (a) (3) were not applicable.

(b) *Application of credit to purchase of bonds.* Within three months after the payment of the amount of the excess profits tax shown on the return for a taxable year to which subsection (a) applies, if the payment is made before three months before the date of maturity of bonds for such year under subsection (c), there shall be issued to and in the name of the taxpayer bonds of the United States in an aggregate amount equal to 10 per centum of the tax paid in respect of which a credit is provided under subsection (a), and the credit established under subsection (a) for such taxable year is hereby made available for the purchase of such bonds.

(c) *Terms and maturity of bonds.* The bonds provided for in subsection (a) shall be issued under the authority and subject to the provisions of the Second Liberty Bond Act, as amended, and the purposes for which bonds may be issued under such Act are extended to include the purposes for which bonds are required to be issued under this section. Such bonds shall bear no interest, shall be nonnegotiable, and shall not be transferable by sale, exchange, assignment, pledge, hypothecation, or otherwise, on or before the date of cessation of hostilities in the present war, but after said date, such bonds shall be negotiable, and may be sold, exchanged, pledged, assigned, hypothecated, or otherwise transferred, without restriction, and shall be redeemable (at the option of the United States) in whole or in part upon three months' notice. Such bonds for any taxable year to which this section applies shall mature on the last day of that calendar year, beginning after the date of cessation of hostilities in the present war, which is shown in the following table to be applicable to such bonds for such year:

Bonds purchased with the credit for any taxable year beginning—	*Calendar year (beginning after cessation of hostilities) on last day of which bonds mature*
Within the calendar year 1941 or 1942	2nd
Within the calendar year 1943	3rd
Within the calendar year 1944	4th
After December 31, 1944	5th

(d) *Exemption of proceeds from tax.* The proceeds of any such bond upon redemption shall not be included in gross income.

(e) *Date of cessation of hostilities in the present war.* As used in this section, the term "date of cessation of hostilities in the present war" means the date on which hostilities in the present war between the United States and the governments of Germany, Japan, and Italy cease, as fixed by proclamation of the President or by concurrent resolution of the two Houses of Congress, whichever date is earlier, or in case the hostilities between the United States and such governments do not cease at the same time, such date as may be so fixed as an appropriate date for the purposes of this section.

* * * * *

§ 30.780–1 *Post-war refund of excess profits tax*—(a) *In general.* Section 780 (a) authorizes and directs the Secretary to establish a post-war credit, for each taxable year specified in such section, to the account of each taxpayer subject to excess profits tax. The taxable years so specified are those ending after December 31, 1941, which begin on or before the "date of cessation of hostilities in the present war," as defined in section 780 (e). However, any taxable year which began in 1941 and ended before July 1, 1942, is excluded.

The post-war credit accounts of taxpayers subject to excess profits tax shall be maintained by the Commissioner of Internal Revenue.

Subject to the limitations prescribed in section 781 (d) (see § 30.781–1 (b)), the post-war credit of a taxpayer for a taxable year is an amount equal to 10 percent of the excess profits tax imposed upon the tapayer for such year. For such purpose the tax imposed is the amount of tax determined under subchapter E of chapter 2 prior to (1) any credit under section 131, as made applicable by section 729, for tax paid or accrued to a foreign country or possession of the United States, (2) any credit for debt retirement under section 783, and (3) any adjustment under section 734 on account of position inconsistent with prior income tax liability; except that for such purpose, in the case of a taxable year which began in 1941 and ended after June 30, 1942 (with respect to which section 710 (a) (3) is therefore applicable), the tax imposed is the excess of the amount of tax determined under section 710 (a) (3) prior to any such credit or adjustment over the tax that would be determined prior to any such credit or adjustment if section 710 (a) (3) were not applicable. If it is determined, in the case of any taxpayer with respect to any taxable year, that constructive average base period net income should be used pursuant to section 722 in computing its tax, the tax imposed, for the purpose of the post-war credit for such year, is the amount determined pursuant to the preceding sentence after the determination pursuant to such section. But in such case, pending the final determination of the tax pursuant to section 722, the tax imposed shall, for such purpose, be tentatively considered as an amount determined without regard to the determination under section 722, minus the amount, if any, by which the tax payable at the time prescribed for payment is reduced under section 710 (a) (5) (relating to deferment of payment of tax in case of claim under section 722). For the purpose of the post-war credit, the tax imposed does not include any interest, penalty, additional amount, or addition to the tax.

For provisions relating to reduction of the post-war credit on account of the allowance of a credit for debt retirement, see section 783 (c) and § 30.783–1 (c).

(b) *Bonds.* Section 780 (b) relates to the application of the post-war credit to the purchase of bonds of the United States. Section 780 (c) relates to the terms and maturity of such bonds. The Commissioner of Internal Revenue shall certify to the Secretary statements of the amounts of post-war credit when such amounts are determined. The issuance, transfer, and redemption of bonds, and other matters relating to the bonds (as distinguished from the determination and adjustment of amounts of post-war credits and the maintenance of post-war credit accounts), are within the jurisdiction of the Secretary to be handled through the office of the Commissioner of the Public Debt, not the Commissioner of Internal Revenue.

For provisions relating to reduction of the amount of bonds on account of the allowance of a credit for debt retirement, see section 783 (c) and § 30.783–1 (c).

(c) *Exemption of proceeds of bonds from tax.* The proceeds of bonds upon redemption which are issued under section 780 shall not be included in gross income.

SEC. 250. POST-WAR REFUND OF EXCESS PROFITS TAX. (Revenue Act of 1942.)

Subchapter E of Chapter 2 is amended by inserting at the end thereof the following new Part:

* * * * *

SEC. 781 SPECIAL RULES FOR APPLICATION OF SECTION 780.

(a) *Effect of deficiencies.* If a deficiency in respect of the excess profits tax for any taxable year for which a credit is provided in section 780 (a) is paid by the taxpayer before three months before the date of maturity of the bonds for such year, an amount of such credit equal to 10 per centum of the excess of the tax imposed by this subchapter on the basis of which the deficiency was determined, over the tax imposed by this subchapter as previously computed and paid shall be available, as provided in section 780 (b), for the purchase of bonds as provided under such section, and there shall be issued to the taxpayer bonds under such section in an amount equal to such excess and with the same maturity as in the case of bonds issued with respect to the taxable year with respect to which the deficiency is determined.

(b) *Effect of refunds.* If an overpayment of the tax imposed by this subchapter for any taxable year for which a credit is provided in section 780 (a) is refunded or credited to the taxpayer under the internal revenue laws, the credit, if any, provided in such section then existing in favor of the taxpayer shall be reduced by an amount equal to 10 per centum of the excess of the tax imposed by this subchapter on the basis of which such tax (in respect of which the internal revenue refund or credit was made) was previously computed and paid, over the tax imposed by this subchapter as determined in connection with the determination of the amount of the overpayment. In such a case, if such credit provided in section 780 (a) is less than the amount by which it is required to be reduced, or if there is no such credit then existing in favor of the taxpayer, the excess of such amount over the amount of such credit, if any, shall be carried forward as a charge against the taxpayer to be applied in reduction of a subsequent credit under section 780 (a); and if no such subsequent credit is made in favor of the taxpayer, the amount of such charge (without interest) shall be paid by the taxpayer to the United States or the amount of bonds previously issued to the taxpayer under section 780 (b) shall be adjusted on account of such charge.

(c) *Tax payments after cut-off date.* In the case of a payment of the tax imposed by this subchapter shown on the return for any taxable year for which a credit is provided in section 780 (a), or the payment of a deficiency in respect of such tax for any such taxable year, after the date prescribed in section 780 (b) or 781 (a) but before the date of maturity of the bonds with respect to such taxable year under section 780 (c), the amount of the credit under section 780 (a) for such taxable year attributable to such payment shall, so far as practicable, be available, as provided in section 780 (b), for the purchase of bonds as provided under such section, and, so far as practicable, there shall be issued to the taxpayer bonds under such section with the same maturity as bonds issued with respect to such taxable year. To the extent that it is not practicable to issue bonds against such amount of the credit, the taxpayer shall be paid in cash. In case after the date of maturity of the bonds of any taxable year under section 780 (c) there is any credit under section 780 (a) remaining in favor of the taxpayer, attributable to such year, such remainder shall be paid to the taxpayer in cash. No amount of any payment made under this subsection to a taxpayer shall be included in gross income.

(d) *Limitation.* The credit under section 780 (a) for any taxable year shall not be greater than the excess of the amount of the tax paid under this subchapter to the United States (and not credited or refunded under the internal revenue laws) in respect of such year over the amount of tax which would be payable to the United States if the excess profits tax rate were 81 per centum, or if the limitation of section 710 is applicable if the amount determined under such section were reduced by 10 per centum.

SEC. 782. REGULATIONS.

The Secretary of the Treasury is authorized to prescribe, from time to time, such rules and regulations as may be necessary to carry out the preceding provisions of this Part.

* * * * *

§ 30.781–1 *Special rules for application of section 780*—(a) *Deficiencies; refunds and credits of overpayments.* In case a deficiency is paid by the taxpayer, or an overpayment is refunded or credited to the taxpayer, for any taxable year to which section 780 (a) applies, appropriate adjustments will be made in the post-war credit account of the taxpayer. In such case, whenever the amount of bonds should be increased or reduced, the Commissioner of Internal Revenue shall certify the status of the account to the Secretary in order that appropriate adjustments may be made in the amount of bonds. Collection from a taxpayer under section 781 (b) of the amount by which charges (arising by reason of a refund or credit of an overpayment) exceed the amount of the post-war credit of the taxpayer, and payment to a taxpayer under section 781 (c) of amounts of any outstanding post-war credit against which bonds have not been issued, shall be made by the Commissioner of Internal Revenue. Such payments to taxpayers under section 781 (c) shall not be included in gross income.

(b) *Limitations on amount of post-war credit.* The post-war credit provided for in section 780 (a) (see § 30.780–1 (a)) is subject to the limitations set forth in section 781 (d). The limitations operate in certain cases in which the taxpayer takes a credit against excess profits tax, pursuant to section 131, as made applicable by section 729, for tax paid or accrued to a foreign country or United States possession. They operate also to eliminate or reduce the post-war credit in case the excess profits tax is not paid, or is not paid in full, and in certain cases in which the excess profits tax is reduced by an adjustment under section 734 on account of position inconsistent with prior income tax liability (as, for example, if the amount of such reduction exceeds the amount of excess profits tax that would be payable if the excess profits tax rate were 81 percent). The limitations are as follows:

(1) The post-war credit is provided only with respect to excess profits tax *paid* (and not credited or refunded under the internal revenue laws). (See examples (1) and (4), below.)

(2) The post-war credit for any taxable year, other than a taxable year to which section 710 (a) (1) (B) or section 710 (a) (3) is applicable, shall not be greater than the excess of the excess profits tax paid over the amount which would be payable if the excess profits tax rate were 81 percent. (See examples (1) and (2), below.)

(3) In the case of any taxable year to which section 710 (a) (1) (B) is applicable (limiting excess profits tax to an amount which, when added to normal tax and surtax, equals 80 percent of corporation surtax net income before the credit for income subject to excess profits tax provided in section 26 (e)), other than a taxable year to which section 710 (a) (3) is also applicable, the post-war credit for such year shall not be greater than the excess of the excess profits tax paid over the amount which would be payable if the amount determined under section 710 (a) (1) (B) were reduced by 10 percent. (See example (3), below.)

(4) In the case of any taxable year to which section 710 (a) (3) is applicable (that is, a taxable year which began in 1941 and ended after June 30, 1942), the post-war credit for such year shall not be greater than the excess of the excess profits tax paid over an amount equal to the sum of the following: (i) the excess profits tax which would be payable if section 710 (a) (3) were not applicable, and (ii) 90 percent of the excess of the excess profits tax payable over the amount that would be payable if section 710 (a) (3) were not applicable. (See example (4), below.) This limitation is applicable also to any taxable year to which both section 710 (a) (1) (B) and section 710 (a) (3) are applicable, the provisions of the former section being taken into account in computing the limitation.

For the purpose of the limitation prescribed in section 781 (d), the amount of credit for debt retirement allowed under section 783, if any, shall be considered as an amount of tax paid; and for such purpose, in determining amounts of tax which would be payable under the conditions prescribed in section 781 (d), such amounts shall be determined without regard to any credit for debt retirement.

The application of section 781 (d) may be illustrated by the following examples:

Example (1). The X Corporation has for the calendar year 1942 an adjusted excess profits net income of $1,000,000, which is subject to the excess profits tax rate of 90 percent. The excess profits tax imposed is $900,000 (90 percent of $1,000,000), of which only $850,000 is actually paid. The post-war credit of the corporation under section 780 (a) computed without regard to the limitation provided in section 781 (d) would be $90,000 (10 percent of $900,000). However, such credit is limited by section 781 (d) to $40,000, computed as follows:

Excess profits tax paid	$850,000
Less excess profits tax payable if rate were 81% (81% of $1,000,000)	810,000
Post-war credit allowable	40,000

Example (2). The normal-tax net income, surtax net income, and excess profits net income of the X Corporation, a domestic corporation, for the calendar year 1942 is $1,000,000, of which $200,000 is from sources within a foreign country and $800,000 from sources within the United States. The amount of the normal-tax net income and of the surtax net income is stated hereinbefore without regard to the credit for income subject to excess profits tax provided in section 26 (e). The corporation pays to the foreign country with respect to the calendar year 1942 income tax in the amount of $160,000 upon income from sources therein. After allowance of the credit against

normal tax and surtax for foreign tax, the amount of $136.000 of the foreign tax is available as a credit against the excess profits tax for 1942. Such credit is limited by section 729 to one-fifth of the corporation's excess profits tax for that year since only one-fifth of its entire excess profits net income is from sources within the foreign country. The excess profits credit of the corporation for 1942 under section 712 is $295.000, and its specific exemption under section 710 (b) is $5.000. The corporation pays its excess profits tax for 1942 in full. The post-war credit of the corporation for that year is $50.400, computed as follows:

Excess profits net income		$1,600.000
Less:		
Specific exemption	$5.000	
Excess profits credit	295.000	
		300.000
Adjusted excess profits net income		700.000
Excess profits tax imposed (90% of $700.000)		630.000
Less foreign tax credit (1/5 of $630.000)		126.000
Excess profits tax determined under section 710		504.000
Post-war credit under section 780 (a) computed without regard to the limitation under section 781 (d) (10% of $630.000 (tax imposed))		63.000

Limitation Under Section 781 (d)

Excess profits tax paid		$504.000
Less excess profits tax payable if rate were 81%:		
Tax at 81% rate (81% of $700.000)	$567.000	
Less foreign tax credit (1/5 of $67.000)	113.400	
		453.600
Limitation under section 781 (d)		50.400
Post-war credit allowable		50.400

Since the post-war credit under section 780 (a) ($63.000) computed without regard to the limitation under section 781 (d) is greater than the amount ($50.400) determined under section 781 (d), the amount determined under section 781 (d) is the amount of the post-war credit.

Example (3). The facts are the same as in example (2) except that the excess profits credit of the X Corporation under section 712 is $95.000 instead of $295.000 and the amount of the foreign tax available as a credit against the corporation's excess profits tax, after allowance of the credit against normal tax and surtax for foreign tax, is $152.000 instead of $136.000. The post-war credit of the X Corporation for the calendar year 1942 is $60.800, computed as follows:

Excess profits net income		$1,000.000
Less:		
Specific exemption	$5.000	
Excess profits credit	95.000	
		100.000
Adjusted excess profits net income		900.000
Excess profits tax determined under section 710 (a) (1) (A) (90% of $900.000)		810.000
Normal-tax net income before credit for adjusted excess profits net income		1,000.000
Less credit for adjusted excess profits net income		900.000
Normal-tax net income		100.000
Normal tax (24% of $100.000)		24.000
Surtax net income before credit for adjusted excess profits net income		$1,000.000
Less credit for adjusted excess profits net income		900.000
Surtax net income		100.000
Surtax (16% of $100.000)		16.000
Limitation under section 710 (a) (1) (B):		
80% of surtax net income before credit for adjusted excess profits net income (80% of $1,000.000)		800.000
Less:		
Normal tax	$24.000	
Surtax	16.000	
		40.000
Excess profits tax determined under section 710 (a) (1) (B)		760.000
Less foreign tax credit (1/5 of $760.000)		152.000
Excess profits tax determined under section 710		608.000
Post-war credit under section 780 (a) computed without regard to the limitation under section 781 (d) (10% of $760.000 (tax imposed))		76.000

Limitation Under Section 781 (d)

Excess profits tax paid		608.000
Less amount of excess profits tax determined under section 710 reduced by 10% ($608.000 minus $60.800)		547.200
Limitation under section 781 (d)		60.800
Post-war credit allowable		60.800

Since the post-war credit under section 780 (a) ($76.000) computed without regard to the limitation under section 781 (d) is greater than the amount ($60.800) determined under section 781 (d), the amount determined under section 781 (d) is the amount of the post-war credit.

Example (4). The X Corporation has for the taxable year beginning December 1, 1941, and ending November 30, 1942, an adjusted excess profits net income of $1,000.000. The 80 percent limitation under section 710 (a) (1) (B) is not applicable in the computation of the tax. The excess profits tax of the corporation for that year determined under section 710 (a) (3) is $699,035.61, of which only $690,000 is actually paid. The post-war credit of the corporation for that year is $5,467.95, computed as follows:

Adjusted excess profits net income		$1,000,000
Excess profits tax computed without regard to section 710 (a) (3)		554,000
Excess profits tax computed as if amendment made by section 202 of Revenue Act of 1942 were applicable		900,000
Portion of tentative excess profits tax computed under section 710 (a) (3) (A) (212/365 of $554.000)		321,775 34
Portion of tentative excess profits tax computed under section 710 (a) (3) (B) (153/365 of $900.000		377,260.27
Excess profits tax determined under section 710 (a) (3)		699,035.61

Tax Imposed (as Defined in Section 780 (a))

Excess profits tax determined under section 710 (a) (3)		699,035.61
Less excess profits tax that would be determined if section 710 (a) (3) were not applicable		$554,000.00
Tax imposed		145,035.61
Post-war credit computed under section 780 (a) without regard to limitation under section 781 (d) (10% of $145,035.61 (tax imposed))		14,503.56

Limitation Under Section 781 (d)

Excess profits tax paid		690,000.00
Less:		
Excess profits tax that would be payable if section 710 (a) (3) were not applicable	$554,000.00	
90% of excess of excess profits tax payable over excess profits tax that would be payable if section 710 (a) (3) were not applicable (90% of $145,035.61 ($699,035.61 minus $544,000.00))	130,532.05	
		684,532.05
Limitation under section 781 (d)		5,467.95
Post-war credit allowable		5,467.95

Since the post-war credit under section 780 (a) ($14,503.56) computed without regard to the limitation under section 781 (d) is greater than the amount ($5,467.95) determined under section 781 (d), the amount determined under section 781 (d) is the amount of the post-war credit.

SEC. 250. POST-WAR REFUND OF EXCESS PROFITS TAX. (Revenue Act of 1942.)

Subchapter E of Chapter 2 is amended by inserting at the end thereof the following new Part:

* * * * *

SEC. 783. CREDIT FOR DEBT RETIREMENT.

(a) *General rule.* An amount equal to 40 per centum of the amounts paid during the taxable year in repayment of the principal of indebtedness shall, at the election of the taxpayer made in its return for such year, be allowed as a credit against the tax for such year imposed by this subchapter.

(b) *Limitations.* The credit under subsection (a) with respect to any taxable year shall in no event exceed whichever of the following amounts is the lesser—

(1) An amount equal to 10 per centum of the tax imposed under this subchapter for the taxable year.

(2) An amount equal to 40 per centum of the amount by which the smallest amount of indebtedness during the period beginning September 1, 1942, and ending with the close of the preceding taxable year exceeds the amount of indebtedness as of the close of the taxable year.

(3) In case such taxable year begins in 1942 prior to September 2, 1942, and ends after September 1, 1942, an amount equal to 40 per centum of the amount by which the amount of indebtedness as of September 1, 1942, exceeds the amount of indebtedness as of the close of the taxable year.

(4) In case such taxable year begins in 1941 or ends before September 1, 1942, zero.

No interest shall be allowed or paid by the United States on account of any overpayment of tax attributable to any credit allowed under this section.

(c) *Reduction of credit and of bonds outstanding under section 780.* If a credit is allowed for debt repayment in a taxable year pursuant to this section, the amount of such credit or refund shall be deducted from the credit under section 780 (a) and the amount of bonds issued under section 780 shall, to the extent necessary, be correspondingly adjusted.

(d) *Definition of indebtedness.* For the purposes of this section the term "indebtedness" means any indebtedness of the taxpayer or for which the taxpayer is liable evidenced by a bond, note, debenture, bill of exchange, certificate, or other evidence of indebtedness, mortgage, or deed of trust.

§ 30.783–1 *Credit for debt retirement*—(a) *General rule.* Subject to the limitations prescribed in section 783 (b), a taxpayer may, at its election, credit against the excess profits tax for the taxable year an amount equal to 40 percent of the aggregate of the amounts paid by the taxpayer during such year in repayment of the principal of indebtedness (as defined in section 783 (d)). The credit is allowable with respect to amounts so paid, whether they constitute part or full payment of the principal of indebtedness.

The credit is allowable only with respect to "amounts paid" by the taxpayer. If, for example, indebtedness of the taxpayer in the amount of $1,000 is satisfied by a payment of $900 by the taxpayer, the credit is allowable only with respect to the $900 paid. Moreover, mere reduction in indebtedness is not enough. Thus, where a taxpayer pays off its obligation on a bond for $1,000 with its bond for $900 (having a later maturity or a higher interest rate) no credit is allowable though there has been a reduction of $100 in indebtedness.

The credit is allowable only with respect to amounts paid "in repayment of the principal of indebtedness." Thus, if the taxpayer purchases its own bonds as an investment or for resale as distguished from the payment of its bonds, the credit is not allowable. If there has been a payment, as distinguished from a purchase, the fact that the evidence of an indebtedness such as a bond has not been retired and canceled in the same taxable year in which acquired by the debtor taxpayer does not preclude allowance of the credit against the tax for such year. Whether in any case an amount paid by the taxpayer upon the principal of indebtedness was paid "in repayment of the principal of indebtedness" is dependent upon all the facts and circumstances.

If the taxpayer desires to take the credit for a taxable year in which amounts are paid in repayment of indebtedness, the election to take the credit must be made in the taxpayer's return for such year. An election not to take the credit for that year, once made by filing a return on which the credit is not taken, is irrevocable after the expiration of the time prescribed by law for filing the return for such year (including the period of any extension of time for filing the return granted pursuant to section 53). An election to take the credit, once made by filing a return on which the credit is taken, similarly becomes irrevocable. The election to take the credit, or not to take the credit, for any taxable year does not in any case constitute an election for any subsequent year.

(b) *Limitations.* The limitations provided in section 783 (b) upon the credit for debt retirement are as follows:

(1) No credit for debt retirement is allowable against excess profits tax for any taxable year which began in 1941 or ended before September 1, 1942. This is true though a post-war credit is allowable in the case of certain of such years. (See § 30.780–1 (a).)

(2) In the case of a taxable year which began in 1942 prior to September 2, 1942, and ends after September 1, 1942, the credit shall in no event exceed whichever of the following amounts is the lesser:

(i) An amount equal to 10 percent of the excess profits tax imposed upon the taxpayer for such year; or

(ii) An amount equal to 40 percent of the amount by which the amount of indebtedness as of the beginning of September 1, 1942, exceeds the amount of indebtedness as of the close of the taxable year.

(3) In the case of any taxable year beginning after September 1, 1942, the credit shall in no event exceed whichever of the following amounts is the lesser:

(i) An amount equal to 10 percent of the excess profits tax imposed upon the taxpayer for such year; or

(ii) An amount equal to 40 percent of the amount by which the smallest amount of indebtedness during the period beginning with the first moment of September 1, 1942, and ending with the close of the preceding taxable year exceeds the amount of indebtedness as of the close of the taxable year.

The tax imposed, for purposes of the limitations described in this paragraph, is the amount determined as the tax imposed for purposes of section 780 (a) (see § 30.780–1 (a)), as such amount may (by reason of refunds, credits, or deficiencies) be adjusted pursuant to section 781 (a) and (b) (see § 30.781–1 (a)). The limitations prescribed in section 781 (d) upon the post-war credit are not limitations upon the credit for debt retirement.

In the following examples of the computation of the credit allowable for debt retirement all indebtedness referred to is indebtedness as defined in section 783 (d) (see § 30.783–1 (d)).

Example (1). The excess profits tax imposed upon the X Corporation for the calendar year 1942 is $200.000. The amounts paid by the corporation throughout the year in repayment of indebtedness total $85.000. The outstanding indebtedness of the corporation during the year is as follows:

	Paid	Borrowed	Total indebtedness
1942:			
Jan. 1			$100,000
Aug. 3	$25,000		75,000
July 10		$200,000	275,000
Sept. 1			275,000
Oct. 22	60,000		215,000
Dec. 31			215,000
Total paid	85,000		

The credit allowable for debt retirement is $20,000, computed as follows:

40% of $85,000, the total repaid in the year (see section 783 (a) and § 30.783–1 (a)) ---------- $34,000

But the credit for debt retirement may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (3) and § 30.783–1 (b) (2)):

10% of $200,000 (amount of tax imposed) ---------- $20,000

40% of $60,000 (amount by which indebtedness September 1, 1942, $275,000, exceeds indebtedness at close of taxable year 1942, $215,000) ---------- 24,000

Example (2). The excess profits tax imposed upon the Y Corporation for the calendar year 1942 is $700,000, and for the calendar year 1943 is $800,000. The amounts paid by the corporation in repayment of indebtedness throughout the year 1942 total $150,000, and throughout the year 1943 total $170,000. The outstanding indebtedness of the corporation during the years 1942 and 1943 is as follows:

	Paid	Borrowed	Total indebtedness
1942			
Jan. 1			$500,000
July 10	$100,000		400,000
Sept. 1			400,000
Oct. 22	50,000		350,000
Dec. 3		$20,000	370,000
Dec. 31			370,000
Total paid	150,000		
1943			
Jan. 1			370,000
Nov. 5	170,000		200,000
Dec. 31			200,000
Total paid	170,000		

The credit allowable for debt retirement for 1942 is $12,000, computed as follows:

40% of $150,000, the total repaid in 1942 (see section 783 (a) and section 30.783–1 (a)) ---------- $60,000

But the credit for debt retirement for 1942 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (3) and § 30.783–1 (b) (2)):

10% of $700,000 (amount of tax imposed) ---------- $70,000

40% of $30,000 (amount by which indebtedness September 1, 1942, $400,000, exceeds indebtedness at close of taxable year 1942, $370,000) ---------- 12,000

The credit allowable for debt retirement for 1943 is $60,000, computed as follows:

40% of $170,000, the total repaid in 1943 (see section 783 (a) and § 30.783–1 (a)) ---------- $68,000

But the credit for debt retirement for 1943 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and § 30.783–1 (b) (3)):

10% of $800,000 (amount of tax imposed) ---------- $80,000

40% of $150,000 (amount by which lowest amount of indebtedness during period beginning September 1, 1942, through close of preceding taxable year (December 31, 1942), $350,000, exceeds indebtedness at close of taxable year (December 31, 1943), $200,000) ---------- 60,000

Example (3). The facts are the same as in example (2), except that, instead of paying $50,000 on October 22, 1942, and borrowing $20,000 on December 3, 1942, the Y Corporation borrows $20,000 on October 22, 1942, and pays $50,000 on December 3, 1942.

The credit allowable for debt retirement for 1942 is $12,000, the same amount as arrived at in example (2) and computed in the same manner as in such example.

The credit allowable for debt retirement for 1943 is $68,000 (as distinguished from $60,000 under example (2)), computed as follows:

40% of $170,000, the total repaid in 1943 (see section 783 (a) and section 30.783–1 (a))---------- $68,000

Since the lowest amount of indebtedness in the period September 1, 1942, to the close of preceding taxable year is $370,000, as distinguished from $350,000 in example (2), the amount of the limitation under section 783 (b) (2) is a higher amount than the corresponding amount under example (2). The limitations under section 783 (b) (1) and (2) (see § 30.783–1 (b) (3)) are as follows:

10% of $800,000 (amount of tax imposed)---------- $80,000
40% of $170,000 (amount by which lowest amount of indebtedness during period beginning September 1, 1942, through close of preceding taxable year (December 31, 1942), $370,000, exceeds indebtedness at close of taxable year (December 31, 1943), $200,000)------ 68,000

Example (4). The excess profits tax imposed upon the Z Corporation for the calendar year 1942 is $30,000, and for the calendar year 1943 is $15,000. On January 1, 1942, the Z Corporation was the owner of certain real property subject to a mortgage executed by the corporation. The mortgage secured a promissory note made by the corporation, payable to mortgagee M in the amount of $100,000. On October 1, 1942, the Z Corporation conveyed the property, subject to the mortgage, to the R Corporation, and the latter assumed the indebtedness. The Z Corporation, however, remained liable for the indebtedness. On November 2, 1942, the R Corporation paid $15,000 on the note, the only amount paid by the R Corporation on the indebtedness. M foreclosed the mortgage in 1943, the net proceeds from the foreclosure sale of the property amounting to $80,000, which was paid and credited upon the indebtedness on November 15, 1943, leaving $5,000 still owing upon the original indebtedness. The Z Corporation, on December 15, 1943, paid the $5,000 to M upon the latter's demand therefor. During the years 1942 and 1943 the Z Corporation had no other indebtedness outstanding, nor was any other indebtedness incurred or paid by it. The outstanding indebtedness of the Z Corporation during the years 1942 and 1943 is as follows:

	Paid by Z Corporation	Paid by R Corporation or from proceeds of foreclosure sale	Total indebtedness
1942			
Jan. 1		----------	$100,000
Sept. 1			100,000
Nov. 2		$15,000	85,000
Dec. 31			85,000
	(1)		
1943			
Jan. 1			85,000
Nov. 15		80,000	5,000
Dec. 15	$5,000	----------	0
Dec. 31			0
Total paid	5,000		

[1] Nothing paid.

No credit for debt retirement is allowable to the Z Corporation for the year 1942, since it paid no amounts in repayment of indebtedness.

The credit allowable for debt retirement for 1943 is $1,500, computed as follows:

40% of $5,000, the total repaid by Z Corporation in 1943 (see section 783 (a) and section 30.783–1 (a))- $2,000

But the credit for debt retirement for 1943 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and § 30.783–1 (b) (3)):

10% of $15,000 (amount of tax imposed)---------- $1,500
40% of $85,000 (amount by which lowest amount of indebtedness during period beginning September 1, 1942, through close of preceding taxable year (December 31, 1942), $85,000, exceeds indebtedness at close of taxable year (December 31, 1943), zero)---------- 34,000

(c) *Effect upon post-war credit and bonds.* The post-war credit and bonds purchased with such credit are required by section 783 (c) to be reduced by the amount allowed as a credit for debt retirement. If in any case the amount of the credit for debt retirement for a taxable year exceeds the post-war credit allowable for such year, the post-war credit or bonds issued to the taxpayer for any other taxable year or years shall be reduced by the amount of such excess. The Commissioner of Internal Revenue shall certify to the Secretary a statement of the amount, if any, by which the amount of bonds outstanding should be reduced.

(d) *Definition of indebtedness.* For the purposes of the credit for debt retirement, the term "indebtedness" means any indebtedness of the taxpayer or for which the taxpayer is liable which is evidenced by a bond, promissory note, debenture, bill of exchange, certificate, or other evidence of indebtedness, mortgage, or deed of trust, executed by either the taxpayer or any other person. Indebtedness as used in the preceding sentence means an unconditional and legally enforceable obligation for the payment of money. It includes outstanding obligations of the taxpayer held by the taxpayer for investment or resale. It does not include a contingent obligation. However, if and when a contingent obligation for the payment of money becomes absolute it is included in indebtedness. The term "indebtedness" includes indebtedness assumed by the taxpayer even though such indebtedness is evidenced, so far as the taxpayer is concerned, only by a contract with the person whose indebtedness has been assumed. An assumption of indebtedness includes, in addition to the customary forms of assumption, the acquisition of property subject to indebtedness. If indebtedness of the taxpayer or for which the taxpayer is liable is assumed by another person (thus becoming indebtedness of such other person), it does not thereby cease to be indebtedness of the taxpayer or for which the taxpayer is liable. (But credit for debt retirement is allowable to a taxpayer only with respect to amounts paid by the taxpayer. See section 783 (a) and § 30.783–1 (a)). An obligation ceases to be indebtedness when it is satisfied (such as by payment, whether by the taxpayer or another person), extinguished, or otherwise ceases to be legally enforceable, though such indebtedness may be replaced by indebtedness to another person or new indebtedness to the same person.

The term "indebtedness" does not include indebtedness incurred by a bank arising out of the receipt of a deposit and evidenced, for example, by a certificate of deposit, a passbook, a cashier's check, or a certified check.

In order for any indebtedness to be included within the term it must be bona fide. It must be incurred for business reasons and not merely to increase the excess profits credit or the credit for debt retirement.

Whether outstanding certificates designated by such names as "debenture preferred stock" or "guaranteed preferred stock" constitute indebtedness depends upon whether the holder has a proprietary interest in the corporation or has the rights of a creditor, determined in the light of all the facts. The name borne by the certificate is of little importance. More important attributes to be considered are whether or not there is a maturity date, the source of payment of any "interest" or "dividend" specified in the certificate (whether out of earnings or out of capital and earnings), rights to enforce payment, and other rights as compared with those of general creditors.

The term "other evidence of indebtedness" refers to evidence of indebtedness of the same general character as bonds, notes, debentures, bills of exchange, or certificates of indebtedness. Open account book entries, invoices, or statements of account are not evidences of indebtedness.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62), as made applicable by section 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C., 1940 ed., 729 (a)), and in section 250 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: April 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

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[T.D. 5255]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS ACT OF 1940

ABNORMALITIES IN INCOME IN TAXABLE PERIOD

In order to conform Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] to section 221 and section 222 (f) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 30.721–1 of Regulations 109 the following:

SEC. 221. ABNORMALITIES IN INCOME IN TAXABLE PERIOD. (Revenue Act of 1942, Title II)

(a) *Rule for computations.* Section 721 (c) and (d) (relating to computation of tax in case of abnormalities in income in the taxable period) is amended to read as follows:

(c) *Computation of tax for current taxable year.* The tax under this subchapter for the taxable year, in which the whole of such abnormal income would without regard to this section be includible, shall not exceed the sum of:

(1) The tax under this subchapter for such taxable year computed without the inclusion in gross income of the portion of the net abnormal income which is attributable to any other taxable year, and

(2) The aggregate of the increase in the tax under this subchapter for the taxable year (computed under paragraph (1)) and for each previous taxable year which would have resulted if, for each previous taxable year to which any portion of such net abnormal income is attributable, an amount equal to such portion had been included in the gross income for such previous taxable year.

(d) *Computation of tax for future taxable year.* The amount of the net abnormal income attributable to any future taxable year shall, for the purposes of this subchapter, be included in the gross income for such taxable year.

(1) The tax under this subchapter for such future taxable year shall not exceed the sum of—

(A) The tax under this subchapter for such future taxable year computed without the inclusion in gross income of the portion of such net abnormal income which is attributable to such year, and

(B) The decrease in the tax under this subchapter for the previous taxable year in which the whole of such abnormal income would, without regard to this section, be includible which resulted by reason of the computation of such tax for such previous taxable year under the provisions of subsection (c); but the amount of such decrease shall be diminished by the aggregate of the increases in the tax under this subchapter for the future taxable year as computed under subparagraph (A) and for the taxable years intervening between such previous taxable year and such future taxable year which have resulted because of the inclusion of the portions of such net abnormal income attributable to such intervening years in the gross income for such intervening years

(2) If, in the application of subsection (c), net abnormal income from more than one taxable year is attributable to any future taxable year, paragraph (1) of this subsection shall be applied with respect to such future taxable year in the order of the taxable years from which the net abnormal income is attributable beginning with the earliest, as if the portion of the net abnormal income from each such year was the only amount so attributable to such future taxable year, and (except in the case of the portion for the earliest previous taxable year) as if the tax under this subchapter for the future taxable year was the tax determined under pargaraph (1) with respect to the portion for the next earlier previous taxable year.

(3) If in the application of paragraph (1) to any future taxable year it is determined that the decrease in tax computed under paragraph (1) (B) with respect to the net abnormal income, a portion of which is included in the gross income for the future taxable year, does not exceed the aggregate of the increases in tax computed under paragraph (1) (B) with respect to such net abnormal income, then the portions of such net abnormal income attributable to taxable years subsequent to such future taxable year shall not be included in the gross income for such subsequent taxable years. For the purpose of computing the tax under this subchapter for a taxable year subsequent to the future taxable year, the portion of net abnormal income attributable to the future taxable year shall not be included in the gross income for such future taxable year to the extent that the inclusion of such portion of net abnormal income in the gross income for such future taxable year did not result in an increase in tax for such future taxable year by reason of the provisions of paragraph (1).

(e) *Application of section.* This section shall be applied only for the purpose of computing the tax under this subchapter as provided in subsections (c) and (d), and shall have no effect upon the computation of base period net income. For the purposes of subsections (c) and (d)—

(1) Net abnormal income means the aggregate of the net abnormal income of all classes for one taxable year.

(2) Under regulations prescribed by the Commissioner with the approval of the Secretary, the tax under this subchapter for previous taxable years shall be computed as if the portions of net abnormal income for each previous taxable year for which the tax was computed under this section were included in the gross income for the other previous taxable years to which such portions were attributable.

(3) If both subsections (c) and (d) are applicable to any current taxable year, subsection (d) shall be applied without regard to subsection (c), and subsection (c) shall be applied as if the tax under this subchapter, except for subsection (c), was the tax computed under subsection (d) and as if the gross income and the other amounts necessary to determine the adjusted excess profits net income were those amounts which would result in the tax computed under subsection (d)

(f) *Abnormal income from exploration, etc.* If by reason of taking into account, in determining constructive average base period net income under section 722, exploration, discovery, prospecting, research, or development of tangible property, patents, formulae, or processes, or any combination of the foregoing, extending over a period of more than 12 months, such constructive average base period net income is higher than it would be without such taking into account, only such portion of the income in the taxable year resulting from such activity which is of a class described in subsection (a) (2) (C) as is attributable to another taxable year under this subchapter shall be deemed attributable to a year other than the taxable year.

(b) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1939.

SEC. 222. RELIEF PROVISIONS. (Revenue Act of 1942, Title II.)

* * * * * * *

(f) *Technical amendment.* Sections 721 (a) (2) (B) (relating to abnormalities on account of long-term contracts) shall not apply with respect to any taxable year beginning after December 31, 1941.

PAR. 2. Section 30.721–4, as added by Treasury Decision 5045, approved May 3, 1941, is further amended to read as follows:

§ 30.721–4 *Computation of tax for current taxable year.* The excess profits tax for the taxable year shall be the smaller of the following amounts:

(a) The excess profits tax computed without excluding from gross income any amounts attributable to other years under section 721, and so computed with the application of section 721 (d), relating to the tax for future taxable years to which net abnormal income is attributable, if such section is applicable to such taxable year; or

(b) The sum of (1) the excess profits tax for the taxable year computed without including in gross income the amount of items of net abnormal income attributable to other taxable years, and so computed with the application of section 721 (d) if such section is applicable, and (2) the aggregate of the amounts of additional excess profits tax which would have resulted for the taxable year in the computations under (1) of this paragraph and for each previous excess profits tax taxable year if there had been included in the gross income for each previous taxable year the amount of the items, if any, of the net abnormal income attributable thereto. If the excess profits tax for any previous taxable years was computed under section 721, the increases in tax under (2) of this paragraph shall be computed on the basis of the computations made for such previous taxable years, that is, as if the gross income for all previous taxable years included the items of net abnormal income attributable to such previous taxable years from the other previous taxable years to which section 721 applied.

Since the net abnormal income attributable to any taxable year, if included in the gross income for such taxable year, would reduce items, such as the net operating loss or unused excess profits credit, for such year which are taken into account in other taxable years through a carry-over or carry-back, such inclusion in gross income may also result in an increase in tax in such other taxable years in which such loss or unused credit is taken into account in computing the net operating loss deduction or unused excess profits credit adjustment. Section 721, as amended by the Revenue Act of 1942, requires that the increase in tax for the taxable year in which such net operating loss deduction or unused excess profits credit adjustment would be affected by the attributed income must be taken into account in computing the tax under section 721. Such income shall not be included in determining the net abnormal income for the taxable year to which it is attributable. The increase in tax caused by any adjustment under section 721 is the difference between the tax computed without such adjustment and the tax computed after making such adjustment.

The computations required by section 721 (c) may be illustrated by the following examples:

Example (1). The taxpayer, on the calendar year basis, sustains a net operating loss in 1939 which forms the basis for a net operating loss deduction of $10,000 for 1940. In 1940 it has $6,000 net abnormal income, all of which is attributable to 1939. Since the excess profits tax does not apply to taxable years beginning before January 1, 1940, there would be no increase in excess profits tax for 1939 if the $6,000 net abnormal income were included in gross income for that year. However, the $6,000 would have offset the $10,000 net operating loss for 1939, so that the net operating loss deduction for 1940 would be reduced to $4,000, and the

excess profits tax for 1940 would be increased to the extent caused by such reduction of the net operating loss deduction. The tax for 1940 is whichever is less of the following:

(i) The tax for 1940 computed without excluding any net abnormal income from gross income, or

(ii) The tax for 1940 computed after excluding from gross income the $6,000 net abnormal income attributable to 1939, plus the increase in the tax so computed which would result if, by reason of the $6,000 being included in gross income for 1939, the net operating loss deduction available in computing excess profits net income for 1940 were only $4,000 instead of $10,000.

The taxpayer had net income and adjusted excess profits net income for 1940 after giving effect to the net operating loss deduction of $10,000. For 1941 it has $8,000 net abnormal income, all of which is attributable to 1939. The tax for 1941 is whichever is less of the following:

(A) The tax for 1941 computed without excluding any net abnormal income from gross income; or

(B) The tax for 1941 computed after excluding from gross income the $8,000 net abnormal income attributable to 1939, plus the increase in the tax for 1940 which would be caused by the reduction in the net operating loss deduction for that year if the $8,000 were included in gross income for 1939 so that it offset the net operating loss sustained in that year. In making these computations for 1939 and 1940, the adjustments made for those years in applying section 721 (c) to 1940 are retained, that is, the $6,000 net abnormal income attributable to 1939 from 1940 in applying section 721 to 1940 is treated as if it remained in gross income for 1939, and the $6,000 net abnormal income attributable to 1939 from 1940 is not included in the gross income for 1940 and the net operating loss deduction for that year (prior to any adjustment caused by applying section 721 (c) to 1941) is treated as being $4,000, not $10,000.

Example (2). The taxpayer, on the calendar year basis, has $50,000 net abnormal income in 1940 attributable in the amount of $10,000 to each of the years 1941 to 1945. This $10,000 amount is therefore included in gross income for each of these years. In 1945 it has $60,000 net abnormal income, all of which is attributable to 1943. The tax for 1945 is whichever is less of the following:

(i) The tax for 1945 computed under section 721 (d) without excluding any net abnormal income for 1945 from gross income; or

(ii) The tax for 1945 computed under section 721 (d) after excluding the $60,000 net abnormal income for 1945 from gross income, plus the increase in the tax for 1945 as so computed, if any, and the increase in tax, if any, for all previous taxable years which would result if the $60,000 net abnormal income were included in gross income for 1943.

For any taxable year for which the excess profits tax or the increase in excess profits tax is determined under section 721 (c), the excess profits tax may be computed pursuant to the provisions of section 710 (a) (1) (B) (if such section is applicable to such year) as an amount which when added to the normal tax and surtax for the year is equal to 80 percent of the corporation surtax net income for such year determined under section 15 or Supplement G (relating to insurance companies) but without regard to the credit provided in section 26 (e) (relating to income subject to excess profits tax), as follows:

If the provisions of section 710 (a) (1) (B) are applicable for the purposes of paragraph (a) of this section, the normal tax and surtax shall be the actual normal tax and surtax for the taxable year computed under chapter 1, and the corporation surtax net income shall be the actual corporation surtax net income computed under chapter 1 or, if the excess profits tax is computed under section 721 (d), the corporation surtax net income determined for the purposes of section 721 (d). See § 30.721-5. If the provisions of section 710 (a) (1) (B) are applicable for the purposes of paragraph (b) (1) of this section, the normal tax and surtax shall be the actual normal tax and surtax for the taxable year computed under chapter 1, and the corporation surtax net income shall be the corporation surtax net income described in the preceding sentence except that the amount of any items of net abnormal income attributable to other taxable years shall be excluded from gross income. If the provisions of section 710 (a) (1) (B) are applicable for the purposes of paragraph (b) (2) of this section, the normal tax and surtax for a pervious taxable year shall be the actual normal tax and surtax for such year computed under chapter 1, and the corporation surtax net income for such year shall be the corporation surtax net income described in the first sentence of this paragraph increased by the total amount of the items of net abnormal income attributable to such prior year.

PAR. 3. Section 30.721-5, as added by Treasury Decision 5045, is further amended to read as follows:

§ 30.721-5 *Computation of tax for future taxable years.* Amounts of items of net abnormal income attributable to a future taxable year shall be included in the gross income for such future taxable year for the purposes of the excess profits tax, except that if in the application of section 721 (d) (1) to any future taxable year it is determined that the decrease in tax computed under section 721 (d) (1) (B) for the taxable year in which the net abnormal income was realized does not exceed the aggregate of the increases in tax for other taxable years with respect to such net abnormal income, as computed under section 721 (d) (1) (B), then no portion of such net abnormal income shall be included in gross income for any taxable year subsequent to such future taxable year. For example, in 1940 the taxpayer, on the calendar year basis, has $60,000 net abnormal income, of which $10,000 is attributable to each of the years 1941 to 1946. In applying section 721 (d) to 1943, it is determined that the decrease in tax for 1940 caused by the application of section 721 (c) (computed with the exclusion of the net abnormal income from gross income) does not exceed the increases in tax for 1941 and 1942 caused by the inclusion in gross income of the net abnormal income attributable to those years. Therefore, the net abnormal income for 1940 attributable to 1944, 1945, and 1946 shall not be included in gross income for those years.

The excess profits tax is determined as the lesser of the amounts computed under section 710 (a) (1) (A) (90 percent of the adjusted excess profits net income) and section 710 (a) (1) (B). Under section 710 (a) (1) (B), the excess profits tax is an amount which when added to the normal tax and surtax for the year is equal to 80 percent of the corporation surtax net income for such year determined under section 15 or Supplement G (relating to insurance companies) but without regard to the credit provided in section 26 (e) (relating to income subject to excess profits tax). For the purpose of applying section 710 (a) (1) (B) to a future taxable year to which amounts of items of net abnormal income are attributable, which amounts are included in gross income for such year for excess profits tax purposes under section 721 (d), the normal tax and surtax shall be the actual normal tax and surtax for the taxable year computed under chapter 1, and the corporation surtax net income shall be computed on the basis of the gross income determined for the purposes of the excess profits tax for such taxable year.

If net abnormal income is included in the gross income for any future taxable year, and if the tax for such year is the amount determined under the limitations of section 721 (d) (1) with respect to such net abnormal income, then for the purpose of computing the net operating loss deduction or unused excess profits credit adjustment for any taxable year subsequent to such future taxable year the gross income for the future taxable year shall be deemed to include only such portion of the net abnormal income as, when added to the other gross income for such future taxable year, would result without the application of section 721 (d) (1) in an excess profits tax equal to the amount determined under that section. For example, $50,000 net abnormal income for 1942 is attributable to 1945, and is included in the gross income for that year. The excess profits tax for 1945 computed without the application of section 721 (d) (1) is $145,000. Under section 721 (d) (1), the excess profits tax is determined to be $118,000. If only $20,000, instead of $50,000, had been included as net abnormal income in the gross income for 1945, the excess profits tax for that year without the application of section 721 (d) (1) would be $118,000. Therefore, for the purpose of computing the net operating loss deduction or unused excess profits credit adjustment for any taxable year subsequent to 1945, the gross income for 1945 is considered to include $20,000 and not $50,000 net abnormal income.

Section 721 (d) (1) provides that the excess profits tax for a future taxable year to which any portion of the net income for a previous taxable year is attributed is the smaller of the amounts determined under (a) and (b) below:

(a) The excess profits tax for such year computed with the inclusion in gross income of such portion of the net abnormal income;

(b) The sum of:

(1) The excess profits tax for such year computed without the inclusion in gross income of such portion of the net abnormal income, and

(2) The excess of:

(i) The decrease in excess profits tax for the year of realization which resulted from the exclusion of net abnormal income from the gross income for such year, over

(ii) The aggregate of the increase in excess profits tax for the future taxable year (as determined under (1) of this paragraph) and for intervening years resulting from the inclusion in the gross income for such intervening years of the other portions of such net abnormal income.

If net abnormal income from more than one previous taxable year is attributed to the future taxable year, the determinations under (a) and (b) of this section are to be made first with respect to the portion of net abnormal income attributed from the earliest previous taxable year, the portions of net abnormal income from the later taxable years being treated as ordinary income for such future taxable year. The determinations under (a) and (b) are then to be made with respect to the portion of net abnormal income attributed from the next earliest previous taxable year, and for such purpose the excess profits tax for the future taxable year determined under (a) is considered the excess profits tax resulting from the determinations under (a) and (b) with respect to the net abnormal income attributed from the earliest previous taxable year, and the gross income referred to in (b) is considered that amount which would result in the tax reported under (a) if section 721 (d) (1) did not apply. The determinations for the other previous taxable years from which net abnormal income is attributed to the future taxable year are to be made in a similar manner in the order of such taxable years, and the amount so determined for the latest of such taxable years is the tax under section 721 (d) (1) for the future taxable year. The foregoing provisions are illustrated by the following example:

Example. A taxpayer, on the calendar year basis, has net abnormal income for 1941, of which $10,000 is attributed to 1945, and net abnormal income for 1942, of which $20,000 is also attributed to 1945. The tax for 1945, before the application of section 721 (d) (1), is $90,000. The adjusted excess profits net income for 1945 is $100,000, and the gross income and other amounts necessary to determine this amount are such that a decrease in gross income (if such decrease is $100,000 or less) causes a decrease of an equal amount in adjusted excess profits net income. For the purpose of applying section 721 (d) (1) to 1945, computations under (a) and (b) are first made only with respect to the $10,000 attributed from 1941, and the $20,000 attributed from 1942 is not considered net abnormal income. Upon this computation the tax under (a) is $90,000. The tax under (b) (1), determined by excluding the $10,000 from gross income, is $81,000. Assuming that the amount determined under (b) (2) with respect to the $10,000 net abnormal income is $4,500, the excess profits tax would then be determined under (b) as $85,500, a lesser amount than the $90,000 computed under (a). The computations under (a) and (b) are then made with respect to the $20,000 attributed from 1942. For this purpose, the tax under (a) is considered to be the $85,500 amount computed with respect to the net abnormal income attributed from 1941. For the purposes of (b), the taxpayer is considered to have such gross income and other items of deductions and credits as would produce the tax of $85,500 determined with respect to the net abnormal income attributed from 1941. That is, the gross income is considered reduced by $5,000, the items of deductions and credits remaining the same, so that the adjusted excess profits net income is reduced to $95,000, on which amount the tax would be $85,500. The exclusion of $20,000 from that amount of gross income which would produce $95,000 adjusted excess profits net income would reduce such adjusted excess profits net income to $75,000, on which the tax is $67,500, and this $67,500 amount is considered the tax under (b) (1) determined by excluding the $20,000 from gross income. Assuming that the amount determined under (b) (2) with respect to the $20,000 net abnormal income is $7,500, then the tax finally determined under section 721 (d) (1) for the future taxable year would be $75,000, the sum of $67,500 and $7,500, which is a lesser amount than the $85,500 determined under (a).

If part of the income for a future taxable year, to which year net abnormal income of previous years is attributed, constitutes net abnormal income for such future year which is attributable to other taxable years, then the computations under section 721 (d) (1) shall be made without regard to the provisions of section 721 (c) which apply in determining the tax for such future taxable year. Section 721 (c) is applied after the tax is determined under the limitations of section 721 (d). In determining for the purpose of section 721 (d) (1) the increases and decreases in tax for previous taxable years, portions of net abnormal income for any of such previous taxable years attributable under section 721 (c) to other of such previous taxable years shall be treated as remaining in gross income in the years to which attributed.

This section may be illustrated by the following example:

Example In the taxable year 1940, the A Corporation realized $26,000 net abnormal income, $2,000 of which is attributed to the taxable year 1940 and $4,000 to each of the taxable years 1941 through 1946. For the years 1940 through 1942, the adjusted excess profits net income, computed with these attributed amounts included in gross income, and the resulting excess profits tax are as follows:

	Adjusted excess profits income	*Excess profits tax*
1940	$ 4,000	$1,000
1941	54,000	20,800
1942	104,000	93,600

The adjusted excess profits net income for 1943, after the inclusion in gross income of the amount attributed to such year, is $124,000. The excess profits tax for such year is $109,000, computed as follows:

(a) Tax on $124,000 computed without regard to the limitations of section 721 (d)	$111,600
(b) (1) Tax on $120,000 (income for 1943 excluding amount attributed to such year)	108,000
(2) (i) Tax for 1940 if section 721 were not applied to the net abnormal income for such year (tax on sum of $4,000 plus the $24,000 attributed to other years, or a total of $28,000)	7,400
(ii) Less tax for 1940 after application of section 721	$1,000
(iii) Decrease in tax for 1940 due to application of section 721	6,400
(3) (i) Tax for 1941 after application of section 721	20,800
(ii) Less tax for 1941 if attributed income of $4,000 were excluded from gross income (tax on $50,000)	19,000
(iii) Increase in tax for 1941 due to inclusion of attributed income	1,800
(4) (i) Tax for 1942 after application of section 721	93,600
(ii) Less tax for 1942 if attributed income of $4,000 were excluded from gross income (tax on $100,000)	90,000
(iii) Increase in 1942 tax due to inclusion of attributed income	3,600
(5) Aggregate of increases in tax for intervening years 1941 and 1942 (item (3) (iii) plus item (4) (iii))	5,400
(6) Excess of decrease in tax for 1940 over aggregate of increases in tax for intervening years 1941 and 1942 (item (2) (iii) minus item (5))	1,000
(7) Sum of tax on income for 1943, excluding amount attributed to such year, plus excess of decrease in tax for 1940 over aggregate of increases in tax for 1941 and 1942 (item (1) plus item (6))	109,000

Since the amount computed in (b) (7), $109,000, is less than the amount computed in (a), $111,600, the excess profits tax of the A Corporation for 1943 is $109,000, the smaller amount.

In the above example, the decrease in tax for 1940 ($6,400) has been equalled by the aggregate of the increases in tax for the intervening years 1941 through 1943 ($1,800 plus $3,600 plus $1,000). Therefore, the $4,000 attributed to 1944, 1945, and 1946 will not be included in gross income for such years.

PAR. 4. Section 30.721-6, as amended by Treasury Decision 5045, is further amended by inserting at the end of the first paragraph of the example therein the following sentence:

There was no net operating loss deduction or unused excess profits credit adjustment in 1940 or 1941.

PAR. 5. Section 30.721-7, as amended by Treasury Decision 5045, is further amended as follows:

(A) By changing the first sentence to read as follows:

The second class of potentially abnormal income specifically set forth in section 721 (a) (2) is income constituting amounts payable under contracts the performance of which required more than twelve months and is applicable only with respect to excess-profits tax taxable years beginning before January 1, 1942.

(B) By adding the following new paragraph immediately following the first paragraph:

If the taxpayer has elected under the provisions of section 736 (b) to compute, for excess profits tax purposes, its in-

come from long-term contracts upon the percentage of completion method of accounting, income from long-term contracts shall not constitute abnormal income under any provisions of section 721 for any taxable year.

PAR. 6. Section 30.721-8 as amended by Treasury Decision 5045, is further amended as follows:

(A) By adding the following new paragraph immediately following the third paragraph:

Exploration, discovery, prospecting, research, or development of tangible property, patents, formulae, or processes, or any combination of the foregoing extending over a period of more than twelve months occurring during or immediately prior to the base period may constitute the basis of a claim under section 722 (b) that the average base period net income is an inadequate standard of normal earnings and for the establishment of a constructive average base period net income under section 722 (a). In such case, if the constructive average base period net income determined by taking into account the activities described in section 721 (a) (2) (C) and in the preceding sentence is higher than it would be if such activities are not taken into account, only that portion of the net abnormal income for the taxable year resulting from such activities, which is of a class described in section 721 (a) (2) (C) and this section, as is attributable to another excess profits tax taxable year shall be deemed attributable to a year other than the taxable year. No amount of such net abnormal income shall be attributed to any year in the taxpayer's base period or to any year prior thereto.

(B) By inserting at the end the following new example:

Example (3). In 1937, the B Corporation, which had been engaged in manufacturing and selling patented products under licensing agreements with the patent holders, discontinued such practice and devoted its facilities to research and development of new products. In 1938 and 1939, the corporation secured several patents and started selling the products which it manufactured under such patents. In 1940 and in subsequent years, the corporation received net abnormal income as a result of such sales. The corporation has made an application for relief under section 722 (b) (4) on the ground that it had changed the character of its business during the base period, and that its average base period net income does not reflect the normal operation for the entire base period of the business. The constructive average base period net income finally determined is higher than it would have been if the activities referred to and engaged in by the corporation in 1938 and 1939 had not occurred and were not taken into account under section 722. Consequently no part of any net abnormal income determined under section 721 (a) (2) (C) and this section shall be deemed to be attributable to 1937, 1938, or 1939.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62), as made applicable by section 729 (a) of the Internal Revenue Code (54 Stat. 789; 26 U.S.C., 729 (a)), and sections 221 and 222 (f) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: April 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

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Subchapter C—Miscellaneous Excise Taxes

[Regulations 64, 1943 Ed.]

PART 137—CAPITAL STOCK TAX

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AUTHORITY: §§ 137.0 to 137.112 are issued under sec. 3791 of the Internal Revenue Code (53 Stat., 467; 26 U.S.C., 1940 ed., 3791), and follow the statutory provisions to which they respectively refer.

SUBPAR A—INTRODUCTORY

§ 137.0 *Scope of regulations.* These regulations relate to the capital stock tax imposed under Chapter 6 of the Internal Revenue Code, as amended, for the year ended June 30, 1942, and succeeding years.

Subpart B defines terms that are used in the Code and in these regulations.

Subpart C deals with the effective date and geographical scope of the tax.

Subpart D deals with domestic corporations.

Subpart E deals with China Trade Act Corporations.

Subpart F deals with foreign corporations.

Subpart G deals with exemptions from the tax.

Subpart H deals with making, filing, and inspecting returns.

Subpart I deals with payment and collection of tax.

Subpart J deals with abatements and refunds.

Subpart K deals with miscellaneous provisions applicable to the tax.

Regulations 64 (1938 edition), as amended, relate to the capital stock tax imposed under the Revenue Act of 1938 and the Internal Revenue Code for the years 1938 to 1941 inclusive. The years prior to 1938 are covered by earlier regulations. Such Regulations 64 (1938 edition) and earlier regulations have no application to the year ended June 30, 1942, and succeeding years.

The statutory references are to the Internal Revenue Code (53 Stat., Part 1), as amended, unless otherwise stated.

SUBPART B—DEFINITIONS

SEC. 3797. DEFINITIONS.

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(1) *Person.* The term "person" shall be construed to mean and include an individual, a trust, estate, partnership, company, or corporation.

* * * * *

(3) *Corporation.* The term "corporation" includes associations, joint-stock companies, and insurance companies.

(4) *Domestic.* The term "domestic" when applied to a corporation or a partnership means created or organized in the United States or under the law of the United States or of any State or Territory.

(5) *Foreign.* The term "foreign" when applied to a corporation or partnership means a corporation or partnership which is not domestic.

* * * * *

(7) *Stock.* The term "stock" includes the share in an association, joint-stock company, or insurance company.

(8) *Shareholder.* The term "shareholder" includes a member in an association, joint-stock company, or insurance company.

(9) *United States.* The term "United States" when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

* * * * *

(11) *Secretary.* The term "Secretary" means the Secretary of the Treasury.

(12) *Commissioner.* The term "Commissioner" means the Commissioner of Internal Revenue.

(13) *Collector.* The term "Collector" means collector of internal revenue.

(14) *Taxpayer.* The term "taxpayer" means any person subject to a tax imposed by this title.

* * * * *

(b) *Includes and including.* The terms "includes" and "including" when used in a definition contained in this title shall not be deemed to exclude other things otherwise within the meaning of the term defined.

* * * * *

§ 137.10 *Definitions.* As used in these regulations:

(a) The terms defined in the above quoted provisions of law shall have the respective meanings so assigned to them. For the purpose of taxation, the Internal Revenue Code makes its own classifications and prescribes its own standards of classification. Local law is of no importance in this connection.

(b) The term "Code" means the Internal Revenue Code, as amended, especially Chapter 6 thereof relating to the capital stock tax.

(c) The term "tax" means the capital stock tax imposed by Chapter 6 of the Code, as amended.

(d) The term "corporation" is not limited to the artificial entity usually known as a corporation, but includes an association, a joint-stock company, an insurance company, a common law trust, a Massachusetts trust, a business trust, an investment trust, an interinsurance exchange operating through an attorney in fact, and certain partnership associations of the type authoried by the laws of Pennsylvania.

(e) The terms "association," "interinsurance exchange," "joint-stock company," "partnership," "common law trust," "Massachusetts trust," "business trust," and "investment trust," shall have the same meanings and inclusiveness as are attached to them in the applicable Federal income tax regulations.

(f) The term "domestic corporation" means a corporation created or organized in the United States or under the laws of the United States, a State, or either of the Territories of Alaska or Hawaii, regardless of where its business is conducted.

(g) The term "foreign corporation" means any corporation other than a domestic corporation.

(h) The term "stock" includes a share or interest in a corporation as defined above in paragraph (d).

(i) The term "capital stock" includes (1) the money and property paid in by the stockholders; (2) surplus (whether earned or paid in); (3) surplus reserves; (4) undivided profits; (5) contributions to capital; and (6) other items, whether tangible or intangible, which enter into the "net worth" of the corporation. The term is equivalent to the net worth of the organization, regardless of whether it is a stock or nonstock corporation, an association or other entity taxable as a corporation.

(j) The term "taxable year" means any 12-month period after June 30, 1941, beginning July 1 and ending June 30, or any fractional part thereof.

(k) The term "income-tax taxable year" means a calendar year, fiscal year, or fractional part of a year with respect to which a corporation is required to file a Federal income tax return.

(l) The term "declared value," when applied to a domestic corporation, means the value of its capital stock declared by the corporation on a return for a taxable year, and when applied to a foreign corporation, means the value of its capital employed in the transaction of business in the United States declared by the corporation on a return for a taxable year.

(m) The term "prior Act" means any revenue act enacted prior to February 10, 1939.

SUBPART C—EFFECTIVE DATE AND GEOGRAPHICAL SCOPE

SEC. 1200. TAX.

(a) *Domestic corporations.* For each year ending June 30, beginning with the year ending June 30, 1939, there shall be imposed upon every domestic corporation with respect to carrying on or doing business for any part of such year an excise tax * * *.

(b) *Foreign corporations.* For each year ending June 30, beginning with the year ending June 30, 1939, there shall be imposed upon every foreign corporation with respect to carrying on or doing business in the United States for any part of such year an excise tax * * *.

§ 137.20 *Effective date of the tax.* The capital stock tax imposed by Chapter 6 of the Internal Revenue Code, as amended, applies with respect to each year ending June 30, beginning with the year ended June 30, 1939. However, these regulations relate only to the capital stock tax imposed under Chapter 6 of the Internal Revenue Code, as amended by the Revenue Act of 1942, for the year ended June 30, 1942, and succeeding years.

§ 137.21 *Geographical scope.* The tax is applicable (1) to corporations created or organized in the United States, or under the law of the United States or of any State or Territory, with respect to carrying on or doing business, without reference to where such business is carried on or done, and (2) to every other corporation with respect to carrying on or doing business in any State of the United States, the Territories of Alaska and Hawaii, and the District of Columbia.

SUBPART D—DOMESTIC CORPORATIONS

SEC. 1200. TAX. [As amended by section 301 (a), Revenue Act of 1941, and Section 301 (a), Revenue Act of 1942.]

(a) *Domestic corporations.* For each year ending June 30, beginning with the year ending June 30, 1939, there shall be imposed upon every domestic corporation with respect to carrying on or doing business for any part of such year an excise tax of $1.25 for each $1,000 of the declared value of its capital stock. [Under section 301 (d), Revenue Act of 1941 the $1.25 rate is applicable only for the year ended June 30, 1941, and subsequent years.]

* * * * *

SEC. 1202. DECLARED VALUE. [As amended by section 301 (b), Revenue Act of 1942.]

(a) *Declaration of value.* The declared value shall be the value as declared by the corporation in its return for the year (which declaration of value cannot be amended). The value declared by the corporation in its return shall be as of the close of its last income-tax taxable year ending with or prior to the close of the capital stock tax taxable year (or as of the date of organization in the case of a corporation having no income-tax taxable year ending with or prior to the close of such declaration year).

* * * * *

[SEC. 301. CAPITAL STOCK TAX. (Revenue Act of 1942.)]

(d) *Prior returns effective.* If a return for the year ended June 30, 1942, is filed under Chapter 6 of the Internal Revenue Code, without regard to the amendment thereof as made by this Act, the adjusted declared value reported by the corporation on such return (whether or not correct) shall constitute the declared value for the purposes of such Chapter 6 as amended by this Act, unless a different value is declared on a subsequent return for such year received within the prescribed filing period.

§ 137.30 *Nature and rate of tax.* The tax is an excise tax imposed with respect to carrying on or doing business during a taxable year ending June 30, or any fractional part thereof. It is an excise tax upon the exercise of the privilege of doing business and not upon the business itself and is imposed upon each corporation with respect to carrying on or doing business and not upon each business carried on. If more than one corporation is engaged in carrying on a single business, each must file a return and pay the tax. The tax is imposed at the rate of $1.25 for each full $1,000 of the declared value of the capital stock. The tax may not be apportioned under any circumstances. If a corporation is engaged in business for any portion of a taxable year, liability for the tax is incurred for the entire taxable year.

§ 137.31 *Doing business.* The term "business" is very comprehensive and embraces whatever occupies the time, attention, or labor of men for profit. Accordingly, regardless of the nature of its activities, any corporation organized for profit and carrying out any of the purposes of its organization is doing business within the meaning of the Code. Similarly, even if not organized for profit, any corporation which engages in activities ordinarily carried on for profit is doing business. It is immaterial whether the activities result in a profit or a loss, or whether the corporation has been successful in its enterprise, or that because of unfavorable business conditions, no operations are carried on for a particular period. No particular amount of business need be done, nor is it necessary that the business be continuous throughout the taxable year.

The case is exceptional in which the activities of a corporation organized for profit do not amount to doing business within the meaning of the Code. Such a case is generally limited to one in which the corporation is not pursuing the end for which organized, i. e., profit.

§ 137.32 *Illustrations*—(a) *General.* In general "doing business" includes such activities as:

(1) Buying, selling, manufacturing, developing, financing, speculating, or otherwise dealing in or managing, property of any description;

(2) Furnishing services of any character;

(3) Leasing or managing properties, collecting rents or royalties;

(4) Managing, financing, controlling, or directing the operations, performing any function, or in any other way aiding or serving the general purposes of, any affiliated or related company;

(5) The orderly liquidation of property by negotiating sales from time to time as opportunity and judgment dictate and distribution of the proceeds as liquidation is effected—for example, the liquidation of an estate, of properties taken over from another corporation, or of shareholders' fractional interests in particular property;

(6) Investment or reinvestment (in the case of a corporation holding securities) of surplus or other funds in securities, with the exception of the reinvestment of funds realized upon the maturity or redemption of securities;

(7) May be engaged in by a corporation which has leased its properties to another without divesting itself of all control and management thereof or under such terms that it is required to or does keep the properties in repair; or any activities performed by a lessor corporation to enable the lessee to utilize the leased properties, regardless of whether such activities are performed on behalf of under the order of the lessee or whether such acts are of major importance; or

(8) Any other activities coming within the ordinary and natural signification of the term "carrying on or doing business."

(b) *Parent company.* A company owning the controlling interest in one or more active subsidiary corporations is deemed to be doing business within the meaning of the statute.

(c) *Debtor in possession.* A corporation continued in possession, control and management of its property as a "debtor in possession" in a proceeding under Chapter X of the Bankruptcy Act, as amended, is doing business and subject to the tax the same as any other corporation.

(d) *Exceptions.* Ordinarily the exceptions to "doing business" are restricted to limited activities of a corporation. For example:

(1) A corporation (not including a parent company as specified in paragraph (b)) is not subject to the tax if its corporate powers are limited to the mere owning and holding of property and the distribution of its avails, or, although incorporated for the purpose of doing business, if it has retired from the business for which it was organized and has reduced its activities to the mere ownership and holding of property, the distribution of its avails, and doing only such acts as are necessary to the maintenance of its corporate existence and the private management of its purely internal affairs. However, a corporation which has retired from its principal business is subject to the tax if, nevertheless, it engages in other business activities or maintains its organization for the purpose of continued effort in the pursuit of profit or gain.

(2) A newly organized corporation does not incur liability for the tax while its activities are limited to purely internal matters incidental to the completion of its organization, such as the sale of its stock for cash, and the election of officers. On the other hand, it is not necessary for such corporation to have commenced the actual operation of the business for which it was organized before a tax liability may arise. Generally, liability for the tax is first incurred by a newly organized corporation when, preliminary to the commencement of the operation of its intended business, it undertakes such activities as the acquisition of property, whether paid for in stock of the corporation or with proceeds from the sale of such stock; constructing or contracting for the construction of a plant; contracting for the purchase of property or for the sale of its intended product; the purchase of materials, machinery or equipment; the hiring of employees; etc.

(3) A corporation will not be regarded as "doing business" if it had no activities during the entire taxable year because it has:

(a) Become dormant; or

(b) Completed its business, as, for example, where a real estate subdivision has been developed, sold and reduced to cash; or

(c) Abandoned its business, as, for example, where prospective oil properties are proven worthless.

§ 137.33 *Declared value.* In its return for each year, a corporation must declare a definite and unqualified value for its capital stock. The declaration of value must be made in terms of United States dollars and be specific, as, for example, "$10,000", or "Zero" in the event it is desired to indicate no value. The declared value can in no case be less than zero, and statements such as "None", "No value", "Deficit", and similar expressions, or a declaration of a deficit or minus figure shall be considered a declaration of "Zero."

A corporation may exercise unrestricted judgment and discretion in determining the value to be declared for its capital stock on a return for any year. In making such declaration, the corporation is not bound by any previous declaration of value.

The value shall be declared as of the close of the last income-tax taxable year ending with or prior to the close of the capital stock tax taxable year, or as of the date of organization if the corporation has no income-tax taxable year ending with or prior to the close of the capital stock tax taxable year. Thus, for the year ended June 30, 1942, the value shall be declared as of December 31, 1941, if the corporation makes its income tax returns on a calendar year basis, or as of the close of any other month from July 1941, to and including June 1942, if its income tax returns are made on the basis of a fiscal year ending with such month. In the case of a newly organized corporation which does not have an income-tax taxable year ending with or prior to the close of the capital stock tax taxable year, June 30, the value shall be declared as of the date of organization.

Extreme care should be exercised in making the declaration of value, since once made it cannot be amended, except as otherwise provided for in this section, either by the corporation or by the Commissioner. It is not only binding with respect to the capital stock tax liability for the year for which declared, but is also a prime factor in computing the declared value excess-profits tax, if any, for the applicable income-tax taxable year under subchapter B of Chapter 2 of the Code. A corporation may, within the statutory period for filing returns (up to and including the last day of any extension period), amend the value declared on one return by filing another return to take the place of the one previously filed, but, under the provisions of section 1202 (a) of the Code, such amended return must be received by the collector on or before the last day of the filing period. An amended return received after such date is not effective, whether or not placed in the mails in ample time to reach the office of the collector in due course before the expiration of the filing period. Where two or more timely returns are received by the collector, the last received constitutes the return required by law and the value declared thereon becomes the binding value for capital stock tax and declared value excess-profits tax purposes.

SUBPART E—CHINA TRADE ACT CORPORATIONS

[Sec. 1202. Declared value (As amended by section 301 (b), Revenue Act of 1942)]

(b) *Credit for China Trade Act corporations.* For the purpose of the tax imposed by section 1200 there shall be allowed in the case of a corporation organized under the China Trade Act, 1922, 42 Stat. 849 (U. S. C., 1940 ed., title 15, ch. 4), as a credit against the declared value of its capital stock, an amount equal to the proportion of such declared value which the par value of the shares of stock of the corporation, owned on the last day of the taxable year by (1) persons resident in China, the United States, or possessions of the United States, and (2) individual citizens of the United States or China wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date. For the purposes of this subsection shares of stock of a corporation shall be considered to be owned by the person in whom the equitable right to the income from such shares is in good faith vested; and as used in this subsection the term "China" shall have the same meaning as when used in the China Trade Act, 1922.

§ 137.40 *Definitions.* As used in this subpart:

(a) *China Trade Act Corporation* means a corporation chartered under the China Trade Act, 1922.

(b) *China* means (1) China including Manchuria, Thibet, Mongolia, and any territory leased by China to any foreign government, (2) the Crown Colony of Hongkong, and (3) the Province of Macao.

(c) *Possessions of the United States* include Puerto Rico, the Philippine Islands, the Panama Canal Zone, Guam, Tutuila, Wake, and the Virgin Islands.

(d) *Persons resident* means persons who on June 30 of the taxable year had their domicile in China, the United States, or a possession of the United States.

§ 137.41 *General.* Corporations organized under the China Trade Act, 1922, are domestic corporations and, with the exceptions noted in this subpart, are subject to all of the provisions of these regulations relating to domestic corporations, including those governing declarations of value (see § 137.33). In view of the provisions of section 12 of the China Trade Act, the income-tax taxable years of all China Trade Act corporations end on December 31. Declarations of value shall be shown in United States dollars. In declaring a value for the capital stock, conversion of foreign currencies must be made at the rate of exchange prevailing on December 31, of the taxable year. The prevailing rate of exchange shall be the rate certified to the Secretary by the Federal Reserve Bank of New York under the provisions of section 522 (c) of the Tariff Act of 1930 (46 Stat. 740).

§ 137.42 *Credits and computation of tax.* A China Trade Act corporation is allowed a credit against the declared value of its capital stock for each taxable year equal to the proportion of such declared value which the par value of the shares of its stock owned on June 30, the last day of the taxable year, by (a) persons resident in China, the United States, or possessions of the United States, and (b) individual citizens of the United States or China, wherever resident, bears to the par value of the whole number of the shares of stock outstanding on such date.

Only those shares of stock, the equitable right to the income from which is in good faith vested on June 30 of the taxable year in persons resident in China, the United States, or possessions of the United States and individual citizens of the United States or China, wherever resident, may be considered in determining such credit.

If a corporation claims the credit mentioned above it shall file a capital stock tax return (Form 707) executed in accordance with the law and these regulations (see subpart H) and complete the form in accordance with the instructions thereon. It must also securely attach to such return, and make a part thereof, a supplemental form (707a) which shall contain all of the information required by the law, these regulations, and the instructions on the form.

SUBPART F—FOREIGN CORPORATIONS

[Sec. 1200. Tax (As amended by section 301 (a), Revenue Act of 1941, and section 301 (a), Revenue Act of 1942)]

(b) *Foreign corporations.* For each year ending June 30, beginning with the year ending June 30, 1939, there shall be imposed upon every foreign corporation with respect to carrying on or doing business in the United States for any part of such year an excise tax equivalent to $1.25 for each $1,000 of the declared value of capital employed in the transaction of its business in the United States. [Under section 301 (d), Revenue Act of 1941 the $1.25 rate is applicable only for the year ended June 30, 1941, and subsequent years.]

[Sec. 1202. Declared value. (As amended by section 301 (b), Revenue Act of 1942)]

(a) *Declaration of value.* The declared value shall be the value as declared by the corporation in its return for the year (which declaration of value cannot be amended). The value declared by the corporation in its return shall be as of the close of its last income-tax taxable year ending with or prior to the close of the capital stock tax taxable year (or as of the date of organization in the case of a corporation having no income-tax taxable year ending with or prior to the close of such declaration eyar).

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[Sec. 201. Capital stock tax (Revenue Act of 1942)]

(d) *Prior returns effective.* If a return for the year ended June 30, 1942, is filed under Chapter 6 of the Internal Revenue Code, without regard to the amendment thereof as made by this Act, the adjusted declared value reported by the corporation on such return (whether or not correct) shall constitute the declared value for the purposes of such Chapter 6, as amended by this Act, unless a different value is declared on a subsequent return for such year received within the prescribed filing period.

§ 137.50 *Nature and rate of tax.* The tax is an excise tax imposed with respect to carrying on or doing business in the United States during a taxable year ending June 30, or any fractional part thereof. The tax is imposed at the rate of $1.25 for each full $1,000 of the declared value of capital employed by a foreign corporation in the transaction of business in the United States. For the provisions under which foreign corporations are required to file capital stock tax returns, see § 137.74.

§ 137.51 *Carrying on or doing business in the United States.* The determination as to whether a foreign corporation is carrying on or doing business in the United States within the meaning of the Code depends upon the particular facts of each case. Ordinarily, a foreign corporation engaged in trade or business within the United States, and therefore classified as a resident foreign corporation for purposes of the tax imposed by section 14 (c) (1) of the Code is subject to the capital stock tax as a foreign corporation carrying on or doing business in the United States. As to the meaning of "carrying on or doing business," in general, see §§ 137.31 and 137.32.

§ 137.52 *Capital employed in the United States.* The phrase "capital employed in the transaction of its business in the United States" means the portion of the total capital of the foreign corporation utilized in carrying on or doing business in the United States.

A foreign corporation may employ capital in the transaction of its business in the United States in various ways. For example, property in the United States used in its business; notes and accounts receivable, and other like assets, representing business done in the United States; merchandise kept in the United States for sale; and funds on deposit in the United States for use in the corporation's business in the United States, are capital employed in the transaction of business in the United States.

§ 137.53 *Declared value.* In its return for each year a foreign corporation shall declare a definite value for the capital employed by it in the transaction of business in the United States. The rules relating to the declared value of the capital stock of domestic corporations (see § 137.33) are applicable to the declared value of the capital of foreign corporations employed in the transaction of business in the United States.

SUBPART G—EXEMPTIONS

Sec. 1201. Exemptions.

(a) The taxes imposed by section 1200 shall not apply—

(1) *Corporations exempt from income tax.* To any corporation enumerated in section 101;

(2) *Insurance companies.* To any insurance company subject to the tax imposed by section 201, 204 or 207.

[Sec 169 Common trust funds.]

(b) *Taxation of common trust funds.* A common trust fund shall not be subject to taxation under this chapter, * * * or chapter 6 and for the purposes of such chapters * * * shall not be considered a corporation.

Sec. 101. Exemptions from tax on corporations. [As amended by section 217 (a), Revenue Act of 1939, and sections 137 (a) and 165 (a), Revenue Act of 1942.]

The following organizations shall be exempt from taxation under this chapter—

(1) Labor, agricultural, or horticultural organizations;

(2) Mutual savings banks not having a capital stock represented by shares;

(3) Fraternal beneficiary societies, orders, or associations, (A) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system; and (B) providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

(4) Domestic building and loan associations substantially all the business of which is confined to making loans to members, and cooperative banks without capital stock organized and operated for mutual purposes and without profit;

(5) Cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(6) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

(7) Business leagues, chambers of commerce, real-estate boards, or boards of trade, not organized for profit and no part of the

net earnings of which inures to the benefit of any private shareholder or individual;

(8) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes;

(9) Clubs organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder;

(10) Benevolent life insurance associations of a purely local character, mutual ditch or irrigation companies, mutual or cooperative telephone companies, or like organizations; but only if 85 per centum or more of the income consists of amounts collected from members for the sole purpose of meeting losses and expenses;

(11) Mutual insurance companies or associations other than life or marine (including interinsurers and reciprocal underwriters) if the gross amount received during the taxable year from interest, dividends, rents, and premiums (including deposits and assessments) does not exceed $75,000;

(12) Farmers', fruit growers', or like associations organized and operated on a cooperative basis (a) for the purpose of marketing the products of members or other producers, and turning back to them the proceeds of sales, less the necessary marketing expenses, on the basis of either the quantity or the value of the products furnished by them, or (b) for the purpose of purchasing supplies and equipment for the use of members or other persons, and turning over such supplies and equipment to them at actual cost, plus necessary expenses. Exemption shall not be denied any such association because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 per centum per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the association, upon dissolution or otherwise, beyond the fixed dividends) is owned by producers who market their products or purchase their supplies and equipment through the association; nor shall exemption be denied any such association because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose. Such an association may market the products of nonmembers in an amount the value of which does not exceed the value of the products marketed for members, and may purchase supplies and equipment for nonmembers in an amount the value of which does not exceed the value of the supplies and equipment purchased for members, provided the value of the purchases made for persons who are neither members nor producers does not exceed 15 per centum of the value of all its purchases. Business done for the United States or any of its agencies shall be disregarded in determining the right to exemption under this paragraph;

(13) Corporations organized by an association exempt under the provisions of paragraph (12) or members thereof, for the purpose of financing the ordinary crop operations of such members or other producers, and operated in conjunction with such association. Exemption shall not be denied any such corporation because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 per centum per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock) is owned by such association, or members thereof; nor shall exemption be denied any such corporation because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose;

(14) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this chapter;

(15) Corporations organized under Act of Congress, if such corporations are instrumentalities of the United States and if, under such Act, as amended and supplemented, such corporations are exempt from Federal income taxes;

(16) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (A) no part of their net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (B) 85 per centum or more of the income consists of amounts collected from members and amounts contributed to the association by the employer of the members for the sole purpose of making such payments and meeting expenses;

(17) Teachers' retirement fund associations of a purely local character, if (A) no part of their net earnings inures (other than through payment of retirement benefits) to the benefit of any private shareholder or individual, and (B) the income consists solely of amounts received from public taxation, amounts received from assessments upon the teaching salaries of members, and income in respect of investments;

(18) Religious or apostolic associations or corporations, if such associations or corporations have a common treasury or community treasury, even if such associations or corporations engage in business for the common benefit of the members, but only if the members thereof include (at the time of filing their returns) in their gross income their entire pro-rata shares, whether distributed or not, of the net income of the association or corporation for such year. Any amount so included in the gross income of a member shall be treated as a dividend received.

(19) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents or their designated beneficiaries, if (A) admission to membership in such association is limited to individuals who are officers or employees of the United States Government, and (B) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual.

§ 137.60 *Proof of exemption under section 1201 (a) (1) of the Code.* In every case, where not already established under section 1201 (a) (1) of the Code, or a similar provision of a prior Act, exemption from the capital stock tax as a corporation enumerated in section 101 of the Code, or in a corresponding section of a prior Act, must be established by an official ruling. To establish such exemption each corporation making claim thereto shall file a capital stock tax return, complete in all respects including (1) a declaration of value for its capital stock, (2) a statement of the subsection of section 101 under which exemption is claimed, and (3) the necessary supporting evidence required in the case.

In support of its claim for exemption, the corporation shall submit with the return a statement setting forth (1) the character of the organization, (2) the purpose for which it was organized, (3) its actual activities for a period of at least one year, (4) the sources of its income and the disposition of such income, (5) whether or not any of its income is credited to surplus or may inure to the benefit of any private shareholder or individual, and (6) in general all facts relating to its operations which affect its right to exemption. In addition, the corporation shall submit a copy of (1) its charter or articles of incorporation, (2) its by-laws, and (3) its latest financial statement showing the assets, liabilities, receipts and disbursements. If, however, the corporation has received a ruling from the Commissioner exempting it from filing Federal income tax returns and if the conditions on which such ruling was based have not changed, the corporation may submit a copy of such ruling with the capital stock tax return in lieu of the specified information.

The original of such documents as charters, by-laws, etc., should not be submitted in any case as all evidence becomes a part of the records of the Bureau and, under the rules of the Department, may not be returned.

A corporation, the status of which has not been determined, may (1) pay any tax shown on such return to avoid any statutory interest that deferred payment might entail, or (2) defer payment of the tax until a ruling has been made. If the corporation exercises option (1) and the claim for exemption is allowed, it will be advised, and may thereafter file a claim for refund of the tax paid. If option (2) is exercised and the claim for exemption is rejected, the corporation will be required to pay the tax together with statutory interest from the due date of the tax and not merely from the date of the rejection of the claim for exemption.

The collector, upon receipt of the return and accompanying papers, properly executed, will forward them to the Commissioner for decision as to whether the organization is exempt. After consideration by the Commissioner, the corporation will be advised whether its claim for exemption is allowed or rejected. If the claim is allowed, no further capital stock tax returns will be required so long as its income tax status is not changed.

Each collector will keep a list of all such exempt corporations, to the end that he may from time to time inquire into their status and ascertain whether or not they are observing the conditions upon which their exemption is predicated.

For a more detailed discussion of the several classes of corporations that are enumerated in section 101, reference is made to the applicable income tax regulations.

SEC. 201. LIFE INSURANCE COMPANIES. [As amended by section 163 (a), Revenue Act of 1942.]

(a) *Imposition of tax.*

(1) *In general.* There shall be levied, collected, and paid for each taxable year upon the adjusted normal-tax net income * * * of every life insurance company taxes at the rates provided * * *.

* * * * *

(3) *No United States insurance business.* Foreign life insurance companies not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations.

* * * * *

SEC. 204. INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL. [As amended by section 164 (a), Revenue Act of 1942.]

(a) *Imposition of tax.*

(1) *In general.* There shall be levied, collected, and paid for each taxable year upon the normal-tax net income * * * of every insurance company (other than a life or mutual insurance company) and every mutual marine insurance company taxes at the rates specified * * *.

* * * * *

(3) *No United States insurance business.* Foreign insurance companies (other than a life or mutual insurance company) and foreign mutual marine insurance companies not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations.

* * * * *

SEC. 207. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL. [As amended by section 165 (b), Revenue Act of 1942.]

(a) *Imposition of tax.* There shall be levied, collected, and paid for each taxable year upon the income of every mutual insurance company (other than a life or a marine insurance company and other than an interinsurer or reciprocal underwriter) a tax * * * and upon the income of every mutual insurance company (other than a life or a marine insurance company) which is an interinsurer or reciprocal underwriter, a tax * * *:

* * * * *

(6) *No United States insurance business.* Foreign mutual insurance companies (other than a life or marine insurance company) not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations.

* * * * *

§ 137.61 *Insurance companies.* Only those insurance companies subject to the income tax imposed by sections 201, 204, or 207 of the Code are exempt from capital stock tax under section 1201 (a) (2) of the Code. Such exempt status must be established by an official ruling. For that purpose a capital stock tax return, complete in all respects including a declaration of value for its capital stock, shall be filed, showing under which of the specified sections the corporation is subject to income tax. After consideration by the Commissioner, the corporation will be advised whether its claim for exemption is allowed or rejected. If the claim is allowed, no further capital stock tax returns will be required so long as the income tax status is not changed.

The exemption provided by section 1201 (a) (2) does not apply to incorporated insurance agencies; attorneys in fact for reciprocal insurance companies or interinsurance exchanges, holding companies for insurance companies, or any corporation (other than an insurance company) which is closely affiliated with, or is a facility of, or whose capital stock is held by, an insurance company.

§ 137.62 *Common trust fund.* A common trust fund, as defined in section 169 (a) of the Code, is not subject to the tax and is not required to file capital stock tax returns since it is provided in section 169 (b) of the Code that such organization shall not be considered a corporation for capital stock tax purposes.

§ 137.63 *Not doing business.* A domestic corporation which did not carry on or do any business (see §§ 137.31 and 137.32), or a foreign corporation which did not carry on or do any business in the United States (see § 137.51), during a taxable year ending June 30, may claim exemption on the ground of not doing business within the meaning of the Code. If such claim is allowed, the corporation will not be required to pay any capital stock tax for such year, but must, nevertheless, file a return and declare therein a value for the succeeding taxable year.

As corporations are generally organized to do business, every corporation is presumed to be subject to the tax unless it submits evidence satisfactory to the Commissioner that it has not carried on or done business during any part of the taxable year. Accordingly, exemption from the tax must be established by an official ruling by the Commissioner. The fact that an exemption from the tax was allowed for one year because of not doing business is not acceptable as proof that business was not carried on in any subsequent year. Likewise, the mere citation of a court decision, or of a provision of the Code or of these regulations, or a statement to the effect that the same conditions existed during the taxable year as prevailed in a previous year, or any other mere conclusion, does not constitute satisfactory proof. If a corporation claims exemption from the tax because of not doing business, a capital stock tax return, completed in accordance with the requirements of these regulations (see subpart H), must be filed for each year, regardless of whether or not the claim for exemption has been allowed for the previous taxable year. The following evidence must be attached to the return: (1) An excerpt from its charter setting forth its corporate powers; (2) copies of the minutes of all meetings of the board of directors held during the taxable year, and of all reports made by an executive or other standing committee, or any other governing body, upon the activities of the corporation during the taxable year; (3) a comparative statement of the assets and liabilities as of the beginning and close of the taxable year; (4) a detailed statement for such year of the cash receipts from all sources and the cash disbursements for all purposes; and (5) a comprehensive statement of all activities in which the corporation was actually engaged during the taxable period, and in general all facts relating to its operations which may affect its right to exemption. (See § 137.64.) In addition there shall be submitted all other information, data, and records that the Commissioner may require. The original of such documents as charters, by-laws, etc., should not be submitted, as all evidence becomes a part of the official records and under the rules of the Department may not be returned.

The collector upon receipt of the return, including the necessary evidence to support the claim for exemption, shall forward it to the Commissioner for decision as to whether the organization is exempt from payment of the tax for the year.

§ 137.64 *Action on claims for exemption.* A claim for exemption from liability for the tax should be made at the time the return is filed. A claim made at a later date will be considered only if made by filing with the collector a claim for the abatement or refund (as the case may be) of any tax assessed or paid. Such claim shall be accompanied by the necessary supporting evidence. If a claim for exemption is rejected, the tax due on the value declared in the return, or on the value determined by the Commissioner in case the corporation fails to declare a value, shall be assessed at once. Interest on such tax accrues at the statutory rate from the due date and not merely from the date when the exemption was denied. For discussion of incomplete returns, see § 137.71; for discussion of penalties and interest, see § 137.92.

SUBPART H—RETURNS

SEC. 1203. RETURNS.

(a) *Requirement.* Every corporation liable for tax under section 1200 shall make a return under oath. Such return shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe.

* * * * *

SEC. 3632. AUTHORITY TO ADMINISTER OATHS, TAKE TESTIMONY, AND CERTIFY.

(a) *Internal Revenue personnel.*

(1) *Persons in charge of administration of internal revenue laws generally.* Every collector, deputy collector, internal revenue agent, and internal revenue officer assigned to duty under an internal revenue agent, is authorized to administer oaths and to take evidence touching any part of the administration of the internal revenue laws with which he is charged, or where such oaths and evidence are authorized by law or regulation authorized by law to be taken.

* * * * *

(b) *Others.* Any oath or affirmation required or authorized by any internal revenue law or by any regulations made under authority thereof may be administered by any person authorized to administer oaths for general purposes by the law of the United States, or of any State, Territory, or posession of the United States, or of the District of Columbia, wherein such oath or affirmation is administered, or by any consular officer of the United States. This subsection shall not be construed as an exclusive enumeration of the persons who may administer such oaths or affirmations.

§ 137.70 *Returns, in general.* Except as otherwise provided in Subpart G, every corporation is required to make a complete return under oath within the time prescribed by law. If this is not done the collector or deputy collector is required to make the return for the corporation or the Commissioner may do

so. As to details and penalties in such cases, see §§ 137.82 and 137.92.

The return must be verified under oath by at least one of the responsible officers of the corporation and preferably by the president and the treasurer. However, see § 137.75. The oath may be administered by any collector, deputy collector, internal revenue agent, internal revenue officer assigned to duty under an internal revenue agent, or by any person duly authorized to administer oaths for general purposes by the law of the United States or of any State, Territory, or possession of the United States, or of the District of Columbia, wherein such oath is administered, or by a consular officer of the United States. The statutory requirement that a return shall be made under oath will be considered satisfied by a return made under affirmation.

§ 137.71 *Incomplete return.* If a document purporting to be a return is filed on time but is so defective in essential matters that it does not substantially comply with the law, it may be disregarded as a return and the corporation may be subjected to the same penalties as though the document had not been filed (see § 137.92). In any such case the collector, deputy collector, or Commissioner may make a return for the corporation (see § 137.82).

§ 137.72 *Return by domestic corporation.* Except in a case where a ruling has been received from the Commissioner (see §§ 137.60 and 177.61) specifically exempting the corporation from filing capital stock tax returns, a return must be filed by every domestic corporation in existence during any part of a taxable year, including a corporation incorporated or ceasing to exist within such year. The return must be filed even though the corporation claims exemption from the tax because of not carrying on or doing business at any time during the taxable year (see § 137.63).

The return shall be submitted, under oath, on Form 707, copies of which may be procured from the collector. The return shall set forth all the information required by the form, including, regardless of whether exemption from the tax is claimed, a declared value for the capital stock. The return shall be filed, in triplicate, with the collector (see § 137.81) within the time prescribed for the filing thereof (see § 137.79).

§ 137.73 *Returns by affiliated corporations.* The tax is imposed upon each corporation with respect to carrying on or doing business and not upon each business carried on. If more than one corporation is engaged in carrying on a single business, each must file a return and pay the tax. Accordingly, a consolidated return is not permitted for purposes of the capital stock tax, even though a consolidated return may be filed for income tax purposes. So-called parent and subsidiary corporations must file separate returns and make separate declarations of value for their capital stock, the same as other corporations.

A parent corporation which owns the controlling interest (that is, more than 50 percent of the voting stock) in one or more corporations shall submit with its return a list of all such subsidiaries, showing, with respect to each subsidiary, the name and address, the State and date of incorporation, the number of shares of stock of each class held by the parent, and the district in which capital stock tax returns are filed by the subsidiary. The return of each subsidiary shall, in addition to other information required by the return, show the name and address of the parent company and the district in which the return of the parent company is filed.

§ 137.74 *Return by foreign corporation.* A capital stock tax return must be filed by every foreign corporation which, whether on a calendar or fiscal year basis, is required to file an income tax return of net income for purposes of the tax imposed under section 14 (c) (1) of the Code. Such return must be filed even though the corporation claims that it was not carrying on or doing business in the United States at any time during the taxable year (see § 137.51). In such case the corporation may, in lieu of paying the tax at the time of filing the return, claim exemption from the tax because of not doing business, but in that event the corporation shall attach to the return, in accordance with the instructions set forth on the return form, a detailed statement of its activities in this country during the taxable year.

The return must be submitted, under oath, on Form 708, copies of which may be procured from collectors. The return shall set forth all the information required by the form, including, regardless of whether exemption from the tax is claimed, a declared value for the capital employed by the corporation in the transaction of business in the United States (see § 137.53). The return shall be filed, in triplicate, with the collector (see § 137.81) within the time prescribed for the filing thereof (see § 137.79).

§ 137.75 *Return of corporation in receivership.* If at the time for filing a return all the property of a corporation is in custody of a receiver (including a trustee in bankruptcy or other like representative), the return shall be filed by the receiver. Where the business was operated by the corporation for any part of the taxable year, the return of the receiver shall be complete, including a declared value for the capital stock. If the receiver's custody was continuous throughout the entire capital stock tax taxable year, no statement of declared value is required but, in lieu thereof, the receiver shall attach a statement to the return showing the date on which the property came into his custody and whether his custody was continuous thereafter. The above rules do not apply to the case of a "debtor in possession" (see § 137.32 (c)). In such case a return complete in all respects must be filed.

§ 137.76 *Return by new corporation.* A corporation created within a taxable year is required to file a return for that year the same as one created prior to and existing throughout the year. This requirement applies to any organization within the definition of the term "corporation" contained in § 137.10 (d) established within a taxable year regardless of whether a corporate charter is later procured.

§ 137.77 *Return by liquidated corporation.* If a corporation is entirely liquidated during a taxable year, its responsible representatives shall file a return for that year. Such return shall be marked "Final return" and shall be accompanied by a statement setting forth in detail all the facts relating to the liquidation. The return may be filed immediately upon completion of the liquidation, adapting for this purpose a return form used for a preceding year in the event the form for the current year is not available. As to payment of tax in such cases, see § 137.90. However, if during a taxable year a corporation ceases to exist as a corporate entity in contemplation of the law under which it was created, for example, by failure to renew its charter, but remains in business in a quasi corporate capacity, it becomes an association in contemplation of the Code and, accordingly, must file returns as a continuing corporation.

§ 137.78 *Change of corporate name.* A mere change in name by amendment of an existing charter does not create a new corporation. In such case, the return shall be made in the name which the corporation bears at the close of the taxable year and show the name under which the return was filed for the preceding year.

TIME FOR FILING

[SEC. 1203. RETURNS.]

(b) *Time for filing.*

(1) *General rule.* Such return shall be made within one month after the close of the year with respect to which such tax is imposed.

(2) *Extension of time.* The Commissioner may extend the time for making the returns, under such rules and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than sixty days. * * *

§ 137.79 *Time for filing return.* The return must be filed on or before July 31 next following the close of the taxable year, unless the time for filing has been officially extended prior to such date (see § 137.80). However, if July 31 or the last day of an extension period falls on a Sunday or a legal holiday, a return filed on the next succeeding business day will be considered timely filed.

§ 137.80 *Extensions of time.* The Code authorizes the Commissioner to extend, under such rules and regulations as he may prescribe with the approval of the Secretary, the time for filing returns, subject to the limitation that no such extension shall be for more than 60 days. Pursuant to this authority an extension of either of two kinds may be granted as the circumstances may warrant: namely, (a) general, i. e., by Treasury decision to all corporations or all corporations of a specified class, or (b) special, i. e., by written notice to a corporation upon its application therefor. Collectors of internal revenue are hereby authorized to grant extensions of the second kind under the conditions prescribed herein. In the exercise of such authority, a collector shall grant an extension of time for filing a return, only (1) upon a written application under oath filed on or before the statutory due date of the return and showing reasonable cause for the extension; (2) for such reasonable period as may be required by the circumstances, not to extend in any case beyond the 29th day of September next following the close of the taxable year; (3) with the provision that interest at the rate of 6 per cent per annum shall be paid upon the tax from the statutory due date (July 31) to the date of payment of the tax; and (4) in accordance with such procedure as may be prescribed from time to time by the Commissioner.

The determination whether an application presents reasonable cause for an extension depends upon the particular circumstances of each case. Ordinarily, sickness or absence of the officers charged with the responsibility of making the return, or other circumstances beyond the control of the corporation which prevent the filing of a proper return within the time required by law, constitute reasonable cause warranting an extension. A corporation desiring an extension of time for filing its capital stock tax return shall file with the collector on or before the statutory due date of the return an application under oath setting forth the reasons necessitating an extension and stating the time for which the extension is requested. In every case in which an extension is allowed, a copy of the collector's letter granting the extension shall be attached to the return when filed. As to general provisions relating to penalties and interest, see §§ 137.92 and 137.93.

PLACE FOR FILING

SEC. 1203. RETURNS.]

(c) *Place for filing.* The return shall be made to the collector for the district in which is located the principal place of business of the corporation, or, if it has no principal place of business in the United States, then to the collector at Baltimore, Maryland.

§ 137.81 *Place for filing return.* The return shall be filed with the collector for the district in which is located the principal place of business of the corporation, or, if it has no principal place of business in the United States, with the collector at Baltimore, Maryland.

FAILURE TO MAKE RETURNS; DELINQUENT AND FRAUDULENT RETURNS

SEC 3612. RETURNS EXECUTED BY COMMISSIONER OR COLLECTOR.

(a) *Authority of collector.* If any person fails to make and file a return or list at the time prescribed by law or by regulation made under authority of law, or makes, willfully or otherwise, a false or fraudulent return or list, the collector or deputy collector shall make the return or list from his own knowledge and from such information as he can obtain through testimony or otherwise.

(b) *Authority of Commissioner.* In any such case the Commissioner may, from his own knowledge and from such information as he can obtain through testimony or otherwise—

(1) *To make return.* Make a return, or

(2) *To amend collector's return.* Amend any return made by a collector or deputy collector.

(c) *Legal status of returns.* Any return or list so made and subscribed by the Commissioner, or by a collector or deputy collector and approved by the Commissioner, shall be prima facie good and sufficient for all legal purposes.

* * * * *

§ 137.82 *Returns by collector, deputy collector, or Commissioner.* If any corporation fails to make and file a complete return within the prescribed time or makes, willfully or otherwise, a false or fraudulent return, the collector or deputy collector shall make the return from his own knowledge and from such information as he can obtain through testimony or otherwise. In any such case the Commissioner may, from his own knowledge and from such information as he can obtain through testimony or otherwise, make a return or amend any return made by a collector or deputy collector. As to penalties in such cases, see § 137.92.

SEC. 1204 PUBLICITY OF RETURNS.

Returns required to be filed for the purpose of the tax imposed by section 1200 shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under chapter 1, except that paragraph (2) of subsections (b) and (f) of section 55 shall not apply.

SEC. 55 PUBLICITY OF RETURNS.

(a) *Public record and inspection.*

(1) Returns made under this chapter upon which the tax has been determined by the Commissioner shall constitute public records; but, except as hereinafter provided in this section, they shall be open to inspection only upon order of the President and under rules and regulations prescribed by the Secretary and approved by the President.

(2) And all returns made under this chapter, * * * shall constitute public records and shall be open to public examination and inspection to such extent as shall be authorized in rules and regulations promulgated by the President.

(3) Whenever a return is open to the inspection of any person a certified copy thereof shall, upon request, be furnished to such person under rules and regulations prescribed by the Commissioner with the approval of the Secretary. The Commissioner may prescribe a reasonable fee for furnishing such copy.

(b) *Inspection by states.*

(1) *State officers.* The proper officers of any State may, upon the request of the governor thereof, have access to the returns of any corporation, or to an abstract thereof showing the name and income of the corporation, at such times and in such manner as the Secretary may prescribe.

* * * * *

(c) *Inspection by shareholders.* All bona fide shareholders of record owning 1 per centum or more of the outstanding stock of any corporation shall, upon making request of the Commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries.

(d) *Inspection by Committee of Congress.*

(1) *Committees on ways and means and finance.*

(A) The Secretary and any officer or employee of the Treasury Department, upon request from the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, or a select committee of the Senate or House specially authorized to investigate returns by a resolution of the Senate or House, or a joint committee so authorized by concurrent resolution, shall furnish such committee sitting in executive session with any data of any character contained in or shown by any return.

(B) Any such committee shall have the right, acting directly as a committee, or by or through such examiners or agents as it may designate or appoint, to inspect any or all of the returns at such times and in such manner as it may determine.

(C) Any relevant or useful information thus obtained may be submitted by the committee obtaining it to the Senate or the House, or to both the Senate and the House, as he case may be.

(2) *Joint committee on internal revenue taxation.* The Joint Committee on Internal Revenue Taxation shall have the same right to obtain data and to inspect returns as the Committee on Ways and Means or the Committee on Finance, and to submit any relevant or useful information thus obtained to the Senate, the House of Representatives, the Committee on Ways and Means, or the Committee on Finance. The Committee on Ways and Means or the Committee on Finance may submit such information to the House or to the Senate, or to both the House and the Senate, as the case may be.

* * * * *

§ 137.83 *Inspection of returns.* All capital stock tax returns are public record, but are open to examination or inspection only under the rules and regulations provided for in section 55 of the Code, as amended. The persons who may examine, inspect or secure copies of the returns are limited to those designated in that section as further limited by section 1204 of the Code.

SUBPART I—PAYMENT AND COLLECTION OF TAX

SEC. 1205. PAYMENT OF TAX.

(a) *Time of payment.* The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector before the expiration of the period for filing the return.

* * * * *

§ 137.90 *Time for payment of tax.* The tax is payable to the collector for the district in which the return is filed, on or before the due date. The due date is July 31 of each year, unless a general extension of time for filing returns is granted by the Commissioner (see § 137.80), in which case the due date is the last day of the extended period. For rules as to special extensions, see § 137.80. Section 137.77 provides that if a corporation is entirely liquidated during a taxable year its responsible representatives may file its return for that year immediately upon completion of the liquidation. In such case the tax may also be paid immediately upon completion of the liquidation. If the tax is not paid at that time, sufficient funds of the liquidating corporation should be retained to pay any tax assessable against the corporation; otherwise, the tax may be collected by suit against the stockholders or other liable transferees to whom its assets have been distributed.

[SEC 1205. PAYMENT OF TAX.]

(b) *Extension of time.* The Commissioner may extend the time for paying the taxes imposed by section 1200, under such rules

is begun before the expiration of two years after the making of such refund.

(c) *Refunds based on fraud or misrepre-*

of the United States having a par value not less than the amount of the bond

grounds set forth in a claim filed prior to the expiration of such period. As to

and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than sixty days.

§ 137.91 *Extensions of time.* The Code authorizes the Commissioner to extend the time for paying the tax, under such rules and regulations as he may prescribe with the approval of the Secretary, subject to the limitation that no such extension shall be for more than sixty days.

PENALTIES AND INTEREST

[SEC 3612 RETURNS EXECUTED BY COMMISSIONER OR COLLECTOR.]

(d) *Additions to tax.*

(1) *Failure to file return.* In case of any failure to make and file a return or list within the time prescribed by law, or prescribed by the Commissioner or the collector in pursuance of law, the Commissioner shall add to the tax 25 per centum of its amount, except that when a return is filed after such time and it is shown that the failure to file it was due to a reasonable cause and not to willful neglect, no such addition shall be made to the tax: *Provided*, That in the case of a failure to make and file a return required by law, within the time prescribed by law or prescribed by the Commissioner in pursuance of law, if the last date so prescribed for filing the return is after August 30, 1935, then there shall be added to the tax, in lieu of such 25 per centum: 5 per centum if the failure is for not more than 30 days, with an additional 5 per centum for each additional 30 days or fraction thereof during which failure continues, not to exceed 25 per centum in the aggregate.

(2) *Fraud.* In case a false or fraudulent return or list is willfully made, the Commissioner shall add to the tax 50 per centum of its amount.

* * * * *

(e) *Collection of additions to tax.* The amount added to any tax under paragraphs (1) and (2) of subsection (d) shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax.

(f) *Determination and assessment.* The Commissioner shall determine and assess all taxes, other than stamp taxes, as to which returns or lists are so made under the provisions of this section.

SEC 1206 ADDITION TO THE TAX IN CASE OF DELINQUENCY.

If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 6 per centum per annum from the time when the tax became due until paid.

§ 137.92 *Penalties and interest.* Section 3612 (d) of the Code provides for penalties to be added to the tax in the following cases: (1) Where no return is filed, (2) where a delinquent return is filed, and (3) where a false or fraudulent return is filed.

A penalty of 25 per cent of the amount of the tax is imposed where no return is filed by the taxpayer, regardless of the reason for the failure to file the return. The imposition of the penalty is mandatory, and the penalty applies even though a return is made for the taxpayer by the Commissioner, collector, or deputy collector in accordance with the provisions of section 3612 (a) and (b) (see § 137.82).

A graduated penalty not in excess of 25 per cent of the amount of the tax is imposed for delinquent filing of a return, unless it is shown to the satisfaction of the Commissioner that the delinquency was due to a reasonable cause, and not to willful neglect. The penalty is 5 per cent if the delinquency is for not more than 30 days, with an additional 5 per cent for each additional 30 days or fraction thereof during which the delinquency continues, not to exceed 25 per cent in the aggregate. The penalty is computed on the basis of the exact number of days of continued delinquency and not on a calendar month basis.

If a return is placed in the mails, properly addressed and postage paid, in ample time (as shown by the date of the postmark on the envelope in which mailed) to reach the office of the collector in due course before expiration of the statutory filing period or any official extension thereof, but is not received by the collector until after expiration of the prescribed filing period, it will be considered that the delinquency in filing the return is due to reasonable cause, and accordingly the penalty for delinquency will not be asserted.

In all other cases, a corporation desiring to avoid the penalty for delinquent filing of a return must make an affirmative showing of all facts alleged as a reasonable cause for the delinquency. Such showing shall be made in the form of an affidavit which shall be attached to the return. If the Commissioner determines that the delinquency was due to a reasonable cause, and not to a willful neglect, the addition to the tax will not be assessed.

A penalty of 50 per cent of the amount of the tax is imposed where a false or fraudulent return is willfully made. The penalty applies to the total tax due for the entire period involved, including any tax paid previously to the discovery of the falsity or fraud.

Under section 1206 of the Code if the tax is not paid within the time fixed for filing returns interest at the rate of 6 per cent per annum accrues automatically, without assessment of the tax by the Commissioner or notice to the taxpayer, to the actual date of payment or assessment, whichever is prior. The collection of such interest is mandatory under the law regardless of the reason for the delay in payment.

§ 137.93 *Collection of penalties.* Any penalty added to the tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax.

SEC. 3655. NOTICE AND DEMAND FOR TAX

(a) *Delivery.* Where it is not otherwise provided, the collector shall in person or by deputy, within ten days after receiving any list of taxes from the Commissioner, give notice to each person liable to pay any taxes stated therein, to be left at his dwelling or usual place of business, or to be sent by mail, stating the amount of such taxes and demanding payment thereof.

(b) *Addition to tax for nonpayment.* If such person does not pay the taxes, within ten days after the service or the sending by mail of such notice, it shall be the duty of the collector or his deputy to collect the said taxes with a penalty of 5 per centum additional upon the amount of taxes, and interest at the rate of 6 per centum per annum from the date of such notice to the date of payment * * *.

* * * * *

§ 137.94 *Penalty for nonpayment.* If payment of any tax, including penalty or interest, is not made within 10 days after the date of issuance of Form 17 (First notice and demand) based on assessment made by the Commissioner, there will accrue under section 3655 of the Code, a penalty of 5 per cent of the total assessment, and interest at the rate of 6 per cent per annum upon the entire assessment from the date of the notice until the date of payment. If a claim for abatement is filed with the collector within 10 days after the date of the issuance of the first notice and demand, the 5 per cent penalty does not attach. However, in the event the claim for abatement is rejected and the liability is not paid within 10 days after issuance by the collector of demand for payment, the 5 per cent penalty applies. The filing of an abatement claim does not stay the running of interest, which continues to run for the full period that intervenes between the date of the first notice and the date of payment.

SEC. 3312. PERIOD OF LIMITATION UPON ASSESSMENT AND COLLECTION.

Except in the case of income, war-profits, excess-profits, estate, and gift taxes—

(a) *General rule.* All internal revenue taxes shall (except as provided in subsections (b), (c), and (d)) be assessed within four years after such taxes became due, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of five years after such taxes became due.

(b) *False return or no return.* In case of a false or fraudulent return with intent to evade tax, or of a failure to file a return within the time required by law, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

(c) *Willful attempt to evade tax.* In case of a willful attempt in any manner to defeat or evade tax, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

(d) *Collection after assessment.* Where the assessment of any tax imposed by this title has been made within the statutory period of limitation properly applicable thereto, such tax may be collected by distraint or by a proceeding in court, but only if begun—

(1) Within six years after the assessment of the tax, or

(2) Prior to the expiration of any period for collection agreed upon in writing by the Commissioner and the taxpayer.

SEC. 3746. SUITS FOR RECOVERY OF ERRONEOUS REFUNDS.

(a) *Refunds after limitation period.* Any portion of an internal revenue tax (or any interest, penalty, additional amount, or addition to such tax) refund of which is erroneously made, within the meaning of section 3774, may be recovered by suit brought in the name of the United States, but only if such suit is begun within two years after the making of such refund.

(b) *Refunds otherwise erroneous.* Any portion of an internal revenue tax (or any interest, penalty, additional amount, or addition to such tax) which has been erroneously refunded (if such refund would not be considered as erroneous under section 3774) may be recovered by suit brought in the name of the United States, but only if such suit is begun before the expiration of two years after the making of such refund.

(c) *Refunds based on fraud or misrepresentation.* Despite the provisions of subsections (a) and (b) such suit may be brought at any time within five years from the making of the refund if it appears that any part of the refund was induced by fraud or the misrepresentation of a material fact.

(d) *Interest.* Erroneous refunds recoverable by suit under this section shall bear interest at the rate of 6 per centum per annum from the date of the payment of the refund.

§ 137.95 *Limitation upon assessment.* Any tax due shall be assessed within four years after it became due, except that in case of a false or fraudulent return, a failure to file a return within the time required by law, or a willful attempt to evade or defeat the tax, the tax may be assessed at any time.

SEC 3660. JEOPARDY ASSESSMENT.

(a) If the Commissioner believes that the collection of any tax (other than income tax, estate tax, and gift tax) under any provision of the internal-revenue laws will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the collector for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful without regard to the period prescribed in section 3690.

(b) The collection of the whole or any part of the amount of such assessment may be stayed by filing with the collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties, as the collector deems necessary, conditioned upon the payment of the amount collection of which is stayed, at the time at which, but for this section, such amount would be due.

§ 137.96 *Jeopardy assessment.* Whenever, in the opinion of the collector, it becomes necessary to protect the interests of the Government by making an immediate assessment and collection of the tax, the case should be promptly reported to the Commissioner by telegram or letter. The communication should state the full name and address of the person involved, the amount of taxes due, the period involved, and the reason for the recommendation, which will enable the Commissioner to assess the tax immediately, together with all penalties and interest due. Upon assessment such tax, penalty, and interest shall become immediately due and payable, and the collector shall forthwith issue a notice and demand for payment thereof.

The collection of the whole or any part of the amount of the jeopardy assessment may be stayed by filing with the collector a bond in such amount, not exceeding double the sum with respect to which the stay is desired, and with such sureties as the collector deems necessary, conditioned upon the payment of the amount, collection of which is stayed, at the time at which, but for this section, such amount would be due. In lieu of surety or sureties the taxpayer may deposit with the collector bonds or notes of the United States having a par value not less than the amount of the bond required to be furnished, together with an agreement authorizing the collector in case of default to collect or sell such bonds or notes so deposited.

Upon refusal to pay, or failure to pay or give bond, the collector will proceed immediately to collect the tax, penalty, and interest by distraint without regard to the period prescribed in section 3690 of the Code.

SUBPART J—ABATEMENTS AND REFUNDS

SEC. 3770. AUTHORITY TO MAKE ABATEMENTS, CREDITS, AND REFUNDS.

(a) *To taxpayers.*

(1) *Assessments and collections generally.* Except as otherwise provided by law in the case of income, war-profits, excess-profits, estate, and gift taxes, the Commissioner, subject to regulations prescribed by the Secretary, is authorized to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that appear to be unjustly assessed or excessive in amount, or in any manner wrongfully collected.

(2) *Assessments and collections after limitation period.* Any tax (or any interest, penalty, additional amount, or addition to such tax) assessed or paid after the expiration of the period of limitation properly applicable thereto shall be considered an overpayment and shall be credited or refunded to the taxpayer if claim therefor is filed within the period of limitation for filing such claim.

(3) *Date of allowance.* Where the Commissioner has signed a schedule of overassessments in respect of any internal revenue tax imposed by this title * * * the date on which he first signed such schedule * * * shall be considered as the date of allowance of refund or credit in respect of such tax.

* * * * *

SEC 3313 PERIOD OF LIMITATION UPON REFUNDS AND CREDITS.

All claims for the refunding or crediting of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty alleged to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected must * * * be presented to the Commissioner within four years next after the payment of such tax, penalty, or sum. The amount of the refund * * * shall not exceed the portion of the tax, penalty, or sum paid during the four years immediately preceding the filing of the claim, or if no claim was filed, then during the four years immediately preceding the allowance of the refund.

§ 137.100 *Claims by taxpayers.* A claim for either abatement or refund of any amount erroneously or illegally assessed or collected shall be made on Form 843, and should be filed with the collector for the district in which the tax was assessed or paid. The claim must set forth in detail and under oath each ground upon which the abatement or refund is claimed and facts sufficient to apprise the Commissioner of the exact basis thereof. A claim which does not comply with the provisions of this paragraph will not be considered for any purpose as a valid claim.

A claim for refund of a tax, including interest, penalties, and other additions thereto, must be filed within four years next after payment. No refund will be allowed after the expiration of the four-year period applicable to the filing of a claim except upon one or more of the grounds set forth in a claim filed prior to the expiration of such period. As to the time within which claims for abatement must be filed in order to avoid the penalty for nonpayment of tax, see § 137.94.

SEC. 3771. INTEREST ON OVERPAYMENTS.

(a) *Rate.* Interest shall be allowed and paid upon any overpayment in respect of any internal revenue tax at the rate of 6 per centum per annum.

(b) *Period.* Such interest shall be allowed and paid as follows:

* * * * *

(2) *Refunds.* In the case of a refund, from the date of the overpayment to a date preceding the date of the refund check by not more than thirty days, such date to be determined by the Commissioner, whether or not such refund check is accepted by the taxpayer after tender of such check to the taxpayer. The acceptance of such check shall be without prejudice to any right of the taxpayer to claim any additional overpayment and interest thereon.

* * * * *

SEC. 3772. SUITS FOR REFUND.

(a) *Limitations.*

(1) *Claim.* No suit or proceeding shall be maintained in any court for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected until a claim for refund or credit has been duly filed with the Commissioner, according to the provisions of law in that regard, and the regulations of the Secretary established in pursuance thereof.

(2) *Time.* No such suit or proceeding shall be begun before the expiration of six months from the date of filing such claim unless the Commissioner renders a decision thereon within that time, nor after the expiration of two years from the date of mailing by registered mail by the Commissioner to the taxpayer of a notice of the disallowance of the part of the claim to which such suit or proceeding relates.

(3) *Reconsideration after mailing of notice.* Any consideration, reconsideration, or action by the Commissioner with respect to such claim following the mailing of a notice by registered mail of disallowance shall not operate to extend the period within which suit may be begun. This paragraph shall not operate * * * to prevent the suspension of the statute of limitations for filing suit under section 3774 (b) (2).

(b) *Protest or duress.* Such suit or proceeding may be maintained, whether or not such tax, penalty, or sum has been paid under protest or duress.

* * * * *

SEC. 3774. REFUNDS AFTER PERIODS OF LIMITATION.

A refund of any portion of an internal revenue tax (or any interest, penalty, additional amount, or addition to such tax) shall be considered erroneous—

(a) *Expiration of period for filing claim.* If made after the expiration of the period of limitation for filing claim therefor, unless within such period claim was filed; or

(b) *Disallowance of claim and expiration of period for filing suit.* In the case of a claim filed within the proper time and disallowed by the Commissioner if the refund was made after the expiration of the period of limitation for filing suit, unless—

(1) Within such period suit was begun by the taxpayer, or

(2) Within such period, the taxpayer and the Commissioner agreed in writing to suspend the running of the statute of limitations for filing suit from the date of the agreement to the date of final decision in one or more named cases then pending before

the Board of Tax Appeals or the courts. If such agreement has been entered into, the

(b) *Retroactivity of regulations or rulings.*

effective minimum prices are established

Exportation of commodities desig-

the Board of Tax Appeals or the courts. If such agreement has been entered into, the running of such statute of limitations shall be suspended in accordance with the terms of the agreement

* * * * *

SUBPART K—MISCELLANEOUS PROVISIONS

SEC. 1207. OTHER LAWS APPLICABLE.

All provisions of law (including penalties) applicable in respect of the tax imposed by section 2700 shall, insofar as not inconsistent with this chapter, be applicable in respect of the taxes imposed by section 1200.

SEC. 3760. CLOSING AGREEMENTS.

(a) *Authorization.* The Commissioner (or any officer or employee of the Bureau of Internal Revenue, including the field service, authorized in writing by the Commissioner) is authorized to enter into an agreement in writing with any person relating to the liability of such person (or of the person or estate for whom he acts) in respect of any internal revenue tax for any taxable period.

(b) *Finality.* If such agreement is approved by the Secretary, the Under Secretary, or an Assistant Secretary, within such time as may be stated in such agreement, or later agreed to, such agreement shall be final and conclusive, and, except upon a showing of fraud or malfeasance, or misrepresentation of a material fact—

(1) The case shall not be reopened as to the matters agreed upon or the agreement modified, by any officer, employee, or agent of the United States, and

(2) In any suit, action, or proceeding, such agreement, or any determination, assessment, collection, payment, abatement, refund, or credit made in accordance therewith, shall not be annulled, modified, set aside, or disregarded.

SEC. 2709 RECORDS, STATEMENTS, AND RETURNS

Every person liable to any tax imposed by this subchapter, or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the Commissioner, with the approval of the Secretary, may from time to time prescribe.

SEC. 3603 NOTICE REQUIRING RECORDS, STATEMENTS, AND SPECIAL RETURNS.

Whenever in the judgment of the Commissioner necessary he may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records as the Commissioner deems sufficient to show whether or not such person is liable to tax.

SEC 3614 EXAMINATION OF BOOKS AND WITNESSES

(a) *To determine liability of the taxpayer.* The Commissioner, for the purpose of ascertaining the correctness of any return or for the purpose of making a return where none has been made, is authorized, by any officer or employee of the Bureau of Internal Revenue, including the field service, designated by him for that purpose, to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return, and may require the attendance of the person rendering the return or of any officer or employee of such person, or the attendance of any other person having knowledge in the premises, and may take his testimony with reference to the matter required by law to be included in such return, with power to administer oaths to such person or persons.

* * * * *

MISCELLANEOUS PENALTIES, FINES, AND FORFEITURES

SEC. 2707. PENALTIES.

(a) Any person who willfully fails to pay, collect, or truthfully account for and pay over the tax imposed by section 2700 (a), or willfully attempts in any manner to evade or defeat any such tax or the payment thereof, shall, in addition to other penalties provided by law, be liable to a penalty of the amount of the tax evaded, or not paid, collected, or accounted for and paid over, to be assessed and collected in the same manner as taxes are assessed and collected. No penalty shall be assessed under this subsection for any offense for which a penalty may be assessed under authority of section 3612.

(b) Any person required under this subchapter to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment, or collection of any tax imposed by this subchapter who willfully fails to pay such tax, make such returns, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both, together with the costs of prosecution.

(c) Any person required under this subchapter to collect, account for and pay over any tax imposed by this subchapter, who willfully fails to collect or truthfully account for and pay over such tax, and any person who willfully attempts in any manner to evade or defeat any tax imposed by this subchapter or the payment thereof, shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution

* * * * *

§ 137.110 *Willful offenses against the revenue laws.* Any person who willfully fails to pay any tax due, file a return, or keep records, or who attempts in any manner to evade or defeat the tax, is subject to a fine of $10 000 or imprisonment, or both, with costs of prosecution. For willful failure to pay, or a willful attempt in any manner to evade or defeat the tax, the statute also imposes a penalty equal to the amount of the tax not paid, which penalty is assessable in the same manner as the tax. These penalties apply to an officer or employee who, as such officer or employee, is under a duty to perform the act in respect of which the violation occurs, as well as to a person who fails or refuses to perform any of the duties imposed by the Code.

SEC. 3710 SURRENDER OF PROPERTY SUBJECT TO DISTRAINT.

(a) *Requirement.* Any person in possession of property, or rights to property, subject to distraint, upon which a levy has been made, shall, upon demand by the collector or deputy collector making such levy, surrender such property or rights to such collector or deputy, unless such property or right is, at the time of such demand, subject to an attachment or execution under any judicial process.

(b) *Penalty for violation.* Any person who fails or refuses to so surrender any of such property or rights shall be liable in his own person and estate to the United States in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of the taxes (including penalties and interest) for the collection of which such levy has been made, together with costs and interest from the date of such levy.

* * * * *

[SEC. 3793. PENALTIES AND FORFEITURES.]

(b) *Fraudulent returns, affidavits, and claims.*

(1) *Assistance in preparation or presentation.* Any person who willfully aids or assists in, or procures, counsels, or advises the preparation or presentation under, or in connection with any matter arising under, the internal revenue laws, of a false or fraudulent return, affidavit, claim, or document, shall (whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such return, affidavit, claim, or document) be guilty of a felony, and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution.

(2) *Person defined.* The term "person" as used in this subsection includes an officer or employee of a corporation * * * who as such * * * is under a duty to perform the act in respect of which the violation occurs. [The same language is included in sections 2707 and 3710.]

SEC. 35. CRIMINAL CODE OF THE UNITED STATES AS AMENDED BY THE ACT APPROVED APRIL 4, 1938 (52 Stat. 197).

(A) Whoever shall make or cause to be made or present or cause to be presented for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, any claim upon or against the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder, knowing such claim to be false, fictitious, or fraudulent; or whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device a material fact, or make or cause to be made any false or fraudulent statements or representations, or make or use or cause to be made or used any false bill, receipt, voucher roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry in any matter within the jurisdiction of any department or agency of the United States or of any corporation in which the United States of America is a stockholder; or whoever shall enter into any agreement, combination, or conspiracy to defraud the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder by obtaining or aiding to obtain the payment or allowance of any false or fraudulent claim; * * * shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

* * * * *

§ 137.111 *Penalty for false claim.* Making a false, fictitious, or fraudulent claim, or falsifying or concealing a material fact in connection with any claim, or entering into any agreement, combination or conspiracy to obtain payment of a false or fraudulent claim is punishable under the Criminal Code of the United States by a fine of not more than $10,000, or imprisonment for not more than ten years, or both.

AUTHORITY FOR REGULATIONS

SEC. 3791. RULES AND REGULATIONS.

(a) *Authorization.*

(1) *In general.* * * * the Commissioner, with the approval of the Secretary shall prescribe and publish all needful rules and regulations for the enforcement of this title.

(2) *In case of change in law.* The Commissioner may make all such regulations, not otherwise provided for, as may have become necessary by reason of any alteration of law in relation to internal revenue.

(b) *Retroactivity of regulations or rulings.* The Secretary, or the Commissioner with the approval of the Secretary, may prescribe the extent, if any, to which any ruling, regulation, or Treasury Decision, relating to the internal revenue laws, shall be applied without retroactive effect.

§ 137.112 *Promulgation of regulations.* In pursuance of the authority granted by law, the foregoing regulations are hereby prescribed and made applicable to the year ended June 30, 1942, and succeeding years.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: April 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5304; Filed, April 5, 1943; 11:43 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[General Docket No. 19]

PART 349—MISCELLANEOUS ORDERS AND RULINGS

SALES OF COAL FOR WHICH NO MINIMUM PRICES HAVE BEEN ESTABLISHED

Order in the matter of promulgating an order making limited prohibitions against the sale of coal for which no minimum prices, temporary or final, have been established.

Upon the findings and conclusions set forth in the Opinion of the Director, filed simultaneously herewith, wherein it appears that District Board 2, by petition duly filed with the Bituminous Coal Division, requested that the Order of the Director in this proceeding, dated October 9, 1940, be amended, and pursuant to section 2 (a) and other provisions of the Bituminous Coal Act of 1937;

It is hereby ordered, That the Order of the Director in this proceeding, dated October 9, 1940, 5 F.R. 4063, § 349.21 (*Prohibition against sale of unpriced coal; Effective date thereof*), is amended to read as follows:

No code member or new acceptant of the Bituminous Coal Code shall sell or deliver bituminous coal for which minimum prices, temporary or final, have not been established by the Division: *Provided, however*, That where a 4 II (d) petition for the establishment of classifications or prices for such coal in existing size groups or use classifications or for shipments by new methods of transportation or from new shipping points is filed by a district board with the Bituminous Coal Division in Washington, D. C., and such petition is specifically designated as for any of the foregoing purposes, the code member or new acceptant may sell or deliver such unpriced coal at or above the prices or for the shipments by new methods of transportation or from the new shipping points proposed in such petition, after the expiration of 6 days from the date of the filing of such petition with the Division in Washington, D. C., unless otherwise directed by the Division, and until other effective minimum prices are established by the Division: *Provided, further*, That where a 4 II (d) petition for any of the foregoing purposes is filed by a code member with the Division, the code member may sell or deliver such unpriced coal in accordance with the proposals in such petition, after the expiration of 30 days from the date of the filing of such petition with the Division in Washington, D. C., unless otherwise directed by the Division, and until other effective minimum prices are established by the Division: *And provided, further*, That where a new acceptant is producing and preparing coal at the time of the filing of the code acceptance such acceptant may sell or deliver such coal after the expiration of 30 days from the date of the filing of the code acceptance with the Division in Washington, D. C., unless or until effective minimum prices have been established by the Division.

It is further ordered, That jurisdiction of this matter shall be retained by the Director for such further action as may be deemed appropriate.

It is further ordered, That the petition herein is granted to the extent set forth above, and in all other respects denied.

It is further ordered, That the foregoing amendments shall be effective ten (10) days from the date hereof.

Dated: April 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5295; Filed, April 5, 1943; 11:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export control

[Amendment 42]

PART 803—UNLIMITED LICENSES

CANCELLATION OF UNLIMITED LICENSES TO CERTAIN DESTINATIONS IN THE BRITISH EMPIRE

Part 803, Unlimited Licenses, is hereby amended in the following particulars:

1. Paragraph (c) of § 803.2 *Commodities and countries of destination* is hereby amended by deleting therefrom the words: "and all countries in the British Empire except Canada, Great Britain and Northern Ireland;" and substituting therefor the words, "Anglo-Egyptian Sudan, Cyprus, British Somaliland, Palestine, Transjurdan, Aden (including Perim and Sokotra Islands)"; and by deleting the words "The commodities listed above may also be exported under this unlimited license to British Government agencies for their official use in any destination: *Provided*, That the release certificate issued by the British Ministry of Supply Mission contains the following statement: "Shipment to a British Government agency for its official use"; and by deleting the footnote designated by the single and double asterisks.

2. Section 803.3 *British "Navy Army Air Force Institute"* is hereby deleted.

Exportation of commodities designated in a release certificate which was valid on April 6, 1943 may be made on or before July 1, 1943 under previous unlimited licenses. The validity of release certificates issued covering exportations to destinations deleted by this amendment which were valid on March 31, 1943 but which expired before July 1, 1943 is hereby extended until and including June 30, 1943.

The effective date of this amendment is April 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5297; Filed, April 5, 1943; 11:26 a. m.]

[Amendment 47]

PART 803—UNLIMITED LICENSES

COMMODITIES AND COUNTRIES OF DESTINATION

Part 803. Unlimited licenses is hereby amended by deleting therefrom all of paragraph (b) of § 803.2 *Commodities and countries of destination.*[1]

Exportation of commodities designated in a release certificate which was valid on March 31, 1943 may be made on or before July 1, 1943 under previous unlimited licenses. The validity of release certificates issued covering exportations to the Belgian Congo which were valid on March 31, 1943 but which expired July 1, 1943 is hereby extended until and including June 30, 1943.

This amendment shall become effective April 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 5, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-5362; Filed, April 6, 1943; 11:26 a. m.]

[Amendment 48]

PART 802—GENERAL LICENSES

COUNTRY GROUPS AND IN TRANSIT LICENSES

Part 802—General Licenses is hereby amended in the following particulars:

1. Paragraph (a) of § 802.3 *General license country groups*[2] is hereby amended by placing before the name of the country Belgian Congo listed therein the letter "a" wherever the name of such country appears in this section.

2. Subparagraph (1) of paragraph (b) of § 802.9 *General in transit licenses* is

[1] 8 F.R. 1559.

[2] 8 F.R. 1549, 1671, 1938, 3082, 3390, 3574, 4293.

hereby amended by deleting from the list of designated countries of origin and destination for which general in transit licenses are issued the following:

From—	To—	General license designations
Belgian Congo	British Empire	GIT-BC-A
Belgian Congo	Western Hemisphere	GIT-BC-B
British Empire	Belgian Congo	GIT-A-BC
Western Hemisphere	Belgian Congo	GIT-B-BC

and by adding to the list of designated countries of origin and destination for which general in transit licenses are issued the following:

From—	To—	General license designations
Mexico and Canada	Belgian Congo	GIT-MC-BC

Shipments of commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such dates may also be exported under the previous general license provisions.

This amendment shall become effective April 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 5, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-5363; Filed, April 6, 1943; 11:04 a. m.]

[Amendment 49]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

There is hereby deleted from the column headed "General License Group" the country designation 47 (Newfoundland) at every place where said 47 appears in said column in said section.

Shipments effected by this amendment of commodities which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under previous general license provisions.

This amendment shall become effective March 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 5, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-5364; Filed, April 6, 1943; 11:04 a. m.]

[Amendment 50]

PART 802—GENERAL LICENSES

CANCELLATION OF CERTAIN GENERAL LICENSES

Paragraph (a) of § 802.3 *General license country groups*[1] is hereby amended by placing before the name of the following countries listed therein the letter "a" wherever the name of such countries appears in this section:

Aldabra Is. (Seychelles).
Amirantes Is. (Seychelles).
Antigua (Leeward Is.).
Ascension Is. (St. Helena).
Ashanti (Br. W. Africa).
Australia.
Bahamas.
Baluchistan (India).
Barbados.
Barbuda (Leeward Is.).
Bermuda.
Bhutan (India).
British Cameroons (Br. W. Africa).
British East Africa (including Kenya, Uganda, Nyasaland, Zanzibar, and Tanganyika (mandated territory)).
British Guiana.
British Honduras.
British Oceania (see Oceania, Br.).
British Togoland (Br. W. Africa).
British Virgin Islands (Leeward Is.).
British West Africa (including Nigeria, British Cameroons (mandated territory), Gambia, Sierra Leone, Gold Coast (including Ashanti and Northern Territory), and British Togoland (mandated territory)).
Burma
Caicos Islands (Jamaica) (Br. W. Indies).
Ceylon.
Chagos Is. (Mauritius).
Cayman Islands (Jamaica).
Cook Islands (New Zealand).
Diego Garcia Is. (Mauritius).
Dominica.
England.
Falkland Islands.
Farquhar Is. (Seychelles).
Fiji Islands (Oceania, British).
Friendly Island (Oceania, Br.).
Gambia (Br. W. Africa).
Gibraltar.
Gilbert and Ellice Islands (Oceania, Br.).
Gold Coast (Brit. W. Africa).
Gough Is (St. Helena).
Great Britain and Northern Island.
Grenada (Windward Islands).
Grenadines (Windward Islands).
Inaccessible Is. (St. Helena).
India.
Jamaica.
Kenya (Br. E. Africa).
Leeward Islands (including Antigua, Barbuda, Redonda, St. Christopher (St. Kitts) Island, Nevis Island, Anguilla Island, Montserrat, Sombrero and Brit. Virgin Islands).
Maldive Islands (Ceylon).
Mauritius (including Rodriguez Is and Diego Garcia Island).
Montserrat (Leeward Is.).
Nepal (India).
Nevis Island (Leeward Is.).
New Guinea (British) (comprising Papua or British New Guinea and territory of New Guinea (mandated territory)).
New Hebrides (Oceania, British).
New Zealand (including Cook Islands and Western Samoa (mandated territory)).
Nigeria (Brit. W. Africa).
Nightingale Is. (St. Helena).
Northern Ireland (Gr. Britain).
Northern Rhodesia.
Nyasaland (Brit. E. Africa).
Oceania, British (including British Solomon Islands, Fiji Islands, Gilbert and Ellice Islands, New Hebrides Islands, Pitcairn Island, Tonga or Friendly Island, Santa Cruz Islands).
Pitcairn Island (Oceania, British).
Redonda Is. (Leeward Is.)
Rodriguez Is. (Mauritius).
St. Christopher (St. Kitts) Is. (Leeward Is).
St. Helena (including Ascension, Gough Inaccessible, Nightingale and Tristan da Cunha Islands)
St. Kitts (Leeward Is.).
St. Lucia (Windward Is.).
St. Vincent (Windward Is.).
Samoa, Western (Mandated territory) (New Zealand).
Sandwich Is. (Falkland Is.).
Santa Cruz Is. (Oceania, Br.).
Scotland.
Seychelles and Dependencies.
Sierre Leone (Br. W. Africa).
Solomon Islands (Br. Oceania).
Solomon Islands (Australian New Guinea).
Sombrero Is. (Leeward Is.).
South Georgia (Falkland Is.).
South Orkney Is. (Falkland Is.).
South Shetland Is. (Falkland Is.).
Southern Rhodesia.
South-West Africa (Union of South Africa).
Tanganyika (Brit. E. Africa).
Tasmania (Australia).
Tobago (and Trinidad).
Tonga Island (Oceania, British).
Trans-Jordan (and Palestine).
Trinidad and Tobago.
Tristan da Cunha Islands (St. Helena).
Turks Islands (Jamaica (Br. W. Indies)).
Uganda (Br. E. Africa).
Union of South Africa.
United Kingdom (Great Britain).
Windward Islands (including Grenada, Grenadines, Dominica, and St. Vincent).
Zanzibar (Brit. E. Africa).

This amendment shall become effective on April 15, 1943, *Provided*, That the following commodities may be exported to those countries set forth in this amendment under previous general licenses until July 1, 1943:

Commodity	Schedule B number
Animals and animal products, inedible:	
Horses for breeding	0900.00
Horses, other	0901.00
Live animals, n. e. s. (include goats and fur bearing animals)	0909.00
Mules, asses and burros	0903.00
Shells, mother-of-pearl, unmanufactured	0999.23
Shells, other unmanufactured	0999.25
Animals, edible:	
Poultry, live	0919.00
Animal products, edible:	
Egg albumen	0998.00
Egg products, dried	0993.05
Egg products, frozen	0993.07
Egg products, otherwise preserved	0993.98
Art works:	
Paintings, etchings, engravings, statuary and antiques	9610.00
Baking powder	8230.00
Beads and articles	9840.05

[1] 8 F.R. 1549, 1674, 1936, 3082, 3390, 3574, 4293.

[1] 8 F.R. 1494, 1616, 1709, 1879, 2146, 2187, 2327, 2415, 2749, 2773, 2966, 3082, 3160, 3514, 3969.

Commodity	Schedule B number
Beverages:	
Rum	1714.00
Whiskey	1716.00
Wines	1750.00
Other distilled liquors	1719.00
Books, maps, pictures and other printed matter (unless classified as technical data)	9510.00-9569.98
Broom corn	2931.00
Brooms	2935.00
Buttons	9711.00-9713.00
Cards, playing	9565.00
Catgut	0999.93
Chalk crayons	9306.00
Charcoal	5880.00
Clay and clay products	5303.00-5379.98
Except:	
Cement, high temperature or refractory, n. e. s.	5375.98
Chrome brick and shapes	5361.00
Chromite refractories	5375.05
Fire-clay brick:	
Standard 9-inch series	5366.00
All other shapes	5367.00
Other fire brick	5368.00
Magnesite brick and shapes	5362.00
Sanitary fixtures and fittings and parts	5332.00, 5333.00, 5334.00
Coal and related fuels, except coke	5001.00-5003.00
Combs (except wholly of metal or rubber)	9927.00
Cornstarch and cornflour	2811.00
Cotton, unmanufactured: not including American Egyptian	3002.05-3003.06
Cotton manufactures	3015.00-3199.00
Except:	
Bags, new	3191.10
Bags, used or reclaimed	3191.50
Canvas articles	3196.00
Drills, twills, and warp sateens, bleached, finished cotton cloth, 40 inches wide and narrower	3040.00
Drills, twills, and warp sateens, dyed in the piece, finished cotton cloth, 40 inches and narrower	3041.10
Drills, twills, and warp sateens, (unbleached cloth) 40 inches wide and narrower	3031.10
Drills, twills, and warp sateens, (unbleached cotton cloth) wider than 40 inches	3033.10
Drills, twills, and warp sateens, printed, finished cotton cloth, 40 inches wide and narrower	3041.20
Drills, twills, and warp sateens wider than 40 inches	3045.10
Duck and awning materials, colored (include bleached, dyed, stenciled, painted, proofed and printed duck, and woven awning stripes)	3062.00
Duck, numbered, biscuit and naught (include paper dryer)	3026.00
Duck, ounce, (include army duck)	3025.00
Filter cloth, hose and belting duck	3023.00
Fabrics, napped, in the piece, n. e. s.	3055.90
Flannels, bleached or colored	3055.10
Osnaburgs, cotton cloth, all widths	3034.00
Sheeting, bleached 40 inches wide and narrower	3042.10
Sheeting, bleached, wider than 40"	3046.10
Sheeting, dyed in the piece, 40 inches wide and narrower	3042.20
Sheeting, dyed and printed, wider than 40 inches	3047.10
Sheeting, printed, 40 inches wide and narrower	3043.00
Sheeting, unbleached cotton, 40 inches and narrower	3031.20

Commodity	Schedule B number
Cotton manufactures—Continued.	
Except—Continued.	
Sheeting, unbleached cotton, wider than 40 inches	3033.20
Tire cord on cones or warps	3017.00
Tire fabrics, cotton cord	3020.00
Tire fabrics, n. e. s.	3021.00
Woven belting for machinery (include duck woven 12" and narrower)	3140.00
Crayons	9306.00
Dog food	0099.00
Farinaceous substances	1259.05
Fish essence and fish for bait	0999.98
Flavoring extracts, synthetic	8295.90
Fruits, fresh and subtropical	1302.00-1319.90
Furs and manufactures	0711.00-0759.00
Glass and glass products	5212.00-5299.00
Except:	
Bullet-proof	5217.50
Glass, optical	5230.05
Prisms for fire control instruments	5230.09
Grains and preparations	1011.00-1099.00
Gypsum	5483.00-5487.00
Hay	1101.00
Hops	2951.00
Jewelry	9620.00, 9620.00, 9621.00, 9623.00, 9626.00, 9627.00, 9629.00, 9635.00.
On 9620.00 there is an exception: Except platinum jewelry and other articles of solid platinum to be worn or carried about the person.	
Kalsomine	8432.00
Licorice extract and mass	8299.50
Magnesium carbonate	8398.93
Mineral water	1761.00
Naval stores (following only):	
Gum spirits of turpentine	2114.00
Rosin, gum	2110.00
Rosin, wood	2111.00
Tar and pitch of wood	2118.00
Wood turpentine	2115.10
Newsprint	4711.00
Nursery and greenhouse stock	2535.00-2599.98
Nuts	1374.00-1379.98
Except:	
Cashew	1379.98
Peanuts	1375.00
Paper, waste	4699.01-4699.58
Paste and mucilage	9391.00
Plaster of Paris	5494.00
Polishes, automobile	8294.00
Polishes and shoe cleaners	8291.00
Polishes, metal and stove	8290.00
Polishes, wood, furniture and floor wax	8293.00
Rush	1095.00
Seeds, field and garden	2401.00-2468.90
Shells, mother-of-pearl, unmanufactured	0999.23
Shells, oyster	1182.00
Shells, other, unmanufactured	0999.25
Soap and toilet preparations	8710.00-8770.00
Sodium bisulfite	8379.98
Sodium carbonate, calcined (soda ash)	8365.00
Sodium chloride (salt)	5724.00
Sodium hydroxide (caustic soda)	8373.00
Sodium metabarate	8362.27
Stone, hydraulic cement and lime	5101.00-5171.00
Sulphur, crude	5714.00
Sulphur (crushed, ground, refined, sublimed, flowers)	5715.00
Teel	9152.00
Textiles and manufactures, synthetic:	
Dresses, skirts, blouses and other outerwear for women and children, not knit or crocheted, include woven bathing suits	3852.00
Knit or crocheted dresses and ensembles	3853.10
Knit fabric in the piece	3848.00
Knit outerwear, n. e. s.	3853.20

Commodity	Schedule B number
Textiles and manufactures, synthetic—Continued.	
Knit underwear	3857.10
Men's socks	3856.00
Pile (velvets, etc.) chiefly of rayon and other synthetic fibers (include imitation furs)	3845.01-3845.00
Rayon house furnishings (include bedspreads, quilts, finished curtains and draperies, art squares and cushions)	3850.00
Sleeping and lounging garments, knit or woven	3857.70
Synthetic textiles, women's and children's hosiery, n. e. s.	3854.90
Woven underwear	3857.20
Textiles, miscellaneous:	
Artificial or ornamental flowers, fruits, vegetables, grasses, grains, leaves, stems, or parts thereof, of all materials	3963.00
Hat braids, strips and sheets of natural fibers or synthetic textiles	3940.00
Hats, caps, and berets, other, knit or crocheted	3957.00
Hats, caps, and berets, other of woven fabric	3958.00
Hat and hat bodies of straw, palm leaf, etc., harvest	3942.00
Hat and hat bodies of straw, palm leaf, etc., other, sewed	3944.00
Hat and hat bodies of straw, palm leaf, etc., other, woven	3945.00
Hats, men's fur-felt	3951.00
Mattresses, cotton, moss and hair	3970.98
Neckties, cravats mufflers, and scarfs, except silk	3928.00
Oilcloth for shelf, table, and wall	3911.00
Pyroxylin coated or impregnated book cloth	3914.10
Starch filled book cloth	3914.20
Waterproof outer garments	3918.00
Window-shade cloth	3913.00
Women's and girls' fur-felt hats	3952.00
Wool-felt hats	3953.00
Textile manufactures, n. e. s.	3999.00
Tobacco and manufactures	2601.00-2629.00
Tobacco pipes	9828.00
Vanillin	8060.00
Wool manufactures:	
Knit bathing suits	3675.00
Other knit goods	3679.00
Men's overcoats, suits and pants	3680.05
Boy's overcoats, suits and pants	3680.98
Women's and children's wool clothing	3681.00
Yeast	1256.00
All commodities, exported for relief or charity	9998.10-9998.90

Shipments of commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such dates may also be exported under the previous general license provisions.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 5, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-5365; Filed, April 6, 1943; 11:04 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-270]

LOUIS CAPOZZI AND ROSE CAPOZZI

Louis Capozzi and Rose Capozzi, his wife, are the owners of a building at 697-701 Main Street, Bridgeport, Connecticut. They operate a bar and restaurant on the ground floor and rent rooms on the upper floors. On or about October 30, 1942, Louis Capozzi entered into a contract with Salce Construction Company by the terms of which the latter agreed to make certain alterations in the building both interior and exterior for the sum of $3,600.

On November 23, 1942, the Hartford Office of the War Production Board notified Louis Capozzi to discontinue construction at the said premises if the cost exceeded the amount permitted by L-41, but in spite of such notification and the fact that the cost exceeded the permissible amount under Order L-41, the respondent continued with the work. Such conduct on the part of Louis Capozzi was a violation of the provisions of Conservation Order L-41. Since this construction was begun in violation of said order, and was continued after specific notice to stop had been given, it should not be completed unless authorized by the War Production Board as hereinafter provided. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.270. *Suspension Order No. S-270*—(a) Neither Louis Capozzi nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue or complete construction of the remodeling of the building located at 697-701 Main Street, Bridgeport, Connecticut, except as specifically authorized in writing by the Regional Compliance Chief of the Boston, Massachusetts, Regional Office of the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Louis Capozzi from any restriction, prohibition, or provision contained in any order or regulation of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) This order shall take effect on April 7, 1943, and shall expire on October 7, 1943, at which time the restrictions contained in this order shall have no further effect.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5333; Filed, April 5, 1943; 4:20 p. m.]

PART 933—COPPER

[Conservation Order M-9-c as Amended April 6, 1943]

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.4 *Conservation Order M-9-c*—(a) *Restrictions on manufacture of items appearing on Combined List and on List A-2.* (1) No manufacturer of any item on the Combined List attached, or of parts (including repair parts[1]) for any such item, may, if such item or parts contain copper products or copper base alloy products, continue their manufacture on or after December 26, 1942 by means of processing, assembling or finishing.

(2) No manufacturer of any item on List A-2 attached, or of parts (including repair parts[1]) for any such item, may, if such item or parts contain copper products or copper base alloy products, continue their manufacture by means of processing, assembling or finishing on or after the governing date set forth opposite such item in Column 2 of List A-2.

(b) *Restrictions on manufacture of articles not appearing on Combined List and List A-2 out of inventory on hand on February 28, 1942 and June 30, 1942.* (1) During the period from December 25, 1942 to and including January 15, 1943, a manufacturer of any article omitted from the Combined List and List A-2 or excepted from those lists, or of parts (including repair parts[1]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing,

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after February 28, 1942; or

(ii) Unless such articles or parts are being manufactured, processed, assembled or finished to fill a purchase order, existing or prospective,[2] bearing a preference rating of A-1-k or higher; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized by the War Production Board, pursuant to an application made on Form PD-426, or otherwise, to manufacture, process, assemble or finish the article or parts in question with the copper products or copper base alloy products being used.

(2) After January 15, 1943, a manufacturer of any article omitted from the Combined List and List A-2 or excepted from those lists, or of parts (including repair parts[1]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing.

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured, processed, assembled or finished to fill a purchase order, existing or prospective,[2] bearing a preference rating of AA-4 or higher; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized by the War Production Board, pursuant to an application on Form PD-426, or otherwise, to manufacture, process, assemble or finish the article or parts in question with the copper products or copper base alloy products being used.

The provisions of this paragraph (b) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the Combined List and List A-2 or excepted from those lists; or to the manufacturing, processing, assembling or finishing of any machinery omitted from the Combined List and List A-2 or excepted from those lists, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on or before February 28, 1942 (with respect to manufacturing, processing, assembling or finishing during the period from December 25, 1942 to and including January 15, 1943) or on or before June 30, 1942 (with respect to manufacturing, processing, assembling or finishing after January 15, 1943) are bushings, bearings, nuts, bolts, screws, washers and wire weighing in the aggregate less than 5% of the total weight of the article or part.

(c) *Applicability of order to certain Governmental agencies.* The prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper base alloy products in the manufacturing, processing, assembling or finishing of any item or article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard applicable to the contract, subcontract or purchase order.

(d) *General restrictions on manufacture.* (1) No manufacturer may continue the manufacture of any article omitted from the Combined List and List A-2 or excepted from such lists, or of parts (including repair parts[1]) for such an article, if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material is practicable; and no manufacturer may continue the manufacture of any article omitted from the Combined List and List A-2 or excepted from such lists, or of parts (including repair parts) for such an article, if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy than is necessary for the article's proper operation.

(2) (i) The use of copper products or copper base alloy products for plating any item on the Combined List or List A-2 or for plating any parts (including repair parts) of such an item, is prohibited unless such plating is expressly stated to be permissible on said lists.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the Combined List and List A-2 or excepted from such lists and the plating of parts (including repair parts) for such an article, is permitted provided:

(*a*) That such plating is not for decorative purposes or part of a decoration or as an undercoating for lead or silver plating, and

(*b*) That the use of, or the normal wear on such article or parts, would make impracticable any other form of coating.

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34) as amended from time to time.

(f) *Special provisions.* (1) The foregoing provisions of this amended order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3 effective March 28, 1942; and all other uses in those industries of copper products, copper base alloy products, copper scrap and copper base alloy scrap are, in the quarter from October 1, 1942 to December 31, 1942, limited to 70% of the aggregate usage of such products and scrap in the last calendar quarter of 1940, and in each subsequent calendar quarter limited to 60% of such aggregate usage in the corresponding quarter of the year 1940; *Provided*, That, for electrotyping and rotogravure, 33⅓% of the allowable usage shall be in the form of copper or copper base alloy printing scrap during the month of February 1943, 50% of the allowable usage shall be in such form during the month of March 1943, and 75% of the allowable usage shall be in such form in each month after March 1943; *And further provided*, That for copper plate engraving of calling cards, greeting cards, social and business stationery and other similar articles, 100% of the allowable usage for the engraving of such plates shall be (i) of copper products or copper base alloy products which were in the possession of the engraver using them on December 31, 1942 or (ii) of copper scrap or copper base alloy scrap (old engraved plates), and in either event the engraver shall sell and deliver as scrap to a scrap dealer before the end of each calendar quarter beginning with the first calendar quarter of 1943, three pounds of copper or copper base alloy scrap in the form of old engraved plates for each one pound of copper products or copper base alloy products which he engraved for use in printing calling cards, greeting cards, social and business stationery and other similar articles during said calendar quarter. Nothing contained in this paragraph (f) (1) of this amended order shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products contained in parargaph (a) and the Combined List of this amended order.

(2) No person shall deliver, install or cut any copper or copper base alloy insect screening (i) unless such screening is to be delivered to, installed for or cut on the order of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation), or (ii) unless such delivery, installation or cutting shall be with the specific authorization of the War Production Board. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Washington, D. C., Ref.: M-9-c. The foregoing shall not apply to used or second hand insect screening or to insect screening in rolls of less than 25 feet in length. Nothing contained in this paragraph (f) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening and screens with copper products or copper base alloy products contained in paragraph (a) and the Combined List of this order.

(g) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order.

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of paragraphs (a), (d) or (f) (1) of this order shall be made by filing Form PD-167 Revised with the War Production Board, Washington, D. C., Ref.: M-9-c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the War Production Board.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington, D. C., Ref.: M-9-c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply irrespective of whether such items, articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. Insofar as any other order of the War Production Board or of the Office of Production Management may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of items, articles or parts or the sale and delivery of such items, articles or parts, the limitation of such other order shall be observed.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order shall not apply to the installation of any item or article, or part (including a repair part) therefor, for the ultimate consumer on his premises when any manufacturing, processing, assembling or finishing of such an item, article or part is incidental to such installation and is done on such premises. The foregoing does not in any way affect, revoke or modify the provisions of Supplementary Conservation Order M-9-c-4 which prohibits the installation of certain types of copper and copper base alloy pipe, tube, fittings and building material under certain circumstances or of any other order restricting installation.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (1) hereof) shall not apply to the manufacture, processing, assembling or finishing of repair parts to make a specific repair of a used article or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and any manufacturing, processing, assembling or finishing done by him is for the purpose of making a specific repair; nor shall the restrictions

[1] See also paragraph (h) (7) permitting the manufacture of repair parts to make specific repairs of used articles under certain conditions.

[2] Priorities Regulation No. 1, § 944.14, prohibits you from making more than a practicable minimum working inventory of articles or parts to fill prospective orders carrying particular ratings.

of this order (other than those contained in paragraph (d) (1) hereof) apply to the manufacture, processing, assembling or finishing of repair parts to make a specific repair of a used article or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than one pound in excess of the copper or copper base alloy scrap derived from the article being repaired, and all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Supplementary Order M-9-b and provided any manufacturing, processing, assembling or finishing done by him is for the purpose of making a specific repair.

(8) *Copper products or copper base alloy products not controlled by order.* On and after the original issuance dates of the orders listed in this subparagraph, the provisions of this order shall not apply to the manufacture of the following items or articles and parts (including repair parts) therefor, even though they contain copper products or copper base alloy products, since these items or articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M-9-c-1.

Fire protective equipment governed by General Limitation Order L-39.

Motorized fire apparatus governed by General Limitation Order L-43.

Bronze paste, bronze ink and bronze leaf and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3.

Jewelry governed by Supplementary Conservation Order M-9-c-2.

Musical instruments governed by Supplementary Limitation Order L-37-a.

Water meters governed by Schedule I of Limitation Order L-154.

Self-contained drinking water coolers governed by Schedule I of Limitation Order L-126.

The provisions of this order do not apply to attaching finished slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to manufacturing, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy; the provisions of this order do apply to manufacturing, processing and finishing watch and clock cases and all other parts of watches and clocks, and to assembling watches and clocks except under the conditions mentioned in this sentence.

(9) *Definitions.* For the purposes of this order:

(i) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(ii) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(iii) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(iv) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(v) "Manufacturer" means a person who manufactures, processes, assembles or finishes.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

COMBINED LIST

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (d) (1) of this order.

AUTOMOTIVE, TRAILER[3] AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L-106 governing the use of copper and copper base alloy in the manufacture of automotive parts entering into the production of, or as replacement parts for, passenger automobiles, motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles

Ambulance hardware.
Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Garage and automotive repair equipment.
Heaters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hearse hardware.
Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hub and gas-tank caps.
Lights, lamps, headlamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Miscellaneous fittings and trim.
Motorcycles (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).

[3] See also under "Passenger Transportation Equipment" on this list.

Motor-driven scooters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Mouldings.
Rear-view mirrors and hardware.

BUILDING SUPPLIES AND HARDWARE

(Excluding supplies and hardware for ships, boats and aircraft)

Air-conditioning equipment until January 1, 1943 (except for essential food storage, food transportation and industrial processing, and except for repair parts containing not more than 4 lbs. of copper products or copper base alloy products for use in "blank out" plants). After December 31, 1942, see List A-2.
Blinds, including fixture fittings and trimmings.
Builders' finish hardware, including hinges, except in those parts of plants where the use of non-sparking metal is necessary to prevent a hazard in the production or use of explosives. For locks see under "Miscellaneous" on this list.
Conduits.
Decorative hardware—including house numbers.
Door knockers, checks, pulls, and stops.
Doors, door and window frames, sills and parts, including door handles and knobs
Elevators and escalators (except when the only copper products or copper base alloy products used are for bearings, worm gears and parts necessary for conducting electricity).
Gravel stops and snow guards.
Grilles.
Gutters, leaders, downspouts, expansion joints, and accessories thereto.
Hangers and tracks for private garages.
Incinerator hardware and fittings.
Insect screens and screening.
Letter boxes and mail chutes.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Ornamental metal work.
Pile butt protection.
Plumbing and heating supplies:
  Bands on pipe covering.
  Cistern and low-water floats.
  Fixture fittings and trimmings (See "Plumbing fixture fittings and trim" on List A-2).
  Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by Order L-185)
  Pipe, tube, tubing, and fittings for piping systems.
  Shower rods, and pans (See "Plumbing fixture fittings and trim" on List A-2).
  Shower heads (See "Plumbing fixture fittings and trim" on List A-2).
  Sinks and drainboards.
  Toilet floats (See "Plumbing fixture fittings and trim" on List A-2).
  Towel racks.
Push, kick, switch, floor, and all other device plates.
Roof, roofing, roofing nails, flashing valleys, and other roofing items.
Sheet, roll, and strip for building construction.
Shelves.
Stair and threshold treads.
Termite shields.
Terrazzo strips, reglets, and mouldings.
Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except when the only copper products or copper base alloy products used are for valves, controls and parts necessary for conducting electricity).
Ventilators and skylights.
Water containers for humidification.
Weatherstripping and insulation.

BURIAL EQUIPMENT

Burial vaults.
Caskets and casket hardware. See also Order L-64
Memorial tablets.
Morticians' supplies.

(See also "Boxes, • • •" under "Miscellaneous" on this list.)

CLOTHING AND ACCESSORIES

Insignia (See "Insignia" on List A-2 and on the Military Exemption List.)

DRESS ACCESSORIES

(See also Order L-68)

Buckles (See "Slide fasteners • • • buckles • • •" on List A-2 and the Military Exemption List.)
Buttons. (See "Slide fasteners • • • buttons • • •" and "Mattress buttons" on List A-2.)
Dress ornaments.
Handbag fittings.
Metal cloths.

FURNISHINGS AND EQUIPMENT

NOTE. The item "Fans" was amended April 6, 1943.

(For homes, offices, institutions, hotels, apartment hotels, apartment houses, stations, clubs, fraternal organizations, union buildings, churches, synagogues, temples, restaurants and stores)

Andirons, screens, and fireplace fittings.
Candlesticks.
Cooking and table utensils.
Counters
Curtain fasteners, rods, and rings.
Cuspidors.
Fans (See "Fans • • •" on List A-2)
Furniture.
Furniture Hardware.
Hollow-ware.
Mud scrapers.
Portable heaters.
Stoves and ranges (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity). For additional restrictions see "Gas stoves and ranges for household use" on List A-2.
Table flatware (except that until January 1, 1943, table flatware may be manufactured, processed, assembled or finished if made according to Fed. Spec. RR-T-56.) After December 31, 1942, see List A-2.
Timers, for stoves and ranges.
Trays
Upholsterers' supplies, including nails and tacks
Vases, pitchers, bowls, and artcraft.
Washing tubs and washing boilers.
Waste baskets, hat trees, humidors, and similar items.

INDUSTRIAL MACHINERY

Pulp and paper manufacturing:
  Beater bars and beaters.
  Head boxes.
  Jordan bars.
  Refiner bars.
  Save-alls (except for screens).
  Stock and water lines.

JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to—
  Advertising specialties.
  Atomizers (see also List A-2).
  Bar fittings.
  Book ends.
  Cosmetic containers.
  Lighters.
  Napkin rings.
  Picture frames.
  Smokers' accessories, including ash trays.
  Souvenirs.

PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, buses, and trailers, but excluding locomotives)

All items under heading "Furnishings and Equipment".
Air conditioning equipment for passenger cars until January 1, 1943 (except for essential repairs, and except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). On and after December 31, 1942, see List A-2.
Bands on pipe covering.
Decorative, general, and finish hardware, and ornamental metal work.
Door knockers, checks, pulls and stops.
Doors and windows, door and window frames and window sills.
Drinking water reservoirs.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)
Pipe, tube, tubing, and fittings for plumbing and heating (except for essential repairs).
Shower rods, heads and pans.
Sinks and drainboards.
Screens and screening.
Towel and luggage racks.
Water containers for humidification.
Weatherstripping and insulation.

MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L-39 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Barrel hoops.
Badges
Bar and counter equipment and fittings.
Barber shop equipment and supplies.
Barrel hooks.
Bathroom accessories as defined in Order L-30.
Beauty parlor equipment and supplies.
Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L-126 or under any schedule of Order L-38).
Bicycles and similar vehicles. (See also Order L-52).
Binoculars, including opera glasses.
Bird and pet cages and stands.
Bottle coolers.
Boxes, cans, jars and other containers, including burial urns.
Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals or, until January 1, 1943, are adjustable stencils for addressing or identifying commercial products). For adjustable stencils after December 31, 1942, see the item "Adjustable stencils" on List A-2.
Cabinets.
Canes
Carpet rods.
Cash registers.
Chimes and bells (except for bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Clips.
Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.
Clock and watch cases.
Cooking utensils (except for commercial processing in canneries and factories).
Cutlery, including pocket knives.
Dishwashing machines (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-248 or by a specific authorization of the War Production Board granted pursuant to such order) and domestic garbage grinders.
Dispensers, hand, for hand lotions, paper products, soap and straws.
Dog collars and other similar harness and equipment for pets.
Domestic ice refrigerators as defined in Order L-7.
Domestic laundry equipment as defined in Order L-6 and scrubbing boards, clothes line pulleys and reels.
Domestic mechanical refrigerators as defined in Order L-5.
Domestic vacuum cleaners as defined in Order L-18.
Electric blankets.
Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.
Flashlights and electric lanterns used by railroad brakemen (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Floats for liquid level control.
Flower pots, boxes and holders for same.
Flower shears.
Food dispensing utensils, devices and machines.
Fountain pens
Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V, V-a and XII of Order L-42).
Furniture grommets.
Games as defined in Order L-81.
Garden tools and equipment.
Hair curlers, hair brushes and combs, shoe horns and button hooks.
Health supplies, except the following:
  Acoustic aids,
  Anaesthesia apparatus and supplies,
  Atomizers (medical use only),
  Diagnostic equipment and supplies,
  Hypodermic syringes and needles,
  Infant incubators,
  Instruments,
  Laboratory equipment and supplies,
  Medicinal chemicals (limited to medical use only),
  Operating room supplies and equipment,
  Ophthalmic products and instruments,
  Physical therapy equipment (limited to medical use only),
  Respirators, resuscitators and iron lungs,
  Rubber hospital sundries,
  Splints and fracture equipment,
  Sterilizers, blanket and solution warmers,
  Surgical and orthopaedic appliances (including artificial limbs and arms but not including arch supports which are listed on List A-2),
  Sutures and suture needles, and
  X-Ray equipment and supplies.
Home and commercial electrical appliances, as defined in Order L-65.
Hooks, including hat and coat hooks.
Ice cream freezers for use in the home.
Kitchen utensils, devices and machines.
Kitchen, household and miscellaneous articles, as defined in Order L-30.
Lace tips
Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.
Lamps, electric until January 1, 1943 (except for industrial, hospital or office and then not for standards, shades, shade holders, and stems). After December 31, 1942, see List A-2. The term "Lamps" as used here does not include electric light bulbs, but see "Electric light bulbs" above.

Lamps, other than electric (except for industrial, hospital or office use and then only when the only copper products or copper base alloy products used are for valves, controls, and wicks).
Lawn sprinklers, mowers, seeders and rollers.
Livestock and poultry equipment (except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and thermostats other than wafer thermostats, and for plating wafer thermostats).
Locks (except pin tumbler and disc tumbler cylinder assemblies; essential interior working parts of Type 88, Type 97 and Type 114 locks; levers, tubes and centers for secure lever locks; interior working parts of railway car door locks and railway switch padlocks; keys for pin tumbler and disc tumbler locks; and postal locks when manufactured by the Mail and Equipment Section of the United States Post Office).
Luggage fittings, trim and hardware.
Manicure implements.
Match and pattern plates, matrices, and flasks.
Medals, including decorations.
Mirrors.
Motion picture and projection equipment (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions).
Name, identification and medal plates.
Non-operating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.
Package handles and holders.
Paint (except for ship bottoms).
Pencils, mechanical.
Phonographs or other record players.
Photographic equipment and accessories (except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office, and except for X-ray equipment).
Pins.
Pleasure boat fastenings, fittings, hardware, and motors.
Pole-line hardware.
Powder, except for non-decorative uses.
Printing rollers (except to the extent that an equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers).
Radio receiving sets for private use (except for replacement vacuum tubes).
Razors operated by electricity (except for repair parts).
Reclaimers for heating water.
Reflectors (except for electroplating of glass reflectors in connection with silvering when the reflectors are to be used in street and highway illumination, or for traffic signals, flood lights, searchlights and hospital operating room lights).
Refrigerator display cases.
Saddlery hardware and harness fittings.
Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L-190.)
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.
Signs, including street signs. (See also Order L-29.)
Slot, game and vending machines, including parking meters.
Soda fountain equipment.
Sporting goods, and fishing and hunting equipment and supplies.
Staples for fastening cartons and containers.
Stationery supplies:
  Desk accessories. (See also Order L-73.)
  Office supplies. (See also Order L-73.)
  Pencils. (See also Order L-113.)
  Pens and penholders.
Statues.
Sundials.
Telescopes.
Tent poles and parts.
Thermos jugs and bottles.
Toys.
Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L-42.)
Umbrellas.
Valve handles.
Valves over 2-inch size (except seats, discs, stems, yoke sleeves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical).
Voting machines.
Weather vanes.
Weight reducing and exercising machines.
Wool.

LIST A-2

NOTE: The item "Air conditioning, etc." amended, and the item "Fans" added April 6, 1943.

The manufacturing, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited after the governing date if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (d) (1) of this order.

	Governing date
Adjustable stencils	Dec. 31, 1942
Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under Order L-38 or otherwise)	April 6, 1943
Arch supports	Feb. 26, 1943
Atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs)	Dec. 31, 1942
Blow torches, gasoline and alcohol, (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block)	Jan. 20, 1943
Blow torches, kerosene (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block)	Feb. 28, 1943
Brushes (except the type used in electric motors and generators)	Dec. 31, 1942
Cement flooring and composition flooring	Dec. 26, 1942
Change making, coin counting and sorting machines	Feb. 28, 1943
Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)	Dec. 26, 1942
Daubers for shoe polish	Feb. 26, 1943
Electrolytic devices for the removal and prevention of scale in boilers	Dec. 31, 1942
Expansion bolts and caulking anchors	Feb. 23, 1943
Fans (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-176 or by a specific authorization of the War Production Board granted pursuant to such order	April 6, 1943
Gas heater and stove installation connections	Feb. 28, 1943
Gas stoves and ranges for household use (except when each valve contains not more than ½ ounce of copper base alloy and each control contains not more than 1½ ounces of copper base alloy and the stove or range contains no other copper or copper base alloy whatever)	Aug. 7, 1942
Hand saw screws, nuts and washers for attaching saw blades to the handle	Dec. 26, 1942
Hammers	Dec. 31, 1942
Insignia	Feb. 26, 1943
Lamps, electric (except for non-portable lamps for use in hospitals or in industry, otherwise than in offices, and then only when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)	Dec. 31, 1942
Lanterns	Sept. 7, 1942
Linoleum stripping	Feb. 26, 1943
Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under "Building Supplies and Hardware" on the Combined List	Dec. 31, 1942
Loose-leaf binders	Dec. 26, 1942
Mattress buttons and furniture glides	Feb. 26, 1943
Pipe, tube, tubing and fittings for water supply and distribution systems and installations (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use on board ship and in chlorine gas equipment). This takes the place of Interpretation No. 4 of Order M-9-c	Dec. 26, 1942
Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V, V-a and XII of Order L-42 or any schedules or orders taking their place, or are permitted by a specific authorization of the War Production Board granted pursuant to such a schedule or order)	Dec. 26, 1942
Putty and scraping knives	Feb. 26, 1943
Sash balances	Feb. 26, 1943
Screens for oil wells and water wells	Jan. 20, 1943
Seismograph loading pole couplings	Feb. 28, 1943
Shower curtains	Dec. 26, 1942
Slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets, garter trimmings, hose supporters, loops, personal hardware, pin fasteners, staples, slides, trouser trimmings, rivets, burrs and tacks for use on wearing apparel	Feb. 26, 1943
Sound equipment attachments for motion picture projection machines (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions)	Dec. 31, 1942
Table flatware (except for a copper-silver strike)	Dec. 31, 1942
Tokens	Feb. 26, 1943
Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting Fig 8 or grooved trolley wire (unless used for carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material	Jan. 20, 1943
Tying devices for laundry	Feb. 26, 1943

MILITARY EXEMPTION LIST

NOTE: The item "air conditioning, etc." deleted April 6, 1943.

Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.
Bells (for use on board ship until Feb. 28, 1943).
Binoculars.
Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).
Boxes, cans, jars and other containers (for radio and communication equipment and for powder charges).
Carbonated beverage dispensing units for use on board ship (functional parts subject to corrosive action or which come in contact with food, only)
Conduits and pipe (for radio and electrical communication equipment).
Chronometer and watch cases.
Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA-3 or higher only.
Dishwashing machines
Field lances and ski stoves.
Floats for liquid level control (for use in aircraft and on board ship).
Furniture hardware (for use within magnetic circle on board ship).
Hammers
Hoists, for handling powder, projectiles and explosives (for use on board ship).
Hot water heaters, tanks and coils for hospital, laundry and bakery projects.
Insect screens but only when made with screening manufactured prior to Feb. 28, 1943
Insignia (but only rank, branch and "U. S." Insignia for the Armed Forces when produced to fill purchase orders rated AA-3 or higher) until June 1, 1943.
Kitchen utensils, devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts).
Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).
Lanterns, gasoline (generators, valves and controls, only).
Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Lights, lamps and accessories (for use in aircraft and on board ship).
Locks and latches (for use on board ship).
Motion picture and projection equipment.
Name identification and metal plates of a gauge of .03125 inch or less (for use in aircraft and on board ship).
Paint (for ship bottoms and flying boat hull bottoms)
Photographic equipment and accessories.
Pins for hinges (for use on board ship).
Prescription scales (health supplies).
Reflectors (for use on board ship, in aircraft searchlights, and recognition lights and hospital operating room lights and therapeutic lights)
Safety lamps flame type (for use on board ship and for use in other places where there is danger of explosion)
Shells and caps for electric sockets (for use in aircraft and on board ship).
Slide fasteners for use on jungle clothing and equipment; and sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs for use on jungle clothing and equipment, and for use on leather, canvas, webbing and duck for field clothing and equipment being produced on a rating of AA-3 or higher.
Soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Sound equipment attachments for motion picture projection machines.
Table flatware made according to Fed. Spec. RF-T-56 until March 31, 1943.
Telescopes.
Unions and union fittings (for use on board ship).
Valve handles (for use within magnetic circle on board ship).
Valves (for use on board ship).

[F. R. Doc. 43-5377; Filed, April 6, 1943; 11:34 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Limitation Order L-1-h as Amended March 31, 1943 [1]]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of heavy motor trucks for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

[1] This document is a restatement of Amendment 1 to L-1-h as amended, which appeared in the FEDERAL REGISTER of April 2, 1943, page 4168, and reflects the order in its completed form as of March 31, 1943.

§ 976.18 *Supplementary Limitation Order L-1-h*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of heavy trucks (including off-the-highway motor vehicles when produced under this order) without regard to purchase orders or contracts placed with them for other materials on ratings lower than AA-4.

(b) *Definitions.* For the purposes of this order:

(1) "Heavy truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 16,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor, including off-the-highway motor vehicles.

(2) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(3) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of heavy trucks and off-the-highway motor vehicles.

(4) "G. V. W. group" means gross vehicle weight classification, as authorized by the producer.

(c) *Production of heavy trucks authorized.* Irrespective of the terms of General Limitation Order L-1-c as amended, and in order to replace 3017 heavy trucks withdrawn prior to December 31, 1942 by the Army, Navy and Lend-Lease Administration from stocks intended for rationing to civilian uses under General Conservation Order M-100, producers are hereby authorized to produce heavy trucks in such quantities, of such types and within such periods of time as may be specifically authorized by the War Production Board.

(d) Commencing September 1, 1942, producers shall report to the Automotive Division, War Production Board, on the first day of each month the number of units produced in the preceding thirty (30) days on Form PD-571.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and

inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who wilfully violates any provisions of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The War Production Board may thereupon take such action, if any, as is deemed appropriate.

(j) *Communications.* All communications concerning this order shall be addressed to, War Production Board, Automotive Division, Washington, D. C., Ref: Order L–1–h.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5372; Filed, April 6, 1943; 11:35 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L–170, as Amended April 6, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.10 *Limitation Order L–170*—(a) *Applicability of priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Protection of production schedules.* Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA–3.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment; *Provided,* That:

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding $2,500 for the period November 1, 1942, to September 30, 1943, inclusive; and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the War Production Board.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $750,000 but did not exceed $10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed $750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof, any subsidiary of such a subsidiary, any parent company, and any subsidiary or parent of such a parent company.

(7) "Supplier" means any person engaged in the manufacture (for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware, grain bins and corn cribs (other than those made of iron and steel), and hand tools and water storage tanks.

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes, and water pump cylinders. No item listed on Schedule A (except to the extent provided in paragraph (g) (5) hereof) shall be deemed a repair part, except that items of harness hardware may be deemed repair parts to the extent actually sold for repair or replacement purposes.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941 in whichever year such weight was the greater, except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed; and except that, as to silos (item 296 of Schedule A), the base production shall be the total weight of iron and steel entering into the production of such items.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form; except that, as to silos (Item 296 of Schedule A), weight means the total weight of iron and steel entering into the production of such items.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *General restrictions on production for domestic use (including "concentration of production").* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during the period November 1, 1942, to September 30, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that:

(*a*) Wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election;

(*b*) As to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater; and

(c) Any producer, instead of conforming to his quota percentages for the items of attachments as indicated respectively in Schedule A, may at his option manufacture not more than an aggregate of 30% of his total base production of such attachments, and the total permissible weight thus determined may be distributed among all or any one or more of such items of attachments at his election: *Provided,* That once such option is made, it shall apply to all attachments to be produced.

(ii) Manufacture for sale in the continental United States, a total quantity of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 160% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The War Production Board may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota:

(4) No producer, whose quota of any item of farm machinery and equipment has been increased by reason of the amendment to Schedule A dated March 6, 1943, shall manufacture such increase over his former Schedule A quota.

(i) Except to the extent that it exceeds the weight of all quantities of such item both specifically authorized pursuant to paragraph (c) (2) hereof as an increase in his quota, and authorized on any appeal granted him prior to March 6, 1943, and

(ii) Unless such producer certifies to the War Production Board within 15 days after such date that he intends to manufacture his total quota of all such items, including such increase, such certification to be in substantially the following form:

The undersigned company hereby certifies that, except as indicated below, it intends to produce prior to September 30, 1943, its total quotas of all items listed on Schedule A of Order L–170, including all amendments and appeals, in accordance with paragraph (c) (4) of that order. Quantities of items within such quotas not intended to be so produced will be reported promptly in accordance with paragraph (c) (3) thereof.

Company

By----------

Date ----------

(d) *General restrictions on production for export*—(1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to September 30, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B–1, B–3, B–4 and B–6, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To any foreign country listed respectively on Schedule B–2 and B–5, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of that quantity obtained by multiplying the quota percentage designated on the applicable Schedule for such country by one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 to that country;

(iii) To Canada a quantity by units of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B–7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B–7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940; or

(iv) To all foreign countries listed on Schedule B–2a a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of 100% of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1939 and 1940 in the aggregate to all such countries.

(v) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

NOTE: Paragraph (v) redesignated April 6, 1943.

(2) Except as to items destined for Canada (Schedule B–7) and for territories and possessions of the United States (Schedule B–6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the War Production Board specific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: *Provided,* That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

As to any portion of any such producer's export quota, as established by paragraph (d) (1) above, which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his export quota.

(3) The War Production Board may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission.

(e) *Further restrictions on production*—(1) *Restrictions on production for specific periods.* The War Production

Board may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific direction, no producer affected thereby shall, notwithstanding the provisions of this Order L–170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) *Items containing iron and steel.* No person shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes) to make any of the following items:

Barnyard stock tanks.	Hog troughs.
Bee hives.	Laying nests.
Butter churns.	Livestock feeders.
Butter molds.	Marking poles.
Canopies for electric brooders	Milk stools.
	Neck yokes.
Cattle stalls.	Poultry feeders.
Corn cribs.	Singletrees.
Doubletrees.	Stanchions.
Farm gates.	Stock pens.
Grain bins.	Thills
Grit boxes.	Tongues.
Guide handles.	Weaners.
Hobbles (all types).	

Provided, however, That nothing in this subparagraph (e) (2) shall be deemed to prevent the manufacture or processing of cattle stalls, stanchions or stock pens solely from rerolled rail steel plus strapping and essential hardware.

(f) *Overproduction under Order L–26.* Any items of farm machinery and equipment or attachments and repair parts which have been manufactured and/or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L–26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: *Provided,* That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) *Exceptions*—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M–25 or any other applicable M or L order).
Gum and other hardwood lumber
Softwood lumber (subject to the restrictions of Conservation Order M–208 or any other applicable M or L order);

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the War Production Board for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L–26 (including all amendments thereto and appeals granted thereunder) and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota under paragraph (c) (1) (iii) of Limitation Order L–26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Warfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(4) The restrictions of this Order L–170 shall not apply to the manufacture by any person of any of the following items of farm machinery and equipment:

Bee hives.
Farm gates.
Feed trucks.
Grit boxes.
Hog troughs.
Laying nests.
Livestock feeders.
Milk stools
Poultry feeders.
Poultry waterers (other than those made from iron and steel).

Provided, however, That such items are made entirely (except for nails and essential strappings and fastenings) from any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by conservation order M–25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of conservation order M–208 or any other applicable M or L order).

(5) Any producer of any of the following items listed in Group 17 of Schedule A:

Feed carriers.
Litter carriers.
Track for feed and litter carriers.
Hay carriers.
Track for hay carriers.
Cattle stalls and fittings.
Cattle stanchions and fittings.

may consider not more than 30% of his base production of each such item as "repair parts" rather than "farm machinery and equipment". The value of such 30% may be added to his total repair parts quota established pursuant to paragraph (c) (1) (ii) hereof, and should be so reported on such forms as are filed pursuant to paragraph (m) hereof. His production quota for the remaining 70% shall be determined by multiplying his applicable Schedule A quota percentage for the particular item by 70% of his base production thereof.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from the War Production Board.

(1) No person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes, horseshoe nails and harness hardware) which he knows or has reason to know will not be used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A–9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) No distributor shall keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(2) Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

No materials shall be used which are prohibited by M Orders or other restrictions on use of critical materials as now or hereafter ordered by the War Production Board.

(2) The War Production Board may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD–629.

(3) Each producer shall file by the 10th day of each month a report on Form PD–630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD–387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B–1, B–2, B–2a, B–3, B–4, B–5, B–6, and B–7).

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington, D. C. Ref.: L–170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L–26, and Supplementary Limitation Orders L–26–a and L–26–d, and all amendments thereto and appeals granted thereunder.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT FOR THE PERIOD NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

Quotas for repair parts are determined according to the provisions of paragraph (c) (1) (ii). Quotas for new machinery and equipment including attachments are expressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket.

Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L–170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item		Class of producer "A"	Class of producer "B"	Class of producer "C"
	DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)	*Percent*	*Percent*	*Percent*
1	One row, one horse corn planters	0	0	44
2	One row, one horse corn and cotton planters	0	0	25
3	One row, two horse corn and cotton planters	0	0	0
4	Two row, corn planters	3	75	75
5	Two row, corn and cotton planters	0	19	75
6	Three row and over, corn planters	11	75	100
7	Three row and over, corn and cotton planters	0	0	0
	DIVISION 2: PLANTERS (TRACTOR MOUNTED)			
8	One row, corn planters			
9	One row, corn and cotton planters			
10	Two row, corn planters			
11	Two row, corn and cotton planters	15	15	15
12	Three row and over, corn planters			
13	Three row and over, corn and cotton planters			
	DIVISION 3: POTATO PLANTERS			
14	Horse or tractor drawn	0	16	75
	DIVISION 4: TRANSPLANTERS			
15	Horse or tractor drawn	0	0	34
16	Hand			
	DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)			
17	One row			
18	Two row	8	75	100
19	Three row and over			
	DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)			
20	One row			
21	Two row	19	19	19
22	Three row and over			
	DIVISION 7: BEET DRILLS			
23	Horse or tractor drawn	13	100	100
	DIVISION 8: GRAIN DRILLS			
24	One horse, 3 or 5 disc drills	0	0	22
25	Fertilizer drills, horse or tractor drawn	8	75	75
26	Plain drills, horse or tractor drawn			
	DIVISION 9: BROADCAST SEEDERS			
27	Wheeled, horse or tractor	0	0	0
28	Endgate	0	32	75
29	Hand, wheelbarrow and other	0	0	8

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 10: GARDEN PLANTERS	*Percent*	*Percent*	*Percent*
30	Hand	0	0	14
31	Horse or tractor drawn	0	57	100
	DIVISION 11: FERTILIZER DISTRIBUTORS			
32	Horse or tractor drawn	0	0	15
	DIVISION 12: LIME SPREADERS (SOWERS)			
33	Wheeled type, horse or tractor drawn	0	0	17
34	Endgate type	46	100	100
35	Truck body type	0	0	50
	DIVISION 13: MANURE SPREADERS			
36	Four wheeled, horse or tractor drawn	0	19	87
37	Two wheeled, tractor drawn			
	DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY			
	Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)			
38		0	0	25
39		0	0	25
40		0	0	25
	DIVISION 15: ATTACHMENTS			
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 2: PLOWS AND LISTERS			
	DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)			
42	Walking, one horse, steel bottom	0	0	11
43	Walking, one horse, chilled bottom	0	0	17
44	Walking, two horse and larger	0	0	48
45	Sulky	0	0	0
46	Gang, two bottom and larger	0	0	0
	DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)			
47	One bottom, tractor drawn	9	100	100
48	Two bottom, tractor drawn			
49	Three bottom, tractor drawn			
50	Four bottom, tractor drawn			
51	Five bottom, and larger, tractor drawn	0	0	6
52	One bottom, tractor mounted	26	26	26
53	Two bottom, tractor mounted			
	DIVISION 3: DISC PLOWS (HORSE DRAWN)			
54	Single disc and larger	0	0	0
	DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)			
55	One disc, tractor drawn	0	0	53
56	Two disc, tractor drawn			
57	Three disc, tractor drawn			
58	One disc, tractor mounted	8	8	8
59	Two disc, tractor mounted			
60	Four disc, tractor drawn	0	0	0
61	Five disc, tractor drawn			
62	Six disc and larger, tractor drawn			
	DIVISION 5: ONE WAY DISC PLOWS OR TILLERS			
63	One way plows	0	5	75
	DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN) (Middlebusters without planting attach.)			
64	One row, horse or tractor drawn	0	0	19
65	Two row, horse or tractor drawn			
66	Three row and larger, horse or tractor drawn			
	DIVISION 7: LISTERS (TRACTOR MOUNTED) (Middlebusters without planting attach.)			
67	One row, tractor mounted	18	18	18
68	Two row, tractor mounted			
69	Three row and larger, tractor mounted			

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: PLOWS AND LISTERS—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 8: SUBSOIL PLOWS	*Percent*	*Percent*	*Percent*
70	Horse drawn	0	0	0
71	Tractor drawn	0	0	0
72	Tractor mounted	0	0	0
	DIVISION 9: PLOW STOCKS			
73	Single or double stocks	0	0	22
	DIVISION 10: OTHER PLOWS AND LISTERS (List each item separately)			
74		0	0	34
75		0	0	34
76		0	0	34
	DIVISION 11: ATTACHMENTS			
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS			
	DIVISION 1: HARROWS			
78	Spike tooth harrow sections, horse or tractor drawn	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn	0	34	100
80	Disc harrows, horse or tractor drawn	16	100	100
81	Disc harrows, tractor mounted	33	33	33
	DIVISION 2: SMOOTH LAND ROLLERS			
82	Smooth land rollers, not including lawn rollers	0	0	0
	DIVISION 3: SOIL PULVERIZERS AND PACKERS			
83	Soil pulverizers and packers	0	0	19
	DIVISION 4: STALK CUTTERS			
84	Stalk cutters	0	0	50
	DIVISION 5: RIDGE BUSTERS			
85	Ridge busters, horse or tractor drawn	0	0	24
86	Ridge busters, tractor mounted			
	DIVISION 6: OTHER HARROWS AND ROLLERS (List each item separately)			
87		0	0	30
88		0	0	30
89		0	0	30
	DIVISION 7: ATTACHMENTS			
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 4: CULTIVATORS AND WEEDERS			
	DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)			
91	One horse, all types	0	0	15
92	One row, walking, two horse	0	0	65
93	One row, riding, two horse	2	90	100
94	Two row and over, riding	0	0	0
95	Beet cultivator	20	100	100
96	Field cultivator	0	0	62
96a	Field cultivator and tiller, tractor mounted	9	9	9
97	Hand cultivator not including blade and tined hoes, rakes and similar equipment	0	0	35
	DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)			
98	One row	40	40	40
99	Two row			
100	Three and four row			
101	Five row and over			
	DIVISION 3: ROTARY HOES			
102	Rotary hoes, horse or tractor drawn	0	0	17
	DIVISION 4: WEEDERS			
103	Rod weeders, horse or tractor drawn	0	0	62
104	Tooth weeders, horse or tractor drawn	0	0	95
104a	Tooth weeders, tractor mounted	15	15	15
	DIVISION 5: OTHER CULTIVATORS AND WEEDERS (List each item separately)			
105		0	0	40
106		0	0	40
	DIVISION 6: ATTACHMENTS			
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS

GROUP 7: HAYING MACHINERY

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: POWER SPRAYERS	*Percent*	*Percent*	*Percent*
108	Power sprayers	0	0	95
109	Traction sprayers	0	0	21
	DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)			
110	Compressed air	0	0	28
111	Knapsack self contained			
112	Trombone, pump type			
113	Bucket pump type, single cylinder			
114	Bucket pump type, double cylinder			
115	Atomizing, single action (1 qt. and larger cap.)			
116	Atomizing, continuous (1 qt. and larger cap.)			
	DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 6 GALS. OR MORE)			
117	Barrel pump type with complete equipment	0	0	36
118	Wheelbarrow type with complete equipment			
	DIVISION 4: SPRAY PUMPS (POWER)			
119	Spray pumps, power	0	0	23
	DIVISION 5: WEED AND PEAR BURNERS			
120	Weed and pear burners	0	20	100
	DIVISION 6: DUSTERS			
121	Power dusters	0	0	55
122	Traction dusters	0	0	75
123	Hand dusters (agricultural only)	0	18	100
	DIVISION 7: ORCHARD HEATERS			
124	Orchard heaters	0	0	65
	DIVISION 8: ATTACHMENTS			
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 6: HARVESTING MACHINERY

	DIVISION 1: COMBINES (HARVESTER THRESHERS)			
126	Width of cut, 6 feet and under	30	30	30
127	Width of cut, over 6 feet including 10 feet			
128	Width of cut, over 10 feet			
	NOTE: Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940-1941 average annual production of these items			
	DIVISION 2: GRAIN AND RICE BINDERS			
129	Grain binders (ground drive)	21	100	100
130	Grain binders (power take-off drive)	43	75	75
131	Rice binders			
	DIVISION 3: CORN BINDERS			
132	Corn binders (row binder) horse or tractor drawn	26	100	100
	DIVISION 4: CORN PICKERS			
133	One row, mounted type	45	45	45
134	Two row, mounted type			
135	One row, pull type	45	100	100
136	Two row, pull type			
	DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)			
137	Field ensilage harvesters, row type	14	75	75
	DIVISION 6: POTATO DIGGERS			
138	Walking plow type	0	0	52
139	Horse or tractor	0	0	42
	DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)			
140	Horse or tractor, row type	0	0	71
	DIVISION 8: BEET LIFTERS			
141	Horse or tractor	32	100	100
	DIVISION 9: OTHER HARVESTING MACHINERY			
	Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately.)			
142		0	0	51
143		0	0	51
144		0	0	51
	DIVISION 10: ATTACHMENTS			
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 7: HAYING MACHINERY

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: MOWERS (GROUND-DRIVE)	*Percent*	*Percent*	*Percent*
146	Horse or tractor drawn (ground-drive)	11	100	100
	DIVISION 2: MOWERS (POWER TAKE-OFF DRIVE)			
147	Tractor mtd. or semi-mtd. (power take-off drive)	36	36	36
	DIVISION 3: RAKES			
148	Sulky, dump	17	100	100
149	Side delivery incl. comb. side rakes and tedders	27	100	100
150	Sweep	0	0	47
	DIVISION 4: HAY LOADERS			
151	Hay loaders	18	100	100
	DIVISION 5: STACKERS			
152	Stackers (stationary type)	0	0	51
152a	Combination stacker-loaders	0	0	75
	DIVISION 6: PICK-UP BALERS			
153	Pick-up hay balers	0	45	75
	DIVISION 7: OTHER HAYING MACHINERY			
	Other haying machinery, including, but not limited to, field bale loaders, field hay choppers (list each item separately):			
154		0	0	41
155		0	0	41
156		0	0	41
	DIVISION 8: ATTACHMENTS			
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

	DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)			
158	Threshers, width of cylinder under 28 inches	0	0	48
159	Threshers, width of cylinder 28 inches and over			
	DIVISION 2: STATIONARY PEA AND BEAN THRESHERS			
160	Stationery pea and bean threshers	0	0	41
	DIVISION 3: PEANUT PICKERS			
161	Peanut pickers	0	0	75
	DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)			
162	Ensilage cutters (silo fillers)	0	0	92
	DIVISION 5: FEED CUTTERS (HAND AND POWER)			
163	Feed cutters, hand and power	0	0	80
	DIVISION 6: CORN SHELLERS			
164	Corn shellers, hand	0	0	45
165	Power corn shellers, sprin (2, 4, 6, and 8 hole)	0	0	0
166	Power corn shellers, cylinder (150 bu. & under)	0	0	22
167	Power corn shellers, cylinder (over 150 bu.)	15	100	100
	DIVISION 7: CORN HUSKERS AND SHREDDERS			
168	Combination corn husker-shredders	0	0	66
169	Corn huskers	0	0	66
170	Corn shredders	0	0	66
	DIVISION 8: STATIONARY HAY BALERS			
171	Horse	0	0	0
172	Engine or belt power	0	0	75
	DIVISION 9: FEED GRINDERS AND CRUSHERS			
173	Hand	0	0	65
174	Power, burr type	0	0	51
175	Hammer and roughage mills	0	38	100
	DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)			
176	Cleaners and graders (corn and grain)	0	0	12
	DIVISION 11: POTATO SORTERS AND GRADERS			
177	Potato sorters and graders	0	0	44
	DIVISION 12: MAPLE SIRUP EVAPORATORS			
178	Complete sets of pans, not including furnaces	0	0	83
179	Furnaces	0	0	20

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 13: CANE SIRUP EVAPORATORS	*Percent*	*Percent*	*Percent*
180	Complete sets of pans, not including furnaces	0	0	53
181	Furnaces	0	61	100
	DIVISION 14: CANE MILLS (FARM SIZE)			
182	Cane mills (farm size)	0	0	32
	DIVISION 15: CIDER MILLS AND FRUIT PRESSES			
183	Cider mills and fruit presses	0	0	23
	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, feed mixers, fruit, nut and vegetable graders, sorters, washers and sackers. (List each item separately.)			
184		0	0	21
185		0	0	21
186		0	0	21
	DIVISION 17: ATTACHMENTS			
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 9: FARM ELEVATORS AND BLOWERS			
	DIVISION 1: ELEVATORS (PORTABLE)			
188	Elevators, portable	0	0	100
	DIVISION 2: ELEVATORS (STATIONARY)			
189	Elevators, stationary	0	0	36
	DIVISION 3: BLOWERS (GRAIN AND FORAGE)			
190	Blowers (grain and forage)	0	86	100
	DIVISION 4: ATTACHMENTS			
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 10: TRACTORS			
	DIVISION 1: TRACTORS, WHEEL TYPE			
192	Tractors, wheel, special purpose, under 30 h. p.	25	25	25
193	Tractors, wheel, special purpose, 30 and over h. p.			
194	Tractors, wheel, all purpose, under 30 h. p.			
195	Tractors, wheel, all purpose, 30 and over h. p.			
	DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)			
196	Garden tractors (including motor tillers)	0	0	27
	DIVISION 3: ATTACHMENTS			
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 11: ENGINES			
	DIVISION 1: ENGINES (UNDER 1 H. P.)			
198	Air cooled	0	0	0
	DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)			
199	Air cooled	0	30	100
200	Water cooled	4	100	100
	DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)			
201	Air cooled	0	24	75
202	Water cooled	24	100	100
	DIVISION 4: ENGINES (TEN OR MORE BUT UNDER 20 H. P.)			
203	Water cooled	0	0	0
	DIVISION 5: ATTACHMENTS			
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 12: FARM WAGONS AND TRUCKS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: WAGONS	*Percent*	*Percent*	*Percent*
205	Wagons, farm without boxes	0	0	73
	DIVISION 2: TRUCKS			
206	Trucks, farm (not motortrucks)	0	80	100
	DIVISION 3: WAGON BODIES			
207	Wagon and truck boxes, farm	0	0	57
	DIVISION 4: FARM SLEIGHS			
208	Sleighs and bob-sleds	0	0	25
	DIVISION 5: TRAILERS (FARM)			
209	Trailers, farm	0	0	0
	DIVISION 6: OTHER TRANSPORTING EQUIPMENT			
	(Not motortrucks—list each item separately)			
210		0	0	25
211		0	0	25
	DIVISION 7: ATTACHMENTS			
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 13: DOMESTIC WATER SYSTEM			
	DIVISION 1: DEEP WELL			
213	Deep well, reciprocal	0	0	48
214	Deep well jet pumps	0	0	36
	DIVISION 2: SHALLOW WELL			
215	250–499 gals. per hour	0	0	53
216	500 gals. per hour and over	0	0	35
	DIVISION 3: POWER PUMPS			
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure	0	6	75
	DIVISION 4: WATER WELL CASING			
218	Water well casing (fabricated by other than pipe mills)	85	85	85
	DIVISION 5: ATTACHMENTS			
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds	(1)	(1)	(1)
	GROUP 14: FARM PUMPS AND WINDMILLS			
	DIVISION 1: PUMPS, WATER			
220	Pitcher pumps	0	49	100
221	Hand and windmill pumps	0	48	100
	DIVISION 2: WINDMILLS			
222	Windmill heads	0	38	100
223	Windmill towers	0	34	100
	DIVISION 3: PUMP JACKS			
224	Pump jacks	0	0	76
	DIVISION 4: [Deleted Jan. 19, 1943].			
225	[Deleted Jan. 19, 1943].			
	DIVISION 5: ATTACHMENTS			
226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 15: IRRIGATION EQUIPMENT

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: IRRIGATION PUMPS	*Percent*	*Percent*	*Percent*
227	Turbine pumps, 0 to 1,200 G. P. M.	0	0	31
228	Turbine pumps 1,200 G. P. M. and up, belt driven	0	0	26
229	Centrifugal pumps	0	0	49
230	Hydraulic rams			
	DIVISION 2: DISTRIBUTION EQUIPMENT			
231	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines)	0	0	33
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds	0	0	57
	DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT			
	(List each item separately)			
233		0	0	18
234		0	0	18
235		0	0	18
	DIVISION 4: ATTACHMENTS			
236	Attachments for all items in Group 15 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

	DIVISION 1: MILKING MACHINES			
237	Milking machines	0	32	75
	DIVISION 2: FARM CREAM SEPARATORS			
238	Farm cream separators, capacity 250 lbs. per hr. or less	0	7	100
	DIVISION 3: FARM CREAM SEPARATORS			
239	Farm cream separators, capacity 251 lbs. to 800 lbs. per hour	7	75	75
	DIVISION 4: FARM CREAM SEPARATORS			
240	Farm cream separators, capacity 801 lbs. to 1,500 lbs. per hour	0	0	0
	DIVISION 5: FARM MILK COOLERS			
241	Immersion type	0	0	71
242	Surface or tubular type	0	0	65
	DIVISION 6: FARM BUTTER MAKING EQUIPMENT			
243	Butter churns (See Paragraph (e) (2) of L-170)	0	0	33
244	Butter molds (See Paragraph (e) (2) of L-170)			
	DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT			
	Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately.)			
245	Milk pails	75	75	75
246	Milk strainers	40	40	40
247				
248				
	DIVISION 8: ATTACHMENTS			
249	Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 17: BARN AND BARNYARD EQUIPMENT

	DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS			
250	Feed carriers (See Para. (g) (5) of L-170)	0	0	25
251	Litter carriers (See Para. (g) (5) of L-170)	0	0	25
252	Track for feed & litter carriers (See Para. (g) (5) of L-170)	0	0	100
253	Deleted Feb. 12, 1943			
	DIVISION 2: HAY UNLOADING EQUIPMENT			
254	Hay carriers (See Para. (g) (5) of L-170)	0	0	72
255	Track for hay carriers (See Para. (g) (5) of L-170)	0	0	100
256	Hay forks, harpoon and grapple	0	0	56
257	Pulleys and fittings	0	0	92
	DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT			
258	Cattle stalls and fittings (See Para. (e) (2) and (g) (5) of L-170)	0	8	75
259	Livestock pens (See Para. (e) (2) of L-170)	0	27	75
	DIVISION 4: CATTLE STANCHIONS			
260	Cattle stanchions and fittings (See Para. (e) (2) and (g) (5) of L-170)	0	0	59
	DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS			
261	Livestock drinking cups	0	36	100
262	Outside livestock watering bowls	0	0	65

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 17: BARN AND BARNYARD EQUIPMENT—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 6: BARNYARD STOCK TANKS	*Percent*	*Percent*	*Percent*
263	Barnyard stock tanks (See Para. (e) (2) of L-170)	100	100	100
264	Deleted Feb. 12, 1943			
	DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS			
265	Deleted Feb. 12, 1943			
266	Feed cookers	0	0	50
267	Tank heaters	0	0	37
	DIVISION 8: BARN DOOR TRACK AND HANGERS			
268	Barn door track	0	9	100
269	Barn door hangers			
	DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT			
	Including but not limited to ventilating equipment, livestock dipping tanks, hog waterers, dairy scales, cattle and horse clippers, and bull staffs. (List each item separately.)			
270	Hog waterers	80	80	80
271	Hog rings	125	125	125
272	Livestock identification tags	75	75	75
272a		30	30	30
272b				
272c				
	DIVISION 10: ATTACHMENTS			
273	Attachments for all items in Group 17 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 18: FARM POULTRY EQUIPMENT

	DIVISION 1: INCUBATORS			
274	Incubators, 1,000-egg capacity and smaller	0	0	52
275	Incubators, over 1,000-egg capacity	0	0	56
	DIVISION 2: FLOOR BROODERS			
276	Oil	0	8	100
277	Coal	100	100	100
278	Gas	0	0	71
279	Wood	137	137	137
280	Electric	0	9	100
	DIVISION 3: BATTERY BROODERS (HEATED)			
281	Three deck and smaller (heated)	0	0	36
282	Four deck (heated)	0	0	78
283	Five deck (heated)	0	0	75
	DIVISION 4: GROWING AND LAYING BATTERIES			
284	Growing	0	0	43
285	Laying	0	0	0
	DIVISION 5: POULTRY FEEDERS			
286	Deleted February 12, 1943			
	DIVISION 6: POULTRY WATERERS			
287	Poultry waterers (iron and steel only)	100	100	100
	DIVISION 7: LAYING NESTS AND GRIT BOXES			
288	Deleted February 12, 1943			
289	Deleted February 12, 1943			
	DIVISION 8: OTHER FARM POULTRY EQUIPMENT			
	Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately.)			
290	Leg bands	100	100	100
291		50	50	50
292				
	DIVISION 9: ATTACHMENTS			
293	Attachments for all items in Group 18 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: BEEKEEPERS' SUPPLIES	*Percent*	*Percent*	*Percent*
294	Beekeepers' supplies (except bee hives)	100	100	100
295	Deleted February 12, 1943	--	--	--
	DIVISION 2: SILOS			
296	Silos (total weight of iron and steel) (NOTE: Number of units limited to 1940 or 1941 production, whichever was greater).	0	0	40
	DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)			
297	Horse shoes (including mule shoes) (NOTE: Calks and nails are considered as repairs.)	0	100	100
	DIVISION 4: HARNESS HARDWARE			
298	Harness hardware	31	31	31
	DIVISION 5: POWER SHEEP SHEARING MACHINES			
299	Power sheep shearing machines	100	100	100
	DIVISION 6: ELECTRIC FENCE CONTROLLERS			
300	Electric fence controllers	0	0	70
301	Electric fence accessories			
	DIVISION 7: DELETED FEBRUARY 12, 1943			
302 thru 308 inc.	Deleted February 12, 1943			
	DIVISION 8: FARM WOOD-SAWING MACHINES			
309	Farm wood-sawing machines	0	0	16
	DIVISION 9: FARM GATES			
310	Deleted February 12, 1943			
	DIVISION 10: FARM LIGHTING PLANTS			
311	Farm lighting plants	0	0	0
	DIVISION 11: ATTACHMENTS			
312	Attachments or all items in group 19 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

[NOTE: The heading of this Schedule was amended April 6, 1943]

Quotas for countries listed on Schedules B-1, B-3, B-4 and B-6 are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments of farm machinery and equipment and repair parts to *all* the countries of the particular group.

Quotas for Schedule B-2a countries are expressed as a percentage of one-half the total net shipping weight of the 1939 and 1940 shipments of farm machinery and equipment and repair parts to *all* countries on this Schedule. These quotas do not include 1,630 tons of horseshoes and horseshoe nails (Bessemer steel only), the manufacture of which will be authorized only pursuant to paragraph (d) (3) of Order L-170.

Quotas for Schedule B-2 and B-5 countries are expressed as percentages of one-half the total net shipping weight of the 1940 and 1941 shipments to *each* such country.

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain
Northern Ireland
Scotland
Wales

Schedule B-2

Country:	*Quota percentage*
Australia	180
Union of South Africa	90
Egypt and Sudan	65
British India	65
Palestine	118
Liberia	118
Iran	118
Turkey	[1] 0
French Oceania and Free French Areas thereof	118
British East Africa	118
Other British West Africa	118
New Zealand	170
No. & So. Rhodesia	90
Gold Coast	118
Arabia	118
U. S. S. R.	118
Mauritius	[1] 0
Belgian Congo	118
Madagascar	118
French Cameroun	118
Ethiopia	118
Syria	118
Gozo	[1] 0
Ceylon	118
Nigeria	118
Iraq	118

[1] Subject to appeal under paragraph (o).

Schedule B-2—Con.

Country—Continued.	*Quota percentage*
China	[1] 0
Iceland	300
British Oceania	118
Cyprus	118
Malta	118
Falkland Islands	118

Schedule B-2a

NOTE: Schedule B-2a added April 6, 1943.

Quota Percentage=100%

French Morocco
Algeria
Tunisia

Schedule B-3

Quota Percentage=39%

Argentine
Chile
Dominican Republic
Guatemala
Mexico
Paraguay
Uruguay
Bolivia
Colombia
Cuba
Haiti
Nicaragua
Peru
Venezuela
Brazil
Costa Rica
Ecuador
Honduras
Panama Republic
Salvador

Schedule B-4

NOTE: Schedule B-4 amended April 6, 1943.

Quota Percentage=32%

Mozambique
Portugal
Switzerland
Newfoundland
Eire
Spain
Angola
Labrador
French West Indies
Sweden
Greenland

Schedule B-5

Country:	*Quota percentage*
British Guiana	70
Bermuda	70
Barbados	70
Trinidad	70
Surinam	70
Jamaica	70
Curacao	70
British Honduras	70
Other British West Indies	70

Schedule B-6

Quota Percentage=37%

Alaska
Virgin Islands
Hawaii
Puerto Rico

Schedule B-7

NOTE: Schedule B-7 amended April 6, 1943.

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO SEPTEMBER 30, 1943

[Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.]

Group I—Seeding and Fertilizing Machinery:	*Quota percentage*
Grain Drills (Plain)	22
Grain Drills (Press)	0
Corn Planters and Drills	25
Potato Planters	20
Manure spreaders	30
Hand Planters	25

	Quota percentage
Group I—Seeding and Fertilizing Machinery—Con.	
Hand Seeders	25
Other Planting and Seeding (including Beet Drills and Transplanters)	20
Group II—Plows:	
Walking Plows—1 furrow	33
Tractor Plows	22
Disc Plows	0
Harrow Plows—One Way Disc—Tiller	32
All Other Plows (including Integral)	31
Group III—Tillage and Cultivating Machinery:	
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
Hand Cultivators	25
All Other Cultivators (including Beet, Tobacco and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mowers	30
Hayloaders	75
Side Rakes and Tedders	35
Dump Rakes	25
Pick-up Balers (25 Units)	(1)
All Other Haying Machines (including Hay Forks, Knives, etc.)	25
Group V—Harvesting Machinery:	
Horse Drawn Grain Binders	0
Tractor Grain Binders	21
Corn Binders	25
Combines (Reaper-Threshers)	43
Ensilage Harvesters (15 Units)	(1)
Swathers	20
Stationary Threshers	0
Potato Diggers	25
Corn Shellers	25
Hand Corn Shellers	25
Corn Pickers (100 Units)	(1)
Other Harvesting Equipment (including Beet Lifters)	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinders, Feed Cutters, Rollers, Pulpers	50
Ensilage Cutters	35
Hammer and Roughage Mills	50
Grain Loaders or Elevators	25
Group VII—Farm Power:	
Wheel Tractors	33
Stationary Engines	75
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears	60
Wagon Boxes	60
Farm Trucks	60
Group IX—Dairy Equipment:	
Milking Machines Complete	200
Cream Separators	84
Churns	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayers and Dusters	50
Sprayer Pumps	54
All Other Hand Sprayers and Dusters (1 qt. and over but under 6 gal.)	25
Group XI—Domestic Water Systems:	
Wells or Cistern Pumps	75
Pump Jacks	50
Windmills and Towers	70
Domestic Water Pressure Systems	50
Group XII—Barn and Barnyard Equipment	0
Group XIII—Miscellaneous Equipment:	
Incubators (3,000 egg Cap. and under)	40
Incubators (over 3,000 egg Cap.) (20 Units)	(1)
Brooders (Floor type)	40
Wheel Barrows (Wood only)	53
Sheep Shearers and Animal Clippers	239
Windchargers and Electric Fence Controls	25
Harness Hardware	30
Attachments and Repair Parts	165

[1] Manufacturers to be designated later.

[INTERPRETATION 1]

In order to clarify the classification of producers under paragraphs (b) (3), (4), (5) and (6) of § 1029.10 *Limitation Order L-170*, resulting from transfers of quotas pursuant to § 944.28 (Interpretation of Limitation and Conservation Orders with respect to the Assignability of Quotas), the following official interpretation is hereby issued with respect to said § 1029.10:

(1) Whenever a producer's total farm equipment business has been or may be sold as a going concern, continuing, in the hands of the purchaser, to make substantially the same product at the same plant and with substantially the same personnel (other than executive officers) the classification of the purchaser shall be based upon his total net sales (including those of affiliates) of all products during 1941, plus total sales of farm machinery and equipment and repair parts by the acquired company during 1941. However, if the purchaser uses the acquired company's 1940 base production under paragraph (b) (12) of Order L-170, then, for purposes of the purchaser's classification, sales of the acquired company during 1940, rather than 1941, must be used.

(2) Any other arrangement whereby a producer purports, or has purported, to assign to another person his quota (or a portion thereof) for the production of farm machinery and equipment or repair parts is invalid, unless specifically authorized for the period covered by Order L-170 by the War Production Board pursuant to an appeal, which should be made jointly. If such an appeal is granted, the classification of the assignee, unless otherwise directed, will be based upon his total net sales (including those of affiliates) of all products during 1941, plus the 1941 sales of that portion of the assignor's farm machinery and equipment or repair parts business acquired by the assignee. If the assignee is authorized to use the assignor's 1940 base production of such portion, then, for purposes of the assignee's classification, sales of the assignor during 1940, rather than 1941, must be used.

(3) Assignments of quota specifically authorized by appeal under Limitation Order L-26 for the period ending October 31, 1942, are not recognized for the period covered by Order L-170. Accordingly, a new appeal should be made in each case where the assignee wishes to continue producing pursuant to an assignment of quota authorized under Order L-26. Appeals by any such assignee and his classification are governed by § 944.34 and paragraph (2) above. (Issued December 12, 1942.)

[F. R. Doc. 43-5375; Filed, April 6, 1943; 11:34 a. m.]

PART 3029—DOMESTIC AND COMMERCIAL ELECTRIC FANS

[General Limitation Order L-176, as Amended April 6, 1943]

Part 3029—Portable Electric Fans is hereby amended to read: Part 3029—Domestic and Commercial Electric Fans.

Section 3029.1 *General Limitation Order L-176* is hereby amended to read as follows:

§ 3029.1 *General Limitation Order L-176—(a) Definitions.* For the purposes of this order:

(1) "Electric fan" means:

(i) Any portable domestic or commercial device powered by a fractional horsepower electric motor which circulates or blows air by propeller action, including but not limited to, any fan commonly known as a desk and bracket fan, any portable air circulator, any portable window ventilating fan;

(ii) Any wall type propeller fan having a blade diameter of less than 17 inches and any ceiling fan.

"Electric fan" does not include any industrial fan or blower, attic fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) "Manufacturer" means any person engaged in the business of manufacturing or assembling any electric fan or parts for an electric fan, including a person who assembles parts of an electric fan for sale in knock-down form.

(3) "Distributor" means any person engaged in the business of selling electric fans or parts for such fans to dealers.

(4) "Dealer" means any person engaged in the business of selling or repairing electric fans or parts for such fans to or for ultimate consumers.

Any person who acts in more than the single capacity of manufacturer, distributor or dealer as defined in paragraphs (a) (2), (a) (3), and (a) (4) of this order shall for the purposes of this order be deemed a manufacturer, distributor or dealer, depending upon the capacity in which he acts in each specific transaction he engages in.

(5) "Repair or replacement part" means any part for an electric fan which is not produced for or used in a new electric fan.

(6) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(7) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of electric fans and repair or replacement parts by one person to any other person, but shall not include:

(i) Transfers of electric fans and repair or replacement parts from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control;

(ii) Transfers of title merely for security purposes;

(iii) Transfers of electric fans and repair or replacement parts to and from warehouses where no substantial change in right, title or ownership to such electric fans and repair or replacement parts is effected;

(iv) Transfers to and from carriers in order to effect the transfer specified in this paragraph.

(b) *Restrictions on manufacture of electric fans.* On and after April 6, 1943, no manufacturer shall manufacture or assemble any new electric fan in complete or knock-down form, except:

(1) In fulfillment of a preferred order for use on combat or maritime vessels, provided such fans are produced in accordance with the latest approved Specification in one of the following series: Nos. 17-F-6 or 17-F-13, issued by the Navy Department, or Nos. 17-MC 5 or

17-MC-8, issued by the United States Maritime Commission; or

(2) In accordance with any relief granted prior to April 6, 1943, by the Director of Priorities or the War Production Board; or

(3) On specific authorization by the War Production Board on Form PD-556 pursuant to an application filed on said form, for use only in hospitals or industrial establishments.

(c) *Restrictions on transfers of new electric fans.* On and after April 6, 1943, no manufacturer shall transfer any new electric fan, whether in complete or knock-down form, except that:

(1) Any new electric fan produced in accordance with the provisions of subparagraph (b) (1) may be transferred in fulfillment of such preferred orders for use on combat or maritime vessels; and

(2) Any new electric fan may be transferred pursuant to specific authorization of the War Production Board on Form PD-556 pursuant to an application filed on said form.

(d) *Repair or replacement parts.* (1) On and after April 6, 1943, no manufacturer shall produce any repair or replacement parts except blades, bearings, electric motors, and parts which carry electric current.

(2) On and after April 6, 1943, no manufacturer shall produce any repair or replacement parts containing any copper or copper base alloy, except:

(i) Parts which carry electric current, and

(ii) Motor bearings provided the use of any other material is impracticable.

(3) No manufacturer shall produce any repair or replacement parts of any type which he is permitted to produce under paragraph (d) (1) if he has, or as a result of such production, will have more parts of such type in his inventory than the number of parts of such type which he sold during the preceding six calendar months.

(4) Except in fulfillment of preferred orders, on and after April 6, 1943, no manufacturer or distributor shall transfer any repair or replacement part unless a similar used part has been delivered to him in exchange therefor, or unless he has been informed that a similar used part is being held by the dealer or distributor to whom the new part is being transferred or has been disposed of in accordance with this paragraph. Any used part held shall be subject to disposition at the direction of the manufacturer or distributor who transferred the new part for a period of 60 days after such transfer. If no such direction is given within 60 days, the person holding the used part shall promptly dispose of it through regular scrap channels.

(e) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities or the War Production Board limits the use of any materials in the production of electric fans to a greater extent than the restrictions imposed by this order, the provisions of such other order shall govern unless otherwise specified therein.

(f) *Inventory restrictions.* No manufacturer shall accumulate for use in the manufacture of electric fans or repair or replacement parts inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production of electric fans or repair or replacement parts as permitted by this order.

(g) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports* (1) Each manufacturer shall file with the War Production Board, on or before the tenth day of each calendar month beginning April, 1943, a report on Form PD-655 of all the electric fans which he produced and shipped during the preceding calendar month, together with a statement of his stock of electric fans at the beginning and end of such preceding month.

(2) Each person affected by this order shall file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(j) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(m) *Communications.* All reports to be filed and other communications concerning this order should be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-176.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5376; Filed, April 6, 1943; 11:34 a. m.]

PART 3075—COPPER CHEMICALS

[General Preference Order M-227, as Amended April 6, 1943]

§ 3075.1 *General Preference Order M-227*—(a) *Definitions.* (1) "Copper chemicals" means copper sulfate, copper carbonate, copper oxide, copper nitrate, copper chloride and copper cyanide. The term includes copper chemicals in both cupric and cuprous form.

(2) "Supplier" means any producer or distributor.

(3) "Producer" means any person engaged in the production of any copper chemical and includes any person who has any such chemical produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases any copper chemical for purpose of resale without change in form.

(5) "Quarter" means calendar quarter.

(b) *Restrictions on delivery and use.* (1) No supplier shall deliver or use any copper chemical, and no person shall accept delivery of any copper chemical from any supplier, except as specifically authorized by the War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted will, so far as practicable, be issued by the War Production Board prior to the commencement of the quarter to which such authorizations or directions relate. The War Production Board may also in advance of each quarter issue directions with respect to use by suppliers in such quarter, but it may issue directions at any time to any person respecting use which may or may not be made of copper chemicals to be delivered or then on hand. Applications for copper chemicals not filed in advance of the quarter to which they relate at the times and in the manner provided by paragraph (d) (1) hereof, will not be approved in the absence of a showing of special circumstances.

(3) Each person authorized to accept delivery of copper chemicals shall use the same for the purpose authorized and only for such purpose except as otherwise specifically directed by the War Production Board.

(4) Copper chemicals allocated for inventory shall not be used or redelivered except as otherwise specifically directed by the War Production Board.

(5) Deliveries specifically authorized or directed to be made in any quarter by the War Production Board where the authorization or direction does not specify dates or order of shipment, may be made by any supplier in such quarter, without regard to preference ratings applicable to particular orders.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1), no specific authorization or direction of the War Production Board shall be required for:

(1) Delivery by any supplier to any one person in any quarter, or the acceptance of delivery by any one person in any quarter from any supplier, of not more than 1500 lbs. of copper sulfate or of not more than 300 lbs. each of copper carbonate, copper oxide, copper nitrate, copper chloride or copper cyanide: *Provided, however,* That the aggregate quantity of any copper chemical which any supplier may deliver in any quarter pursuant to this paragraph (c) (1) shall not exceed the quantity which the War Production Board shall have specifically authorized such supplier to deliver in such quarter under this paragraph (c) (1), on application filed by such supplier pursuant to subparagraph (d) (2) (vi) hereof.

(2) Delivery by any supplier to any person who shall have filed with him prior to such delivery a certificate in substantially the following form (which certificate may be endorsed upon or attached to the purchase order):

The undersigned hereby certifies to the War Production Board and to his supplier that the copper chemicals hereby ordered will be *used, or resold for use* [strike out inapplicable word or words] only for soil treatment or as an insecticide or fungicide in connection with the cultivation of agricultural crops, or in the manufacture of animal medicinals.

_____
Name of Purchaser.

By _____
Authorized Official.

_____ _____
Date. Title.

Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of any copper chemical by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(3) Acceptance of delivery by any person from any supplier solely for use, or for resale for use, for soil treatment or as an insecticide or fungicide in connection with the cultivation of any agricultural crop or in the manufacture of animal medicinals; provided that such person has filed with his supplier from whom delivery is accepted, a certificate in substantially the form set out in paragraph (c) (2).

(d) *Applications and reports.* (1) Each person requiring authorization to accept delivery of any copper chemical in any quarter, whether for own consumption or resale (and each supplier requiring authorization to use any copper chemical in any quarter) shall file application therefor on Form PD-600. Such form shall be prepared in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at the local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-227, one forwarded to the supplier and the fifth retained as a file copy by the applicant. At least one of the copies forwarded to the War Production Board shall be signed by applicant by a duly authorized official.

(iii) The three copies required to be forwarded to the War Production Board shall be sent in sufficient time to be received not later than the 5th day of the last month of the preceding quarter. The copy to be forwarded to supplier shall be sent in sufficient time to be received by supplier, if supplier is a producer, not later than such 5th day of the last month of the preceding quarter, or if supplier is a distributor, not later than the 1st day of such last month, applications covering the second quarter of 1943 shall be submitted not later than March 15, 1943, if supplier is a producer, or if supplier is a distributor, not later than March 12, 1943.

(iv) Under heading "Name of chemical", specify "Copper chemicals"; under "WPB Order No.", specify "M-227"; under heading "Indicate unit of measure", specify "pounds".

(v) In heading at top of Table I, specify "First quarter", "second quarter", etc., as the case may be, and insert year.

(vi) In Columns 1, 11 and 19 specify copper sulfate, copper carbonate, copper oxide, copper nitrate, copper chloride or copper cyanide and in each case indicate the percentage by weight of copper content.

(vii) In Columns 3, 20 and 22, applicant must specify his primary product in terms of the following:

Water treatment
Wire drawing
Electro plating
Mining
Catalyst
Gas sweetener
Anti-fouling paints
Preservatives
Dyes and pigments
Mildew-proofing
Agriculture
Other (specify)
Resale (as copper chemicals)
Inventory (as copper chemicals)

(viii) In Column 4, except where purchase is for resale or inventory, specify the ultimate use to which the product manufactured by applicant will be put, in the terms of the following:

Heat pads
Synthetic rubber
Petroleum
Electric batteries
Textiles
Lumber
Paint
Wood pulp
Pharmaceuticals
Pyrotechnics
Ceramics
Glazes
Porcelain enamel
Soot remover
Paper
Glass
Water
Other (specify)

Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer and, where purchase is by government agency, will also indicate specification number, if any.

(2) Each supplier requiring authorization to make delivery of any copper chemical during any quarter shall file application therefor on or before the 10th day of the last month of the quarter preceding the quarter to which the application relates, except that applications for deliveries in the second quarter of 1943 may be filed on or before March 20, 1943. The application shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at the local offices of the War Production Board.

(ii) Four copies shall be prepared of which three shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-227, the fourth copy to be retained for supplier's files. At least one of the three copies filed with War Production Board will be signed by the supplier by a duly authorized official.

(iii) Each supplier who has filed application on Form PD-600 specifying himself as his supplier, shall list his own name as a customer on Form PD-601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading, under "Name of chemical", specify "Copper chemicals"; under "WPB Order No.", specify "M-227"; under "Name of company", state name and mailing address; under "Indicate unit of measure", specify "pounds"; and state the quarter and year during which deliveries covered by your application are to be made.

(v) In Column 1 insert names of customers for the delivery to whom it is necessary to obtain specific authorization, except as provided in the next two subparagraphs. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(vi) Names of customers to whom supplier proposes to make small order deliveries during the next quarter pursuant to paragraph (c) (1) of this order need not be listed, but supplier shall insert in Column 1 "Total proposed small order deliveries" and in Column 4 shall state the quantity.

(vii) Names of customers to whom deliveries are to be made by a distributor during the next quarter pursuant to paragraph (c) (2) for use, or resale for use, for soil treatment or as an insecticide or fungicide or in the manufacture of animal medicinals, need not be listed, but insert in Column 1 "Agricultural deliveries pursuant to paragraph (c) (2)" and in Column 4 state the quantity. Where the deliveries for Agricultural purposes pursuant to paragraph (c) (2) are to be made by a producer (as opposed to a distributor), the names of customers to whom such deliveries are to be made must be listed in Column 1.

(viii) In Columns 3 and 8, specify particular copper chemical, in terms of chemicals listed in paragraph (d) (1) (vi) hereof, and in each case indicate the percentage, by weight, of copper content.

(ix) The supplier may, if he wishes, leave Column 5 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Restriction on use.* The use of copper chemicals in plating is prohibited in every case where the use of copper products or copper base alloy products in plating is prohibited by paragraph (d) (2) of Conservation Order M-9-c, as amended from time to time.

(f) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

[NOTE: Paragraphs (f) and (g) were redesignated April 6, 1943]

(2) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing

or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M-227.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5374; Filed, April 6, 1943; 11:34 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 4 of CMP Reg. 1]

A Class A product need not be treated as "the same Class A product" as used in paragraph (1) (2) of CMP Regulation No. 1 if it differs from another product by reason of one or more of its specifications such as width, thickness, temper, alloy, finish, method of manufacture, etc.

For example: If a manufacturer is producing a line of springs, he may treat each different type or size of spring as a separate Class A product, so that orders received for each type or size within the quantity limitations specified in this paragraph constitute small orders.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5378; Filed, April 6, 1943; 11:35 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Gen. Direction 1]

The following direction is issued pursuant to paragraph (i) of CMP Regulation No. 4 (§ 3175.4):

Persons engaged in the business of receiving controlled materials for resale and shipment to a foreign country (excluding Canada) may accept allotments from their customers covering such orders and use the same for the purpose of placing authorized controlled material orders with controlled materials producers.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5379; Filed, April 6, 1943; 11:35 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Amendment 1 to CMP Reg. 5[1]]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

Section 3175.5 is hereby amended by adding the following items to List A attached to said section:

[1] 8 F.R. 1793.

7. Automotive replacement parts.
8. Automotive maintenance equipment.
9. Cellophane and similar transparent materials derived from cellulose having a gauge of less than .003" and cellulose caps and bands of any gauge.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5370; Filed, April 6, 1943; 11:37 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Amendment 1 to CMP Reg. 5A[1]]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES FOR GOVERNMENTAL AGENCIES AND INSTITUTIONS

Section 3175.5a is hereby amended by adding the following items to List A attached to said section:

10. Automotive replacement parts.
11. Automotive maintenance equipment.
12. Cellophane and similar transparent materials derived from cellulose having a gage of less than .003" and cellulose caps and bands of any gage.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5371; Filed, April 6, 1943; 11:37 a. m.]

Subchapter C—Director Office of War Utilities

PART 4504—COMMUNICATIONS

[Utilities Order U-5, as Amended April 6, 1943]

NOTE: The purpose of this amended order is to substitute preference rating "AA-5" for "AA-4" in paragraph (b) (1) and to change the date in paragraph (c) from September 25, 1942 to September 8, 1942.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain types of wire communication equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 4504.1 *Utilities Order U-5—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person manufacturing wire communication equipment, parts or attachments thereto, of the kinds listed in Schedule A, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Distributor" means any person other than a manufacturer regularly engaged in the business of leasing or selling wire communication equipment, parts or attachments thereto, to dealers.

[1] 8 F.R. 3394.

(4) "Dealer" means any person (other than one engaged in rendering wire or radio communication service), regularly engaged in the business of offering wire communication equipment, parts or attachments thereto for sale or lease at retail to the consumer.

(5) "Wire communication equipment" shall include, but not by way of limitation, new and used wire telephone and telegraph communication equipment, parts and attachments thereto (including wire intercommunicating systems) of the kinds listed in Schedule A.

(b) *General restrictions.* (1) Regardless of the terms of any contract of sale, purchase, rental or other commitment, no manufacturer, distributor or dealer shall accept any purchase, rental or other order for wire communication equipment, parts or attachments thereto including, but not limited to, those included in Schedule A which is attached and made a part of this order, except a purchase, rental or other order bearing a preference rating of AA-5 or higher; and no manufacturer, distributor or dealer shall sell, lend, lease, rent, deliver or otherwise transfer any such wire communication equipment, parts or attachments thereto, nor shall any person receive or accept deliveries of any such equipment, parts or attachments thereto, from a manufacturer, distributor or dealer except to fill a purchase, rental or other order bearing a preference rating of AA-5 or higher. *Provided, however,* That this paragraph shall not prohibit the transfer or delivery of wire communication equipment to a manufacturer for repair or storage or the return of said equipment to the owner thereof after repair has been effected or storage terminated.

(2) Notwithstanding the provisions of paragraph (b) (1), wire communication equipment, the order for which bears a preference rating of A-7 or higher and has been accepted by a manufacturer, distributor or dealer prior to January 2, 1943 or which bears a preference rating of A-1-a or higher and has been accepted by a manufacturer, distributor or dealer prior to April 1, 1943, may be manufactured and/or transferred and/or delivered.

(3) Notwithstanding the provisions of paragraph (b) (1), no telephone "operator" as defined in Utilities Order U-3 and no telegraph "operator" as defined in Utilities Order U-4, shall sell, lend, lease, rent, deliver or otherwise transfer any wire communication equipment to any other such "operator" except in accordance with the provisions as to sale of materials by an operator from stock contained in Utilities Order U-3 or Utilities Order U-4, as the case may be.

(c) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after September 8, 1942. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with the terms of this order.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington, D. C., Ref.: U-5.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(h) *Reports.* All persons affected by this order shall execute and file such reports as the War Production Board shall from time to time require.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

General categories of wire communication equipment, parts or attachments thereto, to the extent used for and/or in conjunction with wire communication, limited by Utilities Order U-5.

1. Switchboards and switching systems including local telephone, central office, toll telephone, PBX telephone and telegraph.
2. Telephones including transmitters, receivers, dials, subscriber sets.
3. Relays, condensers, repeaters, coils, filters and carrier systems.
4. Testing apparatus.
5. Wire and strand.
6. Cable.
7. Cable terminals.
8. Pole line hardware.
9. Plugs, jacks, cords, keys.
10. Wire intercommunicating systems.
11. Varioplex, multiplex, facsimile and telautograph equipment.
12. Teletypewriters, printing telegraph machines, tape perforating apparatus and accessories.
13. Appliances used for manual telegraph.
14. Time clocks, time switches, call boxes, signaling and selector equipment used for telephone and telegraph systems and/or used for wire protective alarm systems.
15. Motors, generators, storage batteries, rectifiers, transformers, power panels and associated equipment.

[F. R. Doc. 43-5373; Filed, April 6, 1943; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 6]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 6.10 (b) is amended by adding the following after the period at the end of the paragraph: No retailer may sell or transfer a food covered by this order at less than its regular point value, unless he has reduced the money price of that food in the following way:

(1) No reduction in point value may be made unless the money price of the food has been reduced at least twenty-five per cent below its ceiling price established by applicable orders of the Office of Price Administration;

(2) No reduction in the point value of the food of more than twenty-five per cent below its regular point value may be made unless the money price of the food is reduced below its ceiling price in the same proportion. However, the money price need not be reduced, in any case, more than fifty per cent below its ceiling price.

2. Section 6.10 (c) is amended by putting a semicolon after the word "spoilage" at the end of paragraph (3) in place of the period, and by adding a new paragraph (4), to read as follows:

(4) The ceiling price of the item, and the reduced money price at which he intends to sell it.

3. Section 6.10 (e) (1) is amended by adding the following sentence: He must also certify in writing, in this report, that he reduced the money price of the food sold or transferred at the lower point value, in the way required by this section.

4. Section 6.10 (g) is amended by inserting, between the third and fourth sentences of that paragraph, the following sentence: It must also contain a certification in writing that he reduced the money price of the food sold or transferred at the lower point value, in the way required by this section.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective 12:01 a. m., April 5 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5311; Filed, April 5, 1943; 12:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 19 Under § 1499.3 (c) of GMPR]

SILEX COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* *It is ordered:*

§ 1499.819 *Maximum prices for sales by jobbers and retailers of a package of 15 cloth strainers, CL-15, manufactured by the Silex Company, Hartford, Connecticut.* (a) Jobbers may sell and deliver a package of 15 cloth strainers, CL-15, manufactured by the Silex Company, Hartford, Connecticut, to retailers at prices no higher than those computed by maintaining their March, 1942 percentage discounts and allowances, as established by March, 1942 sales of the Silex Coffee Maker line from the following list price:

Cloth strainer package, CL-15, $.15 per package of 15.

(b) On and after April 6, 1943, retailers may sell and deliver a package of 15 cloth strainers, CL-15, manufactured by the Silex Company, Hartford, Connecticut, to consumers at a price no higher than $.15 per package of 15.

(c) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 19 (§ 1499.819) shall become effective on the 6th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5312; Filed, April 5, 1943; 12:28 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 355]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 355 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3591, 3715, 3949, 4137.

equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and will effectuate the purposes of said Act and Executive Order.

§ 1364.1154 *Maximum prices for beef, veal, lamb and mutton cuts at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 355—Retail Ceiling Prices for Beef, Veal, Lamb and Mutton Cuts, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: Issued under Pub. Laws 421 and 729, 77th Cong.; Executive Order No. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 355—RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS

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Article I—General Provisions

SECTION 1 *What this regulation does.* This regulation fixes dollar-and-cents ceiling prices on all retail sales of beef, veal, lamb, and mutton cuts made on and after April 15, 1943. The only retail beef, veal, lamb and mutton cuts which may be sold are those described in section 20 of this regulation. The United States is divided into 12 zones. Different ceiling prices are fixed for sales made in each zone for sales of different grades and for sales made by different classes of retail stores. Your ceiling prices depend on the zone where your store is, its class, and the grade of the meat you are selling. A store includes any place where beef, veal, lamb and mutton cuts are sold at retail.

SEC. 2 *Your ceiling prices.* (a) You will find your ceiling prices for each grade of beef, veal, lamb and mutton cuts on your "OPA List of Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Frozen, Cured" (Article III, section 22). A copy of the list for each kind of meat for your zone and class may be obtained from your local War Price and Rationing Board or from your local OPA Office.

(b) *Your zone.* You can find out from your local War Price and Rationing Board or your OPA office what zone your store is in. After each list of prices in section 22, Article III, there is a description of the zone in which that list of prices applies.

(c) *Your class.* Your store is in "Class 1 and 2" if it had a 1942 total sales volume of less than $250,000 and if it is not a "chain store". Otherwise, it is in "Class 3 and 4."

(d) *Chain stores.* Your store is a "chain store" if it is one of a group of four or more stores owned by one person which had a combined total sales volume for all stores of $500,000 or more during 1942. If you are in doubt whether your store is in "Class 1 and 2" consult the directions given in sections 13, 14 and 15.

SEC. 3 *When the new ceiling prices take effect.* On April 15, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of beef, veal, lamb and mutton cuts. On and after April 15, 1943, you must not sell any cut other than described in this regulation and you must not sell such cut at a price higher than the ceiling price fixed for the grade by this regulation.

SEC. 4 *What beef, veal, lamb or mutton cuts you may sell.* On and after April 15, 1943, the only beef, veal, lamb and mutton items you may sell are (a) those cuts, fresh, frozen or cured, which are described and given dollar-and-cents ceiling prices under this regulation and (b) the following products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation, namely, sausage, beef kidneys, canned meat, and variety meats (including brains, liver, tongues, and hearts).

SEC. 5 *Sales to eating places.* Your ceiling prices for sales to hotels, restaurants, institutions, and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 169 for beef and veal, and Revised Maximum Price Regulation No. 239, for lamb and mutton. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80% or more of your total sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the meat to be eaten by themselves or their families off your premises.

SEC. 6 *Beef, veal, lamb and mutton must be graded and marked.* (a) All carcasses and wholesale cuts of beef, veal, lamb and mutton, must be graded and must have a mark showing the grade on them. The grades, and the mark for each grade, are these:

Beef, veal and lamb grades	Grade mark	Grade mark, when graded by an official grader of the U. S. Dept. of Agriculture
Choice	AA	U. S. choice or choice.
Good	A	U. S. good or good.
Commercial	B	U. S. commercial or commercial.
Utility	C	U. S. utility or utility.
Cutter and Canner	D	U. S. cull or cull (lamb). U. S. cutter or cutter (beef). U. S. canner or canner (beef). U. S. cull or cull (veal).
Mutton grades: Good	S	U. S. choice or choice.
		U. S. good or good.
Commercial	M	U. S. commercial or commercial.
Utility	R	U. S. utility or utility. U. S. cull or cull.

You may not have in your store refrigerator or cooler any meat which does not have the grade name or mark stamped on each wholesale cut.

(b) If you slaughter the animal yourself, you must have it graded and marked before you break the carcass. You must follow the rules for grading which are in Revised Maximum Price Regulation No. 169, § 1364.411, for beef and veal, and Revised Maximum Price Regulation No. 239, § 1364.167, for lamb and mutton. These rules may be obtained from your local Office of Price Administration Office.

(c) You must leave the grade mark on retail cuts, and you must not put different grades of meat together in your showcase.

SEC. 7 *How you make retail cuts.* Section 20 of this regulation describes the different cuts of beef, veal, lamb and mutton which you may sell, and how they are to be cut. If you buy a carcass, or side, or quarter or combination cut of meat, you must first cut it into the standard OPA wholesale cuts described in section 23 before you make the retail cuts. If you buy live animals and have them slaughtered for you, you must first break the carcass into the standard wholesale cuts, and the person who slaughters for you must comply with the rules set for custom slaughterers by the wholesale beef and veal regulation, § 1364.401 (c), and by the wholesale lamb and mutton regulation, § 1364.151 (b).

SEC. 8 *Post your ceiling prices.* Beginning April 15, 1943, you must post at your store your "OPA List of Retail Ceiling Prices for Beef, Veal, Lamb and Mutton Cuts." Tear out the page which shows your "class" and zone from this regulation and put it on or at the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must get your official copies of this regulation or price lists, for posting, or reproducing, from your war price and rationing board or from your district OPA office. If you display any cut of beef, veal, lamb or mutton, as in your show case, you must put on it your selling price for that cut.

SEC. 9 *Records, sales slips, and receipts.* After April 14, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you charge for beef, veal, lamb and mutton cuts. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name, weight and grade of each cut sold and the price you received for it.

SEC. 10 *Licensing and registration.* The licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation shall apply to every person making sales subject to this regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. No person whose license is suspended may sell any such commodity during the period of suspension.

SEC. 11 *Indirect price increases.* (a) The price limitations set forth in this regulation shall not be evaded directly or indirectly by you; and you shall not require the purchaser to buy at any price other food products as a condition of selling beef, veal, lamb or mutton cuts.

(b) You must not charge or receive any consideration for or in connection with any service which has not been provided for in this regulation and for which a price has not been fixed.

SEC. 12 *Prohibitions and penalties.* On and after April 15, 1943, the date this regulation takes effect, if you sell or deliver any meat cut specified in this regulation at a price higher than your ceiling price for the grade, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business, buys from you at a price higher than your ceiling price for the grade is subject to the criminal penalties and civil enforcement actions provided for by that Act.

Article II—Special Provisions

SEC. 13 *How you figure the annual sales of your store (for most stores).* (a) To find your annual sales, take your total sales for the calendar year 1942. Include all sales, whether of foods or not, as shown on your books, except sales made by a restaurant operated in conjunction with your store. You can use your Federal income tax return to get your sales for all or any part of the calendar year 1942 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in operation during the entire year 1942, you must divide your total gross sales from the time you began operation up to April 1, 1943 by the number of weeks you were in operation. This will give you your weekly average gross sales. Multiply this figure by 52, and take the result as your "annual gross sales."

SEC. 14 *How you figure the annual sales of your store (for certain special cases).*—(a) *Department stores.* If you operate a department store, that is, a store in which the greater volume of sales is general merchandise and not foods, and you sell foods in a separate department or departments, then you must find your class by using only the gross annual sales of your food department or departments.

(b) *Stores in which more than one retailer operates.* (1) If you sell foods in a retail store in which more than one retailer sells a complete line of the same general class of food, you will be treated as operating a separate retail store of your own, and you find your class by using your own separate sales.

(2) If you sell food in a retail store in which there are other food retailers, but none of whom sells a complete line of the same general class of food, you must find your class by taking the combined annual gross sales of *all* the food retailers in that store.

SEC. 15 *How to find your annual gross sales if you are a new retailer.* If you open a retail store after March 1, 1943, which is not a chain store, you must consider yourself a "Class 1 and 2" retailer and figure your ceiling prices accordingly. However, after you have been in operation for 3 months you must determine again what class your store is in. To do this, take your gross sales for the 3-month period and multiply by 4. Use the result as your "annual sales" in determining the class in which your store belongs. If you then find that your store no longer belongs in "Class 1 and 2", it is in "Class 3 and 4", and you must take the ceiling prices for "Class 3 and 4" stores in your zone.

SEC. 16 *Transfers of business or stock in trade.* If you acquire in any manner the business, assets or stock in trade of any store subject to this regulation after April 14, 1943, and you carry on the business or continue to deal in beef, veal, lamb or mutton cuts in a store, separate from any other store previously owned or operated by you, then your ceiling prices should be the same as those of the former owner as if no transfer had taken place, unless as a result of the transfer the business changes from one class of stores to another, in which case your ceiling prices shall be those fixed for the class to which the store belongs after the transfer. You must keep all records sufficient to verify your ceiling prices. The former owner shall either preserve and make available, or turn over, to you all records of transactions prior to your acquiring the store which are necessary to enable you to comply with the record provisions of this Regulation.

SEC. 17 *Retail sales taxes.* Any tax upon, or incident to, a sale at retail of beef, veal, lamb, or mutton cuts covered by this regulation which is imposed by any statute of any State or subdivision thereof may be collected by you in addition to the ceiling price, if the statute does not prohibit you from stating and collecting the tax separately from the purchase price.

SEC. 18 *How certain stores in "Class 3 or 4" may, upon certain conditions, use "Class 1 and 2" ceiling prices.* Any regional office of the Office of Price Administration, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this section of this regulation.

(a) If your store is in "Class 3 and 4", and does business in the manner outlined below, you may request permission under paragraph (b) to use the ceiling prices for "Class 1 and 2" stores:

(1) Most of your sales in your grocery department are made by sales clerks who assist customers in selecting, collecting, and wrapping merchandise; and

(2) Your store generally offers to all its customers the services of: (i) taking orders over the telephone, and (ii) carrying monthly charge accounts, and (iii) providing free delivery service; and

(3) The general level of your prices for meat and grocery products is as high or higher than that maintained for such products by "Class 1 and 2" stores in the same community and is generally higher than the level of prices charged for similar products by "Class 3 and 4" stores in your community; and

(4) The total gross margin on all sales in your store, if you are not a "chain" store, was more than 21% in your fiscal year 1941; or, if you are a "chain" store, the total gross margin on the combined sales of all the stores in your chain was more than 21% in your fiscal year 1941. If you were not in operation in 1941, your gross margin for the most recent fiscal year, or if you have not been doing business for a full fiscal year, for the most recent fiscal period, must be more than 21%.

(b) If your store does business in the manner set forth above and you want to sell at the ceiling prices for "Class 1 and 2" stores, you must by May 15, 1943, file with your State or district OPA office a request to use such ceiling prices. This request must be filed on a form which you may get from such OPA office. If you have filed this form, you may, on the effective date of this regulation, use the ceiling prices of "Class 1 and 2" stores. However, OPA reserves the right to withdraw this permission, and, if you receive a notice to such effect you must from that time forward use the ceiling prices for stores in "Class 3 and 4".

If you have already filed the form for reclassification from "Class 3 and 4" to "Class 1 and 2" under Maximum Price Regulation No. 336 (retail ceiling prices for pork cuts), you are not required to file another form under this regulation. If the Office of Price Administration has denied your request filed under Maximum Price Regulation No. 336 (retail ceiling prices for pork cuts), you are not eligible for adjustment under this regulation.

SEC. 19 *Map of zones.*

SEC. 20 *Description of retail beef, veal, lamb, and mutton cuts.* All retail cuts covered in the following specifications shall be trimmed as described before the cuts may be weighed or sold to the customer. Bone in cuts shall be cut from the standard wholesale cuts described in section 23 of this regulation.

(a) *Beef cuts.* (1) *From standard wholesale sirloin (loin end)*—(i) *Sirloin steak (bone in).* (ii) *Pin bone steak (bone in).* Sirloin meat from the hind shank. (For stew, ground beef.)

(2) *From standard wholesale sirloin (loin end)*—(i) *Sirloin steak (bone in).*

(ii) *Pin bone steak (bone in).* Sirloin meat from the hind shank. (For stew, ground beef.)

(3) *From standard wholesale short loin.* (i) *Porterhouse steak (bone in).* Cut from the rear end of the short loin. Shall include the tenderloin muscle and the bone in which it lies. Shall include the full width of the short loin.

(ii) *T-bone steak (bone in).* Cut from the middle of the short loin. Shall include the tenderloin muscle and the bone in which it lies. Shall include the full width of the short loin.

(iii) *Short loin steak (bone in).* Cut from the front end of the short loin. Shall include the tenderloin muscle and the bone in which it lies. Shall include the full width of the short loin.

(4) *From standard wholesale rib.* (i) *Rib steak (bone in).* Cut from the rib. Shall include the full width of the rib.

(ii) *Rib roast (bone in).* Cut from the rib. Shall include the full width of the rib.

(5) *From standard wholesale chuck.* (i) *Chuck steak (bone in).* Cut from the chuck. Shall include the full width of the chuck.

(ii) *Chuck roast (bone in).* Cut from the chuck. Shall include the full width of the chuck.

(6) *From standard wholesale rump.* (i) *Rump steak (bone in).* Cut from the rump. Shall include the full width of the rump.

(ii) *Rump roast (bone in).* Cut from the rump. Shall include the full width of the rump.

(7) *From standard wholesale round.* (i) *Round steak (bone in).* Cut from the round. Shall include the full width of the round.

(ii) *Round steak (boneless).* Cut from the round. Shall include the full width of the round.

(iii) *Round roast (boneless).* Cut from the round. Shall include the full width of the round.

(8) *From standard wholesale plate.* (i) *Short ribs (bone in).* Cut from the plate. Shall include the full width of the plate.

(ii) *Boiling beef (bone in).* Cut from the plate. Shall include the full width of the plate.

(9) *From standard wholesale brisket.* (i) *Brisket (bone in).* Cut from the brisket. Shall include the full width of the brisket.

(ii) *Corned beef.* Cut from the brisket. Shall include the full width of the brisket. Shall be cured.

(iii) *Pastrami.* Cut from the brisket. Shall include the full width of the brisket. Shall be cured.

(10) *From standard wholesale fore shank.* (i) *Soup bone (bone in).* Cut from the fore shank.

(ii) *Boiling beef (bone in).* Cut from the fore shank.

(11) *From standard wholesale hind shank.* (i) *Soup bone (bone in).* Cut from the hind shank.

(ii) *Boiling beef (bone in).* Cut from the hind shank.

(12) *From standard wholesale clod.* (i) *Pot roast (bone in).* Cut from the clod. Shall include the full width of the clod.

(ii) *Pot roast (boneless).* Cut from the clod. Shall include the full width of the clod.

(13) *From standard wholesale navel.* (i) *Navel (bone in).* Cut from the navel.

(ii) *Corned beef.* Cut from the navel. Shall be cured.

(iii) *Pastrami.* Cut from the navel. Shall be cured.

(14) *From standard wholesale flank.* (i) *Flank steak.* Cut from the flank.

(ii) *Stew beef.* Cut from the flank.

(iii) *Ground beef.* Cut from the flank.

(b) *Veal cuts.* (1) *From standard wholesale loin.* (i) *Loin chop (bone in).* Cut from the loin. Shall include the full width of the loin.

(ii) *Kidney chop (bone in).* Cut from the loin. Shall include the full width of the loin.

(2) *From standard wholesale rib.* (i) *Rib chop (bone in).* Cut from the rib. Shall include the full width of the rib.

(ii) *Rib roast (bone in).* Cut from the rib. Shall include the full width of the rib.

(3) *From standard wholesale shoulder.* (i) *Shoulder chop (bone in).* Cut from the shoulder. Shall include the full width of the shoulder.

(ii) *Shoulder roast (bone in).* Cut from the shoulder. Shall include the full width of the shoulder.

(iii) *Shoulder roast (boneless).* Cut from the shoulder. Shall include the full width of the shoulder.

(4) *From standard wholesale leg.* (i) *Leg cutlet.* Cut from the leg. Shall include the full width of the leg.

(ii) *Leg roast (boneless).* Cut from the leg. Shall include the full width of the leg.

(5) *From standard wholesale breast.* (i) *Breast (bone in).* Cut from the breast.

(ii) *Breast (boneless).* Cut from the breast.

(6) *From standard wholesale fore shank.* (i) *Soup bone (bone in).* Cut from the fore shank.

(ii) *Stew veal.* Cut from the fore shank.

(iii) *Ground veal.* Cut from the fore shank.

(7) *From standard wholesale hind shank.* (i) *Soup bone (bone in).* Cut from the hind shank.

(ii) *Stew veal.* Cut from the hind shank.

(iii) *Ground veal.* Cut from the hind shank.

(8) *From standard wholesale neck.* (i) *Neck (bone in).* Cut from the neck.

(ii) *Stew veal.* Cut from the neck.

(iii) *Ground veal.* Cut from the neck.

(c) *Lamb cuts.* (1) *From standard wholesale loin.* (i) *Loin chop (bone in).* Cut from the loin. Shall include the full width of the loin.

(ii) *Kidney chop (bone in).* Cut from the loin. Shall include the full width of the loin.

(2) *From standard wholesale rib.* (i) *Rib chop (bone in).* Cut from the rib. Shall include the full width of the rib.

(ii) *Rib roast (bone in).* Cut from the rib. Shall include the full width of the rib.

(3) *From standard wholesale shoulder.* (i) *Shoulder chop (bone in).* Cut from the shoulder. Shall include the full width of the shoulder.

(ii) *Shoulder roast (bone in).* Cut from the shoulder. Shall include the full width of the shoulder.

(iii) *Shoulder roast (boneless).* Cut from the shoulder. Shall include the full width of the shoulder.

(4) *From standard wholesale leg.* (i) *Leg chop.* Cut from the leg. Shall include the full width of the leg.

(ii) *Leg roast (boneless).* Cut from the leg. Shall include the full width of the leg.

(5) *From standard wholesale breast.* (i) *Breast (bone in).* Cut from the breast.

(ii) *Breast (boneless).* Cut from the breast.

(6) *From standard wholesale fore shank.* (i) *Soup bone (bone in).* Cut from the fore shank.

(ii) *Stew lamb.* Cut from the fore shank.

(iii) *Ground lamb.* Cut from the fore shank.

(7) *From standard wholesale hind shank.* (i) *Soup bone (bone in).* Cut from the hind shank.

(ii) *Stew lamb.* Cut from the hind shank.

(iii) *Ground lamb.* Cut from the hind shank.

(8) *From standard wholesale neck.* (i) *Neck (bone in).* Cut from the neck.

(ii) *Stew lamb.* Cut from the neck.

(iii) *Ground lamb.* Cut from the neck.

(d) *Mutton cuts.* (1) *From standard wholesale loin.* (i) *Loin chop (bone in).* Cut from the loin. Shall include the full width of the loin.

(ii) *Kidney chop (bone in).* Cut from the loin. Shall include the full width of the loin.

(2) *From standard wholesale rib.* (i) *Rib chop (bone in).* Cut from the rib. Shall include the full width of the rib.

(ii) *Rib roast (bone in).* Cut from the rib. Shall include the full width of the rib.

(3) *From standard wholesale shoulder.* (i) *Shoulder chop (bone in).* Cut from the shoulder. Shall include the full width of the shoulder.

(ii) *Shoulder roast (bone in).* Cut from the shoulder. Shall include the full width of the shoulder.

(iii) *Shoulder roast (boneless).* Cut from the shoulder. Shall include the full width of the shoulder.

(4) *From standard wholesale leg.* (i) *Leg chop.* Cut from the leg. Shall include the full width of the leg.

(ii) *Leg roast (boneless).* Cut from the leg. Shall include the full width of the leg.

(5) *From standard wholesale breast.* (i) *Breast (bone in).* Cut from the breast.

(ii) *Breast (boneless).* Cut from the breast.

(6) *From standard wholesale fore shank.* (i) *Soup bone (bone in).* Cut from the fore shank.

(ii) *Stew mutton.* Cut from the fore shank.

(iii) *Ground mutton.* Cut from the fore shank.

(7) *From standard wholesale hind shank.* (i) *Soup bone (bone in).* Cut from the hind shank.

(ii) *Stew mutton.* Cut from the hind shank.

(iii) *Ground mutton.* Cut from the hind shank.

(8) *From standard wholesale neck.* (i) *Neck (bone in).* Cut from the neck.

(ii) *Stew mutton.* Cut from the neck.

(iii) *Ground mutton.* Cut from the neck.

of retail stores. Your ceiling prices depend on the zone where your store is.

must be graded and marked. (a) All carcasses and wholesale cuts of beef, veal,

SEC. 9 *Records, sales slips, and receipts.* After April 14, 1943, you shall

tailer.

upon, or incident to, a sale at retail of

lation.

SEC. 19 *Map of zones.*

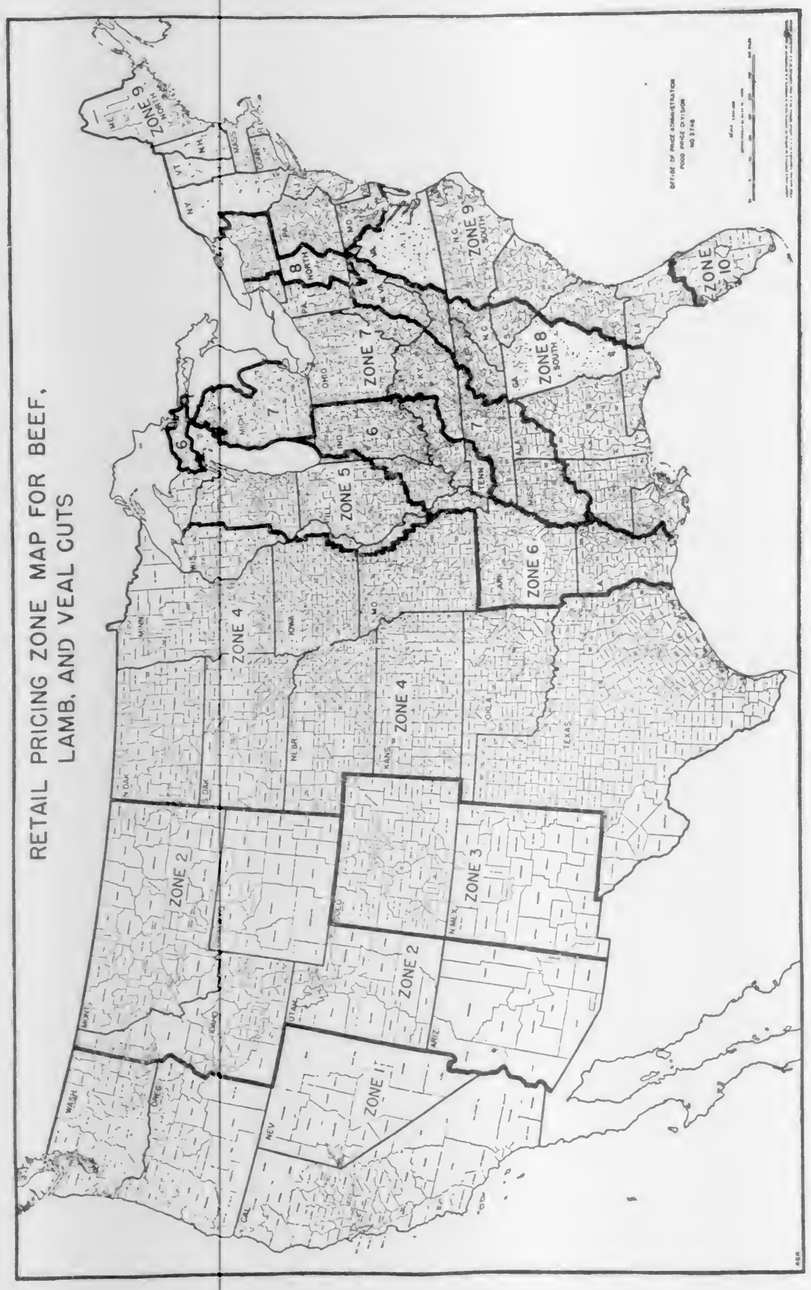

SEC. 20 *Description of retail beef, veal, lamb, and mutton cuts.* All retail cuts covered in the following specifications shall be trimmed as described before the cuts may be weighed or sold to the customer. No fat shall be added to any of the cuts before they are weighed or sold to the customer.

(a) *Retail beef cuts*—(1) *From the standard round*—(i) *Standing rump (bone in).* The standing rump (bone in) shall contain part of the rump (aitch) bone but no rump knuckle bone or tail vertebrae. Not more than one inch of fat shall be left on the outside, or within the pelvic cavity, of this cut.

(ii) *Boneless rump.* The boneless rump is the meat remaining after all the bones, cartilage, gristle and excess fat have been removed from the standing rump. (See paragraph (1) (i).)

(iii) *Round steak (full cut).* Each round steak (full cut) includes a part of (a) the top (inside) round, (b) the bottom (outside) round, (c) the eye of round, (d) the tip, and (e) the round bone. All fat exceeding one inch in thickness shall be trimmed from each steak. Round steaks (full cut) shall contain the round bone but no part of the knee cap or double bone. They may be cut into two or more pieces in line with the customary procedure in the past.

(iv) *Tip roast (boneless).* The tip shall be removed from the flank side of the round in accordance with the customary procedure in each locality. All bone, including the knee cap, and all fat exceeding one inch in thickness must be removed.

(v) *Tip steak (boneless).* Tip steaks (boneless) are cut from the tip roast (paragraph (1) (iv)).

(vi) *Top (inside) round, roast or steak.* The top (inside) round may be removed from the round according to the usual procedure in each locality. The shank end of this cut, however, shall contain no part of the heel of round. All fat exceeding one inch in thickness shall be trimmed from the outside of the roasts or steaks made from this cut. The top (inside) round shall contain no bone.

(vii) *Bottom (outside) round, pot-roast or steak.* The bottom (outside) round, like the top round (paragraph (1) (vi)) may be made according to the usual procedure in each locality. It may contain part of the rump but the shank end of this cut shall contain no part of the heel of round. The bottom round shall contain no bone. It may be sold as pot-roasts or steaks.

(viii) *Heel of round (boneless).* The heel of round may be separated from the hind shank according to the usual practice in each locality; however, it shall not include the front muscle of the shin bone and it must be entirely boneless.

(ix) *Hind shank (bone in).* The hind shank (bone in) is the section of the round remaining after the rump, round steaks (or tip, inside and outside), heel of round and hock have been removed.

(x) *Hind shank (boneless).* The hind shank (boneless) refers to the boneless meat from the hind shank. (For stew, ground beef.)

(2) *From standard wholesale sirloin (loin end)*—(i) *Sirloin steak (bone in).*

(ii) *Pin bone steak (bone in).* Sirloin steaks (bone in) and pin bone steaks (bone in) shall be made from the standard primal sirloin (loin end). All fat exceeding one inch in thickness shall be trimmed from these steaks.

(iii) *Sirloin steak (boneless).* Boneless sirloin steaks are made from the standard primal sirloin (loin end). They shall contain no bone and no fat in excess of one inch in thickness.

(3) *From standard wholesale short loin.*

(i) *Porterhouse steaks.*

(ii) *T-Bone steaks.*

(iii) *Club steaks.*

Porterhouse, T-Bone and club steaks are made from the standard primal short loin. Porterhouse steaks contain a large portion of the tenderloin. T-Bone steaks contain a small portion of tenderloin. Club steaks contain no tenderloin. All fat exceeding one inch in thickness shall be trimmed from these steaks.

(4) *From standard wholesale flank*—(i) *Flank steak.* All membrane and fat must be trimmed from the flank steak. This steak shall not be cut into more than two pieces before selling.

(ii) *Flank meat (boneless).* Boneless flank meat is the meat remaining after the flank steak, bone, gristle, membrane, and cod fat have been removed from the rough flank. It may be sold as rolled pot-roast, stew meat or ground beef.

(5) *From the standard wholesale rib.*

(i) *Rib roast, 10" ribs.*

(ii) *Rib steak, 10" rib.*

Rib roast, 10" ribs and rib steak, 10" rib are made from the standard primal rib. (See illustration, page 7, for the manner in which the 10" rib roasts and steaks are measured.) The blade bone or blade cartilage shall be removed from roasts or steaks.

(iii) *Rib roast, 7" ribs.*

(iv) *Rib steak, 7" rib.*

Rib roasts or steaks, 7" rib or ribs, are cut from the standard primal rib. The rib bone, or bones, in these cuts shall measure no larger than 7 inches in a straight line from the protruding edge of the chine bone.

(v) *Short ribs.* Short ribs are the ends of the ribs which are removed when making a 7" rib.

(6) *From the standard wholesale short plate*—(i) *Plate (bone in).* Plate (bone in) is made from the standard primal plate without removing the bones. The diaphragm or skirt muscle may or may not be removed, but the membrane on each side of the skirt and on the inside of the plate, and all loose fat shall be removed.

(ii) *Plate (boneless).* Boneless plate refers to the boneless meat of the primal plate after all bones, gristle, cartilage, membrane and excess fat have been removed. The boneless meat may be sold as boneless plate pot-roast, stew meat (boneless) or ground beef.

(7) *From the standard wholesale brisket*—(i) *Brisket (bone in) fresh or cured.* Brisket (bone in) is made from the standard primal brisket without removing the bones. No more than one inch of fat may be left on the brisket (bone in).

(ii) *Brisket (boneless) fresh or cured.* Boneless brisket, fresh or cured, refers to the boneless meat of the primal brisket after all bone, gristle, cartilage, and excess fat have been removed. The fat must be trimmed so that no more than one inch of fat is left on any lean muscle. The boneless brisket may be sold as boneless pot-roast, stew meat or ground beef.

(8) *From standard wholesale chuck.*

(i) *Blade pot-roast.*

(ii) *Blade steak.*

Blade pot-roast and blade steaks are made from the blade bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any blade pot-roast or blade steak. All fat exceeding one inch in thickness shall be removed from these cuts.

(iii) *Arm pot-roast.*

(iv) *Arm steak.*

Arm pot-roasts and arm steaks are made from the shoulder arm bone portion of the standard primal chuck. The arm knuckle shall not be left in any arm pot-roast or arm steak. All fat exceeding one inch in thickness shall be removed from these cuts.

(v) *English cut.* The English cut may be made from the standard primal chuck following the usual procedure in each locality.

(vi) *Chuck (boneless).* Boneless chuck pot-roasts are made from the blade bone and arm bone portions of the standard primal chuck. All fat exceeding one inch in thickness shall be removed from the boneless chuck.

(vii) *Neck (bone in).* The arm knuckle bone and the Atlas joint shall be removed from the neck. The throat side of the neck shall be trimmed and all fat in excess of one inch shall be removed. The neck may then be sold in pieces with the bone in.

(viii) *Neck (boneless).* The boneless neck is the meat remaining after all the bone, cartilage, fat, tendon, gristle and throat trimmings have been removed from the neck. (See paragraph (8) (vii).) It may be sold as boneless pot-roast, stew or ground beef.

(9) *From standard wholesale foreshank*—(i) *Foreshank (bone in).* Remove the knee bone. Cut the shank into pieces with the bone in.

(ii) *Foreshank (boneless).* The boneless shank meat refers to the boneless meat from the foreshank after all bone, gristle, cartilage and sinews have been removed. The boneless shank meat may be sold as stew meat or as ground beef.

(10) *Ground beef (hamburger).* Ground beef must be made from beef cut from the skirt, flank, shanks, neck, plate, brisket, heel of round and from clean, lean beef trimmings. Ground beef must consist of lean muscle meat and must not contain more than 25 percent beef fat. Glandular meats, offal meat, blood, head meat, or any kind of cereal shall not be put into ground beef.

(b) *Retail veal cuts.*—(1) *"Hindsaddle and hindquarter"* means the portion of the carcass and side, respectively, remaining after the severance of the 12th rib foresaddle or forequarter and comprising the legs or leg, and loin, double or single, including the 13th rib, flank and kidney, all in one piece, which portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs, keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat at the flank in the same straight line at right angles to the chine bone, completing the cut. Tail or caudal vertebrae to be left on the hindsaddle or hindquarter are not to exceed 4 in number.

(2) *Retail cuts from hindsaddle and hindquarter.*—(i) *"Legs of veal whole"* means the portion of the hindsaddle or hindquarter remaining after the severance of the loin from the hindsaddle or hindquarter, which portion shall be obtained by cutting squarely in a line at a right angle to the chine bone, starting at the juncture between the 5th and 6th lumbar vertebra and through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hip bone in the leg. The pair of legs may be split through the center to make a single leg.

(ii) *"Legs of veal", "shank half and rump half"* means the whole leg, as described, which has been cut in half. They must be sold without removing any round steaks (cutlets).

(iii) *"Rump of veal" (bone in and boneless)* means the rump cut from the leg by placing the knife one inch from the knob at the aitch bone, continuing the cut close to the edge of the aitch bone and perpendicular to the outside or skin surface. This rump may be sold for a roast with the bone in. The rump also may be boned out and tied and sold as a boneless rump.

(iv) *"Leg veal, rump off"* means the part of the "leg veal whole" which remains after the rump is removed.

(v) *"Round roast and round steak" (cutlet).* The roast or steaks are cut from the "legs veal, rump off". This remaining portion, known as heel of round, may be used either as a boneless roast, boneless stew veal or ground veal. The heel shall not include the front muscle of the shin bone and must be entirely boneless.

(vi) *"Hind shank".* The remaining shank may be sold bone in or boned out for boneless stew or ground veal.

(vii) *"Sirloin roast or steaks"* means the entire hip of veal cut from the whole leg of veal; this may be sold as a roast or cut into steaks.

(viii) *"Short loin roast (without kidney)"* means that portion of the hindquarter or hindsaddle remaining after severance of the legs which portion shall be obtained by cutting squarely in a line at a right angle to the chine bone, starting at the juncture between the 5th and 6th lumbar vertebrae, and through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hip bone in the leg. The double loin is split through the center of the chine bone to make a single loin. After the kidney is removed this may be sold as a roast.

(ix) *"Loin veal chops (without kidney)"* means chops cut from the loin, after removing 3 inches of the flank, removing the kidney, the fat not to be in excess of ½ inch on either side. Kidneys are to be sold with the kidney fat removed.

(3) *"Foresaddle and forequarter"* means the anterior portion of the carcass and side, respectively, remaining after the severance of the one-rib hindsaddle and hindquarter, which anterior portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs, keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut.

(4) *Retail cuts from foresaddle and forequarter*—(i) *Rib roast and rib chops.* The rib roast or chops should not be over 6 inches in length on the outside from the back bone to the rib end of the roast or chop; this cut may be sold as rib roast or cut into chops.

(ii) *"Arm roast and arm chops, blade roast and blade chops"*, means any chops cut from the cross cut shoulder. They shall not contain any part of the shank or neck.

(iii) *"Shoulder square cut" (bone in and boneless)*, means the forequarter minus the rib, shank, breast, and neck. This may be sold bone in, or boned, rolled and tied with all bones removed.

(iv) *"Neck and breast" (bone in and boneless)*, means the entire neck or breast of veal sold whole or in part in one piece or cut into small pieces. This cut may be sold boneless for stew or ground veal.

(v) *"Fore shank" (bone in and boneless).* To remove shank from forequarter start just above the large arm joint and cut parallel with the back bone. This may be sold bone in or boneless for stew or ground veal.

(5) *"Chopped veal or patties"* means any part of veal boned and ground and sold in any form (patties, loaves, etc.).

(c) *Retail-lamb and mutton cuts*—(1) *Legs, lamb and mutton: (Long cut) (halves) (short cut).* "Legs" and "leg" mean a pair of legs and one leg, respectively. The legs are separated from the loin by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone and leaving all the hip bone in the leg. The pair of legs may then be split through the center to make the single leg. These legs may be sold whole or halves, and short cut. Short cut legs mean the balance of the legs after the leg chops are removed. These chops may be cut from the hip bone to the aitch bone.

(2) *Loins, lamb and mutton.* (i) "Loin" and "half loin" means the double and single loin, respectively, and is the part of the hindsaddle which remains after the legs have been removed. The loin is separated from the hindsaddle by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone, leaving none of the hip bone in the loin. The loin includes the 13th rib, also the flank, kidney and fat. The half loin is made by splitting the loin in half through the center at the chine bone.

(ii) "Loin chops" mean chops cut from the loin, after removing 3 inches of the flank, removing the kidney, and the back fat and suet not to be in excess of ½ inch on either side. Kidneys are to be sold with the kidney fat removed.

(3) *Hotel rack, lamb and mutton.* (i) "Hotel rack" may be either the double or single rib sections from the 5th to the 12th ribs, inclusive, minus the breast. It is made by cutting the foresaddle or forequarter, starting at a point on the 12th rib not more than 4 inches down from the point of the eye, cutting in a straight line to a point on the 5th rib which is not more than 4 inches from the hollow of the chine bone on the inside, in the lamb carcass, and not more than 4½ inches from the hollow of the chine bone on the inside in the mutton carcass. It is then separated from the yoke by cutting between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib. It may be split through the center of the chine bone to make two single rib sections.

(ii) "Rib chops" are cut from the hotel rack by splitting between the ribs. All chops from the rack that contain any segments of shoulder-blade bone or cartilage are to be sold as shoulder lamb chops. Rib roasts may be sold by selling the rack whole or in part, double or single rib sections.

(4) *Yoke; lamb and mutton.* "Yoke" means the foresaddle minus the hotel rack. It consists of the neck, brisket, breast, shanks, and shoulders. The half yoke is made by splitting the yoke in half through the chine bone and neck bone.

(i) "Triangle bone-in" means the entire yoke sold as one piece of meat.

(ii) "Triangle boneless" means the entire yoke, boned, rolled and tied with all bones removed, rolled into a cylindrical shape and tied.

(iii) "Cross cut shoulder bone-in" means the triangle or yoke minus the breast. It includes neck, shoulder, shank, and brisket.

(iv) "Blade chops and arm chops" means any chops cut from the cross cut shoulder—they shall not contain any part of the shank or neck.

(v) "Square cut shoulder, bone-in" means the cross cut shoulder minus the full shank, brisket and the full neck.

(vi) "Breast, shank, neck, bone-in" means all or any part of the breast, shank or neck, sold in one piece or cut into small pieces.

(5) "Chopped lamb and mutton, or patties" means any part of lamb boned and ground and sold in any form (patties, loaves, etc.)

(a) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 1*—Continued

SEC. 21 *Chart of retail beef cuts ad the wholesale cuts from which they are obtained.*

[NOTE: Chart filed as part of the original document. An additional chart entitled "Beef Skeletal Chart—OPA Standard Primal Cuts" was filed as section 24.]

SEC. 22 (a) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 1*

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	68	64	55	47	43
2. T-bone	68	64	55	47	43
3. Club	68	64	55	47	43
4. Rib—10-inch cut	42	40	37	33	29
5. Rib—7-inch cut	46	44	40	35	31
6. Sirloin	51	48	41	37	33
7. Sirloin (boneless)	63	59	51	45	41
8. Round (bone-in)	53	50	44	38	34
9. Round (boneless)	56	52	46	40	36
10. Round tip	56	52	46	40	36
11. Chuck shoulder	38	37	34	30	26
12. Flank	47	47	47	47	43
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	42	40	37	33	29
2. Rib standing (chine bone-in, 7-inch cut)	46	44	40	35	31
3. Round tip	56	52	46	40	36
4. Rump (bone-in)	36	33	30	26	22
5. Rump (boneless)	56	52	46	40	36
6. Chuck or shoulder (bone-in)	38	37	34	30	26
7. Chuck or shoulder (boneless)	48	47	44	38	34
III. Stews and other cuts:					
1. Short ribs	26	26	25	25	21
2. Plate (bone-in)	26	26	25	25	21
3. Plate (boneless)	32	32	31	31	27
4. Brisket (bone-in)	33	33	30	30	26
5. Brisket (boneless)	43	43	38	38	34
6. Flank meat	33	33	33	33	29
7. Neck (bone-in)	33	33	30	30	26
8. Neck (boneless)	38	37	34	30	26
9. Heel of round (boneless)	39	38	35	32	28
10. Shank (bone-in)	24	24	24	24	24
11. Shank (boneless)	33	33	33	33	29
IV. Ground beef	33	33	33	33	33
V. Retail prices of wholesale cuts:					
1. Round beef—whole	39	37	33	29	25
2. Sirloin beef—whole	45	42	36	32	28
3. Short loin beef—whole	58	54	47	40	36
4. Flank beef—whole	21	21	21	21	17
5. Rib beef—whole	42	39	36	32	28
6. Regular chuck—whole	33	33	31	28	24
7. Short plate—whole	25	25	24	24	20
8. Brisket—whole	29	29	26	26	22
9. Shank—whole	22	22	22	22	18

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	53	49	45	41	34
2. Rib chops	48	47	44	41	34
3. Shoulder chops	36	34	31	28	25
4. Round steak (cutlets)	58	54	49	44	40
5. Sirloin steaks or chops	45	44	42	39	32
VII. Roasts:					
1. Rump and sirloin (bone-in)	42	40	36	32	30
2. Rump and sirloin (boneless	59	56	50	45	41
3. Leg	42	40	36	32	30
4. Shoulder (bone-in)	35	34	32	30	25
5. Shoulder (boneless)	43	42	40	37	31
VIII. Stews and other cuts:					
1. Breast (bone-in)	26	26	24	23	19
2. Breast (boneless)	36	34	31	28	25
3. Flank meat	36	34	31	28	25
4. Neck (bone-in)	26	26	24	23	19
5. Neck (boneless)	36	34	31	28	25
6. Shank (bone-in)	26	26	24	23	19
7. Shank and heel meat (boneless)	36	34	31	28	25
8. Ground veal and patties	37	37	37	37	37
IX. Kidneys	36	36	36	36	36
X. Retail prices of wholesale cuts:					
1. Hindquarter	41	39	35	31	28
2. Forequarter	33	32	31	28	24

(b) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 1*—Continued

(a) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 1—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	69	65	60	54	40	37	34
2. Rib chops	55	52	49	45	27	24	22
3. Leg or sirloin chops	55	52	49	45	27	24	22
4. Shoulder chops, blades or arm chops	48	45	42	39	24	22	19
XII. Roasts:							
1. Leg (whole, half or short cut)	47	45	41	37	28	27	25
2. Sirloin roast (bone-in)	55	52	49	45	27	24	22
3. Yoke, rattle or triangle (bone-in)	32	31	31	29	17	16	14
4. Yoke, rattle or triangle (boneless)	48	47	46	44	25	22	20
5. Chuck or shoulder, square-cut (bone-in)	42	41	41	40	22	20	18
6. Chuck or shoulder, cross-cut (bone in)	34	33	32	31	18	16	15
XIII. Stews and other cuts:							
1. Breast and flank	24	23	22	20	13	12	11
2. Neck (bone-in)	24	23	22	20	13	12	11
3. Neck (boneless)	38	38	38	38	23	23	23
4. Shank (bone-in)	24	23	22	20	13	12	11
5. Patties (ground meat)	38	38	38	38	23	23	23
XIV. Kidneys	33	33	33	33	19	19	19
XV. Retail prices of wholesale cuts:							
1. Leg	47	45	41	37	28	20	25
2. Loin	49	45	37	32	26	24	21
3. Hotel rack	54	50	44	37	28	25	22
4. Yoke	32	31	30	29	17	16	14

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 1.

Zone 1 includes the following area:

Washington, all counties.
Oregon, all counties.
California, all counties.
Nevada, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except pound beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade, and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(b) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 1

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 335, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	66	61	52	45	41
2. T-bone	66	61	52	45	41
3. Club	66	61	52	45	41
4. Rib—10-inch cut	40	38	35	31	27
5. Rib—7-inch cut	45	42	38	33	29
6. Sirloin	49	46	39	35	31
7. Sirloin (boneless)	60	57	48	43	39
8. Round (bone-in)	51	48	42	36	32
9. Round (boneless)	54	50	44	38	34
10. Round tip	54	50	44	38	34
11. Chuck shoulder	36	35	32	28	24
12. Flank	45	45	45	45	41
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	40	38	35	31	27
2. Rib standing (chine bone-in, 7-inch cut)	45	42	38	33	29
3. Round tip	54	50	44	38	34
4. Rump (bone-in)	34	32	28	24	20
5. Rump (boneless)	54	50	44	38	34
6. Chuck or shoulder (bone-in)	36	35	32	28	24
7. Chuck or shoulder (boneless)	46	45	41	36	32

(b) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 1—Continued

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
III. Stews and other cuts:					
1. Short ribs	24	24	24	24	20
2. Plate (bone-in)	24	24	24	24	20
3. Plate (boneless)	30	30	29	29	25
4. Brisket (bone-in)	32	32	28	28	24
5. Brisket (boneless)	41	41	36	36	32
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	32	32	28	28	24
8. Neck (boneless)	36	35	32	28	24
9. Heel of round (boneless)	37	36	34	31	27
10. Shank (bone-in)	24	24	24	24	20
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts:					
1. Round beef—whole	37	35	31	27	23
2. Sirloin beef—whole	43	40	35	31	27
3. Short loin beef—whole	56	52	45	38	34
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	40	38	35	31	27
6. Regular chuck—whole	32	31	29	26	22
7. Short plate—whole	24	24	23	23	19
8. Brisket—whole	27	27	25	25	21
9. Shank—whole	21	21	21	21	17

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	50	47	43	39	32
2. Rib chops	46	45	42	39	32
3. Shoulder chops	34	32	29	26	24
4. Round steak (cutlets)	55	52	46	42	38
5. Sirloin steaks or chops	43	42	40	37	31
VII. Roasts:					
1. Rump and sirloin (bone-in)	40	38	34	31	28
2. Rump and sirloin (boneless)	56	53	45	42	39
3. Leg	40	38	34	31	28
4. Shoulder (bone-in)	33	32	30	28	24
5. Shoulder (boneless)	41	40	38	35	29
VIII. Stews and other cuts:					
1. Breast (bone-in)	25	24	23	21	18
2. Breast (boneless)	34	32	29	26	24
3. Flank meat	34	32	29	26	24
4. Neck (bone-in)	25	24	23	21	18
5. Neck (boneless)	34	32	29	26	24
6. Shank (bone-in)	25	24	23	21	18
7. Shank and heel meat (boneless)	34	32	29	26	24
8. Ground veal and patties	35	35	35	35	35
IX. Kidneys	35	35	35	35	35
X. Retail prices of wholesale cuts:					
1. Hindquarter	39	37	33	30	27
2. Forequarter	32	31	29	27	22

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	66	62	57	51	38	35	33
2. Rib chops	52	50	47	43	26	23	20
3. Leg or sirloin chops	52	50	47	43	26	23	20
4. Shoulder chops, blades or arm chops	46	43	40	37	23	20	18
XII. Roasts:							
1. Leg (whole, half or short cut)	45	43	39	35	27	25	24
2. Sirloin roast (bone-in)	52	50	47	43	26	23	20
3. Yoke, rattle or triangle (bone-in)	31	30	29	28	16	15	13
4. Yoke, rattle or triangle (boneless)	46	45	44	42	23	21	19
5. Chuck or shoulder, square cut (bone-in)	40	39	39	38	21	19	17
6. Chuck or shoulder, cross cut (bone-in)	32	31	31	30	17	15	14
XIII. Stews and other cuts:							
1. Breast and flank	23	22	21	19	12	11	10
2. Neck (bone-in)	23	22	21	19	12	11	10
3. Neck (boneless)	36	36	36	36	22	22	22
4. Shank (bone-in)	23	22	21	19	12	11	10
5. Patties (ground meat)	36	36	36	36	22	22	22
XIV. Kidneys	32	32	32	32	18	18	18

(b) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and

(c) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and

(b) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 1—Continued

Lamb and mutton	Lamb				Mutton		
	Grade A A or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XV. Retail prices of wholesale cuts:							
1. Leg	45	43	39	35	27	25	24
2. Loin	47	43	36	32	25	22	20
3. Hotel rack	52	48	42	37	26	24	21
4. Yoke	31	30	29	28	16	15	13

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 1.

Zone 1 includes the following area:

Washington, all counties.
Oregon, all counties.
California, all counties.
Nevada, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal, or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(c) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 2

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	A A or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	67	62	53	46	42
2. T-bone	67	62	53	46	42
3. Club	67	62	53	46	42
4. Rib—9-inch cut	41	39	36	31	27
5. Rib—7-inch cut	45	43	39	34	32
6. Sirloin	50	47	40	35	31
7. Sirloin (boneless)	62	58	49	44	40
8. Round (bone-in)	52	49	43	37	33
9. Round (boneless)	55	51	45	38	34
10. Round tip	52	51	45	38	34
11. Chuck shoulder	36	35	33	29	25
12. Flank	43	45	45	45	41
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	41	39	36	31	27
2. Rib standing (chine bone-in, 7-inch cut)	45	43	39	34	30
3. Round tip	52	51	45	38	34
4. Rump (bone-in)	34	32	28	24	20
5. Rump (boneless)	52	51	45	38	34
6. Chuck or shoulder (bone-in)	36	35	33	29	25
7. Chuck or shoulder (boneless)	47	45	42	37	33
III. Stews and other cuts:					
1. Short ribs	25	25	24	24	20
2. Plate (bone-in)	25	25	24	24	20
3. Plate (boneless)	30	30	29	29	25
4. Brisket (bone-in)	32	32	28	28	24
5. Brisket (boneless)	41	41	36	36	32
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	32	32	28	28	24
8. Neck (boneless)	26	25	33	29	25
9. Beef for stew (boneless)	37	36	34	31	27
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts:					
1. Round beef—whole	38	35	32	28	24
2. Sirloin beef—whole	43	41	35	31	27
3. Short loin beef—whole	57	53	46	39	35
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	41	38	35	31	27
6. Irregular chuck—whole	32	31	30	27	24
7. Short plate—whole	24	24	23	23	19
8. Brisket—whole	28	28	25	25	21
9. Shank—whole	20	20	20	20	16

(c) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 2—Continued

Veal	Grades				
	A A or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	51	47	44	39	36
2. Rib chops	46	45	43	39	32
3. Shoulder chops	35	33	29	26	24
4. Round steak (cutlets)	56	52	47	42	38
5. Sirloin steaks or chops	43	42	40	37	30
VII. Roasts:					
1. Rump and sirloin (bone-in)	40	38	34	30	28
2. Rump and sirloin (boneless)	57	54	48	43	39
3. Leg	40	38	34	30	28
4. Shoulder (bone-in)	33	32	31	28	23
5. Shoulder (boneless)	42	41	38	35	29
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	24	23	21	17
2. Breast (boneless)	35	33	29	26	24
3. Flank meat	35	33	29	26	24
4. Neck (bone-in)	24	24	23	21	17
5. Neck (boneless)	35	33	29	26	24
6. Shank (bone-in)	24	24	23	21	17
7. Shank and heel meat (boneless)	35	33	29	26	24
8. Ground veal and patties	35	35	35	35	35
IX. Kidneys	34	34	34	34	34
X. Retail prices of wholesale cuts:					
1. Hindquarter	39	37	33	30	27
2. Forequarter	32	31	29	27	22

Lamb and mutton	Lamb				Mutton		
	Grade A A or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	66	63	57	51	37	34	32
2. Rib chops	52	49	46	42	25	22	19
3. Leg or sirloin chops	52	49	46	42	25	22	19
4. Shoulder chops, blades or arm chops	45	43	40	36	21	19	17
XII. Roasts:							
1. Leg (whole, half or short cut)	45	42	38	34	26	24	22
2. Sirloin roast (bone-in)	52	49	46	42	25	22	19
3. Yoke, rattle or triangle (bone-in)	29	29	28	26	14	13	12
4. Yoke, rattle or triangle (boneless)	46	45	43	41	22	20	17
5. Chuck, or shoulder, square cut (bone-in)	39	39	39	37	19	18	16
6. Chuck or shoulder, cross cut (bone-in)	31	30	30	28	15	14	12
XIII. Stews and other cuts:							
1. Breast and flank	22	20	19	17	10	09	08
2. Neck (bone-in)	22	20	19	17	10	09	08
3. Neck (boneless)	35	35	35	35	20	20	20
4. Shank (bone-in)	22	20	19	17	10	09	08
5. Patties (ground meat)	35	35	35	35	20	20	20
XIV. Kidneys	30	30	30	30	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	44	42	38	34	26	24	22
2. Loin	46	42	35	30	23	21	19
3. Hotel rack	51	47	41	34	25	22	19
4. Yoke	29	29	28	26	14	13	11

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 2.

Zone 2 includes the following area:

Idaho, all counties.
Montana, all counties.
Wyoming, all counties.
Utah, all counties.
Arizona, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(d) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 2*

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	64	60	51	44	40
2. T-bone	64	60	51	44	40
3. Club	64	60	51	44	40
4. Rib—10-inch cut	39	37	34	30	26
5. Rib—7-inch cut	44	41	37	32	28
6. Sirloin	48	45	38	34	30
7. Sirloin (boneless)	59	55	47	41	37
8. Round (bone-in)	50	46	41	35	31
9. Round (boneless)	52	49	43	36	32
10 Round tip	52	49	43	36	32
11. Chuck shoulder	35	34	31	27	23
12. Flank	43	43	43	43	39
II Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	39	37	34	30	26
2. Rib standing (chine bone-in, 7-inch cut	44	41	37	32	28
3. Round tip	52	49	43	36	32
4. Rump (bone-in)	33	31	27	23	19
5. Rump (boneless)	52	49	43	36	32
6. Chuck or shoulder (bone-in)	35	34	31	27	23
7. Chuck or shoulder (boneless	45	43	40	34	30
III. Stews and other cuts:					
1. Short ribs	23	23	23	23	19
2. Plate (bone-in)	23	23	23	23	19
3. Plate (boneless)	28	28	28	28	24
4. Brisket (bone-in)	30	30	27	27	23
5. Brisket (boneless)	39	39	34	34	30
6. Flank meat	31	31	31	31	27
7. Neck (bone-in)	30	30	27	27	23
8. Neck (boneless)	35	34	31	27	23
9. Heel of round (boneless	36	35	32	29	25
10. Shank (bone-in)	22	22	22	22	18
11. Shank (boneless)	31	31	31	31	27
IV. Ground beef	31	31	31	31	31
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	34	30	26	22
2. Sirloin beef—whole	42	39	33	30	26
3. Short loin beef—whole	65	61	44	37	33
4. Flank beef—whole	19	19	19	19	15
5. Rib beef—whole	39	37	33	30	26
6. Regular chuck—whole	31	30	28	25	21
7. Short plate—whole	23	23	22	22	18
8. Brisket—whole	29	26	24	24	20
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	45	42	37	31
2. Rib chops	44	43	40	37	30
3. Shoulder chops	33	31	28	25	22
4. Round steak (cutlets)	53	50	45	40	36
5. Sirloin steaks or chops	41	40	38	35	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	29	26
2. Rump and sirloin (boneless)	55	52	46	41	37
3. Leg	38	36	32	29	26
4. Shoulder (bone-in)	32	31	29	27	22
5. Shoulder (boneless)	40	39	36	34	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	23	21	20	16
2. Breast (boneless)	31	31	28	25	22
3. Flank meat	33	31	28	25	22
4. Neck (bone-in)	23	23	21	20	16
5. Neck (boneless)	33	31	28	25	22
6. Shank (bone-in)	23	23	21	20	16
7. Shank and heel meat (boneless)	35	31	28	25	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices of wholesale cuts:					
1. Hindquarter	38	36	32	28	26
2. Forequarter	30	30	28	26	21

(d) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 2*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	64	60	55	49	35	33	30
2. Rib chops	50	47	44	40	23	21	18
3. Leg or sirloin chops	50	47	44	40	23	21	18
4. Shoulder chops, blades or arm chops	43	41	38	35	20	18	15
XII. Roasts:							
1. Leg (whole, half or short cut)	43	40	37	33	25	23	21
2. Sirloin roast (bone-in)	50	47	44	40	23	21	18
3. Yoke, rattle or triangle (bone-in)	28	27	27	25	14	12	11
4. Yoke, rattle or triangle (boneless)	44	43	41	39	21	18	16
5. Chuck or shoulder, square cut (bone-in)	37	37	37	35	18	16	15
6. Chuck or shoulder, cross cut (bone-in)	30	29	28	27	14	13	11
XIII. Stews and other cuts:							
1. Breast and flank	21	19	18	17	10	09	07
2. Neck (bone-in)	21	19	18	17	10	09	07
3. Neck (boneless)	33	33	33	33	19	19	19
4. Shank (bone-in)	21	19	18	17	10	09	07
5. Patties (ground meat)	33	33	33	33	19	19	19
XIV. Kidneys	29	29	29	29	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	43	40	37	33	24	23	21
2. Loin	44	40	33	29	22	20	18
3. Hotel rack	49	45	39	33	24	21	18
4. Yoke	28	27	27	25	14	12	11

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 2.

Zone 2 includes the following area:

Idaho, all counties.
Montana, all counties.
Wyoming, all counties.
Utah, all counties.
Arizona, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb, and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility, and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(e) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 3*

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	66	61	52	44	40
2. T-Bone	66	61	52	44	40
3. Club	66	61	52	44	40
4. Rib—10-inch cut	40	38	34	30	26
5. Rib—7-inch cut	44	42	37	32	28
6. Sirloin	48	46	39	34	30
7. Sirloin (boneless)	60	56	48	42	38
8. Round (bone-in)	51	47	42	35	31
9. Round (boneless)	53	49	43	37	33
10. Round tip	53	49	43	37	33
11. Chuck shoulder	35	34	32	27	23
12. Flank	43	43	43	43	39
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	40	38	34	30	26
2. Rib standing (chine bone-in, 7-inch cut)	44	42	37	32	28
3. Round tip	53	49	43	37	33
4. Rump (bone-in)	33	31	27	23	19
5. Rump (boneless)	53	49	43	37	33
6. Chuck or shoulder (bone-in)	35	34	32	27	23
7. Chuck or shoulder (boneless)	45	44	41	35	31

(e) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 3—Continued

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
III. Stews and other cuts:					
1. Short ribs	23	23	23	23	19
2. Plate (bone-in)	23	23	23	23	19
3. Plate (boneless)	29	29	28	28	24
4. Brisket (bone-in)	30	30	27	27	23
5. Brisket (boneless)	40	40	35	35	31
6. Flank meat	30	30	30	30	26
7. Neck (bone-in)	30	30	27	27	23
8. Neck (boneless)	35	34	32	27	23
9. Heel of round (boneless)	36	35	32	29	25
10. Shank (bone-in)	22	22	22	22	18
11. Shank (boneless)	30	30	30	30	26
IV. Ground beef	30	30	30	30	30
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	34	31	27	23
2. Sirloin beef—whole	42	40	34	30	26
3. Short loin beef—whole	66	62	45	38	24
4. Flank beef—whole	19	19	19	19	15
5. Rib beef—whole	39	37	34	30	26
6. Regular chuck—whole	31	30	29	26	22
7. Short plate—whole	23	23	22	22	18
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	19	19	19	19	15

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	49	46	42	38	31
2. Rib chops	45	44	41	38	31
3. Shoulder chops	33	31	28	25	22
4. Round steak (cutlets)	54	51	45	40	37
5. Sirloin steaks or chops	42	41	38	35	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	29	26
2. Rump and sirloin (boneless)	56	52	47	41	37
3. Leg	38	36	32	29	26
4. Shoulder (bone-in)	32	31	29	27	22
5. Shoulder (boneless)	40	40	37	34	28
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	23	21	20	16
2. Breast (boneless)	33	31	28	25	22
3. Flank meat	33	31	28	25	22
4. Neck (bone-in)	23	23	21	20	16
5. Neck (boneless)	33	31	28	25	22
6. Shank (bone-in)	23	23	21	20	16
7. Shank and heel meat (boneless)	33	31	28	25	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices of wholesale cuts:					
1. Hindquarter	36	36	32	28	26
2. Forequarter	31	30	28	26	21

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	66	63	57	51	37	34	32
2. Rib chops	52	49	46	42	25	22	19
3. Leg or sirloin chops	52	49	46	42	25	22	19
4. Shoulder chops, blades or arm-chops	45	43	40	36	21	19	17
XII. Roasts:							
1. Leg (whole, half or short cut)	45	42	38	34	26	24	22
2. Sirloin roast (bone-in)	52	49	46	42	25	22	19
3. Yoke, rattle or triangle (bone-in)	29	29	28	26	14	13	12
4. Yoke, rattle or triangle (boneless)	46	45	43	41	22	20	17
5. Chuck, or shoulder, square cut (bone-in)	39	39	39	37	19	18	16
6. Chuck or shoulder, cross cut (bone-in)	31	30	30	28	15	14	12
XIII. Stews and other cuts:							
1. Breast and flank	22	20	19	17	10	09	08
2. Neck (bone-in)	22	20	19	17	10	09	08
3. Neck (boneless)	35	35	35	35	20	20	20
4. Shank (bone-in)	22	20	19	17	10	09	08
5. Patties (ground meat)	35	35	35	35	20	20	20
XIV. Kidneys	30	30	30	30	16	16	16

(e) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 3—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XV. Retail prices of wholesale cuts:							
1. Leg	44	42	38	34	26	24	22
2. Loin	46	42	35	30	23	21	19
3. Hotel rack	51	47	41	34	25	22	19
4. Yoke	29	29	28	26	14	13	11

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 3.

Zone 3 includes the following area:

Colorado, all counties.
New Mexico, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cuts of meat and wants it cubed the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(f) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 3

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters or canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	63	59	50	42	38
2. T-bone	63	59	50	42	38
3. Club	63	59	50	42	38
4. Rib—10-inch cut	38	36	33	29	25
5. Rib—7-inch cut	42	40	36	31	27
6. Sirloin	46	44	37	32	28
7. Sirloin (boneless)	57	54	46	40	36
8. Round (bone-in)	48	45	40	34	30
9. Round (boneless)	51	47	41	35	31
10. Round tip	51	47	41	35	31
11. Chuck shoulder	34	32	30	26	22
12. Flank	41	41	41	41	37
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	38	36	33	29	25
2. Rib standing (chine bone-in, 7-inch cut)	42	40	36	31	27
3. Round tip	51	47	41	35	31
4. Rump (bone-in)	32	29	26	22	18
5. Rump (boneless)	51	47	41	35	31
6. Chuck or shoulder (bone-in)	34	32	30	25	21
7. Chuck or shoulder (boneless)	43	42	38	33	29
III. Stews and other cuts:					
1. Short ribs	22	22	22	22	18
2. Plate (bone-in)	22	22	22	22	18
3. Plate (boneless)	27	27	26	26	22
4. Brisket (bone-in)	29	29	26	26	22
5. Brisket (boneless)	38	38	33	33	29
6. Flank meat	29	29	29	29	25
7. Neck (bone-in)	29	29	26	26	22
8. Neck (boneless)	34	32	30	25	21
9. Heel of round (boneless)	34	33	31	28	24
10. Shank (bone-in)	21	21	21	21	17
11. Shank (boneless)	29	29	29	29	25
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	35	33	29	25	21
2. Sirloin beef—whole	41	38	32	29	25
3. Short loin beef—whole	54	50	43	36	32
4. Flank beef—whole	18	18	18	18	14
5. Rib beef—whole	38	36	32	29	25
6. Regular chuck—whole	30	29	27	24	20
7. Short plate—whole	22	22	21	21	17
8. Brisket—whole	25	25	23	23	19
9. Shank—whole	19	19	19	19	15

(f) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 3—Continued

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	49	46	42	38	31
2. Rib chops	45	44	41	38	31
3. Shoulder chops	33	31	28	25	22
4. Round steak (cutlets)	54	51	45	40	37
5. Sirloin steaks or chops	42	41	38	35	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	29	26
2. Rump and sirloin (boneless)	56	52	47	41	37
3. Leg	38	36	32	29	26
4. Shoulder (bone-in)	32	31	29	27	22
5. Shoulder (boneless)	40	40	37	34	28
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	23	21	20	16
2. Breast (boneless)	33	31	28	25	22
3. Flank meat	33	31	28	25	22
4. Neck (bone-in)	23	23	21	20	16
5. Neck (boneless)	33	31	28	25	22
6. Shank (bone-in)	23	23	21	20	16
7. Shank and heel meat (boneless)	33	31	28	25	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices of wholesale cuts:					
1. Hindquarter	36	36	32	28	26
2. Forequarter	31	30	28	26	21

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	66	63	57	51	37	34	32
2. Rib chops	52	49	46	42	25	22	19
3. Leg or sirloin chops	52	49	46	42	25	22	19
4. Shoulder chops, blades or arm-chops	45	43	40	36	21	19	17
XII. Roasts:							
1. Leg (whole, half or short cut)	45	42	38	34	26	24	22
2. Sirloin roast (bone-in)	52	49	46	42	25	22	19
3. Yoke, rattle or triangle (bone-in)	29	29	28	26	14	13	12
4. Yoke, rattle or triangle (boneless)	46	45	43	41	22	20	17
5. Chuck, or shoulder, square cut (bone-in)	39	39	39	37	19	18	16
6. Chuck or shoulder, cross cut (bone-in)	31	30	30	28	15	14	12
XIII. Stews and other cuts:							
1. Breast and flank	22	20	19	17	10	09	08
2. Neck (bone-in)	22	20	19	17	10	09	08
3. Neck (boneless)	35	35	35	35	20	20	20
4. Shank (bone-in)	22	20	19	17	10	09	08
5. Patties (ground meat)	35	35	35	35	20	20	20
XIV. Kidneys	30	30	30	30	16	16	16

(f) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 3—Continued

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	47	44	40	36	29
2. Rib chops	43	42	39	36	29
3. Shoulder chops	32	30	27	24	21
4. Round steak (cutlets)	52	49	43	38	35
5. Sirloin steaks or chops	40	39	36	34	27
VII. Roasts:					
1. Rump and sirloin (bone-in)	37	35	31	27	25
2. Rump and sirloin (boneless)	53	50	44	39	36
3. Leg	37	35	31	27	25
4. Shoulder (bone-in)	30	30	28	26	21
5. Shoulder (boneless)	39	38	35	33	26
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	22	20	19	15
2. Breast (boneless)	32	30	27	24	21
3. Flank meat	32	30	27	24	21
4. neck (bone-in)	22	22	20	19	15
5. Neck (boneless)	32	30	27	24	21
6. Shank (bone-in)	22	22	20	19	15
7. Shank and beef meat (boneless)	32	30	27	24	21
8. Ground veal and patties	33	33	33	33	33
IX. Kidneys	32	32	32	32	32
X. Retail prices on wholesale cuts:					
1. Hindquarter	37	34	31	27	25
2. Forequarter	29	29	27	25	20

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade S or commercial	Grade B or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	64	60	55	49	35	33	30
2. Rib chops	50	47	44	40	23	21	18
3. Leg or sirloin chops	50	47	44	40	23	21	18
4. Shoulder chops, blades or arm chops	43	41	38	35	20	18	15
XII. Roasts:							
1. Leg (whole, full or short cut)	43	40	37	33	25	23	21
2. Sirloin roast (bone-in)	50	47	44	40	25	21	18
3. Yoke, rattle or triangle (bone-in)	28	27	27	25	14	12	11
4. Yoke, rattle or triangle (boneless)	44	43	41	39	21	18	16
5. Chuck or shoulder, square cut (bone-in)	37	37	37	35	18	16	15
6. Chuck or shoulder, cross cut (bone-in)	30	29	28	27	14	13	11
XIII. Stews and other cuts:							
1. Breast and flank	21	19	18	17	10	9	07
2. Neck (bone-in)	21	19	18	17	10	9	7
3. Neck (boneless)	33	33	33	33	19	19	19
4. Shank (bone-in)	21	19	18	17	10	9	7
5. Patties (ground meat)	33	33	33	33	19	19	19
XIV. Kidneys	29	29	29	29	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	43	40	37	33	24	23	21
2. Loin	44	40	33	29	22	20	18
3. Hotel rack	49	45	39	33	24	21	18
4. Yoke	28	27	27	25	14	12	11

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 3.

Zone 3 includes the following area:

Colorado, all counties.
New Mexico, all counties.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(g) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 4

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	66	61	52	44	40
2. T-Bone	66	61	52	44	40
3. Club	66	61	52	44	40
4. Rib—10-inch cut	40	38	34	30	26
5. Rib—7-inch cut	44	42	37	32	28
6. Sirloin	48	46	39	34	30
7. Sirloin (boneless)	60	56	48	42	38
8. Round (bone-in)	51	47	42	35	31
9. Round (boneless)	53	49	43	37	33
10. Round Tip	53	49	43	37	33
11. Chuck Shoulder	35	34	32	27	23
12. Flank	43	43	43	43	39
II. Roasts:					
1. Rib Standing (Chine bone-in, 10-inch cut)	40	38	34	30	26
2. Rib Standing (Chine bone-in, 7-inch cut)	44	42	37	32	28
3. Round Tip	53	49	43	37	33
4. Rump (Bone-in)	33	31	27	23	19
5. Rump (Boneless)	53	49	43	37	33
6. Chuck or Shoulder (Bone-in)	35	34	32	27	23
7. Chuck or Shoulder (Boneless)	45	44	41	35	31
III. Stews and other cuts:					
1. Short ribs	23	23	23	23	19
2. Plate (bone-in)	23	23	23	23	19
3. Plate (boneless)	29	29	28	28	24
4. Brisket (bone-in)	30	30	27	27	23
5. Brisket (boneless)	40	40	35	35	31
6. Flank meat	30	30	30	30	26
7. Neck (bone-in)	30	30	27	27	23
8. Neck (boneless)	35	34	32	27	23
9. Heel of round (boneless)	36	35	32	29	25
10. Shank (bone-in)	22	22	22	22	18
11. Shank (boneless)	30	30	30	30	26
IV. Ground beef	30	30	30	30	30
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	34	31	27	23
2. Sirloin beef—whole	42	40	34	30	26
3. Short loin beef—whole	56	52	45	38	34
4. Flank beef—whole	19	19	19	19	15
5. Rib beef—whole	39	37	34	30	26
6. Regular chuck—whole	31	30	29	26	22
7. Short plate—whole	23	23	22	22	18
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	19	19	19	19	15

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	45	39	34	30
2. Rib chops	44	43	40	37	30
3. Shoulder chops	32	30	27	24	22
4. Round steak (cutlets)	53	50	44	39	36
5. Sirloin steaks or chops	41	40	37	34	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	35	31	28	25
2. Rump and sirloin (boneless)	55	52	46	40	36
3. Leg	38	35	31	28	25
4. Shoulder (bone-in)	31	30	28	26	21
5. Shoulder (boneless)	40	39	36	33	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	22	20	19	15
2. Breast (boneless)	32	30	27	24	22
3. Flank meat	32	30	27	24	22
4. Neck (bone-in)	22	22	20	19	15
5. Neck (boneless)	32	30	27	24	22
6. Shank (bone-in)	22	22	20	19	15
7. Shank and beef meat (boneless)	32	30	27	24	22
8. Ground veal and patties	33	33	33	33	33
IX. Kidneys	32	32	32	32	32
X. Retail prices of wholesale cuts:					
1. Hindquarter	36	35	31	28	25
2. Forequarter	30	29	25	25	20

(g) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 4—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	66	63	57	51	37	34	32
2. Rib chops	52	49	46	42	25	22	19
3. Leg or sirloin chops	52	49	46	42	25	22	19
4. Shoulder chops, blades or arm-chops	45	43	40	36	21	19	17
XII. Roasts:							
1. Leg (whole, half or short cut)	45	42	38	34	26	24	22
2. Sirloin roast (bone-in)	52	49	46	42	25	22	19
3. Yoke, rattle or triangle (bone-in)	29	29	28	26	14	13	12
4. Yoke, rattle or triangle (boneless)	46	45	43	41	22	20	17
5. Chuck or shoulder, square cut (bone-in)	39	39	39	37	19	18	16
6. Chuck or shoulder, cross cut (bone-in)	31	30	30	28	15	14	12
XIII. Stews and other cuts:							
1. Breast and flank	22	20	19	17	10	09	08
2. Neck (bone-in)	22	20	19	17	10	09	08
3. Neck (boneless)	35	35	35	35	20	20	20
4. Shank (bone-in)	22	20	19	17	10	09	08
5. Patties (ground meat)	35	35	35	33	20	20	20
XIV. Kidneys	30	30	30	30	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	44	42	38	34	26	24	22
2. Loin	46	42	35	30	23	21	19
3. Hotel rack	51	47	41	34	25	22	19
4. Yoke	29	29	28	26	14	13	11

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 4.

Zone 4 includes the following area:

North Dakota, all counties.
South Dakota, all counties.
Minnesota, all counties.
Nebraska, all counties.
Kansas, all counties.
Oklahoma, all counties.
Texas, all counties.
Wisconsin, all that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.
Iowa, Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.
Missouri, all that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madison, Wayne, and Butler.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(h) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 4

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters & canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	63	59	50	42	38
2. T-bone	63	59	50	42	38
3. Club	63	59	50	42	38
4. Rib—10-inch cut	38	36	33	29	25
5. Rib—7-inch cut	42	40	36	31	27
6. Sirloin	46	44	37	32	28
7. Sirloin (boneless)	57	54	46	40	36
8. Round (bone-in)	48	45	40	34	30
9. Round (boneless)	51	47	41	35	31
10. Round tip	51	47	41	35	31
11. Chuck shoulder	34	32	30	26	22
12. Flank	41	41	41	41	37
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	38	36	33	29	25
2. Rib standing (chine bone-in, 7-inch cut)	42	40	36	31	27
3. Round tip	51	47	41	35	31
4. Rump (bone-in)	32	29	26	22	18
5. Rump (boneless)	51	47	41	35	31
6. Chuck or shoulder (bone-in)	34	32	30	26	21
7. Chuck or shoulder (boneless)	43	42	38	33	27

(h) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 4—Continued

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
III. Stews and other cuts:					
1. Short ribs	22	22	22	22	18
2. Plate (bone-in)	22	22	22	22	18
3. Plate (boneless)	27	27	26	26	22
4. Brisket (bone-in)	29	29	26	26	22
5. Brisket (boneless)	38	38	33	33	29
6. Flank meat	29	29	29	29	25
7. Neck (bone-in)	29	29	26	26	22
8. Neck (boneless)	34	32	30	25	21
9. Heel of round (boneless)	34	33	31	28	24
10. Shank (bone-in)	21	21	21	21	17
11. Shank (boneless)	29	29	29	29	25
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	35	33	29	25	21
2. Sirloin beef—whole	41	38	32	29	25
3. Short loin beef—whole	54	50	43	36	32
4. Flank beef—whole	18	18	18	18	14
5. Rib beef—whole	38	36	32	29	25
6. Regular chuck—whole	30	29	27	24	24
7. Short plate—whole	22	22	21	21	17
8. Brisket—whole	25	25	23	23	19
9. Shank—whole	19	19	19	19	15

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	46	43	37	32	28
2. Rib chops	42	41	39	35	29
3. Shouldered chops	31	29	26	23	20
4. Round steak (cutlets)	51	48	42	37	34
5. Sirloin steaks or chops	39	38	36	33	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	36	34	30	26	24
2. Rump and sirloin (boneless)	52	49	44	38	35
3. Leg	36	34	30	26	24
4. Shoulder (bone-in)	30	29	27	25	20
5. Shoulder (boneless)	38	37	34	32	26
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	21	20	18	14
2. Breast (boneless)	31	29	26	23	20
3. Flank meat	31	29	26	23	20
4. Neck (bone-in)	21	21	20	18	14
5. Neck (boneless)	31	29	26	23	20
6. Shank (bone-in)	21	21	20	18	14
7. Shank and heel meat (boneless)	31	29	26	23	20
8. Ground veal and patties	32	32	32	32	32
IX. Kidneys	31	31	31	31	31
X. Retail prices of wholesale cuts:					
1. Hindquarter	36	34	30	26	24
2. Forequarter	28	28	26	24	19

PARAGRAPH H—SHEET 3

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	64	60	55	49	35	33	30
2. Rib chops	50	47	44	40	23	21	18
3. Leg or sirloin chops	50	47	44	40	23	21	18
4. Shoulder chops, blades or arm-chops	43	41	38	35	20	18	15
XII. Roasts:							
1. Leg (whole, half or short cut)	43	40	37	33	25	23	21
2. Sirloin roast (bone-in)	50	47	44	40	23	21	18
3. Yoke, rattle or triangle (bone-in)	28	27	27	25	14	12	11
4. Yoke, rattle or triangle (boneless)	44	43	41	39	21	18	16
5. Chuck or shoulder, square cut (bone-in)	37	37	37	35	18	16	15
6. Chuck or shoulder, cross cut (bone-in)	30	29	28	27	14	13	11

(h) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 4—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XIII. Stews and other cuts:							
1. Breast and flank	21	19	18	17	10	09	07
2. Neck (bone-in)	21	19	18	17	10	09	07
3. Neck (boneless)	33	33	33	33	19	19	19
4. Shank (bone-in)	21	19	18	17	10	09	07
5. Patties (ground meat)	33	33	33	33	19	19	19
XIV. Kidneys	29	29	29	29	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	43	40	37	33	24	23	21
2. Loin	44	40	33	29	22	20	18
3. Hotel rack	49	45	39	33	24	21	18
4. Yoke	28	27	27	25	14	12	11

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 4.

Zone 4 includes the following area:

North Dakota, all counties.
South Dakota, all counties.
Minnesota, all counties.
Nebraska, all counties.
Kansas, all counties.
Oklahoma, all counties.
Texas, all counties.
Wisconsin, all that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.
Iowa, Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.
Missouri, all that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint François, Madison, Wayne, and Butler.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(i) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 5

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355 effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	66	62	52	45	41
2. T-Bone	66	62	52	45	41
3. Club	66	62	52	45	41
4. Rib—10-inch cut	40	38	35	31	27
5. Rib—7-inch cut	45	42	38	33	29
6. Sirloin	49	46	39	35	31
7. Sirloin (boneless)	61	57	48	42	38
8. Round (bone-in)	51	48	42	36	32
9. Round (boneless)	54	50	44	37	33
10. Round tip	54	50	44	37	33
11. Chuck shoulder	36	34	32	28	24
12. Flank	44	44	44	44	40
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	40	38	35	31	27
2. Rib standing (chine bone-in, 7-inch cut)	45	42	38	33	29
3. Round tip	54	50	44	37	33
4. Rump (bone-in)	33	31	27	23	19
5. Rump (boneless)	54	50	44	37	33
6. Chuck or shoulder (bone-in)	36	34	32	28	24
7. Chuck or shoulder (boneless)	46	44	41	36	32
III. Stews and other cuts:					
1. Short ribs	24	24	23	23	19
2. Plate (bone-in)	24	24	23	23	19
3. Plate (boneless)	29	29	28	28	24
4. Brisket (bone-in)	31	31	27	27	23
5. Brisket (boneless)	40	40	35	35	31
6. Flank meat	31	31	31	31	27
7. Neck (bone-in)	31	31	27	27	23
8. Neck (boneless)	36	34	32	28	24
9. Heel of round (boneless)	36	35	33	30	26
10. Shank (bone-in)	22	22	22	22	18
11. Shank (boneless)	31	31	31	31	27

(i) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 5—Continued

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
IV. Ground beef	31	31	31	31	31
V. Retail prices of wholesale cuts:					
1. Round beef—whole	37	35	31	27	23
2. Sirloin beef—whole	43	40	34	30	26
3. Short loin beef—whole	57	53	45	38	34
4. Flank beef—whole	19	19	19	19	15
5. Rib beef—whole	40	38	34	30	26
6. Regular chuck—whole	31	31	29	26	22
7. Short plate—whole	23	23	23	23	19
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	45	39	34	30
2. Rib chops	44	43	40	37	30
3. Shoulder chops	32	30	27	24	22
4. Round steak (cutlets)	53	50	44	39	36
5. Sirloin steaks or chops	41	40	37	34	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	35	31	28	25
2. Rump and sirloin (boneless)	55	52	46	40	36
3. Leg	38	35	31	28	25
4. Shoulder (bone-in)	31	30	28	26	21
5. Shoulder (boneless)	40	39	36	33	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	22	20	19	15
2. Breast (boneless)	32	30	27	24	22
3. Flank meat	32	30	27	24	22
4. Neck (bone-in)	22	22	20	19	15
5. Neck (boneless)	32	30	27	24	22
6. Shank (bone-in)	22	22	20	19	15
7. Shank and heel meat (boneless)	32	30	27	24	22
8. Ground veal and patties	33	33	33	33	33
IX. Kidneys	32	32	32	32	32
X. Retail prices of wholesale cuts:					
1. Hindquarter	38	35	31	28	25
2. Forequarter	30	29	27	25	20

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	67	64	58	52	38	35	33
2. Rib chops	53	50	47	43	26	23	20
3. Leg or sirloin chops	53	50	47	43	26	23	20
4. Shoulder chops, blades or arm chops	46	44	41	37	22	20	17
XII. Roasts:							
1. Leg (whole, half or short cut)	45	43	39	35	27	25	23
2. Sirloin roast (bone-in)	53	50	47	43	26	23	20
3. Yoke, rattle or triangle (bone-in)	30	30	29	27	15	14	12
4. Yoke, rattle or triangle (boneless)	47	46	44	42	23	21	18
5. Chuck or shoulder, square cut (bone-in)	40	40	39	38	20	18	17
6. Chuck or shoulder, cross cut (bone-in)	32	31	31	29	16	15	13
XIII. Stews and other cuts:							
1. Breast and flank	22	21	20	18	11	10	09
2. Neck (bone-in)	22	21	20	18	11	10	09
3. Neck (boneless)	36	36	36	36	21	21	21
4. Shank (bone-in)	22	21	20	18	11	10	09
5. Patties (ground meat)	36	36	36	36	21	21	21
XIV. Kidneys	31	31	31	31	17	17	17

(i) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 5—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercia	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XV. Retail prices of wholesale cuts:							
1. Leg	47	43	39	35	27	25	23
2. Loin	47	43	36	31	24	22	20
3. Hotel rack	52	48	42	35	26	23	20
4. Yoke	30	29	29	27	15	14	12

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 5.

Zone 5 includes the following area:

Michigan, all that portion of Michigan west of and including the counties of Marquette and Menominee.
Wisconsin, all that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland, and Grant.
Iowa, the following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.
Illinois, all that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair, and Monroe.
Missouri, the following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, and Jefferson.
Indiana, the following counties of Indiana: Lake, Newton, Benton, and Warren.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cut of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(j) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 5

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters & canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks					
1. Porterhouse	64	59	50	43	39
2. T-bone	64	59	50	43	39
3. Club	64	59	50	43	39
4. Rib—10-inch cut	39	36	33	29	25
5. Rib—7-inch cut	43	40	36	31	27
6. Sirloin	47	44	37	33	29
7. Sirloin (boneless)	58	54	46	40	36
8. Round (bone-in)	49	46	40	34	30
9. Round (boneless)	51	48	42	36	32
10. Round tip	51	48	42	36	32
11. Chuck shoulder	34	33	30	26	22
12. Flank	42	42	42	42	38
II. Roasts					
1. Rib standing (chine bone-in, 10-inch cut)	39	36	33	29	25
2. Rib standing (chine bone-in, 7-inch cut)	43	40	36	31	27
3. Round tip	51	48	42	36	32
4. Rump (bone-in)	32	30	26	22	18
5. Rump (boneless)	51	48	42	36	32
6. Chuck or shoulder (bone-in)	34	33	30	26	22
7. Chuck or shoulder (boneless)	44	42	39	33	29
III. Stews and other cuts					
1. Short ribs	22	22	22	22	18
2. Plate (bone-in)	22	22	22	22	18
3. Plate (boneless)	28	28	27	27	23
4. Brisket (bone-in)	29	29	26	26	22
5. Brisket (boneless)	38	38	33	33	29
6. Flank meat	30	30	30	30	26
7. Neck (bone-in)	29	29	26	26	22
8. Neck (boneless)	34	33	30	26	22
9. Heel of round (boneless)	35	34	31	28	24
10. Shank (bone-in)	22	22	22	22	18
11. Shank (boneless)	30	30	30	30	26
IV. Ground beef	30	30	30	30	30
V. Retail prices of wholesale cuts:					
1. Round beef—Whole	35	33	30	26	22
2. Sirloin beef—Whole	41	33	33	29	25
3. Short loin beef—Whole	54	50	43	37	33
4. Flank beef—Whole	19	19	19	19	15
5. Rib beef—Whole	38	36	33	29	25
6. Regular chuck—Whole	30	29	27	25	21
7. Short plate—Whole	22	22	22	22	18
8. Brisket—Whole	26	26	23	23	19
9. Shank—Whole	19	19	19	19	15

(j) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 5—Continued

Veal	Grades				
	AA or choice	A or good—	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	46	43	37	32	28
2. Rib chops	42	41	39	35	29
3. Shoulder chops	31	29	26	23	20
4. Round steak (cutlets)	51	48	42	37	34
5. Sirloin steaks or chops	39	38	36	33	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	36	34	30	26	24
2. Rump and sirloin (boneless)	52	49	44	38	35
3. Leg	36	34	30	26	24
4. Shoulder (bone-in)	30	29	27	25	20
5. Shoulder (boneless)	38	37	34	32	26
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	21	20	18	14
2. Breast (boneless)	31	29	26	23	20
3. Flank meat	31	29	26	23	20
4. Neck (bone-in)	21	21	20	18	14
5. Neck (boneless)	31	29	26	23	20
6. Shank (bone-in)	21	21	20	18	14
7. Shank and heel meat (boneless)	31	29	26	23	20
8. Ground veal and patties	32	32	32	32	32
IX. Kidneys	31	31	31	31	31
X. Retail prices of wholesale cuts:					
1. Hindquarter	36	34	30	26	24
2. Forequarter	28	28	26	24	19

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	64	61	56	50	36	33	31
2. Rib chops	51	48	45	41	24	22	19
3. Leg or sirloin chops	51	48	45	41	24	22	19
4. Shoulder chops, blades or arm chops	44	41	39	35	21	19	16
XII. Roasts:							
1. Leg (whole, half or short cut)	44	41	38	34	25	24	22
2. Sirloin roast (bone-in)	51	48	45	41	24	22	19
3. Yoke, rattle or triangle (bone-in)	29	28	27	26	14	13	12
4. Yoke, rattle or triangle (boneless)	44	43	42	40	21	19	17
5. Chuck or shoulder, square cut (bone-in)	38	38	38	36	19	17	15
6. Chuck or shoulder, cross cut (bone-in)	30	30	29	28	15	14	12
XIII. Stews and other cuts:							
1. Breast and flank	21	20	19	17	10	09	08
2. Neck (bone-in)	21	20	19	17	10	09	08
3. Neck (boneless)	34	34	34	34	20	20	20
4. Shank (bone-in)	21	20	19	17	10	09	08
5. Patties, (ground meat)	34	34	34	34	20	20	20
XIV. Kidneys	30	30	30	30	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	44	41	38	34	25	24	22
2. Loin	45	41	34	30	23	21	19
3. Hotel rack	50	46	40	34	25	22	19
4. Yoke	29	28	27	26	14	13	12

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 5.

Zone 5 includes the following area:

Michigan, All that portion of Michigan west of and including the counties of Marquette and Menominee.
Wisconsin, All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.
Iowa, The following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.
Illinois, All that portion of Illinois north and west of and including the counties of Vermillion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair, and Monroe.
Missouri, The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, and Jefferson.
Indiana, The following counties in Indiana: Lake, Newton, Denton, and Warren.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(k) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 6*

[For Stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	67	62	53	45	41
2. T-bone	67	62	53	45	41
3. Club	67	62	53	45	41
4. Rib—10-inch cut	41	39	35	31	27
5. Rib—7-inch cut	45	42	38	33	29
6. Sirloin	49	46	40	35	31
7. Sirloin (boneless)	61	57	49	43	39
8. Round (bone-in)	52	48	42	36	32
9. Round (boneless)	54	50	44	38	34
10. Round tip	54	50	44	38	34
11. Chuck shoulder	36	35	33	28	24
12. Flank	44	44	44	44	44
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	41	39	35	31	27
2. Rib standing (chine bone-in, 7-inch cut)	45	42	38	33	29
3. Round tip	54	50	44	38	34
4. Rump (bone-in)	34	32	28	24	20
5. Rump (boneless)	54	50	44	38	34
6. Chuck or shoulder (bone-in)	36	35	33	28	24
7. Chuck or shoulder (boneless)	46	45	42	36	32
III. Stews and other cuts:					
1. Short ribs	24	24	24	24	20
2. Plate (bone-in)	24	24	24	24	20
3. Plate (boneless)	30	30	29	29	25
4. Brisket (bone-in)	31	31	28	28	24
5. Brisket (boneless)	41	41	36	36	32
6. Flank meat	31	31	31	31	27
7. Neck (bone-in)	31	31	28	28	24
8. Neck (boneless)	36	35	33	28	24
9. Heel of round (boneless)	37	36	33	30	26
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	31	31	31	31	27
IV. Ground beef	31	31	31	31	31
V. Retail prices of wholesale cuts:					
1. Round beef—whole	37	35	31	27	23
2. Sirloin beef—whole	43	41	35	31	27
3. Short loin beef—whole	57	53	45	39	35
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	40	38	35	31	27
6. Regular chuck—whole	32	31	30	27	23
7. Short plate—whole	23	23	23	23	19
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	49	46	42	38	31
2. Rib chops	45	44	41	38	31
3. Shoulder chops	33	31	28	25	22
4. Round steak (cutlets)	54	51	45	40	37
5. Sirloin steaks or chops	42	41	38	35	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	29	26
2. Rump and sirloin (boneless)	56	52	47	41	37
3. Leg	38	36	32	29	26
4. Shoulder (bone-in)	32	31	29	27	22
5. Shoulder (boneless)	40	40	37	34	28
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	23	21	20	16
2. Breast (boneless)	33	31	28	25	22
3. Flank meat	33	31	28	25	22
4. Neck (bone-in)	23	23	21	20	16
5. Neck (boneless)	33	31	28	25	22
6. Shank (bone-in)	23	23	21	20	16
7. Shank and heel meat (boneless)	33	31	28	25	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices on wholesale cuts:					
1. Hindquarter	38	36	32	28	26
2. Forequarter	31	30	28	26	21

(k) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 6*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	68	64	59	53	38	36	33
2. Rib chops	54	51	47	44	26	23	20
3. Leg or sirloin chops	54	51	47	44	26	23	20
4. Shoulder chops, blades or arm chops	46	44	41	38	23	20	18
XII. Roasts:							
1. Leg (whole, half or short cut)	46	43	40	36	27	25	23
2. Sirloin roast (bone-in)	54	51	47	44	26	23	20
3. Yoke, rattle or triangle (bone-in)	31	30	29	28	16	14	13
4. Yoke, rattle or triangle (boneless)	47	46	45	42	23	21	19
5. Chuck or shoulder, square cut (bone-in)	40	40	40	38	21	19	17
6. Chuck or shoulder, cross cut (bone-in)	32	32	31	30	17	15	14
XIII. Stews and other cuts:							
1. Breast and flank	23	22	20	19	12	10	09
2. Neck (bone-in)	23	22	20	19	12	10	09
3. Neck (boneless)	36	36	36	36	21	21	21
4. Shank (bone-in)	23	22	20	19	12	10	09
5. Patties, (ground meat)	36	36	36	36	21	21	21
XIV. Kidneys	31	31	31	31	17	17	17
XV. Retail prices of wholesale cuts:							
1. Leg	46	43	40	36	27	25	23
2. Loin	47	43	36	31	24	22	20
3. Hotel rack	53	49	42	36	26	24	21
4. Yoke	31	30	29	28	16	14	13

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 6.

Zone 6 includes the following area:

Michigan, the following counties of Michigan Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa, and Berrien.

Indiana, all counties except Lake, Newton, Benton and Warren.

Illinois, all that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

Missouri, the following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin, and Pemiscot.

Kentucky, all that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg, and Todd.

Tennessee, the following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Dyer, Montgomery, Gibson, Crockett, Carroll, Benton and Houston.

Arkansas, all counties.

Louisiana, all that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point the Point Coupee Parish and west of and including the Parishes of Avoyelles, Saint Landry, Saint Martin, and Iberia.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(k) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and*

(k) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and*

(l) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 6*

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks.					
1. Porterhouse	64	59	51	43	39
2. T-bone	64	59	51	43	39
3. Club	54	50	51	43	39
4. Rib—10 inch cut	39	37	34	30	26
5. Rib—7 inch cut	43	40	37	32	28
6. Sirloin	47	44	38	33	29
7. Sirloin (boneless)	58	55	46	41	37
8. Round (bone-in)	49	46	40	35	31
9. Round (boneless)	52	48	42	36	32
10. Round tip	52	48	42	36	32
11. Chuck shoulder	34	33	31	26	22
12. Flank	42	42	42	42	38
II. Roasts:					
1. Rib standing (chine bone-in, 10 inch cut)	39	37	34	30	26
2. Rib standing (chine bone-in, 7 inch cut)	43	40	37	32	28
3. Round tip	52	48	42	36	32
4. Rump (bone-in)	32	30	27	23	19
5. Rump (boneless)	52	48	42	36	32
6. Chuck or shoulder (bone-in)	34	33	31	26	22
7. Chuck or shoulder (boneless)	44	43	39	34	30
III. Stews and other cuts:					
1. Short ribs	23	23	22	22	18
2. Plate (bone-in)	23	23	23	23	19
3. Plate (boneless)	28	28	27	27	23
4. Brisket (bone-in)	30	30	26	26	22
5. Brisket (boneless)	39	39	34	34	30
6. Flank meat	30	30	30	30	26
7. Neck (bone-in)	30	30	26	26	22
8. Neck (boneless)	34	33	31	26	22
9. Heel of round (boneless)	35	34	32	29	25
10. Shank (bone-in)	22	22	22	22	18
11. Shank (boneless)	30	30	30	30	26
IV. Ground beef	30	30	30	30	30
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	33	30	26	22
2. Sirloin beef—whole	41	39	33	29	25
3. Short loin beef—whole	55	51	43	37	33
4. Flank beef—whole	19	19	19	19	15
5. Rib beef—whole	38	36	33	29	25
6. Regular chuck—whole	30	30	28	25	21
7. Short plate—whole	22	22	22	22	18
8. Brisket—whole	26	26	23	23	19
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	47	44	40	36	29
2. Rib chops	43	42	39	36	29
3. Shoulder chops	32	30	27	24	21
4. Round steak (cutlets)	52	49	43	38	35
5. Sirloin steaks or chops	40	39	36	34	27
VII. Roasts:					
1. Rump and sirloin (bone-in)	37	35	31	27	25
2. Rump and sirloin (boneless)	53	50	44	39	36
3. Leg	37	35	31	27	25
4. Shoulder (bone-in)	30	30	28	26	21
5. Shoulder (boneless)	39	38	35	33	26
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	22	20	19	15
2. Breast (boneless)	32	30	27	24	21
3. Flank meat	32	30	27	24	21
4. Neck (bone-in)	22	22	20	19	15
5. Neck (boneless)	32	30	27	24	21
6. Shank (bone-in)	22	22	20	19	15
7. Shank and heel heat (boneless)	32	30	27	24	21
8. Ground veal and patties	33	33	33	33	33
IX. Kidneys	32	32	32	32	32
X. Retail prices on wholesale cuts:					
1. Hindquarter	37	34	31	27	25
2. Forequarter	29	28	27	25	20

(l) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 6*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	65	61	56	50	36	34	31
2. Rib chops	51	49	45	41	25	22	19
3. Leg or sirloin chops	51	49	45	41	25	22	19
4. Shoulder chops, blades or arm chops	44	42	39	36	21	19	17
XII. Roasts:							
1. Leg (whole, half or short cut)	44	42	38	34	26	24	22
2. Sirloin roast (bone-in)	51	49	45	41	25	22	19
3. Yoke, rattle or triangle (bone-in)	29	29	28	27	15	13	12
4. Yoke, rattle or triangle (boneless)	45	44	43	40	22	20	17
5. Chuck or shoulder, square cut (bone-in)	39	38	38	37	20	18	16
6. Chuck or shoulder, cross cut (bone-in)	31	30	30	28	16	14	13
XIII. Stews and other cuts:							
1. Breast and flank	22	21	19	18	11	10	09
2. Neck (bone-in)	22	21	19	18	11	10	09
3. Neck (boneless)	34	34	34	34	20	20	20
4. Shank (bone-in)	22	21	19	18	11	10	09
5. Patties (ground meat)	34	34	34	34	20	20	20
XIV. Kidneys	30	30	30	30	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	44	41	38	34	26	24	22
2. Loin	45	42	35	31	23	21	19
3. Hotel rack	50	47	41	34	25	23	20
4. Yoke	29	29	28	26	15	13	12

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 6.

Zone 6 includes the following area:

Michigan, the following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa and Berrien.

Indiana, all counties except Lake, Newton, Benton, and Warren.

Illinois, all that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

Missouri, the following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin, and Pemiscot.

Kentucky, all that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg, and Todd.

Tennessee, the following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Dyer, Montgomery, Gibson, Crockett, Carroll, Benton, and Houston.

Arkansas, all counties.

Louisiana, all that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of the Point Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin, and Iberia.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with the customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(m) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 7*

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
Steaks					
1. Porterhouse	67	62	53	46	42
2. T-bone	67	62	53	46	42
3. Club	67	62	53	46	42
4. Rib—10-inch cut	41	39	36	31	27
5. Rib—7-inch cut	45	43	39	34	30
6. Sirloin	50	47	40	35	31
7. Sirloin (boneless)	62	58	49	44	40
8. Round (bone-in)	62	49	43	37	33
9. Round (boneless)	57	51	45	38	34
10. Round tip	55	51	45	38	34
11. Chuck shoulder	36	35	33	29	25
12. Flank	45	45	45	45	41
II. Roasts					
1. Rib standing (chine bone-in, 10-inch cut)	41	39	36	31	27
2. Rib standing (chine bone-in, 7-inch cut)	45	43	39	34	30
3. Round tip	75	51	45	38	34
4. Rump (bone-in)	34	32	28	24	20
5. Rump (boneless)	55	51	45	38	34
6. Chuck or shoulder (bone-in)	36	35	33	29	25
7. Chuck or shoulder (boneless)	47	45	42	37	33
III. Stews and other cuts:					
1. Short ribs	25	25	24	24	20
2. Plate (bone-in)	28	25	24	24	20
3. Plate (boneless)	30	30	29	29	25
4. Brisket (bone-in)	32	32	28	28	24
5. Brisket (boneless)	41	41	36	36	32
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	32	32	28	28	24
8. Neck (boneless)	36	35	33	29	25
9. Heel of round (boneless)	37	38	24	31	27
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts:					
1. Round beef—whole	38	35	32	28	24
2. Sirloin beef—whole	43	41	35	31	27
3. Short loin beef—whole	57	54	46	39	35
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	41	38	35	31	27
6. Regular chuck—whole	32	31	30	27	23
7. Short plate—whole	24	24	23	23	19
8. Brisket—whole	28	28	25	25	21
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	50	46	43	38	32
2. Rib chops	46	44	42	38	31
3. Shoulder chops	34	32	28	25	23
4. Round steak (cutlets)	54	51	46	41	37
5. Sirloin steaks or chops	42	41	39	36	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	39	37	33	29	27
2. Rump and sirloin (boneless)	59	53	47	42	38
3. Leg	39	37	33	29	27
4. Shoulder (bone-in)	32	32	30	27	22
5. Shoulder (boneless)	41	40	38	34	28
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	23	22	20	16
2. Breast (boneless)	34	32	28	25	23
3. Flank meat	24	23	22	20	16
4. Neck (bone-in)	34	32	28	25	23
5. Neck (boneless)	24	23	22	20	16
6. Shank (bone-in)	34	32	28	25	23
7. Shank and heel meat (boneless)	34	34	34	34	34
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys					
X. Retail prices on wholesale cuts:					
1. Hindquarter	39	36	32	29	26
2. Forequarter	31	30	28	26	21

(m) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 7—Continued*

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	68	65	59	53	39	36	34
2. Rib chops	54	51	48	44	27	24	21
3. Leg or sirloin chops	54	51	48	44	27	24	21
4. Shoulder chops, blades or arm chops	47	45	42	38	23	21	18
XII. Roasts:							
1. Leg (whole, half or short cut)	46	44	40	36	28	26	24
2. Sirloin roast (bone-in)	54	51	48	44	27	24	21
3. Yoke, rattle or triangle (bone-in)	31	31	30	28	16	15	13
4. Yoke, rattle or triangle (boneless)	48	47	45	43	24	22	19
5. Chuck or shoulder, square cut (bone-in)	41	41	40	39	21	19	18
6. Chuck or shoulder, cross cut (bone-in)	33	32	32	30	17	16	14
XIII. Stews and other cuts:							
1. Breast and flank	23	22	21	19	12	11	10
2. Neck (bone-in)	23	22	21	19	12	11	10
3. Neck (boneless)	37	37	37	37	22	22	22
4. Shank (bone-in)	23	22	21	19	12	11	10
5. Patties, (ground meat)	37	37	37	37	22	22	22
XIV. Kidneys	32	32	32	32	18	18	18
XV. Retail prices of wholesale cuts:							
1. Leg	46	44	40	36	28	26	24
2. Loin	48	44	37	32	23	23	21
3. Hotel rack	53	49	43	36	27	24	21
4. Yoke	31	31	30	28	16	15	13

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 7.

Zone 7 includes the following area:

Michigan, the lower peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

Ohio, all counties.

New York, the following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

Pennsylvania, all that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette.

West Virginia, all that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan, and Mingo.

Kentucky, all that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler, and Logan.

Tennessee, all that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.

Alabama, all that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar.

Mississippi, all that portion of Mississippi north of and including the counties of Lowndes, Oktibeha, Choctaw, Attala, Madison, Yazoo, and Issaquena.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(n) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 7

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks					
1. Porterhouse	64	60	51	44	40
2. T-bone	64	60	51	44	40
3. Club	64	60	51	44	40
4. Rib—10-inch cut	39	37	34	30	26
5. Rib—7-inch cut	44	41	37	32	28
6. Sirloin	48	45	38	34	30
7. Sirloin (boneless)	59	55	47	41	37
8. Round (bone-in)	50	46	41	35	31
9. Round (boneless)	52	49	43	36	32
10. Round tip	52	49	43	36	32
11. Chuck shoulder	35	34	31	27	23
12. Flank	43	43	43	43	39
II. Roasts					
1. Rib standing (chine bone-in, 10-inch cut)	39	37	34	30	26
2. Rib standing (chine bone-in, 7-inch cut)	44	41	37	32	28
3. Round tip	52	49	43	36	32
4. Rump (bone-in)	33	31	27	23	19
5. Rump (boneless)	52	49	43	36	32
6. Chuck or shoulder (bone-in)	35	34	31	27	23
7. Chuck or shoulder (boneless)	45	43	40	34	30
III. Stews and other cuts:					
1. Short ribs	23	23	23	23	19
2. Plate (bone-in)	23	23	23	23	19
3. Plate (boneless)	28	28	28	28	24
4. Brisket (bone-in)	30	30	27	27	23
5. Brisket (boneless)	39	39	34	34	30
6. Flank meat	31	31	31	31	27
7. Neck (bone-in)	30	30	27	27	23
8. Neck (boneless)	35	34	31	27	23
9. Heel of round (boneless)	36	35	32	29	25
10. Shank (bone-in)	22	22	22	22	18
11. Shank (boneless)	31	31	31	31	27
IV. Ground beef	31	31	31	31	31
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	34	30	26	22
2. Sirloin beef—whole	42	39	33	30	26
3. Short loin beef—whole	55	51	44	37	33
4. Flank beef—whole	19	19	19	19	15
5. Rib beef—whole	39	37	33	30	26
6. Regular chuck—whole	31	30	28	25	21
7. Short plate—whole	23	23	22	22	18
8. Brisket—whole	26	26	24	24	20
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	47	44	41	36	30
2. Rib chops	43	42	40	36	30
3. Shoulder chops	32	30	27	24	22
4. Round steak (cutlets)	52	49	44	39	35
5. Sirloin steaks or chops	40	39	37	34	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	37	35	31	28	25
2. Rump and sirloin (boneless)	54	51	45	40	36
3. Leg	37	35	31	28	25
4. Shoulder (bone-in)	31	30	28	26	21
5. Shoulder (boneless)	39	38	36	33	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	22	21	19	16
2. Breast (boneless)	32	30	27	24	22
3. Flank meat	32	30	27	24	22
4. Neck (bone-in)	22	22	21	19	16
5. Neck (boneless)	32	30	27	24	22
6. Shank (bone-in)	22	22	21	19	16
7. Shank and heel meat (boneless)	32	30	27	24	22
8. Ground veal and patties	33	33	33	33	33
IX. Kidneys	32	32	32	32	32
X. Retail prices on wholesale cuts:					
1. Hindquarter	37	35	31	27	25
2. Forequarter	30	29	26	25	20

(n) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 7—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	65	62	57	51	37	34	32
2. Rib chops	52	49	46	42	25	23	20
3. Leg or sirloin chops	52	49	46	42	25	23	20
4. Shoulder chops, blades or arm chops	45	42	40	36	22	20	17
XII. Roasts:							
1. Leg (whole, half or short cut)	45	42	39	35	26	25	23
2. Sirloin roast (bone-in)	52	49	46	42	25	23	20
3. Yoke, rattle or triangle (bone-in)	30	29	28	27	15	14	13
4. Yoke, rattle or triangle (boneless)	45	44	43	41	22	20	18
5. Chuck or shoulder, square cut (bone-in)	39	39	39	37	20	18	16
6. Chuck or shoulder, cross cut (bone-in)	31	31	30	29	16	15	13
XIII. Stews and other cuts:							
1. Breast and flank	22	21	20	18	11	10	09
2. Neck (bone-in)	22	21	20	18	11	10	09
3. Neck (boneless)	35	35	35	35	21	21	21
4. Shank (bone-in)	22	21	20	18	11	10	09
5. Patties (ground meat)	35	35	35	35	21	21	21
XIV. Kidneys	31	31	31	31	17	17	17
XV. Retail prices of wholesale cuts:							
1. Leg	45	42	39	35	26	25	23
2. Loin	46	42	35	31	24	22	20
3. Hotel rack	51	47	41	35	26	23	20
4. Yoke	30	29	28	27	15	14	13

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 7.

Zone 7 includes the following area:

Michigan, the lower peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.
Ohio, all counties.
New York, the following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.
Pennsylvania, all that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette.
West Virginia, all that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boones, Logan, and Mingo.
Kentucky, all that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler, and Logan.
Tennessee, all that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.
Alabama, all that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar.
Mississippi, all that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo, and Issaquena.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailers must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lambs. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(o) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and

(o) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 North*

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	68	63	54	46	42
2. T-Bone	68	63	54	46	42
3. Club	68	63	54	46	42
4. Rib—10-inch cut	42	39	36	32	28
5. Rib—7-inch cut	46	43	39	34	30
6. Sirloin	50	47	41	36	32
7. Sirloin (boneless)	62	58	50	44	40
8. Round (bone-in)	53	49	43	37	33
9. Round (boneless)	56	51	45	39	35
10. Round tip	55	51	45	39	35
11. Chuck shoulder	37	36	34	29	25
12. Flank	46	46	46	46	42
II. Roasts:					
1. Rib-standing (chine bone-in, 10 inch cut)	42	39	36	32	28
2. Rib-standing (chine bone-in, 7 inch cut)	46	43	39	34	30
3. Round tip	55	51	45	39	35
4. Rump (bone-in)	35	32	29	25	21
5. Rump (boneless)	55	51	45	39	35
6. Chuck or shoulder (bone-in)	37	36	34	29	25
7. Chuck or shoulder (boneless)	47	46	43	37	33
III. Stews and other cuts:					
1. Short ribs	25	25	24	24	20
2. Plate (bone-in)	25	25	24	24	20
3. Plate (boneless)	31	31	30	30	26
4. Brisket (bone-in)	32	32	29	29	25
5. Brisket (boneless)	42	42	37	37	33
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	32	32	29	29	25
8. Neck (boneless)	37	36	34	29	25
9. Heel of round (boneless)	38	37	34	31	27
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts:					
1. Round beef—whole	38	36	32	28	24
2. Sirloin beef—whole	44	41	35	31	27
3. Short loin beef—whole	58	54	46	39	35
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	41	39	35	31	27
6. Regular chuck—whole	32	32	30	27	23
7. Short plate—whole	24	24	24	24	24
8. Brisket—whole	28	28	25	25	21
9. Shank—whole	21	21	21	21	17

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb*
VI. Steaks and chops:					
1. Loin chops	50	47	43	39	32
2. Rib chops	46	45	42	39	32
3. Shoulder chops	34	32	29	25	23
4. Round steak (cutlets)	55	52	46	41	38
5. Sirloin steaks or chops	43	42	39	36	30
VII. Roasts:					
1. Rump and sirloin (bone-in)	40	37	33	30	27
2. Rump and sirloin (boneless)	57	54	48	42	38
3. Leg	40	37	33	30	27
4. Shoulder (bone-in)	33	32	30	28	23
5. Shoulder (boneless)	41	40	38	35	28
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	24	22	20	17
2. Breast (boneless)	34	32	29	25	23
3. Flank meat	34	32	29	25	23
4. Neck (bone-in)	24	24	22	20	17
5. Neck (boneless)	34	32	29	25	23
6. Shank (bone-in)	24	24	22	20	17
7. Shank and heel meat (boneless)	34	32	29	25	23
8. Ground veal and patties	35	35	35	35	35
IX. Kidneys	34	34	34	34	34
X. Retail prices on wholesale cuts:					
1. Hindquarter	39	37	33	29	27
2. Forequarter	31	31	29	27	22

(o) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 North*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade H or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	69	65	60	54	40	37	34
2. Rib chops	55	52	49	45	27	24	22
3. Leg or sirloin chops	55	52	49	45	27	24	22
4. Shoulder chops, blades or arm chops	48	45	42	39	24	22	19
XII. Roasts:							
1. Leg (whole, half or short cut)	47	45	41	37	28	27	25
2. Sirloin roast (bone-in)	55	52	49	45	27	24	22
3. Yoke, rattle or triangle (bone-in)	32	31	31	29	17	16	14
4. Yoke, rattle or triangle (boneless)	48	47	46	44	25	22	20
5. Chuck or shoulder, square cut (bone-in)	42	41	41	40	22	20	18
6. Chuck or shoulder, cross cut (bone-in)	34	33	32	31	18	16	15
XIII. Stews and other cuts:							
1. Breast and flank	24	23	22	20	13	12	11
2. Neck (bone-in)	24	23	22	20	13	12	11
3. Neck (boneless)	38	38	38	38	23	23	23
4. Shank (bone-in)	24	23	22	20	13	12	11
5. Patties (ground meat)	38	38	38	38	23	23	23
XIV. Kidneys	33	33	33	33	19	19	19
XV. Retail prices of wholesale cuts:							
1. Leg	47	45	41	37	28	26	25
2. Loin	49	45	37	32	26	24	21
3. Hotel rack	54	50	44	37	28	25	22
4. Yoke	32	31	30	29	17	16	14

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 8—North.

Zone 8—north includes the following area:

New York, all that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua.

Pennsylvania, the following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton.

Maryland, the following counties of Maryland: Garrett and Allegany.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade, and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(p) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 North*

[For stores in Classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	B or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	65	60	51	44	40
2. T-bone	65	60	51	44	40
3. Club	65	60	51	44	40
4. Rib—10 inch cut	40	38	34	30	26
5. Rib—7 inch cut	44	41	37	32	28
6. Sirloin	48	45	39	34	30
7. Sirloin (boneless)	59	56	48	42	38
8. Round (bone-in)	50	47	41	35	31
9. Round (boneless)	53	49	43	37	33
10. Round tip	53	49	43	37	33
11. Chuck shoulder	35	34	31	27	23
12. Flank	44	44	44	44	40
II. Roasts:					
1. Rib standing (chine bone-in, 10 inch cut)	40	38	34	30	26
2. Rib standing (chine bone-in, 7 inch cut)	44	41	37	32	28
3. Round tip	53	49	43	37	33
4. Rump (bone-in)	33	31	27	24	20
5. Rump (boneless)	53	49	43	37	33
6. Chuck or shoulder (bone-in)	35	34	31	27	23
7. Chuck or shoulder (boneless)	45	44	40	35	31
III. Stews and other cuts:					
1. Short ribs	23	23	23	23	19
2. Plate (bone-in)	24	24	23	23	19
3. Plate (boneless)	29	29	28	28	24
4. Brisket (bone-in)	31	31	27	27	23
5. Brisket (boneless)	40	40	35	35	31
6. Flank meat	31	31	31	31	27
7. Neck (bone-in)	31	31	27	27	23
8. Neck (boneless)	35	34	31	27	23
9. Heel of round (boneless)	36	35	33	30	26
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	31	31	31	31	27
IV. Ground beef	31	31	31	31	31
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	34	31	27	23
2. Sirloin beef—whole	42	39	34	30	26
3. Short loin beef—whole	55	51	44	38	34
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	39	37	34	30	26
6. Regular chuck—whole	31	30	29	26	22
7. Short plate—whole	23	23	23	23	19
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	45	41	37	30
2. Rib chops	44	43	40	37	30
3. Shoulder chops	32	31	27	24	22
4. Round steak (cutlets)	53	50	44	39	36
5. Sirloin steaks or chops	41	40	37	34	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	28	26
2. Rump and sirloin (boneless)	54	51	45	40	36
3. Leg	38	36	32	28	26
4. Shoulder (bone-in)	31	30	29	26	22
5. Shoulder (boneless)	39	38	36	33	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	22	21	19	16
2. Breast (boneless)	32	31	27	24	22
3. Flank meat	32	31	27	24	22
4. Neck (bone-in)	23	22	21	19	16
5. Neck (boneless)	32	31	27	24	22
6. Shank (bone-in)	23	22	21	19	16
7. Shank and heel meat (boneless)	32	31	27	24	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices on wholesale cuts:					
1. Hindquarters	37	35	31	28	25
2. Forequarter	30	29	27	25	21

(p) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 North*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb*
XI. Steaks and chops:							
1. Loin chops	66	62	57	51	38	35	33
2. Rib chops	52	50	47	43	26	23	20
3. Leg or sirloin chops	52	50	47	43	26	23	20
4. Shoulder chops, blades or arm chops	46	43	40	37	23	20	18
XII. Roasts:							
1. Leg (whole, half or short cut)	45	43	39	35	27	25	24
2. Sirloin roast (bone-in)	52	50	47	43	26	23	20
3. Yoke, rattle or triangle (bone-in)	31	30	29	28	16	15	13
4. Yoke, rattle or triangle (boneless)	46	45	44	42	23	21	19
5. Chuck or shoulder, square cut (bone-in)	40	39	39	38	21	19	17
6. Chuck or shoulder, cross cut (bone-in)	32	31	31	30	17	15	14
XIII. Stews and other cuts:							
1. Breast and flank	23	22	21	19	12	11	10
2. Neck (bone-in)	23	22	21	19	12	11	10
3. Neck (boneless)	36	36	36	36	22	22	22
4. Shank (bone-in)	23	22	21	19	12	11	10
5. Patties (ground meat)	26	36	36	36	22	22	22
XIV. Kidney	32	32	32	32	18	18	18
XV. Retail prices of wholesale cuts.							
1. Leg	45	43	39	35	27	25	24
2. Loin	47	43	36	32	25	22	20
3. Hotel rack	52	48	42	35	26	24	21
4. Yoke	31	30	29	28	16	15	13

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 8—north.

Zone 8—north includes the following area:

New York, all that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua.

Pennsylvania, the following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton.

Maryland, the following counties of Maryland: Garrett and Allegany.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(q) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 South*

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

(q) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 South*—Continued

(q) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 South

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades: AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks					
1. Porterhouse	68	63	54	46	42
2. T-bone	68	63	54	46	42
3. Club	68	63	54	46	42
4. Rib—10-inch cut	42	39	36	32	28
5. Rib—7-inch cut	46	43	39	34	30
6. Sirloin	50	47	41	36	32
7. Sirloin (boneless)	62	58	50	44	40
8. Round (bone-in)	53	49	43	37	33
9. Round (boneless)	55	51	45	39	35
10. Round tip	55	51	45	39	35
11. Chuck shoulder	37	[illegible]	34	29	25
12. Flank	46	46	46	46	42
II. Roasts					
1. Rib standing (chine bone-in, 10-inch cut)	42	39	36	32	28
2. Rib standing (chine bone-in, 7-inch cut)	46	43	39	34	30
3. Round tip	55	51	45	39	35
4. Rump (bone-in)	[illegible]	32	29	25	21
5. Rump (boneless)	[illegible]	51	45	39	35
6. Chuck or shoulder (bone-in)	37	36	34	29	25
7. Chuck or shoulder (boneless)	47	46	43	37	33
III. Stews and other cuts					
1. Short ribs	[illegible]	27	24	24	20
2. Plate (bone-in)	25	25	24	24	[illegible]
3. Plate (boneless)	31	31	[illegible]	[illegible]	26
4. Brisket (bone-in)	32	32	29	29	25
5. Brisket (boneless)	42	42	[illegible]	37	33
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	32	32	[illegible]	29	25
8. Neck (boneless)	37	36	34	29	25
9. Heel of round (boneless)	38	37	34	31	27
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts					
1. Round beef—whole	38	36	32	28	24
2. Sirloin beef—whole	44	41	35	31	27
3. Short loin beef—whole	58	54	46	39	35
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	41	39	35	31	27
6. Regular chuck—whole	32	32	30	27	23
7. Short plate—whole	24	24	24	24	20
8. Brisket—whole	28	28	25	25	21
9. Shank—whole	21	21	21	21	17

Veal	Grades: AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	50	47	43	39	32
2. Rib chops	46	45	42	39	32
3. Shoulder chops	34	32	29	25	23
4. Round steak (cutlets)	55	52	46	41	38
5. Sirloin steaks or chops	43	42	39	36	30
VII. Roasts.					
1. Rump and sirloin (bone-in)	40	37	33	30	27
2. Rump and sirloin (boneless)	57	54	48	42	38
3. Leg	40	37	33	30	27
4. Shoulder (bone-in)	33	32	30	28	23
5. Shoulder (boneless)	41	40	38	35	28
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	24	22	20	17
2. Breast (boneless)	34	32	29	25	23
3. Flank meat	34	32	29	25	23
4. Neck (bone-in)	24	24	22	20	17
5. Neck (boneless)	34	32	29	25	23
6. Shank (bone-in)	24	24	22	20	17
7. Shank and heel meat (boneless)	34	32	29	25	23
8. Ground veal and patties	35	35	35	35	35
IX. Kidneys	34	34	34	34	34
X. Retail prices on wholesale cuts:					
1. Hindquarter	39	37	33	29	27
2. Forequarter	31	31	29	27	22

(q) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 South—Continued

Lamb and mutton	Lamb: Grade AA or choice	Lamb: Grade A or good	Lamb: Grade B or commercial	Lamb: Grade C or utility	Mutton: Grade S or prime, choice and good	Mutton: Grade M or commercial	Mutton: Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	69	65	59	53	39	36	34
2. Rib chops	54	52	48	44	27	24	21
3. Leg or sirloin chops	54	52	48	44	27	24	21
4. Shoulder chops, blades or arm-chops	47	45	42	38	23	21	19
XII. Roasts.							
1. Leg (whole, half or short cut)	47	44	41	37	28	26	24
2. Sirloin roast (bone-in)	54	52	48	44	27	24	21
3. Yoke, rattle or triangle (bone-in)	32	31	30	29	17	15	14
4. Yoke, rattle or triangle (boneless)	48	47	46	43	24	22	19
5. Chuck or shoulder, square cut (bone-in)	41	41	41	39	21	20	18
6. Chuck or shoulder, cross cut (bone-in)	33	33	32	31	17	16	14
XIII. Stews and other cuts:							
1. Breast and flank	24	23	21	20	12	11	10
2. Neck (bone-in)	24	23	21	20	12	11	10
3. Neck (boneless)	37	37	37	37	22	22	22
4. Shank (bone-in)	24	23	21	20	12	11	10
5. Patties, (ground meat)	37	37	37	37	22	22	22
XIV. Kidneys	32	32	32	32	18	18	18
XV. Retail price of wholesale cuts							
1. Leg	47	44	41	37	28	26	24
2. Loin	48	44	37	32	25	23	21
3. Hotel rack	53	49	43	37	27	25	22
4. Yoke	32	31	30	29	17	15	14

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 8—South.

Zone 8—South includes the following area:

West Virginia, all that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell; but excluding the counties of Berkeley and Jefferson.

Virginia, all that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

Tennessee, all that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton.

North Carolina, all that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland

South Carolina, all that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield.

Georgia, all that portion of Georgia west and north west of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

Alabama, all that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.

Mississippi, all that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren.

Louisiana, all that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption, and Saint Mary.

Florida, all that portion of Florida west of and including the counties of Leon and Wakulla.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(r) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 South

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	65	60	51	44	40
2. T-bone	65	60	51	44	40
3. Club	65	60	51	44	40
4. Rib—10-inch cut	40	38	34	30	26
5. Rib—7-inch cut	44	41	37	32	28
6. Sirloin	48	45	39	34	30
7. Sirloin (boneless)	59	56	48	42	38
8. Round (bone-in)	50	47	41	35	31
9. Round (boneless)	53	48	43	37	33
10. Round tip	53	49	43	37	33
11. Chuck shoulder	35	34	31	27	23
12. Flank	44	44	44	44	40
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	40	38	34	30	26
2. Rib standing (chine bone-in, 7-inch cut)	44	41	37	32	28
3. Round tip	53	49	43	37	33
4. Rump (bone-in)	33	31	27	24	20
5. Rump (boneless)	53	49	43	37	33
6. Chuck or shoulder (bone-in)	35	34	31	27	23
7. Chuck or shoulder (boneless)	45	44	40	35	31
III. Stews and other cuts:					
1. Short ribs	23	23	23	23	19
2. Plate (bone-in)	24	24	23	23	19
3. Plate (boneless)	29	29	28	28	24
4. Brisket (bone-in)	31	31	27	27	23
5. Brisket (boneless)	40	40	35	35	31
6. Flank meat	31	31	31	31	27
7. Neck (bone-in)	31	31	27	27	23
8. Neck (boneless)	35	34	31	27	23
9. Heel of round (boneless)	36	35	33	30	26
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	31	31	31	31	27
IV. Ground beef	31	31	31	31	31
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	34	31	27	23
2. Sirloin beef—whole	42	39	34	30	26
3. Short loin beef—whole	55	51	44	38	34
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	39	37	34	30	26
6. Regular chuck—whole	31	30	29	26	22
7. Short plate—whole	23	23	23	23	19
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	20	20	20	20	16

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	45	41	37	30
2. Rib chops	44	43	40	37	30
3. Shoulder chops	32	31	27	24	22
4. Round steak (cutlets)	53	50	44	39	36
5. Sirloin steaks or chops	41	40	37	34	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	28	26
2. Rump and sirloin (boneless)	54	51	45	40	36
3. Leg	38	36	32	28	26
4. Shoulder (bone-in)	31	30	29	26	22
5. Shoulder (boneless)	39	38	36	33	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	28	22	21	19	16
2. Breast (boneless)	32	31	27	24	22
3. Flank meat	32	31	27	24	22
4. Neck (bone-in)	23	22	21	19	16
5. Neck (boneless)	32	31	27	24	22
6. Shank (bone-in)	23	22	21	19	16
7. Shank and heel meat (boneless)	32	31	27	24	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices on wholesale cuts:					
1. Hindquarter	37	35	31	28	25
2. Forequarter	30	29	27	25	21

(r) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 8 South—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	66	62	57	51	37	35	32
2. Rib chops	52	49	46	42	25	23	20
3. Leg or sirloin chops	52	49	46	42	25	23	20
4. Shoulder chops, blades or arm chops	45	43	40	37	22	20	18
XII. Roasts:							
1. Leg (whole, half or short cut)	45	42	39	35	27	25	23
2. Sirloin roast (bone-in)	52	49	46	42	25	23	20
3. Yoke, rattle or triangle (bone-in)	30	29	29	27	16	14	13
4. Yoke, rattle or triangle (boneless)	46	45	43	41	23	21	18
5. Chuck or shoulder, square cut (bone-in)	39	39	39	37	20	19	17
6. Chuck or shoulder, cross cut (bone-in)	32	31	31	29	17	15	14
XIII. Stews and other cuts:							
1. Breast and flank	23	22	20	19	12	11	10
2. Neck (bone-in)	23	22	20	19	12	11	10
3. Neck (boneless)	35	35	35	35	21	21	21
4. Shank (bone-in)	23	22	20	19	12	11	10
5. Patties (ground meat)	35	35	35	35	21	21	21
XIV. Kidneys	31	31	31	31	17	17	17
XV. Retail prices of wholesale cuts:							
1. Leg	45	42	39	35	27	25	23
2. Loin	46	42	35	31	24	22	20
3. Hotel rack	51	47	41	35	26	23	21
4. Yoke	30	29	29	27	16	14	13

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 8—South.

Zone 8—South includes the following area:

West Virginia, all that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell, but excluding the counties of Berkeley and Jefferson.

Virginia, all that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

Tennessee, all that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton.

North Carolina, all that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

South Carolina, all that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield.

Georgia, all that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

Alabama, all that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.

Mississippi, all that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren.

Louisiana, all that portion of Louisiana east of and including the parishes of West Feliciana, Point Coupee, Iberville, Assumption, and Saint Mary.

Florida, all that portion of Florida west of and including the counties of Leon and Wakulla.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(A) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(B) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(C) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(s) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and

(s) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 North—Continued

(s) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 North

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	68	63	54	46	42
2. T-bone	68	63	54	46	42
3. Club	68	63	54	46	42
4. Rib—10-inch cut	42	40	36	32	28
5. Rib—7-inch cut	46	43	39	34	30
6. Sirloin	51	48	41	36	32
7. Sirloin (boneless)	63	59	50	44	40
8. Round (bone-in)	53	50	44	38	34
9. Round (boneless)	56	52	46	39	35
10. Round tip	56	52	46	39	35
11. Chuck shoulder	37	36	34	29	25
12. Flank	47	47	47	47	43
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	42	40	36	32	28
2. Rib standing (chine bone-in, 7-inch cut)	46	43	39	34	30
3. Round tip	56	52	46	39	35
4. Rump (bone-in)	35	33	29	25	21
5. Rump (boneless)	56	52	46	39	35
6. Chuck or shoulder (bone-in)	37	36	34	29	25
7. Chuck or shoulder (boneless)	48	46	43	38	34
III. Stews and other cuts:					
1. Short ribs	25	25	25	25	21
2. Plate (bone-in)	25	25	25	25	21
3. Plate (boneless)	31	31	30	30	26
4. Brisket (bone-in)	33	33	29	29	25
5. Brisket (boneless)	42	42	38	38	34
6. Flank meat	33	33	33	33	29
7. Neck (bone-in)	33	33	29	29	25
8. Neck (boneless)	37	36	34	29	25
9. Heel of round (boneless)	38	37	35	32	28
10. Shank (bone-in)	24	24	24	24	20
11. Shank (boneless)	33	33	33	33	29
IV. Ground beef	33	33	33	33	33
V. Retail prices of wholesale cuts:					
1. Round beef—whole	38	36	33	28	24
2. Sirloin beef—whole	41	42	36	32	28
3. Short loin beef—whole	58	54	46	40	36
4. Flank beef—whole	21	21	21	21	17
5. Rib beef—whole	41	39	36	32	28
6. Regular chuck—whole	33	32	31	28	24
7. Short plate—whole	24	24	24	24	20
8. Brisket—whole	28	28	26	26	22
9. Shank—whole	21	21	21	21	17

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	51	47	44	39	36
2. Rib chops	46	45	43	39	32
3. Shoulder chops	35	33	29	26	24
4. Round steak (cutlets)	56	52	47	42	38
5. Sirloin steaks or chops	43	42	40	37	30
VII. Roasts:					
1. Rump and sirloin (bone-in)	40	38	34	30	28
2. Rump and sirloin (boneless)	57	54	48	43	39
3. Leg	40	38	34	30	28
4. Shoulder (bone-in)	33	32	31	28	23
5. Shoulder (boneless)	42	41	38	35	29
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	24	23	21	17
2. Breast (boneless)	35	33	29	26	24
3. Flank meat	35	33	29	26	24
4. Neck (bone-in)	24	24	23	21	17
5. Neck (boneless)	35	33	29	26	24
6. Shank (bone-in)	24	24	23	21	17
7. Shank and heel meat (boneless)	35	33	29	26	24
8. Ground veal and patties	35	35	35	35	35
IX. Kidneys	34	34	34	34	34
X. Retail prices of wholesale cuts:					
1. Hindquarter	39	37	33	30	27
2. Forequarter	32	31	29	27	22

(s) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 North—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	70	66	61	55	40	38	35
2. Rib chops	56	53	50	46	28	25	23
3. Leg or sirloin chops	56	53	50	46	28	25	23
4. Shoulder chops, blades or arm chops	48	46	43	40	25	22	20
XII. Roasts:							
1. Leg (whole, half or short cut)	49	45	42	38	29	27	26
2. Sirloin roast (bone-in)	56	53	50	46	28	25	23
3. Yoke, rattle or triangle (bone-in)	33	32	31	30	18	16	15
4. Yoke, rattle or triangle (boneless)	49	48	47	45	25	23	21
5. Chuck or shoulder, square cut (bone-in)	43	42	42	41	23	21	19
6. Chuck or shoulder, cross cut (bone-in)	34	34	33	32	19	17	16
XIII. Stews and other cuts:							
1. Breast and flank	25	24	22	21	14	12	11
2. Neck (bone-in)	25	24	22	21	14	12	11
3. Neck (boneless)	38	38	38	38	23	23	23
4. Shank (bone-in)	25	24	22	21	14	12	11
5. Patties (ground meat)	38	38	38	38	23	23	23
XIV. Kidneys	33	33	33	33	19	19	19
XV. Retail prices of wholesale cuts:							
1. Leg	48	45	42	38	29	27	26
2. Loin	50	46	38	33	27	24	22
3. Hotel rack	55	51	44	38	28	26	23
4. Yoke	33	32	31	30	18	16	15

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 9—North.

Zone 9—North includes the following area:

New York, all that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.
Pennsylvania, all that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin.
Maryland, all that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys.
The District of Columbia.
Maine, all counties.
New Hampshire, all counties.
Vermont, all counties.
Massachusetts, all counties.
Connecticut, all counties.
Rhode Island, all counties.
New Jersey, all counties.
Delaware, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

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(t) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 North—Continued

(t) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 North

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	65	61	52	44	40
2. T-bone	65	61	52	44	40
3. Club	65	61	52	44	40
4. Rib—10-inch cut	40	38	35	31	27
5. Rib—7-inch cut	44	42	38	33	29
6. Sirloin	48	46	39	34	30
7. Sirloin (boneless)	60	56	48	42	38
8. Round (bone-in)	51	47	42	36	32
9. Round (boneless)	53	49	44	37	33
10. Round tip	53	49	44	37	33
11. Chuck shoulder	36	34	32	27	23
12. Flank	44	44	44	44	40
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	40	38	35	31	27
2. Rib standing (chine bone-in, 7-inch cut)	44	42	38	33	29
3. Round tip	53	49	44	37	33
4. Rump (bone-in)	34	31	28	24	20
5. Rump (boneless)	53	49	44	37	33
6. Chuck or shoulder (bone-in)	36	34	32	27	23
7. Chuck or shoulder (boneless)	46	44	41	35	31
III. Stews and other cuts:					
1. Short ribs	24	24	24	24	20
2. Plate (bone-in)	24	24	24	24	20
3. Plate (boneless)	29	29	29	29	25
4. Brisket (bone-in)	31	31	28	28	24
5. Brisket (boneless)	40	40	36	36	32
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	31	31	28	28	24
8. Neck (boneless)	36	34	32	27	23
9. Heel of round (boneless)	36	36	33	30	26
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts:					
1. Round beef—whole	37	35	31	27	23
2. Sirloin beef—whole	42	40	34	30	26
3. Short loin beef—whole	56	52	44	38	34
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	39	37	34	30	26
6. Regular chuck—whole	31	30	29	26	22
7. Short plate—whole	23	23	23	23	19
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	21	21	21	21	17

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	45	42	37	31
2. Rib chops	44	43	40	37	30
3. Shoulder chops	33	31	28	25	22
4. Round steak (cutlets)	53	50	45	40	36
5. Sirloin steaks or chops	41	40	38	35	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	29	26
2. Rump and sirloin (boneless)	55	52	46	41	37
3. Leg	38	36	32	29	26
4. Shoulder (bone-in)	32	31	29	27	22
5. Shoulder (boneless)	40	39	36	34	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	23	21	20	16
2. Breast (boneless)	33	31	28	25	22
3. Flank meat	33	31	28	25	22
4. Neck (bone-in)	23	23	21	20	16
5. Neck (boneless)	33	31	28	25	22
6. Shank (bone-in)	23	23	21	20	16
7. Shank and beef meat (boneless)	33	31	28	25	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices of wholesale cuts:					
1. Hindquarter	38	36	32	28	26
2. Forequarter	30	30	28	26	21

(t) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 North—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	67	63	58	52	39	36	34
2. Rib chops	63	51	47	44	27	24	21
3. Leg or sirloin chops	63	51	47	44	27	24	21
4. Shoulder chops, blades or arm-chops	46	44	41	38	24	21	19
XII. Roasts:							
1. Leg (whole, half or short cut)	46	44	40	36	28	26	24
2. Sirloin roast (bone-in)	53	51	47	44	27	24	21
3. Yoke, rattle or triangle (bone-in)	31	31	30	29	17	16	14
4. Yoke, rattle or triangle (boneless)	47	46	45	43	24	22	20
5. Chuck or shoulder, square cut (bone-in)	41	40	40	39	22	20	18
6. Chuck or shoulder, cross cut (bone-in)	33	32	32	30	18	16	15
XIII. Stews and other cuts:							
1. Breast and flank	24	23	22	20	13	12	11
2. Neck (bone-in)	24	23	22	20	13	12	11
3. Neck (boneless)	36	36	36	36	22	22	22
4. Shank (bone-in)	24	23	22	20	13	12	11
5. Patties (ground meat)	36	36	36	36	22	22	22
XIV. Kidneys	32	32	32	32	18	18	18
XV. Retail prices of wholesale cuts:							
1. Lew	46	44	40	36	28	26	24
2. Loin	48	44	37	33	25	23	21
3. Hotel rack	52	49	43	36	27	25	22
4. Yoke	31	31	30	29	17	15	14

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 9—North.

Zone 9—North includes the following area:

New York, all that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.
Pennsylvania, all that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin.
Maryland, all that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys.
The District of Columbia.
Maine, all counties.
New Hampshire, all counties.
Vermont, all counties.
Massachusetts, all counties.
Connecticut, all counties.
Rhode Island, all counties.
New Jersey, all counties.
Delaware, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cuts of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(u) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and

(u) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 South—Continued

(u) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 South

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	68	63	54	46	42
2. T-bone	68	63	54	46	42
3. Club	68	63	54	46	42
4. Rib—10-inch cut	42	40	36	32	28
5. Rib—7-inch cut	46	43	39	34	30
6. Sirloin	51	48	41	36	32
7. Sirloin (boneless)	63	59	50	44	40
8. Round (bone-in)	53	50	44	35	34
9. Round (boneless)	56	52	46	39	35
10. Round tip	56	52	46	39	35
11. Chuck shoulder	37	36	34	29	25
12. Flank	47	47	47	47	43
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	42	40	36	32	28
2. Rib standing (chine bone-in, 7-inch cut)	46	43	39	34	30
3. Round tip	56	52	46	39	35
4. Rump (bone-in)	35	33	29	25	21
5. Rump (boneless)	56	52	46	39	35
6. Chuck or shoulder (bone-in)	37	36	34	29	25
7. Chuck or shoulder (boneless)	48	46	43	38	34
III. Stews and other cuts:					
1. Short ribs	25	25	25	25	21
2. Plate (bone-in)	25	25	25	25	21
3. Plate (boneless)	31	31	30	30	26
4. Brisket (bone-in)	33	33	29	29	25
5. Brisket (boneless)	42	42	38	38	34
6. Flank meat	33	33	33	33	29
7. Neck (bone-in)	33	33	29	29	25
8. Neck (boneless)	37	36	34	29	25
9. Heel of round (boneless)	38	37	35	32	28
10. Shank (bone-in)	24	24	24	24	20
11. Shank (boneless)	33	33	33	33	29
IV. Ground beef	33	33	33	33	33
V. Retail prices of wholesale cuts:					
1. Round beef—whole	38	36	33	28	24
2. Sirloin beef—whole	44	42	36	32	28
3. Short loin beef—whole	58	54	46	40	36
4. Flank beef—whole	21	21	21	21	17
5. Rib beef—whole	41	39	36	32	28
6. Regular chuck—whole	33	32	31	28	24
7. Short plate—whole	24	24	24	21	20
8. Brisket—whole	28	28	26	26	22
9. Shank—whole	21	21	21	21	17

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	51	47	44	39	36
2. Rib chops	46	45	43	39	32
3. Shoulder chops	35	33	29	26	24
4. Round steak (cutlets)	56	52	47	42	38
5. Sirloin steaks or chops	43	42	40	37	30
VII. Roasts					
1. Rump and sirloin (bone-in)	40	38	34	30	28
2. Rump and sirloin (boneless)	57	54	48	43	39
3. Leg	40	38	34	30	28
4. Shoulder (bone-in)	33	32	31	28	23
5. Shoulder (boneless)	42	41	38	35	29
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	24	23	21	17
2. Breast (boneless)	35	33	29	26	24
3. Flank meat	35	33	29	26	24
4. Neck (bone-in)	24	24	23	21	17
5. Neck (boneless)	35	33	29	26	24
6. Shank (bone-in)	24	24	23	21	17
7. Shank and beef meat (boneless)	35	33	29	26	24
8. Ground veal and patties	35	35	35	35	35
IX. Kidneys	34	34	34	34	34
X. Retail prices of wholesale cuts:					
1. Hindquarter	39	37	33	30	27
2. Forequarter	32	31	29	27	22

(u) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 South—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	69	65	60	54	40	37	34
2. Rib chops	55	52	49	45	27	24	22
3. Leg or sirloin chops	55	52	49	45	27	24	22
4. Shoulder chops, blades or arm chops	48	45	42	39	24	22	19
XII. Roasts:							
1. Leg (whole, half or short cut)	47	45	41	37	28	27	25
2. Sirloin roast (bone-in)	55	52	49	45	27	24	22
3. Yoke, rattle or triangle (bone-in)	32	31	31	29	17	16	14
4. Yoke, rattle or triangle (boneless)	48	47	46	44	25	23	20
5. Chuck or shoulder, square cut (bone-in)	42	41	41	40	22	20	18
6. Chuck or shoulder, cross cut (bone-in)	34	33	32	31	18	16	15
XIII. Stews and other cuts:							
1. Breast and flank	24	23	22	20	13	12	11
2. Neck (bone-in)	24	23	22	20	13	12	11
3. Neck (boneless)	38	38	38	38	23	23	23
4. Shank (bone-in)	24	23	22	20	13	12	11
5. Patties (ground meat)	38	38	38	38	23	23	23
XIV. Kidneys	33	33	33	33	19	19	19
XV. Retail prices of wholesale cuts:							
1. Leg	47	45	41	37	28	26	25
2. Loin	49	45	37	32	26	24	21
3. Hotel rack	54	50	44	37	28	25	22
4. Yoke	32	31	30	29	17	16	14

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in Zone 9—South.

Zone 9—south includes the following area

West Virginia, the following counties: Berkeley and Jefferson.

Virginia, all that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.

North Carolina, all that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

South Carolina, all that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

Georgia, all that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks.

Florida, the following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando, and Pasco.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(v) Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and

(v) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 South*

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943]

Beef	Grades				
	A A or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	65	61	52	44	40
2. T-bone	65	61	52	44	40
3. Club	65	61	52	44	40
4. Rib—10 inch cut	40	38	35	31	27
5. Rib—7 inch cut	44	42	38	33	29
6. Sirloin	48	46	39	34	30
7. Sirloin (boneless)	60	56	48	42	38
8. Round (bone-in)	51	47	42	36	32
9. Round (boneless)	53	49	44	37	33
10. Round tip	53	49	44	37	33
11. Chuck shoulder	36	34	32	27	23
12. Flank	44	44	44	44	40
II. Roasts:					
1. Rib standing (chine bone-in, 10 inch cut)	40	38	35	31	27
2. Rib standing (chine bone-in, 7 inch cut)	44	42	38	33	29
3. Round tip	53	49	44	37	33
4. Rump (bone-in)	34	31	28	24	20
5. Rump (boneless)	53	49	44	37	33
6. Chuck or shoulder (bone-in)	36	34	32	27	23
7. Chuck or shoulder (boneless)	46	44	41	35	31
III. Stews and other cuts:					
1. Short ribs	24	24	24	24	20
2. Plate (bone-in)	24	24	24	24	20
3. Plate (boneless)	29	29	29	29	25
4. Brisket (bone-in)	31	31	28	28	24
5. Brisket (boneless)	40	40	36	36	32
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	31	31	28	28	24
8. Neck (boneless)	36	34	32	27	23
9. Heel of round (boneless)	36	36	33	30	26
10. Shank (bone-in)	23	23	23	23	19
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts:					
1. Round beef—whole	37	35	31	27	23
2. Sirloin beef—whole	42	40	34	30	26
3. Short loin beef—whole	56	52	44	38	34
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	39	37	34	30	16
6. Regular chuck—whole	31	31	29	26	22
7. Short plate—whole	23	23	23	23	19
8. Brisket—whole	27	27	24	24	20
9. Shank—whole	21	21	21	21	17

Veal	Grades				
	A A or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	45	42	37	31
2. Rib chops	44	43	40	37	30
3. Shoulder chops	33	31	28	25	22
4. Round steak (cutlets)	53	50	45	40	36
5. Sirloin steaks or chops	41	40	38	35	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	29	26
2. Rump and sirloin (boneless)	55	52	46	41	37
3. Leg	38	36	32	29	26
4. Shoulder (bone-in)	32	31	29	27	22
5. Shoulder (boneless)	40	39	36	34	27
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	23	21	20	16
2. Breast (boneless)	33	31	28	25	22
3. Flank meat	33	31	28	25	22
4. Neck (bone-in)	23	23	21	20	16
5. Neck (boneless)	33	31	28	25	22
6. Shank (bone-in)	23	23	21	20	16
7. Shank and heel meat (boneless)	33	31	28	25	22
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	33	33	33	33	33
X. Retail prices of wholesale cuts:					
1. Hindquarter	38	36	32	28	26
2. Forequarter	30	30	28	26	21

(v) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 9 South*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade A A or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade B or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steaks and chops:							
1. Loin chops	66	62	57	51	38	35	33
2. Rib chops	52	50	47	43	26	23	20
3. Leg or sirloin chops	52	50	47	43	26	23	20
4. Shoulder chops, blades or arm chops	46	43	40	37	23	20	18
XII. Roasts:							
1. Leg (whole, half or short cut)	45	43	39	35	27	25	24
2. Sirloin roast (bone-in)	52	50	47	43	26	23	20
3. Yoke, rattle or triangle (bone-in)	31	30	29	28	16	15	13
4. Yoke, rattle or triangle (boneless)	46	45	44	42	23	21	19
5. Chuck or shoulder, square cut (bone-in)	40	39	39	38	21	19	17
6. Chuck or shoulder, cross cut (bone-in)	32	31	31	30	17	15	14
XIII. Stews and other cuts:							
1. Breast and flank	23	22	21	19	12	11	10
2. Neck (bone-in)	23	22	21	19	12	11	10
3. Neck (boneless)	36	36	36	36	22	22	22
4. Shank (bone-in)	23	22	21	19	12	11	10
5. Patties (ground meat)	36	36	36	36	22	22	22
XIV. Kidneys	32	32	32	32	18	18	18
XV. Retail prices of wholesale cuts:							
1. Leg	45	43	39	35	27	25	24
2. Loin	47	43	36	32	25	22	20
3. Hotel rack	52	48	42	35	26	24	21
4. Yoke	31	30	29	28	16	15	13

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in Zone 9—South.

Zone 9—South includes the following area:

West Virginia, the following counties: Berkeley and Jefferson.

Virginia, all that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.

North Carolina, all that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

South Carolina, all that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

Georgia, all that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks.

Florida, the following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando, and Pasco.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat a prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cubs Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(v) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and*

(w) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 10*

(For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355 effective April 15, 1943)

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	68	64	55	47	43
2. T-bone	68	64	55	47	43
3. Club	68	64	55	47	43
4. Rib—10-inch cut	42	40	37	33	29
5. Rib—7-inch cut	46	44	40	35	31
6. Sirloin	51	48	41	37	34
7. Sirloin (boneless)	63	59	51	45	41
8. Round (bone-in)	53	50	44	38	34
9. Round (boneless)	56	52	46	40	36
10. Round tip	56	52	46	40	36
11. Chuck shoulder	38	37	34	30	26
12. Flank	47	47	47	47	43
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	42	40	37	33	29
2. Rib standing (chine bone-in, 7-inch cut)	46	44	40	35	31
3. Round tip	56	52	46	40	36
4. Rump (bone-in)	36	33	30	26	22
5. Rump (boneless)	56	52	46	40	36
6. Chuck or shoulder (bone-in)	38	37	34	30	26
7. Chuck or shoulder (boneless)	48	47	44	38	34
III. Stews and other cuts:					
1. Short ribs	26	26	25	25	21
2. Plate (bone-in)	26	26	25	25	21
3. Plate (boneless)	32	32	31	31	27
4. Brisket (bone-in)	33	33	30	30	26
5. Brisket (boneless)	43	43	38	38	34
6. Flank meat	33	33	33	33	29
7. Neck (bone-in)	33	33	30	30	26
8. Neck (boneless)	38	37	34	30	26
9. Heel of round (boneless)	39	38	35	32	28
10. Shank (bone-in)	24	24	24	24	20
11. Shank (boneless)	33	33	33	33	29
IV. Ground beef	33	33	33	33	33
V. Retail prices of wholesale cuts					
1. Round beef—whole	39	37	33	29	25
2. Sirloin beef—whole	45	42	36	32	28
3. Short loin beef—whole	58	54	47	40	36
4. Flank beef—whole	21	21	21	21	17
5. Rib beef—whole	42	39	36	32	28
6. Regular chuck—whole	33	33	31	28	24
7. Short plate—whole	25	23	24	24	20
8. Brisket—whole	29	29	26	26	22
9. Shank—whole	22	22	22	22	18

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	51	48	44	40	33
2. Rib chops	47	46	43	40	33
3. Shoulder chops	35	33	30	26	24
4. Round steak (cutlets)	56	53	47	42	39
5. Sirloin steaks or chops	44	43	40	37	31
VII. Roasts:					
1. Rump and sirloin (bone-in)	40	38	34	31	28
2. Rump and sirloin (boneless)	58	54	49	43	39
3. Leg	40	38	34	31	28
4. Shoulder (bone-in)	34	33	31	29	24
5. Shoulder (boneless)	42	41	39	36	29
VIII. Stews and other cuts:					
1. Breast (bone-in)	25	24	23	21	18
2. Breast (boneless)	35	33	30	26	24
3. Flank meat	35	33	30	26	24
4. Neck (bone-in)	25	24	23	21	18
5. Neck (boneless)	35	33	30	26	24
6. Shank (bone-in)	25	24	23	21	18
7. Shank and heel meat (boneless)	35	33	30	26	24
8. Ground veal and patties	36	36	36	36	36
IX. Kidneys	35	35	35	35	35
X. Retail prices of wholesale cuts:					
1. Hindquarter	40	38	34	30	27
2. Forequarter	32	31	30	27	23

(w) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 10*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steak and chops:							
1. Loin chops	60	56	50	54	40	37	35
2. Rib chops	55	52	49	45	28	25	22
3. Leg or sirloin chops	55	52	49	45	28	25	22
4. Shoulder chops, blades or arm chops	48	46	43	39	24	22	20
XII. Roasts:							
1. Leg (whole, half or short cut)	48	45	41	37	29	27	25
2. Sirloin roast (bone-in)	55	52	49	45	28	25	22
3. Yoke, rattle or triangle (bone-in)	32	32	31	29	17	16	15
4. Yoke, rattle or triangle (boneless)	49	48	46	44	25	23	20
5. Chuck or shoulder, square cut (bone-in)	42	42	42	40	22	21	19
6. Chuck or shoulder, cross cut (bone-in)	34	33	33	31	18	17	15
XIII. Stews and other cuts:							
1. Breast and flank	25	23	22	20	13	12	11
2. Neck (bone-in)	25	23	22	20	13	12	11
3. Neck (boneless)	38	38	38	38	23	23	23
4. Shank (bone-in)	25	23	22	20	13	12	11
5. Patties (ground meat)	38	38	38	38	23	23	23
XIV. Kidneys	33	33	33	33	19	19	19
XV. Retail prices of wholesale cuts:							
1. Leg	48	45	41	37	29	27	25
2. Loin	49	45	38	33	26	24	22
3. Hotel rack	54	50	44	37	28	25	22
4. Yoke	32	32	31	29	17	16	14

These ceiling prices apply in all class 1 and class 2 stores selling these meats at retail located in zone 10.

Zone 10 includes the following area:

Florida, all that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal, or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(r) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 10*

For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective April 15, 1943

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
1. Porterhouse	66	61	52	45	41
2. T-bone	66	61	52	45	41
3. Club	66	61	52	45	41
4. Rib—10-inch cut	40	38	35	31	27
5. Rib—7-inch cut	45	42	38	33	29
6. Sirloin	49	46	39	35	31
7. Sirloin (boneless)	60	77	48	43	39
8. Round (bone-in)	51	48	42	36	32
9. Round (boneless)	54	50	44	38	34
10. Round tip	54	50	44	38	34
11. Chuck shoulder	34	35	32	28	24
12. Flank	45	45	45	45	41
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	40	38	35	31	27
2. Rib standing (chine bone-in, 7-inch cut)	45	42	38	33	29
3. Round tip	54	50	44	38	34
4. Rump (bone-in)	31	32	28	24	20
5. Rump (boneless)	54	50	44	38	34
6. Chuck or shoulder (bone-in)	36	35	32	28	24
7. Chuck or shoulder (boneless)	46	45	41	36	32
III. Stews and other cuts:					
1. Short ribs	24	24	24	24	20
2. Plate (bone-in)	24	24	24	24	20
3. Plate (boneless)	30	30	29	29	25
4. Brisket (bone-in)	32	32	28	28	24
5. Brisket (boneless)	41	41	36	36	32
6. Flank meat	32	32	32	32	28
7. Neck (bone-in)	32	32	28	28	24
8. Neck (boneless)	36	35	32	28	24
9. Heel of round (boneless)	37	36	34	31	27
10. Shank (bone-in)	24	24	24	24	20
11. Shank (boneless)	32	32	32	32	28
IV. Ground beef	32	32	32	32	32
V. Retail prices of wholesale cuts:					
1. Round beef—whole	37	35	31	27	24
2. Sirloin beef—whole	43	40	35	31	27
3. Short loin beef—whole	66	52	45	38	34
4. Flank beef—whole	20	20	20	20	16
5. Rib beef—whole	40	38	35	31	27
6. Regular chuck—whole	32	31	29	26	22
7. Short plate—whole	24	24	23	23	19
8. Brisket—whole	27	27	25	25	21
9. Shank—whole	21	21	21	21	17

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
1. Loin chops	48	46	42	38	31
2. Rib chops	44	44	41	38	31
3. Shoulder chops	33	31	28	25	23
4. Round steak (cutlets)	54	50	45	40	37
5. Sirloin steaks or chops	42	41	38	35	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	39	37	33	29	27
2. Rump and sirloin (boneless)	50	52	46	41	37
3. Leg	39	37	33	29	27
4. Shoulder (bone-in)	32	31	28	27	22
5. Shoulder (boneless)	40	39	37	34	28
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	23	22	20	17
2. Breast (boneless)	33	31	28	25	23
3. Flank meat	33	31	28	25	23
4. Neck (bone-in)	24	23	22	20	17
5. Neck (boneless)	38	31	28	25	23
6. Shank (bone-in)	24	23	22	20	17
7. Shank and heel meat (boneless)	33	31	28	25	23
8. Ground veal and patties	34	34	34	34	34
IX. Kidneys	34	34	34	34	34
X. Retail prices of wholesale cuts:					
1. Hindquarter	38	36	32	28	26
2. Forequarter	31	30	28	26	21

(r) *Retail Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Cured and Frozen—Zone 10*—Continued

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
XI. Steak and chops:							
1. Loin chops	66	63	58	52	38	36	33
2. Rib chops	53	50	47	43	26	24	21
3. Leg or sirloin chops	53	50	47	43	26	24	21
4. Shoulder chops, blades or arm-chops	46	44	41	38	23	21	18
XII. Roasts:							
1. Leg (whole, half or short cut)	46	43	40	36	27	26	24
2. Sirloin roast (bone-in)	53	50	47	43	26	24	21
3. Yoke, rattle or triangle (bone-in)	31	30	30	28	16	15	14
4. Yoke, rattle or triangle (boneless)	47	45	44	42	24	21	19
5. Chuck or shoulder, square cut (bone-in)	40	40	40	38	21	19	17
6. Chuck or shoulder, cross cut (bone-in)	33	32	31	30	17	16	14
XIII. Stews and other cuts:							
1. Breast and flank	24	22	21	20	13	11	10
2. Neck (bone-in)	24	22	21	20	13	11	10
3. Neck (boneless)	36	36	36	36	22	22	22
4. Shank (bone-in)	24	22	21	20	13	11	10
5. Patties (ground meat)	36	36	36	36	22	22	22
XIV. Kidneys	32	32	32	32	18	18	18
XV. Retail prices of wholesale cuts:							
1. Leg	46	43	39	36	27	26	24
2. Loin	47	43	36	32	25	23	21
3. Rack	52	48	42	36	27	24	21
4. Yoke	31	30	30	28	16	15	14

These ceiling prices apply in all class 3 and class 4 stores selling these meats at retail located in zone 10. Zone 10 includes the following area:

Florida, all that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1.—*Ground Meat.*

(i) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 21 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(ii) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(iii) The retailer shall not have in his store or cooler any ground beef except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—*Cube Steak.*

The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3.—*Yearling Lamb.*

The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price that the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

SEC. 23. *Appendix A: OPA Standard beef wholesale cuts.* You must cut the beef carcasses, quarters or other wholesale cuts into the following cuts before you make the standard retail cuts (see the skeletal chart for bone names):

(i) "Hindquarter" means the posterior portion of the side remaining after the severance of the 12-rib forequarter from the side, and comprising the round, full loin including the 13th rib, flank, kidney and hanging tender all in one piece, which posterior portion shall be obtained by cutting the beef side between the 12th and 13th ribs keeping the knife firmly against the 12th rib while cutting down the length of the rib to the point at the end of the rib where the rib joins the rib (costal) cartilage, from which point passing through the cartilage and meat of the flank and short plate in the same straight line, completing the cut.

(ii) "Forequarter" means the anterior portion of the side remaining after the severance of the 1-rib hindquarter from the side, and comprising the rib, regular chuck, brisket, short plate and foreshank all in one piece, which anterior portion contains the 1st to the 12th rib, inclusive. All heart (mediastinal) fat, but no other fat, shall be removed from the forequarter. The skirt (diaphragm) shall not be removed from any cut or part of the forequarter to which it is attached.

(iii) "Round" means the portion of the hindquarter remaining after the severance of the untrimmed full loin, and flank from the hindquarter, which portion shall be obtained as follows: the untrimmed full loin and flank shall be severed from the hindquarter by cutting in a straight line perpendicular to the contour of the outside or skin surface of the hindquarter. The cut shall be made on a straight line formed by and starting from that point on the backbone which is the juncture of the last (5th) sacral vertebra and the first (1st) tail (caudal) vertebra, and passing through that point which just misses the end of the protuberance of the femur bone, and exposes the ball of the femur bone, continuing in the same straight line beyond the second point to complete the cut. Two tail vertebrae shall be left on the round. Attached to the tail bone of the round shall be the tip or rear corner of the fifth sacral vertebra. All cod, udder and pelvic fat remaining on the round after its severance from the full loin and flank shall remain on the round.

(iv) "Trimmed full loin" means the portion of the hindquarter remaining after the severance of the round, flank, hanging tender (from the open side), kidney knob and excess loin (lumbar) and pelvic (sacral) fat from the inside of the loin, from the hindquarter, and comprising the short loin and sirloin (loin end) in one piece, the back bone of which portion shall include one and one-half (1½) thoracic vertebrae, six (6) lumbar vertebrae, and five (5) sacral vertebrae (the tip or rear corner of the fifth sacral vertebra shall have been sawed off in severing the round from the full loin and flank), and which portion shall be obtained as follows: Part of the kidney knob, all of the kidney and the fat lying closely around the kidney in open (left) and closed (right) sides shall be removed first by a cut starting at the rear end of the kidney and slanting directly to the front edge of the half of the 12th thoracic vertebra at the point of severance of the hindquarter and forequarter.

Second, the hanging tender, which means the cylindrical shaped piece of lean meat attached at one end under the kidney knob in open (left) side hindquarters shall be removed entirely from open side loins by being severed at a point opposite the juncture of the 1st and 2nd lumbar vertebrae.

Third, after the severance of the round from the hindquarter, the flank shall be severed from the full loin by a cut starting at the heavy end of the full loin at the ventral point of severance of the round from the hindquarter and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line from the center of the protruding edge of the 13th thoracic vertebra, but in making the cut no more than one (1) inch of cod or udder fat shall be left on the flank side of the face of the loin.

(NOTE: The 10-inch measurement shall be made from the center of the protruding edge of the 13th thoracic vertebra and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebra.)

Fourth, the excess loin (lumbar) and pelvic (sacral) fat shall be trimmed from the inside of the full loin by placing the full loin upon a flat surface, with no other support to change its position, meat side down, and removing all fat which extends above a flat plane parallel with the flat surface supporting the full loin and on a level with the full length of the protruding edge of the lumbar section of the chine bone. Then all fat shall be removed which extends above a flat plane using the following two lines as guides for each edge of the plane: an imaginary line parallel with the full length of the protruding edge of the lumbar section of the chine bone which line extends 1 inch directly above such protruding edge; a line on the inside of the loin two inches

from the flank edge and running parallel with such edge for the full length of the loin. All fat obstructing the measurement of the second line shall first be removed. In addition to the foregoing all rough fat in the pelvic cavity of the heavy end of the loin (sirloin) shall be trimmed smooth and trimming by a knife shall be apparent. No fat remaining in the pelvic cavity shall exceed one inch in depth.

(v) "Flank" means the portion of the hindquarter remaining after the severance of the round and untrimmed full loin from the hindquarter, which shall be obtained after the removal of the round by separation from the untrimmed full loin, starting the cut at the point at the lower end of the loin end (sirloin) which was the ventral point of separation of the full loin and round, leaving no more than one inch of cod or udder fat attached to the flank side of the face of the full loin, and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line along the 13th rib from the center of the protruding edge of the 13th thoracic vertebra.

(NOTE The 10-inch measurement shall be made from the center of the protruding edge of the 13th thoracic vertebra and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebra.)

(vi) "Flank steak" means the flat, oval-shaped lean muscle of meat imbedded in the cod or udder end of the flank which shall be obtained by loosening the narrow end of the steak piece at the cod or udder end of the flank, cutting through the membrane along both sides of the steak, then pulling and cutting the steak loose and severing it from the thick membrane which lies directly under and to which it is attached. None of the thick membrane shall be left on the steak. All fat shall be trimmed from the steak, but the thin membrane on the top surface of the steak shall not be removed.

(vii) "Short loin" means that portion of the trimmed full loin remaining after the severance of the sirloin (loin end) from the trimmed full loin, which portion shall be obtained by a cut perpendicular to the contour of the outside or skin surface of the trimmed full loin begun at a point which is the juncture on the chine bone of the 5th and 6th lumbar vertebrae and continuing in a straight line perpendicular to the contour of the outside or skin surface of the trimmed full loin to and through a point flush against the end of the hip (pin) bone, but leaving no part of the hip (pin) bone in the short loin. The backbone of the short loin shall include five (5) lumbar vertebrae, one and one-half ($1\frac{1}{2}$) thoracic vertebrae and part of the 13th rib.

(viii) "Sirloin" (loin end) means the thick portion of the trimmed full loin remaining after the severance of the short loin from the trimmed full loin. The backbone of the sirloin shall include one (1) lumbar vertebra, five (5) sacral vertebrae (the tip or rear corner of the fifth (5th) sacral vertebra shall have been sawed off in separating the round from the trimmed full loin and flank), and the entire hip bone (ilium).

(ix) "Regular chuck" means the portion of the cross cut chuck remaining after the severance of the foreshank and brisket from the cross cut chuck, and containing most of the blade bone (scapula), part of the (humerus) arm bone, parts of the five ribs (1st to 5th, inclusive), that section of the back bone attached to the ribs, and the neck bone (cervical vertebrae from 1 to 7, inclusive), which portion shall be obtained by a cut through the cross cut chuck made in a straight line perpendicular to the contour of the outside or skin surface of the cross cut chuck (thereby separating the brisket and foreshank from the cross cut chuck) starting at a fixed point on the inside of the 5th rib determined by measuring off ten (10) inches along the 5th rib in a straight line from the center of the protruding edge of the 5th thoracic vertebra, continuing in the same straight line to the tip of the forward end of the breast bone (forward end of the 1st segment of sternum), and passing through the (humerus) arm bone in the same straight line to complete the cut.

(NOTE: The 10-inch measurement shall be made from the center of the protruding edge of the 5th thoracic vertebra and not from the hollow of the chine bone where the 5th rib joins the 5th thoracic vertebra.)

(x) "Foreshank" means the portion of the cross cut chuck remaining after the severance of the regular chuck and brisket from the cross cut chuck, which portion shall be obtained (after separation of the regular chuck) by separation from the brisket by a cut following the natural seam and leaving the entire lip, or web muscle, on the brisket.

(xi) "Brisket" means the portion of the cross cut chuck remaining after the severance of the regular chuck and foreshank from the cross cut chuck, which portion contains parts of four ribs (2nd to 5th, inclusive), part of the breast bone and the rib (costal) cartilages which connect the ends of the rib bones with the breast bone. All heart (mediastinal) fat, but no other fat shall be removed from the brisket.

(xii) "Rib" means the portion of the forequarter remaining after the severance of the cross cut chuck and short plate from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), that section of the back bone attached to the ribs, posterior tip and cartilage of the blade bone (scapula), part of the blade bone (scapula) which portion shall be obtained (by separation from the short plate) by a straight cut across the ribs starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside protruding edge of the 12th thoracic vertebra and continuing to and through a fixed point determined by measuring off 10 inches on the inside of the 6th rib along the 6th rib from the center of the inside protruding edge of the 6th thoracic vertebra.

(NOTE: The 10-inch measurements shall be made from the centers of the protruding edges of the 6th and 12th thoracic vertebrae, and not from the hollow of the chine.)

(xiii) "Short plate" means the portion of the forequarter remaining after the severance of the cross cut chuck and the rib from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), the rib (costal) cartilages attached to them, and part of the breastbone.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective Date

This regulation shall become effective April 15, 1943. Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5310; Filed, April 5, 1943; 12:27 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[MPR 357]

INDIA-TANNED GOATSKINS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1314.201 *Maximum prices for India-tanned goatskins.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 357 (India-tanned goatskins), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1314.201 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 357—INDIA-TANNED GOATSKINS

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Sec.
1 Prohibition against dealing in India-tanned goatskins at prices above the maximum.
2 To what products, transactions, persons, and areas this regulation applies.
3 Relation of this regulation to other regulations.
4 Maximum prices.
5 Invoice requirements.
6 Prohibited practices.
7 Petitions for amendment.
8 Adjustable pricing.
9 Records and reports.
10 Enforcement.
11 Licensing and registration.

*Copies may be obtained from the Office of Price Administration.

SEC. 1 *Prohibition against dealing in India-tanned goatskins at prices above the maximum.* (a) On and after April 10 1943, regardless of any contract, or other obligation, no person shall buy or receive in the course of trade or business, any India-tanned goatskins at prices higher than the maximum prices established by this regulation and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2 *To what products, transactions, persons and geographical areas this regulation applies*—(a) *What products and transactions are covered by the regulation.* This regulation fixes the maximum prices at which India-tanned goatskins may be purchased for import into the United States as well as maximum prices for sales after their arrival in the United States.

"India-tanned goatskins" means goatskins originating in India which have been semi-tanned or otherwise treated in India with a vegetable or other tannin.

(b) *Contracts which may be completed regardless of this regulation.* Any contract for the importation of India-tanned goatskins from India for which an irrevocable letter of credit was issued prior to April 10, 1943, may be completed at the contract price.

(c) *What persons are covered by the regulation.* Any person who imports, sells or purchases (in the course of trade or business) India-tanned goatskins is subject to this regulation. The term "person" includes an individual, corporation or any organized groups; their legal successors or representatives, the United States or any government or any of its political subdivisions; or any agency of the foregoing.

(d) *What geographical areas are covered.* This regulation shall be applicable to the continental United States, but not to the territories and possessions of the United States.

SEC. 3 *Relation to other regulations.* This regulation shall apply and Revised Price Schedule No. 61,[1] as amended, shall not apply to India-tanned goatskins. However, after such skins have been imported into the United States and have been converted or processed into finished leather by further tanning or finishing, sales and deliveries of such finished leather shall be subject to Revised Price Schedule No. 61, as amended.

SEC. 4 *Maximum prices*—(a) *Goatskins to be imported into the United States.* The prices set forth in the table below are the maximum prices at which any person may purchase India-tanned goatskins for import into the United States. These prices are cost and freight prices, United States port of entry. All costs of transportation to the United States are included except that marine and war risk insurance may be added to the extent actually incurred, but in no case higher than the cost of war risk insurance, including coverage for extended transshipment, at the rates of the War Shipping Administration in effect at the time of shipment. Import duties may be added to these maximum prices and a shrinkage allowance in weight not to exceed 1% is permitted.

TABLE OF MAXIMUM PRICES

[Base prices per pound for goatskins weighing 11-12[1] pounds per dozen]

Tannages	Standard run of 3	Grade IV	Grade V	Grade V inferior
Prime[2]	$0.755	$0.655	$0.605	$0.555
Best	0.685	0.585	0.535	0.485
Common	0.635	0.535	0.485	0.435

[1] Over 11 lbs. up to and including 12 lbs.
[2] Also known as Superior Prime, Superior, Prime City and Special.

The term "standard run of 3" means a selection or lot of skins containing at least 15% of grade No. 1, 30% of grade No. 2 and the remainder in grade No. 3.

[Adjustments in maximum prices for weights other than 11-12 pounds per dozen]

Price differentials per pound

Weights per dozen:	(*Cents per pound under base price*)
Over 12 pounds up to and including 13 pounds	2
Over 14 pounds up to and including 15 pounds	3
Over 15 pounds up to and including 16 pounds	4
Over 16 pounds up to and including 17 pounds	6
Over 17 pounds up to and including 18 pounds	8
Over 18 pounds up to and including 19 pounds	10
Over 19 pounds up to and including 20 pounds	12
Over 20 pounds up to and including 22 pounds	14
Over 22 pounds	16
Over 10 pounds up to and including 11 pounds	2
Over 9 pounds up to and including 10 pounds	4
Over 8 pounds up to and including 9 pounds	6
Over 7 pounds up to and including 8 pounds	8
Over 6 pounds up to and including 7 pounds	10
Over 5 pounds up to and including 6 pounds	14
Over 4 pounds up to and including 5 pounds	24
4 pounds and under	32

(b) *India-tanned goatskins sold after arrival in the United States.* The maximum prices for India-tanned goatskins sold after arrival in the United States shall be the maximum prices specified in paragraph (a) of this section, f. o. b. the seller's point of shipment in the United States; plus in the case of goatskins available for immediate delivery to the purchaser, a premium of not to exceed 10% of the c. and f. price actually paid but in no event to exceed 10% of the applicable maximum price set forth in the table above.

(c) *Maximum prices for imported skins not specifically priced under paragraph (a).* The maximum price for any India tanned goatskins of a grade, tannage, or selection not specified in paragraph (a) shall be a price in line with the maximum prices established by this regulation; *Provided*, That in any case where the maximum price is so determined it shall be submitted to the Office of Price Administration, Washington, D. C. for approval before the skins are purchased or sold. To obtain such approval, the importer or seller shall make application in writing, setting forth the grade, tannage, weight of the skins and the tanners or shippers marks, if any.

Such approval shall be given by the Office of Price Administration by letter, and, in the event that the prices submitted are not in line with the maximum prices established by this regulation, the letter will specify a proper maximum price for such goatskins.

SEC. 5 *Invoice requirements.* Every person making sales of goatskins after arrival in the United States shall deliver to the purchaser an invoice or similar document which shall contain:

(a) The date on which the sale or contract of sale was made;

(b) The grade and tannage of the goatskins;

(c) The total weight and weight per dozen;

(d) The price charged and terms of sale; and

(e) The premium, if any, for spot sales.

SEC. 6. *Prohibited practices.* Any practice which is used as a device to effect a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 7 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

SEC. 8 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or other pleading requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 9 *Records and reports.* (a) Every person making a purchase for import into the United States and every person who shall sell or buy after arrival in the United States any India tanned skin shall keep for as long as the Emergency Price Control Act of 1942 remains in effect, an accurate record of each purchase or sale showing:

(1) Quantity;

(2) Grade, tannage and weight of each type;

[1] 7 F.R. 2631, 8948, 9614; 8 F.R. 973.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533.

provisions of this section, if the seller of

vided in subparagraphs (1), (2) and (3)

(3) Price charged or paid, exclusive of the charges for the items enumerated in (4), below; and

(4) Marine and war risk insurance, duty and premium, if any, for spot sales.

(b) Every person making a sale or purchase of skins in the course of trade or business or otherwise dealing therein shall submit such reports to the Office of Price Administration as it may from time to time require.

SEC. 10 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department or any of their agencies.

SEC. 11 *Licensing and registration*—(a) *License required.* A license as a condition of selling is hereby required of every person subject to this regulation now or hereafter selling any India-tanned goatskins for which maximum prices are established by this regulation. No person whose license is suspended by proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942 shall during the period of suspension, sell any commodity as to which his license to sell is suspended.

(b) *License granted.* Every person subject to this regulation now or hereafter selling any India-tanned goatskins for which maximum prices are established by this regulation is hereby granted a license as a condition of selling any such goatskins. The provisions of this regulation shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of this regulation and shall, unless suspended as provided by the Emergency Price Control Act of 1942, continue in force so long as and to the extent that the regulation or any amendment or supplement thereto remains in force.

(c) *Registration.* Every person licensed by this regulation may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter prescribe.

Effective Date

This regulation shall become effective April 10, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5342; Filed, April 5, 1943; 4:57 p. m.]

PART 1358—TOBACCO

[MPR 260,[1] Amendment 6]

CIGARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 260 is amended in the following respects:

1. Section 1358.118 is amended by deleting the words *"Order of Approval dated December 8, 1942 in Docket No. BWA 26"* from the head-note thereof and inserting a period after the words *"National War Labor Board"* in such head-note.

2. Section 1358.118 (a) is amended to read as follows:

(a) Each manufacturer of cigars listed in paragraph (f) may increase the manufacturers' and wholesalers' maximum net price established under this regulation for a particular brand or size of cigars by an amount not in excess of the increase in the direct labor cost for such brand or size paid in compliance with the National War Labor Board Order of Approval described opposite the name of such manufacturer in paragraph (f). Direct labor costs shall be the wages paid to hand cigar makers, strippers, and packers.

3. Section 1358.118 (d) is amended by deleting the words "Amendment No. 2" in the first and third sentences of the form of notice set forth in said paragraph and substituting for such words, in each instance, the words "Amendment No. 6".

4. Section 1358.118 (f) is amended to read as follows:

(f) The provisions of this § 1358.118 shall apply to the following manufacturers:

Name	Location	National War Labor Board Docket No.	Date of order of approval
1. Bellemir Cigar Co. Inc.	Hartford, Conn.	BWA 26	Dec. 8, 1942
2. Estate of Peter Gabler	Trumbull, Conn.	BWA 26	Dec. 8, 1942
3. F. D. Grave & Son	New Haven, Conn.	BWA 26	Dec. 8, 1942
4. James J. Hennessy Co.	Waterbury, Conn.	BWA 26	Dec. 8, 1942
5. A. Kafka & Co.	New Haven, Conn.	BWA 26	Dec. 8, 1942
6. Lewis Osterweis & Sons	New Haven, Conn.	BWA 26	Dec. 8, 1942
7. Stremlau Bros.	Meriden, Conn.	BWA 26	Dec. 8, 1942
8. Leischke & Fletcher	Hartford, Conn.	BWA 26	Dec. 8, 1942
9. Alexander Varanelli	Waterbury, Conn.	BWA 26	Dec. 8, 1942
10. Arthur Waegemans Cigar Manufacturing Co.	Bridgeport, Conn.	BWA 26	Dec. 8, 1924
11. E. Waegemans & Sons Inc.	Bridgeport, Conn.	BWA 26	Dec. 8, 1942
12. Wm. H. Bacheller Co., Inc.	Worcester, Mass.	W20 279	Jan. 18, 1943

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5340; Filed, April 5, 1943; 4:56 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[2] as Amended, Amendment 76]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1390.11 is amended and a new § 1390.35, Appendix D, is added, as set forth below:

§ 1390.11 *Maximum prices; sales of second-hand machines and parts*—(a) *Definitions.* For the purpose of this section

(1) A "second-hand machine or part" is any machine or part which has previously been used.

(2) A "rebuilt and guaranteed" machine or part is a machine or part (i) in which all worn or missing components which should have been replaced or repaired for satisfactory operation, have been replaced or repaired, (ii) which carries a binding written guaranty of satisfactory operation for a period of not less than 60 days, and (iii) which is expressly invoiced as a rebuilt and guaranteed machine or part or its equivalent, and in addition, in those cases where the machine or part operates under power or pressure, has been tested under power or pressure so as to prove that it has a substantially equivalent performance to that of a new machine or part. In the event of a sale by a governmental agency, such agency may substitute for the guaranty a certificate by a qualified person who is not engaged in the business of selling second-hand machines and parts and who is approved by the purchaser, to the effect that all worn or missing components which should be replaced or repaired for satisfactory operation, if any, have been replaced or repaired.

(3) The "new base price", except as provided in paragraph (2) below, means the highest maximum price established by this or any other Regulation issued by the Office of Price Administration to any class of purchasers for the nearest equivalent new machine or part, f. o. b. manufacturer's plant.

(b) *Maximum price; rebuilt and guaranteed second-hand machines and parts.* The maximum price for any rebuilt or guaranteed second-hand machine or part shall be the higher of the following:

(1) 85% of the new base price for such machine or part, or

(2) The price determined in accordance with the "depreciation method" provided in paragraph (d), below.

(c) *Maximum price; second-hand machines and parts which are not rebuilt and guaranteed.* The maximum price for any second-hand machine or part which is not rebuilt or guaranteed shall be the higher of the following, but shall not exceed 80% of the new base price for such machine or part:

(1) 55% of the new base price for such machine or part, or

(2) The price determined in accordance with the "depreciation method" provided in paragraph (d), below.

(d) *Maximum price; "depreciation method"*—(1) *When "depreciation method" may be used.* A maximum price may be computed under the "depreciation method" only for those machines or parts listed in § 1390.35, Appendix D, "Table of depreciation rates".

(2) *Computation of maximum price.* Under the "depreciation method", the maximum price of any second-hand machine or part listed in § 1390.35, Appendix D, "Table of depreciation rates" shall be the new base price for such machine or part less depreciation on the straight line method, at the rate provided for such type of machine or part in that Table, from the date of acquisition by the original purchaser of the machine or part when new to the date of sale. In measuring such period of time, a fractional period of a month consisting of sixteen days or more shall be regarded as a full month and a fractional period of a month consisting of 15 days or less shall be disregarded. Upon each sale at a price computed under this paragraph, the seller shall deliver to the buyer a signed statement setting forth the name and address of the original purchaser of the machine or part when new and the date of acquisition of such machine or part by such purchaser.

(e) *Maximum price; second-hand machines and parts originally purchased on a delivered price or installed price basis*—(1) *Purchased originally on a delivered price basis.* Notwithstanding any other provisions of this section, if the seller of a second-hand machine or part originally purchased such machine or part new on a delivered price basis and the maximum price established by this regulation for such machine or part when new is a delivered price basis only, the new base price upon the sale of such machine or part by such seller shall be the highest maximum price to any class of purchases for the same machine or part when new, delivered to the zone in which the seller is located.

(2) *Purchased originally on an installed basis.* Notwithstanding any other provisions of this section, if the seller of a second-hand machine or part originally purchased such machine or part new on an installed price basis (that is, a lump sum covering the cost of the machine or part, the cost of transportation and the cost of installation) and the maximum price established by this regulation for such machine or part when new is an installed price basis only, the new base price upon the sale of such machine or part by such seller shall be the highest maximum price to any class of purchasers for the same machine or part when new, installed at the seller's plant.

(f) *Charges and expenses which may or may not be added to the maximum price*—(1) *Items which may not be added.* The following charges and expenses are included within the maximum price for any second-hand machine or part and such charges and expenses may not be paid or received in addition to the maximum price:

(i) Any commission or service charge paid to or for the account of, the seller or any agent of the seller;

(ii) Expense of packing and crating the second-hand machine or part (except where a second-hand machine or part is sold on an "as-is where-is" basis);

(iii) Expense of dismantling and loading the second-hand machine or part for shipment to the purchaser (except where a second-hand machine or part is sold on an "as-is where-is" basis).

(2) *Items which may be added.* The following charges and expenses are not included within the maximum price for any second-hand machine or part and such charges and expenses, not to exceed the maximum price for such charges and expenses established by any applicable regulation or order of the Office of Price Administration, may be paid or received in addition to the maximum price, if billed or invoiced separately.

(i) The actual amount of any tax upon the sale or delivery of the second-hand machine or part;

(ii) The actual cost of transportation of the machine or part from the point of shipment to the purchaser's plant. The point of shipment means the point at which the machine is loaded on a conveyance for transportation directly to the purchaser;

(iii) The actual cost of installing the second-hand machine or part in the purchaser's plant.

(3) *Sales on an "as-is where-is" basis.* If a second-hand machine or part is sold on an "as-is where-is" basis and the sales price plus the actual cost incurred by the purchaser for dismantling and loading exceeds the applicable maximum price for such second-hand machine or part, the seller shall refund to the purchaser the excess over the maximum price or 10% of the maximum price, whichever sum is lower.

(g) *Sales by Defense Plant Corporation.* Notwithstanding any other provision of this § 1390.11, the maximum price applicable to the sale by the Defense Plant Corporation of any second-hand machine or part which was acquired by the Defense Plant Corporation for purposes of rental shall be computed as provided in subparagraphs (1), (2) and (3) below.

(1) *Where the purchaser is the first lessee of the machine or part under an agreement with the Defense Plant Corporation.* The maximum price shall be computed by adding the sum of the following:

(i) The cost of the machine or part to the Defense Plant Corporation, f. o. b. the plant of the manufacturer of the machine or part;

(ii) The freight paid by the Defense Plant Corporation from the plant of the manufacturer of the machine or part to the plant of the purchaser:

(iii) The cost to the Defense Plant Corporation of unloading the machine or part at the plant of the purchaser;

(iv) The cost to the Defense Plant Corporation of the installation of the machine or part in the plant of the purchaser;

(v) Interest on items (1) to (iv), inclusive, at the rate actually charged the purchaser under the agreement of lease between the Defense Plant Corporation and the purchaser, or if no interest rate was specified in such agreement the average rate charged by the Defense Plant Corporation to other lessees of comparable machines and parts, such interest to be computed from the date that each of such items was paid by the Defense Plant Corporation to the date of sale.

(vi) Direct expenses actually incurred by Defense Plant Corporation and normally charged the purchaser under the agreement of lease between Defense Plant Corporation and the purchaser; or, if no provision for direct expenses is specified in such agreement, direct expenses actually incurred by Defense Plant Corporation and normally charged by Defense Plant Corporation to other lessees of comparable machines and parts.

From the sum of items (1) to (v), inclusive, *deduct* depreciation on the original total cost of acquisition by Defense Plant Corporation at the rate of eight percent (8%) per annum from the date of installation and initial use after acquisition by Defense Plant Corporation of such machine or part, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

(2) *Where the purchaser is a person other than the first lessee of the machine or part.* The maximum price delivered to the plant of the purchaser shall be computed by adding the sum of the following:

(i) The cost of the machine or part to the Defense Plant Corporation, f. o. b. the plant of the manufacturer of the machine or part;

(ii) An allowance equal to the freight charge for the transportation of such machine or part from the location of the machine or part at the time of purchase to the plant of the purchaser.

From the sum of items (i) and (ii), *deduct* depreciation on the original total cost of acquisition by Defense Plant Corporation at the rate of eight per cent

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8997, 10255, 10475, 11113; 8 F.R. 1974, 2208.

*Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.

(8%) per annum from the date of installation and initial use after acquisition by Defense Plant Corporation of such machine or part, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

(3) To the maximum price of any second-hand machine or part, as computed in accordance with paragraphs 1 or 2 above, the Defense Plant Corporation may add the amount of any tax upon the sale or delivery of such machine or part and shall bill such tax separately from the price of such machine or part.

(h) *Sales between corporations entitled to file affiliated returns under the Internal Revenue Code*—(1) *Prices.* Notwithstanding any other provision of this Section, in the case of a second-hand machine or part which is (i) sold by one corporation to another corporation both of which are members of an affiliated group as defined in Section 141 of the Internal Revenue Code, and (ii) is acquired by the purchasing corporation for the processing or fabricating of other commodities and not for resale in the same or in a fabricated form, the maximum price shall be the selling corporation's book value of such machine or part less depreciation computed at the rate and in the manner used by the selling corporation in the preparation of its federal income tax return.

(2) *Report.* Within ten days after any sale of a second-hand machine or part at a price determined pursuant to subparagraph (1) above, the selling corporation shall file with the Machinery Branch, Office of Price Administration, Washington, D. C., a report containing a description of the machine or part, the name and address of the purchasing corporation, the date of acquisition of the machine or part by the selling corporation, the selling price, a computation of the maximum price, in accordance with subparagraph (1) and an original statement of the purchasing corporation that the machine or part has been acquired for the processing or fabricating of other commodities and not for resale in the same or in a fabricated form.

(i) *Further regulations or orders.* If the maximum price provisions of this Maximum Price Regulation No. 136, as amended, for second-hand machines or parts are not adaptable to the pricing of particular machines or parts, or if they permit the charging of prices in excess of prices which could be obtained if sufficient new machines or parts were available, the Price Administrator may by separate regulation or order establish other maximum prices for the sale or delivery of such second-hand machines or parts.

§ 1390.35 *Appendix D: Table of depreciation rates.*

[NOTE: The items listed in this table are not fully described. Their scope is to be ascertained from § 1390.32, Appendix A and § 1390.33, Appendix B. Items listed in this table are listed in the same order as they appear in Appendix A and Appendix B. The maximum price of items not listed in this table may not be ascertained by the depreciation method.]

Items on Appendix A (§ 1390.32)

Machine or part	Depreciation rate per annum (percent)
(a) Prime movers, etc.:	
Diesel engines (up to 400 RPM)	7½
Diesel engines (above 400 RPM)	10
Gas engines and gas generators	10
Gasoline and kerosene engines	10
Hydraulic turbines and hydraulic turbine governors	5
Steam engines and steam turbines	5
(b) Industrial and marine power apparatus:	
Boilers (industrial), Up to 50 H. P.	7½
Boilers (industrial), Over 50 H. P.	5
Boilers (marine)	7½
Oil burners	10
Soot blowers and cleaners	10
Stokers	10
(c) Processing machinery and equipment:	
Cement making machinery	5
Ceramics machinery	7½
Chemical process machinery	7½
Cotton ginning machinery	5
Die casting machinery	7½
Electroplating and hot dip metal coating equipment	5
Food and beverage machinery	6
Dairy machinery	6
Foundry machinery	5
Glass making machinery	7½
Hat making machinery	5
Laundry, dry cleaning, and clothes pressing machinery	6
Leather working machinery	7½
Packaging, wrapping, filling, and labeling machinery	6
Painting and varnish making machinery	5
Petroleum refining machinery	5
Pharmaceutical machinery	5
Plastics molding and fabricating machinery	7½
Printing and publishing machinery	9
Pulp, paper and paper products machinery	6
Rod and wire working machinery	5
Rolling mill machinery	5
Rubber and allied products machinery	6
Industrial sewing machines	6
Shoe manufacturing and repairing machinery	7½
Spring winding and forming machinery	5
Textile preparatory and finishing machinery	7½
Tobacco working machinery	7½
Lumber manufacturing and woodworking machinery	7½
(d) Construction and mining machinery, etc.:	
Asphalt mixing plants	20
Backfillers, powered	20
Batcher plants	10
Bins, steel	10
Brooms, road, powered	20
Buckets, concrete, clamshell, orange peel, cableway, dragline, elevator, etc	20
Bulldozers	10
Clamps, column	20
Concrete carts	20
Concrete finishers, floor	15
Concrete finishers, road	10
Concrete mixers—portable or stationary	20
Concrete mixers—pavers	10
Concrete mixers—truck	20
Concrete spreaders, road	10
Conveyors, belt	20
Cranes, crawler	15
Cranes, locomotive	10
Cranes, overhead	5
Cranes, truck	20
Crawler and non-agricultural tractors	20
Crushers, stone	10

Items on Appendix A (§1390.32)

Machine or part	Depreciation rate per annum (percent)
Construction and mining machinery, etc.—Continued	
Derricks	10
Ditchers	20
Dredgers, clamshell	10
Dredgers, dipper	10
Dredgers, hydraulic	5
Drilling machinery, blast hole or churn	15
Drilling machinery, auger	15
Drilling machinery, core	15
Drilling machinery, drifter	30
Drilling machinery, pneumatic percussion	30
Elevating graders	15
Excavators, dragline	15
Excavators, trencher	25
Graders, blade towed	15
Graders, motor patrol	20
Heaters, stone, sand, bitumen, concrete	20
Hoists, pneumatic, gas, diesel, steam, electric	20
Loaders, front end	20
Loaders, belt or bucket	15
Mining machinery:	
Cars, mine	10
Classifiers	10
Coal cutting machines	10
Convertors, copper	10
Conveyors	10
Crushers	10
Elevators, bucket	10
Flotation machines	10
Furnaces	10
Jigs	10
Mills	10
Ovens, electric	10
Presses, filter	10
Scrapers, slip	30
Scrapers, wheel	10
Screens	10
Separators	10
Skips, hoisting	5
Tables, concentrating	10
Thickeners	5
Tipples	5
Oil well equipment:	
Blowout preventers	30
Core barrels	30
Crown blocks	20
Derricks	10
Drawworks	20
Drill collars	15
Drill pipe	30
Drilling rigs	20
Elevators	15
Gas lift systems	25
Hooks	10
Hydraulic pumping systems	25
Kellys	15
Meters	15
Oil treating plants	20
Oilwell pumps	25
Packers	30
Power takeoffs	20
Pull rods	20
Pumping jacks	10
Pumping powers	10
Pumping units	10
Rotaries	20
Regulators	15
Rotary fishing tools	20
Separators	15
Spudders	20
Submersible elec. pumps	25
Sucker rods	35
Tanks (shop assembled)	15
Tongs	15
Tool joints	30
Traveling blocks	20
Water treating plants	20
Well servicing hoists	20
Pile drivers, drop	5
Pile drivers, steam hammers	5

Items on Appendix A (§1390.32)

Machine or part	Depreciation rate per annum (percent)
Construction and mining machinery, etc.—Continued.	
Plows, snow	10
Portable power driven tools	25
Pneumatic tools; drills, jack hammers, rivet hammers, tampers, chippers, paving breakers	30
Rollers, powered road	10
Rollers, sheepsfoot tamping	10
Scrapers, carry type	15
Screens	20
Shovels, powered	15
Spreaders, material	20
Vibrators	30
(e) Electrical equipment (all items)	10
(f) Railroad equipment (all items)	5
(g) Auxiliary equipment:	
Air conditioning equipment	5
Dust collecting equipment	10
Furnaces	7½
Ovens	10
Heat exchange equipment	7
Lubricating systems and devices	10
Metal marking and numbering machines	10
Material handling equipment	8
Open tanks and vessels	3
Pressure tanks	4
Refrigerating equipment	5
Water softening and purifying equipment	10
(h) Miscellaneous:	
Elevators	5
Conveyors	8
Fans and blowers	10
Gas welding and cutting equipment	10
Gyroscopes	10
Industrial power operated devices for applying protective coatings, etc.	20
Mechanical instruments for measuring, testing, recording or indicating and precision instruments	12½
Portable heating, melting, burning and thawing equipment	10
Pumps and compressors	6
Scientific and laboratory instruments	8
Surveying and drafting instruments	8
Engineering Reproduction equipment	7½
Weighing scales	10
Valves	10

Items on Appendix B (§ 1390.33)

Machine or part	Depreciation rate per annum (percent)
Automotive parts, subassemblies and accessories	15
Automotive testing and maintenance equipment	10
Battery chargers	10
Chucks, mandrels, collets and machine-tool attachments	10
Earth and rock anchors	5
Electrical wire, cable and cable accessories	10
Governors, engine	10
Hand operated tools, specially designed for manufacture, repair, or maintenance of aircraft, military vehicles, etc	10
Neon indicator attachments	10
Pole line hardware and line construction specialties	5
Power cylinders	5
Sharpening and filing equipment	10
Siren blowers	5

This Amendment No. 76 shall become effective April 10, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421, 729 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5389; Filed, April 5, 1943; 4:56 p. m.]

PART 1377—WOODEN CONTAINERS

[Rev. MPR 186,[1] Amendment 3]

WESTERN WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 186 is amended in the following respects:

1. Section 1377.103 (d) is revoked.

2. Section 1377.110 (b) (1) is amended to read as follows:

(1) *Shook and covers produced in the Northwest area*—(i) *Basic prices and delivered prices to purchaser.* The northwest area consists of the states of Washington and Idaho, the counties of Gilliam, Umatilla, Baker and Union in the state of Oregon, and that part of the state of Montana west of the crest of the Rocky Mountains. In the case of shook and covers produced in the northwest area, the "basic prices" listed in Tables 2 and 3 are the maximum f. o. b. mill prices. The ceiling delivered prices are the "basic prices" plus freight from mill to purchaser. An estimated average weight of 1,800 pounds per 1,000 feet for shook and covers or 2,700 pounds per 1,000 feet in the case of standard car bracing, or 2,100 pounds per 1,000 feet in the case of carstrips (dry) or 2,700 pounds in the case of carstrips (green) is used. However, in the case of *shook* produced in that part of the state of Washington which lies west of the crest of the Cascade Mountains, the maximum delivered prices on sales within the particular area shall be the prices shown under Group 2 in Tables 2 and 3.

(ii) *Truck deliveries of shook and covers to warehouses in the northwest area.* If delivery is made within the northwest area by common carrier truck the actual trucking cost from mill to warehouse may be added to the "basic price." If delivery is made by private truck, the actual trucking cost may be added to the "basic price": *Provided, however,* That in no such case shall the trucking cost exceed 80% of the common carrier truck rate for the same delivery.

3. Section 1377.110 (b) (2), the last sentence of the second unlettered paragraph is amended to read as follows:

Where the freight rate from both base cities is over $0.97, the delivered ceiling price is the "basic price" plus freight figured on the lower of the rates from the base cities at 1,800 pounds per M feet for shook and covers, or 2,700 pounds per M feet of car bracing or 2,100 pounds per M feet of dry car strips or 2,700 pounds per M feet of green car strips.

4. Section 1377.110 (c), Table 2, is amended to read as follows:

[1] 8 F.R. 1591, 3529.

*Copies may be obtained from the Office of Price Administration.

TABLE 2—SHOOK USED IN WESTERN AGRICULTURAL CONTAINERS

Item	Basic price	Group 0, $2.75	Group 1, $3.25	Group 2, $4.75	Group 3, $4.50	Group 4, $5.00	Group 5, $5.50	Group 6, $6.00	Group 7, $6.75	Group 8, $7.50	Group 9, $8.25	Group 10, $9.25	Group 11, $9.75	Group 12, $10.50	Group 13, $11.00	Group 14, $11.50	Group 15, $12.25	Group 16, $12.75	Group 17, $14.75	Group 18, $16.00	Group 19, $17.75
Asparagus	$47.50	$50.25	$50.75	$51.25	$52.00	$52.50	$53.00	$53.50	$54.25	$54.75	$55.75	$56.75	$57.25	$58.00	$58.50	$59.00	$59.75	$60.25	$62.25	$63.50	$68.25
Cabbage:																					
Cases and floor boards, light and heavy	46.50	49.25	49.75	50.25	51.00	51.50	52.00	52.50	53.25	53.75	54.75	55.75	56.25	57.00	57.50	58.00	58.75	59.25	61.25	62.50	64.25
Cases and floor boards, medium	41.50	44.25	44.75	45.25	46.00	46.50	47.00	47.50	48.25	48.75	49.75	50.75	51.25	52.00	52.50	53.00	53.75	54.25	56.25	57.50	59.25
Trays, 1 piece bottom	60.00	62.75	63.25	63.75	64.50	65.00	65.50	66.00	66.75	67.25	68.25	69.25	69.75	70.50	71.00	71.50	72.25	72.75	74.75	76.00	77.75
Trays, 2 piece bottom	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.75
Citrus:																					
Standard orange	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Cullarsde (range	38.00	40.75	41.25	41.75	42.50	43.00	43.50	44.00	44.75	45.25	46.25	47.25	47.75	48.50	49.00	49.50	50.25	50.75	52.75	54.00	55.75
Lemon (4.44")	41.00	43.75	44.25	44.75	45.50	46.00	46.50	47.00	47.75	48.25	49.25	50.25	50.75	51.50	52.00	52.50	53.25	53.75	55.75	56.00	58.75
Deciduous:																					
Market lugs 5¾	37.00	39.75	40.25	40.75	41.50	42.00	42.50	43.00	43.75	44.25	45.25	46.25	46.75	47.50	48.00	48.50	49.25	49.75	51.75	53.00	54.75
Standard lugs 5⅝	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Northwest apple (spec. acc. to art #1 par. 36)	43.00	45.75	46.25	46.75	47.50	48.00	48.50	49.00	49.75	50.25	51.25	52.25	52.75	53.50	54.00	54.50	55.25	55.75	57.75	59.00	60.75
Northwest half-apple	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Other apple, artichoke, and rhubarb	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Date, fig, avocado, all other pear (not specified above)																					
Peach, fruit and basket crates and persimmon	45.00	47.75	48.25	48.75	49.50	50.00	50.50	51.00	51.75	52.25	53.25	54.25	54.75	55.50	56.00	56.50	57.25	57.75	59.75	61.00	62.75
Twenty-pound pear lug	48.00	50.75	51.25	51.75	52.50	53.00	53.50	54.00	54.75	55.75	56.25	57.25	57.75	58.50	59.00	59.50	60.25	60.75	62.75	64.00	65.75

No. 68——14

TABLE 2—SHOOK USED IN WESTERN AGRICULTURAL CONTAINERS—Continued

6. In § 1377.110 (c), "extra charges on covers," the heading of the price column is necessary, in the judgment of the Price Administrator, to establish maximum

(d) Pricing finished insulation cambric made with tubing which is cut at a

TABLE 2—SHOOK USED IN WESTERN AGRICULTURAL CONTAINERS—Continued

ITEM	Basic price	Group 0, $2.75	Group 1, $2.75	Group 2, $3.75	Group 3, $4.50	Group 4, $5.00	Group 5, $5.50	Group 6, $6.00	Group 7, $6.75	Group 8, $7.25	Group 9, $8.25	Group 10, $9.25	Group 11, $9.75	Group 12, $10.50	Group 13, $11.00	Group 14, $11.50	Group 15, $12.25	Group 16, $12.75	Group 17, $14.75	Group 18, $16.00	Group 19, $17.75
Deciduous—continued.																					
Heavy and special northwestern pear (spec. acc. to #75 and #100 in trf. #1).	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Display lugs (apricots, plums, prunes, peach-yakima or wenatchee).	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Emperor chests, pear, olive, apricot, and select deciduous.	48.00	50.75	51.25	51.75	52.50	53.00	53.50	54.00	54.75	55.25	56.25	57.25	57.75	58.50	59.00	59.50	60.25	60.75	62.75	64.00	65.75
Berry	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Standard cherry	49.00	51.75	52.25	52.75	53.50	54.00	54.50	55.00	55.75	56.25	57.25	58.25	58.75	59.50	60.00	60.50	61.25	61.75	63.75	65.00	66.75
Dried fruit, carton and raisin	46.50	49.25	49.75	50.25	51.00	51.50	52.00	52.50	53.25	53.75	54.75	55.75	56.25	57.00	57.50	58.00	58.75	59.25	61.25	62.50	64.25
Evaporated apples:																					
25 pounds	46.50	49.25	49.75	50.25	51.00	51.50	52.00	52.50	53.25	53.75	54.75	55.75	56.25	57.00	57.50	58.00	58.75	59.25	61.25	62.50	64.25
50 pounds	49.00	51.75	52.25	52.75	53.50	54.00	54.50	55.00	55.75	56.25	57.25	58.25	58.75	59.50	60.00	60.50	61.25	61.75	63.75	65.00	66.75
Melon																					
Cantaloupe, selected slats	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.75
Cantaloupe, not including triangling.	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Melon	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Picking boxes and field crates:																					
Citrus	53.00	55.75	56.25	56.75	57.50	58.00	58.50	59.00	59.75	60.25	61.25	62.25	62.75	63.50	64.00	64.50	65.25	65.75	67.75	69.00	70.75
Deciduous, asparagus, cannery, vegetable, and melon field crates	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.75
Stitched stock: All stitched stock including bottoms and sides	49.00	51.75	52.25	52.75	53.50	54.00	54.50	55.00	55.75	56.25	57.25	58.25	58.75	59.50	60.00	60.50	61.25	61.75	63.75	65.00	66.75
Sweat boxes	69.00	71.75	72.25	72.75	73.50	74.00	74.50	75.00	75.75	76.25	77.25	78.25	78.75	79.50	80.00	80.50	81.25	81.75	83.75	85.00	86.75
Trays.																					
2' x 3', sides and ends only	59.00	61.75	62.25	62.75	63.50	64.00	64.50	65.00	65.75	66.25	67.25	68.25	68.75	69.50	70.00	70.50	71.25	71.75	73.75	75.00	76.75
2' x 3', 24" bottoms only	59.00	61.75	62.25	62.75	63.50	64.00	64.50	65.00	65.75	66.25	67.25	68.25	68.75	69.50	70.00	70.50	71.25	71.75	73.75	75.00	76.75
2' x 3', over 24" bottoms only	69.00	71.75	72.25	72.75	73.50	74.00	74.50	75.00	75.75	76.25	77.25	78.25	78.75	79.50	80.00	80.50	81.25	81.75	83.75	85.00	86.75
Trays 6', 7', and 8' field and dehydrator	69.00	71.75	72.25	72.75	73.50	74.00	74.50	75.00	75.75	76.25	77.25	78.25	78.75	79.50	80.00	80.50	81.25	81.75	83.75	85.00	86.75
Vegetable:																					
Octagonal potato	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.75
Celery	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
All other vegetable	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Car strips, dry																					
4' pine	31.00	34.21	34.79	35.37	36.25	36.83	37.42	38.00	38.87	39.46	40.62	41.79	42.37	43.25	43.83	44.42	45.29	45.87	48.21	49.66	51.71
8' pine	40.00	43.21	43.79	44.37	45.25	45.83	46.42	47.00	47.87	48.46	49.62	50.79	51.37	52.25	52.83	53.42	54.29	54.87	57.21	58.66	60.71
4' celery pine	42.00	45.21	45.79	46.37	47.25	47.83	48.42	49.00	49.87	50.46	51.62	52.79	53.37	54.25	54.83	55.42	56.29	56.87	59.21	60.66	62.71
8' celery pine	14.00	47.21	47.79	48.37	49.25	49.83	50.42	51.00	51.87	52.46	53.62	54.79	55.37	56.25	56.83	57.42	58.29	58.87	61.21	62.66	64.71
Car strips, green:																					
4' pine	31.00	35.12	35.88	36.62	37.75	38.50	39.25	40.00	41.12	41.88	43.38	44.88	45.62	46.75	47.50	48.25	49.38	50.12	53.12	55.00	57.62
8' pine	40.00	44.12	44.88	45.62	46.75	47.50	48.25	49.00	50.12	50.88	52.38	53.88	54.62	55.75	56.50	57.25	58.38	59.12	62.12	64.00	66.62
4' celery pine	42.00	46.12	46.88	47.62	48.75	49.50	50.25	51.00	52.12	52.88	54.38	55.88	56.62	57.75	58.50	59.25	60.38	61.12	64.12	66.00	68.62
8' celery pine	14.00	48.12	48.88	49.62	50.75	51.50	52.25	53.00	54.12	54.88	56.38	57.88	58.62	59.75	60.50	61.25	62.38	63.12	66.12	68.00	70.62
Industrial crating strips: Cut to exact dimensions specified, bundled in lengths not to exceed 84" for not more than 50 percent over 60"	43.00	45.75	46.25	46.75	47.50	48.00	48.50	49.00	49.75	50.25	51.25	52.25	52.75	53.50	54.00	54.50	55.25	55.75	57.75	59.00	60.75
Bracing																					
Standard thickness	36.50	40.50	41.25	42.00	43.25	44.00	44.75	45.50	46.50	47.25	48.75	50.25	51.00	52.25	53.00	53.75	54.75	55.50	58.50	60.50	63.00
Bulkhead	34.00	36.75	37.25	37.75	38.50	39.00	39.50	40.00	40.75	41.25	42.25	43.25	43.75	44.50	45.00	45.50	46.25	46.75	48.75	50.00	51.75
Vertical bracing (hoak)	49.00	51.75	52.25	52.75	53.50	54.00	54.50	55.00	55.75	56.25	57.25	58.25	58.75	59.50	60.00	60.50	61.25	61.75	63.75	65.00	66.75

5. Section 1377.110 (c), Table 3, items 29 to 42, inclusive, are amended and item 43 is added to read as follows:

TABLE 3—COVERS FOR WESTERN AGRICULTURAL CONTAINERS

Description	Cleats	Basic price	Group 0	Group 1	Group 2	Group 3	Group 4	Group 5	Group 6	Group 7	Group 8	Group 9	Group 10	Group 11	Group 12	Group 13	Group 14	Group 15	Group 16	Group 17	Group 18	Group 19
(29) 4 Slat Orange	7/32	$2.95	$3.09	$3.12	$3.15	$3.19	$3.21	$3.24	$3.27	$3.31	$3.33	$3.39	$3.41	$3.47	$3.51	$3.53	$3.56	$3.60	$3.63	$3.73	$3.80	$3.92
(30) 3 Slat Orange	7/32	3.19	3.35	3.38	3.41	3.45	3.48	3.51	3.54	3.58	3.61	3.67	3.73	3.75	3.80	3.83	3.86	3.90	3.93	4.05	4.12	4.22
(31) 4 Slat Lemon	7/32	3.53	3.71	3.74	3.77	3.82	3.85	3.89	3.92	3.97	4.00	4.07	4.13	4.16	4.21	4.25	4.28	4.33	4.36	4.49	4.57	4.68
(42) 3 Slat Lemon	7/32	4.03	4.24	4.27	4.31	4.37	4.41	4.44	4.48	4.54	4.57	4.65	4.72	4.76	4.82	4.85	4.89	4.95	4.99	5.14	5.23	5.36
(33) 4 Slat Cauliflower	7/32	3.00	3.16	3.18	3.20	3.24	3.27	3.30	3.32	3.36	3.39	3.44	3.50	3.53	3.57	3.59	3.62	3.66	3.69	3.80	3.86	3.96
(34) 3 Slat Cauliflower	7/32	2.41	2.53	2.55	2.57	2.60	2.62	2.64	2.66	2.69	2.71	2.76	2.80	2.82	2.85	2.87	2.89	2.92	2.95	3.03	3.08	3.15
(35) 4 Slat 2⅜ Vegetable	7/32	3.19	3.24	3.27	3.30	3.34	3.37	3.40	3.43	3.47	3.50	3.55	3.61	3.64	3.68	3.71	3.73	3.78	3.80	3.92	3.99	4.08
(36) 4 Slat 3⅛ Vegetable	7/32	3.88	4.08	4.11	4.15	4.20	4.24	4.28	4.31	4.37	4.40	4.47	4.55	4.58	4.64	4.67	4.71	4.76	4.80	4.94	5.03	5.16
(37) 3 Slat 4⅜ Vegetable	7/32	3.63	3.81	3.85	3.88	3.93	3.97	4.00	4.03	4.08	4.11	4.18	4.25	4.28	4.33	4.37	4.40	4.45	4.48	4.62	4.70	4.82
(38) Wide Center Slat Vegetable	7/32	4.22	4.44	4.48	4.52	4.58	4.62	4.65	4.69	4.75	4.79	4.87	4.95	4.99	5.05	5.09	5.13	5.19	5.23	5.38	5.48	5.62
(39) Half Crate	7/32	2.41	2.53	2.55	2.57	2.60	2.62	2.64	2.66	2.69	2.71	2.76	2.80	2.82	2.85	2.87	2.89	2.92	2.95	3.03	3.08	3.15
(40) 3 Slat Dry Pack	7/32	2.51	2.63	2.65	2.67	2.71	2.73	2.75	2.77	2.81	2.83	2.87	2.92	2.94	2.97	2.99	3.02	3.05	3.07	3.16	3.21	3.29
(41) Special Dry Pack	7/32	3.24	3.40	3.43	3.46	3.50	3.54	3.56	3.59	3.64	3.67	3.73	3.78	3.82	3.86	3.89	3.92	3.96	3.99	4.11	4.18	4.29
(42) 5 Slat 2⅜ Vegetable	7/32	3.58	3.76	3.79	3.83	3.88	3.91	3.94	3.98	4.02	4.06	4.12	4.19	4.22	4.27	4.31	4.34	4.39	4.42	4.55	4.61	4.73
(43) 3 Slat 3⅛ Vegetable	7/32	4.22	4.44	4.48	4.52	4.58	4.62	4.65	4.69	4.75	4.79	4.87	4.95	4.99	5.05	5.09	5.13	5.19	5.23	5.38	5.48	5.62

6. In § 1377.110 (c), "extra charges on covers," the heading of the price column and the items under "printing" are amended to read as follows:

	Add (Per C covers unless otherwise shown)
Printing:	
For covers with slats 3½" wide or less:	
When 1 slat printed in one color	.15
When 1 slat printed in two colors	.25
When 2 or more slats printed in one or two colors (per C slats)	.15
For covers with slats 3⅝" to 8" wide:	
When 1 or 2 slats printed in one or two colors	.30
When 3 or more slats printed in one or two colors (per C slats)	.15
When stock is thinner than ¼", add to these printing charges	.10

7. In § 1377.110 (c), Items 30 and 41 under "veneer cover specifications not in Tariff No. 1" are amended to read as follows:

30 3 slat orange:
2 slats 1/7 x 2⅜ x 26⅛"
1 slat ⅛ x 5¼ x 26⅛"
2 cleats 7/32 x 1½ x 11"

41 Special dry pack:
2 slats ⅛ x 3½ x 25½"
1 slat ⅛ x 4⅞ x 25½"
2 cleats 7/32 x 1¼ x 13½"

8. In § 1377.110 (d) the list of cities is amended by deleting "San Pedro" and substituting in its place "Los Angeles."

9. Section 1377.110 (e) is revoked, and paragraphs (f) to (k), inclusive, are redesignated paragraphs (e) to (j), respectively.

10. In the new § 1377.110 (g), "Table 5—Extra Charges," line 24, the word "dodoing" is corrected to read "dadoing," and line 34 is amended to read as follows:

Special placed print bundling.. 2.00 per M feet

11. In the new § 1377.110 (h) the second unlettered paragraph of subsection I under "Table 6—Maximum Charges for Warehousing and Delivering Containers", is amended to read as follows:

If made out of the stocks of a distribution warehouse, $2.00 per M feet may be added for both warehousing and or delivering shook, covers, carbracing and or car strips; or 10 cents per C units of unitized stock.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

This amendment shall become effective April 10, 1943.

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5344; Filed, April 5, 1943; 4:58 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 358]

INSULATION CAMBRIC AND SEPARATOR CLOTH

In order to prevent the prices of insulation cambric and separator cloth from increasing to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942 and thus tending to defeat such purposes, it is necessary, in the judgment of the Price Administrator, to establish maximum prices for insulation cambric and separator cloth. The Price Administrator has ascertained and given due consideration to the prices of those fabrics prevailing on October 1, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1400.201 *Maximum prices for insulation cambric and separator cloth.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 358 (Insulation Cambric and Separator Cloth), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1400.201 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 358—INSULATION CAMBRIC AND SEPARATOR CLOTH

CONTENTS

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.
1 Sales of insulation cambric and separator cloth at higher than maximum prices prohibited.
2 To what products, transactions, and persons this regulation applies.
3 Prohibited practices.

ARTICLE II—MISCELLANEOUS

4 Records and reports.
5 Enforcement.
6 Petitions for amendment.

ARTICLE III—MAXIMUM PRICES

Appendix A: Maximum prices for principal kinds of insulation cambric and separator cloth.
(a) Pricing finished insulation cambric.
(b) Pricing varnished insulation cambric.
(c) Pricing finished separator cloth.
(d) Pricing varnished separator cloth.

ARTICLE IV—IN-LINE PRICES

Appendix B: Maximum prices for insulation cambric and separator cloth not specifically priced in Appendix A.
(a) Pricing finished insulation cambric if a different finish is used.
(b) Pricing finished insulation cambric if a different type of cloth is used.
(c) Pricing finished insulation cambric if both the finish and type of cloth are different.
(d) Pricing finished insulation cambric made with tubing which is cut at a different angle or to a different width.
(e) Pricing varnished insulation cambric if a different type of cloth is used.
(f) Pricing varnished insulation cambric for which there was no list price in October 1941.
(g) Pricing varnished separator cloth if a different weight or width of cloth is used.
(h) Credit terms for finished insulation cambric.
(i) Credit terms for varnished fabrics.
(j) Uniform costs must be used.

Article I—Prohibitions and Scope of Regulation

SECTION 1 *Sales of insulation cambric and separator cloth at higher than maximum prices prohibited*—(a) *Higher than maximum prices may not be charged.* On and after April 10, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver, and no person shall buy or receive any insulation cambric or separator cloth at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) *Lower than maximum prices may be charged.* Nothing in this regulation prohibits sales or purchases at prices lower than the maximum prices.

SEC. 2 *To what products, transactions, and persons this regulation applies*—(a) *What products are covered by this regulation.* This regulation covers the following products when their fiber content consists wholly of cotton:

(1) "Varnished insulation cambric", which is any fabric which has been coated with a varnish, oil or other natural or synthetic substance for use for electrical insulating purposes;

(2) "Finished insulation cambric", which is any uncoated fabric finished for the purpose of rendering such fabric suitable for processing into a varnished insulation cambric;

(3) "Varnished separator cloth", which is any fabric which has been coated with a varnish, oil or other natural or synthetic substance for use in the manufacture of rubber products or in the processing of rubber as lining or backing to separate layers of rubber and to increase or protect the adhesive qualities of the surfaces so separated; and

(4) "Finished separator cloth", which is any uncoated fabric finished for the purpose of rendering such fabric suitable for processing into a varnished separator cloth.

The terms "insulation cambric" and "separator cloth" mean finished or varnished insulation cambric and finished or varnished separator cloth of the kinds described in this section.

(b) *What products are excluded from this regulation.* The provisions of this regulation do not apply to the following:

(i) Friction tape.

(ii) Any fabric covered by Maximum Price Regulation No. 149—Mechanical Rubber Goods.

*Copies may be obtained from the Office of Price Administration.

(iii) Any fabric covered by Maximum Price Regulation No. 220—Certain Rub-

Article III—Maximum Prices

margin shall be the amount set forth in Column 2:

TABLE IV—VARNISHED SEPARATOR CLOTH

different angle or to a different width. The maximum price for finished insula-

(1) Determine the unit direct cost. The "unit direct cost" is the sum of the

(iii) Any fabric covered by Maximum Price Regulation No. 220—Certain Rubber Commodities.

(c) *What transactions are covered by the regulation.* This regulation applies to all sales and purchases of insulation cambric and separator cloth except retail sales.

The term "retail sales" means sales in small quantities to ultimate consumers for direct household consumption, and not for resale or further processing in any form.

(d) *What persons are covered by the regulation.* Any person who makes any of the sales or purchases of insulation cambric or separator cloth referred to in paragraph (c) of this section is subject to this regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized groups; the United States, or any government, or any of its political subdivisions; or any agent or agency of the foregoing.

SEC. 3 *Prohibited practices.* Any practice which is a device to obtain a consideration above the maximum price is as much a violation of this regulation as a sale above the maximum price.

Article II—Miscellaneous

SEC. 4 *Records and reports*—(a) *Records.* On and after April 10, 1943, every person making a purchase, sale or delivery of insulation cambric or separator cloth shall keep complete and accurate records as follows:

(1) The date of each purchase, sale or delivery,

(2) The terms of sale,

(3) The name and address of the buyer or seller,

(4) The price paid or received,

(5) The quantity, quality and finish of each type of insulation cambric or separator cloth purchased or sold, and

(6) In the case of the seller, a record of all items necessary to compute the maximum price.

These records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect.

(b) *Reports.* On and after April 10, 1943, every person who sells or offers for sale insulation cambric or separator cloth shall submit such reports as the Office of Price Administration may from time to time require.

SEC. 5 *Enforcement.* Any person who violates any provision of this regulation is subject to civil and criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 6 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [1] issued by the Office of Price Administration.

[1] 7 F.R. 8961, 8 F.R. 3313, 3533.

Article III—Maximum Prices

Appendix A: *Maximum prices for principal kinds of insulation for cambric and separator cloth*—(a) *How to determine maximum prices for finished insulation cambric.* (1) The maximum price for finished insulation cambric shall be the established maximum price for the cotton grey goods from which the cambric is finished increased by the applicable margin per linear yard set forth in Table I.

(2) For the purposes of subparagraph (1) of this paragraph:

(i) The established maximum price for the cotton grey goods shall be the maximum price on the day the contract for sale of the finished insulation cambric is made;

(ii) The established maximum price for seamless bias-cut tubing cut to a width of 37 to 39 inches shall be the established maximum price of the uncut tubing divided by 1.4 if the tubing is cut at a 45° angle or by 2 if the tubing is cut at a 30° angle.

TABLE I—FINISHED INSULATION CAMBRIC

Type of cloth	Margins in cents per linear yard		
	Regular finish	Soft finish	Bleached finish
Print cloth, carded, 60 x 48 to 80 x 80 inclusive	2.80	2.65	3.00
Sheetings, carded, 2.50 yards to 5.00 yards inclusive	2.80	2.65	3.00
Lawns, carded and combed	3.25	2.50	3.45
Seamless tubing cut at either a 30° or 45° angle to a width of 37" to 39"	5.50	.....	.....

(3) When used in the above table the term:

(i) "Regular finish" refers to finished insulation cambric which has been singed, starched and friction calendered but not bleached; (ii) "Soft finish" refers to finished insulation cambric which has been singed, starched, and plain calendered but not bleached; (iii) "Bleached finish" refers to finished insulation cambric which has been bleached, singed, starched and friction calendered;

(4) The maximum prices are net selling prices f. o. b. finishing plant and nothing may be added by the seller for any inward freight, put-up, or other costs or expenses.

(b) *How to determine maximum prices for varnished insulation cambric.* (1) The maximum price for varnished insulation cambric shall be the seller's list price as of October 1941, increased by the applicable margin set forth in Table II and determined as follows:

(i) *Linear yard basis.* Where the list price is on a linear yard basis, the margin shall be the amount set forth in Column 1 multiplied by the width in inches;

(ii) *Square yard basis.* Where the list price is on a square yard basis, the margin shall be the amount set forth in Column 2;

(iii) *Linear foot basis.* Where the list price is on a linear foot basis, the margin shall be the amount set forth in Column 3 multiplied by the width in inches;

(iv) *Pound basis.* Where the list price is on a pound basis, the margin shall be the amount set forth in Column 2, divided by the number of pounds per square yard.

TABLE II—VARNISHED INSULATION CAMBRIC

Type of cloth	Column 1	Column 2	Column 3
	Margin in dollars per linear yard	Margin in dollars per square yard	Margin in dollar per linear foot
Print cloths	$.00023	$.0084	$.00071
Sheetings	.00023	.0084	.00071
Lawns	.00033	.0126	.00117
Seamless bias cut tubing	.00015	.0054	.00051

(2) The maximum prices are gross selling prices before discounts of any nature are deducted and shall include all commissions. Every seller shall maintain the discounts or allowances which he offered in October 1941.

(c) *How to determine maximum prices for finished separator cloth.* (1) The maximum price for finished separator cloth shall be the established maximum price for the cotton grey goods from which the cloth is finished increased by the applicable margin per linear yard set forth in Table III.

(2) For the purposes of subparagraph (1) of this paragraph, the established maximum price for the cotton grey goods shall be the maximum price on the day the contract for sale of the finished separator cloth is made.

TABLE III—FINISHED SEPARATOR CLOTH

Type of cloth	Margins in cents per linear yard	
	Undyed	Dyed
Cotton	3.000	3.375

(3) The maximum prices are net selling prices f. o. b. finishing plant and nothing may be added by the seller for any inward freight, put-up, or other costs or expenses.

(d) *How to determine maximum prices for varnished separator cloth.* (1) The maximum price for varnished separator cloth shall be the established maximum price for the cotton grey goods from which the cloth is varnished increased by the applicable margin per linear yard set forth in Table IV.

(2) For the purposes of subparagraph (1) of this paragraph, the established maximum price for the cotton grey goods shall be the maximum price on the day the contract for sale of the varnished separator cloth is made.

TABLE IV—VARNISHED SEPARATOR CLOTH

Weight and width of cotton grey goods	Margins in cents per linear yard	
	Undyed	Dyed
3.00–3.99 yards, 40" width	14.25	14.625
4.00–4.99 yards, 40" width	13.75	14.125
5.00–7.99 yards, 40" width	13.50	13.875
5.00–7.99 yards, 32" width	13.25	13.625

(3) The maximum prices are gross selling prices before discounts of any nature are deducted and shall include all commissions. Every seller shall maintain the discounts or allowances, except quantity discounts, which he offered in March 1942.

Article IV—In-line Prices

Appendix B: *Maximum prices for insulation cambric and separator cloth not specifically priced in Appendix A.* The pricing methods provided for in this Appendix are methods for pricing finished or varnished fabrics which are not specifically priced in Appendix A.

(a) *Pricing finished insulation cambric if a different finish is used.* The maximum price for finished insulation cambric, if the type of cloth is the same but the finish is different from any of those enumerated in Table I of Appendix A, shall be the established maximum price for the cotton grey goods from which the cambric is finished increased by a margin per linear yard computed as follows:

(1) The seller shall determine the cost of the finish enumerated in Table I which is most comparable to the finish which is being used;

(2) He shall deduct that cost from the appropriate margin for the comparable finish enumerated in that table;

(3) The difference obtained shall be added to the cost of the finishing process which is being used.

(b) *Pricing finished insulation cambric if a different type of cloth is used.* The maximum price for finished insulation cambric, if the finish is the same as one of those enumerated in Table I of Appendix A but the type of cloth is different, shall be the established maximum price for the cotton grey goods from which the cambric is finished increased by the margin per linear yard for the most comparable type of cloth set forth in that table.

(c) *Pricing finished insulation cambric if both the finish and type of cloth are different.* The maximum price for finished insulation cambric, if both the finish and the type of cloth are different from any of those enumerated in Table I of Appendix A, shall be the established maximum price for the cotton grey goods from which the cambric is finished increased by a margin per linear yard determined, as to the finish, in accordance with the provisions of paragraph (a) of this Appendix for the most comparable type of cloth set forth in that Table.

(d) *Pricing finished insulation cambric made with tubing which is cut at a different angle or to a different width.* The maximum price for finished insulation cambric in cents per linear yard, if the type of cloth is tubing cut at an angle other than 30° or 45° or cut to a width less than 37 inches or more than 39 inches, shall be computed on the basis of the weights of uncut tubing and prices per pound listed as follows:

Weight of uncut tubing:	Cents per pound
Under 1.00 yard	10
1.00 to 1.99 yards	20
2.00 to 2.99 yards	30
3.00 to 4.99 yards	40
Over 4.99 yards	50

(e) *Pricing varnished insulation cambric where a different type of cloth is used.* The maximum price for varnished insulation cambric, if the type of cloth is different from any of those types enumerated in Table II of Appendix A, shall be the seller's list price for that cambric as of October 1941 increased by the applicable margin for the most comparable type of cloth set forth in Table II and determined in accordance with the provisions of section 8 (b) (1).

(f) *Pricing varnished insulation cambric for which there was no list price.* The maximum price for varnished insulation cambric for which the seller had no list price in October 1941, shall be determined by the seller as follows:

(1) Determine the unit direct cost. The "unit direct cost" is the sum of the costs per unit of the fabric, of other materials used in the varnished fabric, and of labor.

(2) Select from the fabrics in his price list of October 1941, two comparable fabrics: the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the fabric being priced. If a comparable fabric has the same unit direct cost as the fabric being priced, it shall be selected in addition to the comparable fabrics immediately higher and lower. If all comparable fabrics are either higher or lower, the one closest in unit direct cost shall be selected.

(3) Determine both the average percentage and the average dollar markup over unit direct cost for the comparable fabrics selected.

(4) Apply to the unit direct cost of the fabric either the average percentage or the average dollar markup, whichever will yield the lowest price. The resulting price shall be the maximum price.

EXAMPLE OF THE ABOVE COMPUTATION

[Assume that the unit direct cost of fabric being priced is $.80]

Unit direct costs of comparable fabrics selected	Maximum selling price for each such fabric	Dollar markup for each such fabric	Average percentage mark-up for such fabrics
$1.60	$1.40	.40	$2.30 (sum of maximum prices) −1.70 (sum of unit direct costs)
.70	.90	.20	
$1.70	$2.30	.60÷2=.30	.60÷$1.70=35.3%

Unit direct cost × average percentage mark-up = $.80 × 35.3% = $.282 (amount of average percentage mark-up)

Unit direct cost + amount of average percentage mark-up = $.80 + $.282 = $1.082

Unit direct cost + average dollar mark-up + $.80 + $.30 = $1.10.

Maximum selling price of fabric being priced (the lower of the above two sums) is $1.082

(5) The average percentage markup over unit direct cost shall be calculated by computing the percentage markup between the sum of the unit direct costs and the sum of the maximum prices of the comparable fabrics selected.

(6) The average dollar markup over unit direct cost shall be calculated by averaging the individual dollar markups between the unit direct costs and the maximum prices of the comparable fabrics selected.

(g) *Pricing varnished separator cloth if a different weight or width of cloth is used.* The maximum price for varnished separator cloth, if the weight or width of the cotton grey goods is different from any of those enumerated in Table IV of Appendix A, shall be the established maximum price for the grey goods from which the cloth is varnished increased by an amount per linear yard computed as follows:

(1) The seller shall determine the cost of labor and materials used in the finish [2] in Table IV which is most comparable to the cloth which is being used;

(2) He shall deduct that cost from the appropriate margin for the comparable cloth enumerated in that table;

(3) The difference obtained shall be added to the cost of labor and materials used in the finish [2] and varnish of the cloth which is being used.

(h) *Credit terms for finished insulation cambric.* The maximum prices for finished insulation cambric priced under paragraphs (a) to (d), inclusive, of this Appendix are net selling prices f. o. b. finishing plant an nothing may be added by the seller for any inward freight, put-up or other costs or expenses.

(i) *Credit terms for varnished fabrics*—(1) *Varnished insulation cambric.* The maximum prices for varnished fabrics priced under paragraphs (e) and (f) of this Appendix are gross selling prices before discounts of any nature

[2] If the finishing is done by a person other than the varnisher, the cost of labor and materials shall be the amount charged to the varnisher by the person who does the finishing.

are deducted and shall include all commissions. Every seller shall maintain the discounts or allowances which he offered in October 1941.

(2) *Varnished separator cloth.* The maximum prices for varnished fabrics priced under paragraph (g) of this Appendix are gross selling prices before discounts of any nature are deducted and shall include all commissions. Every seller shall maintain the discounts or allowances, except quantity discounts, which he offered in March 1942.

(j) *Uniform costs must be used.* In any pricing method in this Appendix where the seller must determine his price on the basis of the cost of a comparable fabric or finish, he must compute that cost so as to be consistent with the computation of the cost of the item being priced. For example, if he computes labor costs as of one date for the fabric being priced, he must compute those costs as of the same date for the comparable fabric, or if he uses cost prices of materials in one instance, he must use cost prices (not market prices or replacement costs) in the other.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

This regulation shall become effective April 10, 1943.

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5343; Filed, April 5, 1943; 4:57 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,[1] Amendment 49]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

Section 1407.171 is added to read as follows:

§ 1407.171 *Imports of sugar by certain persons.* Notwithstanding any provision to the contrary contained in Rationing Order No. 3, the following persons may receive sugar from the Collector of Customs and the Collector of Customs may deliver sugar to them without the surrender of stamps or certificates:

(a) Upon request by the Department of State, representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937.

(b) Members of the armed forces of the United Nations, other than those of the United States, who are on duty within the United States, where the sugar is consigned or addressed to them and is intended for their personal or official use.

(c) Enemy prisoners of war and enemy civilian internees and detainees in the United States, where the sugar is consigned or addressed to them.

This amendment shall become effective April 10, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. IE, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5338; Filed, April 5, 1943; 4:56 p. m.]

PART 1442—CORDAGE

[MPR 360]

BINDER TWINE

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1442.2 *Maximum prices for binder twine.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 360 (Binder Twine), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1442.2 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 360—BINDER TWINE

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Sec.
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2 To what products, transactions and geographical areas this regulation applies.
3 Maximum prices for sales of binder twine to jobbers and retail stores.
4 Maximum prices for retail sales of binder twine.
5. Relation of this regulation to other regulations.
6 Enforcement.
7 Licensing and registration.
8 Records and reports required.
9 Petitions for amendment.
10 Prohibited practices.
11 Adjustable pricing.

SECTION 1 *Sales of binder twine at higher than maximum prices prohibited.* (a) On and after April 5, 1943, regardless of any contract or other obligation no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any binder twine at prices higher than the maximum prices established by this regulation, and no person shall agree, offer or attempt to do any of these things;

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2 *To what products, transactions and geographical areas this regulation applies*—(a) *What products and transactions are covered by this regulation.* This regulation applies to all sales of binder twine of all types and qualities.

"Binder twine" means twine, whether domestic or imported, manufactured for use in conjunction with mechanical harvesting equipment for tying bundles of agricultural crops.

(b) *What geographical areas are covered.* This regulation shall be applicable to the continental United States but not to the territories and possessions of the United States.

SEC. 3 *Maximum prices for sales of binder twine to jobbers and retail stores.*—(a) *Prices per bale, f. o. b. applicable base-point.*

SALES TO JOBBERS

Quantity purchased	500-foot	550-foot	600-foot
Less than 4,000 bales	$5.75	$6.00	$6.375
4,000 to 9,999 bales	5.625	5.875	6.25
10,000 to 19,999 bales	5.50	5.75	6.125
20,000 bales or more	5.375	5.625	6.00

SALES TO RETAIL STORES

Less than 200 bales	$6.125	$6.375	$6.75
200 to 399 bales	6.00	6.25	6.625
400 bales or more	5.875	6.125	6.50

The "applicable base-point" for domestically produced binder twine means the city in which it was manufactured unless the freight rate from any one of the shipping points listed below to the place of delivery is less than the freight rate from the city in which the twine was manufactured in which case the shipping point listed below having the lowest freight rate to the point of delivery shall be the applicable base-point.

Baltimore, Maryland,
Beaumont, Texas,
Boston, Massachusetts,
Buffalo, New York,
Chicago, Illinois,
Corpus Christi, Texas,
Houston, Texas,
Lake Charles, Louisiana,
Galveston, Texas,
Duluth, Minnesota,
Los Angeles, California,
Milwaukee, Wisconsin,
New York, New York,
New Orleans, Louisiana,
Norfolk, Virginia,
Philadelphia, Pennsylvania,
San Francisco, California,
Portland, Oregon,
Seattle, Washington.

The "applicable base-point" for sales of binder twine manufactured outside of the continental United States shall be the port of entry for such twine.

The "quantity purchased" means the quantity of binder twine purchased from the seller by the purchaser during the binder twine year ending October 31 of each year. Shipments of binder twine made during the course of the binder twine year may be invoiced and paid for at the applicable maximum price for the quantity shipped: *Provided*, That, if any later purchase of binder twine causes the establishment of a lower maximum price per bale, a rebate or allowance shall be made to the purchaser so that the amount charged per bale for all purchases up to that time does not exceed the lower maximum price established by the later purchase. Any such rebate or allowance shall be shown on an invoice or credit memorandum delivered to the purchaser within 30 days of the date of shipment of the purchase establishing the lower maximum price.

"Jobber" means any person who during the preceding binder twine year ended October 31 was treated by the seller as a jobber of binder twine, as evidenced by price quotations and business correspondence, and any other person conducting a binder twine business of substantially similar character. In general, the term means a person who resells a substantial quantity of the binder twine purchased by him to other jobbers or to retail stores.

"500 foot binder twine" means binder twine measuring from 475 to 525 feet to the pound of twine. "550 foot binder twine" means binder twine measuring from 526 to 575 feet to the pound of twine. "600 foot binder twine" means binder twine measuring more than 575 feet to the pound of twine.

A "bale" of binder twine means a parcel containing approximately 48 pounds of binder twine and weighing approximately 50 pounds gross, including wrappings and lashing.

(b) *Terms and discounts applicable to sales by binder twine manufacturers.* The maximum prices established by paragraph (a) of this section for sales by manufacturers of binder twine are subject to the following terms and discounts:

(1) Except for purchases by persons located in the territory listed in paragraph (2), below, shipments made prior to June 20 are net cash October 1, less a discount of 5% for payment on or before July 1, and shipments made on or after June 20 are net cash 60 days from date of invoice, less a discount of 5% for payment within 10 days of the date of invoice: *Provided*, That in the case of any shipment made prior to June 20 for which the seller requires payment before July 1, the maximum prices enumerated shall be reduced by the amount of the 5% cash discount and, in addition, shall be reduced at a rate no lower than 6% per annum for the period between the date of such shipment and July 1.

(2) In the case of purchases by persons located in the states of Maryland, Delaware, Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Kansas, Oklahoma, Texas, New Mexico, or Arizona, or in the District of Columbia, shipments made prior to May 20 are net cash September 1, less a discount of 5% for payment on or before June 1, and shipments made on or after May 20 are net cash 60 days from date of invoice, less a discount of 5% for payment within 10 days of the date of invoice: *Provided*, That in the case of any shipment made prior to May 20 for which the seller requires payment before June 1, the maximum prices enumerated shall be reduced by the amount of the 5% cash discount and, in addition, shall be reduced at a rate no lower than 6% per annum for the period between the date of such shipment and June 1.

(c) *Terms and discounts applicable to sales by jobbers.* The maximum prices established by paragraph (a) of this Section for jobbers' sales of binder twine shall be subject to the same terms and discounts granted by the seller to a binder twine purchaser of the same class during the preceding binder twine year ended October 31: *Provided*, That in no event shall the terms and discounts be less favorable to the purchaser than 5% discount for cash within ten days of date of invoice, net 30 days.

(d) *Sales to jobbers and retail stores on a delivered basis.* A delivered price in excess of the maximum price f. o. b. applicable base-point may be charged for delivery to a point other than such base-point consisting of the maximum price f. o. b. applicable base-point plus (1) the rail freight on an identical shipment from the applicable base-point to the point of delivery; or (2) if rail transportation is not available to the point of delivery, a combination of the rail freight from the applicable base-point to the rail point nearest to the point of delivery and the freight on an identical shipment by other available commercial carrier having the lowest rate for shipment from such rail point to the point of delivery.

SEC. 4 *Maximum prices for retail sales of binder twine.* The term "retail sale" means a sale to the ultimate consumer.

(a) *Retail sales of bale lots.* The maximum price per bale, for retail sales of binder twine, f. o. b. retailer's store, is the sum of the following (adjusted to the nearest full cent):

(1) The maximum price per bale enumerated in section 3(a) of this regulation (without regard to the discounts provided for in section 3(b) or 3(c)) for sales of binder twine of the same type to retail stores in a quantity of less than 200 bales;

(2) Freight from the "applicable base-point" to the seller's store at the lowest available commercial carrier rate for an l. c. l. shipment of binder twine; and

(3) A markup of: (i) 75 cents per bale, if during the preceding binder twine year ended October 31 the seller's total volume of retail sales of binder twine was 400 bales or more; or

(ii) $1 per bale, if during the preceding binder twine year ended October 31 the seller's total volume of retail sales of binder twine was less than 400 bales.

For the purpose of determining whether a seller made retail sales of a quantity of 400 or more bales of binder twine during the preceding binder twine year, the combined sales of a seller who made retail sales through more than one retail outlet shall be taken into consideration.

(b) *Retail sales of fractional parts of a bale.* The maximum price per ball of binder twine for retail sales involving fractional parts of a bale shall be the maximum price determined pursuant to paragraph (a), above, for retail sales of the full bale, divided by the number of balls of twine packed in such full bale.

(c) *Terms.* The maximum prices established by this regulation for retail sales of binder twine are net prices and no discounts or allowances therefrom need be granted.

SEC. 5 *Relation to other regulations*—(a) *General Maximum Price Regulation, Maximum Price Regulation No. 133 and Maximum Price Regulation No. 188.* The provisions of the General Maximum Price Regulation,[2] except as provided in section 7 (b), below, Maximum Price Regulation No. 133[3] and Maximum Price Regulation No. 188[4] shall not apply and this regulation shall apply to sales and deliveries of binder twine.

(b) *Revised Maximum Export Price Regulation.* The maximum price for export sales of binder twine is governed by the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration.

SEC. 6 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of license provided for by the Emergency Price Control Act of 1942.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War Procurement agencies" include the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 7 *Licensing and registration.* (a) The provisions of Supplementary Order No. 36,[6] licensing sellers of yarns, textiles, textile products, and services related thereto, shall apply to every seller other than at retail of binder twine subject to this regulation. Supplementary Order No. 36 provides, in brief, that a license is necessary in order to make sales, other than at retail, of any yarns, textiles, textile products or services for which maximum prices are established by this and certain other regulations. A license is automatically granted to all sellers making such sales. It is not necessary to apply for the

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7567, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9809, 10017, 10258, 10556, 10815; 8 F.R. 166, 262, 445, 629, 1028, 1204, 1286, 2026, 2153, 2432, 2433, 2675, 2758, 3176, 3180, 3522.

[1] 8 F.R. 3096.

[2] 7 F.R. 3185, 6936, 7599, 8948; 8 F.R. 134, 2286.

[3] 7 F.R. 5872, 7967, 6943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105.

[4] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[5] 8 F.R. 1798, 2431.

license, but sellers may later be required to register. Licenses may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell by Supplementary Order No. 36. No person whose license is suspended may sell any of such commodities during the period of suspension.

(b) The registration and licensing provisions of sections 15 and 16 of the General Maximum Price Regulation are applicable to all sales of binder twine at retail. Section 16 automatically licenses persons selling at retail any commodity for which maximum prices are established by the Office of Price Administration. Section 15 provides that sellers may hereafter be required to register.

SEC. 8. *Records and reports*—(a) *Records.* Every seller must keep a record of every sale for which a maximum price is established by this regulation, including a description of the commodity sold, the name and address of the buyer, the date of the sale and the price. Every buyer making purchases for resale shall keep similar records of such purchases, including the name and address of the seller. All such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect.

(b) *Reports.* Any person affected by this regulation shall submit such reports as the Office of Price Administration may, from time to time, require.

SEC. 9. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[6] issued by the Office of Price Administration.

SEC. 10 *Prohibited practices.* Any practice which is used as a device to effect a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 11 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

Effective Date

This regulation shall become effective April 5, 1943: *Provided*, That any shipment of binder twine made between January 1, 1943 and April 4, 1943, inclusive, to a jobber or to a retail store under an open price arrangement with the understanding between the buyer and the seller that the price to be charged therefor would be a price not in excess of the maximum price ultimately established by the Office of Price Administration for sales of binder twine for the 1942–1943 binder twine year, may be invoiced and paid for at a price not in excess of the maximum prices established by this regulation.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5341; Filed, April 5, 1943; 4:57 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 26 to RO 12[1]]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

1. Section 1407.959 is amended to read as follows:

§ 1407.959 *Transfer of green coffee to consumers prohibited.* Notwithstanding anything to the contrary contained in Ration Order No. 12, no person, except as provided in § 1407.1077a, shall on or after November 22, 1942, transfer green coffee to a consumer, and no consumer shall acquire green coffee.

2. Section 1407.1077a is added to read as follows:

§ 1407.1077a *Imports of coffee by certain persons.* Notwithstanding any provision to the contrary contained in Ration Order No. 12, the following persons may acquire coffee from the Collector of Customs and the Collector of Customs may transfer coffee to them without the surrender of stamps or certificates and irrespective of any restriction on the transfer or acquisition of green coffee imposed by Ration Order No. 12:

(a) Upon request by the Department of State, representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937.

(b) Members of the armed forces of the United Nations, other than those of the United States, who are on duty within the United States, where the coffee is consigned or addressed to them and is intended for their personal or official use.

(c) Enemy prisoners of war and enemy civilian internees and detainees in the United States, where the coffee is consigned or addressed to them.

This amendment shall become effective April 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1–R; Food Dir. 3, 8 F.R. 2005)

Issued this 5th day of April 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-5337; Filed, April 5, 1943; 4:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amendment 49]

MARKING AND POSTING CERTAIN PRICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.13 (c) is amended to read as follows:

§ 1499.13 *Maximum prices of cost-of-living commodities: statement, marking or posting.* * * *

(c) No person is required to mark or file the maximum price of any commodity manufactured by him if his only sales at retail of such commodity are made to his employees. And no person is required to mark, post or file the maximum price of any commodity determined for an "accommodation sale" at retail pursuant to the terms of § 1499.73 (a) (51) of Supplementary Regulation No. 14 to the General Maximum Price Regulation.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of April 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-5345; Filed, April 5, 1943; 4:58 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 20—SPECIAL REGULATIONS

GREAT SMOKY MOUNTAINS NATIONAL PARK

Pursuant to the authority contained in the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), § 20.14 (a) of Title 36, Code of Federal Regulations, is amended to read as follows:

§ 20.14 *Great Smoky Mountains National Park* (a) *Fishing; open and closed waters.* The following park streams in the States of North Carolina and Tennessee are open to fishing. All other streams are closed. Main streams only of waters listed are open; all tributaries thereof are closed.

(1) *North Carolina section of the park:*

Big Creek below Gunter Fork.
Cataloochee Creek below Palmer Creek.
Rough Fork below George Ira Creek.
Oconaluftee River below Kephart Prong.

[6] 7 F.R. 8961; 8 F.R. 3313.

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3400, 3843.

[1] 8 F.R. 3096.

Raven Fork below Cherokee Reservation.
Straight Fork below Balsam Corner Creek.
Bradley Fork below Tennessee Branch.
Deep Creek below confluence of Right and Left Forks.
Right Fork below Cherry Creek.
Forney Creek below Huggins Creek.
Jonas Creek below Little Jones Creek.
Twentymile Creek below Greer Branch.
Moore Spring Branch below Dalton Branch.

(2) *Tennessee section of the park:*

Cosby Creek below Dry Branch.
Middle Prong Little Pidgeon River below:
Porters Creek.
Porters Creek below Long Branch.
False Gap Prong below Kalanu Prong.
West Prong Little Pidgeon River below Alum Cave Creek.
Little River below Meigs Post Prong.
Fish Camp Prong below Goshen Prong.
West Prong Little River below Laurel Creek.
Middle Prong Little River below Thunderhead Prong.
Lynn Camp Prong below Indian Flats Prong.
Abrams Creek below Anthony Creek.
Anthony Creek below end of truck trail.

(39 Stat. 535; 16 U.S.C. 3)

Issued this 26th day of March 1943.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 43-5350; Filed, April 6, 1943; 10:18 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation

[No. 53]

PART 402—ANNUAL WATER CHARGES[1]

YUMA IRRIGATION PROJECT

MARCH 16, 1943.

1. *Annual operation and maintenance charges for lands under public notice, Reservation Division:* The annual operation and maintenance charge for the irrigation season of 1943, and thereafter until further notice, against all lands of the Reservation Division of the Yuma Irrigation Project, Arizona-California, under public notice, shall be a minimum of two dollars and twenty cents ($2.20) per irrigable acre, whether water is used or not, which charge shall permit the delivery of not to exceed 5 acre-feet of water per acre on certain sandy areas shown on the list attached to public notices No. 31 dated April 14, 1931, No. 40 dated March 1, 1935, No. 43 dated February 17, 1936, No. 47 dated March 5, 1937, and No. 49 dated March 28, 1938, and of not to exceed 4 acre-feet of water per acre on all other lands of this division; additional water shall be furnished at the rate of one dollar ($1.00) per acre-foot. Where, in the opinion of the Superintendent, it may be done without interference with other project requirements, upon written request filed in advance by the water users, water will be furnished free of charge for reclaiming lands by the removal of alkali either by growing rice or similar crops or by the usual leaching methods; and water in excess of the minimum amount herein provided, which is to be used for the growing of fertilizer crops of no commercial value or which is to be used for the purpose of depositing silt upon the land, shall be furnished free of charge. All lands for which free water was served during the year 1942 will not again be served free water until evidence satisfactory to the project superintendent has been made that the water so granted free of charge during the year 1942 was applied to the land in sufficient quantities over a period of not less than 3 months, in which event water shall again be served free of charge provided the results accomplished during the preceding irrigation season were not satisfactory. All operation and maintenance charges shall be due and payable on March 1 of each year for the preceding irrigation season to the Agent-Cashier, Bureau of Reclamation, Yuma, Arizona.

2. *Annual water rental charges for other lands, Reservation Division:* Lands not under public notice that can be irrigated from the present distribution system without further construction expense by the Bureau may secure irrigation water under water rental contracts at a rate of two dollars and twenty cents ($2.20) per irrigable acre, which charge will permit the delivery of not to exceed 4 acre-feet of water per acre, and additional water will be delivered at the rate of one dollar ($1.00) per acre-foot. All charges due under water rental contracts are payable in advance of the delivery of water. The minimum charge as specified shall be paid before any water is delivered during the current or subsequent seasons and all additional or excess water over the minimum of 4 acre-feet shall be paid for when ordered and prior to delivery. Refund will be made for excess water paid for but not used.

3. *Annual water rental charge for lands in the Valley Division not under public notice:* Lands in the Valley Division not under public notice which can be irrigated from the present distribution system without further construction expense by the United States may secure irrigation water during the calendar year 1943 and until further notice under water rental contracts at a rate of four dollars ($4.00) per irrigable acre, which charge will permit the delivery of four acre-feet per acre. Additional water furnished will be charged for at the rate of one dollar ($1.00) per acre-foot, payable in advance of delivery. All town lots that can be served under the present system may secure water under annual water rental contracts at the rate of five dollars ($5.00) a lot and one dollar ($1.00) for each additional lot in the same township, considering the maximum lot to be not over sixty (60) feet in width. All payments under water rental contracts are due and payable in advance of the delivery of water to the Agent-Cashier, Bureau of Reclamation, Yuma, Arizona.

MICHAEL W. STRAUS,
First Assistant Secretary.

[F. R. Doc. 43-5357; Filed, April 6, 1943; 10:18 a. m.]

[1] Affects tabulation in § 402.2f.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 24, Supp. 3, Revised]

PART 310—MERCHANT MARINE TRAINING

APPOINTMENT AND TRAINING OF CADETS IN UNITED STATES MERCHANT MARINE CADET CORPS

Section 310.57 is amended to read:

§ 310.57 *Pay.* (a) Cadets will receive pay at the rate of $65 per month from the War Shipping Administration while at the Academy, basic schools, or places of special shore training. Pay while at the Academy or basic schools will commence on the date of attachment to the Academy or to basic schools. Cadets initially assigned to basic schools or the Academy for preliminary training and basic Naval Science shall not receive their balance of pay until after the date of their detachment from basic schools for assignments to ships or places of special shore training. Periods spent at places of special shore training shall be considered the same as time spent at the Academy or at basic schools.

(b) Cadets aboard ship, who sign articles or commence voyages on or after March 15, 1943, will receive pay, while attached to such vessel, at the rate of $82.50 per month from their steamship company employers which represents the minimum basic monthly wage of $65.00 and includes the additional emergency compensation of $17.50, without regard to the port from which a vessel departs. In addition, steamship companies shall grant to Cadets aboard ship war bonuses as are or may be prescribed by the Maritime War Emergency Board for officers and crew of vessels.

(c) Cadets will not receive pay from the War Shipping Administration when not attached to the Academy or to basic schools or assigned to places of special shore training, except when specially authorized by the Supervisor.

(d) Cadets assigned to the Academy or basic schools for advanced courses or license preparation or while waiting assignment or while at places of special shore training shall receive their pay at the end of each calendar month and on the date of their detachment from the Academy, basic school, or place of special shore training.

(e) The Supervisor may place any Cadet on a non-pay basis for disciplinary reasons while assigned to the Academy,

basic schools, or places of special shore training.

(E.O. 9054, 7 F.R. 837; E.O. 9198, 7 F.R. 5383)

[SEAL] E. S. LAND, *Administrator.*

APRIL 5, 1943.

[F. R. Doc. 43-5316; Filed, April 5, 1943; 1:51 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 112, Amendment 1]

PART 95—CAR SERVICE

FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of March, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 112 of March 3, 1943, its application to cars engaged in intrastate commerce having been questioned, and

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent shortage of railroad equipment and congestion of traffic: *It is ordered*, That:

Section 95.305 *Free time on fresh or green fruits or vegetables in refrigerator cars* is hereby amended by adding the following paragraph:

(c) This order shall apply to intrastate commerce as well as to interstate and foreign commerce carried by every common carrier by railroad subject to the Interstate Commerce Act.

It is further ordered, That copies of this amendment shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-5307; Filed, April 5, 1943; 11:52 a. m.]

[Service Order 113, Amendment 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON FLAT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of March, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 113 of March 3, 1943, its application to certain special types of cars and to cars engaged in intrastate commerce having been questioned, and

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent shortage of railroad equipment and congestion of traffic: *It is ordered*, That:

Section 95.501 *Demurrage charges on flat cars* is hereby amended by adding the following paragraph:

(c) This order shall not apply to special types of cars of AAR mechanical designation (1) LP (pulpwood cars), (2) FL (logging cars), and (3) Cars having FM designation when equipped with log chains and bunks and assigned to logging service. This order shall apply to intrastate commerce as well as to interstate and foreign commerce carried by every common carrier by railroad subject to the Interstate Commerce Act.

It is further ordered, That copies of this amendment shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-5308; Filed, April 5, 1943; 11:52 a. m.]

[Corrected Service Order 115 [1]]

PART 95—CAR SERVICE

CARS OF FRUITS AND VEGETABLES HELD FOR DIVERSION OR RECONSIGNMENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of April, A. D. 1943.

It appearing, that carload shipments of fresh or green fruits or vegetables moving from points in the South are being held for diversion or reconsignment at points south of Potomac Yard, Va., and thereby delaying unduly the movement of trains; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.306 *Cars of fruits and vegetables held for diversion or reconsignment.* (a) The operation of Atlantic Coast Line Railroad Company Tariff I. C. C. No. 660 (Agent Hoke), Seaboard Air Line Railway Company Tariff I. C. C. No. 660 (Agent Hoke), Southern Railway Company Tariff I. C. C. No. A 10944, and Richmond, Fredericksburg & Potomac Railroad Company Tariff I. C. C. No. 1614, which provide rules and charges governing diversion and reconsignment of cars of fresh or green fruits and vegetables is hereby suspended insofar as said tariffs authorize or permit shipments of such commodities originating in the States of Florida, Georgia, Alabama, Mississippi, and Louisiana, to be held at points on the Atlantic Coast Line east of Atlanta and north of Waycross, Ga., Seaboard Air Line Railway east of Atlanta and north of Savannah, Ga., Southern Railway east of Altanta and north of Savannah, Ga., and the Richmond, Fredericksburg & Potomac Railroad, Richmond and north, for diversion, reconsignment, or holding for orders, as defined in said tariffs.

(b) Each of said railroads, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this order shall become effective April 10, 1943 and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon the above-named railroads and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-5309; Filed, April 5, 1943; 11:52 a. m.]

[1] 8 F.R. 4266.

[Service Order 116]

PART 95—CAR SERVICE

EMBARGO ON EASTBOUND CARLOAD TRAFFIC FROM CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of April, A. D. 1943.

It appearing, that there is an excessive accumulation of empty cars in the State of California awaiting eastbound movement; an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic: *It is ordered*, That:

§ 95.8 *Embargo on eastbound carload traffic from California.* Effective 12:01 a. m., Pacific War Time, Tuesday, April 6, 1943, and continuing until 12:01 a. m., Pacific War Time, Friday, April 9, 1943, The Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Company, Pacific Electric Railway Company, San Diego & Arizona Eastern Railway Company, The Western Pacific Railroad Company (T. M. Schumacher and Sidney M. Ehrman, Trustees), Union Pacific Railroad Company, Great Northern Railway Company, and short lines dependent upon said railroads for car supply, place no cars for loading or accept billing for shipments of carload freight of any commodity to be consigned, reconsigned, or intended to be reconsigned from any point within the State of California to any point beyond the limits of that State except:

Freight moving on Government bills of lading.

Fresh fruits and vegetables in refrigerator cars.

Livestock.

Freight consigned to points within the States of Oregon and Washington.

Carload freight unloaded from vessels at ports.

(40 Stat. 101, Sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That copies of this order and direction shall be served upon the railroads above named, and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-5358; Filed, April 6, 1943; 11:11 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1864]

DISTRICT BOARD 2

ORDER GRANTING MOTION FOR CONTINUANCE AND POSTPONING HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Donze mine of the Elders Ridge Coal Company in District No. 2.

The above entitled matter having been heretofore scheduled for hearing on April 6, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C., by a notice of and order for hearing issued on March 4, 1943; and

A motion for a continuance having been filed herein by District Board No. 2, the original petitioner in the above-entitled matter, requesting that said hearing be continued to May 6, 1943, or such date thereafter as may be convenient for the Director and the parties; and

The Director, deeming it advisable that said motion should be granted to the extent as hereinafter indicated and that said hearing should be continued;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same hereby is, continued from April 6, 1943, at 10 o'clock in the forenoon of that day until such time as the Director may hereafter designate.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-5296; Filed, April 5, 1943; 11:29 a. m.]

[Docket No. B-205]

BROOKWOOD SHAFT, INC.

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that code member wilfully violated the provisions of Rules 4 (A) and 9 (a) of Section II of the Marketing Rules and Regulations.

It is ordered, That code member, operating the Brookwood Shaft Mine (Mine Index No. 67) in Clearfield County, Pennsylvania, in District No. 1, its agents, representatives, affiliates, employees, successors or assigns, and any person acting or claiming to act for or on its behalf, cease and desist from violating Rules 4 (A) and 9 (a) of section II of the Marketing Rules and Regulations, or from otherwise violating the provisions of the Act, the Code, and the Rules and Regulations thereunder, and that code member shall collect from Seneca Coal & Iron Corporation all commissions improperly paid.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or take other appropriate action as authorized by the Act.

Dated: April 5, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-5360; Filed, April 6, 1943; 10:51 a. m.]

[Docket No. B-355]

RED TOP COAL COMPANY, INC.

ORDER POSTPONING HEARING PENDING FURTHER ORDER OF THE DIRECTOR

A hearing of the above entitled matter having been scheduled for April 8, 1943 at a hearing room of the Bituminous Coal Division, at the Community Room, City Hall, Altoona, Pennsylvania; and

The Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing of the above entitled matter be and the same hereby is postponed to a time and place to be hereafter designated by the Director; and

It is further ordered, That the notice of and order for hearing dated February 4, 1943 shall, in all other respects remain in full force and effect.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-5359; Filed, April 6, 1943; 10:51 a. m.]

[Docket No. B-371]

EARL BYERS

ORDER POSTPONING HEARING PENDING FURTHER ORDER OF THE DIRECTOR

A hearing in the above entitled matter having been scheduled for April 10, 1943, at a hearing room of the Bituminous Coal Division, 9th Fl., Bar Ass'n. Rooms, City County Building, Pittsburgh, Pennsylvania; and

The Director deeming it advisable that said hearing should be postponed;

Now therefore it is ordered, That the hearing in the above entitled matter be and the same hereby is postponed to a time and place to be hereafter designated by an order of the Director; and

It is further ordered, That the notice of and order for hearing, dated March 12, 1943, shall, in all other respects, remain in full force and effect.

Dated: April 5, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-5361; Filed, April 6, 1943; 10:51 a. m.]

Bureau of Mines.

KELLY FEED & SEED CO., LICENSEE

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

To: Kelly Feed & Seed Co., Albany, Oregon. Based upon the records in this matter, I. R. R. Sayers, Director of the Bureau of Mines, make the following findings of fact:

1. On January 25, 1943, a Specification of Charges against you setting forth violations of the Federal Explosives Act (55 Stat. 863) and the regulations pursuant thereto of which you were accused was mailed to you giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. The only answer from you was dated February 6 and received February 11, 1943. You have not denied that on May 18, 1942, you were storing a large quantity of explosives in a manner not adequately protecting them against the risk of theft, or that you thereby violated section 17 (a) of the regulations. You have not denied that on November 5, 1942, December 5, 1942, and December 18, 1942, after having been instructed by an Explosives Investigator of the Bureau of Mines and by the Explosives Control Division of the Bureau of Mines that your explosives should be stored in a properly constructed and securely locked magazine you nevertheless continued to store large quantities of explosives in a manner not adequately protecting them against the risk of theft, or that you

thereby violated sections 17 (a), 14 (c)

January 16, 1943, and ending with the final disposition of all of your explosives

[Public Land Order 102]

COLORADO

Whereas, it appears advisable to amend such wage orders and regulations

signed to be held on April 13, 1943, at 10 a. m. (eastern war time) in Room 5042

sec. 13), hereby issues its complaint, stating its charges with respect thereto as

thereby violated sections 17 (a), 14 (c) and 17 (c) of the regulations. You have not denied that you failed and refused to reply to letters to you on September 18, 1942, and December 17, 1942, concerning the storage of explosives and calling for replies, or that you thereby violated section 10 of the act. The only excuse or justification offered by you was a statement in your answer alleging difficulty in obtaining a more suitable magazine site, difficulty in obtaining labor and materials, and adverse weather conditions. Your answer also alleged that you expected to be able to complete a new magazine by March 15, 1943. Although the excuse or justification offered by you was insufficient, especially because of the long period of time that had elapsed since the inspection of your storage facilities in May 1942 and because of your failure to reply to the letters of September 18 and December 17 from the Explosives Control Division of the Bureau of Mines, I wrote to you on February 26, 1943, as follows:

> The proceedings which have been instituted against you to determine whether your Federal explosives licenses should be revoked will be suspended until March 22. If on or before that date I receive a sworn statement from you advising me that you have completed your explosives magazine in accordance with the requirements of the Bureau of Mines, the proceedings will continue to be suspended until such time as a representative of the Bureau of Mines verifies the accuracy of your statement. If I do not receive such a statement from you on or before March 22, I shall revoke your licenses immediately thereafter.

I have not received any statement from you indicating that you have completed your explosives magazine in accordance with the requirements of the Bureau of Mines.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in my by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and section 22 of the regulations thereunder (7 F.R. 5901), I hereby *Order:*

That any and all licenses issued pursuant to the Federal Explosives Act to you under the name of Kelly Feed & Seed Co., or under the name of Max L. Kelly be and they are hereby revoked as of midnight April 15, 1943.

That prior to midnight April 15, 1943, you shall sell or otherwise dispose of all of your explosives and ingredients of explosives to persons licensed under the Federal Explosives Act.

That prior to midnight April 15, 1943, you shall surrender all licenses and certified or photographic copies thereof, if any, issued to you pursuant to the Federal Explosives Act under the name of Kelly Feed & Seed Co., or under the name of Max L. Kelly, by delivering or mailing them to me at the Interior Building, Washington, D. C.

That after having disposed of all of your explosives and ingredients as required by the preceding paragraph, you shall, prior to midnight April 15, 1943, deliver or mail to me at the Interior Building, Washington, D. C., a sworn statement of your transactions in explosives and ingredients of explosives for the period of time beginning with January 16, 1943, and ending with the final disposition of all of your explosives and ingredients as required above, to supplement the record heretofore submitted by you for the period of time prior to January 16, 1943. The statement shall set forth the amount of each kind of explosives or ingredients which you had on hand at the opening of business on January 16, 1943, the amount of each kind of explosives or ingredients acquired by you that day and each day thereafter, the dates on which acquired, and the names and addresses of the persons from whom acquired, the amount of each kind of explosives or ingredients sold or otherwise disposed of by you, the dates on which disposed of, and the names, addresses and Federal explosives license numbers of the persons to whom disposed of.

Failure to comply with any of the provisions of this Order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated: April 2d, 1943.

R. R. SAYERS,
Director, Bureau of Mines.

[F. R. Doc. 43-5332; Filed, April 5, 1943; 3:50 p. m.]

General Land Office.

[Air-Navigation Site Withdrawal 200]

CALIFORNIA

PUBLIC LAND WITHDRAWAL FOR MAINTAINING AIR-NAVIGATION FACILITIES

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C., title 43, sec. 315f), and in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214): *It is ordered*, As follows:

The following-described public lands in California are hereby classified as necessary and suitable for the purpose and, subject to valid existing rights, are withdrawn from all forms of appropriation under the public land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-navigation Site Withdrawal No. 200:

MOUNT DIABLO MERIDIAN

T. 24 S., R. 43 E.,
Sec. 27, W½;
Sec. 34, NW¼.
The areas described aggregate 480 acres.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 27, 1943.

[F. R. Doc. 43-5349; Filed, April 6, 1943; 10:18 a. m.]

[Public Land Order 102]

COLORADO

EXCLUDING CERTAIN LANDS FROM AND MODIFYING THE EXTERIOR BOUNDARY OF THE SAN ISABEL NATIONAL FOREST

By virtue of the authority contained in the act of June 4, 1897, 30 Stat. 11, 36 (U.S.C., title 16, sec. 473), and pursuant to Executive Order No. 9146 of April 24, 1942, and upon the recommendation of the Secretary of Agriculture: *It is ordered*, As follows:

The following-described lands in private ownership are hereby excluded from the San Isabel National Forest, in the State of Colorado, and the exterior boundary of the Forest is modified accordingly:

SIXTH PRINCIPAL MERIDIAN

T. 30 S., R. 67 W.,
Sec. 22, NE¼NE¼.
T. 30 S., R. 68 W.,
Sec. 6, SW¼SE¼;
Sec. 7, NW¼NE¼, NE¼NW¼, and lot 1
The areas described aggregate 199.94 acres.

ABE FORTAS
Acting Secretary of the Interior.

MARCH 27, 1943.

[F. R. Doc. 43-5348; Filed, April 6, 1943; 10:18 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

PROHIBITION OF INDUSTRIAL HOME WORK IN VARIOUS INDUSTRIES

NOTICE OF OPPORTUNITY TO SHOW CAUSE

In the matter of the prohibition of industrial home work in the women's apparel, jewelry manufacturing, knitted outerwear, gloves and mittens, button and buckle manufacturing, and handkerchief manufacturing industries—amendments to Title 29, Chapter V, Code of Federal Regulations, Parts 605 and § 605.100, 607 and § 607.100, 617 and § 617.100, 621 and § 621.100, 625 and § 625.100, 628 and § 628.100.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor by Parts 605, 607, 617, 621, 625, and 628, Chapter V, Title 29, Code of Federal Regulations, issued wage orders for the Women's Apparel, Jewelry Manufacturing, Knitted Outerwear, Gloves and Mittens, Button and Buckle Manufacturing, and Handkerchief Manufacturing Industries, establishing for such industries minimum wage rates of 40 cents an hour effective on the dates specified in such orders and prescribing certain terms and conditions applicable to industrial home work employment; and

Whereas, the Administrator by §§ 605.100–112, 607.100–112, 617.100–112, 621.100–113, 625.100–112, and 628.100–112, Title 29, Chapter V, Code of Federal Regulations, issued regulations applicable to industrial home work employment in the afore-mentioned industries, pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, effective on the dates specified in such regulations; and

Whereas, it appears advisable to amend such wage orders and regulations to provide that the requirement of previous industrial home work employment shall not be applied, in considering an application for a home work certificate, where this requirement shall result in unusual hardship to the individual home worker.

Now, therefore, notice is hereby given to all interested persons of the opportunity to show cause on or before April 24 1943, why §§ 605.7, 607.3, 617.3, 621.3, 625.3, and 628.3 of the above-mentioned wage orders and §§ 605.103, 607.103, 617.103, 621.103, 625.103, and 628.103 of the above-mentioned regulations should not be amended to provide, that:

No work in the industry, as defined, shall be done in or about a home, apartment, tenement or room in a residential establishment after the effective date of the home work regulations except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by a worker who:

(1) (a) Is unable to adjust to factory work because of age or physical or mental disability, or

(b) Is unable to leave home because his presence is required to care for an invalid in the home; and

(2) (a) Was engaged in industrial home work in the industry, as defined, prior to the date specified in the regulations (except that if this requirement shall result in unusual hardship to the individual home worker it shall not be applied); or

(b) Is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Work Shop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour Division, 165 West 46th Street, New York, New York, and should be filed with the Administrator not later than April 24, 1943.

Signed at Washington, D. C., this 3d day of April 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-5294; Filed, April 5, 1943; 11:31 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 737]

ALL AMERICAN AVIATION INC.

NOTICE OF ORAL ARGUMENT

In the matter of the petition of All American Aviation, Inc., for an order fixing and determining fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over Route No. 49.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on April 13, 1943, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, N.W., Washington, D. C., before the Board.

By the Civil Aeronautics Board.

Dated Washington, D. C., April 3, 1943.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-5369; Filed, April 6, 1943; 11:28 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4873]

UNITED DELIVERY SYSTEM, ETC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of April, A. D. 1943.

In the matter of Maurice Kressin, an individual trading under the name United Delivery System, and Esther Kressin.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41).

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 20, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5366; Filed, April 6, 1943; 11:28 a. m.]

[Docket No. 4938]

H. D. CHILDERS CO.

COMPLAINT

In the matter of Harry Duvall Childers, an individual doing business as H. D. Childers Company.

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of section 2 of the Clayton Act as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C. Title 15, sec. 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent Harry Duvall Childers is an individual doing business as H. D. Childers Company with his principal office and place of business located at 15 South Commerce Street, Mobile, Alabama. The respondent is engaged in the purchase, sale and distribution of food products, canned sea food, and miscellaneous merchandise.

PAR. TWO: Respondent is now, and for many years prior hereto has been, engaged in business buying in his own name and for his own account for resale various food products, canned sea food and miscellaneous merchandise, and reselling such products.

PAR. THREE: Respondent in the course and conduct of his said business purchases a substantial portion of his requirement of food products, canned sea food and miscellaneous merchandise from sellers located in states other than the state in which the respondent is located. Pursuant to said purchases and instructions, such commodities are caused to be shipped and transported by the respective sellers thereof across state lines to the respondent or to respondent's customers.

PAR. FOUR: Respondent since June 19, 1936, in connection with the purchase of his requirements of food products, canned sea food and miscellaneous merchandise in interstate commerce in his own behalf and for his own account for resale, has been and is now receiving and accepting from numerous sellers of said food products, canned sea food and miscellaneous merchandise, brokerage fees or allowances and discounts in lieu of brokerage in substantial amounts.

PAR. FIVE: The receipt and acceptance by the respondent of brokerage fees or allowances and discounts in lieu of brokerage by respondent as set forth above is in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 2nd day of April, A. D., 1943, issues its complaint against said respondent.

Notice

Notice is hereby given you, Harry Duvall Childers, an individual doing business as H. D. Childers Company, respondent herein, that the 7th day of May, A. D., 1943, at 2 o'clock in the afternoon, is hereby fixed as the time and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The

Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 2d day of April A. D. 1943.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5367; Filed, April 6, 1943; 11:28 a. m.]

[Docket No. 4039]

CALIFORNIA LIMA BEAN GROWERS ASSOCIATION

COMPLAINT

The Federal Trade Commission, having reason to believe that the respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of section 2 of the Clayton Act as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C. Title 15, section 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent California Lima Bean Growers Association is a corporation organized and existing under the laws of the State of California, with its principal office and place of business located at 400 South A Street, Oxnard, California. The respondent is engaged in the business of selling and distributing lima beans.

PAR. TWO: The respondent California Lima Bean Growers Association is now engaged, and for many years prior hereto has engaged, in the business of marketing, selling and distributing lima beans in its own name and for its own account for resale.

PAR. THREE: The respondent, in the course and conduct of its said business, sells and distributes a substantial portion of its lima beans directly to buyers. Many of such buyers are located in states other than the state in which the respondent is located. Pursuant to said sales and the respondent's instructions, such lima beans are caused to be shipped and transported across state lines to buyers who are located in various states of the United States.

PAR. FOUR: The respondent, since June 19, 1936, in connection with the distribution and sale of said lima beans in interstate commerce, in its own name and in its own behalf and account, for resale to numerous buyers located in various states of the United States other than the state where the respondent is located, has been and is now paying or granting, or has paid or granted, commissions, brokerage or other compensation and allowances or discounts in lieu thereof to numerous buyers of said lima beans.

PAR. FIVE: The paying and granting by respondent of commissions, brokerage or other compensation and allowances or discounts in lieu thereof to the buyers of said lima beans and the acts and practices of the respondent California Lima Bean Growers Association in promoting such sales of lima beans by the payment to buyers, directly or indirectly, of commissions, brokerage or other compensation and allowances or discounts in lieu thereof as set forth above, is in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 2d day of April, A. D. 1943 issues its complaint against said respondent.

Notice

Notice is hereby given you, California Lima Bean Growers Association, a corporation, respondent herein, that the 7th day of May, A. D. 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 2d day of April, A. D. 1943.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5368; Filed, April 6, 1943; 11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order Number 187]

GODO MATCH CO., INC.

Whereas, Pursuant to Vesting Order Number 187 of September 28, 1942, the undersigned intended to vest, among other things, certain shares of preferred and common stock of Godo Match Co., Inc., registered in the following names:

Mitsui Bussan Kaisha, Ltd., Yasujiro Kozuki, Tanejiro Sachi, and Shigeyoshi Megata; and

Whereas, In describing such persons in said Vesting Order No. 187, the names were, as a result of typographical errors, inadvertently designated as follows:

Mitsui Bussan, Yasujiro Kozuki, Taneiro Sachi, and Shigehiko Megata:

Now, therefore, Vesting Order Number 187 of September 28, 1942, is hereby amended as follows and not otherwise:

By changing "Mitsui Bussan" appearing therein to "Mitsui Bussan Kaisha, Ltd.";

By changing "Yasujiro Kozuki" appearing therein to "Yasujiro Kouzuki";

By changing "Tamejiro Sachi" appearing therein to "Tanejiro Sachi"; and

By changing "Shigehiko Megata" appearing therein to "Shigeyoshi Megata".

All other provisions of such Vesting Order Number 187 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5317; Filed, April 5, 1943; 2:08 p. m.]

[Vesting Order 1176]

ESTATE OF ALMA M. SCHETTER

In re: Estate of Alma M. Schetter, deceased; File No. D-28-2486; E. T. sec. 3512.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Industrial Trust Company, Executor, acting under the judicial supervision of the Probate Court of the City of Pawtucket, County of Providence, State of Rhode Island;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Franz Hering	Germany.
Albrecht Hering	Germany.
Fritz Hering	Germany.
Max Hering	Germany.
Lisbeth Friedrich	Germany.
Gertrud Lange	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Franz Hering, Albrecht Hering, Fritz Hering, Max Hering, Lisbeth Friedrich and Gertrud Lange, and each of them, in and to the Estate of Alma M. Schetter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5331; Filed, April 5, 1943; 2:10 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 31 Under RPS 57]

THERMOID COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 31 under Revised Price Schedule No. 57—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Thermoid Company may sell, offer to sell, deliver or transfer the new fabric designated as Stair Carpet No. 2 at prices no higher than those set forth below:

Stair carpet No. 2 at $1.54 per ¾ yard f. o. b. mill roll;

subject to discounts, allowances, and rebates no less favorable than those in effect as to Thermoid Company's Stair Carpet No. 1 under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Stair Carpet No. 2 shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the ¾ yard f. o. b. mill and the other sizes and zone maximum prices of Stair Carpet No. 1.

(b) This Order No. 31 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

This order shall become effective on the 6th day of April, 1943.

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5315; Filed, April 5, 1943; 12:28 p. m.]

[Order 12 Under MPR 244]

STANTON FOUNDRY INC.

ORDER DENYING APPLICATION FOR ADJUSTMENT

Order No. 12 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-7.

On January 30, 1943, Stanton Foundry Inc. (hereinafter called applicant), 3004 Milton Avenue, West Solvay, New York, filed an application for adjustment pursuant to § 1421.157 (a) of Maximum Price Regulation 244 of its maximum prices for gray iron castings sold to the Edlund Machinery Co. of Cortland, New York. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator, and in accordance with the Emergency Price Control Act of 1942, as amended, Maximum Price Regulation 244 and Revised Procedural Regulation No. 1, *It is ordered*, That the application (Docket No. 3244-7) be, and it hereby is, denied.

It is further ordered, That any contract entered into by the applicant with Edlund Machinery Co. at the price requested in its application shall be revised in accordance with the terms of this order, that any payment made to the applicant by Edlund Machinery Co. in excess of the maximum prices allowed by Maximum Price Regulation 244 shall be refunded to Edlund Machinery Co. and that within thirty days after the date on which this order was mailed to the applicant, applicant shall file a statement with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., to the effect that any such contracts were revised in accordance with the terms of the order, and wherever required, refunds were made.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5314; Filed, April 5, 1943; 12:28 p. m.]

[Order 242 Under MPR 188]

J. C. STAMM ADVERTISING CO.

tended in order to obtain materials necessary in addition to those materials already at the site for such permitted

of approximately fourteen (14) miles) the total cost of which shall not exceed $366,000, and construction necessary to

7. *Application for exception.* The builder or any supplier who considers that compliance with this order would

[Order 242 Under MPR 188]

J. C. STAMM ADVERTISING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 242 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 242 sets maximum prices for sales of a new rake designated in an application dated January 28, 1943, manufactured by J. C. Stamm Co., 3135 Washington Street, Vicksburg, Mississippi.

(1) For sales by the manufacturer, the maximum price is $2.75 per dozen, f. o. b. factory.

(2) For sales at wholesale, the maximum price is $3.90 per dozen, f. o. b. seller's city.

(3) For a sale at retail, the maximum price is $.50 each.

(b) To every rake to be shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) The manufacturer shall notify every person who buys from it of the maximum prices set by this Order No. 242 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 242 may be revoked or amended by the Price Administrator at any time.

This Order No. 242 shall become effective on the 6th day of April 1943.

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5313; Filed, April 5, 1943; 12:28 p. m.]

[Order 243 Under MPR 188]

WASHBURN NOVELTY CO.

APPROVAL OF MAXIMUM PRICE

Order No. 243 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

Approval of a maximum price for sales of a shopping cart manufactured by Washburn Novelty Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Washburn Novelty Company, 75 Pearl Street, Hartford, Conn., may sell and deliver its victory shopper described in its application of February 27, 1942, f. o. b. factory, at a price no higher than $.49 per unit.

(b) This Order No. 243 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 243 shall become effective on the 6th day of April 1943.

Issued this 5th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5346; Filed, April 5, 1943; 4:58 p. m.]

Regional Office, Region I.

[Emergency Order 5,[1] Amendment 6 Under RO 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (c) (13) of Emergency Order No. 5 is amended to read as follows:

(c) *Order.* • • •

(13) *Effective period.* Emergency Order No. 5 shall terminate at 12:00 p. m., April 12, 1943 unless extended by further order.

Effective Date of Amendment 6. Amendment 6 to Emergency Order No. 5 shall be effective at 12:00 p. m., April 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order 11, 7 F.R. 8480).

Issued this 2d day of April 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-5347; Filed, April 5, 1943; 4:56 p. m.]

WAR PRODUCTION BOARD.

[Preference Rating Order P-19-e, Serial No. 35918]

ROCK SPRINGS AIRPORT ROAD, WYO.

CANCELLATION OF REVOCATION ORDER

Builder: Wyoming State Highway Department, Cheyenne, Wyoming. Project: Construction of overhead crossing and approaches identified as Wyoming FAGS 26-B (1) Rock Springs Airport Road.

The revocation of Preference Rating Order P-19-e, Serial No. 35918 issued on December 29, 1942 is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

Issued April 5, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5335; Filed, April 5, 1943; 4:20 p. m.]

[Preference Rating Order P-19-a, Serial No. 3748-a]

GRAND COULEE DAM PROJECT

AMENDMENT OF REVOCATION OF PREFERENCE RATING

Builder: U. S. Bureau of Reclamation, Denver, Colorado. Grand Coulee Dam Project.

Revocation of the above serially numbered preference rating order issued under date of October 27, 1942, and amended from time to time, is hereby further amended to permit certain construction hereinafter specified, and to permit the use of ratings assigned by said preference rating order in order to acquire materials for said construction. Such ratings are hereby partially restored as of the effective date of the said serially numbered preference rating order. Said revocation is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense, *It is therefore ordered:*

1. *Revocation of ratings.* Preference Rating Order P-19-a, Serial No. 3748-a, heretofore issued and assigned under date of October 27, 1942 to deliveries to the above-named builder and to deliveries to his suppliers, is hereby revoked except that the rating assigned thereby may be applied or extended in order to obtain materials necessary in addition to those materials already at the site for permitted further construction (as hereinafter defined in paragraph 3). All preference rating certificates of any character heretofore issued to the Builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the project described in said order (hereinafter referred to as "the project"), except that ratings assigned by such certificates may be applied or extended in order to obtain materials necessary in addition to those materials already at the site for such permitted further construction

2. *Effect of revocation.* This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been filled completely. For the purpose of extension by suppliers, as well as for the purpose of original application by the builder of any such rating, all purchase orders and contracts so rated, except orders or contracts which have been completely filled, shall have the status of unrated orders or contracts.

3. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project, except for permitted further construction, being construction necessary for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated, other construction (such as the paving of the railroad fill and installation of fish facilities and the relocation of some roads, including construction on the Lincoln County Road running south from a point near Miles, Washington, for a distance of approximately fourteen (14) miles) the total cost of which shall not exceed $366,000, and construction necessary to replace temporary wooden gates at the outlet ends of the turbine draft tubes in the right power house of the Grand Coulee power plant with twenty-seven steel bulkhead gates fourteen feet by seventeen feet in size at an estimated total cost of $51,405.

4. *Prohibition of deliveries of material.* Neither the builder nor any suppliers, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except of materials necessary in addition to those materials already at the site for permitted further construction. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

5. *Reports.* The builder shall file with the War Production Board, Redistribution Division, such reports as may be required by the Director General for Operations.

6. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this order, and each Supplier shall in turn notify his Suppliers.

7. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he deems appropriate, including the restoration or temporary restoration of any rating herein revoked. Applications for exceptions under this paragraph shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

8. *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project.

9. *Communications.* Communications concerning this revocation shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

Issued April 5, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5334; Filed, April 5, 1943; 4:20 p. m.]

[1] 8 F.R. 2136.

FEDERAL REGISTER

VOLUME 8 NUMBER 69

Washington, Thursday, April 8, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 47]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

CONSERVATION AND DISTRIBUTION OF HONEY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of honey to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1490.2 *Restrictions imposed on the use of honey*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(3) The term "honey" means honey in any extracted or comb form.

(4) The term "other product" means any manufactured product, including any syrup or compound, in which honey is an ingredient and which is manufactured for sale or for use in any commercial establishment.

(b) *General restrictions and quotas.* (1) No person may accept deliveries of honey, for use in manufacturing other products, which will increase his inventory of honey to an amount in excess of a practicable minimum working inventory in view of the restrictions herein.

(2) No person may deliver honey to any other person for use in manufacturing other products with knowledge or reason to believe that such person is not entitled to accept such delivery pursuant to this order.

(3) Except as permitted in (c) hereof or as hereafter authorized by the Director, no person may use more honey in manufacturing other products during any quota period than his quota thereof for that period, such quota period and quota to be determined by the Director from time to time.

(c) *Quota exemptions and special quotas.* (1) Notwithstanding the restrictions of (b) (3) hereof and without charge to his quota thereunder, any person may use any amount of honey in manufacturing other products to be delivered to or for the Army, Navy, Marine Corps, or Coast Guard, or any person or organization designated by the Director, or any agency of the United States Government for material, supplies, or equipment to be delivered to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided*, That the use of honey is required by the purchaser's specifications, or that honey is normally used as an ingredient in such products.

(2) Upon receipt of application, the Director may, subject to such terms and restrictions as he may deem advisable, assign special quotas of honey to any person who wishes to use honey in manufacturing any other product not previously manufactured by him, by any subsidiary of his, or by any person affiliated with him: *Provided*, That such honey will not be used primarily in place of sugar in such other product. The quotas assigned under this provision shall be in addition to the regular quotas assigned by the Director pursuant to the provisions of (b) (3) hereof. Applications (Form FDO–47–1) for special quotas pursuant to this order may be obtained from the Director of Food Distribution, United States Department of Agriculture, Washington, D. C.

(d) *Applicability of order.* The provisions of this order shall not apply outside the continental United States (which, for purposes of this order, means the 48 States of the United States and the District of Columbia).

(e) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall exe-

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FEDERAL REGISTER

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pounds or 120% of the amount of honey so used by him during the corresponding three-month period of 1941, whichever is greater.

(b) Every person, other than those specified in § 1490.2 (c) (1) of Food Distribution Order No. 47, who purchases, during any month, 10,000 pounds, or more, of honey for use in manufacturing other products, shall report such purchase within 10 days after the close of such month, by letter, to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., specifying the seller, the amount purchased, and the intended use of the honey (this reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942).

(c) This order shall take effect on its issuance.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 47, 8 F.R. *supra*)

Issued this 6th day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-5420; Filed, April 6, 1943; 3:39 p. m.]

[FDO 28-1, Amendment 2]

PART 1410—LIVESTOCK AND MEATS

MEAT REQUIRED TO BE SET ASIDE

Pursuant to the authority vested in me by Food Distribution Order No. 28, dated March 5, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, Director Food Distribution Order 28-1, § 1410.5 (8 F.R. 3135), issued on March 13, 1943, as amended by Director Food Distribution Order 28-1, Amendment 1, issued March 29, 1943 (8 F.R. 3811), is further amended as follows:

By amending (a) (2) thereof to read as follows:

(2) An amount of each class of meat equivalent to the percentages set forth in paragraph (b) hereof of all meats derived from the slaughter of cattle, calves, sheep, lambs, and swine during the period from March 15 to March 28, 1943, inclusive.

This amendment shall become effective on the date of its issuance.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; F.D.O. 28, 8 F.R. 2787)

Issued this 6th day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director.

[F. R. Doc. 43-5438; Filed, April 7, 1943; 11:40 a. m.]

[FDO 48]

PART 1410—LIVESTOCK AND MEATS

RESTRICTIONS ON INVENTORIES

Pursuant to the authority vested in me by Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), and to assure an adequate supply and efficient distribution of meat to meet war and essential civilian needs: *It is hereby ordered*, as follows:

§ 1410.8 *Restrictions on inventories*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(3) The term "slaughterer" means any person who owns cattle or swine, in whole or in part, at the time they are slaughtered in an establishment having Federal inspection under the provisions of the Act of March 4, 1907, 34 Stat. 1260, as amended, 21 U.S.C. 1940 ed. 71, and as extended by Public Law 602, 77th Congress, Second Session, approved June 10, 1942, 56 Stat. 351.

(4) The term "governmental agency" means the Food Distribution Administration, United States Department of Agriculture (including but not restricted to the Federal Surplus Commodities Corporation), the Army, Navy, Marine Corps, and the Coast Guard of the United States, the United States Maritime Commission, the Veterans Administration, and any other agency which the Director finds is directly essential to the war effort and which is designated by him: *Provided, however*, That post exchanges, service men's clubs, ship service stores, sales commissaries, and similar organizations shall not be deemed part of the Army, Navy, Marine Corps, or Coast Guard of the United States.

(5) The term "beef" means the dressed carcasses of cattle, or any edible part, cut or trimmings thereof, which are frozen, cured or in process of cure; excluding, however, canned meats, offal, oils, rendering fats, casings, and by-products not ordinarily used for human consumption.

(6) The term "pork" means the dressed carcasses of swine, or any edible part, cut or trimmings thereof, which are frozen, cured or in process of cure; excluding, however, canned meats, scrapple, souse and other similar products, offal, oils, lards, rendering fats, raw leaf, casings, by-products not ordinarily used for human consumption, and skins when prepared for use in leather, glue and gelatin.

(7) The term "inventory" means stocks of beef or pork processed or owned by the slaughterer, and located in his plant, branch house, warehouse or premises, and stocks of beef and pork owned by the slaughterer, in whole or in part, regardless of where, how or by whom held; excluding, however, beef or pork which has been sold to governmental agencies, or which is to be used in the manufacture of processed meat products under contract of sale to any governmental agency.

(b) *Restrictions.* (1) No slaughterer shall, on April 17, 1943, or at the end of any week thereafter, have an inventory of beef or pork in excess of the following quantities:

(i) An aggregate quantity of beef greater than the aggregate quantity of beef in inventory on the last day of such slaughterer's Quota Period 2, as established under Restriction Order 1, as amended,[1] issued by Office of Price Administration, transferred to the Department of Agriculture by Order dated March 31, 1943, issued by the Secretary of Agriculture and the Administrator of Office of Price Administration (8 F.R. 4151), or, in the absence of such established quota period, on March 27, 1943, or April 3, 1943, at the option of the slaughterer;

(ii) An aggregate quantity of pork greater than the aggregate quantity of pork in inventory on the last day of such slaughterer's Quota Period 2, as established under Restriction Order 1, as amended, issued by Office of Price Administration, transferred to the Department of Agriculture by Order dated March 31, 1943, issued by the Secretary of Agriculture and the Administrator of Office of Price Administration (8 F.R. 4151), or, in the absence of such established quota period, on March 27, 1943, or April 3, 1943, at the option of the slaughterer.

(2) The provisions of this order, or of any order or instruction issued by the Director pursuant thereto, shall be observed without regard to the rights of creditors, existing contracts, or payments thereunder.

(c) *Records and reports.* Every slaughterer shall maintain such records and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections.* Every slaughterer shall, upon request, permit inspections, at all reasonable times, of his stocks of beef and pork and the premises used in his business, and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Territorial scope.* The provisions of this order shall apply only within any of the 48 States or the District of Columbia.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may petition the Director in writing (in triplicate) for relief setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action by the Director shall be final.

(g) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant thereto, or who wilfully conceals a material fact concern-

[1] 7 F.R. 7839; 8 F.R. 3201, 3328, 3372, 3416, 4151.

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cute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe (specific recording or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942).

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of honey and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: F D-47.

(j) *General Preference Order M-118 superseded.* This order supersedes in all respects General Preference Order M-118 of the War Production Board, as amended (7 F.R. 4570), except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order M-118, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to such violation, right, or liability. Any appeal pending under said General Preference Order M-118, as amended, shall be considered under (h) hereof.

(k) *Effective date.* This order shall take effect on its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5419; Filed, April 6, 1943; 3:39 p. m.]

[FDO 47-1]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

QUOTAS AND REPORTS IN CONNECTION WITH HONEY PRESCRIBED

Pursuant to the authority vested in me by Food Distribution Order No. 47, dated April 6, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1490.3 *Quotas and reports in connection with honey.* (a) During the three-month period ending June 30, 1943, and during each subsequent three-month period until otherwise ordered, no person may use more honey in manufacturing other products than 600

ing a matter within the scope of this order may be prohibited from receiving or making further deliveries of livestock or meats and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed be addressed to the Food Distribution Administration, Livestock and Meats Branch, Meat Purchase Division, 5 South Wabash Avenue, Chicago, Illinois, Ref: FD 48.

(i) *Delegation of authority.* The Director is hereby designated and empowered to administer the provisions of this order.

(j) *Effective date.* This order shall become effective on the date of its issuance.

(E.O. 9322, 8 F.R. 3807)

Issued this 6th day of April 1943.

[SEAL] CHESTER C. DAVIS,
Administrator Food Production and Distribution Administration.

[F. R. Doc. 43-5439; Filed, April 7, 1943; 11:40 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial 2185]

PART 202—ACCOUNTS, RECORDS AND REPORTS

FORM OF REPORTS FOR FINANCIAL AND OPERATING STATISTICS OF INTERNATIONAL AIR CARRIERS

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C. on the 8th day of March, 1943.

The Board, having on March 8, 1943, promulgated Amendment No. 5 to § 202.1 of the Economic Regulations requiring certain air carriers to report financial and operating statistics using the appropriate schedules of the Report of Financial and Operating Statistics of International Air Carriers, C. A. B. Form 2380; and

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly § 205 (a) and 407 (a) thereof, and finding its action necessary to carry out the provision of said Act, and to exercise its powers and perform its duties thereunder;

It is ordered, That the form of Report of Financial and Operating Statistics of International Air Carriers, C. A. B. Form 2380, be and the same is approved as attached hereto,[1] said report form to be used for all reports for periods commencing on or after January 1, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-5446; Filed, April 7, 1943; 11:53 a. m.]

[1] Filed as part of the original document.

[Regulations, Serial 265]

PART 202—ACCOUNTS, RECORDS AND REPORTS

FORMS OF REPORTS OF FINANCIAL AND OPERATING STATISTICS

Amendment No. 5 of § 202.1.[1]

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C., on the 8th day of March, 1943.

The Civil Aeronautics Board acting pursuant to the Civil Aeronautics Act of 1938 as amended, particularly sections 205 (a) and 407 (a) thereof, and deeming its action necessary to carry out the provisions of said Act, and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective March 8, 1943, paragraph (b) of § 202.1 of the Economic Regulations is hereby amended to read as follows:

§ 202.1 *Forms of reports of financial and operating statistics.* (b) Each other air carrier engaged in regularly scheduled air transportation (not including, however, foreign air carriers) shall for all periods subsequent to January 1, 1943, make periodic reports of financial and operating statistics to the Board using the appropriate schedules of the Report of Financial and Operating Statistics of International Air Carriers, C. A. B. Form 2380, and such amendments thereto as may hereafter be approved by the Board: *Provided*, That any such air carrier may request the approval of the Board to make its reports in accordance with the provisions of the Report of Financial and Operating Statistics of Domestic Air Carriers, C. A. B. Form 2780, and the amendments thereto, and upon obtaining the approval of the Board shall thereafter make its reports in the manner prescribed pursuant to part (a) of this section. Reports of air carriers reporting on C. A. B. Form 2380 shall be made in accordance with, and shall be filed with the Secretary of the Board at such times as are specified in, the instructions relating to reporting procedure contained in section 37 of the Uniform System of Accounts for International Air Carriers, dated January 1, 1943 (CAB Form 2380 Manual), and such amendments thereto as may hereafter be approved by the Board.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-5445; Filed, April 7, 1943; 11:53 a. m.]

[1] 7 F.R. 499, 5899, 9416, 10800.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4305]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

A. & M. KARAGHEUSIAN, INC.

§ 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Foreign, in general:* § 3.96 (a) *Using misleading name—Goods—Nature:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Foreign, in general.* In connection with offer, etc., in commerce, of rugs or carpets, (1) using the words "Iranian" or "Hindustan" or any other word indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs; (2) using the word "Mirastan" or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs; or (3) using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method or manufacture, and material; prohibited, subject to the provision, however, that order herein shall not be construed as prohibiting the respondent from using the term "Gulistan" to designate or describe its rugs and carpets, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs and carpets so designated and described are woven on power looms in the United States. (Sec. 5, 38 Stat. 719 as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, A. & M. Karagheusian, Inc., Docket 4305, March 29, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, A. & M. Karagheusian, Inc., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of rugs or carpets in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Iranian" or "Hindustan" or any other word indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs.

2. Using the word "Mirastan" or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs.

3. Using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method of manufacture, and material.

It is further ordered, That no provision of this order to cease and desist shall be construed as prohibiting the respondent from using the term "Gulistan" to designate or describe its rugs and carpets, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs and carpets so designated and described are woven on power looms in the United States.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5435; Filed, April 7, 1943; 11:19 a. m.]

[Docket No. 4630]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ATMORAY, INC., ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondents' "Atmoray" or any other similar device, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said device, which advertisements represent, directly or by implication, (1) that respondents' device constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of, sinusitis, head colds, asthma, hay fever, bronchitis, tuberculosis, pneumonia, respiratory diseases generally, dyspepsia, constipation, colitis, nervousness, melancholia, insomnia, neurasthenia, weakness, run-down conditions, anemia, blood poisoning, blood diseases, and numerous other ailments, diseases and conditions, as in order set forth; or (2) that respondents' device, or the product thereof in the quantities produced, is an effective oxidizing, germicidal, or disinfecting agent; or which advertisements (3) fail to reveal that the safety of respondents' device depends upon the output of the particular machine used, the size of the room in which the machine is operated, the ventilation, and the length of time the machine is operated; that the concentration of ozone should not in any case be permitted to exceed one-half part of ozone per million parts of air; that proximity to the machine should be avoided; and that the inhalation of an excessive amount of ozone may result in irritation of the respiratory organs; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b). [Cease and desist order, Atmoray, Inc., et al., Docket 4630, April 2, 1943].

In the Matter of Atmoray, Inc., a Corporation, and Atmozone (Referred to in the Complaint as Atmozone, Inc.), a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of April, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiner upon the evidence, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Atmoray, Inc., a corporation, and Atmozone (referred to in the complaint as Atmozone, Inc.), a corporation, and their officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of respondents' device designated "Atmoray," or any other device of substantially similar character, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication,

(a) That respondents' device constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of, sinusitis, head colds, asthma, hay fever, bronchitis, tuberculosis, pneumonia, respiratory diseases generally, dyspepsia, constipation, colitis, nervousness, melancholia, insomnia, neurasthenia, weakness, run-down conditions, anemia, blood poisoning, blood diseases, headache, inactive liver or kidneys, kidney or prostate gland trouble, liver or bladder infections, infectious diseases generally, syphilis, sugar diabetes, rheumatism, arthritis, neuritis, paralysis, cancer, ulcers of the stomach, heart trouble, cataracts, defective eyesight, deafness, or any other disease or disorder of the human body; or

(b) That respondents' device, or the product thereof in the quantities produced, is an effective oxidizing, germicidal, or disinfecting agent.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement fails to reveal that the safety of respondents' device depends upon the output of the particular machine used, the size of the room in which the machine is operated, the ventilation, and the length of time the machine is operated; that the concentration of ozone should not in any case be permitted to exceed one-half part of ozone per million parts of air; that proximity to the machine should be avoided; and that the inhalation of an excessive amount of ozone may result in irritation of the respiratory organs.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' device, which advertisement contains any representation prohibited in paragraph 1 hereof or which fails to contain the warning set forth in paragraph 2 hereof.

It is further ordered, That the respondents shall, within ten (10) days after service upon them of this order, file with the Commission an interim report in writing stating whether they intend to comply with this order, and, if so, the manner and form in which they intend to comply; and that within sixty (60) days after the service upon them of this order, the respondents shall file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That the complaint be, and it hereby is, dismissed as to the point with respect to the effectiveness of respondents' device as a deodorizing agent without prejudice to the right of the Commission, should the facts so warrant, to reopen the proceeding or to institute a new proceeding on such point.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5436; Filed, April 7, 1943; 11:19 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50841]

PART 16—TRANSPORTATION IN BOND AND MERCHANDISE TRAFFIC

MISCELLANEOUS AMENDMENTS

Articles 890, 903, 910, and 915 of the Customs Regulations of 1937, as amended by T.Ds. 50648 and 50661 (7 F.R. 4320, 4824), further amended. [This document affects 19 CFR 16.18, 16.28, 16.34, and 16.39.]

In order to comply with a request of the Bureau of the Census, Department of Commerce, that a statistical copy of all transportation in bond entries be forwarded to the Section of Customs Statistics, Division of Foreign Trade Statistics, 432 Customhouse, New York, N. Y., the Customs Regulations of 1937 are hereby amended as follows:

Section 16.18, 16.28 (a) and 16.39 (a) [Articles 890, 903 (a), and 915 (a)], as amended by T.Ds. 50648 and 50661, are further amended by inserting a period after the word "purposes" in the last sentence, which was added by T.D. 50648, and deleting the rest of the sentence. (Secs. 463, 553, 554, 624, 46 Stat. 718, 742, 759, sec. 21, 52 Stat. 1087; 19 U.S.C. 1463, 1553, 1554, 1624)

Section 16.34 (a) (1) [Article 910 (a) (1)], as amended by T.Ds. 50648 and 50661, is also further amended by deleting the following from the last sentence, which was added by T.D. 50648, "in instances where merchandise arrives by vessel and direct exportation thereof is made". (R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

The information to be obtained from these entries is desired for the calendar year of 1943. Collectors' copies of all transportation in bond entries made in 1943 prior to the furnishing of the statistical copy, above referred to, shall therefore be forwarded to the Section of Customs Statistics in New York with request that such collectors' copies be returned to the collectors when they have served their purpose.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: April 3, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5418; Filed, April 6, 1943; 3:31 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (d), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 13, as Amended April 7, 1943]

SPECIAL SALES OF INDUSTRIAL MATERIALS

§ 944.34 *Priorities Regulation 13*—(a) *Purpose.* The purpose of this regulation is to provide uniform rules governing special sales of idle or excess industrial materials by persons who are not regularly engaged in the business of selling such materials, including distress and liquidation sales and sales by persons who, by reason of the effect of priority orders or for other reasons, cannot use such materials in the regular course of their business.

This regulation does not authorize receipt or use of any such materials by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation.

This regulation applies only to special sales of industrial materials; other sales or transfers remain subject to the provisions of all applicable orders and regulations.

(b) *Definitions.* For the purposes of this regulation:

(1) "Sale" of an item includes any public or private sale, auction sale, sale upon foreclosure of any lien or mortgage, or delivery of such item in exchange for money or for any other property and the sale of any warehouse receipt, bill of lading or other document evidencing an interest in such item but does not include the pledge or mortgage or other creation of any lien upon such item or the transfer of possession of such item without any transfer of title.

(2) "Special sale" means any sale of any item by any person who does not regularly in the course of his business sell such item in the same form, including a sale by any auctioneer, receiver, trustee in bankruptcy, public official or other person acting in a fiduciary or representative capacity (except when made in the course of carrying on the business of an insolvent or bankrupt person or other person whose business is in the hands of such fiduciary or representatives), or any other sale made in the course of liquidating a business or the assets of a business.

(3) "Industrial material" means any commodity or unassembled part or product except the following, which are not included:

(i) Scrap;

(ii) Products which either are being rationed at the retail level by the Office of Price Administration or any other governmental agency, or are excluded from the effect of War Production Board orders and regulations because their distribution is being controlled by some other governmental agency, such as the Petroleum Administration for War in the case of certain petroleum products and the Department of Agriculture in the case of foods and certain fats and oils;

(iii) Medicines or other products for human or animal consumption;

(iv) Tools, machinery, assembled equipment or any other assembled product;

(v) Finished consumers' goods which are in the form in which they are used by ultimate consumers and which do not require, in order to be used, to be further processed or made part of a building, structure or assembly, or affixed to a building, structure or assembly.

(4) "Restricted industrial material" means any industrial material consisting in whole or substantial part of one or more materials listed on Schedule A attached.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) Any reference to any order, regulation or other action of the War Production Board includes any action heretofore taken by the Director General for Operations or the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management.

(c) *Permitted special sales.* Subject to paragraph (e) (2) of this regulation the following special sales are permitted:

(1) A special sale of any new or used industrial material which is not a restricted industrial material may be made to any person without restriction.

(2) A special sale of any new or used restricted industrial material may be made if the sale falls within one of the following categories, and no special sale of any restricted industrial material may be made unless such sale falls within one of the following categories:

(i) A sale to any of the following governmental agencies or to any person buying as agent for any such agency: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company and any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended; or

(ii) A sale pursuant to a specific authorization of the War Production Board naming the seller and identifying the particular sale to be made; or

(iii) A sale of a single lot of restricted industrial materials of the same class and composition (other than materials listed in Schedule B attached) if the total value of the seller's holdings of those materials is less than $100. This exception does not permit the dividing of a single lot having a value of over $100 into smaller lots and selling such smaller lots for less than $100 under this subparagraph.

(iv) A sale of any "controlled material", as defined in CMP Regulation 1, to fill any "authorized controlled material order", as described in that regulation.

(v) A sale to any person falling within a class indicated on Schedule A attached as being a class to whom the particular restricted industrial material may be sold: *Provided*, That when any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one material, the sale shall be made only to a person to whom all such contained materials may be sold. A sale of a plated item shall be governed by the basic material, disregarding the plating.

(3) In addition to the provisions of paragraph (c) (2) above, any person may make a special sale of any restricted industrial material to another person engaged in the same business as the seller if an order or other action of the War Production Board applicable generally to persons engaged in such business expressly permits such a sale.

(d) *Intra-company transfers.* Any person may transfer, otherwise than by sale, any industrial material to another department, branch, division or section of his business or to a wholly owned subsidiary or affiliate or to another person under common ownership or control, provided such transfer would have been a special sale permitted under this regulation had the transfer been made for money or other consideration.

(e) *Effect on other orders and regulations.* (1) Any sale which is not a special sale, and any transfer or disposition of anything other than industrial materials, shall remain subject to the provisions of all applicable orders and regulations.

(2) The provisions of this regulation shall control all special sales of industrial materials although inconsistent with any order or regulation of the War Production Board heretofore or hereafter issued unless such order or regulation expressly provides to the contrary and refers to this regulation. In the case of any special sale of industrial materials made under the terms of this regulation, delivery of the material sold may be accepted by the buyer, despite any provision of any order or regulation which would otherwise forbid such acceptance except that:

(i) Nothing in this regulation shall affect any provision contained in any order or regulation of the War Production Board which imposes any quota or other limitation on the amount any buyer may purchase, receive or produce, or which imposes any limitations on the amount of inventory of any person or any restrictions upon the use of any material; and

(ii) This regulation shall not affect any provision of any applicable order or regulation of the War Production Board requiring a buyer to make any reports or to furnish any information in connection with a purchase; and

(iii) No seller shall make any special sale if he knows or has reason to believe that the purchase or acceptance of delivery by the buyer would violate any inventory or quota restrictions imposed on the buyer by any order or regulation or that the buyer is acquiring the material for a use which would be in violation of any order or regulation.

(f) *Records and reports.* (1) Any person making a special sale of any industrial material which he has reported to the War Production Board as idle or excess material in connection with any material recovery program, such as the programs operated through Copper Recovery Corporation and Steel Recovery Corporation, shall promptly send to the operating headquarters of the program a copy of the invoice of sale or other notice of the sale.

(2) Any person making any special sale of industrial materials must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such sale. Such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(g) *Listing of inventories.* Any person eligible to make a special sale, may list his idle, excess or frozen inventories of industrial materials with his regional office of the War Production Board, which office will assist him to dispose of them.

(h) *Communications.* All communications concerning this regulation shall be addressed to the War Production Board, Redistribution Division, Washington, D. C., Ref.: P. R. 13 or to a district or regional office of the War Production Board, attention Redistribution Manager.

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Explanatory note: This schedule relates only to special sales made under paragraph (c) (2) (v) of this regulation. Any purchaser of material through a special sale must comply with all inventory, quota, use restrictions, reports and use certificates imposed or required by other orders and regulations.

When an alloyed material, or a physically or chemically compounded material, is shown in this table, the conditions that govern the special sale of the alloyed or compounded material are those shown for the alloy or compound and not those shown for the constituent elements or parts. For example, the conditions under which solder may be sold are those shown for the restricted industrial material "Solder" and not those shown for "Tin" or "Lead" or "Antimony". When any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one restricted industrial material, the sale shall be made only to a person to whom all such contained restricted industrial materials may be sold. Plated items are governed by the basic material, disregarding the plating.

The word "No" appearing in any column in this schedule means that a holder may not sell the particular restricted industrial material to any person in the class to which that column applies unless the sale is otherwise permitted by this regulation. Specific authorization to make a sale not permitted by the provisions of this schedule, nor otherwise permitted under the regulation may be requested on Form PD-470 or by letter giving full details.

The letters "PR" mean Preference Rating, and wherever they appear in any column, mean that the holder may sell the particular restricted industrial material to any person in the class to which that column applies, but only provided that such person places with the holder an order for the material bearing a duly applied or extended preference rating equal to or higher than the rating shown immediately after the letters "PR". For example, "PR AA-5", which appears opposite the restricted industrial materials, "All other carbon and alloy steels" in the column headed "Users permitted to buy and use under existing WPB Orders" means that the holder may sell to any user who places an order for an unassembled product containing carbon or alloy steel (other than products specifically listed, such as rails) if that order bears a duly applied or extended preference rating of AA-5 or higher.

The letters "W. O. P." mean "Without Preference Rating, Allocation, or other Authorization" and wherever they appear in any column mean that the holder may sell the particular restricted industrial material to any person in the class to which that column applies without any preference rating, allocation, or other authorization.

The letter "X" means "Not applicable".

Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (c) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART 1—METALS AND METALLIC ORES					
Alloy steel (see Steels).					
Alumina	No	No	No	No	
Aluminum:					
Aluminum	W. O. P.	No	W. O. P.*	W. O. P.*	*Only to approved reprocessors and wholesale dealers. Lists available at WPB offices.
Paint (see Part III).					
Powder as pigment*	W. O. P.	W. O. P.	X	W. O. P.	*In form usable for paste or paint.
Antimony:					
Antimony*	W. O. P.	W. O. P.**	W. O. P.**	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 50% or more of antimony by weight. ** A buyer may purchase not more than 2,240 lbs. of contained antimony in any one month.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation: Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES—Continued					
Babbitt (see Tin).					
Bauxite	No	No	No	No	
Beryllium*	W. O. P.	No	No	W. O. P.	*Includes ores, concentrates, and metal beryllium.
Bismuth	W. O. P.	No	No	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals).					
Calcium-silicon*	W. O. P.	No	X	W. O. P.	*Electric furnace product containing from 28 to 35% calcium and from 60 to 65% silicon.
Carbon steel (see Steels).					
Cast iron products (see Iron).					
Chromium*	W. O. P.	No	X	W. O. P.	*Includes ores, concentrates, metal, chromium containing materials commercially suitable for alloying and chromium refractory products and materials.
Cobalt*	W. O. P.	No	No	W. O. P.	*Includes ores, concentrates, crudes, residues and all material from which cobalt is commercially recoverable.
Copper:					
In the case of all sales made under this regulation, of copper or of copper base alloy items which have previously been reported to War Production Board, care of Copper Recovery Corporation, 300 Madison Avenue, New York, N. Y., the seller must send a copy of the invoice or other notice of sale to that address.					
Copper ingots and refinery shapes	W. O. P.	No	X	No	
Copper base alloy ingots (40% or more copper by weight)	W. O. P.	No	X	No	
Brass mill products	W. O. P.	PR AA-5	X	No	
Wire mill products, bare or insulated	W. O. P.	PR AA-5	X	No	
Copper and copper base alloy foundry products	No	PR AA-5	X	PR AA-5	
Copper chemicals (see Chemicals).					
Cryolite	No	No	No	No	
Electrical resistance material*	No	No	W. O. P.**	No	*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. **Only used material.
Ferroalloys*					*May be sold as provided for principal non ferrous element.
Inconel (see Nickel).					
Iridium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Iron:					
Alloy iron castings*	W. O. P.	PR A-1-k	W. O. P.	X	*Does not include materials commonly known as "ferro-alloys".
Malleable iron castings	W. O. P.	PR A-9	W. O. P.	W. O. P.	
Pig iron	W. O. P.	No	No	No	
Wrought iron	W. O. P.	PR A-9	W. O. P.	W. O. P.	
Cast iron products	W. O. P.	PR A-9	W. O. P.	W. O. P.	
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No	No	No	
Lithium chemicals (see Chemicals).					
Magnesium	W. O. P.	W. O. P.	W. O. P.*	No	*Only to approved reprocessors. Lists available at WPB offices.
Mercury:					
Mercury	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Mercury chemicals (see Chemicals).					
Molybdenum*	W. O. P.	No	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-molybdenum and material from which molybdenum is commercially recoverable.
Monel (see Nickel).					
Nickel:					
Nickel pig, ingot, cathode, pellet, shot and anode	W. O. P.	No	No	W. O. P.	
Other nickel* (including monel and inconel)	W. O. P.	PR AA-5	No	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals).					
Nickel steel (see Steels).					
Osmium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Can be used only in electrical contacts.
Pig iron (see Iron).					
Platinum:					
Platinum	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver	W. O. P.	PR A-1-a	W. O. P.	W. O. P.	
Domestic silver	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Solder.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Stainless steel (see Steels).					

Restricted industrial materia.	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation: Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES—Continued					
Steels:					
In the case of all sales made under this regulation, of steel or of steel base alloy items which have previously been reported to War Production Board, care of Steel Recovery Corporation, 3535 Baum Boulevard, Pittsburgh, Pa., the seller must send a copy of the invoice or other notice of sale to that address.					
Rails and track accessories*	No	No	No	No	*See I-88.
Tin plate, terne plate and tin mill black plate*	W. O. P.	PR A-10	X	PR A-10	*Subject to limitations of M-21-c.
All other carbon and alloy steels	W. O. P.*	PR AA-5	PR AA-5	PR AA-5	*Also includes non-integrated steel producers who further process steel.
Tantalum*	No	No	X	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Terne plate (see Steels).					
Tin:					
Tin	No	No	No	No	
Babbitt	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin mill black plate (see Steels).					
Tin plate (see Steels).					
Tool steel (see Steels).					
Tungsten*	W. O. P.	No	W. O. P.	W. O. P.	*Includes ores, concentrates, powder, metal in all forms, ferro-tungsten, and other materials containing commercially recoverable tungsten.
Uranium*	W. O. P.	No	W. O. P.	W. O. P.	*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/10 of 1% or more uranium by weight.
Vanadium*	W. O. P.	No	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes	W. O. P.	PR AA-5	X	W. O. P.	
Wrought iron (see Iron).					
Zinc:					
Zinc	W. O. P.	PR AA-5	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Only for use on Military orders.
PART II—CHEMICALS					
Acetate, vinyl (and polymers of)	W. O. P.	No	X	No	
Acetic anhydride*	W. O. P.	No	X	W. O. P.	*Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acids:					
Acetic	W. O. P.	W. O. P.	X	W. O. P.	
Arsenious*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Also called arsenic trioxide and white arsenic.
Naphthalanic	W. O. P.	No	X	W. O. P.	
Sulfamic*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Including fire retardant derivatives.
Sulfuric	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tannic U. S. P.	W. O. P.	W. O. P.*	X	W. O. P.	*Use certification required.
Acrylic monomer*	No	No	X	No	*Unpolymerized esters of acrylic and methacrylic acids.
Acrylic resins*	No	No	X	No	*Polymerized form of esters of acrylic and methacrylic acids in forms specified in M-260.
Acrylonitrile*	W. O. P.	W. O. P.	X	W. O. P.	*Also called vinyl cyanide.
Agar	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl*	W. O. P.	No	X	W. O. P.	*Includes isobutyl, secondary butyl, and tertiary butyl.
Caprylic*	W. O. P.	No	X	W. O. P.	*Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W. O. P.	W. O. P.	X	W. O. P.	
Hexahydric*	W. O. P.	No	X	W. O. P.	*As defined in M-270.
Isopropyl*	W. O. P.	No	X	W. O. P.	*Also called secondary propanol.
Methyl (methanol)	W. O. P.	No	X	W. O. P.	
Alkanolamines	W. O. P.	No	X	W. O. P.	
Aluminum hydrate	No	No	No	No	
Aluminum chloride, anhydrous	W. O. P.	W. O. P.	X	W. O. P.	
Ammonia:					
By-product ammonia*	W. O. P.	No	X	W. O. P.	*Includes salts and solutions.
Sulphate of ammonia*	W. O. P.	No	X	W. O. P.	*Containing 20.2% nitrogen or less.
Synthetic ammonia*	W. O. P.	No	X	W. O. P.	*Includes salts and solutions.
Ammonium sulfamate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Aniline, aniline oil, and aniline salts	W. O. P.	No	X	W. O. P.	
Antimony sulphide	W. O. P.	W. O. P.*	W. O. P.*	W. O. P.	*A buyer may purchase in any one month not more than 2240 lbs. of contained antimony.
Antimony oxide	W. O. P.	W. O. P.*	W. O. P.*	W. O. P.	*A buyer may purchase in any one month not more than 2240 lbs. of contained antimony.
Antimony chemicals, other	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents* (excluding toluol and benzol)	W. O. P.	No	X	W. O. P.	*Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Benzene	W. O. P.	No	No	W. O. P.	
Benzene containing oils	W. O. P.	No	No	W. O. P.	
Beryllium chemicals	W. O. P.	No	No	W. O. P.	
Butadiene	W. O. P.	W. O. P.	X	W. O. P.	
n-butanol	W. O. P.	No	X	W. O. P.	

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, sub-

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART II—CHEMICALS—Continued					
Butyl alcohol	W. O. P.	No	X	W. O. P.	
Butyl phthalyl butyl glycollate	W. O. P.	W. O. P.	X	W. O. P.	
Cadmium chemicals	W. O. P.	No	No	W. O. P.	
Calcium carbide	W. O. P.	W. O. P.	X	W. O. P.	
Calcium hypochlorite, high test*	W. O. P.	No	X	No	*Available chlorine content 65% or more by weight.
Carbolates, containing 10% or more of phenols (see Phenols).					
Carbon black, furnace type	W. O. P.	W. O. P.	X	W. O. P.	
Carbon tetrachloride	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Castor oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Cellulose acetate*	W. O. P.	W. O. P.	X	X	*In primary unfabricated forms.
Cellulose acetate butyrate*	W. O. P.	W. O. P.	X	X	*In primary unfabricated forms.
Cellulose nitrate, plasticized*	W. O. P.	W. O. P.	X	X	*In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal	W. O. P.	W. O. P.	X	W. O. P.	
Chlorate and perchlorate chemicals*	W. O. P.	No	No	W. O. P.	*Includes potassium, sodium and barium chlorates; potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorethylene	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Chloride of lime*	W. O. P.	W. O. P.	X	W. O. P.	*Calcium hypochlorite with available chlorine content of from 30 to 65% by weight.
Chlorine	W. O. P.	No	X	W. O. P.	
Chlorinated hydrocarbon refrigerants*	W. O. P.	W. O. P.	X	W. O. P.	*Methane and ethane refrigerants as specified in M-28.
Chlorinated hydrocarbon solvents	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Chlorinated rubber (see Rubber, Part III).					
Cobalt oxide	W. O. P.	No	X	W. O. P.	
Copper carbonate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper chloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper cyanide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper nitrate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper sulphate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cotton pulp, chemical	W. O. P.	No	X	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No	No	W. O. P.	
Cube root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cyanamid	W. O. P.	No	X	W. O. P.	
Derris root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Diamyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-butoxy ethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dibutyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dicapryl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dichlorethyl ether	W. O. P.	No	No	No	
Dicyandiamide	W. O. P.	No	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine	W. O. P.	No	X	W. O. P.	
Diethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-2-ethyl hexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dimethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diphenylamine*	W. O. P.	No	X	W. O. P.	*Also called phenylaniline.
Dyestuffs, organic	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl acetate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl cellulose	W. O. P.	W. O. P.	X	W. O. P.	
Ethyl chloride	W. O. P.	W. O. P.	X	W. O. P.	
Ethylene dichloride	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycollate	W. O. P.	W. O. P.	X	W. O. P.	
Formaldehyde	W. O. P.	No	X	W. O. P.	
Furfural	W. O. P.	No	X	W. O. P.	
Glycols*	W. O. P.	No	X	W. O. P.	*Includes ethylene, diethylene, triethylene, and propylene
Guanidine	W. O. P.	No	X	W. O. P.	
Hexamethylenetetramine	W. O. P.	No	X	W. O. P.	
Hydrogenated castor oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Isobutyl ester oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Lithopone	W. O. P.	W. O. P.	X	W. O. P.	
Lithium chemicals*	W. O. P.	No	No	W. O. P.	*Excluding crude lithium sodium phosphate.
Mannitol	W. O. P.	No	X	W. O. P.	
Methanol	W. O. P.	No	X	W. O. P.	
Mercury chemicals	W. O. P.	W. O. P.	X	W. O. P.	
Methacrylic acid (see acrylic monomer and acrylic resins)					
Methanol	W. O. P.	No	X	W. O. P.	
Methyl ethyl ketone	W. O. P.	No	X	W. O. P.	
Methyl phthalyl ethyl glycollate	W. O. P.	W. O. P.	X	W. O. P.	
Mineral oil polymers	W. O. P.	W. O. P.	X	W. O. P.	
Mono-ethanolamine	W. O. P.	No	X	W. O. P.	
Naphthalene	W. O. P.	No	W. O. P.	W. O. P.	
Naphthanates*	W. O. P.	No	X	W. O. P.	*Excluding crude or refined sodium naphthanate intended for manufacture of other naphthenates.
Naphthenic acid	W. O. P.	No	X	W. O. P.	
Nickel chemicals*	W. O. P.	No	No	W. O. P.	*Salts, oxides, and carbonates.
Nitrocellulose, soluble	No	No	X	No	
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Paraffin, chlorinated*	W. O. P.	W. O. P.	X	W. O. P.	*Chlorine derivatives of paraffin wax containing 20% or more of chlorine.
Paraformaldehyde	W. O. P.	No	X	W. O. P.	
Pentaerythritol	W. O. P.	No	X	W. O. P.	

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART II—CHEMICALS—Continued					
Perchlorate chemicals	W. O. P.	No	No	W. O. P.	
Perchlorethylene	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Perchloric acid	W. O. P.	No	No	W. O. P.	
Petroleum sulfonates*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-188. Includes products known variously to the trade as mahogany soap, mahogany sulfonate, sodium sulfonate, soap base, oil or water soluble sulfonates and their metallic salts whether in crude or refined form.
Phenols (tar acids)*	W. O. P.	No	No	W. O. P.	*Includes: phenol, cresols and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phthalic anhydride	W. O. P.	W. O. P.	X	W. O. P.	
Plasticizers:					
Phosphate*	No	No	X	No	*Tricresyl and triphenyl.
Phthalate*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-208.
Plastics:					
Polymerized:					
Laminated or cast phenolic condensation products in sheet, tube or rod form.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Unpolymerized:					
Heat reactive synthetic resins and compounds in primary forms.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polyvinyl acetal	W. O. P.	No	X	W. O. P.	
Polyvinyl butyral resin	W. O. P.	No	X	W. O. P.	
Polyvinyl formal	W. O. P.	No	X	W. O. P.	
Potash salts	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Potassium tantalum fluoride	No	No	X	No	
Pyrethrum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Pyrodine	W. O. P.	No	No	W. O. P.	
Resin:					
Natural*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-56 (does not include shellac or pine resin or products made therefrom).
Para-phenyl-phenol	W. O. P.	No	X	W. O. P.	
Phthalic alkyd	W. O. P.	No	X	W. O. P.	
Synthetic	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rosenin	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rubber, synthetic (see Rubber, Part III).					
Shellac	No	No	X	No	
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sorbitol (d): (see Hexhydric alcohol).					
Styrene*	W. O. P.	W. O. P.	X	W. O. P.	*In primary unfabricated forms.
Synthetic resins: (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tantalum chemicals*	No	No	X	No	*Potassium tantalum fluoride, tantalum oxide, tantalum carbide.
Tea seed root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Toluene (toluol)*	W. O. P.	No	No	W. O. P.	*As defined in M-34.
Tributyl glycerol triphthalate	W. O. P.	W. O. P.	X	W. O. P.	
Triethanolamine	W. O. P.	No	X	W. O. P.	
Tuba root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Vanadium chemicals*	W. O. P.	No	W. O. P.	W. O. P.	*As defined in M-23-a.
Vat dyes (see Dyestuffs).					
Vinyl Polymers*	W. O. P.	No	X	W. O. P.	*Plasticised or unplasticised polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenol	W. O. P.	No	No	W. O. P.	
Xylol	W. O. P.	No	X	W. O. P.	
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zirconium oxide pigments	W. O. P.	W. O. P.	X	W. O. P.	
PART III—MISCELLANEOUS					
Asbestos fibre:					
Spinnable for cordage	No	No	X	No	
Non-spinnable for cordage	No	W. O. P.	X	No	
Asbestos fibre	W. O. P.	W. O. P.	X	W. O. P.	
Asbestos textiles	W. O. P.	W. O. P.	X	W. O. P.	
Bagging	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Burlaps, 10's, and Lows* (two inches and over)	W. O. P.	PR A-10	W. O. P.	W. O. P.	*New or reclaimed.
Burlap*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-47, other Burlap items or jute products.
Calfskin, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle hair*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*New or reclaimed.
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cork:					
Imported	W. O. P.	No	X	W. O. P.	
Manufactured and by-product	W. O. P.	W. O. P.	No	No	
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, and sapphire not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-117.
Cotton, Egyptian, reserved*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-117. Use certification required.
Cotton linters*	W. O. P.	No	X	W. O. P.	*Produced after August 1, 1942.
Diamonds, industrial*	W. O. P.	PR A-1-j	PR A-1-j	PR A-1-j	*Report sales as required by M-169
Diamond dies	W. O. P.	No	No	No	
Duck, Cotton*	W. O. P.	PR A-1-k**	X	W. O. P.	*Width 15" to 87". **No rating required for those stocks released by Army or Navy.

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART III—MISCELLANEOUS—Continued					
Flax fibre and flax fibre products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*As defined in M-284.
Goose and duck feathers*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Only new feathers.
Graphite, strategic grades*	No	No	No	No	*As defined in M-61.
Hemp seeds*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-82.
Hemp, sunn*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-187.
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Huff fibre*	W. O. P.	No	X	W. O. P.	*Produced after August 1, 1942.
Istle, raw*	W. O. P.	W. O. P.	X	W. O. P.	*Unprocessed istle.
Jewel bearings	W. O. P.	No	No	W. O. P.	
Jewel bearing material (sapphire only)	W. O. P.	No	No	W. O. P.	
Jute					
Raw jute	W. O. P.	W. O. P.	X	W. O. P.	
Jute products*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-70.
Kapok* (new)	W. O. P.	W. O. P.	X	W. O. P.	*Except that grown in South or Central America.
Kyanite, in-lian crude and calcined*	No	No	No	No	*Includes andalusite and sillimanite.
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods).					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage*	W. O. P.	W. O. P.	No	W. O. P.	*As defined in M-36.
Fibre*	No	No	No	No	*As defined in M-36. May be sold W. O. P. to the U. S. Navy.
Mica					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nut cups	W. O. P.	W. O. P.*	X	W. O. P.	*Use certification required.
Oil wool clips, rags, and waste (see Wool).					
Paint, aluminum	W. O. P.	No	No	W. O. P.	
Phosphate rock	W. O. P.	W. O. P.	X	W. O. P.	
Plywood (see Woods).					
Quartz crystals	X	No	No	No	
Rattan (see Woods).					
Rayon yarn, high tenacity*	W. O. P.	No	No	No	*As defined in paragraph (d) of M-37-d.
Rayon yarn reserved	No	No	No	No	
Rubber					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	No	
Chlorinated	W. O. P.	No	No	X	
Synthetic	W. O. P.	No	No	X	
Reclaimed	W. O. P.*	W. O. P.*	W. O. P.*	No	*With approval of Rubber Reserve Company.
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	X	No	
Elastic fabrics	No	No	No	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk					
Raw	X	No	X	No	
Waste, noils, etc.*	No	W. O. P.**	W. O. P.**	W. O. P.	*As defined in M-26. **Use certification required.
Used Hosiery	No	W. O. P.**	W. O. P.**	W. O. P.	*As defined in M-26. **Use certification required.
Sole leather (see Leather).					
Wood pulp	No	No	X	No	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs					
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Noble Fir	No	No	No	No	
Sitka Spruce	No	No	No	No	
Western Hemlock, aircraft	No	No	No	No	
White Oak	W. O. P.	W. O. P.	X	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock)	W. O. P.	PR AA-1	PR AA-1	W. O. P.	
No. 1, common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood					
Softwood	W. O. P.	PR AA-5	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oil (Clips)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oil Rags and waste	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

SCHEDULE B

This schedule lists those war materials which are excluded from paragraph (c) (2) (iii). Sales may be made only in accordance with paragraphs (c) (2) (i), (ii), (iv), (v), and (c) (3).

(1) Electrical resistance material (material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat).

(2) Aluminum.

[F. R. Doc. 43-5440; Filed, April 7, 1943; 11:43 a. m.]

PART 3096—CONSERVATION OF PAPER AND PAPERBOARD

[Amendment 1 to General Conservation Order M-241-a as amended Feb. 8, 1943]

Section 3096.2 *General Conservation Order M-241-a* is hereby amended in the following respects:

Paragraph (b) (2) is amended to read as follows:

(2) From and after February 15, 1943, no converter shall manufacture out of pulp, paper or paperboard any article or class of articles on List B except that for a period of 90 days from February 15, 1943, such converter may manufacture any article or class of articles on List B from pulp, paper or paperboard held by him in inventory on January 15, 1943.

(3) It shall be the duty of each converter to determine in the first instance which, if any, of his products are included among the articles and classes of articles on List A and B. In case of doubt he may apply to the War Production Board, in writing, describing the product in question, for a specific ruling, by telegram or letter, determining whether or not the same is so included. The War Production Board may of its own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

List A is amended to read as follows:

LIST A

Articles or class of articles	*Percentages*
Chair seat covers	75
Coasters and mats, such as beer mats, and coasters of the type commonly used for households, hotels, taverns, restaurants, etc.	50
Dishes, plates and spoons	90
Doilies, mats (place, table and tray) and tray covers	60
Expansion pockets, unprinted	90
Facial tissue	90
File folders, unprinted	90
Fly paper	90
Laundry specialties to wit— (c) Collar supports; (b) Collar circles; (a) Shirt bands (2" wide or less)	90
Napkins	95
Photo mounts	75
Salt and pepper shakers	90
Shelf and drawer lining—retail packages	60
Slippers	75
Table covers	60
Toilet tissue	110
Towels	95
Venetian blinds	90

List B is amended by deleting therefrom the following items:

Card table covers.
Decalcomania transfers (for noncommercial use).
Shelf and drawer lining—retail packages.
Tablecloths.
Venetian blinds.

Item (m) of List B under Novelties is amended to read as follows:

(m) Fireworks (except such items manufactured pursuant to duly authenticated orders from the Armed Forces)

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5441; Filed, April 7, 1943; 11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1, Direction 3]

The following direction is issued pursuant to paragraph (t) of CMP Regulation No. 1 (8 F.R. 482, 1730, 2565, 2857) to all Copper Wire and Cable Producers.

(a) *April deliveries.* Except as otherwise expressly authorized by the War Production Board, orders for copper wire mill products which have been approved heretofore on Form PD-59D and which were scheduled for delivery during April, 1943, shall not be displaced by any other order (including an authorized controlled material order), notwithstanding any provision in any CMP Regulation.

(b) *May and June deliveries.* (1) Except as otherwise expressly authorized by the War Production Board, authorized controlled material orders requiring May and June deliveries must be accepted and scheduled for delivery in accordance with the provisions of CMP Regulation No. 1 ahead of approved orders bearing preference ratings only.

(2) Where an allotment number is applied against an order previously placed, such order shall be deemed an authorized controlled material order as of the date the allotment number is received by the producer, and delivery of the order may be rejected if such allotment number is not received within such time in advance of delivery as is specified in CMP Regulation No. 1, Schedule III.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5443; Filed, April 7, 1943; 11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1, Direction 4]

The following direction is issued pursuant to paragraph (t) of CMP Regulation No. 1 (8 F.R. 482, 1730, 2565, 2857) to all Brass Mills.

(a) *April deliveries.* Except as otherwise expressly authorized by the War Production Board, orders for brass mill products which have been approved heretofore by the War Production Board on PD-59D or otherwise and which were scheduled for delivery during April 1943 shall not be displaced by any other order (including an authorized controlled material order) notwithstanding any provision in any CMP Regulation.

(b) *May and June deliveries.* (1) Except as otherwise expressly authorized by the War Production Board, authorized controlled material orders for May and June deliveries bearing program symbols other than N-1, O-1 or O-4 shall be accepted up to 100% of the amount established in each category in production directives previously issued. In the absence of any such production directive, such orders shall be accepted up to 100% of capacity. Production of such orders during May and June shall be in accordance with CMP regulations and all such orders accepted must be reported to the WPB Copper Division on the appropriate forms in accordance with previous instructions.

(2) Orders bearing program symbols N-1, O-1 and O-4 for May and June delivery shall be accepted and produced only in accordance with detailed instructions which will be issued to each brass mill.

(3) Where an allotment number is applied against an order previously placed, such order shall be deemed an authorized controlled material order as of the date the allotment number is received by the producer, and delivery of the order may be rejected if such allotment number is not received within the time in advance of delivery specified in CMP Regulation No. 1, Schedule III.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5444; Filed, April 7, 1943; 11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Direction 1]

§ 3175.3 *Special direction regarding distributors' orders.* Delivery orders without allotment numbers or symbols placed by dealers, distributors or jobbers prior to April 7, 1943, calling for delivery not later than June 30, 1943, shall be deemed equal in rating, for purposes of Priorities Regulation No. 1, to the other orders bearing the same grade of rating with allotment numbers or symbols, notwithstanding the provisions of paragraph (c) of CMP Regulation No. 3 regarding the superiority of ratings with allotment numbers or symbols. For example, a distributor of fittings places an order on April 1 for June delivery for replacement in his inventory of items which he has previously sold on a rating of AA-2X. Since the orders which he filled by such sales did not carry allotment numbers or symbols, he is unable to extend an allotment number or symbol with his order. On April 2, a manufacturer places an order for the same fittings, rated AA-2X with the allotment number of the manufacturer's authorized production schedule. The two orders are deemed of equal rating, and, if both cannot be filled, the distributor's takes precedence under Priorities Regulation No. 1 since the rating was first extended to it.

In the case of orders for controlled materials, this direction is not to be construed as converting a rated order into an authorized controlled materials order.

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5442; Filed April 7, 1943; 11:43 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 9,[1] Amendment 2]

COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (b) of § 1305.12 is amended as set forth below:

§ 1305.12 *Applications for adjustment of maximum prices for commodities or services under Government contract or subcontract.* * * *

(b) "Price regulation," as used in this supplementary order, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order heretofore or hereafter issued thereunder, but does not include any of the following price regulations: Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, 123, 136, 171.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5392; Filed, April 6, 1943; 3:12 p. m.]

PART 1309—COPPER

[MPR 202,[2] Amendment 3]

BRASS AND BRONZE ALLOY INGOT AND SHOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 202 is amended in the following respects:

1. The title is amended to read as set forth above.

2. Section 1309.151 is amended by adding after the first two appearances of the phrase "brass or bronze alloy ingot", the phrase "or shot", and adding after the first appearance of the phrase "such ingot", the phrase "or shot".

3. Sections 1309.152 and 1309.155 are amended by adding after each appearance of the phrase "brass or bronze alloy ingot", the phrase "or shot".

4. Section 1309.157 is amended by adding after each appearance of the word "ingot", the phrase "or shot".

5. Section 1309.162 (a) (5) is added to read as follows:

(5) "Brass or bronze alloy shot" means any alloy shot, including shot in granulated form, in the composition of which the weight of copper metal is 50% or more of the total weight of the shot.

6. Section 1309.165 (c) (3) (i) is amended by adding after the phrase "from the date" the word "thereof" and deleting the word "hereof".

7. Section 1309.165 (c) (5) is added to read as follows:

(5) If the price submitted by the seller is disapproved by the Administrator, notice to that effect, together with the price approved pursuant to subparagraph (2) of this paragraph (c) and the reasons for such action, shall be given to the seller by letter. At the request of the seller, received by the Office of Price Administration, Washington, D. C., within thirty days from the date of mailing of the letter referred to above in this subparagraph, the disapproval together with the price approved by the Administrator will be incorporated in an order.

8. Section 1309.165 (e) and (f) are redesignated as § 1309.165 (f) and (g), respectively.

9. Section 1309.165 (e) is added to read as follows:

(e) *Maximum prices for sales and deliveries of brass and bronze alloy shot.* (1) The maximum price for any grade of brass or bronze alloy shot shall be a price in line with the maximum prices established by this regulation for brass and bronze alloy ingot, giving due weight to the differences in the cost of manufacturing shot as distinguished from ingot, shall be approved by the Administrator, and when once approved shall be the maximum price for all subsequent sales of such shot by the seller to whom such price approval is given unless the Administrator thereafter specifically withdraws such approval.

(2) Pending approval by the Administrator, any person may sell or deliver, and any person may buy and receive, any such shot at the price submitted for approval, and any person may offer to do any of the foregoing. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at a price higher than that so approved, the seller shall refund the excess: *Provided, however*, That the price submitted by the seller for approval shall be deemed to be approved unless the Administrator specifically disapproves such price and establishes an approved maximum price within fifteen days from the date on which the report required in paragraph (e) (3) of this section is received by the Office of Price Administration or, if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration.

(3) On and after April 12, 1943, the seller of any such shot, shall (i) report the first sale of such shot made on or after April 12, 1943 to the Office of Price Administration, Washington, D. C., within 5 days from the date thereof, stating (*a*) the quantity sold, (*b*) the specifications including the alloy content and the size of the shot, (*c*) the proposed price including quantity differentials, (*d*) the method of manufacturing such shot, (*e*) the additional cost of manufacturing such shot as distinguished from ingot insofar as that is known to the seller, (*f*) if the seller sold any brass or bronze shot before April 12, 1943, the price or prices at which such sales were made from January 1, 1941 to the date of the sale being reported, and (ii) provide such other information concerning the manufacture and sale of such shot as may be requested by the Office of Price Administration in order to determine the proper maximum price of such shot.

(4) Nothing contained in this paragraph (e) shall be construed to prevent the Administrator from adjusting any price previously approved pursuant to this paragraph (e) when in his judgment such adjustment is warranted.

(5) If the price submitted by the seller is disapproved by the Administrator, notice to that effect, together with the price approved pursuant to subparagraph (2) of this paragraph (e) and the reasons for such action, shall be given to the seller by letter. At the request of the seller, received by the Office of Price Administration, Washington, D. C., within 30 days from the date of mailing of the letter referred to above in this subparagraph, the disapproval together with the price approved by the Administrator will be incorporated in an order.

(6) Any maximum prices established by orders issued under § 1499.3 (b) of the General Maximum Price Regulation for brass or bronze alloy shot shall be deemed to be prices approved in accordance with the requirements of this paragraph, but such orders shall have no other force or effect, and any pending applications for the establishment of a maximum price for such shot under § 1499.3 (b) of the General Maximum Price Regulation may be processed under this paragraph.

NOTE: All of the reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5393; Filed, April 6, 1943; 3:16 p. m.]

PART 1340—FUEL

[Rev. MPR 122,[1] Amendment 3]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1340.251 (c) is added to read as follows:

(c) If a dealer's business, assets or stock in trade are sold or otherwise transferred subsequent to April 1, 1943, and the transferee continues to operate such business, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor was or would have been subject if no such sale or transfer had taken place. The transferee shall have the same obligation as his transferor to keep books and records sufficient to verify such prices. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which, are necessary to enable the transferee to comply with the provisions of § 1340.262 of this regulation. This amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5394; Filed, April 6, 1943; 3:13 p. m.]

PART 1340—FUEL

[MPR 137,[1] Amendment 30]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 137 is amended in the following respect:

1. Section 1340.90 (a) (2) is amended to read as set forth below:

2) "Motor fuel" means liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motorboats, and shall include any liquid fuel to which Federal gasoline taxes apply except aviation gasoline of 87 octane rating or higher.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5395; Filed, April 6, 1943; 3:12 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8941, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799, 2152, 2120, 2501, 2594, 2997, 3105, 3327, 3365.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5444, 9323.

[2] 7 F.R. 6421, 7247, 8948, 9427; 8 F.R. 1449.

[1] 8 F.R. 440, 1200.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 361]

PULPWOOD PRODUCED IN OR SOLD INTO THE STATES OF MAINE, VERMONT, NEW HAMPSHIRE AND NEW YORK

In the judgment of the Price Administrator the prices of pulpwood have risen and are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Price Administrator has ascertained and given due consideration to the price of pulpwood prevailing in the States of Maine, New Hampshire, Vermont and New York, between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. The Price Administrator has advised and consulted with representative members of the industry. In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been prepared and is issued simultaneously herewith.*

§ 1347.951 *Maximum prices for pulpwood produced in or sold into the States of Maine, Vermont, New Hampshire and New York.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 361 (Pulpwood Produced in or Sold into the States of Maine, Vermont, New Hampshire and New York), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.951 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 361—PULPWOOD PRODUCED IN OR SOLD INTO THE STATES OF MAINE, VERMONT, NEW HAMPSHIRE AND NEW YORK

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Sec.
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2 Less than maximum prices.
3 Adjustable pricing.
4 Evasion.
5 Records and reports.
6 Enforcement
7 Petitions for amendment.
8 Definitions.
9 Appendix A—Maximum prices.

SECTION 1 *Prohibitions.* (a) On and after April 12, 1943, in the continental limits of the United States, regardless of any contract, agreement, lease or other obligation, no person shall buy and no person shall sell, deliver or transfer pulpwood cut from the stump in the States of Maine, New Hampshire, Vermont and New York; and no person shall purchase pulpwood cut from the stump within the continental limits of the United States for consumption in the aforesaid states, at prices in excess of the maximum prices set forth in Appendix A hereof; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price.

SEC. 2 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid or offered.

SEC. 3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

SEC. 4 *Evasion.* The price limitations set forth in this Maximum Price Regulations No. 361 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to pulpwood cut in or sold into the States of Maine, New Hampshire, Vermont and New York, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, discount, premium or other privilege, or by tying agreement or other understanding, or otherwise.

SEC. 5 *Records and reports.* (a) Every person making a purchase or sale of pulpwood, for which a maximum price is established by this regulation, shall make and shall preserve, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 shall be in effect, the same records of such purchases and sales as such person customarily made prior to the effective date of this regulation.

(b) Every person required to keep records by paragraph (a) of this section shall submit such reports as the Office of Price Administration, with the approval of the Bureau of the Budget, may from time to time require.

NOTE: This regulation has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 6 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 361 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 7 *Petitions for amendment.* (a) Persons seeking any amendment of this Maximum Price Regulation No. 361 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 8 *Definitions.* (a) When used in this Maximum Price Regulation No. 361 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or

any of its political subdivisions, or any agency of the foregoing;

(2) "Pulpwood producer" or "seller" includes any person who sells pulpwood;

(3) "Consumer" includes any person who purchases pulpwood for its own consumption;

(4) "Pulpwood" means any species of wood exclusive of mill waste or mill by-products sold for manufacture into woodpulp;

(5) "Spruce and fir wood" includes black spruce (Picea mariana), white spruce (Picea glauca), red spruce (Picea rubra), and balsam fir (Abies balsamea);

(6) "Hemlock wood" includes Tsuga canadensis;

(7) "Northern hardwoods" includes beech (Fagus grandifolia), paper birch (Betula papyrifera), yellow birch (Betula lutea), gray birch (Betula populifolia), sugar maple (Acer saccharum), red maple (Acer rubrum), and all other Northern deciduous species except those referred to in subparagraph (9) below;

(8) "Pine" includes any species of the genus Pinus, and Tamarack (Larix laricina);

(9) "Poplar wood" include basswood (Tilia americana), butternut (Juglans cinerea), cucumber (Magnolia acuminata), yellow poplar (Liriodendron tulipifera) and any species of the genus Populus, sometimes referred to as the "soft-hardwood group";

(10) "Peeled pulpwood" includes any pulpwood which has been sap peeled or barked prior to its delivery to a consumer;

(11) "Rossed pulpwood" includes hand-shaved pulpwood and any pulpwood from which the bark has been removed by any mechanical rosser, prior to its delivery to a consumer;

(12) "Rough pulpwood" means pulpwood from which the bark has not been removed;

(13) "Cord of pulpwood" means an amount of pulpwood (whether peeled, rossed, or rough) which, when properly prepared and stacked, contains 128 cubic feet, or, when pulpwood is sold in the form of logs, means 128 cubic feet at a ratio in proportion to the log scale used.

(14) "Dealer" means any person who sells to consumers pulpwood not cut or prepared by such person but purchased by such person in the condition in which it is to be delivered to the consumer;

(15) "Roadside" is any road that is maintained and kept open for traffic twelve months of the year;

(16) "Lake or stream" has reference to wood which has been properly landed and boomed in the lake or on the bank of or in the stream by which it is to be carried to the consumer;

(17) "Sale" or "sold" includes sales and deliveries, and sales and contracts to sell pulpwood.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 9 *Appendix A: maximum prices for pulpwood.* (a) (1) The maximum price for pulpwood contracted for and produced prior to March 1, 1943, at a price in excess of the appropriate maximum price provided in subparagraph (3) of this section, but undelivered on the date this regulation becomes effective, shall not exceed the price per cord in the contract on March 1, 1943.

(2) The maximum contract price per cord for pulpwood (other than the pulpwood mentioned in subparagraph (1) above) contracted for prior to but undelivered as of the effective date of this regulation at a price lower than the appropriate maximum price provided in subparagraph (3) of this section, shall not exceed the price agreed upon in the contract.

(3) The maximum contract price per cord for pulpwood (other than the pulpwood mentioned in subparagraphs (1) and (2) above) cut in each of the zones hereinafter indicated shall not exceed the following, delivered at seller's expense at the points indicated.

Species	Zone I—State of Maine			
	F. o. b. car	Lake or Stream	Road side	Delivered mill (by truck)
Spruce and fir:				
Rossed	$15.25	$14.50	$13.25	$16.25
Peeled	14.25	13.50	12.25	15.25
Rough	12.25	11.50	10.25	13.25
Hemlock:				
Rossed	14.00	13.25	12.00	15.00
Peeled	13.00	12.25	11.00	14.00
Rough	11.00	10.25	9.00	12.00
Poplar				
Rossed	13.50	12.75	11.50	14.50
Peeled	12.50	11.75	10.50	13.50
Rough	10.50	9.75	8.50	11.50
N. hardwood:				
Rossed	14.50	.....	12.50	15.50
Peeled	13.50	.....	11.50	14.50
Rough	11.50	.....	9.50	12.50
Pine				
Rossed	13.50	12.75	11.50	14.50
Peeled	12.50	11.75	10.50	13.50
Rough	10.50	9.75	8.50	11.50

Species	Zone II—State of New Hampshire, Essex Co., Caledonia Co., Washington Co., Orange Co., and Windsor Co., Vermont			
	F. o. b. car	Lake or stream	Road side	Delivered mill (by truck)
Sprues and fir:				
Rossed	$16.75	$16.00	$14.75	$17.75
Peeled	15.75	15.00	13.75	16.75
Rough	13.75	13.00	11.75	14.75
Hemlock:				
Rossed	15.00	14.25	13.00	16.00
Peeled	14.00	13.25	12.00	15.00
Rough	12.00	11.25	10.00	13.00
Poplar				
Rossed	14.00	13.25	12.00	15.00
Peeled	13.00	12.25	11.00	14.00
Rough	11.00	10.25	9.00	12.00
N. hardwood:				
Rossed	15.50	.....	13.50	16.50
Peeled	14.50	.....	12.50	15.50
Rough	12.50	.....	10.50	13.50
Pine				
Rossed	14.00	13.25	12.00	15.00
Peeled	13.00	12.25	11.00	14.00
Rough	11.00	10.25	9.00	12.00

Species	Zone III—Franklin Co., Orleans Co., Chittenden Co., & Lamoille Co. Vt.		
	F. o. b. car	Roadside	Delivered mill (by truck)
Spruce and fir.			
Rossed	$19.00	$17.00	$21.00
Peeled	18.00	16.00	20.00
Rough	15.50	14.50	17.50
Hemlock:			
Rossed	15.25	13.25	17.25
Peeled	14.25	12.25	16.25
Rough	12.25	10.25	14.25
Poplar.			
Rossed	14.00	12.00	16.00
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00
N. hardwood:			
Rossed	15.75	13.75	17.75
Peeled	14.75	12.75	16.75
Rough	12.75	10.75	14.75
Pine			
Rossed	14.00	12.00	16.00
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00

Species	Zone IV—Addison Co., Rutland Co., Bennington Co., Windham Co., Vermont & State of New York		
	F. o. b. car	Roadside	Delivered mill (by truck)
Spruce and fir.			
Rossed	$20.50	$17.50	$22.50
Peeled	19.50	16.50	21.50
Rough	16.50	13.50	18.50
Hemlock:			
Rossed	14.75	12.75	17.75
Peeled	13.75	11.75	16.75
Rough	11.25	9.25	14.25
Poplar.			
Rossed	14.00	12.00	17.00
Peeled	13.00	11.00	16.00
Rough	11.00	9.00	14.00
N. hardwood:			
Rossed	14.75	12.75	17.75
Peeled	13.75	11.75	16.75
Rough	11.25	9.25	14.25
Pine			
Rossed	14.00	12.00	17.00
Peeled	13.00	11.00	16.00
Rough	11.00	9.00	14.00

(4) The maximum price for pulpwood sold at points other than those listed above shall be arrived at by deducting from the appropriate maximum price established above an amount equal to the actual cost incurred by the seller in transporting the wood to and loading the wood at the point of shipment described above actually used, or, in the case of wood trucked to the mill, the actual costs of such trucking.

(b) (1) The maximum price paid for pulpwood described in subparagraphs (1) and (2) of paragraph (a) of this section shall in no event be more than $1.00 more per cord than the contract price established pursuant to said subparagraphs. Amounts in excess of such contract prices can be paid only if no dealer's commission is paid on the wood and if the buyer makes a statement to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C., either prior to or subsequent to such payment that

(i) The payment of the excess is necessary to secure the wood in question, and is the least expensive means of securing it;

(ii) The payment of the excess is or will be necessary to enable the seller to discharge obligations incurred by him pursuant to the contract of sale;

(iii) No dealer's commission has been or will be paid on the wood in question.

The statement shall set forth fully the reasons why the excess payment is necessary, and shall explain the excess payments in itemized form, with a justification for the payment of each item.

(2) Buyers and sellers will be held to violate this regulation in cases where unjustified amounts are paid in excess of the maximum contract prices herein provided for in subparagraphs (1) and (2) of paragraph (a) of this appendix.

(3) The Office of Price Administration may at any time at discretion suspend or withdraw from any buyer or buyers the privilege of paying the excess amount over maximum contract prices provided for by this paragraph (b).

(c) The prices established herein are for wood of top quality prepared to conform with the consumer's specifications.

All trade practices and customs with respect to allowance for defective wood of any kind must be observed.

(d) *Mixed shipments.* If a shipment contains a mixture of species, except a mixture of spruce and fir, the maximum price per cord shall be ascertained by determining the number of cords of each species in the shipment and then applying the maximum price for each species.

(e) When one consumer sells pulpwood to another, the maximum price shall not exceed the actual cost which the wood stands the seller, plus such actual costs of moving the wood to the buyer as the seller incurs.

(f) *Dealers.* (1) In the event that a dealer in pulpwood, as defined in section 8 (a) (14), shall within a year from the effective date of this regulation deliver to a consumer 1000 cords or more of wood wholly produced in said year, such consumer may, at the time of delivery of said 1000 cords, pay such dealer with respect to wood purchased by such dealer, but not operated by him, a dealer's allowance (in addition to the producer's maximum price hereinbefore provided) not in excess of $1.00 per cord.

(2) The maximum prices established in paragraph (c) of Appendix A, can in no case be augmented by more than one dealer's allowance for each cord. In no event shall a person receive a dealer's allowance or the proceeds of a dealer's allowance on pulpwood cut by him or by his own operations. In no event shall a person receive a dealer's allowance on the cut of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge an allowance on the wood cut by the other. In addition to the price paid by the consumer a dealer may receive a dealer's allowance only from a consumer and only if the dealer fulfills all of the following requirements with respect to the transactions:

(i) Keep copies of all contracts in which a dealer's allowance is charged.

(ii) The sale is made by the dealer to the consumer.

(iii) The pulpwood sold by the dealer to the consumer has been completely prepared for delivery by a person other than the dealer.

(iv) The dealer guarantees the merchantable quality of the pulpwood.

(v) The dealer's allowance in such transaction is shown as a separate item on the invoice. This invoice must contain a statement that the dealer has had no part in the preparation of the pulpwood covered prior to its delivery to the consumer, and that the charges are not in excess of those established in this Maximum Price Regulation No. ____.

(vi) The dealer's allowance is not split or divided with any other person.

(vii) All pertinent provisions in this Maximum Price Regulation No. 361 are strictly complied with.

This Maximum Price Regulation No. 361 shall become effective April 12, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5396; Filed, April 6, 1943; 3:12 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 9]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.1522 is amended in the following respects:

1. The headnote of the section is amended to read as follows:

§ 1351.1522 *Maximum prices for bulk powdered skim milk for human consumption, bulk powdered buttermilk for human consumption and packaged powdered skim milk (spray process) for human consumption.*

2. Paragraph (b) is redesignated paragraph (c).

3. Paragraph (c) is redesignated paragraph (d).

4. New paragraph (d) (1) is amended to read as follows:

(1) All packaged powdered skim milk and packaged powdered buttermilk not covered by paragraph (b) of this section are covered under Maximum Price Regulation No. 280.[2] Specifically, paragraph (b) of this section fixes dollar and cents maximum prices for packaged powdered skim milk (spray process) for human consumption in 7, 12, and 16 ounce packages and provides a method whereby other size packages of such packaged powdered skim milk may be priced.

5. A new paragraph (b) is added to read as follows:

(b) The maximum prices for sales and deliveries of packaged powdered skim milk (spray process) by manufacturers or packers to the wholesale and chain store warehouse trade and to commercial, industrial institutional and governmental users shall be as listed in the following Table A:

TABLE A

For deliveries in	Price per dozen packages		
	7 oz.	12 oz.	16 oz.
Zone A	$1.68	$1.78	$2.34
Zone B	1.09	1.80	2.37
Zone C	1.10	1.82	2.40
Zone D	1.11	1.84	2.43

(i) *Differentials and discounts.* If the manufacturer or packer has established differentials for quantity purchases or for any other class of purchasers, he shall continue such differentials. The differentials to such other classes of purchasers shall be determined by adding to or subtracting from the maximum prices fixed herein for such zone, as the case may be, the difference between the seller's customary price to wholesalers and his customary price to such class of purchasers. All other customary discounts and allowances including those for prompt payment shall likewise be continued.

(2) *Definition of zones.* (i) Zone A shall be all states not included in Zones B, C, or D.

(ii) Zone B shall be Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia, and West Virginia.

(iii) Zone C shall be Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

(iv) Zone D shall be Florida.

(3) Manufacturers or packers maximum prices for packaged powdered skim milk (spray process) packed in container sizes other than those for which maximum prices are fixed by this paragraph:

(i) The following pricing method applies only to those new packages whose weight is 50% greater or smaller than the weight of the package for which maximum prices are fixed herein, i. e. those packages which are not less than 3½ oz. nor more than 24 ozs. In the case of all other packages sizes, i. e. those less than 3½ oz. and those more than 24 oz. but not more than 80 oz. inclusive, the packer shall apply to the Office of Price Administration for a maximum price. He shall include in his application a statement giving the weight of the proposed package, the cost to him of the ingredients, packaging material, carton, labor, and overhead.

(ii) Where the packer may price pursuant to this subparagraph (3) he shall proceed as follows:

(*a*) *Determine the base container.* He shall first determine the size of the package for which a maximum price is fixed herein which is closest in net weight to the size which he desires to pack, i. e., if he desires to pack a 9 oz. package he shall use the 7 oz. package as the base container.

(*b*) *Determine the base price.* The base price is determined by dividing the maximum delivered price fixed in Table A above for a dozen of each container sizes, in each of the 4 zones established therein, by 12.

(*c*) *Deduct the container cost.* Taking his base price, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packers plant, of the container, label, and the proportionate part of the outgoing shipping wrapper or carton, but it does not include the cost of filling, closing, labeling or packing.

(*d*) *Adjust for difference in contents.* The figure gotten by this deduction shall then be adjusted for the size change by dividing it by the number of ounces in the base container and multiplying

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327.

[2] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070.

the result by the number of ounces in the new container.

(e) *Add the new container cost to get the maximum price for the zone.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new size. He shall then multiply the resulting figure by twelve to determine his maximum delivered price per dozen in the new size container, in the zone for which he is making the computation. The packer shall make similar computations for each zone in which he desires to sell such new size container and adjust the prices pursuant to subparagraph (1) for the different classes of purchasers to whom he desires to sell such new size container.

(f) *Computations and fractions of a cent.* In making computations pursuant to this subparagraph (3), the packer shall carry all calculations to the second decimal of a cent. If his maximum price per dozen resulting from such computation ends in a fraction he shall adjust the price to the next higher cent where the fraction is ½¢ or more, and to the next lower cent if the resulting fraction is less than ½¢.

(iii) *Records.* Every manufacturer or packer who computes maximum prices pursuant to this subparagraph (3) shall keep records showing how he figured each maximum price established hereunder.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5398; Filed, April 6, 1943; 3:13 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,[1] Amendment 29]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.151 (b) (15) (vii) is added to read as follows:

(vii) When any of the above named tallows or greases (*a*) are sold to a buyer engaged in any one of the following businesses:

Adhesive manufacturing
Automobile manufacturing
Battery manufacturing
Belting manufacturing
Cement manufacturing
Chemical manufacturing
Defoaming compound manufacturing
Drug manufacturing
Furnace manufacturing
Food processors
Felt manufacturing
Hardware companies
Hospitals
Lead manufacturing
Leather manufacturing
Light companies
Machine shops
Metal polish manufacturing
Munitions manufacturing
Navy shipyards
Oil companies
Optical manufacturing
Paper manufacturing
Railroads
Rubber manufacturing
Roofing manufacturing
Radio manufacturing
Steel manufacturing
Sizing manufacturing
Sulphonators
Tanneries
Tank car manufacturing
Veterinary companies
Wire Drawing compound manufacturing
Wire and cable manufacturing

and (*b*) are delivered in returnable or non-returnable drums, barrels, or tierces, the maximum prices of such tallows or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container, and the quantity, in which the tallows or greases are shipped:

Container	Differential added when shipped in carlot shipments	Differential added when shipped in less than carlot shipments
	Cents per lb.	*Cents per lb.*
Returnable drums, barrels, or tierces	⅜	⅞
Non-returnable drums, barrels, or tierces	1	1½

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5397; Filed, April 6, 1943; 3:15 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 164,[1] Amendment 4]

RED CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1381.3 is amended to read as follows:

§ 1381.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5410; Filed, April 6, 1943; 3:14 p. m.]

PART 1389—APPAREL

[MPR 221,[1] Amendment 3]

MANUFACTURERS' PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1389.302 (d) (1) is amended by adding at the end thereof, after subdivision (vi), the following undesignated paragraph: "*Except:* That the elimination of decorative rayon striping in any garment shall not of itself prevent a garment from being the same as a garment containing the striping."

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5411; Filed, April 6, 1943; 3:14 p. m.]

PART 1389—APPAREL

[MPR 287,[2] Amendment 4]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sections 1389.373 (a) (14) and (15) are added to read as follows:

(14) *Privilege to estimate week-work costs.* A manufacturer may use estimates in calculating the cost of any direct labor operation paid on a time basis if a week-work chart is prepared and kept with the manufacturer's cost records. The estimates shown in the chart are the maximum amounts which may be used in calculating the minimum allowable cost. If a manufacturer finds that his estimates are too low, he may amend his chart by means of a notation on the chart showing the revised estimates and the date of the notation; but the revised estimates may not be regarded as effective for any period prior to the date of the notation.

If the estimate for any craft exceeds the manufacturer's actual direct labor cost, determined by reference to the records of (i) total wages paid to employees in the craft, and (ii) total garments manufactured, during an accounting period chosen by the manufacturer and shown on the chart, the manufacturer's actual direct labor cost must be used in determining whether garments contain the minimum allowable cost.

(15) *Week-work chart.* The week-work chart required by the above provision must be prepared in accordance with the following instructions:

(i) Select an accounting period which will enable you reasonably to test the accuracy of your estimates, by reference to records showing your total payroll and total production. This period may not exceed five months. The first period may begin on any date after December 14, 1942; but if the chart is prepared after April 24, 1943, the first period must begin on the date of preparation.

(ii) Then list the crafts which you pay on a time basis and determine what a fair estimate of your direct labor cost (per unit or per dozen), by craft, would be for the accounting period specified. *For example:* Your past experience may show that for such a period your cutting averages 10¢ per unit, your sewing 65¢, your finishing 20¢ and your pressing 15¢.

(iii) The use of one estimate for each craft, regardless of category numbers and selling price lines, is permissible. *For example:* Your past experience may show that an estimate of 10¢ for cutting could be used for all your garments. However, estimates for different category numbers and selling price lines, or for different groups of category numbers and selling price lines, are also permissible. *For example:* Your past experience may show that cutting for women's suits (Category No. 1) costs more than for women's dresses (Category No. 21), and that cutting for $8.75 dresses costs more than for $3.50 dresses. Your cutting estimates might be 14¢ for suits, 12¢ for $8.75 dresses and 7¢ for $3.50 dresses.

(iv) Your week-work chart must be kept with your cost records and must show each estimate, the length of your accounting period and the date set as the beginning of the first period. The amounts shown in the chart are the most that can be used for the crafts listed in determining whether your garments contain the minimum allowable cost. *For example:* If your week-work chart shows a 10¢ estimate for cutting, and if your minimum allowable cost on a certain line is $3.12, garments in that line must contain at least $3.02 in addition to the cutting cost. If you find that your estimate was too low, and that 12¢ would be a fairer figure for cutting, you may not use 12¢ in your cost records until you have amended your chart by means of a notation in the chart showing the revised estimate (12¢) and the date of the notation. The revised estimate may be used only for garments cut after the date of the notation.

(v) At the close of each accounting period you must calculate and record in the chart your actual direct labor cost, determined by reference to the records of (*a*) total wages paid to employees in each week-work craft and (*b*) total garments manufactured. The records must be broken down in the same way as your estimates. *For example:* If you have used only one cutting estimate for all category numbers and all selling price lines, you merely divide your cutters' payroll by the number of garments cut. On the other hand, if you have used cutting figures of 14¢ for suits, 7¢ for $3.50 dresses and 12¢ for $8.75 dresses, your records must show the relation between the cutters' payroll and the number of suits, $3.50 dresses and $8.75 dresses produced.

(vi) At the close of each accounting period you must also record your estimate for the next accounting period, on a different line in the chart, or on a new chart. If your payroll and production records for the old period show that your estimate for that period was too high, you should revise your estimate for the new period accordingly.

(vii) You may alter the length of your accounting period if the new period begins on the last day of the period specified in your chart and does not exceed five months, and if you prepare a new chart. The old chart must be preserved.

(viii) Your week-work chart must be prepared in the following form: (Copies will not be furnished by the Office of Price Administration.)

WEEK-WORK CHART

Firm name _____

Address _____

Week-work estimates and costs per _____ (unit or dozen) garments for accounting periods of _____ (specify) months.

Date estimates were prepared	Category number	Selling price line	Crafts paid on a time basis											
			Cutting		Operating or sewing		Finishing		Pressing or ironing		Other (specify)		Other (specify)	
			Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5412; Filed, April 6, 1943; 3:15 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amendment 77]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 136, as amended, is amended in the following respects:

1. In § 1390.32 (g) the following items are deleted:

Open tanks and vessels (metal) (except field erected tanks or vessels; domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, non-returnable shipping containers, refuse receptacles, drip receivers, and waste receivers).

Pressure tanks (metal) except field erected tanks; high pressure cylinders not over 1,000 lbs. water capacity for shipping or storing liquids or gases at pressures up to 3,000 lbs. per square inch; range boilers or expansion tanks not over 192 gal. capacity; made of metal not over 12 BWG gauge).

2. In § 1390.33 (c) the following items are added in alphabetical order:

Manufacturers' optical processing machinery, other than optical RX laboratory machinery subject to Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Open tanks and vessels (metal) (except field erected tanks or vessels; domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, non-returnable shipping containers, refuse receptacles, drip receivers, and waste receivers).

Pressure tanks (metal) (except field erected tanks; high pressure cylinders not over 1,000 lbs. water capacity for shipping or storing liquids or gases at pressures up to 3,000 lbs. per square inch; range boilers or expansion tanks not over 192 gal. capacity; made of metal not over 12 BWG gauge).

Steam cleaning equipment, degreasing equipment, and parts washing and cleaning equipment.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 720, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5413; Filed, April 6, 1943; 3:13 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251, 3784.

[1] 7 F.R. 4541, 8384.

[1] 7 F.R. 7318, 9615, 10719.

[2] 7 F.R. 10460; 8 F.R. 323, 492, 859, 1740.

[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] Amendment 78]

(*a*) Whether, and by what amount, the maximum price is below or above the current manufacturing costs, and the current total unit costs, of the manufacturer;

existing maximum price which the manufacturer wants to have adjusted. But no payment in excess of that existing maximum price may be received until

(v) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory over-

taneously with any increase in the maximum price that may be authorized under this paragraph (c)) makes a reduction in the selling price of other products or

manufacturers, may be adjusted in an order issued under this section.

5. Section 1390.36 is added to read as

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136[1], Amendment 78]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.25 is amended by amending the title thereof to read "Petitions for amendment".

2. Section 1390.25 (a) is revoked.

3. Section 1390.25 (c) is redesignated § 1390.25 (a).

4. Section 1390.25a is added to read as follows:

§ 1390.25a *Adjustments*—(a) *Application by a manufacturer of a machine or part*—(1) *Who may receive an adjustment.* The manufacturers' maximum price for a machine or part established by this regulation may be adjusted only in the case of an essential producer of an essential machine or part. An "essential machine or part" is one which aids directly in the war program or is essential to a standard of living appropriate to the prosecution of the war. An "essential producer" is one whose output of a machine or part cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into, or proposes to enter into, a war contract (as defined in subparagraph (5)), or a subcontract thereunder, is an essential producer of an essential machine or part.

(2) *When adjustment may be granted*—(i) *In general.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price in the case of an essential producer of an essential machine or part upon the basis of information submitted by the manufacturer or of other information. It may make that adjustment whenever it finds that the maximum price of a machine or part is at such a level that, taking into account the cost thereof, the profits position of the manufacturer and the nature of his business, production of the machine or part is impeded or threatened.

(ii) *Factors which may be considered.* The following factors are relevant to the consideration of the adjustment:

(a) Whether, and by what amount, the maximum price is below or above the current manufacturing costs, and the current total unit costs, of the machine or part.

(b) Whether, and by what amount, the applicant's current over-all profits before income and excess profits taxes are greater or less than his average over-all profits during the normal base period, increased by 7% of the additional capital investment contributed entirely by the manufacturer, or its stockholders, since the normal base period.

(c) Whether the proposed price is higher than the price prevailing in the industry.

(d) Whether the manufacturer's sales of the machine or part represent only a very small part of his total sales.

(e) Whether the manufacturer previously sold the machine or part below the total unit cost of the machine or part.

(3) *How the manufacturer proceeds in applying for an adjustment*—(i) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1 and shall be made on Form OPA 694–178A, set out in paragraph (a) of Appendix E, incorporated as § 1390.36 of this regulation. Copies of this form and of the instructions for completing it may be obtained from any district, state or regional office of the Office of Price Administration. If the manufacturer's total sales in the calendar year 1942, or in the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the manufacturer's total sales during that period did not exceed $500,000, the application shall be filed with the nearest regional office of the Office of Price Administration.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in this paragraph (a), would exist if the National War Labor Board should grant a pending application for wage or salary increase may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28, which requires, among other things, that an application for adjustment in such case be filed within 15 days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within 15 days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the manufacturer wants to have adjusted. But no payment in excess of that existing maximum price may be received until the application is finally disposed of, and at that time the price received may not exceed the maximum price as determined by the Office of Price Administration.

A manufacturer who wishes to enter into such an arrangement must specifically state to the buyer the following:

(i) The maximum price for the machine or part;

(ii) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration;

(iii) The fact that the specific price quoted by the manufacturer is subject to the approval of the Office of Price Administration.

(5) *Definitions*—(i) *Manufacturing costs.* The term "manufacturing costs" means total unit costs less selling and administrative expenses properly allocable to the internal management of the business. Such selling and administrative expenses shall not be deemed to include direct deductions from gross sales, such as freight out, installation charges, cash discounts and sales and service commissions paid to independent dealers.

(ii) *Normal base period.* The term "normal base period" means the period 1936–1939. If the applicant shall demonstrate to the satisfaction of the Office of Price Administration either (a) that his entire industry was operating during the greater part of such period at an unusually depressed level or (b) that because of unusual conditions prevailing during that period, the manufacturer's plant was operating during that period at an unusually depressed level in comparison to other plants in the industry, and in addition that some other period prior to January 1, 1941, represents a proper "normal base period," such other period may be considered. The mere fact that the rate of production has increased since 1936–1939 will not be deemed evidence that production during that period was at an "unusually depressed level." If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(iii) *Over-all profits.* The term "over-all profits" means net profit resulting from the operation of all divisions of the manufacturer, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. In the case of a subsidiary wholly owned by a parent corporation, the term "over-all profits" means the net profit of the parent corporation before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes.

(iv) *Subcontract.* The term "subcontract" means any purchase order or agreement to peform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

(v) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative and other expenses, based on actual operating experience, properly allocable to the production of the machine or part, but does not include provisions for income or excess profit taxes. The allocation of factory overhead, administrative and other expenses must be made without reference to temporary fluctuations of production, for whatever reason, and should be based on a representative period of continuous, normal production.

(vi) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of a machine or part purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the production or manufacture of any commodity described in (a) or (b).

(b) *Application by a machinery service supplier.* Paragraph (a) applies, insofar as practicable, to adjustments of the maximum prices of machinery services and to application for such adjustments. However, the procedure to be followed in applying for an adjustment differs in the following respects:

(1) The application for adjustment shall be made on Form OPA694–178B, set out in paragraph (b) of Appendix E. Copies of this form may be obtained from any district, state or regional office of the Office of Price Administration.

(2) If the supplier's total sales of machinery services for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $75,000, the application shall be filed in Washington, D. C. If the supplier's total sales of machinery services for that period did not exceed $75,000 the application shall be filed with the nearest regional office of the Office of Price Administration.

(c) *Application by a manufacturer or a machinery service supplier based upon an appropriate decrease of other prices*—(1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential producer of an essential machine or part or an essential supplier of an essential machinery service. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which the manufacturer or supplier agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this paragraph (c)) makes a reduction in the selling price of other products or services which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(3) *What an application under this paragraph must show.* An application for price adjustment under this paragraph (c) shall contain information indicating that the applicant is an essential manufacturer of an essential machine or part or an essential supplier of an essential machinery service and that if the proposed adjustment is granted, the gross dollar amount of sales of the machines or parts or machinery services affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the commodities or services affected.

(4) *How the manufacturer or supplier proceeds in applying for an adjustment.* An application for adjustment under this paragraph (c) shall be filed in accordance with Revised Procedural Regulation No. 1. If the manufacturer's total sales for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the manufacturer's total sales during that period did not exceed $500,000, the application shall be filed with the nearest regional office of the Office of Price Administration. If the supplier's total sales of machinery services for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $75,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the supplier's total sales of machinery services during that period did not exceed $75,000, the application shall be filed with the nearest regional office of the Office of Price Administration.

(d) *Application by a manufacturer or a machinery service supplier under a combination of both paragraphs (a) and (c) or paragraphs (b) and (c).* A manufacturer or a machinery service supplier who desires to apply for an adjustment under paragraph (c) may, at the time he applies under that paragraph, also apply under paragraphs (a) or (b), if the facts of his case entitle him to do so. In such case, the office considering his application will give the adjustment available under paragraphs (a) or (b) before applying paragraph (c).

(e) This § 1390.25a supersedes Supplementary Order No. 9 (§ 1305.12), in so far as commodities and services covered by Maximum Price Regulation 136, as Amended, are concerned. Accordingly, applications for adjustment of a maximum price, established by this Maximum Price Regulation 136, as Amended, may no longer be filed under Procedural Regulation No. 6.

(f) The maximum price for sales of machines or parts by persons, other than manufacturers, may be adjusted in an order issued under this section.

5. Section 1390.36 is added to read as follows:

§ 1390.36 *Appendix E: Form for application for adjustment*—(a) *Form for application for adjustment of maximum manufacturers' prices of machines and parts*—(1) *Form.*

Form OPA 694:178a

Form Approved
Budget Bureau No. 08–R388

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES FOR MACHINES AND PARTS UNDER MAXIMUM PRICE REGULATION NO. 136, AS AMENDED

Company name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

SCHEDULE A

1. General description of the company's business.

2. Designate and describe product(s) for which price increase is requested.

3. Present the following information for each product listed in Item 2 above.

(a) Dollar volume of unfilled orders, $_____

(b) Unit volume of unfilled orders. (Indicate unit used), _____

(c) Degree of completion of production on unfilled orders, _____%.

(d) Anticipated dollar volume of new orders for the next: 3 months, $_____; 6 months, $_____; 12 months, $_____

NOTE: If more than one product is being reported, present the required information on another sheet.

4. Present evidence that the company is an essential producer of an essential machine or part.

(a) For each product designated in Item 2 above, fill in the following if you have entered into, or propose to enter into, a war contract or subcontract for the sale of that product.

(1) Identification of contract _____
(2) Name of purchaser _____
(3) Address of purchaser _____
(Street)
_____
(City) (State)

NOTE: If more than one product is being reported, present the required information on another sheet.

(b) Present any other information which demonstrates that the manufacturer is an essential producer of an essential machine or part.

(NOTE: The terms "war contract", "subcontract", "essential producer", and "essential machine or part" are defined in the adjustment provision under which this report is filed (Section 1390.25a of Maximum Price Regulation No. 136, as Amended.)

5. Are similar machines or parts manufactured by competitors in your region? _____. If yes, give names and addresses
(Yes or No)
of competitors, and their prices for such machines or parts.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6967, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.

and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation.

1. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and for the most recent accounting period in 1943.

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses and officers' salaries, including the number of officers.)

2. Financial data 1936–1940.

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936–1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expense					
Selling expenses					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? ---------.

(Yes or No)

If no, state exceptions.

SCHEDULE C

UNIT COST PRICE AND COST INFORMATION

Designation of Product: ----------

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. *Price Data:*

(a) *Net realized price:*

	Ceiling price ----- 194..	Current price	Requested price
1. (List) (gross) price			
2. Less: Dealer's commissions			
3. Less: Trade discounts			
4. Net realized price			
5. Net Realized Price at Maximum Discount and/or Commissions			

(b) *Analysis of Sales of the Above Designated Product:*

Sales for ---------- month period ending
(Number of months)
---------- 1943.
(Month and day)

	Percentage amount of commission or discounts	Dollar value of sales
Sales subject to commission of (1)	----%	$-----
Sales subject to commission of (2)	----%	-----
Sales not subject to commission	XXXX	-----
Sales subject to discount of (1)	----%	$-----
Sales subject to discount of (2)	----%	-----
Sales subject to discount of (3)	----%	-----
Sales subject to discount of (4)	----%	-----
Sales subject to discount of (5)	----%	-----
Sales not subject to discount	XXXX	-----
Total sales of above designated product	XXXX	$-----

(c) *Total Sales for the Above Designated Product only:*

	1940	1941	1942	----- Months Ending ----- 1943
Total unit volume of sales				
Total dollar volume of sales (net)	$---	$---	$---	$-----

(d) Is the price currently charged for the product the same as the maximum price filed with OPA? ----------.

(Yes or No)

(If answer is "No", state date when increased price was first charged.) Date: ----------, 194--.

(Month)

(e) Indicate whether the current maximum price is a list or established price ( ) or a formula price ( ) (Check one).

Price used since ----------, 194--.
(Month)

(f) State on a separate sheet the reasons for the need of the requested price increase.

2. *Unit Cost Data:*

	Ceiling date costs, ----- 194.	Costs, October 1942	Current date costs, ----- 1943
(a) Direct material	$---------	$-------	$---------
(b) Direct labor			
(c) Factory overhead			
(d) Selling expense (do not include discounts and commissions deducted under Price Data above.			
(e) Administrative expense			
(f) Freight out, if any			
(g) Installation expense, if any			
(h) Other expense, specify			
(i) Total cost per unit			

(j) *What method is used in allocating factory overhead?*

1. Standard ( ), Actual ( ) (Check one),

2. Direct labor cost ( ); Direct labor hours ( ); Machine hours ( ); Other ( ). (Explain separately if "other" or combination.)

AFFIDAVIT

State of ----------
County of ---------- } ss

(Applicant)

By ----------

(Title)

The undersigned ----------
being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

(Signature)

Subscribed and sworn to before me this ---------- day of ---------- 1943.

(Officer administering oath)

(2) *Instructions for the Form:*

INSTRUCTIONS FOR THE USE OF ADJUSTMENT APPLICATION FORM FOR MACHINES AND PARTS

In preparing this application, please consider that the form is intended to cover a wide variety of products. Therefore, you will find that some of the questions do not apply to your product. Moreover, you may find that some point that is important in your case is not covered in the form. Adapt the form if this can be done or state the information on a separate sheet if that will be clearer.

Schedule C entitled "Unit Price and Cost Information" is subject to the following explanation:

1. *Price Data:* (a) 1. (*List*) (*Gross*) *Price.* Please indicate whether the price is a list price or a gross price by crossing out the term that does not apply.

(a) 2. *Dealer's Commissions:* Where all dealers receive the same commission use the full commission rate even if some sales are not subject to any commission. If several different rates affect the machine covered by the application, use the rate that applies to the largest amount of sales.

(a) 3. *Trade Discounts:* Deduct trade discounts at the average rate of discounts prevailing in your company for the product covered by the application.

(b) Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.

2. *Unit Cost Data:* In presenting unit cost data be sure to include only actual cost.

Material cost must represent actual cost. State separately any charges added to costs of materials.

Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply.

The cost data for the ceiling date may be recomputed if the machine or part covered by the application was not manufactured on or about that date. In the recomputation apply the wage rates prevailing in your plant on the ceiling date and material cost of the same date.

Under items (f), (g) and (h) include only costs borne by the manufacturer and not billed separately to the buyer.

Form Approved
Budget Bureau No. 08–R 387

(b) *Form for application for adjustment of maximum prices of machinery services*

Form OPA 694:178b

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES FOR MACHINERY SERVICES UNDER MAXIMUM PRICE REGULATION NO. 136, AS AMENDED

Company Name ----------
Address ----------
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

1. General description of company's business

2. Type of machinery service for which price increase is requested.

3. Describe war or civilian need of the service.

4. State, on a separate sheet, the reasons for the requested price increase.

5. State the names and addresses of competitors in your region rendering the same machinery services and state the rates charged by each.

6. State whether you sell any new or used machinery, and if you do, state what it is.

(b)

7. If you sell machinery, state whether you perform any machinery services in connection with such sales, and if you do, describe the services and your method of charging for the same.

8. File the following information for the service described in Item 2 above.

(a) Price March 31, 1942---------- $------
Present price---------- $------
Requested price ---------- $------
per

Service unit (machine-hour, man-hour, etc.)

(b)

	Year ended -----194.	Year ended -----194.	----- months ending ----- 194.
Total number of service units performed including those not billed			
Number of service units billed			
Dollar amount of service billings			

9. Costs per service

	Ceiling date March 31, 1942	Current date ----- 1943 (month)	Basis of allocation (specify below)
Direct Labor			XXXXXXXX
Shop overhead			
Administrative expense			
Selling expense			
Other expense (specify)			
Total cost per service unit			XXXXXXXX
Average hourly wage rate, exclusive of overtime, for direct labor employed in this service			XXXXXXXX
Average number of hours worked per man per week (Direct labor only)			XXXXXXXX

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have reported the same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation.

10. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and the most recent accounting period in 1943

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold administrative expenses, selling expenses and officers' salaries including the number of officers.)

11. Financial data, 1936–1940

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936–1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expenses					
Selling expense					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

12. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? ---------- If "No" state exceptions: ----------

Yes or No

Applicant

By ----------

Title

AFFIDAVIT

STATE OF ------
County of ------, ss:

The undersigned ----------
being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment, and that he had read the same and knows to his own knowledge that the facts contained therein are true and correct.

Signature

Subscribed and sworn to before me this -------- day of -------- 194---.

Officer Administering Oath

This amendment shall become effective April 10, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5414; Filed, April 6, 1943; 3:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,[1] Amendment 50]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

Section 1407.183 (c) is amended by deleting the words "Veterans' Administration."

This amendment shall become effective April 12, 1943.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-5416; Filed, April 6, 1943; 3:14 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12, Amendment 27]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

1. Section 1407.991 (a) is amended by deleting the phrase "or (c) (2)."

2. Section 1407.991 (c) (2) is revoked.

3. Section 1407.991 (d) (1) is amended by deleting the phrase "or (c) (2)."

4. Section 1407.1049 is amended by deleting the phrase "Veterans' Administration and."

This amendment shall become effective April 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1–R; Food Dir. 3, 8 F.R. 2005)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R Doc. 43-5417; Filed, April 6, 1943, 3:12 p. m.]

PART 1440—PROCESSED FOOD COMMODITIES

[MPR 362]

GELATIN

Changes in customary sources of raw material supplies and other factors af-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 6809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758, 3176, 3180, 3522.

[2] 8 F.R. 3400, 3843.

fecting the sale of gelatin have brought about a condition whereby all manufacturers of these commodities cannot maintain the prices established for them under the General Maximum Price Regulation without individual hardship to some, and such prices are determined by the Price Administrator to be not generally fair and equitable. A continuance of this condition will not assist in securing full and adequate production of such commodities. So far as practicable, the Price Administrator has advised and consulted with representatives of the industry which will be affected by this regulation.

This Maximum Price Regulation No. 362 is issued by the Price Administrator in order to establish maximum prices for gelatin which are generally fair and equitable, will continue and encourage the full production of the industry, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1440.51 *Maximum prices for gelatin.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 362 (Gelatin), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1440.51 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 362—GELATIN

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2 Maximum prices for gelatin.
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12 Applicability of the General Maximum Price Regulation.
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SECTION 1 *Prohibition against dealing in gelatin above maximum prices established by this regulation.* (a) On and after April 12, 1943, regardless of any contract or other obligation, no person shall sell or deliver any gelatin at prices higher than the maximum prices established by this regulation.

(b) No person in the course of trade or business shall buy or receive any gelatin at prices higher than the maximum prices established by this regulation.

*Copies may be obtained from the Office of Price Administration.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing, except as provided in section 3.

(d) However, prices lower than maximum prices may be charged, demanded, offered or paid.

SEC. 2. *Maximum prices for gelatin.* (a) The maximum prices for edible gelatin in containers of more than 100 pounds net weight f. o. b. purchaser's customary station of destination shall be:

Jelly strength expressed in terms of Bloom gram test:	*Maximum price per pound in containers of more than 100 pounds net weight*[1]
300 grams and over	$.78
275 grams	.73
250 grams	.70
225 grams	.65
200 grams	.63
175 grams	.59
150 grams	.56
125 grams	.52
100 grams	.49
75 grams	.44
50 grams and below	.40

[1] These prices shall apply with reasonable tolerance allowed in the specified jelly strength grade. Reasonable tolerance in no case shall mean a jelly strength test of more than 10 points below the grade for which the price is charged.

(b) Purchasers located in the states of Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado and New Mexico may be required by the seller to pay transportation charges in excess of $1.00 per cwt., if incurred from the factory shipping point to the destination.

(c) For edible gelatin in containers of 100 pounds net weight or less, the following differentials may be added:

	Cents per pound
100-pound containers	3
50-pound containers	5
25-pound containers	8

(d) The sellers' differentials prevailing under the General Maximum Price Regulation for pharmaceutical gelatin and kosher gelatin may be added to the prices specified in paragraphs (a), (b) and (c) of this section to establish their maximum prices for such gelatin.

(e) The sellers' differentials prevailing under the General Maximum Price Regulation for technical gelatin shall be deducted from the prices specified in paragraphs (a), (b) and (c) of this section to establish their maximum prices for such gelatin.

(f) For sales of not more than 600 pounds to any single purchaser during any 30-day period sellers at wholesale shall determine their maximum prices for gelatin by adding to the prices specified in this section 10% of such prices.

(g) All sellers shall indicate on their invoices or bills of sale the jelly strength test and the type of the gelatin for which the charge is being made. "Type" means kosher, technical, pharmaceutical or edible.

SEC. 3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 4 *Exempt sales.* (a) The provisions of this regulation shall not apply to the following sales and deliveries:

(1) Gelatin in containers of less than 25 pounds net weight.

(2) Photographic gelatin.

(3) Gelatin derived wholly from sources other than food animals.

(b) The provisions of the General Maximum Price Regulation shall continue to apply to sales and deliveries exempted by this section.

SEC. 5 *Customary allowances.* The maximum prices established by section 2 shall be subject to the sellers' customary allowances, discounts and other price differentials.

SEC. 6 *Transfer of business or stock in trade.* If the business assets or stock in trade of any seller are sold or otherwise transferred on or after April 12, 1943, and the transferee carries on the business, the differentials of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records to verify those differentials shall be the same.

SEC. 7 *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any gelatin alone or in conjunction with any other commodity, or by way of any service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other understanding, or by change in grade standards or otherwise.

SEC. 8 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9 *Records.* Every seller of gelatin covered by this regulation shall for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, preserve for inspection by the Office of Price Administration complete and accurate records of each sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received, and the quantity of each type and grade of gelatin sold. He shall further preserve for the same period for inspection by the Office of Price Administration accurate records showing his differentials prevailing under the General Maximum Price Regulation for sales of kosher, pharmaceutical and technical gelatin.

SEC. 10 *Petition for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

SEC. 11 *Geographical applicability.* The provisions of this regulation shall be applicable only to the forty-eight states of the United States and the District of Columbia.

SEC. 12 *Applicability of the General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to the sales and deliveries of gelatin for which prices are established by this regulation, except that the registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every wholesaler subject to this regulation.

SEC. 13 *Export sales.* The maximum prices at which a seller may export gelatin shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

SEC. 14 *Definitions.* (a) When used in this regulation the term:

"Edible gelatin" means the product obtained by the partial hydrolysis of collagen derived from the skin, white connective tissue and bones of food animals.

"Kosher gelatin" means edible gelatin which meets the requirements of Hebraic dietary laws and which is sold as kosher gelatin.

"Pharmaceutical gelatin" means edible gelatin processed especially for use in the manufacture of drugs or pharmaceutics, or to be used as a drug or pharmaceutic.

"Photographic gelatin" means gelatin processed especially for use in making photographic film.

"Technical gelatin" means gelatin customarily known, sold and to be used as technical gelatin.

"Tolerance" means the number of points in terms of jelly strength Bloom gram test by which the grade of gelatin is ower than the grade for which the price is charged. Tolerance shall be deemed to be reasonable up to and including 10 points, but in no event shall it exceed 10 points below the grade specified by the seller and for which the price is charged.

(b) Unless the context otherwise requires, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

Effective Date

This regulation shall become effective April 12, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5409; Filed, April 6, 1943; 3:15 p. m.]

[1] 7 F.R. 8961, 8 F.R. 3313, 3533.
[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11[1] to GMPR[2] Amendment 18]

FEES AND CHARGES OF FOREIGN CONSULS AND CONSULATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (113) of § 1499.46 (b) is amended to read as set forth below:

§ 1499.46 *Exceptions for certain services.* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges, or compensation for the following services:

(113) Consuls and consulates of foreign governments—fees and charges of.

(d) *Effective dates.* * * *

Amendment No. 18 (§ 1499.46 (b) (113)) to Revised Supplementary Regulation No. 11 shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5381; Filed, April 6, 1943; 3:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Correction to Amendment 134[2]]

CERTAIN SALES TO INSTITUTIONS, ETC.

1. Section 1499.73 (a) (1) (ii) (*h*) (2), relating to sales at wholesale to hotels, restaurants, and other eating establishments in the boroughs of Manhattan, Bronx, Brooklyn, and Queens, incorrectly gave the maximum price of homogenized, Vitamin D, and homogenized-Vitamin D milk in paper containers as 5¼¢ for half-pints. The correct maximum price for this item is 5½¢. Accordingly, the table of listed maximum prices is revised by deleting 5¼¢ and inserting instead 5½¢ for half-pints of homogenized, Vitamin D, and homogenized-Vitamin D milk sold in paper containers.

2. Section 1499.73 (a) (1) (ii) (*h*) (3), relating to sales to institutions [whether wholesale or retail] in the boroughs of Manhattan, Bronx, Brooklyn, and Queens, contain a typographical error in setting out the provision on ½ quart container sizes. The word "for" was omitted immediately prior to "the same type of milk", following the phrase "increase in his ceiling price". Accordingly, the word "for" should be inserted in the appropriate place indicated.

3. Section 1499.73 (a) (1) (ii) (*h*) (4), relating to sales to Government agencies or subdivisions [whether wholesale or retail] in the boroughs of Manhattan, Bronx, Brooklyn, and Queens, contain a typographical error in setting out the provision on ⅓ quart container sizes. The word "foregoing" immediately prior to "table" was printed "ofregoing". It should be revised to read "foregoing".

4. Section 1499.73 (a) (1) (ii) (*h*) (1), relating to sales at wholesale to stores in Westchester, Richmond, and Nassau Counties, incorrectly omitted homogenized-Vitamin D milk in the table of listed prices. The words "and homogenized-Vitamin D" should be inserted in the table of listed prices immediately after "homogenized, Vitamin D."

5. Section 1499.73 (a) (1) (ii) (*h*) (2) (*A*), relating to sales at wholesale to combination store-eating establishments in Suffolk County, contains a typographical error in that "½ pints" was printed as "½ points." The paragraph should be revised so that it reads "½ pints."

Issued and effective this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5382; Filed, April 6, 1943, 3:19 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6426, 6965, 7604, 7758, 8282, 8431, 8810, 9195, 9894; 8 F.R. 130, 149, 2215, 3068, 3372.
[2] 8 F.R. 3096.
[3] 8 F.R. 3360.

PART 1499—COMMODITIES AND SERVICES

[Order 357 Under § 1499.3 (b) of GMPR]

EXCELSIOR BAKING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1793 *Approval of maximum prices for sales of 1½ pound enriched white bread by the Excelsior Baking Company to the Red Owl Stores, Inc.* (a) Excelsior Baking Company, located at Minneapolis, Minnesota, may sell and deliver to Red Owl Stores, Inc. and said Red Owl Stores, Inc. may buy and receive from said Excelsior Baking Company one and one-half pound loaves of enriched white bread at prices not exceeding 7¾¢.

(b) This Order No. 357 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 357 (§ 1499.1793) shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5387; Filed, April 6, 1943; 3:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 365 Under § 1499.3 (b) of GMPR]

LIBERTY LACE AND NETTING WORKS

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register,* *It is ordered:*

§ 1400.1852 *Maximum prices for the sale of certain netting fabrics manufactured by Liberty Lace and Netting Works.* (a) The Liberty Lace and Netting Works, 244 Madison Avenue, New York, New York, herein called the applicant, may sell and deliver and any person may buy and receive from it the following patterns of netting at prices not in excess of those set forth below:

Pattern No. and description:	Maximum prices
24196; 72" Bemberg rayon bobbinet	.86½ (net)
28681; 72" Bemberg rayon bobbinet	.61 (net)

(b) If the applicant offers a discount to purchasers on its customary terms, it may adjust the maximum prices established in paragraph (a) to compensate for any offered discount which does not exceed 8%.

(c) All requests of the applicant not granted herein are denied.

(d) This Order No. 365 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 365 shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5384; Filed, April 6, 1943; 3:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 366 Under § 1499.3 (b) of GMPR]

COHN-HALL-MARX COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is hereby ordered:*

§ 1499.1853 *Maximum prices for the sale of a printed velveteen manufactured by Cohn-Hall-Marx Co.* (a) Cohn-Hall-Marx Co., 1412 Broadway, New York, New York, herein called the applicant, may sell and deliver and any person may buy and receive from it the following quality of printed velveteen at a price not in excess of that set forth below:

Quality No. and description:	Maximum price
8020; Printed velveteen	$1.55

(b) The prices set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as were granted to purchasers during March 1942.

(c) All requests of the applicant not granted herein are denied.

(d) This Order No. 366 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 366 shall become effective April 7, 1943.

*Copies may be obtained from the Office of Price Administration.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5415; Filed, April 6, 1943; 3:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 367 Under § 1499.3 (b) of GMPR]

SYDNEY MYERS, INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1854 *Authorization of maximum prices for sales of "Ration Aid" processed by Sydney Myers, Incorporated, 600 Lockwood Drive, Houston, Texas.* (a) On and after April 7, 1943 the maximum price f. o. b. Houston, Texas, for the following product of Sydney Myers, Incorporated, shall be as set forth below:

"Ration Aid"—15 cents per pound.

(b) Wholesalers of "Ration Aid" shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of "Ration Aid" shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This order may be amended or revoked by the Administrator at any time.

(e) This Order No. 367 (§ 1499.1854) shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5388; Filed, April 6, 1943; 3:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 368 Under § 1499.3 (b) of GMPR]

H. C. KNOKE AND COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1855 *Authorization of maximum prices for sales of "Conserve Coffee Extender" processed by H. C. Knoke and Company of 5728 West Roosevelt Road, Chicago, Illinois.* (a) On and after April 7, 1943, the maximum price for "Conserve Coffee Extender" processed by H. C. Knoke and Company of Chicago, Illinois, delivered to customers, shall be 14½ cents per pound.

(b) Wholesalers of this product shall calculate their prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of this product shall calculate their prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This Order No. 368 may be revoked or amended by the Administrator at any time.

(e) This Order No. 368 shall become effective April 7, 1943.

(Pub. Laws 421 and 729; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5389; Filed, April 6, 1943; 3:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 369 Under § 1499.3 (b) of GMPR]

FEARN LABORATORIES, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1856 *Authorization of maximum prices for sales of "Le Gout Cinnamon Substitute" processed by Fearn Laboratories, Inc., 701 North Western Avenue, Chicago, Illinois.* (a) On and after April 7, 1943, the maximum prices, f. o. b. Chicago, Illinois, for "Le Gout Cinnamon Substitute", processed by Fearn Laboratories, Inc., in the packs indicated below, shall be as follows:

(1) 225 lb. barrels	$[illegible]00
(2) 12—2 lb. cans	10.56
(3) 6—10 lb. cans	25.20

(b) This Order No. 369 may be revoked or amended by the Administrator at any time.

(c) This Order No. 369 (§ 1499.1856) shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5390; Filed, April 6, 1943; 3:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 370 Under § 1499.3 (b) of GMPR]

COFFEE CORPORATION OF AMERICA

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1857 *Authorization for maximum prices for sales of "Economy Mix", "Tempo Mix" and "Hostess Mix" processed by The Coffee Corporation of America, 251-315 East Grant Avenue, Chicago, Illinois.* (a) On and after April 7, 1943, the maximum prices, f. o. b. Chicago, Illinois, for the following products of the Coffee Corporation of America, shall be as set forth below:

(1) "Economy Mix"—13½ cents per pound
(2) "Tempo Mix"—13½ cents per pound
(3) Hostess Mix"—13½ cents per pound

(b) The above prices shall be subject to a 2% cash discount upon payment within ten days.

(c) Wholesalers of these products shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) Retailers of these products shall calculate their prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(e) This Order No. 370 may be revoked or amended by the Administrator at any time.

(f) This Order No. 370 shall be effective April 7, 1943.

(Pub. Laws 421 and 729; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5391; Filed, April 6, 1943; 3:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 226 Under § 1499.18 (b) of GMPR]

UNITED MAIL ORDER HOUSE, INC.

Order No. 226 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-1359.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register*, *It is hereby ordered:*

§ 1499.1826 *Adjustment of maximum prices for mattress pads, sheeting, and printed pillow ticks sold by United Mail Order House, Inc.* (a) United Mail Order House, Inc., 238 West 35th Street, New York, New York, may sell and deliver and any person may buy and receive from United Mail Order House, Inc., the following commodities at prices no higher than those set forth below:

Commodity and description:	Maximum price per dozen
Mattress pads; size 54 x 76; covered with 60 x 48 bleached muslin	$22.00
	Cents per yard
"Black Rock" unbleached sheeting; 36", 60 x 68, 3.70	13
	Per dozen
Printed sateen ticking pillow slips; made from liberty 8 oz. ticking, size 21 x 28	$5.00

This increase represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these commodities.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 226 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 226 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 226 shall become effective April 12, 1943.

*Copies may be obtained from the Office of Price Administration.

sales to you of the following commodities to the prices set forth below:

Commodity and description:	Maximum price per dozen
Mattress pads; size 54 x 76; covered with 60 x 48 bleached muslin	$22.00
	Cents per yard
"Black Rock" unbleached sheeting; 36", 60 x 68, 3.70	13
	Per dozen
Printed sateen ticking pillow slips; made from liberty 8 oz. ticking, size 21 x 28	$5.00

This increase represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these commodities.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 226 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 226 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 226 shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5386; Filed, April 6, 1943; 3:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 227 Under § 1499.18 (b) of GMPR]

NORTH HUDSON CANDY COMPANY

Order No. 227 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-2469.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1827 *Adjustment of maximum prices in terms of "percentage" plus costs for merchandise sold by North Hudson Candy Company, Union City, New Jersey to its sub-jobbers.* (a) That North Hudson Candy Company is hereby authorized to sell its merchandise to the following named sub-jobbers at a percentage charge of three (3%) per cent plus costs, said authority to be retroactive and effective as of November 1, 1942, and the following named sub-jobbers are hereby authorized to pay North Hudson Candy Company the said percentage charge as above provided.

Name and trade name:	Address
Samuel Montauk, Montauk Candy Co	913 20th St., Union City, N. J.
Frank Chudnov, Columbia Candy Brands	712 Hillside Ave., Grantwood, N. J.
Samuel Nuller, S. Nuller	135 Woodlawn Ave., Jersey City, N. J.
Alvin Schoss, U. S. Wholesale Conf	254 Stegman St., Jersey City, N. J.
Sarah Bocklan, Union City Candy Co	5015 Hudson Ave., West New York, N. J.
Frank Fusco, Frank Fusco	214 8th St., Hoboken, N. J.
Ralph Mell, Wireless Conf. Co	143 So. Main St., Hackensack, N. J.
Donald Fisher, Fisher Candy Co	294 Hickory St., Teaneck, N. J.
Max Abramson, Max Abramson	6404 Hudson Ave., West New York, N. J.
Charles Weinstein, Charles Weinstein	390 Bergen Ave., Jersey City, N. J.

(b) That North Hudson Candy Company is hereby authorized to sell its merchandise to all other sub-jobbers at a percentage charge of three (3%) per cent plus costs, and all other sub-jobbers are hereby authorized to pay North Hudson Candy Company a percentage charge of three (3%) per cent plus costs for such merchandise.

(c) That all sub-jobbers of North Hudson Candy shall continue maximum prices, discounts, allowances and price differentials as were offered in March, 1942, or subsequently adjusted: *Provided, however,* That sub-jobbers may change discounts, allowances and price differentials only if such changes result in prices lower than the maximum prices already established.

(d) That North Hudson Candy Company shall mail or otherwise supply to all its sub-jobbers prior to next delivery to such sub-jobbers, a notice reading as follows:

The Office of Price Administration has authorized us to increase our percentage charge to sub-jobbers from two (2%) per cent to three (3%) per cent plus costs. You are to maintain your prices as established under the two (2%) per cent rate.

(e) This Order No. 227 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 227 (§ 1499.1827) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 227 (§ 1499.1827) shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5385; Filed, April 6, 1943; 3:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 228 Under § 1499.18 (b) of GMPR]

MONSANTO CHEMICAL COMPANY

Order No. 228 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. 3135-16.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1828 *Adjustment of maximum prices for cocoa tankage sold by Monsanto Chemical Company.* (a) Monsanto Chemical Company of St. Louis,

Missouri may sell and deliver to manufacturers of mixed fertilizers, and manufacturers of mixed fertilizers may buy

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136 as Amended,[1] Amendment 79]

the amount that prices have been increased to them pursuant to the provisions of the preceding sentence.

(d) *New list prices.* (1) Any person

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 10]

(b) The maximum prices at which the companies listed below may sell and deliver sugar rock (limestone or limerock 93% calcium carbonate or better) or

Drummond, Montana, quarry. The maximum price for sugar rock testing not less than 97% of calcium carbonate,

Missouri may sell and deliver to manufacturers of mixed fertilizers, and manufacturers of mixed fertilizers may buy and receive from Monsanto Chemical Company, cocoa tankage at prices no higher than $8.50 per ton of 2,000 pounds.

(b) The price set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as granted in March, 1942.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 228 is hereby incorporated as a section of Supplementary Regulation No. 14 of the General Maximum Price Regulation, which contains modification of maximum prices established by § 1499.2.

(e) This Order No. 228 may be revoked or amended by the Administrator at any time.

This Order shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5383; Filed, April 6, 1943; 3:19 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,[1] Amendment 7]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 268 is amended in the following respect:

1. Section 1351.1116 (c) (1) is amended to read as follows:

(1) "White potatoes" means all white potatoes used for human consumption or for seed. Seed potatoes which are purchased as such shall not be sold except as seed potatoes for planting, and must be clearly tagged or labelled as seed potatoes for planting.

This amendment shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5428; Filed, April 6, 1943; 4:37 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664, 3527, 3732.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136 as Amended,[1] Amendment 79]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1390.8a is added to read as follows:

§ 1390.8a *Maximum prices for fixed capacitors of the type and size used for military radio and radar equipment.* Notwithstanding any other provisions of this regulation, the maximum prices for fixed capacitors of the type and size used for military radio and radar equipment shall be determined in accordance with the provisions of this section.

(a) *Maximum prices; price lists.* The maximum price for fixed capacitors of the type and size used for military radio and radar equipment shall be the price stated in the price list of the seller in effect on April 1, 1943 less all discounts, allowances and any other deductions from the list price in effect to a purchaser of the same class on that date. This price is subject to the approval of the Office of Price Administration in accordance with the provisions of paragraph (e).

(b) *Maximum prices; formula pricing.* If a fixed capacitor of the type and size used for military radio and radar equipment cannot be priced in accordance with the provisions of paragraph (a), its maximum price shall be determined by using the price determining method the seller used on April 1, 1943. In applying that price determining method a manufacturer must use labor rates and materials prices in effect to him on April 1, 1943. The price determining method used to compute maximum prices under this paragraph is subject to the approval of the Office of Price Administration in accordance with the provisions of paragraph (e).

(c) *Mica capacitors.* Manufacturers of mica capacitors may add to the maximum price determined in accordance with the provisions of paragraph (a) or (b) increases in unit costs due to increases realized subsequent to April 1, 1943, in the cost of block mica and in the cost of splitting and cutting mica film, except that nothing in this paragraph shall permit the addition of an increase in costs due to an increase in labor rates subsequent to April 1, 1943. Sellers other than manufacturers may increase the prices of mica capacitors by the amount that prices have been increased to them pursuant to the provisions of the preceding sentence.

(d) *New list prices.* (1) Any person who desires or is required in writing by the Office of Price Administration to establish a list price for fixed capacitors of the type and size used for military radio and radar equipment shall file a report pursuant to subparagraph (2) hereof containing a proposed price determined under paragraph (b), and such price shall thereafter be the maximum price: *Provided,* That the Office of Price Administration either approves such price in writing or fails to disapprove it within 30 days after the receipt of the report. Such price may be disapproved only on the ground that it was not computed in accordance with the provisions of paragraph (b) or because the Office of Price Administration finds that a computation at a later date may result in a lower maximum price.

(2) Under the circumstances set forth in subparagraph (1), a report shall be filed with the Office of Price Administration in Washington, D. C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted, all relevant data used in determining such price, and evidence that such price was determined in accordance with the provisions of paragraph (b).

(e) *Approval of maximum prices.*—(1) *Reports.* Every seller of fixed capacitors of the type and size used for military radio and radar equipment shall file with the Office of Price Administration in Washington, D. C., before April 30, 1943, a report stating the maximum prices established by this section, the method by which he determined those prices, and the discounts, allowances and other price differentials in effect therefor on April 1, 1943. The report filed by sellers other than manufacturers shall be accompanied by a list of the cost prices to such sellers.

(2) *Approval.* Each maximum price and price determining method reported in the manner just set forth shall be subject to the approval of the Office of Price Administration within 30 days after the receipt of the report. Within five days prior to filing such report, the seller may quote, contract, sell or deliver at the proposed price; but final settlement shall be made in accordance with the action of the Office of Price Administration on the report, and, if required by the Office of Price Administration, refunds shall be made.

This amendment shall become effective as of April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5430; Filed, April 6 1943; 4:37 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 6425, 5362, 5665, 5908, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370, 3848.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 10]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Section 6.1 (a) is amended by adding the following sentence following the first sentence: "It also includes any place (except places where processed foods are used for sampling or demonstration in accordance with section 10.9) at which processed foods are used for experimental, educational, testing or demonstration purposes."

2. Section 9.5 (c) is amended by adding at the end thereof "Points which are mailed are considered given up when the envelope containing them is postmarked."

3. Section 21.1 (a) (6) is amended by adding at the end thereof this sentence: "It also includes any place (except places where processed foods are used for sampling or demonstration in accordance with section 10.9) at which processed foods are used for experimental, educational, testing or demonstration purposes."

This amendment shall become effective April 12, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5429; Filed, April 6, 1943; 4:37 p. m.]

[Order 248 Under MPR 188]

SUGAR ROCK IN THE STATES OF COLORADO, WYOMING, MONTANA UTAH, AND IDAHO

AUTHORIZATION OF MAXIMUM PRICES

Order No 248 Under § 1499.161 (b) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (b) of Maximum Price Regulation No 188, *It is hereby ordered:*

(a) The geographical area of the order includes the States of Colorado, Wyoming, Montana, Utah, and Idaho.

*Copies may be obtained from the Office of Price Administration

[1] 8 F.R. 1840, 2288, 2677, 2681, 2694, 2943, 3179.

(b) The maximum prices at which the companies listed below may sell and deliver sugar rock (limestone or limerock 95% calcium carbonate or better) expressly for use by sugar beet factories located in the area designated in paragraph (a) hereof are as follows:

(1) *W. P. Enders, Basin, Wyoming.* The maximum price for sugar rock testing not less than 97% of calcium carbonate, and of not less than 2" (square opening screen) minimum diameter, and not larger than crusher discharge opening with crusher jaws set at 4¾" discharge opening, shall be $1.60 per ton, f. o. b. cars, Warren, Montana.

(2) *Clark Quarries, Inc., Fort Collins, Colorado.* The maximum price for sugar rock testing not less than 96% calcium carbonate, and not less than 3" diameter, and not larger than will pass through a 5" slot or grizzly, shall be $1.44 per ton, f. o. b. cars, Rex Siding, Colorado, subject to adjustment as follows:

Sliding scale of prices for sugar rock testing between 95.50% and 99% calcium carbonate

Calcium carbonate:	*Price*
99.00%	$1.74
98.90%	1.73
98.80%	1.72
98.70%	1.71
98.60%	1.70
98.50%	1.69
98.40%	1.68
98.30%	1.67
98.20%	1.66
98.10%	1.65
98.00%	1.64
97.90%	1.63
97.80%	1.62
97.70%	1.61
97.60%	1.60
97.50%	1.59
97.40%	1.58
97.30%	1.57
97.20%	1.56
97.10%	1.55
97.00%	1.54
96.90%	1.53
96.80%	1.52
96.70%	1.51
96.60%	1.50
96.50%	1.49
96.40%	1.48
96.30%	1.47
96.20%	1.46
96.10%	1.45
96.00%	1.44
95.90%	1.39
95.80%	1.34
95.70%	1.29
95.60%	1.24
95.50%	1.19

(3) *Josefson Brothers, Bellvue, Colorado.* The maximum price for sugar rock testing not less than 97% calcium carbonate, and not less than 3" diameter, and not larger than 5" diameter, shall be $1.55 per ton, f. o. b. cars, Owl Canon Siding, Colorado.

(4) *Frank H. Norberg Company, Denver, Colorado—Wellsville, Colorado, quarry.* The maximum price for sugar rock testing not less than 98% of calcium carbonate, and not less than 2½" by 5", shall be $2.25 per ton, f. o. b. cars, Wellsville, Colorado.

Providence, Utah, quarry. The maximum price for sugar rock testing not less than 96% of calcium carbonate, and not less than 2½" by 5", shall be $2.05 per ton, f. o. b. cars, Providence, Utah.

Drummond, Montana, quarry. The maximum price for sugar rock testing not less than 97% of calcium carbonate, and not less than 2½" by 5", shall be $1.65 per ton, f. o. b. cars, Drummond, Montana.

The maximum price for cull sugar rock shall be 75¢ per ton, f. o. b. cars, Drummond, Montana.

(5) *Simas Brothers, Guernsey, Wyoming.* The maximum price for sugar rock testing not less than 97.50% of calcium carbonate, and not less than 2½" minimum diameter, and not larger than 5" maximum diameter, shall be $1.55 per ton, f. o. b. cars, Crane Siding, Wyoming.

(c) The above mentioned companies shall submit such reports as the Office of Price Administration may from time to time require.

(d) This Order No. 248 may be revoked or amended by the Price Administrator or the Regional Administrator at any time.

This order shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5431; Filed, April 6, 1943; 4:37 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amendment 18]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

Correction

In the document appearing on page 4131 of the issue for Thursday, April 1, 1943, the heading should appear as above "Maximum prices for specific food products", and in the second and third paragraphs the words "No. 18" should be "No. 16".

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 29,[1] Supp. 2]

PART 341—SHIP WARRANT RULES AND REGULATIONS

SUSPENSION OF RATE CEILINGS

General Order 29 (§ 341.75 *Suspension of rate ceilings with respect to vessels of less than 1,000 gross tons*), as amended, is amended by striking out the word, "April", and inserting in lieu thereof the word "July".

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

APRIL 2, 1943.

[F. R. Doc. 43-5433; Filed, April 7, 1943; 9:45 a. m.]

[1] 8 F.R. 1597, 2605.

Notices

DEPARTMENT OF LABOR.

Division of Public Contracts.

KNITTING, KNITWEAR AND WOVEN UNDERWEAR INDUSTRY

DETERMINATION OF PREVAILING MINIMUM WAGE

Correction

In the document appearing on page 3964 of the issue for Wednesday, March 31, 1943, the first date appearing in the first undesignated paragraph of paragraph (c) (2) should read "on or after April 20, 1943."

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 8, 1943. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Bardon of Hollywood, 714 South Los Angeles Street, Los Angeles, California; Men's sport shirts and loafer jackets; 10 percent (T); April 8, 1944.

Bareville Garment Company, Bareville, Pennsylvania; Ladies' undergarments, nightwear; 5 learners (T); April 8, 1944.

Berne Overall & Shirt Company, 108 East Main Street, Berne, Indiana; Work garments; 7 learners (T); April 8, 1944.

Blue Bell Globe Manufacturing Company, West Lee Street, Greensboro, North Carolina; Jungle suits for U. S. Army; 10 percent (T); April 12, 1944.

Boreva Sportswear, Inc., E. Jefferson Street, Stoughton, Wisconsin; Ladies' slacks, skirts, suits and blouses; 15 learners (E); October 8, 1943.

Circle Sportswear Company, 315 Cherry Street, Scranton, Pennsylvania; Blouses and shirts; 25 learners (T); October 8, 1943. (This is to replace the certificate issued to the Blossom Dress Company and expiring October 12, 1943.)

Danville Sportwear Co., Inc., 328 Ferry Street, Danville, Pennsylvania; Children's sportswear, beachwear and work clothes; 15 learners (T); October 22, 1943.

Hollywood Maxwell Company, Front Street, Natchitoches, Louisiana; Corsets and allied garments; 10 learners (T); February 1, 1944. (This certificate will replace the certificate which expires February 1, 1944.)

Klever Klad Frocks, Inc., 130 East Chestnut Street, Coatesville, Pennsylvania; Women's cotton dresses; 10 percent (T); April 8, 1944.

L and H Shirt Company, Cochran, Georgia; Shirts; 5 percent (T); December 7, 1943.

Lark Dress Company, Walnut & Fifth Streets, Shamokin, Pennsylvania; Misses' dresses; 10 learners (T); December 17, 1943.

Marathon Rubber Products Company, 5th Ave. & Sherman Street, Wausau, Wisconsin; Rubberized garments; 10 percent (T); April 8, 1944.

Marathon Rubber Products Company, 218 Strowbridge Street, Wausau, Wisconsin; Rubberized garments; 10 percent (T); April 8, 1944.

A. E. Oppenheimer and Brothers, 1304 Arch Street, Philadelphia, Pennsylvania; Women's work garments, sportswear; 10 learners (T); April 5, 1944. (This certificate replaces the one which expires April 5, 1944.)

Press Dress and Uniform Company, Hummelstown, Pennsylvania; Maids' and nurses' uniforms and women's work clothing and dresses; 10 percent (T); April 19, 1944.

U. P. Dress Manufacturing Company, 119–121 Baraga Avenue, Marquette, Michigan; Women's cotton dresses; 15 learners (T); April 8, 1944.

Valley Garment Company, Inc., 701 Marshall Street, McMechen, West Virginia; Ladies' cotton dresses and sportswear; 10 percent (T); April 8, 1944.

Gloves Industry

Montpelier Glove Co., Inc., 129 N. Main Street, Montpelier, Indiana; Work gloves; 14 learners (E); October 8, 1943.

Warlong Glove Mfg. Company, Conover, North Carolina; Work gloves; 20 learners (E); October 5, 1943.

Hosiery Industry

Caswell Knitting Mills, Inc., Wall Street, Yanceyville, North Carolina; Full fashioned hosiery; 23 learners (T); October 8, 1943.

Elizabeth City Hosiery Mills, Elizabeth City, North Carolina; Full fashioned hosiery; 20 learners (T); November 30, 1943.

Fisher Hosiery Company, Inc., 7th & Court Streets, Reading, Pennsylvania; Seamless hosiery; 15 learners (T); October 8, 1943.

Grey Hosiery Mills, 305 Fourth Avenue E., Hendersonville, North Carolina; Seamless and full fashioned hosiery; 16 learners (T); November 9, 1943.

Albert Lucier Company, Belmont, New Hampshire; Seamless hosiery; 5 learners (T); April 8, 1944.

McDonough Hosiery Mills, Inc., McDonough, Georgia; Seamless hosiery; 10 learners (T); November 23, 1943.

Maywood Silk Hosiery Mills, Inc., Cordele, Georgia, Full fashioned hosiery; 10 learners (T); October 12, 1943.

Russell Hosiery Mill, Star, North Carolina; Seamless hosiery; 10 percent (T); October 8, 1943.

Textile Industry

Elizabeth City Cotton Mills, Division of Robinson Manufacturing Company, Elizabeth City, North Carolina; Cotton; 18 learners (T); November 30, 1943.

Pawtucket Standard Braid Company, Webster Street, Pawtucket, Rhode Island; Cotton and rayon; 3 percent (T); April 8, 1944.

Signed at New York, N. Y., this 6th day of April 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-5437; Filed, April 7, 1943; 11:26 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5822]

UTAH POWER & LIGHT COMPANY

NOTICE OF APPLICATION

APRIL 6, 1943.

Notice is hereby given that on April 2, 1943, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Utah Power & Light Company, a corporation organized under the laws of the State of Maine and doing business in the States of Utah, Idaho and Wyoming, with its principal office at Salt Lake City, Utah, seeking an order authorizing it to acquire all the properties and assets of Utah Light and Traction Company, a corporation organized under the laws of the State of Utah and doing business in said State, with its principal office at Salt Lake City, Utah, and thus to merge and consolidate their facilities, in consideration for the assumption by the Utah Power & Light Company of all the liabilities of Utah Light and Traction Company, the forgiveness of all indebtedness due to the former from the latter, and the cancellation of all of the capital stock of Utah Light and Traction Company now owned by Utah Power & Light Company; or in the alternative an order dismissing the application for lack of jurisdiction of the Commission over the subject matter; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 22d day of April, 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-5434; Filed, April 7, 1943; 9:57 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1095]

CERTAIN CLAIMS AGAINST THE YOKOHAMA SPECIE BANK, LTD., NEW YORK

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the City of Yokohama and the City of Tokyo are municipalities organized under the laws of Japan and are political subdivisions of a designated enemy country (Japan);

2. Finding that Taiwan Electric Power Company is a Japanese corporation and is a national of a designated enemy country (Japan); and determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

3. Finding that the property of the New York Agency of The Yokohama Specie Bank, Ltd., a Japanese corporation, is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York and that the liquidation of such Agency by said Superintendent is, pursuant to Supervisory Order Number 27 issued by the undersigned under date of September 28, 1942, under the general supervision of the undersigned;

4. Finding that the property described as follows:

a. All right, title, interest and claim, if any, of any name or nature whatsoever, of the City of Yokohama, the City of Tokyo and Taiwan Electric Power Company, and each of them, in and to all indebtedness and obligations (whether in the form of property or assets of any nature whatever payable or deliverable to or held on behalf of or on account of or owing to any or all of them, or otherwise), contingent or otherwise and whether or not matured, owing to them or any of them by said New York Agency of said The Yokohama Specie Bank, Ltd., including all security rights in and to any and all collateral for any or all such indebtedness and obligations and the right to sue for and collect such indebtedness and obligations, and including particularly, but not limited to, all right, title, interest and claim, if any, of each and all of them in and to all indebtedness and obligations owing to them or any of them by said New York Agency of said The Yokohama Specie Bank, Ltd. in connection with that certain account in the Guaranty Trust Company of New York known and designated as the Yokohama Specie Bank, Ltd., Coupon Account, and in connection with the accounts represented as follows on the books and records of said New York Agency of said The Yokohama Specie Bank, Ltd.:

Temporary receipts A C:
Bond #2, 6% Yokohoma Sinking Fund.
Bond #3, 6% Yokohama Int. & Com. Fund.
Bond #4, 6% Yokohama Coupon Fund.
Bond #5, 5½% Tokyo Sinking Fund.
Bond #6, 5½% Tokyo Int. & Comm. Fund.
Bond #7, 5½% Tokyo Coupon Fund.
Bond #8, 5½% Taiwan Sinking Fund.
Bond #9, 5½% Taiwan Commission Fund.
Bond #10, 5½% Taiwan Coup. Fund.
Bond #11, 5½% Taiwan General Fund.

b. All right, title, interest and claim, if any, of any name or nature whatsoever, of the Imperial Japanese Government in and to all indebtedness and obligations (whether in the form of property or assets of any nature whatsoever payable or deliverable to or held on behalf of or on account of or owing to said Imperial Japanese Government, or otherwise, and including all security rights in and to any and all collateral for any or all such indebtedness and obligations and the right to sue for and collect such indebtedness and obligations), contingent or otherwise and whether or not matured, owing to it by said New York Agency of said The Yokohama Specie Bank, Ltd. in connection with that certain account in the Guaranty Trust Company of New York known and designated as the Yokohama Specie Bank, Ltd., Coupon Account, and in connection with the accounts represented as follows on the books and records of said New York Agency of said The Yokohama Specie Bank, Ltd.:

Public Loan & Coupon Redemption Fund I. J. G.:
5% Ster. Loan 1907.
5½% Ster. Loan of 1930.
5½% External Loan of 1930.
6½% Dollar Loan of 1924.
4½% I (1905).
4½% II (1905).
4% (1905).
4% (1910).
4½% I (1905) Bond Redemption.
4½% II (1905) Bond Redemption.
4% (1905) Bond Redemption.

is property within the United States owned or controlled by a designated enemy country (Japan) and a national thereof, and also is property which is payable or deliverable to, or claimed by, a designated enemy country (Japan) and a national thereof and which is in the process of administration by a person acting under judicial supervision;

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5432; Filed, April 7, 1943; 8:55 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 38 Under RPS 6]

THE MEDART COMPANY

ORDER GRANTING EXCEPTION

Order No. 38 under Revised Price Schedule No. 6—Iron and Steel Products; Docket No. 3006-43.

On February 20, 1943, The Medart Company of St. Louis, Missouri, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 38 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under

[Order 24 Under MPR 157]

The applicant, Barron-Gray Packing
cordance with the provisions of Maxi-

the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Medart Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, cold finished steel bars at prices not in excess of those stated in paragraph (b), when such bars are shipped to points where the published freight rate from Chicago, Illinois, to destination is equal to or less than the freight rate from St. Louis, Missouri, to destination.

(b) The maximum price which may be charged by The Medart Company on sales of cold finished bars covered by paragraph (a) above, shall be the cold finished steel bar maximum basing point base price at Chicago, Illinois, plus the carload freight rate on hot rolled bars from Chicago, Illinois, to St. Louis, Missouri, f. o. b. St. Louis, Missouri.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 38 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 38 shall become effective as of February 20, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5399; Filed, April 6, 1943; 3:13 p. m.]

[Order 2 Under MPR 33]

HOWELL MANUFACTURING CO.

ORDER GRANTING ADJUSTMENT

Order No. 2 under Maximum Price Regulation No. 33—Carded Cotton Yarns and The Processing Thereof; Docket No. 3033-20.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

(a) Howell Manufacturing Company of Cherryville, North Carolina, may sell and deliver and any person may purchase and receive from it the following yarns at prices not in excess of those set forth below:

Number	Specifications	Maximum prices (cents per pound)	
		Single	Ply
40s -----	When made of strict middling cotton—$1^{3}/_{32}$" staple.	56.00	61.00

(b) The provisions of Maximum Price Regulation No. 33, except as modified by paragraph (a) above, shall apply to all sales of such carded cotton yarns by the Petitioner.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 2 shall be effective as of November 16, 1942.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5403; Filed, April 6, 1943; 3:17 p. m.]

[Order 176 Under MPR 120]

PREMIER JELLICO COAL CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 176 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120-315.

For the reason set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Premier Jellico Coal Corporation, Middlesboro, Kentucky, at its Premier Mine, Mine Index No. 378, in District No. 8, may be sold and purchased for all shipments except truck or wagon at prices not to exceed the following respective prices per net ton f. o. b. the mine:

SIZE GROUP						
1	2	3	4	5	6	7
$3.20	3.15	3.10	3.10	3.10	3.05	2.95

SIZE GROUP						
15	16	17	18	19	20	21
2.85	2.85	2.85	2.85	2.75	2.70	2.70

RAILROAD LOCOMOTIVE FUEL

Lump and double screened	$3.00
Run of mine	2.85
Resultant run of mine (larger than $2\frac{1}{2}$" x 0, but not exceeding 6" x 0)	2.65
Screenings, $2\frac{1}{2}$" and smaller	2.45

(b) Within thirty (30) days from the effective date of this order the said Premier Jellico Coal Corporation shall notify all persons purchasing its coal of the adjustments granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 176 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) This Order No. 176 shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5402; Filed, April 6, 1943; 3:18 p. m.]

[Order 179 Under MPR 120]

LONG VIEW COAL CO.

APPROVAL OF MAXIMUM PRICES

Order No. 179 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120-249.

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Long View Coal Company, Coal Valley, Illinois, at its Long View Mine (Mine Index No. 574) District No. 10 may be sold and purchased for shipment by truck or wagon at prices not in excess of the following prices per net ton f. o. b. the mine:

Size Group No. 3	$4.00
Size Group No. 7	3.00

(b) Within thirty (30) days from the effective date of this order, the said Long View Coal Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 179 may be revoked or amended by the Price Administrator at any time;

(d) All prayers of the petitioner not granted herein are denied;

(e) Unless the contents otherwise requires the definitions set forth in § 1340.208 of the Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 179 shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5406; Filed, April 6, 1943; 3:16 p. m.]

[Order 24 Under MPR 157]

NEWTOWNE MANUFACTURING COMPANY

ORDER DENYING ADJUSTMENT

Order No. 24 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes; Docket No. 3157-39.

On December 5, 1942, Newtowne Manufacturing Company, Roxbury, Massachusetts, filed an application under Maximum Price Regulation No. 157 for adjustment of the maximum prices for Service Raincoats conforming to specifications of four contracts with the United States Coast Guard Clothing Depot, New York City. Due consideration has been given to the application, and an opinion in support of this Order No. 24 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered,* That:

(a) The application for adjustment is hereby denied.

(b) Newtowne Manufacturing Company shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Newtowne Manufacturing Company shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 24 was mailed to it, Newtowne Manufacturing Company shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 24.

(e) This Order No. 24 shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-5408; Filed, April 6, 1943; 3:14 p. m.]

[Order 14 Under MPR 185]

BARRON-GRAY PACKING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 14 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

The applicant, Barron-Gray Packing Company, San Jose, Calif., has filed an application for specific authorization of a maximum price for canned No. $2\frac{1}{2}$ Fancy Spiced Halves Pears, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of pears in the size, grade and style in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered,* That:

(a) The applicant, Barron-Gray Packing Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, No. $2\frac{1}{2}$ Fancy Spiced Halves Pears at a price no higher than the maximum price of $3.01 per dozen cans, f. o. b. factory.

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, shall be applicable to the terms used herein.

(e) This order shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 54-5404; Filed, April 6, 1943; 3:17 p. m.]

[Order 241 Under MPR 188]

EXPERIMENTAL DRY CELL BATTERIES; MANUFACTURERS' SALES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 241 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Adjusted maximum prices for manufacturers' sales of small quantities of experimental dry cell batteries.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This order applies only to manufacturers' sales of small sample quantities of dry cell batteries which are specially designed and produced for experimental or developmental use. Instead of pricing the batteries in accordance with the provisions of Maximum Price Regulation No. 188, the manufacturer, if he desires to do so, may charge a price no higher than 10¢ per cell.

(b) No more than 200 units of any one model can be priced under this order.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of April 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5401; Filed, April 6, 1943; 3:18 p. m.]

[Order 244 Under MPR 188]

CANYON LIME COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 244 under Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel; Docket No. 3188-71.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and by Executive Order 9250 and Procedural Regulation No. 6, *It is hereby ordered,* That:

(a) Specific authority is hereby granted to The Canyon Lime Company, Las Vegas, New Mexico, to sell, deliver, invoice and receive payment for $1\frac{1}{2}$" crushed limestone for use at the United States Army Air Forces, Transport Command Training Centre, Camp Luna, Las Vegas, New Mexico, at a price not in excess of $3.00 per cubic yard.

(b) All prayers in the application not granted herein are denied.

(c) This Order No. 244 may be revoked or amended by the Price Administrator at any time.

This Order No. 244 shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5405; Filed, April 6, 1943; 3:17 p. m.]

[Order 11 Under MPR 204]

METALS RESERVE CO., ET AL.

APPROVAL OF MAXIMUM PRICES

Order No. 11 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

An opinion in support of this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, Executive Order No. 9250 and § 1499.506

of Maximum Price Regulation No. 204 and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered*, That:

(a) *Maximum prices for textile print rolls sold or delivered to the Metals Reserve Company, the Copper Recovery Corporation or their agents.* (1) The maximum price for any textile print roll sold or delivered to the Metals Reserve Company, the Copper Recovery Corporation or any of their agents pursuant to the program for the acquisition thereof announced by the War Production Board on or about January 23, 1943 (Recovery Program MRB–23) shall be the price set forth in the "Government's Price Schedule for Purchase of Idle and Excessive Inventories of Textile Print Rolls" attached to the aforesaid program, as amended on or about March 27, 1943. The prices set out in said Schedule, as amended, are hereby incorporated herein by reference and shall have the same force and effect as if they were set out in full.

(b) As used in this order the term:

(1) "Textile print roll" means any copper or copper base alloy roll, including plated rolls, used to print woven or knitted fabrics.

(2) "Copper" means unalloyed copper metal.

(3) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

This Order No. 11 shall become effective as of January 23, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5400; Filed, April 6, 1943; 3:18 p. m.]

[Order 5 Under MPR 327]

SWEETWATER MINING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 5 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) The Sweetwater Mining Co., Sweetwater, Tennessee, may sell and deliver, and any person may buy or receive from the Sweetwater Mining Co., barytes ore containing 96% BaSO, at prices f. o. b. Sweetwater, Tennessee, not in excess of $8.00 per long ton: *Provided*, That a premium or penalty of 25¢ a ton may be added or deducted respectively for each percent of BaSO, above or below 96%.

(b) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 5 shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5407; Filed, April 6, 1943; 3:15 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1–426]

GREATER NEW YORK BREWERY, INC.

FINDINGS AND ORDER OF THE COMMISSION WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April, A. D. 1943.

In the matter of the Greater New York Brewery, Inc., common capital stock, $1.00 par value.

This proceeding having been instituted pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, to determine whether or not the Commission should suspend or withdraw the registration of 1,177,604½ shares of common capital stock, $1.00 par value, of the Greater New York Brewery, Inc., listed and registered on the New York Curb Exchange, a national securities exchange;

A hearing having been held after appropriate notice to the registrant and the New York Curb Exchange; the trial examiner having filed an advisory report finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A–1 and X-13A–2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ended September 30, 1941; no exceptions to the trial examiner's report having been filed; the Commission having adopted the trial examiner's findings as being in accord with the evidence, and finding that it is necessary and appropriate for the protection of investors to withdraw the said stock from registration;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that the registration of the stock in question be and the same hereby is withdrawn, effective ten days after the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–5421; Filed, April 6, 1943; 3:34 p. m.]

[File No. 70–693]

GENERAL GAS & ELECTRIC CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April, A. D. 1943.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by General Gas & Electric Corporation, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and

Notice is further given that any interested person may, not later than April 20, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of such interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application, as filed or as amended, may be granted, as provided in Rule U–23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to the said application, which is on file in the office of the said Commission, for a statement of the transaction therein proposed, which is summarized below:

General Gas & Electric Corporation proposes to acquire from The Dover Gas Light Company 80 shares of the common capital stock (par value $1 per share) of Atlantic Utility Service Corporation, a service company in the Associated Gas and Electric Corporation system, for the total consideration of one dollar ($1). This acquisition is stated to be pursuant to the terms of an agreement between General Gas & Electric Corporation and Harrison & Co., a partnership, by the terms of which General Gas & Electric Corporation, on December 15, 1942, sold all the outstanding capital stock of The Dover Gas Light Company to the said Harrison & Co. The agreement also provided that the purchaser of the stock of The Dover Gas Light Company was to cause The Dover Gas Light Company to transfer its 80 shares of common stock of Atlantic Utility Service Corporation to General Gas & Electric Corporation for the consideration of one dollar ($1). The proposed transaction is for the purpose of effectuating the terms of the agreement.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–5422; Filed, April 6, 1943; 3:34 p. m.]

[File No. 1-2836]

LINCOLN SERVICE CORPORATION

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia Pa., on the 5th day of April, A. D. 1943

In the matter of Lincoln Service Corporation, 7% cumulative prior preferred stock, $50 par value; common stock, $1 par value.

The Lincoln Service Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X–12D2–1 (b) promulgated thereunder, having made application to the Commission to withdraw its 7% Cumulative Prior Preferred Stock, $50 Par Value, and its Common Stock, $1 Par Value, from listing and registration on the Washington Stock Exchange; and

The Commission on March 19, 1943 having ordered a hearing to be held on April 23, 1943 in this matter, which hearing has been heretofore postponed until April 28, 1943; and

Counsel for the applicant having requested further postponement of the date of hearing; and

It appearing to the Commission that the granting of said request will be in the public interest;

It is ordered, That the hearing in this matter scheduled for April 28, 1943, be and the same is postponed until May 3, 1943, at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–5423; Filed, April 6, 1943; 3:34 p. m.]

[File No. 70–684]

TWIN STATE GAS AND ELECTRIC CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of April 1943.

In the matter of the Twin State Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation and New England Public Service Company.

Notice is hereby given that joint declarations and applications have been filed with this Commission pursuant to sections 6, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 by the Twin State Gas & Electric Company ("Twin State"), Public Service Company of New Hampshire ("New Hampshire"), Central Vermont Public Service Corporation ("Central Vermont") and New England Public Service Company ("Nepsco"), the first three companies being subsidiaries of the last named company which is a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

I

Twin State proposes to sell to New Hampshire and New Hampshire proposes to acquire from Twin State the latter's rights and properties used in and pertaining to its electric and gas business in New Hampshire and its electric business in Maine, together with $10,000 principal amount of 3% Deferred Debentures of December 1, 1936 and twenty shares of common stock without par value of Nepsco Appliance Finance Corporation incidental current assets and incidental other securities and real estate (hereinafter called the "New Hampshire Properties"), for a cash consideration of $4,048,977.92 for other than net current assets at August 31, 1942 (adjusted for interim transactions to date of sale). Twin State proposes to use the proceeds from the sale of its New Hampshire Properties to redeem its $2,435,200 outstanding principal amount of First Lien and Refunding Mortgage 5½% Gold Bonds, Series A, dated March 2, 1925 and due March 1, 1945 at the current call price of 101% and to reduce its outstanding bank loans from $2,255,250 to an amount estimated at $451,300.

New Hampshire further proposes: (1) to issue and sell privately for cash $1,000,000 principal amount of its First Mortgage Bonds, Series A, 3¼% due 1973; (2) to issue and sell privately for cash at par $3,000,000 principal amount of Ten-Year Serial Unsecured Notes (interest rates to be supplied by amendment); (3) to use the proceeds from the sale of such securities, together with available treasury funds, to purchase the New Hampshire Properties of Twin State.

II

Twin State and Central Vermont propose to enter into an agreement of merger by which Central Vermont will acquire all the remaining assets of Twin State (hereinafter called the "Vermont Properties") and assume all of the liabilities of Twin State, and by which Central Vermont will continue as the surviving corporation.

A. It is proposed that Nepsco will prior to the merger: (1) make a capital contribution to Central Vermont by the surrender of 11,829 shares of the Common Stock of Central Vermont for the specific purpose of creating a capital surplus to be used forthwith for the write-off of $341,421.55 (amount carried in Account 100.5 "Electric Plant Acquisition Adjustments"), and for the creation, by transfer from such capital surplus, of a reserve in the amount of $250,000 against its investment in "Other Physical Property"; (2) make a capital contribution to Twin State by the cancelation of Twin State's obligation to it which, together with accrued interest, aggregated $319,240.47 at December 31, 1942 and by the surrender of its holdings of all of the outstanding 15,525 shares of 5% Cumulative Preferred Stock of Twin State.

B. It is proposed that Twin State prior to the merger will call for redemption and retirement all of its outstanding 7% Prior Lien Stock (at 110% plus accrued dividends) and the obligation to deposit the redemption price in trust is to be undertaken by Central Vermont under the Agreement of Merger.

C. It is further proposed: (1) that Nepsco tender for conversion its present holdings of 17,929 shares of Common Stock of Twin State and receive therefor shares of Common Stock, no par value, of Central Vermont on the basis of one share of such Common Stock for each $50 of Nepsco's equity interest in the assets of Twin State to be acquired by Central Vermont upon the merger; (2) that Central Vermont issue and deliver to an agent appointed by Twin State, the said shares of Common Stock, no par value, for distribution to Nepsco, and that Nepsco acquire said shares; (3) that Central Vermont issue and sell for cash 960 shares of Common Stock, no par value, at the price of $50 per share and that Nepsco purchase such shares.

D. It is further proposed that Central Vermont: (1) will assume the liability for the payment of the bank debt of Twin State in the estimated amount of $451,300; (2) issue and sell privately for cash $800,000 principal amount of its First Mortgage Bonds 3½%, Series C, due 1973; (3) issue and sell privately for cash at par $2,150,000 principal amount of Fifteen-Year Serial Unsecured Notes (interest rates to be supplied by amendment); (4) issue and sell for cash 5,000 shares of Preferred Stock, $6 Dividend Series, of which Series, 37,856 shares are presently outstanding.

E. It is proposed that proxies be solicited from the stockholders of 7% Prior Lien Stock of Twin State in connection with the sale of Twin State's New Hampshire Properties to New Hampshire and the merger of its Vermont Properties with Central Vermont.

F. It is further proposed that Central Vermont apply the proceeds from the sale of its Notes, Bonds, Preferred Stock and Common Stock as follows: (1) to pay bank loans in the amount of $250,000; (2) to pay the bank loans of Twin State to be assumed under the agreement of merger; (3) to pay the redemption price of the 7% Prior Lien Stock of Twin State; (4) to pay for certain securities proposed to be acquired from Nepsco; (5) to provide the Company with the necessary funds for the purchase and construction of property to be used in the carrying out of its corporate purposes.

III

Central Vermont proposes to acquire from Nepsco, and Nepsco proposes to sell to Central Vermont, for cash, the assets tabulated below at prices indicated opposite each item:

	Price
(1) Nepsco Appliance Finance Corporation $40,000 principal amount of 3% Deferred Debentures due December 1, 1956	*$40,000
(2) Nepsco Services, Inc., $8,000 principal amount of 5% Debentures due August 1, 1956	*$8,000

*Plus accrued interest

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on April 22, 1943 at

10:00 o'clock A. M., E. W. T. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations and applications shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarants and applicants and to all interested parties, said notices to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Moore, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be paid by New Hampshire and Central Vermont for the properties to be acquired from Twin State is reasonable and whether such acquisitions are in the public interest and in the interest of investors and consumers.

2. Whether all acquisitions proposed meet the requirements of section 10 of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder.

3. Whether the issuance and sale by New Hampshire and Central Vermont of the aforementioned securities are solely for the purpose of financing the businesses of the companies.

4. Whether the issuance and sale by New Hampshire and Central Vermont of the aforementioned securities have been expressly authorized by the State Commissions in which the companies are organized and doing business.

5. Whether the proposed solicitation material is appropriate under the provisions of the Public Utility Holding Company Act of 1935 and whether the declaration with respect thereto should be permitted to become effective.

6. Whether the accounting entries to be made in connection with any or all of such proposed transactions are appropriate under the standards and requirements of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder.

7. Whether terms and conditions are appropriate in the public interest or for the protection of investors or consumers or are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any Rules, Regulations or Orders promulgated thereunder.

8. Whether the issuance and sale of Bonds by New Hampshire and issuance and sale of Notes by Central Vermont should be exempted from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 in accordance with paragraph (a) (5) of said Rule.

9. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and Rules, Regulations or Orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5424; Filed, April 6, 1943; 3:34 p. m.]

[File No. 70-688]

ROCKLAND GAS CO., INC.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of April, A. D. 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Rockland Gas Co., Inc., a direct, wholly-owned subsidiary company of General Water Gas & Electric Company and an indirect subsidiary company of International Utilities Corporation, both of which are registered holding companies under said Act; and

Notice is further given that any interested person may, not later than April 20, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Rockland Gas Co., Inc. proposes to issue and sell at par, $500,000 First Mortgage 4½% Bonds, due January 1, 1963, to Occidental Life Insurance Company of California and California-Western States Life Insurance Company in the principal amount of $325,000 and $175,000, respectively, subject to the right of the Lincoln National Life Insurance Company to purchase $125,000 of the principal amount of said bonds to be taken up by Occidental Life Insurance Company. The proceeds from the sale of said 4½% bonds will be applied by Rockland Gas Co., Inc. to the retirement and cancellation of its presently outstanding bonds and notes in the aggregate amount of $454,000 and to reduce its open account indebtedness of $52,042.06 by $46,000. General Water Gas & Electric Company owns all of the outstanding securities of Rockland Gas Co., Inc., and upon the receipt by General Water Gas & Electric Company of the proceeds of the sale of said 4½% bonds, that company will apply the amount thereof to the further redemption of the indebtedness due by it to Bank of America National Trust and Savings Association and American Trust Company, San Francisco, California.

Rockland Gas Co., Inc. states in its application that there are no underwriters in connection with the issuance and sale of said 4½% bonds and that the issuance and sale of these bonds are subject to the prior approval of the New York Public Service Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5425; Filed, April 6, 1943; 3:34 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon Preference Ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	21402	Tennessee Valley Authority, Knoxville, Tenn.	Knoxville Terminal	[illegible]
P-19-e	120-e	Montana State Hwy. Comm., Helena, Mont.	St. Rte. #34, FAP 281 H (1) in M[illegible]	[illegible]
P-19-e	482-e	Oklahoma St. Hwy. Comm., Oklahoma City, Okla.	El Reno, Okla SN-FAP [illegible] (Rock Island R. R. overpass).	[illegible]
P-19-e	6-e	Missouri St. Hwy. Dept., Jefferson City, Mo.	St. Rte. #52, FAP 200A (2) [illegible]	[illegible]

[F. R. Doc. 43-5426; Filed, April 6, 1943; 4:16 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	250-e	Rhode Island Dept. of Pub. Wks., Providence, R. I.	Blackstone Valley FAP 67 C (1), Bridge on 35, FAP 41-E (1) rd. on st. rte. 112.	3/30/43
P-19-h	51779	Federal Public Housing Authority, Washington, D. C.	Albion St. Bridgeport, Conn.	3/30/43
P-19-e	23723-e	Indiana St. Hwy. Comm., Indianapolis, Ind.	Indianapolis, Ind., SN-FAP 397.	3/30/43
P-19-e	19503-e	Oklahoma St. Hwy. Dept., Oklahoma City, Okla.	El Reno, Okla., SN-FAP 163-G (2), (3) Rock Island R. R.	3/30/43
P-19-h	6321	Federal Works Agency, N. Interior Bldg., Washington, D. C.	Kingsbury, Ind., W PW 12-134	3/22/43
P-19-e	669-e	California Dept. of Pub. Wks., Sacramento, Calif.	Mendocino Co., Calif., S. of Fort Bragg.	3/31/43
P-19-h	51247	The American Rolling Mill Co., Middletown, Ohio.	Lyndora, Pa.	3/29/43
P-19-e	8-e	Missouri St. Hwy. Dept., Jefferson City, Mo.	Taney Co., Mo. St. Rte. 76 FAS 74-A (1).	3/29/43
P-19-h	10061	Federal Works Agency, N. Int. Bldg., Washington, D. C.	New Warrington, Fla., Turner-Lee School.	3/29/43
P-19-e	16622-e	New Jersey State Hwy. Dept., Trenton, N. J.	N. J. Route 6 (1917), Section 16 access rd.	3/29/43
P-19-e	12805	Texas St. Hwy. Dept., Austin, Tex.	Harris Co., on U. S. 90 SN-FAP 1039-C (2).	3/29/43

[F. R. Doc. 43-5427; Filed, April 6, 1943; 4:16 p. m.]

APR 12 1943

FEDERAL REGISTER

VOLUME 8 NUMBER 70

Washington, Friday, April 9, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Food Distribution Administration[1]

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FAIR AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN PRODUCTION, CULTIVATION, OR HARVESTING OF 1943 CROP OF SUGAR BEETS

Whereas, section 301 (b) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane as follows:

(b) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determination the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the difference in conditions among various producing areas: *Provided, however*, That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

And whereas, the Secretary of Agriculture, pursuant to a notice of hearing, dated February 15, 1943, held public hearings for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1943 crop of sugar beets.

Now, therefore, I, Claude R. Wickard, Secretary of Agricultaure, after investigation and due consideration of the evidence obtained at the aforesaid hearings and all other information before me, do hereby make the following determination:

§ 802.141 *Fair and reasonable wage rates for persons employed in the production, cultivation or harvesting of the 1943 crop of sugar beets.* Fair and reasonable wage rates for persons employed in the production, cultivation or harvesting of the 1943 crop of sugar beets shall be as follows:

For any farm or part of a farm, which is covered by a separate labor agreement, from which sugar beets are contracted to be delivered to factories located in the following districts:

(a) *Fair and reasonable wage rates for the 1943 crop of sugar beets.*

[1] Formerly Sugar Branch.

WAGE DISTRICTS

Operation	I Ohio, Michigan, Indiana, and Wisconsin	II Minnesota and Iowa	III Nebraska, Colorado, Kansas and Southern Wyoming	IV South Dakota	V Southern and Eastern Montana, Northern Wyoming	VI Western Montana	VII Northern Montana	VIII Utah, Idaho, and Oregon	IX Washington	X Southern California [3]	XI Northern California [4]
Blocking and thinning:											
On a time basis: Per hour	$0.50		$0.50	$0.55	$0.55	$0.55	$0.55	$0.50	$0.55	$0.50	$0.55
On a piece rate basis: Per acre	12.00	$12.00	12.00	13.00	13.00	12.00	13.00	11.00	11.00	10.00	11.00
Hoeing											
On a time basis: Per hour	$0.45		$0.45	$0.50	$0.50	$0.50	$0.50	$0.45	$0.50	$0.45	$0.50
On a piece rate basis: Per acre	3.00	$3.50	3.50	3.50	4.00	4.50	4.00	3.50	3.50	3.50	3.50

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Operation	I Ohio, Michigan, Indiana, and Wisconsin	II Minnesota and Iowa	III Nebraska, Colorado, Kansas and Southern Wyoming	IV South Dakota	V Southern and Eastern Montana, Northern Wyoming	VI Western Montana	VII Northern Montana	VIII Utah, Idaho, and Oregon	IX Washington	X Southern California [3]	XI Northern California [4]
Second and each subsequent hoeing or weeding:											
On a time basis: Per hour	$0.45	.....	$0.45	$0.50	$0.50	$0.50	$0.50	$0.45	$0.50	$0.45	$0.50
On a piece rate basis: Per acre	2.00	$2.50	2.50	2.50	3.00	3.50	3.00	2.50	2.50	2.50	2.50
Blocking, thinning, hoeing, and weeding as a combined operation: Per acre	$17.00	$18.00	$18.00	$19.00	$20.00	$20.00	$20.00	$17.00	$17.00	$18.00	$17.00
Harvesting.											
On a time basis: Per hour	$0.60	.....	$0.60	$0.65	$0.65	$0.65	$0.65	$0.60	$0.65	$0.65	$0.65
On a piece rate basis: Per ton[5]: Net tons per acre		Pulling, Piling, Topping					Pulling, Topping, Loading				

See footnotes at end of table on p. 4537.

WAGE DISTRICTS—Continued

Operation	I Ohio, Michigan, Indiana, and Wisconsin	II Minnesota and Iowa	III Nebraska, Colorado, Kansas and Southern Wyoming	IV South Dakota	V Southern and Eastern Montana, Northern Wyoming	VI Western Montana	VII Northern Montana	VIII Utah, Idaho, and Oregon	IX Washington	X Southern California [3]	XI Northern California [4]
Harvesting—Continued.											
[illegible] or below	$2.04	.....	$1.80 per acre plus $.15 for each ton up to and including 12 tons	$1.95 for each ton up to and including 12 tons	$1.95 for each ton up to and including 12 tons	$1.95 for each ton up to and including 12 tons	$1.80 per acre plus $.15 for each ton over 12 tons	(7)	Pulling and topping, $1.95 per ton. Loading, $0.65 per ton.	$3.01	$3.11
[illegible] or below for Districts X and XI	1.81	.....								2.64	2.74
[illegible]	1.63	$1.80 per acre plus $.15 for each ton up to and including 12 tons								2.33	2.43
[illegible] or below for Dist. VII and VIII	1.53							$1.89	$1.89		
[illegible]	1.49							1.80	1.80	2.11	2.21
[illegible]	1.41							1.72	1.72	1.95	2.05
[illegible]	1.38							1.64	1.64	1.83	1.93
[illegible]	1.35							1.58	1.58	1.73	1.83
[illegible]	1.32							1.53	1.53	1.64	1.74
[illegible] or above for District VII	1.30							1.50	1.49	1.57	1.67
[illegible]	1.28								1.47	1.51	1.61
[illegible]	1.26								1.41	1.45	1.55
[illegible]	1.24								1.39	1.40	1.50
[illegible] or above for District I	1.22								1.37	1.35	1.45
[illegible]	.....								1.35	1.31	1.41
[illegible] or above for District VIII	.....								1.34	1.28	1.38
[illegible]	.....								.....	1.25	1.35
[illegible]	.....								.....	1.24	1.34
[illegible]	.....								.....	1.23	1.33
[illegible]	.....								.....	1.22	1.32
[illegible]	.....								.....	1.21	1.31
[illegible]	.....								.....	1.20	1.30
[illegible] or above for Districts X and XI	.....								.....	1.19	1.29

[1] The rate for all fractional tonnages rounded to the nearest tenth of a ton shall be in proportion within each interval.

[2] In District II the combined rate for mechanically blocked fields shall be $16 per acre and for mechanically blocked and hoe-cultivated fields the rate shall be $14.50 per acre.

[3] When topping and loading are performed by different persons, 70 percent of the rates shall be paid for topping and 30 percent of the rates shall be paid for loading.

[4] Applicable to farms located in the following counties: Madera, Fresno, Tulare, Kings, Kern, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego, Imperial.

[5] Applicable to farms located in counties in California other than those specified in footnote 4.

(b) *Provided, however:*

(1) That in instances where inexperienced workers or workers between 14 and 16 years of age are employed on a time basis, the fair and reasonable rate per hour shall be:

(i) For inexperienced workers during a reasonable training period three-fourths of the hourly rate specified herein for the operation to be performed;

(ii) For workers between 14 and 16 years of age, two-thirds of the hourly rate specified herein for the operation to be performed. (Employment of such workers not to exceed 8 hours per day.)

(2) That in an instance in which the use of a special machine method of planting, cultivation, or harvesting (other than specified under item 3 below) reduces the amount of labor required as compared with the method in previous use, the fair and reasonable rate for the operation involved shall be the rate agreed upon between the producer and the laborer, provided such rate is determined by the State Committee as equivalent to the piece rate specified herein for the part of such work performed;

(3) That in instances where segmented or sheared seed is used in planting and the amount of labor for blocking and thinning is reduced because no hand thinning is required (as compared to the amount of labor where hand thinning is required) the fair and reasonable piece rate for blocking and thinning shall be 75% of the rate specified herein or the rate agreed upon, whichever is higher;

(4) That if the producer and the laborer agree upon a wage rate for any operation or a combination of operations higher than that prescribed herein, payment in full of the amount agreed upon must be made to qualify the producer for payment;

(5) That the wage rate for any work in the production, cultivation or harvesting of sugar beets for which a rate is not specifically provided herein, shall be the rate agreed upon between the producer and the laborer;

(6) That if the producer and the laborer agree in writing that the laborer is to receive the combined rate specified herein for blocking, thinning, hoeing and weeding, for all such work in the production and cultivation of the crop regardless of the number of hoeings or weedings required, the payment of this amount will be deemed to meet the requirements of this determination with respect to such work;

(7) That in addition to the foregoing, the producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a house, garden plot, and similar incidentals; and

(8) That the producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(Sec. 301, 50 Stat. 909; 7 U. S. C. 1940 ed. 1131)

Done at Washington, D. C., this 7th day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD, *Secretary of Agriculture.*

[F. R. Doc. 43-5483; Filed, April 7, 1943; 4.20 p. m.]

Chapter IX—Food Distribution Administration

PART 912—MILK IN THE DUBUQUE, IOWA, MARKETING AREA

Order amending the order, as amended, regulating the handling of milk in the Dubuque, Iowa, Marketing Area.

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

§ 912.1 *Finding and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1–900.17; 6 F.R. 6570; 7 F.R. 3350; 8 F.R. 2815) a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid order, as amended and as hereby amended and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Dubuque, Iowa, marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of indus-

trial and commercial activities specified in the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

(b) *Determination.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by the aforesaid order, as amended and as hereby further amended) of at least 50 percent of the volume of milk covered by said order, as amended and as hereby further amended, which is marketed within the Dubuque, Iowa, marketing area refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order further amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Dubuque, Iowa, marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Dubuque, Iowa, marketing area.

§ 912.2 *Order relative to handling.* It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Dubuque, Iowa, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respect:

Delete § 912.6 (a) (4) and substitute therefor the following:

(4) For Class III milk, the price shall be the result of the following computation by the market administrator: multiply by 2.4 the average weekly prevailing price of the cheese known as "Twins" on the Wisconsin Cheese Exchange, Plymouth, Wisconsin (or in the absence of such price, the price of such "Twins" at Chicago, as reported by the United States Department of Agriculture), and multiply such result by 3.5: *Provided,* That during any delivery period in which there is in effect an offer by Commodity Credit Corporation to purchase American Cheddar cheese for resale to manufacturers, the price offered by Commodity Credit Corporation shall be used in lieu of the aforesaid price of "Twins" in computing the price for Class III milk: *Provided, further,* That for purposes of determining the butterfat differential pursuant to § 912.10 (b) the price for Class III milk shall be computed on the basis of the price of the aforesaid "Twins."

(48 Stat. 51, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.)

Issued at Washington, D. C., this 6th day of April 1943, to be effective on and after the 11th day of April 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: April 7, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-5548; Filed, April 8, 1943; 11:23 a. m.]

Chapter XI—Food Distribution Administration

[FDO 42]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE

Correction

In the document appearing on page 4147 of the issue for Friday, April 2, 1943, the reference in § 1460.1 (e) (3) (ii) to paragraph (b) (5) (ii) should be to paragraph (b) (5) (iii).

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VI—Organized Reserves

PART 61—OFFICERS' RESERVE CORPS

APPLICATIONS

The cross reference published in the FEDERAL REGISTER November 18, 1941, under § 61.4a (6 F.R. 5823) is deleted.

The regulations contained in subparagraph (2) of § 61.5 (a) (6 F.R. 3717, 5823) having been superseded by Army Regulations No. 605-10, December 30, 1942, this subparagraph is no longer in effect and is hereby rescinded as follows:

§ 61.5 *Applications*—(a) *Applications for appointment.* * * *

(2) [Rescinded] (R.S. 161; 5 U.S.C. 22).

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5533; Filed, April 8, 1943; 10:06 a. m.]

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

APPOINTMENTS; GENERAL PROVISIONS

The regulations contained in paragraphs (c) and (d) of § 73.200 (6 F.R. 5660, 5823, 6582; 7 F.R. 67) having been superseded by Army Regulations No. 605-10, December 30, 1942, these paragraphs are no longer in effect and are hereby rescinded as follows:

§ 73.200 *Appointments; general provisions.* * * *

(c) [Rescinded]

(d) [Rescinded] (55 Stat. 728; 10 U.S.C. Sup. 484).

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5534; Filed, April 8, 1943; 10:06 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T.D. 5256]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

STATUTE OF LIMITATIONS ON REFUNDS AND CREDITS

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) to section 169 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.322-1 the following:

SEC. 169. STATUTE OF LIMITATIONS ON REFUNDS AND CREDITS. (Revenue Act of 1942, Title I.)

(a) *Limit on amount of credit or refund.* Section 322 (b) (2) is amended to read as follows:

(2) *Limit on amount of credit or refund.* The amount of the credit or refund shall not exceed the portion of the tax paid—

(A) If a return was filed by the taxpayer, and the claim was filed within three years from the time the return was filed, during the three years immediately preceding the filing of the claim.

(B) If a claim was filed, and (i) no return was filed, or (ii) if the claim was not filed within three years from the time the return was filed by the taxpayer, during the two years immediately preceding the filing of the claim.

(C) If no claim was filed and the allowance of credit or refund is made within three years from the time the return was filed by the taxpayer, during the three years immediately preceding the allowance of the credit or refund.

(D) If no claim was filed, and (i) no return was filed or (ii) the allowance of the credit or refund is not made within three years from the time the return was filed by the taxpayer, during the two years immediately preceding the allowance of the credit or refund.

(3) *Exceptions in the case of waivers.*—If both the Commissioner and the taxpayer

have, within the period prescribed in paragraph (1) for the filing of a claim for credit or refund, agreed in writing under the provisions of section 276 (b) to extend beyond the period prescribed in section 275 the time within which the Commissioner may make an assessment, the period within which a claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, shall be the period within which the Commissioner may make an assessment pursuant to such agreement or any extension thereof and six months thereafter, except that the provisions of paragraph (1) shall apply to any claim filed or credit or refund allowed or made, before the execution of such agreement. The amount of the credit or refund shall not exceed the total of the portions of tax paid (A) during the two years immediately preceding the execution of such agreement, or, if such agreement was executed within three years from the time the return was filed, during the three years immediately preceding the execution of such agreement, (B) after the execution of the agreement and before the expiration of the period within which the Commissioner might make an assessment pursuant to such agreement or any extension thereof, and (C) during six months after the expiration of such period, except that the provisions of paragraph (2) shall apply to any claim filed, or credit or refund allowed, before the execution of the agreement. If any portion of the tax is paid after the expiration of the period within which the Commissioner might make an assessment pursuant to such agreement, and if no claim for credit or refund is filed after the time of such payment and before the end of six months after the expiration of such period, then credit or refund may be allowed or made if a claim therefor is filed by the taxpayer within six months from the time of such payment, or, if no claim is filed within such six-month period after the payment, if the credit or refund is allowed or made within such period, but the amount of the credit or refund shall not exceed the portion of the tax paid during the six months immediately preceding the filing of the claim, or, if no claim was filed (and the credit or refund is allowed after six months after the expiration of the period within which the Commissioner might make an assessment), during the six months immediately preceding the allowance of the credit or refund.

(4) *Return considered filed on due date.*—For the purposes of this subsection, a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day. For the purposes of paragraphs (2) and (3) of this subsection, and for the purposes of subsection (d) of this section, an advance payment of any portion of the tax made at the time such return was filed shall be considered as made on the last day prescribed by law for the payment of the tax even if the taxpayer elected to pay the tax in installments, on the last day prescribed for the payment of the first installment. For the purposes of this paragraph, the last day prescribed by law for filing the return or paying the tax shall be determined without regard to any extension of time granted the taxpayer.

(5) *Special period of limitation with respect to bad debts and worthless securities.*—If the claim for credit or refund relates to an overpayment on account of—

(A) the deductibility by the taxpayer, under section 23 (k) (1), section 23 (k) (4), or section 204 (c), of a debt as a debt which became worthless, or, under section 23 (g) (2) or (k) (2), of a loss from worthlessness of a security, or

(B) the effect that the deductibility of a debt or loss described in subparagraph (A) has on the application to the taxpayer of a carry-over or of a carry-back,

in lieu of the three-year period of limitation prescribed in paragraph (1), the period shall be 7 years from the date prescribed by law for filing the return for the year with respect to which the claim is made. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in paragraph (2) or paragraph (3), whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of items described in this paragraph.

(b) *Overpayment found by board.* Section 322 (d) is amended to read as follows:

(d) *Overpayment found by board.* If the Board finds that there is no deficiency and further finds that the taxpayer has made an overpayment of tax in respect of the taxable year in respect of which the Commissioner determined the deficiency, the Board shall have jurisdiction to determine the amount of such overpayment, and such amount shall, when the decision of the Board has become final, be credited or refunded to the taxpayer. No such credit or refund shall be made of any portion of the tax unless the Board determines as part of its decision (1) that such portion was paid (A) within two years before the filing of the claim, the mailing of the notice of deficiency, or the execution of an agreement by both the Commissioner and the taxpayer pursuant to section 276 (b) to extend beyond the time prescribed in section 275 the time within which the Commissioner might assess the tax, whichever is earliest, or (B) within three years before the filing of the claim, the mailing of the notice of deficiency, or the execution of the agreement, whichever is earliest, if the claim was filed, the notice of deficiency mailed, or the agreement executed within three years from the time the return was filed by the taxpayer, or (C) after the execution of such an agreement and before the expiration of the period within which the Commissioner might make an assessment pursuant to such agreement or any extension thereof, or (D) after the mailing of the notice of deficiency; or (2), if such portion was not paid within the period described in clause (1), but the notice of deficiency was mailed within seven years from the time prescribed for the filing of the return, or a claim described in subsection (b) (5) was filed, that such portion does not exceed the amount of the overpayment attributable to the deductibility of items described in subsection (b) (5).

(c) *Effective date of amendment.* The amendment inserting paragraph (5) of section 322 (b) shall be applicable to taxable years beginning after December 31, 1938.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 19.322-7 is amended as follows:

(A) By striking out the heading and first sentence of the section and inserting in lieu thereof the following:

§ 19.322-7 *Limitations upon the crediting and refunding of taxes paid; taxable years beginning prior to January 1, 1942*—(a) *General rule.* Unless a claim for credit or refund of an overpayment for a taxable year beginning prior to January 1, 1942 is filed within three years from the time the return was filed by the taxpayer or within two years from the time the tax was paid, the Commissioner is prohibited from allowing or making a credit or refund of income tax imposed by chapter 1 for such year after both periods have expired.

(B) By striking out the last sentence of the first paragraph of the section and inserting in lieu thereof the following: The provisions of this subsection are subject to the exceptions provided in paragraphs (b) and (c) of this section.

(C) By inserting immediately after paragraph (b) (5) of the section the following:

(c) *Overpayments on account of bad debts, worthless securities, etc.* If the claim for credit or refund relates to an overpayment on account of:

(1) The deductibility by the taxpayer, under section 23 (k) (1), section 23 (k) (4), or section 204 (c), of a debt as a debt which became worthless, or, under section 23 (g) (2) or (k) (2), of a loss from the worthlessness of a security, or

(2) The effect that the deductibility of a debt or loss described in clause (1) has on the application to the taxpayer of a carry-over or of a carry-back, such as the carry-over of a capital loss provided in section 117 (e) or the carry-over or carry-back of a net operating loss provided in section 122 (b),

then in lieu of the three-year period from the date the return was filed in which the claim may be filed or credit or refund allowed or made, as prescribed in (a) of this section, the period shall be seven years from the date prescribed by law for filing the return (determined without regard to any extension of time for filing such return) for the taxable year for which the claim is made or the credit or refund allowed or made. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in (a) of this section to the extent of the amount of the overpayment attributable to the deductibility of items described in this paragraph. Such a credit or refund cannot exceed the sum of the following: (i) the portion, if any, of the tax paid within the period provided in (a) of this section, and (ii) the amount of overpayment due to the de-

ductibility of items described in this paragraph. The portion of an overpayment due to items described in this paragraph shall be determined by treating the proper deduction of such items as the first adjustment to be made in computing such overpayment.

Although claim for credit or refund is not filed and credit or refund is not allowed or made within the seven-year period described in the preceding paragraph, credit or refund may nevertheless be allowed or made if claim therefor is filed or if such credit or refund is allowed or made within the two-year period prescribed in (a) of this section, subject to the provisions of (a) which limit the amount of credit or refund in the case of a claim filed within such period or, if no claim is filed, in the case of credit or refund allowed or made within such period.

The provisions of section 322 (b) (5) do not apply to an overpayment due to the deductibility of a debt that became partially worthless during the taxable year, but only to an overpayment due to the deductibility of a debt which became entirely worthless during such year.

The provisions of this subsection with regard to an overpayment caused by the deductibility of a bad debt under section 23 (k) (1), section 23 (k) (4), or section 204 (c) or of a loss from the worthlessness of a security under section 23 (g) (2) or (k) (2) are likewise applicable to an overpayment caused by the effect that the deductibility of such a bad debt or loss has on the application to the taxpayer of a carry-over or of a carry-back.

For the limitation on the allowance of interest for an overpayment where credit or refund is subject to the provisions of section 322 (b) (5), see section 3771 (d), as added by section 124 (c) of the Revenue Act of 1942.

PAR. 3. Section 19.322–8 is renumbered § 19.322–9, and there is inserted immediately after § 19.322–7 the following new section:

§ 19.322–8 *Limitations upon the crediting and refunding of taxes paid; taxable years beginning after December 31, 1941*—(a) *General rule.* Unless a claim for credit or refund of an overpayment for a taxable year beginning after December 31, 1941 is filed within three years from the time the return was filed by the taxpayer or within two years from the time the tax was paid, the Commissioner is prohibited from allowing or making a credit or refund of income tax imposed by chapter 1 for such year after both periods have expired. If no return is filed by the taxpayer, the Commissioner is prohibited from allowing or making a credit or refund of such tax after two years from the time the tax was paid unless before the expiration of such 2-year period a claim therefor is filed. The amount of the credit or refund in any case shall not exceed the portion of the tax paid:

(1) If a return was filed by the taxpayer, and the claim was filed within three years from the time the return was filed, during the three years immediately preceding the filing of the claim.

(2) If a claim was filed, and (A) no return was filed, or (B) if the claim was not filed within three years from the time the return was filed by the taxpayer, during the two years immediately preceding the filing of the claim.

(3) If no claim was filed and the allowance of credit or refund is made within three years from the time the return was filed by the taxpayer, during the three years immediately preceding the allowance of the credit or refund.

(4) If no claim was filed, and (A) no return was filed or (B) the allowance of the credit or refund is not made within three years from the time the return was filed by the taxpayer, during the two years immediately preceding the allowance of the credit or refund.

For the purposes of this section, a return filed before the last day prescribed by law for the filing thereof, or an advance payment of any portion of the tax prior to such date, shall be considered as filed or made on the last day prescribed by law for the filing of such return or the payment of such tax. If the taxpayer elected to pay the tax in installments, such an advance payment shall be considered as made on the last day prescribed for the payment of the first installment, but in all cases the last day prescribed by law for filing the return or paying the tax shall be determined without regard to any extension of time granted the taxpayer for filing the return or paying the tax. The provisions of this subsection are subject to the exceptions provided in paragraphs (b), (c), and (d) of this section.

(b) *Limitations in case waiver executed.* If the Commissioner and the taxpayer, within three years from the time the return was filed by the taxpayer or within two years from the time the tax was paid, whichever period expires the later, have agreed in writing under the provisions of section 276 (b) to extend beyond the period prescribed in section 275 the time within which the Commissioner may make an assessment, then the period within which a claim for credit or refund may be filed, or a credit or refund may be allowed or made if no claim is filed, is the period within which the Commissioner may make an assessment pursuant to such agreement or any extension thereof, and for six months thereafter. The amount of the credit or refund in such case shall not, however, exceed the sum of:

(1) The portion of the tax paid during the two years immediately preceding the execution of the agreement between the Commissioner and the taxpayer, or, if such agreement was executed within three years from the time the return was filed, during the three years immediately preceding the execution of such agreement;

(2) The portion of the tax paid after the execution of the agreement between the Commissioner and the taxpayer and before the expiration of the period within which the Commissioner might make an assessment pursuant to such agreement or any extension thereof; and

(3) The portion of tax paid during the six months immediately following the expiration of the period within which the Commissioner might make an assessment pursuant to the agreement between the Commissioner and the taxpayer or any extension of such agreement.

If any portion of the tax is paid within six months after the expiration of the period within which the Commissioner might make an assessment pursuant to an agreement between the Commissioner and the taxpayer or any extension thereof, and if credit or refund is allowed or made after such payment and before the end of such six-month period, or if claim for credit or refund is filed after such payment and before the end of such six-month period, then the limitations on such credit or refund are those set forth in the preceding provisions of this subsection.

Credit or refund may be allowed or made more than six months after the expiration of the period within which the Commissioner might make an assessment pursuant to an agreement between the Commissioner and the taxpayer or any extension thereof (in cases other than those described in the immediately preceding paragraph) only if such credit or refund is allowed or made within six months after the tax was paid or if claim for such credit or refund is filed within six months after such payment. In such case, the amount of the credit or refund shall not exceed the portion of the tax paid during the six months immediately preceding the filing of the claim or, if no claim was filed, the amount of the credit or refund shall not exceed the portion of the tax paid during the six months immediately preceding the allowance of the credit or refund. The two-year period provided in section 322 (b) (1) and (2) is not applicable in any case in which the tax was paid after the execution of such an agreement.

If a claim for credit or refund is filed or if credit or refund is allowed or made before the execution of any agreement between the Commissioner and the taxpayer to extend the period within which the Commissioner might make an assessment, the limitations on such credit or refund shall be those specified in paragraph (a) of this section.

The agreement referred to in this subsection will not be considered to have been executed until the date it is signed by or for the Commissioner.

(c) *Overpayment on account of bad debts, worthless securities, etc.* If the claim for credit or refund relates to an overpayment on account of:

(1) The deductibility by the taxpayer, under section 23 (k) (1), section 23 (k) (4), or section 204 (c), of a debt as a debt which became worthless, or, under section 23 (g) (2) or (k) (2), of a loss from the worthlessness of a security, or

(2) The effect that the deductibility of a debt or loss described in clause (1) has on the application to the taxpayer of a carry-over or of a carry-back, such as the carry-over of a capital loss provided in section 117 (e) or the carry-over or carry-back of a net operating loss provided in section 122 (b),

then in lieu of the three-year period from the date the return was filed in which the claim may be filed or credit or refund allowed or made, as prescribed in (a) of this section, the period shall be seven years from the date prescribed by law for filing the return (determined without regard to any extension of time for filing such return) for the taxable year for which the claim is made or the credit or refund allowed or made. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in (a) or (b) of this section, whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of items described in this paragraph. Such a credit or refund cannot exceed the sum of the following: (i) the portion, if any, of the tax paid within the period provided in (a) or (b) of this section, whichever is applicable, and (ii) the amount of overpayment due to the deductibility of items described in this paragraph. The portion of an overpayment due to items described in this paragraph shall be determined by treating the proper deduction of such items as the first adjustment to be made in computing such overpayment.

If claim for credit or refund is not filed and if credit or refund is not allowed or made within the seven-year period described in the preceding paragraph, then credit or refund may be allowed or made only if claim therefor is filed within, or if such credit or refund is allowed or made within, any period prescribed in paragraph (a) or (b) of this section, whichever is applicable, subject to the provisions of such paragraph (a) or (b) which limit the amount of credit or refund in the case of a claim filed or, if no claim was filed, in the case of refund or credit allowed or made within such applicable period.

The provisions of section 322 (b) (5) do not apply to an overpayment due to the deductibility of a debt that became partially worthless during the taxable year, but only to an overpayment due to the deductibility of a debt which became entirely worthless during such year.

The provisions of this subsection with regard to an overpayment caused by the deductibility of a bad debt under section 23 (k) (1), section 23 (k) (4), or section 204 (c) or of a loss from the worthlessness of a security under section 23 (g) (2) or (k) (2) are likewise applicable to an overpayment caused by the effect that the deductibility of such a bad debt or loss has on the application to the taxpayer of a carry-over or of a carry-back.

For the limitation on the allowance of interest for an overpayment where credit or refund is subject to the provisions of section 322 (b) (5), see section 3771 (d), as added by section 124 (c) of the Revenue Act of 1942.

(d) *Overpayment determined by Board.* In any case where a person having a right to file a petition with the Board of Tax Appeals with respect to a deficiency in income tax imposed by chapter 1 filed such petition within the prescribed time, no credit or refund of the tax for the year to which the deficiency relates shall be allowed or made, and no suit for the recovery of any part of such tax shall be instituted by the taxpayer, subject to the following exceptions:

(1) If the Board finds that there is no deficiency but that the person has overpaid his tax for the year to which the notice of deficiency relates, and the decision of the Board as to the amount overpaid has become final (see section 1140, set forth in paragraph 39 of the Appendix to these regulations), the overpayment shall be credited or refunded, but no such credit or refund shall be made of any portion of the tax unless the Board determines as part of its decision:

(i) That such portion was paid:

(*a*) Within two years immediately preceding the filing of a claim for credit or refund thereof, the mailing of the notice of deficiency, or the execution of an agreement by both the Commissioner and the taxpayer pursuant to section 276 (b) to extend beyond the time prescribed in section 275 the time within which the Commissioner might assess the tax, whichever event occurs first in point of time, or

(*b*) Within three years immediately preceding the filing of the claim, the mailing of the notice of deficiency, or the execution of the agreement, whichever event occurs first in point of time, if the claim was filed, the notice of deficiency mailed, or the agreement executed within three years from the time the return was filed by the taxpayer, or

(*c*) After the execution of such an agreement and before the expiration of the period within which the Commissioner might make an assessment pursuant to such agreement or any extension thereof, or

(*d*) After the mailing of the notice of deficiency; or

(ii) If such portion of the tax was not paid within the period described in (i) of this paragraph, but the notice of deficiency was mailed within seven years from the time prescribed for the filing of the return (determined without regard to any extension of time for filing such return), or a claim of the type described in paragraph (c) of this section was filed, that such portion of the tax does not exceed the amount of the overpayment attributable to the deductibility of items described in paragraph (c) of this section. The amount of the overpayment attributable to the deductibility of items described in paragraph (c) of this section shall be determined under the provisions of that subsection. For the limitation on the allowance of interest for such portion of the overpayment see section 3771 (d), as added by section 124 (c) of the Revenue Act of 1942.

(2) In the case of a jeopardy assessment made under section 273, if the amount which should have been assessed as determined by a decision of the Board which has become final is less than the amount already collected, the excess payment shall be credited or refunded subject to a determination being made by the Board with respect to the time of payment as stated in (d) (1) of this section.

(3) If the amount of the deficiency determined by the Board (in a case where collection has not been stayed by the filing of a bond) is disallowed in whole or in part by the reviewing court, then the overpayment resulting from such disallowance shall be credited or refunded without the making of claim therefor subject to a determination being made by the Board with respect to the time of payment as stated in (d) (1) of this section. (See section 1146, set forth in paragraph 45 of the Appendix to these regulations.)

(4) Where the amount collected is in excess of the amount computed in accordance with the decision of the Board which has become final, the excess payment shall be credited or refunded within the period of limitation provided in section 322 (b).

(5) Where an amount is collected after the statutory period of limitation upon the beginning of distraint or a proceeding in court for collection has expired (see § 19.275–2), the taxpayer may file a claim for refund of the amount so collected within the period of limitation provided in section 322 (b). In any such case, the decision of the Board as to whether the statutory period upon collection of the tax expired before notice of the deficiency was mailed shall, when the decision becomes final, be conclusive.

(Secs. 62 and 322 of the Internal Revenue Code (53 Stat. 32, 91; 26 U.S.C.

62, 322) and section 169 of the Revenue Act of 1942 (Public Law 753, 77th Congress))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: April 7, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5553; Filed, April 8, 1943; 11:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 49,[1] Amendment 14]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1306.165 is added to read as follows:

CONTENTS

(a) General provisions
- (1) Products covered
- (2) Relationship to § 1306.159 Appendix A
- (3) Definitions
- (4) Method of computing the zone destination price
- (5) Method of computing the zone shipping point price
- (6) Method of determining the governing basing point
- (7) Maximum delivered prices for shipments from a shipping point within a zone to destination within the same zone
- (8) Maximum delivered prices for shipments from a shipping point within a zone to a destination within another zone
- (9) Maximum delivered prices for shipments from a shipping point within a zone to a destination in a non-zoned area
- (10) Maximum delivered prices for shipments from a shipping point within a non-zoned area to a destination within a zone
- (11) Maximum delivered prices for shipments from a shipping point within the non-zoned area to a destination within the non-zoned area
- (12) Discounts and privileges
- (13) Restrictions on extras

(b) Specific provisions for each zone—
- (1) *Zone One*
  - (i) Area covered
  - (ii) Tables to be used
    - Zone One price component index
    - Price at Basing Point (Tables B-1 to B-7)
    - Freight (Tables C-1 and C-2)
    - Spread (Table D-1)
    - Quantity Differentials (Tables E-1 to E-8)
    - Quality and Merchandising Extras (Tables F-1 to F-8)
    - Size Extras (Tables G-1 to G-19)
    - Cutting Extras (Tables H-1 to H-12)
    - Miscellaneous Extras (Tables K-1 to K-6)
- (2) *Zone Two*
  - (i) Area covered
  - (ii) Tables to be used
    - Zone Two price component index
    - Price at Basing Point (Tables B-1 to B-7)
    - Freight (Table C-1)
    - Spread (Table D-1)
    - Quantity Differentials (Tables E-1 to E-9)
    - Quality and Merchandising Extras (Tables F-1 to F-8)
    - Size Extras (Tables G-1 to G-19)
    - Cutting Extras (Tables H-1 to H-12)
    - Miscellaneous Extras (Tables K-1 to K-7)
- (3) *Zone Three*
  - (i) Area covered
  - (ii) Tables to be used
    - Zone Three price component index
    - Price at Basing Point (Tables B-1 to B-7)
    - Freight (Table C-1)
    - Spread (Table D-1)
    - Quantity Differentials (Tables E-1 to E-8)
    - Quality and Merchandising Extras (Tables F-1 to F-9)
    - Size Extras (Tables G-1 to G-19)
    - Cutting Extras (Tables H-1 to H-12)
    - Miscellaneous Extras (Tables K-1 to K-7)
- (4) *Zone Four*
  - (i) Area covered
  - (ii) Tables to be used
    - Zone Four price component index
    - Price at Basing Point (Tables B-1 to B-7)
    - Freight (Table C-1)
    - Spread (Table D-1)
    - Quantity Differentials (Tables E-1 to E-8)
    - Quality and Merchandising Extras (Tables F-1 to F-9)
    - Size Extras (Tables G-1 to G-19)
    - Cutting Extras (Tables H-1 to H-12)
    - Miscellaneous Extras (Tables K-1 to K-7)

§ 1306.165 *Appendix G: Maximum prices for certain prime iron or steel products for various zones.* The maximum delivered price for iron or steel products specifically covered by any zone table in this Appendix G when shipped within and between the zones and between the zones and the non-zoned area shall be determined in accordance with the provisions of this Appendix G regardless of any other provisions of this Revised Price Schedule No. 49. Sales of iron or steel products which are not specifically covered by this Appendix G shall continue to be governed by the applicable provisions of this Revised Price Schedule No. 49 without reference to the provisions of this Appendix G.

(a) *General provisions*—(1) *Products covered.* The products covered by this Appendix G are those specifically listed in the zone tables of the Appendix.

(2) *Relationship to § 1306.159, Appendix A.* The provisions of the following paragraphs of § 1306.159, Appendix A, shall also apply to this Appendix G:

§ 1306.159, Appendix A, (e) Maximum prices for exports of iron or steel products.

§ 1306.159, Appendix A, (k) (subparagraphs (1), (2), (5), (6), and (8) only). Maximum delivered prices for shipments of carload quantities and in certain specific cases.

§ 1306.159, Appendix A, (s) Maximum prices for imported iron or steel products.

(3) *Definitions.* When used in this Appendix G, the terms:

"Destination" means the place at which delivery is required for the buyer's operations.

"Shipping point" means the place at which the shipment was last withdrawn from the warehouse where it was put through the operations commonly known as the warehousing of iron or steel products.

"Non-zoned area" means any area not included in any zone.

"Zone" means the geographical or trading area whose boundaries are described in the tables in paragraph (b) below.

"Zone destination price" means the price at the buyer's destination located within a zone, computed in accordance with the provisions of subparagraph (4) below. (There is no zone destination price where the destination is within the non-zoned area.)

"Zone shipping point price" means the price at a shipping point within a zone, computed in accordance with the provisions of subparagraph (5) below.

(4) *Method of computing the zone destination price.* The zone destination price shall be the aggregate of the following as set forth in paragraph (b) below in the zone price component index for the zone in which the buyer's destination is located:

(i) Price at the governing basing point; plus

(ii) Freight; plus

(iii) Spread, and

(iv) Quantity, quality, merchandising, size cutting and miscellaneous extras and deductions.

(5) *Method of computing the zone shipping point price.* The zone shipping point price is the zone destination price at the shipping point: *Provided,* That where the shipping point is a mill basing point for the product shipped, no freight shall be added in computing the zone destination price.

(6) *Method of determining the governing basing point.* The governing basing point is that mill basing point of those set forth in the tables in paragraph (b) below, at which the price for any particular product, plus freight from such basing point to destination, results in the lowest charge for said product.

(7) *Maximum delivered prices for shipments from a shipping point within a zone to destination within the same zone.* The maximum delivered price for shipments from a shipping point within a zone to a destination within the same zone shall be the zone destination price for that same zone.

(8) *Maximum delivered prices for shipments from a shiping point within a zone to a destination within another zone.* The maximum delivered price for shipments from a shipping point within a zone to a destination within another zone shall be the higher of the following two alternatives:

(i) The zone shipping point price plus freight as customarily charged to destination minus a freight allowance at the rate of $.15 per 100 pounds, or

(ii) The zone destination price for the zone into which shipment is made.

(9) *Maximum delivered prices for shipments from a shipping point within a zone to a destination in a non-zoned area.* The maximum delivered price for a shipment from a shipping point within a zone to a destination in a non-zoned area shall be the higher of the following two alternatives:

(i) The seller's own zone shipping point price plus freight as customarily charged to destination minus a freight allowance at the rate of $.15 per 100 pounds, or

(ii) The lowest combination price at destination as determined under § 1306.159 Appendix A, (b).

(10) *Maximum delivered prices for shipments from a shipping point within a non-zoned area to a destination within a zone.* The maximum delivered price for a shipment from a shipping point within a non-zoned area to a destination within a zone shall be the higher of the following two alternatives:

(i) The zone destination price; or

(ii) The seller's country price at the city from which shipment is made, as otherwise established by this Revised Price Schedule No. 49, plus freight as customarily charged to destination minus a freight allowance at the rate of $0.15 per 100 pounds.

(11) *Maximum delivered prices for shipments from a shipping point within the non-zoned area to a destination within the non-zoned area.* The maximum delivered price for a shipment from a shipping point within the non-zoned area to a destination within the non-zoned area shall continue to be established by the applicable provisions of this Revised Price Schedule No. 49 without reference to the provisions of this Appendix G.

(12) *Discounts and privileges.* Customary and general discounts, terms and privileges, in effect as of April 16, 1941, shall be continued without diminution or extra charge.

(13) *Restrictions on extras.* No extras not specifically listed in this Appendix G for the zone tables applicable in computing the maximum delivered price may be added to such price: *Provided,* That the Office of Price Administration may approve, upon application, the addition of extras not listed in this Appendix G and which were in effect and charged on April 16, 1941, by the seller or group of sellers applying.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 8948, 10844; 8 F.R. 319, 1583, 2388.

(b) *Specific provisions for each zone*—(1) *Zone One*—(i) *Area covered.* Zone One shall consist of the entire states of:

Maine. Massachusetts.
New Hampshire. Rhode Island.
Vermont.

(ii) *Tables to be Used.* The following tables are to be used in computing the maximum prices set forth in paragraph (a) above for Zone One.

Zone One price component index

Product	Basing points	Price at basing point	Freight	Spread	Quantity	Quality and merchandising	Size	Cutting	Miscellaneous
	A	B	C	D	E	F	G	H	K
Structural shapes	Beth	B-1	C-1	$1.40	E-1	None	G-1	H-1	K-1
Stair stringer channels	Pgh	B-2	C-1	1.90	E-1	None	None	H-1	K-1
Plates	Clay	B-1	C-1	1.40	E-1	F-1	G-2	H-2	K-1-2
Floor plates (all thickness)	Pgh	B-1	C-1	1.80	E-1	None	G-19	H-2, 5	K-1
Black iron plates (such as, Armco iron, etc.)	Clay	B-3	C-1	2.20	E-1	None	G-2	H-2	K-1
Abrasion resisting plates	Clay	B-1	C-1	2.45	None	None	G-2	H-2	None
Hot rolled carbon steel bars (including bar shapes)	Buff	B-1	C-1	1.40	E-1	F-2	G-3	H-3A, B, C, D, E, F, G	K-1-2
Cold finished carbon steel bars	Buff	B-1	C-1	1.00	E-2	F-3	G-4	H-3C, D, E, F, G	K-3-4
Reinforcing bars	Buff	B-1	C-1	1.35	E-3	None	G-5	None	None
Hot rolled strip	Spar. Pt. Pgh Ygtn Clev	B-1	C-1	1.45	E-1	F-2	G-6	H-4	K-1-2
Cold rolled strip	Worc	B-1	C-2	1.55	E-4	None	G-7	None	None
Cold rolled round edge flat wire	Worc	B-1	C-2	1.95	E-5	None	G-8	None	None
Hot rolled sheets:									
16 gauge and heavier	Spar. Pt.	B-1	C-1	1.20	E-1	F-4	G-9	H-5	K-2-5
Lighter than 16 gauge	Spar. Pt.	B-1	C-1	1.20	E-6	F-4	G-9	H-5	K-2-5
Cold rolled sheets	Buff	B-4	C-1	1.20	E-6	F-5	G-10	H-5	K-5
Galvanized steel sheets	Spar. Pt.	B-1	C-1	1.25	E-6	F-6	G-11	H-5	K-5
Galvanized iron sheets, such as Armco Iron and Toncan Iron, etc.	Spar. Pt.	B-3	C-1	1.05	E-6	F-6	G-11	H-5	K-5
Galvannealed sheets	Pgh	B-1	C-1	1.85	E-6	None	G-11	H-5	K-5
Long terne sheets	Pgh	B-1	C-1	1.60	E-6	None	G-11	H-5	K-5
Black iron sheets, such as Armco iron or toncan iron, etc.:									
16 gauge and heavier	Spar. Pt.	B-3	C-1	1.40	E-1	None	G-9	H-5	K-5
Lighter than 16 gauge	Spar. Pt.	B-3	C-1	1.40	E-6	None	G-9	H-5	K-5
Abrasion resisting sheets	Spar. Pt.	B-1	C-1	2.60	None	None	G-9	H-5	None
Enameling sheets (all gauges	Ygtn Pgh Clev	B-5	C-1	1.85	E-6	None	G-12	H-5	K-5
Hot rolled alloy bars	Beth	B-6	C-1	D-1	E-7	F-7	G-13	H-6	None
Cold finished alloy bars	Buff	B-6	C-1	D-1	E-7	F-7	G-14	H-6	K-3
Stainless steel sheets	Pgh	B-7	C-1	5.00	E-8	None	G-15	H-7	K-6
Stainless steel bars	Pgh	B-7	C-1	5.00	E-8	F-8	G-16	H-8	K-6
Stainless steel plates	Pgh	B-7	C-1	5.00	E-8	None	G-17	H-9	None
Stainless steel angles	Pgh	B-7	C-1	5.00	E-8	F-8	G-18	H-10	None

PRICE AT BASING POINT

[Rate per 100 pounds]

The price at basing point shall be:

TABLE B-1.—*All products except stair stringer channels, black iron plates, cold rolled sheets, galvanized iron sheets, black iron sheets, enamelling sheets, hot rolled and cold finished alloys and stainless steel*

The mill carload base price of the United States Steel Corporation and its subsidiaries for each product as established by Revised Price Schedule Number 6.

TABLE B-2.—*Stair stringer channels*

The mill carload base price of the Jones and Laughlin Steel Company for stair stringer channels as established by Revised Price Schedule Number 6.

TABLE B-3.—*Black iron plates, galvanized iron sheets and black iron sheets*

The mill carload base price of the American Rolling Mill Company for each product as established by Revised Price Schedule Number 6. The "consumers" price shall be used for galvanized iron sheets.

TABLE B-4.—*Cold rolled sheets*

The mill carload base price for cold rolled sheets of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-5.—*Enamelling sheets*

The 20 gauge mill carload base price for enamelling sheets of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-6.—*Hot rolled and cold finished alloys*

Mill alloy carload base price (hot rolled or cold rolled, whichever is applicable) plus mill analysis extra (open hearth or electric furnace, whichever is applicable) of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6 for hot rolled or cold finished alloys.

TABLE B-7.—*Stainless steel*

The mill carload base price for each analysis of stainless steel of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

FREIGHT

[Rate per 100 pounds]

Freight may be added for less than carload shipments as follows:

TABLE C-1.—*All products except cold rolled strip and cold rolled round edge flat wire*

The less than carload rate of freight, in effect at time of shipment, from the governing basing point to destination.

TABLE C-2.—*Cold rolled strip and cold rolled round edge flat wire*

The less than carload rate of freight, in effect at the time of the shipment from the governing basing point to destination, except that no freight may be added when the destination is Worcester, Massachusetts.

SPREAD

[Rate per 100 pounds]

TABLE D-1.—*Alloy bars hot rolled and cold finished*

The spread shall be 66⅔% of the price at basing point, as established in Table B-6. Such

spread shall be adjusted upward or downward to the nearest $0.05.

QUANTITY DIFFERENTIALS

[Rate per 100 pounds]

All orders of one day from one person for shipment at one time or at seller's convenience to one destination shall be combined to determine the quantity bracket in accordance with the provisions of each of the following tables:

TABLE E–1.—*Hot rolled products*

All commodities listed below must be combined to determine the quantity differential:

Structural shapes.
Stair stringer channels.
Plates (all thicknesses), including tank, firebox, high carbon, copper bearing, and Armco iron.
Floor plates.
Bars and bar shapes, hot rolled carbon.
Bars, hot rolled, AISI C1112 (SAE x 1314) and AISI C1118 (SAE x 1315).
Bars, hot rolled, AISI C1137 (SAE x 1335) and (SAE x 1340).
Strip, hot rolled, band and hoop size.
Sheets, hot rolled, 16 gauge and heavier.
Sheets, hot rolled, Armco iron, 16 gauge and heavier.

Under 100 lb	Add $1.50
100 lb. to 399 lb	Add 50
400 lbs. to 1,999 lb	Base
2,000 lb. to 9,999 lb	Deduct .10
10,000 lb. to 39,999 lb	Deduct .20

TABLE E–2.—*Cold finished carbon bars*

All cold finished carbon bars of one cross section, analysis and finish comprise one item and must be combined to determine the quantity extra:

1,500 lb. to 39,999 lb	Base
1,000 lb. to 1,499 lb	Add $0.10
500 lb. to 999 lb	Add .50
300 lb. to 499 lb	Add 1.25
Less than 300 lb	Add 2.00

When the total weight of all items of cold finished carbon bars on an order is less than 300 pounds, a charge at the rate of $1.00 per 100 pounds in addition to the less than 300 pound extra may be added.

TABLE E–3.—*Reinforcing bars*

All reinforcing bars must be combined to determine the quantity differential:

Under 2,000 lb	Base
2,000 lb. to 9,999 lb	Deduct $0.15
10,000 lb. to 39,999 lb	Deduct .25

TABLE E–4.—*Cold rolled strip*

All cold rolled strip of one width and thickness, finish, temper, and edge comprise one item and must be combined to determine the quantity extra:

500 lbs and over	Base
300 lbs. to 499 lbs	Add $1.00
200 lbs. to 299 lbs	Add 2.00
Less than 200 lbs	Add 4.00

TABLE E–5.—*Cold rolled round edge flat wire*

All cold rolled round edge flat wire of one width, thickness, finish, temper and edge comprise one item and must be combined to determine the quantity extra.

2,000 lbs. and over	Base
1,000 lbs. to 1,999 lbs	Add $0.15
500 lbs. to 999 lbs	Add .30
200 lbs. to 499 lbs	Add 1.00
100 lbs to 299 lbs	Add 2.00
Less than 100 lbs	Add 3.00

TABLE E–6.—*Sheets*

All qualities listed below must be combined to determine the quantity differential.

Hot rolled steel sheets	Lighter than 16 gauge.
Hot rolled Armco iron sheets	Lighter than 16 gauge.
Cold rolled sheets	All gauges.
Galvanized steel sheets	All gauges.
Galvanized copper bearing steel sheets	All gauges.
Galvanized Toncan iron sheets	All gauges.
Galvanized Armco iron sheets	All gauges.
Galvannealed sheets	All gauges.
Paint grip steel sheets	All gauges.
Zinc grip sheets, steel and Armco iron	All gauges.
Long terne sheets	All gauges.
Vitreous enameling sheets	All gauges.
Under 1 bundle	Add $3.00.
1 bundle	Add $1.00.
2 bundles	Add $0.50.
3 to 24 bundles	Base.
25 to 49 bundles	Deduct $0.10.
50 bundles to 39,999 pounds	Deduct $0.15.

TABLE E–7.—*Alloy bars—hot rolled and cold finished*

A. All alloys of one cross section, analysis and finish comprise one item and must be combined to determine the quantity extra.

1,000 lbs. and over	Base
500 lbs. to 999 lbs	Add $0.50
300 lbs to 499 lbs	Add .75
Less than 300 lbs	Add 1.25

B. When the total weight of all items of alloys on an order is less than 300 pounds, a charge at the rate of $1.75 per 100 pounds in addition to the less than 300 pound extra may be added. Hot rolled alloys and cold finished alloys need not be combined to determine total weight in applying this order extra.

TABLE E–8.—*Stainless steel*

SHEETS

Stock sizes: Combine all items of same thickness, width, length, finish and analysis.
Cut sizes: Combine all items of same thickness, finish and analysis.

BARS AND ANGLES

Stock lengths or cut lengths: Combine all items of same cross section, finish and analysis.

PLATES

Stock sizes or cut sizes: Combine all items of same thickness, width, length, finish and analysis.

500 lb. and over	Base
300 lb. to 499 lb	Add $2.00
200 lb. to 299 lb	Add 5.00
100 lb. to 199 lb	Add 7.00
50 lb. to 99 lb	Add 10.00
Under 50 lb	Add 12.00

QUALITY AND MERCHANDISING EXTRAS

[Rate per 100 pounds]

The following extras may be added only when the particular quality or section is furnished. Except as specifically provided in the tables themselves, not more than one extra may be added from each table.

TABLE F–1.—*Plates*

0.26 to 0.50 mean of carbon inclusive	$0.50
Copper bearing steel	.25
Firebox steel	.60

TABLE F–2.—*Bars, bar shapes and strip*

Bar Tees	$0.25
Bar Zees	.95
Square root angles	.35
Box channel (1½" x 1½" x 3/16")	.60
All hexagons	.25
Half rounds, half ovals, ovals and bevel edge flats	1.25
Carbon spring steel flats, ¼" thick and over	1.05
Carbon spring steel flats, 3/16" thick and lighter	3.80
Carbon spring steel rounds and squares	3.80
Rounds, 0.26 to 0.50 mean of carbon inclusive	.30
Rounds, AISI C1120 (SAE 1120)	.25
Rounds, AISI C1112 (SAE X1314) and AISI C1118 (SAE X1315)	.45
Rounds AISI C1137 (SAE X1335) and AISI C1137 (SAE X1340)	.75
Squares and flats, 0.26 to 0.50 mean of carbon inclusive	1.00
Squares and flats, AISI C1112 (SAE X1314) and AISI C1118 (SAE X1315)	.95
Hot rolled strip, lighter than 12 gauge (hoops)	1.00

TABLE F–3.—*Cold finished bars*

AISI	SAE	Price
B1112	1112	$0.10
B1113	X1112	.175
C1115	1120	.10
C1112	X1314	.20
C1137	X1335	.35
C1033	1035	.10
C1038	1040	.10
C1042	1045	.10
C1045	1045	.10

TABLE F–4.—*Hot rolled sheets*

Copper bearing sheets	$0.25
Hot rolled stretcher leveled and resquared sheets	.50
Full pickled, cold rolled blue sheets	1.50
Uniform blue sheets (standard quality)	.50
Sheets, .26 to .50 mean of carbon inclusive	.50

TABLE F–5.—*Cold rolled sheets*

Stretcher leveled and resquared	$0.75

TABLE F–6.—*Galvanized sheets*

Galvanized copper bearing sheets	$0.25
Paintgrip steel sheets	.50
Zincgrip steel sheets	.15

TABLE F–7.—*Alloy bars—hot rolled and cold finished*

A. For material which is carried in stock in the following condition or qualities, the following charges may be made: (more than one extra may be added, if applicable)

Annealing	$1.00
Normalizing	1.00
Heat treating (quench and draw)	2.50
Spheroidizing annealing	2.50
Stress relieving after cold working	1.25
Aircraft quality	2.50
Extensometer test	.40

B. For material which is treated at an outside plant (not by a producer as defined in Revised Price Schedule No. 6 or in the seller's own plant) a charge may be made for any of the operations listed in A above and actually performed, as follows:

1. Actual invoice cost to the seller, minus any trucking charges included on such invoice, plus
2. An added charge at the rate of thirty cents per 100 pounds

Provided, That no additional charges may be made such as, but not limited to, a charge for trucking, handling, risks, etc.

TABLE F–8.—*Stainless bars and angles*

Annealing	$2.00
Annealing and pickling	4.00

SIZE EXTRAS

[Rate per 100 pounds]

The following size extras may be added.

1. When material is sold without cutting, the size extra shall be determined by the actual size of material sold.
2. When material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification, the size extra shall be determined by the actual size, prior to cutting, of the material used.

TABLE G–1.—*Carbon Steel structural shapes*

BEAMS

Standard beams & Channels 3" to 15" inclusive (Except Beams 6" x 10 lb. and 7" x 12 lb.)	Base
Standard Beams and Channels over 15"	$0.10
Beams 6" x 10 lb. and 7" x 12 lb	.15
Supplementary Beams 3" to 15" inclusive (Except 6" x 10 lb. and 7" x 12 lb.)	.05
H-Beams (Standard Mill Sections) 4" x 13 lb.; 5" x 18.9 lb.; 6" x 15.5 lb.; 20 lb., 22.5 lb., 25 lb., 27.5 lb.; 8" x 32.6 lb. 33 lb., 34.3 lb., 36 lb., 37.7 lb	.10

WIDE FLANGE SECTIONS

Wide flange beams, columns, H piles:	
8"—17 to 21 lb	$0.05
24 to 67 lb	.10
10"—21 to 29 lb	.05
33 to 136 lb	.10
12"—25 to 96 lb	.05
40 to 190 lb	.10
14"—30 to 42 lb	.05
43 to 426 lb	.10
16"—36 to 78 lb	.05
88 to 114 lb	.10
18"—47 to 124 lb	.15
21"—59 to 142 lb	.15
24"—74 to 160 lb	.15
27"—91 to 177 lb	.15
30"—108 to 210 lb	.20
33"—125 to 240 lb	.20
36"—150 to 300 lb	.20

WIDE FLANGE SECTIONS—continued

Light beams, joists, and stanchions:	
4"—7½ and 10 lb	$0.25
4"—13 lb	.15
6"—9 lb	.20
6"—12 and 18 lb	.15
12 and 16 lb	.15
8"—10 lb	.20
13 and 15 lb	.15
10"—11½ lb	.20
15, 17 and 19 lb	.15
12"—14 lb	.20
16, 19 and 22 lb	.15

CHANNELS

Car and Shipbuilding Channels 3" to 15" incl. (except 7" x 18.8 lbs.)	Base
Car and Shipbuilding Channels over 15"	$0.10
Car and Shipbuilding Channel 7" x 18.8 lbs. (A. A. R. Side Sill)	.15
Car Channel 4" x 13.8 lbs	.10

STRUCTURAL ANGLES

2" to 6", inclusive, on one or both legs, except those listed below	Base
Over 6" on one or both legs	$0.10

Exceptions

Dimensions in inches:

6 x 6 x 7/16	$0.10
6 x 4 x 5/16	.10
6 x 4 x ¼	.15
6 x 3½ x 5/16	.10
6 x 3½ x ¼	.15
5 x 5 x 5/16	.10
5 x 5 x ¼	.15
5 x 4 x 5/16	.10

Exceptions—Continued

Dimensions in inches:—Continued.

5 x 4 x ¼	$0.15
5 x 4 x 3/16	.30
5 x 3½ x ¼	.15
5 x 3 x ¼	.15
4 x 4 x ¼	.15
4 x 4 x 5/16	.20
4 x 3½ x ¼	.15
4 x 3½ x 5/16	.30
4 x 3 x ¼	.15
4 x 3 x 5/16	.30
4 x 2 x ¼	.15
4 x 2 x 5/16	.15
4 x 2 x ¼	.15
4 x 2 x 7/16	.45
3½ x 3½ x 5/16	.30
3½ x 3½ x 7/32	.45
3½ x 3 x 5/16	.30
3½ x 2½ x 5/16	.30
3½ x 2 x 5/16	.35
3 x 3 x 5/16	.35
3 x 3 x ⅜	.75
3 x 2½ x 5/16	.35
3 x 2½ x ¼	.45
3 x 2 x 5/16	.35
3 x 2 x ¼	.45
Bulb angles	.30

TEES

Tees—Structural sizes, 3" to 6" on one or both legs, ¼" thick and over (except elevator and conductor rail tees)	$0.10
Tees—6½ x 6½ x 19.8 lb	.20
Tees—Wall Armor 4 x 7¾ x 28.2 lb	.25

ZEES

Zees 3" to 6" inclusive (structural)	Base

TABLE G–2—*Plates (except floor plates)*

THICKNESS AND WIDTH

Thickness in inches	Under ¼ to 3/16, incl.	¼ to 1, incl.	Over 1 to 2, incl.	Over 2 to 4, incl.	Over 4
Width in inches:					
48 and under	Sheets	Base	$0.50	$0.60	$0.65
Over 48 to 72, incl	$0.20	Base	.50	.60	.65
Over 72 to 84, incl	.70	Base	.50	.60	.65
Over 84 to 96, incl	.80	Base	.50	.60	.65
Over 96 to 100, incl	.90	Base	.50	.60	.65
Over 100 to 110, incl	1.00	$0.05	.55	.65	.70
Over 110 to 115, incl	1.05	.10	.60	.70	.75
Over 115 to 120, incl	1.10	.15	.65	.75	.80
Over 120 to 125, incl	----------	.25	.75	.85	.90
Over 125 to 130, incl	----------	.50	1.00	1.10	1.15
Over 130 to 140, incl	----------	.75	1.25	1.35	1.40
Over 140 to 155, incl	----------	1.00	1.50	1.60	1.65
Over 155 to 170, incl	----------	1.25	1.75	1.85	1.90
Over 170 to 185, incl	----------	1.50	2.00	2.10	2.05
Over 185 to 195, incl	----------	2.00	2.50	2.60	2.45

TABLE G–3.—*Hot rolled carbon steel bars*

[Including bar shapes]

Intermediate sizes: In all cases, the higher extra may be charged for any size falling between two published size extras.

[Rate per 100 pounds]

ROUNDS, SQUARES, TWISTED SQUARES

Dimensions in inches:

¼	$1.00
5/16	.85
11/32	.70
3/8	.55
7/16 and ½	.40
9/16 and 5/8	.30
11/16 and ¾	.20
13/16	.15

ROUNDS, SQUARES, TWISTED SQUARES—Continued

Dimensions in inches—Continued.

7/8 to 1	$0.10
1 1/16 to 1 ¼	Base
1 5/16 to 2 1/16	.10
2 1/8 to 2 ½	.15
2 9/16 to 3 1/16	.20
3 1/8 to 4 1/16	.25
4 1/8 to 5 1/16	.35
5 1/8 to 6 1/16	.45
6 1/8 to 6 15/16	.55
6 1/8 to 7 ¼	.65
7 5/16 to 7 ¾	.75
7 13/16 to 8	.85
	1.10

FLATS—SQUARE EDGE AND ROUND EDGE

6" or under in width, 13/64" or over in thickness

Width in inches	Thickness in inches: 4 to 3 1/16	3 to 2 1/16	2 to 1 1/16	1 to 13/16	¾ to ½	7/16 to 3/8	5/16 to ¼	Under ¼ 13/64 inc.
¾							$1.40	$1.40
7/8						$1.00	1.20	1.20
1						.70	.90	1.00
1 1/8					$0.50	.50	.75	.80
1 ¼ to 1 3/8					.40	.40	.60	.65
1 7/16 to 1 5/8					.30	.30	.40	.50
1 11/16 to 1 13/16				$0.20	.20	.20	.30	.40
1 15/16 to 2			$0.10	Base	Base	Base	.15	.30
2 1/16 to 2 ¼		$0.20	.10	Base	Base	Base	.15	.25
2 5/16 to 2 ½		.20	.10	Base	Base	Base	.15	.20
2 9/16 to 3		.25	.10	Base	Base	Base	.15	.15
3 1/16 to 3 ½	$0.30	.25	.15	Base	Base	Base	.15	.15
3 9/16 to 4	.35	.25	.20	Base	Base	Base	.15	.15
4 1/16 to 5	.35	.25	.20	Base	Base	Base	.15	.15
5 1/16 to 6	.40	.30	.20	Base	Base	Base	.15	.15

For bevel edge sections add $0.10.

UNEQUAL LEG ANGLES—continued

2½ x 2 x ½ to 3/16 incl	$0.15
2½ x 2 x ⅛	.25
2½ x 1¾ x 5/16 to 3/16, incl	.20
2½ x 1½ x ⅜ to 5/16, incl	.20
2¼ x 1½ x ⅜ to 3/16, incl	.20
2 x 1½ x ⅜ to 3/16, incl	.15
2 x 1½ x ⅛	.25
2 x 1¾ x ⅜ to 3/16, incl	.20
2 x 1 x 3/16	.30
2 x 1 x ⅛	.40
1¾ x 1¼ x ¼ to 3/16, incl	.25
1¾ x ⅞ x 3/16	.35
1⅝ x ⅞ x ⅛	.40
1¼ x ⅝ x 3/16	.55
1¼ x ⅝ x ⅛	.60

TABLE G–6.—*Hot rolled strip*

UNEQUAL LEG ANGLES—continued

Dimensions in inches:—Continued.

1 x 3/8 x 3/16	$4.50
1 x 3/8 x 1/8	60

Other unequal leg angles take extras of equal leg angles of the short dimensions.

CHANNELS

Width in inches, thicknesses in inches, and B. W. G. gauges:	
1 1/2 or wider, but under 3 wide, x 3/16 or heavier	$4.25
1 1/2 or wider, but under 3 wide, x 1/8	40
1 1/2 x 1 1/2 x 3/16 (special box channel)	40
1 to 1 1/4, x 3/16 or heavier	40
1 to 1 1/4, x 1/8	50
1 to 1 1/4, x 7/64	70
3/4 and 7/8 x 3/16 or heavier	50
3/4 and 7/8 x 1/8	60
3/4 and 7/8 x 7/64	80
3/8 x 11/32 x 3/32	1.00
3/4 x No. 15 and 5/64	60
5/8 x 1/8 or heavier	70
5/8 x 7/64 x 1/8	70
5/8 x 7/32	2.00
1/2 x 7/64 or heavier	2.50
1/2 x 1/8	3.00

TEES

Dimensions in inches:	
1 1/2 x 1 1/2 or wider, but under 3 x 3/16 or heavier	$0.30
1 x 1 to 1 1/4 x 1 1/4, x 3/16 or heavier	.55
1 x 1 to 1 1/4 x 1 1/4, x 1/8	.70
7/8 x 7/8 x 3/16	.90
7/8 x 7/8 x 1/8	.90
3/4 x 3/4 x 3/16	.90
3/4 x 3/4 x 1/8	1.10
5/8 x 5/8 x 1/8	1.80
1/2 x 1/2 x 1/8	2.50

TABLE G-4.—*Cold finished carbon bars*

[Including shafting]

A. SIZE

ROUNDS

Dimensions in inches:	
5/32 and under	$3.00
Over 5/32 to less than 1/4	2.50
1/4 to less than 9/32	1.30
9/32 to less than 5/16	1.10
5/16 to less than 3/8	1.00
3/8 to less than 1/2	.90
1/2 to less than 5/8	.85
5/8 to less than 3/4	.80
3/4 to less than 7/8	.70
7/8 to less than 1 1/16	.60
1 1/16 to less than 1 3/16	.55
1 3/16 to less than 1 1/2	.55
1 1/2 to less than 2 1/16	.60
2 1/16 to less than 2 9/16	.65
2 9/16 to less than 3 5/16	.80
3 5/16 to less than 3 7/16	.90
3 7/16 to less than 4 1/16	1.00
4 1/16 to less than 4 3/16	1.15
4 3/16 to less than 4 1/2	1.25
4 1/2 to less than 4 15/16	1.35
4 15/16 to less than 5 7/16	1.45
5 7/16 to less than 5 15/16	1.95
5 15/16 to less than 6 7/16	2.40
6 7/16 to less than 7 7/16	3.25
7 7/16 to less than 8, incl.	3.75

SQUARES

Dimensions in inches:	
5/32 to less than 1/4	$4.00
1/4 to less than 3/16	3.00
3/16 to less than 1/4	4.00
1/4 to less than 5/8	2.50
5/8 to less than 1/2	1.75
1/2 to less than 1 15/16	1.30
1 15/16 to less than 1 3/8	1.05
1 3/8 to less than 2 5/16	1.25
2 5/16 to less than 4 5/16	2.00
4 5/16 to 4 1/2, inclusive	4.00

FLATS

[The smaller dimension is the thickness]

Thickness in inches	Width in inches							
	Less than 1/4	1/4 to less than 5/16	5/16 to less than 9/16	9/16 to less than 3/4	3/4 to less than 1 15/16	1 15/16 to less than 1 13/16	1 13/16 to 3 incl.	Wider than 3
Less than 1/8	$12.50	$10.50	$8.50	$7.50	$6.50	$5.50	$5.00	$5.00
1/8 to less than 3/16	10.50	8.50	6.50	5.50	4.50	3.50	3.00	3.00
3/16 to less than 1/4	9.75	7.75	5.75	5.25	3.75	2.75	1.75	1.75
1/4 to less than 1/2	.....	.....	4.75	4.25	2.75	2.75	1.75	1.75
1/2 to less than 5/8	.....	.....	3.75	3.25	1.75	1.75	1.50	1.50
5/8 to less than 3/4	.....	.....	.....	2.75	1.50	1.50	1.50	1.50
3/4 to less than 1	.....	.....	.....	.....	1.50	1.50	1.50	1.50
1 to less than 1 1/2	.....	.....	.....	.....	1.50	1.50	1.50	1.50
1 1/2 to less than 1 3/4	.....	.....	.....	.....	.....	1.50	1.50	1.50
1 3/4 to less than 2	.....	.....	.....	.....	.....	.....	1.50	1.50
2 to less than 3	.....	.....	.....	.....	.....	.....	1.50	1.50
3 and thicker	.....	.....	.....	.....	.....	.....	.....	1.50

HEXAGONS

Dimension in inches:	
3/32 to less than 1/8	$6.00
1/8 to less than 3/16	5.00
3/16 to less than 1/4	4.00
1/4 to less than 5/8	2.50
5/8 to less than 7/16	1.75
7/16 to less than 1/2	1.25
1/2 to less than 9/16	.90
9/16 to less than 5/8	.80
5/8 to less than 11/16	.70
11/16 to less than 3/4	.60
3/4 to less than 1	.55
1 to less than 1 1/8	.50
1 1/8 to less than 1 7/16	.45

HEXAGONS—Continued

Dimension in inches—Continued.	
1 3/16 to less than 1 1/2	$0.40
1 1/2 to less than 1 13/16	.60
1 13/16 to less than 2 1/4	.75
2 1/4 to less than 2 13/16	1.00
2 13/16 to less than 3 5/16	1.50
3 5/16 to less than 3 9/16	2.00
3 9/16 to less than 4, incl.	4.00

(For hexagons only, when the lower limit of any specified size is not more than 0.010" less than the maximum limit of the larger size given in any size bracket, such specified size will take the next lower extra for size.)

B. FINISH

GROUND AND POLISHED ACCURACY STOCK—TURNED, GROUND AND POLISHED—AND TURNED AND POLISHED SHAFTING

[These extras are in addition to size and analysis extras]

Sizes (inches)	Ground and polished from cold drawn rounds standard manufacturing tolerances: Plus.....0.0005" Minus 0.0005"	Turned, ground, and polished standard manufacturing tolerances: less than 2 1/2" minus 0.002" 2 1/2" and over, minus 0.003"		Turned and polished
	Carbon 0.30% mean and under	Carbon 0.30% mean and under	Carbon over 0.30% mean to 0.45% mean	Carbon 0.30% mean and under
1/4 to less than 5/32	$19.15	.....	.....	.....
5/32 to less than 7/16	18.15	.....	.....	.....
7/16 to less than 1/4	10.15	.....	.....	.....
1/4 to less than 5/16	7.15	.....	.....	.....
5/16 to less than 3/8	5.65	.....	.....	.....
3/8 to less than 7/16	4.15	.....	.....	.....
7/16 to less than 9/16	3.40	.....	.....	.....
9/16 to less than 1 3/16	3.25	.....	.....	.....
1 1/16 to less than 1 3/16	3.40	$3.75	$5.00	$3.45
1 3/16 to less than 1 5/16	3.30	2.25	3.25	1.95
1 5/16	3.70	2.25	3.25	1.80
1 1/8 to less than 1 3/16	3.65	1.60	2.50	1.30
1 3/16 to less than 1 9/16	3.55	1.35	2.05	1.10
1 9/16 to less than 1 15/16	3.25	1.10	1.90	.80
1 15/16 to less than 2 13/16	.....	.75	1.45	.45
2 13/16 and larger	.....	.30	.95	.....

C. SUPPLEMENTARY SIZE EXTRAS

For cold finished bars within the range of the following sizes the extras specified below may be charged in addition to the extras for size given in the above tables.

Flats over 6" wide, 5/16" to less than 3/8" thick	$1.25
Flats over 6" wide, 3/8" thick and heavier	1.75

TABLE G-5.—*Reinforcing bars*

[Squares and rounds, plain or deformed]

3/4" and larger	Base
5/8"	$0.10
1/2"	.20
3/8"	.40
5/8"	.80
1/4"	1.00

TABLE G-6.—*Hot rolled strip*

B. W. G. No.	Heavier than 6	6, 7, and 8	9	10	11	12	13	14	15
Decimal equivalent in inches	0.2489 to 0.2031	0.203 to 0.162	0.161 to 0.146	0.145 to 0.132	0.131 to 0.118	0.117 to 0.105	0.104 to 0.090	0.089 to 0.076	0.075 to 0.068
Width in inches:									
3/8	(1)	$1.45	$1.50	$1.60	$1.60	$1.70	$1.80	$2.00	$2.20
7/16	(1)	1.25	1.25	1.35	1.40	1.50	1.60	1.70	1.85
1/2	(1)	1.05	1.05	1.10	1.10	1.20	1.25	1.35	1.45
9/16	(1)	.85	.85	.90	.90	1.00	1.05	1.10	1.15
5/8 to 11/16	(1)	.70	.70	.75	.75	.85	.90	.95	1.00
3/4 to 1 13/16	(1)	.55	.55	.60	.60	.70	.75	.85	.80
7/8 to 1 15/16	(1)	.45	.45	.50	.50	.60	.65	.70	.75
1 to 1 3/8	(1)	.35	.35	.40	.40	.50	.55	.60	.60
1 7/16 to 2	(1)	.30	.30	.35	.35	.40	.45	.45	.45
2 1/16 to 2 1/2	(1)	.25	.25	.30	.30	.35	.40	.40	.40
2 9/16 to 3	(1)	.20	.20	.25	.25	.30	.35	.35	.40
3 1/16 to 3 1/2	(1)	.15	.15	.20	.20	.25	.30	.35	.35
3 9/16 to 4	(1)	.15	.15	.20	.20	.25	.30	.35	.40
4 1/16 to 5	(1)	.10	.10	.15	.15	.20	.25	.30	.40
5 1/16 to 6	(1)	.10	.10	.15	.15	.20	.25	.30	.40
6 1/16 to 8	$0.05	.05	.05	.10	.10	.15	.20	.25	.35
8 1/16 to 10	.05	.05	.05	.10	.10	.15	.20	.25	.35
10 1/16 to 12	.05	.05	.05	.10	.10	.15	.20	.25	.35

B. W. G. No.	16	17	18	19	20	21	22	23
Decimal equivalent in inches	0.067 to 0.061	0.060 to 0.054	0.053 to 0.047	0.046 to 0.041	0.040 to 0.035	0.034 to 0.032	0.031 to 0.028	0.027 to 0.025
Width in inches:								
3/8	$2.40	$2.60	$2.85	$3.20	$3.60	$4.00	$4.40	$4.75
7/16	2.05	2.25	2.45	2.75	3.10	3.45	3.85	4.25
1/2	1.55	1.75	1.95	2.15	2.35	2.75	3.25	3.75
9/16	1.25	1.35	1.55	1.75	1.95	2.35	2.75	3.25
5/8 to 11/16	1.05	1.15	1.25	1.45	1.65	1.95	2.35	2.75
3/4 to 1 13/16	.90	.95	1.05	1.15	1.35	1.55	1.85	2.25
7/8 to 1 15/16	.80	.85	.90	.95	1.05	1.25	1.55	1.85
1 to 1 3/8	.65	.65	.75	.85	.95	1.15	1.45	1.65
1 7/16 to 2	.50	.55	.60	.70	.90	1.15	1.35	1.65
2 1/16 to 2 1/2	.45	.55	.70	.85	1.05	1.20	1.40	1.70
2 9/16 to 3	.45	.55	.70	.90	1.15	1.25	1.45	1.70
3 1/16 to 3 1/2	.45	.60	.75	.95	1.20	1.30	1.50	1.55
3 9/16 to 4	.50	.65	.85	1.05	1.25	.....	.....	.....
4 1/16 to 5	.55	.75	.95	1.15	1.35	.....	.....	.....
5 1/16 to 6	.55	.75	.95	1.00	1.10	.....	.....	.....
6 1/16 to 8	.55	[2].70	.....	.....	.....	.....	.....	.....
8 1/16 to 10	.55	[2].70	.....	.....	.....	.....	.....	.....
10 1/16 to 12	.50	[2].65	.....	.....	.....	.....	.....	.....

[1] Price as hot rolled bars.
[2] Applies only on thickness 0.057" to 0.060" inclusive.

For bevel edge sections add $0.15.

TABLE G-7.—*Cold rolled strip*

[Cut lengths only—shall not be used for coil]

Width in inches	3/64 and under		Under 3/16 to over 3/64		Under 1/2 to incl. 3/16		Under 1 to incl. 1/2	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches:								
0.161 and thicker	$7.00	$7.00	$5.25	$5.95	$3.50	$3.95	$1.85	$2.80
0.160 to 0.100	6.70	7.60	5.05	5.70	3.35	3.80	1.70	2.15
0.099 to 0.069	6.90	7.80	5.20	5.85	3.45	3.90	2.05	2.50
0.068 to 0.050	7.10	8.00	5.35	6.00	3.55	4.00	2.15	2.60
0.049 to 0.040	7.40	8.50	5.55	6.40	3.70	4.25	2.30	2.85
0.039 to 0.035	7.80	9.30	5.85	7.00	3.70	4.25	2.30	2.85
0.034 to 0.032	10.20	11.60	7.65	8.70	5.10	5.80	3.10	3.80
0.031 to 0.029	11.10	12.50	8.35	9.40	5.55	6.25	3.80	4.60
0.028 to 0.026	11.80	13.20	8.85	9.90	5.90	6.60	3.90	4.60
0.025 to 0.023	12.20	14.60	9.90	10.95	6.60	7.30	4.60	5.90
0.022 to 0.020	14.50	15.40	10.90	11.95	7.25	7.95	4.75	5.45
0.019 to 0.017	19.20	19.20	14.40	14.40	9.60	9.60	7.20	7.20
0.016 to 0.015	22.30	22.30	16.75	16.75	11.15	11.15	7.75	7.75
0.014 to 0.013	25.60	25.60	19.20	19.20	12.80	12.80	9.65	9.65

TABLE G-7.—*Cold rolled strip*—Continued

Width in inches	Under 1½ to incl. 1		Under 3 to incl. 1½		Incl. 3 to incl. 6		Over 6 to incl. 9	
Thickness in inches:	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
0.161 and thicker	$1.20	$1.65	$0.85	$1.30	$0.50	$0.95	$0.25	$0.70
0.160 to 0.100	1.10	1.55	.85	1.30	.50	.95	.35	.80
0.099 to 0.069	1.25	1.70	1.05	1.50	.85	1.30	.65	1.10
0.068 to 0.050	1.35	1.80	1.10	1.55	.95	1.40	.75	1.20
0.049 to 0.040	1.50	2.05	1.25	1.80	1.10	1.65	.90	1.45
0.039 to 0.035	1.50	2.05	1.25	1.80	1.10	1.65	1.05	1.60
0.034 to 0.032	2.25	2.95	1.80	2.50	1.55	2.25	1.45	2.15
0.031 to 0.029	2.80	3.50	2.35	3.05	2.00	2.70	1.75	2.45
0.028 to 0.026	2.90	3.60	2.45	3.15	2.10	2.80	1.85	2.55
0.025 to 0.023	3.45	4.15	3.00	3.70	2.55	3.25	2.45	3.15
0.022 to 0.020	3.60	4.30	3.15	3.85	2.70	3.40	2.70	3.40
0.019 to 0.017	6.25	6.25	5.80	5.80	4.90	4.90	5.15	5.15
0.016 to 0.015	6.80	6.80	6.35	6.35	5.45	5.45	5.70	5.70
0.014 to 0.013	8.65	8.65	8.30	8.30	7.30	7.30	7.70	7.70

Width in inches	Over 9 to incl. 12		Over 12 to incl. 23-15/16	
Thickness in inches:	Hard	Soft	Hard	Soft
0.161 and thicker	$0.25	$0.70	$0.25	$0.70
0.160 to 0.100	.35	.80	.35	.80
0.099 to 0.069	.65	1.10	.65	1.10
0.068 to 0.050	.75	1.20	.75	1.20
0.049 to 0.040	.90	1.45	.90	1.45
0.039 to 0.035	1.05	1.60	1.05	1.60
0.034 to 0.032	1.45	2.15	1.45	2.15
0.031 to 0.029	1.85	2.55	1.90	2.60
0.028 to 0.026	2.05	2.75	----	----
0.025 to 0.023	2.70	3.40	----	----
0.022 to 0.020	3.05	3.75	----	----
0.019 to 0.017	5.40	5.40	----	----

Extras for soft apply to all tempers, except full hard.

SUPPLEMENTARY SIZE EXTRAS

For Cold Rolled Strip (not including cold rolled round edge flat wire) in the following ranges of sizes a charge at the rate per 100 pounds indicated below may be added to the size extras above:

0.0972" to 0.1875" in thickness inclusive	$1.10
Heavier than 0.1875" in thickness	4.50

TABLE G-8.—*Cold rolled round edge flat wire.*

Width in inches	Under ½ to incl. 3/16	Under 1 to incl. ½	Under 1½ to incl. 1	Under 3 to incl. 1½
Thickness in inches:				
0.161 and thicker	$5.10	$2.75	$1.80	$1.30
0.160 to 0.100	4.90	2.60	1.65	1.30
0.099 to 0.069	5.00	3.00	1.90	1.40
0.068 to 0.050	5.15	3.15	2.00	1.65
0.049 to 0.040	5.50	3.50	2.35	2.00
0.039 to 0.035	5.50	3.50	2.35	2.00
0.034 to 0.032	7.75	4.90	3.65	3.00
0.031 to 0.029	8.35	5.90	4.45	3.80
0.028 to 0.026	8.90	6.00	4.60	3.95

TABLE G-9.—*Hot rolled sheets*

A. GAUGE AND WIDTH

U. S. standard gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18
Thickness or lering. limits, inches	0.2499 to 0.1875	0.1874 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449
Width in inches:												
32 and under	Base	Base	Base	Base	$0.05	$0.10	$0.15	$0.20	$0.30	$0.45	$0.55	$0.60
Over 32 to 36 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 36 to 40 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 40 to 44 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 44 to 48 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 48 to 52 incl	Plate	$0.15	$0.15	$0.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 52 to 56 incl	Plate	.15	.15	.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 56 to 60 incl	Plate	.15	.15	.15	.20	.25	.30	.40	.70	.50	.95	.70	.75
Over 60 to 64 incl	Plate	.20	.20	.20	.25	.30	.40	.70	.50	.95	.80	.85
Over 64 to 68 incl	Plate	.20	.20	.20	.25	.30	.40	.70	.50	.95	.80	.85
Over 68 to 72 incl	Plate	.25	.25	.25	.30	.35	.45	.76	.55	1.00	.95	1.00
Over 72 to 78 incl	Plate	.35	.35	.55	.40	.70	.60	.90	.70	1.15	1.05	1.10
Over 78 to 86 incl	Plate	.35	.35	.55	.40	.70	.65	.95	.75	1.20	1.25	1.45
Over 86	Plate	.45	.45	.65	.50	.80	.75	1.20	1.15	1.70	1.45	1.65

U. S. standard gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering. limits, inches	0.0418 to 0.0389	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:												
32 and under	$0.75	$0.80	$0.80	$0.85	$0.85	$0.90	$0.95	$1.00	$1.05	$1.10		
Over 32 to 36 incl	.75	.80	.80	.85	.85	.90	1.00	1.10	1.20	1.30	$1.40	$1.50
Over 36 to 40 incl	.75	.80	.80	.90	.95	1.00	1.15	1.25	1.35	1.50	1.55	1.75
Over 40 to 44 incl	.75	.80	.85	.95	1.05	1.10	1.30	1.40	1.50	1.65	----	----
Over 44 to 48 incl	.75	.80	.90	1.05	1.15	1.20	1.45	1.55	1.65	1.90	----	----
Over 48 to 52 incl	.80	.90	1.05	1.15	1.20	1.25	1.45	1.55	1.65	----	----	----
Over 52 to 56 incl	.80	.95	1.10	1.30	1.40	1.50	----	----	----	----	----	----
Over 56 to 60 incl	.80	1.00	1.25	1.50	1.70	1.75	----	----	----	----	----	----
Over 60 to 64 incl	.95	1.05	1.50	----	----	----	----	----	----	----	----	----
Over 64 to 68 incl	1.05	1.15	1.75	----	----	----	----	----	----	----	----	----
Over 68 to 72 incl	1.25	1.35	2.00	----	----	----	----	----	----	----	----	----
Over 72 to 78 incl	1.35	1.75	----	----	----	----	----	----	----	----	----	----
Over 78 to 86 incl	1.75	1.95	----	----	----	----	----	----	----	----	----	----
Over 86	1.95	2.15	----	----	----	----	----	----	----	----	----	----

TABLE G-9.—*Hot rolled sheets*—Continued

B. LENGTH

U. S. standard gauge No.	Length in inches				U. S. standard gauge No.	Length in inches			
	124 and under	Over 124 to 144	Over 144 to 168	Over 168 to 192		124 and under	Over 124 to 144	Over 144 to 168	Over 168 to 192
16 or heavier	Base	Base	Base	Base	21	Base	$0.10	$0.25	$0.35
17 and 18	Base	Base	Base	Base	25 to 27	Base	.10	.30	----
19 to 21	Base	$0.10	$0.20	$0.30	28	Base	.10	----	----
22 and 23	Base	.10	.25	.35	29 and 30	Base	.10	----	----

TABLE G-10.—*Cold rolled sheets*

A. GAUGE AND WIDTH

U. S. standard gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18	19
Thickness ordering limits in inches.	.2490 to .1570	.1569 to .1420	.1419 to .1271	.1270 to .1121	.1120 to .0972	.0971 to .0822	.0821 to .0710	.0709 to .0636	.0635 to .0568	.0567 to .0509	.0508 to .0449	.0448 to .0384
Width in inches:												
32 and under	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.10	−$0.05	Base	$0.05	$0.10
Over 32 to 36 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 36 to 40 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 40 to 44 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 44 to 48 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 48 to 52 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	.05	.10	.15
Over 52 to 56 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	.05	.10	.15
Over 56 to 60 incl	−.05	−.05	−.05	−.05	−.05	−.05	−.05	−.05	Base	.07	.10	.25
Over 60 to 64 incl	Base	Base	Base	Base	Base	Base	Base	Base	.05	.10	.15	.30
Over 64 to 68 incl	.05	.05	.05	.05	.05	.07	.05	.05	.07	.10	.20	.35
Over 68 to 72 incl	.10	.10	.10	.10	.10	.10	.10	.10	.10	.20	.30	.45
Over 72 to 78 incl											.40	.45
Over 78 to 86 incl											.60	.80
Over 86											.80	1.00

U. S. standard gauge No.	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches.	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:											
32 and under	$0.15	$0.20	$0.25	$0.35	$0.45	$0.50	$0.55	$0.60	$0.70		$0.80
Over 32 to 36 incl	.15	.20	.25	.35	.45	.55	.65	.75	.95	$1.10	1.25
Over 36 to 40 incl	.15	.20	.30	.50	.55	.70	.80	.90	1.05	1.35	1.55
Over 40 to 44 incl	.15	.25	.35	.60	.65	.85	.95	1.05	1.30	1.55	----
Over 44 to 48 incl	.15	.30	.45	.70	.75	1.15	1.25	1.35	1.75	----	----
Over 48 to 52 incl	.25	.45	.55	.95	1.30	1.60	----	----	----	----	----
Over 52 to 56 incl	.30	.50	.70	1.10	1.50	----	----	----	----	----	----
Over 56 to 60 incl	.35	.65	.90	1.40	1.80	----	----	----	----	----	----
Over 60 to 64 incl	.60	.80	----	----	----	----	----	----	----	----	----
Over 64 to 68 incl	.80	1.15	----	----	----	----	----	----	----	----	----
Over 68 to 72 incl	.90	1.30	----	----	----	----	----	----	----	----	----
Over 72 to 78 incl	1.00	----	----	----	----	----	----	----	----	----	----
Over 78 to 86 incl	1.20	----	----	----	----	----	----	----	----	----	----
Over 86	1.40	----	----	----	----	----	----	----	----	----	----

B. LENGTH

U. S. standard gauge No.	Length in inches						
	96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 171	Over 171
16 or heavier	Base	----	----	----	----	----	----
17–20 inclusive	Base	----	----	----	----	----	$0.15
21–22 up to 48" wide incl	Base	----	$0.15	$0.20	$0.25	$0.25	.40
21–22 over 48" wide	Base	$0.10	.20	.25	.30	.30	.40
23–24 up to 48" wide incl	Base	.15	.20	.25	.30	.30	.45
23–24 over 48" wide	Base	.20	.25	.30	.35	.35	.60
25–27 up to 48" wide	Base	.15	.20	.25	.30	.35	.60
28–30 up to 48" wide	Base	.20	.25	.30	.35	.40	.65

C. SUPPLEMENTARY EXTRA

1. Cold Rolled Sheets of the following dimensions double the sum of the applicable extras for gauge, width (A) and length (B) may be charged:

18 gauge and lighter, over 48" wide.
18 gauge and lighter, over 120" long.

2. The following extras may be added to the applicable extras for gauge and width (A) and length (B) where a seller has paid a mill extra for full finish or cold reduced finish on cold rolled sheets of No. 13 U. S. Standard gauge and heavier, as allowed by the provision of § 1306.8 (b) of Revised Price Schedule No. 6.

11 gauge and heavier	$1.00
12 and 13 gauge	.50

TABLE G-11.—*Galvanized steel, galvanized Armco iron, galvanized Toncan iron, galvannealed, and long terne sheets*

TABLE G-12.—*Enameling sheets*—Continued

TABLE G-14.—*Cold Finished Alloy Steel Bars*

TABLE G-11.—*Galvanized steel, galvanized Armco iron, galvanized Toncan iron, galvannealed, and long terne sheets*

A. GAUGE AND WIDTH

Gauge No.[1]	10 or heavier	11	12	13	14	15	16	17	18	19	20	21
Width in inches:												
32 and under	—$0.50	—$0.45	—$0.40	—$0.35	—$0.30	—$0.26	—$0.25	—$0.20	—$0.15	—$0.15	—$0.10	—$0.10
Over 32 to 36 incl	—.50	—.45	—.40	—.35	—.30	—.25	—.25	—.20	—.15	—.15	—.10	—.10
Over 36 to 38 incl	—.25	—.20	—.15	—.10	—.05	Base	.25	.30	.35	.35	.40	.40
Over 38 to 40 incl	—.25	—.20	—.15	—.10	—.05	Base	.25	.30	.35	.35	.40	.40
Over 40 to 42 incl	—.25	—.20	—.15	—.10	—.05	Base	.50	.55	.60	.60	.65	.65
Over 42 to 44 incl	Base	.05	.10	.15	.20	.25	.50	.55	.60	.60	.65	.65
Over 44 to 46 incl	Base	.05	.10	.15	.20	.25	.75	.80	.85	.85	.90	.90
Over 46 to 48 incl	Base	.05	.10	.15	.20	.25	.75	.80	.85	.85	.90	.90
Over 48 to 50 incl	—.20	—.15	—.10	—.05	Base	.05	.05	.15	.20	.20	.35	.40
Over 50 to 52 incl	—.15	—.10	—.05	Base	.05	.10	.10	.20	.25	.35	.40	.40
Over 52 to 54 incl	—.10	—.05	Base	.05	.10	.15	.20	.35	.40	.60	.65	.65
Over 54 to 56 incl	Base	.05	.10	.15	.20	.25	.35	.55	.60			
Over 56 to 58 incl	.10	.15	.20	.25	.30	.35	.45	.80	.85			
Over 58 to 60 incl	.25	.30	.35	.40	.45	.50	.60	1.05	1.10			

Gauge No.[1]	22	23	24	25	26	27	28	29	30	31	32
Width in inches:											
32 and under	—$0.05	—$0.05	Base	$0.15	$0.25	$0.35	$0.50	$0.75	$1.00	$1.25	$1.50
Over 32 to 36 incl	—.05	—.05	Base	.15	.25	.40	.70	.95	1.20	1.65	2.00
Over 36 to 38 incl	.70	.70	$0.75	1.15	1.25	.75	1.00				
Over 38 to 40 incl	.70	.70	.75	1.15	1.25	.85	1.15				
Over 40 to 42 incl	.95	.95	1.00	1.40	1.50	1.05					
Over 42 to 44 incl	.95	.95	1.00	1.40	1.50	1.45					
Over 44 to 46 incl	1.45	1.45	1.50	1.65	1.75	1.35					
Over 46 to 48 incl	1.45	1.45	1.50	1.65	1.75	1.60					
Over 48 to 50 incl	.75	.85	.90								
Over 50 to 52 incl	.85	.95	1.00								
Over 52 to 54 incl	1.10										
Over 54 to 56 incl											
Over 56 to 58 incl											
Over 58 to 60 incl											

B. LENGTH

Gauge No.	Length in inches									
	124 and under	Over 124 to 144	Over 144 to 156	Over 156 to 168	Over 168 to 192	Over 192 to 216	Over 216 to 228	Over 228 to 252	Over 252 to 276	
12 or heavier	Base	Base	$0.25	$0.50	$0.75	$0.75	$1.05	$1.15	$1.40	
13 to 16	Base	Base	.25	.50	.75	.90	1.05	1.15	1.40	
17 and 18	Base	$0.10	.50	.75	.80	.90	1.15	1.40	1.65	
19 to 21	Base	.10	.50	.75	.90	1.05	1.15	1.40	1.90	
22	Base	.10	.50	.75	1.05	1.15	1.40	1.65		
23 and 24	Base	.10								
25 and 26	Base	.10								
27	Base	.10								
28	Base	.10								
29 and 30	Base	.10								
31	Base									
32	Base									

[1] For Galvanized Steel, Galvanized Armco Iron, Galvanized Toncan Iron, and Galvannealed, use Galvanized Sheet Gauge Nos., Long Terne use U. S. standard gauge No.

TABLE G-12.—*Enameling sheets*

A. GAUGE AND WIDTH

U. S. standard gauge No.	7	8	9	10	11	12	13	14	15	16	17	18
Thickness ordering limits in inches	0.1868 to 0.1719	0.1718 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449
Width in inches:												
32 and under	—$0.60	—$0.60	—$0.60	—$0.60	—$0.55	—$0.55	—$0.50	—$0.30	—$0.40	—$0.20	—$0.15	—$0.10
Over 32 to 36 incl	—.60	—.60	—.60	—.60	—.55	—.55	—.50	—.30	—.40	—.20	—.15	—.10
Over 36 to 40 incl	—.60	—.60	—.60	—.60	—.55	—.55	—.50	—.30	—.40	—.20	—.15	—.10
Over 40 to 44 incl	—.60	—.60	—.60	—.60	—.55	—.55	—.50	—.30	—.40	—.20	—.15	—.10
Over 44 to 48 incl	—.45	—.45	—.45	—.45	—.30	—.30	—.37	—.15	—.25	—.05	—.05	.10
Over 52 to 56 incl	—.45	—.45	—.45	—.45	—.30	—.30	—.35	—.15	—.25	—.05	.05	.10
Over 56 to 60 incl	—.40	—.40	—.40	—.40	—.35	—.35	—.30	—.10	—.20	Base	.05	.10
Over 60 to 64 incl	—.35	—.35	—.35	—.35	—.30	—.30	—.25	—.05	—.15	.05	.15	.20
Over 64 to 68 incl	—.25	—.25	—.25	—.25	—.20	—.20	—.30	.05	—.10	.10	.25	.30
Over 68 to 72 incl	—.15	—.15	—.15	—.15	—.10	—.10	—.05	.15	.05	.25	.35	.40
Over 72 to 78 incl											.45	.50

TABLE G-12.—*Enameling sheets*—Continued

U. S. standard gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	0.0448 to 0.0389	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:												
32 and under	—$0.05	Base	$0.05	$0.10	$0.20	$0.30	$0.40	$0.50	$0.60	$0.70	$0.80	$0.90
Over 32 to 36 incl	—.05	Base	.05	.10	.20	.30	.40	.50	.60	.90	1.10	1.30
Over 36 to 40 incl	—.05	Base	.05	.20	.40	.50	.70	.80	.90	1.10	1.40	1.70
Over 40 to 44 incl	—.05	Base	.15	.30	.60	.70	1.00	1.10	1.20	1.50	1.70	
Over 44 to 48 incl	—.05	Base	.25	.50	.80	.90	1.30	1.40	1.50	1.90		
Over 48 to 52 incl	.15	$0.25	.45	.70	1.20	1.30						
Over 52 to 56 incl	.15	.30	.65	.90								
Over 56 to 60 incl	.25	.40	.85	1.10								
Over 60 to 64 incl	.35	.50	1.05									
Over 64 to 68 incl	.45	.60	1.25									
Over 68 to 72 incl	.55	.75	1.55									
Over 72 to 78 incl	.65	1.00										

B. LENGTH

U. S. standard gauge No.	Length in inches					
	96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 156
1 or heavier	Base	Base	Base	Base	Base	$0.10
1 and 2	Base	Base	Base	$0.10	$0.10	.15
19 and 20	Base	Base	Base	.10	.15	.20
21 and 22	Base	Base	Base	.20	.25	.30
26-27	Base	$0.15	$0.20	.25	.30	.35
28-30	Base	.20	.25	.30	.35	.40

TABLE G-13.—*Hot Rolled Alloys*

ROUNDS AND SQUARES

Dimensions in inches:	
9/32	$1.50
15/64	1.25
1/4	1.00
9/32	.85
5/16	.70
11/32	.55
23/64 and 3/8	.40
25/64 and 7/16	.30
1 29/64 and 1 1/2	.20
9/16	.15
17/64 to 1 13/16	.10
1 29/64 to 1 1/2	Base
1 13/16 to 2 1/16	.10

TABLE G-13.—*Hot Rolled Alloys*—Continued

ROUNDS AND SQUARES—continued

Dimensions in inches—Continued.	
2 1/16 to 2 1/8	$0.15
2 9/64 to 2 3/16	.20
2 13/64 to 2 7/16	.25
2 15/64 to 2 5/8	.35
2 13/64 to 2 9/16	.45
2 13/64 to 2 11/16	.55
2 13/64 to 2 3/4	.65
2 13/64 to 2 7/8	.75
2 13/64 to 2 15/16	.85
2 13/64 to 3	1.10
Over 3" up to but not including 10"	1.50

HEXAGONS

1/4	$1.50
5/16	1.20
3/8	.90
7/16	.60
1/2 to 9/16	.35
5/8 to 11/16	.20
3/4 to 1 1/16	.125
1 1/8 to 1 3/16	.25
1 1/4 to 1 3/16	1.10
1 3/8 to 1 1/8	1.25

OCTAGONS

1/4	$1.50
5/16	1.20
3/8	1.00
7/16	.80
1/2 to 9/16	.60
5/8 to 11/16	.40
3/4 to 3 1/16	.25

FLATS

Width in inches	Thickness in inches						
	4 to 3 1/16	3 to 2 1/16	2 to 1 1/16	1 to 1 3/16	3/4 to 1/2	7/16 to 3/8	5/16 to 1/4
8							1.40
7						1.00	1.20
6						.70	.90
5						.50	.75
4 to 3 1/16					0.50	.50	.60
3 to 2 1/16					.40	.40	.60
2 to 1 1/16					.30	.30	.40
1 to 2				0.20	.20	.20	.30
2 1/16 to 3		0.20	0.10	Base	Base	Base	.15
3 1/16 to 12	0.30	.20	.10	Base	Base	Base	.15

TABLE G-14.—*Cold Finished Alloy Steel Bars*

ROUNDS

Dimensions in inches	
1/4 to less than 9/32	$4.00
9/32 to less than 5/16	3.00
5/16 to less than 7/32	2.50
7/32 to less than 1/4	2.00
1/4 to less than 5/16	1.25
5/16 to less than 3/8	1.00
3/8 to less than 7/16	.90
7/16 to less than 1/2	.70
1/2 to less than 11/16	.55
11/16 to less than 13/16	.45
13/16 to less than 1 1/16	.40
1 1/16 to less than 2 1/16	.45
2 1/16 to less than 2 15/16	.50
2 15/16 to less than 3 1/8	.70
3 1/8 to less than 3 7/16	.75
3 7/16 to less than 3 3/8	.85
3 3/8 to less than 3 15/16	.90
3 15/16 to less than 4 1/8	1.00
4 1/8 to less than 4 7/16	1.10
4 7/16 to less than 4 15/16	1.20
4 15/16 to less than 5 7/16	1.30
5 7/16 to less than 5 15/16	1.75
5 15/16 to less than 6 7/16	2.25
6 7/16 to 7, inclusive	3.00

HEXAGONS

9/32 to less than 1/4	$6.00
1/4 to less than 5/16	5.00
5/16 to less than 3/4	4.00
3/4 to less than 3/8	2.50
3/8 to less than 7/16	1.75
7/16 to less than 1/2	1.25
1/2 to less than 9/16	.90
9/16 to less than 5/8	.80
5/8 to less than 11/16	.70
11/16 to less than 3/4	.60
3/4 to less than 7/8	.55
7/8 to less than 1	.50
1 to less than 1 1/8	.30
1 1/8 to less than 1 1/4	.45
1 1/4 to less than 1 5/16	.50
1 5/16 to less than 1 1/2	.60
1 1/2 to less than 1 13/16	.75
1 13/16 to less than 2 1/4	1.00
2 1/4 to less than 2 13/16	1.50
2 13/16 to less than 3 1/16	1.50
3 1/16 to less than 3 9/16	3.00
3 9/16 to 4 inclusive	4.00

SQUARES

9/32 to less than 1/4	$6.00
1/4 to less than 5/16	5.00
5/16 to less than 1/4	4.00
1/4 to less than 3/8	2.50
3/8 to less than 1/2	1.75
1/2 to less than 11/16	1.30
11/16 to less than 1 1/8	1.05
1 1/8 to less than 2 1/8	1.25
2 1/16 to less than 4 1/16	2.00
4 1/16 to less than 4 1/2, inclusive	4.00

TABLE G-15.—*Stainless steel sheets*

FINISH DESIGNATIONS

No. 1. Hot rolled annealed and pickled.
No. 2B. Full finish (bright cold rolled).
No. 2D. Dull finish (Dull cold rolled).
No. 4. Standard polish on one side or both sides

GAUGE AND FINISH EXTRAS

U. S. S. gauge	Thickness ordering range in inches	Gauge extra	Combined gauge and polishing extras			
		Unpolished finishes only Nos. 1 2B and 2D finishes	No. 4 and No. 6 finish		No. 7 finish	
			One side	Both sides	One side	Both sides
	Over—					
	0.160 to 0.176	Base	$9.75	$10.50	$7.67	$14.00
	0.145 to 0.160	Base	6.00	11.00	8.00	14.67
	0.130 to 0.145	Base	6.25	11.50	8.33	15.33
	0.114 to 0.130	Base	6.50	12.00	8.67	16.00
	0.098 to 0.114	Base	6.75	12.50	9.00	16.67
	0.083 to 0.098	Base	7.00	13.00	9.33	17.33
	0.072 to 0.083	Base	7.25	13.50	9.67	18.00
	0.062 to 0.072	Base	7.50	14.00	10.00	18.67
	0.054 to 0.062	Base	7.75	15.00	10.33	20.00
	0.046 to 0.054	Base	8.00	16.00	10.67	21.33
	0.040 to 0.046	Base	8.50	18.00	11.33	24.00
	0.033 to 0.040	Base	9.50	20.50	12.67	27.34
	0.032 to 0.033	Base	11.00	24.00	14.67	32.00
	0.029 to 0.032	Base	12.00	26.50	16.00	35.34
	0.026 to 0.029	$0.50	15.50	29.50	20.50	39.67
	0.023 to 0.026	.50	17.00	32.50	22.50	44.50
	0.021 to 0.023	1.00	18.50	35.50	24.34	49.00
	0.018 to 0.021	2.00	24.00	47.00	30.00	56.67
	0.0177 to 0.0188	5.00	26.00	46.00	33.00	59.67
	0.0160 to 0.0177	8.00				
	0.0145 to 0.0160	11.00				
	0.0covered to 0.0145	17.00				
	0.0114 to 0.0130	22.00				
	0.010 to 0.0114	26.00				
	0.009	30.00				
	0.008	34.00				
	0.007	42.00				
	0.006	50.00				
	0.005	62.00				

[illegible] and heavier take plate extras.

LENGTH EXTRAS

Length in inches	
Under 36, incl	$0.50
Up [illegible]	1.00
Over 120 to 130, incl	.50
Over 130 to 143, incl	1.00
Over 140 to 150, incl	1.50
Over 150 to 175, incl	2.00
Over 175 to 190, incl	3.00
Over 190 to 200, incl	3.50
Over 200 to 240, incl	4.50

LENGTH EXTRAS—Continued

Length in inches—Continued.	
Over 200 to 240, incl	$5.50
Over 240 to 280, incl	5.75
Over 280 to 310, incl	6.00
Over 310 to 340, incl	6.25
Over 340 to 370, incl	6.50
Over 370 to 400, incl	6.75
Over 400 to 430, incl	7.00
Over 430 to 460, incl	7.25

WIDTH EXTRAS

Gauge No.	Thickness ordering range	Over 36–40" incl.	Over 40–44" incl.	Over 44–50" incl.	Over 50–54" incl.	Over 54–58" incl.	Over 58–62" incl.	Over 62–66" incl.	Over 66"
[illegible] incl	[illegible] to 0.176"	$0.50	$1.00	$1.50	$2.00	$2.50	$4.00	$6.00	$8.00
18 to [illegible] incl	[illegible] to 0.058"	.75	1.25	1.75	2.25	3.75	6.00	8.75	
22 to 24 incl	[illegible] to 0.046"	1.00	1.50	2.00	3.00	4.25	8.00	12.50	
25 to 24 incl	[illegible] to 0.032"	1.50	2.00	2.50	4.00	5.25	9.50		
26 to 28 incl	0.028 to 0.025"	2.00	2.75	3.50	7.00	9.00	12.00		
27 to 28 incl	0.0140 to 0.0177"	2.50	3.00	5.00					

When [illegible] item, the shortest dimension should always be considered as width.

TABLE G-16.—*Stainless bars*

HOT ROLLED BARS

Dimensions in inches	
[illegible] to 3"	$0.00
[illegible] to 4"	5.00
[illegible] to 5"	3.00
[illegible] to 6"	2.00
[illegible] to 8"	1.00
1 to 1 [illegible]"	.50
1" to 2¼"	Base
2¼ to 3"	1.00
3¼ to 4"	1.50

TABLE G-16.—*Stainless bars*—Continued

HOT ROLLED BARS—continued

Dimensions in inches—Continued.	
4¼ to 5"	$2.00
5¼ to 6"	4.00

All intermediate sizes take the next higher extra.
Octagons and Hexagons—2c per pound extra for shape in addition to above extras for size.
Rounds, Octagons and Hexagons—In hot rolled coils take one-half regular bar size extras plus all other extras.

TABLE G-16.—*Stainless bars*—Continued

Thickness of section in inches

Width of section in inches	⅛	3/16	¼	5/16	⅜	7/16	½	5/8	¾	1	1¼	1½
[illegible]	$30.00	$20.00	$10.00									
[illegible]	25.00	15.00	8.00	$6.00								
[illegible]	20.00	10.00	6.00	5.00	$4.00							
[illegible]	10.00	7.00	5.00	4.00	3.00	$2.00						
[illegible]	7.00	5.00	4.00	3.00	2.00	1.50	$1.00	$1.00				
[illegible]	6.00	4.00	3.00	2.00	1.50	1.00	.50	.50	$0.50			
[illegible]	5.00	3.00	2.00	1.50	1.00	1.00	.50	.50	.50	$0.50		
[illegible]	5.00	3.00	1.50	1.00	1.00	.50	.50	Base	Base	Base	Base	Base
[illegible]	5.00	3.00	1.50	1.00	1.00	.50	.50	Base	Base	Base	Base	Base
[illegible]	5.00	3.00	1.50	1.00	1.00	.50	.50	Base	Base	Base	Base	Base
[illegible]	5.00	3.00	1.50	1.00	1.00	.50	.50	Base	Base	Base	Base	Base
[illegible]	5.00	3.00	1.50	1.00	1.00	.50	.50	Base	Base	Base	Base	Base
[illegible]	5.00	3.00	1.50	1.00	1.00	.50	.50	Base	Base	Base	Base	Base
[illegible]	5.00	3.00	1.50	1.00	1.00	.50	.50	Base	Base	Base	Base	Base
[illegible]	6.00	4.00	2.50	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
[illegible]	8.00	6.00	4.00	3.50	3.00	3.00	3.00	3.00	3.00	3.00	3.00	2.50
[illegible]	10.00	8.00	6.00	5.00	4.00	4.00	3.00	3.00	3.00	3.00	3.00	3.00
[illegible]	[illegible]	8.00	6.00	6.00	5.00	5.00	4.00	4.00	4.00	4.00	4.00	3.50
[illegible]	[illegible]	8.00	6.00	6.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	4.00
[illegible]	[illegible]	8.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00	5.00	5.00	5.00

Width of section in inches	1¾	2	2½	3	3½	4	5	6	7	8	9	10
[illegible]												
[illegible]												
[illegible]												
[illegible]												
[illegible]												
[illegible]												
[illegible]												
[illegible]	Base											
[illegible]	Base	Base										
[illegible]	Base	Base										
[illegible]	Base	Base	Base									
[illegible]	$1.00	$1.00	$1.00	$1.00								
[illegible]	1.50	1.50	1.50	1.50	$1.50	$1.50						
[illegible]	2.00	2.00	2.00	2.00	2.00	2.00	$2.00					
[illegible]	2.50	2.50	2.50	2.50	2.50	2.50	2.50	$2.50				
[illegible]	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	$3.00			
[illegible]	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	$3.50		
[illegible]	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	$4.00	
10	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	$5.00

COLD FINISHED BARS

[Extras herein to be added to hot rolled bar base price]

ROUNDS AND SQUARES

Dimension in inches	Tolerance, plus or minus, inches.	Rounds		Squares		Ground bars-rounds	
		Bars	Coils	Bars	Coils	Unpolished	Polished
[illegible] to 3/16	0.003	$8.00				$8.00	$10.00
[illegible]	.003	6.50				6.50	8.50
[illegible]	.003	5.50		$10.50		5.50	7.50
[illegible]	.0025	6.00		11.00		6.00	8.00
[illegible]	.002	6.50		11.50		6.50	8.50
[illegible]	.002	8.00	$5.50	13.00		8.00	11.00
[illegible]	.0015	9.00	6.00	14.00	$12.00	10.00	13.00
[illegible]	.0015	10.50	7.00	16.50	13.00	13.50	17.00
[illegible]	.001	11.50	8.00	18.50	15.00	15.50	20.00
[illegible]	.001	12.00	9.00	21.00	16.00	18.00	23.00
[illegible]	.001	13.00	10.00	23.00	17.00	19.00	25.00
[illegible]	.001	14.00	11.00	25.00	18.00	21.00	27.00
[illegible]	.001	15.00	12.00	27.00	19.00	23.00	30.00
[illegible]	.001	17.00	14.00	30.00	21.00	25.00	33.00
[illegible]	.001	20.00	16.00	34.00	23.00	28.00	36.00
[illegible] to 1 1/2	.001	22.00	18.00	37.00	25.00	30.00	38.00
[illegible]	.001	24.00	20.00	40.00	27.00	35.00	43.00
[illegible]	.001	27.00	22.00	43.00	29.00	42.00	50.00
[illegible] to [illegible]	.001	29.00	24.00	46.00	31.00	50.00	60.00
[illegible] to [illegible]	.001	31.00	26.00	50.00	33.00	85.00	100.00
[illegible] to [illegible]	.001	35.00	29.00	54.00	36.00	110.00	130.00
[illegible] to [illegible]	.001	39.00	32.00	59.00	39.00	125.00	145.00
[illegible] to [illegible]	.001	43.00	35.00	64.00	42.00	146.00	170.00
[illegible] to [illegible]	.001	47.00	39.00	70.00	45.00		
[illegible] to [illegible]	.001	51.00	43.00	77.00	48.00		

Intermediate sizes take the next higher extra.
The above size extras include extras for annealing, physical properties, tempering and/or cleaning or sand blasting.

SHAPE EXTRAS

Hexagons and Octagons—Add $5.00 per 100 pounds to above schedule for rounds.

TABLE G-17.—*Stainless steel plates*

[Size and finish extras]

Width in inches	Hot rolled	Hot rolled, annealed or heat treated	Hot rolled, annealed or heat treated and pickled
Over 10" to 18" incl	$2.00	$4.00	$6.00
Over 18" to 30" incl	1.00	3.00	5.00
Over 30" to 50" incl	Base	2.00	4.00
Over 50" to 80" incl	.50	2.50	4.50
Over 80" to 100" incl	1.00	3.00	5.00
Over 100" to 115" incl	2.00	4.00	6.00
Over 115" to 130" incl	2.50	4.50	6.50
Over 130" to 140" incl	3.00	5.00	7.00

TABLE G-18.—*Stainless steel angles*

The following extras are added to Hot Rolled Stainless Bar Base Prices.

EQUAL LEG ANGLES

Dimension in inches:	
½ x ½ or wider but under 1½ x 1½ x 3/16 or over	$1.00
½ x ½ or wider but under 1½ x 1½ x ¼ or under	7.00
1½ x 1½ or wider but under 3 x 3 x ¼ or over	2.00
1½ x 1½ or wider but under 3 x 3 x 5/16 or under	4.00
3 x 3 or wider but under 6 x 6 x 5/16 or over	Base
3 x 3 or wider but under 6 x 6 x ¾ or 5/16	2.00
3 x 3 or wider but under 6 x 6 by under 7/16	4.00
6 x 6 or wider but under 8 x 8 x 5/8 or over	3.00
8 x 8 or wider by 5/8 or over	5.00

UNEQUAL LEG ANGLES

If shorter leg is equal to or greater than ¾ of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 1¢ per pound. In case shorter leg is not equal to or greater than three-quarters of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 2¢ per pound.

TABLE G-19.—*Floor plates*

3/16 Standard pattern	$0.20
1/8 Standard pattern	.50
1/8 Small pattern	.50
12 Gauge, small pattern	1.20
14 Gauge, small pattern	2.20
16 Gauge, small pattern	3.50

CUTTING EXTRAS

[Rate per 100 pounds]

The following charges are to be made only when material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification.

TABLE H-1.—*Structural shape cutting extras*

	5 ft. and longer	Under 5 ft. to 3 ft.	Under 3 ft. to 2 ft.	Under 2 ft. to 1 ft.	Under 1 ft. to 6"	Under 6"
All structural shapes	$0.00	$0.10	$0.25	$0.50	$1.55	$3.00

All charged on net weight basis.

TABLE H-2.—*Plate cutting extras*

[3/16" thick and heavier—including U. M., sheared, flange, firebox, high carbon, copper alloy, and floor plates]

TO LENGTH ONLY

Thickness	Length					
	5 ft. and longer	Under 5 ft. to 3 ft.	Under 3 ft. to 2 ft.	Under 2 ft. to 1 ft.	Under 1 ft. to over 6"	6" and under
3/16" to 1" incl	$0.00	$0.10	$0.25	$0.50	$1.55	$3.10
Over 1"	.25	.35	.50	.75	1.55	3.10

Charged on net weight.

TABLE H-2.—*Plate cutting extras*—Continued

TO WIDTH AND LENGTH OR TO WIDTH ONLY

¾" to 1" thick inclusive, all widths over 6" other than stock widths.

Thickness	Length				
	5 ft. and longer	Under 5 ft. to 3 ft.	Under 3 ft. to 2 ft.	Under 2 ft. to 1 ft.	Under 1 ft. to over 6"
¾" to 7/8" incl	$0.30	$0.40	$0.55	$0.80	$1.85
Over ⅞" to 1" incl	.25	.35	.50	.75	1.80
Over 1" to 1¼" incl	.20	.30	.45	.70	1.75
Over 1¼"	See below.				

Charged on gross weight of nearest stock width
Shearing to widths of 6" and narrower, any length $3.25 per 100 lbs extra on net weight, with minimum shearing charge of 25¢ for each thickness.

RECTANGULAR PLATES OVER 1" THICK
CUT TO WIDTH AND LENGTH OR TO WIDTH ONLY
ALL WIDTHS OTHER THAN STOCK WIDTHS

[Width governs]

Widths	5 ft. and over	Under 5 ft. to 3 ft.	Under 3 ft. to 2 ft.	Under 2 ft. to 1 ft.	Under 1 ft. to 6"	Under 6"
	$0.25	$0.35	$0.50	$0.75	$1.55	$3.10

Charged on net weight.

SKETCH PLATE SHEARING EXTRAS

Ordinary sketch plates up to 1" thick inclusive, with no reentrant cuts, will be charged on the basis of labor involved; but the extra for cutting will not be less than the regular width and length shearing charges, plus 25c per 100 lbs. for special shape, based on the gross weight of the rectangular plate required.

Sketch plates over 1" thick, see Flame Cutting Extras.

SKETCHES WITH STRAIGHT SIDES

Over 1" thick charged on the weight of smallest rectangle from which same can be cut, plus above extras per lineal foot of perimeter of sketch. 1" thick and under will be charged on gross weight of nearest stock width.

FLAME CUTTING EXTRAS FOR SHAPES OTHER THAN RECTANGULAR ONLY

[Extras per lineal foot—Minimum flame cutting charge—50c net per thickness]

Thickness (inches)	Under 5 ft.	5 ft. and over	Thickness (inches)	Under 5 ft.	5 ft. and over
3/16	$0.09	$0.07	1 3/4	$0.32	$0.25
1/4	.10	.08	1 3/4	.34	.27
5/16	.11	.09	2	.38	.30
3/8	.11	.09	2 1/4	.43	.34
7/16	.14	.10	2 1/2	.46	.37
1/2	.14	.11	2 3/4	.52	.41
5/8	.16	.12	3	.57	.45
3/4	.17	.13	3 1/4	.61	.49
7/8	.19	.15	3 1/2	.67	.53
1	.20	.16	4	.76	.61
1 1/4	.23	.18	4 1/2	.86	.69
1 1/2	.25	.20	5	.96	.77
1 3/4	.27	.21	6	1.20	.95
2	.29	.23			

Charges are based on lineal feet for each piece. Fractions of an inch, charge at next full inch.

CIRCULAR PLATES

Thickness up to 2" inclusive charged on weight of square plate ½" larger than diameter of circle plus the above extras on the circumference of the circle. Thickness over 2" charged on weight of square plate 1" larger than the diameter of circle plus the above extras on the circumference of the circle.

RINGS

The gross weight of rings will be charged on same basis as circular plates plus the above extras for the inside and outside circumference of the ring. One additional foot of burning will be added for drilling or blowing the lead hole.

TABLE H-3-a.—*Shearing extras—hot rolled bars*

[Minimum shearing charge 25¢ per section]

ROUNDS, SQUARES AND HEXAGONS

Diameter	Cut to length					
	Over 10 ft.	Over 5 ft. to 10 ft.	Over 3 ft. to 5 ft.	Over 1 ft. to 3 ft.	6" to 1 ft. Incl.	Under 6"
Up to ½" inch	$0.50	$0.60	$0.75	$0.95	$3.50	$7.00
⅝" to 1" inch	.30	.30	.40	.60	2.10	4.00
1 1/16" to 1 3/4" inch	.20	.25	.30	.55	1.10	2.20
Over 1¾"	See Cold Saw Cutting Extras.					

All charged on net weight.

FLATS—HOT ROLLED

Thickness ¾" to ½" incl.

Widths	Cut to length					
	Over 10 ft.	Over 5 ft. to 10 ft.	Over 3 ft. to 5 ft.	Over 1 ft. to 3 ft.	6" to 1 ft. Incl.	Under 6"
Width ¾" to 1" incl	$0.40	$0.50	$0.60	$1.00	$3.00	$6.00
Width 1⅛" to 1¾ incl	.35	.40	.50	.85	2.40	4.80
Width 2" to 3" incl	.30	.35	.45	.70	2.10	4.20
Width over 3" to 6" incl	.25	.30	.35	.55	1.70	3.60

TABLE H-3-a.—*Shearing extras—hot rolled bars*—Cont.

FLATS—HOT ROLLED—continued

Thickness ⅝" to 1" incl.

Width ⅝" to 7/8" incl	$0.35	$0.40	$0.50	$0.85	$2.40	$4.80
Width 1" to 1¾" incl	.30	.35	.45	.70	2.10	4.40
Width 1½" to 2¾" incl	.25	.30	.35	.55	1.80	3.60
Width over 2¾" to 6" incl	.20	.25	.30	.40	1.20	2.40

Flats over 1" thick—see Saw Cutting Extras.
Flats charged on net weight basis except when resulting shorts are considered unsaleable.

OTHER HOT ROLLED BARS

All ovals, half ovals, half rounds, screw bars, bevel edge, tires, spring steel, charged on gross weight, using Flat Bar shearing schedule.

TABLE H-3-b.—*Shearing extras—bar size angles*

[Minimum cutting charge 25¢ per section]

	Over 10 ft.	Over 5 ft. to 10 ft.	Over 3 ft. to 5 ft.	Over 1 ft. to 3 ft.	6" and under 1 ft.
Weight up to .80 lbs. per ft	$0.80	$1.25	$1.50	$2.30	$4.00
Over .80 to 1.80 lbs. per ft	.60	.70	.85	1.10	3.00
Over 1.80 under 2.44 lbs. per ft	.45	.55	.70	.90	3.00
2.44 lbs. and over per ft	.30	.40	.55	.70	2.50

Angles 1 x 1 x ¼" and larger charged on net weight.
Angles ⅜ x ⅜ x 3/16" and smaller charged on gross weight.

SAW CUTTING EXTRAS—BAR SIZE ANGLES, CHANNELS, TEES AND ZEES

[Minimum cutting charge 25¢ per section]

	Over 10 ft.	Over 5 ft. to 10 ft.	Over 3 ft. to 5 ft.	Over 2 ft. to 3 ft.	Over 1 ft. to 2 ft.	Over 6" to 1 ft.	Over 3" to 6"	2" and under
Weight up to 80 lbs. incl. per ft	$0.90	$1.50	$1.70	$2.50	$3.50	$5.50	$9.00	$15.00
Over 80 to 1.80 lbs. incl. per ft	.65	.90	1.20	2.00	3.00	4.50	8.00	13.00
Over 1.80 to 2.44 lbs. per ft	.50	.75	1.00	1.75	2.50	4.00	7.00	11.50
2.44 lbs. incl. and over per ft	.35	.60	.80	1.50	2.00	3.50	6.00	10.00

Angles 1 x 1 x ⅛" and larger charged on net weight.
Angles ⅜ x ⅜ x 3/16" and smaller charged on gross weight.
All channels and tees charged on gross weight.
Zees charged on net weight.

TABLE H-3-c.—*Cold saw cutting extras on bars*

The standard Cold Saw Cutting Schedule as shown on Tables H-3-c to H-3-g inclusive, is to be used on Hot Rolled Steel Bars when saw cut and on all Cold Finished Steel whether sawed or sheared to length.

Please note particularly that the Cold Saw Cutting Schedule applies on all lengths of Cold Finished Steel with the exception of:

STANDARD STOCK LENGTHS AS FOLLOWS:

Rounds, 10 to 12 ft. random (at option of seller) and 20 ft. lengths.

*TRANSMISSION SIZES ONLY, 10 to 12 ft. random (at option of seller) and 16, 20 and 24 ft. lengths.

*The following sizes ONLY are regarded as transmission sizes: 1 15/16", 1 11/16", 1 15/16", 2 3/16", 2 7/16", 2 11/16", 3 3/16", 3 7/16", 3 11/16", 4 3/16", 4 11/16", 5 3/16", 5 15/16". Where any lengths other than the above are specified, or when exact lengths within the random limits are ordered, Cold Saw Cutting may be charged.

EXAMPLE

[6 Pieces 4 7/16" Round Turned and Polished Shafting cut 6'6" long]

FIRST. Under list of extras for "Other Than Stock Lengths." Table H-3-d, locate "Rounds Turned and Polished, and find division covering 4 7/16" Round which comes under the heading "over 4" to 6" inclusive." This gives S as the letter E to be used.

Then refer to Table H-3-e and using Schedule E find the division including the length of 6'6" which comes under the heading "Over 5 ft. to 7'." This gives an extra of 25¢ per cut which is to be added to the price of the steel.

SECOND. Apply the per cut charge according to Table H-3-f. Since the table does not show 4 7/16" dia. use the next larger size Rounds which is 4 15/16". Follow across to the right for six cuts which comes under the heading "5 to 9 cuts." This gives a cutting charge of 40¢ per cut.

For flats and other shapes first find the sectional area according to Table H-3-d. Then refer to Table H-3-d under stock lengths and find the proper schedule letter for the quality of steel required, under the heading for the given sectional area for the size. Then refer to Table H-3-e for the extra per 100 lbs for lengths than stock lengths. The per cut charge will be found on Table H-3-f opposite the cross sectional area shown in the extreme left hand column.

TABLE H-3-d.—*Cold saw cutting extras*

SCHEDULE LETTERS

	Up to 4" incl.	Over 4" to 6" incl.	Over 6" to 8" incl.	Over 8"
Soft steel:				
Rounds	D	C	B	-----
*All other shapes	(See below.) (1)			
.30 to .60 carbon steels:				
Rounds	F	E	D	C
*All other shapes	(See below.) (2)			
Cold finished:				
Screw Stock, Rounds (up to 2 7/8" incl.), Hexagons, Rounds over 2 7/8", Turned and Polished, Turned, Ground and Polished, Squares, High Manganese, .30 Carbon and Higher, Accuracy Stock, Piston Rod Stock	E			
	F	E	D	-----
	H			
*Flats	(See below.) (3) and (4)			

TABLE H-3-d.—*Cold saw cutting extras*—Continued

*SHAPES (NOT LISTED ABOVE)

Cross sectional area (see table on page 260)	Up to 13 sq. in. incl.	Over 13 to 28 sq. ins.	Over 28 to 50 sq. ins.	Over 50 sq. ins.
(1) Soft Steel	F	E	D	C
(2) Forgings and .30 to .60 Carbon Steels	G	F	E	D
(3) Cold Finished Flats up to 6" wide incl.	G	F	-----	-----
(4) Cold Finished Flats over 6" wide	I	H	-----	-----

TABLE H-3-e.—*Cold saw cutting extras*

Length	10 ft. and over	Under 10 ft. to 5 ft.	Under 5 ft. to 3 ft.	Under 3 ft. to 2 ft.	Under 2 ft. to 1 ft.	Under 1 ft. to 6 in.	Under 6 in. to 3 in.	Under 3 in. to 1 in.	Under 1 in. to ½ in.	Under ½ in.
Schedule										
A	$0.10	$0.05	$0.10	$0.15	$0.20	$0.25	$0.50	$0.75	$1.25	$2.50
B	.15	.10	.15	.20	.30	.35	.75	1.00	1.75	3.50
C	.20	.15	.20	.30	.40	.50	1.00	1.50	2.50	5.00
D	.25	.20	.25	.35	.50	.60	1.20	1.80	3.00	6.00
E	.30	.25	.30	.45	.60	.75	1.50	2.25	3.75	7.50
F	.40	.30	.40	.60	.80	1.00	2.00	3.00	5.00	10.00
G	.50	.40	.50	.75	1.00	1.25	2.50	3.75	6.25	12.50
H	.60	.45	.60	.90	1.20	1.50	3.00	4.50	7.50	15.00
I	.70	.55	.70	1.05	1.40	1.75	3.50	5.25	8.75	17.50

TABLE H-3-f.—*Cold saw cutting extras*

Applicable to all grades of hot rolled carbon steel and cold finished carbon steel. Structural shapes not to be included.

[Charges in cents per cut. Number of cuts per size]

Flats (area in square inches)	Rounds hexagons	Min. 15c 1-4 cuts	Min. 20c 5-9 cuts	Min. 25c 10-24 cuts	Min. 25c 25-100 cuts	Over 100 cuts	Squares
0.03	3/16	Min.	Min.	Min.	0.005	0.004	1/4
.05	1/4	Min.	Min.	Min.	.007	.006	5/16
.08	5/16	Min.	Min.	Min.	.009	.008	3/8
.11	3/8	Min.	Min.	0.012	.011	.010	7/16
.15	7/16	Min.	Min.	.016	.015	.014	1/2
.20	1/2	Min.	0.024	.022	.020	.018	9/16
.25	9/16	Min.	.026	.024	.022	.020	5/8
.30	5/8	Min.	.030	.026	.024	.022	9/16
.37	11/16	0.044	.036	.030	.026	.024	3/4
.44	3/4	.050	.040	.034	.030	.027	13/16
.52	13/16	.056	.045	.036	.034	.030	7/8
.60	7/8	.060	.050	.040	.038	.033	13/16
.70	13/16	.065	.055	.045	.040	.035	1

TABLE H-3-f.—*Cold saw cutting extras*—Continued

Flats (area in sq. inches)	Rounds hexagons	Min. 25c 1 cut	Min. 25c 2-4 cuts	5-9 cuts	10-24 cuts	25 cuts and over	Squares
0.80	1	Min.	Min.	0.055	0.045	0.04	1 3/16
1.00	1 1/8	Min.	0.07	.06	.055	.05	1
1.25	1 1/4	Min.	.08	.07	.065	.06	1 1/4
1.50	1 3/8	Min.	.10	.09	.08	.07	1 3/16
1.75	1 1/2	Min.	.11	.10	.09	.08	1 5/16
2.00	1 5/8	Min.	.12	.11	.10	.09	1 5/16
2.50	1 3/4	Min.	.14	.13	.11	.10	1 1/2
2.75	1 7/8	Min.	.16	.15	.13	.12	1 5/8
3.00	2	Min.	.18	.16	.15	.13	1 3/4
4.00	2 1/4	Min.	.20	.18	.16	.14	2
5.00	2 1/2	0.28	.22	.20	.18	.15	2 1/4
6.00	2 3/4	.32	.25	.22	.19	.16	2 3/8
7.00	3	.36	.28	.25	.21	.17	2 3/4
8.00	3 1/4	.40	.32	.28	.23	.19	2 7/8
10.00	3 1/2	.50	.35	.30	.25	.20	3
13.00	4	.60	.40	.35	.30	.23	3 1/2
16.00	4 1/2	.70	.50	.40	.35	.26	4
20.00	5	.80	.60	.50	.40	.30	4 3/4
24.00	5 1/2	1.00	.70	.60	.50	.35	4 7/8
28.00	6	1.20	.85	.70	.55	.45	5 1/4
33.00	6 1/2	1.40	1.00	.80	.65	.50	5 3/4
38.00	7	1.60	1.10	.90	.75	.60	6 1/4
44.00	7 1/2	1.80	1.30	1.10	.85	.65	-----
50.00	8	2.00	1.50	1.20	1.00	.75	-----
57.00	8 1/2	2.30	1.70	1.40	1.10	.85	-----
64.00	9	2.50	1.90	1.60	1.20	.95	-----
71.00	9 1/2	2.70	2.10	1.70	1.40	1.05	-----
79.00	10	2.90	2.20	1.80	1.50	1.15	-----
87.00	10 1/2	3.20	2.40	2.00	1.60	1.20	-----
95.00	11	3.50	2.60	2.10	1.70	1.30	-----
104.00	11 1/2	3.80	2.80	2.30	1.80	1.40	-----
113.00	12	4.00	3.00	2.50	2.00	1.50	-----

Intermediate sizes take price of next larger size.

TABLE H-3-g.—*Cross sectional areas of flats and squares—in square inches*

[Extras for shearing to lengths and widths where

TABLE H 7.—*Stainless steel sheets*—Continued

B. STAINLESS PLATE CIRCLES

TABLE K 3.—*Extras for boring and burlapping*

TABLE H-3-g.—*Cross sectional areas of flats and squares—in square inches*

Width (inches)	Thickness																			
	3/8"	5/16"	1/4"	3/16"	1/8"	7/16"	1/2"	5/8"	3/4"	7/8"	1"	1 1/4"	1 1/2"	1 3/4"	2"	2 1/2"	2 1/2"	3"	4"	5"
1/4	0.05	0.05	0.08																	
5/16	.05	.08	.08	0.11																
3/8	.05	.08	.11	.15	0.15	.19														
1/2	.08	.11	.15	.20	.20	.25	0.25	.25												
5/8	.08	.15	.20	.20	.25	.30	.37	.37	.37											
3/4	.11	.15	.20	.25	.30	.37	.44	.52	.52	0.52										
7/8	.11	.20	.25	.30	.37	.44	.44	.60	.70	.70	0.70									
1	.15	.20	.25	.37	.44	.44	.52	.70	.80	1.00	1.00									
1 1/4	.20	.25	.37	.44	.52	.60	.70	.80	1.00	1.25	1.25	1.25	1.75							
1 1/2	.20	.30	.44	.52	.60	.70	.80	1.00	1.25	1.50	1.50	2.00	2.50							
1 3/4	.22	.37	.44	.60	.70	.80	1.00	1.25	1.50	1.75	1.75	2.50	2.75	3.00						
2	.25	.44	.52	.70	.80	1.00	1.00	1.25	1.50	1.75	2.00	2.50	3.00	4.00	4.00					
2 1/4	.30	.44	.60	.70	1.00	1.00	1.25	1.50	1.75	2.00	2.50	3.00	4.00	4.00	5.00	5.00				
2 1/2	.37	.52	.70	.80	1.00	1.25	1.25	1.75	2.00	2.50	2.50	4.00	4.00	5.00	5.00	6.00	7.00			
2 3/4	.37	.52	.70	1.00	1.00	1.25	1.25	1.50	1.75	2.50	2.50	2.75	4.00	5.00	5.00	6.00	7.00	8.00	10.00	
3	.44	.60	.80	1.00	1.00	1.25	1.50	1.50	2.00	2.50	2.50	2.75	3.00	4.00	5.00	6.00	6.00	7.00	8.00	10.00
3 1/2	.44	.70	1.00	1.00	1.25	1.50	1.75	1.75	2.50	2.75	4.00	4.00	5.00	6.00	7.00	7.00	8.00	10.00	10.00	13.00
4	.52	.80	1.00	1.00	1.25	1.50	1.75	2.00	2.50	3.00	4.00	4.00	5.00	6.00	7.00	8.00	10.00	10.00	10.00	13.00
4 1/2	.60	1.00	1.25	1.50	1.75	2.00	2.50	3.00	4.00	4.00	5.00	6.00	7.00	8.00	10.00	10.00	13.00	13.00	16.00	20.00
5	.70	1.00	1.25	1.75	2.00	2.50	2.50	4.00	4.00	5.00	5.00	7.00	8.00	10.00	10.00	13.00	13.00	16.00	20.00	25.00
6	.80	1.25	1.50	2.00	2.50	2.75	3.00	4.00	5.00	6.00	6.00	8.00	10.00	13.00	13.00	16.00	16.00	20.00	24.00	30.00
7	1.00	1.50	1.75	2.50	2.75	3.00	4.00	5.00	6.00	7.00	7.00	10.00	13.00	13.00	16.00	16.00	20.00	24.00	28.00	35.00
8	1.00	1.50	2.00	2.50	3.00	4.00	4.00	5.00	6.00	7.00	8.00	10.00	13.00	16.00	16.00	20.00	20.00	24.00	33.00	40.00
9	1.25	1.75	2.50	3.00	4.00	4.00	5.00	6.00	7.00	8.00	10.00	13.00	16.00	16.00	20.00	20.00	24.00	28.00	38.00	45.00
10	1.25	2.00	2.50	4.00	4.00	5.00	5.00	7.00	8.00	10.00	10.00	13.00	16.00	20.00	20.00	24.00	28.00	33.00	44.00	50.00
12	1.50	2.50	3.00	4.00	5.00	6.00	6.00	8.00	10.00	13.00	13.00	16.00	20.00	24.00	24.00	28.00	33.00	38.00	50.00	60.00

NOTE.—The cross sectional area of any shape of steel bar may be determined by dividing the weight per foot by 3.4. This schedule may be used for odd shapes by obtaining the cross section in this manner and applying the cutting charge accordingly.

TABLE H-4.—*Shearing extras—hot rolled strip*

[Rolled edge—3/16" to 16 ga. inclusive. Lighter than No. 16 Gauge—Extra on Application. Minimum shearing charge 25¢ per section]

	Over 8 ft.	Over 5 ft. to 8 ft.	Over 3 ft. to 5 ft.	1 ft. to 3 ft.	Under 1 ft.
1" wide and under	$0.80	$0.90	$1.25	$1.70	$6.50
1 1/8" to 3"	.45	.55	.70	1.00	3.75
3 1/4" to 12" incl.	.30	.40	.60	.75	2.50

All charged on gross weight, except hot rolled strip 3/16" thick over 6" wide which is sold at net weight and plate cutting extras.

TABLE H-5.—*Sheet shearing extras except stainless sheets*

Gauge "3/16"	To length only			
	5 ft. and over	Under 5 ft. to 3 ft.	Under 3 ft. to 2 ft.	Under 2 ft. to 1 ft.
No. 8	$0.25	$0.35	$0.45	$0.55
No. 9–10	.30	.40	.50	.60
No. 11–12	.35	.45	.55	.65
No. 13–14	.40	.50	.60	.70
No. 16	.45	.55	.65	.75
No. 18	.50	.60	.70	.80
No. 20	.55	.65	.75	.85
No. 22	.60	.70	.80	.90
No. 24	.65	.75	.85	.95
No. 26	.70	.80	.90	1.00
No. 27	.75	.85	.95	1.05
No. 28	.80	.90	1.00	1.10
No. 29	.85	.95	1.05	1.15
No. 30	.90	1.00	1.10	1.20

TABLE H-5.—*Sheet shearing extras except stainless sheets*—Continued

Gauge "3/16"	To width only						
	6" and over	Over 4" to 5 31/32"	Over 3" to 4" incl.	Over 2" to 3" incl.	Over 1" to 2" incl.	1" Wide and under	
No. 8	$0.25	$0.30	$0.35	$0.45	$0.70	$0.95	
No. 9–10	.30	.35	.40	.50	.75	1.00	
No. 11–12	.35	.40	.45	.50	.75	1.00	
No. 13–14	.40	.45	.50	.70	.80	1.10	
No. 16	.45	.45	.50	.75	.90	1.10	
No. 18	.50	.55	.60	.80	1.00	1.30	
No. 20	.55	.60	.70	.90	1.15	1.50	
No. 22	.60	.70	.80	1.00	1.25	1.60	
No. 24	.65	.75	.90	1.10	1.50	1.75	
No. 26	.70	.90	1.00	1.25	1.50	2.00	
No. 27	.75	1.00	1.10	1.40	1.75	2.50	
No. 28	.80	1.00	1.10	1.40	1.75	2.50	
No. 29	.85	1.00	1.10	1.40	1.75	2.50	
No. 30	.90	1.00	1.10	1.40	1.75	2.50	

[To length and width—length governs]

Gauge ("3/16")	Shearing to width of 6" and over, and cutting to length				
	5 ft. and over	Under 5 ft. to 3 ft.	Under 3 ft. to 2 ft.	Under 2 ft. to 1 ft.	Under 1 ft. to 6" incl.
No. 8	$0.45	$0.55	$0.65	$0.75	$0.95
No. 9–10	.50	.60	.70	.80	1.00
No. 11–12	.55	.65	.75	.85	1.10
No. 13–14	.60	.70	.80	.90	1.20
No. 16	.65	.75	.85	.95	1.30
No. 18	.70	.80	.90	1.00	1.70
No. 20	.75	.85	.95	1.05	1.50
No. 22	.80	.90	1.00	1.10	1.50
No. 24	.85	.95	1.05	1.15	1.50
No. 26	.90	1.00	1.10	1.20	2.00
No. 27	.95	1.05	1.15	1.25	2.00
No. 28	1.00	1.10	1.20	1.30	2.00
No. 29	1.05	1.15	1.25	1.35	2.00
No. 30	1.10	1.20	1.30	1.40	2.00

*All 3/16" material wider than 6", see plate cutting schedule.

[Extras for shearing to lengths and width where width is under 6"]

For lengths of 3' and over ---------- 2 times width charge
For lengths under 3' to 1' ---------- 2½ times width charge.
For lengths under 1' ---------- 3 times width charge.

All sheets cut to size charged on gross weight, except Cold Finished Sheets which are charged on net weight. If waste is not excessive.

Intermediate gauges will be charged on the basis of the next lighter gauge.

Above charges apply on all Floor Plates lighter than 3/16".

TABLE H-6.—*Alloy bars—Hot rolled and cold finished*

Hot rolled and cold finished SAE-AISI and NE grades except stainless.

Hack sawing charges per cut to any one length and over, of one size and one analysis and temper.

Lengths under 6'1"—use next higher weight for correct cutting charge.

QUANTITY DISCOUNTS do not apply to lengths over 8'0".

MINIMUM CHARGE applies where total cutting charge for one length, one size and one analysis and finish is less than the minimum charge.

Pounds per lineal foot	Minimum charge	Over 8'0" long, any quantity of cuts	8'0" long or under	
		Less than 10 cuts	10 to [illegible] pieces of same length	[illegible] pieces and over
Under 1.0	$0.35	$0.04	$0.04	$0.03
1.0 to 2.5	.35	.05	.05	.04
2.5 to 4.5	.35	.08	.08	.06
4.5 to 7.5	.35	.09	.09	.07
7.5 to 11.0	.39	.12	.12	.09
11.0 to 15.0	.41	.17	.17	.13
15.0 to 20.0	.47	.21	.21	.16
20.0 to 27.0	.54	.26	.26	.20
27.0 to 32.0	.61	.32	.32	.24
32.0 to 43.0	.73	.39	.39	.29
43.0 to 52.0	.82	.50	.50	.35
52.0 to 71.0	.96	.62	.62	.47
71.0 to 87.0	1.17	.80	.80	.60
87.0 to 116.0	1.39	1.01	1.01	.75
116.0 to 139.0	1.66	1.23	1.23	.92
139.0 to 180.0	2.00	1.50	1.50	1.13
180.0 to 203.0	2.30	1.80	1.80	1.35
203.0 to 245.0	2.60	2.10	2.10	1.55
245.0 and over	3.05	2.55	2.55	1.91

TABLE H-7.—*Stainless steel sheets*

A. RECTANGULAR SHAPES

1. If width* of piece ordered is less than ¼ of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price.

2. If width* of piece ordered is ¼, but less than ½ of the width of any stock size sheet in same type, gauge and finish add fifteen percent (15%) of the stock size price.

3. If width* of piece ordered is ½ or more of the width of any stock size sheet in same type, gauge and finish add twenty percent (20%) of the stock size price.

4. If the cut size or sizes ordered are cut without waste from any stock size, none of the above percentage extras (10%, 15%, 20%) may be added, but the following shearing charges may be made for the number of cuts actually made in filling the order. Figure one first cut for each thickness ordered. In no case shall the shearing charge exceed the value of the cut pieces figured at 12¢ per pound.

*The smallest dimension shall be considered the width regardless of surface finish or grain structure. If a charge is made in accordance with (1), (2), or (3) the net weight of the cut material ordered shall be the weight used in invoicing.

TABLE H-7.—*Stainless steel sheets*—Continued

A. RECTANGULAR SHAPES

Gauge No.	Charge for—	
	First cut	Additional cuts
10	$0.60	$0.20
11	.60	.20
12	.60	.20
14	.60	.20
16	.50	.15
18	.50	.15
20	.50	.15
22	.40	.10
24	.35	.10
26	.35	.10

B. STAINLESS SHEET CIRCLES

When rough cut to size 5" dia. and larger on straight blade shear, price as a square and charge for weight of square ½" larger than diameter of circle, and THEN ADD the following extra for shearing to circle:

8¢ (eight cents) per inch diameter. Minimum charge $1.00 net per thickness.

(Example: 1 circle =24 x 20" dia., charge is $1.60 net; 4 circles =10 x 22½" dia., charge is $1.80 each or $7.20 net.)

TABLE H-8.—*Stainless steel bars*

Length	Rate per 100 pounds
Under 1½"	$40.00
1½" to under 1"	34.00
1" to under 1½"	18.00
1½" to under 2"	12.00
2" to under 3"	9.00
3" to under 4"	6.00
4" to under 5"	4.00
5" to under 6"	3.50
6" to under 8"	3.00
8" to under 10"	2.50
10" to under 36"	2.00
36" to under 48"	2.50
48" to under 60"	3.00
60" to under 72"	3.50
72" to under 84"	4.00
84" to under 96"	4.50
96" to under 180"	3.50
180" to under 240"	5.00
240" to under 312"	7.00

All cut bars shall be billed on the net weight of cut material ordered.

TABLE H-9.—*Stainless steel plates*

A. RECTANGULAR SHAPES

Cutting to determine quantity bracket in cutting table below all material of the same type, thickness, width and length.

	Rate per 100 pounds
500 lbs. and over	$1.00
200–499 lbs.	2.00
100–199 lbs.	3.00
Under 100 lbs.	6.00

All cut plates shall be billed on the net weight of cut material ordered.

B. STAINLESS PLATE CIRCLES

When rough cut to size 8" diameter and larger on straight blade shear, price as a square and charge for weight of a square ½" larger than diameter of circle, and THEN ADD the following extra for shearing to circle:

10¢ (ten cents) per inch diameter. Minimum charge $1.00 net per thickness.

Examples: 1 circle ¼" x 20", diameter charge is $2.00 net; 4 circle ¼" x 22½" diameter charge is $2.25 each or $9.00 net.

TABLE H-10.—*Stainless steel angles*

	Rate per 100 pounds
Under 12"	No extra
12" to under 36"	$0.50
36" to under 60"	1.00
60" to under 120"	1.50
120" and over	2.00

All angles cut to length shall be billed on the net weight of cut material ordered.

MISCELLANEOUS EXTRAS

[Rate per 100 pounds]

Except as specifically noted in the extra tables themselves, the following charges may be made only when the service, operation or labor described as an extra is actually performed on the material sold.

TABLE K-1.—*Galvanizing extras*

	Under 100 lb.	100–399 lb.	400–999 lb.	1,000–1,999 lb.	2,000 lb. and over
Hoops	$7.25	$6.25	$5.75	$5.25	$4.75
Bands	6.75	5.75	5.25	4.75	4.25
Bars and bar shapes	6.25	5.25	4.75	4.25	4.00
Plates and structurals	6.25	5.25	4.50	4.00	3.75

All galvanized material (except galvanized sheets) ordered in one day by one person for shipment at one time or at seller's convenience to one destination must be combined to determine the quantity bracket.

In computing the price for galvanized material, first compute the price of the black material including all extras for quantity, size, cutting, etc., and then add extras for galvanizing.

TABLE K-2.—*Pickling extras*

A. HOT ROLLED SHEETS

12 gauge or heavier	$0.15
13 to 20 gauge, inclusive	.20
21 and 22 gauge	.25
23 gauge and lighter	.30

B. PLATES (EXCEPT FLOOR PLATES)

For pickling plates (includes oiling or liming)	$0.25
For pickling plates (not including oiling or liming)	.15
For oiling plates	.10

C. HOT ROLLED BARS

Pickling	$0.15
Oiling	.10
Pickling and liming	.25
Pickling and oiling	.25

D. HOT ROLLED STRIP (HOOP AND BAND SIZES)

B.W.G. No.	Heavier than 6	6, 7 and 8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Decimal equivalent inches	.2499 to .2031	.203 to .162	.161 to .146	.145 to .132	.131 to .118	.117 to .105	.104 to .090	.089 to .075	.075 to .068	.067 to .061	.060 to .054	.053 to .047	.046 to .041	.040 to .035	.034 to .032	.031 to .028	.027 to .025
WIDTHS, INCHES																	
Under 1	.....	$0.55	$0.55	$0.55	$0.55	$0.55	$0.55	$0.70	$0.70	$0.70	$0.70	$0.90	$0.90	$0.90	$0.90	$1.25	$1.25	$1.25
1½ to 5	.....	.40	.40	.40	.40	.40	.55	.55	.55	.55	.70	.70	.70	.70	1.05	1.05	1.05	
5⅛ to 6	.....	.25	.25	.25	.25	.25	.35	.35	.35	.35	.45	.45	.45	.45	.....	.....	.....	
6⅛ to 12	$0.25	.25	.25	.25	.25	.25	.35	.35	.35	.....	.....	.....	.....	.....	.....	.....	.....	

spread shall be adjusted upward or downward

TABLE F-8.—*Alloy bars—hot rolled and cold*

TABLE F-5.—*Cold rolled sheets*

TABLE G-1.—*Carbon steel structural shapes*—Continued

TABLE K-3.—*Extras for boxing and burlapping cold finished bars*

The following boxing extras are to be charged only if material is actually boxed. If shipped in an open box car is commonly done for metropolitan deliveries), the charge may be made only if the box is retained by the buyer.

	Rate per 100 pounds	Minimum Net
Boxing (domestic shipment)	$0.50	$0.75
Boxing (export shipment)	.75	1.00
Burlapping (full length)	.25	.25
Burlapping (ends only)	No charge	No charge

TABLE K-4.—*Tolerance extra for cold finished bars*

These extras may be charged only when Commercial Finished Bars are selected to closer than Standard Tolerances at the request of the buyer.

Carbon .50 and under. Charge 1½ times standard mill extra for accuracy.

Carbon .50–.75—Charge same as standard mill extra for accuracy.

TABLE K-5.—*Extras for crating sheets—except stainless* (domestic shipments)

The following extras are to be charged only when material is actually crated. No charge may be used for open crates used to protect sheets for metropolitan deliveries.

	Rate per 100 pounds	Minimum Net
Skeleton crating	$0.40	$2.00
Full box crating	.95	4.75

TABLE K-6.—*Extras for boxing and crating stainless steel*

	Rate per 100 pounds	Minimum Net
Crating of sheets*	$1.00	$2.00

*This crating extra applies to all finishes of stainless sheets for both city and country shipments.

	Rate per 100 pounds	Minimum Net
Boxing of bars	$0.50	$1.00
Wrapping or single boarding of bars	.25	.25

(2) *Zone Two*—(i) *Area covered.* Zone Two shall consist of:

The Eastern Section of New York State, consisting of the following counties:

Clinton	Richmond
Essex	Greene
Warren	Columbia
Saratoga	Ulster
Suffolk	Dutchess
Nassau	Sullivan
Kings	New York
Queens	Bronx
Washington	Orange
Schenectady	Putnam
Albany	Rockland
Rensselaer	Westchester

The Entire State of Connecticut.

The Northern Section of New Jersey, consisting of the following counties:

Bergen	Union
Passaic	Hudson
Sussex	Somerset
Morris	Middlesex
Essex	Monmouth

(ii) *Tables to be used.* The following tables are to be used in computing the maximum prices set forth in paragraph (a) above for Zone Two.

Zone Two price component index

Product	A Basing points	B Price at basing point	C Freight	D Spread	E Quantity	F Quality and merchandising	G Size	H Cutting	K Miscellaneous
Structural shapes	Beth., Buff.	B-1	C-1	$1.40	E-1	None	G-1	H3, 3, 4	K-1
Stair stringer channels	Pgh	B-2	C-1	1.40	E-1	None	None	H-8	K-1
Junior beams	Pgh	B-2	C-1	1.35	E-1	None	None	H-8	K-1
Plates	Clay	B-1	C-1	1.40	E-1	F-1	G-2	H1, 7	K-1, 2
Floor plates (all thicknesses).	Pgh	B-1	C-1	1.75	E-1	None	G-3	H1, 2, 7	K-1
Black iron plates (such as Armco Iron).	Clay	B-3	C-1	1.59	None	None	G-2	H1, 7	None
Abrasion resisting plates	Clay	B-1	C-1	2.39	None	None	G-2	H1, 7	None
Hot rolled carbon bars (incl bar shapes).	Buff., Pgh.	B-1	C-1	1.25	E-1	F-2	G-4	H3, 5, 6	K-1, 2
Cold finished carbon bars	Buff., Pgh	B-1	C-1	1.00	E-2	F-3	G-5	H-5	K3, 4
Reinforcing bars (straight lengths only).	Buff., Spar. Pt.	B-1	C-1	1.25	E-3	None	G-6	None	None
Hot rolled strip	Ygtn., Pgh., Cleve.	B-1	C-1	1.40	E-1	F-2	G-7	H3, 1, 5	K-1, 2
Cold rolled strip (all gauges).	Pgh., Worc., Cleve.	B-1	C-1	1.50	E-4	None	G-8	H-2	None
Cold rolled round edge flat wire.	Pgh., Worc., Cleve.	B-1	C-1	2.75	E-4	None	G-8	H-2	None
Hot rolled sheets	Spar. Pt. Buff.	B-1	C-1	1.15	E-1	F-4	G-9	H-2	K-1, 2, 5, 6
Cold rolled sheets	Buff., Pgh	B-4	C-1	1.11	E-5	F-5	G-10	H-2	K-5
Galvanized steel sheets	Spar. Pt., Buff.	B-1	C-1	1.17	E-6	F-6	G-11	H-2	K-5
Galvanized Iron sheets (such as Armco Iron, Tonean iron, etc.).	Spar. Pt., Buff.	B-3	C-1	1.37	E-6	None	G-11	H-2	K-5
Galvannealed sheets	Pgh	B-1	C-1	1.79	E-6	F-6	G-11	H-2	K-5
Long terne sheets	Pgh	B-1	C-1	1.54	E-6	None	G-11	H-2	K-5
Black iron sheets (such as Armco, Tonean iron, etc.).	Spar. Pt.	B-3	C-1	1.42	None	None	G-9	H-2	K-5
Abrasion resisting sheets	Spar. Pt.	B-1	C-1	2.52	None	None	G-9	H-2	None
Enameling sheets	Ygtn., Pgh, Cleve.	B-6	C-1	1.44	None	None	G-12	H-2	K-5
Electrical sheets									
Core loss (29 gauge) 1.30.	Pgh	B-7	C-1	1.54	E-7	None	G-13	H-2	K-5
Core loss (29 gauge) 1.17.	Pgh	B-7	C-1	1.99	E-7	None	G-13	H-2	K-5
Core loss (29 gauge) 1.01.	Pgh	B-7	C-1	2.39	E-7	None	G-13	H-2	K-5
Core loss (29 gauge) .82.	Pgh	B-7	C-1	2.19	E-7	None	G-13	H-2	K-5
Core loss (29 gauge) .72.	Pgh	B-7	C-1	2.19	E-7	None	G-13	H-2	K-5
Core loss (29 gauge) .65.	Pgh	B-7	C-1	2.19	E-7	None	G-13	H-2	K-5
Core loss (29 gauge) .58.	Pgh	B-7	C-1	2.19	E-7	None	G-13	H-2	K-5
Hot rolled alloy bars	Beth., Pgh., Buff.	B-6	C-1	D-1	E-8	F-7	G-14	H-6	None
Cold finished alloy bars	Buff., Pgh	B-6	C-1	D-1	E-8	F-7	G-15	H-6	K-3, 4
Stainless steel sheets	Pgh	B-7	C-1	5.00	E-9	None	G-16	H-9	K-7
Stainless steel bars	Pgh	B-7	C-1	5.00	E-9	F-8	G-17	H-10	K-7
Stainless steel plates	Pgh	B-7	C-1	5.00	E-9	None	G-18	H-11	None
Stainless steel angles	Pgh	B-7	C-1	5.00	E-9	F-8	G-19	H-12	K-7

PRICE AT BASING POINT

[Rate per 100 pounds]

The prices indicated below shall be used as the price at basing point:

TABLE B-1.—*All products except stair stringer channels, junior beams, black iron plates, galvanized iron sheets, black iron sheets, cold rolled sheets, enameling sheets, hot rolled and cold finished alloys, stainless steel, and electrical sheets*

The mill carload base price of the United States Steel Corporation and its subsidiaries for each product as established by Revised Price Schedule Number 6.

TABLE B-2.—*Stair stringer channels and junior beams*

The mill carload base price of the Jones and Laughlin Steel Company for each product as established by Revised Price Schedule Number 6.

TABLE B-3.—*Black iron plates, galvanized iron sheets and black iron sheets*

The mill carload base price of the American Rolling Mill Company for each product as established by Revised Price Schedule Number 6. The "consumers" price shall be used for galvanized iron sheets.

TABLE B-4.—*Cold rolled sheets*

The mill carload base price for cold rolled sheets of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-5.—*Enameling sheets*

The 20-gauge mill carload base price for enameling sheets of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-6.—*Hot rolled and cold finished alloys*

Mill alloy carload base price (hot rolled or cold rolled, whichever is applicable) plus mill analysis extra (open hearth or electric furnace, whichever is applicable) of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-7.—*Stainless steel, and electrical sheets*

The mill carload base price for each analysis of each product of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

FREIGHT

[Rate per 100 pounds]

Freight may be added for less than carload shipments as follows:

TABLE C-1.—*All products*

The less than carload rate of freight, in effect at time of shipment, from the governing basing point to destination.

SPREAD

[Rate per 100 pounds]

TABLE D-1.—*Alloy bars—hot rolled and cold finished*

The spread shall be 66⅔% of the price at basing point as established in Table B-6. Such spread shall be adjusted upward or downward to the nearest $0.05.

QUANTITY DIFFERENTIALS

[Rate per 100 pounds]

All orders of one day from one person for shipment at one time or at seller's convenience to one destination shall be combined to determine the quantity bracket in accordance with the provisions of each of the following tables:

TABLE E-1.—*Hot rolled products*

All commodities listed below must be combined to determine the quantity differential.
Structural shapes.
Stair stringer channels.
Junior beams.
Plates, including tank, firebox, high carbon, copper bearing.
Floor plates (all thicknesses).
Bars and bar shapes, hot rolled carbon.
Bars, hot rolled, AISI C1112 (SAE x 1314) and AISI C1118 (SAE x 1315).
Bars, hot rolled, AISI C1137 (SAE x 1335 or SAE x 1340).
Strip, hot rolled, band and hoop sizes.
Sheets, hot rolled, all gauges.

Under 100 lbs	Add $1.50
100 lbs. to 399 lbs	Add .50
500 lbs. to 1,999 lbs	Base
2,000 lbs. to 9,999 lbs	Deduct .10
10,000 lbs. to 39,999 lbs	Deduct .20

TABLE E-2.—*Cold finished carbon bars*

All cold finished carbon bars of one cross-section, analysis and finish comprise one item and must be combined to determine the quantity extra.

1,000 lbs. to 39,999 lbs	Base
1,000 lbs. to 1,499 lbs	Add $0.10
500 lbs. to 999 lbs	Add .50
300 lbs. to 499 lbs	Add 1.25
Less than 300 lbs	Add 2.00

When the total weight of all items of cold finished bars on an order is less than 100 pounds a charge at the rate of $1.00 per 100 pounds in addition to the less than 500 pound extra may be added.

TABLE E-3.—*Reinforcing bar*

All reinforcing bars must be combined to determine the quantity differential:

Under 2,000 lbs	Base
2,000 lbs. to 9,999 lbs	Deduct $0.15
10,000 lbs. to 39,999 lbs	Deduct .25

TABLE E-4.—*Cold rolled strip and flat wire*

All items of one width, thickness, finish, temper and edge comprise one item and must be combined to determine the quantity extra.

500 lbs. and over	Base
300 lbs. to 499 lbs	Add $1.00
200 lbs. to 299 lbs	Add 2.00
Less than 200 lbs	Add 4.00

TABLE E-5.—*Cold rolled sheets*

All cold rolled sheets of one grade must be combined to determine the quantity extra:

Less than 400 lbs	Add $0.50
400 lbs. to 1,499 lbs	Base
1,500 lbs. to 9,999 lbs	Deduct $0.10
10,000 lbs. to 39,999 lbs	Deduct .20

TABLE E-6.—*Coated sheets*

All qualities listed below must be combined to determine the quantity extra:
Galvanized steel sheets.
Galvanized copper bearing steel sheets
Galvanized toncan iron sheets.
Galvannealed sheets.
Zincgrip sheets, steel and Armco iron.
Long terne sheets.
Galvanized Armco iron sheets.

Under 150 lbs	Add $2.00
150 lbs. to 449 lbs	Add 1.00
450 lbs. to 1,499 lbs	Base
1,500 lbs. to 3,499 lbs	Deduct .15
3,500 lbs. to 39,999 lbs	Deduct .25

TABLE E-7.—*Electrical sheets*

All electrical sheets must be combined to determine the quantity extra.

Under 7,000 lbs	Base
7,000 lbs. to 39,999 lbs	Deduct $0.25

TABLE E-8.—*Alloy bars—hot rolled and cold finished*

A. All alloys of one cross section, analysis and finish comprise one item and must be combined to determine the quantity extra.

1,000 lbs to 39,999 lbs	Base
500 lbs. to 999 lbs	Add $0.50
300 lbs. to 499 lbs	Add .75
Less than 300 lbs	Add 1.25

B. When the total weight of all items of alloys on an order is less than 300 pounds, a charge at the rate of $1.75 per 100 pounds in addition to the less than 300 pound extra may be added. Hot rolled alloys and cold finished alloys need not be combined to determine total weight in applying this order extra.

TABLE E-9.—*Stainless steel*

Sheets. Stock sizes: Combine all items of same thickness, width, length, finish and analysis.
Cut sizes: Combine all items of same thickness, finish and analysis.
Bars and angles. Stock lengths or cut lengths: Combine all items of same cross section, finish and analysis.
Plates. Stock sizes or cut sizes: Combine all items of same thickness, width, length, finish and analysis.

500 lbs and over	Base
300 lbs to 499 lbs	Add $2.00
200 lbs to 299 lbs	Add 5.00
100 lbs to 199 lbs	Add 7.00
50 lbs to 99 lbs	Add 10.00
Under 50 lbs	Add 12.00

QUALITY AND MERCHANDISING EXTRAS

[Rate per 100 pounds]

The following extras may be added only when the particular quality or section is furnished. Except as specifically provided in the tables themselves, not more than one extra may be added from each table.

TABLE F-1.—*Plates*

0.26 to 0.50 mean of carbon inclusive	$0.40
Copper bearing steel	.25
Firebox steel	.60
Flange quality steel	.25

TABLE F-2.—*Hot rolled bars, bar shapes, and hot rolled strip*

Channels	$0.15
Pat bars	.15
Bar zees	.40
Square-toot angles	.50
Squares, AISI C1117 (SAE 1020)	.15
All hexagons	.15
Bars rounds, half ovals, ovals and bevel edge bars	.15
Rounds and squares 0.26 to 0.50 mean of carbon inclusive	.20
Flats, 0.26 to 0.50 mean of carbon inclusive	.60
All AISI C1112 or C1117 (SAE x 1314) and AISI C1118 (SAE x 1315)	.50
ALL AISI C1137 (SAE x 1335 or SAE x 1340	.60
AISI C1120 (SAE 1115)	.15
Rounds and squares, AISI C1095 (SAE 1095)	1.36
Flats ½" thick and heavier AISI C1095 (SAE 1095)	.86
Strip AISI C1095 (SAE 1095), 3/16" thick	.74
Strip AISI C1095 (SAE 1095), ⅛" thick	2.24
Strip, AISI C1095 (SAE 1095), under ⅛" thick	6.34

TABLE F-3.—*Cold finished carbon bars*

AISI	SAE	Price
B1012	1112	$0.10
B1113	X1112	.175
C1020	1120	.10
C1314	X1314	.20
C1335	X1335	.35
C1035	1035	.10
C1040	1040	.10
C1045	1045	.10
C1042	1045	.10

TABLE F-4.—*Hot rolled sheets*

Copper bearing steel sheets	$0.25
Hot rolled stretcher leveled and resquared sheets	.55
Sheets, 0.26 to 0.50 mean of carbon inclusive, lighter than 7 gauge	.60
Sheets, 0.26 to 0.50 mean of carbon inclusive, 7 gauge and heavier	.40

TABLE F-5.—*Cold rolled sheets*

Stretcher leveled and resquared	$0.55

TABLE F-6.—*Galvanized and galvannealed sheets*

Galvanized copper bearing sheets	$0.25
Paintgrip steel sheets	.50
Zincgrip steel sheets	.15
Stretcher leveled galvannealed sheets	.40

TABLE F-7.—*Alloy bars—hot rolled and cold finished*

A. For material which is carried in stock in the following condition or qualities, the following charges may be made (More than one extra may be added if applicable):

Annealing	$1.00
Normalizing	1.00
Heat treating (quench and draw)	2.50
Speroidizing annealing	2.50
Stress relieving after cold working	1.25
Aircraft quality	2.50
Extensometer test	.40

B. For material which is treated at an outside plant (not by a producer as defined in Revised Price Schedule Number 6 or in the seller's own plant) a charge may be made for any of the operations listed in A above and actually performed, as follows:

1. Actual invoice cost to the seller, minus any trucking charges included on such invoice, plus,

2. An added charge at the rate of thirty cents per 100 pounds.

Provided, That no additional charges may be made such as, but not limited to, a charge for trucking, handling, risks, etc.

TABLE F-8.—*Stainless bars and angles*

Annealing	$2.00
Annealing and pickling	4.00

SIZE EXTRAS

[Rate per 100 pounds]

The following size extras may be added.

1. When material is sold without cutting, the size extra shall be determined by the actual size of material sold.

2. When material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification, the size extra shall be determined by the actual size, prior to cutting, of the material used.

TABLE G-1.—*Carbon steel structural shapes*

BEAMS

Standard beams and channels 3" to 15" inclusive (except beams 6" x 10 lb. and 7" x 12 lb.)	Base
Standard beams and channels over 15"	0.10
Beams 6" x 10 lb and 7" x 12 lb	.15
Supplementary beams 3" to 15" inclusive (except 6" x 10 lb and 7" x 12 lb.)	.05
H-beams (standard mill sections) 4" x 13.8 lbs.; 5" x 18.9 lb; 6" x 15.5 lb.; 20 lb., 22.5 lb., 25 lb., 27.5 lb.; 8" x 32.6 lb., 33 lb., 34.3 lb., 36 lb., 37.7 lb	.10

WIDE FLANGE SECTIONS

Wide flange beams, columns, H piles:	
8"—17 to 21 lb	0.05
24 to 67 lb	.10
10"—21 to 29 lb	.05
33 to 136 lb	.10
12"—25 to 36 lb	.05
40 to 190 lb	.10
14"—30 to 42 lb	.05
43 to 426 lb	.10
16"—36 to 78 lb	.05
88 to 114 lb	.10
18"—47 to 124 lb	.15
21"—59 to 142 lb	.15
24"—74 to 160 lb	.15
27"—91 to 177 lb	.15
30"—108 to 210 lb	.15
33"—125 to 240 lb	.20
36"—150 to 300 lb	.20
Light beams, joists and stanchions.	
4"—7½ and 10 lb	.25
4"—13 lb	.15
6"—8½ lb	.20
6"—15½ and 18 lb	.15
12 and 16 lb	.15
8"—10 lb	.20
13 and 15 lb	.15
10"—11½ lb	.20
15, 17 and 19 lb	.15
12"—14 lb	.20
16½, 19 and 22 lb	.15

TABLE G-1.—*Carbon steel structural shapes*—Continued

CHANNELS

Car and shipbuilding channels 3" to 15" incl. (except 7" x 18.8 lb.)	Base
Car and shipbuilding channel over 15"	0.10
Car and shipbuilding channel 7" x 18.8 lb. (A. A. R. side sill)	.15
Car channel 4" x 13.8 lb	.10

STRUCTURAL ANGLES

3" to 6", inclusive, on one or both legs, except those listed below	Base
Over 6" on one or both legs	0.10

EXCEPTIONS

Dimensions in inches:	
6 x 6 x 5/16	0.10
6 x 4 x 5/16	.10
6 x 4 x ¼	.15
6 x 3½ x 5/16	.10
6 x 3½ x ¾	.15
5 x 5 x 5/16	.10
5 x 5 x ¼	.15
5 x 4 x 5/16	.10
5 x 4 x ¼	.15
5 x 4 x 5/16	.30
5 x 3½ x ¾	.15
5 x 3 x ¼	.15
4 x 4 x ¼	.15
4 x 4 x 5/16	.30
4 x 3½ x ¼	.15
4 x 3½ x 5/16	.30
4 x 3 x ¼	.15
4 x 3 x 5/16	.30
4 x 2 x ⅜	.15
4 x 2 x 5/16	.15
4 x 2 x ¼	.15
4 x 2 x 5/16	.45
3½ x 3½ x 5/16	.30
3½ x 3½ x 9/32	.45
3½ x 3 x 5/16	.30
3½ x 2½ x 5/16	.30
3½ x 2 x 5/16	.35
3 x 3 x 5/16	.35
3 x 3 x ⅜	.75
3 x 2½ x 5/16	.35
3 x 2½ x ⅜	.45
3 x 2 x 5/16	.35
3 x 2 x ⅜	.45
Bulb angles	.30

TEES

Tees—Structural sizes, 3" to 6" on one or both legs, ¼" thick and over (except elevator and conductor rail tees)	.10
Tees—6" x 6" x 19.8 lbs	.20
Tees—Wall Armor 4 x 7¾ x 25.2 lbs	.25

ZEES

Zees 3" to 6" inclusive (structural)	Base

TABLE G-2.—*Plates (except floor plates)*

A. THICKNESS AND WIDTH

Thickness in inches	Under ¼ to 5/16 incl.	¾ to 2 incl.	Over 2 to 4 incl	Over 4
Width in inches:				
48 and under	(Sheets)	Base	$0.30	$0.40
Over 48 to 72 incl	$0.20	Base	.30	.40
Over 72 to 84 incl	.70	Base	.30	.40
Over 84 to 96 incl	.80	Base	.30	.40
Over 96 to 100 incl	.90	Base	.30	.40
Over 100 to 110 incl	1.00	$0.05	.35	.45
Over 110 to 115 incl	1.05	.10	.40	.50
Over 115 to 120 incl	1.10	.15	.45	.55
Over 120 to 125 incl		.25	.55	.65
Over 125 to 130 incl		.50	.80	.90
Over 130 to 140 incl		.75	1.05	1.15
Over 140 to 155 incl		1.00	1.30	1.40
Over 155 to 170 incl		1.25	1.55	1.65
Over 170 to 185 incl		1.50	1.80	1.90
Over 185 to 195 incl		2.00	2.30	2.40

TABLE G-3.—*Floor plates*

5/16 standard pattern	$0.20
⅜ standard pattern	.50
⅜ small pattern	.80
12 gauge, small pattern	1.14
14 gauge, small pattern	2.44
16 gauge, small pattern	3.44

TABLE G-4.—*Hot rolled carbon steel bars*

[Including Bar Shapes]

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

TABLE G-5—*Cold finished carbon bars*—Continued

FLATS

TABLE G-4.—*Hot rolled carbon steel bars*

[Including Bar Shapes]

Intermediate sizes: In all cases, the higher extra may be charged for any size falling between two published size extras.

ROUNDS, SQUARES, TWISTED SQUARES

Dimensions in inches:	
1/4	$1.00
5/16	.85
3/8	.70
7/16	.55
1/2 to 3/4	.40
13/16 and 7/8	.30
15/16 and 1/16	.20
1 1/16 and 1/8	.15
1 3/16 to 1 15/16	Base

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

ROUNDS, SQUARES, TWISTED SQUARES—continued

1 9/16 to 2 1/16	$0.10
2 1/8 to 2 1/2	.15
2 9/16 to 2 15/16	.20
3 1/16 to 4 3/16	.25
4 5/16 to 5 1/16	.35
5 1/16 to 5 9/16	.45
5 5/8 to 6 1/16	.55
6 1/8 to 6 9/16	.65
6 5/8 to 7 1/2	.75
7 9/16 to 7 7/8	.85
7 13/16 to 8	1.10

FLATS—SQUARE EDGE AND ROUND EDGE

6" or under in width, 13/64" or over in thickness.

Width in inches	Thickness in inches							
	4 to 3 1/16	3 to 2 1/16	2 to 1 1/16	1 to 13/16	3/4 to 1/2	7/16 to 3/8	5/16 to 1/4	Under 1/4 to 13/64 inc.
36							$1.40	$1.40
7 1/16						$1.00	1.20	1.20
17						.70	.90	1.00
9 1/16					$0.50	.50	.75	.80
5 1/16 to 11 1/16					.40	.40	.60	.65
5 to 13 1/16					.30	.30	.40	.50
5 to 7 1/16				$0.20	.20	.20	.30	.40
1 to 12			$0.10	Base	Base	Base	.15	.30
17/16 to 2			.10	Base	Base	Base	.15	.25
2 1/16 to 2 1/2		$0.20	.10	Base	Base	Base	.15	.20
2 9/16 to 3		.25	.10	Base	Base	Base	.15	.15
3 1/16 to 3 15/16	$0.30	.25	.15	Base	Base	Base	.15	.15
3 1/16 to 4	.35	.25	.20	Base	Base	Base	.15	.15
4 1/16 to 5	.35	.25	.20	Base	Base	Base	.15	.15
5 1/16 to 6	.40	.30	.20	Base	Base	Base	.15	.15

For bevel edge section add $0.10

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

HEXAGONS

Dimensions in inches:	
1/4	$1.50
5/16	1.20
3/8	1.00
7/16	.80
1/2 to 9/16	.60
5/8 to 7/8	.40
15/16 to 1 1/16	.25
1 1/8 to 3 1/16	.35

OCTAGONS

Dimensions in inches:	
1/4	$1.50
5/16	1.20
3/8	1.00
7/16	.80
1/2 to 9/16	.60
5/8 to 7/8	.40
15/16 to 3 1/16	.25

OVALS

Dimensions in inches:	
3/8 to 2 1/16 x 3/8 or heavier	$0.30
1/2 to 2 1/16 x 1/2 to 3/16	.40
1/2 to 2 1/16 x 13/32 to 3/16	.70
5/8 to 1 15/16 x 5/16 or heavier	.50
5/8 to 1 15/16 x 5/16 to 1/4	.70
5/8 to 1 15/16 x 1/4 to 13/32	1.00
1/2 to 9/16 x 1 1/4 to 2 1/16	1.00
1/2 to 9/16 x 1 1/4 to 1 3/4	1.30
1/2 to 9/16 x 1 3/4 to 2 1/16	1.60
5/8 to 7/8 x 1 1/4 to 2 1/16	1.60
3/8 to 7/8 x 1 1/4 to 5/32	2.00
3/8 to 7/8 x 1 13/32	2.40

HALF OVALS

Width in inches—Thicknesses in inches and BWG gauges	
1 to 4 x 1/4 or heavier	$0.40
1 to 4 x Nos. 7, 8, 9 and 3/16	.60
1 to 4 x Nos. 10, 11, 12 and 1/8	.70
3/4 to 1 5/16 x 5/16 or heavier	.70
3/4 to 1 5/16 x Nos. 10, 11, 12 and 1/8	.90
3/4 to 1 5/16 x Nos. 13, 14 and 15	1.20
3/4 to 1 5/16 x 1/32 or heavier	.90
1 to 1 5/16 x Nos. 10, 11, 12 and 1/8	1.20
3/4 to 1 5/16 x Nos. 13, 14 and 15	1.40
1/2 to 9/16 x 1/8 or heavier	1.20
1/2 to 9/16 x Nos. 13, 14, and 15	1.60

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

HALF OVALS—continued

3/8 to 7/16 x 3/32 or heavier	$2.00
3/8 to 7/16 x Nos. 14 and 15	2.40

HALF ROUNDS—SOLID

Dimensions in inches:	
Over 1 to 3, incl	$0.50
7/8 and 1	.65
3/4	.75
5/8 and 11/16	1.00
1/2 and 9/16	1.25
3/8 and 7/16	1.75
5/16	2.00

EQUAL LEG ANGLES

Dimensions in inches:	
1 1/2 x 1 1/2 or wider, but under 3 wide, x 3/16 or heavier	$0.15
1 1/2 x 1 1/2 or wider, but under 3 wide, x 1/8	.25
1 1/2 x 1 1/2 x 7/64	.35
1 1/2 x 1 1/2 x 3/32	.45
1 x 1 to 1 1/4 x 1 1/4, x 3/16 or heavier	.25
1 x 1 to 1 1/4 x 1 1/4, x 7/64	.40
1 x 1 to 1 1/4 x 1 1/4, x 3/32	.50
1 x 1 to 1 1/4 x 1 1/4, x 1/8	.30
3/4 x 3/4 x 3/16	.35
3/4 x 3/4 x 7/64	.40
3/4 x 3/4 x 1/8	.50
3/4 x 3/4 x 3/32	.60
3/4 x 3/4 x 1/16	.75
1/2 x 1/2 x 1/8	1.50
1/2 x 1/2 x 3/32	2.00
1/2 x 1/2 x 1/16	2.20
1/2 x 1/2 x less than 1/16	2.50

UNEQUAL LEG ANGLES

Dimensions in inches:	
2 1/2 x 2 x 1/2 to 3/16, incl	$0.15
2 1/2 x 2 x 1/8	.25
2 1/2 x 1 3/4 x 5/16 to 3/16, incl	.20
2 1/2 x 1 1/2 x 1/2 to 3/16, incl	.20
2 1/4 x 1 1/2 x 1/2 to 3/16, incl	.20
2 x 1 1/2 x 3/8 to 3/16, incl	.15
2 x 1 1/2 x 1/8	.25
2 x 1 1/4 x 3/8 to 3/16, incl	.20
2 x 1 x 5/16	.30
2 x 1 x 1/8	.40
1 3/4 x 1 1/4 x 1/4 to 3/16, incl	.25
1 1/2 x 1 1/2 x 1/8	.35

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

UNEQUAL LEG ANGLES—continued

1 3/4 x 7/8 x 1/8	$0.40
1 1/4 x 5/8 x 3/16	.75
1 1/4 x 5/8 x 1/8	.60
1 x 5/8 x 1/16	.50
1 x 3/8 x 1/8	.60

Other unequal leg angles take extras of equal leg angles of the short dimensions.

CHANNELS

Width in inches—thicknesses in inches and BWG gauges	
1 1/2 or wider, but under 3 wide, x 3/16 or heavier	$0.25
1 1/2 or wider, but under 3 wide, x 1/8	.40
1 1/2 x 1 1/2 x 3/16 (special box channel)	.40
1 to 1 1/4, x 3/16 or heavier	.40
1 to 1 1/4, x 1/8	.50
1 to 1 1/4, x 7/64	.70
3/4 and 7/8 x 3/16 or heavier	.50
3/4 and 7/8 x 1/8	.60
3/4 and 7/8 x 7/64	.80
3/4 x 11/32 x 3/32	1.00
3/4 x No. 15 and 5/64	1.00
5/8 x 1 1/8 or heavier	1.70
5/8 x 5/16 x 1/8	1.70
5/8 x 3/32	2.00
1/2 x 7/64 or heavier	2.50
1/2 x 3/64	3.00

TEES

Dimensions in inches:	
1 1/2 x 1 1/2 or wider, but under 3, x 3/16 or heavier	$0.30
1 x 1 to 1 1/4 x 1 1/4, x 3/16 or heavier	.35
1 x 1 to 1 1/4 x 1 1/4, x 1/8	.70
7/8 x 7/8 x 15/16	.70
7/8 x 7/8 x 1/8	.90
3/4 x 3/4 x 3/16	.90
3/4 x 3/4 x 1/8	1.10
5/8 x 5/8 x 1/8	1.40
1/2 x 1/2 x 1/8	2.50

SUPPLEMENTARY SIZE EXTRAS

For cold twisted squares the following extras may be charged in addition to size extras shown in the table entitled "Rounds, Squares, Twisted Squares":

1/4 and 5/16	$0.90
3/8	.45
7/16 to 1 1/8	.40

TABLE G-5.—*Cold finished carbon bars*

[Including shafting]

A. SIZE

ROUNDS

Dimensions in inches:	
3/32 and under	$3.00
Over 3/32 to less than 1/8	2.50
1/8 to less than 3/16	1.00
3/16 to less than 1/4	1.00
1/4 to less than 5/16	1.00
5/16 to less than 3/8	.90
3/8 to less than 1/2	.85
1/2 to less than 5/8	.80
5/8 to less than 11/16	.70
11/16 to less than 1 1/8	.65
1 1/8 to less than 1 1/2	.60
1 1/2 to less than 2 1/16	.65
2 1/16 to less than 2 9/16	.80
2 9/16 to less than 3 5/16	.90
3 5/16 to less than 3 7/16	1.00
3 7/16 to less than 3 15/16	1.15
3 15/16 to less than 4 5/16	1.35
4 5/16 to less than 4 1/2	1.45
4 1/2 to less than 4 5/16	1.65
4 5/16 to less than 5 1/16	1.85
5 1/16 to less than 6 7/16	2.40
6 7/16 to less than 7 1/16	2.75
7 1/16 to less than 10, inclusive	3.75

SQUARES

Dimensions in inches:	
3/32 to less than 1/8	$5.00
1/8 to less than 3/16	3.00
3/16 to less than 1/4	1.65
1/4 to less than 3/8	1.40
3/8 to less than 1/2	1.15
1/2 to less than 13/16	1.05
13/16 to less than 1 1/8	1.00
1 1/8 to less than 2 5/16	2.00
2 5/16 to less than 4 1/16	3.00
4 1/16 to 4 1/2, inclusive	4.00

TABLE G-5—*Cold finished carbon bars*—Continued

FLATS

[The smaller dimension is the thickness]

Thickness in inches	Width in inches						
	Less than 1/4	1/4 to less than 5/16	5/16 to less than 9/16	9/16 to less than 3/4	3/4 to less than 1 1/16	1 1/16 to 1 15/16	1 15/16 to 3 incl.	Wider than 3
Less than 1/8	$12.50	$10.50	$8.50	$7.50	$6.50	$5.50	$5.00	$5.50
1/8 to less than 3/16	10.50	8.50	6.50	5.50	4.50	3.50	3.00	3.50
3/16 to less than 3/8	9.75	7.75	5.75	5.25	3.75	2.75	1.75	3.00
3/8 to less than 1/2			4.75	4.25	2.75	2.75	1.75	2.50
1/2 to less than 5/8			3.75	3.25	1.75	1.75	1.50	2.50
5/8 to less than 3/4				2.75	1.50	1.50	1.50	2.50
3/4 to less than 1					1.50	1.50	1.50	2.50
1 to less than 1 1/2					1.50	1.50	1.50	2.50
1 1/2 to less than 1 3/4						1.50	1.50	2.50
1 3/4 to less than 2							1.50	2.50
2 to less than 3							1.50	2.50
3 and thicker								2.50

HEXAGONS

Dimension in inches:	
3/32 to less than 1/8	$6.00
1/8 to less than 3/16	5.00
3/16 to less than 1/4	4.00
1/4 to less than 3/8	2.50
3/8 to less than 7/16	1.75
7/16 to less than 1/2	1.25
1/2 to less than 9/16	.90
9/16 to less than 5/8	.80
5/8 to less than 11/16	.70
11/16 to less than 7/8	.60
7/8 to less than 1	.55
1 to less than 1 1/8	.50
1 1/8 to less than 1 3/16	.45

HEXAGONS—continued

Dimension in inches—Continued.	
1 3/16 to less than 1 1/2	$0.50
1 1/2 to less than 1 15/16	.60
1 15/16 to less than 2 1/4	.75
2 1/4 to less than 2 13/16	1.00
2 13/16 to less than 3 1/16	1.50
3 1/16 to less than 3 9/16	3.00
3 9/16 to less than 4, incl	4.00

For hexagons only, when the lower limit of any specified size is not more than 0.010" less than the maximum limit of the larger size given in any size bracket, such specified size will take the next lower extra for size.

B. FINISH

Ground and polished accuracy stock turned, ground and polished and turned and polished shafting. These extras are in addition to size and analysis extras.

Sizes (inches)	Ground and polished from cold drawn rounds standard manufacturing tolerances: Plus 0.0005", Minus .0005"		Turned, ground and polished standard manufacturing tolerances less than 2 1/2": Minus 0.002"; 2 1/2" and over minus .003"		Turned and polished
	Carbon 0.30% mean and under	Carbon over 0.30% mean to 0.45% mean	Carbon 0.30% mean and under	Carbon over 0.30% mean to 0.45% mean	Carbon 0.30% mean and under
1/8 to less than 3/32	$12.75				
3/32 to less than 3/16	10.75				
3/16 to less than 1/4	6.75				
1/4 to less than 5/16	4.75	$5.75			
5/16 to less than 3/8	3.75	4.50			
3/8 to less than 7/16	2.75	3.25			
7/16 to less than 9/16	2.25	2.60			
9/16 to less than 11/16	2.35	2.70			
11/16 to less than 13/16	2.25	2.55			
13/16 to less than 1 1/16	2.20	2.50			
1 1/16 to less than 1 1/8	2.45	2.75			
1 1/8 to less than 1 3/16	2.40	2.70	$1.60	$2.00	
1 3/16 to less than 1 9/16	2.35		1.35	1.55	$1.05
1 9/16 to less than 1 15/16			1.10	1.40	.80
1 15/16 to less than 2 7/16			.75	.95	.45
2 7/16 and larger			.30	.45	

C. SUPPLEMENTARY SIZE EXTRAS

For Cold Finished Bars within the range of the following sizes the extras specified below may be charged in addition to the extras for size given in the above tables.

Rounds over 6" to 10" inclusive	$1.25
Flats over 6" wide, 1/16" to less than 3/8" thick	3.00
Flats over 6" wide, 3/8" thick and heavier	3.50

TABLE G-6.—*Reinforcing bars*

[Squares and rounds, plain or deformed]

3/8"	Base
7/16"	$0.10
1/2"	.20
5/8"	.40
3/4"	1.00

TABLE G-7.—*Hot rolled strip*

B. W. G. No.	Heavier than 6	6, 7 and 8	9	10	11	12	13	14	15
Decimal equivalent in inches	0.2490 to 0.2031	0.203 to 0.162	0.161 to 0.146	0.145 to 0.132	0.131 to 0.118	0.117 to 0.105	0.104 to 0.090	0.089 to 0.076	0.075 to 0.068
Width in inches:									
3/8	(1)	$1.45	$1.50	$1.60	$1.60	$1.70	$1.80	$2.00	$2.20
7/16	(1)	1.25	1.25	1.35	1.40	1.50	1.60	1.70	1.85
1/2	(1)	1.05	1.05	1.10	1.10	1.20	1.25	1.35	1.45
9/16	(1)	.85	.85	.90	.90	1.00	1.05	1.10	1.15
5/8 to 11/16	(1)	.70	.70	.75	.75	.85	.90	.95	1.00
3/4 to 13/16	(1)	.55	.55	.60	.60	.70	.75	.85	.85
7/8 to 15/16	(1)	.45	.45	.50	.50	.60	.65	.70	.75
1 to 1 3/8	(1)	.35	.35	.40	.40	.50	.55	.60	.60
1 7/16 to 2	(1)	.30	.30	.35	.35	.40	.45	.45	.45
2 1/16 to 2 1/2	(1)	.25	.25	.30	.30	.35	.40	.40	.40
2 9/16 to 3	(1)	.20	.20	.25	.25	.30	.35	.35	.40
3 1/16 to 3 1/2	(1)	.15	.15	.20	.20	.25	.30	.35	.35
3 9/16 to 4	(1)	.15	.15	.20	.20	.25	.30	.35	.40
4 1/16 to 5	(1)	.10	.10	.15	.15	.20	.25	.30	.40
5 1/16 to 6	(1)	.10	.10	.15	.15	.20	.25	.30	.40
6 1/16 to 8	$0.05	.05	.05	.10	.10	.15	.20	.25	.35
8 1/16 to 10	.05	.05	.05	.10	.10	.15	.20	.25	.35
10 1/16 to 12	.05	.05	.05	.10	.10	.15	.20	.25	.35

B. W. G. No.	16	17	18	19	20	21	22	23
Decimal equivalent in inches	0.067 to 0.061	0.060 to 0.054	0.053 to 0.047	0.046 to 0.041	0.040 to 0.035	0.034 to 0.032	0.031 to 0.028	0.027 to 0.025
Width in inches:								
3/8	$2.40	$2.60	$2.85	$3.20	$3.60	$4.00	$4.40	$4.75
7/16	2.05	2.25	2.45	2.75	3.10	3.45	3.85	4.25
1/2	1.55	1.75	1.95	2.15	2.35	2.75	3.25	3.75
9/16	1.25	1.35	1.55	1.75	1.95	2.35	2.75	3.25
5/8 to 11/16	1.05	1.15	1.25	1.45	1.65	1.95	2.35	2.75
3/4 to 7/8	.80	.95	1.05	1.15	1.35	1.55	1.85	2.25
7/8 to 15/16	.80	.85	.90	.95	1.05	1.25	1.55	1.85
1 to 1 3/8	.65	.65	.75	.85	.95	1.15	1.45	1.65
1 7/16 to 2	.50	.55	.60	.70	.90	1.15	1.35	1.65
2 1/16 to 2 1/2	.45	.55	.70	.85	1.05	1.20	1.40	1.70
2 9/16 to 3	.45	.55	.70	.90	1.15	1.25	1.45	1.70
3 1/16 to 3 1/2	.45	.60	.75	.95	1.20	1.30	1.50	1.65
3 9/16 to 4	.50	.65	.85	1.05	1.25	------	------	------
4 1/16 to 5	.55	.75	.95	1.15	1.35	------	------	------
5 1/16 to 6	.55	.75	.95	1.00	1.70	------	------	------
6 1/16 to 8	.55	.70	--	------	------	------	------	------
8 1/16 to 10	.55	.70	------	------	------	------	------	------
10 1/16 to 12	.50	.65	------	------	------	------	------	------

[1] Price as Hot Rolled Bars.
[2] Applies only on thickness 0.057" to 0.060" inclusive.

For bevel edge sections add $0.15.

TABLE G-8.—*Cold rolled strip*

[Cut lengths only—shall not be used for coils]

Width in inches	9/64 and under		Under 1/16 to over 9/64		Under 1/8 to incl. 5/16		Under 1 to incl. 1/2	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches:								
0.161 and thicker	$7.00	$7.90	$5.25	$5.95	$3.50	$3.95	$1.85	$2.30
0.160 to 0.100	6.70	7.60	5.05	5.70	3.35	3.80	1.70	2.15
0.099 to 0.069	6.90	7.80	5.20	5.85	3.45	3.90	2.05	2.50
0.068 to 0.050	7.10	8.00	5.35	6.00	3.55	4.00	2.15	2.60
0.049 to 0.040	7.40	8.50	5.55	6.40	3.70	4.25	2.50	2.85
0.039 to 0.035	7.80	9.30	5.85	7.00	3.70	4.25	2.50	2.85
0.034 to 0.032	10.20	11.60	7.65	8.70	5.10	5.80	3.10	3.80
0.031 to 0.029	11.10	12.50	8.35	9.40	5.55	6.25	3.80	4.50
0.028 to 0.026	11.80	13.20	8.85	9.90	5.90	6.60	3.90	4.60
0.025 to 0.023	13.20	14.60	9.90	10.95	6.60	7.30	4.60	5.30
0.022 to 0.020	14.50	15.40	10.90	11.65	7.25	7.95	4.75	5.45
0.019 to 0.017	19.25	19.20	14.40	14.40	9.60	9.60	7.20	7.20
0.016 to 0.015	22.30	22.30	16.75	16.75	11.15	11.15	7.75	7.75
0.014 to 0.013	25.60	25.60	19.20	19.20	12.80	12.80	9.65	9.65

TABLE G-8.—*Cold rolled strip*—Continued

Width in inches	Under 1½ to incl. 1		Under 3 to incl. 1½		Incl. 3 to incl. 6		Over 6 to incl. 9	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches:								
0.161 and thicker	$1.20	$1.65	$0.85	$1.30	$0.50	$0.95	$0.25	$0.70
0.160 to 0.100	1.10	1.55	.85	1.30	.50	.95	.35	.80
0.099 to 0.069	1.25	1.70	1.05	1.50	.85	1.30	.65	1.10
0.068 to 0.050	1.55	1.80	1.10	1.55	.95	1.40	.75	1.20
0.049 to 0.040	1.60	2.05	1.25	1.80	1.10	1.65	.90	1.45
0.039 to 0.035	1.60	2.05	1.25	1.80	1.10	1.65	1.05	1.60
0.034 to 0.032	2.25	2.95	1.80	2.50	1.55	2.25	1.45	2.15
0.031 to 0.029	2.80	3.50	2.35	3.05	2.00	2.70	1.75	2.45
0.028 to 0.026	2.90	3.60	2.45	3.15	2.10	2.80	1.85	2.55
0.025 to 0.023	3.45	4.15	3.00	3.70	2.55	3.25	2.45	3.15
0.022 to 0.020	3.60	4.30	3.15	3.85	2.70	3.40	2.70	3.40
0.019 to 0.017	6.25	6.25	5.80	5.80	4.90	4.90	5.15	5.15
0.016 to 0.015	6.80	6.80	6.35	6.35	5.45	5.45	5.70	5.70
0.014 to 0.013	8.65	8.65	8.30	8.30	7.30	7.30	7.70	7.70

Width in inches	Over 9 to include 12		Over 12 to include 23 3/16		Width in inches	Over 9 to include 12		Over 12 to include 23 3/16	
	Hard	Soft	Hard	Soft		Hard	Soft	Hard	Soft
Thickness in inches:					Thickness in inches—Continued.				
0.161 and thicker	$0.25	$0.70	$0.25	$0.70					
0.160 to 0.100	.35	.80	.35	.80	0.031 to 0.029	$1.85	$2.55	$1.90	$2.60
0.099 to 0.069	.65	1.10	.65	1.10	0.028 to 0.026	2.05	2.75	------	------
0.068 to 0.050	.75	1.20	.75	1.20	0.025 to 0.023	2.70	3.40	------	------
0.049 to 0.040	.90	1.45	.90	1.45	0.022 to 0.020	3.05	3.75	------	------
0.039 to 0.035	1.05	1.60	1.05	1.60	0.019 to 0.017	5.40	5.40	------	------
0.034 to 0.032	1.45	2.15	1.45	2.15					

Extras for soft apply to all tempers, except full hard.

TABLE G-9.—*Hot rolled sheets*

A. GAUGE AND WIDTH

U. S. Standard Gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18
Thickness ordering limits, inches	0.2409 to 0.1875	0.1874 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449
Width in inches:												
32 and under	Base	Base	Base	Base	$0.05	$0.10	$0.15	$0.20	$0.30	$0.45	$0.55	$0.60
Over 32 to 36 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 36 to 40 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 40 to 44 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 44 to 48 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 48 to 52 incl	Plate	$0.15	$0.15	$0.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 52 to 56 incl	Plate	.15	.15	.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 56 to 60 incl	Plate	.15	.15	.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 60 to 64 incl	Plate	.20	.20	.20	.25	.30	.40	.45	.50	.60	.70	.75
Over 64 to 68 incl	Plate	.20	.20	.20	.25	.30	.40	.45	.50	.60	.80	.85
Over 68 to 72 incl	Plate	.25	.25	.25	.30	.35	.45	.95	.55	1.45	.95	1.00
Over 72 to 78 incl	Plate	.35	.35	.35	.40	.45	.60	1.10	.70	1.60	1.05	1.10
Over 78 to 86 incl	Plate	.35	.35	.55	.40	.70	.65	1.15	.75	1.65	1.25	1.45
Over 86	Plate	.45	.45	.65	.50	.80	.75	1.40	1.15	2.15	1.45	1.65

U. S. Standard Gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits, inches	0.0448 to 0.0389	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:												
32 and under	$0.75	$0.80	$0.80	$0.85	$0.85	$0.90	$0.95	$1.00	$1.05	$1.10	------	$1.40
Over 32 to 36 incl	.75	.80	.80	.85	.85	.90	1.00	1.10	1.20	1.30	$1.40	1.50
Over 36 to 40 incl	.75	.80	.80	.90	.95	1.00	1.15	1.25	1.35	1.50	1.55	1.75
Over 40 to 44 incl	.75	.80	.85	.95	1.05	1.10	1.30	1.40	1.50	1.65	------	------
Over 44 to 48 incl	.75	.80	.90	1.05	1.15	1.20	1.45	1.55	1.65	1.90	------	------
Over 48 to 52 incl	.80	.90	1.05	1.15	1.20	1.25	1.45	1.55	1.65	------	------	------
Over 52 to 56 incl	.80	.95	1.10	1.30	1.40	1.50	------	------	------	------	------	------
Over 56 to 60 incl	.90	1.00	1.25	1.50	1.70	1.75	------	------	------	------	------	------
Over 60 to 64 incl	.95	1.05	1.50	------	------	------	------	------	------	------	------	------
Over 64 to 68 incl	1.05	1.15	1.75	------	------	------	------	------	------	------	------	------
Over 68 to 72 incl	1.25	1.35	2.00	------	------	------	------	------	------	------	------	------
Over 72 to 78 incl	1.35	1.75	------	------	------	------	------	------	------	------	------	------
Over 78 to 86 incl	1.75	1.95	------	------	------	------	------	------	------	------	------	------
Over 86	1.95	2.15	------	------	------	------	------	------	------	------	------	------

TABLE G-9.—*Hot rolled sheets*—Continued

B. LENGTH

U. S. Standard Gauge No.	Length in inches: Under 124	Over 124 to 144	Over 144 to 168	Over 168 to 192
16 or heavier	Base	Base	Base	Base
17 and 18	Base	Base	Base	Base
19 to 21	Base	$0.10	$0.20	$0.30
22 and 23	Base	.10	.25	.35
24	Base	.10	.25	.35
25 to 27	Base	.10	.30	
28	Base	.10		
29 and 30	Base	.10		

TABLE G-10.—*Cold rolled sheets*

A. GAUGE AND WIDTH

U. S. Standard Gauge No.	[Sand heavier]	10	11	12	13	14	15	16	17	18	19
Thickness ordering limits in inches	0.2499 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0505	0.0504 to 0.0449	0.0448 to 0.0389
Width in inches:												
32 and under	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.10	−$0.05	Base	$0.05	$0.10
Over 32 to 36 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 36 to 40 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 40 to 44 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 44 to 48 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 48 to 52 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	$0.05	.10	.15
Over 52 to 56 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	.05	.10	.15
Over 56 to 60 incl	−.05	−.05	−.05	−.05	−.05	−.05	−.05	−.05	Base	.05	.10	.25
Over 60 to 64 incl	Base	Base	Base	Base	Base	Base	Base	Base	.05	.10	.15	.30
Over 64 to 68 incl	.05	.05	.05	.05	.05	.05	.05	.05	.10	.20	.25	.40
Over 68 to 72 incl	.10	.10	.10	.10	.10	.10	.10	.10	.20	.30	.35	.50
Over 72 to 78 incl										.40	.45	.60
Over 78 to 86 incl										.60	.80	1.00
Over 86										.80	1.00	1.20

U. S. Standard Gauge No.	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches											
32 and under	$0.15	$0.20	$0.25	$0.35	$0.45	$0.50	$0.55	$0.60	$0.70		$0.95
Over 32 to 36 incl	.15	.20	.25	.35	.45	.55	.65	.75	.85	$1.10	1.25
Over 36 to 40 incl	.15	.20	.30	.50	.55	.70	.80	.90	1.05	1.35	1.55
Over 40 to 44 incl	.15	.25	.35	.60	.65	.85	.95	1.05	1.35	1.55	
Over 44 to 48 incl	.15	.30	.45	.70	.75	1.15	1.25	1.35	1.75		
Over 48 to 52 incl	.25	.45	.55	.95	1.20	1.60					
Over 52 to 56 incl	.30	.50	.70	1.10	1.50						
Over 56 to 60 incl	.35	.65	.90	1.40	1.80						
Over 60 to 64 incl	.40	.90									
Over 64 to 68 incl	.50	1.15									
Over 68 to 72 incl	.60	1.30									
Over 72 to 78 incl	1.00										
Over 78 to 86 incl	1.20										
Over 86	1.40										

B. LENGTH

U. S. Standard Gauge No.	Length in inches: 96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 171	Over 171
16 or heavier	Base						
17–20 inclusive	Base						$0.15
21–22 up to 48" wide inclusive	Base		$0.15	$0.20	$0.25	$0.25	.40
21–22 over 48" wide	Base	$0.10	.20	.25	.30	.30	.45
23–24 up to 48" wide inclusive	Base	.15	.20	.25	.30	.30	.45
23–24 over 48" wide	Base	.20	.25	.30	.35	.35	.50
25–27 up to 48" wide	Base	.15	.20	.25	.30	.35	.50
28–30 up to 48" wide	Base	.20	.25	.30	.35	.40	.55

TABLE G-10.—*Cold rolled sheets*—Continued

C. SUPPLEMENTARY SIZE EXTRAS

1. For stretcher leveled resquared cold rolled sheets of the following dimensions double the sum of the applicable extras for gauge and width (A) and length (B) may be charged:

#20 Gauge and heavier wider than 48" or longer than 144"
Lighter than #20 gauge wider than 48" or longer than 120"

C. SUPPLEMENTARY SIZE EXTRAS—continued

2. The following extras may be added to size extras (gauge and width and length) in Tables A and B above where a seller has paid a mill extra for full finish or cold reduced finish on cold rolled sheets of Number 13 U. S. Standard gauge and heavier, as allowed by the provision of § 1306.8 (b) of Revised Price Schedule Number 6.

11 gauge and heavier	$1.00
12 and 13 gauge	.50

TABLE G-11.—*Galvanized steel, galvanized Armco iron, galvanized Toncan iron, galvannealed, and long terne sheets*

A. GAUGE AND WIDTH

Gauge No.*	10 or heavier	11	12	13	14	15	16	17	18	19	20	21
Width in inches:												
32 and under	−$0.50	−$0.45	−$0.40	−$0.35	−$0.30	−$0.25	−$0.25	−$0.20	−$0.15	−$0.15	−$0.10	−$0.10
Over 32 to 36 incl	−.50	−.45	−.40	−.35	−.30	−.25	−.25	−.20	−.15	−.15	−.10	−.10
Over 36 to 38 incl	−.50	−.45	−.40	−.35	−.30	−.25	−.20	−.15	−.10	−.05	Base	Base
Over 38 to 40 incl	−.50	−.45	−.40	−.35	−.30	−.25	−.20	−.15	−.10	Base	.05	.05
Over 40 to 42 incl	−.45	−.40	−.35	−.30	−.25	−.20	−.20	−.15	−.10	Base	.05	.05
Over 42 to 44 incl	−.40	−.35	−.30	−.25	−.20	−.15	−.15	−.10	−.05	.15	.20	.20
Over 44 to 46 incl	−.30	−.25	−.20	−.15	−.10	−.05	−.05	Base	.05	.20	.25	.25
Over 46 to 48 incl	−.30	−.25	−.20	−.15	−.10	−.05	−.05	.05	.10	.25	.30	.30
Over 48 to 50 incl	−.20	−.15	−.10	−.05	Base	.05	.05	.15	.20	.30	.35	.35
Over 50 to 52 incl	−.15	−.10	−.05	Base	.05	.10	.10	.20	.25	.35	.40	.40
Over 52 to 54 incl	−.10	−.05	Base	.05	.10	.15	.20	.35	.40	.60	.65	.65
Over 54 to 56 incl	Base	.05	.10	.15	.20	.25	.35	.55	.60			
Over 56 to 58 incl	.10	.15	.20	.25	.30	.35	.45	.80	.85			
Over 58 to 60 incl	.25	.30	.35	.40	.45	.50	.60	1.05	1.10			

Gauge No.*	22	23	24	25	26	27	28	29	30	31	32
Width in inches:											
32 and under	−$0.05	−$0.05	Base	$0.15	$0.25	$0.35	$0.50	$0.75	$1.00	$1.25	$1.50
Over 32 to 36 incl	−.05	−.05	Base	.15	.25	.40	.70	.95	1.20	1.65	2.00
Over 36 to 38 incl	.15	.20	$0.25	.45	.55	.75	1.00				
Over 38 to 40 incl	.25	.30	.35	.60	.70	.85	1.15				
Over 40 to 42 incl	.30	.40	.45	.80	.90	1.05					
Over 42 to 44 incl	.40	.50	.55	.90	1.00	1.15					
Over 44 to 46 incl	.50	.60	.65	1.00	1.10	1.35					
Over 46 to 48 incl	.60	.70	.75	1.15	1.25	1.60					
Over 48 to 50 incl	.75	.85	.90								
Over 50 to 52 incl	.85	.95	1.00								
Over 52 to 54 incl	1.10										
Over 54 to 56 incl											
Over 56 to 58 incl											
Over 58 to 60 incl											

B. LENGTH

Gauge No.*	Length in inches: 124 and under	Over 124 to 144	Over 144 to 156	Over 156 to 168	Over 168 to 192	Over 192 to 216	Over 216 to 228	Over 228 to 252	Over 252 to 275
12 or heavier	Base		$0.25	$0.50	$0.75	$0.75	$1.05	$1.15	$1.40
13 to 16	Base		.25	.50	.75	.90	1.05	1.15	1.40
17 and 18	Base	$0.10	.50	.75	.80	.90	1.15	1.40	1.65
19 to 21	Base	.10	.50	.75	.90	1.05	1.15	1.40	1.90
22	Base	.10	.50	.75	1.05	1.15	1.40	1.65	
23 and 24	Base	.10							
25 and 26	Base	.10							
27	Base	.10							
28	Base	.10							
29 and 30	Base	.10							
31	Base								
32	Base								

*For Galvanized Steel, Galvanized Armco Iron, Galvanized Toncan Iron and Galvannealed use Galvanized Sheet Gauge No.; Long Terne use U. S. Standard Gauge No.

TABLE G-12.—*Enamelling sheets*

A. GAUGE AND WIDTH

U. S. Standard Gauge No.	7	8	9	10	11	12	13	14	15	16	17	18
Thickness ordering limits in inches	0.1868 to 0.1719	0.1718 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449
Width in inches:												
32 and under	−$0.60	−$0.60	−$0.60	−$0.60	−$0.55	−$0.55	−$0.50	−$0.30	−$0.40	−$0.20	−$0.15	−$0.10
Over 32 to 36 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 36 to 40 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 40 to 44 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 44 to 48 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 48 to 52 incl	−.45	−.45	−.45	−.45	−.30	−.30	−.35	−.15	−.25	−.05	.05	.10
Over 52 to 56 incl	−.45	−.45	−.45	−.45	−.30	−.30	−.35	−.15	−.25	−.05	.05	.10
Over 56 to 60 incl	−.40	−.40	−.40	−.40	−.35	−.30	−.30	−.25	−.05	.05	.15	.20
Over 60 to 64 incl	−.35	−.35	−.35	−.35	−.30	−.30	−.30	−.05	−.10	.15	.25	.30
Over 64 to 68 incl	−.25	−.25	−.25	−.25	−.20	−.20	−.30	.05	−.10	.15	.25	.40
Over 68 to 72 incl	−.15	−.15	−.15	−.15	−.10	−.10	−.05	.15	.05	.25	.35	.45
Over 72 to 78 incl												.50

U. S. Standard Gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	0.0448 to 0.0389	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:												
32 and under	−$0.05	Base	$0.05	$0.10	$0.20	$0.30	$0.40	$0.50	$0.60	$0.70	$0.80	$0.90
Over 32 to 36 incl	−.05	Base	.05	.10	.20	.30	.40	.50	.60	.90	1.10	1.30
Over 36 to 40 incl	−.05	Base	.05	.20	.40	.50	.70	.80	.90	1.10	1.40	1.70
Over 40 to 44 incl	−.05	Base	.15	.30	.60	.70	1.00	1.10	1.20	1.50	1.70	
Over 44 to 48 incl	−.05	$0.10	.25	.50	.80	.90	1.30	1.40	1.50	1.90		
Over 48 to 52 incl	.15	.20	.45	.70	1.20	1.30						
Over 52 to 56 incl	.15	.30	.65	.90								
Over 56 to 60 incl	.25	.40	.85	1.10								
Over 60 to 64 incl	.35	.50	1.05									
Over 64 to 68 incl	.45	.60	1.25									
Over 68 to 72 incl	.55	.75	1.55									
Over 72 to 78 incl	.65	1.00										

B. LENGTH

U. S. Standard Gauge No.	Length in inches: 96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 156
16 or heavier	Base	Base	Base	Base	Base	$0.10
17 and 18	Base	Base	Base	$0.10	$0.10	.15
19 and 20	Base	Base	Base	.10	.15	.20
21 and 22	Base	Base	Base	.20	.25	.30
23–27	Base	$0.15	$0.20	.25	.30	.35
28–30	Base	.20	.25	.30	.35	.40

TABLE G-13.—*Electrical sheets*

The size extras of the Carnegie Illinois Steel Corporation for the grade electrical sheet sold as established by Revised Price Schedule No. 6 may be added.

TABLE G-14.—*Hot rolled alloys*

ROUNDS AND SQUARES

Dimensions in inches:	
7/32	$1.50
13/64	1.25
1/4	1.00
9/32	.85
5/16	.70
11/32	.55
23/64 and 3/8	.40
25/64 and 7/16	.30
31/64 and 1/2	.20
9/16	.15
29/64 to 1 1/16	.10
47/64 to 1 1/2	Base
1 49/64 to 2 1/16	.10
2 1/8 to 2 1/2	.15
2 9/16 to 3 1/16	.20
3 1/8 to 4 5/16	.25
4 3/8 to 5 5/16	.35
5 3/8 to 5 9/16	.45
5 5/8 to 6 9/16	.55

TABLE G-14.—*Hot rolled alloys*—Continued

ROUNDS AND SQUARES—continued

Dimensions in inches—Continued.	
6 5/8 to 6 9/16	$0.65
6 5/8 to 7 1/2	.75
7 9/16 to 7 3/4	.85
7 13/16 to 8	1.10
Over 8" up to but not including 10"	1.50

HEXAGONS

1/4	$1.50
5/16	1.20
3/8	.90
7/16	.60
1/2 to 9/16	.35
5/8 to 1 1/16	.20
1 1/8 to 1 9/16	.125
1 5/8 to 3 1/16	.25
3 1/8 to 3 1/2	1.10
3 9/16 to 4 1/8	1.25

OCTAGONS

1/4	$1.50
5/16	1.20
3/8	1.00
7/16	.80
1/2 to 9/16	.60
5/8 to 1 1/16	.40
1 1/8 to 3 1/16	.25

TABLE G-14.—*Hot rolled alloys*—Continued

FLATS

Width in Inches	Thickness in inches: 4 to 3 1/16	3 to 2 1/16	2 to 1 3/16	1 to 13/16	3/4 to 1/2	7/16 to 3/8	5/16 to 1/4
2 1/2							1.40
2 1/16							1.20
1 1/2						1.00	1.20
1 1/16						.70	.90
1 to 1 1/16					0.50	.50	.75
15/16 to 1 3/16					.40	.40	.60
7/8 to 1 3/16					.30	.30	.40
1 to 2				0.20	.20	.20	.30
2 1/16 to 3			0.10	Base	Base	Base	.15
3 1/16 to 12	0.30	0.20	.10	Base	Base	Base	.15

TABLE G-15.—*Cold finished alloy steel bars*

ROUNDS

1/8 to less than 5/32	$4.00
5/32 to less than 3/16	3.00
3/16 to less than 7/32	2.50
7/32 to less than 1/4	2.00
1/4 to less than 5/16	1.25
5/16 to less than 3/8	1.00
3/8 to less than 7/16	.90
7/16 to less than 5/8	.70
5/8 to less than 1 13/16	.55
1 13/16 to less than 1 3/16	.45
1 3/16 to less than 1 7/16	.40
1 7/16 to less than 2 9/16	.45
2 9/16 to less than 2 15/16	.50
2 15/16 to less than 3 1/8	.70
3 1/8 to less than 3 7/16	.75
3 7/16 to less than 3 9/16	.85
3 9/16 to less than 3 15/16	.90
3 15/16 to less than 4 1/8	1.00
4 1/8 to less than 4 5/16	1.10
4 7/16 to less than 4 15/16	1.20
4 15/16 to less than 5 7/16	1.30
5 7/16 to less than 5 15/16	1.75
5 15/16 to less than 6 7/16	2.25
6 7/16 to 7 incl	3.00

HEXAGONS

3/32 to less than 1/8	$6.00
1/8 to less than 3/16	5.00
3/16 to less than 1/4	4.00

TABLE G-15.—*Cold finished alloy steel bars*—Continued

HEXAGONS—continued

1/4 to less than 3/8	$2.50
3/8 to less than 7/16	1.75
7/16 to less than 1/2	1.25
1/2 to less than 9/16	.90
9/16 to less than 5/8	.80
5/8 to less than 11/16	.70
11/16 to less than 3/4	.60
3/4 to less than 1	.55
1 to less than 1 1/8	.50
1 1/8 to less than 1 7/16	.45
1 5/16 to less than 1 1/2	.50
1 1/2 to less than 1 15/16	.60
1 15/16 to less than 2 1/4	.75
2 1/4 to less than 2 13/16	1.00
2 13/16 to less than 3 1/16	1.50
3 1/16 to less than 3 9/16	3.00
3 9/16 to 4 incl	4.00

SQUARES

3/32 to less than 1/8	$6.00
1/8 to less than 3/16	5.00
3/16 to less than 1/4	4.00
1/4 to less than 3/8	2.50
3/8 to less than 1/2	1.75
1/2 to less than 1 1/16	1.30
1 1/16 to less than 1 3/8	1.05
1 3/8 to less than 2 5/16	1.25
2 5/16 to less than 4 1/16	2.00
4 1/16 to less than 4 1/2, incl	4.00

TABLE G-16.—*Stainless steel sheets*

Finish Designations

No. 1. Hot rolled annealed and pickled.
No. 2B. Full finish (bright cold rolled).
No. 2D. Full finish (dull cold rolled).
No. 4. Standard polish on one side or both sides.

GAUGE AND FINISH EXTRAS

U. S. S. gauge	Thickness ordering range in inches	Gauge extra: Unpolished-finishes only, Nos. 1 2B and 2D finishes	Combined gauge and polishing extras: No. 4 and No. 6 finish: One side	No. 4 and No. 6 finish: Both sides	No. 7 finish: One side	No. 7 finish: Both sides
	Over					
8	0.160 to 0.176	Base	$5.75	$10.50	$7.67	$14.00
9	0.145 to 0.160	Base	6.00	11.00	8.00	14.67
10	0.130 to 0.145	Base	6.25	11.50	8.33	15.33
11	0.114 to 0.130	Base	6.50	12.00	8.67	16.00
12	0.098 to 0.114	Base	6.75	12.50	9.00	16.67
13	0.083 to 0.098	Base	7.00	13.00	9.33	17.33
14	0.072 to 0.083	Base	7.25	13.50	9.67	18.00
15	0.065 to 0.072	Base	7.50	14.00	10.00	18.67
16	0.058 to 0.065	Base	7.75	15.00	10.33	20.00
17	0.052 to 0.058	Base	8.00	16.00	10.67	21.33
18	0.046 to 0.052	Base	8.50	18.00	11.34	24.00
19	0.040 to 0.046	Base	9.50	20.50	12.67	27.34
20	0.035 to 0.040	Base	11.00	24.00	14.67	32.00
21	0.032 to 0.035	Base	12.00	26.50	16.00	35.34
22	0.029 to 0.032	Base	$0.50	15.50	29.50	20.50
23	0.026 to 0.029	.50	17.00	33.50	22.50	44.50
24	0.023 to 0.026	1.00	18.50	37.00	24.34	49.00
25	0.0198 to 0.023	2.00	23.00	43.00	30.00	56.67
26	0.0177 to 0.0198	5.00	26.00	46.00	33.00	59.67
27	0.0160 to 0.0177	8.00				
28	0.0145 to 0.0160	11.00				
29	0.0130 to 0.0145	17.00				
30	0.0114 to 0.0130	22.00				
	0.010 to 0.0114	26.00				
	0.009	30.00				
	0.008	34.00				
	0.007	42.00				
	0.006	50.00				
	0.005	62.00				

Thicknesses 3/16" and heavier take plate extras.

TABLE G-14.—*Hot rolled alloys*—Continued

ROUNDS AND SQUARES—continued

Dimensions in inches—Continued.	
6 5/8 to 6 9/16	$0.65
6 5/8 to 7 1/2	.75
7 9/16 to 7 3/4	.85
7 13/16 to 8	1.10
Over 8" up to but not including 10"	1.50

HEXAGONS

1/4	$1.50
5/16	1.20
3/8	.90
7/16	.60
1/2 to 9/16	.35
5/8 to 1 1/16	.20
1 1/8 to 1 9/16	.125
1 5/8 to 3 1/16	.25
3 1/8 to 3 1/2	1.10
3 9/16 to 4 1/8	1.25

OCTAGONS

1/4	$1.50
5/16	1.20
3/8	1.00
7/16	.80
1/2 to 9/16	.60
5/8 to 1 1/16	.40
1 1/8 to 3 1/16	.25

TABLE G-16.—*Stainless steel sheets*—Continued

Finish Designations

No. 1. Hot rolled annealed and pickled.
No. 2B. Full finish (bright cold rolled).
No. 2D. Full finish (dull cold rolled).
No. 4. Standard polish on one side or both sides.

GAUGE AND FINISH EXTRAS

U. S. S. gauge	Thickness ordering range in inches	Gauge extra: Unpolished-finishes only, Nos. 1 2B and 2D finishes	Combined gauge and polishing extras: No. 4 and No. 6 finish: One side	No. 4 and No. 6 finish: Both sides	No. 7 finish: One side	No. 7 finish: Both sides
	Over					
8	0.160 to 0.176	Base	$5.75	$10.50	$7.67	$14.00
9	0.145 to 0.160	Base	6.00	11.00	8.00	14.67
10	0.130 to 0.145	Base	6.25	11.50	8.33	15.33
11	0.114 to 0.130	Base	6.50	12.00	8.67	16.00
12	0.098 to 0.114	Base	6.75	12.50	9.00	16.67
13	0.083 to 0.098	Base	7.00	13.00	9.33	17.33
14	0.072 to 0.083	Base	7.25	13.50	9.67	18.00
15	0.065 to 0.072	Base	7.50	14.00	10.00	18.67
16	0.058 to 0.065	Base	7.75	15.00	10.33	20.00
17	0.052 to 0.058	Base	8.00	16.00	10.67	21.33
18	0.046 to 0.052	Base	8.50	18.00	11.34	24.00
19	0.040 to 0.046	Base	9.50	20.50	12.67	27.34
20	0.035 to 0.040	Base	11.00	24.00	14.67	32.00
21	0.032 to 0.035	Base	12.00	26.50	16.00	35.34
22	0.029 to 0.032	Base	$0.50	15.50	29.50	20.50
23	0.026 to 0.029	.50	17.00	33.50	22.50	44.50
24	0.023 to 0.026	1.00	18.50	37.00	24.34	49.00
25	0.0198 to 0.023	2.00	23.00	43.00	30.00	56.67
26	0.0177 to 0.0198	5.00	26.00	46.00	33.00	59.67
27	0.0160 to 0.0177	8.00				
28	0.0145 to 0.0160	11.00				
29	0.0130 to 0.0145	17.00				
30	0.0114 to 0.0130	22.00				
	0.010 to 0.0114	26.00				
	0.009	30.00				
	0.008	34.00				
	0.007	42.00				
	0.006	50.00				
	0.005	62.00				

TABLE G-17.—*Stainless bars*—Continued

TABLE G-16.—*Stainless steel sheets*—Continued

LENGTH EXTRAS

Size in inches:	
Under 60 to 36 incl	$0.50
Under 36	1.00
Over 120 to 130 incl	.50
Over 130 to 140 incl	1.00
Over 140 to 150 incl	1.50
Over 150 to 155 incl	2.00
Over 155 to 160 incl	3.00
Over 160 to 170 incl	3.50
Over 170 to 180 incl	4.50

TABLE G-16.—*Stainless steel sheets*—Continued

LENGTH EXTRAS—continued

Size in inches—Continued.	
Over 180 to 190 incl	$5.50
Over 190 to 200 incl	5.75
Over 200 to 210 incl	6.00
Over 210 to 220 incl	6.25
Over 220 to 230 incl	6.50
Over 230 to 240 incl	6.75
Over 240 to 250 incl	7.00
Over 250 to 260 incl	7.25

WIDTH EXTRAS

Gauge No.	Thickness ordering range	Over 36–40" incl.	Over 40–44" incl.	Over 44–50" incl.	Over 50–54" incl.	Over 54–58" incl.	Over 58–62" incl.	Over 62–66" incl.	Over 66"
8–16 incl	0.059 to 0.176"	$0.50	$1.00	$1.50	$2.00	$2.50	$4.00	$6.00	$8.00
17–18 incl	0.047 to 0.058"	.75	1.25	1.75	2.25	3.75	6.00	8.75	.....
19–21 incl	0.033 to 0.046"	1.00	1.50	2.00	3.00	4.25	8.00	12.50	.....
22–24 incl	0.024 to 0.032"	1.50	2.00	2.50	4.00	5.25	9.50	.....	.....
25–26 incl	0.0178 to 0.023"	2.00	2.75	3.50	7.00	9.00	12.00	.....	.....
27–28 incl	0.0146 to 0.0177"	2.50	3.00	5.00	.....	.....	.....	.....	.....

When pricing sheet items the shortest dimension should always be considered as width.

TABLE G-17.—*Stainless bars*

HOT ROLLED BARS

Dimensions in inches:	
¼ and 9/32"	$6.00
5/16 and 11/32"	5.00
3/8 to 15/32"	3.00
½ to 19/32"	2.00
5/8 to 21/32"	1.00
1 to 1 11/32"	.50
1 5/16 to 2¼"	Base
2 1/16 to 3"	1.00

TABLE G-17.—*Stainless bars*—Continued

HOT ROLLED BARS—continued

Dimensions in inches—Continued.	
3⅛ to 4"	$1.50
4⅛ to 5"	2.00
5⅛ to 6"	4.00

All intermediate sizes take the next higher extra.

Octagons and Hexagons—2 cents per pound extra for shape in addition to above extras for size.

Rounds, octagons and hexagons—in hot rolled coils take one-half regular bare size extras plus all other extras.

Thickness of section in inches

Width of section in inches	¼	5/16	⅜	7/16	½	9/16	⅝	¾	1	1¼	1½
¼	$30.00	$20.00	$10.00	.....	.....	.....	.....	.....	.....	.....	.....
5/16	25.00	15.00	8.00	$6.00	.....	.....	.....	.....	.....	.....	.....
⅜	20.00	10.00	6.00	5.00	$4.00	.....	.....	.....	.....	.....	.....
½	10.00	7.00	5.00	4.00	3.00	$2.00	.....	.....	.....	.....	.....
¾	7.00	5.00	4.00	3.00	2.00	1.50	$1.00	$1.00	.....	.....	.....
1	6.00	4.00	3.00	2.00	1.50	1.00	.50	.50	$0.50	.....	.....
1¼	5.00	3.00	2.00	1.50	1.00	1.00	.50	.50	.50	$0.50	.....
1½	5.00	3.00	1.50	1.00	1.00	1.00	.50	Base	Base	Base	Base
1¾	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2¼	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2½	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
3	5.00	3.00	1.50	1.00	.50	.50	Base	Base	Base	Base	Base
4	5.00	3.00	1.50	1.00	1.00	1.00	1.00	1.00	1.00	1.00	$1.00
5	6.00	4.00	2.50	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
6	8.00	6.00	4.00	3.50	3.00	3.00	3.00	3.00	3.00	3.00	2.50
7	10.00	8.00	6.00	5.00	4.00	3.00	3.00	3.00	3.00	3.00	3.00
8	.....	8.00	6.00	6.00	5.00	4.00	4.00	4.00	4.00	4.00	3.50
9	.....	8.00	6.00	6.00	5.00	5.00	5.00	5.00	5.00	5.00	4.00
10	.....	8.00	6.00	6.00	6.00	6.00	6.00	6.00	5.00	5.00	5.00

Width of section in inches	1¾	2	2½	3	3½	4	5	6	7	8	9	10
¼	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
5/16	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
⅜	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
½	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
¾	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1¼	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1½	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1¾	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2	Base	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2¼	Base	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2½	Base	Base	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	$1.00	$1.00	$1.00	$1.00	.....	.....	.....	.....	.....	.....	.....	.....
4	1.50	1.50	1.50	1.50	$1.50	$1.50	.....	.....	.....	.....	.....	.....
5	2.00	2.00	2.00	2.00	2.00	2.00	$2.00	.....	.....	.....	.....	.....
6	2.50	2.50	2.50	2.50	2.50	2.50	2.50	$2.50	.....	.....	.....	.....
7	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	$3.00	.....	.....	.....
8	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	$3.50	.....	.....
9	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	$4.00	.....
10	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	$5.00

TABLE G-17.—*Stainless bars*—Continued

COLD FINISHED BARS

Extras herein to be added to hot rolled bar base price.

Rounds and Squares

Dimension in inches	Tolerance plus or minus ins.	Rounds		Squares		Ground bars-rounds	
		Bars	Coils	Bars	Coils	Unpolished	Polished
4 to 3 1/16	0.003	$8.00	.....	.....	.....	$8.00	$10.00
3 to 2 3/16	.003	6.50	.....	.....	.....	6.50	8.50
2 3/16 to 1 1/2	.003	5.50	.....	$10.50	.....	5.50	7.50
1 15/32 to 1	.0025	6.00	.....	11.00	.....	6.00	8.00
31/32 to 3/8	.002	6.50	.....	11.50	.....	6.50	8.50
19/32 to ½	.002	8.00	$5.50	13.00	.....	8.00	11.00
15/32 to 3/8	.0015	9.00	6.00	14.00	$12.00	10.00	13.00
5/16 to 11/32	.0015	10.50	7.00	16.50	14.00	13.50	17.00
9/32 to 1/4	.001	11.50	8.00	18.50	15.00	15.50	20.00
0.249 to 0.234	.001	12.00	9.00	21.00	16.00	18.00	23.00
0.233 to 0.216	.001	13.00	10.00	23.00	17.00	19.00	25.00
0.215 to 0.200	.001	14.00	11.00	25.00	18.00	21.00	27.00
0.199 to 0.185	.001	15.00	12.00	27.00	19.00	23.00	30.00
0.184 to 0.170	.001	17.00	14.00	30.00	20.00	25.00	33.00
0.169 to 0.155	.001	20.00	16.00	34.00	24.00	28.00	36.00
0.154 to 0.142	.001	22.00	18.00	37.00	25.00	30.00	38.00
0.141 to 0.128	.001	24.00	20.00	40.00	27.00	35.00	43.00
0.127 to 0.113	.001	27.00	22.00	43.00	29.00	42.00	50.00
0.112 to 0.099	.001	29.00	24.00	46.00	31.00	50.00	60.00
0.098 to 0.086	.001	31.00	26.00	50.00	33.00	85.00	100.00
0.085 to 0.076	.001	35.00	29.00	54.00	36.00	110.00	130.00
0.075 to 0.067	.001	39.00	32.00	59.00	39.00	125.00	145.00
0.066 to 0.058	.001	43.00	35.00	64.00	42.00	146.00	170.00
0.057 to 0.051	.001	47.00	39.00	70.00	45.00	.....	.....
0.050 to 0.044	.001	51.00	43.00	77.00	48.00	.....	.....

Intermediate sizes take the next higher extra.—The above size extras include extras for annealing, physical properties, tempering and/or cleaning or sand blasting.

SHAPE EXTRAS

Hexagons and Octagons—Add 5¢ per pound to above schedule for rounds.

TABLE G-18.—*Stainless steel plates*

SIZE AND FINISH EXTRAS

Width in inches	Hot rolled	Hot rolled annealed or heat treated	Hot rolled annealed or heat treated and pickled
Over 10" to 18" incl	$2.00	$4.00	$6.00
Over 18" to 30" incl	1.00	3.00	5.00
Over 30" to 50" incl	Base	2.00	4.00
Over 50" to 80" incl	.50	2.50	4.50
Over 80" to 100" incl	1.00	3.00	5.00
Over 100" to 115" incl	2.00	4.00	6.00
Over 115" to 130" incl	2.50	4.50	6.50
Over 130" to 140" incl	3.00	5.00	7.00

TABLE G-19.—*Stainless steel angles*

The following extras are added to hot rolled stainless bar base prices equal leg angles.

Dimension in inches:	
1½ x 1½ or wider but under 1 15/16 x 1½ x 3/16 or over	$4.00
1½ x 1½ or wider but under 1½ x 1½ x 3/8 or under	7.00
1 15/16 x 1 15/16 or wider but under 3 x 3 x ¼ or over	2.00
1½ x 1½ or wider but under 3 x 3 x 3/16 or under	4.00
3 x 3 or wider but under 6 x 6 x 3/16 or over	Base
3 x 3 or wider but under 6 x 6 x ¼ or 3/16	2.00
3 x 3 or wider but under 6 x 6 1/8 under 3/16	4.00
6 x 6 or wider but under 8 x 8 x ¾ or over	3.00
8 x 8 or wider by ⅜ or over	5.00

TABLE G-19.—*Stainless steel angles*—Continued

Unequal leg angles: If shorter leg is equal to or greater than ¾ of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 1¢ per pound. In case shorter leg is not equal to or greater than three-quarters of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 2¢ per pound.

CUTTING EXTRAS

[Rate per 100 pounds]

The following charges are to be made only when material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification.

TABLE H-1.—*Plate shearing extras*

[3/16" to 3/4" thick inclusive, including U. M., sheared, flange, firebox, high carbon, copper bearing and floor plates, and hot rolled strip 3/16" thick over 6" wide cut to length only, or any size 3/16" Hot Rolled Strip, cut to length and width]

A. RECTANGULAR PLATES

Type of shearing	Length				
	5' and longer	Under 5' to 3'	Under 3' to 2'	Under 2' to 1'	Under 1' to over 6"
I. To length only: 3/16" to 3/4" thick incl	$0.00	$0.10	$0.25	$0.50	$1.55
II. To width and length:					
A. Widths over 6" in the following thicknesses:					
3/16" to 3/16" incl	.30	.40	.55	.80	1.85
Over 3/16" to ½" incl	.25	.35	.50	.75	1.80
Over ½" to 3/4" incl	.20	.30	.45	.70	1.75
B. Widths 6" and narrower in the following thicknesses:					
3/16" to 3/16" incl	.60	.80	1.10	1.60	3.70
Over 3/16" to ½" incl	.50	.70	1.00	1.50	3.60
Over ½" to 3/4" incl	.40	.60	.90	1.40	3.50

Minimum charge, $0.35 net per thickness.

TABLE H-4.—*Shearing legs of angles*

TABLE H-7.—*Flame cutting plates*

TABLE H-1.—*Plate shearing extras*—Continued

B. SKETCH PLATES[2]

I. To widths over 6" in the following thicknesses:	$0.40	$0.50	$0.65	$0.90	$1.95
3/16" to 5/16" incl	.35	.45	.60	.85	1.90
Over 5/16" to 1/2" incl	.30	.40	.55	.80	1.85
Over 1/2" to 7/8" incl					
II. To widths 6" and under in the following thicknesses:					
3/16" to 5/16" incl	.70	.90	1.20	1.70	3.80
Over 5/16" to 1/2" incl	.60	.80	1.10	1.60	3.70
Over 1/2" to 7/8" incl	.50	.70	1.00	1.50	3.60

Minimum charge: $0.35 net per thickness.

[1] Universal mill plates over 7/8" thick, in stock widths up to 14" wide inclusive, cut to length — use friction saw cutting structural shape extras in table H-8. All other plates over 7/8" thick—use flame cutting extras in table H-7.

[2] Ordinary straight side sketch plates up to 7/8" thick inclusive, with no re-entrant cuts, based on gross weight of rectangular plate required in nearest stock width. Sketch plates over 7/8" thick—use flame cutting extras in table H-7.

C. CIRCLE CUTTING

See flame cutting extras in table H-7.

TABLE H-2.—*Sheet shearing extras*

EXCLUDING STAINLESS

[Including cold rolled strip cut to length and all floor plates lighter than 3/16" thick]

Types of shearing	Gauge[1] No. 8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	25 and 26	27	28	29	30
I. To length only:														
5' and over	$0.25	$0.30	$0.35	$0.40	$0.45	$0.50	$0.55	$0.60	$0.65	$0.70	$0.75	$0.80	$0.85	$0.90
Under 5' to 3'	.35	.40	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00
Under 3' to 2'	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10
Under 2' to 1'	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20
II. To width only:														
6" and over	.25	.30	.35	.40	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90
5 15/16" to over 4"	.30	.35	.40	.45	.45	.55	.60	.70	.75	.90	1.00	1.00	1.00	1.00
4" to over 3"	.35	.40	.45	.50	.50	.60	.70	.80	.90	1.00	1.10	1.10	1.10	1.10
3" to over 2"	.45	.50	.50	.70	.75	.80	.90	1.00	1.10	1.25	1.40	1.40	1.40	1.40
2" to 1"	.70	.75	.75	.80	.90	1.00	1.15	1.25	1.50	1.50	1.75	1.75	1.75	1.75
Under 1"	.95	1.00	1.00	1.10	1.10	1.30	1.50	1.60	1.75	2.00	2.50	2.50	2.50	2.50
III. To length and width:														
A. To widths of 6" and over and to following lengths:														
5' and over	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10
Under 5' to 3'	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20
Under 3' to 2'	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20	1.25	1.30
Under 2' to 1'	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40
Under 1' to 6", incl	.95	1.00	1.10	1.20	1.30	1.50	1.50	1.50	1.50	2.00	2.00	2.00	2.00	2.00
B. To widths under 6" and to following lengths:														
3' and over	3 times the width only charge, as shown above.													
Under 3' to 1'	3½ times the width only charge, as shown above.													
Under 1'	4 times the width only charge, as shown above.													

[1] For all 3/16" and #7 gauge material wider than 6" use plate shearing extras (table H-1).

TABLE H-3.—*Shearing hot rolled carbon bars (under 0.60 mean of carbon)*

HOT ROLLED STRIP AND ANGLES

Rounds, Squares, Hexagons } 2" cross section and under.
Flats 1½" x 6" and smaller.
Angles 2½" x 2½" x ½" and smaller—all lengths.
Angles 3" to 6" leg, inclusive, under 5'0" long.
Total cuts of one length, cross section, finish and analysis determines the charge per cut.
Minimum charge 35¢ per item of one length, cross section, finish and analysis.

Pounds per lineal foot	Lengths: Over 8'0", any number cuts	4'0" to 8'0" inclusive: Under 50 cuts	4'0" to 8'0" inclusive: 50 cuts and over	1'0" to under 4'0": Under 50 cuts	1'0" to under 4'0": 50 cuts and over	Under 1'0": Under 50 cuts	Under 1'0": 50 cuts and over
Under 1.0 pound	$0.03	$0.03	$0.02	$0.03	$0.02	$0.01	$0.01
1.0 to 2.5	.04	.03	.02	.03	.02	.02	.01
2.5 to 4.5	.05	.04	.03	.03	.02	.02	.01
4.5 to 7.5	.06	.05	.04	.03	.02	.02	.01
7.5 to 11.0	.07	.06	.04	.04	.03	.03	.02
11.0 to 15.0	.09	.08	.05	.04	.03	.03	.02
15.0 to 20.0	.11	.09	.06	.05	.04	.03	.02
20.0 and over	.13	.11	.08	.07	.05	.04	.03

Rounds, squares, hexagons over 2" } Use table H-5.
Flats over 1½" thick
Bar channels
Bar tees
Bar zees

Angles over 6" either leg. Use table H-8.
Hot rolled bars 0.60 mean of carbon and over use Schedule H-6.

TABLE H-4.—*Shearing legs of angles*

	10' 0" and less	Over 10' 0" to 20' 0"	Over 20' 0" to 30' 0"
Set up charge	$1.00 net	$1.00 net	$1.00 net
Per cut for each leg of each angle	.25	.50	.75

Add to above, the regular length cutting extras (table H-3).
Extra weight may be charged for the stock size cross-section of the cut length angle.
The angle shearing operation is done before cutting to length. Thus 2 angles 5'0" long would be subject to only one $0.25 net shearing extra since this operation would be performed on a 10'0" angle.

TABLE H-5.—*Cold finished and hot rolled carbon bar hack saw cutting charges*

[All qualities under 0.60 carbon. Also bar shapes and hot rolled strip]

Charges per cut to any one length 0'1" and over, of one cross-section, analysis and finish.
Lengths under 0'1"—use next higher weight bracket cutting charge.
Minimum charge applies where total cutting charge for one length, cross-section, analysis and finish is less than the minimum charge.

Pounds per lineal foot	Over 8'0" long: Minimum net charge	Over 8'0" long: Any quantity of cuts	8'0" long and under: Less than 10 cuts	8'0" long and under: 10 to 100 cuts or 1,000 lbs. of one cross-section, length, analysis and finish	8'0" long and under: 100 cuts and over
Under 1.0 lbs	$0.35	$0.03	$0.03	$0.03	$0.02
1.0 to 2.5	.35	.04	.04	.03	.02
2.5 to 4.5	.35	.05	.05	.05	.04
4.5 to 7.5	.35	.06	.06	.06	.05
7.5 to 11.0	.35	.08	.08	.08	.06
11.0 to 15.0	.35	.11	.11	.09	.08
15.0 to 20.0	.40	.14	.14	.11	.11
20.0 to 27.0	.45	.17	.17	.14	.13
27.0 to 35.0	.50	.21	.21	.17	.16
35.0 to 45.0	.60	.26	.26	.21	.20
45.0 to 55.0	.65	.33	.33	.26	.25
55.0 to 71.0	.75	.41	.41	.33	.31
71.0 to 87.0	.90	.53	.53	.42	.40
87.0 to 106.0	1.05	.67	.67	.54	.50
106.0 to 130.0	1.25	.82	.82	.66	.62
130.0 to 160.0	1.50	1.01	1.00	.80	.75
160.0 to 203.0	1.70	1.20	1.20	.96	.90
203.0 to 245.0	1.90	1.40	1.40	1.12	1.05
245.0 and over	2.20	1.70	1.70	1.36	1.28

TABLE H-6.—*Hack saw cutting carbon steel bars .60 mean and over and hot rolled and cold finished alloy bars*

Hack sawing charges per cut to any length 0'1" and over, of one cross-section, analysis and finish.
Lengths under 0'1"—use next higher weight bracket cutting charge.
Minimum charge applies where total cutting charge for one length, cross-section, analysis and finish is less than the minimum charge.

Pounds per lineal foot	Over 8'0" long: Minimum net charge	Over 8'0" long: Any quantity of cuts	8'0" long and under: Less than 10 cuts	8'0" long and under: 10 to 100 cuts or 1,000 lbs. of one cross-section, length, analysis and finish	8'0" long and under: 100 cuts and over
Under 1.0 lb	$0.35	$0.04	$0.04	$0.04	$0.03
1.0 to 2.5	.35	.05	.05	.05	.04
2.5 to 4.5	.35	.08	.08	.08	.06
4.5 to 7.5	.35	.09	.09	.09	.07
7.5 to 11.0	.39	.12	.12	.12	.09
11.0 to 15.0	.41	.17	.17	.17	.13
15.0 to 20.0	.47	.21	.21	.17	.16
20.0 to 27.0	.54	.26	.26	.21	.20
27.0 to 35.0	.61	.32	.32	.26	.24
35.0 to 44.0	.73	.39	.39	.31	.29
44.0 to 52.0	.82	.50	.50	.40	.38
52.0 to 71.0	.96	.62	.62	.50	.47
71.0 to 87.0	1.17	.80	.80	.64	.60
87.0 to 106.0	1.39	1.01	1.01	.81	.76
106.0 to 130.0	1.66	1.23	1.23	.98	.92
130.0 to 160.0	2.00	1.50	1.50	1.20	1.13
160.0 to 203.0	2.30	1.80	1.80	1.44	1.35
203.0 to 245.0	2.60	2.10	2.10	1.68	1.58
245.0 and over	3.05	2.55	2.55	2.04	1.91

TABLE H-7.—*Flame cutting plates*

[Extras per lineal foot; minimum flame cutting charge, 50¢ net per item]

Thickness (inches)	Under 5 feet	5 feet and over
3/16"	$0.09	$0.07
1/4"	.10	.08
5/16"	.11	.09
3/8"	.11	.09
7/16"	.13	.10
1/2"	.14	.11
5/8"	.16	.12
3/4"	.17	.13
7/8"	.19	.15
1"	.20	.16
1 1/8"	.23	.18
1 1/4"	.25	.20
1 3/8"	.27	.21
1 1/2"	.29	.23
1 5/8"	.32	.25
1 3/4"	.34	.27
2"	.38	.30
2 1/4"	.43	.34
2 1/2"	.46	.37
2 3/4"	.52	.41
3"	.57	.45
3 1/4"	.61	.49
3 1/2"	.67	.53
3 3/4"	.71	.57
4"	.76	.61
4 1/2"	.86	.69
5"	.96	.77
5 1/2"	1.08	.86
6"	1.20	.95
6 1/4"	1.34	1.07
7"	1.50	1.20
8"	1.83	1.46
10"	2.51	2.01

Charges are based on lineal feet for each piece. Fractions of an inch, charged at next full inch.

Rectangular plates. Over 1" thick a charge may be made for flame cutting one side and one end at above extras unless flame cutting all edges is specified when a charge may be made for two sides and two ends. 1" thick and under a charge may be made for flame cutting of 4 edges.

Circular plates. Flame cutting charge based on circumference of circle.

Rings. Flame cutting charge based on total footage of inside and outside circumferences.

Sketches with straight sides. With straight and no reentrant cuts. Flame cutting charge based on total footage in perimeter of sketch.

TABLE H-8.—*Friction saw cutting structural shapes*

Beams, channels, tees, zees, 3" and over, angles over 6" either leg, and Universal Mill Plates over 1" thick, in stock width up to 14" inclusive.

Angles 6" leg and under—Use shearing schedule (table H-3).

Lengths 5'0" and over, no charge for cutting.

Minimum charge 35 cents per item of one length and one cross-section.

Pounds per lineal foot:	Under 5'0" long—per cut
Under 10 lbs	$0.07
10.0 to under 17.5	.10
17.5 to under 30.0	.15
30.0 to under 45.0	.20
45.0 to under 65.0	.25
65.0 to under 90.0	.30
90.0 and over	.35

TABLE H-9—*Stainless steel sheets*

A. RECTANGULAR SHAPES

1. If width* of piece ordered is less than ¼ of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price.

2. If width* of piece ordered is ¼ but less than ½ of the width of any stock size sheet in

*The smallest dimension shall be considered the width regardless of surface finish or grain structure. If a charge is made in accordance with (1), (2), or (3) the net weight of the cut material ordered shall be the weight used in invoicing.

TABLE H-9—*Stainless steel sheets*—Continued

[1] Examples: 1 circle ¼" x 20" Di-

TABLE K-1.—*Galvanizing extras*—Continued

TABLE K-1.—*Galvanizing extras*—Continued

FLAT ROLLED STRIP STEEL

TABLE K-3.—*Extras for boring and burlapping cold finished bars*

TABLE H-9—*Stainless steel sheets*—Continued

A. RECTANGULAR SHAPES—continued

same type, gauge and finish add fifteen percent (15%) of the stock size price.

3. If width,* of piece ordered is ½ or more of the width of any stock size sheet in the same type, gauge and finish add twenty percent (20%) of the stock size price.

4. If the cut size or sizes ordered are cut without waste from any stock size, none of the above percentage extras (10%, 15%, 20%) may be added but the following shearing charges may be made for the number of cuts actually made in filling the order. Figure one first cut for each thickness ordered. In no case shall the shearing charge exceed the value of the cut pieces figured at 12¢ per pound.

Gauge No.	Charge for— First cut	Additional cuts
No. 10	$0.60	$0.20
11	.60	.20
12	.60	.20
14	.60	.15
16	.50	.15
18	.50	.15
20	.50	.15
22	.40	.10
24	.35	.10
26	.35	.10

*The smallest dimension shall be considered the width regardless of surface finish or grain structure. If a charge is made in accordance with (1), (2), or (3) the net weight of the cut material ordered shall be the weight used in invoicing.

B. STAINLESS SHEET CIRCLES

When rough cut to size 5" diameter and larger on straight blade shear, price as a square and charge for weight of square ½" larger than diameter of circle, and then add the following extra for shearing to circle:

8¢ (eight cents) per inch diameter. Minimum charge $1.00 net per thickness.

Example: 1 circle =24 x 20" Dia., Charge is ---- $1.60 net
4 circles =10 x 22½" Dia., Charge is ---- 1.80 each or 7.20 net

TABLE H-10.—*Stainless steel bars*

Length:	Rate per 100 pounds
Under ½"	$40.00
½" to under 1"	24.00
1" to under 1½"	18.00
1½" to under 2"	12.00
2" to under 3"	8.00
3" to under 4"	6.00
4" to under 5"	4.00
5" to under 6"	3.50
6" to under 8"	3.00
8" to under 10"	2.50
10" to under 36"	2.00
36" to under 48"	2.50
48" to under 60"	3.00
60" to under 72"	3.50
72" to under 84"	4.00
84" to under 96"	4.50
96" to under 180"	3.50
180" to under 240"	4.00
240" to under 312"	4.00

All cut bars shall be billed on the net weight of cut material ordered

TABLE H-11.—*Stainless steel plates*

A. RECTANGULAR SHAPES

Combine to determine quantity bracket in cutting table below all material of the same type, thickness, width and length.

	Rate per 100 pounds
500 lbs. and over	$1.00
200-499 lbs.	2.00
100-199 lbs.	3.00
Under 100 lbs	6.00

All cut plates shall be billed on the net weight of cut material ordered.

B. STAINLESS PLATE CIRCLES

When rough cut to size 8" diameter and larger on straight blade shear, price as a square and charge for weight of a square ½" larger than diameter of circle, and then add the following extra for shearing to circle:

10¢ (ten cents) per inch of diameter. Minimum charge $1.00 net per thickness.

Examples: 1 circle ¼" x 20" Diameter, charge is ---- $2.00 net
4 circles ½" x 22½" Diameter, charge is ---- 2.25 each or 9.00 net

TABLE H-12.—*Stainless steel angles*

	Rate per 100 pounds
Under 12"	No extra
12" to under 36"	$ 0.50
36" to under 60"	1.00
60" to under 120"	1.50
120" and over	2.00

All angles cut to length shall be billed on the net weight of cut material ordered.

MISCELLANEOUS EXTRAS

TABLE K-1.—*Galvanizing extras*

A. GENERAL CONDITIONS

The prices are list prices subject to differentials and cover new material only.

All prices herein are based on galvanized weight.

Differentials apply to the total weight of all galvanized materials (except galvanized sheets, produced at mills) ordered in one day for shipment at one time or at the seller's convenience to one destination.

For intermediate sizes use next higher list.

B. DIFFERENTIALS

For any material from which paint or grease has to be burned off not more than 50% may be added to galvanizing charge.

The following length differentials apply to angles, tees, channels, flat bars, flat strips, half ovals, rounds, squares, half rounds and may be added to net galvanizing extra:

	Rate per 100 pounds
Under 10'0"	Add ---- $0.15
Under 6'0"	Add ---- .25
Under 2'0"	Add ---- .50
Over 30'0"	Add ---- .10
Over 45'0"	Add ---- .20
Over 50'0"	Add ---- .40
	Add ---- .90

Minimum charge of $1.00 will be made for galvanizing a single item and/or order if weight of order at net price does not amount to $1.00.

The following differentials apply on all Galvanizing Extras listed below:

Under 500 lbs	Plus 25%
500 to 1,999 lbs	Plus 10%
2,000 to 5,999 lbs	Less 5%
6,000 to 9,999 lbs	Less 15%
10,000 to 35,999 lbs	Less 20%
36,000 lbs & over	Less 25%

C. LIST PRICES

⅜" Angles and Tees ⅜"
(bar sizes)
Length 10'0" to 22'0"

Size:	
½" x ½"	$5.40
⅝" x ⅝"	4.20
¾" x ¾"	3.70
1" x 1"	3.70
1⅛" x 1⅛"	3.70
1¼" x 1¼"	3.20
1⅜" x 1⅜"	3.20
1½" x 1½"	2.70
1¾" x 1¾"	2.60
2" x 2"	2.60
2½" x 2½"	2.50
2¾" x 2¾"	2.50
3" x 3" and larger	2.20

TABLE K-1.—*Galvanizing extras*—Continued

A. GENERAL CONDITIONS—Continued

⅜" Channels ⅜"
(bar sizes)

1½" x 1½"	2.50
1¾" x 1¾" and larger	2.30
1⅝" x 9/16"	3.00
1¼" x ⅛"	3.00
1½" x ⅛"	3.10
1½" x ⅜"	3.10
1¾" x ½"	3.10
1½" x 1½"	2.70
2" x 9/16"	3.00
2" x ⅝"	2.70
2" x ¾"	2.70
2½" x ⅝"	2.70

¾" Angles and Tees ¾"
(bar sizes)

1" x 1"	2.60
1⅛" x 1¼"	2.50
1½" x 1½" and larger	2.20
All sizes ⅜6" angles and tees (bar sizes)	2.20

¼" Channels ¾"
(bar sizes)

1½" x 9/16"	2.50
2" x ¾"	2.50

STRUCTURAL SECTIONS

3" Beams and Larger.
3" H Columns and Larger.
3" Channels and Larger.
3" x 2" x 5/16" Angles and Larger.
3" x 2½" x ¾" Tees and Larger.
3" x 3" x ¾" Angles and Larger.
All cut lengths (not fabricated) up to 22'0" long $2.30
Over 22'0"—See lengths extras under "Differentials".

Rounds and Squares
[Length 10' to 22']

	List
¼"	$9.00
5/16"	7.30
⅜"	4.50
7/16"	4.00
½"	3.00
9/16"	3.00
⅝"	2.80
11/16"	2.50
¾" and larger	2.30

Rounds—Half
[Lengths 10' to 22']

⅜"	$2.00
7/16"	2.30
½"	2.00
⅝"	2.00
¾"	3.30
⅞"	3.40
1"	2.80
1¼"	2.40
1½" and larger	2.20

Flat Rolled Steel Bars
[Lengths 10'0" to 22'0"]
Thickness in inches

Width in inches	¼"	5/16"	⅜"	7/16"	½" and heavier
¾"	$6.20	$6.20			
⅞"	4.70	4.70	$4.30	$4.30	
1"	4.40	4.40	3.90	3.90	$3.50
1⅛"	3.70	3.70	3.40	3.40	3.00
1¼"	3.50	3.50	3.20	3.20	2.80
1⅜"	3.40	3.40	3.00	3.00	2.80
1½"	3.20	3.20	2.80	2.80	2.80
1⅝"	3.00	3.00	2.60	2.60	2.60
1¾"	2.80	2.80	2.20	2.20	2.20
2"	2.80	2.80	2.20	2.20	2.20
2¼"	2.80	2.80	2.20	2.20	2.20
2½"	2.70	2.70	2.20	2.20	2.20
2¾"	2.70	2.70	2.20	2.20	2.20
3"	2.70	2.70	2.20	2.20	2.20
3½"	2.70	2.70	2.20	2.20	2.20
4"	2.70	2.70	2.20	2.20	2.20
4½"	2.70	2.70	2.20	2.20	2.20
5"	2.70	2.70	2.20	2.20	2.20
5½"	2.70	2.70	2.20	2.20	2.20
6"	2.70	2.70	2.20	2.20	2.20

TABLE K-1.—*Galvanizing extras*—Continued

Ovals—Half

[Lengths 10' to 22']

⅝" x ⅜"	$6.50
¾" x ½"	4.30
⅞" x ½"	4.30
1" x ½"	4.30
1" x 1¼"	3.40
1¼" x 1¼"	3.40
1½" x 1¼"	2.60
1½" x 1½"	2.40
1¾" x ⅝" and larger	2.20

Hoop Steel

[In coils]

The following list prices apply when Hoop Steel is processed by the Hand Method.

Gage BWG	1½" to 2"	1¼"	1"	¾"	⅝"	½"
16	$11.50	$12.40	$13.00	$13.80	$14.40	$17.00
18	13.50	13.80	14.30	15.60	16.40	20.00
20	17.40	18.20	18.80	20.40	21.50	26.60
22	20.80	21.80	21.80	24.80	26.40	32.20

SHEETS AND PLATES NOT GALVANIZED AT PRODUCING MILL

	Thickness	
50" and under in width, 22'0" and shorter in length	No. 16 gauge	$6.20
Plates 48" and wider	15	6.00
¼" thick and heavier	14	5.50
Plates 24" and wider	13	4.80
¼" thick and heavier	12	4.20
Sheets 24" and wider	¼" to No. 8 gauge	4.00
Lighter than 3/16" thick	(3/16" to No. 4 gauge	3.70
	(¼" and heavier	3.00

The following length differentials should be added to net prices:
Over 50" wide—add $0.50 Cwt.
Over 22' long—add $0.50 Cwt.

FLAT ROLLED STRIP STEEL

[Lengths 10' to 22' or scroll bundles 10' to 22']

Width in inches	Thickness 3/16"	#10 & ⅛"	No. 12	No. 14	No. 16	No. 18
¾"	$7.00	$8.60	$11.50			
⅞"	5.20	6.20	8.00	$11.80	$14.40	$18.40
1"	4.70	5.70	7.30	9.70	11.80	15.80
1⅛"	4.20	5.20	6.60	9.30	11.20	15.20
1¼"	4.10	5.00	6.30	9.30	11.20	15.20
1⅜"	4.00	4.60	5.70	8.60	10.40	14.40
1½"	3.80	4.40	5.40	8.10	9.80	13.80
1⅝"	3.60	4.20	5.10	8.00	9.20	13.20
1¾"	3.50	4.00	4.80	8.00	9.20	13.20
2"	3.50	4.00	4.80	8.00	9.20	13.20
2⅛"	3.50	4.00	4.80	7.80	9.00	13.00
2¼"	3.40	3.80	4.70	7.70	8.90	12.90
2⅜"	3.40	3.70	4.60	7.60	8.80	12.80
2½"	3.40	3.70	4.50	7.50	8.70	12.70
3⅛"	3.30	3.60	4.40	7.40	8.60	12.60
4"	3.30	3.60	4.30	7.30	8.50	12.50
4½"	3.30	3.60	4.20	7.20	8.40	12.40
5"	3.20	3.50	4.10	7.10	8.30	12.30
5½"	3.20	3.50	4.00	7.00	8.20	12.20
6"	3.20	3.50	3.90	6.90	8.00	12.10
7"	3.20	3.60	3.80	6.80	7.90	12.00
8"	3.30	3.60	3.80	6.70	7.80	11.90
9"	3.30	3.60	3.80	6.60	7.70	11.80
10"	3.40	3.70	3.90	6.50	7.60	11.70
11"	3.40	3.70	3.90	6.40	7.50	11.60
12"	3.40	3.70	3.90	6.30	7.40	11.50
13"	3.50	3.80	4.00	6.20	7.30	11.30
14"	3.50	3.80	4.00	6.10	7.10	11.10
15"	3.70	3.80	4.00	6.00	6.90	10.90
16"	3.60	3.90	4.10	5.90	6.70	10.70
18"	3.60	3.90	4.10	5.80	6.60	10.60
20"	3.60	3.90	4.10	5.70	6.50	10.50
22"	3.70	4.00	4.20	5.60	6.40	10.40
23 3/16"	3.70	4.00	4.20	5.50	6.30	10.30

TABLE K-2 *Pickling extras*

A. Hot Rolled Sheets.	
12 gauge or heavier	$ .15
13 to 20 gauge, inclusive	.20
21 and 22 gauge	.25
23 gauge and lighter	.30
B. Plates (Except Floor Plates):	
For pickling plates (includes oiling or liming)	.25
For pickling plates (not including oiling or liming)	.15
For oiling plates	.10
C. Hot Rolled Bars:	
Pickling	.15
Oiling	.10
Pickling and oiling	.25
Pickling and oiling	.25

D. Hot Rolled Strip (Hoop and Bond Sizes)

B. W. G. No.	(Heavier than 6	6, 7 and 8 }	9	10	11	12	13	14	15
Decimal equivalent in inches	.2499 to .2031	.203 to .162	.161 to .146	.145 to .132	.131 to .118	.117 to .105	.104 to .090	.089 to .076	.075 to .068
Width in inches:									
Under 1½		$0.55	$0.55	$0.55	$0.55	$0.55	$0.70	$0.70	$0.70
1½ and 5		.40	.40	.40	.40	.40	.55	.55	.55
5⅛ to 6		.25	.25	.25	.25	.25	.35	.35	.35
6⅛ to 12	.25	.25	.25	.25	.25	.25	.35	.35	.35

B. W. G. No.	16	17	18	19	20	21	22	23
Decimal equivalent in inches	.067 to .061	.060 to .054	.053 to .047	.046 to .041	.040 to .035	.034 to .032	.031 to .028	.027 to .025
Width in inches:								
Under 1½	$0.70	$0.90	$0.90	$0.90	$0.90	$1.25	$1.25	$1.25
1½ to 5	.55	.70	.70	.70	.70	1.05	.105	1.05
5⅛ to 12	.35	.45	.45	.45	.45			

TABLE K-3.—*Extras for boxing and burlapping cold finished bars*

[Rate per 100 pounds]

The following extras are to be charged only if material is actually boxed. If shipped in an open box (as is commonly done for Metropolitan deliveries) the charge may be made only if the box is retained by the buyer.

	Per 100 lbs.	Minimum (net)
Boxing (Domestic shipment)	$0.50	$0.75
Boxing (Export shipment)	.75	1.00
Burlapping (Full length)	.25	.25

TABLE K-4 *Tolerance extra for cold finished bars*

When commercial finished bars are selected to closer than standard tolerances at the request of the buyer, one and one-half times standard mill extra for accuracy may be charged.

TABLE K-5 *Extras for crating sheets (except stainless)*

The following extras are to be charged only when material is actually crated. No charge may be made for open crates used to protect sheets for Metropolitan deliveries. The charge may be made only if the box is retained by the buyer.

	Per 100 lbs.	Minimum (net)
Skeleton crating	$0.40	$2.00
Full box crating	.95	4.75

TABLE K-6.—*Corrugating hot rolled sheets*

[Not to be used for coated sheets]

	Rate per 100 lbs.
16 gauge and lighter, 42" wide and narrower, 144" long or shorter with standard 2½" or 1¼" corrugations	$0.15

TABLE K-7 —*Extras for boxing and crating stainless steel*

	Per 100 lbs.	Minimum (net)
Crating of Sheets*	$1.00	$2.00

*This crating extra applies to all finishes of stainless sheets for both city and country shipments.

	Per 100 lbs.	Minimum (net)
Boxing of bars	$0.50	$1.00
Wrapping or single boarding of bars	.25	.25

(3) *Zone Three*—(i) *Area covered.* Zone Three shall consist of: Eastern and Southern Pennsylvania including the following counties:

Adams.	Luzerne.
Berks.	Lycoming.
Bucks.	Mifflin.
Carbon.	Monroe.
Centre.	Montgomery.
Chester.	Montour.
Clinton.	Northampton.
Columbia.	Northumberland.
Cumberland.	Perry.
Dauphin.	Philadelphia.
Delaware	Pike.
Franklin.	Schuylkill.
Fulton.	Snyder.
Huntingdon.	Sullivan.
Juniata.	Union.
Lackawanna.	Wayne.
Lancaster.	Wyoming.
Lebanon.	York.
Lehigh.	

The following counties in New Jersey:

Atlantic.	Hunterdon.
Burlington.	Mercer.
Camden.	Ocean.
Cape May.	Salem.
Cumberland.	Warren.
Gloucester.	

The Entire State of Delaware.

The following counties in Maryland:

Anne Arundel.	Howard.
Baltimore.	Kent.
Baltimore City.	Montgomery.
Calvert.	Prince Georges.
Caroline.	Queen Annes.
Carroll.	Saint Marys.
Cecil.	Somerset.
Charles.	Talbot.
Dorchester.	Washington.
Frederick.	Wicomico.
Harford.	Worcester.

The following counties in Virginia:

Accomac.	Halifax.
Albermarle.	Hanover.
Alleghany.	Henrico.
Amelia.	Henry.
Amherst.	Highland.
Appomattox.	Loudoun.
Augusta	Louisa.
Bath.	Lunenburg.
Bedford.	Madison.
Botetourt.	Mecklenburg.
Brunswick.	Nelson.
Buckingham.	Northampton.
Campbell.	Nottoway.
Charlotte.	Orange.
Chesterfield.	Page.
Clarke.	Pittsylvania.
Craig.	Powhatan.
Culpepper.	Prince Edward.
Cumberland.	Rappahannock.
Dinwiddie.	Roanoke.
Fauquier.	Rockbridge.
Fluvanna.	Rockingham.
Franklin.	Shenandoah.
Frederick.	Southampton.
Goochland.	Spotsylvania.
Greene.	Sussex.
Greensville.	Warren.

The following counties in North Carolina:

Alamance.	Carteret.
Anson.	Caswell.
Beaufort.	Catawba.
Bertie.	Chatham.
Bladen.	Chowan.
Brunswick.	Cleveland.
Cabarrus.	Columbus.
Camden.	Craven.
Cumberland.	Johnston.
Currituck.	Jones.
Dare.	Lee.
Davidson.	Lenoir.
Davie.	Lincoln.
Duplin.	Martin.
Durham.	Mecklenburg.
Edgecombe.	Montgomery.
Forsyth.	Moore.
Franklin.	Nash.
Gaston.	New Hanover.
Gates.	Northampton.
Granville.	Onslow.
Greene.	Orange.
Guilford.	Pamlico.
Halifax.	Pasquotank.
Harnett.	Pender.
Hertford.	Perquimans.
Hoke.	Person.
Hyde.	Pitt.
Iredell.	Randolph.
Richmond.	Tyrrell.
Robeson.	Union.
Rockingham.	Vance.
Rowan.	Wake.
Sampson.	Warren.
Scotland.	Washington.
Stanly.	Wayne.
Stokes.	Wilson.
Surry.	Yadkin.

The following counties in West Virginia:

Berkeley.	Morgan.
Jefferson.	

(ii) *Tables to be used.* The following tables are to be used in computing the maximum prices set forth in paragraph (a) above for Zone Three.

Zone Three price component index

Product	A Basing points	B Price at basing point	C Freight	D Spread	E Quantity	F Quality and merchandising	G Size	H Cutting	K Miscellaneous
Structural shapes	Buff. Beth. Pgh	B-1	C-1	$1.35	E-1	None	G-1	H8-3-4	K-1
Stair stringer channels	Pgh	B-2	C-1	1.55	E-1	None	None	H-8	K-1
Junior beams	Pgh	B-2	C-1	1.70	E-1	None	None	H-8	K-1
Plates	Clay., Pgh., Sp. Pt., Coates.	B-1	C-1	1.35	E-1	F-1	G-2	H-1-7-8	K1-2
Floor plates	Pgh	B-1	C-1	1.50	E-1	None	G-3	H-1-2-7	K-1
Black iron plates (such as Armco iron, etc.).	Clay., Sp. Pt., Pgh., Coates., Cleve.	B-3	C-1	1.50	E-1	None	G-2	H-1-7	None
Abrasion resisting plates	Clay., Sp. Pt., Pgh., Coatesville.	B-1	C-1	2.25	E-1	None	G-2	H-1-7	None
Hot rolled carbon bars (incl. bar shapes).	Buff., Pgh	B-1	C-1	1.25	E-1	F-2	G-4	H3-5-6	K-1-2
Cold finished carbon bars	Buff., Pgh	B-1	C-1	1.00	E-2	F-3	G-5	H-5	K-3-4
Reinforcing bars—straight lengths.	Buff., Pgh., Sp. Pt.	B-1	C-1	1.25	E-1	None	G-6	None	None
Hot rolled strip	Pgh	B-1	C-1	1.40	E-1	F-4	G-7	H3-1-5	K1-2
Cold rolled strip	Pgh	B-1	C-1	1.55	E-3	None	G-8	H-2	None
Cold rolled round edge flat wire.	Pgh	B-1	C-1	2.80	E-3	None	G-8	H-2	None
Hot rolled sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	1.15	E-1	F-5	G-9	H-2	K5-6
Cold rolled sheets	Buff., Pgh., Sp. Pt.	B-4	C-1	1.40	E-4	F-6	G-10	H-2	K-5
HR pickled and oiled sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	1.35	E-4	None	G-9	H-2	K-5
Galvanized steel sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	1.25	E-5	F-7	G-11	H-2	K-5
Galvanized iron sheets (such as Armco iron, Toncan iron, etc.).	Buff., Pgh., Sp. Pt.	B-3	C-1	1.55	E-5	None	G-11	H-2	K-5
Galvannealed sheet	Pgh	B-1	C-1	1.54	E-5	F-7	G-11	H-2	K-5
Long terne sheets	Pgh	B-1	C-1	1.70	E-5	None	G-11	H-2	K-5
Black iron sheets (such as Armco iron, etc.).	Buff., Pgh., Sp. Pt.	B-3	C-1	1.50	E-1	None	G-9	H-2	None
Abrasion resisting sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	2.10	E-1	None	G-9	H-2	None
Enameling sheets	Pgh	B-5	C-1	1.74	None	None	G-12	H-2	K-5
Electrical sheets, No. 29 core loss 1.47.	Pgh	B-1	C-1	2.24	E-6	None	G-13	H-2	K-5
Hot rolled alloy bars	Pgh., Buff., Beth	B-6	C-1	D-1	E-7	F-8	G-14	H-6	None
Cold finished alloy bars	Pgh., Buff	B-6	C-1	D-1	E-7	F-8	G-15	H-6	K3-4
Stainless steel sheets	Pgh	B-7	C-1	5.00	E-8	None	G-16	H-9	K-7
Stainless steel bars	Pgh	B-7	C-1	5.00	E-8	F-9	G-17	H-10	K-7
Stainless steel plates	Pgh	B-7	C-1	5.00	E-8	None	G-18	H-11	None
Stainless steel angles	Pgh	B-7	C-1	5.00	E-8	F-9	G-19	H-12	None

PRICE AT BASING POINT

[Rate per 100 pounds]

The price at basing point shall be:

TABLE B-1.—*All products except stair stringer channels, junior beams, black iron plates, cold rolled sheets, galvanized iron sheets, black iron sheets, enameling sheets, hot rolled and cold finished alloys and stainless steel*

The mill carload base price of the United States Steel Corporation and its subsidiaries for each product as established by Revised Price Schedule Number 6.

TABLE B-2.—*Stair stringer channels and junior beams*

The mill carload base price of the Jones and Laughlin Steel Company for each product as established by Revised Price Schedule Number 6.

TABLE B-3.—*Black iron plates, galvanized iron sheets and black iron sheets*

The mill carload base price of the American Rolling Mill Company for each product as established by Revised Price Schedule Number 6. The "consumers" price shall be used for galvanized sheets.

TABLE B-4.—*Cold rolled sheets*

The mill carload base price for cold rolled sheets of the United States Steel Corporation and subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-5.—*Enameling sheets*

The 20 gauge mill carload base price for enamelling sheets of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-6.—*Hot Rolled and cold finished alloys*

Mill alloy carload base price (hot rolled or cold rolled, whichever is applicable) plus mill analysis extra (open hearth or electric furnace, whichever is applicable) of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-7.—*Stainless steel*

The mill carload base price for each analysis stainless steel of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

FREIGHT

(Rate per 100 pounds)

Freight may be added for less than carload shipments as follows:

TABLE C-1.—*All products*

The less than carload rate of freight, in effect at the time of shipment, from the governing basing point to destination, provided that no freight may be added for a shipment to a destination located within the switching limits of a basing point for the product sold.

SPREAD

[Rate per 100 pounds]

TABLE D-1.—*Alloy bars—hot rolled and cold finished*

The spread shall be 66⅔% of the price at basing point, as established in Table B-6. Such spread shall be adjusted upward or downward to the nearest $0.05.

QUANTITY DIFFERENTIALS

[Rate per 100 pounds]

All orders of one day from one person for shipment at one time or at seller's convenience to one destination shall be combined to determine the quantity bracket in accordance with the provisions of each of the following tables:

TABLE E-1.—*Hot rolled products*

All commodities listed below must be combined to determine the quantity differential.

Structural shapes.
Stair stringer channels.
Junior beams.
Plates, including tank, flange, firebox, high carbon, copper bearing, hot rolled armco iron and abrasion resisting.
Floor plates (all thicknesses).
Bars and bar shapes, hot rolled carbon, including carbon spring steel.
Reinforcing bars.
Bars, hot rolled; AISI C1112 (SAE X1314) and AISI C1118 (SAE X1315.)
Bars, hot rolled, AISI C1137 (SAE X1335) and (SAE X1340).
Strips, hot rolled, band and hoop sizes.
Sheets, hot rolled, all gauges, including hot rolled armco iron and abrasion resisting.

Under 100 lbs	Add $1.50
100 lbs. to 399 lbs	Add .50
400 lbs. to 1,999 lbs	Base
2,000 lbs. to 9,999 lbs	Deduct .20
10,000 lbs. to 39,999 lbs	Deduct .20

TABLE E-2.—*Cold finished carbon bars*

All cold finished carbon bars of one cross section, analysis and finish comprise one item and must be combined to determine the quantity extra.

1,500 lbs. to 39,999 lbs	Base
1,000 lbs. to 1,499 lbs	Add $0.10
500 lbs. to 999 lbs	Add .50
300 lbs. to 499 lbs	Add 1.25
Less than 300 lbs	Add 2.00

When the total weight of all items of cold finished carbon bars on an order is less than 300 pounds, a charge at the rate of $1.00 per 100 pounds in addition to the less than 300-pound extra may be added.

TABLE E-3.—*Cold rolled strip and flat wire*

All cold rolled strip of one width, thickness, finish, temper and edge comprise one item and must be combined to determine the quantity extra.

500 lbs. and over	Base
300 lbs. to 499 lbs	Add $1.00
200 lbs. to 299 lbs	Add 2.00
Less than 200 lbs	Add 4.00

TABLE E-4.—*Cold rolled sheets and hot rolled pickled and oiled sheets*

All sheets of one thickness and one grade must be combined to determine the quantity differential.

Less than 100 lbs	Add $1.50
100 lbs. to 399 lbs	Add .50
400 lbs. to 1,999 lbs	Base
2,000 lbs. to 9,999 lbs	Deduct .20
10,000 lbs. to 39,999 lbs	Deduct .20

TABLE E-5.—*Coated sheets*

All qualities listed below must be combined to determine the quantity differential.

Galvanized steel sheets.
Galvanized copper bearing steel sheets.
Galvanized toncan iron sheets.
Galvanized armco iron sheets.
Galvannealed sheets.
Paintgrip sheets.
Zincgrip sheets, steel and armco iron.
Long terne sheets.

Under 150 lbs	Add $2.00
150 lbs. to 449 lbs	Add 1.00
450 lbs. to 1,499 lbs	Base
1,500 lbs. to 3,499 lbs	Deduct .15
3,500 lbs. to 39,999 lbs	Deduct .25

TABLE E-6.—*Electrical sheets*

All electrical sheets must be combined to determine the quantity extra.

Under 7,000 lbs	Base
7,000 lbs. to 39,999 lbs	Deduct $0.25

TABLE E-7.—*Alloy bars—hot rolled and cold finished*

A. All alloys of one cross section, analysis and finish comprise one item and must be combined to determine the quantity extra.

1,000 lbs. to 39,999 lbs	Base
500 lbs. to 999 lbs	Add $0.50
300 lbs. to 499 lbs	Add .75
Less than 300 lbs	Add 1.25

B. When the total weight of all items of alloys on an order is less than 300 pounds, a charge at the rate of $1.75 per 100 pounds in addition to the less than 300 pounds extra may be added. Hot rolled alloys and cold finished alloys need not be combined to determine total weight in applying this order extra.

TABLE E-8.—*Stainless steel*

Sheets—Stock sizes: Combine all items of same thickness, width, length, finish and analysis.

Cut sizes: Combine all items of same thickness, finish and analysis.

Bars and angles — Stock lengths or cut lengths: Combine all items of same cross section, finish and analysis.

Plates—Stock or cut sizes: Combine all items of same thickness, width, length, finish and analysis.

500 lbs. and over	Base
300 lbs. to 499 lbs	Add $2.00
200 lbs. to 299 lbs	Add 5.00
100 lbs. to 199 lbs	Add 7.00
50 lbs. to 99 lbs	Add 10.00
Under 50 lbs	Add 12.00

QUALITY AND MERCHANDISING EXTRAS

[Rate per 100 pounds]

The following extras may be added only when the particular quality or section is furnished: Except as specifically provided in the tables themselves, not more than one extra may be added from each table.

TABLE F-1.—*Plates*

0.26 to 0.50 mean of carbon inclusive	$0.60
Copper bearing steel	.25
Firebox steel	.60
Flange	.25

TABLE F-2.—*Bars and bar shapes*

Bevel edge flats	$0.25
Bar zees	.25
Square root angles	.10
Squares, AISI C1117 (SAE 1020)	.15
All hexagons	.15
Half rounds, half ovals, and ovals	.15
Rounds and squares, 0.26 to 0.50 mean of carbon inclusive	.20
Flats, 0.26 to 0.50 mean of carbon inclusive	.60
All AISI C1112 or C1117 (SAE X1314) and AISI C1118 (SAE X1315)	.65
All AISI C1137 (SAE X1335 or SAE X1340)	1.15
AISI C1120 (SAE 1115)	.15
AISI C1095 (SAE 1095) Rounds, squares	1.24
AISI C1095 (SAE 1095) Flats ¾" and thicker	1.34

TABLE F-3.—*Cold finished bars*

AISI	SAE	
B1112	1112	$0.10
B1113	X1112	.175
C1115	1120	.10
C1112	X1314	.20
C1137	X1335	.35
C1093	1095	.10
C1038	1040	.10
C1045	1045	.10
C1042	1045	.10

TABLE F-4.—*Hot rolled strip*

Hoop—No. 14 gauge and lighter	$0.35
AISI C1095 (SAE 1095) ⅝" thick	2.00
AISI C1095 (SAE 1095) 3/16" thick	1.25

TABLE F-5.—*Hot rolled sheets*

Copper bearing steel sheets	$0.25
Stretcher leveled and resquared	.55

TABLE F-6.—*Cold rolled sheets*

Stretcher leveled and resquared	$0.55

TABLE F-7.—*Galvanized and Galvannealed sheets*

Galvanized steel copper bearing sheets	$0.25
Paintgrip steel sheets	.50
Zincgrip steel sheets	.15
Stretcher leveled galvannealed sheets	.40

TABLE F-8.—*Alloy bars—hot rolled and cold finished*

A. For material which is carried in stock in the following condition or qualities, the following charges may be made: (more than one extra may be added, if applicable)

Annealing	$1.00
Normalizing	1.00
Heat treating (quench and draw)	2.50
Spheroidizing annealing	2.50
Stress relieving after cold working	1.25
Aircraft quality	2.50
Extensometer test	.40

B. For material which is treated at an outside plant (not by a producer as defined in Revised Price Schedule No. 6 or in the seller's own plant) a charge may be made for any of the operations listed in A above and actually performed, as follows:

1. Actual invoice cost to the seller, minus any trucking charges included on such invoice, plus
2. An added charge at the rate of thirty cents per 100 pounds

Provided, that no additional charges may be made such as, but not limited too, a charge for trucking, handling, risks, etc.

TABLE F-9.—*Stainless bars and angles*

Annealing	
Annealing and pickling	

SIZE EXTRAS

[Rate per 100 pounds]

The following size extras may be added.

1. When material is sold without cutting, the size extra shall be determined by the actual size of material sold.
2. When material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification, the size extra shall be determined by the actual size, prior to cutting, of the material used.

TABLE G-1.—*Carbon Steel Structural Shapes*

ZEES

TABLE G-3.—*Floor plates*

TABLE G-5.—*Cold finished carbon bars*—Continued

TABLE G-5.—*Cold finished carbon bars*—Continued

TABLE G 1.—*Carbon Steel Structural Shapes*

BEAMS

Standard beams and channels 3" to 15", inclusive (except beams 6" x 10 lb. and 7" x 12 lb.)	Base
Standard beams and channels over 15"	$0.10
Beams 6" x 10 lb. and 7" x 12 lb	.15
Supplementary beams 3" to 15", inclusive (except 6" x 10 lb. and 7" x 12 lb.)	.05
H-beams (standard mill sections) 4" x 13.8 lb.; 5" x 18.9 lb., 6" x 15.5 lb., 20 lb., 22.5 lb., 25 lb., 27.5 lb., 8" x 32.6 lb., 33 lb., 34.3 lb., 36 lb., 37.7 lb	.10

WIDE FLANGE SECTIONS

WIDE FLANGE BEAMS, COLUMNS, H PILES

8"—17 to 21 lb	$0.05
24 to 67 lb	.10
10"—21 to 29 lb	.05
33 to 136 lb	.10
12"—25 to 36 lb	.05
40 to 190 lb	.10
14"—30 to 42 lb	.05
43 to 426 lb	.10
16"—36 to 78 lb	.05
88 to 114 lb	.10
18"—47 to 124 lb	.15
21"—59 to 142 lb	.15
24"—74 to 160 lb	.15
27"—91 to 177 lb	.15
30"—108 to 210 lb	.15
33"—125 to 240 lb	.20
36"—150 to 300 lb	.20

LIGHT BEAMS, JOISTS AND STANCHIONS

4"—7½ and 10 lb	$0.25
13 lb	.15
6"—8½ lb	.20
15½ and 18 lb	.15
12 and 16 lb	.15
8"—10 lb	.20
13 and 15 lb	.15
10"—11½ lb	.15
15, 17 and 19 lb	.20
12"—14 lb	.15
16½, 19 and 22 lb	

CHANNELS

Car and shipbuilding channels 3" to 15" incl. (except 7" x 18.8 lb.)	Base
Car and shipbuilding channels over 15"	$0.10
Car and shipbuilding channel 7" x 18.8 lbs. (A. A. R. Side Sill)	.15
Car channel 4" x 13.8 lb	.10

STRUCTURAL ANGLES

3" to 6", inclusive, on one or both legs, except those listed below	Base
Over 6" on one or both legs	$0.10

Exceptions

Dimensions in inches:	
6 x 6 x 5/16	$0.10
6 x 4 x 5/16	.10
6 x 4 x 1/4	.10
6 x 3½ x 5/16	.15
6 x 3½ x ¼	.10
5 x 5 x 5/16	.15
5 x 5 x ¼	.10
5 x 4 x 5/16	.15
5 x 4 x ¼	.10
5 x 3½ x 5/16	.30
5 x 3½ x ¼	.15
4 x 4 x 5/16	.15
4 x 4 x ¼	.10
4 x 4 x 3/16	.30
4 x 3½ x ¼	.30
4 x 3½ x 3/16	.15
4 x 3 x ¼	.30
4 x 3 x 3/16	.15
4 x 2 x 3/8	.15
4 x 2 x 5/16	.15
4 x 2 x ¼	.45
4 x 2 x 3/16	.30
3½ x 3½ x 5/16	.45
3½ x 3½ x 5/32	.30
3½ x 3 x 5/16	.30
3½ x 2½ x 3/16	.35
3½ x 2 x 5/16	.35
3 x 3 x 5/16	.75
3 x 3 x ¼	.35
3 x 2½ x 5/16	.45
3 x 2½ x ¼	.35
3 x 2 x 5/16	.45
3 x 2 x ¼	.30
Bulb Angles	

TEES

Tees. Structural sizes, 3" to 6" on one or both legs, ¼" thick and over (except elevator and conductor rail tees)	$0.10
Tees 6½ x 6½ x 19.8 lb	.20
Tees—Wall Armor 4 x 7¼ x 28.2 lb	.25

ZEES

Zees 3" to 6" inclusive (structural)	Base

TABLE G–2.—*Plates (except floor plates)*

THICKNESS AND WIDTH

Thickness in inches	Under ¼ to 5/16	¼ to 2 incl.	Over 2 to 4 incl.	Over 4
Width in inches:				
48 and under	(Sheets)	Base	$0.30	$0.40
Over 48 to 72 incl	$0.20	Base	.30	.40
Over 72 to 84 incl	.70	Base	.30	.40
Over 84 to 96 incl	.80	Base	.30	.40
Over 96 to 100 incl	.90	Base	.30	.40
Over 100 to 110 incl	1.00	$0.05	.35	.45
Over 110 to 115 incl	1.05	.10	.40	.50
Over 115 to 120 incl	1.10	.15	.45	.55
Over 120 to 125 incl		.25	.55	.65
Over 125 to 130 incl		.50	.80	.90
Over 130 to 140 incl		.75	1.05	1.15
Over 140 to 155 incl		1.00	1.30	1.40
Over 155 to 170 incl		1.25	1.55	1.65
Over 170 to 185 incl		1.50	1.80	1.90
Over 185 to 195 incl		2.00	2.30	2.40

TABLE G–3.—*Floor plates*

3/16 standard pattern	$0.20
1/4 standard pattern	.30
1/2 small pattern	1.00
12 gauge, small pattern	2.00
14 gauge, small pattern	3.00
16 gauge, small pattern	4.00

TABLE G–4.—*Hot rolled carbon steel bars*

[Including bar shapes]

Intermediate sizes. In all cases, the higher extra may be charged for any size falling between two published size extras.

ROUNDS, SQUARES, TWISTED SQUARES

Dimensions in inches:	
¼	$1.00
9/32	.85
5/16	.70
11/32	.55
3/8 and 7/16	.40
15/32 and 1/2	.30
17/32 and 9/16	.20
19/32 and 5/8	.15
21/32 to 1 1/16	.10
1 3/32 to 2 5/16	Base
2 3/32 to 2 15/16	.10

Dimensions in inches—Continued.	
2 5/32 to 2 1/2	$0.15
2 9/32 to 3 1/16	.20
3 3/32 to 4 9/16	.25
4 5/32 to 5 1/16	.35
5 1/32 to 5 5/16	.40
5 5/32 to 6 3/16	.55
6 1/32 to 6 9/16	.65
6 5/32 to 7 1/2	.75
7 9/32 to 7 3/4	.90
7 13/32 to 8	1.10

FLATS—SQUARE EDGE AND ROUND EDGE

6" or under in width, 13/32" or over in thickness.

Width in inches	Thickness in inches: 4 to 3 1/16	3 to 2 1/16	2 to 1 1/16	1 to 1 3/16	¾ to ½	7/16 to 3/8	5/16 to ¼	Under ¼ to 13/64 inc.
3/8							$1.40	$1.40
7/16						$1.00	1.20	1.20
1/2						.70	.90	1.00
9/16					$0.50	.50	.75	.80
5/8 to 1 1/16					.40	.40	.60	.65
1 1/8 to 1 3/16					.30	.30	.40	.50
1 1/4 to 1 5/16				$0.20	.20	.20	.30	.40
1 3/8 to 1 15/16			$0.10	Base	Base	Base	.15	.30
1 to 1 1/8			.10	Base	Base	Base	.15	.25
1 1/16 to 2			.10	Base	Base	Base	.15	.20
2 1/16 to 2 1/2		$0.20	.10	Base	Base	Base	.15	.15
2 9/16 to 3		.25	.10	Base	Base	Base	.15	.15
3 1/16 to 3 1/2	$0.30	.25	.15	Base	Base	Base	.15	.15
3 9/16 to 4	.35	.25	.20	Base	Base	Base	.15	.15
4 1/16 to 5	.35	.25	.20	Base	Base	Base	.15	.15
5 1/16 to 6	.40	.30	.20	Base	Base	Base	.15	

For bevel edge sections add $0.10.

HEXAGONS

Dimensions in inches:	
¼	$1.50
5/16	1.20
3/8	.90
7/16	.60
½	.35
9/16 to 11/16	.20
¾ to 1 3/16	.125
1 1/4 to 3 1/16	.25
3 1/8 to 3 15/16	.35

OCTAGONS

Dimensions in inches:	
¼	$1.50
5/16	1.20
3/8	1.00
7/16	.80
½ to 9/16	.60
5/8 to 1 1/16	.40
¾ to 3 1/16	.25

OVALS

Dimensions in inches:	
¾ to 2 1/2 x ¾ or heavier	$0.30
¾ to 2 1/2 x ¼ to 5/16	.40
¾ to 2 1/2 x 3/32 to 3/16	.70
5/8 to 1 1/16 x 5/16 or heavier	.50
5/8 to 1 1/16 x 1/4 to 5/16	.70
5/8 to 1 1/16 x ¼ to 3/32	1.00
½ to 5/8 x ¼ or heavier	1.00
½ to 5/8 x 1/8 to 3/16	1.30
½ to 5/8 x 3/32	1.60
3/8 to 7/16 x 3/16 or heavier	1.60
3/8 to 7/16 x 1/8 to 3/32	2.00
3/8 to 7/16 x 1/32	2.40

HALF OVALS

Widths in inches—thicknesses in inches and BWG gauges:	
1 to 4 x ¼ or heavier	$0.40
1 to 4 x Nos. 7, 8, 9 and 5/16	.50
1 to 4 x Nos. 10, 11, 12 and 3/8	.70
¾ to 1 3/16 x 3/16 or heavier	.90
¾ to 1 3/16 x Nos. 10, 11, 12 and 1/8	1.20
¾ to 1 3/16 x Nos. 13, 14 and 15	.90
5/8 to 1 1/16 x 3/32 or heavier	

TABLE G 4.—*Hot rolled carbon steel bars*—Continued

HALF OVALS—continued

Widths in inches—Continued.	
¾ to 1 1/16 x Nos. 10, 11, 12 and 1/8	$1.20
1 1/8 to 1 15/16 x Nos. 13, 14 and 15	1.40
1 1/8 to 1 15/16 x 1/4 or heavier	1.20
1 1/2 to 1 15/16 x Nos. 13, 14, and 15	1.60
1 1/2 to 1 15/16 x 3/32 or heavier	2.00
2 to 2 1/2 x Nos. 14 and 15	2.40

HALF ROUNDS—SOLID

Dimensions in inches:	
Over 1/2 to 3, incl	$0.50
Over 3 to 4, incl	.65
Over 4 to 5, incl	.75
Over 5 to 6, incl	1.00
Over 6 to 7, incl	1.25
Over 7 to 8, incl	1.75
Over 8 to 9, incl	2.00

EQUAL LEG ANGLES

Dimensions in inches:	
1 x 1 x 1/8 or wider, but under 3 wide, x 3/16 or heavier	$0.15
1 x 1 x 1/8 or wider, but under 3 wide, x 1/8	.25
1 x 1 x 3/32	.35
1 1/4 x 1 1/4 x 1/4, x 3/16 or heavier	.25
1 1/4 x 1 1/4 x 1/4, x 5/64	.40
1 1/4 x 1 1/4 x 1/4, x 3/32	.50
1 1/4 x 1 1/4 x 1/4, x 1/8	.30
1 1/2 x 1 1/2 x 1/4	.35
1 1/2 x 1 1/2 x 3/16	.40
1 1/2 x 1 1/2 x 1/8	.50
2 x 2 x 1/4	.60
2 x 2 x 3/16	.45
2 x 2 x 1/8	.60
2 1/2 x 2 1/2 x 1/4	.75
2 1/2 x 2 1/2 x 3/16	.90
2 1/2 x 2 1/2 x 1/8	1.50
3 x 3 x 1/4	2.00
3 x 3 x 3/16	2.20
3 x 3 x 1/8	2.50
3 x 3 x less than 1/8	

UNEQUAL LEG ANGLES

Dimensions in inches:	
2 x 1 1/2 x 1/4 to 3/16 incl	$0.15
2 x 1 1/2 x 1/8	.25
2 x 1 1/2 x 3/32 to 3/16, incl	.20
2 x 1 1/2 x 3/32 to 3/16, incl	.20
2 x 1 1/2 x 3/32 to 3/16, incl	.25
2 x 1 1/2 x 3/32 to 3/16, incl	.15
2 x 1 1/2 x 1/8	.25
2 x 1 1/4 x 1/4 to 3/16, incl	.20
2 x 1 1/4 x 3/32 to 3/16, incl	.30
2 x 1 1/4 x 1/8	.40
1 3/4 x 1 1/4 x 1/4 to 3/16, incl	.25
1 1/2 x 1 1/2 x 1/4	.40
1 1/2 x 1 1/2 x 3/16	.55
1 1/2 x 1 1/2 x 1/8	.60
1 1/2 x 1 1/4 x 1/4	.50
1 1/2 x 1 1/4 x 3/16	.60
1 1/2 x 1 1/4 x 1/8	.60

Other unequal leg angles take extras of equal leg angles of the next larger dimensions.

CHANNELS

Widths in inches—thicknesses in inches and BWG gauges:	
1½ wide or wider, but under 3 wide, x 3/16 or heavier	$0.25
1½ wide or wider, but under 3 wide, x 1/8	.40
1 1/2 x 1 1/2 x 1/8 (Special Box Channel)	.40
1 1/2 x 1 1/2 x 1/8 or heavier	.40
1 1/2 x 1 1/2 x 1/8	.50
1 1/2 x 1 1/2 x 3/64	.70
2 x 1 and less than 3 wide, x 3/16 or heavier	.50
2 x 1 and less than 3 wide, x 1/8	.60
2 x 1 and less than 3 wide, x 3/32	.80
2 x 1 and less than 3 wide, x 1/32	1.00
3 x 1 1/2 and 3 1/4 wide or heavier	1.00
3 x 1 1/2 and 3 1/4 wide or heavier	1.70
3 x 1 1/2 and 3 1/4 wide or heavier	1.70
4 x 1 1/2 and 3 1/4 wide or heavier	2.00
4 x 1 1/2 and 3 1/4 wide or heavier	2.50
4 x 1 1/2 and 3 1/4 wide or heavier	3.00

TEES

Dimensions in inches:	
1 x 1 x 1/8 or wider, but under 3, x 3/16 or heavier	$0.30
1 x 1 x 1/8 and 1 1/4 x 1 1/4, x 3/16 or heavier	.55
1 x 1 x 1/8 and 1 1/4 x 1 1/4, x 1/8	.70
1 1/2 x 1 1/2 x 1/8	.70
2 x 2 x 1/4	.90
2 x 2 x 3/16	1.10
2 x 2 x 1/8	1.80
3 x 3 x 1/4	2.50

SUPPLEMENTARY SIZE EXTRAS

For rounds, twisted squares the following extras may be charged in addition to size extras shown in the table entitled "Rounds, Squares, Twisted Squares."

1/4 and 5/16	$0.80
3/8	.35
7/16 to 1 1/8	.30

TABLE G–5.—*Cold finished carbon bars*

[Including shafting]

A. SIZE

ROUNDS

Dimensions in inches:	
3/32 and under	$3.00
Over 3/32 to less than 1/8	2.50
1/8 to less than 3/16	1.30
3/16 to less than 1/4	1.10
1/4 to less than 5/16	1.00
5/16 to less than 3/8	.90
3/8 to less than 1/2	.85
1/2 to less than 5/8	.80
5/8 to less than 1 1/16	.70
1 1/16 to less than 1 3/16	.60
1 3/16 to less than 1 1/2	.55
1 1/2 to less than 2 3/16	.60
2 3/16 to less than 2 9/16	.65
2 9/16 to less than 2 15/16	.80
2 15/16 to less than 3 3/16	.90
3 3/16 to less than 3 7/16	1.00
3 7/16 to less than 3 13/16	1.15
3 13/16 to less than 4 3/16	1.25
4 3/16 to less than 4 1/2	1.35
4 1/2 to less than 4 13/16	1.45
4 13/16 to less than 5 7/16	1.95
5 13/16 to less than 6 7/16	2.40
6 5/16 to less than 7 5/16	3.25
7 5/16 to less than 8, incl	3.75

SQUARES

Dimensions in inches:	
3/32 to less than 1/8	$6.00
1/8 to less than 3/16	5.00
3/16 to less than 1/4	4.00
1/4 to less than 5/16	3.00
5/16 to less than 3/8	2.50
3/8 to less than 1/2	1.75
1/2 to less than 5/8	1.50
5/8 to less than 1 3/16	1.25
1 3/16 to less than 2 3/16	1.00
2 3/16 to less than 4 1/16	2.00
4 1/16 to 4 1/2, inclusive	4.00

FLATS

[The smaller dimension is the thickness]

Thickness in inches	Width in inches: Less than ¾	¾ to less than 9/16	5/16 to less than 9/16	9/16 to less than ¾	¾ to less than 1 3/16	1 3/16 to less than 1 9/16	1 9/16 to 3 incl.	Wider than 3
Less than 1/4	$12.50	$10.50	$8.50	$7.50	$6.50	$5.50	$5.00	$5.50
1/4 to less than 5/16	10.50	8.50	6.50	5.50	4.50	3.50	3.00	3.50
5/16 to less than 3/8	9.75	7.75	5.75	5.25	3.75	2.75	1.75	3.00
3/8 to less than 1/2			4.75	4.25	2.75	2.75	1.75	2.50
1/2 to less than 5/8			3.75	3.25	1.75	1.75	1.50	2.50
5/8 to less than ¾				2.75	1.50	1.50	1.50	2.50
¾ to less than 1					1.50	1.50	1.50	2.50
1 to less than 1 1/2					1.50	1.50	1.50	2.50
1 1/2 to less than 1 3/4						1.50	1.50	2.50
1 3/4 to less than 2							1.50	2.50
2 to less than 3							1.50	2.50
3 and thicker								2.50

HEXAGONS

Dimensions in inches:	
3/32 to less than 1/8	$6.00
1/8 to less than 3/16	5.00
3/16 to less than 1/4	4.00
1/4 to less than 3/8	2.50
3/8 to less than 7/16	1.75
7/16 to less than 1/2	1.25
1/2 to less than 9/16	.90
9/16 to less than 5/8	.80
5/8 to less than 11/16	.70
11/16 to less than ¾	.60

Dimensions in inches—Continued	
¾ to less than 1	$0.55
1 to less than 1 1/8	.50
1 1/8 to less than 1 3/16	.45
1 3/16 to less than 1 1/4	.50
1 1/4 to less than 1 5/16	.60
1 5/16 to less than 1 3/8	.75
1 3/8 to less than 2 3/16	1.00
2 3/16 to less than 3 3/16	1.50
3 3/16 to less than 3 9/16	3.00
3 9/16 to less than 4, incl	4.00

(For hexagons only, when the lower limit of any specified size is not more than 0.010" less than the maximum limit of the larger size given in any size bracket, such specified size will take the next lower extra for size.)

B. FINISH

[Ground and polished accuracy stock-turned, ground and polished and turned and polished shafting, these extras are in addition to size and analysis extras]

Sizes (inches)	Ground and polished from cold drawn rounds standard manufacturing tolerances plus .0005", minus .0005": Carbon 0.30% mean and under	Ground and polished from cold drawn rounds standard manufacturing tolerances plus .0005", minus .0005": Carbon over 0.30% mean to 0.45% mean	Turned, ground and polished standard manufacturing tolerances less than 2½", minus .002", 2½" and over, minus .003": Carbon 0.30% mean and under	Turned, ground and polished standard manufacturing tolerances less than 2½", minus .002", 2½" and over, minus .003": Carbon over 0.30% mean to 0.45% mean	Turned and polished: Carbon 0.30% mean and under
1/4 to less than 3/32	$12.75				
3/32 to less than 1/8	10.75				
1/8 to less than 1/4	6.75				
1/4 to less than 5/16	4.75	$5.75			
5/16 to less than 3/8	3.75	4.50			
3/8 to less than 7/16	2.75	3.25			
7/16 to less than 1/2	2.25	2.60			
1/2 to less than 9/16	2.35	2.70			
9/16 to less than 5/8	2.25	2.55			
5/8 to less than 11/16	2.20	2.50			
11/16 to less than ¾	2.35	2.75			
¾ to less than 1 3/16	2.40	2.70	$1.60	$2.00	
1 3/16 to less than 1 5/16	2.35		1.35	1.55	$1.05
1 5/16 to less than 1 9/16			1.10	1.40	.80
1 9/16 to less than 2 3/16			.75	.95	.45
2 3/16 and larger			.30	.45	

C. Supplementary Size Extras

For cold finished bars within the range of the following sizes the extras specified below may be charged in addition to the extras for size given in the above table.

Rounds over 6" to 8" inclusive	$2.00
Flats over 6" wide, 3/16" to less than 3/8" thick	1.25
Flats over 6" wide, 3/8" and heavier	1.75

Table G-6.—*Reinforcing bars*

[Squares and rounds, plain or deformed]

1/4" and larger	Base
5/16"	$0.10
1/2"	.20
9/16"	.40
3/4"	1.00

Table G-7.—*Hot rolled strip*

B. W. G. No	Heavier than 6	6, 7, and 8	9	10	11	12	13	14	15
Decimal equivalent in inches	0.2499 to 0.2031	0.203 to 0.162	0.161 to 0.146	0.145 to 0.132	0.131 to 0.118	0.117 to 0.105	0.104 to 0.090	0.089 to 0.076	0.075 to 0.068
Width in inches:									
3/8	(1)	$1.45	$1.50	$1.60	$1.60	$1.70	$1.80	$2.00	$2.20
7/16	(1)	1.25	1.25	1.35	1.40	1.50	1.60	1.70	1.85
1/2	(1)	1.05	1.05	1.10	1.10	1.20	1.25	1.35	1.45
9/16	(1)	.85	.85	.90	.90	1.00	1.05	1.10	1.15
5/8 to 11/16	(1)	.70	.70	.75	.75	.85	.90	.95	1.00
3/4 to 11/16	(1)	.55	.55	.60	.60	.70	.75	.85	.85
7/8 to 13/16	(1)	.45	.45	.50	.50	.60	.65	.70	.75
1 to 1 3/8	(1)	.35	.35	.40	.40	.50	.55	.60	.60
17/16 to 2	(1)	.30	.30	.35	.35	.40	.45	.45	.45
2 1/16 to 2 1/2	(1)	.25	.25	.30	.30	.35	.40	.40	.40
2 9/16 to 3	(1)	.20	.20	.25	.25	.30	.35	.35	.40
3 1/16 to 3 1/2	(1)	.15	.15	.20	.20	.25	.30	.35	.35
3 9/16 to 4	(1)	.15	.15	.20	.20	.25	.30	.35	.40
4 1/16 to 5	(1)	.10	.10	.15	.15	.20	.25	.30	.40
5 1/16 to 6	(1)	.10	.10	.15	.15	.20	.25	.30	.40
6 1/16 to 8	$0.05	.05	.05	.10	.10	.15	.20	.25	.35
8 1/16 to 10	.05	.05	.05	.10	.10	.15	.20	.25	.35
10 1/16 to 12	.05	.05	.05	.10	.10	.15	.20	.25	.35

B. W. G. No	16**	17	18	19	20	21	22	23
Decimal equivalent in inches	0.067 to 0.061	0.060 to 0.054	0.053 to 0.047	0.046 to 0.041	0.040 to 0.035	0.034 to 0.032	0.031 to 0.028	0.027 to 0.025
Width in inches:								
3/8	$2.40	$2.60	$2.85	$1.20	$3.60	$4.00	$4.40	$4.75
7/16	2.05	2.25	2.45	2.75	3.10	3.45	3.85	4.25
1/2	1.55	1.75	1.95	2.15	2.35	2.75	3.25	3.75
9/16	1.25	1.35	1.55	1.75	1.95	2.35	2.75	3.25
5/8 to 11/16	1.05	1.15	1.25	1.45	1.65	1.95	2.35	2.75
3/4 to 11/16	.90	.95	1.05	1.15	1.35	1.65	1.95	2.25
7/8 to 13/16	.80	.85	.90	.95	1.05	1.25	1.55	1.85
1 to 1 3/8	.65	.65	.75	.85	.95	1.15	1.45	1.65
17/16 to 2	.50	.55	.60	.70	.90	1.15	1.35	1.65
2 1/16 to 2 1/2	.45	.55	.70	.85	1.05	1.20	1.40	1.70
2 9/16 to 3	.45	.55	.70	.90	1.15	1.25	1.45	1.70
3 1/16 to 3 1/2	.45	.60	.75	.95	1.20	1.30	1.50	1.55
3 9/16 to 4	.50	.65	.85	1.05	1.25	.....	.....	.....
4 1/16 to 5	.55	.75	.95	1.15	1.35	.....	.....	.....
5 1/16 to 6	.55	.75	.95	1.00	1.10	.....	.....	.....
6 1/16 to 8	.55	* .70	.....	.....	.....	.....	.....	.....
8 1/16 to 10	.55	* .70	.....	.....	.....	.....	.....	.....
10 1/16 to 12	.50	* .65	.....	.....	.....	.....	.....	.....

*Applies only on thickness 0.057" to 0.060" inclusive.
**16 gauge AISI C1095 (SAE 1095) is not subject to the above size extras.
For bevel edge sections add 15.
For hot rolled AISI C1025 (SAE 1095) Strip 16 gauge only the size extra for all widths shall be at the rate of $10.70 per 100 pounds.
[1] Price as hot rolled bars.

Table G-8.—*Cold rolled strip*

[Cut lengths only—shall not be used for coils]

Width in inches	3/64 and under		Under 3/16 to over 3/64		Under 1/2 to incl. 3/16		Under 1 to inc. 1/2	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches								
0.161 and thicker	$7.00	$7.90	$5.25	$5.95	$3.50	$3.95	$1.85	$2.30
0.160 to 0.100	6.70	7.60	5.05	5.70	3.35	3.80	1.70	2.15
0.099 to 0.069	6.90	7.80	5.20	5.85	3.45	3.90	2.65	2.50
0.068 to 0.050	7.10	8.00	5.35	6.00	3.55	4.00	2.15	2.60
0.049 to 0.040	7.40	8.50	5.55	6.40	3.70	4.25	2.30	2.85
0.039 to 0.035	7.80	9.30	5.85	7.00	3.70	4.25	2.30	2.85
0.034 to 0.032	10.20	11.60	7.65	8.70	5.10	5.80	3.10	3.80
0.031 to 0.029	11.10	12.50	8.35	9.40	5.55	6.25	3.80	4.50
0.028 to 0.026	11.80	13.20	8.85	9.90	5.90	6.60	3.90	4.60
0.025 to 0.023	13.20	14.60	9.90	10.95	6.60	7.30	4.60	5.30
0.022 to 0.020	14.50	15.40	10.90	11.95	7.25	7.95	4.75	5.45
0.019 to 0.017	19.20	19.20	14.40	14.40	9.60	9.60	7.20	7.20
0.016 to 0.015	22.30	22.30	16.75	16.75	11.15	11.15	7.75	7.75
0.014 to 0.013	25.60	25.60	19.20	19.20	12.80	12.80	9.65	9.65

Table G-8.—*Cold rolled strip*—Continued

Width in inches	Under 1 1/2 to incl. 1		Under 3 to incl. 1 1/2		Incl. 3 to incl. 6		Over 6 to incl. 9	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches:								
0.161 and thicker	$1.20	$1.65	$0.85	$1.30	$0.50	$0.95	$0.25	$0.70
0.160 to 0.100	1.10	1.55	.85	1.30	.50	.95	.35	.80
0.099 to 0.069	1.25	1.70	1.05	1.50	.85	1.50	.65	1.10
0.068 to 0.050	1.35	1.80	1.10	1.55	.95	1.40	.75	1.20
0.049 to 0.040	1.50	2.05	1.25	1.80	1.10	1.65	.90	1.45
0.039 to 0.035	1.50	2.05	1.25	1.80	1.10	1.65	1.05	1.60
0.034 to 0.032	2.25	2.95	1.80	2.50	1.55	2.25	1.45	2.15
0.031 to 0.029	2.80	3.50	2.35	3.05	2.00	2.70	1.75	2.45
0.028 to 0.026	2.90	3.60	2.45	3.15	2.10	2.80	1.85	2.55
0.025 to 0.023	3.45	4.15	3.00	3.70	2.55	3.25	2.45	3.15
0.022 to 0.020	3.60	4.30	3.15	3.85	2.70	3.40	2.70	3.40
0.019 to 0.017	6.25	7.80	5.80	5.80	4.90	4.90	5.15	5.15
0.016 to 0.015	6.80	6.80	6.35	6.35	5.45	5.45	5.70	5.70
0.014 to 0.013	8.65	8.65	8.30	8.30	7.30	7.30	7.70	7.70

Width in inches	Over 9 to incl. 12		Over 12 to incl. 23 15/16	
	Hard	Soft	Hard	Soft
Thickness in inches:				
0.161 and thicker	$0.25	$0.70	$0.25	$0.70
0.160 to 0.100	.35	.80	.35	.80
0.099 to 0.069	.65	1.10	.65	1.10
0.068 to 0.050	.75	1.20	.75	1.20
0.049 to 0.040	.90	1.45	.90	1.45
0.039 to 0.035	1.05	1.60	1.05	1.60
0.034 to 0.032	1.45	2.15	1.45	2.15
0.031 to 0.029	1.85	2.55	1.90	2.60
0.028 to 0.026	2.05	2.75	.....	.....
0.025 to 0.023	2.70	3.40	.....	.....
0.022 to 0.020	3.05	3.75	.....	.....
0.019 to 0.017	5.40	5.40	.....	.....

Extras for soft apply to all tempers, except full hard.

Supplementary size extras. For cold rolled strip 0.0972 and heavier (not including cold rolled round edge flat wire) a charge at the rate of $1.00 per 100 pounds may be added to the size extras shown above.

SIZE EXTRAS

[Rate per 100 pounds]

Table G-9.—*Hot rolled sheets*

A. Gauge and width:

U. S. Standard Gauge No.	8 and heavier		9	10	11	12	13	14	15	16	17	18
Thickness ordering limits, in	.2499 to .1875	.1874 to .1570	.1569 to .1420	.1419 to .1271	.1270 to .1121	.1120 to .0972	.0971 to .0822	.0821 to .0710	.0709 to .0636	.0635 to .0568	.0567 to .0509	.0508 to .0449
Width in inches:												
32 and under	Base	Base	Base	Base	$0.05	$0.10	$0.15	$0.20	$0.30	$0.45	$0.55	$0.60
Over 32 to 36 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 36 to 40 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 40 to 44 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 44 to 48 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 48 to 52 incl	Plate	$0.15	$0.15	$0.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 52 to 56 incl	Plate	.15	.15	.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 56 to 60 incl	Plate	.15	.15	.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 60 to 64 incl	Plate	.20	.20	.20	.25	.30	.40	.45	.50	.60	.70	.75
Over 64 to 68 incl	Plate	.20	.20	.20	.25	.30	.40	.45	.50	.60	.80	.85
Over 68 to 72 incl	Plate	.25	.25	.25	.30	.35	.45	.95	.55	1.45	.95	1.00
Over 72 to 78 incl	Plate	.35	.35	.35	.40	.45	.60	1.10	.70	1.60	1.05	1.10
Over 78 to 86 incl	Plate	.35	.35	.55	.40	.70	.65	1.15	.75	1.65	1.25	1.45
Over 86	Plate	.45	.45	.65	.60	.80	.75	1.40	1.15	2.15	1.45	1.65

Table G-9.—*Hot rolled sheets*—Continued

U. S. Standard Gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits, in	.0448 to .0397	.0388 to .0344	.0343 to .0314	.0313 to .0285	.0283 to .0255	.0254 to .0226	.0224 to .0196	.0194 to .0167	.0171 to .0146	.0156 to .0134	.0141 to .0120	.0127 to .0108
Width in inches:												
32 and under	$0.70	$0.80	$0.90	$1.00	$1.10	$1.20	$1.30	$1.40	$1.50	$1.60	$1.70	$1.80
Over 32 to 36 incl	.70	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 36 to 40 incl	.70	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 40 to 44 incl	.70	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 44 to 48 incl	.70	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 48 to 52 incl	.70	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 52 to 56 incl	.70	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 56 to 60 incl	.70	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 60 to 64 incl	.80	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80	1.90
Over 64 to 68 incl	.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80	1.90	2.00
Over 68 to 72 incl	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.80	1.90	2.00	2.10	2.20
Over 72 to 78 incl	1.30	1.40	1.50	1.60	1.70	1.80	1.90	2.00	2.10	2.20	2.30	2.40
Over 78 to 86 incl	1.50	1.60	1.70	1.80	1.90	2.00	2.10	2.20	2.30	2.40	2.50	2.60
Over 86	1.80	1.90	2.00	2.10	2.20	2.30	2.40	2.50	2.60	2.70	2.80	2.90

Table G-10.—*Cold rolled sheets*—Continued

U. S. Standard Gauge No.	Length in inches						
	96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 171	Over 171
32 and under	$0.50	$0.60	$0.70	$0.80	$0.90	$1.00	$1.10
Over 32 to 36 incl	.50	.60	.70	.80	.90	1.00	1.10
Over 36 to 40 incl	.50	.60	.70	.80	.90	1.00	1.10
Over 40 to 44 incl	.50	.60	.70	.80	.90	1.00	1.10
Over 44 to 48 incl	.50	.60	.70	.80	.90	1.00	1.10
Over 48 to 52 incl	.60	.70	.80	.90	1.00	1.10	1.20
Over 52 to 56 incl	.60	.70	.80	.90	1.00	1.10	1.20
Over 56 to 60 incl	.60	.70	.80	.90	1.00	1.10	1.20
Over 60 to 64 incl	.70	.80	.90	1.00	1.10	1.20	1.30
Over 64 to 68 incl	.80	.90	1.00	1.10	1.20	1.30	1.40
Over 68 to 72 incl	1.00	1.10	1.20	1.30	1.40	1.50	1.60
Over 72 to 78 incl	1.20	1.30	1.40	1.50	1.60	1.70	1.80
Over 78 to 86 incl	1.40	1.50	1.60	1.70	1.80	1.90	2.00
Over 86	1.70	1.80	1.90	2.00	2.10	2.20	2.30

TABLE G-9.—*Hot rolled sheets*—Continued

U. S. Standard Gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits, in	.0448 to .0389	.0388 to .0344	.0343 to .0314	.0313 to .0284	.0283 to .0255	.0254 to .0225	.0224 to .0195	.0194 to .0172	.0171 to .0157	.0156 to .0142	.0141 to .0128	.0127 to .0113
Width in inches:												
32 and under	$0.75	$0.80	$0.80	$0.85	$0.85	$0.90	$0.95	$1.00	$1.05	$1.10		$1.40
Over 32 to 36 incl	.75	.80	.80	.85	.85	.90	1.00	1.10	1.20	1.30	$1.40	1.50
Over 36 to 40 incl	.75	.80	.80	.90	.95	1.00	1.15	1.25	1.35	1.50	1.55	1.75
Over 40 to 44 incl	.75	.80	.85	.95	1.05	1.10	1.30	1.40	1.50	1.65	.....	.....
Over 44 to 48 incl	.75	.80	.90	1.05	1.15	1.20	1.45	1.55	1.65	1.90	.....	.....
Over 48 to 52 incl	.80	.90	1.05	1.15	1.20	1.25	1.45	1.55	1.65	.....	.....	.....
Over 52 to 56 incl	.80	.95	1.10	1.30	1.40	1.50			.....	.....	.....	.....
Over 56 to 60 incl	.90	1.00	1.25	1.50	1.70	1.75			.....	.....	.....	.....
Over 60 to 64 incl	.95	1.05	1.50	.....	.....	.....			.....	.....	.....	.....
Over 64 to 68 incl	1.05	1.15	1.75	.....	.....	.....			.....	.....	.....	.....
Over 68 to 72 incl	1.25	1.35	2.00	.....	.....	.....			.....	.....	.....	.....
Over 72 to 78 incl	1.35	1.75	.....	.....	.....	.....			.....	.....	.....	.....
Over 78 to 86 incl	1.75	1.95	.....	.....	.....	.....			.....	.....	.....	.....
Over 86	1.95	2.15	.....	.....	.....	.....			.....	.....	.....	.....

B. Length:

U. S. Standard Gauge no.	Length in inches: Under 124	Over 124 to 144	Over 144 to 168	Over 168 to 192
16 or heavier	Base	Base	Base	Base
17 and 18	Base	Base	Base	Base
19 to 21	Base	$0.10	$0.20	$0.30
22 and 23	Base	.10	.25	.35
24	Base	.10	.25	.35
25 to 27	Base	.10	.30	.....
28	Base	.10	.....	.....
29 and 30	Base	.10	.....	.....

TABLE G-10.—*Cold rolled sheets*

A. Gauge and width

U. S. Standard Gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18	19
Thickness ordering limits in inches	.2199 to .1570	.1569 to .1420	.1419 to .1271	.1270 to .1121	.1120 to .0972	.0971 to .0822	.0821 to .0710	.0709 to .0636	.0635 to .0568	.0567 to .0509	.0508 to .0449	.0448 to .0389
Width in inches:												
32 and under	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.10	−$0.05	Base	$0.05	$0.10
Over 32 to 36 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 36 to 40 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 40 to 44 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 44 to 48 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 48 to 52 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	.05	.10	.15
Over 52 to 56 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	.05	.10	.15
Over 56 to 60 incl	−.05	−.05	−.05	−.05	−.05	−.05	−.05	−.05	Base	.05	.10	.25
Over 60 to 64 incl	Base	Base	Base	Base	Base	Base	Base	Base	.05	.10	.15	.30
Over 64 to 68 incl	.05	.05	.05	.05	.05	.05	.05	.05	.10	.20	.25	.40
Over 68 to 72 incl	.10	.10	.10	.10	.10	.10	.10	.10	.20	.30	.45	.50
Over 72 to 78 incl										.40	.45	.60
Over 78 to 86 incl										.60	.80	1.00
Over 86										.80	1.00	1.20

U. S. Standard Gauge No.	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	.0388 to .0344	.0343 to .0314	.0313 to .0284	.0283 to .0255	.0254 to .0225	.0224 to .0195	.0194 to .0172	.0171 to .0157	.0156 to .0142	.0141 to .0128	.0127 to .0113
Width in inches:											
32 and under	$0.15	$0.20	$0.25	$0.35	$0.45	$0.50	$0.55	$0.60	$0.70		$0.95
Over 32 to 36 incl	.15	.20	.25	.45	.45	.55	.65	.75	.95	$1.10	1.25
Over 36 to 40 incl	.15	.20	.30	.50	.55	.70	.80	.90	1.05	1.35	1.55
Over 40 to 44 incl	.15	.25	.35	.60	.65	.85	.95	1.05	1.35	1.55	.....
Over 44 to 48 incl	.15	.30	.45	.70	.75	1.15	1.25	1.35	1.75	.....	.....
Over 48 to 52 incl	.25	.15	.55	.95	1.20	1.60	.....	.....	.....	.....	.....
Over 52 to 56 incl	.30	.50	.70	1.10	1.50	.....	.....	.....	.....	.....	.....
Over 56 to 60 incl	.35	.65	.90	1.40	1.80	.....	.....	.....	.....	.....	.....
Over 60 to 64 incl	.40	.90	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 64 to 68 incl	.50	1.15	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 68 to 72 incl	.60	1.30	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 72 to 78 incl	1.00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 78 to 86 incl	1.20	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 86	1.40	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

TABLE G-10.—*Cold rolled sheets*—Continued

U. S. Standard Gauge No.	Length in inches: 96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 171	Over 171
16 or heavier	Base	.....	.....	.....	.....	.....	.....
17–20 inclusive	Base	.....	.....	.....	.....	.....	$0.15
21–22 up to 48" wide incl	Base	.....	$0.15	$0.20	$0.25	$0.25	.40
21–22 over 48" wide	Base	$0.10	.20	.25	.30	.30	.45
23–24 up to 48" wide incl	Base	.15	.20	.25	.30	.30	.45
23–24 over 48" wide	Base	.20	.25	.30	.35	.35	.50
25–27 up to 48" wide	Base	.15	.20	.25	.30	.35	.50
28–30 up to 48" wide	Base	.20	.25	.30	.35	.40	.55

C. SUPPLEMENTARY SIZE EXTRAS

1. For stretcher leveled resquared cold rolled sheets of the following dimensions double the sum of the applicable extras for gauge and width (A) and length (B) may be charged:

≤20 gauge and lighter	Over 120" long
Heavier than ≤20 gauge	Over 144" long
≤16 gauge and heavier	Over 60" wide
Lighter than ≤16 gauge	Over 48" wide

C. SUPPLEMENTARY SIZE EXTRAS—Continued

2. The following extras may be added to size extras (gauge and width and length) in Tables A and B above where a seller has paid a mill extra for full finish or cold reduced finish on cold rolled sheets of Number 13 U. S. Standard gauge and heavier, as allowed by the provisions of § 3306.8 (b) of Revised Price Schedule Number 6:

≤11 gauge and heavier	$1.00
≤12 and ≤13 gauge	.50

TABLE G-11.—*Galvanized steel, galvanized Armco iron, galvanized Toncan iron, galvannealed, and long terne sheets*

A. Gauge and width:

Gauge No.*	10 or heavier	11	12	13	14	15	16	17	18	19	20	21
Width in inches:												
32 and under	−$0.50	−$0.45	−$0.40	−$0.35	−$0.30	−$0.25	−$0.20	−$0.15	−$0.15	−$0.10	−$0.10	−$0.10
Over 32 to 36 incl	−.50	−.45	−.40	−.35	−.30	−.25	−.20	−.15	−.15	−.10	−.10	−.10
Over 36 to 38 incl	−.50	−.45	−.40	−.45	−.30	−.25	−.20	−.15	−.10	−.05	Base	Base
Over 38 to 40 incl	−.50	−.45	−.40	−.45	−.30	−.25	−.20	−.15	−.10	Base	.05	.05
Over 40 to 42 incl	−.45	−.40	−.35	−.40	−.25	−.20	−.20	−.15	−.10	Base	.05	.05
Over 42 to 44 incl	−.40	−.35	−.30	−.25	−.20	−.15	−.15	−.10	−.05	.15	.20	.20
Over 44 to 46 incl	−.30	−.25	−.20	−.15	−.10	−.05	−.05	Base	.05	.20	.25	.25
Over 46 to 48 incl	−.30	−.25	−.20	−.15	−.10	−.05	−.05	Base	.05	.25	.30	.30
Over 48 to 50 incl	−.20	−.15	−.10	−.05	Base	.05	.10	.15	.20	.30	.35	.35
Over 50 to 52 incl	−.15	−.10	−.05	Base	.05	.10	.10	.20	.25	.35	.40	.40
Over 52 to 54 incl	−.10	−.05	Base	.05	.10	.15	.20	.25	.30	.60	.65	.65
Over 54 to 56 incl	Base	.05	.10	.15	.20	.25	.35	.45	.60	.....	.....	.....
Over 56 to 58 incl	.10	.15	.20	.25	.30	.35	.45	.55	.80	.....	.....	.....
Over 58 to 60 incl	.25	.30	.35	.40	.45	.50	.60	1.05	1.10	.....	.....	.....

Gauge No.*	22	23	24	25	26	27	28	29	30	31	32
Width in inches:											
32 and under	−$0.07	−$0.05	Base	$0.15	$0.25	$0.35	$0.50	$0.75	$1.00	$1.25	$1.50
Over 32 to 36 incl	−.05	−.05	Base	.15	.25	.40	.70	.85	1.20	1.65	2.00
Over 36 to 38 incl	.05	.05	.05	.25	.45	.55	.75	1.00	.....	.....	.....
Over 38 to 40 incl	.05	.05	.05	.35	.60	.70	.85	1.15	.....	.....	.....
Over 40 to 42 incl	.30	.40	.45	.80	.90	1.05	.....	.....	.....	.....	.....
Over 42 to 44 incl	.40	.50	.55	.90	1.00	1.15	.....	.....	.....	.....	.....
Over 44 to 46 incl	.50	.60	.65	1.00	1.10	1.35	.....	.....	.....	.....	.....
Over 46 to 48 incl	.60	.70	.75	1.15	1.25	1.60	.....	.....	.....	.....	.....
Over 48 to 50 incl	.75	.85	.90	.....	.....	.....	.....	.....	.....	.....	.....
Over 50 to 52 incl	.85	.95	1.00	.....	.....	.....	.....	.....	.....	.....	.....
Over 52 to 54 incl	1.10	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 54 to 56 incl	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 56 to 58 incl	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 58 to 60 incl	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

B. Length:

Gauge No.*	Length in inches: 124 and under	Over 124 to 144	Over 144 to 156	Over 156 to 168	Over 168 to 192	Over 192 to 216	Over 216 to 228	Over 228 to 252	Over 252 to 275
12 or heavier	Base	.....	$0.25	$0.50	$0.75	$0.75	$1.05	$1.15	$1.40
13 to 16	Base	.....	.25	.50	.75	.90	1.05	1.15	1.40
17 and 18	Base	$0.10	.50	.75	.80	.90	1.15	1.40	1.65
19 to 21	Base	.10	.50	.75	.90	1.05	1.15	1.40	1.90
22	Base	.10	.50	.75	1.05	1.15	1.40	1.65	.....
23 and 24	Base	.10	.....	.....	.....	.....	.....	.....	.....
25 and 26	Base	.10	.....	.....	.....	.....	.....	.....	.....
27	Base	.10	.....	.....	.....	.....	.....	.....	.....
28	Base	.10	.....	.....	.....	.....	.....	.....	.....
29 and 30	Base	.10	.....	.....	.....	.....	.....	.....	.....
31	Base	.....	.....	.....	.....	.....	.....	.....	.....
32	Base	.....	.....	.....	.....	.....	.....	.....	.....

*For Galvanized Steel, Galvanized Armco Iron, Galvanized Toncan Iron, and Galvannealed, use Galvanized Sheet Gauge No., Long Terne use U. S. Standard Gauge No.

TABLE G-12.—*Enameling sheets*

A. Gauge and width:

U. S. Standard Gauge No.	7	8	9	10	11	12	13	14	15	16	17	18
Thickness ordering limits in inches	0.1868 to 0.1719	0.1718 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449
Width in inches:												
32 and under	−$0.60	−$0.60	−$0.60	−$0.60	−$0.55	−$0.55	−$0.50	−$0.30	−$0.40	−$0.20	−$0.15	−$0.10
Over 32 to 36 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 36 to 40 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 40 to 44 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 44 to 48 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 48 to 52 incl	−.45	−.45	−.45	−.45	−.30	−.30	−.35	−.15	−.25	−.05	.05	.10
Over 52 to 56 incl	−.45	−.45	−.45	−.45	−.30	−.30	−.35	−.15	−.25	−.05	.05	.10
Over 56 to 60 incl	−.40	−.40	−.40	−.40	−.35	−.35	−.30	−.10	−.20	Base	.05	.10
Over 60 to 64 incl	−.35	−.35	−.35	−.35	−.30	−.30	−.25	−.05	−.15	.05	.15	.20
Over 64 to 68 incl	−.25	−.25	−.25	−.25	−.20	−.20	−.30	.05	−.10	.15	.25	.30
Over 68 to 72 incl	−.15	−.15	−.15	−.15	−.10	−.10	−.05	.15	.05	.25	.35	.40
Over 72 to 78 incl										.45	.50	.50

U. S. Standard Gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	0.0448 to 0.0389	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:												
32 and under	−$0.05	Base	$0.05	$0.10	$0.20	$0.30	$0.40	$0.50	$0.60	$0.70	$0.80	$0.90
Over 32 to 36 incl	−.05	Base	.05	.10	.20	.30	.40	.50	.60	.90	1.10	1.30
Over 36 to 40 incl	−.05	Base	.05	.20	.40	.50	.70	.80	.90	1.10	1.40	1.70
Over 40 to 44 incl	−.05	Base	.15	.30	.60	.70	1.00	1.10	1.20	1.50	1.70	
Over 44 to 48 incl	−.05	Base	.25	.50	.80	.90	1.30	1.40	1.50	1.90		
Over 48 to 52 incl	.15	$0.25	.45	.70	1.20	1.30						
Over 52 to 56 incl	.15	.30	.65	.90								
Over 56 to 60 incl	.25	.40	.85	1.10								
Over 60 to 64 incl	.35	.50	1.05									
Over 64 to 68 incl	.45	.60	1.25									
Over 68 to 72 incl	.55	.75	1.55									
Over 72 to 78 incl	.65	1.00										

TABLE G-12.—*Enameling sheets*—Continued

B. Length

U. S. Standard Gauge No.	Length in inches: 96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 156
16 or heavier	Base	Base	Base	Base	Base	$0.10
17 and 18	Base	Base	Base	$0.10	$0.10	.15
19 and 20	Base	Base	Base	.10	.15	.20
21 and 22	Base	Base	Base	.20	.25	.30
23–27	Base	$0.15	$0.20	.25	.30	.35
28	Base	.25	.25	.30	.35	.40

TABLE G-13.—*Electrical sheets*

The size extras of the Carnegie Illinois Steel Corporation for the grade electrical sheet sold as established by Revised Price Schedule No. 6 may be added.

TABLE G-14.—*Hot rolled alloys*

Rounds and Squares

Diameter in inches:

[illegible]	$1.50
[illegible]/64	1.25
1/4	1.00
9/32	.85
5/16	.70
11/32	.55
7/32 and 3/8	.40
27/64 and 7/16	.30
29/64 and 1/2	.20

TABLE G-14.—*Hot rolled alloys*—Continued

Rounds and Squares—Continued

Diameter in inches—Continued.

9/16	$0.15
37/64 to 13/16	.10
53/64 to 1 1/16	Base
1 1/16 to 2 1/16	.10
2 1/16 to 2 1/2	.15
2 5/16 to 3 5/16	.20
3 1/4 to 4 5/16	.25
4 3/8 to 5 1/16	.30
5 1/8 to 5 7/8	.45
5 15/16 to 6 7/16	.55
6 1/2 to 6 15/16	.65
7 1/16 to 7 3/4	.80
7 13/16 to 8	1.10
Over 8" up to but not including 10"	1.50

Hexagons

1/4	$1.50
5/16	1.20
3/8	.90
7/16	.60
1/2 to 9/16	.35
5/8 to 11/16	.20
3/4 to 15/16	.125
1 to 3 1/16	.25
3 1/8 to 3 1/2	1.10
3 9/16 to 4 3/8	1.25

Octagons

1/4	$1.50
5/16	1.20
3/8	1.00
7/16	.80
1/2 to 9/16	.60
5/8 to 11/16	.40
3/4 to 3 1/16	.25

Flats

Width in inches	Thickness in inches: 4 to 3 1/16	3 to 2 1/16	2 to 1 5/16	1 to 1 1/16	3/4 to 1/2	7/16 to 1/8	3/16 to 1/4
8							$1.40
7						$1.00	1.20
6						.70	.90
5					$0.50	.50	.75
4 1/2 to 3 1/16					.40	.40	.60
4 to 2 1/16					.30	.30	.40
3 1/2 to 1 1/16				$0.20	.20	.20	.30
1 to 2			$0.10	Base	Base	Base	.15
2 1/16 to 3		$0.20	.10	Base	Base	Base	.15
3 1/16 to 4 2	$0.30	.20	.10	Base	Base	Base	.15

TABLE G-15.—*Cold finished alloy steel bars*

ROUNDS

1/8 to less than 5/32	$1.40
5/32 to less than 3/16	1.00
3/16 to less than 7/32	.80
7/32 to less than 1/4	.70
1/4 to less than 5/16	.55
5/16 to less than 3/8	.40
3/8 to less than 7/16	.30
7/16 to less than 5/8	.20
5/8 to less than 13/16	.15
13/16 to less than 1 3/16	.10
1 3/16 to less than 1 9/16	.40
1 9/16 to less than 2 5/16	.50
2 5/16 to less than 2 15/16	.60
2 15/16 to less than 3 3/8	.70
3 3/8 to less than 3 7/16	.75
3 7/16 to less than 3 5/8	.85
3 5/8 to less than 3 15/16	.90
3 15/16 to less than 4 3/8	1.00
4 3/8 to less than 4 7/16	1.20
4 7/16 to less than 4 13/16	1.30
4 13/16 to less than 5 7/16	1.40
5 7/16 to less than 5 15/16	1.50
5 15/16 to less than 6 7/16	1.60
6 7/16 to 7 incl	2.00

HEXAGONS

1/2 to less than 5/8	$1.00
5/8 to less than 3/16	.80
3/16 to less than 1/4	.60
1/4 to less than 5/8	.50
5/8 to less than 7/16	.75
7/16 to less than 1/2	1.05
1/2 to less than 9/16	.90
9/16 to less than 5/8	.80
5/8 to less than 13/16	.70
13/16 to less than 1	.55
1 to less than 1 1/8	.50
1 1/8 to less than 1 5/16	.45
1 5/16 to less than 1 1/2	.40
1 1/2 to less than 1 13/16	.35
1 13/16 to less than 2 1/4	.75
2 1/4 to less than 2 13/16	1.00
2 13/16 to less than 3 1/16	1.10
3 1/16 to less than 3 9/16	1.30
3 9/16 to 4 incl	1.60

SQUARES

5/32 to less than 1/8	$1.00
1/8 to less than 3/16	.80
3/16 to less than 1/4	.60
1/4 to less than 3/8	.50
3/8 to less than 7/16	.75
7/16 to less than 1	.55
1 to less than 1 1/8	.50
1 1/8 to less than 1 5/16	.45
1 5/16 to less than 1 1/2	.40
1 1/2 to less than 1 13/16	.35
1 13/16 to less than 2 1/4	.75
2 1/4 to less than 2 13/16	1.00
2 13/16 to less than 3 1/16	1.10
3 1/16 to less than 3 9/16	1.30
3 9/16 to 4 incl	1.60

TABLE G-16.—*Stainless steel sheets*

FINISH DESIGNATIONS

No. 1—Hot rolled annealed and pickled.
No. 2B—Full finish (Bright cold rolled).
No. 2D—Full finish (Dull cold rolled).
No. 4—Standard polish on one side or both sides.

GAUGE AND FINISH EXTRAS

U. S. S. gauge	Thickness ordering range in inches	Gauge extra	Combined gauge and polishing extras			
		Unpolished finishes only Nos. 1, 2B and 2D finishes	No. 4 and No. 6 finish		No. 7 finish	
			One side	Both sides	One side	Both sides
	Over −					
8	0.160 to 0.176	Base	$5.75	$10.50	$7.67	$14.00
9	0.145 to 0.160	Base	6.00	11.00	8.00	14.67
10	0.130 to 0.145	Base	6.25	11.50	8.33	15.33
11	0.114 to 0.130	Base	6.50	12.00	8.67	16.00
12	0.098 to 0.114	Base	6.75	12.50	9.00	16.67
13	0.083 to 0.098	Base	7.00	13.00	9.33	17.33
14	0.072 to 0.083	Base	7.25	13.50	9.67	18.00
15	0.065 to 0.072	Base	7.50	14.00	10.00	18.67
16	0.058 to 0.065	Base	7.75	15.00	10.33	20.00
17	0.052 to 0.058	Base	8.00	16.00	10.67	21.33
18	0.046 to 0.052	Base	8.50	18.00	11.34	24.00
19	0.040 to 0.046	Base	9.50	20.00	12.67	27.34
20	0.035 to 0.040	Base	11.00	24.00	14.67	32.00
21	0.032 to 0.035	Base	12.00	26.00	16.00	35.34
22	0.029 to 0.032	$0.50	15.50	29.50	20.50	39.17
23	0.026 to 0.029	.50	17.00	33.50	22.50	44.50
24	0.023 to 0.026	1.00	18.50	37.00	24.84	49.00
25	0.0198 to 0.023	2.00	23.00	43.00	30.00	56.67
26	0.0177 to 0.0198	5.00	26.00	46.00	35.00	60.67
27	0.0150 to 0.0177	8.00				
28	0.0141 to 0.0160	11.00				
29	0.0130 to 0.0145	17.00				
30	0.0114 to 0.0130	22.00				
	0.010 to 0.0114	26.00				
	0.009	30.00				
	0.008	34.00				
	0.007	42.00				
	0.006	50.00				
	0.005	62.00				

Thicknesses 0.6" and heavier take plate extras.

LENGTH EXTRAS

Size in inches	
Under 60 to 96 incl	$0.50
Under 96	.50
Over 120 to 130 incl	1.00
Over 130 to 140 incl	1.50
Over 140 to 150 incl	2.00
Over 150 to 155 incl	3.00
Over 155 to 160 incl	3.50
Over 160 to 170 incl	4.00
Over 170 to 180 incl	4.50

LENGTH EXTRAS—Continued

Size in inches—Continued.	
Over 180 to 190 incl	$ 5.00
Over 190 to 200 incl	5.50
Over 200 to 220 incl	6.00
Over 210 to 220 incl	6.25
Over 220 to 230 incl	6.50
Over 230 to 240 incl	6.75
Over 240 to 250 incl	7.00
Over 250 to 260 incl	7.25

WIDTH EXTRAS

Gauge No.	Thickness ordering range	Over 36–40" incl.	Over 40–44" incl	Over 44–50" incl.	Over 50–54" incl	Over 54–58" incl.	Over 58–62" incl	Over 62–66" incl	Over 66
8–16 incl	0.059 to 0.176"	$0.50	$1.00	$1.50	$2.00	$5.50	$4.00	$6.00	$8.00
17–18 incl	0.047 to 0.058"	.75	1.25	1.75	2.25	5.75	6.00	8.75	
19–21 incl	0.033 to 0.046"	1.00	1.50	2.00	3.00	4.25	5.00	12.00	
22–24 incl	0.024 to 0.032"	1.50	2.00	2.50	4.00	7.25	9.50		
25–26 incl	0.0178 to 0.023"	2.00	2.75	3.50	7.00	9.00	12.00		
27–28 incl	0.0146 to 0.0177"	2.50	3.00	5.00					

When pricing sheet items the shortest dimension should always be considered as width.

TABLE G-17.—*Stainless bars*

HOT ROLLED BARS

Dimensions in inches:

1/4 and 9/32	$6.00
5/16 and 11/32	5.00
3/8 to 15/32	3.00
1/2 to 19/32	2.00
5/8 to 31/32	1.00
1 to 1 1/32	.50
1 1/16 to 2 3/4	Base
2 13/16 to 3	1.00

TABLE G-17.—*Stainless bars*—Continued

HOT ROLLED BARS—Continued

Dimensions in inches—Continued.

3 1/8 to 4	$1.50
4 1/8 to 5	3.00
5 1/8 to 6	4.00

All intermediate sizes take the next higher extra.

Octagons and Hexagons—2¢ per pound extra for gauge in addition to above extras for size.

Rounds, Octagons and Hexagons in hot rolled coils take one-half regular bar size extras plus all other extras.

TABLE G–17.—*Stainless bars*—Continued

Width of section in inches	Thickness of section in inches										
	⅛	3/16	¼	5/16	⅜	½	⅝	¾	1	1¼	1½
¼	$20.00	$20.00	$10.00								
3/16	25.00	15.00	8.00	$6.00							
⅜	20.00	10.00	6.00	5.00	$4.00						
½	10.00	7.00	5.00	4.00	3.00	$2.00					
⅝	7.00	5.00	4.00	3.00	2.00	1.50	$1.00	$1.00			
¾	6.00	4.00	3.00	2.00	1.50	1.00	.50	.50	$0.50		
1	5.00	3.00	2.00	1.50	1.00	1.00	.50	.50	.50	$0.50	
1¼	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
1½	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
1¾	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2¼	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2½	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
3	5.00	3.00	1.50	1.00	.50	.50	Base	Base	Base	Base	Base
4	5.00	3.00	1.50	1.00	1.00	1.00	1.00	1.00	1.00	1.00	$1.00
5	6.00	4.00	2.50	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
6	8.00	6.00	4.00	3.50	3.00	3.00	3.00	3.00	3.00	3.00	3.00
7	10.00	8.00	6.00	5.00	4.00	3.00	3.00	3.00	3.00	3.00	3.00
8		8.00	6.00	6.00	5.00	4.00	4.00	4.00	4.00	4.00	3.50
9		8.00	6.00	6.00	5.00	5.00	5.00	5.00	5.00	5.00	4.00
10		8.00	6.00	6.00	6.00	6.00	6.00	6.00	5.00	5.00	5.00

Width of section in inches	Thickness of section in inches										
	1¾	2	2½	3	3½	4	5	6	7	8	9	10
¼												
3/16												
⅜												
½												
⅝												
¾												
1												
1¼												
1½												
1¾	Base											
2	Base	Base										
2¼	Base	Base										
2½	Base	Base	Base									
3	$1.00	$1.00	$1.00	$1.00								
4	1.50	1.50	1.50	1.50	$1.50	$1.50						
5	2.00	2.00	2.00	2.00	2.00	2.00	$2.00					
6	2.50	2.50	2.50	2.50	2.50	2.50	2.50	$2.50				
7	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	$3.00			
8	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	$3.50		
9	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	$4.00	
10	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	$5.00

COLD FINISHED BARS

Extras herein to be added to hot rolled bar base price.

ROUNDS AND SQUARES

Dimension in inches	Tolerance plus or minus ins	Rounds		Squares		Ground bars—rounds	
		Bars	Coils	Bars	Coils	Unpolished	Polished
4 to 3 3/8	0.001	$8.00	----			$8.00	$10.00
3 to 2 9/16	0.003	6.50	----			6.50	8.50
2¾ to 1 1/2	0.003	5.50	----	$10.50	----	5.50	7.50
1 13/32 to 1	0.0025	6.00	----	11.00	----	6.00	8.00
31/32 to ⅝	0.002	6.50	----	11.50	----	6.50	8.50
19/32 to ½	0.002	8.00	$5.50	13.00	----	8.00	11.00
15/32 to 7/16	0.0015	9.00	6.00	14.00	$12.00	10.00	13.00
7/32 to 13/32	0.0015	10.50	7.00	16.50	13.00	13.50	17.00
5/16 to 11/32	0.001	11.50	8.00	18.50	15.00	15.50	20.00
9/32 to ¼	0.001	12.00	9.00	21.00	16.00	18.00	23.00
0.249 to 0.234	0.001	13.00	10.00	23.00	17.00	19.00	25.00
0.233 to 0.216	0.001	14.00	11.00	25.00	18.00	21.00	27.00
0.215 to 0.200	0.001	15.00	12.00	27.00	19.00	23.00	30.00
0.199 to 0.185	0.001	17.00	14.00	30.00	21.00	25.00	33.00
0.184 to 0.170	0.001	20.00	16.00	34.00	23.00	28.00	36.00
0.169 to 0.155	0.001	22.00	18.00	37.00	25.00	30.00	38.00
0.154 to 0.142	0.001	24.00	20.00	40.00	27.00	35.00	43.00
0.141 to 0.128	0.001	27.00	22.00	43.00	29.00	42.00	50.00
0.127 to 0.113	0.001	29.00	24.00	46.00	31.00	50.00	60.00
0.112 to 0.099	0.001	31.00	26.00	50.00	33.00	85.00	100.00
0.098 to 0.086	0.001	35.00	29.00	54.00	36.00	110.00	130.00
0.085 to 0.076	0.001	39.00	32.00	59.00	39.00	125.00	145.00
0.075 to 0.067	0.001	43.00	35.00	64.00	42.00	140.00	170.00
0.066 to 0.058	0.001	47.00	39.00	70.00	45.00		
0.057 to 0.051	0.001	51.00	43.00	77.00	48.00		

INTERMEDIATE SIZES TAKE THE NEXT HIGHER EXTRA

The above size extras include extras for annealing, physical properties, tempering and/or cleaning or sand blasting.

SHAPE EXTRAS

Hexagons and Octagons—Add 5¢ per pound to above schedule for rounds.

TABLE G–18.—*Stainless steel plates*

SIZE AND FINISH EXTRAS

Width in inches	Hot rolled	Hot rolled annealed or heat treated	Hot rolled annealed or heat treated and pickled
Over 10 to 18 incl	$2.00	$4.00	$6.00
Over 18 to 30 incl	1.00	3.00	5.00
Over 30 to 50 incl	Base	2.00	4.00
Over 50 to 80 incl	.50	2.50	4.50
Over 80 to 100 incl	1.00	3.00	5.00
Over 100 to 115 incl	2.00	4.00	6.00
Over 115 to 130 incl	2.50	4.50	6.50
Over 130 to 140 incl	3.00	5.00	7.00

TABLE G–19.—*Stainless steel angles*

The following extras are added to hot rolled stainless bar base prices.

EQUAL LEG ANGLES

Dimension in inches:	
½ x ½ or wider but under 1½ x 1½ x 3/16 or over	$4.00
½ x ½ or wider but under 1½ x 1½ x ⅛ or under	7.00
1½ x 1½ or wider but under 3 x 3 x ¼ or over	2.00
1½ x 1½ or wider but under 3 x 3 x 3/16 or under	4.00
3 x 3 or wider but under 6 x 6 x 5/16 or over	Base
3 x 3 or wider but under 6 x 6 x ¼ or 5/16	2.00
3 x 3 or wider but under 6 x 6 by under 3/16	4.00
6 x 6 or wider but under 8 x 8 x 3/8 or over	3.00
8 x 8 or wider by ⅜ or over	5.00

UNEQUAL LEG ANGLES

If shorter leg is equal to or greater than ¾ of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 1¢ per pound. In case shorter leg is not equal to or greater than three-quarters of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 2¢ per pound.

CUTTING EXTRAS

[Rate per 100 pounds]

The following charges are to be made only when material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification.

TABLE H–1.—*Plate shearing extras*

3/16" to 1" thick inclusive, including U. M.,[1] sheared, flange, firebox, high carbon, Copper bearing and floor plates, and hot rolled strip 4/16" thick over 6" wide cut to length only, or any size 3/16" thick strip cut to width and length.

A. RECTANGULAR PLATES[2]

Type of shearing	Length				
	5' and longer	Under 5' to 3'	Under 3' to 2'	Under 2' to 1'	Under 1' to over 6"
I. To length only:					
3/16" to 1" thick incl	$0.00	$0.10	$0.25	$0.50	$1.55
II. To width and length:					
A. Widt is over 6" in the following thicknesses:					
3/16" to 5/16" incl	.30	.40	.55	.80	1.85
Over 5/16" to ½" incl	.25	.35	.50	.75	1.80
Over ½" to 1" incl	.20	.30	.45	.70	1.75
B. Widths 6" and uarrower in the following thicknesses:					
3/16" to 5/16" incl	.60	.80	1.10	1.60	3.70
Over 5/16" to ½" incl	.50	.70	1.00	1.50	3.60
Over ½" to 1" incl	.40	.60	.90	1.40	3.50

[1] Universal Mill plates over 1" thick, in stock widths up to 14" wide inclusive, cut to length—use friction saw cutting structural shape extrac in Table H–8. All other plates over 1" thick—use flame cutting extras in Table H–7.
[2] Minimum charge, $0.35 net per thickness.

B. SKETCH PLATES[1 2]

Type of shearing	Length				
	5' and longer	Under 5' to 3'	Under 3' to 2'	Under 2' to 1'	Under 1' to over 6"
I. To Widths over 6" in the following thicknesses:					
3/16" to 5/16" incl	$0.40	$0.50	$0.65	$0.90	$1.95
Over 5/16" to ½" incl	.35	.45	.60	.85	1.90
Over ½" to 1" incl	.30	.40	.55	.80	1.85
II. To Widths 6" and Under in the following thicknesses:					
3/16" to 5/16" incl	.70	.90	1.20	1.70	3.80
Over 5/16" to ½" incl	.60	.80	1.10	1.60	3.70
Over ½" to 1" incl	.50	.70	1.00	1.50	3.60

[1] Minimum charge $0.35 net per thickness.
[2] Ordinary straight side sketch plates up to 1" thick inclusive, with no re-entrant cuts, based on gross weight of rectangular plate required in nearest stock width. Sketch plates over 1" thick—use flame cutting extras in Table H–7.

C. CIRCLE CUTTING

See Flame Cutting Extras in Table H–7

TABLE H–2.—*Sheet shearing extras*

EXCLUDING STAINLESS

[Including cold rolled strip cut to length and all floor plates lighter than 3/16" thick]

Types of shearing	Gauge[1] No. 8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	25 and 26	27	28	29	30
I. To length only:														
5' and over	$0.25	$0.30	$0.35	$0.40	$0.45	$0.50	$0.55	$0.60	$0.65	$0.70	$0.75	$0.80	$0.85	$0.90
Under 5' to 3'	.35	.40	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00
Under 3' to 2'	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10
Under 2' to 1'	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20
II. To width only														
6" and over	.25	.30	.35	.40	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90
5 15/16" to over 4"	.30	.35	.40	.45	.50	.60	.70	.80	.90	1.00	1.10	1.10	1.10	1.10
4" to over 3"	.35	.40	.45	.50	.50	.60	.70	.80	.90	1.00	1.10	1.10	1.10	1.10
3" to over 2"	.45	.50	.50	.70	.75	.80	.90	1.00	1.10	1.25	1.40	1.40	1.40	1.40
2" to 1"	.70	.75	.75	.80	.90	1.00	1.15	1.25	1.50	1.50	1.75	1.75	1.75	1.75
Under 1"	.95	1.00	1.00	1.10	1.10	1.30	1.50	1.60	1.75	2.00	2.50	2.50	2.50	2.50
III To length and width														
A. To widths of 6" and over and to following lengths:														
5' and over	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10
Under 5' to 3'	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20
Under 3' to 2'	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20	1.25	1.30
Under 2' to 1'	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40
Under 1' to 6" incl	.95	1.00	1.00	1.20	1.30	1.50	1.50	1.50	1.50	2.00	2.00	2.00	2.00	2.00
B. To widths under 6" and to following lengths:														
3' and over	3 times the width only charge, as shown above.													
Under 3' to 1'	3½ times the width only charge, as shown above.													
Under 1'	4 times the width only charge, as shown above.													

[1] For all 3/16" and #7 gauge material wider than 6" use plate shearing extras. (Table H–1).

TABLE H–3.—*Shearing hot rolled carbon bars (under 0.60 mean of carbon)*

HOT ROLLED STRIP AND ANGLES

Rounds, squares, hexagons, 2" cross section and under.
Flats, 1½" x 1" and smaller.
Angles, 2½" x 2½" x ½" and smaller—all lengths.
Angles, 3" to 6" leg, inclusive, under 5'0" long.
Total cuts of one length, cross section, finish and analysis determines the charge per cut.
Minimum charge—35¢ per item of one length, cross section, finish and analysis.

Pounds per lineal foot	Lengths: Over 8'0" any number cuts	4'0" to 8'0" incl. Under 50 cuts	4'0" to 8'0" incl. 50 cuts and over	1'0" to under 4'0" Under 50 cuts	1'0" to under 4'0" 50 cuts and over	Under 1'0" Under 50 cuts	Under 1'0" 50 cuts and over
Under 1.0 lb	$0.03	$0.03	$0.02	$0.03	$0.02	$0.01	$0.01
1.0 to 2.5	.04	.03	.02	.03	.02	.02	.01
2.5 to 4.5	.06	.05	.04	.03	.02	.02	.01
4.5 to 7.5	.07	.06	.04	.04	.03	.03	.02
7.5 to 11.0	.09	.08	.05	.04	.03	.03	.02
11.0 to 15.0	.11	.09	.06	.05	.04	.04	.03
15.0 to 20.0	.13	.11	.08	.07	.05	.04	.03
20.0 and over							

Rounds, squares, hexagons over 2"; flats over 1½" thick; bar channels; bar tees; bar zees; use Table H–5.
Angles over 6" either leg, use Table H–8.
Hot rolled bars 0.60 mean of carbon and over use Schedule H–6.

TABLE H–4.—*Shearing legs of angles*

	10'0" and less	Over 10'0" to 20'0"	Over 20'0"
Set up charge	$1.00 net	$1.00 net	$1.00 net
Per cut for each leg of each angle	.25	.50	.75

Add to above, the regular length cutting charge (Table H–3.)

Gross weight may be charged for the stock of cross-section of the cut length angle.

The leg-shearing operation is done before cutting to length. Thus 2 angles 5'0" long would be subject to one $0.25 leg shearing extra since this operation is performed on a 10'0" angle.

TABLE H–5.—*Cold finished and hot rolled carbon bar*

HACK SAW CUTTING CHARGES

All qualities under 0.60 Carbon. Also bar shapes and Hot Rolled Strip.
Charges per cut to any one length 0'1" and over, of one cross-section, analysis and finish.
Lengths under 0'1"—use next higher weight bracket cutting charge.
[1]Minimum charge applies where total cutting charge for one length, cross-section, analysis and finish is less than the minimum charge.

Pounds per lineal foot	Minimum net charge	Over 8'0" long: Any quantity of cuts	8'0" long and under: Less than 10 cuts	8'0" long and under: 10 to 100 cuts or 1,000 lbs. of one cross-section, length, analysis and finish	8'0" long and under: 100 cuts and over
Under 1.0 lbs	$0.35	$0.03	$0.03	$0.03	$0.02
1.0 to 2.5	.35	.04	.04	.03	.02
2.5 to 4.5	.35	.05	.05	.05	.04
4.5 to 7.5	.35	.06	.06	.06	.05
7.5 to 11.0	.35	.08	.08	.08	.06
11.0 to 15.0	.35	.11	11	.09	.08
15.0 to 20.0	.40	.14	14	.11	.11
20.0 to 27.0	.45	.17	.17	.14	.13
27.0 to 32.0	.50	.21	.21	.17	.16
32.0 to 41.0	.60	.26	.26	.21	.20
41.0 to 52.0	.65	.33	.33	.26	.25
52.0 to 71.0	.75	41	41	.33	.31
71.0 to 87.0	.90	.53	.53	.42	40
87.0 to 116.0	1.05	.67	.67	.54	.50
116.0 to 139.0	1.25	.82	.82	.66	.62
139.0 to 180.0	1.50	1.00	1.00	.80	.75
180.0 to 203.0	1.70	1.20	1.20	.96	.90
203.0 to 245.0	1.90	1.40	1.40	1.12	1.05
245.0 & Over	2.20	1.70	1.70	1.36	1.28

TABLE H–6.—*Hack saw cutting carbon steel bars .60 mean of carbon and over and hot rolled and cold finished alloy bars*

Hack Sawing charges per cut to any length 0'1" and over, of one cross-section, analysis and finish.
Lengths under 0'1"—use next higher weight bracket cutting charge.
Minimum charge applies where total cutting charge for one length, cross-section, analysis and finish is less than the minimum charge.

Pounds per lineal foot	Minimum net charge	Over 8'0" long: Any quantity of cuts	8'0" long and under: Less than 10 cuts	8'0" long and under: 10 to 100 cuts or 1,000 lbs. of one cross-section, length, analysis and finish	8'0" long and under: 100 cuts and over
Under 1.0 lb	$0.35	$0.04	$0.04	$0.04	$0.03
1.0 to 2.5	.35	.05	.05	.05	.04
2.5 to 4.5	.35	.08	.08	.08	.06
4.5 to 7.5	.35	.09	.09	.09	.07
7.5 to 11.0	.39	.12	.12	.12	.09
11.0 to 15.0	.41	.17	.17	.17	.13
15.0 to 20.0	.47	.21	.21	.17	.16
20.0 to 27.0	.54	.26	.26	.21	.20
27.0 to 32.0	.61	.32	.32	.26	.24
32.0 to 43.0	.73	.39	.39	.31	.29
43.0 to 52.0	.82	.50	.50	.40	.38
52.0 to 71.0	.96	.62	.62	.50	.47
71.0 to 87.0	1.17	.80	.80	.64	.60
87.0 to 116.0	1.39	1.01	1.01	.81	.76
116.0 to 139.0	1.66	1.23	1.23	.98	.92
139.0 to 180.0	2.00	1.50	1.50	1.20	1.13
180.0 to 203.0	2.30	1.80	1.80	1.44	1.35
203.0 to 245.0	2.60	2.10	2.10	1.68	1.58
245.0 and over	3.05	2.55	2.55	2.04	1.91

TABLE H–7.—*Flame cutting plates*

EXTRAS PER LINEAL FOOT

[Minimum flame cutting charge—50¢ net per item]

Thickness, inches	Under 5 ft.	5 ft. and over
3/16	$0.09	$0.07
1/4	.10	.08
5/16	.11	.09
3/8	.11	.09
7/16	.13	.10
1/2	.14	.11
5/8	.16	.12
3/4	.17	.13
7/8	.19	.15
1	.20	.16
1 1/8	.23	.18
1 1/4	.25	.20
1 3/8	.27	.21
1 1/2	.29	.24
1 5/8	.32	.25
1 3/4	.34	.27
2	.38	.30
2 1/4	.43	.34
2 1/2	.46	.37
2 3/4	.52	.41
3	.57	.45
3 1/4	.61	.49
3 1/2	.67	.53
3 3/4	.71	.57
4	.76	.61
4 1/2	.86	.69
5	.96	.77
5 1/2	1.08	.86
6	1.20	.95
6 1/2	1.34	1.07
7	1.50	1.20
8	1.83	1.46
10	2.51	2.01

Charges are based on lineal feet for each piece. Fractions of an inch, charged at next full inch.

RECTANGULAR PLATES

Over 1" thick a charge may be made for Flame Cutting one side and one end at above extras unless Flame Cutting all edges is specified when a charge may be made for two sides and two ends. 1" thick and under a charge may be made for Flame Cutting of 4 edges.

CIRCULAR PLATES

Flame Cutting charge based on circumference of circle.

RINGS

Flame Cutting charge based on total footage of inside and outside circumferences.

SKETCHES WITH STRAIGHT SIDES AND NO RE-ENTRANT CUTS

Flame Cutting charge based on total footage in perimeter of sketch.

TABLE H–8.—*Friction saw cutting structural shapes*

Beams, channels, tees, zees 3" and over, angles over 6" either leg, and universal mill plates over 1" thick, in stock width up to 14" inclusive.

Angles 6" leg and under—use shearing schedule. (Table H–3)

Lengths 5'0" and over, no charge for cutting.

Minimum charge 35¢ per item of one length and one cross-section.

TABLE H-8.—*Friction saw cutting structural shapes*—Continued

Pounds per lineal foot:	*Under 5'0" long—per cut*
Under 10 lbs	$0.07
10.0 to under 17.5	.10
17.5 to under 30.0	.15
30.0 to under 45.0	.20
45.0 to under 65.0	.25
65.0 to under 90.0	.30
90.0 and over	.35

TABLE H-9.—*Stainless steel sheets*

A. RECTANGULAR SHAPES

1. If width* of piece ordered is less than ¼ of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price.

2. If width* of piece ordered is ¼ but less than ½ of the width of any stock size sheet in same type, gauge and finish add fifteen percent (15%) of the stock size price.

3. If width* of piece ordered is ½ or more of the width of any stock size sheet in same type, gauge and finish add twenty percent (20%) of the stock size price.

4. If the cut size or sizes ordered are cut without waste from any stock size, none of the above percentage extras (10%, 15%, 20%) may be added, but the following shearing charges may be made for the number of cuts actually made in filling the order. Figure one first cut for each thickness ordered. In no case shall the shearing charge exceed the value of the cut pieces figured at 12¢ per pound.

Gauge No.	Charge for— First cut	Additional cuts
No. 10	$0.60	$0.20
11	.60	.20
12	.60	.20
14	.60	.20
16	.50	.15
18	.50	.15
20	.50	.15
22	.40	.10
24	.35	.10
26	.35	.10

*The smallest dimension shall be considered the width regardless of surface finish or grain structure. If a charge is made in accordance with (1), (2), or (3) the net weight of the cut material ordered shall be the weight used in invoicing.

B. STAINLESS SHEET CIRCLES

When rough cut to size 5" dia. and larger on straight blade shear, price as a square and charge for weight of square ½" larger than diameter of circle, and then add the following extra for shearing to circle:

8¢ (eight cents) per inch diameter.
Minimum charge $1.00 net per thickness.
(Example: 1 circle ⌀24 x 20"
Dia., Charge is ..... $1.60 net
4 circles ⌀10 x 22½" Dia., Charge is ..... 1.80 each or 7.20 net)

TABLE H-10.—*Stainless steel bars*

Under ½"	$46.00
½" to under 1"	34.00
1" to under 1½"	18.00
1½" to under 2"	12.00
2" to under 3"	9.00
3" to under 4"	6.00
4" to under 5"	4.00
5" to under 6"	3.50
6" to under 8"	3.00
8" to under 10"	2.50
10" to under 36"	2.00
36" to under 48"	2.50
48" to under 60"	3.00
60" to under 72"	3.50
72" to under 84"	4.00
84" to under 96"	4.50
96" to under 180"	5.00
180" to under 240"	5.00
240" to under 312"	7.00

All cut bars shall be billed on the net weight of cut material ordered.

TABLE H-11.—*Stainless steel plates*

A. RECTANGULAR SHAPES

Combine to determine quantity bracket in cutting table below all material of the same type, thickness, width and length.

500 lbs. and over	$1.00
200–499 lbs.	2.00
100–199 lbs.	3.00
Under 100 lbs.	6.00

All cut plates shall be billed on the net weight of cut material ordered.

B. STAINLESS PLATE CIRCLES

When rough cut to size 8" diameter and larger on straight blade shear, price as a square and charge for weight of a square ½" larger than diameter of circle, and THEN ADD the following extra for shearing to circle:

10¢ (ten cents) per inch of diameter
Minimum charge $1.00 net per thickness
Examples: 1 circle ¼" x 20"
Diameter charge is ..... $2.00 net
4 circle ½" x 22½" diameter charge is ..... 2.25 each or 9.00 net

TABLE H-12.—*Stainless steel angles*

Under 12"	$0.50
12" to under 36"	1.00
36" to under 60"	1.50
60" to under 120"	1.50
120" and over	2.00

All angles cut to length shall be billed on the net weight of cut material ordered.

MISCELLANEOUS EXTRAS

[Rate per 100 pounds]

Except as specifically noted in the extra tables themselves, the following charges may be made only when the service, operation or labor described as an extra is actually performed on the material sold:

TABLE K-1.—*Galvanizing extras*

A. GENERAL CONDITIONS

The prices are list prices subject to differentials and cover new material only.

All prices herein are based on galvanized weight.

Differentials apply to the total weight of all galvanized materials (except galvanized sheets, produced at mills) ordered in one day for shipment at one time or at the sellers convenience to one destination.

For intermediate sizes use next higher list.

B. DIFFERENTIALS

For any material from which paint or grease has to be burned off not more than 50% may be added to galvanizing charge.

The following length differentials apply to angles, tees, channels, flat bars, flat strips, half-ovals, rounds, squares, half rounds and may be added to net galvanizing extra.

Under 10'0"	Add	$0.15
Under 6'0"	Add	.25
Under 2'0"	Add	.50
Over 22'0"	Add	.10
Over 30'0"	Add	.20
Over 45'0"	Add	.40
Over 50'0"	Add	.90

Minimum charge of $1.00 will be made for galvanizing a single item and/or order if weight of order at net price does not amount to $1.00.

The following differentials apply on all galvanizing extras listed below:

	Percent	
Under 500 lb	Plus	25
500 to 1,999 lb	Plus	10
2,000 to 5,999 lb	Less	5
6,000 to 9,999 lb	Less	15
10,000 to 35,999 lb	Less	20
36,000 and over	Less	25

C. LIST PRICES

½" ANGLES & TEES ½"

[Bar sizes]

Length 10'0" to 22'0"

Size:	
½" x ½"	$3.40
⅝" x ⅝"	4.20
¾" x ¾"	3.70
1" x ⅜"	3.70
⅞" x ⅛"	3.70
1" x 1"	3.20
1⅛" x ⅛"	3.20
1¼" x 1¼"	2.70
1½" x 1½"	2.60
1¾" x 1¾"	2.60
2" x 2"	2.50
2¼" x 2¼"	2.50
2½" x 2½" and larger	2.20
½" x ¼"	5.70
⅝" x 5/16"	4.70
¾" x 5/16"	4.70
¾" x ⅜"	4.70
⅞" x ⅜"	4.70
⅞" x 7/16"	4.70
1" x ⅜"	4.40
1" x ½"	3.70
1¼" x ½"	3.40
1½" x ½"	3.40
1½" x ¾"	3.40
2" x ½"	3.40
2" x 1"	2.40

5/16" ANGLES & TEES 5/16"

Size:	[Bar sizes]
¾" x ¾"	$3.20
1" x 1"	2.70
1¼" x 1¼"	2.60
1½" x 1½"	2.50
1¾" x 1¾" and larger	2.20
1⅛" x ⅝"	3.10
1¼" x ½"	3.10
1½" x ½"	3.10
1½" x ⅝"	3.10
1¾" x ½"	3.10
1½" x 1½"	2.70
2" x ⅝"	3.00
2" x ⅜"	2.70
2" x 1"	2.70
2½" x ⅝"	2.70

¾" ANGLES & TEES ¾"

Size:	[Bar sizes]
1" x 1"	$2.60
1¼" x 1¼"	2.40
1½" x 1½" and larger	2.20
All sizes 5/16" angles and tees	2.20

¾" CHANNELS ¾"

Size	[Bar sizes]
1½" x 5/16"	$2.50
2" x ⅜"	2.50

STRUCTURAL SECTIONS

3" Beams and larger.
3" H columns and larger.
3" channels and larger
3" x 2½" angles and larger.
3" x 2½" x 5/16" tees and larger.
3" x 3" x ¼" angles and larger.
All cut lengths (not fabricated) up to 22'0" long, $2.20.
Over 22'0"—See lengths extras under "Differentials".

ROUNDS AND SQUARES

Length 10' to 22'

	List
1/4"	$9.00
5/16"	7.20
3/8"	4.50
7/16"	4.00
½"	3.00
9/16"	3.00
⅝"	2.80
¾" and larger	2.20

ROUNDS—HALF

Lengths 10' to 22'

3/8"	$4.00
7/16"	3.20
½"	3.00
5/8"	2.80
¾"	2.20
1"	2.40
1¼" and larger	2.20

TABLE K-1.—*Galvanizing extras*—Continued

FLAT ROLLED STEEL BARS

Width in inches	Lengths 10'0" to 22'0" Thickness in inches ¼"	5/16"	⅜"	7/16"	½" and heavier
⅜	$6.20	6.20			
½	4.70	4.70	4.30	4.30	
⅝	4.40	4.40	3.90	3.90	3.10
¾	3.70	3.70	3.40	3.40	2.60
⅞	3.50	3.50	3.20	3.20	2.40
1	3.40	3.40	3.00	3.00	2.20
1¼	3.20	3.20	2.80	2.80	2.20
1½	3.00	3.00	2.60	2.60	2.20
1¾	2.80	2.80	2.20	2.20	2.20
2	2.80	2.80	2.20	2.20	2.20
2¼	2.80	2.80	2.20	2.20	2.20
2½	2.70	2.70	2.20	2.20	2.20
2¾	2.70	2.70	2.20	2.20	2.20
3	2.70	2.70	2.20	2.20	2.20
3½	2.70	2.70	2.20	2.20	2.20
4	2.70	2.70	2.20	2.20	2.20
4½	2.70	2.70	2.20	2.20	2.20
5	2.70	2.70	2.20	2.20	2.20
5½	2.70	2.70	2.20	2.20	2.20
6	2.70	2.70	2.20	2.20	2.20

OVALS—HALF

Lengths 10' to 22'

¾" x 3/16"	$6.50
¾" x ¼"	4.30
⅝" x 3/32"	4.30
⅞" x ⅛"	4.30
1" x ¼"	4.30
1⅛" x ¼"	3.40
1¼" x 3/16"	2.60
1½" x 5/16"	2.40
1½" x ⅜" and larger	2.20

TABLE K-1.—*Galvanizing extras*—Continued

HOOP STEEL

[In coils]

The following list prices apply when hoop steel is galvanized by the hand method.

Ga. BWG.	1½" to 2"	1¼"	1"	¾"	⅝"	½"
16	$11.80	$12.40	$13.00	$13.80	$14.40	$17.00
18	13.50	13.80	14.30	15.60	16.40	20.00
20	17.40	18.20	18.80	21.40	21.50	26.60
22	20.80	21.80	21.80	24.80	26.40	32.20

SHEETS AND PLATES NOT GALVANIZED AT PRODUCING MILL

	Thickness	
50" and under in width, 22'0" and shorter in length.	No. 16 gauge	$6.20
	No. 15 gauge	6.00
Plates 6½" and wider, ¼" thick and heavier.	No. 14 gauge	5.50
	No. 13 gauge	4.80
Plates 24" and wider, 5/16" thick and heavier.	No. 12 gauge	4.20
	⅜" to No. 8 gauge	4.00
Sheets 24" and wider Lighter than 5/16" thick.	5/16" to No. 4 gauge	3.70
	¼" & heavier	3.00

The following length differentials sho uld be added to net prices:
Over 50" wide, add $0.50 cwt.
Over 22' long, add $0.50 cwt.

FLAT ROLLED STRIP STEEL

[Lengths 10' to 22' or scroll bundles 10' to 22']

Width in inches	Thickness 5/16"	#10 and ⅜"	No. 12	No. 14	No. 16	No. 18
⅜	$7.00	$8.60	$11.50			
½	5.20	6.20	8.00	$11.80	$14.40	$18.40
⅝	4.70	5.70	7.30	9.70	11.80	15.80
¾	4.20	5.20	6.60	9.30	11.20	15.20
⅞	4.10	5.00	6.30	9.30	11.20	15.20
1	4.00	4.60	5.70	8.60	10.40	14.40
1¼	3.80	4.40	5.40	8.10	9.80	13.80
1½	3.60	4.20	5.10	8.00	9.20	13.20
1¾	3.50	4.00	4.80	8.00	9.20	13.20
2	3.50	4.00	4.80	8.00	9.20	13.20
2¼	3.50	4.00	4.80	7.80	9.00	13.00
2½	3.40	3.80	4.70	7.70	8.90	12.90
2¾	3.40	3.70	4.60	7.60	8.80	12.80
3	3.40	3.70	4.50	7.50	8.70	12.70
3½	3.30	3.60	4.40	7.40	8.60	12.60
4	3.30	3.60	4.30	7.30	8.50	12.50
4½	3.30	3.60	4.20	7.20	8.40	12.40
5	3.20	3.50	4.10	7.10	8.30	12.30
5½	3.20	3.50	4.00	7.00	8.20	12.20
6	3.20	3.50	3.90	6.90	8.00	12.10
7	3.30	3.60	3.80	6.80	7.90	12.00
8	3.30	3.60	3.80	6.70	7.80	11.90
9	3.30	3.60	3.80	6.60	7.70	11.80
10	3.40	3.70	3.90	6.50	7.60	11.70
11	3.40	3.70	3.90	6.40	7.50	11.60
12	3.40	3.70	3.90	6.30	7.40	11.50
13	3.50	3.80	4.00	6.20	7.30	11.30
14	3.50	3.80	4.00	6.10	7.10	11.10
15	3.50	3.80	4.00	6.00	6.90	10.90
16	3.60	3.90	4.10	5.90	6.70	10.70
18	3.60	3.90	4.10	5.80	6.60	10.60
20	3.60	3.90	4.10	5.70	6.50	10.50
22	3.70	4.00	4.20	5.60	6.40	10.40
23 3/16	3.70	4.00	4.20	5.50	6.30	10.30

TABLE K-2.—*Pickling extras*

Zone Four price component index

TABLE K-2.—*Pickling extras*

A. PLATES (EXCEPT FLOOR PLATES)

For pickling plates (including oiling or liming)	$0.25
For pickling plates (not including oiling or liming)	.15
For oiling plates	.10

B. HOT ROLLED BARS

Pickling	$0.15
Oiling	.10
Pickling and liming	.25
Pickling and oiling	.25

C. HOT ROLLED STRIP (HOOP AND BOND SIZES)

B. W. G. No.	Heavier than 6	6, 7 & 8	9	10	11	12	13	14	15
Decimal equivalent in inches	.2499 to .2031	.203 to .162	.161 to .146	.145 to .132	.131 to .118	.117 to .105	.104 to .090	.089 to .076	.075 to .068
Width in inches:									
Under 1½		$0.55	$0.55	$0.55	$0.55	$0.55	$0.70	$0.70	$0.70
1½ to 5		.40	.40	.40	.40	.40	.55	.55	.55
5 1/16 to 6		.25	.25	.25	.25	.25	.35	.35	.35
6 1/16 to 12	$0.25	.25	.25	.25	.25	.25	.35	.35	.35

B. W. G. No.	16	17	18	19	20	21	22	23
Decimal equivalent in inches	.067 to .061	.060 to .054	.053 to .047	.046 to .041	.040 to .035	.034 to .032	.031 to .028	.027 to .025
Width in inches:								
Under 1½	$0.70	$0.90	$0.90	$0.90	$0.90	$1.25	$1.25	$1.25
1½ to 5	.55	.70	.70	.70	.70	1.05	1.05	1.05
5 1/16 to 12	.35	.45	.45	.45	.45			

TABLE K-3.—*Extras for boxing and burlapping cold finished bars*

The following extras are to be charged only if material is actually boxed or wrapped. When turned ground and polished, and ground and polished bars are shipped in an open box (as is commonly done for metropolitan deliveries), the boxing charge may be made.

	Rate per 100 lbs.	Minimum (net)
Boxing (domestic shipment) 24 feet long or less	$0.50	$0.75
Boxing (domestic shipment) over 24 feet long	1.00	1.25
Burlapping (full length)	.25	.25

TABLE K-4.—*Tolerance extra for cold finished bars*

When commercial finished bars are selected to closer than standard tolerances at the request of the buyer, the standard mill extra may be charged.

TABLE K-5.—*Extras for crating sheets—except stainless (domestic shipments)*

The following extras are to be charged only when material is actually crated. No charge may be used for open crates used to protect sheets for metropolitan deliveries.

	Rate per 100 lbs.	Minimum (net)
Skeleton crating	$0.40	$2.00
Full box crating	.95	4.75

TABLE K-6.—*Corrugating hot rolled sheets*

[Not to be used for coated sheets]

	Rate per 100 pounds
16 gauge and lighter, 42 inches wide and narrower, 144 inches long or shorter, with standard 2½" or 1¼" corrugations	$0.25

TABLE K-7.—*Extras for boxing and crating stainless steel*

	Rate per 100 lbs.	Minimum (net)
Crating of sheets*	$1.00	$2.00
Boxing of bars	.50	1.00
Wrapping or single boarding of bars	.25	.25

*This crating extra applies to all finishes of stainless sheets for both city and country shipments.

(4) *Zone Four*—(i) *Area covered.* Zone Four shall consist of:

The Entire District of Columbia.

The Eastern Section of Virginia, including the following counties:

Arlington	King William
Fairfax	New Kent
Prince William	James City
Stafford	Charles City
King George	Prince George
Westmoreland	Surry
Caroline	Warwick
Northumberland	Isle of Wight
Richmond	York
Lancaster	Mathews
Essex	Elizabeth City
Middlesex	Nansemond
King & Queen	Norfolk
Gloucester	Princess Anne

(ii) *Tables to be used.* The following tables are to be used in computing the maximum prices set forth in paragraph (a) above for Zone Four.

Zone Four price component index

Product	A Basing points	B Price at basing point	C Freight	D Spread	E Quantity	F Quality and merchandising	G Size	H Cutting	K Miscellaneous
Structural shapes	Buff., Beth., Pgh.	B-1	C-1	$1.50	E-1	None	G-1	H3-3-4	K-1
Stair stringer channels	Pgh.	B-2	C-1	1.55	E-1	None	None	H-8	K-1
Junior beams	Pgh.	B-2	C-1	1.70	E-1	None	None	H-8	K-1
Plates	Clay., Pgh., Sp. Pt., Coates.	B-1	C-1	1.50	E-1	F-1	G-2	H-1-7-8	K1-2
Floor plates	Pgh.	B-1	C-1	1.60	E-1	None	G-3	H-1-2-7	K-1
Black iron plates (such as Armco iron, etc.)	Clay., Sp. Pt., Pgh., Coates., Cleve.	B-3	C-1	1.50	E-1	None	G-2	H-1-7	None
Abrasion resisting plates	Clay., Sp. Pt., Pgh., Coatesville.	B-1	C-1	2.25	E-1	None	G-2	H-1-7	None
Hot rolled carbon bars (incl. bar shapes)	Buff., Pgh.	B-1	C-1	1.40	E-1	F-2	G-4	H3-5-6	K1-2
Cold finished carbon bars	Buff., Pgh.	B-1	C-1	1.00	E-2	F-3	G-5	H-5	K3-4
Reinforcing bars — straight lengths	Buff., Pgh., Sp. Pt.	B-1	C-1	1.25	E-1	None	G-6	None	None
Hot rolled strip	Pgh.	B-1	C-1	1.55	E-1	F-4	C-7	H3-1-5	K1-2
Cold rolled strip	Pgh.	B-1	C-1	1.75	E-3	None	G-8	H-2	None
Cold rolled round edge flat wire	Pgh.	B-1	C-1	2.80	E-3	None	G-8	H-2	None
Hot rolled sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	1.50	E-1	F-5	G-9	H-2	K5-6
Cold rolled sheets	Buff., Pgh., Sp. Pt.	B-4	C-1	1.40	E-4	F-6	G-10	H-2	K-5
Hr pickled and oiled sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	1.35	E-4	None	G-9	H-2	K-5
Galvanized steel sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	1.60	E-5	F-7	G-11	H-2	K-5
Galvanized iron sheets (such as Armco iron, Toncan iron, etc.)	Buff., Pgh., Sp. Pt.	B-3	C-1	1.35	E-5	None	G-11	H-2	K-5
Galvanneal sheet	Pgh.	B-1	C-1	1.54	E-5	F-7	G-11	H-2	K-5
Long terne sheets	Pgh.	B-1	C-1	1.70	E-5	None	G-11	H-2	K-5
Black iron sheets (such as Armco iron, etc.)	Buff., Pgh., Sp. Pt.	B-3	C-1	1.50	E-1	None	G-9	H-2	K-5
Abrasion resisting sheets	Buff., Pgh., Sp. Pt.	B-1	C-1	2.50	E-1	None	G-9	H-2	None
Enameling sheets	Pgh.	B-5	C-1	1.74	None	None	G-12	H-2	K-5
Electrical sheets #29 core loss	Pgh.	B-1	C-1	2.24	E-6	None	G-13	H-2	K-5
Hot rolled alloy bars	Pitts., Buff., Beth.	B-6	C-1	D-1	E-7	F-8	G-14	H-6	None
Cold finished alloy bars	Pitts., Pgh., Buff.	B-6	C-1	D-1	E-7	F-8	G-15	H-6	K3-4
Stainless steel sheets	Pitts.	B-7	C-1	5.00	E-8	None	G-16	H-9	K-7
Stainless steel bars	Pitts.	B-7	C-1	5.00	E-8	F-9	G-17	H-10	K-7
Stainless steel plates	Pitts.	B-7	C-1	5.00	E-8	None	G-18	H-11	None
Stainless steel angles	Pitts.	B-7	C-1	5.00	E-8	F-9	G-19	H-12	None

PRICE AT BASING POINT

[Rate per 100 pounds]

The price at basing point shall be:

TABLE B-1.—*All products except stair stringer channels, junior beams, black iron plates, cold rolled sheets, galvanized iron sheets, black iron sheets, enamelling sheets, hot rolled and cold finished alloys and stainless steel*

The mill carload base price of the United States Steel Corporation and its subsidiaries for the product as established by Revised Price Schedule Number 6.

TABLE B-2.—*Stair stringer channels and junior beams*

The mill carload base price of the Jones and Laughlin Steel Company for each product as established by Revised Price Schedule Number 6.

TABLE B-3.—*Black iron plates, galvanized iron sheets, and black iron sheets*

The mill carload base price of the American Rolling Mill Company for each product as established by Revised Price Schedule Number 6. The "producers" price shall be used for galvanized iron sheets.

TABLE B-4.—*Cold rolled sheets*

The mill carload base price for cold rolled sheets of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-5. *Enamelling sheets*

The 20 gauge mill carload base price for enameling sheets of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-6.—*Hot rolled and cold finished alloys*

Mill carload base price (hot rolled or cold finished, whichever is applicable) plus mill extras (open hearth or electric furnace, whichever is applicable) of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

TABLE B-7.—*Stainless steel*

The mill carload base price for each analysis stainless steel of the United States Steel Corporation and its subsidiaries as established by Revised Price Schedule Number 6.

FREIGHT

[Rate per 100 pounds]

Freight may be added for less than carload shipments as follows:

TABLE C-1.—*All products*

The less-than carload rate of freight, in effect at the time of shipment, from the governing basing point to destination, provided that no freight may be added for a shipment to a destination located within the switching limits of a basing point for the product sold.

SPREAD

[Rate per 100 pounds]

TABLE D-1.—*Alloy bars—hot rolled and cold finished*

The spread shall be 66⅔% of the price at basing point as defined in Table B-6. Such spread shall be adjusted upward or downward to the nearest $0.05.

QUANTITY DIFFERENTIALS

[Rate per 100 pounds]

All orders of one day from one person for shipment at one time or at seller's convenience to one destination shall be combined to determine the quantity bracket in accordance with the provisions of each of the following tables:

TABLE E-1.—*Hot rolled products*

All commodities listed below must be combined to determine the quantity differentials.

Structural shapes.

Stair stringer channels.

Junior beams.

Plates, including tank, flange, firebox, high carbon, copper bearing, hot rolled armco iron and abrasion resisting.

Floor plates (all thicknesses).

Bars and bar shapes, hot rolled carbon, including carbon spring steel.

TABLE E-1.—*Hot rolled products*—Continued

Reinforcing bars.

Bars hot rolled, AISI C1112 (SAE X 1314) and AISI C1118 (SAE X 1315).

Bars hot rolled, AISI C1137 (SAE X 1335) and (SAE X 1340).

Strips, hot rolled, Band and Hoop Sizes.

Sheets, hot rolled, all gauges, including hot rolled Armco iron and abrasion resisting.

Under 100 lbs	Add $1.50
100 lbs to 399 lbs	Add 0.50
400 lbs to 1,999 lbs	Base
2,000 lbs to 9,999 lbs	Deduct .10
10,000 lbs to 39,999 lbs	Deduct .20

TABLE E-2.—*Cold finished carbon bars*

All cold finished carbon bars of one cross section, analysis and finish comprise one item and must be combined to determine the quantity extra.

1,500 lbs to 39,999 lbs	Base
1,000 lbs to 1,499 lbs	Add $0.10
500 lbs to 999 lbs	Add .50
300 lbs to 499 lbs	Add 1.25
Less than 300 lbs	Add 2.00

When the total weight of all items of cold finished carbon bars on an order is less than 300 pounds, a charge at the rate of $1.00 per 100 pounds in addition to the less than 300 pound extra may be added.

TABLE E-3.—*Cold rolled strip and flat wire*

All cold rolled strip of one width, thickness, finish, temper and edge comprise one item and must be combined to determine the quantity extra.

500 lbs and over	Base
300 lbs to 499 lbs	Add $1.00
200 lbs to 299 lbs	Add 2.00
Less than 200 lbs	Add 4.00

TABLE E-4.—*Cold rolled sheets and hot rolled pickled and oiled sheets*

All sheets of one thickness and one grade must be combined to determine the quantity differential.

Less than 100 lbs	Add $1.50
100 lbs. to 399 lbs	Add .50
400 lbs. to 1,999 lbs	Base
2,000 lbs. to 9,999 lbs	Deduct .10
10,000 lbs. to 39,999 lbs	Deduct .20

TABLE E-5.—*Coated sheets*

All quantities listed below must be combined to determine the quantity differential

Galvanized steel sheets.

Galvanized copper bearing steel sheets.

Galvanized Toncan iron sheets.

Galvanized Armco iron sheets.

Galvannealed sheets.

Paintgrip sheets.

Zinegrip sheets, steel and Armco iron.

Long terne sheets.

Under 150 lbs	Add $2.00
150 lbs. to 449 lbs	Add 1.00
450 lbs. to 1,499 lbs	Base
1,500 lbs. to 3,499 lbs	Deduct .15
3,500 lbs. to 39,999 lbs	Deduct .25

TABLE E-6.—*Electrical sheets*

All electrical sheets must be combined to determine the quantity differential.

Under 7,000 lbs	Base
7,000 lbs. to 39,999 lbs	Deduct $0.25

TABLE E-7.—*Alloy bars—Hot rolled and cold finished*

A. All alloys of one cross section, analysis and finish comprise one item and must be combined to determine the quantity extra.

1,000 lbs. to 39,999 lbs	Base
500 lbs. to 999 lbs	Add $0.50
300 lbs. to 499 lbs	Add .75
Less than 300 lbs	Add 1.25

B. When the total weight of all items of alloys on an order is less than 300 pounds, a charge at the rate of $1.75 per 100 pounds in addition to the less than 300 pound extra may be added. Hot rolled alloys and cold finished alloys need not be combined to determine total weight in applying this order extra.

TABLE E-8.—*Stainless steel*

Sheets:

Stock sizes: Combine all items of same thickness, width, length, finish and analysis.

Cut sizes: Combine all items of same thickness, finish and analysis.

Bars and angles:

Stock lengths or cut lengths: Combine all items of same cross section, finish and analysis.

Plates:

Stock or cut sizes: Combine all items of same thickness, width, length, finish and analysis.

TABLE E-8.—*Stainless steel*—Continued

500 lbs. and over	Base
300 lbs. to 499 lbs	Add $2.00
200 lbs. to 299 lbs	Add 5.00
100 lbs. to 199 lbs	Add 7.00
50 lbs. to 99 lbs	Add 10.00
Under 50 lbs	Add 12.00

TABLE F-8.—*Alloy bars—hot rolled and cold finished*—Continued

Provided, that no additional charges may be made such as, but not limited to, a charge for trucking, handling, risks, etc.

TABLE F-9.—*Stainless bars and angles*

Annealing	$2.00

EXCEPTIONS—continued

Dimensions in inches—Continued.	
4 x 4 x 3/16	$0.70
4 x 3½ x ¼	.15
4 x 3½ x 3/16	.30
4 x 3 x ¼	.15
4 x 3 x 3/16	.30
4 x 2 x 3/16	.15
4 x 2 x 5/16	.15

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

FLATS—SQUARE EDGE AND ROUND EDGE

6" or under in width, 13/64" or over in thickness.

Width in inches	Thickness in inches																								Under ¼
	6	5½	5	4½	4	3½	3	2½	2	1¾	1½	1¼	1	⅞	¾	5/8	½	7/16	3/8	5/16	¼	7/32	3/16	5/32	
Under 1																									
1 to 2																									
2 to 3																									
3 to 4																									
4 to 5																									
5 to 6																									

CHANNELS

Width in inches—thicknesses in inches and BWG gauges:	
1½ or wider, but under 3 wide, x 3/16 or heavier	$0.25
1½ or wider, but under 3 wide, x 1/8	.40
1½ x 1½ x 3/16 (Special Box Channel)	.40
1 to 1¾, x 3/16 or heavier	.40
1 to 1¾, x 1/8	.70
1 to 1¾, x 5/64	.70
¾ and 1⅞ x 3/16 or heavier	.70
¾ and 1⅞ x 1/8	.70

TABLE F-8.—*Stainless steel*—Continued

500 lbs. and over	Base
300 lbs. to 499 lbs	Add $2.00
200 lbs. to 299 lbs	Add 5.00
100 lbs. to 199 lbs	Add 7.00
50 lbs. to 99 lbs	Add 10.00
Under 50 lbs	Add 12.00

QUALITY AND MERCHANDISING EXTRAS

[Rate per 100 pounds]

The following extras may be added only when the particular quality or section is furnished. Except as specifically provided in the tables themselves, not more than one extra may be added from each table.

TABLE F-1.—*Plates*

.26 to .50 mean of carbon inclusive	$0.60
Copper bearing steel	.25
Firebox steel	.60
Flange	.25

TABLE F-2.—*Bars and bar shapes*

Bevel edge flats	$0.25
Bar zees	.25
Square root angles	.10
Squares, AISI C1117 (SAE 1020)	.15
All hexagons	.15
Half rounds, half ovals and ovals	.15
Rounds and squares, .26 to .50 mean of carbon inclusive	.20
Flats, .26 to .50 mean of carbon inclusive	.60
All AISI C1112 or C1117 (SAE X1314) and AISI C1118 (SAE X1315)	.65
All AISI C1137 (SAE X1335 or SAE X1340)	1.15
AISI C1120 (SAE 1115)	.15
AISI C1095 (SAE 1095) Rounds, squares	1.24
AISI C1095 (SAE 1095) Flats ¾" and thicker	1.34

TABLE F-3.—*Cold finished bars*

AISI—SAE			AISI—SAE		
B1112	1112	$0.10	C1033	1035	$0.10
B1113	X1112	.175	C1038	1040	.10
C1115	1120	.10	C1045	1045	.10
C1112	X1314	.20	C1042	1045	.10
C1137	X1335	.35			

TABLE F-4.—*Hot rolled strip*

Hoop #14 gauge and lighter	$0.35
AISI C1095 (SAE 1095) ⅛" thick	2.00
AISI C1095 (SAE 1095) ⅛" thick	1.25

TABLE F-5.—*Hot rolled sheets*

Copper bearing steel sheets	$0.25
Stretcher leveled and resquared	.55

TABLE F-6.—*Cold rolled sheets*

Stretcher leveled and resquared	$0.55

TABLE F-7.—*Galvanized and galvannealed sheets*

Galvanized steel copper bearing sheets	$0.25
Paintgrip steel sheets	.50
Zincgrip steel sheets	.15
Stretcher leveled galvannealed sheets	.40

TABLE F-8.—*Alloy bars—hot rolled and cold finished*

A. For material which is carried in stock in the following condition or qualities, the following charges may be made: (more than one extra may be added, if applicable)

Annealing	$1.00
Normalizing	1.00
Heat treating (quench and draw)	2.50
Spheroidizing annealing	2.50
Stress relieving after cold working	1.25
Aircraft quality	2.50
Extensometer test	.40

B. For material which is treated at an outside plant (not by a producer as defined in Revised Price Schedule No. 6 or in the seller's own plant) a charge may be made for any of the operations listed in A above and actually performed, as follows:

1. Actual invoice cost to the seller, minus any trucking charges included on such invoice, plus

2. An added charge at the rate of thirty cents per 100 pounds

TABLE F-8.—*Alloy bars—hot rolled and cold finished*—Continued

Provided, that no additional charges may be made such as, but not limited to, a charge for trucking, handling, risks, etc.

TABLE F-9.—*Stainless bars and angles*

Annealing	$2.00
Annealing and pickling	4.00

SIZE EXTRAS

[Rate per 100 pounds]

The following size extras may be added:

1. When material is sold without cutting, the size extra shall be determined by the actual size of material sold.

2. When material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification, the size extra shall be determined by the actual size, prior, to cutting, of the material used.

TABLE G-1.—*Carbon steel structural shapes*

BEAMS

Standard beams and channels 3" to 15" inclusive (except beams 6" x 10 lb. and 7" x 12 lb.)	Base
Standard beams and channels over 15"	$0.10
Beams 6" x 10 lb. and 7" x 12 lb.	.15
Supplementary beams 3" to 15" inclusive (except 6" x 10 lb. and 7" x 12 lb.)	.05
H-beams (standard mill sections) 4" x 13.8 lb.; 5" x 18.9 lb.; 6" x 15.5 lb.; 20 lb., 22.5 lb., 25 lb., 27.5 lb.; 8" x 32.6 lb., 33 lb., 34.3 lb., 36 lb., 37.7 lb.	.10

WIDE FLANGE SECTIONS

WIDE FLANGE BEAMS, COLUMNS, H PILES

8"—17 to 21 lb.	$0.05
24 to 67 lb.	.10
10"—21 to 29 lb.	.05
33 to 136 lb.	.10
12"—23 to 96 lb.	.05
40 to 190 lb.	.10
14"—30 to 42 lb.	.05
43 to 426 lb.	.10
16"—36 to 78 lb.	.05
88 to 114 lb.	.10
18"—47 to 124 lb.	.15
21"—50 to 142 lb.	.15
24"—74 to 160 lb.	.15
27"—91 to 177 lb.	.15
30"—108 to 210 lb.	.15
33"—125 to 240 lb.	.20
36"—150 to 300 lb.	.20

LIGHT BEAMS, JOISTS AND STANCHIONS

4"—7½ and 10 lb.	$0.25
4"—13 lb.	.15
5"—8½ lb.	.20
6"—15½ and 18 lb.	.15
12 and 16 lb.	.20
8"—40 lb.	.15
13 and 15 lb.	.20
10"—11½ lb.	.15
15, 17 and 19 lb.	.20
12"—14 lb.	.15
16½, 19 and 22 lb.	

CHANNELS

Car and Shipbuilding Channels 3" to 15" incl. (except 7" x 18.8 lbs.)	Base
Car and Shipbuilding Channels over 15"	$0.10
Car and Shipbuilding Channel 7" x 18.8 lbs. (A. A. R. Side Sill)	.15
Car Channel 4" x 13.8 lbs	.10

STRUCTURAL ANGLES

3" to 6", inclusive, on one or both legs, except those listed below	Base
Over 6" on one or both legs	$0.10

EXCEPTIONS

Dimensions in inches:	
6 x 6 x 5/16	$0.10
6 x 4 x 5/16	.10
6 x 4 x ¼	.15
6 x 3½ x 5/16	.10
6 x 3½ x ¼	.15
5 x 5 x 5/16	.10
5 x 5 x ¼	.15
5 x 4 x 5/16	.10
5 x 4 x ¼	.15
5 x 4 x 13/64	.30
5 x 3½ x ¼	.15
5 x 3 x ¼	.15
4 x 4 x ¼	.15

EXCEPTIONS—continued

Dimensions in inches—Continued.	
4 x 4 x 5/16	$0.10
4 x 3½ x ¼	.15
4 x 3½ x 13/64	.30
4 x 3 x ¼	.15
4 x 3 x 5/16	.30
4 x 2 x 5/16	.15
4 x 2 x 13/64	.15
4 x 2 x ¼	.15
4 x 2 x 5/16	.30
3½ x 3½ x 5/16	.45
3½ x 3½ x 5/32	.30
3½ x 3 x 5/16	.30
3½ x 2½ x 13/64	.30
3½ x 2 x 5/16	.35
3 x 3 x 5/16	.15
3 x 3 x ¼	.75
3 x 2½ x 5/16	.75
3 x 2½ x ¼	.45
3 x 2 x 5/16	.35
3 x 2 x ¼	.45
Bulb Angles	.30

TEES

Tees—Structural sizes, 3" to 6" on one or both legs, ¾" thick and over (except elevator and for rail use)	$0.10
Tees—6" x 6" x 19.8 lb	.20
Tees—Wall Armor 4 x 7¼ x 28.2 lb	.25

ZEES

Zees 3" to 6" inclusive (structural)	Base

TABLE G-2.—*Plates (except floor plates)*

THICKNESS AND WIDTH

Thickness in inches	Under ¼ to 5/16 incl	⅜ to ½ incl	Over 4
Width in inches:			
48 and under	(Sheets)	Base	$0.40
Over 48 to 72 incl	$0.20	Base	.40
Over 72 to 84 incl	.70	Base	.40
Over 84 to 96 incl	.80	Base	.40
Over 96 to 100 incl	.90	Base	.40
Over 100 to 110 incl	1.00	$0.10	.65
Over 110 to 115 incl	1.05	.20	.70
Over 115 to 120 incl	1.10	.25	.75
Over 120 to 125 incl		.30	.85
Over 125 to 130 incl		.40	.90
Over 130 to 140 incl		.50	1.00
Over 140 to 155 incl		1.00	1.05
Over 155 to 170 incl		1.20	1.25
Over 170 to 185 incl		1.50	1.60
Over 185 to 195 incl		2.00	2.10

TABLE G-3.—*Floor plates*

3/16 standard pattern	$0.20
¼ standard pattern	.50
⅛ small pattern	1.00
12 gauge, small pattern	1.00
14 gauge, small pattern	3.00
16 gauge, small pattern	1.00

TABLE G-4.—*Hot rolled carbon steel bars*

[Including Bar Shapes]

Intermediate sizes: In all cases, the higher extra may be charged for any size falling between two published size extras.

[Rate per 100 pounds]

ROUNDS, SQUARES, TWISTED SQUARES

Dimensions in inches:	
¼	$0.90
9/32	.85
5/16	.70
11/32	.65
13/64 and ⅜	.60
27/64 and 7/16	.55
31/64 and ½	.45
9/16	.40
33/64 to 13/16	Base
47/64 to 1½	.10
1 9/16 to 2 1/16	.15
2⅛ to 2½	.20
2 9/16 to 3 1/16	.25
3⅛ to 4 5/16	.35
4⅜ to 5 1/16	.45
5⅛ to 6 1/16	.65
6⅛ to 6 15/16	.75
6⅞ to 7 1/16	.85
7 9/16 to 7¾	1.10
7 13/16 to 8	1.40

TABLE G-4.—*Hot rolled carbon steel bars*—Continued

FLATS—SQUARE EDGE AND ROUND EDGE

6" or under in width, 13/64" or over in thickness.

Width in inches	Thickness in inches: 4 to 3 5/16	3 to 2 5/16	2 to 1 5/16	1 to 13/16	¾ to ½	7/16 to ⅜	5/16 to ¼	Under ¼ 13/64 inc.
⅛							$1.40	$1.40
3/16						$1.00	1.20	1.20
¼						.70	.90	1.00
½					$0.50	.50	.75	.80
⅝					.40	.40	.60	.65
¾ to 1					.30	.30	.40	.50
1⅛ to 2				$0.20	.20	.20	.30	.40
2⅛ to 3			$0.10	Base	Base	Base	.15	.30
3⅛ to 4			.10	Base	Base	Base	.15	.25
4⅛ to 5		$0.20	.10	Base	Base	Base	.15	.20
5⅛ to 6		.25	.10	Base	Base	Base	.15	.15
6⅛ to 8	$0.30	.25	.15	Base	Base	Base	.15	.15
8⅛ to 10	.35	.25	.20	Base	Base	Base	.15	.15
10⅛ to 12	.35	.25	.20	Base	Base	Base	.15	.15
12⅛ to 15	.40	.30	.20	Base	Base	Base	.15	.15

For bevel edge sections add $0.10.

HEXAGONS

Dimensions in inches:	
¼	$1.50
5/16	1.20
⅜	.90
7/16	.60
½ to 9/16	.35
⅝ to 1	.20
1⅛ to 1½	.25
1⅝ to 2	.35
2⅛ to 2½	

OCTAGONS

Dimensions in inches:	
¼	$1.50
5/16	1.20
⅜	1.00
7/16	.80
½ to ⅝	.60
¾ to ⅞	.40
1 to 3	.25

OVALS

Dimensions in inches:	
¾ x ⅜ or heavier	$0.30
¾ x ⅜ to 5/16	.70
¾ x 7/16	.80
¾ x ½ or heavier	.70
¾ x ½ to ¼	1.00
1 x ½ to 7/32	1.00
1 x ½ or heavier	1.00
1 x ½ to 5/16	1.00
1½ x ½ or heavier	2.00
1½ x ½ to 7/32	2.40

HALF OVALS

Width in inches; thicknesses in inches and BWG gauge:	
1¼ x ¼ or heavier	$0.40
1¼ x 5/16 to 7, 8, 9 and 5/16	.90
1¼ x 5/16 to 10, 11, 12 and 13	.70
1¼ x ⅜ or heavier	.70
1¼ x ⅜ to Nos. 10, 11, 12 and 13	.90
1¼ x ⅜ to Nos. 13, 14 and 15	1.20
1½ x ⅜ or heavier	.90
1½ x ⅜ to Nos. 10, 11, 12 and 13	1.20
1½ x ⅜ to Nos. 13, 14 and 15	1.40
1½ x ½ or heavier	1.20
1½ x ½ to Nos. 13, 14, and 15	1.60
2 x ½ or heavier	2.00
2 x ½ to Nos. 14 and 15	2.40

HALF ROUNDS—SOLID

Dimensions in inches:	
Over 1 to 3, incl	$0.50
⅞ and 1	.65
¾	.75
⅝ and 13/16	1.00
½ and 9/16	1.25
⅜ and 5/16	1.75
5/16	2.00

EQUAL LEG ANGLES

Dimensions in inches:	
1½ x 1½ or wider, but under 3 wide, x 5/16 or heavier	$0.15
1½ x 1½ or wider, but under 3 wide, x ⅛	.25
1½ x 1½ x 7/64	.35
1½ x 1½ x 9/32	.45
1 x 1 to 1¼ x 1¼ x 3/16 or heavier	.25
1 x 1 to 1¼ x 1¼ x 7/64	.40
1 x 1 to 1¼ x 1¼ x 9/32	.50
1 x 1 to 1¼ x 1¼ x ⅛	.30
⅞ x ⅞ x 5/16	.40
⅞ x ⅞ x 9/32	.50
⅞ x ⅞ x ⅛	.60
¾ x ¾ x 7/64	.45
¾ x ¾ x ⅛	.75
¾ x ¾ x 9/32	.90
⅝ x ⅝ x ⅛	1.00
⅝ x ⅝ x 9/32	2.00
½ x ½ x ⅛	2.20
½ x ½ x less than ⅛	2.50

UNEQUAL LEG ANGLES

Dimensions in inches:	
2½ x 2 x ⅛ to 3/16, incl	$0.15
2½ x 2½ x 5/16	.25
2½ x 1¾ x 5/16 to 3/16, incl	.20
2½ x 1½ x ½ to 3/16, incl	.20
2¼ x 1½ x ½ to 3/16, incl	.20
2 x 1½ x ⅛ to 3/16, incl	.15
2 x 1½ x 5/16	.25
2 x 1⅛ x ⅛	.20
2 x 1 x 5/16	.30
2 x 1 x ⅛	.40
1¾ x 1¼ x ¼ to 3/16, incl	.25
1¾ x 1¼ x 5/16	.35
1¾ x ⅞ x 3/16	.40
1¾ x ⅞ x ⅛	.55
1¼ x ¾ x 3/16	.60
1¼ x ¾ x ⅛	.50
1 x ⅝ x 3/16	.60

Other unequal leg angles take extras of equal leg angles of the short dimensions.

CHANNELS

Width in inches—thicknesses in inches and BWG gauges:	
1½ or wider, but under 3 wide, x 3/16 or heavier	$0.25
1½ or wider, but under 3 wide, x ⅛	.40
1½ x 1½ x 3/16 (Special Box Channel)	.40
1 to 1¼, x 3/16 or heavier	.40
1 to 1¼, x ⅛	.40
1 to 1¼, x 7/64	.70
¾ and ⅞ x 3/16 or heavier	.70
¾ and ⅞ x ⅛	.90
¾ and ⅞ x 7/64	.80
¾ x 1½ x 9/32	1.00
¾ x No. 15 and 5/16	1.00
⅝ x ⅛ or heavier	1.70
⅝ x 5/16 x ⅛	1.70
⅝ x 9/32	2.00
½ x 7/64 or heavier	2.50
½ x 5/64	3.00

TEES

Dimensions in inches:	
1½ x 1½ or wider, but under 3, x 3/16 or heavier	$0.30
1 x 1 to 1¼ x 1¼, x 3/16 or heavier	.55
1 x 1 to 1¼ x 1¼, x ⅛	.70
⅞ x ⅞ x 3/16	.70
⅞ x ⅞ x ⅛	.90
¾ x ¾ x 3/16	1.00
¾ x ¾ x ⅛	1.00
⅝ x ⅝ x ⅛	1.00
½ x ½ x ⅛	1.00

SUPPLEMENTARY SIZE EXTRAS

For cold twisted squares the following extras may be charged in addition to size extras shown in the table entitled "Rounds, Squares, Twisted Squares".

¼ and 5/16	$0.80
⅜	.65
7/16 to 1¼	.70

TABLE G-5.—*Cold finished carbon bars* (Including Shafting)

A. SIZE

ROUNDS

Dimensions in inches:	
3/32 and 1 under	$3.00
Over 3/32 to less than 1/8	2.50
1/8 to less than 5/16	1.00
5/16 to less than ¼	1.20
¼ to less than ⅞	1.00
⅞ to less than 5/8	.90
5/8 to less than 1½	.80
1½ to less than 2	.70
2 to less than 2½	.60
2½ to less than 3	.50
3 to less than 3½	.40
3½ to less than 4	.35
4 to less than 4½	.30
4½ to less than 5	.25
5 to less than 6	.20
6 to less than 7	.15
7 to less than 8, inclusive	.10

SQUARES

Dimensions in inches:	
3/32 to less than 1/8	$0.90
1/8 to less than 3/16	.80
3/16 to less than ¼	.70
¼ to less than 5/16	.60
5/16 to less than ⅜	.50
⅜ to less than ½	.40
½ to less than ¾	.30
¾ to less than 1	.20
1 to less than 1 3/16	.10
1 3/16 to less than 1¼	.15
1¼ to less than 2 5/16	.25
2 5/16 to less than 4 5/16	.35
4 5/16 to 4½, inclusive	.45

TABLE G-5.—*Cold finished carbon bars*—Continued

EXCEPTIONS

Dimensions in inches:	
1 x 1 x 5/16	$0.10
1 x 1 x ¼	.15
1 x ¾ x 5/16	.10
1 x ¾ x ¼	.15
¾ x ¾ x 5/16	.10
¾ x ¾ x ¼	.15
¾ x ½ x 5/16	.10
¾ x ½ x ¼	.15
½ x ½ x 5/16	.10
½ x ½ x ¼	.15

B. SHAPE

Hexagons	$0.10
Octagons	.10
Ovals	.20
Half ovals	.20
Half rounds—solid	.20
Equal leg angles	.20
Unequal leg angles	.20
Tees	.20
Channels	.20

TABLE G-6.—*Hot rolled alloy bars*

[Including Bar Shapes]

Intermediate sizes: In all cases, the higher extra may be charged for any size falling between two published size extras.

[Rate per 100 pounds]

ROUNDS, SQUARES, TWISTED SQUARES

Dimensions in inches:	
¼	$1.40
9/32	1.30
5/16	1.10
11/32	1.00
13/64 and ⅜	.90
27/64 and 7/16	.80
31/64 and ½	.70
9/16	.60
33/64 to 13/16	Base
47/64 to 1½	.10
1 9/16 to 2 1/16	.15
2⅛ to 2½	.20
2 9/16 to 3 1/16	.25
3⅛ to 4 5/16	.35
4⅜ to 5 1/16	.45
5⅛ to 6 1/16	.65
6⅛ to 6 15/16	.75
6⅞ to 7 1/16	.85
7 9/16 to 7¾	1.10
7 13/16 to 8	1.40

TABLE G-7.—*Hot Rolled Strip*

TABLE G-5—*Cold finished carbon bars*—Continued

FLATS

[The smaller dimension is the thickness]

Thickness in inches	Width in inches							
	Less than ¼	¼ to less than 5/16	5/16 to less than 9/16	9/16 to less than ¾	¾ to less than 1 1/16	1 1/16 to less than 1 9/16	1 9/16 to 3 incl.	Wider than 3
Less than ¼	$12.50	$10.50	$8.50	$7.50	$6.50	$5.50	$5.00	$5.50
¼ to less than 5/16	10.50	8.50	6.50	5.50	4.50	3.50	3.00	3.50
5/16 to less than ⅜	9.75	7.75	5.75	5.25	3.75	2.75	1.75	3.00
⅜ to less than ½			4.75	4.25	2.75	2.75	1.75	2.50
½ to less than 5/8			3.75	3.25	1.75	1.75	1.50	2.50
5/8 to less than ¾				2.75	1.50	1.50	1.50	2.50
¾ to less than 1					1.50	1.50	1.50	2.50
1 to less than 1 1/2					1.50	1.50	1.50	2.50
1½ to less than 1¾						1.50	1.50	2.50
1¾ to less than 2							1.50	2.50
2 to less than 3							1.50	2.50
3 and thicker								2.50

HEXAGONS

Dimension in inches:	
3/32 to less than 1/8	$6.00
1/8 to less than 5/16	5.00
5/16 to less than ¼	4.00
¼ to less than ⅜	2.50
⅜ to less than 7/16	1.75
7/16 to less than ½	1.25
½ to less than 9/16	.90
9/16 to less than ⅝	.80
⅝ to less than 11/16	.70
11/16 to less than ¾	.60

Dimension in inches—Continued:	
¾ to less than 1	$0.55
1 to less than 1⅛	.50
1⅛ to less than 1 5/16	.44
1 5/16 to less than 1½	.50
1½ to less than 1 11/16	.60
1 11/16 to less than 2¼	.75
2¼ to less than 2 13/16	1.00
2 13/16 to less than 3 5/16	1.50
3 5/16 to less than 3 13/16	3.00
3 13/16 to less than 4, incl	4.00

(For hexagons only, when the lower limit of any specified size is not more than .010" less than the maximum limit of the larger size given in any size bracket, such specified size will take the next lower extra for size.)

B. FINISH

[Ground and Polished Accuracy Stock-Turned, Ground and Polished and Turned and Polished Shafting. These extras are in addition to size and analysis extras]

Sizes (inches)	Ground and polished from cold drawn rounds standard manufacturing tolerances: plus 0.0005", minus 0.0005"		Turned, ground and polished standard manufacturing tolerances less than 2½", minus 0.002", 2½" and over, minus 0.003"		Turned and polished
	Carbon 0.30% mean and under	Carbon over 0.30% mean to 0.45% mean	Carbon 0.30% mean and under	Carbon over 0.30% mean to 0.45% mean	Carbon 0.30% mean and under
3/32 to less than 5/32	$12.75				
5/32 to less than 3/16	10.75				
3/16 to less than 1/4	6.75				
¼ to less than 5/16	4.75	$5.75			
5/16 to less than ⅜	3.75	4.50			
⅜ to less than 7/16	2.75	3.25			
7/16 to less than ½	2.25	2.60			
½ to less than 11/16	2.35	2.70			
11/16 to less than 1 1/16	2.25	2.55			
1 1/16 to less than 1 3/16	2.20	2.50			
1 3/16 to less than 1 1/4	2.45	2.75			
1¼ to less than 1 3/16	2.40	2.70	$1.60	$2.00	
1 3/16 to less than 1 9/16	2.35		1.35	1.55	$1.05
1 9/16 to less than 1 11/16			1.10	1.40	.80
1 11/16 to less than 2 3/16			.75	.95	.45
2 3/16 and larger			.30	.45	

C. SUPPLEMENTARY SIZE EXTRAS

For cold finished bars within the range of the following sizes the extras specified below may be charged in addition to the extras for size given in the above table.

Rounds over 6" to 8" inclusive	$2.00
Flats over 6" wide, 3/16" to less than ⅜" thick	1.25
Flats over 6" wide, ⅜" and heavier	1.75

TABLE G-6.—*Reinforcing bars*

[Squares, and Rounds, plain or deformed]

⅜" and larger	Base
5/16"	$0.10
¼"	.20
7/32"	.40
3/16"	1.00

TABLE G-7.—*Hot Rolled Strip*

B. W. G No.	(Heavier than 6	6, 7, and 8)	9	10	11	12	13	14	15
Decimal equivalent in inches	0.2490 to 0.2031	0.203 to 0.162	0.161 to 0.146	0.145 to 0.132	0.131 to 0.118	0.117 to 0.105	0.104 to 0.090	0.089 to 0.076	0.075 to 0.058
Width in inches:									
⅜	(1)	$1.45	$1.50	$1.60	$1.60	$1.70	$1.80	$2.00	$2.20
3/16	(1)	1.25	1.25	1.35	1.40	1.50	1.60	1.70	1.85
½	(1)	1.05	1.05	1.10	1.10	1.20	1.25	1.35	1.45
9/16	(1)	.85	.85	.90	.90	1.00	1.05	1.10	1.15
⅝ to 11/16	(1)	.70	.70	.75	.75	.85	.90	.95	1.00
¾ to 13/16	(1)	.55	.55	.60	.60	.70	.75	.85	.85
⅞ to 15/16	(1)	.45	.45	.50	.50	.60	.65	.70	.75
1 to 1⅛	(1)	.35	.35	.40	.40	.50	.55	.60	.60
1 1/16 to 2	(1)	.30	.30	.35	.35	.40	.45	.45	.45
2 1/16 to 2 1/16	(1)	.25	.25	.30	.30	.35	.40	.40	.40
2 1/16 to 3	(1)	.20	.20	.25	.25	.30	.35	.35	.40
3 1/16 to 3 1/16	(1)	.15	.15	.20	.20	.25	.30	.35	.35
3 1/16 to 4	(1)	.15	.15	.20	.20	.25	.30	.35	.40
4 1/16 to 5	(1)	.10	.10	.15	.15	.20	.25	.30	.40
5 1/16 to 6	(1)	.10	.10	.15	.15	.20	.25	.25	.35
6 1/16 to 8	$0.05	.05	.10	.10	.10	.15	.20	.25	.35
8 1/16 to 10	.05	.05	.05	.10	.10	.15	.20	.25	.35
10 1/16 to 12	.05	.05	.05	.10	.10	.15	.20	.25	.35

B. W. G No.	16**	17	18	19	20	21	22	23
Decimal equivalent in inches	0.067 to 0.061	0.060 to 0.054	0.053 to 0.047	0.046 to 0.041	0.040 to 0.035	0.034 to 0.032	0.031 to 0.028	0.027 to 0.025
Width in inches:								
⅜	$2.40	$2.60	$2.85	$3.20	$3.60	$4.00	$4.40	$4.75
3/16	2.05	2.25	2.45	2.75	3.10	3.45	3.85	4.25
½	1.55	1.75	1.95	2.15	2.35	2.75	3.25	3.75
9/16	1.25	1.35	1.55	1.75	1.95	2.35	2.75	3.25
⅝ to 11/16	1.05	1.15	1.25	1.45	1.65	1.95	2.35	2.75
¾ to 13/16	.90	.95	1.05	1.15	1.35	1.55	1.85	2.25
⅞ to 15/16	.80	.85	.90	.95	1.05	1.25	1.55	1.85
1 to 1⅛	.65	.65	.75	.85	.95	1.15	1.45	1.65
1 1/16 to 2	.50	.55	.60	.70	.90	1.15	1.35	1.65
2 1/16 to 2 1/16	.45	.55	.70	.85	1.05	1.20	1.40	1.70
2 1/16 to 3	.45	.55	.70	.90	1.15	1.25	1.45	1.70
3 1/16 to 3 1/16	.45	.60	.75	.95	1.20	1.30	1.50	1.55
3 1/16 to 4	.50	.65	.85	1.05	1.25	----	----	----
4 1/16 to 5	.55	.75	.95	1.15	1.35	----	----	----
5 1/16 to 6	.55	.75	.95	1.00	1.10	----	----	----
6 1/16 to 8	.55	* .70	----	----	----	----	----	----
8 1/16 to 10	.55	* .70	----	----	----	----	----	----
10 1/16 to 12	.50	* .65	----	----	----	----	----	----

[1] Price as hot rolled bars.
*Applies only on thickness .057" to .060" inclusive.
**16 gauge AISI C1095 (SAE 1095) is not subject to the above size extras.

For bevel edge sections add $0.15.
For hot rolled AISI C1095 (SAE 1095) Strip, 16 gauge only, the size extras for all widths shall be at the rate of $10.70 per 100 pounds.

TABLE G-8.—*Cold Rolled Strip*

[Cut lengths only—shall not be used for coils]

Width in inches	9/64 and under		Under 3/16 to over 9/64		Under ½ to incl. 3/16		Under 1 to incl. ½	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches:								
0.161 and thicker	$7.00	$7.90	$5.25	$5.95	$3.50	$3.95	$1.85	$2.30
0.160 to 0.100	6.70	7.60	5.05	5.70	3.35	3.80	1.70	2.15
0.099 to 0.069	6.90	7.80	5.20	5.85	3.45	3.90	2.05	2.50
0.068 to 0.050	7.10	8.00	5.35	6.00	3.55	4.00	2.15	2.60
0.049 to 0.040	7.40	8.50	5.55	6.40	3.70	4.25	2.30	2.85
0.039 to 0.035	7.80	9.30	5.85	7.00	3.70	4.25	2.30	2.85
0.034 to 0.032	10.20	11.60	7.65	8.70	5.10	5.80	3.10	3.80
0.031 to 0.029	11.10	12.50	8.35	9.90	5.90	6.60	3.90	4.60
0.028 to 0.026	11.80	13.20	8.85	9.90	6.60	7.30	4.60	5.30
0.025 to 0.023	13.20	14.60	9.90	10.95	6.60	7.95	4.75	5.45
0.022 to 0.020	14.50	15.40	10.90	11.95	7.25	7.95	4.75	5.45
0.019 to 0.017	19.20	19.20	14.40	14.40	9.60	9.60	7.20	7.20
0.016 to 0.015	22.30	22.30	16.75	16.75	11.15	11.15	7.75	7.75
0.014 to 0.013	25.60	25.60	19.20	19.20	12.80	12.80	9.65	9.65

TABLE G-8.—*Cold Rolled Strip*—Continued

Width in inches	Under 1½ to incl. 1		Under 3 to incl. 1½		Incl. 3 to incl. 6		Over 6 to incl. 9	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches:								
0.161 and thicker	$1.20	$1.65	$0.85	$1.30	$0.50	$0.95	$0.25	$0.70
0.160 to 0.100	1.10	1.55	.85	1.30	.50	.95	.35	.80
0.099 to 0.069	1.25	1.70	1.05	1.50	.85	1.30	.65	1.10
0.068 to 0.050	1.35	1.80	1.10	1.55	.95	1.40	.75	1.20
0.049 to 0.040	1.50	2.05	1.25	1.80	1.10	1.65	.90	1.45
0.039 to 0.035	1.50	2.05	1.25	1.80	1.10	1.65	1.05	1.60
0.034 to 0.032	2.25	2.95	1.80	2.50	1.55	2.25	1.45	2.15
0.031 to 0.029	2.80	3.50	2.35	3.05	2.00	2.70	1.75	2.45
0.028 to 0.026	2.90	3.60	2.45	3.15	2.10	2.80	1.85	2.55
0.025 to 0.023	3.45	4.15	3.00	3.70	2.55	3.25	2.45	3.15
0.022 to 0.020	3.60	4.30	3.15	3.85	2.70	3.40	2.70	3.40
0.019 to 0.017	6.25	6.25	5.80	5.80	4.90	4.90	5.15	5.15
0.016 to 0.015	6.80	6.80	6.35	6.35	5.45	5.45	5.70	5.70
0.014 to 0.013	8.65	8.65	8.30	8.30	7.30	7.30	7.70	7.70

Width in inches	Over 9 to incl. 12		Over 12 to incl. 23 15/16	
	Hard	Soft	Hard	Soft
Thickness in inches:				
0.161 and thicker	$0.25	$0.70	$0.25	$0.70
0.160 to 0.100	.35	.80	.35	.80
0.099 to 0.069	.65	1.10	.65	1.10
0.068 to 0.050	.75	1.20	.75	1.20
0.049 to 0.040	.90	1.45	.90	1.45
0.039 to 0.035	1.05	1.60	1.05	1.60
0.034 to 0.032	1.45	2.15	1.45	2.15
0.031 to 0.029	1.85	2.55	1.90	2.60
0.028 to 0.026	2.70	3.40	.....	.....
0.025 to 0.023	3.05	3.75	.....	.....
0.022 to 0.020	5.40	5.40	.....	.....
0.019 to 0.017	.....	.....	.....	.....

Extras for soft apply to all tempers, except full hard.

SUPPLEMENTARY SIZE EXTRAS

For cold rolled strip 0.0972 and heavier (not including cold rolled round edge flat wire) a charge at the rate of $1.00 per 100 pounds may be added to the size extras shown above.

TABLE G-9.—*Hot rolled sheets*

A. GAUGE AND WIDTH

U. S. standard gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18
Thickness ordering limits, in	0.2499 to 0.1875	0.1874 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449
Width in inches:												
32 and under	Base	Base	Base	Base	$0.05	$0.10	$0.15	$0.20	$0.30	$0.45	$0.55	$0.60
Over 32 to 36 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 36 to 40 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 40 to 44 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 44 to 48 incl	Base	Base	Base	Base	.05	.10	.15	.20	.30	.45	.55	.60
Over 48 to 52 incl	Plate	$0.15	$0.15	$0.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 52 to 56 incl	Plate	.15	.15	.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 56 to 60 incl	Plate	.15	.15	.15	.20	.25	.30	.35	.40	.50	.60	.65
Over 60 to 64 incl	Plate	.20	.20	.20	.25	.30	.40	.45	.50	.60	.70	.75
Over 64 to 68 incl	Plate	.20	.20	.20	.25	.30	.40	.45	.50	.60	.80	.85
Over 68 to 72 incl	Plate	.25	.25	.25	.30	.35	.45	.55	.70	1.60	.95	1.00
Over 72 to 78 incl	Plate	.35	.35	.35	.40	.45	.60	1.10	.70	1.60	1.05	1.10
Over 78 to 86 incl	Plate	.35	.35	.55	.40	.70	.65	1.15	.75	1.65	1.25	1.45
Over 86	Plate	.45	.45	.65	.50	.80	.75	1.40	1.15	2.15	1.45	1.65

U. S. standard gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits, in	0.0448 to 0.0389	0.0388 to 0.0341	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0123	0.0127 to 0.0113
Width in inches:												
32 and under	$0.75	$0.80	$0.80	$0.85	$0.85	$0.90	$0.95	$1.00	$1.05	$1.10	.....	$1.40
Over 32 to 36 incl	.75	.80	.80	.85	.85	.90	1.00	1.10	1.20	1.30	$1.40	1.50
Over 36 to 40 incl	.75	.80	.80	.90	.95	1.00	1.15	1.25	1.35	1.50	1.55	1.75
Over 40 to 44 incl	.75	.80	.85	.95	1.05	1.10	1.30	1.40	1.50	1.65	.....	.....
Over 44 to 48 incl	.75	.80	.90	1.05	1.15	1.20	1.45	1.55	1.65	1.90	.....	.....
Over 48 to 52 incl	.80	.90	1.05	1.15	1.20	1.25	1.45	1.55	1.65	.....	.....	.....
Over 52 to 56 incl	.80	.95	1.10	1.30	1.40	1.50	.....	.....	.....	.....	.....	.....
Over 56 to 60 incl	.80	1.00	1.25	1.50	1.70	1.75	.....	.....	.....	.....	.....	.....
Over 60 to 64 incl	.95	1.05	1.50	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 64 to 68 incl	1.05	1.15	1.75	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 68 to 72 incl	1.25	1.35	2.00	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 72 to 78 incl	1.35	1.75	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 78 to 86 incl	1.75	1.95	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 86	1.95	2.15	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

TABLE G-9.—*Hot rolled sheets*—Continued

B. LENGTH

U. S. standard gauge No.	Length in inches			
	Under 124	Over 124 to 144	Over 144 to 168	Over 168 to 192
16 or heavier	Base	Base	Base	Base
17 and 18	Base	Base	Base	Base
19 to 21	Base	$0.10	$0.20	$0.30
22 and 23	Base	.10	.25	.35
24	Base	.10	.25	.35
25 to 27	Base	.10	.30	.....
28	Base	.10	.....	.....
29 and 30	Base	.10	.....	.....

TABLE G-10.—*Cold rolled sheets*

A. GAUGE AND WIDTH

U. S. standard gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18	19
Thickness ordering limits in inches	0.2499 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449	0.0448 to 0.0389
Width in inches:												
32 and under	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.15	−$0.10	−$0.05	Base	$0.05	$0.10
Over 32 to 36 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 36 to 40 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 40 to 44 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 44 to 48 incl	−.15	−.15	−.15	−.15	−.15	−.15	−.15	−.10	−.05	Base	.05	.10
Over 48 to 52 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	.05	.10	.15
Over 52 to 56 incl	−.10	−.10	−.10	−.10	−.10	−.10	−.10	−.05	Base	.05	.10	.15
Over 56 to 60 incl	−.05	−.05	−.05	−.05	−.05	−.05	−.05	−.05	Base	.05	.10	.25
Over 60 to 64 incl	Base	Base	Base	Base	Base	Base	Base	Base	.05	.10	.15	.30
Over 64 to 68 incl	.05	.05	.05	.05	.05	.05	.05	.05	.10	.20	.25	.40
Over 68 to 72 incl	.10	.10	.10	.10	.10	.10	.10	.10	.20	.30	.35	.50
Over 72 to 78 incl	.....	.....	.....	.....	.....	.....	.....	.....	.....	.40	.45	.60
Over 78 to 86 incl	.....	.....	.....	.....	.....	.....	.....	.....	.....	.60	.80	1.00
Over 86	.....	.....	.....	.....	.....	.....	.....	.....	.....	.80	1.00	1.20

U. S. standard gauge No.	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	0.0388 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:											
32 and under	$0.15	$0.20	$0.25	$0.35	$0.45	$0.50	$0.55	$0.60	$0.70	.....	$0.95
Over 32 to 36 incl	.15	.20	.25	.35	.45	.55	.65	.75	.95	$1.10	1.25
Over 36 to 40 incl	.15	.25	.30	.50	.55	.70	.80	.90	1.05	1.35	1.55
Over 40 to 44 incl	.15	.25	.35	.60	.65	.85	.95	1.05	1.35	1.55	.....
Over 44 to 48 incl	.15	.30	.45	.70	.75	1.15	1.25	1.35	1.75	.....	.....
Over 48 to 52 incl	.25	.45	.55	.95	1.20	1.60	.....	.....	.....	.....	.....
Over 52 to 56 incl	.30	.50	.70	1.10	1.50	.....	.....	.....	.....	.....	.....
Over 56 to 60 incl	.35	.60	.90	1.40	1.80	.....	.....	.....	.....	.....	.....
Over 60 to 64 incl	.40	.90	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 64 to 68 incl	.50	1.15	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 68 to 72 incl	.60	1.50	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 72 to 78 incl	1.00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 78 to 86 incl	1.20	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 86	1.40	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

B. LENGTH

U. S. standard gauge No.	Length in inches						
	96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 171	Over 171
16 or heavier	Base	.....	.....	.....	.....	.....	.....
17-20 inclusive	Base	.....	.....	.....	.....	.....	$0.15
21-22 up to 48" wide incl	Base	.....	$0.15	$0.20	$0.25	$0.25	.40
21-22 over 48" wide	Base	$0.10	.20	.25	.30	.30	.45
23-24 up to 48" wide incl	Base	.15	.20	.25	.30	.30	.45
23-24 over 48" wide	Base	.20	.25	.30	.35	.35	.50
25-27 up to 48" wide	Base	.15	.20	.25	.30	.35	.50
28-30 up to 48" wide	Base	.20	.25	.30	.35	.40	.55

C. SUPPLEMENTARY SIZE EXTRAS

1. For stretcher leveled resquared cold rolled sheets of the following dimensions double the sum of the applicable extras for gauge and width (A) and length (B) may be charged:

No. 20 gauge and lighter, over 120" long. Heavier than No. 20 gauge, over 144" long. No. 16 gauge and heavier, over 60" wide. Lighter than No. 16 gauge, over 48" wide.

2. The following extras may be added to size extras (gauge and width and length) in Tables A and B above where a seller has paid a mill extra for full finish or cold reduced on cold rolled sheets of Number 13 U. S. Standard gauge and heavier, as allowed by the provision of § 1306.8 (b) of Revised Price Schedule Number 6.

No. 11 gauge and heavier	$1.00
No. 12 and 13 gauge	.50

TABLE G–11.—*Galvanized steel, galvanized Armco iron, galvanized Toncan iron, galvannealed, and long terne sheets*

A. GAUGE AND WIDTH

Gauge No.*	10 or heavier	11	12	13	14	15	16	17	18	19	20	21
Width in inches:												
32 and under	−$0.50	−$0.45	−$0.40	−$0.35	−$0.30	−$0.25	−$0.25	−$0.20	−$0.15	−$0.15	−$0.10	−$0.10
Over 32 to 36 incl	−.50	−.45	−.40	−.35	−.30	−.25	−.25	−.20	−.15	−.15	−.10	−.10
Over 36 to 38 incl	−.50	−.45	−.40	−.35	−.30	−.25	−.20	−.15	−.10	Base	.05	.05
Over 38 to 40 incl	−.50	−.45	−.40	−.35	−.30	−.25	−.20	−.15	−.10	Base	.05	.05
Over 40 to 42 incl	−.45	−.40	−.35	−.30	−.25	−.20	−.20	−.15	−.10	Base	.05	.05
Over 42 to 44 incl	−.40	−.35	−.30	−.25	−.20	−.15	−.15	−.10	−.05	.15	.20	.20
Over 44 to 46 incl	−.30	−.25	−.20	−.15	−.10	−.05	−.05	Base	.05	.20	.25	.25
Over 46 to 48 incl	−.30	−.25	−.20	−.15	−.10	−.05	−.05	.05	.10	.25	.30	.30
Over 48 to 50 incl	−.20	−.15	−.10	−.05	Base	.05	.05	.15	.20	.30	.35	.35
Over 50 to 52 incl	−.15	−.10	−.05	Base	.05	.10	.10	.20	.25	.35	.40	.40
Over 52 to 54 incl	−.10	−.05	Base	.05	.10	.15	.20	.35	.50	.60	.65	.65
Over 54 to 56 incl	Base	.05	.10	.15	.20	.25	.35	.55	.60	----	----	----
Over 56 to 58 incl	.10	.15	.20	.25	.30	.35	.45	.80	.85	----	----	----
Over 58 to 60 incl	.25	.30	.35	.40	.45	.50	.60	1.05	1.10	----	----	----

Gauge No.*	22	23	24	25	26	27	28	29	30	31	32
Width in inches:											
32 and under	−$0.05	−$0.05	Base	$0.15	$0.25	$0.35	$0.50	$0.75	$1.00	$1.25	$1.50
Over 32 to 36 incl	−.05	−.05	Base	.15	.25	.40	.70	.95	1.30	1.65	2.00
Over 36 to 38 incl	.15	.20	.25	.45	.55	.75	1.00	----	----	----	----
Over 38 to 40 incl	.25	.30	.35	.60	.70	.85	1.15	----	----	----	----
Over 40 to 42 incl	.30	.40	.45	.80	.90	1.05	----	----	----	----	----
Over 42 to 44 incl	.40	.50	.55	.90	1.00	1.15	----	----	----	----	----
Over 44 to 46 incl	.50	.60	.65	1.00	1.10	1.35	----	----	----	----	----
Over 46 to 48 incl	.60	.70	.75	1.15	1.25	1.60	----	----	----	----	----
Over 48 to 50 incl	.75	.85	.90	----	----	----	----	----	----	----	----
Over 50 to 52 incl	.85	.95	1.00	----	----	----	----	----	----	----	----
Over 52 to 54 incl	1.10	----	----	----	----	----	----	----	----	----	----
Over 54 to 56 incl	----	----	----	----	----	----	----	----	----	----	----
Over 56 to 58 incl	----	----	----	----	----	----	----	----	----	----	----
Over 58 to 60 incl	----	----	----	----	----	----	----	----	----	----	----

B. LENGTH

Gauge No.*	Length in inches								
	124 and under	Over 124 to 144	Over 144 to 156	Over 156 to 168	Over 168 to 192	Over 192 to 216	Over 216 to 228	Over 228 to 252	Over 252 to 275
12 or heavier	Base	----	$0.25	$0.50	$0.75	$0.75	$1.05	$1.15	$1.40
13 to 16	Base	----	.25	.50	.75	.90	1.05	1.15	1.40
17 and 18	Base	$0.10	.50	.75	.80	.90	1.15	1.40	1.65
19 to 21	Base	.10	.50	.75	.90	1.05	1.15	1.40	1.90
22	Base	.10	.50	.75	1.05	1.15	1.40	1.65	----
23 and 24	Base	.10	----	----	----	----	----	----	----
25 and 26	Base	.10	----	----	----	----	----	----	----
27	Base	.10	----	----	----	----	----	----	----
28	Base	.10	----	----	----	----	----	----	----
29 and 30	Base	.10	----	----	----	----	----	----	----
31	Base	----	----	----	----	----	----	----	----
32	Base	----	----	----	----	----	----	----	----

*For Galvanized Steel, Galvanized Armco Iron, Galvanized Toncan Iron and Galvannealed use Galvanized Sheet Gauge No.; Long Terne use U. S. Standard Gauge No.

TABLE G–12.—*Enamelling sheets*

A. GAUGE AND WIDTH

U. S. Standard Gauge No.	7	8	9	10	11	12	13	14	15	16	17	18
Thickness ordering limits in inches	0.1868 to 0.1719	0.1718 to 0.1570	0.1569 to 0.1420	0.1419 to 0.1271	0.1270 to 0.1121	0.1120 to 0.0972	0.0971 to 0.0822	0.0821 to 0.0710	0.0709 to 0.0636	0.0635 to 0.0568	0.0567 to 0.0509	0.0508 to 0.0449
Width in inches:												
32 and under	−$0.60	−$0.60	−$0.60	−$0.60	−$0.55	−$0.55	−$0.50	−$0.30	−$0.40	−$0.20	−$0.15	−$0.10
Over 32 to 36 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 36 to 40 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 40 to 44 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 44 to 48 incl	−.60	−.60	−.60	−.60	−.55	−.55	−.50	−.30	−.40	−.20	−.15	−.10
Over 48 to 52 incl	−.45	−.45	−.45	−.45	−.30	−.30	−.35	−.15	−.25	−.05	.05	.10
Over 52 to 56 incl	−.45	−.45	−.45	−.45	−.30	−.30	−.35	−.15	−.25	−.05	.05	.10
Over 56 to 60 incl	−.40	−.40	−.40	−.40	−.35	−.35	−.30	−.10	−.20	Base	.05	.10
Over 60 to 64 incl	−.35	−.35	−.35	−.35	−.30	−.30	−.25	−.05	−.15	.05	.15	.25
Over 64 to 68 incl	−.25	−.25	−.25	−.25	−.20	−.20	−.20	.05	−.10	.15	.25	.30
Over 68 to 72 incl	−.15	−.15	−.15	−.15	−.10	−.10	−.05	.15	.05	.25	.35	.40
Over 72 to 78 incl	----	----	----	----	----	----	----	----	----	----	.45	.50

U. S. Standard Gauge No.	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	0.0448 to 0.0389	0.0398 to 0.0344	0.0343 to 0.0314	0.0313 to 0.0284	0.0283 to 0.0255	0.0254 to 0.0225	0.0224 to 0.0195	0.0194 to 0.0172	0.0171 to 0.0157	0.0156 to 0.0142	0.0141 to 0.0128	0.0127 to 0.0113
Width in inches:												
32 and under	−$0.05	Base	$0.05	$0.10	$0.20	$0.30	$0.40	$0.50	$0.60	$0.70	$0.80	$0.90
Over 32 to 36 incl	−.05	Base	.05	.10	.20	.30	.40	.50	.60	.90	1.10	1.30
Over 36 to 40 incl	−.05	Base	.05	.25	.40	.50	.70	.80	.90	1.10	1.40	1.70
Over 40 to 44 incl	−.05	Base	.15	.30	.60	.70	1.00	1.10	1.20	1.50	1.70	----
Over 44 to 48 incl	−.05	Base	.25	.50	.80	.90	1.30	1.40	1.50	1.90	----	----
Over 48 to 52 incl	.15	.25	.45	.70	1.20	1.50	----	----	----	----	----	----
Over 52 to 56 incl	.15	.30	.65	.90	----	----	----	----	----	----	----	----
Over 56 to 60 incl	.25	.40	.85	1.10	----	----	----	----	----	----	----	----
Over 60 to 64 incl	.35	.50	1.05	----	----	----	----	----	----	----	----	----
Over 64 to 68 incl	.45	.60	1.25	----	----	----	----	----	----	----	----	----
Over 68 to 72 incl	.55	.75	1.55	----	----	----	----	----	----	----	----	----
Over 72 to 78 incl	.65	1.00	----	----	----	----	----	----	----	----	----	----

B. LENGTH

U. S. Standard Gauge No.	Length in inches					
	96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 156
16 or heavier	Base	Base	Base	Base	Base	$0.10
17 and 18	Base	Base	Base	$0.10	$0.10	.15
19 and 20	Base	Base	Base	.10	.15	.20
21 and 22	Base	Base	Base	.20	.25	.30
23–27	Base	$0.15	$0.20	.25	.30	.35
28–30	Base	.20	.25	.30	.35	.40

TABLE G–13.—*Electrical sheets*

The size extras of the Carnegie Illinois Steel Corporation for the grade electrical sheet sold as established by Revised Price Schedule No. 6 may be added.

TABLE G–14.—*Hot rolled alloys*

ROUNDS AND SQUARES

Dimension in inches:	
3/32	$1.50
1 3/64	1.25
1/4	1.00
9/32	.85
5/16	.70
11/32	.55
3 49/64 and 3/8	.40
3 37/64 and 7/16	.30
3 25/64 and 1/2	.20
9/16	.15
3 29/64 to 1 11/16	.10
4 7/64 to 1 1/2	Base
1 9/16 to 2 1/16	.10
2 1/8 to 2 1/2	.15
2 9/16 to 2 15/16	.20
3 1/8 to 4 9/16	.25
4 5/8 to 5 1/16	.35
5 1/8 to 5 9/16	.45
5 5/8 to 6 1/16	.55
6 1/8 to 6 9/16	.65
6 5/8 to 7 1/2	.75
7 5/16 to 7 3/4	.85

ROUNDS AND SQUARES—continued

Dimension in inches:	
7 13/16 to 8	$1.10
Over 8" up to but not including 10"	1.50

HEXAGONS

1/4	$1.50
5/16	1.20
3/8	.90
7/16	.60
1/2 to 9/16	.35
5/8 to 11/16	.20
3/4 to 1 9/16	.125
1 5/8 to 3 1/16	.25
3 1/8 to 3 1/2	1.10
3 9/16 to 4 1/16	1.25

OCTAGONS

1/4	$1.50
5/16	1.20
3/8	1.00
7/16	.80
1/2 to 9/16	.60
5/8 to 1 1/16	.40
1 1/8 to 3 1/16	.25

TABLE G-14.—*Hot rolled alloys*—Continued

FLATS

Width in inches	Thickness in inches						
	4 to 3 1/16	3 to 2 1/16	2 to 1 3/16	1 to 13/16	3/4 to 1/2	7/16 to 3/8	5/16 to 1/4
3/4							1.40
5/8						1.00	1.20
1/2						.70	.90
9/16					0.50	.50	.75
5/8 to 1 1/16					.40	.40	.60
3/4 to 1 3/16					.30	.30	.40
7/8 to 1 3/16				0.20	.20	.20	.30
1 to 2			0.10	Base	Base	Base	.15
2 1/16 to 3		0.20	.10	Base	Base	Base	.15
3 1/16 to 12	0.30	.20	.10	Base	Base	Base	.15

TABLE G-15.—*Cold finished alloy steel bars*

ROUNDS

1/4 to less than 5/32	$4.00
5/32 to less than 3/16	3.00
3/16 to less than 7/32	2.50
7/32 to less than 1/4	2.00
1/4 to less than 5/16	1.25
5/16 to less than 3/8	1.00
3/8 to less than 7/16	.90
7/16 to less than 1/2	.70
1/2 to less than 9/16	.55
9/16 to less than 11/16	.45
11/16 to less than 13/16	.40
13/16 to less than 15/16	.45
15/16 to less than 2	.50
2 to less than 2 1/16	.70
2 1/16 to less than 2 1/8	.75
2 1/8 to less than 2 3/16	.85
2 3/16 to less than 2 1/4	.90
2 1/4 to less than 2 5/16	1.00
2 5/16 to less than 2 3/8	1.10
2 3/8 to less than 2 7/16	1.20
2 7/16 to less than 2 1/2	1.30
2 1/2 to less than 2 9/16	1.75
2 9/16 to less than 2 5/8	2.25
2 5/8 to 2 inch	3.00

HEXAGONS

3/32 to less than 1/8	$6.00
1/8 to less than 5/16	5.00

HEXAGONS—continued

5/16 to less than 1/4	$4.00
1/4 to less than 3/8	2.50
3/8 to less than 7/16	1.75
7/16 to less than 1/2	1.25
1/2 to less than 9/16	.90
9/16 to less than 5/8	.80
5/8 to less than 11/16	.70
11/16 to less than 7/8	.60
7/8 to less than 1	.55
1 to less than 1 1/4	.50
1 1/4 to less than 1 5/16	.45
1 5/16 to less than 1 1/2	.50
1 1/2 to less than 1 13/16	.60
1 13/16 to less than 2 1/4	.75
2 1/4 to less than 2 13/16	1.00
2 13/16 to less than 3 5/16	1.50
3 1/16 to less than 3 9/16	3.00
3 9/16 to 4 inch	4.00

SQUARES

3/32 to less than 1/8	$6.00
1/8 to less than 3/16	5.00
3/16 to less than 1/4	4.00
1/4 to less than 3/8	2.50
3/8 to less than 1/2	1.75
1/2 to less than 11/16	1.30
11/16 to less than 1 1/8	1.05
1 1/8 to less than 2 1/16	1.25
2 1/16 to less than 4 1/16	2.00
4 1/16 to less than 4 1/2, inel	4.00

TABLE G-16.—*Stainless-steel sheets*

FINISH DESIGNATIONS

No. 1 Hot rolled annealed and pickled.
No. 2B Full finish (Bright cold rolled).
No. 2D Full finish (Dull cold rolled).
No. 4 Standard polish on one side or both sides.

GAUGE AND FINISH EXTRAS

U. S. S. gauge	Thickness ordering range in inches	Gauge extra	Combined gauge and polishing extras			
		Unpolished finishes only Nos. 1, 2B and 2D finishes	No. 4 and No. 6 finish		No. 7 finish	
			One side	Both sides	One side	Both sides
	Over—					
8	0.160 to 0.176	Base	$5.75	$10.50	$7.67	$14.00
9	0.145 to 0.160	Base	6.00	11.00	8.00	14.67
10	0.130 to 0.145	Base	6.25	11.50	8.33	15.33
11	0.114 to 0.130	Base	6.50	12.00	8.67	16.00
12	0.098 to 0.114	Base	6.75	12.50	9.00	16.67
13	0.083 to 0.098	Base	7.00	13.00	9.33	17.33
14	0.072 to 0.083	Base	7.25	13.50	9.67	18.00
15	0.065 to 0.072	Base	7.50	14.00	10.00	18.67
16	0.058 to 0.065	Base	7.75	15.00	10.33	20.00
17	0.052 to 0.058	Base	8.00	16.00	10.67	21.33
18	0.046 to 0.052	Base	8.50	18.00	11.34	24.00
19	0.040 to 0.046	Base	9.50	20.50	12.67	27.34
20	0.035 to 0.040	Base	11.00	24.00	14.67	32.00
21	0.032 to 0.035	Base	12.00	26.50	16.00	35.34
22	0.029 to 0.032	$0.50	15.50	29.50	20.50	39.17
23	0.026 to 0.029	.50	17.00	33.50	22.50	44.50
24	0.023 to 0.026	1.00	18.50	37.00	24.34	49.00
25	0.018 to 0.023	2.00	23.00	43.00	30.00	56.67
26	0.0177 to 0.0198	5.00	26.00	46.00	33.00	59.67
27	0.0160 to 0.0177	8.00	.....	.....	.....	.....
28	0.0145 to 0.0160	11.00	.....	.....	.....	.....
29	0.0130 to 0.0145	17.00	.....	.....	.....	.....
30	0.0114 to 0.0130	22.00	.....	.....	.....	.....
.....	0.010 to 0.0114	26.00	.....	.....	.....	.....
.....	0.009	30.00	.....	.....	.....	.....
.....	0.008	34.00	.....	.....	.....	.....
.....	0.007	42.00	.....	.....	.....	.....
.....	0.006	50.00	.....	.....	.....	.....
.....	0.005	62.00	.....	.....	.....	.....

Thicknesses 3/16" and heavier take plate extras.

TABLE G-16.—*Stainless-steel sheets*—Continued

LENGTH EXTRA

Size in inches:	
Under 60 to 36 incl	$0.50
Under 36	1.00
Over 120 to 130 incl	.50
Over 130 to 140 incl	1.00
Over 140 to 150 incl	1.50
Over 150 to 155 incl	2.00
Over 155 to 160 incl	3.00
Over 160 to 170 incl	3.50
Over 170 to 180 incl	4.50

Size in inches—Continued.

Over 180 to 190 incl	$5.50
Over 190 to 200 incl	5.75
Over 200 to 210 incl	6.00
Over 210 to 220 incl	6.25
Over 220 to 230 incl	6.50
Over 230 to 240 incl	6.75
Over 240 to 250 incl	7.00
Over 250 to 260 incl	7.25

WIDTH EXTRAS

Gauge No.	Thickness ordering range	Over 36–40" incl.	Over 40–44" incl.	Over 44–50" incl.	Over 50–54" incl.	Over 54–58" incl.	Over 58–62" incl.	Over 62–66" incl.	Over 66"
8–16 incl	0.059 to 0.176"	$0.50	$1.00	$1.50	$2.00	$2.50	$4.00	$6.00	$8.00
17–18 incl	0.047 to 0.058"	.75	1.25	1.75	2.25	3.75	6.00	8.75	.....
19–21 incl	0.033 to 0.046"	1.00	1.50	2.00	3.00	4.25	8.00	12.50	.....
22–24 incl	0.024 to 0.032"	1.50	2.00	2.50	4.00	5.25	9.50	.....	.....
25–26 incl	0.0178 to 0.023"	2.00	2.75	3.50	7.00	9.00	12.00	.....	.....
27–28 incl	0.0146 to 0.0177"	2.50	3.00	5.00	.....	.....	.....	.....	.....

When pricing sheet items the shortest dimension should always be considered as width.

TABLE G-17.—*Stainless bars*

HOT ROLLED BARS

Dimension in inches:	
1/4 and 5/16"	$6.00
3/16 and 11/32"	5.00
3/8 to 1 29/32"	3.00
2 to 2 29/32"	2.00
3 to 3 29/32"	1.00
1 to 11 29/32"	.50
11/2 to 23/4"	Base
2 13/16 to 3"	1.00
3 1/8 to 4"	1.50

HOT ROLLED BARS—continued

Dimension in inches—Continued.

4 1/8 to 5"	2.00
5 1/8 to 6"	4.00

All intermediate sizes take the next higher extra.

Octagons and Hexagons—2c per pound extra for shape in addition to above extras for size.

Rounds, octagons and hexagons.—In hot rolled coils take one half regular bar size extras plus all other extras.

Width of section in inches	Thickness of section in inches										
	1/8	3/16	1/4	5/16	3/8	1/2	5/8	3/4	1	1 1/4	1 1/2
1/4	$30.00	$20.00	$10.00	.....	.....	.....	.....	.....	.....	.....	.....
5/16	25.00	15.00	8.00	$6.00	.....	.....	.....	.....	.....	.....	.....
3/8	20.00	10.00	6.00	5.00	$4.00	.....	.....	.....	.....	.....	.....
1/2	10.00	7.00	5.00	4.00	3.00	$2.00	.....	.....	.....	.....	.....
3/4	7.00	5.00	4.00	3.00	2.00	1.50	$1.00	$1.00	.....	.....	.....
1	6.00	4.00	3.00	2.00	1.50	1.00	.50	.50	$0.50	.....	.....
1 1/4	5.00	3.00	2.00	1.50	1.00	1.00	.50	.50	.50	$0.50	.....
1 1/2	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
1 3/4	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2 1/4	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
2 1/2	5.00	3.00	1.50	1.00	1.00	.50	Base	Base	Base	Base	Base
3	5.00	3.00	1.50	1.00	.50	.50	Base	Base	Base	Base	Base
4	5.00	3.00	1.50	1.00	1.00	1.00	1.00	1.00	1.00	1.00	$1.00
5	6.00	4.00	2.50	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
6	8.00	6.00	4.00	3.50	3.00	3.00	3.00	3.00	3.00	3.00	2.50
7	10.00	8.00	6.00	5.00	4.00	3.00	3.00	3.00	3.00	3.00	3.00
8	.....	8.00	6.00	6.00	5.00	4.00	4.00	4.00	4.00	4.00	3.50
9	.....	8.00	6.00	6.00	5.00	5.00	5.00	5.00	5.00	5.00	4.00
10	.....	8.00	6.00	6.00	6.00	6.00	6.00	6.00	5.00	5.00	5.00

Width of section in inches	Thickness of section in inches										
	1 3/4	2	2 1/2	3	3 1/2	4	5	6	7	8	9	10
1/4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
5/16	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3/8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1/2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3/4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1 1/4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1 1/2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1 3/4	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2	Base	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2 1/4	Base	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2 1/2	Base	Base	Base	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	$1.00	$1.00	$1.00	$1.00	.....	.....	.....	.....	.....	.....	.....	.....
4	1.50	1.50	1.50	1.50	$1.50	$1.50	.....	.....	.....	.....	.....	.....
5	2.00	2.00	2.00	2.00	2.00	2.00	$2.00	.....	.....	.....	.....	.....
6	2.50	2.50	2.50	2.50	2.50	2.50	2.50	$2.50	.....	.....	.....	.....
7	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	$3.00	.....	.....	.....
8	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	$3.50	.....	.....
9	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	$4.00	.....
10	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	$5.00

TABLE G-17—*Stainless bars*—Continued

TABLE H-1. *Plate*—*shearing extras*

TABLE G-17—*Stainless bars*—Continued

COLD FINISHED BARS

Extras herein to be added to hot rolled bar base price.

ROUNDS AND SQUARES

Dimension in inches	Tolerance Plus or Minus ins.	Rounds		Squares		Ground Bars—Rounds	
		Bars	Coils	Bars	Coils	Unpolished	Polished
4 to 3 1/4	0.003	$8.00				$8.00	$10.00
3 to 2 13/16	.003	6.50				6.50	8.50
2 3/4 to 1 1/2	.003	5.50		$10.50		5.50	7.50
1 1/32 to 1	.0025	6.00		11.00		6.00	8.00
31/32 to 5/8	.002	6.50		11.50		6.50	8.50
19/32 to 1/2	.002	8.00	$5.50	13.00		8.00	11.00
1/2 to 3/4	.0015	9.00	6.00	14.00	$12.00	10.00	13.00
5/16 to 1 1/32	.0015	10.50	7.00	16.50	13.00	13.50	17.00
9/32 to 3/4	.001	11.50	8.00	18.50	15.00	15.50	20.00
.249 to .234	.001	12.00	9.00	21.00	16.00	18.00	23.00
.233 to .216	.001	13.00	10.00	23.00	17.00	19.00	25.00
.215 to .200	.001	14.00	11.00	25.00	18.00	21.00	27.00
.199 to .185	.001	15.00	12.00	27.00	19.00	23.00	30.00
.184 to .170	.001	17.00	14.00	30.00	21.00	25.00	33.00
.169 to .155	.001	20.00	16.00	34.00	23.00	28.00	36.00
.154 to .142	.001	22.00	18.00	37.00	25.00	30.00	38.00
.141 to .128	.001	24.00	20.00	40.00	27.00	35.00	43.00
.127 to .113	.001	27.00	22.00	43.00	29.00	42.00	50.00
.112 to .099	.001	29.00	24.00	46.00	31.00	50.00	60.00
.098 to .086	.001	31.00	26.00	50.00	33.00	85.00	100.00
.085 to .076	.001	35.00	29.00	54.00	36.00	110.00	130.00
.075 to .067	.001	39.00	32.00	59.00	39.00	125.00	145.00
.066 to .058	.001	43.00	35.00	64.00	42.00	146.00	170.00
.057 to .051	.001	47.00	39.00	70.00	45.00		
.050 to .044	.001	51.00	43.00	77.00	48.00		

INTERMEDIATE SIZES TAKE THE NEXT HIGHER EXTRA

The above size extras include extras for annealing, physical properties, tempering and/or cleaning or sand blasting.

SHAPE EXTRAS

Hexagons and Octagons—Add 5¢ per pound to above schedule for rounds.

TABLE G-18—*Stainless steel plates*

SIZE AND FINISH EXTRAS

Width in inches	Hot rolled	Hot rolled annealed or heat treated	Hot rolled annealed or heat treated and pickled
Over 10" to 18" incl	$2.00	$4.00	$6.00
Over 18" to 30" incl	1.00	3.00	5.00
Over 30" to 50" incl	Base	2.00	4.00
Over 50" to 80" incl	.50	2.50	4.50
Over 80" to 100" incl	1.00	3.00	5.00
Over 100" to 115" incl	2.00	4.00	6.00
Over 115" to 130" incl	2.50	4.50	6.50
Over 130" to 140" incl	3.00	5.00	7.00

TABLE G-19.—*Stainless steel angles*

The following extras are added to Hot Rolled Stainless Bar Base Prices Equal Leg Angles

Dimension in inches	
1/2 x 1/2 or wider but under 1 1/2 x 1 1/2 x 3/16 or over	$4.00
1/2 x 1/2 or wider but under 1 1/2 x 1 1/2 x 1/4 or under	7.00
1 1/2 x 1 1/2 or wider but under 3 x 3 x 1/4 or over	2.00
1 1/2 x 1 1/2 or wider but under 3 x 3 x 3/16 or under	4.00
3 x 3 or wider but under 6 x 6 x 5/16 or over	Base
3 x 3 or wider but under 6 x 6 x 1/4 or 5/16	2.00
3 x 3 or wider but under 6 x 6 by under 3/16	4.00
6 x 6 or wider but under 8 x 8 x 3/8 or over	3.00
8 x 8 or wider by 3/8 or over	5.00

UNEQUAL LEG ANGLES

If shorter leg is equal to or greater than 3/4 of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 1¢ per pound. In case shorter leg is not equal to or greater than three-quarters of longer leg, apply extra for equal leg angle of length and thickness of shorter leg plus 2¢ per pound.

CUTTING EXTRAS

[Rate per 100 pounds]

The following charges are to be made only when material furnished is other than sizes available in stock and when material is actually cut to the buyer's specification.

TABLE H-1. *Plate*[1] *shearing extras*

3/16" to 1" thick inclusive, including U. M., sheared, flange, firebox, high carbon, copper bearing and floor plates and hot rolled strip 3/16" thick over 6" wide cut to length only, or any size 3/16" thick strip cut to width and length.

A. RECTANGULAR PLATES

Type of shearing	Length				
	5' and longer	Under 5' to 3'	Under 3' to 2'	Under 2' to 1'	Under 1' to over 6"
I. To length only:					
3/16" to 1" thick incl	$0.00	$0.10	$0.25	$0.50	$1.55
II. To width and length:					
A. Widths over 6" in the following thicknesses:					
3/16" to 3/16" incl	.30	.40	.55	.80	1.85
Over 3/16" to 1/2" incl	.25	.35	.50	.75	1.80
Over 1/2" to 1" incl	.20	.30	.45	.70	1.75
B. Widths 6" and narrower in the following thicknesses:					
3/16" to 5/16" incl	.60	.80	1.10	1.60	3.70
Over 5/16" to 1/2" incl	.50	.70	1.00	1.50	3.60
Over 1/2" to 1" incl	.40	.60	.90	1.40	3.50

Minimum charge, $0.35 net per thickness.

B. SKETCH PLATES[2]

Type of shearing	Length				
	5' and longer	Under 5' to 3'	Under 3' to 2'	Under 2' to 1'	Under 1' to over 6"
I. To widths over 6" in the following thicknesses:					
3/16" to 5/16" incl	$0.40	$0.50	$0.65	$0.90	$1.95
Over 5/16" to 1/2" incl	.35	.45	.60	.85	1.90
Over 1/2" to 1" incl	.30	.40	.55	.80	1.85
II. To widths 6" and under in the following thicknesses:					
3/16" to 5/16" incl	.70	.90	1.20	1.70	3.80
Over 5/16" to 1/2" incl	.60	.80	1.10	1.60	3.70
Over 1/2" to 1" incl	.50	.70	1.00	1.50	3.60

Minimum charge, $0.35 net per thickness.

[1] Universal Mill plates over 1" thick, in stock widths up to 14" wide inclusive, cut to length—use friction saw cutting structural shape extras in Table H-8. All other plates over 1" thick—use flame cutting extras in Table H-7.

[2] Ordinary straight side sketch plates up to 1" thick inclusive, with no re-entrant cuts, based on gross weight of rectangular plate required in nearest stock width. Sketch plates over 1" thick—use flame cutting extras in Table H-7.

C. CIRCLE CUTTING

See Flame Cutting Extras in Table H-7.

TABLE H-2.—*Sheet shearing extras*

EXCLUDING STAINLESS

[Including cold rolled strip cut to length and all floor plates lighter than 3/16" thick.]

Types of shearing	Gauge[1] No.													
	8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	25 and 26	27	28	29	30
I. To length only:														
5' and over	$0.25	$0.30	$0.35	$0.40	$0.45	$0.50	$0.55	$0.60	$0.65	$0.70	$0.75	$0.80	$0.85	$0.90
Under 5' to 3'	.35	.40	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00
Under 3' to 2'	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10
Under 2' to 1'	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20
II. To width only:														
6" and over	.25	.30	.35	.40	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90
5 3/4" to over 4"	.30	.35	.40	.45	.45	.55	.60	.70	.75	.90	1.00	1.00	1.00	1.00
4" to over 2"	.35	.40	.45	.50	.50	.60	.70	.80	.90	1.00	1.10	1.10	1.10	1.10
3" to over 2"	.45	.50	.50	.70	.75	.80	.90	1.00	1.10	1.25	1.40	1.40	1.40	1.40
2" to 1"	.70	.75	.75	.80	.90	1.00	1.15	1.25	1.50	1.50	1.75	1.75	1.75	1.75
Under 1"	.95	1.00	1.00	1.10	1.10	1.30	1.50	1.60	1.75	2.00	2.50	2.50	2.50	2.50
III. To length and width:														
A. To widths of 6" and over and to following lengths:														
5' and over	.45	.50	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10
Under 5' to 3'	.55	.60	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20
Under 3' to 2'	.65	.70	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20	1.25	1.30
Under 2' to 1'	.75	.80	.85	.90	.95	1.00	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40
Under 1' to 6" incl	.95	1.00	1.10	1.20	1.30	1.50	1.50	1.50	1.50	2.00	2.00	2.00	2.00	2.00
B. To widths under 6" and to following lengths:														
3' and over	3 times the width only charge, as shown above.													
Under 3' to 1'	3 1/2 times the width only charge, as shown above.													
Under 1'	4 times the width only charge, as shown above.													

[1] For all 3/16" and No. 7 gauge material wider than 6" use plate shearing extras. (Table H-1.)

TABLE H-3.—*Shearing hot rolled carbon bars (under .60 mean of carbon)*

TABLE H-3.—*Shearing hot rolled carbon bars (under .60 mean of carbon)*

HOT ROLLED STRIP AND ANGLES

Rounds, squares, hexagons 2" cross section and under.
Flats 1½" x 6" and smaller.
Angles 2½" x 2½" x ½" and smaller—all lengths.
Angles 3" to 6" leg, inclusive, under 5'0" long.
Total cuts of one length, cross section, finish and analysis determines the charge per cut.
Minimum charge—35¢ per item of one length, cross-section, finish and analysis.

Pounds per lineal foot	Lengths						
	Over 8'0" any number cuts	4'0" to 8'0" incl.		1'0" to under 4'0"		Under 1'0"	
		Under 50 cuts	50 cuts and over	Under 50 cuts	50 cuts and over	Under 50 cuts	50 cuts and over
Under 1.0 lb	$0.03	$0.03	$0.02	$.03	$0.02	$0.01	$0.01
1.0 to 2.5	.04	.03	.02	.03	.02	.02	.01
2.5 to 4.5	.05	.04	.03	.03	.02	.02	.01
4.5 to 7.5	.06	.05	.04	.03	.02	.02	.01
7.5 to 11.0	.07	.06	.04	.04	.03	.03	.02
11.0 to 15.0	.09	.08	.05	.04	.03	.03	.02
15.0 to 20.0	.11	.09	.06	.05	.04	.03	.02
20.0 and over	.13	.11	.08	.07	.05	.04	.03

Rounds, squares, hexagons over 2"; flats over 1½" thick; bar channels; bar tees; bar zees; use table H-5.
Angles over 6" either leg, use table H-8.
Hot rolled bars .60 mean of carbon and over, use Schedule H-6.

TABLE H-4.—*Shearing legs of angles*

	10'0" and less	Over 10'0" to 20'0"	Over 20'0" to 30'0"
Set up charge	$1.00 net	$1.00 net	$1.00 net
Per cut for each leg of each angle	.25	.50	.75

Add to above, the regular length cutting extras. (Table H-3.)
Gross weight may be charged for the stock size cross-section of the cut length angle.
The leg-shearing operation is done before cutting to length. Thus 2 angles 5'0" long would be subject to only one $0.25 leg shearing extra since this operation would be performed on a 10'0" angle.

TABLE H-5.—*Cold finished and hot rolled carbon bar*

HACK SAW CUTTING CHARGES

All qualities under .50 Carbon. Also bar shapes and Hot Rolled Strip.
Charges per cut to any one length 0' 1" and over, of one cross-section, analysis and finish.
Lengths under 0' 1"—use next higher weight bracket cutting charge.
Minimum Charge applies where total cutting charge for one length, cross-section, analysis and finish is less than the minimum charge.

Pounds per lineal foot	Minimum net charge	Over 8'0" long—any quantity of cuts	8'0" long and under		
			Less than 10 cuts	10 to 100 cuts or 1,000 lbs. of one cross-section, length, analysis and finish	100 cuts and over
Under 1.0 lbs	$0.35	$0.03	$0.03	$0.03	$0.02
1.0 to 2.5	.35	.04	.04	.03	.02
2.5 to 4.5	.35	.05	.05	.05	.04
4.5 to 7.5	.35	.06	.06	.06	.05
7.5 to 11.0	.35	.08	.08	.08	.06
11.0 to 15.0	.35	.11	.11	.09	.08
15.0 to 20.0	.40	.14	.14	.11	.11
20.0 to 27.0	.45	.17	.17	.14	.13
27.0 to 32.0	.50	.21	.21	.17	.16
32.0 to 43.0	.60	.26	.26	.21	.20
43.0 to 52.0	.65	.33	.33	.26	.25
52.0 to 71.0	.75	.41	.41	.33	.31
71.0 to 87.0	.90	.53	.53	.42	.40
87.0 to 116.0	1.05	.67	.67	.54	.50
116.0 to 139.0	1.25	.82	.82	.66	.62
139.0 to 180.0	1.50	1.00	1.00	.80	.75
180.0 to 203.0	1.70	1.20	1.20	.98	.90
203.0 to 245.0	1.90	1.40	1.40	1.12	1.05
245.0 and over	2.20	1.70	1.70	1.36	1.28

TABLE H-6.—*Hack Saw Cutting Carbon Steel Bars .60 Mean of Carbon and Over and Hot Rolled and Cold Finished Alloy Bars.*

Hack sawing charges per cut to any length 0'1" and over, of one cross-section, analysis and finish.
Lengths under 0'1"—use next higher weight bracket cutting charge.
Minimum charge applies where total cutting charge for one length, cross-section, analysis and finish is less than the minimum charge.

Pounds per lineal foot	Minimum net charge	Over 8'0" long—any quantity of cuts	8'0" long and under		
			Less than 10 cuts	10 to 100 cuts or 1,000 lbs. of one cross-section, length, analysis and finish	100 cuts and over
Under 1.0 lb	$0.35	$0.04	$0.04	$ 0.04	$0.03
1.0 to 2.5	.35	.05	.05	.05	.04
2.5 to 4.5	.35	.08	.08	.08	.06
4.5 to 7.5	.35	.09	.09	.09	.07
7.5 to 11.0	.39	.12	.12	.12	.09
11.0 to 15.0	.41	.17	.17	.17	.13
15.0 to 20.0	.47	.21	.21	.17	.16
20.0 to 27.0	.54	.26	.26	.21	.20
27.0 to 32.0	.61	.32	.32	.26	.24
32.0 to 43.0	.73	.39	.39	.31	.29
43.0 to 52.0	.82	.50	.50	.40	.38
52.0 to 71.0	.96	.62	.62	.50	.47
71.0 to 87.0	1.17	.80	.80	.64	.60
87.0 to 116.0	1.39	1.01	1.01	.81	.76
116.0 to 139.0	1.66	1.23	1.23	.98	.92
139.0 to 180.0	2.00	1.50	1.50	1.20	1.13
180.0 to 203.0	2.30	1.80	1.80	1.44	1.35
203.0 to 245.0	2.60	2.10	2.10	1.68	1.58
245.0 and over	3.05	2.55	2.55	2.04	1.91

TABLE H-7.—*Flame cutting plates*

EXTRAS PER LINEAL FOOT

[Minimum flame cutting charge—50¢ net per item]

Thickness inches	Under 5 ft.	5 ft. and over
3/16	$0.09	$0.07
¼	.10	.08
5/16	.11	.09
⅜	.11	.09
7/16	.13	.10
½	.14	.11
9/16	.16	.12
⅝	.17	.13
11/16	.19	.15
¾	.20	.16
13/16	.23	.18
⅞	.25	.20
15/16	.27	.21
1	.29	.23
1⅛	.32	.25
1¼	.34	.27
1⅜	.38	.30
1½	.43	.34
1⅝	.46	.37
1¾	.52	.41
1⅞	.57	.45
2	.61	.49
2⅛	.67	.53
2¼	.71	.57
2⅜	.76	.61
2½	.86	.69
2⅝	.96	.77
2¾	1.08	.86
2⅞	1.20	.95
3	1.34	1.07
4	1.50	1.20
5	1.83	1.46
10	2.51	2.01

Charges are based on lineal feet for each piece. Fractions of an inch, charged at next full inch.

RECTANGULAR PLATES

Over 1" thick a charge may be made for Flame Cutting one side and one end at above extras unless Flame Cutting all edges is specified when a charge may be made for two sides and two ends. 1" thick and under a charge may be made for Flame Cutting of 4 edges.

CIRCULAR PLATES

Flame Cutting charge based on circumference of circle.

RINGS

Flame Cutting charge based on total footage of inside and outside circumferences.

SKETCHES WITH STRAIGHT SIDES

With straight sides and no re-entrant cuts.
Flame Cutting charge based on total footage in perimeter of sketch.

TABLE H-8.—*Friction saw cutting structural shapes*

Beams, Channels, Tees, Zees 3" and over. Angles over 6" either leg, and Universal Mill Plates over 1" thick, in stock width up to 14" inclusive.
Angles 6" leg and under—Use Shearing Schedule. (Table H-3)
Lengths 5'0" and over, no charge for cutting.
Minimum Charge 35¢ per item of one length and one cross-section.

Pounds per lineal foot:	Under 5'0" long—per cut
Under 10 lbs	$0.07
10.0 to under 17.5	.10
17.5 to under 30.0	.15
30.0 to under 45.0	.20
45.0 to under 65.0	.25
65.0 to under 90.0	.30
90.0 and over	.35

TABLE H-9.—*Stainless steel sheets*

A. RECTANGULAR SHAPES

1. If width* of piece ordered is less than ¼ of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price.
2. If width* of piece ordered is ¼ but less than ½ of the width of any stock size sheet in same type, gauge and finish add fifteen percent (15%) of the stock size price.
3. If width* of piece ordered is ½ or more of the width of any stock size sheet in same type, gauge and finish add twenty percent (20%) of the stock size price.
4. If the cut size or sizes ordered are cut without waste from any stock size, none of the above percentage extras (10%, 15%, 20%) may be added, but the following shearing charges may be made for the number of cuts actually made in filling the order. Figure one first cut for each thickness ordered. In no case shall the shearing charge exceed the value of the cut pieces figured at 12¢ per pound.

Gauge No.	Charge for—	
	First cut	Additional cuts
No. 10	$0.60	$0.20
11	.60	.20
12	.60	.20
14	.60	.20
16	.50	.15
18	.50	.15
20	.50	.15
22	.40	.10
24	.35	.10
26	.35	.10

*The smallest dimension shall be considered the width regardless of surface finish or grain structure. If a charge is made in accordance with (1), (2), or (3) the net weight of the cut material ordered shall be the weight used in invoicing.

B. STAINLESS SHEET CIRCLES

When rough cut to size 5" Dia. and larger on straight blade shear, price as a square and charge for weight of square ½" larger than diameter of circle, and then add the following extra for shearing to circle:

8¢ (eight cents) per inch diameter.
Minimum charge $1.00 net per thickness.
(Example: 1 circle = 24 x 20" Dia., Charge is ..... $1.60 net
4 circles = 10 x 22½" Dia., Charge is ..... 1.80 each or 7.20 net

TABLE H-10.—*Stainless steel bars*

Length:	Rate per 100 pounds
Under 1½"	$46.00
1½" to under 1"	34.00
1" to under 1½"	18.00
1½" to under 2"	12.00
2" to under 3"	9.00
3" to under 4"	6.00
4" to under 5"	4.00
5" to under 6"	3.50
6" to under 8"	3.00
8" to under 10"	2.50
10" to under 36"	2.00
36" to under 48"	2.50
48" to under 60"	3.00
60" to under 72"	3.50
72" to under 84"	4.00
84" to under 96"	4.50
96" to under 180"	3.50
180" to under 240"	5.00
240" to under 312"	7.00

All cut bars shall be billed on the net weight of cut material ordered.

TABLE H-11.—*Stainless steel plates*

A. RECTANGULAR SHAPES

Combine to determine quantity bracket in cutting table below all material of the same type, thickness, width and length.

	Rate per 100 pounds
500 lbs. and over	$1.00
200–499 lbs.	2.00
100–199 lbs.	3.00
Under 100 lbs.	6.00

All cut plates shall be billed on the net weight of cut material ordered.

B. STAINLESS PLATE CIRCLES

When rough cut to size 8" diameter and larger on straight blade shear, price as a square and charge for weight of a square ½" larger than diameter of circle, and then add the following extra for shearing to circle:

10¢ (ten cents) per inch of diameter.
Minimum charge $1.00 net per thickness.
Examples: 1 circle ¼" x 20" Diameter charges 1S—— $2.00 net
4 circle ½" x 22½" Diameter charge 1S—— 2.25 each or 9.00 net

TABLE H-12.—*Stainless steel angles*

	Rate per 100 pounds
Under 12"——	no extra
12" to under 36"——	$0.50
36" to under 60"——	1.00
60" to under 120"——	1.50
120" and over——	2.00

All angles cut to length shall be billed on the net weight of cut material ordered.

MISCELLANEOUS EXTRAS

[Rate per 100 pounds]

Except as specifically noted in the extra tables themselves, the following charges may be made only when the service, operation or labor described as an extra is actually performed on the material sold:

TABLE K-1.—*Galvanizing extras*

A. GENERAL CONDITIONS

The prices are list prices subject to differentials and cover new material only.

All prices herein are based on galvanized weight.

Differentials apply to the total weight of all galvanized materials (except galvanized sheets, produced at mills) ordered in one day for shipment at one time or at the sellers convenience to one destination.

For intermediate sizes use next higher list.

B. DIFFERENTIALS

For any material from which paint or grease has to be burned off not more than 50% may be added to galvanizing charge.

The following length differentials apply to angles, tees, channels, flat bars, flat strips, half-ovals, rounds, squares, half rounds and may be added to net galvanizing extra:

	Rate per 100 pounds
Under 10'0"——	Add—$.15
Under 6'0"——	Add—.25
Under 2'0"——	Add—.50
Over 22'0"——	Add—1.10
Over 30'0"——	Add—1.20
Over 45'0"——	Add—1.40
Over 50'0"——	Add—1.90

Minimum charge of $1.00 will be made for galvanizing a single item and/or order if weight of order at net price does not amount to $1.00.

The following differentials apply on all galvanizing extras listed below:

	Percent
Under 500 lb.——	Plus—25
500 to 1,999 lb.——	Plus—10
2,000 to 5,999 lb.——	Less—5
6,000 to 9,999 lb.——	Less—15
10,000 to 35,999 lb.——	Less—20
36,000 lb. and over——	Less—25

C. LIST PRICES

½" ANGLE AND TEES ½"

[Bar sizes]

Length 10'0" to 22'0"

Size	
½" x ½"——	$5.40
⅝" x ⅝"——	4.20
¾" x ¾"——	3.70
1" x ⅝"——	3.70
⅞" x ⅞"——	3.70
1" x 1"——	3.20
1⅛" x ⅞"——	3.20
1¼" x 1¼"——	2.70
1½" x 1½"——	2.60
1¾" x 1¾"——	2.60
2" x 2"——	2.50
2½" x 2½"——	2.50
2½" x 2½" and larger——	2.20
½" x ¼"——	5.70
⅝" x 5/16"——	4.70
¾" x 5/16"——	4.70
¾" x ¾"——	4.70
⅞" x ¾"——	4.70
⅞" x 5/16"——	4.70
1" x ⅝"——	4.20
1" x ½"——	3.70
1¼" x ½"——	3.60
1½" x ½"——	3.40
1½" x ¾"——	3.40
2" x ½"——	3.40
2" x 1"——	3.40

5/16" ANGLES AND TEES 5/16"

[Bar sizes]

¾" x ¾"——	$3.20
1" x 1"——	2.70
1¼" x 1¼"——	2.60
1½" x 1½"——	2.50
1¾" x 1¾" and larger——	2.20

⅜" CHANNELS ⅜"

[Bar sizes]

1½" x 9/16"——	$3.10
1¾" x ½"——	3.10
1¾" x ⅝"——	3.10
1¾" x ¾"——	3.10
1¾" x 1"——	2.70
1½" x 1½"——	2.70
2" x 9/16"——	3.00
2" x ⅝"——	2.70
2" x 1"——	2.70
2½" x ⅝"——	2.70

¼" ANGLES AND TEES ¼"

[Bar sizes]

1" x 1"——	$2.60
1½" x 1½"——	2.50
1½" x 1½" and larger——	2.20
All sizes 5/16" angles and tees——	2.20

¾" CHANNELS ¼"

[Bar sizes]

1½" x 9/16"——	$2.50
2" x ⅝"——	2.50

STRUCTURAL SECTIONS

3" beams and larger.
3" H columns and larger.
3" channels and larger.
3" x 2" x 5/16" angles and larger.
3" x 2½" x ¾" tees and larger.
3" x 3" x ⅝" angles and larger.
All cut lengths (not fabricated) up to 22'0" long, $2.20.
Over 22'0"—See lengths extras under "Differentials."

ROUNDS AND SQUARES

Length 10' to 22'

	List
¼"——	$9.00
5/16"——	7.20
⅜"——	4.50
7/16"——	4.00
½"——	3.60
9/16"——	3.00
5/8"——	2.80
11/16"——	2.50
¾" and larger——	2.20

ROUNDS—HALF

Lengths 10' to 22'

⅜"——	$4.00
7/16"——	3.20
½"——	3.00
9/16"——	3.00
⅝"——	3.00
¾"——	3.20
⅞"——	3.20
1"——	2.80
1¼" and larger——	2.20

OVALS—HALF

Lengths 10' to 22'

¾" x 3/16"——	$4.50
¾" x ¼"——	4.20
⅜" x 3/32"——	4.00
⅜" x ¾"——	4.00
½" x ¼"——	4.00
1¼" x ¼"——	4.00
1¼" x 5/16"——	2.60
1½" x 5/16"——	2.40
1½" x ⅜" and larger——	2.20

FLAT ROLLED STEEL BARS

Width in inches	Lengths 10'0" to 22'0" (thickness in inches)				
	¼"	5/16"	⅜"	7/16"	½" and heavier
⅛——	$6.20	$6.20			
½——	4.70	4.70	$4.30	$4.30	$4.10
⅝——	4.40	4.40	3.90	3.90	3.80
¾——	3.70	3.70	3.40	3.40	3.40
⅞——	3.50	3.50	3.20	3.20	3.40
1——	3.40	3.40	3.00	3.00	3.20
1¼——	3.20	3.20	2.80	2.80	3.20
1⅜——	3.00	3.00	2.60	2.60	3.20
1¾——	2.80	2.80	2.20	2.20	3.20
2——	2.80	2.80	2.20	2.20	3.20
2¼——	2.80	2.80	2.20	2.20	3.20
2½——	2.70	2.70	2.20	2.20	3.20
2¾——	2.70	2.70	2.20	2.20	3.20
3——	2.70	2.70	2.20	2.20	3.20
3½——	2.70	2.70	2.20	2.20	3.20
4——	2.70	2.70	2.20	2.20	3.20
4½——	2.70	2.70	2.20	2.20	3.20
5——	2.70	2.70	2.20	2.20	3.20
5½——	2.70	2.70	2.20	2.20	3.20
6——	2.70	2.70	2.20	2.20	3.20

HOOP STEEL

[in coils]

The following list prices apply when hoop steel is galvanized by the hand method.

Ga. BWG.	1½" to 2"	1¼"	1"	¾"	⅝"	½"
16——	$11.80	$12.40	$13.00	$13.80	$14.40	$17.00
18——	13.50	13.80	14.30	15.60	16.40	21.00
20——	17.40	18.20	18.80	20.40	21.20	26.60
22——	20.80	21.80	21.80	24.80	26.40	32.30

SHEETS AND PLATES NOT GALVANIZED AT PRODUCING MILL

	Thickness
50" and under in width, 22'0" and shorter in length.	No. 16 gauge—— $8.30
Plates 6 5/16" and wider——	15—— 6.70
¼" thick and heavier——	14—— 5.70
Plates 24" and wider——	13—— 4.80
3/16" thick and heavier——	12—— 4.20
Sheets 24" and wider——	¼" to No. 8 gauge—— 4.00
Lighter than 3/16" thick.——	3/16" to No. 4 gauge—— 3.70
	¾" and heavier—— 3.00

The following length differentials should be added to net prices:
Over 50" wide—add $0.50 cwt.
Over 22' long—add $0.50 cwt.

TABLE K-1.—*Galvanizing extras*—Continued

FLAT ROLLED STRIP STEEL

[Lengths 10' to 22' or scroll bundles 10' to 22']

Width in inches	Thickness					
	3/16"	No. 10 and ⅜"	No. 12	No. 14	No. 16	No. 18
⅛——	$7.00	$8.60	$11.50			
½——	5.20	6.20	8.00	$11.80	$14.40	$18.40
⅝——	4.70	5.70	7.30	9.70	11.80	15.80
¾——	4.20	5.20	6.60	9.30	11.20	15.20
⅞——	4.10	5.00	6.30	9.30	11.20	15.20
1——	4.00	4.60	5.70	8.60	10.40	14.40
1¼——	3.80	4.40	5.40	8.10	9.80	13.80
1½——	3.60	4.20	5.10	8.00	9.20	13.20
1¾——	3.50	4.00	4.80	8.00	9.20	13.20
2——	3.50	4.00	4.80	8.00	9.20	13.20
2¼——	3.50	4.00	4.80	7.80	9.00	13.00
2½——	3.40	3.80	4.70	7.70	8.90	12.80
2¾——	3.40	3.70	4.60	7.60	8.80	12.80
3——	3.40	3.70	4.50	7.50	8.70	12.70
3½——	3.30	3.60	4.40	7.40	8.60	12.60
4——	3.30	3.60	4.30	7.30	8.50	12.50
4½——	3.30	3.60	4.20	7.20	8.40	12.40
5——	3.20	3.50	4.10	7.10	8.30	12.30
5½——	3.20	3.50	4.00	7.00	8.20	12.20
6——	3.20	3.50	3.90	6.90	8.00	12.10
7——	3.20	3.60	3.80	6.80	7.90	12.00
8——	3.30	3.60	3.80	6.70	7.80	11.90
9——	3.30	3.60	3.80	6.60	7.70	11.80
10——	3.40	3.70	3.90	6.50	7.60	11.70
11——	3.40	3.70	3.90	6.40	7.50	11.60
12——	3.40	3.70	3.90	6.30	7.40	11.50
13——	3.50	3.80	4.00	6.20	7.30	11.30
14——	3.50	3.80	4.00	6.10	7.10	11.10
15——	3.50	3.80	4.00	6.00	6.90	10.90
16——	3.60	3.90	4.10	5.90	6.70	10.70
18——	3.60	3.90	4.10	5.80	6.60	10.60
20——	3.60	3.90	4.10	5.70	6.50	10.50
22——	3.70	4.00	4.20	5.60	6.40	10.40
25——	3.70	4.00	4.20	5.50	6.30	10.30

TABLE K-2.—*Pickling extras*

A. PLATES (EXCEPT FLOOR PLATES)

For pickling plates (includes oiling or liming)——	$0.25
For pickling plates (not including oiling or liming)——	.15
For oiling plates——	.10

B. HOT ROLLED BARS

Pickling——	$0.15
Oiling——	.10
Pickling and liming——	.25
Pickling and oiling——	.25

C. HOT ROLLED STRIP (HOOP AND BAND SIZES)

B. W. G. No.	Heavier than 6	6, 7, and 8	9	10	11	12	13	14	15
Decimal equivalent in inches——	0.2490 to 0.2031	0.203 to 0.162	0.161 to 0.146	0.145 to 0.132	0.131 to 0.118	0.117 to 0.105	0.104 to 0.090	0.089 to 0.076	0.075 to 0.068
Width in inches:									
Under 1½——		$0.55	$0.55	$0.55	$0.55	$0.55	$0.70	$0.70	$0.70
1½ to 5——		.40	.40	.40	.40	.40	.55	.55	.55
5⅛ to 6——		.25	.25	.25	.25	.25	.35	.35	.35
6⅛ to 12——	.25	.25	.25	.25	.25	.25	.35	.35	.35

B. W. G. No.	16	17	18	19	20	21	22	23
Decimal equivalent in inches——	0.067 to 0.061	0.060 to 0.054	0.053 to 0.047	0.046 to 0.041	0.040 to 0.035	0.034 to 0.032	0.031 to 0.028	0.027 to 0.025
Width in inches:								
Under 1½——	$0.70	$0.90	$0.90	$0.90	$0.90	$1.25	$1.25	$1.25
1½ to 5——	.55	.70	.70	.70	.70	1.05	1.05	1.05
5⅛ to 12——	.35	.45	.45	.45	.45			

TABLE K-3.—*Extras for boxing and burlapping cold finished bars*

The following extras are to be charged only if material is actually boxed or wrapped. When turned, ground and polished, and ground and polished bars are shipped in an open box (as is commonly done for metropolitan deliveries), the boxing charge may be made.

	Rate per 100 lbs	Minimum—Net
Boxing (domestic shipment) 24 feet long or less——	$0.50	$0.75
Boxing (domestic shipment) over 24 feet long——	1.00	1.25
Burlapping (full length)——	.25	.25

TABLE K-4.—*Tolerance extra for cold finished bars*

When commercial finished bars are selected to closer than standard tolerances at the request of the buyer, the standard mill extra may be charged.

TABLE K-5.—*Extras for crating sheets—Except stainless (Domestic Shipments)*

The following extras are to be charged only when material is actually crated. No charge may be used for open crates used to protect sheets for metropolitan deliveries.

	Rate per 100 lbs.	Minimum—Net
Skeleton Crating——	$0.40	$2.00
Full Box Crating——	.95	4.75

TABLE K-6.—*Corrugating hot rolled sheets*

[Not to be used for coated sheets]

	Rate per 100 pounds
16 gauge and lighter, 42 inches wide and narrower, 144 inches long or shorter, with standard 2½" or 1¾" corrugations——	$0.25

TABLE K-7.—*Extras for boxing and crating stainless steel*

	Rate per 100 lbs	Minimum—Net
Crating of sheets*——	$1.00	$2.00

*This crating extra applies to all finishes of stainless sheets for both city and country shipments.

	Rate per 100 lbs.	Minimum—Net
Boxing of bars——	$0.50	$1.00
Wrapping or single boarding of bars——	.25	.25

This amendment shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5539; Filed, April 8, 1943; 10:19 a. m.]

PART 1306—IRON AND STEEL

after December 15, 1941, regardless of the

tion or order issued by the Office of Price

filed requesting that the April 16, 1941

cold rolled iron or steel products, all iron

steel products having annual gross sales

PART 1306—IRON AND STEEL

[RPS 49,[1] as Amended April 8, 1943]

RESALE OF IRON OR STEEL PRODUCTS

Sections 1306.151, 1306.152, 1306.157 (s), 1306.159 (e), (i) (3) and (p) (5) amended; §§ 1306.157 (p) and (q) revoked, and § 1306.157 (bb) added by Amendment 13,[2] issued April 8 and effective April 15, 1943, so that Revised Price Schedule 49 shall read as follows:

Prices in effect on April 16, 1941, have been specified as maximum prices for sale of iron or steel products by producers, under Price Schedule No. 6, as revised on June 21, 1941.[2] A large proportion of the iron or steel products used in industry passes through the hands of jobbers, dealers, and distributors of various kinds. In some cases, these middlemen have charged exorbitant and unwarranted prices. It is therefore essential that the price charged by these persons, as well as the price charged by the producer, be kept within reasonable limits. To protect both the consumer and the jobbers, dealers, and other distributors who have maintained a reasonable price level, it has been determined by the Office of Price Administration that a price schedule covering all resale of iron or steel products should be issued. April 16, 1941, has been selected as the base date since the maximum price at which the reseller may purchase from a producer has been established as of that date. Pending further investigation of transportation problems, maximum prices for Pacific Coast and Gulf Port prices are being specified.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

Sec.

1306.151 Maximum prices for the resale of iron or steel products.
1306.152 Less than maximum prices.
1306.153 Evasion.
1306.154 Records and reports.
1306.155 Enforcement.
1306.156 Petitions for amendment, adjustment or exception.
1306.157 Definitions.
1306.158 Effective date of Price Schedule No. 49.
1306.158a Effective dates of amendments.
1306.159 Appendix A: Domestic and export maximum prices for iron and steel products.
1306.160 Appendix B: Listed cities.
1306.161 Appendix C: List of products.
1306.162 Appendix D: Exceptions to Price Schedule No. 49.
1306.163 Appendix E: Base prices and quantity extras.
1306.164 Appendix F: Maximum delivered prices for certain secondary or rejected iron or steel products.

AUTHORITY: §§ 1306.151 to 1306.164, inclusive, issued under E.O. 8734, 8875, 6 F.R. 1917, 4483. (Executive authority superseded by Emergency Price Control Act of 1942, Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

§ 1306.151 *Maximum prices for the resale of iron and steel products.* On and after December 15, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no seller, as defined in § 1306.157 (a) of this Revised Price Schedule 49, shall sell, offer to sell, deliver or transfer iron or steel products at prices higher higher than the maximum prices in effect at the time of such sale, offer for sale, delivery or transfer, as hereinafter set forth in the appendices to this Revised Price Schedule 49.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1306.152 *Less than maximum prices.* Lower prices than those established by this Revised Price Schedule 49 may be charged, demanded, paid or offered.

§ 1306.153 *Evasion.* The price limitations set forth in Price Schedule No. 49 shall not be evaded either by direct or indirect methods in connection with a purchase, sale, barter, delivery or transfer of iron or steel products alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or by way of discount, premium, or other privilege, or by way of tying agreement or other trade understanding, or otherwise.

§ 1306.154 *Records and reports*—(a) *Records of sales, inventory and orders.* Every seller of iron or steel products shall, after December 15, 1941, keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of:

(1) Each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid on each purchase for resale and received on each resale, the quality and grade, the sizes, and the quantity of each product purchased or sold, and

(2) The tonnage of iron or steel products on hand and on order, classified by product, in a manner similar to that of Form PD 83 as issued by the War Production Board. A copy of Form PD 83 may be had upon request by applying to the War Production Board.

[Paragraph (a) as amended by Amendment 2, 7 F.R. 2540, effective 3-31-42]

(b) *Filing prices.* On or before December 31, 1941, every seller of iron or steel products having annual gross sales of $100,000 or more, even though iron and steel products comprise only a part of the total, during the year ending December 31, 1941, shall file in duplicate, in affidavit form, with the Office of Price Administration, Washington, D. C., his prices circulated to his salesmen or customers in effect on April 16, 1941, or customarily quoted and charged on that date, including extra lists, deduction lists, charges, and discounts. Special prices or discounts given to any customers and classes of customers as of April 16, 1941, shall be filed. This includes prices or discounts to jobbers, dealers and large, industrial or other special buyers. Every seller shall file individual price sheets for each warehouse or branch, showing city and country prices, wherever such exist; and he shall indicate the area or cities to which such prices apply. In the event that any prices so filed exceed the maximum prices established by Revised Price Schedule No. 49, the seller shall, after the effective date of Revised Price Schedule No. 49, eliminate this excess and charge a maximum price not in excess of the maximum prices established herein. Every seller shall state with regard to his April 16, 1941 price for each product, the range of sizes, types or cross-section covered by each price submitted; trade names, if any, and prices charged; prices for each base quantity; products sold in various quantity brackets, and prices for each bracket. If the person is a seller without prices as of April 16, 1941, (a) because of establishment of business after April 16, 1941, or (b) because of introduction of a product not handled on or prior to April 16, 1941, he shall file a list of his inventory as of December 1, 1941, and prices he proposes to charge for such products. These prices shall not be in excess of the maximum as established by Revised Price Schedule No. 49. Additional filing requirements from Pacific Coast and Gulf Port sellers, and for carload business, are included in other sections of Revised Price Schedule No. 49. Persons affected by Revised Price Schedule No. 49 shall submit such other reports to the Office of Price Administration as it may from time to time require: *Provided,* That every seller of pipe and tubular products shall file with the Office of Price Administration, in duplicate, on or before September 15, 1942, his cutting and threading charges circulated to his salesmen or to his customers and in effect on April 16, 1941, or customarily quoted and charged as of that date.

[Proviso added by Amendment 7, 7 F.R. 6693, effective 9-4-42]

NOTE: Supplementary Order 23 (7 F.R. 8478) provides that on and after October 24, 1942, reports filed with OPA pursuant to any price regulation issued prior to October 24, 1942, need not be notarized.

§ 1306.155 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 49 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 49 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1306.155 as amended by Supplementary Order dated March 1, 1942]

[NOTE: The provisions of Supplementary Order No. 17, (7 F. R. 7239, 11007) licensing persons subject to Revised Price Schedules 46 and 49, and Maximum Price Regulation No. 159 are applicable to every person selling iron or steel products for which maximum prices are established by Revised Price Schedule No. 49. That order provides in substance that a license is required of every person selling iron or steel products by this Revised Price Schedule No. 49, that every person subject to this regulation is granted a license as a condition of selling iron or steel products hereunder, and that every such person may in the future be required to register with the Office of Price Administration at such time and in such manner as the Administrator may prescribe. Licensees violating any of the provisions of this regulation or of said license are subject to the license suspension proceedings provided in the Emergency Price Control Act of 1942.]

§ 1306.156 *Petitions for amendment, adjustment or exception.* (a) Any person seeking an amendment of any provisions of this Revised Price Schedule No. 49 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[8]

[Paragraph (a) as amended by Supplementary Order 26, 7 F.R. 8948]

(b) A petition for exception may be filed by any seller requesting permission to sell high cost inventory, title to which was acquired prior to December 15, 1941, at prices in excess of the maximums established in this Revised Price Schedule No. 49. Such petitions must prove that serious financial losses will be imposed on the seller by sale at ceiling prices.

(c) A petition for exception may be filed in any case in which the petitioner claims that the gross margin on a particular product between mill ceiling price and the resale ceiling price as established by this Revised Price Schedule No. 49 is inadequate. The petition must demonstrate:

(1) That the spread is less than that which existed on April 16, 1941; and

(2) That circumstances such as the withdrawal of special competitive prices by the mill, the grant of an amendment or an exception under Revised Price Schedule No. 6[9] by the Office of Price Administration to the supplying mill, the use of the emergency basing point by the mill, etc., have led to the inadequacy of the gross spread; and

(3) That the sale of the particular product, at ceiling prices, has a serious effect on the over-all financial position of the petitioner.

The Office of Price Administration will consider the above factors, together with such other economic and financial data as may be relevant, in determining the merits of such a petition.

(d) A petition for adjustment may be filed requesting that the April 16, 1941 price of any seller be raised to conform to the listed or published price in any listed city, or the lowest combination price in an unlisted city.

(e) In any case in which extraordinary and unusual freight absorption is compelled by the exigencies of the war program, such as priority rating, allocation or the like, and the situation is not covered by § 1306.159 (f) of this Revised Price Schedule No. 49, a petition for exception may be filed by the seller; Upon such petition, the Administrator may grant, together with such other relief as may be proper, the right to price f. o. b. warehouse.

[Paragraphs (b), (c), (d) and (e) as amended by Amendment 2, 7 F.R. 2540, effective 3-31-42]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1306.157 *Definitions.* When used in Revised Price Schedule No. 49, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Seller" means any person who resells iron and steel products to any other person, whether as distributor, jobber, dealer, agent, broker, merchant, exporter, including any person who acts as an intermediary in any connection with such resale, or otherwise: *Provided,* That:

(i) The term shall not include producers of iron or steel products whose activities are covered by Revised Price Schedule No. 6—Iron and Steel Products, except insofar as such producers operate warehouses, branches, or affiliates engaged in the redistribution of iron or steel products. The operation by producers of mill depots for the purpose of distributing iron or steel products manufactured by such producers shall not be considered a resale within the terms of Revised Price Schedule No. 49, but is a sale covered by Revised Price Schedule No. 6.

(ii) "Seller" as defined herein shall not include retail merchants who make retail sales of merchant wire products, all types of roofing and siding, or pipe to consumers in small quantities specifically exempted by this Revised Price Schedule No. 49: *Provided,* That on sales made in quantities larger than those specifically exempted from the maximum price provisions of this Revised Price Schedule No. 49, such retail merchants shall keep records, file prices and observe maximum established prices.

[Paragraph (ii) as amended by Amendment 2, 7 F.R. 2540, effective 3-31-42]

(c) "Iron or steel product" includes all iron or steel ingots, all semi-finished iron or steel products, all finished hot rolled or cold rolled iron or steel products, all iron or steel products further finished (by galvanizing, enameling, plating, coating, drawing, extruding or otherwise) in a manner commonly performed at steel works or rolling mills, and shall include all products listed in the table of Capacity and Production for Sale contained in the Annual Statistical Report of the American Iron and Steel Institute for 1939, pages 42 and 43: *Provided,* That the term shall not include pig iron. Any iron or steel product, as defined above, subject to the operations of pickling, cutting by machine or flame, cutting and threading of pipe, shall be considered a part of this definition of iron or steel product. This definition includes primes, rejects, seconds, wasters, waste wasters, side and end shearings, coil ends, fish tails, mill crop ends and all other off-grade products including reusable products. It does not include (1) crop ends of unused structural steel shapes, structural steel plates and steel shafting, all originating in shipbuilders' or in other fabricators' yards or plants, and reusable structural steel shapes, structural steel plates and steel shafting (which are covered by Maximum Price Regulation No. 310, Reusable Structural Steel Shapes and Plates, and Shafting[4]); (2) relaying rail (which is covered by Revised Price Schedule No. 46, Relaying Rail[6]); (3) reusable iron and steel pipe (which is covered by Maximum Price Regulation No. 230, Reusable Iron and Steel Pipe[7]); and (4) iron and steel scrap (which is covered by Revised Price Schedule No. 4, Iron and Steel Scrap[5]). The term "iron or steel product" includes concrete reinforcing bars but not the fabrication thereof (which is covered by Maximum Price Regulation No. 159, Fabricated Concrete Reinforcing Bars).[9] The term "iron or steel product" includes structural steel shapes but not the fabrication thereof (which is covered by Order No. 61, under § 1499.3 (b) of General Maximum Price Regulation[10]). The term "iron or steel product" also includes cut nails allocated and sold to distributors under directive order, dated July 23, 1942, issued by the Director of Industry Operations, War Production Board.

[Paragraph (c) as amended by Amendment 12, 8 F.R. 2388, effective 3-1-43]

(d) "Maximum delivered price" means the combination of all factors entering into the final charge to the customer, including base prices, transportation and delivery charges and all extras, deductions and other terms of sale;

(e) "Published listed price" or "published list price" means a price for resale of iron or steel products publicly circulated in the trade, and is confined, except as stated below in § 1306.159 (m) (3), to price lists issued for the cities named and the persons stated in Appendix B, incorporated herein as § 1306.160. If not otherwise stated, the term is meant to apply only to price lists effec-

[1] 7 F.R. 1300.

[2] 6 F.R. 3061, 7 F.R. Revised, 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780, 7240, 8948.

[8] 7 F.R. 8961.

[9] 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3940, 4780, 6385, 7240, 8948.

[4] 8 F.R. 1225.

[5] 7 F.R. 1295, 2132, 2508, 3446, 8948, 10528.

[6] 7 F.R. 7731, 7914, 8935; 8 F.R. 1621.

[7] 8 F.R. 1952, 2431.

[9] 7 F.R. 4339, 4428, 5710, 8948; 8 F.R. 970, 1202.

[10] 7 F.R. 6604.

and heavier of $1.00 per 100 pounds, and

listed city or free delivery area to which

filing provisions. (1) Maximum deliv-

tive as of April 16, 1941. In any "listed city" in which there are several such published listed prices for any product or quantity, the highest of such prices shall be the published listed price herein referred to;

(f) "Dislocated tonnage" means—

(1) Any shipments by a seller of 150 to 350 miles which are made through any listed city, into any listed city, or substantially in the same direction and past any listed city; or

(2) Any shipments by a seller of more than 350 miles in any direction.

[Paragraph (f) as amended by Amendment 12, 8 F.R. 2388, effective 3-1-43]

(g) "Governing basing point" means the basing point of producers of iron or steel products included in Price Schedule No. 6, which results in the lowest delivered price to the mill customer;

(h) "Mill base price" means the price at the basing point which governs a sale from a mill by producers of iron or steel products included in Revised Price Schedule No. 6;

(i) "Listed city" means any city named in § 1306.160, Appendix B;

(j) "Unlisted city" means any city or place other than those in § 1306.160, Appendix B;

(k) "Lowest combination" means the lowest delivered price that is the result of a combination of (1) country price of any seller located in any listed city and (2) less-than-carload freight from such listed city.

(l) "Freight as customarily charged" means that type of freight, either all-rail, rail and water, or all water which is customarily used and which may be used to arrive most economically at the place of delivery;

(m) "Mixed carload" means a carload containing not less than three product items of steel in substantial quantities and of different type, such as strip, plates, sheets or bars, etc., or a carload of one or more product classifications containing not less than 10 items of different sizes and/or gauge, each item to be of a specific and known quality, length and cross section, and no item of which shall be more than 8,000 pounds. (On those products as are customarily designated by gauge numbers, cross-section shall mean a specific and known width and gauge.) Maximum prices for mixed carloads are set forth in § 1306.159 (k) (2), except that maximum prices for mixed carloads of merchant wire products and of pipe and tubular products are set forth in § 1306.159 (k) (3) and (k) (4).

[Paragraph (m) as amended by Amendment 7, 7 F.R. 6893, effective 9-4-42]

(n) "Pacific Coast" means any place within the States of California, Oregon, or Washington;

(o) "Gulf Ports" means all cities and other places located on or near the Gulf of Mexico in the States of Texas, Louisiana, Mississippi, Alabama, and Florida.

(p) [Revoked April 8, 1943]

(q) [Revoked April 8, 1943]

(r) "Distress or stranded material" means any iron or steel products which:

(1) Were intended for an export shipment

(2) Were shipped to a port of exportation prior to March 1, 1942; and

(3) Have incurred charges for ocean freight, marine or war risk insurance or storage charges directly attributable to failure to secure shipping space as a result of war or of stoppage or diversion by act of a governmental agency in the interests of national defense.

[Paragraph (r) added by Amendment 1, 7 F.R. 2473, effective 3-28-42]

(s) "The operations commonly known as the warehousing of iron or steel products" means the actual receipt and unloading of iron or steel products, purchased under the authority granted by the applicable regulations of the War Production Board governing the purchase for resale of iron or steel products in substantially the same form as received, into premises (not a public warehouse) equipped with facilities for performing such operations as receiving, stocking, sorting and grading, pipe threading or cutting, shearing, flame cutting or burning to size or shape, and shipping, which operations are necessary or incidental to the resale and distribution of the particular products brought into those premises.

(t) "Mill run long ties", or "longs", means cotton bale ties 11′ 6″ in length, removed from bales of cotton, cotton linters, and cotton waste.

(u) "Mill run short ties", or "shorts", means cotton bale ties shorter than 11′ 6″ in length, removed from bales of cotton, cotton linters and cotton waste.

(v) "Whole secondhand ties" means rebundled and straightened cotton bale ties, 7′ 3″ or longer, free of riveted or spliced joints, in standard bundles of 30 ties and 30 buckles.

(w) "Riveted or spliced secondhand ties" means rebundled and straightened cotton bale ties, 7′ 3″ or longer, riveted or spliced together from two or more pieces of mill run short ties in standard bundles of 30 ties and 30 buckles.

(x) "F. o. b. port" means any one of the following ports, the use of which results in the lowest delivered price to destination of the customer: Norfolk, Virginia; Wilmington, North Carolina; Charleston, South Carolina; Savannah, Georgia; Mobile, Alabama; New Orleans, Louisiana; Galveston, Texas; Houston, Texas; Texas City, Texas.

[Paragraphs (t), (u), (v), (w), and (x) added by Amendment 9, 7 F.R. 10844, effective 1-1-43]

(y) "Imported" means entered into the continental United States from outside thereof for consumption therein or withdrawn from a bonded warehouse in the United States for consumption therein.

(z) "Total landed costs" means the sum of the price charged by the foreign seller, plus all the costs, expenses and charges, including customs duties and import taxes, if any, incurred by a seller with respect to a shipment of an imported iron or steel product from the point of shipment outside the continental United States to the point in the continental United States designated by the seller for initial delivery.

[Paragraphs (y) and (z) added by Amendment 11, 8 F.R. 1583, effective 2-8-43]

(aa) The further definitions as set forth in § 1306.164, Appendix F, paragraph (b) shall apply to the secondary or rejected iron or steel products covered by Appendix F.

[Paragraph (aa) added by Amendment 12, 8 F.R. 2388, effective 3-1-43]

(bb) The further definitions set forth in § 1306.165, Appendix G, (added by Amendment 14, *supra*, 4-8-43), paragraph (a) shall apply to the products covered by Appendix G.

§ 1306.158 *Effective date of Price Schedule No. 49.* This schedule (§ 1306.151 to 1306.161, inclusive) shall become effective on December 15, 1941.

[Issued December 13, 1941]

§ 1306.158a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following parts affected.]

§ 1306.159 *Appendix A: Domestic, export and import maximum prices for iron and steel products*—(a) *Maximum delivered prices in any city, whether listed or unlisted, or free delivery area, in which the seller is located.* (1) In any city or free delivery area in which the seller is located, the maximum delivered price for any iron or steel products shall be the delivered price which was or would have been charged by the seller on April 16, 1941. It is provided however:

[Section heading amended by Amendment 11, 8 F.R. 1583, effective 2-8-43]

(i) That in cities designated in § 1306.160, Appendix B, as listed cities, the maximum delivered prices shall not exceed the published listed prices, as set out in § 1306.160, Appendix B, in effect as of April 16, 1941, for that city or free delivery area.

(ii) That in unlisted cities, the maximum delivered price shall not exceed the lowest delivered price that is the result of a combination of (a) country prices of any seller named in § 1306.160, Appendix B herein [or as may hereinafter be issued under "General Provisions," § 1306.159 (m) (3)] located in any listed city, and (b) less-than-carload freight from such listed city.

(2) Extras which were customarily charged as of April 16, 1941, may be computed in the maximum delivered price: *Provided*, That such extras do not exceed those established and charged on April 16, 1941, by sellers listed in § 1306.160 Appendix B of Price Schedule No. 49. Extras listed but not customarily charged as of April 16, 1941, shall not be charged. Deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price. Where a seller has paid a mill the extra for full finish or cold reduced finish on cold rolled sheets of No. 13 U. S. S. gauge and heavier, as allowed by the provisions of § 1306.8 (b) of Revised Price Schedule No. 6, he may charge an extra for No. 11 U. S. S. gauge and heavier of $1.00 per 100 pounds, and an extra for No. 12 and No. 13 U. S. S. gauge of $0.50 per 100 pounds.

[Paragraph (2) as amended by Amendment 11, 8 F.R. 1583, effective 2-8-43]

(3) Persons not having prices shall compute maximum delivered prices in accordance with paragraph (c) of this section.

(b) *Maximum delivered prices in places other than the city or free delivery area in which the seller is located.* (1) In any other place than a city or free delivery area in which the seller is located, the maximum delivered price for that seller shall be the seller's prices in the city or free delivery area in which the seller is located (as established in § 1306.159 (a)) and less-than-carload freight to destination: *Provided*, That such maximum prices may not exceed the lowest delivered price that is the result of a combination of (i) country price of any seller named in § 1306.160, Appendix B, herein (or as may hereinafter be issued under "General Provisions," § 1306.159 (m) (3)) located in any listed city and (ii) less-than-carload freight from such listed city. It is provided, however, that in no case shall the maximum delivered price on a sale for delivery into a listed city exceed published listed prices, extras and deductions, as set out in § 1306.160, Appendix B, in effect as of April 16, 1941, for that city or free delivery area.

[Paragraph (b) as amended by Amendment 2, 7 F.R. 2540, effective 3-31-42]

(c) *Maximum delivered prices for persons without prices.* (1) In the city or free delivery area in which are located certain persons without prices as of April 16, 1941, because of (a) the establishment of their business after that date, or (b) the introduction of a product not handled on or prior to April 16, 1941, the maximum delivered price for persons having no prices for the product or the quantity being sold shall be:

(i) In listed cities, the maximum delivered price shall not exceed the published listed prices, as set out in § 1306.160, Appendix B, [or, as may hereinafter be issued under "General Provisions", § 1306.159 (m) (3)] for that city or free delivery area.

(ii) In unlisted cities, the maximum delivered price shall not exceed the lowest delivered price that is the result of a combination of (a) country prices of any seller named in § 1306.160, Appendix B herein [or as may hereinafter be issued under "General Provisions", § 1306.159 (m) (3)] located in any listed city, and (b) less-than-carload freight from such listed city.

(2) If a person not having prices sells for delivery into a place other than the city or free delivery area in which he is located, the maximum delivered price shall be set in conformance with paragraph (b) of this section.

(3) Any person who for any reason is unable to set a maximum delivered price in accordance with the terms of Revised Price Schedule No. 49 may apply to the Office of Price Administration to set maximum delivered prices for the sale or series of sales in question.

(d) *Modification of certain April 16, 1941, prices.* (1) Any seller located in

listed city or free delivery area to which published listed prices are applicable, if his prices as of April 16, 1941, were lower than such published listed prices, may make application to the Office of Price Administration to increase the maximum delivered price applicable to him in order to correspond to the published listed prices applicable to such listed city or free delivery area. Such application shall be in affidavit form and shall state that the services rendered by such seller are comparable to services rendered by the sellers named in § 1306.160, Appendix B, for such city, in such matters as delivery service, performance of cutting, shearing, bending, threading and similar operations, carrying of a full line of products, of comparable type, grade and quality, etc.

(e) *Maximum prices for exports of iron or steel products.* Maximum prices for export sales of iron or steel products under this Revised Price Schedule No. 49 shall be computed in accordance with the Revised Maximum Export Price Regulation [1] and any amendments or revisions thereof.

(f) *Maximum delivered prices for dislocated tonnage.* For dislocated tonnage, as defined in § 1306.157 (f), out of warehouse stock, the maximum delivered price for any iron or steel product so shipped shall be the seller's maximum price for shipments out of his own city or free delivery area (that is, his country price) as established in this Revised Price Schedule No. 49, plus freight to destination, less 15¢ per 100 pounds. *Provided*, That if, in computing the price on dislocated tonnage, the resultant delivered price is lower than the price that would be obtained by using § 1306.159 (b), only that part of the 15¢ need be deducted which will make the price equivalent to that established by § 1306.159 (b). (In effect, if, to the seller's advantage, he may use the dislocated tonnage provision when applicable; if not, he may use § 1306.159 (b)). *Provided further*, That the maximum delivered prices for dislocated tonnage shall not apply to shipments of pipe or tubular goods, and that on all shipments of standard pipe, seamless pipe, water well casing, large O. D. pipe, line pipe and wrought iron pipe originating from jobber's stocks in the States of Washington, Idaho, Montana, Oregon, Wyoming, Nevada, Utah, Colorado, Arizona, California, New Mexico and Texas (El Paso and Pecos only) and shipped to points within the above mentioned states or to points West of the 103rd meridian, within the States of North Dakota, South Dakota, Nebraska, and Texas, any freight actually paid in excess of the sum of thirty (30) cents per 100 pounds may be charged, notwithstanding that freight equalization of more than this amount may be required by the provisions of § 1306.159 (i) (1) and (2), establishing maximum delivered prices at such points of delivery.

[Paragraph (f) as amended by Amendment 12, 8 F.R. 2388, effective 3-1-43]

(g) *Maximum delivered prices on the Pacific Coast and for Gulf Ports: Special filing provisions.* (1) Maximum delivered prices on the Pacific Coast shall be as provided in Revised Price Schedule No. 49. *Provided*, That: (i) on the following steel products whether sold as standard specification carbon steel, or steel products of that grade known in the trade as Mayari R, Corten etc., or steel products of Abrasive Resisting, Armco, and Toncan quality, and on no others, the following sums may be added to the maximum delivered prices as otherwise established in Revised Price Schedule No. 49:

	Cents per 100 pounds
Plates, universal and sheared, and floor plates	75
Hot rolled sheets	65
Cold rolled sheets	65
Hot rolled bars and small shapes (concrete reinforcing bars are not included in this classification)	20
Galvanized, galvannealed and enameling sheets	45
Hot rolled strip	25
Structural shapes	45
Hard red sheets	90
Billets	70

(ii) On all pipe and tubular products covered by § 1306.159 (i) of this Revised Price Schedule No. 49, the rail and water rates to Pacific Coast ports, referred to in that section, may be disregarded and published all-rail freight rates may be used in computing maximum prices.

(2) Information from Pacific Coast and Gulf Port sellers is required to be filed with the Office of Price Administration on Forms 149: 1 and 149: 2, respectively. Copies of Forms 149: 1 and 149: 2 may be had upon request by applying to the Office of Price Administration.

[Paragraph (g) as amended by Amendment 2, 7 F.R. 2540, effective 3-31-42, and Amendment 7, 7 F.R. 6893, effective 9-4-42]

(h) *Maximum delivered prices for specific wire products.* (1) Notwithstanding the provisions of any other section of Revised Price Schedule No. 49, the maximum delivered price for shipment from warehouse stock of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire, in the city or free delivery area in which the seller is located, shall be the aggregate of:

(i) Mill straight carload price (after deducting the regular jobber allowance of 15¢ per cwt.).

(ii) Carload freight from the governing mill basing point to warehouse, or carload freight from the emergency basing point where use of the latter is permissible under Revised Price Schedule No. 6, not to exceed, however, the actual freight paid. (Where the emergency basing point is used as a basis for computation, records of such sales and of the manner of computing price shall be kept available for inspection for a period of one year.)

(iii) One of the following: for standard wire nails, 50¢ per cwt.; for annealed smooth wire, 60¢ per cwt.; for galvanized smooth wire, 68¢ per cwt.

(2) The maximum delivered price for shipment from warehouse stock of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire sold from the city or free delivery area in which the seller is located to any other place shall be the

[1] 2d Revision, 8 F.R. 4132.

price (as computed above) in the city or

(i) *Maximum delivered prices for pipe*

or distributor's stock price as published

the maximum price that the jobber may charge or receive for the tubular goods

shall be used in computing maximum prices applicable to a mixed carload.

davit will be considered proper filing under this requirement). This provision

(1) Were intended for an export shipment

tal United States to the point in the con-

charge an extra for No. 11 U. S. S. gauge

price (as computed above) in the city or free delivery area in which the seller is located and less-than-carload freight from such city.

(3) On all merchant wire products, and all types of roofing and siding, whether covered by subparagraphs (1), (2) or (4) of this paragraph, extras charged by jobbers and dealers on merchant wire products, and all types of roofing and siding, shall be the same as regular published mill extras in effect as of April 16, 1941, and deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price. On standard wire nails, annealed smooth wire and galvanized smooth wire, for which maximum prices are established above, deductions shall be in the same ratio to these maximum prices as they were to prices existing on April 16, 1941.

(4) The maximum delivered domestic prices for less-than-carload quantities of all other merchant wire products (including poultry netting, screen cloth and hardware cloth) and all types of roofing and siding shall be computed as otherwise provided in paragraphs (a), (b) and (c) of this section. *Provided*, That in no case need the price of any seller, listed or otherwise, in the city or free delivery area in which he is located, fall below the aggregate of:

(i) Mill straight carload price to jobbers

(ii) Carload freight from the governing mill basing point to warehouse, or carload freight from the emergency basing point where use of the latter is permissible under Revised Price Schedule No. 6, not to exceed, however, the actual freight paid; (where the emergency basing point is used as a basis for computation, records of such sales and of the manner of computing price shall be kept available for inspection for a period of one year) and,

(iii) A mark-up of 20% of the aggregate of subdivisions (i) and (ii) of this subparagraph.

Provided further, That in no case shall the maximum delivered price of merchant wire products or all types of roofing and siding sold to any place other than the city or free delivery area in which the seller is located exceed the seller's maximum price, as herein established, plus less-than-carload freight from the city in which such seller is located.

(5) The maximum prices for mixed or straight carloads of merchant wire products are established by § 1306.159 (k) (3).

(6) The maximum delivered prices of merchant wire products and all types of roofing and siding established in this section do not govern retail sales of such products by retail merchants (such as retail hardware stores, retail lumber yards, or mail order houses) to consumers: *Provided*, That sales by any person of nails in quantities of more than 25 kegs or other merchant wire products and all types of roofing and siding in quantities of more than 2,500 pounds shall be so governed.

[Paragraph (h) as amended by Amendment 2, 7 F.R. 2540, effective 3-31-42, and Amendment 7, 7 F.R. 6893, effective 9-4-42]

(i) *Maximum delivered prices for pipe and tubular products.* Maximum delivered prices for the following types of iron and steel pipe and tubular products shall be the seller's prices in effect as of April 16, 1941: *Provided*, That they do not exceed the maximum delivered prices established below, as modified by deductions, discounts, and other terms customarily granted by the seller as of April 16, 1941. Standard published mill extras in effect as of April 16, 1941, shall be used in computation of maximum delivered prices. *Provided further*, That extras for cutting and threading operations where performed by mill shall not exceed the standard published mill extras, in effect April 16, 1941, for such operations; and that where cutting and threading operations are performed by the seller, the extras for such operations shall not exceed the amount charged or which would have been charged by the seller on April 16, 1941, and which seller has filed with the Office of Price Administration.

(1) For standard pipe, seamless pipe, water well casing, large O. D. pipe, and line pipe: the lowest price resulting from that combination of flat basing card discounts of the National Tube Company in effect April 16, 1941, and published all-rail carload freight from Basing Point to destination of customer (except to Pacific Coast points where the rail and water rate is applicable) [12] plus:

(i) 25% on standard pipe, reamed and drifted pipe and line pipe 6 inches and smaller, both black and galvanized, and

(ii) 30% on all larger sizes of standard pipe and line pipe, also all sizes of extra strong and double extra strong, both black and galvanized, and all sizes of water well casing and large O. D. pipe.

(2) For wrought iron pipe: the price resulting from combination of resale discounts for sales from distributors' stocks as shown on A. M. Byers Company card in effect April 16, 1941, and published all-rail carload freight from Pittsburgh to destination of customer (except to Pacific Coast points where the rail and water rate is applicable).[12]

(3) For oil country tubular goods: (i) Direct mill shipments: For direct mill shipments of oil country casing, tubing, drill pipe and drive pipe only, the lowest price (as established by Revised Price Schedule No. 6 [12]) resulting from that combination of mill basing point price, as published by Oil Well Supply Company, distributor for National Tube Company, in effect April 16, 1941, (Oil Country Tubular Goods Price List No. 24) and carload freight or transportation charges from the governing mill basing point to destination of customer as computed in National Tube Company Freight Book No. 1.

(ii) Shipments out of seller's field or warehouse stock: For shipments out of field or warehouse stock of oil country casing, tubing, drill pipe, and drive pipe only: the lowest price resulting from that combination of basing point out of field or distributor's stock price as published by Oil Well Supply Company, distributor for National Tube Company, in effect April 16, 1941, (Oil Country Tubular Goods Price List No. 24) and carload freight or transportation charges from the governing mill basing point to location of field or warehouse stock, as computed by the National Tube Company Freight Book 1, to which may be added freight or transportation charges from the location of field or warehouse stock to destination of the customer.

(4) For boiler and other pressure tubes: the lowest price resulting from that combination of basing point prices in each quantity bracket of the National Tube Company price list for sales to consumer in effect April 16, 1941, and less-than-carload freight from basing point to destination of customer (carload freight shall be charged on shipments of 40,000 lbs. and over) [12]: *Provided*, That maximum prices for merchant and other tubes shall be in the same ratio to the maximum prices established for seamless tubing as existed on April 16, 1941. In no case shall these prices exceed the maximum established here for seamless tubing: *Provided further*, That for boiler and other pressure tubes in the following sizes and gauges only:

1"–2¼" OD, 11 gauge and heavier.
2½"–3" OD, 10 gauge and heavier
3¼"–3½" OD, 9 gauge and heavier.
4"–4½" OD, 8 gauge and heavier.
5"–5½" OD, 7 gauge and heavier.
6" OD, 5 gauge and heavier.
6¼"–6½" OD, 9/32" and heavier.

On shipments from warehouse stock, the maximum delivered price shall be the lowest price resulting from that combination of mill carload basing point prices and less-than-carload freight from basing point to destination of customer, plus mark-up on such total as shown for each quantity bracket as established herein:

	For quantity (percent)
30,000 to 39,999 ≠ or ft	35
20,000 to 29,999 ≠ or ft	40
10,000 to 19,999 ≠ or ft	50
5,000 to 9,999 ≠ or ft	55
2,000 to 4,999 ≠ or ft	65
Under 2,000 ≠ or ft	80

(5) For cold drawn seamless and other mechanical tubing: the prices in effect and actually charged as of April 16, 1941, by the exclusive distributors of the National Tube Co., covering all sections of the country, shall be the maximum prices to be charged in areas served by each such distributor.

(6) Revised Price Schedule No. 49 does not establish a maximum price for sales by retailers, such as mail order houses and retail hardware stores, in quantities not greater than 5 standard lengths of pipe larger than 3½", or than 15 standard lengths of pipe 3½" or smaller.

(7) In the event that a recognized tubular goods jobber purchases oil country tubular goods or line pipe from an oil company or pipe line company at a price determined under Maximum Price Regulation No. 204 and resells such tubular goods or pipe directly to another oil company or pipe line company, and that the Office of Petroleum Coordinator has granted prior approval to the transaction,

[12] 7 F.R. 1215, 2132, 2153, 2299, 2997, 3115, 3941, 4780, 7240, 8948.

the maximum price that the jobber may charge or receive for the tubular goods or pipe is the price which the jobber actually paid for the material plus 3% of such price.

[Paragraph (i) as amended by Amendment 7, 7 F.R. 6893, effective 9-4-42]

(j) *Maximum delivered prices for tool steel.* The maximum delivered price for tool steel shall be the seller's prices which were in effect, or would have been charged on April 16, 1941, provided they do not exceed, for comparable products, prices listed in the published price list of Crucible Steel Company, effective on April 16, 1941. The locations of warehouses of the Crucible Steel Company are set forth in § 1306.160, Appendix B, of Revised Price Schedule No. 49.

(k) *Maximum delivered prices for shipments in carload quantities, and in certain specific cases.* (1) Prices in excess of the mill prices provided under Revised Price Schedule No. 6 shall not be charged by any person for:

(i) Direct shipments from producers or converters of any quantity of iron or steel products; or

(ii) Shipments of any quantity diverted from delivery to warehouses; or

(iii) Shipments of any quantity not put through the operations commonly known as the warehousing of iron or steel products:

Provided, That direct mill shipments of special name steel differing in chemical analysis and quality from standard mill specifications, and on which the seller takes responsibility as to performance, may be sold, after approval by the Office of Price Administration as to qualification in this respect, at prices not to exceed the seller's April 16, 1941 prices established for such shipment.

(2) Notwithstanding the provisions of any other section of Revised Price Schedule No. 49 which relate to carload shipments, shipments of mixed carloads as defined in § 1306.157 (m) out of warehouse stock shall be sold at a price not in excess of the maximum delivered price for a 500 pound quantity minus a discount of not less than $7.00 per net ton: *Provided*, That if the applicable price for the quantity of any item shipped, as established by any provision of this schedule, is lower than the price as calculated above (500 pound quantity bracket price minus a discount of not less than $7.00 per net ton) such lower price shall be the maximum price for such item: *Provided further*, That prices established by this subparagraph for alloy steels (including Stainless Steel) and cold finished carbon bars need not in any instance be below mill prices as established by Revised Price Schedule No. 6 for the same quantity of the same item: *Provided further*, That if a mixed carload contains any product items which were not customarily sold on a quantity plan on April 16, 1941, there shall be deducted from the out-of-stock less-than-carload price established by this Schedule for such product a discount of not less than $3.00 per net ton.

Invoices covering any mixed carload shipment as herein defined must list each item in the shipment. Carload freight rather than less-than-carload freight shall be used in computing maximum prices applicable to a mixed carload.

(3) Mixed or straight carload of merchant wire products shall be sold at maximum prices not exceeding the published mill base prices established under Revised Price Schedule 6. (Regular jobber allowances given by mills may be retained by seller of such mixed carload.)

(4) Mixed or straight carloads of 40,000 lbs. or more of pipe and tubular products, including boiler and other pressure tubes and mechanical tubing, shall be sold at maximum delivered prices not to exceed published mill carload prices of such products established by Revised Price Schedule 6: *Provided*, That the above provision shall not apply to sales of Oil Country Tubular Goods out of distributor's stocks, but shall apply to direct mill shipment.

(5) On shipments of 40,000 lbs. or more by a seller at one time or on one order, (except that on rails this provision shall apply to a minimum quantity of 56,000 lbs.) the maximum delivered price shall be the mill price as established under Revised Price Schedule No. 6, except insofar as specific exception is made to this clause in other subparagraphs of this paragraph (k): *Provided*, That on presentation to the Office of Price Administration of a certificate that such shipment has been found by the War Production Board (i) to be necessary in the interests of the war effort and (ii) to be of such a character that shipment from a mill is not practicable or possible, a maximum delivered price will be established by the Office of Price Administration.

(6) Notwithstanding the provisions of any other section of Revised Price Schedule No. 49, in the case of any shipment of any quantity out of a warehouse stock which has been specifically allocated to the warehouse by the War Production Board, and has been there held for reshipment at the direction of the War Production Board for use in defense repairs or other defense purposes, the maximum delivered price shall be fixed by the Office of Price Administration upon application for the setting of such maximum delivered price, which application shall contain a sworn statement setting forth the source of such iron or steel products, the War Production Board rating or certificate, and the destination to which the War Production Board has directed that shipment be made.

(7) This subparagraph is hereby repealed and is superseded by the provisions of Maximum Price Regulation No. 204.

(8) Where any five shipments or less to one customer in any semi-monthly period total 40,000 lbs. or more, records shall be filed with the Office of Price Administration covering all shipments made to such customer during said semi-monthly period on or before the 15th day of the next succeeding month. This filing shall be supported by affidavit and shall include names and addresses of the buyers, full description of products shipped, and prices charged including all extras for each quantity and size. (Copies of invoices accompanied by affidavit will be considered proper filing under this requirement). This provision shall not be construed to allow shipment of carload amounts at any other than the mill ceiling price, except as specifically permitted elsewhere in this Revised Price Schedule No. 49.

[Paragraph (k) as amended by Amendment 2, 7 F.R. 2540, effective 3-31-42, and Amendment 7, 7 F.R. 6893, effective 9-4-42]

(l) *Maximum delivered prices for all other secondary or rejected iron or steel products for which prices are not established in § 1306.164, Appendix F, and reusable iron or steel products not governed by any other maximum price regulation.* The maximum delivered price for all other secondary or rejected iron or steel products for which prices are not established in §1306.164, Appendix F, and reusable iron or steel products not governed by any other maximum price regulation, after such shearing, cutting, straightening, bending, or pickling as may be necessary, shall be computed in the same manner used by the seller on April 16, 1941. *Provided*, That such prices do not exceed the maximum delivered prices for comparable iron or steel products of prime quality.

[Paragraph (l) as amended by Amendment 12, 8 F.R. 2388, effective 3-1-43]

(m) *General provisions.* (1) Delivery and other services of all kinds, credit or other discounts, all freight absorptions (except as otherwise specified in Revised Price Schedule No. 49), all allowances, and all other privileges in effect on April 16, 1941, shall be continued without diminution or extra charge.

(2) Brokers, agents, consignees, distributors without stocks, and other persons acting in sales transactions on behalf of owners of iron or steel products other than producers, may continue to charge their customary commissions in effect on April 16, 1941: *Provided*, That in such cases where commissions are to be added to the selling price, the result shall not exceed the maximum delivered prices as established by Revised Price Schedule No. 49.

(3) Whenever the Office of Price Administration publishes prices for any city or free delivery area, they shall on publication become the official published listed prices for such city or free delivery area, and shall supersede references otherwise made in Revised Price Schedule No. 49 for the determination of sellers' maximum prices for such products, either in Appendix B for listed cities, or for unlisted cities. Transportation and delivery charges and all extras, deductions and other terms of sale to continue in effect as established by Revised Price Schedule No. 49, unless specifically stated otherwise in such official published price sheet.

(n) *Special provisions for the sale of distress and stranded materials.* [Paragraph (n) expired on October 1, 1942]

(o) The maximum delivered price for concrete reinforcing bars sold by any person other than a producer, as defined in Revised Price Schedule No. 6, or a fabricator, as defined in Maximum Price Regulation No. 159,[13] shall be a price as

[13] 7 F.R. 4339, 5710, 8948; 8 F.R. 970.

otherwise established in this Revised Price Schedule No. 49: *Provided*, That (1) The maximum delivered price for carload quantities of concrete reinforcing bars when sold by any person other than a producer, as defined in Revised Price Schedule No. 6, shall be established by and subject to the conditions of the provisions applicable to carload sales of concrete reinforcing bars of Maximum Price Regulation No. 159, establishing maximum prices for sales of concrete reinforcing bars by fabricators.

[Paragraph (o) added by Amendment 5, 7 F. R. 4342, effective 6-15-42]

(p) Maximum delivered prices for less-than-carload quantity sales of any alloy steels whose specifications as presently described were not used in production by mills on April 16, 1941, such as National Emergency Specifications and American Iron and Steel Institute Specifications of alloy grades (but not including carbon steel or tool steel grades) are hereby established:

(1) For the purposes only of this section and paragraphs of this Revised Price Schedule No. 49, and for no other purpose, basing point cities for hot rolled alloy steel shall be: Bethlehem, Pennsylvania; Buffalo, New York; Canton, Ohio; Chicago, Illinois; Massillon, Ohio; and Pittsburgh, Pennsylvania. Basing point cities for cold finished alloy steel shall be: Buffalo, New York; Chicago, Illinois; Cleveland, Ohio; Gary, Indiana; and Pittsburgh, Pennsylvania.

(2) Base prices per 100 pounds for delivery of alloy steels within the free delivery area of basing point cities shall be the aggregate (adjusted upward or downward to the nearest $0.05) of:

(i) Mill alloy base price, as established by Revised Price Schedule No. 6, at any basing point city (hot rolled or cold finished, whichever is applicable).

(ii) Mill analysis extras, as established by Revised Price Schedule No. 6, (open hearth or electric furnace, whichever is applicable).

(iii) A mark-up of 66⅔% of the aggregate of (i) and (ii) herein above.

(3) Base prices per 100 pounds for delivery at any destination other than the free delivery area of basing point cities shall be that combination of base prices established for basing point cities in subparagraph (2) of this paragraph plus less-than-carload freight rates in effect at time of shipment from governing basing point city to destination which results in the lowest delivered price.

(4) Quantity extras shall be determined by combining the weight of one or more orders placed in one day, shipped at one time or at seller's convenience, to one destination.

(i) Item quantity extra, to be determined by quantity of one size, grade and finish, shall be as follows:

1,000 to 39,999 pounds—base.
500 to 999 pounds plus $0.50 per 100 pounds.
300 to 499 pounds plus $0.75 per 100 pounds.
Less than 300 pounds plus $1.25 per 100 pounds.

(ii) An order extra of $3.00 per 100 pounds may be charged on alloy orders which total less than 300 pounds. If the order extra is applicable and charged, the item quantity extra for less than 300 pounds in (i) above may not also be charged. Hot rolled alloys and cold finished alloys need not be combined to determine total weight.

(5) (i) For material which is carried in stock in the following condition or qualities, the following charges may be made:

	Rate per 100 pounds
Annealing	$1.00
Normalizing	1.00
Heat treating (quench and draw)	2.50
Spheroidized annealing	2.50
Stress relieving after cold working	1.25
Aircraft quality	2.50
Extensometer test	.40

(ii) For material which is treated at an outside plant (not a producer, as defined in Revised Price Schedule No. 6, or in the seller's own plant) on which are performed any of the operations listed in (i) above:

(*a*) Actual invoice cost to seller minus any trucking charges included on such invoice, plus

(*b*) An added charge at the rate of 30¢ per 100 pounds, provided that no additional charges may be made such as, but not limited to, a charge for trucking, handling, risks.

(iii) Mill size extras as established by Revised Price Schedule No. 6; also, other quality extras not to exceed mill extras as established by Revised Price Schedule No. 6 or actual cost, whichever is lower.

(iv) No charge may be made for machine straightening.

(6) Other customary and general discounts, terms and privileges, in effect as of April 16, 1941, shall be continued without diminution or extra charge.

[Paragraph (p) added by Amendment 7, 7 F.R. 6893, effective 9-4-42]

(q) The maximum prices for sellers of cut nails specifically allocated and sold to distributors under directive order, dated July 23, 1942, issued by the Director of Industry Operations, War Production Board, shall be as follows:

(1) On sales by those distributors specifically allocated such cut nails, delivered cost from mill plus 50¢ per keg.

(2) On sales by persons who have purchased cut nails from such distributors, delivered cost plus 75¢ per keg.

(3) On sales by any other seller, a price approved by the Office of Price Administration after application by the seller.

(4) The prices set forth in (1), (2) and (3) above shall be f. o. b. seller's warehouse, except that no delivery charge shall be made for deliveries within the seller's customary free delivery area.

[Paragraph (q) added by Amendment 8, 7 F.R. 6935, effective 8-31-42]

(r) *Cotton bale ties.* (1) The maximum delivered price for any seller of new cotton bale ties shall be the price he charged or would have charged on August 1, 1941.

(2) The maximum price for any seller of mill run ties shall be:

(i) For shorts, $.60 per 100 pounds, f. o. b. location of material.

(ii) For longs, $1.25 per 100 pounds, f. o. b. location of material.

(3) The maximum delivered price for any seller of secondhand, reprocessed, or reconditioned cotton bale ties shall be as follows, plus less-than-carload freight from the applicable port on less-than-carload shipments and carload freight from the applicable port on carload shipments:

(i) On sales to cotton ginners,

(*a*) For whole ties, $1.45 per bundle, f. o. b. port.

(*b*) For riveted or spliced ties, $1.35 per bundle, f. o. b. port.

(ii) On sales to all other persons, including, but not limited to, jobbers, cotton compressors, and cottonseed oil mills.

(*a*) For whole ties, $1.40 per bundle, f. o. b. port.

(*b*) For riveted or spliced ties, $1.30 per bundle, f. o. b. port.

(4) *Relationship to Maximum Price Regulation No. 211.*[14] Sales of cotton bale ties by cotton ginners as part of their cotton ginning services are not subject to this Revised Price Schedule 49 but continue to be governed by Maximum Price Regulation No. 211.

(5) *Relationship to Amendment No. 32 to Supplementary Regulation No. 14 under General Maximum Price Regulation.*[15] Sales by cotton oil mills of cotton bale ties when sold in combination with cotton bale bagging at a single price for the combination are not subject to this Revised Price Schedule 49 but continue to be governed by Amendment No. 32 to Supplementary Regulation No. 14 under General Maximum Price Regulation.

(6) *Relationship to Revised Price Schedule No. 4.*[16] Sales of mill run ties as "iron and steel scrap" as defined in Section 1304.11 (b) of Revised Price Schedule No. 4 are not subject to this Revised Price Schedule 49 but continue to be governed by Revised Price Schedule No. 4.

[Paragraph (r) added by Amendment 9, 7 F.R. 10844, effective 1-1-43]

(s) *Maximum prices for imported iron or steel products.* (1) The maximum delivered price for sales or deliveries of any iron or steel product imported prior to April 16, 1941, shall be the price for the product as established by the provisions of Revised Price Schedule No. 49 without reference to subparagraph (2) below.

(2) The maximum delivered price for sales or deliveries of any iron or steel product imported on and after April 16, 1941, shall be the price for the product as established by the Office of Price Administration, upon application by the seller. In establishing such price, the Office of Price Administration shall take into consideration the importance of the product to the war effort, and, wherever appropriate, any increase in the total landed costs of the product over the total landed costs of the same product or a similar product sold by the seller or a similar seller on or about April 16, 1941. The application by the seller shall include a proposed price and all information which he considers necessary for the Office of Price Administration to judge that proposed price and to determine the price to be established: *Provided*, That no petition or application for amendment, adjustment, exception or other relief made by the buyer of an imported iron or steel product will be entertained by the Office of Price Administration to the extent that such petition or application is based, directly or indirectly, on the purchase from a seller of an imported iron or steel product at a price higher than the price established under subparagraph (1) above for the same or similar imported iron or steel product. If the seller of the imported iron or steel product has applied or intends to apply to the Office of Price Administration for the establishment of a price under the provisions of this subparagraph (2), he shall prior to the time of selling or agreeing to sell the product notify the buyer in writing of the above limitation. In any case, under this subparagraph, where a maximum delivered price is to be determined by the Office of Price Administration, a seller may prior to such determination contract, sell, bill and deliver at an adjustable price, the definite price to be finally determined by the Office of Price Administration.

[Paragraph (s) added by Amendment 11, 8 F.R. 1583, effective 2-8-43]

§ 1306.160 *Appendix B: Listed cities—*(a) *Listed cities or free delivery areas in which sellers stock heavy steel line and merchant wire products.*

Baltimore	Scully Steel Products.
Birmingham	Southern Steel Company.
	Moore-Handley Company.[17]
Boston	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Wheeling Corrugating Company.[17]
	Wheelock-Lovejoy & Company.
Buffalo	Jos. T. Ryerson & Son.
	Wheeling Corrugating Company.[17]
	Wheelock-Lovejoy & Company.
Chicago	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Jones & Laughlin Steel Corporation.
	A. M. Castle & Company.
	Hibbard Spencer Bartlett & Company.[17]
	Wheelock-Lovejoy & Company.
Cincinnati	Jos. T. Ryerson & Son.
	Jones & Laughlin Steel Corporation.
	The H. Belmer Company.[17]
	Wheelock-Lovejoy & Company.
Cleveland	Jos. T. Ryerson & Son.
	Scully Steel Products.
	The George Worthington Company.[17]
	Wheelock-Lovejoy & Company.
Detroit	Jos. T. Ryerson & Son.
	Jones & Laughlin Steel Corporation.
	Buhl Sons Company.[17]
	Wheelock-Lovejoy & Company.
Houston	Earle M. Jorgensen Company.
	F. W. Heitmann & Company.[17]
Indianapolis	W. J. Holliday Company.
Los Angeles	A. M. Castle & Company.
	Earle M. Jorgensen Company.
	Ducommun Metals & Supply Company.
Memphis	Jones & Laughlin Steel Corporation.
Milwaukee	Jos. T. Ryerson & Son.
	Frankfurth Hardware Company.[17]
New Orleans	Jones & Laughlin Steel Corporation.
	Cahn Brothers & Ryder, Incorporated.[17]
New York	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Jones & Laughlin Steel Corporation.
	Wheelock-Lovejoy & Company.
Norfolk	Eagleston - Parke, Incorporated.
Omaha	Drake - Williams - Mount Company.
Philadelphia	Jos. T. Ryerson & Son.
	Wheeling Corrugating Company.[17]
Pittsburgh	Scully Steel Products.
	Jones & Laughlin Steel Corporation.
	C. A Turner Company.[17]
St. Louis	Jos. T. Ryerson & Son.
	Scully Steel Products.
St. Paul	Scully Steel Products.
San Francisco	A. M. Castle & Company.
	Earle M. Jorgensen Company.
Seattle	A. M. Castle & Company.
Sioux Falls, South Dakota	Hassenstein Steel Corporation.
	Sioux Steel Company.
Tacoma, Washington	Hunt & Mottet Company.
Washington, D. C.	J. B. Kendall Company

[Table as amended by Amendment 3, 7 F.R. 3330, effective 5-5-42 and Amendment 4, 7 F.R. 3893, effective 5-26-42]

(b) *Listed cities or free delivery areas in which Crucible Steel Company warehouse stocks of tool steel are located:* Atlanta; Boston; Buffalo; Chicago; Cincinnati; Cleveland; Denver; Detroit; Indianapolis; Los Angeles; Milwaukee; Newark; New Haven; New York; Philadelphia; Providence; St. Louis; San Francisco; Seattle; Springfield.

(c) Listed cities or free delivery areas in which National Tube Company's exclusive distributors of mechanical tubing are located.

Cambridge	Austin-Hastings Company.
Los Angeles	Ducommun Metals & Supply Company.
New York, Buffalo, Philadelphia	Peter A. Frasse & Company, Incorporated.
Cincinnati	E. K. Morris & Company, Incorporated.
Chicago, Detroit, Indianapolis, St. Louis	C. A. Roberts Company.
Cleveland	Strong, Carlisle & Hammond.
Atlanta	J. M. Tull Metal Supply Company.
Pittsburgh	Williams & Company.

(d) The provisions of this § 1306.160 Appendix B are modified in part by the provisions of § 1306.163 Appendix E.

[Paragraph (d) added by Amendment 10, 8 F.R. 319, effective 1-11-43]

§ 1306.161 *Appendix C: List of products.* The following iron and steel products and their alloys (including stainless) are: "Iron or Steel Products" as defined in Revised Price Schedule No. 6. They are therefore iron or steel products as defined in Revised Price Schedule No. 49, covering resale of iron or steel products. This list does not limit the inclusiveness of the definition. As interpretations are made, this list will be supplemented from time to time.

- Ingots
- Blooms
- Billets
- Slabs
- Sheet bars
- Skelp
- Tube rounds
- Muck bar
- Forging rounds

Bars and small shapes, new billet and rail steel—all types and grades including:
- Merchant
- Cold finished—carbon
- Concrete reinforcing
- Alloy-hot rolled; cold finished
- Hoops and bailing bands

Tool steel bars (rolled and forged)
Plates—all types
Armor plate—forged, rolled and otherwise
Shapes, including bearing piles
Sheets, piling and accessories
Rails—all types
Track materials including:
- Tie plates
- Tie rods
- Track spikes
- Splice bars (joint bars, angle bars, rail joints, and fish plates)
- Ties

Axles, car wheels, or any combination, rolled or forged
Pipe and tube—plain, threaded and coupled—all types and grades, including:
- Conduit
- Spiral welded
- Mechanical tubing
- Boiler, pressure, and heat exchanger tubing

Black plate
Tin plate—all types
Sheets and strip, including plain and corrugated; and roofing and siding of all types; including:
- Hot rolled
- Cold rolled
- Galvanized
- Ternes
- Enameling
- Electrical
- All other

Wire rods—all types and grades
Merchant wire products, including:
- Nails, staples, and brads
- Merchant quality wire
- Wire fencing, including woven, chain link and lawn

[17] The prices of these firms are published list prices only as to the merchant wire product line.

[14] 7 F.R. 6828, 7406, 7322, 7813, 8237, 8943, 8948.
[15] 7 F.R. 7535.
[16] 8 F.R. 1952, 2431.

Quantity Differentials Per 100 Pounds—Con.

Bale ties and buckle wire
Posts—all types and accessories
Poultry and animal farm netting
Twisted barbless and barbed wire
Wire clothes line
Wire rope, wire strand, and special cords such as aircraft
Woven wire cloth—insect, hardware, and all other
Wire belting
Wire hoops
Communications and power transmission wire
Welded or woven wire fabrics for reinforcing

§ 1306.162 *Appendix D: Exceptions to Revised Price Schedule No. 49.* The following persons have been granted an exception under the terms of Revised Price Schedule No. 49, which exception has been defined and limited in certain letters. All action taken in reliance upon the terms of any exception shall be at the risk of the person acting until and unless official notification has been received by such persons pursuant to such application. Persons interested may secure the terms of such exception on application to the Office of Price Administration.

Name	Date Granted
State Export Company, 24 State Street, New York City	January 30, 1942.
Omni Products Corporation, 347 Fifth Ave., New York City	January 31, 1942.
Overseas Mercantile Company, 14–16 E. 38th Street, New York City	January 31, 1942.
First Pan-American Mercantile Company, 19 Rector Street, New York City	December 27, 1941. January 6, 1942. January 14, 1942.
Import-Export Industries, Inc., 30 Rockefeller Plaza, New York City	January 29, 1942.
R. Maes Export and Import Corporation, 327 E. 29th Street, New York City	December 31, 1941.
T. J. MacDonald, 24 State Street, New York City	January 14, 1942.
Merx Foreign Trade Company, 1270 Sixth Avenue, New York City	December 31, 1941. January 8, 1942.
Coronia Trading Corporation, 175 Fifth Avenue, New York City	January 7, 1942.
Industrial Sales Corporation, 295 Madison Avenue, New York City	December 31, 1941. January 14, 1942.
Requisitioning Division, Board of Economic Warfare, Washington, D. C.; Mr. Lambo Kisselintcheff; and Atlas Trading Corporation, New York City.	January 19, 1942.
Requisitioning Division, Board of Economic Warfare, Washington, D. C.; Wessel-Duval & Company, New York City.	January 19, 1942.
Requisitioning Division, Board of Economic Warfare, Washington, D. C.; Mr. Frederic Rohner.	January 19, 1942.
Requisitioning Division, Board of Economic Warfare, Washington, D. C.; Mr. Lambo Kisselintcheff; and Atlas Trading Corporation, New York City.	January 24, 1942.
M. Paquet & Company, Inc., 17 Battery Place, New York City	January 31, 1942.
Vance Iron and Steel Company, Chattanooga, Tennessee	January 31, 1942.
Fisher Brothers Steel Corporation, 297–305 Morris Avenue, New York City	January 31, 1942.
Wimberly and Thomas Hardware Company, Birmingham, Alabama	January 31, 1942.
Roberts, Sanford & Taylor Company, Sherman, Texas	January 31, 1942.
Van Deren Hardware Company, Lexington, Kentucky	January 17, 1942.
Baker, Hamilton & Pacific Company, San Francisco, California	January 28, 1942.
Horace T. Potts Co., Philadelphia, Pennsylvania	January 31, 1942.

§ 1306.163 *Appendix E: Base prices and quantity extras.* Base prices and quantity extras are established on certain product items in the cities set forth:

(a) Seller's maximum base prices on sales out of warehouse stock in less-than-carload quantities are published on the named product items as follows:

BASE PRICES UNDER REVISED PRICE SCHEDULE NO. 49
[Dollars per 100 pounds]

	Hot rolled bars	Structural shapes	Plates	Floor plates	Hot rolled sheets (10 gauge base)	Hot rolled bands (12 gauge and heavier)	Hot rolled hoops (14 gauge and lighter)	Galvanized flat sheets (24 gauge base)	Cold rolled sheets (17 gauge base)	Cold finished bars
Buffalo	3.68[illegible]	3.85[illegible]	3.85[illegible]	5.65[illegible]	3.75[illegible]	4.06[illegible]	5.66[illegible]	5.11[illegible]	4.68[illegible]	4.13[illegible]
New York	3.84[illegible]	3.75[illegible]	3.76[illegible]	5.56[illegible]	3.86[illegible]	3.96[illegible]	3.96[illegible]	5.00[illegible]	4.60[illegible]	4.06[illegible]
Philadelphia	3.85[illegible]	3.55[illegible]	3.55[illegible]	5.25[illegible]	3.65[illegible]	3.85[illegible]	4.45[illegible]	4.50[illegible]	4.10[illegible]	3.66[illegible]
Baltimore (city)	3.85[illegible]	3.70[illegible]	3.70[illegible]	5.25[illegible]	3.80[illegible]	4.00[illegible]	4.35[illegible]	5.05[illegible]	4.60[illegible]	4.07[illegible]
Baltimore (country)	3.85[illegible]	3.70[illegible]	3.45[illegible]	5.25[illegible]	3.25[illegible]	4.06[illegible]	4.35[illegible]	4.75[illegible]	4.60[illegible]	4.07[illegible]
Washington, D. C.	3.90[illegible]	3.80[illegible]	3.80[illegible]	5.55[illegible]	3.60[illegible]	4.10[illegible]	4.45[illegible]	5.15[illegible]	4.70[illegible]	4.17[illegible]
Norfolk, Virginia	4.00[illegible]	4.05[illegible]	4.05[illegible]	5.45[illegible]	3.95[illegible]	4.10[illegible]	4.10[illegible]	5.40[illegible]	4.80[illegible]	4.17[illegible]
Portsmouth, Va.*		3.45[illegible]								
Cincinnati, Ohio*			3.45[illegible]							
Canton, Ohio*			3.45[illegible]							
Buffalo (city)	3.35[illegible]	3.40[illegible]	3.62[illegible]	5.25[illegible]	3.25[illegible]	3.85[illegible]	3.85[illegible]	4.70[illegible]	4.30[illegible]	3.75[illegible]
Buffalo (country)	3.25[illegible]	3.30[illegible]	3.62[illegible]	5.25[illegible]	3.15[illegible]	3.85[illegible]	3.85[illegible]	4.65[illegible]	4.20[illegible]	3.65[illegible]
Tonawanda (city)	3.25[illegible]	3.40[illegible]	3.40[illegible]	5.05[illegible]	3.05[illegible]	3.65[illegible]	3.65[illegible]	4.75[illegible]	4.40[illegible]	3.90[illegible]
Tonawanda (country)	3.25[illegible]	3.30[illegible]	3.30[illegible]	4.95[illegible]	3.25[illegible]	3.65[illegible]	3.65[illegible]	4.65[illegible]	4.30[illegible]	3.80[illegible]
Cleveland, Ohio	3.25[illegible]	3.50[illegible]	3.40[illegible]	5.15[illegible]	3.05[illegible]	3.50[illegible]	3.70[illegible]	4.62[illegible]	4.05[illegible]	3.75[illegible]
Cleveland (country)	3.25[illegible]	3.50[illegible]	3.30[illegible]	5.15[illegible]	3.25[illegible]	3.70[illegible]	3.70[illegible]	4.62[illegible]	4.05[illegible]	3.65[illegible]
Detroit	3.49[illegible]	3.65[illegible]	3.60[illegible]	5.27[illegible]	3.40[illegible]	3.45[illegible]	3.68[illegible]	4.84[illegible]	4.30[illegible]	3.80[illegible]
Gary, Ind.	4.10[illegible]	4.15[illegible]	4.15[illegible]	5.77[illegible]	3.90[illegible]	4.20[illegible]	4.20[illegible]	5.52[illegible]	4.77[illegible]	4.42[illegible]
Omaha (country)	4.00[illegible]	4.05[illegible]	4.05[illegible]	5.65[illegible]	3.75[illegible]	4.10[illegible]	4.10[illegible]	5.52[illegible]	4.77[illegible]	4.42[illegible]
Cincinnati	3.60[illegible]	3.65[illegible]	3.65[illegible]	5.28[illegible]	3.45[illegible]	3.67[illegible]	3.67[illegible]	4.92[illegible]	4.37[illegible]	4.00[illegible]
Youngstown, Ohio*					3.25[illegible]	3.70[illegible]	3.70[illegible]	4.46[illegible]		
Middletown, Ohio*					3.25[illegible]	3.70[illegible]	3.70[illegible]	4.40[illegible]		
Chicago (city)	3.50[illegible]	3.55[illegible]	3.55[illegible]	5.15[illegible]	3.25[illegible]	3.60[illegible]	3.60[illegible]	4.85[illegible]	4.10[illegible]	3.75[illegible]
Chicago (country)	3.40[illegible]	3.45[illegible]	3.45[illegible]	5.05[illegible]	3.15[illegible]	3.50[illegible]	3.50[illegible]	4.75[illegible]	4.00[illegible]	3.65[illegible]
Milwaukee	3.60[illegible]	3.65[illegible]	3.65[illegible]	5.25[illegible]	3.35[illegible]	3.73[illegible]	3.73[illegible]	4.98[illegible]	4.23[illegible]	3.85[illegible]
St. Paul	3.75[illegible]	3.80[illegible]	3.80[illegible]	5.40[illegible]	3.50[illegible]	3.85[illegible]	3.85[illegible]	5.00[illegible]	4.25[illegible]	3.90[illegible]
St. Louis	3.60[illegible]	3.65[illegible]	3.65[illegible]	5.20[illegible]	3.30[illegible]	3.74[illegible]	3.74[illegible]	4.99[illegible]	4.24[illegible]	4.02[illegible]
Indianapolis (city)	3.60[illegible]	3.70[illegible]	3.70[illegible]	5.30[illegible]	3.45[illegible]	3.75[illegible]	3.75[illegible]	5.01[illegible]	4.25[illegible]	3.92[illegible]
Indianapolis (country)	3.35[illegible]	3.45[illegible]	3.45[illegible]	5.05[illegible]	3.25[illegible]	3.50[illegible]	3.50[illegible]	5.01[illegible]	4.00[illegible]	3.97[illegible]
Muncie	3.50[illegible]	3.95[illegible]	3.95[illegible]	5.71[illegible]	3.85[illegible]	4.10[illegible]	4.10[illegible]	5.20[illegible]	4.60[illegible]	4.31[illegible]
Birmingham (city)	3.50[illegible]	3.55[illegible]	3.55[illegible]	5.85[illegible]	3.45[illegible]	3.70[illegible]	3.70[illegible]	4.75[illegible]	4.70[illegible]	4.43[illegible]
Birmingham (country)	3.40[illegible]	3.45[illegible]	3.45[illegible]	5.85[illegible]	3.35[illegible]	3.60[illegible]	3.60[illegible]	4.75[illegible]	4.70[illegible]	4.43[illegible]
New Orleans (city)	4.10[illegible]	3.60[illegible]	3.60[illegible]	5.85[illegible]	3.95[illegible]	4.20[illegible]	4.20[illegible]	5.25[illegible]	4.95[illegible]	4.61[illegible]
New Orleans (country)	4.00[illegible]	3.80[illegible]	3.80[illegible]	5.75[illegible]	3.75[illegible]	4.10[illegible]	4.10[illegible]	5.15[illegible]	4.95[illegible]	4.61[illegible]
Houston	3.75[illegible]	4.25[illegible]	4.25[illegible]	5.50[illegible]	3.75[illegible]	4.30[illegible]	4.30[illegible]	5.25[illegible]	5.43[illegible]	4.50[illegible]
Los Angeles	4.25[illegible]	4.60[illegible]	4.90[illegible]	7.15[illegible]	4.95[illegible]	4.90[illegible]	6.70[illegible]	5.95[illegible]	7.15[illegible]	5.70[illegible]
San Francisco (city)	3.95[illegible]	4.35[illegible]	4.65[illegible]	6.35[illegible]	4.55[illegible]	4.50[illegible]	4.50[illegible]	6.60[illegible]	7.55[illegible]	5.55[illegible]
San Francisco (country)	3.85[illegible]	4.25[illegible]	4.55[illegible]	6.25[illegible]	4.45[illegible]	4.40[illegible]	4.40[illegible]	6.50[illegible]	7.45[illegible]	5.45[illegible]
Tacoma	4.20[illegible]	4.45[illegible]	4.75[illegible]	6.50[illegible]	4.65[illegible]	4.25[illegible]	5.45[illegible]	5.70[illegible]	6.62[illegible]	5.72[illegible]
Seattle	4.20[illegible]	4.45[illegible]	4.75[illegible]	6.50[illegible]	4.65[illegible]	4.25[illegible]	5.45[illegible]	5.70[illegible]	6.63[illegible]	5.73[illegible]

*Designated cities against which warehouses equalized freight as of April 16, 1941, and which must now be used in calculating lowest combination prices.

(b) The maximum quantity extras and deductions on these specific product items listed above shall be:

Quantity Differentials Per 100 Pounds

1—
Under 100 lbs +$1.50
100-399 lbs + .50
400-1,999 lbs Base
2,000-9,999 lbs − .10
10,000-39,999 lbs − .20

2—
Under 100 lbs +$1.25
100-399 lbs + .50
400-1,999 lbs Base
2,000-9,999 lbs − .10
10,000-39,999 lbs − .20

3—
Under 100 lbs +$1.50
100-399 lbs + .50
400-14,999 lbs Base
15,000-39,999 lbs − .20

4—
Under 400 lbs + $.50
400-1,999 lbs Base
2,000-9,999 lbs − .10
10,000-39,999 lbs − .20

5—
Any quantity

6—
Under 300 lbs + $.40
300-1,999 lbs Base
2,000-9,999 lbs − .20
10,000-39,999 lbs − .30

Quantity Differentials Per 100 Pounds—Con.

7—
Under 100 lbs +$1.50
100-399 lbs + .50
400-3,999 lbs Base
4,000-9,999 lbs − .10
10,000-39,999 lbs − .15

8—
Under 300 lbs +$1.00
300-9,999 lbs Base
10,000-39,999 lbs − .25

9—
Under 100 lbs +$1.50
100-399 lbs + .50
400-39,999 lbs Base

10—
Under 2,000 lbs Base
2,000-3,999 lbs − $.25
4,000-5,999 lbs − .35
6,000-14,999 lbs − .50
15,000-39,999 lbs − .60

11—
Under 4,000 lbs Base
4,000-5,999 lbs − $.05
6,000-14,999 lbs − .20
15,000-39,999 lbs − .40

12—
Under 150 lbs +$1.00
150-499 lbs + .50
500-1,499 lbs Base
1,500-3,499 lbs − .25
3,500-39,999 lbs − .40

13—
Under 1 bundle + $.50
1 bundle to 39,999 lbs Base

Quantity Differentials Per 100 Pounds—Con.

14—
Under 150 lb +$1.00
150-2,249 lbs Base
2,250-39,999 lb − .25

15—
Under 1 bundle +$1.00
1 bundle-499 lbs + .50
500-1,499 lbs Base
1,500-39,999 lbs − .25

16—
Under 150 lbs[1] + $.50
150-1,499 lbs Base
1,500-3,499 lbs − .20
3,500-6,999 lbs − .30
7,000-39,999 lbs − .45

17—
Under 150 lbs + $.50
500-1,499 lbs Base
1,500-3,499 lbs − .20
3,500-39,999 lbs − .30

18—
Under 1 bundle +$3.00
1 bundle + 1.00
2 bundles + .50
3-24 bundles Base
25-49 bundles − .10
50 bundles-39,999 lbs − .20

19—
Under 1 bundle +$1.00
1 bundle-449 lbs + .30
450-1,499 lbs Base
1,500-39,999 lbs − .15

20—
Under 1 bundle +$1.00
1 bundle-1,499 lbs Base
1,500-3,749 lbs − .15
3,750-39,999 lbs − .25

21—
1-9 bundles Base
10-49 bundles − $.25
50 bundles to 39,999 lbs − .50

22—
Under 1 bundle + $.25
1-6 bundles Base
7 bundles-39,999 lbs − .25

23—
Under 100 lbs +$1.20
100-499 lbs + .20
500-1,499 lbs Base
1,500-3,499 lbs − .20
3,500-6,999 lbs − .45
7,000-39,999 lbs − .55

24—
Under 100 lbs +$1.00
100-749 lbs Base
750-4,999 lbs − .50
5,000-39,999 lbs − .75

25—
Under 100 lbs +$1.00
1-9 bundles Base
10-49 bundles − .25
50-99 bundles − .50
100 bundles-39,999 lbs − .75

26—
Under 100 lbs +$1.00
1-9 bundles Base
10-49 bundles − .25
50 bundles-39,999 lbs − .50

27—
Under 150 lbs +$1.00
150-1,499 lbs Base
1,500-3,499 lbs − .15
3,500-39,999 lbs − .25

28—
Under 300 lbs +$0.50
300-999 lbs Base
1,000 lbs. and over − .50

[1] $1.00 if lighter than 24 gauge.

...which meet the following requirements: (a) are under 18" wide by 50"

Sheet metal: (a) are under 18" wide by 50" the steel unsuitable for sale or use by

Quantity Differentials Per 100 Pounds—Con.

29—	
Under 300 lbs [2]	+$2.00
300–499 lbs	+1.25
500–999 lbs	+.50
1,000–1,499 lbs	+.10
1,500–39,999 lbs	Base
30—	
Under 100 lbs	+$.90
100–499 lbs	+.65
500–999 lbs	+.40
1,000–1,499 lbs	+.30
1,500–1999 lbs	Base
2,000–3999 lbs	−.20
4,000–5,999 lbs	−.40
6,000–9,999 lbs	−.50
10,000–39,999 lbs	−.60
31—	
Under 100 lbs	+$1.25
100–299 lbs	+1.00
300–499 lbs	+.75
500–999 lbs	+.25
1,000–39,999 lbs	Base
32—	
Under 300 lbs [2]	+$1.50
300–499 lbs	+1.25
500–999 lbs	+.50
1,000–1,499 lbs	+.10
1,500–39,999 lbs	Base
33—	
Under 300 lbs	+$1.25
300–499 lbs	+.75
500–999 lbs	+.25
1,000–39,999 lbs	Base
34—	
Under 300 lbs	+$1.90
300–499 lbs	+1.65
500–999 lbs	+.90
1,000–1,499 lbs	+.40
1,500–1,999 lbs	Base
2,000–3,999 lbs	−.20
4,000–5,999 lbs	−.40
6,000–9,999 lbs	−.50
10,000–39,999 lbs	−.60
35—	
Under 400 lbs	+$.50
400–1,499 lbs	Base
1,500–3,499 lbs	−.10
3,500–9,999 lbs	−.15
10,000–39,999 lbs	−.25
36—	
Under 400 lbs	+$.50
400–1,499 lbs	Base
1,500–9,999 lbs	−.10
10,000–39,999 lbs	−.20

[2] An order extra of $3.00 per 100 pounds may be charged on cold finished carbon bar orders which total less than 300 pounds in Pittsburgh, Pennsylvania, Boston, Massachusetts, and Buffalo, New York; of $4.00 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in Philadelphia, Pennsylvania; of $3.00 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in New York, New York, Norfolk, Virginia, and Washington, D. C.; or of $3.25 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in Baltimore, Maryland. If the order extra is applicable and charged, the item quantity extra for less than 300 pounds in (29) above may not also be charged.

[3] An order extra of $3.00 per 100 pounds may be charged on cold finished carbon bar orders which total less than 300 pounds in Birmingham, Alabama, Milwaukee, Wisconsin, New Orleans, Louisiana, St. Louis, Missouri, St. Paul, Minnesota, Omaha, Nebraska, Chicago, Illinois, Cincinnati, Ohio, and Memphis, Tennessee; or of $4.50 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in Indianapolis, Indiana. If the order extra is applicable and charged, the item extra for less than 300 pounds in (32) above may not also be charged.

Quantity Differentials Per 100 Pounds—Con.

37—	
Under 1 bundle	+$3.00
1 bundle	+1.00
2 bundles	+.50
3–24 bundles	Base
25–49 bundles	−.10
50 bundles–39,999 lbs	−.15
38—	
Under 500 lbs	+$.50
500–1,499 lbs	Base
1,500–3,499 lbs	−.10
3,500–9,999 lbs	−.15
10,000–39,999 lbs	−.20
39—	
Under 1,000 lbs	+$.10
1,000–1,999 lbs	Base
2,000–4,999 lbs	−.15
5,000–39,999 lbs	−.30
40—	
Under 300 lbs	+$.50
300–1,999 lbs	Base
2,000–4,999 lbs	−.20
5,000–9,999 lbs	−.40
10,000–39,999 lbs	−.60
41—	
Under 25 bundles	Base
25 bundles–39,999 lbs	−$.25

(c) The foregoing prices are base prices and quantity extras to which may be added all other extras permitted under Revised Price Schedule No. 49, provided also that where the sellers named in § 1306.160 Appendix B of Revised Price Schedule No. 49 published prices which reflected in the base price an extra for size, grade or section, (such as the difference in base prices between standard cold rolled sheets and deep drawing cold rolled sheets) such difference in base prices shall be considered an extra which may be added by sellers under the provisions of § 1306.159 Appendix A (a)(2) of Revised Price Schedule No. 49.

(d) The prices and extras set forth above shall be used as a basis for the computation of "Lowest Combination" Prices, (as defined in § 1306.157 (k)).

(e) No seller shall use the foregoing prices or extras if the use thereof would result in a sale at a price higher than such seller's published price as of April 16, 1941.

(f) In all respects other than those specifically set forth in this Appendix E the provisions of Revised Price Schedule No. 49 shall apply.

[§ 1306.163 added by Amendment 10, 8 F.R. 319, effective 1-11-43]

§1306.164, *Appendix F: Maximum delivered prices for certain secondary or rejected iron or steel products.* The maximum delivered prices for the following secondary or rejected iron or steel products: hot rolled, cold rolled, galvanized, galvannealed, and long terne sheets; hot and cold rolled strip; sheared and universal mill plates; tin mill black plate; and semi-finished iron or steel products; shall not be the prices for products of prime quality as otherwise established in this Revised Price Schedule No. 49, regardless of the sorting or other processing which the seller may perform, but shall be determined in accordance with the provisions of this § 1306.164, Appendix F.

(a) *Relationship to § 1306.159, Appendix A.* The provisions of the following paragraphs of § 1306.159, Appendix A, shall also apply to this Appendix F:

§ 1306.159, Appendix A, (e) Maximum prices for exports of iron or steel products.

§ 1306.159, Appendix A, (k) (Subparagraphs (1), (2), (5), (6) and (8) only). Maximum delivered prices for shipments of carload quantities and in certain specific cases.

§ 1306.159, Appendix A, (m) General provisions.

§ 1306.159, Appendix A, (s) Maximum prices for imported iron or steel products.

(b) *Definitions.* When used in this Appendix F, the term:

(1) "Secondary or rejected iron or steel products" means iron or steel products purchased by the seller as any grade lower than prime quality or invoiced to him as such by his supplier.

(2) "Sheared to specifications" means cut from a size in stock either by shearing, slitting or burning to a different and exact dimension or dimensions specified in the buyer's order. It does not mean cut for the purpose of reconditioning material.

(3) "Unsheared" means not sheared to specifications.

(4) "Job or warehouse pickled" means pickled by any person other than an iron or steel mill or producer.

(5) "Mill extra" means the standard published or quoted extra of the United States Steel Corporation and its subsidiaries presently in effect as permitted under Revised Price Schedule No. 6.[4]

(6) "Rejects" means flat rolled secondary or rejected iron or steel products which meet the following requirements:

(i) Are of a designated specific grade, size and gauge (or thickness); and

(ii) Contain minor imperfections, such as surface defects, lack of flatness, camber, off-grade, off-temper and similar imperfections, but which may be utilized without requiring unusual processing in order to remove of minimize the imperfections; and

(iii) Conform to the following size restrictions:

Sheet "rejects": may not be smaller than 18" wide by 50" long or have an area of less than 900 square inches.

Sheared plate "rejects": may not be smaller than 36" wide by 84" long or have an area less than 21 square feet.

Universal mill plate "rejects": may not be smaller than 6" wide by 60" long.

Hot rolled strip "rejects": may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Cold rolled strip "rejects": may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Tin mill black plate "rejects": may not be smaller than 14" wide by 20" long or have an area less than 280 square inches; tin mill black plate "rejects" includes tin mill black plate in U. S. S. gauge ±28 and heavier, which by product classification is priced on a sheet basis.

(7) "Wasters" means flat-rolled secondary or rejected iron or steel products

[4] 7 F.R. 1215, 2132, 2153, 2299, 2997, 3115, 3941, 4780, 7240, 8948.

(i) Which meet the following requirements:

(*a*) Are of a designated specific gauge (or thickness) and are unassorted to size; and

(*b*) Are of the same quality as rejects; and

(*c*) Conform to the following size restrictions:

Sheet "wasters": may not be smaller than 15" wide by 40" long or have an area less than 600 square inches.

Sheared plate "wasters": may not be smaller than 24" wide by 72" long or have an area less than 12 square feet.

Universal mill plate "wasters": may not be smaller than 6" wide by 60" long.

Hot rolled strip "wasters": may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Cold rolled strip "wasters": may not be smaller than 36" long by 3" wide or have an area less than 103 square inches.

Tin mill black plate "wasters": may not be smaller than 10" wide by 10" long or have an area less than 100 square inches; tin mill black plate "wasters" includes tin mill black plate in U. S. S. gauge ±28 and heavier which by product classification is priced on a sheet basis; or

(ii) Which would otherwise be of rejects classification (i. e., sorted to size and of a designated specific gauge (or thickness)) except that they do not meet the rejects size restrictions but do meet the wasters size restrictions.

(8) "Waste wasters" means flat rolled secondary or rejected iron or steel products

(i) Which meet the following requirements:

(*a*) Are unassorted to both size and gauge (or thickness), whether of rejects or lower quality; and

(*b*) Conform to the following size restrictions:

Sheet "waste wasters": may not be smaller than 15" wide by 40" long or have an area less than 600 square inches.

Sheared plate "waste wasters": may not be smaller than 24" wide by 72" long or have an area less than 12 square feet.

Universal mill plate "waste wasters": may not be smaller than 6" wide by 60" long.

Tin mill black plate "waste wasters": may not be smaller than 10" wide by 10" long or have an area less than 100 square inches; tin mill black plate "waste wasters" includes tin mill black plate in U. S. S. gauge ±28 and heavier, which by product classification is priced on a sheet basis; or

(ii) Which are of rejects and wasters classifications but contain imperfections, in addition to those specified under rejects above, which appreciably limit the utility of the product (such as blisters, laminations, fluctuating gauges, perforations, dirty surfaces, bad edges, wrinkles and other mars), and require further processing by the purchaser (such as shearing, pickling, scrubbing or gauging) in order to remove or minimize such imperfections; and meet the waste wasters size restrictions as set forth in (i) above.

(9) "Offal" means flat-rolled secondary or rejected iron or steel products which would otherwise be:

(i) Of rejects classification, *but* fall within the following size restrictions:

Sheet offal: (*a*) are under 18" wide by 50" long or the equivalent area of 900 square inches but (*b*) are not smaller than 12" wide by 20" long or the equivalent area of 240 square inches.

Sheared plate offal: (*a*) are under 36" wide by 84" long or the equivalent area of 21 square feet but (*b*) are not smaller than 20" wide by 50" long or the equivalent area of 1000 square inches; or

(ii) Of wasters classifications, *but* fall within the following size restrictions:

Sheet offal: (*a*) are under 15" wide by 40" long or the equivalent area of 600 square inches but (*b*) are not smaller than 12" wide by 20" long or the equivalent area of 240 square inches.

Sheared plate offal: (*a*) are under 24" wide by 72" long or the equivalent area of 12 square feet but (*b*) are not smaller than 20" wide by 50" long or the equivalent area of 1000 square inches.

(10) "Side and end shearings" means flat-rolled secondary or rejected iron or steel products which would otherwise be:

(i) Of waste wasters classification, *but* fall within the following size restrictions:

Sheet side and end shearings: (*a*) are under 15" wide by 40" long or the equivalent area of 600 square inches but (*b*) are not smaller than 3" wide by 20" long or the equivalent area of 60 square inches.

Sheared plate side and end shearings: (*a*) are under 24" wide by 72" long or the equivalent area of 12 square feet but (*b*) are not smaller than 4" wide by 24" long or the equivalent area of 96 square inches; or

(ii) Of wasters or waste wasters classification, *but* fall within the following size restrictions:

Tin mill black plate side and end shearings: have an area less than 100 square inches.

(11) "Semi-finished rejects" means partly finished iron or steel products such as, but not limited to, blooms, billets, slabs, sheet bars, skelp, and tube rounds, which have been rejected because of poor surface condition, lack of internal soundness or other defects which render the steel unsuitable for sale or use by the mill as a prime product.

(c) *Maximum delivered prices for unsheared products.* (1) The maximum delivered price for unsheared secondary or rejected iron or steel products shall be the aggregate of:

(i) The delivered base price, as determined under sub-paragraph (2) below; plus

(ii) The extras specifically permitted in Table V below; and

(iii) The quantity charge or deduction and the warehouse pickling charge, where applicable, as set forth in paragraphs (f) and (g) below, respectively.

(2) The delivered base price (referred to under (c) (1) (i) above) shall be:

(i) For any shipment made within or into any city for which a base price for the product sold is listed in Tables I, II, III, or IV below, the delivered base price shall be the city base price as shown in Tables I, II, III, or IV for the classification and product sold. No freight or delivery charge is to be added.

(ii) For any shipment made to a destination for which a base price for the product sold is not listed in Tables I, II, III, or IV, the delivered base price shall be the country base price, as listed in Tables I, II, III, or IV of that city, for the classification and product sold, which, plus freight from that same city to destination, results in the lowest delivered base price at destination.

(iii) For any shipment which qualifies as dislocated tonnage, as defined in § 1306.157 (f), the delivered base price shall be the delivered country base price as established under subdivision (i) or (ii) above for the city from which shipment is made plus freight from that city to destination, less 15¢ per 100 pounds. If the resultant delivered base price at destination is lower than that established for such destination by subdivision (i) or (ii) above, it need not be used.

TABLE I—BASE PRICES FOR REJECTS

[Dollars per 100 pounds]

Cities [1]	Products								
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Hot rolled strip	Cold rolled strip	Plate (both mill sheared and universal mill)	Black plate
Boston [2]	3.34	4.21	4.60	5.95	5.32	3.65	3.11	3.47	.....
New York [2]	3.22	4.14	4.50	5.85	5.22	3.56	3.25	3.38	4.05
Philadelphia [2]	3.20	4.17	4.41	5.63	5.40	3.56	3.16	3.20	.....
Baltimore (city)	3.15	4.50	4.55	5.45	.....	3.60	.....	3.33	.....
Baltimore (country)	3.05	4.50	4.45	5.45	.....	3.50	.....	3.23	.....
Washington, D. C. [2]	3.24	4.59	4.64	.....	.....	3.69	.....	3.42	.....
Norfolk, Virginia [2]	3.47	4.05	4.86	.....	.....	3.69	.....	3.65	.....
Buffalo (city)	2.93	3.87	4.28	5.49	5.13	3.44	3.17	3.26	.....
Buffalo (country)	2.83	3.77	4.18	5.49	5.03	3.44	3.17	3.26	.....
Pittsburgh (city)	3.02	3.60	4.28	5.09	4.82	3.24	2.88	3.06	3.74
Pittsburgh (country)	2.92	3.60	4.18	4.99	4.82	3.14	2.78	2.96	3.64
Cleveland (city)	3.02	3.65	4.16	5.99	4.80	3.15	2.88	3.06	.....
Cleveland (country)	2.92	3.55	4.06	5.99	4.70	3.15	2.78	2.96	.....
Detroit [2]	3.09	3.87	4.36	5.70	5.33	3.09	3.06	3.24	.....
Omaha (city)	3.47	4.29	4.97	6.32	5.51	3.78	3.66	3.74	..... K
Omaha (country)	3.37	4.29	4.97	6.32	5.51	3.68	3.66	3.64	.....
Cincinnati [2]	3.08	3.93	4.43	5.97	5.09	3.30	3.11	3.29	.....
Chicago (city)	2.93	3.69	4.37	5.72	4.91	3.24	3.15	3.29	3.74
Chicago (country)	2.83	3.59	4.27	5.62	4.81	3.14	3.05	3.10	3.64
Milwaukee [1]	3.04	3.81	4.48	5.83	5.02	3.36	3.19	3.31	.....
St. Paul [2]	3.15	3.92	4.50	5.94	5.49	3.47	.....	3.42	.....

[1] Prices are for the free delivery area of cities listed.
[2] City and country prices.

TABLE I—BASE PRICES FOR REJECTS—Continued

[Dollars per 100 pounds]

Cities [1]	Products								
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Hot rolled strip	Cold rolled strip	Plate (both mill sheared and universal mill)	Black plate
St. Louis [1]	3.05	3.82	4.40	5.63	5.15	3.37	3.25	3.32	-------
Indianapolis (city)	3.11	3.83	4.51	5.63	5.09	3.38	2.95	3.33	-------
Indianapolis (country)	3.01	3.73	4.41	5.63	4.99	3.28	2.85	3.23	-------
Memphis [1]	3.47	4.19	4.73	-------	-------	3.69	-------	3.59	-------
Birmingham (city)	3.11	4.30	4.28	-------	-------	3.33	-------	3.20	-------
Birmingham (country)	3.01	4.30	4.28	-------	-------	3.23	-------	3.10	-------
New Orleans (city)	3.56	4.46	4.73	-------	-------	3.78	-------	3.51	-------
New Orleans (country)	3.46	4.46	4.63	-------	-------	3.68	-------	3.41	-------
Houston [1]	3.38	4.89	4.73	-------	-------	3.87	-------	3.83	-------
Los Angeles [1]	4.46	6.44	5.36	6.71	6.21	4.41	3.90	4.41	4.77
San Francisco (city)	4.10	6.80	5.94	-------	6.98	4.05	-------	4.19	-------
San Francisco (country)	4.00	6.70	5.84	-------	6.98	3.95	-------	4.09	-------
Tacoma [1]	4.19	5.97	5.13	-------	-------	3.83	-------	4.23	-------
Seattle [1]	4.19	5.97	5.13	7.70	6.89	3.83	-------	4.28	-------

TABLE II—BASE PRICES FOR WASTERS

[Dollars per 100 pounds]

Cities [1]	Products								
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Hot rolled strip	Cold rolled strip	Plates (both mill sheared and universal mill)	Black plate
Boston [1]	2.97	3.74	4.09	5.29	4.73	3.25	2.77	3.08	-------
New York [1]	2.85	3.68	4.00	5.20	4.64	3.17	2.89	3.01	3.60
Philadelphia [1]	2.81	3.70	3.92	5.00	4.80	3.16	2.81	2.84	-------
Baltimore (city)	2.80	4.00	4.04	4.84	-------	3.20	-------	2.96	-------
Baltimore (country)	2.70	4.00	3.94	4.84	-------	3.10	-------	2.86	-------
Washington, D. C. [1]	2.88	4.08	4.12	-------	-------	3.28	-------	3.04	-------
Norfolk, Virginia [1]	3.08	3.60	4.32	-------	-------	3.28	-------	3.24	-------
Buffalo (city)	2.60	3.44	3.80	4.88	4.56	3.06	2.82	2.90	-------
Buffalo (country)	2.50	3.34	3.70	4.88	4.46	3.06	2.82	2.90	-------
Pittsburgh (city)	2.68	3.20	3.80	4.52	4.28	2.88	2.56	2.72	3.32
Pittsburgh (country)	2.58	3.20	3.70	4.42	4.28	2.78	2.46	2.62	3.22
Cleveland (city)	2.68	3.24	3.70	5.32	4.26	2.80	2.56	2.72	-------
Cleveland (country)	2.58	3.14	3.60	5.32	4.16	2.80	2.46	2.62	-------
Detroit [2]	2.74	3.44	3.87	5.66	4.74	2.74	2.72	2.88	-------
Omaha (city)	3.08	3.82	4.42	5.62	4.90	3.36	3.26	3.32	-------
Omaha (country)	2.98	3.82	4.42	5.62	4.90	3.26	3.26	3.22	-------
Cincinnati [1]	2.74	3.50	3.94	5.30	4.53	2.94	2.76	2.92	-------
Chicago (city)	2.60	3.28	3.88	5.08	4.36	2.88	2.50	2.84	3.32
Chicago (country)	2.50	3.18	3.78	4.98	4.26	2.78	2.70	2.74	3.22
Milwaukee [1]	2.70	3.38	3.98	5.18	4.46	2.98	2.83	2.94	-------
St. Paul [1]	2.80	3.48	4.00	5.28	4.88	3.08	-------	3.04	-------
St. Louis [1]	2.71	3.39	3.99	5.00	4.58	2.99	2.89	2.95	-------
Indianapolis (city)	2.76	3.40	4.01	5.00	4.52	3.00	2.62	2.96	-------
Indianapolis (country)	2.66	3.30	3.91	5.00	4.42	2.90	2.52	2.86	-------
Memphis [1]	3.08	3.73	4.20	-------	-------	3.28	-------	3.16	-------
Birmingham (city)	2.76	3.82	3.80	-------	-------	2.96	-------	2.84	-------
Birmingham (country)	2.66	3.82	3.80	-------	-------	2.86	-------	2.74	-------
New Orleans (city)	3.16	3.96	4.20	-------	-------	3.36	-------	3.12	-------
New Orleans (country)	3.06	3.96	4.10	-------	-------	3.26	-------	3.02	-------
Houston [2]	3.60	4.34	4.20	-------	-------	3.44	-------	3.40	-------
Los Angeles [1]	3.96	5.72	4.76	5.96	5.52	3.92	3.46	3.92	4.24
San Francisco (city)	3.64	6.04	5.28	-------	6.20	3.60	-------	3.72	-------
San Francisco (country)	3.54	5.94	5.18	-------	6.20	3.50	-------	3.62	-------
Tacoma [1]	3.72	5.30	4.56	-------	-------	3.40	-------	3.81	-------
Seattle [1]	3.72	5.30	4.56	6.84	6.12	3.40	-------	3.80	-------

[1] Prices are for the free delivery area of cities listed.
[2] City and country price.

TABLE III—BASE PRICES FOR WASTE WASTERS AND OFFAL

[Dollars per 100 pounds]

Cities	Products						
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Plates [3] (both mill sheared and universal mill)	Black plate [4]
Boston [1]	2.78	3.51	3.83	4.96	4.43	2.89	-------
New York [1]	2.69	3.45	3.75	4.88	4.35	2.82	3.38
Philadelphia [2]	2.66	3.47	3.68	4.69	4.50	2.66	-------
Baltimore (city)	2.63	3.75	3.79	4.54	-------	2.78	-------
Baltimore (country)	2.53	3.75	3.69	4.54	-------	2.68	-------
Washington, D. C. [1]	2.70	3.83	3.86	-------	-------	2.85	-------
Norfolk, Virginia [2]	2.89	3.38	4.05	-------	-------	3.04	-------
Buffalo (city)	2.44	3.23	3.56	4.58	4.28	2.72	-------
Buffalo (country)	2.34	3.13	3.46	4.58	4.18	2.72	-------
Pittsburgh (city)	2.51	3.00	3.56	4.24	4.01	2.55	3.11
Pittsburgh (country)	2.41	3.00	3.46	4.14	4.01	2.45	3.01
Cleveland (city)	2.51	3.04	3.47	4.99	4.00	2.55	-------
Cleveland (country)	2.41	2.94	3.37	4.99	3.90	2.45	-------
Detroit [1]	2.57	3.23	3.63	4.75	4.44	2.70	-------
Omaha (city)	2.89	3.58	4.14	5.27	4.59	3.11	-------
Omaha (country)	2.79	3.58	4.14	5.27	4.59	3.01	-------
Cincinnati [1]	2.57	3.28	3.69	4.97	4.25	2.74	-------
Chicago (city)	2.44	3.08	3.64	4.76	4.09	2.66	3.11
Chicago (country)	2.34	2.98	3.54	4.66	3.99	2.56	3.01
Milwaukee [1]	2.54	3.17	3.74	4.86	4.19	2.76	-------
St. Paul [1]	2.63	3.26	3.75	4.95	4.58	2.85	-------
St. Louis [1]	2.54	3.18	3.74	4.69	4.29	2.77	-------
Indianapolis (city)	2.59	3.19	3.76	4.69	4.24	2.78	-------
Indianapolis (country)	2.49	3.09	3.66	4.69	4.14	2.68	-------
Memphis [1]	2.89	3.50	3.94	-------	-------	2.96	-------
Birmingham (city)	2.59	3.59	3.56	-------	-------	2.66	-------
Birmingham (country)	2.49	3.59	3.56	-------	-------	2.56	-------
New Orleans (city)	2.96	3.71	3.94	-------	-------	2.93	-------
New Orleans (country)	2.86	3.71	3.84	-------	-------	2.83	-------
Houston [1]	2.81	4.07	3.94	-------	-------	3.19	-------
Los Angeles [1]	3.71	5.36	4.46	5.59	5.18	3.68	3.98
San Francisco (city)	3.41	5.66	4.95	-------	5.81	3.49	-------
San Francisco (country)	3.31	5.56	4.85	-------	5.81	3.39	-------
Tacoma [1]	3.49	4.97	4.28	-------	-------	3.56	-------
Seattle [1]	3.49	4.97	4.28	6.41	5.74	3.56	-------

[1] Prices are for the free delivery area of cities listed.
[2] City and country prices.
[3] In offal classification, mill sheared plate only. There is no offal classification for universal mill plate.
[4] Waste Wasters classification only. Black plate has no offal classification.

TABLE IV—BASE PRICES FOR SIDE AND END SHEARINGS

[Dollars per 100 pounds]

Cities [1]	Products						
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Plates (only mill sheared)	Black plate
Boston [1]	2.41	3.04	3.32	4.30	3.84	2.50	-------
New York [1]	2.33	2.99	3.25	4.23	3.77	2.44	2.93
Philadelphia [2]	2.31	3.01	3.19	4.06	3.90	2.31	-------
Baltimore (city)	2.28	3.25	3.28	3.93	-------	2.41	-------
Baltimore (country)	2.18	3.25	3.18	3.93	-------	2.31	-------
Washington, D. C. [1]	2.34	3.32	3.35	-------	-------	2.47	-------
Norfolk, Virginia [1]	2.50	2.93	3.51	-------	-------	2.63	-------
Buffalo (city)	2.11	2.80	3.09	3.97	3.71	2.35	-------
Buffalo (country)	2.01	2.70	2.99	3.97	3.61	2.35	-------
Pittsburgh (city)	2.18	2.60	3.09	3.67	3.48	2.21	2.70
Pittsburgh (country)	2.08	2.60	2.99	3.57	3.48	2.11	2.60
Cleveland (city)	2.18	2.63	3.00	4.32	3.46	2.21	-------
Cleveland (country)	2.08	2.53	2.90	4.32	3.36	2.11	-------
Detroit [1]	2.23	2.80	3.15	4.11	3.55	2.34	-------
Omaha (city)	2.50	3.10	3.59	4.56	3.98	2.70	-------
Omaha (country)	2.40	3.10	3.59	4.56	3.98	2.60	-------
Cincinnati [1]	2.22	2.84	3.20	4.31	3.68	2.37	-------
Chicago (city)	2.11	2.67	3.15	4.13	3.54	2.31	2.70
Chicago (country)	2.01	2.57	3.05	4.03	3.44	2.21	2.60
Milwaukee [1]	2.20	2.75	3.24	4.21	3.63	2.30	-------
St. Paul [1]	2.28	2.83	3.25	4.29	3.97	2.47	-------
St. Louis [1]	2.20	2.76	3.24	4.06	3.72	2.40	-------
Indianapolis (city)	2.24	2.76	3.26	4.06	3.67	2.41	-------
Indianapolis (country)	2.14	2.66	3.16	4.06	3.57	2.31	-------
Memphis [1]	2.50	3.03	3.41	-------	-------	2.57	-------
Birmingham (city)	2.24	3.11	3.09	-------	-------	2.31	-------
Birmingham (country)	2.14	3.11	3.09	-------	-------	2.21	-------
New Orleans (city)	2.57	3.22	3.41	-------	-------	2.54	-------
New Orleans (country)	2.47	3.22	3.31	-------	-------	2.44	-------
Houston [2]	2.44	3.53	3.41	-------	-------	2.76	-------
Los Angeles [1]	3.22	4.65	3.87	4.84	4.49	3.19	3.45
San Francisco (city)	2.96	4.91	4.29	-------	5.04	3.02	-------
San Francisco (country)	2.86	4.81	4.19	-------	5.04	2.92	-------
Tacoma [1]	3.02	4.31	3.71	-------	-------	3.09	-------
Seattle [1]	3.02	4.31	3.71	5.56	4.97	3.09	-------

[1] Prices for the free delivery area of cities listed.
[2] City and country prices.

TABLE V[1]—PERMISSIBLE EXTRAS ON UNSHEARED SHEETS, STRIP, PLATES, AND BLACK PLATE

Description of product				Only permissible extras
Type	Classification	Sorting required	Size restrictions	
I. Hot rolled, galvanized, galvannealed, and long terne sheets.	A. Rejects	Grade, size, and gauge.	Not smaller than 18" wide by 50" long or have an area of at least 900 square inches.	90% of mill extras for size, gauge and pickling (if pickled).
	B. Wasters	Gauge	Not smaller than 15" wide by 40" long or have an area of at least 600 square inches.	80% of mill extras for gauge and pickling (if pickled). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 15" wide by 40" long or have an area of at least 600 square inches.	75% of mill extra for pickling (if pickled). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
	D. Offal	Gauge	Not smaller than 12" wide by 20" long or have an area of at least 240 square inches.	75% of mill extras for gauge and pickling (if pickled). Where products have a combined size and gauge extra, 75% of lowest standard mill extra for that particular gauge.
	E. Side and end shearings.	None	Not smaller than 3" wide by 20" long or have an area of at least 60 square inches.	65% of mill extras for pickling (if pickled). Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range, for the entire lot.
II. Cold rolled sheets	A. Rejects	Grade, size, and gauge.	Not smaller than 18" wide by 50" long or have an area of at least 900 square inches.	90% of mill extras for size and gauge; and 60% of extras for drawing quality and stretcher levelled resquared quality, of $.25 per 100 lbs. and $.55 per 100 lbs., respectively, *provided* such quality is specified in buyer's order and is actually furnished by seller.
	B. Wasters	Gauge	Not smaller than 15" wide by 40" long, or have an area of at least 600 square inches.	80% of mill extra for gauge. Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 15" wide by 40" long, or have an area of at least 600 square inches.	Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range for the entire lot.
	D. Offal	Gauge	Not smaller than 12" wide by 20" long, or have an area of at least 240 square inches.	75% of mill extra for gauge. Where products have a combined size and gauge extra, 75% of lowest standard mill extra for that particular gauge.
	E. Side and end shearings.	None	Not smaller than 3" wide by 20" long, or have an area of at least 60 square inches.	Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range, for the entire lot.
III. Mill sheared plates.	A. Rejects	Grade, size, and gauge.	Not smaller than 36" wide by 84" long or have an area of at least 21 square feet.	90% of mill extras for thickness, size, pickling (if pickled), sand blasting and quality; provided that quality extra may be charged only if it has been actually charged by the mill, was not the reason for the original rejection *and* is specified in buyer's order.
	B. Wasters	Gauge	Not smaller than 24" wide by 72" long or have an area of at least 12 square feet.	80% of mill extras for gauge and pickling (if pickled). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 24" wide by 72" long or have an area of at least 12 square feet.	75% of mill extra for pickling (if pickled). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
	D. Offal	Gauge	Not smaller than 20" wide by 50" long or have an area of at least 1,000 square inches.	75% of mill extras for gauge and pickling (if pickled). Where products have a combined size and gauge extra, 75% of lowest standard mill extra for that particular gauge.
	E. Side and end shearings.	None	Not smaller than 4" wide by 24" long or have an area of at least 96 square inches.	65% of mill extra for pickling (if pickled). Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range for the entire lot.
IV. Universal mill plates.	A. Rejects	Grade, size and gauge.	Not smaller than 6" wide by 60" long.	90% of mill extras for thickness, size, pickling (if pickled), sand blasting and quality, *provided* that quality extra may be charged only if it has actually been charged by the mill, was not the reason for the original rejection *and* is specified in buyer's order.
	B. Wasters	Gauge	Not smaller than 6" wide by 60" long.	80% of mill extras for gauge and pickling (if pickled). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 6" wide by 60" long.	75% of mill extra for pickling (if pickled). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
V. Hot rolled strip	A. Rejects	Grade, size and gauge.	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	90% of mill extras for size, gauge and pickling (if pickled).
	B. Wasters	Gauge	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	80% of lowest mill extra for gauge and 80% of mill extra for pickling (if pickled) for width range of 5½" to 12" of that gauge.
VI. Cold rolled strip	A. Rejects	Grade, size and gauge.	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	90% of mill extras for size and gauge for strip .26 carbon and higher; 60% of mill extras for size and gauge in cut lengths for either hard or soft temper for strip under .26 carbon.
	B. Wasters	Gauge	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	80% of lowest mill gauge extra for width range of over 6" to 9" inclusive, in cut lengths.
VII. Black plate	A. Rejects	Grade, size and gauge.	Not smaller than 14" wide by 20" long or have an area of at least 280 square inches.	90% of mill extras for size, gauge and finish (if applicable).
	B. Wasters	Gauge	Not smaller than 10" wide by 10" long or have an area of at least 100 square inches.	80% of mill extras for gauge and finish (if applicable). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 10" wide by 10" long or have an area of at least 100 square inches.	75% of mill extra for finish (if applicable). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
	D. Side and end shearings.	None	Have an area smaller than 100 square inches.	65% of mill extra for finish (if applicable). Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range, for the entire lot.

[1] This table is to be used in conjunction with tables I, II, III, and IV.

(d) *Maximum delivered prices for products sheared to specifications.* (1) The maximum delivered price for secondary or rejected iron or steel products sheared to specifications shall be the aggregate of:

(i) The delivered base price, as determined under subparagraph (2) below; plus

(ii) The extras specifically permitted in Table VIII below; and

(iii) The quantity charge or deduction, the warehouse pickling charge, and the shearing, slitting or flame-cutting charge, where applicable, as set forth in paragraphs (f) and (g) and Table IX below, respectively. *Provided*, That no shearing or slitting charge may be made where hot and cold rolled sheets are sheared or slit to width only, 12" or under, and plates are sheared or flame-cut to width only, 6" or under.

(2) The delivered base price (referred to under (d) (1) (i) above) shall be:

(i) For any shipment made within or into any city for which a base price for the product sold is listed in Table VI or VII below, the delivered base price for the product sold shall be the city base price, as shown in Table VI or VII. No freight or delivery charge is to be added.

(ii) For any shipment to a destination for which a base price for the product sold is not listed in Table VI or VII, the delivered base price shall be the country base price, as listed in Table VI or VII of that city for the product sold, which, plus freight from that same city to destination, results in the lowest delivered base price at destination.

(iii) For any shipment which qualifies as dislocated tonnage, as defined in § 1306.157 (f), the delivered base price shall be the delivered country base price as established under sub-division (i) or (ii) above for the city from which shipment is made plus freight from that city to destination, less 15¢ per 100 pounds. If the resultant delivered base price at destination is lower than that established for such destination by sub-division (i) or (ii) above, it need not be used.

(3) The weight used in determining the total delivered price of sheared products shall be the net weight of the products shipped, not the gross weight from which they were sheared.

TABLE VI—BASE PRICES[1] FOR SHEETS AND PLATES SHEARED TO SPECIFICATIONS TO BOTH LENGTH AND WIDTH

[Dollars per 100 pounds]

Cities[1]	Products					
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Plates (both mill sheared and universal mill)
Boston[2]	3.84	4.84	5.29	6.84	6.12	3.98
New York[2]	3.71	4.76	5.18	6.74	6.00	3.89
Philadelphia[2]	3.67	4.79	5.07	6.47	6.21	3.67
Baltimore (city)	3.62	5.18	5.23	6.26		3.83
Baltimore (country)	3.52	5.18	5.13	6.26		3.73
Washington, D. C.[2]	3.73	5.28	5.33			3.93
Norfolk, Virginia[2]	3.98	4.66	5.59			4.19
Buffalo (city)	3.36	4.45	4.92	6.31	5.90	3.75
Buffalo (country)	3.26	4.35	4.82	6.31	5.80	3.75
Pittsburgh (city)	3.47	4.14	4.92	5.85	5.54	3.52
Pittsburgh (country)	3.37	4.14	4.82	5.75	5.54	3.42
Cleveland (city)	3.47	4.19	4.78	6.88	5.52	3.52
Cleveland (country)	3.37	4.09	4.68	6.88	5.42	3.42
Detroit[2]	3.55	4.45	5.01	6.55	6.13	3.73
Omaha (city)	3.98	4.94	5.71	7.27	6.33	4.30
Omaha (country)	3.88	4.94	5.71	7.27	6.33	4.20
Cincinnati[2]	3.54	4.52	5.09	6.86	5.86	3.78
Chicago (city)	3.36	4.24	5.02	6.57	5.64	3.67
Chicago (country)	3.26	4.14	4.92	6.47	5.54	3.57
Milwaukee[2]	3.50	4.38	5.15	6.71	5.76	3.81
St. Louis[2]	3.62	4.50	5.18	6.83	6.31	3.93
St. Louis[3]	3.51	4.39	5.16	6.47	5.92	3.82
Indianapolis (city)	3.57	4.40	5.19	6.47	5.85	3.83
Indianapolis (country)	3.47	4.30	5.09	6.47	5.75	3.73
Memphis[2]	3.98	4.82	5.43			4.09
Birmingham (city)	3.57	4.95	4.92			3.67
Birmingham (country)	3.47	4.95	4.92			3.57
New Orleans (city)	4.09	5.12	5.43			4.04
New Orleans (country)	3.99	5.12	5.33			3.94
Houston[2]	3.88	5.62	5.43			4.40
Los Angeles[2]	5.12	7.40	6.16	7.71	7.14	5.07
San Francisco (city)	4.71	7.81	6.83		8.02	4.81
San Francisco (country)	4.61	7.71	6.73		8.02	4.71
Tacoma[2]	4.81	6.86	5.90			4.92
Seattle[2]	4.81	6.86	5.90	8.85[3]	7.92	4.92

[1] Prices for the free delivery area of cities listed.
[2] City and country prices.
[3] With allowance for waste included.

TABLE IX[1]—SHEET AND PLATE SHEARING, SLITTING AND FLAME-CUTTING SCHEDULE

A. SHEET SHEARING AND SLITTING CHARGES

(e) *Maximum delivered prices for*

TABLE VII—BASE PRICES FOR SHEETS AND PLATES SHEARED TO SPECIFICATIONS TO LENGTH ONLY OR TO WIDTH ONLY

[Dollars per 100 pounds]

Cities[1]	Type of shearing and product								
	To width only over 12" wide or to length only					To width only 12" or under		To width only over 6" wide or to length only	To width only 6" or under (¼" to 4" thick inclusive)
	Hot rolled sheets[2]	Cold rolled sheets[2]	Galvanized sheets[2]	Galvannealed sheets[2]	Long terne sheets[2]	Hot rolled sheets[4]	Cold rolled sheets[4]	Plates[5]	Plates[6]
Boston[3]	3.67	4.63	5.06	6.54	5.85	3.65	3.11	3.81	3.98
New York[3]	3.54	4.55	4.95	6.44	5.74	3.56	3.25	3.72	3.84
Philadelphia[3]	3.51	4.53	4.85	6.19	5.94	3.56	3.16	3.51	3.85
Baltimore (city)	3.47	4.95	5.00	5.99		3.60		3.66	3.85
Baltimore (country)	3.37	4.95	4.90	5.99		3.50		3.56	3.95
Washington, D. C.[3]	3.56	5.05	5.10			3.69		3.76	3.95
Norfolk, Virginia[3]	3.81	4.46	5.35			3.69		4.01	4.00
Buffalo (city)	3.22	4.26	4.70	6.04	5.64	3.44	3.17	3.58	3.35
Buffalo (country)	3.12	4.16	4.60	6.04	5.54	3.44	3.17	3.58	3.25
Pittsburgh (city)	3.32	3.96	4.70	5.59	5.30	3.24	2.88	3.37	3.35
Pittsburgh (country)	3.22	3.96	4.60	5.49	5.30	3.14	2.78	3.27	3.25
Cleveland (city)	3.32	4.01	4.57	6.58	5.28	3.15	2.88	3.37	3.25
Cleveland (country)	3.22	3.91	4.47	6.58	5.18	3.15	2.78	3.27	3.23
Detroit[3]	3.40	4.26	4.79	6.27	5.86	3.09	3.06	3.56	3.43
Omaha (city)	3.81	4.72	5.46	6.95	6.06	3.78	3.66	4.11	4.10
Omaha (country)	3.71	4.72	5.46	6.95	6.06	3.68	3.66	4.01	4.00
Cincinnati[3]	3.39	4.33	4.87	6.56	5.60	3.30	3.11	3.61	3.60
Chicago (city)	3.22	4.06	4.80	6.29	5.40	3.24	3.15	3.51	3.50
Chicago (country)	3.12	3.96	4.70	6.19	5.30	3.14	3.05	3.41	3.40
Milwaukee[3]	3.35	4.19	4.93	6.42	5.52	3.36	3.19	3.64	3.63
St. Paul[3]	3.47	4.31	4.95	6.53	6.04	3.47		3.76	3.75
St. Louis[3]	3.36	4.20	4.94	6.19	5.66	3.37	3.25	3.65	3.64
Indianapolis (city)	3.42	4.21	4.96	6.19	5.59	3.38	2.95	3.66	3.60
Indianapolis (country)	3.32	4.11	4.86	6.19	5.49	3.28	2.85	3.56	3.35
Memphis[3]	3.81	4.61	5.20			3.69		3.91	3.90
Birmingham (city)	3.42	4.73	4.70			3.33		3.51	3.50
Birmingham (country)	3.32	4.73	4.70			3.23		3.41	3.40
New Orleans (city)	3.91	4.90	5.20			3.78		3.86	4.10
New Orleans (country)	3.81	4.90	5.10			3.68		3.76	4.00
Houston[3]	3.71	5.38	5.20			3.87		4.21	3.75
Los Angeles[3]	4.90	7.08	5.89	7.38	6.83	4.41	3.90	4.85	4.35
San Francisco (city)	4.50	7.47	6.53		7.67	4.05		4.60	3.95
San Francisco (country)	4.40	7.37	6.43		7.67	3.95		4.50	3.85
Tacoma[3]	4.60	6.56	5.64			3.83		4.70	4.20
Seattle[3]	4.60	6.56	5.64	8.40	7.58	3.83		4.70	4.20

[1] Prices for the free delivery area of cities listed.
[2] City and country prices.
[3] Equivalent to sheet reject price plus allowance for waste
[4] Equivalent to strip reject price, no allowance for waste is permitted.
[5] Equivalent to plate reject price plus allowance for waste.
[6] Equivalent to prime warehouse bar price; no allowance for waste is permitted.

TABLE VIII[1]—PERMISSIBLE EXTRAS ON PLATES AND SHEETS SHEARED TO SPECIFICATIONS

Description of product		Only permissible extras
Type of shearing or slitting	Type of product sheared	
I. To both length and width	A. Hot rolled sheets	A. 90% of lowest mill size and gauge extra for the particular gauge of hot rolled sheets, and 90% of mill extra for pickling (if pickled) of hot rolled sheets.
	B. Cold rolled sheets	B. 90% of lowest mill size and gauge extra for the particular gauge of cold rolled sheets.
	C. Galvanized sheets	C. 90% of mill gauge extra for galvanized sheets.
	D. Galvannealed sheets	D. 90% of mill gauge extra for galvannealed sheets.
	E. Long terne sheets	E. 90% of mill gauge extra for long terne sheets.
	F. Plates (both mill sheared and universal mill)	F. 90% of mill gauge extra for plates, and 90% of mill extra for pickling (if pickled) of plates.
II. To width only over 12" wide or to length only.	A. Hot rolled sheets	A. 90% of lowest mill size and gauge extra for the particular gauge of hot rolled sheets, and 90% of mill extra for pickling (if pickled) of hot rolled sheets.
	B. Cold rolled sheets	B. 90% of lowest mill size and gauge extra for the particular gauge of cold rolled sheets.
	C. Galvanized sheets	C. 90% of mill gauge extra for galvanized sheets.
	D. Galvannealed sheets	D. 90% of mill gauge extra for galvannealed sheets.
	E. Long terne sheets	E. 90% of mill gauge extra for long terne sheets.
III. To width only 12" or under	A. Hot rolled sheets	A. 90% of mill hot rolled strip extras for size, gauge and pickling (if pickled).
	B. Cold rolled sheets	B. 90% of mill cold rolled strip extras for size and gauge in cut lengths for either hard or soft temper for strip under .25 carbon and higher; 90% of mill cold rolled strip extras for size and gauge in cut lengths for either hard or soft temper for strip under .25 carbon.
IV. To width only over 6" wide or to length only.	Plates (both mill sheared and universal mill)	90% of mill extras for gauge and pickling (if pickled) of plates.
V. To width only 6" or under (¼" to 4" thick inclusive).	Plates (both mill sheared and universal mill)	100% of mill bar size flats extra for size.

[1] This table is to be used in conjunction with tables VI and VII.

TABLE IX[1]—SHEET AND PLATE SHEARING, SLITTING AND FLAME-CUTTING SCHEDULE

A. SHEET SHEARING AND SLITTING CHARGES

[Dollars per 100 pounds]

Type of shearing and slitting	Gauge No.											
	7 and 8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	25 and 26	27 and 28	29 and 30
I. To length only:												
Under 24"	.35	.35	.40	.40	.45	.45	.50	.55	.60	.70	.80	.90
24" to under 36"	.30	.30	.35	.35	.40	.40	.40	.45	.50	.60	.70	.80
36" to under 60"	.25	.25	.30	.30	.35	.35	.35	.40	.45	.55	.65	.70
60" and over	.25	.25	.25	.25	.30	.30	.30	.35	.40	.50	.60	.60
II. To width only:												
Under 1"	.70	.70	.75	.75	.90	.90	1.00	1.20	1.50	1.60	1.80	2.00
1" to 2"	.45	.45	.55	.55	.65	.65	.75	.85	1.00	1.10	1.30	1.40
Over 2" to 3"	.40	.40	.45	.45	.50	.50	.55	.60	.70	.80	.90	1.00
Over 3" to 4"	.35	.35	.40	.40	.40	.40	.45	.50	.60	.70	.80	.80
Over 4" to 6"	.30	.30	.35	.35	.35	.35	.40	.40	.50	.60	.70	.70
6" and over	.25	.25	.25	.25	.30	.30	.30	.30	.40	.50	.60	.60
III. To length and width:												
A. To any width of 6" and over and to lengths listed below:												
6" to under 12"	.65	.65	.75	.85	.95	1.05	1.10	1.15	1.20	2.00	2.00	2.00
12" to under 24"	.55	.55	.60	.65	.70	.75	.80	.85	.95	1.10	1.35	1.40
24" to under 36"	.40	.40	.45	.45	.50	.60	.65	.75	.85	.95	1.20	1.30
36" to under 60"	.40	.40	.40	.45	.45	.55	.60	.65	.75	.85	1.10	1.20
60" and over	.35	.35	.35	.40	.40	.45	.50	.55	.65	.75	1.00	1.10
B. To widths under 6"	Use the sum of the charges for sheared to width only and sheared to length only, as shown above.											
IV. Minimum shearing charge	$1.50 per size.											

[1] This table is to be used in conjunction with tables VI, VII, and VIII.

B. PLATE[1] SHEARING CHARGES

[Dollars per 100 pounds]

Type of shearing	Length				
	Under 12"	12" to under 24"	24" to under 36"	36" to under 60"	60" and longer
I. To length only	.55	.30	.15	.10	.00
II. To width only, over 6" wide,[2] or to any width and the lengths listed	.75	.50	.35	.30	.20
III. Minimum shearing charge	$1.50 per size				

[1] ¼" to 1" thick inclusive, including universal mill, sheared, flange, fire box, high carbon and floor plates.
[2] Widths only 6" and under are covered by table VII, under "To width only 6" or under, (¼" to 4" thick inclusive).

C. PLATE[1] FLAME-CUTTING CHARGES

1. THE CHARGES

[Dollars per lineal foot]

Thickness (inches)	Lineal feet			Thickness (inches)	Lineal feet		
	Under 5	5 to under 20	20 and over		Under 5	5 to under 20	20 and over
1½	.23	.18	.14	3½	.67	.53	.40
1¾	.25	.20	.15	3¾	.71	.57	.43
1¾	.27	.21	.16	4	.76	.61	.46
1¾	.29	.23	.17	4½	.85	.69	.52
1¾	.32	.25	.19	5	.96	.77	.58
1¾	.34	.27	.21	5½	1.08	.86	.65
2	.38	.30	.23	6	1.20	.95	.72
2¼	.43	.34	.26	6½	1.34	1.07	.80
2½	.46	.37	.28	7	1.50	1.20	.90
2¾	.52	.41	.31	7½	1.66	1.33	1.00
2¾	.57	.45	.34	8	1.83	1.46	1.09
3¼	.61	.49	.37	10	2.51	2.01	1.51

[1] For all flame-cutting of plates over 1" thick, except for plates 4" thick and under which are flame-cut to width only 6" wide and narrower. The latter range is covered by table VII, in the column "To width only 6" or under (¼" to 4" thick inclusive)."

2. THE METHOD OF APPLYING THE CHARGES

A. Charges are to be based on total lineal feet of one thickness.
B. Minimum charge—$5 net, per thickness.
C. Intermediate thicknesses are to take the next heavier plate basis.
D. Fractions of an inch of burning are to be charged for the next full inch.
E. Rectangular Plates—All thicknesses charged on net weight plus flame-cutting one side and one end at above extras unless flame-cutting all edges is specified, when charge is for two sides and two ends.
F. Circular Plates—All thicknesses are to be charged on the basis of gross weight of smallest square from which circle can be cut (size of square ½ inch larger than diameter specified), plus flame-cutting charge based on circumference of circle.
G. Rings—All thicknesses are to be charged at the gross weight of the nearest square from which ring can be flame-cut (size of square ½ inch larger than diameter specified), plus lineal foot charge for flame-cutting inner and outer circumferences.
H. Sketches with Straight Sides and no Re-entrant Cuts—All thicknesses are to be charged at the gross weight of smallest rectangle from which sketch can be cut (size of rectangle ½ inch larger than plate required), plus charge for lineal feet for perimeter of sketch.

(e) *Maximum delivered prices for semi-finished rejects.* (1) The maximum delivered price for semi-finished rejects shall be the aggregate of:

(i) The mill basing point base price for rerolling grade (or prime grade if there is no rerolling grade for the product) at the mill basing point nearest freightwise to the point of shipment, plus the applicable mill extra for cross-sectional area, plus freight from the basing point to location from which shipment is made, as established by Revised Price Schedule No. 6; plus

(ii) 10 per cent of (i) above; plus

(iii) Freight from location from which shipment is made to customer's destination.

(f) *Quantity charge or deduction.* (1) For a quantity of less than 40,000 pounds.

(i) For all products except cold rolled strip.

(*a*) To determine the quantity charge or deduction under subdivision (*b*) below, combine the weight of material on all orders of one day from one person for shipment to one destination, regardless of how shipments may be split by the seller for his own convenience or at the buyer's request; similarly, combine the weight of material in all shipments to one person in one day to one destination, regardless of whether such shipments are made against one order or any number of orders placed over a period of time.

(*b*) The quantity charge or deduction shall be at the rate of:

Under 100 # ---------- Add $1.00 per 100 #
100 # to 399 # ---------- Add $0.75 per 100 #
400 # to 1,999 # ----- No charge or deduction
2,000 # to 9,999 # ---- Deduct $0.10 per 100 #
10,000 # to 19,999 # -- Deduct $0.15 per 100 #
20,000 # to 39,999 # -- Deduct $0.20 per 100 #

(ii) For cold rolled strip only.

(*a*) To determine the quantity charge or deduction under sub-division (*b*) below, combine the weight of material on all orders for one gauge, width, temper and finish, of one day from one person for shipment to one destination, regardless of how shipments may be split by the seller for his own convenience or at the buyer's request; similarly, combine the weight of material in all shipments of one gauge, width, temper and finish, made to one person in one day to one destination, regardless of whether shipments are made against one order or any number of orders placed over a period of time.

(*b*) The quantity charge or deduction shall be at the rate of:

Under 200 # ---------- Add $5.25 per 100 #
200 # to 299 # ---------- Add $3.25 per 100 #
300 # to 499 # ---------- Add $2.25 per 100 #
500 # to 999 # ---------- Add $1.25 per 100 #
1,000 # to 1,999 # ------ Add $0.65 per 100 #
2,000 # to 5,999 # ------- Add $0.25 per 100 #
6,000 # to 39,999 # --- No charge or deduction

(2) For a quantity of 40,000 pounds or more, the quantity charge or deduction shall be determined in accordance with the provisions of § 1306.159 (k) (2) and (5).

(b) Wholesale grocers shall determine

(Pub. Laws No. 421 and 729, 77th Cong.;

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(g) *Warehouse pickling charge.* For secondary or rejected iron or steel products which have been job or warehouse pickled, in addition to the mill pickling extra allowed under Table V or VIII, there may also be added 25¢ per 100 pounds for sheets and 20¢ per 100 pounds for plates. No extra charges may be made in connection with this charge, such as, but not limited to, oiling, lining, drying, handling and transportation or cartage. The method of invoicing this warehouse pickling charge is set forth in paragraph (j) below.

(h) *Restrictions on extras and charges.* (1) Where a shipment is made containing two or more products or grades of products (or both) having different base prices or quality extras (or both), the maximum price for any shipment containing such range of products or grades (or both), unless the exact amount of each can be specified by the seller, shall be determined by computing the lowest base price or the lowest quality extra (or both). Such lowest base price or lowest quality extra (or both) shall be used in computing the price for the entire shipment.

For example:

(i) Where a shipment contains both hot rolled strip and cold rolled strip and the exact amount of each product cannot be specified by the seller, the maximum price for the entire shipment is the hot rolled strip price.

(ii) Where a shipment contains both hot rolled sheets and hot rolled pickled sheets and the exact amount of each grade cannot be specified by the seller, the maximum price for the entire shipment is the hot rolled sheet price.

(2) No extras not specifically listed in Table V or VIII above, and no charges not specifically listed in paragraphs (f) and (g) and Table IX above, may be added to the maximum delivered price (such as, but not limited to, analysis, thickness or gauge tolerance, deoxidizing, surface inspection, and roller leveling). *Provided*, That the Office of Price Administration may approve, upon application, certain extras and charges not permitted in this § 1306.164, Appendix F, and which were in effect and charged on April 16, 1941, by the seller or group of sellers applying.

(i) *Special inventory filing and record requirements.* Every seller of secondary or rejected iron or steel products, covered by this § 1306.164, Appendix F, shall comply with the following requirements:

(1) File, in duplicate, with the Office of Price Administration, Iron and Steel Price Branch, Washington, D. C., on or before April 1, 1943, his total inventory on hand on March 1, 1943, of secondary or rejected iron or steel products covered by this § 1306.164, Appendix F. This filing need not be made by any seller who had no inventory of secondary or rejected iron or steel products on hand on March 1, 1943. The inventory filing shall include the total tonnage of the products covered by this § 1306.164, Appendix F, segregated according to prime and secondary or rejected quality. A separate filing of this information shall be made for each warehouse location.

This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Keep open for inspection for a two year period an inventory in a form similar to that required to be filed under subparagraph (1) above, taken at the end of each of his accounting periods. Also, keep open for inspection for two years after date of purchase a record of all material purchased as secondary or rejected iron or steel products which are covered by this § 1306.164, Appendix F. Such record shall distinguish secondary or rejected quality material from prime quality material. Further, there shall be kept for the same period records of purchases and sales of universal mill plates adequate to identify them as the product of a universal mill; of purchases and sales of all classifications of tin mill black plate in U. S. S. gauge # 28 and heavier; and of sales of job and warehouse pickled material on which a charge has been made in accordance with paragraph (g) above.

(j) *Special invoicing requirements.* Every seller of secondary or rejected iron or steel products shall indicate on all invoices covering the sale of such products, the classification of the material sold, that is, rejects, wasters, waste wasters, offal or side and end shearings; also, whether sheared to specifications or unsheared. There shall, also, be indicated as a separate item on each invoice covering all job or warehouse pickled material on which a charge has been made in accordance with paragraph (g) above, the statement "charge for warehouse pickling."

(k) *Secondary or rejected products not qualifying as rejects, wasters, waste wasters, offal or side and end shearings.* The maximum prices for secondary or rejected iron or steel products subject to this § 1306.164, Appendix F, which do not qualify as rejects, wasters, waste wasters, offal, or side and end shearings, shall be those set forth in Revised Price Schedule No. 4 for sales of iron and steel scrap to a consumer.

[§ 1306.164 added by Amendment 12, 8 F.R. 2388, effective 3-1-43]

Issued this 8th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5540; Filed, April 8, 1943; 10:19 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 371 Under § 1499.3 (b) of GMPR]

SNIDER PACKING CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1858 *Authorization of maximum prices for sales of standard pumpkin packed in No. 2½ size can, standard squash packed in No. 2½ size can and standard soy beans packed in No. 2½ size can by Snider Packing Corporation, 40 Franklin Street, Rochester, New York, and for wholesalers and retailers.* (a) On and after April 8, 1943, the maximum prices for sales by the Snider Packing Corporation, 40 Franklin Street, Rochester, New York, of the following commodities shall be the maximum prices indicated below:

Commodity	Maximum price authorized per dozen f. o. b. factory
Standard grade pumpkin packed in No. 2½ size can	$0.90
Standard squash packed in No. 2½ size can	.90
Standard soy beans packed in No. 2½ size can	1.20

(b) Wholesale grocers shall determine that maximum prices for the above named commodities packed by Snider Packing Corporation in accordance with the provisions of Maximum Price Regulation No. 237.

(c) Retail grocers shall determine their maximum prices for the above named commodities packed by Snider Packing Corporation in accordance with the provisions of Maximum Price Regulation No. 238.

(d) The applicant, Snider Packing Corporation, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(e) This Order No. 371 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

This Order No. 371 (§ 1499.1858) shall become effective on the 8th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5456; Filed, April 7, 1943; 12:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 372 Under § 1499.3 (b) of GMPR]

GROCERY PRODUCTS MANUFACTURING CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1859 *Authorization of maximum prices for sales of sliced dehydrated mushrooms packed in six gram laminated glassine bags, 24 to a case by Grocery Products Manufacturing Corporation, Mushroom Division, West Chester, Pennsylvania, and for wholesalers and retailers.* (a) On and after April 8, 1943, the maximum price for sales by the Grocery Products Manufacturing Corporation, Mushroom Division, West Chester, Pennsylvania, of sliced dehydrated mushrooms shall be $2.25 per case of 24–6 gram packages delivered anywhere in the United States.

(b) Wholesale grocers shall determine their maximum prices for sliced dehydrated mushrooms packed in six gram laminated glassine bags 24 to a case by Grocery Products Manufacturing Corporation, Mushroom Division, in accordance with the provisions of Maximum Price Regulation No. 237.

(c) Retail grocers shall determine their maximum prices for sliced dehydrated mushrooms packed in six gram laminated glassine bags 24 to a case by Grocery Products Manufacturing Corporation, Mushroom Division, in accordance with the provisions of Maximum Price Regulation No. 238.

(d) The applicant, Grocery Products Manufacturing Corporation, Mushroom Division, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(e) This Order No. 372 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

This Order No. 372 (§ 1499.1859) shall become effective on the 8th day of April, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5454; Filed, April 7, 1943; 12:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 41 Under SR15 of GMPR]

THREE RIVERS CARTAGE CO., INC.

Order No. 41 Under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-1014.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1341 *Adjustment of maximum prices for contract carrier services sold by the Three Rivers Cartage Company, Inc.* (a) The Three Rivers Cartage Company, Inc., of Three Rivers, Michigan, may sell and deliver contract carrier services in connection with the transportation of paper and paper products at rates not to exceed 3.5% above the rates in effect during March 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 41 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 41 (§ 1499.1341) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 41 (§ 1499.1341) shall become effective April 8, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5455; Filed, April 7, 1943; 12:09 p. m.]

PART 1305—ADMINISTRATION

[RO 3A,[1] Amendment 2]

RATION BANKING: DEPOSITORS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order 3A is amended in the following respects:

1. Section 1305.444 is amended to read as follows:

§ 1305.444 *Signature cards and other papers required.* A person opens his first account in any bank by completing, signing and delivering to the bank signature cards supplied by the bank. He may open any additional account at that bank by requesting the bank to enter the additional account on the original signature cards. If the bank requests new signature cards, however, he must complete and deliver them. He shall also submit, if the bank requests them, references, other proofs of identity and documents showing his authority to execute the signature cards. He shall also, if the bank requests it, furnish a statement, signed by him, of the facts which require or permit him to open or to continue to have an account. If, after an account is opened, new persons are authorized to sign checks drawn on that account, new signature cards must be completed and delivered, and such new documents as the bank requests must be submitted.

2. Section 1305.484a is added to read as follows:

§ 1305.484a *Specified groups compelled to close accounts.* Whenever a ration order of the Office of Price Administration shall require all depositors in a specified class or group to close their accounts, each depositor in that class or group shall promptly advise his bank in writing of the facts which bring him within it. The depositor shall reduce the balance in his account to zero within the time fixed in the ration order for the closing of such accounts.

3. Section 1305.486 is amended by striking out the words "Or who for any reason ceases to use an account."

This amendment shall become effective April 7, 1943.

(Pub. Laws 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Dir. 1, 7 F.R. 562)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5487; Filed, April 7, 1943; 5:28 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1130, 1149, 1963, 3520.

PART 1305—ADMINISTRATION

[Gen. RO 3,[1] Amendment 2]

AMENDMENT No. 2 TO GENERAL RATION ORDER No. 3[1]

RATION BANKING: BANKS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1305.412 (a) (12) is amended to read as follows:

(12) *Adjustment and closing of accounts.* Debit, credit, close out or otherwise deal with any accounts maintained by them upon written instructions of the Office of Price Administration, and refuse to close out or transfer any accounts, except upon instructions of the Office of Price Administration. However, whenever a ration order of the Office of Price Administration requires that the accounts of all depositors of a specified class or group shall be closed within a fixed time, each depositor within such class or group will notify his bank in writing of the facts bringing him within such class or group, and the bank shall, on receipt of such notice from a depositor, and without any further notice or instructions from the Office of Price Administration, close his account as soon as the balance in the account shall have been reduced to zero, but in any event not later than the time fixed by the ration order for the closing of such accounts.

This amendment shall become effective April 7, 1943.

(Pub. Laws 421, 507, and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; W.P.B. Dir. 1, 7 F.R. 562)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5489; Filed, April 7, 1943; 5:28 p. m.]

PART 1306—IRON AND STEEL

[RPS 10,[1] Amendment 6]

PIG IRON

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1306.55 (b) is amended to read as follows:

(b) Any person, who is prepared to show that (1) its cost of production of pig iron are above its furnace net realization at maximum prices or (2) its furnace net realization is inadequate in view of its high operating costs for continued operations at maximum prices, may file a petition for an adjustment of or exception to the maximum prices established by Revised Price Schedule 10. In such cases the petitioner should submit, and the Office of Price Administration will consider, all relevant data,

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 865, 2858.

[1] 8 F.R. 1236, 2482.

including the relation of the current, requested, and projected realization on the pig iron or on the furnace, to the total over-all return of the petitioner, and the necessity, in terms of the war effort, for the granting of such adjustment or exception. The Office of Price Administration may require, in connection with any such petition, full data on costs, profits, and other relevant factors. Petitions for adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided in Revised Procedural Regulation 1.[1] Petitions for exception under this paragraph shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation 1.

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5496; Filed, April 7, 1943; 5:30 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[2] Amendment 22]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration order No. 1A is amended in the following respects:

1. Section 1315.505 (a) (14) (i) is amended to read as follows:

(i) Ice, fuel and milk.

2. Section 1315.505 (b) (1) is amended by deleting the word "milk" and the comma following it.

This amendment shall become effective April 13, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5499; Filed, April 7, 1943; 5:31 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533

[2] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521, 3702, 3837.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 87, as Amended,[1] Amendment 4]

SCRAP RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.1251 is amended to read as follows:

§ 1315.1251 *Maximum prices for scrap rubber.* On and after June 26, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver scrap rubber to a consumer, and no consumer shall buy or receive scrap rubber, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1315.1263; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That a sale of scrap rubber articles or materials to a person who acquires them solely for the purpose of re-sale shall not be deemed a sale to a consumer. *Provided further,* That this schedule shall not apply to any scrap rubber articles or materials which are acquired for the purpose of repairing or reconditioning them, or of reselling them to be repaired or reconditioned, to make them re-usable for their original purpose, even though such articles or materials may be acquired together with scrap rubber which is covered by this schedule.

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-5500; Filed, April 7, 1943; 5:31 p. m.]

PART 1316—COTTON TEXTILES

[MPR 11,[2] Amendment 2]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1316.4 Table III (4) (i) is amended by changing the date March 24, 1943 to read April 24, 1943.

2. Section 1316.4 Table III (4) (ii) is amended by changing the date March 24, 1943 after the phrase "if the delivery is made (or to be made) on or after" to read April 24, 1943.

3. Section 1316.4 Table III (5) is amended to read as follows:

For any fabric subject to Table III of a construction sold or delivered by the seller between July 1, 1942 and January 6, 1943, which is sold or delivered pursuant to a contract other than a government contract where the seller in accordance with (3) above has requested the Office of Price Administration to determine a special maximum price for such fabric:

(i) If the delivery is made prior to April 24, 1943, the maximum price shall be the maximum price in effect on January 6, 1943;

(ii) If the delivery is made on or after April 24, 1943, the seller may charge a price not in excess of the applicable poundage maximum price set forth in (2) above and may reserve the right to charge the purchaser an amount equal to the difference between the applicable poundage maximum price and the special maximum price thereafter established pursuant to the seller's request.

This amendment shall take effect as of January 13, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5503; Filed, April 7, 1943; 5:32 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Revised MPR 233,[1] as Amended April 7, 1943]

DRIED AND CANNED APPLES AND APPLE PRODUCTS

Sections 1341.403 (a), 1341.405, 1341.409 (a), 1341.420 (c), and 1341.427 (a) (4) amended; § 1341.405a added, and § 1341.409 (c) (5) revoked by Amendment 3 issued April 7, 1943, so that Revised Maximum Price Regulation No. 233 shall read as follows:

In the judgment of the Price Administrator, the maximum prices established by this Revised Maximum Price Regulation No. 233 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 233 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sec.

1341.401 Classes of persons included as sellers.
1341.402 Prohibition against dealing in certain apple products above maximum prices.
1341.403 Base periods for apple products.
1341.404 Computation of base prices.
1341.405 The seller's maximum prices for canned apples, canned applesauce.

*Copies may be obtained from the Office of Price Administration. Statements of consideration are also issued simultaneously with the issuance of amendments.

[1] 7 F.R. 4781, 5177, 6002, 8700, 8948.

[2] 8 F.R. 361, 2206.

[1] 7 F.R. 10685.

Sec.

1341.405a The seller's maximum price for vinegar stock.
1341.406 The seller's maximum prices for canned or bottled apple juice or sweet apple cider, made from whole apples.
1341.407 Maximum prices established by proportionate relationships.
1341.408 The seller's maximum price for dried apples.
1341.409 The seller's maximum prices for boiled cider, concentrated cider, filtered concentrated apple juice, depectinized concentrated apple juice and bland apple syrup.
1341.410 Separate maximum prices for apple products in tin and glass containers.
1341.411 Maximum prices for apple products in new container types and sizes.
1341.412 Maximum prices of competitor.
1341.413 Authorization of maximum prices.
1341.414 Maximum prices for a seller who has more than one factory.
1341.415 Maximum delivered prices.
1341.416 Maintenance of customary discounts and allowances.
1341.417 Less than maximum prices.
1341.418 Transfer of business or stock in trade.
1341.419 Evasion.
1341.420 Records and reports.
1341.421 Information to purchasers from canners.
1341.422 Enforcement.
1341.423 Petitions for amendment.
1341.424 Sales for export.
1341.425 Applicability of the General Maximum Price Regulation.
1341.426 Applicability
1341.427 Definitions
1341.428 Effective date.
1341.429 Effective dates of amendments.

AUTHORITY: §§ 1341.401 to 1341.429, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1341.401 *Classes of persons included as sellers.* (a) The term "seller" shall include only the canner, packer or processor, as the case may be, and as defined by this Revised Maximum Price Regulation No. 233.

§ 1341.402 *Prohibition against dealing in certain apple products above maximum prices.* (a) On and after December 24, 1942, regardless of any contract or other obligation, no seller shall sell or deliver any of the apple products for which maximum prices are established by this Revised Maximum Price Regulation No. 233 at a price higher than the maximum price established herein for such apple product.

(b) No person in the course of trade or business shall buy or receive any such apple product from any seller at a price higher than the maximum price established herein for such product; and

(c) No seller or other person shall agree, offer, solicit or attempt to do any of the foregoing.

[NOTE Supplementary Order No. 7 (7 F.R. 2176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1341.403 *Base periods for apple products.* (a) The base period for each kind, grade and container size of canned apples, canned applesauce, and canned or bottled apple juice or sweet apple cider, made from whole apples, shall be the first sixty days after the beginning of the 1941 pack of such item.

(b) The base period for each kind, grade and container size of dried apples shall be the month of October, 1941.

§ 1341.404 *Computation of base prices.* (a) The base price for each kind, grade and container size of any apple product for which a maximum price is established by this Revised Maximum Price Regulation No. 233 shall be the total gross dollars charged by the seller for each item during the base period for such item, divided by the number of units sold during the base period.

§ 1341.405 *The seller's maximum prices for canned apples and canned applesauce.* (a) The seller's maximum price per unit, f. o. b. factory, for each kind, grade and container size of canned apples and canned applesauce packed after the 1941 pack shall be:

(1) The seller's base price for such kind, grade and container size; plus

(2) Eighteen and one-fourth percent of such base price.

§ 1341.405a *The seller's maximum price for vinegar stock.* The seller's maximum price, f. o. b. factory, for vinegar stock, shall be ten cents per gallon.

§ 1341.406 *The seller's maximum prices for canned or bottled apple juice or sweet apple cider, made from whole apples.* (a) The seller's maximum price per unit, f. o. b. factory, for each grade of canned or bottled apple juice or sweet apple cider, made from whole apples, in container sizes of less than one gallon, shall be:

(1) The base price per unit for the same grade and container size; plus

(2) Ten per cent of such base price per unit; plus

(3) The amount of six cents per gallon, apportioned to each unit in the same proportion which the contents of such unit bears to one gallon.

(b) The seller's maximum price per unit, f. o. b. factory, for each grade of canned or bottled apple juice or sweet apple cider, made from whole apples, in container sizes of one gallon or more, shall be:

(1) The base price per unit for the same grade and container size; plus

(2) Eight per cent of such base price; plus

(3) The amount of six cents per gallon, apportioned to each unit in the same proportion which the contents of such unit bears to one gallon.

§ 1341.407 *Maximum prices established by proportionate relationships.* (a) In the event, and only in the event, that the maximum price for any item, except No. 10 container size, of any canned apples, canned applesauce, and canned or bottled apple juice or sweet apple cider, made from whole apples, cannot be determined under the foregoing sections, but the seller has been able to determine his maximum price under the foregoing sections for the dominant item of such product, the maximum prices of the remaining items of such product, except No. 10 container size, shall be those prices which bear the same proportionate relationship to the maximum price for the dominant item of that product as the price for each such item bore to the price of the dominant item of such product in the seller's first price list applying to the 1941 pack.

(b) In computing maximum prices under paragraph (a) of this section, the dominant item of any product shall be the one of which the seller packed the largest quantity in 1941.

(c) In the event, and only in the event, that the maximum price of one or more grades of such items in a No. 10 container size cannot be determined under the foregoing sections, but the seller has been able to determine the maximum price for one or more other grades of the same product in a No. 10 container size, the maximum prices for the grades not so determined shall be established in the manner provided in paragraph (a) of this section, using as the dominant grade the grade for which the price has been determined, or, if the price of more than one grade has been so determined, using as the dominant grade the one of those for which a maximum price has been so determined, of which the seller packed the largest quantity in 1941.

§ 1341.408 *The seller's maximum price for dried apples.* (a) The seller's maximum price for dried apples, packed in wood boxes containing 25 to 50 pounds, for all states except California, Oregon, Idaho and Washington, shall be as follows:

Grade	Kind	Maximum price in cents per pound
U. S. Grade A	Rings, quarters or slices	21
U. S. Grade B	Rings, quarters or slices	21
U. S. Grade C	Rings, quarters or slices	19½
Cored and peeled, lower than U. S. Grade C.	Rings, quarters or slices	16¼
Chops		7½

(b) The seller's maximum price for dried apples, packed in wood boxes containing 25 to 50 pounds, for the states of California, Oregon, Idaho and Washington, shall be as follows:

Grade	Kind	Maximum price in cents per pound
U. S. Grade A	Rings, quarters or slices	19
U. S. Grade B	Rings, quarters or slices	19
U. S. Grade C	Rings, quarters or slices	17½

(c) Maximum prices for other kinds or grades of dried apples, such as chops

and screenings, when no price has been established therefor by the foregoing provisions of this section, and maximum prices for other container sizes, shall be computed as follows:

(1) Compute the base price for U. S. Grade C dried apples and the base price for each other item for which a maximum price is to be computed.

(2) Compute the percentage relationship of the maximum price for U. S. Grade C dried apples, as established by paragraph (a) or (b) of this section, to the base price for U. S. Grade C dried apples.

(3) For each item for which a maximum price is being computed, multiply the base price of that item by the same percentage as computed for U. S. Grade C dried apples pursuant to paragraph (c) (2) of this section.

§ 1341.409 *The seller's maximum prices for boiled cider, concentrated cider, filtered concentrated apple juice and depectinized concentrated apple juice.* (a) The seller's maximum prices, f. o. b. plant for boiled cider, concentrated cider, filtered concentrated apple juice and depectinized concentrated apple juice, all as defined in this section, shall be as follows:

Product	Baumé test	Maximum price
Boiled cider	32 degrees	90 cents per gallon.
Concentrated cider	32 degrees	$1.00 per gallon.
Filtered concentrated apple juice	32 degrees	$1.07 per gallon.
Depectinized concentrated apple juice	32 degrees	$1.17 per gallon.

(b) To compute maximum prices, f. o. b. plant, for boiled cider, concentrated cider, filtered concentrated apple juice or depectinized concentrated apple juice for Baumé test other than 32 degrees, the seller shall add to the maximum price set forth in paragraph (a) of this section, the sum of five cents per gallon for each degree over 32 degrees and the seller must deduct from the maximum price set forth in paragraph (a) of this section, the sum of five cents per gallon for each degree under 32 degrees. For fractions of degrees over or under 32 degrees, the seller shall add or subtract, as the case may be, the similar fraction of five cents.

(c) When used in this section the term:

(1) "Boiled cider" means the product obtained by boiling pure cider in an open receptacle to the extent that at least six gallons of pure cider are used to obtain one gallon of boiled cider.

(2) "Concentrated cider" means the product obtained by concentrating pure cider by heating under vacuum pressure.

(3) "Filtered concentrated apple juice" means the product obtained by filtering pure apple juice and concentrating the same by heating under vacuum pressure.

(4) "Depectinized concentrated apple juice" means the product obtained by filtering pure apple juice, concentrating it by heating under vacuum pressure and depectinizing it to a sufficient extent to result in a liquid concentrate.

(5) [Revoked by Amendment 3, issued April 7, effective April 13, 1943]

§ 1341.410 *Separate maximum prices for apple products in tin and glass containers.* Any seller who packed the same item in both glass and tin during the 1941 pack shall compute base prices and maximum prices separately for such item packed in tin and the same item packed in glass.

§ 1341.411 *Maximum prices for apple products in new container types and sizes.* (a) The maximum price per dozen, f. o. b. factory, for a kind and grade of any of the apple products covered by this regulation packed in any container type or size of which the seller made no sales during the first 60 days after the beginning of the 1941 pack shall be calculated as follows. He shall:

(1) *Determine the base container.* If the seller sold the same kind and grade of the apple product during the first 60 days following the beginning of the 1941 pack, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind and grade of apple product (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells these sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the seller is adding to or replacing, such as tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(2) *Find the base price.* The seller shall take as the "base price" his maximum price per dozen, f. o. b. factory, for the kind and grade of apple product when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the seller's factory, the seller shall first convert it to a base price f. o. b. factory by subtracting whatever transportation charges were included in it.

(3) *Deduct the container cost.* Taking his base price, f. o. b. factory, the seller shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the seller's factory, of the container, caps, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(4) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(5) *Add the new container cost to get the price f. o. b. factory.* Next, the seller shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the seller's maximum price, f. o. b. factory.

(6) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the seller's maximum price for the apple product in the base container is a delivered price, he shall figure transportation charges to be added, as follows. The seller shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the apple product in the new container will move under a different freight tariff classification, the seller shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of transportation charge.) The seller shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the seller's maximum delivered price.

(b) If the seller has established prior to January 25, 1943, a maximum price under the provisions of this regulation for a kind, grade, and container size of apple products, of which he made no sales during the first 60 days following the beginning of the 1941 pack, he may retain that maximum price, or, at his option, may establish a maximum price under this section.

[§ 1341.411 as amended by Amendment 1, 8 F.R. 1135]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price"]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1341.412 *Maximum prices of competitor.* If the maximum price of the seller for any item for which maximum prices are established by this Revised Maximum Price Regulation No. 233 cannot be computed under the foregoing sections of this regulation, the seller's maximum price for such item shall be the maximum price of the most closely competitive seller for the same item.

§ 1341.413 *Authorization of maximum prices.* If the seller's maximum price cannot be determined under any of the foregoing sections of this Revised Maximum Price Regulation No. 233, the maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (a) a description in detail of the item for which a maximum price is sought; and (b) a statement of the facts which differentiate such item from the most similar item for which he has determined a maximum price, stating such most similar item and the maximum price determined therefor. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall report such maximum price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

§ 1341.414 *Maximum prices for a seller who has more than one factory.* The maximum price for each item for a seller who owns more than one factory shall be determined separately for each factory, except that if any group of two or more factories had the same f. o. b. factory prices in 1941, the maximum prices shall be determined uniformly for the entire group by using the combined figures for all of the factories in the group in computing the base price and maximum price hereunder, or, if that cannot be determined, by using the maximum price of the most closely competitive seller as the maximum price of the entire group. In applying for the specific authorization of a price, the application may be made for a uniform price for all of the factories in such group.

§ 1341.415 *Maximum delivered prices.* Any seller who sold and delivered a particular brand of canned apples, canned applesauce, or canned or bottled apple juice or sweet apple cider packed by him during the calendar year 1941 on an established uniform delivered price basis by zone or area, shall add to the maximum price per dozen f. o. b. factory computed under the foregoing sections for each grade and container size of such brand the freight charge he added to his f. o. b. factory price during the calendar year 1941, for such grade and container size of such brand in the same zone or area. The resulting price is the seller's maximum delivered price for such grade and container size of such brand for the zone or area in which the same freight charge was used in 1941.

§ 1341.416 *Maintenance of customary discounts and allowances.* Each seller shall maintain his customary cash discounts and his quantity discounts to different classes of purchasers.

§ 1341.417 *Less than maximum prices.* Lower prices than those established by this Revised Maximum Price Regulation No. 233 may be charged, demanded, paid or offered.

§ 1341.418 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a seller are sold or otherwise transferred on or after the effective date of this Revised Maximum Price Regulation No. 233 and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

§ 1341.419 *Evasion.* The price limitations set forth in this Revised Maximum Price Regulation No. 233 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any of the items covered by this regulation, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.420 *Records and reports.* (a) Every packer who makes sales of dried apples after the effective date of this Revised Maximum Price Regulation No. 233 shall preserve, for so long as the Emergency Price Control Act of 1942 remains in effect, all his existing records which were the basis of computing maximum prices by relationship to other kinds, grades and sizes of dried apples and make and preserve for the same period, all records of the same kind as he has customarily kept, relating to the prices which he charged for dried apples sold after the effective date of this regulation.

(b) Every seller who makes sales of canned apples, canned applesauce, or canned or bottled apple juice or sweet apple cider, made from whole apples, and vinegar stock, packed after the 1941 pack, shall (1) preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, all his existing records which were the basis for the computation of maximum prices under this Revised Maximum Price Regulation No. 233 and (2) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for such products sold on and after the effective date of this regulation and (3) file with the Office of Price Administration, Washington, D. C., within ten days after determining his maximum price for each item, a statement certified under oath or affirmation showing his base price and his maximum price for each item, together with his customary cash discounts and customary quantity discounts to different classes of purchasers and (4) in those cases in which the maximum price of any item was determined by the maximum price of the most closely competitive seller, showing the maximum price of such item and the name and address of the seller whose maximum price was so adopted and (5) in those cases in which a seller made sales and deliveries of a particular brand of any of such products packed by him in 1941 on an established uniform delivered price basis by zone or area, showing his maximum price per dozen f. o. b. factory for each such item, the freight charge which he added to his f. o. b. factory price during the calendar year 1941 for each zone or area and the maximum delivered price for each such item packed after the 1941 pack, delivered in each zone or area, and (6) preserve for the same period a true copy of each such statement for examination by any person during ordinary business hours. Any seller who claims that substantial injury would result to him from making such statement available to any other person, may file such copy of such statement with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this regulation.

[NOTE: Supplementary Order No. 23, (7 F. R. 8478) provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation need be notarized.]

(c) Every seller who makes sales of boiled cider, concentrated cider, filtered concentrated apple juice or depectinized concentrated apple juice after the effective date of this regulation, shall make and preserve for so long as the Emergency Price Control Act, as amended, remains in effect, all records of the same kind as he has customarily kept, relating to the prices charged by him for such products.

§ 1341.421 *Information to purchasers from canners.* (a) Except as hereinafter provided, any canner selling any canned apples, canned applesauce, or canned or bottled apple juice or sweet apple cider made from whole apples, packed after the 1941 pack, to any wholesaler, retailer, or any other purchaser for resale, shall, before making such sale or on his invoice disclose in writing to such purchaser, for each item, his base price, his maximum price, and the amount of the difference between the base price and the maximum price, which amount shall be designated as the "permitted increase."

(b) Any such canner may disclose such information by stating it on his invoice on the first occasion that he sells any item to such purchaser; or he may prepare and supply to the purchaser one or more lists or statements containing such information, at or before the first sale to such purchaser. Any such statement may contain the required information for any number of items.

(c) When a maximum price has been established pursuant to § 1341.411 for any item for which the container type or size has been changed, the canner shall not report any base price or permitted increase.

(d) For the purposes of this section:

(1) When a maximum price has been established for any item by the use of proportionate relationship, the base price for such item shall bear the same ratio to the maximum price as the base price of the item from which such maximum price was determined bears to the maximum price of such item.

(2) When a canner has established a maximum price by using the maximum price of his competitor for the same item, his base price and permitted increase for that item shall be the same as the base price and permitted increase of his competitor for the same item.

(3) When any canner makes application to determine a maximum price after specific authorization by the Office of Price Administration, such authorization, when given, will be accompanied by instructions as to the method for determining the price to be deemed the base price.

§ 1341.422 *Enforcement.* Persons violating any provisions of this Revised Maximum Price Regulation No. 233, are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.423 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 233 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1341.424 *Sales for export.* The maximum price at which a person may export any of the products covered by this Revised Maximum Price Regulation No. 233 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

§ 1341.425 *Applicability of the General Maximum Price Regulation.*[3] This Revised Maximum Price Regulation No. 233 supersedes the provisions of the General Maximum Price Regulation with respect to sales or deliveries by sellers subject to this regulation of all products for which maximum prices are established by this regulation.

§ 1341.426 *Applicability.* The provisions of this Revised Maximum Price Regulation No. 233 shall be applicable only in the United States and the District of Columbia

§ 1341.427 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 233 the term:

(1) "Persons" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any agency thereof, any other government, or any of its political subdivision and any agency of any of the foregoing.

(2) "Canner" means a person who processes and packs apples, applesauce, apple juice or sweet apple cider, made from whole apples, in containers of metal or glass, or who packs apple juice or sweet apple cider, made from whole apples, in wooden containers. A canner of any commodity covered by this regulation shall be a canner when selling any other commodity covered by this regulation unless he sells that other commodity as a wholesaler or retailer. If that other commodity is covered at wholesale and retail by Maximum Price Regulations Nos. 237 and 238, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations. If that other commodity is covered at wholesale and retail by Maximum Price Regulation No. 255 and revised Maximum Price Regulation No. 256, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations.

[Paragraph (2) as amended by Amendment 2, 8 F.R. 2998]

(3) "Packer" means a person who removes the major portion of moisture from apples by natural or artificial means or prepares them for shipping in dried form, but does not include a grower when he delivers dried apples to a packer.

(4) "Processor" means a person who produces vinegar stock, boiled cider, concentrated cider, filtered concentrated apple juice or depectinized concentrated apple juice.

(5) "Canned" means sealed or enclosed in containers of metal or glass, whether or not hermetically sealed, and also refers to apple juice or sweet apple cider in wood containers.

(6) "1941 pack" of any item affected by this regulation shall be that pack the major portion of which was processed from apples grown in the calendar year 1941.

(7) "Vinegar stock" means fermented apple juice or fermented apple cider.

(8) The "most closely competitive canner or packer" means the canner or packer who:

(i) Sells to the same class of buyers, (ii) produces the same or a similar quality range of the product in question, (iii) has in the past sold the same item at approximately the same prices as the canner or packer seeking to establish a maximum price, (iv) is located in the same or the nearest canning or packing area.

(9) "Item", when referring to any of the products affected by this Revised Maximum Price Regulation No. 233, unless the context otherwise requires, also refers to the kind, grade and container size of such product; it designates not only the product, but also the kind, grade and container size. For example, "any item" means any kind, grade and container size of any of such products.

(10) "Kind" refers to the style of pack as well as to the product.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.428 *Effective date.* This Revised Maximum Price Regulation No. 233 (§§ 1341.401 to 1341.428, inclusive) shall become effective December 24, 1942.

[Issued December 18, 1942]

§ 1341.429 *Effective dates of amendments.*

Amendment Nos. and issue dates:	Effective
Amendment 1, 1-23-43	1-25-43
Amendment 2, 3-9-43	3-15-43
Amendment 3, 4-7-43	4-13-43

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5495; Filed, April 7, 1943; 5:30 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Rev. MPR 233,[1] Amendment 4]

DRIED AND CANNED APPLES AND APPLE PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Section 1341.427 (a) (4) is amended to read as follows:

(4) "Processor" means a person who produces vinegar stock, boiled cider, concentrated cider, filtered concentrated apple juice or depectinized concentrated apple juice. A processor of any commodity covered by this regulation shall be a processor when selling any other commodity covered by this regulation unless he sells that other commodity as a wholesaler or retailer. If that other commodity is covered at wholesale and retail by Maximum Price Regulation Nos. 237 and 238, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations. If that other commodity is covered at wholesale and retail by Maximum Price Regulation No. 255 and Revised Maximum Price Regulation No. 256, "wholesaler" and "retailer" mean the persons respectively referred to as "wholesalers" and "retailers" in those regulations.

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5490; Filed, April 7, 1943; 5:29 p. m.]

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[1] 7 F.R. 8961; 8 F.R. 3313, 3533.

[2] 8 F.R. 3096, 3849.

[3] 2d Revision, 8 F.R. 4132.

[1] 8 F.R. 114, 1313, 2921, 3732, 3853, 4179.

[2] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10685; 8 F.R. 1135, 2998.

1. Section 1341.553 (b) (4) is added to read as follows:

Item	Section	Appendix
(4) Snap beans	1341.584	B

2. Section 1341.584 (d) is added to read as follows:

(d) *Snap beans.* (1) The maximum prices, per dozen containers, f. o. b. factory, for sales of snap beans, other than to government agencies, shall be as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
Item No.	Style	Sieve size	Grade	Region I	Region II	Region III	Region IV	Region V	Region VI
				Bush beans	Bush beans	Bush beans	Bush beans	Bush beans	Pole beans
				Tin container	Tin container	Tin container	Tin container	Tin container	Tin container
				#2 can / #2½ can / #10 can / Glass container[1]	#2 can / #2½ can / #10 can / Glass container[1]	#2 can / #2½ can / #10 can / Glass container[1]	#2 can / #2½ can / #10 can / Glass container[1]	#2 can / #2½ can / #10 can / Glass container[1]	#2 can / #2½ can / #10 can / Glass container[1]
1	Whole, regular (green or wax).	#1	A or Fancy	1.05 / 2.225 / 8.25 /	1.65 / 2.425 / 9.00 /	1.65 / 2.425 / 9.00 /	1.70 / 2.325 / 8.60 /	1.70 / 2.300 / 8.50 /	1.80 / 2.425 / 9.00 /
2			B or Ex. Std.	1.55 / 2.100 / 7.75 /	1.75 / 2.300 / 8.50 /	1.75 / 2.300 / 8.50 /	1.60 / 2.200 / 8.10 /	1.60 / 2.150 / 8.00 /	1.70 / 2.300 / 8.50 /
3			C or Std.	1.45 / 1.950 / 7.25 /	1.65 / 2.225 / 8.25 /	1.65 / 2.225 / 8.25 /	1.50 / 2.050 / 7.60 /	1.50 / 2.025 / 7.50 /	1.60 / 2.150 / 8.00 /
4		#2	A or Fancy	1.40 / 1.900 / 7.00 /	1.55 / 2.100 / 7.75 /	1.55 / 2.100 / 7.75 /	1.45 / 1.975 / 7.35 /	1.45 / 1.950 / 7.25 /	1.55 / 2.100 / 7.75 /
5			B or Ex. Std.	1.30 / 1.750 / 6.50 /	1.45 / 1.950 / 7.25 /	1.45 / 1.950 / 7.25 /	1.35 / 1.825 / 6.75 /	1.35 / 1.800 / 6.75 /	1.45 / 1.950 / 7.25 /
6			C or Std.	1.20 / 1.600 / 6.00 /	1.35 / 1.825 / 6.75 /	1.35 / 1.825 / 6.75 /	1.25 / 1.700 / 6.25 /	1.25 / 1.675 / 6.25 /	1.35 / 1.825 / 6.75 /
7		#3	A or Fancy	1.30 / 1.750 / 6.50 /	1.45 / 1.950 / 7.25 /	1.45 / 1.950 / 7.25 /	1.35 / 1.825 / 6.75 /	1.35 / 1.800 / 6.75 /	1.45 / 1.950 / 7.25 /
8			B or Ex. Std.	1.20 / 1.600 / 6.00 /	1.35 / 1.825 / 6.75 /	1.35 / 1.825 / 6.75 /	1.25 / 1.700 / 6.25 /	1.25 / 1.675 / 6.25 /	1.35 / 1.825 / 6.75 /
9			C or Std.	1.10 / 1.475 / 5.50 /	1.25 / 1.675 / 6.25 /	1.25 / 1.675 / 6.25 /	1.15 / 1.550 / 5.75 /	1.15 / 1.525 / 5.75 /	1.25 / 1.675 / 6.25 /
10		#4	A or Fancy	1.25 / 1.675 / 6.25 /	1.40 / 1.900 / 7.00 /	1.40 / 1.900 / 7.00 /	1.30 / 1.750 / 6.50 /	1.30 / 1.725 / 6.50 /	1.40 / 1.900 / 7.00 /
11			B or Ex. Std.	1.15 / 1.550 / 5.75 /	1.30 / 1.750 / 6.50 /	1.30 / 1.750 / 6.50 /	1.20 / 1.625 / 6.00 /	1.20 / 1.600 / 6.00 /	1.30 / 1.750 / 6.50 /
12			C or Std.	1.05 / 1.425 / 5.25 /	1.20 / 1.625 / 6.00 /	1.20 / 1.625 / 6.00 /	1.10 / 1.475 / 5.50 /	1.10 / 1.450 / 5.50 /	1.20 / 1.625 / 6.00 /
13		#5 and up	A or Fancy	1.20 / 1.625 / 6.00 /	1.35 / 1.825 / 6.75 /	1.35 / 1.825 / 6.75 /	1.25 / 1.675 / 6.25 /	1.25 / 1.650 / 6.25 /	1.35 / 1.825 / 6.75 /
14			B or Ex. Std.	1.10 / 1.475 / 5.50 /	1.25 / 1.675 / 6.25 /	1.25 / 1.675 / 6.25 /	1.15 / 1.525 / 5.75 /	1.15 / 1.500 / 5.75 /	1.25 / 1.675 / 6.25 /
15			C or Std.	1.00 / 1.350 / 5.00 /	1.15 / 1.550 / 5.75 /	1.15 / 1.550 / 5.75 /	1.05 / 1.400 / 5.25 /	1.05 / 1.375 / 5.25 /	1.15 / 1.550 / 5.75 /
16		Unranked	A or Fancy	1.25 / 1.675 / 6.25 /	1.40 / 1.900 / 7.00 /	1.40 / 1.900 / 7.00 /	1.30 / 1.750 / 6.50 /	1.30 / 1.725 / 6.50 /	1.40 / 1.900 / 7.00 /
17			B or Ex. Std.	1.15 / 1.550 / 5.75 /	1.30 / 1.750 / 6.50 /	1.30 / 1.750 / 6.50 /	1.20 / 1.625 / 6.00 /	1.20 / 1.600 / 6.00 /	1.30 / 1.750 / 6.50 /
18			C or Std.	1.05 / 1.425 / 5.25 /	1.20 / 1.625 / 6.00 /	1.20 / 1.625 / 6.00 /	1.10 / 1.475 / 5.50 /	1.10 / 1.450 / 5.50 /	1.20 / 1.625 / 6.00 /
19	Cut (green or wax)	#2	A or Fancy	1.00 / 1.350 / 5.00 /	1.15 / 1.550 / 5.75 /	1.15 / 1.550 / 5.75 /	1.05 / 1.400 / 5.25 /	1.05 / 1.375 / 5.25 /	1.15 / 1.550 / 5.75 /
20			B or Ex. Std.	.95 / 1.275 / 4.75 /	1.10 / 1.475 / 5.50 /	1.10 / 1.475 / 5.50 /	1.00 / 1.350 / 5.00 /	1.00 / 1.325 / 5.00 /	1.10 / 1.475 / 5.50 /
21			C or Std.	.85 / 1.150 / 4.25 /	1.05 / 1.425 / 5.25 /	1.05 / 1.425 / 5.25 /	.95 / 1.275 / 4.75 /	.95 / 1.250 / 4.75 /	1.05 / 1.425 / 5.25 /
22		#3	A or Fancy	.95 / 1.275 / 4.75 /	1.10 / 1.475 / 5.50 /	1.10 / 1.475 / 5.50 /	1.00 / 1.350 / 5.00 /	1.00 / 1.325 / 5.00 /	1.10 / 1.475 / 5.50 /
23			B or Ex. Std.	.85 / 1.150 / 4.25 /	1.05 / 1.425 / 5.25 /	1.05 / 1.425 / 5.25 /	.95 / 1.275 / 4.75 /	.95 / 1.250 / 4.75 /	1.05 / 1.425 / 5.25 /
24			C or Std.	.75 / 1.025 / 3.75 /	.95 / 1.275 / 4.75 /	.95 / 1.275 / 4.75 /	.85 / 1.150 / 4.25 /	.85 / 1.125 / 4.25 /	.95 / 1.275 / 4.75 /
25		#4	A or Fancy	.85 / 1.150 / 4.25 /	1.00 / 1.350 / 5.00 /	1.00 / 1.350 / 5.00 /	.90 / 1.225 / 4.50 /	.90 / 1.200 / 4.50 /	1.00 / 1.350 / 5.00 /
26			B or Ex. Std.	.75 / 1.025 / 3.75 /	.95 / 1.275 / 4.75 /	.95 / 1.275 / 4.75 /	.85 / 1.150 / 4.25 /	.85 / 1.125 / 4.25 /	.95 / 1.275 / 4.75 /
27			C or Std.	.65 / .900 / 3.25 /	.85 / 1.150 / 4.25 /	.85 / 1.150 / 4.25 /	.75 / 1.025 / 3.75 /	.75 / 1.000 / 3.75 /	.85 / 1.150 / 4.25 /
28		#5 and up	A or Fancy	.75 / 1.025 / 3.75 /	.90 / 1.225 / 4.50 /	.90 / 1.225 / 4.50 /	.80 / 1.100 / 4.00 /	.80 / 1.075 / 4.00 /	.90 / 1.225 / 4.50 /
29			B or Ex. Std.	.65 / .900 / 3.25 /	.85 / 1.150 / 4.25 /	.85 / 1.150 / 4.25 /	.75 / 1.025 / 3.75 /	.75 / 1.000 / 3.75 /	.85 / 1.150 / 4.25 /
30			C or Std.	.55 / .775 / 2.75 /	.75 / 1.025 / 3.75 /	.75 / 1.025 / 3.75 /	.65 / .900 / 3.25 /	.65 / .875 / 3.25 /	.75 / 1.025 / 3.75 /
31		Unranked	A or Fancy	.85 / 1.150 / 4.25 /	1.00 / 1.350 / 5.00 /	1.00 / 1.350 / 5.00 /	.90 / 1.225 / 4.50 /	.90 / 1.200 / 4.50 /	1.00 / 1.350 / 5.00 /
32			B or Ex. Std.	.75 / 1.025 / 3.75 /	.95 / 1.275 / 4.75 /	.95 / 1.275 / 4.75 /	.85 / 1.150 / 4.25 /	.85 / 1.125 / 4.25 /	.95 / 1.275 / 4.75 /
33			C or Std.	.65 / .900 / 3.25 /	.85 / 1.150 / 4.25 /	.85 / 1.150 / 4.25 /	.75 / 1.025 / 3.75 /	.75 / 1.000 / 3.75 /	.85 / 1.150 / 4.25 /

[1] To be announced.

(2) The regions set forth in para-

sieve size shall be: in #2 cans, five cents

filed with the Office of Price Administra-

PART 1347—PAPER, PAPER PRODUCTS, RAW

tain converted paper products by a sep-

and C of this Maximum Price Regulation No. 359

(2) The regions set forth in paragraph (d) (1) of this section shall be as follows:

Region I Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.
Region II New York.
Region III: Pennsylvania, New Jersey, Delaware Maryland, Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas, Missouri and Kansas.
Region IV: Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota and South Dakota.
Region V: Arizona, Montana, Wyoming, Colorado, New Mexico, Utah, Nevada and that part of Idaho not included in Region VI.
Region VI. Washington, Oregon, California and Southwestern Idaho (Washington, Fayette, Gem, Canyon, Ada and Omyhee counties).

(3) Differentials for other types of beans for which maximum prices are not named in paragraph (d) (1) of this section:

(i) In Regions I, II, III, IV and V, the maximum prices for pole beans shall be: in #2 cans, five cents per dozen, in #2½ cans, seven and one-half cents per dozen, and in #10 cans twenty-five cents per dozen, higher than the maximum prices named for bush beans.

(ii) In Region VI, the maximum prices for bush beans shall be: in #2 cans, five cents per dozen, in #2½ cans, seven and one-half cents per dozen, and in #10 cans, twenty-five cents per dozen, lower than the maximum prices named for pole beans.

(4) Differentials for other styles of pack for which maximum prices are not named in paragraph (d) (1) of this section:

(i) The maximum prices for asparagus style or vertical style of pack shall be: in #2 cans, twenty-five cents per dozen, in #2½ cans, thirty-two and one-half cents per dozen, and in #10 cans, $1.25 per dozen, higher than the maximum prices for whole beans of the same variety and grade, as listed herein or as determined by differential under the provisions of this section.

(ii) The maximum prices for French style of pack shall be: in #2 cans, five cents per dozen, in #2½ cans, seven and one-half cents per dozen, and in #10 cans, twenty-five cents per dozen, higher than the maximum prices for whole beans of the same variety and grade, as listed herein or as determined by differential under the provisions of this section.

(5) *Blends of sieve sizes.* (i) The maximum price of a blend of two sieve sizes of a variety and grade shall be the maximum price of the largest sieve size in the blend.

(ii) The maximum price of a blend of three sieve sizes containing only #4 sieve size and larger shall be the same as the maximum price for the same variety and grade, ungraded as to sieve size, in the same container. The maximum price of a blend of three sieve sizes of a variety and grade, which blend includes at least one sieve size which is smaller than #4 sieve size shall be: in #2 cans, five cents per dozen, in #2½ cans, seven and one-half cents per dozen and in #10 cans, twenty-five cents per dozen, more than the maximum price of the largest sieve size in the blend, packed in the same container.

(iii) The maximum price of a blend of four or more sieve sizes of a variety and grade shall be the same as the maximum price for ungraded sieve size of the same variety and grade in the same container.

(6) The word "ungraded" when used in connection with beans, refers to the sieve size and means not separated by sieve sizes, and includes all blends of more than three sieve sizes.

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5484; Filed, April 7, 1943; 5:28 p. m.]

PART 1345—COKE

[RPS 29,[1] Amendment 3]

BY-PRODUCT FOUNDRY AND BY-PRODUCT BLAST FURNACE COKE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1345.6 (b) is amended to read as follows:

(b) Any person, who is prepared to show that (1) its cost of production of by-product foundry or by-product blast furnace coke is above its oven net realization at maximum prices or (2) its oven net realization is inadequate in view of its high operating costs for continued operations at maximum prices, may file a petition for an adjustment of the maximum prices established by Revised Price Schedule 29. In such cases the petitioner should submit, and the Office of Price Administration will consider, all relevant data, including the relation of the current, requested, and projected realization on the coke or on the oven to the total over-all return of the petitioner, and the necessity, in terms of the war effort, for the granting of such adjustment or exception. The Office of Price Administration may require, in connection with any such petition, full data on costs, profits, and other relevant factors. Petitions for adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation 1.

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5497; Filed, April 7, 1943; 5:30 p. m.]

PART 1345—COKE

[RPS 77,[1] Amendment 7]

BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1345.57 (b) is amended to read as follows:

(b) Any person who is prepared to show that (1) its costs of production of beehive oven furnace coke are above its oven net realization on such coke at maximum prices or (2) its oven net realization is inadequate in view of its high operating costs for continued operations at maximum prices, may file a petition for adjustment of or exception to the maximum prices established by Revised Price Schedule 77. In such cases, the petitioner should submit, and the Office of Price Administration will consider, all relevant data, including the relation of the current, requested, and projected realization on the coke or on the oven to the total over-all return of the petitioner, and the necessity, in terms of the war effort, for the granting of such adjustment or exception. The Office of Price Administration may require, in connection with any such petition, full data on costs, profits, and other relevant factors. Petitions for adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided in Revised Procedural Regulation 1.[2] Petitions for exception under this paragraph shall be filed with the Office of Price Administration in the manner provided for petitions for adjustment under Revised Procedural Regulation 1.

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5497; Filed, April 7, 1943; 5:30 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1258, 2132, 2760, 8948; 8 F.R. 1313.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533.

[1] 7 F.R. 1352, 2000, 2132, 2760, 6[illegible], 8948; 8 F.R. 1313, 1800, 2334.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 129,[1] Amendment 16]

MISCELLANEOUS PAPER PRODUCTS

Cutter box or household rolls.
Envelopes.
Paper cups and paper containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Resale book matches.
Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The words "liquid tight containers" in the title, which hereafter reads as set forth above, and the words "liquid tight containers" in subparagraph (3) of § 1347.11 (a) are revoked, and subparagraph (12) of § 1347.22 (a) is amended, as set forth below:

§ 1347.22 *Definitions.* (a) When used in this Maximum Price Regulation No. 129, the term:

* * * * * *

(12) "Paper cups and paper containers" includes round, open-end, nested food and drinking cups, and conical shaped milk bottles.

* * * * * *

§ 1347.25 *Effective dates of amendments.* * * *

Amendment No. 16 (§ 1347.11 (a) (3), 1347.12 (a) (12)) to Maximum Price Regulation No. 129 shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5491; Filed, April 7, 1943; 5:30 p. m.]

PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 359]

CERTAIN CONVERTED PAPER PRODUCTS

Certain converted paper products, including plates, dishes, spoons and forks and liquid-tight cylindrical containers.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of certain converted paper products by a separate price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 359 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 359 is hereby issued.

SEC.

1347.551 Prohibition against dealing in certain converted paper products at prices above the maximum prices.
1347.552 Less than maximum prices.
1347.553 Export sales.
1347.554 Federal and State taxes.
1347.555 Adjustable pricing.
1347.556 Transfers of business or stock in trade.
1347.557 Petitions for amendment.
1347.558 Discounts and allowances.
1347.559 Evasion.
1374.560 Enforcement.
1347.561 Licensing.
1347.562 Records and reports.
1347.563 Definitions.
1347.564 Applicability.
1347.565 Applicability of general maximum price regulation.
Appendix A—Maximum prices for plates.
Appendix B—Maximum prices for dishes.
Appendix C—Maximum prices for spoons and forks.
Appendix D—Maximum prices for liquid-tight cylindrical containers.

AUTHORITY: §§ 1347.551 to 1347.565, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1347.551 *Prohibition against dealing in certain converted paper products at prices above the maximum prices.* On and after April 10, 1943, regardless of any contract, agreement, lease or other obligation:

(a) No person for whom maximum prices are established under this regulation shall sell, deliver, or transfer certain converted paper products at prices higher than the maximum prices set forth in Appendices A, B, C, and D of this Maximum Price Regulation No. 359.

(b) No person shall buy or receive from a manufacturer certain converted paper products in the course of trade or business at higher prices than the maximum prices set forth in Appendices A, B, and C of this Maximum Price Regulation No. 359.

(c) No person shall buy or receive certain converted paper products from any person, other than a retailer, in the course of trade or business at higher prices than the maximum prices set forth in Appendix D of this Maximum Price Regulation No. 359.

(d) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That the provisions of this Maximum Price Regulation No. 359 shall not apply to sales or deliveries of certain converted paper products to a purchaser if prior to April 10, 1942 such converted paper products have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1347.552 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 359 may be charged, demanded, paid or offered.

§ 1347.553 *Export sales.* The maximum price at which a person may export certain converted paper products shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation, issued by the Office of Price Administration.

§ 1347.554 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of certain converted paper products, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any product covered by this Maximum Price Regulation No. 359, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

§ 1347.555 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5712, 5780, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10812, 1389, 2337.

§ 1347.556 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 9, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with § 1347.562 shall be the same. The transferor shall either preserve and make available for so long as the Emergency Price Control Act of 1942 remains in effect, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 359.

§ 1347.557. *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 359 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1347.558 *Discounts and allowances.* Every manufacturer shall continue to grant to persons buying certain converted paper products, differentials, discounts, allowances and terms of sale not less favorable to the purchaser than those generally in effect during the period of October 1 to 15, 1941, for a sale of such certain converted paper products by such manufacturer to a purchaser of the same class.

§ 1347.559 *Evasion.* Price limitations set forth in this Maximum Price Regulation No. 359 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to certain converted paper products, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege or other trade understanding or otherwise.

§ 1347.560 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 359 are subject to the criminal penalties, civil enforcement action, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1347.561 *Licensing.* The provisions of Supplementary Order No. 19, licensing distributors of paper and paper products, are applicable to every distributor selling any of the commodities for which maximum prices are now, or hereafter established by Maximum Price Regulation No. 359. The term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

§ 1347.562 *Records and reports.* (a) Every person for whom maximum prices are established under this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect accurate records of each sale of certain converted paper products made after April 9, 1943, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of certain converted paper products.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 1347.563 *Definitions.* (a) When used in this Maximum Price Regulation No. 359, the term:

(1) "Basis weight" means the weight in pounds per 1,000 square feet of paperboard.

(2) "Certain converted paper products" includes all commodities for which maximum prices are now or hereafter established by this Maximum Price Regulation No. 359.

(3) "Plates" includes all substitutes for china or tin food, pie, cake, or ice cream receptacles embossed, stamped, or pressed from paperboard, or molded from woodpulp.

(4) "Dishes" includes all dishes and trays made from wood veneer or paperboard, the ends of which are either glued or held together with staples or by any other means, or a tray or dish molded from woodpulp; the sizes and grades of such dishes include those specified in Simplified Practice Recommendation No. 187-42, Food Trays or Dishes, issued by the National Bureau of Standards, Washington, D. C.

(5) "Spoons and forks" includes all spoons and forks manufactured from vulcanized fibre and all shaped and bowled wood spoons and forks.

(6) "Liquid tight cylindrical containers" includes all straight sidewall containers spirally wound on a mandrel to a thickness of two or more plies and made of chemical and/or mechanical pulp paperboard.

(7) "Cake circle" means a round paperboard or molded disc customarily used by bakers for carrying, dispensing, or handling cakes excepting cake circles made of single or double faced white lined corrugated paperboard.

(8) "Depth" is the measured vertical distance from the inside bottom surface of a plate to the top side of the rim.

(9) "Deep, extra deep, and western deep" means plates with a depth range of $\frac{7}{8}$ to $1\frac{5}{16}$ inches.

(10) "Shallow and medium plates" includes all plates with a depth range of from $\frac{1}{2}$ to $\frac{3}{4}$ of an inch, inclusive.

(11) "Diameter of plates" shall be measured from the outside edges of the top rim of plates.

(12) "Groundwood plates" includes all plates made from paperboard whose principal component is mechanical pulp.

(13) "Luncheon plates, luncheon and ice cream plates" includes all plates whose general use is service of luncheons, sandwiches, ice cream, etc.

(14) "Molded plates and dishes" includes all plates and dishes made from wet pulp formed to shape in molds with vacuum and air pressure.

(15) "Paperboard" includes all kinds, grades, types, calipers, colors, and patterns of paperboard unless otherwise limited by the context.

(16) "Embossed, pressed or stamped paperboard plates" includes all plates made by embossing, pressing or stamping to shape by use of dies.

(17) "Solid white plates" includes all plates made from paperboard of 100% chemical pulp.

(18) "Vulcanized fibre" includes paper or board produced by treating unsized paper with either zinc chloride or sulphuric acid to cause a partial gelatinization of the cellulose and then laminating into the proper thickness over heated cylinders.

(19) "White lined plates" includes all plates made from paperboard lined with chemical pulp.

(20) "Resale packages" includes all plates, plain or printed, carton packed, transparent wrapped or banded and intended for sale at retail.

(21) "Manila out, white in; white out, manila in; special bleached all white" includes all containers made of one ply of manila and one ply of white lined paperboard or made of two plies of white lined paperboard.

(22) "Solid bleached all white" includes all liquid tight cylindrical containers made wholly of bleached chemical pulp paperboard.

(23) "Stock printed" includes all liquid tight cylindrical containers printed on body sidewall in abstract design without brand or other customer identification.

(24) "Special printed" includes all liquid tight cylindrical containers, the body sidewall or cover or both of which are printed with the consumer's identification, including brand name or company name.

(25) "Brown out, Manila in" includes all liquid tight cylindrical containers made of solid manila paperboard as the inside ply and brown colored or kraft colored paperboard as the outside ply.

(26) "Regular wax" refers to all liquid tight cylindrical containers the inner and outer plies of which have been wax treated to insure their liquid tightness.

(27) "Heavy wax" refers to all liquid tight cylindrical containers which have been treated by dipping in or otherwise treating the finished container with paraffine.

(28) "Sizes" shall be determined by the liquid measurement of the liquid tight cylindrical container or the avoirdupois carrying capacity in terms of butter.

(29) "Diameter of liquid tight cylindrical containers" shall be the inside diameter of the liquid tight cylindrical container and not including the thickness of the sidewall.

(30) "Snap disc" includes round flat discs printed with customer brand or other identification and which may be inserted in the top of the lid by customer.

(31) "Manufacturer" includes any person who manufactures or converts certain converted paper products covered by this regulation and any person who distributes as an agent or representative of the manufacturer of certain converted paper products.

(32) "Distributor" includes any person who buys certain converted paper products from the manufacturer or any other seller and who resells the same.

(33) "Consumer" includes any person who buys certain converted paper products to use as packaging for vending his products.

(34) "Zone A" consists of the following: All of the States of Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, Illinois except Moline and Rock Island; southern peninsula of Michigan, cities of Cape Girardeau, Hannibal, New Madrid, Ste. Genevieve, and St. Louis, Mo., Virginia, except Bristol, all cities south of an east and west line drawn just south of Chippewa Falls, Wisconsin.

(35) "Zone B"[1] consists of the following: All of the states of Alabama, Arkansas, Florida, Georgia, Iowa, Louisiana, Minnesota, Mississippi, North Carolina, South Carolina, Tennessee, cities of Moline and Rock Island, Illinois; cities of Atchison, Kansas City, Lawrence, Leavenworth and Topeka, Kansas; northern peninsula of Michigan, Missouri; cities of Auburn, Lincoln, Nebraska City, Omaha and Plattsmouth, Nebraska; Fargo and Grand Forks, North Dakota; Sioux Falls, South Dakota; Bristol, Virginia; Wisconsin north of an east and west line drawn just south of Chippewa Falls.

(36) "Zone C"[1] consists of the following: All of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, Wyoming, Kansas except portion in Zone B, Nebraska except portion in Zone B, North Dakota except portion in Zone B, South Dakota except portion in Zone B.

(37) "Zone 1"[2] includes all territory east of and including North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas except El Paso.

(38) "Zone 2"[2] includes Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, and El Paso, Texas.

(39) "Eastern zone"[3] includes all territory east of the eastern boundary of Montana, Wyoming, Utah, New Mexico and a line drawn south to Mexico (El Paso, Texas, is not included in eastern zone).

(40) "Western zone"[3] includes all territory west of the eastern boundary of Montana, Wyoming, Utah, New Mexico and a line drawn south to Mexico.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1347.564 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 359 supersede the provisions of the General Maximum Price Regulation[4] in respect to sales and deliveries of certain converted paper products for which maximum prices are established by this Maximum Price Regulation No. 359.

§ 1347.565 *Applicability.* The provisions of this Maximum Price Regulation No. 359 shall be applicable to the continental United States but not the territories and possessions of the United States.

APPENDIX A: MANUFACTURERS' MAXIMUM PRICES FOR MOLDED WOODPULP AND PAPERBOARD PLATES

(a) *Manufacturers' maximum delivered prices in quantities of less than 50,000 units to points in Zone A for molded woodpulp plates and certain plates embossed, pressed, or stamped from groundwood paperboard of a basis weight of 100 lbs. or more.*

(1) MAXIMUM PRICES PER THOUSAND UNITS[1]

Diameter (inches)	Round and square plates[2]	Medium depth plates	Deep, extra deep, western deep plates	Luncheon plates	Luncheon and ice cream[3] plates smooth finish	Cake circles
4	.97					
4¼	1.09					
4½	1.09					
4⅝	1.19					
4½			1.80		[4] 1.44	
4½					[5] 1.63	
6	1.92		2.06	1.92		
6½						2.41
5¾	[6] 1.92	2.06				
6		2.06	2.06	2.06	2.48	2.71
7		2.71	3.01	2.71		3.25
7½		2.58				
8		3.25	3.61	3.25	3.93	3.71
8½			4.12		5.08	
9		3.74	4.32	3.74	4.40	4.59
10		5.09	5.62	5.09	6.17	
10½		5.09			[7] 7.88	

[1] The maximum prices shall be proportionately decreased for sales of less than 1,000 units. For example, the maximum price for 500 6 inch luncheon plates shall be $1.03.

[2] For plates taped or banded in bundles of 100 add $0.06 per thousand.

[3] Manufactured only by Keyes Fibre Company, Chi-Nest Brand.

[4] Round plate—packed 1,000 to case, taped in bundles of 100.

[5] Square plate—packed 1,000 to case, taped in bundles of 100.

[6] ⅝" depth.

[7] 3" depth.

[8] Partition plate.

(b) *Manufacturers' maximum delivered prices in quantities of less than 50,000 units to points in Zone A for certain plates embossed, pressed or stamped from groundwood paperboard.*

(1) MAXIMUM PRICES PER THOUSAND UNITS[1]

Diameter (inches)	White lined 60 lb. basis weight or solid white 60 lb. basis weight	White lined basis weight 77 lb.–88 lb.	White lined basis weight 104 pounds and up
4½	1.17		
6	2.00	2.55	3.30
7	2.90		
8	3.62	4.95	4.77
9	3.37	5.05	5.40
9½		5.25	
10½		7.85	

[1] See note 3 above.

[2] Compartment.

(c) *Manufacturers' maximum delivered prices in quantities of less than 50,000 units to points in Zone A for certain plates embossed, stamped, or pressed from solid white lined paperboard, or solid white paperboard.*

(1) MAXIMUM PRICES PER THOUSAND UNITS[1]

Diameter (inches)	Basis weight 55 lb. to 87 lb.	Deep, extra deep, western deep plates, basis weight 85 to 87 lb.	Basis weight 56 to 65 lb.	Flat cake circles basis weight 65 to 85 lb.
4½			.88	
5	1.78	1.91		
5½				2.26
5¾	1.91			
6	1.91	1.91	1.76	2.61
7	2.71	2.78	2.30	3.61
7½	2.76			
8	3.61	3.65	2.76	3.46
8½		3.81		
9	3.46	4.01	3.14	4.25
10	4.71	5.20		
10½	4.71			

[1] See Note 3 above.

(d) *Manufacturers' maximum prices for shipments in quantities of more than 50,000 units.* (1) Manufacturer's maximum prices for shipments of molded woodpulp plates in quantities of 50,000 to less than carload (any assortment of plates) shall be those established in paragraph (a) of this appendix.

(2) The manufacturer of embossed, stamped, or pressed paperboard plates shall deduct $7\frac{1}{2}$% from the maximum prices as established in paragraphs (a), (b) and (c) of this appendix where sales are made in quantities from 50,000 units (any assortment of plates) up to but not including a carload.

(3) Where sales of any plates are made in carload quantities (any assortment of plates), 10% shall be deducted from the maximum prices as established in paragraphs (a), (b) and (c) of this appendix.

(e) *Manufacturers' maximum delivered prices for deliveries to points outside of Zone A.* Where a manufacturer delivers molded woodpulp and all paperboard plates to points outside of Zone A, his maximum price shall be determined as follows:

Point of delivery:	Percentage addition to maximum price
Zone B	5%
Zone C	5%, and 5%

[1] Applies to Appendices A, B, and C.

[2] See note 1.

[3] Applies to Appendix D.

[4] 8 F.R. 3096.

(f) *Manufacturers' maximum delivered prices for resale packages.* (1) The manufacturer's maximum prices for resale packages of molded woodpulp and paperboard plates shall not exceed that price at which the item was sold by the manufacturer during the period of October 1 to December 31, 1941, at prices based upon a price list which was published, or circulated to the trade, or to the manufacturer's salesmen.

(2) Duplicate copies of such price lists shall be filed with the Office of Price Administration, Washington, D. C., within thirty days after April 10, 1943. The prices established by such price lists shall be subject to nonretroactive disapproval or adjustment by letter of the Office of Price Administration.

(g) *Manufacturers' maximum delivered prices for certain specialty items.* (1) The manufacturer's maximum prices for certain specialty items, such as banana split plates, utility bowls and cuspidors, shall be that price at which the item was sold by the manufacturer during the period October 1 to 15, 1941, at prices based upon a list which was published, or circulated to the trade, or to the manufacturer's salesmen.

(2) Duplicate copies of such price lists shall be filed with the Office of Price Administration, Washington, D. C., within thirty days after April 10, 1943. The prices established by such price lists shall be subject to nonretroactive disapproval or adjustment by letter of the Office of Price Administration.

APPENDIX B: MANUFACTURERS' MAXIMUM DELIVERED PRICES IN QUANTITIES OF LESS THAN 200,000 UNITS FOR WHITE LINED PAPERBOARD, MOLDED WOODPULP AND WOOD FOOD DISHES

(a) Maximum price per thousand for less than 200,000 units.

Size and number of dish	Material from which manufactured		
	Paperboard		Wood or Woodpulp
2S	[1] 1.60	1.61	1.52
5O	[1] 1.97	1.87	1.80
10O	[1] 2.46	2.34	2.22
20O	[1] 3.12	2.96	2.81
30O	[1] 5.36	5.09	4.08
5OO			4.60
1OOO	[1] 14.74	14.00	13.30

[1] Applies to "Diamond Brand" sold by Berst-Foster-Davies Company

(b) Differentials for more than 200,000 units. (1) For sales of paperboard dishes in quantities of 200,000 units (any assortment of dishes) up to carload, the manufacturer shall deduct 5% from the maximum prices established in paragraph (a) of this appendix.

(2) For sales of dishes in carload quantities, (any assortment of dishes) the manufacturer shall deduct 10% from the maximum prices established in paragraph (a) of this appendix.

(c) Manufacturers' maximum prices for shipments to points outside Zone 1. (1) The manufacturer's maximum prices for shipments of wood and molded woodpulp dishes in Zone 2 shall be a price not in excess of 10% above the maximum prices as established in paragraph (a) of this appendix.

(2) Maximum prices established under paragraph (a) above for paperboard dishes shall be maximum delivered prices for all zones.

APPENDIX C: MANUFACTURERS' MAXIMUM DELIVERED PRICES FOR VULCANIZED FIBRE SPOONS AND FORKS AND WOOD VENEER SPOONS AND FORKS.

(a) Maximum delivered prices for packaged spoons and forks made of vulcanized fibre.

(1) MAXIMUM DELIVERED PRICES IN ZONE 1

Spoons and forks (length in inches)	Count per package	Price per gross packages
3½	18	$7.20
3¾	22	7.92
3¾	11	4.73
4	12	5.16
4	14	6.02
4	7	3.01
4¼	12	5.16
4¼	14	6.02
4½	17	7.31
4½	8	3.44
4¾	8	3.44
5	8	3.44
5	4	1.72
5½	4	1.72
5½	10	4.30
6½	5	2.15

(2) Maximum delivered prices in Zone 2 shall be a price not in excess of 5% above the maximum prices as established in accordance with paragraph (a) (1) of this appendix.

(3) *Quantity discounts.* An amount not less than the following discounts for quantity purchases (any assortment of spoons and forks) shall be deducted from the maximum prices established in paragraph (a) of this appendix.

	Percent
20 to 49 dozen packages	5
50 to 99 dozen packages	7½
100 dozen packages and up	10

(b) Manufacturers' maximum delivered prices to points in Zone 1 for bulk spoons and forks made of vulcanized fibre.

(1) DELIVERED PRICES IN ZONE 1

Spoons and forks (lengths in inches)	Packing		Price per thousand
	Per carton	Per case	
3½	1,000	5,000	$2.15
3¾	100	1,000	1.70
4¼	1,000	10,000	2.00
4¾	500	5,000	2.00
4¾	100	1,000	2.25
5½	1,000	10,000	3.05
5¾	500	5,000	3.05
5¾	100	1,000	3.30
6½	1,000	10,000	3.30
6¾	500	5,000	3.30
6¾	100	1,000	3.55
8¾	500	5,000	6.00
8¾	100	1,000	6.25
9½	500	5,000	4.70
9½	100	1,000	4.95

(2) *Maximum delivered prices in Zone 2* shall be a price not in excess of $0.10 per thousand above the maximum prices for Zone 1.

(3) *Quantity discounts.* An amount not less than the following discounts for quantity purchases (any assortment of spoons and forks) shall be deducted from the maximum prices established in paragraph (b) of this Appendix.

	Percent
25,000 to 99,000	5
100,000 and over	10

(c) Manufacturers' maximum prices for bowled and shaped wood veneer spoons and forks. (1) The manufacturers' maximum prices for bowl type wood veneer spoons and forks which are bulk packed or packed for resale, and for shaped type wood veneer spoons and forks which are packed for resale, shall be a price not in excess of that price at which the item was sold by the manufacturer during the period of October 1-31, 1941, at prices based upon a price list which was published, or circulated to the trade, or to the manufacturer's salesmen.

(2) Duplicate copies of such price lists shall be filed with the Office of Price Administration, Washington, D. C., within thirty days after April 10, 1943. The prices established by such price lists shall be subject to nonretroactive disapproval or adjustment by letter of the Office of Price Administration.

(d) Where the specifications (such as size, grade, style, basis weight) of any item differ from the specifications set forth in Appendices A, B, and C, application for approval of a maximum price for the sale of such item shall be filed with the Office of Price Administration. The application shall contain the differences in specifications, the complete cost data, and the proposed maximum price. The Office of Price Administration may approve, disapprove or adjust the proposed maximum price by letter, and sales may not be made prior to approval.

APPENDIX D: MANUFACTURERS' MAXIMUM PRICES FOR LIQUID TIGHT CYLINDRICAL CONTAINERS.

(a) Manufacturers' maximum delivered prices per thousand units to distributors for carload shipments to points in the eastern zone for liquid tight cylindrical containers.

not less than 10 per cent plus 5 per cent when shipment is made in less than carload quantities at the carload rate of freight. The manufacturer shall allow the distributor a discount of not less than 5 per cent when shipment of one design is made in a carload at the carload rate of freight.

(2) Manufacturers' and distributors' maximum prices for special printed liquid tight cylindrical containers sold to consumers shall be determined by adding the standard printing charges set forth in paragraph (g) of this section to the maximum prices set forth in paragraph (c) 1, 2, 3, 4, 5, of this appendix.

(g) Manufacturers' maximum printing charges for body sidewall and covers per thousand.

	Body sidewall—sizes up to and including quarts and 1 lb. tubs			Body sidewall for sizes larger than quarts			Covers of all sizes	
	1 color	2 color	3 color	1 color	2 color	3 color	1 color	2 color
2½ M to 5 M	$2.90	$3.10	$3.30	$3.50	$4.00	$4.50	$0.70	$0.85
5 M to 10 M	1.90	2.10	2.30	2.50	3.00	3.50	.55	.80
10 M to 25 M	1.40	1.60	1.80	2.00	2.50	3.00	.50	.75
25 M to 50 M	1.10	1.30	1.50	1.70	2.20	2.70	.40	.55
50 M and over	1.00	1.20	1.40	1.60	2.10	2.60	.20	.35

(h) Manufacturers' maximum prices for printed snap discs.

	One color	Two color
3⅜" diameter	$1.00	$1.25
4¼" diameter	1.50	1.75

(1) Manufacturers shall allow a discount of not less than 10 per cent on sales of snap discs to distributors.

(i) Manufacturers' maximum prices for art work and engravings. (1) Manufacturers' charges for art work and engravings shall not exceed such charges as were in effect during the period of October 1–15, 1941.

(j) Manufacturers' maximum prices for liquid tight cylindrical containers which cannot be established by paragraph (a) of this section. (1) Manufacturers' maximum prices for liquid tight cylindrical containers of special depth shall be computed by adding the additional per inch cost of body sidewall to the price of the nearest size in depth.

(2) Manufacturers' maximum prices for liquid tight cylindrical containers made with a special inner liner or outer sleeve shall be computed by adding the cost of the liner stock or outer sleeve to the price of the containers established by paragraphs (a) or (j) (1) of this appendix plus the cost for winding, laminating or otherwise affixing the liner or sleeve to the container. Conversion shall be computed on the basis of the hand, machine hour, or piece work rates in effect during October 1–15, 1941.

This regulation shall become effective April 10, 1943.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5492; Filed, April 7, 1943; 5:29 p. m.]

	Waxed in wholesale, retail, cut sheet, special bleached all white	Sulfite lined all white heavy wax	Price per[1]	Brown out manila in lined all white regular wax	Brown out manila in lined all white parchment lined
¼ pint	$10.55				
½ pint	12.90	$16.82	$13.06		
10 ounce	13.57	17.82			
12 ounce	14.20	19.10			
16 ounce	14.82	19.57	15.58		
Pint, 3⅜" diameter	15.68	20.09			
Pint, 4¼" diameter	16.03	20.90			
24 ounce	17.00	25.68	19.76		
Quart	28.97	38.00			
3 pint	30.68	45.60	38.00		
¾ gallon, 4¼" diameter	40.66	49.73			
¾ gallon, 5 or 5½" diameter	70.15	86.25	73.00		
1 gallon		98.57		$16.05	$18.38
2 pound		31.00		27.69	29.69
3 pound		44.80		36.00	38.47
5 pound		67.78		55.10	58.01
10 pound		93.25		78.38	81.37

(b) Manufacturers' maximum delivered prices to distributors in less than carload quantities (any assortment of liquid tight cylindrical containers). (1) The manufacturer's maximum delivered price to distributors in less than carload quantities of any assortment of liquid tight cylindrical containers shall be 10% above the maximum prices established in paragraph (a) of this appendix.[8]

(c) Manufacturers' and distributors' maximum delivered prices to consumers. (1) Manufacturers' and distributors' maximum carload prices to consumers shall be 5% above the maximum price set forth in paragraph (a) of this appendix.[9]

(2) Manufacturers' and distributors' maximum prices to consumers in lots of 50 cases to carload shall be 11% above the maximum prices as set forth in paragraph (a) of this appendix.[9]

(3) Manufacturers' and distributors' maximum prices to consumers in lots of 25 to 50 cases shall be 18% above the buying distributor, he shall allow the carload buying distributor a commission of not less than 5% on the basis of the price for the quantity ordered and shipped, if the less-than-carload buying maximum price set forth in paragraph (a) of this appendix.[8]

(4) Manufacturers' and distributors' maximum prices to consumers in lots of 10 to 25 cases shall be 25% above the maximum prices as set forth in paragraph (a) of this appendix.[9]

(5) Manufacturers' and distributors' maximum prices to consumers in lots of less than 10 cases shall be 35% above the maximum prices as set forth in paragraph (a) of this appendix.[10]

(d) Manufacturers' maximum delivered price for deliveries to points outside of the eastern zone.

Point of delivery	Percentage addition
Western zone	5%

(e) Manufacturers' maximum prices for drop shipments to less than carload buying distributors for account of carload buying distributors. (1) Where a manufacturer makes a drop shipment of less than carload quantity to a distributor who does not buy in carload quantities for the account of a carload

[8] Multiply by 1.11.
[9] Multiply by 1.053.
[7] Multiply by 1.1175.
[8] Multiply by 1.1875.
[9] Multiply by 1.2675.
[10] Multiply by 1.3575.

PART 1356—DOMESTIC AND COMMERCIAL COOKING AND HEATING STOVES AND RANGES

[RPS 64,[1] Amendment 5]

DOMESTIC COOKING AND HEATING STOVES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Sertion 1356.1 (f) is amended to read as set forth below:

§ 1356.1 *Maximum prices for stoves.*

* * *

(f) *Exemption of certain Army stoves.* Prior to July 1, 1943, nothing in this Revised Price Schedule No. 64 shall apply to the sale or delivery by any manufacturer of mountain and ski stoves (gasoline, one burner) or field range model 1937 (Quartermaster Corps) which will be delivered directly by the manufacturer, or indirectly by some other person, to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of such Government.

* * * * *

§ 1356.13 *Effective dates of amendments.* (e) Amendment No. 5 (§ 1356.1 (f)) to Revised Price Schedule No. 64 shall become effective the 7th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5486; Filed, April 7, 1943; 5:28 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 286,[2] Amendment 2]

CERTAIN SAUSAGE PRODUCTS FOR WAR PROCUREMENT AGENCIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1364.802 (b) is amended to read as follows:

(b) *Base prices.*

Product	Price per hundred weight
Frankfurters, hog casings	$28 75
Frankfurters, sheep casings	30 75
Frankfurters, skinless	27 75
Bologna, beef bungs or middles	24 25
Bologna, artificial casings	24 00

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1329, 2000, 2132, 4404, 5872, 6621, 8948; 8 F.R. 1974.

[2] 7 F.R. 10554; 8 F.R. 2157, 2350.

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5504; Filed, April 7, 1943; 5:32 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 364]

FROZEN FISH AND SEAFOOD

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale by processors and wholesalers of frozen fish and seafood.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, the prices established are generally fair and equitable and will effectuate the purposes of the Act. The prices established are not below the average price of frozen fish and seafood in the year 1941.

A statement of considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.*

§ 1364.1151 *Maximum prices for frozen fish and seafood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 364 (Frozen Fish and Seafood), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.1151 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 364—FROZEN FISH AND SEAFOOD

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ARTICLE I—PURPOSE AND SCOPE OF REGULATION

SECTION 1 *What this regulation does.* This regulation fixes the maximum prices at which processors and wholesalers may sell frozen fish and seafood. On and after April 13, 1943, the date this regulation takes effect, no processor or wholesaler may sell any frozen fish or seafood, and no person in the course of trade or business may buy any frozen fish or seafood from a processor or wholesaler, at prices higher than the prices fixed by this regulation. But prices lower than those fixed may be charged or paid.

SEC. 2 *How processors' maximum prices are fixed.* Section 14 lists alphabetically the various species of salt water fish and of shellfish and molluska for which maximum prices are fixed by this regulation. The base price per pound, in cents, is listed for each species according to the style of processing, and the size. The listed base prices in section 14 are base prices per pound for frozen fish and seafood as packed in the container size and kind customary for the species and for the industry. Section 13 sets out the amount which may be added to, or which must be subtracted from, the listed base price to fix the maximum price when the frozen fish or seafood is packed in other kinds or sizes of containers. The listed base price, with any adjustment for kind of package, is the maximum price f. o. b. the port of entry. If the processor freezes the product at any other place, his maximum price, f. o. b. the point at which the product is frozen, is: the price listed in section 14 for the species, style of processing and size; plus or minus the differential for special packaging provided in section 13; plus the carload rail freight rate, per pound, for fresh fish from the port of entry to the freezing point.

SEC. 3 *How wholesalers' maximum prices are fixed*—(a) *General instruction.* Each wholesaler's maximum price for the kind of frozen fish or seafood listed is found by adding to his "net cost" defined in the following paragraph (b), the mark-up defined in the following paragraph (c) for the class of wholesaler and for the kind of service he performs as specified in the following paragraph (d).

(b) *Net cost.* The wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his customary receiving point, less all discounts allowed him except the discount for prompt payment, and excluding any charge for local trucking and unloading.

(c) *Wholesaler's mark-up for different classes of sales.* Mark-up is the percentage over net cost set forth hereinafter for each class of wholesaler or the type of sale involved. To obtain the selling price, multiply the net cost by the

percentage mark-up figure—the result added to the net cost is the selling price. The mark-up which applies in any particular sale depends on the class in which the wholesaler is and the kind of service performed in the particular sale. The classes, types of service, and mark-ups are set forth in the following paragraph (d).

(d) *Classes of sales at wholesale for the purpose of this regulation.* Depending upon the type sale to be made, a wholesaler will fall within one of the following classes. After the proper class is determined, the wholesaler will apply the mark-up provided for that class of sale:

(1) *Primary wholesalers.* Primary wholesalers are wholesalers who buy frozen fish or seafood from processors and distribute it for resale from cold storage warehouses to other wholesalers, to retailer-owned cooperative and chain store warehouses; who do not sell to individual retail stores or purveyors of meals and who do not customarily deliver. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12%. In the case of sales of goods which have not been stored and warehoused, the primary wholesaler's mark-up is 7%. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up.

(2) *Retailer-owned cooperative wholesalers.* This class includes wholesalers which are either non-profit organizations or corporations of which 51% or more of the stock is owned by its retailer customers and which generally sell and deliver from a cold storage warehouse to affiliated retail stores. The mark-up for this class of wholesaler is 10% to affiliated retail stores.

(3) *Cash and carry wholesalers.* This class includes wholesalers who distribute frozen fish and seafood to retail stores and purveyors of meals; who normally do not extend credit; and whose sales are made ex-freezer or platform. The mark-up for this class of wholesaler is 15%.

(4) *Service and delivery wholesalers.* This class includes wholesalers who distribute frozen fish and seafood to retail stores and purveyors of meals and whose sales are made on a delivered basis to the customer's usual receiving point. The mark-up for this class of wholesaler is 25%.

(5) *Broken lots.* Sales of broken lots of frozen fish and seafood are permitted except on sales to other wholesalers. "Broken lots" are defined as partial lots of frozen fish and seafood that have been broken or separated from the original content of the immediate container in which the product had been packed by the processor, and which broken lots are sold, made ready for delivery, and shipped out to a customer apart from the remainder of the original content of the immediate container. On sales of broken lots of frozen fish and seafood, a wholesaler will be permitted to add 10% to the normal mark-up as specified under the various classes of wholesalers as outlined in this regulation.

(6) *Country trade shipments.* Wholesalers who ship to retailers and purveyors of meals to country and outlying points may add to their permitted mark-ups the actual cost of any special shipping cases and the cost of any extra refrigerant used for the shipment. Such wholesalers must denote separately on invoices to customers the actual cost of the cases and the refrigerant.

(e) *Imported frozen fish and seafood.* The maximum price at which a wholesaler may sell any frozen fish or seafood listed in section 14 shall be the base price listed in section 14 for the species and style of dressing plus or minus the differential for packaging provided for in section 13, plus the actual freight to the wholesaler's warehouse. To this amount may be added the mark-up provided for the class of sale in paragraph (c) of section 3.

SEC. 4 *Where the regulation applies.* The provisions of this regulation shall apply to the United States, its territories and possessions.

SEC. 5 *Sales to which this regulation does not apply.* (a) The provisions of this regulation shall not be applicable to sales or deliveries of frozen fish and seafood to a purchaser, if prior to April 13, 1943, such frozen fish and seafood have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) The provisions of this regulation shall not apply to any sales at retail. A sale at retail is a sale to an ultimate consumer other than an industrial or commercial user.

SEC. 6 *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation [1] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export frozen fish and seafood shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

SEC. 7 *Records and reports.* (a) Every processor making a sale and every person making a purchase of frozen fish or seafood in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after March 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, species, grade, style of pack, and the container size of frozen fish or seafood.

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

SEC. 8 *Indirect price increases.* No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for frozen fish or seafood a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any frozen fish or seafood require a purchaser to buy any other frozen fish or seafood or any other product.

SEC. 9 *Enforcement.* On and after April 13, 1943, any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 10 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 11 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 12 *Definitions.* (a) When used in this maximum price regulation the term:

"Artificially frozen" means fish which are frozen by any method other than by exposure to the elements.

"Butterfly fillet" means two single fillets which are held together as a single unit by leaving intact the belly wall of the fish.

"Cellophane wrapped" means fish or fillets which are wrapped in cellophane.

"Cry-o-vac wrapped" means fish or fillets which have been packed in a bag of cry-o-vac composition or like material.

"Drawn fish" means a fish from which the viscera or entrails have been removed.

"Dressed" means a fish from which the viscera and head have been removed.

"Fillet" means the heavily meated section or strip of fish cut from along the backbone and cutside the rib bones, extending from the nape and gills to the tail.

"Frozen fish" means fish that are naturally or artificially frozen.

"Frozen seafood" means shellfish and mollusks that are naturally or artificially frozen.

[1] 8 F.R. 3096.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

"Gutted" means fish from which the viscera or entrails have been removed.

"Individually frozen" means fish which are singly frozen.

"Layer pack" means fish which have been placed in a container in layers that are divided by sheets of paper before they are frozen.

"Naturally frozen" means fish which are frozen by exposure to the elements for preservation.

"Pan frozen" means fish which are frozen in pans, trays, or similar receptacles in a solid cake or block.

"Parchment wrapped" means fish or fillets individually wrapped in parchment paper.

"Price per pound" means the price for 16 net ounces of frozen fish.

"Processor" means the person who originally freezes the fish or seafood.

"Scaled" means fish from which the scales have been removed but the skin left intact.

"Skinned" means fish from which the skin is removed.

"Steak" means a cross section cut from a dressed fish.

ARTICLE IV—BASE PRICES AND PACKAGE DIFFERENTIALS

SEC. 13 *Table of package differentials.*

Parchment wrapped in 15 lb. wood or paper box	Base price.
Parchment wrapped in 10 lb. wood or paper box	Add ¼¢ per lb.
Parchment wrapped in 5 lb. wood or paper box	Add ½¢ per lb.
Parchment wrapped in 1 lb. wood or paper box	Add 1½¢ per lb.
Cellophane wrapped in 15 lb. wood or paper box	Add ¼¢ per lb.
Cellophane wrapped in 10 lb. wood or paper box	Add ½¢ per lb.
Cellophane wrapped in 5 lb. wood or paper box	Add ¾¢ per lb.
Cellophane wrapped in 1 lb. wood or paper box	Add 1¾¢ per lb.
Layer pack in 15 lb. wood or paper box	Subtract ½¢ per lb.
Layer pack in 10 lb. wood or paper box	Subtract ¼¢ per lb.
Layer pack in 5 lb. wood or paper box	Base price.
Cry-o-vac: When Cry-o-vac bags or containers of similar materials are used in conjunction with any of the above methods of wrapping or packing add to the above differentials: ¼¢ per pound for a unit of 15 pounds net weight; ½¢ per pound for a unit of 10 pounds net weight; ¾¢ per pound for a unit of 5 pounds, net weight.	
Frozen fish and frozen sea foods not packed in boxes or other containers	Subtract 1¢.

SEC. 14 *Table of base prices for frozen fish and sea food.*

FROZEN FISH AND SEAFOOD

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
	Bass, black sea. See Sched. 33.				
	Bass, striped. See Sched. 42.				
Sched. 1	Bluefish (Pomatomus saltratrix)	1	Gutted	Over 4 pounds	$0.25
		2	Gutted	2 to 4 pounds	.20
		3	Gutted	1 to 2 pounds	.12
		4	Gutted	Under 1 pound	.10
Sched. 2	Bonito, Atlantic (Sarda sarda)	1	Round	Over 5 pounds	.10
		2	Round	2 to 5 pounds	.10
		3	Round	1 to 2 pounds	.08
Sched. 3	Butterfish (Poronotus triacanthus)	1	Round	Over 1 pound	.18
		2	Round	2 per pound	.15
		3	Round	3 per pound	.10
		4	Round	4 or more per pound	.08
Sched. 4	Catfish, Sea—Bagre Marina	1	Round	All sizes	.07
		2	Dressed and skinned	All sizes	.20
	Cod, Black Pacific (Sable Fish). See Sched. 28				
	Cod, Red Pacific. See Sched. 25.				
	Cod, Rock Pacific. See Sched. 25.				
Sched. 5	Cod—Atlantic Coast (Gadus callarias)	1	Dressed	Over 8 pounds	.10
		2	Gutted	2½ to 8 pounds	.08
		3	Gutted	Under 2½ pounds	.07
		4	Fillets	All sizes	.23
		5	Sliced steaks	All sizes	.17
Sched. 6	Croaker—(Micropogon undulatus)	1	Round	Over 1½ pound	.09
		2	Round	¾ to 1½ pounds	.08
		3	Round	Under ¾ pound	.07
		4	Gutted	Over 1 pound	.10
		5	Gutted	Under 1 pound	.08
Sched. 7	Cusk (Brosme brosme)	1	Fillets	All sizes	.15
Sched. 8	Drum, Red, S. Atlantic and Gulf (Sciaenops ocellatus).	1	Dressed	All sizes	.15
		2	Fillets	All sizes	.25
Sched. 9	Eel—Common (Anguilla rostrata)	1	Round	All sizes	.11
		2	Gutted	All sizes	.13
		3	Skinned	All sizes	.14
Sched. 10	Eel, Conger (Leptocephalus conger)	1	Round	All sizes	.15
		2	Gutted	All sizes	.17
		3	Skinned	All sizes	.19
Sched. 11	(a) Blackback (Winter Flounder) Pseudopleuronectes.	1	Round	All sizes	.07
		2	Fillets	All sizes	.25
	(b) Dab (Sea)	1	Round	All sizes	.07
		2	Fillets	All sizes	.25
	(c) Dab (Yellowtail) Limanda ferruginea	1	Round	All sizes	.07
		2	Fillets	All sizes	.25
	(d) Fluke (Summer Flounder) Paralichthys dentatus.	1	Round	Under 4 pounds	.07
		2	Round	Over 4 pounds	.09
		3	Fillets	All sizes	.25

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
Sched. 11	(e) Sole, gray, Glyptocephalus Cynoglossus.	1	Round	All sizes	$0.10
		2	Fillets	All sizes	.35
	(f) Sole, lemon, Pseudopleuronectes dignabilis.	1	Round	All sizes	.12
		2	Fillets	All sizes	.43
	(g) Sole, Petrale Pacific	1	Fillets		.27
Sched. 12	Grouper (Myceteroperca species, Ephinephelus species).	1	Gutted	Under 4 pounds	.15
		2	Dressed	Over 4 pounds	.20
		3	Steaks (sliced)		.40
		4	Fillets and tenderloins.		.50
Sched. 13	Haddock (Melanogrammus Aeglefinus)	1	Gutted	Over 2½ pounds	.08
		2	Gutted scrod	Under 2½ pounds	.07
		3	Fillets	All sizes	.23
Sched. 14	Hake—Atlantic Coast (Urophycis species).	1	Fillets	All sizes	.18
Sched. 15	Halibut, Pacific (Hippoglossus hippoglossus).	1	Dressed	5 to 10 pounds	.19
		2	Dressed	10 to 40 pounds	.20
		3	Dressed	40 to 60 pounds	.19
		4	Dressed	60 to 80 pounds	.18
		5	Dressed	Over 80 pounds	.18
		6	Steaks (sliced)		.29
Sched. 16	Herring, Sea, Atlantic Coast (Clupea harengus)	1	Round	Over ½ pound	.06
		2	Round	2 to 5 fish per pound	.06
		3	Round	6 or more fish per pound	.07
	Lafayette. See Spot				
Sched. 17	Lingcod (Ophiodon elongatus) Pacific	1	Dressed	All sizes	.12
		2	Fillets	All sizes	.22
Sched. 18	Mackerel—Atlantic Coast (Scomber scombrus)	1	Round	Over 1½ pounds	.11
		2	Round	1 to 1½ pounds	.10
		3	Round	½ to 1 pound	.08
		4	Round	Under ½ pound	.06
		5	Fillets	All sizes	.20
Sched. 19	Mackerel, Spanish (Scomberomorus maculatus).	1	Gutted	Over 1¼ pounds	.20
		2	Gutted	Under 1¼ pounds	.16
Sched. 20	Mackerel, King (Scomberomorus cavalla) (Scomberomorus regalis).	1	Gutted	All sizes	.18
Sched. 21	Mullet (Mugil species)	1	Round	1 pound up	.10
		2	Round	Under 1 pound	.09
		3	Dressed	All sizes	.16
		4	Fillets	All sizes	.24
	Ocean Perch (Rosefish). See Sched. 27.				
	Permit. See Pompano.				
	Petrale Sole, Pleuronectidae species. See Sched. 11-(g).				
Sched. 22	Pollock (Pollachius virens)	1	Dressed	Over 4 pounds	.06
		2	Fillets	All sizes	.15
Sched. 23	Pompano—Atlantic Coast (Trachinotus species).	1	Round	Over 2½ pounds	.50
		2	Round	1 to 2½ pounds	.35
		3	Round	Under 1 pound	.50
Sched. 24	Porgy (Stenotomus species)	1	Round	Over 1 pound	.08
		2	Round	Under 1 pound	.07
	Redfish—S. Atlantic and Gulf. See Drum, Red.				
	Red Perch. See Rosefish, No. Atlantic.				
Sched. 25	Red Cod (Rock Cod) Pacific Coast	1	Dressed	All sizes	.13
		2	Fillets	All sizes	.25
	Rock Cod. See Red Cod.				
Sched. 26	Red Snapper (Lutianus blackfordii)	1	Dressed		.26
		2	Gutted		.20
		3	Steaks (Sliced)	All sizes	.45
		4	Fillets and tender loins	All sizes	.60
Sched. 27	Rosefish (Schastes marinus)	1	Fillets	All sizes	.21
Sched. 28	Sablefish (Anoplopoma fimbria)	1	Dressed	All sizes	.15
		2	Fillets	All sizes	.30
Sched. 29	Salmon—Atlantic (Salmo alar)	1	Round	All sizes	.30
Sched. 30	Salmon—Pacific (Chinook (King) (Oncorhynchus tschawytscha).	1	Dressed		.22
		2	Steaks (sliced)		.28
Sched. 31	Salmon—Pacific Silver (Oncorhynchus kisutch).	1	Dressed	All sizes	.19
		2	Steaks (sliced)		.25
Sched. 32	Salmon—Pacific—Fall (Oncorhynchus keta).	1	Dressed	All sizes	.15
		2	Steaks (sliced		.20
	Sardine—Atlantic Coast. See Herring.				
	Scup. See Porgy.				
Sched. 33	Sea bass—Black—Atlantic Coast (Centropristes striatus).	1	Round	1 pound and over	.16
		2	Round	Under 1 pound	.10
Sched. 34	Sea bass—White—Pacific Coast (Cynoscion nobilis).	1	Dressed	All sizes	.20
		2	Fillets	All sizes	.38
Sched. 35	Shad (Roe shad) (Alosa sapidissima)	1	Round	All sizes	.16
Sched. 36	Shad (Buck shad) (Alosa sapidissima)	1	Round	All sizes	.08
Sched. 37	Shad (Cut shad) (Alosa sapidissima)	1	Gutted	1½ pounds up	.07
Sched. 38	Shad, Roe	1	12 to 14 oz. per pair	Jumbo	.75
		2	10 to 12 oz. per pair	Lge	.60
		3	8 to 10 oz. per pair	Med	.45
		4	Small under 8 oz.		.35
Sched. 39	Skate Wings (Rajafish)	1		All sizes	.12
Sched. 40	Sole, Pacific	1	Skinned	All sizes	.15
		2	Fillets	All sizes	.27
Sched. 41	Spot (Leiostomus Xanthurus)	1	Round	6 to pound	.05
		2	Round	4 to pound	.08
		3	Round	2 to pound	.12
Sched. 42	Striped Bass (Rock) (Roccus saxatilis)	1	Round	Over 8 pounds	.16
		2	Round	4 to 8 pounds	.18
		3	Round	2 to 4 pounds	.20
		4	Round	Under 2 pounds	.14

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
Sched. 43...	Swordfish (Xiphias gladius)	1	Dressed	All sizes or section	$0.45
		2	Cuts, center	All sizes	.48
		3	Cuts, head and tail	All sizes	.46
		4	Steaks, individual	All sizes	.50
Sched. 44...	Trout, Sea, Gray (Weakfish) (Cynoscion regalis).	1	Round	3 pounds up	.10
		2	Gutted	3 pounds up	.12
		3	Round	1½ to 3 pounds	.09
		4	Gutted	1½ to 3 pounds	.11
		5	Round	1 to 1½ pounds	.09
		6	Gutted	Under 1½ pounds	.09
		7	Round	Under 1 pound	.08
Sched. 45...	Trout, Sea, Speckled (Spotted Weakfish) (Cynoscion nebulosus).	1	Round	All sizes	.15
		2	Gutted	All sizes	.13
Sched. 46...	Tuna—Atlantic Coast (Thunnus Thynnus) (Thunnus Secundodorsalis).	1	Dressed	All sizes	.14
Sched. 47...	Whiting (Merluccius bilinearis)	1	Round	All sizes	.04
		2	Dressed	All sizes	.09
		3	Dressed and skinned	All sizes	.15
		4	Butterfly fillets	All sizes	.17
		5	Regular fillets	All sizes	.18
Sched. 48...	Wolffish (Anarhichas lupus)	1	Chunks	All sizes	.15
		2	Fillets	All sizes	.16
Sched. 49...	Crabmeat—Atlantic and Gulf Coast	1	Lump meat	1 pound net	.70
		2	Flake meat	1 pound net	.60
		3	Claw meat	1 pound net	.40
		4	Mixed, lump and flake.	1 pound net	.65
Sched. 50...	Crabmeat—Pacific Coast	1	Regular (mixed) meat.	5 pounds net	.75
		2	Regular (mixed) meat.	1 pound net	.80
Sched. 51...	Lobstermeat—N. Atlantic (Homarus Americanus).	1	Regular	1 pound	.85
Sched. 52...	Oysters—Atlantic and Gulf Coasts (Ostrea virginica).	1	Chesapeake	Standards	.41
		2	Chesapeake	Selects	.44
		3	Northern	Mediums	.43
		4	Northern	Selects	.47
Sched. 53...	Scallops (Pecten species)	1	Sea	All sizes	.45
		2	Bay		.55
Sched. 54...	Shrimp—Atlantic & Gulf Coasts (Tympanus setiferus). (Penæus Brasiliensis).	1	10 to 14		.35
		2	15 to 20		.31
		3	20-25 count	5# and 10#	.27
		4	25-30 count	5# and 10#	.24
		5	30-40 count	5# and 10#	.22
		6	40-50 count	5# and 10#	.21
		7	50 and over	5# and 10#	.19
Sched. 55...	Spiny (Rock) Lobster Tails—S. Africa (Jasus lalandii).	1	Over ¾ lb	10-20-30 pound	.42
		2	½ to ¾ lb	10-20-30 pound	.40
		3	Under ½ lb	10-20-30 pound	.38
Sched. 56...	Spiny (Rock) Lobster Tails—Caribbean, Gulf & Pacific (Panulirus Argus).	1	Over ¾ lb	10-20-30 pound	.40
		2	½ to ¾ lb	10-20-30 pound	.38
		3	Under ½ lb	10-20-30 pound	.36
Sched. 57...	Spiny (Rock) Lobstermeat—S. Africa, Caribbean, Gulf and Pacific.	1	1 lb. net	Regular	.65
Sched. 58...	Squid, Tone—Atlantic Coast (Loligo pealei).	1	All sizes		.14
Sched. 59...	Squid, Tone—Pacific Coast (Loligo opalescens).	1	All sizes		.10
Sched. 60...	Smelts, Columbia River (Argentinidae species).	1	Round	All sizes	.10

Effective Date

This regulation shall become effective in the United States on April 13, 1943, and in the territories and possessions on May 28, 1943.

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5493; Filed, April 7, 1943; 5:29 p. m.]

PART 1369—METAL ORES

[MPR 113,[1] Amendment 3]

IRON ORE PRODUCED IN MINNESOTA, WISCONSIN AND MICHIGAN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1369.9 (b) is amended to read as follows:

(b) Any person, who is prepared to show that (1) its cost of production of iron ore is above its mine net realization on such product at maximum prices or (2) its mine net realization is inadequate in view of its high operating costs for continued operations at maximum prices, may file a petition for an adjustment or exception of the maximum prices established by Maximum Price Regulation 113—Iron Ore Produced in Minnesota, Wisconsin and Michigan. In such cases the petitioner should submit, and the Office of Price Administration will consider, all relevant data, including the relation of the current, requested, and projected realization on the iron ore, and, the necessity, in terms of the war effort, for the granting of such adjustment or exception. The Office of Price Administration may require, in connection with any such petition, full data on costs, profits, and other relevant factors. Petitions for adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided in Revised Procedural Regulation 1.[1] Petitions for exception under this paragraph shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation 1.

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5494; Filed, April 7, 1943; 5:29 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amendment 51]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

Section 1407.148 (c) is amended to read as follows:

(c) If a certificate held by a consumer is lost, destroyed, or stolen, the consumer may apply for a replacement certificate. The application therefor shall be made to the board upon OPA Form No. R 315 by the consumer personally or by an adult member of his family unit or by an authorized agent. The board, in a proper case, shall grant the application.

This amendment shall become effective April 13, 1943.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2709; Executive Order 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5502; Filed, April 7, 1943; 5:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,[2] Amendment 52]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

Section 1407.70 (b) is revoked.

This amendment shall become effective April 13, 1943.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5501; Filed, April 7, 1943; 5:31 p. m.]

PART 1438—NONMETALLIC MINERALS

[MPR 327,[1] Amendment 1]

CERTAIN NONMETALLIC MINERALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 327 is amended in the following respects:

1. The heading of § 1438.2 (a) is amended to read as follows:

(a) *Maximum prices, except as provided in paragraph 1438.2* (b) *and in § 1438.2 a.*

2. Section 1438.2 a is added to read as follows:

§1438.2 a *Maximum prices for certain commodities*—(a) *Maximum prices for domestically produced graphite.* On and after April 13, 1943, regardless of any contract, agreement, lease or other obligation, except as provided in Supplementary Order No. 35 issued by the Office of Price Administration, no person shall sell or deliver, and no person shall buy or receive from any seller, any of the following grades of domestic crystalline graphite concentrates, 80% of which will pass through a 50-mesh screen, at prices in excess of the prices set forth in the following table:

Carbon content:	Price per pound f. o. b. seller's plant or warehouse (cents)
65% but less than 70%	4½
70% but less than 75%	5
75% but less than 80%	5½
80% but less than 85%	6
85% but less than 90%	7
90% and up	8

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5505; Filed, April 7, 1943; 5:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 1[1] to GMPR,[2] Amendment 59]

BLAND APPLE SYRUP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 1 is amended in the following respects:

1. § 1499.26 (a) (44) is added to read as follows:

(44) Bland apple syrup.

2. § 1499.26 (e) (1) (xv) is added to read as follows:

(xv) "Bland apple syrup" means the product obtained by removing or neutralizing the malic acid from pure apple juice, and concentrating, after slightly reacidifying, by heating under reduced pressure to the extent that the product meets a minimum test of 40 degrees Baumé.

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5485; Filed, April 7, 1943; 5:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 4[3] of GMPR, Amendment 26]

EXCEPTIONS; SALES TO UNITED STATES AGENCIES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.29 (a) (8) is amended to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

* * * * *

(8) Prior to July 1, 1943, to sales or deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States", or any agency of such Government, of the following commodities:

(i) The following ski troop equipment: carabiners, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(ii) Mountain and ski stoves (gasoline, one burner);

(iii) Field ranges, Model-1937 (quartermaster corps); spare parts thereof, Class A;

(iv) Canteens, Model M-1942 (quartermaster corps);

(v) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(*a*) Accessories for field range, Model 1937 (quartermaster corps), parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model 1937 (quartermaster corps);

(*b*) Wire cutters, Model M-1938 (quartermaster corps);

(*c*) Identification tags, Model M-1940 (quartermaster corps);

(*d*) Metal insignia, cap and collar (for enlisted men).

(vi) Deliveries of canteens Model M-1910 (quartermaster corps) pursuant to contracts entered into prior to December 20, 1942.

(vii) Deliveries of the following commodities pursuant to contracts entered into prior to April 1, 1943.

(*a*) Canteen cups and meat cans, Model M-1942;

(*b*) Helmet liners, Model M-1 (quartermaster corps);

(*c*) Paratroop knives;

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5488; Filed, April 7, 1943; 5:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14[1] to GMPR,[2] Amendment 155]

SALT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

[1] 7 F.R. 2680, 2760, 4854, 8948, 10108.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533.

[2] 7 F.R. 2966, 3242, 3783, 4545, 4615, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2675, 2758, 3176, 3180, 3522.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2154.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4638, 4693, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8021, 8336, 8652, 8798, 8810, 8930, 8833, 9082, 9131, 9616, 9622, 9975, 9976, 10022, 10718, 10557, 11118, 8 F.R. 130, 265, 927, 1454, 1813, 2274, 3068, 3209.

[2] 8 F.R. 3096, 3849.

[3] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6826, 6793, 6794, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372, 1685, 1681, 1893, 3631, 4129, 4138.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6360, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9786, 9930, 9901, 10069, 1011, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878.

[2] 8 F.R. 3096.

has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (56) (i) is amended to read as follows:

(i) *Maximum prices for sales by first buyers situated in certain parts of Florida.* Any seller obtaining the grades of salt listed here directly from producers in Louisiana and Texas or such producers' agents and reselling the same may, at his option, establish as his maximum prices therefor, the prices set forth in this subdivision (i) in lieu of the maximum prices therefor established pursuant to other provisions of the General Maximum Price Regulation.

Grade and quantity:	*Maximum cash price f. o. b. seller's shipping point*
100 lbs. C–A, No. 1, 2, 3, and 4	$1.22
100 lbs. cotton, kiln dried, rock	1.32
6 10 lb. pockets fine rock	1.16
15 4 lb pockets fine rock	1.20
50 lbs. plain stock blocks	.66
50 lbs. sulfur stock blocks	.77
50 lbs. iodized stock blocks	.93

These maximum prices for the grades mentioned above shall also be the maximum prices for other grades whose cost to the seller is within two cents per hundred pounds, per 6 10 lb. pockets or 15 4 pound pockets, or per 50 pound block, as the case may be, of the cost to the seller of the grades of salt specifically enumerated above.

This subdivision (i) is applicable only to sellers whose place of business is situated within one of the following-named counties in Florida and only to sales made from a shipping point located in one of such counties:

Marion	Hillsborough	Brevard
Volusia	Polk	Indian River
Seminole	Osceola	St. Lucie
Orange	Manatee	Martin
Lake	Hardee	Palm Beach
Sumter	Highlands	Broward
Citrus	DeSoto	Dade
Hernando	Sarasota	Monroe
Pasco	Charlotte	Okeechobee
Pinellas	Lee	

This amendment shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5506; Filed, April 7, 1943; 5:32 p. m.]

*Copies may be obtained from the Office of Price Administration.

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S–273]

CONSOLIDATED METALS, INC.

Consolidated Metals, Inc., Cincinnati, Ohio, is engaged in the business of melting, processing, and selling non-ferrous metals. From January 7 through September 1, 1942, the Company melted approximately 65,000 pounds of aluminum scrap without authority from the War Production Board in violation of Supplementary Order M–1–d and delivered approximately 55,000 pounds of secondary aluminum without authority from the War Production Board, also in violation of the aluminum orders.

During this same period the Company remelted zinc scrap and shipped approximately 36,000 pounds of remelt zinc to persons who did not present allocation certificates issued by the War Production Board. This constituted a violation of General Preference Order M–11.

Subsequent to April 1, 1942, the Company manufactured and sold approximately 28,200 pounds of automobile body solder, containing both tin and lead. The use of these metals in the manufacture of automobile body solder constituted violations of Conservation Orders M–38–c and M–43–a.

These violations of War Production Board orders were caused by the Company's inexcusable failure to acquaint itself with the requirements of the orders governing the distribution and use of these critical materials and have made it appropriate that the Company's use of critical materials be restricted. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.273 *Suspension Order No. S–273.* (a) Consolidated Metals, Inc., its successor and assigns, shall not melt, process, or in any other way use aluminum, copper, tin, lead, zinc, including scrap, or any alloy containing any of these metals, except as specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Consolidated Metals, Inc. from any prohibition, restriction, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 14th, 1943, and shall expire on August 14th, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5467; Filed, April 7, 1943; 3:59 p. m.]

PART 1016—SHEET STEEL

[General Preference Order M-45 as Amended April 8, 1943]

Whereas, it is found that demands for steel drums for the shipment of gasoline, oil, and other products overseas, are recurringly creating temporary and local shortages of such drums and of the sheet steel necessary for the manufacture of such drums; and

Whereas, it is further found that the best interests of the national defense require the reservation of a stock of sheet steel to be immediately available for the manufacture of steel drums required for such shipment; *Now, therefore, it is hereby ordered:*

§ 1016.1 *General Preference Order M–45.*—(a) *Definitions.* For the purposes of this order:

(1) A "steel drum" means a drum made of hot rolled or cold rolled sheet steel of any gauge.

(2) "Producer" means any fabricator of steel drums.

(b) *Reservation of sheet steel for specific allocation.* The War Production Board will, from time to time, by specific order to each producer, direct the reservation of a designated quantity of hot rolled and cold rolled sheet steel of any gauge in the producer's possession or ownership. Thereafter the War Production Board will, from time to time, specifically authorize the sale, delivery, or processing of quantities of sheet steel so reserved. Except pursuant to such an authorization, no producers shall sell, deliver or process any such reserved sheet steel.

(c) *Records.* Each producer shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories and stocks on hand of and deliveries to such producer, and by such producer, of hot rolled and cold rolled sheet steel of all gauges, and steel drums.

(d) *False statements and penalties.* Any person who willfully violates any of the terms and provisions of this order, or willfully falsifies records required to be kept or information to be furnished pursuant to this order, or who obtains a delivery of material by means of a material and willful misstatement may be prohibited from obtaining further deliveries of material under allocation and be deprived of any other priorities assistance. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

Issued this 8th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5544; Filed, April 8, 1943; 11:15 a. m.]

PART 1123—SHELLAC

[Allocation Order M-106 as Amended April 8, 1943]

§ 1123.1 *Allocation Order M–106.*—(a) *Definitions.* For the purposes of this order:

(1) "Shellac" means lac of all grades, including seedlac, produced from the secretion of Laccifer Lacca Kerr (Tachardia Lacca), including dry, bleached, cut or otherwise processed lac. The term "shellac" shall include lac processed no further than bleaching with chlorine or cutting with alcohol or other solvents, but shall not include lac after it has been mixed with a substantial quantity of other materials, or after it has been incorporated into molding compounds, or after it has been made an integral part of some article, such as electrical equipment or parts.

Certain stocks of shellac are exempted by the provisions of paragraph (c).

(2) "Allocation month" means the calendar month during which the use, processing, delivery or acceptance of delivery of a particular quantity of shellac is specifically authorized.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not, including but not limited to consumers and suppliers as hereinafter defined.

(4) "Consumer" means, for the purpose of paragraph (e), any person who so uses shellac as defined above that it ceases to be shellac as so defined; for example, any person who incorporates shellac into a molding compound, or who applies cut shellac to a surface as a protective coating, is a consumer, but a person who merely cuts or bleaches shellac, or who uses a molding compound containing shellac, is not a consumer.

(5) "Supplier" means, for the purpose of paragraphs (d) (5) and (e), any person, including any importer, engaged in the business of selling shellac to other persons.

(6) "Inventory" of a person includes all shellac to or in which such person has any title or equity of redemption, as well as the inventory as so defined of affiliates and subsidiaries of such person, but excluding shellac ordered for future delivery for which payment has not been made.

(b) *Restrictions on use, processing and delivery.* (1) No person shall use, process, deliver or accept delivery of shellac except as specifically authorized by the War Production Board upon application pursuant to paragraph (e).

(2) Each person authorized to accept delivery of shellac shall use such material only for the purpose authorized except as otherwise specifically directed by the War Production Board.

(3) Shellac allocated for inventory shall be reserved intact and shall not be used, processed or delivered except as further specifically directed by the War Production Board. Likewise, shellac which is not used for the purpose for which it was allocated shall revert to inventory as though allocated for inventory.

(4) Authorizations for a particular allocation month shall not terminate at the end of such month, except with respect to delivery to and acceptance of delivery by any consumer who

(i) Requires the supplier to postpone any authorized delivery beyond ten days after the close of the allocation month; or

(ii) Fails to place an order with the supplier for the authorized shellac before the end of the allocation month.

(5) In addition to regular allocations of shellac by the War Production Board for each allocation month, the War Production Board at its discretion, notwithstanding the provisions of paragraph (c) or (d) hereof, may issue special directions to any person with respect to use, processing, delivery or acceptance of delivery of shellac by such person.

(c) *Existing stocks exemptions.* (1) The provisions of paragraph (b) (1) shall not apply to cut or bleached shellac (including seedlac) in the possession of a person other than a bleacher or importer on February 25, 1943.

(2) Cut or bleached shellac in the hands of a bleacher or importer on February 25, 1943, shall be subject to the provisions of paragraph (b) (1), except:

(i) Shellac cut or bleached prior to July 31, 1942; or

(ii) Seedlac cut or bleached prior to February 25, 1943: *Provided, however,* That the exemption provided in this paragraph (c) (2) (ii) shall not alter or modify special directions of the Director General for Operations issued to any bleacher or importer prior to February 25, 1943, with respect to any particular seedlac.

(d) *General exceptions.* The provisions of paragraph (b) (1) shall not apply to:

(1) The use or processing for testing purposes by any person in any one calendar month of not more than 20 lbs. of shellac; or the delivery of samples of shellac of not more than 20 lbs. each by any person to any other person and the use of such samples of shellac by the deliveree for testing purposes, provided that no person during any one calendar month shall accept delivery of more than 20 lbs. of shellac for testing purposes, or deliver more than 50 lbs. of shellac for testing purposes.

(2) Delivery of shellac by (but not to), and the use or processing of shellac by, the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration.

(3) Delivery of shellac by any person to Defense Supplies Corporation, Commodity Credit Corporation, or any other Government agency which may from time to time be specified by the Director General for Operations.

(4) The importation of shellac into the United States or its territories and possessions, the acceptance of delivery of such shellac by the consignee thereof and the delivery by such consignee to any person who purchased or contracted to purchase such shellac prior to its importation; provided, that nothing contained in this paragraph (d) (4) shall alter the requirements of General Imports Order M–63, as now or hereafter amended.

(5) Delivery of shellac by any person to a supplier; provided, however, that no supplier shall deliver shellac to another supplier pursuant to this paragraph (d) (5), unless the aggregate amount of shellac held in inventory by the supplier making delivery is less than ten thousand (10,000) pounds immediately prior to the delivery.

(e) *Applications.* (1) Each consumer as defined in paragraph (a) (4) above seeking authorization to use, process or accept delivery of shellac shall file application for such authorization on or before the 15th day of the month preceding the requested allocation month, on Form PD–617 (revised), in the manner prescribed therein. Such consumer shall state, among other things, the technical reasons necessitating the use of shellac instead of other materials, the grade of shellac requested, alternate acceptable grades, or technical reasons why alternate grades cannot be used, and whether he proposes to process the shellac requested himself or how he wishes to have it processed before delivery to him. He shall forward five certified copies of his application to his supplier if seeking authorization for delivery as well as use; if seeking authorization for use of shellac from his own inventory only, he shall forward three certified copies of his application to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106.

(2) Each supplier receiving a set of PD–617 forms from a consumer shall, if he wishes to acquire a like amount of shellac from another supplier, execute Part II of the PD–617 set of forms and shall forward all these forms to the second supplier. The second supplier may repeat this process by executing Part III of the set of PD–617 forms and forwarding them to a third supplier. The third supplier and any subsequent suppliers to whom the set of PD–617 forms are forwarded, shall add similar additional parts in the same form and at the same time add one copy of all parts of the complete set before forwarding the set to another supplier.

(3) Each supplier receiving a set of PD–617 forms from a consumer or from another supplier and not needing to apply for delivery of shellac from another supplier, shall forward such forms, without making any entry therein or adding any additional copies, to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106.

(4) Each supplier seeking authorization to process shellac in inventory in anticipation of future orders shall apply for authorization on Form PD–617 in the manner prescribed therein on or before the 15th day of the month preceding the requested allocation month. Three certified copies of such PD–617 application shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C. Ref: M–106.

(5) Each supplier seeking authorization to accept delivery of shellac for inventory shall apply for authorization on Form PD–617, in the manner prescribed therein, specifying as end use "to hold intact pending further authori-

any stainless steel to make such item, or Maritime orders shall not apply to any or the War Shipping Administration ap-

zation". He shall forward four certified copies of his application to the supplier from whom he seeks delivery, and such supplier shall complete Part II and forward such forms to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106.

(f) *Reports.* (1) On or before March 15, 1943, and on or before the 15th day of each calendar month thereafter, each person who on the first day of the previous calendar month had 5,000 pounds or more of shellac shall file with the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106, an inventory report on Form PD–334 (revised) in the manner prescribed therein. Each person having a lesser quantity of shellac who shall receive a set of PD–334 forms from the War Production Board shall so certify in such forms as indicated and shall return such forms to the War Production Board.

(2) Each person who shall accept delivery of shellac pursuant to paragraph (d) (5) shall, within twenty-four hours after acceptance of such delivery, report by letter addressed to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–106, the amount and grade of shellac delivered and the names of the persons making and accepting such delivery.

(3) Each person affected by this order shall file such other reports as may from time to time be required by the War Production Board.

(g) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent it is inconsistent herewith.

(2) *Records.* Each person who shall use or participate in any transaction with respect to shellac shall keep and preserve for a period of not less than two years accurate and complete records of all such transactions and of his use and inventory of shellac.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M–106.

Issued this 8th day of April 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5545; Filed, April 8, 1943; 11:15 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Conservation Order M–126 as Amended April 8, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1176.1 *General Conservation Order M–126*—(a) *Definitions.* For the purpose of this order:

(1) "Governing date", with respect to any item on List A or List S, or part thereof, means the date set forth opposite such item.

(2) "Army - Navy - Maritime order" means an order for material to be purchased (or physically incorporated into material to be purchased) by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, where with respect to any item on List A, or part thereof, the use of iron or steel, or with respect to any item on List S, or part thereof, the use of stainless steel, is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, applicable to the contract, subcontract or purchase order.

(3) The terms "iron" and "steel" shall not be deemed to include "tin plate" and "terne plate" as defined by Supplementary Order M–21–e, as amended, nor to include screws, nails, rivets, bolts, wire, strapping or small hardware for joining or other similar essential purposes.

(4) The term "stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10 per cent or more of chromium with or without nickel and/or other alloying elements.

(5) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin or otherwise shape.

(6) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(7) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article.

(8) The term "Bessemer processed steel" means steel made by a process in which air is blown through molten cast iron contained in a converter.

(9) The term "top cut" means that portion of a steel ingot rejected because it is not of sufficiently high quality for use on the order for which the ingot was melted, but which is normally used for some other purpose.

(b) *Restrictions with respect to List A products.* Except as provided in paragraph (d):

(1) *Raw material deliveries.* From and after the applicable governing date of any item on List A, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make such item, or any part thereof.

(2) *Fabrication*—(i) *Limitation.* During the 30 days next following the applicable governing date of any item on List A, no person shall put into process any iron or steel in the making of any such item or part, unless processing thereof will be completed within such 30 day period.

(ii) *Prohibition.* From and after the date 30 days after the applicable governing date of any item on List A, no person shall process any iron or steel to make such item, or any part thereof.

(3) *Assembly.* From and after the date 60 days after the applicable governing date of any item on List A, no person shall assemble such item, or any part thereof, containing any iron or steel.

(4) *List A products without governing dates.* With respect to any item on List A without a governing date, (i) no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make such item, or any part thereof, (ii) no person shall put into process or process any iron or steel to make such item, or any part thereof, and (iii) no person shall assemble such item, or any part thereof, containing any iron or steel.

(5) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List A, or part thereof, which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provision of this order as amended from time to time.

(c) *Restrictions with respect to List S products.* Except as provided in paragraph (d):

(1) *Raw material deliveries.* From and after the applicable governing date of any item on List S, no person shall deliver or accept delivery of any stainless steel which he knows or has reason to know will be used to make such item, or any part thereof.

(2) *Fabrication*—(i) *Limitation.* During the 30 days next following the applicable governing date of any item on List S, no person shall put into process any stainless steel in the making of any such item or part, unless processing thereof will be completed within such 30 day period.

(ii) *Prohibition.* From and after the date 30 days after the applicable governing date of any item on List S, no person shall process any stainless steel to make such item, or any part thereof.

(3) *Assembly.* From and after the date 45 days after the applicable governing date of any item on List S, no person shall assemble such item, or any part thereof, containing any stainless steel.

(4) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List S or part thereof, which he knows or has reason to know was fabricated, assembled, or delivered in violation of any applicable provision of this order as amended from time to time.

(d) *Exemption for Army-Navy-Maritime orders.* (1) The provisions of paragraph (b) with respect to items on List A with governing dates shall not apply to Army-Navy-Maritime orders for such items, or any parts thereof, for a period of 60 days after the applicable governing date. From and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any iron or steel for the making of any item on List A, or part thereof, unless such item or part is on List C. The provisions of paragraph (b) shall not apply to Army-Navy-Maritime orders for any item on List C, or part thereof, except that stainless steel shall not be used to make such item and parts, unless permitted by paragraph (d) (3).

(2) The provisions of paragraph (c) shall not apply to Army-Navy-Maritime orders for any item on List S, or part thereof, for a period of 60 days after its governing date. Except as provided in paragraph (d) (4), from and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any stainless steel for the making of any item on List S, or part thereof, unless such item or part is on List C.

(3) Except as otherwise specified on List C as to any item, or part thereof, stainless steel may be used to make any item on List C, or part thereof, for Army-Navy-Maritime orders until January 5, 1943. Except as provided in paragraph (d) (4), on and after January 5, 1943, no person shall use any stainless steel to make any item on List C, or part thereof, unless, and then only to the extent that, the use of stainless steel is expressly permitted for such item.

(4) The provisions of this order prohibiting the delivery, processing or assembling of stainless steel or a type of stainless steel for the making of any item, or part thereof, for Army-Navy-Maritime orders shall not apply to any order which has been approved on form PD–391 for melting during the fourth quarter of 1942 or for delivery during such quarter; or to any order which can not be filled by the manufacturer because of his inability to secure permitted materials, except that this exemption shall be only for the minimum period of time necessary to obtain such permitted materials and in no event later than April 30, 1943.

(e) *Restrictions with respect to other products*—(1) *Roofing and siding.* No person shall manufacture any iron or steel into roofing and siding except from Bessemer processed steel and only:

(i) For delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, The War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; or

(ii) For delivery on a preference rating of AA–5 or higher assigned by a PD–3A preference rating certificate or by a preference rating order in the P–19 series; or

(iii) For defense housing, to the extent specified in the Defense Housing Critical List; or

(iv) For the manufacture, maintenance and repair of railroad freight cars, street cars, or busses; or

(v) For deliveries on preference ratings assigned by the Board of Economic Warfare or for deliveries on Lend-Lease orders; or

(vi) For delivery to an ultimate purchaser for maintenance and repair purposes regardless of rating. With respect to this paragraph (e) (1) (vi), no person shall manufacture in the calendar year 1943, or any subsequent calendar year, more than 133⅓ percent of the roofing and siding made by him from iron or steel for maintenance and repair purposes during the calendar year 1942.

Any person manufacturing or selling any such roofing or siding may rely on the certificate of his customer that such roofing or siding will only be sold or used as permitted by this paragraph (e) (1).

(2) *Other products.* No person shall use any iron or steel to make any article not prohibited on List A, or any part thereof, where and to the extent that the use of other material (excluding material on List D) is practicable. Alloy steel shall not be used when the use of carbon steel is practicable, and no more iron or steel shall be used in connection with the manufacture of any such article than is essential. The provisions of this paragraph (e) (2) shall not apply in the case of articles or parts to be purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration or to be physically incorporated into products to be so purchased to the extent that the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration applicable to the contract, subcontract or purchase order.

(f) *Restrictions with respect to other scarce materials.* No person whose use of iron or steel is restricted by paragraphs (b), (d) or (e) shall use as a substitute therefor any material on List D.

(g) *Disposition of frozen and excessive inventories.* The disposition of frozen and excessive inventories containing iron or steel shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of this order must be made on Form PD–500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on, or subsequent to May 5, 1942, or pursuant to a contract supported by a preference rating. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries.* The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order with respect to putting into process, processing, and assembling shall not apply to the installation of an item or part for the ultimate consumer on his premises when any putting into process, processing or assembling of such item or part is incidental to such installation and is done on such premises.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (e) (2)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use iron or

communications concerning this order, shall, unless otherwise directed, be ad- | size or type of one or more finished parts | List S, no person shall put into process | item, or part thereof, for Army-Navy- | the United States Maritime Commission | making the repair does not use iron or

steel weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair. The limitations in this paragraph (h) (7) on repairing a used article shall not apply to any item on List A or List S, or part thereof, to the extent that maintenance and repair of such item is specifically excepted on List A or List S.

(8) *Restrictions on manufacturing in certain labor areas.* In addition to the other prohibitions and restrictions contained in this order, no person shall put into process, process, or assemble any iron or steel, to make any item on List A, or part thereof, unless such processing or assembling is to take place in a manufacturing establishment located in groups 3 or 4 of the labor market areas as may be from time to time designated by the War Manpower Commission. The provisions of this paragraph (h) (8) shall not apply to Army-Navy-Maritime orders for any item on List C, or part thereof, nor to any of the exceptions set forth opposite any item on List A, unless such exceptions are specifically made subject to the provisions of this paragraph (h) (8).

Issued this 8th day of April 1943.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

List A

[Note: List A amended April 8, 1943]

Item	*Governing date*
"A" Frames and booms for lighters, 25 tons capacity and under.	Nov. 5, 1942
Access panels—except as required by Underwriters Code.	None
Accessories, soda fountain ¹	July 15, 1942
Acoustical ceilings	None
Advertising novelties	None
Air-conditioning systems—except as may be permitted under Limitation Orders L-38 and L-126.	None
Amusement park devices and roller coasters.¹	None
Area walls	None
Ash sieves—except as may be permitted under Limitation Orders in the L-30 series.	None
Asparagus tongs	None
Atomizers, perfume-boudoir	None
Attic fans	None
Automobile accessories	None
Automobile heaters ¹—except for passenger carriers, as defined in L-158, police cars, ambulances, trucks and fire wagons.	July 15, 1942
Awning frames and supports—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Bag, purse, and pocketbook frames—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Balers, paper for household use	July 15, 1942
Ball park equipment including but not limited to: Cages.¹ Fences. Lighting systems — except lamp bulbs. Metal bases. Protective netting.¹ Railings. Rollers. Score boards. Screens.¹ Seats.¹ Tampers.	July 15, 1942
Banks, personal, toy, miniature	None
Barber and beauty shop furniture	None
Barber and beauty shop supplies, machines and equipment ¹	July 15, 1942
Barn pushers and scrapers	July 15, 1942
Barware and bar accessories	July 15, 1942
Bases on refrigerating machines below one H P—except as may be permitted under Limitation Orders L-38 and L-126.	Nov. 5, 1942
Baskets—except for commercial cooking and manufacturing uses	None
Baths, steam, all types	Nov. 5, 1942
Bath tubs	None
B-B shot for air rifles	None
Beach umbrellas—except as may be permitted under Limitation Order L-62.	July 15, 1942
Beds—except from material in inventory which was put into process to make this item on or before June 18, 1942; and except from iron or steel in the form of re-rolled rail stock or Bessemer processed steel, but only for sale to hospitals.	None
Bed spring frames—except as may be permitted under Limitation Order L-49.	None
Beer kegs—except hoop and fittings for wooden kegs.	None
Beer mugs	None
Beer stands	None
Beer steins	None
Bench legs—except industrial	None
Beverage bottle cases, including but not limited to beer and all soft drinks.	July 15, 1942
Bicycle racks	Nov. 5, 1942
Binding, linoleum—except from material in inventory which was put into process to make this item on or before Dec. 5, 1942, but only if permitted by paragraph (h) (8).	Nov. 5, 1942
Binoculars—except U. S. Government Agencies.	None
Bird cages and stands	None
Bird houses and feeders	None
Biscuit boxes—except as may be permitted under Limitation Orders in the L-30 series.	None
Blackboards	None
Blade stroppers, mechanical	None
Bleachers and grandstands ¹	None
Blocks, hat	July 15, 1942
Boards, sounding	Nov 5, 1942
Boat hooks	Nov 5, 1942
Book ends	None
Boot jacks	Nov. 5, 1942
Bottle holders—except hospital	None
Bowling alleys, bowling pins and accessories.¹	July 15, 1942
Boxes and trays for jewelry, cutlery, combs, toilet sets.	None

¹ Maintenance and repair excepted.

Item	*Governing date*
Boxes, meter, and covers—except industrial.	Nov 5 1942
Braces, extensible steel trench	Nov 5, 1942
Bread and cake boxes, household—except as may be permitted under Limitation Orders in the L-30 series.	July 15 1942
Bread slicers for home use—except knives and except as may be permitted under Limitation Orders in the L-30 series.	July 15 1942
Bridge splash guards	None
Brushes and brush-backs—except industrial; and except from material in inventory which was put into process to make this item on or before August 14, 1942, but only if permitted by paragraph (h) (8).	July 15 1942
Buckles for clothing—except overalls, overall suits, dungarees; and except from material in inventory which was put into process to make this item on or before August 14, 1942, but only if permitted by paragraph (h) (8).	July 15 1942
Buckles for pocketbooks and shoes (except waterproof shoes)—except from material in inventory which was put into process to make this item on or before August 14, 1942, but only if permitted by paragraph (h) (8).	July 15 1942
Building ornaments	None
Buildings, portable	Nov 5, 1942
Burial lowering devices	Nov 5 1942
Butter chips	None
Butter knives	None
Buttons for clothing—except for overalls, overall suits and dungarees; and except from material in inventory which was put into process to make this item on or before August 14, 1942, but only if permitted by paragraph (h) (8).	July 15 1942
Buttons for work clothing—except 22 line fly button of plain design and 27 line button with wreath design for remainder of garment, and except open top button of not more than two pieces exclusive of the tack or fastener	Nov 5 1942
Cabinets—except: Hospital operating and examining room. As permitted in Limitation Orders L-13 a and L-62.	None
Cake cutters	None
Cake icing equipment	July 15, 1942
Cake tongs	None
Calendar and memo pad stands	July 15, 1942
Calliopes or steam organs	July 15, 1942
Candy display dishes	None
Canes	None
Canopies, hoods and supports	July 15 1942
Cans, containers and closures—except as may be permitted under Conservation Orders M-81 and M-104.	None
Car washing machines—except as may be permitted under Limitation Order L-270.	Nov 5 1942
Carillons	July 15, 1942
Carpet rods	None
Carriers, casket ¹	July 15, 1942
Carrousels (Merry-go-rounds) ¹	July 15, 1942
Carving set holders	None
Cases, vanity	July 15 1942
Cash boxes	None
Cash registers ¹	None
Casket hardware	None
Casket trucks, undertaker's—except wheels.	Nov 5 1942

Item	*Governing date*
Ceilings	None
Chafing dishes	Nov. 5, 1942
Chamber pots—except as may be permitted under Limitation Orders in the L-30 series.	July 15, 1942
Cheese dishes	None
Chicken crates	None
Chicken house scrapers	July 15, 1942
Christmas tree holders	None
Christmas tree ornaments	None
Cigar and cigarette holders and cases	None
Cigar clippers	None
Cigarette lighters	None
Cigarette package holders	Nov. 5, 1942
Cigarette making machines, hand	Nov. 5, 1942
Circus and carnival apparatus, equipment ¹ and devices, including but not limited to: Animal cages.¹ Animal stands. Tent standers. Trailers ¹ Trapeze bars.	July 15, 1942
Clamps, hair, including barrettes, decorative clips and fasteners (but not including common bob and hair pins and clamps for hair curling or waving)—except from material in inventory which was put into process to make this item on or before December 5, 1942, but only if permitted by paragraph (h) (8).	Nov. 5, 1942
Clips for attaching baggage tags	Nov. 5, 1942
Clock cases—except on recording and controlling industrial instruments	None
Clothes lines	Nov. 5, 1942
Clothes line pulleys	None
Clothes line reels	None
Clothes racks and dryers	None
Clothes trees	None
Clothing trim and dress ornaments—except from material in inventory which was put into process to make this item on or before August 14, 1942, but only if permitted by paragraph (h) (8).	July 15, 1942
Coal chute and door, household	None
Coal pans	None
Coasters and trivets for glass and hot containers.	July 15, 1942
Cocktail glasses	None
Cocktail sets	None
Cocktail shakers	None
Coin changers—except for public transportation.	July 15, 1942
Combs, hair—except curry combs	July 15, 1942
Compacts	None
Cooking stoves, commercial electric ¹	None
Copy holders	None
Corn poppers and machines	None
Cosmetics and toiletries—except as may be permitted under Conservation Order M-104.	July 15, 1942
Counter tops and edgings	None
Covers for automotive leaf-type springs	Nov. 5, 1942
Covers, manhole—except reinforcing and binding.	Nov. 5, 1942
Covers, meter frame—except industrial.	Nov. 5, 1942
Crochet hooks	July 15, 1942
Croquet sets	None
Crumb trays—except as may be permitted under Limitation Orders in the L-30 series.	None
Crutches	Nov. 5, 1942
Culverts, including conduits, corrugated pipe, and corrugated plates for pipe and arches for culverts—except reinforcing for concrete, nestable culverts for use outside continental limits of U. S.; and except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Culverts, reinforced concrete—except from iron or steel in the form of re-rolled rail stock, "top cuts", or discard steel (meaning the end or ends of the ingot containing the "pipe" or other defects which are cut off and usually discarded).	Nov 5, 1942
Cups of all kinds, drinking—except for livestock.	None
Curb guards	None
Curler, hair, non-electric—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Curling irons	Nov. 5, 1942
Curtain stretchers	July 15, 1942
Darners, sock	Nov 5, 1942
Decorative iron products	None
Desk equipment, including but not limited to: Desk sets. Desk pads. Fountain pen and pencil stands. Letter openers. Name plates. Paper weights.	July 15, 1942
Diaper cans, containers, or receptacles.	Nov. 5, 1942
Dictaphone racks	None
Dinner bells	None
Dishwashing machines—except as may be permitted under Limitation Order L-248.	None
Dishwashing racks, household	July 15, 1942
Dispensers, hand, for: Hand lotions. Paper products. Soap. Straws.	None
Display forms	July 15, 1942
Document stands	None
Door chimes	None
Door closers—except as may be permitted under Limitation Order L-236.	None
Door handles—except as may be permitted under Limitation Order L-236.	None
Door knockers	None
Door mats	July 15, 1942
Door stops	None
Drain boards and tub covers, household.	None
Drawer pulls	None
Dress forms	None
Dummy police	None
Dust collecting systems and equipment ¹—except on AA-5 or higher.	None
Dust covers and enclosures ¹—except industrial.	July 15, 1942
Easels, all types	July 15, 1942

¹ Maintenance and repair excepted.

Item	*Governing date*
Edging, furniture and linoleum—except from material in inventory which was put into process to make this item on or before December 5, 1942, but only if permitted by paragraph (h) (8).	Nov. 5, 1942
Ediphone racks	None
Egg slicers	None
Electric drinking water coolers—except as may be permitted under Limitation Orders L-38 and L-126.	None
Embalming tables ¹	July 15, 1942
Enameled tile sheets and squares.	Nov. 5, 1942
Enamel store fronts	None
Erasing knives	None
Erasing shields	Nov 5, 1942
Escalators ¹	None
Exercise and reducing machines.¹	July 15, 1942
Exhibition and fair apparatus and equipment,¹ including but not limited to: Lighting equipment. Racks. Stands.	July 15, 1942
Fan stands, all types	Nov. 5, 1942
Feed troughs	None
Fences of all kinds, including chain link—except as may be permitted under Limitation Order L-211, Schedule III.	Nov. 5, 1942
Fence posts—except from iron or steel in the form of re-rolled rail stock for agricultural purposes.	Nov. 5, 1942
Ferneries, metal	Nov. 5, 1942
Finger bowls	None
Fireplace equipment, including but not limited to grates, clean-out doors and ash dumps—except: Dampers. Grates not exceeding 30 lbs. per grate for the period from Dec. 21, 1942, to and including Jan. 6, 1943, using scrap material only.	None
Fireplace dampers	Sept. 3, 1942
Fireplace screens	None
First aid kit boxes	Nov. 5, 1942
Fish aquariums	None
Flag holders	Nov. 5, 1942
Flagpoles	None
Flashlight tubes	None
Flasks, quicksilver	Dec. 26, 1942
Floats for pageants, parades, advertising, etc.—except trucks.	July 15, 1942
Floor and ceiling plates for piping.	None
Floor and counter covering trim—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Floor scrapers—except power-driven.	July 15, 1942
Floral tools and floral hoes	July 15, 1942
Florist supplies	Nov. 5, 1942
Flour, salt and pepper shakers—except as may be permitted under Limitation Orders in the L-30 series.	None
Flower boxes, pot holders and vases.	None
Flower shears	None
Fly traps	None
Food carts—except hospital	Apr 8, 1943
Food vending machines, including automats.	Nov. 5, 1942

Item	*Governing date*	*Item*	*Governing date*	*Item*	*Governing date*
Foot baths—except hospitals	None	Hoops, galvanized wire, for	July 15, 1942	Hospital, medical, dental and	July 15, 1942

Item	*Governing date*	*Item*	*Governing date*	*Item*	*Governing date*
Lunch boxes—except as may be	Nov. 5, 1942	Paint spray outfits—except in-	None	Pneumatic tube delivery systems ¹—except industrial.	None

Item	Governing date
Foot baths—except hospitals	None
Foot scrapers	None
Forms and accessories for residential and commercial concrete construction.	Nov. 5, 1942
Fountain pens—except as may be permitted under Limitation Order L–227.	None
Fountains, ornamental	None
Frames, catch basin and grater, all types	Nov. 5, 1942
Frames, clothes drying	July 15, 1942
Frames for artists' canvas, darning and needlework	July 15, 1942
Frames, steel blocking	Nov. 5, 1942
Fruit juice extractors, household [1]	July 15, 1942
Furniture [1]—except:	None
Wood furniture.	
As permitted in Limitation Orders L–13–a and L–62	
Hospital operating and examining rooms	
Hospital, beds and cots.	
Game and gambling devices	July 15, 1942
Garage hoists, car lifts, and racks—except as may be permitted under Limitation Order L–270.	None
Garbage grinders, household [1]	July 15, 1942
Garden trowels	July 15, 1942
Gas toasters, household	July 15, 1942
Gates for fences	Nov. 5, 1942
Gates, railroad crossing except mechanism	Nov. 5, 1942
Glassware holders and trim—except on cooking utensils.	July 15, 1942
Golf bag supports	None
Grass shears	None
Grass whips	July 15, 1942
Grave markers	Nov. 5, 1942
Grilles	None
Ornamental	
Sewers—except on AA–5 or higher and reinforcing for concrete sewers	
Grills, outdoor	July 15, 1942
Guards for guy wires	Nov. 5, 1942
Gutters, spouting, conductor pipe, and fittings for single family dwellings.[1]	None
Gutters, spouting, conductor pipe and fittings for dwellings two stories or less in height (2 family or more).[1]	Nov. 5, 1942
H–Bar units	Nov. 5, 1942
Hair combs, except curry combs	July 15, 1942
Hair dryers	None
Hand seals for documents	July 15, 1942
Hand weeders	July 15, 1942
Handles, broom and mop	July 15, 1942
Hangers and track for garage doors for private use.	None
Hanger rings on brushes, brooms, etc.	None
Harness and saddlery fittings [1]—except for draft, work and ranch animals	July 15, 1942
Hat frames—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Hat-making machinery [1]	None
Heat resisting pads for household use	Nov. 5, 1942
Hedge shears	None
Helmets—except as may be permitted under Limitation Order L–105.	None
Highway railroad flasher lights [1]—except lamp bulbs	July 15, 1942
Highway guard rail, wire, strip and posts [1]	July 15, 1942
Highway guard rail reflectors [1]	July 15, 1942
Hitching posts	July 15, 1942
Holders, wire, all types	Nov. 5, 1942
Hoops, galvanized wire, for flower garden trim.	July 15, 1942
Hose reels—except:	None
Fire fighting equipment.	
Industrial uses in direct fire hazard areas	
Hospital, medical, dental and related equipment.[1]	July 15, 1942
Anesthesia tables—except for use in operating rooms.	
Arm immersion stands.	
Back rests	
Bassinets—except for frame and basket and isolation cabinet type	
Bath cabinets—except hospital use	
Bed feeding and reading trays.	
Bed trays	
Bedside panel screens.	
Blanket warming cabinets.	
Book trucks—except wheel tires	
Bowl stands—except for use in operating rooms.	
Cabinets for diathermy sinusoidal and galvanic apparatus	
Chairs, other than examining or specialist chairs or dental chairs	
Chart holders—except necessary hardware.	
Chiropractic adjustment tables	
Clothes hampers.	
Commodes—except receptacle.	
Couch tables	
Dental cabinets.	
Dish trucks—except wheel tires	
Dressing stands.	
Dressing carriages—except frame and necessary hardware	
Examining tables, non-adjustable	
Ice trucks—except wheel tires.	
Instrument cabinets—except for use in operating rooms.	
Instrument tables—except for use in operating rooms.	
Laundry trucks—except wheel tires	
Linen hampers—except for frames.	
Linen trucks—except wheel tires.	
Needle cabinets—except for use in operating rooms.	
Nurses' work tables.	
Orthopedic and fracture carts—except wheel tires and frames.	
Overbed and swing overbed tables—except functional parts for combination bedside tables.	
Record and chart desks and racks.	
Shelf trucks—except wheel tires and frame (not food).	
Stands and racks for colonic irrigation apparatus.	
Sterilizer stands—except frame and top.	
Stools—except for use in operating rooms and except mechanism for adjustable stools	
Supply and treatment cabinets—except for operating rooms	
Thermometer baskets.	
Utensil racks.	
Vasooscillator—oscillating beds.	
Hospital, medical, dental and related equipment—Con.	July 15, 1942
Wall shelf stands—except for use in operating rooms	
Wheel chairs—except frames and wheels.	
Hospital, medical, dental and related equipment [1]	Nov. 5, 1942
Chiropody chairs.	
Nose and throat chairs, hydraulic.	
Optical chairs, hydraulic.	
Osteopathic tables.	
House numerals	None
Houses	Nov. 5, 1942
Tool.	
Hog.	
Poultry—except wire netting.	
Humidification devices—except as may be permitted under Limitation Order L–38 and L–126.	Nov. 5, 1942
Humidors	July 15, 1942
Ice box exteriors—except as may be permitted under Limitation Orders L–38 and L–126.	None
Ice cream freezers, household	None
Ice cream molds	Nov. 5, 1942
Ice cube trays	None
Incinerators—except industrial, commercial and as specified in Defense Housing Critical List.	None
Ink well holders	None
Inlets, gutter all types	Nov. 5, 1942
Inlets, sewer, all types	Nov. 5, 1942
Insulation, metal reflecting type	None
Ironing boards and stands	July 15, 1942
Jam boxes—except as may be permitted under Limitation Orders in the L–30 series.	None
Jelly molds—except as may be permitted under Limitation Orders in the L–30 series.	None
Jewelry	None
Jewelry cases	None
Jugs, picnic, all types	Nov. 5, 1942
Kaleidoscopes	July 15, 1942
Key chains, cases and rings	July 15, 1942
Knitting needles	None
Ladders, step	Nov. 5, 1942
Lanterns, magic	July 15, 1942
Lard or vegetable oil tubs—except 5 lbs. and over, and straps for wood containers.	None
Laundry chutes	None
Laundry trays—except reinforcing mesh	None
Lavatories—except for railway cars and for hangers.	None
Lawn brooms	July 15, 1942
Lawn edgers	July 15, 1942
Lawn rakes	July 15, 1942
Lawn rollers [1]	July 15, 1942
Lawn tampers	July 15, 1942
Lawn seeders [1]	July 15, 1942
Lawn sprinklers	None
Letter chutes	None
Letter openers	None
Letter trays	None
Lighting poles and standards [1]	None
Linen hampers—except for frames	Apr. 8, 1943
Lipstick holders	None
Lockers—except	None
Oil refinery use.	
As permitted by Limitation Order L–13–a.	
Logs, artificial, for gas and electric fireplace	July 15, 1942
Luggage [1] (not including locks)—except from material in inventory which was put into process to make this item on or before August 14, 1942, but only if permitted by paragraph (h) (8) and only for sale to Post Exchanges and ship stores.	July 15, 1942

[1] Maintenance and repair excepted.

Item	Governing date
Lunch boxes—except as may be permitted under Limitation Orders in the L–30 series.	Nov. 5, 1942
Mail boxes—except as required by U. S. postal regulations.	None
Mailing tubes or cases—except for transportation of bacteria, cultures, serums, plasma, and biological specimens.	None
Marine hardware for pleasure boats	None
Marquees	None
Match boxes	None
Material for housing, not otherwise specified in this order—except to the extent specified in the Defense Housing Critical List	None
Measuring pumps and dispensers [1] for gasoline station, garage and household use, including but not limited to:	None
Air pumps—except as may be permitted under Limitation Order L–270.	
Grease guns.	
Grease pumps.	
Gasoline dispensing pumps.	
Kerosene pumps.	
Oil pumps—except barrel pumps and lubesters.	
Meat molds	Nov. 5, 1942
Mechanical book binding—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Memorial tablets	July 15, 1942
Menu holders	None
Metal cloths—except insect screening, hardware cloth and for industrial processing.	Nov. 5, 1942
Metal dust covers and enclosures—except industrial.	July 15, 1942
Milk bottle cases—except that a total of 4½ lbs of iron and steel per case (including joining and essential hardware) may be used.	None
Millinery wire and gimps—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8).	None
Mirrors, hand	None
Monograms and initials	July 15, 1942
Mop wringers	None
Motion picture cameras [1]	Nov. 5, 1942
Motion picture projectors [1]	Nov. 5, 1942
Motion picture screen stands [1]	Nov. 5, 1942
Mud scrapers	Nov. 5, 1942
Music stands	None.
Napkin rings	None
Necktie racks—except as may be permitted under Limitation Orders in the L–30 series.	None
Newspaper boxes or holders	None
Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruits, flowers and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942 or was sold to the manufacturer of the artificial leaves, fruit, flowers, or feather ornaments as scrap.	None
Ornamental hardware and moldings	None
Outdoor fireplace parts	None
Outing spades	July 15, 1942
Packing twine holders	None
Pail clasps	None
Paint spray outfits—except industrial.	None
Paper rollers, household—except as may be permitted under Limitation Order L–120.	None
Parasols, shafts and handles	July 15, 1942
Park and recreational benches	None
Parking meters	None
Partitions	Sept. 3, 1942
Partition studs	Nov. 5, 1942
Pegs, tent	Nov. 5, 1942
Pen holders	None
Pencil holders	Nov. 5, 1942
Permanent wave machines	None
Pet beds	None
Pet cages	None
Pet dishes	None
Pet equipment (except license tags) including but not limited to:	July 15, 1942
Carriers.	
Chains.	
Collars.	
Feeders.	
Houses.	
Leashes.	
Muzzles.	
Phonograph motors, hand wound.	None
Phonograph record blanks	None
Photographic accessories	None
Photographic equipment [1]—except photo copying equipment for war plants and microfilm.	Nov. 5, 1942
Physical reducing machines	None
Picnic and outing boxes and accessories.	July 15, 1942
Picture and mirror hardware	None
Pie plates—except as may be permitted under Limitation Orders in the L–30 series.	None
Pipe cases	None
Pipe cleaner knives	None
Pipe posts	Nov. 5, 1942
Pitchers—except for hospital use.	July 15, 1942
Plant and flower supports	None
Plates, light switch—except for cast conduit bodies.	Nov. 5, 1942
Playground equipment—except from material in inventory which was put into process to make this item on or before Oct. 3, 1942, but only if permitted by paragraph (h) (8) and only for sale to public recreation areas, and Defense Housing projects.	Sept. 3, 1942
Play pens, boxes and enclosures children's.	July 15, 1942
Pleasure boats	None
Pleasure boat equipment and accessories.	Nov. 5, 1942
Plumbing and heating equipment.[1]	Nov. 5, 1942
Gas conversion burners.	
Gas fired boiler-burner units.	
Gas fired furnace-burner units.	
Grilles.	
Oil fired boiler-burner units.	
Oil fired furnace-burner units.	
Registers—except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8); and except registers made from Bessemer processed steel or from a "top out", but only for use in warm air circulating systems and only if permitted by paragraph (h) (8).	
Steel heating boilers of 129 sq. ft. or less of heating surface.	
Pneumatic tube delivery systems [1]—except industrial.	None
Pocketbook ornaments	July 15, 1942
Polishing-wax applicators	None
Polishing-wax sprayers	None
Portable bath tubs	None
Poultry incubator cabinets	None
Pulp, paper, paper products and converter machinery and equipment [1]—except:	Nov. 5, 1942
Automatic paper packaging machines.	
Paper bag machinery.	
Paper corrugating machinery.	
Paper cup machinery.	
Paper cutting machinery.	
Paper paraffining machinery.	
Paper pasting machinery.	
Paper slitting machinery.	
Paper tube machinery.	
Slitters and winders.	
Waxing machines.	
Push carts	None
Push plates and kick plates, doors.	None
Race track apparatus and equipment,[1] including but not limited to:	July 15, 1942
Mutuel ticket machines.	
Pari-mutuel boards.	
Race finish photographic equipment.	
Starting gates.	
Racks, display	Nov. 5, 1942
Racquets	None
Radiator enclosures	None
Radio antenna poles [1]—except on ratings of AA–5 or higher.	None
Railings and barriers—except for essential industrial use.	July 15, 1942
Railroad rail joint angle bars over 24" in length [1]—except for replacement on used rails and except for rail weighing more than 110 lbs. per yard.	July 15, 1942
Reading stands	July 15, 1942
Reels, cable and rope	Nov. 5, 1942
Refrigerator boxes, walk-in—except as may be permitted under Limitation Orders L–38 and L–126.	Nov. 5, 1942
Refrigerator containers and trays, household.	None
Regalia	July 15, 1942
Registers, hand tally	Nov. 5, 1942
Rodeo equipment, including but not limited to:	July 15, 1942
Animal trappings.	
Fences.	
Gates [1].	
Rolling boardwalk chairs [1]	July 15, 1942
Rolling pins—except as may be permitted under Limitation Orders in the L–30 series.	July 15, 1942
Rotary door bells	None
Rug scrubbing and shampooing machines.	Nov. 5, 1942
Safety zone posts, rails, cables and platforms.	Nov. 5, 1942
Salesmen's display cases and sales kits.	None
Salt and pepper holders—except as may be permitted under Limitation Orders in the L–30 series.	None
Sample boxes	None
Sand boats	Nov. 5, 1942
Scaffolding—except shipyards	None
Scales, coin operated	July 15, 1942
Scenery and stage hardware equipment,[1] for dramatic, theatrical and operatic use,	July 15, 1942

[1] Maintenance and repair excepted.

Item	Governing date
except lamp bulbs, including but not limited to:	
Battens.	
Cables.	
Lights.	
Reflectors.	
Stage drops.	
Score boards	July 15, 1942
Screen frames—except industrial processing; and except from material in inventory which was put into process to make this item on or before June 18, 1942, but only if permitted by paragraph (h) (8)	None
Scrubbing boards	None
Semaphores, traffic signal—except railroad	Nov. 5, 1942
Service food trays	None
Sewer pipe, exterior installations [1]—except for vents and within 5 feet of buildings; and except for reinforcing for concrete made from iron or steel in the form of re-rolled rail stock, "top cuts", or discard steel (meaning the end or ends of the ingot containing the "pipe" or other defects which are cut off and usually discarded)	None
Shades, window and roller type—except for railway cars and for roller mechanism	Nov. 5, 1942
Sheet iron or hoop iron packings for cookies and sweet goods	None
Shelves for domestic ice refrigerators, as defined by Limitation Order L-7-c.	Apr 8, 1943
Shirt and stocking dryers	None
Shoe cleaning kits	None
Shoe ornaments	July 15, 1942
Show window lighting and display equipment	None
Shower recepters — except frames	None
Shower stalls—except frames	None
Shutters, window, [1] except where required in industrial use by Underwriters	July 15, 1942
Sidewalk scrapers	July 15, 1942
Sign hanger frames	None
Sign posts	None
Signets	None
Silos [1]—except strapping and reinforcing	None
Sink aprons and legs	None
Sink drainboards, both integral and removable.	None
Siphon chargers	July 15, 1942
Sitz baths	None
Skates, roller and ice	None
Skating rink apparatus and equipment [1]	July 15, 1942
Skewers, all types	Nov 5, 1942
Ski racks	None
Slides, loops and slide-loops for work clothing—except:	Nov. 5, 1942
One size not exceeding 17/8" for men's work clothing.	
One size not exceeding 13/4" for boys' work clothing.	
Sleds—except runners	July 15, 1942
Sleighs—except runners	July 15, 1942
Slide fasteners	None
Smokers' accessories	July 15, 1942
Snow shovels and pushers, hand	None
Sod lifters	July 15, 1942
Spading forks, children's	July 15, 1942
Special industrial machinery	Nov. 5, 1942
Ceramic making machinery [1]—except machinery for making refractories, porcelain for industrial use, vitrified abrasives and stoneware for chemical processing	

[1] Maintenance and repair excepted.

Item	Governing date
Special industrial machinery [1]—Continued.	
Collapsible tube filling machines. [1]	
Cosmetic machinery.	
Coupon inserting machines.	
Cut and monumental stone machinery	
Milk can machinery. [1]	
Paint processing and manufacturing machinery. [1]	
Soap making machinery. [1]	
Steel drum machinery [1]—except for export purposes.	
Tobacco machinery. [1]	
Wire-bound box making machinery.	
Spittoons—except as may be permitted under Limitation Orders in the L-30 series.	None
Spools for cord, ribbon, tape—except for adhesive tape and inked ribbon.	Nov. 5, 1942
Spools for wire—except traverse and spools used in industrial processing.	Nov. 5, 1942
Sporting and athletic goods—except:	None
Cleats and spikes for athletic shoes.	
Fully fabricated skates and similar items may be attached to athletic shoes without restriction.	
Fishing tackle as permitted by Limitation Order L-92.	
Gymnasium equipment for programs approved by the United States Office of Education.	
Spray containers, household	None
Sprinkling cans, garden	July 15, 1942
Stadiums [1]	None
Stair and threshold treads [1], household institutional and commercial buildings—except for fire escape and essential industrial use.	July 15, 1942
Stamped bakery equipment—except as may be permitted under Limitation Orders in the L-30 series.	None
Stands all types—except:	Nov. 5, 1942
Essential industrial use.	
Hospital use where not otherwise specifically prohibited in this order	
Staple removers—except as may be permitted under Limitation Order L-73.	Nov. 5, 1942
Starter shingle strips	None.
Statues	None
Steel wool for household use made from other than waste.	None
Stencils	Nov. 5, 1942
Store display equipment and show cases.	None
Stretchers, carpet	Nov. 5, 1942
Stretchers, glove, sock and sweater	July 15, 1942
Structural steel home construction	None
Subway turnstiles [1]	None
Sugar cube dryer trays	None
Sugar holders—except as may be permitted under Limitation Orders in the L-30 series.	None
Sun dials	July 15, 1942
Sun lamps and infra-red lamps—except as may be permitted under Limitation Order L-259.	July 15, 1942
Swimming pool equipment, [1] including but not limited to:	July 15, 1942
Diving boards.	
Diving stands.	
Ladders.	
Slides.	

Item	Governing date
Swivel chairs	None
Table name-card holders	None
Table tops for household use—except as may be permitted under Limitation Order L-62.	None
Tablets	None
Tags, key; name; price; identification—except:	
Personnel identification tags or badges where metal tags or badges are required for protection of government agencies.	
Personnel identification tags or badges containing not more than 3/4 ounce of iron and steel where metal tags or badges are required for protection of industrial plants.	
Metal tags required for identification of livestock and poultry and products made therefrom.	
Pin attached or wire attached tickets for price marking soft goods.	
Metal tags for marking and identification of metal in its production, shipment and application.	
Name, data, and instruction plates for machinery and equipment.	
Tanks (strapping excluded)	None
Dipping—for animals.	
Watering—for animals.	
Feeding—for animals	
Storage, beer.	
Storage, water [1]—except:	
In tropical climates.	
Heights in excess of 100 feet.	
Range boilers and hot water storage.	
Pneumatic pressure tanks 82 gallon size and 31 gallon or smaller size.	
Tank towers under 50 feet in height.	Nov. 5, 1942
Teapots—except as may be permitted under Limitation Orders in the L-30 series.	None
Telephone bell boxes—except bases and where required for safety	None
Telephone booths	None
Telescopes—except U. S. Government Agencies.	None
Tent frames and supports	Nov. 5, 1942
Termite shields	Nov. 5, 1942
Terrazzo spacers and decorative strips—except hospital operating rooms.	None
Textile machinery—except as may be permitted under Limitation Order L-215.	Nov. 5, 1942
Thermometer bases, household	None
Thermometer cases and mountings, except industrial.	Nov. 5, 1942
Thermos jugs and bottles over 1 qt.	None
Thimbles, sewing	Nov. 5, 1942
Tickers, stock	July 15, 1942
Ticket vending machines—except for public transportation.	July 15, 1942
Tile, steel-back	None
Tongs, food handling and household use.	None
Tool boxes—except industrial	None
Tool cases—except industrial	None
Tool handles—except power driven.	None
Traffic lane markers	Nov. 5, 1942
Trailer bodies—except as may be permitted under Limitation Order L-253.	July 15, 1942

Item	Governing date
Transplanting trowels	July 15, 1942
Trophies	July 15, 1942
Truck bodies—except as may be permitted under Limitation Order L-253.	July 15, 1942
Trunks [1]—except locks	July 15, 1942
Turf edgers	July 15, 1942
Typewriter mechanism for pedestal and drop-head desks.	Nov. 5, 1942
Umbrellas, garden—except as may be permitted under Limitation Order L-62.	July 15, 1942
Umbrella shafts and handles	July 15, 1942
Urinals	None
Vanity cases	July 15, 1942
Vending machines for sanitary napkins—except as may be permitted under Limitation Order L-27-a.	Nov. 5, 1942
Ventilators, shutter type	Nov. 5, 1942
Vibrators, electric—except industrial.	Nov. 5, 1942
Vetting machines	None
Wagon bodies and frames [1]—except for construction.	None
Wardrobe trunks	None
Waste paper receptacles	July 15, 1942
Watch straps	July 15, 1942
Water color paint boxes	None
Water stills, household	Nov. 5, 1942
Water troughs [1]	July 15, 1942
Weather stripping	None
Weather vanes	July 15, 1942
Weed cutters and pullers, including dandelion, thistle and dock	July 15, 1942
Wheelbarrows—except wheels, and except for use in dairies and for handling hot material	None
Whiskey service sets	None
Window display advertising	None
Window shade rollers—except for railway cars and for roller mechanism.	Nov. 5, 1942
Window stools	None
Window ventilators—except industrial and hospitals.	None
Wine coolers	None
Wine service sets	None
Wire parcel handles and holders	None
Wire racks and baskets—except:	None
Animal cages for biological work	
Industrial.	
Scientific laboratory equipment	
Work benches—except:	None
Shipboard.	
Industrial, where required for safety	

List S—Stainless Steel

[Note: List S amended April 8, 1943]

Item	Governing date
Aircraft fire walls	Nov. 5, 1942
Aircraft seats	Nov. 5, 1942
Aircraft toilets	Nov. 5, 1942
Barrel hoops and fittings	Nov. 5, 1942
Baskets, except for heat-treating, pickling and plating.	Nov. 5, 1942
Bed pans	Nov. 5, 1942
Bins and screens	Nov. 5, 1942
Blueprint machines	Nov. 5, 1942
Bobbin heads	Nov. 5, 1942
Boiler casings	Nov. 5, 1942
Bottle coolers	Nov. 5, 1942
Branding, marking and labeling devices	Nov. 5, 1942
Brewing, distilling and processing equipment for alcoholic and non-alcoholic beverages including bottling equipment.	Nov. 5, 1942
Buckets and pails	Nov. 5, 1942

[1] Maintenance and repair excepted.

Item	Governing date
Builders' supplies and hardware.	Nov. 5, 1942
Cable terminals, fittings, and turnbuckles.	Nov. 5, 1942
Cafeteria and restaurant equipment [1]	July 15, 1942
Chains and cables—except for heat-treating, pickling and plating.	Nov. 5, 1942
Cheese vats	Nov. 5, 1942
Clocks, clock-dials and cases	Nov. 5, 1942
Coffee pots	Nov. 5, 1942
Control levers	Nov. 5, 1942
Convectors, local and unit heaters—except heat controls.	Nov. 5, 1942
Conveyors and conveyor chutes—except where subject to high temperature and corrosive action.	Nov. 5, 1942
Cups of all kinds—except industrial	Nov. 5, 1942
Cutlery—used for processing and preparation of food.	Nov. 5, 1942
Dishes, saucers and plates	Nov. 5, 1942
Dyeing equipment [1]	Nov. 5, 1942
Elevators, including doors and trim	Nov. 5, 1942
Fans—except industrial	Nov. 5, 1942
Farm machinery and replacement parts—except high pressure spray valves, valve seats and nozzles.	Nov. 5, 1942
Fire-fighting apparatus—except pump shafts and where working parts are in contact with corrosive chemicals	Nov. 5, 1942
Fishing tackle and equipment—except commercial.	Nov. 5, 1942
Floor plates and floor coverings	Nov. 5, 1942
Fountains	Nov. 5, 1942
Furniture hardware	Nov. 5, 1942
Galley and mess equipment [1]	July 15, 1942
Galley, kitchen, cafeteria and restaurant panelling.	Nov. 5, 1942
Hangers, all types	Nov. 5, 1942
Hose clamps	Nov. 5, 1942
Hot water heaters, tanks and coils.	Nov. 5, 1942
Hydrants	Nov. 5, 1942
Ice boxes	Nov. 5, 1942
Ice cream cabinets	July 15, 1942
Identification tags and badges	Nov. 5, 1942
Instrument dials and cases	Nov. 5, 1942
Kitchenware	July 15, 1942
Ladders and hoists, including fittings	Nov. 5, 1942
Lanterns and lamps — except valves, controls and mantle-holders and except for miners' lamps.	Nov. 5, 1942
Lavatory equipment	Nov. 5, 1942
Light fixtures	Nov. 5, 1942
Livestock and poultry equipment.	Nov. 5, 1942
Locks	Nov. 5, 1942
Match and pattern plates, matrices and flasks.	Nov. 5, 1942
Mechanical drawing and drafting equipment	Nov. 5, 1942
Milk storage tanks, milk receiving tanks and milk weigh tanks — except that where permitted materials cannot be secured, a further exemption is hereby granted for the minimum period of time necessary to obtain such permitted materials but in no event later than April 30, 1943.	Nov. 5, 1942
Mortician's supplies and equipment.	Nov. 5, 1942
Name, data and instruction plates.	Nov. 5, 1942
Oil burners—except functional parts.	Nov. 5, 1942
Oil space heaters	Nov. 5, 1942
Pole-line hardware	Nov. 5, 1942

Item	Governing date
Pumps, fresh water—except industrial	Nov 5, 1942
Radio antenna	Nov. 5, 1942
Refrigerators and Refrigeration equipment—except essential machinery parts.	July 15, 1942
Rubber moulds	Nov. 5, 1942
Shelves	Nov. 5, 1942
Staples	Nov. 5, 1942
Stokers — except functional parts.	Nov. 5, 1942
Storage racks, cabinets or lockers	Nov. 5, 1942
Stoves and ranges, disc stoves and hot plates—except electrical controls, heating units and needle valves	Nov. 5, 1942
Toilet floats, cistern and low water-floats.	Nov 5, 1942
Tubs, washing	Nov. 5, 1942
Valve handles	Nov. 5, 1942
Ventilators	Nov. 5, 1942

List C

[Note: List C amended April 8, 1943]

Access panels—for use on board ship, on military vehicles and where climatic or safety conditions make necessary.
Access panels of stainless steel for radio equipment.
Accessories, soda fountain—for use on board ship
Acoustical ceilings—for use on board ship.
Air conditioning systems [2]—but for offices and quarters on shore only non-compressor type units.
Aircraft fire walls—stainless steel permitted where required for non-magnetic properties
Attic fans [1]—where climatic conditions make necessary.
Automobile accessories.
Automobile heaters—where specified for military vehicles.
Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.
Barber shop supplies.
Bases on refrigerating machines—for use on board ship.
Baskets [1]—for cooking and manufacturing uses and for ordnance operations.
Bath tubs—for use on board ship and in hospitals.
Baths, steam—for use on board ship.
B-B shot—for training and shot blast cleaning purposes.
Beds—but only from iron or steel in the form of re-rolled rail stock or Bessemer processed steel.
Bench legs.
Binoculars.
Bird cages—for carrier pigeons.
Bird feeders—for carrier pigeons.
Biscuit boxes—for use on board ship and where climatic conditions make necessary
Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.
Boat hooks.
Bobbin heads of non-nickel bearing stainless steel—for use on board ship.
Boiler casings of stainless steel [1]—for use on board destroyers and where required for corrosion or heat resistance on board ship
Bottle holders—for use on board ship and in hospitals.
Boxes, meter, and covers.
Brushes—wire bristles only.
Buckets and pails. [2]
Buckles for clothing.

[1] Stainless steel permitted where required for corrosion or heat resistance or non-magnetic properties.

Item	Governing date
Special industrial machinery [1]—except machinery for making refractories, porcelain for industrial use, vitrified abrasives and stoneware for chemical processing—Continued.	
Cleaning machinery.	
Concrete mixers.	
Concrete vibrators.	
Core making machinery.	
Crushing machinery.	
Dredging machinery.	
Electric motors.	
Electrical control equipment.	
Excavating machinery.	
Foundry machinery.	
Generators.	
Grinding machinery.	
Hoisting machinery.	
Industrial trucks.	
Internal combustion engines.	
Lubrication machinery.	
Mixing machinery.	
Molding machinery.	
Oil field machinery.	
Pile drivers.	
Pipe working machinery.	
Power transmission machinery.	
Pumps.	
Rock drills.	
Rolling mill machinery.	
Sand blast machinery.	
Screening machinery.	
Shovels.	
Speed changers.	
Tractors.	
Welding machinery.	
Spittoons—except as may be permitted under Limitation Orders in the L-30 series.	None
Spools for cord, ribbon, tape—except for adhesive tape and inked ribbon.	Nov. 5, 1942
Spools for wire—except traverse and spools used in industrial processing.	Nov. 5, 1942
Sporting and athletic goods—except:	None
Cleats and spikes for athletic shoes.	
Fully fabricated skates and similar items may be attached to athletic shoes without restriction.	
Fishing tackle as permitted by Limitation Order L-92.	
Gymnasium equipment for programs approved by the United States Office of Education.	
Spray containers, household	None
Sprinkling cans, garden	July 15, 1942
Stadiums [1]	None
Stair and threshold treads [1], household institutional and commercial buildings—except for fire escape and essential industrial use.	July 15, 1942
Stamped bakery equipment—except as may be permitted under Limitation Orders in the L-30 series.	None
Stands all types—except:	Nov. 5, 1942
Essential industrial use.	
Hospital use where not otherwise specifically prohibited in this order	
Staple removers—except as may be permitted under Limitation Order L-73.	Nov. 5, 1942
Starter shingle strips	None.
Statues	None
Steel wool for household use made from other than waste.	None
Stencils	Nov. 5, 1942
Store display equipment and show cases.	None
Stretchers, carpet	Nov. 5, 1942
Stretchers, glove, sock and sweater	July 15, 1942
Structural steel home construction	None
Subway turnstiles [1]	None
Sugar cube dryer trays	None
Sugar holders—except as may be permitted under Limitation Orders in the L-30 series.	None
Sun dials	July 15, 1942
Sun lamps and infra-red lamps—except as may be permitted under Limitation Order L-259.	July 15, 1942
Swimming pool equipment, [1] including but not limited to:	July 15, 1942
Diving boards.	
Diving stands.	
Ladders.	
Slides.	

Item	Governing date
Swivel chairs	None
Table name-card holders	None
Table tops for household use—except as may be permitted under Limitation Order L-62.	None
Tablets	None
Tags, key; name; price; identification—except:	
Personnel identification tags or badges where metal tags or badges are required for protection of government agencies.	
Personnel identification tags or badges containing not more than 3/4 ounce of iron and steel where metal tags or badges are required for protection of industrial plants.	
Metal tags required for identification of livestock and poultry and products made therefrom.	
Pin attached or wire attached tickets for price marking soft goods.	
Metal tags for marking and identification of metal in its production, shipment and application.	
Name, data, and instruction plates for machinery and equipment.	
Tanks (strapping excluded)	None
Dipping—for animals.	
Watering—for animals.	
Feeding—for animals	
Storage, beer.	
Storage, water [1]—except:	
In tropical climates.	
Heights in excess of 100 feet.	
Range boilers and hot water storage.	
Pneumatic pressure tanks 82 gallon size and 31 gallon or smaller size.	
Tank towers under 50 feet in height.	Nov. 5, 1942
Teapots—except as may be permitted under Limitation Orders in the L-30 series.	None
Telephone bell boxes—except bases and where required for safety	None
Telephone booths	None
Telescopes—except U. S. Government Agencies.	None
Tent frames and supports	Nov. 5, 1942
Termite shields	Nov. 5, 1942
Terrazzo spacers and decorative strips—except hospital operating rooms.	None
Textile machinery—except as may be permitted under Limitation Order L-215.	Nov. 5, 1942
Thermometer bases, household	None
Thermometer cases and mountings, except industrial.	Nov. 5, 1942
Thermos jugs and bottles over 1 qt.	None
Thimbles, sewing	Nov. 5, 1942
Tickers, stock	July 15, 1942
Ticket vending machines—except for public transportation.	July 15, 1942
Tile, steel-back	None
Tongs, food handling and household use.	None
Tool boxes—except industrial	None
Tool cases—except industrial	None
Tool handles—except power driven.	None
Traffic lane markers	Nov. 5, 1942
Trailer bodies—except as may be permitted under Limitation Order L-253.	July 15, 1942

Item	Governing date
Transplanting trowels	July 15, 1942
Trophies	July 15, 1942
Truck bodies—except as may be permitted under Limitation Order L-253.	July 15, 1942
Trunks [1]—except locks	July 15, 1942
Turf edgers	July 15, 1942
Typewriter mechanism for pedestal and drop-head desks.	Nov. 5, 1942
Umbrellas, garden—except as may be permitted under Limitation Order L-62.	July 15, 1942
Umbrella shafts and handles	July 15, 1942
Urinals	None
Vanity cases	July 15, 1942
Vending machines for sanitary napkins—except as may be permitted under Limitation Order L-27-a.	Nov. 5, 1942
Ventilators, shutter type	Nov. 5, 1942
Vibrators, electric—except industrial.	Nov. 5, 1942
Vetting machines	None
Wagon bodies and frames [1]—except for construction.	None
Wardrobe trunks	None
Waste paper receptacles	July 15, 1942
Watch straps	July 15, 1942
Water color paint boxes	None
Water stills, household	Nov. 5, 1942
Water troughs [1]	July 15, 1942
Weather stripping	None
Weather vanes	July 15, 1942
Weed cutters and pullers, including dandelion, thistle and dock	July 15, 1942
Wheelbarrows—except wheels, and except for use in dairies and for handling hot material	None
Whiskey service sets	None
Window display advertising	None
Window shade rollers—except for railway cars and for roller mechanism.	Nov. 5, 1942
Window stools	None
Window ventilators—except industrial and hospitals.	None
Wine coolers	None
Wine service sets	None
Wire parcel handles and holders	None
Wire racks and baskets—except:	None
Animal cages for biological work	
Industrial.	
Scientific laboratory equipment	
Work benches—except:	None
Shipboard.	
Industrial, where required for safety	

List S—Stainless Steel

[Note: List S amended April 8, 1943]

Item	Governing date
Aircraft fire walls	Nov. 5, 1942
Aircraft seats	Nov. 5, 1942
Aircraft toilets	Nov. 5, 1942
Barrel hoops and fittings	Nov. 5, 1942
Baskets, except for heat-treating, pickling and plating.	Nov. 5, 1942
Bed pans	Nov. 5, 1942
Bins and screens	Nov. 5, 1942
Blueprint machines	Nov. 5, 1942
Bobbin heads	Nov. 5, 1942
Boiler casings	Nov. 5, 1942
Bottle coolers	Nov. 5, 1942
Branding, marking and labeling devices	Nov. 5, 1942
Brewing, distilling and processing equipment for alcoholic and non-alcoholic beverages including bottling equipment.	Nov. 5, 1942
Buckets and pails	Nov. 5, 1942

[1] Maintenance and repair excepted.

Item	Governing date
Builders' supplies and hardware.	Nov. 5, 1942
Cable terminals, fittings, and turnbuckles.	Nov. 5, 1942
Cafeteria and restaurant equipment [1]	July 15, 1942
Chains and cables—except for heat-treating, pickling and plating.	Nov. 5, 1942
Cheese vats	Nov. 5, 1942
Clocks, clock-dials and cases	Nov. 5, 1942
Coffee pots	Nov. 5, 1942
Control levers	Nov. 5, 1942
Convectors, local and unit heaters—except heat controls.	Nov. 5, 1942
Conveyors and conveyor chutes—except where subject to high temperature and corrosive action.	Nov. 5, 1942
Cups of all kinds—except industrial	Nov. 5, 1942
Cutlery—used for processing and preparation of food.	Nov. 5, 1942
Dishes, saucers and plates	Nov. 5, 1942
Dyeing equipment [1]	Nov. 5, 1942
Elevators, including doors and trim	Nov. 5, 1942
Fans—except industrial	Nov. 5, 1942
Farm machinery and replacement parts—except high pressure spray valves, valve seats and nozzles.	Nov. 5, 1942
Fire-fighting apparatus—except pump shafts and where working parts are in contact with corrosive chemicals	Nov. 5, 1942
Fishing tackle and equipment—except commercial.	Nov. 5, 1942
Floor plates and floor coverings	Nov. 5, 1942
Fountains	Nov. 5, 1942
Furniture hardware	Nov. 5, 1942
Galley and mess equipment [1]	July 15, 1942
Galley, kitchen, cafeteria and restaurant panelling.	Nov. 5, 1942
Hangers, all types	Nov. 5, 1942
Hose clamps	Nov. 5, 1942
Hot water heaters, tanks and coils.	Nov. 5, 1942
Hydrants	Nov. 5, 1942
Ice boxes	Nov. 5, 1942
Ice cream cabinets	July 15, 1942
Identification tags and badges	Nov. 5, 1942
Instrument dials and cases	Nov. 5, 1942
Kitchenware	July 15, 1942
Ladders and hoists, including fittings	Nov. 5, 1942
Lanterns and lamps — except valves, controls and mantle-holders and except for miners' lamps.	Nov. 5, 1942
Lavatory equipment	Nov. 5, 1942
Light fixtures	Nov. 5, 1942
Livestock and poultry equipment.	Nov. 5, 1942
Locks	Nov. 5, 1942
Match and pattern plates, matrices and flasks.	Nov. 5, 1942
Mechanical drawing and drafting equipment	Nov. 5, 1942
Milk storage tanks, milk receiving tanks and milk weigh tanks — except that where permitted materials cannot be secured, a further exemption is hereby granted for the minimum period of time necessary to obtain such permitted materials but in no event later than April 30, 1943.	Nov. 5, 1942
Mortician's supplies and equipment.	Nov. 5, 1942
Name, data and instruction plates.	Nov. 5, 1942
Oil burners—except functional parts.	Nov. 5, 1942
Oil space heaters	Nov. 5, 1942
Pole-line hardware	Nov. 5, 1942

Item	Governing date
Pumps, fresh water—except industrial	Nov 5, 1942
Radio antenna	Nov. 5, 1942
Refrigerators and Refrigeration equipment—except essential machinery parts.	July 15, 1942
Rubber moulds	Nov. 5, 1942
Shelves	Nov. 5, 1942
Staples	Nov. 5, 1942
Stokers — except functional parts.	Nov. 5, 1942
Storage racks, cabinets or lockers	Nov. 5, 1942
Stoves and ranges, disc stoves and hot plates—except electrical controls, heating units and needle valves	Nov. 5, 1942
Toilet floats, cistern and low water-floats.	Nov 5, 1942
Tubs, washing	Nov. 5, 1942
Valve handles	Nov. 5, 1942
Ventilators	Nov. 5, 1942

List C

[Note: List C amended April 8, 1943]

Access panels—for use on board ship, on military vehicles and where climatic or safety conditions make necessary.
Access panels of stainless steel for radio equipment.
Accessories, soda fountain—for use on board ship
Acoustical ceilings—for use on board ship.
Air conditioning systems [2]—but for offices and quarters on shore only non-compressor type units.
Aircraft fire walls—stainless steel permitted where required for non-magnetic properties
Attic fans [1]—where climatic conditions make necessary.
Automobile accessories.
Automobile heaters—where specified for military vehicles.
Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.
Barber shop supplies.
Bases on refrigerating machines—for use on board ship.
Baskets [1]—for cooking and manufacturing uses and for ordnance operations.
Bath tubs—for use on board ship and in hospitals.
Baths, steam—for use on board ship.
B-B shot—for training and shot blast cleaning purposes.
Beds—but only from iron or steel in the form of re-rolled rail stock or Bessemer processed steel.
Bench legs.
Binoculars.
Bird cages—for carrier pigeons.
Bird feeders—for carrier pigeons.
Biscuit boxes—for use on board ship and where climatic conditions make necessary
Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.
Boat hooks.
Bobbin heads of non-nickel bearing stainless steel—for use on board ship.
Boiler casings of stainless steel [1]—for use on board destroyers and where required for corrosion or heat resistance on board ship
Bottle holders—for use on board ship and in hospitals.
Boxes, meter, and covers.
Brushes—wire bristles only.
Buckets and pails. [2]
Buckles for clothing.

[1] Stainless steel permitted where required for corrosion or heat resistance or non-magnetic properties.

Buildings, portable.
Buttons.
Cabinets[1] for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, hospital operating and examining rooms, and as permitted by L-13-a and L-62.
Cabinets of stainless steel for radar equipment.
Cable terminals, fittings and turnbuckles of stainless steel—for aircraft and use on board ship.
Canopies, hoods, and supports—for use on board ship, military repair units, hospital installations, and military construction units.
Cans or containers for anti-freeze, candy, coffee, nuts—where climatic conditions make necessary.
Cash boxes.
Casket handles.
Ceilings—for use on board ship, but only where necessary.
Chains and cables.[1]
Cigarette lighters—as ordered by the Army Exchange Service, the Bureau of Naval Personnel, and the Marine Corps, for use by the Army, Navy, Coast Guard, and Marine Corps.
Clock cases.
Clothing trim.
Control levers of stainless steel for aircraft.
Cooking stoves, commercial electric.
Counter tops and edgings—for use on board ship.
Covers, manhole.
Covers, meter frame.
Culverts—for airports, for use outside continental limits of the U. S., and where certified to the manufacturer or supplier as necessary by the Army or Navy engineer in charge.
Cups of all kinds, drinking.
Dishwashing machines.
Door closers—for fire prevention, for use on board ship, and where climatic or safety conditions make necessary.
Door handles—for fire prevention, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary.
Door stops.
Dust collecting systems and equipment.
Dust covers and enclosures—when specified for military vehicles.
Electric drinking water coolers[1]—for use on board ship, in hospitals and in tropical climates.[1]
Erasing knives.
Fences, including chain link, weighing not more than 2 pounds per lineal foot and not more than .33 pounds per square foot.
Fence posts from iron or steel in the form of re-rolled rail stock.
Fans of stainless steel—for use on board ship and where required for corrosion resistance.
First aid kit boxes.
Flag holders.
Flag staffs and flag masts—for use on board ship, and on military vehicles.
Flashlight tubes.
Floor and ceiling plates for piping—for use on board ship, for military vehicles, and where climatic or safety conditions make necessary.
Fountains, portable, of stainless steel—for use on board ship.
Furniture—for use on board ship.
Galley and mess equipment of stainless steel, as follows:
  Canteens of stainless steel.
  Coffee urns of non-nickel bearing stainless steel.
Cold storage space on board ship—but only non-nickel bearing stainless steel clad for doors and other parts coming in direct contact with food.
Compartment mess trays—but only from existing finished stocks of stainless steel.
Dishwashing machines—but only tanks, hoods and pump shafts of non-nickel bearing stainless steel.
Kettles, steam jacketed—but only inside lining of single clad stainless steel.
Metal sponges of non-nickel bearing stainless steel wire.
Portable water coolers—but only liners of non-nickel bearing stainless steel.
Pressure cookers—but only clad stainless steel for bottoms and solid stainless steel for sides.
Sinks and dresser tops for use on board ship and aircraft—but only single clad stainless steel.
Steam tables and warming pans—but only clad stainless steel.
Stock pots—but only single clad stainless steel.
Games.
Garage hoists and car lifts.
Gates for fences—but only in conformance with A. N. M. B specifications.
Grilles—sewer.
Hand seals for documents.
Harness and saddlery fittings.
Hat frames, wire and gimps.
Hat-making machinery, but only—
  Blocking machines with complete sets of blocks.
  Sets or dies for cutting parts.
Helmets—stainless steel permitted for beading and loops.
Hose clamps of stainless steel—for aircraft.
Hose reels.
Hospital equipment—
  Arm immersion stands.
  Bed trays.
  Bedside panel screen frames—for use in operating rooms, and outside continental limits of U. S.
  Bowl stands—for use in operating rooms and on board ship.
  Cabinets—X-ray film filing.
  Cabinets for diathermy, sinusoidal and galvanic apparatus.
  Chart holders.
  Commodes—for hospital use outside continental limits of U. S.
  Dental cabinets.
  Dish trucks—frames and wheel tires only.
  Dressing stand frames.
  Examining tables, non-adjustable—for use on board ship and in field hospitals.
  Instrument cabinets.
  Instrument tables.
  Nurses' work tables.
  Overbed and swing overbed tables—functional parts only.
  Stands and racks for colonic irrigation apparatus.
  Sterilizer stands.
  Supply and treatment cabinets.
  Utensil racks.
Hot water heater tanks and coils of stainless steel—where specified for aircraft and military vehicles.
Ice box exteriors—for use on board ship, mobile type refrigerators, and for use where climatic conditions make necessary.
Ice cube trays.
Incinerators.
Instrument dials and cases of stainless steel.
Keys for opening cans.
Ladders, step.
Laundry trays—for use on board ship.
Lavatories—for use on board ship and outside continental limits of U. S.
Lockers—for office equipment as limited by Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of U. S. and in ordnance plants.
Luggage—valance only.
Mail boxes—for use on board ship.
Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—
  Air pumps.
  Gasoline dispensing pumps.
  Grease guns.
  Grease pumps.
  Kerosene pumps.
  Oil pumps.
Mechanical drawing and drafting equipment of stainless steel.
Metal cloths.
Mirrors, hand—for signal use.
Motion picture cameras and projectors—stainless steel permitted for sprockets and aperture plates.
Motion picture screen stands.
Music stands—for use on board ship.
Paint spray outfits—stainless steel permitted for nozzle tips and needle valves.
Partitions—for use in hospitals and on board ship.
Partition studs for radar equipment.
Pegs, tent.
Phonograph motors, hand wound.
Phonograph record blanks.
Photographic equipment and accessories.[1]
Pie plates.
Pipe posts.
Pitchers.
Plumbing and heating equipment—
  Gas fired boiler-furnace units.
  Gas fired furnace-burner units.
  Oil fired furnace-burner units.
Pneumatic tube delivery systems.
Portable bathtubs.
Pump shafts of stainless steel for deep well turbines.
Push carts—for ordnance and combat organizations.
Radio antenna of stainless steel.
Radio antennae poles.
Railings—for use on board ship.
Reels, cable and rope—for combat and field training purposes and for use on board ship.
Refrigerator boxes, walk-in—for use on board ship in advance bases and in theaters of operations.
Scaffolding—for use in airfields and other places where use of wood scaffolding is impracticable.
Screen frames.
Sewer pipe, exterior installations—for pressure lines only.
Shirt and stocking dryers of cast iron only.
Shower receptors—for use on board ship.
Shower stalls—for use on board ship.
Sink aprons and legs—for use on board ship.
Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.
Siphon chargers for life jacket inflation.
Slide fasteners.[2]
Snow shovels and pushers, hand.
Spools for ink ribbon.
Spools for wire—for combat and field training purposes.
Sporting and athletic goods.
Stair and threshold treads—for use on board ship.
Stamped bakery equipment.
Stencils.
Swimming pool equipment and materials for swimming pools for training purposes by Navy or Marine Corps.
Swivel chairs—for use on board ship.
Tags—
  For marking ammunition.
  Identification tags and badges for personnel.[2]
Tanks, storage, water—but only for use on board ship, mobile units, range buoys and hot water storage, use outside continental limits of U. S., heights in excess of 100 feet, pneumatic pressure tanks.
Tanks, water storage, of stainless steel—for use in aircraft.
Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.
Telescopes.
Tent frames and supports.
Termite shields—for use outside continental limits of U. S.
Thermos jugs and bottles.
Tile, steel back—for ladder treads, step plates and use on board ship.
Tool boxes.
Tool cases—for mobile equipment.
Tool handles—where specified.
Truck and trailer units and bodies—where specifically designed for military purposes.
Typewriter mechanism for pedestal and drop-head desks—for use on board ship.
Urinals—for use on board ship, in hospitals, and outside continental limits of U. S.
Ventilators, shutter type—for use on board ship and for use with exhaust fans.
Waste paper receptacles—for hospital use only.
Water troughs—frame and support only.
Wheelbarrows.
Wire racks.
Workbenches—where wooden benches will not stand up under ordinary use.

[1] Maintenance and repair permitted.
[2] Stainless steel permitted where required for corrosion or heat resistance or non-magnetic properties.

LIST D—OTHER SCARCE MATERIALS

Metals—all, except lead.
Rubber.

[F. R. Doc. 43-5543; Filed, April 8, 1943; 11:15 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1519]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

MODIFICATION OF RELIEF ORDER

Memorandum opinion and order modifying order granting relief in the matter of the petition of District Board 13 for the establishment of minimum prices for coal sold for domestic stoker use by certain mines in District No. 13.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division by the Bituminous Coal Producers Board for District No. 13 ("District Board 13"), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. Petitioner requested the establishment of price classifications and minimum prices for coals produced and shipped for domestic stoker use from Mine Index Nos. 3, 4, 6, 7, 8, 9, 11, 13, 14, 17, 18 19, 21, 22, 23, 29, 77, 78, and 1306, all located in Subdistrict 1 of District 13.

On March 3, 1943, after hearing, the waiver of the preparation and filing of the Examiner's report by all parties, and the submission of the record to the Director for consideration, an order was issued, 8 F.R. 2773, effective March 18, 1943, providing that the Schedule of Effective Minimum Prices for District No. 13 for all shipments except truck be amended by the addition of the following price exception:

When mines in Subdistrict 1 listed herein specially prepare coals included in Size Group 18, and such coals are sold and applied for stoker use, the prices listed herein for Size Group 18 coals into the respective market areas shall be increased 35 cents per net ton: *Provided*, Such stoker coals shall have a top size not larger than 1½" and a bottom size with a maximum of ½" and a minimum of ⅛"; and *Provided further*, The actual size of the stoker coal is specified in all notices, lists, reports or other documents.

Thereafter, on March 17, 1943, District Board 13 filed a petition for modification of the aforesaid order, requesting that the price exception be modified to apply only to coal sold and applied for domestic stoker use and having a top size of 1½" and a bottom size not larger than ½". The district board alleged that there are no producers in District 13 presently producing stoker coal with a bottom size of ⅛"; that in order to comply with the order of the Director, it would be necessary for these producers to install special screens to produce stoker coal within this size limitation and to make certain changes in the loading facilities; and that such installation and changes cannot be made within the time limit set in the order. The petitioner further alleged that there is no benefit to be gained by the removal of fines under ⅛" in coals moving for domestic stoker use, that "some of the free burning coals are better for this use with all the fines left in; other coals with various degrees of coking tendency may be improved by the removal of some part of the fines; it is a matter of individual determination and judgment by producers."

I am mindful of the difficulties existing at the present time in procuring and installing special screening facilities and in making alterations in loading facilities at mines. In view of that difficulty; and in light of petitioner's allegation, which appears to be borne out by the record in this proceeding, that at least some producers in District No. 13 marketing the stoker sizes are not presently equipped to produce a coal with a bottom size of ⅛"; and in recognition of petitioner's contention that relief in this matter is urgent, I am prepared at this time to modify the Order of March 3, 1943, in accordance with petitioner's request.

I do this hesitantly, however. The definition of the special stoker size which petitioner urges and which I am here establishing is little if any different from the definition of the chestnut size groups designated as Size Groups 10 and 11 in the minimum price schedule. Moreover, there is some indication that some producers in District No. 13 consider this special stoker size as falling within the washed screening size group designated as Size Group 18 in the minimum price schedule. The establishment of identical size groups differentiated only by the requirement that the coals in some of the size groups must be "specially prepared" is not in my opinion conducive to a sound minimum price pattern and permits of ready evasion by producers who, because of exigencies of competition or their unwillingness to cooperate in the maintenance of a sound price structure, may be unscrupulous enough to take advantage of such vague limitations in the size group definitions. Moreover, it is not clear whether the term "domestic stoker" is intended as a reference to Price Instructions 9 and 10 of the minimum price schedule, thus requiring the sale of the specially prepared stoker size at the higher minimum price to all consumers other than those referred to in Price Instruction 9.

Because these several matters are unclear, I am only temporarily modifying the order of March 3, 1943, as petitioner requests. I contemplate further modification in the future to define more exactly the special stoker size. Toward this end, the District Board's aid is essential. Accordingly, the present modification of the order of March 3, 1943, in accordance with the District Board's request, is made only on condition that on or before June 30, 1943, petitioner submits a statement setting forth a more exact definition of the special stoker size group, and a clarification of the definitions of Size Groups 10, 11, 18, and 23 as compared with that for the special stoker size group, and of the term "domestic stoker" as read in connection with Price Instructions 9 and 10 of the schedule.

Now, therefore, it is ordered, That, effective immediately, the price exception provided in the order of the Director issued March 3, 1943, § 333.1 (b) *(Price instructions and exceptions)*, 8 F.R. 2773, be and the same hereby is modified to read as follows:

When mines in Subdistrict 1 listed herein specially prepare coals included in Size Group 18, and such coals are sold for domestic stoker use, the prices listed herein for Size Group 18 coals into the respective market areas shall be increased 35 cents per net ton; *Provided, however*, That such stoker coals have a top size not larger than 1½" and a bottom size not larger than ½"; and *Provided further*, That the actual size of the domestic stoker coal and the designation "domestic stoker" is specified in all notices, lists, reports or other documents.

It is further ordered, That jurisdiction over this proceeding is hereby reserved to the Director to revoke the price exception hereinabove established in the event the Bituminous Coal Producers Board for District No. 13 on or before June 30, 1943, shall not have submitted to the Division a statement in accordance with the opinion rendered above; and for any other purposes he may deem appropriate.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5536; Filed, April 8, 1943; 10:34 a. m.]

TITLE 31—NAVY

Chapter I—Department of the Navy

PART 8—SUPPLIES AND ACCOUNTS

ADJUSTMENT OF ROYALTIES FOR USE OF PATENTS AND INVENTIONS

Pursuant to the authority conferred upon the Secretary of the Navy by Public Law 768, 77th Congress, 2d Session, an Act which provides for adjusting royalties for the use of inventions for the

(iv) *Prohibition against payment of excessive royalities.* The licensee is forbidden after the effective date of the

the Secretary of the Navy and the reference to the Board for appropriate action of all instances in which such a notice has been issued.

Pursuant to the Act of October 31, 1942 (Public Law 768, 77th Congress, 2d Session), notice is hereby given that patent royalties now being paid directly or indirectly by the United States are believed to be unreasonable

Notice, or five days after the mailing thereof, whichever date was the earlier, no royalty should be paid by the Licensee to the Licensor, and charged directly or indirectly to the United States, for or on account of the

lic Law 768, 77th Congress, 2d Session, an Act which provides for adjusting royalties for the use of inventions for the benefit of the United States, in aid of the prosecution of the war, and for other purposes, approved October 31, 1942, the following rules and regulations are hereby prescribed.

Section 8.2404 *Special investigation and price fixing* is amended by adding subparagraph (7-1) to paragraph (b) immediately following subparagraph (7):

(7-1) *Adjustment of royalties for use of patents and inventions*—(i) *Basic statute.* The Act of October 31, 1942 (Public Law 768, 77th Congress, 2d Session), makes provisions for adjusting royalties for the use of inventions for the benefit of the United States in aid of the prosecution of the war and for other purposes. The succeeding subdivisions contain a summary of the provisions of the Act as applied to the Navy Department, together with rules and regulations governing the administration thereof.

(ii) *Applicability and notice.* Whenever an invention, whether patented or unpatented, is manufactured, used, sold, or otherwise disposed of for the United States (for this purpose, the Navy Department) under the conditions set forth in the Act, and the license under which this is done includes provisions for the payment of royalties, the rates or amounts of which are believed to be unreasonable or excessive by the Secretary of the Navy, the latter shall give written notice of such facts to the licensor and the licensee. By definition, the manufacture, use, sale, or other disposition of an invention, whether patented or unpatented, by a contractor, subcontractor, or any person, firm, or corporation for the Government and with the authorization or consent of the Government is construed as manufacture, use, sale, or other disposition for the United States.

(iii) *Fixing of rates and order.* The Act further provides that within a reasonable time after the effective date of the notice, in no event less than ten days, the Secretary of the Navy by order shall fix and specify such rates or amounts of royalties, if any, as he shall determine are fair and just, taking into account the conditions of wartime production, and shall authorize the payment thereof by the licensee to the licensor on account of such manufacture, use, sale, or other disposition. Either the licensor or the licensee is privileged, if he so requests within ten days from the effective date of the notice, to present within thirty days from the date of his request, in writing or in person, any facts or circumstances which may in his opinion have a bearing upon the rates or amounts of royalties, if any, to be determined, fixed, and specified as aforesaid, and the order fixing such rates and amounts of royalties shall be issued within a reasonable time after such presentation. The written notice shall be mailed to the last known address of the licensor and the licensee and shall be effective upon receipt or five days after the mailing thereof, whichever date is the earlier.

(iv) *Prohibition against payment of excessive royalties.* The licensee is forbidden after the effective date of the notice to pay to the licensor, or to charge directly or indirectly to the United States, a royalty in excess of that specified in the order. *It is provided,* That, whenever a reduction in the rates or amounts of royalties is effected by order, the reduction shall inure to the benefit of the Government by way of a corresponding reduction in the contract price to be paid directly or indirectly for such manufacture, use, sale, or other disposition of such inventions, or by way of refund, if already paid to the licensee.

(v) *Remedies of licensor.* The Act contains certain provisions as to the remedies of the licensor, which, in general, limit him to a claim against the United States in a suit in the Court of Claims, or in certain instances, to a suit brought in a District Court of the United States.

(vi) *Settlement of claims.* The Secretary of the Navy is authorized, before suit has been instituted against the United States, to enter into an agreement with the owner or licensor of an invention in full settlement and compromise of any claim accruing under the provisions of the Act, and for compensation to be paid such owner or licensor based upon future manufacture, use, sale, or other disposition of said invention.

(vii) *Authority of Secretary of Navy to delegate powers and issue regulations under Act.* The Secretary of the Navy is authorized in his discretion and under such rules and regulations as he may prescribe, to delegate any powers conferred by the Act to such qualified and responsible officers, boards, agents, or persons as he may designate or appoint. He is also authorized to issue such rules and regulations and to require such information as may be necessary and proper to carry out the provisions of the Act. In accordance with such provisions of the Act, the Secretary of the Navy herewith issues delegations of authority, the terms of which are set forth in the succeeding subdivisions. Likewise, he has issued the ensuing regulations which shall govern the administration of the Act.

(viii) *Delegation of authority to the Patent Royalty Revision Board.* There is hereby established in the Navy Department a Patent Royalty Revision Board, which shall be composed of a Chairman and seven members selected and appointed by the Secretary of the Navy to serve for such terms as the Secretary shall designate. Any three members designated by the Chairman may act in any matter as and for the entire Board. The following powers are hereby conferred upon and delegated to the Patent Royalty Revision Board to be exercised in connection with matters referred to the Board in accordance with the provisions of subdivision (ix) of this subparagraph:

(*a*) To receive and hear such facts or circumstances as may be presented in writing or in person as specified in subdivision (iii) of this subparagraph.

(*b*) To fix and specify by the order referred to in subdivision (iii) of this subparagraph fair and just rates or amounts of royalties and to authorize the payment thereof by the licensee to the licensor, subject, however, to the approval of such order by the Secretary of the Navy.

(*c*) To enter into agreements with the owners or licensors of inventions or with contractors and subcontractors by the terms of which unreasonable or excessive rates or amounts are reduced to reasonable or unexcessive rates or amounts, subject, however, to the approval of such agreements by the Secretary of the Navy. Such agreements may be executed on behalf of the Board by the Chairman, or a member of the Board designated by the Chairman.

(*d*) To enter into an agreement before suit against the United States has been instituted with the owner or licensor of an invention in full settlement and compromise of any claim against the United States accruing to such owner or licensor by reason of the manufacture, use, sale, or other disposition referred to in subdivision (ii) of this subparagraph and for compensation to be paid such owner or licensor based upon future manufacture, use, sale, or other disposition of such invention, subject, however, to the approval of such agreement by the Secretary of the Navy. Such agreements may be executed on behalf of the Board by the Chairman, or by a member designated by the Chairman.

(*e*) To exercise the powers conferred by section 8 of the Act.

(ix) *Factors to be considered.* In determining what are fair and just rates and amounts of royalties payable for an invention, such factors as the following should be taken into account:

(*a*) The conditions of wartime production.

(*b*) The production and use of the invention prior to any increase due to wartime procurement, including:

(*1*) Any established royalty rate;

(*2*) The volume on which royalty was paid;

(*3*) The yearly aggregate royalty paid; and

(*4*) The circumstances under which the licensing and the establishment of the royalty rate occurred.

(*c*) The character of the invention and any patent protection therefor, the value of its contribution to the art in which it is used, and the character and expense of research and development that have been devoted to the invention.

(*d*) The extent of use and proposed use of the invention by other departments or agencies of the Government and the amounts of royalties involved in the aggregate in such use.

(*e*) All other considerations which are ordinarily and properly taken into account in determining fair and just royalties or which appear to be appropriate to the particular case.

(x) *Counsel.* The Patent Section of the Procurement Legal Division shall serve as counsel for the Patent Royalty Revision Board in matters arising under the Act, and its services in this connection shall include the preparation of the written notice referred to in subdivision (ii) of this subparagraph, and the submission of such notice for signature to the Secretary of the Navy and the reference to the Board for appropriate action of all instances in which such a notice has been issued.

(xi) *Assistance of Bureaus.* (*a*) The Chief of each Bureau and the Commandants of the Marine Corps and Coast Guard shall cause such action to be taken in connection with existing and future contracts as may be appropriate in order to ascertain whether unreasonable or excessive royalties are being paid by the Navy Department. Such action shall be taken pursuant to such instructions as may be issued by the Chief of the Bureau or the Commandant concerned: *Provided,* That nothing in this subdivision shall apply to contracts the royalty provisions of which have been reduced in accordance with the provisions of the Act.

(*b*) If it is determined, in accordance with subdivision (xi) (*a*), that excessive rates or amounts of royalties are being paid by the contractors or subcontractors of any Bureau or of the Marine Corps or Coast Guard, the Chief of such Bureau or the Commandant of the Marine Corps or Coast Guard may conduct voluntary negotiations with the owners and licensors of inventions and with contractors and subcontractors for the purpose of reducing all such unreasonable or excessive royalties to reasonable royalties, and may enter into and sign agreements of settlement and compromise embodying the terms of such negotiations, subject, however, to the approval of such agreements by the Secretary of the Navy: *And provided, however,* That if such negotiations are not successfully concluded within a reasonable time with the approval of the Secretary of the Navy, or in the event that the Chief of the Bureau concerned or the Commandant of the Marine Corps or Coast Guard does not, in his discretion, desire to conduct such negotiations, he shall transmit promptly to the Patent Section of the Procurement Legal Division written reports reciting the facts and circumstances of such instances, together with a statement to the effect that such royalties are believed to be, or on investigation may prove to be, unreasonable or excessive.

(*c*) The assistance of the cost analysis sections and engineering and technical branches of the several Bureaus and Offices of the Navy Department and the Patent Division of the Office of the Judge Advocate General will be available to the Patent Royalty Revision Board to assist the latter in administering the provisions of the Act.

(xii) *Price Adjustment Board.* Questions of unreasonable or excessive royalties coming before the Price Adjustment Board shall be referred to the Patent Royalty Revision Board for determination and all findings of the latter Board as to the reasonableness of royalties shall be binding on the Price Adjustment Board.

(xiii) *Form of notice.* The following form of notice is approved for use subject to such deviations as may be appropriate in any given case:

Pursuant to the Act of October 31, 1942 (Public Law 768, 77th Congress, 2d Session), notice is hereby given that patent royalties now being paid directly or indirectly by the United States are believed to be unreasonable or excessive.

It is understood that these payments are made by virtue of an agreement between ---------- as licensee and ---------- as licensor. This notice becomes effective upon receipt hereof or five days after the mailing hereof, viz., ----------, 194---, whichever date is the earlier.

Under the Act the licensee or the licensor, if he so requests within ten days from and after the effective date of this notice, may within thirty days from the date of such request present in writing or in person any facts or circumstances which may, in his opinion, have a bearing upon the rates or amounts of royalty if any, to be determined, fixed and specified, all as provided in said Act.

Within a reasonable time after the effective date of this notice an order will be made fixing and specifying the rates or amounts of royalty, if any, which are determined to be fair and just taking into account the conditions of wartime production. Such order will authorize the payment of such rates or amounts of royalty by the licensee to the licensor.

The Act provides that the licensee shall not after the effective date of this notice pay to the licensor, nor charge directly or indirectly to the United States a royalty, if any, in excess of that which may be specified in the order to be hereafter made. Until the making of such order no royalties should be so paid or charged on account of the manufacture, use, sale or other disposition for the United States.

The foregoing notice shall be mailed to the last known address of the licensor and the licensee and to other known interested parties, if any.

(xiv) *Forwarding copies of notice.* Copies of all notices served shall be sent to:

(*a*) The office of the Chief of the Bureau concerned.

(*b*) The office of the Judge Advocate General.

(xv) *Form of order.* The following form of order is approved for use subject to such deviations as may be appropriate in any given case:

ORDER NO. ----

Adjusting royalties in connection with

Contract No.
Contractor and Address
For:

Whereas, under date of ----------, pursuant to the authority contained in the Act of October 31, 1942 (Public Law 768, 77th Congress, 2d Session), written notice was given to (Licensor) and (Licensee) that the rates or amounts of royalties are set forth in Column 5 of Schedule A[1], attached hereto and by reference made a part hereof, provision for the payment of which by Licensee to Licensor is evidence in the manner set out in Column 6 of said Schedule A, and directly or indirectly charged or chargeable to the United States for the manufacture, use, sale, or other disposition for the United States of the inventions set forth in Columns 1, 2, 3, and 4 of said Schedule A, under the terms of the above-identified contract, were believed to be unreasonable or excessive, and that after the date of the receipt of said Notice, or five days after the mailing thereof, whichever date was the earlier, no royalty should be paid by the Licensee to the Licensor, and charged directly or indirectly to the United States, for or on account of the manufacture, use, sale, or other disposition of said invention for the United States, as provided for in said Act; and

Whereas, an opportunity has been afforded Licensor and Licensee to present in writing or in person any facts or circumstances which may, in the opinion of either or both of said parties, have a bearing upon the rates or amounts of royalties hereinafter determined, fixed, and specified; and

Whereas, the undersigned, having taken into account such pertinent facts as have been brought before them, including representations of the Licensor and Licensee, the conditions of wartime production, and all other considerations which are ordinarily and properly taken into account in determining a fair and just rate or amount of royalty in the premises:

Now, therefore, It is hereby determined, fixed, and specified that a fair and just rate or amount of royalty, to be paid by Licensee to Licensor, after the effective date of said Notice, is that rate or amount set forth in Column 7 of said Schedule A, and payment thereof by the Licensee to the Licensor on account of the manufacture, use, sale, or other disposition of the inventions set forth in Columns 1, 2, 3, and 4 of said Schedule A, insofar as such payment is consistent with the provisions of said Act, is hereby authorized.

Dated ----------

(xvi) *Submission of order or settlement for approval.* In transmitting to the Secretary of the Navy for approval the order or agreements for settlement and compromise referred to herein, there shall be included in duplicate the following documents which shall be classified as "Confidential":

(*a*) A short statement of the history of the case.

(*b*) A copy of the notice, if any.

(*c*) A statement or resume of any facts or circumstances presented under the terms of the Act by the licensor or the licensee.

(*d*) A statement of the basis for the conclusion that the rates or amounts or royalty fixed in the order are fair and just, or in the case of a settlement, a statement of the basis for the settlement.

(xvii) *Reservation of authority.* The delegation of authority made and rules and regulations prescribed herein are without prejudice to the authority of the Secretary of the Navy to make such other or further delegations of authority and to prescribe such other rules and regulations as the Secretary of the Navy may from time to time deem proper under the Act.

These rules and regulations shall become effective on March 1, 1943, and shall not modify or change any existing delegations or notices sent out or any proceedings instituted prior to that date.

(Pub. Law 768, 77th Cong.)

JAMES V. FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 43-5466; Filed, April 7, 1943, 3:15 p. m.]

[1] Form filed as part of the original document.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

BURIAL AND FUNERAL EXPENSES AND TRANSPORTATION OF BODIES OF VETERANS

Section 5.2694 is amended in the following respects:

§ 5.2694 *"Veteran of any war"; definition of*—(a) *Persons included.* The term "veteran of any war" for the purpose of adjudicating claims for direct payment of, or reimbursement for burial, funeral and transportation expenses incurred in behalf of deceased veterans where death was on or subsequent to March 20, 1933, will include:

No change in (a) (1), (2), (3), (4), and (5).

(6) World War I, any honorably discharged officer, enlisted man, member of the Army Nurse Corps (female), Navy Nurse Corps (female), who was employed in the active military or naval service of the United States on or after April 6, 1917, and before November 12, 1918, *Provided, however,* That if the person was serving in the United States military forces in Russia the ending date will be extended to April 1, 1920, (the provisions of section 5, Public No. 304, 75th Congress, are not applicable to burial claims);

(7) World War II, any honorably discharged person who served in the active military or naval service of the United States on or after December 7, 1941, and before the termination of hostilities in World War II: *Provided,* That the term "active military or naval service," as used herein, shall include active duty as a member of the Women's Army Auxiliary Corps, Women's Reserve of the Navy and Marine Corps, and the Women's Reserve of the Coast Guard:

Previous paragraph (a) (7) renumbered (8).

No change in (b).

(Pub. Law 10, 78th Cong.)

FRANK T. HINES,
Administrator.

MARCH 17, 1943.

[F. R. Doc. 43-5482; Filed, April 7, 1943; 4:18 p. m.]

PART 25—MEDICAL

HOSPITALIZATION AND DOMICILIARY CARE

Section 25.6047 is amended in the following respects:

§ 25.6047 *Eligibility for hospital treatment or domiciliary care of persons discharged or retired from military or naval service.* Within the limits of Veterans Administration facilities, hospital treatment or domiciliary care may be furnished the following applicants in the specified order of preference:

(a) Hospital treatment for: (1) Persons who served during the period of the World War I as defined in paragraphs I and IV, § 35.10, as amended; or in any war prior to the Spanish-American War; or during the Spanish-American War, Philippine Insurrection or Boxer Rebellion from April 21, 1898 to July 4, 1902 (or to July 15, 1903, if the service was in Moro Province), or on or after December 7, 1941, and before the termination of hostilities in World War II (as determined by proclamation of the President or by concurrent resolution of the Congress), including those who had active duty as a member of the Women's Army Auxiliary Corps, Women's Reserve of the Navy and Marine Corps, and the Women's Reserve of the Coast Guard—when honorably discharged from their last period of war service, and when suffering from an injury or disease incurred or aggravated in line of duty in active military or naval service, and for which they are medically determined to be in need of hospital treatment.

No change in (a) (2), (3).

No change in (b) (1), (2), (3) and (4).

(5) *Retired officers.* Persons retired from the United States Army under Public No. 18, 76th Congress, as amended by Public No. 262, 77th Congress, who had service only in a period other than wartime and who are suffering from a disease or injury incurred in line of duty which is medically determined to require hospital treatment, may be supplied hospital treatment in a facility under the direct and exclusive jurisdiction of the Veterans Administration, provided the applicant agrees to pay the per diem rate to cover subsistence which is set by the Administrator of Veterans Affairs.

No change in (c) (1), (2) and (3).

No change in (d) (1), (2) and (3).

(4) Retired personnel of the classes comprehended by (b) (5) who meet the other requirements of (d) (1) hereof, may be supplied hospital treatment in a facility under the direct and exclusive jurisdiction of the Veterans Administration, if beds are available, and such applicants agree to pay the per diem rate to cover subsistence, which is set by the Administrator of Veterans Affairs.

No change in (e) (1) and (2).

(Pub. Law 10, 78th Cong.)

FRANK T. HINES,
Administrator.

MARCH 17, 1943.

[F. R. Doc. 43-5481; Filed, April 7, 1943; 4:18 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS

QUARTERLY REPORT OF PROPERTY REVENUES, EXPENSES AND STATISTICS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 2d day of April, A. D. 1943.

The matter of statistical reports of Class I motor carriers of property being under consideration:

It is ordered, That the orders of August 1, 1938, and December 2, 1941, (§ 205.12 of Title 49, Code of Federal Regulations) be and they hereby are vacated and set aside, effective January 1, 1943, and the following order shall become effective:

§ 205.12 *Quarterly report of property revenues, expenses and statistics.* All Class I common and contract motor carriers of property subject to the provisions of section 220 of the Interstate Commerce Act, shall file, under oath, quarterly reports in duplicate, commencing with the period January 1, 1943, to March 31, 1943, (both dates inclusive) of revenues, expenses, and other statistics in accordance with the quarterly form which is attached hereto and made a part of this order.[1] Such reports shall be filed in he office of the Bureau of Motor Carriers of the Interstate Commerce Commission within thirty days after the close of the period to which they relate. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926; 49 U.S.C. 320.)

By the Commission, division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-5542; Filed, April 8, 1943; 11:10 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 3, Revised, Amendment 3]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART B—COMMON CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989 and 9156, §§ 501.9 and 501.10, General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694), are hereby amended to read as follows:

§ 501.9 *Submission of plans for joint action.* Whenever joint action between two or more common carriers is contemplated in order to accomplish any of the purposes of this subpart, such common carriers may formulate and submit to this Office for consideration, a plan or plans designed to accomplish such purposes by one or more of the methods described below:

(a) Alternate or stagger motor truck schedules between two or more points;

(b) Reciprocally exchange shipments of property between two or more points;

(c) Pool traffic, revenues, or both, between two or more points;

(d) Jointly load for transportation or operate a motor truck or trucks between two or more points;

(e) Divert traffic, operate joint terminals or joint pick-up or delivery vehicles;

(f) Establish arrangements with other carriers for the interchange of equipment;

(g) Appoint one of their own number or any other carrier to act as its or their individual, common or joint agent, to concentrate, receive, load, forward, unload, distribute, and deliver property; receive, account for, and distribute gross or net revenues therefrom, or otherwise handle or conduct the carrier's business as common carriers of property upon just and reasonable terms and conditions: *Provided,* That this subpart shall not be construed to authorize any common carrier or carriers to operate in any of the methods described in this section unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or a State regulatory body.

[1] Filed as part of the original document.

§ 501.10 *Interchange of traffic; holding shipments; billing and rates applicable.* (a) Every common carrier whether by rail, motor, water, or otherwise, shall accept and receive from any common carrier as defined herein and transport all shipments of every kind. Such shipments shall be handled and transported in the same expeditious and efficient manner as shipments of a like nature received from any other source.

(b) No common carrier shall hold, carry over, store, or warehouse any shipment at any one station (including the final destination station), for longer than thirty-six (36) hours, or at two or more such stations for an aggregate period of more than forty-eight (48) hours, except where there is no other common carrier by rail, motor, water, or otherwise, capable of transporting the shipment consistent with the provisions of this subpart.

(c) Whenever a shipment is interchanged or diverted pursuant to the provisions of this § 501.10 the shipment shall be accepted and received by the carrier with which interchange is made or to which diverted at the connecting or diverting carrier's station or at the consignor's door, as the case may be, and such carrier shall load, transport, forward, or deliver, as the case may be, such shipment on the bill of lading and billing and at the rates, rules and regulations of the carrier issuing the bill of lading, which rates, rules and regulations shall be those which would have applied if the shipment had not been interchanged or diverted pursuant to the provisions of this § 501.10: *Provided,* That if the Interstate Commerce Commission, in respect to transportation in interstate or foreign commerce, or a State regulatory body in respect to transportation in intrastate commerce, has prescribed regulations governing the method of determining the rates, rules and regulations to apply on shipments interchanged or diverted pursuant to the provisions of this subpart, the regulations of the Interstate Commerce Commission or State regulatory body, as the case may be, shall apply.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 8349)

This amendment shall become effective on April 8, 1943.

Issued at Washington, D. C., this 8th day of April 1943.

JOSEPH B. EASTMAN,
Director, of the Office of Defense Transportation.

[F. R. Doc. 43-5555; Filed, April 8, 1943; 11:45 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-1874, A-1885]

STEEL TIPPLE COAL CO. AND O. B. C. COAL CO.

ORDER WITHDRAWING PETITIONS, TERMINATING TEMPORARY RELIEF AND CANCELLING HEARING

In the matter of the petition of Steel Tipple Coal Company for a change in shipping point. In the matter of the petition of O. B. C. Coal Company for a change in loading point.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division in Docket No. A-1874 by Chester Wasson, a code member, owner and operator of Steel Tipple Coal Company, requesting a change in shipping point for the coals produced at the Steel Tipple Mine, Mine Index No. 1222, in District No. 10; and in Docket No. A-1885 by Homer Choate, a code member, owner and operator of O. B. C. Coal Company, requesting a change in loading point for the coals in Size Groups 1-16, inclusive, and 26 and 27 produced at the O. B. C. Coal Company Mine, Mine Index No. 1367, located in District No. 10; and

Petitions of intervention having been filed in both of these matters by District Board No. 10 and in Docket No. A-1885 by McLaren Fuel Company, in each of which petitions of intervention it is alleged that the original petitions in these matters should be denied because they will prejudice the parties affected by the order, dated February 17, 1942, in Docket No. A-1079; Homer Choate having filed a reply to the petitions of intervention filed in Docket No. A-1885; and

An order, dated March 23, 1943, having been issued consolidating these matters, granting temporary relief and providing for hearing; and

Motions having been filed by Chester Wasson to withdraw the original petition in Docket No. A-1874 and by Homer Choate to withdraw the original petition and reply to petitions of intervention in Docket No. A-1885, requesting reinstatement of the order, dated February 17, 1942, in Docket No. A-1079 in so far as it concerns his O. B. C. Coal Company Mine, Mine Index No. 1367, and also requesting cancellation of the hearing heretofore scheduled to be held on April 8, 1943, in, among other matters, Docket No. A-1885; and

Good cause having been shown in support of the said motion:

Now therefore it is ordered, That the original petitions in Docket No. A-1874 and Docket No. A-1885 be, and they hereby are, withdrawn.

It is further ordered, That the temporary relief heretofore granted in Docket No. A-1874 and in Docket No. A-1885 be, and it hereby is, terminated.

It is further ordered, That the price classifications and minimum prices, shipping point and originating railroads established for the coals produced for all shipments except truck at the Steel Tipple Mine, Mine Index No. 1222 and at the O. B. C. Coal Company Mine, Mine Index No. 1367, both located in District No. 10, be those established for such coals by the order dated February 17, 1942, in Docket No. A-1079.

It is further ordered, That the consolidated hearing in Dockets No. A-1874 and A-1885 heretofore scheduled to be held on April 8, 1943, be, and it hereby is, cancelled.

Dated: April 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5457; Filed, April 7, 1943; 12:45 p. m.]

[Docket No. B-188]

J. W. BENNETT

AMENDMENT OF ORDER TITLE

It appears that an order directing J. W. Bennett, code member, to cease and desist from violating the Order of the Director in General Docket No. 19, dated October 9, 1940, 5 F.R. 4063, and from otherwise violating the Act or rules and regulations thereunder, was erroneously entitled "Order Revoking Code Membership";

Said order should have been entitled "Order to Cease and Desist";

Now, therefore, it is ordered, That the title to the Order of the Director in Docket No. B-188, dated April 3, 1943, 8 F.R. 4354, be and it hereby is amended to read "Order to Cease and Desist".

Dated: April 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5538; Filed, April 8, 1943; 10:34 a. m.]

[Docket No. B-282]

WEST VIRGINIA-PITTSBURGH COAL COMPANY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A complaint dated June 6, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on June 6, 1942, by the Bituminous Coal Producers Board for District No 6, complainant, with the Bituminous Coal Division (the "Division") alleging that West Virginia-Pittsburgh Coal Company wilfully violated the Bituminous Coal Code (the "Code") and rules and regulations promulgated thereunder; and

An order having been issued herein on March 22, 1943, revoking and cancelling the code membership of the above-named applicant, effective fifteen (15) days from the date of said order, and ordering that prior to the restoration of West Virginia-Pittsburgh Coal Company to membership in the Code, there shall be paid to the United States a tax in the amount of four thousand dollars ($4,000.00), as provided in section 5 (c) of the Act, and that upon the payment

of said tax and application for restoration of said code membership, the same shall be restored as of the date of payment of said tax; and

An application dated March 31, 1943, peanuts, into oleomargarine, cooking and other edible fats and oils, and into inedible fats and oils.

B. The manufacture of the by-products of the industry including but without limitation hulls, cake, meal, and soap stock.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is as-

interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be

All right, title, interest, and claim of any kind or character whatsoever of Sophie Carpenter Gordigiani and Roberto Gordigiani, and each of them, in and to the trust estate created under the Last Will and Testament of John Quincy Carpenter, deceased,

of said tax and application for restoration of said code membership, the same shall be restored as of the date of payment of said tax; and

An application dated March 31, 1943, for restoration of membership in the Code having been filed by said applicant with the Division on March 31, 1943; and

It appearing from said application that the above named applicant paid to the Collector of Internal Revenue, at Cleveland, Ohio, on March 29, 1943, said tax of four thousand dollars ($4,000.00), pursuant to said order issued March 22, 1943, and section 5 (c) of the Act, as a condition precedent to the restoration of said membership in the Code;

Now, therefore, it is ordered, That said application be, and the same hereby is granted; and

It is further ordered, That the code membership of West Virginia-Pittsburgh Coal Company be, and the same hereby is restored effective simultaneously as of the effective date of revocation thereof.

Dated: April 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5537; Filed, April 8, 1943; 10:34 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 190]

APPOINTMENT OF INDUSTRY COMMITTEE NO. 58 FOR THE VEGETABLE FATS AND OILS INDUSTRY

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene for the vegetable fats and oils industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public. Alva W. Taylor, Chairman, Nashville, Tennessee; Richard Lester, Durham, North Carolina; Arthur W. Macmahon, New York, New York; Elizabeth S. Magee, Cleveland, Ohio; Caroline F. Ware, Vienna, Virginia.

For the Employers. A. M. Dietrich, Jersey City, New Jersey; W. S. Dorsett, Sherman, Texas; Homer P. Goff, Roby, Indiana; John F. Jelke, Chicago, Illinois; A. A. Schumann, San Francisco, California.

For the employees. O. L. Farr, Selma, California; Jack Fox, Chicago, Illinois; Abraham Marcus, Memphis, Tennessee; Philip Rozzo, Edgewater, New Jersey; Boris Shishkin, Washington, D. C.

Such representatives have been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "Vegetable Fats and Oils Industry" means:

A. The extraction of crude oils and fats from vegetable materials (other than cottonseed and peanuts) and the refining and processing of all vegetable fats and oils, including those derived from cottonseed and peanuts, into oleomargarine, cooking and other edible fats and oils, and into inedible fats and oils.

B. The manufacture of the by-products of the industry including but without limitation hulls, cake, meal, and soap stock.

Provided, however, That this definition shall not include the manufacture of the following: essential oils; feeds; nitrated, sulphonated and similarly processed oils; mixtures principally composed of animal fats and oils or containing petroleum; and crude, refined, or processed wood and gum naval stores.

3. The definition of the vegetable fats and oils industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale; and provided further that where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person, who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on April 30, 1943, in Room 1001, 165 West 46th Street, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 6th day of April 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-5552; Filed, April 8, 1943; 11:24 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 750]

AIR LINE PILOTS ASSOCIATION

NOTICE OF ORAL ARGUMENT

In the matter of the Complaint of Air Line Pilots Association against National Airlines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on April 15, 1943, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

By the Civil Aeronautics Board.

Dated: Washington, D. C., April 6, 1943.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-5551; Filed, April 8, 1943; 11:26 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1189]

ESTATE OF MARGHERITA BUONO

In re: Estate of Margherita Buono, deceased; File No. D-38-1047; E. T. sec. 2769.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lewis A. Twitchell, Administrator, acting under the judicial supervision of the Probate Court, Hampden County, Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Laura Buono	Italy.
Battista Buono	Italy.
Nicola Buono	Italy.
Angela Buono	Italy.
Antonia Buono	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Laura Buono, Battista Buono, Nicola Buono, Angela Buono and Antonia Buono, and each of them, in and to the Estate of Margherita Buono, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5508; Filed, April 8, 1943; 9:54 a. m.]

[Vesting Order 1190]

ESTATE OF JOHN CANTAGALLO

In re: Estate of John Cantagallo, alias John Contajallo, deceased; File D-38-1019; E. T. sec. 2256.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the County of Cook and State of Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Rosina Cantagallo	Camogli, Genova, Italy.
Monica Cantagallo	Capriglia, Salerno, Italy.
Maria Reppi	Ferentino, Frasanone, Italy.
Ignazio Cantagallo	Via Latina 96, Rome, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Rosina Cantagallo in the sum of $61.69, Monica Cantagallo in the sum of $61.69, Maria Reppi in the sum of $61.69 and Ignazio Cantagallo, in the sum of $61.69, which amounts were deposited with the Treasurer of Cook County, Illinois, on July 8, 1942, pursuant to order of the court of June 15, 1942, to the credit of the aforesaid nationals.

All right, title, interest, and claim of any kind or character whatsoever of Sophie Carpenter Gordigiani and Roberto Gordigiani, and each of them, in and to the trust estate created under the Last Will and Testament of John Quincy Carpenter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5509; Filed, April 8, 1943; 9:54 a. m.]

[Vesting Order 1191]

TRUST UNDER WILL OF JOHN QUINCY CARPENTER

In re: Trust under the will of John Quincy Carpenter, deceased; File D-66-355; E.T. sec. 2621.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, 135 South Broad Street, Philadelphia, Pennsylvania, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Sophie Carpenter Gordigiani	Italy.
Roberto Gordigiani	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5510; Filed, April 8, 1943; 9:54 a. m.]

[Vesting Order 1191]

ESTATE OF PAULO CHIUCHIARELLI

In re: Estate of Paulo Chiuchiarelli, deceased; File D-66-394; E. T. sec. 3077.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Victor S. Mersh, Register of Wills & Clerk of the Probate Court, Washington, D. C., Custodian of the Estate of Paulo Chiuchiarelli, deceased, acting under the judicial supervision of the U. S. District Court, District of Columbia, Washington, D. C.,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Rosa Chiuchiarelli	Italy.
Edda Chiuchiarelli	Italy.
Sylvia Chiuchiarelli	Italy.
Sebastino Chiuchiarelli	Italy.
Gina Pompilli	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and

(2) Such property and interests are payable or deliverable to, or claimed by nationals

Under the authority of the Trading with the Enemy Act, as amended, and

[Vesting Order 1195]

TRUST UNDER WILL OF MARTHA K. EVANS

[Vesting Order 1196]

ESTATE OF FILOMENA GIORDANO

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following cash amounts to which the designated nationals are entitled under the Estate of Paulo Chiuchiarelli, deceased:

Rosa Chiuchiarelli	$111.50
Edda Chiuchiarelli	55.75
Sylvia Chiuchiarelli	55.75
Sebastina Chiuchiarelli	55.75
Gina Pompili	55.75
	334.50

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5511; Filed, April 8, 1943; 9:54 a. m.]

[Vesting Order 1193]

TRUST UNDER WILL OF CHARLES DIEUDONNE

In re: Trust under will of Charles Dieudonne, deceased; File No. D–9–100–28–1871 E. T. sec. 1496.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the City Bank Farmers Trust Company, 22 William Street, New York, N. Y.; Frederick H. Hornby, Continental Bank & Trust Company, 30 Broad Street, New York, N. Y.; and Walter Fredericks, Continental Bank & Trust Company, 30 Broad Street, New York, N. Y., Trustees, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York, and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Hortense Louise Erlenmeyer	Germany.
Laura Margot Carola Erlenmeyer	Germany.
Frederick Else Hortense Erlenmeyer	Germany.
Marianne Elizabeth Hortense Erlenmeyer or their issue	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, Therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hortense Louise Erlenmeyer, Laura Margot Carola Erlenmeyer, Frederick Else Hortense Erlenmeyer, Marianne Elizabeth Hortense Erlenmeyer, or their issue, and each of them, in and to the trust created under the Last Will and Testament of Charles Dieudonne, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5512; Filed, April 8, 1943; 9:55 a. m.]

[Vesting Order 1194]

ESTATE OF CAROLINE R. DURHAM

In re: Estate of Caroline R. Durham, deceased; File D–66–369; E. T. sec. 2710.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Stockton Savings and Loan Bank, Executor, acting under the judicial supervision of the Superior Court, San Joaquin County, State of California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Bargara Wuchter	Germany.
Kathrina Rilling	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bargara Wuchter and Kathrina Rilling and each of them in and to the Estate of Caroline R. Durham, deceased.

to be held, used, administered, sold, liquidated or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5513; Filed, April 8, 1943; 9:55 a. m.]

[Vesting Order 1195]

TRUST UNDER WILL OF MARTHA K. EVANS

In re: Trust u/w Martha K. Evans, deceased; File D–34–103; E. T. sec. 2644.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Security-First National Bank of Los Angeles, Trustee of the trust under the will of Martha K. Evans, deceased, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles, Calif.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Countess Harriot Daly Sigray	Hungary.
Margit Sigray	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Countess Harriot Daly Sigray and Margit Sigray and each of them, in and to a trust created under the will of Martha K. Evans, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5514; Filed, April 8, 1943; 9:55 a. m.]

[Vesting Order 1196]

ESTATE OF FILOMENA GIORDANO

In re: Estate of Filomena Giordano, deceased; File No. D–9–100–38–406; E. T. sec. 1505.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Pietro Buoniello	Italy.
Antonetta Buoniello	Italy.
Maria Buoniello	Italy.
Melina Buoniello	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Pietro Buoniello, Antonetta Buoniello, Maria Buoniello and Melina Buoniello, and each of them in and to the Estate of Filomena Giordano, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5515; Filed, April 8, 1943; 9:55 a. m.]

[Vesting Order 1197]

ESTATE OF WILHEIM GROENE

In re: Estate of Wilhelm Groene, alias Heinrich W. Grone, alias Henry W. Groene, deceased; File D–28–2036; E. T. sec. 2347.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the County of Cook and State of Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Fritz Grone	Getmold by Tr. Oldendorf Kreis Lubbecke, Westfahlen, Germany.
Luise Grone	Getmold by Tr Oldendorf Kreis Lubbecke, Westfahlen, Germany.
Wilhelm Grone	Bassum, Germany.
Anna Grone Laikerman.	Herdecke and Ruhr Westfahlen, Germany.
Clara Grone-May	Tr. Oldendorf Kr. Lubbecke, Westfahlen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Fritz Grone in the sum of $2,580.23, Luise Grone in the sum of $2,580.23, Wilhelm Grone in the sum of $2,580.24, Anna Grone Laikerman in the sum of $2,580.23 and Clara Grone-May in the sum of $2,580.24, which amounts were deposited with the Treasurer of Cook County, Illinois, on October 29, 1941, and September 16, 1942, pursuant to orders of the court of September 10, 1941, and September 15, 1942, to the credit of the aforesaid nationals,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property

Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5516; Filed, April 8, 1943; 9:55 a. m.]

[Vesting Order 1198]

ESTATE OF CATHARINE B. JORDAN

In re: Estate of Catharine B. Jordan; File No. D–28–1588; E. T. sec. 406.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the County Treasurer of Suffolk County, New York State, as depository, acting under the judicial supervision of the Surrogate's Court, Suffolk County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Johanna Manke	Germany.
Hermine Willmann	Germany.
Moritz Jordan	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanna Manke, Hermine Willmann and Moritz Jordan, and each of them, in and to the estate of Catharine B. Jordan, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5517; Filed, April 8, 1943; 9:56 a. m.]

[Vesting Order 1199]

TRUST UNDER WILL OF JOSEPH R. KAELIN

In re: Trust u/w Joseph R. Kaelin, deceased; File D–28–2276; E. T. sec. 2942.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Central Bank, 14th & Broadway, Oakland, Calif., Trustee of the trust under the will of Joseph R. Kaelin, deceased, acting under the judicial supervision of the Superior Court in and for the County of Alameda, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Frida Winkler	Germany.
Rudolf Kaelin	Germany.
Ernest Kull	Germany.
Maria Raiser	Germany.
Mathilda Schaal	Germany.
Anna Geller	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frida Winkler, Rudolf Kaelin, Ernest Kull, Maria Raiser, Mathilda Schaal, Anna Geller and each of them, in and to a trust created under the will of Joseph R. Kaelin, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5518; Filed, April 8, 1943; 9:56 a. m.]

[Vesting Order 1200]

GUARDIANSHIP ESTATE OF GERDA KRATZSCH

In re: Guardianship Estate of Gerda Kratzsch, minor; File F–28–11722; E. T. sec. 670.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Ninth Bank and Trust Company, Guardian, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Gerda Kratzsch	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Gerda Kratzsch in and to the Guardianship Estate of Gerda Kratzsch, minor,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5519; Filed, April 8, 1943; 9:56 a. m.]

[Vesting Order 1201]

ESTATE OF ROGER W. LITTLE

In re: Estate of Roger W. Little, deceased; File D–28–2417; E. T. sec. 3369.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Donald B. Waltman, Clerk of the Orphans' Court, York, Pa., Custodian and Judge of the Orphans' Court, Depositary, of the estate of Roger W. Little, deceased, acting under the judicial supervision of the Orphans' Court of York County, Pa.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Rebecca Singer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $6,165.09, the distributive share of Rebecca Singer of the estate of Roger W. Little, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5520; Filed, April 8, 1943; 9:56 a. m.]

[Vesting Order 1202]

ESTATE OF WILLIAM LOHMEYER

In the matter of: Charles G. Peters and H. H. Smallridge, Executors of Estate of William Lohmeyer, deceased, vs. Herr Ernst Niederlucke in the Circuit Court of Kanawha County, West Virginia. File D–28–2431; E. T. sec. 4329.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sam Silverstein, General Receiver, acting under the judicial supervision of the Circuit Court of Kanawha County, West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Herr Ernst (Ernest) Niederlucke	Germany.

And determining that—

If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $5556.37, together with interest thereon as provided by law, or United States Government Defense Bonds of the value of $5556.37, in the possession of Sam Silverstein, General Receiver in the above entitled cause, payable and deliverable to, or claimed by Herr Ernst (Ernest) Niederlucke; to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5521; Filed, April 8, 1943; 9:56 a. m.]

[Vesting Order 1203]

ESTATE OF CHRISTIAN MAIER

In re: Estate of Christian Maier, deceased; File D–28–2167; E. T. sec. 2834.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wilhelmina Kopf, administratrix de bonis non, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Carolina Katrina Maier Thun	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national in-

terest of the United States requires that such

terest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carolina Katrina Maier Thun in and to the Estate of Christian Maier, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5522; Filed, April 8, 1943; 9:57 a. m.]

[Vesting Order 1204]

TRUST UNDER WILL OF MORTON MCMICHAEL

In re: Trust u/w Morton McMichael, deceased; File D–38–1087; E. T. sec. 3406.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, Trustee of the trust under the will of Morton McMichael, deceased, acting under the supervision of the Orphans' Court of Philadelphia County, Pa.;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Hope MacMichael Garibaldi	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hope MacMichael Garibaldi in and to a trust created under the will of Morton McMichael, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5523; Filed, April 8, 1943; 9:57 a. m.]

[Vesting Order 1205]

ESTATE OF FRIEDA MEYER

In re: Estate of Frieda Meyer, deceased; File D–66–259; E. T. sec. 2231.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration of Ida Friel, Executrix of the estate of Frieda Meyer, deceased, acting under the judicial supervision of Orphans' Court of Philadelphia County, Pa.;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
August Meyer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of August Meyer in and to the estate of Frieda Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5524; Filed, April 8, 1943; 9:57 a. m.]

[Vesting Order 1206]

ESTATE OF MARY M. NIELSEN

In re: Estate of Mary M. Nielsen, deceased; File No. D–28–6520; E. T. sec. 4043.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Karoline Muller	Germany
Friedrick Muller	Germany
Wilhelm Muller	Germany
Mrs. Edward Kaufmann	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karoline Muller, Friedrick Muller, Wilhelm Muller and Mrs. Edward Kaufmann, and each of them in and to the Estate of Mary M. Nielsen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5525; Filed, April 8, 1943; 9:57 a. m.]

[Vesting Order 1207]

THEODORE OBERMEYER

In re: Trust under the will of Theodore Obermeyer, deceased; File D–28–1959; E. T. sec. 1889.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bankers Trust Company, Trustee, acting under the judicial supervision of the Surrogate's Court of the State of New York in and for the County of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Jennie Gunzburger	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Jennie Gunzburger, in and to the trust estate created under the will of Theodore Obermeyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5526; Filed, April 8, 1943; 9:57 a. m.]

[Vesting Order 1208]

TRUST UNDER WILL OF JOHN H. PIOTROWSKI

In re: Trust under the Will of John H. Piotrowski, deceased; File D–28–6659; E. T. sec. 4883.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward Baumann, 247 West Calvert Street, Philadelphia, Pennsylvania, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Johannes Piotrowski	Germany.
The children of Johannes Piotrowski (names unknown)	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johannes Piotrowski and the children of Johannes Piotrowski (names unknown), and each of them, in and to the trust estate created under the Last Will and Testament of John H. Piotrowski, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–5527; Filed, April 8, 1943; 9:57 a. m.]

[Vesting Order 1209]

ESTATE OF DAVID ROSENBAUM

In re: Estate of David Rosenbaum, deceased; File D–28–2620; E. T. sec. 4601.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

Willibald Steiger, and the heirs at law, next

All right, title, interest, and claim of any

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Market Street National Bank of Philadelphia, Juniper and Market Streets, Philadelphia, Pennsylvania, Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Jetti Levi	Germany.
Israel Rosenbaum	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Jetti Levi and Israel Rosenbaum, and each of them, in and to the estate of David Rosenbaum, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of or for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5528; Filed, April 8, 1943; 9:58 a. m.]

[Vested Order 1210]

TRUST UNDER WILL OF CARL D. SALFIELD

In re: Trust u w Carl D. Salfield, deceased; File D–28–2361; E. T. sec. 4238.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the American Trust Company, Trustee of the trust under the will of Carl D. Salfield, deceased, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last address address*
Sophie Salfield	Germany.
Margarete Rolfs	Germany.
Dr. Gustav Bergmann	Germany.
Louis Salfield	Germany.
Curt Rolfs	Germany.
Mrs. Gustav Bergmann (nee Rolfs)	Germany.
Lineal descendants of Margarete Rolfs, Curt Rolfs, Sophie Salfield, Louis Salfield, and descendants of Dr. Gustav Bergmann and Mrs. Gustav Bergmann (nee Rolfs)	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie Salfield, Margarete Rolfs, Dr. Gustav Bergmann, Louis Salfield, Curt Rolfs, Mrs. Gustav Bergmann (nee Rolfs), lineal descendants of Margarete Rolfs, Curt Rolfs, Sophie Salfield, Louis Salfield, and descendants of Dr. Gustav Bergmann and Mrs. Gustav Bergmann (nee Rolfs) and each of them, in and to a trust created under the will of Carl D. Salfield, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5529; Filed, April 8, 1943; 9:59 a. m.]

[Vesting Order 1211]

ESTATE OF LOUISE SCHROEDER

In re: Estate of Louise Schroeder, deceased; File D–28–15671 E. T. sec. 342.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fred Lutze, Holyoke, Colorado, and Carl Radtke, Holyoke, Colorado, Executors, acting under the judicial supervision of the County Court of Phillips County, State of Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Lena Maule	Germany.
Frederike Kruger	Germany.
Frieda Bauschert	Germany.
Heinrich Schwab	Germany.
Sophie Grau Gruber	Germany.
Otto Grau	Germany.
Hugo Grau	Germany.
The issue of Lena Maule, Frederike Kruger, Frieda Bauschert, Heinrich Schwab, Sophie Grau Grubber, Otto Grau and Hugo Grau, names unknown	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lena Maule, Frederike Kruger, Frieda Bauschert, Heinrich Schwab, Sophie Grau Gruber, Otto Grau, Hugo Grau, the issue of Lena Maule, Frederike Kruger, Frieda Bauschert, Heinrich Schwab, Sophie Grau Gruber, Otto Grau and Hugo Grau, names unknown, and each of them, in and to the estate of Louise Schroeder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the

Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5530; Filed, April 8, 1943; 9:59 a. m.]

[Vesting Order 1212]

ESTATE OF CHRISTINE WEISS

In re: Estate of Christine Weiss, deceased; File D–23–1895; E. T. sec. 1661.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary acting under the judicial supervision of the Surrogate's Court Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Franz Steiger	Germany.
Dina Leiser	Germany.
Marie Karch	Germany.
George Steiger	Germany.
Willibald Steiger	Germany.
The heirs at law, next of kin, distributees and legal representatives of Marten Steiger, deceased.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Franz Steiger, Dina Leiser, Marie Karch, George Steiger, Willibald Steiger, and the heirs at law, next of kin, distributees and legal representatives of Marten Steiger, deceased, and each of them, in and to the Estate of Christine Weiss, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5531; Filed, April 8, 1943; 9:58 a. m.]

[Vesting Order 1213]

ESTATE OF WILHELMINE ZIEMANN

In re: Estate of Wilhelmine Ziemann, deceased; file D–28–2013; E. T. sec. 2090.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Wilhelm Zieman	Germany.
Marie Thiele Tiele	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Zieman and Marie Thiele Tiele, and each of them, in and to the Estate of Wilhelmine Ziemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5532; Filed, April 8, 1943; 9:58 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-40]

SOUTHWESTERN GREYHOUND LINES, INC. AND SANTA FE TRAIL TRANSPORTATION COMPANY

COORDINATED OPERATION BETWEEN ALBUQUERQUE, AND TUCUMCARI, NEW MEXICO

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Southwestern Greyhound Lines, Inc., Fort Worth, Texas, and Santa Fe Trail Transportation Company, Wichita, Kansas, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F.R. 4389, 11099) and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. Southwestern Greyhound Lines, Inc., Fort Worth, Texas, and Santa Fe Trail Transportation Company, Wichita, Kansas (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Albuquerque, New Mexico, and Tu-

cumcari, New Mexico, as common carriers by motor vehicle shall:

(a) Honor each other's interstate tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Subject to obtaining authorization from the proper governmental authorities, the Santa Fe Trail Transportation Company shall provide passenger service for any intrastate passengers moving between Albuquerque, New Mexico, and Tucumcari, New Mexico, and to, from, or between all intermediate points, who hold tickets for transportation issued by the Southwestern Greyhound Lines, Inc.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs, or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs, or supplements, to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B–40".

This order shall be come effective April 16, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of April 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc 43–5465; Filed, April 7, 1943; 3 17 p m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under MPR 39]

MELLO TEXTILE COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 5 under § 1400.164 (b) (4) of Maximum Price Regulation No. 39—Woven Decorative Fabrics.

Maximum prices for the sale of certain woven decorative fabrics by Mello Textile Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) The Mello Textile Company, 34 West 32nd Street, New York, New York, herein called the Applicant, may sell and deliver and any person may purchase and receive from it the following styles of woven decorative fabrics at prices not in excess of those set forth below:

Fabric style No and Description:	*Maximum prices per linear yard*
5567 Jacquard Broclass 54"------	$1.6875
1943 Jacquard Matlasse 54"------	$1.8125
9212------	$1.45

(b) The provisions of Maximum Price Regulation No. 39, except as modified by paragraph (a) above, shall apply to all sales of such woven decorative fabrics.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 5 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 5 shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5447; Filed, April 7, 1943; 12:10 p. m.]

[Order 19 of Rev. MPR 161]

AIRWAY LOGGING CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 19 under § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs; overtime additions.

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1381.156 of the regulation, *It is hereby ordered:*

(a) *New authorizations.* The following persons being on a 48 hour week, may add to the maximum prices of all logs produced and sold by them, $1.00 per thousand feet, log scale:

Name and address	*Effective date*
Airway Logging Co., Portland, Oreg	Mar 1 1943
Fay Baker, Shelton, Wash	Mar 1, 1943
Edward Birkenfeld, Randle, Wash	Feb 15 1943
Coastal Lumber Co., Grande Ronde, Oreg	Mar 1 1943
D. & K. Logging Co., Astoria, Oreg	Feb 15 1943
Elliott Bay Mill Co., Seattle, Wash	Mar. 1, 1943
R. R. Gardner Co., Portland, Oreg	Mar. 1, 1943
Arthur Hahn, Port Orchard, Wash	Mar 1 1943
Harold Hannegan Co., Gervais, Oreg	Feb. 1, 1943
F. D. Hobi Logging Co., Aberdeen, Wash	Mar. 1, 1943
Inland Logging Co., Forest Grove, Oreg	Feb. 13 1943
Julian Kindred, Belfair, Wash	Mar. 1 1943
M & E. Logging Co., Aberdeen, Wash	Mar 1, 1943
Nelson Logging Co., Monroe, Wash	Mar. 1, 1943
Newnham & Brittain, Hoquiam, Wash	Mar 1, 1943
Karl E. Pfahler, Shelton, Wash	Mar. 1 1943
Oregon Piling Co., Portland, Oreg	Mar. 1, 1943
Al Peirce Co., Marshfield, Oreg	Mar. 15 1943
J. L. Ray Logging Co., Sweet Home, Oreg	Feb. 22 1943
Sound Logging Co., Tacoma, Wash	Mar. 1 1943
Sunset Logging Co., Portland, Oreg	Mar. 15 1943
Swamp Mountain Log Co., Portland, Oreg	Mar 1 1943
Tidewater Timber Co., Portland, Oreg	Mar. 15 1943
City of Tacoma, Department of Public Utilities, Tacoma, Wash	Mar 1 1943
John Tolmsoff, Silverton, Oreg	Mar. 1 1943
W. S. Van De Grift Co., Packwood, Wash	Feb. 1, 1943
Whitcomb and Streets, Raymond, Wash	Mar. 15 1943
White Star Lumber Co., Whites, Wash	Mar. 1, 1943
E. E. Woolworth Logging Co., Port Angeles, Wash	

(b) *Reinstatements.* The following named concerns, whose previous authorizations were cancelled by Order No. 17, issued February 13, 1943, are authorized to make additions to the prescribed maximum prices as follows:

(1) 48 hours per week regularly maintained, addition of $1.00 per thousand feet, log scale, permitted:

Name and address	*Effective date*
Bonneville Logging Co., Seattle, Wash	Feb. 22 1943
Eastern and Western Lumber Co., Alsea, Oreg	Dec. 1, 1942
Eastern and Western Lumber Co., Grays River, Wash	Nov 1, 1942
F. E. Foss & Sons, Concrete, Wash	Jan. 10, 1943
E. R. Gehrke Jr. Logging Co., Port Angeles, Wash	Feb. 21 1943
Lyle McNeill Logging Co., Bellingham, Wash	Mar 1 1943
L. Marenakos, Renton, Wash	Dec. 1, 1942
Olympic Logging Co., Seattle, Wash	Dec. 1, 1942
Olsen Bros. Lumber Co., Camas, Wash	Mar. 1, 1943
Jack Rannila, Sedro Wooley, Wash	Feb. 15, 1943
Robertson Bros. Logging Co., Concrete, Wash	Feb. 15, 1943
Willapa Harbor Lumber Mills, Raymond, Wash	Dec. 1, 1942
Winona Investment Co., Deming, Wash	Dec. 1, 1942

(2) (i) Frank McCulloch, Eugene, Oregon, is reinstated as a 48 hour per week operator, effective January 1, 1943, and until February 7, 1943. Effective February 8, 1943, he is authorized to add $1.50 per thousand feet, log scale, to the specified maximum prices, since he has regularly maintained a 54 hour week since that date.

(ii) Rockaway Logging Company, Rockaway, Oregon, is reinstated as a 48 hour per week operator, effective December 1, 1942, and until March 14, 1943. Effective March 15, 1943, it is authorized to add $1.50 per thousand feet log scale, to the specified maximum prices, since it has regularly maintained a 54 hour week since that date.

(c) *Change of status.* The following companies which have heretofore been authorized to make specified additions, are now authorized to make the following additions, since the number of hours maintained have been changed effective on the date indicated:

Name and address	New number of hours	Amount of addition now authorized	Effective date
Dan H. McKay, Shelton, Wash	60	$2.00	Mar. 1, 1943
St. Helens Pulp & Paper Co., St. Helens, Oreg	54	1.50	Feb. 15, 1943

(d) *Corrections.* The authorizations of the following named concerns, which were inadvertently omitted from Order No. 18 which republished a complete list of authorized operators, are reestablished as authorized to add $1.00 per thousand feet, log scale, to the specified maximum prices:

Name and address	*Effective date*
Carl Campen, Seabeck, Wash	Feb. 23, 1943
Knappton Logging Co., Knappton, Wash	Feb. 23, 1943
Kosmos Timber Co., Seattle, Wash	Feb. 23, 1943

(e) *Cancellations.* The following authorities are cancelled as of the date indicated since these operators are not entitled to make the additions provided in the overtime section:

Name and address	*Effective date*
E. T. Cone Logging Co., McMinnville, Oreg	Dec. 1, 1942
Evans & Baker, Tenino, Wash	Jan. 1, 1943
Selective Logging Co., Rockport, Wash	Feb. 1, 1943
Sharp Logging Co., Molalla, Oreg	Oct. 14, 1942
U. & W. Logging Co., Molalla, Oreg	Feb. 23, 1943

This order shall become effective April 8, 1943.

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5450; Filed, April 7, 1943; 12:10 p. m.]

[Order 245 Under MPR 188]

MONITOR FURNITURE CO., INC.

APPROVAL OF MAXIMUM PRICE

Order No. 245 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1943, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Monitor Furniture Co., Inc., Jamestown, New York is authorized to sell and deliver the following articles at prices no higher than those set forth below:

No. 1 Breakfront bookcase----------	$65.75
No. 2 Breakfront bookcase----------	66.75
No. 3 Breakfront bookcase----------	61.75
No. 4 Breakfront bookcase----------	57.50

(b) This Order No. 245 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 245 shall become effective on the 8th day of April 1943.

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5452; Filed, April 7, 1943; 12:09 p. m.]

[Order 246 Under MPR 188]

J. H. LAUSMANN COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 246 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of a maximum price for sales of an all wood inner boxspring construction made by the J. H. Lausmann Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The J. H. Lausmann Company of 2289 North Interstate Avenue, Portland, Oregon, may sell the all wood inner boxspring construction, described in a letter to the Office of Price Administration, Washington, D. C., dated March 23, 1943, hereinafter referred to as the Inner Ease boxspring construction, at prices no higher than $10.60 each for the 4 6 full size and $9.25 each for the 3 3 twin size, f. o. b. factory, l. c. l.

(b) When the J. H. Lausmann Company has manufactured 2000 units of the Inner Ease boxspring construction it shall submit to the Office of Price Administration in Washington, D. C., a detailed breakdown of direct labor and material costs of the manufacture of these 2000 units basing all costs of direct labor and material on March, 1942 replacement costs of material and rates of labor.

(c) This Order No. 246 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 246 shall become effective on the 8th day of April 1943.

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43–5448; Filed, April 7, 1943; 12:10 p. m.]

[Order 8 Under Rev. MPR 213]

WEST END AND HUB SPRING CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 8 under § 1365.61 of Revised Maximum Price Regulation No. 213—Coil and Flat Bedsprings with Non-steel Frames.

Approval of maximum f. o. b. factory, l. c. l. carload prices for West End and Hub Spring Company, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) West End and Hub Spring Co., Inc. of 100 Ruggles Street, Boston, (Roxbury Crossing), Massachusetts, may sell and deliver the assembled all wood slat bedspring with a wood frame, described in a letter from the West End and Hub Spring Co., Inc. to the Office of Price Administration, Washington, D. C., dated January 18, 1943, at a price no higher than $6.60 f. o. b. factory l. c. l.

(b) Any person may sell at wholesale and deliver the all wood slat bedspring at a warehouse or delivered price no higher than $6.60 plus the dollar amount by which such a seller's warehouse or delivered price respectively exceeded the manufacturer's f. o. b. factory, l. c. l. price for the most comparable bedspring with a steel frame during March, 1942 under the same conditions of sale.

manufactured by Ed Phillips & Sons

transaction as provided in Rules U-20(a)

transactions to be consummated as

mission having filed its Findings and

(c) Any person may sell at retail and deliver the all wood slat bedspring at a price no higher than $11.50, plus $.50 for a sale at retail in the Far West Zone.

(d) The maximum prices set forth in paragraphs (a), (b) and (c) hereof shall be subject to the same discounts, allowances, terms and differentials as the seller had in effect for the most comparable bedspring with a steel frame during March, 1942.

(e) West End and Hub Spring Company, Inc. shall notify in writing all persons selling at wholesale who purchase the all wood slat bedspring of the maximum prices established in paragraphs (a), (b) and (c) hereof before delivery of such bedspring.

(f) Before making delivery of the all wood slat bedspring West End and Hub Spring Company, Inc., must attach securely to such bedspring so that it is clearly visible a durable tag containing in easily readable lettering the statement in the following form:

The Office of Price Administration has established a Retail Ceiling price of (Insert $1..50 or $12.00 whichever is correct) for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(g) This Order No. 8 may be revoked or amended by the Office of Price Administration at any time.

(h) Unless the context otherwise requires, the definitions set forth in Revised Maximum Price Regulation No. 213 shall apply to the terms used herein.

(i) This Order No. 8 under § 1365.61 of Revised Maximum Price Regulation No. 213 shall become effective April 8, 1943.

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5451; Filed, April 7, 1943; 12:10 p. m.]

[Order 3 Under RPS 56]

THE SPONGE RUBBER PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 3 under § 1315.51 (f) of Revised Price Schedule No. 56.[1]

On March 19, 1943 The Sponge Rubber Products Co. of Derby, Connecticut, applied to the Office of Price Administration for specific authorization of a maximum price for a specific lot of reclaimed rubber described as Sponge Rubber Products Co.'s 95.05, reclaimed for it by the United States Rubber Reclaiming Company. It is appropriate that the maximum price be specifically authorized pursuant to § 1315.51 (f) of Revised Price Schedule No. 56. Due consideration has been given to the request and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1315.51 (f) of Revised Price Schedule No. 56 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The maximum price which may be charged by The Sponge Rubber Products Co. for the lot of reclaimed rubber designated as 95.05 and reclaimed for it by the United States Rubber Reclaiming Company when sold f. o. b. seller's plant shall be 6 cents per pound.

(b) The seller may add to the maximum price established by paragraph (a) ¼ cent per pound on sales of less-than-carload lots.

(c) This Order No. 3 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 3 shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5453; Filed, April 7, 1943; 12:09 p. m.]

[Order 1 Under RPS 80]

AVERY F. PAYNE COMPANY, INC. AND MUNDEX TRADING CORPORATION

DENYING PETITION FOR AMENDMENT

Order No. 1 Under § 1335.656 of Revised Price Schedule 80—Lithopone; Docket No. 3080–3.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The petition of Avery F. Payne Company, Inc., New York, New York, filed September 10, 1942, Docket No. 3080–3, to amend or to revoke Amendment No. 1 to Revised Price Schedule No. 80—Lithopone [§ 1335.659 (e) and 1335.658 (a)] is hereby denied.

(b) The petition of the Mundex Trading Corporation, New York, New York, filed September 19, 1942, Docket No. 3080–3, to amend or to revoke Amendment No. 1 to Revised Price Schedule No. 80—Lithopone [§§ 1335.659 (e) and 1335.658 (a)] is hereby denied.

This Order No. 1 under Revised Price Schedule No. 80 shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-5449; Filed, April 7, 1943; 12:10 p. m.]

[Order 3 Under MPR 193, Amendment 1]

ED PHILLIPS AND SONS CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 3 under Maximum Price Regulation No. 193—Domestic Distilled Spirits.

Authorization of maximum prices for "Tom Burns" brand of domestic whiskey manufactured by Ed Phillips & Sons Company. An opinion in support of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 3 under Maximum Price Regulation No. 193 is amended in the following respects:

1. Paragraph (b) is amended by adding subparagraph (2) as follows:

(2) On or before making any offer to sell, sale or delivery of this commodity to a monopoly state the seller shall notify the monopoly state of his maximum prices established under paragraph (b) for all sales to monopoly states, and of the method for the computation of the monopoly state's maximum prices for sales of this commodity. Such notification shall be accomplished by attaching a true and exact copy of this order to the written quotation or to the invoice issued by the seller in connection with the particular transaction. With respect to any particular monopoly state, no notification shall be required after the first notification.

2. Subparagraph (4) of paragraph (c) and subparagraph (4) of paragraph (d) are respectively amended by adding the following sentences:

(4) * * * Such maximum price shall be inapplicable to sales to monopoly states. The maximum prices for all sales to monopoly states shall be determined pursuant to paragraph (b).

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-5507; Filed, April 7, 1943; 5:29 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 68-22]

NORTHERN STATES POWER COMPANY (DELAWARE)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of April A. D., 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern States Power Company, a registered holding company; and

Notice is further given that any interested person may, not later than April 17, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20(a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Northern States Power Company (Minnesota) proposes to spend an amount, not to exceed $5,000, (including approximately $1,000 for fees of an expert) in addition to the ordinary expenditures in connection with preparing, assembling, and mailing proxies, proxy statements, and accompanying data permitted by Rule U-65, in connection with the solicitation of proxies for its annual stockholders' meeting to be held on May 12, 1943, in the event the response to a mailed request for proxies does not indicate that a quorum will be present at the meeting.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5458; Filed, April 7, 1943; 3:09 p. m.]

[File No. 70-675]

SUPERIOR WATER, LIGHT AND POWER CO., ET AL.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 5th day of April, A. D., 1943.

In the matter of Superior Water, Light and Power Company, Northern Power Company and American Power & Light Company.

Order permitting declarations to become effective and granting applications; granting application for exemption from competitive bidding; and releasing jurisdiction previously reserved.

American Power & Light Company ("American"), a registered holding company and a subsidiary of Electric Bond and Share Company, likewise a registered holding company, and Superior Water, Light and Power Company ("Superior") and Northern Power Company ("Northern"), utility subsidiaries of American, having filed joint declarations and applications and amendments thereto under the Public Utility Holding Company Act of 1935, particularly sections 6 (a) (2), 6 (b), 7 (e), 9 (a) (2), 10, 12 (b), 12 (c), 12 (d), and 12 (f) thereof and Rules U-50, U-42, U-43, U-44, U-45, and U-50 thereunder regarding (a) the issuance by Superior to American of common stock in exchange for the common stock of Northern, (b) the merger of Northern into Superior and the subsequent dissolution of Northern, and (c) the issuance by Superior of certain securities for cash to be applied in discharge of its presently outstanding debt and preferred stock, such transactions to be consummated as follows:

(1) American will contribute to the capital of Northern the principal of $794,000 of open account indebtedness of Northern to American, which contribution will be credited by Northern to its capital surplus as of December 31, 1942;

(2) Northern will, by appropriations from surplus, increase its depreciation reserve as of December 31, 1942, to $148,867.39, such amount being calculated by using rates prescribed in an Order of the Public Service Commission of Wisconsin certifying depreciation rates for Northern under a 4% compound-interest method;

(3) Northern will eliminate a deficit in earned surplus as of December 31, 1942, by a charge to the capital surplus to be created in the manner referred to in (1) above;

(4) American, as the owner of all of the issued and outstanding stock of Northern, consisting of 250 shares of $100 par value common stock, except 3 shares held by directors, which 3 shares American has an option to purchase, will transfer or cause to be transferred to Superior all of the stock of Northern in exchange for 5,000 shares of the $100 par value common stock of Superior;

(5) Northern will then be merged into Superior and the latter will issue and sell (a) $2,500,000 principal amount of First Mortgage Bonds, 3⅜% Series due 1973, (b) $1,000,000 principal amount of 4% Sinking Fund Debentures due 1958, such debentures to be retired over the life thereof through the operation of a sinking fund created for their retirement, and (c) 1,000 shares of $100 par value common stock, such bonds and debentures will be sold privately to Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, at annual interest costs to Superior of 3.35% and 4% respectively, and the 1,000 shares of common stock will be sold to American at par;

(6) Superior will apply the proceeds from the sale of such bonds, debentures and common stock to (a) the prepayment of the principal of, and accrued interest on, its presently outstanding $1,600,000 principal amount of notes held by Guaranty Trust Company of New York, (b) the payment of the principal of, and accrued interest on, $1,636,000 open account indebtedness of Superior to American, (c) the payment of the redemption price of par and accrued dividends, plus a premium of $5 a share, on the shares of Superior's presently outstanding $100 par value 7% preferred stock held by the public, and (d) the payment to American of $172,926.50, the cost to American of 1,663 shares of Superior's 7% preferred stock now held by American, plus accrued dividends thereon.

Superior having requested an order pursuant to sub-paragraph a (5) of Rule U-50 exempting the issuance and sale of said bonds and debentures from the competitive bidding requirements of paragraphs (b) and (c) of said Rule U-50; and

A public hearing having been held, after appropriate notice, and the Commission having filed its Findings and Opinion herein;

It is ordered, That said declarations, as amended, be, and the same hereby are, permitted to become effective, and said applications, as amended, be, and the same hereby are, granted, subject, however, to the terms and conditions prescribed in Rule U-24 and subject to the further terms and conditions:

(1) That so long as Superior exercises the special amortization privilege resulting from its Winslow Steam Plant Necessity Certificate issued pursuant to section 124 of the Internal Revenue Code, it shall charge annually to earned surplus and credit to a deferred credit account the difference between (a) the amount of Federal taxes, based on income, payable, and (b) the amount of such taxes which would have been payable if the special amortization privilege had not been exercised. Any amount in such deferred credit account shall remain therein until transferred to earned surplus as hereinafter set forth. The amount in such deferred credit may be transferred to earned surplus in any year subsequent to the expiration of the special amortization period to the extent of the difference between the amount of Federal taxes, based on income, payable for any such year and the amount of such taxes which would have been payable if the special amortization privilege had not previously been exercised. At such time as the normal tax depreciation period for such facilities shall have expired or such facilities shall have been sold, abandoned, or otherwise disposed of, the remaining balance in such deferred credit, if any, shall be transferred to earned surplus;

(2) That the agreement relating to the issuance of Superior's 4% Sinking Fund Debentures shall provide that Superior will have the option to redeem such debentures at any time or from time to time without payment of redemption premiums in an aggregate principal amount not in excess of the aggregate amount credited to the deferred credit account as provided in condition (1) hereof whether or not all or any part of such amount shall have been transferred from such account;

(3) That so long as any of the 4% Sinking Fund Debentures, due 1958, remain outstanding, the company shall retain in earned surplus, in addition to any amounts otherwise required to be so retained, an amount equal to the amount paid in retirement of such debentures pursuant to the sinking fund provision of section II of Article III of the agreement under which such debentures are to be issued, which amount shall not be available for the payment of dividends but shall be available for any other corporate purpose: *Provided*, That nothing herein shall be construed as requiring the restriction of surplus because of the retirement of any of such debentures otherwise than through the operation of such sinking fund provision;

(4) That Superior submit to the Commission an opinion of counsel certifying that all State laws applicable to the transactions proposed herein have been complied with;

[1] 7 F.R. 1913, 2000, 2132, 7669, 8948, 8 F.R. 120.

application to the Commission for Act of 1935, and should be approved in exchange for shares of $7 par value

(5) That Superior submit in final form, prior to consummation of the transactions proposed herein, copies of the contracts under which its bonds and debentures are to be issued; jurisdiction as to the final form and terms of such contracts is hereby expressly reserved;

(6) That Superior shall clearly set forth on all future published financial statements, by appropriate annotation, a clear and concise statement with respect to all restrictions on the use of its earned surplus.

It is further ordered, That the application of Superior for the exemption of the issue and sale of its bonds and debentures from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 be, and the same hereby is, granted.

It is further ordered, That jurisdiction be, and hereby is, retained over the fee of $17,500 proposed to be paid by Superior to White Weld & Company and that such fee shall not be paid until further order of this Commission.

It is further ordered, That jurisdiction reserved by the Order of this Commission dated January 10, 1942 issued in the "Matter of American Power & Light Company, Superior Water, Light and Power Company, File No. 70-471" be, and the same hereby is, released; and that the restriction on the payment by Superior of dividends on its common stock contained in such Order of January 10, 1942 be, and the same hereby is, rescinded.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5459; Filed, April 7, 1943; 3:09 p. m.]

[File No. 70-679]

GENERAL GAS AND ELECTRIC CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of April, 1943.

Order permitting declaration and Rule U-46 promulgated thereunder to become effective.

General Gas & Electric Corporation, a registered holding Company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c thereof and Rule U-46 promulgated thereunder, regarding the declaration and payment out of capital surplus of a quarterly dividend on declarant's $5 Prior Preferred Stock for the quarterly period ending March 15, 1942, payment of the said dividend to be made only to the holders of the 32,110.9 shares in the hands of the public; the Trustees of Associated Gas and Electric Corporation, as holders of the entire outstanding balance of such $5 Prior Preferred Stock consisting of 27,889.1 shares, having waived the collection of dividends on their holdings until further order of the Commission; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter, and having made and filed its Findings and Opinion herein;

It is ordered, That the aforesaid declaration be and hereby is permitted to become effective forthwith subject to the terms and conditions as set forth in said declaration and those prescribed in Rule U-24 of the General Rules and Regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5461; Filed, April 7, 1943; 3:09 p. m.]

[File No. 70-695]

THE ASSOCIATED CORPORATION, ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of April, A. D. 1943.

In the matter of The Associated Corporation, Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and its wholly-owned subsidiary, The Associated Corporation; and

Notice is further given that any interested person may, not later than April 20, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of such interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application-declaration, as filed, or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to the said application-declaration, which is on file in the office of the said Commission, for a statement of the transaction therein proposed, which is summarized below:

The Associated Corporation proposes to merge into its parent, Associated Gas and Electric Corporation; the Trustees of Associated Gas and Electric Corporation propose to acquire all the assets and assume all the liabilities of The Associated Corporation (the assets consisting principally of $1,320,860 principal amount of Associated Gas and Electric Company Sinking Fund Income Debentures, due 1986 ; the Trustees propose to transfer to The Associated Corporation all the outstanding securities issued by the latter for cancellation and retirement, and The Associated Corporation will then be dissolved

By the Commission.

[SEAL] ORVAL L. DUBOIS. *Secretary.*

[F. R. Doc. 43-5462; Filed, April 7, 1943; 3:09 p. m.]

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER COMPANY, ET AL.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April 1943.

In the matter of the United Light and Power Company, the United Light and Railways Company, American Light & Traction Company, Continental Gas and Electric Corporation. United American Company and Iowa-Nebraska Light and Power Company, respondents, File No. 59-17; the United Light and Power Company and its subsidiary companies, respondents, File No. 59-11; the United Light and Power Company, applicant, File No. 54-25.

Order granting Application No. 14 as amended.

The Commission having directed, by an order entered in this proceeding on March 20, 1941, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that the United Light and Power Company be liquidated and dissolved and that said company

make application to the Commission for the entry of any further orders necessary or appropriate for such purpose;

Said order having further provided that said company might submit to the Commission for its approval a Plan proposing a method for complying with said order, on a basis which should be fair and equitable to its security holders, and providing for a determination of the relative rights and interests of its security holders in connection therewith;

The Commission having expressly reserved in said order jurisdiction to enter such further orders in this proceeding as may be necessary or appropriate for the purpose of carrying out the steps required by said order;

The United Light and Power Company, a Maryland Corporation, and its subsidiary, The United Light and Railways Company, a Delaware Corporation, both of which are registered holding companies, having filed a joint application (designated as Application No. 14), pursuant to sections 11 (b) and 11 (e) of the Public Utility Holding Company Act of 1935 and the requirements of said order of March 20, 1941, proposing a Plan for the completion of the liquidation and dissolution of The United Light and Power Company and providing, among other things, for the contribution of cash and minor investments by The United Light and Power Company to The United Light and Railways Company, the distribution by The United Light and Power Company of the remaining asset consisting of all outstanding common stock of The United Light and Railways Company among the preferred and common stockholders of The United Light and Power Company and for a determination of the manner and the basis of such distribution;

A public hearing on said Application No. 14 having been held pursuant to appropriate notice at which the applicants and all their security holders and other interested persons were given an opportunity to be heard, and the Commission, on the basis of the record, having made and filed its findings and opinion dated April 1, 1943, proposing certain modifications to said plan and finding that the plan if modified in accordance with said findings and opinion would be fair and equitable to the persons affected thereby and necessary to effectuate the purposes of section 11 (b) of the Act; and

A document having been filed in this proceeding on April 2, 1943 in which the applicants accept and adopt the modifications of the plan referred to in said findings and opinion of the Commission, and in which the applicants request the Commission to take appropriate action to enforce the plan as so modified, pursuant to the provisions of section 11 (e) of the Act;

The Commission now finds, on the basis of its findings and opinion herein dated April 1, 1943, and its Supplemental Findings and Opinion dated April 5, 1943, that the plan as modified by the applicants is fair and equitable to the persons affected thereby and is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and should be approved subject to the conditions hereinafter enumerated.

The United Light and Power Company, pursuant to the provisions of section 11 (e) of the Act, having requested the Commission to apply to an appropriate Federal Court, in accordance with the provisions of subsection (f) of section 18 of the Act to enforce and carry out the terms and provisions of the plan as modified;

It is hereby ordered, Pursuant to section 11 of the Act and particularly subsections (b) and (e) thereof, and pursuant to all other applicable sections of the Act, that the plan set forth in Application No. 14 as modified be and the same is hereby approved; said approval by the Commission shall not, however, be operative to authorize the consummation of transactions therein proposed until an appropriate federal district court shall upon application thereto enter an order enforcing the plan.

It is further ordered, That the accounting entries submitted by the applicants necessitated by the various transactions comprising the plan as modified are approved under the applicable sections of the Act, and the Rules thereunder.

It is further ordered, That, in carrying out paragraph 11 of the Plan as modified, The United Light and Railways Company shall, upon its acquisition of the securities of Mason City and Clear Lake Railroad Company and La Porte Gas and Electric Company, be bound by the orders of this Commission directing The United Light and Power Company to divest itself of its interest in said companies.

It is further ordered, That the issues, transfers and exchanges of securities specified and itemized below are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U.S.C., Title 15, Sec. 79k (b)):

(a) The issuance by The United Light and Railways Company of 3,173,838 shares of new $7 par value common stock and the exchange thereof for its outstanding 708,520 shares of $35 par value common stock in accordance with the Plan as modified.

(b) The delivery of said 3,173,838 shares of common stock of The United Light and Railways Company by The United Light and Power Company to a depositary for distribution to the preferred and common stockholders of The United Light and Power Company in accordance with the Plan as modified.

(c) The transfer of not exceeding 3,173,838 shares of $7 par value common stock of The United Light and Railways Company in exchange for outstanding preferred and common stocks of The United Light and Power Company or in exchange for scrip of The United Light and Railways Company in accordance with the Plan as modified.

(d) The surrender of 600,000 shares of $6 cumulative preferred stock, 2,421,192 shares of Class A common stock and 1,055,576 shares of Class B common stock of The United Light and Power Company in exchange for shares of $7 par value common stock or scrip of The United Light and Railways Company in accordance with the Plan as modified.

(e) The issuance, transfer and exchange of scrip of The United Light and Railways Company and the issuance or transfer of $7 par value common stock of said Company in exchange therefor to the extent necessary to carry out the Plan as modified.

(f) All other transfers and exchanges of common stock and scrip of The United Light and Railways Company which are required in order to carry out the Plan as modified.

(g) The transfer by The United Light and Power Company to The United Light and Railways Company of $324,000 principal amount of First Refunding Mortgage 6% bonds, due June 1, 1932 and 100 shares of no par value capital stock of Mason City and Clear Lake Railroad Company, and 7,500 shares of $100 par value capital stock of La Porte Gas and Electric Company in carrying out the provisions of paragraph 11 of the Plan as modified.

This paragraph is included in view of section 1808 (f) of the Internal Revenue Code and is intended to cover all issues, transfers and exchanges of common stock and scrip of The United Light and Railways Company to preferred and common stockholders of The United Light and Power Company and all other transfers of securities which are required in order to consummate the Plan.

It is further ordered, That pending final determination of the amounts, upon consummation of the Plan as modified and completion of the record, the Commission reserves jurisdiction to pass upon the reasonableness of all counsel fees.

It is further ordered, That counsel for the Commission be, and they are hereby authorized and directed to make application forthwith on behalf of the Commission to an appropriate Federal Court to enforce and carry out the terms and provisions of the Plan as modified, pursuant to the provisions of section 11 (e) of the Act and in accordance with the provisions of subsection (f) of section 18 thereof and the request duly filed herein by The United Light and Power Company.

It is further ordered, That The United Light and Power Company shall mail to its stockholders of record a copy of the Findings and Opinion entered herein, together with a copy of this Order, and shall give notice of the date set by the Court for hearings on said application by mailing to such stockholders a copy of such Notice of Hearing as the Court may direct.

It is further ordered, That within 30 days after the distribution date defined in the Plan as modified the applicants shall file a Certificate of Notification advising the Commission of the steps which have been taken to consummate the Plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5463; Filed, April 7, 1943; 3:10 p. m.]

WAR PRODUCTION BOARD.

and said preference rating orders shall

field, Illinois. Project: Construction of

[Preference Rating Order P-19-e, Serial 15992]

The revocation issued on January 19, 1943 of the above serially numbered

Issued April 6, 1943.

WAR PRODUCTION BOARD,

WAR PRODUCTION BOARD.

[Certificate No. 50]

SOUTHWESTERN GREYHOUND LINES INC. AND SANTA FE TRAIL TRANSPORTATION CO.

COORDINATED OPERATION BETWEEN ALBUQUERQUE AND TUCUMARI, NEW MEXICO

To THE ATTORNEY GENERAL: I submit herewith Special Order ODT B-40 (*supra*) issued by the Director of the Office of Defense Transportation with respect to the coordination of motor vehicle service in the transportation of passengers by Southwestern Greyhound Lines, Inc., Fort Worth, Texas, and Santa Fe Trail Transportation Company, Wichita, Kansas.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the Special Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT B-40 is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 5, 1943.

[F. R. Doc. 43-5464; Filed, April 7, 1943; 3:17 p. m.]

[Preference Rating Order P-19-e, Serial 14872]

PROJECT AT CAMP LOCKETT, CALIFORNIA

CANCELLATION OF REVOCATION ORDER

Builder: California Department of Public Works, Division of Highways, Sacramento, California. Project: Flashing-light signals at grade crossing close to entrance gate to Camp Lockett, DA-WR 10, Camp Lockett, California.

The revocation of preference rating order issued on December 24, 1942 is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

Issued April 7, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5471; Filed, April 7, 1943; 4:00 p. m.]

[Preference Rating Order P-19-e, Serial 20883]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDERS

Builder: Illinois Dept. of Public Works & Bldg., Division of Highways, Springfield, Illinois. Project: Construction of 2.50 miles of grading, drainage structure, and concrete pavement identified as Illinois SN-FA 113 D (1).

The revocation issued on January 15, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5475; Filed, April 7, 1943; 3:59 p. m.]

[Preference Rating Order P-19-e, Serial 18536]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: Construction of 2.17 miles of cement concrete pavement identified as Illinois SN-FA 26 (25) (2) Roadway.

The revocation issued on January 19, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5473; Filed, April 7, 1943; 3:59 p. m.]

[Preference Rating Order P-19-e, Serial 19141]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldg., Division of Highways, Springfield, Illinois. Project: Construction of three reinforced concrete bridges structures identified as Illinois SN-FA 26 (24) (2) Bridges.

The revocation issued on January 19, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5474; Filed, April 7, 1943; 3:59 p. m.]

[Preference Rating Order P-19-e, Serial 32789]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highway, Springfield, Illinois. Project: Construction of 2 plain concrete arch bridges identified as Illinois SN-FA 168 D (30) Bridges.

The revocation issued on January 12, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 21, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5470; Filed, April 7, 1943 3:59 p. m.]

[Preference Rating Order P-19-e, Serial 32786]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: Construction of 5.75 miles of concrete pavement identified as Illinois SN-FAP 25 (B) (1).

The revocation issued on January 12, 1943, of the above serially numbered preference rating order is hereby cancelled; the rating assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 43-5479; Filed, April 7, 1943; 3:59 p. m.]

[Preference Rating Order P-19-e, Serial 32675]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldg., Division of Highways, Springfield, Illinois. Project: Construction of a timber bridge with gravity type concrete abutments (0.006 mile in length) identified as Illinois SN-FA 25 A (1) Bridge.

The revocation issued on January 15, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 43-5477; Filed, April 7, 1943; 3:59 p. m.]

[Preference Rating Order P-19-e, Serial 15992]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: Construction of 4.47 miles of cement concrete pavement identified as Illinois SN-Fa 26 (25) (2).

The revocation issued on January 8, 1942 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5472; Filed, April 7, 1943; 4:00 p. m.]

[Preference Rating Order P 19-e, Serial 16198]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: Construction of 6.91 miles of cement concrete pavement identified as Illinois SN-FA 26 (23) (3).

The revocation issued on January 19, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5468; Filed, April 7, 1943; 4:00 p. m.]

[Preference Rating Order P 19-e, Serial 32908]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Department of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: Construction of 1.59 miles of grading, drainage, structures and P. C. concrete pavement, identified as Illinois SN-FAP 166 D (3) Roadway.

The revocation issued on January 19, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5469; Filed, April 7, 1943; 4:00 p. m.]

[Preference Rating Order P 19-e, Serial 23730]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: Construction of a 24 foot P C Concrete pavement identified as Illinois SN-FAP 113 B (1).

The revocation issued on January 15, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1942.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5476; Filed, April 7, 1943; 4:00 p. m.]

[Preference Rating Order P-19-e, Serial 32749]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: Construction of 5.55 miles of portland cement concrete pavement identified as Illinois SN-FA 25 J (1) Roadway.

The revocation issued on January 8, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5478; Filed, April 7, 1943; 4:00 p. m.]

[Preference Rating Order P-19-e, Serial 37528]

ILLINOIS HIGHWAY PROJECT

CANCELLATION OE REVOCATION ORDER

Builder: Illinois Dept. of Public Works & Bldgs., Division of Highways, Springfield, Illinois. Project: 8.23 miles of additional traffic lanes and a 48.5 foot bridge identified as SN-FA 166 D (4), SN-FA 166 D (2), SN-FA 166 D (5) SN-A 166 D (4).

The revocation issued on January 12, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5480; Filed, April 7, 1943; 4:00 p. m.]

[Revocation of Limited Preference Rating Order P-75]

MATERIAL ENTERING INTO THE PRODUCTION OF DEFENSE PRODUCTS

Limited Preference Rating Order No. P-75 is hereby revoked.

Issued this 8th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5547; Filed, April 8, 1943; 11:15 a. m.]

[Revocation of Preference Rating Order P-76 as Amended Dec. 31, 1941]

RATING PLAN FOR CONTAINER STEEL

Preference Rating Order P-76, as amended to December 31, 1941, and all serial numbered copies thereof, be and they hereby are revoked.

Issued this 8th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5546; Filed, April 8, 1943; 11:15 a. m.]

erence rating order are hereby restored; & Bldgs., Division of Highway, Spring- 3:39 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 71

Washington, Saturday, April 10, 1943

The President

EXECUTIVE ORDER 9328

[STABILIZATION OF WAGES, PRICES, AND SALARIES]

By virtue of the authority vested in me by the Constitution and the statutes, and particularly by the First War Powers Act, 1941, and the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes," as President of the United States and Commander in Chief of the Army and Navy, and in order to safeguard the stabilization of prices, wages and salaries, affecting the cost of living on the basis of levels existing on September 15, 1942, as authorized and directed by said Act of Congress of October 2, 1942, and Executive Order No. 9250 of October 3, 1942,[1] and to prevent increases in wages, salaries, prices and profits, which, however justifiable if viewed apart from their effect upon the economy, tend to undermine the basis of stabilization, and to provide such regulations with respect to the control of price, wage and salary increases as are necessary to maintain stabilization, it is hereby ordered as follows:

1. In the case of agricultural commodities the Price Administrator and the Administrator of Food Production and Distribution (hereinafter referred to as the Food Administrator) are directed, and in the case of other commodities the Price Administrator is directed to take immediate steps to place ceiling prices on all commodities affecting the cost of living. Each of them is directed to authorize no further increases in ceiling prices except to the minimum extent required by law. Each of them is further directed immediately to use all discretionary powers vested in them by law to prevent further price increases direct or indirect, to prevent profiteering and to reduce prices which are excessively high, unfair or inequitable. Nothing herein, however, shall be construed to prevent the Food Administrator and the Price Administrator, subject to the general policy directives of the Economic Stabilization Director, from making such readjustments in price relationships appropriate for various commodities, or classes, qualities or grades thereof or for seasonal variations or for various marketing areas, or from authorizing such support prices, subsidies or other inducements as may be authorized by law and deemed necessary to maintain or increase production, provided that such action does not increase the cost of living. The power, functions and duties conferred on the Secretary of Agriculture under section 3 of the Emergency Price Control Act of 1942 (Public Law 421, 77th Cong.) and under section 3 of the Act of October 2, 1942 (Public Law 729, 77th Cong.) are hereby transferred to, and shall be exercised by the Food Administrator.

2. The National War Labor Board, the Commissioner of Internal Revenue and other agencies exercising authority conferred by Executive Order No. 9250 or Executive Order 9299[2] and the regulations issued pursuant thereto over wage or salary increases are directed to authorize no further increase in wages or salaries except such as are clearly necessary to correct substandards of living, provided that nothing herein shall be construed to prevent such agencies from making such wage or salary readjustments as may be deemed appropriate and may not have heretofore been made to compensate, in accordance with the Little Steel Formula as heretofore defined by the National War Labor Board, for the rise in the cost of living between January 1, 1941 and May 1, 1942. Nor shall anything herein be construed to prevent such agencies, subject to the general policies and directives of the Economic Stabilization Director, from authorizing reasonable adjustments of wages and salaries in case of promotions, reclassifications, merit increases, incentive wages or the like, provided that such adjustments do not increase the level of production costs appreciably or furnish the basis either to increase prices or to resist otherwise justifiable reductions in prices.

3. The Chairman of the War Manpower Commission is authorized to forbid the employment by any employer of any

[1] 7 F.R. 7871.

[2] 8 F.R. 1669.

(Continued on next page)

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FEDERAL REGISTER

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new employee or the acceptance of employment by a new employee except as authorized in accordance with regulations which may be issued by the Chairman of the War Manpower Commission, with the approval of the Economic Stabilization Director, for the purpose of preventing such employment at a wage or salary higher than that received by such new employee in his last employment unless the change of employment would aid in the effective prosecution of the war.

4. The attention of all agencies of the Federal Government, and of all State and municipal authorities, concerned with the rates of common carriers or other public utilities, is directed to the stabilization program of which this order is a part so that rate increases will be disapproved and rate reductions effected, consistently with the Act of October 2, 1942, and other applicable federal, state or municipal law, in order to keep down the cost of living and effectuate the purposes of the stabilization program.

5. To provide for the consistent administration of this order and Executive Order No. 9250, and other orders and regulations of similar import and for the effectuation of the purposes of the Act of October 2, 1942, the Economic Stabilization Director is authorized to exercise all powers and duties conferred upon the President by that Act, and the Economic Stabilization Director is authorized and directed to take such action and to issue such directives under the authority of that Act as he deems necessary to stabilize the national economy, to maintain and increase production and to aid in the effective prosecution of the war. Except insofar as they are inconsistent with this order or except insofar as the Director shall otherwise direct, powers and duties conferred upon the President by the said Act and heretofore devolved upon agencies or persons other than the Director shall continue to be exercised and performed by such agencies and persons.

6. Except insofar as they are inconsistent with this order, Executive Order 9250 and the regulations issued pursuant thereto shall remain in full force and effect.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 8, 1943.

[F. R. Doc. 43-5606; Filed, April 9, 1943; 11:44 a. m.]

EXECUTIVE ORDER 9325

PAYMENT OF EXPENSES OF THE OFFICE OF ALIEN PROPERTY CUSTODIAN

By virtue of the authority vested in me by the Constitution and statutes of the United States, particularly by Title III of the First War Powers Act, 1941, it is hereby ordered as follows:

1. Until it is otherwise provided, the Alien Property Custodian is authorized and empowered to pay out of any funds lawfully in his custody or under his control all necessary expenses incurred by the Office of Alien Property Custodian in carrying out the powers and duties vested in him pursuant to Title III of the First War Powers Act, 1941, and the applicable orders issued thereunder. Such expenses shall be allocated and recovered as provided in section 2 hereof.

2. The Alien Property Custodian is authorized to retain, allocate and recover, as a charge against any specific property or any other property of which the former owner of the specific property was divested, expenses attributable to such specific property with respect to which he has exercised or may hereafter exercise any power heretofore or hereafter conferred upon him. In addition to such expenses, the Alien Property Custodian is authorized to retain, allocate and recover at such time or times as he may deem practicable, as a charge against money or property in his custody or under his control, such amounts as may be necessary in connection with the general administrative expenses of the Office of Alien Property Custodian which have been or may be paid and which are not practicably allocable to a specific property.

3. The power and authority herein granted shall not be limited by the filing of a claim or the institution of a suit relating to any property subject to the authority of the Alien Property Custodian.

4. This order shall not be construed as a limitation upon or in derogation of any powers heretofore granted.

5. The Office of Alien Property Custodian shall submit to the Bureau of the Budget (a) prior to April 30, 1943, an estimate of general administrative expenses for the remainder of the current fiscal year, (b) prior to the end of the current and of each subsequent fiscal year, at such time as may be specified by the Director of the Bureau of the Budget, an estimate of such expenses for the succeeding fiscal year, and (c) any supplemental estimates of such expenses if and as the need arises. After April 30, 1943, no general administrative expenses authorized to be paid pursuant to this order shall be incurred or paid by the Office of Alien Property Custodian beyond the amounts approved by the Director of the Bureau of the Budget upon submissions as above set forth.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 7, 1943.

[F. R. Doc. 43-5574; Filed, April 8, 1943; 3:39 p. m.]

EXECUTIVE ORDER 9326

TRANSFER OF JURISDICTION OVER CERTAIN LAND CONTAINING OIL AND GAS DEPOSITS FROM THE WAR DEPARTMENT TO THE DEPARTMENT OF THE INTERIOR

CALIFORNIA

WHEREAS the land hereinafter described has been acquired by the United States for use of the War Department in the construction and operation of the Cerritos Channel; and

WHEREAS the land is reported to be within the geologic structure of a producing oil field and subject to drainage of its oil and gas deposits by wells on adjacent lands held in private ownership; and

WHEREAS it is necessary in the public interest that such protective action be taken as will prevent loss to the United States by reason of the drainage or threatened drainage of oil from the lands; and

WHEREAS, in order to facilitate such action, it is considered advisable to transfer jurisdiction over such land so far as the oil and gas deposits are concerned to the Department of the Interior:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

1. The jurisdiction over the oil and gas deposits in the following-described land in the State of California is hereby transferred from the War Department to the Department of the Interior:

A tract of land 600 feet wide known as the Cerritos Channel, lying partly within the corporate limits of the City of Los Angeles, and partly within the corporate limits of the city of Long Beach, County of Los Angeles, State of California, and more particularly described as follows:

Beginning at Station 13 of the "Inner Bay Exception" of the United States Patent to the Rancho San Pedro, said Station 13 also being U. S. Engineers Station 408; thence:

N. 33°51' W., 631.32 feet along the line of said "Inner Bay Exception" to a point; thence:

N. 74°16'41" E., 6,905.55 feet to a point, said point being S. 18°48' W., 18.24 feet from Station 36 of the San Pedro Rancho and Los Cerritos Compromise line; thence:

Leaving said Compromise line S. 14°52'20" E., 500 feet to a point; thence:

N. 88°20'10" W., 300 feet to Station 35 of the San Pedro Rancho and Los Cerritos Compromise Line; thence:

S. 48°42' E., 228.21 feet to a point on said Compromise Line; thence:

S. 74°16' W., 6,552.31 feet to the point of beginning, containing 92.64 acres, more or less.

2. The Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of drainage or threatened drainage of oil and gas from such land.

3. The jurisdiction of the Department of the Interior over such land shall be subject to the primary jurisdiction of the War Department over the land for flood-control and navigation purposes.

4. All moneys received as royalties under leases, or otherwise, on account of oil and gas extracted from such land shall be paid into the Treasury of the United States and credited to miscellaneous receipts.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 7, 1943.

[F. R. Doc. 43-5575; Filed, April 8, 1943; 3:39 p. m.]

EXECUTIVE ORDER 9327

PROVIDING FOR THE MORE EFFECTIVE HANDLING OF GOVERNMENTAL PROBLEMS IN CONGESTED PRODUCTION AREAS IN ORDER TO FURTHER THE SUCCESSFUL PROSECUTION OF THE WAR

By virtue of the authority conferred on me by the Constitution and statutes and especially by the First War Powers Act, 1941, in order to promote the successful prosecution of the war by providing for the more effective handling of governmental problems in Congested Production Areas, it is hereby ordered:

1. For the purposes of this order a Congested Production Area is an area which, by reason of a large increase in population and activity due to the war, is lacking in adequate services or facilities.

2. There is established a Committee for Congested Production Areas herein referred to as the Committee), consisting of the Director of the Bureau of the Budget, as Chairman, and one member designated by the President from each of the following departments and agencies. Department of War, Department of the Navy, War Production Board, Federal Works Agency, National Housing Agency, and War Manpower Commission. The Committee shall meet from time to time at the call of the Chairman, and any action or decision taken or approved by the majority in attendance at any meeting shall be deemed to be the action of the Committee. The Chairman and each member or his designated alternate shall have one vote.

3. In order to deal effectively with problems arising out of congestion in Congested Production Areas, it shall be the duty and responsibility of the Committee

(a) To designate those areas which are to be considered Congested Production Areas for the purposes of this order and to modify or terminate such designations as it may deem advisable;

(b) To cooperate with and supplement the efforts of State and local governments with respect to such problems in such areas;

(c) To coordinate the activities of all Federal agencies insofar as they affect problems arising out of congestion in such areas;

(d) To prescribe such policies and action as may be necessary to effectuate such coordination.

4. The Committee shall employ a suitable person as Director to carry out the decisions and policies of the Committee and administer its affairs. The Director may employ such personnel as the Committee may deem necessary.

5. The Director may designate, subject to the approval of the Committee, an Area Director for each Congested Production Area. Such Area Director shall be responsible to the Director and, under the general policies of the Committee, shall be responsible for securing coordination of all Federal agencies which deal with problems arising out of congestion within his area. He shall promptly report to the Director any problems or situations which he is unable to resolve, and the Director shall advise with the Federal agencies concerned to the end that coordination may be secured. The Area Director may recommend to the Director such policies and action as he deems advisable to further the purposes of this order and facilitate the prosecution of the war.

6. Each Area Director, after consultation with local, State, and Federal

officials in the area, and with the approval of the Director, shall designate an Area Advisory Council which may include representatives of the State government, local governments, and local communities in his area, and Federal agencies having supply or operating facilities in the area which are directly related to the war program. The Area Advisory Council shall meet upon the call of the Area Director for the purpose of advising with him concerning problems arising out of congestion within his area.

7. In order that the purposes of this order may be carried out with a minimum of delay, coordination shall be secured as far as possible at the area level, and appropriate authority shall be delegated by the several departments and agencies concerned to their respective supervisory officials within such areas, and the names of such officials shall be reported to the Director. The policies and decisions of the Committee with respect to any Congested Production Area shall be controlling on all Federal agencies to which they apply. Appropriate orders and instructions shall be issued by the departments and independent agencies affected to insure compliance with the policies and decisions of the Committee.

8. This order shall continue in effect until the termination of Title I of the First War Powers Act, 1941.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 7, 1943.

[F. R. Doc. 43-5576; Filed, April 8, 1943; 3:39 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Food Distribution Administration[1]

PART 802—SUGAR DETERMINATION

1944 CROP YEAR IN VIRGIN ISLANDS

Determination of farming practices to be carried out in connection with the production of sugarcane of the 1944 crop year in the Virgin Islands, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (c) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.55b *Farming practices to be carried out in connection with the production of sugarcane of the 1944 crop year.* The requirements of section 301 (c) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in the Virgin Islands if:

(a) Food crops for human consumption are grown during the period February 1, 1943, to January 31, 1944, on the type of land and in the manner set forth below:

[1] Formerly Sugar Branch.

(1) The land to be used for the production of the food crops shall be land suitable for the production of sugarcane.

(2) The food crops planted must be among the following: beans (any type), cowpeas, corn, rice, yams, potatoes (Irish and sweet), gandules (plant crop), tanier, apio, cassaba (yuca).

(3) The acreage of such food crops shall be equal to not less than 10% of the land on the farm on which sugarcane is growing on January 31, 1943 (but in no event less than one-tenth of an acre): *Provided, however,* That not less than 60% of such acreage shall be planted to such leguminous crops as are included in (2) above.

(4) The land devoted to the crops in question shall be suitably prepared by plowing or disking, adequately seeded, and cultivated in a workmanlike manner to assure a good stand at the time of maturity; and

(b) The tops and trash cut from the sugarcane during the 1944 harvest season are applied to the land from which the sugarcane is harvested, except where such land is devoted to the interplanting of the food crops specified in (2) above in the manner set forth in (4) above.

(Sec. 301, 50 Stat. 910; 7 U.S.C. 1940 ed. 1131)

Done at Washington, D. C., this 8th day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-5609; Filed, April 9, 1943; 11:39 a. m.]

Chapter IX—Food Distribution Administration

PART 935—MILK IN THE OMAHA-COUNCIL BLUFFS MARKETING AREA

Order, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area.

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue and amend orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

Sec.
935.1 Findings and determinations.
935.2 Order relative to handling.
935.3 Definitions.
935.4 Market administrator.
935.5 Classification of milk.
935.6 Minimum prices.
935.7 Reports of handling.
935.8 Application of provisions.
935.9 Determination of uniform prices to producers.
935.10 Payments for milk.
935.11 Expenses of administration.
935.12 Effective time, suspension, and termination of order.
935.13 Liability of handlers.
935.14 Agents.

AUTHORITY: §§ 935.1 to 935.14, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246, 7 U.S.C. 1940 ed. 601 et seq.

§ 935.1 *Findings and determinations.* (a) *Findings.* Pursuant to the act and rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 2813), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid order, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Omaha-Council Bluffs marketing area, a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers of at least 50 percent of the volume of milk covered by this order, as amended, which is marketed within the Omaha-Council Bluffs marketing area refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interest of producers of milk which is produced for sale in the Omaha-Council Bluffs marketing area; and

(3) The issuance of this order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order, as amended, and who, during the determined representative period, were engaged in the production of milk for sale in said Omaha-Council Bluffs marketing area.

§ 935.2 *Order relative to handling.* It is therefore ordered that, from and after the effective date hereof, the handling of milk in the Omaha-Council Bluffs marketing area shall be in conformity to and in compliance with the terms and conditions of this order, as amended.

§ 935.3 *Definitions.* The following terms used herein shall have the following meanings:

(1) "Omaha-Council Bluffs marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of the cities of Omaha, Nebraska, and Council Bluffs, Iowa; the territory within Kane, Lake, Garner, and Lewis townships in Pottawattamie County, Iowa; and the territory within East Omaha, Florence, Union, Benson, McHugh, Moorehead, McArdle, Loveland, Ralston, Ashland, and May precincts in Douglas County, Nebraska; and the territory within Gilmore, Highland, and Bellevue townships in Sarpy County, Nebraska.

(2) "Person" means any individual, partnership, corporation, association, or any other business unit.

(3) "Producer" means any person, irrespective of whether any such person is also a handler, who produces milk which is received at the plant of a handler which is approved by the proper health authorities and from which milk is disposed of in the marketing area. This definition shall be deemed to include any person who produces milk which a cooperative association causes to be diverted from the plant of a handler from which milk is disposed of in the marketing area, to a plant from which no milk is disposed of in the marketing area.

(4) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from sources other than his own production, all, or a portion of which milk is disposed of as milk in the marketing area, and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall be deemed to include a cooperative association which causes milk to be delivered from a producer to a handler, or causes milk of a producer to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment.

(5) "Market administrator" means the agency which is described in § 935.4, for the administration hereof.

(6) "Delivery period" means the current marketing period beginning with the first to, and including, the 15th day of each month, and from the 16th to, and including, the last day of each month.

(7) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937.

(8) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is or who may be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

(9) "Cooperative association" means any cooperative association of producers which the Secretary determines (i) to have its entire activities under the control of its members and (ii) to have and to be exercising full authority in the sale of milk of its members.

(10) "Emergency milk" means milk received by a handler from sources other than producers or other handlers under a temporary permit issued by the proper health authorities.

§ 935.4 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violation of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 935.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Unless otherwise directed by the Secretary, publicly disclose to handlers and producers the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not (a) made reports pursuant to § 935.7 or (b) made payments pursuant to § 935.10; and

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 935.5 *Classification of milk*—(a) *Basis of classification.* Milk of a producer which a cooperative association causes to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment, and milk received by each handler, including milk produced by him, if any, shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, plain or flavored, containing more than 1.0 percent of butterfat which is disposed of in the form of milk and all milk not accounted for as Class II milk or Class III milk;

(2) Class II milk shall be all milk used to produce cream which is disposed of in the form of cream for consumption as cream, except milk the skim milk of which is disposed of as Class I milk; and

(3) Class III milk shall be (i) all milk used to produce a milk product other than that specified in Class II and (ii) all milk accounted for as actual plant shrinkage but not to exceed 3 percent of the total receipts of milk from producers.

(c) *Interhandler and nonhandler sales.* Milk sold or delivered by a handler, which is not a cooperative association, to another handler, and milk sold or delivered by a handler to a person who is not a handler but who distributes milk or manufactures milk products, shall be classified as Class I milk: *Provided,* That if the selling handler on or before the 5th day after the end of the delivery period furnishes to the market administrator a statement which is signed by the buyer and seller that such milk was disposed of as Class II milk or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator.

(d) *Sales of a cooperative association which is a handler.* Milk caused to be delivered from a producer to a handler by a cooperative association, for the account of such cooperative association, and for which such cooperative association collects payment, shall be ratably apportioned among the receiving handler's total Class I, Class II, and Class III milk. Milk caused to be delivered by such cooperative association to a plant from which no milk is disposed of in the marketing area, shall be classified as Class I milk; *Provided,* That if such cooperative association, on or before the 5th day after the end of the delivery period, furnishes to the market administrator a statement which is signed by the buyer and seller that such milk was disposed of as Class II milk or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator.

§ 935.6 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 935.10 not less than the following prices for milk of 3.8 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be as set forth in the table in paragraph (b) of this section.

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be as set forth in the following table:

When the Class III price computed pursuant to paragraph (c) of this section is—	The Class I price shall be—	The Class II price shall be—
Under $1.50	$2.00	$1.95
$1.50 or more but under $1.70	2.20	1.85
$1.70 or more but under $1.90	2.40	2.05
$1.90 or more but under $2.10	2.60	2.25
$2.10 or more but under $2.30	2.60	2.45
$2.30 or more but under $2.50	3.00	2.65
$2.50 or more but under $2.70	3.20	2.85
$2.70 or more but under $2.90	3.40	3.05
$2.90 or more but under $3.10	3.60	3.25
$3.10 or over	3.80	3.45

(c) *Class III milk.* The price per hundredweight for Class III milk during each delivery period shall be computed by the market administrator as follows: multiply by 3.8 the average price of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture for the delivery period during which such milk was received plus or minus 0.95 cent per hundredweight for each one cent that such average price of 93-score butter is above or below 20 cents, add 21 cents, and add a figure determined as follows: add 5 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 7 cents per pound. For purposes of determining this adjustment, the price per pound of dry skim milk to be used shall be the arithmetical average of the carlot prices for dry skim milk both spray and roller process for human consumption delivered at Chicago, as reported by the United States Department of Agriculture during the delivery period including in such average the quotations for any part of the preceding delivery period which were not published and available for the price determination of such dry skim for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption delivered at Chicago, the average of the carlot prices for dry skim milk for human consumption f. o. b. manufacturing plant, as reported by the United States Department of Agriculture for the Chicago area shall be used. In the latter event such price shall be subject to the following adjustments: add or subtract 3 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption f. o. b. manufacturing plant, is above or below 6 cents per pound.

§ 935.7 *Reports of handlers*—(a) *Periodic reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator as follows:

(1) On or before the 5th day after the end of each delivery period, (i) the receipts at each plant of milk from producers, (ii) the receipts at each plant of milk and cream from other handlers, (iii) the receipts at each plant of milk produced by him, if any, (iv) the receipts at each plant of milk and cream from any other source with the source indicated, and (v) the utilization of all receipts of milk and cream for the delivery period.

(2) On or before the 5th day after the end of each delivery period, the receipts of emergency milk as follows: (i) the amount of such milk and the average butterfat test thereof, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price per hundredweight paid or to be paid for such milk, and (v) such other information with respect thereto as the market administrator may request.

(c) *Reports of payments to producers.* Each handler shall submit to the market administrator on or before the 20th day after the end of each delivery period his producer pay roll for such delivery period which shall show for each producer (1) the net amount of the payment to such producer with the prices, deductions, and charges involved and (2) the total delivery of milk with the average butterfat test thereof.

(d) *Reports of cooperative associations.* On or before the 5th day after the end of each delivery period, each cooperative association which is a handler shall report to the market administrator the quantity of milk of any producer which it causes to be delivered to a plant from which no milk is disposed of in the marketing area.

(e) *Verification of reports.* Each handler, including a cooperative association which is a handler, shall make available to the market administrator or his agent (1) those records which are necessary for the verification of the information contained in the reports submitted in accordance with this section and (2) those facilities which are necessary for the sampling, weighing, and testing of the milk of each producer.

§ 935.8 *Application of provisions*—(a) *Handlers who are also producers.* (1) In the case of a handler who is also a producer and who purchases or receives no milk from other producers, the market administrator shall exclude from the computations made pursuant to § 935.9 the quantity of milk disposed of by such handler.

(2) In the case of a handler who is also a producer and who purchases or receives milk from other producers, the market administrator shall, before making the computations pursuant to § 935.9, (i) exclude from the total pounds of milk in each class the total pounds of milk which were purchased or received in the respective classes from other handlers and (ii) exclude pro rata from the remaining pounds of milk in each class the total pounds of milk received from such handler's own farm production.

(b) *Purchases of milk from a handler who is also a producer.* In the case of a handler who purchases or receives milk in bulk from a handler who is also a producer, the market administrator, in making the computations pursuant to § 935.9 for such purchasing handler, shall add an amount equal to the difference between the value of such milk (1) at the price for the class in which such milk was classified and (2) at the price for Class III milk.

(c) *Payment for excess butterfat.* In the case of a handler who disposes of butterfat in excess of the butterfat which, on the basis of his records, has been received, the market administrator, in making the computations pursuant to § 935.9, shall add an amount equal to the value of such butterfat (or 3.8 percent milk equivalent) in accordance with its classifications.

(d) *Purchases of emergency milk.* The market administrator, before making the computations pursuant to § 935.9 shall deduct pro rata out of each class the total pounds of emergency milk received by each handler during the delivery period.

§ 935.9 *Determination of uniform prices to producers*—(a) *Computation of the amount to be paid producers by each handler.* For each delivery period the market administrator shall compute, subject to the provisions of § 935.8, the amount to be paid producers by each handler for milk received from them including the milk of producers which a cooperative association caused to be delivered to a plant from which no milk is disposed of in the marketing area by (1) multiplying the hundredweight of such milk in each class by the price applicable pursuant to § 935.6, (2) adding together the resulting values of each class, and (3) adding any amounts pursuant to § 935.8 (b) and § 935.8 (c).

(b) *Computation and announcement of the uniform price.* For each delivery period the market administrator shall compute and announce the uniform price per hundredweight of milk as follows:

(1) Combine into one total the respective values of milk, computed pursuant to paragraph (a) of this section for each handler who made the reports prescribed by § 935.7 and who made the payments prescribed by paragraphs (c) and (d) of § 935.10;

(2) Add the amount of cash balance in the producer-settlement fund;

(3) Divide the result by the total quantity of milk represented in the sum obtained pursuant to subparagraph (1) of this paragraph;

(4) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments, or delinquencies in payment by handlers. This result shall be known as the uniform price for such delivery period for milk of producers containing 3.8 percent butterfat; and

(5) On or before the 6th day after the end of each delivery period, notify all handlers, and make public announcement of these computations, of the uniform price per hundredweight of milk, and of the Class III price.

§ 935.10 *Payments for milk*—(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period each handler shall pay each producer, for milk received during the delivery period which was not caused to be delivered by a cooperative association for the account of such cooperative association and for which such cooperative association receives payment, an amount of money representing not less than the total value of such milk, at the uniform price per hundredweight, computed pursuant to § 935.9 (b) and subject to the butterfat differential set forth in paragraph (f) of this section.

(b) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as "the producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (c), (d), and (g) of this section and out of which he shall make all payments to handlers pursuant to paragraphs (e) and (g) of this section.

(c) *Payments to the producer-settlement fund.* On or before the 8th day after the end of each delivery period each handler shall pay, subject to the provisions of paragraph (d) of this section, to the market administrator the amount by which the total value of the milk received by him from producers during the delivery period is greater than the amount obtained by multiplying the hundredweight of milk received from producers by such handler by the uniform price.

(d) *Payments made through a cooperative association.* On or before the 10th day after the end of each delivery period, each handler, with respect to milk which is caused to be delivered to him from producers by a cooperative association for the account of such cooperative association and for which such cooperative association collects payments, shall make payment to such cooperative association at not less than the class prices set forth in § 935.6, and subject to the provisions of § 935.5 (d) and to the butterfat differential set forth in paragraph (f) of this section, for the utilization value of such milk. On or before the 10th day after the end of each delivery period such cooperative association shall pay to the market administrator the amount by which the utilization value of such milk and of the milk of each producer which it causes to be delivered to a plant from which no milk is disposed of in the marketing area, is greater than the amount obtained by multiplying the hundredweight of all such milk by the uniform price.

(e) *Payment out of producer-settlement fund.* On or before the 10th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers, with respect to milk which was not caused to be delivered to such handler by a cooperative association for the account of such cooperative association and for which such cooperative association collects payments, the amount, if any, by which the total value of such milk received from producers by such handler is less than the amount obtained by multiplying the hundredweight of such milk received from producers by such handler by the uniform price. On or before the 10th day after the end of each delivery period, the market administrator shall pay to a cooperative association which is a handler, for payment to producers, the amount, if any, by which the total value of milk of producers caused to be delivered to a handler and to a plant from which no milk is disposed of in the marketing area by such cooperative association is less than the amount obtained by multiplying the hundredweight of such milk by the uniform price. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Butterfat differential.* If any handler has received from any producer, during the delivery period, milk having an average butterfat content other than 3.8 percent, such handler shall add to the uniform price for such producer for each one-tenth of 1 percent of average butterfat content in milk above 3.8 percent not less than, or shall deduct from the uniform price for such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.8 percent not more than, 3 cents per hundredweight if the average price of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, is less than 30 cents, $3\frac{1}{2}$ cents if such average price of butter is 30 cents or more but less than 35 cents, or 4 cents if such average price of butter is 35 cents or more but less than 40 cents, $4\frac{1}{2}$ cents if such average price of butter is 40 cents or more but less than 45 cents, 5 cents if such average price of butter is 45 cents or more but less than 50 cents, or $5\frac{1}{2}$ cents if such average price of butter is 50 cents or more.

(g) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to or out of the producer-settlement fund pursuant to paragraphs (c), (d), and (e) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, pursuant to paragraph (c) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses payment to such producer of less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

§ 935.11 *Expense of administration*—(a) *Payments by handlers.* As his prorata share of the expense of administration hereof, each handler, with respect to all milk received from producers during the delivery period, shall pay to the market administrator on or before the 10th day after the end of the delivery period that amount per hundredweight, and not to exceed 2 cents per hundredweight, which is announced on or before the 8th day after the end of the delivery period by the market administrator, subject to review by the Secretary. As its prorata share of the expense of administration hereof, a cooperative association, which is a handler, shall pay to the market administrator on or before the 10th day after the end of the delivery period, with respect to the milk of any producer which it causes to be delivered to a plant from which no milk is disposed of in the marketing area, an amount per hundredweight equivalent to that required to be paid by other handlers pursuant to this paragraph.

(b) *Suits by the market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

§ 935.12 *Effective time, suspension, and termination of the order, as amended*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to paragraph (b) of this section.

(b) *Termination of the order, as amended.* The Secretary may terminate or suspend this order, as amended, whenever he finds that this order, as amended, obstructs or does not tend to effectuate the declared policy of the act.

This order, as amended, shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(d) The market administrator, or such other person as the Secretary may designate, (i) shall continue in such capacity until discharged by the Secretary, (ii) from time to time account for all receipts and disbursements and deliver all funds

which no milk is disposed of in the mar-

(5) Promptly verify the information

(c) *Class III milk.* The price per

or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 935.13 *Liability*—(a) *Liability of handlers.* The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

§ 935.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 6th day of April 1943, to be effective on and after the 11th day of April 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

APRIL 7, 1943.

Approved:

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-5549; Filed, April 8, 1943; 11:23 a. m.]

PART 948—MILK IN THE SIOUX CITY, IOWA, MARKETING AREA

Order, as amended, regulating the handling of milk in the Sioux City, Iowa, marketing area.

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue and amend orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

Sec.

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AUTHORITY: §§ 948.1 to 948.13, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 *et seq.*

§ 948.1 *Findings and determinations*—(a) *Findings.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1–900.17; 6 F.R. 6570; 7 F.R. 3350; 8 F.R. 2813), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Sioux City, Iowa, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid order, as amended, and as hereby amended, and all of the terms and conditions of said order as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Sioux City, Iowa, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The aforesaid order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers of at least 50 percent of the volume of milk covered by this order, as amended, which is marketed within the Sioux City, Iowa, marketing area refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Sioux City, Iowa, marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interest of producers of milk which is produced for sale in the Sioux City, Iowa, marketing area; and

(3) The issuance of this order as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order, as amended, and who, during the determined representative period, were engaged in the production of milk for sale in the said Sioux City, Iowa, marketing area.

§ 948.2 *Order relative to findings.* It is therefore ordered that, from and after the effective date hereof, the handling of milk in the Sioux City, Iowa, marketing area shall be in conformity to and in compliance with the terms and conditions of this order, as amended.

§ 948.3 *Definitions.* As used herein the following terms shall have the following meanings:

(1) "Sioux City, Iowa, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of Sioux City, Iowa; South Sioux City, Nebraska; Stevens, South Dakota; and that territory within the following townships or precincts: Woodbury and Concord in Woodbury County, Iowa; Hancock, Perry, and Hungerford in Plymouth County, Iowa; Big Sioux and Jefferson in Union County, South Dakota; and Dakota and Covington in Dakota County, Nebraska.

(2) "Person" means any individual, partnership, corporation, association, or any other business unit.

(3) "Producer" means any person, irrespective of whether such person is also a handler, who, in conformity with the applicable health regulations, produces milk which is received at the plant of a handler from which milk is disposed of in the marketing area. This definition shall also include any person who produces milk which a cooperative association causes to be delivered to a plant from which no milk is disposed of in the marketing area.

(4) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, all or a portion of which milk is disposed of as milk in the marketing area and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall also include a cooperative association with respect to milk caused to be delivered from a producer to a plant from

which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payments.

(5) "Market administrator" means the agency which is described in § 948.4 for the administration hereof.

(6) "Delivery period" means the then current marketing period from the first to, and including, the 15th day of each month, and from the 16th to, and including, the last day of each month.

(7) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended, by the Agricultural Marketing Agreement Act of 1937.

(8) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is or who may be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

(9) "Cooperative association" means any cooperative association of producers which the Secretary determines (i) to have its entire activities under the control of its members and (ii) to have and to be exercising full authority in the sale of milk of its members.

(10) "Emergency milk" means milk received by a handler from sources other than producers or other handlers under a temporary permit issued by the proper health authorities.

§ 948.4 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have power to:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violation of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 948.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Unless otherwise directed by the Secretary, publicly disclose to handlers and to producers, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 948.7 or (ii) made payments pursuant to § 948.10; and

(5) Promptly verify the information contained in the reports submitted by handlers pursuant to § 948.7.

§ 948.5 *Classification of milk*—(a) *Milk to be classified.* Milk of each producer caused to be delivered by a cooperative association which is a handler to a plant from which no milk is disposed of in the marketing area, and all milk received from producers and other handlers, by each handler, including milk produced by him, if any, shall be classified by the market administrator in the classes set forth in paragraph (b) of this section, subject to the provisions of paragraph (c) of this section.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk containing more than 1½ percent of butterfat which is disposed of in the form of milk, whether plain or flavored, and all milk not accounted for as Class II milk and Class III milk;

(2) Class II milk shall be all milk used to produce cream which is disposed of in the form of cream (for consumption as cream); and

(3) Class III milk shall be (i) all milk used to produce a milk product other than that specified as Class II milk and (ii) all milk accounted for as actual plant shrinkage (but such plant shrinkage shall not exceed 3 percent of the total receipts of milk from producers).

(c) *Interhandler and nonhandler sales.* Milk disposed of by a handler to another handler, and milk disposed of by a handler to a person who is not a handler but who distributes milk or manufactures milk products, shall be classified as Class I milk: *Provided*, That if the selling handler and the purchaser, on or before the 5th day after the end of the delivery period, each furnish to the market administrator similar signed statements that such milk was disposed of as Class II or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator.

§ 948.6 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 948.10 not less than the following prices for milk of 3.5 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be as set forth in the table in paragraph (b) of this section.

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be as set forth in the following table:

When the price computed pursuant to paragraph (d) of this section is—	The Class I price shall be	The Class II price shall be
Under $1.50	$1.85	$1.55
$1.50 or more but under $1.70	2.05	1.75
$1.70 or more but under $1.90	2.25	1.95
$1.90 or more but under $2.10	2.45	2.15
$2.10 or more but under $2.30	2.65	2.35
$2.30 or more but under $2.50	2.85	2.55
$2.50 or more but under $2.70	3.05	2.75
$2.70 or more but under $2.90	3.25	2.95
$2.90 or more but under $3.10	3.45	3.15
$3.10 or over	3.65	3.35

(c) *Class III milk.* The price per hundredweight for Class III milk shall be the price resulting from the following computation by the market administrator: determine the average of the prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the next preceding delivery period at the following plants:

Concern:	Location of plant
Carnation Milk Co.	Northfield, Minn.
Carnation Milk Co.	Waverly, Iowa.
Borden Milk Products Co.	Sterling, Ill.
Libby McNeill and Libby	Morrison, Ill.
Fort Dodge Creamery Co.	Fort Dodge Iowa.

(d) *Basic price.* The basic price to be used in determining the Class I and Class II prices shall be computed by the market administrator as follows: multiply by 3.8 the average price of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture for the delivery period during which such milk is received, plus or minus 0.95 cent per hundredweight for each 1 cent that such average price of 92-score butter is above or below 20 cents, add 21 cents, and add a figure determined as follows: add 3 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 7 cents per pound. For purposes of determining this adjustment, the price per pound of dry skim milk to be used shall be the arithmetical average of the carlot prices for dry skim, both spray and roller process, for human consumption delivered at Chicago, as reported by the United States Department of Agriculture during the delivery period, including in such average the quotations for any part of the preceding delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption delivered at Chicago, the average of the carlot prices for dry skim milk for human consumption f. o. b. manufacturing plant, as reported by the United States Department of Agriculture for the Chicago area, shall be used. In the latter event such price shall be subject to the following adjustment; add or subtract 3 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, f. o. b. manufacturing plant, is above or below 6 cents per pound.

§ 948.7 *Reports of handlers*—(a) *Periodic reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 5th day after the end of each delivery period, (i) the receipts at each plant of milk from producers, (ii) the receipts at each plant of milk and cream from handlers, (iii) the receipts at each plant of milk produced

by him, (iv) the receipts at each plant of milk and cream from any other source, with the source indicated, and (v) the utilization of all receipts of milk and cream for the delivery period.

(2) On or before the 5th day after the end of each delivery period, the receipts of emergency milk as follows: (i) the amount of such milk and the average butterfat test thereof, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price per hundredweight paid or to be paid for such milk, and (v) such other information with respect thereto as the market administrator may request.

(b) *Reports as to producers.* Each handler shall furnish to the market administrator:

(1) On or before the 5th day after the end of each delivery period, a list showing the name and address of each person who produces milk from whom the handler received milk for the purpose of fulfilling his total Class I and Class II milk requirements during the delivery period: *Provided*, That such list shall contain only persons who produce milk which is (i) commingled with milk from which such handler fulfilled his Class I and Class II milk requirements or (ii) diverted by a cooperative association which is a handler to a plant from which no milk is disposed of in the marketing area.

(2) Within 5 days after the market administrator's request, with respect to any producer for whom such information is not in the files of the market administrator, and with respect to a period or periods of time designated by the market administrator, (i) the name and address, (ii) the total pounds of milk received, (iii) the average butterfat test of milk received, and (iv) the number of days upon which milk was received.

(3) As soon as possible after first receiving milk from any producer, (i) the name and address of such producer, (ii) the date upon which such milk was first received, and (iii) the plant at which such producer's milk was received.

(c) *Reports of payments.* Each handler shall submit to the market administrator, on or before the 20th day after the end of each delivery period, his producer pay roll for such delivery period which shall show for each producer (1) the net amount of the payment made pursuant to § 948.10 with the prices, deductions, and charges involved, and (2) his total delivery of milk with average butterfat test thereof.

(d) *Verification of records.* Each handler shall (1) permit the market administrator or his agent, during the usual hours of business, to verify the information contained in reports submitted in accordance with this section, and (2) make available to the market administrator or his agent those facilities which are necessary for the sampling, check-weighing, and testing of the milk of each producer.

If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, it is necessary for the market administrator to examine the records of milk and cream handled in a plant of the handler from which no milk is disposed of in the marketing area, such handler shall make such records available to the market administrator.

§ 948.8 *Application of provisions*—(a) *Handlers who are also producers.* (1) The provisions of §§ 948.6, 948.9, 948.10, and 948.11 shall not apply to a handler who purchases or receives no milk from producers other than milk of his own production.

(2) In the case of a handler who is also a producer and who purchases or receives milk from other producers, the market administrator before making the computations pursuant to § 948.9 shall (i) exclude from the total pounds of milk in each class the total pounds of milk which were purchased or received in the respective classes from other handlers and (ii) exclude pro rata from the remaining pounds of milk in each class the total pounds of milk received from such handler's own farm production.

(b) *Purchases of milk from a handler who is also a producer.* In the case of a handler who purchases or receives milk in bulk from a handler who is also a producer, the market administrator, in making the computations pursuant to § 948.9 for such purchasing handlers, shall add an amount equal to the difference between the value of such milk (1) at the price for the class in which such milk was classified and (2) at the price for Class III milk.

(c) *Purchases of emergency milk.* The market administrator, before making the computation pursuant to § 948.9, shall deduct pro rata out of each class the total pounds of emergency milk delivered by each handler during the delivery period.

(d) *Payment for excess butterfat.* In the case of a handler who disposes of butterfat in excess of the butterfat which, on the basis of his records, has been received, the market administrator, in making the computations pursuant to § 948.9, shall add an amount equal to the value of such butterfat (or 3.5 percent milk equivalent) in accordance with its classification.

§ 948.9 *Determination of uniform prices to producers*—(a) *Computation of the amount to be paid producers by each handler.* For each delivery period the market administrator shall compute, subject to the provisions of § 948.8, the amount to be paid producers by each handler for milk received from them, by (1) multiplying the hundredweight of such milk in each class by the price applicable pursuant to § 948.6, (2) adding together the resulting values of such class, and (3) adding any amounts pursuant to § 948.8 (b) and (d).

(b) *Computation and announcement of uniform prices.* For each delivery period the market administrator shall compute and announce the uniform price per hundredweight of milk as follows:

(1) Combine into one total the respective values of milk computed pursuant to paragraph (a) of this section for each handler who made the reports to the market administrator prescribed by § 948.7, and who has made the payments to the market administrator prescribed in § 948.10 ¶d);

(2) Add the amount of cash balance in the producer-settlement fund less any amount due handlers pursuant to § 948.10;

(3) Divide the resulting amount by the total hundred-weight of milk of producers;

(4) Subtract from the figure computed pursuant to subparagraph (3) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. This result shall be known as the uniform price for such delivery period for milk of producers containing 3.5 percent butterfat; and

(5) On or before the 7th day after the end of each delivery period, notify all handlers and publicly announce these computations, the uniform price per hundredweight of milk, and the butterfat differential computed pursuant to § 948.10 (b).

§ 948.10 *Payments for milk*—(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period, each handler shall make payment, subject to the butterfat differential set forth in paragraph (b) of this section, for milk received by such handler during such delivery period, as follows:

(1) To each producer, except as set forth in subparagraph (2) of this paragraph, not less than the uniform price per hundredweight, computed pursuant to § 948.9 (b); and

(2) To a cooperative association for milk which it caused to be delivered to a handler from producers and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraph (1) of this paragraph.

(b) *Butterfat differential.* If any handler has purchased or received from any producer milk having an average butterfat content other than 3.5 percent, such handler, in making the payments pursuant to subparagraphs (1) and (2) of paragraph (a) of this section, shall add for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent not more than:

(1) Three cents per hundredweight when the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, is less than 30 cents;

(2) Three and one-half cents per hundredweight when such average price of 92-score butter is 30 cents or more but less than 35 cents;

(3) Four cents per hundredweight when such average price of 92-score butter is 35 cents or more, but less than 40 cents;

(4) Four and one-half cents per hundredweight when such average price of 92-score butter is 40 cents or more, but less than 45 cents;

(5) Five cents per hundredweight when such average price of 92-score butter is 45 cents or more, but less than 50 cents;

(6) Five and one-half cents per hundredweight when such average price of 92-score butter is 50 cents or more, but less than 55 cents; and

(7) Six cents per hundredweight when such average price of 92-score butter is 55 cents or more.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund, known as the "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to paragraphs (d) and (f) of this section and out of which he shall make all payments to handlers pursuant to paragraphs (e) and (f) of this section.

(d) *Payments to the producer-settlement fund.* On or before the 7th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund, the amount by which the total utilization value of the milk of producers received by such handler during the delivery period is greater than the sum obtained by multiplying the hundredweight of such milk by the appropriate prices required to be paid by handlers pursuant to paragraph (a) of this section.

(e) *Payments out of producer-settlement fund.* On or before the 9th day after the end of each delivery period, the market administrator shall pay to each handler, for payment to producers the amount if any, by which the total utilization value of such milk of producers received by such handler, during the delivery period, is less than the sum obtained by multiplying the hundredweight of such milk of producers by the appropriate price required to be paid by handlers pursuant to paragraph (a) of this section. On or before the 9th day after the end of each delivery period the market administrator shall pay to each cooperative association, with respect to milk of producers which it caused to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment, for payment to producers, the amount, if any, by which the total utilization of such milk is less than the sum obtained by multiplying the hundredweight of such milk by the appropriate price required to be paid by handlers pursuant to paragraph (a) of this section. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to paragraph (d) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to paragraph (e) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment of less than is required by this section, the handler shall make up such payment not later than the time of making payment to producers next following such disclosure.

§ 948.11 *Expense of administration*—(a) *Payment by handlers.* As his pro rata share of the expense of the administration hereof, each handler, with respect to all milk received from producers and produced by such handler, during the delivery period, shall pay to the market administrator, on or before the 7th day after the end of such delivery period, an amount not to exceed 4 cents per hundredweight, the exact amount to be determined by the market administrator, subject to review by the Secretary. As its pro rata share of the expense of the administration hereof, a cooperative association which is a handler shall pay to the market administrator, on or before the 8th day after the end of the delivery period, with respect to the milk of each producer which it caused to be delivered to a plant from which no milk is disposed of in the marketing area, an amount per hundredweight equal to that required to be paid by other handlers pursuant to this paragraph.

(b) *Suits by the market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expenses as required by paragraph (a) of this section.

§ 948.12 *Effective time, suspension, and termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension and termination.* Any or all provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handlers, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate, (1) shall continue in such capacity until discharged by the Secretary, (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct, and (3) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 948.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 6th day of April 1943, to be effective on and after the 11th day of April 1943. Witness my hand and the official seal of the Department of Agriculture.

CLAUDE R. WICKARD,
Secretary of Agriculture.

APRIL 7, 1943.

Approved:

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-5550; Filed, April 8, 1943; 11:23 a. m.]

Chapter X—Food Production Administration

[FPO 5, Directive 2]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER CONTAINING CHEMICAL NITROGEN

§ 1206.102 *Directive 2—(a) Distribution and delivery of chemical fertilizer containing chemical nitrogen for use on field corn.* Pursuant to the provisions of paragraphs (d) (1) and (d) (2) of Food Production Order No. 5,[1] the distribution and delivery of chemical fertilizer containing chemical nitrogen for use on field corn in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin, shall be governed by the following directions:

(1) Before making delivery of mixed chemical fertilizer containing chemical nitrogen to any person for use on field corn in the above-mentioned States, fertilizer manufacturers, dealers, or agents shall accept any applications received for such fertilizer for use on Group A crops and provide for delivery of such fertilizer for use on such Group A crops as provided in paragraph (h) (3) of Food Production Order No. 5.[1]

(2) Before delivering mixed chemical fertilizer containing chemical nitrogen to any person for use on field corn in the above-mentioned States, in excess of 50 percent of such person's requirements, fertilizer manufacturers, dealers or agents shall first make provision for delivering such fertilizer to the extent of 50 percent of the requirements of all eligible applications for such fertilizer for use on field corn in the above-mentioned States.

(3) In delivering mixed chemical fertilizer containing chemical nitrogen to persons in the above-mentioned States for use on field corn in excess of 50 percent of the requirements of such persons, fertilizer manufacturers, dealers or agents shall, so far as practicable, deliver to each of such persons the same percentage of his requirements.

(4) Fertilizer manufacturers, dealers or agents shall make available as high a percentage of mixed chemical fertilizer containing chemical nitrogen for delivery and use on other Group B crops as is made available for use on field corn.

(E.O. 9280, 9322, 7 F.R. 10179; 8 F.R. 9322; FPO 5, 8 F.R. 947)

Issued this 8th day of April 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-5586; Filed, April 8, 1943; 4:12 p. m.]

[1] 8 F.R. 947, 2955, 3689, 3750.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 21-2, Civil Air Regulations]

PART 21—AIRLINE TRANSPORT PILOT RATING

PERIODIC PHYSICAL EXAMINATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 2nd day of April 1943.

Effective April 2, 1943, § 21.400 of the Civil Air Regulations is amended as follows:

By striking the proviso which reads as follows:

§ 21.400 *Periodic physical examinations.* • • •

Provided, That the holder of an airline transport pilot certificate may, in lieu of each alternate periodic physical examination by such medical examiner of the Administrator, submit evidence satisfactory to the Administrator that he has within the preceding 15 days met at least the physical requirements prescribed in this Part by passing a physical examination prescribed by the air carrier by which he is employed.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-5607; Filed, April 9, 1943; 11:46 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5257]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

RELIEF FOR INSTALLMENT BASIS TAXPAYERS AND TAXPAYERS WITH INCOME FROM LONG-TERM CONTRACTS

In order to conform Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] to section 222 (d) and (e) (2) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended by inserting immediately preceding the heading "Part II—Rules in Connection With Certain Exchanges. Supplement A—Excess Profits Credit Based on Income," which immediately precedes section 740, the following:

SEC. 222. RELIEF PROVISIONS. (Revenue Act of 1942, Title II.)

• • • • •

(d) *Installment basis and other taxpayers.* Subchapter E of Chapter 2 is amended by inserting after section 735 the following new section:

SEC. 736. RELIEF FOR INSTALLMENT BASIS TAXPAYERS AND TAXPAYERS WITH INCOME FROM LONG-TERM CONTRACTS.

(a) *Election to accrue income.*—In the case of any taxpayer computing income from installment sales under the method provided by section 44 (a), if such taxpayer establishes, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, that the average volume of credit extended to purchasers on the installment plan in the four taxable years preceding the first taxable year beginning after December 31, 1941, was more than 125 per centum of the volume of such credit extended to such purchasers in the taxable year, or the average outstanding installment accounts receivable at the end of each of the four taxable years preceding the first taxable year beginning after December 31, 1941, was more than 125 per centum of the amount of such accounts receivable at the end of the taxable year, or if the taxpayer was not in existence for four previous taxable years, the taxable years during which the taxpayer was in existence, in either case including only such years for which the income was computed under the method provided in section 44 (a), it may elect, in its return for the taxable year, for the purposes of the tax imposed by this subchapter, to compute, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, its income from installment sales on the basis of the taxable period for which such income is accrued, in lieu of the basis provided by section 44 (a). Except as hereinafter provided, such election shall be irrevocable when once made and shall apply also to all subsequent taxable years, and the income from installment sales for each taxable year before the first year with respect to which the election is made but beginning after December 31, 1939, shall be adjusted for the purposes of this subchapter to conform to such election. In making such adjustments, no amount shall be included in computing excess profits net income for any excess profits tax taxable year on account of installment sales made in taxable years beginning before January 1, 1940. If the taxpayer establishes, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary that in a taxable year subsequent to the year with respect to which an election has been made under the preceding provisions of this subsection it would not be eligible to elect such accrual method, the taxpayer may in accordance with such regulations elect in its return for such year to abandon such accrual method. Such election shall be irrevocable when once made and shall preclude any further elections under this subsection. For the taxable year for which the latter election is made and subsequent taxable years, income shall be computed in accordance with section 44 (c).

• • • • •

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 30.736 (a)-1 *Taxpayers reporting income on installment basis; eligibility for relief*—(a) *In general.* Section 736 (a) provides excess profits tax relief with respect to a taxpayer which computes its income for the taxable year from installment sales under the method provided by section 44 (a), if such taxpayer establishes that either:

(1) The average volume of credit extended to purchasers on the installment plan in the four taxable years preceding the first taxable year of the taxpayer beginning after December 31, 1941, was more than 125 percent of the volume of such credit extended to such purchasers in the taxable year, or

(2) The average outstanding installment accounts receivable at the end of each of the four taxable years preceding the first taxable year of the taxpayer beginning after December 31, 1941, was more than 125 percent of the amount of such accounts receivable at the end of the taxable year.

If the taxpayer was not in existence for the four taxable years preceding its first taxable year beginning after December 31, 1941, the average volume of credit or the average outstanding installment accounts, as the case may be, for the years preceding such first taxable year shall be computed for such years as the taxpayer was in existence. The average volume of credit or the average outstanding installment accounts shall be computed only with respect to those years for which the income was computed pursuant to the method provided by section 44 (a), and shall not be computed with respect to any year for which the income was reported on the cash or the straight accrual basis. The years with respect to which such computations are made need not be consecutive taxable year.

The average volume of credit for the appropriate years preceding the taxpayer's first taxable year beginning after December 31, 1941 (hereinafter called the "installment base period"), shall be the aggregate of the volumes of credit extended during each of such years divided by the number of months in such years and multiplied by twelve. If the taxable year with respect to which the election is being made is a year of less than twelve months, the number of months in such year shall be used for the purposes of the preceding sentence instead of twelve. The average outstanding installment accounts receivable shall be the aggregate of the amounts of the installment accounts receivable at the end of each of the taxable years in the installment base period divided by the number of years in such period.

(b) *Definitions and determinations.* For the purposes of this section:

(1) An installment sale means any sale upon credit which the purchaser agrees to repay in two or more scheduled payments, regardless of the maturity of such credit or the amount of the down payment or of each payment, and which for the purposes of the income tax under Chapter I is reported on the installment basis. An installment sale shall not include any casual sale of personal property, and shall not include any sale of real property unless the initial payments received in cash or property (other than evidences of indebtedness of the purchaser) during the taxable period in which the sale is made do not exceed 30 percent of the selling price and unless the taxpayer is regularly engaged in the business of selling real property upon such basis.

(2) The volume of credit for a taxable year is the amount equal to the difference between the amount of net sales (gross sales minus sales returns and allowances) and the amount of the down payments in cash or in other property (other than evidence of indebtedness of the purchaser). The sales price of an article shall include the amount of any service or credit charge but shall not include the amount of any sales tax or other excise tax imposed upon the sale whether or not charged to the purchaser. The down payment shall be the payment made at the time of the sale and shall not include the amount of any sales tax or other excise tax charged to the purchaser and included in the down payment.

(3) The outstanding accounts receivable at the end of a taxable year shall be the aggregate of the net debit amounts in the installment accounts receivable of the taxpayer at the end of such taxable year. Installment accounts receivable shall be the accounts reflecting the amounts due the taxpayer from installment sales. In computing the net debit amount of such accounts for the installment base period, there shall be allowed as credits not only payments, trade-ins, and returns and allowances but also the amount of installment accounts receivable which have been ascertained to be worthless and have been charged off under section 23 (k) of the Revenue Act of 1938 and have been allowed as a deduction in computing the net income, or which have become worthless under section 23 (k) (1) of the Internal Revenue Code as amended by section 124 of the Revenue Act of 1942, and which have been allowed as a deduction. With respect to the taxable year for which eligibility for relief under section 736 (a) and this section is being determined, in addition to the credits for payments, trade-ins, and returns and allowances, there shall be allowed as a credit the amount of installment accounts receivable which have been determined to be worthless under section 23 (k) (1) of the Internal Revenue Code as amended by section 124 of the Revenue Act of 1942, and which have been allowed as a deduction in computing the net income for such year. In determining the amount of installment accounts receivable at the end of the taxable year for which eligibility for relief under section 736 (a) is being determined, no credit shall be allowed based upon the sale, hypothecation, or other disposition (other than by payment by the purchaser) of any installment account receivable unless it is the practice of the taxpayer to sell, hypothecate, or make other disposition of a portion of its installment accounts receivable, and unless such sales, hypothecations, or other dispositions have been made in the installment base period. If such sales, hypothecations, or other dispositions have been made in such period, credits may be allowed in computing the amount of installment accounts receivable at the close of the taxable year for which eligibility is being determined. Such credit, however, shall not exceed an amount which bears the same ratio to the installment accounts receivable at the close of the taxable year which the total credit attributable to sales, hypothecations, or other dispositions (other than by payment by the purchaser) during the taxable years in the installment base period bears to the aggregate of the installment accounts receivable at the end of each of the taxable years in such period.

§ 30.736 (a)-2 *Election to compute excess profits income on straight accrual basis.* If a taxpayer computing income from installment sales under the method provided by section 44 (a) establishes eligibility for relief under section 736 (a) and § 30.736 (a)-1 with respect to a taxable year beginning after December 31, 1941, it may elect in its excess profits tax return for such year to compute income attributable to installment sales on the basis of the taxable period for which such income is accrued, in lieu of the basis provided by section 44 (a), pursuant to which income for any taxable year is determined to be that proportion of the installment payments actually received during the year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

A taxpayer electing to compute income from installment sales on the basis of the taxable period for which such income is accrued, pursuant to section 736 (a) and this section, must file with its excess profits tax return for the year in which such election is made the following:

(a) A statement of the taxable years in the installment base period for which income from installment sales was reported for the purposes of the income tax under chapter 1 under the method provided by section 44 (a) and a statement that for the taxable year income from such sales is reported upon such basis for purposes of the income tax under Chapter 1.

(b) A schedule setting forth in columnar form the details of the computation of the volume of credit extended to purchasers on the installment plan in the taxable year and in each taxable year in the installment base period or of the amount of the outstanding installment accounts receivable at the end of the taxable year and at the end of each taxable year in the installment base period, or both, and the computation of the ratio between such volume of credit extended in the taxable year and in the installment base period, or between such outstanding accounts receivable at the end of the taxable year and the average of such outstanding accounts for the installment base period, or both.

(c) A schedule setting forth the installment accounts receivable which have been sold, hypothecated, or otherwise disposed of during the taxable year and during the installment base period, and the ratio that such sales, hypothecations or other dispositions bear to installment accounts receivable outstanding at the close of the taxable year and at the end of each taxable year of the installment base period.

(d) Amended income and excess profits tax returns for each taxable year beginning after December 31, 1939, and prior to the taxable year for which the election is made, to reflect the effects of the computation of income from installment sales for the purposes of the excess profits tax for such years on the basis of the taxable period for which such income is accrued. If the recomputation produces an overassessment for any of such years, the taxpayer should file a claim for refund on Form 843 with the amended returns for such years.

If the taxpayer elects in a taxable year beginning after December 31, 1941, and under the provisions of section 736 (a) and this section to compute its income from installment sales on the straight accrual basis, such election shall be irrevocable when once made and shall apply also to all subsequent taxable years and the income from installment sales for each taxable year before the first year with respect to which the election is made, but beginning after December 31, 1939, shall be adjusted for the purposes of the excess profits tax computation to conform to such election. Since no change in the computation of income from the installment basis to the straight accrual basis can be made for any year

beginning prior to January 1, 1940, as a

puted upon the straight accrual basis.

installment sales would be so computed

used excess profits credit carry-back would be allowed. For the computation

straight accrual basis as described in this section. The normal tax net in-

of Supplement O, of Chapter 1, relating to overpayments. Any amount of ex-

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 2nd day of April 1943.

[1] 8 F.R. 947, 2955, 3689, 3750.

beginning prior to January 1, 1940, as a result of such election, no recomputation can be made for any year in the base period. If the taxpayer uses the excess profits credit based on income pursuant to section 713 or section 742, the average base period net income shall be the actual average base period net income with income from installment sales computed under the method pursuant to which such income was reported for the purposes of the income tax under Chapter 1 for the taxable years in such period. If the taxpayer uses the excess profits credit based on invested capital pursuant to section 714, the determination of accumulated earnings and profits shall be made without regard to any adjustment resulting from election made under section 736 (a) and this section, except as such election is reflected in the amount of income tax or excess profits tax payable for taxable years beginning after December 31, 1939. The election made pursuant to section 736 (a) and this section to compute income on the straight accrual basis in lieu of the basis provided in section 44 (a) shall apply only with respect to excess profits net income for purposes of the excess profits tax imposed by Subchapter E of Chapter 2. For purposes of the income tax under Chapter 1, or the surtax on personal holding companies or the declared value excess profits tax under Chapter 2, income shall be computed upon the basis provided in section 44 (a).

If the taxpayer does not satisfy the eligibility requirements of section 736 (a) and § 30.736 (a)–1 for its first taxable year beginning after December 31, 1941, it is not precluded from electing for any subsequent taxable year in which it satisfies such eligibility requirements to compute its income from installment sales upon the straight accrual basis. Moreover, the taxpayer need not elect under section 736 (a) and this section to compute its income from installment sales upon the straight accrual basis for the first taxable year beginning after December 31, 1941, with respect to which such eligibility requirements are satisfied. Failure so to elect does not preclude an election for a subsequent taxable year with respect to which the eligibility requirements are met.

For a new election to return to the installment basis of reporting income for a taxable year in which the taxpayer would not be eligible to elect to compute income from installment sales on the straight accrual basis pursuant to section 736 (a) and this section subsequent to the year in which such election was made, see § 30.736 (a)–4.

§ 30.736 (a)–3 *Computation of income on straight accrual basis.* If the taxpayer has elected under section 736 (a) and § 30.736 (a)–2 to compute for excess profits tax purposes its income from installment sales on the basis of the taxable year for which such income is accrued, in lieu of the basis provided by section 44 (a), the gross income of the taxpayer from installment sales shall be computed upon such accrual basis. Likewise all deductions under section 23 allowable in computing net income and attributable to such sales, shall be computed upon the straight accrual basis. However, no income or deductions (including deductions for bad debts) shall be included in the computation of excess profits net income for any excess profits tax taxable year on account of installment sales made in taxable years beginning before January 1, 1940.

Any deductions under section 23 which are limited to a percentage of net income (computed without regard to such deductions, as for example, the deduction for charitable contributions which is allowed by section 23 (q)) shall be determined on the basis of such net income with income from installment sales determined upon the straight accrual basis, and not on the basis of such net income for the purposes of the income tax under Chapter 1. The deduction for bad debts under section 23 (k) shall be allowed only with respect to debts which have become worthless within the taxable year. No reserve for bad debts arising from installment accounts receivable may be set up for excess profits tax purposes, and no bad debt deduction shall be allowed for any additions to such a reserve. Only those debts which have become worthless within the taxable year and which are allowed as a deduction in the computation of net income for the purposes of the income tax under Chapter 1 for the taxable year shall be allowed in the determination of the bad debt deduction for excess profits tax purposes under section 736 (a). If a debt reflected in installment accounts receivable was created in a prior excess profits tax taxable year for which the income for excess profits tax purposes was computed upon the straight accrual basis or was recomputed upon the straight accrual basis pursuant to an election made under section 736 (a) and § 30.736 (a)–2, and the total amount of the profit represented by such installment accounts receivable was included in gross income for such year, the amount of the deduction for the bad debt shall be computed upon the straight accrual basis and shall not be limited to the unrecovered cost of the goods or article sold in consideration of such debt.

In computing the net operating loss deductible for the purposes of the excess profits tax for a taxable year pursuant to section 23 (s), section 122, and section 711 (a) (1) (J) or section 711 (a) (2) (L):

(a) The net operating loss under section 122 (a) for any prior or subsequent taxable year and the net income under section 122 (b) for any prior taxable year shall be determined by computing income from installment sales upon the straight accrual basis if for the purposes of the excess profits tax for such prior or subsequent years the income would be so computed upon the straight accrual basis pursuant to an election made under section 736 (a) and § 30.736 (a)–2;

(b) The net operating loss under section 122 (a) for any subsequent taxable year shall be determined by computing income from installment sales upon the installment method provided by section 44 (a) if for the purposes of the excess profits tax for such year income from installment sales would be so computed under the method provided by section 44 (a) pursuant to an election made under section 736 (a) to abandon the straight accrual method (see § 30.736 (a)–4);

(c) The net operating loss for a taxable year beginning in 1939 shall be the net operating loss determined under the provisions of Chapter 1 applicable to such year, without regard to any election subsequently made under section 736 (a);

(d) The excess profits net income for the taxable year in which the net operating loss deduction is computed shall, for the purposes of the reduction provided by section 711 (a) (1) (J) (ii) or section 711 (a) (2) (L) (ii) be determined by computing income from installment sales under the straight accrual basis pursuant to the election made under section 736 (a) and § 30.736 (a)–2.

In computing normal tax net income for the purposes of determining excess profits net income, the credit for dividends received shall be limited to 85 percent of the adjusted net income computed by placing income from installment sales on the straight accrual basis as provided in this section, instead of on the installment basis.

The unused excess profits credit under section 710 (c) (2) for any excess profits tax taxable year for which the excess profits net income is computed by determining income from installment sales on the straight accrual basis pursuant to the election exercised under section 736 (a) and § 30.736 (a)–2 shall be computed with regard to the excess profits net income so computed. For any excess profits tax taxable year for which income from installment sales is computed under the method provided by section 44 (a), pursuant to an election under section 736 (a) and § 30.736 (a)–4 to abandon the straight accrual basis, the unused excess profits credit shall be computed with regard to the excess profits net income so computed. The adjusted excess profits net income used in the computation of the unused excess profits credit carry-back and carry-over under section 710 (c) (3) shall be the adjusted excess profits net income computed by determining income from installment sales on the straight accrual basis as described in this section. The unused excess profits credit adjustment for any taxable year shall be the aggregate of the unused excess profits credit carry-overs and unused excess profits credit carry-backs to such taxable year, and shall be applied against excess profits net income for such year computed by determining income from installment sales on the straight accrual basis. However, no unused excess profits credit carry-back may be used against excess profits net income for an excess profits tax taxable year beginning prior to January 1, 1941, regardless of the fact that the excess profits net income for such year had been increased by income from installment sales computed on the straight accrual basis, whereas if such income had been computed on the installment basis the income from installment sales would be attributable to a subsequent taxable year to which an unused excess profits credit carry-back would be allowed. For the computation of the unused excess profits credit adjustment, see section 710 (c) and § 30.710-4.

If an election is made under section 736 (a) and § 30.736 (a)–2 for an excess profits tax taxable year beginning after December 31, 1941, or for a subsequent taxable year, to compute excess profits net income on the straight accrual basis in lieu of the installment basis:

(a) With respect to a taxable year beginning in 1940, the income tax determined under Chapter 1 shall be based upon normal tax net income which includes income from installment sales computed under the method provided by section 44 (a) and the excess profits tax shall be based upon adjusted excess profits net income which shall include income from installment sales computed upon the straight accrual basis as described in this section. The amount of the income tax shall be allowed as an adjustment under section 711 (a) (1) (A), in computing excess profits net income based on income, and under section 711 (a) (2) (C), in computing excess profits net income based on invested capital, as applicable to a taxable year beginning on January 1, 1940.

(b) With respect to a taxable year beginning in 1941 and not ending after June 30, 1942, the normal tax and surtax determined under Chapter 1 shall be based upon normal tax net income and surtax net income which include income from installment sales computed under the method provided by section 44 (a), and the excess profits tax shall be based upon adjusted excess profits net income which shall include income from installment sales computed upon the straight accrual basis as described in this section. The excess profits tax allowed as a deduction under the provisions of section 23 (c), applicable to a taxable year beginning on January 1, 1941, in the computation of net income for normal tax and surtax purposes shall be the amount of excess profits tax determined pursuant to the election under section 736 (a).

(c) With respect to taxable years beginning in 1941 and ending after June 30, 1942, the tentative normal tax and surtax for the purposes of the tentative tax provided in section 108 (a) (1) (A) and the tentative excess profits tax provided in section 710 (a) (3) (A) shall be computed as described in the preceding paragraph (b), and the tentative normal tax and surtax for the purposes of the tentative tax provided in section 108 (a) (1) (B) and the tentative excess profits tax provided in section 710 (a) (3) (B) shall be computed as described in the succeeding paragraph (d).

(d) With respect to a taxable year beginning after December 31, 1941, the normal tax and surtax determined under Chapter 1 shall be based upon normal tax net income and surtax net income which include income from installment sales computed under the method provided by section 44 (a), and the excess profits tax shall be based upon adjusted excess profits net income which shall include income from installment sales computed upon the straight accrual basis as described in this section. The normal tax net income and the corporation surtax net income for the purposes of the normal tax and surtax under Chapter 1 shall be determined by using as the credit under section 26 (e) (relating to income subject to excess profits tax) the amount of adjusted excess profits net income computed by determining income from installment sales upon the straight accrual basis. For the purposes of determining the excess profits tax under section 710 (a) (1) (B), as an amount which, when added to the normal tax and surtax for such year equals 80 percent of the corporation surtax net income computed without regard to the credit under section 26 (e), the corporation surtax net income shall include income from installment sales computed upon the straight accrual basis described in this section, the credit for dividends received used in computing corporation surtax net income shall be limited to 85 percent of the net income which shall include income from installment sales computed upon such straight accrual basis, and the normal tax and surtax shall be the actual normal tax and surtax determined under Chapter 1.

The income tax and excess profits tax for any taxable year recomputed as provided in this section pursuant to the election under section 736 (a) shall be the income tax and the excess profits tax for such year for the purposes of the provisions of Supplement L of Chapter 1, relating to assessment and collection of deficiency, the provisions of Supplement M of Chapter 1, relating to interest and additions to the tax, and the provisions of Supplement O, of Chapter 1, relating to overpayments. Any amount of excess profits tax deferred under section 710 (a) (5) on account of relief claimed under section 722, any amount of foreign tax credit under section 729 (c) and (d) which is limited to a portion of the excess profits tax imposed, any credit for debt retirement under section 783, and any amount of post war refund under section 780 shall be computed with respect to the excess profits tax so determined. Likewise, any amount of foreign tax credit under section 131 which is limited to a portion of the income tax imposed shall be computed with respect to the income tax so determined.

The provisions of this section may be illustrated by the following example:

Example. Corporation I, which came into existence early in 1936, is a retail dealer selling personal property on the installment plan. It computes its income on the calendar year basis under the method provided in section 44 (a). It has established that the average outstanding installment accounts receivable at the end of the years 1938, 1939, 1940, and 1941 is more than 125 percent of the amount of outstanding installment accounts receivable at the end of 1942. It therefore elects under section 736 (a) and § 30.736 (a)–2 to compute its income from installment sales upon the straight accrual basis for purposes of the excess profits tax for the year 1942; income from such sales for the years 1940 and 1941 must also be computed upon the straight accrual basis. The net income of corporation I from installment sales computed upon the installment method and upon the straight accrual basis, the deductions (not including any deduction for excess profits tax) and the amount of income which will not be subject to excess profits tax as a result of the election under section 736 (a) are shown in the following schedule:

Taxable year	Income accrued	Years in which income is realized by collection and reported upon the installment basis							Unrealized income 12-31-42
		1936	1937	1938	1939	1940	1941	1942	
1936	$200,000	$70,000	$50,000	$50,000	$30,000				
1937	300,000		100,000	100,000	50,000	$50,000			
1938	350,000			120,000	150,000	50,000	$30,000		
1939	400,000				150,000	100,000	100,000	$50,000	
1940	420,000					200,000	150,000	100,000	
1941	480,000						250,000	200,000	$30,000
1942	540,000							500,000	40,000
Income	2,790,000	70,000	150,000	270,000	380,000	400,000	530,000	850,000	70,000
Deductions	590,000	50,000	60,000	65,000	75,000	90,000	80,000	100,000	
Net income	2,190,000	20,000	90,000	205,000	305,000	310,000	440,000	750,000	70,000

	1940	1941	1942	Unrealized income Dec. 31, 1942
Net income from installment sales for taxable years beginning after December 31, 1939, computed upon installment basis	$400,000	$530,000	$850,000	$70,000
Net income from installment sales for taxable years beginning after December 31, 1939, computed upon accrual basis	450,000	480,000	540,000	
Increase in excess profits net income caused by change to accrual basis	50,000			
Decrease in excess profits net income caused by change to accrual basis		50,000	310,000	70,000

Income subject to excess profits tax upon installment basis (sum of incomes for 1940, 1941, 1942, and income unrealized as of December 31, 1942) ---------- $1,850,000

Income subject to excess profits tax upon accrual basis (sum of incomes for 1940, 1941, and 1942) ---------- 1,470,000

Income which is not subject to excess profits tax if election is made under section 736 (a) to compute income from installment sales upon the accrual method ---------- $380,000

Assume that except for the deductions for income tax, excess profits tax, or for the credit for income subject to excess profits tax,

there are no adjustments to net income shown in the preceding schedule in computing normal tax net income, corporation surtax net income, or excess profits net income, and that dividends out of earnings and profits

PURSUANT TO ELECTION UNDER SECTION 736 (a)

14. Net income (accrual basis)	$360,000
15. Less income tax	74,400
	285,600

42. Excess profits tax ($19,000 plus 45 percent of $45,250) ---------- $39 62 50

1942 INCOME TAX

	1940	1941	1942	Total

profits tax taxable year and the adjusted excess profits net income for any such year (used in the computation of the unused excess profits credit carry-over)

there are no adjustments to net income shown in the preceding schedule in computing normal tax net income, corporation surtax net income, or excess profits net income, and that dividends out of earnings and profits were distributed for each year in the base period equal to the amount of the net income for such year. The average base period net income pursuant to section 713 (d) and (f) for 1940 is $254,675, *i. e.*, one-half of the sum of $171,175 (the income for 1938 less the amount of the income tax for such year (pursuant to section 711 (b) (1) (A) applicable with respect to a taxable year beginning in 1940)), $254,675 (the income for 1939 less the amount of the income tax for such year computed as provided above), and $165,215 (one-half of the amount by which the aggregate of the incomes for 1938 and 1939 (computed as provided above) exceeds the aggregate of the incomes for 1936 of $17,760 and 1937 of $77,660 (computed as provided above)) but not in excess of $254,675. The excess profits credit based on income for 1940 is $241,941.25 (95 percent of $254,675). The average base period net income pursuant to section 713 (d) and (f) for 1941 and subsequent years is $305,000, *i. e.*, one-half of the sum of $205,000 (the income for 1938), $305,000 (the income for 1939), and $200,000 (one-half of the amount by which the aggregate of the incomes for 1938 and 1939 exceeds the aggregate of the incomes for 1936 and 1937), but not in excess of $305,000. The excess profits credit based on income for such years is $289,750 (95 percent of $305,000). The income tax and excess profits tax computed for each of the years 1940, 1941, and 1942 without regard to, and pursuant to an election under section 735 (a), would be as follows:

1940 Income Tax

1. Net income (installment basis)	$310,000
2. Normal tax (22⅒ percent)	68,510
3. Defense tax (10 percent of tax computed at 19 percent, *i. e.*, 1.9 percent)	5,890
4. Total tax	74,400

1940 Excess Profits Tax

WITHOUT REGARD TO SECTION 736 (a)

5. Net income (installment basis)		$310,000
6. Less income tax		74,400
7. Excess profits net income		235,600
8. Less: Excess profits credit	$241,941.25	
9. Specific exemption	5,000.00	246,941.25
10. Adjusted excess profits net income		0
11. Excess profits net income (item 5; in computing unused excess profits credit, 1941 law is applicable and no deduction for income tax is allowed)		310,000
12. Less: Excess profits credit (item 34; in computing unused excess profits credit, excess profits credit is computed under law applicable to 1941)		289,750
13. Unused excess profits credit		0

PURSUANT TO ELECTION UNDER SECTION 736 (a)

14. Net income (accrual basis)		$360,000
15. Less income tax		74,400
16. Excess profits net income		285,600
17. Less: Excess profits credit	$241,941.25	
18. Specific exemption	5,000.00	246,941.25
19. Adjusted excess profits net income		38,658.75
20. Excess profits tax ($5,000 plus 30 percent of $18,658.75)		10,597.63

1941 Income Tax

WITHOUT REGARD TO SECTION 736 (a)

21. Net income (installment basis)	$440,000
22. Less excess profits tax (item 37)	64,125
23. Normal tax net income, and corporation surtax net income	375,875
24. Normal tax (24 percent)	$90,210.00
25. Surtax ($1,500 plus 7 percent of $350,875)	26,061.25
26. Total tax	116,271.25

PURSUANT TO ELECTION UNDER SECTION 736 (a)

27. Net income (installment basis)	$440,000
28. Less excess profits tax (item 42)	39,362.50
29. Normal tax net income and corporation surtax net income	400,637.50
30. Normal tax (24 percent)	96,153.00
31. Surtax ($1,500 plus 7 percent of $375,637.50)	27,794.63
32. Total tax	123,947.63

1941 Excess Profits Tax

WITHOUT REGARD TO SECTION 736 (a)

33. Excess profits net income (installment basis)		$440,000
34. Less: Excess profits credit	$289,750	
35. Specific exemption	5,000	294,750
36. Adjusted excess profits net income		145,250
37. Excess profits tax ($41,500 plus 50 percent of $45,250)		64,125

PURSUANT TO ELECTION UNDER SECTION 736 (a)

38. Excess profits net income (accrual method)		$390,000
39. Less: Excess profits credit	$289,750	
40. Specific exemption	5,000	294,750
41. Adjusted excess profits net income		95,250
42. Excess profits tax ($19,000 plus 45 percent of $45,250)		$39,362.50

1942 Income Tax

WITHOUT REGARD TO SECTION 736 (a)

43. Net income (installment basis)	$750,000
44. Less: Credit under section 26 (e) for income subject to excess profits tax (item 58)	455,250
45. Normal tax net income and corporation surtax net income	294,750
46. Normal tax (24 percent)	70,740
47. Surtax (16 percent)	47,160
48. Total tax	117,900

PURSUANT TO ELECTION UNDER SECTION 736 (a)

49. Net income (installment basis)	$750,000
50. Less credit under section 26 (e) for income subject to excess profits tax (item 63)	145,250
51. Normal tax net income and corporation surtax net income	604,750
52. Normal tax (24 percent)	145,140
53. Surtax (16 percent)	96,760
54. Total tax	241,900

1942 Excess Profits Tax

WITHOUT REGARD TO SECTION 736 (a)

55. Excess profits net income (installment basis)		$750,000
56. Less: Excess profits credit	$289,750	
57. Specific exemption	5,000	294,750
58. Adjusted excess profits net income		455,250
59. Excess profits tax (90 percent)		409,725

PURSUANT TO ELECTION UNDER SECTION 736 (a)

60. Excess profits net income (accrual basis)	$440,000
61. Less: Excess profits credit	$289,750
62. Specific exemption	5,000 294,750
63. Adjusted excess profits net income	145,250
64. Excess profits tax (90 percent)	130,725
65. Corporation surtax net income (accrual basis (item 60))	440,000
66. 80 percent of item 65	352,000
67. Less income tax under chapter 1 (item 54)	241,900
68. Item 66 less item 67	110,100
69. Excess profits tax (item 64 or item 68, whichever is the lesser)	110,100

	1940	1941	1942	Total
Tax computed without regard to section 736 (a):				
Income tax	$74,400	$116,271.25	$117,900	$308,571.25
Excess profits tax	0	64,125.00	409,725	473,850.00
Total	74,400	180,396.25	527,625	782,421.25
Tax computed pursuant to election under section 736 (a):				
Income tax	74,400.00	123,947.63	241,900	440,247.63
Excess profits tax	10,597.63	39,362.50	110,100	160,060.13
Total	84,997.63	163,310.13	352,000	600,307.76
Tax saving resulting from election under section 736 (a)		17,086.12	175,625	192,711.12
Increase in tax resulting from election under section 736 (a)	10,597.63			10,597.63
Net tax saving				182,113.49

§ 30.736 (a)–4 *Election to abandon straight accrual basis and to return to installment basis.* If the taxpayer establishes for any excess profits tax taxable year subsequent to the year in which it elected under the provisions of section 736 (a) and § 30.736 (a)–2 to compute for excess profits tax purposes income from installment sales on the straight accrual basis that:

(a) Such election was based upon a comparison of the average volume of credit extended to purchasers on the installment plan in the installment base period with the volume of credit for such year, and that such average volume of credit extended in the installment base period is not more than 125 percent of the volume of credit extended to purchasers on the installment plan in the taxable year, or

(b) Such election was based upon a comparison of the average outstanding accounts receivable for the installment base period with the amount of such accounts receivable at the end of such year, and that such average outstanding accounts receivable for the installment base period is not more than 125 percent of the amount of such accounts receivable at the end of the taxable year,

the taxpayer may elect in its excess profits tax return for the taxable year to abandon for excess profits tax purposes the computation of income from installment sales on the straight accrual basis and may elect under the method provided by section 44 (a) to compute its income from installment sales as that proportion of installment payments actually received in the taxable year which the gross profit realized or to be realized when payment is completed, bears to the total contract price. When made, such election shall be irrevocable and shall be applicable not only to the taxable year for which the election is made but also to all subsequent excess profits tax taxable years. No such election may be made if subsequent to the year for which the taxpayer has elected under section 736 (a) and § 30.736 (a)–2 to compute its income from installment sales on the straight accrual basis, the taxpayer has received permission from the Commissioner under section 41 and § 19.41–2 to change its accounting method for purposes of the income tax under Chapter 1 to the straight accrual basis. An election made under section 736 (a) and this section to abandon the straight accrual basis and to resume the installment basis method provided by section 44 (a) precludes any further election under section 736 (a) and § 30.736 (a)–2, and no future election can be made to compute, for excess profits tax purposes, income from installment sales on the straight accrual basis.

If the election under section 736 (a) and this section is made to resume the installment method of computing income from installment sales, the income from such sales computed upon such basis shall be included in excess profits net income for the taxable year for which the election is made and for all subsequent excess profits tax taxable years. Such income shall be computed in accordance with section 44 (c), and amounts received during any such year on account of sales or other disposition of property made in any prior year (whether the income for such prior year was computed on the installment or the straight accrual basis) shall not be excluded in the computation of excess profits net income.

In computing the net operating loss deduction pursuant to section 23 (s), section 122, and section 711 (a) (1) (J) or section 711 (a) (2) (L) for the purposes of the excess profits tax for a taxable year for which income from installment sales is computed under the method provided by section 44 (a) pursuant to an election under section 736 (a) and this section to abandon the straight accrual basis:

(a) The net operating loss under section 122 (a) and the net income under section 122 (b) for any prior taxable year shall be determined by computing income from installment sales upon the basis, straight accrual basis or installment basis provided by section 44 (a), used in computing excess profits net income for such year,

(b) The net operating loss for any subsequent taxable year shall be determined by computing income from installment sales upon the installment basis method provided in section 44 (a),

(c) The excess profits net income for the taxable year for which the net operating loss deduction is computed shall, for the purposes of the reduction provided by section 711 (a) (1) (J) (ii) or section 711 (a) (2) (L) (ii), be determined by computing income from installment sales under the installment basis method provided by section 44 (a).

The unused excess profits credit under section 710 (c) (2) for any prior excess profits tax taxable year and the adjusted excess profits net income for any such year (used in the computation of the unused excess profits credit carry-over) shall be determined upon the basis of the excess profits net income for such year which shall include income from installment sales computed upon the basis, straight accrual basis or installment basis provided by section 44 (a), used in computing excess profits net income for such year. The unused excess profits credit for a subsequent excess profits tax taxable year shall be determined upon the basis of the excess profits net income which shall include income from installment sales computed upon the installment method provided by section 44 (a). The unused excess profits credit adjustment for any taxable year shall be the aggregate of the unused excess profits credit carry-overs and unused excess profits credit carry-backs to such year. For the computation of the unused excess profits credit adjustment, see section 710 (c) and § 30.710–4.

With respect to those excess profits tax taxable years for which the taxpayer has resumed the computation of income from installment sales on the installment basis provided by section 44 (a), normal tax net income and corporation surtax net income for the purposes of computing the excess profits tax shall, prior to any adjustments under section 711 (a) and section 710 (a) (1) (B), be the normal tax net income and the corporation surtax net income used in the computation of the normal tax and the surtax under chapter 1.

Sec. 222. Relief provisions. (Revenue Act of 1942, Title II.)

* * * * * * *

(d) *Installment basis and other taxpayers.* Subchapter E of Chapter 2 is amended by inserting after section 735 the following new section:

Sec. 736. Relief for installment basas taxpayers and taxpayers with income from long-term contracts. (Revenue Act of 1942, Title II.)

* * * * * * *

(b) *Election on long-term contracts.* In the case of any taxpayer computing income from contracts the performance of which requires more than 12 months, if it is abnormal for the taxpayer to derive income of such class, or, if the taxpayer normally derives income of such class but the amount of such income of such class includible in the gross income of the taxable year is in excess of 125 per centum of the average amount of the gross income of the same class for the four previous taxable years, or, if the taxpayer was not in existence for four previous taxable years, the taxable years during which the taxpayer was in existence, it may elect, in its return for such taxable year for the purposes of this subchapter, or in the case of a taxable year the return for which was filed prior to the date of the enactment of the Revenue Act of 1942, within 6 months after the date of the enactment of such Act, to compute, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, such income upon the percentage of completion method of accounting. Such election shall be made in accordance with such regulations and shall be irrevocable when once made and shall apply to all other contracts, past, present, or future, the performance of which required or requires more than 12 months. The net income of the

taxpayer for each year prior to that with respect to which the election is made shall be adjusted for the purposes of this subchapter, including the computation of excess profits net income in each taxable year of the base period under section 711 (b), to conform to such election but for purposes of chapter 1, the tax imposed by this subchapter for any prior taxable year on account of the adjustment required by this subsection shall be considered a part of the tax imposed by this subchapter for the taxable year in which such income is, without regard to this subsection, includible in gross income. Income described in this subsection shall not be considered abnormal income under section 721.

* * * * *

(e) *Retroactive application of provisions relative to general relief and income from long-term contracts.*

* * * * *

(2) Subsection (b) of section 736 and so much of subsection (c) as is applicable thereto shall be applicable only with respect to taxable years beginning after December 31, 1941, except that, if a taxpayer, within six months after the date of enactment of this Act and in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, elects to have such subsections apply retroactively to all taxable years beginning after December 31, 1939, such amendments shall also be applicable to such taxable years.

§ 30.736 (b)–1 *Taxpayers with income from long-term contracts; eligibility for relief.* Section 736 (b) provides relief with respect to a taxpayer which computes, pursuant to section 42 and § 19.42–4 (b), income from contracts the performance of which requires more than twelve months (hereinafter called "long-term contracts") for the taxable year in which such contracts are finally completed and accepted (hereinafter called the "completed contract basis"), if such taxpayer establishes that either:

(a) It is abnormal for the taxpayer to derive income from such class of long-term contracts, or

(b) The taxpayer normally derives income from such class of long-term contracts, but the amount of such income of such class includible in the gross income of the taxpayer for the taxable year is in excess of 125 percent of the average amount of the gross income of the same class for the four previous taxable years, or if the taxpayer was not in existence for four previous taxable years, the taxable years during which the taxpayer was in existence (hereinafter called the "long-term contract base period"). In determining whether performance required a period of more than twelve months, only the period beginning with the commencement of the work and ending with its completion shall be taken into account. If twelve months or less elapse between the beginning of the work and its completion, the contract is not a long-term contract even though more than twelve months may have elapsed between the execution of such contract and the completion of its performance.

The average amount of gross income from long-term contracts in the long-term contract base period of a taxpayer shall be the aggregate of the gross incomes from such long-term contracts for each year in such base period divided by the number of months in such period and multiplied by twelve. If the taxable year for which the election under section 736 (b) and § 30.736 (b)–2 is made is a year of less than twelve months, the number of months in such year shall be used for the purposes of the preceding sentence instead of twelve. For the definition of gross income see section 22 (a).

§ 30.736 (b)–2 *Election to report income upon percentage of completion basis.* If the taxpayer satisfies the eligibility requirements provided in section 736 (b) and § 30.736 (b)–1 with respect to a taxable year beginning after December 31, 1939, it may elect in its excess profits tax return for such year, or if the election is made for a taxable year the excess profits tax return for which was filed prior to October 21, 1942 (the date of enactment of the Revenue Act of 1942) it may elect not later than April 21, 1943 (six months after the date of enactment of the Revenue Act of 1942), to compute its income from long-term contracts upon the percentage of completion method of accounting provided in § 19.42–4 (a).

If the election to compute income from long-term contracts upon the percentage of completion method of accounting is made in an excess profits tax return filed on or after October 21, 1942, the taxpayer shall file with its return for such year the following:

(a) A schedule setting forth in columnar form a comparison between the gross income from long-term contracts reported in the long-term contract base period and the gross income from long-term contracts which would be reported upon the completed contract basis for the taxable year, together with a statement of the percentage which the latter bears to the average of the former.

(b) A schedule showing the recomputation of the average base period net income and the excess profits net income for each year in the base period with income from long-term contracts computed upon the percentage of completion method of accounting. Included in this schedule shall be an analysis of all long-term contracts entered into, the income from which has been reported in income tax returns for the purposes of chapter 1 for the taxable years beginning with the first taxable year in the base period of the taxpayer and ending with the taxable year for which the election is made, and including all long-term contracts which in such year of election are in the process of completion. The schedule shall contain a statement of the percentage of completion of such contracts for all such years supported, if possible, by architect's certificates or, if such certificates are not obtainable for such prior years, by other competent evidence establishing the percentage of completion claimed for such years.

(c) Amended excess profits tax returns for each prior excess profits tax taxable year for which a recomputation is necessitated by reason of the election to recompute income from long-term contracts upon the percentage of completion method of accounting, and amended income tax returns if necessary to reflect the recomputation of excess profits tax for such prior year. If the recomputation has produced an overassessment for any of such years, the taxpayer should file a claim for refund on Form 843 with the amended returns for such years.

If the taxpayer desires to make the election under section 736 (b) for an excess profits tax taxable year, the return for which was filed prior to October 21, 1942, such election shall be made by the taxpayer filing an amended excess profits tax return for such year and an amended income tax return for such year, if necessary to reflect the recomputation of the excess profits tax for the year, on or before April 21, 1943. The additional information set forth in the preceding paragraph, shall also be filed with such returns.

If the taxpayer elects under the provisions of section 736 (b) and this section to compute its excess profits net income from long-term contracts upon the percentage of completion method of accounting, such election shall be irrevocable when once made. The election shall apply to all other long-term contracts entered into by the taxpayer, whether completed in the past, or in the taxable year, or whether such contracts are partly performed and are to be completed in the future, and to contracts which may be entered into in the future as well as to contracts which have already been entered into by the taxpayer. The income for excess profits tax purposes for each taxable year prior to the year in which the election is made to compute excess profits net income from long-term contracts upon the percentage of completion method of accounting shall be adjusted to conform to such method. The excess profits net income under section 711 (b) for each taxable year in the base period, for the purposes of computing the average base period net income under section 713 or section 742, shall also be adjusted so as to conform to such election and the income from long-term contracts shall be computed upon the percentage of completion method of accounting. If the taxpayer uses the excess profits credit based upon invested capital pursuant to section 714, the determination of accumulated earnings and profits shall be made without regard to any adjustment resulting from any election made under section 736 (b) or this section, except as such election is reflected in the amount of income tax or excess profits tax payable for taxable years beginning after December 31, 1939.

The election made pursuant to section 736 (b) and this section to compute income from long-term contracts upon the percentage of completion method of accounting shall apply only with respect to average base period net income and to excess profits net income for an excess profits tax taxable year. For purposes of the income tax under Chapter 1, or the surtax on personal holding companies or the declared value excess profits tax under Chapter 2, income from such contracts shall be computed upon the completed contract basis.

If the taxpayer does not satisfy the eligibility requirements of section 736 (b) and § 30.736 (b)–1 for a taxable year beginning prior to January 1, 1943, it is not precluded from electing for any subsequent excess profits tax taxable year with respect to which it satisfies such eligibility requirements to compute its income from long-term contracts on the percentage of completion basis for the purposes of the excess profits tax. Moreover, the taxpayer need not elect under section 736 (b) and this section to compute income from long-term contracts on the percentage of completion basis for the first excess profits tax taxable year with respect to which the eligibility requirements are satisfied. Failure so to elect does not preclude an election for a subsequent excess profits tax taxable year with respect to which the eligibility requirements are met.

§ 30.736 (b)–3 *Computation of net income upon percentage of completion method of accounting*—(a) *Excess profits tax taxable year.* If a taxpayer has elected under section 736 (b) and § 30.736 (b)–2 to compute for excess profits tax purposes its net income from long-term contracts upon the percentage of completion method of accounting, in lieu of the completed contract basis, gross income from such long-term contracts shall be reported for each excess profits tax taxable year upon the basis of percentage of completion of such contract in such year. There shall be deducted from such gross income for a taxable year all expenditures made during such year on account of the contract, account being taken of the material and supplies on hand at the beginning and end of the taxable year for use in connection with the work under the contract but not yet so applied. Any deductions under section 23 which are limited to a percentage of net income (computed without regard to such deduction, as for example, the deduction for charitable contributions which is allowed by section 23 (q)) shall, for excess profits tax purposes, be determined upon the basis of such net income with the income from long-term contracts computed upon the percentage of completion method of accounting, and not upon the basis of net income for chapter 1 purposes. No reserve for bad debts arising from accounts receivable from long-term contracts may be set up for excess profits tax purposes unless a reserve has been established for income tax purposes.

In computing the net operating loss deduction for the purposes of the excess profits tax for a taxable year pursuant to section 23 (s), section 122, and section 711 (a) (1) (J) or section 711 (a) (2) (L), the net operating loss under section 122 (a) and the net income under section 122 (b) for any taxable year prior or subsequent to the taxable year in which the election under section 736 (b) and § 30.736 (b)–2 is made shall be determined by computing income from long-term contracts upon the percentage of completion method of accounting. The excess profits net income for the taxable year for which the net operating loss deduction is computed shall, for the purposes of the reduction provided by section 711 (a) (1) (J) (ii) or section 711 (a) (2) (L) (ii), be determined by computing income from long-term contracts upon the percentage of completion method of accounting.

In computing normal tax net income for the purposes of determining excess profits net income, the credit for dividends received shall be limited to 85 percent of the adjusted net income computed by determining income from long-term contracts upon the percentage of completion method of accounting as provided in section 736 (b) and this section, instead of upon the completed contract basis.

With respect to a taxable year beginning after December 31, 1941, or with respect to the tentative excess profits tax computation under section 710 (a) (3) (B) in the case of a taxable year beginning in 1941 and ending after June 30, 1942, the excess profits tax may be computed under section 710 (a) (1) (B) as an amount which when added to the normal tax and surtax computed under Chapter 1, or under section 108 (a) (1) (B) if the taxable year begins in 1941 and ends after June 30, 1942, equals 80 percent of the corporation surtax net income computed without regard to the credit under section 26 (e) (relating to income subject to excess profits tax). For such purpose, the corporation surtax net income shall be determined by computing the income from long-term contracts upon the percentage of completion method of accounting. The credit for dividends received used in computing corporation surtax net income shall be limited to 85 percent of the net income determined by computing income from long-term contracts upon the percentage of completion method of accounting, and the normal and surtax shall be the actual normal tax and surtax determined under Chapter 1, or under section 108 (a) (1) (B) if the taxable year begins in 1941 and ends after June 30, 1942.

The unused excess profits credit under section 710 (c) (2) for any excess profits tax taxable year for which the excess profits net income is determined by computing income from long-term contracts upon the percentage of completion method of accounting pursuant to the election exercised under section 736 (b) and § 30.736 (b)–2 shall be computed with regard to the excess profits net income so computed. The adjusted excess profits net income used in the computation of the unused excess profits credit carry-back and carry-over under section 710 (c) (3) shall be the adjusted excess profits net income determined by computing income from long-term contracts upon the percentage of completion method of accounting as described in this section. The unused excess profits credit adjustment for any taxable year shall be the aggregate of the unused excess profits carry-overs and unused excess profits credit carry-backs to such taxable year, and shall be applied against excess profits net income for such year determined by computing income from long-term contracts upon the percentage of completion method of accounting. However, no unused excess profits carry-back may be used against excess profits net income for an excess profits tax taxable year beginning prior to January 1, 1941, regardless of the fact that the excess profits net income for such year has been increased by income from long-term contracts computed upon the percentage of completion method of accounting, whereas if such income had been computed upon the completed contract basis it would be attributable to a subsequent taxable year to which an unused excess profits credit carry-back would be allowed. For the computation of the unused excess profits credit adjustment, see section 710 (c) and § 30.710–4.

The excess profits tax for a taxable year recomputed as provided in this section shall be the excess profits tax for such year for the purposes of the provisions of Supplement L of Chapter 1, relating to assessment and collection of deficiency, the provisions of Supplement M of Chapter 1, relating to interest and additions to tax, and the provisions of Supplement O of Chapter 1, relating to overpayments. Any amount of excess profits tax deferred under section 710 (a) (5) on account of relief claimed under section 722, any amount of foreign tax credit under section 729 (c) and (d) which is limited to a portion of the excess profits tax imposed, any credit for debt retirement under section 783, and any amount of post-war refund under section 780 shall be computed with respect to the excess profits tax so determined.

In no event shall income from long-term contracts computed for excess profits tax purposes upon the percentage of completion method of accounting pursuant to an election under section 736 (b) and § 30.736 (b)–2 be considered abnormal income under section 721.

(b) *Taxable year in the base period.* If a taxpayer elects, pursuant to section 736 (b) and § 30.736 (b)–2, to compute its income from long-term contracts upon the percentage of completion method of accounting, the excess profits net income for a taxable year in the base period to be used in computing the average base period net income shall be computed pursuant to section 711 (b) but with income from long-term contracts computed upon the percentage of completion method of accounting as described in § 30.736 (b)–3 in lieu of the completed contract basis method. In such event gross income attributable to each long-term contract shall be placed in the appropriate year in the base period upon the percentage of completion method of accounting, regardless of whether such contract was completed in a subsequent year in the base period or in an excess profits tax taxable year and regardless of when gross income from such contract was reported for income tax purposes under Chapter 1. Likewise, gross income attributable to each long-term contract completed during a taxable year in the base period shall be included in income for such year only to the extent to which such income is attributable to the percentage of the contract completed in such year. Gross income attributable to the percentage of the contract completed prior

cable to taxable years beginning after

computing net income for section 102

Assume that except for the deductions

to the base period shall be excluded in the computation of excess profits net income for a taxable year in the base period and consequently from average base period net income. There shall be deducted from such gross income for each taxable year in the base period all expenditures made during the taxable year on account of the contract, account being taken of the material and supplies on hand at the beginning and end of each year for use in connection with the work under the contract but not yet so applied.

(c) *Adjustment of income tax liability.* For purposes of the normal tax and surtax and of the surtax on corporations improperly accumulating surplus imposed by Chapter 1, the excess profits tax imposed by Subchapter E of Chapter 2 for any taxable year on account of the adjustment in excess profits tax for such year required by the recomputation of income from long-term contracts upon the percentage of completion method of accounting pursuant to the election under section 736 (b), shall be considered a part of the excess profits tax imposed by Subchapter E of Chapter 2 for the taxable year in which such income is, without regard to the provisions of section 736 (b), includible in gross income.

The excess profits tax imposed by Subchapter E of Chapter 2 for any excess profits tax taxable year on account of the recomputation of income from long-term contracts required by section 736 (b) shall be the amount by which the excess profits tax imposed for such year with the income from long-term contracts computed upon the percentage of completion method of accounting exceeds the excess profits tax imposed for such year computed upon the completed contract basis method of accounting. The amount of such increase in excess profits tax which is attributable to the inclusion in excess profits net income for such year of income from long-term contracts computed upon the percentage of completion method of accounting shall be added to the excess profits tax imposed for the year in which the income from such long-term contracts would be includible in gross income under the completed contract basis method of accounting. The amount of such increase shall be the increase prior to the inclusion in the excess profits tax for the taxable year in which the increase is determined of any increase in a prior taxable year attributable to a contract the gross income from which would be reported upon the completed contract basis for the year for which the increase is determined. If an increase in excess profits tax for a taxable year is due to income attributable to two or more contracts which are not completed in such year but the income from which is included in excess profits net income for such year upon the percentage of completion method of accounting, the portion of such increase attributable to each contract shall be the same proportion of the total increase for such year which the income attributable to such contract for such year is of the total income from such contracts for such year. The amount of income computed upon the percentage of completion method of accounting which is attributable to a contract in any taxable year shall be the gross income (so computed) minus the direct costs for such year on account of such contract, but shall not include any deductions, expenses, or costs which are not directly charged to such contract under the method of cost accounting employed by the taxpayer. The increase in excess profits tax so attributed to each contract shall be considered to be a part of the excess profits tax for the taxable year in which such contract is completed and in which the income would be reported under the completed contract basis method of accounting.

For the purposes of the deduction under section 23 (c) (2) for excess profits tax with respect to a taxable year beginning in 1941, or of the credit under section 26 (e) for income subject to excess profits tax with respect to a taxable year beginning after December 31, 1941, the excess profits tax for any taxable year for which an increase in tax is considered to be part of the tax for a subsequent taxable year shall be deemed to be the excess profits tax computed for such year upon the completed contract basis method of accounting, increased by any increase in excess profits tax for a prior taxable year due to income from long-term contracts being computed upon the percentage of completion method of accounting if the income from such contracts would have been reported for the taxable year upon the completed contract basis.

If the excess profits tax imposed for an excess profits tax taxable year recomputed pursuant to the election under section 736 (b) is less than the excess profits tax imposed for such prior year computed without regard to the election under section 736 (b), there is no amount of excess profits tax attributable to any contract which is to be completed in a future year and the income from which, computed upon the completed contract basis, would be included in gross income for such future year. Consequently no adjustment in the excess profits tax for such future year is to be made. With respect to the taxable year for which the excess profits tax recomputed pursuant to the election under section 736 (b) is less than the excess profits tax computed without regard to such election, the excess profits tax for the purposes of Chapter 1 shall be the excess profits tax computed pursuant to the election under section 736 (b) increased by any increase in excess profits tax for a prior taxable year due to income from long-term contracts being computed upon the percentage of completion method of accounting if the income from such contracts would have been reported for the taxable year upon the completed contract basis.

The excess profits tax imposed by Subchapter E of Chapter 2 for any taxable year shall be the tax prior to the tax deferment under section 710 (a) (5), prior to the credit for foreign taxes under section 729 (c) and (d), prior to the credit for debt retirement under section 783, and prior to the adjustment under section 734 in case of position inconsistent with prior income tax liability. The recomputation pursuant to the election under section 736 (b) of excess profits tax imposed for any taxable year involves not only a recomputation of the excess profits net income for such taxable year by placing income from long-term contracts upon the percentage of completion method of accounting, but also a recomputation of the average base period net income upon such accounting method, if the excess profits credit based on income pursuant to section 713 is used.

If income from long-term contracts is computed upon the percentage of completion method of accounting pursuant to the election under section 736 (b), the following rules are applicable in determining, for the purposes of chapter 1, the excess profits tax, and the method of utilizing such tax, for a taxable year in which income from such contracts would be reported upon the completed contract basis:

(i) Since there is no deduction or credit for the purposes of the income tax under chapter 1 for taxable years beginning in 1940 on account of the excess profits tax or income subject to excess profits tax, there is no adjustment for Chapter 1 purposes for such years under section 736 (b).

(ii) With respect to taxable years beginning in 1941 and not ending after June 30, 1942, the excess profits tax is allowed as deduction under section 23 (c) (2) in the computation of net income. Thus any increase in excess profits tax for a taxable year beginning in 1940 on account of the recomputation upon the percentage of completion method of accounting of income from long-term contracts which would, if the provisions of section 736 (b) were inapplicable, be reported in the taxable year beginning in 1941 shall be deemed a part of the excess profits tax for such taxable year beginning in 1941 and shall be deducted under section 23 (c) (2) applicable to such year in computing the income tax imposed by Chapter 1 for such year.

(iii) The income tax for a taxable year beginning in 1941 and ending after June 30, 1942, is computed as the sum of the proportionate parts of two tentative income taxes. (See section 108 (a) (1).) The excess profits tax for such year is computed in a comparable manner. Thus any increase in excess profits tax for a taxable year beginning in 1940, as a result of the adjustments required by section 736 (b) must be deemed a part of both tentative excess profits taxes for the purposes of computing both tentative income taxes. The first tentative income tax is computed according to the law applicable to taxable years beginning on January 1, 1941. Therefore, the first tentative excess profits tax, including any increase in excess profits tax for a taxable year beginning in 1940, resulting from section 736 (b), shall be deducted under section 23 (c) in computing net income for the purposes of such income tax. The second tentative income tax is computed with regard to certain amendments made by the Revenue Act of 1942 to section 26 (e) applicable to taxable years beginning after December 31, 1941, which provide for a credit against adjusted net income for income subject to excess profits tax instead of a deduction under section 23 (c) for the excess profits tax. Consequently, the computation of the second tentative income tax shall be made in accordance with the principles prescribed for taxable years beginning after December 31, 1941.

(iv) In the case of taxable years beginning after December 31, 1941, there is allowed as a credit by section 26 (e) in computing normal tax net income and surtax net income, the amount of income subject to excess profits tax. If the excess profits tax is computed pursuant to an election under section 736 (b), such income is the amount of which the excess profits tax computed under section 710 (a) (1) (A) is 90 percent. For purposes of the credit provided by section 26 (e), the amount of excess profits tax so computed is considered to include the increase in excess profits tax imposed for a year beginning prior to January 1, 1942, and attributable to a contract which is completed, and the income from which would be reported on the completed contract basis, in a taxable year beginning after December 31, 1941. Consequently, the excess profits tax for a year beginning in 1942 would be deemed to include any increase in excess profits tax for a taxable year beginning in 1940 or 1941 and attributable to a contract ending in 1942.

(v) In the case of the surtax on corporations improperly accumulating surplus the amount of excess profits tax payable for a taxable year beginning in 1940 shall be deducted in determining section 102 net income for such year pursuant to section 102 (d) (1) (A) as applicable to such year, the amount of excess profits tax payable for a taxable year beginning in 1941 (whether or not such year ends after June 30, 1942) shall be deducted under section 23 (c) (2) in computing net income for section 102 purposes for such year, and the credit under section 26 (e) for income subject to excess profits tax for a year beginning in 1942 or in subsequent years shall be deducted in determining section 102 net income for such year pursuant to section 102 (d) (1) (D).

The income tax for a taxable year recomputed as provided in this section shall be the income tax for such year for the purposes of the provisions of Supplement L of Chapter 1, relating to assessment and collection of deficiency, the provision of Supplement M of Chapter 1, relating to interest and additions to tax, and the provisions of Supplement O of Chapter 1, relating to overpayments. Any amount of foreign tax credit under section 131 which is limited to a portion of the income tax imposed shall be computed with respect to the income tax so determined.

The provisions of this section may be illustrated by the following example:

Example. Corporation C, which came into existence early in 1935, is a contractor deriving all its income from the performance of long-term contracts requiring more than twelve months to complete. It computes its income for income tax purposes on the calendar year basis under the provisions of section 42 and § 19.42-1 (b). It has established that gross income from long-term contracts completed in 1942 is in excess of 125 percent of the average amount of gross income from such contracts in 1938, 1939, 1940, and 1941. It therefore elects under section 736 (b) and § 30.736 (b)-2 to compute its income from long-term contracts upon the percentage of completion method of accounting. Income from such contracts must be computed upon the percentage of completion method of accounting for the excess profits tax taxable years 1940, 1941, 1942, and subsequent years and also for the base period years 1936, 1937, 1938, and 1939. The net income of corporation C from long-term contracts computed upon the percentage of completion method of accounting and upon the completed contract basis method of accounting, and the deductions (not including any deduction based upon excess profits tax) are shown in the following schedule:

	1935	1936	1937	1938	1939	1940	1941	1942
Income from contracts upon completed contract basis (gross income minus expenditures)		$50,000	$150,000		$110,000	$200,000	$220,000	$270,000
Other deductions (not including excess profits tax or credit for income subject to excess profits tax)	$7,000	8,000	8,000	$10,000	11,000	12,000	15,000	11,000
Net income upon completed contract basis	(7,000)	42,000	142,000	(10,000)	99,000	188,000	205,000	259,000
Income from contracts upon percentage of completion method (gross income minus expenditures):								
Contract A	30,000	20,000						
Contract B	10,000	60,000	50,000					
Contract C			30,000	40,000	40,000			
Contract D				70,000	80,000	50,000		
Contract E					10,000	90,000	40,000	
Contract F						25,000	55,000	
Contract G							150,000	100,000
Contract H (incomplete Dec. 31, 1942)							70,000	50,000
Total	70,000	80,000	80,000	110,000	130,000	165,000	315,000	150,000
Other deductions (not including excess profits tax or credit for income subject to excess profits tax)	7,000	8,000	8,000	10,000	11,000	12,000	15,000	11,000
Net income upon percentage of completion method	63,000	72,000	72,000	100,000	119,000	153,000	300,000	139,000

Assume that except for the deductions for income tax, excess profits tax, or for the credit for income subject to excess profits tax, there are no adjustments to net income shown in the preceding schedule in computing normal tax net income, corporation surtax net income, or excess profits net income, and that dividends out of earnings and profits were distributed for each year in the base period equal to the amount of the net income computed upon the completed contract basis for such year. The average base period net income computed upon the completed contract basis is determined under section 713 (d) and (e), since the income for the last half of the base period does not exceed the income for the first half. The average base period net income upon which is based the excess profits credit based on income for 1940 is $60,346.25, the aggregate of the incomes for 1936, 1937, and 1939 (the deficit for 1938 being excluded) reduced by the amount of the income tax for each such year pursuant to section 711 (b) (1) (A) applicable with respect to taxable years beginning in 1940, *i. e.*, the sum of $36,860, $121,860, and $82,665 divided by four. The excess profits credit based on income for 1940 is $57,328.94 (95 percent of $60,346.25). The average base period net income upon which is based the excess profits credit based on income for 1941 is $70,750, *i. e.*, the aggregate of the incomes for 1936, 1937, and 1939 (the deficit for 1938 being excluded) divided by four. The excess profits credit based on income for 1941 is $67,212.50 (95 percent of $70,750). The average base period net income upon which is based the excess profits credit based on income for 1942 is $88,437.50, *i. e.*, the aggregate of the incomes for 1936, 1937, and 1939 plus $70,750 assumed to be the excess profits net income for 1938 under section 713 (e) (1) (75 percent of the average of the incomes for 1936, 1937, and 1939) divided by four. The excess profits credit based on income for 1942 is $84,015.63 (95 percent of $88,437.50). The average base period net income computed upon the percentage of completion method of accounting is determined under section 713 (d) and (f), since the income for the last half of the base period exceeds the income for the first half. The average base period net income for 1940 is $102,665, *i. e.*, one-half of the sum of $100,000 (the income for 1938 less the amount of the income tax for such year computed upon the completed contract basis and pursuant to section 711 (b) (1) (A) applicable with respect to a taxable year beginning in 1940), $102,665 (the income for 1939 less the amount of the income tax for such year computed as provided above), and $41,972.50 (one-half of the amount by which the aggregate of the incomes for 1938 and 1939 computed as provided above) exceeds the aggregate of the incomes for 1936 of $66,860 and 1937 of $51,860 (computed as provided above) but not in excess of $102,665. The ex-

cess profits credit based on income for 1940 is $97,531.75 (95 percent of $102,665). The average base period net income for 1941 and subsequent years is $119,000, *i. e.*, one-half of the sum of $100,000 (the income for 1938), $119,000 (the income for 1939), and $37,500 (one-half of the amount by which the aggregate of the incomes for 1938 and 1939 exceeds the aggregate of the incomes for 1936 and 1937) but not in excess of $119,000. The excess profits credit based on income for such years is $113,050 (95 percent of $119,000). The income and excess profits tax computed for each of the years 1940, 1941, and 1942 without regard to, and pursuant to an election under section 736 (b) is as follows:

1940 INCOME TAX

1	Net income (completed contract basis)	$188,000
2	Normal tax (22 percent)	41,360
3	Defense tax (10 percent of tax computed at 19 percent, *i. e.*, 1.9 percent)	3,760
4	Total tax	45,120

1940 EXCESS PROFITS TAX

WITHOUT REGARD TO SECTION 736 (b)

5	Net income (completed contract basis)		$188,000.00
6	Less income tax (item 4)		45,120.00
7	Excess profits net income		142,880.00
8	Less: Excess profits credit	$57,328.94	
9	Specific exemption	5,000.00	62,328.94
10	Adjusted excess profits net income		80,551.06
11	Excess profits tax ($14,000 plus 35 percent of $30,551.06)		24,692.87

PURSUANT TO ELECTION UNDER SECTION 736 (b)

12	Net income (percentage of completion method)		$153,000.00
13	Less income tax (item 4)		45,120.00
14	Excess profits net income		107,880.00
15	Less: Excess profits credit	$97,531.75	
16	Specific exemption	5,000.00	102,531.75
17	Adjusted excess profits net income		5,348.25
18	Excess profits tax (25 percent of item 17)		1,337.06

1941 INCOME TAX

WITHOUT REGARD TO SECTION 736 (b)

19	Net income (completed contract basis)		$205,000.00
20	Less excess profits tax (item 35)		57,893.75
21	Normal tax net income and corporation surtax net income		147,106.25
22	Normal tax (24 percent)		35,305.50
23	Surtax $1,500 plus 7 percent of $122,106.25)		10,047.44
24	Total tax		45,352.94

PURSUANT TO ELECTION UNDER SECTION 736 (b)

25	Net income (completed contract basis)		$205,000.00
26	Less excess profits tax (item 44)		57,893.75
27	Normal tax net income and corporation surtax net income		147,106.25
28	Normal tax (24 percent)		35,305.50
29	Surtax $1,500 plus 7 percent of $122,136.25)		10,047.44
30	Total tax		45,352.94

1941 EXCESS PROFITS TAX

WITHOUT REGARD TO SECTION 736 (b)

31	Excess profits net income (completed contract basis)		$205,000.00
32	Less: Excess profits credit	$67,212.50	
33	Specific exemption	5,000.00	72,212.50
34	Adjusted excess profits net income		132,787.50
35	Excess profits tax ($41,500 plus 50 percent of $32,787.50)		57,893.75

PURSUANT TO ELECTION UNDER SECTION 736 (b)

36	Excess profits net income (percentage of completion method)		$300,000
37	Less: Excess profits credit	$113,050	
38	Specific exemption	5,000	118,050
39	Adjusted excess profits net income		181,950
40	Excess profits tax ($41,500 plus 50 percent of $81,950)		82,475
41	Increase in excess profits tax due to election under section 736 (b) (item 40 minus item 35)		24,581.25
42	Portion of increase attributable to contract G completed in 1942 (150,000/220,000 of $24,581.25)		16,759.94
43	Portion of increase attributable to contract H not completed by December 31, 1942 (70,000/220,000 of $24,581.25) to be added to excess profits tax for year in which Contract H is completed		7,821.31
44	Excess profits tax to be deducted under section 23 (c) (2) in computing 1941 net income for chapter 1 purposes (item 35)		57,893.75

1942 INCOME TAX

WITHOUT REGARD TO SECTION 736 (b)

45	Net income (completed contract basis)		$239,000.00
46	Less credit under section 26 (e) for income subject to excess profits tax (item 56)		149,084.37
47	Normal tax net income and corporation surtax net income		89,915.63
48	Normal tax and surtax (40 percent)		35,966.25

PURSUANT TO ELECTION UNDER SECTION 736 (b)

49	Net income (completed contract basis)		$250,000.00
50	Less credit under section 26 (e) for income subject to excess profits tax (item 64)		39,072.16
51	Normal tax net income and completed contract and corporation surtax net-income		210,927.84
52	Normal tax and surtax (40 percent)		71,771.14

1942 EXCESS PROFITS TAX

WITHOUT REGARD TO SECTION 736 (b)

53	Excess profits net income (completed contract basis)		$239,000.00
54	Less: Excess profits credit	$34,015.63	
55	Specific exemption	5,000.00	89,915.63
56	Adjusted excess profits net income		149,084.37
57	Excess profits tax (90 percent)		134,085.93

PURSUANT TO ELECTION UNDER SECTION 736 (b)

58	Excess profits net income (percentage of completion method)		$250,000
59	Less: Excess profits credit	$113,050	
60	Specific exemption	5,000	119,050
61	Adjusted excess profits net income		130,950
62	Excess profits tax (90 percent)		18,855
63	Excess profits tax upon which is based credit under section 26 (e) for 1942 income tax purposes (item 62 plus item 42)		39,614.94
64	Credit under section 26 (e) for income subject to excess profits tax for 1942 income tax purposes (amount of which $35,614.94 (item 63) is 90 percent)		39,572.16

	1940	1941	1942	Total
Tax computed without regard to section 736 (b):				
Income tax	$45,120.00	$45,352.94	$35,606.25	$126,079.19
Excess profits tax	24,692.87	57,893.75	134,985.93	217,572.55
Total	69,812.87	103,246.69	170,592.18	343,651.74
Tax computed pursuant to election under section 736 (b):				
Income tax	45,120.00	45,352.94	79,771.14	170,244.08
Excess profits tax	1,337.06	82,475.00	18,855.00	102,667.06
Total	46,457.06	127,827.94	98,626.14	272,911.14
Tax (or refund) resulting from election under section 736 (b)	23,355.81		71,966.04	95,321.85
Income tax resulting from election under section 736 (c)		24,581.25		24,581.25
Net tax saving				70,740.60

SEC. 222. RELIEF PROVISIONS. (Revenue Act of 1942, Title II.)

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(d) *Installment basis and other taxpayers.* Subchapter E of Chapter 2 is amended by inserting after section 735 the following new section:

SEC. 736. RELIEF FOR INSTALLMENT BASIS TAXPAYERS WITH INCOME FROM LONG-TERM CONTRACTS. (Revenue Act of 1942, Title II.)

* * * * * *

(c) *Adjustment on account of change.* If an adjustment specified in subsection (a) or subsection (b), as the case may be, is, with respect to any taxable year, prevented, on the date of the election by the taxpayer under subsection (a) or subsection (b), as the case may be, or within two years from such date, by any provision or rule of law (other than this section and other than section 3761, relating to comprises), such adjustment shall nevertheless be made if in respect of the taxable year for which adjustment is sought a notice of deficiency is mailed or a claim for refund is filed, as the case may be, within two years after the date such election is made. If at the time of the mailing of such notice of deficiency or the filing of such claim for refund, the adjustment is so prevented, then the amount of the adjustment authorized by this subsection shall be limited to the increase or decrease in the tax imposed by Chapter 1 and this subchapter previously determined for such taxable year which results solely from the effect of subsection (a), or subsection (b), as the case may be, and such amount shall be assessed and collected, or credited or refunded, in the same manner as if it were a deficiency or an overpayment, as the case may be, for such taxable year and as if on the date of such election, two years remain before the expiration of the period of limitation upon assessment or the filing of claim for refund for the taxable year. The tax previously determined shall be ascertained in accordance with section 734 (d). The amount to be assessed and collected under this subsection in the same manner as if it were a deficiency or to be refunded or credited in the same manner as if it were an overpayment shall not be diminished by any credit or set-off based upon any item, inclusion, deduction, credit, exemption, gain or loss, other than one resulting from the effect of subsection (a) or subsection (b), as the case may be. Such amount, if paid, shall not be recovered by a claim or suit for refund, or suit for erroneous refund based upon any item, inclusion, deduction, credit, exemption, gain or loss, other than one resulting from the effect of subsection (a) or subsection (b), as the case may be.

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(e) *Retroactive application of provisions relative to general relief and income from long-term contracts.*

* * * * * *

(2) Subsection (b) of section 736 and so much of subsection (c) as is applicable thereto shall be applicable only with respect to taxable years beginning after December 31, 1941, except that, if a taxpayer, within six months after the date of enactment of this Act and in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, elects to have such subsections apply retroactively to all taxable years beginning after December 31, 1939, such amendments shall also be applicable to such taxable years.

* * * * * *

SEC. 701. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 30.736 (c)–1 *Adjustment on account of change arising from election under section 736 (a) or section 736 (b).* The recomputation of the tax liability authorized by section 736 (c) applies to the income tax and to the surtax on corporations improperly accumulating surplus, imposed by chapter 1, and to the excess profits tax imposed by subchapter E of chapter 2. Under section 736 (c), if the adjustment of any of such taxes imposed for any taxable year, to give effect to the recomputations provided under section 736 (a) (in the case of an installment basis taxpayer) or under section 736 (b) (in the case of a taxpayer with long-term contracts), is prevented on the date of the election by the taxpayer under section 736 (a) or section 736 (b), as the case may be, or within two years from such date by any provision of law (other than section 736 and other than section 3761, relating to compromises) or by any rule of law, including the doctrine of res adjudicata, an adjustment shall nevertheless be made if with respect to the taxable year for which such adjustment is sought a notice of deficiency is mailed or a claim for refund is filed, as the case may be, within two years after the date such election was made. Section 736 (c) applies only if at the time of filing of a claim for refund or the mailing of the notice of the deficiency the adjustment would otherwise be prevented by the running of the statute of limitations, by the execution of a closing agreement, by the operation of the rule of res adjudicata, or because of other reasons. For reference to provisions which would prevent adjustment except for the provisions of section 736 (c), see § 19.3801 (b)–0. Section 736 (c) is not applicable if, on the date of the filing of the claim for refund or the mailing of the notice of deficiency, adjustment of the tax liability is permissible without recourse to such section.

The amount of the adjustment authorized by section 736 is limited to the increase or decrease in the tax imposed by Chapter 1 or the tax imposed by Subchapter E of Chapter 2 previously determined for the taxable year which results solely from the revision of the excess profits tax liability effectuated by section 736 (a) or section 736 (b), as the case may be, and the collateral effects of such revision upon items of income, deductions, credits, average base period net income, etc., already taken into account in ascertaining the tax previously determined. The tax previously determined shall be ascertained in accordance with section 734 (d). See § 30.734–4. If the amount of the adjustment determined under section 736 (c) represents an increase in tax, it is to be treated in the same manner, and assessed and collected as if it were a deficiency for the taxable year; if the amount of the adjustment represents a decrease in tax, it is to be treated, credited, or refunded, in the same manner as if it were an overpayment for the taxable year. In either case the increase or decrease shall be treated as if on the date of the election pursuant to section 736 (a) or section 736 (b), as the case may be, two years remain before the expiration of the period of limitation upon assessment or the filing of a claim for refund for the taxable year. The amount of the adjustment considered as a deficiency or as an overpayment, as the case may be, will bear interest to the extent provided by the internal revenue laws applicable to deficiencies and overpayments for the taxable year for which the adjustment is made.

The amount of any adjustment under section 736 (c) to be collected in the same manner as if it were a deficiency and the amount of any adjustment to be refunded or credited in the same manner as if it were an overpayment, as the case may be, shall not be diminished by any credit or set-off based upon any item, inclusion, deduction, credit, exemption or gain or loss other than one resulting from the effect of section 736 (a) or section 736 (b), as the case may be.

The amount of any adjustment under the provisions of section 736 (c) which is refunded may not subsequently be recovered in a suit for erroneous refund based upon any adjustment other than one resulting from the revision of excess profits tax liability occasioned by the recomputation of tax pursuant to an election under section 736 (a) or section 736 (b), as the case may be. The amount of any adjustment under section 736 (c) which is assessed and collected as a deficiency may not thereafter be recovered by the taxpayer in any suit for refund based upon any adjustment other than one resulting from the revision of excess profits tax liability occasioned by the recomputation of tax pursuant to an election under section 736 (a) or section 736 (b), as the case may be.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62) as made applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 789; 26 U.S.C. 729 (a)) and sec. 222 (d) and (e) (2) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

APRIL 7, 1943.

Approved:

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5554; Filed, April 8, 1943; 11:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 51]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION PROCEDURE[1]

Subparagraph (6) of paragraph (f) *Certain associations; multiple consignors* of § 806.6 *Application procedure* is hereby amended by deleting therefrom the words "and the carrier vessel" wherever such words appear in said subparagraph.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub Law. 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

Dated April 7, 1943.

[F. R. Doc. 43-5605; Filed, April 9, 1943; 11:30 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329 E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-271]

GEORGE L. OLES CO.

The George L. Oles Company, Youngstown, Ohio, is a corporation engaged in the general retail food business, and is a wholesale receiver of coffee within the meaning of Conservation Order M-135. During the months of July, August, September and October, 1942, the company accepted deliveries of 4,300 lbs. of coffee in excess of its quota as established by conservation Order M-135. The responsible officers of the company knew of the existence of Conservation Order M-135, that it restricted the operations of their business, but made no effort to learn its terms. Consequently, the above over-deliveries of coffee constitute a wilful violation of Conservation Order M-135.

This wilful violation of Conservation Order M-135 has hampered and impeded the war effort.

In view of the foregoing facts: *It is hereby ordered*, That:

§ 1010.271 *Suspension Order No. S-271.* (a) The George L. Oles Company, Youngstown, Ohio, its successors and assigns, shall not accept deliveries of coffee in any form from any person, except as hereafter specifically authorized in writing by the War Production Board.

(b) No person shall deliver coffee in any form to the George L. Oles Company, or its successors and assigns, except as hereinafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve the George L. Oles Company, its successors and assigns, from any restriction, prohibition or provision of any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 10, 1943, and shall expire on July 10, 1943, at which time it shall have no further force or effect.

Issued this 8th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5578; Filed, April 8, 1943; 8:37 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-274]

GARFUNKEL, INC.

Garfunkel, Inc., is a New Jersey corporation located at 750 Newark Avenue, Jersey City, New Jersey. It operates a retail store at the above address where it sells new fluorescent lighting fixtures over the counter. During the period June 1st through October 21, 1942, the respondent made twenty separate sales of fluorescent lighting fixtures totalling over one hundred fixtures, none of which sales were in accordance with the restrictions of Limitation Order L-78. The company knew of the existence of Limitation Order L-78, but made no effort to learn of its provisions.

These sales were in wilful violation of Limitation Order L-78, and have impeded and hampered the war effort of the United States. In view of the foregoing: *It is hereby ordered*, That:

§ 1010.274 *Suspension Order No. S-274.* (a) Deliveries of material or equipment to Garfunkel, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied or assigned to such delivery by any preference rating certificate, preference rating order, general preference order, or any other orders or regulations of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation to Garfunkel, Inc., its successors and assigns, shall be made of any material, the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Garfunkel, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 10, 1943, and shall expire on July 10, 1943 at which time it shall have no further force or effect.

Issued this 8th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5579; Filed, April 8, 1943; 8:37 p. m.]

PART 3096—CONSERVATION OF PAPER AND PAPERBOARD

[General Conservation Order M-241-a as amended April 7, 1943[1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of pulp, paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3096.2 *General Conservation Order M-241-a*—(a) *Definitions.* For the purpose of this order:

(1) "Converter" means any person engaged in the business of manufacturing from pulp, paper and/or paperboard any of the commodities or articles referred to in paragraph (b).

(b) *Restrictions on consumption of pulp, paper and/or paperboard in the manufacture of certain converted products.* (1) No converter shall during the first calendar quarter of 1943, or any calendar quarter thereafter, consume in the manufacture of any article or class of articles on List A any quantity, in tons, of pulp, paper and/or paperboard greater than the quantity determined by applying the percentage figure on List A opposite the designation of such article or class of articles to either, at the option of the converter:

(i) The quantity, in tons, of pulp, paper and/or paperboard consumed by such converter in the manufacture of such article or class of articles during the corresponding quarter of 1942; or

(ii) One-fourth of the total quantity of pulp, paper and/or paperboard consumed by such converter in the manufacture of such article or class of articles during the entire calendar year of 1942.

(2) From and after February 15, 1943, no converter shall manufacture out of pulp, paper or paperboard any article or class of articles on List B except that for a period of 90 days from February 15, 1943, such converter may manufacture any article or class of articles on List B from pulp, paper or paperboard held by him in inventory on January 15, 1943.

(3) It shall be the duty of each converter to determine in the first instance which, if any, of his products are included among the articles and classes of articles on List A and B. In case of doubt he may apply to the War Production Board, in writing, describing the product in question, for a specific ruling, by telegram or letter, determining whether or not the same is so included. The War Production Board may of its own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(i) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241-a.

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A amended April 7, 1943.

Articles or class of articles:	*Percentages*
Chair seat covers	75
Coasters and mats, such as beer mats, and coasters of the type commonly used for households, hotels, taverns, restaurants, etc.	50
Dishes, plates and spoons	90
Doilies, mats (place, table and tray) and tray covers	60
Expansion pockets, unprinted	90
Facial tissue	90
File folders, unprinted	90
Fly paper	90
Laundry specialties to wit— (a) Shirt bands (2" wide or less), (b) Collar circles, (c) Collar supports	90
Napkins	95
Photo mounts	75
Salt and pepper shakers	90
Shelf and drawer lining—Retail packages	60
Slippers	75
Tablecovers	60
Toilet tissue	110
Towels	95
Venetian blinds	90

LIST B

NOTE: List B amended April 7, 1943.

Articles and classes of articles in the manufacture of which pulp, paper or paperboard may not be used after February 15, 1943.

Aprons.
Ash trays.
Bakers' decorative specialties, such as:
(a) Pie collars and rings.
(b) Cake circles.
(c) Cake laces.
(d) Casserole collars.
Bird cage specialties, such as:
(a) Bird cage bottoms.
(b) Bird cage covers and hoods.
(c) Bird cage food holders.
Bouquet holders for displays, corsages, etc.
Chop holders.
Combs.
Costumes.
Dusters and dusting paper.
Finger bowl liners.
Hanger protectors.
Novelties—holiday, party, advertising and decoration, such as:
(a) Garlands.
(b) Serpentines.
(c) Horns.
(d) Hats.
(e) Table decorations and place cards.
(f) Streamers, including those for window display and decoration.
(g) Flower pot covers.
(h) Costumes.
(i) [Deleted April 7, 1943]
(j) Artificial flowers and flower specialties.
(k) Confetti.
(l) Festoons.
(m) Fireworks (except such items manufactured pursuant to duly authenticated orders from the Armed Forces).
(n) Bouquets.
(o) Skewers.
Poker chips.
Punch boards, pullboards and similar articles.
Shirt protectors and envelopes.
Shirt bands (wider than 2").
Shirt boards.
Shirt displayers.
Window drapes.

[F. R. Doc. 43-5577; Filed, April 8, 1943; 8:37 p. m.]

PART 1075—CONSTRUCTION

[General Preference Order P-55-b, as Amended April 9, 1943]

Preference Rating Order P-55 is hereby amended to read as follows:

Name of Owner: _____
Address: _____

§ 1075.10 *Preference Rating Order P-55-b: Authorization of housing construction.* Construction of the housing project, hereinafter described, is hereby authorized under Conservation Order L-41, subject to the following conditions and directions:

(a) This authorization is issued in lieu of Preference Rating Order P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-55 shall constitute a reference to this authorization.

(b) *Definitions.* (1) "Owner" means the specific person to whom this order is addressed above.

(2) "Builder" means the owner and any building contractor or subcontractor with whom the owner has placed a contract pursuant to which such contractor or subcontractor has agreed to furnish critical material.

(3) "Accommodations" means either family dwelling units or rooming accommodations.

(4) "Housing project" means the housing project described in the builder's application comprising a maximum of _____ family dwelling units and _____ rooming accommodations.

(5) "Critical material" means any material or product included in the War Housing Critical List, and only such material or products. Copies of this list may be obtained from any field office of the War Production Board.

(6) "Application" means the owner's application on Form PD-105 with material list Form PD-105A, Serial No. _____, dated _____.

(c) *Restrictions on use of materials.* The builder shall not order or accept delivery of any critical material to be incorporated into the housing project or incorporate any critical material into the housing project other than that specifically set forth and approved in the application, and then only in accord-

[1] 8 F.R. 1574, 1710, 2327, 2562, 3161.

[1] This document is a re-statement of amendment 1 to M-241-a as amended February 8, 1943, which appeared in the FEDERAL REGISTER of April 8, 1943, page 4508, and reflects the order in its completed form as of April 7, 1943.

ance with the terms of the allotment on Form CMP–H–1.

(d) *Liability of owner.* The owner and any other person who now holds or hereafter acquires any beneficial interest in the housing project or any part thereof, is hereby ordered to comply with all the representations, certifications and promises made by said owner in the application, except where and to the extent such other person is relieved of such responsibility by regulation of the National Housing Agency.

(e) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to the provisions of all regulations of the War Production Board.

(f) This order shall take effect on the issuance of an authorized construction schedule with allotments or preference rating, if any, pursuant to application Forms CMP–H–1, but shall be effective for only those accommodations which are so authorized by said construction schedule within _____ days from the date this order is countersigned. This order shall be ineffective for any accommodations not authorized within the above period on Forms CMP–H–1, or for any accommodations so authorized but in excess of the maximum number specified in pargaraph (b) (4) above.

(g) Serially numbered copies of this order may be issued to named persons in the name of the War Production Board by regional directors and persons designated by them, and shall incorporate all of the provisions hereof except this section (g).

Issued this 9th day of April 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

An allotment number and preference rating for the purchase of materials as authorized for allotment and priorities assistance on the approved copy of the application returned to the owner will be issued upon presentation of Application Form CMP–H–1, properly filled in, to the office of the National Housing Agency, where application for this order was first made.

[F. R. Doc. 43–5601; Filed, April 9, 1943; 11:33 a. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–192 as Amended April 9, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export, of rubber and other materials used in the production of construction machinery and equipment and repair parts; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.10 *Limitation Order L–192—(a) Revocation of Limitation Order L–82 and L–82–a.* This order, as of November 30, 1942, supersedes Limitation Orders Nos. L–82 and L–82–a. Notwithstanding the revocation of Limitation Orders Nos. L–82 and L–82–a issued November 7th, 1942, every person subject to the terms thereof immediately prior to such date shall abide by the terms of such orders until November 30, 1942, as though their text were fully incorporated in this order.

(b) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable Regulations of the War Production Board, as amended from time to time.

(c) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of equipment.

(3) "Equipment" means that construction machinery and equipment listed in Schedules A, B, C, and D attached hereto, but shall not include any equipment on rubber tired chassis or running gear built for or usable for the transportation of commodities or persons.

(4) "New", when applied to equipment, means any equipment which has never been received or accepted by any person acquiring it for use.

(5) "Repair part" means any part manufactured for use in the repair and maintenance of equipment; but does not include components or attachments which change the functional operations of the equipment as originally shipped.

(6) "War agency" means the Army, Navy, Maritime Commission, War Shipping Administration, Canadian Department of Munitions and Supply, and the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(7) "Essential project" means a construction project undertaken by, or contracted by or for the account of a war agency or the Defense Plant Corporation, or any other construction project granted a preference rating of A–1–k or higher under any order in the P–19 series; but does not include any mine operating under a serial number of Preference Rating Order P–56.

(8) "Rubber" means all kinds of natural, reclaimed and synthetic rubber.

(d) *Procedure for Placing and Receiving Equipment Orders—(1) For Schedule A equipment.* No person shall place or accept any order for new equipment listed in Schedule A, except according to the following procedure:

(i) Every person, except a war agency, desiring to place such an order shall file an application for authorization to purchase on Form PD–556 in quintuplicate with the War Production Board regional office in the region in which such person desires to use such equipment. Such application when approved by the War Production Board shall establish all conditions under which such order may be placed with the supplier including the assignment of preference ratings if not previously granted.

(ii) Every person, except a war agency, who applies for such equipment by filing Form PD–556, thereby makes representation that he has complied with all the terms of Limitation Order L–196 as amended.

(iii) A war agency shall furnish the Construction Machinery Division, War Production Board, Washington, D. C., with Form PD–556 made out in duplicate at the time that any order for such equipment is placed with a producer.

(iv) No person shall accept an order for such equipment from any person except a war agency, unless such order is accompanied by such authorization on Form PD–556.

(2) *For Schedule B equipment.* Nothing in this order shall prevent any person from placing or accepting an order for new equipment listed in Schedule B, subject to all applicable regulations of the War Production Board.

(3) *For Schedule C equipment.* (i) No person, except a war agency, may place an order for new equipment listed on Schedule C, and no person may accept such an order unless it is placed by a war agency and accompanied by an authorization to purchase on Form PD–556.

(ii) A war agency must file an application for authorization to purchase such equipment on Form PD–556 in quadruplicate with the Construction Machinery Division, War Production Board, Washington, D. C. A war agency may also file such an application for such equipment for use by a prime contractor on a construction project for such agency.

(4) *For Schedule D equipment.* In addition to such limitations and prohibitions as may be imposed by Order L–217 and all schedules thereto, on and after June 1, 1943, no person shall place or accept any order for new equipment listed in Schedule D.

(e) *Restrictions on production of equipment.* (1) No producer shall use or put into process any materials for the production or assembly of

(i) Any new equipment except in accordance with such production schedules as may be approved by the War Production Board as provided in paragraph (f) hereof;

(ii) Any new equipment designed for or requiring rubber tires except to fill an order placed by a war agency or unless the authorization on Form PD–556 required by paragraph (d) hereof specifically so provides;

(iii) Any parts to be physically incorporated into new equipment in excess of those required by approved production schedules: *Provided*, That this subparagraph (e) (1) (iii) shall not apply to the production of repair parts or components or attachments;

(iv) Any new equipment listed in Schedule C, except to fill an order authorized by the War Production Board on Form PD–556 pursuant to paragraph (d) (3) hereof.

(2) In addition to such limitations and prohibitions as may be imposed by Order L–217 and all schedules thereto, on and after May 1, 1943, no producer shall use or put into process any materials for the production or assembly of any equipment listed in Schedule D.

(f) *Production schedules.* (1) On or before November 25, 1942, and on or before the 15th day of each succeeding calendar month, every producer shall file in quadruplicate on Form PD–697 a statement of his production for the previous month and his proposed production schedule of all new equipment projected for all additional monthly periods for which production may be planned. Approval or modification of such production schedule of all new equipment for the three calendar months succeeding such filing, or for such shorter time as production may be planned, will be indicated on an approved copy of said Form PD–697 returned to such producer prior to the first day of the calendar month succeeding such filing. Except as provided in paragraph (f) (2) hereof, no producer shall change his production schedules as approved or changed by the War Production Board without specific authorization of the War Production Board.

(2) Any producer of new equipment listed in Schedule B may produce all or any one or more items of such equipment appearing on his approved production schedules on Form PD–697 at any time during the months for which the schedules were approved, and need not therefore in that regard produce in strict accordance or sequence with the individual monthly production schedules approved: *Provided*, That the total quantity of each item produced during such period shall not exceed that authorized on such approved schedules.

(g) *Inventory reports.* On or before November 25, 1942, and on or before the 15th day of each succeeding calendar month, every producer shall file in quadruplicate on Form PD–697, a statement of finished unsold inventory, as of the last day of the preceding calendar month, of new equipment including that in the possession of his dealers and distributors. Every dealer and distributor, on the fifth day of the month, shall report his inventory of new equipment as of the last day of the preceding calendar month to the producer from whom such equipment was purchased, or, if not purchased, to the producer for whom the distributor or dealer is acting as agent.

(h) *Prohibiting transfer and use of new equipment.* On and after November 30, 1942, no producer shall use for other than experimental or demonstration purposes, or sell, lease, trade, lend, deliver, ship or transfer, any new equipment and no person shall accept the same unless

(1) Such equipment is then in transit to such person, or

(2) Such use, sale, lease, trade, loan, delivery, shipment or transfer has been specifically approved by the War Production Board as follows:

(i) On or before November 25, 1942, and on or before the 15th day of each succeeding calendar month, every producer shall file in quadruplicate on Form PD–697 a statement showing his proposed delivery schedule of all unfilled orders of new equipment, his shipments made during the calendar month previous to filing, and also his shipments during the current month to the date of filing. Approval of a delivery schedule of all new equipment for the calendar month succeeding such filing, whether or not such equipment is actually shipped during that month, will be indicated on an approved copy of said form returned to such producer prior to the first day of that month.

(ii) The delivery of all new equipment as scheduled for delivery on or before November 30, 1942, and previously authorized under Limitation Orders L–82 and L–82–a, shall be deemed to be authorized, unless the War Production Board shall otherwise direct.

(iii) The War Production Board may at any time revoke any delivery authorization provided for in subparagraphs (h) (2) (i) or (h) (2) (ii) above as to any or all new equipment included therein, direct or change the schedule for deliveries of any new equipment, allocate any order for any new equipment listed on a producer's Form PD–697 to any other producer, or direct the delivery of any new equipment to any other person, at regularly established prices and terms.

(iv) Except as provided in subparagraph (h) (2) (v) hereof, and notwithstanding any preference rating heretofore or hereafter granted, no producer shall change his schedule of deliveries of any new equipment as approved or changed by the War Production Board, without specific authorization of the War Production Board.

(v) Any producer may deliver any item of new equipment listed in Schedule B to the amount permitted by approved production schedules regardless of his schedule of deliveries of such equipment as listed on his current Form PD–697. Such deliveries shall be subject to all applicable Regulations of the War Production Board.

(i) *Restrictions on resale, rental and use.* (1) Every person, except a war agency, to whom delivery of any new equipment listed in Schedule A or C has been authorized pursuant to this order, must use such equipment on the project described in the authorization to purchase and will be subject to the provisions of paragraphs (i) (2) and (i) (3) hereof.

(2) Every person except a war agency, thirty days prior to the sale, lease or use on any other project of such equipment, shall complete, sign and return Form WPB 1333 to the Used Construction Machinery Regional Specialist in the War Production Board Regional office in the region in which the PD–556 was originally approved for such equipment.

(3) The War Production Board at any time on two weeks' written notice, may require any such person who owns such equipment to sell, lease, or use such equipment as directed.

(4) Nothing in this order shall be deemed to affect the applicability of Limitation Order L–196.

(j) *Procedure and restrictions on sale and delivery of repair parts—(1) Repairs for actual or impending breakdown or maintenance.* (i) No producer, dealer, or distributor shall sell or deliver repair parts for actual or impending breakdown or for maintenance of equipment in sound working condition to any person other than another producer, dealer, or distributor, unless such person has furnished the information and certification called for below in a writing signed by such person and in substantially the following form:

This order covers Repair Parts needed for actual or impending breakdown or maintenance of _____ which has been registered under L–196. Model Number _____ Serial Number _____ Rating _____ Project Identification _____ (Under project identification, if for War Agency give prime contract number of project otherwise state type of work for which parts are intended, e. g., mining, highway construction, housing, etc.)
In accordance with Limitation Order L–192 with the terms of which I am familiar.
Date_____ _____
Purchaser
By: _____

Such certification shall constitute a representation to the War Production Board that such repair parts are required for the purpose of repair of actual or impending breakdown or maintenance of the particular equipment, and, unless the applicant is a war agency, that the applicant does not have parts available or on order for this purpose and that such applicant has registered the equipment for which the repair parts are sought in accordance with the provisions of Limitation Order L–196 providing for registration of used construction equipment. This certification shall, for the purposes of this order, supplant the certification required in Preference Rating Order P–100.

(ii) No person, except a producer, dealer, distributor, or a war agency, shall purchase for stock or inventory repair parts (in excess of that required for the purpose of repair of impending breakdown or for maintenance of equipment in sound working condition on the current job), without specific authorization of the War Production Board on Form PD–556, submitted in duplicate. On such Form PD–556 the applicant must supply under section 5 thereof, adequate reasons why this stock or inventory must be acquired, which shall include the following information: quantity, make and model number of equipment for which parts are intended, present inventory of such parts, duration and preference rating of project on which such equipment is now working, and the distance from normal source of supply for such repair parts.

(iii) All orders for repair parts for actual or impending breakdown or maintenance of equipment in use on essential projects, as defined in paragraph (c) (7) hereof, shall carry the highest preference rating of such project. However, this subparagraph (j) (1) (iii) shall not be construed to prevent the use of any higher individual rating which may be authorized for emergency repairs pursuant to any regulation, order, or directive of the War Production Board.

(2) *Repair parts for reconditioning or rebuilding used equipment.* No producer, dealer, or distributor shall sell or deliver repair parts for purposes of reconditioning or rebuilding used equipment (except to a war agency, or to a person who has contracted to recondition or rebuild equipment owned by a war agency and to whom such war agency has properly extended a preference rating, or to a mine operating under a serial number of preference rating Order P-56), unless the order for such repair parts is accompanied by an authorization of the War Production Board, application for which shall be on Form PD-556 submitted in duplicate listing individually the repair parts requested and their approximate value.

(3) *Spares.* Orders for repair parts intended to be used as spares for new equipment listed in Schedules A and C shall be placed with the producer at the same time as the order for such new equipment, and shall be listed on the Form PD-556 on which such new equipment is requested.

(4) No producer shall deliver to war agencies in any one month, any repair part whatsoever in excess of seventy-five (75) percent of his combined production and inventory of such repair part during such month if such delivery would prevent deliveries of such repair part to fill orders properly placed by other persons, pursuant to provisions of paragraphs (j) (1), (2), and (3) above, without specific authorization of the War Production Board on Form PD-556. "Other persons" as used in this paragraph (j) (4) shall not include dealers or distributors who have ordered such repair part for their stock or to fill orders not yet sold.

(k) *Substitution and conservation of critical materials.* In the manufacture of any item of equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium, or fabricated rubber products where the use of other less critical materials will not impair the efficiency of operation of such item.

(l) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, purchases, production and sale.

(m) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(p) *Communications.* All communications concerning this order, except where specific reference is made therein to the contrary, shall be addressed to Construction Machinery Division, War Production Board, Washington, D. C., Ref: L-192.

Issued this 9th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Angledozers and modifications thereof
Bulldozers and modifications thereof
Conveyors, construction material, portable belt type and for portable plants
Cranes, crawler mounted power
Cranes, tractor mounted power
Cranes, rubber tired mounted power except freight handling lift trucks
Crushers, gyratory and cone portable type
Crushers, jaw (sizes 9" x 14" to 30" x 44" openings, inclusive); except those intermediate sizes as indicated in Schedule D (Ref. L-217), and except those sizes of a type designed exclusively for mining and smelting
Crushers, roll, construction aggregates, portable type, except those sizes and types as indicated in Schedule D (Ref. L-217)
Crushing plants, portable type
Derricks, guy, contractors and material handling, stationary type
Derricks, stiff leg, contractors and material handling, stationary type
Distributors, bituminous
Ditchers, ladder
Ditchers, wheel
Draglines (see cranes)
Draglines, slack line
Draglines, walking
Drilling machines, blast hole drills, churn drill type
Drilling machines, rock portable mounted
Dryers, construction aggregate
Excavators (see power shovels)
Finishers, concrete
Finishers, bituminous paving
Grapples
Hammers, pile
Heaters, and circulators, tank car
Jacks, mud
Loaders, portable bucket (other than coal)
Loaders, portable snow
Logging arches, tractor drawn
Mixers, aggregate pulverizer
Mixers, agitator concrete truck type, except those sizes and types as indicated in Schedule D (Ref. L-217)
Mixers, concrete truck mounted with elevating towers
Mixers, concrete construction, above 7 cubic feet except those sizes and types as indicated in Schedule D (Ref. L-217)
Pavers, concrete
Plants, stabilizing
Plants, asphalt, including travel mix type
Plants, bituminous patch, hot or cold mixer type (more than 10 ton per hour capacity)
Plows, snow (rotary and blower types)
Power control units for tractors (both cable and hydraulic)
Pumps, concrete, except for well cementing
Pumps, portable engine or electric-motor-driven pumping units mounted on skids, with or without handles, or trailer mounted larger than 90,000 gallons per hour, self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply, as defined and approved in contractors pumps standards by the Associated General Contractors of America, Inc. (A. G. C.) February 21, 1941; except those sizes and types as indicated in Schedule D (Ref. L-217)
Rippers, road
Scrapers, carrying and hauling, both drawn and self-propelled, except sizes listed in Schedule D
Shovels, crawler mounted power
Shovels, rubber tired mounted power
Shovels, tractor mounted power
Sprayers, (maintenance units) bituminous material (over 300 gallon capacity)
Spreaders, concrete
Wagons, contractors crawler
Winches, tractor and truck mounted

SCHEDULE B

Backfill tampers
Breakers, paving
Buckets, clamshell
Buckets, concrete
Buckets, dragline
Buckets, orange peel
Buckets, scraper (bottomless) for dragline operation
Clay diggers
Derricks, small stiff leg, guy, pole, tripod, and setter types with hand power hoists or winches of not over 4 ton maximum capacity
Drills, jack hammer
Drills, rock, except portable mounted
Form tamping and pulling machines
Heaters, asphalt surface
Heaters, concrete mixer
Hoists, contractors and material handling, hand type and power driven having specifications not exceeding 6,000 pounds line pull at 200 FPM line speed or not exceeding 1,300,000 foot pounds effort based on second wrap of cable
Joint and crack filling machines
Kettles, bituminous heating
Mixers, concrete construction, 7 cubic feet and smaller; except those sizes and types as indicated in Schedule D (Ref. L-217)
Mixers, plaster and mortar
Paving breakers
Plants, bituminous patch, hot or cold mixer type (10 ton per hour capacity and under)
Pumps, portable engine or electric motor driven pumping units, mounted on skids, with or without handles, or trailer mounted 90,000 gallons per hour and smaller self-priming centrifugal pumps, plunger pumps, or diaphragm pumps ordinarily used for contractors purposes or by contractors for dewatering and supply as defined and approved by the Associated General Contractors of America, Inc. (A. G. C.) February 21, 1941, excluding farm type, industrial type and underwriters approved fire fighting pumps; except those sizes and types as indicated in Schedule D (Ref. L-217)
Screen, rotary, vibrator and gravity types, other than coal, mining, industrial or those for screening mud on well drilling, used as a component part of or replacement for a portable crushing, screening or mashing plant
Sprayers, (maintenance units) bituminous material (300 gallon capacity and smaller)
Spreaders, aggregate
Vibrators, concrete
Winches, contractor (see hoists)

SCHEDULE C

The items of equipment appearing in Schedule C may be ordered and produced only for military purposes as provided in paragraphs (d) (3) and (e) (1) (iv).

Batchers, construction material
Batching plants, construction type
Bins, construction material, portable
Bins, construction material, stationary
Brooms, contractors rotary
Buggies and carts, concrete hand operated
Buggies and carts, concrete power propelled
Chutes, concrete handling
Concrete surfacing machines
Discs, road, harrow type for construction work
Discs, road, wheel mounted type
Distributors, water (street sprinklers)
Ditchers, blade
Dredges and dredge equipment, except mining
Drilling machines, portable water well, churn drill type
Earth boring machines, vertical auger type
Finegraders and subgraders, self-propelled type
Finishers and rodding machines for wet concrete
Forms, concrete road
Graders, blade or pull type earth moving
Graders, elevating earth moving
Graders, self-propelled earth moving
Hoists, contractor and material handling exceeding 6,000 pounds line pull at 250 FPM line speed or exceeding 1,300,000 foot pounds effort based on second wrap of cable
Hoppers, portable concrete
Maintainers, road
Maintainers, shoulder
Plows, cable laying
Plows, snow (V and blade types—truck, tractor grader or railroad mounted, including wings)
Rollers, road portable
Rollers, road pneumatic tired
Rollers, road tandem
Rollers, road three wheeled
Rollers, tamping and sheepsfoot
Scarifiers—complete machines not attachments
Screening plants, portable type
Sweepers, street
Sweepers, street motor pick-up
Towers, concrete placing
Towers, material elevating
Washing and screening plants, portable type

SCHEDULE D

The manufacture of items of equipment appearing in Schedule D will be discontinued in accordance with paragraph (e) (2).

Any item to the extent prohibited by any schedule to Limitation Order L-217
Finegraders and subgraders, drawn type
Graders, under truck type
Joint levellers
Scrapers, carrying and hauling, over 15 cu. yd struck capacity
Scrapers, drag, fresno and rotary, except those under jurisdiction of Limitation Order L-170

[F R Doc. 43-5604; Filed, April 9, 1943; 11:33 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Schedule IV to Limitation Order L-157, as Amended April 9, 1943 [1]]

HEAVY FORGED HAND TOOLS

§ 1293.5 *Schedule IV to Limitation Order L-157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates heavy forged hand tools.

(2) "Heavy forged hand tools" means such (i) bars, (ii) blacksmiths' anvil tools, (iii) mauls and hammers or sledges weighing 4 pounds or over, (iv) hoes weighing 3½ pounds or over, (v) mattocks, (vi) picks, (vii) railway track tools, (viii) tongs, (ix) wedges, (x) mine blasting hand tools, mine breast drills and miscellaneous forged hand tools, as are listed in Table 1 through Table 10 of Appendix A of this Schedule, and all other tools as are listed in said Tables.

(b) *Limitations.* Parts manufactured for repair and maintenance of any heavy forged hand tools are not subject to the limitations of this Schedule.

(c) *Simplified practices.* Pursuant to Limitation Order L-157 the sizes, types, grades, weights and finishes set forth in Appendix A and Tables 1 through 10 of this schedule are established for the manufacture of heavy forged hand tools.

(d) *Effective date of simplified practices.* On and after the 3rd day of November, 1942, no heavy forged hand tool which does not conform to the size, type, grade, finish, weight and standard established by paragraph (c) of this schedule (and set forth in Appendix A and tables hereto) shall be produced by any producer except upon approval of the War Production Board.

(e) *Records covering materials, work in progress, etc.* Each producer of heavy forged hand tools shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

Issued this 9th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A TO SCHEDULE IV

Explanations and Limitations

(1) *Finishes.* Faces, bits, points, and other commonly ground parts of a heavy forged hand tool shall not have a finish finer than the finish resulting from the use of a 60-grit emery wheel, dry, when good commercial technique is employed, except that sample tools selected from a lot for inspection may be polished to as fine a degree as may be necessary for such inspection. All other surfaces of heavy forged hand tools shall not be finished other than by applying a coating of paint, enamel, or lacquer over the natural forged surface, free from scale.

(2) *Sizes.* Weights given herein are exclusive of wooden handles. Dimensions and weights are subject to commercial tolerances.

(3) *Eyes.* The shapes of eyes specified by number herein and the dimensions of eyes, except those for which dimensions are given herein, shall conform with the diagrams and data on eye shapes and sizes shown pp. 10 to 18, inclusive, of Simplified Practice Recommendation R17-35, Forged Tools, issued by the National Bureau of Standards.

(4) Chisels cold, chisels hot, as both such types of chisel are set forth in Table 2 of this Appendix; Chisels, track (designs 1 and 2, A. R. E. A.) as set forth in table 7 of this Appendix; mauls, Pittsburgh or Bell pattern (designs 1 and 2, A. R. E. A.) as set forth in table 3 of this Appendix; and blacksmiths' double face sledges in 6-, 8-, 10-, and 12-pound sizes as set forth in table 3 of this Appendix; may be made of carbon steel or of such National Emergency alloy steels as are permitted by the War Production Board. All other tools listed in this Schedule, Appendix and Tables shall be made of carbon steel only.

(5) No producer shall offer the tools listed herein in more than one grade, finish, or kind of steel, except as provided in paragraph 4 above.

(6) Reference herein to "the forged hammers schedule" and to "the forged hatchets schedule" refer to Schedule II of Limitation Order L-157.

TABLE 1.—BARS

Chisel point:					
Diameter of octagon or hexagon	inch	⅝	¾	⅞	1
Length	inches	18	24	30	36
Claw, carpenters' and wrecking:					
Carpenters, gooseneck (the nail-pulling claw end bent around to form an angle of approximately 30 degrees with shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):					
Size of Hexagon or octagon	inches	½	¾	¾	¾
Length	do	12	24	30	36
Carpenters', gooseneck (the nail-pulling claw end bent by a double bend to an angle of from 90 to 120 degrees with the shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):					
Size of octagon or hexagon	inch	¾	¾	¾	
Over all length	inches	24	30	36	
Wrecking or straight (both ends offset at an angle of approximately 30 degrees, in opposite directions, one end wedge shaped and the other provided with a claw):					
Diameter of octagon or hexagon	inch	¾	¾	¾	
Length	inches	24	30	36	

Claw, railroad.

A. R. E. A. design No. 1: 5 feet long, approximately 28 pounds.
A. R. E. A. design No. 2: 5 feet long, approximately 28 pounds.
Double end (for railroad and boat spikes): 30-pound.
Flextoe.
Light, with railroad standard heel: 4-foot, 20-pound, for ½-inch spike.
Small, without heel:
3-foot, 8-pound, for ⅜ and ½-inch spikes.
2½ foot, 6-pound, for ⅜ and ½-inch spikes.
Other railroad claw-bars: None.
Coal or slate (one end tapered to a point, the other wedge-shaped and offset): 4½-foot, 1-inch octagon or hexagon, 11½-pound.
Crow, pinch-point; 3-pound, ¾-inch, 2-foot; and 6-pound, ⅞-inch, 3-foot.

See footnote at end of table.

[1] The effect of this amended order is to amend table 6 in its entirety.

Crow, pinch-and wedge-point:					
Weight each	pounds	12	18	22	26
Size	inches	1⅛	1¼	1⅜ or 1½	1½
Length	do	54	60	63	66

[a] See Specifications and Plans for Track Tools, published by the American Railway Engineering Association, Construction and Maintenance Section, Association of American Railroads, 1942, annual edition.

TABLE 1.—BARS—Continued

Crow, pinch, locomotive (with toothed heel): None.

Crow, pinch, with heel: 29-pound, 66-inch.

Crow, pinch or jimmy (or miners, or Dillonvale. Has offset wedge-shaped point): None.

Digging, post-hole:
With tamper: 5½ to 6 feet long, 1 inch in diameter; blade 3 inches wide, tamper 2¼ inches in diameter, one model only.
With loop end: None.
With point end: 8 feet long 1⅛-inch octagon or hexagon.

Flagging or paving: None.

Lining, diamond-shaped point:

Weight each	pounds	18	26
Size	inches	1¼	1½
Length	inches	60	66

Lining, round point: None.

Pinch or jimmy bar (one end wedge-shaped and offset, other end straight, round, and tapered):

Size of octagon or hexagon	inch	¾	⅞	1
Length	inches	26	30	36

Shackle: None.
Tamping, chisel end: A. R. E. A. plan No 14; approximately 13 pounds.
Tamping, diamond tamp, spear end: None.
Tamping, end (offset loop handle): None.
Tamping, plain end: None.
Tamping, spade end: None.
Tamping, spear end: 15-pound, 68-inch, 4-inch tamper, 4¾-inch spear.
Tamping, telegraph (wide tamp): None. (See Digging.)
Tamping, with wooden handle: None.
Timber (both ends offset at an angle of approximately 30 degrees, diamond-shaped point on one end, and chisel point on the other): 17-pound, 1⅛-inch stock, 5-foot.

TABLE 2.—BLACKSMITHS' ANVIL TOOLS

Chisels, cold:				
Sizes of stock at eye	inches	1¼	1½	1¾
Length	do	6	7	8
Bit	do	1¼	1½	1¾
Weight	pounds	2	3	5
Chisels, hot:				
Sizes of stock at eye	inches	1¼	1½	1¾
Length	do	7⅜	8¼	9¾
Bit	do	1½	2	2¼
Weight	pounds	2	3	5

Flatters: Sizes of face—inches—2, 2½, 3, 4

Fullers, top: Sizes of groove, inches, ¼, ⅜, ½, ¾, 1, 1¼, 1½, 1¾, 2.

Fullers, bottom (shank 2⅜ inches long for all sizes); Sizes of groove, inches, ¼, ⅜, ½, ¾, 1, 1¼, 1½, 1¾, 2.

Hardies (shank 2⅜ inches long for all sizes): Sizes of square shank, inches, ½, ⅝, ¾, ⅞, 1, 1⅛, 1¼
Bit, inches, 1⅝, 1¾, 1⅞, 2, 2⅛, 2¼, 2⅜.

Heading tools:

Diameter of hole (inches)	Length (inches)	Size of head (inches)
¼	15	1¼ x 2¼
⅜	15	1¼ x 2¼
½	15	1¼ x 2¼
⅝	15	1¼ x 2¼
¾	16	1⅝ x 2½
⅞	16	1⅝ x 2½
1	16	1⅝ x 2½

Punches, round end:							
Sizes of round punch	inches	¼	⅜	½	⅝	¾	⅞	1
Stock at eye	do	1⅛	1⅛	1¼	1⅜	1⅜	1½	1½
Length	do	7	7¼	7½	7¾	8	8¼	8½
Punches, square end:								
Sizes of square punch	inches	¼	⅜	½	⅝	¾	⅞	1
Stock at eye	do	1⅛	1⅛	1¼	1⅜	1⅜	1½	1½
Length	do	7	7¼	7½	7¾	8	8¼	8½

Set hammers:				
Square sizes of stock at face	inches	1¼	1½	1¾
Weight	pounds	1½	2	2¾

Swages, top: Sizes of peen, inches, ¼, ⅜, ½, ⅝, ¾, ⅞, 1 1¼, 1½, 1¾, 2, 2½, and 3.
Swages, bottom: Sizes of peen, inches, ¼, ⅜, ½, ⅝, ¾, ⅞, 1, 1¼, 1½, 1¾, 2, 2½, and 3.

TABLE 3.—HAMMERS, MAULS, AND SLEDGES

Hammers:
Blacksmiths', double-face (See sledges).
Blacksmiths', hand, cross peen: (For smaller sizes see forged hammers schedule.)

Weight	pounds	4
Length	inches	5½
Eye size No.		2
Eye size	inches	¾ by 1

Bush: 6-pound.
Caulking: None.
Drilling, hand: (See forged hammers schedule.)
Engineers', hand, cross peen: (See also sledges, blacksmiths'): 4-pound. (For smaller sizes see forged hammers schedule.)
Engineers', double face: 4-pound.[1] (For smaller sizes see forged hammers schedule.)
Macadam: None.
Masons': None.
Masons', with teeth: None.
Napping: 4-pound, 6¼-inch; No. 2, ¾ by 1 inch eye, and 6-pound, 6¾-inch, No. 2, 1 by 1¼ eye.
Paving: None.
Riveting: None. (For machinists' riveting hammers see forged hammers schedule.)
Slashing: None.

[1] Same as 4-pound blacksmiths' double face sledge.

TABLE 3.—HAMMERS, MAULS, AND SLEDGES—Continued

Spalling, single face:						
Weight	pounds	4	6	8	16	20
Length	inches	6	6½	7¾	9½	10⅛
Eye No		2	2	2	2	2
Eye sizes	inches	¾ by 1	1 by 1¼	1 by 1¼	1 by 1⅜	1¼ by 1½
Spalling, double face:						
Weight	pounds			8	12	16
Length	inches			6½	7	8
Eye No				2	2	2
Eye size	inches			1 by 1¼	1 by 1⅜	1 by 1⅜

Striking, Missouri pattern: None.
Striking, short or Oregon pattern: None.
Striking, long or Nevada pattern:

Weight (pounds)	Length (inches)	Eye No.	Eye size (inches)
4	5¾	2	¾ by 1
6	6½	2	1 by 1¼
8	7¼	2	1 by 1¼
10	7¾	2	1 by 1⅜
12	8	2	1 by 1⅜
20	8½	2	1 by 1⅜

Mauls:
Coal: None.
Ship or top: 5-pound, 8¾-inch; Eye No. 2, 1 by 1¼ inch.
Spike, railroad.
Standard pattern (any two of the following):

Weight	pounds	4	8	10
Length	inches	9	12	12¾
Eye No		2	2	2
Eye size	inches	¾ by 1	1 by 1⅜	1 by 1⅜

Pittsburgh or bell pattern:
A. R. E. A. design No. 1: 14-inch, approximately 10-pound.
A. R. E. A. design No 2: 15-inch, approximately 10-pound.
Woodchoppers':
Straight bit, oval eye. None
Oregon pattern, single-bit-axe eye: None.
Oregon pattern, double-bit-axe eye:

Weight	pounds	6	8
Length	inches	8½	9⅛
Eye No		5	5
Eye size	inches	⅞ by 2⅛	⅞ by 2⅛

Oregon pattern, oval eye:

Weight	pounds	6	8
Length	inches	8½	9⅛
Eye No		2	2
Eye size	inches	1 by 1¼	1 by 1¼

Sledges.
Blacksmiths', cross peen:

Weight	pounds	6	8	10	12	16
Length	inches	6½	7	7½	8	9
Eye No		2	2	2	2	2
Eye size	inches	1 by 1¼	1 by 1¼	1 by 1⅜	1 by 1⅜	1 by 1⅜

Blacksmiths', straight peen:

Weight	pounds	8	12	14
Length	inches	7	8	8½
Eye No		2	2	2
Eye size	inches	1 by 1¼	1 by 1⅜	1 by 1⅜

Blacksmiths', double face:

Weight (pounds)	Length (inches)	Eye No.	Eye size (inches)
4	5¼	2	¾ by 1
6	6	2	1 by 1¼
8	6½	2	1 by 1¼
10	7	2	1 by 1⅜
12	7½	2	1 by 1⅜
20	8¾	2	1¼ by 1½

Moulders: None.
New England pattern, cross peen: None.
Ore. None.
Stone, flat face: None.
Stone, oval face:

Weight	pounds	8	12	16	20
Length	inches	7¼	8¼	9¼	9¾
Eye No		2	2	2	2
Eye size	inches	1 by 1¼	1 by 1⅜	1 by 1⅜	1¼ by 1½

TABLE 7.—RAILWAY TRACK TOOLS NOT ELSEWHERE CLASSIFIED—Continued

MINE BLASTING TOOLS

[1] Same as 4-pound blacksmiths' double face sledge.

TABLE 4.—HOES

Accomac: 5-pound (nominal), blade 5⅞ to 6¾ inches, length 11 to 11¾ inches.
Clay: None.
Grub: 3½-pound, 3¾-inch bit, 10¾ inches long, No. 8 eye.
Grub, Baltimore pattern: None.
Hazel: None.
Palmetto (Accomac type, but with heavier blade): None.
Vineyard: None.

TABLE 5.—MATTOCKS

Asphalt, double eye: 10-pound, 3-inch bits, 20 inches long.
Asphalt, single eye: None.
Brush: None.
Cutter:
3-pound, 13 inches over all, eye No. 7.
5-pound, 15¾ inches over all, eye No. 6.
Nursery None.
Pick: 5-pound, 3½-inch blade, 19 inches over all, eye No. 6.
Pick and cutter: None.
Pick, intrenching: To be in accordance with U. S. Army Specification No. 17–171.

TABLE 6—PICKS

NOTE: Table 6 amended in its entirety April 9, 1943.
Boiler, or scaling hammer: 1-pound.
Canadian pattern, with sleeve: None.
Coal miners, 1¼ eye:
Cutting or straight pattern
Mining or anchored pattern, short, and
Mining or anchored pattern, long:
1½-pound } eye No. 10, but with larger opening 2¾ by ¾ inch.
2-pound }
2½-pound } eye No. 10, but with larger opening 3 by 1 inch.
3-pound }
3½-pound }
4-pound }
5-pound }
Coal miners anthracite pattern None.
Coal miners, adze eye: None.
Coal, special construction (attached to handle by means of a collar and bolt): None.
Concrete (similar in shape to quarry pick): None.
Contractors, diamond pointed: None.
Contractors, point and chisel ends: 9-pound, 30-inch, eye No. 6.
Contractors, round pointed, or Yankee pattern: 8-pound, 30-inch, eye No. 6.

Drifting:			
Weight—pounds	4	5	6
Length—inches	21	25	26
Eye No.	10	10	10

Drifting (all other models): None.
Mill: 2-pound.
Poll, or mining: 5-pound, 16-inch, eye No. 10.
Poll, or locomotive: 5 to 6 pound. One model only.
Poll, or zinc mining: None.
Prospectors': (See forged hammers schedule.)
Quarry: None.
Railroad or clay:
Double pointed 7-pound (A.R.E.A. design) 25-inch, eye No. 6, 8-pound, 26-inch, eye No. 6;
Point and chisel ends: 6-pound, 23-inch, eye No. 6; 7-pound (A.R.E.A. design) 25-inch, eye No. 6, and 9-pound, 27-inch, eye No. 6.
Eyeless: None
Rock or ore:
Point and chisel ends: 7-pound, 22-inch, eye No. 6.
Double pointed: 7-pound, 22-inch, eye No. 6.
Stone: None.
Surface: None.
Tamping:
A.R.E.A. V-tamp: 8-pound approximately, 24½-inch, eye No. 6; 10-pound tamp, 24½ inches long, eye No. 6, T or V tamp (one only).
T-tamp, eyeless: None.
Diamond tamp: None.
Diamond tamp, eyeless: None.
Trimmers': None.

TABLE 7.—RAILWAY TRACK TOOLS NOT ELSEWHERE CLASSIFIED

Chisel, broom: None
Chisel, track (alloy or open hearth steel):
A. R. E. A. design No. 1, 5¼-pound, 9¼ inches long;
A. R. E. A. design No. 2, 5½-pound, 10½ inches long.
Fork, rail: A. R. E. A. design, 13-pound.
Puller, spike: A. R. E. A. design, 4-ball, 2½-pound.
Punch, tie plug: A. R. E. A. design, 4-pound.
Punch, track, round point: A. R. E. A. design, 5½-pound.

TABLE 7.—RAILWAY TRACK TOOLS NOT ELSEWHERE CLASSIFIED—Continued

Tongs, girder rail: Maximum weight 18 pounds.
Tongs, rail: A. R. E. A. design, 22-pound.
Tongs, tie: A. R. E. A. design, 10-pound (May be furnished with lugs.)
Tongs, timber. Old or new A. R. E. A. design.
Wrenches, track, single and double end: A. R. E. A. design, jaw openings as desired.
Wrenches, track, mine:
Double end, S pattern:
For ½- and ⅝-inch bolts, 10½ inches long over all, maximum weight 1½ pounds, jaw opening as desired
Single end, other end tapered for lining up holes:
For ½-inch bolts, 11½ inches long over all, maximum weight 1½ pounds, jaw opening as desired.

TABLE 8.—TONGS

Bit, with oblong boxed jaws:
Curved pattern: 3½-pound.
Straight pattern: None.
Blacksmiths' bolt, curved lip, fluted jaw:

Diameter of bolt—inches	¼	⅜	½	⅝	¾	⅞	1	1½
Length—do	18	18	20	22	22	24	24	26

Gad, flat jaw: 24-inch.
Horseshoers': 16-inch.
Pick. 24-inch
Pick-up, double: 24-inch.
Pick-up, single: 24-inch.
Rivet. 24-inch
Rivet heaters: 30-inch and 42-inch.
Stucker, straight or curved: 20-inch.
Straight fluted lip: 18-, and 24-inch.

TABLE 9.—WEDGES

Bucking, Pacific coast: 6-pound.
Coal: 2-, 2½-, 3-, and 3½-pound (one pattern only, to be proportioned as desired between the present short and long patterns.)
Coal, anthracite pattern. 2-, 2½, 3-, and 3½-pound.
Falling, broad pattern with ear: None.
Falling, Pacific coast. 5- and 8-pound.
Falling, Lake Superior pattern (sometimes called a splitting wedge): None.
Falling, narrow pattern. None.
Falling, Oregon pattern. None
Falling, Puget Sound pattern: None.
Falling Townsend pattern: None.
Frost 16-pound
Hanging (any wedges with holes in center of head): None.
Rock None
Saw, heavy pattern, with ear: None.
Saw, improved: ½-, 1-, 2-, and 3-pound.
Splitting, cedar. None
Splitting, Oregon. 6-pound.
Standard or square head: 3-, 4-, 5-, and 6-pound.
Stave. 3- and 4-pound.
Stone 2- and 4-pound.
Tie None.
Truckee, or round head: 4-, 5-, and 6-pound.
Truckee, flared bit: None.
Wood, prouty: None.

TABLE 10.—MISCELLANEOUS FORGED HAND TOOLS, MINE BLASTING HAND TOOLS, AND MINE BREAST DRILLS

Axe, stone, double bit: None.
Bull points, hand:

Length—inches	12	15	24
Bar size—do	⅞	1	1¼

Chisel, side: 5-pound.
Chisels welders' hot, alloy steel: 5-pound, 2-inch bit, stock at eye 1¼-inches, eye No. 2, eye size ¾ x 1 inch
Chisels (varieties similar to blacksmiths' cold and hot chisels, such as drift, splitting, car, foundry, etc.): None
Drift pin, barrel type and plug or taper type:

Diameter of stock—inches	7/16	9/16	11/16	13/16	15/16	1 1/16	1 3/16
Length—inches	6	6½	7	7½	8	8½	9

Frost, cooper. 5-pound, 14-inch.
Gouge handle. None.
Punch, backing out:

Diameter of face—inches	⅝	½	⅝	¾	⅞	1
Stock at eye—do	1⅛	1¼	1⅜	1⅜	1½	1½
Over all length—do	7¼	7½	7¾	8	8¼	8½

Rivet header or rivet set (also known as button sets): To be made in one type only:

Size of rivet—inches	½	⅝	¾	⅞
Weight—pounds	2½	3	4	5

MINE BLASTING TOOLS

Needles, copper: None.
Needles, steel: None.
Tamp drills, copper headed: None.
Tamp drills, all steel: None.
Scraper and copper headed tamper (with steel scraper): None.
Scraper and copper headed tamper (with detachable copper scraper): None.
Scrapers, double end (one end detachable copper): None
Scrapers, double end, all steel: Diameter of steel body, ⅜-inch; lengths 6 and 7 feet.
Scrapers, spoon and sump type. None.
Scraper and tamper, all steel: None.
Scraper, all steel, with loop handle: None.

MINE BREAST DRILLS

Breast augers, complete, single and double crank:

Length, including that of twist and crank stem (feet)	Length of twist (feet)	Sizes of oval augers (inches)	Size of conveyor augers (inches)
6	5	1¼, 1½	1½
7	6	1¼, 1½, 2	1½
8	7	1½	1½
9	8	1½	1½

Cranks, for breast augers, single and double: Lengths of stems (distance from threaded end to crank) 6- and 18-inch
Twists, for single and double crank breast augers (with 6-inch shanks threaded for coupling to crank):

Length of twist, exclusive of shank (feet)	Sizes of oval augers (inches)	Size of conveyor augers (inches)
5	1¼, 1½	1½
6	1¼, 1½, 2	1½
7	1½	1½
8	1½	1½

[F. R. Doc. 43-5602; Filed, April 9, 1943; 11:33 a. m.]

PART 3063—FOOTWEAR

[Conservation Order M-217, as Amended April 9, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3063.1 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except Priorities Regulation 17, which shall be inapplicable to footwear.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) No person shall color any leather

(2) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running in a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks), and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accomplished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) "Padded sole house slippers" means slippers having conventional padded soles where the outsole is made of fabric, imitation leather or split leather not over 2½ ounces in weight and is directly stitched to the upper or to a platform cover.

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers, and
Athletic.

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range; *Provided*, That:

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser controlled by the manufacturer, the applicable price range shall be the retail price range.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent, or twenty-five (25) cents a pair, whichever is the greater.

(12) "Civilian footwear" as used in paragraph (i) means boots, shoes, slippers and other foot coverings made in whole or in part of leather or with rubber soles, not including rubber footwear.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and house slippers with fabric uppers.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and house slippers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in goodyear welt footwear other than work shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except on prewelts in all sizes, stitchdowns in all sizes, children's shoes up to and including size 3, and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(*a*) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(*b*) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(*c*) Design stitching solely to permit direct non-stop stitching between cutouts.

(xix) Any strippings, braidings, pintuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over 1⅝ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over 2¼ inches in height, using size 4B as the standard.

(xxvii) Metal spikes, on golf shoes.

(xxviii) Caulk or storm welting.

(xxix) Rawhide or other leather laces, except on work shoes.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge--	.045 minimum, 50 carbon steel
21 gauge--	.032 minimum, 50 carbon steel
19 gauge--	.040 minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high-cut laced boots 10 inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots.

(4) No person shall put into process any leathers or fabrics for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptiles of the colors permitted in paragraph (f) (1) below but having slight variations in shade caused by normal finishing of such leathers, or

(ii) Embossed leather or genuine reptiles of any color or colors (in all-over shoes) if finished prior to October 16, 1942.

(5) No person shall put into process for the manufacture of footwear any leather or fabric except leather or fabric finished or dyed in accordance with paragraph (f) below: *Provided, however*, That nothing contained in this paragraph (c) (5) shall prevent any person from using:

(i) Any solid color white cattle hide, turftan, bluejacket blue, gold or silver leather finished prior to March 16, 1943.

(ii) Any other solid color leather or any genuine or imitation reptile leather of any color or colors (in all-over shoes) finished prior to October 16, 1942.

(iii) Any solid color turftan or bluejacket blue fabric acquired by the manufacturer prior to February 20, 1943; or

(iv) Any other solid color fabric dyed prior to September 13, 1942 and acquired by the manufacturer prior to February 16, 1943.

(v) Natural colored retan leather in the manufacture of work shoes.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf) or upper leather splits gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide upper leather, or grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less) for the manufacture of house slippers or romeos.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam mocassin type vamps (including genuine moccasins utilizing soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles; *Provided, however*, That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels 1¼ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber soles for the manufacture of men's sandals.

(11) No person shall manufacture any leather or part leather bows for use on footwear.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942: *Provided, however*, That this paragraph shall not prevent correction of patterns to the extent necessary to remove features prohibited by this order.

The War Production Board may make exceptions to this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's evening slippers, except those using gold or silver upper leather finished prior to March 16, 1943 with split, head, belly, shin or shank outsoles of 5 iron or less.

(3) No person shall put into process any leather or fabric for the manufacture of any footwear for the special purpose of retail display.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear the soles other than insoles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other nonskid or soundproofing features covering not more than 25% of the area of the bottom of the sole).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' soft sole footwear.

(6) Footwear the uppers of which are made of shearlings not reserved for military use under General Conservation Order M-94.

(f) *Restriction on tanning and dyeing.* (1) No person shall finish any leather for use as upper leather except in the following colors (subject to unavoidable deviations in shade normally experienced in finishing leathers):

Black.
White, except in cattle hide leathers.
Army russet and town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of the United States, Inc.

(2) No person shall color any leather or dye any fabric for use in shoe uppers except in the colors mentioned in paragraph (f) (1) above, (subject to unavoidable deviations in shade normally experienced in tanning and dyeing).

(3) No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (f) (1) above.

(4) The restrictions in this paragraph shall not apply to the dyeing of fabrics for use in padded sole house slippers or footwear of the type referred to in paragraph (e) (1) above.

(g) *General exceptions.* The prohibitions and restrictions of this order shall not apply to footwear to be delivered to, or for the account of, the Army or Navy of the United States (excluding Post Exchanges and Ships' Service Stores), the United States Naval Academy at Annapolis, Md., the United States Military Academy at West Point, New York, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the War Shipping Administration; or to, or for the account of, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, and Yugoslavia; or on any contract or purchase order placed by any agency of the United States Government for footwear to be delivered to, or for the account of, the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to custom-made footwear delivered for personnel of the Army or Navy of the United States.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale

or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for nonmilitary use shall not constitute a discriminatory cut.

[Paragraph (4) amended April 9, 1943]

(i) *Restrictions on production of lines of footwear.* (1) Except on specific authorization of the War Production Board, no person shall in any six (6) months' period beginning March 1, 1943, complete the manufacture of more civilian footwear within any line than permitted in the table shown below:

Description	Maximum permitted amount or percentage per line
House slippers	75% of number manufactured from July 1, 1942 to December 31, 1942, inclusive
All others	100% of number manufactured from July 1, 1942 to December 31, 1942, inclusive

(2) Except on specific authorization of the War Production Board, no person shall manufacture any line of civilian footwear not manufactured by him in the period from July 1st, 1942 to December 31st, 1942.

(3) *Exceptions:* Notwithstanding the provisions of paragraphs (i) (1) or (i) (2)

(i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

(iii) The manufacture of civilian footwear in a line not manufactured in the period from July 1, 1942 to December 31, 1942, may be completed if such footwear was put into process prior to February 19, 1943.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) *Reports.* Each person affected by this order shall execute and file with War Production Board such reports and questionnaires as may be required by said Board from time to time.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: M-217.

(n) *Violations* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Effective dates.* The effective dates of the respective amended paragraphs of this order are as follows: Paragraphs (a), (b) (6) through (b) (8), (c) (4), (c) (5), (d) (1), (e) (3), (e) (5), (e) (6), (f) (2), (f) (3), (f) (4) and (g), February 13, 1943; paragraphs (j), (k), (l), (m), (n) and (o), February 19, 1943; paragraphs (b) (10), (b) (11), (b) (12) and (i), March 1, 1943; paragraph (f) (1), March 15, 1943; paragraph (c) (8), May 31, 1943; all other amended paragraphs, April 30, 1943.

[Paragraph (o) amended April 9, 1943]

Conservation Order M-217 as issued September 10, 1942 shall remain in full force and effect except as superseded on the effective dates, as stated above, of the foregoing amended paragraphs.

Issued this 9th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3063.1 (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

[F. R. Doc. 43-5603; Filed, April 9, 1943; 11:33 a. m.]

Chapter XI—Office of Price Administration

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amendment 9]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.3 (a) is amended by deleting the first three sentences and substituting instead the following: (a) Every establishment must file an inventory of its supply of shoes and ration currency (on OPA Form R-1701) before April 18, 1943. After that date, no establishment may transfer or acquire new shoes until it has filed an inventory in the way required by this order. The inventory shall be taken as of the close of business on April 10, 1943. (However, the District Office may in proper cases permit the filing of a late inventory and the transfer and acquisition of shoes after April 17, 1943 by an establishment filing a late inventory.)

2. Section 2.3 (a) is further amended by adding after the last sentence of the paragraph the following: "Only shoes which are rationed at the time the inventory is taken should be included in the inventory."

3. Section 2.4 is amended to read as follows:

SEC. 2.4 *What establishments must open ration bank accounts.* Every establishment having access to ration banking facilities must open a ration bank account on or after April 12, 1943 if it has a dollar checking account in any bank. No other establishment may open a shoe ration account except that:

(1) An establishment owned by a government agency may open a shoe ration account even though it does not have a dollar checking account;

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3853, 4129, 3948.

(2) A person owning one establishment having a dollar checking account in any bank may open shoe ration accounts for other establishments owned by him even though he does not maintain a separate checking account for each establishment;

(3) A person owning two or more establishments located in the same city or community may open a joint account for them, if separate inventories are filed for each such establishment.

4. Section 2.5 (a) is amended by adding at the end of the first sentence: "except as otherwise permitted by the above section."

5. Section 2.5 (b) is amended to read as follows:

(b) To open the account, the owner of the establishment must file with the bank its inventory on OPA Form R-1701 and comply with the procedure set forth in General Ration Order 3A. All distributors who are entitled to a shoe purchase allowance under section 2.6 may make out and present deposit slip for the amount of the shoe purchase allowance, which will be credited to the account.

6. Section 2.6 is amended by deleting the last sentence and substituting instead the following: "If the inventory is filed at the District Office, the District Office will issue to the establishment a registration number and a certificate for the amount of its shoe purchase allowance."

7. Section 2.7 (a) is amended to read as follows:

(a) *Transfer must be made for ration currency.* An establishment may transfer shoes to a consumer or to another establishment if it first gets ration currency from him. However, shoes may be transferred between establishments for which a joint account is opened as provided in section 2.4, without the surrender of ration currency. Only ration checks drawn on the account of the purchaser may be used as ration currency for transfers between establishments except as permitted under section 2.8.

8. Section 2.7 (b) is amended by deleting the phrase "Until the time set for filing the inventory" and substituting instead the words "Until April 25, 1943, inclusive" and by deleting the phrase "within ten days" and substituting instead the words "before May 6, 1943."

9. Section 2.8 is amended to read as follows:

SEC. 2.8 *Distributors having no ration bank account use ration currency.* Any distributor who has received a registration number from the District Office shall use stamps and certificates which he has received (including ration currency received as an initial allowance) to repay his supplier for shoes shipped to him on credit before April 26, 1943. After all ration "debts" have been repaid, he may replenish his stock by sending to his supplier his registration number together with ration currency for the number of shoes ordered. He may present ration currency received by him to the District Office and receive in exchange certificates in such denominations as he desires equal in total to the ration currency surrendered. Ration currency may be forwarded to a supplier only within 20 days after its expiration for consumer use or to the District Office within the time it is valid for deposit as provided in the next section. An establishment forwarding a certificate to a supplier or to the District Office must endorse its name on the reverse side.

10. Section 2.9 (a) is amended to read as follows:

(a) *Time for depositing is limited.* A War Ration Stamp received by an establishment may be deposited to its shoe ration bank account within 30 days after the end of its valid period. A special shoe stamp or certificate (including the Temporary Shoe Purchase Certificate) may be so deposited within 60 days after the date of its issue. Stamps or certificates not deposited within this time are void. However, all certificates are valid for deposit before May 1, 1943, regardless of the date of their issue. (There is no limit on the time when shoe ration checks may be deposited.)

This amendment shall become effective April 8, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5541; Filed, April 8, 1943; 10:19 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 109,[1] Amendment 4]

AIRCRAFT LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1312.353 (b) is amended by adding, after the words "Office of Price Administration", the following: "A petition for exception or application for adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1".

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5558; Filed, April 8, 1943; 1:00 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 51]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1340.207 is hereby amended in the following respects:

1. The words "or exception from the" in paragraphs (a), (b) and (c) and the words "or exception" in paragraph (f) (1) are deleted.

2. References in paragraph (f) to "petition(s)", "petitioner", "petitioner's", and to "petitions for adjustment or exception" are amended to read "application(s)", "applicant", "applicant's" and "applications for adjustment", respectively.

3. References in paragraphs (e) and (f) (3) to "Procedural Regulation No. 1, as amended," are amended to read "Revised Procedural Regulation No. 1".

4. Paragraph (g) is amended to read as follows:

(g) Persons seeking any modification of this Maximum Price Regulation No.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10790, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2713, 2873, 2920, 2921, 2997, 3216, 3855.

[1] 7 F.R. 2238, 5667, 8585, 8948, 10100; 8 F.R. 270.

120 or the addition of an adjustment category not included therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration. The petitioners should submit and the Office of Price Administration will consider all relevant data with respect to costs and realizations and the necessity of the Amendment in view of the war effort and of the policy of the Emergency Price Control Act of 1942, as amended, and this Maximum Price Regulation No. 120, to eliminate the danger of inflation, and such other data that should be considered in connection with the proposed modification or the proposed addition of an adjustment category.

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5559; Filed, April 8, 1943; 12:58 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 51]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subdivision (i) is added to § 1340.231 (b) (2), to read as set forth below:

§ 1340.231 *Appendix T: Maximum prices for bituminous coal produced in District No. 20.* * * *

(b) * * *

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations, for all uses.* * * *

(i) *Special price instruction.* (a) The maximum prices for shipment by truck or wagon for the Williams Mine (Mine Index No. 167) of L. J. Williams & Sons (L. J. Reed and Ross Williams) shall be as follows:

Size groups:	*Maximum prices*
3	$3.85
4	3.75
7	3.05
8	2.70

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2713, 2873, 2920, 2997, 2921, 3216, 3855.

Size groups:	*Maximum prices*
10	$2.20
11	2.15
15	2.55

and the maximum prices for shipment by truck or wagon from all other mines in Iron County, Utah, in District No. 20 shall be as follows:

Size groups:	*Maximum prices*
3	$5.10
4	5.00
7	4.30
8	3.95
10	3.00
11	2.95
15	3.35

This amendment to Maximum Price Regulation No. 120 shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5560; Filed, April 8, 1943; 12:58 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271,[1] Amendment 9]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 271 is amended in the following respects:

1. Section 1351.1002 (b) (3) (vi) is added to read as follows:

(vi) For white potatoes packed in paper bags the country shipper may add 20¢ per cwt. for 10 lb. bags, 15¢ per cwt. for 15 lb. bags and 10¢ per cwt. for 25 lb. bags to the maximum prices listed in Appendix A.

2. Section 1351.1003 (e) is added to read as follows:

(e) Where charges for precooling or preheating cars of potatoes have been customarily paid by the purchaser, such charges, if actually incurred, may be added by the purchaser to his "net cost," as defined above.

3. Section 1351.1013 (a) (3) is added to read as follows:

(3) Sales and deliveries by any person of Australian brown onions of the 1943 crop to the United States or any purchasing agency thereof.

4. Section 1351.1017 is amended to read as follows:

§ 1351.1017 *Appendix A: Maximum prices for perishable food f. o. b. shipping point.*

[1] 7 F.R. 9179, 10715; 8 F.R. 233, 1748, 1981, 3397, 3733, 3853.

WHITE POTATOES (1942 LATE CROP)

[Maximum price per 100 lbs., U. S. No. 1 grade and in bags][1]

State	Producing area	Variety	1943		
			April	May	June
NORTH ATLANTIC					
Maine	All	All	$2.30	$2.40	$2.40
New Hampshire	All	All	2.60	2.50	2.40
Vermont	All	All	2.60	2.50	2.40
Massachusetts	All	All	2.60	2.50	2.40
Rhode Island	All	All	2.60	2.50	2.40
Connecticut	All	All	2.45	2.45	2.45
New York	Long Island	All	2.45	2.55	2.55
	Rest of State	All	2.65	2.65	2.75
New Jersey	All	All	2.45	2.55	2.55
Pennsylvania	All	All			
EAST NORTH CENTRAL					
Ohio	All	All	2.60	2.60	2.65
Indiana	All	All	2.60	2.60	2.70
Illinois	All	All	2.60	2.60	2.60
Michigan	All	All	2.35	2.45	2.45
Wisconsin	All	Red Skinned	2.40	2.50	2.50
		Round White	2.25	2.35	2.35
WEST NORTH CENTRAL					
Minnesota	Hollandale District	All	2.35	2.45	2.45
	Rest of State	Red Skinned	2.35	2.45	2.45
		Round White	2.05	2.15	2.15
Iowa	Hollandale District	All	2.35	2.45	2.45
	Rest of State	All	2.60	2.60	2.60
Missouri	All	All	2.60	2.60	2.45
North Dakota	All	Red Skinned	2.25	2.35	2.35
		Round White	2.05	2.15	2.15
South Dakota	All	Red Skinned	2.35	2.45	2.45
		Round White	2.15	2.25	2.25
Nebraska	All	All	2.30	2.40	2.40
Kansas	All	All	2.55	2.65	2.65

See footnotes at end of table.

DRY ONIONS (1942 LATE CROP)

[Maximum prices per 50 lb. graded and in bags][1]

States	1943		
	April	May	June
	Dollars per 50 lbs.	*Dollars per 50 lbs.*	*Dollars per 50 lbs.*
Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, Ohio, West Virginia, Indiana, Kentucky, Michigan, Wisconsin, Illinois, Iowa, Missouri, Nebraska, Kansas, Minnesota, North Dakota, South Dakota, Colorado, Wyoming, Utah, Nevada, New Mexico, Arizona, Idaho, Montana, Washington, Oregon, California	$2.05	$2.15	$2.15
Queensland:			
West of Mississippi River	1.95	2.05	2.05
East of Mississippi River	2.00	2.10	2.10

[1] These prices apply only to dry onions produced in the calendar year 1942 and are subject to the following differentials: For white onions, U. S. Grade No. 1, in 50-pound sacks, the country shipper may add 50¢ per 50 pounds to the maximum prices shown above.

(b) For dry onions, U. S. Grade No. 1, 3 inches and larger in 50-pound sacks, the country shipper may add 25¢ per 50 pounds to the maximum prices shown above.

(c) For dry onions, graded and packed in 10-pound sacks or less, the country shipper may add 15¢ per 50 pounds to the maximum prices shown above.

(d) For white boiler and pickler onions, graded and packed in 50-pound sacks, the country shipper may add $1.00 per 50 pounds to the maximum price shown above.

(e) For dry onions, ungraded and packed in sacks of any size, the country shipper shall subtract 15¢ per 50 pounds from the maximum prices shown above.

(f) If the purchaser furnishes sacks, the country shipper shall subtract 30¢ per 50 pounds from the maximum prices shown above, for dry onions, ungraded and unsacked, the country shipper shall subtract 30¢ per 50 pounds from the maximum price.

(g) If the purchaser furnishes sacks, the country shipper shall subtract 15¢ per 50 pounds from the maximum prices shown above, for dry onions, graded and packed in mesh bags of 10 lbs. or less, the country shipper may add 25¢ per 50 lbs. to the maximum prices shown above.

(h) For dry onions, graded and packed in mesh bags of 25 lbs., the country shipper may add 10¢ per 50 lbs. to the maximum prices shown above.

EARLY WHITE POTATOES (1943 CROP)[1]

[Maximum price per 100 pounds][2]

State	Producing area	Varieties	Maximum prices	Period
SOUTH ATLANTIC				
N. Carolina	All	All	$2.40	Feb. 8, 1943, thru June 30, 1943.
S. Carolina	All	All	2.50	Feb. 8, 1943, thru June 30, 1943.
Georgia	All	All	2.50	Feb. 8, 1943, thru June 30, 1943.
Florida	Counties of Charlotte Glades, Manatee, and all counties south thereof.	All	3.75	Feb. 8, 1943, thru June 30, 1943.
	Northern	All	3.10	Feb. 8, 1943, thru June 30, 1943.
	Western	All	2.50	Feb. 8, 1943, thru June 30, 1943.

[1] Maximum prices listed above shall apply only to "Early White potatoes" harvested and sold during the 1943 crop year.

[2] These prices are subject to the following differentials. (a) For early white potatoes sold either in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 100 lbs. from the maximum price listed above.

WHITE POTATOES (1942 LATE CROP)—Continued

State	Producing area	Variety	1943		
			April	May	June
SOUTH ATLANTIC					
Delaware	All	All	$2.60	$2.65	$2.65
Maryland	All	All	2.55	2.55	2.55
Virginia	All	All	2.70	2.70	2.70
West Virginia	All	All			
WEST					
Montana	All	All	2.35	2.40	2.40
Idaho	All	All	2.30	2.40	2.40
Wyoming	Counties of Platte, Niobrara, Goshen, and Laramie	All	2.30	2.40	2.40
	Rest of State	All	2.30	2.40	2.55
Colorado	Greeley District	All	2.30	2.40	2.40
	San Luis Valley	All	2.30	2.40	2.40
	Western Slope	Russet Burbank	2.25	2.35	2.35
	Western Slope	All other Varieties	2.50	2.60	2.60
New Mexico	All	All	2.65	2.65	2.65
Arizona	All	All	2.70	2.70	2.70
Utah	All	All	2.10	2.20	2.20
Nevada	All	All	2.25	2.35	2.35
Washington	All	All	2.35	2.45	2.45
Oregon	Malheur County	All	2.30	2.40	2.40
	Rest of State	All	2.50	2.60	2.60
California	Modoc and Siskiyou Counties	All	2.50	2.60	2.60
	Rest of State	All	2.55	2.65	2.65

[1] The following differentials for certain grades, sizes, packages and types of pack shall be applicable to country shippers of white potatoes, and for California (Counties of San Luis Obispo, Kern, San Bernardino, and all counties south thereof):

(a) Grade differentials:

(1) For white potatoes, U. S. Extra No. 1 grade or better, packed in bags, the country shipper may add 10¢ per cwt. to the maximum prices for U. S. No. 1 grade listed in Appendix A.

(2) For white potatoes which grade below U. S. No. 1 grade, but which are 85% U. S. No. 1, U. S. Commercial, or better, packed in bags, the country shipper shall subtract 10¢ from the maximum prices for U. S. No. 1 grade listed in Appendix A.

(3) For white potatoes of grade lower than 85% U. S. No. 1, U. S. Commercial or better, including ungraded and unclassified white potatoes packed in bags, the country shipper shall subtract 30¢ per cwt. from the maximum prices for U. S. No. 1 grade listed in Appendix A.

(b) Size differentials applicable to all grades:

(1) For white potatoes, 6 ounce minimum size, packed in bags, the country shipper may add 15¢ per cwt. to the maximum price for each grade.

(c) Packaging differentials applicable to all grades and sizes:

(1) For white potatoes packed in paper bags the country shipper may add 20¢ per cwt. for 10 lb. bags, 15¢ per cwt. for 15 lb. bags and 10¢ per cwt. for 25 lb. bags to the maximum prices listed in Appendix A.

(2) For white potatoes packed in new cotton or mesh bags of 25 pounds, the country shipper may add 20¢ per cwt. to the maximum price for each grade and size.

(3) For white potatoes, packed in 15-pound bags of cotton or mesh, the country shipper may add 30¢ per cwt. to the maximum price for each grade and size.

(4) For white potatoes, packed in 10-pound bags of cotton or mesh, the country shipper may add 40¢ per cwt. to the maximum price for each grade and size.

(5) For white potatoes packed in containers furnished by the purchaser, the country shipper shall subtract 15¢ from the maximum prices for each grade and size.

(d) Baking-type pack differentials applicable to maximum prices listed for U. S. No. 1 grade:

(1) For white potatoes, U. S. No. 1 grade or better, 6 ounce minimum to 14 ounce maximum, or 2¼ inch minimum to 4 inch maximum, packed in bags, the country shipper may add 35¢ to the maximum prices for U. S. No. 1 grade listed in Appendix A.

(2) For white potatoes, 6 ounce minimum to 14 ounce maximum, or 2¼ inch minimum to 4 inch maximum, hand selected and graded washed and brushed and specially packed in wooden boxes or cardboard cartons of approximately 60 pounds, the country shipper may add $1.25 per cwt. to the maximum prices for U. S. No. 1 grade listed in Appendix A.

(3) For white potatoes, 6 ounce minimum to 14 ounce maximum, or 2¼ inch minimum to 4 inch maximum hand selected and graded washed and brushed and specially packed in 10 mesh bags (each such mesh bag containing approximately 5 pounds), the country shipper may add $1.25 per cwt. to the maximum prices for U. S. No. 1 grade listed in Appendix A.

(4) For white potatoes, 6 ounce minimum to 14 ounce maximum, or 2¼ inch minimum to 4 inch maximum, hand selected and graded, washed and brushed and specially packed in 50-pound kraft bags, the country shipper may add 60¢ per cwt. to the maximum price for U. S. No. 1 grade listed in Appendix A.

EARLY WHITE POTATOES (1943 CROP)—Continued

(Maximum price per 100 pounds)

State	Producing area	Varieties	Maximum prices	Period
SOUTHERN CENTRAL				
Tennessee	All	All	$2.40	Feb. 8, 1943, thru June 30, 1943.
Alabama	All	All	2.50	Feb. 8, 1943, thru June 30, 1943.
Mississippi	All	All	2.50	Feb. 8, 1943, thru June 30, 1943.
Arkansas	All	All	2.50	Feb. 8, 1943, thru June 30, 1943.
Louisiana	All	All	2.50	Feb. 8, 1943, thru June 30, 1943.
Oklahoma	All	All	3.75	Feb. 8, 1943, thru June 30, 1943.
Texas	Counties of Tapsita, Jim Hogg, Brooks, Kennedy, and all counties south thereof.	All	2.50	Feb. 8, 1943, thru June 30, 1943.
	Eagle Lake	All	2.40	Feb. 8, 1943, thru June 30, 1943.
	Northeast	All	2.40	Feb. 8, 1943, thru June 30, 1943.
WEST				
California	Counties of San Luis Obispo, Kern, San Bernardino, and all counties south thereof.	All	2.70	April 8, 1943, to April 30, 1943.
			2.45	May 1, 1943, to May 31, 1943.
			2.20	June 1, 1943, to June 30, 1943.
Arizona	All	All	2.45	Feb. 8, 1943, thru June 30, 1943.
New Mexico	All	All	2.40	Feb. 8, 1943, thru June 30, 1943.

[1] See notes on preceding page.

EARLY DRY ONIONS[1]

[Maximum prices per 50 pounds][2]

State	Producing area	Varieties	Maximum price	Period
All	All	All except white	$2.40	April 8, 1943 through April 15, 1943.
All	All	All except white	2.15	April 16, 1943 through April 30, 1943.
All	All	All except white	1.90	May 1, 1943 through May 31, 1943.
All	All	All except white	1.75	June 1, 1943 through June 30, 1943.

[1] The maximum prices listed above are applicable only to "Early dry onions" harvested and sold during the periods set forth.

[2] These prices are subject to the following differentials.

(a) For yellow early dry onions, the country shipper may add 15¢ per 50 lbs. to the maximum prices listed above.

(b) For white boiler and white pickler early dry onions, the country shipper may add $1.00 per 50 lbs. to the maximum prices listed above.

(c) For early dry onions sold in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 50 lbs. from the maximum price for each variety.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER C. DAVIS,
Administrator,
Food Production and Distribution.

[F. R. Doc. 43-5561; Filed, April 8, 1943; 12:57 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 26,[1] Amendment 13]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1381.57 (a) is amended by adding, after the words "Office of Price Administration", the following: "A petition for exception or application for adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1".

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5562; Filed, April 8, 1943; 1:01 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 253[1], Amendment 3]

REDWOOD LUMBER AND MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1381.407 (b) is amended by adding, after the words "Office of Price Administration", the following: "A petition for exception or application for adjustment under this paragraph shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1".

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5563; Filed, April 8, 1943; 1:00 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 176,[1] Amendment 3]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1384.7 is amended by adding a sentence at the end of the paragraph to read as follows: "A petition for exception or application for adjustment under this section shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1".

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5564; Filed, April 8, 1943; 1:00 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 176,[1] Amendment 4]

ROTARY CUT SOUTHERN HARDWOOD FOX LUMBER

A statement of the consideration involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1384.3 is hereby revoked and a new § 1384.3 is added to read as follows:

§ 1384.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

This amendment shall become effective April 14, 1943.

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* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9230, 10848; 8 F.R. 4136.

[1] 7 F.R. 5180, 7243, 7454, 6949; 8 F.R. 2003.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5565; Filed, April 8, 1943; 12:58 p. m.]

PART 1407—RATIONING OF FOODS AND FOOD PRODUCTS

[RO 16,[1] Amendment 5]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 10.10 (a) is amended to read as follows:

(a) Any person who imports foods covered by this order (other than in accordance with section 11.11) must give up points equal to the point value of those foods to the Collector of Customs (or his deputy) at or before the time the foods are released or delivered to him by the Collector.

2. Section 11.11 (c) is added to read as follows:

(c) No points need be given up for a release or delivery of foods covered by this order by an authorized customs official:

(1) Upon request by the Department of State, to representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937.

(2) To members of the armed forces of the United Nations, other than those of the United States, who are on duty within the United States, where the foods are consigned or addressed to them and are intended for their personal or official use.

(3) To enemy prisoners of war and enemy civilian internees and detainees in the United States, where the foods are consigned or addressed to them.

This amendment shall become effective April 14, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5566; Filed, April 8, 1943; 12:59 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3591, 3715, 3949, 4137.

PART 1411—COMPENSATORY ADJUSTMENT

[Compensatory Adjustment Reg. 1,[1] Amendment 6]

WARTIME INCREASES IN THE COST OF TRANSPORTING COAL

Compensatory Adjustment Regulation No. 1 is amended in the following respects:

1. Section 1411.2 (a) (1) is amended by deleting the words "two copies" and inserting in lieu thereof the words "one copy".

2. Section 1411.2 (b) (3) is amended to read as follows:

(3) A copy of the invoice or other billing memorandum rendered by the shipper of the bituminous coal the transportation of which is the basis of the application, and a copy of the freight bill and insurance bill (if any) actually paid in connection with such transportation: *Provided*, That an applicant need not furnish a copy of the freight bill where such freight was paid by his supplier and the invoice rendered by such supplier separately states the amount of freight actually paid.

3. Section 1411.4 (a) (1) is amended to read as follows:

(1) "Person" includes: an individual; corporation; partnership; association or any other organized group of persons; the legal successor or representative of any of the foregoing; and the transferee of the business, assets or stock in trade of any such person. It shall not include the United States or any agency thereof, any other government or its political subdivisions, or any agency of the foregoing.

4. Section 1411.5a (b) (1) is amended by deleting the words "two copies" and inserting in lieu thereof the words "one copy".

5. Section 1411.5a (b) (3) (iii) is amended by adding the clause: "*Provided*, That an applicant need not furnish a copy of the freight bills if such freight was paid by his supplier and the invoice rendered by such supplier separately states the amount of freight actually paid."

6. Section 1411.5a (b) (3) (iv) (b) is amended by inserting after the phrase "from New York Harbor" the phrase "and Philadelphia piers".

7. Section 1411.5a (b) (3) (v) is amended by adding the clause: "*Provided, further*, That the transportation cost incurred on or after May 18, 1942, shall not include the amount of any tax levied upon the transportation of such coal".

The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 6 shall be effective as of April 14, 1943.

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[1] 7 F.R. 3749, 3900, 6005, 6149, 7744, 10531, 8 F.R. 3629.

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 244,[1] Amendment 5]

GRAY IRON CASTINGS

A statement of the consideration involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1421.151 (d) is amended by deleting the date "January 15, 1942" set forth in (2) therein, and by inserting in lieu thereof the date "January 15, 1943."

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5568; Filed, April 8, 1943; 12:58 p. m.]

PART 1434—MATCHES

[MPR 365]

WOOD MATCHES

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for wood matches by a separate maximum price regulation. The Price Administrator has ascertained and given due consideration to the prices of matches prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1434.1 *Maximum prices for wood matches.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 365

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[1] 7 F.R. 8558, 8942, 8948, 10781; 8 F.R. 3002, 3629.

legal successor or representative of any

termining the "actual price charged by the

matches. (1) The manufacturer's maximum

(Wood Matches), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1434.1 issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 365—WOOD MATCHES

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SECTION 1 *Prohibition against dealing in wood matches at prices above the maximum prices.* On and after April 14, 1943, regardless of any contract, agreement, lease or other obligation:

(a) No person for whom maximum prices are established under this regulation shall sell, deliver or transfer wood matches at prices higher than the appropriate maximum prices set forth in Appendices A and B of this Maximum Price Regulation No. 365.

(b) No person shall buy or receive wood matches in the course of trade or business at higher prices than the appropriate maximum prices set forth in Appendices A and B of this Maximum Price Regulation No. 365.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 365 shall not apply to sales or deliveries of wood matches to a purchaser if prior to April 14, 1943, wood matches have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

The basic pricing provisions of this regulation, for different types of sellers, are as follows:

Strike-anywhere wood matches:
For manufacturers ..... Appendix A (a)
For distributors ..... Appendix A (b)
For retailers ..... Appendix A (c)
Strike-on-box wood matches:
For manufacturers ..... Appendix B (a)
For distributors ..... Appendix B (b)
For retailers ..... Appendix B (c)

SEC. 2 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

SEC. 3 *Export sales.* The maximum prices at which a person may export matches covered by this Maximum Price Regulation No. 365 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

SEC. 4 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 365 may be charged, paid or offered.

SEC. 5 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of matches, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however*, That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any product covered by this Maximum Price Regulation No. 365 be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 6 *Applicability of the General Maximum Price Regulation.* [2] The provisions of this Maximum Price Regulation No. 365 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of matches for which maximum prices are established by this Maximum Price Regulation No. 365.

SEC. 7 *Evasion.* The price limitations established by this Maximum Price Regulation No. 365 shall not directly or indirectly, be circumvented or evaded by modifying, discontinuing, or altering any customary trade practice of the seller, or by splitting orders, or by deteriorating the quality of any commodity, or by changing the selection or style of processing or the wrapping or packaging of matches covered by this Maximum Price Regulation No. 365, or by any other means.

SEC. 8 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 365 are subject to the criminal penalties, civil enforcement action, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 9 *Records and notification to the trade.* (a) Every person, except retailers, making sales of matches after April 13, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records of each sale, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of matches.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) The manufacturer shall attach a copy of Appendix A (b) to all billings on sales of "strike-anywhere" wood matches made to distributors for a period of ninety (90) days after the effective date of this regulation.

(d) The manufacturer shall insert a copy of Appendix A (c) in each case of "strike-anywhere" wood matches shipped for a period of ninety (90) days after the effective date of this regulation, except that no such notice need be inserted in cases already prepared for shipment on the effective date of this regulation.

(e) The manufacturer shall attach a copy of Appendix B (b) to all billings on sales of "strike-on-box" wood matches made to distributors for a period of ninety (90) days after the effective date of this regulation.

(f) The manufacturer shall insert a copy of Appendix B (c) in each case of "strike-on-box" wood matches shipped for a period of ninety (90) days after the effective date of this regulation, except that no such notice need be inserted in cases already prepared for shipment on the effective date of this regulation.

On all the foregoing notifications, the manufacturers shall add the following statement: "Cessation of this notification will not constitute revocation thereof."

SEC. 10 *Licensing.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 365 selling at wholesale or retail any matches covered by this Maximum Price Regulation No. 365. When used in this section the terms "selling at wholesale" and "selling at retail" have the definition given to them by §§ 1499.20 (p) and 1499.20 (o) respectively, of the General Maximum Price Regulation.

SEC. 11 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [3] issued by the Office of Price Administration.

SEC. 12 *Definitions.* (a) When used in this Maximum Price Regulation No. 365 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, or

[1] 7 F.R. 5059, 7242, 5529, 9000, 10530; 8 F.R. 3846.

[2] 8 F.R. 3096.

[3] 7 F.R. 8961; 8 F.R. 3313, 3533.

legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions, and any agency of the foregoing.

(2) "Manufacturer" includes any person who manufactures any type of matches covered by this Maximum Price Regulation No. 365, and any person who distributes matches as an agent or other representative of a manufacturer.

(3) "Distributor" includes any person other than a manufacturer or a retailer, the major portion of whose sales are to retailers, industrial, commercial and institutional users, or other distributors.

(4) "Retailer" includes all persons the major portion of whose sales are resale items sold to the ultimate consumer other than an industrial or commercial user.

(5) "Case" refers to the shipping container in which matches are packed.

(6) "Strike-anywhere" match means a wood splint match, normally strikeable on any surface.

(7) "20 cubic inch box" means a box of "strike-anywhere" matches of 2⅜" splint-length containing an average count of 335 matches, subject to 5% tolerance, or of 2⅛" splint-length containing an average count of 10% more matches, subject to 5% tolerance.

(8) "16 cubic inch box" means a box of "strike-anywhere" matches of 2⅜" splint-length containing an average count of 275 matches, subject to 5% tolerance, or of 2⅛" splint-length containing an average count of 10% more matches, subject to 5% tolerance.

(9) "Strike-on-box" or "safety" wood matches are wood or veneer splint matches, normally strikeable on the box only, through special preparation of the match head and the striking surface of the box.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 13 *Applicability.* The provisions of this Maximum Price Regulation No. 365 shall be applicable within the continental limits of the United States.

APPENDIX A—MAXIMUM DELIVERED PRICES FOR STRIKE-ANYWHERE WOOD MATCHES

(a) *Manufacturers' maximum delivered prices per case for strike-anywhere wood matches.*

Type	(1) Number of boxes per case	Maximum carload price	Maximum price for less-than-carloads
6's (penny size)	720	$3.65	$3.75
20 cu. in.	144	3.75	3.85
20 cu. in.	144	4.40	4.50
20 cu. in.	100	3.10	3.20

(2) Discounts for prompt payment of invoices shall be continued at not less than the customary percentage rate, and must be computed upon the manufacturer's price, exclusive of Federal excise tax. The period for such discounts need not exceed ten (10) days, but must be at least that long.

(b) *Distributors' maximum delivered prices.* (1) The distributor's maximum delivered price shall be 115% of the actual price charged by the manufacturer. In determining the "actual price charged by the manufacturer" upon which the mark-up may be computed, the distributor shall:

(i) Deduct all discounts, differentials and allowances except the discount for prompt payment.

(ii) Not include any charge which he may have incurred for local unloading and or local trucking.

(iii) Not include Federal Excise Tax.

(2) Federal Excise Tax may be added to the distributor's maximum price.

Example: Assume the distributor's total acquired cost of a case of wood matches is $4.60, made up of $3.75 manufacturer's price, $.80 Federal Excise Tax, and $.05 local inbound trucking. He must deduct the $.80 and the $.05, leaving $3.75 as the manufacturer's price.

	$3.75	Manufacturer's delivered price
Multiplying by	115%	
	1875	
	375	
	375	
	$4.3125	Distributor's maximum price
	.80	Federal Excise Tax
Total	$5.11	

(3) The term "Distributor's maximum delivered price" includes free delivery within the limits of the free delivery zone recognized by the distributor during March, 1942. On shipments made beyond such free delivery zone, the distributor may add to his maximum delivered price as determined above, his customary delivery charges, or the applicable local common carrier rate, whichever is less; and such expense shall be separately included in the invoice or other evidence of sale.

(c) *Retailers' maximum delivered prices.* (1) The retailer's maximum delivered prices shall be as follows:

INDEPENDENT STORES

Quantity	0's	16's	20's
One box	$.01	$.05	$.06
Package of 10 boxes	.10	-----	-----
Package of 12 boxes	.10	-----	-----

CHAIN STORES AND SUPERMARKETS

Quantity	0's	16's	20's
One box	$.01	$.04	$.05
Package of 10 boxes	.10	-----	-----
Package of 12 boxes	.10	-----	-----

(2) The term "Chain stores and supermarkets" shall include all retail food stores which are in a group of four (4) stores centrally owned, or any retail food store, however owned or grouped, which individually did a gross sales volume of $250,000 or more in the calendar year 1942. (The definitions and explanations of stores classed 4 and 5 in Maximum Price Regulation No. 238 are incorporated in this definition.)

(3) The term "Independent stores" shall include all retail stores which do not qualify as chain stores or supermarkets, in accordance with the definition in subparagraph (2) above.

(4) The term "Retailer's maximum delivered price" means a price for the item delivered into the hands of the consumer, except that on mail order sales, postage, when incurred, may be added to the maximum prices set forth in paragraph (c) (1) above.

APPENDIX B—MAXIMUM DELIVERED PRICES FOR "STRIKE-ON-BOX" WOOD MATCHES

(a) *Manufacturers' maximum delivered prices per case for "Strike-on-box" wood matches.* (1) The manufacturer's maximum delivered price, which may in no event exceed the highest price charged during March, 1942, as determined in accordance with the provisions of the General Maximum Price Regulation, shall be as follows per case of 720 boxes:

$3.65 in lots of 11 cases or more
$4.02 in lots of less than 11 cases

(2) Discounts for prompt payment of invoices shall be continued at not less than the customary percentage rate, and must be computed upon the manufacturer's price, exclusive of Federal Excise Tax. The period for such discounts need not exceed ten (10) days, but must be at least that long.

(b) *Distributors' maximum delivered prices.* (1) The distributor's maximum delivered price shall be 115% of the actual price charged by the manufacturer. In determining the "actual price charged by the manufacturer" upon which the mark-up may be computed, the distributor shall:

(i) Deduct all discounts, differentials and allowances except the discount for prompt payment.

(ii) Not include any charge which he may have incurred for local unloading and or local trucking.

(iii) Not include Federal Excise Tax.

(2) Federal Excise Tax may be added to the distributor's maximum price.

Example: Assume the distributor's total acquired cost of a case of wood matches is $4.28, made up of $3.65 manufacturer's price, $.58 Federal Excise Tax, and $.05 local inbound trucking. He must deduct the $.58 and the $.05, leaving $3.65 as the manufacturer's price.

	$3.65	
Multiplying by	115%	
	1825	
	365	
	365	
	$4.1975 or $4.20	Distributor's maximum price
	.58	Federal Excise Tax
	$4.78	

(3) The term "Distributor's maximum delivered price" includes delivery within the limits of the free delivery zone recognized by the distributor during March, 1942. On shipments beyond such free delivery zone, the distributor may add to his maximum delivered price as determined above, his customary delivery charges or applicable local common carrier rate, whichever is less; and such expense shall be separately included in the invoice or other evidence of sale.

(c) *Retailers' maximum delivered prices.* (1) The retailer's maximum delivered prices shall be as follows:

One box	$.01
Package of 10 boxes	.10
Package of 12 boxes	.10

(2) The term "Retailer's maximum delivered price" means a price for the item delivered into the hands of the consumer, except that on mail order sales, postage, when incurred, may be added to the maximum prices set forth in paragraph (c) (1) above.

This regulation shall become effective April 14, 1943.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5569; Filed, April 8, 1943; 12:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Amendment 50]

AUCTION SALES OF USED PERSONAL PROPERTY

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The General Maximum Price Regulation is amended in the following respects:

Section 1499.9 (b) (4) is amended to read as follows:

(4) At a bona fide auction of used household or personal effects, except that this exemption shall not apply to any sale at auction conducted in, by, or for a retail or wholesale establishment regularly engaged in the business of selling such goods other than by auction.

This amendment shall become effective April 14, 1943.

Amendment No. 1 (§ 1499.1437 (a)) to Order No. 201 shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5571; Filed, April 8, 1943; 12:57 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 291 Under § 1499.3 (b) of GMPR]

FAINER BRAND FROZEN FOODS

For the reasons set forth in an opinion issued simultaneously herewith, paragraphs (a) and (e) of Order No. 291 under § 1499.3 (b) of the General Maximum Price Regulation are amended and paragraph (h) is added; all to read as set forth below:

§ 1499.1727 *Authorization of maximum prices for sales of Fainer Brand Frozen Foods by Fainer Frozen Foods, Pasadena, California, by authorized wholesalers and by retailers.* (a) On and after April 9, 1943, the maximum price net f. o. b. Pasadena, California, for sales by Fainer Frozen Foods, having its principal place of business at 915 South Arroyo Parkway, Pasadena, California, of "Fainer Frozen Foods" shall be:

$1.20 per dozen of 1 pound packages.
$2.28 per dozen of 2 pound packages.

for Fainer Brand baked beans and hominy,

$1.44 per dozen of 1 pound packages.
$2.76 per dozen of 2 pound packages.

for Fainer Brand chili beans and spaghetti with soup stock and tomato sauce, and

$1.92 per dozen of 1 pound packages.
$3.72 per dozen of 2 pound packages.

for Fainer Brand chili and beans and spaghetti with meat sauce.

* * * * *

(e) On and after April 9, 1943, Fainer Frozen Foods shall supply a written notification to each authorized wholesale distributor before or at the time of the first delivery of "Fainer Frozen Foods" to a distributor, and for a period of three months thereafter shall include with each shipping unit of "Fainer Frozen Foods" a written notification to retailers. If such a retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification From Fainer Frozen Foods to Authorized Wholesale Distributors

OPA has authorized us to charge wholesalers the following net selling prices, f. o. b. Pasadena, California, for "Fainer Frozen Foods:"

$1.20 per dozen 1 pound packages.
$2.28 per dozen 2 pound packages.

for Fainer Brand baked beans and hominy,

$1.44 per dozen of 1 pound packages.
$2.76 per dozen of 2 pound packages.

for Fainer Brand chili beans and spaghetti with soup stock and tomato sauce, and

$1.92 per dozen 1 pound packages.
$3.72 per dozen 2 pound packages.

for Fainer Brand chili and beans and spaghetti with meat sauce, subject to all customary discounts, cold storage allowances and other allowances. Wholesalers are authorized to establish a ceiling price by adding to the net cost of these items 33 per cent of such net cost. Net cost is cost at the customary receiving point less all discounts, other than for prompt payments and excluding charges for local hauling. Retailers shall establish ceiling prices by adding to their net cost 36 percent of their net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of the notification to retailers is included in every shipping unit of these items. If the initial sale of any of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Fainer Frozen Foods to Retailers

OPA authorizes retailers to establish ceiling prices for "Fainer Frozen Foods" in 1 pound and 2 pound packages by adding to the net cost of these items 36 percent of their net cost. Net cost is the invoice cost at the customary receiving point less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

* * * * *

(h) This amendment No. 1 to Order No. 291 (§ 1499.1727) shall become effective April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5570; Filed, April 8, 1943; 12:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 373 Under § 1499.3 (b) of GMPR]

CLINTON LABORATORIES, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is Ordered:*

§ 1499.1860 *Approval of maximum prices for sales of a new type of polishing rouge by Clinton Laboratories, Inc.* (a) The maximum prices for sales by the Clinton Laboratories, Inc., Clinton, New York, of its new type polishing rouge shall be the prices set forth below:

	Per pound
Sales in drums	$.07
Sales in 5-pound containers	.08

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of its old type polishing rouge by Clinton Laboratories, Inc., shall apply to the maximum prices set forth in paragraph (a).

(c) This Order No. 373 may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5573; Filed, April 8, 1943; 12:59 p. m.]

Pattern No.	Gauge and machine used	Width	Maximum price
13310	9 point (24 carriage set out)	53 racks per 36" web	$.7800 per sq. yd.
13117	7 point (36 carriage set out)	36 racks per 2½" web	$7.63 per gross yds.
13120	7 point (44 carriage set out)	38 racks per 11" web	$2.8425 per doz. yds.
13252	7 point (60 carriage set out)	39 racks per 11" web	$2.7019 per doz. yds.
13253	7 point (60 carriage set out)	42 racks per 4⅝" web	$13.28 per gross yds.
13291	7 point (60 carriage set out half width)	33 racks per 2½" web	$6.82 per gross yds.
13324	7 point (24 carriage set out)	33 racks per 36" web	$.5728 per sq. yd.
13364	7 point (72 carriage set out)	36 racks per 36" web	$.663 per sq. yd.

PART 1316—COTTON TEXTILES

[MPR 11,[1] Amendment 3]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 11 is amended in the following respects:

1. In § 1316.4 Table 1 is amended by adding the following constructions under:

Type and Construction of Cloth				*Cents per yard*
Poplins:				
37½"	102	206 x 48	3.15 (ply warp single filling)	29.80
Mechanical boat cloth ply yarns:				
50"	52 x 46	1.60		91.00
Insect netting:				
39"–40"	50 x 52	8.00		15.00
45½"	50 x 52	6.85		17.35
49½"	50 x 52	6.28		18.15

2. In § 1316.4 Table 1 is amended by amending the prices for aeroplane cloth to read as follows:

Type and Construction of Cloth				*Cents per yard*
Aeroplane ply yarns:				
36½"	80 x 86	4.00		43.89
39"	80 x 84	3.61		44.87
Aeroplane mercerized ply yarns:				
36½"	80 x 84	4.00		45.90

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5590; Filed, April 5, 1943; 5:04 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 361, 2206.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271, Amendment 8]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 271 is amended in the following respects:

1. Section 1351.1001 (a) (1) is amended to read as follows:

(1) All white flesh potatoes, whether used for human consumption or as seed potatoes.

2. Section 1351.1001 (c) (3) is amended to read as follows:

(3) Appendix C sets forth maximum prices for seed potatoes which were previously exempt from this regulation. Under its terms selected seed potatoes authorized for sale at a 75 cents differential per 100 pounds under § 1351.1019 (d) of this amendment and certified seed potatoes may be sold only as seed for planting, except that Commodity Credit Corporation may sell selected seed potatoes for human consumption at tablestock prices when Commodity Credit Corporation has a surplus of selected seed potatoes.

3. Section 1351.1008 is amended to read as follows:

§ 1351.1008 *Evasion.* The price limitations which are set forth in this Maximum Price Regulation No. 271 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any of the commodities listed in any appendix hereof, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or any other charge or account, discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

4. Section 1351.1013 (a) (3) is added to read as follows:

(3) Sales of tablestock potatoes to the Army, Navy, Marines, and Lend Lease Administration which are shipped prior to May 1, 1943, may be made at a differential of 10 cents per 100 pounds over the maximum prices established for tablestock potatoes in Appendix A.

5. Section 1351.1019 (b) is amended to read as follows:

(b) *Prohibitions on sale of selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices and certified seed potatoes.* Selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices and certified seed potatoes may be bought, sold or used only as seed for planting, except that Commodity Credit Corporation may sell selected seed potatoes for human consumption at tablestock prices when Commodity Credit Corporation has a surplus of selected seed potatoes.

6. Section 1351.1910 (d) is amended to read as follows:

(d) *Sales of selected seed potatoes by country shippers.* The maximum price that any country shipper may charge for selected seed potatoes, domestic or imported, shall be the same as the maximum price established for the country shipper in Appendix A for the same variety, grade and size of white potatoes: *Provided*, That a differential of 75 cents per 100 pounds over tablestock maximum prices may be charged for the sale of selected seed potatoes in the following instances:

(1) Selected seed potatoes sold, delivered or in transit prior to April 10, 1943, and

(2) Selected seed potatoes sold by a farmer or country shipper to the Commodity Credit Corporation, and

(3) Selected seed potatoes sold by a farmer or country shipper to a grower or dealer having a written certification from a United States Department of Agriculture's State or County War Board that the selected seed potatoes which said grower or dealer proposes to purchase are to be used only as seed for planting in the area served by the War Board, and

(4) Selected seed potatoes sold by one farmer to another farmer when the seed potatoes were grown in the same or adjacent county and will be used only for planting purposes in said same or adjacent county.

7. Section 1351.1019 (f) is amended to read as follows:

(f) *Conditions of sale of selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices and certified seed potatoes.* No sale may be made of selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices or certified seed potatoes unless the following conditions are met.

(1) *Sales in bulk.* Selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices and certified seed potatoes shall have been packed in sacks of 50 pounds or over when sold by a country shipper or intermediate seller except that sales may be made in bulk by a farmer selling direct to a commercial, industrial or institutional user.

(2) *Buyer's statement.* The buyer shall furnish the seller with a statement in writing that such selected or certified seed potatoes are being purchased "only for use or for resale as seed for planting and not for human consumption, for processing, or any other purpose." The buyer is required to furnish the seller with such written statement prior to sale.

(3) *Sellers tag.* When selected seed potatoes authorized by the amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices and certified seed potatoes are sold in sacks or other containers there shall be attached to the sack, or other container, prior to shipment from the farm or country shipping point, a label or tag stating that such potatoes are "seed potatoes, not to be used or sold for human consumption" and marked with an identifying lot number plus the name and address of the seller who at-

tached such label or tag at the farm or country shipping point.

When such seed potatoes are sold in bulk by a farmer direct to a commercial, industrial or institutional user, he shall state upon an invoice or other written evidence of sale an identifying lot number and his name and address.

(4) *Seller's statement on invoice.* The seller of selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices and certified seed potatoes shall furnish the buyer with an invoice or other written evidence of sale which, in addition to the customary facts stated by the seller, shall include the following statement:

As required by Maximum Price Regulation 271, I have agreed to sell and you have agreed to buy these seed potatoes only for use or resale as seed for planting and not for human consumption or any other purpose. I have also received from you a statement in writing to that effect.

The identifying lot number with which these seed potatoes have been labeled or tagged is _____ and the name and address of the seller who attached such label or tag is _____.

The type, variety grade and size of these seed potatoes are_____.

My selling price, which does not exceed my maximum price, is_____.

(5) *Report.* The seller shall mail after each sale or delivery of selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices and certified seed potatoes a copy of his invoice or other written evidence of the sale within 24 hours after the day of shipment, or, if the invoice cannot be made until receipt of an inspection certificate, within 24 hours after receipt by the shipper of said certificate, to the nearest district or state office of the Office of Price Administration.

8. Section 1351.1019 (g) is amended to read as follows:

(g) *Addition, alteration or removal of tag or label prohibited.* No person shall attach any tag or label to a sack, bag or other container of potatoes stating that such potatoes are selected seed potatoes authorized by this amendment for sale at a differential of 75 cents per 100 pounds over tablestock maximum prices or are certified seed potatoes, except at the farm or country shipping point as expressly required above.

No person shall alter or modify any tag or label attached to a sack, bag or other container of such seed potatoes.

No person, except a planter, shall remove or detach any tag or label attached as above provided to a sack, or other container of such seed potatoes.

9. Section 1351.1019 (h) is amended to read as follows:

(h) *Definitions.* "Certified seed potatoes" means white flesh potatoes inspected and certified by a state agency as seed for planting.

"Selected seed potatoes" means white flesh potatoes selected by the farmer or country shipper as specially qualified for use as seed for planting, and duly invoiced, tagged, or labeled as selected seed potatoes at the farm or country shipping point.

"Tablestock potatoes" means white flesh potatoes for which prices are established in Appendix A.

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.[1]

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5593; Filed, April 8, 1943; 5:04 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 329,[2] Amendment 3]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

The effective date provision of Maximum Price Regulation 329 is amended to read as follows:

This Maximum Price Regulation No. 329 shall become effective February 13, 1943.

This Amendment No. 3 shall become effective April 8, 1943.

(Pub. Laws 421, 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER C. DAVIS,
Administrator,
Office of Food Production and Distribution.

[F. R. Doc. 43-5594; Filed, April 8, 1943; 5:04 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[3] Amendment 12]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. The last sentence of section 4.6 (e) is amended to read as follows:

(e) * * * A wholesaler who does not have enough points at the time of his registration may accumulate points and forward them later. However, until he has given up points equal to his excess inventory, he may not acquire during any one calendar month processed foods having a point value of more than 25 percent of the number of points he received for his sales or transfers of processed foods during March 1943.

2. Section 4.7 (a) is amended by adding the following to the end thereof:

(a) * * * Furthermore, regardless of his actual inventory, he may, during a calendar month, acquire processed foods for the purpose of keeping his stocks balanced, in an amount not more than 25 percent of the number of points he received for his sales or transfers of processed foods during March 1943.

This amendment shall become effective April 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5587; Filed, April 8 1943; 5:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[3] Amendment 13]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

The last sentence of section 5.8 (e) is amended to read as follows:

(e) * * * A retailer who does not have enough points at the time of registration may accumulate and forward them later. However, until he has given up points equal to his excess inventory, he may not acquire during any one calendar month processed foods having a point value of more than 25 percent of the number of points he received for his sales or transfers of processed foods during March 1943.

This amendment shall become effective April 8, 1943.

(Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251.)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5592; Filed, April 8, 1943; 5:04 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9179, 10715; 8 F.R. 233, 1748, 1981, 3397, 3733, 3853.

[2] 8 F.R. 2038, 2874, 3252, 3621.

[3] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 8179, 3949, 4342.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 8179, 3949, 4342.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 28,[1] Amendment 4]

CERTAIN PERISHABLE FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Temporary Maximum Price Regulation No. 28 is amended in the following respects:

Section 1439.254 (b) is amended and a new paragraph (c) is added to read as follows:

(b) Sales and deliveries by a farmer of any listed commodity grown on his farm to a country shipper and sales and deliveries to an ultimate consumer, if during the preceding month the farmer's sales to ultimate consumers of all food and food products produced on his farm did not exceed $75. This regulation shall also apply to any sales and deliveries by a farmer directly to wholesalers, retailers, commercial, industrial and institutional users.

(c) Such sales at retail as are covered by Amendment No. 6 to Maximum Price Regulation 268.[2]

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

CHESTER C. DAVIS,
Administrator, Food Production and Distribution.

[F. R. Doc. 43-5589; Filed, April 8, 1943; 5:03 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 29,[3] Amendment 3]

CERTAIN PERISHABLE VEGETABLES; SPINACH AND LETTUCE

A statement of the considerations involved in the issuance of this amendments, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Temporary Maximum Price Regulation No. 29 is amended in the following respects:

Section 1439.305 (b) is amended and a new paragraph (c) is added to read as follows:

(b) Sales and deliveries by a farmer of any listed commodity grown on his farm to a country shipper and sales and deliveries to an ultimate consumer, if during the preceding month the farmer's sales to ultimate consumers of all food and food products produced on his farm did not exceed $75. This regulation shall also apply to any sales and deliveries by a farmer directly to wholesalers, retailers, commercial, industrial and institutional users.

(c) Such sales at retail as are covered by Amendment No. 6 to Maximum Price Regulation No. 268.[2]

This amendment shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

CHESTER C. DAVIS,
Administrator, Food Production and Distribution.

[F. R. Doc. 43-5588; Filed, April 8, 1943; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 42 Under SR 15 to GMPR]

WARWICK DELIVERY SERVICE

Order No. 42 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-2173.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1342 *Adjustment of maximum prices for contract carrier services by Ellis W. Leritz, doing business as Warwick Delivery Service.* (a) Ellis W. Leritz, doing business as the Warwick Delivery Service, of 2616 Warwick Boulevard, Kansas City, Missouri, hereinafter referred to as applicant, may charge as his maximum rates for the hauling and delivery service performed for Montgomery Ward & Company, from its mail order and retail stores in Kansas City, Missouri and Kansas City, Kansas, as follows:

For each one and one-half ton truck used in regular service eight hours a day with a driver and helper, from $2.65 per hour to $2.85 per hour. For each one and one-half ton truck with driver and helper not used in regular service, from $2.95 per hour to $3.15 per hour.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 42 (§ 1499.1342) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 42 (§ 1499.1342) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This order shall be applicable as of September 28, 1942.

(f) This Order No. 42 (§ 1499.1342) shall become effective April 8, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5591; Filed, April 8, 1943; 5:04 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2396, 2499, 2888, 3328.

[2] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664, 3527, 3732.

[3] 8 F.R. 2499, 2888, 3328.

[1] 7 F.R. 9184, 8 F.R. 322, 1747, 2483, 2664, 3527, 3732.

PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 359]

CERTAIN CONVERTED PAPER PRODUCTS

Corrected Print

Certain converted paper products, including plates, dishes, spoons and forks and liquid-tight cylindrical containers.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of certain converted paper products by a separate price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 359 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 359 is hereby issued.

SEC.

1347.551 Prohibition against dealing in certain converted paper products at prices above the maximum prices.
1347.552 Less than maximum prices.
1347.553 Export sales.
1347.554 Federal and State taxes.
1347.555 Adjustable pricing.
1347.556 Transfers of business or stock in trade.
1347.557 Petitions for amendment.
1347.558 Discounts and allowances.
1347.559 Evasion.
1374.560 Enforcement.
1347.561 Licensing.
1347.562 Records and reports.
1347.563 Definitions.
1347.564 Applicability.
1347.565 Applicability of general maximum price regulation.
Appendix A—Maximum prices for plates.
Appendix B—Maximum prices for dishes.
Appendix C—Maximum prices for spoons and forks.
Appendix D—Maximum prices for liquid-tight cylindrical containers.

AUTHORITY: §§ 1347.551 to 1347.565, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O 9250, 7 F.R. 7871.

§ 1347.551 *Prohibition against dealing in certain converted paper products at prices above the maximum prices.* On and after April 10, 1943, regardless of any contract, agreement, lease or other obligation:

(a) No person for whom maximum prices are established under this regulation shall sell, deliver, or transfer certain converted paper products at prices higher than the maximum prices set forth in Appendices A, B, C, and D of this Maximum Price Regulation No. 359.

(b) No person shall buy or receive from a manufacturer certain converted

pot pulp formed to shape in molds with

sentative of the manufacturer of certain

tion' in respect to sales and deliveries

paper products in the course of trade or business at higher prices than the maximum prices set forth in Appendices A, B, and C of this Maximum Price Regulation No. 359.

(c) No person shall buy or receive certain converted paper products from any person, other than a retailer, in the course of trade or business at higher prices than the maximum prices set forth in Appendix D of this Maximum Price Regulation No. 359.

(d) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 359 shall not apply to sales or deliveries of certain converted paper products to a purchaser if prior to April 10, 1942 such converted paper products have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1347.552 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 359 may be charged, demanded, paid or offered.

§ 1347.553 *Export sales.* The maximum price at which a person may export certain converted paper products shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation, issued by the Office of Price Administration.

§ 1347.554 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of certain converted paper products, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however*, That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any product covered by this Maximum Price Regulation No. 359, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

§ 1347.555 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery.

§ 1347.556 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 9, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with § 1347.562 shall be the same. The transferor shall either preserve and make available for so long as the Emergency Price Control Act of 1942 remains in effect, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 359.

§ 1347.557 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 359 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1347.558 *Discounts and allowances.* Every manufacturer shall continue to grant to persons buying certain converted paper products, differentials, discounts, allowances and terms of sale not less favorable to the purchaser than those generally in effect during the period of October 1 to 15, 1941, for a sale of such certain converted paper products by such manufacturer to a purchaser of the same class.

§ 1347.559 *Evasion.* Price limitations set forth in this Maximum Price Regulation No. 359 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to certain converted paper products, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege or other trade understanding or otherwise.

§ 1347.560 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 359 are subject to the criminal penalties, civil enforcement action, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1347.561 *Licensing.* The provisions of Supplementary Order No. 19, licensing distributors of paper and paper products, are applicable to every distributor selling any of the commodities for which maximum prices are now, or hereafter established by Maximum Price Regulation No. 359. The term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

§ 1347.562 *Records and reports.* (a) Every person for whom maximum prices are established under this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect accurate records of each sale of certain converted paper products made after April 9, 1943, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of certain converted paper products.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 1347.563 *Definitions.* (a) When used in this Maximum Price Regulation No. 359, the term:

(1) "Basis weight" means the weight in pounds per 1,000 square feet of paperboard.

(2) "Certain converted paper products" includes all commodities for which maximum prices are now or hereafter established by this Maximum Price Regulation No. 359.

(3) "Plates" includes all substitutes for china or tin food, pie, cake, or ice cream receptacles embossed, stamped, or pressed from paperboard, or molded from woodpulp.

(4) "Dishes" includes all dishes and trays made from wood veneer or paperboard, the ends of which are either glued or held together with staples or by any other means, or a tray or dish molded from woodpulp; the sizes and grades of such dishes include those specified in Simplified Practice Recommendation No. 187-42, Food Trays or Dishes, issued by the National Bureau of Standards, Washington, D. C.

(5) "Spoons and forks" includes all spoons and forks manufactured from vulcanized fibre and all shaped and bowled wood spoons and forks.

(6) "Liquid tight cylindrical containers" includes all straight sidewall containers spirally wound on a mandrel to a thickness of two or more plies and made of chemical and/or mechanical pulp paperboard.

(7) "Cake circle" means a round paperboard or molded disc customarily used by bakers for carrying, dispensing, or handling cakes excepting cake circles made of single or double faced white lined corrugated paperboard.

(8) "Depth" is the measured vertical distance from the inside bottom surface of a plate to the top side of the rim.

(9) "Deep, extra deep, and western deep" means plates with a depth range of $\frac{7}{8}$ to $1\frac{5}{8}$ inches.

(10) "Shallow and medium plates" includes all plates with a depth range of from $\frac{1}{2}$ to $\frac{3}{4}$ of an inch, inclusive.

(11) "Diameter of plates" shall be measured from the outside edges of the top rim of plates.

(12) "Groundwood plates" includes all plates made from paperboard whose principal component is mechanical pulp.

(13) "Luncheon plates, luncheon and ice cream plates" includes all plates whose general use is service of luncheons, sandwiches, ice cream, etc.

(14) "Molded plates and dishes" includes all plates and dishes made from wet pulp formed to shape in molds with vacuum and air pressure.

(15) "Paperboard" includes all kinds, grades, types, calipers, colors, and patterns of paperboard unless otherwise limited by the context.

(16) "Embossed, pressed or stamped paperboard plates" includes all plates made by embossing, pressing or stamping to shape by use of dies.

(17) "Solid white plates" includes all plates made from paperboard of 100% chemical pulp.

(18) "Vulcanized fibre" includes paper or board produced by treating unsized paper with either zinc chloride or sulphuric acid to cause a partial gelatinization of the cellulose and then laminating into the proper thickness over heated cylinders.

(19) "White lined plates" includes all plates made from paperboard lined with chemical pulp.

(20) "Resale packages" includes all plates, plain or printed, carton packed, transparent wrapped or banded and intended for sale at retail.

(21) "Manila out, white in; white out, manila in; special bleached all white" includes all containers made of one ply of manila and one ply of white lined paperboard or made of two plies of white lined paperboard.

(22) "Solid bleached all white" includes all liquid tight cylindrical containers made wholly of bleached chemical pulp paperboard.

(23) "Stock printed" includes all liquid tight cylindrical containers printed on body sidewall in abstract design without brand or other customer identification.

(24) "Special printed" includes all liquid tight cylindrical containers, the body sidewall or cover or both of which are printed with the consumer's identification, including brand name or company name.

(25) "Brown out, Manila in" includes all liquid tight cylindrical containers made of solid manila paperboard as the inside ply and brown colored or kraft colored paperboard as the outside ply.

(26) "Regular wax" refers to all liquid tight cylindrical containers the inner and outer plies of which have been wax treated to insure their liquid tightness.

(27) "Heavy wax" refers to all liquid tight cylindrical containers which have been treated by dipping in or otherwise treating the finished container with paraffine.

(28) "Sizes" shall be determined by the liquid measurement of the liquid tight cylindrical container or the avoirdupois carrying capacity in terms of butter.

(29) "Diameter of liquid tight cylindrical containers" shall be the inside diameter of the liquid tight cylindrical container and not including the thickness of the sidewall.

(30) "Snap disc" includes round flat discs printed with customer brand or other identification and which may be inserted in the top of the lid by customer.

(31) "Manufacturer" includes any person who manufactures or converts certain converted paper products covered by this regulation and any person who distributes as an agent or representative of the manufacturer of certain converted paper products.

(32) "Distributor" includes any person who buys certain converted paper products from the manufacturer or any other seller and who resells the same.

(33) "Consumer" includes any person who buys certain converted paper products to use as packaging for vending his products.

(34) "Zone A" consists of the following: All of the States of Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, Illinois except Moline and Rock Island; southern peninsula of Michigan, cities of Cape Girardeau, Hannibal, New Madrid, Ste. Genevieve, and St. Louis, Mo., Virginia, except Bristol, all cities south of an east and west line drawn just south of Chippewa Falls, Wisconsin.

(35) "Zone B"[1] consists of the following: All of the states of Alabama, Arkansas, Florida, Georgia, Iowa, Louisiana, Minnesota, Mississippi, North Carolina, South Carolina, Tennessee, cities of Moline and Rock Island, Illinois; cities of Atchison, Kansas City, Lawrence, Leavenworth and Topeka, Kansas; northern peninsula of Michigan, Missouri; cities of Auburn, Lincoln, Nebraska City, Omaha and Plattsmouth, Nebraska; Fargo and Grand Forks, North Dakota; Sioux Falls, South Dakota; Bristol, Virginia; Wisconsin north of an east and west line drawn just south of Chippewa Falls.

(36) "Zone C"[1] consists of the following: All of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, Wyoming, Kansas except portion in Zone B, Nebraska except portion in Zone B, North Dakota except portion in Zone B, South Dakota except portion in Zone B.

(37) "Zone 1"[2] includes all territory east of and including North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas except El Paso.

(38) "Zone 2"[2] includes Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, and El Paso, Texas.

(39) "Eastern zone"[3] includes all territory east of the eastern boundary of Montana, Wyoming, Utah, New Mexico and a line drawn south to Mexico (El Paso, Texas, is not included in eastern zone).

(40) "Western zone"[3] includes all territory west of the eastern boundary of Montana, Wyoming, Utah, New Mexico and a line drawn south to Mexico.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1347.564 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 359 supersede the provisions of the General Maximum Price Regulation in respect to sales and deliveries of certain converted paper products for which maximum prices are established by this Maximum Price Regulation No. 359.

§ 1347.565 *Applicability.* The provisions of this Maximum Price Regulation No. 359 shall be applicable to the continental United States but not the territories and possessions of the United States.

APPENDIX A: MANUFACTURERS' MAXIMUM PRICES FOR MOLDED WOODPULP AND PAPERBOARD PLATES

(a) *Manufacturers' maximum delivered prices in quantities of less than 50,000 units to points in Zone A for molded woodpulp plates and certain plates embossed, pressed, or stamped from groundwood paperboard of a basis weight of 100 lbs. or more.*

(1) MAXIMUM PRICES PER THOUSAND UNITS[1]

Diameter (inches)	Round and square plates[2]	Medium depth plates	Deep, extra deep, western deep plates	Luncheon plates	Luncheon and ice cream plates, smooth finish	Cake circles
4	.97					
4½	1.09					
4⅝	1.09					
4⅞	1.19					
4⅞			1.80		[4] 1.43	
4⅞					[4] 1.63	
5	1.92		2.06	1.92		
5⅛						2.44
5½	[4] 1.92	[5] 2.06				
6		2.06	2.06	2.06	2.48	2.71
7		2.71	3.01	2.71		3.25
7½		2.98				
8		3.25	3.84	3.25	3.93	3.74
8½			4.12		5.08	
9		3.74	4.32	3.74	4.49	4.59
10		5.09	5.62	5.09	6.17	
10¼		5.09			[7] 8	

[1] The maximum prices shall be proportionately decreased for sales of less than 1,000 units. For example, the maximum price for 500—6 inch luncheon plates shall be $1.03.

[2] For plates taped or banded in bundles of 100 add $0.06 per thousand.

[3] Manufactured only by Keyes Fibre Company, Chi-Set Brand.

[4] Round plate—packed 1,000 to case, taped in bundles of 100.

[5] Square plate—packed in 1,000 to case, taped in bundles of 100.

[6] ⅝" depth.

[7] ¾" depth.

[8] Partition plate.

(b) *Manufacturers' maximum delivered prices in quantities of less than 50,000 units to points in Zone A for certain plates embossed, pressed or stamped from groundwood paperboard.*

(1) MAXIMUM PRICES PER THOUSAND UNITS[1]

Diameter (inches)	Basis weight 65 to 85 lb	Deep extra deep western deep plates basis weight 65 to 85 lb.	Basis weight 50 to 65 lb.	Flat cake circles basis weight 65 to 85 lb.
4¼			.88	
5	1.78	1.91		
5⅛				2.26
5⅝	1.91			
6	1.91	1.91	1.76	2.51
7	2.71	2.78	2.30	3.01
7½	2.76			
8	3.01	3.55	2.75	3.46
8½		3.81		
9	3.46	4.01	3.14	4.23
10	4.71	5.20		
10¼	4.71			

[1] See Note 3 above.

[4] 8 F.R. 3096.

[1] Applies to Appendices A, B, and C.

[2] Supra note 1

[3] Applies to Appendix D.

(c) *Manufacturers' maximum delivered prices in quantities of less than 50,000 units to points in Zone A for certain plates embossed, stamped, or pressed from solid white lined paperboard, or solid white paperboard.*

(1) MAXIMUM PRICES PER THOUSAND UNITS[1]

Diameter (inches)	White lined 69 lb. basis weight or solid white 61 lb. basis weight	White lined basis weight 77 lb.–88 lb.	White lined basis weight 104 pounds and up
4¼	1.15		
6	2.00	2.55	3.30
7	2.60		
8	3.05	4.05	4.77
9	3.37	5.05	5.40
9[2]		5.25	
10¾[2]		7.85	

[1] See note 3 above.
[2] Compartment.

(d) *Manufacturers' maximum prices for shipments in quantities of more than 50,000 units.* (1) Manufacturer's maximum prices for shipments of molded woodpulp plates in quantities of 50,000 to less than carload (any assortment of plates) shall be those established in paragraph (a) of this appendix.

(2) The manufacturer of embossed, stamped, or pressed paperboard plates shall deduct 7½% from the maximum prices as established in paragraphs (a), (b) and (c) of this appendix where sales are made in quantities from 50,000 units (any assortment of plates) up to but not including a carload.

(3) Where sales of any plates are made in carload quantities (any assortment of plates), 10% shall be deducted from the maximum prices as established in paragraphs (a), (b) and (c) of this appendix.

(e) *Manufacturers' maximum delivered prices for deliveries to points outside of Zone A.* Where a manufacturer delivers molded woodpulp and all paperboard plates to points outside of Zone A, his maximum price shall be determined as follows:

Point of delivery:	Percentage addition to maximum price
Zone B	5%
Zone C	5%, and 5%

(f) *Manufacturers' maximum delivered prices for resale packages.* (1) The manufacturer's maximum prices for resale packages of molded woodpulp and paperboard plates shall not exceed that price at which the item was sold by the manufacturer during the period of October 1 to December 31, 1941, at prices based upon a price list which was published, or circulated to the trade, or to the manufacturer's salesmen.

(2) Duplicate copies of such price lists shall be filed with the Office of Price Administration, Washington, D. C., within thirty days after April 10, 1943. The prices established by such price lists shall be subject to nonretroactive disapproval or adjustment by letter of the Office of Price Administration.

(g) *Manufacturers' maximum delivered prices for certain specialty items.* (1) The manufacturer's maximum prices for certain specialty items, such as banana split plates, utility bowls and cuspidors, shall be that price at which the item was sold by the manufacturer during the period October 1 to 15, 1941, at prices based upon a list which was published, or circulated to the trade, or to the manufacturer's salesmen.

(2) Duplicate copies of such price lists shall be filed with the Office of Price Administration, Washington, D C., within thirty days after April 10, 1943. The prices established by such price lists shall be subject to nonretroactive disapproval or adjustment by letter of the Office of Price Administration.

APPENDIX B: MANUFACTURERS' MAXIMUM DELIVERED PRICES IN QUANTITIES OF LESS THAN 200,000 UNITS FOR WHITE LINED PAPERBOARD, MOLDED WOODPULP AND WOOD FOOD DISHES

(a) *Maximum price per thousand for less than 200,000 units.*

Size and number of dish	Material from which manufactured		Wood or Woodpulp
	Paperboard		
25	[1] 1.69	1.61	1.52
50	[1] 1.97	1.87	1.89
100	[1] 2.46	2.34	2.22
200	[1] 3.12	2.96	2.81
300	[1] 5.36	5.09	4.08
500			4.60
1000	[1] 14.74	14.00	13.30

[1] Applies to "Diamond Brand" sold by Berst-Foster-Dixfield Company.

(b) *Differentials for more than 200,000 units.* (1) For sales of paperboard dishes in quantities of 200,000 units (any assortment of dishes) up to carload, the manufacturer shall deduct 5% from the maximum prices established in paragraph (a) of this appendix.

(2) For sales of dishes in carload quantities, (any assortment of dishes) the manufacturer shall deduct 10% from the maximum prices established in paragraph (a) of this appendix.

(c) *Manufacturers' maximum prices for shipments to points outside Zone 1.* (1) The manufacturer's maximum prices for shipments of wood and molded woodpulp dishes in Zone 2 shall be a price not in excess of 10% above the maximum prices as established in paragraph (a) of this appendix.

(2) Maximum prices established under paragraph (a) above for paperboard dishes shall be maximum delivered prices for all zones.

APPENDIX C: MANUFACTURERS' MAXIMUM DELIVERED PRICES FOR VULCANIZED FIBRE SPOONS AND FORKS AND WOOD VENEER SPOONS AND FORKS.

(a) *Maximum delivered prices for packaged spoons and forks made of vulcanized fibre.*

(1) MAXIMUM DELIVERED PRICES IN ZONE 1

Spoons and forks (length in inches)	Count per package	Price per cross packages
3¼	18	$7.20
3¼	22	7.92
3¾	11	4.32
4¼	12	7.20
4¼	14	7.92
4¼	7	4.32
4¼	12	7.20
4¼	14	7.92
4¼	17	4.32
4¼	6	7.20
5¼	8	7.92
5¼	4	4.32
6¼	8	7.20
6¼	10	7.92
6½	8	4.32

(2) Maximum delivered prices in Zone 2 shall be a price not in excess of 5% above the maximum prices as established in accordance with paragraph (a) (1) of this appendix.

(3) *Quantity discounts.* An amount not less than the following discounts for quantity purchases (any assortment of spoons and forks) shall be deducted from the maximum prices established in paragraph (a) of this appendix.

	Percent
20 to 49 dozen packages	5
50 to 99 dozen packages	7½
100 dozen packages and up	10

(b) *Manufacturers' maximum delivered prices to points in Zone 1 for bulk spoons and forks made of vulcanized fibre.*

(1) DELIVERED PRICES IN ZONE 1

Spoons and forks (lengths in inches)	Packing		Price per thousand
	Per carton	Per case	
2½	1,000	10,000	$1.45
2½	100	10,000	1.70
3¼	1,000	10,000	2.40
3¼	500	5,000	2.70
3¼	100	10,000	2.51
4¼	1,000	10,000	3.05
4¼	500	5,000	3.05
4¼	100	5,000	3.20
4¼	1,000	10,000	3.00
5¼	500	5,000	3.00
5¼	100	5,000	3.05
5¾	1,000	10,000	3.30
5¾	500	5,000	3.30
5¾	100	5,000	3.35
6¼	1,000	10,000	3.50
6¼	500	5,000	3.50
6½	100	5,000	3.75

(2) *Maximum delivered prices in Zone 2* shall be a price not in excess of $0.10 per thousand above the maximum prices for Zone 1.

(3) *Quantity discounts.* An amount not less than the following discounts for quantity purchases (any assortment of spoons and forks) shall be deducted from the maximum prices established in paragraph (b) of this Appendix.

	Percent
25,000 to 99,000	5
100,000 and over	10

(c) *Manufacturers' maximum prices for bowled and shaped wood veneer spoons and forks.* (1) The manufacturers' maximum prices for bowl type wood veneer spoons and forks which are bulk packed or packed for resale, and for shaped type wood veneer spoons and forks which are packed for resale, shall be a price not in excess of that price at which the item was sold by the manufacturer during the period of October 1-31, 1941, at prices based upon a price list which was published, or circulated to the trade, or to the manufacturer's salesmen.

(2) Duplicate copies of such price lists shall be filed with the Office of Price Administration, Washington, D. C., within thirty days after April 10, 1943. The prices established by such price lists shall be subject to nonretroactive disapproval or adjustment by letter of the Office of Price Administration.

(d) Where the specifications (such as size, grade, style, basis weight) of any item differ from the specifications set forth in Appendices A, B, and C, application for approval of a maximum price for the sale of such item shall be filed with the Office of Price Administration. The application shall contain the differences in specifications, the complete cost data, and the proposed maximum price. The Office of Price Administration may approve, disapprove or adjust the proposed maximum price by letter, and sales may not be made prior to approval.

APPENDIX D: MAXIMUM PRICES FOR LIQUID TIGHT CYLINDRICAL CONTAINERS.

(a) *Manufacturers' maximum delivered prices per thousand units to distributors for carload shipments to points in the eastern zone for liquid tight cylindrical containers.*

Size (inches or weight)	Manila in white cut sheets or manila in special bleached all white	Sold bleached all white heavy weight	Stock printed	Brown out manila in special bleached all white regular weight	Brown out manila in special bleached all white parchment lined
¼ pint	$10.58	$16.82	[2] $13.00		
½ pint	12.90	18.31			
10 ounce	12.97	19.10			
12 ounce	13.52	19.87			
14 ounce	14.30	20.66	15.58		
Pint, 3¼" diameter	15.76	20.90			
23 ounce	17.00	25.63			
Quart	110.00	25.65	19.75		
3 pint	26.97	38.00			
½ gallon, 4¼" diameter	35.48	49.75	38.00		
1 gallon, 5 or 5½" diameter	40.06	70.35	73.00		
1 gallon	70.15	85.95		$16.85	
1 pound		22.70		17.60	
2 pound		35.00		27.00	
3 pound		47.20		36.10	
5 pound		93.25		76.38	
10 pound					81.37

(b) *Manufacturers' maximum delivered prices to distributors in less than carload quantities (any assortment of liquid tight cylindrical containers).* (1) The manufacturer's maximum delivered price to distributors in less than carload quantities of any assortment of liquid tight cylindrical containers shall be 10% above the maximum prices established in paragraph (a) of this appendix.

(c) *Manufacturers' and distributors' maximum delivered prices to consumers.* (1) Manufacturers' and distributors' maximum carload prices to consumers shall be 5% above the maximum price set forth in paragraph (a) of this appendix.[4]

(2) Manufacturers' and distributors' maximum prices to consumers in lots of 50 cases to carload shall be 11% above the maximum prices as set forth in paragraph (a) of this appendix.[5]

(3) Manufacturers' and distributors' maximum prices to consumers in lots of 25 to 50 cases shall be 18% above the maximum prices set forth in paragraph (a) of this appendix.[6]

(4) Manufacturers' and distributors' maximum prices to consumers in lots of 10 to 25 cases shall be 25% above the maximum prices as set forth in paragraph (a) of this appendix.[7]

(5) Manufacturers' and distributors' maximum prices to consumers in lots of less than 10 cases shall be 35% above the maximum prices as set forth in paragraph (a) of this appendix.[8]

(d) *Manufacturers' maximum delivered price for deliveries to points outside of the eastern zone.*

Point of delivery	Percentage addition
Western zone	5%

(e) *Manufacturers' maximum prices for drop shipments to less than carload buying distributors for account of carload buying distributors.* (1) Where a distributor makes a drop shipment of less than carload quantity to a distributor who does not buy in carload quantities for the account of a carload buying distributor, he shall allow the carload buying distributor a commission of not less than 5% on the basis of the price for the quantity ordered and shipped. If the less-than-carload buying distributor is located outside of a 25-mile radius from the carload buying distributor.

(f) *Manufacturers' maximum delivered prices for special printed liquid tight cylindrical containers.* (1) Manufacturers' maximum price for special printed liquid tight cylindrical containers sold to distributors shall be determined by adding standard printing charges set forth in paragraph (g) to the maximum prices set forth in paragraph (c) of this appendix.

(i) The manufacturer shall allow the distributor a discount of not less than 10 per cent when shipment is made at less than carload rate of freight. The manufacturer shall allow the distributor not less than 10 per cent plus 5 per cent when shipment is made in less than carload quantities at the carload rate of freight. The manufacturer shall allow the distributor a discount of not less than 5 per cent when shipment of one design is made in a carload at the carload rate of freight.

(2) Manufacturers' and distributors' maximum prices for special printed liquid tight cylindrical containers sold to consumers shall be determined by adding the standard printing charges set forth in paragraph (g) of this section to the maximum prices set forth in paragraph (c) 1, 2, 3, 4, 5, of this appendix.

(g) *Manufacturers' maximum printing charges for body sidewall and covers per thousand.*

	Body sidewall for sizes larger than quarts			Covers of all sizes	
	1 color	2 color	3 color	1 color	2 color
2½ M to 5 M	$2.00	$3.10	$3.30	$3.50	$4.00	$4.50	$0.70	$0.85
5 M to 10 M	1.90	2.90	3.10	3.00	3.60	4.00	.65	.80
10 M to 25 M	1.40	1.60	1.70	2.50	3.00	3.50	.60	.75
25 M and over	1.00	1.20	1.30	1.60	2.10	2.60	.50	.65

(2) Manufacturers' maximum prices for liquid tight cylindrical containers made with a special inner liner or outer sleeve shall be computed by adding the sleeve to the cost of the liner stock or outer sleeve to cost of the liner stock or outer sleeve to the price of the containers established by paragraphs (a) or (j) (1) of this appendix plus the cost for winding, laminating or otherwise affixing the liner or sleeve to the container. Conversion shall be computed on the basis of the hand, machine hour, or piece work rates in effect during October 1–15, 1941.

This regulation shall become effective April 10, 1943.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5492; Filed, April 7, 1943; 5:29 p. m.]

(h) *Manufacturers' maximum prices for printed snap discs.*

	One color	Two color
3⅜" diameter	$1.00	$1.25
4¼" diameter	1.50	1.75

(1) Manufacturers shall allow a discount of not less than 10 per cent on sales of snap discs to distributors.

(i) *Manufacturers' maximum prices for art work and engravings.* (1) Manufacturers' charges for art work and engravings shall not exceed such charges as were in effect during the period of October 1–15, 1941.

(j) *Manufacturers' maximum prices for liquid tight cylindrical containers which cannot be established by paragraph (a) of this section.* (1) Manufacturers' maximum prices for liquid tight cylindrical containers of special depth shall be computed by adding the additional per inch cost of body sidewall to the price of the nearest size in depth.

[1] Multiply by 1.111
[2] Multiply by 1.083.
[3] Multiply by 1.1175.
[4] Multiply by 1.1075.
[5] Multiply by 1.2075.
[6] Multiply by 1.3575.

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 270,[1] Amendment 4]

DRY EDIBLE BEANS, SALES EXCEPT AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1351.1215 (a) (2) and (3) are amended to read as follows:

(2) "Country shipper" means any person, including a farmer, who cleans, polishes, stores or loads at a country shipping point and who makes sales and deliveries directly to any other person whether for his own account, the account of another or for the joint account of himself and another. The term includes farmers' cooperatives and associations.

(3) "Country shipping point" means any place in or near the producing area where dry edible beans are cleaned, polished, stored or loaded and otherwise made ready for shipment.

This amendment shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:
CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5618; Filed, April 9, 1943; 11:49 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 320,[2] Amendment 3]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 320 is amended in the following respects:

1. Section 1377.202 (a) is amended to read as follows:

(a) *Products covered by the regulation.* This regulation, under the term "Eastern and Central wooden agricultural containers", covers the following types of containers manufactured in the states of Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin: * * *

2. In § 1377.206 (b), the first sentence is amended to read as follows:

(b) *Addition to basic maximum price.* In all pick-up sales and truck shipments (either from a factory or a warehouse) of less than a minimum truckload amount, the following addition may be made to the basic maximum price: (This addition does not preclude other additions which the seller is entitled to make).

3. In § 1377.216 (b), the first paragraph is amended by deleting the phrase, "in price tables II to VI, inclusive" and inserting in its place the phrase, "in price tables II to VII, inclusive".

4. In § 1377.216 (b), Table II, Note 2 is amended by the addition of the following sentence: "For covers without 2 loop fasteners deduct 3¢ per dozen."

5. Section 1377.216 (b), Table VI, is amended by adding the word "hundred" in the "units" column following the three items "carrier crates."

6. Section 1377.216 (b) is amended by the addition of Table VII to read as follows:

NOTES: 1. The New England Area includes the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island.

2. All crates are priced unitized but knocked down, unless otherwise specified.

TABLE VII

CRATES AND PARTS PRODUCED IN THE NEW ENGLAND AREA

Container description	Units	Approximate weight (pounds)	Minimum truckload	Zone 7
1⅝ bu. apple box, 11" x 13" x 17", New England type, without tops	Hundred	5	1,250	$21.50
1⅜ bu. apple box, 11⅛" x 13⅜" x 16⅝", New England type, without tops	Hundred	5	1,250	21.50
¼ barrel cranberry box, 9¼" x 10½" x 16"	Hundred	6	1,250	28.00
Field crates, 11" x 14" x 17" (½" ends, ⅜" sides and bottom, 1¼" x 1¼" cleats)	Hundred	6	1,000	28.00
Field crates, 11" x 14" x 17" (¾" ends, ½" sides and bottom, 1¼" x 1¼" cleats)	Hundred	8	1,000	35.00
1⅜" bu. apple box top slats ¾" x 2⅜" x 17¾" or 11/16" x 1⅜" x 17¾"	Thousand			7.50
1⅜" bu. apple box parts, New England type 11" x 13" x 17" or 11⅛" x 13⅜" x 16⅝":				
Ends	Hundred			5.11
Sides	Hundred			3.22
Bottoms	Hundred			4.84

3. All dimensions on crates are inside, unless otherwise specified.

4. For all stock and customer printing add ¼¢ per impression: die charge extra for customer's account.

5. For dyed cleats add ½¢ per crate.

6. For making up crates (except those already priced made-up) add 3¢ per crate.

7. All parts are complete or unitized units, not sets.

The effective date of this amendment shall be April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5619; Filed, April 9, 1943; 11:49 a. m.]

PART 1389—APPAREL

[Correction to MPR 330[1]]

RETAILERS' AND WHOLESALERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

Maximum Price Regulation 330 is corrected in the following respects:

1. In § 1389.554 (f) (2), the words "the base period", appearing at the end thereof, are corrected to read "March, 1942."

2. In § 1389.554 (c), in the third paragraph thereof, being the first example in Rule 1, the number "200" which appears in the third sentence of such paragraph, is corrected to read "250."

3. In § 1389.554 (c) in the eighth paragraph thereof, being the example following Rule 2, the number "$10.75" which appears in the sixth sentence thereof, is corrected to read "$10.95".

4. Appendix B: Example of a Pricing Chart, is corrected in the following respects:

a. In the first table of the pricing chart, the number "38.6" which is the third number listed in Column "(D)" of that table, is corrected to read "38.5."

b. In the second table of the pricing chart, the number "33.7" which is the fifth number listed in Column "(D)" of that table, is corrected to read "34.1."

c. In subparagraph (b) 4, Step 1, the words "(Column A)" are corrected to read "(Column B)", and the words "(Column B)" are corrected to read "(Column C)".

d. In subparagraph (b) 4, Step 2, the words "(Column B)" are corrected to read "(Column C)".

e. In the example following Step 2, the words "(Column A)" are corrected to read "(Column B)" and the words "(Column B)" in both places where such words appear, are corrected to read "(Column C)".

Effective date of corrections. This correction shall become effective as of February 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5620; Filed, April 9, 1943; 11:49 a. m.]

PART 1410—WOOL

[MPR 163,[1] Amendment 11]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1410.102 (b) is amended to read as follows:

(b) *Meltons.* The maximum price per yard for manipulated all wool meltons, 31-34 ozs., shall be the aggregate of (1) the actual cost per yard of raw materials, but in no case higher than $0.975, and (2) $0.875 per yard.

This amendment shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5621; Filed, April 9, 1943; 11:49 a. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 241,[2] Amendment 3]

MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 241 is amended in the following respects:

1. Section 1421.114 (a) (5) is amended to read as follows:

(5) (i) "Malleable iron castings" means all ferrous castings sold to railroads and other classes of purchasers having a definite ductility resulting from an annealing process and known as malleable iron, pearlitic malleable iron or by a trade name. The term includes such ferrous castings sold either with or without subsequent processing thereon, such as (without limitation), machining, galvanizing, plating and japanning, but does not include: (a) malleable iron castings sold in an assembly with other materials (except bolts, nuts, screws, rivets or other industrial fastenings), (b) malleable iron castings purchased from the seller on which the purchaser has performed subsequent processing and (c) malleable iron castings sold as another commodity by a regular manufacturer of such other commodity or by a purchaser from such manufacturer.

(ii) A seller of malleable iron castings is considered a regular manufacturer of another commodity when (a) he represents himself in the trade as a manufacturer of such other commodity through the issuance of catalogues, price lists or other advertising matter, circulated generally to the trade, in which such commodity is designated by name, (b) he owns the patterns used for the production of such other commodity, and (c) he customarily produces such other commodity for, and sells such commodity from, stock. A seller of malleable iron castings who believes that he is a regular manufacturer of another commodity, but who does not meet each of the requirements specified in the foregoing items (a), (b), and (c) may nevertheless be considered a regular manufacturer of another commodity if he is recognized in the trade as a source of supply of such other commodity and he applies to the Office of Price Administration for a determination, or the Office of Price Administration makes a determination without such application, that he is a regular manufacturer of such other commodity.

2. Section 1421.114 (a) (11) is added to read as follows:

(11) "Seller" shall include sellers of malleable iron castings who are producers and those who are not producers. For the purpose of determining maximum prices under paragraph (b) of § 1421.116 of this regulation, but for no other purpose, if a seller owns and operates a number of different foundries each such foundry shall be considered a separate seller.

3. Section 1421.114 (a) (12) is added to read as follows:

(12) "Producer of malleable iron castings" and "producer" mean a person who is engaged in the business of casting the malleable iron and shall include such person whether or not he performs subsequent processing on such castings or causes subsequent processing to be performed on such castings by another, the producer retaining title to the castings.

4. Section 1421.114 (a) 13) is added to read as follows:

(13) "Foundry" includes, in the case of a seller of malleable iron castings who is not a producer, a plant, establishment or place of business.

5. Section 1421.116 (b) (1) (i) is amended to read as follows:

(i) The seller shall employ the applicable pricing method which was in use at the foundry on October 15, 1941, and which has been or will be filed with the Office of Price Administration in accordance with § 1421.111 herein, employing each of the pricing factors reflected in such method at the levels prevailing at such time, except as specified in subparagraphs (3), (4) and (5) hereinbelow, including: labor rates (applied in accordance with subparagraph (2) below); materials costs (applied in accordance with subparagraph (3) below); overhead (burden) rates (applied in accordance with subparagraph (4) below); subcontracted machinery service costs (applied in accordance with subparagraph (5) below); mark-up, margin or profit (applied in accordance with subparagraph (6) below: *Provided however*, That in the case of a seller of a malleable iron casting who is not the producer thereof, such seller shall compute his maximum price for such casting by adding to the price at which he purchased such casting, not to exceed the maximum price of the casting under this regulation for the producer thereof, a mark-up, margin or profit determined in accordance with subparagraph (6) of this paragraph (b), and by adjusting this sum in accordance with the following subdivision (ii).

This amendment shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5622; Filed, April 9, 1943; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 374 Under § 1499.3 (b) of GMPR]

ROCHESTER SMELTING & REFINING CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1861 *Maximum price at which Rochester Smelting & Refining Co., Inc. may sell and deliver zinc die cast notched bars.* (a) The maximum price at which the Rochester Smelting & Refining Co., Inc. of Rochester, New York, may sell and deliver zinc die cast notched bars to any person shall be 6.80¢ per pound, f. o. b. point of shipment.

(b) As used in this order, the term "zinc die cast notched bars" shall mean notched bars of uniform alloy content suitable for galvanizing purposes and containing approximately 5% of aluminum, small percentages of copper, tin, lead, iron, and magnesium, and balance zinc.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5623; Filed, April 9, 1943; 11:50 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1061.

[2] 8 F.R. 1885, 3529, 3843.

[1] 8 F.R. 2209.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872, 6887, 6973, 7454, 7603, 8941, 8948; 8 F.R. 262, 608, 1682.

[2] 7 F.R. 8427, 8941, 8948; 8 F.R. 325.

PART 1499—COMMODITIES AND SERVICES

[Order 375 under § 1499.3 (b) of GMPR]

PROCESSED FOOD COMMODITIES WHICH CANNOT BE PRICED UNDER § 1499.2

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1862 *Method of determining maximum prices for processed food commodities which cannot be priced under § 1499.2 of the General Maximum Price Regulation*—(a) *Authorization; applicability.* (1) Sellers other than sellers at wholesale or retail are authorized to determine their maximum selling prices for processed food commodities which cannot be priced under § 1499.2 of the General Maximum Price Regulation by the formula set forth in paragraph (b) of this order.

(2) The pricing formula set forth in paragraph (b) may be applied at the seller's election. In any case where a seller does not choose to price under that paragraph he shall make application for authorization of a maximum price under paragraph (d) of this order.

(3) This order is applicable only to processed food commodities which are subject to the General Maximum Price Regulation rather than to a specific maximum price regulation or schedule, and, further, it is applicable only if the seller cannot determine his maximum price for the product under § 1499.2 of the General Maximum Price Regulation.

(4) The term "processed food commodities" as used in this order includes all food items used as nutrition and nourishment for human consumption, and all ingredients used in the preparation of such food items—the food items themselves or the ingredients having been subjected to processing as defined in the General Maximum Price Regulation.

(b) *Pricing formula.* If the seller elects to price under this paragraph, his maximum price per customary selling unit shall be:

(1) His total "direct cost" per unit of the food commodity being priced, calculated as follows:

(i) The total cost per unit of all ingredients and packaging materials subject to maximum prices established by the Office of Price Administration, at the current maximum prices applying to the class of purchasers to which he belongs, plus

(ii) The cost per unit of every ingredient and packaging material, for which no maximum price has been prescribed by the Office of Price Administration, figured at the current market price of the ingredient or packaging material in question, plus

(iii) The direct labor costs per unit figured at the October 3, 1942, wage rates or as adjusted and approved by the War Labor Board, applying to each class of direct labor employed in the manufacture of the commodity being priced, plus

(iv) Transportation charges by the usual mode of transportation, if the cost factors used in (i) and (ii) above are not delivered costs, and if such charges are customarily incurred from his customary supply point to his customary receiving point,

(2) Multiplied by a markup percentage determined as follows:

(i) The maximum selling price established under the General Maximum Price Regulation or other maximum price regulation in effect at the time of the calculation reported under paragraph (c) for the most closely comparable commodity produced by him with a cost structure similar to that of the commodity being priced, divided by

(ii) His current cost of ingredients, packaging materials and direct labor of that commodity.

As used in this order "most closely comparable commodity" means a food commodity which is most nearly similar and whose "direct cost" is closest to and in no event is less than two-thirds of the "direct cost" of the commodity being priced, and where similar methods are employed in its sale and merchandising to those which will be used in the sale and merchandising of the commodity being priced hereunder.

As used in this paragraph "current" means current at the time of calculating the price reported under paragraph (c) of this section.

(3) The markup percentage determined hereunder shall be used as the multiplying factor only if the computation thereof as prescribed results in a figure of 150% or less,—i. e., the maximum selling price determined under this paragraph for any food commodity shall not exceed 150% of the cost of ingredients, packaging materials and direct labor thereof.

(4) The maximum price determined under the provisions of this paragraph (a) shall be subject to discounts, transportation allowances or other allowances and price differentials no less favorable than those given with respect to the comparable food commodity used in the calculation of the maximum price under this paragraph.

(5) In deciding whether items of labor cost are to be applied as separate items in figuring the price or are to be treated as overhead, the seller shall follow his customary practice. Thus, if a seller treated cleaning labor as an item of overhead in March 1942 he must continue so to treat it in figuring the maximum price.

(6) The seller shall employ no cost factors in addition to those which he used with respect to the comparable commodity by which he determined his percentage markup under paragraph (b) and shall make no changes in the method of application of those factors which would result in a higher price.

(7) The following are examples showing the proper methods to use in selecting the "most closely comparable commodity," as described in this paragraph (b):

Case 1. Assume the producer is pricing a new "cold type" of flaked breakfast cereal whose direct cost is $1.50 per case.

The other comparable products which this same seller manufactures are: A "hot type" breakfast cereal whose direct cost is $1.10 per case, a "cold type" shredded breakfast cereal whose direct cost is $1.05 per case, and a "cold type" flaked breakfast cereal whose direct cost is 98¢ per case. The correct product to use in applying the markup percentage, if 150% or less, is the "cold type" shredded breakfast cereal, since it is more closely comparable than the "hot type" cereal and the direct cost is within the two-thirds limitation, whereas the flaked breakfast cereal does not meet this requirement.

Case 2. Assume the producer is pricing a new dehydrated bean soup whose direct cost is 51 cents per dozen. The product will be sold directly to retailers. Other processed food commodities which this manufacture produces are:

A candy bar whose direct cost is 47 cents per box of 24 and which sells at 64 cents per box directly to wholesalers; potato chips in 10 cent packages whose direct cost is 60 cents per dozen and which sell at 90 cents per dozen directly to retailers; and bottled orange drink whose direct cost is 62 cents per dozen and which sells directly to retailers at 90 cents per dozen.

Each of the products is entirely dissimilar, but the comparable product to use is potato chips. The candy bar cost is closest to the cost of the new product, but the candy bar is not sold directly to retailers, whereas the new product will be. Both the potato chips and the bottled orange drink have markups within the 150 percent limit. The potato chip product must be selected as the comparable commodity because its cost is closest to the cost of the new product.

Case 3. Assume the producer is pricing a new formula "frozen baked beans" whose direct cost is $1.65 per dozen. The other commodities produced by him are: Fresh baked beans whose percentage markup is 168 percent, canned baked beans whose percentage markup is 160 percent, frozen fish flakes whose percentage markup is 158 percent, and canned fish flakes whose percentage markup is 150 percent. The correct product to use in applying the markup percentage is the "canned fish flakes" since this is the only comparable commodity with a markup of 150 percent or less. A further qualification, of course, is that the direct cost of the "canned fish flakes" must not be less than two-thirds of the direct cost of the "frozen baked beans."

(c) *Reporting.* Within 10 days after a producer has determined a maximum price pursuant to the provisions of paragraph (b) of this order, he shall report such price to the Office of Price Administration, Washington, D. C. Such report shall set forth, in addition to the price, (1) a description and identification of the food commodity for which such price was determined, and (2) a statement of facts which differentiate such food commodity from other food commodities delivered or offered for delivery during March 1942 by such producer and by other competitive sellers of the same class, and (3) a statement that the maximum price reported was determined in accordance with paragraph (b) of this order, and the facts in support of such statement. The producer, in this connection, shall submit a statement breaking down the price reported showing all the calculations entering into the determination of "direct cost" and maximum selling price of both the product being priced and the most closely comparable commodity used, including statements from customary suppliers of any ingredients or packaging materials for which no maximum price exists showing the purchase price thereof. The maximum price reported by a producer in accordance with the provisions of this paragraph (c) shall be subject to adjustment at any time by the Price Administrator.

(d) *Application for authorization.* In any case where a producer of a food commodity cannot or does not elect to price under paragraph (b) of this order, he shall make application to the Office of Price Administration, Washington, D. C., for authorization of a maximum price for his new product. Such application shall set forth (1) a description in detail, including brand name to be used, if any, of the commodity for which a maximum price is sought and a statement of the facts which differentiate the commodity from other commodities delivered during March 1942 by such producer and any other competitive sellers of the same class; (2) a detailed and itemized current cost breakdown of the proposed new product, and for each size thereof, for which a maximum price is sought, showing all cost component factors separately (i. e., raw materials, direct labor, factory overhead, selling, advertising and administrative costs, and freight if sold on a delivered basis), and the identical current cost breakdown structure of any other commodity which contributes substantially to his total volume of business; (3) the specific desired selling price to each class of purchasers for each size, including a statement regarding the necessity for the desired selling price and any discounts or trade practices and allowances which will be applicable to the requested list prices, and, for comparison, the applicant shall indicate the maximum selling prices with discounts and allowances for the other commodity as indicated in (2) above; and (4) the method of distribution to be employed by the seller in marketing the new commodity—i. e., whether it is to be sold to specific classes of purchasers, such as wholesalers, retailers, directly to consumers or other classes of purchasers. Upon receipt of such application the Office of Price Administration will authorize the maximum price or a method of determining the maximum price for the applicant or for sellers of the commodity generally including purchasers for resale or for a class of such sellers.

(e) *Exceptions.* Roasters and sellers of pure coffee or pure coffee and chicory combined shall not apply the formula set forth in paragraph (b), but shall make application for authorization of a maximum price under the provisions of paragraph (d) of this order. "Coffee" means roasted coffee, either whole bean or ground, decaffeinated coffee and coffee concentrates.

(f) *Provision for revocation or amendment of this order.* This order may be revoked or amended by the Price Administrator at any time, but its revocation or amendment shall have no effect upon prior sales or deliveries, except that prior contracts may be affected from the date of revocation or amendment or from such subsequent date as the Price Administrator may specify.

(g) This Order No. 375 shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5617; Filed, April 19, 1943; 11:51 a. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels

[T. D 50843]

WAIVER OF COASTWISE LAWS

MERCHANDISE TRANSPORTATION BETWEEN PUERTO RICO AND U. S.

APRIL 6, 1943.

Section 27 of the Merchant Marine Act, 1920, as amended, waived to permit certain vessels to transport merchandise between points in Puerto Rico and points in the continental United States under certain conditions.

An order waiving compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended.

Upon the written recommendation of the Administrator of the War Shipping Administration and by virtue of the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended (46 USC 883), to the extent necessary to permit any vessel of the United States of 50 gross tons or over which is under limited or restricted registry to transport merchandise between points in Puerto Rico and points on the Atlantic or Gulf coasts of the United States on condition that:

(a) None of the merchandise so transported shall be transshipped while en route between Puerto Rico and the continental United States; and

(b) The collector of customs at the port of departure of the vessel has been notified by the representative of the War Shipping Administration whose district embraces that port that:

(1) The vessel is in possession of a United States ship's warrant;

(2) All cargo laden on board in the continental United States and destined for Puerto Rico has been approved by a representative of the War Shipping Administration and by the Department of the Interior, or that all cargo laden on board in Puerto Rico and destined for the continental United States has been approved by the representative of the War Shipping Administration at San Juan, Puerto Rico, as the case may be; and

(3) The requirements for filing rates pursuant to the applicable statute and regulations of the United States Maritime Commission have been complied with.

I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5597; Filed, April 9, 1943; 10:57 a. m.]

Chapter II—Coast Guard: Inspection and Navigation

AMENDMENT TO REGULATIONS; APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4433, 4482, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167 (46 U.S.C. 375, 391a, 392, 404, 411, 475, 481, 489, 367, 526-526t), and Executive Order 9083 dated February 28, 1942 (7 F.R. 1609), the following amendment to the Inspection and Navigation regulations and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

Subchapter O is amended by the addition of a new Part 151 reading as follows:

PART 151—MARINE ENGINEERING, MATERIALS; REGULATIONS DURING EMERGENCY

Sec.
151.1 Definition of terms.
151.2 Bronze castings.

§ 151.1 *Definition of terms.* Certain terms used in the regulations of this part are defined as follows:

(a) *Emergency.* The term "emergency" means the Unlimited National Emergency proclaimed by the President on May 27, 1941.

§ 151.2 *Bronze castings.* The provisions covering the use of Grade A bronze in § 51.20-1 of this chapter are hereby suspended for the duration of the emergency, and this material will be permitted for the construction of the pressure containing parts of valves and pipe fittings which are subjected to working pressures up to 200 pounds per square inch and/or temperatures not exceeding 388° F.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

DAVITS

Landley Steward Mechanical Davit, Size 5-7-0 (Dwg. No. 130-D, dated 27 May 1942), (Maximum working load of 3,750 pounds per arm), manufactured by The Landley Company, Inc., New York, N. Y.

Landley Steward Mechanical Davit, Size 6-6-0 X-X (Dwg. No. 100-D, dated 2 February 1942) (Maximum working load of 3,000 pounds per arm), manufactured by The Landley Company, Inc., New York, N. Y.

Welin Gravity Davit, Type 76-99 (Dwg. No. 2400, dated 12 October 1942) (Maximum working load of 13,500 pounds per arm), manufactured by Welin Davit & Boat Corporation, Perth Amboy, N. J.

SKATES AND SKID FENDERS FOR LIFEBOATS

Skates for lifeboats (Dwg. No. HF366, dated 21 January 1943), manufactured by Bethlehem Steel Company, Shipbuilding Division, Baltimore Yard.

Skates for lifeboats (Dwg. No. Standard O–62–G, dated 30 November 1942), manufactured by Bethlehem Steel Company, Sparrows Point, Md.

RING LIFE BUOY

30" cork ring life buoy, 10 segments. Approval No. B–182 manufactured by Bloomingdale Manufacturing Company, Butler, N. J.

LIFE PRESERVER

Adult block cork life preserver (Dwg. dated 2 March 1943) Approval No. B–183, manufactured by Bloomingdale Manufacturing Company, Butler, N. J.

DAYTIME DISTRESS SIGNALS (SMOKE)

Chemurgic Daytime Distress Signals (Orange Smoke) (Dwg. No. D–350, dated 18 March 1943), manufactured by Chemurgic Corporation, Signal Division, Richmond, Calif.

FISHING KIT

Emergency fishing kit, manufactured by E. H. Peckinpaugh Company, Chattanooga, Tenn.

April 8, 1943.

R. R. WAESCHE,
Commandant.

[F. R. Doc. 43–5598; Filed, April 9, 1943; 11:14 a. m.]

VESSELS ENGAGED IN BUSINESS CONNECTED WITH CONDUCT OF THE WAR

CONDITIONAL WAIVER OF MANNING REQUIREMENTS

Having determined upon investigation that there is a shortage of experienced personnel in the merchant marine industry due to the increase in the number of ships required to be manned and the demands of other industries and the armed services upon the available manpower of the country, and that as a result of such shortage the masters of merchant vessels engaged in business connected with the conduct of the war have been unable to obtain the number of experienced personnel required for their vessels by or pursuant to law and to avoid delays in sailing have departed with deficiencies in such complements, thereby giving rise to the penalties provided by law; therefore, to avoid delays in the sailings of such merchant vessels, to insure that vessels sailing with deficiencies in their complements have on board the best qualified crews available, to make inoperative with respect to certain vessels which sail with unavoidable deficiencies in their complements the penalties provided by law, to provide a simplified and uniform procedure for accomplishing the foregoing, and otherwise to further the conduct of the war, I find, in the case of vessels engaged in business connected with the conduct of the war, that the waiver of the navigation and vessel inspection laws is necessary in the conduct of the war, to the extent and in the manner and upon the terms and conditions set forth in the succeeding paragraph.

Extent, terms, and conditions of waivers. The master of any vessel engaged in business connected with the conduct of the war may, if such action is necessary to permit such vessel to sail without delay, substitute for any licensed officer or rated seaman required as part of the complement of such vessel by or pursuant to law, any licensed officer of lower rank, who is an American citizen, or any certificated seaman of lower rating: *Provided*, That (1) the deficiency in complement is not caused by the consent, fault or collusion of the master, owner or any other person interested in the vessel, (2) the master, over a reasonable period prior to the time fixed for the signing on of his crew, makes every reasonable effort to obtain such required licensed officer or rated seaman, (3) the person substituted for such required licensed officer or rated seaman is, in the opinion of the master, the best qualified substitute therefor that the master could obtain, (4), the master is of the opinion that the vessel is sufficiently manned for the contemplated voyage, and (5) the master, prior to departure prepares, executes, certifies, and files with, or sends to the Shipping Commissioner before whom the crew was signed on or, in cases when the crew is not required to be signed on before a Shipping Commissioner, to the nearest Merchant Marine Inspector in Charge, two copies of a report of each substitution made. One copy of such report shall also be submitted to the Collector of Customs at the time when application for clearance is made. In making such report the following form shall be used:

UNITED STATES COAST GUARD
CREW DEFICIENCY REPORT

_____
Place

_____
Date

Name of vessel _____ Owner or operator _____

This is to report that in order to permit my vessel to sail without delay on a voyage beginning on or about this date, it was necessary for me to make substitutions in the required complement for my vessel as set forth below. I certify that the deficiency was not caused by my fault or collusion, or, to the best of my knowledge, by the fault or collusion of the owner or of any other person interested in the vessel; that prior to the signing on of my crew I made every reasonable effort to secure the complement of licensed officers and rated men required by or pursuant to law for this vessel and was unsuccessful; that the substitutes listed below are the best qualified men I could obtain for the positions which they occupy; and, that in my opinion my vessel is sufficiently manned for this voyage.

Crew deficiencies		Substitutes	
Rank or rating	Name	Rank or rating	License or certificate No.

Master's Signature _____

Penalties. The failure of the master of any vessel departing with a deficiency in the required complement therefor to execute and submit the reports required hereunder, or a false certification in any such report by such master shall be considered misconduct within the meaning of R. S. 4450, as amended, 46 U. S. C. 239, and shall constitute grounds for suspension or revocation of the license of such master; and shall subject him and the owners to all other penalties provided by law. No penalty shall be imposed as a consequence of any substitution made in accordance with this regulation.

Authority for waiver. This conditional waiver is made and is effective pursuant to, and under authority of, section 501 of the Second War Powers Act, 1942 (Pub. 507, 77th Cong.), and the order of the Acting Secretary of the Navy, October 1, 1942, 7 F.R. 7979.

R. R. WAESCHE,
Commandant.

APRIL 8, 1943.

[F. R. Doc. 43–5599; Filed, April 9, 1943; 11:14 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Geological Survey.

OIL AND GAS UNIT PLAN

NOTICE OF PROPOSED REGULATIONS

Notice is hereby given that the Acting Director of the Geological Survey has recommended to the Secretary of the Interior the promulgation of the following regulations for the development and operation as a unit of oil or gas areas, fields, or pools, involving public land. Within 60 days from the date of publication of this notice in the FEDERAL REGISTER oil and gas lessees, operators, members of the petroleum industry generally, and others who may be interested in or affected by said regulations, may file written comments, criticisms and suggestions with respect to them in the Office of the Director of the Geological Survey, Washington, D. C.

If the response to this notice warrants such action, the Director of the Geological Survey, with the approval of the Secretary of the Interior, may designate an officer or officers to conduct a hearing or hearings on the proposed regulations, at which interested parties will be given an opportunity to be heard orally.

OSCAR L. CHAPMAN,
Assistant Secretary.

APRIL 6, 1943.

PROPOSED REGULATIONS FOR TITLE 30, CHAPTER II

PART 226—OIL AND GAS UNIT PLAN REGULATIONS

Sec.
226.1 Scope and purpose of regulations.
226.2 Other regulations.
226.3 Definitions.
226.4 Unit area; how designated.
226.5 Parties.

Sec.
226.6 Unit operator.
226.7 Qualifications of unit operator.
226.8 Bonds.
226.9 Plan of development and operation.
226.10 Rate of prospecting, development, and production.
226.11 Leases modified and extended.
226.12 Vacant public land.
226.13 Nonunitized land.
226.14 Term.
226.15 State laws.
226.16 Filing.
226.17 Approval of agreement.
226.18 Recording.
226.19 Appeals.
226.20 Form of agreement and related documents.

AUTHORITY: §§ 226.1 to 226.20, inclusive, issued under the following statutes: Sec. 32, 41 Stat. 450, sec. 27, 46 Stat. 1524, sec. 17, 49 Stat. 676, 30 U.S.C. 184, 184a, 189, 226.

§ 226.1 *Scope and purpose of regulations.* The regulations in this part describe the procedure under which oil and gas lessees of Federal land and their representatives, for the purpose of more properly conserving the oil or gas resources of any area, field, or pool, may, or may not be required to, unite with each other or jointly or separately with others in collectively adopting and operating under an agreement or other arrangement that embraces a plan of development and operation of any single area, field, or pool. These regulations shall apply to all agreements as defined in § 226.3 (a) and (b), *infra*, including agreements as so defined hereafter approved and those previously approved insofar as consistent with the provisions of previously approved unit agreements.

§ 226.2 *Other regulations.* These regulations are supplementary to and are not intended to supersede the oil and gas operating regulations for oil and gas leases. (30 CFR §§ 221.1 to 221.67, 7 F.R. 4132–4141.)

§ 226.3 *Definitions.* The following terms, as used in the regulations in this part, shall have the meanings here indicated:

(a) "Unit agreement" means an agreement or plan of development consummated pursuant to these regulations by which deposits of oil, gas, and associated fluid hydrocarbons made subject thereto shall be produced under an operating program to be carried out in an orderly, reasonable, efficient, and equitable manner by a single operator.

(b) "Cooperative agreement" means an agreement consummated pursuant to these regulations by which deposits of oil, gas, and associated fluid hydrocarbons made subject thereto shall be produced by two or more operators under a cooperative plan of prospecting for and producing such deposits in an orderly, reasonable, efficient, and equitable manner. Any agreement or plan of development defined in this paragraph or in paragraph (a), *supra*, is called an agreement in these regulations.

(c) "Unit area" means the gross area included in an agreement.

(d) "Unitized land" means the part of a unit area committed to an agreement.

(e) "Unitized substances" means deposits of oil, gas, and associated fluid hydrocarbons recovered or recoverable by operation under and pursuant to an agreement.

(f) "Unit operator" means the person, association, partnership, trustee, corporation, or other business entity designated to conduct and manage operations on unitized land under an agreement.

(g) "Secretary" means the Secretary of the Interior or any person duly authorized to exercise the powers vested in that officer.

(h) "Director" means the Director of the Geological Survey, Washington, D. C., or any person duly authorized to act in his behalf.

(i) "Supervisor" means a representative of the Secretary, under administrative direction of the Director, authorized and empowered to supervise and direct oil and gas operations, or any subordinate of such representative acting under his direction.

§ 226.4 *Unit area; how designated.* The Director, on his own motion, or upon receipt and consideration of an application filed by one or more lessees, owners of operating rights, or others having substantial interests in land proposed to be unitized, is authorized in his discretion to designate a unit area which shall comprise as nearly as practicable a single structural unit and to determine the depth of a test well reasonably adequate to determine the presence or absence of commercial deposits of unitized substances within the unit area. Where wells already drilled tend to disprove the oil and gas possibilities of an area or where, in the opinion of the Director, such possibilities are purely conjectural, tenuous, and hypothetical, a unit area will not be designated.

§ 226.5 *Parties.* The owners of any right, title, or interest in the oil and gas deposits underlying the unit area shall be invited to join in the agreement. If an owner fails or refuses to execute the agreement, a copy of the letter of invitation, with evidence of delivery thereof to him, and a copy of any reply to such invitation, must be submitted when the agreement is forwarded for approval. The Secretary, in his discretion, may seek to determine the grounds for failure of any party to join in an agreement. In the event an owner refusing to execute an agreement is the possessor of an interest in public lands, any authority vested in the Secretary by law or regulation may be invoked to enforce joinder in the agreement or to permit operation of such land independently subject to such limitations as may be deemed appropriate to permit fulfillment of the objectives of the agreement, or, if such agreement has not been approved, to require reasonable modifications in form to meet objections of such owner. The holder of a mere overriding royalty interest, without voice in the development and operation of a property, is not a necessary signatory party.

§ 226.6 *Unit operator.* Every agreement shall provide for a unit operator, shall either designate such unit operator, or specify how and when such unit operator shall be selected, shall contain a provision for selection or designation of a successor unit operator, shall specify the rights, duties, and obligations of the unit operator, and detail the terms and conditions on which he will conduct and manage the unitized land for and on behalf of the parties to the agreement. The unit operator shall execute an acceptance of the duties and responsibilities imposed upon him by his designation. No designation of a unit operator will become effective unless and until approved by the Secretary.

§ 226.7 *Qualifications of unit operator.* A unit operator must be experienced in oil and gas drilling and producing operations, must show evidence of financial, administrative, and technical capacity to perform successfully the duties of unit operator, and must have the qualifications as to citizenship required to hold rights in public land under the mineral-leasing laws.

§ 226.8 *Bonds.* The unit operator may be required to furnish and maintain a corporate surety bond or an individual bond conditioned upon faithful performance of the duties and obligations of unit operator. Individual bonds shall be accompanied by a deposit of negotiable Federal securities in a sum equal at their par value to the amount of the bond and by a proper conveyance to the Secretary of full authority to sell such securities in case of default in the performance of the obligation assumed. The bond may be substituted as a collective bond for all leases for which separate bonds otherwise might be required. In each case, the amount of the bond shall be determined by the Director, and the bond will be filed with the supervisor, and by him transmitted through the Director to the Commissioner of the General Land Office or Commissioner of Indian Affairs, or, if the lands in the unit area are under the jurisdiction of any other Government agency, then the bonds will be transmitted to the head of that agency.

§ 226.9 *Plan of development and operation.* To attain the purpose of more properly conserving the oil and gas resources of a unitized area will require drilling test wells unless all of the possible productive sands have been adequately tested, the drilling of sufficient wells to produce properly any known oil or gas deposits, and producing such wells in accordance with sound engineering practices. In a wholly unproved area the initial test well shall be drilled at a location approved by the supervisor, and, if such well is unsuccessful, one well at a time shall be drilled at other locations approved by the supervisor until a commercial discovery occurs or until it is established that the unit area is barren of commercial deposits of oil or gas, provided that the unit operator may resign at any time after completion or abandonment of any unsuccessful well without obligation to continue drilling test wells.

If a commercial deposit of oil or gas is found, the discovery well shall be shut down until a plan of future operations in the unit area shall be submitted to the supervisor and approved by said official. The future plan shall contemplate determination of the productive

area within such time as may be reasonably required by the supervisor to protect all of the unitized land from loss by drainage. It shall set forth a well-casing and spacing program acceptable to the supervisor. It shall contain such provisions as the supervisor may require concerning gas-oil ratios as well as conservation and supplementation of reservoir energy. These requirements will be impracticable of complete fulfillment on the basis of information obtained from the discovery well or even when all necessary wells have been drilled. Therefore, any approved plan of development shall be subject to reconsideration at any time when the supervisor or the unit operator may deem such action necessary or advisable. Any departure from an approved plan of development without approval of the supervisor will constitute a default by the unit operator of his agreement.

After discovery of a commercial deposit of oil or gas in a unit area, the Secretary may require a unit operator to conduct further exploratory operations to search for oil or gas deposits in formations not theretofore adequately tested, whenever such further testing is deemed necessary and advisable in the public interest. If a unit operator shall fail or refuse to conduct such further exploratory operations, his rights as unit operator shall be terminated as to such unexplored formations, but not as to producing formations, and a new operator for said unexpired formations shall be selected in the manner provided for the selection of a new unit operator. The new unit operator shall accept the duties and responsibilities of unit operator as defined in the agreement subject to the condition that they shall be restricted to formations tested by said unit operator, and in which a new discovery of oil or gas shall be made within a reasonable time as determined by the Secretary.

§ 226.10 *Rate of prospecting, development, and production.* The rate of prospecting and development and the quantity and rate of production under any agreement approved under these regulations may be altered or modified from time to time by the Secretary, in his discretion, subject to such limitations as may be prescribed in the agreement.

§ 226.11 *Leases modified and extended.* Leases that have been granted for a term of 20 years and which are subject to an agreement approved under the regulations in this part, will continue beyond the period for which issued until termination of the agreement. Leases that have been granted for terms of 5 or 10 years and so long thereafter as oil or gas is produced in paying quantities, and which are subject to an agreement shall be deemed to be producing leases for all purposes when a discovery of oil or gas has been made anywhere in the unit area and so long thereafter as oil or gas is or can be produced in paying quantities anywhere from such unit area. Upon termination of a unit agreement any lease which is in an extended term by virtue of the unit agreement shall terminate or be continued in force and effect, extended or renewed, according to the lease terms, as though said lease had never been unitized. Suspension of operations and production on the unit area pursuant to direction or assent of the Secretary shall be deemed to constitute suspension pursuant to such direction or assent as to all leases committed to the agreement: *Provided*, That hereafter as to any lease involving land located in part inside and in part outside a unit area, such lease shall be segregated into separate leases, one for land inside a unit area and one for any other land.

§ 226.12 *Vacant public land.* Any unleased land owned by the United States in a unit area embracing a producing oil or gas field may be offered for lease at competitive bidding. Pending the leasing of such land, the unit operator may enter into an agreement with the Secretary under which the United States shall be compensated for any loss by drainage as a result of operations under the agreement. Such compensation shall be the amount or value of production less a reasonable allowance for development and production costs, but shall never be less than 12½ percent of the amount or value of production allocable to such land.

§ 226.13 *Nonunitized land.* A proposed agreement will be rejected if the amount or location of nonunitized land in the unit area is such that the agreement could not be made effective for conservation purposes or if competitive operation of the nonunitized land would preclude attainment of the conservation objectives of unitization, unless acceptable cooperative arrangements are made under which nonunitized land shall be developed and operated in harmony with the development and operation of unitized land.

§ 226.14 *Term.* Each agreement shall be for a term of approximately 5 years and for so long thereafter as unitized deposits can be produced in paying quantities. Each unit agreement shall terminate automatically at the expiration of its fixed term, unless prior thereto such term shall be extended by the Secretary of the Interior, or unless before expiration a valuable discovery of unitized substances shall have been made, in which case the agreement shall remain in effect as long as unitized substances can be produced in paying quantities. An agreement may be terminated whenever it is determined that the unitized land is incapable of commercial production of unitized substances and notice of termination is given by unit operator to all parties in interest at their last known address, provided such termination shall not become effective unless and until approved by the Secretary of the Interior. An agreement may be terminated by the Secretary of the Interior at his election whenever there is no unit operator capable of complying with the terms and conditions of the unit agreement and the parties entitled to select a new unit operator have failed to select such unit operator within 90 days after notice so to do. An agreement may be terminated at any time by consent of the owners of 75 per centum of the operating rights subject to said agreement, with the approval of the Secretary of the Interior.

§ 226.15 *State laws.* State laws must be observed by the unit operator insofar as such laws are not in conflict with Federal law or regulation. State-owned land located within the unit area may be made subject to the agreement in accordance with applicable State laws.

§ 226.16 *Filing.* All instruments and documents required under these regulations or under the terms of the agreement should be filed in the office of the supervisor, unless otherwise instructed by the supervisor or the Director.

Applications for designation of unit areas under § 226.4, *supra*, must be filed in triplicate and must be accompanied by a map, outlining the desired unit area and participating area or areas, if any, and showing by distinctive symbols or colors State land, privately-owned land, public land identified by Land Office serial numbers or other appropriate designation, and ownership of all land. Such application should also include all geologic and other information available to the applicant and pertinent to determination of the necessity and propriety of designating a unit area.

When an agreement is filed for final approval at least six signed originals are required. If State land or land under the jurisdiction of other departments is involved, additional signed originals may be required. Each signature must be attested before a notary public, in States where such attestation is required by local laws for deeds which are to be recorded; otherwise, two witnesses to each signature will be deemed sufficient. Corporate or other signatures made in a representative capacity must be accompanied by evidence of the authority of the signatories to act. A map showing the unit area and separate unitized ownerships with appropriate identification should accompany each copy of the agreement.

Instruments or documents supplementing, modifying, or amending unit agreements, including changes of operator, designations of new operators, notices of termination, and requests for extensions should have the same number of copies as the original agreement.

Applications for establishment of initial participating areas or for revision of existing participating areas, with ownership maps and schedules attached, shall be filed in quintuplicate. Each such application shall be accompanied by a separate substantiating geologic report, including contour maps, cross-sections, and such other pertinent data as may be required, all in triplicate. This mat rial will be considered confidential, if so requested.

The supervisor will forward to the Director, with an appropriate report, all originals of documents or instruments filed pursuant to the regulations in this part.

Plans of development as required under the terms of the unit agreement shall be filed in quadruplicate with the supervisor for his approval.

One copy of each approved instrument or document will be returned to the unit operator by the approving official or his representative. Extra signed copies may be included for approval, if desired.

§ 226.17 *Approval of agreement.* The Director will forward, through the General Land Office, for final approval by the Secretary each agreement considered subject to approval, and will reject all others. The Commissioner of the General Land Office will determine that rights involving public land of the United States purported to be committed to any agreements are, in fact, so committed by the proper parties of record. The regulations of the General Land Office governing cooperative or unit development (43 C.F.R. 192.31 to 192.40, inclusive) shall remain in full force and effect except as modified by or inconsistent with the regulations in this part.

No agreement shall be effective unless and until approved by the Secretary.

§ 226.18 *Recording.* Duplicate originals of the agreements approved under these regulations will be filed in the office of the Geological Survey at Washington, D. C., the office of the supervisor for the district in which the unit area is located, the office of the Comptroller General of the United States, and the General Land Office. A duplicate original also will be furnished the unit operator and, at his election, may be recorded in the local county records.

§ 226.19 *Appeals.* All orders issued pursuant to any section of these regulations or any official action taken pursuant to any provision of any agreement approved hereunder shall be subject to reconsideration and review, in the same manner as appeals authorized under the oil and gas operating regulations. (30 CFR 221.1 to 221.67, 7 F.R. 4132–4141)

§ 226.20 *Form of agreement and related documents.* An acceptable form of agreement and related documents are appended to these regulations and said form shall be utilized for all agreements of the type defined in § 226.3 (a), *supra*, unless for good cause the Secretary shall determine that a modified form shall be accepted.

Agreements of the type defined in § 226.3 (b) shall be used only when the owners of operating rights are unable to agree on a single operator. Such agreements shall conform with the conservation principles outlined in the form in the appendix, departing from that form only so far as may be determined by the Secretary to be necessary in any case. The developed reserves under control of each separate operator will be estimated from time to time by the supervisor and such reserves shall be so produced that each operator shall receive a fair proportionate share thereof during any one calendar year with a reasonable allowance for overage and underage which shall be adjusted as promptly as practicable during the following year. Provision also shall be made for a committee representing each operating unit with the supervisor as ex-officio chairman to determine plans for coordinating the development and operation of the entire area subject to the agreement in an efficient, equitable, orderly, and reasonable manner.

Recommended for approval:

JULIAN D. SEARS,
Director of the Geological Survey.

PROPOSED FORM OF UNIT AGREEMENT

Appendix to Regulations for development and operation as a unit of oil or gas areas, fields or pools involving public land. (30 CFR, Part 226)

UNIT AGREEMENT FOR THE DEVELOPMENT AND AND OPERATION OF THE ------ AREA

This agreement, entered into, as of the ---- day of ----------, 19----, by and between the parties subscribing or consenting hereto, *witnesseth:*

Whereas the parties subscribing hereto are the owners of operating, royalty, or other oil or gas interests in the unit area subject to this agreement;

Whereas it is the purpose of the parties hereto to conserve natural resources, prevent avoidable waste, and secure other benefits obtainable through development and operation of the unit area subject to this agreement under the terms, conditions, and limitations hereinafter set forth, under and pursuant to the provisions of sections 17, 27, and 32 of the Act of Congress approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," 41 Stat. 443, 448, 450, as amended or supplemented by the acts of March 4, 1931, 46 Stat. 1525, and August 21, 1935, 49 Stat. 677, 678; 30 U.S.C. 226, 184, and 189;

Now, therefore, in consideration of the premises and the promises hereinafter contained, the parties hereto and the parties consenting hereto agree severally among themselves, and with the Secretary of the Interior, as follows:

Enabling Act and Regulations

1. The act of February 25, 1920, *supra*, as amended, and all pertinent regulations heretofore and all pertinent and reasonable regulations hereafter issued thereunder, including operating and unit plan regulations, are accepted and made a part of this agreement.

Unit Area

2. The following described lands are hereby designated and recognized as constituting the unit area: ----------
----
(Insert land description by legal subdivision of public survey)

The above-described unit area shall be enlarged or contracted whenever such action is necessary or desirable to conform with the purposes of this agreement. Notice of any proposed enlargement or contraction shall be given by the Unit Operator to all parties affected thereby, at least 30 days prior to submission to the Secretary with proof of service of such notice. Such enlargement or contraction shall be effective upon approval by the Secretary of the Interior.

Exhibit "A" attached hereto is a map on which is outlined the herein-established unit area, together with the ownership of the land and leases in said area. Exibit "B" attached hereto is a schedule showing the nature and extent of ownership of oil and gas rights in all land in the unit area to which this unit agreement will become applicable by signature hereto, or to a counterpart hereof, by the owners of such rights. Said schedule shall be revised by the Unit Operator whenever any change in the unit area or ownership of rights renders such change necessary, and the revised schedule shall be filed with the record of this agreement.

Unitized Substances

3. All oil, gas, natural gasoline, and associated fluid hydrocarbons producible from land subject to this agreement, in any and all sands or horizons, are unitized under the terms of this agreement and hereinafter are called "unitized substances."

Unit Operator

4. ---------- is hereby designated as Unit Operator and by signature hereto commits to this agreement all interests in unitized substances vested in him/it as set forth in the schedule attached hereto marked Exhibit B, and agrees and consents to accept the duties and obligations of Unit Operator to conduct and manage the operation of said unit area for the discovery and development of unitized substances as hereinafter provided and is hereinafter called Unit Operator.

NOTE: In case no Unit Operator has been selected delete the foregoing part of section 4 and substitute in lieu thereof the following as a first paragraph of said section:

Unit Operator

4. At their election or within 90 days after notice so to do by the Secretary of the Interior, the parties hereto shall select a Unit Operator in the same manner as hereinafter provided for the selection of a successor Unit Operator. The Unit Operator so selected shall commit to the unit agreement all interests in unitized substances vested in such Unit Operator in the land subject to the unit agreement and shall agree and consent in writing to accept the duties and obligations of the Unit Operator to conduct and manage the operation of said unit area for the discovery and development of unitized substances as herein provided and is hereinafter called Unit Operator.

The right to relinquish all rights as Unit Operator may be exercised whenever said Unit Operator is not in default under this agreement, but no Unit Operator shall be relieved from the duties and obligations of Unit Operator for a period of 6 months after notice of intention to relinquish such duties and obligations has been served by him on all other parties hereto and the Secretary of the Interior, unless a new Unit Operator shall have been selected and approved and shall have taken over and assumed the duties and obligations of Unit Operator prior to the expiration of said period. At any time prior to the date on which relinquishment by or removal of Unit Operator becomes effective, the parties hereto or a duly qualified new Unit Operator may elect to purchase on reasonable terms all or any part of the retiring Unit Operator's equipment, material, and appurtenances in or upon the land subject to this agreement, provided that no such equipment, material, or appurtenances so selected for purchase shall be removed pending determination of reasonable terms of purchase. Any equipment, material, and appurtenances not so purchased and not necessary for the preservation of wells may be removed by the retiring Unit Operator at any time within 6 months after the relinquishment or removal becomes effective, but if not so removed shall become the joint property of the owners of operating rights in land then subject to this agreement.

Assignment of any right or rights as Unit Operator shall be subject to approval by the Secretary of the Interior.

Successor Unit Operator

5. Whenever the Unit Operator shall discontinue or relinquish his rights as Unit Operator or shall fail to fulfill his duties and obligations as Unit Operator under this agreement, the owners of the majority of the participating acreage operating interests in the unit area, or the owners of operating

rights according to their total acreage interest in the unit area until a participating area shall have been established, shall select a new Unit Operator. Such selection shall not become effective until (a) a Unit Operator so selected shall agree and consent in writing to accept the duties and responsibilities of Unit Operator, and (b) the selection shall have been approved by the Secretary of the Interior. In the absence of the selection of an acceptable Unit Operator by owners of operating rights within 90 days of notice so to do by the Secretary of the Interior, said Secretary may designate the Unit Operator or declare this unit agreement terminated. The Unit Operator shall be subject to removal by the owners of operating rights in the same manner as herein provided for the selection of a new Unit Operator.

Rights and Obligations of Unit Operator

6. Except as hereinafter specified, the exclusive right, privilege, and duty of exercising any and all rights of the parties signatory hereto which are necessary or convenient for prospecting for, producing, storing, and disposing of the unitized substances are hereby vested in the Unit Operator and shall be exercised by said Unit Operator as provided in this agreement. Acceptable evidence of title to said rights shall be deposited with said Unit Operator and, together with this agreement, shall constitute and define said Unit Operator's rights, privileges, and obligations in the premises; provided, that nothing herein shall be construed to transfer title to any land or leases, it being understood that the Unit Operator shall have rights of possession and use only and exclusively for the purposes herein specified. The Unit Operator shall pay all costs and expenses of operations with respect to the unitized land, and shall charge such costs to the account of the operating rights in the tracts comprising said land until a participating area shall have been established, and thereafter such costs shall be charged to the account of the operating rights in the participating area. On or before the 25th day of each calendar month, the Unit Operator shall render to the owners of unitized interests entitled thereto an accounting of the operations on unitized lands during the previous calendar month, the Unit Operator shall render to each party entitled thereto a proportionate and allocated share of the products produced hereunder.

The development and operation of land subject to this agreement under the terms hereof shall be deemed full performance by Unit Operator of all obligations for such development and operation with respect to each and every part or separately owned tract subject to this agreement, regardless of whether there is any development of any particular part or tract of the unit area.

Drilling to Discovery

7. Within 6 months after approval hereof by the Secretary of the Interior, Unit Operator shall begin to drill an adequate test well at a location to be approved by the Federal oil and gas supervisor, and thereafter continuously drill such well to a depth of not less than ---- feet, unless at a lesser depth either a commercially productive deposit of unitized substances shall be discovered, or the Geological Survey shall determine that further drilling in said well would not be warranted. Unit Operator thereafter shall continue drilling one well at a time until a commercially productive well is completed to the satisfaction of said supervisor, or until it is proved that the unitized land is incapable of commercial production of unitized substances. The Secretary of the Interior may modify the drilling requirements of this section when, in his opinion, such action is warranted.

Plan of Development

8. Upon completion of a commercially productive well as aforesaid and when requested by the Federal oil and gas supervisor, Unit Operator shall submit for the approval of said supervisor an acceptable plan of development for the unit area, which plan when so approved shall constitute the further drilling and operating obligations of Unit Operator. Said plan shall be as nearly complete and adequate as the supervisor may determine to be necessary and advisable to conserve properly the oil and gas resources of the unitized area. The plan of development may be modified from time to time upon approval of said supervisor or at the direction of said supervisor to meet changed conditions, and the further obligations of the Unit Operator shall be conformed thereto. All parties hereto and any and all interested parties approving or consenting to this agreement agree that after completion of one commercially productive well no further wells, except such as may be necessary to afford protection against operations not under this agreement, shall be drilled and no existing wells shall be produced except in accordance with a plan of development approved in writing by said supervisor or any modification thereof subsequently required by the supervisor.

Participation After Discovery

9. Upon completion of a commercially productive well as aforesaid, Unit Operator shall submit for approval by the Secretary of the Interior a schedule based on subdivisions of the public-land survey of all unitized land then regarded as reasonably proved to be commercially productive of unitized substances; all land in said schedule on approval by said Secretary to constitute a participating area, effective as of the date of first production. Said schedule shall set forth the percentage acreage interest of each owner of rights in the total participating area thereby established. Such percentage acreage interest shall govern the allocation of production from and after the date the participating area becomes effective. With the approval of the Secretary of the Interior a separate participating area may be established for any separate deposit of unitized substances or for any group of such deposits. The participating area or areas so established shall be revised from time to time, in like manner and subject to like approval, whenever such action appears proper as a result of further drilling operations or otherwise, to include additional land then regarded as reasonably proved to be commercially productive or to exclude land then regarded as reasonably proved not to be commercially productive, and a new schedule of percentage acreage interests conformable thereto shall thereupon be fixed; the effective date of any revision to be the first of the month in which the first authentic knowledge or information is obtained on which such revision is predicated. No land shall be excluded from the participating area on account of depletion of the unitized substances. It is the intent of this section that the participating area shall at all times represent the area known or reasonably estimated to be commercially productive; but, regardless of any increase or decrease of the participating area, nothing herein contained shall be construed as requiring any retroactive apportionment of any sums accrued or paid for production obtained prior to the effective date of revision of the participating area.

Until a participating area or areas has or have been established as herein provided, or in the absence of agreement at any time between the Unit Operator and the Secretary of the Interior as to the proper definition of the participating area, the portion of all payments affected by such absence of agreement, except royalties due the United States, may be impounded in a mutually acceptable bank.

NOTE: The following section should be substituted for the preceding section 9 when the entire unit area is participating.

Participation after discovery

9. Upon completion of a commercially productive well as aforesaid, all unitized land shall constitute a participating area, effective as of the date of first production. The percentage interest of each owner of rights in the total participating area shall govern the allocation of benefits from production under this agreement.

It is the intent of this section that all land within the unit area subject to this agreement shall be included in a single participating area for all unitized substances.

Allocation of Production

10. All unitized substances produced under this agreement, except any part thereof used for production and development purposes thereunder, or unavoidably lost, shall be deemed to be produced equally on an acreage basis from the several tracts of land of the participating area and, for the purpose of determining any benefits that accrue on an acreage basis as a result of operations under this agreement, each such tract shall have allocated to it such percentage of said production as its area bears to the said participating area. It is hereby agreed that production from any part of the participating area shall be allocated as provided herein regardless of whether any wells are drilled on any particular part or tract of said area.

Development or Operation on Non-participating Land

11. Any party hereto other than Unit Operator owning or controlling a majority interest of the operating rights in any unitized tract included in the non-participating area having thereon a regular well location in accordance with the approved well-spacing pattern may drill a well at such location at his own expense, unless Unit Operator elects and commences to drill such well within 90 days of receipt of notice from said party of his intention to drill the well.

If such well is not drilled by Unit Operator and results in production such that the land upon which it is situated may properly be included in a participating area, the party paying the cost of drilling such well shall be reimbursed one hundred and fifty percent (150%) of the average cost of drilling similar producing wells in the unitized area, and the well shall be operated pursuant to the terms of this agreement all as though the well had been drilled by the Unit Operator.

If any well drilled by Unit Operator or by an owner of operating rights as provided in this section obtains production insufficient to justify inclusion in a participating area of the land on which said well is situated, said owner of operating rights at his election, within 30 days of determination of such insufficiency, shall be wholly responsible for and may operate and produce the well at his sole expense and for his sole benefit. If such well was drilled by Unit Operator, said party shall pay the Unit Operator a fair salvage-value price for the casing and other equipment left in the well.

Wells drilled at the sole expense of any party other than Unit Operator or produced at his sole expense and for his sole benefit shall be subject to the drilling and producing requirements of this agreement the same as though drilled or produced by Unit Operator; and royalties in amount or value of production from any such well shall be paid as specified in the lease affected, unless otherwise authorized in writing by the lessor.

NOTE: Omit all of section 11 where entire unitized area is participating.

Rental and Royalty Payments

12. The Unit Operator, on behalf of the respective lessees, shall pay, or at the election of the Secretary of the Interior shall deliver in kind, all royalties and shall pay all rentals due the United States on account of unitized land and shall distribute the cost thereof to the appropriate parties conformably with their respective rental and royalty obligations: *Provided*, That nothing herein contained shall operate to relieve the lessees, or any of them, of their obligation to pay rentals and royalties under the terms of their respective leases.

On request of any party, Unit Operator shall pay other royalties on his behalf in accordance with a schedule furnished by him and charge the cost thereof to his account: *Provided*, That Unit Operator shall incur thereby no responsibility to any royalty owner, but such responsibility shall be and remain an obligation of the parties requesting payment thereof.

Government Royalties and Rentals

13. Royalty due the United States on account of unitized Federal land shall be computed as provided in the operating regulations and paid as to all unitized substances on the basis of the amounts thereof allocated to such land as provided herein at the rates specified in the respective Federal leases: *Provided*, That, for leases on which the royalty rate depends on the daily average production per well, said average production shall be determined in accordance with the operating regulations as though all the unitized land were a single consolidated lease.

(NOTE: Revision of this paragraph may be made to provide for an equivalent flat-royalty rate in an amount to be determined in advance by the Secretary by substituting for all after the first 41 words the following, "at a flat royalty rate of ------ per centum of the amount or value of the production of unitized substances so allocated.")

Rental for land of the United States subject to this agreement at the rates specified in the respective Federal leases shall be paid, suspended, or reduced as determined by the Secretary of the Interior, pursuant to applicable law and regulations. All such rentals shall be adjusted to the effective date of this agreement, and shall be due and payable in advance for the first year on said effective date, and annually thereafter on the anniversary date of this agreement.

Conservation

14. Operations shall be conducted so as to provide for the most economical and efficient recovery of unitized substances to the end that maximum ultimate yield may be obtained without waste. For the purpose of more properly conserving the natural resources of the land subject to this agreement, the production of unitized substances shall at all times be without waste as defined by or pursuant to State or Federal law; shall be limited to such production as can be put to beneficial use with adequate realization of fuel and other values; and, in the discretion of the Secretary of the Interior, shall be limited by the beneficial demand as determined by said Secretary for gas or for oil, whichever would tend to avoid excessive production of either oil or gas.

Drainage

15. Unit Operator shall take appropriate and adequate measures to prevent drainage of unitized substances from unitized land by wells on land not subject to this agreement or, with approval of the Secretary of the Interior, pay a fair and reasonable compensatory royalty as determined by the Federal Oil and Gas Supervisor.

Non-Unitized Land

16. Any land within the unit area not subject to the terms of this agreement which is now or hereafter may be under control of any or all the signatories to this agreement shall be developed and operated in accordance with the terms of this agreement to the extent that such development and operation will not conflict with the contract under which control of said land is held; *Provided*, That said land shall not be developed and operated in any manner that will be more advantageous to the owners of said land than to the owners of land covered by this agreement.

Leases and Contracts Conformed to Agreement

17. The parties hereto or consenting hereto holding interests in leases embracing unitized land of the United States consent that the Secretary of the Interior shall, and said Secretary by his approval of this agreement does, establish, alter, change, or revoke the drilling, producing, and royalty requirements of such leases and the regulations in respect thereto, to conform said requirements to the provisions of this agreement, but otherwise the terms and conditions of said leases shall remain in full force and effect.

The Secretary of the Interior and said parties further determine, agree, and consent that during the effective life of this agreement, drilling and producing operations performed by the Unit Operator upon any unitized land will be accepted and deemed to be operations under and for the benefit of all unitized leases embracing land of the United States; that no such lease shall be deemed to expire by reason of failure to produce wells situated on land therein embraced; that if a discovery of a valuable deposit of unitized substances is made anywhere on the unitized land, each such lease in effect on or after the date of such discovery shall be deemed to continue in force and effect as long as unitized substances are produced anywhere on unitized land in paying quantities; and, that suspension of all operations and production on the unitized land pursuant to direction or consent of said Secretary shall be deemed to constitute such suspension pursuant to such direction or consent with respect to each such lease.

The parties hereto or consenting hereto, holding interests in leases subject to this agreement embracing lands other than those of the United States or holding interests in any other agreements that involve oil and gas rights in lands in the unit area, consent and agree, to the extent of their respective interests, that all such leases and agreements shall conform to the provisions of this agreement and shall be continued in force and effect during the life of this agreement.

Covenants Run With Land

18. The covenants herein run with the land until this agreement terminates, and any grant, transfer or lease of interest in land or leases subject hereto shall be and hereby is conditioned upon the assumption of all privileges and obligations hereunder by the grantee, transferee, lessee, or other successor in interest and as to Federal land shall be subject to approval by the Secretary of the Interior.

Effective Date and Term

19. This agreement shall become effective on the first of the calendar month next following approval by the Secretary of the Interior and shall terminate on ----------, unless (1) such date of expiration is extended by the Secretary of the Interior; or (2) a valuable discovery of unitized substances has been made on unitized land, in which case the agreement shall remain in effect as long as unitized substances can be produced from the unitized land in paying quantities; or (3) it is proved at an earlier date that the unitized land is incapable of commercial production of unitized substances and, with approval of the Secretary of the Interior, notice of termination is given by Unit Operator to all parties in interest at their last known address; or (4) it is terminated as provided in section 5 hereof: *Provided*, That this agreement may be terminated at any time by consent of the owners of 75 per centum, on an acreage basis, of the operating rights signatory hereto with the approval of the Secretary of the Interior.

Rate of Prospecting, Development, and Production

20. All production and the disposal thereof shall be in conformity with allocations, allotments, and quotas made or fixed by any duly authorized person or regulatory body under any Federal or State statute: *Provided*, That the Secretary of the Interior is vested with authority pursuant to the amendatory acts of March 4, 1931, and of August 21, 1935, *supra*, to alter or modify from time to time, in his discretion, the rate of prospecting and development and the quantity and rate of production under this agreement, such authority being hereby limited to alteration or modification in the public interest, the purpose thereof and the public interest to be served thereby to be stated in the order of alteration or modification.

Determinations by operator and review thereof

21. Unit Operator shall determine the date of first authentic knowledge of information on which revision of any participating area shall be predicated; shall determine whether any well, deposit, or unitized land is proved or regarded as reasonably proved to be or to have been commercially productive, it being understood and agreed that commercial productivity shall be the productive capacity estimated to be sufficient to return normal drilling and production costs under wise and skillful management. Unit Operator shall determine all other matters involved in this agreement for which a different method of determination is not herein established: *Provided*, That Unit Operator shall give timely notice of all determinations not herein specifically authorized to all interested parties at their last known address. Notice of all determinations by the Unit Operator under this section shall be furnished to the Secretary of the Interior through the Supervisor and may be reviewed by said Secretary on his own initiative or on written request of any interested party, notice of any such review to be given to all interested parties, including Unit Operator, within 60 days after receipt of notice of Unit Operator's determination; and *Provided further*, That any matters so reviewed, on request of Unit Operator or at the option of the Secretary, may be submitted to a committee of three competent persons appointed by said Secretary, one on nomination of Unit Operator, one on nomination of the other interested parties, and the third on nomination of the first two, the cost of such committee to be a cost of operation and its report (which shall be binding on the committee when concurred in by any two of its members) to be submitted to said Secretary for his consideration and copies thereof by him to Unit Operator and other interested parties; and *Provided, further*, That after consideration of all credible evidence said Secretary shall render a reasonable decision based thereon and in conformity therewith, which decision, so made and rendered, shall be final and binding on all parties hereto or consenting hereto.

Counterparts

22. This agreement may be executed in any number of counterparts with the same force and effect as if all parties had signed the same document.

In witness whereof, the parties hereto have caused this agreement to be executed and have set opposite their respective names the date of execution and a list of the land made subject to this agreement.

GENERAL FORM OF CERTIFICATE OF APPROVAL FOR UNIT AGREEMENT

APPROVAL—CERTIFICATION—DETERMINATION

Pursuant to the statutory authority in the Secretary of the Interior, under the act approved March 4, 1931, 46 Stat. 1523, and the act approved August 21, 1935, 49 Stat. 674, amending the act approved February 25, 1920, 41 Stat. 437; 30 U. S. C. 226, 184, and 189, in order to secure the proper protection of the public interest, I, _____, Secretary of the Interior, this _____ day of _____, 19____, hereby take the following action:

A. Approve the attached agreement for the development and operation of the _____ unit area.

B. Determine and certify that the plan of development and operation contemplated in said agreement is for the purpose of more properly conserving the oil or gas resources of said unit area and is necessary or advisable in the public interest.

_____ _____,
Secretary of the Interior.

APPENDIX—FORM OF BOND

UNIT OPERATOR BOND

Know all men by these presents, That we, _____
(name of Unit Operator)
signing as Principal, for and on behalf of the record owners of unitized substances now or hereafter covered by the unit agreement for the _____, approved _____, and _____
(date) (name and address of Surety)
as Surety, are held and firmly bound unto the United States of America in the sum of _____ dollars,
(amount of bond)
lawful money of the United States, for the use and benefit of and to be paid to the United States and any entryman or patentee of any portion of the land covered by the unitized lands, heretofore entered or patented with the reservation of the oil or gas deposits to the United States, for which payment, well and truly to be made, we bind ourselves, and each of us, and each of our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Signed with our hands and sealed with our seals this _____ day of _____, 194__.

The Condition of the Foregoing Obligation is Such, That,

Whereas, the Secretary of the Interior on _____ approved, under the provi-
(date)
sions of the acts of March 4, 1931 (46 Stat. 1523), and August 21, 1935 (49 Stat. 674), a unit agreement for the development and operation of the _____; and
(name of Field and State)

Whereas, said Principal and record owners of unitized substances, here or hereafter may, pursuant to said unit agreement, enter into certain covenants and agreements set forth therein, under which operations are to be conducted; and

Whereas, said Principal as Unit Operator has assumed the duties and obligations of the respective owners of unitized substances as defined in said unit agreement; and

Whereas, said Principal and the Surety agree to remain bound in the full amount of the bond for failure to comply with the terms of the unit agreement, including payment of rentals and royalties, for the _____, approved by the Secre-
(name of Field)
tary of the Interior, _____
(date)
_____; and

Whereas the Surety hereby waives any right of notice of and agrees that this bond may remain in force and effect notwithstanding:

(a) Any additions to or change in the ownership of the unitized substances herein described;

(b) Any suspension of the drilling or producing requirements or waiver suspension or reduction of rental payments pursuant to applicable laws or regulations thereunder; and

Whereas said Principal and Surety agree to the payment of compensatory royalty under the regulations of the Interior Department in lieu of drilling necessary offset wells in the event of drainage; and

Whereas nothing herein contained shall preclude the United States from requiring an additional bond at any time when deemed necessary:

Now, therefore, if the said Principal shall faithfully comply with all of the provisions of the above-described unit agreement, approved _____, and with the terms
(date)
of the leases committed thereto, then the above obligation is to be of no effect; otherwise to remain in full force and virtue.

Signed, sealed, and delivered in the presence of (names and addresses of witnesses):

_____
(Name of principal)
_____
(Name of surety)
_____
_____
_____
_____

APPENDIX—FORM FOR DESIGNATION OF SUCCESSOR UNIT OPERATOR OR CHANGE IN UNIT OPERATOR BY ASSIGNMENT.

DESIGNATION OF UNIT OPERATOR

THE _____ UNIT
AREA _____

This indenture, dated as of the ____ day of _____ 19__, between _____, hereinafter designated as "First Party", and _____, hereinafter designated as "Second Parties":

Witnesseth

Whereas, under the provisions of the act of February 25, 1920, (41 Stat. 437), as amended, the Secretary of the Interior, on the _____ day of _____, 19____, approved a unit plan agreement for the _____ Area,
wherein _____
is designated as Unit Operator; and

Whereas, said _____, heretofore designated as Unit Operator under the terms and conditions of said agreement, has resigned as such Unit Operator,[1] and the designation of a new Unit Operator is now required, pursuant to the terms thereof; and

Whereas, the First Party, with the consent of the Second Parties, desires to assume all the rights, duties, and obligations of Unit Operator under the said unit agreement:

Now, therefore, in consideration of the premises hereinbefore set forth and the promises hereinafter stated, the First Party hereby covenants and agrees to fulfill the duties and assume the obligations of Unit Operator under and in pursuance of all the terms of the _____ agreement and the Second Parties covenant and agree that effective upon approval of this indenture by the Secretary of the Interior First Party shall be granted the exclusive right and privilege of exercising any and all the rights and privileges of the Second Parties necessary or convenient for prospecting for, producing, and disposing of unitized substances pursuant to the terms and conditions of said unit agreement, said unit agreement being hereby incorporated herein by reference and made a part hereof as fully and effectively as though said unit agreement were expressly set forth in this instrument.

In witness whereof, the parties hereto have executed this instrument as of the date hereinabove set forth.

_____
First Party
_____
_____
Witnesses

_____
Second Party
_____
_____
Witnesses

_____
Second Party
_____
Second Party
_____
Second Party
_____
Second Party

I, _____, Secretary of the Interior, this _____ day of _____, hereby approve the foregoing indenture designating _____ as the Unit Operator under the unit plan agreement for the _____ Area.

_____ _____,
Secretary of the Interior.

CHANGE IN UNIT OPERATOR

THE _____ UNIT
AREA _____

This Indenture, dated as of the _____ day of _____, 19__, between _____, hereinafter designated as "First Party", and _____, hereinafter designated as "Second Party":

Witnesseth

Whereas, under the provisions of the act of February 25, 1920 (41 Stat. 437), as amended, the Secretary of the Interior, on the _____ day of _____, 19____, approved a unit plan agreement for the _____ area, wherein the First Party is designated as Unit Operator; and

Whereas, the First Party desires to transfer, assign, release and quitclaim, and the Second Party desires to assume all[1] the rights duties, and obligations of Unit Operator under the said unit agreement; and

Whereas, for sufficient and valuable consideration, the receipt of which is hereby acknowledged, the First Party has transferred, conveyed, and assigned all[1] his rights under certain operating agreements involving lands within the area set forth in said unit agreement unto the Second Party

Now, therefore, in consideration of the premises hereinbefore set forth, the First Party does hereby transfer, assign, release and quitclaim unto Second Party all[1] of First Party's rights, duties and obligations as Unit Operator under said unit agreement; and the Second Party hereby accepts this assignment and hereby covenants and agrees to fulfill the duties and assume the obligations of Unit Operator under and in pursuance of all the terms of said unit agreement to the full extent set forth in this assignment, effective upon approval of this indenture by the Secretary of the Interior.[1]

In witness whereof, the parties hereto have executed this instrument as of the date hereinabove set forth.

_____
_____
First Party
_____
_____
Witnesses

_____
_____
Second Party
_____
_____
Witnesses

I, _____, Secretary of the Interior, hereby approve the foregoing indenture affecting the unit plan agreement for the _____ area, and direct that until further notice _____ will be recognized by the Interior Department as the Unit Operator under said agreement.

_____ _____,
Secretary of the Interior.

[F. R. Doc. 43-5535; Filed, April 8, 1943; 10:31 a. m.]

[1] Where the designation of a new Unit Operator is required for any reason other than resignation as stated in the second Whereas clause, such reason shall be substituted for the one stated.

[1] For partial assignment: Substitute; "____undivided share in".

[1] For partial assignment: Insert: "Provided, That hereafter _____ shall act as Unit Operator under said unit agreement, and shall exercise and perform all rights and duties as Unit Operator, subject to the terms and conditions of the agreement between said parties, copy of which is attached hereto and made a part hereof."

OFFICE OF PRICE ADMINISTRATION

[Order 1 Under MPR 207]

C. H. MUSSELMAN COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1 Under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 9, 1943, the maximum prices, f. o. b. factory, for sales by The C. H. Musselman Company, Biglerville, Pennsylvania, of frozen apples shall be:

$.0938 per pound of 5 x 1 pack, in 30-lb. cans.

$.0945 per pound of straight pack, in 27-lb. cans.

(b) The C. H. Musselman Company shall apply to its maximum selling price of frozen apples the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective as of April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5556; Filed, April 8, 1943; 12:59 p. m.]

[Order 81 Under RPS 64]

ANDES RANGE AND FURNACE CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 81 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On February 20, 1943, the Andes Range and Furnace Corp., Geneva, New York, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for a new model coal heater designated in the application as 20–CE.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Andes Range and Furnace Corporation may sell, offer for sale, transfer or deliver its model 20–CE to dealers at a price not to exceed $38.97 f. o. b' factory, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable model 55.

(b) Dealers may sell and deliver to consumers the model 20-CE manufactured by the Andes Range and Furnace Corporation at a price no higher than $59.95. This maximum price does not include any amount for installation or delivery by the dealer to consumer.

(c) Before making delivery of the model 20-CE, the Andes Range and Furnace Corporation shall attach securely to the stove so that it is clearly visible, a durable tag or label containing in easily readable lettering the following statement:

Retail ceiling price for this Model 20–CE Conservator Heater—$59.95.

This tag may not be removed until after delivery to the purchaser.

(d) This Order No. 81 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

This Order No. 81 shall become effective on the 9th day of April 1943.

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5557; Filed, April 8, 1943; 12:58 p. m.]

[Order 11 Under Rev. MPR 125]

DERBY CASTINGS COMPANY

ORDER ADJUSTING MAXIMUM PRICES

Order No. 11 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125–23.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The provisions of §§ 1395.3 and 1395.4 of Revised Maximum Price Regulation No. 125 shall have no application to The Derby Castings Company of Seymour, Connecticut, hereinafter referred to as "the applicant".

(b) The applicant may make final settlement for any nonferrous castings produced by it and sold or delivered between February 19, 1943 and April 8, 1943, at prices not in excess of the maximum prices hereinafter prescribed for sales made on or after April 8, 1943.

(c) The applicant may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant at prices not higher than the following:

(1) On the first sale of a nonferrous casting of a given pattern on or after April 8, 1943, the maximum price shall be the price determined by the application of the applicant's pricing formula to the applicant's best estimates of the variable elements in the applicant's pricing formula applied to the casting whose maximum price is being determined: *Provided*, That if the applicant produced a casting of an identical pattern before April 8, 1943, it shall apply its formula to the results obtained during such previous production.

(2) On subsequent sales of a nonferrous casting of the same class as one whose maximum price has previously been determined under subparagraph (1) of this paragraph the maximum price shall be the price at which the first sale was made: *Provided*, That the price at which the first sale was made was not in excess of the maximum price which governed the first sale: *Provided, further*, That if the first sale was made at a price in excess of the maximum price which governed the first sale, the maximum price for subsequent sales shall be the maximum price which governed the first sale.

(d) When used in this order, the term:

(1) "The applicant's pricing formula" means the revised pricing formula of The Derby Castings Company of Seymour, Connecticut, set forth on sheet C entitled "Specimen Cost Sheet Supporting form OPA–677–115f-page 1" and made part of its application for adjustment under Revised Maximum Price Regulation No. 125 which was filed with the Office of Price Administration,

Washington, D. C., on March 5, 1943, and assigned Docket No. 3125–23.

(2) "First sale" means the first sale of a nonferrous casting of any given pattern made on or after April 8, 1943.

(e) All prayers in the applicant's application for adjustment under Revised Maximum Price Regulation No. 125, Docket No. 3125–23, not granted herein, are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5596; Filed, April 8, 1943; 5:03 p. m.]

[Order 82 Under RPS 64]

BARNES HEATER COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 82 under Revised Price Schedule No. 64[1]—Domestic Cooking and Heating Stoves.

On March 4, 1943, Barnes Heater Company, Elkhart, Indiana, filed an application pursuant to § 1356.1(d) of Revised Price Schedule No. 64 for approval of maximum prices for a model oil trailer heater designated in the application as Model B.

Due consideration has been given to the application and an opinion issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Barnes Heater Company may sell, offer to sell, transfer or deliver the Model B, oil trailer heater at a price no higher than the following:

$25.52 to trailer manufacturers, in lots of 1 to 24, f. o. b. factory;

$24.97 to trailer manufacturers, in lots of 25 or more, f. o. b. factory;

$30.70 to trailer dealers and trailer accessory dealers, in lots of 1 to 5, f. o. b. factory;

$27.38 to trailer dealers and trailer accessory dealers, in lots of 6 or more, f. o. b. factory;

subject to allowances and terms no less favorable than those in effect with respect to the comparable Model A.

(b) Trailer manufacturers, trailer dealers or dealers in trailer accessories may sell and deliver the Model B oil trailer heater, manufactured by Barnes Heater Company to consumers at a price no higher than $46.50.

(c) Before delivery of the heating stove specified in this order, the Barnes Heater Company shall attach securely to the stove so that it is clearly visible, a durable tag or label containing in easily readable lettering the following statement with the blanks appropriately filled in.

Retail ceiling price for this Model B heater $_____

This tag may not be removed until after delivery to the purchaser.

(d) This Order No. 82 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms herein.

This Order No. 82 shall become effective on the 9th day of April, 1943.

Issued this 8th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5595; Filed, April 8, 1943; 5:05 p. m.]

[Order 180 Under MPR 120]

DENKERT COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 180 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120–344.

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals in Size Group 10 produced by Denkert Coal Company, Riverton, Illinois, at its Denkert Mine, Mine Index No. 939, in District No. 10, may be sold and purchased for shipment by truck or wagon at prices not to exceed $2.60 per net ton f. o. b. the mine.

(b) Within thirty (30) days from the effective date of this order, the said Denkert Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 180 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 180 shall become effective April 10, 1943.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5611; Filed, April 9, 1943; 11:49 a. m.]

[Order 12 Under MPR 204]

METALS RESERVE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 12 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold under Priorities Regulation No. 13.

An opinion in support of this Order No. 12 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.506 of Maximum Price Regulation No. 204 and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered,* That:

(a) *Maximum prices for Manila rope sold or delivered by consumer-holders to the Metals Reserve Company, Murray Cook acting as agent for the Metals Reserve Company or their agents.* (1) The maximum price f. o. b. point of shipment for any Manila rope sold or delivered by any consumer-holder to the Metals Reserve Company, Murray Cook acting as agent for the Metals Reserve Company, or any of their agents pursuant to the program for the acquisition thereof announced by the War Production Board on or about March 22, 1943 (Recovery Program RD–47) shall be the net price paid by the consumer-holder for such rope, plus 10% of the net price paid.

(b) As used in this order the term:

(1) "Consumer-holder" means any owner of the Manila rope who acquired such rope for his own use and not for resale.

(2) "Manila rope" means any undamaged and unused rope and cable in which Manila fibre is used, either alone or in combination with other fibres, and which is of a diameter of $\frac{3}{16}$-inch or larger, and in lengths not less than 200 feet, and of grades designated by manufacturers as "better than grade 1," "grade 1," "grade 2," and "grade 3."

(3) "The net price paid" means the invoice price paid by the consumer-holder after deducting all freight and handling charges paid by the consumer-holder, and any discounts, allowances, rebates and other modifications of cost of which the consumer-holder may have been the beneficiary.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall be effective as of March 22, 1943.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5612; Filed, April [illegible] 1943, 11:50 a. m.]

[Order 182 Under MPR 120]

SOUTH MINE COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 182 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120–309.

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by South Mine Company, Carlinville, Illinois, at its South Mine, Mine Index No. 163, in District No. 10, may be sold and purchased for truck or wagon shipments at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size Group	1	3	7	11
Maximum Price	$3.00	$2.95	$2.75	$2.45

(b) Within thirty (30) days from the effective date of this order, the said South Mine Company shall notify all persons purchasing coal from the South Mine, Mine Index No. 163 of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale prices except in accordance with and subject to the condition stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 182 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definition set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No 182 shall become effective April 10, 1943.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5613; Filed April 9, 1943; 11:50 a. m.]

[Order 181 Under MPR 120]

BRYAN EDDY

ORDER GRANTING ADJUSTMENT

Order No. 181 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120–348.

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, as amended, *It is ordered:*

(a) Coals produced in Size Group 11 by Bryan Eddy, Athens, Illinois, at his Fisher Mine, Mine Index No. 940, in District No. 10, may be sold and purchased for shipment by truck or wagon at prices not to exceed $2.50 per net ton f. o. b. the mine.

(b) Within thirty (30) days from the effective date of this order, the said Bryan Eddy shall notify all persons purchasing his coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 181 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 181 shall become effective April 10, 1943.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5614; Filed, April 9, 1943; 11:50 a. m.]

[Order 249 Under MPR 188]

MAYWOOD GLASS COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 249 under § 1499.161 of Maximum Price Regulation No. 188.

Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) The petition submitted by the Maywood Glass Company, Los Angeles, California, on September 28, 1942 for upward adjustment of its established maximum prices on sales of 32 ounce hypochlorite bottles, is hereby denied.

This order shall become effective April 9th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5615; Filed, April 9, 1943; 11:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-67, 59-64]

PEOPLES LIGHT AND POWER COMPANY, ET AL.

ORDER REQUIRING DIVESTITURE, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of April 1943.

In the matter of Peoples Light and Power Company and subsidiary companies, applicants, File No. 54–67. Peoples Light and Power Company, California Public Service Company, Texas Public Service Company, Texas Public Service Farm Company, West Coast Power Company, Western States Utilities Company, respondents, File No. 59–64.

Order requiring divestiture by holding company system of certain nonutility businesses.

The Commission having on March 9, 1943, instituted proceedings under sections 11 (b) (1) and 11 (b) (2) against Peoples Light and Power Company ("Peoples"), a registered holding company, and its subsidiaries; and the said proceedings having been consolidated for the purpose of hearing with an application filed by Peoples with respect to a Plan pursuant to section 11 (e) of the Act; and

Peoples and Texas Public Service Company ("Texas"), one of its subsidiaries, having filed an amendment to the above Plan involving the sale by Texas of its water and irrigation properties in Jefferson, Hardin, Liberty and Chambers Counties, Texas, to the Lower Neches Valley Authority, an agency of the State of Texas, for the sum of approximately $3,055,000 in cash; and

Peoples and Texas having requested that the Commission enter an order requiring the sale of the aforementioned water and irrigation properties and businesses as a transaction necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and having requested that such order conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations described in sections 371 (b), 371 (f) and 1808 (f) of said Internal Revenue Code as amended; and

The Commission deeming the above to be a request for an interim determination with respect to the retainability of such properties and businesses under section 11 (b) (1) of the Act, and for the entry of such order as may be required in the light of such determination; and

A public hearing having been held after appropriate notice; and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein; and the Commission having found that the sale and conveyance of the water and irrigation properties and businesses owned by Texas in Jefferson, Hardin, Liberty and Chambers Counties, Texas, as more fully described in the contract dated March 31, 1943 and filed in this proceeding, to Lower Neches Valley Authority, an agency of the State of Texas, for cash, is necessary or appropriate to the integration or simplification of Peoples' holding company system, and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

It is hereby ordered, That Peoples shall cease to own or operate, directly or indirectly, any property or facilities now owned or operated by it through Texas Public Service Company for the purpose of conducting, directly or indirectly, water and irrigation businesses in the

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

Counties of Jefferson, Hardin, Liberty and Chambers, Texas; and

It is hereby further ordered, That Texas Public Service Company shall cease to own or operate, directly or indirectly, such water and irrigation properties and businesses; and

It is hereby further ordered, That the sale and conveyance of such properties and businesses to Lower Neches Valley Authority for cash is hereby found to be necessary or appropriate to the integration or simplification of Peoples' holding company system, and necessary or appropriate to effectuate the provisions of Section 11 (b) of the Public Utility Holding Company Act of 1935; and

It is hereby further ordered, That jurisdiction be and hereby is reserved over the disposition of the proceeds of the sale of such properties and businesses; and

It is further provided, With respect to our findings, opinion and order herein, in their entirety, and with respect to the entry, publication, and service thereof, that they shall be without prejudice to the right of the Commission to enter such other and further appropriate orders from time to time as the Commission may deem necessary to secure compliance by the respondents with the provisions of the Act and the pertinent rules and regulations thereunder, the findings and opinion in this proceeding, and the provisions of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5584; Filed, April 8, 1943; 3:41 p. m.]

[File No. 70-632]

THE COMMONWEALTH & SOUTHERN CORPORATION

ORDER DENYING EFFECTIVENESS TO DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of April, A. D. 1943.

The Commonwealth & Southern Corporation, having filed a declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935, proposing a reduction of the stated capital applicable to its preferred stock;

A hearing having been held after appropriate notice, the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to sections 6 (a) and 7 of said Act, *It is hereby ordered*, That said declaration be not permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5581; Filed, April 8, 1943; 3:41 p. m.]

[File No. 70-699]

THE UNITED GAS IMPROVEMENT COMPANY AND CHARLES ULRICK BAY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of April 1943.

Notice is hereby given that separate applications and declarations (or both) have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by The United Gas Improvement Company (U. G. I.), a registered holding company, and by Charles Ulrick Bay (Bay), an affiliate of Oklahoma Natural Gas Company, a public utility company. All interested persons are referred to said documents, which are on file with the office of this Commission, for statements of the transactions therein proposed, which are summarized as follows:

U. G. I. owns and proposes to sell, and Bay proposes to buy for $1,815,000 cash, 71,805 shares of Preferred Stock, $100 par value, and 89,046 shares of Common Stock, $100 par value, of Connecticut Railway and Lighting Company, and in connection therewith, U. G. I. proposes to purchase from the public $5,303,000 First and Refunding 4½% 50-Year Bonds, due January 1, 1951, of Connecticut Railway and Lighting Company at $105 and concurrently to sell said bonds at $105 to Connecticut Light and Power Company, which presently leases the utility assets of Connecticut Railway and Lighting Company.

It appearing to the Commission that it is appropriate, in the public interest and in the interests of investors and consumers, that hearings be held with respect to said matters and that said declarations shall not become effective and said applications shall not be granted except pursuant to further order of this Commission; and

It further appearing to the Commission that the applications or declarations respectively filed by U. G. I. and Bay are related and involve common questions of law and fact; that evidence offered in respect of each of said matters will have a bearing on the other matter; and that the hearings on these matters should be consolidated so that they may be heard as one matter and the evidence adduced in each may stand as evidence in the other for all purposes;

It is hereby ordered, That said applications and declarations referred to herein be consolidated and that a hearing under the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules promulgated thereunder be held on April 20, 1943, at 10 a. m. at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing-room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in a manner designated by Rule XVII of the Commission's Rules of Practice, on or before April 17, 1943.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing and he is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declarations or applications, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the consideration to be paid, including all fees, commissions, and other remunerations, to whomsoever paid in connection with the proposed transactions, are fair and reasonable;

(2) Whether the proposed acquisitions of securities comply with the requirements of the applicable provisions of section 10 of the Act and particularly with the provisions of subsection 10 (c) (2) thereof;

(3) Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors;

(4) Whether, in any respect, the proposed transactions are detrimental to the public interest or to the interests of investors or consumers or will tend to circumvent any provisions of the Act or the Rules, Regulations or Orders thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to The United Gas Improvement Company, Connecticut Railway and Lighting Company, Connecticut Light and Power Company and Charles Ulrick Bay, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5582; Filed, April 8, 1943; 3:41 p. m.]

[File No. 70-690]

CENTRAL OHIO LIGHT & POWER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of April, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central Ohio Light & Power Company, a subsidiary company of Crescent Public Service Company, which is a registered holding company under said Act; and

Notice is further given that any interested person may, not later than April 19, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (c) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Central Ohio Light & Power Company proposes to declare and pay out of earned surplus a dividend of $1.00 per share to the holders of its Common Stock in April, 1943, such dividend aggregating $20,000. The application was filed by Central Ohio Light & Power Company pursuant to section 12 (c) of said Act and the Commission's Order, dated February 19, 1941 (Holding Company Act Release No. 2570) which provides, in part, that so long as any of the First Mortgage 3½% Bonds, Series D, due March 1, 1966, of Central Ohio Light & Power Company shall be unredeemed and outstanding or until further order of the Commission, no further dividends shall be declared or paid on said Common Stock except upon application to and approval by order of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5583; Filed, April 8, 1943; 3:41 p. m.]

[File No. 70-696]

INTERNATIONAL UTILITIES CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of April, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested person may, not later than April 22, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request, that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a regular quarterly dividend on its $3.50 Prior Preferred Stock at the rate of 87½¢ per share on the 95,946 shares of such stock presently outstanding. The aggregate amount of this dividend will be $83,952.75.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5581; Filed, April 8, 1943; 3:41 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director, Office of War Utilities of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the projects and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 7, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-b	3560-A	Village of Colp, Colp, Ill.	Construction of a Water Supply Main.	4-2-43
P-19-b	30558	Federal Works Agency, North Interior Bldg., Washington, D. C.	Provide a New Water Supply, Redcliff, Colo.	4-2-43
P-19-b	13207	Federal Works Agency, North Interior Bldg., Washington, D. C.	Construct Water Main Hydrants, etc., Tuskegee, Ala.	4-2-43
P-19-b	13085	Federal Works Agency, North Interior Bldg., Washington, D. C.	Construct Well, Reservoir, Treatment Plant, etc., Medina, Tenn.	4-2-43
P-19-b	40428	Federal Works Agency, North Interior Bldg., Washington, D. C.	Construct Water Supply Main, Eastport, Md.	4-2-43
P-19-b	17167	Federal Works Agency, North Interior Bldg., Washington, D. C.	Construct Well, Water Mains, etc., to provide adequate water supply, Valdosta, Ga.	4-2-43
P-19-b	16055	Federal Works Agency, North Interior Bldg., Washington, D. C.	Construct Well, Water Mains, etc., Portsmouth, N. H.	4-2-43
P-19-b	85	Federal Works Agency, North Interior Bldg., Washington, D. C.	Provide New Water Supply, Anchorage, Alaska.	4-2-43

[F. R. Doc. 43-5580; Filed, April 8, 1943; 3:37 p. m.]

FEDERAL REGISTER

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Washington, Tuesday, April 13, 1943

Regulations

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TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

Milk in the Philadelphia Pennsylvania Marketing Area

Order regulating the handling of milk in the Philadelphia, Pennsylvania marketing area

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, hereinafter referred to as the "Act", that the Secretary of Agriculture of the United States hereinafter referred to as the "Secretary", shall subject to the provisions of the Act issue and amend orders regulat-

(Continued on next page)

FEDERAL REGISTER

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the formulation of marketing agreements and marketing orders (7 CFR, Supp., 900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 413), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area. Upon the basis of evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid order, as amended, and all the terms and conditions thereof, as amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk purchased for sale in the Philadelphia, Pennsylvania, marketing area, a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect marketing supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in their respective classes of commercial and industrial activity specified in the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

(b) *Determinations.* It is hereby determined that handlers of at least 50 percent of the volume of milk covered by said order, as hereby amended, which is marketed within the Philadelphia, Pennsylvania, marketing area refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area; and it is further determined that

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement, as hereby amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this amendment to the order is the only practical means pursuant to the declared policy of the act of advancing the interest of producers of milk which is produced for sale in the Philadelphia, Pennsylvania, marketing area; and

(3) The month of March 1943 is the representative period for ascertaining the producers who have been engaged in the production for market of milk covered in the aforesaid order, as hereby amended.

(4) The issuance of this order is approved or favored by at least three-fourths of the producers who, during the determined representative period, were engaged in the production for market of milk covered in the aforesaid order, as hereby amended.

§ 961.000 *Order relative to handling.* It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Philadelphia, Pennsylvania, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended in the following respect:

Delete § 961.4 (a) (1) and substitute therefor the following:

(1) Class I milk—$4.05 per hundredweight.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Issued at Washington, D. C., this 7th day of April 1943, to be effective on and after the 12th day of April 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: April 8, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-5610; Filed, April 9, 1943; 11:30 a. m.]

Chapter XI—Food Distribution Administration

[FDO 11, Amendment 1]

PART 1401—DAIRY PRODUCTS

MILK MARKETING ECONOMIES

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, Food Distribution Order No. 11 (8 F.R. 1090), § 1401.21, is amended as follows:

1. By striking out (b) (1) and inserting in lieu thereof the following:

(1) No handler may deliver milk in containers of less than one quart in size to homes of consumers, and no handler may sell or otherwise dispose of milk in containers of less than one quart in size to any person if he knows, or if he has reason to believe, that such milk is for home consumption.

2. By striking out (b) (2) and inserting in lieu thereof the following:

(2) No store, restaurant, hotel, or similar establishment shall purchase or otherwise acquire milk or cream from more than two handlers during any three consecutive days, except in instances where each delivery received by such store, restaurant, hotel, or similar establishment, at the delivery point, is in excess of 300 quarts.

3. By striking out (b) (4) and inserting in lieu thereof the following:

(4) No store, hotel, restaurant, or similar establishment shall refuse to accept delivery of any milk or cream previously ordered by it; no store, hotel, restaurant or similar establishment shall return, or offer to return, milk or cream previously delivered to it; and no handler shall accept the return of milk or cream previously delivered to such store, hotel, restaurant, or similar establishment.

4. By inserting at the end of (c) thereof, the following new provisions:

(3) Upon application by one or more handlers in any marketing area, and after demonstration to the satisfaction of the Director that compliance with the provisions of § 1401.21 (b) (5) (i), insofar as they require a deposit on glass containers used in the delivery of milk to homes of consumers, will not tend to effectuate an economy in the handling of milk or cream by any or all handlers in such area, and that exemption from such requirement will not interfere with the operation of the provisions of § 1401.21 (b) (5) (i), insofar as they require a deposit on glass containers used in the delivery of milk to places other than homes, the Director may, as to any or all handlers in such area, grant an exemption from the provisions which require a deposit on glass containers used in the delivery of milk to homes of consumers.

(4) The provisions of § 1401.21 (b) (1), (2), (3), (4), and (5) shall not be applicable in areas or places other than cities, towns, villages, or municipalities having a population of 5,000 persons or over.

This amendment shall become effective as of 12:01 e. w. t., April 12, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Issued this 9th day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5639; Filed, April 9, 1943; 3:57 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4740]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GRABOSKY BROTHERS

§ 3.45 (c) *Discriminating in price—Direct discrimination—Compensatory*

ing such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

§ 961.00 *Findings and determinations—(a) Findings.* Pursuant to the act and rules of practice and procedure

payments. In connection with the sale, in commerce, of any of respondents' cigars, paying or contracting to pay, or granting or allowing anything of value to or for the benefit of any customer as compensation or in consideration of any counter, showcase or window displays or other services or facilities furnished by or through such customer in connection with the processing, handling, sale or offering for sale of any such product or commodity, unless such payments or allowances are available on proportionally equal terms to all other customers competing with such compensated customers in the distribution of such product or commodity; prohibited. (Sec. 2 (d), 49 Stat. 1527; 15 U.S.C., sec. 13d) [Cease and desist order, Grabosky Brothers, Docket 4740, April 6, 1943]

In the Matter of Benjamin L. Grabosky and Samuel Grabosky, Individuals Trading as Grabosky Brothers

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of April, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the amended answer of respondents, in which amended answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusions that respondents have violated the provisions of subsection (d) of section 2 of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C. Title 15, sec. 13);

It is ordered, That the respondents, Benjamin L. Grabosky and Samuel Grabosky, individually, and trading under the name of Grabosky Brothers, or trading under any other name, their representatives, agents and employees, jointly or severally, directly or through any corporate or other device, in connection with the sale of any respondents' cigars in commerce, as "commerce" is defined in the said Clayton Act, do forthwith cease and desist:

From paying or contracting to pay, or granting or allowing anything of value to or for the benefit of any customer as compensation or in consideration of any counter, showcase or window displays or other services or facilities furnished by or through such customer in connection with the processing, handling, sale or offering for sale of any such product or commodity, unless such payments or allowances are available on proportionally equal terms to all other customers competing with such compensated customers in the distribution of such product or commodity.

It is further ordered, That the respondents, Benjamin L. Grabosky and Samuel Grabosky, individuals trading as Grabosky Brothers, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist herein set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-5640; Filed, April 10 1943; 10:14 a. m.]

[Docket No. 4780]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GALLANT TRADING COMPANY

§ 3.6 (c 5) *Advertising falsely or misleadingly—Condition of goods:* § 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—Standards, specifications or source:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (o) *Advertising falsely or misleadingly—Old or reclaimed as new:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Government.* In connection with offer, etc., in commerce, of respondents' merchandise, and among other things, as in order set forth, representing, directly or by implication, and when such is not the fact, (1) that respondents' shoes are perfect; (2) that respondents' mattresses are Army mattresses, or are new or perfect; (3) that respondents' mattresses were manufactured to Government specifications but have been rejected by the Government for some unknown reason; (4) that respondents' tarpaulins are perfect; or (5) that respondents' blankets are Army blankets; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Gallant Trading Company, Docket 4780, April 2, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government goods:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Stock:* § 3.6 (c 5) *Advertising falsely or misleadingly—Condition of goods:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Government:* § 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages.* In connection with offer, etc., in commerce, of respondents' merchandise, and among other things, as in order set forth, (1) representing, directly or by implication, that respondents deal in Army goods exclusively, or that all of their merchandise is obtained from the Government; (2) misrepresenting in any manner, or by any means, the condition or origin of respondents' merchandise; or (3) representing, directly or by implication, that merchandise of the same type and character as respondents' merchandise is not available to the public from other dealers; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Gallant Trading Company, Docket 4780, April 2, 1943]

In the Matter of Isaac S. Brill, Herman A. Gallant, and Simon D. Brill, Copartners, Trading as Gallant Trading Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of April, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, stipulation as to the facts, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Isaac S. Brill, Herman A. Gallant, and Simon D. Brill, individually and trading as Gallant Trading Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondents' merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondents' shoes are perfect, when such is not the fact.

2. Representing, directly or by implication, that respondents' mattresses are Army mattresses, or are new or perfect, when such is not the fact.

3. Representing, directly or by implication, that respondents' mattresses were manufactured to Government specifications but have been rejected by the Government for some unknown reason, when such is not the fact.

4. Representing, directly or by implication, that respondents' tarpaulins are perfect, when such is not the fact.

5. Representing, directly or by implication, that respondents' blankets are Army blankets, when such is not the fact.

6. Representing, directly or by implication, that respondents deal in Army goods exclusively, or that all of their merchandise is obtained from the Government.

7. Misrepresenting in any manner, or by any means, the condition or origin of respondents' merchandise.

8. Representing, directly or by implication, that merchandise of the same type and character as respondents' merchandise is not available to the public from other dealers.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-5641; Filed, April 10, 1943; 10:14 a. m.]

[Docket No. 4844]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE RICHMAN BROTHERS COMPANY

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (l) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (u) *Advertising falsely or misleadingly—Quality:* § 3.6 (dd 10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.6 (ee 5) *Advertising falsely or misleadingly—Tests and investigations:* § 3.18 *Claiming indorsements or testimonials falsely.* In connection with offer, etc., in commerce, of men's clothing, representing, directly or indirectly, (1) that respondent's clothing has been tested or recommended by all consumers' research bodies in the United States which test clothing; (2) that all consumers' research bodies in the United States which test clothing have rated respondent's clothing to be of the best grade; or (3) that the leading consumers' research bodies in the United States have tested the outstanding brands of men's clothing and have found respondent's clothing to be first in the low-priced field; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Richman Brothers Company, Docket 4844, April 6, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of April, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, respondent's answer, and a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent upon the record, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, The Richman Brothers Company, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of men's clothing in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly, that respondent's clothing has been tested or recommended by all consumers' research bodies in the United States which test clothing.

2. Representing, directly or indirectly, that all consumers' research bodies in the United States which test clothing have rated respondent's clothing to be of the best grade.

3. Representing, directly or indirectly, that the leading consumers' research bodies in the United States have tested the outstanding brands of men's clothing and have found respondent's clothing to be first in the low-priced field.

It is further ordered, That respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-5642; Filed, April 10, 1943; 10:14 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. 6 to Rev. IV]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 6 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IV of November 12, 1942 (7 F.R. 9510), is hereby promulgated.[1]

By direction of the President:

CORDELL HULL,
Secretary of State.
RANDOLPH PAUL,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
MILO PERKINS,
Executive Director, Board of Economic Warfare.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

APRIL 9, 1943.

[F. R. Doc. 43-5667; Filed, April 10, 1943; 12:20 p. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1905]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for the Hobbs #1, #2, and #3 Mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Hobbs #1, #2, and #3 Mines (Mine Index Nos. 79, 485 and 580, respectively), of the A. M. Hobbs Coal Co., (W. E. West) in District No. 14 for rail and truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary, in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334 Minimum Price Schedule for District No 14 and supplements thereto.

FOR RAIL SHIPMENTS

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Producer group No.	Shipping point	Price classification by size group																
					Railroad	Freight origin group No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Hobbs Coal Co., A. M. (W. E. West)	79	Hobbs #1	5	Hartford, Ark	M W	15	---	(*)	---	---	---	---	---	---	---	---	---	(*)	(*)	13	---	---	---	---	---
Hobbs Coal Co., A. M. (W. E. West)	485	Hobbs #2	5	Excelsior, Ark	M W	15	---	(*)	---	---	---	---	---	---	---	---	---	(*)	(*)	13	---	---	---	---	---
Hobbs, A. M. Coal Co. (W. E. West)	580	Hobbs #3	5	Mansfield, Ark	C&A&T, St. Sf	19	---	(*)	---	---	---	---	---	---	---	---	---	(*)	(*)	18	---	---	---	---	---

*Previously classified for these size groups. No changes requested.

§ 334.24 *General prices for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Sub-district No.	Prices and size group Nos.																	
				County	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Hobbs Coal Co., A. M. (W. E. West)	79	Hobbs #1	5	Sebastian	---	---	(*)	---	---	---	---	---	---	---	---	(*)	---	(*)	145	---	---	(*)	---	---
Hobbs Coal Co., A. M. (W. E. West)	485	Hobbs #2	5	Sebastian	---	---	(*)	---	---	---	---	---	---	---	---	(*)	---	(*)	145	---	---	(*)	---	---
Hobbs, A. M. Coal Co. (W. E. West)	580	Hobbs #3	5	Sebastian	---	---	(*)	---	---	---	---	---	---	---	---	(*)	---	(*)	145	---	---	(*)	---	---

*Previously priced for these size groups. No changes requested.

[F. R. Doc. 43-5600; Filed, April 9, 1943; 11:24 a. m.]

tivity. (a) No registrant shall hereafter be placed in Class III-B.

(b) The classification of all registrants now in Class III-B shall be immediately reopened and they shall be classified anew.

3. Amend paragraphs (a) and (b) of § 622.31-2 to read as follows:

§ 622.31-2 *Class III-C: Man deferred both by reason of dependency and agricultural occupation or endeavor.* (a) In Class III-C shall be placed any registrant who (1) is found to be necessary to and regularly engaged in an agricultural occupation or an agricultural endeavor essential to the war effort, and (2) has a wife or child with whom he maintains a bona fide family relationship in their home, provided such status was acquired prior to December 8, 1941; or, who has dependent upon him for support any of the following persons: Wife or child (with whom he does not maintain a bona fide family relationship in their home), divorced wife, parent, brother, sister, grandparent, grandchild, a person under 18 years of age whose support he has assumed in good faith, or a person of any age physically or mentally handicapped whose support he has assumed in good faith, provided such status was acquired prior to December 8, 1941.

(b) A registrant placed in Class III-C shall be retained in that class so long as he is necessary to and regularly engaged in an agricultural occupation or an agricultural endeavor essential to the war effort and until a satisfactory replacement in such agricultural occupation or agricultural endeavor can be obtained: *Provided*, That he continues to be entitled to deferment under the provisions of paragraph (a) of this section.

* * * * *

4. Amend § 622.32 to read as follows:

§ 622.32 *Class III-D: Man deferred by reason of extreme hardship and privation to wife, child, or parent.* In Class III-D shall be placed any registrant not

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 141, 2d Ed.]

PART 622—CLASSIFICATION

FAMILY RELATIONSHIP OR DEPENDENCY DEFERRAL

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779; E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.31 to read as follows:

Deferred by Reason of Family Relationship or Dependency

§ 622.31 *Class III-A: Man with child or children deferred by reason of maintaining bona fide family relationship.* (a) In Class III-A shall be retained or placed any registrant who with his child or children maintains a bona fide family relationship in their home, provided such status was acquired prior to December 8, 1941; except that, such a registrant shall not be retained or placed in Class III-A if (1) he is entitled to be placed in Class III-C or (2) he is within a group which the Director of Selective Service has directed or hereafter directs shall be classified or reclassified without reference to their eligibility for Class III-A deferment.

(b) The classification of all registrants in Class III-A who, under the provisions of paragraph (a) of this section, will not be retained therein shall be immediately reopened and they shall be classified anew.

2. Amend § 622.31-1 to read as follows:

§ 622.31-1 *Class III-B: Formerly deferred by reason of dependency and ac-*

otherwise deferred if (1) it is determined that his induction into the land or naval forces would result in *extreme* hardship and privation to a wife, child, or parent with whom he maintains a bona fide family relationship in their home and (2) by reason of such determination it is considered advisable that he be deferred.

5. Amend the regulations by deleting § 622.36 in its entirety.

6. Amend § 622.36 to read as follows:

§ 622.36 *Director may direct eligibility for particular classification be disregarded.* The Director of Selective Service, notwithstanding any other provisions of these regulations, may direct that any or all registrants may be classified or reclassified without regard to their eligibility for a particular classification.

7. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 29, 1943.

[F. R. Doc. 43-5690; Filed, April 12, 1943; 9:30 a. m.]

[Amendment 142, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

CLASSES NOT REQUIRING PHYSICAL EXAMINATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) and add paragraph (e) to § 623.21 to read as follows:

§ 623.21 *Consideration of classes not requiring physical examination.* * * *

(c) If the registrant is not classified in Class I-C or Class IV-A under paragraph (a) of this section and is not classified in Class IV-C under paragraph (b) of this section, consideration shall next be given to the following classes in the order listed, and the registrant shall be classified in the first class for which grounds are established:

Class IV-D.	Class II-C.
Class IV-B.	Class II-B.
Class III-C.	Class II-A.
Class III-A.	

* * * * *

(e) If the registrant is not classified in one of the classes set forth in paragraphs (a), (b) (c), or (d) of this section, consideration shall next be given to whether he qualifies for classification in Class III-D.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 29, 1943.

[F. R. Doc. 43-5691; Filed, April 12, 1943; 9:30 a. m.]

[Order No. 97]

DAIRY FARM PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the assignment of conscientious objectors to individual dairy farms to be work of national importance, to be known as Civilian Public Service Camp No. 97. Said project, located in Counties designated by the Agricultural Labor Administration of the Department of Agriculture, will be the base of operations for work on individual dairy farms selected by the United States Employment Service, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to the afore-mentioned project will be engaged in work on dairy farms and shall be under the direction of the individual farmer. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

APRIL 9, 1943.

[F. R. Doc. 43-5692; Filed, April 12, 1943; 9:30 a. m.]

[Order No. 98]

COAST AND GEODETIC SURVEY PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Coast and Geodetic Survey Project to be work of national importance, to be known as Civilian Public Service Camp No. 98. Said project, located within several States, will be the base of operations for work under the direction of the Coast and Geodetic Survey, Department of Commerce, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said project will be engaged in gathering basic geodetic data essential for map and chart making and will be under the direction of the Supervisor of Field Parties of the Coast and Geodetic Survey, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Coast and Geodetic Survey. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

APRIL 9, 1943.

[F. R. Doc. 43-5693; Filed, April 12, 1943; 9:30 a. m.]

[Order No. 99]

CHUNGKING PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Chungking Project to be work of national importance, to be known as Civilian Public Service Camp No. 99. Said project, located at Chungking, China, will be the base of operations for medical, sanitary and health work, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

The work to be undertaken by the men assigned to said Chungking Project will consist of rehabilitation, sanitation, nutrition, public health, and such other services as may be designated by the ministry of public health of the government of the Chinese Republic. The project, insofar as project management is concerned, shall be under the direction

of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

APRIL 9 1943

[F. R. Doc. 43-5694; Filed, April 12, 1943; 9:30 a. m.]

[Order No. 100]

DAIRY HERD TESTER PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the assignment of conscientious objectors to Dairy Herd Improvement Associations to be work of national importance, to be known as Civilian Public Service Camp No. 100. Said project, located in States approved by the Agricultural Labor Administration of the Department of Agriculture, will be the base of operations for work with Dairy Herd Improvement Associations selected by the State Agricultural Schools and Extension Services, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to the afore-mentioned project will be engaged in work as testers of dairy herds and shall be under the direction of the Dairy Herd Improvement Associations. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of the National Selective Service Headquarters.

LEWIS B HERSHEY,
Director.

APRIL 9, 1943.

[F. R. Doc. 43-5695; Filed, April 12, 1943; 9:30 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 52]

PART 802—GENERAL LICENSES

COUNTRY GROUPS

Paragraph (a) of § 802.3 *General license country groups.* The effective date of Amendment number 50 published in Volume 8 of the FEDERAL REGISTER number 38 on April 7, 1943 (8 F.R. 4398) is hereby changed from April 15, 1943 to April 30, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 10, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-5643; Filed, April 10, 1943; 10:26 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 14]

ELECTRONIC RESEARCH SUPPLY AGENCY

§ 903.27 *Directive 14; Electronic Research Supply Agency*—(a) *Purpose.* (1) The purpose of this directive is to establish certain priorities policies, rules and exemptions for Electronic Research Supply Agency, an agency established pursuant to Defense Supplies Corporation contract of April 2, 1943, hereinafter referred to as Agency.

(2) It is recognized that Agency has been established by Defense Supplies Corporation at the request of the War Production Board, and at the instance of the Army, Navy, and Office of Scientific Research and Development, to constitute a central source of supply for electronic components and raw materials required by Government, institutional and industrial laboratories for use in research and development contracts for the improvement of communications, detection and signaling equipment; required for production or flight test models for such equipment; or required in small quantity on emergency demands for such equipment.

(3) It is recognized that to effecuate the purposes of the Agency and to render it readily adaptable to service the ends for which it was created, it is necessary to determine certain policies for its operation and to exempt it in certain respects from the effect of regulations and orders of the War Production Board.

(b) *Acquisition of materials by Agency.* (1) Agency is authorized to apply for priorities assistance or allotments of controlled materials on any approved form now or hereafter issued by the War Production Board (including without limitation forms PD-1A, PD-1X, PD-403, CMP-4A and CMP-4B).

(2) Agency is further authorized to acquire such fabricated, partly fabricated or raw materials as are related to the fulfillment of the purposes expressed in paragraph (a) (2) hereof:

(i) By the application of preference ratings or allotment numbers assigned to Agency by any form or order of the War Production Board; or

(ii) By the extension of any preference rating or allotment number applied or extended by any person to deliveries to be made by Agency.

(3) Purchase orders placed by Agency shall be accompanied either by the form of certification provided in Priorities Regulation No. 3, or the form of certification provided in CMP Regulation No. 7; and Agency shall not be required to place any other endorsement, symbol, or identification on any purchase order placed by it.

(c) *Inventory, reports and records.* (1) Except to the extent that any regulation or order of the War Production Board expressly provides to the contrary:

(i) Agency shall be exempt from all inventory restrictions contained in regulations and orders of the War Production Board; and

(ii) Agency shall not be required to file or furnish reports or report forms provided or issued pursuant to regulations or orders of the War Production Board.

(2) Agency shall maintain at all times adequate records of its operations, which records shall be available and open to inspection by authorized representatives of the War Production Board.

(d) *Sale and distribution of materials by Agency.* (1) Agency shall be exempt from all provisions of the regulations of the War Production Board requiring the acceptance of defense orders or rated orders and specifying the sequence of deliveries thereon.

(2) Agency shall accept all purchase orders classified as "Approved orders" pursuant to such directions as may be furnished Agency from time to time by the Executive Committee of Agency, which Executive Committee shall consist of assigned representatives of the Army, Navy, War Production Board and Office of Scientific Research and Development, as specified in Defense Supplies Corporation contract of April 2, 1943.

(3) Agency shall fill "Approved orders" placed upon it according to such sequence of deliveries as may be established by the Executive Committee in directions furnished to the Agency from time to time.

(4) All purchase orders placed upon the Agency shall be accompanied by such form of endorsement or certificate as the Agency may prescribe pursuant to directions of its Executive Committee to identify them as "Approved orders" and to relate them to the uses specified in paragraph (a) (2) hereof.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of April, 1943.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 43-5710; Filed, April 12, 1943; 11:12 a. m.]

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Conservation Order M-104, as Amended April 10, 1943]

§ 1128.1 *Conservation Order M-104*—(a) *Definitions.* (1) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container. The term shall not include bulbs or droppers for medicinal bottles.

(2) "Glass container" means any bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(3) "Tinplate" means sheet steel coated with tin, and includes "primes," "seconds," "waste-waste," and all other forms of tinplate except waste.

(4) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes," "seconds," "waste-waste," and all other forms of terneplate except waste.

(5) "Blackplate" means any sheet steel, other than tinplate or terneplate, suitable for manufacture into closures, and includes "rejects," "electrolytic waste-waste," and all other forms of blackplate except waste.

(6) "Waste" means:

(i) Used closures made of tinplate, terneplate or blackplate;

(ii) Used cans made of tinplate, terneplate or blackplate;

(iii) Tinplate, terneplate or blackplate discs produced in the ordinary course of manufacturing screw bands for home canning closures;

(iv) Slitter or shear trimmings, or lithographing lay sheets, acquired before April 10, 1943.

(7) "Rubber," whether a separate sealing ring or incorporated into a closure, means any polyvinyl acetate, or any crude rubber, latex, scrap rubber, reclaimed rubber, or synthetic rubber, as defined by Supplementary Order M-15-b, as amended from time to time.

(8) "Pack," unless particularly specified, means the number of closures used for packing a product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of closures.* (1) No person shall sell or deliver any closure made in whole or in part of tinplate, terneplate, blackplate, wire, rubber, or waste, except under a purchase order or contract validated by delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A (if such closure is not a beverage closure [Schedule IV]) or Exhibit B (if such closure is a beverage closure [Schedule IV]). No person shall manufacture, sell or deliver any such closure which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall use any tinplate, terneplate, blackplate, waste or rubber for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium such as another closure or paraffin.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (b) (3).

(3) No person shall use any tinplate, terneplate, blackplate, wire, or rubber for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule V attached to this order. No closure manufactured pursuant to Schedule V shall knowingly be sold to any person for packing any product for sale.

(4) No person shall use any tinplate, terneplate, or blackplate, except "rejects" or "electrolytic waste-waste," heavier than 90 pounds per base box, for the manufacture of crown caps.

(5) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 1.25 pounds per base box.

(6) After May 1, 1943, no person shall use any wire for the manufacture of paperboard, disc, plug caps, having a diameter of two inches or less, for milk bottles.

(c) *Restrictions upon purchase, acceptance of delivery, and use of closures.* No person shall, during any calendar year (or seasonal year or other period, when specified) purchase, accept delivery of, or use for packing a product, any closure made in whole or in part of tinplate, terneplate, blackplate, or rubber, except as, and to the extent permitted in Schedules I, II, III, and IV attached to this order: *Provided, however,* That a jobber or retailer may obtain and sell closures in conformity with the provisions of this order. Black-plate may be used wherever tinplate or terneplate is specified. Closures made of waste shall not be used for packing any product not listed in the schedules attached to this order.

(d) *Exceptions.* (1) Nothing in this order shall prohibit any person who used less than 5,000 closures during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, an aggregate of 5,000 closures during any subsequent calendar year.

(2) Except for quota restrictions which shall remain fully applicable, the restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of closures for packing any product when such closures, on or before December 23, 1942, were completely manufactured, partially manufactured, or were in the form of tinplate, terneplate, or blackplate, fully lithographed with a person's private design, cut into strips.

(3) No certificate shall be required for the sale or delivery of closures to:

(i) Retailers;

(ii) Persons purchasing closures from retailers.

(4) Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(i) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(ii) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(iii) American Red Cross, United Service Organizations, or such other non-profit Defense Recreation Committees, engaged in the operation of recreation centers in the forty-eight states

of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph (d) (4) by the Office of Defense Health and Welfare Services, OEM.

(iv) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) Any person in the Territory of Hawaii: provided that the exception provided by this paragraph (d) (4) (v) shall be limited to closures used in connection with the packing of products to be consumed in the said Territory.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington D. C. Ref: M-104.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

PURCHASER'S CERTIFICATE (OTHER THAN SCHEDULE IV)

[NOTE: Exhibit A amended in its entirety April 10, 1943.]

One copy of this certificate is to be delivered to each person from whom purchases are made of closures (other than beverage closures) made in whole or in part of tinplate, terneplate, blackplate, wire, waste, or rubber. Such certificate shall cover all purchases, present and future.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-104, as heretofore amended, and that he will not use or sell any closures purchased from

_____
Name of seller

_____
Address of seller

pursuant to this or future purchase orders or contracts in violation of the terms of such order.

Date _____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

EXHIBIT B

Purchaser's Certificate (Schedule IV)

[NOTE: Exhibit B added April 10, 1943.]

Certificate required by Order M-104 to validate *each purchase* of closures for malt or non-alcoholic beverages. Execute in duplicate, one copy to be retained by the purchaser, and one to be filed with the seller.

Inventory

(a) Permitted Inventory (20 percent of number of such closures and cans used for packaging malt or non-alcoholic beverages in 1941.) _____ gross.

(b) Inventory on date of this certification (Exclusive of Closures made from waste) _____ gross

(c) Permitted delivery as of date of this certification from all sellers. Line (a) minus Line (b) _____ gross.

(d) Requested delivery from _____
Seller

_____ gross.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-104, as heretofore amended, that the foregoing statements of inventory are true and correct, and that he will not use or sell any closures for malt beverages or non-alcoholic beverages received from the seller pursuant to the above-described "requested delivery" in violation of the terms of such order.

Date _____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CLOSURES

[NOTE: Schedule I amended in its entirety April 10, 1943.]

A. Any person who used closures from January 1, 1942 to December 31, 1942, for packing a food product not listed in this Schedule I, may use an equal number of closures during the year 1943 for packing the products listed in this schedule, in addition to the quotas respectively specified.

B. Wherever the asterisk appears the packing quota relates to the total number of closures and cans used for packing the applicable product.

C. No product packed in a can shall be repacked for sale in a glass container, by the same or a different person, in the same or a different form, except to the extent specifically permitted in this schedule.

D. Split year items such as "1941 2" appearing in the column "1943 Packing Quota" refer to specified seasonal year base periods to be used in computing permitted packs for subsequent seasonal years.

E. Any person packing any product in cans during the calendar year or seasonal year who, because he converts such pack or part thereof from cans to glass containers does not use the entire number of cans which he would be permitted under any limitation quota specified in Order M-81, may use two closures for each can so not used. Such closures may be used in addition to the quotas established for any products by this Schedule I but shall be made of the materials respectively specified.

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS				
1. Asparagus	Unlimited	X		X
2. Beans, with or without pork	50% 1941*	X		X
3. Beans, fresh, including green, wax, lima, green soybeans, and fresh shelled beans	Unlimited	X		X
4. Beets, including pickled beets. No whole beets larger than U. S. Standard ruby (medium) to be packed	Unlimited	X		X
5. Carrots, whole carrots not to be packed	Unlimited	X		X
6. Carrots and peas (fresh, green)	Unlimited	X		X
7. Corn, fresh, sweet cut	Unlimited	X		X
8. Mixtures of Vegetables (other than carrots and peas, and succotash) which consist of not less than 90 percent of any combination of vegetables listed in this schedule, (or of any such combination and celery, onions, and peppers), provided that the combination by drained weight shall consist of not more than 60 percent of any one vegetable, and, provided further that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	X		X
9. Mushrooms	Unlimited	X		X
10. Peas, fresh green	50% 1942*	X		X
11. Pimentos	Unlimited	X		
12. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, polk and turnip greens.				

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS—con.				
13. Succotash	Unlimited	X		X
14. Tomatoes	Unlimited	X		X
15. Tomato catsup and chili sauce, containing not less than 10.7 percent (specific gravity 1.045) by weight, dry tomato solids:				
Closures without rubber	Unlimited	X		
Closures with rubber, to the extent of rubber allocated to manufacturers for this purpose prior to February 4, 1943	See product column.	X		(1)
16. Tomato paste, containing not less than 25 percent, by weight, dry tomato solids	Unlimited	X		X
17. Tomato pulp or puree, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids	Unlimited	X		X
18. Tomato sauce, including spaghetti sauce containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt, the contents may contain pepper, spice, oils, and other flavoring ingredients	Unlimited	X		X
19. Vegetables, dehydrated	Unlimited		X	
20. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning.	Unlimited	X		
NOTE.—When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5 gallons or larger.				
FRUITS				
21. Apples, including crabapples, which apples not to be packed	25% 1941–42*	X		X
22. Applesauce, including sauce from crabapples	25% 1941–42*	X		X
23. Apricots	Unlimited	X		X
24. Blackberries, black raspberries, blueberries, boysenberries, dewberries, elderberries, gooseberries, loganberries, red raspberries, and youngberries	Unlimited	X		X
25. Cherries, red sour pitted and sweet	Unlimited	X		X
26. Figs	Unlimited	X		X
27. Fruit cocktail, consisting of any combination of fruits listed in this Schedule I, or any such combination, and grapes and pineapple: Provided, That the combination, by drained weight, shall consist of not less than 50 percent fruits listed in this Schedule I and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans to the extent of 7 percent of the fruit cocktail		X		X
28. Olives, ripe or green ripe, whole or minced	75% 1941–42*	X		X
29. Peaches, clingstone, halves, segments or slices	Unlimited	X		X
30. Peaches, freestone, halves, segments, or slices. Not to be packed in California	Unlimited	X		X
31. Pears, Whole pears, except sickle pears, not to be packed	Unlimited	X		X
32. Plums	Unlimited	X		X
33. Prunes, fresh Italian	Unlimited	X		X
FRUIT PRODUCTS				
34. Fruits, crushed, fountain fruits	100% 1942*		X	
35. Fruit butters, conserves, jams, jellies, marmalades, and preserves	Unlimited	X		X
36. Fruit juices or mixtures thereof, other than grapefruit juice, undiluted except for the addition of sweetening	Unlimited	X		[2] X
37. Grapefruit juice	100% 1942*	X		X
38. Fruit concentrates, liquid, when concentrated on a ratio of 5 or more to 1	Unlimited	X		X
39. Fruit concentrates, dry	Unlimited		X	
40. Nectars	100% 1942*	X		
41. Pecan, liquid	Unlimited		X	
MEATS AND MEAT PRODUCTS				
42. Beef, dried	Unlimited	X		X
43. Beef extract, and beef gravy	Unlimited	X		
44. Chicken, boned, and turkey, boned	Unlimited	X		X
45. Corned beef hash	100% 1941*	X		X
46. Lamb's tongue, pickled	Unlimited	X		
47. Mince-meat, fresh apples only	Unlimited		X	
48. Pig's feet and cutlets, pickled	Unlimited	X		
49. Scrapple, Philadelphia	50% 1942*	X		
50. Tamales	100% 1941*	X		X
51. Meat Products as follows	Unlimited			
A. Chili con carne, when packed without beans and containing not less than 50 per cent meat, by uncooked weight, exclusive of added tallow		X		X
B. Meat loaf, containing not less than 60 per cent meat, by uncooked weight and no added water. When packed as a chopped product, meat loaf may contain not more than 10 per cent of the following ingredients: cereal, whole milk, eggs, and seasoning		X		X

[1] During 1943 only.
[2] Until Mar. 31, 1943.

NOTE.—When required for the packing of other products, pineapple may be repacked from No. 10 cans. Grape juice may be repacked from reusable cans, 5 gallons or larger.

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Black plate	Rubber
MEATS AND MEAT PRODUCTS—continued				
51. Meat Products—Continued.				
C. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped products shall contain not less than 85 per cent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.		X		X
D. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 per cent added water, by weight.		X		X
E. Sausage in casings, Vienna style, containing no cereal or similar substances and not to exceed 10 per cent added water, by weight.		X		X
F. Tongue				
FISH AND SHELLFISH				
52. Clams, soft, hard or razor	Unlimited	X		X
53. Clam broth	Unlimited	X		X
54. Crabmeat	Unlimited	X		X
55. Fish flakes, except dried fish flakes	Unlimited	X		X
56. Fish, and shellfish pickled	Unlimited		X	
57. Fish pastes, including shellfish paste	Unlimited	X		X
58. Lobster, including spiny lobster	Unlimited	X		
59. Oysters	Unlimited	X		X
60. Shrimp				
SOUPS				
61. Soups—limited to the following kinds of soup which shall contain not less than the specified percentage, by weight, of dry solids from the products listed in this schedule; provided that prior to June 1, 1943 no person shall use for packing such soups any frozen vegetables, except such as were actually in his possession as of April 10, 1943; and provided further that after June 1, 1943 no person shall use for packing such soups more than 35 per cent, by weight, of the frozen vegetables which he used for this purpose during the corresponding period of 1942. Asparagus, pea, spinach and tomato—7 per cent. Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme and bouillon—6 per cent. Clam or fish chowders—8 per cent. Scotch broth, vegetable, vegetable-vegetarian, pepper-pot, ox-tail, mock turtle, country style chicken, and corn chowder—10 per cent. Beef and vegetable beef—12 per cent. Bean—23 per cent, salt free. Mushroom—18½ per cent, salt free.	Unlimited	X		
MILK AND DAIRY PRODUCTS				
62. Cheese spreads, processed	Unlimited	X		
63. Cheese spreads, unprocessed (e. g. limburger)	Unlimited	X		
64. Condensed milk, sweetened, as defined by the Federal Security Administration, July 2, 1940, paragraph 18.525, page 2444, Federal Register, and 18.530, page 2445, as amended, Federal Register, August 8, 1941, pages 5973 and 5974.	100% 1942*	X		
65. Cultured milk—"Cultured milk" as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like.	Unlimited		X	
66. Fluid milk, with or without flavoring. Quota: Until 9/30/43 100 per cent of corresponding period of 1941.	See product column.		X	
67. Ice cream mix, dry. Notwithstanding the provisions of paragraph (d) (4) of Order M-104, packing quota includes pack required to be set aside by any order of the War Production Board, the Food Distribution Administrator, the Department of Agriculture for purchase by Government agencies.	50% 1942*	X		X
68. Malted milk, including chocolate milk, dry	Unlimited		X	
SYRUPS AND HONEY				
69. Syrups—blended, bottlers, cane, corn, maple, molasses, sorghum, malt, and fountain syrups.	Unlimited		X	
70. Chocolate or cocoa syrups	Unlimited	X		X
71. Honey	Unlimited		X	
OLIVES, PICKLES, RELISHES, CONDIMENTS & SAUCES				
72. Pickles, piccalilli, and relishes	Unlimited	X		
73. Mustard	Unlimited	X		
74. Green Olives	Unlimited	X		
75. Horseradish	Unlimited	X		
76. Sauces—beefsteak, cooking, soya, tobasco, and worcestershire.	Unlimited	X		
EDIBLE OILS AND DRESSINGS				
77. Dressings—Mayonnaise, Russian, salad, and Thousand Island.	Unlimited		X	
78. French dressing	Unlimited	X		

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Black plate	Rubber
EDIBLE OILS AND DRESSINGS—continued				
79. Oil, edible, liquid	Unlimited		X	
80. Sandwich spread, other than meat spread	Unlimited		X	
81. Tartar sauce	Unlimited		X	
MISCELLANEOUS FOODS				
82. Baby foods: Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used, provided that no person shall use more than 35 percent, by weight, of the amount which he used for baby foods in 1942. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 15 percent, by weight, of the total product. Pineapple from No. 10 cans and tomato products from 5-gallon reusable cans may be used in packing baby foods.	125% 1942*	X		X
Formulas—dry or liquid	125% 1942*		X	
83. Cherries, maraschino	100% 1942*		X	
84. Baking powder	100% 1942*		X	
85. Dyes, certified colors	75% 1942*		X	
86. Extracts	Unlimited	X		
87. Malt, dry	Unlimited		X	
88. Milk fortifiers	Unlimited		X	
89. Nut butters	Unlimited		X	
90. Soups, dehydrated	Unlimited		X	
91. Spice, and seasoning	100% 1942*	X		
92. Vinegars	Unlimited	X		
93. Special food products, for human consumption only, limited to foods other than usual table foods. Quota: No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	(1)	(1)	(1)	(1)

[1] See product column.

SCHEDULE II—DRUG PRODUCTS CLOSURES

[NOTE: Schedule II amended in its entirety April 10, 1943.]

A. From December 23, 1942, to December 31, 1942, any person may pack without quota restriction any product listed in this Schedule II.

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by X		
		Tinplate	Black plate	Rubber
1. Alcohol, rubbing or medicated	Note 1		X	
2. Artificial salts	Note 1		X	
3. Biological preparations	Unlimited	X		X
4. Blood plasma	Unlimited	X		X
5. Capsules	Note 1		X	
6. Chemicals, dry	Unlimited	X		
7. Chemicals, liquid	Unlimited	X		
8. Citrate of magnesia	Note 1		X	X
9. Cordials, medicinal	Note 1		X	
10. Effervescent salts	Note 1		X	
11. Elixirs	Note 1		X	
12. Emulsions	Note 1		X	
13. Extracts	Note 1		X	
14. Flavors	Note 1		X	
15. Fluid extracts	Note 1		X	
16. Fluid glycerates	Note 1		X	
17. Glycerites	Note 1	X	X	
18. Glycerogelatins	Note 1		X	
19. Honeys	Note 1		X	
20. Jellies, aqueous	Note 1		X	
21. Liniments	Note 1		X	
22. Liniments of ammonia	Note 1	X		
23. Local anesthetic solutions (injectible)	Unlimited	X		X
24. Lotions	Note 1		X	
25. Magmas	Note 1	X		
26. Medicinal wines	Note 1		X	
27. Oleoresins	Note 1		X	
28. Oleates	Note 1		X	
29. Oils, fixed, volatile, or medicated	Note 1	X		

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
30. Ointments, cerates, petrolatum, pastes	Note 1		X	
31. Ointments, ophthalmic	Note 1	X		
32. Pills, tablets, troches, lozenges	Note 1		X	
33. Powders	Unlimited	X		
34. Prescriptions	Note 1		X	
35. Proprietary preparations	Note 1	X		
36. Soaps	Note 1	X		X
37. Solutions, aqueous or bulk intravenous	Note 1	X		
38. Solution of ammonia	Note 1	X		X
39. Solution of iodine	Note 1	X		
40. Solution of hydrogen peroxide	Unlimited	X		X
41. Solutions, parenteral	Note 1			
42. Solutions, of lithalmic or nasal	Note 1		X	
43. Spirits	Note 1	X		
44. Spirit of ammonia, aromatic	Note 1	X		
45. Spirit of ammonia aniseated	Note 1	X		
46. Spirit of ether compound and spirit of ether	Note 1		X	
47. Suppositories	Note 1		X	
48. Syrups	Note 1		X	
49. Tinctures	Note 1	X		X
50. Tincture of iodine	Note 1	X		
51. Vinegars	Note 1		X	
52. Waters	Note 1		X	
53. Water, laxative, purgative or medicinal	Note 1			

NOTE 1.—The total number of closures which may be used for packing all of the products referring to this note is 100 percent of the number of closures and cans a person used for said purpose during 1942. This quota may be used for any one or more of said products.

SCHEDULE III—CHEMICALS, HOUSEHOLD AND INDUSTRIAL SUPPLY CLOSURES

[NOTE: Items 19 and 34 amended April 10, 1943.]

A. From December 23, 1942 to December 31, 1942 any person may pack without quota restriction any product listed in this Schedule III

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product	1943 packing quota	Closure material indicated by x		
		Tinplate	Blackplate	Rubber
1. Adhesives, glass mucilages, and pastes	100% 1942		X	
2. Alcohol	100% 1942		X	
3. Ammonia	100% 1942	X		
4. Anti-freeze	100% 1942		X	
5. Automotive maintenance or repair items, liquid or paste	100% 1942		X	
6. Blumes	100% 1942	X		
7. Bleaches	100% 1942	X		X
8. Cements	100% 1942		X	
9. Chemicals, dry	Unlimited		X	
10. Chemicals, liquid	Unlimited	X		
11. Chemicals, reagent	Unlimited	X		
12. Cleaners	100% 1942		X	
13. Compounds for grinding, polishing, or sealing	100% 1942		X	
14. Dressings for industrial purposes	100% 1942		X	
15. Dyes	75% 1942	X		
16. Essential oils, distilled or cold pressed	100% 1942	X		
17. Embalming fluid	Unlimited		X	
18. Fire extinguisher fluids	100% 1942		X	
19. Funcicides, insecticides, and livestock or agricultural solutions or sprays	130% 1942		X	
20. Glycerin	100% 1942		X	
21. Graphite with liquid	100% 1942		X	
22. Hypochlorite powders	100% 1942	X		
23. Inks	100% 1942	X		
24. Ink eradicaters	100% 1942		X	
25. Lighter fluids	100% 1942		X	
26. Lye	100% 1942		X	
27. Oils, lubricating and machine	100% 1942		X	
28. Paints, varnishes, enamels, shellacs, lacquers, lacquer thinners, lacquer stains, paint thinners, varnish removers, turpentine and linseed oil.	100% 1942		X	
29. Phenols	Unlimited	X		
30. Photographic supplies	100% 1942	X		
31. Poisons	100% 1942		X	
32. Polishes, liquid or paste	100% 1942		X	
33. Putty	100% 1942		X	
34. Soap—hand, and shaving cream	100% 1942		X	
35. Shoe white, liquid or cream	100% 1942		X	
36. Solvents	100% 1942		X	
37. Waxes	100% 1942		X	
38. Wood preservatives and fillers	100% 1942		X	

SCHEDULE IV—BEVERAGE CLOSURES

A. From December 23, 1942, to December 31, 1942, any person shall have the option of using closures for the bottling of malt and non-alcoholic beverages in accordance with the provisions of Order M-104 as amended September 26, 1942, or in accordance with this schedule. On and after January 1, 1943, no person shall use closures for such purpose except in accordance with this schedule.

Product—Bottling quota	Closure material
Product: Malt beverages, including only beer, ale, porter, near-beer, and mixtures thereof. Quota: Any person who produced in 1941 less than 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 100 percent, and any person who produced in 1941 over 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding month of 1941. In the case of a person who packed all or part of his 1941 production in cans, each such can may be counted as a closure affixed to a glass container. In the case of a person who did not produce any malt beverages in 1941, such beverages bottled by him, shall be considered as having been produced by him, and his authorized usage of closures shall be calculated accordingly.	Tinplate and blackplate allocated for purposes of crown manufacture, only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.
Product: Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters; unflavored naturally carbonated and still waters; drinks consisting of fruit juices, vegetable juices, and combinations thereof, where less than 85 percent by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk. Quota: Any person who used in 1941 less than 7,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 100 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 5,000 and less than 7,000 gross of closures, may use not to exceed 7,000 gross of closures in any twelve-month period, commencing with October 1, 1942; the number used during any calendar quarter to be at the same proportionate rate be affixed closures to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 7,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941.	Tinplate and blackplate allocated for purposes of crown manufacture only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.

(a) No person, other than a jobber purchasing for resale, shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory beyond 120 percent of the number of such closures and cans which he used in 1941 for packing malt beverages and non-alcoholic beverages.

(b) Closures for waters. Except with regard to items listed in Schedule II, no closures made of tinplate, terneplate, or blackplate shall be affixed to glass containers smaller than 12 fluid ounces, for packing unflavored carbonated natural or mineral waters, unless such glass containers were manufactured on or before June 1, 1942.

(c) All persons who bottle malt beverages or non-alcoholic beverages, shall report upon Form PD-719 to the Containers Division, War Production Board, Washington, D. C.

SCHEDULE V—HOME CANNING CLOSURES

Description of closure	Manufacturer's quota from October 1, 1942 to September 30, 1943	Closure material indicated by X		
		0.50 Tinplate	Rubber	White lacq.
1. Shoulder seal jar rings for 70 mm. Mason finish.	Subject to allocation of rubber.	----	X	
2. Top seal jar rings for use with 70 mm glass cans.	Subject to allocation of rubber.	----	X	
3. Top seal metal lids, 70 mm.[1]	Unlimited	X	X	
4. Bands for 70 mm top seal metal lids.[1]	Unlimited	X	----	
5. Bands for use with 70 mm glass lids.	Unlimited	X	----	
6. Lightning type, 70 mm.[1]	Unlimited	----	----	X
7. Top seal metal lids, smaller than 70 mm.	Unlimited	X	X	
8. One piece metal closures, 70 mm shoulder seal type.[1]	Unlimited	X	X	
9. One piece metal closures, 70 mm top seal type.[1]	Unlimited	X	X	

[1] No manufacturer or jobber of glass containers shall sell any jars, intended for home canning, which are made with 70 mm screw finish and which are manufactured on or after April 15, 1943 unless 40 percent or more of such jars have glass lids, screw bands and top seal jar rings affixed to them.

[F. R. Doc. 43-5650; Filed, April 10, 1943; 11:25 a. m.]

PART 1276—PLYWOOD

[Limitation Order L-150-a as Amended April 10, 1943]

SOFTWOOD PLYWOOD

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood plywood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1276.6 *Limitation Order L-150-a*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" shall mean any manufacturer of softwood plywood, but shall not include any distribution warehouse of any manufacturer.

(2) "Softwood plywood" shall mean a built-up board of laminated veneers of any species of softwood united with a bonding agent.

(3) "Distributor" shall mean any wholesaler, jobber, retailer or other person who in the regular course of his business sells softwood plywood.

(b) *General restrictions.* No distributor shall sell, ship or deliver or cause to be sold, shipped or delivered, any softwood plywood except upon orders rated AA-2X or higher, except that this restriction shall not apply

(1) To sales, shipments or deliveries by producers to distributors;

(2) To sales, shipments or deliveries of softwood plywood:

(i) Which has been rejected by grading process, while still in the possession of a producer, as not meeting commercial standards;

(ii) Which has been produced by a producer by "cutting-back" rejects;

(iii) In the form of strips, odd sizes and scrap resulting from the processing for use of standard panels.

(c) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(d) *Communications.* Communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Lumber and Lumber Products Division, Washington, D. C. Ref.: L-150-a.

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, the War Production Board may prohibit such person from making or obtaining further deliveries of, or from processing or using, material under priority control, may withhold from such person priorities assistance, and may take such other action as it deems appropriate.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

This order as amended shall take effect on April 20, 1943.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5651; Filed, April 10, 1943; 11:25 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction No. 2 of CMP Reg. 1]

The following direction is issued pursuant to paragraph (f) (6) of CMP Regulation No. 1 to all aluminum producers:

(a) No consumer shall receive any aluminum rod or bar in the second quarter of 1943 in excess of the amount authorized for delivery in April 1943, plus the amounts au-

thorized under CMP allotments for May and June 1943 delivery. For the purpose of this paragraph, April authorizations consist of either CMP allotments or pre-authorized releases by Claimant Agencies for April. In those cases where allotments were made in CMP size ranges, the total deliveries for the quarter in each size range shall not exceed the total authorized for the quarter in that size range.

(b) Until May 1, 1943, aluminum mills shall hold all orders covered by authorizations for the delivery of aluminum rod and bar in March 1943, or earlier months, in their present places in the mill schedules for April, May and June 1943. Until May 1, 1943, each mill shall consider orders covered by such previous authorizations as if they were authorized controlled materials orders for the purpose of determining the amount of other orders it may accept within the limits of its production directive. However, unless the consumer assigns May or June CMP allotment numbers with the proper certification by April 30, 1943, to carry-over orders covered only by authorization for March or earlier deliveries, these orders must be taken out of the mill schedules on May 1, 1943.

(c) Aluminum mills are hereby directed to notify their consumers on or before April 10, 1943, of the amount of aluminum rod or bar authorized for delivery in March or previous months which will not be ready for delivery to the consumer by May 1, 1943.

(d) If the provisions of this direction affect unfavorably any critical requirements of any consumer because his CMP allotments have been used up for the second quarter, he may receive further consideration by submission to his Claimant Agency of CMP–4A for supplemental allotment for such critical item.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5647; Filed, April 10, 1943; 11:25 a. m.]

PART 3231—MARINE PAINTS

[Preference Rating Order P–65, As Amended April 10, 1943]

Preference Rating Order P–65 is hereby amended to read as follows:

§ 3231.1 *Preference Rating Order P–65*—(a) *Definitions.* (1) "Marine paints" means paints, coatings, and finishes produced for use (other than ornamental or non-utilitarian) in coating bottom, topsides, superstructure, and interior of ocean-going vessels or vessels operating in salt water, and gear, tackle, fittings, and other usual and necessary accessories of such vessels.

(2) "Producer" means any person who produces or manufactures marine paint.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the producer.

(b) *Assignment of preference rating.* Subject to the terms of this order, the preference rating AA–1 is hereby assigned to deliveries to the producer by his suppliers of material to be physically incorporated by such producer into marine paints.

(c) *Application and extension of ratings.* The rating assigned by paragraph (b) of this order shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to time.

(d) *Restrictions on sales and uses of marine paints.* No person shall sell or deliver any marine paints produced by him in whole or in part from material acquired by him under a purchase order or contract to which he shall have applied the rating herein provided for except where:

(1) Such marine paints are to be sold or delivered to the United States Army, United States Navy, United States Maritime Commission, the War Shipping Administration, or to any person who owns, operates, leases or charters any shipyard, ship repair shop or vessel; and

(2) Such marine paints are to be used by the agency or person to whom sale or delivery is made solely for the maintenance or repair of or operating supplies for, ocean-going vessels or vessels operated in salt water owned, operated or chartered by any of such agencies, or for the maintenance or repair of any gear, tackle, fittings and other usual and necessary accessories of such vessels.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: P–65.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5649; Filed, April 10, 1943; 11:25 a. m.]

PART 3240—MATERIAL FOR FARMSTEAD WIRING

[Preference Rating Order P–144]

§ 3240.1 *Preference Rating Order P–144.* For the construction of farmstead wiring on approved farms, a preference rating of AA–3 is hereby assigned to deliveries of farmstead wiring material to builders upon the following terms:

(a) *Definitions.* (1) "Farmstead wiring material" means electrical wiring, including not more than 75 pounds of non-ferrous metal in conductor as well as necessary fixtures and accessories, required to carry electrical energy from the terminal of the utility's facilities to the point or points of use on an approved farm, not including wiring which would be exclusively used to furnish electricity for household lighting.

(2) "Approved farm" means a farm to which a utility has been authorized to furnish electric service under the terms of Supplementary Utilities Order U–1–c, as amended.

(3) "Builder" means the person named as eligible for electric service in the USDA County War Board's certification under Supplementary Utilities Order U–1–c, as amended.

(b) *Application and extension of preference ratings.* (1) Notwithstanding any provision of Priorities Regulation 3, as amended, the ratings assigned by this order shall be applied by a builder only by his endorsing on, or attaching to, each contract or purchase order placed by him a certification in substantially the following form:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference rating of AA–3 to the items shown on this purchase order. In addition, the undersigned certifies that he is the person named as eligible for electric service in the USDA County War Board's certification under Supplementary Utilities Order U–1–c, a copy of which certification is attached to this contract or purchase order for farmstead wiring material.

(Name of purchaser) ---------- (Address)

---------- (Date)

(2) No supplier may sell farmstead wiring to a builder, notwithstanding a certification as above, if he knows or has reason to believe that such certification is false. In the absence of such knowledge or belief, however, a supplier may rely on such certification.

(3) The ratings assigned by this order may be extended to the extent permitted by Priorities Regulation 3.

(c) *Records.* Each supplier shall forward to the USDA County War Board which certified the purchaser's eligibility, an endorsed copy of each purchase order or contract to which the rating assigned hereby has been applied or extended, whether accepted or rejected. The USDA County War Board shall retain such copy for a period of 2 years for inspection by representatives of the War Production Board. This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or use of, material under priority control, and may be deprived of priorities assistance.

(e) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Washington, D. C., Ref.: P–144.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Expiration date.* This order shall expire June 30, 1943.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5648; Filed, April 10, 1943; 11:25 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–272]

BLOOMFIELD MFG. COMPANY

The Bloomfield Mfg. Company, Chicago, Illinois, is a corporation engaged in the production of various war materials and metal kitchen equipment. Between July 1st and October 1, 1942 respondent extended a preference rating applied to it for the manufacture of military items for the purchase of capital equipment in the amount of $11,000.00. Furthermore, the respondent, a Class I producer under the production requirements plan, purchased for the third quarter of 1942 13,325 lbs. of cast iron castings in excess of its authorization under the production requirements plan; and purchased 400 lbs. of music wire, 300 lbs. of tin, 66 lbs. of brass rods, 1,058 butter cutters and handles, and approximately 685,000 cadmium plated rivets. The company was not authorized to purchase any of this material by the production requirements plan. The company also failed to maintain adequate or proper production and inventory records. It conducted its business with reckless disregard of the applicable orders, and made no effort to familiarize itself with the restrictions placed upon its business. The above conduct constituted wilful violations of Priorities Regulation No. 1, Priorities Regulation No. 3 and Priorities Regulation No. 11.

These wilful violations have impeded and hampered the war efforts of the United States by diverting scarce materials to uses unauthorized by the War Production Board.

In view of the foregoing facts: *It is hereby ordered, That:*

§ 1010.272 *Suspension Order No. S–272.* (a) The Bloomfield Mfg. Company, Chicago, Illinois, its successors and assigns, shall not cut, shape, form, put in process, process or manufacture any metal as set forth in the metals list attached to Priorities Regulation No. 11, as amended, to make any metal kitchen equipment in any of the shapes or forms as defined in any order of the L–30 series, as amended from time to time, except to fill orders bearing preference ratings of AAA or AA–1, or except as hereafter specifically authorized in writing by the War Production Board.

(b) No person shall deliver any metal as set forth in the metals list attached to Priorities Regulation No. 11, as amended, to the Bloomfield Mfg. Company, Chicago, Illinois, its successors or assigns, if such person knows or has reason to know that such metal is to be used by the Bloomfield Mfg. Company in violation of paragraph (a) of this order.

(c) Nothing contained in this order shall be deemed to relieve the Bloomfield Mfg. Company, its successors and assigns, from any restriction, prohibition or provision of any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect April 12, 1943, and shall expire July 12, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5675; Filed, April 10, 1943, 2:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–275]

ATLANTIC AND PACIFIC COAL AND OIL COMPANY, INC.

The Atlantic and Pacific Coal and Oil Company, Inc., 6512 Fort Hamilton Parkway, Brooklyn, New York, owns and operates a garage and service station at that address. During the months of April, May, June and from July 1 to July 21, 1942, the Atlantic and Pacific Coal and Oil Company, Inc., accepted delivery of 42,652 gallons of motor fuel in excess of the amount permitted to be accepted for its service station in accordance with the monthly quota provisions of Limitation Order L–70. The percentage of deliveries accepted at this service station in excess of the proper quotas rose from 123 per cent in April 1942 to 758 per cent during July 1 to July 21, 1942. The Atlantic and Pacific Coal and Oil Company, Inc., knew of Limitation Order L–70 during the period in question and accepted the excess deliveries of motor fuel in wilful violation of the order.

These violations of Limitation Order L–70 have impeded and hampered the war effort of the United States by diverting motor fuel to uses unauthorized by the War Production Board.

In view of the foregoing facts: *It is hereby ordered,* That:

§ 1010.275 *Suspension Order No. S–275.* (a) Atlantic and Pacific Coal and Oil Company, Inc., its successors and assigns, shall not accept the delivery of any motor fuel, as defined in Limitation Order L–70, from any source, at 6512 Fort Hamilton Parkway, Brooklyn, New York, or at any other service station or motor fuel storage facility now or hereafter owned, operated, or leased by it, except as specifically authorized in writing by the War Production Board.

(b) No person shall deliver any motor fuel, as defined in Limitation Order L–70, to Atlantic and Pacific Coal and Oil Company, Inc., its successors and assigns, at 6512 Fort Hamilton Parkway, Brooklyn, New York, or at any other service station or motor fuel storage facility now or hereafter owned, operated or leased by Atlantic and Pacific Coal and Oil Company, Inc., its successors and assigns, except as specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Atlantic and Pacific Coal and Oil Company, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 12, 1943, and shall expire on October 12, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5676; Filed, April 10, 1943; 2:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–278]

SPECIALTY MATTRESS COMPANY

Specialty Mattress Company is a West Virginia corporation having its principal office at Huntington, West Virginia. It has thirteen subsidiary companies located at various points in the States of Michigan, Ohio, Pennsylvania, Indiana and West Virginia. It is engaged in the business of manufacturing and distributing "bedding products" as the same are defined in Limitation Order L–49. Between September 1, 1942 and October 15, 1942 the respondent manufactured 3,115 inner-spring mattresses, during which time an absolute prohibition against such manufacture was in existence. During July, August and September 1942 the respondent company used 40,365 pounds of iron and steel in the manufacture of box bed springs in excess of its quota for the said months. Specialty Mattress Company was familiar with the provisions of Limitation Order L–49 and its conduct as above described constituted wilful violations of the said order, thus hampering and impeding the war effort of the United States. In view of the foregoing facts: *It is hereby ordered,* That:

§ 1010.278 *Suspension Order No. S–278.* (a) Neither Specialty Mattress Company, nor any of its subsidiaries, nor its successors or assigns, shall process, fabricate or work on iron or steel for the production of coil, flat, box or fabric bed springs, whether or not they are integral parts of beds or other sleeping equipment, or use iron or steel in the manufacture of coil, flat, box or fabric bed springs, whether or not they are integral parts of beds or other sleeping equipment, during the period in which this order is in effect, except in fulfillment of a specific order of, or contract with, the Army or Navy of the United States.

(b) Deliveries of material to Specialty Mattress Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall

time to time be requested by the

PART 1230—COPPER AND COPPER BASE

material was received by him, or any assembly by a manufacturer of a compo-

be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) No allocation shall be made to Specialty Mattress Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Specialty Mattress Company, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 12, 1943, and shall expire on July 12, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 10th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5674; Filed, April 10, 1943; 2:57 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-g, as Amended April 12, 1943]

RUBBER TIRES FOR INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.9 *Supplementary Order M-15-g*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber" means any kind of crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber.

(3) "Rubber tire" means any solid or pneumatic tire or tire tube made in whole or in part of any kind of rubber and used or designed for use on any industrial power truck.

(4) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, shipyards, airports or depots. The term shall not include any of the following: automotive tractors; automotive trucks; wheel-type industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging or petroleum development; or trailers designed for industrial use.

(b) *Restrictions on delivery or acquisition.* Except as permitted by paragraph (c) hereof, no person shall sell, lease, rent, deliver or otherwise transfer, or purchase, accept or otherwise acquire, any new rubber tire used or designed for use on any industrial power truck except pursuant to an authorization in writing of the War Production Board on Form PD-840 or Form PD-408: *Provided*, That no Form PD-408 shall be used to acquire any such tire unless such form is an individual or interim form which covers only the tire or tires which are needed for one or more industrial power trucks referred to therein. Each application filed pursuant hereto on Form PD-840 or Form PD-408 shall contain or be accompanied by a statement certifying that each tire covered by such application is needed for replacement purposes within thirty days from the delivery date specified in such application.

No such tire which is permanently mounted on or affixed to a base band made of iron, steel or any other metal shall be delivered for replacement purposes pursuant to this paragraph (b) unless (1) there is delivered to the person supplying such replacement tire a metal base band of comparable size, or (2) said tire is mounted on or affixed to a base band which was furnished by the person acquiring said tire.

(c) *Exceptions.* The provisions of paragraph (b) of this order shall not apply to the sale, lease, renting, delivery or transfer or purchase, acceptance or acquisition of any new rubber tire used or designed for use on any industrial power truck:

(1) *Exception of certain orders.* When such tire is purchased or acquired by or for the account of:

(i) The Army or Navy of the United States, the United States Maritime Commission, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics or Office of Scientific Research and Development;

(ii) Any agency of the United States where such tire is to be delivered to or for the account of any foreign country under the provisions of the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) *Original equipment.* When such tire is purchased or acquired to equip any new industrial power truck, manufactured or delivered under the provisions of Limitation Order L-112 (§ 1210.1), as amended from time to time (including any such vehicles manufactured or delivered under appeals from said Limitation Order L-112): *Provided*, That no person shall purchase, receive or otherwise acquire any new rubber tires to be used as original equipment on new industrial power trucks in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his requirements for thirty days.

(3) *Tire distributors and vehicle manufacturers.* When any such tires are acquired for resale to others by

(i) Any person (other than a manufacturer of tires for industrial power trucks) who, during the calendar year 1941, was regularly engaged in the business of furnishing new rubber tires for industrial power trucks for replacement purposes and who, while engaged in such business, maintained during the greater part of the calendar year 1941, an inventory of not less than twenty tires for such purpose, or

(ii) Any person who is a manufacturer of industrial power trucks and who also engages in the business of furnishing to others new rubber tires for industrial power trucks for replacement purposes.

Provided, however, That no person shall purchase, receive or otherwise acquire for resale to others as replacement tires any new rubber tires pursuant to this subparagraph (3) in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his anticipated orders for the ensuing thirty days; and no such person shall dispose of any such tires from his inventories except in accordance with paragraphs (b), (c) (1), (c) (2) or (c) (4) of this order.

(4) When such purchase or acquisition is authorized by a Preference Rating Certificate PD-1A issued prior to April 12, 1943, assigning a preference rating A-1-a or higher.

(d) *Restriction on destruction of metal base bands.* No person shall knowingly destroy or damage any metal base band designed for an industrial power truck tire if such base band is still usable for mounting or affixing any such tire.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Reports.* All persons affected by this order shall prepare and file such reports and questionnaires as may from time to time be requested by the War Production Board or the Rubber Director.

(3) *Audit and inspection.* All records required to be kept by this order or by any priorities regulation of the War Production Board shall, upon request, be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provision of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(6) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Office of Rubber Director, Washington, D. C.: Ref. M-15-g.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5709; Filed, April 12, 1943; 11:12 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Interpretation 2 to General Limitation Order L-97 as Amended January 1, 1943]

The following official interpretation is hereby issued with respect to § 1188.1 *General Limitation Order L-97:*

The question has arisen to what extent a production and delivery schedule for a given number of locomotives, prescribed for a producer by the War Production Board pursuant to paragraph (d) (1) of Order L-97, takes precedence over any preference ratings which may be applied or extended to him, either for the locomotives themselves or for parts thereof.

A production and delivery schedule so established is protected by paragraph (d) (2), which provides that it "shall be maintained without regard to any preference ratings already assigned or hereafter assigned . . .". This protection of the schedule under Order L-97 extends not only to locomotives in completed form, but also to any locomotive parts manufactured by the producer which enter into the scheduled locomotives, to the extent that the diversion of such parts to fill rated orders would interfere with fulfillment of the prescribed schedule.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5706; Filed, April 12, 1943; 11:12 a. m.]

PART 1230—COPPER AND COPPER BASE ALLOY FOR CERTAIN BUILDING MATERIALS

[Conservation Order L-277]

ELECTRICAL WIRING DEVICES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of non-ferrous metals and alloys for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the National Defense.

§ 1230.6 *Limitation Order L-277*—(a) *Definition.* For the purpose of this order:

(1) "Electrical wiring device" means any unit of an electric circuit, which unit does not consume electrical energy, but is used for the purpose of switching, tapping, or connecting such circuit. Electrical wiring device shall include, but is not limited to the following:

(i) Sockets and lampholders of all types and component parts thereof;

(ii) Switches, such as: tumbler, push, rotary, snap, pull, door, pendant, cord, canopy, appliance switches, and component parts thereof;

(iii) Receptacles, such as: weather-proof, watertight, non-watertight, motor base, polarized, locking, electric range, pilot light receptacles, and component parts thereof;

(iv) Caps, plugs, connectors and taps, such as: weather-proof, watertight, non-watertight, polarized, locking and electric range plugs, current taps, attachment plugs and component parts of such caps, plugs, connectors and taps;

(v) Rosettes, adapters, and component parts thereof. Electrical wiring devices shall not include lighting fixtures, portable lamps, flashlights, fuses, fuse cutouts, lugs, mechanical wire connectors, knife blade switches, fluorescent starter switches, relays, push buttons, automatic control equipment, circuit breakers or any unit of an electric circuit designed and constructed to connect, convey or control electrical energy in excess of 60 amperes or 600 volts.

(2) "Current interrupting part" means any contact part of an electrical wiring device which part is designed for the purpose of making or breaking an electrical circuit by spring or lever action. Current interrupting part shall include the stationary electrical contact parts engaged to complete an electric circuit.

(3) "Current carrying part" means any part of an electrical wiring device, which part is designed specifically to carry current. Current carrying part shall not include any current interrupting parts.

(4) "Contact clip" means that part of a receptacle, connector, or tap which makes physical electrical contact with attachment plug blades.

(5) "Manufacturer" means any person who produces, processes, or assembles electrical wiring devices or component parts thereof.

(6) "Put in process" means the first change by a manufacturer in the form of material from that form in which the material was received by him, or any assembly by a manufacturer of a component part of an electrical wiring device.

(b) *Restrictions on manufacture.* On and after the 12th day of May, 1943, no manufacturer shall put in process any non-ferrous metal or non-ferrous metal alloy, for the purpose of manufacturing an electrical wiring device or any part thereof, and on and after the 11th day of June 1943, no manufacturer shall incorporate any non-ferrous metals or non-ferrous metal alloys in the manufacture or assembly of an electrical wiring device or any part thereof except in the manufacture or assembly of:

(1) Current interrupting parts of an electrical wiring device; or

(2) Current interrupting or current carrying parts of a "Mogul" lampholder or "Mogul" socket rated 1500 watts or more; or

(3) Current interrupting or current carrying parts of an electrical wiring device which device is designed and constructed to carry electric current in the amount of 20 amperes or more; or

(4) Any contact clip of a receptacle, connector, or tap; or

(5) Rivets and riveting inserts, when the contact area or the size of such rivets and riveting inserts preclude the use of a ferrous metal or ferrous metal alloy; or

(6) For the purpose of plating a current carrying part.

(c) *Restrictions on sale and delivery.* On and after the 19th day of April 1943, notwithstanding any contract, agreement, or preference rating to the contrary no manufacturer shall ship, transfer, sell or otherwise dispose of an electrical wiring device except on an order bearing a preference rating of A-1-j or better.

(d) *Exceptions to provisions of this order.* The provisions of this order shall not apply to any electrical wiring devices, or component parts thereof to be incorporated into:

(1) Aircraft, armament, electric communication equipment, radio, radar, electronic equipment, ships, tanks, vehicles, weapons, infra red heating equipment, exterior lighting equipment, alarm and signal systems, or X-ray and physical therapy equipment; or

(2) Any equipment designed and constructed to be used in combat.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* Each manufacturer to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Violations and false statements.* Any person who wilfully violates any

provision of this order or who, in con-

be prohibited from making or obtaining

or § 1394.8010 of Ration Order No. 5C,

(3) Upon other equipment, provided

provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punish by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(k) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(l) *Communications.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C., Ref.: L-277.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5708; Filed, April 12, 1943; 11:12 a. m.]

PART 3165—PUMPS

[General Limitation Order L-246]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of pumps for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3165.1 *General Limitation Order L-246*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Pump" means any new, mechanically operated, rotating or positive displacement mechanism for raising, circulating, or otherwise moving any liquid; except (i) pumps manufactured by a person solely for incorporation into other machinery or equipment also manufactured by him, (ii) fuel injection pumps for internal combustion engines, (iii) pumps for farm use as defined in General Limitation Order L-170, (iv) service station type measuring and dispensing pumps, (v) vertical submerged reciprocating or turbine type pumps used in oil wells for petroleum production, (vi) non-reciprocating vacuum pumps, condensate return pumps, and hot water circulating pumps, designed and used solely for heating of building space, (vii) sanitary pumps used in milk processing and egg processing plants, or (viii) portable engine driven or electric motor driven pumping units, mounted on skids, with or without handles, or trailer mounted, incorporating self-priming centrifugal pumps, horizontal or vertical piston or plunger pumps or diaphragm pumps, ordinarily used for construction contractors' purposes or by construction contractors for dewatering and supply, as defined in "Contractors pump standards" adopted by the Associated General Contractors of America, Inc., (A. G. C.) February 21, 1941.

(3) "Manufacturer" means any enterprise to the extent that it is engaged in the fabrication or assembly of pumps, and includes sales and distribution outlets controlled by any such enterprise.

(4) "Dealer" means any person who purchases pumps for resale except sales and distribution outlets controlled by a manufacturer.

(5) "Delivery" includes delivery of pumps from one affiliate to another or from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise, where the recipient affiliate, branch, division or section will use the pump.

(6) "New" as applied to a pump means any pump which has not been sold and delivered to a purchaser for use. A pump shall be deemed new until it has been so sold and delivered regardless of whether it may have theretofore been leased to any person or persons by the manufacturer or dealer.

(7) "Approved order" means:

(i) Any order for a pump, or parts thereof, bearing a preference rating of AA-5 or higher; or

(ii) Any order for a pump, or parts thereof, which the War Production Board approves pursuant to subparagraph (b) (3) hereof.

(b) *Restrictions on acceptance of orders for, and delivery of, pumps.* (1) After April 22, 1943, no manufacturer or dealer shall accept any order for pump, or parts thereof, unless the order is an approved order; and on and after May 12, 1943, no manufacturer shall deliver any pump, or parts thereof, in fulfillment of any order unless the order is an approved order.

(2) The limitations and restrictions of subparagraph (b) (1) above shall not apply to any order for repair parts (i) in an amount not exceeding $500 for any single pump, or 50% of the original sales price of the pump to be repaired, whichever is less in the particular case; or (ii) in any amount, for the repair of a pump when there has been an actual breakdown or suspension of operations thereof because of damage, wear and tear, destruction or failure of parts or the like, and the essential repair and maintenance parts are not otherwise available.

(3) Any manufacturer or dealer may apply for authorization to deliver orders on his books which are not approved orders by filing a report thereof in duplicate on Form PD-556, together with a statement of the percentage of completion of each such order. The War Production Board may thereupon approve any such orders regardless of the rating thereof, or may rerate any such orders in order to constitute them approved orders.

(4) No manufacturer shall accept any order for a pump if he knows or has reasonable cause to believe that he will be unable to make delivery on or before the delivery date specified in the order. Any order received by a manufacturer, specifying a delivery date which the manufacturer knows or has reasonable cause to believe he will be unable to meet, shall be returned by the manufacturer to the proposed purchaser within twenty days after the receipt thereof.

(c) *Schedules of specifications.* The War Production Board may at any time, and from time to time, issue schedules (by amendments to this order) establishing required specifications for pumps. Upon and after the date of issuance of any such schedule of specifications, or such other date as shall be prescribed therein, no person shall accept any order for, fabricate, assemble, sell, deliver, accept delivery of or use any pumps or parts therefor except in accordance with the terms of such schedule. As used in this paragraph the term "required specifications" shall mean specifications fixed for the fabrication, assembly, production, construction or other manufacture of pumps and designed to eliminate, reduce, or conserve the use of critical materials in pumps or parts, by simplifying or standardizing pumps or parts; specifying the operating conditions under which they may be used; restricting the numbers of sizes, types, models, or kinds produced or kinds or quantities of materials used by a manufacturer; or requiring substitution of less critical materials for more critical materials; or by establishing other requirements for the manufacture, sale, delivery or use of such pumps.

(d) *Miscellaneous provisions*—(1) *Appeals.* An appeal may be taken either by a manufacturer or by his proposed purchaser from any provision of this order or from any action taken hereunder by the War Production Board. Any such appeal shall be made by filing a letter, in triplicate, referring to the particular provision or action appealed from, and stating fully the grounds of the appeal.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, General Industrial Equipment Division, Washington, D. C., Ref: L-246.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5707; Filed, April 12, 1943; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 23]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (41) is added to read as follows:

(41) "Equipment", unless the context indicates otherwise, means any conveyance or machinery operating with wheels which require tires for such operation.

2. Section 1315.201 (a) (42) is added to read as follows:

(42) "Mounted" as applied to a tire or tube, means a tire or tube physically mounted or held for use upon specific equipment and includes spare tires or tubes not in excess of the number allowable under this order or Ration Order No. 5C.

3. Section 1315.502 (b) is amended to read as follows:

(b) *Inspection record.* That the applicant has a tire inspection record, signed by an authorized tire inspector, showing that the required tire inspections have been made, and that either the serial number of the tire to be replaced has been entered upon such record or the applicant has Part D of a certificate authorizing acquisition of such tire. However, the Board may in its discretion waive the requirement that the applicant have a tire inspection record showing the required tire inspections if the tire inspection record establishes that the tires upon the vehicle were inspected within sixty (60) days prior to the filing of the application. If a waiver is granted under this section or § 1394.8010 of Ration Order No. 5C, the required inspections prior to the waiver shall be deemed to have been obtained. The provisions of this paragraph shall not apply to vehicles exempt from maintaining a tire inspection record under § 1315.701. Tire inspection records for automobiles operated on official rations need not show the serial number of the tire to be replaced.

4. In § 1315.701 the following is added to the first paragraph following the table:

The record must be kept with the vehicle when in operation, unless its removal is permitted by Office of Price Administration order or authorization. Upon transfer of a passenger automobile, the record pertaining to the vehicle, and Parts D of certificates for tires mounted on the vehicle, must be transferred with it.

5. In § 1315.701 (a) the words "indicated on the record" are substituted for the words "which appointed the inspector."

6. Section 1315.702 is amended to read as follows:

§ 1315.702 *New tire inspection record upon transfer of passenger automobile.* When application for a new gasoline ration is necessary under § 1394.8103 of Ration Order No. 5C as a result of a change in ownership of a vehicle, the transferee of the vehicle must turn in the existing tire inspection record to the board issuing the new gasoline ration and the board shall issue a new record for the vehicle as provided in § 1315.701. Within ten (10) days after receipt of the new record, the tires on the vehicle shall be inspected by an authorized Office of Price Administration inspector.

7. Section 1315.704 (a) is amended to read as follows:

(a) Any person desiring to mount a tire upon, or remove a tire from, a passenger automobile pursuant to § 1315.802 (a) (3) or (4) must first surrender the tire inspection record for such automobile to the board having jurisdiction over the automobile. The board, upon being satisfied that the conditions of § 1315.802 (a) have been complied with, shall issue a new tire inspection record for the automobile.

8. Section 1315.802 (a) is amended to read as follows:

(a) Any tire or tube may be mounted and used as follows, unless such mounting or use is specifically prohibited by other provisions of this order or involves a transfer of tires or tubes prohibited thereby:

(1) Upon the equipment for which a certificate or authorization to acquire such tire or tube was granted under this order.

(2) Upon the equipment upon which it was mounted on April 14, 1943: *Provided,* That at the time the tires were mounted upon the equipment such mounting was not in violation of any existing provisions of this order, the revised tire rationing regulations or Ration Order No. 5C.

(3) Upon other equipment, provided the tire or tube is needed for its operation or as an allowable spare and immediately following such mounting the person mounting such tire or tube will use the equipment in operations which would make it eligible for the tube or the grade or type of tire in question. If the tire was obtained on certificate or authorization, its grade at the time of acquisition, and not its present grade, shall control.

(4) Upon other equipment not covered by subparagraph (3), only if authorized in writing by the board having jurisdiction over the vehicle upon which the tire or tube is to be mounted. The board may grant such authorization only where it is satisfied that the mounting or use will result in a conservation of rubber or the more efficient use of tires in activities essential to the war effort, the public health or safety.

(5) To move any house trailer to a site for housing purposes if the tire or tube was acquired under § 1315.511 (b) or is held under § 1394.8014 of Ration Order No. 5C.

(6) Any person mounting or using tires pursuant to this paragraph must comply with the requirements of § 1315.704, if applicable.

9. Section 1315.802 (c) is added to read as follows:

(c) *Temporary transfer, mounting and use of used tires or tubes.* A person may temporarily transfer, without certificate, used tires or tubes to another person who may mount and use them to:

(1) Replace a tube which is being repaired or a tire which is being repaired or recapped;

(2) Move a wrecked, disabled or repossessed vehicle to a garage or other place of safety or storage;

(3) Move vehicles held for resale from one sales premises to another;

(4) Move any house trailer to a site for housing purposes.

Such tires or tubes shall be returned to the transferor within three (3) days after the purpose for which the tires or tubes were transferred is accomplished.

10. Section 1315.806 (g) is amended to read as follows:

(g) *Turn in of tires or tubes to be replaced.* A consumer who holds a certificate for a tire or tube and who is required to turn in the replaced tire or tube shall transfer it to a dealer. A dealer receiving a tire, including a scrap tire, under this paragraph must attach to it a tag on which is stated the serial number of the tire, the date upon which it was turned in, the name of the certificate-holder who turned it in and the serial number of the certificate. The dealer must hold such tire for at least thirty (30) days unless instructed to hold it for a longer or shorter period by an Office of Price Administration representative authorized to give such instructions. All tires held by a dealer under this paragraph must be segregated from any other tires and kept readily available for inspection.

11. In § 1315.1005 (e) reference to § 1315.802 (a) (9) is deleted and refer-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2345, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521, 3702, 3837, 4179.

ence to § 1315.802 (c) is substituted therefor.

12. Section 1315.1101 is amended to read as follows:

§ 1315.1101 *Who may appeal.* Any person whose application for a certificate, part of a certificate, authorization, or for adjustment of a tire inspection record under § 1315.704 has been denied in whole or in part by the action of a board, State Director, or Regional Administrator, or whose certificate, part of a certificate, or authorization has been revoked, cancelled, suspended, or modified by action of a board, State Director, or Regional Administrator, under Ration Order No. 1A, may appeal from such action or from any other adverse decision of a board.

This amendment shall become effective April 15, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, Issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5632; Filed, April 9, 1943; 3:37 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Reg. 64]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

BEAUFORT DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Beaufort Defense-Rental Area as designated in the designation and rent declaration issued by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Beaufort Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accomodations within the Beaufort Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for housing accommodations within the Beaufort Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 64 is hereby issued.

AUTHORITY: §§ 1388.981 to 1388.994, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.981 *Scope of regulation.* (a) This maximum rent regulation applies to all housing accommodations within the Beaufort Defense-Rental Area (referred to hereinafter in this maximum rent regulation as the "Defense-Rental Area"), as designated in Designation and Rent Declaration No. 25 (§§ 1388.1201 to 1388.1205)[1] issued by the Administrator on April 28, 1942, as amended (consisting of the Counties of Beaufort and Colleton), except as provided in paragraph (b) of this section.

(b) This maximum rent regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the maximum rent regulation for hotels and rooming houses pursuant to the provisions of that regulation.

(4) Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided,* That this maximum rent regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: *And provided further,* That this maximum rent regulation does apply to an underlying lease of any entire structure or premises which was entered into after March 1, 1942, and prior to the effective date of this maximum rent regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however,* That this maximum rent regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this maximum rent regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this maximum rent regulation is void. A tenant shall not be entitled by reason of this maximum rent regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this maximum rent regulation.

§ 1388.982 *Prohibition against higher than maximum rents.* (a) Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this maximum rent regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this maximum rent regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this maximum rent regulation may be demanded or received.

(b) Notwithstanding any other provision of this maximum rent regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the area rent office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within five days after the filing of such report, upon the expiration of such 5-day period.

(c) Where a lease of housing accommodations was entered into prior to the effective date of this maximum rent regulation and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this maximum rent regulation, may be authorized to receive payments made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and

[1] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228.

shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this maximum rent regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of this maximum rent regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this maximum rent regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of § 1388.986 of this maximum rent regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of this maximum rent regulation, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

§ 1388.983 *Minimum services, furniture, furnishings and equipment.* Except as set forth in § 1388.985 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings, and equipment not substantially less than those provided on such date: *Provided, however,* That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

§ 1388.984 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.985) shall be:

(a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on March 1, 1942, nor during the two months ending on that date, but rented prior to the effective date of this maximum rent regulation, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.985 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942, and before the effective date of this maximum rent regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.985 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this maximum rent regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942, and such effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shall register the accommodations as provided in § 1388.987. The Administrator may order a decrease in the maximum rent as provided in § 1388.985 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942, or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.985 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this maximum rent regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this maximum rent regulation.

§ 1388.985 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change. In all other cases, except those under paragraph (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraph (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this maximum rent regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and main-

tenance, and the rent on March 1, 1942 was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided,* That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings, or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942: *Provided,* That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) There was in force on March 1, 1942, a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) There has been, since March 1, 1942, either (i) a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on March 1, 1942, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(b) (1) If, on the effective date of this maximum rent regulation, the services provided for housing accommodations are less than the minimum services required by § 1388.983, the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by § 1388.983, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings, or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of § 1388.985 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of this maximum rent regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings, or equipment or after the effective date of this maximum rent regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraph (c), (d), (e), or (g) of § 1388.984 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a decrease in the minimum services, furniture, furnishings, or equipment required by § 1388.983 since the date or order determining the maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(7) There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) of this section.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this maximum rent regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942.

(e) Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this maximum rent regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this maximum rent regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, the Administrator may enter an interim order increasing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order upon such petition. The receipt by the landlord of any increased rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

(g) No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on March 1, 1942.

§ 1388.986 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this maximum rent regulation; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling.

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of this maximum rent regulation, and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

(b) (1) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this maximum rent regulation and would not be likely to result in the circumvention or evasion thereof.

(2) Removal or eviction of a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of this maximum rent regulation, is inconsistent with the purposes of the Act and this maximum rent regulation and would be likely to result in the circumvention or evasion thereof, unless (i) the payment or payments of principal made by the purchaser, excluding any payments made from funds borrowed for the purpose of making such principal payments, aggregate 33⅓% or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate.

In no other case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of this maximum rent regulation, unless he finds (i) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or (ii) that other special hardship would result, or (iii) that equivalent accommodations are available for rent, into which the tenant can move without substantial hardship or loss; under such circumstances the payment by the purchaser of 33⅓% of the purchase price shall not be a condition to the issuance of a certificate, and the certificate may authorize the vendor or purchaser, either immediately or at the expiration of three months, to pursue his remedies for re-

moval or eviction of the tenant in accordance with the requirements of the local law.

(c) (1) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(d) (1) Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) At the time of commencing any action to remove or evict a tenant, including an action based upon nonpayment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.987 *Registration.* Within 45 days after the effective date of this maximum rent regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this maximum rent regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.984 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.988 *Inspection.* Any person who rents or offers for rent or acts as broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.989 *Evasion.* The maximum rents and other requirements provided in this maximum rent regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.990 *Enforcement.* Persons violating any provision of this maximum rent regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.991 *Procedure.* All registration statements, reports and notices provided for by this maximum rent regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.253, inclusive).[1]

§ 1388.992 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this maximum rent regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.253, inclusive).

§ 1388.993 *Definitions.* (a) When used in this maximum rent regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "area rent office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or

[1] 8 F.R. 526, 1798, 3534.

part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this maximum rent regulation.

§ 1388.994 *Effective date of the regulation.* This maximum rent regulation (§§ 1388.981 to 1388.994, inclusive), shall become effective April 15, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5633; Filed, April 9, 1943; 3:37 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Reg. 65A]

HOTELS AND ROOMING HOUSES

BEAUFORT DEFENSE-RENTAL AREA[1]

In the judgment of the Administrator, rents for housing accommodations within the Beaufort Defense-Rental Area, as designated in the designation and rent declaration issued by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increase in rents for housing accommodations within the Beaufort Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Beaufort Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for rooms in hotels and rooming houses within the Beaufort Defense Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 65A is hereby issued.

AUTHORITY: §§ 1388.1031 to 1388.1044, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.1031 *Scope of regulation.* (a) This Maximum Rent Regulation No. 65A applies to all rooms in hotels and rooming houses within the Beaufort Defense-Rental Area (referred to hereinafter in this maximum rent regulation as the "Defense-Rental Area"), as designated in Designation and Rent Declaration No. 25 (§§ 1388.1201 to 1388.1205, inclusive)[1] issued by the Administrator on April 28, 1942, as amended (consisting of the Counties of Beaufort and Colleton), except as provided in paragraph (b) of this section.

(b) This maximum rent regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this maximum rent regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this maximum rent regulation is void. A tenant shall not be entitled by reason of this maximum rent regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this maximum rent regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly, or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this maximum rent regulation. A landlord who so elects shall file a registration statement under this maximum rent regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this maximum rent regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the maximum rent regulation for housing accommodations other than hotels and rooming houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this maximum rent regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the maximum rent regulation for housing accommodations other than hotels and rooming houses all housing accommodations previously brought under this maximum rent regulation by such election. He shall make such revocation by filing a registration statement or statements under the maximum rent regulation for housing accommodations other than hotels and rooming houses, including in such registration statement or statements all

[1] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228.

housing accommodations brought under this maximum rent regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the maximum rent regulation for housing accommodations other than hotels and rooming houses.

§ 1388.1032 *Prohibition.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this maximum rent regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this maximum rent regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this maximum rent regulation may be demanded or received.

(b) (1) No tenant shall be required to change his term of occupancy.

(2) Where, during June 1942, a room was rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy except that he is not required to rent for that term more than the greatest number of rooms which were rented for the term at any one time during June 1942. However, if, during the year ending on June 30, 1942, a landlord had regular and definite seasonal practices with reference to the renting of rooms on a weekly or monthly basis, he may request the Administrator to approve such practices. When approval is given the landlord shall offer rooms for rent for weekly and monthly terms of occupancy pursuant to the practices so approved. The Administrator may withdraw approval at any time if he finds that the landlord has failed to conform to such practices, or if he finds that the effects of the approval are inconsistent with the Act or this maximum rent regulation or are likely to result in the circumvention or evasion thereof.

(3) Any tenant on a daily or weekly term of occupancy shall on request be permitted by the landlord to change to a weekly or monthly term unless the landlord is then renting for such term a number of rooms equal to the number which he is required to rent for that term under subparagraph (2). If the room occupied by such tenant was not rented or offered for rent for such term during June 1942, the landlord may transfer the tenant to a room, as similar as possible, which was so rented or offered for rent.

(4) Where, since October 1, 1942, a room, cabin or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily or weekly basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

Notwithstanding the provisions of § 1388.1034 (c) of this maximum rent regulation, if no maximum rent is established for such room, cabin or other accommodations for a monthly term of occupancy or for a particular number of occupants for such term, the Administrator on his own initiative may enter an order fixing the maximum rent for that term and number of occupants and specifying the minimum services. This maximum rent shall be fixed on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942.

§ 1388.1033 *Minimum services, furniture, furnishings, and equipment.* Except as set forth in § 1388.1035 (b), every landlord shall, as a minimum, provide with a room the same essential services, furniture, furnishings and equipment as those provided on the date or during the thirty-day period determining the maximum rent, and as to other services, furniture, furnishings, and equipment not substantially less than those provided on such date or during such period: *Provided, however,* That where fuel oil is used to supply heat or hot water for a room, and the landlord provided heat or hot water on the date or during the thirty-day period determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

§ 1388.1034 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.1035) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after March 1, 1942, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such rooms: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.1035 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment, if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this maximum rent regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this maximum rent regulation.

§ 1388.1035 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942, the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided, further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942, was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942, a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) (1) If, on the effective date of this maximum rent regulation, the services provided for a room are less than the minimum services required by § 1388.1033 the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with a room are less than the minimum required by § 1388.1033, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) Except as above provided, the landlord shall, until the room becomes vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the room becomes vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of § 1388.1035 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of this maximum rent regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after the effective date of this maximum rent regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a decrease in the minimum services, furniture, furnishings or equipment required by § 1388.1033 since the date or order determining the maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this maximum rent regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accomodations on March 1, 1942.

§ 1388.1036 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) The tenant, who had a written lease or other written rental agreement,

has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this maximum rent regulation; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of 6 months after such removal or eviction.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this maximum rent regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the area rent office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis: *Provided,* That the provisions of this section do apply to a tenant on a daily or weekly basis who has requested a weekly or monthly term of occupancy pursuant to § 1388.1032 (b) (3) or (4).

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(4) An occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.1037 *Registration and records.* (a) Within 45 days after the effective date of this maximum rent regulation every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this maximum rent regulation under paragraphs (b) or (c) of § 1388.1034 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Within 45 days after the effective date of this maximum rent regulation, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.1034 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(e) (1) Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under § 1388.1034 (c), and (iii) rooms rented and offered for rent on a weekly and monthly basis during June, 1942.

(2) Every landlord of an establishment containing more than 20 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

§ 1388.1038 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may from time to time require.

§ 1388.1039 *Evasion.* The maximum rents and other requirements provided in this maximum rent regulation shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.1040 *Enforcement.* Persons violating any provisions of this maximum rent regulation are subject to criminal penalties, civil enforcement actions, and suits for treble damages as provided for by the Act.

§ 1388.1041 *Procedure.* All registration statements, reports and notices provided for by this maximum rent regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3, (§§ 1300.201 to 1300.253, inclusive).[2]

§ 1388.1042 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this maximum rent regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3, (§§ 1300.201 to 1300.253, inclusive).

[2] 8 F.R. 526, 1798, 3534.

§ 1388.1043 *Definitions.* (a) When used in this maximum rent regulation:

(1) The term "act" means the Emergency Price Control Act of 1942.

(2) The term "administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the administrator may appoint or designate to carry out any of the duties delegated to him by the act.

(3) The term "rent director" means the person designated by the administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the rent director by the administrator.

(4) The "area rent office" means the office of the rent director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly, or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this maximum rent regulation.

§ 1388.1044 *Effective date of the regulation.* This maximum rent regulation (§§ 1388.1031 to 1388.1044, inclusive) shall become effective April 15, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5634, Filed, April 9, 1943; 3:38 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Amendment 12]

DESIGNATION OF 262 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Item (190) listed in the table in § 1388.-1201 of Designation and Rent Declaration No. 25 is amended to read as follows:

(190)	Beaufort--South Carolina--	Counties of Beaufort and Colleton	

This amendment shall become effective April 15, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5635; Filed, April 9, 1943; 3:38 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amendment 5]

DESIGNATION OF 46 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Item (35) listed in the table in § 1388.1341 of Designation and Rent Declaration No. 31 is amended to read as follows:

(35)	South Carolina-----	South Carolina----------	That portion of the State of South Carolina not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Colleton (which becomes a part of the Beaufort Defense-Rental Area, effective April 15, 1943).

This amendment shall become effective April 15, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5636; Filed, April 9, 1943; 3:38 p. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[Rev. MPR 13,[1] Amendment 3]

DOUGLAS FIR PLYWOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1413.14 and 1413.15 are amended, and a new paragraph (c) is added to § 1413.13a; all as set forth below:

§ 1413.14 *Appendix A: Maximum prices: moisture resistant plywood*—(a) *Basic prices.* The maximum prices, f. o. b. mill, for direct-mill sales of moisture-resistant type Douglas fir plywood, in grades and sizes listed in § 1276.1 (b) of Limitation Order L-150,[2] as amended, shall be as follows:

(1) PLYSCORD

(Douglas Fir Plywood Sheathing)

(i) Maximum prices for plyscord in widths of 36" and 48" and in lengths of 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply, rough	$29.70	$30.90
3/8" 3 ply, rough	35.20	36.80
3/8" 3 or 5 ply at mill's option, rough	46.35	49.15
5/8" 3 or 5 ply at mill's option, rough	57.20	61.20

(ii) Long standard lengths. For panels in widths of 36" and 48" and in lengths of 9', 10', 11', and 12', the following additional charges may be made:

$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10017; 8 F.R. 1588, 2993.

[2] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228.

(2) PLYWALL

(Douglas Fir Plywood Wallboard)

(i) Maximum prices for plywall in widths of 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/16" 4 ply S2S to 1/4"	$33.00	$34.30
1/4" 4 ply S2S to 3/8"	41.55	47.20
5/16" 5 ply S2S to 1/2"	59.95	63.95
3/4" standing strips (per M lineal feet)	5.85	5.85

(ii) Long standard lengths. For panels in widths of 48" and in lengths of 9', 10', 11', and 12', the following additional charges may be made:

$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

(3) PLYFORM

(Douglas Fir Plywood Concrete Form Panels)

(i) Maximum prices for plyform in widths of 36" and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/16" 3 ply S2S to 1/4" (Form liners)	$48.10	$51.70
9/16" 5 ply S2S to 3/4"	83.70	91.45
5/8" 5 ply S2S to 15/16"	89.55	97.90
11/16" 5 ply S2S to 7/8"	94.05	102.45
1 1/16" 5 ply S2S to 1 1/4"	103.75	113.35

(ii) Oiled faces. For plyform with oiled faces, a charge not to exceed $1.10 per M sq. ft. may be added.

(iii) Wide width. Add to the maximum price for 48" widths:

$8.80 per M sq. ft. for 60" widths.

(iv) Long lengths. Add to the maximum price for 96" lengths:

$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

(4) AUTOMOBILE AND INDUSTRIAL PLYWOOD—ROUGH PANELS

(i) Maximum prices for automobile and industrial plywood—rough panels:

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
1/4" rough, 3 ply, sizes up to 48" x 96"	$32.10	$35.15
5/16" rough, 3 ply, sizes up to 48" x 96"	32.10	35.15
3/8" rough, 3 ply, sizes up to 48" x 96"	38.50	42.35
1/2" rough, 3 ply, sizes up to 48" x 96"	53.70	58.75
9/16" rough, 5 ply, sizes up to 48" x 96"	59.15	64.80
5/8" rough, 5 ply, sizes up to 48" x 96"	64.65	70.80
11/16" rough, 5 ply, sizes up to 48" x 96"	70.15	76.80
3/4" rough, 5 ply, sizes up to 48" x 96"	75.60	82.70
7/8" rough, 5 ply, sizes up to 48" x 96"	86.45	94.65
1" rough, 7 ply, sizes up to 48" x 96"	96.55	99.10

(ii) Wide widths. Add to the maximum price for 48" widths:

	Per M sq. ft.
Over 48" to 60", inclusive	$8.80

(iii) Long lengths. Add to the maximum price for 96" lengths:

	Per M sq. ft.
Over 96" to 108", inclusive	$5.80
Over 108" to 120", inclusive	8.80
Over 120" to 132", inclusive	14.60
Over 132" to 144", inclusive	17.60

(5) PLYPANEL—SOUND 1 SIDE

(i) Maximum prices for plypanel—Sound 1 side[1] in widths of 24", 30", 36", and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/16" 3 ply S2S to 1/4" or 1/4"—3 ply S2S to 3/16":		
24" width	$36.45	$40.00
30" and 36" width	37.55	41.05
48" width	39.60	43.30
3/16" 3 ply S2S to 1/4":		
24" width	32.60	36.15
30" and 36" width	33.70	37.20
48" width	35.75	39.45
7/16" 3 ply S2S to 1/2":		
24" width	44.85	49.45
30" and 36" width	45.85	50.55
48" width	47.90	52.75
9/16" 5 ply S2S to 1/2":		
24" width	62.10	68.25
30" and 36" width	63.10	69.30
48" width	65.10	71.60
11/16" 5 ply S2S to 3/4":		
24" width	74.20	81.55
30" and 36" width	75.25	82.65
48" width	77.20	84.85
13/16" 5 ply S2S to 7/8":		
24" width	84.45	92.70
30" and 36" width	85.35	93.70
48" width	87.35	96.00

(ii) *Wide width.* Add to the maximum price for 48" widths:

$8.80 per M sq. ft. for 60" widths.

(iii) *Long lengths.* Add to the maximum price for 96" lengths:

$5.80 per M. sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M. sq. ft. for 12' lengths.

(6) PLYPANEL—SOUND 2 SIDES

(i) Maximum prices for plypanel—Sound 2 sides in widths of 24", 30", 36", and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/16" 3 ply S2S to 1/4" or 1/4"—3 ply S2S to 3/16":		
24" width	$39.20	$42.75
30" and 36" width	40.30	43.80
48" width	42.35	46.05
5/16" 3 ply S2S to 1/4":		
24" width	35.35	38.90
30" and 36" width	36.45	39.95
48" width	38.50	42.20
7/16" 3 ply S2S to 3/8":		
24" width	47.60	52.20
30" and 36" width	48.60	53.30
48" width	50.65	55.50
9/16" 5 ply S2S to 1/2":		
24" width	64.55	71.00
30" and 36" width	65.85	72.05
48" width	67.85	74.35
11/16" 5 ply S2S to 5/8":		
24" width	76.95	84.70
30" and 36" width	78.00	85.40
48" width	79.95	87.50
13/16" 5 ply S2S to 3/4":		
24" width	87.20	95.45
30" and 36" width	88.10	96.45
48" width	90.10	98.75

(ii) *Wide width.* Add to the maximum price for 48" widths:

$8.80 per M sq. ft. for 60" widths

(iii) *Long lengths.* Add to the maximum price for 96" lengths:

$5.80 per M sq. ft. for 9' lengths.
$8.80 per M sq. ft. for 10' lengths.
$14.60 per M sq. ft. for 11' lengths.
$17.60 per M sq. ft. for 12' lengths.

(7) DOOR PANELS—SOUND 2 SIDES

(i) Maximum prices for door panels—Sound 2 sides in widths of 22", 24", 26", 28", 30", 36", and 48" and in lengths of 60", 72", 84" and 96": (All sizes to be figured on actual surface measure furnished)

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
5/16" 3 ply S2S to 1/4":		
22" and 24" width	$35.35	$38.90
26", 28", 30" and 36" width	36.45	39.95
48" width	38.50	42.20

(b) *Special extras.* The following additions to the maximum price established in paragraph (a) of this section may be made for the specified special extras:

(1) *Selected sound cores and crossbands:*
$2.75 per M sq. ft. for 3 ply.
$8.25 per M sq. ft. for 5 ply.
$13.75 per M sq. ft. for 7 ply

(2) *Core stock:* (In lengths not over 48") Add to maximum price for sound 2 sides or sound 1 side in 48" widths:

$11.60 per M sq. ft. for widths up to 96".
$16.50 per M sq. ft. for widths up to 108".
$22.00 per M sq. ft. for widths up to 120".
$27.50 per M sq. ft. for width up to 132".
$33.00 per M sq. ft. for widths up to 144".

(3) *Redrying:*
$3.30 per M sq. ft. (No additional for 3/16" or 5/16" sanded panels).

(4) *Special gluing specifications:*
$5.50 per M sq. ft. for 3 ply.
$11.00 per M sq. ft. for 5 ply.
$16.50 per M sq. ft. for 7 ply

NOTE: This shall include all special glue specifications and assembly requirements. Each panel so manufactured shall be stamped with the word "Special".

(5) *Treating panels with edge sealer:*
$2.75 per M sq. ft. (This addition may not be made for Plyform.)

[1] "Sound 1 side plypanel" means a grade of moisture resistant type Douglas fir plywood which satisfies the following standards: The face shall be of one or more pieces of firm smoothly cut veneer. When of more than one piece, it shall be well joined and reasonably matched for grain and color at the joints. It shall be free from knots, splits, checks, pitch pockets and other open defects. Streaks, discolorations, sapwood, shims and neatly made patches shall be admitted. The face shall present a smooth surface suitable for painting. The back shall present a solid surface with all knots in excess of one inch patched and with the following permitted: Not more than six knotholes or borer holes 3/8 of an inch or less in greatest dimension, splits 1/8 of an inch or less in width and pitch pockets not in excess of one inch wide or three inches long or that do not penetrate through veneer to glue line. There may be any number of patches and plugs in the back.

(6) *Treating panels with edge sealer:*
$1.10 per M sq. ft. (This addition may not be made for Plyform.)

(7) *Treating panels with resin sealer (one or two sides):*
$11.55 per M sq. ft.

(8) *Bundling in paper packing:*
$.40 per 1/16" in thickness per M sq. ft.

(9) *Wire or twine bundling:*
$0.55 per M sq. ft. for small cut-to-size panels, 3 ply (containing less than 9 sq. ft. per panel) tied with either twine or wire.
$1.10 per M sq. ft. for small cut-to-size panels, 5 ply or heavier (containing less than 9 sq. ft. per panel) tied with either twine or wire.

(10) *Segregating and/or lot-marking on car of two or more lots:*
$2.75 per lot for each lot over one.

(c) *Deduction for unsanded stock.* The following deduction from the maximum prices for moisture resistant type Douglas fir plywood stated in paragraph (a) of this section shall be made for unsanded stock in grades other than plyscord and automobile and industrial plywood:

Deduct $1.25 per M sq. ft from the maximum price for the thickness to which the panel would regularly be sanded.

§ 1413.15 *Appendix B: Maximum prices exterior type plywood*—(a) *Basic prices.* The maximum prices f. o. b. mill, for direct-mill sales of exterior type Douglas fir plywood in widths of 12" to 48" in even 2" breaks and in lengths of 96" and shorter shall be as follows:

	Per M sq. ft. in carload lots, f. o. b. mill		
	Sound 2 sides	Industrial grade	Sound 1 side
1/4" [illegible]" unsanded	$52.25	$50.05	$47.85
1/4" [illegible]" unsanded	53.35	51.15	48.95
3/8" [illegible]" unsanded	66.50	64.30	62.10
3/8" [illegible]" unsanded	67.10	64.90	62.70
1/2" [illegible]" unsanded	86.65	86.00	84.15
1/2" [illegible]" unsanded	96.80	94.60	92.40
5/8" [illegible]" unsanded	104.50	102.85	100.65
5/8" [illegible]" unsanded	113.85	111.65	109.45
3/4" [illegible]" unsanded	124.25	121.00	118.25
3/4" unsanded	133.10	130.50	128.70
7/8" unsanded	155.30	154.55	152.35
7/8" unsanded	167.20	164.45	161.70
1" unsanded	176.55	174.35	172.15
1" unsanded	187.50	184.80	182.60
1 1/8" unsanded	198.00	195.80	193.60
1 1/8" unsanded	209.55	206.80	204.05

(b) *Special extras.* The following additions to the maximum prices established in paragraph (a) of this section may be made for the specified special extras:

(1) *Wide widths:* Add to maximum price for 48" widths:

	Per M sq. ft.
Over 48" to 60", inclusive, sanded or unsanded	$8.95
Over 60" to 72", inclusive, sanded or unsanded	12.00
Over 72" to 84", inclusive, unsanded only	17.95
Over 84" to 96", inclusive, unsanded only	26.95
Up to 96" wide where length is not more than 48"	6.00

(2) *Long lengths:* Add to the maximum price for 96" lengths:

	Per M sq. ft.
Over 96" to 108", inclusive, sanded or unsanded	$6.00
Over 108" to 120", inclusive, sanded or unsanded	8.95
Over 120" to 132", inclusive, sanded or unsanded	14.95
Over 132" to 144", inclusive, sanded or unsanded	17.95
Over 144" to 156", inclusive, sanded or unsanded	47.85
Over 156" to 168", inclusive, sanded or unsanded	59.85
Over 168" to 180", inclusive, sanded or unsanded	71.70
Over 180" to 192", inclusive, sanded or unsanded	83.70
Over 192" to 216", inclusive, sanded or unsanded	107.70
Over 216" to 288", inclusive, sanded or unsanded	119.70

(3) *Treating panels with waterproofing agent (oiling):*
$3.05 per M sq. ft.

(4) *Treating panels with resin sealer:*
$8.95 per M sq. ft.

(5) *Bundling in paper packing:*
$0.45 per 1/16" in thickness per M sq. ft.

(6) *Bundling: carton packed, steel strapped:*
$0.70 per 1/16" in thickness per M sq. ft.

(7) *Sizes containing less than one square foot:*
10 percent of the maximum price stated in paragraph (a) of this section.

§ 1413.13 a *Effective date of amendments.* * * *

(c) Amendment No. 3 (§§ 1413.14, 1413.15, and 1413.13 a (c)) shall become effective April 15, 1943. *

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5637; Filed, April 9, 1943; 3:41 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 22]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1418.14 (q) Table XVI is amended to read as follows:

(q) *Table XVI: Maximum prices for wheat flour.* (1) The maximum prices for wheat flour sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers and industrial users (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
All types of wheat flour	$0.0425	$0.0470	$0.06

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4122, 4351.

This amendment shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5638; Filed, April 9, 1943; 3:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 376 Under § 1499.3 (b) of GMPR]

GEORGE SALL METALS CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1863 *Maximum price at which The George Sall Metals Co. may sell and deliver zinc die cast notched bars.* (a) The maximum price at which The George Sall Metals Co. of Philadelphia, Pennsylvania, may sell and deliver zinc die cast notched bars to any person shall be 6.80c per pound, f. o. b. point of shipment.

(b) As used in this order, the term "zinc die cast notched bars" shall mean notched bars of uniform alloy content suitable for galvanizing purposes and containing approximately 5% of aluminum, small percentages of copper, tin, lead, iron, and magnesium, and balance zinc.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall be effective as of March 29, 1943.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5630; Filed, April 9, 1943; 3:38 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 377 Under § 1499.3 (b) of GMPR]

MOHAWK CARPET MILLS, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is ordered:*

§ 1499.1864 *Maximum prices for the sale of flat weave cotton fabric, SPK-3219, by Mohawk Carpet Mills, Inc.* (a) Mohawk Carpet Mills, Inc., Amsterdam, New York, may sell and deliver flat weave cotton fabric SPK-3219, woven on needle type Axminster carpet looms, of the following description at a price no higher than that set forth below:

Description	Maximum price per square yard	
	Dyed	Undyed
$1.42 cutting per yard	$1.62	$1.24

(b) The prices set forth in paragraph (a) of this section shall be decreased for irregulars or seconds by 5%, and for cuts under ten linear yards by 25%.

(c) All prices shall be f. o. b. Amsterdam, New York, subject to terms of two percent 10 days.

(d) This Order No. 377 may be revoked or amended by the Office of Price Administration at any time.

(e) This Order No. 377 shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5631; Filed, April 9, 1943; 3:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] as Amended, Amendment 18]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.119 is amended to read as follows:

§ 1499.119 *Applicability.* The provisions of Maximum Price Regulation No. 165, as amended, shall be applicable to the continental United States, the District of Columbia, and the Territory of Hawaii, but shall not be applicable to the other territories and possessions of the United States, except that the base period, wherever it appears in this Maximum Price Regulation No. 165, shall be the month of April in the Territory of Hawaii, instead of the month of March. This Maximum Price Regulation No. 165, as amended, supersedes the applicable provisions of General Order No. 49.[2]

This amendment shall become effective April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5629; Filed, April 9, 1943; 3:40 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4734, 5028, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324

[2] 8 F.R. 3076.

PART 1305—ADMINISTRATION

[Supp. Order 41]

APPLICATIONS FOR ADJUSTMENT BY SELLERS WHO HAVE BEEN FOUND TO HAVE VIOLATED THE ROBINSON-PATMAN ACT

A statement of the reasons involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* *It is hereby ordered:*

§ 1305.55 *Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act.* (a) The Office of Price Administration may adjust the maximum price established for any seller by any price regulation in any case in which such seller shows:

(1) That he has been found by the Federal Trade Commission, or any court of competent jurisdiction, to have discriminated in price between different purchasers of commodities in violation of the provisions of the Robinson-Patman Act (49 Stat. 1526) or of any state statute prohibiting price discrimination; and

(2) That the elimination of such discrimination by lowering his price to the purchasers against whom he has been found to have discriminated would cause him substantial hardship; and

(3) That the elimination of such discrimination by increasing his price to the purchasers in whose favor he has been found to have discriminated is prohibited by the applicable price regulation.

Applications for adjustment under this provision shall be filed with the Office of Price Administration, Washington, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

(b) "Price regulation," as used in this supplementary order means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(c) This Supplementary Order No. 41 (§ 1305.55) shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5663; Filed, April 10, 1943; 12:06 p. m.]

PART 1333—TIN

[RPS 17,[1] Amendment 3]

PIG TIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 17 is amended in the following respects:

1. Section 1333.10 (e) is amended to read as follows:

(e) *Differentials for special shapes other than anodes.* Whenever, at the request of the buyer, tin of the grades set forth above is melted and poured into molds and is sold in special shapes, other than anodes, weighing not more than seven pounds, an amount not exceeding 1¼ cents per pound may be added to the prices set forth in this Revised Price Schedule 17. No premium is allowed for special shapes, other than anodes, weighing more than seven pounds.

2. Section 1333.10 (f) is added to read as follows:

(f) *Maximum prices for tin anodes.* Whenever tin of the grades set forth above is sold in the form of anodes (1) the maximum price shall be the highest price charged by the seller for the same commodity on a delivery made during March, 1942, to a purchaser of the same class, and (2) if no such delivery was made during March, 1942, the maximum price shall be the highest offering price for delivery during March, 1942, of the same commodity to a purchaser of the same class. "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers.

Any seller of tin anodes who is unable to determine his maximum price or prices under the preceding paragraph shall calculate a price at which he expects to sell his product and submit that price for approval of the Office of Price Administration, Washington, D. C. Such selling price shall be determined, whenever feasible, by the use of the method of calculating prices used by the seller during March, 1942, to determine the price of similar tin anodes for which he had prices in effect during that period.

When filing such a price with the Office of Price Administration, the seller shall set forth all discounts, allowances, and differentials for all classes of buyers, a description of the anode, a statement of facts differentiating such tin anode from the other tin anodes delivered or offered for delivery by the seller during March, 1942, and a statement setting forth the method used in calculating the price therefor.

Pending action by the Office of Price Administration on prices submitted for approval under this paragraph, any seller may sell and deliver or offer to sell and deliver, and any person may buy, offer to buy, or receive from the seller in the course of trade or business such tin anodes at the price submitted for approval. If, however, the Office of Price Administration determines that the price submitted is not in line with the general level of March, 1942 prices, the price submitted will be disapproved and the selling price shall be revised downward to the maximum price which may be approved, and any payment made in excess of the price so approved may be required to be refunded to the buyer within 15 days after the date of the written instrument informing the seller of such revision. Notice of such revision will be given to the seller by letter from the Price Executive of the Non-Ferrous Metals Branch of the Office of Price Administration. At the request of the seller, however, if made within 30 days from the date of such notice, notice of disapproval and the revised price will be incorporated in a formal order. In the absence of notice to the contrary from the Office of Price Administration within 30 days after the receipt of such a selling price by the Office of Price Administration, the price shall stand approved and shall be the maximum price applicable.

This amendment shall become effective April 16, 1943.

(Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5664; Filed, April 10, 1943; 12:06 p. m.]

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[1] 7 F.R. 8961; 8 F.R. 3313, 3533.

[1] 7 F.R. 1240, 2132, 2395, 4539, 8948

PART 1340—FUEL

[RPS 88,[1] Amendment 90]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.159 (c) (1) (xv) *Michigan.* (a) is added to read as follows:

(xv) *Michigan.* (a) The maximum price at the receiving tank for crude petroleum produced in the South Bangor Pool, Bangor Township, Van Buren County, Michigan, shall be $1.27 per barrel.

This amendment shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5661; Filed, April 10, 1943; 12:07 p. m.]

Part 1340—Fuel

[RPS 88,[1] Amendment 91]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The second undesignated paragraph of § 1340.159 Appendix A is amended to read as set forth below:

If, on his last sale of petroleum or of a petroleum product to a purchaser of a particular class during the 60 days prior to October 15, 1941, a seller granted a discount or discounts and the discount or discounts were stated as such in the contract of sale or on the invoice to the purchaser, discounts no less favorable shall be granted by the seller to all purchasers of the same class in connection with sales of petroleum or the same petroleum product. Such discounts shall be deducted from all the maximum prices established by this § 1340.159 except those established by §§ 1340.159 (b) (2) and 1340.159 (c). Deliveries pursuant to contracts of sale entered into more than 60 days prior to October 15, 1941 shall not be considered as sales for the purpose of determining discounts hereunder.

This amendment shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5662; Filed, April 10, 1943; 12:07 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718, 3795, 3845, 4130, 4131, 8841.

PART 1499—COMMODITIES AND SERVICES

[Order 378 Under § 1499.3 (b) of GMPR]

WILSON RADIO DISTRIBUTING CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1865 *Approval of maximum prices for sales of six new model radios assembled by Wilson Radio Distributing Company.* (a) This Order No. 378 sets maximum prices for sales of six new model radios assembled by Wilson Radio Distributing Company, 1116-18 Central Avenue, Charleston, West Virginia. (1) For sales by the assembler, the maximum prices are those set forth below, exclusive of federal excise tax, subject to discounts, allowances and terms no less favorable than those customarily granted by it.

Model:	Price
50-P Console	$49.20
49 BU and 49B Console	55.35
52S Consolette	48.15
4802-S1 Armchair	48.30
47-D1-A Phono radio	72.30
42-D1-A Armchair	53.25

(2) For sales at retail, the maximum prices are those set forth below, exclusive of federal excise tax:

Model:	Price
50-P Console	$82.00
49 BU and 49B Console	92.25
52S Consolette	80.25
4802-S1 Armchair	$80.50
47-D1-A Phono radio	120.50
42-D1-A Armchair	88.75

(b) To every radio to be shipped to a purchaser for resale, the assembler shall attach a tag or label which plainly states the retail ceiling price.

(c) The assembler shall notify every person who buys from it of the maximum prices set by this Order No. 378 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 378 may be revoked or amended by the Price Administrator at any time.

This Order No. 378 shall become effective on the 12th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5666; Filed, April 10, 1943; 12:06 p. m.]

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[1] 8 F.R. 3718, 3795, 3845, 4130, 4131, 8841.

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Reg. 11 to GMPR, Amendment 17]

EXCEPTIONS FOR CERTAIN SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.* Paragraph (a) of § 1499.46 is amended to read as set forth below:

§ 1499.46 *Exceptions for certain services.* (a) The provisions of the General Maximum Price Regulation, other than § 1499.11 (a), shall not apply to the following services during the period specified:

(1) Until September 1, 1942, to the transportation of property in tank trucks by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942.

(2) From April 10, 1943, to June 15, 1943, inclusive, to the storage of property and services incidental thereto (other than cold storage and other than tank storage of liquid commodities) for the War Department.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5665; Filed, April 10, 1943; 12:06 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 11]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respect:

1. Section 5.3 (b) is amended to read as follows:

(b) An institutional user's registration on OPA Form R–1307 is treated as an application for allotments for the first allotment period. (However, an institutional user who has registered under this order may apply for an allotment of foods covered by Ration Order No. 16 for the first allotment period by making a written request therefor to the board at any time between March 29, 1943 and April 7, 1943.) Application for allotments for the second allotment period shall be made to the board in writing, but need not be made on any particular form. All applications for subsequent allotment periods must be made to the board on OPA Form R–1309. Application for the second and subsequent allotment periods may be made in person or by mail and must be filed not more than fifteen (15) days before, nor more than five (5) days after, the beginning of the period.

This amendment shall become effective on April 16, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M, and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6, 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5669; Filed, April 10, 1943; 12:37 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[1] Amendment 59]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5653 (f) (4) is amended by substituting for the sentence, "In 'Area A' such application shall be made on March 30 or 31, 1943, and in 'Area B' on April 27 or 28, 1943." the two sentences, "In 'Area A' such application shall be made on the dates, not later than May 1, 1943, fixed for such purpose by the Regional Administrators for Regions VII and VIII for all or any parts of such 'Area A' within their respective regions. In 'Area B' such application shall be made on April 27 or 28, 1943."

2. Section 1394.5707 (b) (3) is amended by substituting for the sentence, "In 'Area A' such surrender shall be made on or before April 5, 1943, and in 'Area B' on or before May 3, 1943." the two sentences, "In 'Area A' such surrender shall be made on or before a date, not later than May 15, 1943, fixed for such purpose by the Regional Administrators for Regions VII and VIII for all or any parts of such 'Area A' within their respective regions. In 'Area B' such surrender shall be made on or before May 3, 1943."

3. Section 1394.5707 (b) (4) is amended by substituting for the sentence, "In 'Area A' such application shall be made on April 8, 1943, and in 'Area B' on May 6, 1943." the two sentences "In 'Area A' such application shall be made on the dates, not later than May 15, 1943, fixed for such purpose by the Regional Administrators for Regions VII and VIII for all or any parts of such 'Area A' within their respective regions. In 'Area B' such application shall be made on May 6, 1943."

4. Section 1394.5707 (b) (7) is amended by substituting for the sentence, "In 'Area A' such surrender shall be made on or before April 12, 1943, and in 'Area B' on or before May 10, 1943." the two sentences, "In 'Area A' such surrender shall be made on or before a date, not later than May 15, 1943, fixed for such purpose by the Regional Administrators for Regions VII and VIII for all or any parts of such 'Area A' within their respective regions. In 'Area B' such surrender shall be made on or before May 10, 1943."

5. Section 1394.5707 (b) (8) is amended by substituting for the sentence, "In 'Area A' such application shall be made on April 15, 1943, and in 'Area B' on May 13, 1943." the two sentences, "In 'Area A' such application shall be made on the dates, not later than May 15, 1943, fixed for such purpose by the Regional Administrators for Regions VII and VIII for all or any parts of such 'Area A' within their respective regions. In 'Area B', such application shall be made on May 13, 1943."

This amendment shall become effective on April 10, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5670; Filed, April 10, 1943; 12:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 11]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 8.2 (c) of Ration Order 13 is amended to read as follows:

(c) *Retailers.* Every "retailer" whose gross sales of all foods during the month of December 1942, or during any single calendar month since December 1942, were more than $2,500.00, and every retailer who has more than one "retail establishment", must open at least one ration bank account for all his retail establishments. If he has more than one retail establishment, he may, if he wishes, open a separate account for each or for any group of them. Also, any retailer who receives stamps and "certificates" from, and makes transfers to, consumers by mail must have a ration bank account. No other retailer may open an account. Any retailer who has opened a ration bank account to which he is not entitled under this Section, must close out that account on or before July 3, 1943.

This amendment shall become effective April 16, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5672; Filed, April 10, 1943; 12:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[2] Amendment 7]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 17.5 is amended to read as follows:

SEC. 17.5 *District office may extend time for registration and reports*—(a) The district office (or State office) for the place where a person is registered, or is required to be registered, may, for good cause, give him additional time to file any registration or report which this order requires him to file. Any person who needs more time for filing a registration or report may apply, in writing, to the district office (or State office). He must explain, in his application, why he needs more time. The district office (or State office) may impose any conditions it finds proper, when it grants such an extension of time.

This amendment shall become effective April 16, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1–M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, Food Dir, 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5671; Filed, April 10, 1943; 12:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 204,[1] Amendment 2]

IDLE OR FROZEN MATERIALS SOLD UNDER PRIORITIES REGULATION 13

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 204 is amended in the following respects:

1. The present text of § 1499.506 is designated as paragraph (a).

2. A new paragraph (b) is added to § 1499.506 to read as follows:

(b) Nothing in this regulation or in any other price regulation unless hereafter specifically provided in such price regulation shall apply to sales or deliveries of any commodity by one Rural Electrification Administration cooperative to another Rural Electrification Administration cooperative with the approval of the Rural Electrification Administration: *Provided,* That the commodity sold or delivered is of a kind or in a form not normally sold by the cooperative in the ordinary course of its business.

This amendment shall become effective as of January 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5673; Filed, April 10, 1943; 12:37 p. m.]

PART 1340—FUEL

[MPR 120, Amendment 52]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Correction

On page 4718 of the issue for Saturday, April 10, 1943, the heading in brackets should read as above, "MPR 120, Amendment 52".

PART 1499—COMMODITIES AND SERVICES

[Order 358 Under § 1499.3 (b) of GMPR]

LIBBY, M'NEILL & LIBBY

Correction

In the seventh line of paragraph (d) of the document appearing on page 4257 of the issue for Saturday, April 3, 1943, the word "retails" should read "retailers".

PART 1499—COMMODITIES AND SERVICES

[Order 361 Under § 1499.3 (b) of GMPR]

KNICKERBOCKER MILLS COMPANY

Correction

In the document appearing on page 4259 of the issue for Saturday, April 3, 1943, the paragraph beginning, "The above barrel prices shall be subject to the following packaging differentials for smaller packages:" should be designated paragraph (b).

PART 1499—COMMODITIES AND SERVICES

[Order 16 Under § 1499.18 (c), as Amended, of GMPR]

HICKORY PICKER STICK BLANKS

Correction

In paragraph (b) of the document appearing on page 4190 of the issue for Friday, April 2, 1943, the maximum price for all other sizes should be "$200.00 per 1,000 bd. ft. (figured on dry size basis)."

[Order 40 Under SR 15 to GMPR]

HEWITT H. BOOTH

Correction

In the last line of the first paragraph of the document appearing on page 4259 of the issue for Saturday, April 3, 1943, the docket number should read "GF3–2912".

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 12]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

Section 12.2 (a) is amended by adding to the next to the last sentence in the paragraph the phrase "unless the board has been authorized by the Washington Office to act on the petition."

This amendment[2] shall become effective April 10, 1943.

PART 1305—ADMINISTRATION

[Supplementary Order 9,[1] Amendment 3]

COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1305.12 (a) (1) is added to read as follows:

(1) No application for adjustment filed after April 9, 1943, under Procedural Regulation No. 6 with respect to commodities or services covered by Maximum Price Regulation No. 136, as amended, will be granted.

2. Section 1305.12 (b) is amended to read as follows:

(b) "Price regulation", as used in this supplementary order, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order theretofore or hereafter issued thereunder, but does not include any of the following price regulations: Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, 123, 171.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5685; Filed, April 10, 1943; 4:49 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 148,[2] Amendment 3]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616, 3851, 4325, 4131.

[2] 7 F. R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 11466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 2942, 2993, 3106, 3521, 3628, 3733, 8848, 3948, 4255, 4137.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684 2943, 3179, 3949.

[2] 8 F.R. 3591, 3715, 3949, 4137.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6479, 7366, 8948.

[2] The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] 7 F.R. 5444, 9323, 8 F.R. 4510.

[2] 7 F.R. 8609, 9005, 8948; 8 F.R. 544, 2922, 3367.

Section 1364.23 is amended to read as follows:

§ 1364.23 *Adjustable pricing and transportation adjustments*—(a) *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

(b) *Adjustment for transportation to critical areas.* Upon a finding that a critical shortage of meat has occurred in a specific area because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Administrator may by order designate such area as a critical area for such period as he may prescribe. Subject to such conditions as may be prescribed in the order of the Administrator, the Regional Administrator for the area or any District Manager designated by him, may in writing authorize named sellers to charge and receive, for dressed hogs and wholesale pork cuts sold to buyers in that area, the added cost of transportation in addition to the applicable maximum price.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5682; Filed, April 10, 1943; 4:48 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169,[1] Amendment 5]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1364.405 is amended to read as follows:

§ 1364.405 *Adjustable pricing and transportation adjustments*—(a) *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

(b) *Adjustment for transportation to critical areas.* Upon a finding that a critical shortage of meat has occurred in a specific area because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Administrator may by order designate such area as a critical area for such period as he may prescribe. Subject to such conditions as may be prescribed in the order of the Administrator, the Regional Administrator for the area or any District Manager designated by him, may in writing authorize named sellers to charge and receive, for beef and veal carcasses and wholesale cuts, and processed products sold to buyers in that area, the added cost of transportation in addition to the applicable maximum price.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5683; Filed, April 10, 1943; 4:48 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 239,' Amendment 2]

LAMB AND MUTTON CARCASSES AND CUTS AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1364.155 is amended to read as follows:

§ 1364.155 *Adjustable pricing and transportation adjustments*—(a) *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

(b) *Adjustment for transportation to critical areas.* Upon a finding that a critical shortage of meat has occurred in a specific area because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Administrator may by order designate such area as a critical area for such period as he may prescribe. Subject to such conditions as may be prescribed in the order of the Administrator, the Regional Administrator for the area, or any District Manager designated by him, may in writing authorize named sellers to charge and receive for lamb and mutton carcasses and wholesale and hotel supply cuts sold to buyers in that area the added cost of transportation in addition to the applicable maximum price.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5679; Filed, April 10, 1943; 4:47 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 239,[1] Amendment 3]

LAMB AND MUTTON CARCASSES AND CUTS AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 239 is amended in the following respects:

1. Section 1364.153 (b) is amended to read as follows:

(b) By hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals or servings of food portions, customarily served separately or as part of a meal.

2. Section 1364.159 is amended to read as follows:

§ 1364.159 *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(a) Every person subject to this revised regulation shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in §§ 1364.165 and 1364.173 of this revised regulation as the Office of Price Administration may from time to time require.

3. Section 1364.167 is amended to read as follows:

§ 1364.167 *Duty to maintain and identify grades and to determine maximum prices and to invoice accordingly.* No person shall sell, offer for sale, ship, deliver or break and no person in the

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5097.

[1] 7 F.R. 10688; 8 F.R. 3589.

[1] 7 F.R. 10688, 8 F.R. 3589.

course of trade or business shall buy or receive any lamb or mutton carcass or cut unless it has been identified by grade and marked in accordance with the provisions of this section; and no person shall sell, offer for sale, or deliver and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or cut at a price higher than that established for the grade in which such carcass or cut has been classified and marked.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, it shall be the duty of each person to have his lambs, including yearlings, and all sheep slaughtered by or for him, or sold by him, classified by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc.", as modified to the extent set forth in Appendix B of § 1364.527 of Revised Maximum Price Regulation 169,[2] which is by this reference incorporated herein. Each carcass shall be classified into one of the grades set out in Column I below and marked with harmless marking fluid with the grade designation set out in Column II, if classified by an official grader, or the grade letter set out in Column III, such grade letter to be at least ½ inch in height and width, if classified by anyone other than an official grader pursuant to paragraph (b) of this section. Where the grade designation set out in Column II is stamped on the carcass, there shall also be stamped the word "yearling" if the carcass being graded is that of a yearling, and the word "mutton" if that of a mature sheep. The carcass shall be marked in such a manner as to result in each wholesale cut, sold bone-in, being identified by grade.

Column I	Column II	Column III
[illegible]		
[illegible] or better	Choice	A A
[illegible]	Good	A
[illegible] reial	Commercial	B
[illegible]	Utility	C
[illegible]	Cull	C
[illegible]		
[illegible] or better	Choice	A
[illegible]	Good	B
[illegible] reial	Commercial	C
[illegible]	Utility	C
[illegible]	Cull	C
[illegible]		
[illegible] or better	Choice	S
[illegible]	Good	S
[illegible]	Commercial	M
[illegible]	Utility	R
[illegible]	Cull	R

The "Specifications for Official United States Standards for Grades of Lamb Carcasses, Yearling Mutton Carcasses" set forth in Appendix J hereof, and incorporated herein as § 1364.185, determine the proper classification of each carcass, except that no mutton buck may be graded higher than commercial.

The harmless marking fluid used in marking the carcass shall conform to the formula for violet branding fluid approved by the United States Department of Agriculture, Bureau of Animal Industry, set forth in Appendix I hereof, and incorporated herein as § 1364.184.

(b) In any instance where any person is unable to procure the services of an official grader within 24 hours after he has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) incorporated by reference, as modified, in paragraph (a) hereof, such person shall not be required to have the lamb or sheep slaughtered by, or for him, or sold by him, graded by an official grader of the United States Department of Agriculture for so long a period as the United States Department of Agriculture certifies in writing that it is unable to provide him with the services of an official grader. During such period, such lamb or mutton carcasses shall be graded by such person in accordance with the requirements of paragraph (a) of this section.

(c) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering sheep or lamb as a service for others, he shall not be required to have the lamb or sheep slaughtered by him graded by an official grader of the United States Department of Agriculture. Such lamb or mutton as is sold by such slaughterer, or is slaughtered by him as a service for sale by others, shall be graded by him in accordance with the requirements of paragraph (a) of this section.

(d) Whenever any person having a financial interest in any lamb or mutton carcass which has been graded and grade stamped by an official grader pursuant to paragraph (a) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading and grade stamping by making an application for appeal in the manner provided in Regulation No. 5 (Appeal grading) incorporated by reference, as modified, in paragraph (a) hereof, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

(e) Use of other grading and branding systems. Any seller may use a private grading and branding system in addition to that required by the foregoing paragraphs of this section: *Provided*, That he shall identify his private grading and branding stamp in such manner as to distinguish it from the grade stamp required by paragraphs (a), (b) and (c) of this section.

(f) Each invoice, sales slip or other memorandum of sale covering sales of lamb or mutton carcasses, wholesale cuts or hotel supply cuts, shall show the grade and age classification of each lamb or mutton carcass, or cut sold.

4. Section 1364.170 (b) (1) is amended by inserting the words "or wholesale cuts" between the word "carcasses" and the word "in".

5. Section 1364.170 (b) (2) is amended by inserting the words "or wholesale cuts" between the word "carcasses" and the word "in".

6. Section 1364.170 (c) (3) is amended to read as follows:

(3) For packing lamb or mutton cuts in closed or sealed boxes or barrels delivered to the buyer's place of business and to be retained by the buyer on sales to a seller at retail, purveyor of meals, commercial user (not wholesaler, branch house or hotel supply house), or governmental agency other than a war procurement agency, there may be added $0.25 per cwt.: *Provided*, That this charge for packaging or boxing may not be made in addition to the charge for wrapping permitted by paragraphs (b) (1) and (b) (2) of this section.

7. Section 1364.170 (i) is added to read as follows:

(i) *Peddler-truck selling addition.* Where the seller makes a peddler-truck sale involving delivery of not more than 50 pounds of lamb and/or mutton in a total delivery of not more than 150 pounds of meat and meat products in any one day from such peddler-truck to any buyer's store door, he may add $1.25 per cwt. in lieu of the additions permitted under paragraph (h) of this section for delivery and or transportation.

8. Section 1364.171 (c) is added to read as follows:

(c) *For lamb and mutton carcasses and cuts not graded by an official grader.* For all lamb or mutton carcasses or wholesale cuts sold bone-in which do not bear the grade mark and identification of an official grader of the United States Department of Agriculture at the time of sale, the seller shall deduct 12½ cents per cwt.

9. Section 1364.172 (a) is amended to read as follows:

(a) The price limitations set forth in this Revised Maximum Price Regulation 239 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to lamb or mutton or in conjunction with any other commodity or services, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, combination sale or other trade understanding: *Provided*, That a payment by a buyer to a seller for any services performed by a buyer to a seller for icing services performed by a seller after April 14, 1943, and before delivery of lamb or mutton to a railroad whose charges are paid directly to such railroad by the buyer shall not be construed as an evasion of such price limitations if the charge for such icing services is no higher than the cost actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad.

10. Section 1364.173 (b) is amended by deleting the words "each calendar month commencing with January" and inserting instead the words "January, February and March 1943".

11. Section 1364.174 (a) (2) is amended to read as follows:

(2) A "wholesaler" means a person other than a hotel supply house or peddler-truck seller who buys lamb or mutton for resale other than at retail.

[2] 8 F.R. 5097.

12. Section 1364.174 (a) (12) is added to read as follows:

(12) "Peddler-truck sale" means a sale of lamb and/or mutton from a truck by a person who purchases meat at or below the ceiling price from a seller with whom he has no other financial affiliations or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck, owned and driven by him: *Provided*, That the first record of the transaction is made by the salesman concurrently with the delivery of the product sold.

13. Section 1364.174 (a) (13) is added to read as follows:

(13) "Farm slaughterer" means a person chiefly engaged in producing agricultural products as the resident operator of a farm who did not deliver meat in 1941 from the slaughter of livestock with a live weight of more than 10,000 pounds and whose current slaughter is not in excess of that permitted such slaughterers under Food Distribution Order No. 27 [8] or any superseding order.

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5681; Filed, April 10, 1943; 4:48 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] Amendment 80]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1390.25a (e) is amended to read as follows:

(e) No application for adjustment filed after April 9, 1943, under Procedural Regulation No. 6 with respect to commodities and services covered by this regulation will be granted.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5684; Filed, April 10, 1943; 4:48 p. m.]

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[8] 8 F.R. 2785.

[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370, 3848, 4341, 4476, 4515, 4516, 4524.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 23]

COFFEE RATIONING IN PUERTO RICO

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 183 is amended in the following respects:

1. Section 1418.1 (a) (18) is added to read as follows:

(18) On and after April 10, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver, and no person in the course of trade or business shall buy or receive coffee in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (ee), Table XXVI; and no person shall offer, solicit, or attempt to do any of the foregoing.

2. Section 1418.11 (a), (28), (29), (30), (31), and (32) are added to read as follows:

(28) "Coffee" means dried parchment coffee, green coffee, roasted coffee and roasted-ground coffee.

(29) "Dried parchment coffee" means coffee from which the pulp has been removed, which has been fermented and washed but which still contains the endocarp or vellum covering the bean.

(30) "Green coffee" means dried parchment coffee from which the endocarp or vellum covering the bean has been removed.

(31) "Roasted coffee" means green coffee which has been subject to the process commonly known as terrefaction, consisting in exposing the beans in a mechanical device to artificially generated heat.

(32) "Roaster" means any person who is engaged in the business of roasting green coffee.

3. Section 1418.14 (ee), Table XXVI is added to read as follows:

(ee) *Table XXVI: Maximum prices for coffee.* (1) The maximum price for coffee sold or delivered in the Territory of Puerto Rico shall be:

DRIED PARCHMENT COFFEE, AT THE RATE OF $21.50 PER 125 LBS.

[In common trade terms the maximum "discount" is 20% in converting dried parchment coffee to green coffee]

	To wholesalers and roasters (Per 100 lbs.)	At wholesale (Per 100 lbs.)	At retail (Rate per lbs.)
Green coffee	$23.00	$24.75	$0.27
Roasted coffee:			
In containers in excess of 1 lb.		33.00	0.38
In 1 lb. containers		35.00	0.39
In ½ lb. containers		35.00	0.40
In ¼ lb. containers		35.00	0.40
In 2 oz. containers		35.00	0.40

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*Copies may be obtained from the Office of Price Administration.

[8] 8 F.R. 4122, 4351.

(2) The allowances, discounts, or other price differentials customarily granted on sales of coffee shall not be changed or altered unless such change results in a lower price than that specified herein. The maximum prices established herein are gross prices and shall not be increased by charges for transportation, commissions, containers or in any other manner.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5678; Filed, April 10, 1943; 4:49 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 150]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

Maximum Price Regulation 150 is amended to read as follows:

Preamble: In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, issued by the President on October 3, 1942, that maximum prices for the sale of finished rice and rice milling by-products be established by a revised maximum price regulation to replace Maximum Price Regulation 150 [1] as amended, issued by the Office of Price Administration.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable, and will effectuate the purposes of the said act, as amended, and of the said executive order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* So far as practicable the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

§ 1351.451 *Maximum prices for finished rice and rice milling by-products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 150 (Finished rice and rice milling by-products), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.451 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

REVISED MAXIMUM PRICE REGULATION NO. 150—FINISHED RICE AND RICE MILLING BY-PRODUCTS

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ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Commodities and persons subject to this regulation.* (a) This regulation shall govern all sales and deliveries of finished rice except sales and deliveries at wholesale which shall be and remain subject to Maximum Price Regulation 237, as amended, and sales and deliveries at retail which shall be and remain subject to Maximum Price Regulation 238, as amended.

(b) This regulation shall also govern all sales and deliveries of rice milling by-products as specified herein.

SEC. 2. *Geographical applicability.* This regulation shall be applicable within the District of Columbia and the several states of the United States.

SEC. 3. *More than maximum prices prohibited.* (a) Regardless of any contract or other commitment, no person subject to this regulation shall sell or deliver any finished rice or rice milling by-product at a price higher than the maximum price set forth herein; nor shall any buyer pay any such person more than said maximum price; nor shall any person agree, offer, solicit or attempt to do any of the foregoing.

(b) The maximum prices set forth herein shall not be increased or evaded through:

(1) The addition of any additional processing, packaging, transportation or storage charges except as expressly permitted herein;

(2) The addition of any brokerage, commissions or other recompense paid to any person as agent or broker of either seller or buyer in the consummation of any transaction subject hereto;

(3) The addition of interest or any other charges for any extension of credit directly or indirectly connected with any transaction subject hereto;

(4) The addition of any charge for any other service of any nature directly or indirectly connected with any transaction subject hereto;

(5) The conferring upon the seller of anything of value, whether through a tying agreement whereby commodities subject hereto are sold together with the transfer of other things of value, or through barter or exchange of commodities subject hereto for other things of value, or in connection with any transaction subject hereto where some money consideration passes, or otherwise, if the then market value of the things of value conferred plus, if any, the monetary consideration of the transaction exceeds the maximum price set forth herein; or

(6) Any other evasive means or methods, direct or indirect, of whatsoever nature.

SEC. 4. *Less than maximum prices permitted.* Lower prices or values than the maximum prices set forth herein may be offered, demanded, charged, paid or received.

SEC. 5. *Definitions.* (a) When used in this regulation:

(1) "Person" includes any individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing and also includes the United States or any other government and any political subdivisions or agency of any of the foregoing.

(2) "Primary distributor" means a person who receives delivery of finished rice at a distributing center and sells the same in l. c. l. quantities or quantities of less than 20,000 pounds from such point either to wholesalers or for delivery to distributing warehouses of retailers. A primary distributor may also be a miller, mixer or other handler of finished rice. A distributing center of a primary distributor is a place of business, whether or not a warehouse, located outside any city and the recognized switching limits thereof if such primary distributor owns or operates a rice mill therein. A distributing warehouse of a retailer is a warehouse used primarily for the storage of supplies for delivery to his retail stores.

(2a) "Processed" means the milling, mixing and preparation other than putting in containers of finished rice for sale.

(3) "Finished rice" includes milled rice, undermilled rice and brown rice.

(4) "Milled rice" means the whole or broken kernels of rice from which the hulls and practically all of the germs and bran layers have been removed, which may either be coated or uncoated, and which does not contain more than 10 per cent of cereal grains, including paddy grains, seeds or foreign material either singly or in any combination.

(5) "Second head milled rice", "screenings milled rice" and "brewers milled rice" shall have the meanings given to them by "The United States Standards for Milled Rice" as published by the United States Department of Agriculture, effective May 15, 1942.

(6) "Undermilled rice" means rice meeting the specifications for a milled rice as set forth in subparagraphs (4) and (5) of this section except that through partial milling an insufficient amount of the germs and bran layers have been removed from the kernels to meet the specifications for a milled rice.

(7) "Brown rice" means rice meeting the specifications for a milled rice as set forth in subparagraphs (4) and (5) of this section except that only the hulls and not the germs or bran layers have been removed from the kernels.

(8) "Rice milling by-products" includes rice hulls (whether whole or ground), rice bran and rice polishings but not bolted rice polish which latter shall be and remain subject to the General Maximum Price Regulation.

(9) "Rice hulls" is the product consisting of the outer covering of the rice.

(10) "Rice bran" is the pericarp or bran layer of the rice with only such quantity of hull fragments as is unavoidable in the regular milling of rice.

(11) "Rice polishings" is a by-product of rice obtained in the milling operation of brushing the grain to polish the kernel.

(12) "Bolted rice polish" is rice polishings which has been processed by being passed over a fine mesh screen to remove the bran and coarser particles.

(b) As used in the regulation the phrase "transportation charges actually incurred" means:

(1) Where the carrier is not owned or controlled by the seller, the amount paid such carrier (including the 3 percent tax provided for in section 620 of the Revenue Act of 1942) not exceeding any applicable common or contract carrier rate for a like billing or shipment nor any applicable maximum price for such service.

(2) Where the carrier is owned or controlled by the seller, the reasonable value of the transportation in question not exceeding, if any, the common or contract carrier rate nor the maximum price for a like service if performed by a person other than the seller.

Except as loading or unloading charges may be included in such transportation charges, no additional charges may be made for such services.

(c) For the purposes of section 8 hereof:

(1) "Processor" means any person producing rice milling by-products in the milling of rice.

(2) "Jobber" means a person who buys rice milling by-products and resells the same without unloading into a warehouse.

(3) "Wholesaler" means a person who buys rice milling by-products, unloads his purchase into a warehouse, and resells the same other than at retail.

(4) "Retailer" means a person who buys rice milling by-products and resells the same to a feeder or an ultimate user not including, however, an industrial user such as a mixed feed manufacturer.

SEC. 6. *Maximum prices for the sale or delivery of finished rice.* (a) The maximum prices for the sale or delivery of finished rice, f. o. b. the rice mill where processed, per 100 pounds, sacked or packed in containers furnished by the seller, by any person subject to this regulation other than a primary distributor, shall be as follows:

(1) For finished rice consisting of not less than 96 per cent of whole kernels and not more than 4 per cent of broken kernels nor more than 1 per cent of a variety other than the predominant va-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3856, 3901, 6602, 7738, 8948, 8 F.R. 1457.

riety, the maximum price shall be as follows:

Varieties:	*Maximum price*
Rexoro	$8.25
Nira	8.25
Fortuna	7.50
Edith	7.00
Calady	6.65
Blue Rose	6.50
American Pearl	6.50
Lady Wright	6.50
Zenith	6.25
Early Prolific	6.20

(2) For finished rice of the following broken rice classes, the maximum price shall be as follows:

Broken rice class:	*Maximum price*
1. Second Head—Rexoro, Nira and Fortuna	$6.00
2 Second Head—any other variety	5.25
3 Screenings	4.50
4 Brewers	4.00

(3) For any lot of finished rice not falling within subparagraphs (1) or (2) above, the maximum price shall be the figure obtained:

(i) By multiplying the percentage of whole kernel finished rice in the lot by $6.20 (or, at the option of the seller, by multiplying the percentage of each variety of whole kernel rice in the lot by the maximum price for each such variety, respectively, as specified in subparagraph (1) above and totaling the results); and/or

(ii) By multiplying the percentage of broken kernel finished rice in the lot by $4.00 (or, at the option of the seller, by multiplying the percentage of each broken rice class in the lot by the maximum price for each such broken rice class, respectively, as specified in subparagraph (2) above and totaling the results); and

(iii) By totaling the results of (i) and (ii) if the lot contains both whole kernel finished rice and broken rice classes of finished rice.

(4) The maximum prices specified in subparagraph (1) to (3) above, both inclusive, may be increased for the sale or delivery of finished rice processed in any of the hereinafter named cities or the railroad switching limits thereof, f. o. b. such places, at the rate per 100 pounds as set forth opposite each such city, respectively:

City:	*Amount of increase*
San Francisco, Calif.	$0.12
St. Louis, Mo.	.25
Memphis, Tenn.	.05
Baton Rouge, La.	.10
New Orleans, La.	.10

(5) The maximum prices specified in subparagraphs (1) to (4) above, both inclusive, may be increased at the rate of 10 cents per 100 pounds for the sale or delivery of finished rice which has been granulated.

(6) The maximum prices specified in subparagraphs (1) to (5) above, both inclusive, shall be decreased at the rate of 15 cents per 100 pounds for the sale or delivery of finished rice in bulk or in 100 pound sacks or other containers furnished by the buyer.

(7) (i) The maximum prices specified in subparagraphs (1) to (5) above, both inclusive, may be increased for the sale or delivery of finished rice in containers of less than 100 pounds at the rate per 100 pounds as set forth in the following table:

Size of container	Cartons or cellophane bags	Kraft or fiber containers
Up to and including 12 ozs.	$1.65	$0.90
From 12 ozs. up to and including 1 pound	1.50	.90
From 1 pound up to and including 2 pounds.	1.35	.90
From 2 pounds up to and including 3 pounds.	1.20	.90
From 3 pounds up to and including 5 pounds.	.65	.65
From 5 pounds up to and including 10 pounds.	.50	.50
From 10 pounds up to and including 25 pounds.	.15	.15
From 25 pounds up to and including 50 pounds.	.10	.10

(ii) Where containers of less than 100 pounds are furnished by the buyer, the seller shall determine his maximum price by subtracting from the above differentials the cost of the containers furnished by the buyer.

(b) The maximum prices for the sale or delivery of finished rice at any point other than the rice mill where processed by any person subject to this regulation other than a primary distributor shall be the maximum prices above set forth in paragraph (a) plus transportation charges actually incurred for the transportation of the finished rice from the rice mill where processed to the buyer's receiving point.

(c) The maximum price for the sale or delivery of finished rice by a primary distributor in l.c.l. quantities or quantities of less than 20,000 pounds shall be the maximum price for the sale or delivery of finished rice as specified in paragraphs (a) and (b) of this section plus an addition at the rate of 15 cents per 100 pounds where the distributor has not warehoused the finished rice in question at his distributing center or an addition at the rate of 25 cents per 100 pounds where the distributor has warehoused the finished rice in question at his distributing center plus transportation charges actually incurred by the distributor, whether inbound to, or outbound from, the distributing center.

(d) The maximum prices set forth in the foregoing subdivisions of this section may be increased by storage charges where storage is furnished by the seller at the rate of $\frac{1}{16}$ of one cent per each 100 pounds for each day's delay in shipment beyond 30 days from the date of sale or beyond the delivery date or period specified in the contract of sale, whichever is later, where such delay is occasioned by the buyer's failure to furnish adequate shipping instructions within such time prior thereto as is reasonably sufficient to permit of shipment prior thereto.

SEC. 7. *Contents of invoice covering the sale or delivery of finished rice.* At or prior to the time of delivery, every seller of finished rice subject to this regulation shall furnish the purchaser with an invoice covering the finished rice in question. This invoice must bear the same lot number or other mark of identification as the lot in question. The invoice shall set forth and warrant to the purchaser and every subsequent transferee:

(a) That the finished rice in question is milled rice, undermilled rice, brown rice or a mixture.

(b) Except as otherwise provided in paragraph (c) of this section:

(1) The total minimum percentage of whole kernel finished rice of all varieties in the lot;

(2) The variety and minimum percentage of whole kernel finished rice of the predominant variety in the lot;

(3) The variety and the maximum percentage of whole kernel finished rice of every other variety in the lot;

(4) The variety and the maximum percentage of each variety of second head finished rice in the lot;

(5) The maximum percentage of screenings finished rice in the lot; and

(6) The maximum percentage of brewers finished rice in the lot.

The total of (2) and (3) shall equal (1); and the total of (1), (4), (5) and (6) shall equal not more than 100 per cent.

(c) To the extent that the maximum price is calculated by multiplying the percentage of whole kernel finished rice in the lot by $6.20 and/or by multiplying the percentage of broken kernel finished rice in the lot by $4.00, the invoice need set forth only the percentage of whole kernel finished rice and or of broken kernel finished rice in the lot, as the case may be.

SEC. 8. *Maximum price for the sale or delivery of rice milling by-products.* (a) The maximum price for the sale or delivery by a processor of rice hulls, rice bran or rice polishings, sacked, shall be as follows:

(1) $7.50 per ton for rice hulls plus transportation charges actually incurred by the seller to buyer's receiving point.

(2) $30.00 per ton for rice bran plus transportation charges actually incurred by the seller to buyer's receiving point.

(3) $38.00 per ton for rice polishings plus transportation charges actually incurred by the seller to the buyer's receiving point.

(b) The maximum price for the sale or delivery of rice milling by-products, sacked, by a jobber shall be 50 cents per ton (maximum mark up) over his cost not exceeding the maximum price thereon to him of the producer from whom the rice milling by-products in question were purchased plus transportation charges actually incurred by the jobber.

(c) The maximum price for the sale or delivery of rice hulls, sacked, by a wholesaler shall be $2.00 per ton (maximum mark up) over his cost not exceeding the maximum price thereon to him of the producer or jobber, as the case may be, from whom the rice hulls in question were purchased plus transportation charges actually incurred by the wholesaler.

(d) The maximum price for the sale or delivery of rice bran or rice polishings, sacked, by a wholesaler shall be $2.50 per ton (maximum mark up) over his cost not exceeding the maximum price thereon to him of the producer or jobber, as the case may be, from whom the rice bran or rice polishings in question was purchased plus transportation charges actually incurred by the wholesaler.

(e) The maximum price for the sale or delivery of rice hulls, sacked, by a retailer shall be $3.00 per ton (maximum mark up) over his cost not exceeding the maximum price thereon to him of the producer, jobber or wholesaler, as the case may be, from whom the rice hulls in question were purchased plus transportation charges actually incurred by the retailer.

(f) The maximum price for the sale or delivery of rice bran or rice polishings, sacked, by a retailer shall be $4.00 per ton (maximum mark up) over his cost not exceeding the maximum price thereon to him of the producer, jobber or wholesaler, as the case may be, from whom the rice bran or rice polishings in question was purchased plus transportation charges actually incurred by the retailer.

(g) Jobbers, wholesalers and retailers, respectively, may trade among themselves: *Provided*, That no more than a total of the mark up above permitted for one of said classes shall be added or charged upon a sale or delivery to a person of a different class, irrespective of how many persons of a like class may have handled the particular lot of rice milling by-products in question.

(h) The maximum prices for the sale or delivery of rice hulls, rice bran and rice polishings, unsacked, or in buyer's sacks, shall be the maximum prices hereinbefore in this section set forth less the customary differential applying to sales unsacked or in buyer's sacks in relation to sales sacked by a like class of seller during March, 1942.

(i) The maximum price for the sale or delivery of imported rice hulls, rice bran or rice polishings shall be the maximum prices hereinbefore in this section set forth for a like sale or delivery of the domestic product by a like seller: *Provided*, That the first sale within the United States shall be made f. o. b. the port of entry plus transportation charges actually incurred by the seller from said port of entry only to the buyer's receiving point.

SEC. 9. *Maximum prices for export sales.* The maximum prices for export sales of finished rice or of rice milling by-products shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation.

ARTICLE II—MISCELLANEOUS

SEC. 10. *Records and reports.* Every person shall keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect a complete record of each sale or purchase subject hereto showing the date thereof, the names and addresses of the buyer and seller, the price contracted for, paid or received, and the quantity and quality of the finished rice or rice milling by-product sold or purchased.

Such sellers and purchasers shall submit such records to the Office of Price Administration and keep such other records in addition thereto or in the place thereof as the Office of Price Administration may from time to time direct.

SEC. 11. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for treble damages, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 12. *Protests and petitions.* Any person desiring to file a protest against, or seeking an amendment of any provision of this regulation may do so in accordance with Revised Procedural Regulation No. 1.[1]

This revised regulation shall become fective April 17, 1943.

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5715; Filed, April 12, 1943; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 239 Under § 1499.3 (b) of GMPR]

WEST SPADRA COAL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and paragraph (b) of Order No. 239 under the General Maximum Price Regulation, *It is hereby ordered*, That paragraph (a) of said Order No. 239 is amended to read as follows:

(a) Briquettes manufactured by Hy-Test Fuel Company, Fort Smith, Arkansas, from Arkansas anthracite slack produced at West Spadra Coal Company's Johnson County, Arkansas mine, may be sold and purchased, at prices not to exceed $6.00 per ton f. o. b. Fort Smith, Arkansas.

Amendment No. 1 to Order No. 239 under the General Maximum Price Regulation shall become effective as of January 22, 1943.

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5720; Filed, April 12, 1943; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 379 Under § 1499.3 (b) of GMPR]

WELLCO SHOE CORPORATION

The Wellco Shoe Corporation, Waynesville, North Carolina, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of maximum prices for its new line of men's and women's Zipp boots. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is ordered:*

§ 1499.1866 *Approval of maximum prices for sales by Wellco Shoe Corporation, Waynesville, North Carolina, of men's and women's Zipp boots.* (a) On and after April 13, 1943, the maximum prices at which the Wellco Shoe Corporation, Waynesville, North Carolina, may sell, deliver and offer for sale its men's and women's Zipp boots with a platform skiver outer-sole shall be as follows:

Stock No.:	*Maximum price per pair*
824	$1.75
825	1.75
827	1.75
839	1.75
801-41	2.01
801-42	2.01

(b) The maximum prices authorized by this Order No. 379 shall be subject to discounts, allowances and terms no less favorable than those in effect during March 1942 for sales by Wellco Shoe Corporation of its men's and women's Zipp boots with rubber soles.

(c) The maximum prices authorized by paragraph (a) of this Order No. 379 shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 379 may be amended or revoked by the Office of Price Administration.

(e) This Order No. 379 shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5718; Filed, April 12, 1943; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 382 Under § 1499.3 (b) of GMPR]

W. E. CHAMBERS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1869 *Authorization of maximum prices for sales of Chambers Dehydrated Sweet Potato Powder by W. E. Chambers, an individual, 4112 Caruth Street, Dallas, Texas, by wholesalers and by retailers.* (a) On and after April 13, 1943, the maximum prices for sales by W. E. Chambers, 4112 Caruth Street, Dallas, Texas, of the following items shall be:

Chambers Dehydrated Sweet Potato Powder, one pound jars, $0.62.

Chambers Dehydrated Sweet Potato Powder, one-half pound pars, $0.32.

These prices are list and at point of origin.

(b) Sellers at wholesale, until the Office of Price Administration issues a general fixed margin regulation governing sales of this item by wholesalers shall determine their maximum selling prices for the Chambers Dehydrated Sweet Potato Powder by adding to their net costs of

[1] 7 F.R. 8961; 8 F.R. 3313, 3533.

these items a mark-up of 14% of their net cost, including freight.

(c) Sellers at retail until the Office of Price Administration issues a general fixed margin regulation governing sales of these items by retailers shall determine their maximum selling price for the new product by adding to their net costs of this item a mark-up of 31% of their net costs including freight.

(d) Net cost shall mean the price paid for the first delivery of Chambers Dehydrated Sweet Potato Powder in a customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost.

(e) No seller except a seller at retail shall change his customary discounts, allowances, price differentials and trade practices applying to comparable items of dehydrated foods in making sales of the subject commodity unless such changes result in a lower selling price.

(f) On and after April 13, 1943, W. E. Chambers, shall supply written notification to each wholesaler before or at the time of first delivery of Chambers Dehydrated Sweet Potato Powder and for a period of three months thereafter shall include with each shipping unit of Chambers Dehydrated Sweet Potato Powder a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser shall include the following statements:

Notification From W. E. Chambers to Wholesalers

The OPA has authorized us to charge wholesalers the following prices for Chambers Dehydrated Sweet Potato Powder subject to all customary allowances and discounts:

Chambers Dehydrated Sweet Potato Powder:

One pound jar	$0.62
One-half pound jar	.32

These prices are list and at point of origin.

Wholesalers, until the Office of Price Administration issues a general regulation governing sales of this item by wholesalers, are authorized to establish a ceiling price for each item by adding to the net cost of the item 14% of such net cost including freight.

Retailers, until the Office of Price Administration issues a general regulation governing sales of this item by retailers, are authorized to establish a ceiling price by adding to their net cost 31% of such net cost including freight.

Net cost shall mean the price paid for the first delivery of Chambers Dehydrated Sweet Potato Powder in a customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost.

A copy of notification to retailers is included in every shipping unit of this item. If the initial sale of this item to any retailer is a split case, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed.

The Office of Price Administration requires that you keep this notice for examination.

Notification From W. E. Chambers to Retailers

The OPA authorizes retailers, until the Office of Price Administration issues a general regulation governing sales of this item by retailers, to establish ceiling prices for Chambers Dehydrated Sweet Potato Powder by adding to the net cost of such items 31% of such costs including freight.

Net cost shall mean the price paid for the first delivery of Chambers Dehydrated Sweet Potato Powder in a customary quantity from a customary supplier at a customary receiving point by a customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost.

The Office of Price Administration requires that you keep this notice for examination.

(g) This Order No. 382 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 382 (§ 1499.1869) shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5716; Filed, April 12, 1943; 11:50 a. m.]

Chapter XIII—Petroleum Administration for War

[Supp. Order 6 to PAO 11[1]]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

§ 1515.12 *Supplementary Order No. 6 to Petroleum Administrative Order No. 11*—(a) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended from time to time, shall apply in this order.

(b) *Secondary recovery operations.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material for secondary recovery operations by means of artificial water drive, gas drive, or air drive on any lease or property on which secondary recovery operations were actually being conducted on March 30, 1943.

(c) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(d) This order shall take effect on the date of issuance and shall continue in effect until June 30, 1943.

[1] 8 F.R. 8955, 4261.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of April 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-5677; Filed, April 10, 1943; 4:11 p. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

Subchapter N—Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS.

Section 146.04–5 is amended as follows:

By adding following "Burnt fibers:" "*Butadiene.* (See Liquefied petroleum gas or liquefied hydrocarbon gas)".

By adding following "Butyl ether:" "Butyraldehyde." "Inf. L." "Red." "132".

By adding an asterisk preceding the article "Crude nitrogen fertilizer solution."

By revising the entry "Empty cartridge cases primed" (See: "Primers") to read: "Empty cartridge cases, primed".

By adding following "Hydrochloric acid:" "*Hydrochloric acid, anhydrous.* (See: "Hydrogen chloride".)".

By adding following "Hydrogen:" "Hydrogen chloride" "Noninf. G." "Green" "250".

By adding following "Nitrocellulose colloided, granular or flake—wet with an inflammable liquid:" "Nitrocellulose colloided, granular or flake, wet with 20 per cent water." "Inf. S." "Yellow" "198".

By adding following "Pentane:" "*Pentolite dry.* (See: "High explosives.")"

By adding following Potassium nitrate (See: "Nitrates"): "Potassium nitrate mixed (fused) with sodium nitrite." "Oxy. M." "----" "206".

By adding an asterisk to the entry "Rum, denatured." (See "Alcohol, denatured.")

By adding following "Sodium nitrite:" "Sodium nitrite mixed (fused) with potassium nitrate. (See: "*Potassium nitrate mixed (fused) with sodium nitrite*")".

Section 146.20–50 is amended as follows:

By changing the word "stored" appearing three times in the section to the word "stowed" in each instance.

By adding two sentences at the end of the paragraph: "The provisions of this chart are not applicable to barges. Stowage on board barges shall be in accordance with the provisions of §§ 146.10–1 to 146.10–50, inclusive".

By adding to the chart in the horizontal and vertical columns item 2: "and over 50# smokeless powder for small arms".

By deleting in the horizontal and vertical columns from item 9: "smokeless powder for small arms" and adding in lieu thereof: "not exceeding 50# smokeless powder for small arms".

By deleting from the title head: "(Explosives shall not be stowed together nor with other dangerous articles, except as indicated in this stowage and storage chart. (Provisions of this chart not applicable to barges.))"

Section 146.20–100 is amended as follows:

Change the entry now reading: "High explosives—Including: Ammonium picrate, Nitroguanidine, etc." to read: "High explosives (*in dry condition*) Including Ammonium picrate, Nitroguanidine, etc."

By adding after Nitrourea: "*Pentolite*".

By deleting following Trinitrotoluene: "*in dry condition*".

In the fourth column of the table under "Outside containers", change the specification mark for fiberboard boxes from "(ICC–23E)" to read "(ICC–23F)".

Change the entry now reading: "High explosives—Including: Ammonium picrate, Picric acid, etc." to read: "High explosives (*wet with not less than 10 pounds of water to each 90 pounds of dry material.*) *Including: Ammonium picrate, Picric acid, etc.*"

Under the article "Blasting caps—more than 1,000," in the fourth column add:

NOTE: For additional containers authorized during the war emergency see § 146.28–10.

Under the article "Fireworks" in columns 4, 5, 6 and 7 add:

NOTE: For additional containers authorized during the war emergency see § 146.28–10.

Under the article "Primers" in the first column add: "Empty cartridge cases, primed". In columns 4, 5, 6 and 7 add: "Empty cartridge cases, primed, may also be shipped in strong, tight, outside fiberboard boxes". Across columns 4, 5, 6 and 7 add:

NOTE: For additional containers authorized during the war emergency see § 146.28–12.

Section 146.21–15 is amended as follows:

At the end of paragraph (a) add: "When fiberboard box is used for such shipments by water gross weight must not exceed 65 pounds".

Section 146.21–100 is amended as follows:

After the articles "Bronzing liquid and Aluminum liquid" add; In column 1 "Butyraldehyde". In column 2 "*Colorless liquid. Flashpoint 20° F. Vapors about 2½ times heavier than air. Immiscible with water. Boiling point 169° F.*" In column 3, "Red". In column 4, "Stowage: "On deck protected". "On deck under cover". "Tween decks readily accessible". Outside containers: Steel barrels or drums: (ICC–5, 5A, 5B, 5C, 5G) not over 110 gal. cap. (ICC–17C) STC, not over 55 gal. cap. (ICC–17E) not over 5 gal. cap. Aluminum barrels or drums: (ICC–42B, 42C) not over 110 gal. cap. Wooden barrels or kegs: (ICC–10A) not over 50 gal. cap. (ICC–11A, 11B) WIC not over 16 gal. cap. Wooden boxes; WIC (ICC–15A, 15B, 15C, 16A, 19A) not over 16 gal. cap. Fiberboard boxes, WIC (ICC–12B), not over 65 lbs. gr. wt. Fiber drums (ICC–21A) with single inside container not over 1 gal. cap. Cylinders as prescribed for any compressed gas, except acetylene". In columns 5, 6 and 7, "Not permitted".

Under the article "Gasoline" in column 4 add:

NOTE: For additional containers authorized during the war emergency see §§ 146.28–7 and 146.28–8.

Section 146.22–100 is amended as follows:

Under the article "Nitrocellulose, wet with water," in column 1 delete: "Nitrocellulose, wet with water." and add in lieu thereof; "Nitrocellulose or Collodion cotton, wet with water" and "Nitrocellulose, colloided, granular, or flake, wet with water".

Under the articles "Permanganates" add: In columns 4, 5, 6 and 7 under "Steel barrels or drums:", the specification "37G", the entry then reading "(ICC–17E, 37D, 37E, 37F, 37G) STC, not over 55 gal. cap." Under "Wooden barrels or kegs" following WIC "or with liner", the entry now reading "(ICC–11A, 11B) WIC or with liner not over 400 lbs. gr. wt."

After the article "Potassium nitrate" add: In column 1, "Potassium nitrate mixed (fused) with sodium nitrite". In column 2, "*A mixture of potassium nitrate and sodium nitrite fused solid*". In column 3, "——". In column 4, "Stowage: "On deck," "On deck under cover" "Under deck." Outside containers: Tank cars (ICC–103W)". In columns 5 and 6, "(Shipped only in tank cars)". In column 7, "Ferry stowage (BB). Outside containers: Tank cars (ICC–103W)".

Under the article "Rubber scrap, ground, powdered or granulated" add: In columns 4, 6 and 7, "Note: For additional containers authorized during the war emergency see § 146.28–6".

Under the article "Sodium hydrosulfite" add: Across columns 4, 5, 6 and 7, "Note: For additional container authorized during the war emergency see § 146.28–16".

Section 146.23–100 is amended as follows:

Under the article "Chromic acid solution" add: Across columns 4, 5, 6 and 7, "Note: For additional container authorized during the war emergency see § 146.28–17".

Under the article "Hydrofluoric acid, anhydrous" add: In column 4 under "Cylinders" "3E". Under "Tank cars" delete "(ICC–104A, 105A) (ARA–IV–A)" and substitute in lieu thereof: "(ICC–105, 105A500) (ARA–V)".

Under the articles "Sulfuric acid" and "Oil of vitriol" add: In columns 4, 6 and 7 following "(ICC–5D rubber lined, not over 110 gal. cap.", "(ICC–17F) STC not over 55 gal. cap.". In columns 6 and 7 "Tank motor vehicle (MC310)".

Section 146.24–100 is amended as follows:

After the article "Hydrogen" add: In column 1, "Hydrogen chloride". In column 2, "*Non-inflammable gas. In event of leakage fumes which are irritating in contact with mucous membrane will be formed. With moisture present it is likely the fumes will show in the form of a vapor cloud and a weak muriatic acid solution which will attack iron and steel with evolution of hydrogen gas may occur. Miscible with water*". In column 3, "Green gas". In column 4, "Stowage: "On deck protected". "On deck under cover". "Tween decks". "Under deck away from heat". Containers: Cylinders: (With valve protection cap.) (Boxed.)". In column 5, "Stowage: "On deck protected". "On deck under cover". "Tween decks". "Under deck away from heat". "Cargo hatch trunkway". Containers: Cylinders: (With valve protection cap.) (Boxed.)". In column 6, "Ferry stowage (AA). Containers: Cylinders: (With valve protection cap.) (Boxed.)". In column 7, "Ferry stowage (BB). Containers: Cylinders".

After the article "Liquefied petroleum gas (pressure not exceeding 75 lbs. per sq. in. at 105° F.)" add: In column 1, "Liquefied petroleum gas (pressure not exceeding 65 lbs. per sq. in. at 105° F.)". In column 2, "*Inflammable gas. Predominate components are generally propane, butane, and isobutane. Heavier than air. Mixtures with air in certain proportions will be inflammable and explosive*". In column 3, "Red gas". In column 4, "Stowage: "On deck protected". "On deck under cover". Containers: Cylinders: (With valve protection cap.) (With dished heads.) (Boxed) Tank cars (ICC–104) (ARA–IV)". In column 5 "Stowage: "On deck protected". "On deck under cover". Containers: Cylinders: (With valve protection cap.) With dished heads.) (Boxed.)" In column 6, "Ferry stowage (AA). Containers: Cylinder: (With valve protection cap.) (With dished heads.) (Boxed.)". In column 7, "Ferry stowage (BB). Containers: Cylinders: Tank cars (ICC–104) (ARA–IV)".

Section 146.25–11 added as follows:

§ 146.25–11 *Cylinder valve protection.* Cylinders containing a Class A extremely dangerous poison, Class B less dangerous poison or Class C tear gas or irritating substance when offered for transportation on board vessels shall be fitted with valve protection caps or be of dished head design of construction with the valve recessed into the cylinders or otherwise protected, or if of a design other than "valve cap" or "dished head" the cylinder shall be boxed. It is not required that such outside box be a specification container. If the box be of solid construction such box shall be marked "Inside Packages Comply with Prescribed Specifications", and the appropriate label shall be affixed thereto. Cylinders constructed with valves protruding need not be fitted with valve protection caps when such cylinders are shipped boxed.

Section 146.25–100 is amended as follows:

Under the articles "Nitrogen dioxide, liquid, nitrogen peroxide, nitrogen tetroxide" add: In column 4, "Note: For additional container authorized during the war emergency see § 146.28–19".

Under the article "Cyanide of sodium, solid," add: In column 3, "Poison". In columns 4, 5, 6 and 7 "Note: See § 146.28–5 for additional containers".

Under the articles "Methyl bromide, liquid and bromomethane, liquid" add: In columns 4, 5, 6 and 7, "3E–1800". Across columns 4, 5, 6 and 7 "Note: For additional container for methyl bromide, liquid authorized during the war emergency see § 146.28–20".

Under the article "Motor fuel antiknock compound" change: In columns 4, 5, 6 and 7, "Wooden boxes (ICC–15A) with inside containers of not over 1 pint capacity each," to read, "3 pints capacity each".

Sections 146.28–5 to 146.28–22, inclusive, added as follows:

§ 146.28–5 *Additional containers for cyanides.* Cyanide of calcium, solid; cyanides dry; cyanide mixtures, dry; cyanide of potassium, solid; and cyanide of sodium, solid; may in addition to the containers authorized in § 146.25–100 be accepted for transportation on board vessels when packed in the following containers: Plywood drums ICC–22A, 22B), not over 200 pounds net weight. Fiber drums (ICC–21A) with one added ply of asphalt laminated Kraft, not over 225 pounds net weight.

§ 146.28–6 *Additional containers for rubber scrap.* Rubber scrap without cotton or fabric, if ground, powdered or granulated with rubber content exceeding 45 percent and rubber buffings from any grade of rubber, irrespective of the percentage of rubber content, may in addition to the containers authorized in § 146.22–100 also be accepted for transportation on board cargo vessels, ferry vessels (passenger or vehicle), and railroad car ferries (passenger or vehicle), when packed in: Wooden barrels or kegs (ICC–10A); fiberboard boxes (ICC–12B); fiber drums (ICC–21A); wooden drums (ICC–22A); tank cars tightly and securely closed.

§ 146.28–7 *Additional type tank cars for gasoline.* Gasoline may, in addition to the tank cars prescribed in § 146.21–100, also be accepted in tank cars specifications Emergency USG–A, USG–B and USG–C.

§ 146.28–8 *Additional containers for gasoline.* Gasoline shipments offered by or consigned to the War and Navy Departments or the United States Government or governments of any country whose defense is deemed vital to the defense of the United States may, in addition to the containers authorized in § 146.21–100, also be accepted in metal barrels or drums (ICC–5L).

§ 146.28–9 *Additional containers for poisonous solids; less dangerous poisons.* Class B-solids, other than those for which special packing requirements are prescribed, may be accepted for transportation on board vessels when packed in the following containers: Fiber drums (ICC–21A) not over 115 pounds net weight. Fiber drums (ICC–21A) with one added ply of asphalt laminated Kraft, 30 60 30 basis weight in side walls and heading (metal heading excluded). Maximum loaded capacity 225 pounds net.

§ 146.28–10 *Additional containers for blasting caps.* Blasting caps, electric blasting caps and blasting caps with safety fuses may be accepted for transportation on board vessels packed in fiberboard boxes (ICC–23F), gross weight not to exceed 65 pounds.

§ 146.28–11 *Additional containers for airplane flares.* Airplane flares may be accepted for transportation on board vessels when packed in fiberboard boxes (ICC–12B), gross weight not to exceed 90 pounds.

§ 146.28–12 *Additional containers for empty cartridge cases primed.* Empty cartridge cases, primed, may be accepted for transportation on board vessels when packed in strong wooden barrels.

§ 146.28–13 *Additional type tank cars for inflammable liquids.* Inflammable liquids weighing not over 8 pounds per gallon and having vapor pressure not exceeding 16 pounds per square inch, absolute, at 100 degrees F., may in addition to the tank cars prescribed in § 146.21–100 also be accepted in tank cars specifications emergency USG–A, USG–B and USG–C.

§ 146.28–14 *Additional containers for inflammable liquids.* Inflammable liquids permitted by the provisions of § 146.21–100 for transportation on board vessels when packed in fiberboard boxes with inside containers (ICC–12B) may also be accepted on board vessels when packed in fiberboard boxes with inside containers (ICC–12D).

§ 146.28–15 *Additional container for rubber cement.* Rubber cement not containing any carbon bisulfide may be accepted for transportation on board vessels when packed in wooden barrels or kegs (ICC–10A).

§ 146.28–16 *Additional container for sodium hydrosulfite.*—Sodium hydrosulfite may be accepted for transportation on board vessels when packed in (ICC–21A) fiber drums without inside metal drums, provided a moistureproof liner is substituted in lieu of the inside metal drum or provided further the (ICC–21A) fiber drum is made with one added ply of asphalt laminated Kraft. Net weight for either type packing not to exceed 250 pounds.

§ 146.28–17 *Additional container for chromic acid solution.* Chromic acid solution may be accepted for transportation on board vessels when packed in (ICC–12B) fiberboard boxes with one inside glass container of capacity not over 4 fluid ounces in a wax lined cylindrical fiber carton and surrounded with asbestos.

§ 146.28–18 *Additional container for batteries, electric, wet.* Batteries, electric, storage, wet may be accepted for transportation on board vessels when packed in (ICC–12B) fiberboard box.

§ 146.28–19 *Additional container for nitrogen dioxide, liquid (nitrogen peroxide, nitrogen tetroxide).* Nitrogen dioxide, liquid (nitrogen peroxide, nitrogen tetroxide) may be accepted for transportation on board vessels when packed in (ICC–3A480 or 3A1800) metal cylinders with valve removed, valve opening closed with solid metal plug, cylinder fitted with gas-tight valve protection cap.

§ 146.28–21 *Additional containers for methyl bromide, liquid.* Methyl bromide, liquid, may be accepted for transportation on board vessels when packed in (ICC–5A) metal drums not to exceed 30 gallons capacity.

§ 146.28–21 *Additional containers for poisonous liquids.* Poisonous liquids other than such liquids for which special requirements are prescribed by the Interstate Commerce Commission regulations may be accepted for transportation on board vessels when packed in (ICC–12D) fiberboard boxes WIC not more than 75 pounds gross weight or not containing more than 4 inside containers of a capacity greater than 5 points each.

§ 146.28–22 *Increase of weight limitation for Class B poisonous solids.* Class B poisonous solids other than such poisonous solids for which special requirements are prescribed may be accepted for transportation on board vessels when packed in metal drums (ICC–17E or 37D) having a gross weight not over 375 pounds in lieu of 300 pounds now specified.

(R. S. 4472 as amended; 46 U.S.C. 1940 ed. 170).

R. R. WAESCHE,
Commandant.

[F. R. Doc. 43–5703; Filed, April 12, 1943; 9:55 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—RULES GOVERNING SHIP SERVICE

DEPARTURE FROM REQUIREMENTS

The Commission on April 6, 1943 effective immediately amended § 8.210 (b) to read as follows:

§ 8.210 (b) *Departure from requirements.* The requirements in § 8.210 (a) (6) relating to power output, § 8.210 (a) (8), and § 8.210 (a) (14) relating to height of masts, may be waived by the Commission only if satisfactory evidence is presented to the Commission that the construction of such radio installation was completed prior to August 27, 1942 or satisfactory evidence is presented to the Commission that prior to August 27, 1942 construction of such installation was commenced by the manufacturer and the materials used in such construction were allocated by the War Production Board. With respect to any such installation, provision shall be made for a transmitter power output of not less than 3 watts, for supporting a radio antenna of the inverted "L" type at not less than 16 feet above the water line where the inverted "L" type of antenna is used, and for manual keying of the transmitter. Any other departure from the requirements of §§ 8.204 to 8.210 (a), inclusive, will be considered by the Commission only upon a satisfactory showing that such departure will not reduce the required efficiency, reliability, and effectiveness of the installation.

(Section 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43–5723; Filed, April 12, 1943; 11:59 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Tariff Circular MF 2, Supplement 3,[1] Correction]

PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

ORDER MODIFYING CONTRACT CARRIER SCHEDULES

APRIL 8, 1943.

In reproducing copies of Supplement No. 3 to Tariff Circular MF No. 2 for service, part of § 187.8 (p) (3) and all of § 187.8 (p) (6) and (7) were inadvertently omitted. A corrected copy is attached hereto.

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 18th day of March, A. D., 1943.

In the matter of regulations governing the form, publication and inspection of schedules of contract carriers of property by motor vehicle.

The matter of regulations governing the form, publication and inspection of schedules of contract carriers of property by motor vehicle, filed pursuant to section 218 of the Interstate Commerce Act, being under consideration and good cause appearing therefor:

It is ordered, That schedules of contract carriers of property by motor vehicle, filed pursuant to section 218 of said act, shall be constructed, published, filed and kept open for public inspection in accordance with regulations heretofore adopted and promulgated in Tariff Circular MF No. 2, and Supplement No. 1 thereto (§§ 187.7 to 187.11, inclusive, of Title 49, Code of Federal Regulations), and as modified and supplemented by Supplement No. 3 to said Tariff Circular MF No. 2;

It is further ordered, That the said Supplement No. 3 to said Tariff Circular MF No. 2, be, and it is hereby approved and made effective May 1, 1943.

Sections 187.7 to 187.11, inclusive (section 2 of Tariff Circular MF No. 2) is amended as follows:

1. Cancel paragraph (a) of § 187.7 [Rule 7] and substitute:

§ 187.7 *Publication, filing, and posting of schedules*—(a) *Schedules must be filed by contract carriers.* (1) Contract carriers shall file schedules which conform to these regulations unless otherwise authorized by the Commission.

[1] 8 F.R. 3960.

(2) The Commission may, for reasons deemed sufficient, direct at any time, the reissue of any schedule.

2. Cancel paragraph (d) of § 187.7 [Rule 7] and substitute:

(d) *Number of copies filed; letters of transmittal.* (1) Issuing carriers shall file with the Commission three copies of each schedule supplement to, or revised page of, a schedule.

(2) All copies, together with copies of actual contracts, proposed contracts, or amendments to contracts which it is necessary to file with a schedule, supplement, or revised page of a schedule to comply with § 187.8, (r) hereof, shall be included in one package accompanied by a letter of transmittal (in duplicate if a receipt is desired) listing the publications and copies of actual or proposed contracts or amendment to contracts enclosed therewith.

(3) Each transmittal letter must bear the signature of the person issuing the schedule, supplement or revised page; or it may bear the personal signature of the carrier's authorized representative, provided that a properly attested authorization to submit publications for filing by such party accompanies the transmittal letter or has previously been submitted and is in effect. The Commission may decline to accept for filing any publication which is not accompanied by a transmittal letter properly signed.

(4) The package and letter of transmittal shall be addressed to the Interstate Commerce Commission, Bureau of Motor Carriers, Section of Traffic, Washington, D. C. All postage or other charges must be prepaid.

3. Cancel paragraph (p) of § 187.8 [Rule 8] and substitute:

§ 187.8 *Form and contents of schedules.* * * *

(p) *Tables of minimum rates or charges.* (1) The tables of minimum rates or charges shall be shown immediately following the rules, and shall state minimum rates or charges actually maintained and charged.

(2) The commodities on which the rates or charges apply shall be shown on the same page on which the rates or charges are published or there shall be shown on such pages a statement of the page or item containing a list of such commodities.

(3) Except as provided in paragraph (r) of this rule, minimum rates or charges shall be published only on such commodities and from and to such points and for such services as are stated in actual contracts.

(4) Tables of minimum rates or charges shall be arranged alphabetically by points of origin and destination, except that, if it is desired to group points by states, they may be arranged in alphabetical order by states, the points in each state also being shown in alphabetical order.

(5) The minimum rates or charges shall be stated in cents, or dollars and cents per 100 pounds, per mile, per hour, per ton of 2,000 pounds, per ton of 2,240 pounds, per truckload (of stated amount), or other definable measure.

(6) Schedules shall clearly show the points from and to which the minimum rates and charges apply, or indicate briefly by territorial description the territory within which they apply.

(7) If minimum rates or charges are determined by use of distances, schedules shall show the distances from and to the points from and to which the minimum rates or charges apply, or shall indicate a definite method by which the distances shall be determined (see § 187.7 (c) of this section).

4. Add the following paragraph (r) to § 187.8 [Rule 8]:

(r) *Schedules covering new services.* (1) Each schedule or supplement to, or revised page of a schedule submitted for filing, which states minimum rates or charges for services not provided for in the carrier's effective schedule or schedules on file with the Commission, shall be accompanied by a true copy of the actual contract or proposed contract, or amendment to an existing contract between the carrier and the shipper for whom such services are to be performed.

(2) The actual or proposed contract or amendment to a contract, filed in accordance with the provisions of this paragraph, shall show the actual rates and charges for the services to be performed thereunder.

(3) The provisions of § 187.8 (p) and (r) do not apply to the filing of contracts for the transportation of bullion, currency, jewels and other precious or very valuable articles. Copies of such contracts are not required to be filed with the Commission.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43–5608; Filed, April 9, 1943; 11:48 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1787, Amendment 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN TERRITORY OF ALASKA

Section 401.1 (c) of Order 1787 dated March 3, 1943, (8 F.R. 2892), is hereby amended in the following respects:

1. Delete from item IV (2) of Schedule A under the heading "Name of person" the name "Uganik Fisheries Inc., Uganik" and substitute in lieu thereof "Alaska Packers Assn., Larsen Bay".

2. Add as item IV (10) of Schedule A under the heading "Name of person" the name "Uganik Fisheries Inc., Uganik"; under the heading "Nucleus plant" the name "Uganik Fisheries Inc., Uganik"; and under the heading "Number of lines" the number "1".

Issued this 8th day of April 1943.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc 43–5704; Filed, April 12, 1943; 10:01 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service; Bureau of the Public Debt.

[1943 Dept. Circ. 710]

7/8 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES B–1944

APRIL 12, 1943.

I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series B–1944. The amount of the offering is not specifically limited, although allotments to commercial banks, which are defined for this purpose as banks accepting demand deposits, for their own account will be limited to $2,000,000,000, or thereabouts. The books will be open today and until further notice for the receipt of subscriptions from others than commercial banks for their own account, and today, April 13 and April 14 for the receipt of subscriptions from commercial banks for their own account.

II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated April 15, 1943, and will bear interest from that date at the rate of 7/8 percent per annum, payable on a semiannual basis on October 1, 1943, and April 1, 1944. They will mature April 1, 1944, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift and other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes and will not bear the circulation privilege.

4. Bearer certificates with two interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Commercial banks are requested not to buy the securities which may be allotted hereunder to others during the period the subscription books remain open. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Securities dealers and brokers will not be permitted to enter subscriptions for their customers except through banking institutions. Subscriptions from commercial banks for their own account will be received without deposit. All other subscriptions must be accompanied by payment in full for the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including $100,000 from commercial banks, and subscriptions in any amount from all other subscribers, will be allotted in full; subscriptions for amounts over $100,000 from commercial banks will be allotted on an equal percentage basis, to be publicly announced. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for certificates allotted hereunder to or for the account of others than commercial banks must be made on or before April 15, 1943, or on later allotment. Payment at par and accrued interest to April 22, 1943, for certificates allotted hereunder to commercial banks must be made on that date. One day's accrued interest is $0.02391 per $1,000. Any qualified depositary will be permitted to make payment by credit for certificates allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43–5646; Filed, April 10, 1943; 10:23 a. m.]

[1943 Dept. Circ. 708]

2½ PERCENT TREASURY BONDS OF 1964–69

APRIL 12, 1943.

I. OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1964–69. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. DESCRIPTION OF BONDS

1. The bonds will be dated April 15, 1943, and will bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on June 15 and December 15 in each year until the principal amount becomes payable. They will mature June 15 1969, but may be redeemed at the option of the United States on and after June 15, 1964, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will not be acceptable to secure deposits of public moneys before April 15, 1953; they will not bear the circulation privilege, and they will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000 and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury, except that they may not, before April 15, 1953, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits. However, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before April 15, 1953, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,[1] *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ---------- for credit on Federal estate taxes due from estate of ----------." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest date;[2] bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,[3] properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than 6 months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for bonds alloted hereunder must be made on or before April 15, 1943, or on later allotment. One day's accrued interest is $0.06868 per $1,000. Any qualified depositary will be permitted to make payment by credit for bonds allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43–5644; Filed, April 10, 1943; 10:23 a. m.]

[1943 Dept. Circ. 709]

2 PERCENT TREASURY BONDS OF 1950–52

APRIL 12, 1943.

I. OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2 percent Treasury Bonds of 1950–52. The amount of the offering is not specifically limited, although allotments to commercial banks, which are defined for this purpose as banks accepting demand deposits, for their own account will be limited to $2,000,000,000 or thereabouts. The books will be open today and until further notice for the receipt of subscriptions from others than commercial banks for their own account, and on April 28, April 29 and April 30 for the receipt of subscriptions from commercial banks for their own account.

II. DESCRIPTION OF BONDS

1. The bonds will be dated April 15, 1943, and will bear interest from that date at the rate of 2 percent per annum, payable on a semiannual basis on September 15, 1943, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1952, but may be redeemed at the option of the United States on and after September 15, 1950, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege and will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000 and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Commercial banks are requested not to buy the securities which may be allotted hereunder to others during the period the subscription books remain open. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Securities dealers and brokers will not be permitted to enter subscriptions for their customers except through banking institutions. Subscriptions from commercial banks for their own account will be received without deposit. All other subscriptions must be accompanied by payment in full for the amount of bonds applied for.

[1] An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

[2] The transfer books are closed from May 16 to June 15 and from November 16 to December 15 (both dates inclusive) in each year.

[3] Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including $100,000 from commercial banks, and subscriptions in any amount from all other subscribers, will be allotted in full; subscriptions for amounts over $100,000 from commercial banks will be allotted on an equal percentage basis, to be publicly announced. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for bonds allotted hereunder to or for the account of others than commercial banks must be made on or before April 15, 1943, or on later allotment. Payment at par and accrued interest to May 10, 1943, for bonds allotted hereunder to commercial banks must be made on that date. One day's accrued interest is $0.05435 per $1,000. Any qualified depositary will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43-5645; Filed, April 10, 1943; 10:23 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-371]

EARL BYERS

NOTICE OF FILING OF APPLICATION

Notice is hereby given that an application dated March 29, 1943 for disposition of the above-entitled matter without formal hearing was filed with the Bituminous Coal Division on March 31, 1943, pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division by Earl Byers the above-named code member.

The application was filed with respect to the matters contained in a Notice of and Order for Hearing dated March 12, 1943 to determine whether the above-named code member had violated the Bituminous Coal Act of 1937 (the "Act"), the Bituminous Coal Code (the "Code") and Rules and Regulations promulgated thereunder as more fully set forth in the said Notice of and Order for Hearing.

In said application the code member:

1. Admits that he is a code member operating the Earl Byers Mine, Mine Index No. 816, located in Fairview Township, Butler County, Pennsylvania in District No. 2 and that his business address is R. F. D. No. 1, Petrolia, Pennsylvania.

2. Admits that he wilfully violated section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code by the sale and delivery during the period from October 1, 1940 to January 1, 1942, both dates inclusive, of approximately 387 tons of run of mine coal (Size Group 8) to the Karns City Borough and the Fairview Township Schools in Butler County, Pennsylvania, a distance of approximately three miles from said mine at a delivered price of $2.35 per net ton, whereas the delivered price was the effective minimum f. o. b. mine price of said coal of $2.30 per net ton plus an estimated transportation and handling cost of 10 cents to 15 cents per net ton.

3. Admits that he wilfully violated section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code by the sale and delivery during the period from October 1, 1940 to January 1, 1942, both dates inclusive, of approximately 1841.8 net tons of run of mine coal (Size Group 8) to the Ultra-Penn Refining Company, Bruin, Pennsylvania, an actual distance of $3\frac{1}{2}$ miles from said mine, at delivered prices ranging from $2.35 to $2.40 per net ton, whereas the delivered price was the effective minimum f. o. b. mine price of said coal of $2.30 per net ton plus an estimated transportation and handling cost of 10 cents to 15 cents per net ton.

4. Admits that he wilfully violated Rule 1 (F) of section VII of the Marketing Rules and Regulation: by accepting payments from said Ultra-Penn Refining Company in the transactions described in paragraph 3 above in the form of petroleum products manufactured by said purchaser in lieu of payment in full in United States currency or funds equivalent thereto.

5. Consents with respect to the foregoing admitted violations to the entry of an order directing the code member to cease and desist from violations of the Code and regulations thereunder.

6. Agrees to execute any and all papers and instruments necessary to dispose of this proceeding in the event that this application is granted.

7. Represents that to the best of his belief and knowledge he has not committed any other violations of the Act, the Code or regulations thereunder either before or after the above admitted violations occurred, whether of the same or of any other character.

8. Represents in extenuation of the foregoing admitted violations that the consumer, Ultra-Penn Refining Company together with other consumers control the available market for his coal to the extent that the price received by the code member for the coal was dictated by such consumers; and that the acceptance by him of payment, for the coal sold, in the form of petroleum products was insisted upon by said Ultra-Penn Refining Company.

All interested parties may, if they so desire, file with the Division, recommendations or requests for informal conference with respect to said application within fifteen (15) days from the date of publication of this notice.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5714; Filed, April 12, 1943, 11:34 a. m.]

[Docket No. B-368]

SOUTHWEST COAL SALES

ORDER GRANTING PERMISSION TO FILE APPLICATION

In the matter of Thos. S. Laser an individual operating as Southwest Coal Sales, Registered Distributor, Registration No. 5414.

The above-entitled matter having been heretofore scheduled for hearing on April 14, 1943, at a hearing room of the Bituminous Coal Division (the "Division"), at Room 428, United States Post Office, Minneapolis, Minnesota, by a Notice of and Order for Hearing issued herein on March 3, 1943; and

A letter dated April 8, 1943, having been filed on April 9, 1943, with the Division by the above-named Thos. S. Laser, registered distributor, requesting (1) that permission be granted to file an application pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for disposition of this proceeding without formal hearing, which application was attached to said letter, and (2) that the hearing herein be postponed to a time and place to be hereafter designated by the Director; and

It appearing to the Director that good cause having been shown for the granting of said request in part as hereinafter provided:

Now, therefore, *It is ordered*, That permission be and it hereby is granted to the said registered distributor to file his application in the above-entitled matter, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division; and

It is further ordered, That the hearing in the above-entitled matter be, and the same hereby is postponed to a time and place to be hereafter designated by an appropriate order; and

It is further ordered, That the Notice of and Order for Hearing entered herein on March 3, 1943, shall, in all other respects, remain in full force and effect.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5713; Filed, April 12, 1943, 11:34 a. m.]

[Docket No. B-258]

GRADEN COAL COMPANY

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On September 24, 1942, after notice and hearing, Joseph A. Huston, a duly designated Examiner of the Division, submitted a Report in which he found that code member, The Graden Coal Company, a corporation, operating the Graden Mine, Mine Index No. 121, in Weld County, Colorado, in District 16, wilfully violated the provisions of sections 4 II (e) and 4 II (i) 8 of the Code and rules and regulations thereunder, by selling, during the period from December 1, 1940, to October 9, 1941, an unknown quantity of coal at $4.05 per net ton f. o. b. the mine, which should have been sold at $4.55 per net ton f. o. b. the mine, and 409.25 tons of $3''$ slack coal at $1.60 per net ton f. o. b. the mine which should have been sold at $1.85 per net ton f. o. b. the mine, and by invoicing as $2\frac{1}{2}''$ x 8" egg coal, 8" lump coal and $\frac{1}{4}''$ slack, coal which was not $2\frac{1}{2}''$ x 8" egg, 8" lump or $\frac{1}{4}''$ slack, as invoiced. The Examiner further found that code member had not violated Division Orders Nos. 288, 296, 297, 307 or 312.

The Examiner recommended that an order be entered dismissing those charges in the complaint relating to violations of Division Orders Nos. 288, 296, 297, 307 or 312, and requiring code member to cease and desist from selling coal at prices below the applicable minima established therefor by the Division, and from misrepresenting the size of coal upon its invoices, or from otherwise violating the Act, the Code, and orders, rules and regulations issued thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law, and recommendation set forth in the Report, and upon the entire record in this proceeding;

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That all allegations in the complaint which charge code member with violations of Division Orders Nos. 288, 296, 297, 307 or 312 be, and same are, hereby dismissed.

It is further ordered, That The Graden Coal Company, a corporation, code member, its representatives, agents, servants, employees, attorneys, and all persons acting or claiming to act in its behalf or interest, cease and desist from violating sections 4 II (e) and 4 II (i) 8 of the Act, and the corresponding sections of the Code, or from otherwise violating the provisions of the Act, the Code, or rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5712; Filed, April 12, 1943; 11:34 a. m.]

[Docket No. B-190]

COVE HILL COAL COMPANY

ORDER RESTORING CODE MEMBERSHIP

A written complaint dated January 16, 1942, having been filed on January 16, 1942, by the Bituminous Coal Producers Board for District No. 6, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging willful violations by Cove Hill Coal Company, a code member, Hancock County, West Virginia, of the Bituminous Coal Act and the rules and regulations promulgated thereunder; and

An Order having been issued herein on September 22, 1942, revoking and cancelling the code membership of the said Cove Hill Coal Company in the Bituminous Coal Code and providing pursuant to section 5 (c) of the Bituminous Coal Act for the payment to the United States of a tax in the amount of $5,759.05 as a condition precedent to the restoration of Cove Hill Coal Company to membership in the Code; and

An application dated October 1, 1942, having been granted by Order of the Division issued October 16, 1942, conditionally restoring the membership of said Cove Hill Coal Company in the Code effective as of the effective date of said Order of Revocation upon the following terms and conditions:

In the event of default by Cove Hill Coal Company in making any installment payment as agreed in said joint application, as amended, such conditional restoration of code membership shall become wholly ineffective as of October 2, 1942, the entire balance of said tax then owing shall become due and payable and all coal sold or otherwise disposed of by said Cove Hill Coal Company on and after October 2, 1942, shall be subject to the 19½ percent tax provided by section 3520 (b) (1) of the Internal Revenue Code;"

and

Said Order dated October 16, 1942, conditionally restoring code membership, having provided that upon payment of the aforesaid tax in full in accordance with the terms of the application as amended, the code member should submit to the Division a statement by the Collector of Internal Revenue showing that said tax has been paid in full and thereupon an order would be issued restoring the code member to full and unconditional membership in the Code as of the effective date of the revocation and cancellation of its code membership.

Cove Hill Coal Company, by its attorney, having filed with the Bituminous Coal Division on April 1, 1943, its application for restoration to full and unconditional code membership; and

It appearing from said application and the statement filed by the Bureau of Internal Revenue with the Bituminous Coal Division on April 1, 1943, that the final installment of said tax was paid on March 25, 1943;

Now, therefore, it is ordered. That the code membership of Cove Hill Coal Company be, and the same hereby is fully and unconditionally restored effective as of the effective date of revocation of its code membership.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5711; Filed, April 12, 1943; 11:34 a. m.]

General Land Office.

[Public Land Order 108]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a bombing range:

NEW MEXICO PRINCIPAL MERIDIAN

T. 7 N., R. 11 W., secs. 14, 15, 16, 21, 22, 23, 26, 27, and 28.

The areas described, including both public and non-public lands, aggregate 5,760 acres.

The order of June 12, 1941, of the Secretary of the Interior, establishing New Mexico Grazing District No. 1, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the public lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 31, 1943.

[F. R. Doc. 43-5698; Filed, April 12, 1943; 9:55 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753)

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 12, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

William Atkin Company, Allentown, Pennsylvania; Men's shirts; 10 percent (T); April 12, 1944.

Michael Berkowitz Company, Inc., Uniontown, Pennsylvania; Government shirts and pajamas; 20 learners (A. T.); October 12, 1943.

Brookfield - Garrison Manufacturing Company, Warrensburg, Missouri; Jackets, one piece suits, pants and shirts; 10 percent (T); April 12, 1944.

Charming Lady Cottons, Inc., 1727 Broad Street, So., Greensburg, Pennsylvania; Women's cotton dresses; 15 learners (A. T.); October 5, 1943.

Fitwell Underwear Manufacturing Company, 411½ Fannin Street, Houston, Texas; Ladies' and children's cotton & rayon underwear; 5 learners (T); April 12, 1944.

Fletcher Brothers, 436 S. Liberty Street, Winston-Salem, North Carolina; Bibi overalls waist, dungarees; 15 learners (A. T.); October 12, 1943.

Juniors Incorporated, 860 South Los Angeles Street, Los Angeles, California; Children's dresses and sportswear; 2 learners (T); April 12, 1944.

Leask Manufacturing Company, Incorporated, 109–115 West First Street, Oswego, New York; Women's work clothes; 10 learners (T); April 12, 1944.

Patterson Manufacturing Company, 428 North Main Street, Miami, Oklahoma; Overalls, jumpers and Army pants; 28 learners (A. T.); November 2, 1943.

Rice Stix Factory #10, 10 N. Division Street, Bonne Terre, Missouri; Men's and boys' shirts; 10 percent (A. T.); October 22, 1943.

Rice Stix Factory #25, First & So. A. Streets, Farmington, Missouri; Men's shirts; 10 percent (A. T.); October 22, 1943.

Springfield Garment Manufacturing Company, 727 N. Campbell Street, Springfield, Missouri; U. S. Army trousers; 10 percent (T); April 12, 1944.

Woods Manufacturing Company, 200 Garrison Avenue, Fort Smith, Arkansas; Dress and semi-dress trousers and Army trousers; 15 learners (A. T.); January 28, 1944.

Gloves Industry

The Trion Company, Trion, Georgia; Work gloves; 45 learners (A. T.); December 28, 1943.

Hosiery Industry

Alabama Hosiery Mills, Inc., 6th Ave. and 11th St., Decatur, Alabama; Full-fashioned hosiery; 37 learners (A. T.); November 19, 1943.

Amos Hosiery Mills, 328 Mangum Avenue, High Point, North Carolina; Seamless hosiery; 10 percent (A. T.); November 30, 1943.

Brownhill & Kramer, Inc., Coudersport, Pennsylvania; Full-fashioned hosiery; 15 learners (A. T.); October 12, 1943.

Chipman LaCrosse Hosiery Mills Company, Inc., 125 E. Caswell Street, Hendersonville, North Carolina; Seamless hosiery; 24 learners (A. T.); October 12, 1943.

Continental Hosiery Company, Dabney Rd., Henderson, North Carolina; Seamless hosiery; 5 learners (A. T.); September 28, 1943.

Elliott Knitting Mills, Incorporated, Catawba, North Carolina; Seamless hosiery; 25 learners (A. T.); November 12, 1943.

Gray Line Hosiery Company, Coldbrook Avenue, Chambersburg, Pennsylvania; Full-fashioned hosiery; 10 learners (A. T.); October 12, 1943.

Graysville Hosiery Mill, 125 East Main Street, Dayton, Tennessee; Seamless hosiery; 20 learners (A. T.); September 24, 1943. (This certificate replaces the one issued to you bearing the expiration date of October 5, 1944.)

Hewitt Hosiery Mills, Depot Street, Marion, North Carolina; Seamless hosiery; 7 learners (A. T.); October 12, 1943.

Infants Socks, Incorporated, 210 Maple Street, Reading, Pennsylvania; Seamless hosiery; 5 percent (T); April 12, 1944.

The Locke Hosiery Mills, 4937 Mulberry Street, Philadelphia, Pennsylvania; Seamless hosiery; 10 learners (A. T.); November 30, 1943.

Rutledge Hosiery Mill Company, Incorporated, Rutledge, Tennessee; Seamless hosiery; 5 learners (A. T.); October 26, 1943.

Sweetwater Hosiery Mills, 818 N. Main Street, Sweetwater, Tennessee; Seamless hosiery; 12 learners (A. T.); August 31, 1943.

Unrivaled Hosiery Mill, Williamstown, Pennsylvania; Seamless hosiery; 16 learnerns (A. T.); October 12, 1943. (This certificate replaces the certificate which expires on April 27, 1943.

Van Raalte Company, Incorporated, Willingham Circle, Blue Ridge, Georgia; Full-fashioned hosiery; 10 percent (A. T.); October 12, 1943.

Walnut Hosiery Mills, Incorporated, 5th and Walnut Street, Shamokin, Pennsylvania; Full-fashioned hosiery; 5 learners (T); April 12, 1944.

Wilkes Hosiery Mills Company, North Wilkesboro, North Carolina; Seamless hosiery; 46 learners (A. T.); September 24, 1943.

Knitted Wear Industry

The Rivoli Mills, 2300 East 28th Street, Chattanooga, Tennessee; Knitted underwear and outerwear; 10 learners (A. T.); October 12, 1943.

Telephone Industry

Hooper Telephone Company, Hooper, Nebraska, To employ learners as commercial switchboard operators at its Hooper exchange, Hooper, Nebraska, until April 12, 1944.

Textile Industry

Avondale Mills, Sylacauga, Alabama; Cotton fabrics and yarn; 6 percent (A. T.); April 12, 1944.

Avondale Mills, Sycamore, Alabama; Cotton fabrics and yarn; 6 percent (A. T.); April 12, 1944.

Avondale Mills, Alexander City, Alabama; Cotton fabrics and yarn; 6 percent (A. T.); April 12, 1944.

Avondale Mills, Pell City, Alabama; Cotton fabrics and yarn; 6 percent (A. T.); April 12, 1944.

Avondale Mills, Birmingham, Alabama; Cotton and fabric yarns; 6 percent (A. T.); April 12, 1944.

Avondale Mills, Stevenson, Alabama; Cotton and fabric yarns; 6 percent (A. T.); April 12, 1944.

Avondale Mills, LaFayette, Alabama; Cotton and fabric yarns; 6 percent (A. T.); April 12, 1944.

Bibb Manufacturing Company, Osprey Mill, Porterdale, Georgia; Cotton yarn; 40 learners (T); April 12, 1944.

Bibb Manufacturing Company, Welaumee Mill, Porterdale, Georgia; Cotton yarn; 3 learners (T); April 12, 1944.

Bibb Manufacturing Company, No. One Mill, 255 Main Street, Macon, Georgia; Cotton yarn; 12 learners (T); April 12, 1944.

Bibb Manufacturing Company, Columbus Mill, Columbus, Georgia; Cotton yarn; 75 learners (T); April 12, 1944.

Bibb Manufacturing Company, Porterdale Mill, Porterdale, Georgia; Cotton yarn; 22 learners (T); April 12, 1944.

Bibb Manufacturing Company, Star Mill, Macon, Georgia: Cotton yarn; 1 learner (T); April 12, 1944.

Bibb Manufacturing Company, Taylor Mill, Reynolds, Georgia; Cotton yarn; 2 learners (T); April 12, 1944.

Bibb Manufacturing Company, No. Two Mill, Macon, Georgia; Cotton yarn; 3 percent (T); April 12, 1944.

Bibb Manufacturing Company, Crown Mill, Hawthorne Street, Macon, Georgia; Cotton yarn; 5 learners (T); April 12, 1944.

Bibb Manufacturing Company, Payne Mill, Payne City, Macon, Georgia; Cotton yarn; 3 percent (T); April 12, 1944.

Hill Spinning Company, Roseboro, North Carolina; Cotton yarn; 3 learners (A. T.); November 2, 1943.

J. & C. Bedspread Company, Ellijay, Georgia; Chenille & punchwork bedspreads; 10 learners (A. T.); October 29, 1943.

Kendall Mills, Oakland Plant, 2802 Fair Avenue, Newberry, South Carolina; Gauze; 6 learners (T); April 12, 1944.

Richmond Hosiery Mills, Spinning Dept., Rossville, Georgia; Cotton yarns; 3 percent (T); April 12, 1944.

Bibb Manufacturing Company, Knitting Mill, Macon, Georgia; Cotton hosiery; 1 learner (T); April 12, 1944.

M. Hoffman & Company, 183 Orleans Street, East Boston, Massachusetts; Overalls, work clothes, cotton fabrics, trousers, sportswear; 10 percent (T); April 12, 1944.

Signed at New York, N. Y., this 10th day of April 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-5697; Filed, April 12, 1943; 9:33 a. m.]

CIGAR INDUSTRY

NOTICE OF HEARING

Notice of hearing in the matter of the employment of learners at less than the minimum wage rate applicable under section 6 of the Fair Labor Standards Act in the Cigar Industry.

Whereas the employment of learners in the Cigar Industry as defined in Administrative Order No. 131 was authorized pursuant to the notice of amended order for the employment of learners in the Cigar Inrustry (6 F.R. 3753), dated July 29, 1941; and

Whereas the Administrator of the Wage and Hour Division on July 8, 1942, pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938, provided by wage order for the Cigar Industry, effective August 10, 1942, that wages at a rate not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Cigar Manufacturing Branch of the Cigar Industry who is engaged in commerce or in the production of goods for commerce; and that wages at a rate not less than 35 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Leaf Processing Branch of the Cigar Industry who is engaged in commerce or in the production of goods for commerce; and

Whereas petitions have been received from the Cigar Manufacturers' Association of America, Inc., from the Bayuk Cigar Company, Inc., and from numerous employers in the industry requesting that regulations be issued to govern the employment of learners in the Cigar Industry; and

Whereas § 522.4, Part 522, of the regulations issued pursuant to section 14 of the Fair Labor Standards Act of 1938, provides for the holding of public hearings to determine the conditions under which special learner certificates may be issued in an industry or branch thereof

Now, therefore, notice is hereby given that a public hearing will be held at 165 West 46th Street, New York City, beginning at 10:00 a. m., April 26, 1943, before Merle D. Vincent, Director of the Exemptions Branch of the Wage and Hour Division, hereby duly authorized to determine the need for the employment of learners at subminimum wage rates in order to prevent curtailment of opportunities for employment within the Cigar Industry, to determine the occupations for occupations, if any, which require a learning period, to determine under what limitations as to wages, time, number, proportion and length of service, special certificates authorizing the employment of learners at subminimum wage rates may be issued, and to recommend regulations governing such employment at subminimum wage rates in the Cigar Industry.

All interested parties wishing to appear at this hearing may do so by filing with the Presiding Officer a notice of intention to appear and the approximate time required for presentation of evidence prior to April 24, 1943. Any interested person unable to make personal appearance may file a brief or statement which will be considered if received on or before April 24, 1943.

Signed at New York, New York, this 10th day of April 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-5696; Filed, April 12, 1943; 9:33 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6487]

PARKER BROTHERS & CO., INC. (WDUG)

ORDER GRANTING HEARING

The Commission having under consideration its minute of January 26, 1943, designating the above-entitled application for hearing and the issues set forth in its Notice dated February 8, 1943, designating the application for hearing:

It is ordered, This 9th day of April, 1943, that the application be, and it is hereby, assigned for hearing on May 11, 1943 at Houston, Texas.

It is further ordered, That the issues specified in the Notice dated February 8, 1943, designating the application for hearing be, and the same are hereby, broadened to include the following, in addition to the issues set forth in said notice:

Whether, in the light of the evidence adduced upon the issues set forth in the Commission's Notice dated February 8, 1943, public interest, convenience or necessity would be served by a grant of the application herein.

To determine whether the needs of the applicant for communication service can be served by other available communication services.

By the Commission, Paul A. Walker, Commissioner.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-5721; Filed, April 12, 1943; 11:59 a. m.]

[Docket No. 6489]

W. A. WANSLEY, (WOAF)

ORDER GRANTING HEARING

The Commission having under consideration its minute of February 16, 1943, designating the above-entitled application for hearing, and the issues set forth in its Notice dated February 18, 1943, designating the application for hearing;

It is ordered, This 9th day of April, 1943, that the application be, and it is hereby, assigned for hearing on May 11, 1943 at Houston, Texas;

It is further ordered, That the issues specified in the Notice dated February 18, 1943, designating the application for hearing be, and the same are hereby, broadened to include the following in addition to the issues set forth in said notice:

To determine whether the needs of the applicant for communication service can be served by other available communication services.

By the Commission, Paul A. Walker, Commissioner.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-5722; Filed, April 12, 1943; 11:59 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

RECOMMENDATION FOR JOINT ACTION PLANS

In order to assure maximum utilization of the facilities, services, and equipment of common carriers by motor vehicle for the preferential transportation of materials of war and to prevent shortages in motor vehicle equipment necessary for such transportation, as contemplated by section 6 (8) of the Interstate Commerce Act; to conserve and providently utilize vital equipment, materials, and supplies; and to provide for the prompt and continucus movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, the Office of Defense Transportation, by General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694, 8 F.R. 4660), authorizes common carriers of property by motor vehicle to formulate and submit for consideration plans for joint action designed to accomplish any of the above stated purposes by one or more of the following methods:

(a) Alternate or stagger motor truck schedules between two or more points;

(b) Reciprocally exchange shipments of property between two or more points;

(c) Pool traffic, revenues, or both, between two or more points;

(d) Jointly load for transportation or operate a motor truck or trucks between two or more points;

(e) Divert traffic, operate joint terminals or joint pick-up or delivery vehicles;

(f) Establish arrangements with other carriers for the interchange of equipment;

(g) Appoint one of their own number or any other carrier to act as its or their individual, common, or joint agent to concentrate, receive, load, forward, unload, distribute, and deliver property; receive, account for, and distribute gross or net revenues therefrom, or otherwise handle or conduct the carrier's business as common carriers of property upon just and reasonable terms and conditions: *Provided*, That General Order ODT 3, Revised, as amended, shall not be construed to authorize any common carrier or carriers to operate in any of the methods described above unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or a State regulatory body.

If the Office of Defense Transportation determines that any such plan will contribute substantially to the accomplishment of the purposes above stated, the Office of Defense Transportation orders common carriers submitting any such joint action plan to place that plant in operation. The order is confined to one or more of the specific methods above enumerated, and expressly provides that all contractual arrangements made by the carriers to effectuate the joint plan shall not extend beyond the effective period of the order.

It is recommended that the Chairman of the War Production Board find and certify under section 12, Public Law No. 603, 77th Congress (56 Stat. L. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with any such order is requisite to the prosecution of the war.

Issued at Washington, D. C., this 8th day of April 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-5656; Filed, April 10, 1943; 11:46 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under MPR 112]

HADDOCK MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 2 under Maximum Price Regulation No. 112—Pennsylvania Anthracite; Docket No. 3112-12.

For the reasons set forth in an opinion issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.197 (a) of Maximum Price Regulation No. 112, *It is ordered:*

(a) Anthracite coal produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, may be sold and purchased at prices no higher than those set forth below for the respective size groups f. o. b. transportation facilities at the mine, or preparation plant operated as an adjunct of the mine or ground storage facility from which delivery is made:

Size:	*Maximum price (per net ton)*
Egg and stove	$8.00
Nut	7.60
Brooder nut	7.85
Pea	6.00
Rice (Buckwheat #2)	3.45

(b) The maximum prices set forth in paragraph (a) above shall be the maximum prices for the anthracite size groups therein stated for so long as the present quality and preparation standards are maintained; and further, the adjusted maximum price for "Brooder nut" size stated in paragraph (a) above shall constitute the maximum price only if such coal meets the following specifications: it shall be sized through a 1⅝" and over a $^{13}/_{16}$" test mesh with maximum oversize of 2% and undersize of 3%; float and sink test shall not exceed 5% sink on a 1.7 gravity;

(c) Within thirty days from the effective date of this order, the said Haddock Mining Company shall notify all persons purchasing coals produced at the Salem Hill Colliery of the adjustments granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122;

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.198 of Maximum Price Regulation No. 112 shall apply to the terms used herein;

(f) This Order No. 2 shall become effective April 10, 1943.

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5623; Filed, April 9, 1943; 3:39 p. m.]

[Order 4 Under MPR 118]

PILOT MILLS CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 4 under § 1400.101 (b) (1) (iii) of Maximum Price Regulation No. 118—Cotton Products. Order authorizing maximum price for cotton product.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) The maximum price for the following cotton product shall be:

Producer	Style No.	Finished description	Cents per yard
Pilot Mills Co., Raleigh, N. C.	600 twill plaid suiting	35" to 36", 59 x 50, 3.50 shrink	27.50

(b) The maximum price set forth in paragraph (a) shall apply f. o. b. Taylors, South Carolina and shall be net 10 days.

(c) The maximum price set forth in paragraph (a) is for a fabric made in accordance with the construction details on file with the Office of Price Administration for the particular style number.

(d) The maximum price set forth in paragraph (a) may be used by the producer as a base price from which to determine "in line" maximum prices for related types, styles and constructions of cotton products which cannot otherwise be priced under § 1400.101 of Maximum Price Regulation No. 118. If any such determinations are made, the producer shall submit an appropriate report as required by the regulation.

(e) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 4 shall become effective on this 10th day of April, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5624; Filed, April 9, 1943; 3:40 p. m.]

[Revocation of Order 18 Under MPR 122]

T. A. D JONES AND COMPANY

ORDER OF REVOCATION

Order No. 19 under Maximum Price Regulation No. 122—Solid Fuels Sold and Delivered from Facilities other than Producing Facilities—Dealers; Docket No. 3122-174.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Order No. 18 under Maximum Price Regulation No. 122 granting adjustable pricing permission to T. A. D. Jones and Company is hereby revoked.

Issued and effective this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5625; Filed, April 9, 1943; 3:39 p. m.]

[Order 250 Under MPR 188]

WILLS QUARRY

AUTHORIZATION OF MAXIMUM PRICE

Order No. 250 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) Wills Quarry, Robbs, Illinois is authorized to sell and deliver crushed limestone (larger than agricultural limestone) at prices no higher than $1.40 per ton, f. o. b. quarry.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5626; Filed, April 9, 1943; 3:37 p. m.]

[Order 251 Under MPR 188]

FITZGIBBONS BOILER COMPANY, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 251 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) This Order No. 251 establishes maximum prices for sales of new Fitzgibbons grate assemblies manufactured by Fitzgibbons Boiler Company, Inc., New York, New York. The order applies only to the Fitzgibbons grate assemblies which have been described in applications submitted by the manufacturer to the Office of Price Administration.

(b) There are set forth below the maximum prices for sales of Fitzgibbons grate assemblies in wooden crates by the manufacturer (Fitzgibbons Boiler Company, Inc.) to jobbers, retailers, and consumers; sales by jobbers to retailers and consumers; sales by retailers to consumers.

Boiler numbers	Manufacturer to jobber price	Manufacturer to retailer price	Jobber to retailer price	Price to consumer
1320				
0324	$26.45	$34.60	$34.60	$42.75
0325				
1460				
0326	28.70	37.60	37.60	46.50
0327				
1561				
0330	24.70	45.60	45.60	56.50
0311				
1911				
003				
0313	40.4	53.20	53.20	66.00
0315				
1018	25.70	33.60	33.60	41.50
0320				
1024	28.70	37.60	37.60	46.50
0326				

[1] Include base, grates, ash pit door and frame, grate rings, lifting jack, check draft, firing tools and installation instructions.

[2] Include grates, ash pit door and frame, grate ring, check draft, firing tools and installation instructions.

(c) Transportation charges.

(d) All sales of grate assemblies by Fitzgibbons Boiler Company, Inc., are f. o. b. Oswego, New York, regardless of purchaser or destination.

(2) On sales by jobbers, if the shipment is routed through the jobber's warehouse, he may add to the maximum price set forth in paragraph (b) above the actual transportation costs incurred in securing the grate assembly from the manufacturer's plant. If during the month of March 1942 the jobber made free deliveries of comparable articles in similar sales, he must continue such free deliveries; otherwise, he may add the delivery charges which he made in March 1942 for such delivery. If the shipment originates at the manufacturer's plant, the jobber may add the actual transportation costs from the manufacturer's plant to the destination. The jobber must, however, state the actual transportation charges and delivery costs separately upon the invoice rendered to the purchaser.

(3) Retailers may add to the maximum prices set forth in paragraph (b), above, the actual transportation costs incurred in securing the grate assembly directly from either manufacturer or jobber. If during the month of March 1942 the retailer made free deliveries of comparable articles in similar sales, he must continue such free deliveries; otherwise, he may add the delivery charges which he made in March 1942 for such delivery. The retailer must, however, state the actual transportation charges and delivery costs separately upon the invoice rendered to the purchaser.

(d) All cash discounts granted by Fitzgibbons Boiler Company, Inc., or any jobber or retailer for sales of comparable articles in similar sales shall be allowed to the same extent as in March 1942.

(e) Fitzgibbons Boiler Company, Inc., shall advise each of its customers of the maximum prices established under paragraphs (b) and (c) herein, together with the manner in which jobbers and retailers shall determine their respective maximum prices and shall mail to all jobbers and retailers a notice reading as follows:

The Office of Price Administration has authorized Fitzgibbons Boiler Company, Inc., to manufacture and sell in wooden crates Fitzgibbons grate assemblies, f. o. b. Oswego, New York. Fitzgibbons Boiler Company, Inc., is instructed to advise its jobbers and retailers that they are to determine their respective maximum prices for these items by applying the provisions of paragraphs (b) and (c) of Order No. 251 under Maximum Price Regulation No. 188, issued by the Office of Price Administration. All cash discounts allowed by any jobber or retailer during the month of March for comparable articles and similar sales shall be allowed to the same extent as in March 1942.

If you are a jobber, you are required to send a copy of this notice to any retailer to whom you sell Fitzgibbons grate assemblies.

(f) Fitzgibbons Boiler Company, Inc., shall submit to the Office of Price Administration such reports as it may from time to time require.

(b) This Order No. 251 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5627; Filed, April 9, 1943; 3:37 p. m.]

[Order 252 Under MPR 188]

OWENS-ILLINOIS GLASS COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 252 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) The Owens-Illinois Glass Company, Chicago, Illinois, is hereby authorized to sell, deliver and offer for sale, and all persons are authorized to buy and receive from it in the course of trade, hydrous calcium silicate pipe and block insulating material manufac-

tured by the Owens-Illinois Glass Company at the prices, discounts, allowances and terms and with the practices set forth below.

(b) The sales prices set forth below are established for two zones in the Continental United States, as follows:

(1) The United States east of the 105th meridian and including the city of Denver, Colorado, shall constitute Zone 1.

(2) The United States west of the 105th meridian and not including the city of Denver, Colorado, shall constitute Zone 2.

(c) For the purpose of selling hydrous calcium silicate insulation, the following shipping conditions shall prevail:

(1) A carload shall consist of any one of the following:

(i) A shipment valued at $5,000 or more of pipe covering and blocks at the list prices set forth herein; or

(ii) A shipment of not less than 30,000 pounds of pipe covering, blocks and or cement; or

(iii) A combination of any or all of the preceding which fills a railroad box car to its full visible capacity; but

(iv) Carload discounts, as set forth in paragraph (i) below, shall apply only if the total of all materials shipped amounts to not less than a carload and where the materials are shipped and billed at one time to one customer and to one destination.

(2) Any shipment other than a carload shipment as defined above may be considered as a less than carload shipment.

(d) The following shall be the maximum prices, f. o. b. factory shipping point, with full freight allowed to destination (*except that* on railroad purchases, freight allowance need not exceed the actual freight to the point at which the material is delivered to the purchasing railroad) all subject to the maximum limits on shipping allowances set forth in paragraph (g) below and subject further to the discounts set forth in paragraph (i) below and to the allowances and discount for prompt payment provided for in paragraph (e) below:

(1) Blocks and sheets—list prices as set forth in paragraph (h) below.

(2) Pipe covering—list prices as set forth in paragraph (h) below.

(3) Insulating cement—net prices as shown on discount sheet in paragraph (h) below.

(4) Accessories—the prices for accessories sold in conjunction with pipe covering shall be determined by deducting the appropriate percentages shown in paragraph (j) below from the discounts given on the pipe covering for which the accessories are furnished, as set forth in paragraph (h) below;

(e) The prices set forth below are subject to the following deductions:

(1) The maximum prices set forth above shall be subject to a discount of 2% for payment within 10 days of the date of invoice, computed on the net amount of the invoice after the deduction of transportation charges, except that the discount to the United States Government, to State, County and Municipal governments and their political subdivisions shall instead be 1% for payment by the 10th day of the month following the date of invoice.

(2) On returned goods, the following rules shall apply:

(i) An error in shipment by the Owens-Illinois Glass Company must be rectified by allowing full credit to the purchaser, including freight both ways:

(ii) An error by the purchaser may be rectified by the Owens-Illinois Glass Company's acceptance of the returned goods at the purchaser price less 10%, with the buyer to pay freight both ways and the returned goods to be in good condition and in the original containers.

(f) The maximum prices set forth herein will include the following packaging:

(1) Pipe covering and blocks shall be packed in crates, cases and cartons, but no allowance is required to be made by the Owens-Illinois Glass Company when such packaging is omitted at the request of the purchaser.

(2) Cement will be packed in bags or barrels.

(g) The maximum prices set forth herein shall include at least the following freight allowances:

(1) The freight allowance specified in paragraph (d) above need not exceed the following amounts:

(i) For carload shipments to destinations in zone 1, $2.00 per cwt.

(ii) For less than carload shipments to destinations in zone 1, $3.50 per cwt.

(iii) For carload shipments to destinations within zone 2, $2.00 per cwt.

(iv) For less than carload shipments to destinations within zone 2, $4.50 per cwt.

(2) Such freight allowance need not, however, exceed in any case the actual freight to the point at which the material is delivered to the purchaser when the purchaser is a railroad.

(3) No freight allowance is required to be made when the purchaser picks up the material at the producing factory.

(3) The limits set forth in this paragraph on freight allowance shall apply also when shipment is made by means more costly than freight. When such purchases are made, allowances of freight charges only on such a shipment shall be made by the Owens-Illinois Glass Company, subject to the limitations set forth in paragraph (g) herein.

(h) *List prices.*

INSULATING BLOCKS AND SHEETS

Thickness	Price per square foot	Thickness	Price per square foot	Thickness	Price per square foot	Thickness	Price per square foot
Inch		*Inch*		*Inch*		*Inch*	
1	$0.30	1¾	$0.53	2½	$0.75	3½	[illegible]
1¼	.38	2	.60	2¾	.83	4	1.05
1½	.45	2¼	.68	3	.90		1.20

PIPE COVERING

Nominal pipe sizes (inches)	Standard thickness	1½ in. thickness	2 inch thickness	Double standard thickness	2½ in. thickness	3 inch thickness	Standard thickness	Double standard thickness
	Price per lineal foot	Price per lineal foot	Price per lineal foot	Price per lineal foot	Price per lineal foot	Price per lineal foot		
							Inches	*Inches*
¼	$0.22	$0.46	$0.75	$0.65	$1.00	$1.20	[illegible]	1½
¾	.24	.47	.80	.70	1.05	1.35	[illegible]	1¾
1	.27	.52	.85	.75	1.10	1.40	[illegible]	1¾
1¼	.30	.56	.90	.80	1.15	1.45	[illegible]	1¾
1½	.33	.60	.95	.85	1.20	1.55	[illegible]	2
2	.36	.64	1.00	.90	1.25	1.65	[illegible]	2¼
2½	.40	.70	1.05	1.00	1.35	1.75	[illegible]	2¼
3	.45	.76	1.15	1.10	1.50	1.90	[illegible]	2½
3½	.50	.82	1.25	1.20	1.65	2.05	[illegible]	2½
4	.60	.88	1.35	1.40	1.80	2.20	[illegible]	2½
4½	.65	.94	1.45	1.50	1.95	2.35	[illegible]	2½
5	.70	1.00	1.55	1.60	2.10	2.50	[illegible]	2½
6	.80	1.10	1.70	1.80	2.25	2.70	[illegible]	2½
7	1.00	1.20	1.85	2.25	2.40	2.90	[illegible]	2½
8	1.10	1.35	2.00	2.50	2.55	3.15	[illegible]	3
9	1.20	1.50	2.20	2.70	2.80	3.40	[illegible]	3
10	1.30	1.65	2.40	2.90	3.05	3.65	[illegible]	3
11	1.75	1.75	2.55	3.50	3.20	3.90	[illegible]	3
12	1.85	1.85	2.70	4.10	3.40	4.10	[illegible]	3
14	2.10	2.10	3.00	4.60	3.80	4.60	[illegible]	3
15	2.25	2.25	3.15	4.85	4.00	4.85	[illegible]	3
16	2.35	2.35	3.30	5.10	4.20	5.10	[illegible]	3
17	2.50	2.50	3.45	5.35	4.40	5.35	[illegible]	3
18	2.60	2.60	3.60	5.60	4.60	5.60	[illegible]	3
19	2.75	2.75	3.80	5.80	4.80	5.80	[illegible]	3
20	2.85	2.85	4.00	6.00	5.00	6.00	[illegible]	3
21	3.00	3.00	4.15	6.25	5.20	6.25	[illegible]	3
22	3.10	3.10	4.30	6.50	5.40	6.50	[illegible]	3
23	3.20	3.20	4.40	6.75	5.60	6.75	[illegible]	3
24	3.30	3.30	4.50	7.00	5.75	7.00	[illegible]	3
26	3.55	3.55	4.85	7.50	6.20	7.50	[illegible]	3
27	3.65	3.65	5.05	7.70	6.40	7.70	[illegible]	3
28	3.75	3.75	5.15	7.95	6.55	7.95	[illegible]	3
30	4.00	4.00	5.50	8.40	6.95	8.40	[illegible]	3
32	4.30	4.30	5.90	9.10	7.40	9.10	[illegible]	3
33	4.40	4.40	6.05	9.20	7.60	9.20	[illegible]	3

Standard accessories: 8.8-oz. canvas and 2½" black japanned or gold lacquered steel bands per sec[illegible] pipe sizes 11" and smaller. No canvas or bands for sizes 12" and larger

(i) *Discounts*—(1) *Heat insulating block, sheets and pipe covering, and insulating cement for delivery in Zone 1.*

INSULATING MATERIALS FOR TEMPERATURES UP TO 500° F.

Classes of buyers	Dealers, jobbers and insulation contractors		United States Government		Industrial buyers who enter into contracts for heat insulating materials; Railroads		Distributors		State, county and municipal governments and their political subdivisions. All other classes of purchasers not listed in this table	
Trade discounts off list price: Insulating blocks, sheets, lagging and pipe covering	CL 54	LCL 50	CL 54	LCL 52	CL 52	LCL 50	CL 60	LCL 58	CL 49	LCL 45
Price insulating cement in bags, per ton	$7.00	$7.20	$7.00	$7.20	$7.20	$7.40	$6.00	$6.17	$7.70	$8.10

INSULATING MATERIALS FOR TEMPERATURES ABOVE 500° F.

Classes of buyers	Dealers, jobbers and insulation contractors		United States Government		Industrial buyers who enter into contracts for heat insulating materials; Railroads		Distributors		State, county and municipal governments and their political subdivisions. All other classes of purchasers not listed in this table	
Trade discounts off list price: Insulating blocks, sheets, lagging and pipe covering	CL 45	LCL 42	CL 45	LCL 42	CL 45	LCL 42	CL 50	LCL 47	CL 43	LCL 42
Price insulating cement in bags, per ton	$7.00	$7.20	$7.00	$7.20	$7.20	$7.40	$6.00	$6.17	$7.70	$8.10

(2) *Heat insulating block, sheets and pipe covering, and insulating cement for delivery in Zone 2.*

INSULATING MATERIALS FOR TEMPERATURES UP TO 500° F.

Classes of buyers	Dealers, jobbers and insulation contractors		United States Government		Industrial buyers who enter into contracts for heat insulating materials; Railroads		Distributors		State, county and municipal governments and their political subdivisions. All other classes of purchasers not listed in this table	
Trade discounts off list price: Insulating blocks, sheets, lagging and pipe covering	CL 52	LCL 43	CL 52	LCL 49	CL 50	LCL 41	CL 58	LCL 54	CL 44	LCL 33
Price insulating cement in bags, per ton	$7.20	$7.60	$7.20	$7.60	$7.20	$7.60	$6.17	$6.42	$8.40	$10.00

INSULATING MATERIALS FOR TEMPERATURES ABOVE 500° F.

Classes of buyers	Dealers, jobbers and insulation contractors		United States Government		Industrial buyers who enter into contracts for heat insulating materials; Railroads		Distributors		State, county and municipal governments and their political subdivisions. All other classes of purchasers not listed in this table	
Trade discounts off list prices: Insulating blocks, sheets, lagging and pipe covering	CL 45	LCL 38	CL 45	LCL 38	CL 45	LCL 38	CL 50	LCL 47	CL 40	LCL 25
Price insulating cement in bags, per ton	$7.20	$7.60	$7.20	$7.60	$7.20	$7.60	$6.17	$6.42	$8.40	$10.00

(j) *Accessories.*

NOTE: The following tables show extra charges which may be made in all cases where covering is sold with accessories other than those specified as Standard. Refer to tables below for extra charge which must be deducted from discount to arrive at proper maximum price.

Accessories	Extra charge (subtract from percentage discount)	
	For pipe sizes 11" and smaller	For pipe sizes larger than 11"
Canvas:		
3.80 or 4 oz	No deduction	2
6 oz	2	4
7 oz	3	5
8 oz	4	6
10 oz	5	7
12 oz	6	8
Bands—black or gold lacquered steel:		
Up to 2½ per section of covering	No deduction	1
Over 2½ up to and including 5 per section of covering	1	2
Over 5 up to and including 7½ per section of covering	2	3
Over 7½ per section of covering	Base calculations on figures above. Deduct one point (one-half of one cent) for each additional 2½ bands or fraction thereof per section of covering.	
Bands—brass solid:		
2½ per section	2	3
3 per section	4	5
3½ per section	6	7
Over 3½ per section	Base calculations on figures above. Deduct one point (one-half of one cent) for each additional 2½ bands or fraction thereof per section of covering.	
Waterproof (jacket) jackets (cut to size and fitted to covering at factory).	8	11
(Does not include canvas or bands. If canvas and bands required add 3 points of discount, make extra charge 11 points of discount.)		
Resin sized paper jackets (furnished from factory, cut to size or integral with covering)	3	5

(k) The provisions of this order are subject to both of the following conditions:

(1) That the Owens-Illinois Glass Company notify the Office of Price Administration, within five days after the company begins to produce hydrous calcium silicate insulation in any plant other than the present pilot plant operated by the company, that such new production facilities are being used; and

(2) That the Owens-Illinois Glass Company shall submit such reports to the Office of Price Administration, with respect to costs at the new plant or at the pilot plant, or with respect to any other information, as the Office of Price Administration shall require.

(l) All prayers in the petition not specifically granted in this order are hereby denied.

(m) This Order No. 252 may be revoked or amended by the Administrator at any time.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 9th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5628; Filed, April 9, 1943; 3:40 p. m.]

[Correction to Order 61 Under MPR 120]

CUSTER COAL CO.

ORDER GRANTING ADJUSTMENT

Correction to Order No. 61 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120-96.

The reference to Size Group 8 in paragraph (b) of Order No. 61 under Maximum Price Regulation No. 120 and in the opinion accompanying that order is corrected to read Size Group 7.

This correction to Order No. 61 shall be effective as of October 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5658; Filed, April 10, 1943; 12:07 p. m.]

[Order 183 Under MPR 120]

JOHN M. HIRST & COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 183 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120-346

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250 and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coal in Size Group 6 produced by John M. Hirst and Company, Cleveland, Ohio, at its Sterling Mine, Mine Index No. 132, in District No. 4, may be sold and purchased for truck or wagon shipment at prices not to exceed $2.85 per net ton f. o. b. the mine;

(b) Within thirty (30) days from the effective date of this order, the said John M. Hirst and Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increases in the purchaser's resale price except in accordance with and subject to the provisions of Revised Maximum Price Regulation No. 122.

(c) This Order No. 183 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 183 shall become effective April 12th, 1943.

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5657; Filed, April 10, 1943; 12:07 p. m.]

[Order 253 Under MPR 188]

FURNITURE MANUFACTURERS

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 253 under § 1499.159 (b) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Adminisrator by the Emergency Price Control Act, as amended, and Executive Order No. 9250, *It is ordered:*

(a) *Establishment of f. o. b. factory crated maximum price.* A manufacturer of furniture who has customarily shipped an article of furniture by motor truck and who does not have a maximum f. o. b. factory crated price to a particular class of customer for such article of furniture may determine such a price by deducting from his maximum delivered price to that class of customer the amount of transportation, packing, and crating charges included in such price and adding to the remainder the cost of packing and crating for transportation by rail on the basis of March, 1942, replacement costs.

(b) *Reports.* The manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report prior to first offering the article of furniture for sale at the f. o. b. factory crated maximum price determined in accordance with paragraph (a) hereof. The report shall contain (1) the manufacturer's maximum delivered price for the article with a description of the delivery zone and the class of purchaser to which this price is applicable; (2) a detailed breakdown of the transportation, packing and crating charges on the basis of March, 1942, cost, included in computing such delivered price, with a description of the method of determining such transportation, packing and crating charges, and (3) a detailed breakdown of the cost of packing and crating the article for transportation by rail, computed on the basis of March, 1942, costs. Fifteen days after mailing the report, in the absence of any contrary direction from the Office of Price Administration, the manufacturer may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration.

All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Register Act of 1942.

Issued and effective this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5659; Filed, April 10, 1943; 12:06 p. m.]

[Order 254 Under MPR 188]

MULTICRAFT CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 254 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Multicraft Corporation of two furlough bags.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Multicraft Corporation, 571 Eighth Avenue, New York, New York, is authorized to sell and deliver the following soft canvas furlough bags manufactured by it at prices no higher than those set forth below:

	Per dozen
16" soft canvas furlough bag	$17.50
20" soft canvas furlough bag	19.75
21" soft canvas furlough bag	22.63

This Order No. 254 may be revoked or amended by the Price Administrator at any time.

This Order No. 254 shall become effective on the 12th day of April 1943.

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5660; Filed, April 10, 1943; 12:06 a. m.]

[Order 255 Under MPR 188]

FURNITURE MANUFACTURERS

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 255 under § 1499.159 (b) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) *Optional line pricing and reporting of furniture under § 1499.156 of Maximum Price Regulation No. 188.* The maximum price of any article of furniture which cannot be priced under § 1499.155 and which differs from an article for which a maximum price has already been established, only because of changes necessitated by shortages of materials or parts used in the original article, shall be determinec by one of the following two methods:

(1) The maximum price of a changed article may be determined by adjusting the maximum price of the original article through adding or subtracting the increase or decrease in unit direct cost resulting from the changes.

(2) In case the same change is made in a group of comparable articles the manufacturer may at his option select one of the comparable articles and determine the maximum prices of all the comparable articles on the basis of the change in unit direct cost of the article selected. This determination shall be made by computing the change in unit direct cost of the article selected and by adding any increase in unit direct cost of this article to, or subtracting any decrease in the unit direct cost of this article from, the original maximum prices of all the comparable articles. In the case of increases in unit direct costs of all the comparable changed articles, the article to be used as the basis for determining the maximum prices shall be the one in the line of comparable articles in which the change in unit direct cost is smallest; in the case of decreases in unit direct costs of all the comparable articles, the article to be used as the basis for determining the maximum prices shall be the one in the line of comparable articles in which the change in unit direct cost is largest.

In calculating unit direct cost for the original articles, the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in paragraph (b) of § 1499.157 for comparable articles. In calculating unit direct cost for the changed articles, the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in Paragraph (b) of § 1499.157 for the article being priced.

(b) *Reports of maximum prices*—(1) *Maximum price determined under paragraph (a) (1).* In the case of an article of furniture for which a maximum price must be determined under paragraph (a) (1), the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., prior to first offering the article for sale. The report shall contain a description of the original and of the changed article, a detailed explanation of the changes made (including any innovation in manufacturing process), the reasons therefor, and details of the computation of the unit direct cost and of the maximum price.

(2) *Maximum prices determined under (a) (2).* In case the same change is made in a group of comparable articles and the manufacturer elects to price the group under paragraph (a) (2), the manufacturer may report for all (or any) of such comparable articles a description of one of the original articles, a detailed explanation of the changes made (including any innovation in manufacturing process), the reasons therefor, and details of the computation of unit direct costs and of the maximum price. In the case of a decrease in the unit direct cost of the changed articles, the article reported shall be the one in the group of comparable articles in which the unit direct cost change is largest; in the case of an increase in the unit direct cost of the changed articles, the article reported shall be the one in the group of comparable articles in which the unit direct cost change is smallest. The manufacturer shall accompany such report with illustrations (photographs or sketch) of the article submitted as it appeared originally and as changed, and of each of the other comparable articles as they appeared originally and as changed, together with a list of the original and the changed maximum prices of each article.

Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration.

(c) This Order No. 255 shall become effective April 12, 1943.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Record Act of 1942.

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5668; Filed, April 10, 1943; 12:42 p. m.]

[Order 230 Under MPR 188]

WRIGLEY BROS.

APPROVAL OF MAXIMUM PRICES

Correction

In the sixth line of paragraph (a) of the document appearing on page 4271 of the issue for Saturday, April 3, 1943, the keep number should be "1263".

[Order 3 Under MPR 208]

BLUEBELL GLOBE MANUFACTURING COMPANY

ORDER GRANTING MAXIMUM PRICES

Correction

In the table appearing on page 4273 of the issue for Saturday, April 3, 1943, the lot numbers of one piece work suits, Denim—8 oz. sanforized blue should be 4402, 6282, 6283.

[Order 33 Under Rev. MPR 148]

DRESSED HOGS AND WHOLESALE PORK CUTS

ARIZONA DESIGNATED AS CRITICAL AREA

Pursuant to § 1364.23 (b) of Revised Maximum Price Regulation No. 148, I find that a critical shortage of meat has occurred in the State of Arizona because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The State of Arizona is hereby designated a critical area, and the Regional Administrator for the VIIIth region, or any District Manager authorized by him, may in writing authorize sellers to charge and receive, for dressed hogs and wholesale pork cuts and processed products sold to buyers in the State of Arizona the actual added cost of transportation in addition to the applicable maximum price. The actual added cost of transportation shall be ascertained by reference to the point from which the meat originates; the distribution point at which the buyer takes actual physical possession of the meat or from which local delivery to the buyer begins; the manner in which and the rate at which the meat is shipped by the seller to such point; and maximum price which the seller could charge on such a sale in the absence of any adjustment; and the difference between the amount allowed for transportation in such maximum price and the transportation expense incurred by the seller.

This designation shall remain in effect to and including June 12, 1943, unless sooner terminated or unless extended by amendment to this order.

This order may be revoked or amended at any time. This order shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5689; Filed, April 10, 1943; 4:48 p. m.]

[Order 28 Under Rev. MPR 169]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

ARIZONA DESIGNATED AS CRITICAL AREA

Pursuant to § 1364.405 (b) of Revised Maximum Price Regulation No. 169, I find that a critical shortage of meat has occurred in the State of Arizona because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The State of Arizona is hereby designated a critical area, and the Regional Administrator for the VIIIth region, or any District Manager authorized by him, may in writing authorize sellers to charge and re-

ceive, for beef or veal carcasses and wholesale cuts and processed products sold to buyers in the State of Arizona, the actual added cost of transportation in addition to the applicable maximum price. The actual added cost of transportation shall be ascertained by reference to the point from which the meat originates; the distribution point at which the buyer takes actual physical possession of the meat or from which local delivery to the buyer begins; the manner in which and the rate at which the meat is shipped by the seller to such point; the maximum price which the seller could charge on such a sale in the absence of any adjustment; and the difference between the amount allowed for transportation in such maximum price and the transportation expense incurred by the seller.

This designation shall remain in effect to and including June 12, 1943, unless sooner terminated or unless extended by amendment to this order.

This order may be revoked or amended at any time. This order shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5686; Filed, April 10, 1943; 4:47 p. m.]

[Order 1 Under Rev. MPR 239]

LAMB AND MUTTON CARCASSES AND CUTS AT WHOLESALE AND RETAIL

ARIZONA DESIGNATED AS CRITICAL AREA

Pursuant to § 1364.155 (b) of Revised Maximum Price Regulation No. 239, I find that a critical shortage of meat has occurred in the State of Arizona because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The State of Arizona is hereby designated a critical area, and the Regional Administrator for the VIIIth region, or any District Manager authorized by him, may in writing authorize sellers to charge and receive, for lamb and mutton carcasses and wholesale and hotel supply cuts sold to buyers in the State of Arizona, the actual added cost of transportation in addition to the applicable maximum price. The actual added cost of transportation shall be ascertained by reference to the point from which the meat originates; the distribution point at which the buyer takes actual physical possession of the meat or from which local delivery to the buyer begins; the manner in which and the rate at which the meat is shipped by the seller to such point; the maximum price which the seller could charge on such a sale in the absence of any adjustment; and the difference between the amount allowed for transportation in such maximum price and the transportation expense incurred by the seller.

This designation shall remain in effect to and including June 12, 1943, unless sooner terminated or unless extended by amendment to this order.

This order may be revoked or amended at any time. This order shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5687; Filed, April 10, 1943; 4:47 p. m.]

[Order 1 of Commodity Practices Reg. 1]

GEORGE J. KELLY, INC.

ADJUSTMENT OF MAXIMUM PRICE

Order No. 1 under § 1386.5 of Commodity Practices Regulation No. 1—Bar or Package Soaps or Cleansers.

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

(a) On and after April 12, 1943, George J. Kelly, Inc., a corporation of Lynn, Massachusetts, may offer for sale, sell and deliver saddle soap manufactured by it in glass jars containing 2.75 ounces in any market area in which it sold or offered for sale such saddle soap in 2.5 ounce tin cans during the thirty day period ending July 17, 1942.

(b) The maximum prices charged by George J. Kelly, Inc., for its saddle soap when sold in 2.75 ounce glass jars shall not exceed 110 per cent of its maximum selling price as established under the General Maximum Price Regulation for sales of its saddle soap in 2.5 ounce tin cans.

(c) Resellers of saddle soap in 2.75 ounce glass jars manufactured by George J. Kelly, Inc., may charge not to exceed 110 per cent of their maximum selling price as established under the General Maximum Price Regulation for sales by them of such soap in 2.5 ounce tin cans.

(d) George J. Kelly, Inc., shall notify or cause to be notified all resellers of its saddle soap of the terms of this order within thirty days from April 12, 1943.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5688; Filed, April 10, 1943; 4:49 p. m.]

[General Order 50]

RESTAURANTS AND SIMILAR ESTABLISHMENTS

DELEGATION OF AUTHORITY TO FIX MAXIMUM PRICES

Filing of prices by restaurants and similar establishments; delegation of authority to fix maximum prices.

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended (and particularly section 202 thereof), and Executive Order No. 9250, *It is hereby ordered:*

(a) *Filing of menus.* On or before May 1, 1943, every proprietor of a restaurant, hotel, cafe, dining car, bar, delicatessen, soda fountain, catering business, or other eating or drinking place, shall file with the War Price and Rationing Board for the area in which each of his places is located a true copy of each menu, bill of fare, or other price list of food items, including beverages, and meals (called "menu") in use at that place during the seven-day period beginning Sunday, April 4, 1943 and ending April 10, 1943. If no menu was in use in that period, or if the menus in use did not list all food items or meals then offered, the "proprietor" shall file with the Board a list in menu form showing the prices which he charged during the seven-day period for food items or meals which are not shown on any menus he may file hereunder. Each menu or list so filed shall be signed by the proprietor or by one of his responsible officers or employees. A copy of each such menu or list shall be retained by the proprietor. Proprietors of railroad dining cars shall file with the Services and Consumer Durable Goods Division, Office of Price Administration, Washington, D. C.

(b) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during all of the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943 and (2) the filing shall be made within three weeks of such first Sunday.

(c) *Customary records.* Each proprietor shall preserve all his existing records relating to the prices, costs and sales of food items, meals and beverages. He shall also continue to prepare and maintain such records as he ordinarily kept. All such records shall be kept available for examination by the Office of Price Administration.

(d) *Future records.* Each proprietor shall keep for examination by the Office of Price Administration two of each of the menus used by him for each meal each day. If he does not use menus, he shall prepare and keep for such examination a daily record, in duplicate, of the prices charged by him for food items and meals, except that he need not record prices which are the same as, or less than, prices he previously recorded for the same items or meals. A proprietor who has customarily used menus shall continue to do so.

(e) *Authority of regional administrator to fix maximum prices.* Each regional administrator of the Office of Price Administration is hereby authorized to issue orders, in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, establishing maximum prices for meals, food items and beverages. Such orders or regulations may establish maximum prices at or in line with the prices charged during the seven-day period beginning April 4, 1943, reduce prices below such levels if the prices charged during that period were abnormally high, and may require or authorize other appropriate action in accordance with the above standards. This authority may be delegated by such regional administrators by order, to any State Director or District Manager of the Office of Price Administration. Any order or other action taken by the Regional Administrator or any person duly authorized by him in accordance with this general order shall have the same force and effect as if issued by the Price Administrator.

(f) *Authority of local war price and rationing boards.* Each regional administrator may instruct any or all of the War Price and Rationing Boards in the region to receive complaints from the public, investigate prices charged by proprietors, hold hearings on prices charged by proprietors either on complaint or on its own motion and make appropriate recommendations to its district office.

(g) *Geographical application.* This order applies to the United States, including the District of Columbia, but not to its territories and possessions.

(h) *Definitions.* (1) "Proprietor" means a person who owns or operates a restaurant, hotel, cafe, dining car, bar, delicatessen, soda fountain, catering business, or other eating or drinking place.

(2) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(3) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(4) "Meal" means a combination of food items sold at a single price, such as a five-course dinner, a club breakfast, a blue-plate special.

This order shall become effective April 12, 1943.

NOTE: The specific reporting and record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5717; Filed, April 12, 1943; 11:51 a. m.]

[Amendment 2 to Order 8 Under MPR 169]

ARMOUR & COMPANY

EXEMPTION FROM CERTAIN PROVISIONS

Amendment No. 2 to Order No. 8 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

An opinion accompanying this amendment to Order No. 8 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

1. Paragraph (a) is amended by adding the following sentence:

(a) * * * The applications for adjustment filed by Armour & Company of Delaware, Union Stock Yards, Chicago, Illinois, under Docket Numbers 3169–118, 3169–131 and 3169–132, involving deliveries to the United States Army of cooked salami (government specifications) shall be treated as applications for the establishment of a maximum price in accordance with § 1364.52 (j) of Maximum Price Regulation No. 169. Armour & Company of Delaware shall, within forty-five days from the effective date of this amendment, file with the Secretary of the Office of Price Administration the information required for such an application by § 1364.52 (j) of Maximum Price Regulation No. 169.

2. Paragraph (b) is further amended by adding the following sentence:

(b) * * * With respect to deliveries made by Armour & Company of Delaware, of Chicago, Illinois (Docket Numbers 3169–118, 3169–131 and 3169–132) of cooked salami (government specifications), the applicant shall not be required to make any refund to the purchaser, of any sums received for such item, until the Administrator shall have finally disposed of the applicant's petition for the establishment of a maximum price for such item. If the maximum price to be established for such item shall be lower than the price received by the applicant under its contracts with the United States Army (Docket Numbers 3169–118, 3169–131 and 3169–132), the applicant will be required to refund the difference.

* * * * *

This Amendment No. 2 to Order No. 8 under Maximum Price Regulation No. 169 shall become effective this 13th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5719; Filed, April 12, 1943; 11:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-622]

EASTON TRANSIT CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th of April, A. D. 1943.

It the matter of Easton Transit Company, Lehigh Valley Transit Company, National Power & Light Company.

National Power & Light Company ("National"), a registered holding company, and its subsidiaries, Easton Transit Company ("Easton"), and Lehigh Valley Transit Company ("Lehigh"), having filed a joint application and declaration pursuant to the Public Utility Holding Company Act of 1935, and the rules and regulations promulgated thereunder, relating to (a) the proposal of National to surrender for cancellation to Easton as a capital contribution 41,000 shares of the 43,000 shares of outstanding capital stock of Easton, having a par value of $50.00 per share, now owned by National; (b) the proposal of Easton to accept for cancellation said 41,000 shares of its capital stock and to credit capital surplus with the aggregate par value thereof in the amount of $2,050,000; (c) the proposal of Easton to write off against said capital surplus the deficit in its earned surplus account of $2,046,511.52 at August 31, 1942; and (d) the proposal of National to sell to Lehigh and of the latter to acquire the remaining 2,000 shares of the capital stock of Easton for a consideration of $10,000 in cash; and

Said joint application and declaration having been filed on the 6th day of November, 1942, and the last amendment thereto having been filed on the 24th day of March, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed sale by National to Lehigh of the securities hereinabove described is a step in compliance with the order of the Commission dated August 23, 1941, issued pursuant to the provisions of section 11 (b) (2) of the Act, directing the dissolution of National, and is not in contravention of the provisions of the Act, or any rules or regulations promulgated thereunder, that the proposed transactions satisfy the requirements of sections 10 and 12 of the Act and Rules U-43 and U-45 promulgated thereunder and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to approve said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed under Rule U-24, that said joint application be, and the same hereby is, approved and that said joint declaration be, and the same hereby is, permitted to become effective forthwith.

It is further ordered, That the sale and transfer by National to Lehigh of said 2,000 shares of the capital stock of Easton are necessary and appropriate to effectuate the provisions of section

11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5653; Filed, April 10, 1943; 11:32 a. m.]

[File No. 70-685]

HOUSTON GULF GAS COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of April, A. D. 1943.

Houston Gulf Gas Company ("Houston Gulf"), an indirect subsidiary of United Gas Corporation, a subsidiary of Electric Power & Light Corporation, which in turn is a subsidiary of Electric Bond and Share Company, both registered holding companies, having filed a declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7 and 12 thereof and Rule U-42 promulgated thereunder, concerning the following transactions:

1. The issue and sale by Houston Gulf of its promissory note dated on or about April 15, 1943, in the principal amount of $600,000 bearing interest at the rate of 2 percent per annum, payable six months from the date thereof to the First National Bank of Boston. Houston Gulf will use the cash proceeds therefrom to construct natural gas transmission facilities and make changes in existing equipment to enable Houston Gulf to convey to Defense Plant Corporation for a cash purchase price of $2,625,000 its 14" and 16" natural gas transmission line extending from Refugio, Texas, to Pierce Junction, Texas, for conversion into an oil pipe line. Houston Gulf will use part of the proceeds of the sale of its transmission line for the payment and retirement of its $600,000 note described above.

2. The issue and sale by Houston Gulf of a 2½% note in the principal amount of $1,500,000 payable in semi-annual installments of $300,000 and maturing on August 29, 1945, to the First National Bank of Boston. This note, together with a like principal amount of cash of the proceeds of the sale of its pipe line described above, will be used to prepay to the First National Bank of Boston the unpaid balance of $3,000,000 on Houston Gulf's 2½% note in the principal amount of $6,000,000 dated August 29, 1940, and maturing August 29, 1945, which will be surrendered and cancelled.

Said declaration having been filed on March 10, 1943 and the last of said amendments having been filed thereto on April 2, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration as amended to become effective;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration, as amended, be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5652; Filed, April 10, 1943; 11:32 a. m.]

[File No. 59-59]

AMERICAN STATES UTILITIES CORP., ET AL.

ORDER REQUIRING LIQUIDATION

In the matter of American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, Grimes Pass Power Company, respondents.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 9th day of April, A. D. 1943.

The Commission having on March 16, 1943, instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to American States Utilities Corporation, a registered holding company, and its three subsidiary companies, Edison Sault Electric Company, Southern California Water Company, and Grimes Pass Power Company; and

American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, and Grimes Pass Power Company, having filed, on March 23, 1943, an answer admitting all of the allegations set forth in the notice of and order for hearing instituting such proceedings and having consented in such answer to the entry by the Commission of an order under section 11 (b) (2) of said Act that American States Utilities Corporation liquidate and dissolve:

A public hearing having been held after appropriate notice, and the Commission having examined the record and having made and filed its findings and opinion herein, which findings and opinion include that the continued existence of American States Utilities Corporation unduly and unnecessarily complicates the structure of the holding company system of which it is a part;

It is ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that American States Utilities Corporation shall take such action as may be necessary to cause its liquidation and dissolution; and

It is further ordered, That American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, and Grimes Pass Power Company, respondents herein, shall proceed with due diligence to submit to this Commission a plan to effect prompt compliance with the foregoing order pursuant to section 11 (b) (2) of said Act and shall take such steps as may be necessary or appropriate to effectuate this order; and

It is further ordered, That jurisdiction be, and the same hereby is, reserved for the purpose of considering any and all plans for compliance with the action hereinbefore ordered, for the purpose of entering such further orders as may be necessary or appropriate to ensure that the action hereinbefore ordered is accomplished in a manner consistent with the public interest and with the provisions of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5654; Filed, April 10, 1943; 11:32 a. m.]

[File No. 59-10]

THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

MODIFICATION OF ORDER SEVERING RELATIONSHIP BETWEEN NORTHERN NATURAL GAS CO. AND ARGUS NATIONAL GAS CO.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of April, 1943.

The Commission having issued an order on April 14, 1942 in the above styled and numbered proceeding which provided in part:

It is ordered, Pursuant to section 11 (b) (1):

* * * * *

5. That Northern Natural Gas Company, a registered public utility holding company, shall sever its relationship with the company named hereafter by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said Act or the rules and regulations promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued and properties owned, controlled or operated by: Argus Natural Gas Company;

And the Commission having entered a supplemental order on June 25, 1942 pursuant to the petition of Northern Natural Gas Company, a registered holding company, which provided in part:

It is ordered, For the reasons set forth in the said opinion, that the said petitions be, and the same hereby are, denied, except insofar as hereinafter set forth:

* * * * *

The petition of Northern Natural Gas Company having indicated the existence of evidence respecting the retainability of certain pipe line facilities owned by its subsidiary, Argus Natural Gas Company, Inc., which evidence was not before the Commission in the course of the original proceedings herein, and the Commission in its discretion deeming it advisable to afford to Northern Natural Gas Company an opportunity to present such further evidence for inclusion in the record herein:

It is further ordered, That the record be reopened and a hearing convened at a date to be set by further order of the Commission for the limited purpose of receiving such evidence as * * * Northern Natural Gas Company may proffer with respect to the retention and operation of said oil and pipe line facilities, respectively, and the evidence to be introduced shall be limited to those issues, as more fully set forth in the said opinion.

and:

The record in said proceeding having been reopened, a hearing convened and additional evidence offered; and the Commission having considered all of the evidence in the record and having made and filed its findings and opinion in the matter;

It is ordered, That paragraph numbered 5 in our order of April 14, 1942 in the above styled and numbered proceeding, which paragraph is set forth in the first quotation above, be modified to read as follows:

5. That Northern Natural Gas Company, a registered public utility holding company, shall sever its relationship with the company named hereafter by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said Act or the rules and regulations promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued and properties owned, controlled or operated by: Argus Natural Gas Company;

Provided, however, That Northern Natural Gas Company shall be permitted to retain in its system, in any appropriate manner not in contravention of the applicable provisions of the said Act and of the rules and regulations promulgated thereunder, the transmission, branch and gathering lines and town border stations now owned by said Argus Natural Gas Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5700; Filed, April 12, 1943; 9:54 a. m.]

[File No. 59-10]

THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

NOTICE OF FILING OF PETITION BY ILLINOIS IOWA POWER CO. AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of April, 1943.

The Commission having entered its order herein on April 14, 1942, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 directing The North American Company and certain of its subsidiary companies to take various steps in order to comply with the provisions of section 11 (b) (1) of said Act;

Notice is hereby given that on March 29, 1943, Illinois Iowa Power Company, one of the respondents herein, filed a petition requesting the entry of an order by this Commission under section 11 (c) of the Act extending for one year the time within which to comply with the order of April 14, 1942, above described.

All interested persons are referred to said petition which is on file in the office of the Commission for full details concerning the petition.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said petition and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 11:00 a. m., e. w. t., on the 26th day of April 1943, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by the Commission's rules of practice, Rule XVII, on or before April 20, 1943.

At said hearing there will be considered (1) whether Illinois Iowa Power Company has exercised due diligence in its efforts to comply with the Commission's order of April 14, 1942, and (2) whether an extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to The North American Company, North American Light & Power Company, Illinois Traction Company and to Illinois Iowa Power Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5701; Filed, April 12, 1943; 9:54 a. m.]

[File Nos. 70-698, 70-701]

NEW ENGLAND PUBLIC SERVICE CO. AND NEW YORK POWER & LIGHT CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of April, 1943.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named parties; and

Notice is further given that any interested person may, not later than April 23, 1943 at 5:30 p. m., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declarations or applications, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transaction, as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed to the Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations or applications, which are on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

New York Power and Light Corporation is a subsidiary company of Niagara Hudson Power Corporation, in turn a subsidiary company of The United Corporation, a registered holding company. The Twin State Gas & Electric Company is a subsidiary company of New England Public Service Company, in turn a subsidiary company of Northern New England Company, both of the latter being registered holding companies. The Twin State Gas & Electric Company proposes to sell to New York Power and Light Corporation, and the latter corporation proposes to acquire, an electrical distribution system and incidental assets owned by The Twin State Gas & Electric Company in the town of Hoosick and the village of Hoosick Falls, New York, at a price of $183,863 plus an amount equal to the fair value of the materials and supplies, accounts and bills receivable, including energy metered but not billed, plus the amount of consumers' deposits, all as of December 31, 1942.

Proceeds of sale amounting to $183,863 will be deposited by The Twin State Gas & Electric Company with the trustee under its mortgage dated March 2, 1925, and will either be used in the redemption and retirement of its bonds or be withdrawn against additional property in accordance with its mortgage and used to reduce its bank debt.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5702; Filed, April 12, 1943; 9:54 a. m.]

[File Nos. 54-51, 59-67]

NATIONAL POWER & LIGHT CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 10th day of April A. D. 1943.

In the matter of National Power & Light Company, File No. 54-51 and Caro-

lina Power & Light Company, National Power & Light Company, and Electric Bond and Share Company, File No. 59-67.

I

Notice is hereby given that an application and an amendment thereto have been filed with this Commission by National Power & Light Company ("National"), a registered holding company, pursuant to the provisions of the Public Utility Holding Company Act of 1935 for authority to consummate certain transactions as further steps in compliance with the order of this Commission dated August 23, 1941, issued pursuant to the provisions of section 11 (b) (2) of the Act, directing the dissolution of National. All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

National proposes to sell a portion of its assets consisting of 242,664 shares (no par value) of common stock of Houston Lighting & Power Company and 16,806 shares (no par value) of $7 preferred stock of Carolina Power & Light Company, and to use the proceeds realized therefrom, together with other available funds, to retire 150,000 shares of its preferred stock, constituting the entire amount thereof outstanding, by payment to the holders thereof of cash in the amount of $100 per share and accumulated dividends thereon to the date fixed for retirement.

It is stated that National has under consideration the advisability of requesting an order, pursuant to sub-paragraph (a) (6) of Rule U-50, exempting the proposed sale of said shares of Houston Lighting & Power Company common stock from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50, and that National reserves the right to apply for such order of exemption at or prior to the hearing scheduled to be held on the proposed transactions summarized above.

II

The Commission has data in its official files and records relating to Carolina Power & Light Company, National and Electric Bond and Share Company, establishing or tending to establish the following matters:

1. Carolina Power & Light Company ("Carolina") is a corporation organized under the laws of the State of North Carolina which maintains its principal office in the City of Raleigh, State of North Carolina. It is an electric utility company within the meaning of section 2 (a) (3) of the Public Utility Holding Company Act of 1935, and a "public utility" as that term is defined in the Federal Power Act. Carolina is a subsidiary of National, which is in turn a subsidiary of Electric Bond and Share Company ("Bond and Share"), a registered holding company under the Act.

2. Carolina was organized on April 6, 1926 by a merger and consolidation of Carolina Power & Light Company (old), Pigeon River Power Company, Asheville Power & Light Company, Carolina Power Company and Yadkin River Power Company. Each of the constituent companies named was at the time of said merger and consolidation controlled, directly or indirectly, by National and through National by Bond and Share. Since the date of organization Carolina has been and still is controlled directly by National and through National by Bond and Share.

3. A condensed balance sheet of Carolina per books at December 31, 1942, after giving effect to the adjustments authorized by the Order of this Commission dated December 15, 1942, and referred to in paragraph "8" hereof, was as follows:

ASSETS AND OTHER DEBITS

Plant and property		$85,080,275
Investment and fund accounts		116,205
Current and accrued assets		5,676,586
Deferred debits		466,234
Reacquired capital stock (499 shares, $6 Preferred)		49,900
Total assets and other debits		91,389,200

LIABILITIES AND OTHER CREDITS

Current liabilities		$5,091,598
Contributions in aid of construction		46,196
Reserves:		
Property retirement	$7,850,778	
Contingencies	865,832	
Other	367,416	
		9,084,026
Deferred credits:		
Unamortized premium on debt	1,256,720	
Other deferred credits	251,206	
		1,507,926
Long term debt		45,545,000
Preferred stock		17,400,700
Preferred stock (owned by parent)		1,680,600
Common stock (owned by parent)		10,000,000
Earned surplus		1,033,154
Total liabilities and other credits		91,389,200

4. The outstanding preferred stocks of Carolina consist of 110,359 shares of $7 Preferred Stock and 80,454 shares of $6 Preferred Stock, both of which rank equally as to all rights, privileges, preferences and priorities, except as to the rate of dividends payable thereon. In any distribution of assets, other than by dividends from surplus or profits, the $7 Preferred Stock and $6 Preferred Stock have a preference over the common stock to the extent of $100 per share plus unpaid cumulative dividends. Each class of preferred stock is redeemable, in whole or in part, at $110 per share plus unpaid cumulative dividends thereon to the date of redemption. Each share of common stock and preferred stock outstanding is entitled to one vote. No additional voting power is conferred upon the preferred stocks in the event of arrearages in dividends thereon.

5. Of the outstanding securities of Carolina, National owns all of the common stock and 16,806 shares of the $7 Preferred Stock, 15,000 shares thereof having been acquired by National in the manner set forth in paragraphs 19 to 22, inclusive, hereof.

6. On December 29, 1942, the Federal Power Commission, in a proceeding arising under the Federal Power Act entitled "In the Matter of Carolina Power & Light Company, Docket No. IT-5701", entered an order requiring Carolina to make the accounting adjustments hereinafter set forth and to take the action hereinafter described with respect to the reclassification and original cost study of its Electric Plant Account, in order to comply with the requirements of the Uniform System of Accounts prescribed by that Commission for public utilities and licensees under the Federal Power Act.

7. The order of the Federal Power Commission referred to in paragraph 6 hereof provides, in substance, that:

(a) Carolina classify the amount of $18,648,438 in Account 107, Electric Plant Adjustments, and dispose of such amount by (i) a charge of $13,643,100 to Account 270, Capital Surplus, created through the surrender by National of 1,442,609 shares of Carolina's common stock, and (ii) by a net charge of $5,005,338 to Account 271, Earned Surplus;

(b) Carolina transfer from Account 107 to Account 100.6, Electric Plant in Process of Reclassification, the amount of $2,857,705 (consisting of $1,391,964, claimed by Carolina as an excessive write-off of plant account in connection with the sale of gas and other properties, and $1,465,741 claimed by Carolina as a part of the original cost of the so-called Rockingham hydro project) pending a restudy of said amount of $2,857,705 for the purpose of submitting additional data respecting such claims;

(c) Carolina prepare and submit to the Federal Power Commission not later than January 1, 1944 revised reclassification of accounts and original cost studies with respect to an amount of $70,333,875, representing the balance of its recorded or book cost of electric plant as of January 1, 1937, after classifying $18,648,438 in Account 107.

8. Prior to the entry of the order of the Federal Power Commision referred to in paragraph 6 hereof, and on December 15, 1942 in a proceeding entitled "In the Matter of Carolina Power & Light Company et al., File No. 70-603", this Commission entered an order (Holding Company Act Release No. 3995) permitting to become effective a joint declaration filed by Carolina and National with respect to the surrender for cancellation by National of 1,442,609 shares of common stock of Carolina as a capital contribution to the latter, and the reduction of Carolina's common capital to $10,000,000, to eliminate a deficit in earned surplus which would result from the write-down of plant account in the amount of $18,648,438, and certain other adjustments in the accounts of Carolina. Said order of this Commission reserved jurisdiction to determine in appropriate proceedings under applicable provisions of the Act:

(a) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require Carolina Power & Light Company to make further adjustments in its accounts;

(b) Whether it is necessary or appropriate to prohibit the declaration or payment by Carolina Power & Light Company of dividends on its common stock in order to protect the financial integrity, or safeguard the working capital of Carolina Power & Light Company, to prevent the payment of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of the Act or any rules, regulations or orders thereunder; and

(c) Whether it is necessary or appropriate to require Carolina Power & Light Company to revise its capital structure for the purpose of fairly and equitably distributing voting power among its security holders, and whether in such revision of the capital structure of Carolina Power & Light Company, the 16,806 shares of $7 preferred stock of Carolina Power & Light Company held by National Power & Light Company should be converted into common stock of Carolina Power & Light Company, or be otherwise subordinated to its publicly held securities.

9. On or about February 24, 1943 the accounting adjustments set forth in paragraph 7 hereof were made and entered upon the books of Carolina as of January 1, 1942.

10. After giving effect to the accounting adjustments set forth in paragraph 7 hereof, the plant, property and equipment account of Carolina as stated on its balance sheet as of December 31, 1942 is $65,080,275.

11. The book amount of the reserve for property retirement and depreciation of Carolina as of December 31, 1942 is $7,850,778, or 9.2% of the gross book amount of its plant, property and equipment.

12. The book amount of the reserve for property retirement and depreciation of Carolina as of December 31, 1942 is approximately $15,831,125 less than such reserve would have been had Carolina and its predecessors accrued for property retirement and depreciation amounts equal to the sums allowed or claimed for depreciation for Federal income tax purposes.

13. The following table indicates the effect upon Carolina's capital structure of adjusting the reserve for property retirement and depreciation to increase said reserve by the difference of $15,831,125 between the amounts allowed or claimed by Carolina and its predecessors for depreciation for Federal income tax purposes and the amounts accrued for property retirement and depreciation on the books of Carolina and its predecessors, as set forth in paragraph 12 hereof.

	As at Dec. 31, 1942				
	Per books		Adjusted		
	Amount	Percent	Amount	Percent	
LONG TERM DEBT					
First mortgage bonds, 3¾% 1965	$45,540,000	60.2	$45,540,000	78.1	
Miscellaneous	5,000	----	5,000	----	
Total long term debt	45,545,000	60.2	45,545,000	76.1	
PREFERRED STOCK					
$7 Preferred Stock (public)	9,275,300	12.4	9,275,300	15.6	
$7 Preferred Stock (parent)	1,680,600	2.2	1,680,600	2.8	
$6 Preferred Stock (public)	8,045,400	10.6	8,045,400	13.5	
Total preferred stock	19,001,300	25.2	19,001,300	31.9	
COMMON STOCK AND SURPLUS					
Common stock, no par, 1,407,391 shares	10,000,000	13.2	10,000,000	16.7	
Surplus (deficit)	1,033,154	1.4	(11,797,971)	(19.7)	
Total common stock and surplus	11,033,154	14.6	(1,797,971)	(3.0)	
Total capitalization and surplus	75,579,454	100.0	59,828,329	100.0	

( ) Denotes red figures.

this Commission dated December 15, 1942, and 74.2% after the adjustments noted in paragraph 13 hereof.

16. The earnings available for dividends on the common stock of Carolina for the years 1926 to 1942, inclusive, and the amount of common stock dividends paid to National during said period, and the excess of the sum allowed or claimed for depreciation for Federal income tax purposes over the book amount of accruals for property retirements and depreciation for the years 1926 to 1942, inclusive, were as follows:

Year	Net income available for common stock	Common stock dividends paid	Balance	Excess of depreciation allowed or claimed for income tax purposes over book accruals for retirements and depreciation
1926 (10-12/31)	$838,114	$346,812	$506,302	$(103,781)
1927	1,283,246	640,000	653,296	260,681
1928	1,296,390	825,000	471,390	423,332
1929	1,371,266	825,000	546,266	547,250
1930	1,157,467	775,000	382,467	610,997
1931	911,807	650,000	261,807	647,773
1932	(182,164)	125,000	(307,164)	587,714
1933	(257,080)	----	(257,080)	852,432
1934	141,727	----	141,727	854,120
1935	507,019	----	507,019	838,221
1936	940,149	----	940,149	816,259
1937	1,200,144	300,000	1,000,144	742,525
1938	1,249,161	400,000	849,161	812,401
1939	968,812	600,000	368,812	1864,825
1940	1,573,305	600,000	1,273,305	1907,405
1941	1,753,393	600,000	1,153,393	1940,004
1942	1,034,857	600,000	1,434,857	1635,000
Totals	14,997,029	7,196,952	7,710,208	11,610,908

1 After eliminating effect of nonrecurring tax saving due to writing off of bond discount.
( ) Denotes red figures.

17. If the earnings for the years 1926 to 1942, inclusive and adjusted to reflect accruals for property retirement and depreciation on the same basis as allowed or claimed for Federal income tax purposes, the amount of dividends paid on the common stock of Carolina during such period would have exceeded the earnings available therefor by $3,900,400.

18. On November 4, 1925, Carolina Power & Light Company (old) had outstanding 47,875 shares of common stock with a stated value of $100 per share; 15,608 shares of said common stock were owned by Bond and Share and 5,389 shares thereof were owned by interests affiliated with Bond and Share. The shares of common stock of Carolina (old) owned by Bond and Share were acquired by it at a cost of $349,179 and at November 4, 1925 were carried in its investment account at $1,092,500. On November 4, 1925, National Power & Light Company (old) had outstanding 122,080

shares of common stock with a stated value of $75 per share of which Bond and Share and interests affiliated with it owned 72,423 shares. Bond and Share controlled Carolina (old) and National (old).

19. On November 4, 1925 Bond and Share organized United Investors Securities Company ("United") which on November 7, 1925 made an offer to the common stockholders of Carolina (old) to exchange shares of common stock of United for shares of common stock of Carolina (old) on a share for share basis, and in connection therewith advised the common stockholders of Carolina (old) that United and National (old) had executed an agreement of consolidation and merger under the terms of which 15 shares of common stock of the consolidated company, National Power & Light Company (new), would be issued in exchange for each share of common stock of United or National (old). Pursuant to the exchange offer made to holders of common stock of Carolina (old) United acquired 47,521 shares of common stock of Carolina (old) and recorded the same in its investment account at $500 per share, or a total of $23,760,500. The market price of the common stock of Carolina (old) during the period from January, 1924 to November 30, 1925 ranged from a low of $76 a share to a high of $415 per share.

20. On November 4, 1925 United and National (old) executed an agreement of consolidation and merger to form National Power & Light Company (new). Said consolidation and merger became effective on December 7, 1925. Pursuant to the terms thereof each share of preferred stock of National (old) was exchanged for one share of $7 preferred stock of National (new) and each share of common stock of National (old) and each share of common stock of United, respectively, was exchanged for 15 shares of common stock of National (new). By virtue of such consolidation and merger National (new) acquired 47,521 shares of Carolina (old) theretofore held by United and recorded the same in its investment account at $500 per share, or $23,760,500. Subsequent to said consolidation and merger National (new) acquired 115 additional shares of common stock of Carolina (old).

21. All of the shares of common stock of Carolina (old) acquired by National (new) in the manner alleged in paragraph 20 hereof, excepting 15 shares thereof, 47,621 shares), were transferred by National (new) on December 8, 1925, together with other assets acquired by it at a cost of approximately $4,600,000 to Pigeon River Power Company, its wholly owned subsidiary which owned certain land and water rights but was at the time inactive and without income. In exchange therefor Pigeon River Power Company issued to National (new) 2,500,000 shares of common stock, 15,000 shares of $7 preferred stock and $3,000,000 principal amount of 6% notes. The common stock of Carolina (old) so acquired by Pigeon River Power Company was recorded in its investment account at $500 per share, or $23,810,500.

22. Pursuant to an agreement of merger and consolidation dated February 24, 1926, which became effective on April 6, 1926, Pigeon River Power Company, Carolina (old), and three of the latter's subsidiaries (Asheville Power & Light Company, Carolina Power Company and Yadkin River Power Company) were merged and consolidated to form Carolina (new). Under the terms of the agreement of merger and consolidation National received 15,000 shares of Caroline (new) $7 preferred stock in exchange for 15,000 shares of $7 preferred stock of Pigeon River Power Company, 75 shares of Carolina (new) $7 preferred stock in exchange for 15 shares of common stock of Carolina (old), and 2,500,000 shares of Carolina (new) common stock in exchange for a like number of shares of common stock of Pigeon River Power Company, and Carolina (new), assumed and in 1926 paid the $3,000,000 6% note of Pigeon River Power Company held by National (new), as well as other indebtedness of Pigeon River Power Company to National (new) in the amount of $329,498 with funds derived from the sale of bonds.

23. The agreement of merger and consolidation creating Carolina (new): *Provided*, That ". . . the capital of the new corporation shall be the capital of the constituent corporations, parties hereto, as ascertained and determined by consolidation of the balance sheets of the constituent corporations, with elimination of all inter-corporate holdings of stock of the constituent corporations, at the book value thereof, as shown by the capital stock account of the particular constituent corporation which shall have issued the same . . ." Pursuant to the foregoing quoted provision of said agreement of merger and consolidation the common stock of Carolina (old) held by Pigeon River Power Company was eliminated from the consolidated accounts at its book value per share, and the difference between such book value per share and the amount per share ($500) at which Carolina (old) common stock was carried in the investment account of Pigeon River Power Company (viz., approximately $400 per share) remained in the capitalization of Carolina (new) and was balanced by a corresponding increase $19,100,478 in the plant and property account of Carolina (new). Subsequently, pursuant to the order and direction of the Federal Power Commission referred to in paragraphs 6 and 7 hereof Carolina (new) removed such inflation from its electric plant account.

24. By reason of the transactions alleged in paragraphs "19" to "22", inclusive, hereof National by a net cash investment of an amount not in excess of $1,265,000 (together with the issuance of 712,815 shares of its common stock in connection with its acquisition of 47,521 shares of Carolina (old) common stock) acquired 15,000 shares (no par value) of Carolina's $7 preferred stock and 2,500,000 shares (no par value) of the common stock of Carolina.

25. The net plant of Carolina (new) at organization, after adjustments to reflect (a) the elimination of $26,214,423 of inflationary items in the plant and property account (which items have since been eliminated) and (b) a restatement of the reserve for property retirement to increase the amount thereof by the difference of $4,220,519 between the amounts allowed or claimed for depreciation for Federal income tax purposes and the book amount of the accruals for property retirement and depreciation, amounted to $30,735,865. At organization of Carolina (new) its current liabilities exceeded its current assets by $3,444,267, and there were deferred credits and miscellaneous reserves in the amount of $585,665, leaving net assets in the amount of $26,705,933. Against such net assets there were outstanding at organization bonds in the amount of $15,780,500 and preferred stock in the amount of $11,075,432, or total senior securities in the amount of $26,855,932. Thus, the principal amount or liquidating value of the senior securities exceeded adjusted net assets by $149,999. Consequently, at organization of Carolina (new) there was no equity for the common stock on the basis of adjusted net assets. The outstanding debt and preferred stock of Carolina at December 31, 1942 exceeded net assets (exclusive of deferred charges), as adjusted by the amount alleged in paragraph 12 hereof, by $5,964,205; consequently at December 31, 1942, on the basis of adjusted net assets, no equity existed for the common stock, and the preferred stock capital was substantially impaired.

III

It appearing to the Commission in the light of the allegations set forth in Part II hereof that it is appropriate in the public interest and in the interest of investors and consumers to institute proceedings against Carolina, National and Bond and Share under sections 11 (b) (2), 12 (c), 12 (f), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935 in order to determine whether certain orders should be entered pursuant to the provisions of any of said sections, all as hereafter set forth; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the application filed by National for authority to consummate the transaction hereinabove summarized as further steps in compliance with said order of the Commission dated August 23, 1941; and

It further appearing to the Commission that the said proceedings involve common questions of law and fact and should be consolidated and heard together:

It is ordered, That said proceedings pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act, and said proceeding with respect to the application filed by National for authority to consummate the transactions hereinabove summarized be, and the same hereby are, consolidated.

It is further ordered, That a hearing on such consolidated matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules of the Commission thereunder be held on April 22, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing so ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 19, 1943, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said consolidated matters otherwise to be considered in this proceeding particular attention will be directed at the hearing to the following questions and matters:

1. Whether the proposed sale of 242,664 shares of common stock of Houston Lighting & Power Company and 16,806 shares of $7 preferred stock of Carolina and retirement of 150,000 shares of $6 preferred stock of National (a) constitute steps in compliance with the Order of the Commission dated August 23, 1941, issued pursuant to section 11 (b) (2) of the Act, directing the dissolution of National, (b) are fair and equitable to all classes of security holders affected thereby, and (c) are in conformity with the applicable provisions of sections 12 (c) and 12 (d) of the Act.

2. Whether the accounting entries proposed to be recorded on the books of National in connection with any or all of such proposed transactions are in conformity with the standards of the Act and all rules and regulations promulgated thereunder.

3. Whether the allegations set forth in paragraphs 1 to 25, inclusive, are true and accurate.

4. Whether it is necessary or appropriate to enter an order pursuant to sections 12 (c) and 12 (f) of the Act prohibiting or restricting the declaration or payment by Carolina of dividends on its common stock.

5. Whether voting power is unfairly and inequitably distributed among the security holders of Carolina, and if so, what action is necessary or appropriate to ensure a fair and equitable distribution of voting power among its security holders.

6. Whether it is necessary or appropriate that the 16,806 shares of $7 preferred stock of Carolina owned by National be converted, in whole or in part, into common stock of Carolina.

It is further ordered, That upon the convening of the consolidated hearing above ordered the first issues to be considered shall be those specified above as issues (1) and (2).

It is further ordered, That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these procedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It appearing to the Commission that evidence bearing on the matters recited above, and upon the questions to be determined, is contained in the record of proceedings before the Commission entitled "In the Matter of Electric Bond and Share Company, et al., File No. 59–12", and "In the Matter of Carolina Power & Light Company, et al., File No. 70–603", and "In the Matter of Carolina Power & Light Company, File No. 70–52."

It is further ordered, That in the interest of expeditious procedure all evidence with respect to Carolina Power & Light Company, National Power & Light Company and Electric Bond and Share Company contained in the record of the proceedings entitled "In the Matter of Electric Bond and Share Company, File No. 59–12", and "In the Matter of Carolina Power & Light Company, et al., File No. 70–603", and "In the Matter of Carolina Power & Light Company, File No. 70–52", so far as relevant to the issues above stated, shall be incorporated in the consolidated record of the proceeding herein ordered, and shall be regarded as evidence duly adduced in the present proceedings, subject to the same objections and exceptions preserved in the record of the proceeding in which first introduced.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to Carolina Power & Light Company, National Power & Light Company and Electric Bond and Share Company, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5699; Filed, April 12, 1943; 9:54 a. m.]

WAR PRODUCTION BOARD.

[Certificate 51]

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

TO THE ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning the formulation of plans for certain joint actions by common carriers of property by motor vehicle.[1]

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation or any order issued pursuant thereto requiring any of the joint actions specified therein is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 8, 1943.

[F. R. Doc. 43-5655; Filed, April 10, 1943; 11:48 a. m.]

[1] 8 F.R. 4802.

FEDERAL REGISTER

VOLUME 8 NUMBER 73

Washington, Wednesday, April 14, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[FPO 5,[1] Amendment 3]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER

Section 1206.1 is hereby amended as set forth below:

Paragraph (i) (2) is revised and amended to read as follows:

(2) *Group B crops.* The requirement of any person for chemical fertilizer containing chemical nitrogen for use on any Group B crop shall be the acreage of the crop to be grown for which fertilizer is requested by such person, multiplied by the rate of application per acre used by such person or used on the farm for which fertilizer is being requested in either the 1940–1941 or 1941–1942 season. *Provided, however,* That if information as to neither of such rates of application per acre is available, then the rate of application per acre shall be the same as that being used to determine the requirements for persons operating comparable farms in the same area growing the same crop: *Provided, further,* That in no case shall the rate of application per acre exceed the rate of application per acre recommended by the State Agricultural Experiment Station for the approved grade to be used on such Group B crop. Except as to citrus crops where straight organic nitrogen materials were used in the 1940–1941 and 1941–1942 seasons, no fertilizer manufacturer, dealer, or agent shall deliver and no person shall accept chemical fertilizer containing chemical nitrogen for use on any Grade B crop during the 1942–1943 season unless chemical fertilizer containing chemical nitrogen was used in the 1940–1941 or 1941–1942 season on any Group B crop by such person or on any Group B crop on the farm for which such fertilizer is being requested. In the case of citrus crops where straight organic nitrogen materials were used in the 1940–1941 and 1941–1942 seasons, fertilizers manufacturers, dealers or agents may deliver and any person may accept straight chemical nitrogen materials for use on such citrus crops. In such case, the requirement of any person for such straight chemical nitrogen materials shall be determined in the same manner as the requirements for other Group B crops, except that the rate of application per acre shall not exceed the rate of application per acre, on a nitrogen equivalent basis, of the organic materials used in either the 1940–1941 or 1941–1942 season, and shall not exceed the rate of application per acre, on a nitrogen equivalent basis, recommended by the State Agricultural Experiment Station for the approved grade (straight or mixed) to be used on such crop.

Schedule I attached to Food Production Order No. 5 (8 F.R. 947) is hereby amended as follows:

To the list of approved grades of chemical fertilizer for Washington, grade 10–12–14 is added.

This order shall become effective 12:01 a. m., e. w. t., April 14, 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Done at Washington, D. C. this 13th day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5769; Filed, April 13, 1943; 11:47 a. m.]

[1] 8 F.R. 947, 3689, 3750.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 57[1]—SERVICE CLUBS, HOSTESSES, AND LIBRARIANS

ADOPTED STANDARDS OF CLOTH

Section 57.22 (a) is amended as follows:

§ 57.22 *Adopted standards of cloths.* The standards of cloths for uniforms for

[1] 7 F.R. 8628, 9449; 8 F.R. 1581.

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FEDERAL REGISTER

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Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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members of the Army Hostess and Librarian Service are as follows:

(a) *Coat, chapeau, and skirt*—(1) *Fabrics*—(i) *Winter.* Gabardine, worsted.

(ii) *Summer.* (*a*) Cotton warp, mohair filling.

(*b*) Worsted, tropical.

(*c*) Rayon, plain or twill weave.

(*d*) Seersucker, striped.

(2) *Color.* Light blue, shade No. 56.

(R.S. 161, 5 U.S.C. 22) [Par. 2, A.R. 600–36, July 7, 1942, as amended by C2, March 12, 1943]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–5756; Filed, April 13, 1943; 10:22 a. m.]

TITLE 29—LABOR

Chapter IX—Agricultural Labor

PART 1102—SALARIES AND WAGES IN THE PRODUCTION OF ASPARAGUS

WORKERS IN CERTAIN CALIFORNIA COUNTIES

Public notice with respect to increases in wages of certain asparagus workers in San Joaquin, Sacramento, Yolo, Solano, and Contra Costa Counties, State of California.

Pursuant to the authority contained in the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. Law 729, 77th Cong.); the directive of the Economic Stabilization Director, approved by the President on October 27, 1942 (7 F.R. 8748), as amended November 30, 1942 (7 F.R. 10024); Executive Order 9322 of March 26, 1943 (8 F.R. 3807); and Executive Order 9328 of April 8, 1943 (8 F.R. 4681); and based upon relevant facts submitted to me by The Wage Board for California of the United States Department of Agriculture and by other sources, it is hereby determined that:

§ 1102.1 Persons engaged in the cutting and sledding, hand-racking and washing, and hand-rack washing and boxing of asparagus in San Joaquin, Sacramento, Yolo, Solano, and Contra Costa Counties, State of California, are agricultural workers as defined in § 4001.1 of miscellaneous amendments of November 30, 1942 (7 F.R. 10024), to the directive of the Economic Stabilization Director approved by the President on October 27, 1942 (7 F.R. 8748), which states: "The term 'agricultural labor' shall mean persons working on farms and engaged in producing agricultural commodities whose salary or wage payments are not in excess of $2,400 per annum. * * *"

§ 1102.2 That the wages of the asparagus workers in the counties mentioned in section 1 hereof are not substandard and that no increases in the wages paid to such asparagus workers in the counties stated shall be made above the rates set forth below without the approval of the Administrator of Food Production and Distribution under the procedure provided for herein.

Maximum Wage Rates for Harvesting Asparagus for Canning and Freezing

(a) *For prime beds (Not less than 5 and not more than 10 years old).*

(1) Cutting and sledding #1 white, $2.75 per cwt.

(2) Cutting and sledding #1 green, $3.25 per cwt.

Both rates for packed out and 7" long.

(b) *For other than prime beds.*

(1) Cutting and sledding white, $3.25 per cwt. (packed out).

(2) Cutting and sledding green, $3.75 per cwt. (packed out).

If workers are paid on a field box basis for cutting, rates must be equivalent to per-hundredweight rates specified.

(c) *For washing and boxing.*

(1) Hand-rack washing and boxing, white, $0.40 per cwt.

(2) Hand racking and washing, green, $0.55 per cwt.

§ 1102.3 That any requests for increases in such wages above those stated in section 2 hereof, and any appeals for relief from hardships resulting from this determination, shall be submitted to the Wage Board for California of the United States Department of Agriculture, 2288 Fulton Street, Berkeley, California, which Board, after hearing conducted pursuant to reasonable notice by such Board, shall refer such requests and appeals, with recommendations, to the Administrator of Food Production and Distribution of the Department of Agriculture.

This notice shall be effective as of the twelfth day of April 1943.

[SEAL] JESSE W. TAPP,
Acting Administrator of Food Production and Distribution.

[F. R. Doc. 43–5781; Filed, April 13, 1943; 11:58 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

[Docket No. A–1922]

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for change of loading point for Mine Index No. 1202.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting a change in the loading point for the coals of the New Superior Coal Company Mine, Mine Index No. 1202 of C. C. Stump, for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended to provide that the loading point for the coals produced at the New Superior Coal Company Mine, Mine Index No. 1202, of C. C. Stump, in District No. 10 shall be: "The Loading Facilities of Old Peabody Mine, Mine Index No. 44, Harrisburg, Illinois."

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–5744; Filed, April 13, 1943; 10:21 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

INDIVIDUALS NOT REQUIRED TO REGISTER

AGRICULTURAL WORKERS FROM BAHAMA ISLAND

Order describing a group of individuals not required to present themselves for and submit to registration under the provisions of § 611.13 (9).

By virtue of the authority vested in me as Director of Selective Service under 54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition; and more particularly §§ 611.13 and 611.29, Selective Service Regulations, Second Edition, I hereby prescribe that:

Each citizen of Bahama who has not declared his intention to become a citizen of the United States and who has entered or hereafter enters the United States for the sole purpose of engaging in agricultural pursuits under conditions prescribed by the Attorney General pursuant to the arrangement of March 16, 1943, between the Governments of the Bahama Islands and the United States of America, and who has in his personal possession a valid Alien Agricultural Laborer's Identification Card issued by the Immigration and Naturalization Service of the United States Department of Justice, a copy of which is filed herewith,[1] shall not be required to present himself for and submit to registration under the Selective Training and Service Act of 1940, as amended, during the "period of admission" specified on such Alien Agricultural Laborer's Identification Card; provided that during such "period of admission" he continues in such agricultural pursuits.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 43–5729; Filed, April 12, 1943; 4:10 p. m.]

[No. 177]

ORDER PRESCRIBING FORM

APPLICATION BY ALIEN FOR RELIEF FROM MILITARY SERVICE

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 301, entitled "Application by Alien for Relief from Military Service," effective immediately upon the filing hereof with the Division of the Federal Register.[2]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 2, 1943.

[F. R. Doc. 43–5757; Filed, April 13, 1943; 10:39 a. m.]

[Amendment 147, 2d Ed.]

PART 605—GENERAL ADMINISTRATION

FURNISHING LIST OF REGISTRANTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 605.41 to read as follows:

§ 605.41 *Furnishing lists of registrants.* (a) Upon request of local publication agencies, the local board should, or, upon its own motion, the local board may prepare (1) a list of registrants delivered for induction and (2) a list of accepted and inducted registrants and may post such lists or furnish them to news services, newspapers, and radio stations.

(b) The list of accepted and inducted registrants should not be prepared until the Delivery List (Form 151) has been returned from the induction station and under no circumstances should such list include registrants rejected at the induction station.

(c) Lists of registrants should be prepared at a time and in a manner which will not unduly interfere with the normal operations of the local board.

(d) Lists of registrants shall not be furnished for any purpose except (1) in the administration of the selective service law and then only when specifically authorized by the Director of Selective Service or (2) as provided in this section.

2. Amend the regulations by deleting § 605.43 (8 F.R. 2642) in its entirety.

3. Amend the regulations by deleting § 605.44 (8 F.R. 2642) in its entirety.

4. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 12, 1943.

[F. R. Doc. 43–5758; Filed, April 13, 1943; 10:39 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–217, Amendment 1]

MC PHERSON HOTEL CORPORATION

McPherson Hotel Corporation which operates the Hotel Hildebrecht in Trenton, New Jersey, asked for and obtained an opportunity to submit a further explanation in its case, on which a suspension order had been issued on the 15th of January 1943. The respondent contended that certain items of its remodeling work in the hotel could not be considered "construction", but the Compliance Commissioner did not agree with respondent's contention and adhered to his original decision. However, in view of the fact that the work on the cocktail room of the Hotel Hildebrecht was

[1] Filed with the Division of the Federal Register.

[2] Form filed as part of the original document.

stopped on November 25, 1942, he recommended that this be taken into consideration in computing the six month period provided for in the original suspension order.

In view of the foregoing, paragraph (b) of § 1010.217, Suspension Order No. S–217, issued January 15, 1943, is hereby ordered deleted, and paragraph (d) is hereby amended to read as follows:

(d) This order shall take effect on January 18, 1943 and shall expire on May 25, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5724; Filed, April 12, 1943; 3:21 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–279]

SAM A. LEVINE

Sam A. Levine, 117 Monk Street, Brunswick, Georgia, is engaged in the salvage business and in connection with it he has been in the habit of purchasing and selling plumbing equipment, both new and secondhand. During the months of September and October 1942 he sold new plumbing equipment in violation of Limitation Order L–79 and he also purchased new plumbing equipment, and in connection therewith, wrongfully extended preference ratings to his supplier inasmuch as he had not been supplied with such ratings from customers, thereby violating Priorities Regulation No. 3 and Preference Rating Order P–84. The respondent's activities as above described constituted wilful violations of said orders and regulation.

Said violations by the respondent have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.279 *Suspension Order No. S–279.* (a) Sam A. Levine, his successors and assigns, are hereby prohibited from receiving or accepting deliveries of any new metal plumbing or heating equipment, as defined in Limitation Order L–79, except as hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Sam A. Levine from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 14, 1943, and shall expire on October 14, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5725; Filed, April 12, 1943; 3:21 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–280]

JAMES GODWIN DAVIS

James Godwin Davis, 201 14th Street, Phenix City, Alabama, is the owner of premises located at 1800 Crawford Road, Phenix City, Alabama. Subsequent to April 9, 1942 he caused construction to be commenced at said location of a two-story brick building, to provide warehouse space on the first floor and a number of small apartments or rooms on the second floor. The estimated cost of such construction was greater than the amount permitted by Conservation Order L–41, regardless of whether said construction is considered as residential, industrial or commercial. The cost of the building if and when completed was conceded to be approximately $20,000 or $25,000. The building is now completed, except for the first floor lobby, and except for the installation of certain plumbing fixtures and inside trim on the second floor. Such conduct on the part of James Godwin Davis constituted a wilful violation of Conservation Order L–41.

This construction cannot be allowed to continue unless authorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.280 *Suspension order No. S–280.* (a) Neither James Godwin Davis, nor any other person, shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue or complete construction of the building located at 1800 Crawford Road, Phenix City, Alabama, except as hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve James Godwin Davis from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 14, 1943.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5726; Filed, April 12, 1943; 3:21 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–281]

B. Z. HARDING

B. Z. Harding, Gaithersburg, Maryland, is a general contractor in Montgomery County, Maryland. Subsequent to July 23, 1942, but prior to September 7, 1942, without the authorization of the Director General for Operations of the War Production Board, he began construction, as defined in Conservation Order L–41, of the remodeling into apartments of a building located at #2 Walker Avenue, Gaithersburg, Maryland, at an estimated cost of approximately $3,253.00. At the time said construction was begun, B. Z. Harding had knowledge that construction was restricted, and his failure to ascertain the provisions of Conservation Order L–41 amounted to wilful conduct, and the beginning of construction, as aforesaid, therefore constituted a wilful violation of that order.

This violation of Conservation Order L–41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.281 *Suspension Order No. S–281.* (a) Deliveries of material to B. Z. Harding, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to B. Z. Harding, his successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve B. Z. Harding from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 14, 1943, and shall expire on July 14, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5727; Filed, April 12, 1943; 3:21 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–283]

JACKSON TURNER COMPANY

Jackson Turner is an individual contractor, doing business under the name of Jackson Turner Company at Long Beach, California.

Subsequent to April 9, 1942, without the authorization of the War Production Board, Jackson Turner began construction, as defined in Conservation Order L–41, of six residential buildings located at 5876 Brayton Avenue, 5381 Lime Avenue, 1820–22 May Avenue, 4226–28 East 7th Street, 4230 East 7th Street, and 4232 East 7th Street, respectively, all located in Long Beach, California; the estimated cost of each building being in excess of $500.00. Such construction was begun in disregard of the provisions of Conservation Order L–41, issued April 9, 1942, with which Jackson Turner was familiar, or should have been familiar, since it applied directly to his sole business and had been given wide publicity in that area.

This violation of Conservation Order L–41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.283 *Suspension Order No. S–283.* (a) No application filed by or on behalf of Jackson Turner, individually or doing business as Jackson Turner Company or otherwise, his successors and assigns, for authorization to begin construction under the provisions of Conservation Order L–41 shall be granted, except with the written approval of the Regional Compliance Chief, San Francisco Regional Office, War Production Board.

(b) Deliveries of material to Jackson Turner, individually or doing business as Jackson Turner Company or otherwise, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except with the written approval of the Regional Compliance Chief, San Francisco Regional Office, War Production Board.

(c) No allocations shall be made to Jackson Turner, individually or doing business as Jackson Turner Company or otherwise, his successors and assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, except with the written approval of the Regional Compliance Chief, San Francisco Regional Office, War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Jackson Turner, individually or doing business as Jackson Turner Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) Nothing contained in this order shall be deemed to prevent any purchaser, or purchasers, of the houses mentioned in this order from applying for and obtaining authorization to complete the construction of any of said houses.

(f) This order shall take effect on April 19, 1943, and shall expire August 1, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 12th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5728; Filed, April 12, 1943; 3:21 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M–15–b,[1] as Amended April 13, 1943]

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The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber and balata for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.3 *General Limitation Order M–15–b*—(a) *Definitions.* For the purposes of this order:

(1) "Crude rubber" means all forms and types of crude rubber (including crepe rubber for soles or any other purpose) but does not mean or include balata, gutta-percha, gutta siak, gutta jelutong, pontianac, reclaimed rubber, scrap rubber or latex.

(2) "Latex" means the dry latex solids contained in liquid latex in crude form, and in compounded liquid latex (but not the dry latex solids in shoe adhesives and container sealing compounds).

(3) "Scrap rubber product" means any finished rubber product or part thereof, made in whole or in part from crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber, which through wear, deterioration or obsolescence has served its primary purpose in its present state, but does not mean or include a repairable tire, treadable tire or any other manufactured product which is still usable for the primary purpose for which it was designed.

(4) "In-process scrap" means any material which is produced in the course of manufacture (including the repair, retreading or recapping of tires), and any defective or factory rejected materials or products which are not usable for the primary purpose for which they were designed and which contain any crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber, including all types and grades of residues, such as cuttings, trimmings, tuber heads, flash, cut edgings, sweepings, dust buffings, sawings, grindings, drippings and any other form of rubber whether vulcanized or unvulcanized, which results from or is incident to the processing of crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber in the manufacture or repair of any product, but does not mean or include uncured friction scrap, reclaimed rubber or any finished rubber products.

(5) "Uncured friction scrap" means any scrap rubber which contains fabric and which is produced in the manufacture of tires, hose or belting before such products are finally vulcanized.

(6) "Scrap rubber" means and includes any scrap rubber product, in-process scrap or uncured friction scrap.

(7) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber.

(8) "Repairable tire" means a pneumatic tire or tire casing which has sufficient tread design or under tread to warrant repair for use for the purpose for which it was primarily designed. For the purposes of this definition:

(i) "Repair" means a vulcanized sectional repair, or vulcanized reinforcement or vulcanized spot repair which can be accomplished in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory service under limited operating conditions (speed under

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[1] This amended order contains M–15–b as amended December 28, 1942; Amendment 1, issued January 9, 1943 (8 F.R. 349); Amendment 2, issued January 26, 1943 (8 F.R. 1094); Amendment 3, issued March 2, 1943 (8 F.R. 2587), and Amendment 4, issued March 5, 1943 (8 F.R. 2773). The underscored portions represent changes made as of April 13, 1943.

40 MPH and no overload) so that the tire when repaired will be in a safe condition for service.

(ii) The tread and sidewall must not be severely weather checked or cracked to the extent that the tire has more than two radial cracks which extend through the cord body.

(iii) The cord body:

(*a*) Must not have separation between plies.

(*b*) Must not have been damaged to the extent that cords are pulled loose beyond the first inside ply.

(*c*) Must not have any fabric injuries that exceed one half the cross-sectional diameter of the tire. Example—Injuries in 600/16 (6 inch) tires must not be more than three inches long on the inside of the tire: in 10.00/20 tires not more than five inches.

(*d*) Must not have or show evidence of having had more than three injuries requiring sectional repairs.

(*e*) Must not have injuries below any point where the top of the rim flange makes contact with the tire.

(*f*) Must not have or exhibit circumferential or flex breaks on the inside ply.

(*g*) Bead area must be sound with no broken wires.

(9) "Treadable tire" means a pneumatic tire or tire casing which warrants repair and retreading or recapping for the purpose for which it was primarily designed in accordance with recognized commercial practice, and which can reasonably be expected to render satisfactory service under limited operating conditions (speed under 40 MPH and no overload). For the purpose of this definition:

(i) The cord body:

(*a*) Must not be worn through more than one body ply for a total length of more than four inches on four ply tires.

(*b*) Must not be worn through more than two plies for a total length of more than four inches on tires of six plies or more.

(*c*) Must not have or show evidence of having had more than two injuries each not exceeding one-third the cross-sectional diameter of the tire. Example—Breaks in 600/16 (6 inch) tire must not be more than two inches long on the inside of the tire: 900/20 (9 inch) tires not more than three inches long.

(*d*) Must not have more than three radial cracks of more than one inch in length extending to the cord body.

(ii) The tire must in all other respects than specified in this paragraph (a) (9) conform to the requirements of a repairable tire.

(10) "Scrap consumer" means any person who consumes scrap rubber in the manufacture of any finished or partly finished product or material, and includes any person producing reclaimed rubber from scrap rubber, but does not include any person who separates scrap rubber or tears, splits or pulls scrap rubber apart (such as splitting tires) for the purpose of selling the component parts thereof to Rubber Reserve Company or to a scrap dealer.

(11) "Scrap dealer" means any person (other than a scrap consumer) buying, selling or collecting scrap rubber.

(12) "Synthetic rubber" means any of the varieties of compositions generally known as synthetic rubber, including, but not limited to, butadiene types, chloroprene, organic polysulfids and butyl.

(13) "Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the Mimusops genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; but does not mean or include scrap balata or reclaimed balata; or Massaranduba balata and Peruvian F. A. Q. white balata which were not in deresinated form prior to March 5, 1943.

(14) "Inventory" means crude rubber, latex, scrap rubber, reclaimed rubber or balata, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies.

(15) "Consume" means to use, process, stamp, cut, or in any manner make any substantial change in the form, shape or chemical composition of any crude rubber, latex, scrap rubber, reclaimed rubber or balata.

(16) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(17) "War order" means:

(i) Any contract or purchase order for material or equipment to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development, but not to or for the account of any post exchange, ship's store, commissary, officers' mess, officers', non-commissioned officers' or enlisted men's club, or any similar agency or organization.

(ii) Any contract or purchase order placed by any agency of the United States for material or equipment to be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Any contract or purchase order for material or equipment required by the person placing the same to fill his contracts or purchase orders on hand, provided such material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under (i) and (ii) of this paragraph (a) (17).

(b) *Restrictions on consumption of crude rubber, latex, reclaimed rubber, scrap rubber and balata*—(1) *Crude rubber.* Crude rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those groups of products set forth in Schedule II–A or II–B attached to this order; but only upon receipt of authorization from the War Production Board.

(2) *Latex.* Latex may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those groups of products set forth in Schedule II–B attached to this order; but only upon receipt of authorization from the War Production Board.

(3) *Reclaimed rubber.* Reclaimed rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those groups of products set forth in Schedule II–A or II–B attached to this order and not set forth in Schedule II–C attached to this order; but only where special authorization for the consumption of crude rubber, latex or reclaimed rubber to manufacture such products has been issued by the War Production Board.

(iii) To manufacture those groups of products set forth in Schedule II–C attached to this order which are also set forth in Schedule II–A or Schedule II–B attached to this order, whether or not mixed or compounded with crude rubber, latex or scrap rubber; but only upon receipt of authorization from the War Production Board for the consumption of the respective amounts of crude rubber, latex, reclaimed rubber and scrap rubber to be consumed.

(iv) To manufacture those groups of products set forth in Schedule II–C attached to this order and not set forth in Schedule II–A or II–B attached to this order; but only upon receipt of authorization from the War Production Board.

(4) *Scrap rubber.* Scrap rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those products set forth in Schedule II–A or II–B attached to this order and not set forth in Schedule II–C attached to this order; but only where special authorization for the consumption of crude rubber, latex or scrap rubber to manufacture such products has been issued by the War Production Board.

(iii) To manufacture those groups of products set forth in Schedule II–C attached to this order which are also set forth in Schedule II–A or Schedule II–B attached to this order, whether or not mixed or compounded with crude rubber, latex or reclaimed rubber; but only upon receipt of authorization from the War Production Board for the consumption of the respective amounts of crude rubber, latex, reclaimed rubber and scrap rubber to be consumed.

(iv) To manufacture those groups of products set forth in Schedule II–C attached to this order and not set forth in Schedule II–A or II–B attached to this order; but only upon receipt of authorization from the War Production Board.

(v) To manufacture reclaimed rubber.

(vi) As to in-process scrap or uncured friction scrap generated after March 31, 1942, by the person who generated such in-process scrap or uncured friction scrap; but only in the manufacture of

any products of the group (as set forth in said Schedules II–A, II–B and II–C) in which is listed the product in connection with which such in-process scrap or uncured friction scrap was generated. In such case the in-process scrap or uncured friction scrap consumed shall not be charged against his quota or allotment of crude rubber, latex, reclaimed rubber or scrap rubber for making products of that group. Any person may consume in-process scrap or uncured friction scrap whether generated by him or not, in the manufacture of any products not so listed in the same group when, but only when, he has received from the War Production Board an authorization to consume reclaimed rubber or scrap rubber in the manufacture of such other group of products, and in such event the in-process scrap or uncured friction scrap consumed shall be within the limits of such authorization and shall be charged against his quota or allotment of reclaimed rubber or scrap rubber for manufacturing such other group of products.

(5) *Balata.* Balata shall be consumed only:

(i) To manufacture self-sealing fuel cells to fill war orders.

(ii) For such other purposes as may be permitted by special authorization of the War Production Board.

(c) *General provisions*—(1) *Distribution of crude rubber, latex, reclaimed rubber, scrap rubber and balata among plants.* Each company (which term when used in this subparagraph shall include any corporation together with all other corporations controlling, and all other corporations controlled by, such corporation) which is a processor of crude rubber, latex, scrap rubber, reclaimed rubber or balata and which operates plants in more than one community (all plants operated by the same company in the same community being herein collectively referred to as a "unit") shall immediately upon distributing crude rubber, latex, scrap rubber, reclaimed rubber or balata during any calendar month among its units in proportions differing from the proportional distribution throughout such units during July 1941, file with the Office of Rubber Director of the War Production Board, a full report thereof showing clearly the reasons for such change in proportional distribution throughout its units. In any case in which it appears that such change in ratio was not justified or proper, the War Production Board may take such action as it deems appropriate.

(2) *Manufacture according to regulations.* Any of the products or materials whose manufacture is permitted by this order or by special authorization of the War Production Board shall be manufactured only in conformity with regulations now or hereafter set forth in lists attached to § 940.5 *Supplementary Order M–15–b–1* or such other regulations as may be issued by the War Production Board; provided that until regulations for particular products or groups of products are issued by the War Production Board, the crude rubber, latex or balata content by weight of any such products manufactured by any person shall not exceed the respective crude rubber, latex or balata content by weight of similar products manufactured by such person on the most recent date prior to September 1, 1942, on which he manufactured such products.

(3) *Limitation on consumption to fill war orders.* (i) The War Production Board may from time to time, by special directives issued pursuant to this paragraph (c) (3) (i), limit the consumption of crude rubber, latex, reclaimed rubber, scrap rubber or balata by any person to fill war orders to such extent and in such manner as may be provided by such special directives.

(ii) No person shall consume more crude rubber, latex, reclaimed rubber, scrap rubber or balata to fill any war order than is required for delivery within sixty days from the date such crude rubber, latex, reclaimed rubber, scrap rubber or balata is consumed under the delivery dates specified in the purchase order placed with him.

(4) *Limitation of inventories.* No person other than Rubber Reserve Company shall purchase, accept delivery of or otherwise acquire any crude rubber, latex, reclaimed rubber, or balata, or products thereof, or any products of scrap rubber in the form of raw materials, semi-processed materials, finished products or parts or subassemblies in quantities which shall result in such person having an inventory of such material or products in excess of a minimum practicable working inventory, taking into consideration the limitations placed by this order on the production of products made of crude rubber, latex, balata, reclaimed rubber and scrap rubber. An inventory of crude rubber, latex or balata which can reasonably be expected to last more than sixty days, or of reclaimed rubber which can reasonably be expected to last more than forty-five days, shall be deemed to be in excess of a minimum practicable working inventory. The limitation on inventories imposed by this paragraph (c) (4) and by § 944.14 (Priorities Regulation No. 1) as amended, shall not apply to inventories of reclaimed rubber held or acquired by persons engaged in the business of reclaiming rubber but who are not consumers of reclaimed rubber, it being contemplated that persons engaged in the business of reclaiming rubber (but not consumers of reclaimed rubber) may accumulate such inventories of reclaimed rubber as they may deem advisable.

(5) *Restriction on the acquisition of crude rubber, latex, reclaimed rubber, scrap rubber and balata.* No person other than Rubber Reserve Company shall purchase, accept delivery of or otherwise acquire any crude rubber, latex, reclaimed rubber, scrap rubber or balata for any purpose except for the purpose of consuming the same in the manufacture of a product or products for which such material may be consumed under the provisions of this order or under special authorization of the War Production Board, provided that nothing in this order shall prevent

(i) Any scrap dealer from acquiring scrap rubber in the usual course of his business for the purpose of selling the same to another scrap dealer or to Rubber Reserve Company, or

(ii) Any person from acquiring crude rubber, latex, reclaimed rubber, or scrap rubber from the owner thereof solely for the purpose of milling, washing, drying and/or conditioning and thereafter returning the same to the owner thereof.

(6) *Restriction on the sale of crude rubber, latex, reclaimed rubber and balata.* No person shall sell, trade, or transfer the ownership of any crude rubber, latex, reclaimed rubber or balata, and no person shall accept any such sale, trade or transfer of ownership, except (i) as may be expressly permitted by regulations prescribed by Rubber Reserve Company, or (ii) in those cases in which special authorizations may be issued by the War Production Board; provided that nothing in this paragraph (c) (6) shall be deemed to prohibit the sale of unvulcanized rubber products or products made from balata which were in finished or marketable form on December 11, 1941, or which have become finished and marketable at any time after that date pursuant to processing not prohibited by any orders or other instructions heretofore or hereafter issued by the War Production Board.

(7) *General restrictions on the purchase and sale of scrap rubber.* Except (i) as may be expressly permitted by regulations prescribed by Rubber Reserve Company, or (ii) in those cases in which special authorizations may be issued by the War Production Board.

(*a*) No person other than Rubber Reserve Company shall sell, trade or transfer the ownership or possession of any scrap rubber to any scrap consumer.

(*b*) No scrap consumer shall purchase, receive or accept delivery of any scrap rubber, or the right to receive any scrap rubber, from any person other than Rubber Reserve Company.

(*c*) No scrap consumer shall sell, trade or transfer the ownership or possession of any scrap rubber to any person, including any scrap dealer.

Provided, That the prohibitions of this paragraph (c) (7) shall not apply to any transfer or delivery of scrap rubber from one location to another location controlled by the same person where no change of ownership takes place, or to any purchase or sale by any corporation from or to another corporation which is its subsidiary or of which it is a subsidiary, of any in-process scrap or uncured friction scrap generated by the corporation making such sale or transfer, and any such sale shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13 (Part 944). For the purposes hereof a corporation shall be deemed to be a subsidiary of another corporation if all or substantially all of its voting stock is owned by such other corporation.

(8) *Restriction on the destruction of tires and scrap rubber.* No person shall destroy, damage, cut or tear apart any tire, tire casing or tire tube or any scrap rubber whether by burning or any other means and whether for the purpose of making or repairing products or materials from or with all or any of its constituent parts: *Provided*, That this restriction shall not apply to the following:

(i) The consumption of any scrap rubber in the manufacture of any product for which crude rubber, latex, reclaimed rubber or scrap rubber may be consumed under the provisions of this order or under special authorization of the War Production Board; but subject to such limitations as to quantities, specifications, and other restrictions as may be imposed by this order or such special authorization.

(ii) The consumption of any scrap rubber by any person producing reclaimed rubber as a necessary incident to such reclaiming operations.

(iii) The destruction of any scrap rubber (without destroying the rubber therein) for the purpose of selling its component parts to a scrap dealer for resale by him either (*a*) to Rubber Reserve Company, or (*b*) under rules or regulations prescribed from time to time by Rubber Reserve Company.

(iv) The destruction of the following articles when through obsolescence, use or deterioration the articles have entirely served their usefulness in their present state:

(*a*) Used battery containers and separators and parts thereof.

(*b*) Rough bore (metal reinforced) oil suction and discharge hose and hose containing asbestos combined with rubber.

(*c*) Rubber insulated wire and cable.

(*d*) That part of rubber bonded to metal which cannot be separated from the metal by mechanical means.

(*e*) Brake linings and clutch facings.

(*f*) Metal-inserted packing.

(*g*) Metal-inserted running boards.

(*h*) Gasoline pump hose.

(*i*) Friction tape and adhesive tape (except in-process scrap).

(*j*) Burnt rubber all of which has been exposed to open flame (but not scorched rubber compounds).

(*k*) Gasket compounds containing cork.

(*l*) Typewriter platens.

(v) Ordinary wear and tear incident to the normal use of any article for the primary purpose for which it was designed.

(vi) The destruction, pursuant to special authorization in writing by the War Production Board, of scrap rubber which has no further value for reclaiming or other use.

(9) *Restriction on regrooving tires.* No person shall regroove the tread or tread surface of any tire or tire casing, whether by cutting, scraping, grinding, burning, heating, remolding or any other means.

(10) *Restriction on splitting camelback and capping stock.* No person shall split, cut, tear or otherwise separate any camelback or capping stock in such manner that there will result camelback or capping stock of gauges other than 10/32, 12/32, 14/32, 16/32, 18/32, 20/32, 22/32 inches and larger.

(11) *Reports covering war orders.* Reports covering the consumption of crude rubber, latex, reclaimed rubber and scrap rubber to fill war orders shall be filed monthly on Form PD–49, as revised, pursuant to the requirements of paragraph (c) (24) of this Supplementary Order No. M–15–b.

(12) *Prohibited products for other than war orders.* Except to fill war orders, no person shall consume any crude rubber, latex, reclaimed rubber or scrap rubber in the manufacture of any of the products for which the consumption of such material is prohibited by Schedule III attached to this order, even though the consumption of such material would otherwise be permitted under any of the broader provisions, classifications or groupings of this order or under any of the other schedules attached to this order.

(13) *Prohibited products for war orders.* Unless permitted by special authorization of the War Production Board, no person shall (i) consume any crude rubber or latex in the manufacture or assembly of any of the products or materials set forth in Groups A and B of Schedule IV attached to this order for delivery to fill any war order; or (ii) consume any reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials set forth in Group B of said Schedule IV for delivery to fill any war order.

(14) *Index of permitted and prohibited products.* Schedule V is attached to this order for the convenience of the industry. This schedule constitutes an index of the products for which crude rubber, latex, reclaimed rubber and scrap rubber may be consumed, and those for which these materials may not be consumed, and contains appropriate cross-references to the other schedules in which such products are mentioned.

(15) *Restriction on the importation of crude rubber, latex, reclaimed rubber, scrap rubber and balata and products thereof.* No person other than Metals Reserve Company, Defense Supplies Corporation, Rubber Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any agent acting for one of them, shall, except as authorized or otherwise directed in writing by the War Production Board purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of any crude rubber, latex, reclaimed rubber, scrap rubber or balata, whether in crude, partly processed or processed form, or any finished or partly finished product or material made from any of the foregoing. For the purpose hereof "import" means to transport into the continental United States from any foreign country or from any territory or possession of the United States, and shall include a release from the bonded custody of the United States Bureau of Customs; and products or materials shall be deemed to be made from crude rubber, latex, reclaimed rubber, scrap rubber or balata if at least ten per cent of the weight of such products or materials was made from crude rubber, latex, reclaimed rubber, scrap rubber and balata or from any one or more of them. The restriction of this paragraph (c) (15) shall not apply to:

(i) The importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of crude rubber, latex, reclaimed rubber, scrap rubber and balata provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale;

(ii) The importation by any person who is entering or reentering the United States of bicycle tires mounted on any used bicycle included in the personal effects of such person.

(iii) The importation of any scrap rubber by the Army or Navy of the United States or the United States Maritime Commission;

(iv) The importation of any finished products made of rubber or balata by diplomatic representatives (but not consuls or other commercial representatives) of any foreign government for their personal use or the use of members of their staffs;

(v) The importation from the Dominion of Canada by any person of any rubber or balata, or any products thereof manufactured in the Continental United States, Canada or the British Isles.

(16) *Restriction on consumption of rubber products and materials.* No person shall use or consume any finished or partly finished product or material containing in the aggregate more than ten per cent by weight of crude rubber, latex, reclaimed rubber and scrap rubber, to manufacture for sale to others any other products in such a manner as to divert the products or materials so consumed from the purpose for which they were originally intended, except to manufacture products for which he has received an authorization from the War Production Board to consume crude rubber, latex, reclaimed rubber or scrap rubber. In any case in which any such product or material is used pursuant to any such authorization, it shall be chargeable to such person's quota of reclaimed rubber and/or scrap rubber for the manufacture of such permitted products.

(17) *Finished item deliveries.* No person shall sell, transfer or deliver, or purchase or accept or accept transfer or delivery of any item which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provisions of this order as amended from time to time.

(18) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(19) *Applications for authorizations to consume crude rubber, latex, reclaimed rubber and scrap rubber.* Each person who wishes to consume any crude rubber, latex, reclaimed rubber or scrap rubber at any time subsequent to October 1, 1942 to manufacture any of the products or groups of products listed in Schedules II–A, II–B and II–C attached to this order, shall file with the Office of Rubber Director of the War Production Board an application on Form PD–407, or such other forms as may be prescribed. Such application shall be filed not later than the tenth day of the month preceding the calendar month during which such person wishes to consume crude rubber, latex, reclaimed rubber or scrap rubber.

(20) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by transmitting to the Office of Rubber Director, War Production Board, Washington, D. C., an appeal on Form PD–500–b.

(21) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all articles manufactured on or after August 25, 1942, irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the effective date hereof, or pursuant to a contract supported by a preference rating. Insofar as any other order of the War Production Board heretofore or hereafter issued may have the effect of limiting or curtailing to a greater extent than herein provided the use of crude rubber, latex, scrap rubber, reclaimed rubber or balata in the production of any article, the limitations of such other order shall be observed.

(22) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(23) *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of Rubber Director, War Production Board, Washington, D. C. Ref.: M–15–b.

(24) *General reports.* Any person who, during any calendar month, consumes, ships or stocks any crude rubber, latex, reclaimed rubber, scrap rubber or balata, or who, on the last day of any calendar month, has in his possession any crude rubber, latex, reclaimed rubber, scrap rubber or balata, shall, not later than the fifteenth day of the succeeding month, file with the Office of Rubber Director of the War Production Board a report on the appropriate form PD–49, PD–649 or such other form or forms as may be prescribed from time to time.

(25) *Outstanding special instructions.* No unrevoked special instruction (i. e., instruction issued by individual letter or telegram and not by general order) issued prior to September 1, 1942 by the War Production Board which (i) authorizes the consumption of crude rubber, latex, reclaimed rubber or scrap rubber within a specified period of prior to a specified date, or (ii) forbids or restricts the consumption of crude rubber, latex, reclaimed rubber or scrap rubber, is revoked or rescinded by this revised Supplementary Order No. M–15–b. All such unrevoked instructions shall remain in effect unless hereafter specifically rescinded or revoked by the War Production Board.

(26) Any action which, under the terms of this order or of any of the schedules attached to this order, is to be taken by the War Production Board, may be taken in the name of the Rubber Director in such manner as may be prescribed.

Issued this 13th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

Products for which crude rubber, latex, reclaimed rubber and scrap rubber may be consumed to fill war orders. (See paragraphs (b) (1) (i), (b) (2) (i), (b) (3) (i) and (b) (4) (i) of Revised Supplementary Order No. M–15–b.)

Pending the issuance of a list of products for which crude rubber, latex, reclaimed rubber and scrap rubber may be required to fill war orders, to be set forth in a revised Schedule I, crude rubber, latex, reclaimed rubber and scrap rubber may be consumed to manufacture any product to fill any war order, unless the consumption of crude rubber, latex, reclaimed rubber and scrap rubber in the manufacture of such product is prohibited by paragraph (c) (13) of Revised Supplementary Order No. M–15–b and Schedule IV attached thereto or by special direction of the War Production Board.

SCHEDULE II–A

Products for which crude rubber may be consumed upon authorizations issued from time to time by the War Production Board. (See paragraph (b) (1) (ii) of Revised Supplementary Order No. M–15–b.)

Any authorization to consume crude rubber to manufacture any group of products set forth in this Schedule II–A also authorizes the manufacture from the quota or allotment of crude rubber for that group of cements necessary to the manufacture (but not the use or application) of such products. No crude rubber shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II–A unless permitted by special authorization of the War Production Board.

Group 1

Compounds for insulating wire and cable

Group 2

Compounds for rubber insulating tape

Group 3

Belt splicing and repair material
Last puller belts
Polishing belts
Screen diaphragms designed for paper making equipment

Group 4

Conveyor and elevator belting and pulley lagging therefor

Group 5

Flat transmission belts
Hog beater belts

Group 6

Industrial brake lining and clutch facings

Group 7

V-belts

Group 8

Acid hose
Air drill hose
Cement handling hose, including cement grouting, concrete placing and cement and dry material hose
Chemical hose
Divers' hose
Dredging sleeves
Expansion joint hose
Flexible couplings
Flanged flexible hose
Grease gun hose
Gasoline and oil tank wagon hose (not including curb pump hose)
Hydraulic control hose
Industrial vacuum hose, including dust collector, blower or exhaust hose
Jetting and hydraulic hose, including arbor-pipe forming and phosphate flexible hose
Milk conveying hose
Oil suction and discharge hose
Paint spray hose
Pinch valve hose
Pneumatic hose
Railroad hose (all types)
Rotary driller's hose
Sand blast hose
Sanitary hose
Spray hose (designed for working pressures of 300# per square inch and over)
Steam hose
Suction hose
Welding hose

Group 9

Hard rubber pipe and fittings (industrial only)
Rubber buckets, pails, dippers, funnels, measures, bottles, beakers, frames, baskets, racks, trays (designed for handling corrosive materials and explosives)
Rubber insulated fume-ducts, fans, racks, frames, trays, screens, pipe, buckets, pails, dippers, agitators, funnels and measures (designed for handling corrosive materials and explosives)
Rubber pumps
Rubber lining designed for blowers, exhausters and pumps
Rubber valves and valve parts (except tire tube valves)

Group 10

Rubber lined tanks, drums, pipes and fittings (hard and soft)

Group 11

Rubber covered rolls and roll coverings (except domestic washing machine wringer, printers', fingerprint and business machine rolls)

Group 12

Press die pads

Group 13

Loom pickers

Group 14

Storage battery parts, (including only separators, retainers, binding strips, element support rods, tie rods, and hand-built jars and hand-built containers, but not including hand-built jars and containers designed for radio, farm lighting, mine safety and automotive S. L. I.)

Group 15

Hard rubber sheets, rods and tubing (designed for dielectric purposes)
Insulated tools
Magneto parts
Molded cable connectors and terminal blocks (designed for dielectric purposes)

Group 16

Mine safety battery parts
Mine safety lamp parts, excepting insulated wire
Respirators, hose masks, gas masks, goggles, inhalators, excepting headharness (mining and industrial types)

Group 17

Sheet, strip and mechanical packings

Group 18

Oil well specialties (including only packers, testing, lining bumper and swab rubbers; blow-out preventors; drill pipe protectors; stabilizers; slush pump pistons and liners; mud and oil pump pistons, liners, valves and parts; valve cups; strippers; stuffing box rings)

Group 19

Industrial abrasive implements

Group 20

Airplane de-icer parts
Card clothing
Gas main bags
Gaskets and washers for hose
Lineman's protective devices (including only line hose, insulator hoods, blankets, cable end test caps and separators, cable bandages, lineman's sleeves and insulating stools)
Mine ventilating tubing
Molded seals for dam and lock gates

Group 21

Component parts (not elsewhere listed but not including sponge) of machinery for the processing and fabricating of raw and semifinished materials or for the transmission of mechanical power (except as specifically prohibited in Schedule III attached to Revised Supplementary Order No. M-15-b)

Group 22

Pipe coupling rings

Group 23

Fire and mill hose

Group 24

Milk and milking machine equipment consisting of:
Couplings for pasteurizers and milk bottle and can washers
Gaskets for milk separators and clarifiers
Milk bottle filler rubbers
Milking machine inflations and tubing

Group 25

Box die gum, rubber die gum and rubber type gum, designed for industrial marking devices only

Group 26

Engravers' rubber (excluding rubber stamps, box dies, band daters and toy stamps)

Group 27

Printing plates (excluding rubber stamps, box dies, band daters and toy stamps)

Group 28

Cutting rubbers
Finger print rolls and finger print rubber
Offset and newspaper blankets
Printers' rollers
Rubber solution for wet plate negatives
Suction cups for printers' equipment

Group 29

Automotive parts consisting of the following only:
Air brake and vacuum brake parts, excepting boots and linings
Air brake and vacuum brake hose
Hydraulic brake cylinder parts, excepting boots and linings
Hydraulic brake hose
Hydraulic clutch and throttle controls
Pitman arm bushings for independent suspensions
Remote control gearshift bushings
Sealed beam gaskets
Shock absorber bushings
Steering post alignment bushings
Suspension and torque arm bushings
Steering box-to-frame pads for independent suspensions
Torsional vibration dampers
Windshield wiper blades and pivot to housing gaskets
Engine, transmission and propeller center bearing mountings

Group 30

Pneumatic, solid and cushion tires, (including tubes, flaps, airbags and valves) of the following types only:
Passenger
Truck and bus
Special purpose of the following types only: low platform trailer, rock service, earth-mover, road builder and road grader
Industrial
Motorcycle
Airplane

Group 31

Camelback, capping stock, filler strip, stripping stock, cushion stock, lug stock, and base stock for retreading and recapping tires

Group 32

Full circle and sectional airbags designed for recapping, retreading and repairing tires

Group 33

Tire and tube repair materials (incuding only cushion stock, tread repair stock, cord friction, square woven fabric friction, repair patches, and tube repair gum)

Group 34

Rubber footwear designed for severe industrial use, including rubber boots, mine pacs, and work shoes all with plain or steel toes

Group 35

Rubber footwear (other than that listed in Group 34), including rubber boots, arctics, gaiters, and light and heavy rubber

Group 36

Diaphragms designed for regulating the flow of fluids
Tank balls designed for flush valves
Bibb washers
Fuller balls
Ball cock washers

Group 37

Autopsy and mortuary gloves
Industrial all rubber gloves and industrial net-lined gloves and industrial finger cots

Group 38

Electricians' gloves

Group 39

Brain surgery caps
Colostomy outfits
Denture suctions and model formers
Dilators
Finger cots (medical, surgical, dental, veterinary, mortuary and laboratory types only)
Orthodontia bands
Parts for medical, surgical, dental, veterinary and mortuary instruments
Prostatic bags
Rubber bands and cushions designed for artificial limbs
Tubes and tubing (except fountain syringe lengths), including catheters, stopples, and rubber policemen (medical, surgical, dental, mortuary, veterinary and laboratory types only)
Urinals designed for individual wear
Vaccine caps
X-ray sheets, gloves, aprons and cooling hose

Group 40

Surgical adhesive tape, medicated footpads and plasters

Group 41

Breast pumps
Bulbs (medical, surgical, dental, veterinary, mortuary and laboratory types only)
Medicine droppers
Water bottles and combination syringes

Group 42

Ice bags
Metatarsal cushions or pads (not parts of shoes)
Pneumatic truss pads
Truss pad covers

Group 43

Acoustic aids (soft rubber parts only) designed for individual hearing instruments and audiometers

Group 44

Hard rubber pipes, connections and accessories (medical, surgical, dental, veterinary and mortuary types only)

Group 45

Tubing, fountain syringe lengths

Group 46

Blood pressure bags
Dental dam
Dental separating strips and mouth props
Denture rubber
Inhalation bags and face pieces, not including oxygen tents (medical, surgical, dental and veterinary types only)
Invalid rings but not including sponge rubber rings
Operating cushions, but not including sponge rubber cushions
Tourniquets

Group 47

Hospital sheeting

Group 48

Feeding nipples

Group 49

Pessaries and prophylactics

Group 50

Surgeons' gloves (medical, surgical, dental and veterinary types only)

Group 51

Meteorological balloons

Group 52

Cements designed for the repair, use or application of products permitted to be manufactured from crude rubber by Revised Supplementary Order No. M-15-b, except cements for use in the manufacture of such products, except shoe adhesives

Group 53

Commercial diving equipment

Group 54

Compounds designed for seaming protective clothing other than footwear and gloves

Group 55

Abrasive sand blasting helmets and clothing

Group 56

Conductive soles, taps and heels

Group 57

Shoe cements

Group 58

Lifesaving suits

Group 59

Compounds designed for sealing cans made of tinplate, blackplate or ternplate
Rings and compounds for sealing glass containers

Group 60

Blended compounds or mixtures designed for laboratory testing

Group 61

Vacuum cleaner belts

Group 62

Airplane equipment not elsewhere listed

Group 63

Molding bags

Group 64

Street car wheel sandwich rings

Group 65

Vibration dampers

Group 66

Water meter parts

SCHEDULE II-B

Products for which latex may be consumed upon authorizations issued from time to time by the War Production Board. (See paragraph (b) (2) (ii) of Revised Supplementary Order No. M-15-b)

Any authorization to consume latex to manufacture any group of products set forth in this Schedule II-B also authorizes the manufacture from the quota or allotment of latex for that group of cements necessary to the manufacture (but not the use or application) of such products. No latex shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II-B unless permitted by special authorization of the War Production Board.

Group 1

Colostomy outfits
Finger cots (medical, surgical, dental, mortuary and veterinary types only)
Prostatic bags
Prosthetic devices
Tubes and tubing (except fountain syringe lengths), including catheters (medical, surgical, dental, mortuary, veterinary and laboratory types only)
Urinals designed for individual wear

Group 2

Blood pressure bags
Inhalation bags, and face pieces, not including oxygen tents (medical, surgical, dental and veterinary types only)
Veterinary sleeves

Group 3

Industrial rubberized fabric gloves designed for handling corrosive and severly abrasive materials

Group 4

Electricians' gloves

Group 5

Dental dam

Group 6

Autopsy and mortuary gloves
Industrial all rubber gloves and industrial net-lined gloves and industrial finger cots

Group 7

Meteorological balloons

Group 8

Feeding nipples

Group 9

Pessaries and prophylactics

Group 10

Surgeons' gloves (medical, surgical, dental and veterinary types only)

Group 11

Compounds designed for sealing glass containers and cans made of tinplate, blackplate or terneplate

Group 12

Shoe cements

Group 13

Latex insulation for fume ducts, fans, racks, frames, trays, screens, pipes and fittings, buckets, dippers, funnels, measures, drums, pumps, valves, baskets, concave rollers and agitators (designed for handling corrosive materials)

Group 14

Flat transmission belts
Round transmission belts
V-belts

Group 15

Mine ventilating tubing

Group 16

Industrial abrasive implements

Group 17

Blended compounds or mixtures designed for laboratory testing

Group 18

Tire cord dip

SCHEDULE II-C

Products for which reclaimed rubber and scrap rubber may be consumed upon authorizations issued from time to time by the War Production Board. (See paragraphs (b) (2) (iii) and (b) (4) (iii) of Revised Supplementary Order No. M-15-b)

Any authorization to consume reclaimed rubber or scrap rubber to manufacture any group of products set forth in this Schedule II-C also authorizes the manufacture from the quota or allotment of reclaimed rubber or scrap rubber for that group of cements necessary to the manufacture (but not the use or application) of such products. No reclaimed rubber or scrap rubber shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II-C unless permitted by special authorization of the War Production Board.

Group 1

Adhesives designed for fabricating steel wool, curled hair or fibre pads for surgical corrective appliances

Group 2

Adhesives for seaming bags and bagging
Gaskets and compounds for sealing jars, tumblers, cans, drums and pails

Group 3

Athletic equipment, consisting of the following only:
Basketball bladders
Football bladders
Punching bag bladders
Soccer bladders
Volley ball bladders
Hardballs
Squash balls
Tennis balls

Group 4

Automotive parts (including only spring bumpers—front and rear) tailpipe supports, battery drain tubes, brake boots, insulating forms or shapes for high tension wiring)

Group 5

Clutch facings, brake lining and brake blocks

Group 6

V-belts

Group 7

Barrel lining

Group 8

Brush setting compounds

Group 9

Molded battery containers except those designed for automotive S. L. I. batteries of S. A. E. Groups 1, 2 and 3

Group 10

Storage battery parts (except molded containers)

Group 11

Crutch tips

Group 12

Erasers and pencil plugs

Group 13

Friction tape

Group 14

Heels and heel bases (black dense composition only)

Group 15

Out soles, out soling strips, taps, top lifts and top lifting material (black dense composition only)

Group 16

Shoe bottom fillers and shoe tapes

Group 17

Insoles, midsoles and box toes

Group 18

Automotive radiator hose
Braided covered tubing
Cable covering, electric
Car heater hose
Curb line and garage air hose
Fire extinguisher tubing
Garden hose
Grease hose, low pressure, non-industrial
Pump and windshield wiper tubing
Rock wool insulation hose

Shaft covering, flexible
Spray hose (designed for working pressures under 300 pounds per square inch)
Vacuum cleaner hose
Water hose

Group 19

Parts for business machines (except platens and rolls)

Group 20

Parts for refrigerators, washing machines and motor-driven electric appliances (except hose and belts)

Group 21

Horseshoe pads

Group 22

Industrial pressure sensitive tape

Group 23

Stamp gum

Group 24

Sponge for stamp gum cushion

Group 25

Truss pads

Group 26

Elastic fabrics and elastic webbing for:
Artificial legs
Gas masks
Goggles
Hose masks
Inhalators and respirators
Edging for baby pants
Industrial shoes
Repair web
Sanitary belts
Surgical bandages, stockings and supports
Trusses (including umbilical belts)

Group 27

Spud washers
Waste and overflow washers
Float valve shank washers
Flush elbows
Flush valve washers
Force cups
Gaskets and valves designed for back flow preventors (or vacuum breakers)
Siphon washers

Group 28

Cements designed for the repair, use or application of products permitted to be manufactured from crude rubber, latex, reclaimed rubber or scrap rubber by Revised Supplementary Order No. M-15-b, except cements for use in the manufacture of such products, and except shoe adhesives.

Group 29

Tire and tube repair materials (including only cushion stock, tread repair stock, cord friction, square woven fabric friction, repair patches and tube repair gum)

Group 30

Capping stock, filler strip, stripping stock, cushion stock, lug stock and base stock for retreading and recapping tires

Group 31

Blended compounds or mixtures designed for laboratory testing

Group 32

Compounds designed for proofing fabrics, other than footwear and gloves

Group 33

Bicycle tires (including casings, tubes, flaps and valves)

Group 34

Mallets and mallet heads.

SCHEDULE III

Exceptions from groups of products set forth in Schedules II-A, II-B and II-C. (See paragraph (c) (12) of Revised Supplementary Order No. M-15-b.)

Unless otherwise specified in this Schedule III, no person may consume any crude rubber, latex, reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials listed in this Schedule III, even though the consumption of crude rubber, latex, reclaimed rubber or scrap rubber might otherwise be permitted under any of the broader provisions or classifications of products under paragraphs (b) (1) (ii), (b) (2) (ii), (b) (3) (ii) or (b) (4) (ii) of Revised Supplementary Order No. M-15-b or Schedules II-A, II-B or II-C attached to said order. (The prohibitions of this Schedule III do not apply to the manufacture of products or materials to fill war orders, as to which see Schedule IV.)

The omission of any products or materials from this Schedule III does not mean that crude rubber, latex, reclaimed rubber or scrap rubber may be consumed in their manufacture. Crude rubber, latex, reclaimed rubber and scrap rubber may be consumed in the manufacture of products or materials not listed in this Schedule III only if and to the extent permitted by Revised Supplementary Order No. M-15-b and Schedules II-A, II-B and II-C attached to said order.

Accelerator pedals (automotive)
Animal boots and shoes
Arch supports
Arm rests
Artificial leather
Basin gaskets and washers
Basin stoppers
Bath sprays
Bath tub stoppers
Battery carrier straps
Beer tubing
Blowout shoes (for tires)
Bookbinding adhesives
Bottle carriers
Bottle driers
Brake rod rattlers
Brewery hose
Brush bristles
Bumper tacks
Bunion pads
Camera bellows
Camera focusing cloth
Candy molds
Carboy pads
Casket gaskets
Chair and furniture parts
Channel filler
Christmas tree lighting devices
Chute lining
Cigar machine aprons
Cleats for athletic and sport shoes
Coated clips
Coffee maker bushings and gaskets
Concentrator belts
Contraction joint seals and concrete filler
Corn pads
Crib sheeting
Crutch pads
Cutting blocks
Cushions, upholstery and mattresses (except invalid rings and operating cushions)
Defroster parts and hose
Desk and chair protective pads
Dish drainers
Drain pipe lining
Draper aprons
Electric base plugs, plug connectors and light sockets
Elevator belt buckets and cleats
Exercise machine parts
Extension lamp handles
Fan bases and blades
Faucet caps
Faucet filters
Feeding bottle caps and covers (except nipples)
Ferrules
Filter cloth
Finger pads
Flooring, tile and tiling, and wainscoting (except conductive)
Fountain pen stock
Fly paper
Foot bath trays
Gaskets, pads and shims made from scrap tires and tubes
Gasoline curb pump hose
Gasoline tubing
Gauntlets and cuffing (except linemen's sleeves)
Gear silencers
Glue dispensers
Graphite guns and parts thereof
Grommets (except dielectric)
Handle grips (except for dielectric purposes)
Hard rubber photographic trays and development tanks (except X-Ray)
Hard rubber spatulas (except for handling explosives and corrosive materials)
Hat-forming bags
Hatters' belts
Horse shoes
Horticultural binding tape
Hose nozzles
Household gloves
Hydrometer parts
Ice cube trays
Ink wells and bottles
Instep supports
Kneeling pads
Knife handles and grips
Labels and label plasters
Lamp shades
Lawn mower tires
Leather finishes
Line tube caps
Link mats
Loom harness strapping
Lug straps, bumpers and holdups (constituting textile machinery parts)
Mallets and mallet heads (except that reclaimed rubber or scrap rubber may be used)
Marbon B (except wire and cable insulation)
Mats and matting (except conductive)
Molds for casting
Molded wheels and casters
Musical instruments and parts thereof
Oxygen tent canopies
Pacifiers
Paint brush guards
Painters' graining tools
Panelboard
Paper machine aprons
Paper padding adhesives
Pedal rubber
Photo wringers
Photographers' bulbs and tubes
Pliofilm (except for wire and cable insulation)
Plioform (except for wire and cable insulation)
Pliolite (except for wire and cable insulation)
Plywood adhesives
Post insulators
Powder bags (mining)
Pulley lagging
Recoil pads
Refrigerator freezing trays
Rock wool insulation hose (except that reclaimed rubber or scrap rubber may be used)
Rubber bands (except orthodontia bands and bands for artificial limbs)
Rubber thread and rubber tape (except compounds for rubber insulating tape)
Rubberized hair and fibre (except for surgical corrective appliances)
Sand blasting stencils
Screw bumpers
Self-adhering signs
Service station signal hose
Sink and lavatory gaskets (including mack gaskets)
Sink sprays and drain stoppers
Slip joint washers
Spark plug caps

Specimen (biological) injections
Sponge applicators
Stair and step treads
Stick-on soles and taps
Stoppers
Stirrup pump hose
Stirring rods
Street sweeper belts
Street car springs
Swimming pool hose
Table tops
Tank floats
Telephone bases
Telephone cord protectors
Telephone protectors
Test tube holders
Textile printing blankets
Thermometer cases
Thermos bottle parts
Thermoplastic coatings (except for wire and cable insulation)
Tire reliners
Tire and tube repair materials made from scrap tires and tubes
Trouser straps
Toilet closet outlet gaskets
Toilet closet seat bumpers
Trolley wire guard
Typewriter keys, platens, feet and covers
Typewriter and office machinery silencers
V-belt shock absorbers
Vacuum cleaner tires and bumpers
Washing machine drain hose
Weatherstripping
Wheelbarrow tires
Whiskey hose
Windlace and windlace tubing
Yarning material

SCHEDULE IV

Products for which crude rubber, latex, reclaimed rubber and scrap rubber may not be consumed to fill war orders. (See paragraph (c) (13) of Revised Supplementary Order No. M-15-b.)

No person may (1) consume any crude rubber or latex in the manufacture or assembly of any of the products or materials set forth in Groups A and B of this Schedule IV for delivery to fill any war order; or (2) consume any reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials set forth in Group B of this Schedule IV for delivery to fill any war order; even though the consumption of crude rubber, latex, reclaimed rubber or scrap rubber might otherwise be permitted under any of the broader provisions or classifications of products under paragraphs (b) (1) (i), (b) (2) (i), (b) (3) (i) or (b) (4) (i) of Revised Supplementary Order No. M-15-b or Schedule I attached to said order.

The omission of any products or materials from this Schedule IV does not mean that crude rubber, latex, reclaimed rubber or scrap rubber may be consumed in their manufacture. Crude rubber, latex, reclaimed rubber and scrap rubber may be consumed in the manufacture of products or materials not so listed only if and to the extent permitted by Revised Supplementary Order No. M-15-b and Schedule I attached to said order.

Group A—Products and materials for which crude rubber and latex shall not be consumed

Accelerator treadle connections
Brush-setting compounds
Bumpers (automotive axle)
Bumper stripping
Cellular discs
Channel rubber (except airplane)
Combined fabrics (except flotation and lighter-than-air equipment or as otherwise specified by List 3 attached to Supplementary Order No. M-15-b-1, as amended)
Cowl vent hose
Cowl vent seals and gaskets
Dust and lever housing covers
Erasers (including typewriter)
Escalator handrails
Flyers' clothing bags (Type B 4)
Fly Paper
Foot boards (motorcycle)
Friction tape
Gym and basketball shoes (except cement and foxings)
Handle grips (except dielectric)
Labels
Mallet heads
Marbon B (except wire and cable insulation)
Pliofilm, Plioform, and Pliolite (except moisture proof envelopes for parts for airplanes, tanks and guns and wire and cable insulation)
Recoil pads (except machine gun and eye buffers)
Rubber bands (except parts of combat equipment)
Rubberized curled hair or vegetable fibre
Sponge cushioning including seat bottoms, seat backs, armrests, handrests, parachute backs and seats and tank crash pads and linings and all other (except vision and gunsight slot pads, mask parts, ear cushions and cushioning for cameras, flight control and fire control instruments)
Toilet closet gaskets
Toilet seat bumpers
Water, garden and lawn hose (except as specified by List 1 attached to Supplementary Order No. M—15-b-1, as amended)
Weatherstrip (except airplane)

Group B—Products and materials for which crude rubber, latex, reclaimed rubber and scrap rubber shall not be consumed

Artificial leather and upholstery
Ash trays
Athletic equipment (except clothing)
Bath sprays, sponges and soap dishes
Bumper tacks
Buttons (clothing)
Canvas water bags
Cap covers
Cartridge clip boxes
Cellular pads for crash helmet cushions
Channel filler and glazing rubber (except airplane)
Chevrons
Desk and chair protection pads
Desk sets
Dishdrainers
Door checks and bumpers (reclaimed rubber and scrap rubber may be used for airplane and automotive parts)
Door knob covers
Fan bases and blades (reclaimed rubber and scrap rubber may be used for combat tank equipment)
Faucet caps
Fender protective plates
Fender welting
Flooring (except conductive)
Fly swatters
Footbath trays
Gear shift knobs
Grommets (except airplane and dielectric)
Gun grips
Hood supports and bumpers
Hospital sheeting
Inkwells and bottles
Kneeling pads
Leather finishes
Link mats (reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms)
Mastic deck covering (except repair)
Mats and matting (except switchboard and conductive; reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms)
Molded wheels and casters (except hospital and surgical equipment and airplane tailwheels)
Name plates
Office machine silencers
Paper padding adhesives
Paving blocks
Pedal rubbers
Picture screens
Plate wipers
Plywood adhesives
Rubber-covered lamp guards, handles, grab rails and knobs (except dielectric)
Rubber thread and rubber tape (except compounds for rubber insulating tape)
Sateen gimp
Serving trays
Sewage disposal bags and paper
Shims (automotive)
Sink pads, mats, sprays and stoppers
Stair and step treads (except conductive)
Steering wheels
Step plates
Stove top pads
Table tops (except conductive)
Tank fenders and flaps
Telephone bases
Tent fabrics
Thermostat covers
Tile and tiling (except conductive)
Toilet seats
Tractor and implement tires
Typewriter keys
Valve stems for tire tubes other than airplane tire tubes
Wainscoting
Wheelbarrow and lawnmower tires
Window squeegees (but not windshield wipers)
Wrestling mat covers
Zipper tabs

SCHEDULE V

Index of products for which crude rubber, reclaimed rubber and scrap rubber may be consumed, and of products for which the consumption of these materials is prohibited. (See paragraph (c) (14) of Revised Supplementary Order No. M-15-b)

This Schedule constitutes an index of the permitted and prohibited products under Schedules I, II-A, II-B, II-C, III and IV attached to Revised Supplementary Order No. M-15-b, and is attached to such order for the convenience of the industry. Appropriate cross-references are made to such other schedules. Crude rubber, latex, reclaimed rubber and scrap rubber may not be consumed to manufacture any product or material not mentioned in this Schedule V unless otherwise authorized by the War Production Board.

Produc	Schedule	Group	Remarks
Abrasive implements	II-A	19	
	II-B	16	
Accelerator connections	IV	A	
Accelerator pedals	III	.....	.....
Accessories, medical, etc	II-A	44	
Acid hose	II-A	8	
Acoustic aids	II-A	43	
Adhesives, bookbinding	III	.....	See bookbinding.
Adhesives, paper padding	III	.....	See paper padding.
	IV	II	
Adhesives, plywood	III	.....	See plywood.
	IV	B	See plywood.
Adhesives, seaming bags	II-C	2	
Adhesives, surgical appliances	II-C	1	
Agitators	II-A	9	
	II-B	13	
Air brake hose	II-A	29	
Air brake parts	II-A	29	
Air drill hose	II-A	8	
Airbags, tire	II-A	20	
	II-A	32	
Airplane bumpers	IV	B	See door checks.

Product	Schedule	Group	Remarks
Airplane channel	IV	A	See channel.
	IV	B	
Airplane de-icer parts	II-A	20	
Airplane door checks	IV	B	See door checks.
Airplane equipment	II-A	62	
Airplane tailwheels	IV	B	See molded wheels.
Airplane tires	II-A	30	
Airplane tire valve stems	IV	B	See valve stems.
Airplane grommets	IV	B	See grommets.
Airplane walkways	IV	B	See link mats; also mats.
Airplane weather strip	IV	A	See weatherstrip.
Animal boots & shoes	III	------	
Appliances, surgical	II-C	1	
Applicators, sponge	III	------	See sponge applicators.
Aprons, cigar machine	III	------	See cigar machine aprons.
Aprons, draper	III	------	See draper aprons.
Aprons, paper machine	III	------	See paper machine aprons.
Aprons, X-ray	II-A	39	
Arbor pipe forming hose	II-A	8	
Arch supports	III	------	
Arcties	II-A	35	
Arm rests	III	------	
Arm rests	IV	A	See sponge.
Artificial leather	III	------	
	IV	B	
Artificial limbs	II-A	39	
	II-C	26	
Ash trays	IV	B	
Athletic equipment	II-C	3	
	IV	B	
Athletic shoes	III	------	See cleats.
Audiometer	II-A	43	
Automotive accelerator pedals	III	------	See accelerator pedals.
Automotive axle bumpers	IV	A	See bumpers.
Automotive parts	II-A	29	
	II-C	4	
	IV	B	See door checks.
Automotive radiator hose	II-C	18	
Automotive shims	IV	B	See shims.
Axle, bumpers	IV	A	See bumpers.
Bags, adhesives	II-C	2	
Bags, blood pressure	II-A	46	
	II-B	2	
Bags, canvas	IV	B	See canvas.
Bags, flyers'	IV	A	See flyers'.
Bags, gas main	II-A	20	
Bags, hat-forming	III	------	See hat-forming bags.
Bags, ice	II-A	42	
Bags, inhalation	II-A	46	
	II-B	2	
Bags, molding	II-A	63	
Bags, powder	III	------	See powder bags.
Bags, prostatic	II-A	39	
	II-B	1	
Bags, sewage disposal	IV	B	See sewage.
Ball cock washers	II-A	36	
Balloons, meteorological	II-A	51	
	II-B	7	
Balls, fuller	II-A	36	
Balls, tank	II-A	36	
Band daters	II-A	26	
	II-A	27	
Bands, artificial limbs	II-A	39	
Bands, orthodontia	II-A	39	
Bands, rubber	III	------	See rubber bands.
	IV	A	See rubber bands.
Barrel lining	II-C	7	
Base, fan	III	------	See fan bases.
	IV	B	See fan bases.
Base plugs, electric	III	------	See electric base plugs.
Base stock	II-A	31	
	II-C	30	
Base, telephone	III	------	See telephone bases.
	IV	B	See telephone bases.
Basin gaskets and washers	III	------	
Basin stoppers	III	------	
Basketball shoes	IV	A	See gym shoes.
Baskets, insulation	II-B	13	
Baskets, rubber	II-A	9	
Bath sprays	III	------	
	IV	B	
Bath trays, foot	III	------	See foot bath trays.
Bath tub stoppers	III	------	
Battery carrier straps	III	------	
Battery containers	II-C	9	
Battery drain tubes	II-C	4	
Beakers	II-A	9	
Beer tubing	III	------	
Bellows, camera	III	------	See camera bellows.
Belt buckets, elevator	III	------	See elevator belt buckets.
Belt repair material	II-A	3	
Belt splicing material	II-A	3	
Belting, conveyor	II-A	4	
Belting, elevator	II-A	4	
Belts, concentrator	III	------	See concentrator belts.
Belts, flat transmission	II-A	5	
	II-B	14	
Belts, hatters'	III	------	See hatters' belts.
Belts, hog beater	II-A	5	
Belts, last puller	II-A	3	
Belts, polishing	II-A	3	
	II-B	14	
Belts, round	II-C	26	
Belts, sanitary	III	------	See street sweeper belts.
Belts, street sweeper			
Belts, umbilical	II-C	26	
Belts, V	II-A	7	
	II-B	14	
	II-C	6	
Belts, vacuum cleaner	II-A	61	
Bibb washers	II-A	36	
Bicycle tires	II-C	33	
Bindders, basketball, etc	II-C	3	
Blades, fan	III	------	See fan bases.
	IV	B	See fan bases.
Blades, windshield wiper	II-A	29	
Blankets, lineman's	II-A	20	
Blankets, newspaper	II-A	28	
Blankets, offset	II-A	28	
Blocks, cutting	III	------	See cutting blocks.
Blocks, paving	IV	B	See paving blocks.
Blood pressure bags	II-A	46	
	II-B	2	
Blowers, lining	II-A	9	
Blow-out preventors, oil well	II-A	18	
Blow-out shoes	III	------	
Bookbinding adhesives	III	------	
Boots, air-brake	II-A	29	
Boots, animal	III	------	See animal boots.
Boots, brake	II-C	4	
Bottle caps	III	------	See feeding bottle.
Bottle carriers	III	------	
Bottle driers	III	------	
Bottles	II-A	9	
Bottles, ink	III	------	See ink wells.
	IV	B	See ink wells.
Bottles, thermos	III	------	See thermos bottle.
Bottles, water	II-A	41	
Box die gum	II-A	25	
Box dies	II-A	26	
	II-A	27	
Box toes (shoes)	II-C	17	
Boxes, cartridge clip	IV	B	See cartridge.
Braided tubing	II-C	18	
Brain surgery caps	II-A	39	
Brake block	II-C	5	
Brake boots	II-C	4	
Brake lining	II-A	6	
	II-C	5	
Brake rod rattlers	III	------	
Breast pumps	II-A	41	
Brewery hose	III	------	
Brush bristles	III	------	
Brush setting compounds	II-C	8	
	IV	A	
Buckets	II-A	9	
	II-B	13	
Bulbs, medical, etc	II-A	41	
Bulbs, photographers'	III	------	See photographers' bulbs.
Bumper stripping	IV	A	
Bumper tacks	III	------	
	IV	B	
Bumpers, axle	IV	A	
Bumpers, door	IV	B	See door checks.
Bumpers, hood	IV	B	See hood.
Bumpers, lug straps	III	------	See lug straps.
Bumpers, screw	III	------	
Bumpers, spring	II-C	4	
Bumpers, toilet seat	III	------	See toilet bumpers.
	IV	A	See toilet bumpers.
Bumpers, vacuum cleaners	III	------	See vacuum cleaner tires.
Bunion pads	III	------	
Bus tires	II-A	30	
Bushings, coffee maker	III	------	See coffee maker.
Bushings, automotive	II-A	29	
Business machine parts	II-C	19	
Buttons	IV	B	
Cable bandages, lineman's	II-A	20	
Cable connectors	II-A	15	
Cable covering	II-C	18	
Cable end test caps	II-A	20	
Cable insulating compounds	II-A	1	
Cable splicing compound	II-A	2	
Camelback	II-A	31	
Camera bellows	III	------	
Camera cushioning	IV	A	See sponge.
Camera focusing cloth	III	------	
Candy molds	III	------	
Canopies, oxygen tent	III	------	See oxygen tent.
Canvas water bags	IV	B	
Cap covers	IV	B	
Capping stock	II-A	31	
	II-C	30	
Caps, spark plug	III	------	See spark plug.
Caps, surgery	II-A	39	
Caps, faucet	III	------	See faucet caps. See faucet caps.
	IV	B	
Caps, line tube	III	------	See line tube caps.
Caps, vaccine	II-A	39	
Carboy pads	III	------	
Car heater hose	II-C	18	
Card clothing	II-A	20	
Carriers, bottle	III	------	See bottle carriers.
Cartridge clip boxes	IV	B	
Case, thermometer	III	------	See thermometer cases.
Casings, bicycle tire	II-C	33	
Casket gaskets	III	------	
Caster, molded	III	------	See molded wheels.
	IV	B	See molded wheels.
Casting, molds	III	------	See molds for casting.
Catheters	II-A	39	
	II-B	1	
Cellular discs	IV	A	
Cements, repairs	II-A	52	
	II-C	28	
Cements, shoe	II-A	57	
	II-B	12	
Chair pads	III	------	See desk.
	IV	B	See desk.
Chair parts	III	------	
Channel filler	III	------	
	IV	B	
Channel rubber	IV	A	
Checks, door	IV	B	See door checks.
Chemical hose	II-A	8	
Chevrons	IV	B	
Christmas-tree devices	III	------	
Chute lining	III	------	
Cigar machine aprons	III	------	
Cleats athletic shoes	III	------	
Cleats, elevator	III	------	See elevator belt.
Clip boxes, cartridge	IV	B	See cartridge.
Clips, coated	III	------	See coated clips.
Cloth, filter	III	------	See filter cloth.
Clothing, athletic	IV	B	See athletic equipment.
Clothing bags	IV	A	See flyers'.
Clothing, sand blast	II-A	55	
Clutch facings	II-A	6	
	II-C	5	
Coated clips	III	------	
Coatings, thermoplastic	III	------	See thermoplastic coatings.
Coffee maker bushings	III	------	
Colostomy outfits	II-A	39	
	II-B	1	
Combined fabrics	IV	A	
Component parts	II-A	21	
Compound, cable splicing	II-A	2	
Compounds, brush setting	II-C	8	
	IV	A	See brush setting compounds
Compounds, fabric proofing	II-C	32	
Compounds, laboratory	II-A	60	
	II-B	17	
	II-C	31	
Compounds, insulating	II-A	1	

Product	Schedule	Group	Remarks
Compounds, sealing	II-A	59	
	II-B	11	
	II-C	2	
Compounds, seam	II-A	64	
Concentrator belts	III	------	
Concrete fillers	III	------	See contraction joints.
Concrete hose	II-A	8	
Conductive flooring	III	------	See flooring.
	IV	B	See flooring.
Conductive mats	III	------	See mats.
	IV	B	See mats.
Conductive soles, heels	II-A	56	
Conductive table tops	IV	B	See table tops.
Conductive tile	IV	B	See tile.
Conductive treads	IV	B	See stair treads.
Connections, accelerator	IV	A	See accelerator.
Connections, medical, etc	II-A	44	
Containers, battery	II-C	9	
Contraction joint cleats	III	------	
Controls, hydraulic	II-A	29	
Conveyor belting	II-A	4	
Coupling hose, X-ray	II-A	29	
Cover, city tire	II-B	18	
Cover, fabric	II-A	23	
	II-C	29	
Cover pads	III	------	
Corrective appliances	II-C	1	
Couplings rings, pipe	II-A	22	
Couplings, flexible	II-A	8	
Couplings, milk equipment	II-A	24	
Covered rolls	II-A	11	
Covers, cap	IV	B	See cap covers.
Covers, dust and lever housing	IV	A	See dust.
Covers, feeding	III	------	See feeding bottle caps.
Cover, thermostat	IV	B	See thermostat covers.
Covers, truss pads	II-A	42	
Cover, typewriter	III	------	See typewriter.
Covers, wrestling mat	IV	B	See wrestling.
Cowl vent hose	IV	A	
Cowl vent seals and gaskets	IV	A	
Crash helmet cushion	IV	B	See cellular pads.
Crib netting	III	------	
Crutch pads	III	------	
Crutch tips	II-C	11	
Cuffings	III	------	See gauntlets.
Cups, face	II-C	27	
Curb wire hose	II-C	18	
Cushion stock	II-A	31	
	II-A	33	
	II-C	29	
	II-C	30	
Cushioning, camera	IV	A	See sponge.
Cushioning, sponge	IV	A	See sponge.
Cushions, artificial limbs	II-A	39	
Cushions, ear	IV	A	See sponge.
Cushions, metatarsal	II-A	42	
Cushions, operating	II-A	46	
Cushions, upholstery	III	------	
Cutting blocks	III	------	
Cutting rubbers	II-A	28	
Dam, dental	II-A	46	
	II-B	5	
Dam rubber	II-A	20	
Dampers, vibration	II-A	29	
	II-A	65	
Daters, band	II-A	26	
	II-A	27	
Deck covering	IV	B	See mastic.
Defroster parts and gaskets	III	------	
Dental parts, air	II-A	20	
Dental burrs	II-A	41	
Dental drills	II-A	46	
Dental instrument cases	II-B	5	
	II-A	39	
Dental mouth props	II-A	46	
Dental separating strips	II-A	46	
Dental supplies	II-A	39	
Dental tubes and tubing	II-A	39	
	II-B	1	
Dentists' rubber	II-A	46	
Denture sections	II-A	39	
Desk pads	III	------	
	IV	B	
Desk sets	IV	B	
Development tanks	III	------	See hard rubber trays.
Diaphragms, regulating	II-A	36	
Dielectric grommets	III	------	See grommets.
	IV	B	See grommets.
Dielectric handle grips	III	------	See handle.
	IV	A	
Dielectric lamp guards	IV	B	See rubber covered.
Dies, box	II-A	26	
	II-A	27	
Dilators	II-A	39	
Dippers	II-A	9	
	II-B	13	
Discs, cellular	IV	A	See cellular discs
Dish drainers	III	------	
	IV	B	
Dispensers, glue	III	------	See glue dispensers.
Diver's hose	II-A	8	
Diving equipment	II-A	59	
Door checks	IV	B	
Door knob covers	IV	B	
Drain hose	III	------	See washing machine.
Drain pipe lining	III	------	
Drain stoppers	III	------	See sink sprays.
Draper aprons	III	------	
Dressing sheets	II-A	8	
Driers, bottle	III	------	See bottle driers.
Drill pipe protectors	II-A	18	
Droppers, medicine	II-A	44	
Drums, insulation	II-B	13	
Drums, lined	II-A	10	
Dust housing covers	IV	A	
Ear cushions	IV	A	See sponge.
Earthmover tires	II-A	30	
Edging, elastic	II-C	26	
Elastic fabrics	II-C	26	
Elbows, flush	II-C	27	
Electric appliance parts	II-C	20	
Electric fuse plugs	III	------	
Elevator belting	II-A	4	
Elevator buckets and cleats	III	------	
Engine mountings	II-A	29	
Engravers' rubber	II-A	26	
Envelopes	IV	A	See pliofilm.
Equipment, airplane	II-A	62	
Equipment, hospital	IV	B	See molded wheels.
Erasers	II-C	12	
	IV	A	
Escalator handrails	IV	A	
Exercise machine parts	III	------	
Exhausters, lining	II-A	9	
Expansion joint hose	II-A	8	
Extension lamp handles	III	------	
Eye puffer	IV	A	See recoil pads.
Fabric tire repair	II-A	33	
	II-C	29	
Fabrics, combined	IV	A	See combined fabrics.
Fabrics, elastic	II-C	26	
Fabrics, proofing compounds	II-C	32	
Fabrics, tent	IV	B	See tent.
Face pieces, inhalation	II-A	46	
	II-B	2	
Fan bases & blades	III	------	
	IV	B	
Fans, insulation	II-A	9	
Faucet caps	III	------	
	IV	B	
Faucet filters	III	------	
Feeding bottle caps	III	------	
Feeding nipples	II-A	45	
	II-B	8	
Fender protective plates	IV	B	
Fender welting	IV	B	
Fenders, tank	IV	B	See tank fenders.
Ferrules	III	------	
Fibre pads	II-C	1	
Fibre, rubberized	III	------	See rubberized hair.
	IV	A	See rubberized hair.
Filler, channel	III	------	See channel filler.
	IV	B	See channel filler.
Filler, concrete	III	------	See contraction joint.
Filler strip	II-A	31	
	II-C	30	
Filter cloth	III	------	
Filters, faucet	III	------	See faucet filters.
Finger cots, industrial	II-A	37	
	II-B	6	
Finger cots, medical, etc	II-A	39	
	II-B	1	
Finger pads	III	------	
Finger paint rolls	II-A	28	
Finger print rubber	II-A	28	
Finishes, leather	III	------	See leather finishes.
	IV	B	See leather finishes.
Fire control cushioning	IV	A	See sponge.
Fire extinguisher tubing	II-C	18	
Fire hose	II-A	23	
Fittings, hard rubber	II-A	9	
Fittings, insulation	II-B	13	
Fittings, lined	II-A	10	
Flanged flexible hose	II-A	8	
Flaps, bicycle tire	II-C	33	
Flaps, tank	IV	B	See tank fenders.
Flaps, tire	II-A	30	
Flat transmission belts	II-A	5	
	II-B	14	
Flexible couplings	II-A	8	
Flight control cushioning	IV	A	See sponge.
Float valve shank washers	II-C	27	
Floats, tank	III	------	See tank floats.
Flooring	III	------	
	IV	B	
Flush elbows	II-C	27	
Flush valve washers	II-C	27	
Fly paper	III	------	
	IV	A	
Fly swatters	IV	B	
Flyers' clothing bags	IV	A	
Focusing cloth, camera	III	------	See camera focusing.
Foot boards (motorcycle)	IV	A	
Footbath trays	III	------	
	IV	B	
Footpads, medicated	II-A	40	
Footwear	II-A	34	
	II-A	35	
	II-C	27	
Force cups	III	------	
Fountain pen stock	IV	A	
Fountain syringe tubing	II-A	40	
Frames	II-A	9	
	II-B	13	
Freezing trays, refrigerator	III	------	See refrigerator.
Friction, cord and fabric	II-A	33	
	II-C	29	
	II-C	13	
	IV	A	
Friction tape	II-C	13	
Full circle airbags	II-A	32	
Fuller balls	II-A	36	
Fume duct insulation	II-A	9	
	II-B	13	
Funnels	II-A	9	
	II-B	13	
Furniture parts	III	------	See chair.
Gaiters	II-A	35	
Garage air hose	II-C	18	
Gas main bags	II-A	20	
Gas masks	II-A	10	
	II-C	26	
Gaskets	II-C	27	
	III	------	
Gaskets, basin	III	------	See basin gaskets.
Gaskets, casket	III	------	See casket gaskets.
Gaskets, coffee maker	III	------	See coffee makers.
Gaskets, cowl	IV	A	See cowl vent.
Gaskets, hose	II-A	20	
Gaskets, lavatory	III	------	See sink gaskets.
Gaskets, milk equipment	II-A	24	
Gaskets, sealed beam	II-A	26	
Gaskets, sealing	II-C	2	
Gaskets, sink	III	------	See sink gaskets.
Gaskets, toilet	III	------	See toilet closet.
	IV	A	See toilet closet
Gaskets, windshield wiper	II-A	29	
Gasoline hose	II-A	8	
Gasoline pump hose	III	------	
Gasoline tubing	III	------	
Gauntlets	III	------	
Gear shift knobs	IV	B	
Gear silencers	III	------	

Product	Schedule	Group	Remarks
Gimp, sateen	IV	B	See sateen gimp.
Glazing rubber	IV	B	See channel filler.
Gloves, autopsy	II-A	37	
	II-B	6	
Gloves, electrl lans'.	II-A	38	
	II-B	4	
Gloves, household	III		See household gloves.
Gloves, industrial	II-A	37	
	II-B	3	
	II-B	6	
Gloves, mortuary	II-A	37	
	II-B	6	
Gloves, net-lined	II-A	37	
Gloves, surgeons'	II-A	50	
	II-B	10	
Gloves, X-ray	II-A	39	
Glue dispensers	III		
Goggles	II-A	10	
	II-C	26	
Grab rails	IV	B	See rubber covered hand.
Graining tools, painters'.	III		See painters'.
Graphite guns	III		
Grease gun hose	II-A	8	
Grease tubing	II-C	18	
Grips, gun	IV	B	See gun.
Grips, handle	III		See handle.
	IV	A	See handle.
Grips, knife	III		See knife handles.
Grommets	III		
	IV	B	
Guard, wire	III		See trolley wire guards.
Guards, paint brush	III		See paint brush guards.
Gum, box die	II-A	25	
Gum, rubber die	II-A	25	
Gum, rubber type	II-A	25	
Gum, stamp	II-C	34	
Gum, tube repair	II-A	33	
	II-C	26	
Gun grips	IV	B	
Gun platform	IV	B	See link mats, also mats & matting.
Guns, graphite	III		See graphite guns.
Gunsight slot pads	IV	A	See sponge
Gym shoes	IV	A	
Hair, rubberized	III		See rubberized.
	IV	A	See rubberized
Handballs	II-C		
Handle grips	III		
	IV	A	
Handles, extension lamp.	III		See extension lamp.
Handles, knife	III		See knife handles.
Handles, rubber covered	IV	B	See rubber covered
Hand rests	IV	A	See sponge
Handrails, escalators	IV	A	See escalator.
Hard rubber dielectric	II-A	15	
Hard rubber, industrial	II-A	4	
Hard rubber, medical, etc	II-A	44	
Hard rubber photographic trays.	III		
Hard rubber spatulas	III		
Harness strapping, loom.	III		See loom harness
Hat-forming bags	III		
Hatters' belts	III		
Headharness	II-A	16	
Heads, mallet	II-C	34	
	IV	A	See mallet.
Hearing instruments	II-A	43	
Heel bases	II-C	14	
Heels	II-C	14	
Heels, conductive	II-A	56	
Helmet cushions, crash.	IV	B	See cellular pads.
Helmets, sand blast	II-A	15	
Hog beater belts	II-A	5	
Holders, test tube	III		See test tube.
Holdups, lug straps	III		See lug straps.
Hood supports	IV	B	
Horse shows	III		
Horseshoe pads	II-C	21	
Horticultural tape	III		
Hose, acid	II-A	8	
Hose, air brake	II-A	29	
Hose, air drill	II-A	8	
Hose, arbor pipe forming.	II-A	8	
Hose, automotive radiator	II-C	18	
Hose, blower	II-A	8	
Hose, brewery	III		See brewery.
Hose, car heater	II-C	18	
Hose, cement	II-A	8	
Hose, chemical	II-A	8	
Hose, cowl vent	IV	A	See cowl vent.
Hose, curb pump	II-A	8	
Hose, curb line	II-C	18	
Hose, defroster	III		See defroster parts.
Hose, divers'	II-A	8	
Hose, dry material	II-A	8	
Hose, dust collector	II-A	8	
Hose, exhaust	II-A	8	
Hose, expansion joint	II-A	8	
Hose, fire	II-A	13	
Hose, flanged	II-A	8	
Hose, garage air	II-C	18	
Hose, gaskets	II-A	20	
Hose, gasoline	II-A	8	
Hose, gasoline pump	III		See gasoline.
Hose, grease	II-C	18	
Hose, grease gun	II-A	8	
Hose, hydraulic brake	II-A	29	
Hose, hydraulic brake control.	II-A	8	
Hose, jetting	II-A	8	
Hose, lawn	IV	A	See water hose
Hose, lineman's	II-A	20	
Hose masks	II-A	16	
	II-C	26	
Hose, milk conveying	II-A	33	
Hose, mill	III		
Hose, nozzles	II-A	8	
Hose, oil	II-A	8	
Hose, paint	II-A	8	
Hose, phosphate	II-A	8	
Hose, pinch valve	II-A	8	
Hose, pneumatic	II-A	8	
Hose, railroad	II-A	8	
Hose, rock wool insulation	II-C	18	
Hose, rotary drillers	II-A	8	
Hose, sand blast	II-A	8	
Hose, sanitary	II-A	8	
Hose service station	III		See Service station
Hose, spray	II-A	8	
	II-C	18	
Hose, steam	II-A	8	
Hose, stirrup pump	III		See stirrup pump.
Hose, suction	II-A	8	
Hose, swimming pool	III		See swimming pool.
Hose, tank wagon	II-A	8	
Hose, vacuum	II-A	8	
Hose, vacuum brake	II-A	29	
Hose, vacuum cleaner	II-C	18	
Hose, washers	II-A	20	
Hose, washing machine.	III		See washing machine.
Hose, water	II-C	18	
	IV	A	See water hose.
Hose, welding	II-A	8	
Hose, whiskey	III		See whiskey.
Hose, X-ray	II-A	59	
Hospital sheeting	II-A	47	
	IV	B	
Hospital equipment wheels and casters.	IV	B	See molded wheels.
Household gloves	III		
Hydraulic brake hose.	II-A	29	
Hydraulic brake parts.	II-A	29	
Hydraulic clutch controls.	II-A	29	
Hydraulic control hose.	II-A	8	
Hydraulic throttle control.	II-A	29	
Hydrometer parts	III		
Ice bags	II-A	42	
Ice cube trays	III		
Implement tires	IV	B	See tractor.
Implements, abrasive.	II-A	19	
	II-B	16	
Inflations, milking machine.	II-A	24	
Inhalation bags	II-A	46	
	II-B	2	
Inhalation face pieces.	II-A	46	
	II-B	2	
Inhalators	II-A	16	
	II-C	26	
Injections (biological) specimen.	III		See specimen.
Inkwells	III		
	IV	B	
Insoles (shoe)	II-C	17	
Instep supports	III		
Instruments, cushioning.	IV	A	See sponge.
Instruments, musical.	III		See musical
Insulator hoods	II-A	20	
Insulators, post	III		See post insulators.
Invalid rings	II-A	46	
Jetting hose	II-A	8	
Joint seals	III		See contraction joint.
Joint washers, slip	III		See slip joint
Keys, typewriter	III		See typewriter keys.
	IV	B	See typewriter keys.
Kneeling pads	III		
	IV	B	
Knife handles	III		
Knobs, gear shift	IV	B	See gear shift knob.
Knobs, rubber covered.	IV	B	See rubber covered.
Labels	III		
	IV	A	
Laboratory bulbs	II-A	41	
Laboratory compounds	II-A	60	
	II-B	17	
	II-C	31	
Laboratory tubes and tubing.	II-A	39	
	II-B	1	
Lagging, pulley	III		See pulley lagging.
Lamp guards	IV	B	See rubber covered.
Lamp handles	III		See extension lamp.
Lamp shades	III		
Last puller belts	II-A	3	
Lavatory gaskets	III		See sink gaskets.
Lawn hose	IV	A	See water hose.
Lawnmower tires	III		
	IV	B	See wheelbarrow.
Leather, artificial	III		See artificial leather
	IV	B	See artificial leather
Leather finishes	III		
	IV	B	
Lever, housing	IV	A	See dust
Live saving suits	II-A	58	
Light sockets	III		See electric base.
Line hose	II-A	20	
Line tube caps	III		
Lineman's equipment	II-A	20	
Liners, oil well	II-A	18	
Lining brake	II-A	6	
	II-C	5	
Lining, barrel	II-C	7	
Lining, blowers, exhausters and pumps	II-A	9	
Lining bumper rubbers, oil well.	II-A	18	
Lining, chute	III		See chute lining.
Lining, drain pipe	III		See drain pipe.
Lining, industrial brake.	II-A	6	
Link mats	III		
	IV	B	
Lock gates, seals	II-A	20	
Loom harness	III		
Loom pickers	II-A	13	
Low platform tires	II-A	30	
Lug stock	II-A	31	
	II-C	30	
Lug straps	III		
Machine gun pads	IV	A	See recoil pads.
Machine parts, exercise.	III		See exercise machine.
Mack gaskets	III		See sink gaskets.
Magneto parts	II-A	15	
Mallet heads	IV	A	
Mallets	II-C	34	
Marbon B	III		
	IV	A	
Marking devices	II-A	25	
Mask parts	IV	A	See sponge.
Masks, gas	II-A	16	
	II-C	26	
Masks, hose	II-A	16	
	II-C	26	
Mastic deck covering.	IV	B	
Mat covers, wrestling.	IV	B	See wrestlings.
Mats and matting	III		
	IV	B	
Mats, link	III		See link mats
	IV	B	See link mats

Product	Schedule	Group	Remarks
Mattresses	III		See cushions.
Measures	II-A	9	
	II-B	13	
Mechanical packings	II-A	17	
Medical bulbs	II-A	41	
Medical instrument parts.	II-A	39	
Medical tubes and tubing.	II-A	39	
	II-B	1	
Medicine droppers	II-A	41	
Metatarsal cushions	II-A	42	
Metatarsal pads	II-A	42	
Meteorological balloons.	II-A	51	
	II-B	7	
Matches (shoes)	II-C	17	
Milk conveying hose	II-A	8	
Milk equipment	II-A	24	
Mill hose	II-A	23	
Mine battery parts	II-A	16	
Mine lamp parts	II-A	16	
Mine pace	II-A	34	
Mine ventilating tubing.	II-A	20	
	II-B	15	
Mining headharness	II-C	17	
Mixtures (laboratory testing).	II-A	60	
	II-B	17	
	II-C	31	
Molding bags	II-A	63	
Molds, candy	III		See candy molds.
Molds, casting	III		
Mortuary bulbs	II-A	41	
Mortuary instrument parts.	II-A	39	
Mortuary tubes and tubing.	II-A	39	
	II-B	1	
Motorcycle tires	II-A	30	
Motorcycle foot boards.	IV	A	See footboards.
Mountings, automotive.	II-A	29	
Mud pump parts, oil well.	II-A	18	
Musical instruments.	III		
Name plates	IV	B	
Newspaper blankets	II-A	28	
Nipples, feeding	II-A	48	
	II-B	8	
Nozzles, hose	III		See hose nozzles.
Office machine silencers.	IV	B	
Office machinery silencers.	III		See typewriter.
Offset blankets	II-A	28	
Oil hose	II-A	8	
Oil well parts	II-A	18	
Operating cushions	II-A	46	
Orthodontia bands	II-A	39	
Outsoles (shoes)	II-C	15	
Outsoling strips (shoes).	II-C	15	
Outlet gaskets, closet	III		See toilet outlet gaskets.
Oxygen tent canopies	III		
Oxygen tents	II-A	46	
	II-B	2	
Pacifiers	III		
Packers, oil well	II-A	18	
Packing, mechanical	II-A	17	
Packing, sheet	II-A	17	
Packing, strip	II-A	17	
Pads	III		See gaskets, pads, etc.
Pad, bunion	III		See bunion pads.
Pads, carboy	III		See carboy pads.
Pads, chair	III		See desk.
	IV	B	See desk.
Pads, corn	III		See corn pads.
Pads, crash helmet	IV	B	See cellular.
Pads, crutch	III		See crutch pads.
Pads, desk	III		See desk.
	IV	B	See desk.
Pad, finger	III		See finger pads.
Pads, horseshoe	II-C	21	
Pads, kneeling	III		See kneeling pads.
	IV	B	See kneeling pads.
Pads, metatarsal	II-A	42	
Pads, press die	II-A	12	
Pads, recoil	III		See recoil pads.
	IV	A	See recoil pads.
Pad, sink	IV	B	See sink.
Pads, stove top	IV	B	See stove top pads.
Pad, surgical	II-C	1	
Pads, truss	II-A	42	
	II-C	25	
Pan	II-A	9	
Paint brush guards	III		
Paint spray hose	II-A	8	
Painters' graining tools.	III		
Panelboard	III		
Paper, fly	III		See fly paper.
	IV	A	See fly paper.
Paper machine aprons.	III		
Paper making equipment	II-A	3	
Paper padding adhesives.	III		
	IV	B	
Paper, sewage disposal	IV	B	See sewage.
Parachute backs and seats.	IV	A	See sponge.
Passenger car tires	II-A	30	
Pasteurizer couplings.	II-A	24	
Patches, repair	II-A	33	
	II-C	29	
Paving blocks	IV	B	
Pedal rubbers	III		
	IV	B	
Pedals, accelerator	III		See accelerator.
Pen stock, fountain	III		See fountain pen.
Pencil plugs	II-C	12	
Pessaries	II-A	49	
	II-B	9	
Phosphate hose	II-A	8	
Photo wringers	III		
Photographers' bulbs & tubes.	III		
Photographic trays	III		See hard rubber.
Pickers, loom	II-A	13	
Picture screens	IV	B	
Pinch valve hose	II-A	8	
Pipe coupling rings	II-A	22	
Pipe, hard rubber	II-A	9	
	II-A	44	
Pipe, insulation	II-A	9	
	II-B	13	
Pipe, lined	II-A	10	
Pipe lining, drain	III		See drain pipe.
Pitman arm bushings.	II-A	29	
Plasters, label	III		See labels.
Plasters, medicated	II-A	40	
Plate wipers	IV	B	
Platens, typewriter	III		See typewriter.
Plates, fender	IV	B	See fender.
Plates, name	IV	B	See name plates.
Plates, printing	II-A	27	
Plates, step	IV	B	See step.
Phoflex	IV	A	
Plioform	III		
	IV	A	
Pliolite	III		
	IV	A	
Plug connectors	III		See electric base plugs.
Plywood adhesives	III		
	IV	B	
Pneumatic hose	II-A	8	
Pneumatic truss pads.	II-A	42	
Policeman, rubber	II-A	59	
Polishing belts	II-A	3	
Post insulators	III		
Powder bags (mining).	III		
Press die pads	II-A	12	
Pressure sensitive tape.	II-C	22	
Printers' equipment	II-A	28	
Printers' rollers	II-A	28	
Printing plates	II-A	27	
Propeller bearing mountings.	II-A	29	
Prophylactics	II-A	49	
	II-B	9	
Prostatic bags	II-A	39	
	II-B	1	
Prosthetic devices	II-B	1	
Protective clothing sensing.	II-A	54	
Protective plates	IV	B	See fenders.
Protectors, telephone	III		See telephone protectors.
Protectors, telephone cord.	III		See telephone cord.
Pulley lagging	III		
Pump hose, gasoline	III		See gasoline curb.
Pump pistons, oil well	II-A	18	
Pumps, breast	II-A	41	
Pumps, insulation	II-B	13	
Pumps, lining	II-A	9	
Pumps, rubber	II-A	9	
Pumps, tubing	II-C	18	
Racks	II-A	9	
	II-B	13	
Railroad hose	II-A	8	
Rattlers, brake rod	III		See brake rod.
Recapping materials	II-A	31	
	II-C	30	
Recoil pads	III		
	IV	A	
Refrigerator parts	II-C	20	
Refrigerator trays	III		
Reliners, tires	III		See tire reliners.
Repair deck covering.	IV	B	See mastic deck.
Repair materials, tire and tube.	II-A	33	
	II-C	29	
	III		See tire & tube.
Respirators	II-A	16	
	II-C	26	
Rests, arm	III		See arm rests.
Retreading materials.	II-A	31	
	II-C	30	
Rings, invalid	II-A	46	
Rings, pipe coupling.	II-A	22	
Rings, sealing containers.	II-A	59	
Rings, street car wheel.	II-A	64	
Road builder tires	II-A	30	
Road grader tires	II-A	30	
Rock service tires	II-A	30	
Rock wool insulation hose.	II-C	18	
Rods, stirring	III		See stirring rods.
Roll coverings	II-A	11	
Rollers, insulation	II-B	13	
Rollers, printers'	II-A	28	
Rolls, finger print	II-A	28	
Rotary drillers' hose	II-A	8	
Rubber bands	III		
	IV	A	
Rubber, denture	II-A	46	
Rubber die gum	II-A	25	
Rubber, engravers'	II-A	26	
Rubber, finger print	II-A	28	
Rubber footwear	II-A	34	
	II-A	35	
Rubber, glazing	IV	B	See channel filler.
Rubber policemen	II-A	59	
Rubber solution for wet plate negatives.	II-A	28	
Rubber stamps	II-A	26	
	II-A	27	
Rubber stamp gum	II-A	25	
Rubber thread and rubber tape.	III		
	IV	B	
Rubberized hair and fibre.	III		
	IV	A	
Rubbers, cutting	II-A	28	
Rubbers, footwear	II-A	35	
Rubbers, milk bottle filler.	II-A	24	
Sand blast clothing	II-A	55	
Sand blast hose	II-A	8	
Sand blast stencils	III		
Sanitary belts	II-C	26	
Sanitary hose	II-A	8	
Sateen gimp	IV	B	
Screen diaphragms	II-A	3	
Screens, insulation	II-A	9	
	II-B	13	
Screens, picture	IV	B	See picture.
Screw bumpers	III		
Sealed beam gaskets	II-A	29	
Sealing compounds	II-A	59	
	II-B	11	
	II-C	2	
Seals, contraction joint	III		See contraction joint.
Seals, cowl vent	IV	A	See cowl vent seals.
Seat bottoms and backs.	IV	A	See sponge.
Seats, toilet	IV	B	See toilet seats.
Sectional airbags	II-A	32	
Self-adhering signs	III		
Separators, lineman's.	II-A	20	
Service station signal hose.	III		
Serving trays	IV	B	
Sets, desk	IV	B	See desk sets.
Sewage disposal bags	IV	B	
Shades, lamp	III		See lamp shades.
Shaft covering	II-C	18	
Shapes, automotive wiring.	II-C	4	
Sheet packings	II-A	17	
Sheeting, crib	III		See crib sheeting.
Sheeting, hospital	II-A	47	
	IV	B	See hospital sheeting.
Sheets, X-ray	II-A	39	
Shims	III		See gaskets, pads, etc.
Shims, automotive	IV	B	

Product	Schedule	Group	Remarks
Shock absorber bushings	II-A	29	
Shock absorbers V-belts	III	------	See V-belt.
Shoe bottom fillers	II-C	16	
Shoe cements	II-A	57	
	II-B	12	
	II-C	16	
Shoe tapes	III	------	
Shoes, animal	III	------	See animal boots.
Shoes, blowout	III	------	See blowout shoes.
Shoes, elastic fabrics	II-C	26	
Shoes, gym	IV	A	See gym.
Signal hose, service station	III	------	See service station.
Signs, self-adhering	III	------	See self-adhering signs.
Silencers, gear	III	------	See gear silencers.
Silencers, office machine	IV	B	See office machine.
Silencers, typewriter	III	------	See typewriter.
Sink gaskets	III	------	
Sink pads, mats, sprays & stoppers	IV	B	
Sink sprays and drain stoppers	III	------	
Siphon washers	II-C	27	
Sleeves, dredging	II-A	8	
Sleeves, linemen's	II-A	20	
Sleeves, veterinary	II-B	2	
Slip joint washers	III	------	
Slush pump, oil well	II-A	18	
Soap dishes	IV	B	See bath sprays.
Soles, shoes	II-C	15	
Soles, conductive	II-A	56	
Soles, stick-on	III	------	See stick-on soles.
Soling strips, shoes	II-C	15	
Spark plug caps	III	------	
Spatulas	III	------	See hard rubber.
Special purpose tires	II-A	30	
Specimen (biological) injections	III	------	
Splicing compound cable	II-A	2	
Sponge applicators	III	------	
Sponge cushioning	IV	A	
Sponge cushions	II-A	46	
Sponge rings, invalid	II-A	46	
Sponge, stamp gum cushion	II-C	24	
Sponges	IV	B	See bath sprays.
Sports shoes	III	------	See cleats.
Spray hose	II-A	8	
	II-C	18	
Sprays, bath	III	------	See bath sprays.
	IV	B	See bath sprays.
Sprays, sink	III	------	See sink sprays.
	IV	B	See sink sprays.
Spring bumpers	II-C	4	
Springs, street car	III	------	See street car.
Spud washers	II-C	27	
Squash balls	II-C	3	
Squeegees, window	IV	B	See window.
Stabilizers, oil well	II-A	18	
Stair treads	III	------	
	IV	B	
Stamp gum	II-C	23	
Stamp sponge	II-C	24	
Stamps, rubber	II-A	27	
Stamps, toy	II-A	26	
	II-A	27	
Steam hose	II-A	8	
Steel wool pads	II-C	1	
Steering box pads	II-A	29	
Steering post bushings	II-A	29	
Steering wheels	IV	B	
Stems, valve	IV	B	See valve stems.
Stencils, sandblast	III	------	See sandblasting.
Step plates	IV	B	
Stick-on soles and tapes	III	------	
Stipplers	III	------	
Stirring rods	III	------	
Stirrup pump hose	III	------	
Stock fountain pen	III	------	See fountain pen stock.
Stools, lineman's	II-A	20	
Stoppers, basin	III	------	See basin stoppers.
Stoppers, bath tub	III	------	See bath tub.
Stoppers, drain	III	------	See sink sprays.
Stoppers, sink	IV	B	See sink.
Stopples, medical, etc.	II-A	39	
Storage battery parts	II-A	14	
	II-C	10	
Stove top pads	IV	B	
Strapping, loom harness	III	------	See loom harness.
Straps, battery carrier	III	------	See battery carrier.
Straps, lug	III	------	See lug straps.
Straps, toggle	III	------	See toggle straps.
Streetcar springs	III	------	
Streetcar wheel rings	II-A	64	
Street sweeper belts	III	------	
Strip packings	II-A	17	
Strippers, oil well	II-A	18	
Stripping, bumper	IV	A	See bumper.
Stripping stock	II-A	31	
	II-C	30	
Stuffing box, oil well	II-A	18	
Suction cups, printers'	II-A	28	
Suction hose	II-A	8	
Suctions, denture	II-A	39	
Suits, life-saving	II-A	58	
Supports, arch	III	------	See arch supports.
Supports, hood	IV	B	See hood.
Supports, instep	III	------	See instep supports.
Supports, surgical	II-C	26	
Surgeons' gloves	II-A	50	
	II-B	10	
Surgical appliances	II-C	1	
Surgical bandage and supports	II-C	26	
Surgical bulbs	II-A	41	
Surgical equipment	IV	B	See molded wheels.
Surgical instrument parts	II-A	39	
Surgical tape	II-A	40	
Surgical tubes and tubing	II-A	39	
	II-B	1	
Swab rubbers, oil well	II-A	18	
Swimming pool hose	III	------	
Switchboard mats	IV	B	See mats.
Syringe tubing	II-A	45	
Syringes combination	II-A	41	
Table tops	III	------	
	IV	B	
Tabs, zipper	IV	B	See zipper tabs.
Tacks, bumper	III	------	See bumper tacks.
	IV	B	See bumper tacks.
Tail-pipe supports	II-C	4	
Tailwheels, airplane	IV	B	See molded wheels.
Tank balls	II-A	36	
Tank fenders and flaps	IV	B	
Tank floats	III	------	
Tank pads and linings	IV	A	See sponge.
Tanks, lined	II-A	10	
Tanks, hard rubber	III	------	See hard rubber.
Tanks, X-ray	III	------	See hard rubber.
Tape, friction	II-C	13	
	IV	A	See friction.
Tape, horticultural binding	III	------	See horticultural.
Tape, pressure sensitive	II-C	22	
Tape, surgical	II-A	40	
Tapes (shoes)	II-C	16	
Taps, conductive	II-A	56	
Taps (shoes)	II-C	15	
Taps, stick-on	III	------	See stick on soles and taps.
Telephone bases	III	------	
	IV	B	
Telephone cord protectors	III	------	
Telephone protectors	III	------	
Tennis balls	II-C	3	
Tent fabrics	IV	B	
Terminal blocks	II-A	15	
Testing rubbers, oil well	II-A	18	
Test tube holders	III	------	
Textile machinery parts	III	------	See lug straps, etc.
Textile printing blankets	III	------	
Thermometer cases	III	------	
Thermoplastic coatings	III	------	
Thermos bottle parts	III	------	
Thermostat covers	IV	B	
Thread	III	------	See rubber thread.
	IV	B	See rubber thread.
Tile and tiling	IV	B	
Tile flooring	III	------	See flooring, etc.
Tire airbags	II-A	30	
Tire blowout shoes	III	------	See blowout shoes.
Tire, cord dip	II-B	18	
Tire flaps	II-A	30	
Tire relining	III	------	
Tire repair materials	II-A	33	
	II-C	29	
	III	------	
Tire tubes	II-A	30	
Tire valve stems	IV	B	See valve stems.
Tire valves	II-A	30	
Tires, bicycle	II-C	33	
Tires, lawnmower	III	------	
	IV	B	See wheelbarrow.
Tires, pneumatic solid and cushion	II-A	30	
Tires, tractor and implement	IV	B	See tractor.
Tires, vacuum cleaner	III	------	See vacuum cleaner.
Tires, wheelbarrow	III	------	
	IV	B	
Toggle straps	III	------	
Toilet closet gaskets	III	------	
	IV	A	
Toilet seat bumpers	III	------	
	IV	A	
Toilet seats	IV	B	
Tools, insulated	II-A	15	
Tools, painters' graining	III	------	See painters' graining.
Top-lifts (shoes)	II-C	15	
Tourniquets	II-A	46	
Toy stamps	II-A	27	
	II-A	27	
Tractor and implement tires	IV	B	
Transmission belts	II-A	5	
	II-B	14	
Transmission mountings	II-A	29	
Trays, corrosive materials	II-A	9	
Trays, explosive materials	II-A	9	
Trays, foot bath	III	------	See foot bath trays.
	IV	B	See foot bath trays.
Trays, hard rubber	III	------	See hard rubber photographic trays.
Trays, ice cube	III	------	See ice cube trays.
Trays, insulation	II-A	9	
	II-B	13	
Trays, refrigerator	III	------	See refrigerator freezing trays.
Trays, serving	IV	B	See serving trays.
Tread repair stock	II-A	33	
	II-C	29	
Treadle connections	IV	A	See accelerator treadle connections.
Treads, stair	III	------	See stair and step treads.
	IV	B	See stair and step treads.
Tree lighting devices	III	------	See Christmas tree.
Trolley wire guard	III	------	
Truck tires	II-A	30	
Truss pads	II-A	42	
	II-C	25	
Trusses	II-C	26	
Tube repair materials	II-A	33	
	II-C	29	
	III	------	See tire and tube repair materials.
Tubes and tubing, medical, etc.	II-A	39	
	II-B	1	
Tubes, bicycle	II-C	33	
Tubes, photographers'	III	------	See photographers' bulbs.
Tubes, tire	II-A	30	
Tubing, beer	III	------	See beer tubing.
Tubing, braided	II-C	18	
Tubing, cable covering	II-C	18	
Tubing, fire extinguisher	II-C	18	
Tubing, gasoline	III	------	See gasoline tubing.
Tubing, hard rubber	II-A	15	
Tubing, milking machine	II-A	24	
Tubing mine	II-B	15	
	II-A	20	
Tubing, pump	II-C	18	
Tubing, shaft covering	II-C	18	
Tubing, syringe	II-A	45	
Tubing, windlace	III	------	See windlace & windlace tubing
Tubing, windshield wiper	II-C	18	

Product	Schedule	Group	Remarks
Typewriter erasers	IV	A	See erasers.
Typewriter keys	III	------	
	IV	B	
Typewriter silencers	III	------	
Universal belts	II-C	26	
Upholstery	III	------	See cushions.
Upholstery, artificial	IV	B	See artificial.
Urinals	II-A	39	
	II-B	1	
V-belt shock absorbers	III	------	
V-belts	II-A	7	
	II-B	14	
	II-C	6	
Vacuum caps	II-A	39	
Vacuum brake hose	II-A	29	
Vacuum brake parts	II-A	29	
Vacuum breaker gaskets	II-C	27	
Vacuum cleaner bags	II-A	61	
Vacuum cleaner bumpers	III	------	
Vacuum cleaner hangers	III	------	
Vacuum cleaner tubing	II-C	18	
Valve stems	IV	B	
Valves	II-A	9	
Valves, back flow	II-C	27	
Valves, bicycle tire	II-C	33	
Valves, installation	II-B	13	
Valves, oil well	II-A	18	
Valves, tire	II-A	30	
Ventilating tubing, rubber	II-A	20	
	II-B	15	
Veterinary bulbs	II-A	41	
Veterinary instrument parts	II-A	39	
Veterinary sleeves	II-B	2	
Veterinary tubes and tubing	II-A	59	
Vibrator dampers	II-B	1	
	II-A	20	
Vulcanizing tape	III	------	See flooring.
	IV	B	
Wall cock	II-A	36	
Wash basin	III	------	See basin washers.
Water bibb	II-A	36	
Water flush valve	II-C	27	
Water float valve	II-C	27	
Water hose	II-A	20	
Water overflow	II-C	27	
Water siphon	II-C	27	
Water slip joint	III	------	See slip joint washers.
Water spud	II-C	27	
Water waste	II-C	27	
Weaving machine	III	------	
Weaving machine parts	II-C	20	
Webbing, canvas	IV	B	See canvas.
Wedge ties	II-A	41	
Wedge tire	II-C	18	
Weather strip	IV	A	
	III	------	
	IV	A	
Webbing, elastic	II-C	26	
Wedge hose	II-A	8	
Wedge fender	IV	B	See fender.
Wet cell negative	II-A	28	
Wheelbarrow tires	III	------	
	IV	B	
Wheels, molded	III	------	See molded wheels.
	IV	B	See molded wheels.
Wheel steering	IV	B	See steering.
Whip hose	III	------	
Wire, tubing	III	------	
Wiper squeegees	IV	B	
Windshield wiper	II-A	29	
Windshield wiper cowl	II-A	20	
Windshield wiper linkage	II-C	18	
Windshield wipers	IV	B	See window squeegees.
Wiper plate	IV	B	See plate wipers.
Wiring, trolley	III	------	See trolley wire.
Wiring, insulating compounds	II-A	1	
Wood	II-A	24	
Wrapper sheet covers	IV	B	
X-ray apparatus photo	III	------	See photowringers.
X-ray apparatus	II-A	39	
X-ray apparatus hose	II-A	39	
X-ray apparatus	II-A	39	
X-ray tubes	III	------	See hard rubber.
X-ray tubing material	III	------	See hard rubber.
Yarn material	III	------	
Zipper tapes	IV	B	

[F. R. Doc. 43-5759; Filed, April 13, 1943; 10:54 a. m.]

PART 1160—COAL STOKERS

[Interpretation 1 to General Limitation Order L-75]

The following official interpretation is hereby issued by the War Production Board, with respect to § 1160.1 *General Limitation Order L-75:*

Paragraph (a) (2) of Limitation Order L-75 defines a Class A Coal Stoker as follows: "Class A Coal Stoker" means any coal stoker which has a grate area of 36 square feet or less, and a coal feeding capacity in excess of 60 pounds per hour.

"Grate area" as used in said paragraph means only the live grate. Side dump plates are not a part of the grate area.

"Coal feeding capacity" as used in said paragraph means the coal feeding capacity performance of a stoker with a commonly used stoker coal.

Issued this 13th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5760; Filed, April 13, 1943; 10:54 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Supplementary Order L-103-a]

GLASS CONTAINERS AND CLOSURES

§ 1198.20 *Supplementary Order L-103-a*—(a) *Definitions.* For the purposes of this supplementary order:

(1) "Commercial user" means any person who uses glass containers for commercially packing or packaging any product.

(2) "Inventory" means a commercial user's entire stock of all empty new glass containers which are of the same design and finish and which are on hand in his plant, in transit to his plant from suppliers, and set aside for him by suppliers, on his request or with his knowledge.

(3) "Glass container", "finish", and "design" have the same meanings as in Limitation Order L-103. Variations within tolerances permitted by that order shall not be considered as representing different designs.

(4) "Supplier" means any glass container manufacturer, dealer, or jobber.

(b) *Restrictions on suppliers.* No supplier shall deliver to, or set aside for, any commercial user any quantity of any glass container which he knows or has reason to believe the commercial user is not entitled to accept pursuant to paragraph (c) below.

(c) *Restrictions on commercial users.* On and after April 18, 1943, no commercial used shall at any time accept, or have any supplier set aside for him, any quantity of any empty new glass container of any design and finish which will increase his inventory thereof to more than (1) 2 carloads or (2) the total amount of his reasonably anticipated requirements therefor for the next 60 days, whichever is greater.

(d) *Exceptions.* The restrictions of paragraph (c) above shall not apply to any commercial user's acceptance, at any time, of any glass containers which:

(1) Were, on April 18, 1943, in transit to him from suppliers or set aside for him by suppliers; or

(2) Are for his use in packing fresh fish, fresh shellfish, fresh fruits, fresh vegetables, or products produced from fresh fruits or fresh vegetables. The term "fresh" refers to products which have not been previously preserved or frozen (temporary refrigeration in bulk excluded).

(e) *Applicability.* Any commercial user who uses glass containers at more than one plant, may, at his option, apply the inventory restrictions of paragraph (c) either to the inventory of each such plant separately or to the collective inventory of all such plants.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(g) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington, D. C., Ref: L-103-a.

(h) *Expiration.* This order shall expire at the close of business September 30, 1943, unless previously revoked or extended.

Issued this 13th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5761; Filed, April 13, 1943; 10:54 a. m.]

PART 1209—HAND TRUCKS AND OTHER HANDLING EQUIPMENT

[General Limitation Order L-111, as Amended April 13, 1943]

"Part 1209—Hand Trucks" is hereby amended to read: "Part 1209—Hand Trucks and Other Handling Equipment."

Section 1209.1 *General Limitation Order L-111* is hereby amended so as to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel and other materials, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1209.1 *General Limitation Order L-111*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person who fabricates or assembles hand trucks, platforms, pallets, portable (platform type) elevators, or racks.

(3) "Hand truck" means any truck, lift truck, lift jack, dolly, or trailer, not self-power propelled, with one or more free running wheels or casters, designed or used for transporting material of any kind; except a hospital cart designed for moving materials in parts of hospitals

customarily used by patients, or a trailer for use on the highway or for use in earth moving, mining, logging, or petroleum development.

(4) "Dolly" means any low platform or structure mounted on wheels or casters (or one or more of each), and designed primarily for moving bulky loads on floors.

(5) "Rubber tire" means any solid, pneumatic, or cushion tire, wheel, or caster, made in whole or in part of any type of crude, reclaimed, synthetic or scrap rubber, and designed for use on, or to be used on a hand truck, semi-live platform, or portable (platform type) elevator.

(6) "Lift truck" means a hand truck designed or used to lift and support a platform or pallet in moving. "Lift jack" means a hand truck designed or used to lift and support a part of a semi-live platform in moving.

(7) "Two wheel hand truck" means a hand truck in which the load is partly carried or balanced by a person, even though such hand truck may be equipped with more than two wheels or casters.

(8) "Platform truck" means a hand truck consisting of a platform on wheels or casters or both, not self-power propelled.

(9) "Trailer" means a platform type truck designed to be towed.

(10) "Platform" means any platform, deck or skid, with or without box top or enclosure, standing on legs or other supports, and used or designed primarily for use in conjunction with hand or power operated lift trucks, portable (platform type) elevators, or similar devices. "Semi-live platform" means a platform with one or more wheels, or casters, and one or more legs or similar supports.

(11) "Pallet" means a single or double faced support designed primarily for the same purposes as a platform.

(12) "Portable (platform type) elevator" means any elevating device, mounted on wheels or casters (or one or more of each), with either power or hand operated lift, used or designed primarily for elevating or lowering material, for purposes of tiering, stacking, or access to elevated places.

(13) "Rack" means any rack or other structure used or designed primarily for the storage of pallets or platforms, or storage or draining (or both) of barrels, drums, carboys, or similar containers.

(14) "Small hardware" means bolts, nuts, screws, rivets, nails, washers, and cotter pins.

(15) "Copper or copper base alloy" means unalloyed copper metal, or alloy metal containing 40% or more by weight of copper metal. It shall include unalloyed copper metal or alloy metal produced from scrap.

(16) "Steel" means any kind or type of steel except Bessemer steel.

(b) *Restrictions on acceptance of orders for hand trucks, platforms, and portable (platform type) elevators, and parts therefor.* (1) On and after April 13, 1943, no manufacturer, dealer or other person shall accept any order for any new hand truck, platform, or portable, (platform type) elevator, or any new parts for any such equipment, or deliver any such equipment or parts under any order tendered on or after that date, unless such order bears a preference rating of AA-5 or higher.

(2) The foregoing requirement shall not apply to any order for parts to be delivered to a manufacturer or dealer for resale for repair purposes, or to any other person for use in the repair of any such equipment already owned by such person, if the purchaser furnishes his supplier with a certification in substantially the following form, on the purchase order or in a separate document:

I hereby certify that the above (or attached) order is for parts to be used for repair purposes only, in compliance with paragraph (b) (2) of General Limitation Order L-111

---------- Company

By ----------
(Authorized Official)

Such certification shall in every case be signed by the purchaser or an authorized official, either manually or as provided in Priorities Regulation No. 7. No person shall make delivery under any such order if he knows or has reason to believe that such certificate is false; and no person shall falsely furnish any such certification. Such certification shall constitute a representation to the War Production Board, as well as to the supplier, that the statements therein are true. Any supplier may rely upon the information therein, and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he knows or has reason to believe that such statements are inaccurate or untrue. Such certificate may be incorporated as a part of any certification furnished under paragraph (c) below.

(c) *Operation reports.* On or before the 15th day of May 1943, and the 15th day of each succeeding calendar month, each manufacturer shall file a report with the War Production Board on Form PD-845 showing his production capacity and such other information as may be required by said form.

(d) *Required specifications for hand trucks and other handling equipment.* No person shall manufacture or deliver any new hand trucks, platforms, pallets, racks, or portable (platform type) elevators, or deliver any new rubber tires, wheels, or other parts for use on any such new equipment or for replacement on any such used equipment, except in accordance with the specifications and restrictions set forth below, and no person shall deliver, or accept delivery of, any such equipment which he knows, or has reason to believe, was manufactured, or is being delivered, contrary to such specifications and restrictions:

(1) *Restrictions on use of rubber.* No rubber shall be used in the manufacture of hand trucks, semi-live platforms, or portable (platform type) elevators, except in wire or cable insulation, or for rubber tires where such rubber tires or rubber tired equipment are not available from the inventory of the purchaser and are required for immediate use to avoid breakage or damage in the transportation of "green" foundry cores, delicate instruments, unbaked enamelware, or unbaked grinding wheels, or to avoid explosions either (i) in transportation of explosives not already packaged, encased, or otherwise prepared for storage, shipment, or transfer so as to eliminate the explosion hazard, or (ii) where the use of other wheels, tires, or casters would create a definite explosion hazard as a result of the necessity of using the equipment in the same room with, or in other close proximity to materials subject to explosive reaction from sparks caused by static electricity, such as black powder, lead azide, igniter composition, tracer mixtures, primer mixtures, incendiary composition, vapors from combustible substances, or dust from explosives.

(2) *Restrictions on use of bearings.* No ball bearing or roller bearings shall be used in the manufacture of two wheel hand trucks, platform trucks, dollies, or semi-live platforms, except where the normal load capacity is 2,500 pounds or more.

(3) *Restrictions on use of cast steel wheels.* No cast steel wheels shall be used in the manufacture of two wheel hand trucks, platform trucks, lift trucks, lift jacks, portable (platform type) elevators, dollies, or semi-live platforms.

(4) *Other restrictions on use of iron and steel.* No iron or steel shall be used in the manufacture of the equipment specified below, elsewhere than in bearings, wheels, axles, axle housings, caster brackets, or small hardware.

(i) In two wheel hand trucks, except in halfstrap nose, legs, or leg braces; except in any parts of barrel trucks; and except in protective strapping on two wheel hand trucks to be used in stevedore operations and having a load capacity of 1,000 pounds or more;

(ii) In platform trucks, except in tongue type handles, stake pockets, and turntable in fifth wheel types;

(iii) In the flooring of trailers, except in edging and binding;

(iv) In dollies;

(v) In platforms, except in legs; in semi-live platforms, except in legs and engaging pins; in angle iron supports on sides and strap or angle iron protection on ends of platforms only where load capacity is 6,000 pounds or more;

(vi) In pallets;

(vii) In the platforms and back plates of portable (platform type) elevators, except in edging and binding; or

(viii) In racks.

(5) *Restrictions on use of copper and copper base alloy.* No copper or copper base alloy shall be used in the manufacture of hand trucks, pallets, or platforms, except in hydraulic packing washers, or where the use of other materials would create a definite explosion hazard as a result of the necessity of using such equipment under the conditions specified under paragraph (d) (1) (ii) above.

(6) *Restrictions on use of aluminum, tin, cadmium, zinc, stainless or chrome steel, and metallic plating and finishes.* No aluminum, tin, cadmium, zinc, stainless or chrome steel, metallic plating or metallic finishes shall be used in the manufacture of hand trucks, pallets, or platforms, except that alloy steel may be used in bearings where permitted under paragraph (d) (2) above, or in lift trucks or lift jacks where necessary to afford strength, and being used by the manufacturer thereof for that purpose in such parts on April 13, 1943, and zinc may be used for galvanizing when necessary to comply with the regulations of the Bureau of Animal Industry of the Department of Agriculture.

(c) *Required certification with orders.* Each person placing an order for delivery of (1) new rubber tires, with any producer of such tires, for use on any hand truck, semi-live platform, or portable (platform type) elevator, or for replacement on any such equipment, or with any manufacturer or dealer for delivery of new hand trucks, semi-live platforms, portable (platform type) elevators, with rubber tires, or new rubber tires, or (2) new platform trucks, trailers or platforms with steel or iron platforms, or (3) new all steel or iron platforms, trailers or platform trucks, or (4) new steel supported platforms to carry loads in excess of 6,000 pounds, shall certify to his supplier on the purchase order or in an accompanying letter, as a condition to receiving such delivery, information in statements substantially as follows, respectively:

(i) The undersigned hereby certifies that he is familiar with General Limitation Order L-111, as heretofore amended, and that (state which):

The rubber tired hand trucks, dollies, semi-live platforms
The rubber tired portable (platform type) elevators
The rubber tires

hereby ordered are not available from inventory of the undersigned and are required for immediate use (state which):

To avoid breakage or damage to "green" foundry cores, unbaked enamelware, delicate instruments, or unbaked grinding wheels, in the transportation thereof.

To avoid explosions in the transportation of explosives not already packaged, encased, or otherwise prepared for storage, shipment, or transfer so as to eliminate the explosion hazard.

Where the use of other wheels, tires, or casters would create a definite explosion hazard as a result of the necessity of using the equipment in the same room with, or in other close proximity to materials subject to explosive reaction from sparks caused by static electricity, such as black powder, lead azide, igniter composition, tracer mixtures, primer mixtures, incendiary composition, vapors from combustible substances, or dust from explosives.

(showing which foregoing statements are applicable by omitting those which are not applicable); or

(ii) The undersigned hereby certifies that the steel or iron platform on the platform truck(s), trailer(s) or platform(s) hereby ordered is (are) necessary in meat packing or processing to comply with the regulations of the Bureau of Animal Industry of the United States Department of Agriculture.

or

(iii) The undersigned hereby certifies that the all-steel or iron platform(s) or platform truck(s) or trailer(s) hereby ordered is (are) necessary to handle hot metal parts, or that the load to be handled will exceed 10,000 pounds.

or

(iv) The undersigned hereby certifies that the steel supported platform(s) hereby ordered is (are) necessary to carry loads in excess of 6,000 pounds.

Such certification shall in every case be signed by the purchaser or an authorized official, either manually or as provided in Priorities Regulation No. 7.

No person shall make delivery under any such order if he knows, or has reason to believe, that the certificate is false; and no person shall falsely furnish any such certification. Such certification shall constitute a representation to the War Production Board, as well as to the supplier, that the statements therein are true. Any manufacturer or dealer may rely upon the information therein and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he knows or has reason to believe that such statements are inaccurate or untrue.

(f) *Exemptions and exceptions.* (1) The limitations and restrictions contained in subparagraphs (4) (ii), (iii) and (v) of paragraph (d) shall not apply to the use of iron or steel where necessary in equipment manufactured for use in meat packing or processing to comply with the regulations of the Bureau of Animal Industry of the United States Department of Agriculture, or for the transportation of hot forgings, castings, heat treated or other hot metal parts, or loads in excess of 10,000 pounds.

(2) The limitations and restrictions of subparagraphs (2) to (6) inclusive, of paragraph (d) of this order shall not apply:

(i) To the manufacture, delivery and acceptance of parts which are to be used for repair and maintenance only and which cannot be used for replacement on existing equipment in a practical manner if made in conformity with such specifications and restrictions;

(ii) To the manufacture, delivery and acceptance of parts which on April 23, 1943, had been fabricated or processed to the extent that any other use would be impractical;

(iii) To the manufacture, delivery and acceptance of any hand trucks or other handling equipment in the process of manufacture on April 23, 1943, and to be used in filling any order accepted by the manufacturer prior to said date;

(iv) Until 90 days after April 13, 1943, to the manufacture, delivery and acceptance of any hand trucks or other handling equipment to be delivered to, and for direct use of, the Army, Navy, Maritime Commission or War Shipping Administration, to the extent that any applicable specifications of any such organization require construction, design or materials not in accordance with the provisions of this order. As used in this paragraph, the terms "Army", "Navy", "Maritime Commission" and "War Shipping Administration" shall not include any privately operated plants or shipyards financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as issued and amended from time to time, except to the extent that any provision of this order may be inconsistent therewith, in which case the provision of this order shall govern.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production, and sales of hand trucks and other handling equipment.

All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: L-111.

Issued this 13th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5762; Filed, April 13, 1943; 10:54 a. m.]

PART 3208—CRITICAL COMMON COMPONENTS

[General Preference Order E-10]

ANTI-FRICTION BEARINGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of anti-friction bearings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3208.6 *General Preference Order E-10*—(a) *Definitions.* For the purpose of this order: (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of individuals, whether incorporated or not.

(2) "Producer" means any person who is engaged in the manufacture of anti-friction bearings.

(3) "Anti-friction bearing" means any bearing employing as rolling elements balls of any size or rollers of any size or shape.

(4) "Production order" means

(i) Any purchase order or contract for one or more anti-friction bearings of any one size having a total purchase price of $500 or more, or

(ii) Any purchase order or contract for more than five hundred anti-friction bearings of any one size.

(5) "Miscellaneous order" means any purchase order or contract for anti-friction bearings other than production orders: *Provided, however,* That on person shall subdivide his purchase orders or contracts for anti-friction bearings for the purpose of coming within this definition.

(6) "Total quarterly production" means the total number of units of all types of anti-friction bearings to be manufactured by a producer in any given quarter.

(7) "Total monthly deliveries" means the total number of units of all types of anti-friction bearings to be delivered by a producer in any given month.

(8) "Continental United States" means the territory comprising the several States and the District of Columbia.

(b) *Scheduling of total quarterly production.* (1) Commencing with June 1, 1943, each producer shall schedule his total quarterly production of anti-friction bearings in such manner as to make available during such quarter 85% of such total quarterly production for delivery against production orders, and 15% of such total quarterly production for delivery against miscellaneous orders: *Provided, however,* That the percentages of total quarterly production allocated to production orders and miscellaneous orders, respectively, pursuant to this paragraph (b) (1) may be varied by any producer to the extent that such producer does not have sufficient unfilled purchase orders and estimated future orders not yet received, but reasonably to be anticipated within the next 90 days, to absorb one or the other of such percentage allocations.

(2) Notwithstanding the provisions of Priorities Regulation No. 1, any producer who shall schedule the production of a given size of anti-friction bearings to fill an order or orders therefor, delivery of which is required during any given quarter, may schedule the production of additional bearings of such size either

(i) When necessary to bring the quantity scheduled to a minimum practicable production run, or

(ii) To meet orders therefor not yet actually received but reasonably to be anticipated within the next 90 days: *Provided, however,* That in no event shall the additional quantity of bearings to be scheduled for production to meet such anticipated orders exceed the average quarterly quantity of such bearings sold by such producer during 1942.

(c) *Operations reports and schedules to be filed.* (1) All producers are required to submit reports of operations on Forms WPB–1314 and WPB–2387, in accordance with the instructions appearing thereon. From and after April 13, 1943, any producer, when specifically required to do so by the War Production Board, shall also file on such form as may be required, in accordance with instructions attached to such form, such producer's proposed schedule of production and delivery of anti-friction bearings for production orders, for such period or periods as may be required by the War Production Board, together with such other information in such form as may be required.

(2) In any proposed schedule of production and delivery of anti-friction bearings against production orders, filed pursuant to paragraph (c) (1) of this order, the sequence of production and deliveries shall be scheduled according to the terms of Priorities Regulation No. 1 and other applicable regulations of the War Production Board.

(d) *Changes in schedules of production orders.* Except as provided in paragraph (e) of this order, no producer who has been required to file his proposed schedule of production and delivery of anti-friction bearings for production orders pursuant to paragraph (c) of this order shall change such schedule of production and delivery as filed without specific permission of the War Production Board.

(e) *Deletion and addition of purchase orders in schedules.* (1) No producer who receives any instruction from any purchaser to withhold work on, or delivery under, any contract or purchase order for anti-friction bearings shall retain such contract or order in his schedule for more than ten days, regardless of whether or not such schedule shall have been filed pursuant to paragraph (c) of this order. Whenever any such contract or order has been deleted from such schedule, the producer shall immediately notify the purchaser of such action. No contract or order, which shall have been deleted from a producer's schedule pursuant to this paragraph (e) (1), shall be reinstated in the same or any subsequent schedule: *Provided, however,* That in the event the purchaser withdraws such instruction to withhold work on or delivery under any contract or purchase order, notice of such withdrawal may be treated by the producer as the placing of a new contract or purchase order for the same amount, type and size of anti-friction bearings as covered by the unfilled portion of the original contract or purchase order, and may be scheduled as such.

(2) Notwithstanding the provisions of paragraph (d) of this order, in the event of any cancellation or deletion of any order from any producer's schedule of production orders as reported pursuant to paragraph (c) hereof, additional production orders may be inserted in such schedule to replace such cancelled or deleted orders. The position of any such additional order in such schedule shall be determined by its preference rating in accordance with the terms of Priorities Regulation No. 1 and other applicable regulations of the War Production Board: *Provided, however,* That in no event shall any production order so added to such schedule affect the delivery date of any other order already established in such schedule. Whenever, pursuant to this paragraph (e) (2), any production order has been added to any schedule of production orders previously reported pursuant to paragraph (c) hereof, the producer shall immediately notify the War Production Board.

(f) Allocation of deliveries against *production orders and miscellaneous orders.* On and after June 1, 1943, each producer shall allocate 85% of his total monthly deliveries to production orders and 15% of his total monthly deliveries to miscellaneous orders; *Provided, however,* That the percentage of total monthly deliveries allocated to production orders and miscellaneous orders, respectively, by this paragraph (f), may be varied by any producer to the extent that such producer does not have sufficient unfilled purchase orders to absorb one or the other of such percentage allocations.

The sequence of deliveries against production orders and miscellaneous orders within the respective percentage limitations on such deliveries imposed by this paragraph (f) shall be scheduled according to the terms of Priorities Regulation No. 1 and other applicable regulations of the War Production Board.

(g) *Necessity for the preference ratings.* On and after June 1, 1943, no producer shall accept any purchase order or contract for anti-friction bearings unless such order or contract bears a preference rating of A–10 or higher, except that deliveries of anti-friction bearings produced in accordance with the provisions of Limitation Order L–158 or L–170, shall not be subject to this restriction.

(h) *Limitation on inventories.* No person shall accept delivery of any anti-friction bearings of any type and size if his inventory of such type and size of bearings is, or will, by virtue of such acceptance, become greater than the quantity of such item he will be required by his current practices to put into use during the succeeding sixty-day period for production, construction, operating supplies, or maintenance, or repair, or greater than a minimum practicable working inventory thereof, whichever is smaller; *Provided, however,* That the deliveries of anti-friction bearings pursuant to the following designated types of purchase orders shall be permitted to effect such an increase:

(1) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for anti-friction bearings required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Purchase orders placed by distributors for anti-friction bearings, which are intended to be used as replacement parts, as defined by paragraph (b) (1) of Limitation Order L–158: *Provided,* That in no event shall such distributor's inventory of such bearings exceed the quantities specified in paragraph (h) of Limitation Order L–158.

(4) Any other purchase order specifically excepted from this restriction by the War Production Board.

(i) *End use classification.* (1) No producer shall schedule any purchase order or contract received after June 1, 1943, for production or delivery unless it contains

(i) An endorsement placed thereon by the purchaser pursuant to CMP Regulation No. 5 or 5A, or

(ii) The purchaser's allotment number placed thereon by the purchaser pursuant to CMP Regulation No. 3, or

(iii) In the case of Lend-Lease purchase orders or contracts, a statement of the foreign country for which the anti-friction bearings are purchased, or

(iv) In the case of any other purchase order or contract, if no allotment number or symbol has been assigned, a statement of the product into which such bearings are intended to be incorporated, if known to the purchaser.

(2) Producers are not required to secure any identification of end use with respect to any order placed prior to June 1, 1943, but may be required to report the product into which such bearings are intended to be incorporated, if known to the producer.

(3) Except in the case of Lend-Lease orders, no producer shall schedule the production or delivery of any contract or purchase order received after June 1, 1943, for more than five thousand anti-friction bearings, unless it is accompanied by a statement of the percentage of such bearings, if any, which are spares. Spares are those bearings which the purchaser does not build into the end product being produced by him, but which are delivered by such purchaser as extra bearings.

(j) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of anti-friction bearings or component parts thereof, allocate any order for anti-friction bearings or component parts thereof to any other producer of anti-friction bearings or component parts thereof, or direct the delivery of any anti-friction bearings or component parts thereof, to any other person in accordance with prices and terms regularly established for sales by the supplying producer to such a purchaser.

(k) *Applicability of other orders and regulations.* This order is supplementary to the provisions of General Preference Order M–293 with respect to anti-friction bearings. Nothing contained in this order shall be deemed to constitute a revocation of any of the provisions of General Preference Order M–293.

All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case, the provisions of this order shall govern.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control, and may be deprived of priorities assistance.

(m) *Reports.* All producers affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(o) *Communications.* All reports to be filed, appeals and other communications concerning this order, should be addressed to: War Production Board, Tools Division, Washington, D. C. Ref: E–10.

Issued this 13th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R Doc. 43–5763; Filed, April 13, 1943, 10:54 a. m.]

PART 3238—LUMBER

[Limitation Order L–285]

DOGWOOD

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dogwood for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3238.1 *Limitation Order L–285*—(a) *Definitions.* For the purposes of this order:

(1) "Dogwood" shall mean logs, cants, flitches and blocks of the several species of the genus Cornus.

(2) "Shuttle manufacturer" shall mean any person who processes dogwood solely for the use of the textile industry.

(3) "Shuttle block manufacturer" shall mean any person who produces 250 or more prime shuttle blocks out of each cord of 128 cubic feet of dogwood processed.

(b) *General limitations.* No person except a shuttle manufacturer or a shuttle block manufacturer shall buy or accept delivery of dogwood, except the restrictions of this order shall not apply to

(1) The waste or downfall resulting from the manufacture of textile shuttle blocks or textile shuttles;

(2) Orders for less than 10 cubic feet;

(3) Any dogwood actually in transit on April 13, 1943;

(4) Orders delivery on which is specifically authorized by the War Production Board on Form PD–423.

(5) Sales authorized by Priorities Regulation 13.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Lumber and Lumber Products Division, Washington, D. C. Ref.: L–285.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 13th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5764; Filed, April 13, 1943; 10:54 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 13]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respect:

1. A new section 7.1 (e) is added to read as follows:

(e) Whenever the "December use factor" or the "allowance per person" for

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616, 3851, 4365, 4131.

a rationed food is changed, the base for that food of any institutional user affected by the change shall be recomputed when he applies for his allotment. The recomputed base shall be treated as his base for all purposes.

This amendment shall become effective April 12, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5732; Filed, April 12, 1943; 4:27 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 1 to Supp. 1[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Supplement No. 1 to General Ration Order No. 5 is amended in the following respect:

1. Section 1305.203 (c) is amended to read as follows:

(c) Allowance per person.

Rationed food	*Allowance per person (points)*
Processed foods	0.6
Sugar:	
1. For Group III institutional users only	
(i) For allotment period ending April 30, 1943	.03
(ii) For the second and subsequent allotment periods	.04
2. For Group II institutional users only	
(i) For all allotment periods	.03
Coffee	.013

This amendment shall become effective April 12, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9864, respectively, Food Dir. 3, 5, 6, 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5733; Filed, April 12, 1943; 4:27 p. m.]

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*Copies may be obtained from Office of Price Administration.

[1] 8 F.R. 2195, 2349, 2593, 2666, 2667, 3178, 3216, 3255, 3616, 3851, 4325, 4131.

[2] 8 F.R. 2597, 3851.

PART 1305—ADMINISTRATION

[Gen. RO 7,[1] Amendment 2]

METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1.2 is amended to read as follows:

SEC. 1.2 *Stamps or coupons may be enclosed in sealed envelopes.* (a) Any person who is required to affix stamps or coupons to gummed sheets or cards for surrender or deposit, may enclose them in sealed envelopes instead. Manufacturers and distributors of shoes who receive stamps and coupons may also enclose them in sealed envelopes for surrender or deposit. All stamps and coupons placed in the same envelope must be identical and of the same value, except that: (1) processed foods and meat stamps having the same expiration date may be placed in a single envelope even though they bear different letters; (2) special stamps for shoes may be placed in the same envelope even though their expiration dates are not the same. No more than 500 stamps or coupons may be enclosed in any one envelope.

This amendment shall become effective April 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179, W.P.B. Dir. 1, Supp. Dir. 1E, 1M, 1O, 1R and 1T, 7 F.R. 552, 2965, 8234, 8418, 9684, and 8 F.R. 1727, respectively, and Food Directives 1, 3, and 5, 8 F.R. 287, 2005, and 2251, respectively)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5731; Filed, April 12, 1943; 4:27 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 93]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (a) (6) is added to read as follows:

(6) *California.* The maximum price at the receiving tank for crude petroleum produced in fields in California other than those named in § 1340.159 (c) (1) (xiv) shall be the sum of the maximum price as determined by other provisions of this Price Schedule and the amount designated below:

A. P. I. gravity:	*Increase per barrel*
Below 15	$0.25
15-15.9	.25
16-16.9	.22
17-17.9	.19
18-18.9	.16
19-19.9	.13
20-20.9	.10
21-21.9	.07
22-22.9	.04
23-23.9	.01

Provided, however, That the maximum price for a particular gravity crude shall not be less than that for a lower gravity crude from the same seller's receiving tank in the same pool.

2. In § 1340.159 (c) (1) (xiv) (a), the words "Wheeler Ridge" are added to the fields named in number "6", and the maximum price in column numbered 14 of the table for 14-14.9° gravity is corrected so as to read ".95" in lieu of ".97".

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5738; Filed, April 12, 1943; 4:29 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Amendment 7]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.563 (a) (2) is added to read as follows:

(2) The maximum prices for grapefruit juice packed in glass, for sales other than to the government, shall be as follows:

(i) For 8 ounce glass jars, A or fancy grade, forty-two and one-half cents, for C or standard grade, forty cents, and for off grade or substandard, thirty seven and one-half cents, less than the maximum price for the same grade and style of pack in #2 cans, in the same area.

(ii) For 16 ounce glass jars, seven and one-half cents more than the maximum price for the same grade and style of pack in #2 cans, in the same area.

(iii) For 46 ounce glass jars, seventeen and one-half cents more than the maximum price for the same grade and style of pack in #3 cylinder cans, in the same area.

2. Section 1341.553 (b) (5) is added to read as follows:

Item	*Section*	*Appendix*
(5) Spinach	1341.584	B

3. Section 1341.584 (e) is added to read as follows:

(e) *Spinach.* (1) The maximum prices per dozen containers, f. o. b. factory, shall be as follows:

*Copies may be obtained from Office of Price Administration.

[1] 8 F.R. 2977, 2858.

[1] 8 F.R. 3718, 3795, 3841, 3845, 4130, 4131, 4252, 4334.

[1] 8 F.R. 1114, 1313, 2921, 3732, 3853, 4179.

Col. 1 Item No.	Col. 2 Grade	Col. 3 State or area	Col. 4 Container		
			No. 2 can	*No. 2½ can*	*No. 10 can*
1	A or fancy	All	$1.175	$1.475	$5.15
2	B or extra standard	All	1.125	1.41	4.95
3	C or standard	All	1.075	1.35	4.75
4	Below standard	All	.925	1.16	4.10

This amendment shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5740; Filed, April 12, 1943; 4:29 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 312,[1] Amendment 1]

MAPLE SYRUP AND MAPLE SUGAR

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 312 is amended in the following respects:

1. The title of the regulation formerly reading "Maple Syrup" is amended to read "Maple Syrup and Maple Sugar."

2. The words "and maple sugar" are inserted after the word "syrup" appearing in the first paragraph of the preamble.

3. Section 1351.1616 appearing in the Table of Contents is redesignated § 1351.1617, and the new § 1351.1616 is added to the Table of Contents to read as follows: "§ 1351.1616 Maximum prices for maple sugar."

4. Section 1351.1601 is amended to read as follows:

§ 1351.1601 *Prohibition.* On and after February 2, 1943, in the case of maple syrup, and on and after April 14, 1943, in the case of maple sugar, regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any commodities at prices higher than the maximum prices set forth for such commodities in this regulation.

(b) No person shall buy or receive any commodities in the course of trade or business at prices higher than the maximum prices set forth for such commodities in this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

(d) The provisions of this section shall not be applicable to sales or deliveries of maple syrup to a purchaser, if prior to February 2, 1943 such maple syrup has been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser. The provisions of this section shall not be applicable to sales or deliveries of maple sugar to a purchaser if prior to April 14, 1943, such maple sugar has been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

5. Section 1351.1602 is amended to read as follows:

§ 1351.1602 *Exempt sales.* (a) The provisions of this regulation shall not be applicable to sales of maple syrup by wholesalers and retailers, except that wholesale sales and retail sales by producers and packers shall be governed by the provisions of this regulation. Sales of maple syrup by wholesalers and by retailers shall be governed by the provisions of Maximum Price Regulations Nos. 237 and 238, respectively.

(b) All sales of pure maple sugar other than "Block Sugar" and "Canadian Bag Sugar" are exempt from price control.

6. The words "or maple sugar" are inserted in the following places: After the word "syrup" appearing in paragraph (a) of § 1351.1604; after the word "syrup" appearing in paragraph (b) of § 1351.1604; after the word "syrup" appearing in § 1351.1607; after the word "syrup" appearing in the first sentence of § 1351.1613.

7. Subparagraphs (9), (10), (11), (12), and (13) are added to § 1351.1614 (a), to read as follows:

(9) "Maple sugar" means the solid or pulverized maple product made by evaporating maple syrup.

(10) "Block sugar" is maple sugar which is sold in 10-pound blocks or larger, is commonly used in the confectionery, blended syrup, and tobacco industries, and is commonly referred to in the trade as "block sugar."

(11) "Fancy block sugar" is block sugar which is wholly or substantially made from Grade "Fancy" syrup, but in no event contains syrup which is less than Grade "A."

(12) "Blended block sugar" is block sugar other than "Fancy Block Sugar."

(13) "Canadian bag sugar" is maple sugar produced in Canada in pieces of irregular shape and size and packed loose in bags.

8. Section 1351.1616 is redesignated as § 1351.1617.

9. A new § 1351.1616 is added to read as follows:

§ 1351.1616 *Maximum prices for maple sugar*—(a) *Maximum prices for block sugar.* (1) The following are maximum prices, f. o. b. seller's shipping point, for block sugar. These prices include the container, and are prices before discounts. Each seller shall reduce these prices to reflect his own established trade allowances and discounts, including but not limited to the discount for prompt payment. The term "quantity of sale" as used in the following table means the total quantity of maple sugar to be delivered as a result of a single contract.

Type	Quantity of sale	Prices per pound
Fancy block sugar	2,000 lbs. or less	$0.36
Fancy block sugar	Over 2,000 lbs. but less than 40,000 lbs.	.35
Fancy block sugar	40,000 lbs. or over but less than 250,000 lbs.	.34
Fancy block sugar	250,000 lbs. and over	.33
Blended block sugar	2,000 lbs. or less	.34
Blended block sugar	Over 2,000 lbs. but less than 40,000 lbs.	.33
Blended block sugar	40,000 lbs. or over but less than 250,000 lbs.	.32
Blended block sugar	250,000 lbs. and over	.31

(2) The maximum prices for block sugar which is imported into the United States shall apply f. o. b., port of entry, and shall include duty.

(b) *Maximum prices for Canadian bag sugar.* (1) The maximum price for Canadian bag sugar, f. o. b. port of entry, duty included, shall be $0.27 per pound.

(c) *Delivered prices.* (1) The prices for block sugar and Canadian bag sugar delivered to buyer shall in no case exceed the established maximum f. o. b. prices, plus the actual transportation charges incurred from the seller's shipping point in the case of domestic block sugar or the port of entry in the case of Canadian bag sugar or imported block sugar.

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5736; Filed, April 12, 1943; 4:28 p. m.]

PART 1358—TOBACCO

[MPR 283,[1] as Amended April 12, 1943]

BURLEY TOBACCO—TYPE NO. 31

Sections 1358.151, 1358.158 (a) (1) and (2) are amended, and §§ 1358.155 (b) (2), 1358.158 (a) (8), and 1358.162 added by Amendment 2, issued April 12, 1943, and effective April 17, 1943, so that Maximum Price Regulation No. 283 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of burley (Type No. 31) tobacco by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[1]

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 283 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control

[1] 7 F.R. 10224.

[1] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

Act of 1942, as amended, and Executive Order No. 9250. So far as practical, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration, Maximum Price Regulation No. 283 is hereby issued.

Sec.

1358.151 Prohibition of purchases of burley (Type No. 31) tobacco above maximum prices.
1358.152 Less than maximum prices.
1358.153 Export sales.
1358.154 Petitions for amendment.
1358.155 Evasion.
1358.156 Enforcement.
1358.157 Records and reports.
1358.158 Definitions.
1358.159 Geographical applicability.
1358.160 Effective date.
1358.160a Effective dates for amendments.
1358.161 Appendix A: Maximum prices for burley (Type No. 31) tobacco.
1358.162 Appendix B: Maximum prices of dealers for burley (Type No. 31) tobacco.

AUTHORITY: §§ 1358.151 to 1358.161, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1358.151 *Prohibition of purchases and sales of burley (Type No. 31) tobacco above maximum prices.* On and after April 17, 1943, regardless of any contract, lease or other obligation:

(a) No person shall buy or receive any burley (Type No. 31) tobacco at prices higher than the maximum price for the grade set forth in § 1358.161 Appendix A of this regulation, except as provided in paragraphs (b) and (c) of this section.

(b) No person shall buy or receive any burley (Type No. 31) tobacco on direct order through or from a dealer at prices higher than the maximum price for the grade as set forth in § 1358.161, Appendix A, plus charges for warehousing or services rendered by the dealer to the buyer, if any, determined in accordance with paragraphs (a), (b) and (c) of § 1358.162, Appendix B.

(c) No person shall buy or receive any burley (Type No. 31) tobacco from a dealer other than on direct order at prices in excess of the maximum price therefor determined under paragraph (d) of § 1358.162, Appendix B.

(d) No dealer shall make any charges for warehousing or for services rendered in the purchase of any burley (Type No. 31) tobacco on direct order in excess of the maximum charges therefor as set forth in paragraphs (a), (b) and (c) of § 1358.162, Appendix B.

[3] 7 F.R. 8961; 8 F.R. 3313, 3533.

(e) No dealer shall sell or deliver any burley (Type No. 31) tobacco purchased by him other than on direct order at prices in excess of the maximum prices set forth in paragraph (d) of § 1358.162, Appendix B.

(f) No person shall agree, offer, solicit or attempt to do any of the foregoing.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1358.152 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 283 may be paid or offered.

§ 1358.153 *Export sales.* The maximum prices at which a person may export burley (Type No. 31) tobacco shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

§ 1358.154 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 283 or exceptions not provided for therein, may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F. R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1358.155 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 283 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to burley (Type No. 31) tobacco, alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge or discount, premium or other privilege or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practice is prohibited.

(1) Any sale of burley (Type No. 31) tobacco without being graded by the Agricultural Marketing Administration of the United States Department of Agriculture.

[Paragraph (b) as amended by Amendment 1, 8 F.R. 533, effective 1-12-43.]

(2) Any sale of burley (Type No. 31) tobacco by a dealer, whether purchased on direct order or otherwise, without concurrently delivering to the purchaser an invoice or other evidence of sale containing the statement required by § 1358.162 (e), Appendix B.

§ 1358.156 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 283 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 283 or any price schedule, regulation or order, issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state or regional offices of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1358.157 *Records and reports.* (a) Every person purchasing burley (Type No. 31) tobacco shall keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 remains in effect, records of the same kind as he customarily kept relating to the prices which he paid for such burley (Type No. 31) tobacco, after the effective date of this Maximum Price Regulation No. 283.

(b) Every purchaser of burley (Type No. 31) tobacco shall file with the Office of Price Administration in Washington, D. C., for each week of its buying season for burley (Type No. 31) tobacco during which such purchaser bought any grade of such tobacco, a statement setting forth the total number of pounds of each grade bought and the total amount paid for the pounds of each grade bought. The report submitted for any week shall be filed within 14 days of the close of such week.

[Paragraph (b) as amended by Amendment 1, 8 F.R. 533, effective 1-12-43.]

(c) Every warehouseman in whose warehouse burley (Type No. 31) tobacco is sold, shall keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, records showing all sales of

[4] 7 F.R. 5059, 7242, 8829, 9000, 10530; 8 F.R. 3846.

burley (Type No. 31) tobacco, the grade and the amount of such grade of each sale, the date of each sale and the price paid and the name of the purchaser of such tobacco.

§ 1358.158 *Definitions.* (a) When used in this Maximum Price Regulation No. 283 the term:

(1) "Burley (Type No. 31) tobacco" means United States Type No. 31 of the 1942 crop, as that type is specified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

(2) "Dealer" means any person, including a speculator or a pinhooker, who purchases any grade of burley (Type No. 31) tobacco and resells the same without further processing other than those services set forth in paragraph (b) of § 1358.162, Appendix B.

(3) "Grade" means the basic standard grades of burley (Type No. 31) tobacco established by the Agricultural Marketing Administration of the United States Department of Agriculture and set out in Appendix A, § 1358.161 (a) of this Maximum Price Regulation No. 283.

(4) "Person" includes individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(5) "Purchase on direct order" means a purchase made in conformity with an agreement to buy for a principal either in the principal's name or for his account.

[Paragraphs (2) through (5) as amended by Amendment 1, 8 F.R. 533, effective 1-12-43.]

(6) "Weighted average ceiling price" means the figure obtained by:

(i) Multiplying the total number of pounds of each grade bought during the specified period by the ceiling price for such grade as set forth in Appendix A, § 1358.161 (a).

(ii) Adding together the resulting figures obtained in (i), and

(iii) Dividing the sum obtained in (ii) by the total of the number of pounds of all grades bought during the specified period.

(7) "Weighted average purchase price" means the figure obtained by:

(i) Multiplying the number of pounds bought in each transaction during the specified period by the purchase price per pound paid in the particular transaction.

(ii) Adding together the resulting figures obtained in (i), and

(iii) Dividing the sum obtained in (ii) by the total number of pounds of all grades bought during the specified period.

[Paragraphs (6) and (7) added by Amendment 1, 8 F.R. 533, effective 1-12-43.]

(8) "Supervisory services" means services involving responsibility for establishment of proper grade standards, correlation of grading between the several markets, selection of markets affording the greatest abundance of suitable burley (Type No. 31) tobacco, decisions as to the rate of buying from week to week and guiding purchases through frequent visits to the several markets.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1358.159 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 283 shall be applicable to the forty-eight states of the United States.

§ 1358.160 *Effective date.* This Maximum Price Regulation No. 283 (§§ 1358.151 to 1358.161) shall become effective December 4, 1942. [Issued December 4, 1942.]

§ 1358.160a *Effective dates for amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1358.161 *Appendix A: Maximum prices for burley (Type No. 31) tobacco.* (a) The maximum prices for the various grades of burley (Type No. 31) tobacco, except as provided in paragraph (b) of this section, shall be as follows:

Grades:	*Maximum prices per cwt. on warehouse floor*
A1L	$59.00
A2L	57.00
A1F	57.00
A2F	55.00
A1R	54.00
A2R	49.00
B1F	54.00
B2F	53.00
B3F	49.00
B4F	43.00
B5F	34.00
B1R	45.00
B2R	43.00
B3R	37.00
B4R	29.50
B5R	23.00
B3D	27.50
B4D	21.50
B5D	16.50
B3G	29.50
B4G	22.50
B5G	17.00
T3F	38.00
T4F	30.00
T5F	22.00
T3R	26.00
T4R	20.00
T5R	14.75
T3D	20.00
T4D	15.00
T5D	12.00
T3G	17.00
T4G	15.00
T5G	11.50
C1L	57.00
C2L	55.00
C3L	54.00
C4L	53.00
C5L	48.00
C1F	55.00
C2F	55.00
C3F	54.00
C4F	52.00
C5F	46.00
C3R	52.00
C4R	46.00
C5R	39.00
C3G	37.00
C4G	32.00
C5G	25.00
X1L	54.00
X2L	54.00
X3L	53.00
X4L	49.00
X5L	40.00
X1F	55.00
X2F	54.00
X3F	53.00
X4F	48.00
X5F	39.00
X3R	50.00
X4R	44.00
X5R	34.00
X3G	39.00
X4G	32.00
X5G	22.50
NL	25.00
NGR	11.00

(b) Any grade of burley (Type No. 31) tobacco may be purchased at a price in excess of the maximum price established for that grade in paragraph (a) of this section: *Provided*, That the weighted average purchase price for the grades bought in any one week by any purchaser does not exceed the weighted average ceiling price for such purchases for the same week.

(c) Every warehouseman or his representative, before any sale of burley (Type No. 31) tobacco, shall (1) designate on the basket tag of such tobacco the maximum price specified in paragraph (a) of this section for the grade shown on such tag, and (2) announce, immediately preceding the sale of such basket and in the presence of the assembled buyers, the grade and maximum price for the burley (Type No. 31) tobacco to be sold.

(d) Every warehouseman or his representative, after any sale, shall indicate on the invoice or billing to the purchaser the Government grade and the purchase price for each grade bought by the buyer as set out in paragraph (a) of this section.

§ 1358.162 *Appendix B: Maximum prices of dealers for burley (Type No. 31) tobacco*—(a) *Dealer's warehousing charges.* Any dealer who warehouses burley (Type No. 31) tobacco may make a charge for such warehousing based on the maximum price for the particular grade as set forth in § 1358.161 (a) Appendix A, but not in excess of one percent of such maximum price per month for each month of warehousing, except that no charge shall be made for the first 60 days of warehousing by a dealer.

(b) *Maximum charges for direct order purchases.* A dealer purchasing burley (Type No. 31) tobacco on direct order may charge for services rendered

in connection with the tobacco purchased, but not in excess of the following amounts:

Services	*Maximum charge— Per 100 pounds green weight*
Buying at auction market	$0.50
Buying and sheeting (dealer furnishing the sheets)	.75
Buying and sheeting (dealer not furnishing the sheets)	.50
Buying and green prizing	1.25
	Per 100 pounds finished weight
Buying and redrying	$2.25
Buying and stemming	7.00

(c) A dealer performing supervisory services in the purchase on direct order of burley (Type No. 31) tobacco for a particular buyer may charge a fee for such services, not to exceed the fee charged by the dealer to the particular buyer for the same services performed with respect to purchases on direct order of the 1941 crop of that type of tobacco. If the dealer performed no supervisory services for the buyer with respect to purchases on direct order of the 1941 crop of that type of tobacco, the fee charged by the dealer for such supervisory services shall not exceed the fee charged therefor by the dealer to other buyers of burley (Type No. 31) tobacco of the same class.

(d) *Maximum prices of dealers for tobacco purchased other than on direct order.* A dealer's maximum price for any burley (Type No. 31) tobacco purchased by him other than on direct order shall be an amount determined by adding the following items:

(1) If the tobacco is all of the same grade, the maximum price under § 1358.161 (a), Appendix A for the quantity of the particular grade, green weight, or

(2) If the tobacco is of mixed grades, the weighted average of the maximum prices under § 1358.161 (a), Appendix A for the particular quantity of each grade, green weight; plus

(3) The exact amount, if any, paid by the dealer to an independent carrier for transporting the tobacco from its location at the date of purchase to the dealers nearest prizery or rehandling plant; plus

(4) A charge for any service listed in paragraph (b) of this section rendered by the dealer to the buyer, but not in excess of the maximum charge under that paragraph for the particular service; plus

(5) Seven percent of the total of the items provided for by subparagraphs (1) or (2) and (3) and (4) of this paragraph (d), or $2\frac{1}{2}$ cents per pound finished weight; plus

(6) The actual amount of commission paid by the dealer to a tobacco broker doing business as such during and since March 1942 for the broker's services in negotiating the sale of the tobacco to a manufacturer, but not in excess of three percent of the total of the items provided for by the preceding subparagraphs of this paragraph (d); plus

(7) The charge permitted for warehousing, if any, under paragraph (a) of this section.

Provided, That no dealer purchasing any such tobacco shall, in computing his own maximum price therefor, increase the price charged by a dealer who sold it to him except for additional services rendered.

(e) *Certification.* On and after April 17, 1943, a dealer selling any burley (Type No. 31) tobacco, whether purchased by him on direct order or otherwise, shall place upon the invoice or other evidence of sale of the tobacco given by him to the purchaser, a complete, correct and signed statement as follows:

> The green weight of the burley (Type No. 31) tobacco covered by this invoice (or other evidence of sale) was ------ pounds. Its weight as delivered to you is ------ pounds. The price charged for this tobacco does not exceed our maximum price therefor permitted under Maximum Price Regulation No. 283 as amended, issued by the Office of Price Administration. The Office of Price Administration requires you to keep this statement for examination.
>
> (signed) ----------
> Seller

Only one such statement need be given by a dealer for any particular sale of burley (Type No. 31) tobacco.

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-5737; Filed, April 12, 1943; 4:28 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169,[1] Amendment 6]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.401 (d) is amended to read as follows:

§ 1364.401 *Prohibition against selling beef and veal carcasses and wholesale cuts, and processed products at prices above the maximum.* • • •

(d) *Maximum prices for slaughtering services.* Any person who slaughters cattle or calves as a service for the purchaser of such cattle or calves shall remit to such purchaser an amount sufficient to make the cost of the dressed beef or veal carcass or of the wholesale cuts derived therefrom, to such purchaser, equal to or less than the costs which would be incurred by the purchaser, if he purchased the carcass or cuts from the slaughterer at the slaughterer's maximum price therefor: *Provided*, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses or cuts for resale in any form: *Provided further*, That this requirement shall not apply with respect to the slaughter of cattle or calves for a purchaser who resells the meat derived therefrom other than at retail in those cases where the following circumstances exist and the slaughterer and purchaser have filed with the appropriate district, state, or regional office of the Office of Price Administration, evidence based upon regular business records showing that: (1) the slaughterer during the period January 1941 to March 1942, inclusive, (i) did not sell any beef or veal carcasses or wholesale cuts and (ii) regularly slaughtered cattle or calves for such purchaser on a continuing contractual basis; and (2) during such period the purchaser (i) did not himself slaughter cattle or calves and (ii) procured at least 75 percent of the beef or veal sold by him from cattle or calves slaughtered for him by such slaughterer: *Provided further*, That on or after March 25, 1943, this requirement shall not apply in cases where the cattle or calves slaughtered are certified to be club cattle or calves within the meaning of this Revised Maximum Price Regulation No. 169, as amended, and the supervisor, club agent, agricultural county agent or vocational agricultural project teacher as the case may be, has filed a sworn certificate to the effect with the appropriate district, state, or regional office of the Office of Price Administration or any duly authorized representative thereof. Carcasses derived therefrom must be graded and grade marked in accordance with the grade specifications and grade marking requirements contained in this Revised Maximum Price Regulation No. 169.

To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the cattle or calves slaughtered.

2. Section 1364.410 (c) is added to read as follows:

(c) The Office of Price Administration, may, by order, adjust the maximum price established by §§ 1364.451 and 1364.452 or §§ 1364.466 and 1364.467 for the sale by a seller of kosher beef or veal to a buyer of kosher meat, in any case in which such seller shows:

(1) That the seller during the year preceding March, 1942, was regularly engaged in the kosher slaughtering of beef or veal and selling such beef or veal to buyers of kosher meat within the market area in which his plant is located; and the proportion of kosher slaughter to total slaughter, by months;

(2) That only a portion of his slaughter is kosher slaughter, and that, as a result thereof, the costs of kosher slaughter performed by him exceed the costs of other slaughter by an amount greater than the amount allowed in the applicable zone price for kosher beef or veal;

(3) That the seller has customarily obtained for his kosher beef or veal a premium greater than that contained in the applicable zone prices for kosher and other beef or veal.

Upon proof of the foregoing facts, the maximum price of the seller may be adjusted to provide for the actual additional cost of kosher slaughter. The seller shall be required to submit monthly reports of the number of pounds of kosher and non-kosher beef or veal slaughtered and delivered by him, and the maximum price shall be reduced if it appears to the Administrator that such price is causing or threatening to cause an increase in the proportion of kosher slaughter.

3. Section 1364.411 (c) (3) is redesignated § 1364.411 (c) (3) (i).

4. Section 1364.411 (c) (3) (ii) is added to read as follows:

(ii) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering cattle or calves as a service for others, he shall not be required to have the cattle or calves slaughtered by him graded by an official grader of the United States Department of Agriculture. Such beef or veal as is sold by such slaughterer, or is slaughtered by him as a service for sale by others, shall be graded by him in accordance with the requirements of paragraphs (a), (b), (c) (1) and (c) (2) of this § 1364.411. "Farm slaughterer" as used in this subparagraph (c) (3) (ii) means a person chiefly engaged in producing agricultural products as the resident operator of a farm who did not deliver meat in 1941 of a live weight of more than 10,000 pounds and whose current slaughter is not in excess of that permitted such slaughterers under Food Distribution Order No. 27[2] or any superseding order.

5. Section 1364.451 (a) (4) is amended to read as follows:

(a) *Pricing instructions.* • • •

(4) Except as permitted in paragraph (l), (m), (n), (o) or (p) of Schedule I (§ 1364.452), regardless of any contract, agreement or other obligation, no person shall sell or deliver any beef or any part or portion of any beef carcass and no person in the course of trade or business shall buy or receive any beef or any part or portion of any beef carcass unless such beef or part or portion is a beef carcass or a beef wholesale cut as defined in § 1364.455, for which applicable prices have been established.

6. Section 1364.451 (a) (5) is added to read as follows:

(5) On and after April 14, 1943, regardless of any contract, agreement or other obligation, no person shall sell or deliver any ground, chopped or comminuted meat containing any proportion of beef or any miscellaneous beef item and no person in the course of trade or business shall buy or receive any ground, chopped or comminuted meat containing any proportion of beef or any miscellaneous beef item unless such ground, chopped or comminuted meat is ground beef and such miscellaneous beef item is a miscellaneous beef item as defined in § 1364.452 (p), for which applicable prices have been established.

7. The table in § 1364.452 (d) (2) is amended to read as follows:

(d) *Zone 4.* • • •

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) the applicable zone prices for Zone 4 are as follows:

[All prices are on dollars per hundredweight bases; the price for any fraction of a hundredweight shall be reduced accordingly]

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, Canner or D	Bologna bulls (equivalent Cutter and Canner grade)
STEER OR HEIFER						
(i) Beef carcass or side	$22.00	$21.00	$19.00	$17.00	$14.50	$16.00
(ii) Hindquarter	24.75	23.25	20.50	18.00	14.50	16.00
(iii) Forequarter	19.50	19.00	17.75	16.25	14.50	16.00
(iv) Round	24.25	22.75	20.25	17.50	.....	.....
(v) Trimmed full loin	32.50	30.25	28.75	22.25	.....	.....
(vi) Flank	13.50	13.50	13.50	13.50	.....	.....
(vii) Flank steak	25.00	25.00	25.00	25.00	.....	.....
(viii) Short loin	37.75	35.00	29.75	25.25	.....	.....
(ix) Sirloin	28.25	26.50	22.50	19.75	.....	.....
(x) Cross cut chuck	20.00	19.50	18.25	16.50	.....	.....
(xi) Regular chuck	20.50	20.00	18.75	16.75	.....	.....
(xii) Brisket	17.50	17.50	15.50	15.50	.....	.....
(xiii) Foreshank	12.50	12.50	12.50	12.50	.....	.....
(xiv) Rib	26.25	24.75	22.50	19.75	.....	.....
(xv) Short plate	14.75	14.75	14.50	14.50	.....	.....
(xvi) Back	22.00	21.25	19.75	17.50	.....	.....
(xvii) Triangle	19.00	18.50	17.50	16.00	.....	.....
(xviii) Arm chuck	19.50	19.00	18.00	16.25	.....	.....

8. The Table in § 1364.452 (d) (3) is amended to read as follows:

(3) *Kosher beef wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) of this § 1364.452 and paragraph (b) of Schedule III (§ 1364.454), the applicable zone prices of kosher wholesale cuts for Zone 4 are as follows:

[All prices are on dollars per hundredweight bases, the price for any fraction of a hundredweight shall be reduced accordingly]

	Grade					
	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, Canner or D	Bologna bulls (equivalent Cutter and Canner grade)
STEER OR HEIFER						
(i) Forequarter	$20.25	$19.75	$18.50	$17.00	$15.25	$16.75
(ii) Triangle	19.75	19.25	18.25	16.75	.....	.....
(iii) Cross cut chuck	20.75	20.25	19.00	17.25	.....	.....
(iv) Regular chuck	21.25	20.75	19.50	17.50	.....	.....
(v) Brisket	18.25	18.25	16.25	16.25	.....	.....
(vi) Foreshank	13.25	13.25	13.25	13.25	.....	.....
(vii) Short plate	15.50	15.50	15.25	15.25	.....	.....
(viii) Arm chuck	20.25	19.75	18.75	17.00	.....	.....
(ix) Rib	27.00	25.50	23.25	20.50	.....	.....

9. Section 1364.452 (m) (2) is amended by adding a new column to the table to read as follows:

(2) The maximum f. o. b. boning plant price for frozen boneless beef (Army specifications) in each of the following price zones shall be:

[Carload or less than carload quantities; in dollars per hundredweight]

Price zone:	*Grade— Utility or C*
1	$25.75
2	25.00
3	24.00
4	24.00
5	24.50
6	24.75
7	25.00
Price zone—Continued.	
8	25.25
9	25.50
10	25.75

10. Section 1364.452 (m) (3) is amended to read as follows:

(3) "Frozen boneless beef (Army specifications)" as used in this paragraph (m) means beef, frozen and boneless, derived from steers and heifers of the grades good, commercial or utility and satisfying the specifications and requirements contained in "C. Q. D. No. 11C—Specifications for Beef: Boneless, Frozen", issued May 11, 1942, by the Chicago Quartermaster Depot of the United States Army. Any frozen boneless beef which

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5097.

[2] 8 F.R. 2785.

if any, specified in this paragraph (p) and in Schedule II (§ 1364.453) applicable to beef carcasses and wholesale cuts, plus the permitted additions, if any, specified in this paragraph (p) and in paragraph (a) of Schedule III (§ 1364.454).

(3) The applicable zone price for ground beef and each of the following miscellaneous beef items shall be:

[All prices are on a dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly]

Zone	I	II	III	IV								V	VI								
	Ground beef, quick frozen and packaged in fiber boxes or containers [1]	Ground beef patties, quick frozen packaged in fiber boxes or containers [1]	Trimmed beef tenderloins cutter and carver grade	Corned beef—Loose basis								Corned beef (Army, Navy or Federal Surplus Commodities Corporation Specifications)—Loose basis—May be sold to War Procurement Agencies only	Dried beef								
				Range 6 lbs. and up	Range 3–6 lbs.	Range 2–3 lbs.	Kosher corned short plates bone in [2]		Corned briskets boneless "deckle on" [2]		Corned short plates "bone in" [2]		Kosher corned boneless briskets "deckle on" [2]		Corned briskets boneless "deckle off" [2]		Corned short plates boneless [2]		Corned plates bone in [2]		
							Choice and (good and Commercial and Utility)	Commercial and Utility	Choice and (good and Commercial and Utility)	Commercial and Utility	Choice and (good and Commercial and Utility)	Commercial and Utility	Choice and (good and Commercial and Utility)	Commercial and Utility	Choice and (good and Commercial and Utility)	Commercial and Utility	Choice and (good and Commercial and Utility)	Commercial and Utility	Choice and (good and Commercial and Utility)	Commercial and Utility	
							A	B and C	A	B and C	A	B and C	A	B and C	A	B and C	A	B and C	A	B and C	
1	23.25	23.25	23.75	20.75	21.75	22.75	18.50	17.75	18.75	17.75	18.75	17.75	18.75	17.75	18.75	17.75	18.75	17.75	18.75	17.75	18.75
2	22.50	23.00	23.00	20.00	21.00	22.00	18.00	17.25	18.00	17.25	18.00	17.25	18.00	17.25	18.00	17.25	18.00	17.25	18.00	17.25	18.00
3	21.50	22.00	22.00	19.00	20.00	21.00	17.00	16.25	17.00	16.25	17.00	16.25	17.00	16.25	17.00	16.25	17.00	16.25	17.00	16.25	17.00
4	21.00	21.50	21.50	18.50	19.50	20.50	16.75	16.00	16.75	16.00	16.75	16.00	16.75	16.00	16.75	16.00	16.75	16.00	16.75	16.00	16.75
5	20.50	21.00	21.00	18.00	19.00	20.00	16.25	15.50	16.25	15.50	16.25	15.50	16.25	15.50	16.25	15.50	16.25	15.50	16.25	15.50	16.25
6	20.00	20.50	20.50	17.50	18.50	19.50	15.75	15.00	15.75	15.00	15.75	15.00	15.75	15.00	15.75	15.00	15.75	15.00	15.75	15.00	15.75
7	19.50	20.00	20.00	17.00	18.00	19.00	15.25	14.50	15.25	14.50	15.25	14.50	15.25	14.50	15.25	14.50	15.25	14.50	15.25	14.50	15.25
8	19.00	19.50	19.50	16.50	17.50	18.50	14.75	14.00	14.75	14.00	14.75	14.00	14.75	14.00	14.75	14.00	14.75	14.00	14.75	14.00	14.75
9	18.50	19.00	19.00	16.00	17.00	18.00	14.25	13.50	14.25	13.50	14.25	13.50	14.25	13.50	14.25	13.50	14.25	13.50	14.25	13.50	14.25
10	18.00	18.50	18.50	15.50	16.50	17.50	13.75	13.00	13.75	13.00	13.75	13.00	13.75	13.00	13.75	13.00	13.75	13.00	13.75	13.00	13.75

[1] If ground beef is not quick frozen, the applicable zone price shall be reduced 75¢ per cwt. If ground beef is unpackaged or packaged otherwise than in fiber boxes or containers, the applicable zone price shall be reduced 25¢ per cwt. If ground beef patties are not quick frozen, the applicable zone price shall be reduced 75¢ per cwt. If ground beef patties are unpackaged or packaged otherwise than in fiber boxes or containers, the applicable zone price shall be reduced 25¢ per cwt. For ground beef patties, quick frozen, and packaged in fiber boxes or containers, see column IV thereof: *Provided*, That such beef patties shall not be offered for sale to, nor received for the account of, any Federal agency unless they bear the abattoir's stamp clearly legible.

[2] (i) Dried beef is sold unwrapped or wrapped otherwise than in parchment paper, the applicable zone price shall be reduced 25¢ per cwt.

(ii) For 50 lb. net weight tight hardwood kegs "pickle on" ..... 2.00 per cwt.
For 25 lb. net weight tight hardwood kits "pickle on" ..... 2.50 per cwt.
For 5 lb. net weight tight hardwood kits "pickle on" ..... .50 per cwt.

(iii) For corned beef items made from Bologna Butts (equivalent of cutter and carver grade) specifications shall be the same as for corned briskets boneless "deckle on" except that the fat covering the outside of the bologna butt, a portion of which is left on the round in the shape known in the trade as a "spade tip", shall not be trimmed off, but shall be left on, being the seller of kosher meat located in column IV thereof: *Provided*, That such kosher corned beef shall not be offered for sale to, nor received for the account of, any Federal agency unless they bear the abattoir's stamp clearly legible.

(iv) The following additions may be added to the applicable zone price:
(a) Dried beef is sold unwrapped or wrapped otherwise than in parchment paper, the applicable zone price shall be reduced 25¢ per cwt.

higher than minus 10° Fahrenheit, and the maintenance of the product in a thoroughly frozen condition until delivered to the buyer's place of business.

(f) "Miscellaneous beef item" means and is limited to any of the following items meeting the following minimum specifications:

(i) *Full trimmed beef tenderloin.* "Full beef tenderloin" means the cutter and carver grade tenderloin muscle with the attached side strip muscle lying inside the full loin, cut and trimmed as herein required. The tenderloin shall be removed from the full loin by cutting along the inside of the chine bone following the conformation of this bone from the tip of the loin or at the point where the 13th rib joins the 13th thoracic vertebra to the end of the chine bone or vertebra and by a cut at the butt end at a point adjacent to the 5th sacral vertebra and by a cut at the butt end of the tenderloin which shall be made along the hip bone following the natural seam (or blue seam) in the sirloin end of loin. Full trimmed beef tenderloin shall be void of any head muscle and all the excess fat shall be removed from the back of the tenderloin so as to expose the gland which lies about 6 inches forward from the butt end of the tenderloin. All the fat lying beyond the exposed gland shall be tapered down to a point that in no case shall extend beyond three quarters of the length of the entire tenderloin.

(ii) *Corned boneless brisket (deckle on).* "Corned boneless brisket" means that part of the trimmed brisket which has been cured after all the bones, and intercostal meat have been removed. The fat along the sternum edge of the corned brisket shall not exceed ½ inch, and all rough fat and ragged pieces of meat from both bone and skin side of boneless brisket shall be removed. The web muscle (full lip) shall be left attached with the thin tissue edge trimmed to expose the narrow portion of lean meat. The cured weight of corned boneless brisket shall not exceed the green weight by more than 10%.

(iii) *Corned boneless brisket (deckle off).* "Corned boneless brisket (deckle off)" means corned boneless brisket with the deckle removed. The deckle means the thin top layer of fat meat and tissue lying in the breast bone (sternum) side of the brisket.

(iv) *Corned boneless short plate.* "Corned boneless short plate" means that part of the trimmed short plate which has been cured after the skirt (diaphragm), skirt fat and all bones have been removed. The fell shall be stripped from the flank side of the plate and all fat exceeding ½ inch shall be removed. The cured weight of corned boneless brisket shall not exceed the green weight by more than 10%.

(v) *Cured beef hams (insides, outsides, knuckles).* "Cured beef hams (inside, outside, knuckle)", means the cured three natural muscle pieces into which the round is separated after the rump, shank and femur bone (round bone) have been removed.

The "knuckle" shall be separated by cutting through the natural muscle seam between the knuckle and outside muscle on the one side, and the knuckle and the inside muscle on the other side leaving one and one half inches of the wedge shaped piece of the meat from the overlapping inside muscle attached to the knuckle. The patella (or knee cap bone) may be left on the knuckle.

The "inside" and "outside" pieces shall be separated by a cut starting at the termination of the gambrel cord separating the shank end portion equally between the inside and outside, and continuing in a straight line to a point on the rump end which is just barely on the outside edge of the large muscle seam that is visible at this end. The gland which lies in the center between the inside and outside muscles shall be cut through so as to leave a portion of this gland in both muscles. All cod or udder fat and all other fat in excess of ⅛ of an inch shall be removed. The cured weight of beef hams shall not exceed the green weight by more than 10%.

(vi) *Corned short plate (bone in).* "Corned short plate means a cured short plate with all the diaphragm (skirt) and diaphragm (skirt fat) and all loose trimmings removed. The cured weight shall not exceed the green weight by more than 6%.

(vii) *Dried beef (insides, outsides, knuckles).* "Dried beef (insides, outsides, knuckles)" means cured insides, outsides or knuckles of the beef ham, which have the moisture content reduced so that the resulting weight is not in excess of 65% of the green weight, but in no event shall the moisture content exceed 2.5 times the protein content.

12. Section 1364.455 (a) (18) is added to read as follows:

(18) "Club cattle or calves" means any cattle or calves which have been bred, raised and fed, or fed only, by a member of a 4-H or F. F. A. club under the supervision of the Extension Service of the United States, or by an individual participating in a vocational agricultural project under the supervision of a vocational agricultural teacher in any recognized Vocational Agricultural Department, and which have been certified in writing to conform to the provisions hereof by the supervisor, club agent, agricultural county agent or vocational agricultural project teacher under whose supervision such cattle or calves were bred, raised or fed.

13. Section 1364.477 (a) (3) is amended to read as follows:

(3) "Processed products" means cured, pickled, spiced, smoked, dried or otherwise processed beef and/or veal, including sausage containing any proportion of beef or veal: *Provided*, That any beef carcass, or cut thereof, including any beef wholesale cut which has been boned as permitted in Subpart B of this Revised Regulation or otherwise, or any veal carcass, or cut thereof, including any veal wholesale cut which has been boned as permitted in Subpart C of this Revised Regulation or otherwise, or any miscellaneous beef item defined in § 1364.452 (p) or product of the same type or similar thereto shall not be deemed a processed product. Products of each grade and brand and in each stage of processing, shall be considered separate processed products. Each type of canned and packaged meat, made entirely from beef and/or veal shall be considered a separate processed product. Kosher processed products shall for the purposes of § 1364.476 be regarded as separate processed products.

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5734; Filed, April 12, 1943; 4:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 160 Under § 1499.3 (b) of GMPR [1]]

BROOKLYN COOPERAGE COMPANY

Brooklyn Cooperage Company, New York City, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine maximum prices for certain commodities which cannot be priced under § 1499.2 thereof.

Due consideration has been given to the application and an opinion in support of this amendment to Order No. 160 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

1. Section 1176 (a), Table 1, is amended by adding the following item:

Fir 17''	$1.53

2. Section 1176 (a), Table 2, is amended by adding the following items:

Fir:	
Keg:	
5/8''–10''	$0.38
7/8''–10''	.34

3. Section 1176 (a), Table 3, is amended by adding the following items under the designated columns:

	53/55	50/52
18 gal. head hoops 1 11/16'' width		$0.0226
19 gal. bilge hoops 1 11/16'' width	$0.0186	.0186

4. Section 1176 (a), Table 4, is amended to add at the bottom of the table the following:

For white oak tight sap and white oak sap clear: After applying the labor and overhead differentials add $0.11 per barrel.

5. Section 1176 (a), Table 5, is amended to add a column headed "Pitch" with the following entries:

	Pitch
55/60 gal	$0.35
50/54 gal	.35
40 gal	.35
30 gal	.35
25 gal	.32
20 gal	.32
15 gal	.29
10 gal	.28
7½ gal	.27
5 gal	.26

6. Section 1176 (a), Table 6, is amended by inserting immediately preceding the phrase "Boring holes in heads", the following items:

	Per barrel
Boring vent holes in head	$0.02
Boring vent holes in staves	.02

This amendment shall become effective April 13, 1943.

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5743; Filed, April 12, 1943; 4:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 381 Under § 1499.3 (b) of GMPR]

ROMANOFF CAVIAR COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1868. *Authorization of maximum prices for sales of Romar Brand*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3096, 3849, 4347.

has been rejected by the purchasing agency of a war procurement agency shall not be sold as frozen boneless beef (Army specifications).

11. Section 1364.452 (p) is added to read as follows:

(p) *Ground beef and miscellaneous beef items.* (1) On and after April 14, 1943, regardless of any contract, agreement or other obligation, no person shall sell or deliver any ground beef or miscellaneous beef item, and no person in the course of trade or business shall buy or receive any ground beef or miscellaneous beef item at a price higher than the maximum price permitted therefor in paragraph (p) (2) of this section.

powdered gravy and Romar Brand powdered mushroom soup by the Romanoff Caviar Company, 480 Lexington Avenue, New York, New York, by wholesalers and by retailers. (a) On and after April 13, 1943, the maximum prices for sales by the Romanoff Caviar Company, 480 Lexington Avenue, New York, New York, of the following dehydrated food items shall be:

Romar Brand powdered gravy:	
One pourd jar	$1.00
24 x 1 ounce envelopes	1.70
Romar Brand powdered mushroom soup:	
Two pound cans	1.60
12 x 4 ounce cans	2.75

These prices are list and at point of origin.

(b) Sellers at wholesale, until the Office of Price Administration issues a general fixed margin regulation governing sales of these items by wholesalers shall determine their maximum selling prices for the Romar Brand powdered gravy and Romar Brand powdered mushroom soup by adding to their net costs of these items a mark-up of 23% of their net cost, including freight charges.

(c) Sellers at retail, until the Office of Price Administration issues a general fixed margin regulation governing sales of these items by retailers shall determine their maximum selling price for the two new products by adding to their net costs of these items a mark-up of 41% of their net costs including freight charges.

(d) Net cost shall mean the price paid for the first delivery of Romar Brand powdered gravy and Romar Brand powdered mushroom soup in a customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost.

(e) No seller except a seller at retail shall change his customary discounts, allowances, price differentials or trade practices applying to comparable items of dehydrated foods in making sales of the subject commodities unless such changes result in a lower selling price.

(f) On and after April 13, 1943, Romanoff Caviar Company shall supply written notification to each wholesaler before or at the time of first delivery of Romar Brand powdered gravy and Romar Brand powdered mushroom soup and for a period of three months thereafter shall include with each shipping unit of Romar Brand powdered gravy and Romar Brand powdered mushroom soup a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser may be prepared separately for each of the listed items or may refer to both of the listed items, and shall include the following appropriate statements:

Notification from Romanoff Caviar Company to Wholesalers

The OPA has authorized us to charge wholesalers the following prices for Romar Brand powdered gravy and Romar Brand powdered mushroom soup subject to all customary allowances and discounts:

Romar Brand powdered gravy:	
One pound jar	$1.00
24 x 1 ounce envelopes	1.70
Romar Brand powdered mushroom soup:	
Two pound can	1.60
12 x 4 ounce cans	2.75

These prices are list and at the point of origin.

Wholesalers, until the Office of Price Administration issues a general regulation governing sales of these items by wholesalers, are authorized to establish a ceiling price for each item by adding to the net cost of the item 23% of such net cost including freight charges.

Retailers, until the Office of Price Administration issues a general regulation governing sales of these items by retailers, are authorized to establish a ceiling price by adding to their net cost of 41% of such cost, including freight charges.

Net cost shall mean the price paid for the first delivery of Romar Brand Powdered Gravy and Romar Brand Powdered Mushroom Soup in a customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No cost of local drayage, hauling, loading or unloading shall be included in net cost.

A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of one of these items to any retailer is a split case sale wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. The Office of Price Administration requires that you keep this notice for examination.

Notification from Romanoff Caviar Company to Retailers.

The OPA authorizes retailers, until the Office of Price Administration issues a general regulation governing sales of these items at retail, to establish ceiling prices for Romar Brand Powdered Gravy and Romar Brand Powdered Mushroom Soup by adding to the net cost of such items 41% of such net costs including freight charges.

Net cost shall mean the price paid for the first delivery of Romar Brand Powdered Gravy and Romar Brand Powdered Mushroom Soup in a customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost.

The Office of Price Administration requires that you keep this notice for examination.

(g) This Order No. 381 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 381 (§ 1499.1868) shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.: E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5742; Filed, April 12, 1943; 4:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14,[1] Amendment 160]

DEFENSE SUPPLIES CORPORATION

Modification of maximum prices for certain commodities, services and transactions of the General Maximum Price Regulation.[1]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73 (a) (95) is added to read as follows:

(95) *Maximum prices for the sale of elastic fabric by Defense Supplies Corporation.* The maximum price for the sale by the Defense Supplies Corporation of elastic fabric of any grade shall be 105 percent of the weighted average cost of acquisition of its inventory falling within that grade.

For the purposes of this subparagraph "elastic fabric" shall mean any fabric knitted, woven or braided containing bare rubber core or covered rubber thread, including all types of synthetic rubber core or thread, six inches in width or less, of any quality or in any condition whatsoever.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5739; Filed, April 12, 1943; 4:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 52 to GMPR[1]]

DRY EDIBLE BEANS, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.9 (a) (7) is amended to read as follows:

(7) Dry edible beans, leaf tobacco (whether dried or green), stemmed tobacco leaf irrespective of cutting incidental and preliminary to stemming or cigar making, tobacco stems sold as such, all nuts, linseed oil, manure, garbage, mixed seeds for house pets, and animal poultry tonics, condiments, medicants and other special foods not used as the entire normal or customary diet for animals or poultry but for necessary special treatment or care.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3096, 3849, 4347, 4486.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5735; Filed, April 12, 1943; 4:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 380 Under § 1499.3 (b) of GMPR]

OWENS-ILLINOIS GLASS COMPANY

Approval of maximum prices for 70 m/m paper vacuum closures and 63 m/m paper vacuum closure liners.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1867 *Authorization to Owens-Illinois Glass Company for sale of paper vacuum closures.* (a) On and after the effective date of this order, specific authorization is hereby given to Owens-Illinois Glass Company, of Toledo, Ohio, to sell and deliver or to offer to sell and deliver 70 m/m paper vacuum closures and 63 m/m paper closure liners only at prices not to exceed those set forth in paragraph (b) hereof, and any person may buy and receive or offer to buy and receive such closures and liners at such maximum prices from Owens-Illinois Glass Company.

(b) Maximum prices, per thousand, f.o.b. factory, for 70 m/m paper vacuum closures when ordered in quantities of: 1,000,000 or more, $7.96; more than 10,000 but less than 1,000,000, $8.29; less than 10,000, $9.54; for 63 m/m paper vacuum closure liners, $3.46 per thousand in any quantity.

(c) This Order No. 380 may be revoked or amended at any time by the Office of Price Administration.

(d) This Order No. 380 shall become effective April 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5741; Filed, April 12, 1943; 4:29 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 24]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respect:

1. Section 1315.503 (d) (1) (iv) is added to read as follows:

(iv) Used for rendering professional services at agricultural establishments by a farm veterinary, licensed by the appropriate governmental authorities and regularly rendering such professional services.

This amendment shall become effective April 19, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5770; Filed, April 13, 1943; 11:38 a. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR-366]

FRESH TUNA FISH

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale by producers of fresh tuna fish.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, the prices established are generally fair and equitable and will effectuate the purposes of the act. The prices established are not below the average price of fresh tuna fish in the year 1941.

A statement of considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.*

§ 1364.1155 *Maximum producers' prices for fresh tuna fish.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 366 (Fresh Tuna Fish), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.1155, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 366—FRESH TUNA FISH

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Article I—Maximum Producers' Prices, Prohibition and Scope of Regulation

SECTION 1. *Maximum producers' prices for fresh tuna fish.* The prices set forth below are maximum prices delivered to the purchasers' customary receiving points according to usual trade practices. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances.

Albacore	per ton	$325.00
Yellowfin	per ton	200.00
Bluefin	per ton	190.00
Skipjack (striped)	per ton	180.00
Bonito	per ton	155.00
Yellowtail	per ton	145.00

SEC. 2. *Sales of fresh tuna fish at higher than maximum prices prohibited.* (a) On or after April 19, 1943, regardless of any contract, agreement, or other obligation, no producer shall sell or deliver any fresh tuna fish and no person in the course of trade or business shall buy or receive any fresh tuna fish at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 3. *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight States of the United States and the District of Columbia.

SEC. 4. *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of fresh tuna fish to a purchaser, if prior to April 19, 1943, such fresh tuna fish have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

SEC. 5. *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation[1] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export fresh tuna fish shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

ARTICLE II—LIMITATION, RECORD KEEPING, ENFORCEMENT AND AMENDMENT

SEC. 6. *Conditional agreement.* No seller of fresh tuna fish shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by Section 1 in the event that this regulation is amended or is determined

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521, 3702, 3837, 4179.

[1] 8 F.R. 3096.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530; 8 F.R. 3846.

by a court to be invalid, or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

SEC. 7. *Records and reports.* (a) Every producer making a sale and every person making a purchase of fresh tuna fish in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after April 18, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the species and quantity sold.

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

SEC. 8. *Evasion.* No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for fresh tuna fish a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any fresh tuna fish, require a purchaser to buy any other species of fish or any other product.

SEC. 9. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

ARTICLE III—MISCELLANEOUS

SEC. 10. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 11. *Definitions.* When used in this maximum price regulation the term:

"Albacore" means fish of the genus *germo abalunga*.

"Bluefin" means fish of the genus *thunnus thynnus* (Pacific).

"Bonito" means fish of the genus *sarda chiliensis*.

"Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

"Price per ton" means the price per 2000 pounds net weight.

"Producer" means the fisherman and those persons allied with him in catching and landing tuna fish.

"Skipjack" (striped) means fish of the genus *euthynnus pelayms*.

"Yellowfin" means fish of the genus *neothunnus macropterus*.

"Yellowtail" means fish of the genus *seriola dorsalis*.

Effective Date

This regulation shall become effective April 19, 1943.

NOTE.—The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5771; Filed, April 13, 1943; 11:38 a. m.]

PART 1365—HOUSEHOLD FURNITURE

[Rev. MPR 213,[1] Amendment 1]

COIL AND FLAT BEDSPRING WITH NON-STEEL FRAMES

A statement of considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1365.61a is added to read as follows:

§ 1365.61a *Maximum prices for jobbers who did not sell bedsprings during March 1942.* A delivered or warehouse maximum price of a class of coil or flat bedspring listed in § 1365.53 of this Revised Maximum Price Regulation No. 213 for a person selling at wholesale who did not deliver or offer for delivery a bedspring during March 1942 shall be:

(a) The manufacturer's delivered or warehouse maximum price for such bedspring, f. o. b. the city, in which the person is making a sale at wholesale; or

(b) If the manufacturer has no such delivered or warehouse maximum price, the maximum price of the person selling at wholesale shall be the delivered or warehouse maximum price of his closest competitive seller for such bedspring made by the same manufacturer, f. o. b. the city in which the person is making a sale at wholesale; or

(c) If neither the manufacturer nor a competitive seller has a delivered or warehouse maximum price in such city, the maximum price of the person selling at wholesale shall be the manufacturer's f. o. b. factory, l. c. l. maximum price for such bedspring plus the freight costs for transporting such bedspring to the city in which the person is making a sale at wholesale by the least expensive readily available method of public carrier.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 150.

This amendment shall become effective April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5772; Filed, April 13 1943; 11:38 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amendment 40]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7551 (a) (44) is amended by inserting after the word "Pennsylvania" the phrase "except the portions which lie within the corporate limits of the Cities of Sharon, Sharpsville, Farrell and Wheatland" and by substituting for the phrase "except the portion which lies within the corporate limits of the City of Bristol" the phrase "except the portions which lie within the corporate limits of the Cities of Bristol and Bluefield."

2. In § 1394.8211 the third sentence is amended and a new sentence is added at the end of the text to read as follows:

Prior to deposit in a bank or any transfer of such coupons, the dealer or distributor who first accepted such coupons from a consumer shall write, stamp or print upon the coupon sheet his business or firm name, as registered at the board, his business address, the unit value of the coupons, the number of coupons attached, the total value of the coupons attached, and the date on which such coupon sheet is surrendered by him to a dealer or distributor for replenishment or, when it has never been so surrendered, the date on which such coupon sheet is deposited for credit in a ration bank account. Each dealer or distributor in a State which lies partly within and partly outside of such area shall also write, stamp, or print on such coupon the name of the county where his place of business is located.

3. Section 1394.8215 (i) is added to read as follows:

(i) On and after April 19, 1943, but not later than May 4, 1943, each dealer who operates a place of business within the corporate limits of the Cities of Sharon, Sharpsville, Farrell or Wheatland in the State of Pennsylvania, or the City of Bluefield in the State of Virginia, who has in his possession or control Class A, B, or C ration coupons received by him in exchange for transfers of gasoline at a time when such coupons had a value at the place of transfer of three (3) gallons of gasoline each, shall list all such coupons on Form OPA R-541 at a value of three (3) gallons each and deliver them to the board having jurisdiction over the place of business at which such coupons were received. The board shall issue to the dealer, in exchange for such coupons, inventory coupons equal in gallonage value to the listed value of coupons surrendered.

4. Section 1394.8215 (j) is added to read as follows:

(j) On and after April 19, 1943, but not later than May 4, 1943, each distributor who has in his possession or control Class A, B, or C ration coupons received by him in exchange for transfers of gasoline made within the corporate limits of the Cities of Sharon, Sharpsville, Farrell or Wheatland in the State of Pennsylvania, or the City of Bluefield in the State of Virginia, at a time when such coupons had, at the place of transfer a value of three (3) gallons of gasoline each, shall list all such coupons on a separate deposit slip and deposit them for credit at a value of three (3) gallons each, in appropriate ration bank accounts maintained by him.

This amendment shall become effective April 19, 1943.

NOTE.—All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5774; Filed, April 13, 1943; 11:39 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Supp. 1 to RO 5C,[1] Amendment 4]

MILEAGE RATIONING: GASOLINE REGULATIONS

Supplement 1 to Ration Order 5C is amended in the following respects:

Section 1394.8401 (a) (1) (ii) is amended by inserting after the word "Pennsylvania" the phrase "except the portions which lie within the corporate limits of the Cities of Sharon, Sharpsville, Farrell and Wheatland" and by substituting for the phrase "except the portion which lies within the corporate limits of the City of Bristol" the phrase "except the portions which lie within the corporate limits of the Cities of Bristol and Bluefield."

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2431, 2553, 2595, 2720, 2780, 3096, 3201, 3253, 3254, 3255, 3315, 3616, 4189, 4341.

This amendment shall become effective at 12:01 A. M. on April 19, 1943, and shall continue in force and effect until amended by further order or direction of the Office of Price Administration.

NOTE.—All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5775; Filed, April 13, 1943; 11:39 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,[1] Amendment 60]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5352 (a) is amended by substituting for the phrase "domestic cooking or lighting" the phrase "domestic cooking (including the cooking of food for canning or preserving) or domestic lighting" and by adding after the period at the end of the paragraph the sentence "If the ration required for domestic cooking is entirely or partially for the cooking of food for canning or preserving, the applicant shall state, in addition, the number of hours the oil burning equipment will be used, and the amount of fuel oil needed, for such purpose."

2. Section 1394.5353 (a) is amended by inserting after the phrase "domestic cooking" the parenthetical phrase "(including the cooking of food for canning or preserving)".

3. Section 1394.5353 (b) is amended by inserting after the phrase "domestic cooking" the parenthetical phrase "(exclusive of the cooking of food for canning or preserving)".

This amendment shall become effective on April 19, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, as amended; 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5776; Filed, April 13, 1943; 11:39 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 127,[1] Amendment 11]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 127 is amended in the following respects.

1. Section 1400.78 (c) (2) is amended by inserting after the phrase "any fabric covered by", the phrase "Maximum Price Regulation No. 39"[2] and deleting the phrase and footnote "Revised Price Schedule No. 39".[3]

2. Section 1400.78 (c) (46) is added to read as follows: (46) Corset and brassiere fabrics sold by a corset accessories supplier to be used in the making of corsets, brassieres, surgical garments and similar articles, or in the repairing or alteration thereof.

3. Section 1400.80 (b) is amended by inserting after the phrase "A petition for adjustment" the phrase "which shall be filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1,".

4. Section 1499.81 (a) (16) (ii) is amended by adding at the end thereof, the following:

(ii) * * * No such person shall, however, be deemed to be a contractor or subcontractor with respect to any contract for sale unless, at the date of the delivery of such goods or commodity pursuant thereto, there is an existing contract with a war procurement agency or a subcontract with a prime contractor who has an existing contract with a war procurement agency, and such delivery takes place with reference to the ultimate fulfillment of such existing contract or subcontract.

5. Section 1400.81 (a) (22) is added to read as follows: (22) "Corset accessories supplier" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to corsetieres, or producers engaged in the production of individually ordered corsets, brassieres, surgical garments and similar garments or in the repairing or alteration thereof.

6. Section 1400.82 (b) (2) (ii) is amended by inserting after the phrase "for which maximum prices are established by" the phrase "Maximum Price

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9627, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 3106, 3521, 3628, 3733, 3848, 3948, 4255, 4137, 4350.

[1] 8 F.R. 3057.

[2] 7 F.R. 5243, 5512, 6774, 8946, 8948.

Regulation No. 11"[1] and deleting the phrase and footnote "Revised Price Schedule No. 11".

7. § 1400.82 (i) (1) (vi) is amended by adding at the end thereof, the following:

(vi) * * * Notwithstanding any of the provisions of Maximum Price Regulation No. 204, the maximum price for finished piece goods sold by a cutter or manufacturer subject to the restrictions of this subdivision (vi), shall be the actual cost of such goods as defined in the footnote to subparagraph (1) of this paragraph.

8. Section 1400.82 (i) (3) is amended by inserting after the phrase "unless it is filed" the words "with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1" and deleting the phrase "in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration."

9. Section 1400.82 (L) (1) is amended by deleting therefrom the phrase "1 to 9.99 yard lengths discounted by 30%."

10. Section 1400.82 (r) (2) (i) is amended by deleting therefrom the phrase "1 to 10 yards, discount by 40%."

11. Section 1400.82 (u) (4) is amended by deleting after the phrase "for any moleskins" the words "or suedes" and by inserting after the phrase "in subparagraph (1) of this paragraph," the phrase "and for any suedes sold to clothing manufacturers for use as work clothing which are not specifically set forth in subparagraph (2) of this paragraph,".

12. Section 1400.82 (v) (1) is amended by inserting after the phrase "after March 15, 1943," the phrase, "notwithstanding any of the provisions of Maximum Price Regulation No. 204,".

This amendment shall become effective April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5779; Filed, April 13, 1943; 11:40 a. m.]

PART 1412—SOLVENTS

[MPR 28,[1] Amendment 2]

ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new § 1412.263 (h) (5) is added as follows:

(5) For the purposes of this paragraph (h), gallon shall mean a gallon of 190 proof ethyl alcohol. All cost computations and maximum price determinations and reports made pursuant to the formula contained in subparagraph (1) of this paragraph shall be on the basis of a gallon of 190 proof ethyl alcohol. Where ethyl alcohol of a proof higher than 190 proof is sold, the maximum price determined for a gallon of 190 proof may be increased in the same proportion as the proof of the ethyl alcohol being sold is increased over 190 proof. Where ethyl alcohol of 188 proof or higher but less than 190 proof is sold, the maximum price for a gallon of 190 proof ethyl alcohol shall be decreased at least in the same proportion as the proof of the ethyl alcohol being sold is decreased from 190 proof.

This amendment shall become effective as of April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5778; Filed, April 13, 1943; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR,[1] Corr. 1 to Amendment 143]

SULFURIC ACID SOLD ON LONG TERM CONTRACTS

In § 1499.73 (a) (87) (i) the proviso is corrected by inserting the word "may" after the word "seller" so that the proviso will read in part as follows:

Provided, That the buyer and seller may adjust prices * * *

This correction shall become effective on April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5777; Filed, April 13, 1943; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR,[1] Amendment 158]

BREAD CRUMBS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.73 (a) (77) (i) and (ii) are amended to read as follows:

(i) The maximum price or billing charge of every producer and of every other person for the sale or delivery of bread crumbs produced at a given production plant to any person other than an ultimate consumer or for the delivery of such bread crumbs to his distribution outlet shall be 10 cents per pound.

(ii) The maximum price of every person or distribution outlet for the sale or delivery of bread crumbs to an ultimate consumer shall be 12.5 cents per pound.

2. Section 1499.73 (a) (77) (iii) and (iv) are redesignated (iv) and (v) respectively.

3. A new subdivision (iii) is added in § 1499.73 (a) (77) to read as follows:

(iii) To the foregoing maximum price each seller of bread crumbs may add the actual packaging and transportation costs.

This amendment shall become effective April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5780; Filed, April 13, 1943; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 159]

IMPORTED COIR MATS CONTRACTED FOR PRIOR TO NOVEMBER 23, 1942

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (94) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(94) *Adjustment of the maximum prices of coir mats imported under contracts entered into prior to November 23, 1942.* (i) The maximum price of an importer for a coir mat contracted for by him prior to November 23, 1942, shall be:

(*a*) His maximum price on May 18, 1942, plus

(*b*) The increase in the amount of customs duty paid over the amount payable prior to May 15, 1942, on the same mat.

(ii) The amount of the duty which the importer shall have added to his existing maximum price of a coir mat under subdivision (i) hereof may be added to the existing maximum price of any purchaser of such mat from the importer.

(iii) The amount of duty which shall have been added to the existing price of a seller under subdivision (i) or (ii) hereof may be added to the existing maximum price of any subsequent purchaser who has paid the addition.

(iv) Before offering to sell or deliver one of the coir mats under the provisions of subdivisions (i), (ii) or (iii) hereof, any seller (other than a seller at retail) shall state on each invoice the following:

The Office of Price Administration has authorized the addition of an amount equal to the increase in duty to our maximum price for the door mat. This charge has been stated separately on the invoice. You and your subsequent purchasers are also authorized to add to your maximum prices the exact amount of the increase which you have paid, provided you bill the amount as a separate charge.

(v) The importer and each subsequent seller (other than at retail) shall be permitted to add the amounts authorized in subdivisions (i), (ii), (iii) and (iv) above to his maximum prices under the General Maximum Price Regulation on the condition that he states it as a separate charge on the invoice.

(vi) Prior to the first sale by the importer of any coir mat under the provisions of subdivision (i) hereof, the importer shall file with the Office of Price Administration in Washington, D. C., a verified statement of the number of coir mats contracted for prior to November 20, 1942, which became subject to an import duty of twelve cents per square foot, the number of such mats still on hand, and the number still to be imported.

(b) *Effective dates.* * * *

(116) Amendment No. 159 to Supplementary Regulation No. 14 shall become effective April 19, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5773; Filed, April 13, 1943; 11:38 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

PATUXENT RIVER, MD., RESTRICTED AREA

Pursuant to the provisions of Chapter XIX of the Army Act approved July 9, 1918 (40 Stat. 892; 33 U.S.C. 3) a portion of the Patuxent River near Solomons Island is hereby defined and established as a restricted area,[1] and the following regulations relating thereto are hereby adopted:

§ 204.36 *Patuxent River; Restricted Area, Naval Mine Warfare Test Station, Solomons, Md.*—(a) *The Area*—(1) *Point Patience Area.* All waters of the Patuxent River between shore lines, from a line drawn northeast-southwest True through Buoy C-9 to a line drawn northeast-southwest True through Buoy C-7.

(2) *Sandy Point Area.* All waters of the Patuxent River between shore lines, from a line drawn northeast-southwest True through Buoy C-7, to a line from Sandy Point to Buoy N-4 thence southwest True to the shore line.

(b) *The regulations.* (1) No vessel shall enter or remain in the Point Patience Area when in daylight red flags are flying or at night when red lights are displayed at the end of Pier 1, a straight 600-foot pier about 900 yards easterly from Point Patience Light, and Pier 2, a T-Pier 600 feet long with T of 600 feet located about 575 yards northerly from Point Patience Light.

NOTE: The Inspector of Ordnance in Charge, Naval Mine Warfare Test Station, Solomons, Maryland, in scheduling operations will give all practicable consideration to the interests of commercial navigation and the food fishing industry.

(2) All traffic in the Sandy Point Area must proceed as close as possible to the northeast shore (Solomons Island) when any boats or barges flying red flags or displaying red lights are operating in the area. Traffic so proceeding will do so at its own risk.

(3) These regulations shall be enforced by the Commandant of the Fifth Naval District and such agencies as he may designate.

(40 Stat. 892; 33 U.S.C. 3) [Regs. April 6, 1943 CE 800.2121 (Patuxent River)—SPEON]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5755; Filed, April 13, 1943; 10:22 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

[Amendment 6]

PART 12—INTERSTATE QUARANTINE

SHIPMENT OF SHAVING OR LATHER BRUSHES

Pursuant to the provisions of section 3 of the act of February 15, 1893, 27 Stat. 450, as amended (42 U.S.C. 92), § 12.14 of the Interstate Quarantine Regulations of the United States, 42 CFR 12.1, etc., is hereby amended to read as follows:

§ 12.14 *Shipment of shaving or lather brushes.* No person, firm, or corporation shall offer for shipment in interstate traffic, and no common carrier shall accept for shipment or shall transport in interstate traffic any shaving or lather brush unless manufactured in accordance with the following regulations:

(a) Shaving brushes or lather brushes shall be made only from hair or bristles known to be free from anthrax spores.

(b) To insure that such hair and bristles are free from anthrax spores each manufacturer of shaving or lather brushes shall secure a permit from the United States Public Health Service certifying that his plant has been inspected by a representative of the United States Public Health Service, and that the following measures of effective sterilization for all hair and bristles used by him in the manufacture of shaving brushes are carried out either in the plant itself or in another establishment holding a permit for such work from the United States Public Health Service:

(1) Hair and bristles arriving at the plant are stored apart from such material sterilized in the plant and are marked with proper identification.

(2) Separate mixing machines and other equipment and fixtures are used on sterilized and unsterilized material.

(3) Hair or bristles during the process of sterilization are tied in unwrapped bundles not exceeding two inches in diameter or are placed untied in an autoclave in a manner approved by the United States Public Health Service. Bundles of hair or bristle are placed on racks in the autoclave so that adjacent bundles are not in contact.

(4) Hair or bristles are sterilized by exposure in an autoclave to steam under pressure at a minimum of 120° centigrade for one hour following the gravity exhaust of air. Steam temperatures are measured at the lowest point in the autoclave near the exhaust line. Temperatures are measured by recording thermometers approved by the United States Public Health Service.

(5) Sterilized hair and bristles are stored by themselves in clean containers and labeled with the date and method of their sterilization. Permanent records are kept of each lot of hair or bristles indicating the date and method of their sterilization.

(c) All shaving or lather brushes are permanently marked with the name of the manufacturer or with a registered trade mark.

(Sec. 3, 27 Stat. 450; 42 U.S.C. 92.)

[SEAL] THOMAS PARRAN,
Surgeon General.

APRIL 5, 1943.

Approved: April 8, 1943.

PAUL V. MCNUTT,
Administrator,
Federal Security Agency.

[F. R. Doc. 43-5766; Filed, April 13, 1943; 11:31 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-125]

J. T. DANIELS

NOTICE OF FILING APPLICATION

Notice of filing application pursuant to § 301.132 of the rules of practice and procedure before the Division.

Notice is hereby given that an application dated March 23, 1943, for disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the Division) on March 24, 1943, pursuant to § 301.132 of the Rules of Practice and Procedure before

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[1] 8 F.R. 361, 2206.

[1] 8 F.R. 2339, 4256.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3096, 3849.

[1] Map of area filed as part of the original document.

the Bituminous Coal Division, by J. T. Daniels, the above named code member (the Code Member).

The application was filed in respect to the written complaint dated October 5, 1942, filed October 5, 1942, by the Bituminous Coal Producers Board for District No. 8, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the Act), alleging that the Code Member who operates the Daniels Mine, Mine Index No. 646, located in Pike County, Kentucky, District No. 8, willfully violated section 4 II (e) and (g) of the Act and Part II (e) and (f) of the Bituminous Coal Code (the Code) and the Order in General Docket No. 19 dated October 9, 1940, as follows:

By selling to the Shelby Steam Coal Company of Shelbiana, Kentucky, during the period July 17, 1941, to September 30, 1941, both dates inclusive, approximately 210.45 net tons of straight run of mine coal, produced at the above named mine, at prices of $2.00 and $2.10 per net ton f. o. b. rail cars, whereas the effective mine price for said coal was $2.10 per net ton f. o. b. the mine, and the cost of transporting said coal from the mine to the point of delivery was approximately fifteen cents per net ton;

By selling and delivering the above described coal to the Shelby Steam Coal Company of Shelbiana, Kentucky, for rail shipment during the period July 17, 1941, to September 30, 1941, both dates inclusive, whereas prices temporary or final had not been established by the Division for the sale of said coal for rail shipment.

In said application the code member admits all of the violations alleged in the complaint, and consents to the entry of an order by the Director enjoining and restraining the Code Member from further violations of the Act, the Code, and rules and regulations thereunder.

In the application the Code Member states that to the best of his knowledge and belief he has not committed any violation of the Act, the Code, or rules and regulations promulgated thereunder other than the violations referred to in the complaint herein.

All interested parties may, if they desire to do so, file with the Division recommendations or requests for informal conferences in respect to said application, within fifteen (15) days from the date of this notice.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5746; Filed, April 13, 1943; 10:20 a. m.]

[Docket No. B-189]

WHEELING VALLEY COAL CORPORATION

ORDER RESTORING CODE MEMBERSHIP

A written complaint dated January 16, 1942, having been filed on January 16, 1942, by the Bituminous Coal Producers Board for District No. 6, complainant, pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violations by Wheeling Valley Coal Corporation, a code member, Wheeling, West Virginia, of the Bituminous Coal Act and the rules and regulations promulgated thereunder; and

An order having been issued herein on September 22, 1942, revoking and cancelling the code membership of the said Wheeling Valley Coal Corporation in the Bituminous Coal Code and providing pursuant to Section 5 (c) of the Bituminous Coal Act for the payment to the United States of a tax in the amount of $5,750.14 as a condition precedent to the restoration of Wheeling Valley Coal Corporation to membership in the Code; and

An application dated October 1, 1942, having been granted by order of the Division issued October 16, 1942, conditionally restoring the membership of said Wheeling Valley Coal Corporation in the Code effective as of the effective date of said Order of Revocation upon the following terms and conditions:

In the event of default by Wheeling Valley Coal Corporation in making any installment payment as agreed in said joint application, as amended, such conditional restoration of code membership shall become wholly ineffective as of October 2, 1942, the entire balance of said tax then owing shall become due and payable and all coal sold or otherwise disposed of by said Wheeling Valley Coal Corporation on and after October 2, 1942, shall be subject to the 19½ percent tax provided by section 3520 (b) (1) of the Internal Revenue Code; and

Said order dated October 16, 1942, conditionally restoring code membership, having provided that upon payment of the aforesaid tax in full accordance with the terms of the application as amended, the code member shall submit to the Division a statement by the Collector of Internal Revenue showing that said tax has been paid in full and thereupon an order shall be issued restoring the code member to full and unconditional membership in the Code as of the effective date of the revocation and cancellation of its code membership; and

Wheeling Valley Coal Corporation, by its attorney, having filed with the Bituminous Coal Division on April 5, 1943, its application for restoration to full and unconditional code membership; and

It appearing from said application, and a copy of a statement attached thereto, issued by the Collector of Internal Revenue, Parkersburg, West Virginia, filed by said applicant with the Bituminous Coal Division on April 5, 1943, that the final installment of said tax was paid on March 25, 1943;

Now, therefore, it is ordered, That the code membership of Wheeling Valley Coal Corporation be, and the same hereby is fully and unconditionally restored effective as of the effective date of revocation of its code membership.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5753; Filed, April 13, 1943; 10:22 a. m.]

[Docket No. 1781-FD]

MATTHEW PHILLIPS

ORDER RESTORING CODE MEMBERSHIP

A written complaint dated June 25, 1941, having been filed on July 17, 1941, by the Bituminous Coal Producers Board for District No. 6, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging willful violations by Matthew Phillips, a code member, New Cumberland, West Virginia, of the Bituminous Coal Act and the rules and regulations promulgated thereunder; and

An order having been issued herein on June 13, 1942, revoking and cancelling the code membership of the said Matthew Phillips in the Bituminous Coal Code and providing pursuant to section 5 (c) of the Bituminous Coal Act for the payment to the United States of a tax in the amount of $749.41 as a condition precedent to the restoration of Matthew Phillips to membership in the Code; and

An application dated November 14, 1942, having been granted by order of the Division issued November 30, 1942, conditionally restoring the membership of said Matthew Phillips in the Code as of the effective date of said order of revocation upon the following terms and conditions:

In the event of default in payment of any installment as provided in said Agreement between said Matthew Phillips and F. Roy Yoke, Collector of Internal Revenue, dated November 11, 1942, (a) such conditional restoration of code membership shall become wholly ineffective, (b) the entire balance of said tax then owing shall become due and payable, and (c) the 19½ % tax provided by section 3520 (b) (1) of the Internal Revenue Code shall be imposed on all coal produced by said Matthew Phillips and sold or otherwise disposed of by him on and after the original effective date of revocation of code membership referred to above; and

Said order dated November 30, 1942, conditionally restoring code membership, having provided that upon payment of the said tax in full in accordance with the terms of said agreement, the code member should submit to the Division the receipt therefor issued by the Collector of Internal Revenue showing that the tax has been fully paid and thereupon, an order would be issued restoring the code member to full membership in the Code; and

Matthew Phillips, by his attorney, having filed with the Bituminous Coal Division on March 31, 1943, his application for restoration to full and unconditional code membership; and

It appearing from said application and the statement filed by the Collector of Internal Revenue, dated April 7, 1943, that the final installment of said tax was paid on March 25, 1943;

Now, therefore, it is ordered, That the code membership of Matthew Phillips be, and the same hereby is fully and unconditionally restored effective as of the effective date of revocation of his code membership.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5752; Filed, April 13, 1943; 10:21 a. m.]

[Docket No. A-1906]

DISTRICT BOARD 23

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for mines in Subdistrict "D", District No. 23.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, has been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced at all mines in Subdistrict "D" in District No. 23 for rail and truck shipments.

No petitions of intervention have been filed with the Division in the above-entitled matter.

After due consideration it appears that an adequate showing of necessity has been made for the granting of temporary relief as hereinafter set forth. It appears further, however, that the original petition does not allege sufficient facts for establishing permanent price classifications or minimum prices as requested, without a hearing.

Now, therefore, it is ordered, That, pending further order of the Director, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 23 for All Shipments is supplemented to include the price classifications and minimum prices set forth in the Schedule marked Supplement R and T annexed hereto and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

An order scheduling a hearing to adduce facts upon which final relief may be based in this matter will be issued in due course.

Dated: April 7, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5748; Filed, April 13, 1943; 10:20 a. m.]

[Docket No. B—364]

RIO GRANDE COAL CO.

NOTICE OF FILING OF APPLICATION, ETC.

In the matter of E. K. Olson, W. F. Olson, Francis Bradley and Mrs. George M. Hansen, individually and as partners, doing business under the name and style of Rio Grande Coal Company, code member.

Notice of filing of application, as amended, for disposition of compliance proceeding without formal hearing, pursuant to § 301.132 of the rules of practice and procedure before the bituminous coal division.

Notice is hereby given that an application dated March 2, 1943 (the application), for the disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the Division) on March 8, 1943, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division, by E. K. Olson, W. F. Olson, Francis Bradley and Mrs. George M. Hansen, individually and as partners, doing business under the name and style of Rio Grande Coal Company, a Code Member (the Code Member), and that an amendment dated March 12, 1943, to the application was filed with the Division on March 17, 1943.

The application as amended was filed with respect to a Notice of and Order for Hearing dated February 19, 1943, issued pursuant to the provisions of section 6 (a) and other pertinent provisions of the Bituminous Coal Act of 1937 (the Act) for the purpose of determining whether the Code Member had violated the Act, the Bituminous Coal Code (the Code) and the rules and regulations issued thereunder in the respects set forth in said Notice of and Order for Hearing.

In the application, as amended, the code member:

1. Admits that it wilfully violated section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, by selling during the period January 20, 1941, to March 31, 1941, both dates inclusive, approximately 1,446.97 net tons of 3" lump coal, Size Group 3, produced at its Rio Grande Mine, Mine Index No. 18, to the War Department, United States Government, at delivered prices ranging from $4.25 to $9.00 per net ton, which prices were less than the effective minimum f. o. b. mine price of $3.24 per net ton established therefor, plus an amount at least equal, as nearly as practicable, to the actual transportation, handling and incidental charges for delivery of said coal from the mine to the points of delivery to the said purchaser.

2. Admits that it wilfully violated section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, by selling during the period January 20, 1941 to March 31, 1941, both dates inclusive, approximately 550.16 net tons of 3" lump coal, Size Group 3, to the War Department, United States Government at delivered prices ranging from $4.75 to $6.00 per net ton, which prices were less than the effective minimum f. o. b. mine price of $3.34 per net ton, established for said coal, plus an amount at least equal, as nearly as practicable, to the actual transportation, handling, and incidental charges for delivery of said coal from the originating mine to the point of delivery to said purchaser; that said coal was purchased from one Carl Nyman, a code member who produced it at his National Mine, Mine Index No. 179.

3. Admits that it wilfully violated Order No. 14 of the National Bituminous Coal Commission, dated July 15, 1937, which was adopted by Order of the Division dated July 1, 1939, and Rule 7 of section VI of the Marketing Rules and Regulations of the Division, by failing to file with the Statistical Bureau for District 20 a copy of the contract for the sale of the coal referred to in paragraphs 1 and 2, hereof.

4. Admits that it wilfully violated Rules 1 and 2 of section VIII of the Marketing Rules and Regulations of the Division by failing to file with the Statistical Bureau for District 20 a report of the analysis of the coal referred to in paragraphs 1 and 2 hereof as required by said Rules.

5. States that to the best of its knowledge and belief it has not committed any other violations of the Act, the Code, or regulations thereunder.

6. Consents, upon the basis of the above-mentioned admitted violations, to the entry of an order cancelling and revoking its code membership, or to the entry of an order directing it to cease and desist from further violations, or to the entry of an order cancelling and revoking its code membership and also enjoining it from violations of the Code and regulations thereunder upon any restoration of it to code membership.

7. Agrees to pay a tax to be determined by the Division upon the basis of the above-admitted violations as a condition precedent to restoration of its membership in the Code.

8. Represents as extenuating circumstances that it made bids on a large number of advertisements for offers to sell coal to the said War Department with the expectation of being awarded only a few of the contracts for which bids were made, but that it was awarded by the War Department an unexpectedly large number of contracts for sale and delivery, which contracts the code member could not fulfill without purchasing coal in addition to that produced at its own mine and without employing independent truck operators to transport such coal at a transportation charge higher than that estimated by the code member in making such bids; and that, accordingly, the foregoing admitted violations were not premeditated.

All interested parties desiring to do so may within fifteen (15) days from the date of this notice file with the Division recommendations or requests for informal conferences in respect to such application, as amended.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5747; Filed, April 13, 1943; 10:20 a. m.]

[Docket No. A-1849]

DISTRICT BOARD 8

ORDER DENYING TEMPORARY RELIEF

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices, and for changes in shipping points and freight origin group nos. for the coals of certain mines in District No. 8.

An application to modify order granting temporary relief and motion for final

relief in accordance therewith having been duly filed with this Division by the above named party, requesting that the order dated February 13, 1943, 8 F.R. 2963, granting temporary relief and conditionally providing for final relief issued in this docket be modified by accepting for filing on April 1, 1943 the application to modify the temporary relief therein granted, although filed subsequent to forty-five (45) days from the date of such order, and that the Schedules of Effective Minimum Prices for District No. 8 for All Shipments Except Truck be supplemented by including therein a provision in substance as follows:

Size Group 16 coals produced by L. A. Wilson (Wilson Coal Company) from Shrewsbury mine, Mine Index No. 575, may be sold to Cedar Grove Collieries, Inc., for loading into barges or other floating equipment (either as Size Group 16 coals or as screen into other sizes) at the tipple of Cedar Grove Collieries, Inc., located at Cedar Grove, West Virginia, in mixture with coals produced by Cedar Grove Collieries, Inc., from Cedar Grove mine, Mine Index No. 96, at not less than the minimum price applicable to the sale of Size Group 16 coals produced by Cedar Grove Collieries, Inc., from said Cedar Grove mine for free alongside deliveries; and Cedar Grove Collieries, Inc., may resell such coals purchased from L. A. Wilson (Wilson Coal Company) and loaded into barges or other floating equipment (either as Size Group 16 coals or as screened into other sizes) at the said tipple at not less than the minimum prices applicable to the same shipment of coals of the same size produced by it from Cedar Grove mine, Mine Index No. 96, to the same effect in all respects as if such coals purchased from L. A. Wilson (Wilson Coal Company) were produced from Cedar Grove mine.

It appearing that a reasonable showing of necessity has not been made for the granting of temporary relief and that the application does not set forth sufficient facts to warrant the granting of temporary or final relief requested without a hearing;

Now, therefore, it is ordered, That temporary relief requested by petitioner be, and the same hereby is, denied.

An order scheduling a hearing to adduce facts upon which final relief may be based in this matter will be issued in due course.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5750; Filed, April 13, 1943; 10:21 a. m.]

[Docket Nos. A-1889, A-1889 Part II]

DISTRICT BOARD 15

MEMORANDUM OPINION AND ORDER SEVERING DOCKET, ETC.

In the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

In the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of the Little Jim Mine.

Memorandum opinion and order severing Docket No. A-1889 Part II from Docket No. A-1889 and granting temporary relief in Docket No. A-1889 Part II.

The original petition in the above-entitled matter was filed with the Division on February 26, 1943, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15. Petitioner requests that no permanent price classifications or minimum prices be established for the coals of the Little Jim Mine (Mine Index No. 1667), located in Putnam County, Missouri, pending the entry of a final order in Docket No. A-179.

Petitioner alleges that the coals produced from the Little Jim Mine are analogous to the coals produced from other mines in Putnam County, Missouri, and, in view of the fact that the latter coals are presently subject to temporary minimum prices established in Docket No. A-179, requests that no permanent price classifications and minimum prices be established for the coals of the Little Jim Mine pending a final determination in that matter.

It appears that a reasonable showing of necessity has been made for the granting of the relief prayed for by petitioner. However, in view of the fact that petitioner requests only the temporary establishment of price classifications and minimum prices for the coals of the Little Jim Mine, it is deemed advisable to sever that portion of Docket No. A-1889 relating to such coals from the remainder of the docket and to designate the severed portion as Docket No. A-1889 Part II.

Now, therefore, it is ordered, That that portion of Docket No. A-1889 relating to the coals of the Little Jim Mine (Mine Index No. 1667) of Jim and Harry Gadberry, in Putnam County, Missouri, Production Group 3 in District No. 15 be, and it hereby is, severed from the remainder of that docket and designated Docket No. A-1889 Part II.

It is further ordered, That pending final disposition of Docket No. A-1889 Part II, temporary relief is granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 15 for Truck Shipments is supplemented to include the price classifications and minimum prices set forth below for the coals of the Little Jim Mine, Mine Index No. 1667, of Jim and Harry Gadberry, for shipment by truck to all market areas.

DISTRICT NO. 15

FOR TRUCK SHIPMENTS

[Prices in cents per net ton for shipment into all market areas]

Code member	Mine index No.	Mine name	Production group No.	County
Gadberry, Jim and Harry (Jim Gadberry)	1667	Little Jim	3	Putnam, Mo.

[Prices and size group numbers]

Size group:	*Minimum prices*	Size group:	*Minimum prices*
1	240	9	240
2	240	10	195
3	240	11	220
4	240	12	205
5	240	13	—
6	225	14	145
7	210	15	45
8	200		

Notice is hereby given, that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5751; Filed, April 13, 1943; 10:21 a. m.]

[Docket No. A-1737]

DISTRICT BOARDS 7 AND 8

ORDER POSTPONING HEARING

In the matter of the petition of District Boards Nos. 7 and 8 for an increase in minimum prices, pursuant to section 4 II (a) and (b) of the Bituminous Coal Act of 1937,

Bituminous Coal Producers Board for District No. 3, an interested party in the above-entitled matter having moved that the hearing therein heretofore scheduled to be held on April 15, 1943 be postponed until May 5, 1943, in order that any changes in costs resulting from current wage negotiations may be included in the evidence to be offered at the hearing and because of the possibility of the enactment of amendments to the Bituminous Coal Act of 1937 which may affect the hearing in this matter; and

It appearing that good cause has been shown why said motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from April 15, 1943 to May 5, 1943 at the time and place heretofore designated.

Dated: April 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5749; Filed, April 13 1943; 10:21 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6028]

CERTIFICATES OF AUTHORITY

ORDER DISMISSING PROCEEDING

In the matter of section 214 of the Communications Act of 1934; the considerations of public interest involved therein; the applications thereunder for certificates of authority to extend lines; certificates granted by the Commission on such applications; the terms and conditions contained in such certificates; and whether or not such terms and conditions have been complied with.

At a regular session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of April, 1943;

The Commission having under consideration the record in the above-entitled proceeding; and

It appearing that section 214 of the Communications Act of 1934 was amended, effective March 6, 1943, by Public Law No. 4, 78th Congress, 1st Session, and that the effects of such amendment should be considered by the Commission in determining the scope and application of such section and the policy to be followed in its administration;

It is ordered, That the above-entitled proceeding be, and it is hereby, dismissed.

[SEAL] T. J. SLOWIE,
Secretary.

[F R Doc. 43-5754; Filed, April 13, 1943; 10:22 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 922]

MERZ & CO. CHEMICAL WORKS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Merz & Co. Chemische Fabrik, a company organized under the laws of Germany with its principal place of business at Frankfurt a/Main, Germany, is a national of a designated enemy country (Germany);

2. Finding that Friedrich Merz, whose last known address was Frankfurt a/Main, Germany, is a national of a designated enemy country (Germany);

3. Finding that Adolf Schickert is a subject of Germany and is presently interned in the United States and therefore is a national of a designated enemy country (Germany);

4. Finding that 100 shares of no par value common capital stock, represented by Certificate #2, of Merz & Co. Chemical Works, Inc., a New York corporation, Newark, New Jersey, are registered in the name of George Merz and beneficially owned by Friedrich Merz;

5. Finding that Merz & Co. Chemical Works, Inc. is a business enterprise within the United States and that said 100 shares constitute all of the outstanding capital stock of said business enterprise and are evidence of ownership and control thereof;

6. Determining, therefore, that said business enterprise is controlled by said Friedrich Merz and is a national of a designated enemy country (Germany);

7. Finding that the property described as follows:

The interest of Friedrich Merz in the bankrupt estate of Merz & Co. Chemical Works, Inc. as represented by 100 shares of common capital stock registered in the name of George Merz,

is an interest in the aforesaid business enterprise held by a national of a designated enemy country (Germany);

8. Finding that said Merz & Co. Chemical Works, Inc. is presently being liquidated by a referee in bankruptcy pursuant to a voluntary petition in bankruptcy dated October 9, 1941, under the supervision of the United States District Court, District of New Jersey, located at Newark, New Jersey;

9. Finding that the aforesaid Merz & Co. Chemische Fabrik and Adolf Schickert have claims against Merz & Co. Chemical Works, Inc. as adjusted and allowed by the aforesaid referee in bankruptcy;

10. Finding that the property described as follows:

All rights in and to claims, together with all rights to enforce such claims, which Merz & Co. Chemische Fabrik and Adolf Schickert may have in the bankrupt estate of Merz & Co. Chemical Works, Inc.,

is property which is in the process of administration by a person acting under judicial supervision (namely, that of the United States District Court, District of New Jersey, Newark, New Jersey) and which is payable or deliverable to, or claimed by, nationals of a designated enemy country (Germany);

11. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

12. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

13. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the aforesaid stock Certificate #2 and the property described in subparagraphs 7 and 10 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5765; Filed, April 13, 1943; 11:20 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under MPR 214]

TAYLOR-WHARTON IRON AND STEEL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 5 under Maximum Price Regulation No. 214—High Alloy Castings; Docket No. 3214-7.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices of Taylor-Wharton Iron and Steel Company on sales of high alloy wheelabrator blade castings. (a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 214 Taylor-Wharton Iron and Steel Company, High Bridge, New Jersey may sell and deliver high alloy wheelabrator blade castings made from pattern number 23820 at a price not to exceed $1.08 per piece, f. o. b. High Bridge, New Jersey, and persons may buy and receive these castings from Taylor-Wharton Iron and Steel Company as above.

(b) The provisions of paragraph (a) shall be applicable for all high alloy wheelabrator blade castings shipped by Taylor-Wharton Iron and Steel Company on and after March 16, 1943.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 5 shall be effective April 13, 1943.

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5730; Filed, April 12, 1943; 4:28 p. m.]

[Order 256 Under MPR 188]

EASTMAN KODAK CO.

APPROVAL OF MAXIMUM PRICES

Order No. 256 under § 1499.158 of Maximum Price Regulation No. 188[1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales of certain photographic and optical equipment by Eastman Kodak Company to the United

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155, 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140.

States or Allied Governments and war industries.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) *Scope of order.* This order provides the formula to be used by Eastman Kodak Company, Rochester, New York, in calculating its maximum prices for sales only to the United States or Allied Governments and to war industries of certain articles which cannot be priced under §§ 1499.155 to 1499.157, inclusive, of Maximum Price Regulation No. 188, or which cannot be priced under those sections without undue hardship. This order applies only to cameras, photographic apparatus and mechanical equipment, microphile equipment, sundries, lenses, filters, and other optics and mechanical x-ray equipment manufactured by Eastman Kodak Company.

(b) *Pricing formula.* The maximum price for each article covered by this order shall be calculated as follows:

(1) *Computation of unit direct cost.* The company shall compute the cost per unit for direct labor and material on the basis of the following wage rates, material prices, and operating conditions:

(i) *Wage rates.* The wage rates used shall be the highest wage rates in effect in the company's plant for any substantial portion of March 1942 for each class of labor involved in the production of the article.

(ii) *Material prices.* The price of any material used in the article being priced shall be the highest price charged during March 1942 (as defined in § 1499.163 of Maximum Price Regulation No. 188) by the company's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of the material to the company by its supplier, such lower price shall govern. The "company's supplier" shall be its March 1942 supplier of the material or, lacking a March 1942 supplier of the material, its most recent supplier of the material. If neither of these exists, it shall be its potential supplier.

(iii) *Operating conditions.* Using the wage rates and material prices determined under (i) and (ii), the company shall compute the cost per unit of direct labor and materials according to the methods customarily employed by it in computing its cost, on the basis of production techniques employed in its plant at the time of mailing the report required by paragraph (c) of this order and on the basis of the volume of production it reasonably expects.

(2) *Factory burden.* Factory burden shall be calculated by applying to direct labor the rates experienced for the first 24 weeks of 1942, as stated in the company's letter of February 15, 1943, to the Office of Price Administration. Total factory cost shall then be computed by adding factory burden to the unit direct cost.

(3) *Administrative expenses.* Administrative expenses shall be calculated by applying to total factory cost the rates experienced by the company for the first 24 weeks of 1942, as stated in the company's letter of February 15, 1943, to the Office of Price Administration. Total cost shall then be computed by adding administrative expenses to total factory cost.

(4) *Final mark-up.* Final mark-up shall be calculated by applying to the above total cost the average percentage mark-up for the first 24 weeks of 1942 on comparable types of business with the United States Government and war industries, as stated in the company's letter of February 15, 1943, to the Office of Price Administration.

(5) *Special costs.* Estimated special costs will be amortized over the order or quoted separately, and re-orders will be priced accordingly, depending upon whether or not the company has been reimbursed for the special costs. "Special costs" include the following expenses: training, design, layout, development, and engineering. No mark-up shall be taken on these costs.

The maximum price shall then be calculated by adding the final mark-up and the special costs to the total cost.

(c) *Reports.* In the case of an article for which a maximum price must be determined under this order, the company may at any time offer for sale, sell, or deliver the article at a tentative price, if it informs the purchaser that the maximum price must be determined under this order. In such case it must refund any amount collected in excess of the price so determined. Ten days after the formation of the contract the company shall submit a report of the maximum price as computed by it to the Office of Price Administration, Washington, D. C. The report shall contain a description of the article being priced, an explanation of the computation of the cost and the maximum price, and a statement of the facts which make it necessary to price the article under this order. Fifteen days after the mailing of the report, in the absence of a notification to the contrary from the Office of Price Administration, the reported maximum price shall stand approved. Such approved price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration.

(d) Unless the context otherwise requires, the definitions contained in § 1499.163 of Maximum Price Regulation No. 188 shall apply to all terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 12, 1943.

Issued this 10th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5768; Filed, April 13, 1943; 11:38 a. m.]

[Order 257 Under MPR 188]

KIT-PAK COMPANY

APPROVAL OF MAXIMUM PRICES FOR 8 MILITARY KIT BAGS

Order No. 257 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is ordered:

(a) Kit-Pak Company, 68 Park Place, New York, New York, is authorized to sell and deliver the following military kit bags manufactured by it at prices no higher than those set forth below:

No. 101 Army & Navy laundry bag, $5.00 per dozen to Army Post Exchanges & Navy Ship Stores: $5.75 per dozen to retail outlets.

No. 104 Navy clothes bag, $3.60 per dozen to Army Post Exchanges & Navy Ship Stores; $4.14 per dozen to retail outlets.

No. 110 Army shoe bag, $2.60 per dozen to Army Post Exchanges & Navy Ship Stores; $3.00 per dozen to retail outlets.

No. 113 Washroom apron & toilet kit roll, $5.40 per dozen to Army & Navy Exchanges & Navy Ship Stores; $6.20 per dozen to retail outlets.

No. 114 Army inspection kit, $6.00 per dozen to Army Post Exchanges & Navy Ship Stores; $6.90 per dozen to retail outlets.

No. 105 Army clothes bag, $4.20 per dozen to Army Post Exchanges & Navy Ship Stores; $4.83 per dozen to retail outlets.

No. 109 Army laundry bag, $4.80 per dozen to Army Post Exchanges & Navy Ship Stores; $5.52 per dozen to retail outlets.

No. 103 Ditty bag, $1.80 per dozen to Army Post Exchanges & Navy Ship Stores; $2.07 per dozen to retail outlets.

This Order No. 257 may be revoked or amended by the Price Administrator at any time.

This Order No. 257 shall become effective on the 14th day of April, 1943.

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5769; Filed, April 13, 1943; 11:39 a. m.]

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Washington, Thursday, April 15, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 49]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS RELATIVE TO IRISH POTATOES

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, and in order to assure an adequate supply and efficient distribution of Irish potatoes to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1405.4 *Restrictions with regard to Irish Potatoes*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(3) The term "Irish potatoes" means any and all varieties of the edible starchy subterranean tuber of an American plant of the species *Solanum tuberosum*.

(4) The term "governmental agency" means and includes the Food Distribution Administration, United States Department of Agriculture, the Army, and any other agency or instrumentality designated by the Director.

(b) *Restrictions.* (1) No person may ship from the State of Maine, or from any of the remainder of the area included in the territorial scope of this order specified pursuant to paragraph (c) hereof, any Irish potatoes until after such person has applied to the Director and received from him a permit to ship the respective lot of Irish potatoes. A permit to ship may be issued by the Director in the event (i) an applicant offers to sell to a governmental agency 100 per centum of the total quantity of Irish potatoes included in the application; (ii) such offer to sell to a governmental agency is at a price no higher than the maximum ceiling price specified by the Office of Price Administration applicable to the respective lot of Irish potatoes; (iii) any such Irish potatoes thus offered for sale to a governmental agency are in sacks, crates, or other containers satisfactory to the Director; and (iv) the Irish potatoes in the lot thus offered for sale to a governmental agency are, with respect to grade and quality (considering the grade and quality of the entire quantity of Irish potatoes included in the application), satisfactory to the Director.

(2) The Director may, if he deems that such will tend to effectuate the purposes of this order, issue permits for the shipment of Irish potatoes notwithstanding any other provision hereof.

(3) The Director shall, notwithstanding any other provision hereof, issue a permit to ship (i) any lot of selected seed Irish potatoes in the event the respective shipment is within one of the categories (1) to (4), inclusive, set forth in § 1351.1019 (d) of the Maximum Price Regulation 271, as amended, issued by the Office of Price Administration, or (ii) any lot of officially certified seed Irish potatoes, as certified by the official seed potato certification agency of the State from which the respective lot is to be shipped, to be used for seed purposes. The Director may, however, issue an order specifying, by rules and regulations, the necessary evidence to be submitted, prior to issuance of any such permit, with respect to whether Irish potatoes (*a*) are certified seed Irish potatoes, as aforesaid, and (*b*) are to be used for seed purposes.

(4) The restrictions hereof shall be observed (by each person shipping or desiring to ship Irish potatoes) without regard to the rights of creditors, existing contract, payments made, or to deliveries of Irish potatoes made prior to the effective date hereof. This order shall not, however, be construed as reducing the amount of Irish potatoes which any person is required to offer or to deliver under any existing contract with any govern-

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FEDERAL REGISTER

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mental agency, but any Irish potatoes required to be delivered, after the effective date of this order, to any governmental agency pursuant to a pre-existing contract may be used in computing the percentage of Irish potatoes required to be offered for sale to a governmental agency pursuant to the provisions hereof.

(c) *Territorial scope.* This order is applicable to any shipment of Irish potatoes from the State of Maine; and the Director may issue an order extending the provisions hereof to the shipment of Irish potatoes from any other State or portion thereof specified by the Director.

(d) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stock of Irish potatoes and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(g) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD-49.

(i) *Effective date.* This order shall be effective at 12:01 a. m., e. w. t., April 15, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Issued this 13th day of April 1943.

[SEAL] JESSE W. TAPP,
Acting Administrator.

[F. R. Doc. 43-5835; Filed, April 14, 1943; 11:48 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 188]

PART 402—LOAN SERVICE DIVISION

INSURANCE

Sections 402.25 (a)[1], 402.25-1 to 402.25-16 inclusive, and 402.25-18 are amended to read as follows:

§ 402.25 *Insurance.* (a) All properties securing indebtedness to the Corporation must be insured against loss by fire as provided herein. Windstorm or other insurance may also be required and procured in certain localities as the General Manager may direct.

The General Manager may accept insurance policies furnished by home owners when the following requirements are complied with:

(1) The insurance is written by an insurance company, association or organization, licensed to do business in a particular state or territory, or specifically authorized by state law to transact business within the state or territory where the property is located, and whose policy contract and forms are acceptable to the General Manager.

[1] 6 F.R. 5631; 7 F.R. 1080, 7 F.R. 1761

(2) In cases of home owners having a Tax and Insurance account or at the time of sale, of purchasers of Corporation-owned property, the insurance is written for a term of not less than three years, accompanied by a receipt for payment of premium in full.

Exceptions may be made and policies for a term of less than three years may be accepted in the following instances:

(i) Where the period required for payment of the indebtedness to the Corporation is less than three years;

(ii) If insurance on the property cannot be obtained for a term of three years from the insuring company or association issuing the policy;

(iii) In cases where no savings in premium cost would result from payment in advance for a term of three years;

(iv) Insurance, otherwise acceptable, is written by an assessment mutual insurance company on an annual assessment basis;

(v) Where policies written for not less than three years, when accompanied by a receipt for the first year's premiums, provide for annual endorsement renewal at reduced premium cost to the home owner.

(3) The minimum amount of the fire insurance is as follows, if not prohibited by the mortgage covenant:

(i) If the amount of the present indebtedness is more than the depreciated replacement value, full insurance to the depreciated replacement value shall be required on all buildings valued at $200 and over.

(ii) If the amount of the present indebtedness is more than the depreciated replacement value of the main dwelling but less than the depreciated replacement value of all insurable improvements, insurance in the amount of 100% shall be required on the main dwelling and in addition, sufficient insurance shall be required on the remaining buildings in an amount necessary to bring the total amount of insurance to the present indebtedness.

(iii) If the amount of the present indebtedness is equal to or less than the depreciated replacement value of the main dwelling, insurance shall be required on the main dwelling in an amount equal to the present indebtedness. If the other buildings or improvements are essential economically as a means of liquidating the loan or sales account and produce a reasonable portion or all of the home owner's income, either as a rental property or commercial interest of the home owner, then, upon the recommendation of the Insurance Section, the Regional Manager, in his discretion, also may require on the said other buildings such amounts of insurance as circumstances warrant.

(4) The amount of windstorm or other insurance is not less than the Corporation's requirements as determined by the General Manager.

(5) Co-insurance or similar clauses, when applicable, are complied with and the amount of insurance necessary to avoid penalty is furnished.

(6) If "extended coverage" or "supplemental coverage" is submitted by the home owner, all insurance coverage is made concurrent.

If the closing of a sale is authorized by the General Manager, notwithstanding the purchaser fails to provide insurance as required, or if the home owner fails to, or does not otherwise provide required renewal or other insurance, or, if for any reason the policy is canceled and the home owner fails to provide an acceptable insurance contract in lieu thereof, the General Manager shall direct that insurance be ordered by the Corporation through carrier under contract as follows:

(i) In cases of home owners who have not established a Tax and Insurance account, the Corporation's requirements shall be those indicated in subparagraphs (3), (4) and (5) above.

(ii) In cases of home owners having a Tax and Insurance account in which accruals for insurance have been established and not suspended, the requirements shall be those indicated in subparagraphs (3), (4) and (5) above, except that when ordering renewals the amount of indebtedness shall be considered to be the loan balance at the time accruals were established for the purchase of insurance.

(iii) In cases of home owners who have established a Tax and Insurance account but who have not accumulated any funds for the purchase of insurance due to suspension of accruals for insurance, the requirements shall be those indicated in subparagraphs (3), (4) and (5) above. The amount of indebtedness shall be considered to be the loan balance at the time the insurance is ordered by the Corporation. In these cases the Tax and Insurance account accrual for insurance shall be re-established.

(iv) All insurance ordered by the Corporation shall be for a term of three years, except in cases where no savings in premium cost would result from payment in advance for a term of three years or unless otherwise directed by the General Manager.

No funds accumulated in the Tax and Insurance Accounts shall be used to pay any agent or insurance company for policies ordered by the home owner direct.

Exceptions may be made to any of the provisions of this section by the General Manager in any case or class of cases when he determines that the circumstances warrant and that such exception is in the best interest of the Corporation. The authority vested in the General Manager by this section also may be exercised by the Regional Manager with the advice of the Regional Counsel, as set forth in other sections of this Part.

§ 402.25-1 *Insurance requirements.* Insurance shall be required in accordance with the provisions of § 402.25 (a) except that, if, in the opinion of the Regional Manager in any specific case, the strict application of the requirements of the Regulations as to other buildings and improvements brings about an inequitable result, he may require less insurance or waive all insurance on buildings other than the dwelling.

Insurance may be waived. In any case where the outstanding loan balance is $100 or less, all insurance may be waived. Insurance in the amount of $200 or less on the main dwelling may be waived when the value of the land is equivalent to or greater than the amount waived. In such cases, a memorandum of the facts and justification for the action taken shall be entered on Form RO-I-240 which shall be filed in the insurance jacket.

Except in the instances cited, any other waivers of insurance requirements may be granted only with the approval of the General Manager.

Co-insurance qualification. Where co-insurance or any other restrictive clauses are applicable, the amount of insurance necessary to meet this condition shall be required so that there shall be no penalty in event of loss.

Mortgage clause or contract of sale endorsement. Form 12, Insurance Mortgage Clause shall be attached to all policies securing mortgages or other security instruments, making the insurance payable to the Corporation as its interest may appear. If for legal or other reasons such mortgage clause cannot be attached, then the New York, New Jersey or Pennsylvania standard mortgage clause (without contribution) is desired; and if this clause cannot be secured, then the best form of mortgage clause or loss payable clause obtainable in the territory where the insurance is to be written shall be secured. In all cases where a property is sold under contract of sale, Corporation Form 12-A shall be attached to all policies covering the affected property. If the agent or insurance company refuses to execute said Form 12-A, the policy will not be acceptable.

Trustee. Where required, the mortgage clause or loss payable clause shall be as "Trustee for the Home Owners' Loan Corporation". No trustee or Corporation employee shall be designated as mortgagee personally, but only as "Trustee for the Home Owners' Loan Corporation" and only in states where this is the practice.

Junior liens. In cases where another mortgage exists, it is permissible that such other mortgagee also be named in the mortgage clause, as an inferior mortgagee.

§ 402.25-2 *Windstorm coverage.* Windstorm or other necessary coverage shall be required in certain states and territories as follows:

Group I

Windstorm insurance is required on the main buildings and on other buildings and improvements in an amount equal to the fire insurance required to be carried on such buildings by the provision of the Regulations in the following States:

3—Arkansas	12—Indiana
11—Illinois	13—Iowa
Exception:	14—Kansas
Cook County:	23—Missouri
Solid Masonry	25—Nebraska
Construction—	32—North Dakota
50% of fire requirement)	39—South Dakota

Group II

One-half replacement value. Windstorm insurance is required up to one-half the depreciated replacement value of the main dwelling and, if fire insurance has been required on other buildings and improvements, then windstorm insurance shall likewise be required on these same other buildings and improvements in an amount equal to one-half of their respective depreciated replacement values:

1—Alabama	31—North Carolina
7—Delaware	38—South Carolina
8—Florida	40—Tennessee
9—Georgia	41—Texas
15—Kentucky	46—West Virginia
16—Louisiana	49—District of Columbia
21—Minnesota	51—Puerto Rico
22—Mississippi	

Co-insurance qualification. In States where the windstorm insurance to be carried on any one buliding is required to be "at least one-half the amount of the replacement value", the insurance submitted is acceptable if the amount is at least equal to the loan, even though it is not equal to one-half the amount of the replacement value; but if windstorm insurance is written with a co-insurance or a similar clause applicable, the necessary amount of insurance to meet this requirement shall be carried so that there will be no penalty in event of loss.

Group III

One-third replacement value. Windstorm insurance is required up to one-third of the depreciated replacement value of the main dwelling and, if fire insurance has been required on other buildings and improvements, then windstorm insurance shall likewise be required in an amount equal to one-third the depreciated replacement value of all such other buildings and improvements having an individual value of $600 and over.

Limitation in Michigan. 20-Michigan (in the following counties, but none required in the remainder of the State):

Allegan	Ingham	Muskegon
Barry	Ionia	Oakland
Berrien	Jackson	Ottawa
Branch	Kalamazoo	St. Clair
Calhoun	Kent	St. Joseph
Cass	Livingston	Shiawassee
Clinton	Lapeer	Van Buren
Eaton	Lenawee	Washtenaw
Genessee	McComb	
Hillsdale	Monroe	

Group IV

No windstorm required. Windstorm insurance is not required on improvements in the following States and Territories:

2—Arizona	29—New Mexico
4—California	30—New York
5—Colorado	35—Oregon
6—Connecticut	36—Pennsylvania
10—Idaho	37—Rhode Island
17—Maine	42—Utah
18—Maryland	43—Vermont
19—Massachusetts	44—Virginia
24—Montana	45—Washington
26—Nevada	48—Wyoming
27—New Hampshire	50—Hawaii
28—New Jersey	52—Alaska

Group V

Windstorm in Ohio and Wisconsin. Windstorm insurance is required on the main building in an amount equal to one-half of the current loan balance or to the value of the main building, whichever is the smaller, in the following states:

33—Ohio	47—Wisconsin

Extended coverage qualification. Windstorm insurance will not be required if "extended" or "supplemental coverage" is included under the fire policy and such coverage complies with the apportionment clause.

Group VI

Waiver of fallen building clause. The Waiver of Fallen Building Clause shall be included in all policies on dwellings in the following states:

4—California	26—Nevada
10—Idaho	42—Utah

Group VII

Hail insurance. Hail Insurance is required in the same amount as windstorm insurance in the following states:

11-Illinois	25-Nebraska
13-Iowa	40-Tennessee
14-Kansas	41-Texas
15-Kentucky	47-Wisconsin

Group VIII

Explosion. Inherent Explosion insurance shall be carried on the main dwellings in the following state:

46-West Virginia

Group IX

"Extended coverage" or "supplemental coverage" is required on the main buildings and on other buildings and improvements in an amount equal to the fire insurance required to be carried on such buildings by the provision of the Regulations in the following states (effective on expiration of policies already accepted):

24-Montana	34-Oklahoma

Group X

Extended coverage sales cases. If properties that have been acquired by the Corporation are disposed of on terms other than cash, the amount of insurance required shall be the same as that required for properties in home owner status as outlined herein. Where title is retained by the Corporation in properties sold under installment contract, "extended coverage" in an amount equal to the fire requirement shall be included under the fire policy in the following states:

13-Iowa	32-North Dakota
14-Kansas	39-South Dakota
25-Nebraska	

§ 402.25–3 *Direct coverage.* All home owners who have not established a Tax and Insurance account, or who have a Tax and Insurance account on which accruals have been suspended, are expected to renew their insurance on or before the expiration date and to furnish the Corporation with an original insurance policy which will fulfill the Corporation's requirements both as to amount and acceptability.

Acceptable policies. The Regional Manager is authorized to accept from home owners insurance written by an insurance company, association or organization licensed to do business in a particular state or territory, or specifically authorized by state law to transact business within the state or territory where the property is located: *Provided,* An acceptable mortgage clause is attached and such insurance does not include any limiting clauses that would prevent the Corporation or home owner from collecting insurance in accordance with the Corporation's requirements.

Policies not acceptable. Policies are not to be accepted if, under the terms of the carrier's by-laws, the contract or the local laws, contributions or assessments may be made against this Corporation as mortgagee or owner; nor where contributions or assessments against the home owner would become a lien on the property superior to the lien of the Corporation; nor where, by the terms of the carrier's by-laws or policy or other conditions, loss payments are contingent upon action by the Board of Directors or the policyholders or members.

Excess coverage. If any home owner secures insurance in excess of the Corporation's requirements, all such policies forwarded to the Corporation shall be made concurrent with existing coverage.

Three-fourths value clause. Any insurance contract having a three-fourths value clause, or other restrictive clause limiting the amount of collectible insurance to less than the Corporation's requirements, must have such clause eliminated or modified to afford the required protection; otherwise the policy is not acceptable.

Less than minimum coverage. When a home owner, other than the purchaser of Corporation-owned property, or a home owner having an agreement for a Tax and Insurance account, submits renewal or other insurance which is less than the requirement, the same shall be accepted and the home owner requested to provide the additional insurance necessary to meet the requirements. If he refuses or fails to do so and the mortgage covenant permits, the additional required coverage shall be ordered through the carrier under contract.

Where consent of home owner is required. In any case where it is necessary to order insurance coverage to fulfill the Corporation's requirements, and the premium covering any insurance in addition to the amount originally furnished by the home owner cannot be charged to the home owner's account for the reason that the mortgage contains a covenant which specifically states the amount of insurance to be furnished and which has not been modified by a subsequent agreement or for some other reason, the consent of the home owner shall be obtained authorizing the Corporation to secure such additional insurance and charge the premium to his account. In any such case, the Regional Manager, within his discretion, may direct the taking of additional instruments in legal form, approved by the Regional Counsel, to secure the advance.

§ 402.25–4 *Direct coverage in tax and insurance account cases.* Direct coverage submitted by home owners having a Tax and Insurance account must conform with the requirements set forth in § 402.25 (a).

If the insurance including the new policy equals the then loan balance but is less than the Form 198 in effect, a new Form 198 containing revised requirements shall be prepared and forwarded to the home owner.

If such insurance does not meet all of the requirements as stated herein, the home owner will be so advised and, if he fails or refuses to submit acceptable coverage, all policies submitted by the home owner for the particular expiration shall be returned as unacceptable and the required amount of coverage shall be ordered through the carrier under contract.

§ 402.25–6 *Expiration notices.* Forms RO–I–10 shall be reviewed 20 days after expiration date. Appropriate expiration notices shall be forwarded to home owners as follows:

(a) When the home owner does not have a Tax and Insurance account and acceptable renewal insurance has not been received, Form RO–I–218 shall be used.

(b) Where the expiring insurance policy constitutes excess insurance and has not been renewed, notice shall be sent on all classes of accounts by use of Form RO–I–248.

§ 402.25–7 *Vendee accounts.* Upon receipt of a closed sales file from the Regional Accountant, the Insurance Section shall immediately remove all insurance policies from the file along with pertinent insurance data, complete Form 198 and transmit the file containing Form 198 and the other forms to the Control Supervisor. The Insurance Section shall review insurance for sufficiency and make proper notation of necessary information on the policy jacket. If such insurance does not meet all the requirements as stated herein, the purchaser shall be so advised; and, if he fails or refuses to submit acceptable coverage, all policies shall be returned to the purchaser as unacceptable and the required amount of coverage shall be ordered through the carrier under contract. Upon receipt of the sales file in cases where the Regional Manager authorized the closing of the sale without the purchaser providing the required insurance, the Insurance Section shall order the required amount through the carrier under contract, to be effective as of the date of sale.

§ 402.25–8 *Insurance placed by corporation.* Immediately upon the cancellation, notification of lapse or voidance of any insurance policy, and forty days after the expiration date in the instance of all home owners who have not submitted acceptable renewal insurance adequate as to kind and sufficient in amount to meet the Corporation's requirements, all insurance contracts protecting the loan or property shall be reviewed. If the remaining effective coverage does not fulfill the requirements of the Corporation, an order for the proper coverage shall be prepared upon the special forms furnished by the Corporation's insurer under contract and shall be effective as of the termination of the insurance to be replaced. In those instances where an expiration notice has not been sent to the home owner and the Corporation places less than the expiring insurance, the home owner shall be notified immediately.

If home owner requests extended coverage. In cases where the Corporation orders insurance for a home owner, "extended coverage" or "supplemental coverage" may be secured upon the specific request of the home owner.

Minimum premium cases. When the minimum premium imposed by insurance regulations will purchase more insurance than the Corporation requires, insurance in an amount or term sufficient to absorb the minimum premium will be procured provided the value of the improvements so warrants.

Re-establishing accruals. Where insurance is ordered for a home owner having a Tax and Insurance account on which accruals were suspended, the Insurance Section shall prepare a new Form 198, based upon the amount of indebtedness at the time of ordering insurance, and shall prepare Form 197, indicating the amount of accrual to be re-established, and shall forward both forms to the Control Supervisor.

Foreclosure cases. Insurance shall be ordered through the contract carrier in the regular manner on expiring policies in all cases wherein foreclosure has been authorized, and the order shall be plainly marked "Foreclosure Authorized", giving the date thereof. If subsequent to the ordering of the certificate foreclosure is withdrawn, the contract carrier shall be notified and requested to issue its regular certificate. If prior to acquisition the property is redeemed or sold to a third party, the carrier shall be requested to cancel the certificate and furnish the Corporation with a certified bill for the earned premium, which shall be forwarded to the Legal Department. If the property is acquired, the carrier shall be notified of the date of acquisition and requested to cancel the order.

§ 402.25–9 *Canceling orders.* Whenever a home owner submits an acceptable new or renewal insurance policy, subsequent to the issuance of the order to the insurer but prior to the expiration of 45 days following the termination of the insurance being replaced, the order for coverage shall be canceled without charge unless a loss has occurred. No new or renewal policy shall be accepted from a home owner after the expiration of the 45 day period, unless in the opinion of the Insurance Section special circumstances justify the acceptance of the policy and the home owner agrees to pay the earned premium, if any, incurred in the cancellation of the insurance procured from the insurer.

§ 402.25–10 *Foreclosure subsequent to order.* If, subsequent to the time an order for insurance has been issued for which a certificate has not been received, foreclosure proceedings are instituted, the insurer shall be requested to issue the certificate immediately and to provide a receipted bill for the premium on the coverage in those instances where the Regional Counsel advises a receipted bill is necessary. The receipted bill, when required, shall be delivered to the Legal Department.

§ 402.25–11 *Routing of certificate and notice of insurance placed.* The insurer under contract shall issue a certificate or policy of insurance in accordance with the order. The certificate, home owner's notice of insurance placed and Accounting Division copy of notice of insurance placed (insurance invoices) shall be sent to the Insurance Section, where the certificate shall be filed in the policy jacket; home owner's notice of insurance procured shall be attached to the Daily Transmittal, Form 764, prepared by the insurer under contract and forwarded to the Regional Accountant, unless the Assistant Regional Manager in Charge of Loan Service directs that the home owner's notice be forwarded either directly to the Mail Room for mailing to the home owner or to the Control Supervisor. When received by the Regional Accountant, the home owner's notice shall be held and attached to the home owner's monthly billing. The accounting copy shall be attached to the Daily Transmittal, Form 764, and retained in the Accounting Division files. The Regional Accounting Division shall make appropriate entries to the home owner's account in accordance with § 402.11–7.

Transmittal of debits and credits. The insurer under contract will prepare a Daily Transmittal, Form 764, of debits and credits listing thereon each and every insurance transaction. No entries shall be included on such form prior to the inception date of insurance. The effective entry date in all cases shall be the "Transmittal date" as indicated on the form.

§ 402.25–13 *Cancellation of certificate.* When a certificate is canceled and returned to the insurer under contract, credit memoranda shall be issued by the insurer showing the amount of return premium which the insurer will enter on the Daily Transmittal Form. The Accounting Division copy of the credit memoranda from the insurer shall be attached to the Daily Transmittal Form; and, in those instances where insurance is canceled on a flat basis and no interest is to be charged, the Insurance Section shall stamp "No Interest To Be Charged" on the Accounting Division copy of the credit memoranda.

§ 402.25–15 *Foreclosure endorsements.* Immediately upon notice from the Legal Department that foreclosure proceedings have been instituted, Form 12–B shall be attached to all policies covering the affected property, except in those instances where the insurer, by an existing agreement, has included the provisions of this form in the policy. When

the insurer has so agreed, Form 12–B need not be executed. In the event the insurance company, when requested, refuses to execute Form 12–B, the policies will no longer be acceptable and shall be canceled; and coverage shall be secured through the insurer under contract.

Receivers. When the property is in the process of foreclosure and a receiver is appointed, such receiver may have acceptable policies that are in force transferred or endorsed to him; or, where desirable and possible, he may secure the required amount and kinds of insurance through Corporation facilities. Notice of the expiration of policies shall be furnished in such form and manner as approved by the Regional Counsel.

Vacancy or increased hazard endorsements. Upon receipt of notification of vacancy, unoccupancy, tenant occupancy, change of name or ownership, foreclosure withdrawal, acquisition of absolute title (not subject to right of redemption), partial release, increased hazards or other changes, the Insurance Section shall ascertain the date such change occurred and shall immediately notify the Insurance Company concerned. The necessary or appropriate endorsement, as required, shall be obtained and attached to the insurance policy, and the necessary changes made on the insurance records. Where the information reveals that the property is occupied for purposes more hazardous than those heretofore intended, unless full facts have been given, an immediate inspection of the premises is required. The inspector should report the date the increase in hazard occurred, the type of occupancy and the financial condition of the home owner.

§ 402.25–16 *Additional premium due to endorsements.* In any case involving an endorsement, where there is an additional premium due to the carrier under contract, the amount of the additional premium shall be entered on the daily transmittal form, included in the monthly account of the insurer under contract, and charged to the proper account.

In any case involving an endorsement on a direct agency policy, it is presumed that the home owner will pay the additional premium, if any, to the agent direct. However, when the home owner cannot pay the additional premium, it may be paid by the Corporation, providing the agent writing the policy provides the Insurance Section with a certified invoice for the additional premium required. This invoice shall be attached to a properly executed voucher which, when approved by the Regional Manager, shall be paid from the Regional Working Fund and charged to the home owner's account.

§ 402.25–17 *Lost or misplaced policies.* In cases where an existing insurance policy has become lost or misplaced, it shall be necessary to obtain a replacing policy. The replacing policy can be obtained only by all interested parties signing a Lost Policy Release.

When it becomes necessary to execute a Lost Policy Release, the Insurance Clerk shall execute such release for the Corporation. In the event the original policy is found after the issuance of a replacing policy, the original policy shall be returned to the issuing agent.

Expired insurance policies. Expired insurance policies or certificates held by the Corporation shall be destroyed or otherwise disposed of; if they are destroyed, it shall be done in the presence of a representative of the Corporation who shall certify as to their destruction, or if they are otherwise disposed of, the Regional Manager shall cause them to be mutilated so as to prevent their use in the making of expiration lists or the procuring of other pertinent data by unauthorized persons. Such destruction or other disposition shall be accomplished at the following periods:

(a) All expired insurance policies or certificates held by the Corporation for accounts of home owners shall be destroyed or otherwise disposed of after four months following expiration, except where such policies are delivered to the home owners, the signing local insurance agent or the insurance company upon request made by any of the aforesaid parties prior to the expiration of the four months' period.

(b) In all cases where an expired insurance policy or certificate while in force covered a period during the time when the Corporation held title to the property covered by the policy or certificate, such policies or certificates shall be destroyed or otherwise disposed of after one year following expiration.

§ 402.25–18 *Insurer's certificate.* When a loan is paid in full and an insurer's certificate has been issued by an insurer under contract, the certificate shall be mailed to the insurer, who will contact the former home owner to ascertain the latter's wishes in regard to the continuation or cancellation of the insurance. Upon the cancellation of a certificate, any unearned premium from the date of liquidation to the expiration of the certificate accrues to the benefit of the former home owner. It is very important that this certificate be mailed to the insurer, and in no event is the home owner or any outside party to be given any papers in connection with this coverage, with the exception of the invoice. If, at the time of payment in full, a credit is due the home owner's account, arising from a previous cancellation or reduction of a certificate for which credit memorandum has not been received from the insurer, the amount of such credit shall not be considered in arriving at the balance of account to be paid, and the insurer under contract shall be requested to make payment direct to the home owner.

§ 402.25–19 *Financed premium on direct policies.* When an insurance policy is submitted by a company financing the premium, with request for a receipt in acknowledgment thereof, the Insurance Section shall execute, without deviation, receipt Form 723, or a receipt in form identical therewith. Upon receipt of request from the financing company for return of the policy covered under the executed receipt, the Insurance Section shall immediately return the policy to the financing company and so advise the home owner, requesting the submission of replacing insurance in line with the customary cancellation procedure.

Effective April 13, 1943.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U. S. C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 43–5803; Filed, April 14, 1943, 10:18 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5258]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

WAR LOSSES

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 156 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after § 19.126–4 the following:

SEC. 156. WAR LOSSES. (Revenue Act of 1942, Title I.)

(a) *Losses from war, taxation of property recovered, and basis of property.* The Internal Revenue Code is amended by inserting after section 126 the following new section:

SEC. 127. WAR LOSSES.

(a) *Cases in which loss deemed sustained, and time deemed sustained.* For the purposes of this chapter—

(1) *Property not in enemy countries.* Property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war shall be deemed to have been destroyed or seized on a date chosen by the taxpayer in the manner provided in paragraph (4), which falls between—

(A) the latest date, as established to the satisfaction of the Commissioner, on which such property may be considered as not destroyed or seized, and

(B) the earliest date, as established to the satisfaction of the Commissioner, on which such property may be considered as having already been destroyed or seized.

For the purposes of this paragraph property within an area which comes under the control of a country at war with the United States after the date war with such country is declared by the United States shall be deemed to have been destroyed or seized in the course of military or naval operations by such country, and the date specified in subparagraph (A) shall not be later than the latest date determined by the Commissioner as the date on which such area was under the control of the United States or a country not at war with the United States, and the date specified in subparagraph (B) shall not be later than the earliest date determined by the Commissioner as the date on which such area may be considered under the control of the country which is at war with the United States.

(2) *Property in enemy countries.* Property within any counrty at war with the United States, or within an area under the control of any such country on the date war with such country was declared by the United States, shall be deemed to have been destroyed or seized on the date war with such country was declared by the United States.

(3) *Investments referable to destroyed or seized property.* Any interest in, or with respect to, property described in paragraph (1) or (2) (including any interest represented by a security as defined in section 23 (g) (3) or section 23 (k) (3)) which becomes worthless shall be considered to have been destroyed or seized (and the loss therefrom shall be considered a loss from the destruction or seizure) on the date chosen by the taxpayer which falls between the dates specified in paragraph (1), or on the date prescribed in paragraph (2), as the case may be, when the last property (described in the applicable paragraph) to which the interest relates would be deemed destroyed or seized under the applicable paragraph. This paragraph shall apply only if the interest would have become worthless if the property had been destroyed. For the purposes of this paragraph, an interest shall be deemed to have become worthless notwithstanding the fact that such interest has a value if such value is attributable solely to the possibility of recovery of the property, compensation (other than insurance or similar indemnity) on account of its destruction or seizure, or both. Section 23 (g) (2) and (k) (2) shall not apply to any interest which under this paragraph is considered to have been destroyed or seized. Under regulations prescribed by the Commissioner with the approval of the Secretary, a taxpayer which owns 100 per centum (excluding qualifying shares) of each class of stock of a corporation may elect to determine the worthlessness of its interest, described in this paragraph, in or with respect to the property of the corporation, without regard to the amount of the property of such corporation which would be excluded under subsection (e) (2) (A) in determining the adjusted basis of all the assets of the corporation for the purposes of subsection (e), but such amount shall be treated under subsection (b) (1) as a recovery by the taxpayer in the taxable year with respect to such interest.

(4) *Choice of date.* The taxpayer's choice of a date under paragraph (1) or (3) shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the Commissioner with the approval of the Secretary.

* * * * *

(b) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1940.

§ 19.127 (a)–1 *Description of war losses.* Under section 127, property destroyed or seized in the course of the present war and property which is within an enemy country or an enemy controlled area on the date the United States declares that a state of war exists with the enemy country result in war losses. Property which is within an area that comes under the control of an enemy country after the date the United States declares that a state of war exists with such enemy country also results in a war loss. An investment in any of the foregoing property which loses all its value because of the war loss resulting from such property is itself treated as resulting in a war loss. Investments in such property which lose only part of their value by reason of such property resulting in a war loss are also treated, under certain circumstances, as resulting in a war loss to the extent of such loss in value. See section 127 (e).

Section 127 (a) and (e) provides that the property and investments described above shall be treated as being "destroyed or seized" upon the date specified in the applicable subsections. That is, upon such date the taxpayer is treated as losing his entire interest in such property or investment, and this loss of such property rights is deemed to be sustained by reason of a casualty. The casualty is the destruction or seizure, whichever event the taxpayer claims occurred. If the property or investment was held for more than six months and was a capital asset or property used in the trade or business of the taxpayer, this loss (and any compensation therefor) is subject to the provisions of section 117 (j), relating to gains and losses upon involuntary conversions. See § 19.117–7. Unless such loss is treated under section 117 (j) as a loss from the sale or exchange of a capital asset, such loss is deductible as an ordinary loss under the provisions of section 23 (f) in the case of a corporation and section 23 (e) (3) in the case of an individual. The loss upon an investment which is treated under section 127 as resulting in a war loss is not subject to the provisions of section 23 (g) (2) and (k) (2) which treat losses upon worthless securities as capital losses, although such loss may nevertheless be treated under section 117 (j) as a loss upon the sale or exchange of a capital asset.

For property to be treated as resulting in a war loss, such property must be in existence on the date prescribed in section 127 (a) (2) as the date it is deemed destroyed or seized or at the beginning of the period prescribed in section 127 (a) (1) or (a) (3), within which period the property is deemed destroyed or seized, and for the taxpayer to claim a loss with respect to such property he must own such property or an interest therein at such time. If before such time the property was destroyed or confiscated, section 127 is not applicable with respect to such property. For example, a taxpayer owned property in an enemy country before war was declared on such enemy by the United States, and such property was confiscated by the enemy before the date war was declared. The seizure was not in the course of military or naval activities. The taxpayer may not claim a war loss with respect to such property under section 127.

Section 127 relates only to losses sustained on or after December 7, 1941. For the purposes of section 127, the term "area" does not mean a territory or political unit but means the locality in which the property was situated.

The date on which a war loss was sustained must be determined under the provisions of section 127 (a) and the regulations thereunder. The amount of loss sustained must be determined subject to the provisions of section 127 (b) and the regulations thereunder. Income to the taxpayer upon any recovery of or in respect of property or investments treated as resulting in a war loss must be determined under section 127 (c) and the regulations thereunder. The basis of any such recovery must be determined under section 127 (d) and the regulations thereunder.

§ 19.127 (a)–2 *Property destroyed or seized after the outbreak of war.* Section 127 (a) (1) has two main purposes. One is to provide that property shall be treated as destroyed or seized if it is located in an area which comes under the control of an enemy country after the date the United States declares that a state of war exists with such enemy country. This provision corresponds to the provisions of section 127 (a) (2) which give similar treatment to property located in an area under enemy control on the date the United States declares that a state of war exists with the enemy. See § 19.127 (a)–3. The other purpose of section 127 (a) (1) is to provide the method for determining the date on which such destruction or seizure is deemed to occur in cases in which the exact date when control is established cannot be determined, and to provide the method for determining the date of destruction or seizure in the case of property actually destroyed or seized on or after December 7, 1941, in the course of military or naval operations by any country engaged in the present war if the exact date of such destruction or seizure cannot be established.

(a) *Actual destruction or seizure.* Any property actually destroyed or seized on or after December 7, 1941 in the course of military or naval operations by the United States or any other country engaged in the present war shall be deemed to have been destroyed or seized on any date chosen by the taxpayer which falls between:

(1) The latest date, as established to the satisfaction of the Commissioner, on which such property may be considered as not destroyed or seized, and

(2) The earliest date, as established to the satisfaction of the Commissioner, on which such property may be considered as having already been destroyed or seized.

If the exact date of the destruction or seizure can be ascertained, then (1) refers to the day before such date and (2) refers to the day after such date. Thus, if the taxpayer knows that his property was destroyed during the Japanese attack on Pearl Harbor on December 7, 1941, the latest date on which such property may be considered as not destroyed is December 6, 1941, and the earliest date on which it may be considered as being already destroyed is December 8, 1941. Under section 127 (a) (1), the only date the taxpayer may choose is December 7, 1941. However, in many cases the taxpayer will not be able to ascertain the exact date on which the destruction or seizure of his property occurred. In such cases the taxpayer may claim that the destruction or seizure occurred at any time he chooses between the dates prescribed in (1) and (2) of this paragraph, which dates may be established on the basis of such information as the taxpayer is reasonably able to obtain. For example, the taxpayer's property was destroyed during a bombardment of a certain area which lasted several days. The taxpayer is only able to ascertain that the property was undestroyed before the bombardment, and was already destroyed when the bombardment ended.

The taxpayer may treat the destruction as occurring on any date during the bombardment.

Section 127 (a) (1) refers to a destruction or seizure by the United States or any other country engaged in the present war. Such other countries are the members of the United Nations, any other countries at war with enemies of the United States, and the enemies of the United States or of any of the United Nations. Thus, a country which is not a member of the United Nations nor an enemy of the United States is nevertheless considered engaged in the present war if it is an enemy of any other member of the United Nations. Furthermore, the military or naval operations need not be carried on by the regular forces of the countries engaged in the present war, but it is sufficient if such operations are carried on by any forces supported by or operating in conjunction with any such country. For example, nationals of the D country form an independent fighting force for the liberation of their country, which was conquered by an enemy of the United States, and such fighting force operates in conjunction with the forces of one or more of the United Nations. The military or naval operations of such force are considered for the purposes of section 127 (a) (1) as military or naval operations by the countries, engaged in the present war, with which such forces operate.

The term "military or naval operations" in section 127 (a) (1) is used in a broad sense to cover all actions incident to belligerent activities, whether in furtherance of or in opposition to such activities. It includes operations carrying out a scorched earth policy or rendering a position under threat of attack or other danger more secure or less desirable to the attacker. For example, when invasion of a certain area by the forces of an enemy is imminent, civilians in such area burn and otherwise destroy warehouses and other property in such area. Such property is destroyed in the course of military or naval operations of the enemy. However, the orderly requisition or condemnation of property by any government, in the ordinary course of which the taxpayer is entitled to fair compensation, is not a destruction or seizure in the course of military or naval operations.

(b) *Property deemed destroyed or seized by reason of enemy control.* Property in an area which, after the date the United States declares war with a country, comes under the control of such enemy country is deemed to have been seized or destroyed in the course of military or naval operations by such country. Such destruction or seizure is deemed to occur on any date chosen by the taxpayer which falls between the latest date, as determined by the Commissioner, on which the area was under the control of the United States or a country not at war with the United States, and the earliest date, as determined by the Commissioner, on which the area was under the control of the enemy country.

If during the period described in the above paragraph the property in such area was actually destroyed or seized in the course of military or naval operations by any country engaged in the present war, the taxpayer may choose as the date on which the destruction or seizure occurred any date falling after whichever of the following dates is the earlier:

(1) The latest date, as established to the satisfaction of the Commissioner, on which such property may be considered as not destroyed or seized, or

(2) The latest date determined by the Commissioner as the date on which such area was under the control of the United States or a country not at war with the United States,

and falling before whichever of the following dates is the earlier:

(i) The earliest date, as established to the satisfaction of the Commissioner, on which such property may be considered as having already been destroyed or seized, or

(ii) The earliest date determined by the Commissioner as the date on which such area may be considered under the control of the country which is at war with the United States.

For example, the taxpayer has property in an area under the control of a country not at war with the United States. Such country lost control of the area on December 20, 1941, under attack by the enemy, but the taxpayer who remained in the area ascertains that the property was not destroyed on that date, but was destroyed during further fighting on January 1, 1942. An enemy country gained control of the area on February 1, 1942. The earliest date on which the taxpayer may claim the loss is December 20, 1941, the day after the latest date on which the area was under control of a country not at war with the United States. The latest date on which it may claim the loss is January 1, 1942, the day before the earliest date on which the property may be considered as having already been destroyed. An additional example is the case of a taxpayer with property in an area evacuated on December 15, 1941, when a country not at war with the United States lost control of such area. The property of the taxpayer in such area was undestroyed on such date. An enemy country established control over the area on January 20, 1942. The taxpayer learns that on July 15, 1942 the property was destroyed in a bombing raid on such area. The loss may not be claimed as occurring on any date later than January 20, 1942, the day before the earliest date on which the enemy country was in control of the area.

Whether or not a country at war with the United States gains control over intangible property by reason of its gaining control over any area is determined under the same provisions as are applicable for the purposes of section 127 (a) (2) in determining whether intangible property is subject to the control of the enemy country on the date war is declared. See § 19.127 (a)-3.

In the case of any property which is within the provisions of section 127 (a) (1) by reason of any area falling under the control of an enemy of the United States, it is necessary to determine the latest date on which the United States or any country not at war with the United States was in control of such area and the earliest date on which the country at war with the United States was in control of such area. For the purposes of section 127 (a) (1), control of an area on any day means effective control which is not seriously disputed at any time during such day. For such control to exist, order must be maintained in the area, such order must be maintained by authority of the country in control, and such order must not be seriously disputed by hostile action either by elements of the civilian population or by the armed forces of any other country. Section 127 (a) (1) contemplates that in many cases there will be a lapse of time between the date when one country loses control of an area and the date when another country gains control. During this period neither country will be in control of the area, and the loss may be claimed to occur at any time during such period. The fact that any country loses control of an area is not sufficient for the purposes of section 127 (a) (1) unless a country at war with the United States gains control of such area. That is, if a country not at war with the United States, which has lost control of an area, regains control of the area before a country at war with the United States gains control, the fact that control was lost for a period of time does not cause any property in the area to be deemed to have been destroyed or seized.

It should be noted that the term "area" means the locality in which the property is situated. The determination as to whether control by any country was lost or established in any area on any date will be made in a practical manner on the basis of all factors, and particular attention will be paid to the nature of the military and political operations affecting the control over such area as well as to the amount of information which can be obtained under the circumstances. For example, in view of the fact that the island of Luzon was one theatre of military operations, complete control over such island by the American and Philippine forces will be considered to have ceased in December, 1941, upon the beginning of the Japanese invasion of the island, and complete Japanese control will be considered to have begun in May, 1942, upon the cessation of American resistance at Corregidor. In the absence of information to the contrary, control by American and Philippine forces over other Philippine islands will be considered to have ceased on the date in December, 1941, when complete control of Luzon ceased, and Japanese control over such other islands will be considered to have begun on the date in May, 1942, when complete Japanese control of Luzon began. Similarly, control over areas in other theatres of military or political action will be determined on the basis of the principal events in such theatres of action.

A country at war with the United States may gain control over an area by its armed forces, by its civil authorities, or by obtaining control over the local authorities already established in that area. Such control over local authorities will not be deemed to exist by reason of the enemy country's domination over the government of any country if and so long as the United States maintains diplomatic relations with such government. Areas formerly subject to such government but actually taken over by armed forces or civil authorities of the enemy country are under control of the enemy country. If the United States has not declared that a state of war exists with any country, the control by such country over any area is not deemed a destruction or seizure of property in such area, even though such country may be considered engaged in the present war by reason of its being an enemy of one of the United Nations.

The latest date on which the United States or a country not at war with the United States was in control of an area, and the earliest date when an enemy of the United States was in control of an area, are questions of fact to be determined by the Commissioner on the basis of the facts established by the taxpayer and such other information as may be in his possession. The Commissioner may from time to time issue rulings on the basis of all information then in his possession as to such dates as he has already determined with respect to any areas. Such rulings will be subject to change in the event further information is obtained. In the absence of any applicable ruling, the facts established by the taxpayer must satisfy the Commissioner that the dates chosen are proper.

(c) *Choice of date when loss deemed sustained.* Section 127 (a) (1) grants the taxpayer the right to choose within the period described in (a) and (b) of this section the date on which the destruction or seizure of property is deemed to occur. This choice of a date is exercised by claiming a gain or loss with respect to such destruction or seizure in a return for a taxable year in which such date falls, in a claim for credit or refund of an overpayment for such taxable year, or in a petition to The Tax Court of the United States with respect to such taxable year. Until the taxpayer makes such a choice upon a return, a claim, or a petition, he will be deemed to have chosen the latest date on which the destruction or seizure may be treated as having occurred. Such latest date will be considered for all purposes the date chosen by the taxpayer if the taxpayer has not chosen on a return, claim, or petition, in the manner described above, any other date by the time the return for the period in which such latest date falls is due (including any extension of time for filing such return). Thereafter, the taxpayer may choose another date only with the permission of the Commissioner. If the taxpayer has once made the choice described above by the filing of a return, a claim, or a petition in which gain or loss is claimed with respect to the destruction or seizure, such choice (whether made before or after the enactment of the Revenue Act of 1942) may not thereafter be changed except with the permission of the Commissioner.

A taxpayer desiring to make a new choice of date with the permission of the Commissioner shall send a copy of his return, claim for refund, or petition in which he makes such new choice to the Commissioner of Internal Revenue, Washington, D. C., together with a statement of the date previously used as the date of the destruction or seizure, the new date chosen, and a recomputation of each tax imposed by the Internal Revenue Code (including income, excess profits, and declared value excess profits taxes) for each taxable year affected by such change of date. For example, if the taxpayer on the calendar year basis desires to change his choice of date from a date in 1942 to one in 1943, and if there was a carry-back of unused excess profits credit from 1942 to 1941, the taxpayer must attach to his request for permission to change his choice of date a recomputation of the tax for 1943, reflecting the tax effect of treating the destruction or seizure as occurring in that year, for 1942, reflecting the effect of treating the destruction or seizure as not occurring in such year, and for 1941, computed with the carry-back from 1942 determined by treating the destruction or seizure as occurring in 1943 and not 1942.

The ta payer must also attach to his request a statement as to whether the tax for any taxable year affected by the change of date has been determined by The Tax Court of the United States or by any court, whether a case with respect to any such tax liability is pending in any such tribunal, and whether any period of limitations or rule of law would prevent the proper adjustment of the tax liability for each such year if the change in date were permitted. The Commissioner will permit the taxpayer to change his choice of the date of the destruction or seizure if such proper adjustments may be made for each taxable year affected.

§ 19.127 (a)-3 *Property in enemy countries and enemy controlled areas.* Property in a country at war with the United States, or in an area controlled by such country, on the date the United States declared that a state of war existed with such country is deemed under section 127 (a) (2) to have been destroyed or seized on such date.

The term "property" includes tangible property of every kind actually within such country or area. Whether or not intangible property is within the provisions of section 127 (a) (2) depends in general upon whether the enemy country exercises the same control over such intangible property as it exercises over tangible property located within such country or area. If the enemy country may legally divest the taxpayer of his right to such intangible property in such manner that all other jurisdictions having control of any of the obligations and assets from which such intangible property derives its value would not recognize the taxpayer as having any interest in such obligations and assets, then such intangible property is within the provisions of section 127 (a) (2). For example, a taxpayer owns stock and bonds in a corporation chartered by an enemy country. All of the assets of such corporation are in the enemy country, in a neutral country, and in a country also at war with the enemy country. The enemy country may sequester the taxpayer's interest in such stock and bonds. The neutral country recognizes the control of the enemy country over its corporation, and would not grant the taxpayer any right of recourse against the assets of the corporation located in such country. The country at war with the enemy country treats the assets of the corporation located within its jurisdiction as enemy property and would grant the taxpayer no rights in such assets during the war. The stock and bonds of the taxpayer are property within the enemy country and subject to the provisions of section 127 (a) (2). A further example is the case of a taxpayer having negotiable bonds in a corporation chartered in a neutral country. Such bonds are in the enemy country at the outbreak of the war, in the hands of an agent of the taxpayer. The neutral country does not recognize the authority of the enemy country to divest the taxpayer of his right to these bonds. Such bonds are not property subject to the provisions of section 127 (a) (2).

Ordinarily, if the right of the taxpayer to the intangible property exists by reason of the law and authority of the enemy country, section 127 (a) (2) applies to such intangible property. For example, all public bonds of a country at war with the United States are considered to be within the provisions of section 127 (a) (2). On the other hand, the public bonds of a country not at war with the United States, the territory of which is occupied by a country at war with the United States on the date war is declared, are not within the provisions of section 127 (a) (2). Any interest in a corporation chartered by a country at war with the United States will be considered intangible property located in the enemy country unless the taxpayer has any rights to assets of such corporation not treated as destroyed or seized under section 127. However, any interest in a corporation chartered by a country not at war with the United States, the territory of which is occupied by a country at war with the United States, will not be considered intangible property located in an area under the control of an enemy country. Any intangible property not within the provisions of section 127 (a) (2) may be within the provisions of section 127 (a) (3), which relate to intangible property which becomes worthless by reason of war losses. See § 19.127 (a)-4.

For the purposes of section 127 (a) (2), the control by the enemy country over any area may be exercised either through its military or civil agencies, or through its control over the local authorities. Thus, an area will be treated as being under the control of the enemy country if the enemy country exercises its control through the agents of a puppet government or through the local government organization in operation at the time it gained control of the area. Such control over local authorities will not be deemed to exist by reason of the enemy country's domination over the government of any country if the United States maintains diplomatic relations with such government. Areas formerly

subject to such government but actually taken over by armed forces or civil authorities of the enemy country are under the control of the enemy country. Areas under the control of the governments of Hungary, Rumania, and Bulgaria will not be considered under enemy control prior to the date the United States declared that a state of war existed with such governments. Whether or not control by the enemy country exists is a question of fact which the Commissioner will determine on the basis of the facts established by the taxpayer and such other facts as may be in his possession.

§ 19.127 (a)–4 *Investments referable to destroyed or seized property.* Section 127 (a) (3) provides that intangible property which is an interest in or with respect to underlying assets treated as destroyed or seized under section 127 (a) (1) and (2) shall itself be treated as being destroyed or seized if it would be worthless if such underlying assets had in fact been destroyed. The intangible property may be of any kind, provided it meets the test that it would become worthless upon the actual destruction of the underlying assets treated as destroyed or seized under section 127 (a) (1) and (2). Thus, it may be represented by accounts receivable from or by stocks, bonds, or other securities in a corporation all of the assets of which are treated as destroyed or seized under section 127 (a) (1) or (2), or by obligations of an individual, under the control of an enemy country, all of whose assets are also under the control of the enemy country. Any intangible property which derives its value from underlying assets treated as destroyed or seized under section 127 (a) (1) and (2) is considered an interest in or with respect to such assets for the purposes of section 127 (a) (3). For example, if all of the assets owned by a holding company are securities within the provisions of section 127 (a) (3) as being issued by corporations owning only property described in section 127 (a) (1) and (2), then stock in such holding company is considered an interest in or with respect to such property described in section 127 (a) (1) and (2), and is subject to the provisions of section 127 (a) (3).

For intangible property to be treated as destroyed or seized under section 127 (a) (3) the following tests must be met:

(1) Such property must be worthless if the value described in the next paragraph is disregarded; and

(2) Such property must be of a kind which would have become worthless upon the destruction of all the underlying assets which are described in section 127 (a) (1) and (2). That is, upon the date the last underlying asset described in section 127 (a) (1) or (2) is deemed destroyed or seized, there must be no other underlying asset from which such property derives a value. In applying this test as to whether the intangible property would have become worthless if the underlying assets treated as destroyed or seized under section 127 (a) (1) and (2) were actually destroyed, all interest in such assets shall be considered to have ceased as if such assets had been totally destroyed, whether or not any such asset, such as land, may ordinarily be considered indestructible. Furthermore, the value described in the next paragraph is disregarded in determining whether such property would have become worthless.

In determining for the purposes of both (1) and (2) of the preceding paragraph whether property has become worthless, any value attributable to the possibility of recovering assets treated as destroyed or seized under section 127 (a) (1) and (2) or of compensation (other than insurance or similar indemnity) for their destruction or seizure, such as an award by a government upon the completion of the war, shall be disregarded. Insurance or any other certain indemnity by a government is not disregarded. For the purposes of (1) of the preceding paragraph, any value attributable to an actual recovery in the taxable year in which the loss is claimed or, if the possibility of receiving compensation develops during such taxable year into a recognized right to compensation, attributable to such right to compensation, will prevent the intangible property from becoming worthless, and will therefore keep such property from being treated as a war loss under section 127 (a) (3).

Whether or not intangible property is worthless when the underlying assets described in section 127 (a) (1) and (2) are treated as destroyed or seized is a question of fact to be established by the taxpayer. Thus, the intangible property may be worthless even though there are underlying assets which are not treated as destroyed or seized under section 127 (a) (1) and (2) if it derives no value from such other assets, as in a case in which there are obligations actually enforceable against such assets which are superior to the interest in such assets represented by the intangible property. For example, a corporation has $100,000 of assets, $80,000 of which are treated as destroyed or seized under section 127 (a) (1) and (2), and $20,000 of which are located in the United States and are not within the provisions of section 127 (a) (1) and (2). The corporation owes considerably more than $20,000 to creditors in the United States. Any stock interest in such corporation is considered worthless. If the corporation owed only $10,000 to creditors who could enforce their claims against the corporation, and owed $40,000 to creditors who are alien enemies of the United States, located in countries at war with the United States, who could not enforce their claims against the corporation, the stock is not considered worthless. The fact that any underlying assets, not under the control of a country at war with the United States, are subject to stringent controls by the United States or by any other government, such as being placed in blocked accounts or under "freezing" controls, or otherwise under the custody of the government, will not cause any interest in such assets to be considered worthless. Such assets are merely subject to government regulation, and the interest in or with respect to such assets continues subject to such regulation.

The intangible property interest described in section 127 (a) (3) is deemed to be destroyed or seized upon the date that the last of the underlying assets subject to the provisions of section 127 (a) (1) or (2) was treated as destroyed or seized under that section. In determining for such purposes when any property described in section 127 (a) (1) was destroyed or seized, the taxpayer may choose any date described in that section which he could properly choose under that section if he were the owner of such property. The choice is made by the taxpayer's claiming a loss with respect to the destruction or seizure of the intangible property described in section 127 (a) (3) in a return for the taxable year in which the date chosen falls, or in a claim for credit or refund of an overpayment for such taxable year, or in a petition to The Tax Court of the United States with respect to such taxable year. If no such choice is made, the date chosen will be deemed to be the latest date which could be chosen under section 127 (a) (1). If at the time the return for the taxable year in which such latest date falls is due (including any extension of time for filing such return), the taxpayer has not so chosen a date in a return, claim for refund, or petition, such latest date will be considered for all purposes the date chosen, and the taxpayer may not later choose any other date unless he first obtains the permission of the Commissioner. A taxpayer choosing a date by claiming such a loss on a return, claim for refund, or petition (whether or not such choice was made before the enactment of the Revenue Act of 1942) cannot change such choice unless he obtains the permission of the Commissioner. A taxpayer requesting the permission of the Commissioner in order to choose a new date must submit the same information as is required under § 19.127 (a)–2 (c) in the case of a taxpayer changing his choice of date under section 127 (a) (1), and such permission will be granted if the proper adjustments in tax liability resulting from such change may be made. The choice of date by the taxpayer must be the same for all intangible property which relates to the same property treated as destroyed or seized under section 127 (a) (1) and (2). Thus, a taxpayer owning stock and bonds in a corporation, all the assets of which are in an area that comes under the control of the enemy, cannot under section 127 (a) (3) treat the stock as destroyed or seized on one date and the bonds as destroyed or seized on another date.

If a taxpayer owns 100 percent (excluding qualifying shares) of each class of stock of a corporation, it may elect for the purposes of section 127 (a) (3) to determine the worthlessness of its interest in such corporation without regard to the amount of the property of such corporation which is money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, and obligations issued or guaranteed as to principal or interest by the United States, except any of such property of the corporation which is treated as destroyed or seized under section 127 (a) (1), (2), or (3) during or before the taxable year of the taxpayer in which the war loss is claimed. This exclusion of certain property of the corporation in determining worthlessness is made both for the purpose of determining whether the interest of the taxpayer in the corporation is worthless and for the purpose of determining whether such interest would have become worthless if the underlying assets of the corporation treated as destroyed or seized under section 127 (a) (1) or (2) had been destroyed. Such election is made by claiming in a return, a claim for credit or refund of an overpayment, or a petition to The Tax Court of the United States a deduction for a loss which was actually sustained upon the destruction or seizure described in section 127 (a) (3) of any interest in such corporation. The election is made for the entire interest of the taxpayer in the corporation, whether represented by stock, bonds, or otherwise, and is so made even if the taxpayer claims the loss for only a part of such interest. Such election when once made is irrevocable, although the date chosen as the date when the loss occurred may be changed with the permission of the Commissioner as in the case of other losses from a destruction or seizure described in section 127 (a) (3). For treatment of the amount of property excluded in determining worthlessness as a recovery by the taxpayer, see § 19.127 (b)–1.

For a loss to be sustained under section 127 (a) (3) with respect to any intangible property, such property must have a basis. Any intangible property treated as destroyed or seized under section 127 (a) (3) will, to the extent of the loss sustained upon such destruction or seizure, be treated as a casualty loss. Section 23 (g) (2) and (k) (2), relating to losses on certain worthless securities being treated as capital losses, does not apply to the loss on any such intangible property described in section 127 (a) (3), although such loss may, if the provisions of section 117 (j) are applicable, be treated as a capital loss under the provisions of section 117 (j). See § 19.117–7.

SEC. 156. WAR LOSSES. (Revenue Act of 1942 Title I.)

(a) *Losses from war, taxation of property recovered, and basis of property.* The Internal Revenue Code is amended by inserting after section 126 the following new section:

SEC. 127. WAR LOSSES.

* * * * *

(b) *Amount of loss on destroyed or seized property.* In the case of any property or interest in or with respect to property deemed to be destroyed or seized under subsection (a)—

(1) The amount of the loss on account of such property or interest shall be determined with regard to any recoveries with respect thereto in the taxable year but without regard to any possibility of recovering such property or interest, or of receiving any compensation (other than insurance or similar indemnity) on account of such property or interest in the taxable year or in any future taxable year.

(2) The taxpayer may choose to decrease the amount of the loss by all obligations or liabilities of the taxpayer with respect to such property or interest discharged or satisfied out of the property or interest upon its destruction or seizure, if the Commissioner is satisfied that such obligations or liabilities are so discharged or satisfied in a subsequent taxable year, or that the taxpayer is unable to determine whether or not such obligations or liabilities are in fact discharged or satisfied. No loss shall be deemed to have been sustained upon the destruction or seizure of such property or interest to the extent that it is compensated for by the discharge or satisfaction of obligations and liabilities of the taxpayer out of such property or interest in the taxable year in which such destruction or seizure is deemed to have occurred. The taxpayer's choice under this subsection shall be effective only if made within such time and in such manner as may be prescribed by regulations prescribed by the Commissioner with the approval of the Secretary.

* * * * *

(b) *Taxable Years to Which Amendments Applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1940.

§ 19.127 (b)–1 *Determination of amount of war loss.* The loss upon the property treated as destroyed or seized under section 127 (a) and (c) is determined as if the taxpayer's interest in such property had ceased by reason of such destruction or seizure. The loss is determined in the same manner as in the case of any other loss by casualty (see §§ 19.23 (e)–1 and 19.23 (f)–1) except that the possibility of recovering such property described in section 127 (a) or (c) or of recovering any compensation (other than insurance or similar indemnity) on account of such property or interest in the taxable year or in any future taxable year (such as the return of the property, or an award by a government, upon the termination of the war) is disregarded both in determining whether the loss is evidenced by a closed and completed transaction and in determining the amount of the loss. Insurance or any other certain indemnity by a government is not disregarded. If during the same taxable year in which the destruction or seizure is deemed to occur the taxpayer recovers the property, recovers money or other property in lieu of such property, or receives compensation for such property, or if during such taxable year the possibility of any such recovery or of receiving any such compensation develops into a recognized right to such recovery or compensation, such facts must be taken into account in determining whether any loss was sustained and, if a loss was sustained, the amount of the loss. For example, the taxpayer has property in an area under the control of an enemy country on the date war with such country is declared. Such property is deemed, under section 127 (a) (2), destroyed or seized on such date. During the taxable year of the taxpayer in which such date falls, the property is sent into a neutral country where the taxpayer recovers it. No loss is sustained by the taxpayer by reason of the destruction or seizure deemed to occur under section 127 (a) (2). If in lieu of such property the taxpayer had recovered other property in the same taxable year, the value of such other property must be taken into account as compensation for the loss sustained upon the destruction or seizure deemed to occur under section 127 (a) (2).

If a taxpayer owning 100 percent of each class of stock of a corporation elects under section 127 (a) (3) (see § 19.127 (a)–4) to determine the worthlessness of his interest in such corporation without regard to certain assets of the corporation as described in section 127 (a) (3), the entire value of such assets of the corporation as of the date the taxpayer's interest in the corporation is deemed destroyed or seized under section 127 (a) (3) shall be treated as a recovery on such date by the taxpayer in determining the amount of his loss upon such destruction or seizure. Obligations of the corporation enforceable against such assets are disregarded in determining the amount of such recovery. For example, if the corporation's interest in such assets is worth $100,000, the taxpayer's recovery under the provisions of section 127 (a) (3) is considered to be $100,000, regardless of whether or not any obligations of the corporation, enforceable against such assets, are superior to the interest of the taxpayer in the corporation. Thus, if the only interest of the taxpayer in the corporation is his ownership of its stock, and if the adjusted basis of such stock is $1,000,000, his loss is $900,000 even though the corporation may have $300,000 in outstanding bonds enforceable against its $100,000 of assets.

If, in the same taxable year in which the destruction or seizure of any property is deemed to occur, such property was used to discharge or satisfy any obligations and liabilities of the taxpayer, or if any such obligations and liabilities are discharged by reason of the events which cause such property to be treated as destroyed or seized, the amount of such compensation must be taken into account in determining the loss upon the destruction or seizure of the property. Furthermore, the taxpayer may elect to decrease the amount of his loss in the taxable year with respect to any property treated as seized or destroyed under section 127 by the amount of his other obligations and liabilities with respect to such property if such obligations or liabilities are discharged or satisfied in a subsequent taxable year out of such property or if the taxpayer is unable to determine at the time of the election whether or not such obligations or liabilities are so discharged or satisfied. The determination of the amount of the loss where there are obligations and liabilities with respect to destroyed or seized property is illustrated by the case of a bank having a branch in Tokio, the assets of which are treated under section 127 (a) (2) as destroyed or seized on the date war is declared with Japan. In determining the loss upon such assets, consideration must be given to the compensation for the destruction or seizure resulting from the assets being used in the same taxable year to discharge the bank's liabilities to depositors in the branch. Furthermore, if the bank establishes that any liabilities to depositors were discharged out of the assets in

a subsequent taxable year, or if the bank establishes that it is unable to determine whether or not any such liabilities are discharged out of the assets, it may elect to decrease the amount of the loss with respect to the assets in the branch by all such liabilities. If it is determined that any liabilities will not be discharged out of the assets, the bank may not decrease the amount of the loss by the amount of such liabilities.

The election described above to decrease the amount of the loss by obligations and liabilities with respect to the destroyed or seized property is made by so decreasing the loss in claiming a deduction therefor in the return (or if such return was filed on or before March 15, 1943, in an amendment thereto filed on or before July 1, 1943), in a claim for credit or refund of an overpayment, or in a petition to The Tax Court of the United States with respect to the taxable year in which the loss was sustained, and by attaching to such return (or such amendment thereto filed on or before July 1, 1943) as a part thereof, or by including in such claim a statement as to the obligations and liabilities involved, the property to which they relate, and such facts as are in the taxpayer's knowledge. If the loss is claimed in a petition to The Tax Court, such statement, made under oath, should be attached to a copy of the petition and sent to the Commissioner of Internal Revenue, Washington, D. C. The election when once made may be changed only with the permission of the Commissioner. The election must be made as to all the obligations and liabilities described above with respect to the same property, and applies to all such obligations and liabilities if made as to any of them.

SEC. 156. WAR LOSSES. (Revenue Act of 1942, Title I)

(a) *Losses from war, taxation of property recovered, and basis of property.* The Internal Revenue Code is amended by inserting after section 126 the following new section:

SEC. 127. WAR LOSSES.

* * * * *

(c) *Recoveries included in gross income.* (1) *General rule.* Upon the recovery in the taxable year of any money or property in respect of property considered under subsection (a) as destroyed or seized in any prior taxable year, the amount of such recovery shall be included in gross income to the extent provided in paragraph (2).

(2) *Amount of gain includible.* The amount of the recovery of any money or property in respect of property considered under subsection (a) as destroyed or seized shall be an amount equal to the aggregate of such money and the fair market value of such property, determined as of the date of the recovery. To the extent that such amount plus the aggregate of the amounts of previous such recoveries do not exceed that part of the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a) which did not result in a reduction of any tax of the taxpayer under this chapter, such amount shall not be includible in gross income and shall not be deemed gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed that part of the aggregate of such deductions which did not result in a reduction of any tax of the taxpayer under this chapter and do not exceed that part of the aggregate of such deductions which did result in a reduction of any tax of the taxpayer under this chapter, such amount shall be included in gross income but shall not be deemed a gain upon the involuntary conversion of property as a result of its destruction or seizure. To the extent that such amount plus the aggregate of the amounts of previous such recoveries exceed the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), such amount shall be considered a gain upon the involuntary conversion of property as a result of its destruction or seizure and shall be recognized or not recognized as provided in section 112 (f). If for any previous taxable year the taxpayer chooses under subsection (b) to treat any obligations and liabilities as discharged or satisfied out of the property or interest described in subsection (a), and if such obligations and liabilities were not so discharged or satisfied, the amount of such obligations and liabilities treated as discharged or satisfied under subsection (b) shall be considered for the purposes of this section as a deduction by reason of this section which did not result in a reduction of any tax of the taxpayer under this chapter. For the purposes of this paragraph an allowable deduction for any taxable year on account of the destruction or seizure of property described in subsection (a) shall, to the extent not allowed in computing the tax of the taxpayer for such taxable year, be considered an allowable deduction which did not result in a reduction of any tax of the taxpayer under this chapter.

(3) *Restoration of value of investments referable to destroyed or seized property.* For the purposes of paragraphs (1) and (2), the restoration in whole or in part of the value of any interest described in subsection (a) (3) by reason of any recovery of money or property in respect of property to which such interest related and which was considered under subsection (a) (1) or (2) as destroyed or seized shall be deemed a recovery of property in respect of property considered under subsection (a) as destroyed or seized.

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(f) *Determination of tax benefits.* The determination as to whether and to what extent an allowable deduction on account of the destruction or seizure of property described in subsection (a) did or did not result in a reduction of any tax of the taxpayer under this chapter shall be made in accordance with regulations prescribed by the Commissioner with the approval of the Secretary.

(b) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1940.

§ 19.127 (c)–1 *Recoveries included in gross income.* A taxpayer who has sustained a war loss described in section 127 must include in his gross income for each taxable year, to the extent provided in section 127 (c), the amount of his recoveries of money and property for such taxable year in respect of any war loss in a previous taxable year. Section 127 (c) provides that such recoveries for any taxable year are not includible in income until the taxpayer has recovered an amount equal to his allowable deductions in prior taxable years on account of such war losses which did not result in a reduction of any tax under chapter 1 of the Internal Revenue Code, that is, of any income tax of the taxpayer. See § 19.127 (c)–2 for the determination of the amount of such deductions. Recoveries in excess of such amount are treated as ordinary income until such excess equals the amount of his allowable deductions in prior taxable years on account of war losses which did result in a reduction of any such tax under chapter 1. Any further recoveries in excess of all the taxpayer's allowable deductions in prior taxable years for war losses are treated as gain on an involuntary conversion of property as a result of its destruction or seizure, and such gain is recognized or not recognized under the provisions of section 112 (f). See § 19.112 (f)–1. Such gain, if recognized, is included in gross income as ordinary income unless section 117 (j) applies to cause such gain to be treated as gain from the sale or exchange of a capital asset held for more than six months. See § 19.117–7.

The amount of the recovery of any money or property in respect of any war loss is the aggregate of the amount of such money and of the fair market value of such property, both determined as of the date of the recovery. The recoveries in respect of any war loss include the recovery of the property or interest treated as destroyed or seized under section 127 and the recovery of any money or property in lieu of such property or interest or on account of the destruction or seizure of such property or interest. For example, there is a recovery upon the return to the taxpayer after the termination of the war of his property which was treated as resulting in a war loss because it was located in a country at war with the United States. An award by a government on account of the seizure of the taxpayer's property by an enemy country is a recovery under section 127 (c). The amount obtained upon the sale or other transfer by the taxpayer of his right to any property treated as resulting in a war loss is also a recovery for the purposes of section 127 (c). Similarly, if a taxpayer who sustained a war loss under section 127 (e) upon the liquidation of a corporation has received the rights to any property of the corporation which was treated as destroyed or seized under section 127 (a) (1) or (2), any recovery by the taxpayer with respect to such rights is a recovery by him for the purposes of section 127 (c). Furthermore, if any interest of the taxpayer in or with respect to property was determined to be worthless and was treated as a war loss under section 127 (a) (3) (see § 19.127 (a)–4), or if the taxpayer retained an interest in a corporation with respect to which he sustained a war loss under section 127 (e), and if the interest in the hands of the taxpayer is restored in value, in whole or in part, by reason of a recovery with respect to the underlying assets treated as destroyed or seized under section 127, then such restoration in value is a recovery by the taxpayer for the purposes of section 127 (c).

The determination as to whether and to what extent any recoveries are to be included in gross income is made upon the basis of the amount of all the recoveries for each day upon which there are any such recoveries, as follows:

(a) The amount of the recoveries for any day is not included in gross income, and is not considered gain on an involuntary conversion, to the extent, if any, that the aggregate of the allowable deductions in prior taxable years on account of war losses which did not result in a reduction of any tax of the taxpayer under chapter 1 of the Internal Revenue Code, as determined under § 19.127 (c)–2, exceeds the amount of all previous recoveries in the same and prior taxable years.

(b) The amount of the recoveries for any day which is not excluded from gross income under (a) is included in gross income as ordinary income, and is not considered gain on an involuntary conversion, to the extent, if any, that the aggregate of all the allowable deductions in prior taxable years on account of war losses which did not result in any tax benefit, $1,000, exceed $0, the sum of all his previous recoveries. On a later date the taxpayer recovers property B, which is worth $1,500 on the date of recovery. This recovery is not included in gross income to the extent of $200, the amount by which the allowable deductions for prior taxable years on account of war losses which did not result in any tax benefit, or $1,000, exceed the sum of all previous recoveries, or $800. All of the remaining $1,300 of the recovery is included in gross income as ordinary income, and is not considered gain on the involuntary conversion of property, since it is less than the amount by which the aggregate of all the allowable deductions in prior taxable years on account of war losses, or $3,000, exceeds $1,000, the sum of the $800 of previous recoveries and of the $200 portion of the recovery with respect to B which is not included in gross income. On a still later date the taxpayer sells for $2,500 his rights to recover C. Since the allowable deductions for prior taxable years on account of war losses which did not result in any tax benefit ($1,000) do not exceed the previous recoveries by the taxpayer ($800 and $1,500, or $2,300), none of the recovery on account of C is excluded from gross income. This recovery is included in gross income as ordinary income, and is not considered gain on the involuntary conversion of property, to the extent of $700, the amount by which the aggregate of all the allowable deductions for prior taxable years on account of war losses ($3,000) exceeds $2,300, the sum of the $2,300 of previous recoveries and of the $0 portion of the recovery on account of C which is not included in gross income. The remaining $1,800 of the recovery is considered gain on an involuntary conversion of property on account of its destruction or seizure, and is not recognized if forthwith expended in the manner provided in section 112 (f). Thus, it is not recognized if it is forthwith expended for the acquisition of property related in service or use to C. On a later date the taxpayer recovers D, which has a fair market value of $400 at the time of the recovery. Since the aggregate of all the allowable deductions for prior taxable years on account of war losses ($3,000) does not exceed the previous recoveries by the taxpayer ($800 + $1,500 + $2,500, or $4,800), all of the recovery with respect to D is considered gain on an involuntary conversion of property as a result of its destruction or seizure. Under the provisions of section 112 (f), this gain is not recognized if D is used for the same purposes for which it was used before it was deemed destroyed or seized under section 127.

Example (2). The taxpayer on one day recovers $3,600 for property A and $7,000 for property B, both of which were treated under section 127 as destroyed or seized in a prior taxable year, and $8,000 of such $10,000 recoveries is considered gain on the involuntary conversion of property as a result of its destruction or seizure. The taxpayer forthwith expends $5,000 in the acquisition of property similar in use to B. Therefore, $5,000 of the $8,000 gain is not recognized under section 112 (f), leaving $3,000 of recognized gain. Property B is within the provisions of section 117 (j), relating to gains and losses on the involuntary conversion of certain described property, but property A is not. Therefore, the provisions of section 117 (j) apply to $2,000 of the $3,000 gain, that is, the amount of the recovery with respect to B which is not attributable to the nonrecognized gain for such day ($7,000 minus $5,000). If the taxpayer forthwith expended $8,000 or more for the acquisition of property similar in use to B, none of the gain would be recognized. If the taxpayer forthwith expended the $5,000 to acquire property related in use to A, the $3,000 recognized gain would be considered derived from B to the extent of the recovery with respect to B ($7,000), not reduced by any nonrecognized gain since none of such recovery is attributable to such nonrecognized gain, and therefore all of the $3,000 recognized gain would be subject to the provisions of section 117 (j).

For the purposes of section 127 (c), the recoveries considered are only those with respect to war losses sustained in prior taxable years. Similarly, the only deductions considered are those allowable for prior taxable years, and any allowable deductions for the year of the recovery are ignored for the purposes of applying such section to the recovery. If property is treated as destroyed or seized under section 127, and if in the same taxable year there is also a recovery with respect to such property, such recovery is not within the provisions of section 127 (c) but is taken into account under section 127 (b) in determining the amount of the loss, if any, on the destruction or seizure. See § 19.127 (b)–1. An allowable deduction with respect to a war loss is any deduction to which the taxpayer is entitled on account of any property or interest being treated as destroyed or seized under section 127, regardless of whether or not such deduction was claimed by the taxpayer or otherwise allowed in computing his tax. If a deduction was claimed by a taxpayer in computing his tax for any taxable year, and if such deduction was disallowed, such deduction will not be considered an allowable deduction for such taxable year since the previous determination will not be reconsidered.

§ 19.127 (c)–2 *Determination of tax benefits from allowable deductions.* That part of the aggregate of the deductions allowed a taxpayer for any taxable year on account of war losses under section 127 which, if disallowed, would not result in an increase in the normal tax, surtax (including the tax imposed by section 102), or victory tax of the taxpayer, or of any tax imposed in lieu of such taxes, for the taxable year in which such deductions are allowed or in any other taxable year, such as a taxable year in which the taxpayer's income tax is computed by reference to a carry-over or carry-back of net operating losses from the taxable year in which such deductions are allowed, is considered for the purposes of section 127 an allowable deduction for the taxable year which did not result in a reduction of any tax of the taxpayer under chapter 1 of the Internal Revenue Code. In determining that part of the aggregate of the deductions on account of war losses which, if disallowed, would not result in an increase in any such income tax of the taxpayer, there shall first be excluded for each taxable year affected the deductions and credits on account of the bad debt, tax, and delinquency amounts which under section 22 (b) (12) and the regulations thereunder are treated as not resulting in a tax benefit. The deductions

allowed a taxpayer for any taxable year on account of war losses are all the deductions on account of war losses which were claimed by the taxpayer in a return, in a claim for credit or refund of an overpayment, or in a petition to The Tax Court of the United States with respect to such taxable year and which were not disallowed, and all deductions on account of war losses which, although not so claimed by the taxpayer, were nevertheless allowed (for example, by the Commissioner, a court, or The Tax Court) in computing a tax of the taxpayer.

Any deduction allowable for a taxable year on account of a war loss under section 127 which (a) was not claimed by the taxpayer for such year in a return, a claim for credit or refund of an overpayment, or a petition to The Tax Court of the United States and (b) was not allowed as a deduction (for example, by the Commissioner, a court, or The Tax Court) in computing his tax for such year or for any other year is considered a deduction which did not result in a reduction of any tax of the taxpayer under chapter 1 of the Internal Revenue Code, since it is an allowable deduction which was not allowed in computing any tax of the taxpayer. If the taxpayer claimed for any taxable year a deduction on account of a war loss, and if such deduction was disallowed, the taxpayer may not subsequently contend for the purposes of section 127 (c) that such deduction was an allowable deduction for such taxable year.

If the taxpayer elected under section 127 (b) to decrease the amount of a war loss by treating the obligations and liabilities described in that section as discharged or satisfied out of the property destroyed or seized, and if the taxpayer establishes that any of the obligations and liabilities were not so discharged or satisfied, then the amount by which such continuing obligations and liabilities decreased the war loss shall be considered an allowable deduction for the taxable year in which the war loss was sustained which did not result in a reduction of any tax of the taxpayer under chapter 1 of the Internal Revenue Code.

SEC. 156. WAR LOSSES. (Revenue Act of 1942, Title I.)

(a) *Losses from war, taxation of property recovered, and basis of property.*—The Internal Revenue Code is amended by inserting after section 126 the following new section:

SEC. 127. WAR LOSSES.

* * * * *

(d) *Basis of recovered property.*—The unadjusted basis of property recovered in respect of property considered destroyed or seized under subsection (a) shall be determined under this subsection. Such basis shall be an amount equal to the fair market value of such property, determined as of the date of the recovery, reduced by an amount equal to the excess of the aggregate of such fair market value and the amounts of previous recoveries of money or property in respect of property considered under subsection (a) as destroyed or seized over the aggregate of the allowable deductions in prior taxable years on account of the destruction or seizure of property described in subsection (a), and increased by that portion of the amount of the recovery which under subsection (c) is treated as a recognized gain from the involuntary conversion of property. Upon application of the taxpayer, the aggregate of the bases (determined under the preceding sentence) of any properties recovered in respect of properties considered under subsection (a) as destroyed or seized may be allocated among the properties so recovered in such manner as the Commissioner may determine under regulations prescribed by him with the approval of the Secretary, and the amounts so allocated to any such property so recovered shall be the unadjusted basis of such property in lieu of the unadjusted basis of such property determined under the preceding sentence.

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(b) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1940.

§ 19.127 (d)–1 *Basis of recovered property.* Under section 127 (d), the unadjusted basis of any property treated as a war loss under section 127 which is recovered and the unadjusted basis of any property which is recovered in lieu of or on account of any such war loss is considered the fair market value of such recovered property upon the date of its recovery with the following adjustments:

(1) If the sum of the recoveries for the day such property is recovered and of all previous recoveries exceeds the aggregate of the allowable deductions for prior taxable years on account of war losses, so that a portion of the recoveries for such day is treated as gain on the involuntary conversion of property, such fair market value of the property is reduced by the total gain, if any, for such day derived from such recovered property, as determined under § 19.127 (c)–1.

(2) Such fair market value, as reduced under (1) above, is increased by the portion, if any, of the recognized gain resulting from the recoveries for such day which is allocable to such recovered property, as determined under §19.127 (c)–1.

In effect, the unadjusted basis of such property is its fair market value upon the date of its recovery, reduced by the amount of nonrecognized gain attributable to such recovery under the provisions of § 19.127 (c)–1.

If the respective bases of several properties of a taxpayer determined under section 127 (d) are greatly disproportionate to their adjusted bases immediately prior to their being treated as destroyed or seized under section 127, the taxpayer may apply to the Commissioner for the allocation of the aggregate of the bases of such properties among them in the proportion of their adjusted bases immediately prior to the destruction or seizure of such properties determined under section 127. The amount so allocated to any such property, in an application approved by the Commissioner, shall be the unadjusted basis of such property in lieu of the amount determined under the preceding paragraph.

The application to the Commissioner shall set forth a list of all the properties of the taxpayer having an unadjusted basis determined under this section, a description of each such property together with a statement as to the amount of its adjusted basis immediately prior to the destruction or seizure of such property determined under section 127, and a statement as to whether there has been any substantial change in the use or nature of the property chosen for the allocation from its nature or use immediately prior to the time it was treated as destroyed or seized. Such application will be allowed unless there has been such a substantial change in the nature or use of such property that the allocation of the bases would produce an arbitrary result, or unless the taxpayer has obtained such tax benefits by reason of the basis determined under the first paragraph of this section that it would be inequitable to change his basis. Thus, the allocation will not be allowed if it would give the taxpayer an unadjusted basis with respect to any property which is less than the amount of the adjustments in reduction of the basis of such property which are allowable after its recovery. For example, when property A is recovered it has an unadjusted basis of $100. After $70 depreciation has been allowed on A, an allocation is sought which would give A an unadjusted basis of $60. Since this is less than the depreciation which is an adjustment against such basis, the allocation will not be permitted.

The amount of any adjustments to the unadjusted basis determined under the first paragraph of this section shall, upon the allocation of the bases, be taken as an adjustment to the allocated unadjusted basis. Thus, if $30 depreciation was allowed upon a $100 basis determined under the first paragraph of this section, and if the unadjusted basis upon allocation is $75, such $30 depreciation is allowed against such allocated unadjusted basis, so that the adjusted basis of the property is then $45.

The taxpayer may choose any group of recovered properties for allocation, except that if any such recovered properties form one economic unit, such properties may not be separated but all or none must be included in the group. For example, a building may not be separated from the land on which it stands if both are recovered property, nor may one block of stock in a corporation be separated from other stock in such corporation or from bonds in such corporation which are also treated as a recovery. If the taxpayer has once been permitted to allocate the bases of any group of properties, he may obtain another allocation with respect to such properties only if all the properties in the original group are included together with other recovered properties not included in the original group. For example, if the bases of properties A and B are allocated, a second allocation will be made for properties A, B and C, but not for A and C or B and C.

SEC. 156. WAR LOSSES. (Revenue Act of 1942, Title I.)

(a) *Losses from war, taxation of property recovered, and basis of property.* The Internal Revenue Code is amended by inserting after section 126 the following new section:

SEC. 127. WAR LOSSES.

* * * * *

(e) *Partial worthlessness of certain investments in destroyed or seized property.*

(1) *Destruction or seizure of investment.* If a taxpayer owns not less than 50 per centum of each class of stock of a corporation, if such corporation has property described in subsection (a) (1) or (2) deemed to be destroyed or seized, the adjusted basis for determining loss of which is at least 75 per centum of the adjusted basis for determining loss of all such corporation's property, and if such corporation completely liquidates (by distributing all the assets which it is able to distribute and all its rights to assets which it is not able to distribute, including the right to the recovery of the property described in subsection (a) (1) and (2)) within one year after such property is deemed to be destroyed or seized, or within six months after the date of the enactment of the Revenue Act of 1942, which ever is the later, then that part of the loss by the taxpayer on such liquidation which would be attributable to the destruction or seizure of such property, as established to the satisfaction of the Commissioner, shall be treated for the purposes of this chapter as a loss by the taxpayer upon the destruction or seizure of the part of the stock or other interest of the taxpayer to which such loss is allocable. Such part of the stock or other interest of the taxpayer shall be treated for the purposes of subsections (b), (c), and (d) as property described in subsection (a) (3).

(2) *Application of paragraph (1).* For the purposes of paragraph (1)—

(A) In determining the adjusted basis of all the property of the corporation, there shall be excluded money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, and obligations issued or guaranteed as to principal or interest by the United States, except that there shall not be excluded any such property which is destroyed or seized as described in subsection (a) within or before the taxable period.

(B) The adjusted basis of property of such corporation shall be determined as of the date immediately preceding the first date on which any property was destroyed or seized, as described in subsection (a), or as of any later date falling within or before the taxable period on the basis of which such determination will produce a greater amount.

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(b) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1940.

§ 19.127 (e)–1 *Cases in which liquidation of corporation causes war loss.* Section 127 (e) provides that in a limited class of cases a portion of the loss by a taxpayer upon the liquidation of a corporation will be treated as a war loss resulting from the destruction or seizure of an allocable part of the interest of the taxpayer in the corporation. The war loss is sustained at the time the loss upon the liquidation is sustained. The taxpayer sustains a war loss only if section 127 (e) applies to the loss sustained by him upon the liquidation of the corporation, and only in the amount determined under that section. The provisions of section 127 (b), (c), and (d), and the regulations thereunder, which apply to a war loss determined under section 127 (a) (3) also apply to a war loss determined under section 127 (e).

(a) *Application of section 127 (e).* Section 127 (e) applies only if all of the following provisions are met:

(1) The taxpayer must own not less than 50 percent of each class of stock of the corporation at the time of the liquidation described below and at all times when any property of the corporation described in section 127 (a) is deemed destroyed or seized.

(2) Property of the corporation representing at least 75 percent of the adjusted basis for determining loss of all the property of the corporation must be deemed destroyed or seized under the provisions of section 127 (a) (1) or (2), relating to property actually destroyed or seized during military or naval operations or located in an enemy country or in an area under the control of such country. For the purposes of this provision:

(i) The adjusted basis for determining loss of all the property of the corporation is determined as of the date immediately preceding the first date on which any property of the corporation is deemed destroyed or seized under the provisions of section 127 (a) (1), (2), or (3), except that if such determination would produce a greater amount if made as of any later date falling within or before the taxable year in which the loss is sustained, it is made as of such later date on which it produces the greatest amount. If any property of the corporation which is at no time treated as destroyed or seized under section 127 (a) is money in the United States, bank deposits, the right to receive money from any person not situated in a country at war with the United States or in a territory under the control of such a country, or obligations issued or guaranteed as to principal or interest by the United States, then the adjusted basis of such property shall not be taken into account in determining the adjusted basis of all the property of the corporation.

(ii) The property of the corporation described in section 127 (a) (1) or (2) deemed to be destroyed or seized represents at least 75 percent of the amount determined under (i) above as the adjusted basis for determining loss of all the property of the corporation if the aggregate of the adjusted bases for determining loss of all such property described in section 127 (a) (1) or (2) (determined for each such property as of the date prescribed under (i), except that the date immediately preceding the date it is deemed destroyed or seized shall be used if the property was not held by the corporation on the date prescribed in (i) or was deemed destroyed or seized on or before such date) is not less than 75 percent of the amount so determined under (i). The property described in section 127 (a) (1) or (2) which is included in determining such 75 percent amount is property owned by the corporation, for the destruction or seizure of which it could claim a war loss under section 127 (a) (1) or (2). Property of the corporation deemed destroyed or seized under section 127 (a) (3) is not included in determining such 75 percent amount even though such property may be an interest in property described in section 127 (a) (1) or (2).

(3) The corporation must completely liquidate within one year after the last property of the corporation described in section 127 (a) (1) or (2) is deemed destroyed or seized under such section, except that if such year expires before April 21, 1943 (the date falling within six months after the enactment of the Revenue Act of 1942), the liquidation may be completed on or before that date. The corporation has completely liquidated if it has distributed to its shareholders all the assets which it is able to distribute and all its rights to assets, such as assets treated as war losses under section 127 (a) (1) or (2), which it is not able to distribute. Dissolution of the corporation is not necessary if the distribution otherwise results in a complete liquidation. In some cases the corporation may not be able to comply with certain formalities required by the law applicable in the case of a liquidation. For example, a corporation chartered by a foreign government not at war with the United States may be required to hold its shareholders' meetings, at which any liquidation must be approved, in a city occupied by the forces of a country at war with such government and with the United States; due to the occupation of that city by the enemy country the shareholders' meeting, approving the liquidation, is held at some other place. In such cases, the validity of the liquidation will be determined on the basis of whether the corporation in good faith has complied as fully as possible with all provisions of law applicable to such liquidation. The liquidation will not be considered invalid because of the absence of any formalities incident to such liquidation with which the corporation was not able to comply, unless such liquidation is actually declared invalid by any appropriate authority. If a war loss upon any such liquidation has been allowed upon audit by the Commissioner, if the taxpayer attached a statement to the return in which such loss was claimed, as a part thereof, to the effect that he had determined to consider the liquidation valid for all purposes, including the treatment as a recovery by him for the purposes of section 127 (c) of any recovery with respect to the assets and rights to assets distributed to him, and if the taxpayer in such statement waived the benefits of any period of limitations which would prevent the adjustment of his tax liability on account of the invalidity of the liquidation at any time at which he should contend that the liquidation was invalid and the Commissioner should agree to permit him so to change his position, then (in the absence of such change of position with the permission of the Commissioner) the war loss will not be subsequently disallowed even though the liquidation may be declared invalid by some appropriate authority.

(b) *Determination of amount of war loss.* If the provisions of paragraph (a) of this section are met, the loss sustained by the taxpayer upon the liquidation described in such paragraph is considered a war loss to the extent it is attributable to the property of the corporation described in section 127 (a) (1) or (2) which is deemed destroyed or seized. The loss sustained by the taxpayer upon the liquidation of the corporation is at-

tributable to property of the corporation described in section 127 (a) (1) or (2), which is deemed destroyed or seized, to the extent that such loss would be decreased (but not decreased below zero) if the corporation at the time of the liquidation owned additional assets, which it could distribute, having a fair market value equal to that of the property described in section 127 (a) (1) or (2), determined for each such property as of the date immediately preceding the date it is deemed destroyed or seized. The amount of the war loss sustained by the taxpayer is the amount of such decrease. For example, a taxpayer described in paragraph (a) of this section sustained a loss of $1,000 upon a liquidation described in such paragraph. If the corporation owned additional distributable assets at the time of the liquidation having a fair market value equal to that of its property described in section 127 (a) (1) or (2) (determined as of the date immediately preceding the date such property is deemed destroyed or seized), it would have distributed $800 of such assets to the taxpayer, and his loss upon the liquidation would accordingly have been reduced by this amount. Therefore, $800 of the $1,000 loss sustained by the taxpayer is attributable to the property of the corporation described in section 127 (a) (1) or (2), and the taxpayer has a war loss of $800. The remaining $200 loss sustained on the liquidation has the same character it would have had if section 127 (e) had not applied to any portion of such loss.

If the taxpayer has more than one kind of stock or other interest in the corporation, the determination of the war loss by reference to the decrease in the loss on the liquidation must be made for each such interest, since to the extent the loss on any such interest would be reduced below zero (by the distribution of the assets equal in value to the property described in section 127 (a) (1) or (2)) no war loss is sustained by the taxpayer. For example, the taxpayer owns stock A and stock B in the corporation, and upon its liquidation he sustains a loss of $1,000 with respect to A and of $2,000 with respect to B, or $3,000 in all. Upon a distribution of assets equal in value to the property of the corporation described in section 127 (a) (1) or (2), the taxpayer would receive $1,800, reducing his loss on the liquidation by that amount. However, of this $1,800, $1,200 would be received with respect to the A stock, for which the loss on the liquidation was only $1,000. Therefore, only $1,000 of the amount received with respect to the A stock is a war loss. $600 would be received with respect to the B stock, and all of this amount is a war loss since it would not reduce the $2,000 loss on B below zero. Therefore, the war loss of the taxpayer on the liquidation is $1,600 ($1,000 plus $600) and not the $1,800 computed on the basis of the taxpayer's total interest in the corporation.

For the purposes of the preceding paragraphs of this paragraph, the loss sustained by the taxpayer upon the liquidation described in paragraph (a) of this section is determined under sections 111 and 115. Such loss is determined without regard to the provisions of section 112, relating to the nonrecognition of gains and losses upon certain exchanges, but such provisions apply to that part of the loss which is not treated as a war loss. In determining the loss of the taxpayer upon the liquidation, no value shall be ascribed to the possibility of a recovery of the property of the corporation described in section 127, deemed destroyed or seized, the rights to which are distributed to him, or of compensation (other than insurance or similar indemnity) on account of its destruction or seizure. Any recovery in the taxable year with respect to such rights is taken into account under section 127 (b) in determining the amount deductible on account of the war loss.

The war loss described in this section is deemed to result from the destruction or seizure of the taxpayer's interest in the corporation to which it is allocable. Therefore, this war loss, in the amount determined under section 127 (b) (see § 19.127 (b)-1), is deductible as an ordinary loss by casualty unless under section 117 (j), relating to losses on the involuntary conversion of certain property, it is treated as a loss on the sale or exchange of a capital asset. If part of the taxpayer's stock or other interests in the corporation is property described in section 117 (j), and part is not, then for the purposes of section 117 (j) the war loss must be allocated to the various interests in the corporation. The portion of any interest in the corporation to which any part of the war loss is allocable is deemed destroyed or seized under section 127 (e), and the part of the war loss allocated to such interest is deemed to result from such destruction or seizure. The allocation of the war loss among the stock and other interests of the taxpayer in the corporation is made as follows:

The war loss is apportioned among the stock and other interests of the taxpayer in the corporation in the amounts by which the losses with respect to such interests, sustained upon the liquidation, would be decreased if the corporation had distributed, as described above for the determination of the amount of the war loss, assets equal in value to its property described in section 127 (a) (1) or (2). The war loss is allocable to that part of the stock or other interest of the taxpayer which is the same portion of such interest as the war loss apportioned to such interest is of the loss with respect to such interest sustained upon the liquidation. For example, the taxpayer owns stock of class A and stock of class B in a corporation. Upon the liquidation described in paragraph (a) of this section it sustains a loss of $1,000 on the A stock and $2,000 on the B stock, a total loss of $3,000. If the corporation had distributed assets equal in value to its property described in section 127 (a) (1) or (2), the taxpayer would have received $1,400, $1,000 with respect to A and $400 with respect to B, reducing his loss on each by such amount.

Therefore, of his $1,400 war loss, $1,000 is apportioned to A and $400 to B. The war loss is allocable to all of the A stock $\left(\frac{\$1,000 \text{ war loss}}{\$1,000 \text{ liquidation loss}} \text{ times A}\right)$, and the $1,000 war loss apportioned to the A stock is deemed to result from its destruction or seizure. Similarly, the war loss is allocable to 20 percent of the B stock $\left(\frac{\$400 \text{ war loss}}{\$2,000 \text{ liquidation loss}} \text{ times B}\right)$, and the $400 war loss apportioned to B is deemed to result from the destruction or seizure of a 20 percent interest in the B stock owned by the taxpayer.

PAR. 2. Section 19.22 (a)-1 is amended by inserting at the end of the next to the last paragraph thereof the following sentence:

As to income upon a recovery in respect of war losses, see section 127 (c).

PAR. 3. Section 19.22 (b)-1, as amended by Treasury Decision 5194, approved December 8, 1942, is further amended by changing "sections 22 (k), 112, 119, and 171" in the fifth sentence thereof to read "sections 22 (k), 112, 119, 127 (c), and 171".

PAR. 4. Section 19.23 (e)-1, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended by inserting at the end of the second paragraph the following sentence:

For special provisions with respect to war losses, see section 127.

PAR. 5. Section 19.23 (f)-1 is amended by inserting at the end thereof the following sentence:

For special provisions with respect to war losses, see section 127.

PAR. 6. Section 19.23 (g)-1 is amended by inserting at the end of the first paragraph the following sentence:

Section 23 (g) does not apply to securities which are deemed destroyed or seized under section 127, relating to war losses.

PAR. 7. Section 19.23 (k)-4, as amended by Treasury Decision 5234, approved March 1, 1943, is further amended by inserting at the end of the first paragraph the following sentence:

Section 23 (k) (2) does not apply to securities which are deemed destroyed or seized under section 127, relating to war losses.

PAR. 8. Section 19.113 (a)-1 is amended by inserting at the end thereof the following sentence:

For special rules for determining the unadjusted basis of property recovered in respect of war losses, see section 127 (d).

(Pub. Law 753, 77th Cong., and sec. 62 of the Internal Revenue Code (53 Stat., 32, 26 U.S.C., 1940 ed., 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved April 13, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5828; Filed, April 14, 1943; 11:31 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

[Docket No. A-1909]

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for rail and truck shipments and changes in shipping points for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the freight origin group numbers and the shipping points for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 323.7 (*General prices*) is amended by adding thereto Supplement R-II, § 323.8 (*Special prices—(a) Bunker fuel—tidewater*) is amended by adding thereto Supplement R-III, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the freight origin group numbers and the shipping points appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the freight origin group numbers and the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

§ 323.6 *Alphabetical list of code members—Supplement R-I*

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
107	Allied Coal Company (Joe J. Zuchowski)[1]	Allied #1[1]	U. Freeport	Lowson, W. Va.	WVN	71	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
619	Brewer & Nedleman (Ira Brewer)[1]	B & N #1[1]	Waynesburg	Maidsville, W. Va.	Monah	52	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
1397	Brewer & Nedleman (Ira Brewer)	B & N #2	Sewickley	Maidsville, W. Va.	Monah	52	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
820	Brewer & Nedleman (Ira Brewer)[1]	B & N #3[1]	Redstone	Maidsville, W. Va.	Monah	52	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
1398	Brewer & Nedleman (Ira Brewer)	B & N #4	Pittsburgh	Maidsville, W. Va.	Monah	52	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1401	Consolidation Coal Co.	Consol #81-c (S)	Pittsburgh	Shinnston, W. Va.	B&O	61	F	F	F	F	F	I	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1402	Cornell Coke Co.	No. 3 (S)	Pittsburgh	Rock Forge, W. Va.	B&O	70	F	F	F	F	F	I	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
218	Frances Fuel Co.[1]	Petrick (S)	Pittsburgh	Frances Mine, W. Va.[2]	B&O	61	F	F	F	F	F	F	F	I	F	F	(†)	(†)	(†)	(†)	(†)	(†)
373	Reynolds, W. A.[1]	Reynolds #2[1]	Coalburg	Thorn, W. Va.	SC&M	11	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
413	Sanders, A. D. & Son[1]	Kingmont, Jr. #2	Pittsburgh	Kingmont, W. Va.	B&O	50	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
					Monon.	River	DE	DE	DE	DE	DF	DE	DF	DF	DF	DF	B	B	B	B	B	B
717	Sturm, J. E.	Robinson	Pittsburgh	Bridgeport, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
164	Winchester Coal Co. (Charles E. Potter)[1]	Winchester	Pittsburgh	[illegible] Jct., W. Va.	W Md	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
192	Zinn, Donald (S)	E-Z #2	M. V. Freeport	Newburg, W. Va.	B&O	70	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
693	Zuchowski-Sullivan Coal Company (J. J. Zuchowski)	Victory[1]	U. Freeport	Lowson, W. Va.	WVN	71	J	J	J	J	J	J	I	J	J	I	(†)	(†)	(†)	(†)	(†)	(†)

† Indicates no classification or price established for these size groups.
[1] Indicates change in name.
[2] Indicates change in shipping point.

NOTE: The above classifications are applicable only via the respective freight origin groups, shipping points, railroads and railroad fuel groups shown for the respective mines. Freight origin groups, shipping points, railroads and railroad fuel groups shown in previous schedules are hereby deleted.

NOTE: For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) and § 323.8 (c) in Minimum Price Schedule No. 1.

To Note No. 1 in § 323.8 (b) in Minimum Price Schedule add mine index Nos. 619, 820, 1397 and 1398. These mines shall be priced at 15 cents less than shown for coal consigned to the Erie, P&LE and New York Central Railroads only: Group No. 1: 164, 218, 413, 717, 1398 (a), 1401, 1402; Group No. 3: 107, 192, 693; Group No. 4: 619 (a), 820 (a), 1397 (a); Group No. 5: 373.

§ 323.7 *General prices*—Supplement R–II

In § 323.7 of the Effective Schedule, section reading "From Freight Origin Group Nos. 70–71," should be changed to read as follows:

	1	2	3	4	5	6	7	8	9	10
From: Freight origin group Nos. 70–71 72										
D	270	270	270	270	245	245	235	235	225	225
F	265	265	260	260	235	235	220	220	210	210
G	255	255	250	250	225	225	210	210	200	200
H	250	250	245	245	220	220	215	215	205	205
J	245	245	240	240	220	220	210	210	200	200

In § 323.7 of the Effective Schedule, section reading "From Freight Origin Group Nos. 70–71," should be changed to read as follows:

	1	2	3	4	5	6	7	8	9	10
From: Freight origin group Nos. 70–71 72										
D	270	270	270	270	258	258	248	248	228	228
F	265	265	265	265	248	248	233	233	213	213
G	255	255	255	255	243	243	223	223	213	213
H	250	250	250	250	238	238	218	218	208	208
J	245	245	245	245	233	233	213	213	203	203

§ 323.8 *Special prices (a) Bunker fuel—tidewater*—Supplement R–III

In § 323.8 (a) of the Effective Schedule, Schedule for Bunker Fuel—Tidewater should be changed as follows:

10–11	A 233
	D 224
70 71 72	D F G 259
	All Others 250

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	County	Size groups 1	2	3	4	5	6	7
Allied Coal Company (Joe J. Zuchowski)	167	Allied #1 [1]	U. Freeport	Preston	247	247	247	220	220	210	200
Brower & Negleman (Ira Brower)	61	B & N #11	Waynesburg	Monongalia	228	223	223	198	198	185	173
Brower & Neglemen (Ira Brower)	1367	B & N #2	Sewickley	Monongalia	228	223	223	198	198	183	173
Brower & Neglemen (Ira Brower)	82	B & N #3	Redstone	Monongalia	243	238	238	213	213	198	188
Brower & Neglemen (Ira Brower)	1368	B & N #4	Pittsburgh	Monongalia	243	238	238	213	213	198	188
Consolidated Coal Co.	1161	Consol #84-C (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Carroll Coke Co.	1162	No. 1 (S)	Pittsburgh	Monongalia	243	238	238	213	213	198	188
Frances Fuel Co. [1]	248	Tetrick (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Reynolds W. A. [1]	573	Reynolds #2	Coalburg	Nicholas	273	268	268	243	243	233	213
Snodgrass A. D. & Son [1]	114	Kingsmont Jr. #2	Pittsburgh	Harrison	243	238	238	213	213	198	188
Thorn, J. F. [1]	717	Robinson	Pittsburgh	Harrison	243	238	238	213	213	198	188
Wilson, J. A. [1]	777	J. A. Wilson [1]	Sewell	Nicholas	273	268	268	243	243	233	213
Winchester Coal Co. (Charles L. Potter)	164	Winchester	Pittsburgh	Harrison	243	238	238	213	213	198	188
Zuch, Donald [1]	196	E-Z #2	M. V. Free	Preston	245	245	245	220	220	210	200
Zuchowski, Sullivan Coal Company (J. J. Zuchowski)	693	Victory [1]	U. Freeport	Preston	245	245	245	220	220	210	200

[1] Prices (Name change in name

[F R Doc 43-5745; Filed, April 13, 1943; 10:22 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[General License 53,[1] as Amended]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

AUTHORIZATION OF BANK TRANSACTIONS IN TRADE AREA

APRIL 13, 1943.

General License No. 53, as amended under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 53, as amended, is hereby amended in the following respects:

1. Insert the following as paragraph (c):

(c) This general license shall also authorize any transaction engaged in by a bank within the generally licensed trade area pursuant to the order of or for the account of any national of a blocked country within the generally licensed trade area to the same extent, and under the same circumstances, as though such transaction were solely for the account of such bank: *Provided, however,* That this paragraph shall not be deemed to permit any payment, transfer or withdrawal from any blocked account: *And provided, further,* That the following terms and conditions are complied with:

(1) Such transaction is not by, or on behalf of, or pursuant to the direction of (i) any person whose name appears on "The Proclaimed List of Certain Blocked Nationals", or (ii) any blocked country or national thereof not within the generally licensed trade area;

(2) Such transaction does not involve property in which (i) any person whose name appears on "The Proclaimed List of Certain Blocked Nationals", or (ii) any blocked country or national thereof not within the generally licensed trade area, has at any time on or since the effective date of the Order had any interest.

2. Renumber paragraph (c) as paragraph (d).

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong., 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5797; Filed, April 13, 1943; 4:02 p. m.]

[1] 6 F.R. 3556, 3946, 5180, 6792; 7 F.R. 7518.

[General License 68A,[1] as Amended]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

RESIDENT JAPANESE NATIONALS

APRIL 13, 1943.

General License No. 68A, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 68A is hereby amended by the deletion of paragraph (e) of such general license.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong., 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5795; Filed, April 13, 1943; 4:02 p. m.]

[1] 6 F.R. 6454; 7 F.R. 305 1854.

[General License 85]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

MEXICAN SECURITIES

APRIL 13, 1943.

General License No. 85 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 131.85 *General License No. 85.* (a) A general license is hereby granted authorizing the following transactions with respect to Mexican securities of the classes specified in the Decree of August 4, 1942, of the United States of Mexico and which are held in blocked or General Ruling No. 6 accounts in banking institutions within the United States, notwithstanding the fact that Form TFEL–2 may not have been previously attached to such securities:

(1) The presentation of such securities to an appropriate registry agent within the United States pursuant to the terms of such Decree;

(2) The receipt and registration of such securities by such registry agent pursuant to the terms of such Decree; and

(3) The performance of such other acts as are necessarily incident to such registration;

Provided, however, That any registry agent receiving any such security pursuant to this general license shall hold such security within the United States and subject to the provisions of section 5 (b) of the Trading with the Enemy Act, as amended, and the order; and shall, within a reasonable period of time after such security has been received, return it to the banking institution previously holding such security, and such banking institution shall return such security to the account in which it was previously held.

(b) This general license shall also authorize the transactions, above described, with respect to securities of the type referred to in section 2A (1) of the order when such securities have been in the custody or possession of the same banking institution within the United States, continuously since July 25, 1940, notwithstanding the fact that Treasury Department Form TFEL–2 may not have been previously attached to such securities.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong.; 55 Stat. 838, E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5796; Filed, April 13, 1943; 4:02 p. m.]

[1] 7 F.R. 2503.

[Public Circular 18A]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

TRANSACTIONS BY U. S. CONCERNS IN LATIN AMERICA

APRIL 13, 1943.

Public Circular No. 18A under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

(a) *Subject and scope.* Public Circular No. 18[1] prescribes the standard of conduct to be observed with respect to transactions involving enemy nationals. This public circular supplements Public Circular No. 18 and prescribes the standard of conduct to be observed by United States concerns located within Latin America with respect to transactions involving other nationals of blocked countries. It does not purport to prescribe standards for concerns not located within Latin America.

(b) *Authorized transactions by United States concerns located within Latin America.* Subject to the exceptions noted in paragraph (c), United States concerns located within Latin America are authorized to engage in transactions involving blocked nationals located within the generally licensed trade area, or within Spain, Portugal, Switzerland or Sweden, without further license. Such United States concerns will, of course, be expected to comply with all local controls in engaging in such transactions.

(c) *Transactions by United States concerns located within Latin America which are not authorized.* The following transactions shall not be engaged in by any United States concern located within Latin America except pursuant to general or specific licenses issued by the Treasury Department:

(1) Any transaction involving a dollar account of a blocked national located outside the generally licensed trade area, if such account is held on the books of a United States concern located within Latin America which is a bank or other financial institution;

(2) Any transaction involving an enemy national (see Public Circular No. 18).

In addition to the foregoing, the Treasury Department or any United States Mission in the other American Republics at any time may stipulate that any particular transaction or class of transactions requires a specific license. Any such stipulation shall be binding upon all persons having notice thereof.

(d) *Filing of applications.* Applications for specific licenses to engage in any transaction may be filed with any United States diplomatic and consular officer in the other American Republics or with a Federal Reserve Bank in the United States.

(e) *Definitions.* (1) The term "transaction involving a blocked national" shall include any transaction with, by, on behalf of, or at the direction of a blocked country or national thereof, or which involves property in which such national or country has an interest.

(2) The term "United States concern located within Latin America" shall mean any person subject to the jurisdiction of the United States located within Latin America, and the term "person subject to the jurisdiction of the United States" shall have the meaning prescribed in Public Circular No. 18.

(3) The term "generally licensed trade area" shall have the meaning prescribed in General License No. 53.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong., 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5764; Filed, April 13, 1943; 4:02 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under P. D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719, sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 1 to Supplementary Order M-15-g as Amended April 12, 1943]

Supplementary Order M-15-g as Amended April 12, 1943 (§ 940.9) (8 F.R. 4756), is hereby amended by amending paragraph (c) (4) thereof to read as follows:

(4) When such purchase or acquisition is authorized by a Preference Rating Certificate PD-1A issued prior to May 1, 1943, assigning a preference rating A-1-a or higher.

Issued this 15th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5793; Filed April 12, 1943; 5:02 p. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[General Limitation Order L-38 as Amended April 14 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel, copper, and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1071.1 *General Limitation Order L-38*—(a) *Definitions.* For the purpose of this order:

(1) "System" means any refrigerating or air conditioning system, consisting of an assembly or combination of machinery, equipment, or other apparatus designed primarily to lower the temperature of, or remove water vapor from gaseous, liquid, or solid matter, directly or indirectly, by mechanical, chemical, or physical means. The term shall not include a domestic mechanical refrigerator as defined in paragraph (a) (10), a domestic ice refrigerator as defined in paragraph (a) (11), or a farm milk cooler as defined in paragraph (a) (12) of this order.

(2) "Parts" means any parts, materials, insulated enclosures, implements, or devices, designed for incorporation in a system or for use therewith in causing it to perform its functions.

(3) "New", when applied to any system or part, means a system or part that has never been sold and delivered to any person acquiring it for use. "Used", when so applied, means any system or part which has been so sold and delivered, regardless of whether or not it has subsequently been reconditioned or redesigned.

(4) "Authorized order" means any order for the delivery of a system or parts, which the War Production Board has authorized on Form PD-830 or PD-831 pursuant to paragraph (c) of this order. The term shall also include any order for such a system or parts which has been placed with and accepted by a dealer, producer or other person prior to April 6, 1943, if such order bears a preference rating of A-1-c or higher (or if the acceptance and delivery of such order was specifically authorized or directed by the War Production Board without any preference rating having been assigned thereto, prior to April 6, 1943): *Provided*, That the system or parts can be and are produced and delivered in accordance with the provisions of Orders M-9-c and M-126 applicable thereto immediately prior to April 6, 1943.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) "Producer" means any person to the extent that he is engaged in the manufacture, fabrication, or assembly of systems or parts. The term shall not include any sales or distribution outlet of a producer.

(7) "Dealer" means any person, other than a producer, engaged in the business of selling or distributing new, used, or reconditioned systems or parts, whether at wholesale, retail, or otherwise. The term includes any sales or distribution outlet of a producer.

(8) "Emergency repair service" means the repair of any installed system when, subsequent to its installation and operation, a breakdown occurs therein, or is immediately threatened. The term shall not include replacement of the high (pressure) side or condensing unit (with or without motor or condenser) except in sealed unit types, the low (pressure) side, or the insulated enclosure, or any change of the type of refrigerant, design, or capacity of the system; but shall include necessary replacement of any component part of the high side, low side, or insulated enclosure, if such part cannot be repaired and if the part installed is not of greater capacity than the part replaced, and shall also include the shop repair of the replaced component part.

(9) "Deliver" means to transfer physical possession, title, or ownership to another person, to install, or to place in the hands of any carrier or otherwise in transit for transfer of possession to another person, regardless of whether such transfer, installation, or shipment is for the purpose of sale, trade, loan, lease, or some other type of transaction.

(10) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating), but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(11) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(12) "Farm milk cooler" means any immersion (drop-in) type or surface (tubular) type milk cooler for use on a farm, and includes any system or parts which have been installed in any such cooler, or acquired pursuant to an "authorized order" (as defined in paragraph (a) (4)) by a manufacturer of farm milk coolers for installation in such coolers. The term shall not include any (refrigerating) system or parts (except the cabinets and insulated enclosures of farm milk coolers) prior to actual acquisition thereof by such a manufacturer.

(13) "Industrial type extended surface heating equipment" means any apparatus employing a heat transfer element and designed primarily to increase the temperature of gaseous matter in connection with the operation of any refrigerating or air conditioning system.

(14) "Industrial type humidifying equipment" means any apparatus designed primarily to add water vapor to gaseous matter, in connection with the operation of any industrial or commercial refrigerating or air conditioning system, or for any purpose other than the health or comfort of persons.

(15) "Comfort cooling system" means any system described as such on List F (made a part of this order) as amended from time to time.

(16) "Owned," when applied to any materials means such materials as were in the possession or control of the designated person, or in transit to him on the date indicated.

(17) "Any person acquiring the same for use" shall include any person who purchases or otherwise acquires any systems, parts, or other equipment, except a dealer or producer acquiring systems, parts, or other equipment for resale, and reselling the same.

(b) *Restrictions on deliveries*—(1) *Parts for repair service.* (i) No dealer or producer shall deliver any new or used parts to the owner, lessee, or user of any used system, and no person shall accept delivery of any such parts, unless such parts are delivered either (*a*) for use in "emergency repair service" and to fill a purchase order bearing a preference rating of AA-4 or higher, or (*b*) to fill an "authorized order," or (*c*) for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration, including orders for any Army or Marine Corps Post Exchange or any Navy Ships Service Department; and the parts replaced shall be disposed of in accordance with paragraph (e) of this order, if made of metal; and

(ii) No dealer or producer shall deliver any new or used parts to the owner, lessee, or user of a "comfort cooling system" for the repair of such system, except pursuant to an "authorized order," or pursuant to a purchase order bearing a preference rating of AA-4 or higher where all the parts necessary for the "emergency repair service" for such system do not have an aggregate sales value in excess of the following: (*a*) $25 where the aggregate installed capacity is not over 20 h. p. or tons of refrigeration (ASRE specifications), (*b*) $50 where such capacity is over 20 h. p. or tons but not over 100 h. p. or tons, or (*c*) $100 where such capacity is over 100 h. p. or tons. (If the parts required are to be obtained under several purchase orders placed either with the same supplier, or with different suppliers, so that the value of the parts furnished under each or any of such orders is less than the amounts specified above, such division shall not avoid the restriction of this subdivision (ii)). No such order for parts (having a value in excess of the applicable amount specified above) will be authorized unless it is demonstrated to the satisfaction of the War Production Board that the continued operation of such "comfort cooling system" is essential to avoid air conditions which would be intolerable or dangerous to health, and that such conditions cannot be avoided by the use of that portion of the system designed for the circulation of air, electric fans, or other power driven equipment possessed by the owner, lessee, or user of the system and/or by opening of windows or doors. No person shall accept delivery of any parts for the repair of a "comfort cooling system," except in accordance with the provisions of this subparagraph (1).

(2) *Other equipment*—(i) *List A items.* Any dealer, producer, or other person may deliver (unrestricted by this order) and any person may accept delivery of, any new or used item of equipment of any kind or type included on List A (made a part of this order as amended from time to time), or any new or used parts acquired by such dealer, producer, or other person prior to May 15, 1942 for use in any such equipment owned by him on May 15, 1942, except a new refrigeration condensing unit rated at more than ½ h. p. and designed for remote installation.

(ii) *List B, Part I, items.* No dealer or producer shall deliver any new item of equipment of any kinds included on List B, Part I, (made a part of this order as amended from time to time) to any person acquiring the same for use, except pursuant to an "authorized order" to any agency or other person designated on said list; and no person shall accept delivery of any such item of equipment, except such an agency or other person receiving delivery pursuant to an "authorized order."

(iii) *List B, Part II, items.* No dealer or producer shall deliver any new item of equipment of any kinds included on List B, Part II (made a part of this order as amended from time to time) to any person acquiring the same for use, except pursuant to an agency designated on said list; and no person shall accept delivery of any such item of equipment except such an agency.

(iv) *Items for farm milk coolers.* No dealer or producer shall deliver any new (refrigerating) systems for use in farm milk coolers or parts for such systems other than the cabinets or insulated enclosures, to a manufacturer of such coolers or any other person, except pursuant to an "authorized order." The subsequent delivery of any such systems or parts acquired pursuant to an "authorized order" by such a manufacturer, or owned by him on April 6, 1943, or of any farm milk coolers in which any such systems or parts have been installed, shall not be restricted by the terms of this order.

(v) *Items exclusive of List A and List B items and farm milk coolers.* No dealer or producer shall deliver any new system of any kind or type, not referred to under the preceding subdivisions (i), (ii), (iii), or (iv), to any person acquiring the same for use, except pursuant to an "authorized order," or for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(vi) *Parts not for emergency repair service.* No dealer or producer shall deliver any new parts of any kind or size, or any used high side, compressor, turbo blower, condenser, low side, or evaporator, designed for use with a system rated at three horse power or more or having a rated capacity of three tons or more (American Society of Refrigerating Engineers' Specifications) to any person acquiring the same for use other than for emergency repair service, except pursuant to an "authorized order," or for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(vii) *Heating or humidifying equipment.* No dealer or producer shall deliver any new "industrial type extended surface heating equipment" or any "industrial type humidifying equipment" to any person acquiring the same for use, except pursuant to an "authorized order" or for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(viii) *List C.* No purchase order for any equipment referred to under subdivisions (v), (vi), or (vii) above will be authorized if such equipment is not to be used for a purpose described on List C (made a part of this order) as amended from time to time.

(ix) *Report of orders placed under (iii), (v), (vi), and (vii) for Army, etc.* On or before the 10th day of April, 1943, and the 10th day of each succeeding calendar month, each producer shall file with the War Production Board a letter, in triplicate, showing all orders accepted by him during the preceding calendar month for any new system referred to under subdivision (iii) above, or any new equipment referred to under subdivision (v) above, or any new major part (high side, compressor, turbo blower, condenser, insulated enclosure, low side, or evaporator, of any size) referred to under subdivision (vi) above, or any new equipment referred to under subdivision (vii) above, and delivered, or to be delivered, to or for the account of (and for direct use by) the Army, Navy, Maritime Commission, or War Shipping Administration. Such letter shall also state the name of the purchasing agency, the name and address of the purchasing officer, the date of acceptance of such order, the required delivery date, and a brief description of the quantity, type, and size of the equipment ordered and the purchaser's order number. Copies of such purchase orders may be filed with such letter to furnish such detailed information, in lieu of incorporating the same therein. (This reporting requirement approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942).

(x) As used in this paragraph (b) (2), the words "Army" and "Navy", shall not include any Army or Marine Corps Post Exchange or any Navy Ships Service Department.

(c) *Method of securing authorization for an "authorized order."* (1) (i) Application for the authorization required to make any purchase order an "authorized order" shall be made to the War Production Board by the person seeking to place such order, on Form PD-830 if the system or parts to be purchased are required for use in any cold storage warehouse, industrial or commercial ice plant, frozen food locker plant, food processing plant (except a dairy or ice cream plant requiring equipment having a capacity of five (5) horsepower or five (5) tons (ASRE specifications) or less), industrial processing of products other than food, refrigerated railroad car, truck, or ship, or any air conditioning installation of any size; and on Form PD-831, if for any other purpose.

(ii) The filing of such application shall relieve the applicant from the necessity of filing the application form required to obtain authorization for the placing or acceptance of a purchase order for any component part subject to Orders L-100, L-163, or L-172, to be included in the system covered by said application, and the inclusion of such component part in the production or delivery schedule of the manufacturer thereof.

(iii) If the system, parts, or other equipment required are for use in construction work subject to the terms of Conservation Order L-41, as amended from time to time, the application on Form PD-830 or PD-831 shall include only such materials as are necessary for installation of the system, parts, or other equipment covered thereby.

(2) The War Production Board may authorize any such order on Form PD-830 or PD-831 upon such conditions, if

any, as it shall specify (except as to dates of production and delivery), and may assign a preference rating thereto or rerate any such order. Such authorization will be issued to the applicant upon one of said forms, and will be accompanied by separate authorizations for each of the component parts included therein if required under Orders L–100, L–163, and L–172 of the War Production Board for the purposes specified, which shall be transmitted by the purchaser to his supplier, and by the latter to his suppliers of component parts when necessary for delivery of such component parts.

Nothing in this order, however, shall relieve any manufacturer from filing any periodical reports of production or delivery schedules or other operations, or from complying with any requirement or direction which may be issued by the War Production Board, as to scheduling or rescheduling of production or deliveries of any such component parts, as required by any other order of the War Production Board including Orders L–100, L–163, and L–172, or any specific directions from the War Production Board.

(3) Deliveries of any component parts covered by any such accompanying authorizations shall be made in accordance with the terms of such authorizations and the War Production Board orders pursuant to which they are respectively issued.

(d) *Restrictions on production*—(1) *Types and uses prohibited altogether*—(i) *List D items.* No producer shall manufacture any new system or equipment of any kind named or described on List D (made a part of this order) as amended from time to time, for delivery to any person or for any purpose.

(ii) *List E items.* No producer shall manufacture any new system or equipment of any kind named or described on List E (made a part of this order) as amended from time to time, except for direct use by an agency or person designated on said List and for a purpose (if any) designated thereon.

(iii) *Reach-in refrigerators and walk-in coolers.* No producer of reach-in refrigerators or prefabricated sectional walk-in coolers shall manufacture any such refrigerators or coolers for any purpose other than for direct use by the Army, Navy, Maritime Commission or War Shipping Administration, unless manufactured entirely from parts or materials owned by such producer on April 6, 1943; except, however, that any such producer may acquire from another such producer any such parts or materials owned by the latter on such date, and may use such acquired parts or materials in such manufacture. As used in this subdivision (iii), the words "Army" and "Navy" shall not include any Army or Marine Corps Post Exchange or any Navy Ships Service Departments.

(2) *Production for permitted types or uses.* (i) No producer shall commence the manufacture of any compressor or turbo blower for use in any high (compression) side rated at fifty (50) horse power or fifty (50) tons (ASRE specifications) or over, unless and until such producer shall have received an "authorized order" for which compressor, turbo blower or high side or for a system in which the same is to be used or an order for such a compressor, turbo blower, or high side to be used directly by the Army, Navy, Maritime Commission, or War Shipping Administration, which has been reported by such manufacturer in accordance with paragraph (b) (2) (ix) above; and

(ii) No producer shall manufacture a greater quantity of any type of system or parts for assembly into new systems (exclusive of compressors and blowers of the sizes described under (d) (2) (i) above, and exclusive also of replacement parts described under (3) below), production of which is permitted under the terms of this order, than the following:

During the calendar quarter beginning April 1, 1943, or during any succeeding calendar quarter, no producer shall manufacture a quantity of any system or part in excess of the greater of the two quantities of such system or part determined as indicated in (*a*) and (*b*) below:

(*a*) The number of such new item for which the producer has on hand unfilled orders bearing a rating of AA–4 or higher; or

(*b*) The number of such new item delivered on order bearing a rating of A–1–J or higher during the next preceding calendar quarter.

(3) *Replacement parts; protection of production schedules.* (i) No producer shall manufacture replacement parts (for the repair or maintenance of systems) in such quantities that his production thereof will result in his acquiring an inventory of such parts in excess of his average monthly inventory of similar parts during the months of January, February, and March, 1941.

(ii) Producers of replacement parts under the terms of this order may, notwithstanding the provisions of the Priorities Regulation No. 1 (Part 944), schedule their production of replacement parts as if the orders therefor bore a rating of AA–1, but subject to any specific directions which may be issued by the War Production Board as to the scheduling of production or deliveries of any such parts as required by any other order of the War Production Board, or by any specific direction from the War Production Board.

(4) *Restrictions on deliveries to producers.* No person engaged in the production or sale of component parts or sub-assemblies designed for incorporation in any larger assembly or system shall knowingly deliver any such parts or sub-assemblies to any producer for further fabrication or assembly into larger assemblies or systems if such fabrication or assembly by such producer is prohibited by the terms of this order; and no producer shall accept delivery of any such parts ordered for a use which has been prohibited by the terms of this order unless such parts or sub-assemblies are to be used for a purpose which is not prohibited.

(e) *Required utilization of replaced parts.* (1) In replacing any parts permitted under paragraph (b) (1) of this order, no dealer or producer shall deliver any part made of metal to the owner of the system to be repaired, unless such owner agrees that he will deliver the old part to the dealer or producer if directed to do so by the latter, and if not so directed, that he will dispose of the old part to a scrap dealer, within 30 days after installation of the newly installed part. Any person making such an agreement with a dealer or producer shall deliver or dispose of the old part accordingly; and all such old parts obtained by a dealer or producer during any calendar quarter shall either be repaired or replaced in his inventory, or returned to his supplier of new parts, or disposed of to a scrap dealer, during or within 30 days after the end of such quarter. *Provided, however,* That no block tin pipe shall be replaced unless an equal quantity thereof is returned to the fabricator; but

(2) The provisions of the preceding subparagraph (1) shall not apply:

(i) Where parts are delivered for installation in any system located outside of the United States at the time of such delivery; or

(ii) Where the system requiring repair is being used directly by the Army, Navy, Maritime Commission, or War Shipping Administration; or

(iii) Where the system requiring repair is owned by any Federal, State or local governmental agency, bureau, department, or political subdivision which is prohibited by law from disposing of such replaced parts in the manner presented under the preceding subparagraph (1).

(f) *Filing of report of inventories.* (1) On or before the 15th day of April, 1943, every producer shall file a report on Form PD–829 showing such producer's inventories and such other information as shall be required on said form.

(g) *Exemptions*—(1) *Certain specific transactions.* (i) The following shall be exempted from the terms of paragraph (b) (1) (i):

The repair, by (*a*) a bottler of carbonated beverages, or (*b*) a manufacturer of ice cream for resale, or (*c*) a person engaged in the business of leasing mechanical or non-mechanical drinking water coolers, or (*d*) any other person owning (refrigerating) systems of any type included on List A or List B and used by such owner or his lessees for dispensing food or beverages at retail, of any such systems owned by such person, using new parts owned by him on May 15, 1942, or used parts obtained from the dismantling of any such used system owned by such person; but no parts shall be delivered by any dealer or producer to any such person for the repair of any such system except for "emergency repair service" thereto;

(ii) The following shall be exempted from the terms of paragraph (b) (2):

(*a*) The temporary delivery of a used system or parts to a dealer or producer for repair and redelivery to the same owner, the redelivery of a repaired system or part to the same owner, or the loan of a new or used system or parts for a period not to exceed 30 days pending the performance of "emergency repair service" to a used system or parts; or

(*b*) The delivery of a used system or parts for junking or scrapping; or

(*c*) The delivery of new or used mechanical or non-mechanical drinking water coolers owned on May 15, 1942, by any person engaged primarily in the business of leasing such water coolers, to any other person (and acceptance thereof).

(iii) The following shall be exempted from the terms of paragraphs (b) (2) and (d) (1) (i):

(*a*) The assembly, by any producer of single duty or double duty display cases, of any such cases, within 60 days after April 6, 1943, solely from parts which, on said date, had been fabricated or processed to the extent that use in any other type of equipment would be impracticable, if such parts were owned by such producer on said date, or were received within said period from any other such producer; and the delivery of such parts by any producer to any other producer; or

(*b*) The assembly by any producer of mechanical or non-mechanical drinking water coolers, of any such coolers not designed for use aboard ship, solely from parts or materials which, on April 6, 1943, had been fabricated or processed to the extent that use in any other type of equipment would be impracticable, if such parts or materials were owned by such producer on said date; or are received from any other such producer; and the delivery of any such parts or materials by any producer to any other producer.

(2) *Other transactions.* The following shall be exempted from paragraph (b) (2):

(i) *Creation, assignment and enforcement of liens*—(*a*) The creation, or assignment of any chattel mortgage, decd of trust, conditional sales contract or other lien on any new or used system or parts;

(*b*) The transfer of title to, and/or delivery of, any new or used system or parts, through voluntary act or by operation of law, in bankruptcy, receivership, or assignment, to a trustee or receiver for the benefit of creditors;

(*c*) The attachment or seizure of any new or used system or parts by levy or other judicial process on behalf of creditors or tax authorities, or the seizure of any such system or parts by any person upon default under the terms of a conditional sales contract, chattel mortgage or other lien (but subsequent deliveries thereof shall not be exempted).

(ii) *Disposition of assets.* The delivery of any new or used system or parts, whether incorporated in real estate or as separate personal property, as part of a larger transaction, such as a merger, consolidation, sale and purchase of entire assets, sale and purchase of entire stock and/or lease of plant, or similar transaction involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iii) *Transfers by will or intestacy.* The delivery or transfer of any new or used system or parts by will, descent or distribution, to devisees, legatees, or distributees.

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent that any provisions of this order may be inconsistent therewith, in which case such provision of this order shall govern.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production, and sales of systems and parts.

All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order (or of Conservation Orders M–9–c or M–126 applicable to any systems, parts, or other equipment subject to the terms of this order) shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref: L–38.

(i) *Effective date.* This order, as amended, shall become and be effective on and after April 6, 1943. It shall not affect, in any way, any liabilities or penalties accrued or incurred under General Limitation Order L–38 prior to this amendment.

Issued this 14th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

ITEMS WHICH MAY BE DELIVERED UNRESTRICTED

1. Beer pre-coolers
2. Beverage dispensers
3. Bottled beverage coolers, mechanical
4. Bottled beverage coolers, non-mechanical
5. Counter and back bar refrigerators
6. Display cases, single duty
7. Display cases, double duty
8. Display cases, florist
9. Display cases, frosted food
10. Display cases, full vision
11. Display cases, vegetable
12. Display cases, all other types
13. Dough retarding refrigerators
14. Draft beer equipment
15. Evaporative coolers, 2,000 c. f. m. or less
16. Farm freezers (for the freezing and storing of food on a farm)
17. Florist boxes
18. Fountainettes
19. Frozen food cabinets, low temperature, not designed for use aboard ship or for use in mobile hospital units
20. Ice cream cabinets, not designed for use aboard ship
21. Ice cube makers, self-contained cabinet type
22. Salad coolers (Bain Marie), mechanical
23. Soda fountains, not designed for use aboard ship

NOTE: In no case shall the name or description of any equipment as listed above, include any fixture or item which is not within the meaning, as customarily used within the trade or industry, regardless of whether any particular fixture or item (not within such meaning) could be used for the purpose for which the equipment listed above is customarily used.

LIST B

ITEMS WHICH MAY BE DELIVERED ONLY AS INDICATED BELOW

Type of equipment	*Deliveries permitted for direct use by:*
Part I:	
1. Drinking water coolers, mechanical, not designed for use aboard ship.	Army or Navy.
2. Drinking water coolers, non-mechanical, all sizes.	Army or Navy, or under "Authorized Order" to any person.
3. Evaporative coolers, over 2,000 c. f. m.	Army or Navy.
4. Ice cream freezers, 20 quart capacity or less.	Army or Navy, for use aboard ship or in advance bases (outside the 48 States and D. C.)
5. Mortuary refrigerators	Army or Navy.
6. Portable bulk ice makers	Army or Navy.
7. Self-contained unit air conditioners, 2 h. p. or less.	Army or Navy, or under "Authorized Order" to any person.
8. Wall type display refrigerators	Army or Navy, or under "Authorized Order" to any person.

LIST B—Continued

ITEMS WHICH MAY BE DELIVERED ONLY AS INDICATED BELOW—continued

Type of equipment	*Deliveries permitted for direct use by:*
Part II:	
a. Drinking water coolers, mechanical, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.
b. Frozen food cabinets, low temperature, designed for use aboard ship or for use in mobile hospital units.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship or for use in mobile hospital units, including but not limited to hospital cars.
c. Ice cream cabinets, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.
d. Soda fountains, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.

LIST C—ESSENTIAL USES

PURPOSES FOR WHICH REFRIGERATING OR AIR CONDITIONING SYSTEMS OR MAJOR PARTS THEREOF (OTHER THAN EQUIPMENT INCLUDED ON LISTS A, B, D, E) MAY BE PRODUCED SUBJECT TO THE TERMS OF ORDER L-38, AS AMENDED

(All purchase orders are subject to approval under Order L-38, as amended, regardless of any preference ratings assigned and will be approved only:

1. For direct military use, or
2. For any other use if new or enlarged refrigerating or air conditioning capacity are proven essential, or replacement is shown essential to the war effort. New systems in which any part of the capacity is included for air conditioning for the comfort, or to increase the efficiency of personnel, will not be approved).

Part I—Applications to materials, producers or facilities:

Mining, industrial, scientific, and technical processes and operations where lowering of temperature of, or removing water vapor from air, gases, materials, or products, or where freedom from dust and other impurities are proved necessary for production, storage, transportation, operation, or repair of materials or products, or precision functioning thereof, when, and to the extent proven essential for any of the following purposes:

1. Abrasives—production.
2. Aerial topography rooms aboard ship.
3. Airplanes and parts—production and repair.
4. Airport control towers.
5. Altitude and low temperature test chambers and laboratories.
6. Ammunitions and explosives—production, storage, and transportation.
7. Blood plasma—processing, storage, and transportation.
8. Blast furnaces (dry blast)—operation.
9. Ceramics, electric and dielectric—production.
10. Chemicals, including acids, gases, pigments and plastics, where new, additional or continuous productive capacity is essential—production.
11. Dairy products—processing, storage, dispensing and transportation, where essential.
12. Duplicating processes; such as, photographic, photostatic and lithographic, processing and storage.
13. Communications products—production, or operation of relay stations and exchanges.
14. Films, photographic, for military purposes—production and storage.
15. Fire control calculation rooms, underground fortifications, plotting—switch-board rooms, mine casemates, command posts, and seacoast battery service magazines.
16. Foods—processing, storage, dispensing and transportation, where essential.

Part I—Applications to materials, producers or facilities—Continued.

17. Fur cloth for military purposes—storage.
18. Glass, non-shatterable—production.
19. Ice—production and storage, where essential.
20. Laboratories—research, analytical, and testing.
21. Navigation instruments — production, storage, and repair.
22. Optical goods; such as, bomb and gun sights, range finders, telescopes and microscopes—production, storage and repair.
23. Ordnance, precision parts—production.
24. Parachute and balloon production.
25. Pharmaceuticals, drugs and biological products, necessary for life or health—production, storage and transportation.
26. Petroleum products—production, storage and transportation.
27. Plants and factories (including blackout) above ground or under ground; where it is shown that otherwise unavoidable heat, contamination of air, or variations in temperature or humidity, would seriously impair the effective use or production of precision instruments, tools, or products essential in the war effort.
28. Precision instruments, tools or products—production, storage, operation and repair.
29. Synthetic critical products—production.

Part II—Applications affecting human life or physical capacity.

a. Anesthesia units, refrigerating.
b. Above ground plants and factories (including blackout)—producing essential materials; where it is shown that otherwise unavoidable heat or contamination of air would be dangerous to health or result in intolerable working conditions; and then only to the minimum extent required.

Part II—Applications affecting human life or physical capacity—Continued

c. Celestial navigation trainers
d. Engine test cells.
e. Hospital rooms, stationary or portable, military or civilian, for surgical operations or critical convalescent treatment (excluding normal hospitalization), X-ray rooms and Flight Surgeons Clinics.
f. Link trainer rooms.
g. Naval vessels of all types.
h. Tanks, combat.
i. Underground mines, communication rooms, air raid shelters and plants and factories, producing essential materials, where it is shown that otherwise unavoidable heat or contamination of air would be dangerous to health or result in intolerable working conditions; and then only to the minimum extent required.
j. Waller gunnery trainers.
k. "Jam Handy" and instrument trainer buildings, for military use.

LIST D

ITEMS WHICH MAY NOT BE PRODUCED FOR ANY PURPOSE

1. Beer pre-coolers.
2. Beverage dispensers.
3. Bottled beverage coolers, mechanical.
4. Bottled beverage coolers, non-mechanical.
5. Counter and back bar refrigerators.
6. Display cases, single duty.
7. Display cases, double duty.
8. Display cases, florist.
9. Display cases, frosted food.
10. Display cases, full vision.
11. Display cases, vegetable.
12. Display cases, all other types.
13. Dough retarding refrigerators.
14. Draft beer equipment.
15. Evaporative coolers, 2,000 c. f. m. or less.
16. Florist boxes.
17. Frozen food cabinets, low temperature, not designed for use aboard ship or in mobile hospital units, including but not limited to hospital cars.
18. Ice cream cabinets, not designed for use aboard ship.
19. Ice cube makers, self-contained cabinet type.
20. Salad coolers (Bain Marie), mechanical.
21. Drinking water coolers, mechanical, not designed for use aboard ship.
22. Drinking water coolers, non-mechanical, all sizes.
23. Fountainettes.
24. Soda fountains, not designed for use aboard ship.
25. Self-contained unit air conditioners, 2 h. p. or less.
26. Wall type display refrigerators.
27. Farm freezers (for the freezing and storing of food on a farm).

LIST E

ITEMS WHICH MAY BE PRODUCED ONLY FOR SPECIFIC PURCHASERS AND/OR PURPOSES

Type of Equipment:	Production Permitted for Direct Use By:
1. Drinking water coolers, mechanical, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration.
2. Frozen food cabinets, low temperature, designed for use aboard ship or for use in mobile hospital units.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship or for use in mobile hospital units, including but not limited to hospital cars.
3. Ice cream cabinets, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration for use aboard ship.
4. Ice cream freezers, 20 quart capacity or less.	Army or Navy, for use aboard ship or advanced bases.
5. Evaporative coolers, over 2,000 c. f. m.	Army or Navy.
6. Mortuary refrigerators	Army or Navy.
7. Portable bulk ice makers	Army or Navy.
8. Soda fountains, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.

LIST F

"Comfort cooling system" means any system, of any size, operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:

Amusement parks.
Animal hospitals.
Auditoriums.
Ballrooms, dancing studios, and dance halls.
Banks and loan associations.
Bars, cocktail lounges, and beer parlors.
Bowling alleys.
Concert halls.
Funeral parlors.
Golf clubs, country clubs, and athletic clubs
Hotels and apartment houses.
Moving picture houses.
Night clubs.
Office buildings and offices, public or private.
Railway, streetcar and bus stations and terminals
Residential buildings and dwellings of all kinds
Restaurants, cafeterias, and other places selling meals, food or beverages.
Schools.
Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds.
Skating rinks.
Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).
Theaters.

The term "comfort cooling system" shall not include (i) any such system used to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (ii) any system designed, necessary and used, in substantial part for the refrigeration and storage or processing of food, ice (except in skating rinks), or other materials or products requiring refrigeration, temperature control, or freedom from dust or other impurities, or (iii) such part of a system as may be necessary and used for the circulation of air, or necessary and used for raising the temperature of air during cold weather to a degree which is comfortable or tolerable for persons (comfort heating)

[F R Doc. 43-5830; Filed, April 14, 1943; 11:42 a. m.]

PART 3002—PLASTICS MOLDING MACHINERY

[Allocation Order L-159 as Amended April 14, 1943]

§ 3002.1 *Allocation Order L-159*—(a) *Definitions.* For the purpose of this order:

(1) "Plastics molding machinery" means new or used machinery of the following kinds:

Plastic injection molding presses or machines
Ceramic injection molding presses or machines capable of being used for plastics
Plastic compression molding presses or machines, hydraulic, automatic, mechanical
Plastic extrusion molding presses or machines
Plastic preforming presses or machines
Plastic laminating presses or machines
Plastic tube and rod molding presses or machines
Plastic tablet preforming molding presses or machines

(2) "Fixtures" means the following new parts or groups of parts for plastics molding machinery:

Cylinders
Feed screws
Straight heads
Cross heads
Jet attachments
Temperature control units
Molds

[NOTE: Paragraph (2) amended April 14, 1943]

(b) *Restrictions on production and delivery.* (1) No person shall deliver or accept delivery of plastics molding machinery or fixtures except as specifically authorized by the War Production Board upon application pursuant to paragraph (c) hereof.

(2) No person shall manufacture or assemble plastics molding machinery or fixtures except in fulfillment of orders previously authorized for delivery by the War Production Board upon application pursuant to paragraph (c) hereof.

(3) [Revoked April 14, 1943]

(c) *Applications.* Each person seeking authorization to accept delivery of plastics molding machinery or fixtures shall file application on Form PD-741 with the War Production Board, Chemicals Division, Washington, D. C., Ref.: L-159.

(d) *Repair and maintenance parts.* Except as specifically authorized by the War Production Board upon application on Form PD-741:

(1) No person shall accept delivery of repair and maintenance parts for plastics molding machinery or fixtures except as follows:

(i) To repair an actual breakdown, where the required repair or maintenance parts are not available in inventory, or

(ii) To acquire repair or maintenance parts for maintenance of a minimum practicable working inventory of such parts.

(2) No person shall deliver repair or maintenance parts if he knows or has reason to believe that the acceptance of such delivery would be in violation of paragraph (d) (1) above.

(3) No person shall manufacture repair and maintenance parts for plastics molding machinery or fixtures except in minimum quantities sufficient to make deliveries permitted by the terms of this paragraph (d).

(4) No person shall use parts for plastics molding machinery or fixtures except for maintenance and repair of previously existing and completed plastics molding machinery or fixtures, or except as provided in paragraph (b) (2) above.

(e) *Special directions to producers.* The War Production Board at its discretion, may from time to time issue special directions to producers of plastics molding machinery or fixtures with respect to the machines or fixtures which they may or must manufacture or deliver, and with respect to manufacture and delivery of repair and maintenance parts for plastics molding machinery or fixtures.

(f) *Exemptions.* Notwithstanding the provisions of paragraph (b) (1):

(1) Fixtures in process of manufacture on March 26, 1943, pursuant to contracts placed prior to March 26, 1943, may be completed and delivered on or before May 1, 1943, and such delivery may be accepted, without specific authorization pursuant to this order.

(2) Any single cavity compression mold capable of producing a finished piece weighing not more than 30 grams when using a molding compound having a specific gravity of 1.35, may be manufactured, assembled and delivered, and such delivery may be accepted, without specific authorization pursuant to this order.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of plastics molding machinery or fixtures shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: L-159.

[NOTE: Paragraph (g) redesignated April 14, 1943]

Issued this 14th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5829; Filed, April 14, 1943; 11:42 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, as Amended April 14, 1943]

Preference Rating Order. For the purpose of facilitating the acquisition of

materials for maintenance, repair, operating supplies and certain other requirements of transportation systems in the public interest and to promote the national defense, preference ratings are hereby assigned to deliveries of such materials upon the following terms:

§ 3216.1 *Preference Rating Order P–142*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(3) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation No. 4, and who has not elected to operate under this Order P–142 pursuant to paragraph (g) (1) hereof; such person shall continue to operate under the provisions of CMP Regulation No. 5 and all other applicable regulations.

(4) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(5) "Controlled material" means controlled material as defined in Schedule I of CMP Regulation No. 1, as amended from time to time.

(6) "Maintenance and repair" means the upkeep or restoration of any unit of the operator's property or equipment by using the minimum amount of material necessary

(i) To keep the unit usable for the purpose intended in its existing design.

(ii) To restore parts of the unit to their original usefulness, or

(iii) To renew parts to restore the unit to its usefulness for the purpose intended in its existing design.

The term does not include the use of material for "heavy repair of locomotives" or "heavy repair of railroad cars" as those terms are defined hereinafter; except that the following may be deemed maintenance and repair: modernization of locomotives when the cost of labor and material per locomotive does not exceed $500, and the new installation on railroad cars of truck snubbers, bottom rod guards and break beam safety devices.

(7) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith, but not including those items shown in List A of CMP Regulation No. 5, as amended from time to time. In addition there may be included as operating supplies minor items of productive capital equipment not exceeding $500 per unit (excluding cost of labor).

(8) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(9) "Heavy repair of locomotives" means any of the following:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileage (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair);

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and/or specialties to the locomotive.

(10) "Heavy repair of railroad cars" means either of the following:

(i) Program repair for any group of cars, or, if the operator does not so program such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

(b) *Preference ratings.* (1) Subject to the restrictions of this order, the following procedure is established for the assignment of preference ratings to orders to be placed by an operator after April 5, 1943, for material other than controlled materials for a use authorized by paragraph (d) hereof, except that preference ratings for Class A products for which an allotment is required will be assigned at the time the allotment is made:

(i) The War Production Board may assign in writing specific preference ratings to deliveries of specific materials essential for emergency repairs, upon application made pursuant to paragraph (g) (2) hereof;

(ii) The War Production Board may specifically assign in writing preference ratings to deliveries of materials, in the quantities, for the periods, and on the terms and conditions specified in the copy of Form PD–844 returned to the operator, upon application made pursuant to paragraph (g) (3) hereof.

(2) The ratings assigned in accordance with paragraph (b) (1) hereof may be applied by an operator to deliveries of material other than controlled material only by use of a certification in substantially the following form (in lieu of the endorsement specified in Priorities Regulation No. 3, and the certification required in CMP Regulation No. 5), signed manually or as provided in Priorities Regulation No. 7:

Preference Rating • • • (specify rating)—CMP allotment symbol MRO—P–142. No. ---- (show serial No.). The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that all material and items covered by this order are required for an essential use authorized by paragraph (d) of Preference Rating Order P–142; that this order is rated and placed in compliance with said Order P–142; and that the delivery requested has been duly authorized on the applicable Form PD–844 returned to the undersigned.

However, in lieu of the above certification, the certification specified in CMP Regulation No. 7 may be used, *Provided*, That the designation P–142 and appropriate serial number is included therein.

(3) The ratings applied in accordance with paragraph (b) (2) hereof may be extended in the manner provided in Priorities Regulation No. 3, subject, however, to the restrictions contained in CMP Regulation No. 3.

(4) An order for material, other than controlled material, bearing a rating applied or extended in accordance with this paragraph (b) and the CMP allotment symbol MRO—P–142, No. -- shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such symbol shall constitute an "allotment number or symbol" for the purpose of CMP Regulation No. 3.

(c) *Controlled materials.* (1) Subject to the restrictions of this order, any operator requiring delivery after April 5, 1943, of any controlled material, except aluminum, for a use authorized by paragraph (d) hereof, may obtain such controlled material (to the extent authorized pursuant to application made upon Form PD–844 in accordance with paragraph (g) (3) hereof) by placing on his delivery order substantially the following certification, signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO—P–142. No. ---- (Show serial No.). The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled material covered by this order is required for an essential use authorized by paragraph (d) of Preference Rating Order P–142, and that delivery thereof has been duly authorized on the applicable Form PD–844 returned to the undersigned

However, in lieu of the above certification, the certification specified in CMP Regulation No. 7 may be used. *Provided*, That the designation P–142 and appropriate serial number is included therein.

(2) An order for controlled material for a use authorized by paragraph (d) hereof, and bearing the CMP allotment symbol MRO–P–142, No. — and the certification required in this paragraph (c), shall constitute an authorized controlled material order under all applicable CMP regulations.

(3) Aluminum for delivery after April 5, 1943, required by an operator for any purpose authorized by this order, may be obtained only upon specific application to the War Production Board, pursuant to paragraph (g) (2) hereof.

(d) *Restrictions on use of material.* (1) No operator shall use any material (including controlled materials, Class A products, Class B products, and other products and materials) acquired under the provisions of paragraph (b) or (c) of this order, nor make withdrawals of any material from inventory, except for the following purposes:

(i) Maintenance, repair and operating supplies;

(ii) Heavy repair of locomotives;

(iii) Heavy repair of railroad cars;

(iv) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice; or

(v) For any other use when specifically authorized in writing by the War Production Board.

(2) No operator shall make withdrawals of any material from inventory for construction except to the extent specifically permitted by Conservation Order L–41, as amended from time to time; *Provided*, That any new materials (in excess of $500 for any one project) so used from inventory shall be replaced only pursuant to the provisions of an approved order in the P–19 series.

(e) *Conservation of materials.* (1) Every operator shall, whenever possible, use conservation measures such as substitution, redesign and respecification to eliminate scarce materials normally used; and shall plan his operation, maintenance and repair schedules in accordance with the relative urgency and national need for transportation, subject to the provisions of this order. The War Production Board may from time to time issue supplementary orders or schedules requiring the elimination or diminution of the use of any material with or without the substitution of other materials, and may specify the use to which specific types of materials can be put.

(f) *Inventory control.* Notwithstanding any provision of this order, and unless otherwise specifically authorized in writing by the War Production Board, no operator shall accept delivery of any item of material (except fuel) if his storehouse inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item he will be required by his current practices to put into a use authorized by this order during the succeeding 60-day period. Nothing in this paragraph (f) shall be deemed to prevent any operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. Shipment of material from the storehouse in advance of its actual need shall be deemed contrary to the intent of this paragraph.

(g) *Procedure*—(1) No operator shall be entitled to any assistance under the provisions of this order (except as provided under paragraph (m) hereof), until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation No. 4. In addition, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an operator under all the provisions of this Order P–142.

(2) An operator, in order to secure authorization or exemption under paragraphs (b) (1) (i), (c) (3), (d) (1) (v), (f) or (h) (2) hereof, must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify such operator in writing whether, and to what extent, his application is approved.

(3) An operator, in order to secure authorization for delivery of material under paragraphs (b) (1) (ii) and (c) (1) hereof, must forward to the War Production Board, 60 days prior to the beginning of each calendar quarter, an application on Form PD–844 filled out in accordance with instructions thereon, and in accordance with any supplemental instructions covering all or any one or more operators, or specific classes of operators, under the provisions of this Order P–142. A supplemental application on Form PD–844 may be filed as the need arises. The War Production Board will in each case return such Form, notifying the operator whether, and to what extent, his application is approved.

(h) *Resale of materials.* (1) An operator may resell material (whether or not obtained with the assistance of this order):

(i) To any other operator,

(ii) To another person when such material is to be physically incorporated in repairs of equipment that is used in the maintenance, repair, or operations of the operator's own property: *Provided*, That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order.

(iii) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or its subsidiaries, or

(iv) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads.

and any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation No. 11: *Provided*, That nothing in this paragraph (h) (1) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(2) In addition, an operator may resell such material when specifically authorized in writing by the War Production Board.

(i) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Records, audits and reports.* Each operator shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each operator shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Applicability of regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (3) of this order, and no such operator shall obtain any material under the provisions of either of those regulations; except that operators of common carrier passenger motor bus systems may obtain material for delivery in the second quarter of 1943 under the provisions of CMP Regulation No. 5.

(m) *Applicability of Order P–88.* This order shall supersede Preference Rating Order P–88 as of April 5, 1943, and all ratings assigned or issued thereunder are revoked as of that date; except that ratings assigned on Form PD–351 (or supplements thereto) for the second quarter of 1943, and authorizations for deliveries of material in the quantities, and on the terms and conditions specified on said Form PD–351 (or supplements thereto) for that quarter, shall be valid just as if they were ratings and authorizations specified on Form PD–844, pursuant to the provisions of this Order P–142. Until an operator has received his authorized serial number pursuant to paragraph (g) (1) of this order, he may use on any certification required herein, "CMP allotment symbol MRO–P–88, Serial No. ------", (inserting his P–88 serial number), and, to that extent, any reference in this order to P–142 and serial number shall be deemed to include reference to P–88 and serial number. Likewise, to the extent that an operator continues to receive ratings and author-

izations on Form PD–351 for the second quarter of 1943, any reference herein or on any such certification to PD–844 shall be deemed to include reference to PD–351.

(n) *Communications.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington, D. C.; Ref.: P–142.

Issued this 14th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5632; Filed, April 14, 1943; 11:42 a. m.]

PART 3228—CASEIN

[General Preference Order M–307]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of casein for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3228.1 *General Preference Order M–307*—(a) *Definitions.* (1) "Casein" means the protein components of skimmed milk which have been precipitated by the action of rennet, acid or sweet or sour whey and which have been washed, dried and ground. Precipitated components which have been washed and or dried, but not ground, are not "casein" within the terms hereof, but "casein" does include "casein" as above defined where blended with other precipitated components, whether or not such other components are washed, dried or ground.

(2) "Producer" means any person who produces or imports casein and includes any person who produces casein for use in the manufacture by him of other products.

(3) "Distributor" means any person who purchases casein for the purpose of resale.

(4) "Supplier" means a producer or a distributor.

(b) *Restrictions on production.* War Production Board may at any time issue authorizations or directions to a producer respecting the grades or types of casein which he may produce.

(c) *Restrictions on deliveries and use.* (1) On and after May 1, 1943, no person shall deliver, accept delivery of, or use casein, except as specifically authorized or directed by War Production Board.

(2) Authorizations or directions with respect to deliveries or use in the two month period May 1, to June 30, 1943, and in each calendar quarter commencing with the third quarter of 1943, will so far as practicable be issued by War Production Board prior to the commencement of such period or quarter, but War Production Board may at any time in its discretion issue directions with respect to deliveries to be made or accepted, or with respect to use or uses which may or may not be made of casein to be delivered or then on hand. Such authorizations or directions may be made by War Production Board without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to accept delivery of or use casein shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the War Production Board. Casein allocated for inventory shall not be used except as specifically directed by War Production Board.

(4) Casein allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though allocated therefor.

(d) *Exceptions to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraph (c) (1) hereof, specific authorization of War Production Board shall not be required for:

(i) The delivery of casein by any supplier to any person in the period May 1 to June 30, 1943, or in any calendar quarter commencing with the third quarter of 1943, of not more than 1,000 lbs. of casein for each month of such period or quarter.

(ii) Acceptance of delivery by any person from any supplier in the period May 1 to June 30, 1943, or in any calendar quarter commencing with the third quarter of 1943, of not more than 1,000 lbs. of casein for each month of such period or quarter.

(iii) The use by any person in the period May 1 to June 30, 1943, or in any calendar quarter commencing with the third quarter of 1943, of not more than 1,000 lbs. of casein for each month of such period or quarter.

(2) No producer shall in any such period or calendar quarter deliver pursuant to paragraph (d) (1) an aggregate amount of casein in excess of 3% of the amount of casein which he is specifically authorized to deliver during such period or quarter.

(3) No supplier shall make any delivery during any such period or calendar quarter pursuant to paragraph (d) (1) if such delivery will prevent the completion of any delivery which has been specifically authorized for such period or quarter.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of casein in any calendar quarter commencing with the third quarter of 1943, whether for his own consumption or for resale (and every person requiring authorization to use casein in such quarter) shall file application therefor on or before the 15th day of the month preceding the commencement of such quarter. Applications respecting acceptance of delivery or use in the period May 1 to June 30, 1943 shall be filed as many days as possible in advance of May 1, 1943. In any case, applications shall be made on Form PD–600 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M–307, one forwarded to the supplier with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy shall be sent to the supplier.

(iii) In the heading, under "Name of chemical", specify "Casein"; under "WPB Order No.", specify "M–307"; under "Indicate unit of measure", specify "pounds".

(iv) In heading at top of Table I and Table III, specify "Period May 1 to June 30, 1943" or "_____ quarter of 194__" (inserting "third", "fourth", etc.).

(v) In Columns 1, 11 and 19, specify grade, for example, "rennet", "acid".

(vi) In Columns 3, 20 and 22 (Primary Product), applicant will specify, in terms of the following, the product or products in the manufacture or preparation of which he will use casein:

Adhesives	Rubber
Coated paper (except wallpaper)	Wallpaper
Gypsum	Other products (specify)
Insecticides	Resale (as casein)
Leather finishes	Inventory (as casein)
Paint	
Plastics	

(vii) In Column 4 (Product End Use), applicant will specify with respect to each primary product the ultimate use to which such primary product will be put. For example, if the "primary product" called for in Column 3 is "adhesives", the ultimate use might be "furniture plywood". Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. If application is for casein for resale or for inventory, leave Column 4 blank.

(viii) In Tables II and IV, applicant will substitute "quarter" for "month", wherever "month" appears, except that in any application relating to acceptance of delivery or use in period May 1 to June 30, 1943, applicant will leave blank Columns 15a, 15b, 15c and 16, and in Columns 13, 14 and 15 will give figures for first quarter of 1943.

(2) Each supplier seeking authorization to make delivery of casein in any calendar quarter commencing with the third quarter of 1943, shall file application therefor on or before the 20th day of the month preceding the commencement of such quarter. Applications respecting delivery in the period May 1 to June 30, 1943 shall be filed as many days as possible in advance of May 1, 1943. In any case, applications shall be made on Form PD–601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M–307, the fourth to be retained by the supplier.

(iii) Each producer who has filed application on Form PD–600 specifying himself as his supplier, shall list his own name as customer on Form PD–601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading under "Name of chemical", specify "Casein"; under "WPB Order No.", specify "M–307"; under "This schedule is for deliveries to be made during the month of _____", specify "Period May 1 to June 30, 1943", or "_____ quarter of 194__" (indicating "third", "fourth", etc.); under "Indicate unit of measure", specify "pounds".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. Supplier need not, however, specify names of customers to whom small order deliveries are to be made during the period or quarter pursuant to paragraph (d) (1), but he will insert in Column 1 "Total small order deliveries (estimated)", and in Column 4 will state the estimated quantity.

(vi) In Columns 3 and 8, supplier will specify grades, for example, "rennet", "acid".

(vii) The supplier may, if he wishes, leave Column 5 blank.

(viii) In Table II, supplier will substitute "quarter" for "month" wherever word "month" appears, except that in any application relating to deliveries in the period May 1 to June 30, 1943, the word "month" in Columns 11, 12 and 13 shall be left unchanged and that in Column 14, supplier will list estimated production for period May 1 to June 30, 1943.

(3) War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent therewith.

(2) *Notification of customers.* Each supplier shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give notice shall not excuse any such person from complying with the terms hereof.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M–307.

Issued this 14th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5831; Filed, April 14, 1943; 11:42 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 131,[1] Amendment 2]

CAMELBACK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 131 is amended in the following respects:

1. Section 1315.1303 is amended to read as follows:

§ 1315.1303 *Adjustable pricing.* No person subject to this regulation shall enter into any agreement permitting the adjustment of the prices of camelback to prices which may be higher than the maximum prices, except in the following cases. Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. Any person may offer or agree to sell or buy camelback at prices in excess of the maximum prices in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1943: *Provided*, That no person shall pay or receive prices for camelback which are in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

2. Section 1315.1305 (a) is amended to read as follows:

(a) Every person making sales or purchases of camelback subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such sale or purchase, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of each grade purchased or sold.

This amendment shall become effective April 13, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–5787; Filed, April 13, 1943; 4:36 p. m.]

PART 1389—APPAREL

[MPR 208,[1] Amendment 3]

STAPLE WORK CLOTHING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 208 is amended in the following respects:

1. A sentence is added at the end of § 1389.202, to read as follows:

However, sales of "war models" of staple work clothing are governed by Appendices D to K, inclusive.

2. That portion of § 1389.203 preceding paragraph (a)[2] is amended to read as follows:

§ 1389.203 *Maximum prices of sellers other than at retail.* Except as otherwise provided in this Maximum Price Regulation 208, the maximum price of a seller other than at retail for staple work clothing shall be the base price, determined under paragraph (a), (b) or (c), less the deduction indicated in paragraph (c), or the maximum price determined under paragraph (f). However, sales of "war models" of staple work clothing are governed by Appendices D to K, inclusive.

3. Section 1389.203 (c) (3) is added to read as follows:

(3) Any seller whose "last issued written price list", in accordance with paragraph (a), was issued and circulated prior to January 1, 1942, shall omit the entire deduction.

4. Paragraphs (a) and (b) of § 1389.207 are amended to read as follows:

(a) *General Maximum Price Regulation.* This regulation supersedes the provisions of the General Maximum Price Regulation with respect to sales of staple work clothing otherwise than at retail. This regulation also supersedes the General Maximum Price Regulation with respect to retail sales of "war

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3160, 8707, 8948.

[1] 7 F.R. 6649, 8940, 10015, 8948.

[2] 8 F.R. 3096, 3849, 4347, 4486.

models" of staple work clothing. Retail sales of other staple work clothing continue to be governed by the General Maximum Price Regulation, as modified by Appendix C of this regulation.

(b) *Sales to war procurement agencies.* This regulation does not apply to sales of clothing made to military specifications, when such sales are made directly or indirectly to war procurement agencies. These sales are defined in § 1378.1 (a) of Maximum Price Regulation 157 [3]—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes, and are governed by the provisions of that regulation.

5. Section 1389.210 (b) (2) is revoked.

6. A sentence is added at the end of § 1389.210 (e) to read as follows:

This paragraph does not apply to "war models" of staple work clothing.

7. Section 1389.214 is amended to read as follows:

§ 1389.214 *Amendments*—(a) *Right to file.* Any person who seeks a modification of any provision of this regulation may file a petition for an amendment of general applicability, in accordance with Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

(b) *Adjustable pricing pending amendments.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

8. Section 1389.217 (a) (4) is amended to read as follows:

(4) Work shirts (except shirts made of napped fabrics).

9. Section 1389.218 (a) (1) (v) is amended to read as follows:

(v) Elimination of fasteners in excess of one button on each side opening, two bib suspender buttons, one button or snap fastener on bib, two buttons on fly through size 38 and three buttons on fly on size 40 and up.

10. Subpart A—War models—comprising Appendices D to K, inclusive, is added to read as follows:

SUBPART A—WAR MODELS

§ 1389.220 *Appendix D: War models of staple work clothing; definitions*—(a) *What is a war model.* A "war model" of staple work clothing is any garment which the manufacturer voluntarily designates as such by identifying or labeling it as required by Appendix I, and which conforms to the specifications for a first or second quality war model in Appendix K. Ceiling prices for the sale of war models are set forth in Appendices E, F and G.

(b) *Kinds of sales.* This section covers sales at retail, sales at wholesale and sales at source.

(1) *Sales at retail.* A sale at retail is a sale to an ultimate consumer other than an industrial or commercial user.

(2) *Sales at wholesale.* A sale at wholesale is a sale, otherwise than at retail, of a garment which the seller received in substantially the form in which he resells it.

(3) *Sales at source.* A sale at source is a sale, otherwise than at retail, of a garment which the seller has fabricated or which has been fabricated for him by an agent or by a contractor as defined in § 1389.52 of Maximum Price Regulation 172.[5]

(4) *East and Central.* "East and Central" refer to sales in which the seller's place of business is in a state east of New Mexico, Colorado, Wyoming and Montana.

(5) *Mountain and Pacific.* "Mountain and Pacific" refer to sales in which the seller's place of business is in New Mexico, Colorado, Wyoming and Montana, or farther west.

(c) *Classes of purchasers.* In order to fix the price levels at which different kinds of dealers in war models are permitted to buy and sell, this section divides dealers into two "classes" of purchasers.

(1) *Class I purchaser.* Any one who deals in work clothing is a "Class I purchaser" if he is described by any one of the following subdivisions:

(i) More than half his current sales of apparel are made otherwise than at retail. For example, a dealer who sells 60% to stores and factories, and 40% to individual users, is a "Class I purchaser".

(ii) In either 1941 or 1942, he made annual sales of staple work clothing totaling $250,000.00 or more. For example, a hardware company which sold $50,000.00 worth of work clothing in 1940, $150,000.00 in 1941 and $300,000.00 in 1942, is now a "Class I purchaser".

(iii) In either 1941 or 1942, he bought a majority of his supply of staple work clothing from manufacturers who regularly supplied wholesalers (whether or not they also supplied other classes of trade), and paid prices no higher than those manufacturers' prevailing prices to wholesalers. For example, a mail order house would be a "Class I purchaser" if in 1941 it bought 80% of its work clothing from a manufacturer who had regular wholesale and mail order customers, and charged mail order houses no more than the wholesalers. In comparing prices, allowance is to be made for differences in specifications.

(iv) In either 1941 or 1942, he purchased more than one fourth of the total production of staple work clothing of a single manufacturer or contractor. For example, a chain of stores might have purchased its work clothing from a manufacturer who did not regularly deal with wholesalers, so that subdivision (iii) would not apply. Yet, if the chain bought more than one fourth of the manufacturer's entire production, it would be a "Class I purchaser."

(2) *Class II purchasers.* Every person who deals in staple work clothing, and who is not a "Class I purchaser" as defined above, is a "Class II purchaser". This class includes most small, independent retailers. For example, a retailer with one store, who sold approximately $5,000.00 worth of staple work clothing in 1941 and 1942, and bought most of his supplies from jobbers, would be a "Class II purchaser".

(3) *Meaning of purchaser.* A "purchaser" includes all the departments or selling establishments in a group which is under common ownership and control. For example, if a large wholesaler owns and operates a small retail outlet, this outlet is a "Class I purchaser" together with the wholesale establishment.

§ 1389.221 *Appendix E: Retail ceiling prices for war models*—(a) *What this section covers.* This section gives the ceiling prices for "war models" of staple work clothing when sold at retail. A retailer should also pay particular attention to Appendix D (definitions), Appendix H (additions and deductions) and Appendix I (identification of war models).

(b) *How to find your ceiling price.* The ceiling prices stated in this section apply only if the garment you are selling is designated by the manufacturer as a "war model". If it is, you must find the weight and finish of the material which will be shown by the label or given to you by the manufacturer), and then find the line in the table at the end of this section which gives the ceiling price for a garment of that weight and finish.

Next, you must know what class of purchaser you belong to. This depends on the kind of business you operate and on how you bought your goods in 1941 and 1942. The rules are given in paragraph (c) of the preceding section. If you are a "Class I purchaser", your ceiling price is given in the first column of prices. If you are a "Class II purchaser", your ceiling price depends on whether you bought the garment at wholesale, or bought it at source. If you bought it "at source"—that is, from the company that made it—your ceiling price is in the second column of prices. If you bought it "at wholesale"—from a company that bought the garment to be made—your ceiling is in the third column. If you are retailing a garment which you yourself fabricated or had fabricated for you by an agent or contractor, your ceiling price is the price shown for sales by "Class I purchasers".

Although the manufacturer will supply you with a label containing the retail ceiling price, you must determine for yourself what price is correct in your case.

(c) *Tables of ceiling prices.* All prices given in the following tables are for a single garment at the seller's place of business, cash or credit.

(1) *East and Central.* The following tables apply to sales in "East and Central" states, which include the states of New Mexico, Colorado, Wyoming and Montana.

[1] 7 F.R. 4273, 4541, 1618, 5130, 5716, 6004, 6424, 8348, 8 F.R. 3948.

[2] 7 F.R. 8961, 8 F.R. 3313, 3533.

[3] 7 F.R. 4882, 6684, 8351, 8949, 10864.

RETAIL CEILING PRICES—EAST AND CENTRAL

MEN'S BIB OVERALLS AND OVERALL JACKETS

[A jacket has the same maximum prices as a bib overall of the same material]

Fabric	Weight in yards per pound and inches per yard	Finish	Sales by class I purchaser	Sales to class II purchasers—Bought at source	Sales to class II purchasers—Bought at wholesale
Denim	2.00 (8 oz.)	Shrunk	$1.87	$1.87	$2.00
Denim	2.00 (8 oz.)	1 inshrunk	1.41	1.87	1.92
Denim	2.20 (7¼ oz.)	Shrunk	1.53	1.75	1.87
Denim	2.20 (7¼ oz.)	1 inshrunk	1.36	1.71	1.82

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Fabric	Weight in yards per pound and inches per yard	Finish	Sales by class I purchaser	Sales to class II purchasers—Bought at source	Sales to class II purchasers—Bought at wholesale
Denim	2.00 (8 oz.)	Shrunk	$1.15	$1.41	$1.75
Denim	2.00 (8 oz.)	1 inshrunk	1.10	1.45	1.39
Denim	2.20 (7¼ oz.)	Shrunk	1.05	1.46	1.17
Denim	2.20 (7¼ oz.)	1 inshrunk	1.04	1.40	1.30
Denim	2.45 (6½ oz.)	Shrunk	.98	1.38	1.23

MEN'S WORK PANTS AND OVERALLS AND OVERALL JACKETS

[A jacket has the same maximum prices as a bib overall of the same material]

Fabric	Weight in yards per pound and inches per yard	Finish	Sales by class I purchaser	Sales to class II purchasers—Bought at source	Sales to class II purchasers—Bought at wholesale
Denim	2.00 (8 oz.)	Shrunk	$1.87	$1.87	$2.00
Denim	2.00 (8 oz.)	1 inshrunk	1.41	1.87	1.92
Denim	2.20 (7¼ oz.)	Shrunk	1.53	1.75	1.87
Denim	2.20 (7¼ oz.)	1 inshrunk	1.36	1.71	1.82

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Fabric	Weight in yards per pound and inches per yard	Finish	Sales by class I purchaser	Sales to class II purchasers—Bought at source	Sales to class II purchasers—Bought at wholesale
Denim	2.00 (8 oz.)	Shrunk	$1.15	$1.41	$1.75
Denim	2.00 (8 oz.)	1 inshrunk	1.10	1.45	1.39
Denim	2.20 (7¼ oz.)	Shrunk	1.05	1.46	1.17
Denim	2.20 (7¼ oz.)	1 inshrunk	1.04	1.40	1.30
Denim	2.45 (6½ oz.)	Shrunk	.98	1.38	1.23

(2) *Mountain and Pacific.* The following table applies to sales in "Mountain and Pacific" states, which include New Mexico, Colorado, Wyoming, Montana, and states further west.

RETAIL CEILING PRICES—MOUNTAIN AND PACIFIC

MEN'S BIB OVERALLS AND OVERALL JACKETS

[A jacket has the same ceiling prices as a bib overall made of the same material]

Fabric	Weight in yards per pound and inches per yard	Finish	Sales by class I purchaser	Sales by class II purchaser—Bought at source	Sales by class II purchaser—Bought at wholesale
Denim	2.00 (8 oz.)	Shrunk	$1.92	$1.92	$2.05
Denim	2.00 (8 oz.)	1 inshrunk	1.46	1.87	1.95
Denim	2.20 (7¼ oz.)	Shrunk	1.44	1.87	1.96
Denim	2.20 (7¼ oz.)	1 inshrunk	1.38	1.76	1.87

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Fabric	Weight in yards per pound and inches per yard	Finish	Sales by class I purchaser	Sales by class II purchaser—Bought at source	Sales by class II purchaser—Bought at wholesale
Denim	2.00 (8 oz.)	Shrunk	$1.29	$1.45	$1.59
Denim	2.00 (8 oz.)	1 inshrunk	1.12	1.43	1.55
Denim	2.20 (7¼ oz.)	Shrunk	1.11	1.41	1.51
Denim	2.20 (7¼ oz.)	1 inshrunk	1.05	1.31	1.41
Denim	2.45 (6½ oz.)	1 inshrunk	1.02	1.27	1.37

§ 1389.222 *Appendix F: Wholesale ceiling prices for war models.*—(a) *Sales in the ordinary course of business.* The following tables give ceiling prices for sales of war models at wholesale by Class I purchasers to Class II purchasers. All prices are per dozen garments, f. o. b. seller's place of business, net 30 days.

(a) *East and Central.*

MEN'S WORK PANTS—EAST AND CENTRAL

[A jacket has the same maximum prices as a bib overall of the same material]

Fabric	Weight in yards per pound and inches per yard	Finish	East and Central	Mountain and Pacific
Denim	2.00 (8 oz.)	Shrunk	$17.97	$19.17
Denim	2.00 (8 oz.)	1 inshrunk	15.23	16.15
Denim	2.20 (7¼ oz.)	Shrunk	17.05	18.15
Denim	2.20 (7¼ oz.)	1 inshrunk	15.22	16.12

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Fabric	Weight in yards per pound and inches per yard	Finish	East and Central	Mountain and Pacific
Denim	2.00 (8 oz.)	Shrunk	$15.76	$16.71
Denim	2.00 (8 oz.)	1 inshrunk	13.35	14.15
Denim	2.20 (7¼ oz.)	Shrunk	14.95	15.86
Denim	2.20 (7¼ oz.)	1 inshrunk	13.34	14.14
Denim	2.45 (6½ oz.)	1 inshrunk	12.49	13.24

MEN'S WORK PANTS AND OVERALL JACKETS

[A jacket has the same maximum prices as a bib overall of the same material]

Fabric	Weight in yards per pound and inches per yard	Finish	Sales to class II purchasers	Sales to class I purchasers
Denim	2.00 (8 oz.)	Shrunk	$15.82	$17.77
Denim	2.00 (8 oz.)	1 inshrunk	13.51	15.16
Denim	2.20 (7¼ oz.)	Shrunk	14.96	16.78
Denim	2.20 (7¼ oz.)	1 inshrunk	13.46	15.16

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Fabric	Weight in yards per pound and inches per yard	Finish	Sales to class II purchasers	Sales to class I purchasers
Denim	2.00 (8 oz.)	Shrunk	$11.26	$12.75
Denim	2.00 (8 oz.)	1 inshrunk	9.76	12.25
Denim	2.20 (7¼ oz.)	Shrunk	10.75	12.06
Denim	2.20 (7¼ oz.)	1 inshrunk	9.76	10.96
Denim	2.45 (6½ oz.)	1 inshrunk	9.06	10.26

(b) *Mountain and Pacific.* In order to determine the ceiling price for sale of a war model at source, where the seller's place of business is in the Mountain and Pacific area, the seller must take the ceiling price for sale in the East and Central area, and add 50 cents per dozen for bib overalls and overall jackets, or 35 cents per dozen for waistband overalls or dungarees.

§ 1389.224 *Appendix H: Addition to and deductions from ceiling prices of war models*—(a) *When taxes may be added to the ceiling price.* When there is a tax on a particular sale, which may be a sales tax, an excise tax, a gross receipts or gross proceeds tax, or a compensating use tax, and may be federal, state or municipal, then the seller may charge or collect the amount of that tax in addition to the ceiling price. But he may do so only if he states the tax separately, and is permitted by the tax statute or ordinance to state it separately. A seller must never charge or collect a tax paid on account of a prior sale or delivery.

(b) *Deduction for seconds.* The ceiling price of a war model "second" is found by taking the maximum price of a first quality war model, and deducting 10%.

§ 1389.225 *Appendix I: Identification of war models.*—(a) *What labeling is required.* Every "war model" of staple work clothing must be marked as required by this section. This marking must be made on one or more labels or tickets which are firmly and visibly attached to the garment, except in cases where the garment was put into process before May 6, 1943. In those cases, a seller at wholesale or at source may omit to attach the labels or tickets to the garments, on condition that he furnishes the proper labels or tickets to the buyer, notifies the buyer that the garments are "war models", and informs him of the fabric weight and finish of each model when he forwards the bill or invoice. A war model must never be sold at retail without the required label or ticket attached.

(b) *What must be on the label.* The labels or tickets must contain the following information:

(1) The weight of the principal fabric, in yards per pound, or in ounces per yard, by market designation, prorated to a width basis of 28 to 29 inches.

(2) The shrinkage treatment or lack of any, as follows:

(i) If the fabric is shrunk, the word "shrunk" or "pre-shrunk" or any other words of like effect. These terms must be accompanied by the qualifying statements required by the Trade Practice Rules for the Shrinkage of Woven Cotton Yard Goods (7 F.R. 1583), issued by the Federal Trade Commission.

(ii) If the fabric is unshrunk, the words "unshrunk" or "allow for shrinkage".

(3) The retail ceiling price which applies to the kind of retail sale at which the garment is to be resold. If a person selling at source does not know which retail ceiling price applies, he may request a written statement from the purchaser, and may rely on this statement unless he has reason to believe it is erroneous. Anyone who sells or offers to sell at retail must have the garment marked with the correct ceiling price for the particular transaction. The higher ceiling price for Mountain and Pacific sales may be indicated as an addition to the East and Central price (see example below).

(4) If the required information is not obscured, it may be contained in more than one label, and may be combined with other information. At the manufacturer's option, the garment may also be marked with the words "war model". Here are two examples of possible labels:

(On a bib overall to be nationally distributed through jobbers and independent retailers)
8 oz. sanforized
Residual Shrinkage Less Than 1%
Ceiling, $2.00
Plus 5¢ Denver West

(On a dungaree to be sold by a large Eastern chain, where label contains additional information)
War Model—2 20 yd. wt.
No. 907
Waist 34—Inseam 32
Allow for Shrinkage
Ceiling, $1.04

(c) *Other markings.*

(1) *Source.* Each war model of staple work clothing must be marked by the manufacturer with his name, or with the name of the wholesaler or retailer who distributes it, or with a trademark of the manufacturer or distributor which has been registered with the United States Patent Office, or with an identification number which will be assigned upon request by the Office of Price Administration, Washington, D. C.

(2) *Quality.* Any war model of work clothing which is not of first quality must be clearly marked with the word "second".

§ 1389.226 *Appendix J: Disclosure.* Every person who buys or offers to buy war models of staple work clothing for resale may be requested by the seller to furnish a signed statement showing the class of purchaser to which he belongs, and if a Class I purchaser, whether he expects to sell the garments purchased at wholesale or at retail. Within ten days after receiving such a request in writing, the buyer must supply the seller with this statement. If the seller has no reason to believe that the buyer's statements are erroneous, he may rely upon them in charging the buyer and in labeling the garments.

§ 1389.227 *Appendix K: Specifications for war models*—(a) *Effect of specifications.* This section gives minimum specifications for war models. Any seller may, of course, supply as a war model a garment which more than meets the specifications (for example, having stronger thread, or larger dimensions than are required). War models are either first quality, or "seconds".

(1) *First quality.* A first quality war model must not be defective when graded by the standards which the manufacturer followed in 1941, and must conform to the specifications in this section, except for the following tolerances:

(i) If a garment is patterned to conform to these specifications, a deviation of $\frac{1}{4}$ inch in the finished garment by reason of error in cutting or sewing will not disqualify it as a "first quality" war model.

(ii) A bib or waistband overall with a substandard front or back "rise" is sold a "first" if the total of its front and back rises is equal to the total of the rises shown in the table.

(2) *Seconds.* A garment is a war model "second" if it was designed to conform to specifications for a first quality war model, but deviates in excess of the tolerance, or is defective by the standards of grading followed by the manufacturer in 1941.

(b) *Fabric standards*—(1) *Weight.* Weight of cloth is expressed in yard per pound, by market designation, or in the corresponding number of ounces per yard, to the nearest quarter ounce. The width basis for denim is 28 to 29 inches. Any garment of heavier weight fabric may be sold at the maximum price fixed for a garment containing a lighter weight of the same fabric construction and finish. For example, an 8½-oz. sanforized overall meeting all other specifications could be sold at the price fixed for an 8-ounce shrunk overall.

2) *Shrinkage.* A fabric is called "shrunk" if it has been so treated that the residual shrinkage does not exceed 2 percent. This is to be measured by the test for shrinkage of cotton fabrics described in Commercial Standards CS 59-41, issued by the National Bureau of Standards. All other fabrics are called "unshrunk".

(c) *Construction standards for all overalls.* War models of bib overalls, waistband overalls and overall jackets must be constructed with the following minimum standards:

(1) *Stitches.* 8 stitches per inch on hems at bottoms of pant legs; 10 stitches per inch on all other hems and joinings. 42 stitches to a bar tack.

(2) *Thread.* On all joinings and hems, thread not finer than 40 3 cord in needle and 50 2 cord in looper. On bar tacks, not finer than 40 3 cord.

(3) *Buttons.* All buttons to be metal open top or closed top, attached with single or double prong tack.

(d) *Specifications for particular garments (minimum requirements)*—(1) *Bib overalls*—(i) *Bar tacks or rivets.* 13 if hip pockets are sewn into side seams. 15 in all other cases.

(ii) *Buttons.* 1 on each side opening, 2 on fly through size 38, 3 on fly for size 40 and over.

(iii) *Banding.* Denim on denim that may be lighter than body material.

(iv) *Bib reinforcement.* Hem, banding or double-thickness corner under bib buttons.

(v) *Trimmings.* 2 front swing pockets, 6½" x 11½". 2 hip pockets having total area of 56 sq. in. 2 bib pockets having total area of 24 sq. in. Rule pocket, 10½" x 3½". In 1 or 2 pieces. Hammer loop 1½" x [illegible] ing, not less than ¾" wide.

(vii) *Side opening.* Hemmed.

(viii) *Suspenders.* Single or double thickness. Width at cross 3¾". Width at shoulders 2¼".

(ix) *Size range.* Waist sizes 30 to 50, inclusive, by choice or balanced assortment. Inseam lengths in unshrunk fabrics up to 36". Inseam lengths in shrunk fabrics up to 36" on waist sizes 30 to 36, and up to 34" on other sizes.

(2) *Overall jackets.*—(i) *Buttons.* 4 on front. 1 on each cuff.

(ii) *Trimmings.* 2 patch pockets, each having area of 56 sq. in.

(iii) *Size range.* 34 to 50, by choice or balanced assortment.

(3) *Waistband overalls or dungarees*—(i) *Bar tacks or rivets.* 1 at top and bottom of each belt loop. 9 others.

(ii) *Buttons and fasteners.* 4 buttons on fly. 1 button or snap fastener at waistband.

(iii) *Belt-loops.* 6.

(iv) *Trimmings.* 2 front swing or patch pockets, 6¼" x 10". 2 hip patch pockets, each having area of 40 sq. in. Rule pocket, 7¾" x 3", 1 or 2 pieces. Watch pocket, 3" x 3". Waistband 1⅜" wide.

(v) *Fly.* With hemmed button facing not less than ¾" wide.

(vi) *Size range.* Waist sizes 30 to 46 or 29 to 46, by choice or balanced assortment. Inseam lengths in unshrunk fabrics up to 36". Inseam lengths in shrunk fabrics up to 36" on waist sizes 30 to 36, and up to 34" on other sizes.

(e) *Garment dimensions.* Garment dimensions are given in the following tables for even waist sizes with 32" inseam. On other inseam lengths, the dimensions, including front and back rise, must be graduated proportionately. Odd sizes with proportionate dimensions may be offered. All dimensions are stated in inches.

MEN'S BIB OVERALLS

Size jacket (waist and inseam)	30–32	32–32	34–32	36–32	38–32	40–32	42–32	44–32	46–32	48–32	50–32
Actual waist	31	33	35	37	39	41	43	45	47	49	51
Outside seams to top of waistband	43½	44	44½	45	45½	46	46½	46¾	47	47¼	47½
Inside seam, actual measurement	32	32	32	32	32	32	32	32	32	32	32
Bottom widths	20⅜	20⅝	20⅞	21⅛	21⅜	22⅛	22⅝	23⅛	23⅝	23⅝	23⅝
Width seat across fly end	41	43	45	47	49	51	53	54	55	56	57
Width of leg at crotch	27⅛	28¼	29⅜	30½	31⅝	32¾	33⅞	34⅞	35⅞	36	36⅛
Width of knee	21⅞	22⅜	22⅞	23⅜	23⅞	24⅜	24⅞	25⅜	25⅞	26⅛	26⅜
Front rise to top of bib	21	24¾	25½	26¼	27	27¾	28½	29¼	30	30¾	31½
Width of bib at top	8½	8¾	9	9¼	9½	9¾	10	10¼	10½	10¾	11
Back rise to top of suspender cross	26¼	27	27¾	28½	29¼	30	30¾	31½	31⅞	31⅞	32¼
Length of suspender from top to cross to end	17	17½	18	18½	19	19½	20	20	20	20	20

MEN'S OVERALL JACKETS

Size jacket	34	36	38	40	42	44	46	48	50
Neck, buttoned	16	16½	17	17½	18	18½	19	19½	20
Chest, buttoned	41	43	45	47	49	51	53	55	57
Sleeve, open three inches from bottom	43	45	47	49	51	53½	56	58½	61
Back length from bottom of collar band	28¾	29	30	31	31½	31½	31½	31½	31½
Sleeve length from center of collar including cuff	31½	32½	33½	34	34½	34¾	34¾	35	35
Front	15½	16	16½	17	17½	17¾	18	18¼	18½
Width cuffs at bottom open	11½	11¾	12	12¼	12½	12½	12½	12⅝	12¾

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Size jacket (waist and inseam)	30–32	32–32	34–32	36–32	38–32	40–32	42–32	44–32	46–32
Actual waist	30	32	34	36	38	40	42	44	46
Inseam	32	32	32	32	32	32	32	32	32
Outside seam to top of waistband	42	43	43¾	44¼	44⅝	44¾	45	45½	45¾
Width at bottom of leg	20	20	20	20½	21½	21	21	21¼	21½
Seat at bottom of fly	42	44	46	48	50	52	54	55	56
Thigh	26¼	27	28¾	30	31	32	33	33¾	34½
Knee at 2" above ½ of inseam	21	21½	21½	22	22½	23	23½	24	24½
Front rise	13½	14	14½	15	15½	16	16½	17	17½
Back rise	16½	17	17½	18	18½	19	19½	19⅝	19¾

This amendment shall become effective April 15, 1943.

Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F.R. Doc. 43-5789; Filed, April 13, 1943; 4:36 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 8,[1] Amendment 4]

GASOLINE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 8 is amended in the following respects:

1. Section 1394.3501 (a) (11) is amended to read as follows:

(11) "Gasoline" means any petroleum product either commonly known or sold as gasoline (including casinghead and natural gasoline) or having a flash point below 100° Fahrenheit (closed cup test, ASTM D–56–36), except:

(i) Fuel oil as defined in Ration Order No. 11,[2] naphthas, aromatics, snythetic rubber materials, solvents or specialties, not used or blended for use as fuel in internal combustion engines;

(ii) Any finished petroleum product having an octane rating of 85 or more (ASTM D–357–42T) or any component thereof, used for the propulsion of aircraft; and

(iii) Liquefied petroleum gases.

2. Section 1394.4264 (a) is amended to read as follows:

(a) Every distributor shall, within three days after the ending of each valid period as indicated in § 1394.3652 herein, and commencing with the month of April, 1943, submit to the Director of the Office of Price Administration for the Virgin Islands a written report for such valid period showing:

(1) The amount of gasoline on hand at the close of business on the last day of the preceding valid rationing period.

(2) The amount of gasoline imported into the Virgin Islands during the valid period for which the report is being made.

(3) The amount of gasoline exported from the Virgin Islands during such period.

(4) The amount of gasoline transferred to and received from other distributors during such period.

(5) The amount of gasoline on hand at the close of business on the last day of such period.

(6) The amount of gasoline transferred to the Armed Forces of the United States during such period.

(7) The amount of gasoline transferred to dealers or consumers during such period. Every distributor shall attach to such report all evidences received in exchange for gasoline so transferred by it during the period for which the report is made. The distributor shall include in its report a reconciliation of any difference between the total amount of

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9631, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1315, 1235, 1282, 1466, 237, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2720, 2887, 2942, 2993, 2887, 3106, 3521, 3628, 3733, 3848, 3948, 4255, 4137, 4350.

gasoline reported so transferred and the total amount of gasoline represented by the evidences attached to the report.

This amendment shall become effective April 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, W.P.B. Directive No. 1, Supp. Directive No. 1J, 7 F.R. 562, 5043)

Issued this 30th day of March 1943.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

[F. R. Doc. 43-5782; Filed, April 13, 1943; 4:36 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10, Amendment 10]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. Section 1407.687, item 16 is amended and item 17 is added. The undesignated paragraph after the table is hereby revoked.

No. 16 Mar. 29 to Apr. 4, 1943:
Book One, Stamp 17, 3 pounds wheat flour.
Book One, Stamp 21, 1 pound cornmeal.
No. 17 Apr. 5 to Apr. 12, 1943:
Book One, Stamp 18, 3 pounds wheat flour.
Book One, Stamp 20, 1 pound cornmeal.

2. Section 1407.704 (a) is amended and the undesignated paragraph after the table is hereby revoked.

(a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be as follows:

Wheat flour, 12 pounds per month.
Cornmeal, 4 pounds per month.

This amendment shall become effective March 29, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1-J, O.P.A. Administrative Order 19; 7 F.R. 562, 5043)

Issued this 27th day of March 1943.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

[F. R. Doc. 43-5792; Filed, April 13, 1943; 4:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12,[1] Amendment 12]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

Section 1407.1092 is amended by adding a new item as follows:

Period	Percentage of base
May 1, 1943, to June 30, 1943, inclusive	80

This amendment shall become effective April 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10129; WPB Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5784; Filed, April 13, 1943; 4:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 1 to Revised Supplement 1]

PROCESSED FOODS

Revised Supplement No. 1 to Ration Order 13 is amended in the following respect:

Section 1407.1102 (b) is amended to read as follows:

(b) The industrial user allotment factors which are referred to in section 6.6 (c) of Ration Order 13 are as follows:

(1) For the first allotment period of 1943:

(i) Canned and bottled processed foods, and dry beans, peas, and lentils—2.8;

(ii) Dried and dehydrated processed foods, including dried and dehydrated soups and soup mixtures—5.1;

(iii) Frozen processed foods—3.3.

(2) For the second allotment period of 1943:

(i) Canned and bottled processed foods, and dry beans, peas, and lentils—5;

(ii) Dried and dehydrated fruits—0;

(iii) Dried and dehydrated soups and soup mixtures—8;

(iv) Frozen processed foods—6.4.

This amendment shall become effective April 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5791; Filed, April 13, 1943; 4:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 1 to Supplement 1]

MEAT, FATS, FISH AND CHEESES

The point values of foods covered by this order set forth in the Official Tables of Consumer and Trade Point Values (OPA Forms R-1313, 1611 and 1612), referred to in paragraph (a) of § 1407.3027, and filed with the Division of the Federal Register,* are amended:

1. The Official Table of Consumer Point Values (OPA Form R-1313) is amended in the following respects:

a. In the classification "pork," subclassification "other pork cuts," the point value of "neck and backbones" is changed from 2 points per pound to 1 point per pound.

b. In the classification "pork," subclassification "variety meats," the point value of "chitterlings" is changed from 4 points per pound to 2 points per pound.

c. In the classification "sausage," subclassification "fresh, smoked and cooked sausage," the point value of Group A sausage is changed from 7 points per pound to 6 points per pound, except that the point value is 5 points per pound for Group A sausage to which a non-meat filler, such as cereal or dried milk, has been added.

d. In the classification "sausage," subclassification "fresh, smoked and cooked sausage," the point value of Group B sausage is changed from 4 points per pound to 3 points per pound, except that the point value is 2 points per pound for scrapple.

2. The Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) is amended in the following respect:

a. In the classification "sausage," the point value of "all others" is changed from 7 points per pound to 6 points per pound, except the point value is 5 points per pound for such other sausage to which a non-meat filler, such as cereal or dried milk, has been added.

3. The Official Table of Trade Point Values (OPA Form R-1612) is amended in the following respects:

a. Under the classification "beef (including Kosher)," subclassification "primal cuts," there is added "hindquarters—kidney and suet out, flank off" at a point value of 6.0 points per pound.

b. In the classification "beef (including Kosher)," subclassification "fabricated beef cuts," the point value of "round—rump and shank off" is changed from 8.0 points per pound to 7.2 points per pound.

c. In the classification "pork," subclassification "miscellaneous pork products," the point value of "No. 1 skins" is changed from 4.5 points per pound to 3.0 points per pound; the point value of "gelatin or sausage skins" is changed from 4.5 points per pound to 3.0 points per pound; the point value of "spareribs brisket bones" is changed from 2.0 points per pound to 1.0 point per pound; the point value of "neck and backbones" is changed from 2.0 points per pound to 1.0 point per pound; the point value of "chitterlings" is changed from 4.0 points per pound to 2.0 points per pound; and the point value of "head—tongue in or out" is changed from 3.0 points per pound to 2.0 points per pound.

d. In the classification "veal (including Kosher)," the subclassification "cull veal only—hide on" is added at a point value of 4.1 points per pound.

e. In the classification "sausage," subclassification "fresh, smoked and cooked sausage," the point value of Group A sausage is changed from 6.5 points per pound to 5.5 points per pound, except that the point value is 4.5 points per pounds for Group A sausage to which a non-meat filler, such as cereal or dried milk, has been added.

f. In the classification "sausage," subclassification "fresh, smoked and cooked sausage," the point value of Group B sausage is changed from 3.8 points per pound to 2.8 points per pound, except that the point value is 2 points per pound for scrapple.

4. Section 1407.3027 (e) is added to read as follows:

(e) Every retailer, wholesaler or primary distributor must make the changes provided by this amendment in the Official Tables of Consumer and Trade Point Values (OPA Forms R-1313, 1611 and 1612) which this order requires him to post or keep available.

This amendment shall become effective at 12:01 A. M., April 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food. Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5785; Filed, April 13, 1943; 4:36 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 8]

MEATS, FATS, FISH AND CHEESE

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 10.5 (d) is amended to read as follows:

(d) *When points must be given up.* (1) The transferor must get the points from the transferee, and the transferee must give them up, at or before the time when the transfer is made. Exceptions to this rule are stated in the next two subparagraphs.

(2) If the transfer is made through shipment by railroad or any other public carrier, the transferor may arrange to have the carrier get the points for him from the transferee at the time of actual delivery, or to have the points obtained for him by anyone in exchange for the bill of lading or other document entitling its holder to take possession of the foods.

(3) Where transfer is made by delivery to the transferee (or by shipment by railroad or any other public carrier) the points may be given up later, but not more than seven days after delivery to the transferee. However, a transferee may not accept delivery in this case unless he has points on hand (excluding points not yet surrendered for foods bought or acquired) or in his ration bank account (excluding the amounts of ration checks issued which have not yet been cleared) equal to the point value of the foods transferred. If the transferor does not get the points at or before the time he sends the foods to the transferee, he must, at or before that time, prepare and keep a memorandum showing the name of the transferee, the date he sent the foods, a description of the items, their weight and their point value. If the transferor does not get the points within seven days after delivery, he must immediately notify the district office for the place where the delivery was made, of the default. As long as the transferee is in default, he must not acquire any foods covered by this order, and no transferor who has knowledge of the default may transfer such foods to him. (However, he may continue to acquire foods covered by this order, and transferors may continue to transfer such foods to him, pursuant to Article XI.)

This amendment shall become effective April 13, 1943.

(Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 FR. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 13th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5790; Filed, April 13, 1943; 4:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 9]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (1) and the definition of "meat" in § 24.1 (a) are amended by changing the next to the last sentence of each to read as follows:

Neither does it include casings or visceral parts acquired by a person to be used by him in making casings.

2. Section 1.1 (a) (1) and the definition of "meat" in § 24.1 (a) are amended by inserting, at the end of each, the following sentences:

Meat does not include rendering fats and bones (produced in disassembling a carcass, or in cutting a carcass or primal cut into smaller cuts, or in boning a carcass or cut) and lean trimmings commingled with these rendering fats and bones, if these parts of the carcass are acquired by a person to be used by him for animal feed, for rendering into inedible products or for other inedible purposes or if acquired by a primary distributor to be used by him in the production of foods covered by this order. Neither does meat include cracklings containing no more than fifteen per cent, by weight, of fat. (Cracklings containing more than fifteen per cent, by weight, of fat are considered rendering fats.)

This amendment shall become effective April 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2551; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 12th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5786; Filed, April 13, 1943; 4:36 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 383 Under § 1499.3 (b) of GMPR]

CLARK-CUTLER-M'DERMOTT CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1870 *Maximum prices for the sale of black gaiter felt manufactured by Clark-Cutler-McDermott Company.* (a) Clark-Cutler-McDermott Company, Franklin, Massachusetts, herein called the applicant, may sell and deliver and any person may buy and receive from it the following comodity at a price not in excess of that set forth below:

Commodity	Maximum price (per yard)
Black gaiter felt, style No. 45-2-10 black, 60" wide, made with a cotton sheeting back and conforming to the specifications set forth in cost estimate submitted to the Office of Price Administration with Applicant's letter dated January 11, 1943	$2 31

(b) The price set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as were granted during March 1942 in connection with deliveries by the Applicant of black gaiter felt with a burlap back.

(c) All requests of the applicant not granted herein are denied.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6687, 8521, 8607, 10707; 8 F.R. 1394, 3315.

[2] 8 F.R. 3400, 3643, 4410, 4419.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525.

[1] 8 F.R. 3591, 3715, 3949, 4137, 4350, 4423.

(d) This Order No. 383 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 383 shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5812. Filed April 14, 1943; 11:18 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 384 Under § 1499.3 (b) of GMPR]

BELMONT THROWING CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1871 *Maximum prices for the sale of 110 denier combination yarn manufactured by Belmont Throwing Corporation.* (a) Belmont Throwing Corporation, Belmont, North Carolina, herein called the Applicant, may sell and deliver and any person may buy and receive from it the following commodity at a price not in excess of that set forth below:

Commodity	*Maximum price per pound*
Lisle and acetate combination 110 denier special full fashioned hosiery yarn described in attachment to Applicant's letter of March 24, 1943 to the Office of Price Administration	$2 04

(b) The price set forth in paragraph (a) of this section shall be subject to terms of net 30 days, f. o. b. Applicant's plant.

(c) All requests of the applicant not granted herein are denied.

(d) This Order No. 384 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 384 shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5813; Filed, April 14, 1943; 11:18 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 385 under § 1499.3 (b) of GMPR]

SALUDA RIVER LUMBER COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1872 *Adjustment of maximum prices of walnut lumber sold by Saluda River Lumber Company.* (a) Saluda River Lumber Company, Cleveland, South Carolina, may sell and deliver, and any person may buy from Saluda River Lumber Company, walnut lumber at prices no higher than those hereinafter set forth:

Black walnut

8 4" FAS	$200.00 per M', f. o. b. mill
8 4" FAS 1 face	165.00 per M', f. o. b. mill
8 4" No. 1 Common	130.00 per M', f. o. b. mill
8 4" No. 2 Common	60.00 per M', f. o. b. mill

(b) All discounts, credit allowances, and other terms relating to payment in effect by applicant in March 1942 shall apply to the prices herein determined.

(c) This Order No. 385 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 385 (§ 1499.1872) shall become effective this 15th day of April, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5814; Filed, April 14, 1943; 11:20 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 386 Under § 1499.3 (b) of GMPR]

THE SMITHS, INC.

Maximum prices for shelving and cleats of gum and yellow poplar.

The Smiths, Inc. of Barnesville, Georgia, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization of a maximum price of a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered:*

§ 1499.1873 *Approval of maximum prices for the sale of shelving and cleats of gum and yellow poplar.* (a) On and after April 15, 1943, the Smiths, Inc. of Barnesville, Georgia, may sell and deliver to any person, and any person may buy and receive from The Smiths, Inc., shelving and cleats of gum and yellow poplar $\frac{7}{8}$" thick, dressed one side, rough dressed other side, with hit or miss, glued with cold water, water resistant glue, and manufactured to clean up 11/16", at a price not to exceed $128.00 per thousand board feet.

(b) This Order No. 386 may be amended or revoked by the Price Administrator at any time.

The effective date of this order shall be April 15, 1943.

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5815; Filed, April 14, 1943; 11:20 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 387 Under § 1499.3 (b) of GMPR]

GENERAL FOODS SALES CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1874 *Authorization of maximum prices for "Pour More" sold by General Foods Sales Corporation, 250 Park Avenue, New York, N. Y.* (a) On and after April 15, 1943, the maximum delivered prices for the following product of General Foods Sales Corporation shall be as set forth below:

Pour More—$1.40 per case of twelve 12 ounce packages.

(b) General Foods Sales Corporation shall offer "Pour More" subject to terms of a cash discount of 2%, 10 days net 30, and shall continue all customary carload and pool car allowances.

(c) Wholesalers of "Pour More" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 237, as amended.

(d) Retailers of "Pour More" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 238, as amended.

(e) This order may be amended or revoked by the Administrator at any time.

(f) This Order No. 387 (§ 1499.1874) shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5816; Filed, April 14 1943; 11:19 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 388 Under § 1499.3 (b) of GMPR]

KROGER GROCERY AND BAKING CO

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1875 *Authorization for maximum prices for "Coffee-Aid" manufactured by The Kroger Grocery and Baking Company, Cincinnati, Ohio.* (a) On and after April 15, 1943, the maximum delivered price for the following product of the Kroger Grocery and Baking Company shall be as set forth below:

Coffee-Aid—13 cents per pound.

(b) Retailers of "Coffee-Aid" shall calculate their maximum prices by applying the provisions of Maximum Price Regulation 238, as amended.

(c) This order may be revoked or amended by the Administrator at any time.

(d) This Order No. 388 (§ 1499.1875) shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250; 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5817; Filed, April 14 1943, 11:19 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 389 Under § 1499.3 (b) of GMPR]

G. M. G. FOOD PRODUCTS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1876 *Authorization of maximum prices for "Two for One Coffee Stretchers" manufactured by G. M. G. Food Products Company, 1250 Riverbed Avenue, Cleveland, Ohio.* (a) On and after April 15, 1943, the maximum delivered price for the following product of the G. M. G. Food Products Company shall be as set forth below.

Two for One Coffee Stretchers—8 oz. jars, 24 per carton—$4.20 per carton.

(b) Wholesalers of "Two for One Coffee Stretchers" are authorized to determine their maximum prices by applying the provisions of Maximum Price Regulation 237, as amended.

(c) Retailers of "Two for One Coffee Stretchers" are authorized to determine their maximum prices by applying the provisions of Maximum Price Regulation 238, as amended.

(d) This order may be revoked or amended by the Administrator at any time.

(e) This Order No. 389 (§ 1499.1876) shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5818; Filed, April 14, 1943; 11:18 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 390 Under § 1499.3 (b) of GMPR]

NATIONAL GROCERY COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1877 *Authorization of maximum prices for "Hercules Beverage" manufactured by the National Grocery Company, 1000 Fourth Avenue South, Seattle, Washington.* (a) On and after April 15, 1943, the maximum delivered price for the following product of The National Grocery Company shall be as set forth below.

Hercules Beverage—21¢ per pound.

(b) Wholesalers of "Hercules Beverage" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 237, as amended.

(c) Retailers of "Hercules Beverage" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 238, as amended.

(d) This order may be revoked or amended by the Administrator at any time.

(e) This Order No. 390 (§ 1499.1877) shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5819; Filed, April 14, 1943; 11:20 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 391 Under § 1499.3 (b) of GMPR]

WOODS BROTHERS COFFEE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1878 *Authorization of maximum prices for "Breakfast Drink" manufactured by Woods Brothers Coffee Company, 308-10 East Campbell Avenue, Roanoke, Virginia.* (a) On and after April 15, 1943, the maximum delivered price for the following product manufactured and packed in one pound paper bags by Woods Brothers Coffee Company shall be as set forth below:

Breakfast Drink—18 cents per pound delivered.

(b) Wholesalers of "Breakfast Drink" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 237, as amended.

(c) Retailers of "Breakfast Drink" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 238, as amended.

(d) This order may be revoked or amended by the Administrator at any time.

(e) This Order No. 391 (§ 1499.1878) shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5820; Filed, April 14, 1943; 11:19 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 392 Under § 1499.3 (b) of GMPR]

VAN ROEY COFFEE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1879 *Authorization of maximum prices for "Substitute" manufactured by Van Roey Coffee Company, 2900 Detroit Avenue, Cleveland, Ohio.* (a) On and after April 15, 1943, the maximum delivered price for the following product of Van Roey Coffee Company, packed in one pound fibre containers, shall be as set forth below:

Substitute—16 cents per pound.

(b) Wholesalers of "Substitute" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 237, as amended.

(c) Retailers of "Substitute" shall determine their maximum prices by applying the provisions of Maximum Price Regulation 238, as amended.

(d) This order may be revoked or amended by the Administrator at any time.

(e) This Order No. 392 (§ 1499.1879) shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5821; Filed, April 14, 1943; 11:20 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 393 Under § 1499.3 (b) of GMPR]

RICHARD ALLAN PACKING CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1880 *Authorization of maximum prices for "Bulkee Coffee Stretcher" and "X-tra Cup Coffee Stretcher" manufactured by Richard Allan Packing Company, Incorporated, 61 West Kinzie Street, Chicago, Illinois.* (a) On and after April 15, 1943, the maximum delivered prices for the following products of Richard Allan Packing Company, Incorporated, shall be as set forth below:

	Cents per. lb.
Bulkee Coffee Stretcher—1 lb. package	16½
Bulkee Coffee Stretcher—5 lb. package	15½
X-tra Cup Coffee Stretcher—1 lb. package	16½
X-tra Cup Coffee Stretcher—5 lb. package	15½

(b) Wholesalers of "Bulkee Coffee Stretcher" and "X-tra Cup Coffee Stretcher" are authorized to determine their prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of "Bulkee Coffee Stretcher" and "X-tra Cup Coffee Stretcher" are authorized to determine their prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This order may be revoked or amended by the Administrator at any time.

(e) This Order No. 393 (§ 1499.1880) shall become effective April 15, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5822; Filed, April 14, 1943; 11:19 a. m.]

TITLE 36—PARKS AND FOREST

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

PERMITS

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), § 2.40 (e) (6 F.R. 1626, 2505, 4493; 7 F.R. 2906, 5226) of Title 36, Code of Federal Regulations, is amended to read as follows:

§ 2.40 *Permits.* • • •

(e) The Director may prescribe periods when any park or monument is not in full operation, during which the collection of the permit, guide, or admission fees prescribed for such park or monument shall be suspended.

Issued this 31st day of March 1943.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 43-5804; Filed, April 14, 1943; 10:09 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation

[No. 15]

PART 402—ANNUAL WATER CHARGES

OWYHEE IRRIGATION PROJECT, OREGON–IDAHO [1]

MARCH 23, 1943.

1. Announcement is hereby made that water will be furnished during the irrigation season of 1943 (April to October, both inclusive) for the irrigation of project lands hereinafter described, upon a water rental basis at rates and upon terms following:

For lands in the Gem, Owyhee, Ontario-Nyssa, Advancement, Payette-Oregon Slope, Bench, Crystal, and Slide irrigation districts, the minimum rental-charge for the irrigation season of 1943 for water delivered to or for the farms by government forces, will be one dollar and sixty cents ($1.60) per irrigable acre, payable in advance of the delivery of water by all landowners irrigating during 1943 a whole or a part of their respective holdings, said payment to be made by each landowner for his total irrigable area. For landowners using water during the season of 1943 the payment of one dollar and sixty cents ($1.60) per irrigable acre shall authorize the furnishing of three (3) acre-feet of water per irrigable acre. Seventy cents ($0.70) per acre-foot will be charged for any water furnished to any tract or farm unit in excess of three (3) acre-feet per irrigable acre, and shall be payable by each landowner to the district in which his land is situated within ten (10) days from the receipt by him of a statement of the excess water used. Charges for such excess water shall be payable by the districts to the United States on or before December 1, 1943. *Provided*, That, if the Gem and Ontario-Nyssa irrigation districts elect to continue operation of their pumping plants and old distribution systems at their own expense the charge for three (3) acre-feet of water delivered to or for the farms in the Ontario-Nyssa district by the district organization and for water delivered to or for the old land farms in the Gem district by the district organization, will be reduced to eighty cents ($0.80) per irrigable acre, payable in advance by each landowner for his total irrigable area and the charge for excess water payable by the landowners to the districts and, in turn, by the districts to the United States, on or before December 1, 1943, will be reduced to thirty-five cents ($0.35) per acre-foot, the measurement of water in each case to be made as stated below.

2. For lands in the Gem, Owyhee, Ontario-Nyssa, Advancement, Payette-Oregon Slope, Bench, Crystal, and Slide irrigation districts one dollar and sixty cents ($1.60) per irrigable acre will be charged for all lands the owners of which do not use irrigation water during the season of 1943. *Provided*, That, if the Gem and Ontario-Nyssa irrigation districts elect to continue operation of their pumping plants and old distribution systems at their own expense eighty cents ($0.80) per irrigable acre will be charged for all lands in the area served by district forces the owners of which do not use irrigation water during the season of 1943. Said amount of one dollar and sixty cents ($1.60) per irrigable acre or eighty cents ($0.80) per irrigable acre, whichever is applicable under the requirements of the immediately preceding sentence, shall be assessed by the respective districts on such lands during 1943 to be paid by said districts to the United States on or before December 31, 1944.

3. No distinction will be made between water pumped from the Snake River and water delivered from the Owyhee Reservoir.

4. Electric power used by the Government for pumping water delivered under this notice will be charged to the project as a whole and not to the particular districts for which water may be pumped.

5. Water will be delivered and measured by Government forces at the nearest available measuring device to the individual farm, except that in the case of the Gem and Ontario-Nyssa irrigation districts, if these districts elect to continue operation of their pumping plants and old distribution systems at their own expense, the water delivered to or for the farms by the district forces will be measured by the government at the pump outlets and at feeders from the Owyhee gravity canals.

6. Any charges not paid when due will be subject to the penalty charge prescribed by subsection H of section 4 of the act of December 5, 1924, 43 Stat., 672, which provides that one-half of one percent penalty will attach on the day first following the due date, and thereafter an additional one-half percent on the first day of each succeeding month.

7. Individual landowners will make their applications for water and the payments required by this public notice direct to their irrigation district office. Applications by the irrigation districts for water and payments by the districts to the United States on the basis of this public notice will be received at the office of the Construction Engineer, Bureau of Reclamation, Boise, Idaho.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

MICHAEL W. STRAUS,
First Assistant Secretary.

[F. R. Doc. 43-5807; Filed, April 14, 1943; 10:08 a. m.]

[1] Affects tabulation in § 402.2 f.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS

STATISTICAL REPORTS OF CLASS I MOTOR CARRIERS OF PASSENGERS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 3rd day of April, A. D. 1943.

The matter of statistical reports of Class I motor carriers of passengers being under consideration:

It is ordered, That the orders of August 1, 1938, and December 2, 1941 (§§ 205.11 and 205.21 of Title 49, Code of Federal Regulations) be and they hereby are vacated and set aside and the following order shall become effective:

§ 205.11 *Quarterly reports of passenger revenues, expenses and statistics.* All Class I common and contract motor carriers of passengers subject to the provisions of section 220 of the Interstate Commerce Act shall file, under oath, quarterly reports in duplicate, commencing with the period January 1, 1943, to March 31, 1943 (both dates inclusive), of revenues, expenses, and other statistics in accordance with the quarterly form which is attached hereto and made a part of this order.[1] Such reports shall be filed in the office of the Bureau of Motor Carriers of the Interstate Commerce Commission within thirty days after the close of the period to which they relate. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926: 49 U.S.C. 320)

§ 205.21 *Monthly reports of revenues, passengers and mileage.* All Class I common and contract motor carriers of passengers shall file monthly reports in duplicate commencing with the month of May 1943, of total passenger revenue, number of passengers carried, and number of bus miles operated, in accordance with the monthly report form which is attached hereto and made a part of this order.[1] Such reports shall be filed in the office of the Bureau of Motor Carriers within thirty days after the close of the period to which they relate. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926: 49 U.S.C. 320)

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-5811; Filed, April 14, 1943; 11:23 a. m.]

[1] Filed as part of the original document.

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SANTA BARBARA COUNTY PROJECT, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 10, 1943.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

SANTA BARBARA COUNTY PROJECT, CALIFORNIA, SAN BERNARDINO MERIDIAN

GIBRALTAR RESERVOIR SITE

T. 5 N., R. 26 W.,
Sec. 4, all;
Sec. 28, N½;
Part of Lot 37, Rancho Los Prietos y Najalayegun, being more fully described as follows: secs. 5 to 9, inclusive, secs. 14 to 18, inclusive, sec. 20, N½, and sec. 21.

T. 6 N., R. 26 W.,
Sec. 27, W½;
Sec. 28, E½;
Sec. 32, Lot 1;
Sec. 33, Lots 1, 2, 3, 4, NE¼, N½NW¼, SE¼NW¼, N½SE¼, SE¼SE¼: sec. 34, W½;
Part of Lot 37, Rancho Los Prietos y Najalayegua, being more fully described as follows: sec. 31, E½; sec. 32, all fractional; sec. 33, all, fractional.

T. 5 N., R. 27 W.,
Sec. 15, SW ¼;
Part of Lot 37, Rancho Los Prietos y Najalayegua, being more fully described as follows: sec. 1, secs. 10 to 14, inclusive, sec. 15 N½, SE¼.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: March 23, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

April 8, 1943.

[F. R. Doc. 43-5808; Filed, April 14, 1943; 10:07 a. m.]

General Land Office.

[Five-Acre Tract Classification 28]

VACANT PUBLIC LAND IN LOS ANGELES, CALIF., LAND DISTRICT

LEASING AS HOME, CABIN, ETC., SITES

APRIL 7, 1943.

On March 27, 1943, the vacant public land in the following-described area, in the Los Angeles, California, land district, was classified and opened by the Secretary of the Interior under the five-acre act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), for leasing as home, cabin, camp, health, convalescent, and recreational sites. The classification does not include use of any of the land as business sites.

CALIFORNIA No. 15

SAN BERNARDINO MERIDIAN

T. 12 S., R. 1 W., sec. 5, lot 16, 39.50 acres.

This land is located in San Diego County, approximately 35 miles northeast of San Diego and 5 miles northeast of Escondido, and less than a mile south of Wohlford Lake. It lies at an elevation of about 1,400 feet in a mountainous semi-desert area.

Based on the above-mentioned classification, the land is subject to application under the act of June 1, 1938, supra, by any qualified persons, in accordance with 43 CFR 257.1–257.25 (Circ. 1470a, August 10, 1942). Any applications filed should describe the land applied for according to the rectangular system of surveys so far as possible. Tracts will be leased in rectangular units of approximately 5 acres. Each lessee will be required to erect substantial improvements having a value of not less than $300.

The Register of the Los Angeles district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 43-5805; Filed, April 14, 1943; 10:06 a. m.]

[Public Land Order 106]

OREGON

REVOCATION OF EXECUTIVE ORDER OF MAY 19, 1891, RESERVING CERTAIN PUBLIC LANDS FOR LIGHTHOUSE PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942 (7 F.R. 3067); *It is ordered*, As follows:

The Executive order of May 19, 1891, reserving for lighthouse purposes the following-described public lands, now within the boundaries of the Siuslaw National Forest in Oregon, is hereby revoked:

WILLAMETTE MERIDIAN

T. 16 S., R. 12 W.,
Sec. 34, S½SW¼.

T. 17 S., R. 12 W.,
Sec. 3, lot 4, SW¼NW¼, and N½SW¼.

The areas described aggregate 239.20 acres.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 31, 1943.

[F. R. Doc. 43-5806; Filed, April 14, 1943; 10:06 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

APPROVAL OF SALES OF REAL PROPERTY AND EXECUTION OF DEEDS

DELEGATION OF AUTHORITY TO REGIONAL DIRECTORS

Delegation of authority to Regional Directors of the Farm Security Administration of the Department of Agriculture to approve sales of real property and execute deeds.

Pursuant to the authority vested in me by Secretary's Memorandum dated March 15, 1943, *It is hereby ordered* That:

1. The Regional Directors of the Farm Security Administration are authorized to execute, on behalf of the United States of America, all deeds or other instruments necessary to convey any real property or interest therein held by the United States of America and under the jurisdiction of the Farm Security Administration, including real property held in trust for any State rural rehabilitation corporation, when such sales or conveyances are authorized by applicable FSA Instructions, or otherwise, subject to the following limitations:

A. When economic farm units are sold or conveyed to persons eligible for assistance from the Farm Security Administration, the purchase price shall be based on the earning capacity of the farms and shall be payable over a period not in excess of 40 years. The unpaid portion of the purchase price shall bear interest at the rate of three percent.

B. When subsistence units are sold or conveyed, the purchase price shall be consistent with the income of the purchasers and shall be payable over a period not in excess of 40 years. The balance of the purchase price shall bear interest at three percent.

C. When land is sold or conveyed to persons not eligible for Farm Security Administration assistance, the purchase price shall be at the maximum price obtainable and on the terms most favorable to the Government.

2. All sales and conveyances shall conform to all applicable requirements of law and all applicable regulations of this Department.

Approved: March 20, 1943.

(Secretary's Memorandum dated March 15, 1943, 8 F.R. 3221)

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 43-5810; Filed, April 14, 1943; 11:13 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 15, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Banner Maid Company, 808 Washington Street, St. Louis, Missouri; Ladies' slips and pajamas; 15 learners (A. T.); October 15, 1943.

Miss Los Angeles Sportswear Co., Inc., 757 South Los Angeles Street, Los Angeles, California; Slack suits, skirts and slacks; 3 learners (T); April 15, 1944.

I. Rodis & W. Mittleman, 437 South Street, Mauch Chunk, Pennsylvania; Children's dresses; 10 learners (A. T.); April 15, 1944.

Sherrod Shirt Company, North Main Street, High Point, North Carolina; Work shirts and pajamas; 15 learners (A. T.); December 31, 1943.

Tex-Son Incorporated, 3021 W. Martin Street, San Antonio, Texas; Boys' sport and play clothes; 15 learners (A. T.); October 19, 1943.

Troy Sportswear, 393 Chapel Street, New Haven, Connecticut; Men's sport shirts; 10 learners (T); April 15, 1944.

Wear Well Garments Co., 1st North Street, New Ulm, Minnesota; Men's trousers, ladies' slacks; 2 learners (T); April 15, 1944.

Hosiery Industry

Joseph Black and Sons Company, 1200 West Market Street, York, Pennsylvania; seamless hosiery; 5 percent (T); April 15, 1944.

Crewe Hosiery Company, Incorporated, Crewe, Virginia; Full-fashioned hosiery; 10 leaners (A. T.); October 15, 1943.

Dayton Hosiery Mills, Dayton, Tennessee; Seamless hosiery; 15 learners (A. T.); December 21, 1943.

Debonair Full-Fashioned Mills, Incorporated, Waterhouse Street, Cleveland, Tennessee; Full-fashioned hosiery; 15 learners (A. T.); October 15, 1943.

Hagerstown Hosiery Company, Incorporated, W. Antietam Street, Hagerstown, Maryland; Seamless hosiery; 10 learners (A. T.); October 15, 1943.

Stimpson Hosiery Mills, Inc., Statesville, North Carolina; Full-fashioned hosiery; 15 percent (A. T.); October 15, 1943.

Textile Industry

The Duplan Corporation, Grottoes, Virginia; Silk and nylon; 7 percent (A. T.); November 19, 1943.

Belton Mills, Belton, South Carolina; Cotton fibers; 8 learners (T); April 15, 1944.

Weil-Kalter Manufacturing Company, Millstadt, Illinois; Woven underwear and mattress covers; 10 percent (T); March 24, 1944. (This certificate replaces the certificate which expires March 25, 1944.)

Signed at New York, N. Y., this 13th day of April 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-5802; Filed, April 14, 1943; 10:08 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-432]

THE OHIO FUEL GAS CO. v. PANHANDLE EASTERN PIPELINE CO.

ORDER FIXING DATE OF HEARING

APRIL 12, 1943.

It appearing to the Commission that:

(a) On November 13, 1942, Panhandle Eastern Pipe Line Company filed with the Commission a schedule of rates and charges, designated as Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 59, providing for the sale of natural gas to The Ohio Fuel Gas Company for resale, through an established interconnection between the pipe-lines of said companies near the Indiana-Ohio State line between Muncie, Indiana, and Dayton, Ohio, pursuant to Directive No. 1, dated July 25, 1942, issued by the War Production Board under its Limitation Order L-31;

(b) On November 23, 1942, The Ohio Fuel Gas Company filed with the Commission a protest (treated by the Commission as a complaint) and motion for an order striking the said Rate Schedule of Panhandle Eastern Pipe Line Company, alleging, among other things, that the rates and charges in said rate schedule are unjust, unreasonable, unduly discriminatory, unduly preferential, and unlawful;

(c) On February 1, 1943, Panhandle Eastern Pipe Line Company filed an answer to said protest and motion, generally denying the allegations contained therein and praying that its Rate Schedule FPC No. 59 be approved and made effective from and after August 1, 1942;

The Commission *Orders*, That:

(A) A public hearing in this proceeding be held April 22, 1943, at 9:45 a. m. (E. W. T.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., upon the issues raised by the protest and motion of The Ohio Fuel Gas Company, filed November 23, 1942, and the response thereto, together with the motion of Panhandle Eastern Pipe Line Company, filed February 1, 1943;

(B) Interested State commissions may participate in the hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 43-5798; Filed, April 14, 1943; 10:06 a. m.]

[Docket No. G-452]

PANHANDLE EASTERN PIPE LINE CO., ET AL.

ORDER FIXING DATE OF HEARING

APRIL 12 1943.

In the matter of Panhandle Eastern Pipe Line Company and its wholly-owned subsidiaries, Illinois Natural Gas Company and Michigan Gas Transmission Corporation.

Upon consideration of the application filed February 25, 1943, by Panhandle Eastern Pipe Line Company and its wholly-owned subsidiaries, Illinois Natural Gas Company and Michigan Gas Transmission Corporation, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, for the construction and operation of (1) Panhandle Eastern's Michigan lines for the delivery of gas to Consumers Power Company for resale to various communities in Michigan, all of which are listed in the application, to the Battle Creek Gas Company for resale in Battle Creek, Michigan, and to Citizens Gas Fuel Company for resale in Adrian, Michigan; (2) Illinois Natural Gas Company's Galesburg lateral for the delivery of gas to Illinois-Iowa Power Company for resale to several communities in Illinois, listed in the application; and (3) loop lines along Panhandle Eastern's main line in Kansas, Missouri, and Illinois.

The Commission *Orders*, That:

(A) A public hearing be held in this proceeding on April 20, 1943, at 9:45 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley Wright Building, 1800 Pennsylvania Avenue, N.W., Washington, D. C.

(B) Interested State Commissions may participate in this proceeding as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 43-5799; Filed April 14, 1943; 10:06 a. m.]

[Docket No. G-455]

PANHANDLE EASTERN PIPE LINE COMPANY

ORDER FIXING DATE OF HEARING

APRIL 13, 1943.

Upon consideration of the application filed March 12, 1943, by Panhandle Eastern Pipe Line Company, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for the construction and operation of an extension of approximately 8,200 feet in length from Panhandle Eastern's existing Quincy lateral to the plant of W. J. Small, Inc., near Helton, Missouri; an extension approximately 2 miles long from the applicant's main line connecting to a line of the Hercules Power Company; and the addition of compressor units and other appurtenant facilities;

The Commission *Orders*, That:

(A) A public hearing be held in this proceeding on April 20, 1943, at 9:45 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.;

(B) Interested State commissions may participate in this proceeding as provided in § 67.4 of the provisional rules of practice and regulations of the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 43-5800; Filed, April 14, 1943; 10:07 a. m.]

[Docket No. G-458]

EAST OHIO GAS COMPANY

ORDER FIXING DATE OF HEARING

APRIL 12, 1943.

Upon consideration of the application filed March 24, 1943, by The East Ohio Gas Company for (1) a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of a 20" pipe line extending approximately 120 miles from a 16" line of Panhandle Eastern Pipe Line Company, at Maumee, Ohio, to The East Ohio Company's Brush Farm station in Summit County, Ohio, if the Commission finds that applicant is a "natural-gas company" under the Natural Gas Act, as amended, or, (2) in the alternative, a finding that it is not a natural-gas company subject to the jurisdiction of the Commission under the provisions of said Act;

The Commission *Orders*, That:

(A) A public hearing in this proceeding be held on April 21, 1943, at 9:45 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented by the application filed by the applicant, as aforesaid;

(B) Interested State commissions may participate in this proceeding, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 43-5801; Filed, April 14, 1943; 10:07 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN IN OLD GREENWICH, CONNECTICUT

The recommendation of joint action plan in Old Greenwich, Connecticut, issued by the Office of Defense Transportation on March 16, 1943 (8 F.R. 3464), is hereby amended by striking therefrom the words "Old Greenwich" wherever they appear and by inserting in lieu thereof the words "Town of Greenwich."

Issued at Washington, D. C., this 9th day of April, 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-5834; Filed, April 14, 1943; 11:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 32 Under MPR 152]

H. C. BAXTER AND BROTHER

APPROVAL OF MAXIMUM PRICES

Order 32 under Maximum Price Regulation 152—Canned Vegetables.

H. C. Baxter and Brother, Brunswick, Maine, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of substandard sweet peas in No. 2 size cans.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) H. C. Baxter and Brother may sell, offer to sell or deliver and any person may buy, offer to buy or receive substandard sweet peas packed in No. 2 size cans at a maximum price of $.95 per dozen f. o. b. factory.

(b) This Order No. 32 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, H. C. Baxter and Brother, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.-30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

This order shall be issued and effective on April 14, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-5827; Filed, April 14, 1943; 11:20 a. m.]

[Order 6 Under MPR 177 [1]]

NATE J. FULOP COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 6 under § 1389.106 of Maximum Price Regulation 177—Men's and Boys' Tailored Clothing.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) Nate J. Fulop, doing business under the name of Nate J. Fulop Company, at 602 Mission Street, San Francisco, California, may sell and deliver, and any person may buy and receive from him, men's sport coats and men's leisure jackets at prices not in excess of those stated in paragraphs (b) and (c) of this order.

(b) The maximum prices for the men's sport coats and men's leisure jackets which have been described by Nate J. Fulop Company, under the following lot numbers, and for any garments similar thereto shall be as set forth below:

(1) Men's sport coats:	
Lot Number 5303	$10 69
Lot Number 5613	10 69
Lot Number 9301-9306 inclusive	10 69
Lot Number 9311	10 69
Lot Number 9314	10 69
Lot Number 800-804 inclusive	11 53
Lot Number 9403	11 53
Lot Number 9407	11 53
Lot Number 9409	11 53
Lot Number 9412-9417 inclusive	11 53
Lot Number 1100-1110 inclusive	13 50
Lot Number 1200-1205 inclusive	9 20
(2) Men's leisure jackets:	
Lot Number 1210-1213 inclusive	7.80

[1] 7 F.R. 5182, 7475, 6792, 7100, 7944, 8940, 9000, 8948.

(c) The maximum price of Nate J. Fulop Company for any other men's sport coat or men's leisure jacket shall be determined by adding to the "current cost" of the garment, a margin of 20% of selling price, except that no maximum price so determined shall exceed $13.50 for men's sport coats or men's leisure jackets.

(d) All discounts and all trade practices including practices relating to shipping and shipping charges, customary in the industry in March 1942 shall apply to sales for which maximum prices are determined under this order.

(e) All prayers of the applicant not granted herein are denied.

(f) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 shall apply to all terms used in this order.

This Order No. 6 shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5824; Filed, April 14, 1943; 11:18 a. m.]

[Order 7 Under MPR 177[1]]

ALEXANDER WOLFF & CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 7 under § 1389.106 of Maximum Price Regulation 177—Men's and Boys' Tailored Clothing.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) Alexander Wolff and Samuel Wolff, doing business under the trade name of Alexander Wolff & Co., at 87 Fifth Avenue, New York, New York, may sell and deliver and any person may buy and receive from them, men's suits and men's separate trousers at prices not in excess of those stated in paragraphs (b) and (c) of this order:

(b) The maximum prices for men's suits and separate trousers which have been described by Alexander Wolff & Co. under the following range description and "make," and for any garments similar thereto shall be as set forth below:

(1) Men's suits Grade X "make," Bachman 11218 Range 4 4 width: With or without vest	$10.62
(2) Men's suits Grade I "make" National Dixie 2800 Range:	
With vest	19.63
Without vest	17.56
(3) Men's suits Grade I "make" Bachman 858 Range:	
With vest	18.56
Without vest	16.03
(4) Men's separate trousers Grade I "make" St. George 605 Range	3.00

(c) The maximum price of Alexander Wolff & Co. for any other men's suit or separate trousers shall be determined as follows:

(1) Take the maximum price of a garment of the same classification having the same grade of "make" and quality of linings, and having a principal material cost nearest to the principal material cost of the garment being priced; and

(2) Add to such maximum price 110% of the difference in material cost between both garments where the garment being priced has the higher material cost; or

(3) Subtract 110% of this difference from such maximum price where the garment being priced has the lower material cost.

(4) No maximum price shall exceed $19.63 for a man's suit with a vest, or $17.56 without a vest, or $5.50 for men's separate trousers.

(d) The permission granted to Alexander Wolff & Co. in this Order No. 7 is subject to the following conditions:

(1) The above prices shall be net prices to purchasers of the class who received no discount. Any purchaser who received a discount and any purchaser of the same class as one who received a discount shall be allowed the same percentage differential as was customarily allowed to such purchasers from December 1, 1941 to March 31, 1942, inclusive.

(e) All discounts and all trade practices, including practices relating to shipping and shipping charges which were observed by Alexander Wolff & Co. during March 1942, shall apply to sales for which maximum prices are determined by this order.

(f) All prayers of the applicant not granted herein are denied.

(g) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 shall apply to all terms used in this order. "Cost" means the price paid after deducting all discounts allowed to, and taken by, the seller, but adding transportation or delivery charges paid by him.

(h) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

This Order No. 7 shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5825; Filed, April 14, 1943; 11:18 a. m.]

[Order 8 Under MPR 177]

COHEN-GOLDSTEIN CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 8 under § 1389.106 of Maximum Price Regulation 177[1]—Men's and Boys' Tailored Clothing.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) Sarah Cohen, doing business under the trade name of Cohen-Goldstein Co., at 168 Fifth Avenue, New York, New York, may sell and deliver, and any person may buy and receive from her, men's suits and men's trousers at prices not in excess of those stated in paragraphs (b) and (c) of this order.

(b) The maximum prices for the men's suits and men's trousers which have been described by Cohen-Goldstein Co., under the following lot numbers, and for any garments similar thereto shall be as set forth below:

(1) Men's suits:	
Range No. 200	$12.62
Range No. 500	13.88
Range No. 4,800	15.51
(2) Men's trousers:	
Range No. 100	4.06

(c) The maximum price of Cohen-Goldstein Co. for any other men's suit or trousers shall be determined as follows:

(1) Take the maximum price of a garment of the same classification having the same grade of "make" and quality of linings, and having a principal material cost nearest to the principal material cost of the garment being priced; and

(2) Add to such maximum price 110% of the difference in material cost between both garments where the garment being priced has the higher material cost; or

(3) Subtract 110% of this difference from such maximum price where the garment being priced has the lower material cost.

(4) No maximum price shall exceed $16.66 for a man's suit or $4.06 for men's trousers.

(d) All discounts and all trade practices including practices relating to shipping and shipping charges, customary in the industry in March 1942 shall apply to sales for which maximum prices are determined under this order.

(e) All prayers of the applicant not granted herein are denied.

(f) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 shall apply to all terms used in this order. "Cost" means the price paid after deducting all discounts allowed to, and taken by, the seller, but adding transportation or delivery charges paid by him.

This Order No. 8 shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5826; Filed, April 14, 1943; 11:20 a. m.]

[Order 1 Under MPR 280]

M. STOLL AND COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1 under § 1351.14 (b) of Maximum Price Regulation No. 280—Maximum Prices for Specific Food Products; Docket No. T-1022-11-P.

Adjustment of maximum prices for Liederkrantz cheese sold by M. Stoll & Company. For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) M. Stoll & Company, 434 Harrison Avenue, Boston, Massachusetts, may sell and deliver, and any person may buy or receive its Borden's Liederkrantz cheese, packed six, 4 ounce portions per carton, at a delivered price of $2.60 per dozen packages.

(b) All sellers are required to reduce their maximum prices to reflect the same discounts and allowances that were offered during the base period, September 28 to October 2, 1942.

(c) M. Stoll & Company shall mail or otherwise supply to all purchasers of Liederkrantz cheese, at or prior to the first delivery to each buyer, a notice reading as follows:

> The Office of Price Administration has permitted us to raise our maximum prices for sales to you, of Liederkrantz Cheese packed six, 4 ounce packages to the carton, from $2.45 to $2.60 per dozen packages delivered. You are required to keep a copy of this notice available for inspection at all times.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

This Order No. 1 shall become effective this 15th day of April 1943.

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5823; Filed, April 14, 1943; 11:18 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-702]

EASTERN SHORE PUBLIC SERVICE COMPANY (DEL.) AND THE EASTERN SHORE PUBLIC SERVICE COMPANY OF MARYLAND

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of April 1943.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Eastern Shore Public Service Company (Delaware), a registered holding company (hereinafter called "Delaware"), and The Eastern Shore Public Service Company of Maryland, a subsidiary thereof (hereinafter called "Maryland"); and

Notice is further given that any interested person may, not later than April 17, 1943, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Maryland has outstanding as of February 28, 1943, $3,692,500 principal amount of its First Mortgage 4% Bonds due September 1, 1969, all of which bonds are owned by Delaware and pledged by Delaware to secure its First Mortgage and First Lien Bonds. Maryland proposes to redeem $100,000 principal amount of its outstanding bonds, at par and accrued interest thereon, in accordance with the terms of the indenture securing them. Delaware will apply the $100,000 it will receive to reduce the amount due on a bank loan owing by it, in the amount of $450,000, to The Chase National Bank of the City of New York.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5782; Filed, April 13, 1943; 2:53 p. m.]

ROBERT DEFOREST BOOMER

ORDER SUSPENDING MEMBERSHIP ON NATIONAL SECURITIES EXCHANGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of April, A. D., 1943.

A proceeding having been instituted to determine whether or not Robert DeForest Boomer should be suspended or expelled from membership on certain national securities exchanges, pursuant to section 19 (a) (3) of the Securities Exchange Act of 1934;

A hearing having been held after appropriate notice, the Commission being duly advised and having this day issued its findings and opinion herein; on the basis of said findings and opinion, and pursuant to section 19 (a) (3) of said Act, *It is ordered*, That Robert DeForest Boomer, a member of the New York Stock Exchange, New York Curb Exchange, Washington (D. C.) Stock Exchange, and the Board of Trade of the City of Chicago, national securities exchanges, be suspended from said exchanges for a period of six months, such suspension to take effect ten days from the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5783; Filed, April 13, 1943; 2:54 p. m.]

WAR PRODUCTION BOARD.

[Certificate 43, Amendment 1]

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

JOINT ACTION PLAN IN OLD GREENWICH CONNECTICUT

The ATTORNEY GENERAL:

Referring to Certificate No. 43, (8 F.R. 3467) issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Amendment No. 1 to the recommendation of the Director of the Office of Defense Transportation with respect to a joint action plan concerning transportation of property by motor vehicle in Greenwich, Connecticut.

For the purposes of the aforesaid section 12 of Public Law No. 603, I approve the joint action plan as described in the amended recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

April 9, 1943.

[F. R. Doc. 43-5833; Filed, April 14, 1943; 11:47 a. m.]

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[1] 7 F.R. 5182, 7475, 6792, 7100, 7944, 8940, 9000, 8948.

[1] 7 F.R. 5182, 7475, 6792, 7100, 7944, 8940, 9000, 8948.

APR 19 43

FEDERAL REGISTER

VOLUME 8 NUMBER 75

Washington, Friday, April 16, 1943

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 29—THE FEDERAL LAND BANK OF WICHITA

FEES REQUIRED OF BORROWERS

Fees required of borrowers in connection with land bank loans, land bank commissioner loans, and joint land bank and land bank commissioner loans.

Section 29.1 of Title 6, Code of Federal Regulations, as amended (7 F.R. 3349), is amended to read as follows:

§ 29.1 *Application and loan fees.* Each application for a new loan, or an additional loan, shall be accompanied by a fee of $10.00, to be refunded if no appraisal is made. A further fee of $7.50 shall be required if it appears necessary for the bank to make a personal investigation outside of the Ninth Farm Credit District, such fee to be refunded if the investigation is not made. If a reappraisal is required because of delay of the applicant, or is made at the applicant's request, an additional fee of $10.00 may be required. If the application results in a loan, or additional loan, exceeding $5,000 00 in amount, the Bank shall deduct from the proceeds of the loan, or additional loan, a further fee of $1.00 for each $1,000.00, or fraction thereof, by which the amount of the loan, or additional loan, exceeds $5,000.00. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.322, 19.326, and 19.330) [President's Order, March 27, 1943]

Section 29.2 of Title 6, Code of Federal Regulations, as amended (7 F.R. 3350), is hereby revoked. [President's Order, March 27, 1943]

Section 29.3 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 29.3 *Partial release fees.* Each application for a partial release shall be accompanied by a fee of $10.00. An additional fee of $5.00 shall be required if the property to be released includes irrigated land or land in a drainage district, or both. If no appraisal is made, the foregoing fees shall be refunded. If a reappraisal is required because of delay of the applicant, or is made at the applicant's request, an additional fee of $10.00 may be required. (Sec. 13 "Ninth", 39 Stat. 372, sec. 32, 48 Stat. 48, as amended, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Ninth", 1016, 1020, 1020a, and Sup.) [President's Order, March 27, 1943]

Section 29.4 of Title 6, Code of Federal Regulations, as amended (4 F.R. 2017) is hereby revoked. [President's Order, March 27, 1943]

Section 29.5 of Title 6, Code of Federal Regulations, as amended (7 F.R. 3767), is hereby revoked. [President's Order, March 27, 1943]

Section 29.6 of Title 6, Code of Federal Regulations, as amended (7 F.R. 7874) is amended to read as follows:

§ 29.6 *Fees for reamortization of existing loans.* In connection with the reamortization of existing loans, the borrower shall pay such out-of-pocket expenses as abstract charges, recording fees, and other incidental items. (Sec. 13 "Thirteenth", as added by sec. 4, 47 Stat. 1548, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Thirteenth", 1020, 1020a, and Sup.; 6 CFR 19.282) [President's Order, March 27, 1943]

Section 29.7 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 29.7 *Fees for release of personal liability.* Each application for a release of personal liability shall be accompanied by a fee of $10.00, such fee to be refunded if no appraisal or field investigation is made. An additional fee of $7.50 shall be required if it appears necessary to make a personal investigation outside of the Ninth Farm Credit District, such fee to be refunded if the investigation is not made. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.326) [President's Order, March 27, 1943]

Title 6, Code of Federal Regulations, is amended by adding the following new section:

(Continued on next page)

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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FEDERAL REGISTER

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§ 29.8 *Fees for division of existing loans.* Each application for the division of an existing loan shall be accompanied by a fee of $5.00. An additional fee of $2.50 shall be required if the loan involved includes irrigated land or land in a drainage district, or both. If no appraisal is made, the foregoing fees shall be refunded. An additional fee of $7.50 shall be required if it appears necessary for the Bank to make a personal investigation outside of the Ninth Farm Credit District, such fee to be refunded if the investigation is not made. If a reappraisal is required because of delay of the applicant, or is made at the applicant's request, an additional fee of $10.00 may be required. (Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e) and Sup; 6 CFR 19.326) [President's Order, March 27, 1943]

[SEAL] THE FEDERAL LAND BANK OF WICHITA,
C. G. SHULL, *President.*

[F. R. Doc. 43-5855; Filed, April 15, 1943; 9:42 a. m.]

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[FPO 3,[1] Amendment 4]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Changes are made in § 1202.214 and in Schedule I.

Section 1202.214 is amended to read as follows:

§ 1202.214 *Government agencies; exports; non-farm use.* (a) Any Federal government agency desiring any Schedule I equipment, any person desiring to acquire Schedule I equipment for export from and consumption or use outside the continental United States, and any person desiring to acquire for non-farm use any Schedule I equipment may acquire such Schedule I equipment without purchase certificates provided there is compliance with any and all applicable regulation of the War Production Board. The provisions of this paragraph (a) do not apply to any item of Schedule I equipment which is rationed or otherwise allocated under this order for both farm and non-farm use.

(b) No Federal government agency desiring any Schedule I equipment or person desiring to acquire Schedule I equipment for export from and consumption or use outside the continental United States may acquire Schedule I equipment which is rationed or otherwise allocated under this order for both farm and non-farm use, unless such person applies to the Director for authority to acquire such equipment and is granted such authority pursuant to the provisions of Food Production Order No. 4.[2]

[1] 7 F.R. 9647; 8 F.R. 946, 1089, 2815.
[2] 8 F.R. 1089.

Schedule I is amended by adding thereto the following:

MISCELLANEOUS

Pressure cookers.

Schedule I is amended by deleting therefrom the following:

FARM FENCING

Barbed wire.
Poultry netting.
Poultry flooring.
Woven or welded wire fence:
Hog and cattle fence.
Poultry fence.

MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Peanut pickers.

Issued this 14th day of April 1943.

Done at Washington, D. C. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-5893; Filed, April 15, 1943; 11:24 a. m.]

[FPO 3,[1] Amendment 4 to Supp. Order 3[2]]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Paragraph (c) of Supplementary Order No. 3, § 1202.253 of Food Production Order No. 3, is amended by deleting the following from the list of farm machinery and equipment which appears at the end of the said paragraph (c):

FARM ELEVATORS AND BLOWERS

Elevators (portable).
Elevators (stationary).
Blowers (grain and forage).

DAIRY FARM MACHINES AND EQUIPMENT

Milking machines.

Paragraph (b) of Supplementary Order No. 3 is amended by adding to the list of farm machinery and equipment which appears at the end thereof the following:

FARM ELEVATORS AND BLOWERS

Elevators (portable).
Elevators (stationary).
Blowers (grain and forage).

Paragraph (e) is amended by adding subparagraph (4) as follows:

(4) This Amendment No. 4 to Supplementary Order No. 3 shall become effective April 14, 1943.

Done at Washington, D. C., this 14th day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-5894; Filed, April 15, 1943; 11:24 a. m.]

[1] 7 F.R. 9647; 8 F.R. 946, 1089, 2815.
[2] 8 F.R. 469, 1911, 3243, 3244.

[FPO 3,[1] Announcement 3]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to § 1202.207 of Food Production Order No. 3, the Director of Food Production hereby announces that no quotas will be presently established for the following Schedule I equipment:

MISCELLANEOUS

Pressure cookers.

DAIRY FARM MACHINES AND EQUIPMENT

Milking machines.

FARM ELEVATORS AND BLOWERS

Elevators (portable).
Elevators (stationary).
Blowers (grain and forage).

County farm rationing committees may therefore immediately commence to ration the Schedule I equipment listed above and to issue purchase certificates therefor, in accordance with the provisions of Food Production Order No. 3. Certificates required by § 1202.218 (b) of Food Production Order No. 3 must be filed for such Schedule I equipment.

This Announcement No. 3 to Food Production Order No. 3 shall become effective April 14, 1943.

Done at Washington, D. C., this 14th day of April 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-5895; Filed, April 15, 1943; 11:24 a. m.]

[FPO 3,[1] Supp. Order 4]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to § 1202.212 of Food Production Order No. 3, *It is hereby ordered*, That:

§ 1202.254 *Supplementary Order 4.* (a) (1) Any manufacturer of the Schedule I equipment listed in this paragraph (a) may transfer all such equipment which was manufactured prior to the effective date of War Production Board Order L–30–d,[3] and 80 percent of such manufacturer's authorized production of such Schedule I equipment under War Production Board Order L–30–d. No manufacturer shall physically move or transfer (unless for purposes of storage in the county in which such equipment is located) the remaining 20 percent of its authorized production of the Schedule I equipment listed in this paragraph (a), except pursuant to further orders of the Secretary or the Director. In transferring the Schedule I equipment authorized for distribution by this paragraph (a), manufacturers may elect to distribute all their current production up to 80 percent of their entire authorized production under War Production Board Order L–30–d, or they may distribute only 80 percent of each production unit of such Schedule I equipment.

(2) As used in this Supplementary Order No. 4, the term "pressure cooker" means any device commonly known as a pressure cooker or pressure canner which may be used for canning food products under steam pressure, which has a capacity of from 5 up to and including 14 one-quart glass jars, and which is equipped with a dial, indicating or weighted gauge, a venting device and a safety valve. Pressure cookers are subject to the provisions of this order and of Food Production Order No. 3, regardless of whether they are for farm or non-farm use.

(3) A State board may, in the manner it deems most practical, provide for the rationing of pressure cookers in any county in such State in which no county farm rationing committee has previously been established. In the establishment of county farm rationing committees in such counties, a State board may provide for exceptions to the personnel requirements of § 1202.204 of Food Production Order No. 3. Persons appointed by a State board pursuant to this subparagraph (3) to assist in the rationing of pressure cookers are hereby authorized to administer the functions assigned to them by such State board.

(4) Applications for purchase certificates for pressure cookers shall be filed in accordance with the provisions of § 1202.218 of Food Production Order No. 5, except that applications for pressure cookers shall be filed on Form MR–20a.

MISCELLANEOUS

Pressure cookers.

(b) Any manufacturer of Schedule I equipment listed in this paragraph (b), may transfer all such equipment which was manufactured prior to the effective date of, or in compliance with, the provisions of War Production Board Order L–26,[4] and 90 percent of any such manufacturer's authorized production of such equipment under War Production Board Order 1–170.[4] No manufacturer shall physically move or transfer (unless for purposes of storage in the county in which such equipment is located) the remaining 10 percent of its authorized production under War Production Order L–170 of the Schedule I equipment listed in this paragraph (b), except pursuant to further orders of the Secretary or of the Director of Food Production.

DAIRY FARM MACHINES AND EQUIPMENT

Milking machines.

(c) (1) Manufacturers, mail order houses, distributors or dealers may accept transfers of, and may transfer any of the Schedule I equipment authorized to be transferred by this Supplementary Order No. 4. Such acceptances of transfers and such transfers may be made without a purchase certificate provided such acceptances and such transfer are

[1] 7 F.R. 9647; 8 F.R. 946, 1089, 2815.
[2] 8 F.R. 3766.
[3] 7 F.R. 5396, 6148, 8460.
[4] 8 F.R. 2837, 4406.

not for use. Such manufacturers, distributors, mail order houses or dealers may transfer such equipment for use by the transferee if a proper purchase certificate is presented.

(2) Each manufacturer shall keep records disclosing the number of items of each type of the Schedule I equipment authorized to be transferred by this Supplementary Order No. 4 which he has transferred pursuant to this Supplementary Order No. 4. Such records shall disclose the persons to whom such equipment was transferred and such persons' addresses. Such records need not be kept on a specified form, but may be kept in any manner which best meets the business practices of the persons affected, as long as the records disclose the information required by this program. Such records shall be maintained for at least two years. This record keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) This Supplementary Order No. 4 shall be deemed to be a part of Food Production Order No. 3, and any violation of this Supplementary Order No. 4 shall constitute a violation of Food Production Order No. 3.

(4) This Supplementary Order No. 4 to Food Production Order No. 3 shall become effective April 14, 1943.

Done at Washington, D. C., this 14th day of April 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-5896; Filed, April 15, 1943; 11:24 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

[Amendment 17 to B. A. I. Order 276]

PART 114—PRODUCTION, TESTING, ETC.

PART 118—HOG-CHOLERA VIRUS

PART 119—ANTI-HOG-CHOLERA VIRUS

Pursuant to the authority conferred upon the Secretary of Agriculture by section 2 of the act of Congress approved February 2, 1903 (32 Stat. 792; 21 U. S. C. 111), and by the act of Congress approved March 4, 1913 (37 Stat. 832–833; 21 U. S. C. 151–158), and in order better to effectuate the purposes of these acts, Title 9, Chapter I, Subchapter E, Code of Federal Regulations, [B. A. I. Order 276, August 18, 1922], as amended, is hereby further amended effective April 20, 1943, as follows:

(1) Section 114.18 [par. 2, Circ. Letter 1796, B. A. I., Sept. 29, 1933] is amended to read as follows:

§ 114.18 *Serum and virus; release for marketing.* When the last full day for concluding a satisfactory test ends before noon the product, after having been labeled as required by Part 112, together with the test animals, may be released after the regular forenoon observations have been made. When the last full day of a tentatively satisfactory test does not end before noon, the product, after having been labeled as required by Part 112, may be released after the regular forenoon observations have been made: *Provided,* That, if, as the result of a careful examination of the test animals by a veterinary inspector at the regular forenoon observation time of the next regular workday, the test is declared unsatisfactory, the manufacturer shall immediately recall all of the product in order that it may be placed under Bureau lock.

(2) Section 118.4 [Reg. 18, sec. 1, par. 4, B. A. I. Order 276, amdt. 1, Dec. 26, 1922, amdt. 5, Jan. 28, 1929] is amended to read as follows:

§ 118.4 *Virus pigs; inoculation; requirements.* Pigs for the production of inoculating virus shall weigh not less than 40 pounds nor more than 125 pounds each and shall be inoculated only with highly virulent hog-cholera virus. No hog-cholera virus shall be used for inoculating pigs for the production of inoculating virus, hyperimmunizing virus as prescribed in § 118.15, or simultaneous virus as prescribed in § 118.17 and for inoculating pigs in serum tests as prescribed in § 119.33 unless it has been produced not more than 60 days prior to use and since completion has been held only in containers of the boro-silicate type or equal of high resistance and low alkalinity and which are properly marked for identification and guaranteed by the manufacturer to be acceptable to the Bureau and to meet the tests developed for determining these qualities. Other virus may be made suitable for inoculation purposes only by passing it through pigs of the same weight and in the same manner as prescribed in § 121.3. Virus derived from these pigs may be used for hyperimmunization if the animals react as prescribed in § 118.5.

(3) Section 118.7 [Reg. 18, sec. 1, par. 7, B. A. I. order 276, Aug. 18, 1922, amdt. 3, Nov. 29, 1924] is amended to read as follows:

§ 118.7 Pigs that become visibly sick within three days after they have been examined for admission to the premises as prescribed by § 117.9 must be rejected and either shall be destroyed or handled as prescribed by § 117.14. Whenever the third day for observation of pigs falls on a Sunday or a holiday such observation shall be made on the fourth day after admission to the premises, or inoculation.

(4) Section 118.37 [Reg. 18, sec. 5, par. 3, B. A. I. order 276, amdt. 12, May 24, 1935] is amended to read as follows:

§ 118.37 *Simultaneous virus; return date.* The expiration or return date placed upon the label of each immediate or true container of simultaneous virus shall be one of the following: (a) a date within 90 days after the date of manufacture: *Provided,* That the simultaneous virus is stored and marketed in containers acceptable to the Bureau; (b) a date within 120 days after the date of manufacture when the product is marketed in containers described in § 118.4 and is to be exported to a foreign country and the containers thereof are labeled distinctively.

(5) Section 119.4 [Reg. 19, sec. 2, par. 2] is amended to read as follows:

§ 119.4 *Hyperimmune hogs; bleedings and times.* Anti-hog-cholera serum shall be derived only from hyperimmune hogs which have been subjected to not more than four successive bleedings after each hyperimmunization. The first bleeding shall take place not earlier than 10 days after hyperimmunization, subsequent bleedings shall not take place more frequently than once in 7 days, and the last bleeding shall be made on a date not later than 38 days after hyperimmunization: *Provided,* Final bleeding may be deferred by the Chief of Bureau on special request. These hogs may be bled as aforesaid on any regular working hour of the day of bleeding. However, none shall be passed for food earlier than 10 full days after the time of hyperimmunization.

(6) Section 119.33 [Reg. 19, sec. 4, par. 11] is amended to read as follows:

§ 119.33 *Serum tests; virus required.* Simultaneous virus or its equivalent of high virulence as described in § 118.4 and in sufficient quantities to meet the needs shall be furnished by licensed establishments for use as the inspector in charge may deem advisable for inoculating pigs in serum tests.

(7) By amending paragraphs (c) and (d) of § 119.36 [Reg. 19, sec. 5, par. 2, Rules C and D] to read as follows:

(c) *Conditions under which to be declared "unsatisfactory for potency."* A serum test will be declared "unsatisfactory for potency" when at least two of the control pigs react as described in paragraph (a) and the following conditions obtain:

(1) When one or more of the serum-treated pigs become visibly sick subsequent to the third day after the time of inoculation and fail to fully recover before the test animals are released by a veterinary inspector as provided in this part.

(d) *Test; conditions under which to be declared "no test for potency."* A serum test will be declared "no test for potency" when any one of the following condltions obtains, but such action will not operate to prevent a retest under the provisions of the regulations in this subchapter:

(1) When one or more of the serum-treated pigs become visibly sick on or before the third day after the time of inoculation and fail to recover within the test period.

(2) When two or all of the control pigs become visibly sick on or before the third day after the time of inoculation.

(3) When two or all of the control pigs do not manifest symptoms of hog cholera as described in paragraph (a).

(4) When two or all of the control pigs do not show lesions of hog cholera upon post-mortem examination as described in paragraph (a).

(5) When two or all of the control pigs manifest symptoms of hog cholera within seven days as described in paragraph (a) but do not become sick to the degree described in said paragraph.

(6) When the serum-treated pigs develop during the test period symptoms of any infectious, contagious, or communicable disease (other than hog cholera) which is not caused by the serum used.

(7) When a condition obtains in any of the test pigs which is not otherwise covered in this section.

Done at Washington, D. C., this 15th day of April, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5906; Filed, April 15, 1943; 11:25 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 7—MANUFACTURE OF DECORATIONS

COLORS OF SERVICE FLAG

Section 7.33 [1] is amended as follows:

§ 7.33 *Colors of service flag.* The shades of red, white, and blue used in the service flag will correspond to those prescribed for the colors of the flag of the United States as defined by Federal Specification No. TT-C-591, except that bleached white may be used in lieu of the white defined in this specification.

(Act of October 17, 1942, Public Law 750, 77th Congress) [Par. 4, W.D. Cir. No. 35, February 2, 1943, as amended by W.D. Cir. No. 97, April 8, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5842; Filed, April 14, 1943; 2:54 p. m.]

Chapter VII—Personnel

PART 79b—WOMEN'S ARMY AUXILIARY CORPS [2]

APPOINTMENT

Section 79b.5 is amended as follows:

§ 79b.5 *Appointment.* (a) The Director and such assistant directors as the Secretary of War may from time to time deem necessary or advisable will be appointed by the Secretary of War from women citizens of the United States and will serve during his pleasure. Officers will be appointed by the Secretary of War in such numbers as may be deemed necessary for the proper administration of the WAAC, in the grades of first officer, second officer, and third officer.

(b) Officers of the Women's Army Auxiliary Corps will be appointed from the following sources:

(1) Enrolled women who are selected from those competing within the ranks of the Corps for attendance at officer candidate school.

(2) Women who, because of outstanding qualifications, are enrolled specifically for attendance at an officer candidate school following completion of basic training.

(3) Qualified women physicians, by appointment direct from a civilian status. Officers in this category will be given such training as may be prescribed.

(4) Women over 45 years of age may be selected as officer candidates to attend an extended course of officer candidate training, and during such attendance will be entitled to receive the pay and other benefits provided for officer candidates.

(Act of May 14, 1942, Pub. Law 554, 77th Cong.) [Par. 11, Women's Army Auxiliary Corps Regulations (Tentative), May 28, 1942 and W.A.A.C. Cir. 9, March 31, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5841; Filed, April 14, 1943; 2:54 p. m.]

Chapter IX—Transport

PART 94—PRIORITIES FOR AIR TRANSPORTATION

MISCELLANEOUS AMENDMENTS

Sections 94.1 to 94.6, inclusive, are hereby rescinded and the following §§ 94.1 to 94.4 are substituted therefor.

The regulations contained herein are also contained in Priorities for Air Transportation, Directive No. 5, issued January 8, 1943, effective January 20, 1943.

Sec.
94.1 General.
94.2 Commercial airlines within the continental limits of the United States.
94.3 Army contract air transport service within the continental limits of the United States.
94.4 Military or commercial service outside the continental limits of the United States.

AUTHORITY: Sec. 1, 39 Stat. 645; 10 U. S. C. 1361.

§ 94.1 *General*—(a) *Responsibility.* (1) Pursuant to provisions of section III, Circular No. 211, War Department, 1942, as amended by section IV, Circular No. 343, War Department, 1942, the Commanding General, Army Air Forces, is responsible for establishing priorities for air transportation of all personnel and materiel to be transported by air.

(2) Further, pursuant to provisions of section II, Circular 385, War Department, 1942, The Air Transport Command, Army Air Forces, is the agency through which the Commanding General, Army Air Forces, fulfills his responsibilities with respect to priorities for air transportation. The Air Priorities Division, Air Transport Command, Army Air Forces, Annex #1, Washington, D. C., or other agencies to whom the Air Priorities Division may delegate such authority, will receive and evaluate all requests for priority and assign classifications and identification numbers thereto; and issue instructions with respect to the methods of securing and the use of air priorities. This jurisdiction extends to all passengers and cargo (including mail) on all military air transport service operated by or under contract with the Army, and on all United States commercial airlines both within and outside the United States (except those services on which the Navy Department controls priorities, see paragraph (a (1) of § 94.4). Such jurisdiction includes Pan-American Airways services in Central and South America and on the North and South Atlantic.

(3) This Directive supersedes Directive No. 4, June 4, 1942, (§§ 94.1 to 94.5, inclusive) "Priorities for Air Transportation" and amendments thereto, and contains a statement of general policies and regulations affecting air transportation priorities. Supplementary instructions and interpretations will be issued by the Chief, Air Priorities Division, as required.

(b) *Field agencies.* (1) Regional Air Priorities Control Offices are located in the following cities within the United States:

Atlanta, Ga.	Memphis, Tenn.
Boston, Mass.	Miami, Fla.
Chicago, Ill.	Minneapolis, Minn.
Cleveland, Ohio.	New Orleans, La.
Dallas, Tex.	New York, N. Y.
Dayton, Ohio.	Pittsburgh, Pa.
Denver, Colo.	San Francisco, Calif.
Detroit, Mich.	Seattle, Wash.
Kansas City, Mo.	Washington, D. C.
Los Angeles, Calif.	

(2) Air Priorities Control Officers are also stationed at ports of aerial embarkation [1] in the United States and at key points outside the United States. It is the responsibility of these control officers to grant priorities as described in §§ 94.2, 94.3, and 94.4, and also to administer the air priorities program within their territories.

(c) *Types of service.* The priorities program is applicable to three general types of service. Specific regulations applicable to each type are contained in the sections of this directive indicated below:

§ 94.2 Commercial airlines operating within the continental limits of the United States.

§ 94.3 Army Contract Air Transport Service operating within the continental limits of the United States.

§ 94.4 Commercial and military service outside the continental limits of the United States.

(d) *Basic policies.* (1) Priority will be granted only when the movement of the passengers or cargo is necessary to the prosecution of the war, and when the mission of the passenger or the need for the cargo is of such urgency that transportation by air is necessary. The word "cargo" as used herein includes mail.

(2) Priorities for air transportation are granted for the purpose of accomplishing, within established time limits, a mission essential to the war effort. A

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[1] 8 F.R. 1914.
[2] 7 F.R. 4818, 9660; 8 F.R. 2323, 3484.

[1] Points where passengers and cargo are loaded on aircraft destined beyond the borders of continental United States.

priority will not be granted for a specific flight or on a specific air carrier, unless essential to the accomplishment of the mission.

(3) Transportation of passengers or cargo for which priority has been established will be in accordance with the rules and regulations of the carrier concerned.

(e) *Classifications.* (1) Priorities will be classified for the purpose of indicating precedence for movement, in accordance with relative importance to the prosecution of the war. Classifications 1, 2, 3, and 4 are established for services described in §§ 94.2 and 94.4. Classifications A, B, C, D, and E are established for services described in § 94.3 herein. Passengers and/or cargo will be transported in the order indicated by their classifications. (See paragraph (i) of this section.)

(2) *General description of priority classifications 1, 2, 3, and 4.—Class 1* will include only passengers or cargo, the movement of which is required by an emergency so acute that precedence should be given over all other traffic and which should under no circumstances be delayed enroute for other passengers or cargo. This classification will only be granted when the urgency is such that a delay in transportation will seriously and directly impair the war effort.

Class 2 will include only passengers or cargo, the transportation of which by air is absolutely necessary to the accomplishment of a mission essential to the prosecution of the war and which is of an extremely urgent nature.

Class 3 will include only passengers or cargo, the transportation of which by air is vital to the war effort but not of an extreme urgent nature.

Class 4 will include passengers or cargo, the transportation of which is of sufficient importance to the war effort to justify transportation by air but not as urgent as those in higher classifications.

(3) Priority classifications A, B, C, D, and E, as described in § 94.3, shall be utilized to indicate the relative importance to the war effort of passengers or cargo transported on the Army Contract Air Transport Service operating within the continental limits of the United States only.

(4) To assure the transportation of extremely urgent passengers and cargo, the highest classifications (Class 1 and Class A) will be assigned only to those passengers and shipments which must not be delayed by the accumulation of other passengers or cargo. The use of these classifications will, therefore, be highly restricted.

(f) *Who may grant priorities.* This directive sets forth who may grant priorities on each of the three types of service described in §§ 94.2, 94.3 and 94.4.

(1) *Headquarters, Air Priorities Division, Air Transport Command, Washington, D. C.,* may grant priorities of all classifications and on all types of services. Field agencies of the Air Priorities Division may grant priorities of the classes and on the services as hereinafter defined.

(2) *Authorized by this directive.* Certain Commanding Officers of the Armed Forces may grant priorities under the conditions and on the services as hereinafter defined.

(3) *Authorized by "Letter of authority".* In addition to those authorized to grant priorities as stated in subparagraphs (1) and (2) above, authority may be delegated by "Letter of authority" from the Chief, Air Priorities Division, to other individuals and agencies, civilian, governmental, or military, whose duties require knowledge of the movement of personnel and cargo vital to the war effort. Such "Letter of authority" will specify the services on which priorities may be granted, the priority classifications which may be granted and conditions under which they may be granted.

(g) *Applications for priority.* (1) Persons desiring air transportation priority for passengers or cargo should make application to the governmental department or agency in the interest of which the priority is desired. Such governmental department or agency may grant the priority if it is authorized by "Letter of authority" to grant priorities of the class and on the services requested. If not so authorized, but of the opinion that the priority should be granted, the governmental department or agency will forward the request to Headquarters, Air Priorities Division, on one of its field agencies. In case of emergency, requests for priority may be made directly to Headquarters, Air Priorities Division or one of its field agencies.

(2) In making request for priorities the following information will be furnished:

(i) *For passengers.* (*a*) Passenger's name and title.

(*b*) Passenger's business or affiliation, and contact.

(*c*) Travel "from" and "to".

(*d*) Latest arrival necessary for accomplishment of mission.

(*e*) Information to justify need for priority in accordance with this directive.

(*f*) Governmental department or agency in the interest of which the travel is to be performed.

(ii) *For cargo.* (*a*) Consignor and consignee.

(*b*) Shipment "from" and "to".

(*c*) Individual through whom shipment may be located.

(*d*) Number of pieces, weight, and dimensions.

(*e*) If shipment can be divided.

(*f*) Time shipment must arrive destination.

(*g*) Information to justify need for priority in accordance with this directive.

(*h*) Governmental department or agency in the interest of which shipment is to be made.

(h) *Identification of priority.* (1) Priorities for air transportation, having been established by competent authority, will be identified to the air carrier as described in §§ 94.2, 94.3 and 94.4.

(2) *Priority certificate.* All holders of "Letters of Authority" to grant air priorities will be supplied with standard accountable forms of priority certificates by Headquarters, Air Priorities Division. A priority certificate will be prepared for each such priority granted. The original of the certificate will be issued to the passenger or shipper to establish priority status with the air carrier. Detailed instructions for the issuance and handling of certificates will be issued by the Chief, Air Priorities Division. Effective with the adoption of the standard accountable form of certificate, this form of certificate only, will be accepted for priority transportation by the carrier. (Note: The form of certificate now in use, may be used until the standard form of certificate has been furnished to all persons authorized to issue certificates.)

(i) *Precedence for transportation.* As previously stated, priority classifications are established to indicate an order of precedence for passengers or cargo to move via air transportation.

(1) The higher priority classification will have precedence. (Thus, Class 1 will have precedence over Class 2; Class A will have precedence over Class B etc.)

(2) Priority passengers or cargo will not be displaced en route by other priority passengers or cargo of the same priority classification, but will be displaced by passengers or cargo of higher priority classification.

(3) Exceptions to the normal order of precedence as described above, may be made only by Headquarters, Air Priorities Division or by an Air Priorities Control Officer thereof.

§ 94.2 *Commercial airlines within the continental limits of the United States*—(a) *Scope of section.* This section pertains to air transport service on the United States Flag commercial airlines operating within the continental limits of the United States, and to such operations from points in the United States to Canada. It does not include service on Pan American Airways or American Airlines from the United States to Mexico or other points in Central or Latin America, which are covered by § 94.4. It does not include Army Contract Air Transport Service (see § 94.3).

(b) *Priority classifications.* Priority classifications numbers 1, 2, 3, and 4 for passengers or cargo, described in paragraph (e) (2) of § 94.1, apply to this service.

(c) *Priority for air trips* requiring less than two hours and where destination can be reached by rail within six hours of desired departure time from originating point may only be granted by Headquarters, Air Priorities Division or by a Regional Air Priorities Control Office. Such priorities will be granted only in cases of extreme emergency.

(d) *Who may grant.* Subject to the limitations hereinafter set forth, priorities on the commercial airlines may be granted by the following:

(1) The President; the Secretary of War; the Secretary of the Navy; and Headquarters and Regional Offices, Air Priorities Division, may grant all classes of priorities, to any passengers or cargo qualified under this directive.

(2) Commanding Officers of units of the Armed Forces who are authorized to issue travel orders (not merely transportation requests) may grant Class 3 priority to military or civilian personnel under their command, but only through the medium of official travel orders specifically directing (as contrasted with merely authorizing) the use of military or commercial aircraft.[1] Such priority will automatically be established for the holder thereof, on authority of such orders and without a certificate.

(3) Commanding Officers of Ferrying Commands (Army, Navy or Marine Corps), or subordinate Unit Commanders, their Adjutants, or Operations Officers, may grant Class 2 priority to members of ferrying crews under their command and while on ferrying activities, but only through the medium of official travel orders specifically directing (as contrasted with merely authorizing) the use of military or commercial aircraft.[1] Such priority will automatically be established for the holder thereof, and for a total of not to exceed 100 pounds of baggage in addition to that carried free on tickets, on the authority of such orders and without certificate.

(4) Holders of "Letter of authority" may, through the issuance of prescribed form of certificate, grant priorities for passengers or cargo of the classes specifically indicated in "Letter of authority" issued by the Chief, Air Priorities Division.

(e) *Letter of authority.* "Letter of authority" to grant air priorities on commercial airline service within the continental limits of the United States may be issued by the Chief, Air Priorities Division, to commanding officers of units of the Army, Navy, or Marine Corps[2] Military or Naval plant representatives, governmental departments and agencies, and others whose duties require knowledge of the movement of personnel and cargo vital to the war effort. Such authorization will be given upon receipt of an application therefor, on a form prescribed by the Chief, Air Priorities Division, duly executed and clearly demonstrating the need for such authorization. "Letters of authority" may be limited to either passengers or cargo and will state the priority classifications that may be granted thereunder.

(f) *Identification of priority.* Priorities for air transportation will be identified to the air carrier in the following manner:

(1) *Official travel orders.* Military personnel traveling on official travel orders directing travel by air, as stated in paragraph (d) (2) and (3) of this section, may use these orders for the establishment of priority on the services covered by this section (except for such trips as are outlined under paragraph (c) of this section). The orders, or extracts thereof, will be shown to the air carrier and no certificate will be required.

[1] The inclusion of authority for the use of other means of transportation in such orders, if air transportation is not available, will not nullify the automatic establishment of priority.

[2] No "Letter of authority" is required for such commanding officers to grant priority through the medium of travel orders as authorized in paragraph (b) (2) and (3) of § 94.2. "Letter of authority" will be required for such commanding officers to grant priority other than through the medium of travel orders.

(2) *Priority certificates.* Standard form of priority certificates as described in paragraph (h) (2) of § 94.1, will be honored by the air carrier for the establishment of priority for passengers or cargo.

(3) *Verbal certification.* Verbal certification for passengers or cargo will be accepted by the air carrier only from Air Priorities Control Offices. In making such certifications, the Air Priorities Control Office will give the carrier the same information as required in the certificate.

(4) *Telegraphic certification.* Individuals authorized by "Letter of Authority" to grant priorities may certify such priorities by telegram to a passenger or shipper located in another city. Such telegrams will be of a standard form as described in instructions to those so authorized. Telegraphic certification from Headquarters, Air Priorities Division or a Regional Air Priorities Control Office, will also be honored by the air carrier.

(g) *Certificate of passenger.* Passengers for whom priority has been granted by competent authority will be required by the air carrier to sign a certificate that their mission is necessary to the prosecution of the war and that the mission is of such urgency that transportation by air is necessary on the flight concerned, unless one of the following is presented:

(1) Priority certificate.

(2) Telegraphic certification.

(3) Military orders directing travel by air.

(h) *Reservations to be made in advance.* Passengers or shippers are required to make their own reservations or arrangements for transportation with the air carrier involved. Reservations must be made as far in advance of actual departure as possible. Priorities for which reservations have not been previously made, should not be exercised within one hour of scheduled plane departure, except under extremely urgent conditions.

(i) *Cancellation of reservation.* After a priority has been established and space confirmed to the passenger, the same priority will not be honored for a subsequent flight, unless the original reservation is canceled at least three hours prior to scheduled departure of the original flight. Exceptions will be made when the passenger secures, and there is presented, satisfactory evidence of the specific approval of the Chief, Air Priorities Division, a Regional Air Priorities Control Office or the authorized person who granted the priority.

(j) *Members of Congress.* Members of the United States Senate and House of Representatives have been authorized by letter from the Chief, Air Priorities Division, to establish priorities for themselves only, on the services covered by this section, and when traveling under the provisions of this directive. Air carriers will, upon application of Members of Congress, and presentation of satisfactory identification, establish Class 3 priority and will require the Member of Congress to sign a certificate that the mission is necessary to the prosecution of the war and is of such urgency that transportation by air is necessary, and on the specific flight concerned.

§ 94.3 *Army contract air transport service within the continental limits of the United States*—(a) *Scope of section.* This section pertains to Army Contract Air Transport Service within the continental limits of the United States, and from the United States to Edmonton, Alberta, Canada.

(b) *Purpose of service.* The Army Contract Air Transport Service is intended primarily for the movement of material of the armed forces between depots and bases, and to ports of embarkation. Cargo will take precedence over passengers except in cases of emergency, as described in paragraphs (d) and (e) of this section.

(c) *Air priority control officers* will be located at principal control depots. It will be the responsibility of those control officers to make such investigations as is necessary, (1) to ascertain whether, within the meaning of this directive, specific cargo should be transported by air, (2) to administer the air priorities program as it applies to this service, (3) to establish precedence of movement for shipments within a priority classification as described in paragraph 4 below, and (4) to grant specific priorities as required. They will coordinate the use of this service with domestic commercial airline service and with other modes of transportation.[4]

(d) *Priority classifications.* Priority classifications A, B, C, D, and E are hereby established to indicate precedence for transportation on this service.

Class A. This classification is reserved for passengers or cargo which should take precedence over all other traffic and under no circumstances should be delayed enroute. This classification may be granted only by Headquarters, Air Priorities Division, by an Air Priority Control Officer, or by others specifically designated by the Chief, Air Priorities Division.

Cargo given this classification will be identified for shipment on Army Contract Air Transport Service within the continental limits of the United States only, by the marking of a large "A" in a circle on each package. Passengers will be identified by certificate.

Class B. This classification is reserved for cargo moving to a port of aerial embarkation for trans-shipment out of the continental United States via air transportation. Priority must previously have been established for shipment by air outside the United States as outlined in § 94.4. All such cargo automatically will be given a Class B priority.

Cargo given this classification will be identified by the address of the overseas consignee marked on the shipment and by the overseas air priority identification number (prefixed by "APR") which

[4] Pending the assignment of the Air Priority Control Officers at the various Control Depots, Air Freight Officers will use their discretion to prevent improper use of air transport, in accordance with instructions from the Headquarters, Field Services, Air Service Command.

will have been placed on the shipment by the shipper (see § 94.4). Priority will be indicated by the marking of a large "B" in a circle on each package.

Class C. This classification is reserved for cargo destined to a port of embarkation for shipment overseas via water transportation. All such cargo automatically will be given a Class C priority.

Cargo given this classification will be identified by the fact that it is addressed to an overseas consignee in the clear or in code, but does not carry an overseas air priority identification number. Priority classification will be indicated by the marking of a large "C" in a circle on each package.

Class D. This classification is reserved for inter-depot or other cargo destined within the continental limits of the United States. The need for the cargo must be of such urgency that shipment by air is justified in accordance with paragraph (f) (1) of § 94.1, as determined by the shipping authority. All such cargo will automatically be given a Class D priority. (Cargo not of sufficient urgency to justify air transportation as stated above, may be carried on this service, but shall not be given a priority classification and shall only be moved if space is available after all priority passengers or cargoes are moved.)

Cargo given this classification will be identified by its destination as marked on the shipment. Priority classification will be indicated by marking of a large "D" in a circle on each package.

Class E. This classification is reserved for personnel, either military or civilian, traveling on official travel orders directing, not merely authorizing, travel by military aircraft. All such personnel automatically will be given Class E priority on presentation of such orders.

(e) *Change of classification.* Cargo or passengers which are automatically granted Classes B, C, D, or E, as outlined above, may be given a higher classification when conditions exist which make such a change necessary. Such a change, however, may be made only by Headquarters, Air Priorities Division, Washington, D. C.; Air Priorities Control Officers thereof, or by others who may be given such authority in writing by the Chief, Air Priorities Division.

When it becomes necessary for cargo to be transferred from Army Contract Air Transport Service to commercial airline service, priority for movement on the commercial service will be established in accordance with the provisions of § 94.2.

The priority marking on cargo should be placed as close to the address of the consignee as possible and should also be placed on all four sides of the package, if possible, to facilitate identification enroute, in warehouses, etc.

§ 94.4 *Military or commercial service outside the continental limits of the United States*—(a) *Scope of section.* This section pertains to priorities on all military air transport service operated by or under contract with the Army and on all United States commercial airlines between the continental United States and points outside thereof, or wholly between points outside the United States, except:

(1) Services on which the Navy Department controls priorities. (As of January 1, 1943, these include Naval Air Transport Service, American Export Airlines and the Pacific and Alaskan services of Pan American Airways.)

(2) United States commercial airlines and Army Contract Air Transport Service operating from the United States to points in Canada. (Such priorities are covered in §§ 94.2 and 94.3, respectively.)

(b) *Priority classifications.* Priority classification numbers 1, 2, 3, and 4 for passengers or cargo, described in paragraph (e) (2) of § 94.1, apply to this service.

(c) *Priority for movement by air from the United States to points outside thereof,* (except as stated in paragraph (a) (2) above) shall be established only by Headquarters, Air Priorities Division, Air Transport Command, Army Air Forces Annex #1, Washington, D. C., or by Priorities Control Officers to whom such authority may be delegated.

(1) Priority must be established before passengers or cargo concerned are sent to the port of aerial embarkation.

(2) Applications for such priority should be made by or through the governmental department or agency in whose interest the priority is desired. When this is impossible, or in emergencies, applications may be made directly to the Air Priorities Division.

(3) At the time priority is established by the Air Priorities Division, passengers and cargo will be assigned a priority identification number (prefixed by the letters "APR"). Passengers will report their priority identification numbers to the air carrier at the time application for passage is made, and this number will be noted upon the order or ticket furnished to the passenger as evidence of his right to transportation. In the case of cargo, the priority identification number furnished by the Air Priorities Division must be clearly marked on each package. It will be marked in a uniform manner wherever the address appears and will immediately follow the portion of the address showing the consignee at the port of embarkation for foreign shipment.

(d) *Priority for movement from points outside the United States to the United States or between points wholly outside the United States* may be established as follows:

(1) Headquarters, Air Priorities Division and Air Priorities Control officers thereof, located at points outside the United States, may establish all classes.

(2) Commanding Generals of certain overseas theatres will be specifically authorized by competent authority to establish priorities of all classes for movement from and within the theatres under their command. This should be accomplished through the Air Priorities Control Officer in all cases where such officer is accessible.

(3) Priority classifications 3 or 4, for passengers or cargo may be established by certain other agencies specifically authorized to do so by "Letter of Authority" from the Chief, Air Priorities Division. Such "Letters of Authority" will clearly specify the extent and limitations of the authority and will ordinarily be issued only to Military Attaches at American Embassies, American Consuls, or other high government officials, or to Air Transportation Officers at certain points where no Air Priorities Division Officer is located.

(e) *Procedures for handling.* Procedures for the handling of priority passengers and cargo, after priority has been granted, will be established by the Chief, Air Priorities Division, who will issue the necessary instructions to those concerned.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5857; Filed, April 15, 1943; 9:42 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 204—RESERVES OF MEMBER BANKS

DEDUCTIONS ALLOWED IN COMPUTING SERVICES

The Board of Governors of the Federal Reserve System amended § 204.2 (b) effective April 13, 1943 by striking out the period at the end of the first sentence of § 204.2 (b) and inserting the following:

§ 204.2 *Computation of reserves.* * * *

(b) *Deductions allowed in computing services.* * * *

and, until six months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress, no deposit payable to the United States by any member bank arising solely as the result of subscriptions made by or through such member bank for United States Government securities issued under authority of the Second Liberty Bond Act, as amended, shall be included in net demand deposits or in time deposits which are subject to reserve requirements.

(Sec. 11 (c), (e), (i), 38 Stat. 262, sec. 10, 40 Stat. 239, sec. 4, 40 Stat. 970, sec. 207, 49 Stat. 706, sec. 324, 49 Stat. 714, Pub. No. 656, 77th Cong.; Pub. No. 37, 78th Cong.; 12 U.S.C. 248 (c), (e), (i), 462, 466, 12 U.S.C., Sup. 462b, 461, 462a1. 465)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
L. P. BETHEA,
Assistant Secretary.

[F. R. Doc. 43-5858; Filed, April 15, 1943; 10:05 a. m.]

(*Special prices—(d). Prices of all-rail shipment of vessel fuel*) is amended by adding thereto Supplement R–II, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That the proposal contained in the original petition filed herein that vessel fuel prices be established for coals moving from Leetonia Freight Origin District to Conneaut, Ohio, be and the same hereby is denied, for the reason that it appears that competitive freight rates have not been established for coal moving from Leetonia Freight Origin District to Conneaut for use as vessel fuel.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T.D. 5259]

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

AMOUNTS USED OR IRREVOCABLY SET ASIDE TO PAY OR TO RETIRE INDEBTEDNESS

Section 19.27 (a)–3 (a) of Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] and article 27 (a)–3 (a) of Regulations 101, as amended by Treasury Decision 4948, approved September 28, 1939 [Part 9, Title 26, Code of Federal Regulations, 1939 Sup.] are hereby amended by striking out the fourth paragraph in such section and article.

(Secs. 27 (a) and 62 of the Internal Revenue Code (53 Stat., 19, 32) and in secs. 27 (a) and 62 of the Revenue Act of 1938 (52 Stat. 466, 480, 26 U.S.C. 1934 ed. Sup. IV, 27, 62)

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: April 14, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5859; Filed, April 15, 1943; 11:20 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1900]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines and for a change in shipping point for the coals of the Centertown Mine of Centertown Coal Company.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4; and requesting a change in the shipping point for the coals of the Centertown Mine of Centertown Coal Company, Mine Index No. 1932, in District No. 4; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4 FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R–I

Note: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

[Alphabetical list of code members having railroad loading facilities, showing price classification by price group Nos.]

Mine Index No.	Code member	Mine name	Seam	Type	Sub-district No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No.	
										On line	Off line
2480	Beisser, Walter V. (Ten X Coal Co.)	Ten X #2	6	Deep	6	Roseville	34	PRR	42	112	291-293
1414	Black Fork Coal Co. (Fred F. Depue)	Black	6	Deep	7	Wellston	34	B&O	42	112	291-293
1018	Bloomfield Coal Co. (Fred E. Depue)	Bloomfield #2	4	Deep	3	Bergholz Lumber Siding (Bergholz)	41	B&O	45	110	291-293
1932	Centertown Coal Co. (John H. Elliott)	Centertown	6	Deep	1	Jewett	52	NYC	61	110	291-293
3137	Grant Collieries, Inc	Piedmont	6	Strip	6	Piedmont	12	B&O	3	102	272-291
885	Hale, W. Eugene	Black Fox	7	Strip	6	Zanesville	34	PRR	41	113	272-291
3139	Harman, William & (Harman Coal Co.)	Potter	5 & 6	Deep	6	New Lexington	33	NYC	111	110	291-293
1677	Hocking Valley (Hocking Coal Co.)	Holbein	6	Deep	6	Fultonham	41	B&O	96	110	291-293
1077	Ittenbach, Minor	Pride #2	6	Deep	6	Wellston	52	NYC	42	110	291-293
2905	Price, Fred				6	Crooksville	32				

For letter designation see § 324.6 in Minimum Price Schedule for District No. 4.
1 Shipping point established in previous docket shall no longer be applicable to Mine Index No. 1932.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas—*
Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member	Mine	Mine Index No.	Type	Seam	Base sizes							
					6" lump	3"–4"–2" lump	2" lump	2" x 4" GER	2" x 3" GER	1¼" lump	Mine run, nut and pea	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUB-DISTRICT NO. 1—EASTERN OHIO												
HARRISON COUNTY												
Code Collieries, Inc.	Fairmont	3157	Strip	5	295	285	270	245	240	240	240	200
SUB-DISTRICT NO. 4—MIDDLE												
STARK COUNTY												
Glaraux Brothers Coal Co., The	Garaux #15	3142	Strip	5 & 6	295	285	270	255	255	255	290	200
Merrick, Earl	Merrick #2	3143	Deep	5	305	295	280	255	255	255	240	200
TUSCARAWAS COUNTY												
DeVore, Frantz & Clarence (Dennis Nye Mine)	Leggett	3077	Deep	7	295	285	270	255	255	255	240	200
Dindo & Sons (Gene Dindo)	Dindo #2	3138	Deep	6	295	285	270	255	255	255	240	200
Reifenschneider, J. E., Universal Sewer Pipe Corporation	Reifenschneider Universal	3140 3135	Deep Deep	6 6	295 295	285 285	270 270	255 255	255 255	255 255	240 240	200 200
SUB-DISTRICT NO. 6—CROOKSVILLE												
MUSKINGUM COUNTY												
Congress Coal Co., c/o R. B. Hurst	Congress	424	Strip	6	300	290	280	255	250	250	215	185
PERRY COUNTY												
Harman, William S. (Harman Coal Co.)	Potter	3139	Strip	5 & 6	300	290	280	255	250	250	215	185
SUB-DISTRICT NO. 7—JACKSON												
JACKSON COUNTY												
Bush, Ed	Bush	3113	Deep	4	315	305	295	270	265	265	215	185
Dixon, Donald G	Whippoorwill	3131	Deep	2	315	305	295	270	265	265	215	185
LAWRENCE COUNTY												
Baldwin, A. G	Glendale	3128	Deep	3	315	305	295	270	265	265	215	185

[F. R. Doc. 43-5809; Filed, April 14, 1943; 10:47 a. m.]

§ 324.11 *Special prices—(d) Prices of all-rail shipment of vessel fuel—*
Supplement R-II

[Prices for all rail shipments of vessel fuel from mines by price groups subject to price instructions and exceptions]

For shipment to destinations shown		Price group No.	Prices in cents per net ton for any size coal							
Freight origin districts	Freight origin group Nos.		Toledo	Sandusky	Huron	Lorain	Cleveland	Fairport	Ashtabula	Conneaut	Erie	Buffalo
Ohio No. 8	5–6–10–11–12–14–15–17–18–19–20	1	220	230	230	220	230	230	230	230	230	230
Cambridge	18	2	230	240	240	230	240	240	240	240	240	240
	5–11–12–14–15–17–18–19	3	230	240	240	230	240	240	240	240	240	240
	13	11	230	240	240	230	240	240	240	240	240	240
	8–13	12	230	240	240	230	240	240	240	240	240	240
	16	16	230	240	240	230	240	240	240	240	240	240
	8–16	17	230	240	240	230	240	240	240	240	240	240
Hocking	21–22–26–27–28–91	21	230	240	240	230	240	240	240	240	240	240
	24–26–27–91	22	230	240	240	230	240	240	240	240	240	240
	26–27–91	24	230	240	240	230	240	240	240	240	240	240
Pomeroy	29–25–29	25	230	240	240	230	240	240	240	240	240	240
	23	31	230	240	240	230	240	240	240	240	240	240
Crooksville	31–32–33–34	32	230	240	240	230	240	240	240	240	240	240
	31–32–33–34–36–37–38–93–94	41	230	240	240	230	240	240	240	240	240	240
	34	42	230	240	240	230	240	240	240	240	240	240
Jackson	32	43	240	240	240	230	240	240	240	240	240	240
	41–42	51	230	230	230	230	230	230	230	230	230	230
	41–42–43	52	230	230	230	230	230	230	230	230	230	230
	41–101	53	230	230	230	230	230	230	230	230	230	230
	41–42	54	230	230	230	230	230	230	230	230	230	230
	41–42–44	55	230	230	230	230	230	230	230	230	230	230
	41–42–43–45	56	230	240	240	230	240	240	240	240	240	240
	51–53	61	240	240	240	240	240	240	240	240	240	240
Middle	51–53–54–55–57	62	240	240	240	240	240	240	240	240	240	240
	51–52–102	63	240	240	240	240	240	240	240	240	240	240
	51–52–53–55–57–58–61	64	240	240	240	240	240	240	240	240	240	240
	53–58	65	240	240	240	240	240	240	240	240	240	240
	55–56–58	66	240	240	240	240	240	240	240	240	240	240
	57	67	240	240	240	240	240	240	240	240	240	240
Lotonia	71–72–75	71	240	240	240	240	240	240	240	240	240	240
	71–72–73–74–75	72	240	240	240	240	240	240	240	240	240	240
Ohio Middle	51	81	240	240	240	240	250	240	240	250	240	240

1. Vessel fuel prices are applicable for bunkering at the lower lake ports only. Cargo prices apply when coal is consigned to bunkering stations beyond the lower lake loading ports.

2. On all coal actually sold for vessel fuel, from all mine index numbers in Freight Origin Group No. 81 for shipment to Toledo, Ohio, when for transfer from cars into vessels over the Baltimore & Ohio Railroad Company docks at Toledo, Ohio, the above prices may be reduced 10 cents per ton f. o. b. mine. (Docket No. A–183)

3. Vessel fuel prices shown herein apply on shipments of coal to the Detroit and Cleveland Navigation Company at its 9th Street Dock, Cleveland, Ohio, for vessel fuel use. (Docket No. A–1334)

†Indicates no classifications effective for these size groups.

NOTE: Vessel fuel prices shown in the column headed "Conneaut," applicable on shipments to Conneaut, Ohio, from Ohio No. 8, Cambridge, Middle, and Ohio Middle Freight Origin Districts, for vessel fuel use. (Docket No. A–1900)

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–284]

ANDERSON'S, INC.

Anderson's, Inc., Nashville, Tennessee, is engaged in the motor repair and rewinding business and is also a wholesaler of various electric items and parts and supplies. The Company qualified under the Production Requirements Plan for the third quarter of 1942 and was assigned preference ratings for the procurement of material for the operations of its motor repair shop. The Company applied the ratings thus assigned to it to orders for material for its warehouse despite the fact that it was entitled to apply these ratings only to obtain production material for its motor repair shop and not material for resale in its warehouse. The Company also applied the ratings assigned to it to procure substantial quantities of material to which a rating had not been assigned on Form PD–25X and to procure other material in excess of the quantities to which ratings had been assigned. These acts constituted violations of Priorities Regulation No. 11.

The Company in reporting its shipments for the preceding period on Form PD–25X for the third quarter of 1942 certified that such shipments had been made on higher ratings than was the case, thereby obtaining the assignment of higher preference ratings and the allocation of greater material than it would otherwise have obtained. This constituted a misrepresentation to the War Production Board in violation of Priorities Regulation No. 1.

The Company also violated Limitation Order L–123 by selling and delivering certain electric motors on orders bearing preference ratings lower than A–9. The Company also applied the preference rating of A–3 assigned to it on its PD–25X form to the delivery of an electric range although no preference rating had been assigned for the procurement of this material. This constituted a violation of Priorities Regulation No. 11. Thereafter, the Company sold and delivered this electric range on an order bearing no preference rating although it was aware of the provisions of Limitation Order L–23 which prohibited such sale.

The foregoing violations of War Production Board orders have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.284 *Suspension Order No. S–284.* (a) Deliveries of material to Anderson's, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Anderson's Inc., its successors and assigns, of any materials the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of paragraphs (a) and (b) hereof shall not be applicable to deliveries or allocations of material required by Anderson's, Inc., its successors and assigns, for the operation of its motor repair and rewinding shop: *Provided*, That such deliveries or allocations may only be made in accordance with the provisions of all other applicable orders and regulations of the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Anderson's, Inc., its successors and assigns, from any restrictions, prohibition, or provision contained in any other order or regulation of the War Production Board, whether now in force or hereafter issued, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect April 18, 1943, and shall expire on July 18, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 14th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–5854; Filed, April 14, 1943; 4:58 p. m.]

PART 1078—JEWELRY

[General Limitation Order L–45]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities used in the manufacture of jewelry for private account and for export; and the following Order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1078.1 *General Limitation Order L–45—*(a) *Definitions.* For the purposes of this order:

(1) "Jewelry" means all articles commonly known as jewelry, used primarily for personal adornment and designed to be worn on or about the person, including but not limited to mesh bags, vanity cases, compacts, cigarette cases, watch bracelets, jewelry findings and jewelry chains, but not including watches.

(2) "Manufacturer" means any person engaged in the business of manufacturing or assembling jewelry or parts specifically intended for incorporation into jewelry.

(3) "Karat gold" means karat gold as defined in United States Commercial Standard CS67–38 (issued by the National Bureau of Standards), containing less than 40% by weight of copper. (Gold alloys containing 40% or more by weight of copper are governed by the provisions of Order M–9–c, as amended.)

(4) "Palladium" includes the total weight of any palladium alloy containing 10% or more of palladium by weight.

(5) "To produce jewelry" means for a manufacturer

(i) To perform his last manufacturing or assembling operations on jewelry. If another manufacturer later performs additional manufacturing or assembling operations on the same jewelry, such other manufacturer shall also be deemed to be producing jewelry.

(ii) To remount or change the size, shape, form or function of jewelry, even though no additional karat gold or palladium is added.

"To produce jewelry", however, does not include the following:

(iii) To size a ring for the ultimate consumer when material is removed or when material is added for the purpose of sizing alone; or

(iv) To add one or more stones, pearls, jewels or finished parts to an otherwise finished article, and to polish such article when the adding of the stones, pearls, jewels or finished parts is determined by the choice of the ultimate consumer.

(b) *General restrictions.*

(1) During the period beginning April 15, 1943, and ending June 30, 1943, inclusive, no manufacturer shall produce jewelry containing more karat gold than 18¾% of the amount of karat gold contained in the jewelry produced by him during 1941.

(2) During the period beginning April 15, 1943, and ending June 30, 1943, inclusive, no manufacturer shall produce jewelry containing more palladium than 18¾% of the amount of palladium contained in the jewelry produced by him during 1941.

(3) In addition to the amount of karat gold and palladium which a manufacturer may use during the period beginning April 15, 1943, and ending June 30, 1943, inclusive, pursuant to paragraphs (b) (1) and (b) (2) of this order, a manufacturer may use during such periods instead of the amount of platinum contained in jewelry produced by him during 1941:

(i) An amount of karat gold equal to 25% of such platinum, or

(ii) An amount of palladium equal to 10½% of such platinum, or

(iii) An amount of karat gold equal to 25% of any portion of such platinum plus an amount of palladium equal to 10¼% of the remaining portion of such platinum.

(4) During the period of three months beginning July 1, 1943, and during each succeeding period of three months until otherwise ordered, no manufacturer shall produce jewelry containing more karat gold than 12½% of the amount of karat

gold contained in the jewelry produced by him during 1941.

(5) During the period of three months beginning July 1, 1943, and during each succeeding period of three months until otherwise ordered, no manufacturer shall produce jewelry containing more palladium than 12½% of the amount of palladium contained in the jewelry produced by him during 1941.

(6) In addition to the amount of karat gold and palladium which a manufacturer may use during the period of three months beginning July 1, 1943, and during each succeeding period of three months until otherwise ordered, pursuant to paragraphs (b) (4) and (b) (5) of this order, a manufacturer may use during such periods instead of the amount of platinum contained in jewelry produced by him during 1941:

(i) An amount of karat gold equal to 16⅔% of such platinum, or

(ii) An amount of palladium equal to 6⅞% of such platinum, or

(iii) An amount of karat gold equal to 16⅔% of any portion of such platinum plus an amount of palladium equal to 6⅞% of the remaining portion of such platinum.

(7) The restrictions contained in paragraphs (b) (1) through (b) (6) inclusive of this order shall not apply to any manufacturer who, during the period beginning April 15, 1943, and ending June 30, 1943, inclusive and during each succeeding period of three months until otherwise ordered, produces jewelry containing a total aggregate weight of karat gold and palladium less than 250 ounces: *Provided*, That

(i) Such manufacturer produced jewelry during 1941, and

(ii) Such manufacturer does not produce jewelry containing a greater total aggregate weight of karat gold and palladium than the amount contained in the jewelry produced by him during 1941, plus

(a) An amount of karat gold equal to 33⅓% of the platinum contained in jewelry produced by him during 1941, or

(b) An amount of palladium equal to 14% of the platinum contained in jewelry produced by him during 1941, or

(c) An amount of karat gold equal to 33⅓% of any portion of the platinum contained in jewelry produced by him during 1941, plus an amount of palladium equal to 14% of the remaining portion of such platinum.

(8) The restrictions contained in this order shall not apply to the use of karat gold and palladium in the repair of articles of jewelry, provided that no more karat gold and palladium by weight is used for such repairs than 5% of the total weight of karat gold and palladium contained in the article being repaired. In such cases where the repair of articles of jewelry involve the use of more karat gold and palladium than the 5% specified above, such repair operations shall be deemed to be production of jewelry operations and the total weight of karat gold or palladium used in such operations shall be included as part of the karat gold or palladium such manufacturer is permitted to use in the production of jewelry specified in paragraph (b) of this order.

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or War Production Board, including Copper Conservation Orders M-9-c and M-9-c-2, as amended from time to time, limits the use of any material in the production of jewelry to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Avoidance of excessive inventories.* No manufacturer of jewelry shall accumulate, for use in the manufacture of jewelry, inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order.

(f) *Reports.* (1) Each manufacturer shall file with the War Production Board on or before April 30, 1943, a report on Form PD-797, showing the amount of karat gold, the amount of palladium, and the amount of platinum by weight contained in the jewelry produced by him during the year 1941, together with a statement as to whether such report is based on written records or on estimates.

(2) Each manufacturer shall file with the War Production Board on or before April 30, 1943, and on or before the 15th day of each third calendar month thereafter, a report on Form PD-797, showing the amount of karat gold and the amount of palladium, by weight, contained in the jewelry produced by him during the preceding calendar quarter, and amount of copper by weight used by him during such quarter in alloying gold for use in jewelry.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order must be made on Form PD-500.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-45.

Issued this 15th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5899; Filed, April 15, 1943; 11:37 a. m.]

PART 3108—MATERIAL FOR REPAIR, MAINTENANCE AND OPERATION OF METAL MILLS WORKING COPPER, ZINC, COPPER-BASE ALLOYS OR ZINC ALLOYS

[Revocation of Preference Rating Order P-134]

Preference Rating Order P-134 (§ 3108.1) is hereby revoked, effective immediately.

Issued this 15th day of April 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5900; Filed, April 15, 1943; 11:37 a. m.]

PART 3162—FOLDING AND SET-UP BOXES

[Limitation Order L-239 as amended April 15, 1943]

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of folding and set-up boxes for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3162.1 *Limitation Order L-239*—(a) *Definitions.* (1) "Folding box" means any collapsible container, or part thereof, made of paper or paperboard, excepting solid fibre or corrugated shipping containers not made on folding box machinery.

(2) "Blank" means any sheet of paper or paperboard, cut to shape and creased or scored for the purpose of being used as a box or part thereof.

(3) "Set-up box" means a non-collapsible or rigid container, or part thereof, made of paper or paperboard, excepting cups, pails, and solid fibre or corrugated shipping containers not made on set-up box machinery.

(4) "Pail" means a wedge shaped, folded, liquid-tight, paper container.

(5) "Box" unless otherwise specified, includes blanks, folding boxes, set-up boxes, pails and parts thereof.

(6) "Work in process" means any material for physical incorporation in boxes, on which actual box making operations have been started. No preparatory work such as art work, engravings, electrotypes, dies, forms shall be deemed "work in process".

(7) "Virgin wood pulp" means pulp manufactured either by mechanical or chemical means from coniferous or broadleaf trees.

(8) "Gage list" means any gage list set forth in United States Department of Commerce Simplified Practice Recommendation R44-36 entitled "Box Board Thickness".

(9) "Multiple container" means a box containing a number of separately packaged items of the same commodity.

(b) *General restrictions*—(1) *Restrictions on use of metal.* No person shall manufacture or incorporate in the manufacture of boxes:

(i) Any metal bails or metal handles for boxes, or

(ii) Metal mailing clips or fasteners for boxes customarily known as mailing containers.

(2) *Restrictions on manufacture of seasonal boxes and sleeves.* No person shall manufacture:

(i) Any box for seasonal or other special purpose having a greater pulp content or area or weight of paper or paperboard than contained in the usual commercial box for like contents.

(ii) Any sleeves or extra containers for seasonal or other special purposes unless also required for the usual commercial box for like contents.

(iii) *Exception.* The restrictions of paragraphs (b) (2) (i) and (ii) shall not apply to boxes in which are packed two or more commodities usually separately packed, except to the extent that said paragraphs (b) (2) (i) and (ii) are made applicable by any schedule.

(3) *Restrictions on dummy boxes.* No person shall manufacture any commercial display box simulating a package and not intended for packaging purposes, or use for display purposes, any box not previously used for packaging.

(4) *Restrictions imposed by separate schedules.* All persons shall observe the restrictions and other provisions which are and may be imposed from time to time by the War Production Board in all schedules hereto, all of which shall be parts of this order. No person shall manufacture or commercially use any box in violation of any provision of this order. No person shall manufacture, sell, or deliver any box which he knows or has reason to believe will be used in violation of any provision of this order.

(5) *Restrictions on manufacture of boxes from virgin wood pulp.* No person shall manufacture any box from any of the following grades of paperboard listed in United States Department of Commerce Simplified Practice Recommendation R44-36 if any virgin wood pulp is contained in any of such paperboard: plain chipboard, filled news board, single news vat-lined chip, bending chip board, colored suit box chip back, solid jute, cracker shell board, or solid news.

[NOTE: Paragraph (5) amended April 15, 1943]

(6) *Restriction on pulp liners.* Except as otherwise provided in this paragraph, no person shall commecially use, on the inside surface of any folding box, any liner made (a) from virgin wood pulp or (b) from any waste paper (including, but not limited to, white cuttings and manila cuttings) which can be processed to simulate the appearance of a virgin wood pulp liner. This restriction shall not apply to the use of such liner in folding boxes for packaging:

(i) Wet or oily foods;

(ii) Any other product determined by the War Production Board as requiring such lining to insure its delivery in merchantable condition to the ultimate consumer. Application for such determination may be made by the prospective packager by letter stating the pertinent facts.

(c) *Exceptions*—(1) *Material completed or in process.* (i) No restriction hereof shall apply to boxes completely manufactured or made from work in process prior to the effective date of such restriction.

(ii) Where any restriction hereof limits the type, grade, or quality of paperboard which may be used in manufacturing any box, such restriction shall not apply to the use of any paperboard manufactured before January 8, 1943.

(iii) Where any restriction hereof limits the use of sheet-lined paperboard in manufacturing any box, such restriction shall not apply to the use of any paperboard sheet-lined before January 8, 1943.

(2) *Boxes for certain Government agencies.* The restrictions of this order shall not apply to boxes manufactured to meet the packaging specifications of, and delivered to or for the account of, the United States Army, Navy, Maritime Commission, War Shipping Administration, or any agency imposing such specifications for material to be delivered under the Act of Congress of March 11, 1941, entitled "An Act for the Defense of the United States" (Lend-Lease Act).

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(f) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on same if required.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref. L-239.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—FOOD BOXES

[NOTE: Schedule I amended April 15, 1943]

Table I—Butter, lard, oleomargarine and similar boxes. (a) No person shall manufacture any box for packaging butter, lard, oleomargarine, or similar products with a content capacity of less than one pound.

Table II—Ice cream boxes. (a) No person shall manufacture any box for direct fill factory packed ice cream except with content capacities of one pint, one quart, two gallons or larger than two gallons.

Table III—Crackers and baked goods boxes—(a) *Terms.* (1) Crackers and baked goods mean products of the biscuit, cracker and pretzel industry.

(2) Crackers and baked goods caddies mean paperboard containers for dispensing crackers and other baked goods in bulk.

(3) Cubic inch capacity of formed cartons is calculated on center to center of score line dimensions.

(b) *Restrictions on packing crackers and baked goods.* The following restrictions shall be observed in the packing of crackers and baked goods:

(1) Crackers, cookies or biscuits shall be packed not less than six bags, packets, or rolls to a folding or set-up box.

(2) Single caddies and double caddies made from folding or set-up boxboard shall be filled to normal capacity, regardless of weight or count of contents.

(c) *No person shall manufacture any box for packaging crackers or baked goods exceeding the following maximum specifications:*

(1) No end flaps on seal end cartons shall be more than ½ the width of the carton plus ½", excepting that flaps on cartons for ground products (such as cracker meal) may be full width.

(2) (i) Tuck on carton having cover flap 5" or less in length shall not exceed ⅞" from the center of score line to edge of tuck.

(ii) Tuck on carton having cover flap over 5" in length shall not exceed one inch from center of score line to edge of tuck.

(3) Length of side flaps on tuck flap cartons shall not exceed ½ of the width of carton from front to back, plus ½" of the closure tuck flap, as provided by paragraphs (c) (2), (i) and (ii).

(4) (i) Single caddies of folding or set-up boxboard for bulk goods shall not have openings less than 10" x 10".

(ii) Double caddies of folding or set-up boxboard for bulk goods shall not have openings less than 10" x 20".

(iii) No single or double folding or set-up boxboard caddies for bulk goods shall be less than 6½" in depth, excepting that fruit-filled bars, sandwich varieties and shortbreads may be packed in caddies not less than 4⅜" in depth.

(iv) Single caddies of folding or set-up boxboard shall be no thicker than .053.

(v) Double caddies of folding or set-up boxboard shall be no thicker than .060.

(5) (i) Layer boards, strips, dividers and nestings of folding or set-up boxboard (non-virgin wood pulp) for bulk receptacles shall not exceed basis 100 sheets per 50 lb. bundle, excepting that divider strips for fruit-filled bars shall not exceed basis 50 sheets per 50 lb. bundle.

(ii) Layer boards, strips, dividers and nestings made from wood pulp board for bulk receptables shall not exceed basis 100 sheets per 50 lb. bundle.

(iii) Nests for single caddies made from virgin wood pulp board shall not exceed .024 in thickness.

(iv) Nests for double caddies made from virgin wood pulp board shall not exceed .026 in thickness.

(v) Layers, strips, dividers and nestings for cellophane bags, glassine bags, paper bags,

packets, tray packages and boats if made from laminated stock shall not exceed .022 in thickness; if made from other than laminated stock shall not exceed basis 90 sheets per 50 lb. bundle.

(6) Paperboard for packets, trays and boats shall not exceed .022 in thickness.

(7) Basis weight of board for cracker shell type cartons shall not exceed the following:

Cubic-inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50	8 oz.	72	See Gage List No. 2
51 to 150	12 oz.	80	
151 to 200	1 lb.	85	
201 to 250	2 lb.	90	
251 and up	Over 2 lb.	99	

(8) Basis weight and caliper of board with printing surface, such as single manila lined and bleached manila lined boards used for printed cartons shall not exceed the following:

Cubic-inch capacity of formed cartons	Legend weight up to & including	Weight per thousand square feet	Caliper
Up to 50	8 oz.	80	See Gage List No. 2
51 to 150	12 oz.	85	
151 to 200	1 lb.	90	
201 to 250	2 lb.	96	
251 and up	Over 2 lb.	103	

(9) Basis weight and caliper of board with printing surface such as patent coated news back board used for printing cartons shall not exceed the following:

Cubic inch capacity of formed carton	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50	8 oz.	82	See Gage List No. 6
51 to 150	12 oz.	88	
151 to 200	1 lb.	96	
201 to 250	2 lb.	104	
251 and up	Over 2 lb.	112	

(10) Basis weight and caliper of board in paragraphs (c) (7), (8) and (9) shall be based on the cubic inch capacity of the formed carton or the legend weight, whichever is greater.

(11) Caliper of board for single sale unit boxes made of laminated stock in one pound or up to and including two pound sizes shall not exceed .030 in thickness.

(12) Flanges on telescope covers of laminated single and double size caddies shall not exceed 2" in depth.

(13) Printing designs shall not extend (bleed) over carton edges if such extension (bleed) causes an excess use of paperboard through the use of double knives or otherwise.

(14) Cracker caddies in carload lots shall be mill tied, knocked down flat, not wrapped.

Table IV—Frozen food boxes. (a) No folding or set-up box for packaging frozen foods shall be made from paperboard in excess of the following calipers:

Box size (net content capacity):	Maximum caliper
2½ lbs. or under	.016
Over 2½ lbs. but under 5 lbs.	.018
Over 5 lbs.	.025

SCHEDULE II—BEVERAGE AND TOBACCO BOXES

Table I—Alcoholic beverage boxes. (a) *Definition* Alcoholic beverage means any beverage containing 3.2% or more of alcohol by volume, including but not limited to whisky, gin, rum, brandy, liqueurs, cordials, wines and malt beverages, not including medicinal preparations.

(b) No person shall manufacture any box for packaging alcoholic beverages.

SCHEDULE III—RETAIL BOXES

[NOTE: Schedule III amended April 15, 1943]

Table I—General restrictions on retail boxes. (a) *Definition:* Retail box means any box furnished directly or indirectly by a retailer for packaging merchandise for retail distribution, excepting parcel post boxes and boxes for packaging foods, drugs, medicinal supplies or custom jewelry.

(b) *Quota restriction on manufacture of retail boxes.* Beginning January 1, 1943, no person shall in any quarter put in process for the manufacture of retail boxes more than 65 percent of the tonnage of paperboard he put in process for the manufacture of retail boxes in the corresponding quarter of 1941. On or before April 30, 1943, any person may elect to compute all such quarterly quotas on the basis of ¼ of the tonnage put in process for that purpose during the whole of 1941. If, on the basis of such computation, his quota for the first quarter of 1943 becomes smaller than the amount of paperboard he actually put into process during that quarter, he shall charge the resulting excess to his quota for the second quarter of 1943. After electing to compute his quotas for any year on this alternative basis, no person shall thereafter revert to the other computation method during that year.

(c) No person shall knowingly manufacture boxes for sale at retail as empty boxes.

Table II—Restrictions on retail set-up boxes. (a) No person shall manufacture any retail boxes exceeding the following maximum specifications, provided that retail boxes of sizes other than specified below may be manufactured if the material used is not of heavier weight than that permitted for the size box having the nearest higher area in square inches:

Length	Size width	Depth	Lid depth	Paperboard shall not be heavier than regular number 50 lb. bundles (sheets per bundle)
2	x 2	x 2	2	65
2½	x 1⅝	x 1	¾	65
3	x 2⅛	x 1	⅝	65
3½	x 3½	x 1	⅝	65
4	x 4	x 2	¾	65
4	x 4	x 4	1	60
4½	x 1	x 1	1	65
4⅝	x 4	x 4	⅝	65
5	x 3½	x 1½	9/16	65
7	x 7	x 2	¾	60
7½	x 5½	x 4	1	65
6	x 4	x 2	¾	65
6	x 4½	x 2½	1	60
6	x 6	x 3	1	60
6½	x 1½	x 1½	9/16	65
6½	x 6½	x ½	½	60
6½	x 6½	x 4	1	55
6½	x 6½	x 6	1¼	65
7	x 6	x 2	2	65
7¼	x 7¼	x ½	½	65
7½	x 5½	x 3½	1	60
8	x 3	x ¾	¾	65
8	x 5½	x 1½	1½	65
8	x 8	x 2	1½	60
8	x 8	x 4	1	50
8	x 8	x 8	1¼	60
9	x 3	x 3	1	60
9	x 6	x 3	1	60
9½	x 6¼	x 5/8	⅝	65
9½	x 6¼	x 1	1	65
9½	x 6¼	x 1½	1½	65
10	x 3½	x 2	2	65
10	x 6	x 6	1¼	50
10	x 7	x 2	2	65
10	x 10	x ¾	¾	60
10	x 10	x 4	1¼	50
10	x 10	x 5½	1¼	50
10	x 10	x 10	2½	50
10½	x 7½	x 1¼	1¼	65
10½	x 10	x 1	1	60
11	x 10	x 1½	1¼	60
11½	x 8¾	x 3½	1	60
11½	x 8½	x 1¾	1¼	60
11½	x 8½	x 2¾	1¼	60
12	x 8	x 8	2	50
12	x 12	x 1	1	60
12	x 12	x 2	2	60
12	x 12	x 4	1	60
12	x 12	x 6	1¼	60
12	x 12	x 10	2	40
12½	x 6½	x 4	1	60
12½	x 9½	x 2½	1	60
13	x 4	x 3/8	⅜	60
13	x 4	x 1	1	60
13	x 6	x 6	1¼	60
14	x 10	x 1¼	1¼	60
14	x 14	x 8	2	40
14½	x 8	x 8	2	40
15	x 11	x 2	2	50
16	x 16	x 2½	2½	50
17	x 11	x 2½	2½	50
18	x 7	x 1½	1½	50
18	x 10	x 1½	1½	50
18	x 13	x 3	1¼	50
18½	x 7½	x 5	2	50
20	x 18	x 5	2	40
22	x 12	x 3½	1¼	50
23	x 14	x 4	1¼	50
24	x 20	x 6	2	40
26	x 2	x 2	1	60
28	x 4	x 1¾	⅞	50
30	x 4	x 1¾	⅞	50
36	x 5½	x 1¾	⅞	50

(b) *Material for retail boxes.* No person shall incorporate in any retail boxes:

(1) Any grade or quality of paperboard higher than solid news No. 2 finish, Gage List No. 3, or

(2) Any bottom paper if the box is strip wrapped, or

(3) Any lining other than news vat lining on the side of the board forming inside of the blank, or

(4) Any metal.

Table III—Restrictions on retail folding boxes. (a) No retail box for packaging wearing apparel (exclusive of shoes) or flowers shall contain any metal nor any grade of paperboard other than (1) the grades without virgin wood pulp, listed in paragraph (b) (5) of this Order L-239 or (2) mist-colored suit box board containing no more virgin wood pulp than is required to create the mist effect.

SCHEDULE IV—BOXES FOR PAPER PRODUCTS

[NOTE: Schedule IV amended April 15, 1943]

Table I—Envelope boxes. (a) (1) No person shall use in the manufacture of any set-up envelope box:

(i) Any paperboard of a quality better than bending chip board or news vat lined chip, No. 2 finish, Gage List No. 2 if cover paper is used; if cover paper is not used the quality of the paperboard shall not be better than patent coated news back, or

(ii) Any sheet lined board, or

(iii) Any paperboard of a weight in excess of the maximum shown below (25" x 40"—50 lbs. per bundle), which weight shall be specified by the envelope manufacturer or packer:

	Sheets per bundle
Envelopes 14" half perimeter and less	60
Envelopes over 14" half perimeter and not exceeding 18" half perimeter	55
Envelopes over 18" half perimeter	40

(2) No envelope box shall be double stripped on either box or cover, or have incorporated therein any metal.

(b) No person shall manufacture any folding box for envelopes from paperboard of better quality than patent coated news back without sheet lining, nor of greater weight per box than required for an equivalent cubical content set-up box.

Table II—Papeterie boxes. (a) (1) No person shall use in the manufacture of any set-up box for papeteries:

(i) Any paperboard better than bending chip board or news vat lined chip, No. 2 finish, Gage List No. 2, if cover paper is used: *Provided, however,* That white wood vat lined board may be used in the covers and lids of hinge-style boxes; if cover paper is not used the quality of the paperboard shall not be better than patent coated news back.

(ii) Any paperboard of count in excess of the maximums shown below: (25" x 40"—50 lbs. per bundle).

Boxes containing 23 envelopes or less with corresponding note paper and/or cards—60 sheets per bundle;

Boxes containing from 24 to 72 (inclusive) envelopes with corresponding note paper and or cards—50 sheets per bundle;

Boxes containing more than 72 envelopes with corresponding note paper and/or cards—40 sheets per bundle.

(iii) Any sheet lined board, metal, or more than double stripping.

(2) No person shall manufacture any folding box for papeteries from paperboard of higher quality than patent coated news back without sheet lining, nor of greater weight per box than required for an equivalent cubical content set-up box, nor incorporate any metal in any such folding box.

(3) No folding or set-up box for papeteries shall be made or equipped with: (i) base or cover caps, flanges, non-paper coverings, padded tops, projections, or shoulders; (ii) attached or unattached interior parts (such as dividers, drawers or slides, or partitions); or (iii) false work (such as false bottoms, ends sides, traps, or decks): *Provided, however,* That any such box for 24 or more envelopes with note paper and/or cards of corresponding size may be made or equipped with false work (other than false bottoms, ends, or sides) which does not enclose more than ¼ of the volume of the box.

Table III—Waxed paper cutter boxes. (a) No person shall manufacture any cutter boxes for packaging rolls of waxed paper excepting in accordance with the following maximum specifications:

(1) Box dimensions: 2 1/16 x 2 1/16 x 12 3/8 inches

(2) Quality of paperboard: no higher than bleached manila lined news basis 70 sheets per 50 lb. bundle.

Table IV—Roll toilet tissue. (a) No person shall manufacture any boxes for packaging roll toilet tissue.

SCHEDULE V—SPORTING GOODS BOXES

Table I—Golf, tennis, baseball, football, volley ball and basket ball boxes. (a) No person shall manufacture any box for packaging less than twelve (12) golf, tennis or baseballs or incorporate in the manufacture of any such box metal or sheet lining, or paperboard exceeding in area or weight the paperboard required for a full telescope set-up box without projecting edges or dividers, basis sixty (60) sheets per 50 lb. bundle.

(b) No person shall manufacture any box for packaging inflated footballs, volley balls or basket balls, or incorporate in any such box paperboard exceeding in area or weight the paperboard required for a full telescope set-up box without projecting edges, basis sixty (60) sheets per 50 lb. bundle.

SCHEDULE VI—WEARING APPAREL BOXES

[NOTE: Schedule VI added April 15, 1943]

Table I—Work shirt boxes. (a) No box shall be made for packaging less than six (6) work shirts. No such box shall be of any type other than that commonly known as a folder and made from paperboard of a quality no better than bleached manila lined news.

SCHEDULE VII—LAUNDRY BOXES

[NOTE: Schedule VII added April 15, 1943]

Table I—Laundry boxes. (a) No box for packaging laundry shall be made from any grade of paperboard other than the grades, without virgin wood pulp, listed in paragraph (b) (5) of this Order L-239.

[F. R. Doc. 43-5902; Filed, April 15, 1943; 11:37 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Dir. 5]

CAN MANUFACTURERS IN THE PACIFIC COAST AREA

§ 3175.105 *Inventory Direction No. 5 under CMP Regulation 2.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered,* That:

During the period from the date of this direction through September 30, 1943, the provisions of paragraph (b) (1) of CMP Regulation 2 shall not apply to the acceptance of deliveries, in the States of Washington, Oregon, California and Utah, of tinplate for the manufacture of cans. In lieu thereof, until September 30, 1943, no user of controlled material shall accept delivery in such States of any item of tinplate for the manufacture of cans if its inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item it will be required by current practices to put into use during the succeeding 90-day period in order to carry out its authorized operations. After September 30, 1943, this inventory direction shall cease to be of any effect and the provisions of paragraph (b) (1) of CMP Regulation 2 shall apply.

Issued this 15th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5901; Filed, April 15, 1943; 11:37 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200,[1] Amendment 6]

RUBBER HEELS, RUBBER HEELS ATTACHED AND ATTACHING OF RUBBER HEELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 200 is amended in the following respects:

1. Section 1315.1420 (g) (1) is amended by adding the following brand of heel and manufacturer's name in the table in such a manner that the brand of heel will appear alphabetically: "Borman Pneumatic Heel" and "Borman Pneumatic Heel Company".

2. Section 1315.1420 (g) (6) is amended to read as follows:

(6) Grades "V-1", "V-2", "V-3" and "V-4" mean heels made in whole or in part of rubber manufactured after August 31, 1942 which can meet the following physical tests:

(i) "Non-fiber heels" are either heels which do not contain any fiber or heels which contain fiber only in one or more plugs, which are placed in the area of greatest wear. Non-fiber heels shall be classified in accordance with the minimum physical specifications they are able to meet. These specifications and the corresponding classifications of the heel follow:

Grade	Minimum abrasive index[1]		Tensile strength
	All types except whole heels	Whole heels	
V-1	23	20	1,000
V-2	18	16	800
V-3	13	12	500
V-4	8	8	400

[1] No minus tolerance is permitted. The methods of federal specifications EA-ZZ-H-141 and ZZ-R-601a shall be applicable to the specifications.

(ii) "Segment fiber heels" are heels which have a non-fiber base stock and a segment containing fibers placed at the back of the heel in the area of greatest wear. If such heels are produced before May 20, 1943, they shall be classified in accordance with the minimum physical specifications the non-fiber portion of the heel can meet. These specifications are set forth in subdivision (i) of this subparagraph. If such heels are produced on or after May 20, 1943, they shall be classified in the manner set forth in subdivision (iii) of this subparagraph.

(iii) "Fiber heels" are segment fiber heels produced on or after May 20, 1943, and any heels containing fiber in any portion of the heel except in one or more plugs which may be placed in the area of greatest wear. If the manufacturer wishes, he may classify such heels in accordance with the minimum specifications set forth in subdivision (i) of this subparagraph (6). If such a method of classification is used, each compound used in the manufacture of the heel must meet those requirements. If the manufacturer does not classify such heels in accordance with those specifications, such heels shall be classified as V-4 unless all three of the following requirements are met: They must meet the minimum abrasive index set forth in subdivision (i) of this subparagraph (6) for the classification in which the manufacturer wishes to place the fiber heel; they must meet the following wear tests; and the following report and samples must be submitted:

(a) In order to receive a higher classification than V-4, such heels must be able to wear as well as a non-fiber heel in the classification in which the manu-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5259, 6936, 7835, 8948, 10008; 8 F.R. 490, 1461.

facturer wishes to place the fiber heel. The following wear test shall be determinative of this fact: At least ten of the fiber heels in question and the same number of non-fiber heels, which are in the classification in which the manufacturer wishes to place the fiber heel, shall be used in the test. All non-fiber heels used in the test shall be of the same brand and shall be of the same thickness as the fiber heels being tested. The fiber heels being tested shall be attached to shoes in such a manner that one-half of the fiber heels are on left shoes and the other half are on right shoes and that each pair of shoes has a fiber and a non-fiber heel. Each pair of shoes with these heels attached shall then be worn on ordinary city streets or their equivalent until only one-half of the original thickness of either the fiber or non-fiber heel remains at the point of the heel which receives the greatest wear. If the average overall wear of the fiber heels tested in this manner is equal to or less than the average overall wear of the non-fiber heels tested in this manner, the manufacturer may place the fiber heel so tested in the same classification as the non-fiber heel used in the test, *Provided*, That the Office of Price Administration does not designate a different classification therefor in accordance with the provisions of the next subdivision (*b*).

(*b*) After the manufacturer has submitted the fiber heel he wishes to place in a higher classification than V–4 to the test just set forth in the preceding subdivision (*a*) he shall submit samples and a report with respect thereto to the Office of Price Administration in Washington, D. C. The samples shall include eight pairs of the fiber heel in question, eight pairs of the non-fiber heel to which the manufacturer claims the fiber heel is equal in wearing quality and the actual heels tested with the left and right heel designated for each test. The report shall include the desired classification for the fiber heel; the conditions under which each pair of heels was tested; a detailed statement regarding the factory and laboratory controls used by the manufacturer to insure a stable quality of fiber heel, including controls on such factors as hardness, abrasive index, percentage of fiber by volume and specific gravity; data concerning the composition of the heel, including the abrasive index, percent of rubber hydrocarbons by volume and percent of fiber by volume; continuity of the supply of fabric scrap rubber used; and any other data he may wish to submit regarding the quality of the heel. Within twenty-one days of the receipt of this report and samples, the Office of Price Administration will either approve the proposed classification of the heel or designate a different classification therefor to reflect its wearing quality. The Office of Price Administration may compare the wearing quality of the heel not only with the brand of non-fiber heel used by the manufacturer in the test but also with other brands of non-fiber heels. The classification so approved or so designated shall be the classification for the heel. The manufacturer may not sell, offer to sell, deliver or transfer any fiber heels at a classification other than V–4 until the Office of Price Administration has approved the proposed classification, designated a classification or until twenty-one days have elapsed after the receipt by the Office of Price Administration of the report and samples required by this inferior subdivision. If twenty-one days have elapsed after the receipt of the report and samples without the Office of Price Administration disapproving the proposed classification or designating a different classification, the classification for such fiber heel shall be the classification proposed by the manufacturer. However, at any time after such twenty-one days have elapsed, the Office of Price Administration may designate a different classification (not to apply retroactively) for the fiber heel in question in order to classify it properly in accordance with its wearing quality.

This amendment shall become effective April 20, 1943.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5844; Filed, April 14, 1943; 3:02 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 92]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. The first paragraph of § 1340.159 (e) is amended to read as set forth below:

(e) *Industrial lubricating oils and greases.* Notwithstanding the provisions of paragraph (b) above, maximum prices of industrial lubricating oils and greases shall be either the maximum prices established prior to February 25, 1943 in accordance with the provisions of the General Maximum Price Regulation or a price determined as set forth below:

2. Section 1340.159 (e) (7) is added to read as follows:

(7) *Sales and deliveries of industrial lubricating oils and greases in the territories of Puerto Rico and the Virgin Islands.* The provisions of this paragraph (e) shall be applicable to the territories of Puerto Rico and the Virgin Islands except that the base period shall be the period from April 10, 1942 to May 10, 1942, inclusive, instead of the month of March 1942, the base period prescribed in this paragraph (e). In applying this paragraph (e) to the territories of Puerto Rico and the Virgin Islands the period from April 10, 1942 to May 10, 1942 shall be substituted for the month of March, 1942 wherever the latter appears in this paragraph (e).

This amendment shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5846; Filed, April 14, 1943; 3:02 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289, Amendment 11]

DAIRY PRODUCTS

Correction

The proviso of § 1351.1520 (a) (4) (iii) appearing on page 4339 of the issue for April 6, 1943 should read as follows:

* * * *Provided however*, That this subdivision shall have no application to sales by a creamery or manufacturer of butter made on the basis of f. o. b. the creamery or place of manufacture, or to sales by a creamery or manufacturer of butter to any purchaser who alone or in combination with other purchasers buys in carload lots for single delivery.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 367]

HORSEMEAT

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 367 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and equitable, and comply with the requirements of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and will effectuate the purposes of said Act and Executive Order.

§ 1364.1153 *Maximum prices for horsemeat.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 367 (Horsemeat) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.1153 issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 367—HORSEMEAT

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ARTICLE I—PROHIBITIONS AND SCOPE OF MAXIMUM PRICE REGULATION NO. 367

SECTION 1. *Prohibition against dealing in horse meat at prices above the maximum.* On and after April 20, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any horse meat and no person shall buy or receive in the course of trade or business any horse meat at a price higher than the maximum price permitted by section 6 of this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Maximum Price Regulation No. 367 shall not be applicable to sales or deliveries of horse meat to a purchaser, if, prior to April 20, 1943, such meats have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

SEC. 2. *Less than maximum prices.* Lower prices than those established in section 6, may be charged, demanded, paid or offered.

SEC. 3. *To what transactions, meats and persons this regulation applies and the relation to other regulations.* (a) This regulation fixes dollar-and-cent ceiling prices on wholesale and retail sales of horse meat made after April 19, 1943.

(b) This regulation takes the place of all previous regulations and/or orders issued by the Office of Price Administration or any field or regional office thereof, with respect to wholesale and retail sales of horsemeat.

(c) On and after April 20, 1943, no person shall sell any horsemeat at a price higher than the ceiling price fixed in section 6 of this regulation.

SEC. 4. *Exempt sales.* The provisions of this Maximum Price Regulation No. 367 shall not apply:

(a) To delivery of horsemeat made to any political subdivision or agency of any state or of the United States, under contracts entered into prior to April 14, 1943, *Provided*, That this exemption shall not be construed to permit the upward revision of any price fixed to such contract.

(b) To sales outside of the forty-eight states of the United States and the District of Columbia.

SEC. 5. *Export sales.* The maximum price at which a person may export any horsemeat shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 6. *Maximum prices.* (a) The maximum selling prices for horsemeat by a slaughterer or wholesaler, f. o. b. the seller's shipping point, shall be, subject to the additions permitted by paragraph (c) of this section 6, as follows:

(1) Carcass, side, or any portion or cut derived therefrom.	$7.50 per cwt.
(2) Boneless horsemeat	11.50 " "
(3) Ground horsemeat (boneless).	12.00 " "
(4) Ground horsemeat (bone-in).	10.00 " "
(5) Ground horsemeat sealed in 1 lb. glass containers.	5.00 per case of 36 jars
(6) Canned horsemeat products—	
(i) One pound can containing not less than 80% ground horsemeat.	5.50 per case of 48 cans
(ii) One pound can containing not less than 40% ground horsemeat.	3.50 per case of 48 cans
(iii) Seven pound can containing not less than 80% ground horsemeat.	5.00 per case of 6 cans
(iv) Seven pound can containing not less than 40% ground horsemeat.	3.25 per case of 6 cans

(b) The maximum retail selling prices for horsemeat shall be as follows:

(1) Carcass, side, or any portion or cut derived therefrom.	.14 per pound
(2) Boneless horsemeat	.18 " "
(3) Ground horsemeat (boneless).	.19 " "
(4) Ground horsemeat (bone-in).	.17 " "
(5) Ground horsemeat sealed in 1 lb. glass containers.	.19 " "

(c) The prices contained in paragraphs (a) and (b) of this section 6 include allowances for freezing, wrapping and packing for domestic shipment. The provisions of Supplementary Order No. 34[2] "Packing Expenses On Sales to War Procurement Agencies", shall be applicable on sales for export.

SEC. 7. *What the contracts of sale, invoices, sales slips and receipts must contain.* (a) After April 19, 1943, each slaughterer or wholesaler, shall give to the buyer, simultaneously with the sale or delivery of horse meat a receipt or invoice showing the name and address of the seller, the date of purchase, the total weight of horse meat, the type as described in the price schedule, and the amount of money received.

(b) After April 19, 1943, each retailer who has customarily given a sales slip receipt, or similar evidence of purchase, shall continue to do so. Furthermore, regardless of previous custom, each retailer shall, upon request by any customer, give a receipt showing the date, the name and address of the seller, the weight of horse meat sold, the type as described in the price schedule, and the amount of money received.

SEC. 8. *Evasive practices.* The price limitations set forth in this Maximum Price Regulation No. 367 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to horse meat, separately or in conjunction with any other commodity or services, or by way of commission, service, transportation, wrapping, packaging or other charge, or discount premium, or other privilege, or by tying agreement or other trade understanding, or by any other means.

ARTICLE III—MISCELLANEOUS

SEC. 9. *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget.

(a) Each slaughterer or wholesaler making sales of horse meat subject to this regulation, on or after April 20, 1943, shall make and preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, a complete and accurate record of each such sale, showing the date thereof, the name and address of the buyer and seller, the total weight of horse meat sold, and total cost thereof.

(b) Persons affected by this Maximum Price Regulation No. 367 shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration as it may from time to time require.

SEC. 10. *Applications for adjustment or petitions for amendment.* (a) Any person who seeks to modify any provision of this Maximum Price Regulation No. 367, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) The Office of Price Administration may adjust any maximum prices established under this Maximum Price Regulation No. 367 in the case of any seller or group of sellers where it appears:

(i) That there exists or threatens to exist in any particular locality a shortage in the supply of horse meat, and

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such sellers; and

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718, 3795, 3841, 3845, 4130, 4131, 4252, 4334.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530; 8 F.R. 3846.

[2] 7 F.R. 10779.

(iii) That such adjustment will not create or tend to create a shortage in another locality.

(c) Applications for adjustment under paragraph (b) of this section 10 shall be made in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 11. *Licenses.* The provisions of Supplementary Order No. 14 (§ 1305.18, *Licensing sellers of meat and meat products*[1]) and the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation shall apply to every person making sales subject to this regulation. These sections provide, in brief, that a license is required of all persons selling commodities at the wholesale and retail levels for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. No person whose license is suspended may sell any such commodity during the period of suspension. For the purpose of this section 11, the term "seller" shall have the meaning given it by Supplementary Order No. 14.

SEC. 12. *Enforcement.* On and after April 21, 1943, any person who sells or delivers any horsemeat at a price higher than the ceiling price, or who otherwise violates any provision of this regulation, is subject to the criminal penalties, civil enforcement actions, license suspensions proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended. Also, any person who buys at a price higher than the ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

SEC. 13. *Definitions.* (a) When used in this Maximum Price Regulation No. 367 the following terms shall have the following meanings:

(1) "Person" means any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or agency of the foregoing: *Provided*, That no punishment provided by this Maximum Price Regulation No. 367 shall apply to the United States or to any such government, political subdivision or agency of the foregoing.

(2) "Horsemeat" means meat derived from the skeletal part of the horse carcass, exclusive of the head.

(3) "Boneless horsemeat" means horsemeat from which the bones have been removed.

(4) "Ground horsemeat (bone in)" means carcass horsemeat which has been ground and to which no cereal has been added.

(5) "Ground horsemeat (boneless)" means boneless horsemeat which has been ground and to which no cereal has been added.

(6) "Sale at retail" means a sale of horsemeat that is to be consumed without being resold, except that a sale to a purveyor of meals shall be regarded as a sale at retail.

Effective date. This regulation shall become effective April 20, 1943, except that it shall become effective on April 14, 1943 with respect to sales to war procurement agencies.

Issued this 14th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5845; Filed, April 14, 1943; 3:02 p. m.]

[1] 7 F.R. 7033, 11007.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 64, Amendment 1]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

BEAUFORT DEFENSE-RENTAL AREA

Maximum Rent Regulation No. 64 is amended in the following respects:

1. The title is amended to read as follows:

MAXIMUM RENT REGULATION 64—HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

2. The preamble is amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the defense-rental areas set out in § 1388.981 (a) of this maximum rent regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such defense-rental area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such defense-rental area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum-rent regulation for housing accommodations within each such defense-rental area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this maximum rent regulation is hereby issued.

3. Section 1388.981 (a) is amended to read as follows:

(a) This maximum rent regulation applies to all housing accommodations within each of the following defense-rental areas (each of which is referred to hereinafter in this maximum rent regulation as the "Defense-rental area"), as designated in the designation and rent declaration[1] (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, except as provided in paragraph (b) of this section:

(1) The Lake Charles Defense-Rental Area, consisting of the Parish of Calcasieu, in the State of Louisiana.

(2) The Beaufort Defense-Rental Area, consisting of the Counties of Beaufort and Colleton, in the State of South Carolina.

This amendment shall become effective April 15, 1943.

(Pub. Law 421, 77th Cong.)

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5847; Filed, April 14, 1943; 3:02 p. m.]

[1] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 65A, Amendment 1]

HOTELS AND ROOMING HOUSES

BEAUFORT DEFENSE-RENTAL AREA

Maximum Rent Regulation No. 65A is amended in the following respects:

1. The title is amended to read as follows:

MAXIMUM RENT REGULATION 65A—HOTELS AND ROOMING HOUSES

2. The preamble is amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the defense-rental areas set out in § 1388.1031 (a) of this maximum rent regulation, as designated in the designation and rent declaration issued by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such defense-rental area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such defense-rental area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for rooms in hotels and rooming houses within each such defense-rental area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this maximum rent regulation is hereby issued.

3. Section 1388.1031 (a) is amended to read as follows:

(a) This maximum rent regulation applies to all rooms in hotels and rooming houses within each of the following defense-rental areas (each of which is referred to hereinafter in this maximum rent regulation as the "Defense-rental area"), as designated in the designation and rent declaration[1] (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, except as provided in paragraph (b) of this section:

(1) The Lake Charles Defense-Rental Area, consisting of the Parish of Calcasieu, in the State of Louisiana.

(2) The Beaufort Defense-Rental Area, consisting of the Counties of Beaufort and Colleton, in the State of South Carolina.

This amendment shall become effective April 15, 1943.

(Pub. Law 421, 77th Cong.)

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5848; Filed, April 14, 1943; 3:03 p. m.]

[1] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[2] Amendment 14]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Ration Order 13 is amended in the following respects:

1. Section 3.2 (b) is amended to read as follows:

(b) *Reports.* Every processor must file a monthly report, also on OPA Form R-1305, covering the operation of his processor establishment during the month before. The report must be signed by him or by his authorized agent. If he has more than one processor establishment, he must file a separate report for each, except that he may combine in a single report all his processor establishments in a single state. The first report which must be filed is for February 1943, and is part of his registration. Reports for subsequent months must be filed within ten days after the end of the month.

2. Section 3.9 is added, to read as follows:

SEC. 3.9 *Processors must account for differences between their transfers and the number of points given up to the Office of Price Administration.* (a) Every processor must attach to his monthly report on OPA Form R-1305, beginning with the report for March 1943, a statement accounting for all differences between the point value of the processed foods sold or transferred by him during that month, and the number of points given up by him to the Office of Price Administration. Also, if he used any processed foods in grading the processed foods which he produced or imported, he must attach a statement showing how much he used. The statements must be signed by the same person who signed the monthly report.

3. Section 4.6 (b) is amended to read as follows:

(b) *Amount of maximum allowable inventory.* To get a wholesaler's maximum allowable inventory for any month, beginning with April 1943, the point value of all processed foods transferred from his wholesale establishments during the month before, is multiplied by a factor which the Office of Price Administration will fix for each month. The result is his maximum allowable inventory for the month in question. Exchanges of processed foods, and transfers from one to another of his wholesale establishments, must not be included in this computation. The factor for any month, beginning with April 1943, will be fixed by the Office of Price Administration in a supplement to this order.

4. Section 4.6 (c) (1) (ii) is amended to read as follows:

(ii) The number of points he has available for acquiring processed foods, since he can use those points to get additional stocks. These points include all he has on hand, all in his ration bank account (except those for which ration checks are outstanding), and all which he has already given up for processed foods not yet shipped to him. However, points he has received for processed foods which he has not yet shipped are not included.

5. Section 5.7 is amended to read as follows:

SEC. 5.7 *Certain retailers need not report inventory and other information.* (a) A retailer whose gross sales of all commodities during March 1943 were $200 or less must register on OPA Form R-1302, but need not report his inventory, sales or transfers, and points on hand. However, if he elects not to report this information, he will have to operate on the basis of turnover of the stocks he has, and he will not be eligible, when he registers, to receive a certificate enabling him to increase his working stocks.

6. Section 5.8 (c) (1) (ii) is amended to read as follows:

(ii) The number of points which he has available for acquiring processed foods, since he can use those points to get additional stocks. These points include all which he has on hand, all in his ration bank account, if any (except those for which ration checks are outstanding), and all which he has already given up for processed foods not yet shipped to him. However, points he has received for processed foods which he has not yet shipped, are not included.

7. Section 9.9 is added, to read as follows:

SEC. 9.9 *Points must be given up for imports of foods.* (a) Any person (other than persons importing processed foods in accordance with section 10.10) who imports processed foods must give up points to the Collector of Customs (or his deputy) at or before the time the foods are released or delivered to him by the Collector.

(b) The Collector of Customs shall turn over each month, to the district (or, where there is none, the State) office for the area in which the point of entry is located, all points received by him in this way during the preceding month.

8. Section 10.10 is amended, to read as follows:

SEC. 10.10 *Processed foods may be delivered point-free to certain persons—*(a) *Point-free delivery to processors.* No points need be given up for a transfer of processed foods by an authorized customs official to a processor if the processor gives his signed statement to the official showing:

(1) His name;

(2) His principal business address;

(3) His processor registration number;

(4) The address of the establishment at which the foods are to be kept for sale or transfer or for his own use in making other processed foods; and

(5) The amount and kind of processed foods imported at the time.

(b) After the close of each month the Collector of Customs shall deliver all processors' statements received during that month to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C.

(c) *Point-free delivery to representatives of foreign governments, prisoners of war, internees and others.* No points need be given up for a transfer of processed foods by an authorized customs official:

(1) Upon request by the Department of State, to representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228.

[2] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3179, 3949, 3949, 4342.

Article 433 (c), Customs Regulations of 1937.

(2) To members of the armed forces of the United Nations, other than those of the United States, who are on duty within the United States, where the processed foods are consigned or addressed to them and are intended for their personal or official use.

(3) To enemy prisoners of war and enemy civilian internees and detainees in the United States, where the processed foods are consigned or addressed to them.

9. Section 15.7 is added, to read as follows:

SEC. 15.7 *Sugar purchase certificates may be corrected and used as processed foods purchase certificates.* (a) Where no food ration certificates (OPA Form R-1201) are available, sugar purchase certificates (OPA Form R-306) may be used instead, if the word "sugar" in the title is changed to "processed foods", and the rest of the sentence following the applicant's name and address and ending with "Administration" is changed to read "is issued [amount in words] ([amount in numerals]) points of processed foods". In the upper right corner, "not valid before" shall be changed to "not valid after", and the date inserted there shall be 60 days from date of issue. The date in the lower right corner shall be left blank.

10. Section 18.1 (b) is amended, to read as follows:

(b) This section shall not apply to action taken on any application made under sections 12.4 or 14.5, except action taken by a board, district, State, or regional office which has been authorized by the Office of Price Administration to grant or deny such application.

11. Section 21.1 (a) (3) is amended, to read as follows:

SEC. 21.1 *Definitions.* (a) When used in this order: * * *

(3) "Certificate" means a certificate on OPA Form R-1201, or on OPA Form R-306 revised in accordance with Sec. 15.7.

This amendment shall become effective April 20, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5843; Filed, April 14, 1943; 3:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 371 Under § 1499.3 (b) of GMPR]

SNIDER PACKING CORP.

Correction

In the document appearing on page 4626 of the issue for Friday, April 9, 1943 the section heading of § 1499.1858 should contain "standard soy beans packed in No. 2 size can." This correction should also be made in the table of maximum prices of this section.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 355,[1] Amendment 1]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS

A statement of the considerations involved in the issuance of this Amendment No. 1 to Maximum Price Regulation No. 355, Retail Ceiling Prices for Beef, Veal, Lamb and Mutton Cuts has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 355 is amended in the following respects:

1. Section 3 is amended to extend the effective date of the Regulation from April 15, 1943 to May 17, 1943. Wherever the date April 15, 1943 appears in the regulation, the date May 17, 1943 shall be substituted therefor. Wherever the date April 14, 1943 appears in the regulation, the date May 16, 1943 shall be substituted therefor.

2. The effective date provision of the regulation is amended to read as follows:

This regulation shall become effective May 17, 1943.

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5849; Filed, April 14, 1943; 4:47 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[MPR 339,[2] Amendment 2]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of the regulation is amended to read as follows:

Maximum Price Regulation 339 shall become effective May 15, 1943.

This amendment shall become effective April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5850; Filed, April 14, 1943; 4:47 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4423.

[2] 8 F.R. 2930, 3215, 4256.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 371]

ONION SETS

In the judgment of the Price Administrator, it is necessary and proper to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale of onion sets. The following regulation supersedes Temporary Maximum Price Regulation No. 26 and establishes maximum prices in a manner calculated to promote equitable distribution of this important food production commodity through normal channels of trade.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act, as amended, and Executive Order 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1439.1 *Maximum prices for onion sets.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, and with the concurrence of the Food Administrator, Maximum Price Regulation No. 371 (Onion Sets) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.1, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 371—ONION SETS

CONTENTS

Sec.
1. Prohibition against sales at higher than maximum prices.
2. Less than maximum prices.
3. To what transactions and commodities this regulation applies, and the relation to other regulations.
4. Geographical applicability.
5. Definitions.
6. Maximum prices.
7. Records and reports.
8. Evasion.
9. Protests and petitions for amendment
10. Enforcement.

SECTION 1. *Prohibition against sale at higher than maximum prices.* While this regulation is in effect, regardless of any contract, agreement or other obligation, no person to whom this regulation is applicable shall sell, offer for sale, or deliver any onion sets at prices higher than the maximum prices specified in this Maximum Price Regulation No. 371, and no person in the course of trade shall buy, solicit, or receive any such onion sets at a price higher than the maximum prices specified in this Maximum Price Regulation No. 371; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than the maximum prices set forth herein may be offered, demanded, charged, paid or received.

SEC. 3. *To what transactions and commodities this regulation applies and its relation to other regulations.* The provisions of this regulation apply to all sales and deliveries of onion sets, and supersede the provisions of Temporary Maximum Price Regulation No. 26.

SEC. 4. *Geographical applicability.* This regulation shall be applicable within the United States and the District of Columbia.

SEC. 5. *Definitions.* (a) When used in this Maximum Price Regulation No. 371, the term

(1) "Person" means an individual, corporation, partnership, association or other organized group of persons or the successor or representative of any of the foregoing, and includes the United States or any government or any political subdivision or agency of either thereof.

(2) "Each seller" includes each grower, dealer, wholesaler, wholesale outlet, retailer, retail outlet and every other person selling onion sets of the 1942 crop.

(3) "Dealer" means a person who cleans, sizes or bags onion sets for resale by him.

(4) "Wholesaler" means a person who buys such onion sets and resells to any person other than ultimate users.

(5) "Wholesale outlet" means a department, branch or unit of one concern or a unit of an affiliated group of concerns or organizations which department, branch or unit performs a function equivalent to that of a wholesaler in the selling or distribution of such onion sets and which concern, concerns or organizations also deal in such onion sets at the grower or dealer levels of distribution.

(6) "Retailer" means a person who buys such onion sets and resells to ultimate users.

(7) "Retail outlet" means a department, branch or unit of one concern or a unit of an affiliated group of concerns or organizations which department, branch or unit performs a function equivalent to that of a retailer in the selling or distribution of such onion sets and which concern, concerns or organizations also deal in such onion sets at other levels of distribution.

(8) "Commercial user" means a person who buys such onion sets to plant for a crop of onions which he intends to sell.

(9) "Ultimate user" means a person who buys such onion sets to plant for a crop of onions which he intends for his own use.

(10) "Billing charge" means a charge or entry as a part of the bookkeeping system of debits and credits made between different departments, branches or units of an affiliated group of concerns or organizations for services rendered or commodities delivered by one to another.

(11) "Each class of sales or deliveries" means all of the sales or deliveries of such onion sets by each seller during the five days prior to the date of issuance of this temporary regulation to one of the following groups or classes or buyers or recipients: dealers, wholesalers, wholesale outlets, retailers, retail outlets, commercial users and ultimate users.

(12) "Onion sets" mean small onion bulbs produced and sold for planting to yield a crop of onions.

SEC. 6. *Maximum prices for the sale or delivery of onion sets.* (a) Each seller's maximum price and billing charge for all sales or deliveries of onion sets shall be his highest price or billing charge charged on and for each class of sales or deliveries of each type, variety or size of onion sets during the period between February 10 and 15, 1943.

However, in determining "his highest price or billing charge" the seller shall not commingle f. o. b. selling prices and billing charges with delivered selling prices and billing charges. If for a given class of sales or deliveries during said five day period he had both, then his highest price or billing charge f. o. b. his established place of business shall be his maximum price and billing charge f. o. b. his established place of business hereunder; and his highest price or billing charge delivered to a given point (or area including all territory within which he had a uniform delivered price or billing charge during said base period) shall be his maximum price and billing charge delivered to that point or area hereunder. If under the foregoing provision a seller has no maximum delivered price or billing charge for any particular point or area he may determine the same by adding to his maximum price or billing charge f. o. b. his established place of business (determined as herein provided) the actual delivery cost as to each subsequent transaction; or he may take all or a representative list of prospective deliveries in a designated area and average his actual cost of such deliveries in said area and that figure added to his maximum f. o. b. price and billing charge shall be his uniform maximum delivered price and billing charge for that area. If under the foregoing provisions a seller had no maximum price or billing charge f. o. b. his established place of business, he may determine the same by taking his maximum price and billing charge delivered to a given point or area and deducting therefrom the actual delivery costs from his established place of business to or within that point or area and the figure obtained shall be his maximum price and billing charge f. o. b. his established place of business.

(b) If under the foregoing provision, a seller has no maximum price or billing charge for a given class of sales or deliveries, his maximum price and billing charge for such class of sales and deliveries shall be the maximum price and billing charge of his closest competitor for such class of sale and deliveries.

(c) If under the foregoing provisions a seller has a maximum price and billing charge for a given class of sales and deliveries for one or more, but not for all types, varieties, or sizes of onion sets, he shall determine his maximum price and billing charge for those types, varieties or sizes for which he has no such price or billing charge, by taking his maximum price and billing charge for that class of sales and deliveries for the most similar type, variety or size and add thereto or subtract therefrom the discount or premium, as the case may be, normal to his own business or, if none, normal to the trade for the type, variety or size in question in relation to said most similar type, variety or size on which he has a maximum price and billing charge; and the resultant figure shall be his maximum price and billing charge for the type, variety or size in question.

(d) If any retailer cannot determine a maximum price under the foregoing provisions, he may establish his maximum price by taking the price in any catalogue of any reputable mail order house for sales to ultimate users of the type, variety or size of onion sets in question prevailing during the period between February 10 and 15, 1943. Said maximum price shall be f. o. b. his established place of business or delivered, dependent upon which basis the price is quoted in said catalogue.

(e) To cover shrinkage, for every two weeks after the effective date of this regulation each seller or prospective seller may add 5 cents per bushel to his maximum price as hereinbefore established.

SEC. 7. *Records and reports.* Every person selling onion sets shall preserve for examination by the Office of Price Administration all his existing records relating to prices which he charged for sales or deliveries of onion sets during the period between February 10 and 15, 1943, and prepare and maintain for examination by any person during ordinary business hours a statement showing his then existing maximum prices for onion sets.

SEC. 8. *Evasion.* The provisions of this Maximum Price Regulation No. 371 shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of any commodity covered by this regulation alone or in conjunction with any other commodity or by way of commission, service, transportation or other privilege or by tying-agreement or other trade understanding or otherwise.

SEC. 9. *Protests and petitions for amendment.* Any person seeking a protest or an amendment of any provisions of this regulation may file a protest or petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [1] issued by the Office of Price Administration.

SEC. 10. *Enforcement.* Any persons violating any provisions of this Maximum Price Regulation No. 371 shall be subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

This regulation shall become effective April 15, 1943.

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

JESSE W. TAPP,
Acting Administrator of Food Production and Administration.

[F. R. Doc. 43-5851; Filed, April 14, 1943; 4:47 p. m.]

[1] 7 F.R. 8961; 8 F.R. 3313, 3538.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Rev. MPR 346]

CORN

Maximum Price Regulation No. 346[1] is amended to read as follows:

In order to reflect new policies pronounced by the Director of Economic Stabilization, the Administrator of Food Production and Distribution and the Price Administrator, Maximum Price Regulation No. 346 requires complete revision of all prices in every area. The revised maximum price regulation establishes fair and equitable prices for corn, consistent with the subsidies which are to be given in specific areas for transportation.

The maximum prices established by this regulation will reflect to producers of corn the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by Executive Order 9250, and has been approved and directed by the Director of Economic Stabilization pursuant to section 5 of the Executive Order of April 8, 1943 (8 F.R. 4680). A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register*

In fixing the maximum prices established by this regulation, the Price Administrator has given adequate weighting to farm labor. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

§ 1439.352 *Maximum prices for sales of corn.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and Executive Order 9328, this Revised Maximum Price Regulation No. 346 (Corn), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.352 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4680.

REVISED MAXIMUM PRICE REGULATION NO. 346—CORN

CONTENTS

Sec.
1 To what transactions and kinds of corn this revised regulation applies, and the relation to other regulations.
2 Prohibition against dealing in corn at prices above the maximum prices.
3 Maximum prices for sales of No. 2 yellow corn in carload quantities at terminal price basing points.
4 Maximum prices for sales of yellow corn (in carload quantities) either on track or loaded on a vessel at interior points in Area A.
5 Maximum prices in Area A for sales by producers of yellow corn not on track or loaded on a vessel at an interior point in Area A.
6 Maximum prices for sales to local users of yellow corn stored at interior points and sales of yellow corn by truckers in Area A.
7 Maximum prices for sales of No. 2 yellow corn at interior points in Area A when shipped from another interior point or from a terminal price basing point.
8 Maximum prices for sales by producers and truckers of yellow corn in Area B and in Areas VI and VII.
9 Maximum prices for sales by producers and truckers of yellow corn in Areas I through V and VIII through XI.
10 Maximum prices for delivery at destination points in Area B and Areas I through XI.
11 Maximum prices for other grades, classes and kinds of corn.
12 Carrying charges.
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15 Maximum prices for sales of corn by wholesalers and retailers.
16 Sales of corn in sacks.
17 Tax on transportation of property.
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19 Documents and reports.
20 Evasive practices.
21 Enforcement.
22 Registration and licensing.
23 Petition for amendment.
24 Definitions.
25 Certain sales by the Commodity Credit Corporation are exempt.
Appendix A: Areas of distribution.

SECTION 1. *To what transactions and kinds of corn this revised regulation applies, and the relation to other regulations*—(a) *Kinds of corn to which revised regulation applies.* This revised regulation applies to all sales and deliveries of shelled corn, whole corn, ear corn and snapped corn.

(b) *Kinds of corn exempted.* This revised regulation shall not apply to sales or deliveries of seed corn, pop corn, grain sorghums, sweet corn, broom corn, ground corn, cracked corn, corn used for canning purposes, and waxy maize.

(c) *Geographic applicability.* The provisions of this revised regulation apply to the forty-eight states of the United States and to the District of Columbia.

(d) *Export sales.* The maximum prices at which a person may export corn shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

SEC. 2. *Prohibition against dealing in corn at prices above the maximum prices.* (a) On and after March 12, 1943 regardless of any contract or obligation, no person shall in the course of trade or business sell, deliver, buy or receive corn at prices above the maximum prices established by this revised regulation, nor shall any person agree, offer, solicit or attempt to do any of the foregoing: *Provided, however,* That any contract made and entered into on and between January 13, 1943, and March 11, 1943, both dates inclusive, which complies with Temporary Maximum Price Regulation No. 25, or on and between March 12, 1943, and April 13, 1943, both dates inclusive which complies with the original Maximum Price Regulation No. 346, issued March 12, 1943, may be performed in accordance with the terms and provisions thereof, notwithstanding any provision of this Revised Maximum Price Regulation No. 346. However, prices lower than the maximum prices established by this revised regulation may be charged and paid.

(b) In ascertaining maximum prices pursuant to the provisions of this revised regulation, each maximum price per bushel for sales in carload quantities which results in any fraction other than one eighth of a cent of a multiple thereof, shall be adjusted to the next higher eighth of a cent; and each maximum price per bushel for sales in less than carload quantities which results in a fraction of more or less than half a cent shall be adjusted to the next higher half cent.

SEC. 3. *Maximum prices for sales of No. 2 yellow corn in carload quantities at terminal price basing points.* The term "terminal price basing point" means any point within the cities listed below or within the switching limits thereof.

The maximum prices per bushel for sales of No. 2 yellow corn in carload quantities at the terminal price basing points shall be:

Chicago	$1 07
Milwaukee	1 07
Duluth and Superior	1 06¼
Minneapolis and St. Paul	1 03
Peoria and Pekin	1 06
St. Louis and East St. Louis	1 07¾
Kansas City, Kansas	1 04
St. Joseph, Missouri	1 04
Omaha and Council Bluffs	1 00
Sioux City	99
Nashville, Tennessee	1 20¼

SEC. 4. *Maximum prices for sales of yellow corn (in carload quantities) either on track or loaded on a vessel at interior points in Area A.* The maximum price for sales of yellow corn in carload quantities on track or loaded on a vessel at an interior point in Area A shall be the maximum price for sales of No. 2 yellow corn in carload quantities at the appropriate terminal price basing point (defined immediately below), less one cent per bushel for marketing charges and less the lowest published rail or water freight rate from the said interior point to the said terminal price basing point.

As used herein, the term "appropriate terminal price basing point" is the terminal price basing point named in section 3 whose use in the above calculation results in the highest maximum price at the said interior point.

The "maximum price for sales on track" means the maximum price for the corn loaded in a railway car, or if for water shipment, it shall be a maximum price for the corn loaded on a barge or vessel.

An interior point in Area A is any point within this area from which corn is shipped in carload quantities to a terminal price basing point, or from which corn is sold on the basis of a terminal price basing point, as defined in section 3. Area A represents the corn producing area described in Appendix A of this regulation.

Illustration of how a maximum price is determined for sales of yellow corn on track or loaded on a vessel at an interior point in Area A.

A is an interior point in Illinois. The maximum price per bushel at the terminal price basing point Chicago is $1.07. The freight from A to Chicago is 7 cents per bushel. Deducting 7 cents freight and 1 cent marketing charges from the Chicago price, the maximum price at A becomes $0.99 per bushel. However, the maximum price per bushel at St. Louis, another terminal price basing point, is $1.07¾ and freight from A to this terminal price basing point is also 7 cents per bushel. Deducting 7 cents and 1 cent from $1.07¾, the maximum price at A becomes $0.99¾ per bushel. St. Louis therefore is the appropriate terminal price basing point and the maximum price on track or loaded on a vessel at interior point A is $0.99¾ per bushel.

SEC. 5. *Maximum prices in Area A for sales by producers of yellow corn not on track or loaded on a vessel at an interior point in Area A*—(a) *Sales by producers to farmers.* The maximum price for sales in Area A by a producer thereof of yellow corn not on track or loaded on a vessel at an interior point to another farmer shall be the maximum price for sales of yellow corn on track or loaded on a vessel at the interior point nearest to the point of production, as calculated under section 4 hereof.

(b) *Sales by producers to any person other than a farmer.* The maximum price for sales in Area A by a producer thereof of yellow corn not on track or loaded on a vessel at an interior point to any person other than to a farmer shall be the maximum price for sales of yellow corn on track or loaded on a vessel at the interior point nearest to the point of production, less at least 2 cents per bushel.

Illustration of how a producer determines his maximum prices for sales of yellow corn under section 5:

The maximum price on track or loaded on a vessel at the interior point nearest to the producer's farm is assumed to be $1.07 per bushel (Chicago basis) less 1 cent marketing charges less 7 cents freight or $0.99 per bushel.

If this producer sells the yellow corn to a trucker or to any other producer other than to a farmer, the maximum price becomes $0.99, the track price determined above, less 2 cents, or a maximum price of $0.97 per bushel.

SEC. 6. *Maximum prices for sales to local users of yellow corn stored at interior points, and sales of yellow corn by truckers, in Area A*—(a) *Sales of corn stored at interior points.* (1) When yellow corn purchased from a producer is stored at an interior point and is thereafter sold to a farmer or other local user, the maximum price shall be the maximum price on track at the interior point, plus 5 cents per bushel.

(2) If the corn is sold to a trucker, the maximum price shall be the maximum price on track at the interior point.

Example: A local elevator purchases corn from a farmer at an assumed maximum price of $1.01. The track price is 2 cents higher, or $1.03. The corn is thereafter sold to a farmer or a feed mixer. The maximum price for this sale is 5 cents above the track price, or $1.08. If the corn is sold to a trucker, the maximum price is the track price, or $1.03.

(b) *Sales by truckers.* When yellow corn is moved by truck within Area A as described in Appendix A, or from a point within Area A to any point outside of such area, but not to or through a terminal price basing point, the maximum price for the sale of the corn shall be the purchase price paid by the trucker, plus actual transportation costs incurred in the shipment, at rates not higher than the lowest applicable common carrier rates, plus 2 cents per bushel. The trucker shall furnish to the purchaser a statement showing the place and date of purchase, the name of the person from whom the corn was purchased, the price paid, and the amount of transportation charges.

Example: A producer sells corn to a trucker, at a maximum price assumed to be $0.97 per bushel. The trucker sells the corn to a farmer after a haul for which applicable common carrier rates amount to 5 cents per bushel. The maximum price for resale is $0.97, plus 5 cents, plus 2 cents, or $1.04 per bushel.

SEC. 7. *Maximum prices for sales of No. 2 yellow corn at interior points in Area A, when shipped from another interior point or from a terminal price basing point*—(a) *Track price.* When No. 2 yellow corn is shipped in carload quantities to an interior point, from another interior point or from a terminal price basing point, the maximum price on track, delivered at the interior point, shall be the maximum price at the point from which the shipment is made, plus freight charges from that point.

(b) *Resale at interior point.* Upon a resale of such corn by a retail dealer at the interior point of delivery, the seller may charge the maximum price specified in paragraph (a) of this section, plus 5 cents per bushel.

Example: A seller in Omaha sells a carload of corn to a local elevator at an interior point in Nebraska. The freight to the interior point, from Omaha, is assumed to be 4 cents per bushel. The highest price at which the sale may be made, for delivery at the interior point, is the Omaha price of $1.00 plus 4 cents, or $1.04. When the elevator resells the corn to a farmer or to a feed mixer, the highest price that may be charged is $1.04 plus 5 cents, or $1.09 per bushel.

SEC. 8. *Maximum prices for sales by producers and truckers of yellow corn in Area B, and in Areas VI and VII*—(a) *Sales by producers in Area B.* Producers shall determine maximum prices for sales of yellow corn in Area B by calculating a track price in the same manner as described in Section 4 hereof for the determination of maximum prices for sales on track in Area, except that for the purpose of this paragraph (a), the terminal price basing points and the corresponding maximum prices to be used in this calculation shall be as follows:

(1) Louisville $1.11¼, (2) Cincinnati $1.11¼, (3) Nashville $1.20¼, (4) Chicago $1.07, (5) A price of $1.21½ less freight from shipping point to Philadelphia.

The maximum price for sales in Area B by producers of yellow corn to a farmer shall be the track price, as determined above, at the shipping point nearest to the point of sale, plus not more than 5 cents per bushel.

The maximum price for sales in Area B by producers of yellow corn to a person other than a farmer shall be the track price, as determined above, at shipping point nearest to the point of sale less at least 2 cents per bushel.

(b) *Sales by producers in Area VI.* The maximum price for sales in Area VI by producers of yellow corn to a farmer shall be $0.93 per bushel and to any other person $0.91 per bushel.

(c) *Sales by producers in Area VII.* The maximum price for sales in Area VII by producers of yellow corn to a farmer shall be $0.94 per bushel and to any other person $0.92 per bushel.

(d) *Sales by truckers in Area B and Areas VI and VII.* The maximum price for sales of corn in Area B and Areas VI and VII shall be the purchase price paid by the trucker, plus actual transportation costs incurred in the shipment, at rates not higher than the lowest applicable common carrier rates, plus 2 cents per bushel. The trucker shall furnish to the purchaser a statement showing the place and date of purchase and name of the person from whom the corn was purchased, the price paid, and the amount of transportation charges.

SEC. 9. *Maximum prices for sales by producers and truckers of yellow corn in Areas I through V and VIII through XI*—(a) *Sales by producers.* The maximum prices for sales by producers of yellow corn in Areas I through V and VIII through XI described in Appendix A hereto, shall be the maximum prices determined under section 10 of this revised regulation for the sales of No. 2 yellow corn in carload quantities delivered on track at the railway station nearest the farm of the producer.

The maximum price at the railway station may be calculated by reference to the freight rates from the respective terminal price basing points, as set forth in section 10 of this regulation.

(b) *Sales by truckers.* In any case in which yellow corn is moved by truck within Areas I through V and VIII through XI the maximum price for the sale by the trucker shall be the maximum price for No. 2 yellow corn, in carload quantities, delivered on track at the railway station nearest the point of delivery. The trucker shall furnish to the purchaser a statement showing the place and date of purchase, and the name of the person from whom the corn was purchased.

However, the maximum price for sale of yellow corn moved from Area A into a point in these aforementioned areas by a trucker is calculated under the provisions of section 6 (b) or section 8 of this regulation.

SEC. 10. *Maximum prices for delivery at destination points in Area B and Areas I through XI*—(a) *Maximum prices in Area B.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery when shipped into destination points located within Area B, described in Appendix A, shall be $1.07, the maximum price at

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3180, 3534, 3616, 3673, 3737.

[2] 8 F.R. 4132.

Chicago, plus the lowest proportional all rail rate from Chicago to the point of destination. This provision is subject to the following exceptions:

(1) When shipment is made to Louisville or Cincinnati, destined for the Southeast or Carolina territories, the maximum price at these points shall be $1.11¼ per bushel. At transit points such as Indianapolis, Decatur, Illinois and Kankakee, Illinois, the maximum price shall be $1.21½ per bushel basis Philadelphia, or $1.11¼ per bushel basis Louisville or Cincinnati when destined to the Southeast or Carolina territories, or when destined to Louisville or Cincinnati proper. The Southeast and Carolina territories are described as Area II in Appendix A.

When corn originating West of the Mississippi River is shipped to Louisville or Cincinnati, the maximum price for the corn if resold for local use shall be $1.16: *Provided*, That the billing covering such shipment is cancelled.

(2) When shipment is made to Evansville, Indiana, or Cairo, Illinois, destined for the Southeast or Carolina territories, the maximum price at Evansville or Cairo shall be $1.09½ per bushel.

(b) *Area I.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area I, described in Appendix A, shall be $1.07, the maximum price at Chicago, plus the lowest proportional all-rail rate from Chicago to the point of destination, less 5 cents per bushel.

Examples:	
Albany	$1.17⅛
Baltimore and Virginia Cities	1.16
Boston	1.18¾
New York	1.17⅝
Philadelphia	1.16½

When shipment is made to Buffalo by water, the maximum price shall be $1.09 per bushel, C. I. F., Buffalo.

(c) *Area II, a.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area II, a, described in Appendix A, shall be $1.07¾, plus the lowest proportional all-rail rate from St. Louis to the point of destination.

Examples:	
Memphis	$1.14¾
Nashville	1.20¼

Area II, b. The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery when shipped into destination points located within Area II, b, described in Appendix A, shall be $1.07¾, plus the lowest proportional all-rail rate from St. Louis to the point of destination, less 5 cents per bushel.

Examples:	
Atlanta	$1.23½
Charlotte	1.25¼
Columbia	1.27
Meridian	1.18½
Montgomery	1.21¾
New Orleans	1.17½

(d) *Area III.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area III, described in Appendix A, shall be $1.04, plus the lowest proportional all-rail rate, or local rate where no proportional rate is published, from Kansas City to the point of destination.

Examples:	
Fort Worth	$1.17
Houston	1.20½
Little Rock	1.15¼

(e) *Area IV.* The maximum prices per hundredweight for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area IV, described in Appendix A, shall be $2.31 per hundredweight delivered at any point in Area IV.

(f) *Area V.* The maximum prices per hundredweight for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area V, described in Appendix A, shall be $2.29 per hundredweight delivered at any point in Area V.

(g) *Area VI.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area VI, described in Appendix A, shall be $1.03, plus the local freight rate from Minneapolis to the point of destination.

(h) *Area VII.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area VII, described in Appendix A, shall be $1.00, plus the local freight rate from Omaha to the point of destination.

(i) *Area VIII.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area VIII, described in Appendix A, shall be $1.03, plus the intra-state proportional freight rate from Minneapolis to the point of destination.

(j) *Area IX.* The maximum prices per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area IX, described in Appendix A, shall be $1.03, plus the proportional freight rate, or local freight rate where no proportional rate is published, from Minneapolis to the point of destination.

(k) *Area X.* The maximum price per bushel for No. 2 yellow corn, in carload quantities, for delivery at destination points located within Area X, described in Appendix A, shall be $1.07.

(l) *Area XI.* The maximum price per bushel for No. 2 yellow corn in carload quantities, for delivery at destination points in Area XI shall be $1.07, plus the lowest proportion all-rail rate from Chicago to point of destination.

SEC. 11. *Maximum prices for other grades, classes and kinds of corn.*—(a) *Yellow corn.* The maximum prices for No. 1 yellow corn at all points shall be the same as the maximum prices determined under this regulation for No. 2 yellow corn. The maximum prices for all other grades of yellow corn at all points, when the grading factors which determine these prices are any factors other than moisture content, shall be the respective prices per bushel established by this regulation for No. 2 yellow corn, less the amounts set forth below:

	Cents
No. 3 yellow	½
No. 4 yellow	1
No. 5 yellow	1½
Sample yellow	2

The prices established by this regulation for all grades of yellow corn are maximum prices for these grades having a moisture content of 15½ per cent or less. For each one-half per cent or fraction thereof, of moisture in excess of 15½ per cent, the maximum price for each grade shall be decreased ½ cent.

(b) *White corn.* (1) The maximum prices per bushel for No. 1 and No. 2 white corn in carload or less than carload quantities, at the terminal basing points, shall be:

Chicago	$1.23½
Milwaukee	1.23½
Duluth and Superior	1.21¼
Minneapolis and St. Paul	1.18
Peoria	1.22½
St. Louis and East St. Louis	1.21¼
Kansas City	1.14
St. Joseph, Mo.	1.14
Omaha and Council Bluffs	1.14
Sioux City	1.14

White corn for the purpose of this regulation shall include mixed corn containing 95 percent or more of white corn.

The maximum prices for all other grades of white corn at all points, when the grading factors are any factors other than moisture content, shall be the price per bushel established by this paragraph for No. 1 or No. 2 white corn, less the respective amounts set forth below:

	Cent
No. 3 white	½
No. 4 white	1
No. 5 white	1½
Sample white	2

The prices established for all grades of white corn are maximum prices for these grades having a moisture content of 15½ percent or less. For each one-half percent or fraction thereof, of moisture in excess of 15½ percent, the maximum price for each grade shall be decreased ½ cent.

(2) The maximum prices for white corn, for all types of sales for which maximum prices are established by sections 4, 5, 6 and 7 of this regulation, shall be calculated in the same way as the maximum prices for the corresponding sales of yellow corn, except that the maximum prices for those sales of white corn shall be based upon the maximum prices for white corn at the respective terminal price basing points, set forth in paragraph (b) (1) of this section.

(3) The maximum prices for white corn for all types of sales for which maximum prices are established by sections 8, 9 and 10 of this regulation, shall be calculated in the same way as maximum prices for the corresponding sales of yellow corn; except, (i). The maximum prices for these sales of white corn shall be based upon the maximum prices for white corn at the respective terminal price basing points set forth in the paragraph (b) (1) of this section, and (ii). Where a 5-cent deduction is specified in calculating the price of yellow corn for Areas I and II, b, such deduction shall not apply to white corn.

(c) *Mixed corn.* The maximum prices per bushel for mixed corn, at all points, shall be the maximum prices at such points for the corresponding grade of yellow corn. The maximum prices for mixed corn which contains 95 per cent or more of white corn, however, are calculated under the provisions of paragraph (b) of this section, which provides the method for calculating prices for white corn.

(d) *Earn corn and snapped corn.* The maximum delivered prices per bushel for car corn and snapped corn shall in all instances be the maximum delivered prices per bushel for yellow corn.

SEC. 12. *Carrying charges.* In addition to the maximum prices for corn established under the provisions of this regulation, a carrying charge, not exceeding 1/25th of a cent a day per bushel, may be charged by a seller to a buyer from the date of the expiration of free time under a contract of sale, to the date selected by the buyer as the date on which shipment shall be made, or to the date on which shipment is actually made, whichever is earlier: *Provided*, That:

(a) The seller may in all cases have five days from the date of receipt of instructions within which to make shipment, and may charge carrying charges accordingly; and

(b) The buyer shall not increase his maximum price for resale to any purchaser because such carrying charges have been incurred.

SEC. 13. *Maximum prices for future contracts*—(a) *Transactions in May, July and September, 1943 contracts.* The maximum prices per bushel at which contracts may be made calling for future delivery of corn in May, July and September, 1943, shall be the maximum prices for No. 2 yellow corn permitted by this revised regulation on April 14, 1943 at the respective exchanges, less 2 cents per bushel.

(b) *Transactions in December, 1943 contracts.* The maximum price per bushel at which contracts may be made calling for future delivery of corn in December, 1943, shall be the maximum prices for No. 2 yellow corn permitted by this revised regulation on April 14, 1943 at the respective exchanges, less 6 cents per bushel.

SEC. 14. *Maximum prices for sales of corn by merchandisers and elevation charges*—(a) *Sales by merchandisers.* A merchandiser is a person who buys and resells corn in carload quantities.

The maximum price for sales of all grades and varieties of corn by merchandisers shall be the maximum prices otherwise established for such corn pursuant to the provisions of this regulation, plus a merchandising charge of 1¼ cents per bushel, subject to the following limitations:

(1) Each merchandiser may add only one merchandising charge of 1¼ cents per bushel, and no more than two merchandising charges may be added.

(2) No merchandiser may add a merchandising charge on corn which he purchased from a producer.

(3) No merchandising charge may be added on corn which was moved in the original car or vessel from the point of origin to the point of unloading without change of ownership, and on which the 1 cent per bushel marketing charges allowed under section 4 has already been added.

(b) *Elevation charges.* In any case in which corn is handled through a terminal or a sub-terminal elevator, there may be added to all maximum prices established under this regulation any elevation charges that may lawfully be made, but the total elevation charges that may be added to the price to any purchaser shall not exceed two cents per bushel.

(c) *Meaning of terminal elevator, subterminal elevator, and subterminal point.* A terminal or a subterminal elevator means any elevator which receives a major portion of its corn by rail or water shipment in carload quantities. A subterminal point is a point at which a subterminal elevator is located.

(d) *Invoicing charges.* All merchandising and elevation charges permitted by this section may be charged to any purchaser at a later stage of distribution of the corn. These charges shall be separately stated on the invoice to any purchaser.

SEC. 15. *Maximum prices for sales of corn by wholesalers and retailers*—(a) *Sales by wholesalers.* A wholesaler is a person who buys corn and resells it in mixed cars, pool cars and other less than carload quantities to any person other than a feeder or ultimate user.

The maximum price for sales of all grades and varieties of corn by a wholesaler shall be 4 cents per bushel above the maximum price which he could lawfully have paid to the person from whom he purchased the corn. He may not add any merchandising or elevation charges thereto.

(b) *Sales by retailers.* A retailer is a person who buys corn and resells it in less than carload quantities to a feeder or ultimate user.

(1) *In Areas A and B.* The maximum price for sales in Areas A and B and at terminal price basing points of all grades and varieties of corn by retailers shall be 5 cents per bushel above the maximum price which he could lawfully have paid to the person from whom he purchased the corn.

(2) *In Areas I through XI.* The maximum price for sales in Areas I through XI of all grades and varieties of corn by retailers shall be 8 cents per bushel above the maximum price which he could lawfully have paid to the person from whom he purchased the corn.

(c) *Delivery charges by wholesalers and retailers.* When a wholesaler or retailer delivers the corn to any point beyond point for which the maximum price is fixed, he may use either one of the following delivery charges but not exceeding the published common carrier rate for shipping the said corn from his place of business to the buyer's receiving point:

(1) The charges actually incurred in the transportation of the corn from his place of business to the buyer's receiving point;

(2) His customary delivery charge for such deliveries if same was established prior to the effective date of this amendment.

SEC. 16. *Sales of corn in sacks.* When corn is sold in sacks furnished by the seller, there may be added to the maximum prices at the point of sale an amount equal to the replacement cost of the sacks plus a sacking charge of 2 cents per bushel.

SEC. 17. *Tax on transportation of property.* The three per cent tax on the transportation of property imposed by section 620 of the Revenue Act of 1942 shall, for the purpose of this regulation, be treated as though it were an increase of three per cent in the amount charged by every person engaged in the business of transporting property for hire.

SEC. 18. *Selection by purchaser of receiving point.* Nothing in this regulation shall be construed to prohibit any person from purchasing and receiving corn at any point at the maximum price at that point as calculated under the provisions of this regulation, and shipping from such point to any other point at his own expense, although the price paid at the point of purchase plus the cost of transportation at the point of destination may exceed the maximum price at the point of destination as calculated under the provisions of this regulation: *Provided*, That if the corn so purchased and shipped is resold, the maximum price for the resale shall be the maximum price at the point of resale as calculated under the provisions of this regulation.

SEC. 19. *Documents and reports.* (a) Every person subject to this regulation making a sale or purchase of corn in the course of trade or business on or after the effective date of this revised regulation shall keep for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of such sales and purchases including the date thereof, name of the seller and purchaser, price paid or received, buyer's receiving point and the quantity of corn sold or purchased: *Provided*, That except as required by the provisions of sections 6 (b), and 8 (d) and 9 (b) hereof the seller and purchaser of quantities of 100 bushels or less shall keep only such records as they customarily kept as of the effective date of this regulation.

(b) Persons affected by this regulation shall submit such records to the Office of Price Administration as it may from time to time require.

SEC. 20. *Evasive practices.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to corn, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by any other means.

SEC. 21. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspen-

sion of licenses, provided for by the Emergency Price Control Act of 1942 as amended. Persons having evidence of any violation of this regulation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration, or with the principal office in Washington, D. C.

SEC. 22. *Registration and licensing.* The registration and licensing provisions contained in sections 15 and 16 of the General Maximum Price Regulation[1] issued by the Office of Price Administration are hereby made a part of this regulation and are made applicable to every person subject to this regulation, except that these provisions do not apply to any farmer who sells corn produced by him.

SEC. 23. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

SEC. 24. *Definitions.* When used in this revised regulation, the term:

"Bushel" means a unit of 56 pounds net weight, except that for ear corn and snapped corn, a bushel shall mean a unit of not less than 68 pounds net weight.

"Carload quantity" means 60,000 pounds or more.

"Charges actually incurred in transportation" means:

1. Where the carrier is not owned or controlled by the seller, the amount paid by him to the carrier not exceeding any applicable common or contract carrier rate for a like service, or any applicable maximum price prescribed by the Office of Price Administration for such service. The said amount may include the 3% tax provided for in section 620 of the Revenue Act of 1942.

2. Where the carrier is owned or controlled by the seller, the reasonable value of the transportation in question, not exceeding the common or contract carrier rate, if any, for any maximum price prescribed by the Office of Price Administration for a like service if performed by a person other than the seller.

3. No additional charges may be included for the loading or unloading of the commodity.

"Corn" means any grain which consists of 50 per cent or more of shelled corn of the dent or flint varieties, and may contain not more than 10 per cent of other grains for which standards have been established under the provisions of the United States Grain Standards Act.

"Less than carload quantity" means a quantity of less than 60,000 pounds other than a carload or mixed or pool car quantity. It includes truck quantities.

"Mixed car" means a car containing various feed ingredients, but containing 30,000 pounds or less of sacked or bulk whole corn. On a shipment of more than 30,000 pounds of sacked or bulk whole corn, the maximum prices applicable to a carload quantity shall apply.

"Person" means an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

"Pool car" means a car in which two or more buyers have combined for the purpose of obtaining a carload rate.

"Trucker" means a person who buys and moves corn by motor vehicle and then resells it.

"Waxy maize" means that type of corn which contains a starch in the kernels which is similar to tapioca starch and which stains reddish brown with iodine.

SEC. 25. *Certain sales by the Commodity Credit Corporation are exempt.* The provisions of this regulation shall apply to sales of all types, varieties or grades of corn by the Commodity Credit Corporation to be used for feeding purposes or for the manufacture of ethyl alcohol, butyl alcohol, acetone, or rubber; but not withstanding all other provisions of this regulation, corn to be used for all other purposes may be sold by the Commodity Credit Corporation at prices no higher than 10 per cent above the lowest prices at which said Corporation is permitted to sell for said last mentioned purposes under that certain act of Congress designated as Pub. Law 674, 77th Cong.: *Provided, however,* That all commodities processed from corn sold by the said Commodity Credit Corporation shall remain subject to any maximum prices prescribed by the Office of Price Administration.

Appendix A: Areas of Distribution

(a) *Area A.* Area A shall include the states of Illinois and Iowa, and the sections of South Dakota, Nebraska and Minnesota set forth below:

South Dakota. The section of the State bounded on the east by the eastern boundary of South Dakota, on the south by the southern boundary of South Dakota, on the north by the line of the C. and N. W. Railway extending from the eastern boundary of the State to Wolsey, and on the west by the line of the C., M., St. P. and P. Railway extending from Wolsey to Sioux City, Iowa. Points located on the boundary line of this section are included in Area A.

Nebraska. The section of the State east of a line beginning at Running Water and following the line of the C. and N. W. Railway to Norfolk, thence along the line of the Union Pacific Railroad through Columbus to Central City, thence along the lines of the C. B. and Q. Railroad through Hastings and Red Cloud to Superior. Points located on the described railway lines are included in Area A.

Minnesota. The section of the State bounded on the south by the southern boundary of Minnesota, on the west by the western boundary of Minnesota, on the north by the line of the C., M., St. P. and P. Railway, extending through Ortonville to St. Paul, and on the east by the line of the C. R. I. and P. Railway extending from St. Paul through Gordon. Points located on the boundary line of this section are included in area A.

(b) *Area B.* Area B shall include the States of Indiana and Ohio.

(c) *Areas I through XI—Area I.* Area I shall include the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland and West Virginia, the District of Columbia, all of Virginia except the section of the State as shown on page 17 of Central Freight Association Freight Tariff No. 3-H, B. T. Jones, Agent, I. C. C. No. 3784, and the section of Kentucky to which freight rates are provided on pages 12, 13, and 25 of Central Freight Association Freight Tariff No. 3-H, B. T. Jones, Agent, I. C. C. No. 3784.

Area II a. Area II a shall include Tennessee and the section of Kentucky not included in Area I.

Area II b. Area II b shall include Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, the section of Louisiana that lies east of the Mississippi River, and the section of Virginia not included in Area I.

Area III. Area III shall include the States of Missouri, Kansas, Arkansas, Oklahoma, Texas, New Mexico, and the section of Louisiana that is west of the Mississippi River.

Area IV. Area IV shall include the States of Arizona and Nevada, and the sections of the States of Utah, California, Colorado and Oregon to which freight rates are provided in Transcontinental Freight Bureau Tariff No. 46-J, L. E. Kipp, Agent, I. C. C. No. 1481.

Area V. Area V shall include the States of Washington and Idaho, and the sections of the States of Oregon, California, Utah, Wyoming and Montana to which freight rates are provided in Transcontinental Freight Bureau tariff No. 45-D, L. E. Kipp, Agent, I. C. C. No. 1491.

Area VI. Area VI shall include North Dakota, the section of the State of Montana not included in Area V, and all the State of South Dakota except the section bounded on the east by the eastern boundary of South Dakota, on the south by the southern boundary of South Dakota, on the north by the line of the C. and N. W. Railway extending from the eastern boundary of the State to Wolsey, and on the west by the line of the C. M. & St. P. and P. Railway extending from Wolsey to Sioux City, Iowa. The excepted section of South Dakota outlined above shall include points located on the boundary line of the excepted section.

Area VII. Area VII shall include the section of the State of Wyoming not included in Area V, the section of the State of Colorado not included in Area IV, and all of the State of Nebraska west of a line beginning at Running Water and following the line of the C. and N. W. Railway to Norfolk, thence along the line of the Union Pacific Railroad through Columbus to Central City, thence along the line of the C. B. and Q. Railroad through Hastings and Red Cloud to Superior. Points on the described railway lines shall not be included in Area VII.

Area VIII. Area VIII shall include all of the State of Minnesota except the section bounded on the south by the southern boundary of Minnesota, on the west by the western boundary of Minnesota, on the north by the line of the C. M. & St. P. and P. Railway, extending through Ortonville to St. Paul, and on the east by the line of the C. R. I. and P. Railway extending from St. Paul through Gordon. The excepted section outlined above shall include points located on the boundary line of the excepted section.

Area IX. Area IX shall include all of the State of Wisconsin north of the line of the C. M. & St. P. and P. Railway extending from Prairie du Chien to Milwaukee, and the upper peninsula of Michigan. The area shall not include points located on the described railway line.

Area X. Area X shall include all the State of Wisconsin not included in Area IX.

Area XI. Area XI shall include the lower peninsula of Michigan.

(d) *Reference to freight tariffs.* All reference in this section to freight tariffs shall include supplements thereto and reissues thereof.

Effective Date

This revised regulation shall become effective April 14, 1943.

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

JESSE W. TAPP,
Acting Administrator of Food Production and Distribution.

[F. R. Doc. 43-5852; Filed, April 14, 1943; 4:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 226 Under § 1499.18 (b) of GMPR]

UNITED MAIL ORDER HOUSE, INC.

Correction

In the document appearing on page 4523 of the issue for April 8, 1943, the second item in the table under commodity and description in § 1499.1826 (d) should read:

"Black Rock" unbleached sheeting:	
36", 64 x 68, 3.70	13

PART 1300—PROCEDURE

[Procedural Reg. 9,[1] Amendment 7]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation No. 9 is amended in the following respect:

Section 1300.611 (c) is amended to read as follows:

(c) *Region III.* Indiana: Indianapolis, South Bend; Kentucky: Lexington, Louisville; Michigan: Detroit, Grand Rapids, Iron Mountain, Saginaw; Ohio: Dayton, Cleveland, Cincinnati, Toledo, Columbus; West Virginia: Charleston, Wheeling.

This amendment shall become effective April 21, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, E.O. 9125, 7 F.R. 2719)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5870; Filed, April 15, 1943; 11:06 a. m.]

PART 1309—COPPER

[RPS 12,[1] Amendment 7]

BRASS MILL SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1309.18 (b) is amended to read as follows:

(b) "Brass mill scrap" includes all kinds and grades of nonferrous scrap materials which are a waste or by-product of any kind of fabrication of new sheet, tube, rod or other brass mill products. However, it does not include any material which meets the foregoing provisions of this definition if such material is unsuitable for brass mill use. Brass mill scrap also includes any unused sheet, tube, rod or other brass mill products and copper textile print rolls which the Metal Reserve Company, the Copper Recovery Corporation or their agents acquired or will acquire pursuant to the programs for acquisition thereof announced by the War Production Board on or about May 11, 1942 and January 23, 1943, respectively, or any supplements to or amendments of the aforesaid programs, when such products are sold by the Metal Reserve Company, the Copper Recovery Corporation or their agents.

This amendment shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5871; Filed, April 15, 1943; 11:05 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,[1] Amendment 8]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 268 is amended in the following respects:

1. The head-note and paragraph (a) of § 1351.1110 are amended to read as follows:

§ 1351.1110 *Relationship between this Maximum Price Regulation No. 268, Temporary Maximum Price Regulation No. 28,[2] Temporary Maximum Price Regulation No. 29,[3] Maximum Price Regulation No. 280[4] and the General Maximum Price Regulation.*[5] (a) This Maximum Price Regulation No. 268 supersedes the provisions of Maximum Price Regulation No. 280 (Maximum Prices for Specific Food Products), Temporary Maximum Price Regulation No. 28 (Certain Perishable Fruits and Vegetables), Temporary Maximum Price Regulation No. 29 (Certain Perishable Vegetables (Spinach and Lettuce), and of the General Maximum Price Regulation, except as otherwise provided in paragraph (b) of this § 1351.1110, insofar as sales by retailers of food commodities covered by this Maximum Price Regulation No. 268 are concerned.

2. In § 1351.1116 (a) item 14 is added to read as follows:

Food commodity	Day of the week on which retailer must calculate maximum prices	Figures to be multiplied by net cost of item in determining maximum prices under this regulation					
		Independent retailer with annual volume—			Class 4—chain retailer with annual volume under $250,000	Class 5—any retailer (chain or independent) with annual volume of $250,000 or more	Unit of sale for which base maximum selling price must be calculated
		Class 1—under $20,000	Class 2—$20,000 but less than $50,000	Class 3—$50,000 but less than $250,000			
14. Fresh vegetables:							*Pounds*
(a) Cabbage	Thursday	1.65	1.65	1.65	1.54	1.50	1 lb. or 1 head.
(b) Carrots	Thursday	1.39	1.39	1.39	1.39	1.39	1 lb. or 1 bunch.
(c) Lettuce	Thursday	1.39	1.39	1.39	1.39	1.39	1 lb. or 1 head.
(d) Peas	Thursday	1.39	1.39	1.39	1.39	1.39	1 lb.
(e) Snap beans	Thursday	1.39	1.39	1.39	1.39	1.39	1 lb.
(f) Spinach	Thursday	1.39	1.39	1.39	1.39	1.39	1 lb. or 1 pkg.
(g) Tomatoes	Thursday	1.39	1.39	1.39	1.39	1.39	1 lb. or 1 pkg.

3. Section 1351.1116 (c) (10) is added to read as follows:

(10) "Fresh vegetables" means all the fresh vegetables listed below, whether imported or domestic, packed or in bulk, which have not been quick-frozen, dried,

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[1] 8 F.R. 3096, 3849, 4347, 4486.
[2] 7 F.R. 8961.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8796, 8 F.R. 856, 1838, 2030, 3594, 2941, 4350.

[1] 7 F.R. 1234, 2132, 3520, 5515, 8650, 8948, 9392; 8 F.R. 3189, 3852.
[2] 8 F.R. 2396, 2499, 2888, 3328.
[3] 8 F.R. 2499, 2888, 3328.
[4] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070, 3846, 4131, 4335, 4525.
[5] 8 F.R. 3096, 3849, 4347, 4486.

[1] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2694, 3527, 3732, 4524.

canned or otherwise processed; and separate prices shall be figured for each kind, variety and size. Wrapping, dipping, washing or crating, shall not be considered processing.

(i) "Cabbage means all solid headed cabbage, including Red and Savoy, but excluding collards, cauliflower, brussels sprouts and Chinese.

(ii) "Carrots" means all carrots.

(iii) "Lettuce" means all lettuce, including Iceberg, Big Boston and Romaine lettuce, but excluding Escarole, Chicory and Endive.

(iv) "Peas" means all peas, excluding Chinese.

(v) "Snap beans" means all green and wax snap beans, excluding limas and English, Fava or Italian broad beans, and fresh black-eyed peas.

(vi) "Spinach" means all flat and curly leaf spinach, excluding New Zealand or other greens.

(vii) "Tomatoes" means all tomatoes.

This amendment shall become effective on April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5872; Filed, April 15, 1943; 11:04 a. m.]

PART 1356—DOMESTIC AND COMMERCIAL COOKING AND HEATING STOVES AND RANGES

[RPS 64,[1] Amendment 6]

DOMESTIC COOKING AND HEATING STOVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 64 is amended in the following respects:

Section 1356.10a is added to read as follows:

§ 1356.10a *Applications for adjustment.* Any manufacturer subject to this Revised Price Schedule may apply to the Office of Price Administration, Washington, D. C., for adjustment of his maximum price for a particular stove or stoves. Such an adjustment may be granted if:

(a) The maximum price is below the manufacturer's total costs to make and sell the stove, and

(b) The manufacturer's entire stove manufacturing operation is being conducted at a loss; or if it is apparent from evidence submitted that within 30 days such operation will be at a loss.

Such an adjustment if granted will fix a maximum price which will permit the manufacturer to sell the stove or stoves without loss.

An order granting such an adjustment may also adjust the maximum resale prices of the stove.

Applications for adjustment shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

This amendment shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5873; Filed, April 15, 1943; 11:04 a. m.]

PART 1359—BATTING, PADDING, WADDING, AND UPHOLSTERY FILLING

[MPR 190,[3] Amendment 1]

FREE COTTON LINTERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1359.11 (a) (4) is amended to read as follows:

(4) "Free cotton linters" means domestic or foreign cotton linters not allocated under any War Production Board general preference order.

This amendment shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5874; Filed, April 15, 1943; 11:05 a. m.]

PART 1386—SOAPS AND GLYCERINE

[Commodity Practices Reg. 1,[4] Amendment 1]

BAR OR PACKAGE SOAPS OR CLEANSERS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1386.1 (a) is amended and a new paragraph (c) is added to § 1386.1 as follows:

(a) On and after July 21, 1942, regardless of the terms of any contract, lease or other obligation, no manufacturer thereof may sell, offer to sell, or deliver to any person bar or package soaps or cleansers which differ in weight or quality from a bar or package soap or cleanser delivered or offered for current delivery by such manufacturer in the market area where such person is located during the thirty day period ending July 17, 1942, except as provided in paragraphs (b) and (c) of this section.

(c) Notwithstanding the provision of paragraph (a) of this section any manufacturer may sell, offer to sell, or deliver in any market area of the United States any bar or package cleanser or washing powder having an anhydrous soap content of 20% or less, which had been delivered or offered for current delivery during the thirty day period ending July 17, 1942, in any market area in the United States.

This amendment shall become effective on April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5875; Filed, April 15, 1943; 11:04 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,[5] Amendment 53]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

Section 1407.86b is added to read as follows:

§ 1407.86b *Temporary increases in allotments due to military maneuvers.* Whenever the Director of the Food Rationing Division of the Office of Price Administration finds that military maneuvers of the armed forces of the United States will cause temporary abnormal demands for sugar-containing products in the area in which such maneuvers are to be held, he may, upon defining such area, authorize such temporary increases in the allotments of registering units delivering such products within the affected area as he shall deem necessary.

This amendment shall become effective April 15, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 15th day of April 1943.

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-5862; Filed, April 15, 1943; 11:04 a. m.]

PART 1412—SOLVENTS

[MPR 295,[3] Amendment 3]

WEST COAST ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 295 is amended in the following respects:

1. Section 1412.165 (a) (1) (i) is amended to read as follows:

(i) *Sales in tank cars or tank trucks.*

	Per gallon
CD12	$0.485
CD13	.485
CD14	.485
SD1	.485
SD2B	.46
SD3A	.46
SD12A	.46
SD23A	.475
SD23G	.51
SD23H	.48
Proprietary name solvent	.495

2. Section 1412.165 (a) (2) (i) (*a*) is amended to read as follows:

(*a*) Undenatured (including pure) ethyl alcohol—$.46 per gallon. Premium grade pure ethyl alcohol—$.48 per gallon

3. Section 1412.165 (a) (2) (i) (*b*) is amended by inserting after the phrase "To the maximum tank car price for 100 gallons", the phrase "of the undenatured ethyl alcohol being used", and deleting the phrase "of SD2B ethyl alcohol."

4. Section 1412.165 (g) (1) is amended by inserting at the beginning of the first sentence the phrase "until and including December 31, 1943", and deleting the phrase "until and including June 30, 1943."

5. A new § 1412.165 (g) (4) is added as follows:

(4) For the purposes of this paragraph (g), gallon shall mean a gallon of 190 proof ethyl alcohol. All cost computations and maximum price determinations and reports made pursuant to the formula contained in subparagraph (1) of this paragraph shall be on the basis of a gallon of 190 proof ethyl alcohol. Where ethyl alcohol of a proof higher than 190 proof is sold, the maximum price determined for a gallon of 190 proof may be increased in the same proportion as the proof of the ethyl alcohol being sold is increased over 190 proof. Where ethyl alcohol of 188 proof or higher but less than 190 proof is sold, the maximum price for a gallon of 190 proof ethyl alcohol shall be decreased at least in the same proportion as the proof of the ethyl alcohol being sold is decreased from 190 proof.

This amendment shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5863; Filed, April 15, 1943; 11:04 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1329, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

[2] 7 F.R. 8961; 8 F.R. 3313, 8533.

[3] 7 F.R. 5943, 8948.

[4] 7 F.R. 5564.

[5] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845, 8 F.R. 166, 262, 445, 620, 1098, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2729, 3176, 3180, 3522, 4484, 4519.

[6] 7 F.R. 11115; 8 F.R. 129, 2598.

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amendment 11]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The following products are added to § 1499.167, Appendix B, as set forth below:

§ 1499.167 *Appendix B* • • •

Stoneware and stoneware specialties for farm use.

This amendment shall become effective April 21, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5864; Filed, April 15, 1943; 11:04 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 395 Under § 1499.3 (b) of GMPR]

THE SMITHS, INC.

The Smiths Inc. of Barnesville, Georgia, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization of a maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered*, That:

§ 1499.1882 *Approval of maximum price for the sale of cot frames.* (a) On and after April 16, 1943, The Smiths Inc. of Barnesville, Georgia, may sell and deliver to any person, and any person may buy and receive from The Smiths Inc. at a price not to exceed $.77 each #40 cot frames made of any suitable lumber as pine, gum, poplar or oak and consisting of:

4 posts 1½" x 1¼" x 24" long, moulded with all edges eased and ends chucked.

2 side rails 1¼" thick x 2¼" wide x 72" long, moulded with edges on one side eased and both ends slotted or notched.

2 end rails 1¼" thick x 3" wide x 29½" long, edges on one side eased and both ends slotted or notched.

(b) This order may be amended or revoked by the Price Administrator at any time.

The effective date of this order shall be April 16, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5865; Filed, April 15, 1943; 11:07 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 396 Under § 1499.3 (b) of GMPR]

CUPRINOL INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1883 *Approval of maximum prices for sales of "Kopertex."* (a) On and after April 16, 1943, Cuprinol Inc., 7 Water Street, Boston, Massachusetts, may sell and deliver "Kopertex" to wholesalers and jobbers at a price not in excess of the following:

One-ounce bottle at 30 cents each

(b) Any person may sell and deliver "Kopertex" manufactured by Cuprinol Inc., to retailers at a price not in excess of the following:

One-ounce bottle at 36 cents each

(c) Any person may sell and deliver "Kopertex" manufactured by Cuprinol Inc., at retail at a price not in excess of the following:

One-ounce bottle at 60 cents each

(d) Each seller of "Kopertex" shall apply to his maximum price for sales of "Kopertex" all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of transportation costs, and any other customary discount or allowances which were in effect in March 1942 on his sales of comparable products.

(e) Cuprinol Inc., shall, on or before the first delivery of "Kopertex" to a wholesaler, furnish such wholesaler a written notice as follows:

OPA has authorized us to charge wholesalers the following maximum price for "Kopertex" subject to all customary discounts and allowances: 36 cents per one ounce bottle.

Your maximum price for sales of "Kopertex" to retailers, subject to all customary discounts and allowances, is 60 cents per one ounce bottle.

The maximum price for sales of "Kopertex" by retailers, subject to all customary discounts and allowances, is 60 cents per one ounce bottle.

OPA requires this notice to be kept for inspection by any purchaser during ordinary business hours.

(f) Cuprinol Inc., shall print or stamp plainly on each one ounce bottle the following notice.

Retail ceiling price 60 cents.

(g) This Order No. 396 (§ 1499.1883) shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5866; Filed, April 15, 1943; 11:06 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 397 Under § 1499.3 (b) of GMPR]

STANDARD BRANDS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1884 *Approval of maximum prices for Fleischmann's B Vitamins Yeast Tablets.* (a) Maximum prices for sales of Fleischmann's B Vitamins Yeast Tablets are established as follows:

Tablets in package	To retailers		Retail price per package
	Per dozen packages	Per package	
12	$0.90	$0.075	$0.10
48	3.15	.262	.35
120	7.20	.60	.80

(b) All discounts, allowances, trade practices and practices relating to the payment of transportation costs in effect during March 1942 on sales of Royal desserts by Standard Brands Incorporated shall apply to the maximum prices set forth in paragraph (a) on sales by Standard Brands Incorporated.

(c) As used in this order the term:

(1) "Fleischmann's B Vitamin Yeast Tablets" refers to tablets manufactured by Standard Brands Incorporated, a corporation of Delaware having its principal offices at 595 Madison Avenue, New York, New York, each tablet having the following composition:

	MGM
Vitamin B (Thiamine)	0.25
Vitamin B_2 (Riboflavin)	.085
Vitamin B_6 (Pyridoxine)	.032
Panthothenic Acid	.077
Niacin	.62

(2) "Royal desserts" refers to a line of packaged desserts distributed by Standard Brands Incorporated to grocery retailers during March 1942.

(d) Standard Brands Incorporated shall mark on each package of Fleischmann's B Vitamins Yeast Tablets in such manner as to be plainly visible to a purchaser, the maximum retail price therefor established by this order. Such marking shall be in the following form:

Size	*Marking*
12 tablet size	Ceiling price—10¢
48 tablet size	Ceiling price—35¢
120 tablet size	Ceiling price—80¢

(e) This Order No. 397 may be revoked or amended by the Price Administrator at any time.

This Order shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5867; Filed, April 15, 1943; 11:05 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 398 Under § 1499.3 (b) of GMPR]

PLYMOUTH CORDAGE COMPANY

Plymouth Cordage Company, North Plymouth, Massachusetts, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of a maximum price for its roping manufactured from sisal tow fiber. Due consideration has been given to the application and an opinion in support of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is ordered:*

§ 1499.1885 *Approval of maximum prices for sales of sisal tow roping by Plymouth Cordage Company.* (a) On and after April 16, 1943, the maximum price at which Plymouth Cordage Company, North Plymouth, Massachusetts, may sell, deliver and offer for sale its sisal tow roping shall be 16.14 cents per pound.

(b) The maximum price established herein shall be subject to discounts, terms and allowances no less favorable to the purchaser than those offered during March 1942 by the Plymouth Cordage Company on sales of its sisal roping.

(c) The maximum price authorized by this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 398 may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 398 shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5868; Filed, April 15, 1943; 11:05 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 399 Under § 1499.3 (b) of GMPR]

MAJESTIC RADIO AND TELEVISION CORP.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1886 *Approval of maximum prices for sales of a new model radio manufactured by Majestic Radio and Television Corp.* (a) Majestic Radio and Television Corp., 2600 West 50th Street, Chicago, Illinois, may sell and deliver its new model radio designated in the application as number 468 C, at a price no higher than $9.09 exclusive of federal excise tax.

(b) This Order No. 399 may be revoked or amended by the Price Administrator at any time.

This Order No. 399 shall become effective on the 16th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5869; Filed, April 15, 1943; 11:08 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 27—MOUNT RAINIER NATIONAL PARK; TIMBER DISPOSAL REGULATIONS

DISPOSAL OF LOGS, FUEL WOOD, ETC.

SEC.

27.1 Disposal of logs, fuel wood, etc.; cutting of green timber.
27.2 Permits.
27.3 Timber disposal operations.
27.4 Prevention and suppression of forest fires.
27.5 Brush and debris disposal.
27.6 Minimum prices for logs, poles, etc.
27.7 Concessionaires.

AUTHORITY: §§ 27.1 to 27.7, inclusive are issued under 39 Stat. 535; 16 U.S.C. 3.

§ 27.1 *Disposal of logs, fuel wood, etc.; cutting of green timber.* The disposal of logs, fuel wood, poles, and other forest products in Mount Rainier National Park by timber disposal permits is permitted only where such disposal will be of benefit to the forest stand through reduction of existing fire hazards, such as are caused by dead, down, or blowndown timber, or where in the judgment of the park superintendent the neighboring forest is endangered by tree disease or insect infestation. In no instance will the cutting of green timber be permitted for private use except on road right-of-way clearing projects or in blowndown clearing projects where such timber may be made available.

§ 27.2 *Permits.* (a) All timber disposal permits shall be issued and approved in writing by the park superintendent's office prior to the initiation of any cutting activities. Such permits shall include a map designating the area to be cut. Application for such permits should be made to the park superintendent.

(b) All timber disposal permits may be suspended when weather conditions or other considerations make timber disposal operations undesirable for the best interests of the Government.

(c) Permittees and their employees and agents shall at all times conform to all laws and regulations applicable to Mount Rainier National Park.

§ 27.3 *Timber disposal operations.* (a) All Douglas fir and western white pine logs are considered merchantable which are not less than 20 feet long, at least 12 inches in diameter inside bark at small end, and after deductions for visible indications of defect scale 33⅓ per cent of their gross scale.

(b) All western red cedar logs, chunks, and slabs are considered merchantable which are not less than 20 feet long; such logs to be at least 12 inches in diameter inside bark at small end, and chunks and slabs to be at least 12 inches minimum end measurement, which logs, chunks, and slabs, after deductions for visible indications of defects, scale 33⅓ per cent of their gross scale in material which will make shingles of any merchantable grade.

(c) Logs of other species are considered merchantable which are not less than 20 feet long, 12 inches in diameter inside bark at small end, and scale 50 per cent or more of their gross scale.

(d) All cordwood shall be utilized to a minimum diameter of 6 inches unless rotten.

(e) Stump heights under ordinary circumstances shall not exceed 24 inches on the side adjacent to the highest ground.

(f) No cutting of dead-topped or other partially green trees, except in windfalls, shall be permitted unless marked for cutting by the park superintendent or his representative.

(g) Poles and piling shall be measured in lineal feet to the nearest 2-foot length.

(h) All cedar timber cut for shakes may be measured in board feet, using the Scribner "Decimal C" log rule, or may be measured by the number of shakes cut.

(i) All saw logs shall be scaled by the Scribner "Decimal C" log rule. The maximum scaling length for saw logs shall be 40 feet. Greater lengths shall be scaled as two or more logs. Eight inches shall be allowed for trimming, and on logs over 40 feet in length an additional 2 inches shall be allowed for each 10 feet in length or fraction thereof in excess of 40 feet.

(j) Fuel wood and split pulpwood shall be measured in cords.

(k) Damage resulting to forest reproduction or remaining trees shall be kept to a minimum in all timber disposal operations. Any unnecessary damage to forest reproduction, remaining timber, or other ground cover, or the violation of any provision of the regulations in this part will, at the discretion of the park superintendent, result in the cancellation of the permit. In the event of cancellation of the permit, all bonds given to guarantee the fulfillment of the terms of the permit shall be forfeited, and all moneys theretofore paid by the permittee as a part of the purchase price or otherwise may be retained as liquidated damages.

§ 27.4 *Prevention and suppression of forest fires.* (a) Permittee shall independently do all in his power to prevent and suppress forest fires on the timber disposal area and its vicinity, and shall also require his employees and agents to do likewise. The permittee and his employees and agents to do likewise. The permittee and his employees and agents shall, so long as the timber disposal permit remains effective, fight forest fires which may occur within the timber disposal permit area, or occur elsewhere as a result of the permittee's operations, independently or under the direction of a park officer, without recompense from the Government.

(b) During periods of fire danger, as designated by the park superintendent, the permittee shall prohibit smoking and the building of fires by his employees and agents.

(c) Fire fighting tools and equipment as specified by the park superintendent at the time of the issuance of the permit shall be kept in suitable caches by the permittee at points designated by the park superintendent, and shall be used only for the suppression of forest fires within or threatening the timber disposal area.

§ 27.5 *Brush and debris disposal.* (a) In no case will anyone attempt to burn brush or other debris without first obtaining a permit in writing from the park superintendent.

(b) All debris resulting from cutting dead timber in green stands will be lopped or scattered so as to lie flat on the ground unless such disposal will, in the judgment of the park superintendent, constitute a serious fire hazard, in which case such debris shall be piled and burned.

(c) All debris resulting from timber operations in old burns shall be piled and burned, with care taken to avoid injury to reproduction. In some instances, upon approval of the park superintendent or his representative, the disposal of such debris may be made by lopping and scattering.

(d) The piling of debris in large piles shall be avoided, where possible, unless such piles are made in large openings in the forest cover.

(e) Piles of debris to be burned in place, unless located in large openings in the forest cover, shall not exceed 6 feet in diameter and 5 feet in height.

(f) Burning other than in piles may be permitted by the park superintendent where, in his judgment, other methods are the most practicable.

(g) Piles which are not to be burned in place shall be placed where they are readily accessible for moving.

(h) No piling shall be done on shoulders of roads or in ditches or along banks immediately adjacent to roads.

(i) All permittees will be required to furnish men to burn brush or logging slash and clean up the area to the satisfaction of and at a time designated by the park superintendent.

(j) Permits issued either for green timber or deadwood products on road rights-of-way clearing projects may, in the discretion of the park superintendent, be exempted from the provisions of this section.

§ 27.6 *Minimum prices for logs, poles, etc.*—(a) *Saw timber.*

	Per m.b.f.
Douglas fir	$0.50
Western red cedar	.50
Western white pine	.50
Western hemlock	.25
Silver fir	.25
Other species	.25

(b) *Other products.*

Douglas fir piling	$0.0025	per lineal foot.
Western red cedar poles	.0025	per lineal foot.
Western red cedar shakes	.50	per M. shake.
Fuel wood	.25	per cord.
Split pulpwood, hemlock	.25	per cord.

Provided, That free permits may be issued for timber included in designated cleanup and fire hazard reduction areas where such operations will not interfere with National Park Service activities and will not adversely affect the vegetation or protection of the area. Such permittees are, however, subject to charge at double the minimum rates in effect at the time of issuance of the permits for all wood obtained outside designated cleanup and fire hazard reduction areas. Such charge will be considered as the price of the wood and also as liquidated damages.

(c) All forest products sold by the Government will be measured or scaled by a park officer or individual designated by the park superintendent, either on the site of the cutting operations or at some other point designated by the park superintendent.

(d) Forest products obtained on a free permit shall not be sold. The permittee must sign a statement to the effect that such products will not be sold to anyone and will not be used for the construction of buildings or other improvements on privately-owned lands in Mount Rainier National Park.

§ 27.7 *Concessionaires.* All concessionaires operating under agreements with the Secretary of the Interior will be governed by the clauses covering the use of timber as provided in their respective agreements.

Issued this 31st day of March 1943.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 43-5856; Filed, April 15, 1943; 9:42 a. m.]

Chapter II—Forest Service

PART 251—LAND USES

HOME AND INDUSTRIAL SITES, ALASKA

By virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551), the act of February 1, 1905 (33 Stat. 628; 16 U. S. C. 472), Regulation U-16 of the rules and regulations governing the occupancy, use, protection, and administration of the national forests,

which constitutes § 251.7, Part 251, Chapter II, Title 36, Code of Federal Regulations, is revoked, and the following regulation is made and published in lieu thereof:

§ 251.7 *Home and industrial sites in Alaska* (Reg. U–16). A special use permittee who has constructed upon national forest lands within the Territory of Alaska permanent and substantial improvements for purposes of trade, manufacture, or other productive industry, in connection with which there are reasonable prospects for the establishment of a permanent industry, or who has occupied land (not exceeding 5 acres) under a special use homesite permit as a yearlong residence in a habitable house for three years, may apply to the Secretary of Agriculture for the elimination from the national forest of the land so occupied in order that it may be entered by the applicant under the provisions of section 10 of the act of May 14, 1898, as mended (48 U.S.C. 461–462). Upon determination, after investigation, that permanent and substantial improvements designed for trade, manufacture, or other productive industry exceeding in value the estimated value of the lands for national forest purposes have been lawfully constructed with reasonable prospects of establishing a permanent industry, or that the land has been so occupied under a special use homesite permit as a yearlong residence for three years the Secretary of Agriculture will recommend the elimination of the land used and needed, not exceeding a total of 80 acres for an industrial site or five acres for a homesite, from the national forest.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 15th day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5861; Filed, April 15, 1943; 11:24 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order 117]

PART 95—CAR SERVICE

BANANAS TRANSPORTED BETWEEN FOREIGN COUNTRIES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of April, A. D. 1943.

It appearing that an unusual movement by railroad of bananas, in carloads, from points in a foreign country through the United States to points in another foreign country may result in shortage of railroad equipment and congestion of traffic, and that the Office of Defense Transportation has requested this Commission to take action in the matter; and that an emergency exists requiring immediate action; *It is ordered*, That:

§ 95.9 *Bananas from a foreign country to a foreign country.* (a) All common carriers by railroad are hereby ordered not to accept or move bananas, in carloads, originating in a foreign country and moving by railroad through the United States, all-rail, to points in another foreign country.

(b) *Special and general permits.* The provisions of this order shall be subject to any special or general permit issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17)).

It is further ordered, That this order shall become effective April 23, 1943 and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-5860; Filed, April 15, 1943; 11:21 a. m.]

Chapter II—Office of Defense Transportation

PART 501—CONSERVATION OF MOTOR EQUIPMENT

[General Order ODT 26A]

SUBPART P—RENTAL CARS

Pursuant to Executive Orders 8989, 9156, and 9214, and in order to conserve and providently utilize vital transportation services, facilities, and equipment; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order ODT 26 (§§ 501.145–501.148, 7 F.R. 10083) shall be superseded, and *It is hereby ordered*, That:

Sec.
501.137 Definitions.
501.138 Applicability.
501.139 Restrictions on new or additional operations.
501.140 Restrictions on the hire of rental cars.
501.141 Restrictions on the use of rental cars.
501.142 Operating regulations.
501.143 Hiring agreements.
501.144 Special and general permits.
501.145 Records and reports.
501.146 Exemptions.
501.147 Federal Reports Act of 1942.
501.148 Communications.

AUTHORITY: §§ 501.137 to 501.148, inclusive, issued under E.O. 8989, 9156, 9214; 6 F.R. 6725, 7 F.R. 3349, 6097.

§ 501.137 *Definitions.* As used in this order (§§ 501.137 to 501.148), or in any order, direction or permit issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Rental car" means any rubber-tired vehicle, propelled or drawn by mechanical power, built, rebuilt, or converted primarily for the purpose of transporting persons, having a seating capacity of less than ten (10) passengers (including driver), which is available for hire without the service of a driver being provided with the vehicle, and which when under hire is or is to be driven by the person to whom it is hired, or by an employee, representative, or agent who has not been procured, arranged for, or designated by the person from whom such vehicle has been hired;

(c) "Common carrier" means any person who holds himself out to the general public to engage in the transportation of passengers by motor vehicle for compensation;

(d) "Continental United States" means the 48 States and the District of Columbia.

§ 501.138 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States except Puerto Rico.

§ 501.139 *Restrictions on new or additional operations.* No person shall:

(a) Engage in the business of hiring rental cars to other persons in any municipality or community unless on December 1, 1942, (1) there was in force with respect to such business a license, permit, or other grant of authority issued by competent governmental authority, authorizing such person, or his predecessor in interest, to engage in such business in such municipality or community, or (2) such person, or his predecessor in interest, was engaged in good faith in the business of hiring rental cars in such municipality or community, and no such license, permit, or other grant of authority was required; or

(b) Hire or have under hire to other persons, or have available for hire to other persons, in any municipality or community, a greater number of rental cars than such person, or his predecessor in interest, had regularly under hire, or available for hire in such municipality or community on December 1, 1942.

§ 501.140 *Restriction on the hire of rental cars.* (a) No person shall hire any rental car to any person who, at the time of such rental, owns or controls a private passenger automobile which is available for use by such person and in respect of which a gasoline ration has been issued by the Office of Price Administration.

(b) For the purpose of this § 501.140 an employee hiring a rental car for use in his employer's business will be deemed to control any private passenger automobile of his employer which is used for business purposes and is available for the use of such employee, and one member of a family will be deemed to control any private passenger automobile owned by another member of the same family residing in the same household.

§ 501.141 *Restrictions on the use of rental cars.* (a) No person shall drive or operate any rental car, or cause or permit any rental car under hire to him to be driven or operated, during any calendar month, more miles than the aggregate of 15 miles for each gallon of motor fuel allowed by the Office of Price Administration on a basic ration for a private passenger automobile during such month less the number of miles such person has driven or operated a private passenger automobile during the same month with motor fuel obtained with a basic ration issued by the Office of Price Administration, except:

(1) To meet an emergency arising from an accident, sickness, death, or public calamity, or

(2) For a purpose that is directly connected with, in furtherance of, and necessary to the business, occupation, profession, employment, or vocation of the person to whom such rental car is hired.

(b) No person shall hire a rental car to any other person when such rental car is to be used, operated or driven in violation of this § 501.141.

§ 501.142 *Operating regulations.* No person shall drive or operate a rental car:

(a) For a purpose for which a private passenger automobile may not be lawfully driven or operated under any applicable order, regulation, or direction issued by the Office of Price Administration;

(b) For the purpose of making any commercial pickup or delivery of merchandise.

§ 501.143 *Hiring agreements.* (a) Every person who hires a rental car to any other person, at the time of completing arrangements for such hiring, shall require the person to whom such rental car is hired to execute an agreement setting forth the terms and conditions of the hiring, and each such agreement shall contain the following:

(1) The name and address of the person hiring the rental car and his occupation, business, profession, employment, or vocation;

(2) A copy of §§ 501.141 and 501.142 of this order;

(3) The purpose for which the rental car is to be used;

(4) A statement that the person to whom such rental car is hired will not drive the rental car or cause or permit it to be driven in violation of this order or for a purpose not permitted by the order.

(b) The original of each such hiring agreement shall be retained in the files of the person from whom the rental car or cars are hired, and shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.144 *Special and general permits.* The provisions of this order shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue public hardships.

§ 501.145 *Records and reports.* Any person engaged in hiring rental cars to other persons shall keep a daily record in respect to each rental car hired to such persons showing (a) the total number of miles and hours used in rental car service, and (b) in respect of each separate hiring (1) the name and address of the person to whom such car is hired, (2) the purpose for which such car was hired, and (3) the actual miles operated and the elapsed time of such operation, and shall keep such other records and make such reports as may be required by the Office of Defense Transportation.

§ 501.146 *Exemptions.* The provisions of this order shall not apply to the hire of rental cars (a) to the military or naval forces of the United States for military or naval purposes, (b) to the Post Office Department for the purpose of transporting mail, (c) to a common carrier for use by such common carrier to transport passengers in common carrier service, and (d) for periods in excess of 30 consecutive days.

§ 501.147 *Federal Reports Act of 1942.* This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Specific recording or reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 501.148 *Communications.* Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "General Order ODT 26A".

This General Order ODT 26A shall become effective April 15, 1943, and shall thereupon supersede General Order ODT 26.

Issued at Washington, D. C., this 15th day of April 1943.

JOSEPH B. EASTMAN,
Director of the Office of Defense Transportation.

[F. R. Doc. 43-5904; Filed, April 15, 1943; 11:48 a. m.]

[Special Direction ODT 18, Revised-5, Amendment 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, SPECIAL DIRECTIONS

SUBPART C—CARLOAD FREIGHT TRAFFIC

Pursuant to Executive Order 8989, § 520.486 of Special Direction ODT 18, Revised-5 (8 F.R. 186) is hereby amended by striking out all of the provisions shown under and within the caption "Perishable Products:" and substituting in lieu thereof the following:

Apples: (a) In standard boxes, shall be loaded to a weight not less than 39,900 pounds;

(b) When shipped loose in open-top, unlidded boxes, or in baskets of one bushel or less capacity, or in bulk, shall be loaded to a weight not less than 31,500 pounds.

Bananas: Shall be loaded to a weight not less than 23,000 pounds.

Beets: (Fresh harvested new beets) (a) In cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Butter and butter substitutes: (Shipped from packing plants, creameries or warehouses) (a) When shipped fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;

(b) When shipped fresh, in tubs, or in fibreboard containers, or when shipped frozen, in prints, or other types of containers, shall be loaded to a weight not less than 45,000 pounds.

Cabbage: (Fresh harvested, new cabbage) (a) In bulk, or in sacks, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 316 crates;

(c) In half crates, shall be loaded with not fewer than 638 crates;

(d) In L. A. crates, when loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 364 crates.

Cabbage: Winter storage cabbage in cloth, burlap, or paper sacks, or in bulk, shall be loaded to a weight not less than 35,000 pounds.

Carrots: (Fresh harvested, new carrots) (a) In cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Carrots: Winter storage carrots in cloth, burlap, or paper sacks, or in bulk, shall be loaded to a weight not less than 40,000 pounds.

Cheese: In any type of container, or in bulk, when shipped from packing plants or warehouses, shall be loaded to a weight not less than 40,000 pounds.

Citrus fruit: (a) Shipments in standard nailed boxes shall be loaded not less than 3 layers high; 2 layers, each box placed on end, and the top layer, each box placed on its bottom or side down, each layer to be the same length and width as the floor space of the car;

(b) Shipments in Bruce wire-bound crates, shall be loaded not less than 5 layers high, each crate placed bottom or side down, each layer to be the same length and width as the floor space of the car.

Cranberries: In quarter barrel boxes, shall be loaded each box placed bottom down, 6 layers high, each layer to be the same length and width as the floor space of the car.

Eggs—dried: In any type of container, when moving from packing plants or warehouses, shall be loaded to a weight not less than 40,000 pounds.

Eggs—shell: In standard cases when shipped from packing plants, creameries, or warehouses, shall be loaded with not fewer than 600 cases.

Frozen commodities: (Straight or mixed carload shipments) Frozen fruits, vegetables, eggs, juices, sea-food, poultry, and meats, when packed in cartons or other containers, in a closed freight car, shall be loaded to an elevation not lower than 18 inches from the roof of the car measured at its side walls, each layer of containers to be the same length and width as the floor space of the car.

Grapes: Table variety, in display lug boxes, or juice variety, in plain or lug boxes, shall be loaded to a weight not less than 34,000 pounds.

Ice: In bars, or blocks, 150 pounds or more gross weight each, shall be loaded, each bar or block placed upright on end, in one tier, covering the entire floor space of the car.

Lettuce: (In standard L. A. crates) (a) When loaded in standard refrigerator cars equipped with stationary ice bunkers, shall be loaded with not fewer than 316 crates;

(b) When loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 364 crates.

Lard: (a) Fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;

(b) Fresh, in tubs, or fibreboard containers; or frozen, in prints, or other types of containers, shall be loaded to a weight not less than 45,000 pounds.

Melons: (Straight or mixed carload shipments) Cantaloupes, Honeyball, Casaba, Persian, or Honeydew melons, shall be loaded to a weight not less than 24,000 pounds.

Oysters: Shall be loaded to a weight not less than 12,500 pounds.

Onions: (a) Fresh harvested new onions, in any type of container, shall be loaded to a weight not less than 30,000 pounds;

(b) Matured storage onions, in any type of container, shall be loaded to a weight not less than 40,000 pounds.

Peaches: (a) In full bushel baskets, shall be loaded not less than 3 layers high, each layer to be the same length and width as the floor space of the car;

(b) In half bushel baskets, shall be loaded not less than 4 layers high, each layer to be the same length and width as the floor space of the car;

(c) In standard crates, shall be loaded not less than 4 layers high, each layer to be the same length and width as the floor space of the car;

(d) In standard peach boxes, shall be loaded not less than 9 layers high, each layer to be the same length and width as the floor space of the car.

Potatoes: (Late crop, white, mature) (a) In cloth or burlap bags, paper sacks or boxes, containing 100 pounds or more each, shall be loaded to a weight not less than 45,000 pounds;

(b) In cloth or burlap bags, paper sacks or boxes, containing less than 100 pounds each, shall be loaded to a weight not less than 42,000 pounds;

(c) In bulk, shall be loaded to a weight not less than 40,000 pounds.

Potatoes: (Early crop, fresh harvested, white, immature) (a) In cloth or burlap bags, or paper sacks, shall be loaded to a weight not less than 30,000 pounds;

(b) In wooden crates, baskets, or tubs, shall be loaded to a weight not less than 31,500 pounds;

(c) In wooden boxes or barrels, shall be loaded to a weight not less than 36,000 pounds.

Pears: Winter variety, in any type of container, shall be loaded to a weight not less than 37,800 pounds.

Pineapples: In standard crates, shall be loaded not less than 5 layers high, each layer to be the same length and width as the floor space of the car.

Poultry—dressed: Fresh chilled, when shipped from packing plants, warehouses, or creameries, shall be loaded to a weight not less than 28,000 pounds.

Root vegetables: (Fresh harvested, in mixed carloads) (a) In cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Shell eggs, dressed poultry and dairy products: (a) When shipped in mixed carloads from packing plants, warehouses, creameries, or points at which such shipments were assembled or consolidated for mixed carload movement, shall be loaded to a weight not less than 36,000 pounds;

(b) When shipped from producing areas in straight or mixed carloads, to warehouses, packing plants, processing plants, or points at which such shipments are assembled or consolidated for straight or mixed carload movement, which are located not more than 350 miles from the point of production, shall be loaded to a weight which equals or exceeds the applicable tariff minimum weight.

Turnips: (Fresh harvested, new turnips) (a) In cloth or burlap sacks, or in bulk, shall be loaded to a weight not less than 30,000 pounds;

(b) In L. A. crates, when loaded in refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 358 crates;

(c) In half crates, shall be loaded with not fewer than 640 crates;

(d) In L. A. crates, when loaded in refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 427 crates.

Tomatoes: When packed in standard lug boxes, shall be loaded not less than 5 layers high, each layer to be the same length and width as the floor space of the car.

This Special Direction ODT 18, Revised-5, Amendment 1, shall become effective April 15, 1943.

(E.O. 8989, 6 F.R. 6725, Gen. Order ODT 18, Revised, as amended, 7 F.R. 8337, 10083)

Issued at Washington, D. C., this 15th day of April 1943.

V. V. BOATNER,
Director, Division of Railway Transport.

[F. R. Doc. 43-5905; Filed, April 15, 1943; 11:48 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 747]

ALLOCATION OF FUNDS FOR LOANS

MARCH 20, 1943.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Florida 3-8028S2 Madison	$2,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-5882; Filed, April 15 1943; 11:25 a. m.]

[Administrative Order 748]

ALLOCATION OF FUNDS FOR LOANS

MARCH 20, 1943.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Minnesota 3-2083S3 Hubbard	$15,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-5883; Filed, April 15, 1943; 11:25 a. m.]

[Administrative Order 749]

ALLOCATION OF FUNDS FOR LOANS

MARCH 20, 1943.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Georgia 3-1091S4 Laurens	$5,000
Illinois 3-1033S5 Hancock	3,500
Texas 3-1094S4 Gonzales	5,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-5884; Filed, April 15, 1943; 11:25 a. m.]

[Administrative Order 750]

ALLOCATION OF FUNDS FOR LOANS

MARCH 20 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural

Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Indiana 3-1080C1 Noble	$17,000
Washington 3-1037A4 Lincoln	4,000
Wisconsin 3-1038A3 Rock	30,000
Wyoming 3-1003C3 Fremont	10,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-5885; Filed, April 15, 1943; 11:25 a. m.]

[Administrative Order 751]

ALLOCATION OF FUNDS FOR LOANS

MARCH 20, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Ohio 3-1031F1 Holmes	$136,000
Ohio 3-1060H1 Seneca	302,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-5886; Filed, April 15, 1943; 11:25 a. m.]

[Administrative Order 752]

ALLOCATION OF FUNDS FOR LOANS

MARCH 20, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Minnesota 3-2048D1 Anoka	$383,000

[SEAL] HARRY SLATTERY,
Administrator

[F. R. Doc. 43-5887; Filed, April 15, 1943; 11:25 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-410 and G-459]

PANHANDLE EASTERN PIPE LINE COMPANY

ORDER CONSOLIDATING PROCEEDINGS FOR HEARING AND FIXING DATE OF HEARING

APRIL 12, 1943.

Upon consideration of the application filed March 27, 1943, by Panhandle Eastern Pipe Line Company in Docket No. G-410, requesting an amendment of the Commission's order of October 2, 1942, to eliminate therefrom such conditions and limitations as may be inconsistent with the proposed sale and delivery of gas by Panhandle Eastern to The East Ohio Gas Company near Maumee, Ohio;

Upon consideration of the application filed March 25, 1943, by Panhandle Eastern Pipe Line Company and its wholly owned subsidiary, Michigan Gas Transmission Corporation, in Docket No. G-459, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 35 miles of 26" line along Panhandle Eastern's main line to replace the same length of 22" pipe which is to be reclaimed and relaid as a main line loop in another location; the construction of approximately 87 miles of 24" loop line along Michigan Gas Transmission Corporation's main line; and the addition of compressor units and other appurtenant facilities necessary to increase the capacity of Panhandle Eastern's and Michigan Gas Transmission's integrated system in order to serve their existing markets and to render the proposed service to The East Ohio Gas Company near Maumee, Ohio; and

It appearing to the Commission that:

(a) The allocation and use of critical materials necessary for the construction and operation of facilities proposed in the aforesaid application, Docket No. G-459, have been approved by the War Production Board;

(b) The proceedings in Docket Nos. G-410 and G-459 are interrelated, since the restrictions in the Commission's order of October 2, 1942, may affect the transportation and sale of gas by Panhandle Eastern to The East Ohio Gas Company near Maumee, Ohio:

The Commission *orders*, That:

(A) The proceedings in the matter of Panhandle Eastern Pipe Line Company in Docket Nos. G-410 and G-459 be and they are hereby consolidated for the purpose of a public hearing thereon;

(B) A public hearing on the aforesaid matters be held commencing at 9:45 a. m. (e. w. t.), April 20, 1943, in the Hearing Room of the Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.;

(C) Interested State commissions may participate in said hearing pursuant to § 67.4 of the Commission's Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 43-5840; Filed, April 14, 1943; 2:54 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment to Vesting Order 426]

CAPITAL STOCK OF M. HENSOLDT & SONS, INC.

Whereas, pursuant to Vesting Order Number 426 of December 1, 1942, as amended, the undersigned vested, among other things, all of the capital stock of M. Hensoldt & Sons, Inc., a New York corporation, New York, New York;

Whereas, the part value of the outstanding shares of stock of said corporation was stated in said order to be $1.00 but is in fact $100;

Now, therefore, Vesting Order No. 426 of December 1, 1942, as amended, is hereby further amended by substituting the figure "$100" for the figure "$1.00" appearing in subparagraph (a) of said order.

All other provisions of such Vesting Order Number 426 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5897; Filed, April 15, 1943; 11:39 a. m.]

[Amendment of Vesting Order 477]

RIBERENA FUEL & CHARTERING CO., INC.

Whereas, pursuant to Vesting Order Number 477 of December 11, 1942, the undersigned intended to vest, among other things, one share of no par value common capital stock of Riberena Fuel & Chartering Company, Inc., registered in the name of J. P. Routh; and

Whereas, in describing such person in said vesting order his name was, as the result of a typographical error, inadvertently designated as "J. R. Routh";

Now, therefore, Vesting Order Number 477 of December 11, 1942 is hereby amended as follows and not otherwise:

By changing the name "J. R. Routh" appearing therein to "J. P. Routh".

All other provisions of such Vesting Order Number 477 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5898; Filed, April 15, 1943; 11:39 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 1 to Order 14 Under MPR 152]

PAULUS BROS. PACKING CO.

MODIFICATION OF MAXIMUM PRICE

Amendment 1 to Order 14 under Maximum Price Regulation 152—Canned Vegetables.

The Paulus Brothers Packing Company, Salem, Oreg., has filed a statutory protest against the specific price of $.84 per dozen established as a maximum price for No. 211 size cans of short cut Blue Lake Beans by Order No. 14 (8 F.R. 896) under Maximum Price Regulation No. 152,[1] issued January 15, 1943, and effective January 16, 1943.

Due consideration has been given to the information submitted by Protestant with respect to the price established by Order No. 14 for No. 211 size cans of Blue Lake Beans.

[1] 7 F.R. 3895, 3963, 4453, 5138, 5363, 6219, 6472, 8948; 8 F.R. 1133, 2597.

For the reasons set forth in the opinion which accompanies this Amendment and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered* That:

Paragraph (a) is amended by deleting therefrom the maximum price of $.84 per dozen established for No. 211 size cans of short cut Blue Lake Beans and substituting in place thereof the price of $1.10 per dozen f. o. b. factory as a maximum price for this item.

This amendment shall become effective on April 14, 1943.

Issued this 14th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5853, Filed, April 14, 1943; 4:47 p. m.]

[Order 12 Under Rev. MPR 125]

OWOSSO BRONZE BEARING CO.

ADJUSTING MAXIMUM PRICES

Order No. 12 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-22.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Owosso Bronze Bearing Co. of Owosso, Michigan, hereinafter referred to as the applicant, may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, at prices not higher than the maximum prices established for such castings by Revised Maximum Price Regulation No. 125, plus 2 cents per pound.

(b) All prayers in the applicant's application for adjustment (Docket No. 3125-22) not granted herein are hereby denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of February 25, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5880; Filed, April 15, 1943; 11:07 a. m.]

[Order 13 Under Rev. MPR 125]

ATLAS BRONZE CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 13 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-25.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Atlas Bronze Corporation of Philadelphia, Pennsylvania, hereinafter referred to as "the applicant" may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, at the maximum prices prescribed by Section 1395.3 of Revised Maximum Price Regulation No. 125: Except, that in determining the maximum prices of nonferrous castings under that section the applicant need not make the reductions required by paragraph (b) of that section.

(b) All prayers in the applicant's application for adjustment (Docket No. 3125-25) not granted herein are hereby denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 5, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5878; Filed, April 15, 1943; 11:07 a. m.]

[Order 14 Under Rev. MPR 125]

G-M BRASS AND ALUMINUM FOUNDRY COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 14 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-29.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) W. H. Gayton and Kermit R. Merrill, a partnership doing business as G-M Brass and Aluminum Foundry Company of Benton Harbor, Michigan, hereinafter referred to as "the applicants", may sell and deliver to any person and any person may buy and receive from the applicants nonferrous castings produced by the applicants the same, or of the same class, as those sold or contracted to be sold by the applicants during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicants during the period from May 11, 1942 to January 31, 1943, inclusive, at prices not higher than the maximum prices established for such castings by Revised Maximum Price Regulation No. 125, plus either 1 cent per pound if the casting is made from copper or copper base alloys, or 2 cents per pound if the casting is made from aluminum or aluminum base alloys.

(b) All prayers in the applicants' application for adjustment (Docket No. 3125-29) not granted herein are hereby denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 6, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-5879; Filed, April 15, 1943, 11:07 a. m.]

[Order 15 Under Rev. MPR 125]

NEPONSET BRASS FOUNDRY, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 15 under Revised Maximum Price Regulation No. 125—Nonferrous castings; Docket No. 3125-28.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Neponset Brass Foundry, Inc., of Dorchester, Massachusetts, hereinafter referred to as the applicant, may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, at prices not higher than the maximum prices established for such castings by Revised Maximum Price Regulation No. 125 plus 1 cent per pound.

(b) All prayers in the applicant's application for adjustment (Docket No. 3125-28)not granted herein are hereby denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 6, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5889; Filed, April 15, 1943, 11:06 a. m.]

[Order 33 Under MPR 152]

OLD MISSION PACKING CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 33 under Maximum Price Regulation No. 152—Canned Vegetables.

The Old Mission Packing Corporation, Limited, San Diego, Calif., has filed an application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing in two ounce glass containers of fancy sliced or whole pimientos.

For the reason set forth in the Opinion which accompanies this Order, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered,* That:

(a) Old Mission Packing Corporation, Limited, may sell, offer to sell or deliver and any person may buy, offer to buy or receive two ounce size glass containers of fancy sliced or whole pimientos at a price no higher than the maximum price of $.82 per dozen, f. o. b. factory.

(b) This Order No. 33 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Old Mission Packing Corporation, Limited, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and Section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on 16th day of April 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R Doc. 43-5877; Filed, April 15, 1943; 11:08 a. m.]

[Amendment 1 to Order A-1[1] Under MPR 188]

SILICA SAND PRODUCERS IN TENNESSEE

MODIFICATION OF MAXIMUM PRICES

Amendment 1 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying Amendment No. 1 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A-1 is amended by adding a new paragraph (a) (2) to read as follows:

(a) • • •

(2) *Modification of maximum prices for silica sand.* (i) The maximum price for the sale and delivery of silica sand produced in the State of Tennessee shall be $2.00 per net ton f. o. b. producers' plant.

(ii) For the purposes of this subparagraph (2) the term "silica sand" means a fine dry quartz sand, white in color, practically free from clay-like materials and other impurities, and having a percentage of not less than 98.5% silica.

This amendment shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5888; Filed, April 15, 1943; 11:05 a. m.]

[1] 8 F.R. 1989.

[Order 258 Under MPR 188]

GULBRANSEN COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 258 under § 1499.158 of Maximum Price Regulation No. 188[1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Gulbransen Company of Chicago, Illinois, may sell and deliver the wooden store counter described in its letter to the Office of Price Administration dated January 22, 1943, at a price no higher than $19.00 f. o. b. factory.

(b) This Order No. 258 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 258 under section 1499.158 of Maximum Price Regulation No. 188 shall become effective April 16, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5891; Filed, April 15, 1943; 11:06 a. m.]

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140.

[Order 259 Under MPR 188]

E. S. SAUL COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 259 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) E. S. Saul Company, Seattle, Washington, is authorized to sell and deliver the articles listed herein at prices f. o. b. Seattle, Washington, no higher than those set forth below:

No. 6004 smoking stand	$0 99
No. 6009 smoking stand	0 75
No. 6005 youth bed	6 35

These prices shall be subject to terms of 2 percent, 20 days, and a 20 percent discount on sales to jobbers and wholesalers.

(b) This Order No. 259 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 259 shall become effective on the 16th day of April 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5892; Filed, April 15, 1943; 11:06 a. m.]

[Order 260 Under MPR 188]

THE MEIER AND FRANK MERCHANDISE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 260 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices For Specified Building Materials And Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Meier & Frank Merchandise Company, 2150 Arapahoe Street, Denver, Colorado, is authorized to sell and deliver the following wood poker chip racks, manufactured by it, at prices no higher than:

No. 4—Oblong wood poker chip rack:
$5.50 per dozen to jobbers.
$7.90 per dozen to retailers and chain stores.
No. 5—Oblong wood poker chip rack:
$7.90 per dozen to jobbers.
$11.50 per dozen to retailers and chain stores.

(b) This Order No. 260 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 260 to Maximum Price Regulation 188 shall become effective April 16, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5881; Filed, April 15, 1943; 11:06 a. m.]

[Order 6 Under MPR 327]

B. N. WALKER

AUTHORIZATION OF MAXIMUM PRICES

Order No. 6 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered,* That:

(a) B. N. Walker, Gravois Mills, Missouri, may sell and deliver, and any person may buy or receive from B. N. Wal-

ker, barytes ore containing 96% $BaSO_4$ at prices f. o. b. Versailles, Missouri, not in excess of $8.00 per short ton provided that a premium or penalty of 25¢ a ton may be added or deducted respectively for each percent of $BaSO_4$ above or below 96%.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 6 shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5876; Filed, April 15, 1943; 11:08 a. m.]

[Order 33 Under RPS 57]

NEW JERSEY CARPET MILLS, INC.

APPROVAL OF MAXIMUM PRICES

Order 33 under Revised Price Schedule 57—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) New Jersey Carpet Mills, of Englishtown, New Jersey, may sell and deliver the carpets listed herein at prices no higher than those set forth below:

Tennent—Cut order	$4 01 per square yard.
Tennent—Roll	3 41 per square yard.
Tennent—¾ cut order	2 85 per running yard.
Tennent—¾ roll	2 43 per running yard.
Tennant—9 x 12	43.30 per rug.
Glenville—Cut order	3 08 per square yard.
Glenville—Roll	2 63 per square yard.
Glenville—¾ cut order	2 21 per running yard.
Glenville—¾ roll	1 88 per running yard.

These prices shall be subject to a discount of 10 and 5% on sales to distributors, and subject to terms of 40% 10 days, 60 days extra on all sales.

(b) This Order No. 33 may be revoked or amended by the Administrator at any time.

(c) This Order No. 33 shall become effective on the 16th day of April 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-5890; Filed, April 15, 1943; 11:05 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-10]

THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pa., on the 12th day of April 1943.

The Commission having on February 8, 1943 pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ordered a hearing to be held on March 16, 1943 in the above entitled matter for the purpose of receiving evidence bearing on the retainability of The St. Louis County Gas Company by The North American Company and said hearing having been postponed on March 11, 1943 to April 19, 1943 at the request of respondents herein; and

Counsel for The St. Louis County Gas Company and Union Electric Company of Missouri having requested a further postponement of said hearing until on or after June 1, 1943, because counsel will be engaged in other matters and to permit the complete preparation of such evidence; and

It appearing to the Commission, after due consideration of the affidavits submitted in support of such request that a postponement of said hearing until June 1, 1943 should be granted.

It is ordered, That the hearing in this matter previously scheduled for April 19, 1943, be, and hereby is, postponed to June 1, 1943, at the same time and place as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5839; Filed, April 14, 1943; 2:55 p. m.]

[File No. 59-37]

CENTRAL ILLINOIS PUBLIC SERVICE COMPANY

ORDER POSTPONING DATE FOR RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of April, A. D., 1943.

The Commission having heretofore instituted proceedings pursuant to sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935 against Central Illinois Public Service Company and having on March 22, 1943, ordered that the hearing in this matter be reconvened on April 13, 1943; and

Counsel for respondent having requested that said date for reconvening of said hearing be further extended; and

It appearing to the Commission that said request should be granted:

It is ordered, That the hearing in the above entitled matter be reconvened on May 4, 1943, instead of April 13, 1943, at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5838; Filed, April 14, 1943; 2:55 p. m.]

[File No. 812-5]

PACIFIC WESTERN OIL CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of April, A. D., 1943.

Application having been duly filed by the above named applicant for an order of the Commission under and pursuant to the provisions of section 3 (b) (2) of the Investment Company Act of 1940, declaring it to be excepted from the definition of an investment company contained in this Act on the ground that it is primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities; and

The Commission having heretofore, on July 1, 1941, ordered that a hearing be held in this matter on July 22, 1941, at the Securities and Exchange Commission Building, Washington, D. C., and such hearing having been postponed at applicant's request; and

It appearing appropriate that the matter be set down for hearing,

It is ordered, That a hearing on the matter of this application be convened on May 3, 1943, at 10 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building, 18th and and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, That Charles S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By direction of the Commission.

[SEAL] ORVAL L. DUBOIS
Secretary.

[F. R. Doc. 43-5836; Filed, April 14, 1943; 2:54 p. m.]

[File Nos. 59-39, 54-50, 59-1[illegible]]

NORTH AMERICAN LIGHT & POWER CO. HOLDING COMPANY SYSTEM ET AL.

NOTICE AND ORDER TO THE NORTH AMERICAN COMPANY

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 12th day of April, 1943.

In the matter of North American Light & Power Company Holding Company System and the North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; the North American Company, et al., File No. 59-10.

The Commission having entered an order on December 30, 1941, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 directing that North American Light & Power Company, a registered holding company, be liquidated and its existence terminated, and further directing that North American Light & Power Company and The North American Company, also a registered holding company and the parent of North American Light & Power Company, proceed with due diligence to submit to the Commission a plan or plans for the prompt liquidation of North American Light & Power Company and the termination of its existence in a manner consistent with the provisions of said Act; [1] and

North American Light & Power Company having filed certain applications [2] relating to preliminary action for compliance with the provisions of said order of December 30, 1941, and having on October 15, 1942, filed a plan pursuant to section 11 (e) of the Act [3] for its final liquidation; and hearings having been held from time to time pursuant to our order of November 12, 1942, on the issues presented by such plan; and

The Commission having by order dated May 5, 1942,[4] directed a consolidation of the proceedings entitled "In the Matter of North American Light & Power Company, File No. 54-50," "In the Matter of The North American Company and Its Subsidiary Companies, File No. 59-10," and "In the Matter of North American Light & Power Company Holding Company System and The North American Company, File No. 59-39"; and

Illinois Iowa Power Company, a registered holding company and an indirect subsidiary of North American Light & Power Company and of The North American Company, having filed a statement of claim in the consolidated proceedings against North American Light & Power Company and Illinois Traction Company, a direct subsidiary of North American Light & Power Company and the immediate parent of Illinois Iowa Power Company; North American Light & Power Company and Illinois Traction Company having filed an answer and counterclaims to said statement of claim; and the Commission having ordered that hearings be held in said consolidated proceedings to ascertain and determine the nature, validity and extent of the claim of Illinois Iowa Power Company and the nature, validity and extent of the defense and counterclaims asserted by North American Light & Power Company and Illinois Traction Company, and to examine the relationships among The North American Company and each of the companies in the North American Light & Power Company Holding Company System; [5] and hearings having been held but not completed on the several issues involved in said consolidated hearing; and

Certain preferred stockholders by their attorney, Lawrence R. Condon, having filed a "Notice of Motion" in said consolidated proceedings alleging that they would move for an order of the Commission granting them the following relief:

(1) For an order of the Commission directing North American Light & Power Company and the Illinois Traction Company to file an amended answer to assert a claim-over or cross-claim against The North American Company for and in respect of the claims set forth in the statement of claim filed by Illinois Iowa Power Company to the extent The North American Company is chargeable with the alleged grievances set forth in said statement of claim;

(2) For an order of the Commission directing Illinois Iowa Power Company to file an amended statement of claim asserting a claim-over and cross-claim against The North American Company for and in respect of all the claims set forth in the statement of claim filed by Illinois Iowa Power Company to the extent that The North American Company is chargeable with the alleged grievances set forth in said statement of claim;

(3) That a claim-over and cross-claim be asserted by and on behalf of North American Light & Power Company and Illinois Traction Company against The North American Company to the extent that North American Light & Power Company and Illinois Traction Company is or are held liable to Illinois Iowa Power Company to the extent that the acts, transactions, occurrences and events were occasioned, caused or permitted by The North American Company;

(4) That a claim-over and cross-claim be asserted by and on behalf of North American Light & Power Company and Illinois Traction Company against The North American Company to the extent that North American Light & Power Company and Illinois Traction Company have been damaged by Illinois Iowa Power Company as alleged in the answers of North American Light & Power Company and Illinois Traction Company to the extent that the acts, transactions, occurrences, and events referred to in said answers were occasioned, caused or permitted by The North American Company; and

It appearing that further hearing on the aforesaid statement of claim and answer and counterclaims is set for April 13, 1943 and that The North American Company has been served with copies of all orders and notices issued in the above styled and numbered proceedings and has been represented by counsel present and participating in all hearings heretofore held in said consolidated proceedings; and

The Commission deeming it inappropriate to prescribe the position which North American Light & Power Company, Illinois Traction Company and Illinois Iowa Power Company should assert in this proceeding, but deeming it appropriate to specify the relation of the issues arising in the consolidated proceeding to the matters specified in said "Notice of Motion," and also deeming it appropriate that The North American Company be put on notice as to the extent to which the determinations of the Commission in such proceeding may affect its interest;

Notice is hereby given to The North American Company that in disposing of the issues raised in the said consolidated proceedings the Commission may be required to determine among other things (1) whether the proposed plan for the liquidation of North American Light & Power Company is necessary to effectuate the provisions of section 11 (b) of the Act and is fair and equitable to the persons affected thereby; (2) the nature, extent and validity of the claim or claims asserted by Illinois Iowa Power Company against North American Light & Power Company and Illinois Traction Company; (3) the nature, extent and validity of the counterclaims and defenses asserted by North American Light & Power Company and Illinois Traction Company; (4) the participation of The North American Company in the distribution of the assets of North American Light & Power Company; (5) the treatment to be accorded The North American Company with respect to the debentures and preferred stock of North American Light & Power Company owned by it; and (6) the extent of the claims which any of the companies in the North American Light & Power Company Holding Company System may have against The North American Company for any of the transactions which give rise to the aforesaid claims and counterclaims or for any other related transactions, and the extent to which such claims may require recognition in connection with any plan for compliance with section 11 (b) by The North American Company; and

Notice is further given to The North American Company that all the evidence heretofore received in said consolidated proceedings and all the evidence to be received at all subsequent hearings therein will be considered by the Commission in determining any and all of the above recited issues and matters insofar as the same may be pertinent or material to each or all of said issues and matters;

It is hereby ordered, That the orders for hearings in said consolidated proceeding be, and the same are hereby amended, to include the foregoing issues insofar as the same may not have been included within the scope of the hearings by such previous orders.

It is further ordered, That The North American Company be afforded full and complete opportunity to cross examine any and all witnesses who have heretofore testified and will hereafter testify in said consolidated proceedings on any and all relevant matters, both as to evidence which has heretofore been introduced and as to evidence which will be hereinafter introduced, and that said company be granted full and complete opportunity to introduce relevant evidence on all matters pertaining to the issue of its liability, if any, for any of the transactions among the companies in the North American Light & Power Company Holding Company System which give rise to the aforesaid claim and

[1] Holding Company Act Release No. 3233 (File No. 59-39).
[2] Holding Company Act Release Nos. 3507 and 3620 (File No. 54-50).
[3] Holding Company Act Release No. 3906.
[4] Holding Company Act Release No. 3507.
[5] Holding Company Act Release No. 3820.

counterclaims or for any other related transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5837; Filed, April 14, 1943; 2:54 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 15, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	[illegible]
P-19-h.....	52242	Amerada Petroleum Corp., Tulsa, Okla.	Wood County (near Winnsboro), Tex.	[illegible]

[F. R. Doc. 43-5903; Filed, April 15, 1943; 11:37 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 76

Washington, Saturday, April 17, 1943

The President

EXECUTIVE ORDER 9329

DESIGNATING THE CHAIRMAN OF THE UNITED STATES MARITIME COMMISSION

By virtue of and pursuant to the authority vested in me by section 201 (a) of the Merchant Marine Act, 1936 (49 Stat. 1985), I hereby designate Emory S. Land as Chairman of the United States Maritime Commission.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 16, 1943.

[F. R. Doc. 43-5923; Filed, April 16, 1943; 10:05 a. m.]

Regulations

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[General Order 1, Amendment 3]

PART 901—TRANSPORTATION OF WORKERS

TRANSPORTATION OF WORKERS TO NON-FERROUS METAL AND LUMBER PRODUCING AREAS

Section 901.6 of the "Regulations Governing Transportation of Workers to Non-Ferrous Metal and Lumber Producing Areas" (7 F.R. 8457, 10253; 8 F.R. 839) promulgated by the Chairman of the War Manpower Commission on October 17, 1942, pursuant to the letter of the President dated October 8, 1942, allocating certain sums from the Emergency Fund for the President to the War Manpower Commission, as amended by Amendment No. 1, dated December 4, 1942, and Amendment No. 2, dated January 14, 1943, is hereby amended by adding at the end of said § 901.6 two new paragraphs (d) and (e) as follows:

(d) Notwithstanding anything in these regulations to the contrary, any worker:

(1) Who has heretofore been transported to the place of employment under a contract of employment which conforms to the provisions of section 2 of these regulations, and

(2) Who, because of inadequate information given concerning the prescribed procedure for obtaining transportation of dependents or household effects at Government expense or because of lack of understanding of such procedure, has at his own expense provided transportation for his dependents designated in the contract of employment, or household effects described in the contract of employment, and

(3) Who would have been entitled to such transportation at Government expense, or to reimbursement for the cost thereof, if the prescribed procedure under these regulations had been observed, shall be reimbursed for the cost of such transportation upon presentation to the United States Employment Service office nearest to the place of employment, on or before July 1, 1943, of a standard voucher setting forth in detail the actual transportation thus provided and the cost thereof. Such reimbursement shall be paid only after certification by an officer or employee of the United States Employment Service that the transportation was provided and that payment should be made; and, in no event, shall payment be made pursuant to this subsection in excess of the cost which would have been incurred by the Government had such transportation been afforded pursuant to the prescribed procedure therefor.

(e) This amendement shall be effective May 1, 1943. Paragraph (d) above shall be applicable only to transportation which was provided at the worker's own expense prior to the effective date of this amendment. No reimbursement shall be paid for transportation afforded at the worker's own expense after May 1, 1943, unless such transportation is afforded pursuant to the prescribed procedure therefor.

PAUL V. MCNUTT,
Chairman.

APRIL 14, 1943.

[F. R. Doc. 43-5927; Filed, April 16, 1943; 10:19 a. m.]

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Order No. 351]

PART 308—REPORTS AND RECORDS

ORDER RELIEVING DISTRICT 16 FROM FILING MONTHLY TONNAGE REPORTS

An order relieving code members within District No. 16 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 16 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the rules and regulations requiring tonnage reports from code members, established by order in General Docket No. 24, dated April 7, 1942, 7 F.R. 2894, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the code members within District No. 16 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 16 monthly tonnage data on Form B. C. D. No. 718, with respect to coal produced on and after January 1, 1943.

(Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: April 14, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-5930; Filed, April 16, 1943; 10:44 a. m.]

[Docket No. A-1898]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for changes in shipping points, and originating railroads of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting changes in the shipping points and originating railroads of certain mines in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted in the manner hereinafter set forth: Commencing forthwith § 330.2 (*Mine index numbers*) is hereby amended as follows:

Hurd, Illinois, is substituted for Springfield, Illinois as the shipping point for Mine Index No. 97 of the Mine "B" Coal Company. Springfield and Southwestern Railroad is substituted for Chicago, Springfield and St. Louis Railroad as the railroad upon which rail shipments of coals produced at Mine Index No. 97 shall originate.

Springfield and Southwestern Railroad Company is substituted for Chicago, Springfield and St. Louis Railroad as the railroad upon which rail shipments of coals produced at Mine Index No. 28 of Mine "B" Coal Company shall originate.

Atchison, Topeka and Santa Fe Railway is substituted for Peoria and Pekin Union Railroad as the railroad upon which rail shipments of coals produced at Mine Index No. 819 of Pekin Coal Mining Company shall originate. Freight Origin Group No. 120 is substituted for Freight Origin Group No. 125 which was formerly assigned to this mine. A price adjustment of 24 cents per net ton shall be applicable to shipments from Mine Index No. 819 to Peoria and Pekin, Illinois.

Canton, Illinois is substituted for Norris, Illinois as a shipping point for Mine Index No. 658 of Blakely Coal Company (Wm. Blakely) and Railroad Locomotive Fuel Price Exceptions 1-F, 2-A, 6, 7, 8, 43, and 65, § 330.10 (a) (3) (*Special prices—Exceptions*) are made applicable to Mine Index No. 658.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No order is issued concerning the requested changes in Freight Origin Groups Numbers for Mine Index Nos. 28 and 97 of Mine "B" Coal Company for the reason that a change in the name of the railroad upon which shipments of coals produced at these mines originate does not place these mines in Freight Origin Groups different from that in which they have heretofore been placed.

Dated: April 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-5928; Filed, April 16, 1943; 10:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-g, as Amended April 13, 1943 [1]]

RUBBER TIRES FOR INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.9 *Supplementary Order M-15-g*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber" means any kind of crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber.

(3) "Rubber tire" means any solid or pneumatic tire or tire tube made in whole or in part of any kind of rubber and used or designed for use on any industrial power truck.

(4) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, shipyards, airports or depots. The term shall not include any of the following: automotive tractors; automotive trucks; wheel-type industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging or petroleum development; or trailers designed for industrial use.

(b) *Restrictions on delivery or acquisition.* Except as permitted by paragraph (c) hereof, no person shall sell, lease, rent, deliver or otherwise transfer, or purchase, accept or otherwise acquire, any new rubber tire used or designed for use on any industrial power truck except pursuant to an authorization in writing of the War Production Board on Form PD-840 or Form PD-408: *Provided*, That no Form PD-408 shall be used to acquire any such tire unless such form is an individual or interim form which covers only the tire or tires which are needed for one or more industrial power trucks referred to therein. Each application filed pursuant hereto on Form PD-840 or Form PD-408 shall contain or be accompanied by a statement certifying that each tire covered by such application is needed for replacement purposes within thirty days from the delivery date specified in such application.

No such tire which is permanently mounted on or affixed to a base band made of iron, steel or any other metal shall be delivered for replacement purposes pursuant to this paragraph (b) unless (1) there is delivered to the person supplying such replacement tire a metal base band of comparable size, or (2) said tire is mounted on or affixed to a base band which was furnished by the person acquiring said tire.

(c) *Exceptions.* The provisions of paragraph (b) of this order shall not apply to the sale, lease, renting, delivery or transfer or purchase, acceptance or acquisition of any new rubber tire used or designed for use on any industrial power truck:

(1) *Exemption of certain orders.* When such tire is purchased or acquired by or for the account of:

(i) The Army or Navy of the United States, the United States Maritime Commission, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics or Office of Scientific Research and Development;

(ii) Any agency of the United States where such tire is to be delivered to or for the account of any foreign country under the provisions of the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) *Original equipment.* When such tire is purchased or acquired to equip any new industrial power truck, manufactured or delivered under the provisions of Limitation Order L-112 (§ 1210.1), as amended from time to time (including any such vehicles manufactured or delivered under appeal from said Limitation Order L-112): *Provided*, That no person shall purchase, receive or otherwise acquire any new rubber tires to be used as original equipment on new industrial power trucks in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his requirements for thirty days.

(3) *Tire distributors and vehicle manufacturers.* When any such tires are acquired for resale to others by

(i) Any person (other than a manufacturer of tires for industrial power trucks) who, during the calendar year 1941, was regularly engaged in the business of furnishing new rubber tires for industrial power trucks for replacement purposes and who, while engaged in such business, maintained during the greater part of the calendar year 1941, an inventory of not less than twenty tires for such purpose, or

(ii) Any person who is a manufacturer of industrial power trucks and who also engages in the business of furnishing to others new rubber tires for industrial power trucks for replacement purposes.

Provided, however, That no person shall purchase, receive or otherwise acquire for resale to others as replacement tires any new rubber tires pursuant to this subparagraph (3) in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his anticipated orders for the ensuing thirty days; and no such person shall dispose of any such tires from his inventories except in accordance with paragraphs (b), (c) (1), (c) (2) or (c) (4) of this order.

(4) When such purchase or acquisition is authorized by a Preference Rating Certificate PD-1A issued prior to May 1, 1943, assigning a preference rating A-1-a or higher.

(d) *Restriction on destruction of metal base bands.* No person shall knowingly destroy or damage any metal base band designed for an industrial power truck tire if such base band is still usable for mounting or affixing any such tire.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

[1] This document is a re-statement of amendment 1 to M-15-g as amended April 12, 1943, which appeared in the FEDERAL REGISTER of April 15, 1943, page 4878, and reflects the order in its completed form as of April 13, 1943.

(2) *Reports.* All persons affected by this order shall prepare and file such reports and questionnaires as may from time to time be requested by the War Production Board or the Rubber Director.

(3) *Audit and inspection.* All records required to be kept by this order or by any priorities regulation of the War Production Board shall, upon request, be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provision of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(6) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Office of Rubber Director, Washington, D. C.: Ref. M–15–g.

Issued his 13th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5921; Filed, April 15, 1943; 5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-229,[1] Amendment 1]

FRANKLIN A. FELTY

Franklin A. Felty, 486 W. Columbia Street, Schuylkill Haven, Pennsylvania, has appealed from the provisions of Suspension Order S–229, issued February 3, 1943. After a review of the case it has been determined that the appeal be denied but that Suspension Order S–229 be modified so as to expire at an earlier date than now specified.

In view of the foregoing, paragraph (d) of § 1010.229, Suspension Order S–229, issued February 3, 1943, is hereby amended to read as follows:

(d) This order shall take effect on February 1, 1943, and shall expire on April 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 15th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5922; Filed, April 15, 1943; 5:00 p. m.]

[1] 8 F.R. 1617.

PART 1066—MOTORIZED FIRE APPARATUS

[General Limitation Order L–43, as Amended April 16, 1943]

Section 1066.1 *General Limitation Order L–43* is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the materials entering into the manufacture of motorized fire apparatus for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1066.1 *General Limitation Order L–43*—(a) *Definitions.* For the purposes of this order:

(1) "Motorized fire apparatus" means self-propelled motorized fire apparatus and auxiliary pumping units of fire apparatus, and includes accessories therefor and equipment thereon. The term shall include both new and used apparatus, but shall not include parts or materials for the repair or maintenance of existing apparatus.

(2) "Sedan" means self-propelled motorized fire apparatus of which more than 50% of the area behind the windshield is enclosed.

(3) "Service ladder truck" means self-propelled motorized fire apparatus on which the equipment carried consists of service or ground ladders, miscellaneous equipment, and tools.

(4) "Squad ar" means self-propelled motorized fire apparatus designed to carry men.

(5) "Salvage car" means self-propelled motorized fire apparatus designed to carry canvas covers, life nets, and similar equipment.

(6) "Rescue car" means self-propelled motorized fire apparatus designed to carry first aid equipment.

(7) "Hose truck" means self-propelled motorized fire apparatus designed to carry fire hose.

(8) "Pumper" means self-propelled motorized fire apparatus carrying a booster tank, a pump, and hose, which is designed primarily to pump water from sources other than its own booster tank.

(9) "Tank truck" means self-propelled motorized fire apparatus carrying a water tank, a pump, and hose, which is designed primarily to pump water from its own water tank rather than from outside sources. The term shall include, but not by way of limitation, so-called "crash trucks".

(10) "Aerial ladder truck" means self-propelled motorized fire apparatus on the chassis of which are combined (i) an aerial ladder, (ii) a complement of service or ground ladders, (iii) fire hose, (iv) a booster tank, and (v) a pump. An aerial ladder truck may also carry miscellaneous equipment.

(11) "Auxiliary pumping unit" means fire apparatus consisting of a pump mounted on the front, side, or other part of a self-propelled vehicle, or a pump and motor mounted on a trailer, skid or other type of support.

(12) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 per cent of the weight of all metal in the alloy.

(13) "Specification of the War Production Board" means the specification for 500 and 750 g. p. m. pumpers on file at the offices of the Safety and Technical Equipment Division of the War Production Board, Washington, D. C. (Copies of this specification may be obtained by addressing a communication to the address indicated in paragraph (k) of this order.)

(14) "Manufacturer" means any person engaged in the business of manufacturing, fabricating or assembling motorized fire apparatus.

(15) "Distributor" means any person engaged in the business of purchasing and reselling motorized fire apparatus without further fabrication of such apparatus.

(16) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(b) *Restrictions on manufacture of motorized fire apparatus.* Except as permitted by paragraph (c) of this order, no manufacturer shall take any action to commence, continue or complete the manufacture of:

(1) Any sedan, service ladder truck, squad car, salvage car, rescue car, or hose truck;

(2) Any chassis for use in connection with a pumper carrying a centrifugal pump of 500 g. p. m. capacity, as rated by the National Board of Fire Underwriters, unless such pumper is being manufactured for delivery to or for the account of the Navy of the United States, Lend-Lease, or any person to whom an export license covering the specific equipment has been issued by the Board of Economic Warfare;

(3) Any 1½ ton chassis for use in connection with a tank truck, unless such tank truck is being manufactured for delivery to or for the account of the Navy of the United States or Lend-Lease;

(4) Any pumper except the following types:

(i) Pumpers which carry centrifugal pumps of either 500 or 750 g. p. m. capacities, as rated by the National Board of Fire Underwriters, and which conform to the "Specification of the War Production Board", and

(ii) Pumpers which carry centrifugal pumps of 1250 g. p. m. capacity, as rated by the National Board of Fire Underwriters: *Provided, however,* That the manufacture of such pumpers shall not be commenced until the specifications therefor have been submitted to the War Production Board and have been specifically approved by the War Production Board;

(5) Any tank truck except one having a pump capacity of not more than 400 g. p. m. and carrying a water tank of a capacity of 500 gallons or more, *Provided, however,* That the restrictions set forth in this subparagraph (5) shall not apply to the manufacture of tank trucks for delivery to or for the account of the Army or Navy of the United States or Lend-Lease;

(6) Any aerial ladder truck except one carrying

(i) An extension ladder of 65 feet or 85 feet in length;

(ii) Not more than 500 feet of 2½ inch fire hose;

(iii) A booster tank of not less than 100 gallons nor more than 200 gallon capacity; and

(iv) A pump having a capacity of not more than 100 g. p. m.

(c) *Exceptions.* (1) Notwithstanding the restrictions set forth in paragraph (b) of this order, any motorized fire apparatus in the process of manufacture on April 16, 1943, may be completed to fill purchase orders bearing preference ratings which had been assigned to the person placing the order prior to April 16, 1943. Deliveries of such apparatus may be made and accepted without further authorization under paragraph (e) (5) (iii) of this order.

(2) The provisions of paragraphs (b) (2) and (b) (3) of this order shall not be construed to prohibit any alteration or further fabrication of chassis which have been obtained under the provisions of General Conservation Order M–100.

(d) *Restrictions on use of materials in motorized fire apparatus.* Except as specifically authorized by the War Production Board, no manufacturer shall incorporate in the manufacture of any motorized fire apparatus, or of component parts thereof, any aluminum, copper, copper base alloy, nickel, chromium, cadmium, tin, zinc, alloy steel, carbon steel, or synthetic rubber, except to the extent permitted in Appendix A, attached to this order.

(e) *Restrictions on sale and delivery of motorized fire apparatus.* (1) No manufacturer or distributor shall install a bell containing any metal other than steel on any motorized fire apparatus, and no person shall sell or deliver any such bell which he knows or has reason to believe will be used in connection with motorized fire apparatus;

(2) No manufacturer or distributor shall install any new or used rubber tires on any auxiliary pumping unit, and no person shall sell or deliver any new or used rubber tires which he knows or has reason to believe will be used on an auxiliary pumping unit, except to fill "War Orders" as defined in General Limitation Order M–15–b.

(3) No manufacturer or distributor shall sell, deliver, or otherwise supply:

(i) Any accessories or equipment for use in connection with motorized fire apparatus other than the types and kinds permitted for pumpers by paragraph D–20 of the "Specification of the War Production Board".

(ii) Any intercooler for use in connection with any auxiliary pumping unit.

(iii) Any tachometer or ground shifting mechanism for use in connection with motorized fire apparatus, except tachometers and ground shifting mechanisms which were completed and in the possession of manufacturers or distributors on April 16, 1943.

(4) No person shall sell or deliver any suction hose for use in connection with motorized fire apparatus except to fill purchase orders bearing preference ratings of A–9 or higher;

(5) Subject to the further restrictions contained in paragraph (g) of this order, no person shall sell or deliver any pumper, tank truck, aerial ladder truck, or auxiliary pumping unit, except to or for the account of:

(i) The Army or Navy of the United States:

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(iii) Any other person who has been authorized by the War Production Board on Form PD–556 to receive the specific motorized fire apparatus and has delivered to his supplier a copy of such form signed in the name of the War Production Board.

(6) No person shall purchase or accept delivery of any material if he knows or has reason to believe that the sale or delivery of such material is prohibited by the terms of subparagraphs (1), (2), (3), (4) or (5) of this paragraph (e).

(f) *Authorizations on Form PD–556.* (1) Each person seeking authorization under paragraph (e) (5) (iii) of this order to receive any pumper, aerial ladder truck, tank truck, or auxiliary pumping unit shall prepare Form PD–556 in quintuplicate (copies of which form may be obtained at the local offices of the War Production Board) in the manner prescribed therein, subject to the following instructions:

(i) The form should be filed only by the person (transferee) desiring to receive the specified motorized fire apparatus and not by the person (transferor) desiring to make delivery of such apparatus.

(ii) In describing the apparatus for which application is made, give the type, size, manufacturer's name and any other pertinent descriptive material. Do not fill in columns (b) and (c) of table II.

(iii) Do not fill in sections (6), (7) and (8) of table III.

(iv) Under section (5) of table III state in detail the reasons why the apparatus applied for is needed at this time. (The application cannot be processed unless a full statement is made on this subject.)

(2) Any authorization by the War Production Board on Form PD–556 may be granted subject to any conditions which the War Production Board deems necessary. Such conditions may include the requirement that a different size or type of apparatus be obtained, or any other condition. The War Production Board may also assign a preference rating on Form PD–556 if such rating is deemed necessary.

(g) *Production and shipping schedules and restrictions thereon.* On or before April 26, 1943, and on or before the 15th day of each succeeding calendar month, each manufacturer of motorized fire apparatus shall file with the War Production Board in triplicate on Form PD–774 his proposed production and shipping schedules of motorized fire apparatus for such period as production and shipping may be planned. Upon receipt of such form, the War Production Board will approve or disapprove the proposed production and shipping schedule, or make such changes therein as it shall deem necessary, and will thereupon return to the manufacturer a copy of such form as approved or changed. Notwithstanding any preference rating which any order may bear or any rule or regulation of the War Production Board, each manufacturer shall produce and ship motorized fire apparatus in accordance with his production and shipping schedules as approved or changed by the War Production Board.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(k) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref: L–43.

Issued this 16th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

In accordance with paragraph (d) of this order, the following materials may be incorporated in the manufacture of motorized fire apparatus, or of component parts thereof, to the extent indicated below, unless any of the uses specified herein shall conflict with the provisions of any other limitation ("L") or conservation ("M") order, in which case the more restrictive order shall control:

(1) Alloy steel containing chromium, in relief valves and seats and highly stressed steel parts, including axles, shafts and gears, to the extent allowed by the National Emergency Steel Specifications; in engine exhaust valves to the extent permitted by Limitation Order L–128; in pump shafts not exceeding 14″;

(2) Alloy steel containing nickel, in piston pins for engines over 125 horsepower and in heavy duty gears, to the extent allowed by the National Emergency Steel Specifications; and in engine exhaust valves to the extent permitted by Limitation Order L–128;

(3) Aluminum, as authorized in accordance with the provisions of Order M–1–l;

(4) Carbon steel, to the extent essential to the efficient functioning of the parts;

(5) Chromium, in alloy steel as permitted under paragraph (1) of this Appendix A; and in plating to the extent essential to the efficient functioning of the parts plated;

(6) Copper or copper base alloy (of the lowest type and grade which is practical for the particular application), in automotive parts to the extent permitted by Limitation Order L-106; and copper base alloy (of the lowest type and grade which is practical for the particular application), in suction tube caps; discharge valve caps; valves (not including the handles); relief valves; impellers, rings and rotors; and in swivels and rollers in suction hose couplings;

(7) Synthetic rubber, in valve packing, pump packing, hydraulic hose lines and fuel pump lines;

(8) Tin, in copper base alloys (where no tin-free alloy can be used); and in solders and babbitts to the extent permitted by Preference Order M-43;

(9) Zinc, in carburetors, fuel pumps, speedometers, and windshield wipers; in plating to the extent essential to the efficient functioning of the parts plated; and for protection of ferrous parts substituted for nonferrous parts.

[F. R. Doc. 43-5935; Filed, April 16, 1943; 11:18 a. m.]

PART 3223—OSMIUM

[Conservation Order M-302, as Amended April 16, 1943]

Section 3223.1 *Conservation Order M-302* is hereby amended to read as follows:

(a) *Definitions.* For the purposes of this order:

(1) "Osmium" means the element osmium in commercially pure form, or the osmium content of any osmium-containing material containing 0.5 percent or more of osmium metal by weight, other than an osmium alloy, whether or not such material is first converted into osmium metal. The term includes mixtures and compounds. Natural osmiridium is deemed to be an osmium bearing material and not an osmium alloy.

(2) "Osmium alloy" means any alloy containing 0.5 percent or more of osmium metal by weight.

(3) "Process" means to fabricate, assemble, alloy, mix, melt, cast, extrude, roll, turn, spin, or otherwise shape, but does not include the smelting or refining of osmium ore or scrap for the production of sponge metal.

(4) "Put into process" means the first change by a consumer in the form, shape, or size of material from that in which it is received by him.

(5) "Supplier" means any person who sells or offers for sale, or who delivers, osmium or osmium alloys to consumers.

(6) "Consumer" means any person who uses osmium or any osmium alloy by incorporating it physically or chemically in the products or parts thereof which he manufactures, or who uses or consumes osmium or any osmium alloy in any manufacturing, laboratory, testing, plating, or repairing process.

(7) "Implements of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armament, weapons, ships, tanks, and military vehicles), and any parts, assemblies, and materials to be incorporated in any of the foregoing items which are produced for the Army or the Navy of the United States, the Maritime Commission, the War Shipping Administration, or for any foreign government pursuant to the act approved March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), where the use of any osmium or osmium alloys to the extent employed is required by the latest issue of government specifications (including performance specifications unless otherwise directed by the War Production Board) applicable to the contract, subcontract, or purchase order. The term does not include facilities or equipment used to manufacture the foregoing items.

(b) *Restrictions on use of osmium.* On and after April 16, 1943, no person shall put into process or process any osmium, exclusive of an osmium alloy, except for the purpose of manufacturing or alloying an osmium alloy for use in implements of war.

(c) *Restrictions on use of osmium alloys manufactured or alloyed prior to April 16, 1943.* On and after April 16, 1943, except for use in implements of war, no person shall put into process any osmium alloy manufactured or alloyed prior to April 16, 1943, in any calendar quarter in excess of ⅛ of the aggregate amount by weight of all osmium alloys put into process by him for all uses during the calendar year 1941.

(d) *Restrictions on use of osmium alloys manufactured or alloyed on or after April 16, 1943.* On and after April 16, 1943, no person shall put into process or process any osmium alloy manufactured or alloyed on or after April 16, 1943, except for use in implements of war.

(e) *Prohibitions against sales or deliveries.* No person shall sell or deliver any osmium or osmium-containing material or osmium alloy or products thereof in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies to any person if he knows or has reason to believe such material or product thereof is to be used in violation of the terms of this order.

(f) *Limitation on inventories.* No consumer shall receive delivery of any osmium, osmium-containing material, osmium alloy, or products thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies, nor shall he put into process any raw material in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of osmium, osmium-containing material, osmium alloy, or products thereof, by this order.

(g) *Reports.*—(1) *Monthly report.* Each supplier, each consumer, and each person owning in any month stocks of osmium or osmium alloy not incorporated in finished items or parts thereof shall file Form PD-846 with the War Production Board on or before the 15th day of the following month.

(2) *One time report.* Each supplier and each consumer of osmium alloy, and each person owning on April 16, 1943, stocks of osmium alloy not incorporated in finished items or parts thereof shall file Form PD-848 with the War Production Board on or before May 30, 1943.

(h) *Miscellaneous provisions.*—(1) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of osmium and osmium alloy in all items manufactured after April 16, 1943, irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to such date. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided, the use of osmium or osmium alloys in the production of any item, the limitations of such other order shall be observed.

(3) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref.: M-302.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 16th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5934; Filed, April 16, 1943, 11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1381—SOFTWOOD LUMBER

[Rev. MPR 219]

NORTHEASTERN SOFTWOOD LUMBER

Maximum Price Regulation 219 is amended to read as follows:

Preamble: This revision of the Northeastern softwood lumber regulation is designed to provide dollars-and-cents prices for all species of Northeastern softwood lumber, whether domestic or imported, in both standard and special grades or items. In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1381.301 *Maximum prices for Northeastern softwood lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 219 (Northeastern Softwood Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.301, issued under Pub. Laws 421 and 729, 77th Cong.; E O 9250, 7 F R. 7871

REVISED MAXIMUM PRICE REGULATION NO. 219—NORTHEASTERN SOFTWOOD LUMBER

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ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

SECTION 1 *Over-ceiling prices prohibited.*—(a) On and after April 21, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy in the course of trade or business, any Northeastern softwood lumber for direct mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

SEC. 2 *Less than maximum prices.* Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 3 *Lumber in transit.* If lumber has been received before April 21, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of any regulation, whether the General Maximum Price Regulation or an earlier version of this regulation, which covered it at the time the lumber was turned over to the carrier.

SEC. 4 *What transactions are covered.*—(a) This regulation covers, under the name of sales for "direct-mill shipment", all sales of Northeastern softwood lumber, no matter who the seller is and regardless of the quantity involved, except sales of Northeastern softwood lumber which was part of the regular stock of a "distribution yard" at the time the sale was made.

(b) The term "distribution yard" means an establishment which meets all of the following tests:

(1) It sells substantially all of the lumber of all species handled through its yard in the same size, and condition of dressing, in which received. However, as to sales of Northeastern softwood lumber, a yard located in the Northeastern area will be considered to meet this test if it receives in rough form and processes by sawing or planing less than 30 percent of its Northeastern softwood lumber. If the yard receives in rough form and processes by sawing or planing 30 percent or more of its Northeastern softwood lumber, it cannot be considered a distribution yard for the purposes of this regulation, although it may be considered a distribution yard for other species and lumber products if it qualifies as such under the terms of the regulations governing the particular product.

(2) It sells 51 percent or more of the lumber handled through the yard in quantities of 18,000 board feet or less.

(3) It maintains permanent stocks of different species of lumber from different regions (such as Northeastern white pine, Eastern hemlock, Southern pine, Douglas fir, Ponderosa pine, etc.), in various lengths, grades, and sizes, and of lumber products (such as millwork, plywood, shingles, etc.).

(4) It maintains a storage yard, offices, yard help, and a sales force, for the handling and sale of its stocks.

(5) It is prepared to make prompt deliveries by truck of lumber and lumber products out of its yard stock, in both small and large quantities.

(6) It does not manufacture lumber from logs.

(7) It is located in a lumber consuming area.

(c) An establishment will be considered a distribution yard only if it met *all* of the above tests *both* during the single calendar month and the period of six calendar months immediately preceding the transaction in question. For example, if the date of the transaction is June 10, the percentage of processing and other tests must be based both upon the month of May and upon the period of December through May.

(d) "CPA yards", as defined in Maximum Price Regulation 215, are considered distribution yards regardless of the above requirements.

SEC. 5 *What products are covered.*—(a) This regulation covers all items of Northeastern softwood lumber whether the item is specifically named in the price tables or not.

(b) This regulation covers, under the name of "Northeastern softwood lumber", the following softwood lumber produced in the States of Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York and Pennsylvania, and in that part of the Dominion of Canada located east of the 85th meridian: Northeastern white pine (Pinus strobus), Norway pine (Pinus resinosa), Eastern hemlock (Tsuga canadensis), Eastern spruce (Picea rubra, Picea mariana, and Picea glauca), Eastern white cedar (Thuja occidentalis), and Jack pine (Pinus banksiana).

SEC. 6 *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government, or any of their political subdivisions, or any agencies of the foregoing

SEC. 7 *Relation to other regulations.*—(a) *General Maximum Price Regulation.*[1] Any sale or delivery covered by Revised

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3096, 3849, 4347.

Maximum Price Regulation 219 is not subject to the General Maximum Price Regulation.

(b) *Revised Maximum Export Price Regulation.*[2] The maximum price for export sales of Northeastern softwood lumber is governed by the Revised Maximum Export Price Regulation.

ART. II—HOW TO FIGURE MAXIMUM F. O. B. MILL AND DELIVERED PRICES

SEC. 8 *Basic prices.* The maximum f. o. b. mill prices for domestic Northeastern softwood lumber are set forth in Appendices A, B, C, D, and E. The maximum base prices for imported Northeastern softwood lumber are set forth in Appendices A, C, D, and F, and the transportation charges provided in these Appendices shall be added to arrive at the maximum delivered prices to points within the United States.

SEC. 9 *Deductions for cash.* If cash is paid, the maximum price must be reduced by the seller's August, 1941, cash discount. For example, if this discount was 2% and the maximum price without cash discount is $30, the maximum price when cash is paid is $29.40. Exception: on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

SEC. 10 *Addition for "direct mill retail sales".* In the case of sales of less than 2,500 feet to any buyer except mills or distribution yards, a handling charge of $5.00 per M board feet may be added to the f. o. b. mill price, together with a percentage mark-up of 10% of the total so obtained, provided the seller expressly agrees:

(a) To see that the lumber is delivered to the job site or buyer's plant at such time and in such quantities as the buyer specifies;

(b) To give the buyer the privilege of exchanging the lumber and returning unused material;

(c) To make good any shortage from stocks kept on hand for this purpose. The size of the sale is determined by the over-all amount involved in the transaction. Thus, if the buyer and seller know that a particular shipment will run to 10,000 feet, the addition may not be made even if the order is broken into five orders of 2,000 feet and delivered on five different days in loads of 2,000 feet.

SEC. 11 *Transportation additions: domestic*—(a) *Private truck.* Where a domestic shipment is exclusively by motor vehicle owned or controlled by the seller, the addition to the f. o. b. mill prices for transportation may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the rail carload rate for the most nearly comparable haul applied to the quantity actually shipped.

(b) *Common or contract carrier.* For common or contract carrier shipments, the maximum transportation addition shall be either the rate times the estimated weights in the Appendices, or the actual amount paid to the carrier.

(c) *Truck delivery after rail haul.* Where the shipment is by rail followed by truck delivery, the amount added for transportation may include in addition to the amount added for rail transportation, the actual cost of truck delivery.

(d) *Trucking to rails.* Where a truck haul precedes the rail haul, as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. The seller may apply to the Lumber Branch of the Office of Price Administration for an exception if he can demonstrate that a separate and identifiable charge for the truck haul was customarily made by the seller during the year 1941.

(e) *Transportation to planing mill.* Where the lumber is shipped by rail from a mill having milling-in-transit arrangements with a carrier to a planing mill, owned by the same person, for further processing before delivery to the purchaser, that person may apply for permission to figure transportation charges on the basis of the through rail freight rate from the first mill to final destination in the following case:

(1) Where the hurricane of September, 1938, damaged and destroyed a substantial portion of the timber near which the planing mill had been located so that the mill has been compelled to rely primarily on more distant sources of timber; and

(2) Where it has not been practicable to move the planing mill near other sources of timber because of excessive moving costs, shortages of mill labor and insufficient standing timber in any single location to warrant moving the mill.

The application should be made by letter to the Lumber Branch, of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

SEC. 12 *Transportation additions: imported lumber.* In the case of sales of imported lumber the transportation charges that may be added to the maximum basic prices are specifically set forth in the various Appendices dealing with imported Northeastern softwood lumber.

SEC. 13 *"Evening-out".* When estimated weights are used, delivered prices shall be evened out to the nearest quarter of a dollar per MBM.

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

SEC. 14 *What the invoice must contain*—(a) *General.* Because of the large number of possible additions to the basic maximum prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not. Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown.

(c) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment;

(2) Destination;

(3) Rail rate, (if estimated weights are used; otherwise the actual amount added for transportation); and in the case of the sales of imported lumber, the method of calculation of the freight addition;

(4) The words "direct-mill shipment".

(d) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be separately shown on the invoice.

(e) *Direct-mill retail sales.* If the price exceeds the basic mill price because of the "direct-mill retail sale" mark-up authorized in section 10, the invoice should show the amount of the mark-up separately labeled "Direct-mill retail sale".

(f) *Average price on different items.* When specific amounts of different grades or classes or sizes of lumber are quoted at an average price, it is permissible to quote at an average price, but only if all of the following conditions are met:

(1) The footage of each item must be shown separately, and a piece tally must be furnished for each shipment.

(2) The average price for the lumber actually shipped must not be higher than it would have been if all the individual grades, classes and sizes shipped had been sold separately at the individual ceiling prices.

(3) If the order is shipped in more than a single carload, truckload, or boat shipment the following invoicing and charging practices must also be followed:

(i) The invoice must show that it is part of a larger order and identify the order. It must also show the individual ceiling prices for the various items of lumber actually contained in each shipment, and the average selling price agreed upon.

(ii) The charges which may be made and collected on account for each shipment must not exceed the average price agreed upon or the total of the ceiling prices for the items in the particular shipment, whichever is the lower. Thus, if an average price was quoted on widths from 4" to 12", and if a car of all 4" was shipped, only the 4" price can be charged and collected on that car. But if a car of all 12" widths was shipped, only the average price quoted could be charged on that car.

(iii) Upon completion of the order, the seller must render a final invoice showing the quantity of each shipment or delivery, the freight charge for each if sold on a delivered basis, the amount received on account, the total amount due on the order at the agreed average prices, and a reconciliation of the total amount so computed with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the basis of the final reconciliation.

(g) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids $33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 per MBM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge. Where this practice is adopted, the seller must observe all of the following conditions:

(1) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(2) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(3) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. In the event that the sale was made at an average price for different grades, classes or sizes of lumber as well as an averaging-out of transportation charges, the provisions of (f) above shall also be observed. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 15 *Records.* All sellers of Northeastern softwood lumber must keep records which show a complete description of items of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 5,000 feet board measure or more of Northeastern softwood lumber. They must be kept for two years for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

SEC. 16 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher than ceiling price without actually raising the dollars-and-cents price is as much a violation of this Regulation as an outright over-ceiling price.

(b) *Specific practices.* The following are some of the specific practices prohibited.

(1) Getting the effect of a higher price by changing credit practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used.

(2) Refusing, without good reason, to ship except in specified or restricted random lengths, or in mixed cars, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths a shipment of lumber which is substantially equivalent to standard or random lengths or widths; or reselling as specified lengths or widths a shipment bought by the seller as standard or random lengths or widths.

(4) Grading as a special grade lumber which can be graded as a standard grade; wrongly or falsely grading or invoicing lumber in any way.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis, except in the case of sales of imported Northeastern softwood lumber.

(7) Unnecessarily routing lumber through a distribution yard.

(8) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(9) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(10) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered (for example, charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2 x 4's) except where the items ordered and delivered are non-standard sizes not specifically priced in the tables. This prohibition has no application where the buyer specifies the larger size to be ripped or resawn into items of smaller size and the resulting items are priced higher in the tables than the original larger size.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating lumber, or for any related service (such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the lumber in connection with which the service is performed.

(d) *Combination grades.* Lumber sold on combination grades for which no specific price is established in the regulation may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 2 Common and better is the maximum price fixed for No. 2 Common lumber. But it is permissible to quote a grade with specified percentages of higher grades: *Provided*, That when the lumber is shipped, lumber of each grade is tallied on a board foot basis and invoiced separately at prices not in excess of ceiling prices for the respective grades. Note, however, that it is a violation to insist on the buyer taking grades he does not want in order to get the grades he does want.

SEC. 17 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition, in accordance with the disposition of the petition.

ARTICLE IV—MISCELLANEOUS

SEC. 18 *Petitions for adjustment or amendment*—(a) *Government contracts.* (1) The term "government contract" is used here to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "government contract" and who believes that a maximum price in this regulation impedes or threatens to impede production of Northeastern softwood lumber essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation 6,[4] issued by the Office of Price Administration.

(3) As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to such refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530; 8 F.R. 3846

[4] 7 F.R. 5087, 5664.

with the provisions of Revised Procedural Regulation 1,[1] issued by the Office of Price Administration.

SEC. 19 *Enforcement*—(a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies, however, are subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 20 *Licensing.* All sellers under this regulation, except mills, are licensed by Supplementary Order 18. This order, in brief, provides that a license is necessary except for mills to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

SEC. 21 *Grades, services and extras not listed*—(a) If a seller wishes to sell a grade of Northeastern softwood lumber which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for a maximum price. He must submit the following information: (1) the requested price; (2) a complete description of the material to be priced; and (3) the price differential between it and the most comparable item priced in the price tables between January 1 and August 1, 1941, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential existed, detailed analysis of comparable value should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until the price has been approved. Action on the request may be by letter or telegram. If the Office of Price Administration has not acted within 30 days of the receipt of the request, the requested price is approved.

(c) The term "lumber" as used in this section does not include: (1) glued stock, (2) stock mine material, (3) switch, cross, or mine ties, (4) posts, poles, and piling, (5) Small dimension stock, and (6) millwork.

[1] 7 FR 8961; 8 FR 3313, 3533.

ARTICLE V—APPENDIX A: SQUARE-EDGE WHITE PINE: PRICE TABLES

SEC. 22 *Application of Appendix A.* This Appendix applies to domestic Northeastern white pine lumber processed square edge (i. e., sawn or processed square on four sides), and to imported Northeastern white pine lumber processed square edge shipped from mills located in that part of the Dominion of Canada east of the Province of Ontario, where sold on the specifications and on the grades designated below. (Maximum prices for Northeastern white pine lumber shipped from mills located in that part of the province of Ontario lying east of the 85th Meridian, known as Ottawa Valley White Pine, are set forth separately in Appendix F.)

SEC. 23 *Grading rules.* Grade terms in this Appendix have the meaning set forth in "Standard Grading Rules for Northern White Pine and Norway Pine" (Northeastern type) published by the Northeastern Lumber Manufacturers Association, Inc., effective January 1, 1937.

SEC. 24 *Maximum prices.* The maximum f. o. b. mill price for domestic Northeastern white pine lumber processed square edge, and the maximum base price for imported Northeastern white pine lumber other than Ottawa Valley white pine lumber processed square edge shall be as set forth below. These prices are for 1,000 feet board measure of lumber in a rough air-dried condition.

TABLE 1.—NORTHEASTERN WHITE PINE PROCESSED SQUARE EDGE ROUGH—AIR DRIED

Random lengths	C select and better	D select and better	No. 1 and No. 2 common	No. 3 common	No. 4 common	No. 5 common
1" x 3"	$77.00	$67.00	$50.00	$38.50	$33.00	$29.50
1" x 4"	76.50	66.50	47.00	38.00	31.00	27.50
1" x 5"	77.50	67.50	47.50	37.00	32.00	29.00
1" x 6"	79.00	69.00	50.50	40.00	36.00	28.50
1" x 7"	79.00	69.00	50.50	40.00	36.00	28.50
1" x 8"	82.00	72.00	53.00	40.50	36.50	28.50
1" x 9"	82.00	72.00	53.00	40.50	36.50	29.50
1" x 10"	87.00	77.00	53.00	42.50	36.50	29.50
1" x 11"	87.00	77.00	53.00	42.50	36.50	29.50
1" x 12"	99.00	89.00	63.00	48.00	38.50	30.50
1" x 13" and wider	102.00	92.00	64.00	49.00	40.00	31.00
1" x 4" and wider av. 7" to 8"	80.00	70.00	51.50	39.75	35.75	28.70
1" x 5" and wider av. 8" to 9"	81.50	71.50	52.50	40.00	36.00	29.00
1" x 6" and wider av. 9" or over	82.00	72.00	53.00	40.50	36.50	29.50

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	C select and better	D select and better	No. 1 and No. 2 common	No. 3 common	No. 4 common	No. 5 common
For thickness:						
1. 5/4" to 8/4", add	$10.00	$10.00	$7.00	$3.00	$2.00	$2.00
2. 9/4" and thicker, add	15.00	15.00	8.00	3.00	3.00	3.00
For length:						
3. For specified lengths, add $2.00 per 1,000 board feet.						
For condition:						
4. For Green, deduct $2.00 per 1,000 board feet.						

	5,000 ft. B. M. or over	1,000 to 4,999 ft. B. M.	Net charge under 1,000
For working:			
5. S1S	$3.00	$3.25	$3.25
6. S2S	3.00	3.25	3.25
7. S4S	4.00	4.25	4.25
8. S2S and match	4.00	4.25	4.25
9. S1S and clip to exact length	3.25	3.50	3.50
10. S2S and clip to exact length	3.25	3.50	3.50
11. S4S and clip to exact length	4.25	4.50	4.50
12. Clipping only to exact length	3.00	3.25	3.25
13. Bead 1 side add to S4S	1.00	1.25	1.25
14. Bead 2 sides add to S4S	1.50	1.75	1.75
15. S2S and resaw 1 cut	5.50	5.75	5.75
16. S4S and resaw 1 cut	6.50	6.75	6.75
17. S2S and resaw 2 cuts	6.50	6.75	6.75
18. S4S and resaw 2 cuts	7.50	7.75	7.75
19. Resaw rough—1 cut	4.00	4.25	4.25
20. Resaw rough—more than 1 cut, add per cut	2.25	2.50	2.50
21. Resaw 1 cut and S2S each piece	6.50	6.75	6.75
22. Resaw 1 cut and S4S each piece	8.25	8.50	8.50
23. Rip per cut	2.75	3.00	3.00
24. S4S and bevel resaw	6.50	6.75	6.75
25. Siding to pattern	8.50	8.75	8.75
26. Other patterns 4" or wider	8.50	8.75	8.75
27. Cross cutting—per cut	1.00	1.25	1.25
28. For dressing thicker than standard, for each 1/32" add to above charges	.50	.75	.75
29. For bundling	1.25	1.25	1.25

TABLE 2.—LOG RUN NORTHEASTERN WHITE PINE PROCESSED SQUARE EDGE ROUGH—AIR DRIED

4/4" and thicker	$37.00

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICE

For condition: 1. For Green, deduct $2.00 per 1,000 board feet. Green lumber is lumber which contains a moisture content in excess of 19% by weight.

TABLE 3.—ESTIMATED WEIGHTS PER THOUSAND FEET—DRY

	Pounds
Rough	2,500
S1S	2,000
S4S	1,800

SEC. 25 *Transportation addition on imported lumber.* (For domestic transportation addition, see section 11). In the case of sales of imported Northeastern white pine lumber the amount that may be added to the maximum base price for transportation is the railroad freight from Campbellton, New Brunswick, to the point of delivery in the United States, computed on the lowest through rate. This rule applies regardless of the point of origin and whether the lumber is shipped by rail or truck. The freight may be computed on the basis of the estimated average weights set forth in Table No. 3 above, and the final amount shall be evened out to the nearest quarter of a dollar per MBM. No addition may be made to the maximum base price for duty or for any charges or fees incurred in importation.

ARTICLE VI—APPENDIX B: ROUND-EDGE WHITE PINE: PRICE TABLES

SEC. 26 *Application of Appendix B.* This Appendix applies to domestic Northeastern white pine lumber processed round edge (i. e. sawn or processed by sawing two sides without sawing or otherwise processing edges), sold on the specifications and on the grades designated below.

SEC. 27 *Grading rules.* Grade terms used herein have the meaning set forth in "Standard Grading Rules for Northern White Pine and Norway Pine" (Northeastern type), published by the Northeastern Lumber Manufacturers Association, Inc., effective January 1, 1937.

SEC. 28 *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet board measure of Northeastern white pine lumber processed round edge, in a rough air-dried condition, shall be as set forth below.

TABLE 4.—NORTHEASTERN WHITE PINE LUMBER PROCESSED ROUND EDGE ROUGH—AIR DRIED

Dry	On sticks	Loaded on trucks	Loaded on railroad cars
4/4" and thicker, log run	$27.50	$28.50	$29.50
Bill stuff	17.50	18.50	19.50

NOTE: The use of estimated weight of 3,250 lbs. per thousand feet for freight charges for dry lumber is permissible.

ARTICLE VII—APPENDIX C: EASTERN SPRUCE, NORWAY PINE AND JACK PINE: PRICE TABLES

SEC. 29 *Application of Appendix C.* This Appendix applies to domestic and imported Eastern spruce, Jack pine and Norway pine lumber, (except Norway pine produced in Ontario and farther west), sold on the specifications and on the grades designated below. (Maximum prices for Norway pine shipped from mills located in that part of the Province of Ontario lying east of the 85th meridian, known as Ottawa Valley Norway pine, are set forth separately in Appendix F.)

SEC. 30 *Grading rules.* Grade terms used herein have the meaning set forth in "Standard Grading Rules for Eastern Spruce and Balsam Fir," published by the Northeastern Lumber Manufacturers' Association, Inc., effective April 1, 1938, as applied to Eastern spruce and Jack pine lumber, and in "Standard Grading Rules for Northern White Pine" (Northeastern type) published by the Northeastern Lumber Manufacturers' Association, Inc., effective January 1, 1937, as applied to Norway pine lumber.

SEC. 31 *Maximum prices.* The maximum f. o. b. mill price for domestic Eastern spruce, Norway pine and Jack pine lumber and white cedar shingles, and the maximum base price for imported Eastern spruce, Norway pine (other than Ottawa Valley Norway Pine), and Jack pine lumber shall be as set forth below. These prices are for 1,000 feet board measure (or for 1,000 pieces, or for a square, where so designated) of lumber in a rough air-dried condition.

TABLE 5.—EASTERN SPRUCE—FULL SAWN BOARDS—ROUGH

[For Jack Pine and Norway Pine, see notes 31 and 32]

Grade	Random length odd and even 8' to 20'	Random length even 8' to 20'	Specified length 8' to 15' inc.	Specified length 16'	Specified length 17' and or 18'	Specified length 19' and or 20'
No. 1 (merchantable):						
1 & 2	$36.00	$37.00	$38.00	$39.00	$40.00	$41.00
3	37.00	38.00	39.00	40.00	41.00	42.00
4	37.00	38.00	39.00	40.00	41.00	42.00
5	37.00	38.00	39.00	40.00	41.00	42.00
6	40.00	41.00	42.00	43.00	44.00	45.00
7	40.00	41.00	42.00	43.00	44.00	45.00
8	42.00	43.00	44.00	45.00	46.00	47.00
9	42.00	43.00	44.00	45.00	46.00	47.00
10	45.00	46.00	47.00	48.00	49.00	50.00
12	47.00	48.00	49.00	50.00	51.00	52.00

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000 to 4,999 ft. B. M.
For working:		
1. Cross cutting, for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Cross cutting square, to exact non standard length, add	2.00	2.25
3. Ripping, straight, for one cut add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Resaw, straight, 4" and narrower, add	2.00	2.25
7. Resaw, straight, wider than 4", add	1.50	1.75
8. Resaw, bevel, 4" and narrower, add	2.00	2.25
9. Resaw, bevel, wider than 4", add	1.50	1.75
10. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
11. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S, add	3.00	3.25
12. Any standard dressing and beading 1 side, add	4.00	4.25
13. Any standard dressing and beading 2 sides, add	4.50	4.75
14. Working to other standard patterns, add	5.00	5.25
15. Any standard dressing and crosscutting to exact length, add	4.00	4.25
16. Any standard dressing and resawing, add	4.00	4.25
17. Resawing 1 cut and dressing each piece, add	4.50	4.75
18. Resawing 1 cut in center and bevel resawing each piece and bundling, add	5.00	5.25
19. Bundling, add	1.00	1.25

For width:
20. For widths wider than listed: For each inch or fraction thereof over 12", to the 12 in. price, add $1.00.
21. Specified fractional widths. Price as next wider standard width for which a price is provided and add the ripping charge.

For length:
22. For lengths longer than listed: For each 2 ft. or fraction thereof over 20', to the 20 ft. price add $1.00.
23. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
24. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For thickness:
25. For 5/4 thickness: To the price of the same width and length add $1.00.
26. For 6/4 thickness: To the price of the same width and length add $1.00.
27. For scant thickness: From the price of the same width and length deduct $2.00.

For grade:
28. Selected merchantable: Add $5.00 to No. 1 prices.
29. No. 2: Deduct $4.00 from No. 1 prices.
30. No. 3: Deduct $9.00 from No. 1 prices.

Notes:
31. Ontario Jack Pine: Price as spruce.
32. Norway Pine: From spruce prices deduct $2.00.

TABLE 6.—EASTERN SPRUCE FULL SAWN DIMENSION—ROUGH

[For Jack Pine and Norway Pine, see notes 21 and 22]

Grade	Random length odd and even 8′ to 20′	Random length even 8′ to 20′	Specified length 8′ to 15′ inc.	Specified length 16′	Specified length 17′ and/or 18′	Specified length 19′ and/or 20′
No. 1 (merchantable):						
2 x 3	$37.00	$38.00	$39.00	$40.00	$41.00	$42.00
4	37.00	38.00	39.00	40.00	41.00	42.00
5	37.00	38.00	39.00	40.00	41.00	42.00
6	38.00	39.00	40.00	41.00	42.00	43.00
7	38.00	39.00	40.00	41.00	42.00	43.00
8	40.00	41.00	42.00	43.00	44.00	45.00
9	41.00	42.00	43.00	44.00	45.00	46.00
10	44.00	45.00	46.00	47.00	48.00	49.00
12	46.00	47.00	48.00	49.00	50.00	51.00

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000–4,999 ft. B. M.
For working:		
1. Crosscutting, for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Crosscutting square, to exact length, add	2.00	2.25
3. Ripping, straight, for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Resaw, bevel, 4″ and narrower, add	2.00	2.25
7. Resaw, bevel, wider than 4″, add	1.50	1.75
8. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
9. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S, add	3.00	3.25
10. Working to other standard patterns, add	5.00	5.25
11. Any standard dressing and crosscutting to exact length, add	4.00	4.25

For width:
12. For widths wider than listed: For each inch or fraction thereof over 12″; to the 12″ price add $1.00
13. Specified fractional widths: Price as next wider standard width for which a price is provided and add the crosscutting charge.

For length:
14. For lengths longer than listed: For each 2 ft. or fraction thereof over 20′; to the 20′ price add $1.00.
15. Specified fractional lengths longer than 10′: Price and compute footage as next longer standard length and add the crosscutting charge.
16. Specified fractional lengths shorter than 10′: Price as shortest multiple or which a price is provided and add the crosscutting charge.

For thickness
17. For scant thickness: From the price of the same width and length deduct $2.00.

For grade:
18. Selected merchantable: Add $5.00 to No. 1 prices.
19. No. 2: Deduct $4.00 from No. 1 prices.
20. No. 3: Deduct $9.00 from No. 1 prices.

Notes:
21. Ontario Jack Pine: Price as spruce.
22. Norway Pine: From spruce prices deduct $2.00.

TABLE 7.—EASTERN SPRUCE FULL SAWN TIMBERS—ROUGH

[For Jack Pine and Norway Pine, see notes 19 and 20]

Grade	Random length odd and even 8′ to 20′	Random length even 8′ to 20′	Specified length 8′ to 15′ inc.	Specified length 16′	Specified length 17′ and/or 18′	Specified length 19′ and/or 20′
No. 1 (merchantable):						
3 x 4	$39.00	$40.00	$41.00	$42.00	$43.00	$44.00
6	39.00	40.00	41.00	42.00	43.00	44.00
8	40.00	41.00	42.00	43.00	44.00	45.00
10	44.00	45.00	46.00	47.00	48.00	49.00
12	46.00	47.00	48.00	49.00	50.00	51.00
4 x 4	39.00	40.00	41.00	42.00	43.00	44.00
6	40.00	41.00	42.00	43.00	44.00	45.00
8	40.00	41.00	42.00	43.00	44.00	45.00
10	44.00	45.00	46.00	47.00	48.00	49.00
12	46.00	47.00	48.00	49.00	50.00	51.00
6 x 6	40.00	41.00	42.00	43.00	44.00	45.00
8	41.00	42.00	43.00	44.00	45.00	46.00
8 x 8	44.00	45.00	46.00	47.00	48.00	49.00

TABLE 7.—EASTERN SPRUCE FULL SAWN TIMBERS—ROUGH—Continued

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000–4,999 ft. B. M.
For working:		
1. Crosscutting, for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Crosscutting square, to exact length, add	2.00	2.25
3. Ripping, straight, for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
7. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S, add	3.00	3.25
8. Any standard dressing and crosscutting to exact length, add	4.00	4.25

For width:
9. For widths wider than listed: For each inch or fraction thereof over 12″; to the 12 in. price add $1.00.
10. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge

For length:
11. For lengths longer than listed: For each 2 ft. or fraction thereof over 20′; to the 20 ft. price add $1.00.
12. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
13. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For thickness:
14. 2½″ thick: Compute footage as 2½″ and use 3″ price.
15. For thickness greater than listed: For each inch or fraction thereof over 4″ add to the 4″ price $1.00.

For grade:
16. Selected merchantable: Add $5.00 to No. 1 prices.
17. No. 2: Deduct $4.00 from No. 1 prices.
18. No. 3: Deduct $9.00 from No. 1 prices.

Notes:
19. Ontario jack pine: Price as spruce.
20. Norway pine: From spruce prices deduct $2.00.

TABLE 8.—EASTERN SPRUCE FURRING

Nominal size	Finished size	Random length odd and even 8′ to 16′	Random length even 8′ to 16′	Specified odd 8′ to 16′	Specified even 8′ to 16′	Specified 13′
NO. 1 (MERCHANTABLE)						
1 x 1½:						
D1S1E&Bdl	1 1/16 x 1⅜	$36.25	$37.25	$37.25	$38.25	$39.25
	¾ x 1⅜	40.25	41.25	41.25	42.25	43.25
	1 1/16 x 1⅜	42.25	43.25	43.25	44.25	45.25
D2S1E&Bdl	⅞ x 1⅜	43.25	44.25	44.25	45.25	46.25
	¾ x 1⅜	40.75	41.75	41.75	42.75	43.75
	1 1/16 x 1⅜	42.75	43.75	43.75	44.75	45.75
	⅞ x 1⅜	43.75	44.75	44.75	45.75	46.75
1 x 2:						
D1S1E&Bdl	1 1/16 x 1¾	34.25	35.25	35.25	36.25	37.25
	2 3/32 x 1⅜	35.25	36.25	36.25	37.25	38.25
	¾ x 1¾	37.25	38.25	38.25	39.25	40.25
	2 3/32 x 1¾	40.25	41.25	41.25	42.25	43.25
D2S1E&Bdl	1 1/16 x 1¾	40.75	41.75	41.75	42.75	43.75
	⅞ x 1⅜	41.25	42.25	42.25	43.25	44.25
	¾ x 1¾	41.25	42.25	42.25	43.25	44.25
	2 3/32 x 1¾	41.50	42.50	42.50	43.50	44.50
	1 1/16 x 1¾	41.75	42.75	42.75	43.75	44.75
D4S&Bdl	⅞ x 1¾	42.25	43.25	43.25	44.25	45.25
	⅞ x 1⅜	42.75	43.75	43.75	44.75	45.75
	¾ x 1¾	43.25	44.25	44.25	45.25	46.25
	⅞ x 1¾	44.25	45.25	45.25	46.25	47.25
	⅞ x 1⅜	44.75	45.75	45.75	46.75	47.75
1 x 2½:						
D1S1E&Bdl	1 1/16 x 2⅜	36.25	37.25	37.25	38.25	39.25
	¾ x 2¾	39.25	40.25	40.25	41.25	42.25
D2S1E&Bdl	¾ x 2¾	40.25	41.25	41.25	42.25	43.25
	⅞ x 2⅜	43.25	44.25	44.25	45.25	46.25
D4S&Bdl	¾ x 2¾	42.25	43.25	43.25	44.25	45.25
	⅞ x 2⅜	44.25	45.25	45.25	46.25	47.25
1 x 3:						
D1S1E&Bdl	¾ x 2¾	39.25	40.25	40.25	41.25	42.25
	1 3/16 x 2¾	41.25	42.25	42.25	43.25	44.25
D2S1E&Bdl	⅞ x 2¾	42.25	43.25	43.25	44.25	45.25
	⅞ x 2⅜	39.75	40.75	40.75	41.75	42.75
D4S&Bdl	1 3/16 x 2¾	41.75	42.75	42.75	43.75	44.75
	⅞ x 2¾	42.75	43.75	43.75	44.75	45.75
	¾ x 2¾	40.25	41.25	41.25	42.25	43.25
	1 3/16 x 2¾	42.25	43.25	43.25	44.25	45.25
	⅞ x 2¾	43.25	44.25	44.25	45.25	46.25
	⅞ x 2⅜	43.75	44.75	44.75	45.75	46.75
1 x 1:						
D2S1E&Bdl	⅞ x ⅞	46.25	47.25	47.25	48.25	49.25

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

For grade:
1. No. 2: Deduct $4.00 from No. 1 prices.
2. No. 3: Deduct $9.00 from No. 1 prices.

TABLE 9.—EASTERN SPRUCE SELECTS

	Random lengths 6' to 20'
C. Select.	
Thickness and width:	
1 x 2 to 1 x 10, inclusive	$70.00
1 x 12	75.00

ADDITIONS AND DEDUCTIONS PER M. B. M. TO ABOVE PRICES

For width:
1. Specified fractional widths: price as next wider standard width for which a price is provided and add the ripping charge.

For length:
2. Specified fractional lengths shorter than 10 ft.: price as shortest multiple for which a price is provided and add the crosscutting charge.
3. Specified fractional lengths over 10 ft.: price and compute footage as next longer standard length and add the crosscutting charge.

For thickness:
4. 1¼" thick add $5.00 to price of 4/4.
5. 1½" thick add $5.00 to price of 4/4.
6. 2" thick add $10.00 to price of 4/4.
7. 3" thick add $20.00 to price of 4/4.

For grade:
8. B and better: Add to prices of C. Select $20.00.

TABLE 10.—EASTERN SPRUCE SELECTED SCAFFOLDING—ROUGH

Thickness and width	Specified length 13'	Specified length 16'
1¼ x 9	$50.50	
2 x 9	48.50	
2½ x 10		$47.50

TABLE 11.—EASTERN SPRUCE LATH

Size	Per 1,000 pcs. #1	Per 1,000 pcs. #2
¾" x 1½" x 4'	$4.75	$3.25
¾" x 1⅝" x 4'	5.25	3.75
½" x 1½" x 4'		2.75
7/16" x 2" x 4'		3.25

TABLE 12.—WHITE CEDAR SHINGLES 16"

Grade	per square
Extra No. 1	$1.75
Clear walls	3.00
2nd clears	2.25
Clears	3.85
Extras	4.25

TABLE 13.—ESTIMATED AVERAGE WEIGHTS FOR SHIPMENTS FROM AMERICAN MILLS

LUMBER

Species	Rough, lbs. per M. B. M	Dressed, lbs. per M. B. M.
Spruce	3,300	3,000
Norway	3,000	2,500

LATH

	Size	Lbs. per M. pieces
Spruce	¾" x 1½" x 4'	500
	¾" x 1⅝" x 4'	550
	½" x 1½" x 4'	650
	7/16" x 2" x 4'	800

SHINGLES

	Size	Lbs. per square
White cedar	16"	200

TABLE 14.—ESTIMATED AVERAGE WEIGHTS FOR SHIPMENTS FROM CANADIAN MILLS

LUMBER

Species	Rough, lbs. per M.B.M.	Dressed, lbs. per M.B.M.
Spruce—except furring	3,100	2,600
Spruce furring		2,100
Jack pine	3,100	2,600
Norway	3,000	2,500

LATH

	Size	Lbs. per M. pieces
Spruce	¾" x 1½" x 4'	500
	¾" x 1⅝" x 4'	550
	½" x 1½" x 4'	650
	7/16" x 2" x 4'	800

SHINGLES

	Size	Lbs. per square
White cedar	16"	200

SEC. 32 *Transportation addition on imported lumber.* (For domestic transportation addition, see section 11). In the case of sales of Eastern spruce, Norway pine (other than Ottawa Valley Norway pine) and Jack pine lumber, the amount that may be added to the maximum base price for transportation is the railroad freight from Campbellton, New Brunswick, to the point of delivery in the United States computed on the lowest through rate. This rule applies regardless of the point of origin and whether the lumber is shipped by rail or truck. The freight may be computed on the basis of the estimated average weights set forth in Table No. 14 above, and the final amount may be evened out to the nearest quarter of a dollar per MBM. No additions may be made to the maximum base price for duty or for any charge or fees incurred in importation.

ARTICLE VIII—APPENDIX D: NEW ENGLAND AND IMPORTED EASTERN HEMLOCK LUMBER: PRICE TABLES

SEC. 33 *Application of Appendix D.* This Appendix applies to Eastern hemlock lumber which is shipped to the purchaser from mills located in the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut, and that part of the Dominion of Canada located east of the 85th meridian and is sold on the specifications and on the grades designated in this section.

SEC. 34 *Grading rules.* Grade terms used herein have the meaning set forth in the "Official Grading Rules for Hemlock and Tamarack Lumber, and White Cedar Shingles" published by the Northern Hemlock and Hardwood Manufacturers' Association, effective June 27, 1941.

SEC. 35 *Maximum prices.* The maximum f. o. b. mill price for New England Eastern hemlock lumber, and the maximum base price for imported Eastern hemlock lumber shall be as set forth below. These prices are for 1,000 feet board measure of lumber in a rough air dried condition.

TABLE 15.—HEMLOCK BOARDS—ROUGH

[New England and Canadian]

Grade	Random length 6' to 20'	Specified lengths 8' to 14'	Specified lengths 16'	Specified lengths 18'	Specified lengths 20'
No. 1					
1 x 2	$36.00	$36.00	$38.00	$39.00	$40.00
3	36.00	36.00	38.00	39.00	40.00
4	36.00	36.00	38.00	39.00	40.00
5	36.00	36.00	38.00	39.00	40.00
6	38.00	38.00	40.00	41.00	42.00
7	38.00	38.00	40.00	41.00	42.00
8	38.00	38.00	40.00	41.00	42.00
9	38.00	38.00	40.00	41.00	42.00
10	39.00	39.00	41.00	42.00	43.00
12	41.00	41.00	43.00	44.00	45.00
1 x 5 and wider	37.00	37.00	39.00	40.00	41.00
1 x 6 and wider	38.00	38.00	40.00	41.00	42.00
Merchantable:					
1 x 2	33.00	33.00	35.00	36.00	37.00
3	33.00	33.00	35.00	36.00	37.00
4	33.00	33.00	35.00	36.00	37.00
5	33.00	33.00	35.00	36.00	37.00
6	35.00	35.00	37.00	38.00	39.00
7	35.00	35.00	37.00	38.00	39.00
8	35.00	35.00	37.00	38.00	39.00
9	35.00	35.00	37.00	38.00	39.00
10	36.00	36.00	38.00	39.00	40.00
12	38.00	38.00	40.00	41.00	42.00
1 x 5 and wider	34.00	34.00	36.00	37.00	38.00
1 x 6 and wider	35.00	35.00	37.00	38.00	39.00
No. 2					
1 x 2	30.00	30.00	32.00	33.00	34.00
3	30.00	30.00	32.00	33.00	34.00
4	30.00	30.00	32.00	33.00	34.00
5	30.00	30.00	32.00	33.00	34.00
6	31.00	31.00	33.00	34.00	35.00
7	31.00	31.00	33.00	34.00	35.00
8	32.00	32.00	34.00	35.00	36.00
9	32.00	32.00	34.00	35.00	36.00
10	33.00	33.00	35.00	36.00	37.00
12	35.00	35.00	37.00	38.00	39.00
1 x 5 and wider	31.00	31.00	33.00	34.00	35.00
1 x 6 and wider	31.00	31.00	33.00	34.00	35.00
No. 3:					
1 x 2	27.00	27.00	29.00	30.00	31.00
3	27.00	27.00	29.00	30.00	31.00
4	27.00	27.00	29.00	30.00	31.00
5	27.00	27.00	29.00	30.00	31.00
6	29.00	29.00	31.00	32.00	33.00
7	29.00	29.00	31.00	32.00	33.00
8	29.00	29.00	31.00	32.00	33.00
9	29.00	29.00	31.00	32.00	33.00
10	30.00	30.00	32.00	33.00	34.00
12	32.00	32.00	34.00	35.00	36.00
1 x 5 and wider	28.00	28.00	30.00	31.00	32.00
1 x 6 and wider	29.00	29.00	31.00	32.00	33.00
	4' to 20'				
No. 4					
1 x 4	20.00	20.00	22.00	23.00	24.00
5	20.00	20.00	22.00	23.00	24.00
6	20.00	20.00	22.00	23.00	24.00
7	20.00	20.00	22.00	23.00	24.00
8	20.00	20.00	22.00	23.00	24.00
9	20.00	20.00	22.00	23.00	24.00
10	20.00	20.00	22.00	23.00	24.00
1	20.00	20.00	22.00	23.00	24.00
No. 5: All widths and lengths, $15.00.					

TABLE 15—HEMLOCK BOARDS—ROUGH—Continued

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000–4,999 ft. B. M.
For working:		
1. Cross cutting, for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Cross cutting square, to exact length, add	2.00	2.25
3. Ripping straight for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Resaw, straight, 4" and narrower, add	2.00	2.25
7. Resaw, straight, wider than 4", add	1.50	1.75
8. Resaw, bevel, 4" and narrower, add	2.00	2.25
9. Resaw, bevel, wider than 4", add	1.50	1.75
10. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
11. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S, add	3.00	3.25
12. Any standard dressing and beading 1 side, add	4.00	4.25
13. Any standard dressing and beading 2 sides, add	4.50	4.75
14. Working to other standard patterns, add	5.00	5.25
15. Any standard dressing and crosscutting to exact length, add	4.00	4.25
16. Any standard dressing and resawing, add	4.00	4.25
17. Resawing 1 cut and dressing each piece, add	4.50	4.75
18. Resawing 1 cut in center and bevel resawing each piece and bundling, add	5.00	5.25
19. Bundling, add	1.00	1.25

For width:
20. For widths wider than listed: For each inch or fraction thereof over 12"; to 12", price add $1.00.
21. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge.

For length:
22. For lengths longer than listed: For each 2 ft. or fraction thereof over 20 ft.; to 20 ft. price add $1.00.
23. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
24. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For thickness:
25. For 5/4 thickness: Use price for 1" of the same width and length.
26. For 6/4 thickness: Use price for 1" of the same width and length.

For grade:
27. "D" select and better, flat grain: Add to price of No. 1 common $13.00.
28. "D" select and better, vertical grain: Add to price of No. 1 common $18.00.

TABLE 16.—HEMLOCK DIMENSION—ROUGH

[New England and Canadian]

Grade	Random length 6' to 24'	Specified lengths 8' to 14'	Specified length 16'	Specified length 18'	Specified length 20'	Specified length 22'	Specified length 24'
No. 1:							
2 x 3	$34.00	$34.00	$36.00	$37.00	$38.00	$39.00	$40.00
4	34.00	34.00	36.00	37.00	38.00	39.00	40.00
5	34.00	34.00	36.00	37.00	38.00	39.00	40.00
6	36.00	36.00	38.00	39.00	40.00	41.00	42.00
7	36.00	36.00	38.00	39.00	40.00	41.00	42.00
8	36.00	36.00	38.00	39.00	40.00	41.00	42.00
9	36.00	36.00	38.00	39.00	40.00	41.00	42.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
Merchantable:							
2 x 3	31.00	31.00	33.00	34.00	35.00	36.00	37.00
4	31.00	31.00	33.00	34.00	35.00	36.00	37.00
5	31.00	31.00	33.00	34.00	35.00	36.00	37.00
6	33.00	33.00	35.00	36.00	37.00	38.00	39.00
7	33.00	33.00	35.00	36.00	37.00	38.00	39.00
8	33.00	33.00	35.00	36.00	37.00	38.00	39.00
9	33.00	33.00	35.00	36.00	37.00	38.00	39.00
10	33.00	33.00	35.00	36.00	37.00	38.00	39.00
12	35.00	35.00	37.00	38.00	39.00	40.00	41.00
No. 2:							
2 x 3	28.00	28.00	30.00	31.00	32.00	33.00	34.00
4	28.00	28.00	30.00	31.00	32.00	33.00	34.00
5	28.00	28.00	30.00	31.00	32.00	33.00	34.00
6	30.00	30.00	32.00	33.00	34.00	35.00	36.00
7	30.00	30.00	32.00	33.00	34.00	35.00	36.00
8	30.00	30.00	32.00	33.00	34.00	35.00	36.00
9	30.00	30.00	32.00	33.00	34.00	35.00	36.00
10	30.00	30.00	32.00	33.00	34.00	35.00	36.00
12	32.00	32.00	34.00	35.00	36.00	37.00	38.00
No. 3:							
2 x 3	23.00	23.00	25.00	26.00	27.00	28.00	29.00
4	23.00	23.00	25.00	26.00	27.00	28.00	29.00
5	23.00	23.00	25.00	26.00	27.00	28.00	29.00
6	25.00	25.00	27.00	28.00	29.00	30.00	31.00
7	25.00	25.00	27.00	28.00	29.00	30.00	31.00
8	25.00	25.00	27.00	28.00	29.00	30.00	31.00
9	25.00	25.00	27.00	28.00	29.00	30.00	31.00
10	25.00	25.00	27.00	28.00	29.00	30.00	31.00
12	27.00	27.00	29.00	30.00	31.00	32.00	33.00
No. 4:							
2 x 4	20.00	20.00	22.00	23.00	24.00	25.00	26.00
5	20.00	20.00	22.00	23.00	24.00	25.00	26.00
6	20.00	20.00	22.00	23.00	24.00	25.00	26.00
7	20.00	20.00	22.00	23.00	24.00	25.00	26.00
8	20.00	20.00	22.00	23.00	24.00	25.00	26.00
9	20.00	20.00	22.00	23.00	24.00	25.00	26.00
10	20.00	20.00	22.00	23.00	24.00	25.00	26.00
12	20.00	20.00	22.00	23.00	24.00	25.00	26.00
No. 5: All widths and lengths, $15.00.							

TABLE 16.—HEMLOCK DIMENSION—ROUGH—Continued

ADDITIONS AND DEDUCTIONS PER M. B. M. TO ABOVE PRICES

	5,000 ft. B. M. or over	1,000-4,999 ft. B. M.
For working:		
1. Crosscutting, for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Crosscutting square, to exact length, add	2.00	2.25
3. Ripping straight for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Resaw, bevel, 4" and narrower, add	2.00	2.25
7. Resaw, bevel, wider than 4", add	1.50	1.75
8. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
9. Dressing S2S1E, S4S, S1S+M, S2S+M, S2S+SL, S2E1S, add	3.00	3.25
10. Working to other standard patterns, add	5.00	5.25
11. Any standard dressing and crosscutting to exact length, add	4.00	4.25

For width:
12. For widths wider than listed: For each inch or fraction thereof over 12"; to 12" price add $1.00.
13. Specified fractional widths: Price as next wider standard width for which a price is provided and add the crosscutting charge.

For length:
14. For lengths longer than listed: For each 2 ft. or fraction thereof over 24 ft.; to 24 ft. price add $1.00.
15. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
16. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For grade:
17. "D" select and better, flat grain: Add to price of No. 1 common $13.00.
18. "D" select and better, vertical grain: Add to price of No. 1 common $18.00.

TABLE 17.—HEMLOCK TIMBERS—ROUGH

[New England and Canadian]

Grade	Random length 8' to 24'	Specified lengths 8' to 14'	Specified lengths 16'	Specified lengths 18'	Specified lengths 20'	Specified lengths 22'	Specified lengths 24'
No. 1:							
3 x 4	$38.00	$38.00	$40.00	$41.00	$42.00	$43.00	$44.00
6	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
4 x 4	38.00	38.00	40.00	41.00	42.00	43.00	44.00
6	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
6 x 6	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
8 x 8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
10 x 10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
12 x 12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
Merchantable:							
3 x 4	35.00	35.00	37.00	38.00	39.00	40.00	41.00
6	35.00	35.00	37.00	38.00	39.00	40.00	41.00
8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
4 x 4	35.00	35.00	37.00	38.00	39.00	40.00	41.00
6	35.00	35.00	37.00	38.00	39.00	40.00	41.00
8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
6 x 6	35.00	35.00	37.00	38.00	39.00	40.00	41.00
8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8 x 8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10 x 10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
12 x 12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
No. 2:							
3 x 4	30.00	30.00	32.00	33.00	34.00	35.00	36.00
6	31.00	31.00	33.00	34.00	35.00	36.00	37.00
8	32.00	32.00	34.00	35.00	36.00	37.00	38.00
10	33.00	33.00	35.00	36.00	37.00	38.00	39.00
12	35.00	35.00	37.00	38.00	39.00	40.00	41.00
4 x 4	30.00	30.00	32.00	33.00	34.00	35.00	36.00
6	31.00	31.00	33.00	34.00	35.00	36.00	37.00
8	32.00	32.00	34.00	35.00	36.00	37.00	38.00
10	33.00	33.00	35.00	36.00	37.00	38.00	39.00
12	35.00	35.00	37.00	38.00	39.00	40.00	41.00
6 x 6	31.00	31.00	33.00	34.00	35.00	36.00	37.00
8	32.00	32.00	34.00	35.00	36.00	37.00	38.00
10	33.00	33.00	35.00	36.00	37.00	38.00	39.00
12	35.00	35.00	37.00	38.00	39.00	40.00	41.00
8 x 8	32.00	32.00	34.00	35.00	36.00	37.00	38.00
10	33.00	33.00	35.00	36.00	37.00	38.00	39.00
12	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10 x 10	33.00	33.00	35.00	36.00	37.00	38.00	39.00
12	35.00	35.00	37.00	38.00	39.00	40.00	41.00
12 x 12	35.00	35.00	37.00	38.00	39.00	40.00	41.00

TABLE 17.—HEMLOCK TIMBERS—ROUGH—Continued

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000–4,999 ft. B. M.
For working:		
1. Crosscutting, for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Crosscutting square, to exact length, add	2.00	2.25
3. Ripping, straight, for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
7. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S, add	3.00	3.25
8. Any standard dressing and crosscutting to exact length, add	4.00	4.25
For width:		
9. For widths wider than listed: For each inch or fraction thereof over 12", to 12" price add $1.00		
10. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge.		
For length:		
11. For lengths shorter than listed: For each 2 ft. or fraction thereof over 24 ft. to 24 ft. price add $1.00.		
12. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.		
13. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.		
For thickness:		
14. 2½" thick: Compute footage as 2½" and use 3" price.		
15. For thickness greater than listed: For each inch or fraction thereof over 12", add to the 12" price $1.00.		

TABLE 18.—ESTIMATED AVERAGE WEIGHTS FOR NEW ENGLAND AND IMPORTED HEMLOCK

LUMBER

Rough, lbs. per M. B. M.	Dressed, lbs. per M. B. M.
4000	3000

SEC. 36 *Transportation addition on imported lumber.* (For domestic transportation addition, see section 11.) (a) *General.* In the case of sales of imported Eastern hemlock lumber, the amount that may be added to the maximum base price for transportation is the railroad freight computed on the lowest through rate from the applicable basing point as prescribed below to the point of delivery in the United States.

(b) *Basing points.* Regardless of point or origin of shipments, the following basing points shall apply:

(1) For imported Eastern hemlock lumber delivered in the six New England States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island, the basing point shall be Campbellton, New Brunswick.

(2) For imported Eastern hemlock lumber delivered in that part of the State of New York east of and including the Counties of St. Lawrence, Jefferson, Oswego, Onondaga, Cortland, and Broome, the basing point shall be Mont Laurier, Quebec.

(3) For imported hemlock lumber delivered in that part of the State of New York west of the Counties of Oswego, Onondaga, Cortland, and Broome, and in all other parts of the United States not covered above, the basing point shall be North Bay, Ontario.

(c) *Estimated weights.* The freight addition may be computed on the basis of the estimated average weights set forth in Table 18 above, evened out to the nearest quarter of a dollar per MBM.

(d) *Duty and import expenses.* No additions may be made to the maximum base price for duty or for any charges or fees incurred in importation.

ARTICLE IX APPENDIX E: EASTERN HEMLOCK LUMBER PRODUCED IN NEW YORK AND PENNSYLVANIA: PRICE TABLES

SEC. 37 *Application of Appendix E.* This Appendix applies to Eastern hemlock lumber which is shipped to the purchaser from mills located in the States of New York and Pennsylvania and sold on the specifications and on the grades designated in this section.

SEC. 38 *Granting rules.* Grade terms used herein have the meaning set forth in the "Official Grading Rules for Hemlock and Tamarack Lumber, and White Cedar Shingles" published by the Northern Hemlock and Hardwood Manufacturers' Association, effective June 27, 1941.

SEC. 39 *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet board measure of New York and Pennsylvania Eastern hemlock lumber in a rough air dried condition shall be as set forth below:

TABLE 19.—HEMLOCK BOARDS—ROUGH

[New York and Pennsylvania]

Grade	Random lengths 6' to 20'	Specified lengths 8' to 14'	Specified length 16'	Specified length 18'	Specified length 20'
No. 1:					
1 x 2	$39.00	$39.00	$41.00	$42.00	$43.00
3	39.00	39.00	41.00	42.00	43.00
4	39.00	39.00	41.00	42.00	43.00
6	39.00	39.00	41.00	42.00	43.00
6	41.00	41.00	43.00	44.00	45.00
7	41.00	41.00	43.00	44.00	45.00
8	41.00	41.00	43.00	44.00	45.00
9	41.00	41.00	43.00	44.00	45.00
10	42.00	42.00	44.00	45.00	46.00
12	44.00	44.00	46.00	47.00	48.00
1 x 5 and wider	39.60	39.00	41.60	42.00	43.00
1 x 6 and wider	41.00	41.00	43.00	44.00	45.00
Merchantable:					
1 x 2	36.00	36.00	38.00	39.00	40.00
3	36.00	36.00	38.00	39.00	40.00
4	36.00	36.00	38.00	39.00	40.00
5	36.00	36.00	38.00	39.00	40.00
6	38.00	38.00	40.00	41.00	42.00
7	38.00	38.00	40.00	41.00	42.00
8	38.00	38.00	40.00	41.00	42.00
9	38.00	38.00	40.00	41.00	42.00
10	39.00	39.00	41.00	42.00	43.00
12	41.00	41.00	43.00	44.00	45.00
1 x 5 and wider	36.00	36.00	38.00	39.00	40.00
1 x 6 and wider	38.00	38.00	40.00	41.00	42.00
No. 2:					
1 x 2	33.00	33.00	35.00	36.00	37.00
3	33.00	33.00	35.00	36.00	37.00
4	33.00	33.00	35.00	36.00	37.00
5	33.00	33.00	35.00	36.00	37.00
6	34.00	34.00	36.00	37.00	38.00
7	34.00	34.00	36.00	37.00	38.00
8	35.00	35.00	37.00	38.00	39.00
9	35.00	35.00	37.00	38.00	39.00
10	36.00	36.00	38.00	39.00	40.00
12	38.00	38.00	40.00	41.00	42.00
1 x 5 and wider	33.00	33.00	35.00	36.00	37.00
1 x 6 and wider	34.00	34.00	36.00	37.00	38.00
No. 3:					
1 x 2	30.00	30.00	32.00	33.00	34.00
3	30.00	30.00	32.00	33.00	34.00
4	30.00	30.00	32.00	33.00	34.00
5	30.00	30.00	32.00	33.00	34.00
6	32.00	32.00	34.00	35.00	36.00
7	32.00	32.00	34.00	35.00	36.00
8	32.00	32.00	34.00	35.00	36.00
9	32.00	32.00	34.00	35.00	36.00
10	33.00	33.00	35.00	36.00	37.00
12	35.00	35.00	37.00	38.00	39.00
1 x 5 and wider	30.00	30.00	32.00	33.00	34.00
1 x 6 and wider	32.00	32.00	34.00	35.00	36.00
No. 4:					
1 x 4	20.00	20.00	22.00	23.00	24.00
5	20.00	20.00	22.00	23.00	24.00
6	20.00	20.00	22.00	23.00	24.00
7	20.00	20.00	22.00	23.00	24.00
8	20.00	20.00	22.00	23.00	24.00
9	20.00	20.00	22.00	23.00	24.00
10	20.00	20.00	22.00	23.00	24.00
12	20.00	20.00	22.00	23.00	24.00
No. 5:					
All widths and lengths $15.00.					

TABLE 19.—HEMLOCK BOARDS—ROUGH—Continued

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000–4,999 ft. B. M.
For working:		
1. Cross cutting, for one cut	$1.00	$1.25
Each additional cut, add	.50	.75
2. Cross cutting square, to exact length, add	2.00	2.25
3. Ripping straight for one cut	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Resaw, straight 4" and narrower, add	2.00	2.25
7. Resaw, straight wider than 4", add	1.50	1.75
8. Resaw, bevel, 4" and narrower, add	2.00	2.25
9. Resaw, bevel, wider than 4", add	1.50	1.75
10. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
11. Dressing S2S1E, S4S, S1S+M, S2S+M, S2S+SL, S2E1S, add	3.00	3.25
12. Any standard dressing and beading 1 side, add	4.00	4.25
13. Any standard dressing and beading 2 sides, add	4.50	4.75
14. Working to other standard patterns, add	5.00	5.25
15. Any standard dressing and crosscutting to exact length, add	4.00	4.25
16. Any standard dressing and resawing, add	4.00	4.25
17. Resawing one cut and dressing each piece, add	4.50	4.75
18. Resawing one cut in center and bevel resawing each piece and bundling, add	5.00	5.25
19. Bundling, add	1.00	1.25

For width:
20. For widths wider than listed: For each inch or fraction thereof over 12 inches; to 12 inch price add $1.00.
21. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge.

For length:
22. For lengths longer than listed: For each 2 ft. or fraction thereof over 20 ft.; to 20 ft. price add $1.00.
23. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
24. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For thickness:
25. For 5/4 thickness. Use price for 1" of the same width and length.
26. For 6/4 thickness. Use price for 1" of the same width and length.

For grade:
27. "D" select and better, flat grain: Add to price of No. 1 common $13.00.
28. "D" select and better, vertical grain: Add to price of No. 1 common $18.00.

TABLE 20.—HEMLOCK DIMENSION—ROUGH

[New York and Pennsylvania]

Grade	Random lengths 6' to 24'	Specified lengths 8' to 14'	Specified lengths 16'	Specified lengths 18'	Specified lengths 20'	Specified lengths 22'	Specified lengths 24'
No. 1:							
2 x 3	$37.00	$37.00	$39.00	$40.00	$41.00	$42.00	$43.00
4	37.00	37.00	39.00	40.00	41.00	42.00	43.00
5	37.00	37.00	39.00	40.00	41.00	42.00	43.00
6	39.00	39.00	41.00	42.00	43.00	44.00	45.00
7	39.00	39.00	41.00	42.00	43.00	44.00	45.00
8	39.00	39.00	41.00	42.00	43.00	44.00	45.00
9	39.00	39.00	41.00	42.00	43.00	44.00	45.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
Merchantable:							
2 x 3	34.00	34.00	36.00	37.00	38.00	39.00	40.00
4	34.00	34.00	36.00	37.00	38.00	39.00	40.00
5	34.00	34.00	36.00	37.00	38.00	39.00	40.00
6	36.00	36.00	38.00	39.00	40.00	41.00	42.00
7	36.00	36.00	38.00	39.00	40.00	41.00	42.00
8	36.00	36.00	38.00	39.00	40.00	41.00	42.00
9	36.00	36.00	38.00	39.00	40.00	41.00	42.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
No. 2							
2 x 3	31.00	31.00	33.00	34.00	35.00	36.00	37.00
4	31.00	31.00	33.00	34.00	35.00	36.00	37.00
5	31.00	31.00	33.00	34.00	35.00	36.00	37.00
6	33.00	33.00	35.00	36.00	37.00	38.00	39.00
7	33.00	33.00	35.00	36.00	37.00	38.00	39.00
8	33.00	33.00	35.00	36.00	37.00	38.00	39.00
9	33.00	33.00	35.00	36.00	37.00	38.00	39.00
10	33.00	33.00	35.00	36.00	37.00	38.00	39.00
12	35.00	35.00	37.00	38.00	39.00	40.00	41.00
No. 3							
2 x 3	26.00	26.00	28.00	29.00	30.00	31.00	32.00
4	26.00	26.00	28.00	29.00	30.00	31.00	32.00
5	26.00	26.00	28.00	29.00	30.00	31.00	32.00
6	28.00	28.00	30.00	31.00	32.00	33.00	34.00
7	28.00	28.00	30.00	31.00	32.00	33.00	34.00
8	28.00	28.00	30.00	31.00	32.00	33.00	34.00
9	28.00	28.00	30.00	31.00	32.00	33.00	34.00
10	28.00	28.00	30.00	31.00	32.00	33.00	34.00
12	30.00	30.00	32.00	33.00	34.00	35.00	36.00

TABLE 20.—HEMLOCK DIMENSION—ROUGH—Continued

[New York and Pennsylvania]

Grade	Random lengths 6' to 24'	Specified lengths 8' to 14'	Specified lengths 16'	Specified lengths 18'	Specified lengths 20'	Specified lengths 22'	Specified lengths 24'
No. 4:							
2 x 4	$20.00	$20.00	$22.00	$23.00	$24.00	$25.00	$26.00
5	20.00	20.00	22.00	23.00	24.00	25.00	26.00
6	20.00	20.00	22.00	23.00	24.00	25.00	26.00
7	20.00	20.00	22.00	23.00	24.00	25.00	26.00
8	20.00	20.00	22.00	23.00	24.00	25.00	26.00
9	20.00	20.00	22.00	23.00	24.00	25.00	26.00
10	20.00	20.00	22.00	23.00	24.00	25.00	26.00
12	20.00	20.00	22.00	23.00	24.00	25.00	26.00
No. 5: All widths and lengths, $15.00.							

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000–4,999 ft. B. M.
For working:		
1. Crosscutting for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Crosscutting square, to exact length, add	2.00	2.25
3. Ripping straight for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Resaw, bevel, 4" and narrower, add	2.00	2.25
7. Resaw, bevel, wider than 4", add	1.50	1.75
8. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
9. Dressing S2S1E, S4S, S1S+M, S2S+M, S2S+SL, S2E1S, add	3.00	3.25
10. Working to other standard patterns, add	5.00	5.25
11. Any standard dressing and crosscutting to exact length, add	4.00	4.25

For width:
12. For widths wider than listed. For each inch or fraction thereof over 12": to 12" price add $1.00.
13. Specified fractional widths: Price as next wider standard width for which a price is provided and add the crosscutting charge.

For length:
14. For lengths longer than listed: For each 2 ft. or fraction thereof over 24 ft.; to 24 ft. price add $1.00.
15. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
16. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For grade:
17. "D" select and better, flat grain: Add to price of No. 1 common $13.00.
18. "D" select and better, vertical grain: Add to price of No. 1 common $18.00.

TABLE 21.—HEMLOCK TIMBERS ROUGH

[New York and Pennsylvania]

Grade	Random lengths 8' to 24'	Specified lengths 8' to 14'	Specified lengths 16'	Specified lengths 18'	Specified lengths 20'	Specified lengths 22'	Specified lengths 24'
No. 1:							
3 x 4	$41.00	$41.00	$43.00	$44.00	$45.00	$46.00	$47.00
6	41.00	41.00	43.00	44.00	45.00	46.00	47.00
8	41.00	41.00	43.00	44.00	45.00	46.00	47.00
10	42.00	42.00	44.00	45.00	46.00	47.00	48.00
12	44.00	44.00	46.00	47.00	48.00	49.00	50.00
4 x 4	41.00	41.00	43.00	44.00	45.00	46.00	47.00
6	41.00	41.00	43.00	44.00	45.00	46.00	47.00
8	41.00	41.00	43.00	44.00	45.00	46.00	47.00
10	42.00	42.00	44.00	45.00	46.00	47.00	48.00
12	44.00	44.00	46.00	47.00	48.00	49.00	50.00
6 x 6	41.00	41.00	43.00	44.00	45.00	46.00	47.00
8	41.00	41.00	43.00	44.00	45.00	46.00	47.00
10	42.00	42.00	44.00	45.00	46.00	47.00	48.00
12	44.00	44.00	46.00	47.00	48.00	49.00	50.00
8 x 8	41.00	41.00	43.00	44.00	45.00	46.00	47.00
10	42.00	42.00	44.00	45.00	46.00	47.00	48.00
12	44.00	44.00	46.00	47.00	48.00	49.00	50.00
10 x 10	42.00	42.00	44.00	45.00	46.00	47.00	48.00
12	44.00	44.00	46.00	47.00	48.00	49.00	50.00
12 x 12	44.00	44.00	46.00	47.00	48.00	49.00	50.00

TABLE 21.—HEMLOCK TIMBERS ROUGH—Continued

Grade	Random lengths 8' to 24'	Specified lengths 8' to 14'	Specified lengths 16'	Specified lengths 18'	Specified lengths 20'	Specified lengths 22'	Specified lengths 24'
Merchantable:							
3 x 4	$38.00	$38.00	$40.00	$41.00	$42.00	$43.00	$44.00
6	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
4 x 4	38.00	38.00	40.00	41.00	42.00	43.00	44.00
6	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
6 x 6	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
8 x 8	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
10 x 10	39.00	39.00	41.00	42.00	43.00	44.00	45.00
12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
12 x 12	41.00	41.00	43.00	44.00	45.00	46.00	47.00
No. 2							
3 x 4	33.00	33.00	35.00	36.00	37.00	38.00	39.00
6	34.00	34.00	36.00	37.00	38.00	39.00	40.00
8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
4 x 4	33.00	33.00	35.00	36.00	37.00	38.00	39.00
6	34.00	34.00	36.00	37.00	38.00	39.00	40.00
8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
6 x 6	34.00	34.00	36.00	37.00	38.00	39.00	40.00
8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
8 x 8	35.00	35.00	37.00	38.00	39.00	40.00	41.00
10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
10 x 10	36.00	36.00	38.00	39.00	40.00	41.00	42.00
12	38.00	38.00	40.00	41.00	42.00	43.00	44.00
12 x 12	38.00	38.00	40.00	41.00	42.00	43.00	44.00

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. B. M. or over	1,000–4,999 ft. B. M.
For working:		
1. Crosscutting for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Crosscutting square to exact length, add	2.00	2.25
3. Ripping, straight for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Dressing S1S, S2S, S1E, S2E, add	2.00	2.25
7. Dressing S2S1E, S1S, S1S-M, S2S-M, S2S-S1, S2E1S, add	3.00	3.25
8. Any standard dressing and crosscutting to exact length, add	4.00	4.25
For width:		
9. For widths wider than listed: For each inch or fraction thereof over 12"; to 12" price add $1.00.		
10. Specified fractional widths. Price as next wider standard width for which a price is provided and add the ripping charge.		
For length:		
11. For lengths longer than listed. For each 2 ft. or fraction thereof over 24 ft.; to 24 ft. price add $1.00.		
12. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.		
13. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.		
For thickness:		
14. 2½" thick: Compute footage as 2½" and use 3" price.		
15. For thickness greater than listed: For each inch or fraction thereof over 12"; add to the 12" price $1.00		

TABLE 22.—ESTIMATED AVERAGE WEIGHTS FOR NEW YORK AND PENNSYLVANIA HEMLOCK

	Lbs. per M. B. M.
Lumber:	
Rough	4,000
Dressed	3,000

ARTICLE X—APPENDIX F: OTTAWA VALLEY WHITE AND NORWAY PINE PRICE TABLES

SEC. 40 *Application of Appendix F.* This section applies to white and Norway pine lumber which is shipped to a purchaser in the United States from mills located in that part of the Province of Ontario, east of the 85th meridian, and sold on the specifications and on the grades designated below.

SEC. 41 *Grading rules.* Grade terms used herein have the meaning set forth in the "Official Grading Rules for White Pine and Red or Norway Pine" adopted by the members of the White Pine Bureau, Toronto, Ontario, published July, 1940.

SEC. 42 *Maximum prices.* The maximum price, f. o. b. Niagara Falls, N. Y., for 1,000 feet board measure of Ottawa Valley white pine lumber in a rough air-dried condition, shall be as follows:

TABLE 23.—WHITE PINE (OTTAWA VALLEY)

C SELECT AND BETTER

Thickness (inches)	Width (inches)	Length (feet)	Price per M. B. M.
1	4-6	6/9	$71.50
1	6	6/9	76.25
1	7 and wider	6/9	85.25
1¼	4 and wider	6/9	98.75
1½	4 and wider	6/9	98.75
1	4-6	10/16	83.50
1	6	10/16	88.00
1	7 and wider (av. 8)	10/16	101.50
1¼	4-6	10/16	108.00
1¼	4-6	10/16	108.00
2	4 and wider (av. 8¼)	10/16	130.75
1¼	7 and wider (av. 8¼)	10/16	130.75
1½	7 and wider (av. 8¼)	10/16	130.75
2	6 and wider	10/16	176.25

"D" SELECTS

1	4-6	6/9	$64.25
1	7 and wider	6/9	73.50
1¼	4 and wider	6/9	73.50
1½	4 and wider	6/9	73.50
2	4 and wider	6/9	73.50
1	4	10/16	73.50
1	5	10/16	73.50
1	6	10/16	76.25
1	4-6	10/16	74.25
1	8	10/16	78.75
1	10	10/16	88.00
1	12	10/16	106.25
1	7 and wider	10/16	80.75
1¼	4-6	10/16	81.50
1¼	7 and wider	10/16	101.25
1½	4-6	10/16	85.25
1½	7 and wider	10/16	103.50
2	6 and wider	8/16	130.75
3	6 and wider	8/16	135.25
4	6 and wider	8/16	139.75

No. 1 CUTS

1	6 and wider	8/16	$94.25
1½	6 and wider	8/16	112.50
2	6 and wider	8/16	112.50

No. 2 CUTS

1	6 and wider	8/16	$76.25
1½	6 and wider	8/16	92.50
2	6 and wider	8/16	92.50

No. 3 CUTS

1	6 and wider	6/16	$51.50
1¼	6 and wider	6/16	58.00
1½	6 and wider	6/16	66.25
2	6 and wider	6/16	66.25
2½ &	6 and wider	6/16	80.75

No. 1 AND 2 CUTS

1	6 and wider	8/16	$67.00
1¼	6 and wider	8/16	80.75
1½	6 and wider	8/16	102.50
2	6 and wider	8/16	102.50
2½	6 and wider	8/16	118.75
3	6 and wider	8/16	118.75

No. 1, 2, AND 3 CUTS (1s EACH)

1	6 and wider	8/16	$62.50
1¼	6 and wider	8/16	80.75
1½	6 and wider	8/16	90.75
2	6 and wider	8/16	90.75

TABLE 23.—WHITE PINE (OTTAWA VALLEY)—Continued

No. 1 AND 2 COMMON

Thickness (inches)	Width (inches)	Length (feet)	Price per M. B. M.
1	4 and wider	6/7	$49.75
1	4	8/16	61.50
1	5	8/16	59.75
1	6	8/16	59.75
1	7	8/16	59.75
1	8	8/16	61.50
1	9	8/16	63.50
1	10	8/16	72.50
1	11	8/16	78.00
1	12	8/16	82.50
1¼, 1½, 2	4 and wider	6/7	52.50
1¼, 1½, 2	4	8/16	65.25
1¼, 1½, 2	5	8/16	63.50
1¼, 1½, 2	6	8/16	63.50
1¼, 1½, 2	7	8/16	63.50
1¼, 1½, 2	8	8/16	65.25
1¼, 1½, 2	9	8/16	67.00
1¼, 1½, 2	10	8/16	77.00
1¼, 1½, 2	11	8/16	84.25
1¼, 1½, 2	12	8/16	88.75
3	4	8/16	67.00
3	6	8/16	67.00
3	8	8/16	68.75
3	10	8/16	80.75
3	12	8/16	90.75
4	4	8/16	68.75
4	6	8/16	68.75
4	8	8/16	68.75
4	10	8/16	80.75
4	12	8/16	90.75
5	5	8/16	80.75
6	6	8/16	82.50

SELECTED #3 COMMON (80% UPPER END No. 3)

1	4	8/16	$53.50
1	5	8/16	53.50
1	6	8/16	56.25
1	7	8/16	56.25
1	9	8/16	56.25
1	10	8/16	58.00
1	11	8/16	61.50
1	12	8/16	61.50
1¼, 1½, 2	4	8/16	55.25
1¼, 1½, 2	5	8/16	55.25
1¼, 1½, 2	6	8/16	58.00
1¼, 1½, 2	8	8/16	58.00
1¼, 1½, 2	9	8/16	58.00
1¼, 1½, 2	10	8/16	56.75
1¼, 1½, 2	11	8/16	63.50
1¼, 1½, 2	12	8/16	63.50

No. 3 COMMON

1	4	6/16	$48.75
1	5	6/16	48.75
1	6	6/16	51.50
1	7	6/16	51.50
1	8	6/16	51.50
1	9	6/16	51.50
1	10	6/16	53.50
1	11	6/16	56.25

TABLE 23.—WHITE PINE (OTTAWA VALLEY)—Continued

No. 3 COMMON—Continued

Thickness (inches)	Width (inches)	Length (feet)	Price per M. B. M.
1	12	6/16	$56.25
1¼, 1½, 2	4	6/16	50.75
1¼, 1½, 2	5	6/16	50.75
1¼, 1½, 2	6	6/16	53.50
1¼, 1½, 2	7	6/16	53.50
1¼, 1½, 2	8	6/16	53.50
1¼, 1½, 2	9	6/16	53.50
1¼, 1½, 2	10	6/16	55.25
1¼, 1½, 2	11	6/16	58.00
1¼, 1½, 2	12	6/16	58.00
3	4	10/16	53.50
3	5	10/16	73.50
3	6	10/16	55.25
3	7	10/16	55.25
3	8	10/16	55.25
3	9	10/16	56.25
3	10	10/16	57.00
3	11	10/16	58.75
3	12	10/16	58.75

No. 4 COMMON

1	4-6	6/16	$40.25
1	4	6/16	45.25
1	5	6/16	46.25
1	6	6/16	47.00
1	7	6/16	47.00
1	8	6/16	48.75
1	9	6/16	48.75
1	10	6/16	49.75
1	11	6/16	49.75
1	12	6/16	51.50
1¼, 1½, 2, 3	4-6	6/16	48.00
1¼, 1½, 2, 3	4	6/16	47.00
1¼, 1½, 2, 3	5	6/16	48.00
1¼, 1½, 2, 3	6	6/16	48.75
1¼, 1½, 2, 3	7	6/16	48.75
1¼, 1½, 2, 3	8	6/16	50.75
1¼, 1½, 2, 3	9	6/16	50.75
1¼, 1½, 2, 3	10	6/16	51.50
1¼, 1½, 2, 3	11	6/16	51.50
1¼, 1½, 2, 3	12	6/16	51.50

No. 5 COMMON

1	4-9	6/16	$42.50
1	10-12	6/16	46.25
1¼, 1½, 2, 3	4-9	6/16	42.50
1¼, 1½, 2, 3	10,12	6/16	46.25

No. 6 COMMON

1	4-9	6/16	$33.50
1	4 and wider	6/16	34.25
1	10 and wider	6/16	35.25
1¼	4 and wider	6/16	31.50
1½	4 and wider	6/16	34.25
2	4 and wider	6/16	37.00
3	4 and wider	6/16	37.10

TABLE 24.—NORWAY PINE—ROUGH (OTTAWA VALLEY)

Thickness (inches)	Width (inches)	Length (feet)	Price per M. B. M.
	Clear and Clear Face		
1	4-	6 and up	$64.50
1	7 and up	6 and up	73.50
1¼	4-	6 and up	69.00
1½	4-	6 and up	69.00
2	4-	6 and up	69.00
1¼	7 and up	6 and up	78.00
1½	7 and up	6 and up	78.00
2	7 and up	6 and up	78.00

TABLE 24.—NORWAY PINE—ROUGH—(OTTAWA VALLEY)—Continued

GRADE: MERCHANTABLE

Thickness (inches)	Length	Width								
		4"	5"	6"	7"	8"	9"	10"	11"	12"
1	R L	$46.25	$46.25	$47.25		$48.00		$49.75		$53.50
	R L	48.00	46.25	49.00	$49.75	49.75	$51.75	51.75	$55.25	55.25
	R L	49.00		49.75	51.75	51.75	55.25	55.25	57.25	57.25
4	R L	50.75		51.75	53.50	53.50	57.25	57.25	59.00	59.00

GRADE: No. 1 AND No. 2 CULLS

Thickness (inches)	Length	Width					
		4"	5"	6"	8"	10"	12"
1	R L	$38.00	$38.00	$39.75	$40.75	$41.75	$41.75
2	R L	39.75	39.75	39.75	40.75	41.75	41.75
3	R L	39.75		40.75	42.50	43.50	43.50
4	R L	39.75		40.75	42.50	43.50	43.50

ADDITIONS AND DEDUCTIONS PER M. B. M. TO THE ABOVE PRICES

	5,000 ft. b. m.	4,999 ft. or less
For working:		
1. Crosscutting, for one cut, add	$1.00	$1.25
Each additional cut, add	.50	.75
2. Crosscutting square to exact non standard length, add	2.00	2.25
3. Ripping, straight, for one cut, add	1.00	1.25
Each additional cut, add	.50	.75
4. Ripping, taper, add	2.00	2.25
5. Saw sizing to exact width, add	1.00	1.25
6. Resaw, straight, 4" and narrower, add	2.00	2.25
7. Resaw, straight, wider than 4", add	1.50	1.75
Each additional cut, add	.50	.75
8. Resaw, bevel, 4" and narrower, add	2.00	2.25
9. Resaw, bevel, wider than 4", add	1.50	1.75
Each addition cut, add	.50	.75
10. Any standard dressing: S1S, S2S, S1E, S2E, S2S1E, S4S, S1S&M, S2S&M, S1S&SL, S2S&SL, add	2.00	2.25
11. Standard dressing and beading 1 side, add	3.00	3.25
12. Standard dressing and beading 2 side, add	3.50	3.75
13. Working to other standard patterns, add	4.00	4.25
14. Any standard dressing and crosscutting to exact length, add	3.00	3.25
15. Any standard dressing and resawing, add	3.00	3.25
16. Resawing one cut and dressing each piece, add	3.50	3.75
17. Dressing over standard but not up to full nominal, add	3.00	3.25
18. Resawing one cut in center, bevel resawing each piece, and bundling, add	5.00	5.25
19. Bundling, add	1.00	1.25
For width (white pine only)		
20. 1 x 7 and wider 10.16 C select and better for each one inch over 8 inches in average width	3.00	
21. 1¼ x 7 and wider 10.16 C select and better, 1½ x 7 and wider 10.16 C select and better, 2 x 7 and wider 10.16 C select and better, for each one inch over 8½ inches in average width, add	5.00	

TABLE 25.—ESTIMATED AVERAGE WEIGHTS FOR OTTAWA VALLEY WHITE AND NORWAY PINE LUMBER

	Rough, lbs. per M. B. M.	Dressed, lbs. per M. B. M.
White pine	2,500	2,000
Norway	3,000	2,500

SEC. 43 *Transportation adjustment.* In the case of shipments of Ottawa Valley white or Norway pine to destinations in the United States other than Niagara Falls, N. Y., the maximum delivered price shall be computed as follows: From the maximum price, f. o. b. Niagara Falls, N. Y., deduct railroad freight from the point of shipment to Niagara Falls, N. Y., and add freight from point of shipment to destination. Freight shall be calculated on the lowest through rate and on the applicable estimated average weights set forth in Table 25 above. The final amount may be evened out to the nearest quarter of a dollar per M. B. M. No additions may be made to the maximum prices for the duty or for any charge or fees incurred in importation.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This regulation shall become effective April 21, 1943.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5914; Filed, April 15, 1943; 3:36 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Max. Rent Reg. 53,[1] Amendment 8]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The sixth paragraph of § 1388.287 is amended to read as follows:

The provisions of this section shall not apply to housing accommodations in the Cincinnati Defense-Rental Area so long as the maximum rent for such accommodations is established solely under paragraph (a) or (b) of § 1388.284: *Provided, however,* That no payment of rent need be made by any tenant of such accommodations unless the landlord tenders a receipt for the amount to be paid. A registration statement for housing accommodations in the Cincinnati Defense-Rental Area to which this section is applicable shall be filed on or before May 31, 1943, or within 30 days after the accommodations are first rented, or within 30 days after the provisions of this section become applicable to the accommodations, whichever date is the latest.

This amendment shall become effective April 16, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5915; Filed, April 15, 1943; 3:37 p. m.]

[1] 7 F.R. 8596, 9784, 9821, 10717, 10845, 11115; 8 F.R. 123, 1027, 1230, 1231, 2108, 2673, 2780, 3734.

PART 1388—DEFENSE-RENTAL AREAS

[Max. Rent Reg. 54A,[1] Amendment 7]

HOTELS AND ROOMING HOUSES

Section 1388.337 is amended in the following respects:

1. The first sentence of paragraph (a) is amended to read as follows:

(a) Within 45 days after the effective date of this maximum rent regulation (or, as to rooms within the Alaska Defense-Rental Area, on or before March 15, 1943, or, as to rooms within the Cincinnati Defense-Rental Area, on or before May 31, 1943), every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement.

2. The first sentence of paragraph (b) is amended to read as follows:

(b) Within 45 days after the effective date of this maximum rent regulation (or, as to housing accommodations within the Cincinnati Defense-Rental Area, on or before May 31, 1943), every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent.

3. Paragraph (f) is revoked.

This amendment shall become effective April 16, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been

[1] 7 F.R. 8602, 9783, 9820, 10717, 11115, 8 F.R. 124, 434, 569, 1028, 1231, 3057.

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5919; Filed, April 15, 1943; 3:36 p. m.]

PART 1396—FINE CHEMICALS AND DRUGS

[RPS 101, as Amended, Correction to Order of Revocation]

CITRIC ACID

The order revoking Revised Price Schedule No. 101, as amended, issued March 29, 1943, is corrected to read as follows:

Revised Price Schedule No. 101, as amended (§§ 1396.1 to 1396.11, inclusive) is hereby revoked.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5918; Filed, April 15, 1943; 3:36 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 10]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.17 is added to read as follows:

SEC. 4.17 *Policy against discrimination.* It is the policy of Ration Order No. 16 that no slaughterer distributing meat through its own branch houses or comparable agencies of distribution, and no branch house or agency of any such slaughterer, shall discriminate in the sale or distribution of meat available for civilian consumption against any independent wholesaler, processor, hotel supplier, fabricator, peddler, purveyor, distributor, or other middleman customarily supplied by such slaughterer, branch house, or agency during the year immediately preceding October 1, 1942.

This amendment shall become effective April 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5916; Filed, April 15, 1943; 3:36 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3591, 3715, 3949, 4137, 4350, 4423, 4721, 4784.

PART 1499—COMMODITIES AND SERVICES

[Order 230 Under § 1499.18 (b) of GMPR]

KEYSTON BROS.

Order No. 230 Under § 1499.18 (b) of the General Maximum Price Regulation; (Docket No. GF3-708).

For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1830 *Adjustment of maximum prices for sales of harness and saddlery items to Montgomery Ward and Company by Keyston Bros.* (a) On and after April 15, the maximum prices at which Keyston Bros., 755 Mission Street, San Francisco, California, may sell and deliver and Montgomery Ward and Company, Inc., Oakland, California, may buy and receive the following harness and saddlery items shall be:

407 Harness 2"	$45.06	set
431 Harness 2"	63.89	set
436 Harness 1¾"	52.40	set
437 Harness 2"	53.50	set
443 Harness	33.07	set
532 Harness	26.01	set
533 Harness	31.15	set
1018 Saddle:		
14"	49.39	each
15"	49.39	each
1019 Saddle:		
14"	48.09	each
15"	48.09	each
1043 Pack saddle	9.23	each
1102 Bit. bridle	20.85	doz.
1102 Rus. bridle	20.85	doz.
1103 Collar	2.29	each
1104 Collar	2.74	each
1105 Collar	4.54	each
1111 Split ear head	1.61	each
1117 Bridle	35.13	doz.
1166 Str. leas 2¾"	34.07	doz. pr.
1185 Bridle reins ⅝"	8.93	doz. pr.
1186 Bridle reins ¾"	10.44	doz. pr.
1187 Bridle reins ⅞"	11.88	doz. pr.
1188 Pack saddle bags	8.13	pair
1233 Chichas	11.25	doz.
1234 Saddle billets 1¾"	6.91	doz.
1235 Saddle billets 2"	8.02	doz.
1236 Saddle billets 2¼"	8.30	doz.
1637 Leather hobbles	9.50	doz. pr.
2444 Martingale	3.61	each
2445 Headstall	27.28	doz.
2493 Tapaderos 22"	15.08	pair
2494 Tapaderos 22"	11.73	pair
2495 Tapaderos 22"	10.38	pair
1122 Breast collar	2.75	each
1123 Breast collar	3.20	each
1124 Breast collar	5.00	each
1161 Riding belts 32" 34" 36" 38"	18.94	doz.
1156 Stirrup leas 2"	29.54	doz. pr.
1157 Stirrup leas 2½"	34.04	doz. pr.
1158 Stirrup leas 3"	39.74	doz. pr.
1165 Spur straps	5.70	doz. pr.
8574 Stirrup tead	3.62	doz. pr.
1257 Ex hvy halter	$25.22	doz.
1258 Halter	12.85	doz.
1259 Halter	16.54	doz.
1264 Cow halter	7.44	doz.
1265 Pony halter	11.19	doz.
1268 Halter	15.50	doz.
1272 Yearling halter	10.81	doz.
1273 Calf halter	6.47	doz.
1281 Halter	19.98	doz.
1287 Lge halter	20.35	doz.
1288 Cow halter	9.26	doz.
1289 Cow halter	10.55	doz.
1305 Team lines	66.48	doz. sets
1307 Team lines	77.64	doz. sets
1309 Team lines	51.66	doz. sets
1310 Team lines	55.13	doz. sets
1311 Team lines	59.00	doz. sets
1312 Team lines	55.63	doz. sets
1313 Team lines	61.37	doz. sets
1316 Team lines	39.65	doz. sets
1318 Team lines	43.82	doz. sets
1319 Team lines	47.14	doz. sets
1320 Team lines	49.58	doz. sets
1321 Team lines	52.96	doz. sets
1323 Team lines	59.24	doz. sets
1325 Team lines	51.10	doz. sets
1327 Team lines	57.28	doz. sets
1333 Team lines	69.86	doz. sets
1334 Team lines	63.06	doz. sets
1347 Plow lines	32.95	doz. sets
1631 Thoat latch	2.07	doz.
1640 Chain piping	2.71	set
1641 Chain piping	3.28	set
1643 Bellyband billets	2.96	doz.
1644 Bellyband billets	3.23	doz.
1645 Cow bell straps	1.13	doz.
1646 Cow bell straps	1.39	doz.
1647 Cow bell straps	9.20	doz.
1648 Plow bellybands	1.59	doz.
1649 Team breeching	10.92	set
1662 Back and bellybands	45.60	doz. pr.
1663 Back and bellybands	51.95	doz. pr.
1666 Chain piping	3.47	set
1667 Chain piping	3.86	set
1668 Chain piping	4.17	set
1672 Hame straps	.67	set
1679 Back and hip straps	47.64	doz. pr.
1680 Back and hip straps	54.48	doz. pr.
1681 Back and hip straps	61.20	doz. pr.
1682 Back and hip straps	68.76	doz. pr.
1683 Back and hip straps	81.38	doz. pr.
1695 Hame straps	3.25	doz.
1696 Hame straps	3.38	doz.
1698 Hame straps	3.20	doz.
2292 Ring spreaders	7.74	doz. pr.
2293 Ring spreaders	7.99	doz. pr.
2295 Ring spreaders	3.98	doz. pr.
2309 Team lines	56.97	doz. sets
2310 Team lines	62.56	doz. sets
2314 Hame straps	3.31	doz.
2316 Hame straps	3.59	doz.
2317 Hame straps	3.59	doz.
2318 Hame straps	3.88	doz.
2319 Hame straps	3.89	doz.
2320 Team bridles	34.78	doz.
2322 Team bridles	37.75	doz.
2323 Team bridles	40.28	doz.
2331 Team traces	14.90	set
2332 Team traces	16.49	set
2333 Team traces	17.63	set
2334 Team traces	18.75	set
2341 Team traces	14.18	set
2342 Team traces	15.50	set
2606 Saddle	63.04	each
2621 Head and reins	18.58	doz.
2623 Head and reins	25.03	doz.
2627 Head and reins	43.90	doz.
2630 Head and reins	33.15	doz.
2631 Head and reins	24.70	doz.
2635 Martingale	15.03	doz.
2636 Martingale	24.65	doz.
2639 Spur leathers	5.86	doz. pr.
2640 Spur leathers	5.56	doz. pr.
2692 Saddle 14 inches	70.24	each
2696 Twin diamond saddle	60.56	each
1413 Traces 2¼"	19.47	set

1414	Traces 2½"	$20 57	set
1459	Team bridle	32 02	doz.
1460	Team bridle	63 00	doz.
1461	Team bridle	36 11	doz.
1464	Team bridle	39 49	doz.
1484	Team bridle	23 55	doz.
1486	Team bridle	25 20	doz.
1505	Pole strap	18 83	doz.
1506	Pole strap	19 88	doz.
1507	Breast strap	8 64	doz.
1508	Breast strap	9 76	doz.
1509	Breast strap	11 13	doz.
1512	Breast strap	15 83	doz.
1515	Pole strap	13 41	doz.
1516	Pole strap	10 28	doz.
1517	Pole strap	10 74	doz.
1518	Pole strap	8 40	doz.
1519	Pole strap	9 67	doz.
1520	Pole strap	10 97	doz.
1524	Hame straps	2 73	doz.
1525	Hame straps	2 95	doz.
1529	Hame straps	3 26	doz.
1533	Hame straps	2 12	doz.
1535	Hame straps	2 20	doz.
1542	Hame straps	2 47	doz.
1560	Cow bell straps	3 08	doz.
1561	Cow bell straps	4 06	doz.
1562	Cow bell straps	4 96	doz.
1563	Cow bell straps	6 44	doz.
1569	Team pads	33 20	doz. pr.
1574	Back band	31 58	doz. pr.
1580	Team pads	44 66	doz. pr.
1584	Team breeching	3 08	each
1585	Team breeching	3 44	each
1592	Yankee breeching	3 84	pair
1596	Yankee breeching	3 95	pair
1599	Side straps	6 30	doz.
1600	Side straps	6 86	doz.
1603	Side straps	7 57	doz.
1610	Crupper and fork	8 40	doz.
1613	Crupper	5 32	doz.
1614	Lazy strap	4 03	doz.
1620	Hitch rein	4 02	doz.
1621	Hitch rein	4 65	doz.
1622	Hitch rein	5 34	doz.
1623	Hitch rein	6 58	doz.
2350	Chain traces butt	14 73	set
2351	Chain traces butt	15 48	set
2356	Team breeching	16 60	set
2360	Divided team breech	14 93	set
2377	Team pads russet, blk	45 36	doz. pr.
2378	Team pads russet, blk	44 40	doz. pr.
2385	Folded bellyband	10 18	doz.
2386	Folded bellyband	9 66	doz.
2392	Breast strap	17 23	doz.
2422	Russet halter	25 05	doz.

(b) The maximum prices authorized by this order are subject to discounts, allowances and terms no less favorable than those in effect on sales of harness and saddlery items by Keyston Bros. to Montgomery Ward and Company, Inc. during March 1942.

(c) This Order No. 230 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 230 (§ 1499.1830) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 230 (§ 1499.1830) shall become effective April 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5917; Filed, April 15, 1943; 3:36 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 42]

EXCEPTION OF SALES TO GOVERNMENT AGENCIES PURSUANT TO SECRET CONTRACTS OR SUBCONTRACTS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1305.57 *Exception of sales to Government agencies pursuant to secret contracts or subcontracts.* (a) No price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made under a contract or subcontract that is officially classified as "Secret" and certified as such to the Office of Price Administration by the United States or any agency thereof, or by the government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." Such certification shall set forth the date of the secret contract or subcontract and its number or other designation. The certifying Government agency shall notify the Office of Price Administration whenever such contract or subcontract ceases to be secret, and thereafter this exception shall not apply.

(b) As used herein, the term: "price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order heretofore or hereafter issued thereunder.

(c) This Supplementary Order No. 42 shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5948; Filed, April 16, 1943; 11:55 a. m.]

PART 1306—IRON AND STEEL

[RFS 43 as Amended,[1] Amendment 3]

USED STEEL DRUMS, PAILS AND CONTAINERS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 43, as amended, is amended in the following respect:

Section 1306.209 (a) (10) is amended by deleting the phrase "and is sold to a filler".

This amendment shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5949; Filed, April 16, 1943; 11:55 a. m.]

PART 1382—HARDWOOD LUMBER

[MPR 368]

NORTHEASTERN HARDWOOD LUMBER

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1382.30 *Maximum prices for Northeastern hardwood lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 368 (Northeastern Hardwood Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1382.301, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 368—NORTHEASTERN HARDWOOD LUMBER

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ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

SECTION 1 *Over-ceiling prices prohibited.* On and after April 21, 1943, regardless of any contract or other obligations, no person shall sell or deliver, and no person shall buy in the course of trade or business, any Northeastern hardwood lumber for direct mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

SEC. 2 *Less than maximum prices.* Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 3 *Lumber in transit.* If lumber has been received before April 21, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation.

SEC. 4 *What transactions are covered*—(a) *Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, concentrator, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(b) *How to tell a mill from a distribution yard*—(1) *General tests.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: the first, (i), a typical sawmill or planing mill; the second, (ii), a typical concentration yard; and the third, (iii), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(i) A "typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells Northeastern hardwood lumber.

(ii) A "typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Northeastern hardwood lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(iii) A "typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(2) *New yards.* In order to prevent violation of this regulation by unnecessarily routing through yards, the Office of Price Administration will not recognize distribution yards set up after April 21, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

SEC. 5 *What products are covered.* (a) This regulation covers all Northeastern hardwood lumber, whether the grades, sizes and specifications are specifically named in the price tables or not. All grade terms have the meaning given in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January, 1943.

(b) This regulation covers, under the name of "Northeastern hardwood lumber", all lumber produced from the following botanical species, and processed into lumber at mills located in the Northeastern hardwood area: tough white ash (Fraxinus americana), beech (Fagus americana), hard maple (Acer saccharum), yellow poplar (Liriodendron tulipifera), and the commercial species of the genera basswood (Tilia), birch (Betula), soft elm (Ulmus), soft maple (Acer), chestnut (Castanea dentata), hickory (Hicoria), cherry (Prunus), and oak (Quercus).

(c) The "Northeastern hardwood area" includes the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, all of the state of Maryland except the counties of Garrett, Allegany, Washington, and Frederick, and the Dominion of Canada east of the 85th meridian.

SEC. 6 *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any Government, or any of their political subdivisions, or any agencies of the foregoing.

SEC. 7 *Relation to other regulations*—(a) *General Maximum Price Regulation.*[1] Any sale or delivery covered by Maximum Price Regulation No. 368 is not subject to the General Maximum Price Regulation.

(b) *Revised Maximum Export Price Regulation.*[2] The maximum price for export sales of Northeastern hardwood lumber is governed by the Revised Maximum Export Price Regulation.

ARTICLE II—HOW TO FIGURE MAXIMUM F. O. B. MILL AND DELIVERED PRICES

SEC. 8 *Basic prices.* The maximum f. o. b. mill prices for domestic Northeastern hardwood lumber are set forth in Appendices A and B and for imported Northeastern hardwood lumber, in Appendix C.

SEC. 9 *Deductions for cash.* If cash is paid, the maximum price must be reduced by the seller's October, 1941, cash discount. For example, if this discount was 2% and the maximum price without cash discount is $30, the maximum price when cash is paid is $29.40. Exception: on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

SEC. 10 *Retail type sales excepted.* A "retail type" direct-mill sale is not subject to this regulation. A "retail type" direct-mill sale means a sale of not more than 2,000 feet of lumber in which the purchaser requests delivery to a point not more than 20 miles from the mill at which the shipment originates. It

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4297, 8948, 10527; 8 F.R. 3188.

[1] 8 F.R. 3096, 3849, 4347, 4486.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530; 8 F.R. 3846.

includes only sales of lumber to contractors or consumers for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and it does not include sales for resale in substantially the same form. "Retail type" direct-mill sales remain subject to the General Maximum Price Regulation.

SEC. 11 *Transportation additions: domestic*—(a) *Private truck.* Where a domestic shipment is exclusively by motor vehicle owned or controlled by the seller, the addition to the f. o. b. mill prices for transportation may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the rail carload rate for the most nearly comparable haul applied to the quantity actually shipped.

(b) *Common or contract carrier.* For common or contract carrier shipments, the maximum transportation addition shall be either the rate times the estimated weights in Appendix D, or the actual amount paid to the carrier. When estimated weights are used, the delivered price shall be evened out to the nearest quarter-dollar per 1,000 feet.

(c) *Truck delivery after rail haul.* Where the shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery.

(d) *Trucking to rails.* Where a truck haul precedes the rail haul, as where a mill located aw .y from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases a mill may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where the mill prior to the shortage of tires and gasoline shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(3) Where a mill's rail connection has been abandoned since September 5, 1941.

(e) *Transportation to planing mill.* Where the lumber is shipped by rail from a mill having milling-in-transit arrangements with a carrier to a planing mill, owned by the same person, for further processing before delivery to the purchaser, that person may apply for permission to figure transportation charges on the basis of the through rail freight rate from the first mill to final destination in the following case:

(1) Where the hurricane of September, 1938, damaged and destroyed a substantial portion of the timber near which the joint sawmill and planing mill operation had been located, so that the operator has been compelled to rely primarily on more distant sources of timber and has moved the sawmill near the source of supply; and

(2) Where it has not been practicable to move the planing mill because of excessive moving costs, shortages of mill labor and insufficient standing timber in any single location.

The application should be made by letter to the Lumber Branch, of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

SEC. 12 *Transportation additions for imported lumber.* In the case of sales of imported lumber the transportation charges that may be added to the maximum basic prices are specifically set forth in Article VII, Appendix C.

SEC. 13 *Mixed cars.* The following additions per M may be made where the purchaser (or purchasers, in the case of a pool car) orders an item consisting of one species, thickness and grade, in the following quantities:

Quantity ordered:	Addition per M
3,000 to 4,000 ft	$1.00
2,000 to 2,999 ft	2.00
1,000 to 1,999 ft	2.50
999 ft. and less	3.00

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

SEC. 14 *What the invoice must contain*—(a) *General.* Because of the large number of possible additions to the basic maximum prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not. Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown.

(c) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment;

(2) Destination;

(3) Rail rate, (if estimated weights are used; otherwise the actual amount added for transportation); and in the case of the sales of imported lumber, the method of calculation of the freight addition;

(4) The words "direct-mill shipment".

(d) *Delivery and custom milling or kiln drying charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice:

(1) Truck delivery after rail haul, or trucking to railhead.

(2) Custom milling or kiln drying. The invoice of the custom mill or kiln must be attached to the lumber invoice of the seller.

(e) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids $33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 per MBM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge. Where this practice is adopted, the seller must observe all of the following conditions:

(1) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(2) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is lower.

(3) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 15 *Records.* All sellers of Northeastern hardwood lumber must keep records which show a complete description of items of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 5,000 feet board measure or more of Northeastern hardwood lumber. They must be kept for two years for inspection by the Office of Price Administration.

SEC. 16 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher than ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price.

(b) *Specific practices.* The following are some of the specific practices prohibited.

(1) Getting the effect of a higher price by changing credit practices from what

they were in October 1941. This includes decreasing credit periods or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used.

(2) Refusing, without good reason, to ship lumber in standard grades and on grade-rule range widths and lengths.

(3) Breaking up a transaction into small orders or small deliveries in an attempt to take it out of this regulation.

(4) Grading as a special grade lumber which can be graded as a standard grade; wrongly or falsely grading or invoicing lumber in any way.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Unnecessarily routing lumber through a distribution yard.

(7) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(8) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(9) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered except where the items ordered and delivered are non-standard sizes not specifically priced in the tables.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating lumber, or for any related service (such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the lumber in connection with which the service is performed.

SEC. 17 *Adjustable pricing.* A price may be made adjustable to the maximum price in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

ARTICLE IV—MISCELLANEOUS

SEC. 18 *Petitions for adjustment or amendment*—(a) *Government contracts.* (1) The term "government contract" is used here to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "government contract" and who believes that a maximum price in this regulation impedes or threatens to impede production of Northeastern hardwood lumber essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation 6,[3] issued by the Office of Price Administration.

(3) As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to such refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1,[4] issued by the Office of Price Administration.

SEC. 19 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942 as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies, however, are subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 20 *Licensing.* All sellers under this regulation, except mills, are licensed by Supplementary Order 18. This order, in brief, provides that a license is necessary except for mills to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

[3] 7 F.R. 5087, 5664.
[4] 7 F.R. 8961, 8 F.R. 3313, 3533.

SEC. 21 *Grades, specifications and extras not specifically priced.* (a) Northeastern hardwood lumber, sold on special grades or specifications, or with special services or other extras not specifically mentioned in Appendices A, B, and C is nevertheless subject to this regulation. The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C., on OPA Form 675–1, given in paragraph (d) below, within 30 days from the date of entering into the contract for sale of the special grade. The reported price may be ordered reduced, if it is found to be excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved.

(b) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(c) For the purposes of this section the term Northeastern hardwood lumber shall include all items of lumber in the species set forth in paragraph (b) of section 5, but shall not include the following items: (The term "items" includes specifications, workings, services, and/or extras.)

(1) Glued stock.
(2) Moulding.
(3) Shiplap.
(4) Risers, step treads, thresholds, handrails.
(5) Bevel drop siding.
(6) Flooring.
(7) Switch, cross, and mine ties.
(8) Mine material.
(9) Small dimension stock.
(10) Lath.

(d) OPA Form 675–1 is as follows:

OPA Form 675–1
4–43

Form Approved
Budget Bureau No. 08–R207

OFFICE OF PRICE ADMINISTRATION
LUMBER BRANCH
Hardwood Section

Report of Sales of Northeastern Hardwood Lumber in Special Grades (other than Combination Grades) or Specifications, or sold with special services or other extras.

Company _____
Address _____
Mill location _____

Sales of special stocks of lumber

(As defined in section 21 of Maximum Price Regulation No. 368)

This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of Northeastern hardwood lumber in a special grade (other than a combination grade) or specification, or with special services or other extras.

Date of order _____
Origin of shipment _____
Order No _____
Destination of shipment _____
Purchaser _____
(Name and address)
F. o. b. mill price _____
(Including discounts or commissions, if any)
_____
(Species) (Thickness) (Widths) (Lengths)
_____
(Designation of grade, specification, special services, or other extras)
Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1-15, 1941 _____
_____
Most comparable standard grade or item to which differential is applied _____
_____
Complete description of special grade, specification, special services, or other extras (including a statement whether the lumber is rough or machined and is air dried, kiln dried, or green) _____
_____
_____
Detailed explanation of how maximum price was computed or built up _____
_____
_____
_____
(Name) (Office or title)

ARTICLE V—APPENDIX A: DOMESTIC NORTHEASTERN HARDWOOD LUMBER: PRICE TABLES ON STANDARD OR NEAR-STANDARD GRADES

SEC. 22 *Application of Appendix A.* Appendix A applies to all domestic Northeastern hardwood lumber, when sold on grade-rule-range widths and lengths, or widths and lengths substantially the same as grade-rule-range widths and lengths, or in specified average widths or specified average lengths which are substantially run-of-the-log.

SEC. 23 *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Northeastern hardwood lumber in standard or near-standard grades in a rough air dried condition shall be as follows:

TABLE 1—TOUGH WHITE ASH

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3 Common
1	$78	$62	$48	$37	$23
1¼	85	68	50	39	24
1½	90	73	56	41	24
2	95	78	60	45	26
2½	105	88	75	50	------
3	115	98	85	55	------
4	125	108	95	60	------

TABLE 2.—BASSWOOD

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3 Common
½	$55	$49	$36	$25	------
5/8	64	57	41	29	------
¾	72	65	47	32	------
1	85	76	54	38	$22
1¼	90	81	58	41	23
1½	95	85	60	43	23
2	100	88	65	44	24
2½	105	93	72	------	------
3	115	101	77	------	------
4	130	115	87	------	------

TABLE 3.—BEECH

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
½	$49	$33	$22	$16	------
5/8	56	38	26	19	------
¾	64	43	29	21	------
1	75	51	34	25	$20
1¼	78	56	35	27	22
1½	80	58	36	27	22
2	90	68	39	31	25

TABLE 4.—BIRCH

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
5/8	$80	$70	------	------	------	------
¾	91	79	------	------	------	------
1	107	93	$63	$43	$32	$25
1¼	112	97	68	45	35	27
1½	115	100	72	50	37	28
2	120	108	77	55	38	29
2½	125	113	87	60	------	------
3	135	122	98	65	------	------
4	145	134	113	70	------	------

TABLE 5.—CHERRY

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$105	$70	$45	$23
1¼	110	75	48	25
1½	115	80	50	28
2	125	85	60	33
2½	135	90	------	------
3	140	95	------	------

TABLE 6.—CHESTNUT—WHAD

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	Sound Worms	No. 2 Common	No. 3 Common
½	$61	$42	$26	------	------
5/8	60	59	30	------	------
¾	68	65	34	------	------
1	120	75	40	$30	$20
1¼	125	80	44	30	21
1½	125	80	45	30	21
2	130	85	50	30	22
2½	------	------	53	30	------
3	------	------	58	30	------

TABLE 7.—CHESTNUT—WHND

Thickness (inch)	FAS	No. 1 Common and better	No. 1 Common
½	$38	$32	$30
5/8	43	36	34
¾	48	40	38
1	58	49	45
1¼	60	53	49
1½	63	54	50
2	68	59	55

TABLE 8.—SOFT ELM

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$60	$40	$32	$19
1¼	65	45	36	20
1½	70	49	36	20
2	73	52	38	22
2½	78	56	41	26
3	85	61	41	28

TABLE 9.—HICKORY

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common	Log Run
1	$75	$40	$24	$20	$18
1¼	85	42	27	24	19
1½	85	45	33	20	19
2	95	50	33	22	19

TABLE 10.—HARD MAPLE

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
½	$65	$55	$40	$25	------	------
5/8	75	63	47	29	------	------
¾	85	71	53	32	------	------
1	100	84	62	38	$30	$23
1¼	105	88	67	41	31	26
1½	110	93	72	43	31	26
2	115	97	77	48	36	27
2½	130	110	92	53	------	------
3	140	120	102	58	------	------
4	160	143	122	64	------	------

TABLE 11.—SOFT MAPLE

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
½	$55	$36	$22	------
5/8	63	41	26	------
¾	71	47	29	------
1	84	55	34	$20
1¼	89	60	38	22
1½	91	65	41	22
2	96	70	45	27
2½	110	80	------	------
3	120	90	------	------
4	138	105	------	------

TABLE 12—OAK

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
1	$78	$64	$52	$39	$28	$18
1¼	88	73	59	42	29	19
1½	92	76	62	45	29	19
2	103	87	69	49	30	20
2½	123	98	78	------	------	------

TABLE 13—YELLOW POPLAR—PLAIN

Thickness (inch)	FAS	Saps	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
1	$55	$44	$36	$26	$21	------
1¼	63	51	41	30	25	------
1½	71	58	47	34	28	------
2	83	68	55	40	32	$20
2½	89	72	59	44	34	21
3	92	73	61	45	35	21
4	104	80	69	48	36	22
5	123	95	77	52	------	------
6	135	107	87	56	------	------
8	180	122	102	------	------	------

TABLE 14—MIXED HARDWOODS

Log run or No. 1 Common. Lumber of any hardwood species of standard widths and lengths but poorer in quality than No. 3B Common $12.00

TABLE 15—1" HARDWOOD TIE SIDES

	FAS	No. 1 Common	No. 2 Common	No. 3A Common	No. 3B Common
Birch	$82.00	$62.00	$37.00	$25.00	$21.00
Maple	84.00	53.00	32.00	20.00	17.00
Oak	69.00	45.00	33.00	23.00	16.00
Beech	60.00	43.00	29.00	21.00	15.00

NOTE ON TIE SIDES

For 1¼" and thicker items in each species, add to the above prices the same amounts by which the prices for these thicknesses, in standard lumber grades, exceed the prices for 1" stock in the same standard grades.

TABLE 16—HARDWOOD HEARTS

Size (inch)	Length (feet)	No. 3 Common	Crossing Plank
14	6 to 16	$24.00	$29.00
15	6 to 16	25.00	29.00
16	6 to 16	24.00	29.00
18	6 to 16	24.00	29.00
15 and wider	6 to 16	24.00	29.00
13	6 to 16	25.00	28.00
14	6 to 16	24.00	28.00
15	6 to 16	24.00	28.00
16	6 to 16	26.00	30.00
18	6 to 16	30.00	35.00
12	6 to 16	36.00	45.00
14	6 to 16	25.00	28.00
15	6 to 16	25.00	29.00
13	6 to 16	30.00	34.00
14	6 to 16	25.00	29.00
15	6 to 16	30.00	34.00
16	6 to 16	35.00	44.00

NOTES ON HARDWOOD HEARTS

For each foot length, 8' or longer, add $2.00
For each foot in 16', add $0.50
For each foot in 16', add $1.00
For each foot in 16', add $1.50

TABLE 17—HARDWOOD BLOCKING

Size (inch)	(No. 3 Common) 2'	3'	4'	5'	6'	2' to 6' mixed lengths
2 x 3, 3 x 4, 2 x 6	$22.00	$23.00	$22.00	$22.00	$22.00	$21.00
3 x 3, 3 x 4, 3 x 6	22.00	23.00	22.00	23.00	23.00	22.00
4 x 4, 4 x 5, 4 x 6	22.00	23.00	22.00	23.00	23.00	22.00
6 x 6, 6 x 8	24.00	25.00	24.00	24.00	24.00	23.00

TABLE 18—GRAIN AND COAL DOOR BOARDS

	6'	7'
Grain door boards	$17.00	$17.00
Coal door boards	$15.00	$15.00

TABLE 19—NEW ENGLAND HARDWOOD TURNING SQUARES

15" to 48" Bundled Separate Lengths—N. H. L. A. Rules of Inspection

	Clear	90% and better clear	80% and better clear	Red Heart (90% and better clear)	Mill Run or Log Run
White birch:					
1½" to 2"	$80.00	$70.00	$60.00	$57.00	$50.00
2¼" to 4"	85.00	75.00	65.00	60.00	50.00
Yellow birch:					
1½" to 2"	77.00	67.00	57.00	------	------
2¼" to 4"	82.00	72.00	62.00	------	------
Hard maple:					
1½" to 2"	85.00	75.00	65.00	------	------
2¼" to 4"	90.00	80.00	70.00	------	------
Beech:					
1½" to 2"	73.00	63.00	53.00	------	------
2¼" to 4"	78.00	68.00	58.00	------	------

NOTES ON NEW ENGLAND HARDWOOD TURNING SQUARES

80% and Better Clear. The grade "80% and Better Clear" is a trade practice grade of New England Hardwood Turning Squares, in which not less than 80% of the length in the aggregate is "clear". Other specifications are the same as in the grade "90% and Better Clear".

Red Heart. The grade "Red Heart (80% and Better Clear)" is the same as the grade "90% and Better Clear" except that sound red heartwood is admitted.

Mill Run or Log Run. The grade "Mill Run" or "Log Run" is defined as the full product of the log; all bars 48" long; no bar to contain less than 24" of clear lumber. Other specifications are the same as in the grade "90% and Better Clear".

TABLE 20—1" ROUND EDGE HARDWOODS

	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common	Mill run	Log run
Ash	$60	$43	$32	$21	$31	$38
Basswood	73	50	33	20	33	43
Beech	63	44	29	15	29	37
Birch	45	58	38	23	39	52
Soft elm	48	33	27	17	24	30
Hard maple	88	47	33	21	36	48
Soft maple	72	48	29	18	30	40
Oak	66	47	34	16	30	41

NOTES ON 1" ROUND EDGE HARDWOODS

These maximum prices for "log run" and "mill run" shall be applicable only in case the seller guarantees to the buyer that the shipment shall meet the following requirements:

Log run: Not more than 45% No. 2 Common and not less than 15% FAS.

Mill run: Not more than 40% No. 3 Common, not more than 25% No. 2 Common and not less than 10% FAS.

The maximum price of round-edge mixed hardwoods sold on a "log-run" or "mill run" basis shall be the "log run" or "mill run" price of the lowest-priced species included.

For items thicker than 1" in each species, add to the above prices the same amounts by which the prices for those thicknesses, in square-edge lumber grades, exceed the prices for 1" stock in the same square-edge lumber grades.

SEC. 24 *Kiln-drying additions—(a) To 8 percent.*

Table 21—The following additions per 1,000 feet may be made for kiln drying the lumber to a moisture content no exceeding 8 percent as of the time the lumber leaves the kiln:

Species	½", 5/8", ¾" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood, Soft elm, Soft maple, Poplar, Ash, Beech, Birch, Cherry, Chestnut, Hickory, Hard maple, Oak	$5.00	$6.00	$7.00	$8.00	$9.00	$11.00	$13.00
	3.50	7.50	9.00	10.50	13.00	16.00	20.50

(b) *To 12 percent.*

Table 22—The following additions per 1,000 feet may be made for kiln drying the lumber to a moisture content greater than 8 percent but not exceeding 12 percent as of the time the lumber leaves the kiln.

Species	½", 5/8", ¾" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood, Soft elm, Soft maple, Poplar, Ash, Beech, Birch, Cherry, Chestnut, Hickory, Hard maple, Oak	$4.00	$5.00	$6.00	$7.00	$7.50	$9.50	$11.00
	4.50	6.50	7.50	9.00	11.00	13.50	17.50

(c) *To 20 percent.* The following additions per 1000 feet may be made for kiln drying the lumber to a moisture content greater than 12 percent but not exceeding 20 percent as of the time the lumber leaves the kiln: One-half of the addition permitted in subparagraph (a) above, except that a minimum of $4.00 per 1000 feet may be charged.

(d) *For inspecting, grading and measuring after kiln drying.* Where, at the request of the purchaser, the seller inspects, grades and measures the lumber after kiln drying, an addition may be made of 5 percent of the f. o. b. mill rough air dried price of the lumber.

(e) *Custom kiln drying.* Where Northeastern hardwood lumber is kiln dried for the seller through a custom kiln and such custom kiln is not owned or operated by, or connected with, the saw mill, the seller may add the actual cost of this custom kiln drying. The amount added may not be higher than the custom kiln's maximum price established by Maximum Price Regulation No. 165, as amended [1]—Services—for such kiln drying.

SEC. 25 *Millworking.*

Table 23—The following additions per 1,000 feet may be made for millworking

Species	Surfacing 1 or 2 sides	Surfacing 1 or 2 sides and resawing 1 cut	Surfacing 1 or 2 sides and resawing 2 cuts	Surfacing 4 sides or 3SE, or S2E	Dressed and matched	Resawing 1 cut	Resawing 2 cuts	Ripping per cut	Bundling
Ash									
Beech									
Birch									
Cherry									
Chestnut									
Soft elm	$2.00	$3.00	$6.00	$4.00	$5.00	$2.00	$4.00	$1.20	$1.50
Hickory									
Hard maple									
Soft maple									
Oak									
Poplar									
Basswood	1.50	3.00	4.50	3.00	3.00	1.50	3.00	1.50	1.50

NOTE: Where Northeastern hardwood lumber is milled for the seller by a custom milling establishment, and such custom milling establishment is not owned or operated by, or connected with, the saw mill, the seller may add the actual cost of the custom milling. The amount added may not be higher than the custom milling establishment's maximum price established by Maximum Price Regulation No. 165, as amended, [1] Services—for such milling.

SEC. 26 *Anti-stain treatment.* An addition of 50 cents per MBM may be made when lumber is anti-stain treated.

SEC. 27 *National Hardwood Lumber Association inspection certificate.* Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

SEC. 28 *Green lumber.* The maximum f. o. b. mill price for 1000 feet of Northeastern hardwood lumber in a rough green condition shall be the maximum price established in this regulation for rough air-dried lumber, less the amount which the seller customarily deducted during the last six months of 1941 for furnishing green rather than air-dried stock.

SEC. 29 *Combination grades or species*—(a) *General.* For Northeastern hardwood lumber sold on "Log run", "Mill run", or "No. 1 Common and better" grade for which no specific maximum price has been established in the price tables, the maximum price shall be the maximum price established in the table for the lowest grade of lumber contained in the stock that is sold on the special inspection grade. The seller, however, may grade and ship the lumber on the standard grades included in the special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this regulation for the respective standard grades.

(b) *No. 1 Common and selects.* If lumber subject to this regulation is sold on a grade of No. 1 Common and selects, and if no specific maximum price has been established for this grade in the tables, $2.00 may be added to the maximum price for No. 1 Common.

(c) *Mixed hardwoods.* The maximum price for mixed hardwoods in a specified grade and thickness shall be the price of the same grade and thickness for the lowest-priced species included.

ARTICLE VI—APPENDIX B: DOMESTIC NORTHEASTERN HARDWOOD LUMBER: PRICE TABLES ON "STANDARD SPECIAL" ITEMS

SEC. 30 *Standard special widths and lengths: all hardwood species.* The maximum f. o. b. mill price for 1000 feet of domestic Northeastern hardwood lumber in the standard special widths and lengths listed below shall be as follows:

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 3324.

TABLE 24—STANDARD SPECIAL WIDTHS AND LENGTHS IN ALL HARDWOOD SPECIES
(Except as shown in section 31 Table 25)

Width and/or Length	Grade	Maximum additions to maximum prices established in § 23 to 25 for lumber in corresponding standard and grade and thickness
5" or 6" and wider; 8' and longer	No. 1 Common and No. 2 Common	$2.00
10' and longer or 12' and longer	No. 2 Common	2.00
7" and wider; standard lengths	No. 1 Common and Better	8.00
8" and wider; standard lengths	No. 1 Common and Better	12.00
9" and wider; standard lengths	No. 1 Common and Better	25.00
10" and wider; standard lengths	No. 1 Common and Better	30.00
12" and wider; standard lengths	No. 1 Common and Better	35.00
11" and wider; standard lengths	Step Plank	[1] 35.00
12" and wider; standard lengths	Step Plank	[1] 40.00

[1] Add to FAS price.
For all one width, same price as for the same width and wider, except where otherwise specifically provided for.
For 6' and shorter, deduct $2.00 except where otherwise specifically provided for.

SEC. 31 *Standard special grades, specified widths, and specified lengths: In basswood, birch, and hard maple.* The maximum f. o. b. mill price for 1000 feet of domestic Northeastern basswood, birch, and hard maple in the standard special grades, specified widths, and specified lengths listed below shall be as follows, except where a different price has been provided in section 23 above:

TABLE 25—STANDARD SPECIAL GRADES, SPECIFIED WIDTHS, AND SPECIFIED LENGTHS
(In specified hardwood species)

Species	Grade or designation	Thickness (inches)	Widths (inches)	Lengths (feet)	Maximum price for 1000 feet BM	Maximum additions to maximum price established in §23 to 25 for lumber in corresponding standard grade and thickness
Basswood	No. 2 Common and Better	1	Regular	4 and 6	$39.00	
	No. 2 Common	1	3½ to 5½	Regular	$36.00	
	All	1	Regular	10 and 12		$7.00
	All	1¼ and thicker	Regular	10 and 12		6.00
	No. 1 Common and Better	All	7 and wider	Regular		7.00
	No. 1 Common and Better		10 and wider	Regular		15.00
	No. 1 Common and Better		12 and wider	Regular		30.00
	No. 1 Common and No. 2 Common	1		8 and longer (Long cutting).		4.00
	Venetian Blind Stock	1 and 1¼				5.00
	FAS Key Stock	1			$105.00	
	No. 1 Common and Selects Key Stock	1			$90.00	
	FAS Key Stock	1¼			$110.00	
	No. 1 Common and Selects Key Stock	1¼			$94.00	
	1 and 2 Face Clear	1	4	6 to 16	$76.00	
	1 and 2 Face Clear	1	5	6 to 16	$83.00	
Birch	Selects and Better	1 and 1¼	45% 8 and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 8" and wider in excess of 45%.	2.50
	Selects and Better	1 and 1¼	45% 8 and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 14' and 16' in excess of 45%.	2.00
	Straight-grained, free from cross-grained or curly Stock.					20.00
	Knotty	1	4 to 8	8 to 16	$80.00	
	No. 1 Common and Better	1	4 and wider	4 and 6	$62.00	
	No. 2 Common and Better	1	4 and wider	4 and 6	$48.00	
	No. 2 Common	1	4 and wider	4 and 6	$43.00	
	No. 2 Common and Better	1¼	4 and wider	4 and 6	$52.00	
	1 and 2 Face Clear	1	4	6 to 16	$86.00	
	1 and 2 Face Clear	1	5	6 to 16	$96.00	
	2 Face Clear	1	4	6 to 16	$67.00	
	2 Face Clear	1	5	6 to 16	$100.00	
	No. 1 Common	1	4	Any	$63.00	
	No. 2 Common	1	4	Any	$43.00	
	No. 3 Common	1	4	Any	$27.00	
	No. 1 Common	1	6	Any	$64.00	
	No. 2 Common	1	6	Any	$45.00	
	No. 3 Common	1	6	Any	$28.00	
	Selected Red Birch					20.00
Hard Maple	1 and 2 Face Clear	1	4	6 to 16	$99.00	
	1 and 2 Face Clear	1	5	6 to 16	$105.00	
	1 and 2 Face Clear	1¼	4	6 to 16	$104.00	
	No. 1 Common and Better—Curly	1 and thicker	Regular	Regular	$170.00	
	FAS Birdseye	1 and thicker	Regular	Regular		25.00
	No. 1 Common and Better Heel Stock	1½ to 2½	Regular	Regular		10.00
	No. 1 Common Flooring Stock	1	4 and wider	4 and longer	$52.00	
	No. 2 Common Flooring Stock	1	4 and wider	4 and longer	$35.00	
	No. 3A Common Flooring Stock	1	4 and wider	4 and longer	$25.00	
	No. 1 Common Flooring Stock	1¼	4 and wider	4 and longer	$56.00	
	No. 2 Common Flooring Stock	1¼	4 and wider	4 and longer	$37.00	
	No. 3A Common Flooring Stock	1¼	4 and wider	4 and longer	$30.00	
	No. 1 White					20.00
	No. 1 and No. 2 White					15.00
	No. 2 White					10.00
	Sap 1 Face					7.00
	Straight Grain (except in conjunction with No. 1 White, No. 2 White or No. 1 and No. 2 White).					20.00
	Straight Grain (in conjunction with No. 1 White, No. 2 White or No. 1 and No. 2 White).					10.00

SEC. 32 *Additions and adjustments.* The provisions of sections 24 to 28, inclusive, relating to additions for kiln drying, millworking, anti-stain treatment, and NHLA inspection, and adjustment for green lumber, are applicable to the price schedules in sections 30 and 31.

ARTICLE VII—APPENDIX C: CANADIAN NORTHEASTERN HARDWOOD LUMBER DELIVERED IN THE UNITED STATES

SEC. 33 *Application of Appendix C.* This appendix applies to Northeastern hardwood lumber produced in Canada east of the 85th meridian and delivered in the United States.

SEC. 34 *Maximum prices for Canadian lumber.* (a) In the six New England States—Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island—the maximum delivered price shall be the maximum f. o. b. mill price in this Regulation, minus $2.00, plus freight from Campbellton, New Brunswick, to destination.

(b) In the State of New York east of and including the counties of St. Lawrence, Jefferson, Oswego, Onondaga, Cortland and Broome, the maximum delivered price shall be the maximum f. o. b. mill price in this regulation, minus $2.00, plus freight from Mont Laurier, Quebec, to destination.

(c) In the State of New York west of the counties of Oswego, Onondaga, Cortland, and Broome, or in any other state, except the six New England States, the maximum delivered price shall be the maximum f. o. b. mill price in this regulation, minus $2.00, plus freight from North Bay, Ontario to destination.

(d) The provisions of sections 24 to 28, inclusive, relating to additions for kiln drying, millworking, anti-stain treatment, and NHLA inspection, and adjustment for green lumber, are applicable to this section.

ARTICLE VIII—APPENDIX D: ESTIMATED WEIGHTS

SEC. 35 *Square-edge, green or rough air-dried.* The estimated average weights for Northeastern square-edge hardwood lumber in a green or rough air-dried condition shall be as follows:

Species:	*Pounds per 1000 feet BM*
Ash	5,800
Basswood	2,600
Beech	4,000
Birch	4,000
Cherry	3,900
Chestnut	2,800
Soft elm	3,200
Hickory	4,500
Hard maple	4,300
Soft maple	3,700
Oak	4,000
Poplar	2,800

The estimated average weight for Northeastern square-edge "Mixed Hardwoods" shall be the estimated average weight of that species included in the "Mixed Hardwoods" which has the lowest estimated average weight according to this schedule.

SEC. 36 *Round-edge, green or rough air-dried.* The estimated average weights for Northeastern round-edge hardwood lumber in a green or rough air-dried condition shall be as follows:

Species:	*Pounds per 1000 feet BM*
Ash	4,900
Basswood	3,200
Beech	5,200
Birch	5,200
Soft elm	4,200
Hard maple	5,600
Soft maple	4,800
Oak	5,200

The estimated average weight for Northeastern round-edge "Mixed Hardwoods" shall be the estimated average weight of that species included in the "Mixed Hardwoods" which has the lowest estimated average weight according to this schedule.

SEC. 37 *Air-dried, worked.* The estimated average weights for Northeastern hardwood lumber in an air-dried condition worked as indicated shall be as follows in pounds per 1000 feet BM:

Species	S1S or S2S	S1S or S2S & resawn one cut	S1S or S2S & resawn two cuts	Rough resawn one cut	Rough resawn two cuts	D & M or S4S
Ash	3300	3100	2900	3500	3300	3000
Basswood	2000	1800	1700	2200	2000	1800
Beech	3500	3300	3100	3700	3500	3200
Birch	3500	3300	3100	3700	3500	3200
Cherry	3400	3200	3000	3600	3400	3100
Chestnut	2400	2200	2000	2500	2400	2200
Soft elm	2700	2500	2300	2800	2700	2300
Hickory	4000	3700	3500	4200	3900	3600
Hard maple	3800	3600	3400	4000	3800	3500
Soft maple	3200	3000	2800	3400	3200	2800
Oak	3500	3300	3100	3700	3500	3200
Poplar	2400	2200	2000	2500	2400	2000

SEC. 38 *Kiln-dried.* The estimated average weights for Northeastern hardwood lumber in a kiln-dried condition shall be the average weights established in sections 35, 36, and 37, decreased by the average difference in weight between air-dried lumber and kiln-dried lumber in the particular species and in the condition shipped. This average difference shall be calculated on the basis of the experience during the year 1941 of the mill which produced the lumber shipped.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This regulation shall become effective April 21, 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5945; Filed, April 16, 1943; 11:46 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amendment 41]

MILEAGE RATIONING, GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7757 (a) is amended by substituting a comma for the final period and adding the phrase "except that no ration may be issued pursuant to this paragraph for use with a 1942 passenger automobile held by an automobile dealer for sale or resale pursuant to Ration Order No. 2A or 2B."

2. Section 1394.7851 (b) (1) (i) is amended to read as follows:

(i) To procure necessary food or supplies, or to obtain necessary medical attention or therapeutic treatment including the transportation of a patient from the place where he has obtained medical attention or therapeutic treatment to his home or lodgings.

3. Section 1394.7852 (a) (5) is added to read as follows:

(5) If the ration is for use with a 1942 passenger automobile held by an automobile dealer for sale or resale pursuant to Ration Order No. 2A or 2B, that such use is permitted by Section 2.7 of Ration Order No. 2B.

4. In § 1394.7904 (b) the text preceding subparagraph (1) is amended to read as follows:

If application is made for a non-highway ration for use with an inboard motorboat or outboard motor operated wholly or in part for a non-occupational purpose within any area in which fuel oil is a rationed commodity or hereafter becomes a rationed commodity pursuant to Ration Order No. 11, the board shall not allow for the non-occupational purpose an amount of gasoline in excess of the number of gallons determined by the following formulae:

5. Section 1394.7904 (e) is hereby revoked.

6. Section 1394.8010 is amended to read as follows:

§ 1394.8010 *Presentation of tire inspection records.* After December 12, 1942, no supplemental, official or fleet ration or ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758 shall be issued or renewed unless the applicant presents to the board a tire inspection record on Part B of Form OPA R–534 for each vehicle for which the ration is sought indicating that odometer readings have been taken and that the tires on such vehicle have been inspected and approved in accordance with the requirements of Ration Order No. 1A, except:

(a) In the case of a renewal application for a fleet or official ration the board may renew such ration without the presentation of the tire inspection records if the applicant submits to the board his signed statement setting forth that it would impose undue hardship upon him to present the tire inspection records because of the number or location of the vehicles involved or for other good reasons, that the odometer readings have been taken and that the tires on each vehicle have been inspected and approved in accordance with the requirements of Ration Order No. 1A.

(b) The board in its discretion may waive the requirements of this section and, notwithstanding the applicant's failure to have the tires inspected periodically, may issue or renew any supplemental, official or fleet ration or ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758 if the tire inspection record or the signed statement submitted to the board pursuant to paragraph (a) of this section shows that the required readings, inspections and approvals have been made within sixty (60) days prior to the filing of the application. If a waiver is granted under this paragraph or under § 1315.502 (b) of Ration Order No. 1A, the required inspections prior to the waiver shall be deemed to have been obtained.

This amendment shall become effective April 22, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5950; Filed, April 16, 1943; 11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,[1] Amendment 54]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 3 is amended in the following respects:

1. Section 1407.21 (c) (4) is amended to read as follows:

(4) "Certificate" means a sugar purchase certificate (OPA Form R–306) or a food ration certificate (OPA Form R–1201) issued for the delivery of sugar.

2. Section 1407.141 (c) is amended to read as follows:

(c) (1) A certificate issued on OPA Form R–306 authorizes the person to whom it is issued, if he is not a depositor nor required to be one, to take delivery of sugar within 60 days from the valid date of the certificate. Such certificate duly transferred by endorsement to a registering unit that is neither a depositor nor required to be one, authorizes the delivery of sugar to such registering unit within 80 days from the valid date of the certificate. Such certificate duly transferred or issued to a depositor shall be valid for deposit in the account of such depositor for a period of 80 days from the valid date of the certificate. Such certificate issued before January 27, 1943, which is duly transferred to a registering unit by endorsement authorizes the delivery of sugar and may be deposited within 60 days from the valid date of the certificate or within 30 days from the date contained in the endorsement to such registering unit, whichever is later.

(2) A certificate issued on OPA Form R–1201 authorizes the person to whom it is issued, if he is not a depositor nor required to be one, to take delivery of sugar not later than the date appearing on the face thereof. Such certificate duly transferred by endorsement to a registering unit that is neither a depositor nor required to be one, authorizes the delivery of sugar to such registering unit within 20 days from the date appearing on the face thereof. Such certificate duly transferred or issued to a depositor shall be valid for deposit in the account of such depositor for a period of 20 days from the date appearing on the face thereof.

(3) A depositor may, except as provided in paragraph (f) of § 1407.140, issue checks at any time, against credits created by the deposit of a certificate. Certificates which before January 27, 1943, ceased to authorize the delivery of sugar shall not be valid for deposit.

3. Section 1407.202a is added to read as follows:

§ 1407.202a *Certificates are property of the Office of Price Administration.* All certificates remain the property of the Office of Price Administration, whether or not they have been issued, and the Office of Price Administration may suspend, cancel, or revoke any certificate issued if it finds it in the public interest to do so.

This amendment shall become effective April 22, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2709; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5951; Filed, April 16, 1943; 11:56 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12,[1] Amendment 28]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

1. Section 1407.952 (d) is amended to read as follows:

(d) "Certificate" means a coffee purchase certificate. A coffee purchase certificate shall consist of either a food ration certificate (OPA Form R–1201) issued for the acquisition of roasted coffee, or OPA Form R–306 with the word "sugar" stricken wherever it appears thereon, with the words "coffee in the amount of" inserted on the line in such form provided for insertion of amount, and with the words "Rationing Order No. 3 (Sugar" stricken from the following line.

2. Section 1407.1020 (d) is amended to read as follows:

(d) (1) A certificate issued on OPA Form R–306 authorizes the person to whom it is issued, if he is not and is not required to be a depositor, to acquire roasted coffee therewith within 60 days of the date of issuance of the certificate. Such certificate surrendered by endorsement to a retailer who is not and is not required to be a depositor, authorizes the transfer of roasted coffee to such retailer within 80 days of the date of issuance of the certificate. Such certificate issued or surrendered to a depositor shall be valid for deposit in the account of such depositor only within 80 days of the date of issuance of the certificate. Such certificate issued before January 27, 1943, which is surrendered by endorsement to another person, authorizes the transfer of roasted coffee, and may be deposited within 60 days after the date of issuance of such certificate or within 30 days after the date contained in the endorsement to such person, whichever is later.

(2) A certificate issued on OPA Form R–1201 authorizes the person to whom it is issued, if he is not and is not required to be a depositor, to acquire roasted coffee not later than the date appearing on the face thereof. Such certificate surrendered by endorsement to a retailer who is not and is not required to be a depositor authorizes the transfer of roasted coffee to such retailer within 20 days from the date appearing on the face thereof. Such certificate issued or surrendered to a depositor shall be valid for deposit in the account of such depositor only within 20 days of the date appearing on the face thereof. (3) A depositor may, except as provided in § 1407.1032 (f), issue checks at any time against credits created by the deposit of a certificate. Certificates which, on or prior to January 27, 1943, cease to authorize the transfer of roasted coffee, shall not be valid for deposit.

3. Section 1407.1031a is added to read as follows:

§ 1407.1031a *Certificates are property of the Office of Price Administration.* All certificates remain the property of the Office of Price Administration, whether

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3254, 3255, 3315, 3316, 4189, 4341.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758, 3176, 3180, 3522, 4484, 4519, 4644.

[1] 8 F.R. 3400, 3843, 4486, 4519.

or not they have been issued and the Office of Price Administration may suspend, cancel, or revoke any Certificate issued if it finds it in the public interest to do so.

This amendment shall become effective April 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9250, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5952; Filed, April 16, 1943; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Amendment 51]

EXCEPTIONS OF COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The General Maximum Price Regulation is amended in the following respects:

1. Section 1499.9 is amended to read as follows:

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* The provisions of this General Maximum Price Regulation shall not apply to such sales and deliveries of commodities as may be specified by supplementary regulations or by any amendments thereto.

2. Paragraphs (l), (q), (v), (w), (x), (y) and (z) of § 1499.20 are revoked.

This amendment shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5953; Filed, April 16, 1943; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amendment 19]

EXCEPTIONS FOR CERTAIN SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 11 is amended in the following respects:

1. Section 1499.46 (b) (108) is amended to read as follows:

(108) Any service rendered in connection with the lubrication, painting, rental, storage, washing, operation, repair, conversion, modification, maintenance or other servicing for any War Procurement Agency of airplanes and of engines, parts, accessories, instruments, and other equipment used in connection with airplanes, including all services incidental thereto.

2. Section 1499.46 (b) (114), (115), (116) and (117) are added to read as follows:

(114) Any manufacturing service performed by a person other than the manufacturer in the production of any product excepted from the General Maximum Price Regulation by section 4.3 (a), (b) or (c) of Revised Supplementary Regulation No. 1 (such excepted products being in the nature of war material and component parts and subassemblies thereof) if all or part of the material on which such service is performed is supplied by the manufacturer.

(115) Any service supplied pursuant to a contract or subcontract certified as "developmental" as specified in, and subject to the provisos of, Section 4.4 of Revised Supplementary Regulation No. 1.

(116) Any machinery service as defined in Maximum Price Regulation No. 136, as amended.

(117) Any demolition, wrecking or site-clearance service which is part of and is included within the sale of any temporary building sold apart from the land by the United States or any agency thereof.

This amendment shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5966; Filed, April 16, 1943; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1]

EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1499.26 *Exceptions of commodity transactions from the General Maximum Price Regulation.* Under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Supplementary Regulation No. 1 (Exceptions of Commodity Transactions from the General Maximum Price Regulation), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1499.26 issued under Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

REVISED SUPPLEMENTARY REGULATION NO. 1—EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION

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Article I—Explanatory and General Provisions

SECTION 1. 1 *What this regulation covers.* Exceptions of commodity transactions from the General Maximum Price Regulation are collected in this regulation. It brings together, restates and reclassifies the exceptions of commodity transactions (other than those which have become obsolete) previously contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulation No. 1 (Exceptions for Certain Commodities, Certain Sales and Deliveries, and Certain Services) and Revised Supplementary Regulation No. 4 (Exceptions of Sales to United States Agencies). It incorporates two exceptions which are also stated in Revised Supplementary Regulation No. 12 (Sales and Deliveries of Imported Commodities). This regulation does not, as of the date issued, make any new exception or terminate or otherwise change the operative effect of any of these exceptions but merely consolidates and continues them in effect. Other exceptions of commodity transactions may be added from time to time.

SEC. 1. 2 *What this regulation does not cover.* This regulation being limited to exceptions from the General Maximum Price Regulation, does not incorporate exceptions which are stated in other price regulations. The commodity transactions listed in subsequent articles of this regulation, while excepted from the General Maximum Price Regulation, are of course subject to any other price regulations which apply to them. Services excepted from the General Maximum Price Regulation are not within the scope of this regulation but are collected in Revised Supplementary Regulation No. 11. Those service exceptions formerly contained in Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 4 are being transferred to Revised Supplementary Regulation No. 11 simultaneously with issuance of this regulation.

SEC. 1. 3 *Regulations revoked.* Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 4, being superseded by this regulation, are hereby revoked. Supplementary Regulation No. 7, being obsolete, is also hereby revoked. § 1499.9 of the General Maximum Price Regulation is not being revoked but is being amended simultaneously herewith so as to remove therefrom the exceptions now incorporated herein.

SEC. 1. 4 *Cross-reference to superseded provisions.* Tables are set forth in Appendix A of this regulation, showing the counterpart in this regulation or elsewhere of the exceptions heretofore contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulations Nos. 1, 4 (revised) and 7 and also the exceptions incorporated herein from Revised Supplementary Regulation No. 12. Reference in any price regulation or other document to any such provision shall be deemed reference to its counterpart, if any, in this or any other regulation.

SEC. 1. 5 *Definitions.* Terms used in this regulation shall, unless differently defined herein or unless the context requires a different meaning, have the same meaning as when used in the General Maximum Price Regulation.

Article II—Exception of Specific Commodities

SEC. 2. 1 *Basis of classification in this article.* The exceptions stated in this article, classified according to commodity group, are those which are based primarily upon the identity or character of the commodity or class of commodities rather than upon the nature of the transaction or of the parties thereto.

SEC. 2. 2 *Exception granted.* Sales and deliveries of the commodities set forth in subsequent sections of this article are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated.

SEC. 2. 3 *Foods, feeds and beverages.* The exception stated above in Section 2. 2 extends to the following:

(a) Green coffee sold in Puerto Rico.

(b) Rum, liqueurs, cordials, bitters and other spirituous liquors produced in any territory or possession of the United States: *Provided, however,* That this exception shall not apply (1) to sale of such commodities within the territory or possession of origin nor (2) to sale by the importer of such commodities unless the invoice issued in connection with the sale states clearly and legibly on its face that the commodity is not subject to Office of Price Administration price ceilings.

(c) Citrus fruit segments or pieces, whether or not hermetically sealed in containers; citrus juices or blends thereof, whether or not hermetically sealed in containers; citrus concentrates, citrus pulp, citrus marmalade base, crushed citrus fruit and shredded, minced, sliced or diced citrus fruit or citrus peel (except candied or sugared peel), whether or not hermetically sealed in containers.

(d) All milk products, including butter, cheese, condensed and evaporated milk, powdered milk, casein, malted milk powder and any other commodity which is processed or manufactured from cow's milk and composed of milk ingredients constituting more than fifty per cent by weight or volume; but this exception shall not extend to fluid milk or cream sold at wholesale or retail, nor to ice cream, nor to ice cream mix for which adjusted maximum prices are established in § 1499.73 (a) (1a) of Supplementary Regulation No. 14. The term "sold at wholesale," as here used, refers to the sale, by any person, of fluid milk or cream in bottles or paper containers, to any person, including an industrial or commercial user, other than the ultimate consumer.

(e) Sliced and peeled apples.

(f) Dried apple pomace, i. e., the sound dried residue obtained by removing cider from apples.

(g) Bland apple syrup, i. e., the product obtained by removing or neutralizing the malic acid from pure apple juice, and concentrating, after slightly reacidifying, by heating under reduced pressure to the extent that the product meets a minimum test of 40 degrees Baumé.

(h) Eggs and poultry.

(i) Fresh fish and sea food and game.

(j) Leaf tobacco (whether dried or green); stemmed tobacco leaf irrespective of cutting incidental and preliminary to stemming or cigar making; and tobacco stems sold as such.

(k) All nuts.

(l) Linseed oil.

(m) Mixed seeds for house pet birds.

(n) Animal and poultry tonics, condiments, medicants and other special foods not used as the entire normal or customary diet for animals or poultry but for necessary special treatment or care.

(o) Ground grain feed, i. e., grains and seeds which are pulverized, cracked, crushed or otherwise milled to prepare the whole grains and seeds for use only as animal feeds.

(p) The following products when neither further processed nor packaged. The term "packaged," as here used, means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment. The term "ground," as used below in describing these products, means crushed, cracked, rolled, ground, flaked or pulverized; but a product is "ground" and not "further processed" although subjected to processes such as steaming, which are incidental to grinding, as distinguished from other processes not merely incidental to grinding:

(1) The following wheat products: ground wheat, malted wheat.

(2) The following corn products made from a dry corn milling process: malted corn, ground corn, corn bran, corn feed meal, hominy feed, corn germ cake and corn germ meal—but only when used for animal feeding purposes.

(3) The following barley products: pearled barley, ground pearled barley, hulled barley, malted barley, ground barley.

(4) The following oat products: groats, hulled oats, ground groats, rolled hulled oats (table or feeding), cereal oats, ground oats.

(5) The following rye products: malted rye, ground rye.

(6) Ground soy beans.

(7) Ground buckwheat.

(q) Flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soy beans, potatoes; combinations of flours produced from these commodities; and bleached, bromated, enriched, phosphated and self-rising flours. "Flour produced from wheat" means:

(1) Any product of the milling of wheat, other than durum wheat, whose ash content is not more than 1/20th of the protein calculated to a moisture-free basis plus .35, except that farina shall not be considered flour produced from wheat;

(2) Any product of the milling of durum wheat whose ash content, calculated to a moisture-free basis, is not more than 1.5%, except that semolina shall not be considered flour produced from wheat;

*Copies may be obtained from the Office of Price Administration.

(3) Whole wheat flour;
(4) Whole durum wheat flour; and
(5) Blends of the foregoing flours produced from wheat.

NOTE: In determining whether the ash content of bleached, bromated, enriched, phosphated and self-rising flours complies with the above ash requirements, allowances shall be made for the increase in the ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self-rising ingredients.

(r) Cake mixes and flour mixes when not packaged. The terms "cake mixes" and "flour mixes" mean combinations of flour or flours with any other ingredients except those used in making bleached, bromated, enriched, phosphated, and self-rising flours. The term "packaged" means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment.

SEC. 2. 4 *Paper and paper products (including publications and other printed matter).* The exception stated above in Section 2. 2 extends to the following:

(a) Books, magazines, motion pictures, periodicals, newspapers, materials furnished for publication by any press association or feature service, pamphlets, leaflets, sheet music, music rolls, stamp albums, maps, charts, catalogs, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs and price lists: *Provided, however,* That this exception shall not include any commodity listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225.

(b) The commodities listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225 when sold or delivered by persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed papers and printed paper products and services rendered in connection therewith did not exceed $20,000.

SEC. 2. 5 *Chemicals, drugs and paints.* The exception stated above in Section 2. 2 extends to the following:

(a) Hog cholera virus and anti-hog cholera serum (products used in the immunization of swine against hog cholera), manufactured and marketed in compliance with the standards and regulations promulgated by the United States Department of Agriculture, or manufactured in a similar manner and for an identical purpose under license or authority of any State or otherwise and marketed in interstate or foreign commerce or so as directly to burden, obstruct or affect interstate or foreign commerce.

(b) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum, and agricultural components used in the manufacture of furfural, as set forth below, on condition, however, that within 15 days after entering into any contract for the sale of any such commodity the seller thereof files with the Office of Price Administration (at Washington, D. C. or at any regional or district office) either a duly authenticated copy of such contract or, in lieu thereof, a duly authenticated summary thereof setting forth the name of the seller, the commodities sold, date of contract, term of contract, production origin, name of buyer, point of delivery corresponding to sales price, method of delivery—i. e., tanker, tank car, field pump, etc., volume sold in barrels or other appropriate unit, price in cents per U. S. gallon or other appropriate unit, specifications of product, and notes detailing special provisions of contract, such as price formulae, etc., and on the further condition that such seller file such other records as the Office of Price Administration may require or permit with respect to such sale:

(1) Aviation gasoline of 87 octane rating or higher and, to the extent sold or delivered for use in the manufacture thereof, all components of aviation gasoline of 87 octane rating or higher, including but not limited to alkylate, neohexane, iso-octane, hydrycodimers, isomate, and hot acid octanes; iso-pentane, iso-butane, normal butane and butylenes; and aromatic hydrocarbons and base stocks or fractions thereof.

(2) The following to the extent sold or delivered for use in the manufacture of synthetic rubbers: components of synthetic rubbers, including but not limited to butadiene and styrene; all hydrocarbons and petroleum fractions used in the manufacture of the components of synthetic rubber, including but not limited to ethylene, propylene, butylene, iso-butylene, propane, butane, and isobutane; hydrogen, acetaldehyde, acetylene, vinyl-acetylene, vinyl chloride, vinyl acetate, sebacate esters, phthalate esters, tricresyl phosphate, hydrochloric acid, calcium carbide, ethylene dichloride, dichlorethyl ether, sodium polysulfide, butylene glycol, acrylonitrile, and ethyl-alcohol, and furfural, dehydrogenation catalysts, including but not limited to chrome-alumina and magnesia-alumina dehydrogenation catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel.

The term "synthetic rubber," as here used, means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(3) Toluene manufactured from petroleum and, to the extent sold or delivered for use in the manufacture of such toluene, base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene.

(4) Agricultural components of furfural, to the extent sold or delivered for use in the manufacture of furfural, including but not limited to oat hulls, cottonseed hulls and cottonseed hull bran.

(c) Volatile ("essential") oils, when sold by the growers (in any of the forty-eight States and the District of Columbia) of the plants from which such oils were distilled.

(d) Botanical drugs, when sold by the pickers, growers, diggers or gatherers of such botanical drugs in any of the forty-eight States and the District of Columbia.

SEC. 2. 6 *Rubber and rubber products.* The exception stated above in section 2. 2 extends to the following:

(a) Synthetic rubber and reclaimed synthetic rubber and their components, as specified above in paragraph (b) (2) of section 2. 5.

(b) Balata rubber when sold or delivered by Rubber Reserve Company; and also when delivered by other sellers if delivery is pursuant to a sale which, when made, was excepted from the General Maximum Price Regulation.

(c) Crude rubber, guayule rubber and liquid latex.

SEC. 2. 7 *Fuel, petroleum products and other oils.* The exception stated above in section 2. 2 extends to the following:

(a) Aviation gasoline of 87 octane rating and higher and its components, as specified above in paragraph (b) (1) of section 2. 5.

(b) Toluene manufactured from petroleum, as specified above in paragraph (b) (3) of section 2. 5.

(c) Core oils and core washing oils.

(d) Bituminous coal produced in Alaska.

SEC. 2. 8 *Machinery, tools and equipment.* The exception stated above in section 2. 2 extends to the following:

(a) Machines and parts excluded from Maximum Price Regulation No. 136 by § 1390.2 thereof, except that machines and parts sold at retail by a person other than the manufacturer thereof and on that account excluded by paragraph (f) of said § 1390.2 shall continue to be governed by the General Maximum Price Regulation.[1]

(b) Instrument jewel bearings.

(c) Diamond dies smaller than .002 inches in diameter.

(d) Used automobiles.

SEC. 2. 9 *Metals and minerals.* The exception stated above in Section 2. 2 applies to the following:

(a) Scrap metal, as specified below in paragraph (a) of section 2. 12.

(b) The following scrap material whether sold to an industrial consumer or other purchaser:

(1) Zinc scrap materials, including but not limited to zinc skimmings, zinc ashes, sal skimmings and flue dust; but some such materials are governed by Revised Price Schedule No. 3.

(2) Lead scrap materials, including but not limited to lead drosses, lead slags, lead ashes and lead sludges; but some such materials are governed by Revised Price Schedule No. 70.

(3) Residues of tin, solder, babbitt and type material, including but not limited to drosses, scruffs, acidy drosses, fumes, sludges and slags.

(4) Antimony residues, slags, skimmings and drosses.

(5) Copper clad steel scrap—i. e., any steel scrap clad or coated with copper or a copper base alloy, including gilding metal clad steel scrap, in which the cladding or coating amounts to 3% or more by weight.

(c) Block mica of strategic grades (i. e., block mica of a quality better than "heavy stained," as defined in Conservation Order No. M–101 issued by the War Production Board on March 6, 1942) and fabricated mica produced therefrom.

(d) Fluorspar ores.

(e) Blister copper.

(f) Lead bullion.

(g) Ores and ore concentrates. The term "ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. The term "ore concentrates" means any ore after the removal of a part of the gangue, or a part of the non-metallic elements, by either a physical or chemical process.

(h) Electrotype plates which are obsolete by reason of the time limitations of War Production Board Order M–99 or which may become obsolete within the definition of War Production Board Order M–99, and backing metal, composed of approximately 94% lead, 3% tin and 3% antimony obtained from these electrotype plates, sold by purchasers of the electrotype plates to the National Lead Company, acting as agent for the Metals Reserve Company.

SEC. 2. 10 *Forest products, lumber and building materials.* The exception stated above in Section 2. 2 applies to the following:

(a) Bark obtained from hemlock, oak, chestnut and spruce.

(b) The following natural forest products used by florists: ferns, leaves, foliage and boughs.

(c) Stumpage, logs and pulpwood.

(d) Wood and gum for naval stores and gum naval stores.

(e) Saw and veneer mill wood wastes, when sold for use as raw materials in wood distillation, including but not limited to slabs, edgings, veneer log ends and cores, and ground wood: *Provided, however,* That no petitions for increase in maximum prices of the products manufactured from the above raw materials will be granted to the extent that such petitions are based on increases in prices of such raw materials above March, 1942, levels.

(f) Any tree or plant, or part thereof, painted or unpainted, mounted or unmounted, which is used for decorative purposes during the Christmas season.

SEC. 2. 11 *Textiles, leather and apparel.* The exception stated above in section 2. 2 applies to the following:

(a) Imported silk wastes.

(b) Wool skins (whether domestic or foreign)—i. e., the untanned skins of sheep or lambs, with the wool still on, other than shearlings or wool skins which are sold for use as furs.

SEC. 2. 12 *Miscellaneous.* The exception stated above in section 2. 2 applies to the following:

(a) Waste materials, including but not limited to metal, paper, cloth and rubber scrap, sold to a purchaser other than an industrial consumer: *Provided, however,* That for purposes of this exception—

(1) "Industrial consumer" includes a person who claims and resells cloth scrap for use as wiping rags or waste and any other person who processes any scrap material otherwise than by sorting, cleaning, baling, compressing or reducing in size.

(2) "Waste materials" does not include scrap burlap or scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers, nor cotton mill waste (defined to mean all cotton waste produced in the process of converting raw cotton into yarn and yarn into cloth, except jute bagging removed from cotton bales and except any kind of scrap burlap or bagging), nor fat-bearing and oil-bearing animal waste materials.

(b) Animals of any kind, whether wild or domestic and whether living or dead, other than those slaughtered for food purposes; but this exception does not extend to pelts, furs, or other parts of animals—as to which see section 3. 2 (f), below.

(c) Manure.

(d) Garbage.

(e) Stamps and coins.

(f) Precious stones and mountings into which precious stones are set. The term "precious stones" means any ruby, sapphire, emerald, natural pearl, or any diamond (other than an industrial diamond) weighing more than 1.00 carat, or any semi-precious stone after sale by the cutter, when the cutter has received more than $100 for the sale of the stone. Synthetic stones and cultured pearls shall not be deemed "precious stones." If two or more diamonds (other than industrial diamonds) with an aggregate weight of 1.50 carats are set in one mounting, the diamonds shall be deemed "precious stones."

(g) Antiques.

(h) Knotted oriental rugs.

(i) Paintings, etchings, sculptures and other objects of art.

(j) Indian and Eskimo handicraft objects which are produced by the manual skill of American Indians, Alaskan Indians or Eskimos.

(k) Securities, including any note, stock, bond, and interest or instrument commonly known as a "security."

(l) Any raw and unprocessed agricultural commodity or greenhouse commodity while it remains in substantially its original state, subject to the following qualifications:

(1) Commodities which are picked, harvested, threshed, ginned, husked, cleaned, dried, baled, boxed, packed, transported and or refrigerated, without more, remain "raw and unprocessed." But operations such as slaughtering, freezing, canning, preserving, milling, crushing, straining, centrifuging, shelling of nuts, cooking, distilling, and purifying with heat constitute processing for this purpose.

(2) This exception does not extend to any dried fruits or dried berries other than those sold or delivered "in natural condition" by growers to packers; nor to any dried imported agricultural commodities; nor to any forest products, such as lumber, wood, naval stores and mineral products, whether processed or unprocessed.

(3) All natural flowers and floral products, whether fresh or dried, and all seeds and bulbs (while they retain their original identity without being further processed into products commonly designated by other names), are deemed to be raw and unprocessed agricultural commodities and so are included within this exception.

Article III Exception of transactions of a general nature

SEC. 3. 1 *Basis of classification in this article.* The exceptions stated in this article are those which are based primarily upon the nature of the transaction or the parties thereto (other than government agencies, which are the subject of Articles IV and V) and thus generally affect more than one commodity or class of commodities.[2]

SEC. 3. 2 *Transactions excepted.* The following transactions are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, upon the conditions and to the extent indicated:

(a) Sales and deliveries by a farmer, of commodities grown and processed on his farm, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(b) Sales and deliveries by any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale: *Provided, however,* That this exception shall not apply to the following:

(1) Sales and deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M–72–a.

[1] Machinery services as defined in Maximum Price Regulation No. 136, as amended, are excepted from the General Maximum Price Regulation by § 1499.46 (b) (116) of Revised Supplementary Regulation No. 11.

[2] Exceptions from all price control, which necessarily constitute exceptions from the General Maximum Price Regulation but are not incorporated herein, are contained in the following Supplementary Orders: No 8, Panama Canal Zone; No. 10, Judicial Sales; No. 21, District of Columbia Penal Institutions; No. 22, Sales to Office of Scientific Research and Development; No. 27, Sales by Army and Navy Stores; No. 35, Purchases of Strategic or Critical Materials by Metals Reserve Company; No. 42, Exception of Sales to Government Agencies Pursuant to Secret Contracts or Subcontracts.

issued by the Director General for Operations, War Production Board.

(2) Sales and deliveries of scrap burlap and scrap bagging or bale coverings composed of jute, hemp, istle, sisal, or similar fibers.

(c) Sales and deliveries by an owner, of his used personal or household effects or other personal property used by him.

(d) Sales and deliveries at a bona fide auction of used household or personal effects, except that this exception shall not apply to any sale at auction conducted in, by, or for a retail or wholesale establishment regularly engaged in the business of selling such goods other than by auction.

(e) Sales and deliveries by hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals, servings of food portions customarily served separately or as part of a meal, or beverages mixed or prepared by the seller; but this exception shall not apply to sales of ice cream in cones, dixie cups or similar packages.

(f) Sales and deliveries by a breeder, trapper, or hunter, of pelts, furs, or other parts of wild animals raised by him, or trapped, shot, or killed by him, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(g) Sales and deliveries of commodities sold without private profit in the course of any sale, fair, or bazaar conducted for a period of not more than 15 days by any religious, charitable, or philanthropic organization.

(h) Sales and deliveries of damaged commodities by insurance companies, transportation companies, or agents of the United States Government or by any other person engaged in reconditioning and selling damaged commodities received, in direct connection with the adjustment of losses, from insurance companies, transportation companies, or agents of the United States Government: *Provided*, That such other person has registered with and has been approved by the Office of Price Administration as engaged principally and primarily in such business and as one whose other activities do not include selling new or second-hand commodities for his own account.

(i) Sales and deliveries by non-profit making agencies for the blind (i. e., institutions operated in the interest of blind persons, the net income of which does not inure in whole or in part to the benefit of the shareholders or individuals) of any commodity on which 75 per cent of the direct labor in man-hours has been performed by the blind. Persons are, for this purpose, considered blind if their visual acuity does not exceed 20/200 in the better eye with corrective lenses or if their visual acuity is greater than 20/200 but they have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(j) Retail sales or deliveries of commodities made or produced by the seller at his home, solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(k) Purchases, by a person who deals directly with a foreign seller outside the continental United States or his selling agent wherever located, of commodities to be imported into continental United States from outside thereof for consumption therein or to be withdrawn from a bonded warehouse in the United States for consumption therein.

(l) Component parts and subassemblies of certain military products, as specified below in paragraph (c) of section 4. 3.

(m) Sales and deliveries until July 3, 1943, of 40% oleum (109% sulphuric acid) to an ordnance plant or works operated by or for the United States or any agency thereof.

Article IV—Exception of sales to government agencies

SEC. 4. 1 *Basis of classification in this article.* The exceptions stated in this article, classified according to the purchasing agency or agencies, are those which are based primarily upon the governmental character of the purchaser.

SEC. 4. 2 *Exception of sales to the United States or any of its agencies.* Sales and deliveries of the following, when made to the United States or any of its agencies, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Brazilian rock quartz crystals, suitable for piezoelectrical purposes.

(b) Standard Model F–4 payroll machines manufactured by the International Payroll Machine Company of Reading, Pennsylvania, delivered prior to July 1, 1943.

(c) Manila cordage sold by Metals Reserve Company or its duly authorized agent or agents. The term "Manila cordage" has the same meaning here as in paragraph (d) of section 4. 5 below.

(d) Brooms sold by Federal Prison Industries, Inc.

(e) 40% oleum, as specified above in paragraph (m) of section 3. 2.

SEC. 4. 3 *Exception of sales to the United States or its agencies or to certain foreign governments or their agencies.* Sales and deliveries of the following are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated, when made to the United States or any agency thereof or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or any agency of any such government, and also in certain cases of related transactions when made to others as specifically provided below:

(a) Aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats and torpedoes.

(b) Amphibians, armored vehicles, automobiles, tanks, trailers and trucks, when sold for military purposes.

(c) Component parts and subassemblies of any product excepted under paragraphs (a) and (b), above, regardless of the person to whom sold or delivered, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated but not including raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those excepted under paragraphs (a) and (b), above.[3]

(d) Military propellants and explosives.

(e) Imported mahogany logs, lumber, flitches and veneer, and mahogany lumber, flitches and veneer manufactured therefrom in the United States—or any of the same when sold or delivered to any person who will use such commodity to fulfil (1) a contract with the United States or any agency thereof or with any Government or agency thereof the defense of which the President deems vital to the defense of the United States as aforesaid or (2) a subcontract under any such contract. The term "mahogany," as here used, means the wood of the several species of the genus Swietenia and the wood of the several species of the genus Khaya of the Meliaceae family.

(f) Any commodity purchased for immediate delivery under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable: *Provided*, That the person making such purchase on behalf of the purchasing Government or agency files a report with the Office of Price Administration, Washington, D. C., within five days after such purchase is made, certifying that such emergency existed and setting forth: (1) the name and address of the seller, (2) date of purchase, (3) date of delivery, (4) description of commodity purchased, (5) quantity purchased, (6) price at which purchased, and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

(g) Calcium carbide when sold by Defense Supplies Corporation.

(h) Any imported commodity while in its imported state or after being subjected to a process which does not result in the production of a new and different article having a distinctive name, character or use, or any such commodity when sold to any person who will use it to fulfil a contract with the United States or any agency thereof, or with any such other government or any agency thereof, or to fulfil a subcontract under any such contract: *Provided, however*, That:

(1) This exception shall not apply to the following commodities:

(i) Fish and seafood: canned, salted, pickled, smoked or frozen.

(ii) Other foodstuffs processed after importation.

(iii) Silver bullion.

(iv) Crude rubber, balata, and guayule.

(v) Lumber and wood shingles produced in and imported from Canada or Mexico.

(2) The term "imported commodity," as above used, means any commodity entered into the continental United States from outside thereof for consumption therein or withdrawn from a bonded warehouse in the United States for consumption therein.

(i) The following Army field and emergency rations and commodities:

(1) Completed rations: C; D; K; Five-in-One; Mountain; Bail Out; Combat; Jungle; Life Raft; Corned Beef Hash ($5\frac{1}{2}$ lb. can); Meat and Vegetable Stew (30 oz. can); Meat and Vegetable Hash (6 lb. 12 oz. can); Chili Con Carne (6 lb. 8 oz. can).

(2) All finished component parts of these rations (for example, finished biscuits, finished drink powders, etc., as distinct from their ingredients). However, the following finished component parts shall be subject to maximum prices in sales to these buyers:

(i) Breakfast cereals.

(ii) Milk, condensed (covered by Maximum Price Regulation No. 289).

(iii) Milk, unsweetened evaporated, unsweetened dehydrated (powdered skim) (covered by Maximum Price Regulation No. 289).

(iv) Canned fruits, fruit juices and nectars (covered by Maximum Price Regulations Nos. 185 and 306).

(v) Dried fruits (covered by Maximum Price Regulation No. 227).

(vi) Raisins (covered by Maximum Price Regulation No. 242).

(vii) Canned vegetables and vegetable juices (covered by Maximum Price Regulations Nos. 152 and 306).

(viii) Dehydrated potato shreds.

(ix) Canned sliced bacon (covered by Maximum Price Regulation No. 148).

(x) Canned pork sausage (covered by Maximum Price Regulation No. 148).

(xi) Canned corned pork (covered by Maximum Price Regulation No. 148).

(xii) Canned corned beef (covered by Maximum Price Regulation No. 156).

(xiii) Spaghetti (covered by Maximum Price Regulation No. 325).

(xiv) Cheese (covered by Maximum Price Regulation No. 280).

(xv) Peanuts (covered by Maximum Price Regulation No. 335).

(xvi) Fruit preserves, jams, jellies (covered by Maximum Price Regulation No. 226).

(xvii) Powdered puddings.

(xviii) Tea (covered by Price Schedule No. 91).

(xix) Sugar (covered by Price Schedule No. 60).

(xx) Salt and salt tablets.

(xxi) Hard candy.

(xxii) Chewing gum.

(xxiii) Cigarettes (covered by Revised Price Schedule No. 62).

(xxiv) Toilet paper (covered by Maximum Price Regulation No. 266).

(j) Canned fish flakes: *Provided, however*, That within fifteen days after entering into any contract made on or after April 3, 1943, for the sale or delivery thereof, the seller shall file with the Office of Price Administration either a duly authenticated copy of such contract or, in lieu thereof, a duly authenticated summary of such contract setting forth the name of the seller, date of contract, term of contract, price, quantity, species and manner of preparation, name of buyer, point of delivery corresponding to sales price, and method of delivery.

(k) The following commodities—but this exception shall expire July 1, 1943:

(i) The following ski troop equipment: carabiners, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(ii) Mountain and ski stoves (gasoline, one burner);

(iii) Field ranges, Model–1937 (quartermaster corps); spare parts thereof, Class A;

(iv) Canteens, Model M–1942 (quartermaster corps);

(v) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(*a*) Accessories for field range, Model–1937 (quartermaster corps), parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model–1937 (quartermaster corps);

(*b*) Wire cutters, Model M–1938 (quartermaster corps);

(*c*) Identification tags, Model M–1940 (quartermaster corps);

(*d*) Metal insignia, cap and collar (for enlisted men).

(vi) Deliveries of canteens Model M–1910 (quartermaster corps) pursuant to contracts entered into prior to December 20, 1942.

(vii) Deliveries of the following commodities pursuant to contracts entered into prior to April 1, 1943:

(*a*) Canteen cups and meat cans, Model M–1942;

(*b*) Helmet liners, Model M–1 (quartermaster corps);

(*c*) Paratroop knives.

SEC. 4. 4 *Exception of sales pursuant to developmental contracts or subcontracts.* The General Maximum Price Regulation shall have no application to sales or deliveries of any commodity manufactured or service supplied[4] pursuant to a contract or subcontract which is certified in writing to the Office of Price Administration, Washington, D. C., as being a "developmental" contract or subcontract, by the United States or any agency thereof or by the Government of any country the defense of which the President deems vital to the defense of the United States under the terms of the Act of March 11, 1942, entitled "An Act to Promote the Defense of the United States," or any agency of any such Government: *Provided, however*, That:

(a) The manufacturer of the commodity or the supplier of the service files with the Office of Price Administration, Washington, D. C., within ten days after entering into the contract or subcontract, a report containing a description of the product to be manufactured or service to be supplied, a summary of the terms of the contract or subcontract, including all pricing provisions, a statement of the production plan of which the contract or subcontract is a part, and an estimate of the expected duration of such developmental work.

(b) If at any time the Office of Price Administration determines, after consultation with the certifying government agency, that the period necessary for development has expired and in writing so notifies such agency and the manufacturer of the commodity or supplier of the service, this exception shall not apply to the commodities or services thereafter sold, delivered or supplied under the contract or subcontract to which such notice relates.

(c) A contract or subcontract is, for the purpose of this section, deemed to be "developmental" if the manufacturer or supplier thereunder requires a period of time for the accumulation of sufficient production experience to permit him to make a fair estimate of his manufacturing costs or if the purchaser thereunder requires a period of time to select a product, or both.

SEC. 4. 5 *Exception of sales to Metals Reserve Company or its agents.* Sales and deliveries of the following, when made to Metals Reserve Company or any of its agents, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Metallic copper, lead or zinc, or ores or concentrates containing copper, lead or zinc, sold pursuant to the Premium Price Plan announced by the Federal Loan Agency, the War Production Board, and the Office of Price Administration.

(b) Aluminum scrap sold pursuant to the program with respect to idle or excessive inventories of aluminum materials adopted and announced on February 24, 1942, by the War Production Board, Division of Industry Operations.

[3] Revised Supplementary Regulation No. 11, § 1499.46 (b) (114), excepts from the General Maximum Price Regulation any manufacturing service performed by a person other than the manufacturer in the production of any product excepted under paragraphs (a), (b) and (c) of section 4. 3, above, if all or part of the material on which such service is performed is supplied by the manufacturer.

[4] The supply of such services is excepted from the General Maximum Price Regulation by § 1499.46 (b) (115) of Revised Supplementary Regulation No. 11.

(c) Nickel-bearing scrap materials sold pursuant to the program with respect to frozen stocks of metallic nickel adopted and announced on April 15, 1942, by the War Production Board, Division of Industry Operations.

(d) Manila cordage sold by persons other than the producers thereof. The term "Manila cordage," as here used, means rope and cable in which Manila fiber is used either alone or in combination with other fibers and which is of diameters of $\frac{1}{8}$ of an inch and larger and of lengths of not less than 200 feet and of grades designated by manufacturers as "better than grade #1", "grade #1", "grade #2" and "grade #3."

(e) Nickel oxide sold by the Electric Heating Equipment Company of Philadelphia, Pennsylvania.

(f) Electrotype plates, as specified above in paragraph (h) of section 2. 9.

SEC. 4. 6 *Exception of sales to specified government agencies.* Sales and deliveries of the following, when made to the government agencies or other persons specified below, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Talking books manufactured by the American Foundation for the Blind and sold to the Library of Congress.

(b) Tires and tubes sold or delivered to Defense Supplies Corporation pursuant to the Idle Tire Purchase Plan.

(c) Solid-pack pie apricots in No. 10 cans sold to the Agricultural Marketing Administration for Lend-Lease purposes exclusively.

(d) Beef or veal, or any product made or derived therefrom, sold to the armed forces of the United States or the Federal Surplus Commodities Corporation under contracts entered into before July 13, 1942.

(e) Dried apples, dried apricots, raisins, dried peaches or dried pears sold to the armed forces of the United States or to the Federal Surplus Commodities Corporation.

(f) Dehydrated vegetables sold to the armed forces of the United States or any other purchasing agency of the United States.

(g) Phosphorus sold by the Tennessee Valley Authority to the War Department.

Article V—Exception of Sales by Government Agencies

SEC. 5. 1 *Basis of classification in this article.* The exceptions stated in this article are those which are based primarily upon the governmental character of the seller.

SEC. 5. 2 *Commodities excepted.* Sales and deliveries of the following, when made by the government agencies specified below, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Any used, damaged or waste materials sold by the War Department or the Department of the Navy.

(b) Vinyl acetate-vinyl chloride copolymer transcription records sold by the United States or any agency thereof.

(c) Ammunition sold by Defense Supplies Corporation.

(d) Phonograph records sold by the recording laboratory of the Library of Congress.

(e) Balata rubber sold by Rubber Reserve Company, as specified above in paragraph (b) of Section 2. 6.

(f) Crude petroleum transported through the war emergency pipelines system and sold by Defense Supplies Corporation at the eastern termini of such system.

(g) Temporary buildings sold apart from the land by the United States or any agency thereof and also the supply of demolition, wrecking, and site-clearance services[1] which are part of and are included within the sale of such temporary buildings.

APPENDIX A—TABLES OF CROSS-REFERENCES

TABLE I.—FORMER PROVISIONS OF THE GENERAL MAXIMUM PRICE REGULATION

Former paragraph of § 1499.9 of GMPR	*Present counterpart in Rev. Supp. Reg. No. 1*
(a) (1) — Combined with § 1499.20 (1).	Sec. 2.12 (1)
(a) (2)	Sec. 2.3 (h)
(a) (3) — Combined with § 1499.20 (p).	Sec. 2.3 (d)
(a) (4) — Combined with § 1499.20 (v).	Sec 2.3 (q)
(a) (4) — Combined with § 1499.20 (w) and (x).	Sec. 2.3 (r)
(a) (5)	[Covered by specific price regulations]
(a) (6)	Sec. 2.3 (i)
(a) (7)	Sec. 2.3 (j) (k) (l) (m) and (n) and Sec. 2.12 (c) and (d)
(a) (8)	Sec. 2.12 (b)
(a) (9)	Sec. 2.4 (a)
(a) (10) — Combined with § 1499.20 (y).	Sec. 2.9 (e) (f) and (g)
(a) (11)	Sec. 2.10 (c)
(a) (12) — Combined with § 1499.20 (z).	Sec. 2.12 (e) (f) (g) (h) and (i)
(a) (13)	Sec. 2.8 (d)
(a) (14)	Sec. 2.10 (d)
(a) (15) — Combined with § 1499.20 (q).	Sec. 2.12 (k)
(b) (1)	Sec. 3.2 (a)
(b) (2)	Sec. 3.2 (b)
(b) (3)	Sec. 3.2 (c)
(b) (4)	Sec. 3.2 (d)
(b) (5)	Sec. 3.2 (e)
(b) (6)	Sec. 3.2 (f)
(b) (7)	Sec. 3.2 (g)

TABLE II.—FORMER PROVISIONS OF SUPPLEMENTARY REGULATION NO. 1

Former paragraph of Supp. Reg. No. 1 (§ 1499.26)	*Present status or counterpart*
(a) (1) — Combined with (e) (1) (i) and (ii).	Rev. Supp. Reg. No. 1, Sec. 2.12 (a)
(a) (2)	Rev. Supp. Reg. No. 1, Sec. 2.9 (b)
(a) (3)	Rev. Supp. Reg. No. 1, Sec. 2.8 (a)
(a) (4)	Rev. Supp. Reg. No. 1, Sec. 2.9 (g)
(a) (5)	Rev. Supp. Reg No. 1, Sec. 2.8 (b)
(a) (6)	Rev. Supp. Reg No. 1, Sec. 2.11 (a)
(a) (7)	[Revoked]
(a) (8)	Rev. Supp. Reg No. 1, Sec. 2.3 (a)
(a) (9)	MPR No. 20, Sec. 1309.71 (1) (1)
(a) (10) — Combined with (e) (1) (iii).	Rev. Supp. Reg No. 1, Sec. 2.3 (o)
(a) (11) — Combined with (e) (1) (v).	Rev. Supp. Reg No. 1, Sec. 2.5 (a)
(a) (12) — Combined with (e) (1) (iv).	Rev. Supp. Reg No. 1, Sec. 2.9 (c)
(a) (13)	Rev. Supp. Reg No. 1, Sec. 2.8 (c)
(a) (14)	[Expired]
(a) (15) to (21), Incl. —Combined with (e) (1) (vii) and (viii).	Rev. Supp. Reg No. 1, Sec. 2.3 (p)
(a) (22)	Rev. Supp. Reg No. 1, Sec. 2.3 (c)
(a) (23)	[Expired]
(a) (24) — Combined with (e) (1) (ix).	Rev. Supp. Reg No. 1, Sec. 2.11 (b)
(a) (25) — Combined with (e) (1) (xiv).	Rev. Supp. Reg No. 1, Sec. 2.5 (b)
(a) (26)	Rev. Supp. Reg No. 1, Sec. 5.2 (a)
(a) (27)	Rev. Supp. Reg No. 1, Sec. 2.12 (b)
(a) (28)	Rev. Supp. Reg No. 1, Sec. 2.10 (a)
(a) (29)	Rev. Supp. Reg No. 1, Sec. 2.3 (b)
(a) (30)	Rev. Supp. Reg No. 1, Sec. 2.7 (c)
(a) (31)	Rev. Supp. Reg No. 1, Sec. 2.3 (e)
(a) (32)	Rev. Supp. Reg No. 1, Sec. 2.9 (h)
(a) (33)	Rev. Supp. Reg No. 1, Sec. 2.4 (a)
(a) (34)	Rev. Supp. Reg No. 1, Sec. 2.4 (b)
(a) (35)	Rev. Supp. Reg No. 1, Sec. 2.7 (d)
(a) (36)	Rev. Supp. Reg No. 1, Sec. 2.10 (b)
(a) (37) — Combined with (e) (1) (xii).	Rev. Supp. Reg No. 1, Sec. 2.3 (f)
(a) (38)	[Revoked]
(a) (39)	Rev. Supp. Reg No. 1, Sec. 2.9 (d)
(a) (40) — Combined with (e) (1) (xiii).	Rev. Supp. Reg No. 1, Sec. 2.9 (b) (5)
(a) (41)	Rev. Supp. Reg No. 1, Sec. 5.2 (b)
(a) (42)	Rev. Supp. Reg No. 1, Sec. 2.12 (j)
(a) (43)	Rev. Supp. Reg No. 1, Sec. 2.6 (c)
(a) (44) — Combined with (e) (1) (xv).	Rev. Supp. Reg No. 1, Sec. 2.3 (g)
(b) (1)	Rev. Supp. Reg No. 1 Sec. 3.2 (h)
(b) (2) — Combined with (e) (1) (x) and (xi).	Rev. Supp. Reg No. 1, Sec. 3.2 (i)
(b) (3)	Rev. Supp. Reg No. 1, Sec. 4.6 (a)
(b) (4)	Rev. Supp. Reg No. 1, Sec. 2.5 (c)

[1] The supply of such services is excepted from the General Maximum Price Regulation by § 1499.46 (b) (117) of Revised Supplementary Regulation No. 11.

Former paragraph of Supp. Reg. No. 1 (§ 1499.26)	*Present status or counterpart*
(b) (5)	Rev. Supp. Reg. No. 1, Sec. 2.10 (e)
(b) (6)	Rev. Supp. Reg. No. 1, Sec. 2.10 (f)
(b) (7)	Rev. Supp. Reg. No. 1, Sec. 2.5 (d)
(b) (8)	Rev. Supp. Reg. No. 1, Sec. 4.6 (b)
(b) (9)	Rev. Supp. Reg. No. 1, Sec. 5.2 (c)
(b) (10)	Rev. Supp. Reg. No. 1, Sec. 5.2 (d)
(b) (11)	Rev. Supp. Reg. No. 1, Sec. 3.2 (j)
(b) (12)	Rev. Supp. Reg. No. 1, Sec. 2.6 (b)
(b) (13)	Rev. Supp. Reg. No. 1, Sec. 5.2 (f)
(c) (1)	Rev. Supp. Reg. No. 11, § 1499.46 (b) (116)
(c) (2)	[Expired]
(d) (1)	Rev. Supp. Reg. No. 1, Sec. 5.2 (g); Rev. Supp. Reg. No. 11, § 1499.46 (b) (117)

TABLE III.—FORMER PROVISIONS OF REVISED SUPPLEMENTARY REGULATION NO. 4

Former paragraph of Rev. Supp. Reg. No. 4 (§ 1499.29)	*Present status or counterpart*
(a) (1)	Rev. Supp. Reg. No. 1, Sec. 4.3 (a) and (b)
(a) (2)	Rev. Supp. Reg. No. 1, Sec. 4.3 (c)
(a) (3)	Rev. Supp. Reg. No. 11, § 1499.46 (b) (114) and (108)
(a) (4)	Rev. Supp. Reg. No. 1, Sec. 4.3 (d)
(a) (5)	Rev. Supp. Reg. No. 1, Sec. 4.4; Rev. Supp. Reg. 11, § 1499.46 (b) (115)
(a) (6)	Supp. Order No. 42
(a) (7)	Rev. Supp. Reg. No. 1, Sec. 4.3 (f)
(a) (8)	Rev. Supp. Reg. No. 1, Sec. 4.3 (k)
(a) (9)	Rev. Supp. Reg. No. 1, Sec. 4.2 (a)
(a) (10)	Rev. Supp. Reg. No. 1, Sec. 4.5 (a)
(a) (11)	Rev. Supp. Reg. No. 1, Sec. 4.5 (b)
(a) (12)	Rev. Supp. Reg. No. 1, Sec. 4.5 (c)
(a) (13)	[Revoked]
(a) (14) (i)	Rev. Supp. Reg. No. 1, Sec. 4.6 (c)
(a) (14) (ii)	[Covered by specific price regulations]
(a) (15)	Supp. Order No. 27
(a) (16)	Rev. Supp. Reg. No. 1, Sec. 4.6 (d)
(a) (17)	Rev. Supp. Reg. No. 1, Sec. 4.2 (b)
(a) (18)	Rev. Supp. Reg. No. 1, Sec. 4.2 (c) and 4.5 (d)
(a) (19)	[Expired]
(a) (20)	[Covered by specific price regulations]
(a) (21)	Rev. Supp. Reg. No. 1, Sec. 4.6 (e)

Former paragraph of Supp. Reg. No. 4 (§ 1499.29)	*Present status or counterpart*
(a) (22)	Rev. Supp. Reg. No. 1, Sec. 4.6 (f)
(a) (23)	Rev. Supp. Reg. No. 1, Sec. 4.3 (e)
(a) (24)	Rev. Supp. Reg. No. 1, Sec. 4.6 (g)
(a) (25)	Rev. Supp. Reg. No. 1, Sec. 4.5 (e)
(a) (26)	[Expired]
(a) (27)	Rev. Supp. Reg. No. 1, Sec. 4.2 (d)
(a) (28)	Rev. Supp. Reg. No. 11, § 1499.46 (b) (108)
(a) (29)	Rev. Supp. Reg. No. 1, Sec. 4.3 (g)
(a) (30)	Rev. Supp. Reg. No. 1, Sec. 3.2 (m)
(a) (31)	Rev. Supp. Reg. No. 1, Sec. 4.3 (i)
(a) (32)	Rev. Supp. Reg. No. 1, Sec. 4.3 (j)
(b)	Supp. Order No. 9
(c)	[Revoked]

TABLE IV.—PROVISIONS OF REVISED SUPPLEMENTARY REGULATION NO. 12

Paragraph of Rev. Supp. Reg. No. 12 (§ 1499.1401)	*Counterpart in Rev. Supp. Reg. No. 1*
(a) (1)—Combined with § 1499.1406 (a)	Sec. 3.2 (k)
(a) (2)—Combined with § 1499.1406 (a)	Sec. 4.3 (h)

This regulation shall become effective April 22, 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5963; Filed, April 16, 1943; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 400 Under § 1499.3 (b) of GMPR]

THE MACKENZIE CANDY COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1887 *Authorization of maximum prices for sales of "Today", a candy bar manufactured by The Mackenzie Candy Company, 1279 West Third Street, Cleveland, Ohio.* (a) On and after the 17th day of April, 1943, the Mackenzie Candy Company of Cleveland, Ohio, may sell and deliver to the jobbing trade its candy product known as "Today" candy bar, having a minimum weight of 1½ ounces per bar and packed 24 bars to the box at the maximum price of 68¢ per box delivered. The legend on the wrapper of this bar shall state the minimum weight as 1½ ounces.

(b) Wholesalers and retailers shall establish their respective maximum prices for the "Today" bar at prices not in excess of the maximum price they established for the "Old Hickory" bar pursuant to the General Maximum Price Regulation. In the event a wholesaler or retailer has no established maximum price for the "Old Hickory" bar then his prices for the "Today" bar shall not exceed the price established for the "Old Hickory" bar by his nearest competitor of the same class.

(c) Each seller of the "Today" bar shall maintain the allowances, discounts, and price differentials established in the sale of the "Old Hickory" bar.

(d) The Mackenzie Candy Company shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchasers a written notice as follows:

The Office of Price Administration has authorized the Mackenzie Candy Company to manufacture and sell "Today" a new 5¢ retail candy bar with a minimum weight of 1½ ounces per bar, at 68¢ per box of 24 bars delivered. The Office of Price Administration has authorized wholesalers to fix their maximum prices for the "Today" bar at prices not in excess of the maximum prices established for our "Old Hickory" bar pursuant to the General Maximum Price Regulation. In the event you have no established price for the "Old Hickory" bar then your price for the "Today" bar shall not exceed the price established for the "Old Hickory" bar by your nearest competitor of the same class.

(e) The Mackenzie Candy Company shall place in or on the smallest box or other retail packing unit of the "Today" bars a printed notice reading as follows:

The Office of Price Administration has authorized maximum selling prices for "Today" candy bars by Specific Order No. ____. As retailers, you are to fix your maximum selling price for the "Today" bar at a price not in excess of the maximum selling price you established for the "Old Hickory" bar pursuant to the General Maximum Price Regulation. In the event you have no established maximum price for the "Old Hickory" bar then your price for the "Today" bar shall not exceed the price established for the "Old Hickory" bar by your nearest competitor of the same class.

(f) This Order No. 400 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 400 (§ 1499.1887) shall become effective April 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5967; Filed, April 16, 1943; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 401 Under § 1499.3 (b) of GMPR]

R. W. GRISWOLD CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1888 *Authorization of maximum prices for sales of Griswold Dehydrated Mushroom Soup by R. W. Griswold, doing business as R. W. Griswold Company, 1358 Prospect Road, Ashtabula, Ohio, by wholesalers and by retailers.* (a) On and after April 17, 1943, the maximum price for sales by the R. W. Griswold Company, 1358 Prospect Road, Ashtabula, Ohio, of the following dehydrated food item shall be:

Griswold Dehydrated Mushroom Soup:	
12 x one ounce cartons	$0.90

This price is list and at point of origin.

(b) Sellers at wholesale, until the Office of Price Administration issues a general fixed margin regulation governing sales of this item by wholesalers, shall determine their maximum selling price for Griswold Dehydrated Mushroom Soup by adding to their net costs of this item a mark-up of 23% of their net costs, including freight charges.

(c) Sellers at retail, until the Office of Price Administration issues a general fixed margin regulation governing sales of this item by retailers, shall determine their maximum selling price for the new product by adding to their net costs of this item a mark-up of 41% of their net costs, including freight charges.

(d) Net cost shall mean the price paid for the first delivery of Griswold Dehydrated Mushroom Soup in customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost.

(e) No seller, except a seller at retail, shall change his customary discounts, allowances, price differentials or trade practices applying to comparable items of dehydrated foods in making sales of the subject commodity unless such change results in a lower selling price.

(f) On and after April 17, 1943, R. W. Griswold Company shall supply a written notification to each wholesaler before or at the time of first delivery of Griswold Dehydrated Mushroom Soup and for a period of three months thereafter shall include with each shipping unit of Griswold Dehydrated Mushroom Soup a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser shall include the following appropriate statements:

Notification From R. W. Griswold Company to Wholesalers

The OPA has authorized us to charge wholesalers the following for Griswold Dehydrated Mushroom Soup subject to all customary allowances and discounts:

Griswold Dehydrated Mushroom Soup:	
12 x one ounce cartons	$0.90

This price is list and at point of origin.

Wholesalers, until the Office of Price Administration issues a general regulation governing sales of this item by wholesalers, are authorized to establish a ceiling price by adding to the net cost of the item 23% of such net cost including freight charges.

Retailers, until the Office of Price Administration issues a general regulation governing sales of this item by retailers, are authorized to establish a ceiling price by adding to their net cost 41% of such net cost, including freight charges.

Net cost shall mean the price paid for the first delivery of Griswold Dehydrated Mushroom Soup is a customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost.

A copy of a notification to retailers is included in every shipping unit of this item. If the initial sale of this item to any retailer is a split case scale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. The Office of Price Administration requires that you keep this notice for examination.

Notification from R. W. Griswold Company to Retailers

The OPA authorizes retailers, until the Office of Price Administration issues a general regulation governing sales of this item by retailers, to establish a ceiling price for Griswold Dehydrated Mushroom Soup by adding to the net cost of this item 41% of such cost including freight charges.

Net cost shall mean the price paid for the first delivery of Griswold Dehydrated Mushroom Soup in a customary quantity from a customary supplier at a customary receiving point by the customary mode of transportation less all discounts except a discount for prompt payment. No costs of local drayage, hauling, loading or unloading shall be included in net cost. The Office of Price Administration requires that you keep this notice for examination.

(g) This Order No. 401 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 401 (§ 1499.1888), shall become effective as of April 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5968; Filed, April 16, 1943; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 402 Under § 1499.3 (b) of GMPR]

G. S. SUPPIGER CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1889 *Authorization of maximum prices for sales of Brooks Beans in Tomato Sauce, Brooks Chili Hot Beans and Brooks Chili Hot Spaghetti all in 17 ounce jars by G. S. Suppiger Company, by wholesalers and by retailers.* (a) On and after April 17, 1943, the maximum prices for sales by G. S. Suppiger Company, having its principal office at 1530 Hadley Street, St. Louis, Missouri, and its plant in Collinsville, Illinois, of the following products, f. o. b. plant, shall be:

	Per dozen 17 oz. jars
Brooks beans in tomato sauce	$1.22
Brooks chili hot beans	1.27
Brooks chili hot spaghetti	1.29

(b) G. S. Suppiger Company shall give the same discounts and other allowances which it gives on other comparable items sold by it when making sales of the items priced by this order, unless a change in any of these discounts results in lower selling prices.

(c) Wholesalers and retailers shall determine their maximum selling prices for Brooks Beans in Tomato Sauce, Brooks Chili Hot Beans and Brooks Chili Hot Spaghetti by the appropriate Office of Price Administration regulations.

(d) This Order No. 402 may be revoked or amended at any time by the Price Administrator.

(e) This Order No. 402 (§ 1499.1889) shall become effective April 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5969; Filed, April 16, 1943; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 4 to GMPR, Revocation]

EXCEPTIONS: SALES TO UNITED STATES AGENCIES

Revised Supplementary Regulation No. 4 (§ 1499.29) is hereby revoked.

This order of revocation shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5964; Filed, April 16, 1943; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 7 to GMPR, Revocation]

EXCLUSION OF CERTAIN CONTRACTS FOR THE FABRICATION OF ARMY FIELD JACKETS

Supplementary Regulation No. 7 (§ 1499.33) is hereby revoked.

This order of revocation shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5965; Filed, April 16, 1943; 11:54 a. m.]

TITLE 43—PUBLIC LANDS; INTERIOR

Chapter I—General Land Office

Subchapter F—Color of Title and Riparian Claims

[Circular 1526]

PART 140—GENERAL REGULATIONS GOVERNING COLOR OF TITLE CLAIMS

FILING OF APPLICATION

In order to require applications under the color of title regulations to be filed in duplicate, § 140.3 of Title 43 of the Code of Federal Regulations and Paragraph 3 of Circular 1186, approved April 15, 1929 (52 L. D. 612), are hereby amended to read as follows:

§ 140.3 *Filing of application.* Applications under the Act of December 22, 1928 must be filed in duplicate with the register of the district land office for the district in which the land thus applied for is situated; or, if there is no district land office in the State where the land is situated, with the Commissioner of the General Land Office, Washington, D. C. (R.S. 453, 2478; 43 U.S.C. 2, 1201).

FRED W. JOHNSON,
Commissioner.

APRIL 6, 1943.

Approved:

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-5926; Filed, April 16, 1943; 9:56 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1768]

DISTRICT BOARD 2

MEMORANDUM OPINION AND ORDER OF THE DIRECTOR

In the matter of the Petition of District Board No. 2 for a change in minimum prices and price classifications established for size groups 1 and 2 for rail shipments for the coals of the Midland Mine, Mine Index No. 148 in District No. 2.

On March 19, 1943, 8 F.R. 3569, a memorandum opinion and order were made and entered by the Director in the above entitled proceeding establishing an "A" price classification for coals in Size Groups 1 and 2 produced by Pittsburgh Coal Co., a code member in District 2, at its Midland Mine (Mine Index No. 148), for rail shipment to all Market Areas, in lieu of the presently effective "C" classification for such coals, as prayed for in the petition herein.

On March 31, 1943, Bituminous Coal Consumers' Counsel filed a motion for reconsideration and modification of the memorandum opinion and order, and requested that relief be denied. The motion for reconsideration is hereby granted.

The memorandum opinion and order recite that upon the basis of the entire record in this proceeding the requested reclassification should be granted. In arriving at this conclusion, full consideration of the brief filed by Consumers' Counsel was afforded. Failure to make specific mention of the filing of the brief was an inadvertence. The contentions urged in the brief are reiterated in the motion for reconsideration and modification.

It should be observed at the outset that the only evidence introduced at the hearing was that of the witness Francis Y. Casey, vice chairman of District Board 2 and a member of its Price and Classification Committee, whose testimony as a district board official, and an expert on coals produced in District 2, remained uncontroverted after examination and cross-examination by Consumers' Counsel.

Consumers' Counsel contends that no changes in the character and quality of the coal or in mining and preparation methods have been made since the establishment of prices in General Docket No. 15; that no official complaints against present price classification have been made; that there is no evidence relating to analyses; and that the evidence as to size, structure, and appearance resulted from visual inspection. As appears from the memorandum opinion and order, I find no merit in any of these contentions. Change in character, quality and in method of mining and preparing the coal was not urged by the petitioner at the hearing as a basis for reclassification. The witness Casey testified, rather, that additional information as to the character of the coal presently available to the district board was persuasive that a need for reclassification exists. The contention that there have been no official complaints against the "C" classification is refuted by the very nature of the proceeding herein. The petition of the district board is an official complaint under section 4 II (d) of the Act. Reference was made at the hearing as to analyses. The witness Casey gave testimony that "the block coals produced in this section are all approximately the same from an analytical standpoint," which was elaborated and adhered to on cross-examination. Moreover, it was specifically testified that the request for relief was not based on proximate analysis for the reason that the market for domestic coals is not relatively influenced by this factor.

Finally, the contention that "the testimony regarding size, structure, and appearance of the coal discloses that the demand for reclassification was predicated entirely upon a simple visual inspection of the coal as compared with coals produced at other mines" is not a fair and accurate summation of the evidence. The record discloses that inspections had been made over a period of several months by technical representatives of the district board. Based upon the results thereof and upon more accurate data as to the comparative factors relatively essential in an evaluation of domestic coals, as set forth in detail in the memorandum opinion and order, reclassification was requested in this proceeding.

Upon a reconsideration of the record and for the foregoing reasons I adhere to my original conclusion that the evidence adequately establishes a basis for the relief requested within the meaning of the Bituminous Coal Act of 1937. In view of the uncontroverted testimony in the record, which I credit, the pertinent factors relating to the classification of domestic coals, the character and history of the coals involved herein, and a proper appreciation of the function of district boards in the price-fixing process, I am of the opinion, and I find, that the reclassification herein ordered is necessary to comply with the standards set forth in sections 4 II (a) and (b) of the Act and to effectuate the purposes thereof.

Now, therefore, it is ordered, That the motion of Consumers' Counsel for the modification of the memorandum opinion and order entered herein on March 19, 1943, be and the same hereby is denied.

Dated: April 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5931; Filed, April 16, 1943; 10:44 a. m.]

[Docket No. A-1927]

THOMAS BROTHERS, ET AL.

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of Thomas Brothers, John H. Matthews and J. W. Larson, for Permission to Mix Coals of Certain Mines in District No. 1.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was duly filed with this Division by the above-named parties, requesting permission to mix coals produced by Thomas Brothers at the Thomas No. 2 Mine, Mine Index No. 3570, by John H. Matthews at the Matthews Nos. 2, 3, and 5 Mines, Mine Index Nos. 3204, 2866, and 3627, respectively, and by J. W. Larson at the Larson's Mine, Mine Index No. 1654, for shipment by rail over the tipple owned by John H. Matthews at Grampian, Pennsylvania, on the Pennsylvania Railroad. This petition prayed that a temporary or preliminary order be issued granting such request and that any or all of said petitioners be permitted to mix coals which may be produced by said petitioners or any of them at the additional mine or mines that they or any of them operate in the same seam and locality, with coals produced by said petitioners, or any of them, at the above-named mines.

No petitions of intervention have been filed in this matter.

Upon the basis of the original petition filed herein, the Director is of the opinion that a reasonable showing of necessity has been made for the granting of temporary relief, as hereinafter set forth. The request for permission to mix coals to be produced at mines which said petitioners may acquire in the future, however, should be denied without prejudice to the renewal thereof, when such mines are acquired.

Now, therefore, it is ordered, That pending further order, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith the schedule of effective minimum prices for District No. 1 for all shipments except truck is supplemented to include the price classifications, minimum prices, changes in shipping points and other matter appearing in Supplement R which is annexed hereto and made a part hereof.

It is further ordered, That the request for permission to mix coals to be produced at mines which said petitioners may acquire in the future be, and the same hereby is, denied without prejudice, however, to the renewal thereof, when such mines are acquired.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

No relief is granted herein for the Matthews No. 5 (S) Mine, Mine Index No. 3636 of John H. Matthews, for the reason that Mine Index No. 3636 was consolidated with Mine Index No. 3627 in Docket No. A-1719.

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 14, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-5932; Filed, April 16, 1943; 10:44 a. m.]

General Land Office.

[Public Land Order 107]

CARIBOU NATIONAL FOREST, IDAHO

WITHDRAWAL OF PUBLIC LAND

Withdrawing public land for the use of the Forest Service in connection with the administration of the Caribou National Forest.

By virtue of the authority contained in the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., title 43, secs. 141–143), and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered,* As follows:

Subject to valid existing rights, the following-described public land in Idaho is hereby temporarily withdrawn from settlement, location, sale, or entry, and reserved for use by the Forest Service, Department of Agriculture, as a headquarters site for the Swan Valley Ranger Station, in connection with the administration of the Caribou National Forest, effective upon the date of its release from the withdrawal for reclamation purposes made by the order of the Acting Secretary of the Interior dated November 4, 1904:

BOISE MERIDIAN

T. 1 N., R. 43 E.,
sec. 1, E½ lot 1,
E½W½ lot 1,
E½NE¼SE¼NE¼,
E½NW¼NE¼SE¼NE¼.

The area described contains 35.74 acres.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 31, 1943.

[F. R. Doc. 43-5925; Filed, April 16, 1943; 9:56 a. m.]

[Stock Driveway Withdrawal 268, Wash. 5]

WASHINGTON

STOCK DRIVEWAY WITHDRAWAL

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C. title 43, sec. 300), *It is ordered,* As follows:

The following-described public lands in Washington are hereby classified as necessary and suitable for stock-driveway purposes, and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public, the reservation to be known as Stock Driveway Withdrawal No. 268, Washington No. 5:

WILLAMETTE MERIDIAN

T. 17 N., R. 23 E., sec. 20, Lots 4 and 5, sec. 28, Lots 1, 2, 3, and 4.

The areas described aggregate 160.45 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 6, 1943.

[F. R. Doc. 43-5924; Filed, April 16, 1943; 9:56 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[P&S Docket No. 1510]

ESSEX COUNTY COOP COMPANY

ORDER OF AMENDMENT AND SUSPENSION

This proceeding under the Packers and Stockyards Act, 1921 (7 U.S.C. 1940 ed. 181 et seq.), was instituted by an order of suspension published in the FEDERAL REGISTER on August 15, 1942 (7 F.R. 6443), which was amended by an order of inquiry and notice of hearing published on September 15, 1942 (7 F.R. 7263). Those orders are further amended by adding the following:

10. On March 19, 1943, respondent, Essex County Coop Company, Newark, New Jersey, filed Amendment No. 2 to its Tariff No. 1, to become effective April 15, 1943, the effect of which would increase its charges for rental of "poultry coops" from 58½ to 65 cents, and of "turkey coops" from 65 to 70 cents.

There being reason to believe that these proposed increases are unjustified and unreasonable, they should be suspended pending hearing and decision in this proceeding. Therefore, the amendment effecting them is suspended for a period of 30 days after it would otherwise take effect. A copy of this order shall be served on respondent by registered mail, and it shall be published in the FEDERAL REGISTER.

Done at Washington, D. C., this 15th day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Secretary of Agriculture.[1]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81: 7 F.R. 2656).

[F. R. Doc. 43-5933; Filed, April 16, 1943; 11:11 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 663]

PATENTS OF NATIONALS OF DANZIG

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons identified in Exhibit A attached hereto and made a part hereof as the inventors and grantees of the patents described in said Exhibit A, are residents of Danzig and are nationals of a foreign country (Danzig);

2. Finding that the owner or owners of each patent described in said Exhibit A are one or more of the persons identified therein as inventor or grantee of such patents;

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property in which nationals of a foreign country (Danzig) have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,567,738. Oil lever indicator for ships bunkers, oil containers and the like. Schriever Luder (inventor). Issued 12–29–25.

1,636,050. Device for damping the oscillations of multiple crank shafts. Fottinger Hermann (inventor). Issued 7–19–27.

1,653,349. Therapeutic instrument. Gaertner Arthur (inventor) Issued 11–29–27.

1,658,674. Combustion pump. Fottinger Hermann (inventor). Issued 2–7–28.

1,702,274. Determining the quantity of flowing liquids or gases. Schmidt Ernst (inventor). Issued 2–19–29.

1,798,589. Tobacco pipe. Buttner Fritz (inventor). Issued 3–17–31.

1,856,163. Garment press. Paesler Gottfried (inventor). Issued 4–12–32.

1,890,418. Heat insulation. Schmidt Ernst (inventor). Issued 12–6–32.

1,910,127. Fireproof material. Schmidt Ernst (inventor). Issued 5–23–33.

1,925,765. Food preparation. Lindner Paul (inventor). Issued 9–5–33.

1,957,143. Tobacco pipe. Kretzner Erwin (inventor). Issued 5–1–34.

1,981,409. Method of husking cereals. Barra Albin (inventor). Issued 11–20–34

2,097,052. Board game. Strey Elfriede (inventor). Issued 10–26–37.

2,261,665. Preparation of cellulose meal. Herbst Walter (inventor). Issued 1–13–42.

(F. R. Doc. 43–5318; Filed, April 5, 1943; 2:04 p. m.)

[Vesting Order 664]

PATENTS OF NATIONALS OF DENMARK

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof;

2. Finding that each of such owners is a resident of Denmark, and therefore is a national of a foreign country (Denmark);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (Denmark);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,636,050. Device for damping the oscillations of multiple crank shafts. Fottinger Hermann (inventor). Issued 7–19–27.

1,653,349. Therapeutic instrument. Gaertner Arthur (inventor) Issued 11–29–27.

1,658,674. Combustion pump. Fottinger Hermann (inventor). Issued 2–7–28.

1,702,274. Determining the quantity of flowing liquids or gases. Schmidt Ernst (inventor). Issued 2–19–29.

1,798,589. Tobacco pipe. Buttner Fritz (inventor). Issued 3–17–31.

1,856,163. Garment press. Paesler Gottfried (inventor). Issued 4–12–32.

1,890,418. Heat insulation. Schmidt Ernst (inventor). Issued 12–6–32.

1,910,127. Fireproof material. Schmidt Ernst (inventor). Issued 5–23–33.

1,925,765. Food preparation. Lindner Paul (inventor). Issued 9–5–33.

1,957,143. Tobacco pipe. Kretzner Erwin (inventor). Issued 5–1–34.

1,981,409. Method of husking cereals. Barra Albin (inventor). Issued 11–20–34

2,097,052. Board game. Strey Elfriede (inventor). Issued 10–26–37.

2,261,665. Preparation of cellulose meal. Herbst Walter (inventor). Issued 1–13–42.

1,570,529. Manufacture of margarine and edible fats. Schou Einar Viggo (inventor). Issued 1–26–26.

1,596,177. Trigger mechanism for automatic small firearms. Haubroe Werner Christian (inventor). Issued 8–17–26.

1,632,981. Steam turbine gland with more than one pipe connection. Lundegaard Andreas (inventor). Issued 6–21–27.

1,673,936. Violin bow. Rathsach Vitus (inventor). Issued 6–19–28.

1,710,784. Atomizer. Nyrop Aaage (inventor). Issued 4–30–29.

1,748,142. Coke oven. Otto Carl (inventor). Issued 2–25–30.

1,570,529. Manufacture of margarine and edible fats. Schou Einar Viggo (inventor). Issued 1-19-26.
1,570,953. Packing material. Ebbesen Mads Poulsen (inventor). Issued 1-26-26.
1,572,431. Hollow dibble. Hansen Holger (inventor). Issued 2-9-26.
1,572,538. Resistance. Klaerbye Oluf (inventor); A. S. Eto Electro Co. (grantee). Issued 2-9-26.
1,573,528. Footwear. Sörensen Marius M., (inventor); Enna Ernst Frederik Henry (grantee). Issued 2-16-26.
1,575,988. Advertising apparatus. Gleerup Moller Christian (inventor). Issued 3-9-26.
1,576,287. Mouthpiece for use in blowing soap bubbles. Larsen Rudolph (inventor). Issued 3-9-26.
1,577,487. Vertical chamber oven supporting means. Otto Carl (inventor). Issued 3-23-26.
1,577,968. Joint between walls separating two gaseous or liquid fluids under pressure. Hemmingsen Torkild Valdemar (inventor). Issued 3-23-26.
1,577,972. Process for production of ornaments, lettering, or the like on artificial stone. Jacobs Arnold Niels Peter (inventor). Issued 3-23-26.
1,578,287. Electrode for jet wave commutators and interrupters. Hartmann Julius Frederik Georg Poul (inventor). Issued 3-30-26.
1,580,014. Adjustable pad. Christiansen Peter Vilhelm (inventor). Issued 4-6-26.
1,580,502. Mechanism for automatic turning of irrigating pipes. Larsen Laurits Thorvald (inventor). Issued 4-13-26.
1,580,758. Back straightener. Nyrop Johan Ernst (inventor). Issued 4-13-26.
1,580,762. Reproduction of speaking films. Poulsen Arnold, et al., Petersen Axel Carl Georg (inventors). Issued 4-13-26.
1,581,382. Doll. Buchtrup Karen Margrethe (inventor). Issued 4-20-26.
1,581,598. Recording means. Poulsen Arnold, et al., Petersen Axel Carl Georg (inventors). Issued 4-20-26.
1,583,333. Rotary cooling drum. Bjrun Hans Jorgen Jensen (inventor). Issued 5-4-26.
1,587,578 Diesel motor. Blache Hans Henrik (inventor). Issued 6-8-26.
1,587,587. Sound funnel for radiotelephony or other sound reproduction. Jorgensen Georg Karlo Villy (inventor). Issued 6-8-26.
1,588,887. Machine gun with exchangeable barrel. Haubroe Werner Christian Lassen (inventor). Issued 6-15-26.
1,588,888. Drum shaped cartridge magazine for machine guns or the like. Haubroe Werner Christian Lassen (inventor). Issued 6-15-26.
1,590,375. Mud guard for motor cars. Hvlid Henry William, et al, Jensen Julius August (inventors). Issued 6-29-26.
1,590,686. Method of sewing two articles together. Holtermand Jens (inventor). Issued 6-29-26.
1,590,687. Device for counting articles of different kinds. Holtermand Jens (inventor). Issued 6-29-26.
1,591,579. Handball, punchball, and the like. Thygesen Niels Peter (inventor). Issued 7-6-26.
1,592,753. Applicator cap for collapsible tubes. Beyer Jacob Lawrence (inventor); Bruun Otto Johannes (grantee). Issued 7-13-26.
1,594,365 Tripod for machine guns. Haubroe Werner Christian Lassen (inventor). Issued 8-3-26.
1,595,687 Receptacle for writing leads, needles, and like articles. Petersen Waldemar Carl Axel (inventor); Elyantfabriken Viking, Ltd., Liability Co. (grantee). Issued 8-10-26.
1,596,177. Trigger mechanism for automatic small firearms. Haubroe Werner Christian Lassen (inventor). Issued 8-17-26.
1,596,178. Drum shaped cartridge magazine for machine guns or the like. Haubroe Werner Christian Lassen (inventor). Issued 8-17-26.
1,597,819. Device for feeding acoustic films at constant speed. Poulsen Arnold, et al., Petersen Axel Carl Georg (inventors). Issued 8-31-26.
1,597,997. Cylindrical brush and unit member thereof. Nielsen Laurits Henrik (inventor). Issued 8-31-26.
1,597,998. Bristle ring. Nielsen Laurits Henrik (inventor). Issued 8-31-26.
1,603,155. Manufacture of emulsifying ingredients or materials and emulsions thereof. Schou Einar Viggo (inventor). Issued 10-12-26.
1,603,386. Elevation adjusting device for machine guns. Haubroe Werner Christian Lassen (inventor). Issued 10-19-26.
1,603,395. Gear wheel pump of adjustable capacity. Mohl Steffen (inventor). Issued 10-19-26.
1,603,635. Cylinder lock. Norung Einer Hansen (inventor). Issued 10-19-26.
1,603,674. Filter for vacuum brushes. Fisker Peder Andersen (inventor); A. S. Fisker & Nielsen (grantee). Issued 10-19-26.
1,603,726. Centrifuge mainly for purifying or separating liquids from impurities contained. Thomsen Thomas Christian (inventor); Kofold Haubergmarstrand & Helweg, A. S. Titan (grantees). Issued 10-19-26.
1,607,338. Funnel for sound-reproducing apparatus talking machines and the like. Corell Axel Hans Holger (inventor). Issued 11-16-26.
1,608,170. Fuel valve. Hemmingsen Torkild Valdemar (inventor). Issued 11-23-26.
1,611,125. Truss. Nyrop Aage (inventor). Issued 12-14-26.
1,611,598. Driving arrangement for motor locomotive engines and the like. Lindhardt Hejbald Sigurd (inventor). Issued 12-21-26.
1,614,253. Drying apparatus. Nielsen Niels Christian (inventor). Issued 1-11-27.
1,614,404. Device for producing counter pressure in pressing tools. Skov Henry (inventor); Dansk Pressefabrik A. S. (grantee) Issued 1-11-27.
1,614,990. Radiosignaling antenna system. Pedersen Peder Oluf (inventor). Issued 1-18-27.
1,614,991. File for receiving loose sheets, magazines, and the like. Riis Oscar Johan Christian (inventor). Issued 1-18-27.
1,615,553. Indicating speedometer for automobiles and the like. Petersen Thor Ejnar, et al., Rasmussen Jorgen, Rasmussen Eigil (inventors). Issued 1-25-27.
1,615,884. Device for counting electrical impulses. Richter Morton Balthazar (inventor). Issued 2-1-27.
1,617,255. Fungicide. Jacobsen, I. B. Henry Holm (inventor). Issued 2-8-27.
1,618,571. Smiling doll. Christensen Peder Jensen (inventor). Issued 2-22-27.
1,623,414 Automatic weighing scale. Jensen Thomas Christian (inventor); Scandinavian Export Agency, Ltd. (grantee). Issued 4-5-27.
1,625,763. Light projector. Berthelsen Carl Frederik (inventor). Issued 4-19-27.
1,625,919. Centrifugal separator. Thomsen Thomas Christian (inventor); Koefoed Hauberg Marstrand & Helweg, A. S. Titan (grantees). Issued 4-26-27.
1,628,338. Machine for manufacturing bottle caps. Skov Henry Arnold (inventor); Dansk Pressefabrik A. S. (grantee). Issued 5-10-27.
1,630,466. Bottle closure. Borgesen John Gustav (inventor). Issued 5-31-27.
1,632,981 Steam turbine gland with more than one pipe connection. Lundegaard Anders Marius Pedersen (inventor). Issued 6-21-27.
1,633,099. Machine adapted to catch and destroy bugs and similar noxious vermin on plants and bushes Heilmann Carl (inventor). Issued 6-21-27.
1,635,210. Steering gear brake. Frikke Nis Christian (inventor). Issued 7-12-27.
1,636,317. Apparatus for atomizing liquids. Nyrop Aage (inventor). Issued 7-19-27
1,640,255. Stocking and sock. Schnieber Anna Margrette Soffen (inventor). Issued 8-23-27.
1,640,659. Process of manufacturing floor slabs and the like of cork and similar materials. Jensen Josef Emanuel (inventor). Issued 8-30-27.
1,640,775. Production of complex aurothio sulphate compounds. Keiding Einar et al, Keiding Johannes (inventors). Issued 8-30-27.
1,640,801 Apperatus for measuring heat quantities. Petersen Viggo Stephan Kellner (inventor). Issued 8-30-27.
1,641,316. Milking cup. Bruun Otto (inventor). Issued 9-6-27.
1,645,228. Doll with movable limbs. Christiansen Bertha Kristine (inventor). Issued 10-11-27.
1,645,505. Machine for casting chocolate. Jensen Jens Johannes (inventor); Boggild and Jacobsen (grantee). Issued 10-11-27.
1,648,421. Back pedaling brake. Olsen Frederik Johannes (inventor). Issued 11-8-27.
1,649,357. Ironing machine. Mathiasen Georg Emil (inventor). Issued 11-15-27.
1,650,092. Device for conversion of light variations into electrical currents. Poulsen Arnold et al., Petersen Axel Carl Georg (inventors). Issued 11-22-27.
1,651,049. Boiler for heating systems or similar purposes. Treschow Michael (inventor). Issued 11-29-27.
1,654,725. Photographic camera. Eriksen Aage Ingemann (inventor). Issued 1-3-28.
1,655,132. Alarm device for acoustic indication of air deficiency in pneumatic tires, especially for automobiles. Christophersen Hagbart Sylvester (inventor). Issued 1-3-28.
1,656,182. Buffing machine. Enna Ernst Frederik Henry (inventor). Issued 1-17-28.
1,656,525. Regulating device for central heating installations. Lewinsky Erik Julius et al., Lewinsky Anders Vilhelm Viggo (inventors). Issued 1-17-28.
1,658,711. Apparatus for the attainment of regular burning of liquid fuel. Erichsen William Henry et al., Falkentorp Georg Ernst (inventors). Issued 2-7-28.
1,661,912. Machine for manufacturing bottle caps, so-called crown caps. Skov Henry Arnold (inventor), A. S. Dansk Pressefabrik (grantee). Issued 3-6-28.
1,662,749. Homogenizing valve. Jorgensen Christian (inventor). Issued 3-13-28
1,664,031. Electric jet wave commutator and interrupter. Hartmann Julius Frederik Georg Poul (inventor). Issued 3-27-28.
1,664,815. Process for the manufacture of burnt building materials or the like of clay. Gronroos Hugo (inventor). Issued 4-3-28.
1,665,960. Boll weevil destroyer. Heilmann Carl Arent (inventor). Issued 4-10-28
1,667,797. Apparatus for facilitating the salving of sunken submarine vessels and the like. Nielsen Rasmus Peter (inventor). Issued 5-1-28.
1,671,684. Apparatus for removing deposits and the like from surfaces. Schmidt Johan Christian (inventor). Issued 5-29-28.
1,672,338. Tarpaulin. Lilleso Petersen Jens Peter (inventor). Issued 6-5-28.
1,672,398. Shaft coupling. Treschow Michael. (inventor). Issued 6-5-28.

1,673,936. Violin bow. Rathsach Vitus (inventor). Issued 6-19-28.
1,675,515. Suspension device for maps and the like. Pedersen Christian (inventor). Issued 7-3-28.
1,676,868. Arrangement for closing boxes. Petersen Albert Carl (inventor). Issued 7-10-28.
1,677,599. Method and machine for the producing of tightly coiled paper. Schade Frederik (inventor). Issued 7-17-28.
1,677,697. Device for mixing amalgam for tooth fillings and stoppings. Wilming Valdemar (inventor); Koefoed Gunnar (grantee). Issued 7-17-28.
1,677,718. Devise for actuating the coupling and the brake in automobiles. Jessen Victor (inventor). Issued 7-17-28.
1,677,836. Apparatus for cleaning boiler tubes. Martinussen Johannes Peter (inventor). Issued 7-17-28.
1,678,733. Cable socket for accumulators. Kromann Einar (inventor). Issued 7-31-28.
1,682,303. Hydraulic change speed gearing. Mohl Steffen (inventor). Issued 8-28-28.
1,683,668. Vane for fishery. Hansen Carl et al, Leth Paul, (inventors); Hansen Carl (grantee). Issued 9-11-28
1,683,756. Stuffing box for propeller shafts. Blache Hans Henrik (inventor). Issued 9-11-28.
1,684,594. Soil working implement. Olsen Hans (inventor). Issued 9-18-28.
1,685,649. Wrapper for coins and the like. Sonne Minna Berg (inventor) Issued 9-25-28
1,687,867 Stuffing material. Lange Hans Ove (inventor). Issued 10-16-28.
1,687,948. Portable weeding device. Olsen Anton Johannes (inventor). Issued 10-16-28
1,688,222. Horse drawn rake. Andersen Carl Christian (inventor). Issued 10-16-28.
1,691,521. Racing game valve. Jensen Thomas Christian (inventor). Issued 11-13-28
1,692,086. Self-sharpening plowshare. Jakobsen Jens Peter Henrik (inventor). Issued 11-20-28.
1,692,289. Float valve. Damgaard Niels Peter (inventor). Issued 11-20-28.
1,692,830. Combined seine net and bottom dragnet with trapping wings. Hansen Carl et al, Leth Paul (inventors); Hansen Carl (grantee). Issued 11-27-28.
1,693,506. Two stroke internal combustion motor with scavenging and expulsion through ports in the cylinder. Hemmingsen Torkild Valdemar (inventor). Issued 11-27-28.
1,697,750 Grinding mill Bjerre Silliam (inventor). Issued 1-1-29
1,698,516. Combination with smoke tube boiler. Treschow Michael (inventor). Issued 1-8-29.
1,701,108. Machine for grinding razor blades. Harms Albert Ejnar et al, Jennow Otto Frederik (inventors); Bello Mfg Co Ltd (grantee). Issued 2-5-29.
1,702,342 Electric driving device for talking machines. Gleerup Moller Christian (inventor). Issued 2-19-29.
1,703,629. Pillow and cushion, and casing for same. Lange Hans Ove (inventor). Issued 2-26-29.
1,703,669 Automobile fire engine. Hensen Elchammer Jacob Christian (inventor). Issued 2-26-29.
1,707,537. Regenerative coke oven. Otto Carl (inventor). Issued 4-2-29.
1,708,061. Electric jet wave commutator and interrupter. Hartmann Julius Frederik Georg Poul (inventor). Issued 4-9-29
1,709,563. Colored picture and method of producing the same. Christensen Jens Herman (inventor) Issued 4-16-29.
1,710,675. Combined tent top and hand bag. Lilleso Petersen Jens Peter (inventor). Issued 4-23-29.

1,710,784. Atomizer. Nyrop Aaage (inventor). Issued 4-30-29.
1,712,221. Antioverheating fuse for spark plugs in internal combustion engines. Larsson Oscar (inventor); Hald Georg (grantee). Issued 5-7-29.
1,712,884. Bridge scoring device. Gyth Volnier Leopold Undset (inventor). Issued 5-14-29.
1,713,918. System for reproducing sounds from distorted sound records. Poulsen Arnold et al, Petersen Axel Carl Georg (inventors). Issued 5-21-29.
1,714,333. Restaurant signaling device. Voss Karl Friedrich (inventor). Issued 5-21-29.
1,714,374. Cock valve and the like. Jorgensen Edgar Holger Hans (inventor). Issued 5-21-29.
1,714,778. Shearing or clipping machine. Hansen Johannes (inventor). Issued 5-28-29.
1,714,951 Warp separating machine Fleischer Svend Sigurd Christie (inventor). Issued 5-28-29.
1,718,886. Rotary manifolding machine. Zeuthen Otto Ludvig (inventor). Issued 6-25-29
1,724,291. Method of pasteurizing liquids. Lassen Frederick (inventor); A. S. De Forenede Bryggerier (grantee). Issued 8-13-29.
1,724,295. Lasting machine for shoe wear Levin Axel Louis Dec et al, Thomsen K P exr, Ronneberg Erling exr (inventors); A S. Maskinkompagniet (grantee). Issued 8-13-29.
1,724,352. Furnace for the destruction of garbage. Ilving Carl Christian (inventor). Issued 8-13 29.
1,724,997. Cork cutting machine. Engestoft Jorgen (inventor). Issued 8-20-29.
1,727,651. Sound amplifier Knudsen Alfred (inventor) Issued 9-10-29.
1,728,757. Three legged support for machine guns. Haubroe Werner Christian Lassen (inventor). Issued 9-17-29.
1,731,155. Track. Wildt Steffen (inventor). Issued 10-8-29.
1,731,457. Apparatus for treating wet raw materials in the manufacture of cement. Fasting John S (inventor). Issued 10-15-29
1,735,845 Automatic switch. Blem Emil Christian (inventor). Issued 11-19-29.
1,736,350. Closing device for containers made of aluminum or other soft metals. Larsen Svend Hoeg (inventor); A. S. De Forenede Bryggerier (grantee). Issued 11-19-29.
1,736,534. Tire deflation switch. Jensen Borge Christian et al, Skovgaard, Petersen Jens Peter (inventors) Issued 11-19-29
1,737,577. Apparatus for cutting channels in parts of footwear. Enna Ernst Frederik Henry (inventor). Issued 12-3-29.
1,739,465 Machine for automatic cutting of recesses or the like in straight or curved direction on surfaces. Jorgensen Axel (inventor); Jorgensen A & Co (grantee). Issued 12-10-29.
1,739,906. Motion controlling device. Klenow Erik Wilhelm Robert (inventor). Issued 12-17-29.
1,740,580. Method and apparatus for uniting crude rubber and leather or other material. Enna Ernst F. H. (inventor). Issued 12-24-29.
1,740,823. Gear shifting apparatus. Lildal Jakob Jakobsen (inventor). Issued 12-24-29.
1,745,384 Vibrating pick for cleaning & treatment of the surfaces of objects. Schmidt Johan Christian (inventor). Issued 2-4-30.
1,745,840. Quern. B. Jerre Silliam (inventor). Issued 2-4-30.
1,747,261. Sound reproduction. Poulsen Arnold et al, Petersen Axel Carl Georg (inventors). Issued 2-18-30.
1,747,300. Machine for treating crystallized margarine mass and the like. Hildebrandt Sorensen Carl (inventor). Issued 2-18-30.
1,748,142. Cake oven. Otto Carl (inventor). Issued 2-25-30.
1,748,452. Process for manufacturing belt pulleys. Martins Jene Christian (inventor). Issued 2-25-30.
1,749,587. Dumping car body or car top. Jungersen Thoger Gronborg (inventor). Issued 3-4-30.
1,751,459. Process for biological purification of waste water. Simmer Fritz (inventor); A S Dansk Gaerings Industri (grantee). Issued 3-18-30.
1,752,194. Process of preparing an oxychloride cement. Ohlsen Jorgen Ulrik Ahlmann (inventer). Issued 3-25-30.
1,753,108. Carburetor. Bondesen Aage Niels (inventor). Issued 4-1-30.
1,755,777. Lancet. Frederiksen Claus (inventor). Issued 4-22-30.
1,756,339. Adjustable handlebar for bicycles, motor bicycles and the like vehicles. Broberg Charles Emanuel (inventor). Issued 4-29-30
1,757,527. Reflector for incandescent lamps. Henningsen Poul (inventor); Poulsen Louis & Co. (grantee). Issued 5-6-30.
1,757,852. Color screen. Alstrup Carl et al, Jensen Viggo (inventors). (Issued 5-6-30.
1,757,974. Cultivator steering attachment. Nielsen Christian Albert (inventor). Issued 5-13-30.
1,758,284. Filter for liquids. Gronning Alfred (inventor). Issued 5-13-30
1,760,237. Pump. Iversen Poul Arne Scott (Inventor). Issued 5-27-30.
1,760,755. Coffee mill. Hertz Jorgen (inventor). Issued 5-27-30.
1,762,026. Method for atomizing and drying liquids Nyrop Aage (inventor). Issued 6-3-30.
1,763,497. Woodworking machine. Aubertin Vilhelm Thure (inventor). Issued 6-10-30.
1,763,639. Tire deflation signal. Christophersen Hagbart Sylvester (inventor). Issued 6-17-30.
1,770,470. Filling machine. Hartmann Carl Wilhelm (inventor). Issued 7-15-30.
1,770,656. Mechanical hammer Nielsen Herman (inventor). Issued 7-15-30.
1,771,369. Crusher head for homogenizing apparatus Andersen Anders Peter (inventor). Issued 7-22-30.
1,771,541. Sorting screen. Larsen Carl Christian (inventor). Issued 7-29-30.
1,772,707 Device for pressing articles. Christiansen Paul Christen (inventor). Issued 8-12-30
1,772,965. Piston. Solver Einar (inventor). Issued 8-12-30.
1,773,646 Magnetic device for handling metal bottle caps Skov Henry Arnold (inventor); A S Dansk Presse Fabrik (grantee). Issued 8-19-30.
1,774,406 Process for the manufacture of spirit & yeast particularly by working up molasses Simmer Fritz (inventor); A S Dansk Gaerings Industri (grantee). Issued 8-26-30
1,774,888. Device for converting a reciprocating or oscillating motion into a rotary motion. Iversen Poul Arne Scott (inventor); Von Kauffman Axel Max Alexis (grantee). Issued 9-2-30.
1,775,027. Carton. Hartmann Carl Wilhelm (inventor). Issued 9-2-30.
1,777,208 Pasteurizer. Lassen Frederik (inventor); Aktb De Forenede Bryggerier (grantee). Issued 9-30-30.
1,777,247 Porous organic material and process of producing the same. Bayer Erik Christian (inventor). Issued 9-30-30.
1,777,265 Self centering cutter head for precision boring machines. Jacobsen Hej (inventor); Thomsen William (grantee). Issued 9-30-30.
1,778,334. Engine driven rotary cultivator. Pedersen Dines Christian (inventor). Issued 10-14-30.
1,780 655. Sludge separator. Nyrop Aage (Inventor). Issued 11-4-30.

1,781,974. Gramophone megaphone or the like. Borggvist Alfred Hersleb (inventor). Issued 11-18-30.

1,783,138. Transforming of acoustic swingings into electric capacity swingings. Petersen Aage Valdemar (inventor). Issued 11-25-30.

1,785,422. Highway signal. Nielsenklodskov Niels Jorgen (inventor). Issued 12-16-30.

1,789,017. Water tight electric switch. Minthesen Niels (inventor). Issued 1-13-31.

1,789,398. Machine for working wood. Aubertin Wilhelm Thure (inventor). Issued 1-20-31.

1,789,407. Duplex vibrating table. Jensen Jens Johannes (inventor); Boggild Messrs & Jacobsen (grantee). Issued 1-20-31

1,789,794. Ball of thread with protecting winding for sheaf binders. Weidemann Ludwig Petersen (inventor). Issued 1-20-31.

1,789,976. Shade holder for electric lamps. Henningsen Poul (inventor); Poulsen Louis & Co. (grantee). Issued 1-27-31.

1,790,743. Dolls head with variable features. Christensen Peder Jensen (inventor). Issued 2-3-31.

1,794,141. Cartridge with projectile for smooth bore firearms. Bloch Jorgensen Christian Laurits (inventor). Issued 2-24-31.

1,794,272. Manufacture of porous building materials. Bayer Erik Christian (inventor). Issued 2-24-31.

1,795,571. Cargo hatchway. Nielsen Martin Andreas (inventor). Issued 3-10-31.

1,797,339. Canule for cow teats. Gudmand Hoyer Johannes (inventor). Issued 3-24-31

1,797,887. Slicing machine. Van Berkel Johannes C (inventor). Issued 3-24-31.

1,798,085. Releasing mechanism for automatic vending machines. Hansen Hans Christian (inventor); Soren Wistoft & Co S Fabrikker Akts (grantee). Issued 3-24-31

1,798,326. Machine for casting articles from plastic or liquid masses. Jensen Jens Johannes (inventor); Boggild & Jacobsen (grantees). Issued 3-31-31.

1,802,065. Device for starting heavy rotary bodies adapted to secure uniform movement of films. Poulsen Arnold et al, Petersen Axle Carl Georg (inventors). Issued 4-21-31.

1,802,423. Filter for fine filtering of fluids especially fuel oils. Hemmingsen Torkild Valdemar (inventor). Issued 4-28-31.

1,804,093. Releasing mechanism for automatic vending machines. Hansen Hans Christian (inventor); Wistoft Soren and Cos Fabriker Akts (grantees). Issued 5-5-31.

1,806,017. Mold for plastic substances, for instance, chocolate. Jensen Jens Johannes (inventor); Boggild & Jacobsen Messrs (grantee). Issued 5-19-31.

1,806,324. Savings box clock. Wingaard Aage Georg Peter (inventor). Issued 5-19-31.

1,810,654. Support especially for heavy machine guns or the like. Haubroe Werner Christian Lassen (inventor). Issued 6-16-31.

1,811,333. Art of illumination. Rasmussen Holger Marius (inventor). Issued 6-23-31.

1,812,242. Machine for the manufacture of hollow articles. Jensen Jens Johannes (inventor); Boggilo & Jacobsen Messrs (grantee). Issued 6-30-31.

1,821,272. Fuel valve with annular seat. Petersen Ove (inventor). Issued 9-1-31.

1,824,353. Screen for showing projected images in lighted rooms and for short exposure photography. Jensen Rasmus Olaf Jonas (inventor). Issued 9-22-31.

1,826,615. Key for different locks. Hansen Eli et al, Poderzaj Ivan (inventors). Issued 10-6-31.

1,827,328. Vertical chamber oven. Otto Carl (inventor). Issued 10-13-31.

1,828,637. Radiator construction. Bakkekilde Robert Schonfeldt (inventor). Issued 10-20-31.

1,828,650. Regulating device for engines. Duer Victor et al, Hassing Oluf Sinius (inventors); Duer Victor (grantee). Issued 10-20-31.

1,830,818. Sheet laying on machine. Weber Carl Christian Julius (inventor). Issued 11-10-31.

1,831,012. Automobile of the crawler type. Kornbeck Ernst Ronne (inventor). Issued 11-10-31.

1,831,217. Releasing mechanism for automatic vending machines. Wistoft Soren (inventor). Issued 11-10-31.

1,832,463. Exchangeable heel for boots and shoes. Jorgensen Martin Johannes (inventor). Issued 11-17-31.

1,833,061. Process for treating fatty raw materials. Van Deurs Jan Arent Schonheyder (inventor). Issued 11-24-31.

1,836,736. Upright boiler with magazine above the zone of combustion. Treschow Michael (inventor). Issued 12-15-31.

1,837,171. Reversing gear for internal combustion engines. Petersen Ove (inventor). Issued 12-15-31.

1,838,323. Bottle closure. Nielsen Vilhelm Christian Heinrich (inventor). Issued 12-29-31.

1,838,573. Electromagnetic relay. Rosenkilde Ejvind et al, Rosenkilde Hakon (inventors). Issued 12-29-31.

1,83.,863. Device for cleansing the air. Egenfeldt Olsen Poul Einar (inventor). Issued 12-29-31.

1,846,087. Apparatus for casting molten metal under pressure. Christensen Reinhardt, Harald, Valdemar (inventors). Issued 2-23-32.

1,847,027. Change speed gear. Thomsen Thomas Peter et al, Thomsen Anton Valdemar (inventors). Issued 2-23-32.

1,847,543. Machine for handling of superphosphate or the like. Warming Kai (inventor). Issued 3-1-32.

1,851,704. Apparatus for closing and interrupting an electric circuit. Hartmann Julius Frederik Georg Poul (inventor). 3-29-32.

1,852,668. Mechanical hammer. Neilsen Herman (inventor). Issued 4-5-32.

1,855,673. Compressor plant. Hansen Paul (inventor). Issued 4-26-32.

1,857,569. Device for recording of sound. Poulsen Arnold et al, Petersen Axel Carl Georg (inventors). Issued 5-10-32.

1,858,229. Regenerative coke oven. Otto Carl (inventor). Issued 5-10-32.

1,858,718. Medical thermometer. Philipsen Michael (inventor). Issued 5-17-32.

1,865,492. Bristle removing machine for hog carcasses. Wernberg Nicls Erik (inventor). Issued 7-5-32.

1,867,220. Means for producing lined cartons. Hartmann Carl Wilhelm (inventor). Issued 7-12-32.

1,867,844. Dumping body for automobile trucks. Jungersen Thoger Gronborg (inventor). Issued 7-19-32.

1,868,938. Machine for attaching labels to bottles, glasses, and the like. Christensen Christian Albert (inventor). Issued 7-26-32.

1,870,340. Apparatus for accommodating objects to be delivered or handed out. Lotrup Jorgen Seidelin (inventor). Issued 8-9-32.

1,878,627. Sack inverting machine. Folker Johannes Kristian et al, Truelsen Frederik Ferdinand (inventors). Issued 9-20-32.

1,884,272. Method of controlling yeast propagation. Sak Soren (inventor). Issued 10-25-32.

1,885,161. Machine for cleaning carcasses of hogs. Wernberg Niels Erik (inventor). Issued 11-1-32.

1,886,104. Savings box calendar. Jepsen Hans Jorgen et al, Nielsen Kai Christian (inventors). Issued 11-1-32.

1,887,574. Nondazzling headlight for automobiles and the like. Berg Ditlev (inventor). Issued 11-15-32.

1,889,406. Automatic vending machine. Geldschmidt Sven Harald (inventor). Issued 11-29-32.

1,891,160. Sliding form for casting columns or box shaped concrete structures such as chimneys, silos and the like. Jespersen Carsten Friis (inventor); Jespersen Svend Friis (grantee). Issued 12-13-32.

1,891,841. Yeast propagation controlling method. Sak Soren (inventor). Issued 12-20-32

1,893,169. Carton filling apparatus. Hartmann Carl Wilhelm (inventor). Issued 1-3-23.

1,896,089. Vacuum propeller plane. Kregh Otto Christensen (inventor). Issued 2-7-33.

1,903,626. Remedy for combating plant diseases and for the protection of plants against attacks from fungi and insects. Johnsen Finn (inventor). Isssued 4-11-33.

1,903,717. Heat consumption meter. Lange Aage Langkilde (inventor). Issued 4-11-33.

1,904,600. Process for exposure and copying of photographs and cinematographic records in natural colors. Andersen Paul Smith Rastrup (inventor). Issued 4-18-33.

1,905,450. Grab. Dyggve Ejgil Valdemar Petersen (inventor); Koefoed Hauberg Marstrand & Helweg, A S Titan (grantees). Issued 4-25-33.

1,905,656. Rotary toothbrush. Smith Carl C V (inventor); Smith Alfa Klara (grantee). Issued 4-25-33.

1,907,067. Carton. Hartmann Carl Wilhelm (inventor). Issued 5-2-33.

1,908,764. Connecter for connecting movable electric lines. Kruger Paul Emil Franz (inventor). Issued 5-16-33.

1,913,071. Apparatus for pouring melted metal under pressure. Christensen Reinhardt Harald, et al., Valdemar, Dahl Richard Smith (inventors). Issued 6-6-33.

1,915,853. Grinding machine for crank shafts. Eriksen Hans Jorgen (inventor). Issued 6-27-33.

1,915,894. Base exchanging filter material. Kruger Svend Aage (inventor). Issued 6-27-33.

1,917,717. Reenforcement for round reaction towers for the manufacture of sulphuric acid. Jensen Carl Ludvig Emil, et al, Utkov Aldo, Warming Kai (inventors). Issued 7-11-33.

1,918,130. Thermometer. Philipsen Michael (inventor). Issued 7-11-33.

1,918,208. Method of making films for natural color reception. Larsen Werner Robert Busch (inventor). Issued 7-11-33.

1,919,633. Apparatus for commutating or periodically interrupting electric currents. Hartmann Julius Frederik Georg Poul (inventor). Issued 7-25-33.

1,921,673. Scoring device for contract bridge. Heering Harald (inventor). Issued 8-8-33

1,923,215. Method of joining leather etc. Krogh Otto Peder (inventor). Issued 8-22-33.

1,924,110. Method of producing and reproducing films for the reproduction of picture films in combination with sound films, talking films. Dessau Einar (inventor). Issued 8-29-33.

1,925,934. Electromagnetic air or liquid pump. Rimstad Ib Adam, et al., Teilmann Jorgen (inventors). Issued 9-5-33.

1,927,368. Four stroke internal combustion engine. Kjaer Viggo Axel (inventor). Issued 9-19-33.

1,927,376. Process and apparatus for the mechanical production of froth. Schroder Einer, et al., Van Deurs Jan Arent, Schoenheyder (inventors). Issued 9-19-33.

1,928,173. Cooling drum for cooling of liquid and molten substances. Gerstenberg Aage (inventor). Issued 9-26-33.

1,930,933. Electric commutator or the like having brushes consisting of conductive liquid jets. Hartmann Julius Frederik Georg Poul (inventor) Issued 10-17-33.

1,931,829. System for reproduction of sound by means of light sensitive cells. Poulsen Arnold, et al., Petersen Axel Carl Georg (inventors). Issued 10-24-33.

1,935,743. Apparatus for automatic multiplication of a time interval by a factor. Hansen Jens Peter (inventor). Issued 11-21-33.

1,936,812. Hand tool such as wrenches and the like. Ewelling Johannes Sorensen (inventor); Christensen Holger Olivarius (grantee). Issued 11-28-33.

1,940,230. Step wise advancing counter. Richter Morten Balthazar (inventor). Issued 12-19-33.

1,940,416. Rear sight for machine guns. Haubroe Werner Christian Lassen (inventor). Issued 12-19-33.

1,943,796. Opening and closing means for carton boxes. Hartmann Carl Wilhelm (inventor). Issued 1-16-34

1,949,140. Cryptographic apparatus. Beyer Peter Georg Grove (inventor). Issued 2-27-34.

1,951,530. Change over key or switch for telephone exchanges and the like. Richter Morten Balthazar (inventor). Issued 3-20-34.

1,951,936. Bottle closing and like machine. Jorgensen Axel Marius (inventor). Issued 3-20-34.

1,953,711. Oil burner. Heineke Heinrich Bernhard, et al., Nielsen Alfred (inventors). Issued 4-3-34.

1,954,327. Racket. Panker Bent (inventor). Issued 4-10-34.

1,959,049. Friction brake. Buus Niels Peter Valdemar (inventor). Issued 5-15-34.

1,959,778. Display stand for merchandise. Christensen Charles (inventor). Issued 5-22-34.

1,961,874. Coil coupler for radio receiving apparatus. Frederiksen Frederik Marius (inventor). Issued 6-5-34.

1,962,590. Sight device for machine guns. Haubroe Werner Christian Lassen (inventor). Issued 6-12-34.

1,962,591. Trigger operating mechanism for aircraft guns. Haubroe Werner Christian Lassen (inventor). Issued 6-12-34.

1,964,796. Fuel supply in Diesel motors and the like. Hansen Ellehammer Jacob Christian (inventor). Issued 7-3-34.

1,966,713. Process for the manufacture of metal containers. Flint Charles Frederik Vilhelm (inventor). Issued 7-17-34.

1,970,082. Producing of foam by mechanical means. Hansen Ellehammer Jacob Christian (inventor). Issued 8-14-34.

1,971,938. Motor-driven cultivator. Pedersen Dines Christian (inventor). Issued 8-28-34.

1,974,010. Base exchange material and process for the production thereof. Sudde Carl Christian Leopold Gether (inventor). Issued 9-18-34.

1,974,459. Unit support for field guns and antiaircraft guns and the like. Haubroe Werner Christian Lassen (inventor). Issued 9-25-34.

1,976,240. Vehicle lamp. Madsen Niels Christian (inventor). Issued 10-9-34.

1,977,555. Perpetual calendar. Hansen Valdemar (inventor). Issued 10-16-34.

1,979,844. Amusement device. Rouenville Herbert (inventor). Issued 11-6-34.

1,981,697. Automatic measuring and weighing device. Hartmann Carl Wilhelm (inventor). Issued 11-20-34.

1,982,514. Safety device for compressed air or other fluid pressure pipe systems. Hansen Paul (inventor). Issued 11-27-34.

1,984,219. Process and apparatus for reducing the hardness of water. Krogh Lund Aage Thorkil (inventor); Kruger I. A. S. (grantee). Issued 12-11-34.

1,991,818. Conveyer hook for overhead pipe tracks and the like. Nissen Johannes Sigfred Konig (inventor). Issued 2-19-35.

1,993,055. Coating apparatus. Gerstenberg Aage (inventor). Issued 3-5-35.

1,995,215. Foam-producing apparatus. Mehlsen Jens Karl, et al., Nielsen Adser Christian (inventors) Issued 3-19-35.

1,996,344. Two axle bogies for automobiles. Mohl Steffen (inventor). Issued 4-2-35.

1,996,923. Merry go round. Jacobsen Viggo Westphal (inventor). Issued 4-9-35.

1,997,976. Film having a photographic sound record for preparing same. Petersen Axel Carl Georg (inventor); Poulsen Arnold (grantee). Issued 4-16-35.

1,998,592. Air-sealed joint for rotary incinerator drums. Christensen Aage (inventor). Issued 4-23-35.

2,001,849. Regenerative pasteurization apparatus. Olsen Johannes (inventor); Burmeister & Wains Mejerimaskinfabrikker, Afdeling af A. S. Frederiksberg Metalvarefabrik (grantee). Issued 5-21-35.

2,006,719. Constant speed film feeding mechanism. Poulsen Arnold (inventor); Petersen Axel Carl Georg (grantee). Issued 7-2-35.

2,012,434. Cultivator attachment for tractors. Pedersen Dines Christian (inventor). Issued 8-27-35.

2,015,842. Furnace with grate for combustion of refuse of any kind. Christensen Aage (inventor). Issued 10-1-35.

2,017,054. Machine for making plaited metal foil capsules. Bruun Otto Johannes (inventor). Issued 10-15-35.

2,018,446. Sheet piling. Jensen Johannes (inventor). Issued 10-22-35.

2,022,323. Razor blade for safety razors. Rasmussen Edmund Wiblborg (inventor). Issued 11-26-35.

2,025,123. Electroadhesion apparatus. Rahbek Knud (inventor). Issued 12-24-35.

2,031,553. Tank for storage of liquids especially hydrocarbons. Syndergaard Askan Willy (inventor). Issued 2-18-36.

2,032,750. Manufacture of printing blocks. Hassing Oluf Sinius (inventor). Issued 3-3-36.

2,034,617. Apparatus for filling cartons and other packages. Hartmann Carl Wilhelm (inventor). Issued 3-17-36.

2,039,157. Warp tying machine. Fleischer Svend Sigurd Christie (inventor). Issued 4-28-36.

2,039,162. Kneading machine for margarine and the like. Gerstenberg Aage (inventor). Issued 4-28-36.

2,039,787. Coupling for hoses, pipes, and the like. Fogelstrom Niels Otto (inventor). Issued 5-5-36.

2,040,227. Apparatus for drying and heat treating material. Wernersson Frederik (inventor). Issued 5-12-36.

2,042,381. Hand spooling apparatus. Beyer Peter Georg Grove (inventor). Issued 5-26-36.

2,046,167. Savings calendar. Jepsen Hans Jorgen et al., Nielsen Kai Christian (inventors). Issued 6-30-36.

2,046,232. Atomizer. Andersen Martin Georg (inventor). Issued 6-30-36.

2,046,470. Safety razor. Larsen Carl Christian (inventor). Issued 7-7-36.

2,048,280. Underframe for carriages. Mohl Steffen (inventor). Issued 7-21-36.

2,048,598. Pressing tool for the impression of metals or the like material. Christiansen Paul Christen (inventor). Issued 7-21-36.

2,049,661. Two wheeled motor driven roto tiller. Pedersen Dines Christian (inventor). Issued 8-4-36.

2,050,654. Apparatus for kneading of margarin and other edible fatty substances. Gerstenberg Aage (inventor). Issued 8-11-36.

2,051,708. Electric commutator and interrupter according to the spark neglecting principle. Hartmann Julius Frederik George Poul (inventor). Issued 8-18-36.

2,055,605. Machine for the manufacture of filled chocolates. Jensen Jens Johannes (inventor); Boggild & Jacobsen (grantee). Issued 9-29-36.

2,057,952. Thermionic valve device. Jensen Carl Aage Schleimann (inventor); Skandinavisk Radiororfabrik A. S. (grantee). Issued 10-20-36.

2,059,663. Folding collar. Sorensen Thora Birgitte Ingeborg (inventor). Issued 11-3-36.

2,062,852. Holder for toilet articles. Winther Holger (inventor); Puro Dent Co, The, a partnership between Nicolai Frederik, Severin, La Cour Siegumfeldt and Erik Schousboe Poulsen (grantees). Issued 12-1-36.

2,062,968. Gear box especially for automobiles. Christensen Heinrich (inventor). Issued 12-1-36.

2,065,277. Lifting jack. Jensen Niels Gade (inventor). Issued 12-22-36.

2,069,469. Process for the production of metals and alloys with very small contents of carbon. Andersen Gustav (inventor). Issued 2-2-37.

2,069,703. Filter for vacuum cleaners and the like. Fisker Peder Andersen (inventor); A. S. Fisker & Nielsen (grantee). Issued 2-2-37.

2,071,641. Centrifugal governor for internal combustion engines. Lunn Gustav (inventor); A. S. Fichs (grantee). Issued 2-23-37.

2,076,082. Therapeutic product and process. Hagedorn Hans Christian et al. (inventors); Jensen Birger Norman (inventor); Wodstrup Nielsen Ingrid (inventor); Nordisk Insulinlaboratorium (grantee). Issued 4-6-37.

2,080,356. Electric relay. Hasley Andreas Marius (inventor). Issued 5-11-37.

2,081,376. Electrode adapted to be in contact with mercury. Hartmann Julius Frederik Georg Poul (inventor). Issued 5-25-37.

2,085,625. Furnace for ore reduction. Andersen Gustav (inventor). Issued 6-29-37.

2,085,663. Screw pencil. Jorgensen Karl Valdemar (inventor). Issued 6-29-37.

2,086,429. Regenerator of wheatstone telegraph signals. Nielsen Thorvald Christian Valdemar (inventor). Issued 7-6-37.

2,086,721. Wheel suspension for vehicles or the like. Martins Borge (inventor). Issued 7-13-37.

2,087,630. Centrifugal separator for separating liquids, emulsions and dispersions. Schelbeck Frederik Casper Gunther (inventor) Issued 7-20-37.

2,087,914. Combination lock. Ketner Louis Paul Georg (inventor). Issued 7-27-37.

2,088,285. Apparatus for spreading sand or gravel on the ground from automobiles. Bogvad Erik Axel (inventor); Ohrt Holger (grantee). Issued 7-27-37.

2,088,635. Hydraulic capsuling machine. Bruun Otto Johannes (inventor). Issued 8-3-37.

2,094,244. Sound reproducing film and a device for recording sounds photographically. Poulsen Arnold et al., Petersen Axel Carl Georg (inventors). Issued 9-28-37.

2,096,998. Apparatus for introducing melts into casting molds. Ronn Jens Aaberg (inventor); Hellesen W. and Co. (grantee). Issued 10-26-37.

2,098,555. Tearable closure. Skov Henry Arnold (inventor). Issued 11-9-37.

2,099,885. Bathing suit. Hansen Arnold Mogens (inventor). 11-23-37.

2,100,078. Multipleshade holder. Henningsen Poul (inventor); Poulsen Louis & Co. (grantee). Issued 11-23-37.

2,102,480. Road covering. Nielsen Hans Peter Karl Theodor (inventor); De Jydske Skaervefabriker (grantee). Issued 12-14-37.
2,102,968. Process for the manufacture of concrete pipes. Overvad Marius (inventor). Issued 12-21-37.
2,104,573. Apparatus for stamping of tickets and the like. Reinholdtsen Hans (inventor). Issued 1-4-38.
2,107,628. Evaporation meter. Clorius Odin Thorvald (inventor). Issued 2-8-38.
2,110,264. Bullet. Gerlich Hermann E. G. T. deced (inventor). Gerlich Franka Admx. (grantee). Issued 3-8-38.
2,111,365. Confectionery mold structure. Jensen Jens Johannes (inventor); Boggild & Jacobsen (grantee). Issued 3-15-38.
2,113,479. Epicyclic transmission gear. Scott Iversen Poul Arne (inventor). Issued 4-5-38.
2,116,296. Apparatus for measuring or delivering liquids or gases. Zachariassen Arne, et al. (inventors); Petersen Marius Emil (inventor). Issued 5-3-38.
2,117,093. Blowing device for powders. Hansen Jens Peter (inventor). Issued 8-8-39.
2,118,804. Internal combustion engine. Andersen Gunnar E. (inventor). Issued 5-31-38.
2,121,322. Socket joint. Larsen Kai Knud (inventor). Issued 6-21-38.
2,121,411. Generator for sound oscillations for measuring distance according to the echo principle. Schroder Carl Johan Petersen (inventor). Issued 6-21-38.
2,122,939. Fermentation of wort by yeast. Hansen Borge Valdemar (inventor); A. S. Dansk Gaerings Industrie (grantee). Issued 7-5-38.
2,124,608. Photographic developer. Christensen Jens Herman (inventor). Issued 7-26-38.
2,125,511. Wheel suspension. Martins Borge (inventor). Issued 8-2-38.
2,125,512. Wheel suspension. Martins Borge (inventor). Issued 8-2-38.
2,125,560. Photographic camera for multi photography. Hansen Jens Peter (inventor). Issued 8-2-38.
2,125,644. Steering device for vehicles. Moller Holger (inventor). Issued 8-2-38.
2,126,865. Graveling device for spraying of gravel in front of the wheels of an automobile. Berner Adolf Erhardt Georg (inventor); Feldmann Elias (grantee). Issued 8-16-38.
2,127,609. Wheel suspension. Martins Borge (inventor). Issued 8-23-38.
2,129,584. Recovery of hormones. Kjems Holger Laurits Peter (inventor); Kongsted August Julius Helmuth (grantee). Issued 9-6-38.
2,130,263. Collar button with detachable head. Christophersen Hagbarth Sylvester (inventor). Issued 9-13-38.
2,131,438. Bottle capsule and process for manufacturing the same. Jensen Poul Viggo (inventor). Issued 9-27-38.
2,132,032. Partition wall. Jacobsen Aage Alex (inventor). Issued 10-4-38.
2,133,565. Capsule stopper for bottles, jars, glasses and the like. Pedersen Gunner Frederik Marinus (inventor); Dansk Crown Cork Fabrik Ved Aage (grantee); Weybye Lassen (grantee). Issued 10-18-38.
2,135,015. Selector for electric connecting systems. Richter Morten Balthazar (inventor). Issued 11-1-38.
2,136,018. Electrostatic mirror oscillograph. Beer Palle Finn (inventor); Electrical Fond Films Co. A. S. (grantee). Issued 11-8-38.
2,136,287. Apparatus for closing a bottle or a similar container with a capsule. Ebbedal Niels Jorgen Oluf Jensen (inventor). Issued 11-8-38.
2,138,493. Traction device. Jensen Viggo (inventor). Issued 11-29-38.
2,140,175. Rotary boiler and heat exchanging apparatus. Starziczny Josef (inventor). Issued 12-13-38.
2,141,371. Apparatus for clarifying liquors containing suspended and flocculent matter such as sugar juices and similar liquors. Bach Niels Breinholt (inventor). Issued 12-27-38.
2,143,329. Independent wheel suspension for vehicles of all kinds. Mohl Steffen (inventor). Issued 1-10-39.
2,143,601. Fountain pen. Iversen Johannes (inventor). Issued 1-10-39.
2,143,947. Process for preventing the infection of milk. Jensen Orla Vilhelm (inventor); Grand Jens (grantee). Issued 1-17-39.
2,146,228. Selector for electric wiring systems. Richter Morten Balthazar (inventor). Issued 2-7-39.
2,146,296. Process for preparing wrapping and building material. Heye Ole (inventor). Issued 2-7-39.
2,147,184. Process and machine for treatment of semiliquid or plastic substances especially chocolate. Aasted Kai Christian Sophus (inventor); Boggild & Jacobsen (grantee). Issued 2-14-39.
2,149,548. Safety fence for highways. Rasmussen Svend Aage (inventor). Issued 3-7-39.
2,151,932. Process for manufacturing porous articles of clay. Nielsen Aage (inventor). Issued 3-28-39.
2,153,044. Earcap for telephone receivers. Jarnak Niels Poul Robert (inventor). Issued 4-4-39.
2,153,196. Spring unit. Martins Borge (inventor). Issued 4-4-39.
2,153,607. Apparatus for clarifying liquors containing suspended and flocculent matter such as sugar juices and similar liquors. Bach Niels Breinholt (inventor). Issued 4-11-39.
2,155,994. Lock for bicycles. Nielsen Niels Christian (inventor). Issued 4-25-39.
2,156,578. Preheater for liquid fuel burners for heating or lighting apparatus. Andersen Anton (inventor). Issued 5-2-39.
2,156,968. Meter for heat consumption. Brun Oscar Constantin (inventor). Issued 5-2-39.
2,159,248. Apparatus for desiccating or drying liquids or moist substances. Brabak Jorgen (inventor). Issued 5-23-39.
2,160,734. Self winding recording device. Henriksen Ernst Johan Jens (inventor). Issued 5-30-39.
2,163,185. Whirligig. Belstrup Frederik Vilhelm (inventor). Issued 6-20-39.
2,163,467. Method and apparatus for determining the color of a liquid. Philipsen Michael (inventor). Issued 6-20-39.
2,164,966. Pleated material and method of making the same. Tutein Paul Decd. (inventor); Tutein Kamma, widow (grantee). Issued 7-4-39.
2,166,415. Weavers loom. Lervad Harald Andersen (inventor). Issued 7-18-39.
2,169,642. Machine for treating fats. Hammer Axel Victor (inventor). Issued 8-15-39.
2,169,784. Apparatus for producing artificial respiration. Andersen Anders Christian Niels (inventor). Issued 8-15-39.
2,170,303. Apparatus for grinding liquid or semisolid substances. Helstrup Lars Kristian Voldsgaard (inventor). Issued 8-22-39.
2,171,694. Cutting tool. Harje August Bengtsson (inventor). Issued 9-5-39.
2,175,524. Support for self winding recording devices. Henriksen Ernst Johan Jens (inventor). Issued 10-10-39.
2,177,569. Method and means for measuring voltages. Jorgensen Mathias Oluf et al. (inventors); Weibel Marius Peter (inventor). Issued 10-24-39.
2,182,596. Steering mechanism for automobiles and correspondingly steered vehicles. Olsen Ole Andersen (inventor). Issued 12-5-39.
2,183,219. Device for electric welding. Hollesen Henrik Frederik Moldrup (inventor). Issued 12-12-39.
2,188,451. Signaling system for vehicles. Bartens Carl Emil (inventor). Issued 1-30-40.
2,188,621. Station indicating device. Brunov Karl Johan (inventor). Issued 1-30-40.
2,191,058. Acoustical oscillator principally organ pipe. Jarnak Niels Poul Robert (inventor). Issued 2-20-40.
2,191,845. Depositing of sand under water. Bretting Aage Einer (inventor); Christiana & Nielsen (grantee). Issued 2-27-40.
2,197,084. Printing plate. Skov Henry Arnold (inventor). Issued 4-16-40.
2,197,830. Apparatus for applying center spots to crown cap cushions. Pedersen Gunner Frederik Marinus (inventor); Dansk Crown Cork Fabrik Ved Aage, Weybye Lassen (grantees). Issued 4-23-40.
2,198,737. Method of treating waste materials containing organic substances of animal or vegetable origin by mesophile or thermophile anaerobic conversion. Petersen Kai (inventor). Issued 4-30-40.
2,198,763. Hydraulic oscillation damper. Draminsky Per (inventor). Issued 4-30-40.
2,199,038. Cooling device for fats. Brix Hansen John (inventor). Issued 4-30-40.
2,200,677. Method for treating household and town refuse and the like waste materials. Petersen Kai (inventor). Issued 5-14-40.
2,200,836. Backing device for propeller driven vessels. Didriksen Niels Jorgen (inventor). Issued 5-14-40.
2,201,040. Production of fire extinguishing foam. Hansen Ellehammer Hans Frithjof (inventor). Issued 5-14-40.
2,210,985. Method for corrugating sheets. Magnani Alessandro (inventor); Smidth F L & Co. A. S. (grantee). Issued 8-13-40.
2,212,181. Acoustical apparatus. Oelsner Waldemar (inventor). Issued 8-20-40.
2,213,189. Central heating boiler. Gudmand Hoyer Julius William et al. Hansen Einar Kamilo Demandt (inventors); Gudmand Hoyer Julius William (grantee). Issued 9-3-40.
2,214,950. Planographic printing plate. Aller Claes Borge (inventor). Issued 9-17-40.
2,215,046. Compression refrigerating plant. Kramhoft Otto Andreas Frederiksen (inventor). Issued 9-17-40.
2,215,842. Clockwork operated circuit selector. Thomsen Alberg Brigsted (inventor). Issued 9-24-40.
2,216,500. Method of making heated horticultural beds with heat producing fertilizer. Petersen Kai (inventor). Issued 10-1-40.
2,217,548. Apparatus of amusement. Hemmingsen Carl Christian (inventor). Issued 10-8-40.
2,220,976. Shortening. Schou Herbert (inventor). Issued 11-12-40.
2,221,681. Volume control system. Schlegel Karl Hermann Franz (inventor); Electrical Fono Films Co. A. S. (grantee) Issued 11-12-40.
2,226,051. Rosehead. Christiansen Aage (inventor). Issued 12-24-40.
2,228,117. Capsuling machine. Jensen Poul Viggo (inventor). Issued 1-7-41.
2,228,636. Method of making tubular bodies. Magnani Alessandro (inventor); Smidth F L & Co. A. S. (grantee). Issued 1-14-41.
2,230,166. Contrivance for conching chocolate mass. Skanes Henry (inventor). Issued 1-28-41.
2,230,794. Sound testing device. Danischewsky Herbert C (inventor). Issued 2-4-41
2,232,481. Machine for spreading of artificial fertilizers. Schroder Svend Christian Emil (inventor); Diderik Overgaard Villemoes, A S.; Gyro Skive Jernstoberi and Maskinfabrik (grantees). Issued 2-18-41.
2,239,177. Concrete story partition construction. Brandt Jorgen (inventor); Formeta Beton A. S. (grantee). Issued 4-22-41.
2,239,563. Process for the production of flour from grain. Klint Tage Jensen (inventor). Issued 4-22-41.
2,241,734. Method of making fertilizers. Petersen Kai (inventor). Issued 5-13-41.
2,242,384. Process for making a sulphur preparation for use in protecting plants against attacks of living organisms. Begtrup Frederik L (inventor). Issued 5-20-41.
2,243,378. Carton container. Hartmann Carl Wilhelm (inventor). Issued 5-27-41.
2,245,746. Cowcatcher for automobiles. Bang Soren Hansen (inventor). Issued 6-17-41.
2,246,123. Tube. Bruun Otto Johannes (inventor). Issued 6-17-41.
2,246,941. Refrigeration apparatus and method. Hoyer Oluf (inventor). Issued 6-24-41.
2,247,993. Surface working apparatus. Fisker Peder Andersen (inventor); Fisker & Nielsen A. S. (grantee). Issued 7-1-41.
2,252,520. Method and apparatus for treating garbage and the like waste materials. Petersen Kai (inventor). Issued 8-12-41.
2,253,136. Electric connecting panel. Richter Morten Balthazar et al, Schytte Willy Romeorenu (inventors); Telefon Fabrik Automatic A. S. (grantee). Issued 8-19-41.
2,263,895. Resilient floor. Larsen Bjorn Valeur (inventor). Issued 11-25-41.
2,264,659. Ventilator for draftless introduction of air. Christiansen Andreas Emanuel (inventor). Issued 12-2-41
2,267,672. Composite picture. Volmart Henry Emanuel (inventor). Issued 12-23-41.
2,269,273. Apparatus for predrying of waste fuel in furnaces. Krogh Kristian Poulsen et al, Biering Christian Henrik (inventors). Issued 1-6-42.
2,270,369. Liquid fuel atomizing carburetor. Danielsen Ejnar (inventor). Issued 1-20-42.
2,275,535. Calendering machine. Magnani Alessandro (inventor); Smidth F L & Co A S. (grantee). Issued 3-10-42.
2,275,969. Sterol like preparation. Kongsted August Julius Helmuth (inventor). Issued 3-10-42.
2,279,491. Governor for power engines. Petersen Ove (inventor). Issued 4-14-42.
2,290,698. Electric power cable. Mollerhoj Johannes Sorensen (inventor). Issued 7-21-42.
2,291,632. Cheese and the production thereof. Jorgensen Holger (inventor); Dansk Gaerings Industri A S. (grantee). Issued 8-4-42.

[F. R. Doc. 43-5319; Filed, April 5, 1943; 2:13 p. m.]

[Vesting Order 665]

PATENTS OF NATIONALS OF ESTONIA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons identified in Exhibit A attached hereto and made a part hereof as the inventors and grantees of the patents described in said Exhibit A, are residents of Estonia and are nationals of a foreign country (Estonia);

2. Finding that the owner or owners of each patent described in said Exhibit A are one or more of the persons identified therein as inventor or grantee of such patent;

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property in which nationals of a foreign country (Estonia) have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,631,891. Surveying instrument with drawing device. Sander Mart (inventor). Issued 6-7-27.
1,770,107. Apparatus for dry distillation. Kulzinski Mstislav (inventor); Eesti Patendi Aktsiaselts (grantee). Issued 7-8-30.
1,820,291. Oil extracting device. Strandell Arthur (inventor). Issued 8-25-31.
1,828,609. Closing shutter for tunnel ovens. Kulzinski Mstislav (inventor); Eesti Patendi Aktsiaselts (grantee). Issued 10-20-31.
1,835,355. Oil extracting device. Strandell Arthur (inventor). Issued 12-8-31.
1,878,651. Milk evaporator. Teetsow Waldemar Henry (inventor). Issued 9-20-32.
1,970,497. Method of and apparatus for the rapid freezing of liquids. Snitkin Nikolai (inventor). Issued 8-14-34.
2,051,735. Tensioning device for flexible members. Michelson Konstantin (inventor). Issued 8-18-36.
2,176,825. Tunnel furnace. Scheloumow Peter (inventor); Eesti Patendi Aktsiaselts (grantee). Issued 10-17-39.
2,211,993. Percussion tool. Vasard Richard (inventor). Issued 8-20-40.
2,261,737. Shaving apparatus. Hirv Eugen (inventor). Issued 11-4-41.

[F. R. Doc. 43-5320; Filed, April 5, 1943; 2:02 p. m.]

[Vesting Order 668]

PATENTS OF NATIONALS OF GREECE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons identified in Exhibit A attached hereto and made a part hereof as the inventors and grantees of the patents described in said Exhibit A, are residents of Greece and are nationals of a foreign country (Greece);

2. Finding that the owner or owners of each patent described in said Exhibit A are one or more of the persons identified therein as inventor or grantee of such patent;

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property in which nationals of a foreign country (Greece) have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,593,773. Apparatus for geometrical demonstrations. Messinesi John A (inventor). Issued 7-27-26.
1,712,184. Centrifugal concentrator. Wendel Reinhold M (inventor). Issued 5-7-29.
1,787,380. Invalid bed. Iplicjian Aram (inventor). Issued 12-30-30.
1,889,326. Fluid pressure brake. Andrikidis Alexandre (inventor). Issued 11-29-32.
1,936,129. Method of treating the skin and device therefor. Fisk Andrew J (inventor). Issued 11-21-33.
2,081,516. Harp-like polyphone polychord musical instrument. Tsamourtzi Evangelos Themistokleous (inventor). Issued 5-25-37.
2,089,364. Apparatus for preventing the backfiring in internal combustion engines. Hadjidakis Stephan George (inventor). Issued 8-10-37.
2,092,445. Method of sealing containers. Douligheridis Alcibiad Michael (inventor). Issued 9-7-37.
2,247,181. Carburetor for hydrocarbon fuels. Berhoudar Osep Vahan (inventor). Issued 6-24-41.
2,256,857. Device for neutralizing the inertia of vehicle bodies. Apostolou Demeter A (inventor). Issued 9-23-41.

[F. R. Doc. 43-5322; Filed, April 5, 1943; 2:05 p. m.]

[Vesting Order 667]

PATENTS OF NATIONALS OF FRANCE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095 as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof.

2. Finding that each of such owners is a resident of France, and therefore is a national of a foreign country (France);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (France);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

RE18,638. Tire for railway vehicles. Michelin Andre Jules dec et al, Michelin Marcel Joseph Jules excr (inventors); Michelin et Cie (grantee). Issued 11-24-31.
RE19,036. Preparation of rosin solutions. Thiriet Andre et al, Delcroix Pierre (inventors); Procedes Navarre (grantee). Issued 5-20-30.
RE19,226. Railway vehicle wheel fitted with pneumatic tires. Michelin Andre Jules dec et al, Michelin Marcel Joseph Jules excr (inventors); Michelin et Cie (grantee). Issued 11-10-31.
RE19,969. Design for a pneumatic tire. Bourdon Pierre Marcel (inventor); Michelin & Cie (grantee). Issued 10-22-35.
RE20,809. Tulle and lace comprising multiple elastic threads. Isaac Augustin (inventor); Dognin S A (grantee) Issued 5-5-36.
DE77,851. Air pump casing. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 2-26-29.
DE79,093. Garage inflater. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 7-30-29.
DE82,244. Magneto electric pocket lamp. Bernasconi Charles et al, Berthier Rene Marie (inventors). Issued 10-14-30.
DE101,277. Design for a rubber boot for females. Issaly Raoul Giorda (inventor). Issued 9-22-36.
DE116,929. Design for an irrigating apparatus for the hardening of the bosoms. Paul Rene (inventor). Issued 9-26-39.
DE120,392. Design for a radio cabinet or similar article. Alazet Jean (inventor). Issued 5-7-40.
1,564,273. Roundabout affecting the shape of a giant top. Prost Etienne (inventor); Girard Henri (grantee). Issued 12-8-25.
1,564,327. Heating apparatus. Coucke Florimond Joseph (inventor). Issued 12-8-25.
1,570,281. Two head rotatable fastening device. Raymond Achille Francois (inventor). Issued 1-19-26.
1,571,282. Apparatus for drying fabrics or the like. Leculier Paul (inventor). Issued 2-2-26.
1,572,738. Rotary pump for liquids or gases. Maroger Samuel (inventor). Issued 2-9-26.
1,574,753. Machine for molding building blocks and the like. Bonnet Francois (inventor). Issued 3-2-26.
1,575,879. Trawling fishing gear. Vigneron Jean Baptiste Joseph Alphonse (inventor). Issued 3-9-26.
1,579,644. Motor car body. Candelaresi Virgilio (inventor). Issued 4-6-26.
1,580,469. Apparatus for the manufacture of earth metals. Dolter Henri (inventor). Issued 4-13-26.
1,580,656. Process & apparatus relating to the combustion of solid fuel. De Coninck Marcel (inventor). Issued 4-13-26.
1,582,594. Carburetor. Girin Antoine (inventor). Issued 4-27-26.
1,583,481. Machine for dyeing hides. Martinet Jules Romain (inventor); Soc V Perrin and Cie (grantee). Issued 5-4-26.
1,585,716. Preparation of sodium. Hulin Paul Leon (inventor). Issued 5-25-26.
1,586,029. Cooling apparatus. Cremieu Victor (inventor). Issued 5-25-26.
1,586,099. Manufacturing process for cements containing iron and alumina combinations. Martin Ernest (inventor). Issued 5-25-26.
1,586,452. Loud speaking apparatus of the electromagnetic type. Lumiere Louis (inventor). Issued 5-25-26.
1,587,707. Thermoelectric battery. Duch Gabriel (inventor). Issued 6-8-26.
1,589,010. Movable deflector for fluid streams. Lallemand Ferdinand (inventor). Issued 6-15-26.
1,589,863. Swivel for use in fishing tackle. Robin Joannes (inventor). Issued 6-22-26.
1,590,173. Valve for footballs. Anglade Prosper Eugene (inventor). Issued 6-22-26.
1,593,316. Combination planing and molding machine. Tetard Marius (inventor). Issued 7-20-26.
1,593,354. Automatic speed regulator. Pouget Timothee Pierre (inventor). Issued 7-20-26.
1,593,487. Process of rendering chlorides of ketones soluble by treating with sulphites made from waste liquors. De Vains Antoine Regnouf (inventor). Issued 7-20-26.
1,593,544. Process for the treatment of the seed of the carob tree. Audibert Jean Francois Alfred (inventor). Issued 7-20-26.
1,595,230. Two stroke combustion engine. Doine Dehan Gaston (inventor). Issued 8-10-26.
1,595,522. Electric lamp with several filaments. Mullor Alvaro (inventor). Issued 8-10-26.
1,596,093. Syntonization of circuits used in wireless signaling. Galletti Robert Clemens (inventor). Issued 8-17-26.
1,598,675. Trailer having four steering wheels. Coder Joseph et al, Coder Louis (inventors). Issued 9-7-26.
1,599,455. Automatic braking mechanism for the feed roller of wire drawing machines. Bruyere Joanny Gabriel (inventor). Issued 9-14-26.
1,599,476. Reeling or winding machine. Ladoire Georges et al, Wilmouth Eugene, Varrillon Francois, Batayron Louis (inventors). Issued 9-14-26.
1,605,755. Manufacture of wheel disks. Michelin Andre Jules (inventor). Issued 11-2-26.
1,606,961. Compressed gas shooting arm. Rocroy Fernand (inventor). Issued 11-16-26.
1,607,661. Apparatus for manifold colored cinematic photographs. Albert Louis (inventor). Issued 11-23-26.
1,608,337. Two head rotatable fastening device. Raymond Achille Francois (inventor). Issued 11-23-26.
1,608,388. Catalytic heating apparatus. Gritte Joseph (inventor); Soc. Lyonnaise Des Rechauds, Catalytiques S A (grantees). Issued 11-23-26.
1,609,145. Refrigerating apparatus. Vuillaume Paul (inventor). Issued 11-30-26.
1,611,524. Process for purification of air rendered impure by carbon monoxide or other deleterious gases & intended for respiration. Guillemard Henri (inventor). Issued 12-21-26.
1,612,220. Electrically heated branding iron. Ravella Jean (inventor). Issued 12-28-26.
1,613,320. Weaving loom. Gillot Henri Francois (inventor). Issued 1-4-27.

1,614,405. Reenforced concrete sleeper. Soulas Paul Joseph (inventor). Issued 1-11-27.
1,614,935. Chemical process for the etching of rubber principally for the obtention of impression prints. Sardou Etienne (inventor). Issued 1-18-27.
1,615,260. Process for the manufacture of fused cement and apparatus therefor. Dumas Georges (inventor); S A Des Chaux et Ciments de Lafarge et du Teil The (grantees). Issued 1-25-27.
1,616,350. Hook for breast collars. Clavier Pierre (inventor). Issued 2-1-27.
1,617,143. Shuttle box motion of looms. Barbier Alexandre (inventor). Issued 2-8-27.
1,617,347. Stationary yarn guide for weaving looms. Philly Fernand (inventor). Issued 2-15-27.
1,617,863. Rotary pump. Planche Benjamin Rene (inventor). 2-15-27.
1,620,597. Vulcanizer. Fontana Paul Francois Marc Albert (inventor); Soc Des Appareils Mephisto, Jules Manfredi & Cie (grantees). Issued 3-8-27.
1,621,518. Electric cell with constant intensity. Pellini Joseph. (Inventor). Issued 3-22-27.
1,623,551. Heel seat cutting machine. Pericaud Baptiste Martial (inventor). Issued 4-5-27.
1,624,060. Machine for inspecting a piece of tissue measuring its length and folding it. Nanterme Joseph (inventor). Issued 4-12-27.
1,625,712. Apparatus for cooling by the expansion of gases. Cremieu Victor (inventor). Issued 4-19-27.
1,626,184. Coupling means between motor tractors and their trailers. Coder Joseph et al, Coder Louis (inventors). Issued 4-26-27.
1,626,185. Tractor trailer of the type carried on two wheels. Coder Joseph et al, Coder Louis (inventors). Issued 4-26-27.
1,626,411. Loom for weaving. Jabouley Joanny Barthelemy (inventor); Jabouley & Co. (grantee). Issued 4-26-27.
1,626,559. Universal woodworking machine for carpenters joiners and cabinetmakers. Rozier Honore (inventor). Issued 4-26-27.
1,626,836. Refrigerating apparatus. Jauvert Maurice (inventor). Issued 5-3-27.
1,627,927. Safety razor. Petard Daniel (inventor). Issued 5-10-27.
1,627,950. Dobby for looms. Banzet Paul Joseph (inventor); Bruyere Banzet & Co, Soc Dauphinoise de Materiel Textile (grantees). Issued 5-10-27.
1,627,982. Method and means for the treatment of slags by fluids under pressure. Maguet Martial (inventor); La S A Des Chaux et Ciments, De Lafarge et Du Teil (grantees). Issued 5-10-27.
1,628,481. Drying drum. Vernay Jean Baptiste (inventor). Issued 5-10-27.
1,636,902. Construction of aeroplane wings. Dewoitine Emile (inventor). Issued 7-26-27.
1,637,931. Vulcanizer. Fontana Paul Francois Marc Albert (inventor); Soc Des Appareils Mephisto Jules, Manfredi & Cie (grantees). Issued 8-2-27.
1,639,289. Nail and like straightening device. Haegler Henry William (inventor). Issued 8-16-27.
1,639,573. Vehicle wheel. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 8-16-27.
1,641,292. Manufacture of nitrated cellulose from wood pulp. Planchon Victor (inventor). Issued 9-6-27.
1,644,927. Apparatus for guiding flexible bands or belts in motion. Landraud Marc. (inventor). Issued 10-11-27.
1,645,021. Safety razor. Petard Daniel Ernest Joseph (inventor). Issued 10-11-27.
1,646,083. Cartridge closing machine. De Darkovenko Wladimir et al, Fighiera Marcel (inventors). Issued 10-18-27.
1,646,412. Continually working machine for molding and marking by compression plastic materials. Lledo Vincent (inventor). Issued 10-25-27.
1,648,384. Garden plow. Garric Andre (inventor). Issued 11-8-27.
1,651,366. Process of preparation from starch of esters of the higher fatty acids soluble in hydrocarbons of the aromatic series. Berthon Paul (inventor); Soc de Stearinerie et Savonnerie de Lyon (grantees). Issued 12-6-27.
1,651,808. Device for spraying liquids. Courtois Gaston Frederic (inventor). Issued 12-6-27.
1,651,914. Ladder. Bertrand Paul (inventor). Issued 12-6-27.
1,651,990. Process of manufacturing cellulose esters. Berthon Paul (inventor); Soc de Stearinerie and Savonnerie de Lyon (grantees). Issued 12-6-27.
1,651,991. Process of making soluble mixed low and high fatty acid esters of cellulose. Berthon Paul (inventor); Soc de Stearinerie and Savonnerie de Lyon (grantees). Issued 12-6-27.
1,652,146. Deep rim for pneumatic tires. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 12-6-27.
1,652,147. Deep rim for pneumatic tires. Michelin Andre Jules (inventor) Michelin et Cie (grantee). Issued 12-6-27.
1,653,979. Cutting machine. Bataille Archimede (inventor). Issued 12-27-27.
1,654,380. Means for securing tires on rims. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 12-27-27.
1,654,410. Process for treating articles in metallic baths. Barbier Noel Jean (inventor). Issued 1-3-28.
1,655,125. Ship's log. Baule Marie Emile Alfred (inventor). Issued 1-3-28.
1,655,783. Electrode for the combined therapeutic application of high frequency current and of ultra violet radiation. Gallois Robert (inventor). Issued 1-10-28.
1,656,214. Diaphragm valve for automobiles. Manson Pierre (inventor). Issued 1-17-28.
1,658,646. Flap for tires. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 2-7-28.
1,659,863. Impermeable coating for oil receptacles. Dulac Auguste (inventor). Issued 2-21-28.
1,660,123. Process of increasing and improving the resistance of spun goods from artificial silk waste. Grand Joseph Alexis (inventor). Issued 2-21-28.
1,660,845. Elastic wheel. Mamessier Henri (inventor). Issued 2-28-28.
1,660,985. Shuttle box motion for looms. Barbier Alexandre (inventor). Issued 2-28-28.
1,661,726. Filtering apparatus. Vernay Jean Baptiste (inventor). Issued 3-13-28.
1,663,913. Process for the manufacture of oleomargarine. Leroudier Henri (inventor). Issued 3-27-28.
1,666,430. Instrument for measuring the perimeter of teeth. Tizzani Felix. (inventor). Issued 4-17-28.
1,666,582. Fastening button. Raymond Achille Francois (inventor). Issued 4-17-28.
1,666,787. Pneumatic pressure gauge. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 4-17-28.
1,669,285. Motor vehicle front glass wiper. Conill Fernan Oscar (inventor). Issued 5-8-28.
1,669,323. Apparatus for the casting of melted metals under pressure. Brumm Emile (inventor). Issued 5-8-28.
1,669,445. Automobile head lamp. Borel Joseph (inventor). Issued 5-15-28.
1,671,250. Seal for metal binders. Mallaroni Jean (inventor). Issued 5-29-28.
1,671,513. Process of preparation of a modified cellulose intended to be employed for the manufacture of cellulose acetates. Cusin Maurice et al, Chevalet Pierre Alphonse Andre (inventors); Soc. Lyonnaise de Soie Artificielle (grantee). Issued 5-29-28.
1,671,536. Talking machine employing large diaphragm. Lumiere Louis (inventor). Issued 5-29-28.
1,673,695. Document holder for files or the like. Menard Elisee (inventor). Issued 6-12-28.
1,675,780. Method and means for preventing overheating of bearings. Alric Emile Albert Marius (inventor). Issued 7-3-28.
1,678,325. Arrangement for directly reproducing on fabric the required pattern. Butin Emile Achille, Girard Louis (inventors). Issued 7-24-28.
1,678,496. Electromechanical lamp. Bernasconi Charles, et al., Berthier Rene Marie (inventors). Issued 7-24-28.
1,679,075. Hoisting mechanism for dumping trucks. Coder Joseph, et al., Coder Louis (inventors). Issued 7-31-28.
1,679,205. Refrigeration. Conill Fernan O. (inventor) Issued 7-31-28.
1,679,738. Fabric made of scrap felt or other pliant material. Origone Louis (inventor). Issued 8-7-28.
1,679,853. Springing of motor vehicles. Cottin Cyrille Edouard (inventor); Automobiles Cottin & Desgouttes S. A. (grantee). Issued 8-7-28.
1,681,655. Hand operated diestock. Bernaudin Henri (inventor). Issued 8-21-28.
1,681,690. Drying apparatus. Vernay Jean Baptiste (inventor). Issued 8-21-28.
1,682,735. Seed and grain distributor. Bergerioux Rene (inventor). Issued 9-4-28.
1,682,825. Machine for distributing fertilizer, seeds and grain. Bergerioux Rene (inventor). Issued 9-4-28.
1,683,052. Loom for manufacturing non-raveling fabrics. Philly Fernard (inventor). Issued 9-4-28.
1,683,520. Process for treating crape waste. Bonnard Georges (inventor). Issued 9-4-28.
1,685,422. Parachute. Hurlburt Dane (inventor). Issued 9-25-28.
1,688,272. Spring pressure button. Fouletier Louis (inventor). Issued 10-16-28.
1,689,286. Talking machine employing large diaphragm. Lumiere Louis (inventor). Issued 10-30-28.
1,689,958. Process of manufacture of cellulose xanthate. Moro Piere (inventor). Issued 10-30-28.
1,690,452. Machine for the manufacture of wire spiral. Manent Jean Pierre et al, Manent Marius (inventors). Issued 11-6-28.
1,692,546. Electromechanical starting device for heat engines. Doine Dehan Gaston (inventor) Issued 11-20-28.
1,693,909. Rim for pneumatic tires. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 12-4-28.
1,694,952. Ear plug for bathers. Santi Louis (inventor). Issued 12-11-28.
1,696,196. Liquid fuel burner. Gray James H. (inventor). Issued 12-25-28.
1,696,774. Self feeding lubricator. Martin Emile (inventor). Issued 12-25-28.
1,701,034. Compass for aircraft. Escallier Pierre (inventor). Issued 2-5-29.
1,701,604. Seat provided with a reclining back. Boery Jean (inventor). Issued 2-12-29.
1,701,896. Method for manufacturing boots and shoes. Richard Remy (inventor). Issued 2-12-29.
1,702,018. Agricultural machinery. Raulais Alexis Elie Maurice (inventor). Issued 2-19-29.

1,703,015. Apparatus for printing textile fabrics. Ratignier Marius (inventor). Issued 2-19-29

1,703,730. Process for the manufacture of preserved fruit. Praisse Charles (inventor). Issued 2-26-29.

1,703,792. Suspension steering gear and braking gear for automobiles. Spire Pierre, et al., Rolland Lucien (inventors). Issued 2-26-29

1,706,956. Auxiliary and movable wings to be brought in use on the departure and on the landing of high speed aeroplanes. Conill Fernan Oscar (inventor). Issued 3-26-29.

1,707,090. Beet slicer of the drum type. Maguin Abel (inventor); Soc. Nouvelle des Etablissements, Alfred Maguin (grantees). Issued 3-26-29.

1,707,887. Rotary hammer. Wagner Georges Ernest (inventor); S A Francaise Dite S A, D Exploitation des Brevets, Georgevitch et Wageor Pour des, Marteaux Rotatifs Marjewowa (grantees). Issued 4-2-29.

1,709,569. Process for rendering gelatin insoluble and its application to various arts. De Procoudine Georsky Serge, et al., Poznlakow Nicolas (inventors); Soc de Photochimie Elka (grantee). Issued 4-16-29.

1,713,374. Mop. Burlat Gustave (inventor). Issued 5-14-29.

1,713,377. Humidifying device. Ecureux Antoine (inventor). Issued 5-14-29.

1,713,737. System of street and vehicle lighting. Borel Joseph (inventor). Issued 5-21-29.

1,715,302. Multiple wire reenforce for automobile tires. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 5-28-29.

1,717,018. Movement governor with progressive speed or race variations. Ferrari Jean Marie Laurent (inventor). Issued 6-11-29.

1,717,019. Power transmission. Ferrari Jean Marie Laurent (inventor). Issued 6-11-29.

1,717,235. Apparatus for carrying out table service mechanically. Marmonier Victor (inventor). 6-11-29.

1,717,258. Manufacture of preserved fruits. Rambaud Augustin Anne Francois (inventor). Issued 6-11-29

1,719,536. Railroad track securing device. Degorce Leon Victor Henry Nouaille (inventor) Issued 7-2-29

1,720,151. Circular weaving loom. Sery Claude (inventor). Issued 7-9-29.

1,720,156. Filtering drum. Vernay Jean Baptiste (inventor). Issued 7-9-29.

1,720,166. Link belt. Chavand Rene (inventor). Issued 7-9-29.

1,720,290. Method of operating molten slag gas producers. Philipon Henri Jean Francois (inventor); S A L Air Chaud (grantee). Issued 7-9-29

1,721,470. Process for felting woolen and like textile fabrics having wool powder incorporated therewith. Ricalens Etienne (inventor). Issued 7-16-29.

1,723,268. Mechanically driven massage apparatus. Conill Fernan Oscar (inventor). Issued 8-6-29

1,726,858. Continuously operating machine for phosphating and washing fabrics. Ratignier Marius (inventor). Issued 9-3-29.

1,728,135. Electromagnetic stepping mechanism. Pillion Nicolas Louis (inventor). Issued 9-10-29.

1,728,597. Apparatus for the manufacture of cement by fusion. Dumas Georges (inventor); S A Des Chaux et Ciments de Lafarge et du Teil (grantee). Issued 9-17-29.

1,729,263. Electric arc lamp cathode with rotary flame and stationary crater. Dubois Raymond (inventor). Issued 9-24-29.

1,729,536. Machine of the semiautomatic type for casting under pressure. Brumm Emile (inventor). Issued 9-24-29.

1,730,261. Metal rim for use with pneumatic tires. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 10-1-29.

1,731,123. Carburetor for explosion engines. Brut Georges Felix (inventor). Issued 10-8-29.

1,731,426. Thread or wire driving means for core covering machines and the like. Lachaze Gaston Charles Leon Gineste (inventor). Issued 10-15-29.

1,732,595. Liquid container. Delthell Robert (inventor). Issued 10-22-29.

1,733,455. Method of making piping. Ferrand Georges Auguste (inventor). Issued 10-29-29.

1,734,536. Electric furnace. Sorrel Victor et al, Lafont Louis Andre (inventors); Ugine Infra (grantee). Issued 11-5-29.

1,735,429. Carburetor. Girin Antoine (inventor). Issued 11-12-29.

1,735,666. Micrometric screw cutting machine. Audibert Maurice (inventor). Issued 11-12-29.

1,735,725. Antiglare headlight for motor cars Borel Joseph (inventor). Issued 11-12-29.

1,738,233. Refrigeration. Conill Fernan O (inventor). Issued 12-3-29.

1,738,439. Automatic gun. Leve Charles (inventor). Issued 12-3-29.

1,738,927. Valve for pneumatic tires. Salerni Piero Mariano (inventor); Salerni Marie Therese Elisabeth (grantee). Issued 12-10-29

1,739,918. Method and apparatus for feeding liquid fuel to internal combustion engines. Rebillet Marcel Joseph Achille (inventor). Issued 12-17-29.

1,741,676. Semiautomatic map pointer for road vehicles. Borel Paul (inventor). Issued 12-31-29

1,744,745. Centrifugal switch. Bonnat Max (inventor). Issued 1-28-30.

1,745,963. Bicycle & motor cycle frame. Trouche Henri (inventor). Issued 2-4-30.

1,750,229. Heat engine acting as a pump. Lasmolles Jean Raoul Francois Marius (inventor). Issued 3-11-30.

1,750,355. Construction of furnace or oven arches. Ragoucy Alexis Constant (inventor). Issued 3-11-30.

1,750,412. Scuttle port and like tight closed window. Lalanne Louis (inventor). Issued 3-11-30.

1,750,483. Vehicle wheel. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 3-11-30.

1,751,818. Process for obtaining photographic images. Gay Eugene (inventor). Issued 3-18-30

1,751,937. Self exciting compensated asynchronous machine. Matabon Jean Louis et al, Foucault Charles Michel (inventors). Issued 3-25-30.

1,752,733. Machine for rupturing the ends projecting from wire heddles. David Auguste Gilbert et al, Giscion Pierre (inventors). Issued 4-1-30.

1,753,041. Grommet for pneumatic tires. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 4-1-30.

1,754,029. Power factor control of alternating current asynchronous machines. Matabon Jean Louis et al, Foucault Charles Michael (inventors) Issued 4-8-30.

1,755,125. Method and apparatus for directing torpedoes. Marmonier Louis (inventor). Issued 4-15-30.

1,755,726. Safety razor. Conill Fernan Oscar (inventor). Issued 4-22-30.

1,756,301. Reflector for rays emitted by a luminous source. Pech Jacques Louis (inventor). Issued 4-29-30.

1,757,535. Talking machine. Lumiere Louis (inventor). Issued 5-6-30.

1,758,601. Compressor. Hayart Lucien (inventor). Issued 5-13-30.

1,759,526. Preparation of rosin solutions. Thiriet Andre et al, Delcroix Pierre (inventors); Procedes Navarre (grantee). Issued 5-20-30.

1,759,766. Combined pump and electric motor. Szmukler Constantin (inventor). Issued 5-20-30

1,759,769. Blowpipe. Vuillaume Cyprien (inventor). Issued 5-20-30.

1,760,796. Machine for treating hides skins leather and other similar pieces of work. Szmukler Constantin (inventor). Issued 5-27-30.

1,763,528. Apparatus for selecting luminous points of an image for reproduction by television. Brun Etienne known as Stephane Julien (inventor). Issued 6-10-30.

1,764,937. Self locking control device. De Bonal Guy et al (inventors). Issued 6-17-30.

1,765,252. Rotating filter apparatus. Vernay Jean Baptiste (inventor). Issued 6-17-30.

1,766,001. Control plug unit for splash feed lubricating systems. Planche Benjamin Rene (inventor). Issued 6-24-30

1,767,457. Receptacle for dispensing liquid semiliquid or pasty materials. oclium Maurice (inventor). Issued 6-24-30.

1,768,128. Gyroscopic group for automatically stabilizing and steering aeroplanes. Marmonier Louis (inventor). Issued 6-24-30.

1,768,445. Mud guard system for motor cars and the like. Gauchot Arthur (inventor). Issued 6-24-30.

1,771,906. Drying apparatus for skeins. Villemey Albert Emile (inventor). Issued 7-29-30.

1,775,741. Automatic shaft coupling. Thomas Paul Joseph (inventor). Issued 9-16-30

1,773,626. Tripod mounting for firearms De Boigne Maurice (inventor); S A Des Anciens Etablissements Hotchkiss & Cie (grantee). Issued 10-14-30.

1,779,903. Demountable gymnastic apparatus. Daragon Marcel Pierre (inventor). Issued 10-28-30

1,780,827. Rectifier of the synchronous type. Latour Andre (inventor). Issued 11-4-30.

1,782,285. Wheel for railroad vehicles Bourdon Pierre Marcel (inventor); Michelin & Cie (grantee). Issued 11-18-30.

1,783,336. Scuttle port and like tight closed window. Lalanne Louis (inventor). Issued 12-2-30.

1,784,699. Automatic charging of electric furnaces. Miguet Paul Louis Joseph (inventor). Issued 12-9-30.

1,785,494. Filter press. Revel Louis (inventor). Issued 12-16-30.

1,786,334. Of wheels of engines or vehicles traveling upon railway tracks. Buclon Achille (inventor). Issued 12-23-30

1,786,862. Varicose stocking. Mouthe Auguste (inventor); Francisque Damon (grantee). Issued 12-30-30.

1,787,014. Magneto electric machine for the generation of monophase current. Morel Emile (inventor). Issued 12-30-30

1,788,428. Torus shaped device for maintaining the air bags or water bags during the vulcanizing of pneumatic tires. Garbiel Emile (inventor); Soc Des Procedes Fir (grantee). Issued 1-13-31.

1,792,331. Locking nut. Lescadieu Paul (inventor); Adnet Paul (grantee). Issued 2-10-31.

1,794,105. Process for the treatment of oleaginous materials for separately extracting all the elements thereof. David Louis Fernand et al, Felizat Georges (inventors). Issued 2-24-31.

1,795,371. Talking machine. Lumiere Louis (inventor). Issued 3-10-31.

1,795,538. Refrigerator of the absorption type. Beaumont Georges (inventor). Issued 3-10-31.

1,798,628. Driving mechanism for aeroplanes. Pillard Marcel (inventor); L Helice Metallique Brevets, Paulhan Pillard S. A. (grantees). Issued 3-31-31

1,798,655. Stamping device. Brugiere Marcel (inventor). Issued 3-31-31.

1,798,821. Paper manufacturing machine with raising felt. Veyron Eugene Marius (inventor); Papeteries Navarre (grantee). Issued 3-31-31.

1,800,284. Draft and lifting device for agricultural tractors. Delaye Raoul Louis Andre (inventor); Soc A Responsabilite Limitee R. Delaye and Cie (grantees). Issued 4-14-31.

1,800,288. Apparatus for use in hand printing on fabric or paper Givaudan Claudius (inventor). Issued 4-14-31.

1,802,517. Electrical insulating material. La Housse Joseph Edouard Gustave (inventor). Issued 4-28-31.

1,802,632. Piston for motors with internal combustion. Darche Albert Alexandre Augustin (inventor). Issued 4-28-31

1,802,902. Internal combustion engine. Brau Marcel (inventor). Issued 4-28-31.

1,803,124. Automatic thread tension regulator for continuously acting spinning machines. Nau Touron Albert (inventor). Issued 4-28-31.

1,803,521. Distributing device for distributor drills. Bergerioux Rene (inventor). Issued 5-5-31

1,803,533. Device for adjusting the openings of scuttle ports and the position of the pane holders thereof. Lalanne Louis (inventor). Issued 5-5-31

1,805,063. Rotary pump. Wrona Casimir (inventor). Issued 5-12-31.

1,806,210. Electric furnace. Miguet Paul Louis Joseph (inventor). Issued 5-19-31.

1,808,603. Moving picture recording and projection apparatus. Huc Marcel Remy (inventor) Issued 6-2-31.

1,810,781. Mechanically driven mowing machine. Moreau Maurice Francois (inventor). Issued 6-16-31.

1,810,844. Magneto electric machine. Morel Emile (inventor). Issued 6-16-31.

1,811,982. Knife adapted for multiple uses & comprising a monkey wrench. Soustre Jean Albert (inventor). Issued 6-30-31

1,812,016. Electrically heated apparatus for drying coffee & the like. Nicloud Charles (inventor). Issued 6-30-31.

1,812,199. Press for obtaining photographic prints by means of electric light. Crayssac Leon (inventor) Issued 6-30-31.

1,812,257. Process & apparatus for tanning leather. Chavand Rene (inventor). Issued 6-30-31.

1,812,981. Process for transferring gelatine silver bromide pictures. Procoudine Gorsky Michel (inventor); Soc de Photochimie Elka (grantee). Issued 7-7-31.

1,814,128. Atomizer. Courtois Gaston Frederic (inventor). Issued 7-14-31.

1,814,937. Sporting gun. Leve Charles (inventor). Issued 7-14-31.

1,815,499. Demountable metallic reel for cables. Decombe Georges (inventor). Issued 7-21-31.

1,815,677. Varicose stocking. Damon Francisque (inventor). Issued 7-21-31.

1,816,543. Automatic device for raising the wheels at the desired level in case of puncture of the pneumatic tire. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 7-28-31.

1,817,579. Corn removing device. Petard Daniel (inventor). Issued 8-4-31.

1,818,921. Rotary valve for reciprocating engines. Nourry Paul et al, Gluksmann Rodanski Daniel (inventors). Issued 8-11-31.

1,819,189. Weft threading device for the shuttles of automatic & other looms. Mezeray Francois Henri (inventor). Issued 8-18-31.

1,820,773. Grading and sorting grading apparatus. Bouquet Marcel (inventor). Issued 8-25-31.

1,821,909. Carburetor. Girin Antoine (inventor), Petronio Albert M J (grantee). Issued 9-1-31.

1,822,882. Dirigible headlight. Chabrol Alphonse (inventor). Issued 9-15-31.

1,824,464. Apparatus for twisting textile fibers or yarns. Berthier Jules (inventor); Soc Textile Twistok (grantee). Issued 9-22-31.

1,824,532. Distributing device for fertilizer grain and seed drills. Bergerioux Rene (inventor). Issued 9-22-31.

1,827,160. Machine for folding or plaiting fabrics. Nauterme Joseph (inventor). Issued 10-13-31.

1,827,451. Machine for typewriting music. Allard Louis (inventor). Issued 10-13-31.

1,828,773. Agricultural machine. Garric Andre (inventor). Issued 10-27-31.

1,829,378. Treatment of cellulose materials. Thiriet Andrie (inventor); Papeteries Navarre (grantee). Issued 10-27-31.

1,830,196. Braiding machine. Faureroux Charles (inventor); Etablissements Ch. Faure Roux (grantee) Issued 11-3-31.

1,830,244. Container and distributor for pulverulent substances more particularly applicable for face powder. Salarnier Jean Baptiste (inventor). Issued 11-3-31.

1,830,879. Railway vehicle wheel fitted with pneumatic tires. Michelin Andre Jules (inventor), Michelin et Cie (grantee). Issued 11-10-31.

1,831,186. Weighing apparatus. Michelin Andres Jules (inventor); Michelin et Cie (grantee). Issued 11-10-31.

1,831,482. Circular weaving loom. David Tony (inventor). Issued 11-10-31.

1,832,472. Automatic apparatus for the continuous extraction of the sugar contained in sugar plants. Olier Andre (inventor), S A Des Etablissements a Olier (grantee). Issued 11-17-31.

1,833,778. Tire for railway vehicles. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 11-24-31.

1,834,033. Inflating device for pneumatic tires Michelin Andres Jules (inventor); Michelin et Cie (grantee). Issued 12-1-31.

1,835,730. Rotating drying apparatus. Vernay Jean Baptiste (inventor). Issued 12-8-31.

1,836,679. Varicose stocking. Mouthe Auguste (inventor); Damon Francisque (grantee). Issued 12-15-31.

1,839,760. Means for moistening ceramic articles while shaping them. Faure Jean Marie Andre (inventor); Soc A Faure & Cie (grantee). Issued 1-5-32.

1,840,904. Valve for corrosive fluids. Julien Paul (inventor). Issued 1-12-32.

1,841,801. Process for obtaining photographic images. Gay Eugene (inventor). Issued 1-19-32.

1,842,762. Nonslipping device for the wheels of motor vehicles. Berliet Marius (inventor); S A Automobiles M Berliet (grantee). Issued 1-26-32.

1,842,880. Headlight for motor cars. Prudhomme Auguste Benoit Felix (inventor). Issued 1-26-32.

1,845,506. Mounting for acoustical diaphragms. Lumiere Louis (inventor). Issued 2-16-32.

1,846,580. Spare wheel for motor vehicles. Berliet Marius (inventor); S A des Automobiles M Berliet (grantee). Issued 2-23-32.

1,849,802. Moulet Jean Louis Leon Alexandre Albert (inventors), Martin Moulet & Cie (grantee). Issued 3-15-32.

1,849,977. Metal reel for cables. Decombe Georges (inventor). Issued 3-15-32.

1,850,140. Continuous rotary separator. Robatel Philibert T (inventor); Atelier T Robatel J Buffaud & Cie (grantee). Issued 3-22-32.

1,851,238. Electric arc disrupter. Branchu Paul Joseph (inventor). Issued 3-29-32.

1,851,895. Silk recorder. Cornet Andre (inventor). Issued 3-29-32.

1,853,758. Windshield wiper motor. Brumm Emile (inventor). Issued 4-12-32.

1,853,794. Apparatus for towing water planes. Arman Joseph Roch (inventor). Issued 4-12-32.

1,854,674. Screw threaded pressure resisting coupling. Savon Raymond (inventor). Issued 4-19-32.

1,854,685. Braiding machine. Billard Felix (inventor). Issued 4-19-32.

1,856,749. Vibrating film for accustic devices. Desbrere Fernand Lesieure (inventor). Issued 5-3-32.

1,857,004. Apparatus for feeding liquid fuel to internal combustion engines. Rebillet Marcel Joseph Achille (inventor). Issued 5-3-32.

1,858,205. Double twist flyer spinning machine. Ferier Albert (inventor); Bienchini Ferier Soc en Nom Collectif (grantee). Issued 5-10-32

1,864,445. Stereoscopic cinematography. Le Barbier Emile Pierre Louis (inventor). Issued 6-21-32.

1,864,690. Stringed musical instrument. Guibeaud Georges (inventor). Issued 6-28-32

1,865,559. Mechanical coupling. De Montgrand Leon (inventor). Issued 7-5-32

1,865,560. Pneumatic tire valve. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 7-5-32.

1,868,061. Crossing for railway tracks. Grosjean Pierre Marius (inventor). Issued 7-19-32

1,868,424. Railway vehicle. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 7-19-32.

1,868,954. Furnace. Sorrel Victor et al, Lafont Louis Andre (inventors); Ugine Infra (grantee). Issued 7-26-32.

1,869,521. Manufacture of copper sulphate Souviron Pierre Joseph Francois (inventor). Issued 8-2-32

1,869,658. Machine for cracking and sorting nuts Branda Baptistin (inventor). Issued 8-2-32

1,870,110. Protective paper for agricultural or horticultural uses. Hall William Augustus (inventor). Issued 8-2-32.

1,872,337. A screw with automatically variable pitch Pillard Marcel (inventor); L Helice Metallique Brevets Paulhan Pillard S A (grantees). Issued 8-16-32.

1,873,739. Warp stop motion for looms for weaving. Collon Albin Marie Maurice (inventor). Issued 8-23-32.

1,874,315. Machine for sharpening of saws. Laurent Leon (inventor). Issued 8-30-32.

1,876,254. Stabilizing apparatus for aeroplanes. Marmonier Louis (inventor). Issued 9-6-32.

1,879,044. Means for operation of motor vehicles. Berliet Marius (inventor), S A Des Automobiles M Berliet (grantee). Issued 9-27-32

1,879,878. Starting mechanism for motor vehicles. Leyvastre Ferdinand (inventor), Soc de Paris et du Rhone (grantee). Issued 9-27-32

1,880,127. Self propelling vehicle. Fornaire Raphael (inventor). Issued 9-27-32.

1,880,360. Machine for making concrete pipes Sapin Antoine (inventor). Issued 10-4-32.

1,882,022. Starting mechanism for motor vehicles. Leyvastre Ferdinand (inventor); Soc de Paris et du Rhone (grantee). Issued 10-11-32.

1,885,373. Variable rheostat. Planche Rene Benjamin (inventor). Issued 11-1-32.

1,887,471. Filtering apparatus. Vernay Jean Baptiste (inventor). Issued 11-8-32.

1,887,595. Pressure regulating device. Isnard Georges Victor (inventor). Issued 11-15-32.

1,889,262. Device for mounting and operating electrodes. Franchini Alfred et al, Girod Paul (inventors); Girod Paul (grantee). Issued 11-29-32.

1,889,837. Means for securing removable wheels to a hub. Michelin Andre Jules (inventor); Michelin & Cie (grantee). Issued 12-6-32.

1,890,546. Vehicle wheel. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 12-13-32.

1,890,567. Internal combustion engine feeding arrangement. Baverey Francois (inventor); Etablissements Lyonnais Rochet Shneider (grantee). Issued 12-13-32.

1,891,318. Automatic shuttle changing mechanism for a loom weaving with one or several shuttles. Poncet Albert (inventor). Issued 12-20-32.

1,892,606. Vehicle wheel. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 12-27-32.

1,894,052. Textile Apparatus. Nautouron Albert (inventor). Issued 1-10-33.

1,896,012. Slider operating closures. Raymond Albert Victor (inventor). Issued 1-31-33.

1,901,078. Vehicle wheel. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 3-14-33.

1,901,317. Hide and leather dressing machine. Mercier Daniel (inventor). Issued 3-14-33.

1,903,027. Apparatus for forming sine tracks. Capdet Henri (inventor). Issued 3-28-33.

1,904,123. Process of manufacturing crepes with threads of cellulose acetate artificial silk. Clemencon Claude (inventor). Issued 4-18-33.

1,904,502. Process for applying rubber to metal and other hard materials. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 4-18-33.

1,907,231. Rubberized and fibrous plastic material unattackable by oil. Augot Charles (inventor). Issued 5-2-33.

1,907,529. Hook and balloon employing the same. Faure Roux Charles (inventor); Etablissements Ch. Faure Roux (grantee). Issued 5-9-33.

1,907,530. Double twist flyer spinning machine. Ferier Albert (inventor); Blanchini Ferier Soc en Nom Collectif (grantee). Issued 5-9-33.

1,908,556. Motor driven winch. Rigondeau Louis Gaston (inventor). Issued 5-9-33.

1,909,895. Selecting device for droppers of lace machines. Ratelade Marie Antoine Raymond (inventor); S A Des Mecanique Verdol (grantee). Issued 5-16-33.

1,911,320. Stereoscopic photography. Le Barbier Emile, Pierre Louis (inventors). Issued 5-30-33.

1,914,544. Headgear. Villa Numa (inventor). Issued 6-20-33.

1,916,409. Apparatus providing progressive lighting and extinction of articles such as letters, words, phrases, pictures, etc. Bourgeois Fernand Joseph, et al., Parayre Jean Jacques (inventors). Issued 7-4-33.

1,919,831. Stabilizing device for aircraft. De Rouge Charles, Roger Anne Marie (inventors). Issued 7-25-33.

1,920,350. Device for mounting wheels on hubs. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 8-1-33.

1,920,556. Extensible swift for the winding of hanks of silk cotton or other yarns of different diameters. Gubelmann Alfred (inventor). Issued 8-1-33.

1,920,686. Hauling and lifting apparatus. Faure Simon (inventor). Issued 8-1-33.

1,921,974. Security device for battery ignition circuits. Jolivet Pierre et al, Jolivet Jacques (inventors). Issued 8-8-33.

1,923,780. Lifting appliance. Faure Andre et al, Faure Antoine (inventors). Issued 8-22-33.

1,923,812. Tensioning device for wires, cords or metal rods. Chobert Jacques (inventor). Issued 8-22-33.

1,923,926. Elastic cord. Faure Roux Charles (inventor); Etablissements Ch. Faure Roux (grantee). Issued 8-22-33.

1,924,656. Superposed barrel breech loading firearm. Ribe Leon (inventor). Issued 8-29-33.

1,926,768. Preparation or size for silk artificial silk or other fiber. Galvin Auguste Firmin (inventor). Issued 9-12-33.

1,928,068. Wheel for motor vehicles and the like. Michelin Andre Jules (inventor); Michelin et cie (grantee). Issued 9-26-33.

1,930,398. Impervious and resilient napkin for infants and invalids. Souchard Henri (inventor). Issued 10-10-33.

1,930,748. Trousers protector. Giorda Raoul, Marcel Laurent (inventors). Issued 10-17-33.

1,931,838. Hot water and distilled water generator. Beraud Marie Philippe (inventor). Issued 10-24-33.

1,933,418. Tongue for shuttles for looms for weaving. France Diederichs Gustave (inventor). Issued 10-31-33.

1,934,850. Clutch device with a hydraulic servomotor. Fromaget Pierre Marie (inventor.) Issued 11-14-33.

1,935,006. Tractor trailer coupling. Athanassiou Georges (inventor). Issued 11-14-33.

1,937,419. Process for the catalytic production of anhydrous stannic chloride. Wolf Jacques et al, Favre George Andre (inventors). Issued 11-28-33.

1,938,854. Pump. Moulet Jean Louis, Leon Alexandre Albert (inventors); Martin Moulet & Cie (grantee). Issued 12-12-33.

1,942,114. Lifting apparatus. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 1-2-34.

1,944,402. Electric circuit breaker with compressed gas blow out. Clerc Andre (inventor). Issued 1-23-34.

1,944,403. Arc extinguishing chimney. Clerc Andre (inventor). Issued 1-23-34.

1,944,820. Cement admixture. Beghelli Aldo (inventor). Issued 1-23-34.

1,944,972. Transformable lifting appliance. Faure Andre et al, Faure Antoine (inventors). Issued 1-30-34.

1,947,562. Stabilizing and directing gyroscopic control mechanism. Marmonier Louis (inventor). Issued 2-20-34.

1,947,583. Carburetor. Brut Georges Felix (inventor). Issued 2-20-34.

1,948,060. Vehicle wheel and tire. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 2-20-34.

1,948,658. Device for extinction of electric arcs. Gerin Gaston, Branchu Paul Joseph, Teszner Stanislas, et al (inventors). Issued 2-27-34.

1,950,105. Winding machine. Faure Roux Charles (inventor). Etablissements Ch. Faure Roux (grantee). Issued 3-6-34.

1,950,845. Machine for treating skeins of textile material. Ganeval Leon (inventor). Issued 3-13-34.

1,952,281. Method and apparatus for obtaining from a fluid under pressure two currents of fluids at different temperatures. Ranque Georges Joseph (inventor); La Giration des Fluides Soc A Responsabilite Limitee (grantees). Issued 3-27-34.

1,953,281. Horseshoe. Veran Antoine (inventor). Issued 4-3-34.

1,953,491. Device for recovering condensation waters. Sainte Martine Marius (inventor); Papeteries Navarre S A (grantee). Issued 4-3-34.

1,956,897. Mechanical hoe. Gept Rene (inventor). Issued 5-1-34.

1,959,497. Apparatus adapted to maintain the tail of an animal and the like. Peney Jean Leonce Louis Joseph (inventor). Issued 5-22-34.

1,961,063. Casting molten material. Miguet Paul Louis Joseph, Perron Marcel Paul, et al (inventors). Issued 5-29-34.

1,962,585. Extensible device. Faure Roux Charles (inventor); Etablissements Ch. Faure Roux (grantee). Issued 6-12-34.

1,964,310. Electric starter for internal combustion engines. Bethenod Joseph (inventor). Soc de Paris et du Rhone (grantee). Issued 6-26-34.

1,964,618. Vehicle wheel rim. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 6-26-34.

1,964,729. Starting mechanism. Granjon Stephane (inventor). Issued 7-3-34.

1,966,804. Automatic starting rheostat for electric motors. Planche Benjamin Rene (inventor). Issued 7-17-34.

1,969,424. Organ. Puget Jules (inventor). Issued 8-7-34.

1,971,661. Signaling and advertising device. Sapio Gaetan (inventor); Soc Satralux (grantee). Issued 8-28-34.

1,972,664. Wheel. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 9-4-34.

1,972,678. Guide flange for rail vehicles. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 9-4-34.

1,974,009. Arrangement for balancing loads carried by twin tires. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 9-18-34.

1,975,023. Remote control device. Sertillange Maurice Antoine (inventor); Etablissements Paul Ducios (grantee). Issued 9-25-34.

1,975,432. Carburetor. Piat Jean Marie (inventor). Issued 10-2-34.

1,975,436. Method of heating by induction and furnace therefor. Sorrel Victor, Lafont Louis Andre, et al. (inventors); Ugine Infra (grantee). Issued 10-2-34.

1,975,437. Induction heated furnace. Sorrel Victor Joseph Celestin (inventor); Ugine Infra (grantee). Issued 10-2-34.

1,975,438. Magnetic muffle or other body and method of varying the magnetic transformation thereof. Sorrel Victor (inventor); Ugine Infra (grantee). Issued 10-2-34.

1,975,679. Percussion detonating composition. Blanc Andre (inventor). Issued 5-16-33.

1,976,988. Arrangement for testing spark plugs. Grangier Emile Louis, Niogret Fernand et al. (inventors). Issued 10-16-34.

1,977,922. Receptacle. Serre Eugene Edmond Charles (inventor). Issed 10-23-34.

1,978,315. Valve grinding machine. Lemay Gustave (inventor). Issued 10-23-34.

1,978,787. Trimming apparatus. Evangelidi Nicolas (inventor). Issued 10-30-34.

1,978,969. Device for protection of electric nets against overvoltages. Teszner Stanislas (inventor). Issued 10-30-34.

1,979,124. Process for the preparation in dry powdered form of animal fish and vegetable matter. Tival Henri Louis Paul (inventor). Issued 10-30-34.

1,979,531. Apparatus for the waving of the hair. Conill Fernan Oscar (inventor). Issued 11-6-34.

1,984,918. Coupling. Coder Joseph (inventor). Issued 12-18-34.

1,985,336. Fruit pitting machine. Chapelle Robert (inventor). Issued 12-25-34.

1,985,355. Arrangement for transferring gaseous liquids under counter pressure. Stern Gustave (inventor). Issued 12-25-34.

1,98[illegible],436. Washing, dyeing, insing, and drying machine. Fiori Charles (inventor). Issued 1-8-35.

1,989,318. Knitting machine. Hauser Eugene (inventor). Issued 1-29-35.

1,990,879. Movable support for dispensing beverages. Picard Jean Raoul (inventor). Issued 2-12-35.

1,991,989. Sheet separating device. Pompier Louis (inventor). Issued 2-19-35.

1,992,117. Vehicle brake. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 2-19-35.

1,993,897. Temperature indicating device for internal combustion and explosion engines. Renard Melanie Arsene (inventor). Issued 3-12-35.

1,994,217. Bench vise and the like. Guillaix Marcel (inventor). Issued 3-12-35.

1,994,849. Product for the protection of contacts in electric circuits. Bauza Jacques (inventor). Issued 3-19-35.

1,995,201. Telephone cable with star quads. Delon Jules (inventor). Issued 3-19-35.

1,995,575. Safety device for railway vehicles with pneumatic tires. Michelin Andre Jules (inventor); Michelin et Cie (grantee). Issued 3-26-35.

1,996,140. Mounting of twin tired wheels. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 4-2-35.

1,996,161. Regulation of furnaces. Loth William Arthur (inventor); Soc A Responsabilite Limitee, L F T Fonderies (grantees). Issued 4-2-35.

1,997,135. Catalyst and process of preparing same. De Mahler Edouard Robert William (inventor). Issued 4-9-35.

1,998,028. Process and device for rotary simultaneous printing by means of multicolored printing blocks. Sark Astra (inventor); S A Prisma (grantee). Issued 4-16-35.

2,001,256. Method and apparatus for obtaining stereoscopic effects. Le Barbier Emile Pierre Louis (inventor). Issued 5-14-35.

2,003,209. Plow for electrical signaling of railways. De Saint Martin Charles Victor (inventor); Michelin et Cie (grantee). Issued 5-28-35.

2,003,653. Electric furnace operation. Miguet Paul Louis Joseph et al, Perron Marcel Paul (inventors). Issued 6-4-35.

2,004,922. Twin tire construction for vehicles. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 6-18-35.

2,005,607. Coupling for bogie axles. Bourdon Pierre Marcel (inventor); Michelin et Cie grantor. Issued 6-18-35.

2,005,663. Electric drive for looms weaving machines and the like. Phily Fernand (inventor). Issued 6-18-35.

2,006,495. Guide flange for railway vehicles. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 7-2-35.

2,006,651. Thread tensioning device for creels and the like. Perichard Albert (inventor). Issued 7-2-35.

2,011,477. Casting mold for coating cores for artificial teeth with wax. Fischer Victor (inventor). Issued 8-13-35.

2,012,020. Carburetor for internal combustion engines. Perrier Michel Eugene (inventor); Les Carburateurs Defi (grantee). Issued 8-20-35.

2,012,260. Rail vehicle. De Saint Martin Charles (inventor); Michelin et Cie (grantee). Issued 8-27-35.

2,014,897. Method of purifying sugar. Hyve Louis (inventor). Issued 9-17-35.

2,014,963. Automatic coupling device for vehicles. Coder Joseph (inventor). Issued 9-17-35.

2,016,989. Target. Pignatelli D Aragon Ludovic (inventor). Issued 10-8-35.

2,018,597. Support or mounting for pneumatic tires. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 10-22-35.

2,018,598. Mounting of twin tired wheels. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 10-22-35.

2,018,971. Machine for testing threads. Paume Paul (inventor). Issued 10-29-35.

2,020,462. Automatic machine for the manufacture of bottles and of other glass articles. Fechoz Etienne (inventor). Issued 11-12-35.

2,022,922. Hair net. Morins Leon J F (inventor). Issued 12-3-35.

2,023,011. Apparatus for the incorporation of a liquid with a gas. Vicard Pierre Georges (inventor). Issued 12-3-35.

2,023,267. Feeding means for gas masks. De Saint Rapt Joseph et al, Decombe Georges (inventors). Issued 12-3-35.

2,023,334. Aeroplane. Marmonier Louis (inventor). Issued 12-3-35.

2,023,544. Bifuel internal combustion engine. Boudet Raoul Pierre Marius (inventor). Issued 12-10-35.

2,023,948. Copper wire treatment for enameling. Fustier Pierre (inventor); S A J Bocuze & Cie (grantee). Issued 12-10-35.

2,024,845. Device for use in operating track relays in railway signaling systems. Bourdon Pierre Marcel (inventor); Michelin and Cie (grantee). Issued 12-17-35.

2,025,344. Blank for artificial teeth. Fischer Victor (inventor). Issued 12-24-35.

2,025,561. Glass furnace. Fechoz Etienne (inventor). Issued 12-24-35.

2,028,632. Drawing of wires. De Mulatier Jean (inventor). Issued 1-21-36.

2,033,804. Manufacture of marquetry panels. Angremy Pierre (inventor). Issued 3-10-36.

2,035,738. Automatic detecting and alarm apparatus from a distance of fire. Blanc Aime (inventor). Issued 3-31-36.

2,038,349. Individual filter for the spinning of artificial filaments threads and the like. Cusin Maurice (inventor); Soc Lyonnaise de Textiles (grantee). Issued 4-21-36.

2,039,419. Tulle and lace comprising multiple elastic threads. Isaac Augustin (inventor); Dognin S A (grantee). Issued 5-5-36.

2,039,838. Compressed air circuit breaker with movable piston. Saudicoeur Louis Joseph (inventor). Issued 5-5-36.

2,040,667. Pump. Moulet Jean Louis Leon Alexander Albert (inventor); Moulet Martin & Cie (grantee). Issued 5-12-36.

2,041,536. Band brake. Fromaget Pierre Marie (inventor). Issued 5-19-36.

2,042,684. Method of securing a homogeneous mixture of hard materials & matrix metals. Schjoth Ejner (inventor). Issued 6-2-36.

2,042,734. Preselecting device for sheet feeding mechanisms of stenciling machines & the like. Roy Aime Armand (inventor). Issued 6-2-36.

2,042,906. Hair net. Morins Leon J Francois (inventor). Issued 6-2-36.

2,044,164. Shuttle carrier for sewing machines. Giraud Jules Francois Leon (inventor). Issued 6-16-36.

2,045,133. Automatic safety switching device. Gonnard Julien (inventor). Issued 6-23-36.

2,045,208. Shock absorber for vehicles and other loads. Stocq Edmond (inventor). Issued 6-23-36.

2,045,341. Safety device for tires. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 6-23-36.

2,047,450. Surface condenser. Chamayou Benoit Elie (inventor). Issued 7-14-36.

2,049,180. Carburetor for internal combustion engines. Surra Stephane (inventor). Issued 7-28-36.

2,049,217. Processes of inpregnating cellulosic fabries. Meunier Pierre (inventor); Resines et Vernis Artificiels S A (grantee). Issued 7-28-36.

2,055,279. Vibration absorbing support. D Aubarede Paul Charles Albert Marie (inventor). Issued 9-22-36.

2,056,741. Drive for machine tool tables or carriages. Rouchaud Fernand Alfred (inventor); S A Etablissements Rouchaud & Lamaselaude (grantees). Issued 10-6-36.

2,057,055. Loom for weaving. Phily Fernand (inventor). Issued 10-13-36.

2,057,370. Regulating device for wireless receivers. Grillet Francois Joseph (inventor). Issued 10-13-36.

2,058,557. Tire pressure gauge. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 10-27-36.

2,058,989. Gas mask. Isaac Augustin (inventor); Dognin S A (grantee). Issued 10-27-36.

2,061,268. Device for molding the breasts in the contours and form desired. Becker Nicolas (inventor). Issued 11-17-36.

2,061,935. Manufacture of cellulose pulp. Delcroix Pierre (inventor); Papeteries Navarre (grantee). Issued 11-24-36.

2,065,278. Apparatus for lighting cigarettes or cigars. Jorrand Jean Albert (inventor). Issued 12-22-36.

2,065,999. Universal joint. Faure Joanny et al, Chavrier Antoine Pierre (inventors). Issued 12-29-36.

2,067,096. Electric drive for the picking devices for looms. Phily Fernand (inventor). Issued 1-5-37.

2,068,686. Apparatus for silencing the exhaust of internal combustion engines. Lasceroux Joseph Louis (inventor). Issued 1-26-37.

2,069,911. Vehicle suspension. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 2-9-37.

2,070,788. Regulatable fuse for projectiles. Girard Paul (inventor). Issued 2-16-37.

2,076,773. Machine for working printing machine cylinders particularly copper cylinders in copperplate printing machines. Goyot Francois Andre (inventor). Issued 4-13-37.

2,079,102. Method of making metal cases from a tubular piece. Biginelli Oreste (inventor). Issued 5-4-37.

2,079,953. Cupric mixtures for agricultural purposes and method for preparing same. Souviron Pierre Francois Joseph (inventor). Issued 5-11-37.

2,084,080. Engine mounting. D Aubaredo Paul Charles Albert Marie (inventor). Issued 6-15-37.

2,086,099. Charging and switching device for internal combustion engines. Soulet Auguste (inventor); Magnetos France (grantee). Issued 7-6-37.

2,086,298. Dyeing of elastic fabrics. Isaac Augustin (inventor); Dognin S A (grantee). Issued 7-6-37.

2,088,801. Machine for printing designs on fabrics by means of stencils perforated plates and the like. Masson Claudius (inventor); Badoy Jean, Rondelli Desire (grantees). Issued 8-3-37.

2,088,879. Furnace for burning granular fuel and the like. Stouff Louis Marie Joseph (inventor). Issued 8-3-37.

2,089,360. Apparatus for the treatment of hydrocarbons. Guichard Pierre (inventor). Issued 8-10-37.

2,089,361. Apparatus for cracking oil. Guichard Pierre (inventor). Issued 8-10-37.

2,089,399. Plant for the artificial drying of ceramic products and in particular of tiles and bricks. Monnier Jean Baptiste (inventor). Issued 8-10-37.

2,089,912. Apparatus for making metal cases from tubular pieces. Biginelli Oreste (inventor). Issued 8-10-37.

2,090,785. Loom for weaving gauzes. Diederichs Pierre Charles (inventor). Issued 8-24-37.

2,091,566. Carburetor. Portes Eugene Jean Ambroise (inventor). Issued 8-31-37.

2,092,080. Mechanically moved chain grate. Lemaire Edouard Auguste (inventor); S A Ditte La Mure Combustibles et Industrie (grantee). Issued 9-7-37.

2,094,943. Burner for liquid fuel. Gianola Louis Jean (inventor). Issued 10-5-37.

2,095,409. Mechanical winch particularly for dragging fishing nets from the water. Deluchi Jean et al, Cullare Sauveur (inventors). Issued 10-12-37.

2,096,461. Measuring filler for liquids of all kinds. Mane Eugene Maurice et al, Mane Gabriel Pierre (inventors). Issued 10-19-37.

2,097,741. Valve mechanism in internal combustion engines of the opposed piston type. Schmid Ernst (inventor). Issued 11-2-37.
2,099,477. Change speed chain gearing for bicycles and the like. Gruyer Jean Marcel (inventor); Simon Victor (grantee). Issued 11-16-37.
2,101,422 Flexible seat support. Assalit Louis (inventor). Issued 12-7-37.
2,102,950. Mechanical time fuse. Girard Paul (inventor). Issued 12-21-37.
2,105,272. Sleeve valve for a four stroke opposed piston engine. Schmid Ernst (inventor). Issued 1-11-38.
2,107,595. Pressure indicator. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 2-8-38.
2,107,596. Pressure compensating device for multiple gas chambers. Bourdon Pierre Marcel (inventor). Michelin et Cie (grantee). Issued 2-8-38.
2,108,366. Device for transmitting motion. Cassagne Georges Raymond (inventor). Issued 2-15-38.
2,108,706. Cylinder head for internal combustion engines for the prevaporization of light fuel and for cracking of heavy oils. Crillon Marcel Victor (inventor). Issued 2-15-38.
2,111,000 Liquid fuel pump. Moulet Jean Louis Leon Alexandre Albert (inventor); Moulet Martin & Cie (grantee). Issued 3-15-38.
2,111,886 Parachute. Capel Louis Jean Moise (inventor). Issued 3-22-38.
2,113,504. Endless chain. Caute Louis (inventor); Soc Dite Soc de Construction du Tracteur Vigneron Georges Vidal S A (grantee). Issued 4-5-38.
2,113,515. Coupling apparatus. De Montgrand Leon (inventor). Issued 4-5-38.
2,117,952 Inhaling equipment. Gourdou Charles Edouard Pierre (inventor). Issued 5-17-38.
2,118,550. Mounting of radial cylinder engines. D'Aubarede Paul Charles Albert Marie (inventor). Issued 5-24-38.
2,120,063. Tire. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 6-7-38.
2,120,760. Supporting surface of airplanes and the like aircraft. Lumiere Henri (inventor). Issued 6-14-38.
2,122,353. Hydraulic power transmission apparatus. Salerni Piero Mariano (inventor); Salerni Marie Therese Elisabeth (grantee). Issued 6-28-38.
2,122,736 Tire. Bourdon Pierre Marcel (inventor); Michelin & Cie (grantee). Issued 7-5-38.
2,125,807 Apparatus for the thermal treatment of carbonaceous materials. Michot Dupont Georges Francis (inventor). Issued 8-9-38.
2,127,361 Tool for cutting up into slices products having soft and hard parts. Gandriaut Lucien (inventor). Issued 8-23-38.
2,128,830. Safety device for railway vehicles and the like. Lecat Gustave (inventor). Issued 8-30-38.
2,130,143 Dynamo kinematic transformer. Max Pierre (inventor). Issued 9-13-38.
2,130,733 Linen folding machine. Combarette Gervais Benoit (inventor). Issued 9-20-38.
2,134,374 Automatic cutting machine for bricks or the like. Poussel Leopold (inventor); Etablissements Favant (grantee). Issued 10-25-38.
2,136,038 Device for indicating deflation of pneumatic tires. Bourdon Pierre Marcel (inventor); Michelin & Cie (grantee). Issued 11-8-38.
2,138,136 Axle suspension for vehicles. Bourdon Pierre Marcel (inventor). Michelin & Cie (grantee). Issued 11-29-38.
2,138,645. Sorting machine. Rey Emile Jean Francois (inventor); Papeteries Navarre (grantee). Issued 11-29-38.
2,139,068. Transfer sheet for decorating rubber. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 12-6-38.
2,140,749. Measuring apparatus for boot and shoe makers. Giuntini Bruno (inventor). Issued 12-20-38.
2,141,507. Device for automatically controlling the inflation of tires. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 12-27-38.
2,143,534. Seat for vehicles. Assalit Louis (inventor). Issued 1-10-39.
2,143,694 Pneumatic tire casing and process of making same. Hauvette Jacques Maurice Theodore (inventor); Michelin et Cie (grantee). Issued 1-10-39.
2,143,798. Change speed hub for bicycles and the like. Ribe Leon (inventor); Raimond Albert (grantee). Issued 1-10-39.
2,150,393. Means for packing and lubricating rotary shafts. Moulet Jean Louis Leon Alexandre Albert (inventor); Moulet Martin et Cie (grantee). Issued 3-14-39.
2,150,608. Extraction column. Olier Andre (inventor); S A des Etablissements A Olier (grantee). Issued 3-14-39.
2,152,092. Snow plow. Rougier Pierre (inventor). Issued 3-28-39.
2,155,477. Process for the manufacture of salts by base exchange by means of zeolite. Drujon Maxence (inventor). Issued 4-25-39.
2,155,497. Transforming alternating rectilinear movement into continuous rotary movement. Latil Adrien (inventor). Issued 4-25-39.
2,157,764. Internal combustion engine. Langrognet Georges Raymond (inventor). Issued 5-9-39.
2,158,599. Ski attachment. Weber Stephan (inventor). Issued 5-16-39.
2,160,959. Automatic gate. Danel Pierre Francois (inventor); Ateliers Neyret Beylier & Piccard Pictet (grantee). Issued 6-6-39.
2,162,440. Machine for printing designs on fabrics. Masson Claudius (inventor). Issued 6-13-39.
2,163,769. Woven fabric. Terrasse Gustave Joseph Jean (inventor); S A Tissages de Soieries Reunis (grantee). Issued 6-27-39.
2,164,909. System for starting internal combustion engines or the like by means of electric motors. Gachon Albert (inventor); Soc de Paris & du Rhone (grantee). Issued 7-4-39.
2,165,222. Engine and engine compressor. Capdet Henri (inventor). Issued 7-11-39.
2,165,745. Watercraft. Canton Jean Eugene (inventor). Issued 7-11-39.
2,171,138. Automatic locking device. Canepa Ernest (inventor). Issued 8-29-39.
2,172,865. Device for ensuring the automatic regulation of the delivery of hydraulic mains. Danel Pierre Francois (inventor); Ateliers Neyret Beylier and Piccard Pictet (grantee). Issued 9-12-39.
2,173,428. Hydraulic power transmission apparatus. Salerni Piero Mariano (inventor); Salerni Marie Therese Elisabeth (grantee). Issued 9-19-39.
2,181,475. Cable. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 11-28-39.
2,182,104. Underwater goggles. Wilen Charles Henry et al. Kramarenko Alexandre (inventors). Issued 12-5-39.
2,183,637. Production of tubular metal cases such as cartridge cases. Bighelli Oreste (inventor). Issued 12-19-39.
2,186,450. Airport construction. Ducroux Rene (inventor). Issued 1-9-40.
2,192,572. Valve for pneumatic tires. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 3-5-40.
2,194,412. Auxiliary winding for transformers. Trabut Jean Auguste (inventor). Soc Savoisienne de Constructions Electriques (grantee). Issued 3-19-40.
2,198,154. Safety device for the fixation of ski. Duret Marcel (inventor). Issued 4-23-40.
2,199,879. Process for the manufacture of armored electric heating elements. Deroche Andre (inventor). Issued 5-7-40.
2,202,575. Electrical cable and conductor and process for manufacturing the same. Deroche Andre (inventor). Issued 5-28-40.
2,204,683. Device for the simultaneous sterilization of a nursing bottle and its nipple. Lambert Georges (inventor). Issued 6-18-40.
2,207,479. Automatic gate. Danel Pierre Francois (inventor). Issued 7-9-40.
2,209,034. Physical education apparatus. Paul Rene (inventor). Issued 7-23-40.
2,210,779. Strip punching and verifying device. Ruche Edouard Francis (inventor). Issued 8-6-40.
2,213,810. Shock absorber. Faure Roux Charles (inventor); Etablissements Ch Faure Roux (grantee). Issued 9-3-40.
2,214,293. Universal joint. D Aubarede Paul Charles Albert Marie (inventor). Issued 9-10-40.
2,214,319. Wheel. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 9-10-40.
2,220,514. Engine mounting. D Aubarede Paul Charles Albert Marie (inventor). Issued 11-5-40.
2,220,752. Thermostatic switch. Blanc Aime (inventor). Issued 11-5-40.
2,226,163. Multicolor plate printing tissues or other matters. Dufour Jean Baptiste (inventor). Issued 12-24-40.
2,231,079. Phasing network. Longo Gustave (inventor). Issued 2-11-41.
2,231,808. Elastic thread and elastic fabric. Isaac Augustin (inventor); Dognin S A (grantee). Issued 2-11-41.
2,232,095. Portable bridge for tanks. Coder Joseph (inventor). Issued 2-18-41.
2,232,455. Spectacles or goggles. Hebrard Leon (inventor). Issued 2-18-41.
2,240,542. Tire. Bourdon Pierre Marcel (inventor); Michelin and Cie (grantee). Issued 5-6-41.
2,240,935. Sulphur trioxide. Lepin Maurice (inventor); Soc Rhodiaceta (grantee). Issued 5-6-41.
2,243,624. Thread guiding device for the winding of thread. Gazet Marius Bernard (inventor); Decombe Georges (grantee). Issued 5-27-41.
2,243,761. Sterilization of liquids. Matzka Wincenty (inventor). Issued 5-27-41.
2,247,035. Catalytic heating apparatus. Pravaz Henry (inventor). Issued 6-24-41.
2,247,749. Stabilizing device for terrestrial vehicles. De Venel Georges D Espinassy (inventor). Issued 7-1-41.
2,249,059. Truck mounting for pneumatic tired railway cars. Bourdon Pierre Marcel (inventor); Michelin et Cie (grantee). Issued 7-8-41.
2,265,197. Valve gear for internal combustion engines of the sleeve valve type. Schmid Ernest (inventor). Issued 12-9-41.
2,266,655. Surfacing roller for road facings. Naget Adolphe Leon (inventor). Issued 12-16-41.
2,268,929. Compressor or the like. Dupont Emile (inventor). Issued 1-6-42.
2,271,303. Shaft lubricating and sealing means. Moulet Jean Louis Leon Alexandre Albert (inventor); Moulet Martin and Cie (grantee). Issued 1-27-42.
2,276,686. Welt footwear. Chevalier Henri (inventor); Chaussures Unic Usines Fenestrier S A (grantee). Issued 3-17-42.
2,278,400. Fruit stoning machine. Chapelle Robert Alfred Henri Paul (inventor). Issued 3-31-42.
2,280,509. Means for assembling tubular elements. Cheron Rene Nicolas (inventor). Issued 4-21-42.
2,281,561. Weft control device for weaving looms. Diederichs Emile Charles Robert (inventor). Issued 5-5-42.
2,282,715. Process and apparatus for the decortication of ramie. Faure Andre (inventor). Issued 5-12-42.
2,286,079. Automatic machine for capsuling bottles. Gangloff Rene Louis (inventor). Issued 6-9-42.
2,288,513. Alloy. Canac Louis Henri Francois et al, Segol Emile Auguste Marie Antoine (inventors). Issued 6-30-42.
2,290,863. Gasoline economizer for combustion engines. Casanova Francois (inventor). Issued 7-28-42.
2,293,765. Hydraulic power transmission apparatus. Salerni Piero Mariano (inventor); Salerni Marie Therese Elisabeth (grantee). Issued 8-25-42.
2,293,766. Hydraulic power transmission apparatus. Salerni Piero Mariano (inventor); Salerni Marie Therese Elisabeth (grantee). Issued 8-25-42.
2,293,767. Hydraulic power transmission apparatus. Salerni Piero Mariano (inventor); Salerni Marie Therese Elisabeth (grantee). Issued 8-25-42.

[F. R. Doc. 43-5321; Filed April 5, 1943; 2:10 p. m.]

[Vesting Order 669]

Patents of Nationals of Latvia

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons identified in Exhibit A attached hereto and made a part hereof as the inventors and grantees of the patents described in said Exhibit A, are residents of Latvia and are nationals of a foreign country (Latvia);

2. Finding that the owner or owners of each patent described in said Exhibit A are one or more of the persons identified therein as inventor or grantee of such patent;

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property in which nationals of a foreign country (Latvia) have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C. on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,805,472. Process and device for treating fuel air mixtures for internal combustion engines. Grivin Johann (inventor) Issued 5-19-31.
1,811,321. Aircraft landing and releasing apparatus. Kiwull Woldemar (inventor). Issued 6-23-31.
1,828,251. Device for taking up and setting down floating bodies particularly aircraft on or from platforms such as ships or landing stages. Kiwull Woldemar (inventor). Issued 10-20-31.
1,857,870. Indicating device for automatic balances. Raasche Gerhard (inventor); Raasche Firm Paul (grantee). Issued 5-10-32.
1,859,059. Automatic balance. Raasche Gerzhard (inventor); Raasche Paul Sohne (grantee). Issued 5-17-32.
1,871,166. Regenerator. Fahrbach Harry (inventor). Issued 8-9-32.
1,907,534. Electromagnetic device. Fritcsons Juris (inventor). Issued 5-9-33.
1,913,708. Device for carrying bombs and other heavy bodies on and releasing them from aircraft. Fritcson Juris et al, Viksne Arnold (inventors). Issued 6-13-33.
2,018,147. Safety razor. Pirwitz Emil (inventor). Issued 10-22-35.
2,211,586. Locking means. Schwarz Rudolf (inventor). Issued 8-13-40.
2,278,505. View finder for photographic apparatus. Zapp Walter (inventor); Valsts Elektrotechniska Fabrika (grantee). Issued 4-7-42.

[F. R. Doc. 43-5323; Filed, April 5, 1943; 2:07 p. m.]

[Vesting Order 670]

Patents of Nationals of Luxembourg

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof;

2. Finding that each of such owners is a resident of Luxembourg, and therefore is a national of a foreign country (Luxembourg);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (Luxembourg);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

RE21,374. Gear mechanism. Moineau Rene Joseph Louis (inventor); Soc. D Exploitation des Brevets, Moineau (grantees). Issued 6–29–37.
1,587,353. Brushing apparatus for washing the human body. Pfeufer Joseph (inventor). Issued 6–1–26.
1,757,916. Automobile door latch. Mcdo Michel (inventor). Issued 5–6–30.
1,770,651. Sheet metal pile unit. Mambourg Mathias (inventor). Issued 7–15–30.
1,806,068. Process for rendering homogeneous finely pulverized materials in large masses. Lepersonne Max et al, Hastert Edouard (inventors); S A des Ciments Luxembourgeois (grantee). Issued 5–19–31.
1,807,257. Process for heating in a gaseous atmosphere particularly in a reducing or oxidizing atmosphere. Schaefer Herbert (inventor). Issued 5–26–31.
1,857,695. Process for preparing resinous wood for digestion by the bisulphite process. Rosen Gotthard (inventor); La Cellulose Rosen S A (grantee). Issued 5–10–32.
1,889,190. Wet gas meter. Brandl Hans et al, Marischka Carl (inventors); Gasmesser B M A G (grantee). Issued 11–29–32.
1,900,787. Coupling or clutch for coaxial shafts. Baugnee Justin (inventor). Issued 3–7–33.

1,916,863. Method and apparatus for agglomerating metalliferous masses. Kroll Adolphe Victor (inventor). Issued 7-4-33.

1,921,961. Apparatus for connecting a source of acoustic waves with several listeners for a suitable time. Baze Maxima (inventor); Holding Internationale S A (grantee). Issued 8-8-33.

1,930,410. Reversing rolling mill. Baugnee Justin (inventor); Hauts Fourneaux & Acieries de Differdange St Ingbert Rurneange, S A Called Hadir (grantees). Issued 10-10-33.

1,930,420 Ingot tilter. De Donato Emile (inventor). Issued 10-10-33.

1,948,235. Electrolytic manufacture of iron and its alloys. Kelsen Ernst (inventor); Kelsen Special Sheet Holding S A (grantee). Issued 2-20-34.

1,956,139. Process for treating argillaceous material. Staufer Richard et al, Konopicky Kamillo (inventors); Alterra A G (grantee). Issued 4-24-34.

1,959,448. Process of extracting the impurities from mineral raw materials. Staufer Richard et al (inventors); Konopicky Kamillo, Alterra A G of Luxemburg (grantee). Issued 5-22-34.

2,077,617. Manufacture of rubber products. Cramer Pieter J S (inventor); Septa S A (grantee). Issued 4-20-37.

2,087,536. Means for coupling garbage pails with the tilting frames of garbage carts. Feidert Joseph (inventor). Issued 7-20-37.

2,107,988. Impulse transmitter. Kardorff Leon (inventor); Inventor Trust S A (grantee) Issued 2-8-38.

2,128,408. Radioactive protective apparatus such as lightning arresters and hail protectors. Grenier Pierre (inventor); International Holding Radial (grantee). Issued 8-30-38.

2,150,330. Automatic buffer coupling. Kurtossy Laszlo (inventor); Union Kupplung A G (grantee). Issued 3-14-39.

2,161,793. Reflector heater with sheathed electric heating elements Beaucolin Constant (inventor). Issued 6-13-39.

2,166,577. Building suitable for countries liable to earthquakes Beckius Antoine (inventor) Issued 7-18-39.

2,171,398 Apparatus for homogenizing powdered mixtures. Hastert Edouard (inventor) Issued 8-29-39

2,187,341. Pneumatic distribution for two stroke internal combustion engines. Breslav Victor (inventor); Interna Holding S A (grantee). Issued 1-16-40.

2,188,716 Apparatus for projecting granular material. Jacobovics Julius (inventor). Issued 1-30-40.

2,189,867 Method of and apparatus for forming internal threads in a workpiece. Hagerman Gilbert H (inventor); Soc D Exploitation des Brevets, Moineau (grantees). Issued 2-13-40.

2,189,868 Apparatus for forming external threads in a workpiece. Hagerman Gilbert H (inventor); Soc D Exploitation des Brevets, Moineau (grantees). Issued 2-13-40.

2,201,071 Method of producing iron girders and very large T section iron. Baugnee Justin (inventor); Hauts Fourneaux & Acieres de Differdange St Ingbert Rumelange S A (grantees). Issued 5-14-40.

2,205,854. Method for manufacturing titanium and alloys thereof. Kroll Wilhelm (inventor). Issued 6-25-40.

2,206,365. Hair dressing comb. Pieper Paul (inventor). Issued 7-2-40.

2,212,921. Potential divider. Koros Laszlo (inventor); Stabilisator A G (grantee). Issued 8-27-40.

2,216,567. Centrifuging electrically heated furnace. Esnault Pelterie Robert (inventor); Spiadis Soc Pour l Application d Inventions Scientifiques (grantees). Issued 10-1-40.

2,228,345. Engine cooling system. De Muyser Alfred (inventor); Alliance Industrielle & Financiere, Francaise S A (grantees). Issued 1-14-41.

2,229,376. Process for dehydrating and defatting water and oil containing substances. Fauth Philipp Lorenz et al, Reichert Joseph (inventors); Fauth Patent A G (grantee). Issued 1-21-41.

2,237,011 Simultaneous production of magnesium and low carbon ferroalloys. Pokorny Ernst A (inventor); Electrometal S A (grantee). Issued 4-1-41.

2,238,691. Horizontally sliding sash window frame. Francotte Joseph (inventor); Brevets Francotte Pour Chassis de Fenetres Metalliques S A en Abrege Francochass (grantees). Issued 4-15-41.

2,246,886. Manganese base alloy and method of making and using the same. Kroll William (inventor). Issued 6-24-41.

2,255,207. Treatment of whale blubber skins and the like. Fauth Philipp Lorenz Decd et al, Fauth Wilhelm Admr (inventors); Fauth Patent A G (grantees). Issued 9-9-41.

2,261,851. Iron alloy for cutting tools. Kluger Leo (inventor); Ferror Steel Corp (grantee). Issued 11-4-41.

2,268,064. Thermionic valve circuits. Muller Egon Nicolas (inventor). Issued 12-16-41.

2,266,065. Automatic tuning device for radio receivers. Muller Egon Nicolas (inventor). Issued 12-16-41.

2,274,734. Control apparatus for land marine & aerial vehicles. Esnault Pelterie Robert (inventor); Spiadis Soc Pour l Application d Inventions Scientifiques (grantees). Issued 3-3-42.

2,278,147. Aircraft. Moineau Rene Joseph Louis (inventor); Soc d Exploitation des Brevets Moineau S A R L (grantees). Issued 3-31-42.

[F. R. Doc. 43-5324; Filed, April 5, 1943; 2:10 p. m.]

[Vesting Order 671]

PATENTS OF NATIONALS OF THE NETHERLANDS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof;

2. Finding that each of such owners is a resident of The Netherlands, and therefore is a national of a foreign country (The Netherlands);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (The Netherlands);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C. on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

RE18,122. Arrangement for exchanging energy between a current and a body therein. Flettner Anton (inventor); N V. Instituut Voor Aero en Hydro Dynamiek (grantees). Issued 6-19-28.

RE21,335. Process for extracting ores and the like. Van es Adriaan Cornelis (inventor; N. V. Mij Voor Zwavelzuurbereiding, Voorheen G. T. Ketjen & Co. (grantees). Issued 1-3-39.

DE83,650. X-ray aggregate. Bolydingh Willem Hondius (inventor). Issued 3-17-31.

DE104,076. Design for a radiator cover. Liem See Thie (inventor). Issued 5-13-37.

DE128,496. Design for a vacuum cleaner. Malchus Johannes Andries Christiaan (inventor). Issued 7-29-41.

1,564,450. Davit. Schat Ane P (inventor). Issued 12-8-25.

1,564,913. Mechanism for moving and adjusting forms in typewriters. Van Duyl Hubertus (inventor); N. V. Kamatec (grantee). Issued 12-8-25.

1,565,604. Means for emptying a revolving open top centrifugal separator Van Der Molen Evert (inventor). Issued 12-15-25.

1,565,605. Apparatus for removing material from the wall of a revolving centrifugal basket suspended from a vertical spindle. Van Der Molen Evert (inventor) Issued 12-15-25.

1,566,136. Shuttle changing mechanism for looms. Auerbach Max (inventor). Issued 12-15-25.

1,566,137. Feeler mechanism Auerbach Max (inventor). Issued 12-15-25

1,566,785. Vulcanizing fat substances. Van Der Meulen Johannes Hendrik (inventor). Issued 12-22-25.

1,567,308. Weighing jack for determining the wheel pressure of vehicles. Van Den Heuvell Abraham Van L. (inventor) Issued 12-29-25.

1,567,479. Vulcanizing mold for rubber footwear. Wilhelm I. Dirk Frans (inventor); Vereenigde Nederlandsche, Rubberfabrieken (grantees). Issued 12-29-25.

1,567,879. Loom. Vorster Bastiaan Carel August (inventor); Syndicate Soltman, C S (grantee). Issued 12-29-25.

1,568,036. Shuttle drive arrangement. Souczek Ferdinand (inventor); Vereinigde Textiel Mij Mautner (grantee). Issued 12-29-25.

1,569,131. Tourniquet. Nord Julius (inventor). Issued 1-12-26.

1,569,485. Cock provided with electric liquid heating means. Hanson Anton Frans Eduard (inventor); N. V Fabriek Van Instrumenten En, Electrische Apparaten Inventum (grantees). Issued 1-12-26.

1,569,594 Fountain drawing pen. Van Doorn Anthonius Marinus (inventor). Issued 1-12-26.

1,571,128. Thrashing machine. Lucas Edmund Bernard (inventor). Issued 1-26-26.

1,573,062. Spinning viscose. Hartogs Jacques Coenraad (inventor). Issued 2-16-26.

1,573,196. Apparatus for lowering lifeboats. Schat Ane Pieter (inventor). Issued 2-16-26.

1,574,156. Process for manufacturing photographic glass pictures and the like with colored background. Kiesling Werner (inventor); N. V. H. Mij (grantee). Issued 2-23-26.

1,574,286. Clutch mechanism for sound reproducing machines and the like. Broenebaum Wilhelm (inventor); N. V. Financieele Mij Drievergen (grantee). Issued 2-23-26.

1,574,567. Device for steering aircraft. Flettner Anton (inventor). Issued 2-23-26.

1,574,677. Ejector for the delivery of gas and air in large quantities Mulder Jakob et al (inventor); Endert Dirk Christiaan (grantee). Issued 2-23-26.

1,574,783. Process and device for regenerating water of aquaria. Beth Evert Willem (inventor). Issued 3-2-26.

1,577,541. Bailer. Rhinelander Harry William (inventor). Issued 3-23-26.

1,577,981 Resistance element. Otto Wolfgang (inventor); Nederlandsche Technische Handel, Mij Giro The (grantees). Issued 3-23-26.

1,578,583. Davit. Ceelen Jan (inventor); Rotterdamsche Machinefabriek Braat (grantee). Issued 3-30-26.

1,578,603 Electric heating apparatus for liquids. Henneman Karel Frederik (inventor); Kerkhoven Pieter (grantee). Issued 3-30-26.

1,579,456 Davit. Schat Ane Pieter (inventor). Issued 4-6-26.

1,579,694 Typewriter type. Fischer Oskar (inventor); N V Machina Mij Voor Handel en Industrie (grantee). Issued 4-6-26.

1,579,761 Gas valve Hackstroh Pieter Augustus et al, Marinus Van Keulen Otto (inventors) Issued 4-6-26.

1,581,114 Apparatus comprising Perkins tubes Haag Jacobus (inventor). Issued 4-20-26

1,582,863. Manufacture of artificial silk. Zwartz David Gerard (inventor); N V Nederlansche Kunstzijdefabriek (grantee). Issued 4-27-26.

1,584,380 Weighing device with carrier. Krabbendam Cornelis Adriaan et al, Linn Pieter Hendrik (inventors). Issued 5-11-26.

1,584,660. Ciphering device. Scherbius Arthur (inventor); N V Ingenieursbureau Securitas (grantee). Issued 5-11-26.

1,585,133. Steering device for trailers. Van Der Hof Hermanus (inventor); N V Internationale Truck & Trailer, Cie Internationale Vracht en, Aanhangwagen Mij (grantees) Issued 5-18-26.

1,585,658. Tabulation mechanism of typewriting machines. Fischer Oskar (inventor); N V Machina Mij Vor Handel, En Industrie (grantees). Issued 5-25-26.

1,585,998. Deep printing form and process for preparing same. Levisson Levie (inventor). Issued 5-25-26.

1,587,108. Safety lock. Eras Vincent Joseph Marie (inventor). Issued 6-1-26.

1,587,154. Switch for electric water heating apparatus. Thenneman Karel Frederik (inventor); Kerkhoven Pieter (grantee). Issued 6-1-26.

1,589,030. Gyroscopic apparatus. Anschutz Kaempfe Hermann (inventor); Nederlandsche Technische Handel Mij Gero (grantee). Issued 6-15-26.

1,589,791. Pressure frame for sliding windows. Dannehl Otto (inventor); N V Machinerieen en Apparaten Fabrieken (grantee). Issued 6-22-26.

1,590,153. Coupling device. Brucker Rudolf (inventor). Issued 6-22-26.

1,590,161. Furnace for chemical reactions. Hamburger Looewijk et al, Prins Eugene Charles (inventors); N V Stikstofbindingsindustrie, Nederland (grantees). Issued 6-22-26.

1,590,881. Widthing machine for planks and laths. Brouwer Jacobus (inventor); N. V. Arnold, I. Van Den Bergh, S. Emballage Fabrieken (grantees). Issued 6-29-26.

1,591,005. Apparatus for the mechanical assembling of statistical cards bearing corresponding data. Stuivenberg Cornelis Hendricus (inventor); N. V. Kamatec grantee). Issued 6-29-26.

1,591,151. Manufacture of alkyl halides. Wibaut Johan Pieter (inventor). Issued 7-6-26.

1,592,628. Receiving of wireless signals. Einthoven Willem Frederik (inventor); Nederlandsch Indie (grantee). Issued 7-13-26.

1,593,363. Apparatus for determining the angular position of an object. Schoute Cornelis (inventor). Issued 7-20-26.

1,594,703. Advertising device. Ballerini Fernando (inventor); Van Leer Bernard (grantee). Issued 8-3-26.

1,594,704. Cigarillo manufacturing machine. Bargebuer Adolf (inventor). Issued 8-3-26.

1,596,779. Daylight developing tank for roll films. Van Den Boogaardt Hendricus, et al., Jacobus Johannes, Hagg Leendert Johannes, Franciskus (inventors); Van Den Boogaardt (grantee). Issued 8-17-26.

1,596,780. Package for flat films forming a changer. Van Den Boogaardt Hendricus, Jacobus Johannes (inventors); N. V. Tot Exploitatie, Van Den Boogaardt, S. Octrooi (grantees). Issued 8-17-26.

1,597,170. Process of making objects from unvulcanized rubber and objects from unvulcanized rubber. Van Der Mark Arnold Roedolf, et al., Frans, Kremer Hein (inventors). Issued 8-24-26.

1,597,478. Spraying device for vaporizing plants. Petersen Alfred Otto Hermann (inventor); N. V. Nederlandsche Installatie Mij Therma (grantee). Issued 8-24-26.

1,598,985. Process for removing hydrogen sulphide from gases. Petit Theodorus Petrus Ludovicus (inventor). Issued 9-7-26.

1,599,008. Firearm. Diener Kurt (inventor); N. V. Union Mij Voor Automatische Metaalbewerking (grantee). Issued 9-7-26.

1,599,297. Shuttle checking mechanism for weaving looms. Souczek Ferdinand (inventor); Vereenigde Textiel Maatschappijen Mautner (grantee). Issued 9-7-26.

1,599,502. Centrifugal separator. Thomassen Hermanus (inventor). Issued 9-14-26.

1,601,651. Colored composition particularly suitable for dactyloscopic purposes. Seiler Charles Louis Guillaume (inventor). Issued 9-28-26.

1,602,284. Transition coupling device. Perdijk Pieter (inventor). Issued 10-5-26.

1,602,494. Heat transmitting tube of steam generators. Jonker Zeger Jan Hendrik (inventor). Issued 10-12-26.

1,604,137. Steering device for vehicle trains. Van Der Hof Hermanus (inventor); N. V. Internationale Truck & Trailer Cie (grantee). Issued 10-26-26.

1,604,153. Process of recovering iodides from adsorptive charcoal containing iodine. Ellinger Frits (inventor); Bouw Mij (grantee). Issued 10-26-26.

1,604,280. Steam generating and superheating plant. Haag Jacobus (inventor). Issued 10-26-26.

1,604,920. Device for tensioning a trap. Kroon Jacobus Piet Henri (inventor). Issued 10-26-26.

1,606,095. Process for manufacturing stuff pictures. Obelt Maria Antonie Van Heemstede (inventor). Issued 11-9-26.

1,607,630. Heat transmitting tube of steam generators. Jonker Zeger Jan Hendrik (inventor). Issued 11-23-26.

1,608,321. Apparatus for arc welding. Kasteen Willem (inventor). Issued 11-23-26.

1,610,226. Process for the manufacture of dry well preserved rubber from latex. Ali Cohen Eduard Salomon (inventor). Issued 12-14-26.

1,610,997. Fuel pump for internal combustion engines. Cafferata Domenico Luis Hendrikus (inventor). Issued 12-14-26.

1,613,165. Apparatus for operating fire engines. Gordijn Cornelius, Jr. (inventor); N. V. Kopergieterij Appendage En Pompen Fabriek Van G. Dikkers & Co. (grantee). Issued 1-4-27.

1,613,367. Means for launching ships boats. Vreugdenhil Adrianus (inventor). Issued 1-4-27.

1,615,509. Apparatus for indirectly laying antiaircraft guns. Grotendorst Willem Frederik (inventor). Issued 1-25-27.

1,615,510. Tabular calculating apparatus particularly for use in the laying of ordnance. Grotendorst Willem Frederik (inventor). Issued 1-25-27.

1,615,511. Instrument for correcting the line of fire of ordnance. Grotendorst Willem Frederik (inventor). Issued 1-25-27.

1,615,962. Arrangement to protect running trains. Spanninga Stoffer Aller (inventor). Issued 2-1-27.

1,616,280. Amusement or game device. Prins Anton (inventor). 2-1-27.

1,617,962. Process of and apparatus for macerating sugar containing materials. Nobel Nicolaas (inventor). Issued 2-15-27.

1,618,345 Double acting two stroke internal combustion engine. Kuyken Pieter (inventor). Issued 2-22-27.

1,618,519. Twisting device. De Roysancour Otto George Johan Struycken (inventor). Issued 2-22-27

1,619,042. Apparatus for treating liquids with decolorizing purifying and filtering agents and for separating undissolved substances from liquids. Sauer Johan Nicolaas Adolf (inventor). Issued 3-1-27.

1,620,967. Electric circuit making and breaking relay. Hase Rudolf (inventor); N. V. Finanzieele Mij Driebergen The (grantee). Issued 3-15-27.

1,621,077. Three roller sugar cane mill with a particularly arranged feed roller. Jan Meesters Abraham Marie (inventor); N. V. Constructie Atelier Der Vorstenlanden (grantee). Issued 3-15-27.

1,621,911. Weighing screw jack for determining the wheel pressure of vehicles. Van Den Heuvell Abraham Van L. (inventor). Issued 3-22-27.

1,622,132. Sash holder. Dannehl Otto (inventor); N. V. Machinerieen En Apparaten Fabrieken (grantee). Issued 3-22-27.

1,622,467. Oil well jack. Rhinelander, Harry W. (inventor). Issued 3-29-27.

1,622,888. Packing device for use with pistons and piston valves. Smits Theodorus (inventor). Issued 3-29-27.

1,624,066. Condensing apparatus. Petersen Alfred Otto Hermann (inventor); N. V. Nederlandsche Installatie Mij Therma (grantee). Issued 4-12-27.
1,625,066. Method of making decorative material from peat. Viersen Tiete (inventor). Issued 4-19-27.
1,625,727. Brake device. Jonkhoff Henri Wouter (inventor). Issued 4-19-27.
1,625,954. Furnace. Van Der Does De Bije Anne Jacobus, Mathys August Ridder (inventors). Issued 4-26-27.
1,627,343. Process of an apparatus for treating liquids with purifying and decolorizing agents. Sauer Johan Nicolaas Adolf (inventor). Issued 5-3-27.
1,627,452. Process for making fatty acids from hydrocarbons. Potaky Walther Cornelius Harry, et al, Wellensteijn Frederik Jan (inventors). Issued 5-3-27.
1,627,773. Frame for typewriting machines. Fischer Oskar (inventor), N. V. Machina Mij Vor Handel En, Industrie (grantees). Issued 5-10-27.
1,628,244. Spoolless twine ball cross wound bobbin or the like. Hoos Willem (inventor), N. V. Vereenigde Touwfabrieken (grantee). Issued 5-10-27.
1,628,677. Device for graphically indicating information on plans, maps, charts, or the like. Morichard Jean Henri Adrien (inventor) Issued 5-17-27.
1,628,806. Diathermy device. Reijnders Franciscus Henricus (inventor), N. V. Nederlandsche Seintoestellen, Fabriek (grantees). Issued 5-17-27
1,631,564. Valve for making connection between underground main piping and underground branch piping. Van Baalte Diederik Lodewijk Hendrik (inventor). Issued 6-7-27.
1,631,924. Sound damper. De Brey Heinrich Willem Karel (inventor). Issued 6-7-27.
1,632,264. Engine starting device. Avis August (inventor) Issued 6-14-27.
1,632,973. Advertising device. Johanknegt Jan Coenraad (inventor). Issued 6-21-27.
1,633,623. Automatic weighing apparatus with tare weighing. Boulogne Baltus (inventor). Issued 6-28-27.
1,634,002. Composition for impregnating fibrous materials. Tom Willem (inventor). Issued 6-28-27.
1,634,154. Process for treating liquids. Laurens Cornelis (inventor), N. V. Algemeine Norit Mij, known as General Norit Co., Ltd. (grantee). Issued 6-28-27.
1,635,208. Electric arc welding apparatus. Ezendam Jan Hendrik (inventor); N. V. Industrie En H. Mij, V. H. Harms & Co. (grantees). Issued 7-12-27.
1,636,059. Device for launching boats on board of vessels. Jurriaanse Nicolaas Van Wijck (inventor). Issued 7-19-27.
1,636,109. Attaching device. Plomp Hendrik (inventor). Issued 7-19-27.
1,637,412. Safety device for apparatus for forced lubrication in combustion engines. Eilers Jan (inventor); Ie Tjoen Siang (grantee). Issued 8-2-27.
1,638,205. Ash tray with pedestal. Karbus Fernand (inventor); Turmac Turkish Macedonian Tobacco Co. (grantee). Issued 8-9-27.
1,638,896. Hair waving or curling device. Van Dijk Louis Henry Guillaume (inventor). Issued 8-16-27.
1,639,208. Steam trap. Basenau Frederik (inventor). Issued 8-16-27.
1,640,381. Calculating machine. Stuivenberg Cornelis Henricus (inventor); N. V. Kamatec (grantee). Issued 8-30-27.
1,640,629. Central heating installation. Van Der Woude Derk (inventor). Issued 8-30-27.
1,641,053. Process for the manufacture of active carbon. Sauer John Nicolaas Adolf (inventor). Issued 8-30-27.
1,641,394. Exhaust and like silencer. Martin William Hamilton (inventor). Issued 9-6-27.
1,642,346. Change speed gear for rotation in two directions and with direct coupling, neutral position, and brake. Uytjens Hendricus Franciscus Hubertus (inventor). Issued 9-13-27.
1,642,354. Textile machine. Auerbach Max (inventor). Issued 9-13-27.
1,643,059. Method of preparing asphalt slabs and sheets. De Both Franciscus Cornelius Josephus (inventor). Issued 9-20-27.
1,643,633. Open-end wrench of the adjustable jaw type. Van Eck Jacob (inventor). Issued 9-27-27.
1,644,801. Method of treating wood. Van Der Werff Auke Hermannus (inventor); N. V. Mij Ago (grantee). Issued 10-11-27.
1,646,021. Printing apparatus for printing India rubber balloons in an inflated condition. Grosser Hans (inventor); United States Import House Emanuel Van Dam (grantee). Issued 10-18-27.
1,646,688. Automatic door latching device. De Vleeschouwer Camille (inventor). Issued 10-25-27.
1,647,132. Machine for the treatment of cocoa mass and the like. Hillen Johannes Albertus, Vincentius Maria (inventor). Issued 11-1-27.
1,648,382. Apparatus for indicating variations of immersion depth of ships and the weight of ships cargoes. Froger Henricus (inventor); Commanditaire V. Froger S., Electriciteits Mij (grantee). Issued 11-8-27.
1,652,709. Stamping or printing device. De Waart Adrianus Cornelis (inventor). Issued 12-13-27
1,652,888. Automatic lighting device for motor cars. Ter Cock Chris (inventor). Issued 12-13-27.
1,653,138. Process for the manufacture of a textile material from vegetable raw material. Van Diggelen Johannes Glazinus Marie (inventor); N. V. Octrooi Mij Vede Corp (grantee). Issued 12-20-27.
1,653,785. Compressed air brake apparatus for motor vehicles. Sauveur Harry, Kollinek Theodor (inventors); H. Mij et al, H. Albert De Bary & Co. (grantees). Issued 12-27-27.
1,654,211. Lubricating device for vertical electromotors. Hofstede Crull Rento Wolter Hendrik (inventor); N. V. De Vereenigde Ijzerfabrieken De Vijf (grantee). Issued 12-27-27
1,654,407. Automatic weighing apparatus with weighing carrier. Boulogne Baltus (inventor). Issued 12-27-27.
1,654,621. Flying machine landing light. Van Vloten Pieter Van Braam, et al. Klebert Emil (inventors); N. V. Machinerieen en Apparaten Fabrieken (grantee). Issued 1-3-28.
1,654,814. Common truck for two loading platforms. Jonkhoff Henri Wouter (inventor). Issued 1-3-28.
1,656,089. Ship hatch. Trouwborst Pieter Cornelis, et al, Arts Petrus Johannes, Theddous, Schuurman William Hendrik, Anton Elink (inventors). Issued 1-10-28.
1,656,119. Method of making and spinning derivatives of cellulose and formic acid. Jurling Jan Gerard (inventor); Fabriek Van Chemische Producten (grantee). Issued 1-10-28.
1,657,380. Process of preparing fats of a plastic and lithe consistency. Ersley Knud (inventor). Issued 1-24-28.
1,657,422. Writing machine. Van Beek Hendrik Jean (inventor). Issued 1-24-28.
1,658,100. Pipe joint. Rijns Jacobus Willebrordus (inventor). Issued 2-7-28.
1,658,511. Switch. Bruynis Carel (inventor). Issued 2-7-28.
1,658,537. Stratigraphic measuring instrument. Reinhold Thomas (inventor). Issued 2-7-28.
1,660,913. Rotary pump. Brons Jan (inventor); N. V. Appingedammer (grantee); Bronsmotorenabriek (grantee). Issued 2-28-28.
1,661,139. Stretcher sleeping or sick frame. Mesman George Louis (inventor). Issued 2-28-28.
1,661,140. Process of sterilizing vegetable products. Nell Pieter Johannes Gerardus et al (inventor); Schouten Dirk Jan (grantee). Issued 5-15-28.
1,661,170. Electric driving system. Drukker Jacob (inventor). Issued 3-6-28
1,662,039. Container for cravats or neckties. Heynen Jan Joseph Antoine (inventor). Issued 3-6-28.
1,663,626. Railway vehicle. De Iongh Johan Hendrik (inventor). Issued 3-27-28
1,663,638. Scavenging device for double acting two stroke internal combustion engines. Lugt Gerard Johan (inventor); N. V. Nederlandsche Fabriek Van Wertuigen en Spoorwegmaterieel Genaamd Werkspoor (grantees). Issued 3-7-28.
1,663,892. Can body forming machine. Van Haasteren Johannes Martinus (inventor); N V de Komeet (grantee). Issued 3-27-28
1,664,799. Apparatus for onward movement in swimming attitude in the water. Van Alphen Rudolf Pieter (inventor) Issued 4-3-28.
1,665,931. Distribution of liquors. Noeggerath Jacob Emil (inventor). Issued 4-10-28
1,666,054. Portable cabinet talking machine. De Brey Heinrich Willem Karel (inventor). Issued 4-10-28.
1,667,368. Apparatus for automatically igniting flash light powder. Bakker Pieter Jan (inventor). Issued 4-24-28.
1,667,426. Gas treating process. Laurens Cornelis (inventor); General Norit Co Ltd (grantee). Issued 4-24-28.
1,667,439. Apparatus for purifying and simultaneously sterilizing water or other liquids or gases. Sauer Johan Nicolaas Adolf (inventor). Issued 4-24-28.
1,669,241. Machine gun. Henneveld Jacobus (inventor). Issued 5-8-28.
1,670,621. Gun support. Henneveld Jacobus (inventor). Issued 5-22-28.
1,672,459. Process and apparatus for the distillation and cracking of hydrocarbon oils. Jansen Hermanus Johannus (inventor) Issued 6-5-28.
1,672,665. Process and apparatus for the manufacture of artificial silk and other artificial textile products from cellulose solution by the dry or evaporative method. Vles Samuel Isidor et al, Bouman Martinus Petrus Antonius (inventors); N V Nederlandsche Kunstzijdefabriek (grantee). Issued 6-5-28.
1,672,757. Steam boiler cleaning tool. Gabrielse Stefanes (inventor); Handels V Firma Gabrielse and Co (grantee). Issued 6-5-28.
1,674,169. Arrangement for exchanging energy between a current and a body therein. Flettner Anton (inventor); N V Instituut Voor Aeroen Hydro Dynamiek (grantee). Issued 6-19-28.
1,674,179. Process for the manufacture of fuel briquettes. Rudeman Louis (inventor). Issued 6-19-28.
1,674,832. Construction and mounting of the cylinder of a double acting two stroke motor. Lugt Gerard Johan (inventor); N V Nederlandsche Fabriek, Van Werktuigen en Spoor Weg, Materieel Genaamd Werkspoor (grantees). Issued 6-26-28.
1,674,888. Glass grinding and polishing machine. Cleton Johannes Jr (inventor). Issued 6-26-28.
1,677,032. Electrical heating and cooking apparatus. Kaffer Joan Willem Jules (inventor). Issued 7-10-28.

1,678,334. Keyboard for typewriting machines. Fischer Oskar (inventor); N V Machina Mij Vor Handel en Industrie (grantees). Issued 7-24-28.
1,678,752. Insulating cap for the joints of electrical conductors. Van Gelderen Frederik Marinus (inventor). Issued 7-31-28.
1,679,038. Aeroplane with three centers of propulsion arranged in a triangle. Koolhovens Sytse Frederick Willem (inventor). Issued 7-31-28.
1,679,678. Ventilating device for tank vessels. Mulder Jakob et al (inventor); Endert Dirk Christiaan Jr (grantee). Issued 8-7-28.
1,679,830. Liquid fuel burner. Lang Adolf (inventor). Issued 8-7-28.
1,681,600. Process of preparing alkali metal alcoholates of compounds containing alcoholic hydroxyl groups. Van Loon Christiaan (inventor). Issued 8-21-28.
1,683,521. Process of treating water. Bourgognion Julianus et al, Wilhelm Meuser (inventors); Philips Carl Ludwig (grantee). Issued 9-4-28.
1,684,317. Arc welding system. Harms Johannes Frans Karel (inventor); Jonkheer Meester Doctor Jelle, Roelof Clifford Kocq Van Breugel (grantees). Issued 9-11-28.
1,684,364. Method for weaving textile fabrics. Seckel Gerrit Jan (inventor). Issued 9-11-28.
1,687,845. Driving gear for the bucket chains of dredgers. Nachenius Henri Arnold Johannes de Bijll (inventor). Issued 10-16-28.
1,689,262. Planting machine for cabbage and other plants. Van Den Thomas (inventor). Issued 10-30-28.
1,689,675. Furnace burning pulverized fuel. Luiofs Warner (inventor). Issued 10-30-28.
1,689,734. Process of direct reduction of iron ores. Levoz Toussaint (inventor); N V H Mij Feriron (grantee). Issued 10-30-28.
1,690,059. Hard court for tennis and the like. Eilers Gerard Johannes (inventor). Issued 10-30-28.
1,690,640. Manufacture of sulphurized derivatives of phenols. Kraus Emil (inventor); Fabriek Van Chemische Producten Schiedam (grantees). Issued 11-6-28.
1,690,641. Manufacture of new sulphurized derivatives of naphtols. Kraus Emil (inventor); Fabriek Van Chemische Producten Schiedam (grantees). Issued 11-6-28.
1,692,364. Training mechanism for guns. Akemann Walther (inventor); N V. Hazemeyer S Signal Apparaten (grantee). Issued 11-20-28.
1,692,536. Feeding device. Bargeboer Adolf (inventor). Issued 11-20-28.
1,693,496. Automobile brancard. Riemvis Wilhelm Frans (inventor). Issued 11-27-28.
1,694,605. Testing lamp for heavy current installations. Schleper Johannes Franciscus (inventor). Issued 12-11-28.
1,695,620. Computing scale. Van Berkel Cornelis Franciscus Maria (inventor); N V Mij Tot Veraardiging Van, Snijmachines Volgens Van Berkel, Patent En Van Andere Werktuigen (grantees). Issued 12-18-28.
1,695,668. Electrical registering device. Siebers Willibald (inventor). Issued 12-18-28.
1,695,763. Apparatus for machining polygonal parts on ordinary lathes. Hofstee Albert Cornelis (inventor). Issued 12-18-28.
1,698,141. Apparatus for transferring and multiplying on photographic wax images upon printing plates. Mortelmans Franciscus Gomarus et al (inventors); Meijer Willem Johannes (grantee). Issued 1-8-29.
1,698,352. Device for suspending irons from the movable arms of ironing machines. Tol Hermanus Franciscus (inventor). Issued 1-8-29.
1,699,458. Ironing machine. Tol Hermanus Franciscus (inventor); N. V. Machinefabriek Reineveld (grantee). Issued 1-15-29.

1,699,575. Method of granulating molten slag. Spies Friedrich Wilhelm Emil (inventor). Issued 1-22-29.
1,699,909. Machine for sorting fruit vegetables and products of like nature. Olleman Willem (inventor). Issued 1-22-29.
1,700,642. Apparatus for indicating and determining the point of entrance of fluids in bore holes. Meindersma Wigger (inventor). Issued 1-22-29.
1,700,985. Process and device for joining finishing and final insulating wire terminals of electrical conductors. Jasper Christiaan Hendrik (inventor); N. V. Electriciteits Mij Electrostoom (grantee). Issued 2-5-29.
1,702,182. Closing sealing of bottles. Van Vlijmen Joannes Maria Bernardus (inventor). Issued 2-12-29.
1,703,085. Measuring apparatus. Ankersmit Otto Arnold (inventor). Issued 2-26-29.
1,704,792. Process and apparatus for splitting coal oils and other hydrocarbons. Debo Arno (inventor); Internationale Bergin Cie Voor Olie, E. N. Kolen Chemie (grantees). Issued 3-12-29.
1,705,214. Apparatus for spraying molten substances. Versteeg Hendrik Johan (inventor); Jung Christiaan Johan (grantee). Issued 3-12-29.
1,706,208. Electric heating element. Blik Joseph (inventor); N. V. Technisch Handels Bureau Thabur (grantee). Issued 3-19-29.
1,706,216. Apparatus for attaching knife edges to scale parts. D. E. Brouckere Leon (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel, Patent En Van Andere Werktuigen (grantees). Issued 3-19-29.
1,707,180. Display rack on tray. Tacoma Johannes et al, De Vleeschouwer Camille (inventors). Issued 3-26-29.
1,707,389. Automatic weighing device for liquids. Destree Charles Arent (inventor). Issued 4-2-29.
1,709,175. Process and means for sterilizing liquid substances. Huygen Frederic Constant (inventor). Issued 4-16-29.
1,709,269. Two stroke combustion engine. Kuhnast Oswald (inventor). Issued 4-16-29.
1,709,284. Process for the regeneration or revivification of purifying filtering and decolorizing agents. Sauer Johan Nicolaas et al, Adolf Dec, Tervooren Honore Amand, Pedro Marie Rep (inventors); N. V. Algemeene Norit Mij (grantee). Issued 4-16-29.
1,709,299. Tobacco feeding device. Bargeboer Adolf (inventor). Issued 4-16-29.
1,709,529. Device for preventing the boiling over of liquids which produce foam when boiling. Heynis Dirk (inventor). Issued 4-16-29.
1,710,125. Weighing scale. Van Berkel Cornelis F. M. (inventor); N. V. Mij Tot Veraardiging Van, Snijmachines Volgens Van Berkel, Patent En Van Andere Werktuigen (grantees). Issued 4-23-29.
1,711,124. Indicating means for compass cards. Otto Wolfgang (inventor); Nederlandsche Technische Handel Mijt Giro (grantee). Issued 4-30-29.
1,712,041. Process for extracting metals from their compounds. Aarts Christianus Josephus Godefridus (inventor). Issued 5-14-29.
1,713,081. Process plant and apparatus for the industrial treatment of coconuts and their constituents particularly coconut fibers. 'Van Der Jagt Barend Gysbertus Hendrikus (inventor); Van Der Bergh Dr Zadok, Van Kuyk Frederick Adrianus Johannes (grantees). Issued 5-21-29.
1,713,910. Apparatus for removing liquid residues from tanks, pipe systems, and the like. Mulder Jakob et al, Endert Dirk Christiaan, Jr (inventors). Issued 5-21-29.
1,713,911. Process for removing liquid residues from tanks and pipe systems. Mulder Jakob et al, Endert Dirk Christiaan Jr (inventors). Issued 5-21-29.
1,713,936. Slicing machine. Van Berkel Johannes Cornelis (inventor); N. V. Mij Tot Veraardiging Van, Snijmachines Volgens Van Berkel, Patent En Van Andere Werktuigen (grantees). Issued 5-21-29.
1,714,452. Self contained automatic tackle. Schat Ane P (inventor). Issued 5-21-29.
1,715,439. Manufacture and use of absorbing agents containing silica. Van Nes Gerhard Elias (inventor). Issued 6-4-29.
1,715,453. Carburetor. Goddyn Johannes (inventor). Issued 6-4-29.
1,716,410. Horsehoe. Austermann Josef Bernard (inventor). Issued 6-11-29.
1,717,173. Refrigerating apparatus. Slager Willem Age (inventor); Kodowa Refrigerator Co Ltd (grantee). Issued 6-11-29.
1,717,266. Process of producing wood pulp. Schouten Frans Karel Louis (inventor). Issued 6-11-29.
1,718,093. Process for extracting theobromine from natural products. Van Dorp Gerhard Carel Adriaan (inventor); N V Soc Voor Chemische Industrie Katwijk (grantee). Issued 6-18-29.
1,719,438. Apparatus for separating the fibers of twisted ropes of crin vegetal and the like material. Meyneken Frederik Adriaan Witlich (inventor). Issued 7-2-29.
1,719,457. Weighing apparatus. Van Duyn Adrianus (inventor); N V Mij Tot Veraardiging Van, Snijmachines Volgens Van Berkel, Patent En Van Andere Werktuigen (grantees). Issued 7-2-29.
1,719,757. Steam or other fluid engine. Wilton Van Reede Adrianus Anthony (inventor). Issued 7-2-29.
1,720,899. Sound reproducing machine. Herklots Johannus G M (inventor). Issued 7-16-29.
1,721,528. Drawing frame. Nigrin Rudolf (inventor); Vereenigde Textiel Mij En, Mautner N V (grantees). Issued 7-23-29.
1,722,185. Prepayment water meter. Van Kleef Jan (inventor). Issued 7-23-29.
1,723,216. Hollow pole. Stam Martinus Joannes (inventor). Issued 8-6-29.
1,724,747. Process of preparing vitrified material. Cochius Petrus M. (inventor); N. V. Glasfabriek Leerdam Voorheen, Jeekel Mijnssen & Co. (grantees). Issued 8-13-29.
1,724,966. Illuminating means for scale indicators. Rienks William (inventor); N. V. Mij. Tot Vervaardiging Van, Smjmachines Volgens Van Berkel S, Patent en Van Andere Werktuigen (grantees). Issued 8-20-29.
1,725,023. Pole footing. Stam Martinus Joannes (inventor). Issued 8-20-29.
1,725,114. Wire stripper. Van Gelderen Frederik Marinus (inventor). Issued 8-20-29.
1,726,087. Camera. Trines Clemens Hubertus (inventor). Issued 8-27-29.
1,726,215. Method of applying or laying asphalt plates. De Both Franciscus C. J. Deco (inventor); De Both Jacobus J. D., Admr. (grantee). Issued 8-27-29.
1,726,451. Process for removing albuminous substances from saccharine juices, including molasses. Pohlmann Jacob et al. Rassers Jacobus Renardus Frederik (inventors). Issued 8-27-29.
1,727,261. Process of manufacturing cyanides. Wiederhold Hermann (inventor); N V Nederlandsche Mijnbouw en H Mij (grantee). Issued 9-3-29.
1,727,738. Purification of liquids containing sugar. Van Nes Gerhard Elias (inventor). Issued 9-10-29.
1,729,676. Device for driving a fin shaped propeller. Meindersma Wigger (inventor); Findriven Syndicaat (grantee). Issued 10-1-29.

1,729,943. Treatment by pressure and heat of heavy mineral oils and carbon material. Hofsass Max (inventor); Internationale Bergin Cie Voor Olieen Kolen Chemie G Gravenhage (grantees). Issued 10-1-29.

1,730,782. Device for preventing and counter acting the warping of woodwork such as doors. Reens Max Alexander (inventor). Issued 10-8-29.

1,731,375. Combined adjustable desk and seat. Engers Arnold (inventor). Issued 10-15-29.

1,731,553. Apparatus for cutting openings in deep well casings. Van Keulen Goderridus Hendrikus Clerkx (inventor). Issued 10-15-29.

1,731,844. Firearm. Diener Kurt (inventor); N V Union Mij Voor Automatische Metaalbewerking (grantee). Issued 10-15-29.

1,732,026. Process for the preparation of milk, skimmed milk or buttermilk free of milk sugar. Pohlmann Jacob et al., Rassers Jacobus Renardus Frederik (inventors). Issued 10-15-29.

1,734,781. Alarm circuit system. Snyders Gysbertus Cornelis et al., Gordyn Cornelius, Jr., Van de Kamp Jan, Maitland Charles Edward Adrianus (inventors). Issued 11-5-29.

1,734,839. Brake apparatus for vehicles. Van Leer Alexander Izaak (inventor). Issued 11-5-29.

1,736,124. Machine for spreading granular material. Meijer Johan Hendrik (inventor). Issued 11-19-29.

1,737,501. Apparatus with siphon mechanism for delivering different predetermined quantities of liquid. Kajanoff Philippe (inventor). Issued 11-26-29.

1,738,661. Mowing machine. Michels Johann Mathias (inventor). Issued 12-10-29.

1,739,566. Manufacture from latex of an artificial gutta percha and a nonhygroscopic rubber. Ali Cohen Eduard Salomon (inventor). Issued 12-17-29.

1,739,644. Double acting motor. Lugt Gerard Johan (inventor); N V Nederlandsche Fabriek Van Werktuigen en Spoorwegmaterieel, Genaamd Werkspoor (grantees). Issued 12-17-29.

1,740,123. Alarm circuit system. Snyders Gysbertus Cornelis et al., Gordyn Cornelius, Jr., Van de Kamp Jan, Maitland Charles Edward Adrianus (inventors). Issued 12-17-29.

1,740,320. Weighing scale. Van Duyn Adrianus (inventor); N. V. Mij Tot Veraardiging Van, Snijmachines Volgens Van Berkel S., Patent en Van Andere Werktuigen (grantees). Issued 12-17-29.

1,740,961. Construction of galleries and tunnels for mines and the like. Schaefer Hanns (inventor); N V Montania (grantee). Issued 12-24-29.

1,742,585. Weighing apparatus. De Brouckere Leon et al., Van Duyn Adrianus (inventors); N V Mij Tot Veraardiging Van, Snijmachines Volgens Van Berkel S. Patent en Van Andere Werktuigen (grantees). Issued 1-7-30.

1,743,139. Foot cleaning mat. Hoogeweg Willem Jacob et al., Oven Emanuel Van (inventors). Issued 1-14-30.

1,744,596. Process for the conversion of triglycerides with other esters. Van Loon Christiaan (inventor); N. V. Anton Jurgens Margarinefabrieken (grantee). Issued 1-21-30.

1,744,637. Elastic friction clutch. Jacobs Franciscus Gerardus et al., Schmitz Johan Martinus Maria (inventors). Issued 1-21-30.

1,745,000. Liquid measuring apparatus. Bargeboer Adolf (inventor); N V Mij Voor Nituvndingen Van Dikkers En Bargeboer (grantees). Issued 1-28-30.

1,745,913. Heat measuring apparatus. Rienks William (inventor). Issued 2-4-30.

1,747,082. Nut or screw connection with device to prevent loosening. Reuter Maurice (inventor); Ferdinand Maximiliaan Paul de Ryck, Van der Gracht (grantees). Issued 2-11-30.

1,747,795. Means for handling lifeboats. Schat Ane Pieter (inventor). Issued 2-18-30.

1,748,433. Coin controlled vending machine. Wetzell Carlos et al., Inhoffen Walther (inventors); N V Internationale Automaten Mij La Lange Voorhout (grantee). Issued 2-25-30.

1,749,815. Propelling mechanism for ships. Hammerstein Simeon (inventor). Issued 3-11-30.

1,749,850. Automatic heat medium control device. Rusche Theodorus Willem Albert (inventor). Issued 3-11-30.

1,752,100. Device for driving and controlling a fin shaped propeller. Meindersma Wigger (inventor); Findriven Syndicaat Bestaande Uit de Heeren Dr Wigger Meindersma Te, Wassenaar, Rutgers Dr Meine Te S Gravenhage, En Anton Ferdinand Johannes Dijk, Graaf Te Rotterdam Elk (grantees). Issued 3-25-30.

1,752,140. Automatic loom for making real knotted carpets. Banyai Maurus (inventor); Vereenigde Knooplapytindustrie Systeem Banyai (grantees). Issued 3-25-30

1,752,665. Process for the manufacture of sensitized velvet paper for photographical uses. Friedlander Daniel (inventor); Meursing Messrs A Gratama E J (grantees). Issued 4-1-30

1,753,678. Regulating device. Bargeboer Adolf (inventor). Issued 4-8-30.

1,754,133. Change over mechanism. Van Der Ploeg Hicde Wibius (inventor). Issued 4-8-30.

1,754,970. Display rack or tray. Takoma Johannes De Vleeschouwer Camille et al (inventors). Issued 4-15-30.

1,755,347. Engine provided with a piston and a connecting rod. Brons Jan (inventor); N. V. Kromhout Motoren Fabriek D Goedkoop Jr De Iongh Johan Hendrik (grantees). Issued 4-22-30.

1,757,341. Screw conveyer. Smit Jan Adriaan Bartel (inventor); N V Internationale Oxygenium Mij Novadel (grantee). Issued 5-6-30.

1,757,344. Laundry ironing machine. Stoffel Simon Henri (inventor); Machinefabriek Reineveld (grantee). Issued 5-6-30.

1,758,878. Apparatus for spraying molten substances. Versteeg Hendrik Johan (inventor); Jung Christiaan Johan (grantee). Issued 5-13-30.

1,759,138. Apparatus for producing active carbon. Sauer Johan Nicolaas et al, Adolf Dec. Tervooren Honore Amand Pedro Marie Rep (inventors), N V Algemeene Norit Mij (grantee). Issued 5-20-30.

1,759,753. Method for working up iron ores in a direct way. Ledeboer Pierre Hugo Dec. et al, Ledeboer Antoinette Eucharis Marie Gerardin admx (inventors); Staalsyndicaat Dr Ledeboer II (grantee). Issued 5-20-30.

1,759,776. Multicylinder combustion motor. Brons Jan (inventor); N V Applingedammer, Bronsmotorenfabriek (grantee). Issued 5-20-30.

1,759,784. Means for transmitting energy between shafts. Grob Hugo (inventor); N V Machinerieen en Apparaten Fabrieken (grantee). Issued 5-20-30.

1,759,925. Cigar or cigarette extinguisher. Van Gelderen Frederik Marinus (inventor). Issued 5-27-30.

1,762,039. Insulating cap for the joints of electrical conductors and conducive coating for use therein. Van Gelderen Frederik Marinus (inventor). Issued 6-3-30.

1,762,068. Hydraulic actuating mechanism. Mattern Heinrich Maurits Meier Jr (inventor). Issued 6-3-30.

1,763,474. Reversing gear for reciprocating engines with hydraulically operated valves. Mattern Heinrich Maurits Meier Jr (inventor). Issued 6-10-30.

1,765,276. Sound transforming apparatus Kalmeijer Adrianus Arnolous Marinus Antonius (inventor). Issued 6-17-30.

1,765,894. Coin controlled vending apparatus Wetzell Carlos et al, Inhoffen Walther (inventors); N V Internationale Automaten Mij la Lange Voorhout (grantees). Issued 6-24-30.

1,770,301. Driving belt. De Bruin Frederik Harko (inventor). Issued 7-8-30.

1,771,224. Metal section for sheet piling. Kohler Willem Coenraad (inventor). Issued 7-22-30.

1,771,663. Gun mount. Stratomeyer Karl (inventor); N V Hollandsche Industrie En H Mij (grantee). Issued 7-29-30.

1,772,119. Helicopter. Van Lammeren Willem Petrus (inventor). Issued 8-5-30.

1,773,563. Automatic regulation of centrifugal pumps. Wijmans Albert Henricus (inventor). Issued 8-19-30.

1,774,206. Device for driving & controling fin shaped propellers. Meindersma Wigger (inventor); Findriven Syndicaat Bestaande Uit de Heeren dr Wigger Meindersma Te Wassenaar Voor Rutgers dr Meine Te S Gravenhage en Anton Ferdinand Johannes Dijkgraaf Te Rotterdam (grantees). Issued 8-26-30.

1,774,447. Sorting or distributing apparatus. Marchand Jean Joseph et al, Martin Lambert, Andriessen Jacobus Cornelis (inventors). Issued 8-26-30.

1,774,460. Balanced stream line rudder. Van Aller Gijsbert (inventor). Issued 8-26-30.

1,775,457. Mixing device. Hansen Magnus (inventor). Issued 9-9-30.

1,775,897. Process for liberating iodine in iodine containing mineral waters. Elinger Frits (inventor); Mijnbouw En H Mij Wonoh Gedeh (grantee). Issued 9-16-30

1,776,332. Electric switch mechanism. Nijland Hendrik Arend Hidde (inventor). Issued 9-23-30.

1,777,204. Adjustable spring mounted chair. Korsten Albertus Coenrades et al, De Visser Machiel (inventors). Issued 9-30-30.

1,777,537. Weighing scale. Van Duyn Adrianus (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S. Patent En Van Andere Werktuigen (grantees). Issued 10-7-30.

1,779,331. Vehicle splash guard. Pollaert Luddvicus Hendricus (inventor). Issued 10-21-30.

1,779,378. Illuminating device. Van Dooren Josephus, Theodorus Cornelis (inventors). Issued 10-21-30.

1,779,505. Preparation of coconut fibers for spinning and weaving. Van Der Jagt Barend Gysbertus Hendrikus (inventors). Issued 10-28-30.

1,780,507. Method of telegraphing in Morse Code and apparatus therefor. Schoemaker Richard Leonard Arnold (inventor). Issued 11-4-30.

1,780,686. Junction box for high tension electric cables. Proos Cornelis Frederik (inventor); N V Nederlandsche Kabelfabriek (grantee). Issued 11-4-30.

1,782,282. Rotary pump. Bargeboer Adolf (inventor). Issued 11-18-30.

1,782,493. Active carbon & process for making same. Van Loon Johannes (inventor). Issued 11-25-30.

1,782,531. Method & means for filtering fluids. Fokker Anthony H G (inventor). Issued 11-25-30.

1,782,670. Indicating means for weighing apparatus. Van Duyn Adrianus (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S. Patent En Van Andere Werktingen (grantees). Issued 11-25-30.

1,782,796. Process for the production of partially hydrolized cellulose acetates. Vles Samuel Isidcor (inventor). Issued 11-25-30.

1,783,145. Device for throwing at will projectiles from aircraft. Van Heijst Franciscus Wilhelmus (inventor); Commanditaire V J & Van Heijst & Zonen (grantees). Issued 11-25-30.

1,783,537. Music time indicator. Goudsmit Maurits Jonas (inventor). Issued 12-2-30.

1,783,691. Submarine boat. Behrmann Georg Joachim Karl (inventor); N V Ingenieurs Kantoor Voor, Scheepsbouw (grantees). Issued 12-2-30.

1,784,128. Shock reducer for vehicles provided with leaf springs. Bernaerts Henricus Franciscus Jozef (inventor); N V Technisch en Handelsbureau, Van Vliet en Zonen (grantees). Issued 12-9-30.

1,784,164. Process for impregnating bricks and like materials. Stoffels Andreas Johannes et al, Maria, Van Der Wissel Herman Tobais (inventors). Issued 12-9-30.

1,784,714. Apparatus for preparing casting molds. Van Der Lande Bernardus et al, Lebuinus Maria, Komen Gerrit (inventors). Issued 12-9-30.

1,786,258. Turntable. Mundt Theodorus Willem (inventor). Issued 12-23-30.

1,786,371. Lighting fixture. Van Dijck Willem Johannes Dominicus (inventor); N V Glasfabriek Leerdam Voorheen, Jeekel Mijnssen & Co. (grantees). Issued 12-23-30.

1,786,559. Process for the production of solid milk and cream preparations. Born Philipp (inventor); N V Nederlandsche Gruyere Blokmelk Fabriek (grantee). Issued 12-30-30.

1,788,289. Means for supplying fuel to furnaces. Gogelein Johannes F et al, Schoonenberg Cornelis J F (inventors). Issued 1-6-31.

1,788,466. Process of treating active carbons for increasing their adsorbing efficiency. Lourens Cornelis (inventor); General Norit Co Ltd (grantee). Issued 1-13-31.

1,788,657. Filter cloth. Caals Cornelis Henri (inventor). Issued 1-13-31.

1,788,902. Coin controlled vending machine. Wetzell Carlos et al, Inhoffen Walther (inventors); N V Internationale Automaten Mij. La Lange Voorhout (grantees). Issued 1-13-31.

1,789,507. Process of making an adsorbent comprising carbon iron and iron oxide. Aarts Christianus Josephus, Godefridus (inventors). Issued 1-20-31.

1,789,641. Carpet and method of manufacturing the same. Straub Gottfried (inventor). Issued 1-20-31.

1,790,032. Mole plow. Visser Maurits Frans (inventor). Issued 1-27-31.

1,790,204. Motor driven machine for harvesting sugar cane. Elias Joan Jacob Mari (inventor). Issued 1-27-31.

1,790,678. Apparatus for washing boreholes. Reinhold Thomas (inventor). Issued 2-3-31.

1,791,399. Device for setting up biscuits cakes and the like. Den Boer Marinus Marius (inventor); N V Bakovenbouw V H H P Den Boer (grantee). Issued 2-3-31.

1,792,443. Method and apparatus for working molding or shaping dough or the like plastic substances. Peters Johannese Philippus (inventor). Issued 2-10-31.

1,793,215. Pressure molding machine. Ebell Cornelis Gerardus (inventor). Issued 2-17-31.

1,794,126. Method of producing acetyl cellulose. Vles Samuel Isidoor et al, De Hoop Louis (inventors); Algemeene Kunstzijde Unie N V (grantee). Issued 2-24-31.

1,794,190. Musical instrument. Loman Abraham Dirk Jr (inventor). Issued 2-24-31.

1,795,071. Reflecting sign. Beerstecher Willem Karel Cornelis (inventor). Issued 3-3-31.

1,796,351. Grab bucket. Voorwinde Willem (inventor). Issued 3-17-31.

1,796,921. Apparatus for cutting asphalt sheets. De Both Fransiscus C. J. decd (inventor); De Both Johannes Petrus admr, Matheus (grantees). Issued 3-17-31.

1,797,763. Machine for the mechanical extraction of bast from stalks of plants such as ramie jute and mallows. Einstein Max (inventor); N V Delta Mij Voor Commerciele en, Industrieele Financiering Soc de Credit Commercial et Industriel (grantees). Issued 3-24-31.

1,797,770. Submarine mine layer. Gunning Maximiliaan Frederik (inventor); N V Koninklijke Mij de Schelde Scheepsbouw en Werktuigenfabriek (grantees). Issued 3-24-31.

1,798,081. Self disinfecting brush. Gordyn Cornelius Jr et al, Van Der Molen Hindrik (inventors). Issued 3-24-31.

1,798,088. Open glass box shaped building element. Janzen Jetze Willem (inventor); N V Glasfabriek Leerdam Voorheen Jeekel Mijnssen & Co (grantees). Issued 3-24-31.

1,798,312. Electric motor. Crull Rento Wolter Hendrik Hofstede (inventor); N V Internationale Spinpot Exploitatie Mij (grantees). Issued 3-31-31.

1,799,041. Combined rake and tedder. Duyn Jan (inventor). Issued 3-31-31.

1,799,167. Wabbler driving mechanism. Huisebos Wichert (inventor). Issued 4-7-31.

1,799,186. Apparatus for sorting punched cards with the help of feeler pins. Stuivenberg Cornelis Hendricus (inventor); N V Kamatec (grantee). Issued 4-7-31.

1,800,105. Heating boiler. Rainchon Leon (inventor). Issued 4-7-31.

1,803,224. Device for measuring the speed of vehicles. Waltman Johannes Martinus et al, Sirks Jan Frederik (inventors). Issued 4-28-31.

1,803,562. Cigarette making machine. Roet Isaac (inventor). Issued 5-5-31.

1,806,013. Machine for sawing under water. De Kater Jacobus Groeneveld (inventor). Issued 5-19-31.

1,806,490. Rotary cooling drum. Naumann Hermann Gustav Robert (inventor). Issued 5-19-31.

1,806,522. Metal dowel for wooden beams. De Gruyter Paul Johan (inventor). Issued 5-19-31.

1,806,770. Device for injecting liquid under pressure. Van Weenen Franciscus L (inventor); Van Berkel Cornelis Franciscus Maria (grantee). Issued 5-26-31.

1,807,104. Boat chock. Schat Ane Pieter (inventor). Issued 5-26-31.

1,809,083. Liquid brake or dashpot. Van Duyn Adrianus (inventor); N V Mij Tot Varvaardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 6-9-31.

1,809,084. Dashpot brake for scales. Van Berkel Cornelis F M et al, Van Duyn Adrianus (inventors); N V Mij Tot Veraardiging Van, Snijmachines Volgens Van Berkel S, Patent En Van Andere Werktuigen (grantees). Issued 6-9-31.

1,809,086. Electrical remote control system. Frower Henricus (inventor). Issued 6-9-31.

1,810,039. Process for obtaining iodine as iodide from iodine containing adsorption carbon. Ellinger Frits (inventor); Mijnbouw En H Mij Wonoh Gedeh (grantee). Issued 6-16-31.

1,810,298. Appliance for the automatic determination of the range factors for combating aircraft with guns having two or three axes and mounted on moving platforms. Schmidt Leopold (inventor); N V Hollandsche Industrieen H Mij (grantee). Issued 6-16-31.

1,811,359. Furnace. Vander Does de Bije Anne J M A (inventor). Issued 6-23-31.

1,811,600. Process for producing cliches for two three or more color prints lantern slides and colored windows and the like. Van Straaten Louis Oscar (inventor). Issued 6-23-31.

1,811,962. Traveling oven. Pelkman Johannes Hermanus Nieulant (inventor); N V Bakovenbouw Voorheen H P Den Boer (grantees). Issued 6-30-31.

1,812,243. Thermic container. Jost Aloys (inventor). Issued 6-30-31.

1,812,814. Propeller. Van Lammeren Willem P (inventor). Issued 6-30-31.

1,816,363. Means for scouring and polishing asphaltic plates. De Both Fransiscus C J Decd (inventor); De Both Johannes Petrus Matheus Admr (grantee). Issued 7-28-31.

1,816,800. Process of manufacturing aromatic and durable butter. Van Niel Cornelis Bernardus (inventor); N V Internationale Octrooi Mij Octropa (grantees). Issued 7-28-31.

1,817,226. Container for gases or liquids under high pressure. Beldimano Alexander (inventor). Issued 8-4-31.

1,823,400. Photographic film copying device. Horst Ludwig (inventor); Sirius Kleurenfilm Mij (grantee). Issued 9-15-31.

1,823,415. Scale. Van Duyn Adrianus (inventor); N V Mij Tot Vervaardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 9-15-31.

1,823,593. Device for preventing the sinking and sticking of the ground rope of townets. De Niet Dirk (inventor). Issued 9-15-31.

1,824,567. Marking and sealing tag. Perquin Joannus Jacobus et al, Francken Henri Jacobus (inventors). Issued 9-22-31.

1,825,937. Device for interconnecting the evaporation elements of evaporation plants. Boulogne Baltus (inventor). Issued 10-6-31.

1,827,140. Apparatus for cleaning bottles and the like. Cupedo Jan Gerardus (inventor). Issued 10-13-31.

1,827,609. Method of joining the ends of high tension electric cables and an improved junction box therefor. Proos Cornelis Frederik (inventor); N V Nederlandsche Kabelfabriek (grantee). Issued 10-13-31.

1,827,681. Centrifugal separator. Van Der Molen Evert (inventor). Issued 10-13-31.

1,828,235. Joint system for tubular framework or similar metal constructions. Van Hattum Arie (inventor). Issued 10-20-31.

1,828,560. Polymerization product of acetylene and process of producing the same. De Liefde Willem Cornelis (inventor); N V Electro Zuurstofen Waterstoffabriek (grantee). Issued 10-20-31.

1,829,315. Weighing apparatus. Van Berkel Cornelis F M (inventor); N V Mij Tot Vervaardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 10-27-31.

1,829,316. Weighing apparatus. Van Berkel Adrianus Wilhelmus (inventor); N V Mij Tot Vervaardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 10-27-31.

1,829,679. Cutting sawing slotting and similar apparatus. Schell Johan Hendrik (inventor). Issued 10-27-31.

1,830,696. Apparatus and process for treating oxydic compounds. Gelissen Henri Caspar Joseph Hubert (inventor). Issued 11-3-31.

1,830,890. Winding apparatus for the fall of ships life boats. Schat Ane Pieter (inventor). Issued 11-10-31.

1,831,170. Apparatus for continuous clarification of liquids. Gratama Petrus E J (inventor). Issued 11-10-31.

1,832,395. Binder twine box. Hoos Willem (inventor). Issued 11-17-31.

1,832,782. Dock strut or stay. Leupen Petrus E (inventor); Nederlandsche Dok Mij N V (grantee). Issued 11-17-31.

1,833,248. Plate glass rolling machine. Genenger Richard (inventor); N V Mij Tot Beheer en Exploitatie Van Octrooien (grantee). Issued 11-24-31.

1,833,516. Safety device for locomotives or railway motor vehicles. Buijgers Johannes Theodorus (inventor). 11-24-31.

1,833,589. Turning device for turning off shafts crank shafts and other machine parts on the spot. Polderman Pieter (inventor); Beniest Gerardus Fredericus (grantee). Issued 11-24-31.

1,834,851. Gas heated hot water radiator. Krul Antoni Wilhelm (inventor). Issued 12-1-31.

1,836,303. Process for the production of milk and cream chocolate. Born Philipp (inventor); N V Nederlandsche Gruyere Blokmelk Fabriek (grantee). 12-15-31.

1,836,322. Sunshade umbrella and the like. Haaker Jacobus Dirk (inventor). Issued 12-15-31.

1,836,748. Mechanism. Carley Johan Derk (inventor). Issued 12-15-31.

1,837,292. Gyroscopic compass. Richter Oskar (inventor); Nederlandsche Technische H Mij Giro (grantee). Issued 12-22-31.

1,837,610. Cleaning machine. Elias Joan Jacob Mari (inventor). Issued 12-22-31.

1,837,771. Device to be applied to cigars. Haakh Otto (inventor). Issued 12-22-31.

1,837,953. Screen particularly wind screen for vehicles. Destree Joseph Constant (inventor). Issued 12-22-31.

1,838,121. Process of preparing artificial textile products with reduced luster from cellulose compounds. Vles Samuel Isidoor (inventor). Issued 12-29-31.

1,838,179. Coin controlled vending machine. Hennemann Albert et al, Inhoffen Walther (inventors); N V Internationale Automaten Mij (grantee). Issued 12-29-31.

1,839,065. Fastening device for writing utensils such as pencils or the like. Van Gasteren Jacobus Paulus (inventor). Issued 12-29-31.

1,840,104. Gyroscopic apparatus for stabilizing bodies. Anschutz Kaempfe Hermann (inventor); Nederlandsche Technische H Mij Giro (grantee). Issued 1-5-32.

1,840,227. Cinematographic photographing apparatus. De Testa Theodorus Marie Erasmus Baron (inventors). Issued 1-5-32.

1,840,969. Automatic electric switching device. Nijland Hendrik Arend Hidde (inventor). Issued 1-12-32.

1,841,996. Feed mechanism for slicing machines. Van Berkel Johannes Cornelis (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen Rotterdam Holland (grantees). Issued 1-19-32.

1,842,322. Swash plate mechanism. Huisebos Wichert (inventor). Issued 1-19-32.

1,843,889. Rail slewer in combination with thrust rails. Ter Voorde Gerrit Lodewijk (inventor). Issued 2-2-32.

1,844,184. Lining construction for mine galleries shaft tunnels and the like. Schaefer Hanns et al Schaefer Heinrich (inventors); N V Montania (grantee). Issued 2-9-32.

1,845,107. Method of preparing dull artificial silk. Zahn Cornelis Warnardus (inventor); N V J A Carp S Garenfabrieken (grantee). Issued 2-16-32.

1,847,797. Crank attachment for door locks. Vernody Reinier (inventor); Van den Berg Johannes Justinus (grantee). Issued 3-1-32.

1,847,833. Apparatus for applying solutions. Horst Ludwig (inventor); Sirius Kleuren Film Mij (grantee). Issued 3-1-32.

1,848,558. Aerial photographic mapping. Boer Izak (inventor). Issued 3-8-32.

1,849,461. Method for knitting pants or like articles of clothing. Kramer Jozephus Antonius Petrus (inventor). Issued 3-15-32.

1,849,503. Process for the manufacture of highly actuated adsorptive carbons. Mommaerts Henry David (inventor); N V Norit Vereeniging Verkoop Centrale (grantee). Issued 3-15-32.

1,849,580. Stop cock with a packing sleeve surrounding the plug of the cock. Klinger Karl (inventor); N V Irma Industrie en Ruwmaterialen Mij (grantee). Issued 3-15-32.

1,851,110. Weighing scale. Pellischek Paul (inventor); Mij Tot Exploitatie van Apparaten en Octrodien Berjo te S Gravenhage (grantee). Issued 3-29-32.

1,851,795. Mercerizing. Zahn Cornelis Warnardus (inventor); N V J A Carp S Garenfabrieken (grantee). Issued 3-29-32.

1,851,856. Extracting means. Loesch Carl Ferdinand (inventor); N V Oliefabriek Alkmaar (grantee). Issued 3-29-32.

1,852,428. Container for distributing or sorting apparatus. Marchand Jean Joseph, et al., Martin Lambert (inventors); Andriessen Jacobus Cornelis (grantee). Issued 4-5-32.

1,852,727. Method for transmitting a plurality of communications. Van der Horst Willem Pieter Cornelis (inventor). Issued 4-5-32.

1,854,678. Weighing apparatus. Van Duyn Adrianus (inventor); N V Mij Tot Veraardiging Van Snijmachines Bolgens Van Berkel S Patent en Van Andere Werk Tuigen (grantee). Issued 4-19-32.

1,855,158. Treating edible milling products. Van Der Lee Gerrit (inventor); N V Internationale Oxygenium Mij Novadel (grantee). Issued 4-19-32.

1,855,648. Advertising device. Prins Leendert (inventor). Issued 4-26-32.

1,855,652. Flying machine. Sanders Ludwig Adrian (inventor); Sanders Johann Anton, Stoot Frans Lambert (grantees). Issued 4-26-32.

1,856,165. Mail distributing apparatus. Marchand Jean Joseph Martin et al., Lambert (inventors);; Andriessen Jacobus Cornelis. Issued 5-3-32.

1,856,232. Grab. Voorwinde Willem (inventor). Issued 5-3-32.

1,856,299. Sealing device. Van Alphen Johannes Cornelis et al., Ter Haak Pieter, Lechelt Theodor (inventors). Issued 5-3-32.

1,856,343. Apparatus for trimming and spreading grain ore and the like. Kroef Johan Willem (inventor). Issued 5-3-32.

1,856,571. Process for treating liquids with active carbons. Lourens Cornelis (inventor); General Norit Co. Ltd. (grantee). Issued 5-3-32.

1,858,795. Weighing apparatus. Van Duyn Adrianus (inventor); N V Mij Tot Veraardiging van Snijmachines Volgens van Berkels Patent en van Andere Werktuigen (grantee). Issued 5-17-32.

1,858,808. Biological production of butyl alcohol and acetone. Gerretsen Frederik Charles (inventor). Issued 5-17-32.

1,859,841. Apparatus for the impregnation of hollow articles. Prins Hendrik Jacobus (inventor). Issued 5-24-32.

1,861,121. Closing device for organism culture vessels. Kapsenberg Gerardus (inventor). Issued 5-31-32.

1,861,330. Manufacture of sensitive diazo type layers. Van der Grinten Lodewijk et al., Pieter Frans, Van der Grinten Karel Jan Joseph (inventors); N V Chemische Fabriek L van der Grinten (grantee). Issued 5-31-32.

1,861,673. Process for molding an India rubber gas mask. Wilhelmi Dirk Frans (inventor); Vereenigde N V Nederlandsche Rubberfabrieken (grantee). Issued 6-7-32.

1,863,423. Electric incandescent lamp. Van Eck Jacob et al., Fekkes Fekko (inventors); Fekkes Hendrik (grantee). Issued 6-14-32.

1,863,659. Machine adjusting the timing of a fuse for a projectile. Johenning Franz (inventor); N V Hollandsche Industrie en H Mij (grantee). Issued 6-21-32.

1,863,954. Process for the production of hot vulcanized footwear. Wilhelmi Dirk Frans (inventor). Issued 6-21-32.

1,864,002. Washing machine. Stoffel Simon Henri. Issued 6-21-32.

1,864,105. Process for the manufacture of curtain and similar woven stuff. Van den Bergh Jacob (inventor); N V Gebrs van den Bergh S Industrie en H Mij (grantee). Issued 6-21-32.

1,864,626. Process for the manufacture of continuous sheets or corrugated plates of asbestos cement with insertion or insertions of iron wire netting. Arentsen Arie Hermanus (inventor). Issued 6-28-32.

1,865,430. Current transformer. Borkent Roelof Herman (inventor). Issued 7-5-32.

1,865,982. Analytical filter. Van Doorn Anthonius Marinus (inventor). Issued 7-5-32.

1,866,239. Tone tubes with acoustic actions for sound recording and sound reproducing apparatus. Van Akkeren Antonius Johannes Jacobus (inventor). Issued 7-5-32.

1,866,412. Process for enhancing the action of percompounds which are decomposed by catalyses upon animal or vegetable products. Van der Lee Gerrit (inventor); N V Noury Van der Lande S H Mij (grantee). Issued 7-5-32.

1,866,684. Locking device. Van der Leun Cornelis (inventor). Issued 7-12-32.

1,867,257. Power take off. Esseling Cornelis J. (inventor). Issued 7-12-32.

1,867,689. Sealable padlock. Van Leer Florish H. (inventor); Van Leer B. (grantee). Issued 7-19-32.

1,867,944. Apparatus for indicating the presence of potential or current in a cable or other metallic conductor. Nijland Hendrik Arend Hidde (inventor); N V Electro Apparaten Fabrieken Systeem Coq (grantee). Issued 7-19-32.

1,867,954. Process for sulphonating fatty acids and fatty acid derivatives. Rozenbroek Meindert Danius (inventor). Issued 7-19-32.

1,867,959. Incandescent cathode for thermionic tubes and method of manufacturing same. Winter Ernst (inventor); N V Splendor Gloeilampenfabriek Splendor Lampworks (grantee). Issued 7-19-32.

1,868,035. Device for trimming coal and like material in ships. Valstar Dirk (inventor). Issued 7-19-32.

1,868,236. Glass building stone tile or like building element. Janzen Jetze Willem (inventor); N V Glasfabrik Leerdam Voorheem Jeekel Mijnssen & Co. (grantee). Issued 7-19-32.

1,868,301. Internal combustion engine. Zeeman Jan (inventor). Issued 7-19-32.

1,868,406. Apparatus for the heat treatment of sugar solutions either completely or partly crystallized. Bonath Richard (inventor); Werkspoor N. V. (grantee) Issued 7-19-32.

1,869,245. Device for handling and emptying glass melting pots. Genenger Richard (inventor); N V Mij Tot Beheer en Exploitatie Van Octrooien (grantees). Issued 7-26-32.

1,869,659. Method of maintaining secrecy in the transmission of wireless telegraphic messages. Broertjes Willem (inventor). Issued 8-2-32.

1,869,723. Weighing scale. Van Duyn Adrianus (inventor); N V Mij Tot Vervaardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 8-2-32.

1,869,740. Weighing apparatus. De Jongh Johan Hendrik (inventor); N V Mij Tot Vervaardiging Van, Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 8-2-32.

1,870,538. Automatic gripper. Voorwinde Willem (inventor). Issued 8-9-32.

1,871,734. Motor car frame. Prins Peter Lourens (inventor); Kan Daniel Maurits, Drieman Franciscus Antonius, Kan Marinus Leonard, Van Schaardenburg Frans Johan Jacob (grantees). Issued 8-16-32.

1,871,735. Six wheel motor chassis. Prins Peter Lourens (inventor). Issued 8-16-32.

1,872,420. Counterbalancing and indicating mechanism for weighing apparatus. De Iongh Johan Hendrik (inventor); N V Mij Tot Vervaardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 8-16-32.

1,872,851. Weighing apparatus. Van Weenen Franciscus Lambertus (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S Patent en Van Andere Werktuigen (grantees). Issued 8-23-32.

1,873,513. Process for converting neutral or nearly neutral triglycerides mutually or with other esters. Van Loon Christiaan (inventor); N V Anton Jurgens Margarinefabrieken (grantee). Issued 8-23-32.

1,876,595. Generating electric power by means of wind. Beldimano Alexander (inventor). Issued 9-13-32.

1,877,073. Device far cutting the cables of submarine mines. Solkesz Jan Hajo (inventor). Issued 9-13-32.

1,878,071. Slice deflector. Van Berkel Johannes (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andre Werktuigen (grantees). Issued 9-20-32.

1,878,595. Machine for shaping figures from fat or butter dough or other plastic material. Kalmeijer Arnolous, Cornelis Adrianus (inventors). Issued 9-20-32.

1,878,832. Price scales. Egger Hansen, Simon Siegfried (inventors); Egger Hansen S'N V Tot Exploitatie Van Octrooien (grantees). Issued 9-20-32.

1,878,919. Driving system for loudspeakers. Van Dam Hendrik et al, (inventor); Van Dam Dirk Hermanus (grantee). Issued 9-20-32.

1,880,502. Propeller for helicopters. Van Lammeren Willem Petrus (inventor). Issued 10-4-32.

1,884,656. Process for obtaining phosphorus halogen compounds. Gelissen Henri Caspar, Joseph Hubert (inventors); N V Electrochemische Industrie (grantee). Issued 10-25-32.

1,885,770. Thermionic transmitter & receiver. Schotel Gerrit (inventor). Issued 11-1-32.

1,886,745. Lining for underground works. Schaefer Hanns (inventor); N V Montania (grantee). Issued 11-8-32.

1,887,684. Bidding apparatus. Huizinga Marten Johann (inventor). Issued 11-15-32.

1,887,796. Clod cutter. Boere Kornelis (inventor). Issued 11-15-32.

1,888,979. Weighing apparatus. De Iongh Johan Hendrik (inventor); N V Mij Tot Vervaardiging Van Snijmachines Volgens Van Berkel S Patent En Van Andere Werktuigen (grantees). Issued 11-29-32.

1,889,046. Apparatus for decorticating timber. Foss Per (inventor). Issued 11-29-32.

1,889,627. Method of and apparatus for making photophonograms. Berglund Sven A Son (inventor); N V Kuchenmeisters Internationale Mij Voor Sprekende Films (grantees). Issued 11-29-32.

1,890,021. Flying boat. Sanders Ludwig Adrian (inventor); Sanders Johann Anton, Stoot Frans Lambert (grantees). Issued 12-6-32.

1,890,476. Process for the production of flexible floor wall and like covers. Van Der Willigen Paul Christiaan (inventor); N V Nederlandsche Linoleumfabriek (grantees). Issued 12-13-32.

1,891,610. Air moistening apparatus for incubators. Karthaus Leonardus Julius George (inventor). Issued 12-13-32.

1,892,820. Passenger ship. Visser Jan Blokland (inventor); N V Koninklijke Mij De Scheide Scheeps Bouw En Werktuigenfabriek (grantees). Issued 1-3-33.

1,894,286. Guide block pulley block and the like. Van Der Schans Martien et al, Hilgers Gerrit (inventors); Stinis Wed C The Firm (grantee). Issued 1-17-33.

1,895,409. Register or index. Drucker Rudolf (inventor). Issued 1-4-33.

1,895,628. Gyroscopic instrument. Anschutz Kaempfe Hermann (inventor); Nederlandsche Technische Handel Mij Giro (grantee). Issued 1-31-33.

1,896,156. Controlled plural batch weighing machine. Van Der Lande Petrus L M (inventor). Issued 2-21-33.

1,896,926. Method of making bore holes. Aarts Christianus Josephus et al, Godefridus, Mekel Johannes Antonius Alphonsus (inventors); Baars Walter Franciscus Cornelis (grantee). Issued 2-21-33.

1,896,232. Shorthand typewriting or stenographic machine. Den Outer Marius (inventor). Issued 2-28-33.

1,902,739. Apparatus for separating water from dredged material. Verstoep Dirk (inventor). Issued 3-21-33.

1,903,551. Fin propeller. Meindersma Wigger (inventor). Issued 4-11-33.

1,903,572. Machine for working molding and shaping dough. Schroder Johannes Numan (inventor). Issued 4-11-33.

1,903,691. Ironing machine. Tol Hermanus Franciscus (inventor); N V Vennootschap Tot Exploitatie Van Strijken Permachine Octrooien V E S P O (grantee). Issued 4-11-33.

1,903,709. Tightening composition. Schcen Mark Jan (inventor). Issued 4-11-33.

1,903,727. Leaf turner. Bartels Ernst (inventor). Issued 4-11-33.

1,904,944. Record strip for sound reproducing machines. Herklots Johannus G M. (inventor). Issued 4-18-33.

1,906,719. Gyro pendulum. Richter Oskar, (inventor); Nederlandsche Technische H. Mij Giro in Den Haag (grantees). Issued 5-2-33.

1,907,622. Device for injecting liquid under pressure. Van Weenen Franciscus L. (inventor); Van Berkel Cornelis F M (grantee). Issued 5-9-33.

1,909,557. Nitrosyl sulphuric acid in finely divided dry and stabilized condition and process for its manufacture. Van Hasselt Johan Francois Barthold (inventor); Chemische Industrie Van Hasselt, Kleijn Adrianus (grantees). Issued 5-16-33.

1,909,558. Treatment of meal flour or milling products. Van Hasselt Johan Francois Barthold (inventor); Chemische Industrie Van Hasselt, Kleijn Adrianus (grantees). Issued 5-16-33.

1,909,578. Pump. Franke John Coard (inventor); N V Octrooi Mij Hermes (grantee). Issued 5-16-33.

1,909,601. Variable speed gear. Basart Antonius Hendrikus Marie (inventor). Issued 5-16-33.

1,910,573. Photographic printing by phosphorescent plates. Tal Elias T (inventor). Issued 5-23-33.

1,910,967. Manufacture of baked articles. Ruitdeschel Wilhelm (inventor); N V Handelscie Alhaco (grantee). Issued 5-23-33.

1,911,657. Process of preparing partially hydrolyzed cellulose acetates. Vles Samuel Isidoor (inventor); Algemeene Kunstzijde Unie N V (grantee). Issued 5-30-33.

1,912,390. Slicing machine. Van Berkel Johannes C (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S, Patent en Van Andere Werktuigen (grantees). Issued 6-6-33.

1,912,391. Slicing machine. Van Berkel Johannes C (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S, Patent en Van Andere Werktuigen (grantees). Issued 6-6-33.

1,913,012. Slicing machine. Van Berkel Johannes C (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S Patent en Van Andere Werktuigen (grantees). Issued 6-6-33.

1,913,013. Slicing machine. Van Berkel Johannes C (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S, Patent en Van Andere Werktuigen (grantees). Issued 6-6-33.

1,913,775. Preparation of organic peroxides. Straub Jan (inventor). Issued 6-13-33.

1,913,776. Bleaching of flour. Straub Jan (inventor). Issued 6-13-33.

1,914,613. Rod grab for heapable material. Neffendorf Paul Gen Gaertner (inventor); N V Havenbedrijf Vlaardingen Oost (grantee). Issued 6-20-33.

1,915,510. Apparatus for the manufacture of corrugated reenforced asbestos sheets or plates. Arentsen Arie Hermanus (inventor). Issued 6-27-33.

1,918,558. Method for the treatment of plants, parts of plants, and raw fibers. Plant Hendricus (inventor). Issued 7-18-33.

1,918,622. Process of preparing iodides. Van Der Meulen Johannes Hendrik (inventor). Issued 7-18-33.

1,918,695. Loud speaker. Ten Pas Fransiscus Johannes (inventor). Issued 7-18-33.

1,919,518. Machine for winding paper belts. Kruimel Joan Herman Anne (inventor). Issued 7-25-33.

1,920,527. Dirigible headlight. Schulmayer Johannes Carel (inventor). Issued 8-1-33.

1,920,569. Device for keeping constant the terminal voltage of sources of current. Koros Ladislaus (inventor); N V Stabilovolt (grantee). Issued 8-1-33.

1,921,359. Traffic signal. Huizinga Willem (inventor). Issued 8-8-33.

1,921,549. Apparatus for manufacturing ice in plates. Spaan Henri Jacobus (inventor). Issued 8-8-33.

1,922,717. Mechanism for feeding fragile objects to machines. Smitt Hermanus Matheus (inventor). Issued 8-15-33.

1,922,976. Course indicator for reproducing the indication of a gyrocompass. Otto Wolfgang (inventor); Nederlandsche technische H Mij Giro (grantee). Issued 8-15-33.

1,923,822. Mine storing means in submarines of the single hull type. Gunning Maximiliaan Frederik (inventor); N V Koninklijke Mij de Scheide Scheepsbouw en Werktuigenfabrick (grantee). Issued 8-22-33.

1,924,667. Slicing machine. Van Berkel Johannes Cornelis (inventor); N V Mij Tot Veraardiging Van Snijmachines Volgens Van Berkel S Patent en Van Andere Werktuigen (grantees). Issued 8-29-33.

1,924,688. Gyroscopic compass. Anschutz Kaempfe Hermann (inventor); Nederlandsche Technische H Mij Giro (grantee). Issued 8-29-33.

1,925,061. Washing machine. Stoffel Simon Henri (inventor); N V Machinefabriek Reineveld (grantee). Issued 8-29-33.

1,925,548. Process for the production and manufacture of emulsions of oxidized drying oils, varnishes and lacquers. Van Der Willigen Paul Christiaan (inventor). Issued 9-5-33.

1,925,650. Measuring appliance for the delivery of separated quantities of material in powder form. Becker Henri Louis et al., Kleijn Adrianus (inventors). Issued 9-5-33.

1,926,251. Angle measuring device. Von Mayrhauser Kurt (inventor); Nederlandschen Technischen H Mij Giro (grantee). Issued 9-12-33.

1,926,322. Fixing of images obtained by a negative diazotype process. Van Der Grinten Karel Jan et al, Joseph (inventor); Van Der Grinten Lodewijk Pieter Frans, N V Chemische Fabriek L Van Der Grinten (grantees). Issued 9-12-33.

1,926,504. Process for reducing the liquid contents of materials which have many capillary spaces. Ten Bosch Abraham (inventor). Issued 9-12-33.

1,927,224. Milk boiling apparatus. Van Buuren Theodoor (inventor). Issued 9-19-33.

1,927,235. Universal time clock. Heimann Emil (inventor). Issued 9-19-33.

1,928,858. Connecting arrangement for discharging devices. Koros Ladislaus (inventor); N V Stabilovolt (grantee). Issued 10-3-33.

1,929,566. Airplane. Sanders Ludwig Adrian (inventor); Sanders Johann Anton, Stoot Frans Lambert (grantees). Issued 10-10-33.

1,929,691. Process for drying oleaginous seeds and fruits. Hutteman Hermanus Jansen (inventor). Issued 10-10-33.

1,930,403. Gas or vapor pump. Van Der Does de Bije Anne J M A (inventor). Issued 10-10-33.

1,933,555. Device for joining insulating wire terminals of electrical conductors. Jasper Christiaan Hendrik (inventor); N V Electriciteits Mij Electrostoom (grantees). Issued 11-7-33.

1,934,174. Heat insulation for air spaces. Dyckerhoff Eduard (inventor); N V Internationale Alfol Mij (grantee). Issued 11-7-33.

1,934,595. Thermal meter. Fischer Johannes (inventor); N V Instrumentfabriek en Handel Voorheen P J Kipp en Zonen (grantees). Issued 11-7-33.

1,935,255. Incandescent electric lamp. Van Eck Jacob et al. (inventors); Fekkes Fekko (inventors). Issued 11-14-33.

1,935,336. Wall plug. Sluyter Nicolaas (inventor). Issued 11-14-33.

1,936,490. Process and the apparatus for preparing sheet rubber and the product obtained by it. Van Harpen Nicolaas Hendrik (inventor); Algemeene Vereeniging Van Rubberplanters ter Oostkust Sumatra (grantees). Issued 11-21-33.

1,937,437. Apparatus for determining the specific gravity of gases and vapors. Romp Hendrik Arnold (inventor). Issued 11-28-33.

1,938,110. Machine for cutting and shaping cakes and biscuits. Neutelings Theodoor Renier (inventor). Issued 12-5-33.

1,945,886. Conveying device for use in bakeries. Den Boer Hendrik Pieter (inventor); N V Bakovenbouw Voorheen H P Den Boer (grantees). Issued 2-6-34.

1,947,754. Reenforced wire netting. Bolger Johan (inventor). Issued 2-20-34.

1,948,700. Carburetor. De Roysancour Otto George Johan, Struycken (inventors). Issued 2-27-34.

1,949,035. Hospital or invalid bed. Beurschgens Lambertus (inventor); N V Morpheus (grantee). Issued 2-27-34.

1,949,225. Rotary internal combustion engine. Van Lammeren Willem P (inventor). Issued 2-27-34.

1,951,993. Take off roll for glass tubing and cane. Pond Leander N (inventor); N V Mij Tot Beheer en Exploitatie Van Octrooien (grantees). Issued 3-20-34.

1,952,298. Card index. Thieme Erna Geboren Overhoff (inventor). Issued 3-27-34.

1,952,539. Sound reproducing apparatus. Douw Jacobus Cornelis (inventor); Hein Johan Willem Vlielander, Henny Christiaan Henri, Henny Max Adolf (grantees). Issued 3-27-34.

1,952,564. Elastic coupling for coaxial rotary parts. Prins Peter Lourens (inventor). Issued 3-27-34.

1,954,955. Electrical recording device. Siebers Johannes Hubertus Willibald (inventor). Issued 4-17-34.

1,955,016. Process for obtaining substances in purified condition by a special treatment with miscible liquids of different solvent power & volatility. Prins Eugene Charles et al, Lemmens Jan Frederik (inventors). Issued 4-17-34.

1,955,629. Incandescent lamp cap for Edison holders. Ghysen Huibert Cornelis (inventor); N V The Vitrite Works (grantee). Issued 4-17-34.

1,956,079. Grab for heapable material. Neffendorf Paul Gen Gaertner (inventor); N V Havenbedrijf Vlaardingen Oost (grantee). Issued 4-24-34.

1,959,510. Package for flower bulbs. Van Waveren Theodorus (inventor). Issued 5-22-34.

1,960,382. Inserting machine. Koning Johan Marinus Hatersel (inventor); Evers Leonard, Kars Jaap (grantees). Issued 5-29-34.

1,962,074. Means for protecting conduits for explosive gas mixtures. Hausmeister Paul (inventor); Firma Vlessing & Co (grantee). Issued 6-5-34.

1,962,749. Gyroscopic compass. Otto Wolfgang et al, Richter Oskar (inventors); Nederlandsche Technische H Mij Giro (grantee). Issued 6-12-34.

1,965,474. Method for the manufacture of fabrics and device for carrying out said method. Slot Cornelis Johannes (inventor). Issued 7-3-34.

1,965,514. Collar stud. Tolk Cornelis (inventor). Issued 7-3-34.

1,967,761. Leer. Von Reis Lambert (inventor); N V Mij Tot Beheer en Exploitatie Van Octrooien (grantee). Issued 7-24-34.

1,967,793. Cylindrical drying apparatus. Van Kuyk Gerrit Jan Hermanus (inventor). Issued 7-24-34.

1,968,180. Screw press. Ten Bosch Abraham (inventor); N V Mij Tot Exploitatie Van Ten Bosch Octrooien N V (grantee). Issued 7-31-34.

1,968,725. Cartridge belt. Valkenburg Simon (inventor). Issued 7-31-34.

1,970,163. Art of treating seeds. Brandus Ernst (inventor); N V Noord West Orion Handel Mij (grantee). Issued 8-14-34.

1,970,217. Telephone system and the like. Bergmann Stephan et al, Charwat Josef (inventors); Elin N V Nederlandsche Mij Voor Electrische Industrie (grantee). Issued 8-14-34.

1,970,239. Shock absorber for motor vehicles and the like. Landeweer Klaas (inventor). Issued 8-14-34.

1,970,351. Pivotable window construction. Wiersma Gerrit Durks et al, Wiersma Oouwe Durks (inventors); N V Technische H Mij Voor Raamconstructies (grantee). Issued 8-14-34.

1,970,732. Apparatus for crystallizing solutions by evaporation or cooling. Bonath Richard (inventor); Werkspoor N V (grantee). Issued 8-21-34.

1,971,009. Process for the preparation of alkali cyanates. Konig Hermann Theodor Joseph (inventor); N V Stikstofbindingsindustrie Nederland (grantee). Issued 8-21-34.

1,971,806. Liquid level indicator. Bargeboer Adolf (inventor); N V Machinefabriek G Dikkers & Co, Lulofs Warner (grantees). Issued 8-28-34.

1,973,669. Rotary pump. Spoor Willem Lodewijk Joost (inventor). Issued 9-11-34.

1,974,114. Actuating mechanism for bascule bridges. Kuyk Egbert (inventor); Werkspoor N V (grantee). Issued 9-18-34.

1,974,697. Filter. Ten Bosch Abraham (inventor); N V Mij Tot Exploitatie Van Ten Bosch Octroolen N V (grantee). Issued 9-25-34.

1,974,705. Means for turning stationary vehicles. De Vaal Roelof (inventor); Brinkers Hubertus Cornelis (grantee). Issued 9-25-34.

1,974,709. Apparatus for making sound & picture records on films. Freund Berthold (inventor); Internationale Tobis Mij N V (grantee). Issued 9-25-34.

1,974,710. Method of making sound records. Freund Berthold (inventor); Internationale Tobis Mij N V (grantee). Issued 9-25-34.

1,975,226. Power factor measurements in high tension cables. De Zoeten Gijsbertus (inventor); N V Tot Keuring Van, Electrotechnische Materialen (grantees). Issued 10-2-34.

1,975,490. Eyeglasses. Hubar Guillaume Marie Louis Van Hellenberg (inventors). Issued 5-16-33.

1,975,642. Hydraulic shock absorber. Landeweer Klaas (inventor). Issued 5-16-33.

1,975,737. Prevention of air bubbles in glass. Sanchez Vello Leopoldo (inventor); Mij Tot Beheer en Exploitatie Van Octrooien (grantee). Issued 5-16-33.

1,978,238. Tumbler. Van Hasselt Charles H (inventor); N V Gemeenschappelyke Mynbouwmaatschappy Billiton (grantee). Issued 10-23-34.

1,978,534. Wireless receiving system. Schotanus A Steringa Idzerda Hanzo Henricus (inventors). Issued 10-30-34.

1,978,558. Automatic weighing machine. Von Pritzelwitz Van Der Horst Ernst C (inventor). Issued 10-30-34.

1,979,508. Clamping member for clamping the one end of a cord which is fixedly fastened to the clamping member with the other end. Van Den Bel Jacobus Gerardus (inventor). Issued 11-6-34.

1,981,691. Rubber manufacture. Yssel De Schepper Adam Joan Adriaan (inventor). Issued 11-20-34.

1,981,827. Controlling system. Otto Wolfgang (inventor); Nederlandsche Technische H Mij Giro (grantee). Issued 11-20-34.

1,982,508. Apparatus for treatment of the body with sprayed applications and the like. Frank Paul (inventor). Issued 11-27-34.

1,982,509. Apparatus for applying treatment media to the living body. Frank Paul (inventor). Issued 11-27-34.

1,982,978. Apparatus for crystallizing solutions by evaporation or cooling. Bonath Richard (inventor); Werkspoor N V (grantee). Issued 12-4-34.

1,982,992. Process for purifying used mineral lubricating oils. Karthaus Ferdinand Joseph Friedrich (inventor). Issued 12-4-34.

1,984,556. Automatic change speed gear mechanism. Vetter Johan Machiel (inventor). Issued 12-18-34.

1,985,010. Apparatus for bringing liquids & gases into intimate contact. Berkhuijsen Eric Henri (inventor). Issued 12-18-34.

1,985,352. Circuit arrangement for electrical amplifiers. Numans Johannes Jacques (inventor). Issued 12-25-34.

1,986,554. Direct coupled amplifier. Ten Brink Barend Albert Jan (inventor); De Brey Heinrich Willem Karel (grantee). Issued 1-1-35.

1,987,542. Locker for clothes and the like. Van Westrum Leonard Schade Jr (inventor). Issued 1-8-35.

1,988,047. Apparatus for molding, shaping and elongating dough rolls. Peters Johannes Philippus (inventor). Issued 1-15-35.

1,988,059. Making per salts by electrolysis. Van Loon Johannes (inventor). Issued 1-15-35.

1,988,897. Siphon. Gurck Arnoldus Johannes (inventor). Issued 1-22-35.

1,988,987. High frequency amplifier. Stoet Hindrik et al, Van Harrevelt Louis Henri (inventors); Technisch Handelsbureau Runo (grantee). Issued 1-22-35.

1,989,310. Safety device to prevent film burning. Fritz Max H (inventor); Vereenigde Internationale Agenturen Mij (grantee). Issued 1-29-35.

1,990,433. Manufacture of highly esterified soluble mixed cellulose esters. Jurling Jan Gerard (inventor); N V Fabriek Van Chemische Producten (grantee). Issued 2-5-35.

1,991,141. Process of preparing cellulose solutions. De Nooij Jan Cornelis et al, Gerritsen Dirk Jan (inventors). Issued 2-12-35.

1,991,266. Liquid dispensing apparatus. Van Meeuwen Robert (inventor); Miller G S Co S Automotief Producten N V (grantee). Issued 2-12-35.

1,991,919. Process and machine for laying a drain conduit. Bruins Jan (inventor). Issued 2-19-35.

1,991,996. Process for ornamenting surfaces with a relief pattern. Bakker Lodewijk (inventor); N V Vernis Verf en Japanlakfabrieken, Hermann A Schreuder & Co (grantees). Issued 2-19-35.

1,992,703. Percussive tool. Lechelt Theodor (inventor). Issued 2-26-35.

1,993,641. Method of making bore holes. Aarts Christianus Josephus Godefridus et al, Mekel Johannes Antonius Alphonsus (inventors); N V Smeltboring (grantee). Issued 3-5-35.

1,993,642. Apparatus for making bore holes. Aarts Christianus Josephus Godefridus et al, Mekel Johannes Antonius Alphonsus (inventors); N V Smeltboring (grantee). Issued 3-5-35.

1,994,799. Apparatus for resharpening safety razor blades. Vis Daniel Marinus Jr (inventor). Issued 3-19-35.

1,994,948. Rotary cooling drum. Grasso Hendricus A M (inventor). Issued 3-19-35.

1,995,569. Cupboard with drawers. Janzen Jetze Willem (inventor). Issued 3-26-35.

1,997,819. Power transmitting mechanism. Freund Berthold (inventor); Internationale Tobis Mij N V (grantee). Issued 4-16-35.

1,998,598. Electric cigar lighter. Van Tiene Nicolaas Willem (inventor). Issued 4-23-35.

1,998,857. Illuminated sign for day & night display. Wolff Hendrik (inventor). Issued 4-23-35.

1,999,589. Apparatus for separation of solid combustion residues from combustion gases. Frey Mendel (inventor). Issued 4-30-35.

1,999,681. Excavator. Bakker Frederik Hendrik (inventor). Issued 4-30-35.

1,999,682. Excavator. Bakker Frederik Hendrik (inventor). Issued 4-30-35.

2,000,308. Volume metering apparatus. Von Schutz Friedrich (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 5-7-35.

2,001,353. Transfer of liquified gases. Salnikoff Wadim (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 5-14-35.

2,001,616. Packing plate with screen lining and process for manufacturing same. Klinger Karl (inventor); N V Irma Industrie en Ruwmaterialen Mij (grantee). Issued 5-14-35.

2,002,252. Apparatus for the converting of milky liquids solutions dispersions and emulsions into powder form by drying. Stam Martinus Joannes (inventor). Issued 5-21-35.

2,003,252. Track shifting device. De Lange Hendrik Bernardus Marie (inventor). Issued 5-28-35.

2,004,840. Apparatus for dispersing liquids and mixtures. Van Suchtelen Eduard Ferdinand (inventor). Issued 6-11-35.

2,006,101. Reversing mechanism for dry gas meters. Holm Waldemar (inventor); N V Machinerieen en Apparaten, Fabrieken Meaf (grantees). Issued 6-25-35.

2,006,677. Gas meter casing. Holm Waldemar (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 7-2-35.

2,007,104. Machine for pressing poultry food and other plastic mixtures. Zwart Herman (inventor). Issued 7-2-35.

2,007,316. Production of corrected color selection positives for color photography & multicolor printing. Van Straaten Louis Oscar Decd (inventor); Van Straaten Sara Jacoba Born, Agelink Van Rentergem Excx (grantees). Issued 7-9-35.

2,007,405. Process for making coffee free from caffein. Meijer Frans Marinus (inventor); Levelt Wilhelmus Henricus (grantee). Issued 7-9-35.

2,007,419. Process for manufacturing a nitrogen fertilizer. Berkhoff Gerrit Jr (inventor); De Directie Van de Staatsmijnen in Limburg (grantees). Issued 7-9-35.

2,008,284. Method of obtaining crystallized sugar from wood sugar solutions. Koch Friedrich et al, Koch Hugo (inventors); N V Internationale Suiker, en Alcohol Cie (grantees). Issued 7-16-35.

2,008,297. Carrier for rolls of toilet paper and like rolls. Van Berkel Cornelis Franciscus Maria (inventor); Eras Vincent Joseph Maria (grantee). Issued 7-16-35.

2,008,805. Milk boiling apparatus. Van Stuuren Theodoor (inventor). Issued 7-23-35.

2,008,851. Top. Canter Barend Alexander (inventor). Issued 7-23-35.

2,009,326. Manufacture of glass tubing and cane. Sanchez Vello Leopoldo (inventor); Mij Tot Beheer en Exploitatie van Octrooien (grantee). Issued 7-23-35.

2,009,491. Machine for laying a knot. Goldberger Franz (inventor); Groot Gerardus Hermanus (grantee). Issued 7-30-35.

2,009,495. Wabbler engine. Hulsebos Wichert (inventor). Issued 7-30-35.

2,009,531. Apparatus for spray drying rubber latex and other solutions dispersions or emulsions. Stam Martinus Joannes (inventor). Issued 7-30-35.

2,009,793. Process for the manufacture of glass tubes and automatic apparatus embodying the same. Sanchez Vello Leopoldo (inventor); Mattschappy Tot Beheer en Exploitatie van Octrooien (grantees). Issued 7-30-35.

2,010,178. Flash eliminator for guns. De Bruin Gerrit (inventor); N V Nederlandsche, Springstoffenfabrieken (grantee). Issued 8-6-35.

2,012,341. Doorlatch. Eras Vincent Joseph Marie (inventor). Issued 8-27-35.

2,012,352. Motion picture camera. Rusting Hendrik et al, Rusting Nicolaas Jr (inventors). Issued 8-27-35.

2,012,366. Nonskid mechanism. Wevers Hendrik (inventor). Issued 8-27-35.

2,012,374. Process for removing gases from porous materials. Ten Bosch Abraham (inventor); N V Mij Tot Exploitatie van Ten, Bosch Octrooien N V (grantees). Issued 8-27-35.

2,013,149. Lavatory cistern. Gurck Arnoldus J (inventor). Issued 9-3-35.

2,014,056. Plug socket. Van Noorden Jan Willem (inventor). Issued 9-10-35.

2,015,200. Rotary pump. Spoor Willem Lodewijk Joost (inventor). Issued 9-24-35.

2,015,817. Heat insulation for wall structures. Schmidt Ernst (inventor); N V Internationale Alfol M IJ (grantee). Issued 10-1-35.

2,015,885. Method of producing a source of light. Dallenbach Walter (inventor); N V Machinerieen en Apparaten, Fabrieken Meaf (grantees). Issued 10-1-35.

2,016,632. Power transmission system. Frank Benjamin (inventor). Issued 10-8-35.

2,016,838. Installation for handling a lifeboat. Schat Ane Pieter (inventor). Issued 10-8-35.

2,017,605. Apparatus for mechanically folding over the side flaps of a sheet of dough. Peters Johannes Philippus (inventor). Issued 10-15-35.

2,017,626. Pipe coupling for scaffolds and the like. Kohnke Johan Friedrich (inventor). Issued 10-15-35.

2,018,135. Process for the production of high percentage alkali cyanides free from sulphides and chlorides. Konig Hermann Theodor Joseph (inventor); N V Stikstofbindings Industrie Nederland (grantee). Issued 10-22-35.

2,018,579. Life boat. Schat Ane Pieter (inventor). Issued 10-22-35.

2,018,984. Paper blank forming postcards. Van Mackelenbergh Jan (inventor). Issued 10-29-35.

2,020,232. Refrigerating apparatus. Bikkers Alexander (inventor); N V N V Athano (grantee). Issued 11-5-35.

2,020,763. Refrigerating apparatus. Bikkers Alexander (inventor); N V N V Athano (grantee). Issued 11-12-35.

2,022,014. Method for making reflex copies. Van der Grinten Lodewijk, Pieter Frans (inventors); N V Chemische Fabriek, L Van der Grinten (grantees). Issued 11-26-35.

2,022,236. Woven fabric. Granfstal Keimpe Tamme (inventor). Issued 11-26-35.

2,023,818. Coated steel electrode for arc welding. Muller Fritz (inventor); N V Machinerieen en Apparaten, Fabrieken Meaf (grantees). Issued 12-10-35.

2,025,646. Apparatus for the manufacture of cigar fillers. Colle Theodorus (inventor); Adriaan Marie Johan Dresselhuijs (grantee). Issued 12-24-35.

2,026,292. Copying of opaque originals by contact printing. Van der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek, L Van der Grinten (grantees). Issued 12-31-35.

2,027,686. Coating compositions and the process for their production. Friedrich Paul (inventor); Trustkantoor Ainstelland N V (grantee). Issued 1-14-36.

2,027,709. Safety device for protecting motor cars against fire after collision. Siebos Dirk (inventor). Issued 1-14-36.

2,027,904. Method of polymerizing monosaccharides. Farber Eduard (inventor); N V Internationale Suiker en Alcohol, Cie International Sugar and Alcohol, Company Isaco (grantees). Issued 1-14-36.

2,028,424. Door closing device. Van Dillen Albert (inventor). Issued 1-21-36.

2,030,548. Truck or tractor with two rear axles. Smeets Herman Rene Marie Gerard (inventor). Issued 2-11-36.

2,031,467. Device for continuous spinning and or twisting of textile fibers. De Roysancour Otto George Johan Struycken (inventors). Issued 2-18-36.

2,031,992. Stable gyroplane aircraft. Van Poelvoorde Pieter Jacobus (inventor). Issued 2-25-36.

,033,730. Electrode. Muller Fritz (inventor); N V Machinerieen en Apparaten, Fabricken Meaf (grantee). Issued 3-10-36.

2,033,805. Method of and machine for the manufacture of continuous sheets of asbestos cement reenforced with wire netting. Arentsen Arie Hermanus (inventor); N V Handel en Exploitatie Mij in, Octrooien Van Gewapende Asbestcement, Producten Ferrocal (grantees). Issued 3-10-36.

2,033,902. Lens stereoscope. Van Albada Lieuwe E W (inventor) Issued 3-10-36.

2,034,320. Freewheel hub for cycles. Wilmink Gerrit (inventor). Issued 3-17-36.

2,034,452. Broiler. De Bije Anne J M A Van Der Does (inventor). Issued 3-17-36.

2,035,030. Process for obtaining alkali cyanides. Van Seters Arnoud Willy (inventor); N V Stikstofbindingsindustric Nederland (grantee). Issued 3-24-36.

2,035,148. Process of preparing homogeneous solutions of cellulose in acids and of preparing artificial products therefrom. De Nooij Jan Cornelis et al, Gerritsen Dirk Jan (inventors). Issued 3-24-36.

2,035,162. Feed gear. Holm Waldemar (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 3-24-36.

2,035,437. Process for preparing pulveriform rubber by spraying latex in a drying atmosphere. Stam Martinus Joannes (inventor). Issued 3-24-36.

2,035,470. Winding for direct current dynamo armatures having more than two superimposed coil sides per slot. Grob Hugo (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 3-31-36.

2,037,356. Multiplying gear. Von Schutz Friedrich (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 4-14-36.

2,037,605. Sorting machine for punched cards. Stuivenberg Cornelis Hendricus (inventor); N V Kamatec (grantee). Issued 4-14-36.

2,038,563. Gramophone record. Hermann Willy O (inventor); Van Raap Alfred (grantee). Issued 4-28-36

2,039,048. Latch fastening for doors, windows and the like. Agterberg Gustaaf Adolf (inventor); Van Den Berg Simon Johannes (grantee). Issued 4-28-36.

2,039,262. Process for the manufacture of threads strings bands films and the like. Schulte Wilhelm (inventor); N V Koninklijke Pharmaceutische Fabrieken V H Brocades Stheeman & Pharmacia (grantees). Issued 4-28-36.

2,039,263. Process for the manufacture of bands threads and the like. Schulte Wilhelm (inventor); N V Koninklijke Pharmaceutische Fabrieken V H Brocades Stheeman & Pharmacia (grantees). Issued 4-28-36.

2,039,692. Dust collector. Van Tongeren Hermannus (inventor). Issued 5-5-36.

2,039,897. Radio receiver for ultra short waves. Gerhard Ernst (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 5-5-36.

2,040,383. Means for joining electric current conductors. Jasper Christiaan Hendrik (inventor). Issued 5-12-36.

2,040,453. Internal combustion engine. Weber Jacobus Ludwich Wilhelm (inventor). Issued 5-12-36.

2,041,305. Process for the preparation of a plastic vulcanizable material from rubber gutta percha balata and the like. Stam Martinus Joannes (inventor). Issued 5-19-36

2,042,894. Fuel briquette and method for the production of same. Hazelzet Leendert Johannes Jacobus (inventor). Issued 6-2-36.

2,043,131. Horizontal centrifuge. Van Riel Pieter (inventor); N V Machinefabriek Reineveld (grantee). Issued 6-2-36.

2,043,601. Electric cooking oven. Windemuller Jan Hendrik (inventor); Mij Van Berkel S Patent N V (grantee). Issued 6-9-36.

2,043,940. Apparatus for the manufacture of yeast. Van Thiel Emile (inventor); N V Industrieele Mij. Voorheen Noury and Van Der Lande (grantees). Issued 6-9-36.

2,044,194. Process of preparing dry powder from emulsions and solutions. Visser Johan Marie (inventor). Issued 6-16-36.

2,044,403. Means for handling a ship's lifeboat. Schat Ane Pieter (inventor). Issued 6-16-36.

2,045,222. Safety razor and blade. Ern Robert (inventor). Issued 6-23-36.

2,045,224. Duplex communication system. Gerhard Ernst (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 6-23-36.

2,046,527. Shock absorber for vehicles. Morgenroth Henri (inventor); N V De Schelde (grantee). Issued 7-7-36.

2,047,299. Cooling vessel for preserving food products and the like. Van Swijndregt Hubertus et al, Hendrik Montauban, De Bruyn Gerrit Johannes (inventors). Issued 7-14-36.

2,047,377. Display figure. Liwschutz Georg (inventor); N V Adverteerings Mij (grantee). Issued 7-14-36.

2,047,494. Means for handling life boats on board a vessel. Schat Ane Pieter (inventor). Issued 7-14-36.

2,047,588. Centrifugal casting machine. Ledeboer Jeremias H (inventor); Koninklijke Nederlandsche, Hoogovens en Staalfabrieken N V (grantees). Issued 7-14-36.

2,047,922. Gyroscope controlled apparatus. Seligmann Johannes (inventor); Nederlandische Technische H Mij Giro (grantee). Issued 7-14-36.

2,051,582. Method for producing copies by reflectography. Van Der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek L Van Der Grinten (grantee). Issued 8-18-36.

2,051,583. Method for making reflex copies. Van Der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek L Van Der Grinten (grantee). Issued 8-18-36.

2,051,584. Method of making copies with reduced screen structure. Van Der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek L Van Der Grinten (grantee). Issued 8-18-36.

2,051,585. Process of making reflex copies. Van Der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek L Van Der Grinten (grantee). Issued 8-18-36.

2,051,586. Method of making irradiation subdividing screens. Van Der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek L Van Der Grinten (grantee). Issued 8-18-36.

2,052,265. Tuning scale. Wiegand Josef Artur (inventor); Weenink Petrus Reinier (grantee). Issued 8-25-36.

2,052,339. Ultra short wave apparatus. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 8-25-36.

2,052,938. Impregnating device. Neuhold Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 9-1-36.

2,053,012. Process of preparing soluble starch. Van Der Meulen Johannes Hendrik (inventor). Issued 9-1-36.

2,053,013. Process of preparing starch products. Van Der Meulen Johannes Hendrik (inventor). Issued 9-1-36.

2,054,895. Short wave radiation. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 9-22-36.

2,054,896. Reflector system for ultrashort electric waves. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 9-22-36.

2,054,902. Compound winding. Grob Hugo (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 9-22-36.

2,055,559. Substitute for handkerchiefs. Roet Isaac (inventor). Issued 9-29-36.

2,055,693. Capsule for containers. Lewin Falk (inventor). Issued 9-29-36.

2,058,238. Combination garment or so-called overalls. Kayser Gerhard Herman (inventor). Issued 10-20-36.

2,058,835. Process for the manufacture of threads, strings, bands, films, and the like. Schulte Wilhelm (inventor); N V Koninklijke Pharmaceutische Fabrieken, V H Brocades Stheeman, and Pharmacia (grantee). Issued 10-27-36.

2,059,030. Resilient vehicle wheel. Ravestein Willem, dec., et al, Ravestein Maria Anna Philippina, excx (inventors); N V Handelsvereenizing V H FA Bessel KOK (grantee). Issued 10-27-36.

2,059,319. Adjustable door handle coupling. De Vries Abraham (inventor); N V Ijzerhandel I M De Vries (grantee). Issued 11-3-36.

2,060,029. Top with a hollow stem and a rotatably connected object. Canter Barend Alexander (inventor). Issued 11-10-36.

2,060,397. Process for reenforcing of furs. Kleine Josephus Antonius (inventor). Issued 11-10-36.

2,060,433. Control device for one or more machines. Van Cappellen Johan Hendrik (inventor). Issued 11-10-36.

2,060,934. Radio communication with very short waves. Gerhard Ernst (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 11-17-36.

2,060,935. Arrangement for improving the commutation in direct current machines. Grob Hugo (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 11-17-36.

2,061,508. Ultra short wave apparatus. Dallenbach Walter (inventor); N V Machinerieen en Appaarten Fabrieken Meaf (grantee). Issued 11-17-36.

2,061,877. Manicuring implement. Naundorf Wilhelm (inventor). Issued 11-24-36

2,062,719. Regulating transformer. Leischner Georg (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 12-1-36.

2,062,720. Regulating transformer. Leischner Georg (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 12-1-36.

2,063,166. Device for boiling sugar juices to crystals. Jansse Hermanus Andreus Ditmar (inventor). Issued 12-8-36.

2,063,273. Supporting and advertising or display device for persons standing in public vehicles. Singer Leopold (inventor); N V Textima Textielnijverheid en H Mij (grantee). Issued 12-8-36.

2,064,242. Radio receiving set for ultra short waves. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 12-15-36.

2,064,359. Microbiological preparation of 2 3 butylene glycol. Scheffer Marinus Adrianus (inventor); N V Nederlandsche Gist en Spiritusfabriek (grantee). Issued 12-15-36.

2,065,317. Suspension device for electric light fittings. Knotschke Carl August Rudolph (inventor). Issued 12-22-36

2,065,473. Apparatus for operating movable members. Liwschutz Georg (inventor); N V Adverteerings Mij (grantee). Issued 12-22-36.

2,065,968. Rubber tire for self propelled road vehicles. Goltstein Ewald (inventor). Issued 12-29-36.

2,066,125. Process of manufacturing mixed ethers of higher alcohols with polar groups and application of the same for textile purposes. Rozenbroek Meindert Danius (inventor). Issued 12-29-36.

2,067,342. Method for making electrically welded chain links. Rauwenhoff Frans Christiaan (inventor); N V Koninklijke Nederlandsche Grofsmederij (grantee). Issued 1-12-37.

2,068,737. Locking device for two relatively disconnectable parts. De Vries Abraham (inventor); N V Ijzerhandel I M de Vries (grantee). Issued 1-26-37.

2,068,792. Screw propeller turbine rotor and like device. Dekker Adriaan Jan (inventor). Issued 1-26-37.

2,068,826. Belt fastener. Timmerbell Alfred (inventor). Issued 1-26-37.

2,069,587. Means for starting an internal combustion engine. Mattern Heinrich Maurits Meier (inventor); Werkspoor N V (grantee). Issued 2-2-37.

2,069,958. Implement for conditioning lawns. Diemer Kool Alexander Anthon (inventor). 2-9-37.

2,070,108. Adjusting device. Bargeboer Adolf (inventor). 2-9-37.

2,070,701. Electrical sound emitting apparatus. Wilckens Ernst (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 2-16-37.

2,070,727. Elastic pad for springless hernia bandages. Hamann Friedrich Albert (inventor). Issued 2-16-37.

2,070,923. Gyroscopic compass. Richter Oskar (inventor); N V Nederlandsche Technische H Mij Giro (grantee). Issued 2-16-37.

2,072,390. Apparatus for taking photographs of the upper and lower jaws. Van Hartingsveit Hendrik (inventor). Issued 3-2-37.

2,072,483. Bathing cap. Naundorf Wilhelm Karl (inventor). Issued 3-2-37

2,073,431. Discharge tube. Trenzen Carl (inventor). Issued 3-9-37.

2,073,445. Weighing machine comprising means for operating a valve a counter or another device. De Iongh Johan Hendrik (inventor). Issued 3-9-37.

2,074,253. Ultrashort wave tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 3-16-37.

2,076,335. Selecting device. Dallenbach Walter (inventor); N. V. Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 4-6-37.

2,076,691. Gas producer. Hillebrand Hermann (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 4-13-37.

2,076,913. Device for rendering visible reference points in geodetic surveying. Muller Paul (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 4-13-37.

2,078,169. Gas oven. Windemuller Jan Hendrik (inventor); Mij Van Berkels Patent N V (grantee). Issued 4-20-37.

2,078,832. Process and a device for manufacturing briquettes by compression. Bolk Willem (inventor); N V Mij Tot Exploitatie Van Ten Bosch Octroolen N V (grantee). Issued 4-27-37.

2,079,300. Printing press for printing on reels & similar rotatory bodies. Nunnikhoven Johannes (inventor); Carp S J A Garenfabrieken N V (grantee). Issued 5-4-37.

2,079,430. Oil burner device. Bargeboer Adolf (inventor). Issued 5-4-37.

2,079,843. Transformer. Dallenbach Walter et al, Leischner Georg (inventors); N Y Machienerieen en Apparaten Fabrieken Meaf (grantee). Issued 5-11-37.

2,079,951. Binding agent for paints lacquers and varnishes. Rinse Jacobus (inventor); N V Tot Voortzetting Der Zaken Van Pieter Scheen & Zoon (grantee). Issued 5-11-37.

2,080,656. Knob attachment. De Vries Abraham (inventor); N V Ijzerhandel I M De Vries (grantee). Issued 5-18-37.

2,081,097. Manufacture of hydrogen peroxide. Reinders Willem (inventor); N V Industrieele Mij Voorheen Noury and Van Der Lande (grantee). Issued 5-18-37.

2,081,517. Conducting rubber and its application. Van Hoffen Hendrik Adriaan Marius. N V Hollandsche Draad en Kabelfabriek (grantee). Issued 5-25-37.

2,082,304. Manufacture of rubber products. Stam Martinus Joannes (inventor). Issued 6-1-37.

2,082,370. Shorthand writing machine. Vonck Gerhard Hendrik Clement (inventor). Issued 6-1-37.

2,083,317. Device controlled by radiated energy. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 6-8-37.

2,084,663. Rope cutting device. Zwaal Paul Johan (inventor). Issued 6-22-37.

2,084,725. Gas filled discharge tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 6-22-37.

2,085,358. Tin with a jamming slip on cover. Gunzel Rudolf (inventor); Sippell Wilhelm Valentin (grantee). Issued 6-29-37.

2,085,484. Meat cutting machine. Van Lammeren Willem P (inventor). Issued 6-29-37.

2,086,372. Drift sight indicator. Van Albada Lieuwe E W (inventor). Issued 7-6-37.

2,086,423. Reception of ultra short waves. Kohl Karl (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 7-6-37.

2,086,449. Method of assembling hooks and spacing strips for belt fasteners. Timmerbell Alfred (inventor). Issued 7-6-37.

2,086,462. Automatic regulating device in air heating plants for railway vehicles. Von Schutz Friedrich (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 7-6-37.

2,088,284. Device for conveying articles in continuous furnaces. Bertrand Pierre (inventor); N V Mij Tot Beheer en Exploitatie Van Octroolen (grantee). Issued 7-27-37.

2,088,320. Fastening. De Vries Abraham (inventor); N V Yzerhandel I M De Vries (grantee). Issued 7-27-37.

2,088,788. Valve especially for pneumatic tires. Hage David (inventor). Issued 8-3-37.

2,088,842. Ultra short wave generator. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 8-3-37.

2,089,470. Blanket fabric. Regout Jules Willem Marie Hubert (inventor). Issued 8-3-37.

2,089,757. Drawing apparatus. Nieuwkamp Jan (inventor). Issued 8-10-37.

2,089,933. Driving device for a centrifugal spinning machine. Hofstede Crull Rento Wolter Hendrik (inventor); N V Internationale Spinpot Exploitatie Mij I S E M (grantee). Issued 8-17-37.

2,090,033. Short wave discharge tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten, Fabrieken Meaf (grantee). Issued 8-17-37.

2,090,062. Headlight for motor vehicles. Muller Paul (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 8-17-37.

2,090,920. Device for the adjustment of members especially of the types in machines operating with punched cards. Stuivenberg Cornelis Hendricus (inventor); N V Kamatec (grantee). Issued 8-24-37.

2,091,857. Light buoy and method for feeding same. Jaedicke Friedrich (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 8-31-37.

2,092,302. Production of mixtures of bituminous substances with rubber. Plaizier Johan Aart et al, Fol Jean Gerard (inventors); Internationale Vereeniging Voor de Rubber en Andere Cultures in Nederlandsch Indie (grantee). Issued 9-7-37.

2,092,341. Means for securing articles to walls and the like. De Vries Abraham (inventor). Issued 9-7-37.

2,092,790. Rotary pump. Bargeboer Adolf (inventor); Machinefabriek Gebr Stork & Co N V (grantee). Issued 9-7-37.

2,092,844. Apparatus for counterbalancing a force. Hoekstra Hendrik Arius (inventor). Issued 9-14-37.

2,093,028. Apparatus for imparti g a given density to substances in powder form and for filling up limited spaces with controllable quantities of the said substances. Bolk Willem (inventor); N V Mij Tot Exploitatie Van Ten Bosch Octroolen N V (grantees). Issued 9-14-37.

2,093,029. Pressing mold for the manufacture of briquettes from fine grained materials in powder form and the like. Bolk Willem (inventor); N V Mij Tot Exploitatie Van Ten Bosch Octroolen N V (grantees). Issued 9-14-37.

2,093,047. Process of manufacturing stable humus products. Hudig Joost et al, Van Reesema Nikolaas Hendrick Siewertsz (inventors). Issued 9-14-37.

2,093,052. Mop. Muckenhirn Ottilie (inventor); Peco Holding Mij N V (grantee). Issued 9-14-37.

2,093,709. Curtain rail. Breuer Karl (inventor). Issued 9-21-37.

2,094,067. Hair waving process. Gyrath Johannes Hendrikus (inventor). Issued 9-28-37.

2,097,009. Sound emitting apparatus. Wilckens Ernst (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 10-26-37.

2,097,079. Metal seal. Perquin Joannes Jacobus (inventor). Issued 10-26-37.

2,097,108. Device for connecting the ends of belts straps and the like. Timmerbell Alfred (inventor). Issued 10-26-37.

2,097,759. Corrective sole. Ehrlich Edward (inventor). Issued 11-2-37.

2,097,770. Transformer. Morelisse Jan (inventor). Issued 11-2-37.

2,097,831. Surface printing plate more particularly offset printing plate and the process for printing therewith. Boekelman Willem Anthonius et al, Elfers Alberthus (inventors). Issued 11-2-37.

2,098,152. Treatment of sewage and other waste liquors. Kessener Herman Joseph Nicolaas Hubert (inventor). Issued 11-2-37.

2,098,868. Door handle and like fastening. Grimmond Robert (inventor). Issued 11-9-37.

2,098,894. Rear wheel support for a motor vehicle. Van Doorne Hubertus Josephus et al, Van Der Trappen Pieter Herman (inventors). Issued 11-9-37.

2,099,874. Method of evacuating vessels more particularly lamps. Trenzen Carl (inventor). Issued 11-23-37.

2,100,635. Snap fastener. De Vries Abraham (inventor). Issued 11-30-37.

2,101,376. Percussive boring tool. Voigtlander Hermann (inventor); N V Wallramit Handel Mij (grantees). Issued 12-7-37.

2,101,610. Electric discharge tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 12-7-37.

2,101,726. Manufacture of molds used for casting metal pipes & the like by the centrifugal method. Van Zijp Antonius J (inventor); Koninklijke Nederlandsche Hoogovens En Staalfabrieken N V (grantees). Issued 12-7-37.

2,102,107. Production of ammonium sulphate. Berkhoff Gerrit Jr. (inventor); De Directie Van De Staatsmijnen In Limburg (grantees). Issued 12-14-37.

2,102,999. Fastener. De Vries Abraham (inventor); N V Ijzerhandel I M De Vries (grantee). Issued 12-21-37.

2,103,010. Wall connecter. Kohnke Johan Friedrich (inventor). Issued 12-21-37.

2,103,802. Apparatus for separating in one operation hollow bricks from a clay rod or the like and for closing said bricks. Ulirich Alfred Heinrich (inventor). Issued 12-28-37.

2,104,034. Coin controlled vending apparatus for ice cream packages. Hamel Wilhelm (inventor); Carp S Handelsbureau voor Aviatiek en Scheepszaken N V (grantees). Issued 1-4-38.

2,104,890. Process of separating from pig iron the vanadium contained therein. Wark Nicolaus (inventor). Issued 1-11-38.

2,104,968. Process of preparing purified glycyrrhizine. Bertram Simon Hendrik. (inventor). Issued 1-11-38.

2,105,026. Electron tube. Dallenbach Walter (inventor); N V Machinerieen en Appäraten Fabrieken Meaf (grantees). Issued 1-11-38.

2,105,052. Process for manufacturing paper. Oltmans Johan (inventor). Issued 1-11-38.

2,104,438. Process and apparatus for producing percompounds. Hartman Hermanus (inventor); N V Industrielle Mij Voorheen Noury & Van Der Lande (grantees). Issued 1-11-38.

2,106,952. Process of producing anhydrous alkali metal sulphides. Konig Hermann Theodor Joseph (inventor); N V Stikstofbindingsindustrie Nederland (grantees). Issued 2-1-38.

2,107,608. Kite. Van Ittersum Willem H A G (inventor). Issued 2-8-38.

2,110,046. Broadcasting with reduced band width. Koomans Nicolaas (inventor). Issued 3-1-38.

2,110,531. Railway rail joint. Scheffers Petrus P H G (inventor); Mesters Jan A H (grantee). Issued 3-8-38.

2,110,660. Heating thermal insulation. Doczekal Rudolf (inventor); N V Internationale Alfol Mij (grantee). Issued 3-8-38.

2,111,757. Vacuum discharge vessel. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 3-22-38.

2,111,878. Means for draining moisture from steam in steam turbines. Van Tongeren Hermannus (inventor). Issued 3-22-38.

2,112,334. Supporting device for the front part of a semitrailer. Van Doorne Hubertus Josephus (inventor). Issued 3-29-38.

2,113,901. Releasable handle fastening device on tools. Pion Max (inventor); Pico Holding Mij N V (grantee). Issued 4-12-38.

2,114,106. Grinding device. Geveke William (inventor). Issued 4-12-38.

2,114,232. Searchlight. Muller Paul (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 4-12-38.

2,114,468. Processes for copying on positive diazotype layers. Van der Grinten Lodewijk, Pieter Frans (inventors); N V Chemische Fabriek L Van der Grinten (grantees). Issued 4-19-38.

2,116,085. Vacuum cleaning apparatus. Van Berkel Wilhelmus Adrianus (inventor); Mij Van Berkel S Patent N V (grantee). Issued 5-3-38.

2,116,252. Alloys for electrical contacts and electrodes. Schwarzkopf Hans Heinrich (inventor); N V Molybdenum Comp (grantee). Issued 5-3-38.

2,116,638. Advertising device. Prins Leendert (inventor). Issued 5-10-38.

2,117,155. Calculating device. Dussel Cornelis Jan (inventor); Jelier Cornelis Adrianus (grantee). Issued 8-8-39.

2,117,255. Resins and process of making same. Priester Remmet (inventor); N V Industrieele Mij Voorheen Noury and van der Lande (grantees). Issued 8-8-39.

2,117,830. Process for making heat exchangers and the like. Van der Beyl Willem Fredrik (inventor); N V Martens Brandkastenfabriek (grantees). Issued 5-17-38.

2,118,903. Process for the manufacture of nitrogen trichloride. Staudt Erich (inventor). Issued 5-31-38.

2,118,904. Process for the manufacture of chloro amines. Staudt Erich et al, van der Lee Gerrit (inventors). Issued 5-31-38.

2,119,153. Regulation of state values. Dallenbach Walter (inventor). N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 5-31-38.

2,119,188. Process for aerating liquids in the production of yeast. Van Der Lande Bernardus et al, Lebuinus Maria, Van Thiel Emile (inventors); N V Industrieele Mij Voorheen Noury and van der Lande (grantees). Issued 5-31-38.

2,119,932. Process for the manufacture of rubber dust. Stam Martinus Joannes (inventor). Issued 6-7-38.

2,119,965. Alloy. Schwarzkopf, Hans Heinrich (inventor); N V Molybdenum Comp (grantee). Issued 6-7-38.

2,120,343. Artificial resins. Wolf Isidore George (inventor). Issued 6-14-38.

2,120,387. Device for burning atomized liquid fuel. Bargeboer Adolf (inventor). Issued 6-14-38.

2,120,388. Atomizer for hydrocarbons. Bargeboer Adolf (inventor). Issued 6-14-38.

2,120,441. Process for applying silver halide colloid layers without distortion on future printing forms. Leiber Ferdinand (inventor); N V Nederlandsch Laboratorium de Spaarnestad (grantees). Issued 6-14-38.

2,120,489. Process of preparing food products from papaya fruit. De Neve Theodoor Alexander (inventor). Issued 6-14-38.

2,120,637. Coupler for trailing ordnance and the like. Van Doorne Hubertus Josephus (inventor). Issued 6-14-38.

2,121,455. Universal coupling. Ten Broek Alexander Petrus Antonius (inventor). Issued 6-21-38.

2,122,338. Shuttle for looms. Cohen Abraham (inventor). Issued 6-28-38.

2,122,523. Device for severing measured portions from a bar of ice cream. Hulskamp Bernardus (inventor). Issued 7-5-38.

2,123,070. Device for use in connecting wire ends. van Viersen Jacob Hendrick (inventor); Thabur Industrieele en Technische, Hmij N V (grantees). Issued 7-5-38.

2,123,297. Process of preparing perforated metal articles. Beynen Laurens Rynhart et al, van Dorp Bernard Marie, van de pol Willem (inventors). Issued 7-12-38.

2,123,773. Buckle and like ornament for personal wear. Eppink Albert Jan (inventor). Issued 7-12-38.

2,124,701. Gramophone record. Herrmann Willy O (inventor); van Raap Alfred (grantee). Issued 7-26-38.

2,124,858. Device for guiding and stacking letters and similar papers in letter sorting apparatus. Marchand Jean Joseph Martin Lambert (inventor). Issued 7-26-38.

2,124,968. Torsion balance. Ahrndt Emil Adolf et al, Sondagh Hermanus Wilhelmus (inventors); N V Vereenigde Draadfabrieken (grantee). Issued 7-26-38.

2,126,899. Development process and developer for producing hardened images upon exposed silver halide colloid emulsions. Leiber Ferdinand (inventor); N V Nederlandsch Laboratorium de Spaarnestad (grantees). Issued 8-16-38.

2,127,079. Inlet manifold for internal combustion engines. Barkeij Jean A H (inventor); Barkeij F A H (grantee). Issued 8-16-38.

2,127,123. Cushioning of automobiles or like vehicles. Liem See Thie (inventor). Issued 8-16-38.

2,128,231. High frequency oscillator tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 8-30-38.

2,128,232. Electron tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 8-30-38.

2,128,233. Electron tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 8-30-38.

2,128,234. Electron tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 8-30-38.

2,128,235. Vacuum discharge tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 8-30-38.

2,128,236. Vacuum discharge tube. Dallenbach Walter (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 8-30-38.

2,128,626. Hydraulic shock absorber. Visser Regnerus Josephus Ignatius (inventor). Issued 8-30-38.

2,128,732. Process for manufacturing driers. Priester Remmet (inventor); N V Industrieele Mij Voorheen, Noury & van der Lande (grantees). Issued 8-30-38.

2,129,108. Clutch. Ten Broek Alexander P A (inventor). Issued 9-6-38.

2,131,022. Process of manufacturing artificial compositions. Ten Cate Steven Jan Blaupot (inventor). Issued 9-27-38.

2,132,186. Electric accumulator. Ramakers Eduard Willem Louis (inventor). Issued 10-4-38.

2,132,588. Diaromatic peroxide. Straub Jan (inventor); Oosterhuis Albert Gerrit (grantee). Issued 10-11-38.

2,133,675. Method of manufacturing briquettes. Ten Bosch Abraham (inventor); N V Mij Tot Exploitatie Van Ten Bosch Octroolen N V (grantees). Issued 10-18-38.

2,134,460. Jet device injector or ejector. van den Honert August (inventor). Issued 10-25-38.

2,134,996. Refrigerating machine of the absorption type. Bikkers Alexander (inventor); Poel Willem Frederik (grantee). Issued 11-1-38.

2,135,009. Process of separating hydrocarbon mixtures into fractions. Landau Max (inventor); N V Machinerieen en Apparaten Fabrieken Meaf (grantees). Issued 11-1-38.

2,135,163. Electric connecter. Boon Anthonie Adrianus et al, Barknowitz Hans, Ultermark Gerard Martin (inventors); de Jong Louis (grantee). Issued 11-1-38.

2,137,429. Money carrier. Voss Walter Christian (inventor). Issued 11-22-38.

2,138,417. Arrangement for avoiding the disturbances attendant on the transformer potential in alternating current collector motors. Dallenbach Walter et al, Leischner George (inventors); N V Machinerieen en Apparaten Fabrieken Meaf (grantee). Issued 11-29-38.

2,139,047. Process and apparatus for cleaning coals and other materials. Tromp Klaas F (inventor). Issued 12-6-38.

2,139,605. Block for pulley tackles. Schat Ane Pieter (inventor). Issued 12-6-38.

2,139,782. Film holder for stereoscopic pictures. Van Alboada Lieuwe E W. (inventor). Issued 12-13-38.

2,140,882. Wetting cleaning bleaching foaming and dispersive agents for textile purposes and the like and application of the same. Rozenbroek Meindert Danius (inventor); N V Chemische Fabriek Servo (grantee). Issued 12-20-38.

2,141,340. Safety hair cutting appliance. Baumgarten Henri George (inventor); N V Eau de Colognefabriek Johann, Maria Farina (grantees). Issued 12-27-38.

2,141,452. Means for launching lifeboats. Schat Ane Pieter (inventor). Issued 12-27-38.

2,142,265. Process of manufacturing crystalline substances. Diekmann Joseph Johannes (inventor); N V Chemische Fabriek Gembo (grantee). Issued 1-3-39.

2,142,292. Process for manufacturing artificial leather. Ten Cate Steven Jan Blaupot (inventor). Issued 1-3-39.

2,142,625. High tension cable. Zoethout Daniel Allard Coert (inventor); N V Hollandsche Draad En Kabelfabriek (grantees). Issued 1-3-39.

2,142,926. Process for extracting ores and the like. Van Es Adriaan Cornelis (inventor); N V Mij Voor Zwavelzuurbereiding, Voorheen G T Ketjen & Co (grantees). Issued 1-3-39.

2,143,611. Railway track aligning device. Nijenhuis Hendrik Jan (inventor). Issued 1-10-39.

2,145,626. Two stroke internal combustion engine. Kuhnast Oswald (inventor). Issued 1-31-39.

2,145,635. Method of making slippers. Rosenberg Walter (inventor). Issued 1-31-39.

2,146,326. Process for obtaining alcohol by fermentation of liquids containing carbohydrate. Bergius Friedrich et al, Koch Hugo, Zimmerman Herman (inventors); N V Internationale Suiker En Alcohol Cie International Sugar and Alcohol Co Isaco grantee). Issued 2-7-39.

2,146,342. Air screw. Koyemann Alfred (inventor); N V Derde Nederlandsche Patenten Mij D N P M (grantees). Issued 2-7-39.

2,146,662. Sighting instrument. Van Albada Lieuwe E W (inventor). Issued 2-7-39.

2,147,104. Process of manufacturing cold swelling starch. Moller Frederik Andr (inventor); N V W A Scholten S Chemische Fabrieken (grantees). Issued 2-14-39.

2,147,222. Process for the gradual separation of mixtures according to the countercurrent principle. Treub Jacobus Petrus (inventor); N V Vereenigde Fabrieken Van Stearine Kaarsen en Chemische Producten (grantees). Issued 2-14-39.

2,148,945. Plug. Hoedemaker Meijlom (inventor). Issued 2-28-39.

2,149,682. Process of improving the baking strength of flour. Jorgensen Holger (inventor); N V Noury and Van Der Lande S Exploitatie Mij (grantees). Issued 3-7-39.

2,150,508. Appliance for use in the teaching of arithmetic. Kuiper Cornelis (inventor); Iddink Johannes (grantee). Issued 3-14-39.

2,152,113. Hydraulic power transmission. Van Lammeren Willem Petrus (inventor). Issued 3-28-39.

2,152,114. Dust separator. Van Tongeren Hermannus (inventor). Issued 3-28-39.

2,152,115. Dust collector. Van Tongeren Hermannus (inventor). Issued 3-28-39.

2,152,269. Tube plate for multitubular boilers. Huygen Frederic C (inventor); N V Machinefabriek Breda V H Backer and Rueb (grantees). Issued 3-28-39.

2,152,891. Pipe support. Kohnke Johan Friedrich (inventor). Issued 4-4-39.

2,154,577. Keyboard for a shorthand or stenographic typewriting machine. Den Outer Marius (inventor); N V Velotype Systeem Den Outer (grantee). Issued 4-18-39.

2,154,684. Shirt. Kool Samuel (inventor). Issued 4-18-39.

2,155,914. Process for the preparation of a bleaching and sterilizing agent. Van Der Lee Gerrit (inventor); N V Industrieele Mij Voorheen Noury & Van Der Lande (grantees). Issued 4-25-39.

2,156,737. Process of preparing octadecadiene acid. Priester Remmet (inventor); N V Noury & Van Der Lande S Exploitatiemij (grantees). Issued 5-2-39.

2,157,197. Apparatus for measuring predetermined quantities by weighing. Van Duyn Adrianus (inventor). Issued 5-9-39.

2,157,456. Method of uniting sprayed metal to wood. Koyemann Alfred (inventor); N V Derde Nederlandsche Patentenmij D N P M (grantees). Issued 5-9-39.

2,158,248. Electrical amplifying system and method of operation. Numans Johannes Jacques (inventor). Issued 5-16-39.

2,158,411. Method for restraining or preventing the action of proteolytic enzymes. Elion Leonard (inventor). Issued 5-16-39.

2,158,491. Coke oven door. Beimann Wilhelm Decd et al, Beimann Elizabeth Admx. (inventors); Otto Wilputte Ovenbouw Mij N V (grantee). Issued 5-16-39.

2,158,557. Turbine. Van Lammeren Willem Petrus (inventor). Issued 5-16-39.

2,158,666. Chamber oven. Otto Carl (inventor); Otto Wilputte Ovenbouw Mij Otto Wilputte Construction Co N V (grantees). Issued 5-16-39.

2,159,270. Device for laying cloths about pre pressed cakes in oil pressing apparatus. Honig Adriaan Nicolaas (inventor); N V Oliefabrieken Het Hart en de Zwaan Voorheen Adriaan Honig (grantees). Issued 5-23-39.

2,159,359. Under fired coke oven. Philipsen Nikolaus M (inventor); Otto Wilputte Ovenbouw Mij Otto Wilputte Oven Construction Co N V (grantees). Issued 5-23-39.

2,160,533. Apparatus for continuously crystallizing solutions by evaporation or cooling. Bonath Richard (inventor); Werkspoor N V (grantee). Issued 5-30-39.

2,160,582. Control device. Brugma Antoine Johan (inventor). Issued 5-30-39.

2,161,644. Method and means for measuring radiant energy. Van der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek L Van Der Grinten (grantee). Issued 6-6-39.

2,161,731. Process for preparing a concentrated rubber dispersion from latex and product. Van Harpen Nicolaas Hendrik (inventor); Albemeene Vereeniging Van, Rubber Planters Ter Oostkust Van, Sumatra (grantees). Issued 6-6-39.

2,163,737. Automatic diaphragm working by means of a photoelectric cell a light sensitive element or the like. Prinsen Frederik Berthus Archibald (inventor). Issued 6-27-39.

2,163,839. Device for conveying and stripping press cakes. Honig Adriaan Nicolaas (inventor); N V Oliefabrieken het hart en de, Zwaan Voorheen Adriaan Honig (grantees). Issued 6-27-39.

2,163,898. Process for the production of hydrogen peroxide. Van Der Lande Johannes Antonius, Lebuinus (inventors); N V Industrieele Mij Voorheen, Noury & Van Der Lande (grantees). Issued 6-27-39.

2,164,732. Stay for windows or similar closures. De Vries Abraham (inventor). Issued 7-4-39.

2,165,530. Fat hardening process. Bertram Simon Hendrik (inventor); N V Industrieele Exploitatie Mij (grantee). Issued 7-11-39.

2,165,738. Electric conducting element. Van Hoffen Hendrik Adriaan Marius (inventor); N V Hollandsche Draad En, Kabelfabriek (grantees). Issued 7-11-39.

2,166,590. Electric circuit breaker. Hidde Nijland Hendrik A (inventor). Issued 7-18-39.

2,166,659. Process for the treatment of beryllium ores. Gardner Daniel (inventor); Mij Voor Thermo Chemie N V (grantee). Issued 7-18-39.

2,166,881. Igniter with liquid fuel. Voss Walter (inventor). Issued 7-18-39.

2,167,315. Ship. Schat Ane Pieter (inventor). Issued 7-25-39.

2,168,022. Flexible screen. Drager Johan (inventor). Issued 8-1-39.

2,168,542. Process for extracting ores and the like. Van Es Adriaan Cornelis (inventor); N V Mij Voor Zwavelzuurbereiding, Voorheen G T Ketjen & Co (grantees). Issued 8-8-39.

2,168,993. Expanding device for tubular envelopes. Joseph Alex (inventor). Issued 8-8-39.

2,169,117. Self leveling head support. Utermohlen Gerhard P (inventor); Nederlandsche Mij Sogedio N V (grantee). Issued 8-8-39.

2,169,415. Toilet sheet. Giese Willi (inventor). Issued 8-15-39.

2,170,028. Transmitting and receiving device for ultra short waves. Kohl Karl (inventor); N V Machinerieen en Apparaten, Fabrieken Meaf (grantees). Issued 8-22-39.

2,171,248. Vacuum cleaning apparatus. Van Berkel Wilhelmus Adrianus (inventor); Mij Van Berkel S Patent N V (grantee). Issued 8-29-39.

2,171,389. Process of applying a coating of lacquer to flexible materials. Ten Cate Steven Jan Blaupot (inventor). Issued 8-29-39.

2,171,408. Active carbonaceous materials. Smit Pieter (inventor); N V Octrooien Mij Activit (grantee). Issued 8-29-39.

2,171,939. Discharger for centrifugal machines. Van Riel Pieter (inventor); N V Machinefabriek Reineveld (grantee). Issued 9-5-39.

2,172,438. Motion picture camera. De Heer Jacob (inventor). Issued 9-12-39.

2,173,294. Continuous absorption refrigeration machine. Bikkers Alexander (inventor); Poel Willem Frederik (grantee). Issued 9-19-39.

2,173,404. Machine for raising the pile of pile fabrics. Ubbink Johan Bernard (inventor). Issued 9-19-39.

2,173,411. Process for sterilizing liquids by heating. De Jonge Leonardus (inventor); Syndicate Jozi Johoff (grantee). Issued 9-19-39.

2,173,421. Davit. Krzeminsky Valentin (inventor); Schat Ane Pieter (grantee). Issued 9-19-39.

2,173,632. Dough coiling device. Peters Hendrik Herman Christiaan (inventor). Issued 9-19-39.

2,173,638. Process for manufacturing textile agents. Rozenbroek Meindert Danius (inventor). Issued 9-19-39.

2,174,372. Dyeing fibrous materials with vat dyestuffs. Zahn Cornelis Warnardus (inventor); Carp S J A Garenfabricken N V (grantee). Issued 9-26-39.

2,174,825. Recovery of aluminum compounds. Freling Lucian et al, Dorren Jules (inventors). Issued 10-3-39.

2,177,329. Dough folding device. Peters Hendrik Herman Christiaan (inventor). Issued 10-24-39.

2,177,378. Means for manufacturing starch products. Schorn Helmut et al, Daumas Carl Victor (inventors); N V Agratherm (grantee). Issued 10-24-39.

2,177,562. Wire tensioning device. Eggink Gerrit (inventor.) Issued 10-24-39.

2,177,899. Closure cap for receptacles. Lewin Herman (inventor). Issued 10-31-39.

2,177,910. Apparatus for the continuous mixing and homogenizing of substances. Smit Pieter (inventor); N V Octrooien Mij Activit (grantee). Issued 10-31-39.

2,178,057. System of lenses. Van Heel Abraham Cornelis Sebastien (inventor); Associated Acoustics N V (grantee). Issued 10-31-39.

2,178,299. Conductor line for ultra short electromagnetic waves. Dallenbach Walter (inventor); N V Machinerieen en Apparaten, Fabrieken Meaf (grantees). Issued 10-31-39.

2,178,488. Spinning or twisting spindle. Ter Mors Henni (inventor); N V Spinnerij Oosterveld (grantee). Issued 10-31-39.

2,180,568. Process and means for drying starch. Schorn Helmut et al, Daumas Carl Victor (inventors); N V Agratherm (grantee). Issued 11-21-39.

2,182,437. Steerable bogie for vehicles. Jonkhoff Henri Wouter (inventor). Issued 12-5-39.

2,183,048. Lamp construction comprising a reflector. Schneider Frans Lambert Gerard (inventor); Holland Electro N V (grantee). Issued 12-12-39.

2,183,141. Method of fermenting whey to produce alcohol. Kauffmann Willem et al, Van Der Lee Pieter Johannis (inventors). Issued 12-12-39.

2,183,757. Flue tube for steam boilers. Van Der Graaf George A (inventor); Van De Does Anne J M A De Bije (grantee). Issued 12-19-39.

2,185,933. Apparatus for recording and reproducing sound. Tieland Johannes Hendrik (inventor). Issued 1-2-40.

2,185,967. Linoxin like material and process of manufacture. Priester Remmet (inventor); N V Industrieele Mij Voorheen Noury and Van Der Lande (grantees). Issued 1-2-40.

2,186,064. Rotary propeller and the like device. Dekker Adriaan Jan (inventor); N V Stroomlyn Tot Exploitatie Van Octrooien (grantee). Issued 1-9-40.

2,186,157. Method and device for the manufacturing of sound films. Van Leer Jacques Oscar (inventor). Issued 1-9-40.

2,186,963. Device for use in connecting wire ends. Meyer Wilhelm Albert Rudolph (inventor); Thabur Industrieele en Technische, H MIJ N V (grantees). Issued 1-16-40.

2,189,070. Pipe joint. Kohnke Johan Friedrich (inventor). Issued 2-6-40.

2,189,870. Resilient suspension device. Sluyter Nicolaas (inventor). Issued 2-13-40.

2,191,063. Manufacturing of absorbent & ion exchanging materials. Smit Pieter (inventor); N V Octrooien Mij Activit (grantee). Issued 2-20-40.

2,191,118. Pyelographic preparation. Salomon Arnold (inventor); N V Orgachemia (grantee). Issued 2-20-40.

2,192,246. Highway construction. Strubbe Hendrik Lodewijk (inventor); N V Industrieele en, Bouwmaterialen H Mij Iboma (grantees). Issued 3-5-40.

2,192,555. Electrical control system. Morelisse Jan (inventor). Issued 3-5-40.

2,192,842. Winch. Schat Ane Pieter et al, Smirnoff Vsevolod (inventors); Schat Ane Pieter (grantee). Issued 3-5-40.

2,194,147. Packing of a sealing cap for the sealing and tightening of container closures especially bung closures. Mauser Alfons (inventor); N V Serlox (grantee). Issued 3-19-40.

2,194,286. Electrical driving device for a rapidly rotating member such as a spinning pot for artificial silk. Lubberhuizen Jan Willem (inventor); N V Internationale Spinpot, Exploitatie Mij Sem (grantee). Issued 3-19-40.

2,195,225. Process for the manufacture of drying oil from castor oil. Priester Remmet (inventor); N V Industrieele Mij Voorheen Noury and Van Der Lande (grantees). Issued 3-26-40.

2,195,346. Machine for making loaves. Verheij Hendrik (inventor). Issued 3-26-40.

2,195,453. Electric furnace. Gardner Daniel (inventor); Mij Voor Thermo Chemie N V (grantee). Issued 4-2-40.

2,195,466. Operating coke ovens. Otto Carl (inventor); Otto Wilputte Ovenbouw Mij N V (grantee.) Issued 4-2-40.

2,195,469. Process for the treatment of liquid or semisolid foods and foodstuffs. Richter Karl (inventor); Metra Mij Voor Verduurzaming Van. Zuivelproducten N V (grantees). Issued 4-2-40.

2,196,843. Process of recovering carbon disulphide in the manufacture of artificial silk. Van Deinse Hendrikus (inventor); N V Kunstzi Jdespinneri J Nyma (grantee). Issued 4-9-40.

2,197,761. Sheet metal structure. Johanns Martinus Jacobus Charles (inventor). Issued 4-23-40.

2,197,843. Process of impermeabilizing, tightening or consolidating grounds and other earthy and stony masses and structures. Van Leeuwen Gerrit Hendrik (inventor). Issued 4-23-40.

2,198,165. Preparation containing calcium compounds. Hamburger Lodewijk (inventor). Issued 4-23-40.

2,198,278. Apparatus for measuring accelerations and retardations. Van Der Heiden Gerard Willem Peter (inventor). Issued 4-23-40.

2,198,295. Antirolling device for ships. Rosingh Wilhelm H C E (inventor); N V Wilton S Machinefabriek en, Scheepswerf Mij Voor Scheeps en, Werktuigbouw Fijenoord N V (grantees). Issued 4-23-40.

2,198,393. Purification of liquid matter. Smit Pieter (inventor); N V Octrooien Mij Activit (grantee). Issued 4-23-40.

2,198,440. Bundle tying machine. Marchand Jean Joseph Martin Lambert (inventor); N V Transorma Bundel Sluit, Machine B S M (grantees). Issued 4-23-40.

2,198,893. Aircraft. Van Waveren Theodorus (inventor.) Issued 4-30-40.

2,198,905. Coupling device of vacuum cleaners. Content Klara (inventor); Thabur Industrieele en Technische, H Mij N V (grantees) Issued 4-30-40.

2,199,276. Intake manifold for internal combustion engines. Barkeij Jean A H (inventor); Barkeij F A H (grantee). Issued 4-30-40.

2,199,513. Underfired regenerative coke oven. Stackel Walter (inventor); Otto Wilputte Ovenbouw Mij Otto, Wilputte Oven Construction Co. N V (grantees). Issued 5-7-40.

2,199,925. Method of improving the stability of alkaline solutions of phenolic azo dyestuff components. Sanders Theodorus Petrus et al, Wilhelmus Van Rensen Jacob (inventors); N V Chemische Fabriek L Van Der, Grinten (grantees). Issued 5-7-40.

2,199,942. Process for producing nitrogen trichloride. Staudt Erich (inventor); N V Industrieele Mij Voorheen, Noury and Van Der Lande (grantees). Issued 5-7-40.

2,200,158. Concealed fastening. Clarke Frederiek Arthur (inventor); N. V. Yzerhandel, I M De Vries (grantees). Issued 5-7-40.

2,202,202. Apparatus for exercising the fingers in the movements required for playing musical instruments. Hesse Guillaume (inventor). Issued 5-28-40.

2,202,257. Color photography. Klaver Luite (inventor). Issued 5-28-40.

2,202,446. Pipe grip. Esseling Cornelis J (inventor); N V Gebr Stork and Co. S. Fabriek Van Hijschwerktuigen (grantees). Issued 5-28-40.

2,202,457. Luffing davit. Le Geu Marinus C (inventor); Schat Ane Pieter (grantee). Issued 5-28-40.

2,202,566. Tampons and other porous articles and process for producing same. Schulte Wilhelm (inventor); N V Koninklijke Pharmaceutische Fabrieken V. H. Brocades Stheeman and Pharmacia (grantees). Issued 5-28-40.

2,203,188. Treatment of air. Beer Henri Bernard (inventor). Issued 6-4-40.

2,203,648. Internal combustion engine. Dons Franciscus Cornelis (inventor). Issued 6-4-40.

2,203,649. Acid solution. Felkers Pieter Frederik (inventor); Stikstofbindingsindustrie Nederland N V (grantee). Issued 6-4-40.

2,203,726. Bag of paper or like material and the manufacture thereof. Hellema Jan Cornelis (inventor); N V Papierwarenfabrik Voorheen Gebrs Hellema (grantees). Issued 6-11-40.

2,203,887. Transparent stamp pocked for album mounting. Zimmer Paul (inventor). Issued 6-11-40.

2,204,219. Cigar banding machine. Jahne Ernst Hermann et al, Schlechahn Rudolph Erich (inventors); Muller J C N V (grantees). Issued 6-11-40.

2,205,635. Method of changing the character of solutions by base exchange. Smit Pieter (inventor); N V Octrodien Mij Activit (grantee). Issued 6-25-40.

2,205,966. Dust collecting plant. Van Tongeren Hermannus (inventor). Issued 6-25-40.

2,207,646. Means for supplying reduced pressure steam to heat exchanging apparatus. Van Der Ploeg Jelle (inventor). Issued 7-9-40.

2,208,033. Production of sodium cyanate. Konig Hermann Theodor Josef (inventor); Stikstofbindings Industrie Nederland N V (grantees). Issued 7-16-40.

2,215,530. Depolarizer for electric primary cells and process of making the same. Nossen Ernst (inventor). Issued 9-24-40.

2,216,667. Bung bush. Holzkamper David (inventor); N V Serlox (grantee). Issued 10-1-40.

2,220,223. Device for removing plaster casts or bandages. Eerhard Johannes Maarten et al, Eerhard Casper, Aandewiel Cornelis Johan (inventors); H V Onder de Firma Eerhard Aandewiel (grantee). Issued 11-5-40.

2,221,502. Process of forming screens. Van De Pol Willem (inventor). Issued 11-12-40.

2,221,640. Apparatus for testing the quality of grain and flour. Kleijn Adrianus (inventor). Issued 11-12-40.

2,221,683. Process for the purifying of liquids with the aid of active carbonaceous colloids. Smit Pieter (inventor); N V Octrooien Mij Activit (grantee). Issued 11-12-40.

2,222,140. Weighing apparatus. De Iongh Johan H (inventor). Issued 11-19-40.

2,222,690. Apparatus for and method of applying cigar bands. Jahne Ernst Hermann (inventor); Muller J C N V (grantee). Issued 11-26-40.

2,224,054. Press. Kass Walter Eduard (inventor) Issued 12-3-40.

2,224,294. Tobacco transferring machine. Herrmann Paul Johannes (inventor); Muller J C N V (grantee). Issued 12-10-40.

2,224,355. Process of dissolving solid substances in liquids. Moller Fredrik Andre (inventor); N V W A Scholten S Chemische Fabrieken (grantee). Issued 12-10-40.

2,224,360. Process of manufacturing washing cleansing wetting & emulsifying agents Rozenbroek Meindert Danius (inventor); N V Chemische Fabriek Servo (grantee). Issued 12-10-40.

2,224,489. Process of improving fibrous materials. Rozenbroek Meindert Danius (inventor). Issued 12-10-40.

2,225,808. Coal fired water tube boiler. Van Tongeren Hermannus (inventor). Issued 12-24-40.

2,226,026. Frequency transposer or converter and circuit therefor. Stieltjes Frederik Hendrik (inventor). Issued 12-24-40

2,226,830. Process for the manufacture of drying oils. Priester Remmet (inventor); N V Industrieele Mij Voorheen Noury & Van Der Lande (grantee). Issued 12-31-40

2,226,831. Process for the manufacture of drying oils. Priester Remmet (inventor); N V Industrieele Mij Voorheen Noury & Van Der Lande (grantee). Issued 12-31-40

2,228,026. Process for cleaning metal parts of combustion motors especially parts made of aluminum or alloys of aluminum Abrahams Johan Piet (inventor); Koninklijke Zwavelzuurfabrieken Voorheen Ketjen N V (grantee). Issued 1-7-41.

2,228,154. Drying oil & prccess of making same. Priester Remmet (inventor); N V Industrieele Mij Voorheen Noury and Van Der Lande (grantee). Issued 1-7-41

2,228,621. Rolling blind. Zwart Jan Sjoerd (inventor). Issued 1-14-41.

2,228,739. Means for distributing and mixing liquids. Tromp Klaas F (inventor). Issued 1-14-41.

2,230,839. Swash plate and wobbler mechanism. Hulsebos Wichert (inventor); N V Hulsemo (grantee). Issued 2-4-41

2,231,611. Halogenated phenanthrolines Boeseken Jacob et al, Bijlsma Ulbe Gerrit (inventors). Issued 2-11-41.

2,231,612. Phenanthroline derivative Boeseken Jacob et al, Bijlsma Ulbe Gerrit (inventors). Issued 2-11-41.

2,232,573. Air outlet device. Teves Hendrik Lodewijk (inventor) Issued 2-18-41

2,233,298. Method for treating paper insulation material in the manufacture of paper insulated electric cables. Proos Cornelis Frederik (inventor). Issued 2-25-41

2,233,452. Cigar wrapping machine Jahne Ernst Hermann (inventor); Muller J C N V (grantee). Issued 3-4-41.

2,233,464. Apparatus for applying revenue duty labels or like strips to the narrow sides of packages by means of adhesive. Zimniak Edmund (inventor); Muller J C N V (grantee). Issued 3-4-41.

2,234,886. Spring device for vehicles Van Dillen Albert (inventor). Issued 3-11-41

2,236,237. Piston for wobbler engines. Hulsebos Wichert (inventor); N V Hulsemo (grantee). Issued 3-25-41.

2,236,470. Device for sterilizing and cooling liquids De Jonge Leonardus (inventor); Syndicate Jozijdhoff (grantee). Issued 3-25-41.

2,236,651. Cigar making machine Rober Constantin Friedrich et al, Ruth Ernst (inventors); Muller J C N V (grantee). Issued 4-1-41.

2,236,932. Apparatus for continuously manufacturing corrugated construction boards. Arentsen Gerrit Jan (inventor). Issued 4-1-41.

2,236,948. Plywood. Maurer Gottfried (inventor); N V Halbertsma S Fabrieken Voor Houtbewerking (grantee). Issued 4-1-41.

2,236,956. Motor and dynamo. Van der Heem Leonardus Wilhelmus (inventor); N V Radiofabriek en Ingenieursbureau Voorheen Van Der Heem & Bloemsma (grantees). Issued 4-1-41.

2,237,033. Cigarette manufacturing machine. Herrmann Paul Johannes (inventor); Muller J C N V (grantee) Issued 4-1-41.

2,238,422. Glareproof blind made of paper or similar material. Marcin Victor Wilhelmus (inventor); Exploitatie Mij Marcin & Co N V (grantee). Issued 4-15-41.

2,238,979. Tobacco guiding machine. Korber Kurt Adolf (inventor); Muller J C N V (grantee). Issued 4-22-41.

2,239,238. Screw type closure. Liem See Thie (inventor); Torringa Dr Henri Francois (grantee). Issued 4-22-41.

2,239,253. Gravity davit. Schat Ane P (inventor). Issued 4-22-41.

2,241,072. Apparatus for use in connection with manufacture of cigarettes. Raschke Fritz Otto et al, Kechta Johann Paul (inventors); Muller J C N V (grantee). Issued 5-6-41.

2,241,104. Process and apparatus for the treatment of photographic ccatings. Van Der Grinten Lodewijk Pieter Frans (inventor); N V Chemische Fabriek, L Van Der Grinten (grantee). Issued 5-6-41

2,241,155. Method and means for launching and landing aircraft. Pleeman Albert (inventor); Koninklijke Luchtvaart Mij Voor Nederland en Kolonien N V (grantees). Issued 5-6-41.

2,242,163. Vacuum cleaner and the like apparatus. Bargeboer Adolf (inventor); N V Dikkers & Bargeboer (grantee). Issued 5-13-41.

2,242,354. Method of cleaning coal fired boiler installations. Hagemans Karel L (inventor); Van Tongeren Hermannus (grantee). Issued 5-20-41.

2,242,849. Catalyst and process of preparing the same. De Roos Jan Louis (inventor). Issued 5-20-41.

2,243,050. Process of producing spinnable fibers and cellulose from plants. Plant Hendricus (inventor); N V Exploitatie Mij Voor Chemische Uitvindingen E C U (grantees). Issued 5-20-41.

2,243,366. Centrifugal machine. Van Riel Pieter (inventor); N V Machinefabriek Reineveld (grantee). Issued 5-27-41.

2,243,703. Tobacco rod forming machine. Herrmann Paul Johannes (inventor); Muller J C N V (grantee). Issued 5-27-41.

2,244,034. Purification of oil in a centrifugal separator. Van Riel Pieter (inventor); N V Machinefabriek Reineveld (grantee). Issued 6-3-41.

2,246,190. Method and means for straightening the flanges of lids of boxes. Schmiedel Johannes et al, Jorke Karl Ernst Paul (inventors); Muller J C N V (grantee). Issued 6-17-41.

2,246,635. Process for preparing irreversible starch derivatives. Moller Fredrik Andre (inventor); N V W A Scholten S Chemische Fabrieken (grantees). Issued 6-24-41.

2,246,734. Apparatus for charging a current of air with a volatile substance. Kleijn Adrianus (inventor). Issued 6-24-41.

2,247,719. Cutting tool for slitting purposes. Van Unen Jacob (inventor); Werkspoor N V (grantee). Issued 7-1-41.

2,248,650. Process for producing nitrogen trichloride. Van Der Lee Gerrit (inventor); N V Industrieele Mij Voorheen Noury and Van Der Land (grantees). Issued 7-8-41.

2,248,725. Tobacco feed regulating device. Steizer Franz Heinrich Benno et al, Kasper Herbert Rudolf (inventors); Muller J C N V (grantee). Issued 7-8-41.

2,249,890. Process of making porcelain dental appliances. Droge Gerard George Johan (inventor). Issued 7-22-41.

2,251,379. Vehicle brake mechanism. Van Der Hof Hermanus (inventor). Issued 8-5-41.

2,251,518. Belt guide for cigarette machines. Herrmann Paul Johannes (inventor); Muller J C N V (grantee). Issued 8-5-41.

2,251,526. Quinine solution. Salomon Arnold (inventor); Orgachemia N V (grantee). Issued 8-5-41.

2,251,543. Wabbler engine. Hulsebos Wichert (inventor); N V Hulsemo (grantee). Issued 8-5-41.

2,252,113. Ironing board. Moes Markus (inventor). Issued 8-12-41.

2,252,263. Method and arrangement for the transmission of images. Kremer Pieter (inventor). Issued 8-12-41.

2,253,050. Apparatus for feeding compression molds for cigar fillers. Rober Constantin Friedrich (inventor); Muller J C N V (grantee). Issued 8-19-41.

2,253,853. Superheterodyne receiving circuit. Haantjes Johan et al, Tellegen Bernardus Dominicus Hubertus (inventors). Issued 8-26-41.

2,253,868. Apparatus for cleaning the suction surface on a suction head carrying wrappers in cigar machines. Rober Constantin Friedrich (inventor); Muller J C N V (grantee). Issued 8-26-41.

2,254,561. Framework for metallic vessels. Benthem Emond Jozua (inventor). Issued 9-2-41.

2,254,985. Apparatus for emptying centrifuges. Van Riel, Pieter (inventor); Machinefabriek Reineveld N V (grantee). Issued 9-2-41.

2,256,951. Horizontal Centrifugal machine. Van Riel Pieter (inventor); N V Machinefabriek Reineveld (grantee). Issued 9-23-41.

2,257,258. Nonjamming rolling surface for wobbler mechanisms. Hulsebos Wichert (inventor); N V Hulsemo (grantee). Issued 9-30-41.

2,257,410. Process and apparatus for continuously manufacturing armored construction boards. Arentsen Gerrit Jan (inventor). Issued 9-30-41.

2,258,909. Joint for articles of furniture. Reens Max Alexander (inventor). Issued 10-14-41.

2,260,263. Detachable face plate for suction heads. Rober Constantin Friedrich (inventor); Muller J C N V (grantee). Issued 10-21-41.

2,263,704. Process for continuously crystallizing sugar solution. Platte Johannes Anthonius et al, De Vries Gerbertus Hendrik (inventors). Issued 11-25-41.

2,263,913. Installation for burning liquid fuel. Bargeboer Adolf (inventor). Issued 11-25-41.

2,264,240. Tobacco rod. Hohn Max Paul Ernst (inventor); Muller J C N V (grantee). Issued 11-25-41.

2,264,448. Process for removing suspended emulsified or colloidally dissolved materials from water. Moller Fredrik Andre (inventor); N V W A Scholten S Chemische Fabrieken (grantee). Issued 12-2-41.

2,264,655. Valve. Brackmann Willem (inventor); N V Bureau Voor Economische Stoomproductie (grantees). Issued 12-2-41.

2,265,091. Dust collector. Van Tongeren Hermannus (inventor). Issued 12-2-41.

2,267,826. Air separator for comminuted tobacco. Eissmann Oswald Erich (inventor); Muller J C N V (grantee). Issued 12-23-41.

2,269,116. Device for the formation of tobacco layers. Lehmann Ernst Curt (inventor); Muller J C N V (grantee). Issued 1-6-42.

2,270,104. Communication system. Bevoort Cornelis (inventor). Issued 1-13-42.

2,270,147. Apparatus for feeding filler tobacco to cigar machines. Stelzer Franz Heinrich Benno (inventor); Muller J C N V (grantee). Issued 1-13-42.

2,271,710. Process for treating tubers to destroy parasites. De Mol Willem Eduard (inventor). Issued 1-27-42

2,271,982. Homogenization of liquid matter. Van Kreveld Arnold (inventor); Coop Condensfabriek Friesland (grantee). Issued 2-3-42.

2,272,001. Protective face shield for masks. Goode Heendrik, Sr. (inventor). Issued 2-3-42.

2,272,663. Method of pretreating cereals. Graumann Hermann (inventor); Wessanen S Koninklijke Fabrieken N V (grantees). Issued 2-10-42.

2,273,672. Stretcher. Van Gasselt Antonius Johannes Mathijs (inventor). Issued 2-17-42.

2,276,854. Process and apparatus for cutting and folding fabric strips. Margadant Frans Gerard Carel (inventor); Stoombandfabriek N V Van Engelen and Evers (grantees). Issued 3-17-42.

2,277,142. Cabinet locking mechanism. Van Osselen Willem (inventor); Gispen S. Fabriek Voor Metaalbewerking N V (grantees). Issued 3-24-42.

2,278,772. Centrifugal filling means for compression molds. Duden Gustav (inventor); N V Mij Tot Exploitatie Van Ten Bosch Octroolen N V (grantee). Issued 4-7-42.

2,278,775. Stress transmitting device. Fiorentino Aldo (inventor); Cohen Willem Looewijk (grantee). Issued 4-7-42

2,279,353. Telegraph system. Van Duuren Hendrik C. A. (inventor); Kingdom of the Netherlands Post Office Administration (grantees). Issued 4-14-42.

2,279,513. Valve. Hage David (inventor). Issued 4-14-42.

2,279,596. Lantern. Schipper Adrian J (inventor Issued 4-1-42

2,280,082. Manufacture of drying oils. Priester Remmet (inventor); N V Industrieele Mij Voorheen Noury and Van Der Lande (grantees). Issued 4-21-42.

2,280,335. Cigarette box packing device. Zimniak Edmund (inventor); Muller N V (grantee). Issued 4-21-42

2,281,431. Boiler. Groenema Jan J et al, Van Tongeren Hermannus (inventers). Issued 4-28-42.

2,281,962. Dust sampler Van Tongeren Hermannus (inventor). Issued 5-5-42

2,281,963. Sound deadener. Van Tongeren Hermannus (inventor). Issued 5-5-42.

2,282,501. Centrifugal castings. Suijk Koenraad et al, Suijk Jacob (inventors). Issued 5-12-42.

2,285,317. Perforated sheet. Van Den Biggelaar Martinus Josephus (inventor). Issued 6-2-42.

2,285,372. Push pull mixing circuit for ultra short waves. Strutt Maximiliaan Julius et al, Otto Knol Kornel Is Swier Van Der Ziel Aldert (inventors). Issued 6-2-42

2,286,935. Glare shield. Schendeler Paulus A (inventor). Issued 6-16-42

2,287,652. Spark arrester. Van Tongeren Hermannus (inventor). Issued 6-23-42.

2,289,436. Process for producing gas currents carrying predetermined quantities of nitrogen trichloride. Kleijn Adrianus (inventor). Issued 7-14-42.

2,290,313. Process for separating nickel and cobalt in solutions. Caron Martinus H (inventor). Issued 7-21-42.

2,290,553. Negative feedback circuit arrangement. Haantjes Johan (inventor). Issued 7-21-42.

2,291,940. Electric circuit controller. Spitzer Hans (inventor). Issued 8-4-42.

1,579,340. Method of operation in metallurgi-

1,610,678. Guide apparatus for

2,292,127. Protector for boots and shoes. Joosten Johannes Theodorus (inventor). Issued 8-4-42.
2,292,835. Electronic generator. Hepp Gerard (inventor). Issued 8-11-42.
2,293,414. High frequency amplifier circuit. Strutt Maximiliaan Julius Otto et al, Van Der Ziel Aldert (inventors). Issued 8-18-42.
2,293,415. High frequency amplifier circuit. Strutt Maximiliaan Julius Otto et al, Van Der Ziel Aldert (inventors). Issued 8-18-42.
2,295,256. Process and device for fractional distillation of liquid mixtures more particularly petroleum. Brugma Antonie Johan (inventor). Issued 9-8-42.
2,295,632. Process for the production of screen reflex copies. Buskes Willem Marie (inventor); N V Chemische Fabriek L Van Der Grinten (grantees). Issued 9-15-42.
2,297,713. High tension insulator. Nelis Jacobus R (inventor). Issued 10-6-42.

[F. R. Doc. 43-5325; Filed, April 5, 1943; 2:11 p. m.]

[Vesting Order 672]

PATENTS OF NATIONALS OF NORWAY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof;

2. Finding that each of such owners is a resident of Norway, and therefore is a national of a foreign country (Norway);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (Norway);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

RE17,045. Refrigerating plant. Amundsen Ivar (inventor); A S Amundsen Refrigerator Co. (grantee). Issued 11-1-27.
RE18,845. Bottom Sieve for wood pulp digesters. Morterud Einar (inventor). Issued 11-24-31.
RE21,732. Adjustable candlestick. Ager Wick Emil (inventor). Issued 6-20-39.
DE122,566. Design for a game board. Cabral Jorge Kirchhofer (inventor). Issued 9-17-40.
1,563,698. Spreading apparatus for artificial manures. Finne Jacob Von Straten (inventor); A S Sonoaz (grantee). Issued 12-1-25.
1,563,869. Hinge. Larson Anders Gustaf (inventor). Issued 12-1-25.
1,566,339. Method and apparatus for digesting pulp in rotating digestors. Morterud Einar (inventor). Issued 12-22-25.
1,566,929. Screen for wood pulp etc. Thune Sverre (inventor). Issued 12-22-25.
1,567,408. Process of treating fertilizers. Axelsen Peter Tomy (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantees). Issued 12-29-25.
1,568,368. Valve mechanism for compressed air brakes. Drolshammer Ivar (inventor). Issued 1-5-26.
1,569,272. Manufacture of artificial wood. Forster Adolf (inventor). Issued 1-12-26.
1,569,856. Automatic pistol. Eriksen Johan Emil (inventor). Issued 1-19-26.
1,570,333. Process for the production of catalyzers for the synthesis of ammonia. Cederberg Ivar Walfrid (inventor); Norsk Hydro Elektrisk Kvaelsto A S (grantee). Issued 1-19-26.
1,570,458. Manacles handcuffs and the like. Cederlof Borge (inventor). Issued 1-19-26.
1,570,548. Profilograph. Berge David (inventor). Issued 1-19-26.
1,571,382. Method of production of alloyed steel and iron with chromium manganese etc. Stig Torsten Georg et al, Stig Josef Einar Leonard (inventors). Issued 2-2-26.
1,573,716. Suspension vessel. Isaachsen Isak (inventor). A S Krystal (grantee). Issued 2-16-26.
1,573,950. Automatic scale. Torgersen Carl (inventor). Issued 2-23-26.
1,574,382. Process for the dry reduction of iron ore. Farup Peder (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 2-23-26.
1,575,160. Separation of metals. Giertsen Sigurd (inventor); Kristiansands Nikkelraffineringsverk (grantee). Issued 3-2-26.
1,575,634. Process of purifying aluminum nitrate. Mejdell Thor et al, Ravner Oystein (inventors); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 3-9-26.
1,577,762. Magazine wood pulp grinder. Schaanning Peder Christian (inventor). Issued 3-23-26.
1,579,340. Method of operation in metallurgical and like processes. Tharaldsen Filip (inventor). 4-6-26.
1,579,786. Cutting up continuous paper webs into single sheets. Ryberg Anders Emil (inventor). Issued 4-6-26.
1,579,840. Rotating hammer. Rasch Ludvik (inventor); A S Fjeldbor (grantee). Issued 4-6-26.
1,579,970. Device for charging metallurgical and like furnaces. Tharaldsen Filip (inventor). Issued 4-6-26.
1,580,038. Process for the production of ammonia from gases containing cyanide of hydrogen. Halvorsen Birger Fjeld (inventor); Norsk Hydroelektrisk Kvaelstof A S (grantee). Issued 4-6-26.
1,585,043. Thread and method for manufacturing impregnated fabric. Meier Erling (inventor); Daae Lorentz Segelcke (grantee). Issued 5-18-26.
1,585,794. Vibrating sieve. Sorensen Georg Rudolf Behrens (inventor). Issued 5-25-26.
1,586,338. Advertising device. Store Johan Nicolai (inventor). 5-25-26.
1,588,466. Benzoyl ecgonine ester and process of producing the same. Poulsson Edvard (inventor). Issued 6-15-26.
1,588,579. Electrode for electrolytic decomposition apparatus. Holmboe Carl Fredrik (inventor); De Nordiske Fabriker De No Fa (grantee). Issued 6-15-26.
1,589,334. Balance rudder. Kittelsen Erling (inventor); Lloyd Propulsion Ltd (grantee). Issued 6-15-26.
1,589,682. Catalyst for synthesis of ammonia. Cederberg Ivar Walfrid et al, Fjellanger Mikal, Gruner Vilhelm (inventors); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 6-22-26.
1,589,685. Hoe plow for potato planting. Gaalaas Torger O (inventor). Issued 6-22-26.
1,591,645. Process for the treatment of liquids contained in closed vessels. Rafn Robert (inventor). Issued 7-6-26.
1,591,801. Magazine grinding apparatus with power driven feeding device. Andresen Otto (inventor). Issued 7-6-26.
1,593,985. Socket and plug connection for electric circuits. Nielsen Alfred (inventor); Elektricitets Firmaet Francis Sonnichsen & Co (grantee). Issued 7-27-26.
1,596,775. Combined suction and pressure drum for pulp cellulose and the like. Stephansen Julius (inventor). Issued 8-17-26.
1,596,967. Machine for marking or canceling letters and other postal matters. Hansen Gustav Adolf (inventor). Issued 8-24-26.
1,597,996. Draft regulator. Moss Oivind (inventor). Issued 8-31-26.
1,598,176. Process for the electrothermic production of zinc. Tharaldsen Filip (inventor). Issued 8-31-26.
1,598,199. Timber connecter. Johansson Jacob et al, Solberg Leif (inventors). Issued 8-31-26.
1,599,997. Letter canceling machine. Hansen Gustav Adolf (inventor). Issued 9-14-26.
1,600,547. Process for the concentration of diluted nitrous gases. Johnsen Henry (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 9-21-26.
1,600,635. Steering device for trail cars for automobiles. Isachsen Ludvik (inventor). Issued 9-21-26.
1,600,643. Stamping machine. Petersen Kristian Marcentius (inventor). Issued 9-21-26.
1,600,919. Mounting for the suspension of pictures and other objects. Baalsrud Sigurd et al, Baalsrud Nils (inventors). Issued 9-21-26.
1,602,621. Collapsible music rack. Lillehen Sverre (inventor). Issued 10-12-26.
1,602,656. Compressed air brake. Drolshammer Ivar (inventor). Issued 10-12-26.
1,607,719. Dirigible headlight. Bjorhuus Knut (inventor). Issued 11-23-26.

1,610,678. Guide apparatus for propellers. Hiorth Jens Br (inventor). Issued 12-14-26.
1,613,212. Self baking electrode. Westly Jens (inventor); Det Norske assignee for Elektrokemisk Industri of Norway (grantee). Issued 1-4-27.
1,616,213. Recording taximeter. Blikstad Martin et al, Martin Thorleif (inventors). Issued 2-1-27.
1,616,501. Locking mechanism of hammerless shotguns and rifles. Larsen Johan (inventor). Issued 2-8-27.
1,617,136. Electrode device for electric furnaces. Sandvold Ole et al, Rye Olaf, Platou Olaf (inventors); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 2-8-27.
1,618,316. Process of electric smelting. Tharaldsen Filip (inventor). Issued 2-22-27.
1,619,036. Clarifying and purifying liquids and waste waters. Ravnestad Andreas Johan (inventor). Issued 3-1-27.
1,621,366. Centrifugal friction coupling. Hals Jorgen Michelet (inventor); Hals J M & Co A S (grantee). Issued 3-15-27.
1,622,367. Blotter. Bull Cornelius (inventor). Issued 3-29-27.
1,622,474. Process of effecting agglomeration in paper pulp and other suspensions and mixtures. Sveen Karl (inventor). Issued 3-29-27.
1,626,521. Ski tie. Eriksen Emil Marius (inventor). Issued 4-26-27.
1,628,163. Purifying composition for counteracting the formation of scale in boilers. Lillejord Hans (inventor); A S Norsk Kjelerensningsmiddel Ideal (grantee). Issued 5-10-27.
1,628,972. Rotatable block housing. Hansen Lorentz Emil (inventor). Issued 5-17-27.
1,629,619. Primary strainer for cellulose wood pulp etc. Hansen Christian Martin (inventor); A S Thunes Mek Verksted (grantee). Issued 5-24-27.
1,630,033. Mowing and reaping machine. Rudland Johannes (inventor); Interessentskapet Johs Rudlands Selvbinder (grantee). Issued 5-24-27.
1,630,430. Sieve plate for screw presses. Holter Kristian et al, Qviller Olaf (inventors). Issued 5-31-27.
1,631,699. Sand heating apparatus for building purposes. Selmer Fredrik (inventor). Issued 6-7-27.
1,632,184. Cooling arrangement for electrolytic cells. Holmboe Carl Fredrik (inventor); De Nordiske Fabriker De No Fa A S (grantee). Issued 6-14-27.
1,632,387. Refrigerating machine of the absorption type. Amundsen Ivar (inventor). Issued 6-14-27.
1,633,112. Scaffold. Kulbeck Niels (inventor). Issued 6-21-27.
1,634,855. Printing apparatus. Sivertzen Oscar (inventor). Issued 7-5-27.
1,635,624. Writing implement. Imset Otto (inventor). Issued 7-12-27.
1,638,684. Reduction process using circulating reducing gases. Edwin Emil (inventor); A S Norsk Staal Elektrisk Gas Reduktion (grantee). Issued 8-9-27.
1,638,961. Airship. Richardsen Severin (inventor). Issued 8-16-27.
1,639,007. Process of building up self baking electrodes. Sem Mathias Ovrom (inventor); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 8-16-27.
1,640,735. Process of making channeled continuous electrodes. Soderberg Carl Wilhelm (inventor); Det Norske A S for Elektrokemisk Industrie (grantee). Issued 8-30-27.
1,641,054. Can opener. Schanning Anton Martin Schweigard (inventor). Issued 8-30-27.
1,646,454. Method of separating two or more substances from a solution. Isaachsen Isak (inventor); A S Krystal (grantee). Issued 10-25-27.
1,647,208. Refrigerating plant. Amundsen Ivar (inventor). Issued 11-1-27.
1,647,381. Process for making liquid zinc from blue powder. Tharaldsen Filip (inventor). Issued 11-1-27.
1,647,682. Magazine grinder. Andresen Otto (inventor). Issued 11-1-27.
1,650,100. Dewatering apparatus for pulp. Stephansen Julius (inventor). Issued 11-22-27.
1,650,201. Centrifugal friction coupling. Elling Jens William Aegidius et al, Heger Bjorn (inventors). Issued 11-22-27.
1,650,536. Lifting jack. Pierce Maurice (inventor). Issued 11-22-27.
1,650,537. Lifting jack. Pierce Maurice (inventor). Issued 11-22-27.
1,651,776. Mold for casting concrete poles and masts in upright position. Meeg Larssen Rolf et al, Bu Aamund (inventors). Issued 12-6-27.
1,652,119. Process for the production of alumina from aluminum nitrates. Halvorsen Birger Fjeld et al, Falck Hans Joachim, Ravner Oystein (inventors); Norsk Hydroelektrisk Kvalestof A S (grantee). Issued 12-6-27.
1,653,343. Wing pump. Christensen Christen Henrik (inventor). Issued 12-20-27.
1,653,663. Rock cutting tool. Rolfsen Ole (inventor). Issued 12-27-27.
1,653,744. Arrangement for indication of the position or direction of the steering wheels in vehicles. Stensaeter Kristoffer (inventor). Issued 12-27-27.
1,653,842. Brake valve. Drolshammer Ivar Olaf Georg (inventor). Issued 12-27-27.
1,654,272. Ski binding. Seeberg Christen (inventor). Issued 12-27-27.
1,656,999. Electric sorting machine for perforated cards. Bull Fredrik Rosing (inventor). Issued 1-24-28.
1,657,589. Advertising device. Rossler Emil Rudolph (inventor). Issued 1-31-28.
1,657,948. Process in the employment of self baking electrodes. Westly Jens (inventor); Norske Det A S for Elektrokemisk Industri of Norway (grantee). Issued 1-31-28.
1,659,883. Belt fastener. Lorentz John (inventor). Issued 2-21-28.
1,661,615. Lubricating device for motors and the like. Larsen Waldemar (inventor). Issued 3-6-28.
1,662,930. Bactericidal preparation. Laland Per (inventor); Nyegaard & Co A S (grantee). Issued 3-20-28.
1,663,699. Splint catcher. Hansen Arthur et al, Gaarder Leif (inventors). Issued 3-27-28.
1,666,563. Instrument for setting up profiles. Hagen Sigurd (inventor). Issued 4-17-28.
1,667,968. Process for separating compounds of potassium from compounds of aluminum. Falck Hans Joachim (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 5-1-28.
1,670,052. Electrode mass for self baking electrodes. Soderberg Carl Wilhelm (inventor); Det Norske A S for Electrokemisk Industri of Norway (grantee). Issued 5-15-28.
1,672,065. Machine for distributing artificial manure and the like. Hoy Johan Arnt Hansen (inventor). Issued 6-5-28.
1,673,957. Propelling system. Thrane Victor (inventor). Issued 6-19-28.
1,675,969. Automatic printing machine. Bull Fredrik Rosing Dec (inventor); Hilditch Ernst Excr, Strom Ulrich Excr (grantees). Issued 7-3-28.
1,676,409. Removable contrapropeller. Overgaard Olav (inventor); Star Contra Propeller Ltd A S (grantee). Issued 7-10-28.
1,678,515. Permanent dam and weir. Hoyer Sigurd (inventor). Issued 7-24-28.
1,678,731. Lubricator. Klauset Nikolai Kastberg (inventor). Issued 7-31-28.
1,679,284. Process for production of self baking electrodes. Westly Jens (inventor); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 7-31-28.
1,679,391. Instrument for administering medicines to animals. Aas Nils (inventor). Issued 8-7-28.
1,682,270. Apparatus for regulating speed variations in power engines exposed to varying load. Eriksen Jehan Emil (inventor). Issued 8-28-28.
1,682,784. Dental drilling apparatus. Gythfeldt Trygve (inventor). Issued 9-4-28.
1,683,534. Method of using high tension electric arcs for treatment of gases. Edwin Emil (inventor); A S Norsk Staal Elektrisk Gas Reduktion (grantee). Issued 9-4-28.
1,684,648. Hair undulating tongs. Tingberg Anders (inventor). Issued 9-18-28.
1,686,075. Process of making synthetic pig iron. Edin Emil (inventor); A S Norsk Staal Elektrisk Gas Reduktion (grantee). Issued 10-2-28.
1,686,302. Distance handling of electrodes. Walther Martin (inventor); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 10-2-28.
1,686,474. Self baking electrode. Soderberg Carl Wilhelm (inventor); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 10-2-28.
1,686,686. Arrangement for weighing goods in a hanging position. Wahl Lars Gunstein (inventor). Issued 10-9-28.
1,687,093. Stone dressing tool. Holm Erling Thune (inventor). Issued 10-9-28.
1,688,795. Teat cannula. Aas Nils (inventor). Issued 10-23-28.
1,691,208. Heating stove. Pedersen Carl Emil (inventor). Issued 11-13-28.
1,691,505. Electrode. Walther Martin (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 11-13-28.
1,691,512. Fastening device for adjustible ski ears. Berge Rasmus (inventor); Gresvig A (grantee). Issued 11-13-28.
1,691,534. Machine for the manufacture of fishhooks. Topp Mathias (inventor); Mustad O & Son (grantee). Issued 11-13-28.
1,692,343. Potato digger and separator. Moller Carl Fredrik (inventor). Issued 31-20-28.
1,692,735. Electromotor. Heger Bjorn (inventor). Issued 11-20-28.
1,693,786. Process for the crystallization of solid substances in a coarse granular form from solutions. Isaachsen Isak (inventor); A S Krystal (grantee). Issued 12-4-28.
1,694,594. Process for the purification of gases to be used in the production of ammonia. Halvorsen Birger Fjeld (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 12-11-28.
1,694,710. Process for the recovery of zinc from zinc bearing solutions. Lenander Nils Erik (inventor); Orkla Grubeaktiebolag (grantee). Issued 12-11-28.
1,699,316. Washing implement. Sokka Andreas Ellingsen (inventor). Issued 1-15-29.
1,699,938. Whale oil refinery vessel. Andvig Jens (inventor). Issued 1-22-29.
1,700,685. Manufacture of horseshoe nails. Moeller Adolf (inventor); Mustad O & Son (grantee). Issued 1-29-29.
1,702,330. Ski tie. With Bror (inventor). Issued 2-19-29.
1,703,745. Operation of pulp digesters. Morterud Einar (inventor). Issued 2-26-29.
1,704,611. Method of precipitating solid substances in coarse granular condition from solutions. Jeremiassen Finn (inventor); A S Krystal (grantee). Issued 3-5-29.

1,704,639. Display sign. Nathansohn Henry Carl Wilhelm (inventors); Det
1,705,396. Travelers toilet casket. Holter Al-

1,829,268. Shaft furnace for treating solid
1,856,187. Process of producing calcium ni-

1,706,146. Regulating device for electrode boilers. Davidsen Soren (inventor). Issued 3-19-29.
1,707,232. Apparatus for cleaning centrifugal separators. Naess Hallvard (inventor). Issued 4-2-29.
1,707,892. Refrigeration plant of the intermittent absorption type. Amundsen Ivar et al, Stephansen Erik (inventors); Amundsen Ivar (grantee). Issued 4-2-29.
1,708403. Apparatus for making liquid zinc from blue powder. Tharaldsen Filip (inventor). Issued 4-9-29.
1,710,783. Valve for resilient tubes. Nernaes Gustav (inventor). Issued 4-30-29.
1,713,220. Plural row cinematographic camera. Eriksen Erling et al, Braastad Albert (inventors). Issued 5-14-29.
1,714,222. Method of impregnating paper for bag tubes. Holter Alfred (inventor). Issued 5-21-29.
1,715,945. Process of producing vitamine preparations. Owe Aage Willand (inventor). Issued 6-4-29.
1,715,960. Condenser for zinc vapors from electric furnaces. Tharaldsen Filip (inventor). Issued 6-4-29.
1,717,582. Slate fastener. Riesterer Celestin (inventor). Issued 6-18-29.
1,717,853. Vacuum tank for liquid fuels. Ruud Otto Severin (inventor). Issued 6-18-29.
1,717,939. Lubricant oil. Rolfsen Ole (inventor). Issued 6-18-29.
1,718,292. Process for the production of alkali metal silicates that are soluble in water. Halvorsen Birger Fjeld (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 6-25-29.
1,718,399. Method and apparatus for removing knots from mechanical and chemical wood pulp. Andersen Axel Christian et al, Schie Arne (inventors). Issued 6-25-29.
1,721,230. Centrifugal separator. Molbach Elias Bernhard (inventor). Issued 7-16-29.
1,723,582. Electrode for electric furnaces. Sem Mathias Ovrom (inventor); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 8-6-29.
1,723,693. Steering device for skis. Froholm Gabriel (inventor). Issued 8-6-29.
1,723,772. Process of making gaseous mixtures of nitrogen and hydrogen. Edwin Emile (inventor). Issued 8-6-29.
1,726,923. Rotating tool for working in earth rock metal wood and the like. Rolfsen Ole (inventor). Issued 9-3-29.
1,727,786. Airship. Richardsen Severin (inventor). Issued 9-10-29.
1,728,840. Relay. Stavostrand Harald (inventor). Issued 9-17-29.
1,729,931. Valve mechanism for compressed air brakes. Drolshammer Ivar (inventor). Issued 10-1-29.
1,729,945. Wire clamp. Holm Carl Julianus (inventor). Issued 10-1-29.
1,730,076. Device for extension of the distance between an automobile and its trailer. Isachsen Ludvik (inventor). Issued 10-1-29.
1,730,077. Coupling attachment for vehicle trailers. Isachsen Ludvik (inventor). Issued 10-1-29.
1,731,146. Apparatus for the evaporation of liquids. Morterud Einar (inventor). Issued 10-8-29.
1,732,492. Sugar product & method of making same. Andresen Viggo Valdemar Julius (inventor). Issued 10-22-29.
1,733,224. Brake testing device for vehicle wheels. Hovde Albert (inventor). Issued 10-29-29.
1,733,316. Machine for cutting off bands. Rovig Henrik Olsen (inventor). Issued 10-29-29.
1,735,902. Dispensing apparatus for soap powder and the like. Johansen Leif Hartvig (inventor). Issued 11-19-29.
1,735,936. Process in the manufacture of electrodes. Sem Mathias Ovrom et al, Soderberg Carl Wilhelm (inventors); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 11-19-29.
1,738,258. Centrifugal separator. Naess Hallvard (inventor). Issued 12-3-29.
1,740,012. Process of bleaching fatty acids. Godal Arne (inventor). Issued 12-17-29.
1,741,552. Drinking fountain. Bohn Olaf Martinius (inventor). Issued 12-31-29.
1,742,666. Process of recovering oil from fish livers and other similar materials. Owe Aage W (inventor). Issued 1-7-30.
1,746,370. Electrical switch. Strand Knut Madsen (inventor). Issued 2-11-30.
1,746,755. Boat canoe and other craft aeroplane body and the like and method of manufacturing same. Andersen Anders Nicolay (inventor). Issued 2-11-30.
1,749,669. Hanger for air cables. Gronberg Otto Angell (inventor). Issued 3-4-30.
1,751,084. Automatic emergency control. Hoff Waldemar (inventor). Issued 3-18-30.
1,751,177. Process in the manufacture of self baking electrodes. Sem Mathias Ovrom et al, Soderberg Carl Wilhelm (inventors); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 3-18-30.
1,751,740. Process of separately recovering soluble substances in a coarse granular condition. Jeremiassen Finn (inventor); A S Krystal (grantee). Issued 3-25-30.
1,751,756. Tank ship. Paulsen Reginald (inventor). Issued 3-25-30.
1,751,956. Work holder especially for knitting machines for mending knitted woven or similar articles. Torgersen Dag (inventor). Issued 3-25-30.
1,752,243. Wad for whale guns and the like. Engberg Karl Emil Hjalmar (inventor). Issued 3-25-30.
1,752,766. Calculating apparatus. Vethe Anders Eirikson (inventor). Issued 4-1-30.
1,753,073. Bucket and equipment for carrying same. Troften Einar (inventor). Issued 4-1-30.
1,753,123. Cell for electrolyzing solutions of Alkali chlorides. Kress Edouard (inventor). Issued 4-1-30.
1,753,969. Rock cutting tool. Rolfsen Ole (inventor). Issued 4-8-30.
1,753,970. Hammer head for rotating rock cutting tools. Rolfsen Ole (inventor). Issued 4-8-30.
1,754,975. Nonreturn valve. Andersen Georg (inventor). Issued 4-15-30.
1,755,398. Ski fastening. Jordell Johannes Olsen (inventor). Issued 4-22-30.
1,756,398. Float valve. Steensen Sverre Johan (inventor). Issued 4-29-30.
1,756,754. Method of manufacturing thick webs of wood pulp cellulose and similar materials. Jensen Harald (inventor). Issued 4-29-30.
1,756,786. Ceramic material and binding agent as well as a process for producing such material. Goldschmidt Victor Mortiz et al, Knudsen Rolf (inventors); Borgestad Fabrikker (grantee). Issued 4-29-30.
1,756,849. Exhibition and advertisement stand. Braastad Marius Andersen (inventor). Issued 4-29-30.
1,757,695. Electrode. Westly Jens (inventor); Det Norske Aktieselskab for Elektrokemisk Industri of Norway (grantee). Issued 5-6-30.
1,759,456. Process of extracting useful elements from their ores by the aid of gases. Hofseth Bjarne (inventor). Issued 5-20-30.
1,760,395. Electrode holder. Brock Heinrich (inventor); Det Norske A S for Elektrokemisk Industri of Norway (grantee). Issued 5-27-30.
1,761,442. Furnace for the production of aluminum. Froland Peder Eliasen (inventor). Issued 6-3-30.
1,764,639. Display sign. Nathansohn Henry (inventor). Issued 6-17-30.
1,764,961. Planet gearing. Kittilsen Coom (inventor). Issued 6-17-30.
1,766,886. Gas turbine unit. Elling Jens William Aegidius (inventor). Issued 6-24-30.
1,768,876. Pneumatic vehicle wheel. Andersen Felix Fridtjov (inventor). Issued 7-1-30.
1,770,320. Heat transmitting apparatus. Morterud Einar (inventor). Issued 7-8-30.
1,770,573. Gelatin product and the process for manufacturing same. Haavardsholm Olav (inventor). Issued 7-15-30.
1,771,559. Web forming apparatus. Diesen Sverre (inventor). Issued 7-29-30.
1,771,810. Utilization of waste steam from evaporation apparatus in pulp digesting plants. Morterud Einar (inventor). Issued 7-29-30.
1,772,998. Pasteurizing apparatus. Holte Halvor (inventor). Issued 8-12-30.
1,773,408. Rotating tool for working in earth rock metal wood and the like. Rolfsen Ole (inventor). Issued 8-19-30.
1,774,674. Electrode. Sem Mathias Ovrom (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 9-2-30.
1,776,744. Refrigerating plant. Amundsen Ivar (inventor). Issued 9-23-30.
1,776,745. Refrigerating plant. Amundsen Ivar (inventor). Issued 9-23-30.
1,776,761. Method for blowing out pulp digesters. Morterud Einar (inventor). Issued 9-23-30.
1,777,217. Pulp digester. Morterud Einar (inventor). Issued 9-30-30.
1,777,913. Process and apparatus for producing cooling liquids. Dahl Nekolai (inventor). Issued 10-7-30.
1,778,101. Exhaust silencer for aircraft motors and the like. Bie Ole Solberg (inventor). Issued 10-14-30.
1,779,283. Circulation system for pulp digesters. Morterud Einar (inventor) Issued 10-21-30.
1,779,568. Barking Drum. Strindlund John (inventor). Issued 10-28-30.
1,780,511. Ski tie. With Bror (inventor). Issued 11-4-30.
1,782,295. Manufacture of ceramic products. Goldschmidt Victor Moritz (inventor). Issued 11-18-30.
1,783,046. Process for the separation of cobalt and iron from solutions rich in iron as obtained by lixiviating roasted pyrites. Lenander Nils Erik (inventor); Orkla Grube Aktiebolag (grantee). Issued 11-25-30.
1,785,591. Digester for sulphite wood pulp. Morterud Einar (inventor). Issued 12-16-30.
1,786,245. Method and means for manufacturing drainpipes from veneer. Honningstad Amund et al, Arneson Arne, Norheim Alfred (inventors). Issued 12-23-30.
1,789,210. Bow guide for violins and the like stringed musical instruments. Auensen Peder Konrad (inventor). Issued 1-13-31.
1,789,212. Apparatus for producing luminous pictures in space. Bergve Einar (inventor). Issued 1-13-31.
1,789,791. Casting of concrete walls for buildings dams and other articles made of concrete. Tonnessen Stefan Due et al, Knudsen Alfred Theodor (inventors). Issued 1-20-31.
1,791,412. Paper machine in order to prevent breakage of the paper on the couch press or wire cloth. Jacobsen Nils Andor (inventor). Issued 2-3-31.
1,792,556. Device for the manufacture of fishhooks. Topp Mathias (inventor); Mustad O & Son (grantee). Issued 2-17-31.
1,794,083. Combined drill transport and connecting trolley. Lund Christopher Henrik Hoelfeldt (inventor); A S Hoeleng (grantee). Issued 2-24-31.

1,795,396. Travelers toilet casket. Holter Alfred (inventor). Issued 3-10-31.
1,797,700. Process for smelting sulphide ores to metal matte and slag. Skappel Harald (inventor). Issued 3-24-31.
1,797,807. Core for electric transformers. Swendsen Johan Walfred (inventor). Issued 3-24-31.
1,798,653. High pressure steam boiler. Bjering Hans Christian (inventor). Issued 3-31-31.
1,798,844. Pulley block. Johansson Carl Alfred (inventor). Issued 3-31-31.
1,800,156. Method and means for the atomizing or distribution of liquid or semiliquid materials. Rotheim Erik (inventor). Issued 4-7-31.
1,802,266. Pulp digester with interior circulation. Morterud Einar (inventor). Issued 4-21-31.
1,805,593. Process of producing vitamine preparations. Owe Aage Willand (inventor). Issued 5-19-31.
1,806,255. Arch dam. Groner Christian Fredrik et al, Kloumann Sigurd (inventors). Issued 5-19-31.
1,807,544. Directly heated pulp digester. Morterud Einar (inventor). Issued 5-26-31.
1,808,122. Manufacture of tubes and pipes. Sonnichsen Francis et al, Frisch Francis Adolf, Nicolaysen Herman Arthur (inventors). Issued 6-2-31.
1,810,845. Top screen for wood pulp digesters or the like. Morterud Einar (inventor). Issued 6-16-31.
1,812,759. Device for releasing shells in aircraft. Slinde Per (inventor). Issued 6-30-31.
1,813,937. Sail mast and rig for sailing boats and sailing vessels. Krussand Daniel (inventor). Issued 7-14-31.
1,814,509. Dam. Groner Christian Fredrik (inventor). Issued 7-14-31.
1,814,952. Manufacture of horseshoe nails. Mustad Hans Clarin Hovind (inventor); Mustad O and Son (grantee). Issued 7-14-31.
1,815,961. Refrigerator of the adsorption type. Amundsen Ivar (inventor). Issued 7-28-31.
1,816,132. Rotary dewatering sieve. Strindlund John (inventor). Issued 7-28-31.
1,816,285. Process of converting phosphate rock into soluble compounds and of separating its content of lime and phosphoric acid Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 7-28-31.
1,816,402. Device for regulating the size of the combustion chamber in combustion motors. Rudd Otto Severin (inventor). Issued 7-28-31.
1,816,739. Process for the manufacture of cellulose. Nielsen Albert Ellas (inventor). Issued 7-28-31.
1,819,963. Process for treatment of wood pulp by percolation. Morterud Einar (inventor). Issued 8-18-31.
1,821,309. Process of manufacturing compound fertilizers. Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 9-1-31.
1,821,605. Apparatus for measuring the contents of moisture in chemical and mechanical wood pulp. Andersen Axel Christian (inventor). Issued 9-1-31.
1,822,055. Gas pedal. Naesheim Albert (inventor). Issued 9-8-31.
1,825,186. Horseshoe. Harsem Peter Andreas (inventor); Imperator Hestesko A S (grantee). Issued 9-29-31.
1,827,446. Process of making refractory linings. Westberg Sigurd (inventor). Issued 10-13-31.
1,828,591. Process of treating fatty material to obtain fats or oils therefrom. Bull Henrik (inventor). Issued 10-20-31.
1,828,792. Valve for internal combustion engines and the like. Tverbakk Hakon Aksel Pedersen (inventor). Issued 10-27-31.
1,829,268. Shaft furnace for treating solid materials with gases. Edwin Emil (inventor); Norsk Staal Elektrisk Gas Reduktion (grantee). Issued 10-27-31.
1,829,379. Computing machine. Vethe Anders (inventor). Issued 10-27-31.
1,829,686. Induction motor. Swendsen Johan Walfred (inventor). Issued 10-27-31.
1,829,921. Hinge seat cutter. Bruun Lars (inventor). Issued 11-3-31.
1,831,176. Manufacture of seed blocks. Holm Hansen Birger (inventor); International Skogplantningsmetode A S. Issued 11-10-31.
1,831,748. Arrangement for the circulation of digesting liquor in wood pulp digesters. Morterud Einar (inventor). Issued 11-10-31.
1,833,848. Bottom sieve for wood pulp digesters. Morterud Einar (inventor). Issued 11-24-31.
1,834,454. Manufacture of fertilizers. Johnson Erling (inventor); Odda Smelteverk A S. Issued 12-1-31
1,834,455. Process of manufacturing phosphoric acid and soluble phosphates. Johnson Erling (inventor); Odda Smelteverk (assignee). Issued 12-1-31.
1,834,788. Process for the production of a sugar solution. Langfeldt Einar (inventor). Issued 12-1-31.
1,836,296. Machine for mending knitted woven or similar articles. Torgersen Dag (inventor). Issued 12-15-31.
1,836,774. Combined collecting and money changing apparatus. Samuelsen Hjalmar, et al (inventor); Kielland Jakob de Rytter (inventors). Issued 12-15-31.
1,836,862. Process of removing liquor from wood pulp digesters. Morterud Einar (inventor). Issued 12-15-31.
1,836,880. Electrode. Sem Mathias Ovrom (inventor); Det Norske A S for Elektrokemisk Industri of Norway (grantees). Issued 12-15-31.
1,837,868. Apparatus to control hearing. Ingebrigtsen Brynjulf Hay (inventor). Issued 12-22-31.
1,837,985. Pulp digester with forced circulation. Morterud Einar (inventor). Issued 12-22-31.
1,841,652. Record and index card system. Tollefsen Carl Thorleif (inventor). Issued 1-19-32.
1,841,874. Method of loading boreholes with explosives and means for working said method. Borchgrevink Otto Fredrik (inventor). Orkla Grube Aktiebolag (grantee). Issued 1-19-32.
1,842,131. Record and index card system. Tollefsen Thorleif (inventor). Issued 1-19-32.
1,843,408. Dam. Trumpy Casper (inventor). Issued 2-2-32.
1,849,459. Apparatus for turning of leaves of music. Klaussen Leif Bjarne (inventor). Issued 3-15-32.
1,850,476. Propeller. Riis Hans Martinius (inventor). Issued 3-22-32.
1,850,638. Collapsible and transportable house. Schioler Helge (inventor). Issued 3-22-32.
1,851,254. Ditching machine. Karlsen Henry (inventor); Hanneborg Aurora (grantee). Issued 3-29-32.
1,852,510. Process of treating titaniferous materials with acid. Farup Peder (inventor); Titan Co A S. Issued 4-5-32.
1,852,669. Divan sleeping chair and the like. Nordby Birger (inventor). Issued 4-5-32.
1,854,080. Lock arrangement for safe doors, etc. Tonnessen Adolph (inventor). Issued 4-12-32.
1,854,537. Pneumatic tire for vehicles. Andersen Felix Fridtjov (inventor). Issued 4-19-32.
1,854,899. Process of making refractory insulating material. Goldschmidt Victor Moritz (inventor). Issued 4-19-32.
1,855,073. Electric induction motor. Swendsen Johan Walfred (inventor). Issued 4-19-32.
1,856,187. Process of producing calcium nitrate and ammonium salts from phosphate rock and like phosphate material. Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 5-3-32.
1,857,725. Roasting apparatus. Lassen Hans Karl Andreas (inventor). Issued 5-10-32.
1,858,326. Arrangement for securing elastic articles to rigid supports. Harsem Peter Andreas (inventor); Imperator Hestesko A S (grantee). Issued 5-17-32
1,859,738. Process of manufacturing fertilizers. Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 5-24-32.
1,860,741. Crystallization apparatus. Jeremiassen Finn (inventor). Issued 5-31-32.
1,861,695. Elastic horseshoe with metal reenforcements. Harsem Peter (inventor); Imperator Hestesko A S (grantee). Issued 6-7-32.
1,862,808. Checking apparatus. Solheim Peter (inventor). Issued 6-14-32.
1,863,113. Potato harvesting machine. Hanstad Kaare (inventor). Issued 6-14-32
1,863,984. Working & loading platform for gallery work in tunnels. Hoelfeldt Lund Cristopher Henrik (inventor); A. S. Hoeleng (grantee). Issued 6-21-32
1,865,768. Method of treating mechanical wood pulp. Klem Per (inventor). Issued 7-5-32
1,867,235. Rotary valve. Thorkildsen Johan (inventor). Issued 7-12-32
1,867,436. Method and apparatus for concentrating pulp water. Andresen Otto (inventor). Issued 7-12-32.
1,868,386. Ski fastening device. Gresvig Aksel Johan (inventor). Issued 7-19-32.
1,868,415. Method of manufacturing screws with one or two appending washers. Gundersen Einar et al, Lahn Harald (inventors). Issued 7-19-32.
1,869,270. Steam intake sleeve for sulphite pulp digesters. Morterud Einar (inventor). Issued 7-26-32.
1,869,462. Stretching and fastening device for ropes. Burheim Olav (inventor). Issued 8-2-32.
1,871,575. Machine for molding and pressing oil seed cakes or the like. Aarskog Alv et al, Svendsen Karsten, Ebel Peter (inventors); A S Lilleborg Fabriker (grantee). Issued 8-16-32.
1,873,527. Electrical switch. Anfinnsen Arnfinn Schancke et al, Oftedal Jakob (inventors). Issued 8-23-32.
1,875,182. Fishhook. Southwell Frank (inventor); Mustad O and Son (grantee). Issued 8-30-32.
1,875,576. Wooden Plank House. Een Johannes Benjamin (inventor). Issued 9-6-32
1,875,634. Steamship with the main boiler mounted on a deck or platform at some height above the bottom of the ship or the tank top. Meldahl Knud Georg (inventor). Issued 9-6-32.
1,876,501. Process of manufacturing concentrated fertilizers. Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 9-6-32.
1,877,441. Advertising device. Andvig Hans (inventor). Issued 9-13-32.
1,880,167. Folding baby carriage. Baerulfsen Karl Magnus (inventor). Issued 9-27-32.
1,882,188. Vehicle lamp. Makaroff Sergei (inventor). Issued 10-11-32.
1,882,391. Apparatus for digesting wood pulp. Morterud Einar (inventor). Issued 10-11-32.
1,886,755. Screw press and the like. Strindlund John (inventor). Issued 11-8-32.
1,888,455. Ski. Eriksen Emil Marius (inventor). Issued 11-22-32.
1,892,120. Automatic machinery for making fishhooks. Topp Mathias (inventor); Mustad O and Son (grantee). Issued 12-27-32.
1,892,750. Method and apparatus for atomizing materials. Rotheim Erik (inventor). Issued 1-3-33.

2,019,002. Process and apparatus for con- 2,034,000. Method for vulcanizing belts (inventor); Norsk Hydro Elektrisk Kvael-

1,893,112. An induction motor with short circuited secondary. Swendsen Johan Walfred (inventor). Issued 1-3-33.
1,895,011. Boat launching gear. Smith Christen (inventor). Issued 1-24-33.
1,895,266. Wood pulp digester with internal circulation conduit. Morterud Einar (inventor). Issued 1-24-33.
1,898,749. Induction motor with short circuited secondary. Swendsen Johan Walfred (inventor). Issued 2-21-33.
1,898,962. Dividing card for cigarette boxes. Hvistendahl Georg (inventor). Issued 2-21-33.
1,900,287. Process of producing alumina and phosphorus or phosphoric acid. Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 3-7-33.
1,900,848. Rudder for sea going vessels. Vadset Johan Gundersen (inventor). Issued 3-7-33.
1,900,982. Typewriter and like machine. Dreyer Paul (inventor). Issued 3-14-33.
1,901,263. Internal combustion engine. Ruud Otto Severin (inventor). Issued 3-14-33.
1,901,862. Pneumatic tire. Andersen Felix Fridtjov (inventor). Issued 3-21-33.
1,903,770. Process for preparation of a product containing all opium alkaloids. Aagaard Thorvald Bernhart et al, Smidahl Bjarne, Hopstock Frantz Philip (inventors); A S Farmakon (grantee). Issued 4-18-33.
1,904,894. Process and apparatus for the manufacture of cellulose. Westad Daniel (inventor). Issued 4-18-33.
1,904,937. Barking drum. Strindlund John (inventor). Issued 4-18-33.
1,906,632. Heating apparatus. Langberg Christian et al, Wathne Campbell (inventors). Issued 5-2-33.
1,907,269. Dishwashing machine. Selmer Curt (inventor). Issued 5-2-33.
1,909,052. Pump for the conveyance of thick fluid pulps. Froisland Amunder (inventor). Issued 5-16-33.
1,909,704. Method for the manufacture of rib piping. Morseth Leif (inventor); A S Per Kure Norsk Motor & Dynamofabrik (grantee). Issued 5-16-33.
1,909,712. Indicating device with two electrically operated signals. Oppegaard Karl Fredrik (inventor). Issued 5-16-33.
1,910,709. Electrode for geophysical surveys. Mortensen Magne (inventor). Issued 5-23-33.
1,913,624. Means for cooling perishable food products. Bennetter Sigvart Johan (inventor). Issued 6-13-33.
1,916,801. Machine for sorting perforated cards. Knutsen Knut Andreas (inventor). Issued 7-4-33.
1,917,373. Spring for cars. Jakobsen Svend Older (inventor). Issued 7-11-33.
1,917,592. List or fillet for crevices. Lund Adolf Ingvald (inventor). Issued 7-11-33.
1,918,913. Admission of air to the induction pipes of internal combustion engines. Isdahl Einar (inventor). Issued 7-18-33.
1,919,425. Process for dissolving titaniferous materials in acids. Farup Peder (inventor); Titan Co A S (grantee). Issued 7-25-33.
1,920,165. Mouth cleansing device. Andvig Hans (inventor). Issued 8-1-33.
1,920,765. Percussion tool. Rasch Ludvik (inventor). Issued 8-1-33.
1,922,955. Ski fastener. Jensen Hans (inventor). Issued 8-15-33.
1,923,612. Torpedo for launching from a flying machine. Bull Johan Andreas (inventor). Issued 8-22-33.
1,924,041. Process of manufacturing a product containing ammonium nitrate and calcium carbonate. Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 8-22-33.
1,925,330. Combined casing and press for tennis rackets. Leisner Rolf William (inventor). Issued 9-5-33.
1,925,469. Method for the extraction of emulsified suspended or dissolved substances from liquids by means of volatile solvents. Langfeldt Einar et al, Hellerud Ragnvald (inventors). Issued 9-5-33.
1,926,023. Vertical index cabinet. Aagaard Birger (inventor). Issued 9-12-33.
1,926,494. Heating device. Morterud Knut Kristoffer (inventor). Issued 9-12-33.
1,926,591. Electrodialyzer. Loddesol Aasuly (inventor). Issued 9-12-33.
1,928,854. Electrode suspension means. Grolee Jean (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 10-3-33.
1,930,880. Electrical heating apparatus. Lokke Ole Odolf (inventor); A S Elektrisk Bureau (grantee). Issued 10-17-33.
1,933,223. Air pump. Skui Einar Borgvald (inventor). Issued 10-31-33.
1,933,678. Packing box with circulating cooling water. Morterud Knut (inventor). Issued 11-7-33.
1,933,813. Electric washing machine for cleaning fabric or other woven material. Lehmkuhl Joachim (inventor). Issued 11-7-33.
1,936,422. Means for producing proofs from the cast lines of type bar casting machines. Gjaeder Asbjorn (inventor). Issued 12-5-33.
1,939,225. Agitating tank for cellulose pulp and similar substances. Qviller Olaf (inventor); A S Thunes Mek Vaerksted (grantee). Issued 12-12-33.
1,939,351. Process of dissolving phosphate rock and of separating its content of lime and phosphoric acid. Johnson Erling (inventor); Odda Smelteverk A S (grantee). Issued 12-12-33.
1,941,243. Manufacture of artificial cream. Bergsvik Arne et al, Hellerud Ragnvald (inventors). Issued 12-26-33.
1,941,261. Milk product and the manufacture thereof. Hellerud Ragnvald (inventor). 12-26-33.
1,945,998. Coating composition. Rotheim Erik (inventor). Issued 2-6-34.
1,946,636. Horseshoe of rubber or similar material. Nygaard Egil (inventor). Issued 2-13-34.
1,946,860. Self locking thread system. Kielland Jakob de Rytter (inventor). Issued 2-13-34.
1,947,635. Process of manufacturing an acid toothpaste. Bergve Einar (inventor). Issued 2-20-34.
1,949,985. Apparatus for killing animals by electricity. Weber Karl Albert (inventor). Issued 3-6-34.
1,954,699. Painting brush. Gorgas Johan Fredrik (inventor). Issued 4-10-34.
1,956,697. Method for preparing sowing and planting in forest and field ground. Rognerud Truls (inventor). Issued 5-1-34.
1,961,868. Means for the automatic manufacture of threaded nuts. Staubo Rolf (inventor). Issued 6-5-34.
1,962,073. Metal reenforcement structure for horseshoes of elastic material. Harsem Oistein (inventor); Imperator Hestesko Aktieselskap (grantee). Issued 6-5-34.
1,970,002. Device for relieving manifold vacuum. Ericsson Anders (inventor). Issued 8-14-34.
1,971,815. Treatment of sulphurous iron ores. Halvorsen Birger Fjeld (inventor). Issued 8-28-34.
1,971,858. Printing device for tabulating machines for perforated cards. Knutsen Knut Andreas (inventor). Issued 8-28-34.
1,972,849. Safety device for electrodes. Wisdom Stuart A (inventor); Det Norske assignee for Elektrokemisk Industri (grantees). Issued 9-4-34.
1,973,343. Ski. Hansen Karl Johan (inventor). Issued 9-11-34.
1,973,354. Holder for paper rolls. Nedberg Sverre (inventor). Issued 9-11-34.
1,973,444. Toe iron for ski ties. Proyme Reinar (inventor). Issued 9-11-34.
1,974,125. Process for generating gaseous fuels. Soelberg Jens Mork Friis (inventor). Issued 9-18-34.
1,975,299. Ski binding. Tappe Frank Georg (inventor). Issued 10-2-34.
1,975,923. Rope construction. Christiansen Christian et al, Rusch Gustav Otto Karl (inventors). Issued 10-9-34.
1,976,283. Method of treating solutions of phosphate rock in nitric acid. Johnson Erling (inventor); Smelteverk A S Odda (grantee). Issued 10-9-34.
1,977,529. Safety razor appliance. Schaanning Kristofer Hassel (inventor). Issued 10-16-34.
1,982,549. Process for the manufacture of nitrate of lime in globular form. Stephansen Nicolai et al, Eyer Carl, Meder Georg (inventors); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 11-27-34.
1,983,024. Treatment of crude phosphates. Foss Antonius (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 12-4-34.
1,983,544. Arrangement for supply of current to electrothermic melting furnaces. Ingelsrud Hildor (inventor); Det Norske A S for Elektrokemisk Industrie (grantees). Issued 12-11-34.
1,984,130. Device for battening down hatches. Halvorsen Daniel Wilhelm (inventor). Issued 12-11-34.
1,987,414. Apparatus for pressure cooking and subsequent cooling of hermetically sealed cans. Omsted Kaare (inventor). Issued 1-8-35.
1,989,332. Propeller log. Munster Paul Lovenorn et al, Thelin Oscar Albin (inventors). Issued 1-29-35.
1,992,102. Method of making nuts. Syversen Sverre Georg (inventor). Issued 2-19-35
1,992,571. Tuning system for pianos. Groven Eivind (inventor). Issued 2-26-35
1,993,636. Ski. Ullevoldsaeter Bjorn (inventor); Ostbye Peter Schou (grantee). Issued 3-5-35.
1,994,070. Process for treating raw phosphates. Foss Antonius (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantees). Issued 3-12-35.
1,994,198. Heating device for wood pulp digesters. Morterud Einar (inventor). Issued 3-12-35.
1,995,011. Machine for removing water from wood pulp cellulose and the like. Qviller Olaf (inventor). Issued 3-19-35.
1,995,457. Alternating current alarm. Kvaal Albert (inventor); A S Elektrisk Bureau (grantee). Issued 3-26-35
1,995,576. Method of manufacturing bricks. Nielsen Henrik (inventor). Issued 3-26-35.
1,998,582. Machine for twisting metal wires. Jensen Karl Johan (inventor); Whist Gunnar Larsen (grantee). Issued 4-23-35
1,998,879. Ski binding device. L Abee Lund Johan Henrik (inventor); L Abee Lund Aktieselskap (grantee). Issued 4-23-35.
2,001,141. Transmission for transmitting power at different speed ratios from a driver shaft to a driven shaft. Kittilsen Caem (inventor). Issued 5-14-35.
2,002,609. Ring shuttle reel for sewing machines. Mygland Arne (inventor). Issued 5-28-35.
2,003,066. Firearm of the gas reloading type. Brondby Fridtjof Nielsen (inventor). Issued 5-28-35.
2,004,553. Armed wooden plate and armature bar for the same. Een Johannes Brynjulvsen (inventor). Issued 6-11-35.
2,005,407. Method of manufacturing impregnated textile belting. Abrahamsen Alfred et al, Hansen Johannes Eugen (inventors). Issued 6-18-35.
2,006,288. Vertical card index cabinet. Aagaard Birger (inventor). Issued 6-25-35
2,006,289. Teeth cleaning appliance. Andvig Hans (inventor). Issued 6-25-35.
2,010,484. Construction of Subaqueous Tunnels. Gundersen August (inventor). Issued 8-6-35.

2,010,902. Process and apparatus for converting liquid substances into the form of granules. Stephansen Nicolai (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 8-13-35.
2,011,175. Rudder mechanism. Hiorth Jens Brodersen (inventor). Issued 8-13-35.
2,012,521. Mobile apparatus for burning and heating purposes. Rognerud Truls (inventor). Issued 8-27-35.
2,012,868. Safety razor with continuous blade. Eckbo Eivind Jensen (inventor). Issued 8-27-35.
2,016,007. Radiator. Hellen Jacob Ludvig (inventor). Issued 10-1-35.
2,017,400. Massaging apparatus. Hoyer Sigurd (inventor). Issued 10-15-35.
2,019,931. Rotary hammer tool. Rasch Ludvik (inventor). Issued 11-5-35.
2,019,975. Means for spreading or removing materials. Hoyer Frederick Lewis Maitland (inventor). Issued 11-5-35.
2,021,552. Process of improving the taste of hydrogenated oils. Hildisch Dietrich (inventor). Issued 11-19-35.
2,022,944. Coin inserting mechanism for coin controlled vending apparatus. Sjuve Ole (inventor). Issued 12-3-35.
2,023,709. Dishwashing machine. Steensen Sverre Johan (inventor). Issued 12-10-35.
2,028,470. Rolling machine. Nordby Emil (inventor). Issued 1-21-36.
2,030,265. Water tube boiler. Nygaard Johan Olsen (inventor). Issued 2-11-36.
2,031,150. Ski edge protector. Eriksen Emil Marius (inventor). Issued 2-18-36.
2,032,984. Holder for lip sticks or cosmetic sticks. Hanssen Ragnar Zeuthen (inventor). Issued 3-3-36.
2,035,955. Process for the production of ferrochromium free of carbon. Foss Antonius (inventor); Norsk Hydro Elektrisk Kvaelstofaktieselskab (grantee). Issued 3-31-36.
2,038,484. New uric acid dissolving remedies and a process for their production. Gaathaug Jon (inventor). Issued 4-21-36.
2,039,199. Device for regulating the air gap between the stator and rotor in dynamo machines having annular elements. Swendsen Johan Walfred (inventor). Issued 4-28-36.
2,039,807. Separation of the individual fibers in fibrous material. Kristoffersen Olaf (inventor). Issued 5-5-36.
2,042,661. Crystallization apparatus. Jeremiassen Finn (inventor); A S Krystal (grantee). Issued 6-2-36.
2,045,206. Coin controlled vending apparatus. Sjuve Ole (inventor). Issued 6-23-36.
2,045,734. Induction motor with disk wound stator and rotor. Swendsen Johan Walfred (inventor). Issued 6-30-36.
2,047,595. Mixing tank for fibrous material suspended in liquid. Richter Johan Cristoffer Fredrik Carl (inventor). Issued 7-14-36.
2,048,251. Safety razor with continuous blade. Fougner Nicolay Knudtzon (inventor). Issued 7-21-36.
2,049,015. Value printing machine. Moller Johan Georg Christian (inventor); Krag Maskin Fabrik A S (grantee). Issued 7-28-36.
2,049,232. Device for indicating magnetic directions. Sydnes Kolbein (inventor). Issued 7-28-36.
2,050,237. Arrangement of boilers in seagoing vessels. Meidahl Knud Georg (inventor). Issued 8-4-36.
2,050,238. Arrangement of marine boilers. Meidahl Knud Georg (inventor). Issued 8-4-36.
2,051,933. Siphon apparatus for impregnating liquids with carbonic acid. Andvig Hans (inventor). Issued 8-25-36.
2,052,460. Feeding device for foxes poultry or other animals confined in cages or similar rooms. Gilbo Einar (inventor). Issued 8-25-36.
2,054,000. Method for vulcanizing belts plates and the like of vulcanizable materials. Neerbye Willy (inventor); A S Den Norske Remfabrik (grantee). Issued 9-8-36.
2,054,385. Registering card index tray. Meier Erling (inventor); A S Elektrisk Bureau (grantee). Issued 9-15-36.
2,055,821. Process for manufacturing cord composed of textile threads and rubber. Hansen Caspar Fredrik et al, Meier Erling (inventors). Issued 9-29-36.
2,056,293. Mechanical Hammer. Rasch Ludvik (inventor). Issued 10-6-36.
2,056,490. Means for indicating the contents of silo bins storage tanks and like containers. Skaraas Bernt et al, Danielsson Erik (inventors). Issued 10-6-36.
2,056,576. Manufacture of yeast. Jansen Sigurd (inventor). Issued 10-6-36.
2,057,317. Driving mechanism for windshield wipers. Ruud Otto Severin (inventor). Issued 10-13-36.
2,061,191. Treatment of raw phosphates. Foss Antonius et al, Jensen Olaf, Lunde Odd Herbert (inventors); Norsk Hydro Elektrisk Kvaelstofaktieselskab (grantee). Issued 11-17-36.
2,062,280. Sticking of strips. Aanesen Finn et al, Lindboe Theodor (inventors). Issued 12-1-36.
2,064,755. Pressure lubrication pump. Jakobsen Svend Older (inventor). Issued 12-15-36.
2,065,179. Ski. Fosse Nils Olsen (inventor). Issued 12-22-36.
2,068,955. Distance relay for the protection of electric plants. Wideroe Rolf (inventor). Issued 1-5-37.
2,069,483. Dust separator. Skajaa Torleiv (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 2-2-37.
2,070,846. Paying and money changing device. Samuelsen Hjalmar et al, Kielland Jacob De Rytter (inventors). Issued 2-16-37.
2,073,356. Electrode suspension. Torchet Pierre (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 3-9-37.
2,075,723. Insole for ski boots. Jacobsen Einar et al., Carlsson Johannes (inventors); A S Ostfold Skofabrik (grantee). Issued 3-30-37.
2,076,095. Device for observing the operation of press rolls. Rolls Oscar (inventor). Issued 4-6-37.
2,077,837. Process for the refining of sperm oil or wax. Holwech Wilhelm (inventor). Issued 4-20-37.
2,078,810. Apparatus for continuous treatment of wood pulp and the like with chemicals. Richter Johan Cristoffer Fredrik Carl et al, Rosen Karl Wilhelm (inventors); Aktb Kamyr (grantee). Issued 4-27-37.
2,082,460. Apparatus for sterilizing and subsequently cooling food in closed containers. Omsted Kaare (inventor). Issued 6-1-37.
2,083,738. Process for preserving edible material. Nygaard Johan Olsen (inventor). Issued 6-15-37.
2,086,082. Apparatus for regulation of flow of fluid material. Imset Otto (inventor). Issued 7-6-37.
2,086,804. V belt and grooved pulley for the same. Hjartsater Jacob Johansson (inventor). Issued 7-13-37.
2,089,531. Tooth paste. Bergve Einar (inventor); A S Si Ko (grantee). Issued 8-10-37.
2,090,449. Arrangement for securing of the bowl liner of cone crushers. Knudtzen Johan Jentoft (inventor); A S Sydvaranger (grantee). Issued 8-17-37.
2,091,096. Ski binding. Gresvig Aksel (inventor). Issued 8-24-37.
2,093,044. Ski binding. Gresvig Aksel (inventor). Issued 9-14-37.
2,095,074. Process for the production of sulphate of ammonium. Falck Muus Thor (inventor); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 10-5-37.
2,095,583. Filing cabinet. Wigeland Amund Ragnvald et al, Tandberg Aksel Ottar (inventors). Issued 10-12-37.
2,097,682. Container. Andersen Gustav E (inventor). Issued 11-2-37.
2,100,146. Manufacture of soap from marine oils. Schmidt Nielsen Sigval et al, Flood Arne (inventors). Issued 11-23-37.
2,100,149. Method and arrangement for filtering waste water back water from paper cellulose and wood pulp factories etc. Qviller Olaf (inventor); A S Thunes Mekaniske Vaerksted (grantee). Issued 11-23-37.
2,100,415. Wood joining article. Theodorsen Olav Trygve (inventor). Issued 11-30-37.
2,100,927. Continuous anode for electrolytic cells for the production of aluminium. Trematore Raffaele (inventor); Det Norske A S for Elektrokemisk Industri (grantees). Issued 11-30-37.
2,101,513. Coin sorting device. Samuelsen Hjalmar et al, Kielland Jakob de Rytter (inventors). Issued 12-7-37.
2,103,675. Bridge foot piece for stringed musical instruments. Johannessen Jim (inventor); Gylden Tone A S (grantee). Issued 12-28-37.
2,103,737. Means for attaching skates to shoes. Tappe Frank Georg (inventor). Issued 12-28-37.
2,104,197. Screw press. Johansen Michal Arnt (inventor). Issued 1-4-38.
2,104,486. Carrying fixture especially for knapsacks. Johansen Rolf Hjorth (inventor). Issued 1-4-38.
2,105,943. Refractories. Goldschmidt Victor Moritz (inventor). Issued 1-18-38.
2,106,117. Method for making concrete roads. Holter Alfred (inventor). Issued 1-18-38.
2,107,831. Machine for the manufacture of ribbed piping. Morseth Leif (inventor); A S Per Kure Norsk Motor & Dynamofabrik (grantees). Issued 2-8-38.
2,108,263. Compass. L Abee Lund Johan Henrik (inventor); L Abee Lund A S (grantee). Issued 2-15-38.
2,108,474. Device for threading the needle in sewing machines. Brun Arne et al, Honne Jacob Andersen (inventors); Honne Isak Andersen (grantee). Issued 2-15-38.
2,112,183. Ski. Ullevoldsaeter Bjorn (inventor). Issued 3-22-38.
2,116,007. Apparatus for the treatment of plastic explosives for the production of ribbon or rod shaped pieces. Bille Henrich (inventor); Norsk Spraengstof Industri A S (grantee). Issued 5-3-38.
2,116,022. Rotating valve for internal combustion engines. Gross Court (inventor); Motor (assignee) (grantee). Issued 5-3-38.
2,117,795. Process for producing designs in imitation of paintings. Eriksen Leif (inventor). Issued 5-17-38.
2,119,162. Screw press. Hartner Hans Andreas (inventor). Issued 5-31-38.
2,119,916. Revolving drying oven. Huse Ingebrigt Elias Paulsen (inventor). Issued 6-7-38.
2,120,765. Infrared ray viewing means. Orvin Lars Jorgen (inventor). Issued 6-14-38.
2,122,215. Electrically illuminated fish lure. Saelen Erling Johan Olsen (inventor). Issued 6-28-38.
2,126,430. Method of treating ships tanks and other large containers to protect their interior surfaces against corrosion. Unger Theodor Broch (inventor). Issued 8-9-38.
2,127,157. Hemp breaking machine. Christiansen Christian et al, Rusch Gustav Otto Karl (inventors). Issued 8-16-38.
2,128,156. Value stamping machine. Moller Johan Georg Christian (inventor); Hekla A S (grantee). Issued 8-23-38.

2,128,433. Insecticidal composition. Rotheim Erik (inventor). Issued 8-30-38.
2,129,325. Method for producing dilation slots in concrete road surfaces. Holter Alfred (inventor). Issued 9-6-38.
2,130,573. Three phase power direction indicating means. Wideroe Rolf (inventor). Issued 9-20-38.
2,132,149. Producing metals. Edwin Enill (inventor). Issued 10-4-38.
2,134,256. Process of producing and refining organ extracts. Laland Per et al, Klem Aage (inventors); Nyegaard & Co A S (grantee). Issued 10-25-38.
2,135,104. Method for the treatment of dried cassava roots to obtain starch. Heltoe Laurits Pedersen (inventor). Issued 11-1-38.
2,136,124. Drying & or smoking oven. Berger Thorlief (inventor). Issued 11-8-38.
2,136,562. Ship's hull. Paulsen Reginald (inventor) Issued 11-15-38.
2,137,048 Ski binding Holm Sverre (inventor). Issued 11-15-38.
2,137,370. Method of coating iron and steel surfaces. Unger Theodor Broch (inventor). Issued 11-22-38.
2,138,180. Ventilator of the louver type. Lehmkuhl Joakim (inventor). Issued 11-29-38
2,145,153. Harpoon and like line or rope. Christiansen Christian et al, Rusch Gustav Otto Karl (inventors). Issued 1-24-39.
2,147,167. Means for the mounting of the cutting or grinding ribs or teeth in mills of any type. Kristoffersen Olaf (inventor). Issued 2-14-39.
2,151,368. Arrangement in sail sheets. Andresen Halvor Tobias Heyerdahl (inventor). Issued 3-21-39.
2,151,848. Compressor pump & the like. Grunert Kurt (inventor). Issued 3-28-39.
2,154,962. Device intended preferably to indicate the immediate contents in containers. Skaraas Bernt et al, Danielsson Erik (inventors). Issued 4-18-39.
2,159,183. Self baking electrode. Sem Mathias Ovrom (inventor); Det Norske A S for Electrokemisk Industri (grantees). Issued 5-23-39.
2,160,727. Safety razor with ribbon shaped blade. Fougner Nicolay Knudtzon (inventor); Eckbo Eivind Jensen (grantee). Issued 5-30-39
2,161,097 Closure for bottles and the like. Schroder Nielsen Thorolf (inventor). Issued 6-6-39
2,162,304 Internally cooled valve for combustion engines Gross Court (inventor); Motor A S A V 1935 (grantee). Issued 6-13-39.
2,163,137 Adjustable candlestick. Ager Wick Emil (inventor). Issued 6-20-39.
2,164,111. Apparatus and method for treating granular materials with flowing liquids. Jeremiassen Finn (inventor); A S Krystal (grantee). Issued 6-27-39.
2,164,112 Crystallization process. Jeremiassen Finn (inventor); A S Krystal (grantee) Issued 6-27-39.
2,164,727 Process for the production of low carbon steel Westberg Sigard (inventor). Issued 7-4-39.
2,165,720 Lid for hermetically sealed cans or boxes Norland Torvald (inventor). Issued 7-11-39.
2,165,749 Arrangement for controlling the start in race courses. Engholm Trygve Henry et al, Hernes Guttorm (inventors); Jacobsens N Elektriske Vaerksted A S (grantee) Issued 7-11-39
2,168,957 Machine for the winding of the electrical coils on a ring formed dynamo core Kursteiner Ernst (inventor). Issued 8-8-39
2,169,563 Electrode and its suspension. Legeron Jean Louis (inventor); Det Norske A S for Electrokemisk Industri (grantee). Issued 8-15-39.
2,170,404 Artillery type wheel for vehicles. Greaker Josef (inventor). Issued 8-22-39.
2,171,099. Electrical control apparatus for heating plants. Hartmann Riis Petter (inventor). Issued 8-29-39.
2,172,038. Method and apparatus for carrying out respiration analyses. Scholander per Fredrik (inventor). Issued 9-5-39.
2,173,013. Apparatus for the combustion of waste materials. Frenger Gunnar (inventor). Issued 9-12-39.
2,173,420. Nut locking arrangement. Kielland Jakob de Rytter (inventor). Issued 9-19-39.
2,179,796. Circulation system for wood pulp digesters. Morterud Einar (inventor). Issued 11-14-39.
2,181,794. Ski binding. Schlytter Thomas (inventor). Issued 11-28-39.
2,182,009. Method of reducing ore particularly iron ore. Wiberg Frans Martin (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 12-5-39.
2,183,171. Ski binding. Refsdal Anfinn (inventor). Issued 12-12-39.
2,184,711. Arrangement of main boilers for steamships. Damsleth Olaf (inventor); Kaldnes Mek Versted A S (grantee). Issued 12-26-39.
2,185,567. Emptying apparatus for diffusers pulp bins and the like for the manufacture of cellulose and paper. Qviller Olaf (inventor). Issued 1-2-40.
2,185,912. Nautical course corrector. Fladmark Thor (inventor). Issued 1-2-40.
2,187,537. Combined tour and slalom binding. Bruun Jacob Wessel (inventor). Issued 1-16-40.
2,189,372. Combination dresser mounting. Stangebye Olaf Kristian (inventor). Issued 2-6-40.
2,191,567. Calculating machine. Gard Rolf Hofgaard Brate (inventor). Issued 2-27-40.
2,192,974. Pressure lubricator. Jakobsen Svend Older (inventor). Issued 3-12-40.
2,193,434. Electrode with slide contacts. Sem Mathias Ovrom (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 3-12-40.
2,193,698. Draft sintering apparatus. Rolfsen Ole (inventor). Issued 3-12-40.
2,194,504. Steam plant. Kielland Kaspar Kruse (inventor); Ruthsaccumulator A S (grantee). Issued 3-26-40.
2,195,680. Apparatus for continuous treatment of wood pulp cellulose and similar material with bleaching liquid alkali or other chemicals. Richter Johan Christoffer Fredrik Carl (inventor); A B Kamyr (grantee). Issued 4-2-40.
2,195,792. Machine for actuating fluid. Straatveit Nils Nilsen (inventor). Issued 4-2-40.
2,196,619. Machine for making closures. Andresen Halvor Tobias Heyerdahl (inventor). Issued 4-9-40.
2,200,425. Machine for punching and coiling dynamo core ribbons. Kursteiner Ernst (inventor). Issued 5-14-40.
2,201,528. Apparatus for adding extracts or the like to shower baths. Freng Johannes (inventor). Issued 5-21-40.
2,207,950. Periodical absorption refrigerating plant. Steensen Sverre Johan (inventor). Issued 7-16-40.
2,208,716. Refrigerating apparatus and method. Amundsen Ivar (inventor). Issued 7-23-40.
2,210,862. Device for drying the inside of shoes and boots. Tronstad Leif Hans Larsen (inventor). Issued 8-6-40.
2,216,813. Metal cased refractory. Goldschmidt Victor Moritz (inventor). Issued 10-8-40.
2,216,836. Rotating sleeve valve for combustion motors. Gross Court (inventor); Motor A S AV 1935 (grantee). Issued 10-8-40.
2,219,633. Process for the treatment of sulphide ores. Pande John (inventor). Issued 10-29-40.
2,223,671. Gas operated automatic firearm. Brondby Fridtjof Nielsen (inventor). Issued 12-3-40.
2,224,648. Sound deadening supporting element for fastening machine members. Haadem Ivar Loken (inventor). Issued 12-10-40.
2,224,739. Continuous electrode and method of supply current thereto. Manfredini Luigi (inventor); Det Norske for Elektrokemisk Industri (grantee). Issued 12-10-40.
2,226,747. Means for supply of current to electric furnaces. Sem Mathias Ovrom (inventor); Det Norske A S for Elektrokemisk Industrie (grantee). Issued 12-31-40.
2,227,165. Evaporator for periodical absorption refrigerating plants. Steensen Sverre Johan (inventor). Issued 12-31-40
2,228,693. Wear resisting edge for skis. Deans George Sherriffs (inventor). Issued 1-14-41.
2,231,130. Self locking nut. Lehre Frithjof (inventor). Issued 2-11-41.
2,231,309. Process of treating gases from aluminum furnaces. Weber Julius (inventor); Det Norske A S for Elektrokemisk Industri (grantee). Issued 2-11-41
2,233,505. Hot liquid accumulator. Amundsen Ivar (inventor). Issued 3-4-41.
2,233,517. Rope especially harpoon line. Christiansen Christian et al, Rusch Gustav Otto Karl (inventors). Issued 3-4-41
2,233,856. Sideways adjustable shoe fastening means for sporting appliances as skis skates or the like. Tappe Frank Georg (inventor). Issued 3-4-41.
2,234,612. Silencer for internal combustion engines. Wold Wilhelm Petersen (inventor); Wold Wilhelm Petersen, Eger Adolf (grantees). Issued 3-11-41.
2,235,601. Method of shaping the skin planking of vessels. Andreassen Martin Berg (inventor). Issued 3-18-41.
2,237,859. Mixing and kneading machine particularly for plastic explosives or the like. Bille Henrich (inventor); Norsk Spraengstof Industrie A S (grantee). Issued 4-8-41.
2,238,528. Trouser hanger. Knudsen Leif (inventor). Issued 4-15-41.
2,238,673. Process for the treatment of titanium containing iron ores. Asak Ragnvald (inventor); Christiania Spigerverk (grantee). Issued 4-15-41.
2,238,835. Door lock or locking device for doors windows and the like. Tveten Finn (inventor). Issued 4-15-41.
2,240,878. Arrangement in sail sheets Andresen Halvor Tobias Heyerdahl (inventor). Issued 5-6-41.
2,240,896. Apparatus for electric welding Sonnichsen Francis (inventor). Issued 5-6-41.
2,242,479. Tractor driven plow. Panengen Oscar (inventor). Issued 5-20-41.
2,248,037. Cooking apparatus. Olsen Fredrik (inventor). Issued 7-1-41.
2,251,037. Bomb harpoon. Corneliussen Carl et al, Corneliussen Erling (inventors). Issued 7-29-41.
2,252,317. Refractory building material. Goldschmidt Victor Moritz (inventor). Issued 8-12-41.
2,254,559. Device for closing of containers coupling of tubes, etc. Andresen Halvor Tobias Heyerdahl (inventor). Issued 9-2-41.
2,254,809. Metal melting furnace. Tharaldsen Filip (inventor). Issued 9-2-41
2,254,963. Airplane. Hovland Abraham Nilsen (inventor). Issued 9-2-41.
2,255,704. Means for counting portioning and packing matter as tablets pills and the like Hansen Morten (inventor). Issued 9-9-41.

2,258,381. Process for the recovery of potassium salts from solutions. Fleischer Wilhelm et al, Kielland Jacob (inventors); Norsk Hydro Elektrisk Kvaelstof A S (grantee). Issued 10-7-41.
2,258,385. Temperature control in oil fired central heat plants. Hartmann Riis Petter (inventor). Issued 10-7-41.
2,259,684. One way brake arrangement in motor driven vehicles. Ellingsen Haakon (inventor). Issued 10-21-41.
2,261,115. Keyboard of calculating machines. Hofgaard Rolf (inventor). Issued 11-4-41.
2,263,888. Pulp thickening and washing apparatus. Richter Johan Christoffer Fredrik Carl (inventor); Aktb Kamyr (grantee). Issued 11-25-41.
2,266,131. Process for smoking foodstuffs. Thon Christian (inventor). Issued 12-16-41
2,271,267. Self locking nut. Lehre Frithjof (inventor). Issued 1-27-42.
2,271,272. Process for the manufacture of keepable fish products. Minde Hjalmar (inventor); Heen Elrik (grantee). Issued 1-27-42.
2,271,276. Process for producing cement. Rolfsen Ole (inventor) Issued 1-27-42.
2,274,073. Compass. L Abee Lund Johan Henrik (inventor); L Abee Lund A S (grantee). Issued 2-24-42.
2,274,804. Garment stretcher clamp. Nygaard Olaf Ludvik et al, Eikvang Erling Kristian (inventors). Issued 3-3-42
2,275,304. Hand mirror. Maurud Oystein (inventor). Issued 3-3-42.
2,275,330. Ski stick. Tveten Finn (inventor). Issued 3-3-42.
2,276,877. Paper machine. Rolls Oscar (inventor). Issued 3-17-42.
2,279,597. Controlling means for hoists and winches. Selmer Johan Fredrik (inventor). Issued 4-14-42.
2,283,250. Manufacture of refractory materials. Goldschmidt Victor Moritz et al, (inventor); Stenvik Kristoffer Johannes (grantee) Issued 5-19-42
2,289,398. Wire twisting machine. Whist Gunnar L (inventor). Issued 7-14-42.
2,291,198. Electric counting device. Alnaes Ingvald Julius (inventor); Alnaes I A S Ingeniorforretningen Atlas A S (grantees). Issued 7-28-42.

[F R Doc. 43-5326; Filed, April 5, 1943; 2:12 p. m.]

[Vesting Order 673]

Patents of Nationals of Poland

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1 Finding that the persons identified in Exhibit A attached hereto and made a part hereof as the inventors and grantees of the patents described in said Exhibit A, are residents of Poland and are nationals of a foreign country (Poland);

2 Finding that the owner or owners of each patent described in said Exhibit A are one or more of the persons identified therein as inventor or grantee of such patent;

2 Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property in which nationals of a foreign country (Poland) have interests;

4 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5 Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,585,997. Disintegrating machine. Kutaszewicz Feliks (inventor); Spolka Lidowiecka Handlowo Przemyslowa Sp Z O O (grantees). Issued 5-25-26.
1,597,165. Dry cell. Markiewicz Marjan et al. Romer Waldemar (inventors). Issued 8-24-26.
1,599,102. Combined logarithmic calculating device and writing implement. Schauer Joachim (inventor). Issued 9-7-26.
1,603,442. Zinc blende roasting kiln. Balz Georg (inventor). Issued 10-19-26.
1,612,025. Water wheel. Jankowski Julijan (inventor). Issued 12-28-26.
1,623,893. Device for dropping bombs from aircraft. Swiatecki Wladyslaw (inventor). Issued 4-5-27.
1,658,519. Process for the preparation of nitrates and a dry mixture of chlorine and nitrosyl chloride. Dominik Walenty (inventor). Issued 2-7-28.
1,658,701. Spindle driving arrangement for spinning machines. Berlinerblau Joseph (inventor). Issued 2-7-28.
1,660,875. Press plate for rail fishplates. Klosowski Zenon (inventor). Issued 2-28-28.
1,663,576. Apparatus for hot working metal. Von Kossowksi Waclaw (inventor). Issued 3-27-28.
1,668,034. Bore hole apparatus. Zaluski Tadeusz (inventor). Issued 5-1-28.
1,693,483. Gas producer. Jaworski Paul (inventor); Bismarckhutte Bismarckhutte Polnisch Oberschlesien (grantees). Issued 11-27-28.
1,697,728. Automatic railroad crossing gate and signal. Kwiatowski Jan et al, Skapski Sylwester (inventors). Issued 1-1-29.
1,708,399. Sifting antenna. Plebanski Josef (inventor). Issued 4-9-29.
1,708,400. Directive antenna system. Plebanski Josef (inventor). Issued 4-9-29.
1,710,374 Process of & apparatus for dewatering oil emulsions. Moscicki Ignacy (inventor). Issued 4-23-29.
1,713,933. Airplane. Szymanski Michael A (inventor) Issued 5-21-29.
1,730,370. Target practice testing device. Jarzabkiewicz Roman et al, Wojdatt Edward (inventors). Issued 10-8-29.
1,730,375. Lock. Matuch Karol (inventor). Issued 10-8-29.
1,732,954. Paper punching device. Suda Roman (inventor). Issued 10-22-29.
1,751,822. Snowplow for engines. Kudzia Ludwik (inventor). Issued 3-25-30.
1,763,545. Discharging means for open railway wagons. Willimek Gustaw et al, Skarbek Kozietulski Wladyslaw (inventors). Issued 6-10-30.
1,765,161. Cask barrel or like container. Kaempf Roman et al, Lankoff Antoni (inventors). Issued 6-17-30.
1,773,242. Shoe with interchangeable sole and heel. Siekacz Antoni (inventor). Issued 8-19-30.
1,773,656. Shelter or shed for aircraft. Wasilkowski Franciszek (inventor). Issued 8-19-30.
1,777,205. Machine for treating materials. Kutaszewicz Felix (inventor). Issued 9-30-30.
1,782,834. Apparatus for rendering displays visible from all sides. Wlodarski Franciszek (inventor). Issued 11-25-30.
1,784,719. Means for driving spindles in textile spinning machines. Berlinerblau Joseph (inventor). Issued 12-9-30.
1,796,925. Method of making screw dies. Folman Jozef (inventor). Issued 3-17-31.
1,805,377. Device for raising fluids from boreholes. Schweiger Bruno (inventor). Issued 5-12-31.
1,808,307. Device for mining coal and the like. Kalla Franz (inventor). Issued 6-2-31.
1,817,484. Grate. Goebel Tadeusz (inventor). Issued 8-4-31.
1,820,161. Plant for treating gas. Rzeczkowski Bronislaw (inventor). Issued 8-25-31.
1,825,472. Means for drinving spindles in textile spinning machines. Berlinerblau Joseph (inventor). Issued 9-29-31.
1,827,816. Heat transmitting support for cooking utensils. Ilnicki Klemens (inventor). Issued 10-20-31
1,829,834 Potato digger. Kochanowski Stanislaus Zygmunt (inventor). Issued 11-3-31.
1,839,941. Centrifugal separator. Zelezniak Wladyslaw (inventor). Issued 1-5-32.
1,846,783. Apparatus for the grading of flour. Berbeka Karol (inventor). Issued 2-23-32.
1,847,517. Wheeled plow. Kopycinski Aleksander (inventor). Issued 3-1-32.
1,849,851. Adjustable oar for rowboats. Salcman Sabin Karol (inventor). Issued 3-15-32.
1,860,397. Method and apparatus for the determination of the concentration of blood milk and other suspensions by means of electric current. Slawinski Alexander (inventor). Issued 5-31-32.
1,860,763. Device for making orthogonal diagrams Adamiecki Karol (inventor). Issued 5-31-32.
1,863,978 Coupling for pipes with threaded ends. Foucault Jacques (inventor). Issued 6-21-32.
1,869,231 Process for preparing valuable compounds from the refining wastes of cracked products particularly cracked benzines. Von Piotrowski Waclaw et al, Winkler Jozef (inventors); Galicyjskie Towarzstwo Naftowe Galicja S A (grantee). Issued 7-26-32.
1,869,516 Agricultural implement. Siemienski Waclaw (inventor). Issued 8-2-32.
1,872,166. Screw. Muhlig Ludwik (inventor). Issued 8-16-32.

1,881,617. Impregnation of wood and other vegetable substances. Iwanowski Waclaw et al, Turski Jozef (inventors). Issued 10-11-32.
1,889,462. Method of producing smokeless gunpowder. Bazylewicz Kniazykowski Eugeniusz et al, Partyka Kazimierz (inventors). Issued 11-29-32.
1,899,041. Means for regulating the superheater temperature of the steam in locomotive engines. Madeyski Juljan (inventor); Warszawska Spolka Akcyjna Budowy Parowozow (grantee). Issued 2-28-33.
1,899,924. Arched roof. Broda Jan (inventor). Issued 3-7-33.
1,906,883. Boat. Pietrzykowsi Jozef (inventor). Issued 5-2-33.
1,914,269. Method of applying metal coatings. Liban Tadeusz (inventor). Issued 6-13-33.
1,918,882. Means for regulating crankless motor compressors. Witkiewicz Roman et al, Wicinski Adam (inventors). Issued 7-18-33.
1,922,463. Process of dyeing and the dyed materials produced. Turski Joseph Felix (inventor). Issued 8-15-33.
1,928,088. Optical rectifier. Bledowski Jan (inventor). Issued 9-26-33.
1,930,786. Crankless motor compressor. Witkiewicz Roman et al, Wicinski Adam (inventors). Issued 10-17-33.
1,933,070. Process for the production of sulphonic acids. Pilat Stanislaw et al, Sereda Jaroslaw (inventors). Issued 10-31-33.
1,933,811. Apparatus for guiding endless track vehicles on railway tracks. Kossakowski Tadeusz (inventor). Issued 11-7-33.
1,944,960. Crankless motor compressor. Witkiewicz Roman et al, Wicinski Adam (inventors). Issued 1-30-34.
1,959,479. Firing device. Kielczewski Jerzy (inventor); Lignoza Spolka Akcyjna (grantee). Issued 5-22-34.
1,963,204. Grinding machine for all kinds of materials. Kutaszewicz Eugenjusz (inventor). Issued 6-19-34.
1,964,639. Coal distillation apparatus. Kropiwnicki Edmund (inventor). Issued 6-26-34.
1,975,045. Method of making pipe bends. Kossowski Waclaw (inventor). Issued 9-25-34.
1,976,874. Loud speaker. Brzeski Henryk (inventor). Issued 10-16-34.
1,977,101. Treatment of gas. Von Piotrowski Waclaw et al, Winkler Josef (inventors). Issued 10-16-34.
1,991,922. Apparatus for removing boiler impurities and for preventing boiler scale. Czeczott Albert (inventor). Issued 2-19-35.
1,996,692. Process of preparing valuable compounds from the waste products obtained in the refining of cracked mineral oils. Von Piotrowski Waclaw et al, Winkler Jozef (inventors). Issued 4-2-35.
1,997,526. Locking device. Lejbowicz Ferdinand Josef (inventor). Issued 4-9-35.
2,007,708. Valve gear for internal combustion engines. Eberman Ludwik (inventor). Issued 7-9-35.
2,009,270. Apparatus for treating patients by bodily movements. Mayer Karol (inventor). Issued 7-23-35.
2,014,769. Carriage for transporting endless track vehicles on roads & railway tracks. Kossakowski Tadeusz (inventor). Issued 9-17-35.
2,017,045. Rocking blotting paper holder. Granholm Vera Gunhild (inventor). Issued 10-15-35.
2,022,579. 2 3 hydroxy naphthoic acid arylamide. Turski Joseph Felix (inventor). Issued 11-26-35.
2,023,717. Electric battery cell. Willimek Gustaw (inventor). Issued 12-10-35.
2,024,747. Manufacture of spur and bevel wheels. Samek Franciszek Kacper (inventor). Issued 12-17-35.
2,027,755. Synchronizing device for machine guns on aircraft. Szal Jan (inventor). Issued 1-14-36.
2,042,259. Method of purifying aminoarseno benzenes. Kielbasinski Stanislaw (inventor). Issued 5-26-36.
2,044,355. Process for producing polysubstituted derivatives of urea. Kardaszewicz Jerzy (inventor); Panstowowe Wytwornie Prochu (grantee). Issued 6-16-36.
2,044,534. Locking device. Lejbowicz Ferdinand Josef (inventor). Issued 6-16-36.
2,044,537. Safety device for gas conduits. Dunin Markiewicz Stanislaw et al, Sudlitz Czeslaw, Smisniewicz Tadeusz (inventors); Panstwowa Wytwornia Prochu (grantee). Issued 6-16-36.
2,048,356. Weaving loom. Schwabe Kurt (inventor). Issued 7-21-36.
2,065,003. Means for building deep foundations. Widugier Edward (inventor). Issued 12-22-36.
2,065,104. Lavatories bidets etc. Stamberger Pinkus (inventor). Issued 12-22-36.
2,067,567. Appliance for setting and bandaging forearm fractures. Gruca Adam (inventor). Issued 1-12-37.
2,068,687. Method of applying metallic coatings. Liban Tadeusz (inventor). Issued 1-26-37.
2,076,283. Displaceable rudder for aircraft. Teisseyre Jerzy et al, Zdaniewski August (inventors). Issued 4-6-37.
2,085,241. Door for airship hangars. Wasilkowski Franciszek (inventor). Issued 6-29-37.
2,089,671. Automatic firearm. Stecke Edward (inventor). Issued 8-10-37.
2,090,382. Can opener. Zaremba Tadeusz (inventor). Issued 8-17-37.
2,095,607. Locking device. Lejbowicz Ferdinand Josef (inventor). Issued 10-12-37.
2,096,111. Electric motor or machine. Kozlowski Henryk Stanislaw (inventor). Issued 10-19-37.
2,097,058. Apparatus for whetting little shaving knives. Bylicki Stanislaw (inventor). Issued 10-26-37.
2,103,692. Process for the production of secondary and tertiary Alkyl monochlorides. Piotrowski Waclaw Junosza et al, Winkler Jozef (inventors). Issued 12-28-37.
2,111,719. Ignition mixtures for percussion caps of all kinds small munitions and primers. Zielinski Bronislaw (inventor). Issued 3-22-38.
2,112,695. Roller. Hoffmann Fritz (inventor). Issued 3-22-38.
2,115,809. Means for automatically moving a rotating blade in axial direction. Goldman Bronislaw (inventor). Issued 5-3-38.
2,123,239. Reinforcing member for reinforced concrete structures. Griffel Henryk (inventor). Issued 7-12-38.
2,130,006. Periscope for armored vehicles. Gundlach Rudolf (inventor). Issued 9-13-38.
2,139,208. Milk distribution apparatus and a can for use with the said apparatus. Rindl Adolf et al, Rindl Honorata (inventors). Issued 12-6-38.
2,142,592. Process for refining the dark colored kinds of colophony. Waligora Aleksander (inventor). Issued 1-3-39.
2,148,915. Telephone system. Trechcinski Roman (inventor). Issued 2-28-39.
2,151,147. Process for obtaining organic compounds from acid sludge from refining of mineral oils. V Piotrowski Waclaw Junosza et al, Winkler Jozef (inventors). Issued 3-21-39.
2,152,889. Telephone system. Jedrychowski Jerzy (inventor); Panstwowe Zaklady Tele I Radjotechniczne W. Warszawie (grantees). Issued 4-4-39.
2,153,654. System of tone signaling and impulsing. Trechcinski Roman (inventor); Panstwowe Zaklady Tele I Radjotechniczne W Warszawie (grantees). Issued 4-11-39.
2,156,437. Fire alarm. Slusarz Tadeusz (inventor). Issued 5-2-39.
2,159,714. Tube. Serog Leopold (inventor). Issued 5-23-39.
2,163,365. Chair bedstead. Terschmann Karl Richard (inventor). Issued 6-20-39.
2,172,784. Process for obtaining valuable organic compounds from the acid sludge of mineral oil refining processes. Bauer Karl et al, Poltrowski Waclaw Junosza V, Burstin Hugo, Winkler Jozef (inventors). Issued 9-12-39.
2,174,890. Door lock. Lipiner Edmund (inventor). Issued 10-3-39.
2,203,010. Hydraulic propulsion of ships boats and other floating structures. Diamand Witold (inventor). Issued 6-4-40.
2,219,839. Method of production of diethylene diamine. Grosberg Stanislaw (inventor); Scott and Bowne Spotka Akcyjna Towarzystwo Przemystowo Handlowe Dla Wyrobow Chemiczno Farmaceutycznych (grantees). Issued 10-29-40.
2,220,665. Weft cutter for looms. Schwabe Kurt (inventor). Issued 11-5-40.
2,221,718. Exchangeable heel. Niedworok Pawel (inventor). Issued 11-12-40.
2,245,445. Electrical color selecting device for weaving looms. Schwabe Kurt (inventor). Issued 6-10-41.
2,261,296. Loom. Schwbe Kurt (inventor). Issued 11-4-41.

[F. R. Doc. 43-5327; Filed, April 5, 1943; 2:07 p. m.]

[Vesting Order 674]

PATENTS OF NATIONALS OF YUGOSLAVIA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons identified in Exhibit A attached hereto and made a part hereof as the inventors and grantees of the patents described in said Exhibit A, are residents of Yugoslavia and are nationals of a foreign country (Yugoslavia);

2. Finding that the owner or owners of each patent described in said Exhibit A are one or more of the persons identified therein as inventor or grantee of such patent;

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property in which nationals of a foreign country (Yugoslavia) have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,571,506. Quick action triple valve. Bozic Dobrivoje (inventor). Issued 2-2-26.
1,622,373. Lamp. Gonyk Ignatz (inventor). Issued 3-29-27.
1,628,589. Scythe. Gonyk Ignatz (inventor). Issued 5-10-27.
1,638,960. Transparent sealing wax. Prikelmayer Joseph (inventor). Issued 8-16-27.
1,670,960. Padlock. Gonyk Ignatz (inventor). Issued 5-22-28.
1,677,441. Automatic lubricating device for hinges of doors and windows. Gonyk Ignatz (inventor). Issued 7-17-28.
1,679,348. Distributor for fluid pressure brakes. Bozic Dobrivoje (inventor). Issued 8-7-28.
1,693,480. Distributing device for solid soap. Gonyk Ignatz (inventor). Issued 11-27-28.
1,711,345. Bolt lock. Gonyk Ignatz (inventor). Issued 4-30-29.
1,716,774. Apparatus for winding cinematographic or photographic film bands. Halla Josip (inventor). Issued 6-11-29.
1,785,623. Bathing shoe. Gorjan Elsa (inventor). Issued 12-16-30.
1,793,148. Carburetor. Warlay Milan (inventor); Galovac Milivoj J (grantee). Issued 2-17-31.
1,879,386. Shoulder rest for violins. Medakovic Mirko (inventor). Issued 9-27-32.
1,891,131. Rocking horse rocking chair and the like. Zivkovic Zaharije (inventor). Issued 12-13-32.
1,942,883. Pneumatic shoe. Schaffer Adolf (inventor). Issued 1-9-34.
1,950,338. Rocking horse rocking chair and the like. Zivkovic Zaharije (inventor). Issued 3-6-34.
1,959,973. Apparatus for the manufacture of superphosphate and like products. Welitch Dragutin (inventor). Issued 5-22-34.
1,964,704. Means for preventing and removing boiler scale. Erenyi Ljudevit (inventor). Issued 6-26-34.
2,086,182. Method of and apparatus for producing cinematographic pictures. Dvornik Andrija (inventor). Issued 7-6-37.
2,151,720. Orthopedic footwear with footsupporting plate. Sarcevic Mato (inventor). Issued 3-28-39.
2,156,906. Ashtray with extinguisher for cigarettes or cigars. Vajda Franjo (inventor); Abramovic Dr Josip (grantee). Issued 5-2-39.
2,163,154. Bathtub. Radimsky August (inventor). Issued 6-20-39.
2,167,107. Device for reproducing cinematographic pictures. Dvornik Andrija (inventor). Issued 7-25-39.
2,192,840. Method of preparing quinuclidine and derivatives thereof. Prelog Vlado (inventor). Issued 3-5-40.
2,194,927. Steering gear. Jivkovitch Alexander (inventor). Issued 3-19-40.
2,197,345. Esters of flacourtiacea alcohols. Stefanovic Czren et al, Stefanovic Georg (inventors). Issued 3-26-40.

[F. R. Doc. 43-5328; Filed, April 5, 1943; 2:08 p. m.]

[Vesting Order 675]

PATENTS OF NATIONALS OF BELGIUM

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof;

2. Finding that each of such owners is a resident of Belgium, and therefore is a national of a foreign country (Belgium);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (Belgium);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

RE16,724. Power brake. Dewandre Albert (inventor); S A Servofrein Dewandre (grantee). Issued 10-19-26.
RE20,346. Motion picture projector. Callier Andre et al, Heger Fernand (inventors). Issued 1-14-36.
RE20,706. Connector for taps, pipes and the like. Aghnides Elie (inventor). Issued 2-23-37.
DE104,030. Design for a reflector. Gunsbourg Arcadius (inventor). Issued 5-13-37.
DE112,692. Design for a smokers stand. De Meyere Mauris (inventor). Issued 12-27-38.
DE112,693. Design for a smoking stand. De Meyere Mauris (inventor). Issued 12-22-38.
1,563,616. Process and apparatus for roasting ores. Fassotte Adolphe Denis Henri Leon (inventor); Cie Des Metaux Overpelt Lommel S A (grantee). Issued 12-1-25.
1,565,039. Machine for smoothing and resmoothing the matrices of ingot molds and other hollow bodies. Voituron Edmond (inventor); S A D Ougree Marihaye (grantee). Issued 12-8-25.
1,566,181. Sheet glass drawing furnace. Brasseur Georges et al, Andris Aristide (inventors). Issued 12-15-25.
1,566,378. Free wheel clutch. Defordt Jules Frederic (inventor). Issued 12-22-25.
1,567,614. Electropneumatic brake. Pieper Henri (inventor); Cie Internationale des Freins Automatiques S A (grantee). Issued 12-29-25.
1,567,688. Apparatus for sharpening circular knives. Van Damme Victor (inventor); New Elswick Trading Co Ltd The (grantee). Issued 12-29-25.
1,568,046. Telephonic and radiotelephonic message or audition by means of fluid resistance. Bertron Ernest (inventor). Issued 1-5-26.
1,568,866. Heating stove. Barault Georges (inventor). Issued 1-5-26.
1,568,884. Microphone. Darimont Leopold (inventor). Issued 1-5-26.
1,570,011. Mechanism for raising and lowering the window frames in convertible vehicle bodies. Serste Jacques Egide (inventor). Issued 1-19-26.
1,570,210. Stabilizing device for automobile underframes. De Coninck Arthur (inventor). Issued 1-19-26.
1,571,103. Photographic pigmentary printing paper. Sury Joseph (inventor). Issued 1-26-26.
1,571,274. Bogie for rail and tramway cars. Kamp Alphonse (inventor). Issued 2-2-26.
1,572,892. Side blast converter furnace. Levoz Toussaint (inventor). Issued 2-16-26.
1,574,592. Felt for use on the drying portion of paper and pasteboard machines. V Asten Eduard (inventor). Issued 2-23-26.
1,574,593. Wet felt for the paper and pulp industry. V Asten Eduard (inventor). Issued 2-23-26.
1,575,664. Detachable heel for footwear. Van Roy Leopold (inventor). Issued 3-9-26.
1,576,236. Stroboscopic apparatus. Czikan Louis (inventor). Issued 3-9-26.
1,576,933. Centrifugal governor. Romeyn Jean (inventor). Issued 3-16-26.
1,578,718. Method of producing alkali metal sulphides. De Bethune Gaston et al, Vahrenkampf Robert (inventors); Soc Nationale D Industrie Chimique en Belgique S A (grantee). Issued 3-30-26.

1,578,906. Motor cycle. Morel Eugene Marie (inventor); S A des Anciens Etablissements Ch Fondes (grantee). Issued 3-30-26.
1,579,295. Coal washing process and plant. France Antoine (inventor). Issued 4-6-26.
1,579,296. Rotary valve distributing device for compressed air and like engines. Francois Nicolas (inventor). Issued 4-6-26.
1,579,414. Drawing mechanism. Thoma Meinrad F (inventor). Issued 4-6-26.
1,579,993. Apparatus for sorting granular materials of different specific gravities. Andre Paul F A C (inventor); S A des Produits A Flenu (grantee). Issued 4-6-26.
1,580,728. Combined washing & sorting apparatus. Hodeige Ernest (inventor); Evence Coppee & Co (grantee). Issued 4-13-26.
1,581,397. Process and attachment for the combustion, the reduction or the treatment of solid material or of pulverized minerals. De Spirlet Xavier (inventor). Issued 4-20-26.
1,582,132. Method of controlling the temperature of cast glass in the manufacture of sheet glass by vertical drawing. Delacuvellerie Ernest (inventor); S A The Brevets Fourcault (grantee). Issued 4-27-26.
1,583,015. Washer for blocking nuts. Seeger Leopold (inventor). Issued 5-4-26.
1,583,104. Spring fastening for motor cars. Adriaenssens Francois (inventor). Issued 5-4-26.
1,583,673. Method of producing hydrogen from water gas. De Graer Jules Hector (inventor). Issued 5-4-26.
1,587,677. Typewriter. Peeters Henry (inventor). Issued 6-8-26.
1,588,100. Apparatus for rerubbering pneumatic tires. Eymael Arnaud et al, Dall Ete Michel A (inventors). Issued 6-8-26.
1,590,684. Mop frame structure. Hendrick Collette Oscar Paul Dominique (inventor). Issued 6-29-26.
1,590,979. Cinematographic or like film. Kuypers Hendrik (inventor); Gevaert Photo Producten N V (grantee). Issued 6-29-26.
1,592,789. Friction clutch. Thiry Maurice (inventor). Issued 7-13-26.
1,598,646. Method of fishplate connection of railway and like rails. Harvengt Roger (inventor). Issued 9-7-26.
1,601,145. Milking cup. Remy Franz (inventor) Issued 9-28-26.
1,603,750. Power brake. Dewandre Albert (inventor); S A Servo Frein Dewandre (grantee). Issued 10-19-26.
1,604,035. Wax seal and apparatus therefor. Goddefroy Ernest Theodore (inventor). Issued 10-19-26.
1,604,565. Purification of gases. Coulier Sylvain (inventor. Issued 10-26-26.
1,605,798. Shock absorber. Van Crombrugge Marcel Charles (inventor). Issued 11-2-26.
1,606,361. Device for the control of brakes. Godeau Fernand Louis Dec et al, Godeau Madame Veuve Fernand Louis nee Josephine Anciaux excx, Tollenaere Madame Leon nee Mariette Raymonde Godeau excx (inventors); S A Du Servofrein Dewandre (grantee). Issued 11-9-26.
1,606,671. Piano action. Smulders Carl (inventor). Issued 11-9-26.
1,606,955. Photographic printing device. Montigny Albert (inventor). Issued 11-16-26.
1,608,203. Servo brake. Dewandre Albert (inventor); S A Servo Frein Dewandre (grantee). Issued 11-23-26.
1,610,545. Apparatus for cleaning the wet felts of paper machines. Asten Eduard V (inventor). Issued 12-14-26.
1,611,696. Machinery for preparing textile fibers. Thoma Meinrad F (inventor). Issued 12-21-26.
1,613,446. Electrical relay switch. Dumont Guillaume (inventor). Issued 1-4-27.
1,613,543. Mechanical converter. Sturbelle Lucien Charles (inventor). Issued 1-4-27.
1,614,981. Apparatus for regulating the speed of continuous firing of automatic weapons. Francart Remy (inventor); S A Etablissements Braekers (grantee). Issued 1-18-27.
1,615,210. Process and device for drying paper and the like fibrous webs. Asten Eduard V (inventor). Issued 1-25-27.
1,615,653. Shock absorber for suspended vehicles. Roelandts Adelson (inventor). Issued 1-25-27.
1,616,322. Vault for baking ovens or kilns. Laurent Jules (inventor). Issued 2-1-27.
1,616,791. Mineral concentrating plant. France Antoine (inventor). Issued 2-8-27.
1,618,040. Axle for tramway railway and other vehicles. Algrain Paul (inventor). Issued 2-15-27.
1,618,987. Variable speed gear. Lescarts Fernand (inventor). Issued 3-1-27.
1,620,325. Combing machine. Corman Jean Joseph Gustave Godfroid (inventor). Issued 3-8-27.
1,621,179. Automatic inflater arranged on and actuated by internal combustion engines. Surlemont Henri (inventor). Issued 3-15-27.
1,622,160. Firing socket or cup for grenades. Mattlet Ernest (inventor); Fabrique Nationale D Armes De Guerre S A (grantees). Issued 3-22-27.
1,622,217. Speed reducing apparatus. Barbier Alfred (inventor). Issued 3-22-27.
1,623,191. Cop winding frame. Lambert Oswald (inventor). Issued 4-5-27.
1,624,020. Loose leaf ledger. Stockmans Charles (inventor). Issued 4-12-27.
1,625,744. Electric traction system for agricultural implements. Remy Franz. (inventor). Issued 4-19-27.
1,625,775. Means for regulating automatically sweeping fire in machine guns. Scheluto Jean, Furnemont Fernand Julien Joseph (inventors); Coene Gaston Emile (grantee). Issued 4-19-27.
1,626,079. Suppository and means for insertion of the same. Gougnard Henri Clement Lambert (inventor); Soc Belge Des Produits Rationnels (grantee). Issued 4-26-27.
1,626,108. Shock absorbing socket for electric filament lamps. Van Bommel Pierre (inventor). Issued 4-26-27.
1,629,184. Foundry ladle crane. Thomas Arthur (inventor); Ateliers de Constructions Electriques de Charleroi S A (grantees). Issued 5-17-27.
1,629,779. Fastener. Degueldre Fernand et al, Demaret Lievine Nee Degueldre (inventors). Issued 5-24-27.
1,629,794. Target practice device. Jacquemin Joseph Elie Theodule et al, Frere Maurice Paschal Celestin (inventors). Issued 5-24-27.
1,630,289. Apparatus for measuring and distributing liquids. Bouffart Maurice (inventor). Issued 5-31-27.
1,634,042. Typewriter. Peeters Henry (inventor). Issued 6-28-27.
1,636,975. Retort oven for low temperature carbonization. Zuyderhoudt Pierre Charles Deed (inventor); Zuyderhoudt Madam Fanny Excr (grantee). Issued 7-26-27.
1,637,276. Heat exchanging apparatus. Forgan Potts John (inventor). Issued 7-26-27.
1,638,186. Machine for the manufacture of footwear. De Vooght Gustave (inventor). Issued 8-9-27.
1,638,721. Asbestos drier felt. Asten Eduard V (inventor). Issued 8-9-27.
1,638,783. Automatic pistol. Philippart Emile (inventor). Issued 8-9-27.
1,638,975. Means for eliminating water from the pulp on the wire of paper making machines. Antoine Victor (inventor. Issued 8-16-27.
1,639,199. Back spacing mechanism for typewriters. Peeters Henry (inventor). Issued 8-16-27.
1,640,251. Cupola furance. Poumay Adolphe (inventor). Issued 8-23-27.
1,640,643. Bottle washing machine. Brusson Joseph (inventor). Issued 8-30-27.
1,642,302. Liquid distributing apparatus. Gouvion Franz (inventor). Issued 9-13-27.
1,643,717. Pneumatic separator for spinning frames. Linon Ivan, et al, Dethier Joseph (inventors). Issued 9-27-27.
1,644,792. Pressure and suction distributing mechanism. Remy Franz (inventor). Issued 10-11-27.
1,645,671. Self scraping hearth for gas generators and other furnaces. Trefois Leon (inventor). Issued 10-18-27.
1,645,895. Process of making files. Coenen Edouard (inventor). Issued 10-18-27
1,646,066. Transforming machine with symmetrically subdivided flux for the control of traction motors or the like. Riccia Angelo Della (inventor). Issued 10-18-27
1,646,900. Apparatus for braking railway vehicles. De Lathauwer Arthur (inventor). Issued 10-25-27.
1,647,953. Treatment of hides and skins preliminary to tanning. Botson Rene. Issued 11-1-27.
1,648,164. Checker work. Cousin Arthur Jules Francois Joseph (inventor); S A John Cockerill (grantee). Issued 11-8-27.
1,648,379. Railway rail for detaching brake skids. Digna Leon (inventor); Acieries de Haine St. Pierre et Lesquin S A (grantees). Issued 11-8-27.
1,651,646. Boiler furance. Trasenster Gustave (inventor); S A D Ougree Marihaye (grantee). Issued 12-6-27.
1,656,124. Milking machine. Melotte Alfred (inventor). Issued 1-10-28.
1,656,232. Process of stabilization of ferruginous water. Peeters Constant (inventor). Issued 1-17-28.
1,656,581. Two cycle multicylinder internal combustion engine. Hanocq Charles (inventor). Issued 1-17-28.
1,656,860. Spinning or twisting frame. Lambert Oswald (inventor). Issued 1-17-28.
1,657,394. Regulating device for heavy oil engines. Held Georges (inventor). Issued 1-24-28.
1,657,395. Spraying device for heavy oil engines. Held Georges (inventor). Issued 1-24-28.
1,660,418. Method for the concentration of acetic acid. Ducluax Jacques (inventor); Fabrique de Soie Artificielle de Tubize S A (grantees). Issued 2-28-28.
1,660,640. Paper making machine. Asten Eduard V (inventor). Issued 2-28-28
1,661,316. Scutching machine. Van Steenkiste Joseph et al, Van Maercke Joseph (inventors). Issued 3-6-28.
1,661,621. Brake mechanism. Pieper Henri (inventor); Cie Internationale Des Freins Automatiques S A (grantees). Issued 3-6-28.
1,661,622. Brake system for vehicles running on rails. Pieper Henri (inventor); Cie Internationale Des Freins Automatiques S A (grantees). Issued 3-6-28.
1,661,623. Braking device for vehicles. Pieper Henri (inventor); Cie Internationale Des Freins Automatiques S A (grantees). Issued 3-6-28.
1,661,624. Servo brake. Pieper Henri (inventor); Cie Internationale Des Freins Automatiques S A (grantees). Issued 3-6-28
1,661,625. Brake device. Pieper Henri (inventor); Cie Internationale Des Freins Automatiques S A (grantees). Issued 3-6-28.
1,663,922. One way driving mechanism. Robin Leo et al, De Ponthiere Philippe (inventors). Issued 3-27-28.
1,664,968. Lathe. Coenen Edouard (inventor). Issued 4-3-28.
1,665,093. Liquid distributing apparatus. Gouvion Franz (inventor). Issued 4-3-28
1,667,754. Balanced chassis with independent suspension for automobile vehicles and the like. Van Malderghem Yvon (inventor). Issued 5-1-28.

1,668,550. Hooping of the stacks of blast furnaces. Cousin Arthur Jules Francois Joseph (inventor); S A John Cockerill (grantee). Issued 5-8-28.
1,668,968. Charging device for gas producers shaft furnaces and the like. Lambot Joseph (inventor). Issued 5-8-28.
1,670,099. Wind motor. D Asseler Jules (inventor). Issued 5-15-28.
1,670,286. Building block. Steppe Raoul (inventor). Issued 5-15-28.
1,670,976. Fishplate for railway rails. Menschaert Joseph et al, Menschaert Marcel Virgile Joseph (inventors); Acieries de Haine St Pierre et Lesquin S A (grantees). Issued 5-22-28.
1,671,207. Moving footway. Parlongue Edgard Henri Charles Joseph (inventor). Issued 5-29-28.
1,673,528. Brake mechanism. Pigeolet Rene (inventor); S A Cie Internationale Des Freins Automatiques (grantees). Issued 6-12-28.
1,674,571. Two stroke internal combustion engine. Romeyn Jean (inventor). Issued 6-19-28.
1,674,786. Apparatus for acidulating textile and other materials. Molinghen Emile et al, Gaye Jules (inventors). Issued 6-26-28.
1,675,023. Valve mechanism. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 6-26-28.
1,675,217. Process and apparatus for the continuous manufacture of plate glass or sheets of glass. Heuze Charles (inventor). Issued 6-26-28.
1,675,242. Sparking plug for explosion and other engines. Bailly Max (inventor). Issued 6-26-28.
1,675,640. Cooking pot. Charlier Camille et al, Errera Abraham (inventors). Issued 7-3-28.
1,678,294. Lubricating device for axle boxes. Macway Ignace (inventor). Issued 7-24-28.
1,678,552. Method of laying tramway lines. Bouillon Alexandre (inventor). Issued 7-24-28.
1,679,241. Grinding and mixing apparatus. David Michel (inventor). Issued 7-31-28.
1,680,852. Hat. Brotelle Octave (inventor). Issued 8-14-28.
1,681,164. Apparatus for washing and sorting coal and the like. Bascour Firmin (inventor); S A Cribla (grantee). Issued 8-21-28.
1,682,308. Hydraulic brake. Schaede Henri (inventor). Issued 8-28-28.
1,683,309. Tunnel kiln for ceramic industry. Selliez Victor (inventor). Issued 9-4-28.
1,683,442. Process for preparing depilatory substances. Botson Rene (inventor); Soc Industrielle Des Applications Chimiques S A (grantees). Issued 9-4-28.
1,684,221. Respiration gymnastic apparatus. Gougnard Henri (inventor). Soc Belge Des Produits Rationnels S A (grantees). Issued 9-11-28.
1,686,213. Liquid fuel burner. Koudritsky Dmitri (inventor). Issued 10-2-28.
1,688,476. Track clearer for vehicles. Van De Putte Jean (inventor). Issued 10-23-28.
1,689,246. System of vertical differential ventilation. Knapen Achille (inventor). Issued 10-30-28.
1,690,890. Blank cartridge. De Geynst Maurice et al, Lepage Ivan (inventors). Issued 11-6-28.
1,691,841. Process for producing pure lead carbonate from crude lead sulphate. Daloze Rene (inventor). Issued 11-13-28.
1,691,960. Manufacture of alkaline cyanides. Coulier Sylvain (inventor). Issued 11-20-28.
1,692,129. Machine for drying fabrics and papers in an endless web. Lambrette Aubin (inventor). Issued 11-20-28.
1,693,465. Method of securing railway rails to their supports. Ramy Paul (inventor). Issued 11-27-28.
1,693,916. Apparatus for the manufacture of pig iron. De Bethune Gaston (inventor). Issued 12-4-28.

1,694,422. Spring suspension for lorries. Leyten Marcel (inventor). Issued 12-11-28.
1,696,137. Door or the like latching device. Colson Victor (inventor). Issued 12-18-28.
1,696,741. Elastic wheel. Van Bourgonie Constant Adrien (inventor). Issued 12-25-28.
1,696,767. Method of washing coal ores and other similar materials and automatic water current separator for carrying the method into practice. Hoyois Leon (inventor). Issued 12-25-28.
1,696,799. Internal combustion engine of the two stroke type. Held Georges (inventor). Issued 12-25-28.
1,697,023. Race game. Rottenburg Leon M E (inventor). Issued 1-1-29.
1,697,061. Direct electric current regulating transformer Riccia Angelo Della (inventor). Issued 1-1-29.
1,698,702. Electric current rectifier. De Man Robert Jean (inventor). Issued 1-15-29.
1,699,228. Internal combustion engine. De Graer Jules Hector (inventor). Issued 1-15-29.
1,699,612. Method for the production of unhardened castings in metal molds. Doat Henri (inventor); Cie Generale Des Conduites d Eau S A (grantee). Issued 1-22-29.
1,699,662. Plant for washing minerals by means of liquid streams. France Antoine (inventor). Issued 1-22-29.
1,703,018. Packing device for pipe joints. Stiennon Simon Joseph (inventor). Issued 2-19-29.
1,703,460. Finishing machine for boots or shoes. Devleminck Joseph (inventor). Issued 2-26-29.
1,704,185. Plant for washing coal and other minerals. France Antoine (inventor). Issued 3-5-29.
1,705,453. Process of treating glass plates and the like to prevent moisture affecting their transparency. Demaret Omer (inventor). Issued 3-12-29.
1,707,094. Adding machine. Puttemans Hubert Auguste et al, Perpete Georges Victor Lambert (inventors). Issued 3-26-29.
1,709,150. Brake mechanism. Pieper Henri (inventor). Issued 4-16-29.
1,711,508. Scutching machine. Vansteenkiste Joseph Arthur (inventor). Issued 5-7-29.
1,712,384. Means for securing rails to metal sleepers. Germay Henri Pierre Joseph (inventor). Issued 5-7-29.
1,712,514. Typewriting machine. Nepper Fernand (inventor). Issued 5-14-29.
1,712,857. Boiler. Trasenster Gustave (inventor); S A D Ougree Marihaye The (grantee). Issued 5-14-29.
1,713,032. Apparatus for use in drying and distilling lignite peat noncoking coals and other similar carbonaceous matter. Debauche Hubert (inventor). Issued 5-14-29.
1,713,866. Wind motor. D Asseler Jules (inventor). Issued 5-21-29.
1,713,954. Firearm. Destree Joseph (inventor). Issued 5-21-29.
1,713,955. Automatic firearm. Destree Joseph (inventor). Issued 5-21-29.
1,714,058. Expanded sheet metal. Tirifahy Leon (inventor). Issued 5-21-29.
1,714,767. Process for the reduction of metallic oxides. Cousin Arthur Jules Francois Joseph (inventor); S A John Cockerill The (grantee). Issued 5-28-29.
1,714,889. Digger for beet and other roots planted in lines. Raoult Paul (inventor). Issued 5-28-29.
1,715,264. Rolling stock of railways tramways and road transport vehicles. Algrain Paul (inventor). Issued 5-28-29.
1,715,545. Mobile counterbalanced deflecting baffle. Epstein Felix (inventor). Issued 6-4-29.
1,715,817. Foldable sled. Cuenod Fernand (inventor). Issued 6-4-29.
1,716,122. Driving mechanism for stone sawing machines. Gilmand Ernest (inventor). Issued 6-4-29.
1,716,819. Apparatus for polishing glass. Hueze Charles (inventor). Issued 6-11-29.
1,717,112. Friction shock absorber for suspending vehicles. Masqueller Roger (inventor). Issued 6-11-29.
1,718,007. Weighing machine. Rival Theophile (inventor). Issued 6-18-29.
1,720,063. Window operating apparatus. Serste Jacques Egide (inventor). Issued 7-9-29.
1,720,065. Metal packing. Verdickt Gustaaf (inventor). Issued 7-9-29.
1,723,409. Electrical machine rotor. Cogneau Leopold (inventor); Ateliers de Constructions Electriques de Charleroi (grantees). Issued 8-6-29.
1,723,929. Luminous electric discharge tube. Francotte Regnier (inventor). Issued 8-6-29.
1,724,461. Revolving grate for gas producers. Dienne Gaston (inventor); S A Les Ateliers Mecaniques (grantee). Issued 8-13-29.
1,724,935. Electric transformer. Huet Albert (inventor); Ateliers de Constructions Electriques de Charleroi S A (grantees). Issued 8-20-29.
1,725,890. Float for hydroplanes. Van de Putte Jean (inventor). Issued 8-27-29.
1,726,142. Process for improving cellulosic materials. De Wolf Leon (inventor). Issued 8-27-29.
1,727,441. Process of purifying clay and like materials. Parentani Fernand (inventor). Issued 9-10-29.
1,727,753. Mixer. De Bethune Gaston Sidoine Paul (inventor). Issued 9-10-29.
1,727,865. Process of utilizing carbonic acid. Dehottay Henri (inventor). Issued 9-10-29.
1,728,096. Rolling stock of railways tramways and road transport vehicles. Algrain Paul (inventor). Issued 9-10-29.
1,728,707. Device for preventing doubles in spinning machines. Weber Max (inventor). Issued 9-17-29.
1,728,823. Ejection mechanism for sporting guns. Delu Felix (inventor). Issued 9-17-29.
1,729,052. Agitator. Raick Julien (inventor); Union Miniere du Haut Katanga Soc Congolaise a Responsabilite Limitee (grantees). Issued 9-24-29.
1,729,545. Washing apparatus for separating coal and like materials. Marchant Charles (inventor). Issued 9-24-29.
1,730,178. Process for the manufacture of colors or the like capable of being fixed by heat. Van Cuyck Octave (inventor). Issued 10-1-29.
1,730,755. Coal cutting machine and the like. Black William Christie (inventor); Moore Matthew Smith (grantee). Issued 10-8-29.
1,730,946. Loom for weaving leather sheets. Raskine Anatol (inventor). Issued 10-8-29.
1,731,311. Stove. Marichal Andre (inventor). Issued 10-15-29
1,731,410. Plant for washing coal and other minerals by means of liquid streams. France Antoine (inventor). Issued 10-15-29.
1,731,888. Cooling jacket of internal combustion motors. De Jong Jacques (inventor). Issued 10-15-29.
1,732,397. Gradometer. Braibant Nestor (inventor). Issued 10-22-29
1,735,160. Automatic firearm. Destree Joseph (inventor.) Issued 11-12-29.
1,736,690. Rolling stock of railways tramways or road transport. Algrain Paul (inventor). Issued 11-19-29.
1,736,741. Method of purifying crude sodium sulphide and the product thereof. Botson Rene (inventor). Issued 11-19-29.
1,737,167. Belt fastener. Montigny Louis (inventor). Issued 11-26-29.
1,738,591. Process for the continuous manufacture of floor coverings. Lannoye Auguste (inventor). Issued 12-10-29.
1,738,730. Apparatus for grinding smoothing and polishing plates of glass marble or other similar materials Rowart Eugene (inventor). Issued 12-10-29.

1,740,905. Elevator. Rossien Gustave (inventor). Issued 12-24-29.
1,741,447. Carburetor for internal combustion engines. Antoine Tony (inventor). Issued 12-31-29.
1,742,586. Drying kiln. De Reytere Robert (inventor). Issued 1-7-30.
1,746,767. Method of producing fuel for industrial and domestic purposes. Debauche Hubert (inventor). Issued 2-11-30.
1,747,656. Film protecting method and means. Ausloos Karel Jozef, et al, Eugeen Alfons. Duden Johannes Willem Antoon (inventors); Gevaert Photo Producten N V (grantee). Issued 2-18-30.
1,748,391. Cream separator. Persoons Jules, et al, Persoons Alphonse (inventors). Issued 2-25-30.
1,749,920. Apparatus for removing dust from gases. Modave Andre (inventor); Atellers Hanrez S A (grantee). Issued 3-11-30.
1,750,572. Musical instrument. Cloetens Georges (inventor). Issued 3-11-30.
1,752,869 Spinning machine. Van Den Abeele Joseph (inventor). Issued 4-1-30.
1,753,845 Fabric for technical purposes. Asten Eduard V, et al, Hill Harold Newlin (inventors); Von Asten & Cie Soc en Commandite (grantee). Issued 4-8-30.
1,753,847. Gas and steam producer generator. Bellay Julien (inventor). Issued 4-8-30.
1,754,017. Polyphase commutator dynamo electric machine. Heyland Alexandre (inventor). Issued 4-8-30.
1,754,116. Electrode suitable for arc welding. Meunier Francis (inventor); La Soudure Electrique Autogene S A (grantee). Issued 4-8-30.
1,754,126. Apparatus for separating dust from gases. Stievenart Arthur (inventor). Issued 4-8-30.
1,754,338. Process for removing marks on wool. Steins Guillaume Jean Martin, et al, Steins Richard Henri Martin (inventors). Issued 4-15-30.
1,756,191. Process for dry distillation of vinasses under reduced pressure. Guillissen Joseph (inventor); L Union Chimique Belge S A (grantee). Issued 4-29-30.
1,756,450. Cutter bar for coal cutting machines and the like. Black William Christie (inventor); Moore Matthew Smith (grantee). Issued 4-29-30.
1,757,029 Combination tool. Vivenoy Guillaume Nestor (inventor). Issued 5-6-30.
1,757,902. Manufacture of pure lead hydroxide starting from impure sulphate of lead. Daloze Rene (inventor). Issued 5-5-30.
1,758,035. Process of and apparatus for washing coal and other minerals. France Antoine (inventor). Issued 5-13-30.
1,758,045. Reenforcement for wicker chairs. Huyben Theo (inventor). Issued 5-13-30.
1,759,759. Direct current pressure splitting device. Riccia Angelo Della (inventor). Issued 5-20-30.
1,759,940. Apparatus for washing minerals by means of liquid streams. France Antoine (inventor). Issued 5-27-30.
1,760,777. Electric installation in combination with pressure splitting device. Riccia Angelo Della (inventor). Issued 5-27-30.
1,761,835. Coke oven. Lecocq Eugene (inventor); Soc Generale de Fours a Coke, Systemes Lecocq S A (grantees). Issued 6-3-30.
1,764,948. Method for driving lining tubes for molding concrete piles in the ground. Frankignoul Edgard (inventor); S A Cie Internationale des Pieux, Armes Frankignoul (grantees). Issued 6-17-30.
1,765,249. Multiway liquid pressure distributing pump with return of the liquid to the reservoir after use. Tastenhoye Wynant (inventor). Issued 6-17-30.
1,766,330 Flying machine. De Korwinsokolowski Joseph (inventor). Issued 6-24-30.
1,769,503. Stabilizer for use on motor vehicles. Feyens Francois (inventor); Soc Generale d Etudes Industrielles, General Research Corp S A (grantees). Issued 7-1-30.
1,770,315. Liquid fuel. Laurent Andre (inventor). Issued 7-8-30.
1,770,827. Rolling stock of railways tramways or road transport. Algrain Paul (inventor). Issued 7-15-30.
1,771,081. Plant for washing coal & other minerals. France Antoine (inventor). Issued 7-22-30.
1,771,191. Device for securing railway rails to their sleepers. Ramy Paul (inventor). Issued 7-22-30.
1,771,237. Color combination speed indicator for vehicles. Van Reeth Emile (inventor). Issued 7-22-30.
1,771,424. Fluid actuated compressor. Steurs Arsene (inventor). Issued 7-29-30.
1,772,078. Recovery of nitrogen and acetone from vinasses. Guillissen Joseph (inventor); Union Chimique Belge S A (grantee). Issued 8-5-30.
1,772,782. Art of making cinematographic projections. Noaillon Edmond Henri Victor (inventor). Issued 8-12-30.
1,773,505. Tire signal. Tastenhoye Hubert, et al, Tastenhoye Francois (inventors). Issued 8-19-30.
1,773,655. Lead column pipe or the like. Velturon Edmond (inventor); Soc Belge de L Azote (grantee). Issued 8-19-30.
1,773,906. Grinding mill. Klagsbrunn Josef (inventor); Legrand Paul (grantee). Issued 8-26-30.
1,774,135 Continuous apparatus working with drawn or blown blast or gas. Fassotte Adolphe Denis Henri Leon (inventor). Issued 8-26-30.
1,774,251. Piston engine. Boissiere Adolphe Henri Rene Joseph (inventor). Issued 8-26-30.
1,774,818. Differential pump. Strothmann Friedrich (inventor). Issued 9-2-30.
1,774,831. Planetary transmission mechanism. Henin Rene (inventor). Issued 9-2-30.
1,775,191. Coke oven. Coppee Evence (inventor). Issued 9-9-30.
1,775,192. Coke oven. Coppee Evence (inventor). Issued 9-9-30.
1,776,099. Lifting jack for coal cutting machines and the like. Black William Christie (inventor); Moore Matthew Smith (grantee). Issued 9-16-30.
1,776,486. Mechanical tractor. Bouche Charles (inventor). Issued 9-23-30.
1,778,663. Internal combustion engine. De Monge Gerard (inventor). Issued 10-14-30.
1,778,904. Carburetor for internal combustion engines. Loutz Georges (inventor); Thelma Carburetor Co. S A (grantee). Issued 10-21-30.
1,779,709. Carburetor. Melkman Saul Emmanuel (inventor); Thelma Carburetor Co. S A (grantee). Issued 10-28-30.
1,779,776. Braking mechanism for railway vehicles. Masion Alfred (inventor). Issued 10-28-30.
1,779,893. Expandible valve obturator. Schmitz Charles (inventor). Issued 10-28-30.
1,780,123. Projecting apparatus for cinematography. Florine Nicolas (inventor). Issued 10-28-30.
1,780,843. Propeller for vessels and aircraft. Schul Max (inventor). Issued 11-4-30.
1,781,066. Carburetor. Meunier Paul (inventor). Issued 11-11-30.
1,781,087. Carburetor. Estapelle Joseph (inventor); Meunier Paul (grantee). Issued 11-11-30.
1,781,383. Machine for the manufacture of card clothing. Gohy Jean (inventor); Despa and Fils Soc en Commandite Par Actions (grantee). Issued 11-11-30.
1,783,011. Helicopter. Florine Nicolas (inventor); Soc Nationale Pour L Etude Des Transports Aeriens S A (grantee). Issued 11-25-30.
1,784,658. Apparatus for agglomerating and roasting minerals. De Samsonow Alexandre (inventor); Soc Pour l'Enrichissement et l'Agglomeration Des Minerals S A (grantee). Issued 12-9-30.
1,784,777. Sheet piling. Beaujean Camille (inventor); S A D Ougree Marikaye (grantee). Issued 12-9-30.
1,785,574. Coal cutting machine and the like. Black William Christie (inventor); Moore Matthew Smith (grantee). Issued 12-16-30.
1,785,679. Classifying apparatus. France Antoine (inventor). Issued 12-16-30.
1,787,177. Mold for manufacturing boots shoes & similar articles of rubber or other plastic material. Steppe Hector et al, Steppe Alphonse, Steppe Gustave (inventors). Issued 12-30-30.
1,787,180. Mill for grinding paints inks enamels and other viscous materials. Todd Ernest George (inventor). Issued 12-30-30.
1,787,311. Separating machine for milk. Henrard Fernand (inventor); Ecremeuses Melotte S A (grantee). Issued 12-30-30.
1,788,040. Metal sleeper. Yseboodt Gustave (inventor). Issued 1-6-31.
1,788,061. Spring suspension. Kurkukian Frank (inventor). Issued 1-6-31.
1,788,210. Skill practicing game. Staar Gustave Theophile Louis (inventor). Issued 1-6-31.
1,789,895. Roasting and or sintering of fine ores or other fine materials. Fassotte Adolphe Denis Henri Leon (inventor). Issued 1-20-31.
1,791,656. Sole plate for glass annealing and like furnaces. Brancart Yvon (inventor) Issued 2-10-31.
1,792,576. Apparatus for manipulating plate glass and similar materials. Dryen Paul (inventor). Issued 2-17-31.
1,796,192. Headlight operating mechanism for motor cars and the like. Dums Jules et al, Wolter Hubert, Simon Raoul (inventors). Issued 3-10-31.
1,797,780. Process of and mixture for increasing the durability of linings of furnaces or ovens and the like. Malherbe Felix Joseph (inventor). Issued 3-24-31.
1,797,836. Work holder. Paul Edmond (inventor). Issued 3-24-31.
1,798,385. Finger exercising device. Roth Eugene Louis (inventor). Issued 3-31-31.
1,798,386. Finger exercising device. Roth Eugene Louis (inventor). Issued 3-31-31.
1,798,566. Steam turbine. Van Den Bossche Jean Joseph (inventor). Issued 3-31-31.
1,802,239. Submarine mine and method of anchoring the same. Cuturi Marco (inventor). Issued 4-21-31.
1,802,841. Carburetor. Schobbens Vincent (inventor). Issued 4-28-31.
1,802,887. Rotary compressor. Feyens Francois (inventor); Soc Generale d'Etudes Industrielles, General Research Corporation S A (grantees). Issued 4-28-31.
1,804,058. Screw nut. Micha Leon (inventor). Issued 5-5-31.
1,804,318. Apparatus for swaging dental plates. Charlier Maurice (inventor). Issued 5-5-31.
1,805,383. Automatic pistol. Thiry Leon (inventor). Issued 5-12-31.
1,806,241. Centrifugal separator. Dupuis Fernand (inventor). Issued 5-19-31.
1,806,474. Process for sizing paper. Lecocq Ernest (inventor). Issued 5-19-31.
1,806,684. Mixer. Henrard Fernand (inventor). Issued 5-26-31.
1,807,307. Apparatus for melting finely divided materials. Dawans Adrien (inventor). Issued 5-26-31.
1,808,671. Rotary distribution valve. Luyckx Charles (inventor). Issued 6-2-31.
1,808,948. Percussive hand tool. Fluhr Louis et al, Verhaar Anthony (inventors). Issued 6-9-31.
1,809,387. Carburetor. Melkman Saul Emmanuel (inventor); Thelma Carburetor Co. S A (grantee). Issued 6-9-31.

1,809,512. Electric motor. Defays Victor Jean et al, Lefebvre Paul Joseph (inventors); La Magneto Belge S A (grantee). Issued 6-9-31.
1,809,779. Roller for window shades and window shade sticks. Fromont Louis (inventor). Issued 6-9-31.
1,809,807. Process for the preliminary treatment of raw sugar after products or the like before refining. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 6-9-31.
1,809,808. Process for desugaring syrups and molasses. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 6-9-31.
1,809,809. Process of desugaring syrups and molasses. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 6-9-31.
1,810,254. Hydraulic motor installation. Pieper Henri (inventor). Issued 6-16-31.
1,810,443. Lubricating pad. Steufs Jean Mathieu Marie Arthur (inventor); S A Manufacture d'Appareils Graisseurs (grantee) Issued 6-16-31.
1,811,169 Process for decoloring sugar crystals. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 6-23-31.
1,812,146. Rotary mixing machine. Forville Constant (inventor). Issued 6-30-31.
1,813,039. Protecting sheath for electric wires. Escol Jules (inventor). Issued 7-7-31.
1,814,297. Change speed device. De Backer Joseph (inventor). Issued 7-14-31.
1,815,090 Device for continuously producing pure hydrogen. Bellay Julien (inventor). Issued 7-21-31.
1,816,116 Milking apparatus. Henrard Fernand (inventor); Ecremeuses Melotte S A (grantee). Issued 7-28-31.
1,816,123 Production of ammonium sulphate. Pallemaerts Frits Adolphe et al, Francois, Lebrun Alphonse Ivan (inventors); Union Chimique Belge S A (grantee). Issued 7-28-31.
1,816,592 Means to recuperate the atmospheric moisture. Knapen Achille (inventor) Issued 7-28-31.
1,817,088 Friction shock absorber for suspending vehicles. Masqueller Roger (inventor). Issued 8-4-31.
1,818,166 Refrigerating machine. Schneider Jacques (inventor). Issued 8-11-31.
1,818,180. Treatment or purification of coal. Bertrand Maurice (inventor). S A D Ougree Marihaye (grantee) Issued 8-11-31.
1,818,238 Propeller for helicopterous aircraft. Mellander Jean (inventor). Issued 8-11-31.
1,818,796 Internal combustion engine. Feyens Francois (inventor); Soc Generale D Etudes Industrielles, General Research Corp S A (grantees). Issued 8-11-31.
1,818,797 Hermetic closure for joints such as those between pump bodies and their plungers. Feyens Francois (inventor); Soc Generale D Etudes Industrielles, General Research Corp S A (grantees). Issued 8-11-31.
1,818,882 Internal combustion rotary engine. Demuynck Alphonse (inventor). Issued 8-11-31.
1,818,892 Steering gear for motor driven vehicles. Holle Alexander Albert (inventor). Soc Internationale Holverta S A (grantee). Issued 8-11-31.
1,818,982 Apparatus for the production of paper glazed and or colored on one face. Antoine Victor (inventor). Issued 8-18-31.
1,819,221. Treatment of cast glass sheets and plates. Brancart Yvon (inventor). Issued 8-18-31.
1,819,222 Device for adjusting the thickness of glass plates and sheets. Brancart Yvon (inventor). Issued 8-18-31.
1,819,223 Glass rolling train. Brancart Yvon (inventor). Issued 8-18-31.
1,819,224 Table for casting glass sheets and plates. Brancart Yvon, Verreries de Fauquez Ronqueres (inventors). Issued 8-18-31.
1,819,670. Process of and apparatus for treating cast glass sheets and plates. Brancart Arthur (inventor). Issued 8-18-31.
1,819,959. Receiving table for cast glass. Locreille Claude (inventor). Issued 8-18-31.
1,819,971. Servo brake. Pieper Henri (inventor); Cie International Des Freins Automatiques S A (grantees). Issued 8-18-31.
1,819,983. Dismounting device for lead columns pipes or the like. Voituron Edmond (inventor). Issued 8-18-31.
1,820,366. Mechanical brick press. Rigaux Gaston (inventor). Issued 8-25-31.
1,820,534. Beacon for luminous signalization. Francotte Jean Regnier Pierre (inventor). Issued 8-25-31.
1,820,600. Method of straining milk and a strainer for separating machines. Henrard Fernand (inventor); S A Ecremeuses Melotte (grantee). Issued 8-25-31.
1,821,372. Coal cutting machine and the like. Black William Christie (inventor); Moore Matthew Smith (grantee). Issued 9-1-31.
1,821,375. Process of treating glass. Brancart Yvon (inventor). Issued 9-1-31.
1,823,089. Alternating current electrical machine. Cornu Maurice (inventor); Ateliers de Constructions, Electriques de Charleroi (grantees). Issued 9-15-31.
1,823,681. Apparatus for converting reciprocating motion into rotary motion or vice versa. Felies Jacques Francois (inventor). Issued 9-15-31.
1,824,667. Rotary propeller. Grumpelt Oskar Fritz Amandus Emil (inventor); Syndicat Vaproc (grantee). Issued 9-22-31.
1,826,039. Wind motor. D Asseler Julius (inventor). Issued 10-6-31.
1,826,497. Process for dephosphorizing iron in the converter and means for carrying out said process. Bicheroux Francois (inventor). Issued 10-6-31.
1,826,722 Process of preparing soda lime to be used in the manufacture of pure hydrogen. Bellay Julien (inventor). Issued 10-13-31.
1,827,138. Process of and apparatus for rolling glass. Brancart Arthur (inventor). Issued 10-13-31.
1,827,155. Apparatus for rolling glass. Locreille Claude (inventor). Issued 10-13-31.
1,828,241. Blende sintering process. Boscheron Louis (inventor); S A La Nouvelle Montagne (grantee). Issued 10-20-31.
1,828,679 Transmission system. Pieper Henri (inventor). Issued 10-20-31.
1,830,651. Device for the production of piles of concrete and the like. Frankignoul Edgard (inventor); Cie Internationale Des Pieux Armes, Frankignoul S A (grantees). Issued 11-3-31.
1,830,856 Process and apparatus for the manufacture of cardboard matches. Satz Edouard Fred (inventor). Issued 11-10-31.
1,830,895. Table feed mechanism for grinding smoothing and polishing apparatus. Wrotte Seraphin (inventor). Issued 11-10-31.
1,832,491 Process of manufacturing marbled and multicolored glass. Locreille Claude (inventor). Issued 11-17-31.
1,832,800. Device for the fractional distillation and condensation of complex mixtures. Voituron Edmond (inventor); S A D Ougree Marihaye (grantee). Issued 11-17-31.
1,833,263. Weighing machine. Rival Theophile (inventor). Issued 11-24-31.
1,833,411. Process of swaging dental plates. Charlier Maurice (inventor). Issued 11-24-31.
1,834,020. Cartridge case for firearms. Destree Joseph (inventor). Issued 12-1-31.
1,834,021. Firearm. Destree Joseph (inventor). Issued 12-1-31.
1,834,054. Shock absorber for vehicles. Fremaux Ferdinand (inventor). Issued 12-1-31.
1,836,853. Machine for forming ovals. Laffineur Emile et al, Collin Louis (inventors). Issued 12-15-31.
1,839,299. Alternating current machine. Cornu Maurice (inventor); Ateliers de Constructions, Electriques de Charleroi (grantees). Issued 1-5-32.
1,839,380. Machine for reaping papyrus. Druppel Edouard (inventor); Comptoir Belge de Commerce et, D Industrie S A (grantees). Issued 1-5-32.
1,839,505 Tobacco pipe. Schulz Adolphe (inventor). Issued 1-5-32.
1,839,773. Centrifugal method for treating scums of all kinds. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 1-5-32.
1,839,954. Servo brake. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 1-5-32.
1,841,013. Device for roasting and agglomerating ores. Dawans Adrien (inventor). Issued 1-12-32.
1,841,014. Device for bookkeeping without reentries. De Wael Robert (inventor). Issued 1-12-32.
1,841,629. Servo motor. Pigeolet Rene (inventor); Cie Internationale des Freins Matiques S A (grantee). Issued 1-19-32.
1,845,602. Method for washing coal ores and other similar material and apparatus for carrying out said method. Hoyois Leon (inventor). Issued 2-16-32.
1,846,317. Motor brake. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 2-23-32.
1,846,984. Apparatus for drawing sheet glass. Arcq Rene (inventor). Issued 2-23-32.
1,846,993. Automatic firearm with gas extraction. Destree Joseph (inventor). Issued 2-23-32.
1,847,005. Machine for smoothing and resmoothing ingot molds and other hollow articles. Henry Raymond (inventor); S A Ougree Marihaye (grantee). Issued 2-23-32.
1,847,472. Differential pressure gauge. Conte Maurice (inventor); S A D Ougree Marihaye (grantee). Issued 3-1-32.
1,849,925. Surfacing device for glass and ceramic articles. Heuze Charles (inventor) Issued 3-15-32.
1,850,163. Rail joint connection. Yseboodt Gustave (inventor). Issued 3-22-32.
1,850,926. Pump for injecting liquid fuel into internal combustion engines. Feyens Francois (inventor); Soc. Generale D Etudes Industrielles General Research Corp S A (grantees). Issued 3-22-32.
1,851,803. Process and apparatus for rolling thick plates of glass. Brancart Yvon (inventor) Issued 3-29-32.
1,851,804. Process and means for rolling glass. Brancart Yvon (inventor). Issued 3-29-32.
1,851,902. Servo motor. Vander Haeghen Paul (inventor). S A Cie Internationale des Freins Automatiques (grantee). Issued 3-29-32.
1,853,464. Internal combustion engine. Serste Jacques Egide (inventor). Issued 4-12-32.
1,853,871. Process of extracting neutral grease from wool scouring water and treating same. Mertens Eugene (inventor). Issued 4-12-32.
1,854,641. Means for adjusting the thickness of glass plates and sheets. Brancart Yvon (inventor). Issued 4-19-32.
1,855,976. Device for the exhaust of the steam from locomotive engines. Lemaitre Maurice (inventor). Issued 4-26-36.
1,856,342. Brake control device. Kratz Franz (inventor); Servo Frein Dewandre S A (grantee). Issued 5-3-32.
1,856,947. Rotary engine. D Auvrain Fernand (inventor). Issued 5-3-32.
1,857,053. Servo mechanism for brakes. Kratz Franz (inventor); Servo Frein Dewandre S A (grantee). Issued 5-3-32.

1,857,939. Apparatus for treating textile materials. Dewitte Charles (inventor). Issued 5-10-32.

1,858,204. Method and device for the production of piles of concrete and the like. Frankignoul Edgard (inventor); Cie Internationale des Pieux Armes Frankignoul S A (grantee). Issued 5-10-32.

1,858,759. Rail joint connection. Yseboodt Gustave (inventor). Issued 5-17-32.

1,859,432. Stove. Chenu Charles Louis Emmanuel (inventor). Issued 5-24-32.

1,859,835. Process for the manufacture of microcosmic salt and other fertilizing material. Mitteau Ferdinand (inventor); Soc D Etudes Scientifiques et D Entreprises Industrielles (grantee). Issued 5-24-32.

1,860,766. Sheet piling. Beaujean Camille (inventor); S A D Ougree Marihaye (grantee). Issued 5-31-32.

1,861,065. Screw propeller for flying machines and other aerodynamics apparatus. Peot Philippe (inventor). Issued 5-31-32.

1,862,265. Process and device for the preparation of sols and their use for concentrating materials suspended in liquid to be clarified. Henry Rene Auguste (inventor). Issued 6-7-32.

1,862,427. Pressure splitting device. Riccia Angelo Della (inventor). Issued 6-7-32.

1,862,542. Carding engine. Laurency Guillaume Clement (inventor). Issued 6-14-32.

1,864,468. Control device for vehicle doors. Pieper Henri (inventor); Cie Internationale des Freins Automatiques S A (grantee). Issued 6-21-32.

1,864,820. Power stop. Heuze Charles (inventor). Issued 6-28-32.

1,864,821. Device for cleaning traveling tables. Heuze Charles (inventor). Issued 6-28-32.

1,864,822. Grinding smoothing and polishing apparatus. Heuze Charles (inventor). Issued 6-28-32.

1,864,823. Grinding smoothing and polishing apparatus. Heuze Charles (inventor). Issued 6-28-32.

1,864,894. Grinding smoothing and polishing apparatus. Dryon Paul (inventor). Issued 6-28-32.

1,864,916. Visible shot concentrating projectile for sporting guns. Gachassin Lafite Marcel (inventor). Issued 6-28-32.

1,865,363. Rotary distributor for internal combustion engines. Feyens Alfred (inventor). Issued 6-28-32.

1,866,755. Brake. Detilloux Francois (inventor). Issued 7-12-32.

1,866,958. Stabilizer for motor vehicles. Wilmart Pierre (inventor). Issued 7-12-32.

1,868,001. Power transmitting mechanism. Defays Victor Jean et al, Lefebvre Paul Joseph (inventors). Issued 7-19-32.

1,868,288. Typewriting machine. Haward Alexandre (inventor); La Mondiale Typolitho Soc Cooperative (grantee). Issued 7-19-32.

1,868,645. Apparatus for simultaneously corrugating and trimming sheets of asbestos cement and the like in a plastic condition. Scheerders Van Kerchove Leon (inventor); Usines Reunies Scheerders Van Kerchove S A (grantee). Issued 7-26-32.

1,869,956. Servo brake. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 8-2-32.

1,870,875. Speed reducing transmission device. Scheuer Prosper (inventor). Issued 8-9-32.

1,871,520. Milking machine. Henrard Fernand (inventor); Ecremeuses Melotte S A (grantee). Issued 8-16-32.

1,871,992. Grinding smoothing and polishing apparatus. Heuze Charles (inventor). Issued 8-16-32.

1,872,635. Method of sinking molding tubes for concrete piles molded in the ground. Frankignoul Edgard (inventor). Issued 8-16-32.

1,874,951. Grenade and lance grenade. Foulon Charles (inventor). Issued 8-30-32.

1,875,226. Power steering gear. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 8-30-32.

1,876,399. Machine for the manufacture of asbestos cement products and the like. Catala Maurice et al Huart Albert (inventors). Issued 9-6-32.

1,876,868. Method and means for permanently waving hair. De Baerdemaeker Ernest (inventor). Issued 9-13-32.

1,876,977. Two stroke engine block. Laguesse Fernand (inventor). Issued 9-13-32.

1,877,155. Artificial sponge and device for manufacturing same. Abraham Lewis Crowford (inventor). Issued 9-13-32.

1,878,727. Centrifugal variable speed gear. Sturbelle Lucien Charles (inventor). Issued 9-20-32.

1,879,204. Production of ammonium phosphates. Guillissen Joseph (inventor); Union Chimique Belge S A (grantee). Issued 9-27-32.

1,881,248. Mold for manufacturing boots shoes and similar articles of rubber or other plastic material. Steppe Hector et al Steppe Alphonse, Steppe Gustave (inventors). Issued 10-4-32.

1,882,426. Intensifier for photography. Kalix Johannes Alfed (inventor); Union Chimique Belge S A (grantee). Issued 10-11-32.

1,882,487. Axial ventilating device for the stators of electric machines. Dupont Joseph (inventor). Issued 10-11-32.

1,885,271. Process for converting the webs from the carding engines into fine rovings for spinning. Laurency Guillaume Clement (inventor). Issued 11-1-32.

1,885,923. Continuous process for the treatment of iron & other ores. Lambot Maurice (inventor). Issued 11-1-32.

1,885,945. Veterinary appliance for facilitating the parturition of cows in calf. Ransy Ulric (inventor). Issued 11-1-32.

1,887,060. Hydropneumatic suspension and shock absorbing device for vehicles. Lacroix Pierre (inventor). Issued 11-8-32.

1,887,292. Device for distributing the charge in an oven. De Saint Hubert Albert (inventor). Issued 11-8-32.

1,887,630. Method and device for the production of piles of concrete and the like. Frankignoul Edgard (inventor); Cie Internationale Des Pieux Armes, Frankignoul S A (grantees). Issued 11-15-32.

1,887,792. Process for the manufacture of amorphous Carbon. Van Den Driessche Joseph, Vital Ghislain (inventors). Issued 11-15-32.

1,887,834. Apparatus for carbonizing solid fuel. Chabot Armand (inventor). Issued 11-15-32.

1,888,453. Saline coatings and process of making the same. De Pape Ferdinand (inventor); La Soudure Electrique Autogene S A (grantee). Issued 11-22-32.

1,888,569. System for automatically controlling the speed of electric motors. Della Riccia Angelo (inventor). Issued 11-22-32.

1,890,555. Apparatus for manufacturing artificial sponges. Abraham Lewis Crowford (inventor). Issued 12-13-32.

1,890,556. Machine for dyeing textile materials in bundles. Annicq Joseph (inventor). Issued 12-13-32.

1,891,426. Process of manufacturing alkali metal nitrates. Lawarree Henri (inventor). Issued 12-20-32.

1,891,574. Vibrating sifting screen. Piriot Frederic (inventor). Issued 12-20-32.

1,891,836. Apparatus for dry cooling coke. Piette Olivier (inventor); Union Chimique Belge S A (grantee). Issued 12-20-32.

1,892,036. Helicopter. Campens Denis Remy (inventor). Issued 12-27-32.

1,895,027. Apparatus for raising liquids. De Mees Jean Baptiste (inventor). Issued 1-24-33.

1,895,235. Heat Recuperating apparatus of the cowper type & a brick for the honeycomb structure. Simon Georges (inventor); S A D Ougree Marihaye (grantee). Issued 1-24-33.

1,896,102. Internal combustion engine. Serste Jacques Egide (inventor). Issued 2-7-33.

1,896,197. Stove. Lagneau Victor (inventor). Issued 2-7-33.

1,896,704. Process for manufacturing steel tires and the like by forging and pressing ingots. Dechenne Albert (inventor). Issued 2-7-33.

1,897,625. Internal combustion engine. Serste Jacques Egide (inventor). Issued 2-14-33.

1,898,161. Hinge. Arnold Joseph Mathias (inventor). Issued 2-21-33.

1,898,427. Saline coatings and process of making the same. De Pape Ferdinand (inventor); La Soudure Electrique Autogene S A (grantee). Issued 2-21-33.

1,899,287. Process for the extraction of sugar from sugar juices. Meiro Adam (inventor). Issued 2-28-33.

1,899,462. Polyphase commutator machine. Heyland Alexander (inventor). Issued 2-28-33.

1,901,142. Process for the preliminary treatment of raw sugar and the like. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 3-14-33.

1,903,585. Device for treating fabrics by means of a circulating bath. Annicq Joseph (inventor). Issued 4-11-33.

1,903,588. Regulator for winding on metallations. Dethier Joseph (inventor). Issued 4-11-33.

1,903,718. Process and apparatus for printing glass sheets. Locreille Claude (inventor). Issued 4-11-33.

1,904,018. Coke oven. Verpeaux Paul Eugenne (inventor); Union Chimique Belge S A (grantee). Issued 4-18-33.

1,904,570. Apparatus for the ventilation of cooling plants. Thomson Arthur Lindsay (inventor); Altek Cie D Etude et D Exploitation d Appareils, Frigorifiques Pour le Transport (grantees). Issued 4-18-33.

1,905,618. Metallic packing means for the shafts of centrifugal pumps and other rotary machines. Bodart Jules (inventor); Bodart Fernand (grantee). Issued 4-25-33.

1,906,222. Control device for operating mechanism Boland Paul (inventor), Servo Frein Dewandre S A (grantee). Issued 5-2-33.

1,911,524. Elastic vehicle wheel. Nalinne Victor Henri (inventor). Issued 5-30-33.

1,911,886. Process for the manufacture of fusible electrodes for electric arc welding of aluminium and the like having a saline coating. De Pape Ferdinand (inventor); La Soudure Electrique Autogene (grantee). Issued 5-30-33.

1,911,906. Vanity case or the like. Lambaux Maria Petronella Johanna (inventor). Issued 5-30-33.

1,912,077. Process and apparatus for the treatment of coals ores and the like matter composed of particles of small sizes. Heyns Leon (inventor). Issued 5-30-33.

1,912,113. Water pump. Aghnides Elie (inventor). Issued 5-30-33.

1,912,261. Fluid operated relay brake. Defives Raymond (inventor); Servo Frein Dewandre S A (grantee). Issued 5-30-33.

1,912,974. Distillation of lignite. Lebaucke Hubert (inventor). Issued 6-6-33.

1,913,264. Turbo alternator. Corlai Maurice (inventor); Ateliers de Constructions Electriques de Charleroi (grantee). Issued 6-6-33.

1,913,916. Controlling apparatus for pneumatic tools and the like. Carlotti Charles (inventor). Issued 6-13-33.

1,914,787. Internal combustion engine. Puurmann Juri (inventor). Issued 6-20-33.

1,915,742. Heat exchange apparatus. Mautsch Robert (inventor); Manufacture Generale Metallurgique S A (grantee). Issued 6-27-33.

1,915,937. Door for coke ovens. Lecocq Eugene (inventor); Soc Generale de Fours a Coke Systems Lecocq S A (grantee). Issued 6-27-33.

1,918,886. Sheet pile. Amand James Eugene (inventor); S A D Ougree Marihye (grantee). Issued 7-18-33.

1,919,699. Refining of copper. Leemans Joseph Pierre (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 7-25-33.

1,920,148. Fusible electrode for electric welding. Largrange Daniel et al, De Pape Ferdinand (inventors); La Soudure Electrique Autogene S A (grantee). Issued 7-25-33.

1,920,313. Heat exchange apparatus. Mautsch Robert (inventor); Manufacture Generale Metallurgique S A (grantee). Issued 8-1-33.

1,921,736. Carburetor. Erade Charles Julien (inventor). Issued 8-8-33.

1,922,931. Clutching device. Defays Victor Jean Joseph et al, Lefebvre Paul Joseph Louis (inventors). Issued 8-15-33.

1,924,020. Tight joint for pipings. Bihet Oscar (inventor). Issued 8-22-33.

1,926,296. Hydro pneumatic motor. Merchie Charles (inventor); Cie Internationale Des Freins Automatiques S A (grantee). Issued 9-12-33.

1,926,668. System for automatically controlling the speed of electric motors. Della Riccia Angelo (inventor). Issued 9-12-33.

1,928,537. Low temperature carbonization oven. Honnay Charles (inventor). Issued 9-26-33.

1,928,540. Process for the manufacture of sodium bicarbonate. Lawarree Henri (inventor). Issued 9-26-33.

1,928,974. Carburetor. Erade Charles Julien (inventor). Issued 10-3-33.

1,929,002. Process for the manufacture of sodium nitrate and other fertilizing substances. Mitteau Ferdinand (inventor); Soc d Etudes Scientifiques et d Entreprises Industrielles (grantee). Issued 10-3-33.

1,929,265. Heat exchange apparatus. Mautsch Robert (inventor). Issued 10-3-33.

1,929,485. Apparatus for the transmission at a distance of graphics. Delchef Georges (inventor). Issued 10-10-33.

1,929,735. Process for preserving eggs. Eteraert Pierre (inventor). Issued 10-10-33.

1,930,356. Life guard. Hanoul Emile (inventor). Issued 10-10-33.

1,931,964. Process for the manufacture of bands of cellular rubber with closed cells. Raepsaet Maurice Paul Henri Leon (inventor); Soc Belge du Caoutchouc Mousse (grantee). Issued 10-24-33.

1,936,010. Process of manufacturing saline coatings for the electric arc welding of aluminium silicon alloys and the like. De Pape Ferdinand (inventor); La Soudure Electrique Autogene (grantee). Issued 11-21-33.

1,936,017. Table for supporting plate glass and the like in grinding and polishing apparatus. Heuze Charles (inventor). Issued 11-21-33.

1,937,291. Process of recovering neutral grease from wool washing water. Mertens Eugene (inventor). Issued 11-28-33.

1,937,830. Carburetor. Mathieu Andre (inventor). Issued 12-5-33.

1,940,081. Apparatus for controlling the speed of a power driven vehicle. Felies Jacques Francois (inventor). Issued 12-19-33.

1,940,583. Window shutter. Demeulenaere Marcel (inventor). Issued 12-19-33.

1,941,053. Process of manufacturing balls and small articles of closed cell cellular rubber. Raepsaet Maurice Paul Henri Leon (inventor); Soc Belge du Caoutchouc Mousse (grantee). Issued 12-26-33.

1,941,793. Retting process of textile materials. Faut Jules Alexis Marie (inventor); Les Fibres Textiles (grantee). Issued 1-2-34.

1,944,837. Lubricating device. Henrard Fernand (inventor); Ecremeuses Melotte S A (grantee). Issued 1-23-34.

1,945,772. Process of preparing colored photographic pictures. Dassonville Leon Josse (inventor). Issued 2-6-34.

1,947,326. Direct reading radio compass. Braillard Raymond et al, Marique Jean (inventors). Issued 2-13-34.

1,947,849. Device for honing and stropping razor blades. Hazan Alexandre (inventor). Issued 2-20-34.

1,948,046. Process for the manufacture of articles of cellular rubber and ebonite with closed cells. Raepsaet Maurice Paul Henri Leon (inventor); Soc Belge du Caoutchouc Mousse (grantee). Issued 2-20-34.

1,948,411. Endless belt and seam construction therefor. Asten Eduard V (inventor). Issued 2-20-34.

1,949,675. Pulsator for milking machines. Persoons Jules et al, Persoons Alphonse (inventors). Issued 3-6-34.

1,949,959. Pressure regulator for work under compressed air. Frankignoul Edgard et al, Poussin Leon De La Vallee (inventors); Cie Internationale Des Pieux Armes Frankignoul S A (grantees). Issued 3-6-34.

1,951,122. Combined wheel for roads and rails. Nalinne Victor Henri (inventor). Issued 3-20-34.

1,951,138. Activated carbon. Tielens Georges Joseph Laurent (inventor); Maximine S A (grantee). Issued 3-20-34.

1,952,058. Stabilizer for motor vehicles. Wilmart Pierre (inventor). Issued 3-27-34.

1,954,401. Process and means for burning cement slurry. Busch Adolphe (inventor). Issued 4-10-34.

1,955,643. Economizing apparatus for regulating draft. Leys Pierre Celestin (inventor). Issued 4-17-34.

1,957,375. Process of producing a wine. Vingerhoets Georges (inventor); Cie Internationale Oenologique (grantee). Issued 5-1-34.

1,957,884. Multiple chamber tire. Briquet Corneil Guillaume et al, Joseph, Dmitrieff Alexis, Ewdokimovitsch (inventors). Issued 5-1-34.

1,957,954. Process for purifying oils and for converting incombustible oils into homogeneous fuels. Haeck Auguste (inventor); Spitoir Jean (grantee). Issued 5-8-34.

1,960,892. Long bone fracture clamp. Boever Paul Marie Joseph (inventor); Manufacture Belge de Gembloux S A (grantee). Issued 5-29-34.

1,961,348. Manufacture of photographic printing fabric. Goedtler Louis (inventor). Issued 6-5-34.

1,961,528. Universal faceplate for machine tools. Piron Joseph (inventor). Issued 6-5-34.

1,961,666. Process and apparatus for separating ores. Hoyois Leon (inventor). Issued 6-5-34.

1,962,752. Cherry stemming machine. Buydts Rene (inventor). Issued 6-5-34.

1,963,486. Glass rolling means. Brancart Yoan (inventor). Issued 6-19-34.

1,963,675. Method of obtaining an autoclave closure for vessels of all kinds. Plainevaux Pierre et al, Antoine Joseph (inventors). Issued 6-19-34.

1,964,419. Porous textile fabric. Asten Eduard V (inventor). Issued 6-26-34.

1,965,727. Central heating. Springuel Francois (inventor). Issued 7-10-34.

1,966,540. Transformable carriage body. Decoux Robert (inventor). Issued 7-17-34.

1,966,560. Mold. Raepsaet Maurice Paul Henri Leon (inventor); Soc Belge du Caoutchouc Mousse (grantee). Issued 7-17-34.

1,967,044. Stepmotor. Van Den Eynde Maurice Auguste Victor (inventor). Issued 7-17-34.

1,967,538. Starting and reversing mechanism for internal combustion engines. Romeyn Jean (inventor). Issued 7-24-34.

1,967,566. Automatic binding machine. Tremouroux Charles (inventor). Issued 7-24-34.

1,968,336. Motor brake. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 7-31-34.

1,968,962. Hammer operating with a variation in atmospheric pressure. Schatt Charle (inventor). Issued 8-7-34.

1,969,062. Railway sleeper. De Rossius D Humain Fernand (inventor); S A D Angleur Athus (grantee). Issued 8-7-34.

1,969,442. Decorticating machines for grain rice and similar cereals. Anseele Edouard et al, De Moor Maurice (inventors); S A Les Ateliers Metallurgiques, Reunis (grantees). Issued 8-7-34.

1,970,552. Apparatus for centrifugal separation. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 8-21-34.

1,970,884. Device for lubrication of engines. Charlier Albert Jean Nicolas (inventor). Issued 8-21-34.

1,971,110. Transferring apparatus for incompletely solidified glass bottles and the like. Lhoest Leon (inventor). Issued 8-21-34.

1,974,270. Cartridge shell. Guignet Leon Auguste (inventor); Cie Royale Asturienne Des Mines (grantee). Issued 9-18-34.

1,975,716. Manufacture of Lithopone. Guillissen Joseph (inventor). Issued 5-16-33.

1,977,025. Rotary valve for internal combustion engines. Vander Elst Jean et al, Backx Joannes Franciseus (inventors). Issued 10-16-34.

1,977,176. Grate for fireplaces. De Reytere Robert (inventor). Issued 10-16-34.

1,979,397. Photographic apparatus. Misonne Leonard (inventor). Issued 11-6-34.

1,979,781. Method of making edible sugar syrup. Van Scherpenberg August L (inventor). Issued 11-6-34.

1,981,082. Musical instrument. Cloetens Georges (inventor). Issued 11-20-34.

1,982,398. Regulating device for dampers for elastic vehicle suspensions. Pieper Henri (inventor). Issued 11-27-34.

1,982,401. Sporting gun. Scholberg Paul (inventor). Issued 11-27-34.

1,982,452. Teat cup for milking machines. Persoons Jules et al, Persoons Alphonse (inventors). Issued 11-27-34.

1,985,347. Treatment of nitrocellulose containing waste material. Hayemal Paul Charles Leon (inventor). Issued 12-25-34.

1,985,566. Heating device for rotary furnaces. Garreau Henri (inventor); Rotary furnaces Ltd (grantee). Issued 12-25-34.

1,986,245. Process and apparatus for centrifuging. Berge Julien (inventor); Raffinerie Tirlemontoise S A (grantee). Issued 1-1-35.

1,987,485. Process for the manufacture of white portland cement in a rotary kiln. Mercelis Jean (inventor). Issued 1-8-35.

1,989,996. Heat exchange unit. Mautsch Robert (inventor); Manufacture Generale Metallurgique S A (grantees). Issued 2-5-35.

1,994,341. Hydropneumatic pump. Fonson Octave et al, Goffin Andre Arthur Emile (inventors); Fonson Octave (grantee). Issued 3-12-35.

1,995,211. Process for the manufacture of ammonium and alkali metal formates. Leroux Andre (inventor); Franco Belge D Ougree (grantee). Issued 3-19-35.

1,995,964. Screens for cinematographic projections and the like. Darimont Leopold (inventor). Issued 3-26-35.

1,997,234. Method of supplying current and apparatus for arc welding. Schmerber Raoul Jean (inventor); La Soudure Electrique Autogene S A (grantee). Issued 4-9-35.

1,997,524. Electrical resistance furnace. Kuntziger Jean et al, Delecourt, Henri, Traison Joseph (inventors). Issued 4-9-35.

1,998,552. Manufacture of gilled tubes. Mautsch Robert (inventor); Manufacture Generale Metallurgique S A (grantees). Issued 4-23-35.
2,003,106. Windscreen. Carlotti Charles Francois (inventor). Issued 5-28-35.
2,003,438. Tool for making cartridge shells. Guignet Leon Auguste (inventor); Cie the Royale Asturienne des Mines (grantee). Issued 6-4-35.
2,006,119. Apparatus for the separation of dry materials. Steinmetzer Joseph Nicholas (inventor). Issued 6-25-35.
2,006,498. Internal combustion engine. Dasset Emile (inventor). Issued 7-2-35.
2,007,734. Device for atomizing liquids. Wergifosse Victor (inventor). Issued 7-9-35.
2,008,170. Process of preparing a rubber essence. Botson Rene et al, Kamp Julien (inventors). Issued 7-16-35.
2,010,273. Brake controlling device. Pieper Henri (inventor). Issued 8-6-35.
2,011,093. Heating by means of solid fuel of very small sizes. Vandevelde Aime (inventor). Issued 8-13-35.
2,011,207. Apparatus for washing drinking glasses and the like articles. Vermeiren Pierre (inventor). Issued 8-13-35.
2,012,376. Ball for playing games. Caro Martin (inventor). Issued 8-27-35.
2,012,479. Device for detecting metals, etc. Planta Giulio Ulivi (inventor). Issued 8-27-35.
2,013,006. Internal combustion engine receiving liquid fuel. Obram Nicolas (inventor). Issued 9-3-35.
2,014,756. Machine for compressing rarefying & transporting liquid or gaseous fluids. Beudels Jean (inventor). Issued 9-17-35.
2,016,449. Carburetor. Moysard Omer (inventor). Issued 10-8-35.
2,016,589. Speed regulator for internal combustion engines. Boudin Edgard (inventor). Issued 10-8-35.
2,016,786. Filter fabric. Lemaire Auguste Gustave (inventor). Issued 10-8-35.
2,017,283. Automatic repeating gun. Laloux Rene (inventor). Issued 10-15-35.
2,017,310. Machine for forging hollow metal blanks. Giacchino Ezio (inventor). Issued 10-15-35.
2,017,375. Hydraulic change speed mechanism. Robin Leo et al, Van Roggen Mathieu (inventors). Issued 10-15-35.
2,017,540. Process of treating zinciferous solutions. Kemp Joseph (inventor). Issued 10-15-35.
2,018,582. Gas burner or the like. Theunissen Herve (inventor). Issued 10-22-35.
2,018,753. Automatic device for closing the cage and well gates of lifts and the like. Wechsler Georges (inventor). Issued 10-29-35.
2,019,161. Valve gear for explosion and internal combustion engines working on any cycle. Serste Jacques Egide (inventor). Issued 10-29-35.
2,019,752. Clutch control mechanism. Windelinckx Maurice (inventor). Issued 11-5-35.
2,021,542. Elastic displaceable link for use in an endless chain for carrying goods. Collette Maurice (inventor). Issued 11-19-35.
2,022,203. Static pressure indicating device. Hughes Albert Thomas (inventor). Issued 11-26-35.
2,024,358. Filtration of slimes. Henry Rene Auguste (inventor). Issued 12-17-35.
2,024,811. Vulcanizer. Van Camp Fernand (inventor); S A des Etablissements J Laroche Lechat (grantee). Issued 12-17-35.
2,024,955. Filtering apparatus. Teatine Dario (inventor). Issued 12-17-35.
2,025,367. Process of manufacturing active carbon. Weerts Victor (inventor). Issued 12-24-35.
2,027,127. One wheeled trailer for automobiles and similar vehicles. Tastenhoye Hubert (inventor). Issued 1-7-36.
2,027,464. Process of cracking tar and bituminous schist oils with recovery of by-products. Boulanger Louis et al, Emsens Ferdinand (inventors). Issued 1-14-36.
2,027,657. Press for dehydrating colloid material. Van Roggen Mathieu et al, Robin Leo (inventors). Issued 1-14-36.
2,027,675. Motion picture projector. Callier Andre et al, Heger Fernand (inventors). Issued 1-14-36.
2,027,720. Wind screen. Carlotti Charles Francois (inventor). Issued 1-14-36.
2,028,853. Method of forming thin metallic films by cathode disintegration. Von Bosse Julius et al, Richter Kurt (inventors); La Dispersion Cathodique (grantee). Issued 1-28-36.
2,029,670. Brake system. Pieper Henri (inventor). Issued 2-4-36.
2,029,813. Guiding vane for fans or the like. De Mey Rene (inventor). Issued 2-4-36.
2,031,199. Coal burner. Adrianoff Alexandre (inventor). Issued 2-18-36.
2,031,788. Linen washing machine. Persoons Jules et al, Persoons Alphonse (inventors). Issued 2-25-36.
2,032,289. Hydraulic shock absorber for vehicles. Lacroix Charles (inventor). Issued 2-25-36.
2,032,446. Automatic charging device for tunnel ovens. Spinette Victor (inventor). Issued 3-3-36.
2,032,461. Grille or guard for bays of windows or doors. Aubert Roger (inventor); Volets et Portes Equilibres S A (grantee). Issued 3-3-36.
2,033,233. Method of making hydraulic cement compositions. Ernotte Maurice (inventor). Issued 3-10-36.
2,033,660. Fished rail joint. Vryens Norbert (inventor). Issued 3-10-36.
2,033,723. Direct reading radiogoniometer. Marique Jean (inventor). Issued 3-10-36.
2,036,439. Apparatus for teaching double entry bookkeeping. Schuster Ulysse (inventor). Issued 4-7-36.
2,038,662. Apparatus for transporting sheets of glass. Laverdisse Edmond (inventor); Les Glaceries de la Sambre S A (grantee). Issued 4-28-36.
2,039,186. Hydraulic servomotor for train controllers and the like. Pieper Henri (inventor). Issued 4-28-36.
2,040,511. Process of manufacturing reconstituted compressed leather and product obtained thereby. Bleyenheuft Charles (inventor); Cie Internationale des Cuirs Comprimes Attila C I C C A SA (grantee). Issued 5-12-36.
2,041,643. Voltage regulator. Huet Albert (inventor). Issued 5-19-36.
2,041,644. Selective protection of electric distributing networks having an insulated neutral point. Jonnart Andre (inventor). Issued 5-19-36.
2,041,981. Reaper binder. Tremouroux Constantin Ferdinand et al, Tremouroux Constantin Emile (inventors). Issued 5-26-36.
2,042,392. Braking of vehicles. Dewandre Albert (inventor); S. A. Du Servo Frein Dewandre (grantee). Issued 5-26-36.
2,043,185. Rear axle for automotive vehicles. Miesse Jules (inventor). Issued 6-2-36.
2,046,482. Trolley and the like. Regnac Paille Georges (inventor). Issued 7-7-36.
2,047,178. Folding chair and the like. De Coninck Arthur (inventor). Issued 7-14-36.
2,047,258. Process of dispersing and stabilizing hydrocarbon oils and bituminous compositions. Ernotte Maurice (inventor). Issued 7-14-36.
2,047,350. Cathode distintegration. Alexander Paul (inventor); La Dispersion Cathodique en Abrege Disca S. A. (grantee). Issued 7-14-36.
2,047,351. Cathode disintegration. Alexander Paul (inventor); La Dispersion Cathodique en Abrege, Disca S. A. (grantees). Issued 7-14-36.
2,048,252. Preparatory caisson. Frankignoul Edgard (inventor); Cie Internationale des Pieux Armes Frankignoul S A (grantee). Issued 7-21-36.
2,050,651. Pin and slot driving mechanism. Felies Jacques Francois (inventor). Issued 8-11-36.
2,052,909. Process of dehydrating colloid material. Van Roggen Mathieu, et al., Robin Leo (inventors). Issued 9-1-36.
2,053,058. Separator for electric accumulators. Wuillot Marcel Victor (inventor); Cie Belge d Accumulateurs Dite Cebca S. A. (grantee). Issued 9-1-86.
2,053,836. Igniting plug for hand grenades. Laguesse Fernand (inventor). Issued 9-8-36.
2,056,448. Process for the separation of chlorhydrins from hydrochloric acid solutions. Ferrero Paul, et al., Vandendries Cornelille (inventors); Soc. Carbochimique S. A. (grantee). Issued 10-6-36.
2,057,242. Process of making electric conductors. Mautsch Robert (inventor); Manufacture Generale Metallurgique S. A. (grantee). Issued 10-13-36.
2,057,559. Multiple clutch device. De Backer Joseph (inventor). Issued 10-13-36.
2,058,524. Tunnel oven for cooking products by indirect heating. Spinette Victor (inventor). Issued 10-27-36.
2,058,776. Steganographic typewriter D Auvrain Fernand (inventor). Issued 10-27-36.
2,060,966. Apparatus for the pneumatic separation of materials. Allard Francois (inventor). Issued 11-17-36.
2,061,305. Closing cap for bottles, etc Heymans Paul (inventor); Sobemi Abreviation de Soc Belge d Emballages Metalliques Industriels S. A. (grantee). Issued 11-17-36.
2,061,867. Automatically variable speed transmission. De Muynck Alphonse (inventor), Issued 11-24-36.
2,062,389. Apparatus for coating fibers. Bleibler Ernst (inventor). Issued 12-1-36.
2,064,889. Device for converting a rotating motion into a rectilinear reciprocating motion. Dirix Emile (inventor). Issued 12-22-36.
2,066,112. Valve. Humblet Joseph (inventor). Issued 12-29-36.
2,070,589. Process of forging hollow metal blanks. Giacchino Ezio, Sr., dec., et al, Giacchino Francesca Teresa Robaldo, Giacchino Aldo, Giacchino Ezio, Jr. (inventors); S. A. Forgeage Electrique Giacchino (grantee). Issued 2-16-37.
2,071,678. Gas generating boiler for central heating. Bellay Julien (inventor). Issued 2-23-37.
2,071,780. Connector for taps, pipes and the like. Aghnides Elie (inventor). Issued 2-23-37.
2,071,799. Rotary engine. Mabille Raoul (inventor). Issued 2-23-37.
2,071,891. Filter. Meura Paul (inventor). Issued 2-23-37.
2,072,572. Impulse transmitting device Vanheerswynghels Joseph Leon Auguste (inventor). Issued 3-2-37.
2,072,599. Device for covering the steam exhaust pipe of locomotives. Lemaitre Maurice (inventor). Issued 3-2-37.
2,073,423. Drying and seasoning wood and analogous vegetable materials. Lacasse Valentin (inventor). Issued 3-9-37.
2,074,276. Apparatus for arc welding. Schmerber Raoul Jean (inventor); La Soudure Electrique Autogene S. A (grantee). Issued 3-16-37.
2,074,583. Driving mechanism for control valves of internal combustion engines. Kipfer Paul Fritz (inventor). Issued 3-23-37.

2,078,843. Apparatus for supersaturating with carbon dioxide liquids such as wines. Frolois Pierre (inventor). Issued 4-27-37.
2,079,212. Valve. Humblet Joseph (inventor). Issued 5-4-37.
2,079,938. Seal for string ribbon or the like. Hoornstra Salomon (inventor). Issued 5-11-37.
2,080,332. Wheelbarrow. Paithe Albert Van Wulfften (inventor). Issued 5-11-37.
2,084,229. Process for extracting juice from cut sugar beets and other gas containing substances. Van Maanen Dirk Hendrik Johan (inventor). Issued 6-15-37.
2,084,516. Process of manufacturing textile articles. Van Puymbroeck Julien (inventor). Issued 6-22-37.
2,084,630. Treatment of silicate ores and or the like. Deguide Camille (inventor); Soc de Recherches et d Applications Chimiques Sorac S A (grantee). Issued 6-22-37.
2,085,640. Method of making an asbestos cement agglomerate. Czajko Louis (inventor). Issued 6-29-37.
2,087,493. Clutch control mechanism. Windelinckx Maurice (inventor). Issued 7-20-37.
2,089,265. Dies for the manufacture of metal wheels. Hulin Jules, et al., Ford George (inventors). Issued 7-27-37.
2,088,875. Hydraulic shock absorber for vehicles and other mechanical applications. Serste Jacques Egide (inventor). Issued 8-3-37.
2,088,896. Moving toy. Couvreur Aime (inventor). Issued 8-3-37.
2,089,644. Process for the production of compressed wood or plywood. De Samsonow Alexandre (inventor). Issued 8-10-37.
2,090,887. Heating plant. Garreau Henri (inventor); Rotary Furnaces, Ltd. (grantee). Issued 8-24-37.
2,091,536. Centrifugal drier. Van Impe Faldani (inventor). Issued 8-31-37.
2,091,592. Cream separator. Henrard Ferdinand Jean Joseph Julien (inventor); Ecremeuses Melotte S A (grantee). Issued 8-31-37.
2,093,073. Paint composition. Deguide Camille (inventor); Soc de Recherches et d'Applications Chimiques Sorac S A (grantee). Issued 9-14-37.
2,093,292. Variable speed transmission. Suys Ferdinand (inventor); Soc Pour le Perfectionnement et l'Exploitation des Transmissions Mecaniques S A (grantee). Issued 9-14-37.
2,094,730. Driving device. Vandenput Pierre (inventor). Issued 10-5-37.
2,094,901. Homokinetic cardan joint. Monzee Georges et al, Joskin Joseph Albert (inventors). 10-5-37.
2,097,389. Fan blade or the like. De Mey Rene et al, Havard Paul (inventors). Issued 10-26-37.
2,097,390. Fan and the like. De Mey Rene (inventor). Issued 10-26-37.
2,097,721. Roller skate. Cledina Raphael (inventor). Issued 11-2-37.
2,099,374. Photographic developer and a process of photographic developing. Schwarz Georg (inventor); Gevaert Photo Production N V (grantee). Issued 11-16-37.
2,100,679. Lock. Wassenhove Antoine (inventor). Issued 11-30-37.
2,100,946. Suspension arrangement for screw fan rotors. De Mey Rene (inventor). Issued 11-30-37.
2,101,212. Boiled egg opener. Coppin Camille (inventor). Issued 12-7-37.
2,103,813. Process for the preparation of chlorhydrins. Ferrero Paul et al, Vandendries Corneille (inventors); Soc Carbochimique S A (grantee). Issued 12-28-37.
2,106,376. Fire protecting means. Humblet Joseph (inventor). Issued 1-25-38.
2,106,430. Extinguisher. Humblet Joseph (inventor). Issued 1-25-38.
2,106,679. Photographic apparatus. Rentmeesters Pierre Joseph (inventor). Issued 1-25-38.
2,106,867. Mounting of electric insulators. Thiry Leon (inventor). Issued 1-25-38.
2,108,956. Preparation of glycols from oxides of olefines. Ferrero Paul et al, Vandendries Corneille, Berbe Francois (inventors); Soc Carbochimique S A (grantee). Issued 2-22-38.
2,110,069. Device for operating the trigger and the locking mechanism of a gun. Lempereur Maurice (inventor); Servo Frein Dewandre S A (grantee). Issued 3-1-38.
2,110,298. Apparatus for getting into solution or suspension in a water current a determined and regulatable amount of materials in a mobile fine or powdery condition. Henry Rene Auguste (inventor). Issued 3-8-38.
2,110,308. Porous textile fabric. V Asten Eduard (inventor). Issued 3-8-38.
2,110,779. Centrifugal separator. Teatini Dario (inventor). Issued 3-8-38.
2,111,223. Process of cracking of hydrocarbons such as for the production of high grade so called antiknock motor fuel. Pennrich Henry C (inventor). Issued 3-15-38.
2,112,151. Process for purifying metallic cadmium. Fassotte Adolphe Denis Henri Leon et al, Favre Rene (inventors); Cie des Metaux d'Overpelt Lommel et de Corphalie S A (grantee). Issued 3-22-38.
2,112,913. Valve. Lechene Francois (inventor). Issued 4-5-38.
2,114,570. Shaft coupling. Renaud Constant (inventor); Ateliers de Constructions Electriques de Charleroi (grantee). Issued 4-19-38.
2,115,483. Arrangement for controlling firearms. Defives Raymond (inventor); Servo Frein Dewandre S A (grantee). Issued 4-26-38.
2,115,614. Altitude power regulating device for explosion and combustion motors. Modesse Albert (inventor). Issued 4-26-38.
2,115,861. Machine gun. Laloux Rene (inventor). Issued 5-3-38.
2,116,086. Registering or recording device for weighing apparatus. Van Berkel Wilhelmus Adrianus (inventor). Issued 5-3-38.
2,116,616. Preselective apparatus for gear changing. Chasserleau Gabriel (inventor). Issued 5-10-38.
2,116,646. Thermionic tube compensator for aerials. De Monge Gerard (inventor). Issued 5-10-38.
2,118,071. Process and machine for scutching flax and the like. Decuypere Charles et al, Dujardin Maurice (inventors). Issued 5-24-38.
2,118,800. Control device with predetermined successive positions. Maes Frederic (inventor); Servo Frein Dewandre S A (grantee). Issued 5-31-38.
2,119,116. Treatment of cellulose esters. Schuller Aladar et al, Tritsmans Remi Gustaaf, Hendriex Serglus (inventors); Gevaert Photo Producten N V (grantee). Issued 5-31-38.
2,119,117. Method of treating cellulose. Schuller Aladar et al, Tritsmans Remi Gustaaf (inventors); Gevaert Photo Producten N V (grantee). Issued 5-31-38.
2,121,171. Barrel fastening means. Laloux Rene (inventor). Issued 6-21-38.
2,123,042. Ring shaped element of prismatic section for improving the luminosity of electric lamps. Gunsbourg Arcadius (inventor). Issued 7-19-38.
2,123,160. Method of cracking hydrocarbon oils. Pennrich Henry C (inventor). Issued 7-19-38.
2,124,520. Portable vanity case combined with handbag. Lambooy Maria Petronella Johanna (inventor). Issued 7-26-38.
2,126,155. Incandescent electric lamp. Van Dyck Alexandre (inventor). Issued 8-9-38.
2,127,415. Apparatus and process for determining the position of a moving object. Marique Jean (inventor); S A Internationale de Telegraphie Sans Fils (grantee). Issued 8-16-38.
2,128,002. Lock for house doors. Lebeau Leon (inventor). Issued 8-23-38.
2,128,444. Process for the purification of molten metals. Vroonen Emile (inventor). Issued 8-30-38.
2,130,751. Apparatus for determining the resistance of the ground. Van Der Meer Constant Pierre Jean Marie (inventor). Issued 9-20-38.
2,131,215. Glass tank furnace. Bivort Henri Jacques (inventor). Issued 9-27-38.
2,131,350. Treatment of substances containing tantalum and or niobium. Leemans Joseph Pierre (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 9-27-38.
2,131,896. Spinning and like textile frame. Lambert Oswald (inventor). Issued 10-4-38.
2,133,594. Furnace for producting sulphurous gas. Teatini Dario (inventor). Issued 10-18-38.
2,133,677. Air conditioning process. Wautelet Camille Ernest (inventor). Issued 10-18-38.
2,133,866. Spinning and like textile frame. Lambert Oswald (inventor). Issued 10-18-38.
2,134,285. Two stroke internal combustion engine. Kipfer Paul Fritz (inventor). Issued 10-25-38.
2,134,286. Two stroke internal combustion engine. Kipfer Paul Fritz (inventor). Issued 10-25-38.
2,134,440. Propelling device for vehicles. Dumont Hector (inventor). Issued 10-25-38.
2,136,512. Automatic rapid fire gun. Laloux Rene (inventor). Issued 11-15-38.
2,136,992. Heating structure for drying ironing calendering and similar machines. Heynssens Joseph Leon (inventor). Issued 11-15-38.
2,137,056. Bomb. Liegeois Pierre (inventor); Manufacture D Armements et de Munitions Armu S A (grantee). Issued 11-15-38.
2,137,172. Rotary engine. Mabille Raoul (inventor). Issued 11-15-38.
2,137,446. Vehicle head lamp. Despatures Charles Fernand (inventor). Issued 11-12-38.
2,140,011. Process for the heat treatment of milk. Hass Verne (inventor). Issued 12-13-38.
2,140,800. Treatment of substances containing tantalum and or niobium. Leemans Joseph Pierre (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 12-20-38.
2,140,801. Treatment of materials containing tantalum and or niobium. Leemans Joseph Pierre (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 12-20-38.
2,141,537. Machine gun. Laloux Rene (inventor). Issued 12-27-38.
2,142,090. Refining of cathode copper. Bercovici Leon (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 1-3-39.
2,142,307. Mounting of axial flow fans and the like. De Mey Rene et al, Havard Paul (inventors). Issued 1-3-39.
2,142,421. Variable speed transmission device. Suys Ferdinand (inventor); Soc Pour le Perfectionnement et L Exploitation des Transmissions Mecaniques Perfectrans (grantee). Issued 1-3-39.
2,143,303. Screen for cinematographic projections. Darimont Leopold (inventor). Issued 1-10-39.
2,143,738. Rotary engine. Mabille Raoul (inventor). Issued 1-10-39.
2,146,853. Apparatus for stringing tennis rackets and the like. Ryckman Adrien (inventor). Issued 2-14-39.

2,148,918. Pump more particularly beer pump. Weber Stephane (inventor). Issued 2-28-39.
2,149,191. Sculptural architectural and like objects. Stagl Rodolphe (inventor). Issued 2-28-39.
2,149,423. Piston. Corthals Auguste (inventor). Issued 3-7-39.
2,150,055. Remote control apparatus for the successive release of bombs in aircraft. Defives Raymond (inventor); Servo Frein Dewandre S A (grantee). Issued 3-7-39.
2,150,289. Method for the electrolytic production of alkali metals. Moltkehansen Ivar Juel (inventor). Issued 3-14-39.
2,150,555. Treatment of materials containing tantalum and or niobium. Leemans Joseph Pierre (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 3-14-39.
2,151,750. Apparatus for transmitting recording graphics. Delchef Georges (inventor). Issued 3-28-39.
2,155,622. Lay figure for displaying fabrics in the form of garments. Spanier Walter (inventor). Issued 4-25-39.
2,157,383. Lead alloy. Cuvelliez Francois (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 5-9-39.
2,158,218. Method of closing metal drums. Brouhon Georges (inventor); Solvay & Cie (grantee). Issued 5-16-39.
2,158,224. Typographical single type composing machine. Du Four Jean (inventor). Issued 5-16-39.
2,158,889. Spool support or core for the dyeing and for the treatment of textiles on spools Annicq Joseph (inventor). Issued 5-16-39.
2,159,169. Electric furnace for melting metals Mautsch Robert (inventor). Issued 5-23-39.
2,159,584 Fixing electric motors to a vehicle truck Bikar Marie Edouard Jean Henri (inventor); Acieries de Haine Saint Pierre et Lesquin S A (grantee). Issued 5-23-39.
2,159,879. Pneumatic control apparatus. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 5-23-39.
2,160,616 Haircloth. Gheysens Eugene Aime Constant Alfred et al, Gheysens Paul Constant Louis Andre (inventors). Issued 5-30-39.
2,162,124. Change speed device. Robin Leo et al, Van Roggen Mathieu (inventors). Issued 6-13-39.
2,163,207. Method for the manufacture of porous building material. Missotten Simon (inventor). Issued 6-20-39.
2,164,279. Treatment of substances containing tantalum and niobium. Leemans Joseph Pierre (inventor); Soc Generale Metallurgique de Hoboken (grantee). Issued 6-27-39.
2,165,158. Telescope. Stagl Rodolphe (inventor). Issued 7-4-39.
2,165,739. Cassette for cinematographic cameras. Verkinderen Honore (inventor); Gevaert Photo Producten N V (grantee). Issued 7-11-39.
2,166,241. Dual control device for aircraft. De Wouters D Oplinter Jean Guy Marie Josef (inventor). Issued 7-18-39.
2,166,297. Process for the treatment of gelatin and glue. Jacquet Rene Jules Fernand (inventor); Tannerie & Maroquinerie Belges S A (grantee). Issued 7-18-39.
2,167,096. Three wheel motor car. Van Den Stock Paul Anna Charles Francois (inventor). Issued 7-25-39.
2,167,404. Process for the manufacture of caustic soda. Lawarree Henri (inventor). Issued 7-25-39.
2,167,503. Oven for heat treatment of shales schists sandstones and the like. Gilles Franz Florent Raoul Andre (inventor); Soc Generale de Fours A Coke Systemes Lecocq S A (grantee). Issued 7-25-39.
2,167,732. Photographic material. Verkinderen Honoure (inventor); Gevaert Photo Producten N V (grantee). Issued 8-1-39.
2,167,743. Filter for artesian wells or bore holes. Caluwe Georges (inventor). Issued 8-1-39.
2,168,597. Process and apparatus for the direct production of steel and other metals from ore. Auriol Albert et al, Auriol Andre (inventors). Issued 8-8-39.
2,169,434 Process of dequaternating quaternary ammonium dyestuffs. Schwarz George (inventor); Gevaert Photo Producten N V (grantee). Issued 8-15-39.
2,169,789. Method of constructing foundation piles. Bertrand Raymond (inventor); Cie Internationale Des Pieux Armes Frankignoul S A (grantee). Issued 8-15-39.
2,173,209. Kneading machine. Le Roy Frederic (inventor); Le Roy Dewinter Madam (grantee). Issued 9-19-39.
2,177,885. Machine for composing lithographic prints. Geirnaert Rene Louis Romain Robert (inventor). Issued 10-31-39.
2,178,037. Mechanism for the advancement of the carriage of typewriters and the like. Geirnaert Rene Louis Romain Robert (inventor). Issued 10-31-39.
2,178,049. Electrical heating apparatus of the storage type. Mouton Augustin et al, Huet Albert (inventors). Issued 10-31-39.
2,179,401. Rotary internal combustion engine. Chkliar Jacques (inventor). Issued 11-7-39.
2,179 959 Elastic joint or support. Schroedter Rolf (inventor); Thiry Leon (grantee). Issued 11-14-39.
2,181,819 Gun battery or mounting more particularly for antiaircraft defense. Radelet Fernand et al, Schul Max (inventors. Issued 11-28-39.
2,183,517 Treatment of materials containing tantalum & niobium. Leemans Joseph Pierre (inventor); Soc Generale Metallurgique De Hoboken (grantee). Issued 12-12-39
2,183,946 Machine for pulling standing flax or other like plants. Soenens Maurice Alois (inventor); Automatic Flax Production Units (grantee). Issued 12-19-39.
2,184,594 Quantitative separation of materials. Hoyois Leon (inventor). Issued 12-26-39.
2,185,798. Photographic emulsion. Stevens Rene (inventor). Issued 1-2-40.
2,185,872. Automatic sales apparatus. Stra Rene (inventor). Issued 1-2-40
2,188,195. Strainer for vegetables and fruits. Vanoenacker Paul Jean Alfred (inventor). Issued 1-23-40.
2,189,371. Drawing device. Stagl Rodolphe (inventor). Issued 2-6-40.
2,190,062. Preselector device for change speed gears Fournaux Walthere (inventor). Issued 2-13-40.
2,190,238. Hydrocompcund braking system. Lepersonne Octave (inventor). Issued 2-13-40.
2,191,565. Multiplex communication system. Henroteau Francois Charles Pierre (inventor). Issued 2-27-40.
2,191,810. Method of sensitizing photographic silver halide emulsions. Stevens Rene (inventor); Gevaert Photo Producten N V (grantee). Issued 2-27-40.
2,192,241. Photographic layer and process or producing same. Robijns Willem Pieter Maria Josef (inventor; Gevaert Photo Production N V (grantee). Issued 3-5-40.
2,193,090. Coke oven. Gilles Franz Florent Raoul Andre (inventor); Soc Generale De Fours a Coke Systemes Lecocq S A (grantee). Issued 3-12-40.
2,196 355. Means for circulating electrolyte in apparatus for the electrodeposition of metals. Cremer Alfred (inventor). Issued 4-9-40.
2,197,311. Color forming developer and process of color development. Merckx Philibert Leopold et al, Jozef Raymond, Korber Willem Karel Antoon (inventors); Gevaert Photo Producten N V. Issued 4-16-40.
2,198,554. Lighting system for use on vehicles to facilitate passing at night. Schuermans Maurice et al, Baret Albert (inventors). Issued 4-23-40.
2,198,678. Art of making stereoscopic projection of pictures. Noaillon Edmond Henri Victor (inventor). Issued 4-30-40.
2,198,679. Internal combustion engine. Radelet Fernand et al, Schul Max (inventors) Issued 4-30-40.
2,198,914. Treatment of materials containing tantalum and niobium. Leemans Joseph Pierre (inventor); Soc Generale metallurgique De Hoboken (grantee). Issued 4-30-40.
2,198,932. Lead alloy. Cuvelliez Francois (inventor); Soc Generale Metallurgique De Hoboken (grantee). Issued 4-30-40.
2,198,958. Change speed gear system. Cahn Joseph (inventor); Feigenbaum Hermann (grantee). Issued 4-30-40.
2,201,738. Process for effecting reducing metallurgical reactions. Neve Pierre (inventor). Issued 5-21-40.
2,202,444. Roasting furnace. De Rey Emmanuel (inventor). Issued 5-28-40.
2,203,449. Internal combustion engine Tips Maurice (inventor). Issued 6-4-40.
2,206,332. Internal combustion engine. Radelet Fernand et al, Schul Max (inventors); Radelet Fernand (grantee). Issued 7-2-40.
2,207,900. Machine for scutching flax or like plant stalks. Soenens Maurice Alois (inventor); Automatic the Flax Productions Units (grantee). Issued 7-16-40
2,211,695. Apparatus for the treatments of materials in grains or pieces such as minerals coals and the like. Hoyois Leon (inventor). Issued 8-20-40.
2,211 936. Internal combustion engine. Radelet Fernand et al, Schul Max (inventors); Radelet Fernand (grantee). Issued 8-20-40.
2,213,106. System of metal shelves displaceable for bookcases and similar articles. Liesken Auguste Hubert (inventor). Issued 8-27-40.
2,214,404 Furnace for solid fuels Coenen Edouard Jean Baptiste (inventor) Issued 9-10-40.
2,214,512. Connection between a propeller and its driving shaft. Thiry Leon (inventor) Issued 9-10-40.
2,214,720 Recording means for weighing machines. De Brouckere Leon (inventor). Issued 9-10-40.
2,214,978. Diffusion apparatus Teauni Dario (inventor). Issued 9-17-40.
2,219,407. Rotary oven for the heat treatment of coal and other solid materials. Baptist Henri Felix Jean (inventor). Issued 10-29-40.
2,220,171. Apparatus for the continuous distillation of liquids. Noaillon Edmond Henri Victor (inventor); Soc Generale De Fours a Coke Systemes Lecocq S A (grantee). Issued 11-5-40.
2,222,446. Rippling machine for the treatment of textile materials. Soenens Maurice Alois (inventor); Automatic Flax Production Units (grantee). Issued 11-19-40.
2,222,686. Treatment of synthetic resins and materials containing same. Robin Leo et al, Van Roggen Mathieu (inventors) Issued 11-26-40.
2,225,278. Driving device. Robin Leo et al, Van Roggen Mathieu (inventors). Issued 12-17-40.
2,225,685. Process of producing alkaline nitrate and chlorine. Chuffart Robert Charles Henri (inventor); Plucker Henry William (grantee). Issued 12-24-40.
2,230,397. Acoustic apparatus for the deaf. Abraham Lewis Crowford (inventor). Issued 2-4-41.
2,231,857. Glass drawing apparatus Delacuvellerie Ernest (inventor). Issued 2-11-41.

2,234,127. Process of manufacture of a metallurgical product intended to be melted for forming a metal or an alloy. Mautsch Robert (inventor). Issued 3-4-41.
2,236,182. Means for forming mixtures of fluids and delivering measured quantities of these mixtures. Le Roy Meersmans L (inventor). Issued 3-25-41.
2,237,604. Instantaneous direct reading radiogoniometer. Marique Jean (inventor). Issued 4-8-41.
2,237,930. Gun support. Dewandre Albert (inventor); Servo Frein Dewandre S A (grantee). Issued 4-8-41.
2,238,189. Film reel. Sano Karel (inventor); Gevaert Photo Producten N V (grantee). Issued 4-15-41.
2,238,819. Process for the condensation of zinc vapors. Neve Pierre (inventor). Issued 4-15-41.
2,239,220. Cubing or pelleting machine for feeds. De Permentier Paul Rene (inventor). Issued 4-22-41.
2,239,577. Process for terminating the flow of arc welding current. Serckx Robert Olivier Louis (inventor); La Soudure Electrique Autogene S A (grantee). Issued 4-22-41.
2,241,217. Independent wheel mounting with suspension means accommodated within the wheel. Peeters Desire (inventor). Issued 5-6-41.
2,242,344. Electric resistance element and process of manufacturing same. Cito Camillo (inventor); Manufacture Generale Metallurgique S A (grantee). Issued 5-20-41
2,243,004. Electric arrangement for transmitting angles. Fourmarier Paul Jr et al, Lempereur Maurice (inventers); Servo Frein Dewandre S A (grantee). Issued 5-20-41.
2,244,216. Power transmitting arrangement for motor driven vehicles. Pieper Henri (inventor). Issued 6-3-41.
2,244,490. Casting machine. Doyen Daniel (inventor). Issued 6-3-41.
2,245,130. Process for the separation of ammonia and sulphureted hydrogen. Guillissen Joseph (inventor); Union Chimique Belge S A (grantee). Issued 6-10-41.
2,245,498. Rotary engine. Pringiers Paul (inventor); Baume & Marpent S A (grantee) Issued 6-10-41.
2,249,306. Centrifugal hydroextractor. Bailly Armand (inventor). Issued 7-15-41.
2,251,965. Color photography and color photograph. Verkinderen Honore (inventor); Gevaert Photo Producten N V (grantee) Issued 8-12-41.
2,252,011. Drafting arrangement for spinning frames and other similar machines. Liebaut Joseph Eugene (inventor); Filature Du Canal S A (grantee). Issued 8-12-41.
2,252,644. Speed controlling device. Robin Leo et al, Van Roggen Mathieu (inventors). Issued 8-12-41.
2,253,647. Cream separator. Persoons Jules et al, Persoons Alphonse (inventors). Issued 8-26-41.
2,255,359. Compressor. Lepersonne Octave (inventor). Issued 9-9-41.
2,257,454. Means for closing metal drums. Brouhon Georges (inventor); Solvay and Cie (grantee). Issued 9-30-41.
2,258,331. Manufacture of golf balls and the like. Miller Ellis (inventor). Issued 10-7-41.
2,258,332. Manufacture of golf balls and the like. Miller Ellis (inventor). Issued 10-7-41.
2,258,333. Manufacture of golf balls and the like. Miller Ellis (inventor). Issued 10-7-41
2,259,210. Apparatus for drying materials. Medave Andre (inventor). Issued 10-14-41

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2,260,910. Process for purifying and decolorizing oily and fatty materials. Kellens Eugene (inventor). Issued 10-28-41.
2,261,596. Fluid distributor for heat exchangers. Stroobants Gaston Jean (inventor). Issued 11-4-41.
2,262,981. Internal combustion engine. Weber Emile Michel (inventor). Issued 11-18-41.
2,264,357. Machine for the manufacture of hydrated cellulose. Bleibler Ernest (inventor). Issued 12-2-41.
2,264,711. Vibrating machine. Portugaels Alfred (inventor); Vibramat S A (grantee). Issued 12-2-41.
2,265,879. Method of and means for electro magnetically recording and reproducing sound. Thurm Leon (inventor). Issued 12-9-41.
2,268,276. Racket stringing machine. Caro Martin et al, Lambert Gustave (inventors). Issued 12-30-41.
2,269,595. Furnace for heat treatment under high pressure. Miller Ellis (inventor). Issued 1-13-42.
2,277,091. Apparatus for purification of liquids by electro osmosis. Feyens Alfred Hubert (inventor). Issued 3-24-42.
2,277,402. Belt conveyor. Hoeck Henri (inventor). Issued 3-24-42.
2,277,516. Method and apparatus for frequency changing. Henroteau Francois Charles Pierre (inventor). Issued 3-24-42.
2,278,567. Device for identification of vehicles. Schuermans Maurice et al, Baret Albert (inventors). Issued 4-7-42.
2,279,324. Spade or shovel. Julien Joseph Alias Eugene Pallen (inventor). Issued 4-14-42.
2,283,056. Piston packing. Guardiola Louis Sarrino (inventor). Issued 5-12-42.
2,286,595. Apparatus for drying webs of paper regenerated from cellulose derivatives. Bleibler Ernest (inventor). Issued 6-16-42.
2,293,917. Process of continuous carbonization of cellulosic materials. Lambiotte Auguste (inventor). Issued 7-14-42.
2,298,523. Process for the biological and simultaneous purification of waste liquors & their slimes. Henry Rene Auguste (inventor). Issued 9-22-42.
2,297,166. Free wheeling mechanism. Robin Leo et al, Van Roggen Mathieu (inventors). Issued 9-29-42.

[F. R. Doc. 43-5329; Filed, April 5, 1943; 2:12 p. m.]

[Vesting Order 676]

PATENTS OF NATIONALS OF CZECHOSLOVAKIA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof;

2. Finding that each of such owners is a resident of Czechoslovakia, and therefore is a national of a foreign country (Czechoslovakia);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (Czechoslovakia);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

RE17,393. Hair waving appliance and method. Mayer Josef (inventor). Issued 3-29-27.
RE18,202. Casting machine. Polak Josef (inventor). Issued 6-11-29.
DE85,995. Celluloid cover for a mouth harmonica. Schwarz Arnold (inventor). Issued 2-14-46.
DE107,521. Design for a pencil. Kropsch Richard (inventor); Koh I Noor Bleistiftfabrik L & C Hardtmuth (grantee). Issued 12-21-44.
DE108,751. Design for electrically lighted shoe. Micoch Augustin (inventor). Issued 3-8-45.
DE122,823. Design for a photographic enlarger. Kallusch Kamillo (inventor). Issued 10-1-47.
1,563,540. Card saving device for dobby looms. Volech Frantisek (inventor). Issued 12-1-25.
1,564,347. Driving means for the idle rolls of rolling mills. Hein Richard (inventor). Issued 12-8-25.
1,565,711. Machine for topping root crops. Cervinka Jan (inventor). Issued 12-15-25.
1,565,943. Process for the electrolysis of alkali chlorides. Klopstock Heinrich (inventor). Issued 12-15-25.

1,568,034. Steam turbine construction. Losel Franz (inventor). Issued 12-29-25.
1,572,613. High pressure steam generator. Losel Franz (inventor) Issued 2-9-26.
1,573,375. Process for manufacturing colloidal compounds of arsenic. Chwala August (inventor); Oderberger Chemische Werke A G (grantee). Issued 2-16-26.
1,573,894. Change speed gear for motor vehicles. Zima Vaclav (inventor). Issued 2-23-26.
1,574,782. Nonmagnetic steel. Becker Erich (inventor); Poldihutte (grantee). Issued 3-2-26
1,576,181. Method of manufacturing linoleum. Dubsky Georg (inventor). Issued 3-9-26
1,576,209. Process for preserving wood. Neubauer Hans (inventor). Issued 3-9-26.
1,577,052. Method and apparatus for comminuting solids and forming colloidal solutions. Auspitzer Otto (inventor). Issued 3-16-26.
1,577,389. Purification of sugar solutions. Urban Karel (inventor); Elbogen Seligman (grantee). Issued 3-16-26.
1,578,300. Typewriter. Vondra Karel (inventor) Issued 3-30-26.
1,578,733. Atomizer or spray nozzle. Hrdina Stefan (inventor). Issued 3-30-26.
1,579,305. Flower bowl or vase. Goldberg Carl (inventor) Issued 4-6-26.
1,579,773. Method of and means for controlling the water circulation in water tube boilers. Losel Franz (inventor). Issued 4-6-26.
1,579,828. Process for producing a preparation for treating arteriosclerosis. Mladejovsky Vladislav (inventor). Issued 4-6-26.
1,579,861. Driving mechanism for straight knitting machines. Eisenschimi Max (inventor). Issued 4-6-26.
1,580,070. Gumming apparatus. Muller Otto (inventor); Hauser Hans (grantee). Issued 4-6-26.
1,580,677. Measuring device operating by means of a continuous liquid flow. Roucka Erich (inventor). Issued 4-13-26.
1,580,678. Flow regulating & measuring device. Roucka Erich (inventor) Issued 4-13-26
1,580,679. Remote measuring flow meter. Roucka Erich (inventor). Issued 4-13-26.
1,582,054. Lock. Konig Julius (inventor). Issued 4-27-26.
1,582,305. Hand hammer. Reichling Alois (inventor). Issued 4-27-26
1,583,092. Free wheel coupling mechanism. Pantoflicek Theodor (inventor). Issued 5-4-26
1,584,472. Process for the manufacture of artificial resins. Regal August (inventor). Issued 5-11-26.
1,584,473. Process for the preparation of artificial resins. Regal August (inventor). Issued 5-11-26.
1,585,027. Means for securing railway rails. Guba Ludvik (inventor). Issued 5-18-26.
1,585,170. Balanced system of control. Roucka Erich (inventor). Issued 5-18-26.
1,585,566. Alternating current centrifuge. Sindl Otto (inventor). Issued 5-18-26
1,585,686. Fuse for projectiles. Pantofli Cek Bohdan (inventor). Issued 5-25-26.
1,586,150. Rolling machine. Hein Richard (inventor). Issued 5-25-26.
1,586,705. Fluid flow control system. Roucka Erich (inventor). Issued 6-1-26.
1,588,390. Brass and like wind musical instrument. Suchy Paul (inventor). Issued 6-8-26
1,589,031. Adsorptive charcoal for medicinal purposes. Adler Rudolf (inventor). Issued 6-15-26
1,589,289. Digging machine. Hejma Vaclav (inventor). Issued 6-15-26.
1,589,935. Egg holder. Branc Ladislav (inventor) Issued 6-22-26
1,590,297. Lock. Konig Julius (inventor). Issued 6-29-26.
1,590,837. Process for preparation of cheese having an increased or supplemented vitamine content. Liebers Hugo (inventor); Hamburger & Co Gesellschaft Mit Beschrankter Haftung (grantee). Issued 6-29-26.
1,590,961. Process for the manufacture of artificial resins. Singer Rudlof (inventor); Kunstharzfabrik Regal & Co (grantee). Issued 6-29-26.
1,591,862. Box or the like. Rontgen Ernst (inventor). Issued 7-6-26.
1,595,038. Flap valve. Vencl Zdenek et al, Kubat Josef (inventors). Issued 8-3-26.
1,597,010. Process of impregnating wood. Bubla Karl (inventor). Issued 8-24-26.
1,597,103. Process of making artificial marble and product made thereby. Oberherr Hynek (inventor). Issued 8-24-26.
1,597,717. Process of subjecting wood and similar materials to a preliminary treatment for the manufacture of paper board etc. Braunlich Hubert (inventor). Issued 8-31-26
1,597,828. System for measuring or transmitting variable conditions. Roucka Erich (inventor). Issued 8-31-26.
1,600,065. Process of making fuel briquettes. Plochmann Georg (inventor). Issued 9-14-26
1,602,111. Sluice gate. Jermar Frantisek (inventor). Issued 10-5-26
1,602,199. Steam power plant. Losel Franz (inventor). Issued 10-5-26.
1,603,601. Heating apparatus. Hejma Vaclav (inventor). Issued 10-19-26.
1,609,513. Searchlight supporting or suspension device. Jezbera Oldrich (inventor); Cesko Moravska Kolben Akciova Spolecnost (grantee). Issued 12-7-26
1,611,468. Elastic fluid turbine. Losel Franz (inventor). Issued 12-21-26.
1,611,490. Process & apparatus for pressing together the edges of a tube. Semenov Ivan A (inventor). Issued 12-21-26.
1,611,534. Process & appartus for the manufacture and production of chemically pure sulphuric acid. Krafft Max (inventor. Issued 12-21-26.
1,612,696. Airscrew. Beres Rezso (inventor). Issued 12-28-26
1,613,150. Device for testing pipes. Zore Anton (inventor). Issued 1-4-27
1,613,430. Method of preventing the formation of crystals and the deposition of incrustations on metal surfaces. Blass Ludwig (inventor). Issued 1-4-27.
1,614,415. Automatic regulation on arc lamps. Vesely Karel et al, Lustig Karel (inventors). Issued 1-11-27
1,614,536. Fuse for projectiles. Pantoflicek Bohdan (inventor). Issued 1-18-27.
1,614,537. Centrifugal fuse. Pantoflicek Bohdan (inventor). Issued 1-18-27.
1,614,612. Rolling mill. Hein Richard (inventor) Issued 1-18-27.
1,618,246. Warp Tensioning device for looms. Volech Frantisek (inventor). Issued 2-22-27.
1,618,596. Steam turbine. Losel Franz (inventor). Issued 2-22-27.
1,618,597. Steam turbine. Losel Franz (inventor) Issued 2-22-27.
1,618,850. Fire grate. Stohr Miroslav (inventor). Issued 2-22-27.
1,618,944. Centrifugal fuse. Pantoflicek Bohdan (inventor). Issued 2-22-27.
1,619,794. Permanent hair waving appliance. Mayer Josef (inventor). Issued 3-1-27.
1,619,990. Harness motion for looms. Simmchen Wilhelm (inventor); Ipag international Patent Exploiting Co Ltd (grantee). Issued 3-8-27.
1,620,621. Press for making briquettes. Apfelbeck Hugo (inventor). Issued 3-15-27.
1,621,280. Impulse system of control. Roucka Erich (inventor). Issued 3-15-27.
1,622,524. Drafting device. Kvasnicka Vaclav (inventor). Issued 3-29-27.
1,622,957. Hair waving appliance and method. Mayer Josef (inventor). Issued 3-29-27.
1,623,701. Feeding and discharging apparatus for machines for material treatment. Prokop Josef (inventor). Issued 4-5-27.
1,623,880. Direction indicating device especially for vehicles. Marsik Augustin (inventor). Issued 4-5-27.
1,625,263. Elastic fluid turbine. Losel Franz (inventor). Issued 4-19-27.
1,625,556. Fire grate. Lomshakoff Alexis S (inventor). Issued 4-19-27.
1,625,735. Drafting instrument. Maurer Michael (inventor). Issued 4-19-27.
1,625,741. Steel. Pattermann Otto (inventor); Poldihutte Palackeho Trida (grantee) Issued 4-19-27.
1,626,318. Method of making reenforced building elements. Wettstein Karl (inventor). Issued 4-26-27.
1,627,644. Cutting device for reaping mowing and like machines. Hejma Vaclav (inventor) Issued 5-10-27.
1,627,977. Process for the purification of burner gases and for obtaining chemically pure sulphuric acid. Krafft Max (inventor). Issued 5-10-27.
1,630,314. Automatic regulator. Roucka Erich (inventor). Issued 5-31-27.
1,630,918. Shuttle changing device for looms. Aninger Friedrich (inventor). Issued 5-31-27.
1,632,144. Thermostatic apparatus. Nemec Josef (inventor). Issued 6-14-27.
1,632,448. Stationary guide nozzle construction and assembly for turbines. Losel Franz (inventor). Issued 6-14-27.
1,632,511. Device for separating and straining liquids. Sediva Jarmila (inventor). Issued 6-14-27.
1,632,907. High pressure steam turbine and method of utilizing high pressure steam therein. Losel Franz (inventor). Issued 6-21-27.
1,633,706. X-Ray screen for taking skiagrams. Manni Rudolf (inventor). Issued 6-28-27.
1,633,713. Compound system for transmitting a plurality of values. Roucka Erich (inventor). Issued 6-28-27.
1,636,418. Motor spade. Hejma Wenzel (inventor). Issued 7-19-27.
1,636,489. Cigarette making machine. Semenov Ivan Alexandrovic (inventor) Issued 7-19-27.
1,636,677. Last. Benda Jaroslav (inventor). Issued 7-26-27.
1,637,643. Child's rocking horse. Hermann Conrad (inventor). Issued 8-2-27
1,638,100. Measuring system. Roucka Erich (inventor). Issued 8-9-27.
1,638,101. System of measuring by auxiliary energy. Roucka Erich (inventor). Issued 8-9-27.
1,638,102. Measuring system. Roucka Erich (inventor). Issued 8-9-27.
1,638,103. System for transmitting or measuring variable conditions. Roucka Erich (inventor). Issued 8-9-27.
1,638,104. Measuring system. Roucka Erich (inventor). Issued 8-9-27.
1,638,105. System for transmitting variable conditions. Roucka Erich (inventor) Issued 8-9-27.
1,639,422. Adjustable wire mattress. Barna Emanuel Ernst (inventor). Issued 8-16-27
1,641,195. Measuring system. Roucka Erich (inventor). Issued 9-6-27.
1,641,196. Measuring system. Roucka Erich (inventor). Issued 9-6-27.
1,641,197. System for transmitting variable conditions. Roucka Erich (inventor). Issued 9-6-27.
1,641,198. System for transmitting variable conditions. Roucka Erich (inventor) Issued 9-6-27.
1,641,199. Recording system. Roucka Erich (inventor). Issued 9-6-27.
1,641,200. System of measuring by impulses of auxiliary energy. Roucka Erich (inventor). Issued 9-6-27
1,642,178. Lap machine. Schorsch Ludwig (inventor). Issued 9-13-27.

1,642,249. Set of toy interfitting building blocks. Ladewig Emil (inventor); Bohmisch Mahrische Malzfabrik and Export Ges Klatscher and Lorenz (grantees). Issued 9-13-27.
1,642,652. Screen or sieve for drying purposes. Gobiet Alfred (inventor). Issued 9-13-27.
1,642,817. Resilient axle mount for motor vehicles. Ledwinka Hans (inventor). Issued 9-20-27.
1,644,576. Tool handle fastening device. Gabriel Raimund (inventor). Issued 10-4-27.
1,644,791. Plotting board. Petschenig Karl (inventor); Goerz C P Optische Anstalt A G Akciova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 10-11-27.
1,645,624. Flow measuring system. Roucka Erich (inventor). Issued 10-18-27.
1,649,322. Spinning apparatus. Perutz Felix (inventor). Issued 11-15-27.
1,649,502. Method of tanning and dyeing furs and leather. Zettlitz Vincenz (inventor); Pfeifer Annie (grantee). Issued 11-15-27.
1,649,538. Means for receiving and sending directional sound rays. Maurer Max et al, Haschek Eduard (inventors); Georz C P Optische Anstalt A G, Akciora Spolecnost K P Goerz Opticky Ustav (grantees). Issued 11-15-27.
1,650,094. Automatic regulator of the rate of combustion in boiler furnaces or groups of furnaces. Roucka Erich (inventor). Issued 11-22-27.
1,651,455. Typewriter. Ihrisky Vojtech (inventor). Issued 12-6-27.
1,652,635. Percussion fuse. Pantoflicek Bohdan (inventor). Issued 12-13-27.
1,653,202. Piston slide valve. Bubla Karl (inventor). Issued 12-20-27.
1,653,959. Process for the preparation of phosphatides. Grun Adolf et al, Limpacher Richard (inventors); Schicht Georg A G (grantee). Issued 12-27-27.
1,654,947. Gearing for transmitting motion from driving members to a plurality of driven members. Sykora Vladislav (inventor). Issued 1-3-28.
1,655,063. Rolling mill with supported working rolls. Kriwan Arnold (inventor). Issued 1-3-28.
1,658,859. Process for the production of roving from cotton and similar fibrous material. Schorsch Ludwig (inventor). Issued 2-14-28.
1,658,860. Process for the manufacture of roving from cotton and similar fiber material. Schorsch Ludwig (inventor). Issued 2-14-28.
1,659,491. Cabinet. Laszlo Ladislaus (inventor). Issued 2-14-28.
1,661,086. Machine for packing boxes. Popov Vladimir (inventor). Issued 2-28-28.
1,661,265. Condensing apparatus. Olbricht Heinrich Max (inventor). Issued 3-6-28.
1,661,296. Steam turbine power plant and system. Losel Franz (inventor). Issued 3-6-28.
1,662,528. X ray screen for taking skiagrams. Manni Rudolf (inventor). Issued 3-13-28.
1,665,890. Synchronous motor specially for driving clocks. Michl Robert (inventor). Issued 4-10-28.
1,666,625. Elastic fluid multistage disk wheel turbine. Losel Franz (inventor). Issued 4-17-28.
1,666,626. Elastic fluid turbine. Losel Franz (inventor). Issued 4-17-28.
1,666,627. High pressure turbine casing or housing. Losel Franz (inventor). Issued 4-17-28.
1,666,628. Method and device for determining the expansion line of steam turbines. Losel Franz (inventor). Issued 4-17-28.
1,667,704. Device for the synchronization of alternating current machines. Michl Robert (inventor). Issued 5-1-28.
1,668,610. Cigarette making machine. Semenov Iwan Alexandrowic (inventor). Issued 5-8-28.
1,668,883. Vehicle tire. Tschochner Karl et al, Kahlhaupt Erich (inventors). Issued 5-15-28.
1,670,557. Reenforced building element. Wettstein Karl (inventor). Issued 5-22-28.
1,671,301. Device for producing oscillatory motion. Maly Josef (inventor). Issued 5-29-28.
1,671,039. Automatic draft regulator. Roucka Erich (inventor). Issued 6-5-28.
1,671,049. Steam plant in connection with turbines. Losel Franz (inventor). Issued 6-19-28.
1,676,361. Apparatus for pressing together the edges of tubes. Semenov Ivan Alexandrovic (inventor). Issued 7-10-28.
1,677,012. Combined lock and latch. Arigi Julius (inventor); Aero Tovarna Citadel (grantee). Issued 7-10-28.
1,677,987. Evaporating apparatus. Pokorny Ermin (inventor). Issued 7-24-28.
1,678,757. Power transmission mechanism for the driving wheels of motor vehicles. Abramson Alexander (inventor). Issued 7-31-28.
1,679,186. Process for producing citric acid by means of fermentation. Szucs Josef (inventor); Montan und Industrialwerke Vormals Jon Dav Starck (grantees). Issued 7-31-28.
1,679,874. Feeding device for furnaces. Pastrnak Anton (inventor). Issued 8-7-28.
1,680,025. Turbine locomotive. Losel Franz (inventor). Issued 8-7-28.
1,681,007. Method of discharging bombs and for rendering their fuses active. Pantoflicek Bohdan (inventor). Issued 8-14-28.
1,683,765. Horizontal card system. Duspiva Vaclav (inventor). Issued 9-11-28.
1,684,681. Breech sight for ordnance and machine guns. Petschenig Karl (inventor); Goerz C P Optische Anstalt A G, Akciova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 9-18-28.
1,685,004. Method for increasing the usefulness of fodder and food. Mislin Eugen (inventor); Daubek Joseph Franz, Daubek Georg (grantees). Issued 9-18-28.
1,685,717. Tuning device. Muller Leopold (inventor). Issued 9-25-28.
1,687,069. Copying device for photographic purposes. Iser Adalbert (inventor). Issued 10-9-28.
1,687,198. Aerohelicopter. Formanek Frantisek et al, Zeman Ladislav, Zeman Edmund (inventors). Issued 10-9-28.
1,686,533. Multistage disk wheel turbine. Losel Franz (inventor). Issued 10-23-28.
1,689,735. Labyrinth gland construction. Losel Franz (inventor). Issued 10-30-28.
1,691,813. Apparatus for electrically transmitting signals indicating results of observation. Karabetz Hans (inventor); Goerz C P Optische Anstalt A G, Akciova Spolecnost K P Goerz, Opticky Ustav (grantees). Issued 11-13-28.
1,692,522. Hanging sleeping tent. Till Josefine et al, Till Konrad (inventors). Issued 11-20-28.
1,692,531. Power transmission mechanism. Abramson Alexander (inventor). Issued 11-20-28.
1,692,539. Footwear. Benda Jaroslav (inventor). Issued 11-20-28.
1,693,470. Means for regulating combustion. Roucka Erich (inventor). Issued 12-18-28.
1,693,471. Automatic liquid feed regulator. Roucka Erich (inventor). Issued 12-18-28.
1,693,472. Furnace controlling apparatus. Roucka Erich (inventor). Issued 12-18-28.
1,695,975. Revolving cylinder and reciprocating piston pump. Pelich Eduard (inventor). Issued 12-18-28.
1,694,445. Opener for tins or the like containers. Polak Bohumil (inventor). Issued 1-15-29.
1,700,546. Process for the manufacture and production of 2 hydroxy 3 carboxy naphthalene and its metallic salts. Schwenk Erwin (inventor). Issued 1-29-29.
1,700,682. Box opener. Kurpiel Ladislaus (inventor). Issued 1-29-29
1,703,778. Device for opening containers boxes tins or the like. Polak Bohumil (inventor). Issued 2-26-29.
1,704,296. Motor vehicle. Ledwinka Hans (inventor). Issued 3-5-29
1,705,444. Support for jewelry. Fischmann Arnost (inventor); Donebauer Alfred (grantee). Issued 3-12-29.
1,708,128. Device for sharpening pencils. Friedezky Ernst (inventor); Rasier Klingenfabrik Rivo Hahn, Richter & Volkmann (grantees). Issued 4-9-29.
1,708,746. Panorama exhibiting apparatus. Von Hofe Christian (inventor); Co Goerz C P Optische Anstalt A G, Akciova Spolecnost K P Goerz, Opticky Ustav (grantees). Issued 4-9-29.
1,714,556. Comb containing sprayer. Grosser Steffi (inventor). Issued 5-28-29.
1,714,771. Sheet metal radiator. Fuchs Alois (inventor) Issued 5-28-29.
1,716,698. Hydrostatic weir shutter. Jermar Frantisek (inventor). Issued 6-11-29.
1,717,252. Lid opener for receptacles. Polak Bohumil (inventor). Issued 6-11-29.
1,717,253. Lid opener for receptacles. Polak Bohumil (inventor). Issued 6-11-29.
1,717,254. Casting machine. Polak Josef (inventor). Issued 6-11-29.
1,717,403. Cigarette packing machine. Popov Vladimir (inventor). Issued 6-18-29.
1,718,071. Range finder. Petschenig Karl (inventor); Goerz C P Optische Anstalt A G, Akciova Spolecmost K P Goerz Opticky Ustav (grantees). Issued 6-18-29.
1,718,099. Power transmission mechanism for the driving wheels of motor vehicles. Abramson Alexander (inventor). Issued 6-18-29.
1,718,882. Dyeing animal fibers. Schwenk Erwin et al, Reichner Karl, Knob Methodius (inventors); Verein Fuer Chemische und Metallurgische Produktion (grantee). Issued 6-25-29.
1,719,138. Regulating apparatus for steam condensers. Roucka Erich (inventor). Issued 7-2-29.
1,719,139. Combustion controlling apparatus. Roucka Erich (inventor). Issued 7-2-29.
1,720,282. Automatic copyholder for adding machines. Ludwig Ferdinand (inventor). Issued 7-9-29.
1,720,977. Safety device for street cars and the like. Szoke Stefan (inventor); Kralicek Jozef (grantee). Issued 7-16-29.
1,721,868. Process for the separation of phosphorus from phosphorus vapors. Mayer Max (inventor). Issued 7-23-29.
1,721,873. Process for obtaining chlorination products from hydrocarbons. Sper Ewald (inventor). Issued 7-23-29.
1,722,006. Draft apparatus for cotton pinning. Nigrin Rudolf et al, Horsak Rudolf (inventors). Issued 7-23-29.
1,722,190. Firearm. Bergmann Karel et al, Ottomansky Josef (inventors). Issued 7-23-29.
1,722,206. Vehicle axle. Gatter Willibald (inventor). Issued 7-23-29.
1,722,343. Liquid for accumulators. Schmaus Gustav (inventor). Issued 7-30-29.
1,723,186. Coffee percolator. Lamplota Hubert (inventor). Issued 8-6-29.
1,723,450. Breech loading gun. Tomiska Alois (inventor). Issued 8-6-29.
1,726,453. Portable electric lamp. Rathmann Paul (inventor); Elektrotechnische Fabrik Schmidt and Co Ges M B H (grantee). Issued 8-27-29.
1,726,630. Actuating mechanism for vibratory apparatus. Seltner Wilhelm (inventor). Issued 9-3-29.
1,727,911. Sowing machine. Schulz Josef (inventor). Issued 9-10-29.
1,728,692. Electric clock drive. Michl Robert (inventor). Issued 9-17-29.

1,730,290. Apparatus for imparting the lateral direction to guns for indirect firing. Petschenig Karl et al, Schier Johann (inventors); Goerz C P Optische Anstalt A G, Akciova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 10-1-29.

1,731,860. Box with cover. Kucera Jan (inventor). Issued 10-15-29.

1,731,871. Grain husking machine. Schon Jindrich (inventor). Issued 10-15-29.

1,733,283. Electric street car motor with overhead conductor and roller gear. Stejskal Karl (inventor). Issued 10-29-29.

1,733,688. Motor vehicle. Ledwinka Han (inventor). Issued 10-29-29.

1,734,877. Device for opening containers boxes tins or the like. Polak Bohumil (inventor). Issued 11-5-29.

1,735,169. Apparatus for heating liquids in tanks. Kozeluh Jaroslav (inventor). Issued 11-12-29.

1,736,411. Steam generating installation. Losel Franz (inventor). Issued 11-19-29.

1,737,140. Process for the recovery of tin and its associated metals from alloys mechanical mixtures and ores. Bischitzky Franz (inventor). Issued 11-26-29.

1,737,311. Weir shutter. Jermar Frantisek (inventor). Issued 11-26-29.

1,740,658. Pressing iron. Kraupner Bohumil (inventor). Issued 12-24-29.

1,741,420. Electric conductor for electric machines and apparatus. Kouba Ludwig (inventor); A. G. Vormals Skodawerke in Pilsen (grantee). Issued 12-31-29.

1,741,923. Screw clamp. Dohnal Jan (inventor). Issued 12-31-29.

1,742,387. Vehicle axle. Gatter Willibald (inventor). Issued 1-7-30.

1,743,739. Blasting cartridge percussion cap detonator detonating fuse and the like. Turek Oldrich (inventor). Issued 1-14-30.

1,744,994. Sighting telescope for ordnance machine guns & the like. Von Hofe Christian, et al, Petschenig Karl, Schier Johann (inventors); Goerz C. P Optische Anstalt A. G., Akciova Spolecnost K P. Goerz Opticky Ustav (grantees). Issued 1-28-30.

1,745,727. Apparatus for disintegrating grinding reducing to fibers mixing or felting humid or dry materials. Sterzl Eduard (inventor). Issued 2-4-30.

1,747,546. Machine gun. Janecek Frantisek (inventor). Issued 2-18-30.

1,747,956. High tension switch for X Ray apparatus. Schvacho Stefan (inventor). Issued 2-18-30.

1,750,318. Cable support insulator. Kaiser John (inventor). Issued 3-11-30.

1,750,523. Nut locking device. Kaschtofsky Alois (inventor). Issued 3-11-30.

1,750,561. Sterilizing of water. Adler Oscar, et al. Adler Rudolf (inventors). Issued 3-11-30.

1,751,292. Combination X Ray radiator. Schvacho Stefan (inventor. Issued 3-18-30.

1,754,108. Weir shutter. Jermar Frantisek (inventor). Issued 4-8-30.

1,755,025. Socket for the combination X ray radiators. Schvacho Stefan (inventor). Issued 4-15-30.

1,755,399. Method of producing artificial marble. Kneifl Johann (inventor). Issued 4-22-30.

1,756,169. Footwear. Benda Jaroslav (inventor). Issued 4-29-30.

1,757,829. Pickling of metals. Bertleff Viktor (inventor). Issued 5-6-30.

1,757,874. Apparatus for determining the course of aircraft. Petschenig Karl (inventor); Goerz C. P Optische Anstalt A. G., Akciova Spolecnost K P Goerz, Opticky Ustav (grantees). Issued 5-6-30.

1,758,746. Vehicle headlight. Kellner Anton (inventor). Issued 5-13-30.

1,758,811. Shuttle for looms. Souczek Ferdinand (inventor). Issued 5-13-30.

1,759,121. Coffee percolator. Lamplota Hubert (inventor). Issued 5-20-30.

1,759,633. Shock absorbing shackled suspension for car springs. Smogrovics Eugen (inventor). Issued 5-20-30.

1,760,215. Steam plant. Smekal Josef (inventor). Issued 5-27-30.

1,760,727. Focus water level. Von Hofe Christian (inventor); Goerz C. P. Optische Anstalt A. G., Akciova Spolecnost K. P. Goerz Optisky Ustav (grantees). Issued 5-27-30.

1,762,076. Device for opening containers such as boxes, tins or the like. Polak Bohumil (inventor). Issued 6-3-30.

1,762,102. Sound direction determining apparatus. Von Hofe Christian (inventor); Goerz C. P. Optische Anstalt A. G., Akciova Spolecnost K. P. Goerz Opticky Ustav (grantees). Issued 6-3-30.

1,762,387. Machine and process of manufacture of pottery or ceramic articles. Dengler Josef (inventor). Issued 6-10-30.

1,762,815. Manufacture of reenforced concrete. Gloeser Otto (inventor). Issued 6-10-30.

1,768,106. Device for indicating signals on railway vehicles. Beyermann Karl (inventor). Issued 6-24-30.

1,768,208. Circuit closer to indicate turns of a vehicle. Marsik Augustin (inventor); Ceskomoravska Kolben Danek Akciova Spolesnost (grantees). Issued 6-24-30.

1,768,220. Automatic starter for induction motors. Sousedik Josef (inventor). Issued 6-24-30.

1,768,314. Cleaning of filters. Folta Emanuel (inventor). Issued 6-24-30.

1,770,256. Steam accumulator plant. Smekal Josef (inventor). Issued 7-8-30.

1,770,345. Motor control system. Sousedik Josef (inventor). Issued 7-8-30.

1,771,345. Aiming telescope constructed as a breech sight. Pechan Ignaz (inventor); Czechoslovak Co. C. P. Goerz, Optische Anstalt A. G., Akciova Spolecnost K. P. Goerz Opticky Ustav (grantees). Issued 7-22-30.

1,771,518. Purification of water. Adler Oscar, et al., Adler Rudolf (inventors). Issued 7-29-30.

1,771,907. Variable stroke, pump operating mechanism. Abramson Alexander (inventor). Issued 7-29-30.

1,773,004. Mandrel for use in rolling machines. Keller Emil (inventor). Issued 8-12-30.

1,774,642. Draft excluder. Fuchs Frantisek, et al., Stepan Antonin (inventors). Issued 9-2-30.

1,776,050. Tying means for bags and the like. Szoke Stefan (inventor); Kralicek Josef (grantee). Issued 9-16-30.

1,776,329. Apparatus for massage combined with electrization. Soucek Alois (inventor); Piesen Julius (grantee). Isssued 9-23-30.

1,776,759. Loom for the manufacture of terry fabrics. Hrdina Rudolf (inventor). Issued 9-23-30.

1,777,975. Method of making molds. Klepsch Wilhelm (inventor). Issued 10-7-30.

1,779,001. Process for the production of citric acid by fermentation. Kanhauser Franz (inventor); Montan und Industrial Werke, Vormals Joh Dav Starck (grantees). Issued 10-21-30.

1,779,896. Screw composed of several parts. Winter Alois (inventor). Issued 10-28-30.

1,780,039. Tripod head. Pechan Ignaz (inventor); Czechoslovak Co. The C. P. Goerz, Optische Anstalt A G Akciova Spolecnost K P. Goerz Opticky Ustav (grantees). Issued 10-28-30.

1,781,080. Cable grip. Ring Josef (inventor). Issued 11-11-30.

1,783,833. Nonslip device for use with skis. Elsner Alois (inventor). Issued 12-2-30.

1,784,170. Fuel pump for internal combustion engines. Benes Josef (inventor). Issued 12-9-30.

1,785,467. Pleasure sled or sleigh. Wels Franz (inventor); Kronig Christian (grantee). Issued 12-16-30.

1,786,536. Firing mechanism for automatic firearms. Holek Emanuel (inventor); Ceskoslovenska Zbrojovka Akciova Spolecnost V Brne (grantees). Issued 12-30-30.

1,786,537. Apparatus for filling magazines for self loading firearms. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka Akciova, Spolecnost V Brne (grantees). Issued 12-30-30.

1,787,195. Circular saw machine. Gopold Hubert (inventor). Issued 12-30-30.

1,787,395. Method for bleaching cellulose of any kind. Rys Ladislav (inventor). Issued 12-30-30.

1,787,661. Cornicle winding machine. Bloch Hugo (inventor). Issued 1-6-31.

1,789,623. Cycle airplane. Franz Johann (inventor). Issued 1-20-31.

1,790,035. Propelling screw for motor sleighs. Wels Franz (inventor); Keonig Christian (grantee). Issued 1-27-31.

1,790,934. Apparatus for finger gymnastics. Lobosicky Karel (inventor). Issued 2-3-31.

1,791,382. Anchored support for mining tools. Schafer Aladar (inventor). Issued 2-3-31.

1,792,017. Pivoted window. Krausz Armin (inventor). Issued 2-10-31.

1,794,578. High draft system for spinning machines. Broch Friedrich (inventor), Tannwalder Baumwoll Spinnfabrik (grantee). Issued 3-3-31.

1,794,853. Apparatus for directing X-rays. Herrnheiser Gustav (inventor). Issued 3-3-31.

1,795,515. Coke oven door. Schwarz Heinrich (inventor). Issued 3-10-31.

1,799,187. Necklace. Wander Heinrich (inventor). Issued 4-7-31.

1,799,981. Firearm. Holek Emanuel (inventor); Ceskoslovenska Zbrojovka Akciova Spolecnost V Brne (grantees). Issued 4-7-31.

1,800,847. Furniture. Schwarz Constantine P (inventor). Issued 4-14-31.

1,802,633. Apparatus for depositing lump and granular material. Doblhoff Otto (inventor). Issued 4-28-31.

1,802,816. Gas pressure regulating device for firearms. Holek Emanuel (inventor). Ceskoslovenska Firm Zbrojovka Akciova Spolecnost V Brne (grantees). Issued 4-28-31.

1,804,696. Dam construction. Kracmer Joseph (inventor). Issued 5-12-31.

1,805,749. Rowing device. Zoglauer Ferdinand (inventor). Issued 5-19-31.

1,806,260. Process for the production of solid alcoholic iodine solutions in pencil form as a substitute for tincture of iodine. Jungmann Karl, Kolbert Oswald et al (inventors). Issued 5-19-31.

1,807,417. Container. Lechner Leopold (inventor). Issued 5-26-31.

1,808,943. Insoles for boots and the like. Benda Jaroslav (inventor). Issued 6-9-31.

1,809,336. Brick kiln for burning of bricks and similar articles. Habla Alois (inventor). Issued 6-9-31.

1,809,469. Driving mechanism for rotating shafts at variable speed. Broch Friedrich (inventor); Tannwalder Baumwoll Spinnfabrik (grantee). Issued 6-9-31.

1,809,792. Device for cutting vegetables. Pokorny Ermin, Nesmerak Josef et al (inventors). Issued 6-9-31.

1,812,252. Dirigible sled or sleigh. Wels Franz (inventor); Kronig Christian (grantee). Issued 6-30-31.

1,813,830. Calculating machine. Weiner Bernhard (inventor). Issued 7-7-31.

1,815,115. Heating insulation. Pfeiffer Wilhelm (inventor); Reiss Kurt (grantee). Issued 7-21-31.

1,816,025. Liquid feeding apparatus. Sablik Ignaz (inventor). Issued 7-28-31.

1,817,827. Lighting plant for air port landing places. Kolar Vaclav (inventor); Ceskomoravska Kolben Danek Co Ltd (grantee). Issued 8-4-31.

1,818,866. Apparatus for polishing grain. Prokop Josepf (inventor). Issued 8-11-31.

1,819,015. Liquid fuel pump for internal combustion engines. Benes Josef (inventor). Issued 8-18-31.

1,819,064. Operation of blast furnaces. Baumgartner Ernst (inventor). Issued 8-18-31.

1,820,157. Transparent flag. Prochazka Vaclav (inventor). Issued 8-25-31.

1,820,619. Process of and arrangement for performing mechanical work. Hubl Franz (inventor). Issued 8-25-31.

1,821,385. Charging device for firearms. Holek Emanuel (inventor); Ceskoslovenska Zbrojovka, Akciova Spolecnost V Brne (grantees). Issued 9-1-31.

1,821,736. Joint connection of the rods in structure girders and the like. Bohac Karel (inventor). Issued 9-1-31.

1,822,223. Construction of ships, boats, and the like. Klinger Johann Rudolf (inventor). Issued 9-8-31.

1,823,022. Bullet for practice cartridges. Blechta Frantisek (inventor). Issued 9-15-31.

1,823,762. Electric reflector lamp. Rathmann Paul (inventor); Elektrotechnische Fabrik Schmidt and Co G m b H (grantees). Issued 9-15-31.

1,823,763. Electric reflector lamp. Rathmann Paul (inventor); Elektrotechnische Fabrik Schmidt and Co G m b H (grantees). Issued 9-15-31.

1,823,862. Device for attaching saving means to sunken submarines. Novotny Johann (inventor). Issued 9-15-31.

1,824,848. Blasting cartridge percussion cap detonator detonating fuse and the like. Turek Oldrich (inventor). Issued 9-29-31.

1,828,511. Method of producing cellulose. Segerfelt Bror Natanael (inventor). Issued 10-20-31.

1,829,113. Display apparatus. Schreiber August (inventor). Issued 10-27-31.

1,829,614. Vertical and horizontal angle measurer. Schier Johann (inventor); Goerz C P Optische Anstalt A G Akciova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 10-27-31.

1,831,699. Liquid fuel pump for internal combustion engines. Benes Josef (inventor). Issued 11-10-31.

1,832,369. Illuminated advertising device. Engel Josef (inventor). Issued 11-17-31.

1,833,678. High voltage oil switch. Houst Franz (inventor). Issued 11-24-31.

1,834,297. Garage. Vojacek Jan (inventor). Issued 12-1-31.

1,835,088. Fuel feed controlling mechanism. Roucka Erich (inventor). Issued 12-8-31.

1,835,089. Apparatus for controlling fuel feed in furnaces. Roucka Erich (inventor). Issued 12-8-31.

1,835,090. Automatic fuel feeding apparatus. Roucka Erich (inventor). Issued 12-8-31.

1,835,091. Boiler. Roucka Erich (inventor). Issued 12-8-31.

1,835,211. Process and apparatus for knotting pile threads in manufacturing carpets. Eibuschitz Rudolf et al, Schreiber Hubert (inventors). Issued 12-8-31.

1,837,920. Telescope. Pechan Ignaz et al, Schier Johann (inventors); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz, Opticky Ustav (grantees). Issued 12-22-31.

1,840,413. Method of producing high grade cellulose from wood straw grasses and other vegetal materials. Schmidt Ernst (inventor). Issued 1-12-32.

1,840,473. Alternating current commutator motor. Sousedik Josef (inventor). Issued 1-12-32.

1,843,783. Process for the impregnation or incrustation of hydrolyzed fibrous materials. Regal August (inventor). Issued 2-2-32.

1,845,099. Aviator's garment. Popelakova Marie Born Burianova (inventor). Issued 2-16-32.

1,846,115. Aeroplane with vertically oscillatable wings. Kern Heinrich (inventor). Issued 2-23-32.

1,848,[illegible]55. Vacuum thermoelectric battery. Petrik Josef (inventor). Issued 3-8-32.

1,849,506. Focusing device for electric lamps. Rathmann Paul (inventor); Elektrotechnische Fabrik Schmidt Co. G M B H (grantees). Issued 3-15-32.

1,853,734. Electric transmitter for transmitting values of angles. Lang Rudolf (inventor); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 4-12-32.

1,854,428. Method of removing malodorous gases formed in the sulphate and soda pulp manufacture. Segerfelt Bror Natanael (inventor). Issued 4-19-32.

1,854,974. Silencer. Bernat Samuel (inventor). Issued 4-19-32.

1,856,884. Means for the automatic weighing of goods of different kinds. Popov Vladimir Dmitrijevic (inventor). Issued 5-3-32.

1,857,016. Centrifugal force fluid pressure clutch. Gotz Frantisek (inventor). Issued 5-3-32.

1,857,017. Transmission mechanism. Gotz Frantisek (inventor). Issued 5-3-32.

1,857,887. Water separator. Stein Frantisek (inventor). Issued 5-10-32.

1,862,362. Device for starting auxiliary engines for locomotives. Hladik Ladislav (inventor); Limited Co., formerly the Skoda Works (grantee). Issued 6-7-32.

1,864,073. Production of bactericide surfaces. Kohn Kamill et al, Gruschka Theodor (inventors). Issued 6-21-32.

1,865,344. Apparatus for rolling seamless pipes. Urban Rudolf (inventor). Issued 6-28-32.

1,866,266. Hydraulic change speed mechanism. Nettel Jiri (inventor). Issued 7-5-32.

1,866,656. Motor vehicle driving device. Ledwinka Hans (inventor). Issued 7-12-32.

1,868,858. Process for the homogenization of glass flux. Thum Rudolf (inventor); Montan und Industrialwerke Vormals Joh Dav Starck (grantee). Issued 7-26-32.

1,869,417. Range finder. Grunberg Otto (inventor); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 8-2-32.

1,869,502. Apparatus for mechanically solving rectangular triangles. Petschenig Karl (inventor); A G C P Goerz Optische Anstalt, Akciova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 8-2-32.

1,869,505. Sound location device. Raaber Hans et al, Petschenig Karl, Pechan Ignaz, Eichwalder Ernst (inventors); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 8-2-32.

1,869,530. Range finder with an invariable direction of the optical axis of the eyepiece. Von Hofe Christian et al, Schier Johann (inventors); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 8-2-32.

1,869,643. Purification of water. Adler Oscar et al, Adler Rudolf (inventors). Issued 8-2-32.

1,869,922. Luminous signaling device. Soucek George (inventor). Issued 8-2-32.

1,871,389. Electric pocket or hand lamp. Rathmann Paul (inventor); Elektrotechnische Fabrik Schmidt & Co. G M B H (grantees). Issued 8-9-32.

1,873,178. Sign holder. Bernstein Emil (inventor). Issued 8-23-32.

1,873,410. Filter insertion. Horak Vaclav (inventor). Issued 8-23-32.

1,876,467. Alloy. Novak Josef et al, Kesselring Roman (inventors). Issued 9-6-32.

1,878,583. Gas chamber for oil switches. Houst Franz (inventor). Issued 9-20-32.

1,878,749. Valve. Abramson Alexander (inventor). Issued 9-20-32.

1,880,138. Arrangement for performing mechanical works. Hubl Franz (inventor). Issued 9-27-32.

1,885,787. Motor sled. Weisser Richard Josef (inventor). Issued 11-1-32.

1,885,881. Safety frame for airplanes. Wolf Gabriel (inventor). Issued 11-1-32.

1,885,882. Hanging chassis. Wolf Gabriel (inventor). Issued 11-1-32.

1,887,265. Weir shutter. Jermar Frantisek (inventor). Issued 11-8-32.

1,887,733. Powdery material feed apparatus. Sablik Ignaz (inventor). Issued 11-15-32.

1,889,151. Aiming telescope. Pechan Ignatz et al, Schier Johann (inventors); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 11-29-32.

1,889,615. Waste combing machine express card. Schorsch Ludwig (inventor). Issued 11-29-32.

1,890,548. Prealloys. Novak Josef et al, Kesselring Roman (inventors). Issued 12-13-32.

1,890,595. Acid proof alloys. Valenta Emanuel (inventor); Firm Ltd Co Formerly Skoda Works (grantee). Issued 12-13-32.

1,891,332. Rontgen diaphragm. Mannl Rudolf (inventor). Issued 12-20-32.

1,891,845. Folding kaiser roll. Spitz Max et al, Srovnal Josef (inventors); Spitz Max (grantee). Issued 12-20-32.

1,892,905. Control means for fare indicators. Rosenberg Edmund (inventor). Issued 1-3-33.

1,894,749. Gamma ferric oxide hydrate and method of making same. Baudisch Oskar (inventor). Issued 1-17-33.

1,894,750. Gamma Ferric Oxide and method of making same. Baudisch Oskar (inventor). Issued 1-17-33.

1,894,899. Method and apparatus for machining rolls such as pilger rolls and the like. Tschochner Hermann (inventor). Issued 1-17-33.

1,895,883. Riveting machine. Hlava Alois (inventor). Issued 1-31-33.

1,896,454. Braking device. Marek Anton (inventor); Ceskoslovenska Zbrojovka Akciova Spolecnost v Brne (grantee). Issued 2-7-33.

1,897,974. Interchangeable rubber tire. Wolf Gabriel (inventor). Issued 2-14-33.

1,899,199. Electrical rat exterminator. Kaiser John (inventor). Issued 2-28-33.

1,899,760. Changeant or opalescent glass. Kreidl Norbert (inventor); Glashuttenwerke Firm Vorm J Schreiber & Neffen (grantee). Issued 2-28-33.

1,901,336. Measuring arrangement for measurement of ratio of transformation and phase angles of voltage and current transformers. Slavik Josef (inventor). Issued 3-14-33.

1,901,942. Device for turning piston rings. Abramson Alexander (inventor). Issued 3-21-33.

1,902,366. Escapement & pendulum mechanism. Jaissle Gottlob (inventor); Uhrenfabrik J Kienzle (grantee). Issued 3-21-33.

1,902,387. Box shaped water level. Von Hofe Christian et al, Schier Johann (inventors); A G C P Goerz Optische Anstalt Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 3-21-33.

1,902,727. Apparatus for determining the position of aircraft not visible with the naked eye. Schier Johann et al, Petschenig Karl, Pcinl Anton (inventors); Optische Anstalt C P Goerz A G Akciova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 3-21-33.

1,903,563. Parachute. Hojda Henry (inventor). Issued 4-11-33.

1,903,886. Apparatus for determining the speed of flight of aircraft. Von Hofe Christian et al, Boykow Johann (inventors); A G C P Goerz Optische Anstalt Actiova Spolecnost K P Goerz Opticky Ustav (grantee). Issued 4-18-33.

1,903,889. Process for purifying and sterilizing water. Adler Rudolf (inventor). Issued 4-18-33.
1,904,802. Apparatus for machining rolls for rolling mills and the like. Schimmel Hans (inventor). Issued 4-18-33.
1,904,803. Automatic lubricating device. Schmied Franz (inventor). Issued 4-18-33.
1,905,594. Power driven vehicle. Ledwinka Hans (inventor). Issued 4-25-33.
1,906,595. Riveting apparatus. Hlava Alois (inventor); Ltd Co Formerly Skoda Works (grantee). Issued 5-2-33.
1,906,800. Automatic firearm. Marek Anton (inventor); Ceskoslovenska Zbrojovka Akciova Spolecnost v Brne (grantee). Issued 5-2-33.
1,906,930. Electrically driven automobile vehicle. Ledwinka Hans (inventor). Issued 5-2-33.
1,907,408. Tool carrier for boring and similar machines. Schimmel Hans (inventor). Issued 5-2-33.
1,908,747. Method of manufacturing differently colored marbled veined or streaky sponge rubber. Girg Franz (inventor); Gummi und Balatawerke Matador A G (grantee). Issued 5-16-33.
1,909,225. Apparatus for machining rolls for rolling mills. Schimmel Hans (inventor). Issued 5-16-33.
1,909,226. Method of and apparatus for machining rolls for rolling mills. Schimmel Hans (inventor). Issued 5-16-33.
1,910,308. Apparatus for machining rolls for rolling mills and the like. Schimmel Hans (inventor). Issued 5-23-33.
1,913,294. Method of producing nonalcoholic fruit juices. Schicht Heinrich (inventor). Issued 6-6-33.
1,913,572. Portable tent. Thonet Drechsel Hugo (inventor). Issued 6-13-33.
1,913,793. Aiming telescope. Clementi Antonio et al Pechan Ignaz (inventors); A G C P Goerz Optische Anstalt Actiova Spolecnost K P Goerz Opticky Ustav (grantee). Issued 6-13-33.
1,917,055. Hydraulic servo motor. Oplustil Gustav (inventor); Storek Ignaz Firm (grantee). Issued 7-4-33.
1,917,887. Oil switch with rotatable contact bridge. Houst Franz (inventor). Issued 7-11-33.
1,918,138. Apparatus for machining rolls for rolling mills and the like. Schimmel Hans (inventor). Issued 7-11-33.
1,918,139. Method and apparatus for machining rolls for rolling mills. Schimmel Hans (inventor). Issued 7-11-33.
1,919,585. Method of securing synchronism in sound films. Degl Karel (inventor). Issued 7-25-33.
1,919,870. Transmission gear. Wassilieff Viktor et al De Witt Alexel (inventors). Issued 7-25-33.
1,920,959. Apparatus for adjusting aircraft for a predetermined course. Clementi Antonio (inventor); A G C P Goerz Optische Anstalt Actiova Spolecnost K P Goerz Opticky Ustav (grantee). Issued 8-8-33.
1,921,355. Device for the manufacturing of knotted carpets and the like. Goretzky Johann (inventor). Issued 8-8-33.
1,921,750. Centrifugal separator for straining pulpy material such as wood pulp cellulose paper pulp and the like. Heinrich Richard et al. Zipprian Hans (inventors); Nehrich Carl (grantee). Issued 8-8-33.
1,926,816. Automatic gun. Podrabsky Antonin (inventor); Cezkoslovenska Zbrojovka Akciova Spolecnost v Brne (grantee). Issued 9-12-33.
1,926,914. Conveying device. Popov Vladimir Dmitrijevic (inventor). Issued 9-12-33.
1,926,985. Multistamping machine. Podrabsky Antonin (inventor); Cezkoslovenska Zbrojovka Akciova Spolecnost V Brne (grantee). Issued 9-12-33.
1,927,459. Production and reactivation of active charcoal. Krczil Franz (inventor). Issued 9-19-33.
1,928,741. Rolling mill of the pilgrim step type for the manufacture of metallic tubes. Tschulenk Leopold (inventor). Issued 10-3-33.
1,928,982. Nut lock. Rosenbaum Bedrich (inventor); Prager Eisen Industrie Ges (grantee). Issued 10-3-33.
1,929,951. Toilet Appliance. Laufer Franz (inventor). Issued 10-10-33.
1,935,859. Orthopedic appliance. Putz Oskar (inventor). Issued 11-21-33.
1,937,211. Automatic clutch for motor vehicles and the like. Vondra Karel (inventor). Issued 11-28-33.
1,938,520. Grinding wheel. Drapak Karel (inventor). Issued 12-5-33.
1,939,524. Rolling mill. Schimmel Hans (inventor). Issued 12-12-33.
1,939,526. Apparatus for expanding metal tubes. Steinecke Adolf (inventor). Issued 12-12-33.
1,942,536. Apparatus for determining the speed and direction of movement of aircraft and of moving targets. Clementi Antonio (inventor); A G C P Goerz Optische Anstalt Actiova Spolecnost K P Goerz Opticky Ustav (grantee). Issued 1-9-34.
1,942,557. Agricultural implement. Landa Karl (inventor). Issued 1-9-34.
1,943,229. Apparatus for mechanically determining the algebraic sum of angles of rotation and of angular speeds of shafts and for transmitting such sums to other apparatus. Petschenig Karl (inventor); A G C P Goerz Optische Anstalt Actiova Spolecnost K P Goerz Opticky Ustav (grantee). Issued 1-9-34.
1,944,012. Oil pressure actuated switch. Lekner Adolf (inventor). Issued 1-16-34.
1,947,656. Ledeburitic preliminary iron alloy free from graphite. Novak Josef et al, Kesselring Roman (inventors). Issued 2-20-34.
1,947,781. Process for producing colored coatings of glass. Kreidl Norbert (inventor). Issued 2-20-34.
1,950,323. Loom. Ornstein Ernst (inventor). Issued 3-6-34.
1,951,080. Cock grinding machine. Bartos Joseph (inventor); Bartos J & Co (grantee). Issued 3-13-34.
1,951,566. Universal induction regulator. Sousedik Josef (inventor). Issued 3-20-34.
1,953,442. Lifting and turning device. Sorescu Sabin et al, Donath Maximilian, Trauschka Hugo (inventors). Issued 4-3-34.
1,954,012. Manufacture of cellulose and the like. Lemberger Antonin et al, Lemberger Lubomir (inventors). Issued 4-10-34.
1,954,909. Processes for the producing of molecular compounds of the salts of phenyl quinoline carboxylic acids with alkylated prazolones and alkylated amino prazolones. Adler Oscar et al, Adler Rudolf (inventors). Issued 4-17-34.
1,956,810. Device for machining and trimming the side faces of weaving shuttles or the like. Ruckert Josef (inventor). Issued 5-1-34.
1,960,022. Chair. Melder Hugo (inventor). Issued 5-22-34.
1,960,160. Wall and partition. Lousa Antonin (inventor). Issued 5-22-34.
1,960,414. Control device for motor vehicles. Kacer Bohuslav et al, Nohel Max (inventors). Issued 5-29-34.
1,960,913. Self loading firearm. Marek Anton (inventor); Ceskoslovenska Zbrojovka Akciova Spolecnost V Brne (grantee). Issued 5-29-34.
1,963,905. Rolling mill. Huber Karl (inventor). Issued 6-19-34.
1,964,620. Apparatus for preparing combustible mixture. Cernoch Josef (inventor). Issued 6-26-34.
1,965,089. Apparatus for storing and transfusing ignitible liquids. Weingessel Alois (inventor). Issued 7-3-34.
1,965,498. Fuel feed device. Kletetschka Leo (inventor). Issued 7-3-34.
1,965,513. Process for improving coal material. Ruzicka Apollo (inventor). Issued 7-3-34.
1,967,339. Hair waving device. Vacek Josef (inventor). Issued 7-24-34.
1,968,127. Bomb sight. Clementi Antonio (inventor); A G C P Goerz Optische Anstalt Actiova Spolecnost K P Goerz Opticky Ustav (grantee). Issued 7-31-34.
1,970,187. Method of chain looping skeins of rubber thread and warps of rubber thread. Popper Alfred (inventor); Optimit Gumove a Textilni Zavody Akciova Spolecnost (grantee). Issued 8-14-34.
1,974,334. Process of coloring silver images. Kaufhold Robert; Koh I Noor Bleistiftfabrik L & C Hardtmuth (grantee). Issued 9-18-34.
1,975,034. Apparatus for the manufacture of footwear. Bata Jan A (inventor). Issued 9-25-34.
1,975,035. Apparatus for the manufacture of footwear. Bata Jan A (inventor). Issued 9-25-34.
1,975,397. Process for the manufacture of changeant or opalescent glass. Kriedl Norbert (inventor); Glashuttenwerke Vorm J Schreiber & Neffen (grantee). Issued 10-2-34.
1,975,532. Apparatus for the manufacture of footwear. Bata Jan A (inventor). Issued 5-16-34.
1,976,179. Adjusting device for X ray tubes. Manni Rudolf (inventor). Issued 10-9-34.
1,978,612. Liquid tight stator winding for a submersible electric motor. Surjaninoff Michael (inventor); Sigmund Pumpen Bruder Sigmund (grantee). Issued 10-30-34.
1,981,181. Auxiliary engine for steam driven locomotives. Langner Rudolf et al, Hladik Ladislav (inventors). Issued 11-20-34.
1,981,190. Heating apparatus. Pfeiffer Wilhelm (inventor); Reiss Kurt (grantee). Issued 11-20-34.
1,981,805. Driving mechanism. Kacer Bohuslav et al, Nohel Max (inventors). Issued 11-20-34.
1,984,599. Educational device. Safar Josef (inventor). Issued 12-18-34.
1,984,808. Method of conveying cigarettes through cigarette packing machines. Popov Vladimir Dmitrijevic (inventor). Issued 12-18-34.
1,986,706. Labyrinth packing. Beyer Wilhelm (inventor). Issued 1-1-35.
1,988,055. Roller Skate. Stein Siegfried (inventor). Issued 1-15-35.
1,989,512. Process for the utilization of sludge acid. Glaser Willy (inventor). Issued 1-29-35.
1,992,115. Safeguarding of superheaters. Belohlavek Bruno (inventor). Issued 2-19-35.
1,992,562. Front feed device for bookkeeping machines. Zlabek Karel (inventor). Issued 2-26-35.
1,992,801. Can opener. Hacklander Maximilian (inventor); Grodetzky & Polak. Lerk Felix Georg (grantees). Issued 2-26-35.
1,992,872. Stereoscopic apparatus. Mehler Josef (inventor). Issued 2-26-35.
1,994,314. Hydrostatic weir. Jermar Frantisek (inventor). Issued 3-12-35.
1,996,689. Method of and apparatus for manufacturing ropes from noncircular wires. Rohs Adolf (inventor). Issued 4-2-35.
1,997,496. Propelling pencil. Nagy Nandor (inventor); Koh I Noor Bleistiftfabrik L & C Hardtmuth (grantees). Issued 4-9-35.
1,998,904. Apparatus for producing boxes or bags. Popov Vladimir Dmitrijevic (inventor). Issued 4-23-35.
1,999,304. Cigarette or cigar case. Schowanek Hans (inventor). Issued 4-30-35.
2,001,434. Safety closure for letters. Schulze Albert (inventor). Issued 5-14-35.
2,002,130. Fluoranthene dyestuff and process of making same. Sedlmayr Robert et al, Kruta Eerich (inventors). Issued 5-21-35.

2,004,164. Means for producing containers. Hofmann Otto (inventor). Issued 6-11-35.
2,005,406. Suction filter. Zimmer Heinrich (inventor). Issued 6-18-35.
2,005,646. Boiler plant. Brunzel Norbert (inventor). Issued 6-18-35.
2,006,369. Apparatus for coiling compound torsion springs. Fuchs Friedrich (inventor). Issued 7-2-35.
2,007,411. Method of coloring sheeted asbestos cement composition material & the like. Sticha Karel (inventor). Issued 7-9-35.
2,007,424. Process for removing colloidal substances from liquids of vegetable or animal origin. Dedek Jaroslav et al, Vasatko Josef (inventors). Issued 7-9-35.
2,007,429. Process for making neutral calcium hypochlorite which can be satisfactorily filtered. Klopetock Heinrich et al, Wurbs Alfred (inventors). Issued 7-9-35.
2,007,670. Swinging half axle for vehicles. Zubaty Joseph (inventor). Issued 7-9-35.
2,008,339. Manufacture and joining of articles of concrete and the like. Rumi Bohuslav (inventor). Issued 7-16-35.
2,008,449. Device for draining water from auxiliary engines of locomotives. Hladik Ladislav (inventor); Ltd Co. formerly the Skoda Works (grantee). Issued 7-16-35.
2,011,834. Electrical change speed gear. Sousedik Josef (inventor). Issued 8-20-35.
2,012,204. Can opener. Polak Bohumil (inventor); Grodetzky & Polak (grantee). Issued 8-20-35.
2,014,045. Salts of bromine substituted unsaturated fatty acids and process of preparing same. Hermann Siegwart (inventor). Issued 9-10-35.
2,015,182. Controlling device for the drainage of the steam cylinder in an auxiliary plant of a locomotive. Hladik Ladislav (inventor); Ltd Co. formerly Skoda Works (grantee). Issued 9-24-35.
2,017,173. Fastening for packages. Wollner Michl et al, Weber Franz (inventors); Firma Moldaumuhl Bruder Porak Papier und Pappenfabriken A G (grantee). Issued 10-15-35.
2,018,287. Variable speed three phase motor with variable torque. Sousedik Josef (inventor). Issued 10-22-35.
2,020,758. Combined brake and throttle control mechanism. Abramson Alexander et al. Novak Pavel (inventors). Issued 11-12-35.
2,022,987. Steering means. Sustersic Ferdinand (inventor). Issued 12-3-35.
2,023,359. Whey preparation. Sirek Josef (inventor). Issued 12-3-35.
2,023,744. Can opener. Polak Bohumil (inventor); Grodetzky & Polak (grantee). Issued 12-10-35.
2,026,360. Traveling case. Reismann David (inventor). Issued 12-31-35.
2,027,682. Process for making transparent films foils or skins. Eichmann Friedrich et al, Nerad Herbert (inventors). Issued 1-14-36.
2,027,776. Weaving loom. Hrdina Rudolf (inventor). Issued 1-14-36.
2,028,683. Multiple unit control system. Montrose Oster Louis Eugene Widolt (inventor). Issued 1-21-36.
2,033,027. Steel dam. Fultner Jaroslav et al. Krivoshein Gregory Gregorjevitch, Sekla Josef (inventors). Issued 3-3-36.
2,033,696. Process for making blanc fixe of particular softness. Englert Otto et al, Becker Wilhelm, Becker Franz (inventors). Issued 3-10-36.
2,034,441. Tennis racket with pneumatic tightener. Rauch Antonin et al, Smolik Vaclav (inventors). Issued 3-17-36.
2,036,448. Piston. Valasek Adolf et al, Valenta Emanuel (inventors); Ltd Co formerly the Skoda Works (grantee). Issued 4-7-36.
2,037,683. Cap. Hasenberg Franz (inventor). Issued 4-14-36.
2,038,248. Refillable pencil. Steuer Stefan (inventor). Koh I Noor Bleistiftfabrik L & C Hardtmuth (grantees). Issued 4-21-36.
2,039,082. Preparation for protecting and sealing wounds and method of manufacturing the same. Jungmann Karl (inventor). Issued 4-28-36.
2,039,401. Automatic sealing device. Foges Georg (inventor). Issued 5-5-36.
2,040,931. Method for producing activated carbon. Fuchs Walter (inventor). Issued 5-19-36.
2,041,584. Process for the purification of water. Adler Martha (inventor). Issued 5-19-36.
2,042,622. Guide wheel for vehicles. Montrose Oster Louis Eugene Widolt (inventor). Issued 6-2-36.
2,042,623. Pivoted wheel for vehicles. Montrose Oster Louis Eugene Widolt (inventor). Issued 6-2-36.
2,044,402. Production of shuttles. Ruckert Josef (inventor). Issued 6-16-36.
2,044,413. Transmitter and receiver for electromagnetic waves. Weyrich Rudolf (inventor). Issued 6-16-36.
2,044,930. Synchronized driving mechanism. Zubaty Joseph (inventor). Issued 6-23-36.
2,049,012. Apparatus for the production of etched copper printing cylinders. Kindermann Hermann (inventor). Issued 7-28-36.
2,052,252. Printing and furnishing system. Sattler Alexander (inventor). Issued 8-25-36.
2,052,737. Fuel feed mechanism for internal combustion engines. Zubaty Joseph (inventor). Issued 9-1-36.
2,052,845. Bomb releasing guide. Raaber Hans (inventor); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 9-1-36.
2,053,737. Calculating apparatus. Petschenig Karl (inventor); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz Opticky Ustav (grantees). Issued 9-8-36.
2,054,391. Multiple cylinder web drier. Schmidt Ernst (inventor). Issued 9-15-36.
2,055,331. Coal dust furnace. Bredtschneider Walter (inventor). Issued 9-22-36.
2,055,574. Insole. Hartl Hans (inventor); Muller Josef (grantee). Issued 9-29-36.
2,057,840. Fire extinguisher. Neumann Josef (inventor). Issued 10-20-36.
2,057,906. Artificial skating rink. Murmann Ernst (inventor); Prell Christian (grantee). Issued 10-20-36.
2,058,897. Gas pressure operated gun. Marek Anton (inventor); Ceskoslovenska Zbrojovka, Akciova Spolecnost V Brne (grantees). Issued 10-27-36.
2,061,105. Method and device for reenforcing articles and structures made from concrete and the like. Ruml Bohuslav (inventor). Issued 11-17-36.
2,061,208. Can opener. Polak Bohumil (inventor); Grodetzky and Polak (grantees). Issued 11-17-36.
2,061,257. Rotary drum filter. Sablik Ignaz (inventor). Issued 11-17-36.
2,062,083. Machine for pulling shoes off the last. Bata Jan A (inventor). Issued 11-24-36.
2,062,945. Machine for the wet treatment of materials. Sochor Zdenek (inventor). Issued 12-1-36.
2,063,395. Sand discharging apparatus for vehicles. Montrose Oster Louis Eugene Widolt (inventor). Issued 12-8-36.
2,064,246. Tube system for heat exchange. Dmitrevskij Petr et al, Astrov Dimitrij (inventors). Issued 12-15-36.
2,064,360. Motor vehicle body. Ledwinka Hans (inventor). Issued 12-15-36.
2,064,599. Method of and apparatus for guiding aircraft in landing. Foges Georg (inventor). Issued 12-15-36.
2,065,224. Frictional and positive clutch mechanism. Hladik Ladislav (inventor); Ltd Co, formerly the Skoda Works (grantee). 12-22-36.
2,065,334. Carburetor. Koppe Georg (inventor). Issued 12-22-36.
2,066,884. Mechanisms for the calculation of functions with several variables. Harlas Jiri (inventor). Issued 1-5-37.
2,067,292. Internal combustion engine. Sitar Miroslav (inventor). Issued 1-12-37.
2,067,848. Semiautomatic transmission case for automobiles. Hnizdo Frantisek et al, Obermajer Vladimir (inventors). Issued 1-12-37.
2,068,195. Hair slide. Polak Bohumil (inventor); Grodetzky & Polak (grantees). Issued 1-19-37.
2,072,748. Process of making baker yeast from beer yeast. Fuchs Edmund (inventor). Issued 3-2-37.
2,074,063. Apparatus for producing hollow bricks closed on all sides. Putterlik Jan (inventor). Issued 3-16-37.
2,074,610. Hydrostatic weir shutter. Jermar Frantisek (inventor). Issued 3-23-37.
2,076,198. Typewriter. Honnolke Franz (inventor). Issued 4-6-37.
2,076,653. Internal combustion engine. Ledwinka Hans (inventor). Issued 4-13-37.
2,077,848. Automatic brake operating device for railroad vehicles. Mikulka Frantisek et al, Stecker Alois, Seckar Frank (inventors). Issued 4-20-37.
2,078,029. Carburetor for internal combustion engines. Schorsch Ignaz (inventor). Issued 4-20-37.
2,079,218. Connections of the driving unit to the frame of a motor vehicle. Ledwinka Hans (inventor). Issued 5-4-37.
2,079,318. Esters of 2 phenyl quinoline 4 carboxylic acids. John Hanns (inventor). Issued 5-4-37.
2,079,671. Automobile chassis suspension construction. Zubaty Joseph (inventor). Issued 5-11-37.
2,079,982. Furnace wall furnace gas baffle plate and the like. Belohlavek Bruno (inventor). Issued 5-11-37.
2,080,859. Dovetail milling machine. Drapak Otto et al, Drapak Arnost, Drapak Jindrich (inventors). Issued 5-18-37.
2,083,303. Production of activated carbon. Krczil Franz (inventor). Issued 6-8-37.
2,083,457. Road vehicle. Ledwinka Hans (inventor). Issued 6-8-37.
2,085,885. Permanent way rail joint connection. Zischka Wilhelm (inventor). Issued 7-6-37.
2,086,084. Preparation of alkali nitrate by the reaction of nitric acid with alkali chloride in aqueous solution. Kubelka Paul (inventor). Issued 7-6-37.
2,088,215. Multicylinder two stroke cycle diesel engine. Podrassky Antonin (inventor); Ceskoslovenska Zbrojovka Akciova Spolecnost V Brne (grantees). Issued 7-27-37.
2,089,061. Process of producing large size coke from brown coal. Herglotz Franz (inventor). Issued 8-3-37.
2,089,583. Fluid tight winding for electric motors and method for the manufacture thereof. Sigmund Miroslav (inventor). Issued 8-10-37.
2,089,612. Thixotropic compositions, their preparation and utilization. Kubelka Paul (inventor). Issued 8-10-37.
2,090,435. Packing device. Waldvogel Isidore (inventor). Issued 8-17-37.
2,090,863. Final drive gear for vehicles. Ledwinka Hans (inventor). Issued 8-24-37.
2,092,756. Elastic feraminous sheet material. Grabec Josef (inventor); Teodofsky Adalbert (grantee). Issued 9-14-37.
2,093,169. Automatic firearm in particular machine gun. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka Akciova, Spolecnost V Brne (grantees). Issued 9-14-37.
2,093,701. Fountain pen. Zahel Jaroslav (inventor). Issued 9-21-37.

2,095,522. Fluid meter. Hejduk Frantisek et al, Neumann Jan (inventors). Issued 10-12-37.

2,096,355. Driving system for motor vehicles. Fischer Stefan (inventor). Issued 10-19-37.

2,099,315. Track sanding device. Prochazka Karel (inventor). Issued 11-16-37.

2,100,052. Meter for measuring and registering liquid volumes received and delivered. Hejduk Frantisek et al, Neumann Jan (inventors). Issued 11-23-37.

2,100,155. Electrical purification of gases. Beran Vojtech (inventor). Issued 11-23-37.

2,101,954. Bicycle lighting generator. Rathmann Paul (inventor); Elektrotechnische Fabrik Schmidt and Co Gesellschaft M B H (grantees). Issued 12-14-37.

2,104,315. Carburetor for combustion engines. Abramson Alexander (inventor). Issued 1-4-38.

2,104,320. Freewheeling clutch. Fischer Stefan (inventor). Issued 1-4-38.

2,104,409. Resilient suspension means for motor vehicles. Svoboda Jaroslav et al, Svoboda Ladislav, Bilek Karel (inventors). Issued 1-4-38.

2,105,153. Motor vehicle chassis. Ledwinka Hans (inventor). Issued 1-11-38.

2,105,863. Steam baking oven. Pfeiffer Wilhelm (inventor). Issued 1-18-38.

2,106,281. Wind musical instrument. Satler Johann (inventor). Issued 1-25-38.

2,107,803. Adjusting mechanism for firearms. Rolcik Miroslav (inventor); Ceskoslovenska Zbrojovka A S Brno (grantee). Issued 2-8-38.

2,107,818. Textile drafting apparatus. Elzer Johann (inventor). Issued 2-8-38.

2,107,824. Gun carriage. Holek Frantisek (inventor); Ceskoslovenska Zbrojovka A S Brno (grantee). Issued 2-8-38.

2,110,468. Steam collecting device especially for high pressure steam. Metzner Otto (inventor). Issued 3-8-38.

2,110,683. Method and means for affixing advertising seals to newspapers and other printed matter. Scholer Wilhelm (inventor). Issued 3-8-38.

2,111,010. Apparatus for cooling or heating and mixing. Sochor Zdenek (inventor). Issued 3-15-38.

2,111,328. Hair slide. Polak Bohumil (inventor). Issued 3-15-38.

2,113,199. Bomb sight. Baaber Hans (inventor); A G C P Goerz Optische Anstalt, Actiova Spolecnost K P Goerz, Opticky Ustav (grantees). Issued 4-5-38.

2,113,209. Gun breech. Hasek Jaroslav (inventor); Ltd Co formerly the Skoda Works (grantee). Issued 4-5-38.

2,115,522. Frictional transmission gearing. Gotz Frantisek (inventor); Ltd Co formerly the Skoda Works (grantee). Issued 4-26-38.

2,115,526. Automatic firearm. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka A S (grantee). Issued 4-26-38.

2,116,265. Multipiston meter. Hejduk Frantisek et al, Neumann Jan (inventors). Issued 5-3-38.

2,116,819. Shoe and boot making machine. Bata Jan A (inventor). Issued 5-10-38.

2,116,837. Combination lock. Kittler Antonin (inventor). Issued 8-8-39.

2,117,337. Evaporator. Tobl Kargl et al, Kair Karel (inventors). Issued 5-17-38.

2,117,985. Firearm. Hasek Jaroslav (inventor). Issued 5-17-38.

2,118,404. Hydrostatic weir shutter. Jermar Frantisek (inventor). Issued 5-24-38.

2,119,643. Pressure operated diffuser of toilet liquids. Mendl Viktor (inventor). Issued 6-7-38.

2,121,508. Governor means. Ohnrich Alfons (inventor). Issued 6-21-38.

2,121,850. Automatic friction brake. Soused ik Josef (inventor). Issued 6-28-38.

2,123,577. Fluid measurement apparatus. Pelich Eduard (inventor). Issued 7-12-38.

2,124,254. Method of high pressure steam generation. Ledinegg Max (inventor). Issued 7-19-38.

2,127,409. Body for rear engine motor vehicles. Klavik Milos (inventor). Issued 8-16-38.

2,127,411. Motor vehicle. Ledwinka Hans (inventor). Issued 8-16-38.

2,128,413. Variable ratio gearing. Hejduk Frantisek et al, Neumann Jan (inventors). Issued 8-30-38.

2,128,793. Address card or the like. Bey Edmund T Bondy (inventor). Issued 8-30-38.

2,131,527. Vehicle transmission control. Sousedik Josef (inventor). Issued 9-27-38.

2,133,541. Bomb or hand grenade. Janecek Rudolf (inventor). Issued 10-18-38.

2,134,476. Breech packing for firearms. Hasek Jaroslav (inventor). Issued 10-25-38.

2,134,897. Automatic mixing and fine grinding mill for chocolate colors, etc. Theiner Leo (inventor). Issued 11-1-38.

2,136,161. Button in two parts. Vesely Karel (inventor). Issued 11-8-38.

2,137,496. Waste fitting for baths and the like. Klein Felix (inventor). Issued 11-22-38.

2,139,457. Internal combustion engine. Patchett George William (inventor). Issued 12-6-38.

2,140,825. Method for roasting pencil leads. Zuckert Richard (inventor); Koh I Noor Tuzkarna, L & C Hardtmuth Ces (grantees). Issued 12-20-38.

2,140,876. Arrangement and mounting of the axle gear in motor vehicles. Klavik Milos (inventor). Issued 12-20-38.

2,142,610. Cylinder lock. Kittler Antonin (inventor). Issued 1-3-39.

2,142,770. Sliding fastener. Wied Ernst Georg (inventor). Issued 1-3-39.

2,143,704. Pivot door plate. Kufner Frantisek (inventor). Issued 1-10-39.

2,143,889. Power vehicle. Ledwinka Hans (inventor). Issued 1-17-39.

2,144,066. Apparatus for the photographic production of outlines for engraved rollers used in textile printing. Kindermann Hermann (inventor). Issued 1-17-39.

2,144,740. Process for producing lumpy water resistant bodies consisting substantially of magnesium oxide and calcium compounds. Pollak Arthur (inventor). Issued 1-24-39.

2,145,183. Final drive gear for vehicles with swinging half axles. Ledwinka Hans (inventor). 1-24-39.

2,146,185. Automatic firearm. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka A S Brunn (grantee). Issued 2-7-39.

2,146,340. Automatic calendar. Jiskra Zdenek (inventor). Issued 2-7-39.

2,149,905. Lead for pencils, color pencils, copying pencils, or the like and the process for manufacturing the same. Zuckert Richard (inventor); Koh I Noor Tuzkarna L and C. Hardtmuth (grantee). Issued 3-7-39.

2,150,081. Carburetor for internal combustion engines. Schorsch Ignaz (inventor). Issued 3-7-39.

2,151,988. Water tube boiler. Pokorny Erwin (inventor). Issued 3-28-39.

2,153,025. Packing ring for sealing the pistons and piston rods. Rais Josef (inventor); Ltd. Co. formerly the Skoda Works Pilsen (grantee). Issued 4-4-39.

2,154,326. Machine tool. Dorin Anatol (inventor). Issued 4-11-39.

2,154,915. Lathe. Ohera Albin (inventor). Issued 4-18-39.

2,156,852. Gas mask. Horak Vaclav (inventor). Issued 5-2-39.

2,157,189. Roofing. Schlosinger Josef (inventor); A G. Fur Glass Industrie Vorm Friedr Siemens (grantee). Issued 5-9-39.

2,157,828. Sliding clasp fastener. Kuna Josef (inventor). Issued 5-9-39.

2,158,931. Safety and signaling apparatus in particular for railway crossings. Fryba Josef (inventor). Issued 5-16-39.

2,159,981. Production of thermosetting molding compositions and molded articles from natural horn. Bakonyi Stefan (inventor) Kraus O. (grantee). Issued 5-30-39.

2,161,726. Ager for treating printed and like fabrics. Sochor Zdenek, et al., Kvasnicka Alfred, Morch Slava (inventors); Sochor Zdenek (grantee). Issued 6-6-39.

2,161,727. Weft feeler mechanism for looms. Sochor Zdenek (inventor). Issued 6-6-39.

2,163,144. Firearm. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka (assignee) (grantee). Issued 6-20-39.

2,164,516. Frictional transmission gearing. Gotz Frantisek (inventor); Ltd. Co. formerly the Skoda Works (grantee). Issued 7-4-39.

2,164,690. Plug insert for bore holes for cushion blasting in gaseous mines. Struzk Frantisek (inventor); Dvorak Josef, Pokorny Karel (grantees). Issued 7-4-39.

2,164,940. Hair clip. Polak Bohumil (inventor). Issued 7-4-39.

2,165,827. Manufacture of a multicolor lead. Zuckert Richard (inventor); Koh I Noor Tuzkarna L. and C. Hardtmuth (grantees). Issued 7-11-39.

2,166,482. Device for working on the soles of footwear. Bata Jan Antonin (inventor). Issued 7-18-39.

2,168,098. Transfer copying material. Grnik Josef (inventor). Issued 8-1-39.

2,169,665. Production of pressed articles having a pattern extending right through them from materials in powder form. Skolaude Heinrich (inventor). Issued 8-15-39.

2,171,091. Streamline body for motor vehicles with air cooled rear engines. Klavik Milos (inventor). Issued 8-29-39.

2,171,092. Streamline body for motor vehicles with air cooled rear engines. Klavik Milos (inventor). Issued 8-29-39.

2,171,463. Hammer crusher with adjustable resilient feed grate. Tschauner Leo (inventor); Ltd. Co. formerly the Skoda Works Pilzen (grantee). Issued 8-29-39.

2,171,675. Paint box. Travnitschek Rudolf (inventor). Issued 9-5-39.

2,172,298. Electrical transmission gear in particular for traction machines. Sousedik Josef (inventor). Issued 9-5-39.

2,175,527. Rear engine motor vehicle. Klavik Milos (inventor). Issued 10-10-39.

2,175,528. Rear part of automobiles with rear engines. Klavik Milos (inventor). Issued 10-10-39.

2,175,529. Supplying cooling air to the engines of automobiles. Klavik Milos (inventor). Issued 10-10-39.

2,175,533. Air cooled internal combustion engine. Ledwinka Hans (inventor). Issued 10-10-39.

2,182,039. Winding machine for making large soft cops. Stiassni Ernst (inventor). Issued 12-5-39.

2,186,065. Springing system of vehicles. Fischer Stefan (inventor); Selp Akc (grantee). Issued 1-9-40.

2,188,046. Firing mechanism for automatic firearms. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka (assignee) (grantee). Issued 1-23-40.

2,188,460. Blowlamp. Levit Leopold (inventor). Issued 1-30-40.

2,190,507. Pencil having a multicolored lead. Zuckert Richard (inventor); Koh I Noor Tuzkarna L and C. Hardtmuth (grantees). Issued 2-13-40.

2,190,508. Lead for black lead colored lead copying pencils and the like. Zuckert Richard (inventor); Koh I. Noor Tuzkarna L. and C. Hardtmuth (grantees). Issued 2-13-40.

2,192,824. Absorption refrigeration system. Bloch Rudolf, et al., Goldberger Franz (inventors). Issued 3-5-40.

2,194,394. Air cooling arrangement for automobiles. Klavik Milos (inventor). Issued 3-19-40.

2,194,395. Spring suspension of automobiles. Klavik Milos (inventor). Issued 3-19-40.

2,194,396. Air supply device for air cooled rear engined automobiles. Klavik Milos (inventor). Issued 3-19-40.

2,194,397. Front wheel suspension for automobiles. Klavik Milos (inventor). Issued 3-19-40.

2,194,398. Ventilation of the motor compartment in streamlined automobiles. Klavik Milos (inventor). Issued 3-19-40.

2,195,472. Device for the application of rouging lacquer medical appliances and the like. Szucs Ladislaus et al, Stecklmacher Erwin, now known as Erwin Steel (inventors). Issued 4-2-40.

2,196,440. Manufacture of cartons. Hoza John (inventor). Issued 4-9-40.

2,198,020. Nonballooning spindle for spinning machines. Weinberger Jan (inventor). Issued 4-23-40.

2,198,169. Negative carrier especially suitable for projection apparatus and enlarging apparatus. Kallusch Kamillo (inventor). Optikotechna Spolecnost S R O Prerov (grantee). Issued 4-23-40.

2,198,308. Machine for performing nailing and like fastening operations. Hoza John (inventor). Issued 4-23-40.

2,198,671. Apparatus for the exchange of heat. Kulka Vilem (inventor). Issued 4-30-40.

2,198,778. High pressure steam generator. Ledinegg Maximilian (inventor). Issued 4-30-40.

2,198,788. Automatic weighing apparatus. Popov Vladimir Dmitrijevic (inventor). Issued 4-30-40.

2,199,315. Body for vehicles. Klavik Milos (inventor). Issued 4-30-40.

2,199,316. Air cooling of automobiles. Klavik Milos (inventor). Issued 4-30-40.

2,199,317. Ventilation of the motor compartment of automobiles. Klavik Milos (inventor). Issued 4-30-40.

2,200,177. Mounting of axle springs in automobiles. Klavik Milos (inventor). Issued 5-7-40.

2,202,455. Blower arrangement in air cooled motors. Klavik Milos (inventor). Issued 5-28-40.

2,202,456. Automobile body. Klavik Milos (inventor). Issued 5-28-40.

2,202,507. High pressure steam generator. Swietochowski Olivier (inventor). Issued 5-28-40.

2,204,993. Machine for the ornamentation of welts. Hoza John (inventor). Issued 6-18-40.

2,205,806. Pressure device for hydraulic brakes. Belenkij Jiri (inventor). Issued 6-25-40.

2,207,145. Method of activating natural earths. Doht Richard (inventor). A G Dynamit Nobel (grantee). Issued 7-9-40.

2,207,494. Process and apparatus for the hydrogenation of carbonaceous materials. Viktora Vaclav (inventor); Ceskoslovenske Tovarny Na Dusikate, Latky Akc Spon Czechoslovakian Nitrogen Works Co Ltd (grantee). Issued 7-9-40.

2,207,730. Method of making appliances for mechanical cosmetic treatment. Gottlieb Herbert (inventor). Issued 7-16-40.

2,209,354. Potash cartridge for oxygen respirators and lifesaving apparatus. Schmidt Heinz et al, Jezek Jan (inventors); Spolek Pro Chemickou a Hutni Vyrobu usti nad Labem (grantees). Issued 7-30-40.

2,209,485. Apparatus for determining the velocity of a target especially aircraft. Tachy Josef (inventor); Ceskoslovenska Zbrojovka A S Brno (grantees). Issued 7-30-40.

2,214,308. Means for controlling hydraulically operated working cylinders. Polak Josef (inventor). Issued 9-10-40.

2,216,412. Firing mechanism for automatic firearms. Holek Vaclav (inventor). Ceskoslovenska Zbrojovka A S (grantees). Issued 10-1-40.

2,216,669. Air cooling the engines of rear engined automobiles. Klavik Milos (inventor). Issued 10-1-40.

2,216,670. Floor for automobiles. Klavik Milos (inventor). Issued 10-1-40.

2,221,196. Front axle of rear motored automobiles. Klavik Milos (inventor). Issued 11-12-40.

2,221,864. Safety lock. Susser Hans (inventor). Issued 11-12-40.

2,221,942. Rubber molding press. Hoza John (inventor). Issued 11-12-40.

2,223,004. Automatic firearm. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka A S (grantees). Issued 11-26-40.

2,223,705. Pressure gauge with barometric correction. Roudnicky Rudolf (inventor). Issued 12-3-40.

2,225,112. Portable device adapted for daylight projection. Kallusch Kamillo (inventor); Optikotechna Spolecnost S R D Prerov (grantees). Issued 12-17-40.

2,228,028. Treatment of sulphite waste liquor. Hahn Ludwig (inventor); Bohmisch Krumauer Maschinenpapier Fabriken Ignaz Spiro et Sohne A G (grantees). Issued 1-14-41.

2,228,973. Die casting machine. Polak Josef (inventor). Issued 1-14-41.

2,229,085. Vulcanizing apparatus. Hoza John (inventor). Issued 1-21-41.

2,233,816. Body for motor vehicles. Klavik Milos (inventor). Issued 2-25-41.

2,234,044. Method of and apparatus for briquetting fine grained pulverulent or dust fine material. Herglotz Franz (inventor). Issued 3-11-41.

2,236,604. Process of working up pit coal. Herglotz Franz (inventor). Issued 3-25-41.

2,236,608. Resilient mounting for the driving unit in automobiles. Klavik Milos (inventor). Issued 3-25-41.

2,237,601. Shoulder controlled firearm. Holek Frantisek (inventor); Ceskoslovenska Zbrojovka A S (grantees). Issued 4-8-41.

2,241,036. Chassis of rear engined motor vehicles. Klavik Milos (inventor). Issued 5-6-41.

2,241,037. Vehicle having air cooled engines at the rear thereof. Klavik Milos (inventor). Issued 5-6-41.

2,241,038. Chassis of rear engined vehicles. Klavik Milos (inventor). Issued 5-6-41.

2,241,506. Process for obtaining a tanning agent from waste sulphite liquor. Honig Max Dec et al, Hönig Henrich legal rep (inventors); Feith Wilhelm (grantee). Issued 5-6-41.

2,241,599. Process for making shoes. Hoza John (inventor). Issued 5-13-41.

2,243,072. Method & apparatus for the application of aerating air to carburetors for internal combustion engines. Abramson Alexander (inventor). Issued 5-27-41.

2,245,789. Frame for automobiles. Klavik Milos (inventor). Issued 6-17-41.

2,247,299. Two cylinder two stroke engine. Klavik Milos (inventor). Issued 6-24-41.

2,247,300. Driving unit for automobiles. Klavik Milos (inventor). Issued 6-24-41.

2,249,272. Magnetizing of annular magnets. Jurak Ladislav (inventor). Issued 7-8-41.

2,250,355. Packing for insulators in sparking plugs. Bruck Josef (inventor). Issued 7-22-41.

2,250,382. Motor vehicle having air cooled rear engine. Klavik Milos (inventor). Issued 7-22-41.

2,256,788. Copper zinc alloy. Muller Wolf Johannes et al, Niessner Moritz (inventors). (assignee) Dynamit Nobel (grantee). Issued 9-23-41.

2,267,964. Arrangement for fans for air cooled rear engines. Klavik Milos (inventor). Issued 10-7-41.

2,258,014. Illuminating device for enlarging or projecting apparatus. Kallusch Kamillo (inventor); Optikotechna Spolecnost S R O (grantee). Issued 10-7-41.

2,259,078. Copper zinc alloy. Muller Wolf Johannes et al, Niessner Moritz (inventors). (assignee) Dynamit Nobel (grantee). Issued 10-14-41.

2,260,691. Weighing apparatus. Popov Vladimir Dimitrijevic (inventor). Issued 10-28-41.

2,262,347. Two layer card for being written on both sides. Sturc Ludevit (inventor). Issued 11-11-41.

2,263,545. Hollow body and process of producing same. Waldvogel Isidor (inventor). Issued 11-18-41.

2,267,501. Automatic firearm. Holek Vaclav (inventor); Ceskoslovenska Zbrojovka (assignee) (grantee). Issued 12-23-41.

2,267,828. Arrangement for cooling motors by air. Klavik Milos (inventor). Issued 12-30-41.

2,270,221. Sliding member of sliding clasp fasteners. Puc Vojtech (inventor). Issued 1-13-42.

2,270,683. Automatic firearm. Janecek Frantisek (inventor). Issued 1-20-42.

2,271,066. Process of manufacturing hollow bodies. Ehrenhaft Viktor (inventor). Issued 1-27-42.

2,274,070. Short circuited winding for induction machines. Kauders Vilem (inventor). Issued 2-24-42.

2,275,425. Composite distensible sheet material. Grabec Josef (inventor); Ledofsky Adalbert (grantee). Issued 3-10-42.

2,276,399. Method of making hollow glassware. Hrdina Vaclav (inventor). Issued 3-17-42.

2,276,789. Apparatus for grinding diamonds and the like. Nagy Arpad (inventor). Issued 3-17-42.

2,277,088. Advertising straphanger. Ehrenhaft Viktor (inventor). Issued 3-24-42.

2,285,119. Air cooled motor. Klavik Milos (inventor). Issued 6-2-42.

2,297,920. Shaped brick. Schwarzbart Julius (inventor); Zeisel Heinz (grantee). Issued 10-6-42.

[F. R. Doc. 43-5330; Filed, April 5, 1943; 2:12 p. m.]

[Vesting Order 666]

PATENTS OF NATIONALS OF FRANCE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the owners of the patents and other property related thereto described in subparagraph 3 hereof are either the persons identified in Exhibit A attached hereto and made a part hereof as the grantees of such patents, respectively, or (in the cases only of those patents, if any, in connection with which no grantees are so identified) the persons identified in said Exhibit A as the respective inventors thereof;

2. Finding that each of such owners is a resident of France, and therefore is a national of a foreign country (France);

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property of nationals of a foreign country (France);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

RE16,734. Apparatus for controlling the firing against aerial objectives. Schneider Eugene (inventor); Routin Joseph Louis, Schneider and Cit et al (grantees). Issued 3-9-26.

RE17,287. Automatic recording meter for liquids. Carbonaro Marius Clement (inventor); Soc Hardoll (grantee). Issued 12-28-26.

RE17,385. Aluminum alloy and method of manufacturing the same. Berthelemy Pierre et al. De Montby Henry (inventors). Issued 9-14-26.

RE17,878. Resinous condensation product. Durr Andre Henri Victor (inventor); Cie Nationale De Matieres Colorantes Et Manufacturers De Produits Chimiques Du Nord Reunies Etablissements Kuhlmann (grantees). Issued 12-10-29.

RE18,124. Apparatus for and process of congelation. Reeh Johannes Emmerick Wolff (inventor); S A De Conservation Industrielle Du Poisson (grantees). Issued 2-11-30.

RE18,696. Pneumatic suspension for airplanes. Messier George Louis Rene Jean (inventor). Issued 12-20-32.

RE18,885. Suspension for vehicles. Dubonnet Andre (inventor). Issued 1-3-33.

RE18,957. Propeller. Gobereau Robert Richard et al, Maujole Lucien Edouard Deed, Chardin Alphonse Jules Admr (inventors); Gobereau Robert Richard (grantee). Issued 10-27-31.

RE19,395. Means for annulling the effect of stray fields on radio receiving systems. Loth William Arthur (inventor); Soc Industrielle Des Procedes, W. A. Loth (grantees). Issued 4-8-30.

RE19,699. Ice machine. Velut Rene (inventor). Issued 9-5-33.

RE19,728. Thermastatic radiator control. Dintilhac Jean Georges (inventor); Soc Yacco S A F (grantee). Issued 2-27-34.

RE20,044. Electric circuit breaker with compressed gas blow out. Clerc Andre (inventor); Soc Atelliers de Constructions Electriques De Delle (grantee). Issued 1-23-34.

RE20,766. Lead sheathed cable and method of protecting the lead against corrosion. Benit Henri (inventor); Cie Generale D. Electricite (grantee). Issued 1-23-34.

RE20,810. Fluidtight coupling. Tailleferre Henri (inventor). Issued 6-9-36.

RE20,834. Drawing instrument. Rabe Karl (inventor); Rosenberger Adolf (grantee). Issued 3-22-38.

RE21,168. Process and apparatus for the continuous extraction or treatment of liquids. Coutor Charles (inventor); Soc Etablissements Lamblotte Freres (grantee). Issued 4-7-36.

RE21,285. Decorative wall covering. Desagnat Gaston (inventor). Issued 10-16-29.

RE21,313. Decorative wall covering. Desagnat Gaston (inventor). Issued 10-17-33.

RE21,828. Progressive clutch control for automatic gear shifting systems. Fleischel Gaston (inventor). Issued 1-10-33.

RE21,903. Strapping material for binding or securing boxes bales parcels and other packages and process for manufacturing the same. Brennelsen Hermann (inventor). Issued 7-5-38.

DE79,460. Bottle. Failliot Jacques (inventor). Issued 9-24-29.

DE83,201. Bottle. Lalique Rene (inventor). Issued 2-3-31.

DE84,991. Cover glass lens for headlights. Lamblin Parent Gustave, Alphonse Marie (inventors). Issued 9-1-31.

DE84,993. Cover glass lens for headlights. Lamblin Parent Gustave, Alphonse Marie (inventors). Issued 9-1-31.

DE84,994. Cover glass lens for headlights. Lamblin Parent Gustave, Alphonse Marie (inventors). Issued 9-1-31.

DE86,448. Lady's Collar. Ezbelent Georges (inventor). Issued 3-8-32.

DE87,641. Box covering. Melin Andre (inventor). Issued 8-23-32.

DE88,067. Fancy bottle. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 10-25-32.

DE88,068. Box Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 10-25-32.

DE88,069. Medallion for containers stoppers or the like. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 10-25-32.

DE89,944. Lip stick container or the like. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 5-23-33.

DE89,985. Vanity case or the like. Bergaud Felicie Eugenie Amelie Wanpouille (inventor). Issued 5-23-33.

DE92,483. Design for a lid of a box or the like. Melin Andre (inventor); Parfumerie Roger Et Gallet S A. (grantee). Issued 6-12-34.

DE93,089. Design for a tray. Bode Emile (inventor). Issued 8-21-34.

DE97,216. Design for a multicellular receptacle. Vernin Louis Marie Paul Charles (inventor); Laboratoires Galeniques Vernin (grantee). Issued 10-15-35.

DE97,318. Design for sheet glass. Galliano Marc A. M. J. (inventor). Issued 10-22-35.

DE97,926. Design for a combination bottle stopper and stand. Desprez Jean (inventor); S. A. Parfumerie Millot (grantee). Issued 12-24-35.

DE98,455. Design for a bottle. De Mascolo Marie Rose (inventor); S A Scherick (grantee). Issued 2-4-36.

DE99,982. Design for a ring. Arpels Salomon Dit Charles (inventor); Soc Van Cleef & Arpels (grantee). Issued 6-16-36.

DE102,111. Design for a handbag or similar article. Konelsky Ernest (inventor). Issued 11-24-36.

DE102,172. Design for a bottle. Schiaparelli Elsa (inventor); S A Schiaparelli (grantee). Issued 12-1-36.

DE102,409. Design for a mirror or similar article. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 12-22-36.

DE102,438. Design for a hanging lamp. Montmartin Guy (inventor). Issued 12-22-36.

DE105,766. Design for a clock. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantee). Issued 8-24-37.

DE107,704. Design for a lipstick holder. Schiaparelli Elsa (inventor). Issued 12-28-37.

DE107,796. Design for a face powder box. Schiaparelli Elsa (inventor). Issued 1-4-38.

DE110,566. Design for a jar. Emerit Jean (inventor); Freres Bonnetti Firm (grantee). Issued 7-19-38.

DE110,635. Design for a clip. Bezault Georges Albert Julien (inventor); Cartier S A (grantee). Issued 7-26-38.

DE112,638. Design for a perfume bottle. Guerin Jacques (inventor). Issued 12-20-38.

DE112,943. Design for a perfume bottle container. Guerin Jacques (inventor). Issued 1-17-39.

DE116,006. Design for a lady's handbag or similar article. Baillod Marcel Charles Leon (inventor). Issued 8-8-39.

DE116,055. Design for a perfume bottle. Schiaparelli Elsa (inventor); Soc Des Parfums Schiaparelli S A (grantee). Issued 8-8-39.

DE116,214. Design for a bottle or similar article. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 8-22-39.

DE116,440. Design for a bottle or similar article. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 9-5-39.

DE116,726. Design for a compact holder. Schiaparelli Elsa (inventor); Soc Des Parfums Schiaparelli S A (grantee). Issued 9-19-39.

DE116,756. Design for a bottle or similar article. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 9-19-39.

DE116,977. Design for a toilet case or similar article. Bellau Henri (inventor). Issued 10-3-39.

DE118,037. Design for textile fabric or similar article. Domen Achille (inventor). Issued 12-12-39.

DE119,073. Design for sunglasses. Rochas Marcel (inventor). Issued 2-20-40.

DE119,397. Design for a shoe or similar article. Perugia Andre (inventor). Issued 9-12-40.

DE121,286. Design for a bottle. Robert Rene (inventor); Maison Paquin Ltd (grantee). Issued 7-2-40.

DE121,918. Design for a transparent support for a container or similar article. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 8-13-40.

DE122,251. Design for a combined case and holder for a bottle of perfume or the like. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 9-3-40.

DE123,495. Design for a combined case and holder for a bottle or perfume or the like. Bergaud Felicie Eugenie Amelie Wanpouille (inventors). Issued 12-12-40.

DE124,331. Design for a shoe. Perugia Andre (inventor). Issued 12-31-40.

1,563,463. Photographic apparatus for checking the aiming and firing operations on board aircraft. Belugou Leon (inventor). Issued 12-1-25.

1,563,673. Process for impermeabilizing substances for absorbing gas. Street Ernest Auguste George (inventor); S A Le Carbone (grantee). Issued 12-1-25.

1,563,688. Electric circuit breaker. Charpentier Paul (inventor); Forges & Ateliers De Constructions Electriques De Jeumont S A (grantees). Issued 12-1-25.

1,563,715. Packing machine. Boulanger Charles (inventor); S A Anciens Etablissements Georges Pellerin (grantees). Issued 12-1-25.

1,564,109. Post base. Ponsolle Leon (inventor). Issued 12-1-25.

1,564,117. Gaiter. Auberge Robert Alfred (inventor). Issued 12-1-25.

1,564,516. Device for the automatic coupling and uncoupling of engines operating upon a common propeller. Breguet Louis (inventor); S A Des Ateliers D Aviation Louis Breguet (grantees). Issued 12-8-25.

1,564,613. Lighting apparatus. Nevicre Louis Auguste (inventor). Issued 12-8-25.

1,564,661. Gas radiator with heat recovery and continuous ventilation. Faure Rene (inventor). Issued 12-8-25.

1,565,040. Brake. Waseige Charles (inventor); Soc Des Aeroplanes Henri and Maurice Farman (grantees). Issued 12-8-25.

1,565,119. Viscosimeter. Thomas Pierre Joseph (inventor); Cie Pour La Fabrication Des Compteurs Et Materiel D Usines A Gaz (grantees). Issued 12-8-25.

1,565,153. Sustaining and steering surface for aircraft. Hubert Jean (inventor). Issued 12-8-25.

1,565,172. Tire protector. Lotte Lucien Paul Celestin (inventor). Issued 12-8-25.

1,565,331. Emptying device for melangeurs. Savy Robert (inventor). Issued 12-15-25.

1,565,409. Oil gas apparatus. Blanchet Leonce (inventor); La Soc De Chimie Et A Catalyse Industrielle Siege Social (grantee). Issued 12-15-25.

1,565,472. Refractory cement with a base of zirconium ore. Le Coultre Frederic Charles Fridtjof (inventor); Soc D Etude Des Agglomeres (grantee). Issued 12-15-25.

1,565,490. Apparatus for applying curative treatment with a radioactive substance. Muguet Antoine (inventor). Issued 12-15-25.

1,565,517. Brake for motor vehicles. Sizaire Maurice (inventor); Soc Des Automobiles Sizaire (grantee). Issued 12-15-25.

1,565,655. Metallic Bobbin for photographic or like films. Lefebvre Georges Eugene (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 12-15-25.

1,565,684. Apparatus used for the sterilizing of toothbrushes and similar articles. Thesee Victor Julien Marie (inventor). Issued 12-15-25.

1,565,700. Adjustable dress stand. Zilberstein Henri (inventor). Issued 12-15-25.

1,565,704. Self Setting safety razor. Bolzard Raoul (inventor). Issued 12-15-25.

1,565,729. Automatic machine for the manufacture of capsules. Genat Louis Pierre Emile (inventor). Issued 12-15-25.

1,565,766. Process for the preparation of explosive charges by means of liquid oxygen or air. Weber Guillaume (inventor); Soc Les Petits Fils De Francois De Wendel & Cie The (grantees). Issued 12-15-25.

1,565,789. Mechanical starter for internal combustion engines. Carmier Pierre Roger Louis Auguste (inventor); S A Dite Materiel Et Accessoires D Aviation (grantee). Issued 12-15-25.

1,566,191. Sawing machine. Fleischel Marie Charles et al, Lean Gaston, Pironneau Emmanuel Louis, Francois Marie, (inventors). Issued 12-15-25.

1,566,497. Shaving Brush. Meyelin Paul (inventor). Issued 12-22-25.

1,566,584. Spark extinguishing apparatus. Dallemagne Victor (inventor). Issued 12-22-25.

1,566,720. Bearing for articulation of three connecting rods. Andreau Jean Edouard (inventor). Issued 12-22-25.

1,567,264. Process for treating cotton textiles to impart a linen like appearance thereto. Hebert Rene Marie Louis Gustave (inventor); Verge Alphonse (grantee). Issued 12-29-25.

1,567,335. Rotary drying apparatus. Scrive Paul (inventor). Issued 12-29-25.

1,567,395. Process of chlorination of sulphite liquor. Schmidt Albert (inventor). Issued 12-29-25.

1,567,467. Stick dispensing device for soap and the like. Rocherolles Jacques (inventor); La Soc Parfumerie Roger & Gallet, Siege Social (grantees). Issued 12-29-25.

1,567,499. Stenographic Machine. Grandjean Marc (inventor). Issued 12-29-25.

1,567,737. Making of sheet copper electrolytically. Jullien Marcel Andre (inventor). Issued 12-29-25.

1,567,967. Process of gasifying and carbonizing coal and like fuel substances. Macaux Henri (inventor); Soc Lyonnaise des Eaux et de l'Eclairage (grantee). Issued 12-29-25.

1,568,005. Accelerating device for automatic firearms. Sutter Charles (inventor); S A des Anciens Etablissements Hotchkiss & Cie (grantee). Issued 12-29-25.

1,568,090. Endless track vehicle. Saives Leon (inventor); Renault Louis (grantee). Issued 1-5-26.

1,568,241. Traveling track device with pneumatic suspension. Rimailho Emile (inventor); Cie des Forges & Acieries de la Marine & d'Homecourt (grantee). Issued 1-5-26.

1,568,242. Rotary motor. Rochefort Francois (inventor). Issued 1-5-26.

1,568,503. Boiler supply system. D Espujols Robert Lucien (inventor). Issued 1-5-26.

1,568,521. Sound amplifying and reproducing device for talking machines and other sound reproducing instruments. Midence Adolph (inventor). Issued 1-5-26.

1,569,237. Lock nut. Ravier Leopold (inventor). Issued 1-12-26.

1,569,256. Receiving device for cutting machines of the rotary type for paper or pasteboard and like machines. Bobst Henri (inventor); S A Marinoni Machines et Materiel Pour l'Imprimerie et les Industries Annexes (grantee). Issued 1-12-26.

1,569,291. Direction finder. Marcelin Andre Jules (inventor). Issued 1-12-26.

1,569,342. Absorption and diffusion photometer. Vernes Arthur et al, Bricq Robert, Jobin Marie Louis Amedee, Yvon Gustave Georges Joseph (inventors). Issued 1-12-26.

1,569,626. Automatic lifting windlass. Gautier Paul (inventor). Issued 1-12-26.

1,569,760. Air ejector. Leblanc Charles Leonard Armand Maurice (inventor); S A Pour l'Exploitation des Procedes Maurice Leblanc Vickers (grantee). Issued 1-12-26.

1,569,922. Electric control system for all movable elements operating by a very small power and chiefly for the gyroscopic compass. Granat Elie (inventor); Cie des Forges et Acieries de la Marine et d'Homecourt (grantee). Issued 1-19-26.

1,570,283. Stopping device for looms. Renard Pierre et al, Renard Albert (inventors). Issued 1-19-26.

1,570,284. Orientable headlight for automobiles. Scherer Benoit (inventor). Issued 1-19-26.

1,570,329. Ornamentation of leather. Bendelari Mary E (inventor). Issued 1-19-26.

1,570,426. Railway air brake control valve. Barascud Louis Antoine Marie (inventor). Issued 1-19-26.

1,570,429. Automatically operated jack for supporting walls of buildings. Bonnet Jean (inventor). Issued 1-19-26.

1,570,569. Rear seat windshield. Kelsch Jean Clement (inventor). Issued 1-19-26.

1,570,724. Automatic chuck. Beck Frederick (inventor). Issued 1-26-26.

1,571,124. Mixing valve for air and combustion gases. Kolko Aron (inventor). Issued 1-26-26.

1,571,143. Automatic controlling device for compressors supplying explosion engines. Royer Eugene (inventor); Soc Pour l'Exploitation du Suralimentateur Royer (grantee). Issued 1-26-26.

1,571,144. Iron fitting or bracket for insulators. Saignol Ernest (inventor). Issued 1-26-26.

1,571,262. Electric distant control system. Granat Elie (inventor); Cie des Forges et Acieries de la Marine et d'Homecourt (grantee). Issued 2-2-26.

1,571,368. Relay. Chireix Henri (inventor). Issued 2-2-26.

1,571,413. Double control of the combined type for aeroplanes and for like purposes. James Paul Nicolas Claude (inventor). Issued 2-2-26.

1,571,474. Apparatus for the manufacture of artificial threads or filaments. Grillet Nicolas Benoit (inventor); Soc Pour la Fabrication de la Soie Rhodiaseta (grantee). Issued 2-2-26.

1,571,522. Paper feeding means for stenographic machines. Grandjean Marc (inventor). Issued 2-2-26.

1,571,605. Means for closing receptacles. Salles Edmond Louis Romain (inventor). Issued 2-2-26.

1,571,615. Method and apparatus for compressing gas. Babin Jules (inventor). Issued 2-2-26.

1,571,629. Sprayer. Huge Etienne (inventor). Issued 2-2-26.

1,571,797. Means for producing mechanical drafts. Prat Georges Jules Armand Louis (inventor). Issued 2-2-26.

1,571,839. Furnace for the heating and unwinding of wire. Jacquemin Andre Felix (inventor). Issued 2-2-26.

1,571,845. Oil pump. Lefebvre Albert (inventor). Issued 2-2-26.

1,572,176. Process for the manufacture of condensation products of compound aliphatic aromatic ketones with polyalcohols. Altwegg Jean et al, Chermette Edouard Fau (inventors); Soc Chimique des Usines du Rhone (grantee). Issued 2-9-26.

1,572,648. Apparatus for taking cinematographic views. Gauriat Pierre Sylvain (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 2-9-26.

1,572,691. Apparatus for transforming and distilling hydrocarbons and the like. Seigle Adolphe Antoine Francois Marius (inventor). Issued 2-9-26.

1,572,737. Automatic device with limited feed for the supply of internal combustion engines. Marchant Agenor Jr (inventor). Issued 2-9-26.

1,572,746. Compressible safety ring for pneumatic tires. Michelin Andre Jules (inventor). Issued 2-9-26.

1,572,766. Process for the distillation of natural resins and oleoresins. Chevalier Joseph Marie et al Alphonse, Bourcet Paul, Regnault Henri (inventors). Issued 2-9-26.

1,572,792. Radiator with removable elements. Guyot Henri Raymond (inventor); Soc R Guyot & Cie (grantee). Issued 2-9-26.

1,572,933. Process for the manufacture of certain albumins and fatty matters. Kahn Maurice (inventor); Soc Francaise des Produits Alimentaires Azotes (grantee). Issued 2-16-26.

1,572,955. Process and apparatus for the manufacture of artificial thread. Prince Edmond (inventor); La Soc Pour la Fabrication de la Soie Rhodiaseta (grantee). Issued 2-16-26.

1,572,996. Alloy. Girin Pierre (inventor); S A de Commentry Fourchambault Decazeville (grantee). Issued 2-16-26.
1,573,072. Refractory cement and concrete. Kestner Paul Jean Frederic (inventor). Issued 2-16-26.
1,573,240. Centrifugal drying apparatus. Grauss Georges (inventor). Issued 2-16-26.
1,573,354. Hydraulic distant control apparatus. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 2-16-26.
1,573,655. Firing regulator for automatic firearms. Sutter Charles (inventor); S A des Anciens Etablissements Hotchkiss et Cie (grantee). Issued 2-16-26.
1,573,677. Machine for the manufacture of tickets or labels. Caudrelier Edmond (inventor). Issued 2-16-26.
1,573,680. Agglomerating machine. Cuvelier Pierre Anselme Ignace (inventor). Issued 2-16-26
1,573,683. Rotary pump. Diffinger Eugene Arsene (inventor); Etablissements P Colombier Fils (grantee). Issued 2-16-26.
1,573,738. Preparation of organic derivatives of tin. Occhslin Carl (inventor); Etablissements Poulenc Freres (grantee). Issued 2-16-26
1,573,797. Electrovibrator. Beal Pierre Emile et al, Fanet Louis Lucien Edouard (inventors). Issued 2-23-26
1,573,802. Electric safety combination lock. Cadenel Louis (inventor). Issued 2-23-26.
1,573,849. Elastic suspension for bicycles. Nagot Charles (inventor). Issued 2-23-26.
1,573,859. Process and apparatus for washing artificial silk. Pinel Adrien (inventor). Issued 2-23-26
1,574,106. Vehicle wheel brake shoe. Perrot Henri (inventor). Issued 2-23-26.
1,574,240. Carrier drive head for lace braiding machines. Fonty Henri (inventor); S A des Etablissements Leflaine, Knecht Jean Jacques (grantees). Issued 2-23-26.
1,574,387. Vehicle door window. Haarnagell Georges (inventor). Issued 2-23-26.
1,574,425. Separation of gaseous mixtures by liquefaction and rectification and apparatus therefor. Jordan Eugene (inventor); Soc L Air Liquide S A Pour la Etude et L Exploitation des Procedes Georges Claude (grantees). Issued 2-23-26.
1,574,594. Water meter. Astier Antoine Joseph (inventor). Issued 2-23-26.
1,574,616. Bobbin carrier for lace braiding machines. Fonty Henri (inventor); S A des Etablissements Leflaive Jean Jacques Knecht (grantee). Issued 2-23-26.
1,574,622. Process of distilling volatile products. Granger Louis et al, Marliler Charles, Prache Charles (inventors). Issued 2-23-26.
1,574,625. Hydrocarbon burner. Grimmelsen Georges Edouard (inventor). Issued 2-23-26.
1,574,668. Machine for grinding balls. Mahe Basile Francois (inventor). Issued 2-23-26
1,574,784. Mechanism for the margining and the feeding of sheets to rotary machines. Bobst Henri (inventor); Etablissements Marinoni S A (grantee). Issued 3-2-26.
1,574,821. Apparatus for the manufacture of butter. Karpinsky Stephan et al, Anderson James Stewart (inventors). Issued 3-2-26.
1,574,844. Process for protecting gas absorbing substances from penetration by liquid. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 3-2-26.
1,574,845. Electric battery. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 3-2-26.
1,575,311. Machine for grinding lenses. Bentzen Malcolm (inventor). Issued 3-2-26.
1,575,472. Molded product and process for its manufacture. Weitzel Robert Auguste Louis (inventor). Issued 3-2-26.
1,575,620. Apparatus for removing the piston rod of locomotives and other engines from piston crossheads. Chambon Gilbert (inventor). Issued 3-9-26.
1,575,635. Apparatus for casehardening small objects. Meker Georges Antoni Henri (inventor). Issued 3-9-26.
1,575,830. Carbureting apparatus. Heuchel Jean Pierre (inventor). Issued 3-9-26.
1,576,055. Manufacture of drawing tacks. Leighton Georges (inventor). Issued 3-9-26
1,576,178. Removable propelling mechanism for boats. De Corta Auguste Marie Charles (inventor). Issued 3-9-26.
1,576,180. Thermostat. Diffinger Eugene Arsene (inventor); Etablissement P Colombier Fils (grantee). Issued 3-9-26.
1,576,261. Removable frame for motor or like vehicles. Baehr Gustave (inventor). Issued 3-9-26.
1,576,315. Self starter for motor vehicles. Dufour Paul (inventor); S A Paul L Equipement Electrique des Vehicules (grantee). Issued 3-9-26.
1,576,340. System of photographic apparatus with curved focus. Le Provost Henri Emile (inventor). Issued 3-9-26.
1,576,367. Apparatus for controlling the firing against aerial objectives. Schneider Eugene (inventor); Schneider & Cie. Routin Joseph Louis (grantees). Issued 3-9-26
1,576,427. Recovery of ammonia from vinasses. Guignard Gaston Philippe (inventor). Issued 3-9-26.
1,576,454. Refining process for pearl essence. Paisseau Jean (inventor). Issued 3-9-26.
1,576,627. Removable tag for laces, process for the conservation of the pellicles of hydrate or of hydrated ethers of cellulose. Defaucamberge Jean Chasselon Rene Louis (inventor); Soc Francaise des Crins Artificiels (grantee). Issued 3-16-26.
1,576,897. Mirror of reflector water level gauges. Boizard Raoul (inventor). Issued 3-16-26.
1,576,914. Balance. Jouan Pierre Constant (inventor). Issued 3-16-26.
1,576,936. Confectionery machinery. Savy Emile Louis Alfred (inventor). Issued 3-16-26.
1,576,938. Telephone receiver. Struxiano Lucien Alexandre Louis (inventor). Issued 3-16-26
1,577,208. Controller for luminous electric signs. Eeles Frederick Harry (inventor). Issued 3-16-26.
1,577,451. Support for bobbin holders. Delerue Alfred (inventor); Soc Des Etablissements Ryo Catteau (grantee) Issued 3-23-26.
1,577,518. Machine for removing the heads and guts of fish. Chauveur Joseph Eugene Amand (inventor); Soc P Navarre & Fils (grantee). Issued 3-23-26.
1,578,258. Means for generating high frequency currents. Biondel Andre et al, Touly Marcel (inventors). Issued 3-30-26.
1,578,268. Variable speed transmission. De Lavaud Dimitri Sensaud (Inventor). Issued 3-30-26.
1,578,308. Suspension for vehicles. Amedee Mannheim Charles (inventor). Issued 3-30-26.
1,578,358. Electric lamp for cinematographic apparatus. Penin Emile Christian (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 3-30-26.
1,578,471. Lubrication of internal combustion engines. Saives Leon (inventor); Renault Louis (grantee). Issued 3-30-26.
1,578,751. Apparatus for producing hooping effects in metal tubes of great strength. Methiln Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 3-30-26.
1,578,753. Elastic steering wheel for motor vehicles. Ostheimer Fred R (inventor) Issued 3-30-26.
1,579,027. Process for the manufacture of tools or implements. Paillonc y Armand (inventor). Issued 3-30-26.
1,579,090. Process for the treatment of molasses and sugary juices with a view to the recovery of the sugar. DeGuide Camille (inventor). Issued 3-30-26.
1,579,287. Sparking advance control device for explosion engines. Duten Maurice (inventor). Issued 4-6-26.
1,579,335. Gas producer for self propelled vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 4-6-26.
1,579,345. Plate carrying frame for photographic apparatus. Baille Jean Louis (inventor); Soc Baille Lemaire et Fils (grantee). Issued 4-6-26.
1,579,396. Automatic machine for manufacturing blown glass articles. Rolrant Emile (inventor); S A D Etude et de Constructions, D Appareils Mechaniques Pour la Verrerie (grantees). Issued 4-6-26.
1,579,399. Machine for treating cinematographic films. Salins Georges Augustin (inventor); Pathe cinema Anciens Etablissements, Pathe Freres (grantees). Issued 4-6-26.
1,579,413. Sterilizing substance for toothbrushes and similar articles. Thesee Victor Julien Marie (inventor). Issued 4-6-26
1,579,441. Toy vehicle. Falke Louis Francois Augustin (inventor). Issued 4-6-26
1,579,735. Pipe. Ropp Eugene (inventor). Issued 4-6-26.
1,580,011. Vehicle wheel with cooling disk Bugatti Ettore (inventor). Issued 4-6-26
1,580,076. Machine for bead manufacture Paisseau Jean (inventor). Issued 4-6-26
1,580,202. Percussive tool. Jaffrennou Guillaume Marie (inventor). Issued 4-13-26
1,580,482. Process and device for the production of producer gas used for propelling vehicles. Goulet Jean (inventor); S A Soc Francaise de Materiel, Agricole & Industriel (grantees). Issued 4-13-26.
1,581,012. Obtaining by a single operation a correct exposure of plates and cylinders comprising half tones accompanied by text or line drawings for hello engraving. Philippe Lucien Leon et al, Lugrnbuhl Hans (inventors). Issued 4-13-26.
1,581,204. Self priming centrifugal pump Hariveau Paul (inventor). Issued 4-20-26
1,581,340. Manufacture of vaccines. Goldenberg Lucien (inventor). Issued 4-20-26.
1,581,545. Process of preventing incrustation of pipes. Prache Charles (inventor) Issued 4-20-26.
1,581,591. Water heating system. Mareau Henri (inventor). Issued 4-20-26
1,581,893. Grubbing up of such plants as flax and the like. Versnaeyen Adrien (inventor). Issued 4-20-26.
1,581,894. Dial for the transfer implements in machines for knitting welted and other fabrics. Vico Jean Baptiste (inventor). Issued 4-20-26.
1,581,916. Method of damping oscillations in leaf springs for vehicle suspension and other purposes. Broussouse Fernand Louis (inventor). Issued 4-20-26.
1,581,965. Machine for making wire fabric Lebosse Albert Francois et al, Guyon Yves, Marty Rene Henri Charles (inventors). Issued 4-20-26.
1,581,989. Pipe. Tabenau David (inventor). Issued 4-20-26.
1,582,030. Pianoforte. Focke Henri et al, Marin Frederic (inventors). Issued 4-27-26
1,582,032. Motion picture apparatus. Gaurat Pierre Sylvain (inventor); Pathe Cinema Anciens, Etablissements Pathe Freres (grantees). Issued 4-27-26
1,582,049. Sound recording process. Johnson Francis Morton et al, Faucon Adolphe (inventors). Issued 4-27-26.

1,582,065. Motion picture apparatus. Marette Jacques (inventor); Pathe Cinema Anciens, Etablissements Pathe Frerers (grantees). Issued 4-27-26.
1,582,239. Control of carburetors for internal combustion engines. Barbarou Marius Jean Baptiste (inventor). Issued 4-27-26.
1,582,322. Control of belt tension in paper machines. Warren Francis W (inventor). Issued 4-27-26.
1,582,323. Tension roll bearing. Warren Francis William (inventor). Issued 4-27-26.
1,582,329. Belt buckle. Baer Ernest Rene (inventor). Issued 4-27-26.
1,582,477. Steering arrangement for light motor vehicles. Lafitte Theodore (inventor). Issued 4-27-26.
1,582,641. Trawling gear. Danielou Rene Louis Marie et al, Verhoeven Jacquise Jules (inventors); Vigneron Dahl and Cie (grantee). Issued 4-27-26.
1,582,710. Trawling gear. Vigneron Jean Baptiste Joseph Alphonse (inventors). Issued 4-27-26.
1,582,736. Device for raising carriage and other windows. Cousinard Albert (inventor). Issued 4-27-26.
1,582,763. Internal combustion engine. Lafitte Theodore (inventor). Issued 4-27-26.
1,582,775. Process for the preparation of hydroxy aliphatic arsonic acids. Occhslin Carl (inventor); Etablissements Poulenc Freres (grantee). Issued 4-27-26.
1,582,776. Process for the preparation of substituted aliphatic arsonic acids. Occhslin Carl (inventor); Etablissements Poulenc Freres (grantee). Issued 4-27-26.
1,582,779. Knitting machine of the raschel or chaine type. Philippe James Eugene (inventor). Issued 4-27-26.
1,582,831. Cement roasting apparatus. Lanhoffer Ivan Emile (inventor). Issued 4-27-26.
1,582,908. Log sawing machine. Drouet Albert (inventor); S A Margcol (grantee). Issued 5-4-26.
1,582,935. Bearing. Schneider Eugene (inventor); Schneider and Cie (grantee). Issued 5-4-26.
1,583,009. Fire brick panel. Reille Jean Rene Charles, Francois Xavier (Inventors). Issued 5-4-26
1,583,048. Separating device operating by centrifugal force. Karpinsky Stephan et al, Anderson James Stewart (Inventors). Issued 5-4-26
1,583,162. Apparatus for the application of hydraulic pressure to the interior of a tube being shaped by the self hooping process. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 5-4-26
1,583,229. Method of manufacture of articles in fused silica. George Henri (inventor); S A Quartz and Silice (grantee). Issued 5-4-26
1,583,239. Closed road motor vehicle body. Weymann Charles Terres (inventor). Issued 5-4-26.
1,583,248. Process for bottom casting. Durville Pierre Henri Gaston (inventor). Issued 5-4-26.
1,583,359. Stabilizer for the straight travel of aircraft. Mazade Maurice Alexandre (inventor). Issued 5-4-26.
1,583,429. Single working chamber turbo-pulverizer. Stein Charles M (inventor); S A La Combustion Rationnelle (grantee). Issued 5-4-26.
1,583,436. Furnace for the combustion of fuel. Atkinson James S (inventor); S A des Appareils de Manutention and Fours Stein (grantees). Issued 5-4-26.
1,583,530. Clutch mechanism. De Lavaud Dimitri Sensaud (inventor). Issued 5-4-26.
1,583,531. Variable speed power transmission. De Lavaud Dimitri Sensaud (inventor). Issued 5-4-26.
1,583,532. Power transmission mechanism. De Lavaud Dimitri Sensaud (inventor). Issued 5-4-26.
1,583,628. Coupling and entraining device forming a speed regulator. Vullierme Marcel (inventor). Issued 5-4-26.
1,583,858. Gun mounting laying and sighting arrangement for artillery on aeroplanes. Schneider Eugene (inventor); Schneider & Cie (grantee). Issued 5-11-26.
1,584,170. Loud speaking electromagnetic receiver. Gaumont Leon (inventor); Soc des Etablissements Gaumont (grantee). Issued 5-11-26.
1,584,192. Corrector for fire control systems. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 5-11-26.
1,584,333. High speed electric machine. Leblanc Charles Leonard Armand Maurice (inventors); S. A. Pour l Exploitation des Procedes Maurice Leblanc Vickers (grantees). Issued 5-11-26.
1,584,410. Pocket vaporizer or spray apparatus. Vendome Raoul et al, Marcoux Henri (inventors); Franck Marcel (grantees). Issued 5-11-26.
1,584,898. Rotary molding machine. Ronceray Eugene Victor (inventor). Issued 5-18-26.
1,585,049. Supporting truck for endless track belts. Kegresse Adolphe (inventor). Issued 5-18-26.
1,585,100. Load distributing device for endless track vehicles. Kegresse Adolphe (inventor). Issued 5-18-26.
1,585,113. Respirator for gas masks. Robert Remy Jules (inventor); La Soc d Etudes et de Construction de Materiel de Protection Siege Social (grantees). Issued 5-18-26.
1,585,156. Shock absorber. La Forge Pierre (inventor). Issued 5-18-26.
1,585,157. Rotary pump. Drevet Claude Marius (inventor). Issued 5-18-26.
1,585,206. Asynchronous motor. Perret Joseph (inventor); Forges & Ateliers de Constructions Electriques de Jeumont S A (grantees). Issued 5-18-26.
1,585,242. Oil break electric switch. Charpentier Paul (inventor); Forges & Ateliers de Constructions Electriques de Jeumont (grantees). Issued 5-18-26.
1,585,318. Collapsible packing case. Chapotat Emile (inventor). Issued 5-18-26.
1,585,611. Extension arrangement for the propeller shafts of aviation engines. Heinrich Jean Marie (inventor); Soc des Moteurs Salmson Systeme Canton Unne grantees). Issued 5-18-26.
1,585,835. Automatic weighing apparatus. Durand Paul (inventor). Issued 5-25-26.
1,585,849. Means for connecting electric cables to carbon brushes or the like. Ginotre Eugene (inventor); S A le Carbone (grantee). Issued 5-18-26.
1,585,985. Lubricating arrangement for motors. Heinrich Jean Marie (inventor); Soc des Moteurs Salmson Systeme Canton Unne (grantees). Issued 5-25-26.
1,586,006. Device for injecting pulverizing and vaporizing fuel in internal combustion engines. Rochefort Francois (inventor). Issued 5-25-26.
1,586,042. Lime treatment of skins. Bourguignon Maurice (inventor); Soc du Feutre (grantee). Issued 5-25-26.
1,586,092. Machine for making hat shapes. Leick Nicolas (inventor); Soc Leroy & Cie the (grantee). Issued 5-25-26.
1,586,105. Pipe coupling. Moulet Jean Louis Leon Alexandre Albert (inventors). Issued 5-25-26.
1,586,190. Body for motor vehicles. Fontan Andre Lewis (inventor); Delage & Cie (grantee). Issued 5-25-26.
1,586,228. Automatic valve with flexible blades for high speed pumps. Tartrais Eugene Henri (inventor). Issued 5-25-26.
1,586,385. Method and apparatus for coating confections. Savy Emile Louis Alfred (inventor). Issued 5-25-26.
1,586,386. Confection coating apparatus. Savy Emile Louis Alfred (inventor). Issued 5-25-26.
1,586,406. Process for the insulation of accumulator plates of different polarities. Caillard Leon (inventor). Issued 5-25-26.
1,586,461. Life guard for motor vehicles. Padovani Francois (inventor). Issued 5-25-26.
1,586,462. Support serving as core for beads during their manufacture. Paisseau Jean (inventor). Issued 5-25-26.
1,586,599. Vertical heating furnace. Bohler Ernst (inventor). Issued 6-1-26.
1,587,020. Method of making wheel rims. Michelin Andre Jules (inventor). Issued 6-1-26.
1,587,364. Momentum brake for railway vehicles. Boirault Louis (inventor). Issued 6-1-26.
1,587,372. Loud speaking telephone. Franses Samuel Moise (inventor). Issued 6-1-26.
1,587,415. Motion picture projecting apparatus. Rebillon Ernst Louis Victor et al, Adam Rene (inventors). Issued 6-1-26
1,587,594. Wheel for locomotives and other purposes. Leonard Nestor (inventor). Issued 6-8-26.
1,587,645. Control of electric motors. Higuet Robert (inventor); La Traction Electrique Rationnelle (grantee). Issued 6-8-26.
1,587,763. Control device for talking machines. De Wrangel Mathieu (inventor). Issued 6-8-26.
1,587,789. Flotation of ores. Moise Harry W. (inventor); Cie Du Boleo A Corps of France (grantee). Issued 6-8-26.
1,587,800. Centrifugal purifying apparatus for lubricating oil. Saives Leon (inventor). Issued 6-8-26
1,587,814. Nonslipping device for vehicle wheels. Blum Charles (inventor). Issued 6-8-26.
1,587,815. Apparatus for use in mounting slotting and like tools. Boas Andre (inventor) S A des Engrenages Citroen The (grantee) Issued 6-8-26.
1,587,821. Articulator. Darcissac Marcel Paul (inventor). Issued 6-8-26.
1,587,923. Wheel for motor vehicles. Rouanet Louis (inventor); Cie D Applications Mecaniques The (grantee) Issued 6-8-26.
1,588,097. Stenographic machine. Dold Victor Charles (inventor). Issued 6-8-26.
1,588,103. Manufacture of rubber and cork articles. Grimoin Sanson Raoul (inventor). Issued 6-8-26.
1,588,286. Control mechanism. Weismann Charles (inventor). Issued 6-8-26.
1,588,305. Disk clutch. Buisson Eugene (inventor). S A Francaise Du Ferodo (grantee). Issued 6-8-26.
1,588,607. Process for rendering a porous powder impermeable to liquids. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 6-15-26.
1,588,608. Galvanic battery. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 6-15-26.
1,588,623. Automobile electric lighting system. Scherer Benoit (inventor). Issued 6-15-26
1,588,761. Method of making a brazing stick. Ligot Albert Joseph (inventor); Soc Des Plaques et Poudres a Souder (grantee). Issued 6-15-26.
1,588,845. Radiator. Lamblin Alexandre (inventor). Issued 6-15-26.
1,589,273. Machine for making bolts pins spindles valves and the like. Vaurs Baptiste (inventor). Issued 6-15-26
1,589,346. Lay actuated bobbin changing device. Antoine Auguste (inventor). Issued 6-22-26.

1,589,504. Apparatus for obtaining vitamines. Agopian Levon Arakel (inventor). Issued 6-22-26.

1,589,517. Resilient padding. Desmarquoy Leon Emmanuel Bruno (inventor). Issued 6-22-26.

1,590,073 Apparatus for distributing liquids by rotary spindles. Birkigt Marc (inventor) Issued 6-22-26.

1,590,123 Method of and machine for forming seamless tubing. Riebe Edgar C (inventor). Issued 6-22-26.

1,590,427. Speed change mechanism. De Lavaud Dimitri Sensaud (inventor). Issued 6-29-26.

1,590,501 Sporting gun cartridge plug. Deschiens Victor (inventor); Esteban Reynolds Joseph Francois (grantee). Issued 6-29-26.

1,590,531. Apparatus for the hydraulic unloading of material. Lemaitre Paul Joseph (inventor). Issued 6-29-26.

1,590,532. Method and arrangement for the examination and the regulation of optical systems. Lenouvel Leon (inventor). Issued 6-29-26.

1,590,540. Constant pressure boiler. Oddon Jean Emile (inventor). Issued 6-29-26.

1,590,581. Heating apparatus. Irle Rene Auguste (inventor). Issued 6-29-26

1,590,697. Manufacture of titanic and zinc compounds. Pipereaut Pierre et al, Helbronner Andre (inventors). Issued 6-29-26

1,590,770. Device for photographing titles upon cinematographic films. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 6-29-26.

1,590,782. Transparent dope and process for the manufacture of the same. Tesse Theodore Francois (inventor); Tesse Theodore Francois, Soc Nauton Freres & De Marsac (grantees). Issued 6-29-26.

1,590,783. Aeroplane fabric and process of coating the same. Tesse Theodore F (inventor). Issued 6-29-26.

1,591,144 Elastic suspension for automobiles. Rousseau Louis Frederic (inventor). Issued 7-6-26.

1,591,283. Pulverizing machine. Charton Edmond et al, Mongereau Pierre Maurice (inventors). Issued 7-6-26.

1,591,360. Process of and apparatus for determining the elastic properties of plastic materials. Chopin Marcel (inventor); Soc D Exploitations de Brevets et D Applications Industrielles (grantees). Issued 7-6-26

1,591,436. Machine for the automatic coloring of films. Salins Georges Augustin (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 7-6-26.

1,591,456. Band saw guide. Knecht Henry (inventor). Issued 7-6-26.

1,591,470 Reduction of ores with continuous regeneration and transformation of the residual gas produced during reduction into fresh reducing gas. Constant Georges et al, Bruzac Andre (inventors). Issued 7-6-26

1,591,877. Distance Finder. Nectoux Andre Francois (inventor); Soc Des Lunetiers (grantee). Issued 7-6-26

1,591,958 Process of producing arsenate of lime Bidaud Florentin (inventor); Soc Chimique des Usines du Rhone (grantee). Issued 7-13-26

1,592,093 Pipe union. Foucault Jacques (inventor). Issued 7-13-26.

1,592,097 Drawing roller. Gegauff Charles (inventor). Issued 7-13-26.

1,592,112 Refining Lamy Torrilhon Hippolyte Marcel (inventor). Issued 7-13-26.

1,592,222 Electric battery cell. Oppenheim Rene (inventor). S A Le Carbone (grantee) Issued 7-13-26

1,592,715 Braking device Birkigt Marc (inventor). Issued 7-13-26

1,592,730. Wattmeter of the induction type. Fichter Rene Marcel (inventor). Issued 7-13-26.

1,592,755. Method of manufacture of light front axles for motor vehicles. Bugatti Ettore (inventor). Issued 7-13-26.

1,593,054. Furnace for glass manufacture. Arbeit Pierre (inventor); Manufactures des Glaces & Produits, Chimiques de St. Gobain Chauny & Cirey (grantees). Issued 7-20-26.

1,593,089. Apparatus for indicating the course of aircraft. Marcelin Andre Jules (inventor). Issued 7-20-26.

1,593,422. Internal combustion, engine radiator Botali Gaston Francois (inventor); Lamblin Alexandre (grantee). Issued 7-20-26.

1,593,448 Apparatus for carbonizing coal. Hayes Charles (inventor). Issued 7-20-26.

1,593,449. Carbonizing process. Hayes Charles (inventor). Issued 7-20-26.

1,593,485 Antiseptic product. Crosnier Georges Eugene Edme (inventor). Issued 7-20-26.

1,593,788 Process for quick retting of flax hemp and other textile plants. Austerweil Geza et al, Peufaillit Louis (inventors). Issued 7-27-26.

1,593,888. Lubricating appliance. Trinquart Louis Gaston (inventor). Issued 7-27-26.

1,593,967. Method for exposing and projecting cinematographic films. Debrie Andre Leon Victor Clement (inventor). Issued 7-27-26.

1,593,982. Process for the manufacture of perylene. Marschalk Charles Henri (inventor). Issued 7-27-26.

1,593,986. Device for anchoring screws and nails in wall cavities. Poirier Rene Eugene (inventor). Issued 7-27-26.

1,594,084. Latch for doors of motor cars. Weymann Charles Torres (inventor). Issued 7-27-26.

1,594,109. Operating and locking device for pivoting panels. Rodanet Charles Hilaire Henri (inventor); Weymann Charles Torres (grantee). Issued 7-27-26.

1,594,250. Miner's incandescent safety lamp. Ferrette Louis Ernest Francois (inventor). Issued 7-27-26.

1,594,272 Fastening device for doors of motor vehicles. Salin Rachel nee Levy (inventor). Issued 7-27-26.

1,594,389. Process for retting or steeping flax and other vegetable fibers. Theilier Henri (inventor); Soc Pour l Application Industrielle des Brevets Peufaillit (grantees). Issued 8-3-26.

1,594,782. Combined control for purifying selecting sorting and like drums. Lamort Ernest et al, Lamort Marcel (inventors). Issued 8-3-26.

1,594,820. Washing machine. Didion Eugene (inventor). Issued 8-3-26.

1,594,838. Dust cap. Kegresse Adolf E (inventor). Issued 8-3-26.

1,594,895. Control device for the film gates in motion picture apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 8-3-26.

1,595,042 Metallic construction of surfaces or parts of aeroplanes or the like. Wibault Michel Henry Marie Joseph (inventor); S. A. des Avions Michel Wibault (grantee). Issued 8-3-26.

1,595,293. Traction installation with direct current motor. De Saint Martin Jacques Paul Antoine Minette (inventor); La Traction Electrique Rationnelle (grantee). Issued 8-10-26.

1,595,425. Grate for gas producers furnaces and the like. Sauvageot Jean (inventor). Issued 8-10-26.

1,595,997. Optical apparatus containing nlms. Cocanari Silvio (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 8-17-26.

1,596,012. Motion picture projection apparatus Gauriat Pierre Sylvain (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 8-17-26

1,596,016. Apparatus for coating the internal wall of preserve boxes or tins with metal foil or paper. Guillemin Jacques Jules Joseph (inventor). Issued 8-17-26

1,596,052 Scavenger for water of condensation. Legrand Jean Baptiste, Theophile Adrien (inventors); Soc. Adrien Legrand et Cie (grantee). Issued 7-17-26.

1,596,084. Toy firing device for children's use. Davidson Eric (inventor). Issued 8-17-26.

1,596,238. Variable power transmission. De Lavaud Dimitri Sensaud (inventor). Issued 8-17-26.

1,596,325. Process for the separation of orthochlorotoluene and parachlorotoluene. Wahl Andre Raoul (inventor); S. A. des Matieres Colorantes et Produits Chimiques de Saint Denis (grantees). Issued 8-17-26.

1,596,481. Illuminating device for cinematographic projection apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 8-17-26.

1,596,517. Coupling device for automobile self starters and dynamos. Dutreux Auguste (inventor); S. A. Pour L. Equipement Electrique des Vehicles (grantees). Issued 8-17-26.

1,596,599. Free wheel clutch. De Lavaud Dimitri Sensaud (inventor). Issued 8-17-26.

1,596,669. Reenforcement. Ligonnet Eugene (inventor). Issued 8-17-26.

1,596,670. Combination lock. Linlaud Guillaume (inventor). Issued 8-17-26.

1,596,745. Yielding connection between two pieces of fabric leather etc. Lindauer Jules (inventor). Issued 8-17-26.

1,596,936. Case or holder for maps and plans. Mengden Georges (inventor). Issued 8-24-26.

1,596,949. Page end indicator for typewriting machines. Seigneur Adalbert (inventor). Issued 8-24-26.

1,597,570. Method of making coal briquettes of anthracitic quality from immature carboniferous substances. Beaudequin Jacques (inventor). Issued 8-24-26

1,597,571. Process for manufacturing briquettes. Beaudequin Jacques (inventor). Issued 8-24-26.

1,597,689. Diaphragm fuel pump. Moulet Jean Louise Leon Alexandre Albert (inventor). Issued 8-31-26.

1,597,690. Gasoline pump. Moulet Jean Louis Leon Alexandre Albert (inventor). Issued 8-31-26.

1,597,831. Brake for rail vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 8-31-26.

1,598,006. Door closing and fastening apparatus. Perlat Victor Alexandre (inventor); Soc. En. Nom. Collectif G. Moreux & Cie (grantee) Issued 8-31-26.

1,598,066. Reserve thread mechanism for self acting spinning mules. Dupont Rene Abel (inventor). Issued 8-31-26.

1,598,141. Apparatus for testing textiles and like materials. Lahousse Joseph Edouard Gustave (inventor); Soc Chimique Des Usines Du Rhone (grantee). Issued 8-31-26

1,598,268 Electric propulsion of ships and other vehicles. De Coninck Marcel (inventor). Issued 8-31-26.

1,598,370 Manufacture of phosphoric esters of polyhydric alcohols. Goissedet Paul Emile et al, Husson Andre Louis (inventors); Soc Chimique Des Usines Du Rhone (grantee). Issued 8-31-26.

1,598,521. Muffler. Hazeltine Robert H (inventor). Issued 8-31-26.

1,598,547. Method of removing tar from the vapors arising from the carbonization of wood. Barbet Emile Augustin (inventor) Issued 8-31-26

1,598,548 Refining alcohol. Barbet Emile Augustin (inventor). Issued 8-31-26

1,598,586. Electric apparatus serving as a dynamo or motor and as an engine starter. Lanquetin Leon (inventor); Soc Etablissements Ducellier (grantee). Issued 8-31-26.

1,599,061. Dry battery or battery with a solidified electrolyte. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 9-7-26.

1,599,099. Device for obtaining a tight and rapid connection with lubricators. Muller Jacques (inventor). Issued 9-7-26.

1,599,444 Process for the preparation of new derivatives of naphthoquinone. Wahl Andre et al, Lantz Robert (inventors); S A Des Matieres Colorantes Et Produits Chimiques De Saint Denis (grantee). Issued 9-14-26.

1,599,457 Fuel burner. Chaleil Paul Alexis (inventor); Soc Rateau (grantee). Issued 9-14-26.

1,599,466. Motion amplifying device. Courdou Charles Edouard Pierre (inventor). Issued 9-14-26.

1,599,484. Film holding device. Penin Emile Christian (inventor); Pathe Cinema anciens Etablissements Pathe Freres (grantee). Issued 9-14-26.

1,599,508 Purification of cellulose ethers. Altwegg Jean et al, Maillard Charles Antoine (inventors); Soc Chimique Des Usines Du Rhone (grantee). Issued 9-14-26.

1,599,578. Blower for fuel burners. Maze Pierre (inventor). Issued 9-14-26.

1,599,839 Device for obtaining a pronounced impression of relievo with ordinary cinematographic view taking & projecting apparatus. Rignon Joseph Albert (inventor). Issued 9-14-26.

1,599,869. Process of manufacturing aluminum alloy. Berthelemy Pierre et al, De Montby Henry (inventors). Issued 9-14-26.

1,599,984. Device for the lateral maintenance of the lifting rods of forging hammers to prevent their distortion Bugatti Ettore (inventor). Issued 9-14-26.

1,599,993. Print wrapping machine. Duplay Jean Marcel Regester (inventor). Issued 9-14-26.

1,600,084. Hand propelled boat. Adolph Joseph Gustave (inventor). Issued 9-14-26.

1,600,099. Calendar. De Jongh Philippe Joseph (inventor). Issued 9-14-26.

1,600,105. Power generating device. Fonkiewicz Joseph (inventor). Issued 9-14-26.

1,600,121. Mercury stabilizer for aeroplanes airships & other aircraft. Mazade Maurice Alexandre (inventor). Issued 9-14-26.

1,600,184 Loom for weaving double pile fabrics Lafond Louis (inventor). Issued 9-14-26.

1,600,200 Carding machine. Fievet Eugene (inventor). Issued 9-14-26.

1,600,917. Automatic liquid weighing machine Willaime Georges Louis (inventor). Issued 9-21-26.

1,600,923. Photographic film for color photography. Berthon Rodolphe (inventor); Soc Du Film K D B (grantee). Issued 9-21-26.

1,600,938. Automatic tabulator. Garda Enrico (inventor). Issued 9-21-26.

1,601,029. Process for joining concrete tubes. Ligonnet Eugene (inventor). Issued 9-28-26.

1,601,247. Apparatus for the production and maintenance and utilization of vibratory motion. Garbarini Andre (inventor). Issued 9-28-26.

1,601,355. Heat exchanger. Esbran Marcel Eugene (inventor); Firage Et Ventilation Mechaniques (grantee). Issued 9-28-26.

1,601,523. Apparatus for the manufacture of articles in silica glass. George Henri (inventor); S A Quartz & Silice (grantee). Issued 9-28-26.

1,601,627. Medicine bottle. Julliard Maurice (inventor). Issued 9-28-26.

1,601,649. Pedal with double pivot joint. Schaeffer Charles (inventor); S A Des Anciens Etablissements Paphard & Lavassor (grantee). Issued 9-28-26.

1,601,864 Apparatus for the projection of microscopic images. Leroux Paul Henri Robert (inventor). Issued 10-5-26.

1,601,893. Trawling gear. Vigneron Jean Baptiste Joseph Alphonse (inventor); Vigneron Dahl & Cie (grantee). Issued 10-5-26.

1,602,029 Process of treating protein material. Krempf Armand (inventor); Soc Civile D Etudes Des Produits De La Mer (grantee). Issued 10-5-26.

1,602,058. Two stroke internal combustion engine. Violet Marcel Achille (inventor). Issued 10-5-26.

1,602,147. Refrigerating apparatus Delaygue Charles (inventor). Issued 10-5-26.

1,602,148. Refrigerating apparatus. Delayque Charles (inventor). Issued 10-5-26

1,602,154. Apparatus for insuring intimate admixture of pulverulent or granular matter and a liquid product. Hideux Georges (inventor); Soc D Exploitation Des Procedes Hidoux (grantee). Issued 10-5-26.

1,602,251. Process and apparatus for taking cinematographic views and films obtained thereby. Quidor Auguste Joseph et al, Herubel, Marcel Adolphe (inventors). Issued 10-5-26

1,602,273 Refractory products and their manufacture. Le Coultre Frederic Charles Fridtjof (inventor); Soc D Etude Des Agglomeres (grantee). Issued 10-5-26.

1,602,278. Cutting match sticks. Mange Frederic (inventor). 10-5-26.

1,602,282. Self hooping of metal tubes. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 10-5-26.

1,602,755. Metallic propeller with adjustable pitch and detachable blades. Deflage Gustave (inventor); S A Nieuport Astra (grantee). Issued 10-12-26.

1,602,857 Hydraulic molding machine. Roncerry Eugene Victor (inventor). Issued 10-12-26

1,602,980. Easel for field use convertible into an easel carrying a sunshade. Jacque Louis Gaston (inventor). Issued 10-12-26.

1,603,006. Heat generator. Genevee Pierre Emile Marie (inventor). Issued 10-12-26.

1,603,453. Resilient wheel for vehicles. Coste Jean Francois Pascal (inventor). Issued 10-19-26

1,603,458. Machine for testing sheet metal for drawing purposes. Guillery Rene (inventor). Issued 10-19-26.

1,603,472 Manufacture and extraction of nitrogenous products from products of vegetable origin Kahn Maurice (inventor). Issued 10-19-26.

1,603,522. Apparatus for stretching fabrics in sheets to be subjected to wet treatment. Dillier Sebastien (inventor). Issued 10-19-26.

1,603,658. Apparatus for the automatic playing of violins or other stringed musical instruments played with bows. Aubry Emile et al, Boreau Gabriel (inventors). Issued 10-19-26

1,603,659. Internal combustion engine. Breguet Louis (inventor); S A des Ateliers D Aviation Louis Breguet (grantee). Issued 10-19-26.

1,603,961. Process for the production of briquetted fuel with asphaltic bitumens as binders. Llals Lucien (inventor). Issued 10-19-26.

1,604,320. Operating device for the braking of motor driven vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 10-26-26.

1,604,485. Apparatus for the printing of cinematographic films. Salins Georges Augustin (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 10-26-26.

1,604,535. Brake device for the front wheel of road vehicles. Saunion Lucien (inventor). Issued 10-26-26.

1,604,572. Bookkeeping device. Hausheer Max (inventor). Issued 10-26-26.

1,604,697 Draft bar for tractors and trailers. Kegresse Adolphe (inventor). Issued 10-26-26.

1,604,883. Pantograph Deve Charles (inventor). Issued 10-26-26.

1,604,891. Perforating machine Edes Frederick Harry et al, Duchard Henri Maurice (inventors); Duchard Henri Maurice (grantee). Issued 10-26-26.

1,605,220. Appliance for housing and handling motor cars. Cuvillier Lucien et al, Stern Hubert (inventors). Issued 11-2-26.

1,605,600. Molding press to make molder blocks. Metz Charles et al, Schoenbacher Georges (inventors). Issued 11-2-26

1,605,744 Latch. Lievre Gaetan P (inventor). Issued 11-2-26.

1,606,093. Elastic suspension for the rear fork of a bicycle Mohin Abel (inventor). Issued 11-9-26.

1,606,264. Double ignition arrangement for explosion motors. Saives Leon (inventor). Issued 11-9-26.

1,606,276. Apparatus and method for the production of incandescent lamps. Vello Leopoldo Sanchez (inventor). Issued 11-9-26.

1,606,322. Rotary drying or torrefying apparatus. Scrive Paul (inventor). Issued 11-9-26.

1,606,326. Electric cell. Street Ernest Auguste George (deceased) et al, Street Janetta Amelia (bern Ritchie) (administratrix) (inventor); S A Le Carbone (grantee). Issued 11-9-26.

1,606,378. Straight bar knitting machine. Noble Emile Arsene (inventor); S A des Etablissements Delostal Freres (grantee). Issued 11-9-26.

1,606,386. Plate spring for vehicles. Rouanet Louis (inventor); Cie d'Applications Mecaniques (grantee). Issued 11-9-26.

1,606,624. Manufacture of a symmertical ureide of meta aminobenzoyl meta amino methylbenzoyl 1 naphthylamino 4, 6, 8, trisuphonate of sodium. Fourneau Ernest et al, Trefouel Jacques C (inventors); Etablissements Poulenc Freres (grantee). Issued 11-9-26.

1,606,683. Brake control mechanism. Athimon Francis (inventor). Issued 11-9-26.

1,606,690. Bearing for propeller shafts for motor vehicles. Bouton Georges Thadee (inventor); Etablissements de Dion Bouton S A (grantee). Issued 11-9-26.

1,606,958. Variable condenser with small loss. Picard Edmond (inventor). Issued 11-16-26.

1,607,117. Method of repairing rail joints. Delachaux Clarence L (inventor). Issued 11-16-26

1,607,118. Method of and apparatus for repairing the ends of rails by the alumino thermic process. Delachaux Clarence L (inventor). Issued 11-16-26.

1,607,173. Internal combustion engine. Saives Leon (inventor); Renault Louis (grantee). Issued 11-16-26

1,607,291. Process for the recovery of the rubber and cotton contained in used motor car pneumatic tires. Merle Raymond (inventor). Issued 11-16-26.

1,607,293. Condensation product of acrolein and process of producing the same Moureu Charles et al, Dufraisse Charles (inventors). Issued 11-16-26.

1,607,346 Air cooled engine cylinder. Heinrich Jean Marie (inventor); Soc des Moteurs Salmson Systeme Canton Unne (grantee) Issued 11-16-26.

1,607,688. Telescope of the right angled type with fixed eyepiece and movable objective chiefly applicable to the observation of aerial objects. Perrin Jean Baptiste et al, Marcelin Andre Jules (inventors). Issued 11-23-26.

1,607,705. Stamping and registering or counting apparatus. Tiranty Philippe Henri Louis et al, Conti James Tiburce Felix (inventors). Issued 11-23-26.

1,607,747. Spark plug employed chiefly for super compression engines. Pognon Maurice (inventor). Issued 11-23-26.
1,607,868. Automatic switch for distant control. Chauveau Louis Lucien Eugene (inventor). Issued 11-23-26.
1,607,919. Self propelled vehicle. Sauves Leon (inventor); Renault Louis (grantee). Issued 11-23-26.
1,608,197. Joint for pipes and the like. Blanc Leon (inventor). Issued 11-23-26.
1,608,288. Process of manufacture of calcium arsenate. Altwegg Jean (inventor); Soc Chimique des Usines du Rhone (grantee). Issued 11-23-26.
1,608,365. Preventing loss of volatile liquids. Bregeat Jean Henry (inventor). Issued 11-23-26.
1,608,553. Torque limiting device for clutches. Fleux Jean (inventor); S A des Appareils Fleux (grantee). Issued 11-30-26.
1,608,786. Electromagnetic device. Fery Charles Jean Victor (inventor). Issued 11-30-26.
1,608,846. Carburetor. Fauconnier Edouard et al, Simpere Albert (inventors). Issued 11-30-26.
1,608,862. Hair clip. Ribardiere Charles Emile (inventor). Issued 11-30-26.
1,609,154. Expressing press. Carteret Paul Adolphe (inventor). Issued 11-30-26.
1,609,183. Machine for cleaning fabrics and cutting the loose ends of weft threads at the selvages. Offroy Rene (inventor); Blondel Fils & Co (grantee). Issued 11-30-26.
1,609,284. Starting apparatus for internal combustion engines. Barbarou Marius Jean Baptiste (inventor). Issued 12-7-26.
1,609,304. Spool holder for braiding machine spindles. Perron Gustave (inventor). Issued 12-7-26.
1,609,305. Electrically operated automatic throwing out of gear mechanism for braiding machines. Perron Gustave (inventor). Issued 12-7-26.
1,609,503. Projection apparatus. Thuillant Robert (inventor). Issued 12-7-26.
1,609,659. Apparatus for producing artificial respiration. Panis Germain (inventor). Issued 12-7-26.
1,609,682. Protecting device against x rays and similar radiations. Angebaud Pierre Anne Marie Joseph (inventor). Issued 12-7-26.
1,609,684. Fishing winch or reel for casting. Bellon Louis Joseph Georges (inventor). Issued 12-7-26.
1,609,687. Electric meter. Brandt Charles Emil Jules et al Foulleret Emile Albert Fichter Rene Marcel (inventors). Issued 12-7-26.
1,609,712. Process for the destructive distillation of vinasses. Guignard Gaston Philippe Dec (inventor); Guignard Lemoine Bresser Admr Guignard Claude Andre Admr (grantees). Issued 12-7-26.
1,609,752. Tonneau windshield. Letourneur Jean Marie et al, Marchand Jean (inventors). Issued 12-7-26.
1,609,850. Closed road motor vehicle body. Weymann Charles Terres (inventor). Issued 12-7-26.
1,609,918. Heel for shoes. Perugia Andre (inventor). Issued 12-7-26.
1,609,976. Transmission of high tension currents. Viel Georges (inventor). Issued 12-7-26.
1,610,001. Delivery container. Foster Arnaud (inventor); Foster Arnaud Bellairs Nigel Adour Bellairs Hamon D Albin (grantees). Issued 12-7-26.
1,610,737. Double pivoted folding mirror. Chiefly for use as pocket or hand bag mirrors. Blandin Michel Charles (inventor). Issued 12-14-26.
1,610,921. Invalid vehicle. Borowski Edmond Jean et al, Viaud Charles (inventors). Issued 12-14-26.
1,611,082. Apparatus for cooling hydrocarbon gases and vapors at high temperatures. Seigle Adolphe Antoine Francois Marius (inventors). Issued 12-14-26.
1,611,118. Electromechanical apparatus serving as an electric generator and engine starting device. Lanquetin Leon (inventor); Soc Etablissements Ducellier (grantee). Issued 12-14-26.
1,611,353. Safety device for aeroplanes. Lepinte Albert (inventor). Issued 12-21-26.
1,611,494. Box small chest case and similar article. Strauss Raphael (inventor); S A Dite Etablissments Strauss Allard Meyer (grantees). Issued 12-21-26.
1,611,498. Motor car windscreen. Van Hoeserlande Leon (inventor). Issued 12-21-26.
1,611,531. Process for autoheterolysis of animal and vegetable substances. Kahn Maurice et al, Le Breton Elaine Schaeffer Georges (inventors); Soc Francaiso Des Produits Alimentaires Azotes (grantees). Issued 12-21-26.
1,611,535. Air bottle for cycles. Lacquit Georges (inventor). Issued 12-21-26.
1,611,659. Visual indicator. Mallvert Jules Eugene (inventor); S A Des Appareils J E Mallvert (grantees). Issued 12-21-26.
1,612,053. Air supply cooling for combustion engines. Restany Joseph Louis Lazare (inventor); Soc Rateau (grantee). Issued 12-28-26.
1,612,113. Electropneumatic hammer. Guenee Albert Charles James (inventor). Issued 12-28-26.
1,612,241. Grain separator. Viguerie Charles Jean Baptiste (inventor). Issued 12-28-26.
1,612,242. Grain separator. Viguerie Charles Jean Baptiste (inventor). Issued 12-28-26.
1,612,319. Steering wheel brake. Rouanet Louis (inventor); Cie D Applications Mecaniques (grantee). Issued 12-28-26.
1,612,368. Motion picture apparatus. Gaumat Pierre Sylvain (inventor); Pathe Cinema Anciens Etablissments Pathe Freres (grantees). Issued 12-28-26.
1,612,421. Suspension of automobiles and other vehicles. De Ram Georges Henri Ernest (inventor). Issued 12-28-26.
1,612,427. Radio warning system for use on vehicles. Flurscheim Harry (inventor). Issued 12-28-26.
1,612,488. Automatic recording meter for liquids. Carbonaro Marius Clement (inventor); Soc Hardoll (grantee). Issued 12-28-26.
1,612,500. Cam device. Ezbelent Georges et al Ezbelent Roger (inventors). Issued 12-28-26.
1,612,595. Ferrocerium lighter. Mage Raoul et al Bleuze Edmond (inventors). Issued 12-28-26.
1,612,628. Process for the manufacture of articles in silica glass. George Henri (inventor). S A Quartz & Silice (grantee). Issued 12-28-26.
1,612,631. Loom and in weaving process. Goupy Andre (inventor). Issued 12-28-26.
1,612,646. Machine for beating furs and other similar objects. Ort Antoine (inventor). Issued 12-28-26.
1,612,656. Hinge attachment. Salin Rachel nee Levy (inventor). Issued 12-28-26.
1,613,226. Two cycle internal combustion engine. Held Georges (inventor); Legrand Albert L (grantee). Issued 1-4-27.
1,613,249. Speedometer. Seguin Augustin (inventor). Issued 1-4-27.
1,613,472. Closing of jars bottles or the like. Maingonnat Eugene (inventor). Issued 1-4-27.
1,613,504. Rolling lift bridge. Dayde Rene et al, Dayde Jacques (inventors). Issued 1-4-27.
1,613,554. Reciprocating bed motion. Berthiez Charles (inventor). Issued 1-4-27.
1,613,719. Backplate for artificial teeth. Platschick Benvenuto (inventor). Issued 1-11-27.
1,613,720. Traveling lock for gun carriages. Rimailho Emile (inventor); Cie Des Forges et Acieries de la Marine et D Homecourt (grantees). Issued 1-11-27.
1,614,051. Car for roundabouts. Tottereau Andre (inventor). Issued 1-11-27.
1,614,352. Process for purifying enriching or refining crude graphite. Dumond Edmond Jean Eugene (inventor). Issued 1-11-27.
1,614,358. Sink. Gandillon Pierre Albert (inventor). Issued 1-11-27.
1,614,364. Combined drying and grinding machine for clay and other plastic materials. Hiddoux Georges (inventor); Soc D Exploitation Des Procedes Hidoux (grantee). Issued 1-11-27.
1,614,380. Forceps for use in the manufacture of plates used in dental prosthesis. Moisan Edmond (inventor). Issued 1-11-27.
1,614,408. Process and apparatus for the dyeing of bell shaped felt pieces employed in hat manufacture. Stoffel Fernand (inventor). Issued 1-11-27.
1,614,493. Apparatus for distributing fuel. Rochefort Francois (inventor). Issued 1-18-27.
1,614,630. Weight operated plate or sheet sorting machine. Petin Hector (inventor); Soc Etablissements J J Camaud and Forges De Basse Indre (grantee). Issued 1-18-27.
1,614,803. Centrifugal oil separator for use with heat engines. Perrier Daniel (inventor); Cie Industrielle Des Moteurs A Explosion C I M E (grantee). Issued 1-18-27.
1,615,063. Method of and apparatus for determining the shapes of airplane parts. Benard Georges Louis Oliver (inventor). Issued 1-18-27.
1,615,136. Syringe for local annesthesia. Raison Jean Louis (inventor). Issued 1-18-27.
1,615,293. Liquid fuel internal combustion engine. Tartrais Eugene Henri. Issued 1-25-27.
1,615,584. Sizing composition for coating purposes. Herve Fabrice Rene et al, Herve Maxime Herve Andre (inventors). Issued 1-25-27.
1,615,712. System of navigation and plant for carrying it out. Loth William Arthur (inventor); Soc Industrielle Des Procedes W A Loth (grantee). Issued 1-25-27.
1,615,770. Process for the preparation of pearl essence. Paisseau Jean (inventor). Issued 1-25-27.
1,615,848. Variable condenser. Picard Edmond (inventor). Issued 2-1-27.
1,615,886. Process of collecting glass by suction. Roirant Emile (inventor); S A D Etudes Et De Constructions D Appariels Mechaniques Pour La Verrerie (grantee). Issued 2-1-27.
1,615,907. Device for magazining match sticks for their transfer to finishing stages. Mange Frederic (inventor). Issued 2-1-27.
1,615,910. Instrument for massaging the gums. Nuyts Paul Erasme Emile (inventor). Issued 2-1-27.
1,616,021. Shock absorber. Arzens Joseph Emile (inventor). Issued 2-1-27.
1,616,115. Mud guard. Delange Auguste (inventor). Issued 2-1-27.
1,616,116. Unleakable and uninflammable gasoline tank. De Salamanca Marquis (inventor); Soc Electromecanique D Appareillage Pour L Essence (grantee). Issued 2-1-27.
1,616,309. Luminous electric sign. Ellis Frederick Harry et al, Duchard Henri Maurice (inventors); Duchard Henri Maurice (grantee). Issued 2-1-27.
1,616,310. Piston packing capable of resisting to a high temperature. Esnault Pelterie Robert (inventor). Issued 2-1-27.
1,616,311. Progressive change speed device. Esnault Pelterie Robert (inventor). Issued 2-1-27.
1,616,319. Process for the treatment of oleaginous seeds or oleaginous vegetable substances for the purpose of extracting the oil contained therein. Kammermann Georges (inventor). Issued 2-1-27.
1,616,335. Fuel injection device for internal combustion engines. Rochefort Francois (inventor). Issued 2-1-27.

1,616,504. Shock absorbing device for vehicles. Mulot Marcel Charles Ernest (inventor). Issued 2-8-27.
1,616,569. Time train. Benel Francois Ivan (inventor); Cie Industrielle De Mecanique Horlogere (grantees). Issued 2-8-27.
1,616,811. Condensing pump. Lemale Paul Charles (inventor). Issued 2-8-27.
1,616,930. Foldable comb. Strauss Charles (inventor). Issued 2-8-27.
1,617,205. Lubricating paddle for journal boxes. Eveno Georges (inventor). Issued 2-8-27.
1,617,208. Process and apparatus for the removal of oil from condensation waters. Gail Jean Baptiste et al, Adam Noel (inventors). Issued 2-8-27.
1,617,251. Fire extinguisher of the liquid type. Herbline Celestin (inventor). Issued 2-8-27.
1,617,323. Continuous feed cinematograph apparatus. Continsouza Victor et al, Combes Maurice (inventors). Issued 2-15-27.
1,617,646. Match stick conveying apparatus for use in connection with the manufacture of matches. Mange Frederic (inventor). Issued 2-15-27.
1,617,654. Means for cleaning sand filters of large surface. Sivade Andre (inventor). Issued 2-15-27.
1,617,745. Friction gripping means. Cousinard Albert (inventor). Issued 2-15-27.
1,617,965. Process for the manufacture of hydrogen. Rochet Joseph (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue (grantees). Issued 2-15-27.
1,618,310. Speedometer. Seguin Augustin (inventor). Issued 2-22-27.
1,618,487. Hair waving device. Sponcet Eugene Charles Adolphe (inventor). Issued 2-22-27.
1,618,540. Process of coating cement pipes. Ligonnet Eugene (inventor). Issued 2-22-27.
1,618,563. Production of coke and semicoke. Bascou Emile Baptiste Gustave (inventor); S A Des Petroles Houilles et Derives (grantee). Issued 2-22-27.
1,618,865. Distillation and carbonization retort and process of operating the same. Duplan Francis (inventor). Issued 2-22-27.
1,618,919. Mud guard for motor vehicles. Dauteuil Edouard Fernand (inventor). Issued 2-22-27.
1,619,016. Clarification of beverages. Duclaux Jacques (inventor). Issued 3-1-27.
1,619,047. Window glass guide for vehicles and the like. Weymann Charles Torres (inventor). Issued 3-1-27.
1,619,552. Speed reducing gear. Waseige Charles (inventor). Issued 3-1-27.
1,619,812. Tire for vehicle wheels. Develay Marie Nicolas Albert (inventor). Issued 3-8-27.
1,619,852. Solder for aluminum and its alloys. Conti Emile (inventor). Issued 3-8-27.
1,619,943. Clockwork mechanism. Lehwess Edouard Ernest (inventor). Issued 3-8-27.
1,620,323. Elastic axle for motor vehicles. Bugatti Ettore (inventor). Issued 3-8-27.
1,620,367. Sound purifying device. Lion Henry (inventor). Issued 3-8-27.
1,620,408. Feed strip for firearms. Sutter Charles (inventor); S. A. des Anciens Etablissements Hotchkiss & Cie (grantees). Issued 3-8-27.
1,620,460. Traction device for vehicle wheels. Guerrini Luigi (inventor); S. A. des Dispositifs D Adherence, Guerrini (grantee). Issued 3-8-27.
1,620,567. Apparatus for continuous extraction by pressure. Navarre Placide (inventor); Soc. Fraisse Freres, Soc. P. Navarre et Fils (grantees). Issued 3-8-27.
1,620,696. Explosive. Segay Adolphe (inventor). Issued 3-15-27.
1,620,769. Radiator. Lamblin Alexandre (inventor). Issued 3-15-27.

1,621,101. Shuttle provided with a hand or automatic threading device. Bourgeois Constant (inventor). Issued 3-15-27.
1,621,148. Keyless combination lock mechanism for padlocks door locks and the like. Armati Philippe (inventor). Issued 3-15-27.
1,621,279. Apparatus for controlling and distributing electric currents. Roucayrol Ernest (inventor). Issued 3-15-27.
1,621,311. Manufacture of fertilizers. Claude George (inventor); Soc. L Air Liquide S. A. Pour L'Etude Et L Exploitation des Procedes, Georges Claude (grantee). Issued 3-15-27.
1,621,371. Removable creeper for tractor belts. Kegresse Adolphe (inventor). Issued 3-15-27.
1,621,401. Pulp molding machine. Foy Fernand (inventor). Issued 3-15-27.
1,621,452. Means for regulating the voltage of dynamos of variable speed and load. Benit Henri (inventor); La Soc. Dite L. Eclairage des Vehicules Sur Rail (grantee). Issued 3-15-27.
1,621,481. Electric cell. Fery Charles (inventor). Issued 3-15-27.
1,621,834. Cutting device for cigarette machines. Danger Etienne (inventor); S. A. des Usines A. E. Decoufle (grantee). Issued 3-22-27.
1,622,123. Power loom for carpets. Renard Pierre, et al., Renard Ferdinand (inventors); Soc. Renard Frere et Fils (grantee). Issued 3-22-27.
1,622,191. Helicopter. Filippi Antoine Paduue (inventor). Issued 3-22-27.
1,622,315. Belt driving device for railway carriage dynamos. Guillou Henri (inventor). Issued 3-29-27.
1,622,366. Electrically controlled reproducing scriber. Bueno Emile (inventor). Issued 3-29-27.
1,622,379. Luminescent product. Guntz Antoine Auguste (inventor). Issued 3-29-27.
1,622,792. Machine for electric welding soldering or the like. Languepin Jacques Emile Jules (inventor). Issued 3-29-27.
1,622,871. Method and means for the ignition in internal combustion engines. Barbarou Marius Jean Baptiste (inventor). Issued 3-29-27.
1,622,883. Mercuryless hair secreting process for felt making. Pichard Charles, et al., Pichard Emile (inventors). Issued 3-29-27.
1,622,041. Valve gear in internal combustion engines. Barbarou Marius Jean Baptiste (inventor). Issued 4-5-27.
1,623,074. Fuel supply means for heavy oil engines. Tartrais Eugene Henri (inventor). Issued 4-5-27.
1,623,862. Automatic clutch. Broussouse Fernand Louis (inventor); Leboucher Paul Jules (grantee). Issued 4-5-27.
1,623,883. Method of manufacturing seamless rims and wheel disks. Michelin Andre Jules (inventor). Issued 4-5-27.
1,623,896. Apparatus for the industrial culture of ferments yeasts microbes and the like. Vigreux Charles (inventor); Etablissements Poulenc Freres (grantee). Issued 4-5-27.
1,623,956. Connecting member. Amiot Felix (inventor). Issued 4-12-27.
1,624,158. Electrical control system. Charpentier Paul (inventor); Forges & Ateliers de Constructions, Electriques de Jeumont S. A. (grantee). Issued 4-12-27.
1,624,363. Pump. Rey Augustin (inventor). Issued 4-12-27.
1,624,481. Steam generator. Duquenne Camille (inventor). Issued 4-12-27.
1,624,482. Circular knitting machine. Durand Eugene Henri Marie Emile (inventor). Issued 4-12-27.
1,624,571. River dam. Aubert Jean Marie Louis Antoine (inventor). Issued 4-12-27.
1,624,669. Projecting machine. Lehweses Edouard Ernest (inventor). Issued 4-12-27.
1,624,816. Device for projecting stationary or moving pictures in broad daylight. Triana Andre Elie Laurent et al, Triana Rodrigue Joseph Antoine. Ortiz Escolet Juan (inventors). Issued 4-12-27.
1,625,314. Electrical synchronizing system. Grunenwald Etienne Leon (inventor). Issued 4-19-27.
1,625,369. Method and device for rapidly solving ordinary problems in astronomic navigation. Loth William Arthur (inventor); Soc. Industrielle des Procedes W. A. Loth (grantee). Issued 4-19-27.
1,625,410. Universal joint for shafts. De Ram Georges Henri Ernest (inventor). Issued 4-19-27.
1,625,489. Liquid meter. Monard Alfred (inventor); Soc L. Aster (grantee). Issued 4-19-27.
1,625,586. Method and apparatus for producing films for color photography. Audibert Jean (inventor); Soc. des Films en Couleur Keller, Dorain of France (grantee). Issued 4-19-27.
1,625,619. Electric lamp for cinematographic apparatus. Marette Jacques (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 4-19-27.
1,625,627. Product for destroying mosquito Larvae. Roubaud Emile Charles Camille et al, Veillon Raymond Alexandre (inventors). Issued 4-19-27.
1,625,665. Cooling radiator for aeroplanes and other vehicles and process for its manufacture. Lamblin Alexandre (inventor). Issued 4-19-27.
1,625,719. Automatic regulator for internal combustion engines. Ferrette Louis (inventor). Issued 4-19-27.
1,625,732. Manufacture of butyric acids and other aliphatic acids. Le Franc Louis (inventor); Lefranc & Cie (grantee). Issued 4-19-27.
1,625,799. Automatic weighing machine. Durand Paul (inventor). Issued 4-26-27.
1,625,923. Operating and locking device for oscillating panels. Weymann Charles Terres (inventor). Issued 4-26-27.
1,625,940. Method and means for starting internal combustion engines. Herzmark Nicolas (inventor). Issued 4-26-27.
1,625,978. Controlling device for marine engines. Breland Eugene Francois Joseph (inventor). Issued 4-26-27.
1,626,085. Carburetor. Henriot Louis (inventor). Issued 4-26-27.
1,626,134. Method of manufacture of cut matrices adapted for the production of photographic surfaces comprising refracting elements. Devigny Michel (inventor). Issued 4-26-27.
1,626,188. Suspension of automobiles and other vehicles. De Ram Georges Henri Ernest (inventor). Issued 4-26-27.
1,626,560. Transmitting apparatus utilizing the principle of the wheatstone bridge. Schneider Eugene (inventor); Schneider & Cie (grantees). Issued 4-26-27.
1,626,755. Shock absorber. Pestourie Pierre (inventor). Issued 5-3-27.
1,626,818. Condensed milk and method of making same. Hatmaker James Robinson (inventor). Issued 5-3-27.
1,626,992. Powder puff. Willk Alexandre (inventor). Issued 5-3-27.
1,627,004. Aeroplane. Albessard Joseph (inventor). Issued 5-3-27.
1,627,198. Film winding and unwinding device for motion picture apparatus. Penin Emile Christian (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 5-3-27.
1,627,233. Receptacle. D Arleux Roger Marie Georges Morel (inventor). Issued 5-3-27.
1,627,287. Endless supporting and driving flexible belt for motor and other vehicles. Kegresse Adolphe (inventor). Issued 5-3-27.
1,627,404. Nut lock. Outhier Marcel (inventor; S A Des Etablissements Kiblok (grantee). Issued 5-3-27.

1,627,767. Transmission by electric oscillations. Brillouin Leon Nicolas et al., Fromy Emile Marie Francois (inventors). Issued 5-10-27.
1,627,923. Automatic fire producing device. Neviere Louis Auguste (inventor). Issued 5-10-27.
1,627,951. Control of carburetors. Barbarou Marius Jean Baptiste (inventor). Issued 5-10-27.
1,627,953. Method of constructing metal wheels. Bouquet Edouard Wilfrid (inventor). Issued 5-10-27.
1,628,387. Thread feeding device for Tufted fabric looms. Boyer Fernand (inventor). Issued 5-10-27.
1,628,416. Means for attaching motion picture films to winding cores. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 5-10-27.
1,628,430. Automatic water trap. Ribes Paul Charles (inventor). Issued 5-10-27.
1,628,445. Process for obtaining direct positives by reversal. Zelger Georges Emmanuel (inventor). Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 5-10-27.
1,628,507. Keyboard musical instrument with electromagnetic operation. Maitre Alcide Hector et al., Martin Victor Henri Gaston (inventors). Issued 5-10-27.
1,628,535. Process for the purification of abietic acid. Dupont Georges Honore (inventor). Issued 5-10-27.
1,628,549. Process for the manufacture of granular cellulose. Magendeaux Roger (inventor). Issued 5-10-27.
1,628,583. Elastic wheel. Du Chateau Jean Isadore (inventor). Issued 5-10-27.
1,628,683. Electric contact plug. Penin Emile Christian (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 5-17-27.
1,628,710. Starting gear for fixed explosive motor engines and motor vehicles. De Changy Aime (inventor). Issued 5-17-27.
1,628,946. Time indicating device. Brown George H (inventor). Issued 5-17-27.
1,629,043. Apparatus for central heating. Moreau Henri (inventor). Issued 5-17-27.
1,629,198. Flying apparatus. Bibard Rene Auguste (inventor). Issued 5-17-27.
1,629,361. Hyperchromatic objective. Polack Aron (inventor). Issued 5-17-27.
1,629,487. Process of making paving blocks and slabs made of rubber compound. Draullette Edmond (inventor). Issued 5-24-27.
1,629,048. Process for utilizing hydrocarbons in internal combustion engines and apparatus therefor. Balachowsky Dmitry et al., Caire Philippe (inventors). Issued 5-24-27.
1,630,126. Cap or socket for incandescent electric lamps and the like. Marsat Antoine Jean Baptiste (inventor). Issued 5-24-27.
1,630,168. Power transmission by hydraulic means. Caut Raymond (inventor). Issued 5-24-27.
1,630,251. Fire extinguishing and like apparatus. Bechard Emile Joseph (inventor). Issued 5-31-37.
1,630,417. Method for securing leather disks to the ends of billiard cues. Detroyes Theodore (inventor). Issued 5-31-27.
1,630,547. Lubricating arrangement for the cylinders of two stroke cycle engines. Tartrais Eugene Henri (inventor). Issued 5-31-27.
1,630,662. Method of manufacture of agglomerated fuel. Llais Lucien (inventor). Issued 5-31-27.
1,630,700. Lubricating device. Gass Ernest (inventor). Issued 5-31-27.
1,630,907. Automatic means for running off liquid from containers at predetermined conditions of temperature. Royer Georges Gaston (inventor). Issued 5-31-27.
1,630,985. Means for preparing products of organic origin. Tival Henri Louis Paul (inventor). Issued 5-31-27.
1,631,066. Means for locking hand operated brakes. Saget Andre (inventor). Issued 5-31-27.
1,631,262. Variable pressure operated expansion device. Gourdou Charles Edouard Pierre (inventor). Issued 6-7-27.
1,631,456. Valved pipe coupling. Bardin Victor (inventor). Issued 6-7-27.
1,631,524. Process for photographic printing in colors. Dufay Louis (inventor). Issued 6-7-27.
1,631,574. System of electrical supply. Benit Henri (inventor); L Eclairage Des Vehicules Sur Rail (grantee). Issued 6-7-27.
1,631,624. Stamping and registering apparatus. Conti James Tiburce Felix et al., Tiranty Philippe Henri Louis (inventors). Issued 6-7-27.
1,631,642. Positive electrode for electric batteries. Oppenheim Rene (inventor); S A Le Carbone (grantees). Issued 6-7-27.
1,631,763. Bearing with rolling members. Rouanet Louis (inventor); Cie D Applications Mechaniques (grantee). Issued 6-7-27.
1,631,801. Electromagnetic device producing a constant moving force. Epitaux Albert (inventor). Issued 6-7-27.
1,631,892. Window opening and closing mechanism. Saoutchik Jacques (inventor). Issued 6-7-27.
1,631,909. Liquid level indicator. Badin Raoul Edouard (inventor). Issued 6-7-27.
1,631,914. Electrical connecter. Caillau Marcel Urbain (inventor). Issued 6-7-27.
1,632,163. Optical receiver for teletype machines. Belin Edouard (inventor). Issued 6-14-27.
1,632,255. Rotary percussion implement. Wagner Georges Ernest (inventor). Issued 6-14-27.
1,632,447. Device for closing compressed or liquid gas cylinders. Lemoine Louis (inventor); S A D Applications Des Gaz Liquefies (grantee). Issued 6-14-27.
1,632,497. Wooden mosaic work. Noel Ernest Antoine (inventor). Issued 6-14-27.
1,632,731. Wheel tire. Gherassimoff Nicolas (inventor). Issued 6-14-27.
1,632,791. Ventilation of water closet pans. Habault Sylvain Rene (inventor); Soc D Hygiene Pratique (grantee). Issued 6-21-27.
1,632,906. Lens clamping bracket for use with pince nez glasses and spectacles. Lefevre Jules (inventor). Issued 6-21-27.
1,632,937. Balanced rotary percussion implement. Wagner Georges Ernest (inventor). Issued 6-21-27.
1,632,978. Signal device for motor vehicles. Legendre Henri (inventor). Issued 6-21-27.
1,633,038. Valve tappet. Saives Leon (inventor); Renault Louis (grantee). Issued 6-21-27.
1,633,158. Cylinder head of internal combustion engines combined with fuel injectors. (Archaouloff Vadime (inventor). Issued 6-21-27.
1,633,174. Landing gear. Fritsch Jules (inventor). Issued 6-21-27.
1,633,476. Support for seats and the like. L Union Generale D Electricite (inventor). Issued 6-21-27.
1,633,478. Device for regulating the advance of a band with reference to a cinematographic apparatus controlling said band. Delacommune Charles Eugene Edouard (inventor). Issued 6-21-27.
1,633,481. Frequency reducing arrangement. Pallou Jean Gustave (inventor); L Union Generale D Electricite (grantee). Issued 6-21-27.
1,633,596. Adjustable delivery ink container for rotary duplicators. Llevens Leon Louis (inventor); La Soc D Etudes Constructions Et Applications Mechaniques (grantees). Issued 6-28-27.
1,633,686. Golf tee. Stone Andrew J (inventor). Issued 6-28-27.
1,633,714. Universal and automatic machine tool. Schwob Alexandre (inventor). Issued 6-28-27.
1,633,882. Valve operating mechanism. Billot Ernest Maurice (inventor). Issued 6-28-27.
1,633,906. Safety device for railways. Meyer Revoil Jules Joseph Henri (inventor). Issued 6-28-27.
1,633,978. Apparatus for the cut of the mustache. Calmels Pierre Leon Martin Victor (inventor). Issued 6-28-27.
1,633,998. Device for the simultaneous obtainment of the compression and the circulation of gaseous mixtures. Patart Georges Leon Emile (inventor). Issued 6-28-27.
1,634,186. Braking of motor and other vehicles. Hallot Paul (inventor). Issued 6-23-27.
1,634,208. Electric relay for radiography. Pilon Hector Paul (inventor). Issued 6-28-27.
1,634,226. Nail box for nailing machines. Albert Emile (inventor). Issued 6-28-27.
1,634,416. Bottle filling apparatus. Guiand Alfred Jean (inventor). Issued 7-5-27.
1,634,589. Tire protector. Lotte Lucien Paul Celestin (inventor). Issued 7-5-27.
1,634,611. Sporting shoe. Deschamps Louis (inventor). Issued 7-5-27.
1,634,656. Coach body of automobiles. Fatoux Raymond Albert (inventor). Issued 7-5-27.
1,634,754. Gun barrel. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 7-5-27.
1,634,661. Operating apparatus for vertically sliding panels. Weymann Charles Tunes (inventor). Issued 7-5-27.
1,634,866. Internal combustion engine with cylinders arranged in two opposite lines. Bertrand Jean Joseph Marie et al, Sclanet Louis Joseph Henri (inventor). Issued 7-5-27.
1,635,027. Method and means of transmitting pictures. Belin Edouard (inventor). Issued 7-5-27.
1,635,314. Centrifugal regulator. Dufgren Louis Abel (inventor). Issued 7-12-27.
1,635,344. Vacuum cleaner. Ragonet Edmond (inventor). Issued 7-12-27.
1,635,494. Beet harvester. Moreau Jean (inventor). Issued 7-12-27.
1,635,496. Flexible coupling. Peigne Henri (inventor). Issued 7-12-27.
1,635,681. Antistatic photographic film. Marette Jacques (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 7-12-27.
1,635,721. Process for the renovation of worn gun barrels and improvements in gun barrels. Malaval Pierre et al. Paquinet Rene Paul Eugene (inventor). Issued 7-12-27.
1,635,894. Vehicle wheel. Michelin Andre Jules (inventor). Issued 7-12-27.
1,635,895. Vehicle wheel. Michelin Andre Jules (inventor). Issued 7-12-27.
1,636,360. Grinding crushing and mixing machine or mill. Gernelle Danby Joseph Emile (inventor). Issued 7-19-27.
1,636,486. Rotary engine or pump. Planche Benjamin Rene (inventor); Planche Ernest Benoit Mrs. Winslow, born Clothilde Perdrix (grantees). Issued 7-19-27.
1,636,501. Push button electric switch. Decraene Felix (inventor). Issued 7-19-27.
1,636,644. Apparatus for the solidification of liquid hydrocarbons. Neveu Hippolyte (inventor); De Paniagua Ysabel (grantee). Issued 7-19-27.
1,636,736. Focusing device for cinematographic and photographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 7-26-27.
1,636,739. Rotary drum filtering apparatus. Hertenbein Leon (inventor). Issued 7-26-27.

1,636,861. Dental forceps. Griveau Pierre Bertrand Jacques (inventor). Issued 7-26-27.
1,636,898. Tool holder for cutting off pieces of work. Bugatti Ettore (inventor). Issued 7-26-27.
1,636,925. Closing device for belts. Ravigneaux Pol (inventor). Issued 7-26-27.
1,636,933. Relay. Girard Louis Jean (inventor. Issued 7-26-27.
1,637,294. Apparatus for obtaining three color photographs. Cuenin Gilbert (inventor); Cie Internationale Trichromia (grantee). Issued 7-26-27.
1,637,651. Superheating element. Mestre Charles Arthur et al, Duchatel Emile Eugene Henri (inventors). Issued 8-2-27.
1,637,677. Ships hull. Bonnemaison Paul (inventor). Issued 8-2-27.
1,637,684. Signaling apparatus for road traffic. Cleret Albert (inventor). Issued 8-2-27.
1,637,936. Money holder. Gross Christian (inventor). Issued 8-2-27.
1,637,938. Addressing machine. Heuze Beauregard Edmond (inventor). Issued 8-2-27.
1,637,963. Phosphorescent luminous enamel. Sauvage Fernand (inventor). Issued 8-2-27.
1,638,009. Tipping wagon and the like. Cambessedes Jean Etienne Felix (inventor). Issued 8-9-27.
1,638,380. Shoe brake. Waseige Charles (inventor); Soc Des Aeroplanes Henri & Maurice Farman (grantees). Issued 8-9-27.
1,638,435. Fluid tight arrangement for cannon mounted in fluid tight turrets upon submarine vessels. De Courseulles Robert (inventor). Soc Schneider & Cie, Cie Des Forges Et Acieries De La Marine Et D Homecourt (grantees). Issued 8-9-27.
1,638,671. Roofing fastening. Wagner Marcel (inventor). Issued 8-9-27.
1,638,750. Steering device for motor vehicles. Schaeffer Charles (inventor). Issued 8-9-27.
1,638,830. Tooth facing. Coutif Georges (inventor). Issued 8-16-27.
1,638,906. Automatic releasing and braking device for nailing machines. Albert Emile (inventor). Issued 8-16-27.
1,638,962. Apparatus for gun mounting, laying, and sighting for artillery on aeroplanes. Schneider Eugene (inventor); Schneider & Cie (grantee). Issued 8-16-27.
1,639,094. Counterbalancing means for movable devices. Klein Georges (inventor). Issued 8-16-27.
1,639,178. Stroboscope with vibrating cord. Guillet Amedee Victor Joseph (inventor). Issued 8-16-27.
1,639,218. Process for printing upon textile fabrics. Ebersol Eugene (inventor); Soc Freres Koechlin (grantee). Issued 8-16-27.
1,639,219. Toilet seat. Eckerlein Eugene Leon (inventor). Issued 8-16-27.
1,639,329. Dispensing device. Conques Joseph Antoine (inventor). Issued 8-16-27.
1,639,536. Self propelled vehicle. Saives Leon (inventor); Renault Louis (grantee). Issued 8-16-27.
1,639,583. Valve gear operating device. Birkigt Marc (inventor). Issued 8-16-27.
1,639,658. Improved process for the manufacture of perylene. Marschalk Charles Henri (inventor). Issued 8-23-27.
1,639,908. Turbine wheel propeller and motor. Strandgren Carl Bruno (inventor). Issued 8-23-27.
1,640,148. Process for protecting the gelatin coating of photographic plates and films. Glaser Creszenzia Nee Plettl (inventor). Issued 8-23-27.
1,640,185. Coating process. Eggiman Alfred et al, Perea Albino (inventors). Issued 8-23-27.
1,640,273. Seat with folding back. Halais Jean Alfred (inventor). Issued 8-23-27.
1,640,349. Resilient wheel for vehicles. Coste Jean Francois Pascal (inventor). Issued 8-30-27.
1,640,639. Manufacture of Borneol Esters. Blum Henri (inventor); Soc Alsaciennn De Produits Chimiques (grantee). Issued 8-30-27.
1,640,646. Loose leaf binder. Cogery Henri Eugene Desire et al, Bertrand Claude Francois Benoit Georges (inventors). Issued 8-30-27.
1,640,668. Process for the regeneration of metal catalysts contaminated by sulphur. Prudhomme Eugene Albert (inventor); Soc Internationale Des Procedes Prudhomme (grantees). Issued 8-30-27.
1,640,909. Advertising device. Schutz Harry Max (inventor). Issued 8-30-27.
1,640,919. Braking device for vehicles. Ballot Ernest Maurice (inventor). Issued 8-30-27.
1,640,966. Flash producing apparatus. Seguin Laurent et al, Seguin Augustin (inventors). Issued 8-30-27.
1,640,973. Lubricating arrangement for internal combustion or like engines. Barbarou Marius Jean Baptiste (inventor). Issued 8-30-27.
1,641,077. Binding and cutting pliers. Fouquet Eugene (inventor). Issued 8-30-27.
1,641,092. Brake for railway trains. Moutier Ernest Albert (inventor). Issued 8-30-27.
1,641,182. Black sulphurized napthol dyes. Marschalk Charles Henri (inventor). Issued 9-6-27.
1,641,253. Transmission device for vehicles provided with two motors. Donon Pierre (inventor). Issued 9-6-27.
1,641,328. Dosing flask. Ferdinand Jules Alfred (inventor). Issued 9-6-27.
1,641,579. Manufacture of synthetic camphor by means of a liquid catalyst. Darrasse Leon et al, Darrasse Etienne, Dupont Lucien (inventors). Issued 9-6-27.
1,642,209. Process for the manufacture of nitrogen containing products. Kahn Maurice (inventor); Soc Francaise Des Produits Alimentaires Azotes (grantees). Issued 9-13-27.
1,642,214. Spreading and stretching device for the treatment of fur skins. Pacquet Rene (inventor). 9-13-27.
1,642,262. Picker for weaving looms. Penchartz Pierre (inventor). Issued 9-13-27.
1,642,574. Method for separating the components of alloys. Bossiere Claude Georges et al, Zanicoli Hector (inventors). Issued 9-13-27.
1,642,606. Clutch device. De Jouette Albert (inventor). Issued 9-13-27.
1,642,613. Furnace adapted for the heating and unwinding of rolls of wire. Jacquemin Andre Felix (inventor). Issued 9-13-27.
1,642,620. Pocket outfit for the care of teeth. Merrill John Rogers (inventor). Issued 9-13-27.
1,642,637. System of facsimile telegraphy by wireless signals. Belin Edouard (inventor). Issued 9-13-27.
1,642,867. Apparatus for permanent undulation. Bjorkman George Edwards (inventor). Issued 9-20-27.
1,642,889. Shoe heel. Perugia Andre (inventor). Issued 9-20-27.
1,642,969. Linking device. Mirra Albert (inventor). Issued 9-20-27.
1,643,199. Wire stretching device. Clemendet Louis Eugene (inventor). Issued 9-20-27.
1,643,385. Aeroplane bomb with safety device. LaFitte Theodore (inventor). Issued 9-27-27.
1,643,447. Process of manufacturing condensation products from phenols and formaldehydes. De Jarny Edouard Jean Paul Claude (inventor). Issued 9-27-27.
1,643,574. Automatic governor for marine engines. Breland Eugene Francois Joseph (inventor). Issued 9-27-27.
1,643,611. Split pulley. Rouanet Louis (inventor); Cie d Applications Mechaniques. Issued 9-13-27.
1,643,692. Salts composed of alkaloids and acetylamino hydroxyphenol arsenic acid and method of preparing the same. Billon Francois (inventor); Les Etablissements Poulenc Freres (grantee). Issued 9-27-27.
1,643,744. Syringe. Lowenfeld Henry (inventor). Issued 9-27-27.
1,643,864. Carburetor. Viel Louis Leon (inventor). Issued 9-27-27.
1,643,869. Vulcanizing molding apparatus for rubber tires. Barre Paul (inventor). Issued 9-27-27.
1,644,065. Electric apparatus serving as a dynamo or motor and as an engine starter. Lanquetin Leon (inventor); Soc Etablissements Duceller (grantee). Issued 10-4-27.
1,644,089. Treating gaseous mediums with liquids. Salerni Edoardo Michele (inventor). Issued 10-4-27.
1,644,115. Method of manufacturing translucent article. Eggimann Alfred et al, Perea Albino (inventors). Issued 10-4-27.
1,644,254. Method for the manufacture of butter. Karpinsky Stephan et al, Anderson James Stewart (inventors). Issued 10-4-27.
1,644,566. Turret lathe. Cuttat Georges Emile (inventor); S A des Anciens Etablissements Cuttat and Cie The (grantees). Issued 10-4-27.
1,644,638. Hinge. Debry Andre Joseph et al, Debry Jean Alfred (inventors). Issued 10-4-27.
1,644,717. Automatic fuel regulator. Ferrette Louis (inventor). Issued 10-11-27.
1,645,432. Device for distinguishing different sorts of cotton during spinning operations. Lauffer Jean (inventor). Issued 10-11-27.
1,645,439. Hosiery machine of the straight or flat web type. Marneux Leontine Nee David (inventor). Issued 10-11-27.
1,645,477. Impact device. Georgevitch Nicolas (inventor). Issued 10-11-27.
1,645,550. Automatic obturator for the supply pipe for burners. Stein Charles M. (inventor). Issued 10-18-27.
1,645,576. Shock absorber. Beconnier Paul Marcellin (inventor) Issued 10-18-27.
1,645,834. Valveless pump. Voreaux Paul (inventor); Etablissements Samga et Bavox Reunis (grantee). Issued 10-18-27.
1,645,848. Process for the manufacture of the condensation products of urea and of formaldehyde. Barthelemy Henri (inventor); Soc Industrielle des Matieres Plastiques (grantee). Issued 10-18-27.
1,645,872. Shoe sole sewing machine. Roger Gabriel Casimir (inventor). Issued 10-18-27.
1,645,928. Aeroplane fin. Potez Henry Charles Alexandre (inventor). Issued 10-18-27.
1,645,987. Telephonic and telegraphic repeater or relay. Day Albert V T (inventor). Issued 10-18-27.
1,645,999. Wrench. Reboul Louise (inventor). Issued 10-18-27.
1,646,005. Grease tube for facial make up. Baquey Pierre Called Gaston (inventor). Issued 10-18-27.
1,647,032. Gear wheel transmission. Birkigt Marc (inventor). Issued 10-25-27.
1,647,115. Device for indicating speed. Mombur Georges (inventor). Issued 10-25-27.
1,647,438. Connecting rod for the suspension of vehicles. De Ram Georges Henri Ernest (inventor). Issued 11-1-27.
1,647,960. Boiler. D Espujols Robert Lucien (inventor). Issued 11-1-27.
1,648,264. Automatic brake for weaving looms. Gaulard Alfred (inventor); Ateliers des Vosges (grantee). Issued 11-8-27.
1,648,467. Device for protecting liquid containers from bursting. Vautier Jules (inventor). Issued 11-8-27.
1,648,511. Air heater. Solomiac Emile Jean Ernest (inventor). Issued 11-8-27.

1,648,727. Stapling machine. Fremont Albert (inventor). Issued 11-8-27.
1,648,848. Hydraulic works utilizing the power of tides. Huguenin Albert (inventor). Issued 11-8-27.
1,648,908. Pneumatic suspension fed by compressed air. Mercier Henri (inventor). Issued 11-15-27.
1,649,141. Machine for sealing bottles etc. Talansier Joseph (inventor). Issued 11-15-27.
1,649,302. Shuttle locking and releasing control. Gaulard Alfred (inventor); Ateliers des Vosges (grantee). Issued 11-15-27.
1,649,381. Purification of vaccines. Billon Francois (inventor). Issued 11-15-27.
1,649,592. Process for rendering surfaces fluid tight. Itier Jules Adolphe Henry (inventor); Soc Le Textilon Central (grantee). Issued 11-15-27.
1,649,601. Rotary tubular crystallizer cooker. Lafeuille Fernand (inventor). Issued 11-15-27.
1,649,644. Water or air motor. Alexeeff Andre (inventor). Issued 11-15-27.
1,649,682. Acetylene generator. Girardin Auguste Francois (inventor). Issued 11-15-27.
1,649,978. Split pulley. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 11-22-27.
1,650,110. Color or chromatic printing machine. Bueno Emile (inventor). Issued 11-22-27.
1,650,300. Percussion fuse for projectiles aerial bombs and the like. Remondy Leon Emile (inventor). Issued 11-22-27.
1,650,470. Static converter of current. Salles Pierre Max Raoul (inventor); Cie Francaise Thompson Houston (grantee). Issued 11-22-27.
1,650,497. Apparatus for nautical sports. Davde Alphonse (inventor). Issued 11-22-27.
1,650,510. Closure for vessels. Goudard Felix (inventor). Issued 11-22-27.
1,650,544. Vehicle with independent wheels. Sizaire Maurice (inventor); Soc Des Automobiles Sizaire (grantee). Issued 11-22-27.
1,650,713. Apparatus for effecting chemical reactions. Hennebutte Henri, Goutal Edouard, et al. (inventors). Issued 11-29-27.
1,650,852. Process of manufacturing cages for ball or roller bearings. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 11-29-27.
1,650,853. Process of manufacturing cages for ball or roller bearings. Rouanet Louis ventor); Cie d Applications Mecaniques (grantee). Issued 11-29-27.
1,650,854. Process of manufacturing cages for ball or roller bearings. Rouanet Louis ventor); Cie d Applications Mecaniques (grantee). Issued 11-29-27.
1,650,874. Hot water heating installation. Lemaistre Marie Joseph Georges Adolphe (inventors). Issued 11-29-27.
1,650,985. Fire extinguisher. Fohlen Jacques Louis (inventor). Issued 11-29-27.
1,651,093. Sight for machine guns for anti-aircraft firing. Le Prieur Yves Paul Gaston (inventor); S A La Precision Moderne (grantee). Issued 11-29-27.
1,651,101. Reciprocating saw machine more particularly for the sawing of metals. Pays Achille (inventor). Issued 11-29-27.
1,651,112. Injector for refrigerating machines. Bernat Raoul (inventor). Issued 11-29-27.
1,651,119. Electromagnetic clock. Hatot Leon (inventor). Issued 11-29-27.
1,651,347. Speed indicating apparatus. Mombur Georges (inventor). Issued 11-29-27.
1,651,521. Method and apparatus for the storage and the transportation of gas. Lucas Giraldville Paul Nicolas (inventors). Issued 12-6-27.
1,651,779. Device for assembling two piece ball bearing cages by spot welding. Reuanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 12-6-27.
1,651,913. Hand actuated air compressor. Voreaux Paul (inventor); S A Etablissements Samga et Bavox Reunis (grantees). Issued 12-6-27.
1,652,329. Electromagnetic control. Salves Leon (inventor); Renault Louis (grantee). Issued 12-13-27.
1,652,378. Apparatus for measuring speeds. Seguin Augustin (inventor). Issued 12-13-27.
1,652,470. Printing machine. Dubuc Louis Mathieu Charles Aricet (inventor); Sirven B (grantee). Issued 12-13-27.
1,652,817. Means for obviating the action of heat in a projector upon the backing of the images to be projected. Couade Maurice (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 12-13-27.
1,653,119. Device for forming far reaching sound pencils and application of latter. Perrin Jean Baptiste, Marcellin Andre Jules, Bernard Henri Luglien Marie Joseph, et al. (inventors). Issued 12-20-27.
1,653,180. Lay figure. Jalbert Georges (inventor); Soc Parisienne De Confection (grantee). Issued 12-20-27.
1,653,332. Vertical drying and dehydrating apparatus. Baechler Max (inventor); Baechler Kiser & Cie (grantee). Issued 12-20-27.
1,653,701. Means for producing luminous showers. Guerard Henri (inventor). Issued 12-27-27.
1,653,712. Crystallizer. Lafeuille Fernand (inventor). Issued 12-27-27.
1,653,825. Internal combustion engine. Saives Leon (inventor); Renault Louis (grantee). Issued 12-27-27.
1,653,87.. Explosion engine. Schaff Albert (inventor). Issued 12-27-27.
1,653,949. Portable battery of electric accumulators. Dimin Alfred (inventor). Issued 12-27-27.
1,654,016. Large sized reservoir for liquids. Salmon Rene L. (inventor). Issued 12-27-27.
1,654,224. Method for preparation of aliphatic di or poly hydroxy arsenic acids. Oechslin Carl J. (inventor). Issued 12-27-27.
1,654,227. Dry cell. Vignon Henri (inventor). Issued 12-27-27.
1,654,447. Suspension for vehicles. Ballot Ernest Maurice (inventor). Issued 12-27-27.
1,654,454. Pneumatically operated horn. Chollet Louis (inventor); Cie Industrielle Et Commerciale Du Cycle Et De L automobile (grantees). Issued 12-27-27.
1,654,784. Apparatus for forming : veet glass. Boudin Louis (inventor); S A Des Manufactures Des Glaces et Produits Chimiques De Saint Gobain Chauny and Cirey (grantees). Issued 1-3-28.
1,654,864. Rotary pump. Cozette Rene Jean Paul Emile (inventor). Issued 1-3-28.
1,654,865. Rotary pump. Cozette Rene Jean Paul Emile (inventor). Issued 1-3-28.
1,654,870. Flushing device. Fremion Maurice (inventor). Issued 1-3-28.
1,655,093. Joint for visible dispensing apparatus for liquids. Dubreuil Gaston (inventor); S A Pour Tous Appareillages Mecaniques (grantees). Issued 1-3-28.
1,655,196. Sound reproducing apparatus for disk record talking machines. Parolini Cesare, Perron Gustave, et al. (inventors). Issued 1-3-28.
1,655,362. Distribution of motors for aircraft. Farman Henry (inventor). Issued 1-3-28.
1,655,902. Carburetor. Griffin Gaston (inventor). Issued 1-10-28.
1,656,074. Automatically variable flexible suspension for vehicles. Poyet Jacques (inventor). Issued 1-10-28.
1,656,112. Tobacco pipe. Grenier Georges (inventor). Issued 1-10-28.
1,656,139. Dishwashing machine. Breton Jules Louis (inventor). Issued 1-10-28.
1,656,192. Signaling device for vehicles. Guttin Charles Alfred (inventor). Issued 1-17-28.
1,656,207. Automatic duplicating apparatus of the rotary type having an automatic sheet feeding device. Garret Antoine Michel, Le Grande Rene Pierre, Alexandre, et al (inventors); Soc. de Vannoise Ziegler & P. Langlois (grantees). Issued 1-17-28.
1,656,488. Process for the manufacture of ketones. Lefranc Louis (inventor). Issued 1-17-28.
1,656,492. Flying machine. Moineau Rene Joseph Louis (inventor). Issued 1-17-28.
1,656,578. Clip for transmission cables with crossties. Dutkiewicz Valentin (inventor). Issued 1-17-28.
1,656,694. Process for the renewing of india rubber and chiefly of that which is contained in the covers of worn out pneumatic tires. Danier Charles (inventor); Syndicat Franco Neerlandais (grantee). Issued 1-17-28.
1,656,778. Friction member for brakes clutches and the like. Desroziers Edouard Jean (inventor). Issued 1-17-28.
1,656,779. Friction member for brakes clutches and the like. Desroziers Edouard Jean (inventor). Issued 1-17-28.
1,656,787. Tobacco pipe. Grenier Georges (inventor). Issued 1-17-28.
1,656,814. Template for grinding machines. Birkigt Marc (inventor). Issued 1-17-28.
1,656,843. Process for photogravure. Straub Emile (inventor); Griffiths Jean (grantee). Issued 1-17-28.
1,656,845. Combined loader ejector and safety mechanism for automatic firearms. Sutter Charles (inventor); S A des Anciens Etablissements Hotchkiss & Cie (grantee). Issued 1-17-28.
1,656,862. Pulverizing apparatus for solid fuels. Loy George Sylvin (inventor). Issued 1-17-28.
1,656,898. Metallic vapor lamp. Bellesud Rene Louis Maxime et al, Barrollier Jean (inventors). Issued 1-24-28.
1,657,220. Mold for shaping and retreading tires with rubber. Menjou Pierre Louis (inventor). Issued 1-24-28.
1,657,223. Couch bed. Michel Levy Jean Michel (inventor). 1-24-28.
1,657,366. Secret message transmitting system. Belin Edouard (inventor). Issued 1-24-28.
1,657,412. Steering arrangement for heavy motor vehicles. Schneider Hans (inventor). Issued 1-24-28.
1,657,460. Refrigerating apparatus. Delaigue Charles (inventor). Issued 1-31-28.
1,657,609. Process for the preparation of new derivatives of naphthoquinone. Wahl Andre et al, Lantz Robert (inventors); S A des Matieres Colorantes et Produits Chimiques de Saint Denis (grantees). Issued 1-31-28.
1,657,822. Process and device for the purification of hard water by base exchanging bodies. Frechou Emile Marcel Eugene (inventor). Issued 1-31-28.
1,657,981. Disinfecting cabinet and the like. Vale Charles Sillery (inventor). Issued 1-31-28.
1,658,004. Torpedo tube combined with members for starting and setting the torpedo contained therein. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 1-31-28.
1,658,005. Piece of ordnance more particularly adapted for firing against aircraft. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 1-31-28.
1,658,356. Method of producing charts for testing color vision. Schaaff Ernest (inventor). Issued 2-7-28.
1,658,531. Machine for stacking biscuits. Male Andre called Male Fosse (inventor); Male Rene called Male Fosse (grantee). Issued 2-7-28.

1,658,542. Folding powder puff device. Willk Alexandre (inventor). Issued 2-7-28.
1,658,657. Rear shock absorber for motor vehicles. Schaeffer Charles; (inventor); S A des Anciens Etablissements, Panhard & Levassor (grantees). Issued 2-7-28.
1,658,673. Progressive and automatic change speed device employing epicycloidal gearing. Fontaine Rene Francois Michel (inventor). Issued 2-7-28.
1,658,715. Liquid dispensing apparatus. Gueux Joseph Jean Marie (inventor). Issued 2-7-28.
1,659,120. Manufacture of flexible tubes. Poberejsky Jacques (inventor). Issued 2-14-28.
1,659,367. Feeding device for cooling radiators. Lamblin Alexandre (inventor). Issued 2-14-28.
1,659,481. Process and installation for the electromechanical utilization of tides. Defour Andre (inventor). 2-14-28.
1,659,727. Apparatus for distilling crude resins. Dupont Georges Honore (inventor). Issued 2-21-28.
1,659,958. Process of dehydration of alcohol for carburants. Ricard Eloi et al, Guinot Henri (inventors); Soc Ricard Allenet & Cie, Distilleries des Deux Sevres (grantees). Issued 2-21-28.
1,660,229. Storage battery. Mallon Paul (inventor); Soc d Parville & Cie (grantee). Issued 2-21-28.
1,660,291. Grinding machine. Birkigt Marc (inventor). Issued 2-21-28.
1,660,292. Stretching device for hides and skins of animals and the like. Bourcier Francois Ernest (inventor). Issued 2-21-28.
1,660,381. Thermionic apparatus. Holweck Fernand (inventor). Issued 2-28-28.
1,660,383. Tensioning mechanism for endless track belts. Kegresse Adolphe (inventor). Issued 2-28-28.
1,660,401. Lighter. Strauss Raphael (inventor); Etablissements Strauss Allard Meyer (grantee). Issued 2-28-28.
1,660,492. Card clothing. Platt John et al, Platt William, Platt Henry (inventors). Issued 2-28-28.
1,660,500. Rectilinear combing machine. Weinbrenner Jules (inventor). Issued 2-28-28.
1,660,563. Rotary compressor. Malbay Raphael (inventor). Issued 2-28-28.
1,660,596. Loom for weaving reeds. Deguardia Almetes Paul (inventor). Issued 2-28-28.
1,660,602. Machine for wrapping annular and similar solid articles. Duroisin Georges et al, Thiry Oscar (inventors). Issued 2-28-28.
1,660,623. Liquid meter. Monard Alfred (inventor); Soc L Aster (grantee). Issued 2-28-28.
1,660,725. Hub cap. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantees). Issued 2-28-28.
1,660,887. Filing sawing and grinding machine. Romanoff Hippolyte W (inventor). Issued 2-28-28.
1,660,888. Milling machine for cutting gears. Romanoff Hippolyte W (inventor). Issued 2-28-28.
1,661,061. Flyer spinning frame. Walker Samuel (inventor). Issued 2-28-28.
1,661,063. Apparatus for the production of formol by catalysis. Barbet Emile Augustin (inventor). Issued 2-28-28.
1,661,077. Vehicle headlight. Marsat Antoine Jean Baptiste (inventor). Issued 2-28-28.
1,661,091. Rocket gun. Riabouchinski Dmitri (inventor). Issued 2-28-28.
1,661,343. Signaling apparatus for vehicles more particularly for motor cars. Parcq Jacques (inventor). Issued 3-6-28.
1,661,189. Apparatus for concentrating aqueous liquids. Meynardie Pierre Jerome de Saint Andre (inventor). Issued 3-6-28.
1,661,603. Television process and means of realization. Dauvillier Alexandre (inventor). Issued 3-6-28.
1,661,606. Dyeing process. Escaich Auguste et al, Worms Jean Paul (inventors). Issued 3-6-28.
1,661,699. Siphon. Magnin Pierre (inventor). Issued 3-6-28.
1,661,960. Injector or aspirator. Riehl Henri Victor (inventor). Issued 3-6-28.
1,661,990. Driving mechanism for winders for artificial silk. Benit Henri (inventor). Issued 3-6-28.
1,661,991. Reel for cables. Benit Henri (inventor). Issued 3-6-28.
1,662,229. Apparatus for regulating the tension of chains. Ballot Ernest Maurice (inventor). Issued 3-13-28.
1,662,260. Steam ejector with cooled diffuser. Delas Albert (inventor). Issued 3-13-28.
1,662,308. Dabber for combers of the Heilmann type. Gegauff Charles (inventor); Soc Alsacienne de Constructions Mecaniques (grantees). Issued 3-13-28.
1,662,363. Motor horn. Chollet Louis (inventor). Cie Industrielle et Commerciale du Cycle et de l'Automobile (grantees). Issued 3-13-28.
1,662,631. Apparatus for the enlarging of rings. Blois Felix (inventor). Issued 3-13-28.
1,662,688. Change speed gear box or universal divisor. Veber Georges (inventor); Soc des Etablissements Singrun (grantee). Issued 3-13-28.
1,663,155. Process for the recovery of volatile solvents. Bregeat Jean Henry (inventor). Issued 3-20-28.
1,663,352. Device for raising or lowering window panes. Saoutchik Jacques (inventor). Issued 3-20-28.
1,663,512. Propeller. Brequet Louis (inventor). S A des Ateliers d'Aviation, Louis Brequet (grantees). Issued 3-20-28.
1,663,545. Polish applying and rubbing implement. Farish Edward Alphonse (inventor). Issued 3-27-28.
1,663,566. Thermostat. Royer Georges Gaston (inventor). Issued 3-27-28.
1,663,590. Electrically controlled measuring device. Gourdon Georges (inventor). Issued 3-27-28.
1,663,616. Device for stretching and fastening hoops for boxes and the like. Sicard Seraphin (inventor); Rebichon M Andre (grantee). Issued 3-27-28.
1,663,625. Film driving mechanism for cinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 3-27-28.
1,663,730. Electric connection. Ravut Camille Louis Marie (inventor); Soc Industrielle des Telephones Constructions Electriques Caoutchouc Cables (grantees). Issued 3-27-28.
1,663,829. Two stroke internal combustion engine. Dutel Emile et al, Perdoncini Jean Marc (inventors). Issued 3-27-28.
1,663,927. Valveless air pump. Voreaux Paul (inventor); Etablissements Samga Bavox Reunis (grantee). Issued 3-27-28.
1,663,936. Explosion engine supercharger. Cozette René Jean Paul Emile (inventor). Issued 3-27-28.
1,663,959. Preparation of photographic developers. Schestakoff Pierre (inventor). Issued 3-27-28.
1,664,043. Cock and valve. Niclausse Elie Pierre Jules et al, Niclausse Albert Louis (inventors). Issued 3-27-28.
1,664,319. Process for the manufacture of a cellulose product having the appearance of wool. Pellerin Augustin (inventor). Issued 3-27-28.
1,664,766. Pivoting emergency seat. Boulogne Arthur (inventor). Issued 4-3-28.
1,664,798. Receiving device for distant vision installation. Valensi Georges (inventor). 4-3-28.
1,664,927. Pulsometer. Japy Albert Paul (inventor). Issued 4-3-28.
1,664,932. Monkey wrench. Juricinec Francois (inventor) Issued 4-3-28.
1,664,959. Spinning and twisting frame. Zvorikin Jean (inventor). Issued 4-3-28.
1,665,041. Plow. Planess Maurice. Issued 4-3-28.
1,665,097. Circulation pump of the rotary type. Huguenin Albert (inventor). Issued 4-3-28.
1,665,112. Speed controlling device for railway and tramway trains. Rodolausse Eloi (inventor). Issued 4-3-28.
1,665,136. Pressure and drawing cylinder for spinning machines. Lauffer Jean (inventor). Issued 4-3-28.
1,665,176. Arrangement providing for the aiming of an artillery carriage in all directions. Rimailho Emile (inventor); Cie Des Forges and Acieries de la Marine and D Homecourt (grantees). Issued 4-3-28.
1,665,622. Calling device. Chauveau Louis Lucien Eugene (inventor). Issued 4-10-28.
1,665,773. Automatic switchboard telephone system. Chauveau Louis Lucien Eugene (inventor). Issued 4-10-28.
1,665,776. Smoothing and polishing glass or the like. Escole Paul Joseph Maximilien (inventor). Issued 4-10-28.
1,665,964. Lubricating system. Koehler Marcel (inventor). Issued 4-10-28.
1,666,010. Valve for wireless telegraphy or telephony. Hawadier Jacques Antoine Marie (inventor). Issued 4-10-28.
1,666,189. Washing apparatus for coals. Wolf Philippe (inventor). Issued 4-17-28.
1,666,241. Manufacture of new derivatives of naphthoquinones. Lantz Robert et al, Wahl Andre (inventors); S A des Matieres Colorantes & Produits Chimiques de Saint Denis (grantees). Issued 4-17-28.
1,666,351. Electric striking mechanism. Rollin Simon (inventor); S A Des Anciens Etablissements Hatot (grantee). Issued 4-17-28.
1,666,352. Split pulley. Rouanet Louis (inventor); Cie d'Applications Mecaniques (grantee). Issued 4-17-28.
1,666,450. Thermionic apparatus. Holweck Fernand (inventor). Issued 4-17-28.
1,666,591. Machine for the production of textile fabrics. Bilhartz Charles (inventor). Issued 4-17-28.
1,666,792. Percussion fuse. Remondy Leon Emile (inventor). Issued 4-17-28.
1,666,812. Machine for drawing out the yarn from textile fabrics for the production of openwork. Durupt Jean Baptiste (inventor); Soc Pellaumail Moutel & Cie (grantee). Issued 4-17-28.
1,667,373. Elastic element for resilient wheels. Coste Jean François Pascal (inventor). Issued 4-24-28.
1,667,456. Rotary pump and compressor. Cozette René Jean Paul Emile (inventor). Issued 4-24-28.
1,667,563. Sealing device. Perrin Francis (inventor). Issued 4-24-28.
1,667,568. Interchangeable agricultural machine. Somogyi Ferenc (inventor). Issued 4-24-28.
1,667,603. Automatic balance. Peccaud Charles (inventor). Issued 4-24-28.
1,667,679. Device for supporting ties. Roura Jean (inventor). Issued 4-24-28.
1,668,267. Pedal apparatus for railway signaling. Colas Joseph Ernest (inventor). Issued 5-1-28.
1,668,274. Brake. Guillery Rene (inventor); Etablissements Malicet & Blin (grantee). Issued 5-1-28.
1,668,380. Continuous process for the dehydration of volatile fatty acids. Ricard Eloi (inventor); S A Des Distilleries Des Deux Sevres (grantee). Issued 5-1-28.
1,668,423. Suspension device for vehicles. Schaeffer Charles (inventor); S A Des Anciens Etablissements Panhard & Levassor (grantees). Issued 5-1-28.

1,668,498. Means for actuating the cushion plate in Heilmann & like combers. Gegauff Charles (inventor); Soc Alsacienne de Constructions Mecaniques (grantees). Issued 5-1-28.
1,668,506. Hydrotherapeutical device. Havard Eugene (inventor). Issued 5-1-28.
1,668,554. Asynchronous polyphase electric motor. Ernstein Fernand (inventor). Issued 5-8-28.
1,668,603. Process for extracting coloring matter from henna leaves and improved plant therefor. Pollacchi Charles (inventor); Coty S A (grantee). Issued 5-8-28.
1,668,615. Device for controlling and adjusting the current passing through an arc fed with alternating current. Toulon Pierre Marie Gabriel (inventor); S A Des Relais A Arc (grantee). Issued 5-8-28.
1,668,625. Arrangement for lifting the wheels of vehicles. Boyer Fernand et al., Weler Robert (inventors). Issued 5-8-28.
1,668,644. Moving staircase of the ascending and descending type. Clamart Edouard Hocquart et al, Hugoniot Emile (inventors); S A Des Anciens Etablissements Grosselin Pere et Fils (grantees). Issued 5-8-28.
1,668,853. Process of uniting vitreous pieces. Long Bernard (inventor); S A Des Manufacturers des Glaces and Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 5-8-28.
1,668,862. Apparatus for the control of firing against aerial targets. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 5-8-28.
1,669,000. Marine automobile. Filippi Antoine Padoue (inventor). Issued 5-8-28.
1,669,326. Soluble food product having fresh kola as a base and process for preparation of the same. Chalas Adolphe et al, Chalas Ellen (inventors). Issued 5-8-28.
1,669,737. Splint forming machine. Busby Alfred (inventor). Issued 5-15-28.
1,669,745. Keyed musical wind instrument. Evette Maurice (inventor); Soc the Evette and Schaeffer (grantee). Issued 5-15-28.
1,669,758. Helicopter. Isacco Vittorio et al. Andres Vicente (inventors); Isacco Vittorio (grantee). Issued 5-15-28.
1,669,816. Process for obtaining adherent and brilliant coats of varnish upon all materials. Ville Marie Antoinette Victorine Charlotte Georges (inventor). Issued 5-15-28.
1,669,908. Glass. Long Bernard (inventor); S A Des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantee). Issued 5-15-28.
1,670,014. Extraction of krypton and xenon from air. Blaringhem Auguste Jules Adrien (inventor); S A D Eclairage et d Applications Electriques (grantee). Issued 5-15-28.
1,670,214. Spanner or nut wrench. Roche Paul (inventor). Issued 5-15-28.
1,670,345. Process for the manufacture of aerial metal propellers. Comte Jean (inventor). Issued 5-22-28.
1,670,366. Elastic woven fabric and method of weaving it. Laurain Alfred (inventor). Soc du Caoutchouc Manufacture (grantee). Issued 5-22-28.
1,670,795. Television. Belin Edouard (inventor). Issued 5-22-28.
1,670,866. Traveling chain grate. Nicolini Eugene (inventor); Soc d Electricit de Paris (grantee). Issued 5-22-28.
1,670,897. Brake magnet adjustment. Mercier Rene (inventor); Cie Continentale pour la Fabrication des Compteurs and Autres Appareils (grantee). Issued 5-22-28.
1,670,978. Machine for embroidering sewing and openwork stitching of the crank type. Morel Felix (inventor); Anciens Etablissements R Cornely and Co S A (grantee). Issued 5-22-28.
1,671,141. Metal salts of the n methylene sulphonic acids of diaminodihydroxy ar senobenzene or sulpho arsenol. Lehnhoff Wyld Frederic (inventor). Issued 5-29-28.
1,671,211. Novel vise for machine tools. Silvestre Auguste Edmond (inventor). Issued 5-29-28.
1,671,247. Current rectifier. Levy Lucien (inventor). Issued 5-29-28.
1,671,259. Process for removing nicotine from tobacco to any desired extent without destroying its aroma. Schloesing Theophile (inventor). Issued 5-29-28.
1,671,506. Resilient suspension device for vehicles. Bertrand Jean (inventor). Issued 5-29-28.
1,671,572. Hard alloy steel process. Delachaux Clarence Leon (inventor). Issued 5-29-28.
1,671,817. Carburetor. Ducamp Albert Jean (inventor). Issued 5-29-28.
1,671,997. Machine for manufacturing bottles and other hollow objects made of glass. Roirant Emile (inventor); S A D Etudes et de Constructions d Appareils Mechaniques Pour la Verrerie (grantee). Issued 6-5-28.
1,672,142. Hearth for type founding and the like. Rabate Jean (inventor); Soc Le Matin (grantee). Issued 6-5-28.
1,672,152. Regulating arrangement for windmills. Constantin Louis (inventor); Fortier Beaulieu Paul (grantee). Issued 6-5-28.
1,672,232. Variable speed transmission device. Salves Leon (inventor); Renault Louis (grantee). Issued 6-5-28.
1,672,319. Printing process by means of supports with rough surfaces. Jacobsen Norman (inventor). Issued 6-5-28.
1,672,328. Method of electromagnetic underground prospecting. Loth William A (inventor). Issued 6-5-28.
1,672,425. Combination lock Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 6-5-28.
1,672,426. Antitheft device for motor vehicles. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 6-5-28.
1,672,438. Atomizer. Vendome Raoul (inventor). Issued 6-5-28.
1,672,448. Coal and ore washing plant. Clouwez Clement (inventor). Issued 6-5-28.
1,672,638. Methods and means for the preparation of plaster prior to using. Chassevent Louis Emile (inventor). Issued 6-5-28.
1,672,802. Device for resetting power driven mechanism to a predetermined position. Chirol Maurice (inventor); Cie Pour La Fabrication des Compteurs et Materiel d Usines a Gaz, l Action a Distance (grantees). Issued 6-5-28.
1,672,949. Piece of ordnance more particularly adapted for firing against aircraft. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 6-12-28.
1,673,209. System of picture transmission. Semat Laurent (inventor). Issued 6-12-28.
1,673,268. Shock absorber. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 6-12-28.
1,673,340. Sleeve valve engine. Schaeffer Charles (inventor); S A des Anciens Etablissements, Panhard and Levassor (grantees). Issued 6-12-28.
1,673,349. Process of making polychromatic screens for color photography. De Bercegol Raymond Camille Marie (inventor), Issued 6-12-28.
1,673,350. Color photography or cinematography. Dufay Louis (inventor). Issued 6-12-28.
1,673,484. Internal combustion engine with cylinders arranged in two opposite lines. Bertrand Jean Joseph Marie et al, Solanet Louis Joseph Henri (inventors). Issued 6-12-28.
1,673,538. Racing toy. Thuillier Eugene Hippolyte (inventor). Issued 6-12-28.
1,673,610. Footlight device. Weizsaeker Georges (inventor); Soc des Anciens Etablissements Siegel and Stockman Reunis (grantees). Issued 6-12-28.
1,673,675. Process for the recovery separation or extraction of gold platinum and other metals applicable also for the separation of precious stones from the earth or material containing them. Hanotau Georges Charles Edouard Francois (inventor). Issued 6-12-28.
1,673,817. Gun carriage with split trails. Filloux Louis Jean Francois (inventor). Issued 6-19-28.
1,673,853. Vehicle body. Walker Albert H. (inventor); Weymann Charles Torres (grantee). Issued 6-19-28.
1,673,968. Motor without crank shaft. De Wasmundt Wladimir (inventor). Issued 6-19-28.
1,673,978. Safety device for preventing the escape of gas. Galaup Oscar (inventor). Issued 6-19-28.
1,673,989. Straight bar knitting machine. Noble Emile Arsene (inventor); Soc des Etablissements Delostal Freres (grantee). Issued 6-19-28.
1,674,322. Taximeter. Dubois Charles Albert (inventor); Soc the Parisienne de Mecanique Generale (grantee). Issued 6-19-28.
1,674,370. Automatic gun. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 6-19-28.
1,674,376. Split pulley. Rouanet Louis (inventor). Cie d Applications Mecaniques (grantee). Issued 6-19-28.
1,674,425. Construction of closed motor vehicles. Claveau Emile (inventor). Issued 6-19-28.
1,674,525. Powder box. Schall Jacques (inventor). Issued 6-19-28.
1,674,711. Process for the manufacture of metal salts of sulpho arsenol. Lehnhoff Wyld Frederic (inventor). Issued 6-26-28.
1,674,796. Process for refining and stabilizing hydrocarbons. Prudhomme Eugene Albert (inventor); Soc Internationale des Procedes, Prudhomme S I P P (grantees). Issued 6-26-28.
1,674,891. Apparatus for the transformation of ethylsulphuric acid into alcohol or ethers. Duchange Maurice (inventor); Cie de Bethune (grantee). Issued 6-26-28.
1,674,901. Decombining device for combination locks employed for safes. Ibarrart Henri (inventor). Issued 6-26-28.
1,675,071. Undercarriage for motor vehicles. Waseige Charles (inventor); Farman Henri & Maurice (grantee). Issued 6-26-28.
1,675,579. Double acting latch. Seng Raymond Pierre Louis (inventor). Issued 7-3-28.
1,675,691. Knitting machine for the manufacture of corsets and belts. Boudin Edmond Etienne (inventor); Les Fils de Emile Boudios (grantee). Issued 7-3-28.
1,675,929. Press for drying and ironing wearing linen. Flori Louis (inventor). Issued 7-3-28.
1,675,963. Resilient suspension for motor vehicles. Veglio Gaetano (inventor); S A Overcau (grantee). Issued 7-3-28.
1,676,040. Tractor operated stump uprooting device. Meunier Julien (inventor). Issued 7-3-28.
1,676,083. Fastening device for belts. Faure Charles Emile (inventor); Soc a Responsabilite Limitee Bonnart and Cie (grantees). Issued 7-3-28.
1,676,127. Tip wagon. Bernier Henri (inventor). Issued 7-3-28.
1,676,525. Shock absorbing means for automobiles. Conti Emile (inventor). Issued 7-10-28.
1,676,572. Propelling or lifting device with automatic correction. Oehmichen Etienne (inventor). Issued 7-10-28.

1,676,577. Carding machine. Schmitt Joseph (inventor). Issued 7-10-28.
1,676,680. System for the electric transmission of signals along lines for power distribution. Bethenod Joseph (inventor). Issued 7-10-28.
1,676,703. Toothbrush. Nuyts Georges (inventor). Issued 7-10-28.
1,676,708. Apparatus for automatically drawing maps and plans from two terrestrial or aerial photographs. Poivilliers Georges Jean (inventor). Issued 7-10-28.
1,676,857. Fountain brush. Cheron Jules Jean (inventor). Issued 7-10-28.
1,677,001. Lubricating device for axle journals. Moreau Jules (inventor). Issued 7-10-28.
1,677,027. Method and means for connecting windmills with electric generators. Constantin Louis (inventor); Fortier Beaulieu Paul (grantee). Issued 7-10-28.
1,677,051. Sleeve of the engine of the sleeve valve type. Schaeffer Charles (inventor); S A des Anciens Etablissements, Panhard and Levassor (grantee). Issued 7-10-28.
1,677,062. Signaling system applicable to telegraphy and telemechanical transmission. Verdan Charles et al, Loiseau Louis Marie Jean (inventors); Cie Francaise pour l Exploitation des Procedes Thomson Houston, Carpentier Ateliers J. (grantees). Issued 7-10-28.
1,677,212. Fixed support for spare wheels. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 7-17-28.
1,677,363. Process of treating methane gas. Olivier Georges (inventor); S A le Petrole Synthetique (grantee). Issued 7-17-28.
1,677,467. Furnace for heating rivets by means of oxygen and acetylene gases. Bourleaux Fernand (inventor). Issued 7-17-28.
1,677,493. Container for dental impression outfits. Robinet Georges (inventor). Issued 7-17-28.
1,677,551. Process for producing in a solution the crystallization of the body dissolved therein. Delas Albert (inventor); Soc des Condenseaurs Delas (grantee). Issued 7-17-28.
1,677,777. Frame component. Amiot Felix (inventor); Soc d Emboutissage et de Constructions Mecaniques (grantee). Issued 7-17-28.
1,677,916. Press for the quick drying and glazing of photographic prints. Crayssac Leon (inventor). Issued 7-24-28.
1,677,964. Salts of 3 acetylamino 4 hydroxyphenyl arsenic acid and method of preparing the same. Fourneau Ernest (inventor); Les Etablissements Poulenc Freres (grantee). Issued 7-24-28.
1,678,405. Process for rendering gas absorbent bodies air tight in liquids. Oppenheim Rene (inventor); S A le Carbone (grantee). Issued 7-24-28.
1,678,421. Refrigerator car. Corblin Henri (inventor). Issued 7-24-28.
1,678,439. Leaded glasswork. Le Roy Georges (inventor). Issued 7-24-28.
1,678,464. Ironing steam press. Diebold Pierre (inventor). Issued 7-24-28.
1,678,465. Ironing steam press. Diebold Pierre (inventor). Issued 7-24-28.
1,678,588. Bottle utilizable as a vase by turning it over. De Gerson Francis born Raesfeld Jeanne Berthier (inventors). Issued 7-24-28.
1,678,737. System of radiogoniometry. Loth William Arthur (inventor); Soc Industrielle des Procedes W A Loth (grantee). Issued 7-31-28.
1,678,742. Construction of refrigerator chambers. Meynieu Jean Georges (inventor). Issued 7-31-28.
1,678,902. Camera view finder. Debrie Andre Leon Victor Clement (inventor). Issued 7-31-28.
1,679,063. Machine for slotting the heads of screws and the like. Spengler Edwin (inventor). Issued 7-31-28.
1,679,254. Support for the pylons of staging and the like. Masson Charles Pierre (inventor). Issued 7-31-28.
1,679,698. Shock absorber working with progressive compression. Weydert Hubert Jules (inventor). Issued 8-7-28.
1,680,004. Aluminum alloy of high resistance. Benit Henri (inventor). Issued 8-7-28.
1,680,154. Vehicle headlight. Parent Gustave Alphonse Marie Lamblin (inventors). Issued 8-7-28.
1,680,204. Hydraulic braking apparatus. Charles Maurice (inventor). Issued 8-7-28.
1,680,613. Carbonizing apparatus. Hennebuite Henri et al, Goutal Edouard (inventors). Issued 8-14-28.
1,680,666. Ship boat and other vehicles provided with aerial turbines. Constantin Louis et al, Daloz Gaston (inventors). Issued 8-14-28.
1,680,667. Water purifier. Gall Jean Baptiste et al, Adam Noel (inventors). Issued 8-14-28.
1,680,673. Method of storing and transporting gases. Lucas Girardville Paul Nicolas (inventor). Issued 8-14-28.
1,680,674. Speed reducing control. Gravillon Auguste Eugene Henri (inventor). Issued 8-14-28.
1,680,684. Driving axle of the single type comprising loose vehicle wheels mounted upon stationary axles. Huguenin Albert (inventor). Issued 8-14-28.
1,680,886. Device for mounting glasses on the doors of vehicles. Janoir Louis (inventor). Issued 8-14-28.
1,680,890. Pneumatic suspension device for vehicles. Laugaudin Eugene Jules (inventor). Issued 8-14-28.
1,680,901. Extensible device with power indicator for physical culture. Meyer Ludwig (inventor). Issued 8-14-28.
1,680,902. Setting device for time fuses. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 8-14-28.
1,681,106. Automatic stopping system for railroad cars. Farenc Jean (inventor). Issued 8-14-28.
1,681,166. Automatic Chuck. Beck Frederic (inventor); Soc Generale des Mandrins Brevets Beck (grantee). Issued 8-21-28.
1,681,191. Apparatus for refining metals. Makimoff Juvenal et al, De Costa Maria Stella, Krebs Robert Paul Daniel otherwise known as Luc Gallicanne (inventors). Issued 8-21-28.
1,681,197. Vessel with handles. Rueff Renee (inventor); Soc Economique de Paris (grantee). Issued 8-21-28.
1,681,348. Steering wheel brake. Koechlin Isaac (inventor); S A des Automobiles et Cycles Peugeot (grantee). Issued 8-21-28.
1,681,355. Shaving stick. Lowenfeld Henri (inventor). Issued 8-21-28.
1,681,839. Dish washing sterilizing and drying machine. Breton Jules Louis (inventor). Issued 8-21-28.
1,682,063. Dish washing and drying machine. Breton Jules Louis (inventor). Issued 8-28-28.
1,682,076. Process of protecting electric and other cables. Gogry Jean Octave (inventor). Issued 8-28-28.
1,682,084. Stamp and ticket delivering machine. Leopold Henri (inventor). Issued 8-28-28.
1,682,319. Facing member for brakes and the like. Bluhm Alexandre (inventor); S A Francaise du Ferodo (grantee). Issued 8-28-28.
1,682,344. Apparatus for the subcutaneous injection of oxygen or other gases. Lesieur Maurice (inventor). Issued 8-28-28.
1,682,634. Automatic fire protection door or screen. Schwab Jules (inventor); Soc Thermosonus (grantee). Issued 8-28-28.
1,682,725. Apparatus for determining the frequency of rotation or oscillation of moving parts. Guillet Amedee Victor Joseph et al, Bertrand Alexandre (inventors). Issued 8-28-28.
1,682,803. Amusement device. Rouge Octave (inventor). Issued 9-4-28.
1,682,820. Washing apparatus for coals. Wolf Philippe (inventor). Issued 9-4-28.
1,682,892. Lighter. De Goll Louis (inventor). Issued 9-4-28.
1,683,112. Gas supplying apparatus. Weber Robert (inventor); Les Petits Fils de Francois de Wendel and Cie (grantees). Issued 9-4-28.
1,683,177. Mine recess of mine planting submarines. Fenaux Fernand (inventor); S A. Chantiers and Ateliers Augustin Normand (grantees). Issued 9-4-28.
1,683,198. Process for the extraction of butyric acid and its homologues. Lefranc Jacques (inventor); Soc Des Brevets Etrangers Lefranc and Cie (grantees). Issued 9-4-28.
1,683,522. Method of damping oscillations for use with suspension leaf springs and the like. Broussouse Fernand Louis (inventor). Issued 9-4-28.
1,683,963. Furnace arch. Duquenne Camille (inventor). Issued 9-11-28.
1,684,042. Apparatus for controlling the positioning of devices from a distance. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 9-11-28.
1,684,094. Ice cream and method of making same. Hatmaker James Robinson (inventor). Issued 9-11-28.
1,684,103. Elimination of wireless parasitic currents. Levy Lucien (inventor). Issued 9-11-28.
1,684,163. Flying machine. Valentin Paul (inventor); Dreux Rene (grantee). Issued 9-11-28.
1,684,202. Vanity case. Povel Hyacinthe Alphones (inventor). Issued 9-11-28.
1,684,355. Carburetor. Lioud Frank (inventor). Issued 9-11-28.
1,684,738. Process for the manufacture of perylene. Marschalk Charles Henri (inventor). Issued 9-18-28.
1,684,789. Loom. Bilhartz Charles (inventor). Issued 9-18-28.
1,684,800. Centrifugal liquid crucible. Maximoff Juvenal et al, De Costa Maria Stella Nee Vincent (inventors). Issued 9-18-28.
1,684,875. Apparatus for the carbonization and distillation of wood. Malbay Raphael (inventor). Issued 9-18-28.
1,685,051. Liquid level indicator. Girardet Jacques (inventor). Issued 9-18-28.
1,685,163. Combined rake and binding apparatus. Jeanson Mari (inventor). Issued 9-25-28.
1,685,553. Sand mold for casting magnesium and process of making same. Michel Gilbert (inventor); Berg Hart O (grantee). Issued 9-25-28.
1,685,695. Separating device for lead storage batteries. Fery Charles Jean Victor (inventor). Issued 9-25-28.
1,685,773. Hair curling device. Cierpikowski Antoine (inventor). Issued 10-2-28.
1,685,896. Viscosimeter. Woudhuysen Jacques et al, Ory Gaston (inventors). Issued 10-2-28.
1,685,984. Syringe. Cournand Jules et al Cournand Rene (inventors). Issued 10-2-28.
1,686,106. Metallic flooring plate for shops and like uses. Salves Leon (inventor); Renault Louis (grantee). Issued 10-2-28.
1,686,166. Grease package. Muller Jacques (inventor). Issued 10-2-28.
1,686,255. Distributor for slender articles of elongated shape. Robergel Gabriel (inventor). Issued 10-2-28.
1,686,331. Manufacture of carpets. Le Gloahec Victor Charles Emile (inventor). Issued 10-2-28.

1,687,191. Suspension without axles for motor vehicles. Ballot Ernest Maurice (inventor). Issued 10-9-28.

1,687,300 Application of cold to the manufacture of flour. Loizillon Jean Joseph Bernard (inventor). Issued 10-9-28.

1,687,307. Battery electric accumulator and electrolyzing apparatus. Oppenheim Rene (inventor); S A le Carbone (grantee). Issued 10-9-28.

1,687,526. Cylinder head for internal combustion engines. Tartrais Eugene Henri (inventor). Issued 10-16-28.

1,687,603. Separator. Amet Pierre (inventor). Issued 10-16-28.

1,687,697. Theft preventing rocking lock for bicycles. Soulliere Edouard (inventor). Issued 10-16-28.

1,687,910. Safety razor. Valabregue Rene Max (inventor); Le Rasoir Apollo (grantee). Issued 10-16-28.

1,687,946. Apparatus for checking the profiles of gear wheels the pitch of screws and similar articles. Massiot Georges (inventor). Issued 10-16-28.

1,687,984. Mechanical construction of pianos. Lyon Gustave (inventor); S A Pleyel (grantee). Issued 10-16-28.

1,688,147. Air heater and the like. Levron Maurice (inventor). Issued 10-16-28.

1,688,196. Plastic display. Masson Marcel (inventor). Issued 10-16-28.

1,688,260. Automatic nail feeding device for nailing machines. Albert Emile (inventor). Issued 10-16-28.

1,688,376. System of propulsion for ships. Bidoire Maxime Auguste Leon (inventor). Issued 10-23-28.

1,688,491. Manufacture of molded and vulcanized rubber cork articles. Grimoin Sanson Raoul et al, Daniel Herman (inventors). Issued 10-23-28.

1,688,550. Internal combustion engine. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 10-23-28.

1,688,865. Magazine for tickets. Gagneau Paul (inventor). Issued 10-23-28.

1,688,947. Carburetor. Thomas Francois Victor Albert (inventor). Issued 10-23-28.

1,689,132 Window for doors of motor cars and the like. Haarnagell Georges (inventor). Issued 10-23-28.

1,689,210. Conveyer operated at accelerated speed. Halter Georges (inventor). Issued 10-30-28.

1,689,238 Clearing mechanism for preparatory machines for textile fiber. Gegauff Charles et al, Pfilmlin Jules (inventors). Issued 10-30-28.

1,689,279. Spraying device. Dormoy Jean (inventor). Issued 10-30-28.

1,689,283. Stenographic machine. Grand Jean Marc (inventor); S. A. Stenotype Grandjean (grantee). Issued 10-30-28.

1,689,360. Grease gun filling device. Monnot Robert (inventor). Issued 10-30-28.

1,689,891. Process of producing calcium aluminate cement. Roche Emile Marcel (inventor); Urbain Bellony Voisin (grantee). Issued 10-30-28.

1,689,987. Shaving brush. Werner Jean Marie (inventor). Issued 10-30-28.

1,690,472 Cleaning means. Breton Paul (inventor). Issued 11-6-28.

1,690,486 Device for giving warning of fire. Half Edmond (inventor) Issued 11-6-28.

1,690,770. Cinematograph apparatus with continuously fed film. Continsouza Victer et al, Combes Maurie (inventors). Issued 11-6-28.

1,690,949. Apparatus for measuring the rate of flow of fluids. Albanese Giuseppe Sacco (inventor). Issued 11-6-28.

1,691,383 Typographical printing machine. Duwoos Paul Andre Camile (inventor). Issued 11-13-28.

1,691,427 Process for the manufacture of products of condensation of urea and formaldehyde and the products thus obtained. Barthelemy Henri (inventor); Soc Industrielle Des Matieres Plastiques (grantees). Issued 11-13-28.

1,691,602. Closing and regulating cock for all liquids and gases. Ferrette Louis (inventor). Issued 11-13-28.

1,691,713. Viscose distributing device for artificial silk plants. Frey Armand Charles (inventor). Issued 11-13-28.

1,691,737. Fluid actuated compressor. Pescara Raul Pateras (inventor). (Issued 11-13-28.

1,691,802. Wadding device for the cartridges of fowling pieces. Gabel Charles (inventor); S A Cartoucherie Francaise (grantee). Issued 11-13-28.

1,692,070. Control means for clutches brakes and the like. Athimon Francis (inventor). Issued 11-20-28.

1,692,092. Cinematographic apparatus. Oeh Michen Etienne (inventor). Issued 11-20-28.

1,692,107. Direct injection fuel atomizer for internal combustion engines. Archaouloff Vadime (inventor). Issued 11-20-28.

1,692,139. Braking mechanism for front wheels on motor cars. Poulet Edouard (inventor). Issued 11-20-28.

1,692,163. Liquid level indicator. Farman Henri (inventor). Issued 11-20-28.

1,692,290. Pump and like engine. De Rueda Manuel Gomez (inventor). Issued 11-20-28.

1,692,295. Automatic fastening device. Gerard Auguste Leon Jean (inventor). Issued 11-20-28.

1,692,299 Carburetor. Harding Howard Joseph (inventor). Issued 11-20-28.

1,692,307. Power loom. Knobel Reinhard et al, Knobel Eugen (inventors); Walter Charles (grantee). Issued 11-20-28.

1,692,434. Hinge for jewelry. Candas Gaston (inventor). Issued 11-20-28.

1,692,692. Process for the manufacture of sulphate of aluminum. Patrouilleau Louis Gabriel (inventor); Soc Alumine Et Derives (grantee). Issued 11-20-28.

1,692,703. Construction of automatic clutches provided with a centrifugal mass. Rigolage Maurice Jean Joseph (inventor); Soc D Eugins Graisseurs (grantee). Issued 11-20-28.

1,692,917. Gradual clamping clip for braces sock suspenders and such like. Allenic Paul (inventor). Issued 11-27-28.

1,693,302. Rotary machine. Lavergne Jean (inventor); Forest Rene (grantee). Issued 11-27-28.

1,693,486. Apparatus for treating wood with ozone. Lyon Gustave (inventor). Issued 11-27-28.

1,693,597. Pulverulent fuel furnace. Duquenne Camille (inventor). Issued 12-4-28.

1,693,774. Apparatus for the continuous preliminary treatment of crude benzols. Barbet Emile Augustin (inventor). Issued 12-4-28.

1,693,775. Fishplate. Coullie Jean Gabriel Georges et al, Cadis Jean Louis (inventors). Issued 12-4-28.

1,693,790. Compound fuel. Leveque Pierre Henri (inventor); Soc de Recherches et de Perfectionnements Industriels (grantees). Issued 12-4-28.

1,693,874. Tipping device for wagons. Sirot Charles Robert (inventor). Issued 12-4-28.

1,693,890. Ultrafilter membrane. Ducloux Jacques (inventor). Issued 12-4-28.

1,694,194. Compass. Vion Eugene (inventor). Issued 12-4-28.

1,694,203. Brake mechanism. Brault Francois et al, Cordier Andre (inventors). Issued 12-4-28.

1,694,271. Combined back fire and theft preventing device. Liberman Alexander Iezekil (inventor). Issued 12-4-28.

1,694,338. Process for the manufacture of aluminous cements. Patrouilleau Louis Gabriel (inventor); Soc Alumine et Derives (grantee). Issued 12-4-28.

1,694,377. Free wheel clutch. De Lavaud Dimitri Sensaud (inventor). Issued 12-11-28.

1,694,572. Closed road motor vehicle body. Weymann Charles Terres (inventor) Issued 12-11-28.

1,694,843. Device for the horizontal aiming of turrets comprising several guns. De Courseulles Robert (inventor); Soc Schneider and Co., Cie Des Forges and Acieries de La Marine and D Homecourt (grantee). Issued 12-11-28.

1,694,844. Process for the manufacture of artificial flowers. De Gerson Raesfeld Jeanne, born Berthier (inventor). Issued 12-11-28.

1,694,859. Fluid tight piston. Laugeudin Eugene Jules (inventor). Issued 12-11-28.

1,694,884. Manufacturing of dyestuffs from naphthidine. Le Floch Georges (inventor). Issued 12-11-28.

1,695,025. Sounding recording and sound reproducing machine. Remy Auguste et al, Renaux Jean, Delort Jean, Debrebant Francis (inventors). Issued 12-11-28

1,695,112. Carburetor. Lamoureux Georges (inventor). Issued 12-11-28.

1,695,247. Mudguard for motor vehicles. Dedisse Henri (inventor). Issued 12-11-28.

1,695,401. Air pump. Voreaux Paul (inventor); Soc Etablissements Samga & Bavex Reunis (grantees). Issued 12-18-28.

1,695,455. Apparatus for the manufacture of artificial filaments. Delpech Jacques (inventor). Issued 12-18-28.

1,695,617. Process of and apparatus for engraving printing cylinders. Teissere Albert et al, Teissere Jean (inventors) Issued 12-18-28.

1,695,650. Pump and the like. Gadillot Edouard (inventor); Laraque Roland (grantee). Issued 12-18-28.

1,695,657. Traction increasing device for endless flexible track belts. Kegresse Adolphe (inventor). Issued 12-18-28.

1,695,708. Contact device for magnetos. Bugatti Ettore (inventor). Issued 12-18-28

1,695,743. Thread guide and cleaner for spinning looms and the like machines. Rouge Joseph Auguste (inventor). Issued 12-18-28.

1,695,945. Spring belt stretcher. Bentt Henri (inventor); Cie Generale D Electricite (grantee). Issued 12-18-28

1,696,131. Wooden plug for anchoring rails on concrete supports. Vagneux Edmond Francois Leopold (inventor). Issued 12-18-28.

1,696,226. Protective system for electric cables Douchet Florimond (inventor); Forges & Ateliers De Constructions Electriques De Jeumont S A (grantee). Issued 12-25-28.

1,696,389. Vapor burner. Debaecker Charles Edmond (inventor). Issued 12-25-28.

1,696,472. Shock arrester. Conti Emile (inventor). Issued 12-25-28.

1,696,501. Dielectric substance and process for manufacturing same. Mouillefarine Andre (inventor). Issued 12-25-28.

1,696,515. Composing apparatus for type setting machines. Barennes Robert (inventor). Issued 12-25-28.

1,696,646. Manufacturing of valves and like devices. Salves Leon (inventor); Renault Louis (grantee). Issued 12-25-28

1,696,968. Automatic optical projection apparatus. Outrey Fernand (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 1-1-29

1,697,009. Flying machine. Isacco Vittorio (inventor). Issued 1-1-29.

1,697,031. Postmarking apparatus Tiranty Philippe Henri Louis (inventor) Issued 1-1-29.

1,697,201. Receptacle filling machine Muller Victor (inventor). Issued 1-1-29

1,697,722. Process for recovering barium as barium carbonate from barium silicates. Deguide Camille (inventor). Issued 1-1-29.

1,697,725. Stoppers for perfume bottles and other containers. Guerin Emile (inventor). Issued 1-1-29.

1,697,730 Controlling device for power transmission for vehicles traveling upon tracks. Mariage Pierre (inventor); Soc De Construction et d Entretien De Materiel Industriel et Agricole, Scemia (grantee). Issued 1-1-29.

1,697,737. Textile material drawing. Simon Christophe (inventor). Issued 1-1-29.

1,697,910. Solution of ammonium salt of hydroxyacetylaminophenylarsenic acid. Fourneau Ernest (inventor). Issued 1-8-29.

1,698,646. Muzzle cover for guns. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 1-8-29.

1,698,647. Purification of magnesium and its alloys. Michel Gilbert (inventor); Berg Hart O (grantee). Issued 1-8-29.

1,698,798. Rectification of acetic acid. Legendre Georges Felix (inventor); Soc Des Etablissements Barbet (grantee). Issued 1-15-29.

1,699,031. Vehicle. Sevault Alfred Marie et al, Gerrard Auguste Leon Jean (inventors). Issued 1-15-29.

1,699,134. Steam boiler draft increasing device Chapelon Andre (inventor). Issued 1-15-29.

1,699,192 Antivibratory device applicable to the steering wheels of vehicles. Houdaille Maurice (inventor). Issued 1-15-29.

1,699,336 Mechanically operating retarding device for projectile fuses and other firing devices. Remondy Leon Emile (inventor). Issued 1-15-29.

1,699,562. Measuring and delivering apparatus for liquids. Courtioux Jean Pierre (inventor). Issued 1-22-29.

1,699,568. Means for making hollow monolithic building elements. Pauly Emile (inventor). Issued 1-22-29.

1,699,571. Process of manufacturing bearing cages. Rouanet Louis (inventor). Cie d Applications Mecaniques (grantee). Issued 1-22-29.

1,699,583. High speed motor driven spindle. Brunnert Emile (inventor). Issued 1-22-29.

1,700,068. Signaling device for machines. Meurin Henri (inventor); Soc h Trente Livres and Co (grantee). Issued 1-22-29.

1,700,208. Process and apparatus for production of a substance having a nacreous and chatoyant aspect. Paisseau Jean (inventor). Issued 1-29-29.

1,700,266. Coal breaker. Lozai Amable et al, Lercin Achille (inventors). Issued 1-29-29.

1,700,612. Change speed gear. Fries Gustave (inventor). Issued 1-29-29.

1,700,756. Dry process of manufacturing calcium arsenite. Altwegg Jean et al, Dutel Anne Marie (inventors); Soc des Usines Chimiques, Rhone Poulenc (grantee). Issued 2-5-29.

1,700,902 Carriage for antiaircraft guns. Le Prieur Yves Paul Gaston (inventor); S A la Precision Moderne (grantee). Issued 2-5-29.

1,700,921. Carburetor. Chanard Auguste (inventor). Issued 2-5-29.

1,701,032. Atomizer. Dubray Pierre (inventor). Issued 2-5-29

1,701,582. Road or course indicator for motor vehicles, vessels, aircraft, or the like. Merveden Georges (inventor). Issued 2-12-29

1,702,107. Fastening device for watches and other articles of jewelry. Cartier Louis J (inventor); Cartier S A (grantee). Issued 2-12-29.

1,702,133 Supersensitive fuse for projectiles of all calibers. Remondy Leon Emile (inventor). Issued 2-12-29.

1,702,167. Piece of ordnance more particularly adapted for firing upon aircraft. Methlin Nicolas Emilien (inventor). Schneider & Cie (grantee). Issued 2-12-29.

1,702,187. Cigarette package holder. Wolfe John (inventor). Issued 2-12-29.

1,702,244. Speed reducing gear. Barbarou Marius Jean Baptiste (inventor). Issued 2-19-29.

1,702,250. Iron oxides and their production. Delachaux Clarence Leon (inventor). Issued 2-19-29.

1,702,275. Installation and device for the distillation and depolymerization of liquid or liquefiable hydrocarbons. Seigle Adolphe Antoine Francois Marius (inventor). Issued 2-19-29.

1,702,303. Manufacture of food and other useful products from lower vegetables. Kahn Albert (inventor). Soc Francaise des Produits Alimentaires Azotes (grantees) Issued 2-19-29.

1,702,433. Carburetor. Griffon Gaston (inventor). Issued 2-19-29.

1,702,549. Movable turntable for railways. Schoeller Gustove Adolphe (inventor). Issued 2-19-29.

1,702,631. Method for protecting fluid containers. Courtin Rene (inventor). Issued 2-19-29.

1,702,725. Preservation of flour grain grain by-products or the like. Legendre Rene Andre (inventor). Issued 2-19-29.

1,702,765. Electric bulb of the three electrode type. LeBlanc Charles Leonard Armand Maurice (inventors); S A Pour l Exploitation des procedes Maurice LeBlanc Vickers (grantees). Issued 2-19-29.

1,702,865. Motor propelling unit for motor vehicles. Gerin Jacques (inventor). Issued 2-19-29.

1,702,947. Pocket or pyrophoric lighter. Quercia Janvier (inventor). Issued 2-19-29.

1,703,026. Film gophering cylinder. Brosse Paul (inventor). Issued 2-19-29.

1,703,097. Process for the manufacture of marble plaster. Chassevent Louis Emile (inventor). Issued 2-26-29.

1,703,264. Friction shock absorber. D Albay Jacques Tournadour (inventor); S A Etablissements Maurice Houdaille Levallois Perret (grantees). Issued 2-26-29.

1,703,400 Target towing and releasing device. Lamkey William A. (inventor). Issued 2-26-29.

1,703,723. Bag making machine. Corse Gaston (inventor); Chambon Louis (grantee). Issued 2-26-29.

1,703,728. Machine for the obtainment of gathered work. Ezebelent Eugene Louis (inventor). Issued 2-26-29.

1,703,757. Arrangement for the recovery of heat and water vapor in gaseous reactions. Patart Georges Leon Emile (inventor). Issued 2-26-29.

1,703,793. Heat regenerator with large surface. Stein Charles M (inventor); S A des Appareils de Manutention and Fours Stein (grantee). Issued 2-26-29.

1,703,973. Liquid elevator. Weymann Charles Torres (inventor). Issued 3-5-29.

1,704,034 Aircraft provided with rotating wing surfaces. Chauviere Lucien (inventor). Issued 3-5-29.

1,704,046. Pivoting headlight. Lespinat Georges, Kalhaus Ernst, et al (inventors). Issued 3-5-29.

1,704,308. Polishing and grinding material. Szilard Bertrand (inventor) Issued 3-5-29.

1,704,409. Hand driven propulsion rudder for crafts and the like. Michiels Eugene Jules Desire (inventor). Issued 3-5-29.

1,704,469. Device for the evacuation of waste scraps from kitchens or the like. Garchey Louis Antoine (inventor). Issued 3-5-29.

1,704,585. Reclining armchair. Astruc Jean Gabriel Victor (inventor). Issued 3-5-29.

1,704,629 Electric and thermal insulator and process for manufacturing same. Samuel Andre Albert (inventor). Issued 3-5-29.

1,704,981. Method of preparing luminescent tubes. LeBrun Paul Francois Joseph (inventor). Issued 3-12-29

1,705,206. Projectile fuse. Remondy Leon Emile (inventor). Issued 3-12-29.

1,705,238 Commutator Daloz Jules Gaston (inventor). Issued 3-12-29.

1,705,383. Combustion chamber for use with powdered fuel. Weiss Paul (inventor); Soc. des Mines de Frankenholz (grantee). Issued 3-12-29.

1,705,390. Cylinder engine. Birkigt Marc (inventor). Issued 3-12-29

1,705,392 Dispensing apparatus. Bohling Peter (inventor); S A Pour Tous Appareillages Mecaniques Satam (grantees). Issued 3-12-29.

1,705,412. Radio receiving system Levy Lucien (inventor). Issued 3-12-29

1,705,446. Stroboscope. Guillet Amedee Victor Joseph (inventor). Issued 3-12-29.

1,705,471 Heat interchanger of the plate type. Debeauvais Georges Marie Gerouille (inventor); Prat Georges Jules (grantee). Issued 3-19-29.

1,705,542. Toothbrush. Ryser Walter (inventor). Issued 3-19-29.

1,706,218. Autocollimating reflector and application to optical signaling and night advertising. Chretien Henri (inventor). Issued 3-19-29.

1,706,238. Reproducing apparatus. Lempereur Sebastien et al, Regelsperger Georges (inventors). Issued 3-19-29

1,706,521. Braking device for the steering gear of motor vehicles. Bugatti Ettore (inventor). Issued 3-26-29.

1,706,537. Casing for electric meters Mercier Rene (inventor); Cie Continentale Pour la Fabrication des Compteurs & Autres Appareils (grantees). Issued 3-26-29.

1,706,745. Shock absorber. Ribis Georges Prosper Gustave (inventor). Issued 3-26-29.

1,706,774 Device allowing the rapid and continuous drawing of parallel lines or bands especially in view of making polychromatic screens for color photography. De Bercegol Raymond Camille Marie (inventor). Issued 3-26-29.

1,706,802. Means for igniting the bursting charge of projectiles. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 3-26-29.

1,706,940. Manufacture of petroleum sulphonic acids and the salts thereof Schestakoff Peter Iwanowitsch (inventor). Issued 3-26-29.

1,706,954. Washing machine. Clemencet Louis Eugene (inventor). Issued 3-26-29.

1,707,079. System for measuring electrical quantities. Dubusc Roger (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantees). Issued 3-26-29.

1,707,157. Film for motion pictures in color. Berthon Rodolphe (inventor). Issued 3-26-29.

1,707,249. Gas producing apparatus. Bregeaut Lucien (inventor). Issued 4-2-29

1,707,268 Body mounting. Kolsch Clement Jean (inventor). Issued 4-2-29.

1,707,393. Power transmitting mechanism for automobiles and other purposes. Gherassimoff Nicolas (inventor). Issued 4-2-29.

1,707,868. Portable talking machine. Midence Adolph (inventor). Issued 4-2-29

1,707,915. Lubricating apparatus with multiple pumps Lefebvre Albert (inventor). Issued 4-2-29.

1,707,930. Film camera. Guerin Emile (inventor). Issued 4-9-29.

1,708,001 Manufacture of naphthoquinone derivatives. Wahl Andre et al Lantz Robert (inventors); S A des Matieres Colorantes et Produits Chimiques de Saint Denis (grantees). Issued 4-9-29.

1,708,526. Rotary chemical furnace. Tocco Luigi et al, Landi Michele (inventors); Soc le Pour Chimiqu Rotatif S A Francaise (grantees). Issued 4-9-29.
1,708,632. Spring seat. Podiebrad Bernard (inventor). Issued 4-9-29.
1,708,839. Mechanical vibrating ramming device. Jarrett Knott Charles Edouard Georges Louis (inventor). Issued 4-9-29.
1,708,840. Automatic cop changing mechanism with oscillating loader magazine for looms. Laforet Jean (inventor). Issued 4-9-29.
1,709,039. Closing device for all fluids particularly for liquids used in automobiles. Poirmeur Louis Ildevert (inventor). Issued 4-16-29.
1,709,060. Mud guard for vehicles. Canchy Urbain (inventor). Issued 4-16-29.
1,709,094. Agricultural machine. Orge Marcel (inventor). Issued 4-16-29.
1,709,503. Decolorizing carbon. Urbain Edouard (inventor). Issued 4-16-29.
1,709,548. Musical instrument. Tournier Marcel (inventor). Issued 4-16-29.
1,709,593. Closing device for hand baggage and cases and the like. Romanoff Hippolyte (inventor). Issued 4-16-29.
1,709,718. Metal covered pneumatic tire. Gherassimoff Nicolas (inventor); Rivoche Eugene (grantee). Issued 4-16-29.
1,709,784. Pivoting head lamp for vehicles. Gauchot Prosper Felix (inventor). Issued 4-16-29.
1,709,858. Luminescent tube. Lebrun Paul Francois Joseph (inventor). Issued 4-23-29.
1,710,255. Process for obtaining organic iodine. Gloess Paul (inventor). Issued 4-23-29.
1,710,271. Combined detonator & fuse body for percussion or other fuses. Remondy Leon Emile (inventor). Issued 4-23-29.
1,710,350. Constructional element. Dewoitine Emile Julien (inventor). Issued 4-23-29.
1,710,362. System for the automatic irrigation of the soil. Korneff Basil (inventor); Soc Nord Africaine d'Etudes & d'Enterprises S A Francaise (grantees). Issued 4-23-29.
1,710,868. Plaiting machine. Ezbelent Georges et al, Ezbelent Roger (inventors); Ezbelent Fils (grantee). Issued 4-30-29.
1,710,874. Convertible carriage work. Hoch Charles (inventor). Issued 4-30-29.
1,711,428. Separating and purifying apparatus for liquids. Schafer Jean (inventor). Issued 4-30-29.
1,711,531. Perfume set. Heymann Paul (inventor). Issued 5-7-29.
1,711,614. Concentrating apparatus. Passelecq Georges Hector (inventor). Issued 5-7-29.
1,711,704. Road motor vehicle body and method of making same. Steinbrugge Hermann (inventor); Weymann Charles Torres (grantee). Issued 5-7-29.
1,711,855. Manufacture of carbureting liquids similar to petrol. Prudhomme Eugene Albert (inventor); Soc Internationale des Procedes Prudhomme S I P P (grantee). Issued 5-7-29.
1,711,856. Process for the manufacture of synthetic liquid fuels. Prudhomme Eugene Albert (inventor); Soc Internationale Des Procedes Prudhomme S I P P (grantee). Issued 5-7-29.
1,712,037. Apparatus for binding packing cases and similar objects by means of hoops. Halter Georges (inventor). Issued 5-7-29.
1,712,155. Live axle having driving wheels. Mistral Paul Henri (inventor). Issued 5-7-29.
1,712,171. Setting provided with removable stones. Rochas Maurice Gustave Eugene (inventor); Bielle Fernand Louis, Soc Rochas Fils and Millet (grantees). Issued 5-7-29.
1,712,342. Draining or drying rack for dishes and like culinary effects. Fitzgerald William George (inventor). Issued 5-7-29.
1,712,377. Tuned electrical servo motor device. Chirol Maurice (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantee). Issued 5-7-29.
1,712,550. Amusement and recreative devices for fairs and the like. Chaussier Noel (inventor). Issued 5-14-29.
1,712,763. Method and means for the repetition of telegraphic signals. Hamel Charles Louis (inventor). Issued 5-14-29.
1,712,840. Lipstick holder. Povel Hyacinthe Alphonse (inventor). Issued 5-14-29.
1,713,003. Automatic printing telegraph. Penot Robert Emile Marie (inventor). Issued 5-14-29.
1,713,040. Plaiting machine. Ezbelent Georges et al, Ezbelent Roger (inventors). Issued 5-14-29.
1,713,190. Wheeled split trail gun carriage. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 5-14-29.
1,713,337. Screen for internal combustion engines. Hibbard Thomas Laurence (inventor). Issued 5-14-29.
1,713,363. Binding for stitched books. Amon Marcel (inventor). Issued 5-14-29.
1,713,366. Hydraulic prime mover. Beurrier Alexis (inventor). Issued 5-14-29.
1,713,375. Machine for cutting float thread. Cordier Gustave (inventor). Issued 5-14-29.
1,713,399. Loud speaker. Saldana Felipe (inventor). Issued 5-14-29.
1,713,433. Wearing apparel. Hamberger Paul (inventor). Issued 5-14-29.
1,713,508. Automatic furnace apparatus. Andre Roger Marcel (inventor). Issued 5-21-29.
1,713,515. Shock absorber. Becherceau Louis (inventor). Issued 5-21-29.
1,713,570. Gliding boat. Torralva Domingo (inventer). Issued 5-21-29.
1,713,742. Method of manufacture of rectangular tubes. Challet Etienne (inventor); Borel Maurice Arthur (grantee). Issued 5-21-29.
1,713,743. Method for truing up the measuring jaws of sliding calipers. Challet Etienne (inventor); Borel Maurice Arthur (grantee). Issued 5-21-29.
1,713,921. Apparatus for enabling long endless bands of flexible material to be circulated in reduced spaces. Rouiller Albert (inventor). Issued 5-21-29.
1,713,959. Means for controlling the nippers in Heilmann and like combers. Gegauff Charles (inventor); Soc Alsacienne de Constructions Mecaniques (grantee). Issued 5-21-29.
1,713,980. Seat of motor cars. Saives Leon (inventor); Renault Louis (grantee). Issued 5-21-29.
1,714,017. Means for controlling the nippers in Heilmann and like combers. Gefauff Charles (inventor); Soc Alsacelnne de Constructions Mecaniques (grantee). Issued 5-21-29.
1,714,120. Atomizer. Lemoine Renee Marie Louise nee Trouillet (inventor). Issued 5-21-29.
1,714,154. Radiovision and telecinematography. Belin Edouard (inventor). Issued 5-21-29.
1,714,205. Log constituted by a vane wheel. Baule Marie Emile Alfred (inventor). Issued 5-21-29.
1,714,415. Automatic circuit breaking system. Benit Henri (inventor). Issued 5-21-29.
1,714,898. Pump for massage apparatus. Zund Burguet Adolphe (inventor). Issued 5-28-29.
1,715,057. Loud speaking device. Decaux Leopold Rene (inventor). Issued 5-28-29.
1,715,272. Arc lamp. Benard Henri Lugllen Marie Joseph (inventor); Anciens Etablissements Barbier Benard et Turenne (grantees). Issued 5-28-29.
1,715,297. Device for molding combustible eggettes. Kleinberg Gustave (inventor). Issued 5-28-29.
1,715,368. Internal combustion engine. Jaussaud Lazare Stephane (inventor). Issued 6-4-29.
1,715,695. Derusting ferrous metals. Cole William Howard (inventor). Issued 6-4-29.
1,715,736. Radio instrument controlling device. Bonnefont Antoine (inventor). Issued 6-4-29.
1,715,766. Method of covering roads with reenforced concrete. Lancette Cesar Jean Marie (inventor). Issued 6-4-29.
1,715,904. Apparatus for transmitting and receiving telegraphic messages in code. Damm Arvid Gerhard (inventor). Issued 6-4-29.
1,715,974. Brush. Andrieu Louis (inventor). Issued 6-4-29.
1,715,978. Lubricating device for vertical shafts. Benit Henri (inventor). Issued 6-4-29.
1,716,120. Process for the production of washable printings on leather. Friedman Charles S (inventor). Soc Anciens Etablissements a Combe & Fils & Cie (grantee). Issued 6-4-29.
1,716,134. Movable wheel for reversible rotary machines and particularly for hydraulic turbines. Huguenin Albert (inventor). Issued 6-4-29.
1,716,218. Dyeing process. Escaich Auguste et al, Worms Jean Paul (inventors). Issued 6-4-29.
1,716,225. Elastic coupling. Georgevitch Nicholas (inventor). Issued 6-4-29.
1,716,240. Apparatus for the unloading of railroad cars and other vehicles. Postweiler Charles (inventor). Issued 6-4-29.
1,716,256. Cylinder block assembly. Birkigt Marc (inventor). Issued 6-4-29.
1,716,461. Galvanic battery. Portail Fernand Charles Frederic (inventor); S A Le Carbone (grantee). Issued 6-11-29.
1,716,527. Manufacturing process for aluminous cements. Martin Ernest (inventor). Issued 6-11-29.
1,716,540. Apparatus for measuring and distributing liquids. Dubreuil Gaston (inventor); S A Pour Tous Appareillages Mecaniques (grantees). Issued 6-11-29.
1,716,706. Process for manufacture of tiles. Rey Ami (inventor). Issued 6-11-29.
1,717,187. Daylight charging photographic plate holder. Chauvin Henri (inventor). Issued 6-11-29.
1,717,189. Carding machine. Clarisse Gustave (inventor). Issued 6-11-29.
1,717,244. Gas accumulator. Oppenheim Rene (inventor). Issued 6-11-29.
1,717,304. Drilling device for the manufacture of glass bottle necks. Bayet Jules Alexis (inventor); S A Des Cristalleries de Nancy (grantee). Issued 6-11-29.
1,717,374. Brooch carrying removable letters or like figures. Dufau Henri et al, Legard Victor (inventors). Issued 6-18-29.
1,717,375. Washing wool and other textile materials. Duhamel Elisee Charles (inventor). Issued 6-18-29.
1,717,439. Process for washing or cleaning textiles materials. Duhamel Elisee Charles (inventor). Issued 6-18-29.
1,717,440. Process for washing wool. Duhamel Elisee Charles (inventor). Issued 6-18-29.
1,717,540. Process for preventing explosions in liquid air apparatus. Aubert Robert Gerard (inventor). Issued 6-18-29.
1,717,753. Centrifugal Machine. Baudlen Charles Victor (inventor). Issued 6-18-29.
1,718,024. Tachytelegraphic machine. Belin Edouard (inventor). Issued 6-18-29.
1,718,069. Closure for containers. Pernot Henri Alexandre (inventor). Issued 6-18-29.

1,718,082. Motor with sleeve valve. Schaeffer Charles (inventor); S A Des Anciens Etablissements Panhard & Levasson (grantees). Issued 6-18-29.
1,718,085. Movable platform. Sene Robert (inventor). Issued 6-18-29.
1,718,104. Vertical drying and dehydrating apparatus. Baechler Max (inventor); Baechler Kiser et Cie (grantee). Issued 6-18-29.
1,718,112. Compressor. Cavallier Jean (inventor); S A Des Hauts Fourneaux et Fonderies de Pont à Mousson (grantee). Issued 6-18-29.
1,718,159. Machine for ladling and pouring purposes. Laronde Michel (inventor); S A Des Verreries et Manufactures de Glaces d' Aniche (grantees). Issued 6-18-29.
1,718,650. Latch. Janoir Louis (inventor). Issued 6-25-29.
1,718,879. Two stroke internal combustion engine. Rochefort François (inventor). Issued 6-25-29.
1,718,930. Musical instrument. Chiron Hippolyte Marius (inventor). Issued 6-25-29.
1,719,011. Rail connecting system for railroads and the like. Henry Charles Albert (inventor). Issued 7-2-29.
1,719,048. Flying machine. Ehmig Victor (inventor). Issued 7-2-29.
1,719,060. Diaphragm pump. Lamblin Alexandre (inventor). Issued 7-2-29.
1,719,066. Treatment of plant fibers. Masse Casimir (inventor). Soc Civile des Procedes Masse (grantee). Issued 7-2-29.
1,719,335. Lock. Maynard Lester (inventor). Issued 7-2-29.
1,719,362. Lubricating apparatus. Gass Ernest (inventor). Issued 7-2-29.
1,719,389. Spark plug for internal combustion engines. Colin Rene (inventor). Issued 7-2-29.
1,719,433. Antioverflow device. Juhel Maurice (inventor). Issued 7-2-29.
1,719,463. Proofing metal especially iron and steel against rust. Cole William Howard (inventor). Issued 7-2-29.
1,719,464. Proofing of iron and steel against rust. Cole William Howard (inventor). Issued 7-2-29.
1,719,758. Transporter. Dutkiewicz Valentin (inventor). Issued 7-2-29.
1,719,772. Process of forming ceramic tiles plates or the like. Lampferhoff Julius (inventor). Issued 7-2-29.
1,719,783. Windshield for motor vehicles. Rocheron Henri Francois Louis Joseph (inventor). Issued 7-2-29.
1,719,786. Method for the location of oil-bearing formation. Schlumberger Conrad (inventor). Issued 7-2-29.
1,720,094. Shock absorber. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 7-9-29.
1,720,177. Method of protecting metal wood and other substances and objects so protected. Hatmaker James Robinson (inventor). Issued 7-9-29.
1,720,270. Construction of banjos and analogous apparatus. Grau Vincent (inventor). Issued 7-9-29.
1,720,286. Process for the protection of the surface of baths of easily oxidizable metals such as magnesium. Michel Gilbert (inventor). Issued 7-9-29.
1,720,410. Folding safety razor. Riviere Marie Louis (inventor). Issued 7-9-29.
1,720,446. Electric arc welding transformer and controlling device. Sarazin Robert (inventor). Issued 7-9-29.
1,720,571. Apparatus for exercising the fingers. Retif Georges dec (inventor); Gamy M Emile admr (grantee). Issued 7-9-29.
1,720,597. Mechanism for controlling liquid dispensers. Gueux Joseph Jean Marie (inventor). Issued 7-9-29.
1,720,622. Dishwashing sterilizing and drying machine. Breton Jules Louis (inventor). Issued 7-9-29.
1,720,670. Manufacture of ultrafilter membranes. Duclaux Jacques (inventor). Issued 7-16-29.
1,720,747. Steering wheel. Lambert Pierre Louis Jean Baptiste (inventor). Issued 7-16-29.
1,720,916. Carburetor for internal combustion engines. Monier Francis (inventor). Issued 7-16-29.
1,720,971. Spur gear speed increasing and speed reducing standard device in which the distance between centers and the gear ratios are variable. Schweich Roger (inventor); S A des Engrenages Citroen (grantee). Issued 7-16-29.
1,721,077. Opener. Le Blan Pierre Emile (inventor); Filature de Coton th Barrois S A (grantee). Issued 7-16-29.
1,721,221. Surgical arm chair. Jauregui Pedro (inventor). Issued 7-16-29.
1,721,244. Film for lenticular screen color photography and process of making the same. Berthon Rodolphe (inventor); Soc Civil pour l Etude de la Photographie et de la Cinematographie au Couleurs (grantee). Issued 7-16-29.
1,721,331. Float valve for automobile radiators. Bugatti Ettore (inventor). Issued 7-26-29.
1,721,372. Hydraulic brake system. Charles Maurice (inventor). Issued 7-16-29.
1,721,408. Compensating device. Perdreau Jean (inventor); S A Marinoni Machines et Materiel pour l Imprimerie et les Industries Annexes (grantee). Issued 7-16-29.
1,721,428. Adjustable shoe tree. Argence Alfred Victorin (inventor). Issued 7-16-29.
1,721,436. Anchoring device. Dubois Jean, et al, Plantade Bernard (inventors). Issued 7-16-29.
1,721,457. Valve gear for piston engines. Lemasson Roger Pierre Felix et al, Martin Edouard Hubert (inventors). Issued 7-16-29.
1,721,547. Heating system for all vehicles. De la Barre de Nanteuil Christian (inventor). Issued 7-23-29.
1,721,741. Article decorated by means of the wings of insects. Le Moult Eugene Henri (inventor). Issued 7-23-29.
1,721,833. Signal. Prediumeau Joseph (inventor). Issued 7-23-29.
1,721,875. Carriage body system for automobiles and other vehicles. Darrin Howard A (inventor). Issued 7-23-29.
1,722,141. Rubbing motion for drawing frames and the like. Grivel Henri (inventor). Issued 7-23-29.
1,722,151. Steering wheel device for automobile vehicles. Mantout Maurice (inventor). Issued 7-23-29.
1,722,177. Method of manufacturing metal furniture and products resulting therefrom. Combemale Marcel (inventor). Issued 7-23-29.
1,722,202. Manufacture of cellulose products. Cusin Maurice et al, Chevalet Pierre Alphonse Andre (inventors); Soc Lyonnaise de Soie Artificielle (grantee). Issued 7-23-29.
1,722,245. Letter holding device. Gautheron Jean Leandre (inventor). Issued 7-23-29.
1,722,249. Musical instrument. Lazare Rene Emile et al, Clapham William (inventors). Issued 7-23-29.
1,722,322. Continuous rectification of liquids at high boiling point. Barbet Emile Augustin (inventor). Issued 7-30-29.
1,722,333. Mechanically operated alarm and signal device. Mamet Claude (inventor). Issued 7-30-29.
1,722,362. Machine gun carriage. Ricordel Auguste Louis (inventor); S A La Precision Moderne (grantee). Issued 7-30-29.
1,722,388. Gyroscopic compass. Beghin Henri et al, Monfraix Paul (inventors). Issued 7-30-29.
1,722,390. Friction material. Bluhm Alexandre (inventor); S A Francaise du Ferodo (grantee). Issued 7-30-29.
1,723,250. Automatic transcriber and recorder of telegraphic signals. Penot Robert Emile Marie (inventor). Issued 8-6-29.
1,723,425. Process of separating hydrogen from gaseous mixtures. Jaubert George Francois (inventor); Soc Ammonia (grantee). Issued 8-6-29.
1,723,539. Sorting machine. Bussard Claude (inventor); Soc d Applications et de Recherches Scientifiques et Industrielles (grantee). Issued 8-6-29.
1,723,688. Plaiting machine. Ezbelent Eugene Louis (inventor). Issued 8-6-29.
1,723,689. Plaiting machine. Ezbelent Eugene Louis (inventor). Issued 8-6-29.
1,723,997. Filtering system. Audubert Rene (inventor). Issued 8-13-29.
1,724,027. Process for industrial use of inferior vegetables. Kahn Maurice et al, Le Breton Eliane, Schaeffer Georges (inventors); Soc Francais des Produits Alimentaires Azotes (grantee). Issued 8-13-29.
1,724,084. Rotary piston pump or the like. Guinard Paul Andre (inventor). Issued 8-13-29.
1,724,184. Automatic hydraulic press. Deoune Leon Charles (inventor); S A des Ateliers Armand and Deoune (grantee). Issued 8-13-29.
1,724,275. Rotary valve for explosion engines. Gerin Jacques, (inventor). Issued 8-13-29.
1,724,423. Shock absorber. Saives Leon (inventor); Renault Louis (grantee). Issued 8-13-29.
1,724,578. Bottle stopper. Guerlain Pierre (inventor). Issued 8-13-29.
1,724,641. Forced draft device for locomotives. Chanard Auguste (inventor). Issued 8-13-29.
1,724,825. Electromechanical relay motor. Chirol Maurice (inventor); Cie Pour La Fabrication Des Compteurs et Materiel d Usines a Gaz l Action a Distance (grantees). Issued 8-13-29.
1,724,828. Safety fastening device. De Lapparent Paul (inventor). Issued 8-13-29.
1,724,836. Construction of valve control rods in internal combustion engines. Heinrich Jean Marie (inventor); Soc Des Moteurs Salmson Systeme Canton Unne (grantee). Issued 8-13-29.
1,724,844. Process for the manufacture of articles of silica glass by addition of material. La Burthe Pierre Henri Clement (inventor); Soc Quartz L Silice (grantee). Issued 8-13-29.
1,724,991. Coupling of locomotive axles. Brillie Eugene (inventor). Issued 8-20-29.
1,725,027. Level indicating tank hopper. Tampier Rene Jean Camille (inventor). Issued 8-20-29.
1,725,617. Combined altimeter and telemeter. Castellani Antoine (inventor); Soc d Optique et de Mecanique de Haute Precision (grantee). Issued 8-20-29.
1,725,629. Process for the treatment of skins of animals containing calcified formations. Germain Rodolphe Adrien (inventor). Issued 8-20-29.
1,725,654. Cigarette case. Langlois Alfred Georges (inventor). Issued 8-20-29.
1,726,216. Loom. Fardet Andre George Leon (inventor). Issued 8-27-29.
1,726,339. Catamenial appliance. Burill Ives Marie Paul Jean (inventor). Issued 8-27-29.
1,726,431. Process for the surface treatment of metals. Fourment Marcel (inventor). Issued 8-27-29.
1,726,456. Knitting machine. Scheni Michel (inventor). Issued 8-27-29.
1,726,474. Method of radio signaling. Delavallee Marcel (inventor); S A Des Ondes Dirigees (grantee). Issued 8-27-29.
1,726,947. Distant control device for use over telephone lines. Chauveau Louis Lucien Eugene (inventor). Issued 9-3-29.
1,727,095. Aerial advertising and signaling device. Bleriot Louis (inventor). Issued 9-3-29.

1,727,190. Engine piston. Aumeteyer Alfred et al, Piazzoli Francois (inventors). Issued 9-3-29.

1,727,194. Electromagnetic signal transmission. Belin Edouard (inventor). Issued 9-3-29.

1,727,229. Luminous advertising apparatus. Cohen Raphael Raoul (inventor). Issued 9-3-29.

1,727,285. Card stopping device. Gullung Paul (inventor). Issued 9-3-29.

1,727,445. Mounting of shock absorbers. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 9-10-29.

1,727,546. Means for drying buildings. Knapen Achille (inventor); Cie Generale d Assechement and d Aeration S A (grantee). Issued 9-10-29.

1,727,696. Automatic landing brake for aeroplanes. Breguet Louis (inventor); S A Des Ateliers D Aviation. Louis Breguet (grantee). Issued 9-10-29.

1,727,741. Vehicle brake. Athimon Francis (inventor). Issued 9-10-29.

1,727,742. Servo brake. Athimon Francis (inventor). Issued 9-10-29.

1,727,780. Radiator construction. Moreux Gustave Charles (inventor); Soc en nom Collectif G Moreux & Cie (grantee). Issued 9-10-29.

1,727,811. Supporting frame for electric lines. Darrieus Georges Jean (inventor). Cie Electro Mecanique (grantee). Issued 9-10-29.

1,727,891. Protecting screen for cinematographic apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 9-10-29.

1,728,097. Radiator and the like. Besson Jean Victor Henri (inventor). Issued 9-10-29.

1,728,103. Swimming apparatus. Challgne Rene Gustave (inventor). Issued 9-10-29.

1,728,571. Apparatus for insuring complete combustion in industrial furnaces. Mille Julien (inventor). Issued 9-17-29.

1,728,813. Apparatus for renewing filaments in incandescent lamps. Tourne Charles (inventor). Issued 9-17-29.

1,728,821. Servo meter for liquid distributors. Carbonaro Mario (inventor). Issued 9-17-29.

1,728,828. Process for the industrial manufacture of artificial portland cement. Hendrickx Jean Joseph (inventor); S A Etablissements Pollet & Chausson (grantee). Issued 9-17-29.

1,728,905. Jewelry clasp. Heugas Henri Auguste (inventor). Issued 9-17-29.

1,728,914. Coal or rock cutting machine. Berry Francois Jacques Barthelemy (inventor). Issued 9-24-29.

1,728,990. Rubber composition or compound for the manufacture of paving blocks slabs and the like. Draullette Edmond (inventor). Issued 9-24-29.

1,728,991. Paving block and slab made of rubber compound. Draullette Edmond (inventor). Issued 9-24-29.

1,728,994. Protecting apparatus for presses and the like. Guinot Emile (inventor). Issued 9-24-29.

1,729,001. Ferro concrete flooring member. Lancrenon Marcel Marie Eugene (inventor). Issued 9-24-29.

1,729,056. Means for impregnating articles with synthetic resins. Texier Daniel Armand Lucien (inventor). Issued 9-24-29.

1,729,057. Means for impregnating articles with synthetic resins. Texier Daniel Armand Lucien (inventor). Issue 9-24-29.

1,729,065. Material for use in protecting iron and steel. Cole William Howard (inventor). Issued 9-24-29.

1,729,173. Servo motor controlled unclutching device for internal combustion engines. Marfaing Henri Leon (inventor); Cie Electromecanique (grantee). Issued 9-24-29.

1,729,174. Taximeter apparatus. Martinet Andre (inventor); Soc Generale Des Compteurs de Voitures la Condamine (grantee). Issued 9-24-29.

1,729,210. Wing surface used in aeronautics. Delage Gustave (inventor); S A Nieuport Astra (grantee). Issued 9-24-29.

1,729,242. Valveless internal combustion engine. Bregere Louis Joseph (inventor). Issued 9-24-29.

1,729,502. Apparatus for containing or retaining the human body or that of animals for medical surgical and hygienic purposes. Charnaux Louis Marie Clement (inventor). Issued 9-24-29.

1,729,675. Tunnel drier. Lecocq Maurice Charles Henri Octave (inventor). Issued 10-1-29.

1,729,712. Coating machine. Daignas Michel (inventor). Issued 10-1-29.

1,729,913. Apparatus for separating minerals or other materials. Trottier Rene Emile (inventor). Issued 10-1-29.

1,729,922. Film for color photography. Berthon Rodolphe (inventor); Soc Francaise Cinechromatique Procedes R Berthon (grantees). Issued 10-1-29.

1,730,191. Carbureting apparatus. Claudel Charles Henri (inventor). Issued 10-1-29.

1,730,269. Automatic firearm. Darne Regis (inventor). Issued 10-1-29.

1,730,280. Advertising apparatus. Lau Dook Heng (inventor). Issued 10-1-29.

1,730,284. Universal press. Meredieu Damien (inventor). Issued 10-1-29.

1,730,942. Tool for engraving rollers applicable for the treatment of photographic films. Oswald Andre (inventor); La Soc du Film en Couleurs Keller Dorian (grantees). Issued 10-8-29.

1,730,955. Device for obtaining adjustably interspaced and inclined hatchings in the electromagnetic process for engraving printing rollers. Teissere Albert et al, Teissere Jean (inventors). Issued 10-8-29.

1,730,978. Arrangement for mounting radiators in aeroplane wings. Lepere Eugene Marie Georges (inventor). Issued 10-8-29.

1,731,036. Machine for the manufacture of screws. Arnold Jean Francois (inventor). Issued 10-8-29.

1,731,192. Notebook. Doboi Joseph (inventor). Issued 10-8-29.

1,731,327. Closing arrangement for individual motor vehicle shelters. Terrisse Antoine Alexandre Guillaume Henri (inventor). Issued 10-15-29.

1,731,534. Roller for cotton gins. Karrer Andre (inventor); Soc Alsacienne de Constructions Mecaniques (grantees). Issued 10-15-29.

1,731,591. Imitation astrakhan fur and process for manufacturing the same. Romane Georges (inventor). Issued 10-15-29.

1,731,862. Double acting hydraulically controlled pump. Mengin Pierre Emile Jerome (inventor). Issued 10-15-29.

1,731,863. Automatic breech opening and closing mechanism for guns. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 10-15-29.

1,731,901. Furnace. Malvos Robert et al, Crozemarie Marcellin (inventors). Issued 10-15-29.

1,732,063. Liquid measuring apparatus. Porte Rene (inventor); Soc Hardoll Etablissements Hariveau et Dolimier et Rene Porte et Cie Reunis (grantees). Issued 10-15-29.

1,732,097. Tap for washstands for cold and hot water and for mixing them. Lemetais Julien Albert (inventor). Issued 10-15-29.

1,732,104. Autographic machine. Mec Marcel (inventor). Issued 10-15-29.

1,732,214. Display device for exhibiting jewelry toilet articles perfumery & the like. Amez Droz Yvan (inventor); Parfumerie Houbigant (grantee). Issued 10-22-29.

1,732,562. Vehicle brake. Koechlin Isaac (inventor); S A des Automobiles et Cycles Peugeot (grantees). Issued 10-22-29.

1,732,657. Resilient joint & method of making. Picquerez Emile (inventor); S A des Etablissements Tecalemit (grantee). Issued 10-22-29.

1,732,677. Stabilizing apparatus. Fleux Jean (inventor); Schneider & Cie (grantee). Issued 10-22-29.

1,732,693. Air compressor. Pescara Raul Pateras (inventor). Issued 10-22-29.

1,732,694. Ignition device for air compressors. Pescara Raul Pateras (inventor). Issued 10-22-29.

1,732,728. Pencil sharpening machine. Marguerat Robert (inventor). Issued 10-22-29.

1,732,827. Spark plug. Adam Edmond Pierre. Metailler Rene Louis (inventors). Issued 10-22-29.

1,732,930. Ejector & method of operating the same. Delas Albert (inventor). Issued 10-22-29.

1,733,037. Radial internal combustion engine. Weiller Paul Louis (inventor). Issued 10-22-29.

1,733,050. Sordino for reed musical instruments. Ghisleri Joseph (inventor). Issued 10-22-29.

1,733,108. Fastening device. Bienaime Robert (inventor). Issued 10-29-29.

1,733,218. Manufacture of synthetic camphor. Dupont Lucien (inventor). Issued 10-29-29.

1,733,240. Automatic taking up of play. Salves Leon (inventor); Renault Louis (grantee). Issued 10-29-29.

1,733,673. Rolling member bearing with two piece welded cage. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 10-29-29.

1,733,679. Arc rectifier. Toulon Pierre Marie Gabriel (inventor); Soc des Etablissements Edouard Belin (grantee). Issued 10-29-29.

1,733,702. Arrangement of pieces of furniture adapted for the organization of commercial and accounting departments. Truffaut Georges (inventor). Issued 10-29-29.

1,733,718. Apparatus for concentrating audible signals by interference. Blondel Andre (inventor). Issued 10-29-29.

1,733,810. Cascade connected asynchronous electrical machine. Letrilliart Pierre (inventor); Forges & Ateliers de Constructions Electriques de Jeumont (grantee). Issued 10-29-29.

1,734,042. Rotary transformer. Moneyron Marcel (inventor). Issued 11-5-29.

1,734,848. Machine for cutting ribbons from bias or straight woven textile fabric leather rubber or other similar materials. Brandon Stephen Andre (inventor). Issued 11-5-29.

1,735,032. Fuel supplying device. Bellem Louis Henri Libert (inventor). Issued 11-12-29.

1,735,107. Process for producing simultaneously formates and gaseous mixtures rich in hydrogen. Claude Georges et al, Gosselin Albert Henri (inventors); La Soc Chimique de la Grande Paroisse Azote & Produits Chimiques (grantee). Issued 11-12-29.

1,735,161. Method & apparatus for producing spark discharges. Dufour Rene (inventor). Issued 11-12-29.

1,735,430. Closure. Giraud Victor Gabriel (inventor). Issued 11-11-29.

1,735,504. Distributing device. Levy Jack Raymond (inventor); Soc en Commandite Par Actions Oscar Levy Ses Fils & Cie Soc Des Chaussures Cecil (grantee). Issued 11-12-29.

1,735,507. Brake for motor vehicle wheels. Rouanet Louis (inventor); Cie D Applications Mecaniques (grantee). Issued 11-12-29.

1,735,640. Method of making endless wire fabrics. Franck Rene (inventor). Issued 11-12-29.

1,735,651. Twist lace machine. Noyer Felix et al, Pilard Paul (inventors). Issued 11-12-29.

1,735,753. Electromagnetic railroad switch operating device. Guenee Albert Charles James (inventor). Issued 11-12-29.

1,735,971. Cast frame for railway rolling stock. Leonard Nestor (inventor). Issued 11-19-29.

1,736,415. Oil burning furnace. Niemkoff Gregoire (inventor); S A des Appareils de Manutention et Fours Stein (grantee). Issued 11-19-29.

1,736,561. Apparatus for replacing spark plugs. Wattel Achille Leon Francois (inventor). Issued 11-19-29.

1,736,932. Progressive clutch and change speed gear. Meynier Jacques Marie Jean Frederic (inventor). Issued 11-26-29.

1,736,940. Windshield. Salves Leon (inventor); Renault Louis (grantee). Issued 11-26-29.

1,736,997. Electric mine lamp. Dalez Jules Gaston (inventor). Issued 11-26-29.

1,737,299. Atomizer. Cuel Marcel (inventor); Soc du Vaporisateur Le Frisson (grantee). Issued 11-26-29.

1,737,304. Plaiting machine. Ezbelent Georges et al, Ezbelent Roger (inventors); Ezbelent Fils (grantee). Issued 11-26-29.

1,737,337. Manifolding typewriter. Sanders Nico (inventor). Issued 11-26-29.

1,737,490. Heat accumulator. Beaurrienne Auguste (inventor). Issued 11-26-29.

1,737,504. Double fingers for mowing machines. Lavaud Jean Paul (inventor). Issued 11-26-29.

1,737,660. Three weighted torsion balance. Kogbetliantz Ervand (inventor). Issued 12-3-29.

1,737,943. Process for the manufacture of substances having a decorative effect. Paisseau Jean (inventor). Issued 12-3-29.

1,737,953. Manufacture of ammonia. Urfer Charles (inventor); Soc d Etudes Minieres & Industrielles (grantee). Issued 12-3-29.

1,738,099. Preparing machine for spinning. Fievet Eugene (inventor). Issued 12-3-29.

1,738,422. Printing machine particularly for tickets tickets of admission receipts & the like. Corse Gaston (inventor); Etablissements L Chambon (grantee). Issued 12-3-29.

1,738,445. Photographic apparatus adapted for view taking enlargements & screen projection. Oehmichen Etienne (inventor). Issued 12-3-29.

1,738,579. Wrist watch fastener. Heugas Henri Auguste (inventor). Issued 12-10-29.

1,738,588. Loud speaker. Levy Lucien (inventor). Issued 12-10-29.

1,738,809. Steam trap. Walter Philippe (inventor). Issued 12-10-29.

1,739,294. Polishing disk. Despret Georges Paul (inventor); Cies Reunies Des Glaces & Verres Speciaux du Nord de la France (grantee). Issued 12-10-29.

1,739,295. Temperature regulation. Diebold Pierre (inventor). Issued 12-10-29.

1,739,374. Apparatus for exercising the fingers. Retif Georges (deceased) (inventor); Gayny Emile (administrator) (grantee). Issued 12-10-29.

1,739,383. Manufacture of cements. Bauchere Antoine et al, Arnou Gabriel (inventors). Issued 12-10-29.

1,739,396. Carburetor for internal combustion engines. Jensen Leth (inventor). Issued 12-10-29.

1,739,414. Machine for automatically cutting slate into sheets. Parnet Arsene (inventor). Issued 12-10-29.

1,739,437. Distributing device for liquids. Bourillon Henri (inventor). Issued 12-10-29.

1,739,442. Correcting device for cinematographs with continuously moving films. Continsouza Victor et al, Combes Maurice Baptiste (inventors). Issued 12-10-29.

1,739,446. Resinous condensation product and process of preparing same. Durr Andre Henri Victor (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 12-10-29.

1,739,447. Resinous condensation product. Durr Andre Henri Victor (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 12-10-29.

1,739,448. Resinous condensation product. Durr Andre Henri Victor (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 12-10-29.

1,739,503. Carburetor. Thomas Francois Victor Albert (inventor). Issued 12-17-29.

1,739,600. Apparatus for producing variations of pressure. Loth William Arthur (inventor). Issued 12-17-29.

1,739,884. Telephone. Conti James Tiburce Felix (inventor); Laurent Rene Leon Jacques de la Ville Roulx (grantee). Issued 12-17-29.

1,740,076. Electric cable. Delon Jules (inventor); Cie Generale d Electricite (grantee). Issued 12-17-29.

1,740,238. Luminous sign. de Francia Alfredo (inventor). Issued 12-17-29.

1,740,315. Planet gear drive for electro mechanical phonographs. Rebikoff Wassily (inventor); Davydoff Leonide (grantee). Issued 12-17-29.

1,740,325. Hood fastener. Arnoull Roger Jean (inventor). Issued 12-17-29.

1,740,369. Brake operating device. Martzloff Armand (inventor); S A des Automobiles Unic Puteaux (grantee). Issued 12-17-29.

1,740,760. Safety device for avoiding back firing in carburetors. Allenou Charles Marie Victor (inventor). Issued 12-24-29.

1,740,761. Machine for rock or coal cutting. Berry Francois Jacques Barthelemy (inventor). Issued 12-24-29.

1,740,762. Device for determining defects in the static and dynamic balances of rotating bodies. Biquard Robert (inventor). Issued 12-24-29.

1,740,875. Liquid measuring and distributing system. Porte Rene (inventor); Soc Hardoll Etablissements Hariveau and Dollmier et Rene Porte et Cie Reunis (grantee). Issued 12-24-29.

1,740,917. Headlight turning means for vehicles. Adam Auguste Edmond (inventor). Issued 12-24-29.

1,741,084. Rotary engine. Tuscher Jean Edouard (inventor). Issued 12-24-29.

1,741,285. Radio direction finder hertzian compass and the like. Busignies Henri (inventor). Issued 12-31-29.

1,741,290. Apparatus for electrolyzing chiefly alkaline chlorides. Dupire Andre Paul Henri (inventor). Issued 12-31-29.

1,741,469. Electric furnace. Long Bernard (inventor). S A des Manufactures des Glaces & Produits Chimiques de St Gobain Chauny & Cirey (grantees). Issued 12-31-29.

1,741,620. Wire bag making machine. Guyon Yves et al, Marty Rene Henri Charles (inventors). Issued 12-31-29.

1,741,810. Telescopic socket wrench. Bidal Paul (inventor). Issued 12-31-29.

1,741,870. Thermoelectric couple. Mieville Charles (inventor). Issued 12-31-29.

1,742,063. Hot water heater and boiler. Digeon Charles (inventor). Issued 12-31-29.

1,742,064. Maritime ram with barometric chamber. Grasset Paul (inventor). Issued 12-31-29.

1,742,091. Centrifugal separator. Perrier Daniel (inventor); S A Francaise Dite Cie Industrielle des Moteurs a Explosions C I M E (grantee). Issued 12-31-29.

1,742,096. Centrifugal separator. Perrier Daniel (inventor); S A Francaise Dite Cie Industrielle des Moteurs a Explosions C I M E (grantee). Issued 12-31-29.

1,742,146. Method for varnishing leather and like material. Paisseau Jean (inventor). Issued 12-31-29.

1,742,330. Safety razor. Valet Georges (inventor). Issued 1-7-30.

1,742,553. Pressure rollers for spinning machines and the like. Motte Joseph (inventor); Etablissements Motte Dewavrin (grantee). Issued 1-7-30.

1,742,604. Apparatus for the spraying of liquids. Lemoine Renee Marie Louise nee Trouillet (inventor). Issued 1-7-30.

1,742,605. Perfume sprayer. Lemoine Renee Marie Louise nee Trouillet (inventor). Issued 1-7-30.

1,742,665. Sustaining propeller of the helicopter type. Oehmichen Etienne (inventor). Issued 1-7-30.

1,742,788. Brake for vehicles. Salves Leon (inventor); Renault Louis (grantee). Issued 1-7-30.

1,742,972. Gasoline tank for motor vehicles. Sawyer Arthur Estcourt (inventor). Issued 1-7-30.

1,743,027. Cinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 1-7-30.

1,743,264. Finger exerciser. Breza Joseph (inventor). Issued 1-14-30.

1,743,295. Apparatus for reconditioning sporting cartridge cases and the like. Tuffery Jean (inventor). Issued 1-14-30.

1,743,513. Clincher plate for nailing machines. Albert Emile (inventor); Cie de Machines Automatiques Savingma (grantee). Issued 1-14-30.

1,743,561. Converter. Jakova Merturi Gaspard (inventor); la Carbonisation Soc Generale d Exploitation des Carbones (grantee). Issued 1-14-30.

1,743,562. Transfer device for registering apparatus. Mombur Georges (inventor). Issued 1-14-30.

1,743,595. Illuminated mirror and support therefor. Brot Charles (inventor). Issued 1-14-30.

1,743,722. Method of preparing textile yarn and resulting products. Meyer Aubrey E (inventor). Issued 1-14-30.

1,743,723. Method of preparing textile yarn. Meyer Aubrey E (inventor). Issued 1-14-30.

1,743,876. Valve employed for the operation of pneumatic musical instruments. Boreau Gabriel (inventor). Issued 1-14-30.

1,743,901. Double universal joint. Parville Edmond (inventor). 1-14-30.

1,743,956. Induction furnace. Bunet Paul Emmanuel (inventor); Soc Acleries de Gennevilliers (grantee). Issued 1-14-30.

1,743,966. Regulation in the output of liquids. Goudard Maurice (inventor); S A Solex (grantee). Issued 1-14-30.

1,744,036. Process for radiotelegraphic or radiotelephonic communication. Brard Evenor (inventor); S A des Ondes Dirigees (grantees). Issued 1-21-30.

1,744,176. Combined recording and metering apparatus. Ribieras Louis (inventor). Issued 1-21-30.

1,744,222. Projector. Grebel Stephen (inventor). Issued 1-21-30.

1,744,392. Foldable hoisting apparatus for the loading and unloading of rails on railway trucks. Legrand Jules et al, Guilbert Paul (inventors). Issued 1-21-30.

1,744,416. Miners safety lamp indicating the amount of fire damp in the air. Schauly Georges (inventor). Issued 1-21-30.

1,744,569. Apparatus for the transportation of loads. Bordes Pages Henri Jean (inventor). Issued 1-21-30.

1,744,620. Teledynamic control apparatus. Delalande Andre Desire Georges (inventor); Cie pour la Fabrication des Compteurs et Material d Usines a Gaz, L Action a Distance (grantees). Issued 1-21-30.

1,744,748. Safety device for brakes. Bugatti Ettore (inventor). Issued 1-28-30.
1,744,773. Photographic apparatus. Labrely Emile (inventor). Issued 1-28-30.
1,744,788. Focusing device for view taking cinematographic cameras. Mery Jean (inventor). Issued 1-28-30.
1,744,805. Pump. Saussard Louis (inventor). Issued 1-28-30.
1,744,809. Universal & automatic machine tool. Schwob Marcel et al, Schwob Alexandre (inventors). Issued 1-28-30.
1,744,998. Portable electric motor block with speed reducing device. Wisler Louis Adolphe (inventor). Issued 1-28-30.
1,745,011. Automatic device for storage battery filling. Frejacques Jean Leon Maurice (inventor). Issued 1-28-30.
1,745,229. Liquid measuring pump. Porte Rene (inventor); S A pour tous Appareillages Mecaniques (grantee). Issued 1-28-30.
1,745,394. Advertising apparatus. Zouckermann Armand (inventor). Issued 2-4-30.
1,745,830. Method for ignition on combustion engines. Bethenod Joseph (inventor). Issued 2-4-30.
1,745,896. Measuring distributor for liquids. Gueux Joseph Jean Marie (inventor). Issued 2-4-30.
1,745,957. Carburetor for combustion engines and the like. Seignol Edouard (inventor). Issued 2-4-30.
1,746,082. Running tread. Kegresse Adolphe (inventor). Issued 2-4-30.
1,746,165. Liquid distributor. Porte Rene (inventor); Soc Hardoll L Etablissements Hariveau & Dolimier et Rene Porte & Cie Reunis (grantees). Issued 2-4-30.
1,746,171. Apparatus for revealing shocks in any moving mechanism. Vatinet Henri Victor Eugene et al, Durand Claude (inventors). Issued 2-4-30.
1,746,184. Automatic regulating device. Bernat Raoul (inventor). Issued 2-4-30.
1,746,185. Combined condenser and separator. Bernat Raoul (inventor). Issued 2-4-30.
1,746,584. Apparatus for taking views and for the repreduction of cinematographic films in colors. Fourrier Paul (inventor); Soc Francaise Cinechromatique procedes R Berthon (grantees). Issued 2-11-30.
1,746,779. Fastening and tensioning means for removable vehicle roof coverings. Henri Laubourdette Jean (inventor). Issued 2-11-30.
1,746,861. Apparatus for use as shower bath for sprinkling the breasts. Mantelet Alexis (inventor). Issued 2-11-30.
1,746,898. Mechanical motion converter. Levy Lucien (inventor). Issued 2-11-30.
1,747,078. Coachwork of automobile vehicles. Javal Henri Leopold (inventor). Issued 2-11-30.
1,747,080. Apparatus for congelation. Beeh Johannes Emmerick Wolff (inventor); S A de Conservation Industrielle du Poisson (grantee). Issued 2-11-30.
1,747,253. Stuffing box. Leroy Jules (inventor). Issued 2-18-30.
1,747,522. Heating apparatus employing powdered fuel. Marchand Ferdinand (inventor); Soc des Forges and Acieries de Commercy (grantees). Issued 2-18-30.
1,747,538. Industrial process for the treatment of distillers wash and other by products and agricultural or industrial residues. Bernier Marcel et al, Dupriez Andre, Duriez Francois, Schotsmans Henri (inventors). Issued 2-18-30.
1,747,931. Film magazine. Debrie Andre Leon Victor Clement (inventor). Issued 2-18-30.
1,747,932. Vehicle seat. Dufaux Armand (inventor). Issued 2-18-30.
1,747,941. Winding for dynamo electric machines. Langlois Richard (inventor); Forges and Ateliers de Constructions Electriques de Jeumont S A (grantees). Issued 2-18-30.
1,747,943. Life saving method and apparatus for submarine crews. Laurent Ernest Paul (inventor). Issued 2-18-30.
1,747,948. Air compressor. Pescara Raul Pateras (inventor). Issued 2-18-30.
1,748,188. Device for drying strips chiefly cinematographic and photographic films. Philippe Rene Emile (inventor); Debrie Andre Leon Victor Clement (grantee). Issued 2-25-30.
1,748,189. Device for setting to zero for taximeters. Popp Richard (inventor). Issued 2-25-30.
1,748,260. Method of connecting the quads of an interurban cable with the units of loading coils at the loading points. Viard Georges (inventor). Issued 2-25-30.
1,748,274. Autonomous apparatus for neutralizing and bleaching heated oleaginous liquids under vacuum. Bataille Edouard (inventor). Issued 2-25-30.
1,748,305. Carburetor. Monier Francis (inventor). Issued 2-25-30.
1,748,832. Method of degumming fibers. Duhamel Elisee Charles (inventor). Issued 2-25-30.
1,749,156. Drawing device for spinning mules spinning frames and preparatory machines. Pflimlin Jules (inventor). Issued 3-4-30.
1,749,253. Pouring spout. Levy Leo (inventor). Issued 3-4-30.
1,749,260. Device for removing solid particles from flue gases. Pretot Marcel et al, Ullmann Francois (inventors). Issued 3-4-30.
1,749,393. Drawing device for spinning frames and for preparing machinery. Pflimlin Jules (inventor). Issued 3-4-30.
1,749,557. Treating residual liquors accruing from the treatment of cellulose material. Barbou Pierre Alfred (inventor); Soc Barbou & Cie (grantee). Issued 3-4-30.
1,749,643. Setting device for time fuses. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 3-4-30.
1,749,685. Process for the generation and synthesis of sounds. Zouckermann Raymond (inventor). Issued 3-4-30.
1,749,700. Apparatus for the continuous treatment of metal bodies. Fourment Marcel (inventor). Issued 3-4-30.
1,749,712. Process for autogenous welding of magnesium and its alloys. Michel Gilbert (inventor); Berg Hart O (grantee). Issued 3-4-30.
1,749,713. Process for the protection of readily oxidizable metals. Michel Gilbert (inventor); Berg Hart O (grantee). Issued 3-4-30.
1,749,823. Glass and method of producing it. Long Bernard (inventor); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 3-11-30.
1,749,941. Lubricating device. Huguenin Albert (inventor). Issued 3-11-30.
1,750,358. Color photography. Richard Pierre Abel (inventor); La Soc du Film en Couleurs Keller Dorian (grantees). Issued 3-11-30.
1,750,383. Reflector water gauge. Boizard Raoul (inventor). Issued 3-11-30.
1,750,484. Egg cutter. Michelon Pierre et al, Fugier Georges (inventors). Issued 3-11-30.
1,750,700. Alloy. Berthelemy Pierre et al, de Monthy Henry (inventors). Issued 3-18-30.
1,750,723. Percussion fuse. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 3-18-30.
1,750,724. Combined automatic breech closing & opening & loading mechanism for automatic guns. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 3-18-30.
1,750,751. Aluminum alloy. Geyer Andre (inventor). Issued 3-18-30.
1,750,904. Brake operating device for motor vehicles. Rouanet Louis (inventor). Cie d Applications Mecaniques (grantee). Issued 3-18-30.
1,751,212. Breast supporter corselet corset & the like. Lindauer Jules (inventor). Issued 3-18-30.
1,751,278. Stabilizing device for ships. Kefeli Michel (inventor). Issued 3-18-30.
1,751,303. Automatic change gear mechanism. Boutet Rene Edmond (inventor). Issued 3-18-30.
1,751,310. Talking machine. De Wismes Mathieu (inventor). Issued 3-18-30.
1,751,375. Apparatus for measuring pressures. Warluzel Charles (inventor). Issued 3-18-30.
1,751,396. Apparatus for manufacturing zinc white. Cornillat Joseph Marcel Henri (inventor). Issued 3-18-30.
1,751,397. Coffee filter. Delsuc Emile Camille (inventor). Issued 3-18-30.
1,751,399. Gas operated air heating device. Ducart Guillaume (inventor). Issued 3-18-30.
1,751,401. Automatic spacing device for plaiting machines. Ezbelent Georges et al, Ezbelent Roger (inventors). Issued 3-18-30.
1,751,484. Compensated asynchronous electric motor. Letrilliart Pierre (inventor); Forges & Ateliers de Constructions Electriques de Jeumont S A (grantee). Issued 3-25-30.
1,751,529. Time recording apparatus. Delpech Ferdinand Philippe Andre Ernest (inventor). Issued 3-25-30.
1,751,531. Centrifugal diffusing apparatus for spreading products for the maintenance of roadways. Schars Alphonse Joseph (inventor). Issued 3-25-30.
1,751,593. Film holder. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 3-25-30.
1,751,713. Apparatus for melting fatty substances. Pellerin Georges (inventor). Issued 3-25-30.
1,751,929. Flexible wheel. Larcze Jean Joseph Charles (inventor); French Soc la Roue Elastique The (grantee). Issued 3-25-30.
1,752,044. Apparatus for the manufacture of smokeless fuel. Vieu Charles et al, Mourgeon Leon (inventors); Mourgeon Leon, Cie des Mines de Vicoigne Noeux & Drocourt (grantees). Issued 3-25-30.
1,752,187. Apparatus for the production of hydrogen. Lefebvre Fernand Emile (inventor); L Oxhydrique Francaise (grantee). Issued 3-25-30.
1,752,228. Device for producing an electric discharge. Brillouin Leon Nicolas (inventor). Issued 3-25-30.
1,752,240. Shock absorber. De Ram Georges Henri Ernest (inventor). Issued 3-25-30.
1,752,253. Power plant. Goinard Joseph Marie Arsene (inventor). Issued 3-25-30.
1,752,506. Carburation device. Pertuit Fernand Charles Frederic (inventor); S A le Carbone (grantee). Issued 4-1-30.
1,752,624. Steering mechanism for motor vehicles. Wascige Charles Raymond (inventor); Farman Henri et Maurice (grantee). Issued 4-1-30.
1,752,959. Carburetor for internal combustion engines. Monier Francis (inventor). Issued 4-1-30.
1,753,202. Weighing and recording machine. Goetzmann Jules (inventor). Issued 4-8-30.
1,753,252. Turbine wheel propeller and motor. Strandgren Carl Bruno (inventor). Issued 4-8-30.
1,753,315. Vanity case. Parent Gaston (inventor). Issued 4-8-30.
1,753,574. Aerodrome. Loth William Arthur (inventor); Soc Industrielle des Procedes W A Loth (grantee). Issued 4-8-30.

1,753,610. Means for annulling the effect of stray fields on radio receiving systems. Loth William Arthur (inventor); Soc Industrielle des Procedes W A Loth (grantee). Issued 4-8-30.
1,753,623. Pieces of furniture capable of being superposed. Porche Julien Henri (inventor); Soc des Meubles Superposables Soc A Responsabilite Limitee (grantee). Issued 4-8-30.
1,753,850. Loading device for semiautomatic rifles guns. De Courseulles Robert (inventor); Schneider & Cie, Cie des Forges et Acieries de la Marine et D Homecourt (grantees). Issued 4-8-30.
1,754,101. Insulator and mold for casting the same. Haquin Henri Louis Joseph (inventor). Issued 4-8-30.
1,754,181. Process for protecting easily oxidizable metals such as those having a base of magnesium aluminum calcium etc. Michel Gilbert (inventor). Issued 4-15-30.
1,754,209. Traction device for wheels. Passera Carlo (inventor). Issued 4-15-30.
1,754,692. Steam engine particularly applicable to combined internal combustion and steam engines. Brillie Eugene (inventor). Issued 4-15-30.
1,754,959. Process and apparatus for obtaining new radiations. Henocque Victor Albert et al, Schmidt Henri (inventors). Issued 4-15-30.
1,755,149. Lathe mechanism for oval turning. Casse Marcel (inventor). Issued 4-22-30.
1,755,452. Camera. Motti Cesar (inventor). Issued 4-22-30.
1,755,531. Process for the extraction of the albumino caseins of vegetable origin and for the separation of such albumino caseins from vinylaceous matter. Beaufour Henri (inventor). Issued 4-22-30.
1,755,743. Pocket lighter. Perrera Altitolo (inventor). Issued 4-22-30.
1,755,804. Speed changing and reducing gear for aeroplane engines. Barbarou Marius Jean Baptiste (inventor). Issued 4-22-30.
1,755,809. Manufacture of tubular cords or braids. Buraux Rene Leon Georges et al, Masau Paul Jean (inventors); Buraux Maurice Ambroise Ernest (grantee). Issued 4-22-30.
1,755,815. Alternating current electric machine. De Pistoye Henri (inventor). Issued 4-22-30.
1,755,820. Process for the manufacture of chenille fringes or other similar ornaments and products. Rodier Paul (inventor); Rodier (grantee). Issued 4-22-30.
1,755,871. Shaping machine. Barba Adrien (inventor); D Halloy Audoin (grantee). Issued 4-22-30.
1,755,903. Manufacture of transparent fused pure silica. George Henri (inventor); Soc Quartz & Silice (grantee). Issued 4-22-30.
1,755,953. Dough molding machine. Male Rene (inventor). Issued 4-22-30.
1,755,968. Carburetor. Goudard Maurice (inventor). Issued 4-22-30.
1,756,354. Internal combustion engine of the two-stroke type. Heibig Charles Emile (inventor). Issued 4-29-30.
1,756,457. Manufacture of objects consisting of refractory insulating abrasive or like substances. Fourment Marcel (inventor). Issued 4-29-30.
1,756,575. Method for substituting alkyl groups in the aromatic nucleus. Verley Albert (inventor). Issued 4-29-30.
1,756,628. Mechanism for raising and lowering sliding windows. Etore Edmond (inventor). Issued 4-29-30.
1,756,731. Disk friction clutch. Desroziers Edouard Jean (inventor). Issued 4-29-30.
1,756,808. Vaporizer for heaters. Blaudeau Jean Baptiste, Limousin Jules, Rousseaux Henri, Dumont Andre, et al (inventors). Issued 4-29-30.
1,756,847. Automatic pistol. Bourth Victor (inventor). Issued 4-29-30.
1,756,873. Automatic machine for milling ornamental grooves in buttons and the like. Miche de Malleray Alain Georges Luc Gabriel Marie (inventor). Issued 4-29-30.
1,756,884. Piston for internal combustion engines. Schaeffer Charles (inventor); S. A. des Anciens Etablissements Panhard and Levassor (grantee). Issued 4-29-30.
1,757,003. Automatic coin controlled telephone apparatus. Cambay Charles Amedee (inventor). Issued 5-6-30.
1,757,009. Coupling. Dumond Julien (inventor). Issued 5-6-30.
1,757,039. Control mechanism for air turbines. Constantin Louis (inventor); Fortier Beaulieu Paul (grantee). Issued 5-6-30.
1,757,215. Air compressor. Pescara Raul Pateras (inventor). Issued 5-6-30.
1,757,216. Portable conveyer. Potaufeux Emile (inventor). Issued 5-6-30.
1,757,364. Dialyzing apparatus. Heibig Edouard (inventor). Issued 5-6-30.
1,757,639. Sliding window for vehicles. Kutzner Gustave (inventor). Issued 5-6-30.
1,757,675. Combined projectile and breech block for ordnance. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 5-6-30.
1,757,852. Construction of internal combustion engines. Heinrich Jean Marie (inventor); Soc des Moteurs Salmson Systeme Canton Unne (grantee). Issued 5-6-30.
1,757,900. Device for impressing signaling currents on electrical power distributing lines. Chiro Maurice (inventor); Cie Pour la Fabrication des Compteurs et Materiel d'Usines a Gaz (grantee). Issued 5-6-30.
1,758,26[illegible]. Luminous and animated advertising device. Libeck Auguste (inventor). Issued 5-13-30.
1,758,37[illegible]. Apparatus for printing reticulated films. Berthon Rodolphe (inventor); Soc Francaise Cinechromatique Procedes R Berthon (grantee). Issued 5-13-30.
1,758,168. Distributing apparatus for cigarettes and other articles. Olivaux Francis (inventor). Issued 5-13-30.
1,758,180. Demountable rotary crusher. Stein Charles M (inventor); S A la Combustion Rationnele (grantee). Issued 5-13-30.
1,758,304. Smokeless heat economizing apparatus for furnaces of all kinds. Winkler Auguste (inventor). Issued 5-13-30.
1,758,561. Headlight for motor or like vehicles. Delaux Paul (inventor); Societe des Phares et Equipments Electriques (grantee). Issued 5-13-30.
1,758,702. Auxiliary piloting device chiefly for aircraft. Bernady Raoul (inventor); Soc d Etudes et de Construction d Appareils de Telemecanique (grantee). Issued 5-13-30.
1,758,691. Hermetic slip type closure for metallic boxes. Dolliens Gaston (inventor); Etablissements Ch Pieron & A Poyet (grantee). Issued 5-13-30.
1,758,736. Spring suspension for cycle and motor cycle saddles. Couratin Julien (inventor). Issued 5-13-30.
1,758,776. Synchronizing device for musical instruments or other apparatus. Aubry Emile, Boreau Gabriel, et al (inventor). Issued 5-13-30.
1,758,778. Kiln for the manufacture of fused cement. Bauchere Antoine, Arnou Gabriel, et al (inventors). Issued 5-13-30.
1,758,783. Transportable apparatus for projecting moving pictures. Debrie Andre Leon Victor Clement (inventor). Issued 5-13-30.
1,758,796. Process for producing liquid fuels. Joseph Alfred (inventor); Soc Internationale des Procedes Prudhomme Houdry (grantee). Issued 5-13-30.
1,758,806. Steering of endless track vehicles. Saives Leon (inventor); S A des Usines Renault (grantee). Issued 5-13-30.
1,758,823. Ingot mold. Blage Marcel (inventor). Issued 5-13-30.
1,758,931. Hinge for jewelry. Candas Gaston (inventor). Issued 5-20-30.
1,759,107. Hot water feeding for boilers. Fiedler Sebastien Otto Alfred (inventor); l'Auxiliaire des Chemins de Fer et de l'Industrie (grantee). Issued 5-20-30.
1,759,279. Material for the low temperature soldering of metals. Rognon Jules Alfred (inventor). Issued 5-20-30.
1,759,318. Device for the distant transmission of orders. Mercier Rene (inventor); Etablissements Aera (grantee). Issued 5-20-30.
1,759,373. Arc welding. Sarazin Robert (inventor). Issued 5-20-30.
1,759,665. Automatic clutch and change speed mechanism. Servon Jean Lech (inventor); Embrayage Automatique Bloch Servon Soc A Responsabilite Ltc (grantee). Issued 5-20-30.
1,759,666. Carbureter. Seignol Edouard (inventor). Issued 5-20-30.
1,759,700. Product for tanning and tawing industries and process for its manufacture. Kahn Maurice, Le Breton Eliane, Schaeffer Georges, et al (inventors). Issued 5-20-30.
1,759,728. Molding machine. Bachon Roger (inventor); S A des Usines de Rosieres (grantee). Issued 5-20-30.
1,759,732. Cooking pot of the self closing type for the cooking of food and for other uses. Charlot Moise Ali (inventor). Issued 5-20-30.
1,759,748. Means for the cooling of compressors of the piston type. Huguenin Albert (inventor). Issued 5-20-30.
1,759,752. Process for the manufacture of vegetable wool. Lambrecth Jean Jules (inventor). Issued 5-20-30.
1,759,931. Ever pointed pencil. Barberon Pierre (inventor). Issued 5-27-30.
1,760,053. Tar separating apparatus. Hennebutte Henri, et al, Goutal Edouard (inventors); S A La Carbonite (grantee). Issued 5-27-30.
1,760,470. Fire alarm signal. Bouillon Emile Celestin Jean (inventor); Soc Bouillon Freres (grantee). Issued 5-27-30.
1,760,522. Process and apparatus for purifying cases. Prudhomme Eugene Albert (inventor); Soc Internationale Des Procedes Prudhomme S I P P (grantees). Issued 5-27-30.
1,760,741. Magnetic core induction furnace. Bunet Paul Emmanuel (inventor), Soc Acieries de Gennevilliers (grantee). Issued 5-27-30.
1,760,771. Process for purifying pearl essence. Paisseau Jean (inventor). Issued 5-27-30.
1,760,866. Method and apparatus for transmitting documents electrically. Belin Edouard (inventor). Issued 6-3-30.
1,760,948. Weaving loom. Lecocq Maurice Charles Henri Octave (inventor). Issued 6-3-30.
1,761,007. Carburetor for internal combustion engines. Claudel Charles Henri (inventor). Issued 6-3-30.
1,761,108. Method for the manufacture of cellular building materials. Desmarquest Louis (inventor). Issued 6-3-30.
1,761,362. Process for the preparation of gelatin. Pansky Adolphe (inventor). Issued 6-3-30.
1,761,768. Apparatus for cutting threads applicable to all horizontal lathes. Auguste Leon et al, Des Moutis Robert (inventors). Issued 6-3-30.
1,761,799. Apparatus for mixing gaseous fluids. Prache Charles (inventor). Issued 6-3-30.
1,761,812. Machine for washing drying and sterilization dishes. Breton Jules Louis (inventor). 6-3-30.
1,761,870. Shock absorber. Causan Nemorin Laurent (inventor). Issued 6-3-30.
1,761,997. Pneumatic suspension wheel. Tesse Felix (inventor). Issued 6-3-30.

1,762,080. Speed changing mechanism. Schaeffer Charles (inventor); S A Des Anciens Etablissements, Panhard & Levassor (grantees). Issued 6-3-30.

1,762,142. Vacuum cleaning machine. Breton Paul (inventor). Issued 6-10-30.

1,762,301. Ticket canceling machine. Klein Georges et al, Massot Pierre (inventors). Issued 6-10-30.

1,762,393. Weaving loom especially for heavy webs such as metallic wire webbing. Hein Bernhard (inventor); Le Treillage Ceramique Francais (grantee). Issued 6-10-30.

1,762,639. Implement for measuring the hardness of metals. Roudie Pierre Paul (inventor). Issued 6-10-30.

1,762,891. Method of mounting single and double row ball bearings. Rouanet Louis (inventor); Cie D Applications Mecaniques (grantee). Issued 6-10-30.

1,763,061. Carburetor for internal combustion engines. Monier Francis (inventor). Issued 6-10-30.

1,763,189. Distributing pump for lubricants and other viscous substances in variable and determined quantities. Mullier Jacques (inventor). Issued 6-10-30.

1,763,229. Apparatus for the treatment of gases at high temperatures. Fourment Marcel (inventor). Issued 6-10-30.

1,763,286. Damping or absorbing device for firearms for the prevention of sounds flames and recoil. Wilman Zygmunt (inventor). Issued 6-10-30.

1,763,287. Damping apparatus for the prevention of noise flames and recoil in firearms of the automatic type. Wilman Zygmunt (inventor). Issued 6-10-30.

1,763,405. Brake control system for the wheels of airplanes. Messier Georges Louis Rene Jean (inventor). Issued 6-10-30.

1,763,502. Extra rapid circuit breaker. Branchu Paul Joseph (inventor). Issued 6-10-30.

1,763,530. Railroad signal lock. Latty Xavier (inventor). Issued 6-10-30.

1,763,580. Wheel for vehicles. Gauthier Andre (inventor). Issued 6-10-30.

1,763,926. Cushioning means for the fillers of gill boxes and intersecting frames. Gegauff Charles (inventor). Issued 6-17-30.

1,764,054. Automatically variable speed fan for motor cars. Sautai Pierre Edouard Marie Joseph (inventor). Issued 6-17-30.

1,764,233. String from animal origin and process for manufacturing the same. Varinois Marcel (inventor); S A Des Laboratories, Robert & Carriere (grantees). Issued 6-17-30.

1,764,247. Machine for turning down and folding the ends of box covers. Ducart Guillaume (inventor). Issued 6-17-30.

1,764,567. Filter for liquids under pressure. Javitch Gregori (inventor). Issued 6-17-30.

1,764,867. Static transmitter for polyphase distant control systems. Granat Elie (inventor); Cie Des Forges et Acieries de la Marine et D Homecourt (grantees). Issued 6-17-30.

1,765,017. Drill projectile for bombarding planes. Marie Felix (inventor); Etat Francais Ministere de l'Air (grantee). Issued 6-17-30.

1,765,133. Gear box. Delevoye Robert Emile Charles (inventor); S A Des Anciens Etablissements, Hotchkiss & Cie (grantees). Issued 6-17-30.

1,765,175. Carburetor. Pepinster Ernest Louis Henri et al, Geneve Frederic (inventors). Issued 6-17-30.

1,765,203. Machine tool. Bussy Alfred (inventor); Cie Francaise Des Machines outils de Precision (grantee). Issued 6-17-30.

1,765,215. Publicity apparatus. Duchard Henri Maurice (inventor). Issued 6-17-30.

1,765,246. Circular weaving loom. Sery Claude (inventor); Soc Responsabilite Limitee Etablissements Rotatiss (grantee). Issued 6-17-30.

1,765,247. Electric meat and like roaster. Seegmuller Jules, Masson Pierre (inventors). Issued 6-17-30.

1,765,278. Mechanical device for the supply of explosible gas to internal combustion engines. Lavergne Jean (inventor); Forest Rene (grantee). Issued 6-17-30.

1,765,296. Boring machine. Berry Francois Jacques Barthelemy (inventor). Issued 6-17-30.

1,765,560. Process for the recovery of sodium sulphite from spent sulphite liquors. Barbou Pierre Alfred (inventor); Soc Barbou and Cie (grantee). Issued 6-24-30.

1,765,902. Apparatus for freeing potatoes from germs. Brochet Fernand (inventor). Issued 6-24-30.

1,765,904. Apparatus adapted for continuous film travel for view taking printing and projection of cinematographic films. Chavaroux Pierre (inventor). Issued 6-24-30.

1,765,924. Flying apparatus. Laurent Emile Marius (inventor). Issued 6-24-30.

1,766,292. Automatic switch. Granat Elie (inventor); Cie Des Forges Et Acieries De La Marine Et D Homecourt (grantees). Issued 6-24-30.

1,766,309. Brake operating device for motor vehicles. Rouanet Louis (inventor); Cie D Applications Mecaniques (grantees). Issued 6-24-30.

1,766,359. Brake operating device for steering wheels. Rouanet Louis (inventor); Cie D Applications Mechaniques (grantee). Issued 6-24-30.

1,766,376. Method for attaching on fuselages wings having single spars. Dewoitine Emile Julien Eugene (inventor). Issued 6-24-30.

1,766,418. Electric cell. Weissmann Gustave (inventor). Issued 6-24-30.

1,766,431. Piston for engines and process for the manufacture of these pistons. De Fleury Raymond (inventor). Issued 6-24-30.

1,766,682. Safety device for air compressors. Pescara Raul Pateras (inventor). Issued 6-24-30.

1,766,775. Differential recording dilatometer. Chevenard Pierre (inventor); S A De Commentry Fourchambault and Decazeville (grantees). Issued 6-24-30.

1,766,783. Franking machine. Grandjean Gabriel (inventor). Issued 6-24-30.

1,766,808. System of remote control for electric motors. Altmayer Jean surnamed Altmayer Delaruelle (inventors). Issued 6-24-30.

1,766,885. Televesion aystem. Dauvillier Alexandre (inventor). Issued 6-24-30.

1,766,912. Automatic fire extinguisher. Laengel Henri Charles (inventor). Issued 6-24-30.

1,767,352. Crank shaft. Damblanc Louis (inventor.) Issued 6-24-30.

1,767,353. Separating disintegrating and mixing apparatus. De Doriodot Eugene (inventor). Issued 6-24-30.

1,767,361. Railway carriage. Hautot Maurice (inventor); Cie Internationale Des Wagons Lits, Et Des Grands Express Europeens (grantees). Issued 6-24-30.

1,767,391. Disconnecting coupling for pipes and the like. Muller Jacques (inventor). Issued 6-24-30.

1,767,394. Apparatus for the manufacture of hollow bodies. Portevin Albert (inventor); Soc D Expansion Technique (grantee). Issued 6-24-30.

1,767,428. Fire extinguisher. Brillou Louis (inventor). Issued 6-24-30.

1,767,648. Gear mechanism for driving trainlighting generators. Bethenod Joseph Frederic et al, Julien, Jonet Achille (inventors). Issued 6-24-30.

1,767,780. Process for the manufacture of ammonia. Urfer Charles (inventor); Soc D Etudes Minieres et Industrielles (grantees). Issued 6-24-30.

1,767,794. Heat exchanger. Helzmann Jules (inventor). Issued 6-24-30.

1,768,031. Automatic recording liquid meter. Carbonaro Marius (inventor); Soc Hardell Anciens Etablissements Hariveau and Delivier et Rene Porte and Cie Reunis (grantees). Issued 6-24-30.

1,768,051. Carburetor. Goudard Maurice (inventor). Issued 6-24-30.

1,768,102. Pump. Bellem Louis Henri Libert (inventor). Issued 6-24-30.

1,768,111. Luminous project apparatus. Branger Maurice Louis (inventor). Issued 6-24-30.

1,768,119. Electric drilling apparatus. Contal Camille et al, Krettly Pierre (inventors). Issued 6-24-30.

1,769,274. Liquid measuring device. Perte Rene (inventor); S A Pour Tous Appareillages Mecaniques (grantee). Issued 7-1-30.

1,769,336. Liquid elevator. Detaint Edmond et al, Sourbe Alfred (inventors). Issued 7-1-30.

1,769,422. Electrical measuring apparatus. Dugit Pierre Maurice Francois et al Faulhouze Amable Pierre, Jean Marie (grantees). Issued 7-1-30.

1,769,491. Drying or carbonizing machine. Crossman Francis Maxime (inventor). Issued 7-1-30.

1,769,736. Ballbearing for shafts. Feux Jean (inventor); Schneider and Cie (grantee). Issued 7-1-30.

1,769,743. Auxiliary condenser for two stage air ejectors. Leblanc Charles Leonard Armand Maurice (inventor); S A Pour L Exploitation Des Procedes, Maurice Leblancvickers (grantees). Issued 7-1-30.

1,769,768. Sensitive weighing and counting apparatus. Causse Fernand Pascal (inventor); S A Le Carbone (grantee). Issued 7-1-30.

1,769,796. Floor polishing and waxing device. Lepage Lucien (inventor). Issued 7-1-30.

1,769,925. Carbureting apparatus. Kolko Aron (inventor). Issued 7-8-30.

1,770,316. Device for the travel of endless bands. Lebocey Gaston (inventor). Issued 7-8-30.

1,770,321. Chair. Mougeotte Auguste Angele Gaston (inventor). Issued 7-8-30.

1,770,462. Watch fastening device. Comtreau Pierre Leon (inventor). Issued 7-15-30.

1,770,474. Distribution conduit for lubrication systems. Koehler Marcel (inventor); S A Graissage Alcyl (grantee). Issued 7-15-30.

1,770,590. Plaiting machine. Ezbelent Eugene Louis (inventor). Issued 7-15-30.

1,770,659. Cinematographic apparatus. Oehmichen Etienne (inventor). Issued 7-15-30.

1,770,663. Thermal and electrical insulater and process of manufacture thereof Samuel Andre Albert (inventor) Issued 7-15-30.

1,770,729. Treatment of artificial silk. Berzykowski Benno (inventor). Issued 7-15-30.

1,770,986. Aspirator ventilator apparatus. Liagre Georges (inventor). Issued 7-22-30.

1,771,182. Plugging tool. Lemaire Henri (inventor). Issued 7-22-30.

1,771,263. Arc lamp. Benard Henri Eugene Marie Joseph (inventor); Anciens Etablissements Barbier Benard et Turenne S A (grantee). Issued 7-22-30.

1,771,311. High speed reciprocating mechanism. Philponeau Edmund (inventor); S A Des Anciens Etablissements Hotchkiss & Cie (grantees). Issued 7-22-30.

1,771,333. Crane for installation on motor vehicles. Joret Gustave (inventor). Issued 7-22-30.

1,771,360. Electromagnetic apparatus for the transmission of images. Thurm Leon (inventor). Issued 7-22-30.

1,771,546. Sewing machine. Morel Felix (inventor); Anciens Etablissements R Cornely & Cie S A (grantee). Issued 7-29-30.

1,771,547. Sewing machine. Morel Felix (inventor); Anciens Etablissements R Cornely & Cie S A (grantee). Issued 7-29-30.

1,771,773. Unoxidizable alloy. Contal Camille (inventor). Issued 7-29-30.

1,771,828. Rapidly destarching fibers or fabrics. Tomann Honore (inventor). Issued 7-29-30.

1,772,066. Control device for machine guns. Bouillard Louis (inventor). Issued 8-5-30.

1,772,160. Feeding device for internal combustion engines. Seignol Edouard (inventor). Issued 8-5-30.

1,772,202. Process for the extraction of krypton and xenon from oxygen. Blaringhem Auguste Jules Adrien (inventor); S A D Eclairage et D Applications Electriques (grantees). Issued 8-5-30.

1,772,214. Sewerage system. Gandillon Henri (inventor). Issued 8-5-30.

1,772,218. Method for the manufacture of sea caoutchouc. Houques Fourcade Charles Albert (inventor). Issued 8-5-30.

1,772,223. Protecting apparatus for drivers of motor or other vehicles. Vivier Maurice Jules Ernest (inventor). Issued 8-5-30.

1,772,237. Air heater for carburetors. Barbaroux Marius Jean Baptiste (inventor). Issued 8-5-30.

1,772,327. Voltage and current regulator for alternating current circuits. Soulier Alfred (inventor). Issued 8-5-30.

1,772,[illegible]. Safety heating device. Birkigt Marc (inventor). Issued 8-5-30.

1,772,615. Pressure roller for spinning machines and the like. Motte Joseph (inventor); Soc Etablissements Motte Dewavrin (grantee). Issued 8-12-30.

1,772,676. Nut lock device. Monnier Nicolas (inventor). Issued 8-12-30.

1,772,680. Arrangement for increasing the efficiency of lifting traction and propulsion means. Peter Edouard Joseph (inventor). Issued 8-12-30.

1,772,801. Washing machine. Diebold Pierre (inventor). Issued 8-12-30.

1,773,170. Resilient bench. Compin Octave Charles (inventor); S A des Brevets Compin (assignee). Issued 8-19-30.

1,773,443. Manufacture of silencers or exhaust tanks for machine guns and other automatic arms. Wilman Zygmunt (inventor). Issued 8-19-30.

1,773,534. Flexible track belt. Kegresse Adolphe (inventor). Issued 8-19-30.

1,773,649. Electromagnetic relay for controlling electric circuits. Tchoubritch Michel (inventor); S A Francaise Dite Soc Nouvelle de Constructions Telephoniques Brevets Tchoubritch Derval (grantee). Issued 8-19-30.

1,773,658. Building material and its application. Athenont Leon (inventor). Issued 8-19-30.

1,773,770. Pocket device for nail care. Adam Auguste Edmont (inventor). Issued 8-26-30.

1,773,794. Steering device for motor vehicles. Schneider Hans (inventor). Issued 8-26-30.

1,774,127. Liquid level indicator for vehicles. Buisse Francois Marcel (inventor). Issued 8-26-30.

1,774,414. Aeroplane. Bleriot Louis (inventor). Issued 8-26-30.

1,774,428. Dyeing process. Escaich Auguste et al, Werms Jean Paul (inventors). Issued 8-26-30.

1,774,443. Carburetor for internal combustion engines. Lioud Frank (inventor). 8-26-30.

1,774,467. Process of & self regulating plant for the mechanical preparation of pulverized solid fuels & like materials. Loy George Sylvin (inventor). Issued 8-26-30.

1,774,614. Sifting machine. Gesnel Charles Alfred (inventor). Issued 9-2-30.

1,774,667. Extensible metal stopper. Reblchon Andre (inventor). Issued 9-2-30.

1,774,720. Apparatus for radio telegraphy or telephony. Mieville Charles (inventor); Etablissements Herbelot and Vorms S A (grantee). Issued 9-2-30.

1,774,843. Transmission mechanism. Petit Raymond (inventor); S A Francaise Dite Bricard, Ancienne Maison Sterlin (grantees). Issued 9-2-30.

1,774,847. Winding and unwinding device for the handling of very long films. Rouiller Albert (inventor). Issued 9-2-30.

1,774,938. Circuit protecting device. Loubet Henri Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a gaz (grantee). Issued 9-2-30.

1,774,970. Binding terminal with connecting pieces. Guillard Albert Paul Gabriel (inventor); S A du Materiel Simplic (grantee). Issued 9-2-30.

1,775,104. Wind direction signaling device for aircraft landing fields. James Paul Nicholas Claude (inventor). Issued 9-9-30.

1,775,366. Composition for the purification of gases. Joseph Alfred (inventor); Cie Internationale Pour la Fabrication des Essences et Petroles (grantees). Issued 9-9-30.

1,775,428. Apparatus for distant indication. Mallin Nicolas Emilen (inventor); Schneider & Cie (grantee). Issued 9-9-30.

1,775,451. Hydraulic ram. Faure Emil (inventor). Issued 9-9-30.

1,775,475. Chocolate coating apparatus. Savy Emile Louis Alfred (inventor). Issued 9-9-30.

1,775,533. Landing device for aircraft. Boucher Max et al, Bernady Raoul C (inventors); soc d Etude et de Construction d Appareils de Telemecanique (grantee). Issued 9-9-30.

1,775,593. Turbine wheel propeller or motor. Kahn Louis Lazare (inventor). Issued 9-9-30.

1,775,675. Automatic train signaling device for level crossings. Gherassimoff Nicolas (inventor); Soc d Avertisseur Ferrovoie (grantee). Issued 9-16-30.

1,775,723. Single screw rapid helicopter. Perrin Edouard Alfred (inventor). Issued 9-16-30.

1,775,775. Signaling apparatus at crossings. Terlon Tranquille et al, Gallien Eugene (inventors). Issued 9-16-30.

1,775,891. Gaseous fuel mixing device. Defrance Abel et al, Pestel Eugene, Pestel Maurice (inventors). Issued 9-16-30.

1,775,926. Aircraft engine. Barbarou Marius Jean Baptiste (inventor). Issued 9-16-30.

1,776,040. Apparatus for the enlargement and the screen projection of photographic views. Oehmichen Etienne (inventor). Issued -16-30.

1,776,041. Machine for the reproduction of sculpture. Quattrocchi Edmondo (inventor). Issued 9-16-30.

1,776,159. Apparatus for twisting textile fibers. Baudonnel Victor et al, Berthier Jules (inventors). Issued 9-16-30.

1,776,098. Sheath crayon holder. Barbas aymond (inventor). Issued 9-16-30.

1,776,304. Electric cocking device. Vannier Rene (inventor); S A Les Constructeurs Associes de Paris (grantees). Issued 9-23-30.

1,776,317. Storage battery traction. Huguenin Albert (inventor). Issued 9-23-30.

1,776,335. Tool holder. Rauzieres Pierre Elie Francois (invention). Issued 9-23-30.

1,776,349. Surface condenser. Delas Albert (inventor). Issued 9-23-30.

1,776,424. Spark plug. Evquem Maurice (inventor). Issued 9-23-30.

1,776,488. Hydraulic braking apparatus. Charles Maurice (inventor). Issued 9-23-30.

1,776,562. Glass. Long Bernard (inventor); S A Des Manufactures Des Glaces et Produits Chimiques de Saint Gobain Chauny et Cirey (grantees). Issued 9-23-30.

1,776,574. Apparatus and process for flattening glass. Arrault Jules et al, Deschamps Lucien (inventors); S A Des Manufactures Des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantee). Issued 9-23-30.

1,776,688. Molding sand. Mathieu Leon Louis (inventor); S A Des Hautsfourneaux et Fonderies de Pont a Mousson Pont a Mousson (grantees). Issued 9-23-30.

1,776,819. Process for increasing the output in the extraction of crystallized sugar from molasses and sirups. Ricard Eloi (inventor); S A Des Distilleries Des Deux Sevres (grantees). Issued 9-30-30.

1,777,014. Preservation of grain and the like. Legendre Rene Andre (inventor). Issued 9-30-30.

1,777,102. Electric cell. Helbronner Andre et al, Dutt Eric (inventors). Issued 9-30-30.

1,777,207. Process for hot stamping articles of fused silica. La Burthe Pierre et al, Delbech Gaston (inventors); Soc Quartz & Silice (grantee). Issued 9-30-30.

1,777,221. Gas burner for singeing any kind of spun petitalot. Louis Gilbert (inventor). Issued 9-30-30.

1,777,229. Carburetor. Schneebeli Hugo (inventor). Issued 9-30-30.

1,777,252. Blocks of imbricated sheets. Braunstein Roger (inventor); S A Des Anciens Etablissements Braunstein Feres (grantees). Issued 9-30-30.

1,777,257. Arrangement for holding object glasses in photographic or cinematographic apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 9-30-30.

1,777,303. Reflecting element for oscillographs. Holweck Fernand (inventor); Les Etablissements Edouard Belin (grantee). Issued 10-7-30.

1,777,347. Shock absorbing hub. Dreguet Louis (inventor); S A Des Ateliers D Aviation Louis Breguet (grantees). Issued 10-7-30.

1,777,498. Antiglare system. Larquemin Adolphe (inventor). Issued 10-7-30.

1,777,554. Process and apparatus for improving explosive mixtures for internal combustion engines and other purposes. Dudoux Albert (inventor). Issued 10-7-30.

1,777,679. Articulation for link jewels. Rigollet Louis et al, Zoppini Serafino (inventors); Rigollet Louis (grantee). 10-7-30.

1,777,808. Fertilizer with a base of phosphate and sulphur. Bodrero Baptistin (inventor). Issued 10-7-30.

1,777,947. Process and apparatus for rejuvenating perforated accounting machine cards. Valtat Raymond Louis Andre (inventors). Issued 10-7-30.

1,777,954. Reproduction of reticulated films. Berthon Rodolphe (inventor); Soc Francaise Cinechromatique Procedes R Berthon (grantees). Issued 10-7-30.

1,777,968. Paper feed driving gear for stenographic machines. Grandjean Marc (inventor). Issued 10-7-30.

1,777,973. Drive for talking machines. Jaffard Louis Laurent Charles (inventor). Issued 10-7-30.

1,777,976. Ball throwing device. Lacoste Jean Rene (inventor). Issued 10-7-30.

1,777,977. Joint for pipes and tubes. Lente Jacques (inventor); S A D Escaut & Meuse (grantee). Issued 10-7-30.

1,778,211. Phonograph pick up apparatus. Dieux Jean (inventor). Issued 10-14-30.

1,778,368. Nut lock device. Monnier Nicolas (inventor). Issued 10-14-30.

1,778,415. Furnace for roasting sulphide and other ores. Bracq Emile (inventor). Issued 10-14-30.

1,778,594. Universal clamping screw collar. Malleville Jean Paul Marie (inventor). Issued 10-14-30.

1,778,596. Concentrating and homogenizing apparatus. Helbig Edouard (inventor); Philippe Filtres (grantee). Issued 10-14-30.

1,778,659. Process for the treatment of dolomite and other carbonates of magnesium. Blumenfeld Joseph (inventor); Soc de Produits Chimiques des Terres Rares (grantee). Issued 10-14-30.

1,778,793. Electric generating plant operated by windmill power. Constantin Louis (inventor); Fortierbeaulieu Paul (grantee). Issued 10-21-30.

1,778,794. Windmill regulator. Constantin Louis (inventor); Fortierbeaulieu Paul (grantee). Issued 10-21-30.

1,779,072. Electric amusement device. Soupl[illegible] Henri (inventor). Issued 10-21-30.

1,779,176. Ultra violet transmitting glass and process of making the same. Long Bernard (inventor); S A Des Manufactures Des Glaces and Produits Chimiques de Saint Gobain (grantee). Issued 10-21-30.

1,779,242. Process of impregnating carbon electrodes. Laubi Otto Alfred (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). 10-21-30.

1,779,286. Insulating separator for accumulator plates. Pautou Paul (inventor); S A Des Accumulateurs Monoplaque (grantee). Issued 10-21-30.

1,779,292. Thermionic tube amplifier. Rio Andre et al. Levy Lucien (inventors). Issued 10-21-30.

1,779,744. Metallurgical fuel and process for making the same. Jakovc Merturi Gaspard (inventor); Soc la Carbonisation Soc Generale D Exploitation Des Carbones (grantee). Issued 10-28-30.

1,779,786. Safety tank. Unzue Martin de Alzaga (inventor). Issued 10-28-30.

1,779,803. Carburetor for internal combustion engines. Drogo Aurelien (inventor). Issued 10-28-30.

1,779,828. Method for transforming and distilling hydrocarbons. Seigle Adolphe Antoine Francois Marius (inventor). Issued 10-28-30.

1,779,829. Method for treating heavy hydrocarbon oils. Seigle Adolphe Antoine Francois Marius (inventor). Issued 10-28-30.

1,779,888. Automatic electric circuit breaker. Pecheur Henri (inventor). Issued 10-28-30.

1,779,898. Radiator system for airships. Breguet Louis (inventor); S A des Ateliers D Aviation Louis Berguet (grantee). Issued 10-28-30.

1,780,127. Apparatus for delivering measured quantities of liquids. Gueux Joseph Jean Marie (inventor). Issued 10-28-30.

1,780,134. Manufacture of high purity carbon. Gardner Daniel (inventor). Issued 11-4-30.

1,780,159. Apparatus for the hot purification of gases. Joseph Alfred (inventor); Cie Internationale Pour la Fabrication des Essences et Petroles (grantee). Issued 11-4-30.

1,780,378. Electric pick-up for gramophone or other sound records. Dieux Jean (inventor). Issued 11-4-30.

1,780,531. Pneumatic suspension for airplanes. Messier George Louis Rene Jean (inventor). Issued 11-4-30.

1,780,536. Process and apparatus for treating hydrocarbons. Prudhomme Eugene Albert (inventor); Soc International des Procedes, Prudhomme S I P P (grantee). Issued 11-4-30.

1,780,572. Optical device for radio cinematographic transmitters and receivers. Thurm Leon (inventor). Issued 11-4-30.

1,780,628. Dyeing machine. Nabholz Hans (inventor). Issued 11-4-30.

1,780,817. Motor driven shears. Dubois Charles (inventor); Soc Industrielle de Materiel D Enterprise et de Construction (grantee). Issued 11-4-30.

1,780,870. Device for treating rough tubes and analogous articles with lead. De Dudzele Gaston (inventor). Issued 11-4-30.

1,781,002. Method and apparatus for use in testing materials. Esnault Pelterie Robert (inventor). Issued 11-11-30.

1,781,311. Device for automatic adjustment of light projectors. Adam Auguste Edmond (inventor). Issued 11-11-30.

1,781,327. Carburetor for internal combustion engines supplied with heavy oil. Goinard Joseph Marie Arsene (inventor). Issued 11-11-30.

1,781,380. Vehicle body. Garfield Ellery Irving (inventor). Issued 11-11-30.

1,781,513. Electrical tuning fork. Holweck Fernand (inventor); Etablissements Edouard Belin (grantee). Issued 11-11-30.

1,781,556. Percussion fuse for artillery and aircraft projectiles. Remondy Leon Emile (inventor). Issued 11-11-30.

1,781,575. Weighing apparatus. Gandriaut Lucien (inventor). Issued 11-11-30.

1,781,576. Carburetor. Goudard Maurice (inventor); S A Solex (grantee). Issued 11-11-30.

1,781,580. Tailoring. Heliot Maurice (inventor). Issued 11-11-30.

1,781,595. Powder supplying device with adjustable feed. Mutti Louis (inventor). Issued 11-11-30.

1,781,604. Lubricating gun. Seguin Julien Eugene Marius (inventor). Issued 11-11-30.

1,781,609. Automatic telephone system. Tchoubritch Michel (inventor). Issued 11-11-30.

1,781,630. Temperature responsive device. Cheneau Louis Joseph Jean Baptiste (inventor). Issued 11-11-30.

1,781,944. Device for recording documents transmitted by radio. Belin Edouard (inventor). Issued 11-18-30.

1,782,073. Pump outflow regulating device. Piquerez Emile (inventor); S A des Etablissements Tecalemit (grantee). Issued 11-18-30.

1,782,260. Removable radiating device for the cooling of spark plugs. Franquet Jean et al. Dziacos Nicolas (inventors). Issued 11-18-30.

1,782,286. Plate spring. Burnand Ernest (inventor). Issued 11-18-30.

1,782,294. Method and apparatus for torpedo firing operations. Florisson Charles Louis (inventor); Soc de Condensation et D Applications Mecaniques (grantee). Issued 11-18-30.

1,782,314. Rotary pump of the oscillating blade type. Poirmeur Louis Ildevert (inventor). Issued 11-18-30.

1,782,321. Reaping machine. Serre Eugene Edmond Charles (inventor). Issued 11-18-30.

1,782,400. Wheel lifting device. Bolard Alfred Jean Gustave (inventor); Rusbol Soc a Responsabilite Ltee (grantee). Issued 11-25-30.

1,782,603. Diffusion plant. Camuset Charles (inventor). Issued 11-25-30.

1,782,616. Electrolytic apparatus for refining aluminum and for like processes. Hulin Paul Leon (inventor); S A Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camarque (grantee). Issued 11-25-30.

1,782,838. Apparatus for signaling condition of fluid in conduits. Brillie Eugene (inventor). Issued 11-25-30.

1,782,913. Fold collar. Thompson Robert J. (inventor). Issued 11-25-30.

1,782,940. Apparatus for igniting internal combustion engines. Saives Leon (inventor); Renault Louis (grantee). Issued 11-25-30.

1,782,967. Silk twisting mill and like machine. Junillon Louis Casimir et al. Gillot Henri Francois (inventors). Issued 11-25-30.

1,782,974. Apparatus for recovering fats from emulsions containing solid particles. Rozieres Jean Alfred Louis (inventor); Soc Francaise de Centrifugation (grantee). Issued 11-25-30.

1,783,135. Carbon for electrotechnical uses and process of manufacture thereof. Oswald Marcel (inventor); Cie Lorraine de Charbons Pour L Electricite (grantee). Issued 11-25-30.

1,783,464. Refrigerating machine. Follain Raoul Ferdinand (inventor); S A Pour L Exploitation de Procedes, Maurice Leblanc Vickers (grantees). Issued 12-2-30.

1,783,486. Pump. Volet Rene Alfred Laurent (inventor). Issued 12-2-30.

1,783,493. Method of washing yarn or threads wound upon spools. Borzykowski Bernio (inventor). Issued 12-2-30.

1,783,534. Machine for opening tins of canned goods. Darque Etienne (inventor). Issued 12-2-30.

1,783,822. Automobile jack. Bolard Alfred Jean Gustave, Vernon France (inventors); Rusbol Soc A Responsabilite Ltee (grantee). Issued 12-2-30.

1,783,847. Fashioned warp knitting. Levy Pierre (inventor); Soc P & P Levy Dite Etablissements J et S Levy Freres (grantees). Issued 12-2-30.

1,783,971. Lock. Miguet Louis Eugene (inventor). Issued 12-9-30.

1,783,998. Photographic reproduction objective with two diaphragms and its application as in printing positives for black and white cinematography color, cinematography or cinematography in relief. Caretien Henri (inventor); S A Francaise Dite Soc Technique D Optique et De Photographie S T O P (grantees). Issued 12-9-30.

1,784,159. Double control device for phonographs. Rebikoff Wassily (inventor); Davydoff Leonide (grantee). Issued 12-9-30.

1,784,160. Portable loading gauge for railroad cars. Remond Jacques (inventor). Issued 12-9-30.

1,784,172. Listening and selecting apparatus. Bloch Andre (inventor). Issued 12-9-30.

1,784,180. Roof for carriage bodies. Delale Emile (inventor). Issued 12-9-30.

1,784,181. Boot last. Demoueron Gaston Jules (inventor). Issued 12-9-30.

1,784,344. Joint for molds operating by centrifugal force. Ferrier Paul (inventor). Issued 12-9-30.

1,784,422. Plant for the vertical molding of concrete work. Fabre Hippolyte (inventor). Issued 12-9-30.

1,784,444. Cylinder lock. Homolle Robert Georges Marie (inventor); Soc Bourrusien Beau & Cie (grantee). Issued 12-9-30.

1,784,458. Lacing device for corsets and like articles. Lindauer Jules (inventor). Issued 12-9-30.

1,784,490. Process for the recovery of the tin contained in the residues of tin plate manufacture. Laley Jehan (inventor); Les Petits Fils De Francois De Wendel & Cie (grantees). Issued 12-9-30.

1,784,654. Aircraft. Bratu Ronald (inventor). Issued 12-9-30.

1,784,659. Driving means for the rollers of spinning machines. Devaux Paul Francois. Issued 12-9-30.

1,784,713. Linking machine. Vallois Jean Baptiste (inventor); Soc Les Fils de Valton & Cie (grantee). Issued 12-9-30.

1,784,732. Apparatus for lubrication by means of capillary elements. Kaiser Marcel (inventor); S A Graissage Actif (grantee). Issued 12-9-30.

1,784,783. Ventilating device. Cachemaille Albert (inventor). Issued 12-9-30.

1,785,450. Folding table. Lafillee Jacques Jean (inventor). Issued 12-16-30.

1,785,610. Optical recording device for telegraphic signaling. Belin Edouard (inventor). Issued 12-16-30.

1,785,677. Gas heater for curling irons. Ducart Guillaume (inventor). Issued 12-16-30.

1,785,681. Carburetor. Goudard Felix (inventor). Issued 12-16-30.

1,785,883. Apparatus for engraving printing rollers. Teissere Albert, Teissere Jean et al. (inventors). Issued 12-23-30.

1,785,896. Method of utilizing the tides for power purposes. Defour Andre (inventor). Issued 12-23-30.

1,786,197. Clamping collar. De Vulitch Vladimir Antoine (inventor). Issued 12-23-30.

1,786,292. Apparatus for high temperature treatment of ores and other substances. Fourment Marcel (inventor). Issued 12-23-30.

1,786,414. Lubricating apparatus for the flanges. Issued 12-23-30.

1,786,418. Face paint or fard distributor with stump. Baquey Pierre otherwise known as Gaston Baquey (inventor). Issued 12-30-30.

1,786,424. Knife edge bearing. Caillaud Rene Lucien Henri (inventor); S A Des Etablissements Luteraan (grantee). Issued 12-30-30.

1,786,441. Endless track vehicle. Kegresse Adolphe (inventor). Issued 12-30-30.

1,786,461. Oar blade or the like. Ribard Jean (inventor). Issued 12-30-30.

1,786,470. Metal & rubber track belt. Kegresse Adolphe (inventor). Issued 12-30-30.

1,786,505. Bust bodice. Cadolle Marcel (inventor). Issued 12-30-30.

1,786,617. Device for the automatic adjustment of the tensions of films. Oehmichen Maurice (inventor). Issued 12-30-30.

1,787,010. Temperature control device. Gerard Maurice (inventor); S A Solex (grantee). Issued 12-30-30.

1,787,044. Phonograph disk. Laffon Hubert (inventor). Issued 1-6-31.

1,787,057. Airplane having a variable lifting surface. Gerin Jacques (inventor). Issued 1-6-31.

1,787,066. Lever system. Chapuis Charles, Dervaux Pierre et al. (inventor). Issued 1-6-31.

1,787,717. Valve gear for internal combustion engines. Boulet Georges (inventor). Issued 1-6-31.

1,787,974. Brush. Bertola Charles (inventor). Issued 1-6-31.

1,788,004. Cane for controlling railway trains. Bougues Julien (inventor). Issued 1-6-31.

1,788,106. Metering device chiefly applicable to apparatus for the delivery of liquids. Brunton Henri (inventor). Issued 1-6-31.

1,788,310. Welding electrode. Lebrun Maurice Emile Jean, et al (inventors); La Soudure Autogene Francaise (grantee). Issued 1-6-31.

1,788,350. Carburetor. Seignol Edouard (inventor). Issued 1-6-31.

1,788,370. Distant electric control device. Gerard Elie (inventor); Cie des Forges et Acieries de la Marine et d Homecourt (grantee). Issued 1-13-31.

1,788,406. Braking device for airplane wheels. Veyssiere Francois Jay Marcel, Mondon Jean Rene et al. (inventors); Soc La Roue Reunie (grantee). Issued 1-13-31.

1,788,743. Motor vehicle. Reigneron Jean Baptiste (inventor). Issued 1-13-31.

1,788,768. Attraction. Lesot Louis (inventor). Issued 1-13-31.

1,788,970. Static device for the automatic and progressive closing of electric circuits. Andre Henri, Monnier Alfred et al. (inventors). Issued 1-13-31.

1,788,976. Flow meter. Beraud Armand, Jacquet Gaetan et al (inventors). Issued 1-13-31.

1,789,032. Electric organ. Bethenod Joseph (inventor). Issued 1-13-31.

1,789,133. Method for securing friction facing members. Bluhm Alexandre (inventor); S A Francaise Du Ferodo (grantee). Issued 1-13-31.

1,789,210. Cinematograph view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 1-13-31.

1,789,241. Friction driving device chiefly intended for cinematographic apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 1-13-31.

1,789,242. Film advancing means for cinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 1-13-31.

1,789,274. Flying machine. Perrin Edouard Alfred (inventor). Issued 1-13-31.

1,789,633. Telegraphic system. Lery Andre (inventor); Carpentier Ateliers J, Cie Francaise Pour L Exploitation Des Procedes Thomson Houston (grantees). Issued 1-20-31.

1,789,639. Mouthpiece for wind instruments. Selmer Henri (inventor). Issued 1-20-31.

1,789,707. Dispenser for pulverulent or pasty substances. Millard Marie Louise Nee Cougis (inventor). Issued 1-20-31.

1,789,778. Jacking device for vehicles. Sawyer Arthur Edcourt (inventor). Issued 1-20-31.

1,790,093. Resilient track with movable elements. Kegresse Adolphe (inventor). Issued 1-27-31.

1,790,117. Method for sterilizing and pasteurizing liquids. Stevano Henri (inventor). Issued 1-27-31.

1,790,145. Belt composed of longitudinal separated bands. Harmel Laure Augustine Born Bradfer (inventor); S A Etablissements Smeldur Manufactory of Belts (grantees). Issued 1-27-31.

1,790,302. Two stroke motor. Goiot Jean Roger (inventor). Issued 1-27-31.

1,790,413. Dynamo electric machine. Fave Marie Alexandre Jean (inventor). Issued 1-27-31.

1,790,542. Propeller with variable pitch. Blain Maurice Auguste (inventor). Issued 1-27-31.

1,790,564. Valveless internal combustion engine. Chevallier Marcel et al. Poulain Gaston (inventors). Issued 1-27-31.

1,790,611. Knitting needle. Vitoux Marcel (inventor). Issued 1-27-31.

1,790,740. Glass spreading roll. Escole Paul Joseph Maximilien (inventor); S A Des Ateliers De Construction & Fonderies De Jeumont Anciens Etablissements Th Haut (grantees). Issued 2-3-31.

1,790,854. Charge mixing device. Defrance Abel et al. Verville Pierre (inventors). Issued 2-3-31.

1,790,978. Three color cinematograph film. Didier Leon Jean Baptiste (inventor). Issued 2-3-31.

1,791,022. Apparatus for the preparation of cooling brines. Dahl Oscar et al, Kjorstad Erik Arnfinn Hallgrim (inventors). Issued 2-3-31.

1,791,023. Refrigerating plant. Dahl Oscar et al, Kjorstad Erik Arnfinn Hallgrim (inventors). Issued 2-3-31.

1,791,032. Apparatus for the preparation of cooling brine. Kjorstad Erik Arnfinn Hallgrim (inventor). Issued 2-3-31.

1,791,052. Tar refining. Bregi Jean H (inventor); Cie Technique Des Petroles (grantee). Issued 2-3-31.

1,791,233. Aeroplane wing. Breguet Louis (inventor); S A Des Ateliers D Aviation Louis Breguet (grantees). Issued 2-3-31.

1,791,235. Method for producing knitted hose stockings and the like. Coury Joseph (inventor); Soc Manufacture De Bonneterie De L Argonne (grantees). Issued 2-3-31.

1,791,374. Wave operated musical instrument. Pechadre Henri Camille Robert (inventor). Issued 2-3-31.

1,791,415. Shock absorber for motor vehicles. Lacrotte Nazaire (inventor). Issued 2-3-31.

1,791,428. Folding safety razor. Riviere Marie Louis (inventor). Issued 2-3-31.

1,791,445. Process for the recovery of paste from printed paper and chiefly wood paste. Grenaudier Louis (inventor). Issued 2-3-31.

1,791,573. Device for making luminous projections in broad daylight or in a lighted room. Parolini Cesar (inventor). Issued 2-10-31.

1,791,801. Tension mechanism for warp beams. Cornu Alexandre (inventor). Issued 2-10-31.

1,791,984. Driving chain. Tremolieres Gustave Henri (inventor). Issued 2-10-31.

1,792,160. Resiliently suspended chassis for motor vehicles and such like. Granges Louis (inventor). Issued 2-10-31.

1,792,182. Throstle frame for continuous spinning. Oswald Jean (inventor); Etablissements Georges Kuechlin (grantee). Issued 2-10-31.

1,792,352. Tubular electric resistance. Barsiere Jean Gustave (inventor). Issued 2-10-31.

1,792,374. Tubular incandescent lamp and support therefor. Jarrezon Fernand (inventor). Issued 2-10-31.

1,792,394. Bust holder. Madsen Viggo (inventor). Issued 2-10-31.

1,792,432. Controlling device for brake cams. Lauer Leon Nicolas (inventor); S A Des Etablissements Panhard & Co (grantee). Issued 2-10-31.

1,792,436. Cinematographic view taking camera of the portable automatic type. Mery Jean (inventor). Issued 2-10-31.

1,792,664. Machine for pasting hinges on book covers. Taupin Joseph (inventor); S.A. Imprimerie Paul Bordard Et Ateliers Joseph Taupin Reunis (grantee). Issued 2-17-31.

1,793,154. Fuel Atomizer. Bellem Louis Henri Libert et al. Fosseling Christian (inventors). Issued 2-17-31.

1,793,498. Moving sidewalk. L Hertler Maurice (inventor). Issued 2-24-31.

1,793,605. Cathode for rotary flame arcs. Gautier Georges et al. Le Bozec Leon. Dubois Raymond (inventors). Issued 2-24-31.

1,793,609. Radioelectric insulating support. Cuilliou Henri (inventor). Issued 2-24-31.

1,793,844. Apparatus for separating impurities from grain. Dunn Charles (inventor). Issued 2-24-31.

1,793,867. Steam generator. Niclausse Jules et al. Niclausse Albert (inventors). Issued 2-24-31.

1,794,011. Rotary harrow. Goffiry Georges Auguste (inventor). Issued 2-24-31.

1,794,161. Feed water heater. Fidler Sebastien Otto Alfred (inventor); L Auxiliaire Des Chemins De Fer Et De L Industrie (grantees). Issued 2-24-31.

1,794,185. Discharging apparatus for compressed gas. Demoiselle Renee Marie Louise Nee Trouillet (inventress). Issued 2-24-31.

1,794,186. Portable sterilizer for liquids of all kinds. Demoiselle Renee Marie Louise nee Trouillet (inventor). Issued 2-24-31.

1,794,242. Vacuum tube with two anodes and two grids. Pelletier Gabriel (inventor); Soc E C & Alexandre Cramaussel (grantee). Issued 2-24-31.

1,794,279. Apparatus for photographic enlargements by superposed impressions. Dauge Robert (inventor). Issued 2-24-31.

1,794,294. Suspension for vehicles. Houdaille Maurice (inventor). Issued 2-24-31.

1,794,302. Boat davit. Kipling Arthur Wellesly (inventor). Issued 2-24-31.

1,794,306. Automatic lifting device. Liberge Andre H E (inventor). Issued 2-24-31.

1,794,344. Dispensing receptacle. Soyez Emile (inventor). Issued 2-24-31.

1,794,527. Sand packing device for pipe molds. Mathieu Leon Louis (inventor); S A des Hauts Fourneaux et Fonderies de Pont A Mousson (grantee). Issued 3-3-31.

1,794,573. Heat exchanger. Arnoult Jean Baptiste Emile Ernest (inventor); Etablissements Ernest Arnoult (grantee). Issued 3-3-31.

1,794,828. Aerial advertising and signaling. Bleriot Louis (inventor). Issued 3-3-31.

1,795,007. Metal label securing device. Burley Joseph Pierre Paul (inventor). Issued 3-3-31.

1,795,008. Automatic temperature regulator. Chagnaud Andre (inventor); Les Etablissements Poulenc Freres (grantee). Issued 3-3-31.

1,795,037. Carbureting process and apparatus. Portail Fernand Charles Frederic (inventor); S A le Carbone (grantee). Issued 3-3-31.

1,795,145. Brake operating device for motor vehicles. Rouanet Louis (inventor); Cie D Applications Mecaniques (grantee). Issued 3-3-31.

1,795,212. Telephony and telegraphy. Joly Paul (inventor). Issued 3-3-31.

1,795,229. Glass paving. Noel Pierre (inventor). Issued 3-3-31.

1,795,245. Device for the prevention of back fire to the carburetors for internal combustion engines and for other purposes. Bichler Charles Henri (inventor). Issued 3-3-31.

1,795,254. Glass sheet drawing apparatus. Escole Paul (inventor); Ateliers de Construction & Fonderies de Jeumont Anciens Etablissements th Haut (grantee). Issued 3-3-31.

1,795,388. Arrangement for securing the longitudinal binding wires in the bound recipients used for the storage and transportation of gas. Dumat Clement (inventor); Soc The Pour L Exploitation des Tubes Electro Frettes (grantee). Issued 3-10-31.

1,795,398. Elevator for boats with constant draft. Huguenin Albert (inventor). Issued 3-10-31.

1,795,403. Pneumatic clutch for starters. Morten Andre (inventor). Issued 3-10-31.

1,795,588. Unit element for the packing of fruits early products fragile objects and the like and process of manufacture of the same. Mertens Stella (inventor). Issued 3-10-31.

1,795,887. Machine for the reproduction of sculpture. Quattrocchi Edmondo (inventor). Issued 3-10-31.

1,796,008. Motor. Drevet Claude (inventor). Issued 3-10-31.

1,796,038. Arrangement of electric lamps in cinematographic apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 3-10-31.

1,796,140. Cinematograph with continuous feed of the film. Centinsouza Victor et al, Combes Maurice Baptiste (inventors). Issued 3-10-31.

1,796,154. Carburetor. Le Breton Leon (inventor). Issued 3-10-31.

1,796,203. Molding. Jonkergouw Renier et al. Demoneet Jacques (inventors). Issued 3-10-31.

1,796,214. Ozonizer. Otto Marius Paul (inventor). Issued 3-10-31.

1,796,295. Device for determining the direction of flow of a magnetic field. Loth William Arthur (inventor); Soc Industrielle des Procedes W A Loth (grantee). Issued 3-17-31.

1,796,335. Acoustic diaphragm made of warped elementary surfaces with parallel edges. Lumiere Louis (inventor). Issued 3-17-31.

1,796,468. Incandescent electric lamp. Main Georges (inventor). Issued 3-17-31.

1,796,490. Face powder device providing for a gradual feed of the powder. Baquey Pierre Dit Gaston (inventor). Issued 3-17-31.

1,796,510. Surface condenser and the like. Delas Francois Xavier Joseph Albert (inventor). Issued 3-17-31.

1,796,512. Boiler with high evaporative capacity. Dhome Alfred (inventor); S A des Etablissements Delaunnay Belleville (grantee). Issued 3-17-31.

1,796,571. Means for making spun glass. Mathieu Louis (inventor). Issued 3-17-31.

1,796,573. Disappearing carriage for guns mounted on board submersible craft and for other like uses. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 3-17-31.

1,796,687. Piston connection. Esnault Pelterie Robert (inventor). Issued 3-17-31.

1,796,748. Fastening device for trunks. Coquille Emile Henri (inventor). Issued 3-17-31.

1,797,640. Cutting device for cigarette machines. Danger Etienne (inventor); Soc Usines Decoufle (grantee). Issued 3-24-31.

1,797,661. Closing apparatus for hydraulic constructions ships elevators and the like. Huguenin Albert (inventor). Issued 3-24-31.

1,797,668. Bottom for football shoes. Morrisse Adrien (inventor); Teifel Leon (grantee). Issued 3-24-31.

1,797,669. Steering and propelling device for helicopters. Oehmichen Etienne (inventor). Issued 3-24-31.

1,797,794. Training device for pilots. Rougerie Lucien (inventor); Etablissements Aera (grantee). Issued 3-24-31.

1,797,797. Endless track vehicle. Saives Leon (inventor); S A des Usines Renault (grantee). Issued 3-24-31.

1,797,872. Process and apparatus for the centrifugal casting of metal pipes. Mathieu Leon Louis (inventor); S A des Hauts Fourneaux et Fonderies de Pont A Mousson (grantee). Issued 3-24-31.

1,797,929. Means for attaching shock absorbers. Rouanet Louis (inventor); Cie D Applications Mecaniques (grantee). Issued 3-24-31.

1,797,975. Fuel feeding device for internal combustion motors. Colmant Albert Louis (inventor). Issued 3-24-31.

1,798,030. Method for reducing nitroaryl arsonic acids. Oechslin Carl (inventor); Les Etablissements Poulenc Freres (grantee). Issued 3-24-31.

1,798,033. Internal combustion engine. Rechefort Francois (inventor). Issued 3-24-31.

1,798,072. Exposure controlling device for cinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 3-24-31.

1,798,302. Signaling installation for the protection of roads T level crossings. Bouthors Pierre (inventor). Issued 3-31-31.

1,798,697. Air compressor. Pescara Raul Pateras (inventor). Issued 3-31-31.

1,798,867. Brooch and the like. Candas Gaston (inventor). Issued 3-31-31.

1,798,945. Closing device. Lamarthe Alfred (inventor). Issued 3-31-31.

1,798,963. Optical device for distant vision. Valensi Georges (inventor). Issued 3-31-31.

1,798,967. Internal combustion engine. Chedru Gustave Emile (inventor). Issued 3-31-31.

1,798,973. Control device for valves. Cordier Andre Paul Emile (inventor); Etablissement Sippo (grantee). Issued 3-31-31.

1,798,974. Offset and typographic printing machine. Corse Gaston (inventor); Etablissements I Chambon (grantee). Issued 3-31-31.

1,799,122. Tire inflating device. Rocher Maurice (inventor). Issued 3-31-31.

1,799,226. Mechanical loom for weaving wilton and other carpets. Gilhet Georges Joseph (inventor). Issued 4-7-31.

1,799,569. Safety razor. Riviere Marie Louis (inventor). Issued 4-7-31.

1,799,851. Chromium plating by electrolytic deposition. Hollard Auguste (inventor); Soc Nouvelle de l Orfevrerie d Ercuis (grantee). Issued 4-7-31.

1,799,854. Current rectifier. Levy Lucien (inventor). Issued 4-7-31.

1,799,867. Projecting mechanism. Rouiller Georges et al, Marion Jean (inventors). Issued 4-7-31.

1,799,885. Process of generating producer gas. Chavanne Louis (inventor). Issued 4-7-31.

1,799,886. Process for the gasification of solid fuel. Chavanne Louis (inventor). Issued 4-7-31.

1,799,898. Motor car brake. Hallot Paul (inventor). Issued 4-7-31.

1,799,914. Opening device for liquid or pressure gas bottles. Lemoine Renee Marie Louise nee Trouillet (inventor). Issued 4-7-31.

1,800,049. Printing machine adapted for use with unimpressed films requiring a very long exposure. Bizot Marcel Georges Marie Gaston (inventor). Issued 4-7-31.

1,800,088. Shutter for cinematographic apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 4-7-31.

1,800,129. Safety device for automatic adjusting devices for brake mechanism. Bourbeau Olivier (inventor). Issued 4-7-31.

1,800,416. Securing means for reinforced concrete sleepers. Vagneux Edmond Francois Leopold (inventor). Issued 4-14-31.

1,800,440. Support for overhead wires for railways tramways and the like. Delachaux Clarence Leon (inventor); Acieries de Gennevilliers Anciens Etablissements c Delachaux (grantee). Issued 4-14-31.

1,800,458. Carburetor. Mahe Julien (inventor). Issued 4-14-31.

1,800,470. Sustaining device with regulators. Oehmichen Etienne (inventor). Issued 4-14-31.

1,801,137. Automobile body. Brun Marcel (inventor). Issued 4-14-31.

1,801,180. Wagon tipping apparatus. Tacrian Hampart (inventor). Issued 4-14-31.

1,801,182. Device for the maintenance of telegraph telephone or signaling lines. Viard Georges (inventor). Issued 4-14-31.

1,801,737. Process for the treatment of varnished wall papers. Gruin Maurice (inventor). Issued 4-21-31.

1,801,762. Vanity case. Brun Albert (inventor). Issued 4-21-31.

1,801,910. Reenforced gas container. Dumat Clement (inventor); Soc Pour l Exploration des Tubes Electro Frettes (grantee). Issued 4-21-31.

1,801,965. Process for decolorizing acetone and methylene oils. Lichtenberger Jean (inventor). Issued 4-21-31.

1,802,083. Preservation of grain and the like. Legendre Rene Andre (inventor). Issued 4-21-31.

1,802,231. Temperature indicator. Blondin Michel Charles (inventor). Issued 4-21-31.

1,802,473. Manufacture of luminescent tubes. Lebrun Paul Francois Joseph (inventor). Issued 4-28-31.

1,802,505. Change speed device. Grifaut Marcel (inventor). Issued 4-28-31.

1,802,506. Carburetor. Guiraud Henri Jules (inventor); S A la Cooperation Agricole & Industrielle (grantee). Issued 4-28-31.

1,802,508. Manufacture of detonating fuses. Harle Etienne Charles Amedee (inventor); Soc Harle Freres & Cie (grantee). Issued 4-28-31.

1,802,630. Speed increasing & reducing apparatus. Cotal Jean (inventor); Soc d Exploitation des Brevets Cotal (grantee). Issued 4-28-31.

1,802,656. Endless track vehicle. Kegresse Adolphe (inventor). Issued 4-28-31.

1,802,665. Pipe of cement or reenforced cement. Monteux Benjamin Emile (inventor); Durand Paul Louis (grantee). Issued 4-28-31.

1,802,725. Moving diorama. Lauder Georges (inventor). Issued 4-28-31.

1,802,882. Supporting & propelling apparatus based on centrifugal power. De Chappedelaine Jean (inventor). Issued 4-28-31.

1,802,885. Safety button. Eguren Aurelio Rodrigo (inventor). Issued 4-28-31.

1,802,954. Wrench. Ollagnon Paul (inventor). Issued 4-28-31.

1,803,012. Carburetor. Goudard Maurice (inventor); S A Solex (grantee). Issued 4-28-31.

1,803,055. Chassis for motor vehicles. Cousan Nemorin Laurent (inventor). Issued 4-28-31.

1,803,083. Process & apparatus for the clarification of benzine. Wack Jean Jacques (inventor). Issued 4-28-31.

1,803,222. Power loom for the manufacture of pile fabrics. Venail Paul (inventor); S A de Fabrication des Tapis a Points Noues Saftan (grantee). Issued 4-28-31.

1,803,225. Clutching & speed changing device. Cotal Jean (inventor); Soc d Exploitation des Brevets Cotal (grantee). Issued 4-28-31.

1,803,256. Device in signs for removably fastening motives to supporting surfaces. Horn Paul (inventor). Issued 4-28-31.

1,803,448. Hinge. Rocheron Henri Francois Louis Joseph (inventor). Issued 5-5-31.

1,803,451. Spark advancing apparatus. Ziembinski Stanislas Janvier (inventor). Issued 5-5-31.

1,803,461. Internal combustion engine. Claudel Charles Henri (inventor). Issued 5-5-31.

1,803,493. Rotor. Volet Rene Alfred Laurent (inventor). Issued 5-5-31.

1,803,494. Hollow frame assembly. Amiot Felix (inventor); Soc D Emboutissage et de Constructions Mecaniques (grantee). Issued 5-5-31.

1,803,771. Device for applying hooked clasps. Tcheveff Serge (inventor). Issued 5-5-31.

1,804,001. Spindle drive. Durand Marcel Paul (inventor). Issued 5-5-31.

1,804,214. Feed water heater. Fiedler Sebastian Otto Alfred (inventor); L Auxiliaire des Chemins de fer et de l Industrie (grantee). Issued 5-5-31.

1,804,274. Protective lining for tanks. Poberejsky Jacques (inventor). Issued 5-5-31.

1,804,309. Automatic brake adjusting mechanism. Bourbeau Olivier (inventor). Issued 5-5-31.

1,804,310. Irreversible rotary power transmission system. Bricard Roger (inventor); S A Francaise Dite Bricard, Ancienne Maison Sterlin (grantees). Issued 5-5-31.

1,804,486. Pipe joint. Boutry Charles Gustave (inventor). Issued 5-12-31.

1,804,889. Pipe coiled with steel wire for pressure conduits and vessels under pressure. Monsch Simon Pierre (inventor). Issued 5-12-31.

1,804,943. Dispenser for pulverulent substances and the like. Maillard Cecile Marie Louise (inventor). Issued 5-12-31.

1,804,965. Head lamp for motor vehicles. Vives Emile Gustave Edouard Dec (inventor); Cazautet Suzanne Jeanne Widow Vives Admx (grantee). Issued 5-12-31.

1,805,066. Gas burner or nozzle. Andrieux Pierre Jules Justinien (inventor). Issued 5-12-31.

1,805,320. Gas sheet drawing apparatus. Escole Paul (inventor); Ateliers de Construction & Fonderies de Jeumont (grantee). Issued 5-12-31.

1,805,466. Frictional shock absorber with hydraulic control. De Ram Georges Henri Ernest (inventor). Issued 5-19-31.

1,805,469. Electric furnace. Dufour Rene (inventor). Issued 5-19-31.

1,805,509. Process for continuous rectification of crude methyl alcohol. Barbet Emile Augustin (inventor). Issued 5-19-31.

1,805,586. Carburetor. Lavergne Jean (inventor). Issued 5-19-31.

1,805,947. Carburetor. Guiraud Henri Jules (inventor); S A La Cooperation Agricole & Industrielle (grantee). Issued 5-19-31.

1,806,005. Fastening device. Thomas Andre (inventor). Thomas Louise (grantee). Issued 5-19-31.

1,806,236. Safety switch. Charles Maurice (inventor). Issued 5-19-31.

1,806,242. Safety apparatus for protection and defense against burglary and violation of habitations. Duquesne Ferdinand Alexandre (inventor). Issued 5-19-31.

1,806,258. Apparatus for fleshing hides skins or the like. Henry Lucien Nicolas (inventor). Issued 5-19-31.

1,806,386. Rotary frequency transformer. Bujet Paul Emmanuel (inventor); Soc Acieries de Gennevilliers (grantee). Issued 5-19-31.

1,806,523. Vehicle body. De Vizcaya Jean Antoine Augustin (inventor). Issued 5-19-31.

1,806,681. Fuel supply system for internal combustion engines of variable load for using heavy fuels. Bethenod Joseph (inventor); Soc Des Moteurs Dugelay (grantee). Issued 5-26-31.

1,806,698. Acoustic receiver. Denoux Rene (inventor). Issued 5-26-31.

1,806,863. Process for production of substance having a nacreous and chatoyant aspect. Paisseau Jean (inventor). Issued 5-26-31.

1,806,992. Device for bringing a moving body to rest. Pieux Jean (inventor); Schneider & Cie (grantee). Issued 5-26-31.

1,806,997. Vaporization of heavy hydrocarbons. Joseph Alfred (inventor); Cie Internationale Pour la Fabrication des Essences et Petroles (grantee). Issued 5-26-31.

1,807,001. Synchronous motor. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 5-26-31.

1,807,203. Construction of aeroplanes. Ehmig Victor (inventor). Issued 5-26-31.

1,807,370. Device for the preparation of viscose. Bernard Jacques Marc (inventor). Issued 5-26-31.

1,807,614. Radiator actuating mechanism. Devoitine Julien Eugene Emile (inventor). Issued 5-26-31.

1,807,634. Process for the treatment of a metallic organic or other compound or a gas by a gaseous agent serving to enter into reaction therewith. Joseph Alfred (inventor); Soc Internationale des Procedes Prudhomme Houdry (grantee). Issued 5-26-31.

1,807,647. Machine for automatically printing photographic proofs. Priou Pierre Auguste Marcellin (inventor). Issued 5-26-31.

1,807,653. Steering wheel. Rodanet Charles Henri Hilaire (inventor); S A Etablissements Ed Jaeger (grantee). Issued 5-26-31.

1,807,707. Brake operating device for motor vehicles. Rouanet Louis (inventor); Cie d Applications Mecaniques (grantee). Issued 6-2-31.

1,807,889. Mechanical movement. Belin Edouard (inventor). Issued 6-2-31.

1,808,089. Dating stamp. Villon Raoul et al, Lemaignen Robert (inventors). Issued 6-2-31.

1,808,130. Shock absorber. Chalumeau Jules (inventor). Issued 6-2-31.

1,808,372. Process for the obtainment of sheets of plastic material which are combined or backed. Paisseau Jean (inventor). Issued 6-2-31.

1,808,566. Pocket view taking cinematographic camera with spring motor. Merle Andre Noel (inventor). Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 6-2-31.

1,808,594. Process for separating platinum from the other precious metals. Collard Georges Auguste Louis Robert (inventor); Comptoir Lyon Alemand (grantee). Issued 6-2-31.

1,808,638. Secondary fluid current production apparatus. Coupard Christian (inventor); S A L Aspiration Scientifique (grantee). Issued 6-2-31.

1,808,668. Steam ejector of vacuum brakes. Leouard Paul Marie Eugene (inventor). Issued 6-2-31.

1,808,669. Photographic camera. Liberman Alexander Iezekil (inventor). Issued 6-2-31.

1,808,670. Transformer. Loubet Henri Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantee). Issued 6-2-31.

1,808,734. Liquid meter. Carbonaro Mario (inventor). Issued 6-2-31.

1,809,251. Drawing device for spinning frames and for preparing machinery. Pflimlin Jules (inventor). Issued 6-9-31.

1,809,252. Drawing device for spinning frames and for preparatory machinery. Pflimlin Jules (inventor). Issued 6-9-31.

1,809,356. Artificial fur. Romane Georges (inventor). Issued 6-9-31.

1,809,484. Artificial impedance for telephone repeaters. Lebedinsky Myron (inventor); Soc des Telephones Grammont (grantee). Issued 6-9-31.

1,809,503. Oscillating circuits applied to electrical musical instruments and the like. Bethenod Joseph (inventor). Issued 6-9-31.

1,809,514. Motor fuel pump. Guiot Auguste (inventor). Issued 6-9-31.

1,809,671. Machine for interfolding sheets of cigarette papers. Braunstein Roger (inventor); S A des Anciens Etablissements Braunstein Freres (grantees). Issued 6-9-31.

1,809,746. Container for cigarettes and the like. Decobert Eduard Francois Michael (inventor). Issued 6-9-31.

1,809,944. Automatic gasoline feeding apparatus. Porte Rene (inventor); Soc Hardoll Etablissements Hariveau and Dolimier et Rene Porte and Cie Reunis (grantees). Issued 6-16-31.

1,810,183. Apparatus for ejecting pipes cast in flasks in one piece. Mathieu Leon Louis (inventor); S A des Hauts Fourneaux et Fonderies de Pont a Mousson (grantees). Issued 6-16-31.

1,810,387. Cracking catalyzing and hydrogenation of carbonaceous materials. Bianchi Alberto Edoardo et al, Guardabassi Galileo (inventors); Intercarbo S A Pour la Carbonisation et la Traitement Catalytique des Combustibles (grantees). Issued 6-16-31.

1,810,458. Motor car filter system. Audubert Rene (inventor); S A des Procedes R Audubert (grantee). Issued 6-16-31.

1,810,746. Metal sawing machine with arcuate cut. Babin Jules et al, Pays Achile (inventors); Babin Jules (grantee). Issued 6-16-31.

1,810,763. Servo brake. Hallot Paul (inventor). Issued 6-16-31.

1,810,800. Apparatus for reducing to fine powder various materials and products such as enamels. Thomas Joseph Louis Marie (inventor). Issued 6-16-31.

1,810,814. Back fire arrester for combustible gas conduits. Bichler Charles Henri (inventor); Air Securite (grantee). Issued 6-16-31.

1,810,851. Rotable transmission irreversible in both directions. Petit Raymond (inventor); S A Francaise Dite Bricard Ancienne Maison Sterlin (grantees). Issued 6-16-31.

1,810,854. Elastic wheel with flexible rim. Rimailho Emile (inventor). Issued 6-16-31.

1,811,293. Power transmission device. Barrere Fernand Bertrand (inventor). Issued 6-23-31.

1 811 298 Process and product for protecting aluminium magnesium and their alloys against corrosion. Boulanger Charles (inventor); Soc Continentale Parker (grantee). Issued 6-23-31.
1 811 304 Airplane. Couzinet Rene Alexandre Arthur (inventor). Issued 6-23-31.
1 811 305 Control members of an airplane. Couzinet Rene Alexandre Arthur (inventor). Issued 6-22-31.
1 811 323 Static suction apparatus. Lejay Raymond (inventor). Issued 6-23-31.
1 811 446 Bevel wheel. Veber Georges (inventor); Coutant Roger Gabriel Louis (grantee). Issued 6-23-31.
1 811 524 Needle for repairing knitted articles. Vitoux Marcel (inventor). Issued 6-23-31.
1 811 578. Motion transforming mechanism. Harisson Charles Louis (inventor); Soc de Condensation et D Applications Mecaniques (grantees). Issued 6-23-31.
1 811 588 Oil loss preventing device. Moreau Jules (inventor) Issued 6-23-31.
1 811 679 Ball and roller bearing. Volet Rene Alfred Laurent (inventor). Issued 6-23-31.
1 811 919 Pocket perfume sprayer. Dardel Marie Pierre Louis (inventor); Soc Marcas & Dardel (grantee). Issued 6-30-31.
1 811 935. Process for manufacturing agglomerated products. Hue Marcel Hippolyte (inventor). Issued 6-30-31.
1 811 956. Projection arrangement for advertising purposes Moerch Erik (inventor). Issued 6-30-31.
1,812,259 Plant for heating motor vehicles. De la Barre de Nanteuil Christian (inventor) Issued 6-30-31
1 812,317. Detachable floating compartment for aeroplanes. Bleriot Louis (inventor). Issued 6-30-31.
1,812,550 Phonograph disk. Penteado Armando Alvares (inventor). Issued 6-30-31.
1 812,551. Brake for motor vehicles. Poulet Edouard (inventor). Issued 6-30-31.
1 812,581 Timepiece winding mechanism. Bloch Marcel (inventor). Issued 6-30-31.
1 812 692 Centrifugal hammer. Georgevitch Nicolas (inventor); Dahme Joseph Alfred (grantee). Issued 6-30-31.
1 812 772. Nail polisher. Cade Marcel (inventor). Issued 6-30-31.
1 812 799. Means for the mechanical preparation of pulverized solid materials. Madore Maurice (inventor). 6-30-31.
1 812 800. Artillery gun more particularly applicable for firing against aircraft. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 6-30-31.
1 812 909 Apparatus for burnishing silver plate. Trinquet Louis et al, Hamel Rene Marcel (inventors). Issued 7-7-31.
1 812,921. Unhairing and bating of skins. Boidin Albert Rene et al, Effront Ivan Auguste (inventors). Issued 7-7-31.
1 813 035. Stitching machine for sets of sheets. Draeger Robert (inventor); Draeger Freres (grantee). Issued 7-7-31
1 813.041 Feed water heater. Fiedler Sebastien Otto Alfred (inventor); L Auxiliaire des Chemins de Fer et de L Industrie (grantees) Issued 7-7-31
1 813 042. Process for the treatment of zinciferous and composite ores by the volatilization of metallic elements. Follet Alexandre et al, Sainderichin Nicolas (inventors) Issued 7-7-31
1 813,142 Glass forming roll. Boudin Louis (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantees). Issued 7-7-31
1 813.281 Face powder box. Davis Charles (inventor). Issued 7-7-31.
1 813.531 Process for obtaining a product rich in cellulose and useful byproducts from straw. Du Bolitessalin Henri (inventor); Hurel Maurice Auray S Crecy (grantee) Issued 7-7-31
1 813,592. Adjustable shock absorber. Dutaux Armand (inventor). Issued 7-7-31.
1,813,543. Waste heat apparatus. Pescara Raul Pateras (inventor). Issued 7-7-31.
1,813,731. Automatic gear shift. Fleischel Gaston (inventor). Issued 7-7-31.
1 813,762. Machine for tubular weaving. Poncet Alexandre (inventor). Issued 7-7-31.
1,813,852. Flying machine. Isacco Vittorio (inventor). Issued 7-7-31.
1,814,046. Endless track belt. Kegresse Adolphe (inventor). Issued 7-14-31.
1 814,061. Direct current generator. Sarazin Robert et al, Moneyron Marcel (inventors). Issued 7-14-31.
1,814,260. The manufacture of shoe uppers. Perugin Andre (inventor). Issued 7-14-31.
1,814,290. Brooch clasp. Cartier Louis Josaph (inventor); Cartier S A (grantee). Issued 7-14-31.
1 814,301. Signaling device for automobiles Duval Gaston (inventor); Etablissements Jean Schwarze et H Mahe Soc A Responsabilite Limitee (grantees). Issued 7-14-31.
1,814,337. Switch. Rodanet Charles Hilaire Henri (inventor); Soc Etablissements Ed Jaeger (grantee). Issued 7-14-31.
1,814,465 Signaling and indicating apparatus. Beeq Andre (inventor). Issued 7-14-31.
1,814,505 Sofa capable of being converted into a bed. Daughin Marie Louis Adolphe Henri (inventor). Issued 7-14-31.
1,815,092. Method and device for the automatic starting of aeroplanes. Bernady Raoul (inventor); Soc D Etudes Et De Construction D Appareils De Telemecanique (grantees). Issued 7-21-31.
1,815,109. The position of the filament of an electric lamp. Machine serving to determine or verify. Marsat Antoine Jean Baptiste (inventor). Issued 7-21-31.
1,815,181. Locking device. Blenaime Robert (inventor). Issued 7-21-31.
1,815,299. Automatic temperature regulator. Greby Ernest (inventor); Cressaty Geo M (grantee). Issued 7-21-31.
1,815,519. Alimentary substance and its manufacture. Magat Charles (inventor). Issued 7-21-31.
1 815,668. Rotary machine for continuously making compressed slabs or floor tiles with colored designs. Druart Henri (inventor). Issued 7-21-31.
1 1,815,846. Process and apparatus for the purification of continuously flowing gases in the manufacture of liquid fuels. Joseph Alfred (inventor); Cie Internationale Pour La Fabrication Des Essences Et Petroles (grantees). Issued 7-21-31.
1,815,852. Crystallizer cooker. Lafeuille Fernand (inventor). Issued 7-21-31.
1,815,875. Apparatus for delivering measured quantities of liquid. Muller Jacques (inventor). Issued 7-21-31.
1,815,949. Adjustable level. Marischal Omer (inventor). Issued 7-28-31.
1,816,067. Servo Brake. Athimon Francis (inventor). Issued 7-28-31.
1 816,073. Automatic coin controlled telephone apparatus. Cambay Charles Amedee (inventor). Issued 7-28-31.
1,816,086. Railroad track weeding car. Latty Xavier (inventor). Issued 7-28-31.
1 816,383. Distributor for pulverulent and pasty products. Maillard Joseph Eugene Baptiste (inventor). Issued 7-28-31.
1 816,401. Shock absorbing device. Rolland Louis (inventor). Soc Metallurgique De L Ariege (grantee). Issued 7-28-31.
1,816,518. Feed water heater. Dugelay Paul (inventor). Soc Francaise Des Pompes Et Machines Worthington (grantee). Issued 7-28-31.
1,816,524 Illuminated show case. Gossart Firmin (inventor). Issued 7-28-31.
1,816,644. Combing machine. Gegauff Charles (inventor). Issued 7-28-31.
1 816,646. Automatic developer for photographic paper in sheets. Godefroy Henri (inventor); Soc Godefroy Freres (grantees). Issued 7-28-31.
1,816,663. Diaphonometric means. Vidal Georges (inventor). Issued 7-28-31
1,816,723. Securing means for laboratory or workshop apparatus. Dunoyer Louis Dominique Joseph Armand (inventor). Issued 7-28-31.
1 816,764. Artificial sponge and process of manufacture thereof. Cornic Yves (inventor). Issued 7-28-31.
1,816,794. Vertical distillation retort. Peters Julien (inventor). Issued 7-28-31.
1,816,972. Manufacture and purification of magnesium. Jessup Alfred (inventor). Issued 8-4-31.
1,816,983. Process of forging magnesium alloys. Michel Gilbert (inventor); Soc Le Magnesium Industriel (grantee). Issued 8-4-31.
1,817,111. Machine for cutting threads on tubes. Taurel Paulin (inventor). Issued 8-4-31.
1,817,259. Apparatus for measuring transmission levels on telecommunication circuits. Leduc Marcel (inventor); Les Telegraphiques & Telephoniques (grantees). Issued 8-4-31.
1,817,311. Method and means for the obtainment of decorative effects upon textile fabrics by brilliant metallic deposits. Hedde Marie Claude Roger (inventor); La Soc Dite Soc Nouvelle De Metallisation (grantees). Issued 8-4-31.
1,817,410. Magneto electric machine. Heinrich Jean Marie (inventor); Soc Des Moteurs Salmson (grantee). Issued 8-4-31.
1,817,422. Lubrication of engines. Sallee Leon (inventor); Renault M Louis (grantee). Issued 8-4-31.
1,817,542. Centrifugal clutch. Bellamy Joseph et al, Goudet Hugues (inventors). Issued 8-4-31.
1,817,739. Apparatus for determining the frictional qualities of a liquid. Dupuis Jean Georges (inventor). Soc the Yacco S A F (grantee). Issued 8-4-31.
1,817,870. Joint for pipes. Bille Leon (inventor). Issued 8-4-31.
1,818,040. Spring. Carteret Paul Adolphe (inventor). Issued 8-11-31.
1,818,066. System for recovering the energy of the movements of the sea. Jouy Jules (inventor). Issued 8-11-31.
1 818,225. Apparatus for successively distributing variable and adjustable quantities of any liquids. Kiener Jean (inventor); S A Etablissements Jules Marchal (grantee). Issued 8-11-31.
1,818,340. Powder box. Lemoine Henry Guido (inventor). Issued 8-11-31
1 818,403. Carrier for catalysts and the like. Joseph Alfred (inventor); Cie Internationale pour la Fabrication des Essences et Petroles (grantee). Issued 8-11-31
1,818,407. Progressive change speed and reversing device. Laille Rene Jean (inventor). Issued 8-11-31.
1,818,432. Cinematographic projecting apparatus. Rouiller Georges, Marion Jean et al (inventors). Issued 8-11-31.
1 818,533. Method for obtaining various gases and recovering byproducts. Claverie Louis (inventor). Issued 8-11-31
1,818,695. Tin with opening device. Cade Lucien (inventor). Issued 8-11-31
1,818,853. Micrometer calipers. Jouin Camille (inventor). Issued 8-11-31
1,818,911 Machine for coating and filling biscuits. Savy Emile (inventor). Issued 8-11-31.
1,819,135. Portable shearing tool. Sallee Rene (inventor); Soc d Exploitation des Brevets Fort (grantee). Issued 8-11-31
1 819,178. Motor car bonnet & radiator mounting device. Kegresse Adolphe (inventor). Issued 8-18-31.
1 819,229. Dyeing machine with plaiting way. Constant Eugene, Constant Leon (inventors). Issued 8-18-31

1,819,237. Control system for automatic gear & clutch shifting assemblies. Fleischel Gaston (inventor). Issued 8-18-31.
1,819,535. Decorative product. Assael Maurice Moise (inventor). Issued 8-18-31.
1,819,551. Method & apparatus for capturing insects. Gourdon Georges (inventor). Issued 8-18-31.
1,819,945. Ballast tamping machine. Collet Maurice (inventor); Les Fils d Albert Collet (grantee). Issued 8-18-31.
1,819,947. Hydraulic stress transmitting system. Sensaud de Lavaud Dimitri (inventor). Issued 8-18-31.
1,820,155. Bench convertible into bedstead for vehicles. Poirot Louis Constant Adrien (inventor). Issued 8-25-31.
1,820,29. Wind motor. Darrieus Georges Jean Marie (inventor); S A Pour l Exploitation des Procedes Maurice LeBlanc Vickers (grantee). Issued 8-25-31.
1,820,591. Variable conductor of high negative temperature coefficient. Andre Henri (inventor). Issued 8-25-31.
1,820,594. Device for opening preserve tins with a wire. Bertout Gabriel (inventor). Issued 8-25-31.
1,320,598. Manufacture of zinc white. Cornillat Joseph Marcel Henri (inventor). Issued 8-25-31.
1,821,263. Gas producer. Imbert Georges (inventor). Issued 9-1-31.
1,821 340. Special motor driven car with several cranes driven from one point for the mechanical laying and removing of the elements of railroad tracks. Rouen Paul Guilbert, Legrand Jules, et al (inventors). Issued 9-1-31.
1,821,416. Method of and apparatus for picture transmission. Belin Edouard (inventor). Issued 9-1-31.
1,821 594. Machine for cutting grooves in shoe heels. Vicherd Georges Adolphe, (inventor); Larco del Valle and Cie (grantee). Issued 9-1-31.
1 821 719. Brake controlling device. Messier George Louis Rene Jean (inventor). Issued 9-1-31.
1,821,785. Device for standardizing shunts. Baget Leon (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camarque (grantee). Issued 9-1-31.
1,821 791. Malleable jewel mounted on a deformable basket work. Cartier Louis Joseph (inventor); Cartier S A (grantee). Issued 9-1-31.
1,821,792. Jewelry. Cartier Louis Joseph, Teu saint Jeanne, et al (inventors); Cartier S A (grantee). Issued 9-1-31.
1,821,817. Method of injection of fuel for internal combustion engines. Rochefort Francois (inventor). Issued 9-1-31.
1,821 930. Cinematographic projector. Couade Maurice (inventor). Issued 9-8-31.
1,821,990. Tightening collar with gradually braked winder. Machat Roland, Mathieu Arthur, et al (inventors). Issued 9-8-31.
1,822,196. Aeroplane. Bechereau Louis (inventor); Soc des Avions Bernard (grantee). Issued 9-8-31.
1,822,210 Process for the manufacture of pure colophony and other resinous products from resinous plants or woods. Gardner Daniel (inventor). Issued 9-8-31.
1,822,292. Circular loom for weaving. Jabouley Joanny Barthelemy (inventor); Jaloustre Leon (grantee). Issued 9-8-31.
1,822,293. Process for regenerating contaminated purifying agents. Joseph Alfred (inventor); Cie Internationale Pour la Fabrication des Essences et Petroles (grantee). Issued 9-8-31.
1,822,350. Arrangement of perforations in cinematographic films. Jarnier Julien Henri (inventor). Issued 9-8-31.
1,822,615. Apparatus for producing sudoriferous vapor baths. Diena Jacob (inventor). Issued 9-8-31.
1,822,758. System for transmitting and amplifying vibratory currents and movements. Toulon Pierre Marie Gabriel (inventor). Issued 9-8-31.
1,822,762. Method of manufacturing molded articles. Weitzel Robert (inventor). Issued 9-8-31.
1,822,801. Automatic fire extinguisher. Coutex Marie Born Dominget (inventor). Issued 9-8-31.
1,822,804. Apparatus for the recovery of the alcohol evolved by bread baking ovens. De Navrotzky Nicolas (inventor). Issued 9-8-31.
1,822,805. Automatic lathe. D Halloy Audoin (inventor). Issued 9-8-31.
1,822,817. Lubricating system for vertical shafts. Minet Auguste (inventor); Construction Francaise d Appareils de Laiterie S A (grantee). Issued 9-8-31.
1,822,824. Shock absorbing device. Roumens Jean (inventor). Issued 9-8-31.
1,822,831. Utilizing hygroscopic products with brooms. Trepade Henri (inventor). Issued 9-8-31.
1,822,900. Brake thrust distributor. Messier George Louis Rene Jean (inventor). Issued 9-15-31.
1,823,011. Spinning apparatus. Van Coppenolle Gaston (inventor). Issued 9-15-31.
1,823,043. Jewelry clasp. Heugas Henri Auguste (inventor). Issued 9-15-31.
1,823,229. Separable fastener. Balbaud Paul (inventor). Issued 9-15-31.
1,823,255. Hydraulic braking system for airplanes. Charles Maurice (inventor). Issued 9-15-31.
1,823,339. Differential gear provided with propping rollers. De Lavaud Dimitri Sensaud (inventor). Issued 9-15-31.
1,823,391. Closing device for gripping a strand of hair in heating tubes for heating strands of hair. Ducart Guillaume (inventor). Issued 9-15-31.
1,823,397. Level indicator adapted chiefly for high pressure boilers. Guy Benjamin Alfred (inventor). Issued 9-15-31.
1,823,595. Steam valve for cooking containers or boilers. Ducroux Louis Georges (inventor); Delmonte Daniel (grantee). Issued 9-15-31.
1,823,770. Engine of the two stroke type. Tartrais Eugene Henri (inventor). Issued 9-15-31.
1,823,779. Electrical synchronous braking device. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs et Material D Usines A Gaz (grantees). Issued 9-15-31.
1,823,784. Method and apparatus for treating gases. Cassan Jean Henri Francois (inventor); Cie Generale de Construction de Fours (grantees). Issued 9-15-31.
1,823,788. Radiator composed of flat water elements. Dewoitine Emile Julien Eugene (inventor). Issued 9-15-31.
1,823,790. Ship's scuttle. Ducroux Rene (inventor). Issued 9-15-31.
1,823,926. Sharpener for razor blades such as the Gillette and other blades having two cutting edges. Avignon Edouard Georges (inventor). Issued 9-22-31.
1,824,261. Liquid measuring and delivering apparatus. Coupier Marcel (inventor). Issued 9-22-31.
1,624,325. Propelling system for aircraft. Breguet Louis (inventor); S A des Ateliers D Aviation Louis Breguet (grantees). Issued 9-22-31.
1,824,336. Fluid motor. Michot Dupont Georges Francis (inventor). Issued 9-22-31.
1,824,347. Apparatus for grinding, smoothing and polishing glass. Hibon Charles (inventor); S A Des Manufactures Des Glaces and Produits Chimiques de Saint Gobain, Chauny and Cirey (grantees). Issued 9-22-31.
1,824,402. Electrical musical instrument. Martenot Maurice Louis Eugene (inventor). Issued 9-22-31.
1,824 485. Oil removing apparatus. Jourdain Marie Paul Robert (inventor); S A Freins Jourdain Monneret (grantee). Issued 9-22-31.
1,824,518. Water displaying and illuminating device. Vedovelli Edouard dec (inventor); Vodevelli Mrs E nee Jeanne Henaux excx (grantee). Issued 9-22-31.
1,824,661. Device for curling threads made of cellulosic material at their issue from spinning machines. Dassonville Michel (inventor). Issued 9-22-31.
1,824,701. Treatment of woods for cellulose. Bergstrom Karl Gustaf et al, Zennstrom Arthur F (inventors). Issued 9-22-31.
1,824,709. Apparatus for taking photographic or cinematographic pictures. Debrie Andre Leon Victor Clement (inventor). Issued 9-22-31.
1,824,772. Method of and means for collecting artificial wool. Dassonville Michel (inventor). Issued 9-29-31.
1,824,792. Metallic pipe coupling. Reure Francois Louis Rene (inventor). Issued 9-29-31.
1,824,799. Apparatus for the permanent waving of the hair. Adam Isaie Clement Francois et al, Ragody Rene Alexis (inventors); Cie Francaise Des Appareils Adam (grantee). Issued 9-29-31.
1,824,914. Manufacture of chromed complexes of azo and ortho hydroxy azo dye stuffs. Mircocurt Henry (inventor); Cie Nationale de Martieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies, Etablissements Kuhlmann (grantees). Issued 9-29-31.
1,825,050. Nut lock. Chaplin William (inventor). Issued 9-29-31.
1,825,078. Incandescent electric lamp for projection apparatus. Marette Jacques (inventor); Pathe Cinema Anciens Etablissements. Pathe Freres (grantees). Issued 9-29-31.
1,825,097. Construction of internal combustion engines. Seguin Laurent et al, Seguin Augustin (inventors). Issued 9-29-31.
1,825,098. Automatic calling apparatus for automatic telephones. Seguin Laurent et al Seguin Augustin (inventors). Issued 9-29-31.
1,825,171. Automatic screw threading machine. Arnold Jean Francois (inventor). Issued 9-29-31.
1,825,203. Contrivance or device for throwing projectiles or the like. Reibel Jean Frederic Jules (inventor); Soc Des Armes Lewis (grantee). Issued 9-29-31.
1,825 345. Compensated gyroscopic device for the determination of planes or directions of reference. Fleux Jean (inventor); Schneider & Cie (grantee). Issued 9-29-31.
1,825,387. Apparatus for testing physical properties of materials. Esnault Pelterie Robert (inventor). Issued 9-29-31.
1,825,442. Driving device employing maltese cross wheels. Chambon Marius (inventor); Etablissements L Chambon (grantee). Issued 9-29-31.
1,825,510. Method and apparatus for printing variable letter press. Corse Gaston (inventor); Etablissements L Chambon (grantees). Issued 9-29-31.
1,825,518. Protecting device for alternating current three phase motors. Geny Paul (inventor). Issued 9-29-31.
1,825,571. Rotary internal combustion engine. Barreaux Alphonse et al, Sarrazin Georges (inventors). Issued 9-29-31.
1,825 585. Replaceable resistance. Dubois Robert (inventor). Issued 9-29-31.
1,825,658. Internal combustion engine. Dumanois Emile Paul (inventor). Issued 10-6-31.
1,825,768. Propeller with variable pitch. Barbarou Marius Jean Baptiste (inventor). Issued 10-6-31.
1,825,769. Construction of the cylinders of internal combustion engines. Barbarou Marius Jean Baptiste (inventor). Issued 10-6-31.

1 825 899 Railway car retarder. Delorson Fernand (inventor). Issued 10-6-31.
1 825 948 Staple fiber reclaiming device for revolving flat cards. Gegauff Charles et al, Pflimlin Jules (inventors). Issued 10-6-31.
1 826 069 Method of substitution of railroads by means of substitution trains and mechanical apparatus constituting the same. Guilbert Paul et al, Legrand Jules, Lemaire Maurice (inventors). Issued 10-6-31.
1 826 237 Cigarette and cigar holder. Boeckel Emile (inventor). Issued 10-6-31.
1 826 306 Internal combustion engine. Dugelay Paul (inventor); Soc des Moteurs Dugelay (grantee). Issued 10-6-31.
1 826 460 Cleaning device for trucks. Coutin Jean (inventor); Preparation Industrielle des Combustibles S A (grantee). Issued 10-6-31.
1 826 552 Extraction of tin from ores alloys scrap or the like. Lamy Leon et al, Mathieu Eugene, Gagnaux Leon (inventors); Soc D Electro Chimie D Electro Metallurgie et des Acieries Electriques D Ugine (grantees). Issued 10-6-31.
1 826 583 Process of metallurgical treatment. Thurneyssen Christian (inventor); Soc Le Nickel (grantee). Issued 10-6-31.
1 826 584 Textile apparatus. Vilt Lucien (inventor). Issued 10-6-31.
1 826 654 Process for weaving. Debouteville Marcel Delamare (inventor). Issued 10-6-31.
1 826 719 Self oscillating electric clock. Battegay constant (inventor). Issued 10-13-31.
1 826 730 Rigid frame for motor cars. Cressan Nemorin Laurent (inventor). Issued 10-13-31.
1 826 866 Proofing of metal against corrosion and particularly of iron and steel against rust. Cole William Howard (inventor). Issued 10-13-31.
1 827 139 Taximeter Brun Jean Albert Francois (inventor). Issued 10-13-31.
1 827 797 Adjustable searchlight. Muller Lucien (inventor). Issued 10-20-31.
1,827 836 Electrical calculating machine. Boutet Rene Edmond (inventor). Issued 10-20-31.
1 828 032 Moving picture machine. De Caux Rene (inventor); Soc Etablissements Gaumont (grantee). Issued 10-20-31.
1 828 037 Apparatus for the molding of hollow objects by centrifugal treatment. Ferrier Paul (inventor). Issued 10-20-31.
1 828 121 Pocket manicure set. Adam Auguste Edmond et al, Janning Rene (inventors). Issued 10-20-31.
1 828 146 Apparatus for the treatment of gas or a mixture of gas and vaper in the presence of catalytic agents and for the reactivation of such agents. Joseph Alfred (inventor); Cie Internationale Pour la Fabrication des Essences et Petroles (grantee). Issued 10-20-31.
1 828 202 Electrical taning device. Radanet Henri (inventor). Issued 10-20-31.
1 828 396 Umbrella. Cornic Emile (inventor). Issued 10-20-31.
1 828 641 Braking apparatus for aircraft. Beregeron Michel (inventor). Issued 10-20-31.
1 828 676 Device for injecting fuel into internal combustion engines. Merton Andre Adolphe (inventor); Soc D Installation de Lumiere et de Force Electriques (grantee). Issued 10-20-31.
1 828 769 Automatic tensioning device for flexible transmission members. Duhamel Michel (inventor). Issued 10-27-31.
1 828 770 Carburetor for heavy fuels to internal combustion engines. Escaffre Joseph (inventor). Issued 10-27-31.
1 828 783 Lifting device. Oehmichen Etienne (inventor). Issued 10-27-31.
1 828 784 Presure fluid generator. Perrin Rene (inventor); France the State of Represented by the Minister of the National Navy (grantee). Issued 10-27-31.
1 828 933. Shock absorbing roll for motor vehicles. Kegresse Adolphe (inventor). Issued 10-27-31.
1 829 103. Loading device for view taking cinematographic apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 10-27-31.
1 829 119 Water tube boiler. Thery Rene Victor Stanislas (inventor); Cie de Fives Lille (grantee). Issued 10-27-31.
1,829 340. Cushioning device for reciprocating sieves and other apparatus. Coutin Jean (inventor); Preparation Industrielle des Combustibles S A (grantees). Issued 10-27-31.
1 829 443 Propeller. Gobereau Robert Richard et al, Maujole Lucien Edduard (inventors). Issued 10-27-31.
1 829 445. Pulverized fuel furnace and method of operating the same. Haveaux Emile (inventor); Soc D Electricite de la Region de Valenciennes Anzin (grantee). Issued 10-27-31.
1 829 553 Conductor of high negative temperature coefficient. Andre Henri G (inventor). Issued 10-27-31.
1,829 632. Carburetor. Chanard Auguste (inventor). Issued 10-27-31.
1 829 633. Process for taking or projecting photographic or cinematographic panoramic views or views extending in height. Chretien Henri (inventor); S A Francaise Dite Technique D Optique et de Photographie S T O P (grantee). Issued 10-27-31.
1 829 634 Taking and projection of motion pictures and films therefor. Chretien Henri (inventor). Issued 10-27-31.
1 829 635 Apparatus for distant hydraulic control. Huguenin Albert (inventor). Issued 10-27-31.
1 829 786 Carburetor. Claudel Charles Henri (inventor). Issued 11-3-31.
1 830 419 Altimeter. Belugou Leon (inventor). Issued 11-3-31.
1 830 427 Plant for the manufacture by centrifugation of pipes of any nature and particularly of metal pipes. Devillers Rene (inventor); Soc D Expansion Technique (grantee). Issued 11-3-31.
1 830 450 Tension regulating device. Toulon Pierre Marie Gabriel (inventor); Etablissements Ragonot (grantee). Issued 11-3-31.
1 830 615 Electric arc treatment of liquid hydrocarbons. Mercier Yves (inventor); L Air Liquide S A Pour L Etude & L Exploitation des Procedes, Georges Claude (grantee). Issued 11-3-31.
1 830 869 Automatic dilatation compensator. Charles Maurice (inventor). Issued 11-10-31.
1 830 989 Firearm. Faure Julien Marie Pierre (inventor); Verney Carron & Cie (grantee). Issued 11-10-31.
1 831 023 Process of manufacture of aluminium silicon alloys. Mathieu Eugene et al, Perrin Rene, Greffe Andre, Cavalieri Serge (inventors); Soc D Electro Chimie D Electro Metallurgie et des Acieries, Electriques D Ugine (grantees). Issued 11-10-31.
1 831 419 Process for the hydrolysis of cellulosic substances. Lefranc Jacques (inventor); Celestin Wm E (grantee). Issued 11-10-31.
1 831 600. Powder box. Kantor Abraham (inventor). Issued 11-10-31.
1,831 643 Trace of ships lines. Yourkevitch Vladimir (inventor). Issued 11-10-31.
1 831,737 Servo motor for braking vehicles. Broussouse Fernand Louis et al, Leboucher Paul Jules (inventors). Issued 11-10-31.
1 831,752. Manufacture of handgrips comprising fittings of molded material. Reinold Louis (inventor); Manufacture metallurgique de (grantee). Issued 11-10-31.
1,831,753. Measuring pump. Renaud Henri (inventor); S A Des Etablissements Tecalemit (grantee). Issued 11-10-31.
1,832,217. Regeneration of catalysts. Joseph Alfred (inventor); Cie Internationale Pour la Fabrication des Essence et Petroles (grantee). Issued 11-17-31.
1,832,313. Dispenser for pulverulent and pasty substances. Maillard Joseph Eugene Baptiste (inventor). Issued 11-17-31.
1,832,363. Method of and means for transferring hair and feathers from their natural to another support. Ditisheim Bernard (inventor). Issued 11-17-31.
1,832,505 Fastening device for dentists. Rocheron Henri Francois Louis Joseph (inventor). Issued 11-17-31.
1,832,566. Securing device for suspenders. Leniff Andre (inventor). Issued 11-17-31.
1,832,569. Catalyst and process of making same. Mayor Joland Pierre Paul (inventor); Soc Alsacienne de Produits Chimiques (grantee). Issued 11-17-31.
1,832,757. Electric current plug. Baudry de Saunier Charles Louis (inventor). Issued 11-17-31.
1,832,762. Synthesis of organic bodies suitable for automobile engines from water gas or similar gases. Brutzkus Marcus (inventor). Issued 11-17-31.
1,833 087. Enamel containing barium and strontium compounds and for the enamelling of metal. Migeot Louis Ernest (inventor). Issued 11-24-31.
1,833 293 Comb for the application of dyes. Laguionie Joseph (inventor). Issued 11-24-31.
1,833,318. Electric mine lamp. Dalez Jules Gaston (inventor). Issued 11-24-31.
1,833,425. Electrolytic process for the manufacture of magnesium and the alkaline earth metals such as calcium by the electrolysis of molten chlorides and apparatus for carrying the said process into effect. Jessup Alfred (inventor). Issued 11-24-31.
1,833,592 Wireless receiving apparatus. Routin Joseph Louis (inventor). Issued 11-24-31.
1,833 596. Shock absorber. Sarri Tommaso (inventor). Issued 11-24-31.
1,833,613. Pressure controlling means for compressors. Marchaut Pierre J (inventor). Issued 11-24-31.
1,833 752. Closing device for tin cans and the like. Longchamp Louis Casimir (inventor). Issued 11-24-31.
1,833 802. Explosion engine. Violet Marcel Achille (inventor). Issued 11-24-31.
1,833,843. Propeller blade. Lepar mentier Robert Leon Auguste (inventor). Issued 11-24-31.
1,834,025 Water meter. Granger Ernest (inventor). Issued 12-1-31.
1,834,236. Process for treating vanadium ores and particularly vanadates of lead and other metals. Campagne Emile (inventor); Gildemeister Alphonse (grantee). Issued 12-1-31.
1,834,681. Electromechanical resonating device. Chirol Maurice (inventor); Cie Pour la Fabrication des Compteurs et Materiel d'Usines a Gaz (grantee). Issued 12-1-31.
1,834,711. Method of and means for sealing containers and the like. Jovignot Charles (inventor). Issued 12-1-31.
1,834,712. Means for sealing containers and the like. Jovignot Charles (inventor). Issued 12-1-31.
1 834,753. Apparatus for supplying gas for blowpipe work. Weber Guillaume (inventor); Les Petits Fils de Francois de Wendel (grantee). Issued 12-1-31.
1,834,773. Hydraulic control device. Fellmann Robert Leon et al, George Marie Camille (inventors). Issued 12-1-31.
1,834,818 Catalytic mixer. Balachowsky Dmirty et al, Caire Philippe, Levy Manes (inventors); Soc Des Brevets Catalex (grantee). Issued 12-1-31.
1,834,832. Resistance controlling device. Flandrin Ludovic et al, Levy Georges Clement (inventors). Issued 12-1-31.

1,834,853. Bladed shutter for photographic apparatus. Labrely George Emile (inventor). Issued 12-1-31.
1,834,857. Resilient wheel. Messier George Louis Rene Jean (inventor). Issued 12-1-31.
1 834,893. Internal combustion engine. Bekigt Marc (inventor). Issued 12-1-31.
1,835 018. Turbine having its rotating shaft transverse to the flow of the current. Darrieus Georges Jean Marie (inventor); S A pour l'Exploitation des Procedes Maurice Leblanc Vickers (grantee). Issued 12-8-31.
1,835 081. Refrigerating machine. Pollard Frederic Augustin (inventor). Issued 12-8-31.
1,835 249. Face powder feeder. Vicki Felix Joseph (inventor). Issued 12-8-31.
1,835 477. Furnace. Stein Charles (inventor); S A Des Appareils de Manutention et Fours Stein (grantee). Issued 12-8-31.
1,835 680. Reversible device for the transformation of reciprocating motion into circular motion. Varcin Adolphe Leopold (inventor). Issued 12-8-31.
1,835 890. Transportable ordnance material for firing against aircraft. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 12-8-31.
1,835,919. Pump with deformable diaphragm. Waselge Charles Raymond (inventor); Farman Henri et Maurice (grantees). Issued 12-8-31.
1,836,085. Method for the simultaneous production of methyl alcohol and liquid hydrocarbons by synthesis. Patart Georges (inventor). Issued 12-15-31.
1,836,107. Safety hook for hoisting machines. Bruel Jean (inventor). Issued 12-15-31.
1,836,287. Process for obtaining bornyl and isobornyl esters. Schmidt Ludwig (inventor); Soc Alsacienne de Produits Chimiques (grantee). Issued 12-15-31.
1,836,288. Process for obtaining bornyl and isobornyl esters. Schmidt Ludwig (inventor); Soc Alsacienne de Produits Chimiques (grantee). Issued 12-15-31.
1,836,613. Cinematographic apparatus. Oehmichen Etienne (inventor). Issued 12-15-31.
1,836 617. Flying apparatus. Perrin Edouard Alfred (inventor). Issued 12-15-31.
1,836,645. Actuating mechanism for engine fuel pumps. Clerget Pierre (inventor). Issued 12-15-31.
1,836,648. Device for automatically controlling the slide rests of lathes and machine tools. Cuttat Georges (inventor); SA Des Etablissements Cuttat (grantee). Issued 12-15-31.
1,836,770. Garter buckle. Pugniet Andree (inventor). Issued 12-15-31.
1,836,937. Process for fermentation and disintegration of the cellular tissue of grains. Rabinowitsch Efraim (inventor); Sanfarine S A De Neuveaux Procedes Rationnels De Prufication Et De, Preparation De Pates De Cereales (grantees). Issued 12-15-31.
1,837,041. Mechanism for the automatic control of liquid distributors. Gueux Joseph Jean Marie (inventor). Issued 12-15-31.
1,837,050. Colloidal diaphragm adapted for use in electrolytic apparatus for the manufacture of hydrogen and oxygen. Jaubert George Francois (inventor). Issued 12-15-31.
1,837,052 Twisting machine. Leduc Marcel (inventor). Issued 12-15-31.
1,837,106 Motor vehicle. Bucciali Albert Paul (inventor). Issued 12-15-31.
1,837,110. Automatic coin controlled telephone apparatus. Cambay Charles Amedee (inventor). Issued 12-15-31.
1,837,144. Electric piano harp. Bethenod Joseph (inventor); Cie Generale De Telegraphie Sans Fil (grantee). Issued 12-15-31.
1,837,274. Building element. Samuel Rene (inventor). Issued 12-22-31.

1,837,436. Apparatus for washing coals. Wolf Philippe (inventor). Issued 12-22-31.
1,837,850. Universal coupling. Fenaille Pierre (inventor). Issued 12-22-31.
1,837,892. Refrigerating system and refrigerator. Beaumont Georges (inventor). Issued 12-22-31.
1,837,894. Luminous advertising device. Bosch Andre (inventor); Soc Appareils Lumineux, Annonciateurs Et Signalisateurs (grantees). Issued 12-22-31.
1,837,894. Tool for use in inserting the swelling tube of air bladders into the covers of footballs. Daugy Louis (inventor). Issued 12-22-31.
1,837,951. Method and apparatus for absorbing shocks. Conti Emile (inventor). Issued 12-22-31.
1,837,952. Electric cable. Delon Jules (inventor). Issued 12-22-31.
1,837,958. Bust support. Ferrero Blanche Denise Nee Willmann (inventor). Issued 12-22-31.
1,837,971. Contact materials for catalytic cracking and like operations. Joseph Alfred (inventor); Cie Internationale Pour La Fabrication Des Essences Et Petroles (grantees). Issued 12-22-31.
1,837,980. Mechanism for automatically opening and closing the breech of guns. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 12-22-31.
1,837,996. Apparatus for the molding of panels and the like. Quennec Marguerite Marie (inventor). Issued 12-22-31.
1,838,095. Automatic speed changer. Fleischel Gaston (inventor). Issued 12-29-31.
1,838,104. Mosaic article. Rhodes Fernand Joseph (inventor). Issued 12-29-31.
1,838,173. Process for obtaining highly luminous photographs. Chretien Henri (inventor); S A Francaise Dite Soc Technique, D Optique Et De Photographie S T O P (grantees). Issued 12-29-31.
1,838,360. Refrigerating plant for the freezing of fish and other goods. Dahl Oscar Et Al, Kjorstad Erik Arnfinn Hallgrim (inventors). Issued 12-29-31.
1,838,537. Process and apparatus of radioscopy, Radiography and Radiocinematography. Dauvillier Alexandre (inventor). Issued 12-29-31.
1,838,743. Loud speaker. Chireix Henri (inventor); Soc Francaise Radio Electrique (grantee). Issued 12-29-31.
1,838,970. Parachute. Trican Gabriel (inventor). Issued 12-29-31.
1,839,057. Rotary heat interchanger. Singrun Albert (inventor). Issued 12-29-31.
1,839,106. Apparatus for performing metallurgical smelting and molding operations. Loth William Arthur (inventor). 12-29-31.
1,839,112. Polishing machine. Plancq Fernand (inventor). Issued 12-29-31.
1,839,208. Hydraulic braking system. Charles Maurice (inventor). Issued 1-5-32.
1,839,312. Electrical switching apparatus. Heidmann Leon (inventor); Forges & Ateliers De Constructions Electriques De Jeumont S A (grantees). Issued 1-5-32.
1,839,745. Illuminating device for projecting sound films. Dunoyer Louis Dominique Joseph Armand (inventor). Issued 1-5-32.
1,839,772. Spinning frame and the like. Pflimlin Jules (inventor). Issued 1-5-32.
1,839,956. Color printing. Dufay Louis (inventor). Issued 1-5-32.
1,839,967. Manufacture of ash free solid fuel. Michels Mario (inventor). Issued 1-5-32.
1,840,428. Automatic continuous molding machine. Faure Andre (inventor); Etablissements Julien Damoy S A (grantee). Issued 1-12-32.
1,840,496. Saxophone. Leblanc Leon (inventor). Issued 1-12-32.
1,840,512. Shock absorber. Moittie Lucien Dominique Octave (inventor); S A Des Etablissements Repusseau and Cie (grantee). Issued 1-12-32.
1,840,479. Blasting cartridge. Weber Guillaume (inventor); Les Petits Fils De Francois De Wendel and Cie (grantees). Issued 1-12-32.
1,840,966. Pump. Maillebuau Pierre (inventor). Issued 1-12-32.
1,841,214. Electric holder. Saives Leon (inventor); Renault Louis (grantee). Issued 1-12-32.
1,841,230. Steam generator. Vuia Trajan, Yvonneau Emmanuel Et Al (inventors). Issued 1-12-32.
1,841,256. Machine for marking fur bearing skins. Sanglier Armand, Sanglier Rene, Sanglier Henry Et Al (inventors). Issued 1-12-32.
1,841,969. Device for damping the recoil of the barrel in guns of all calibers. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). 1-19-32.
1,842,090. Apparatus for the supply of the ozone and the like. Ferguson Fergus (inventor). Issued 1-19-32.
1,842,191. Terminal for electric resistances. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 1-19-32.
1,842,197. Method of converting by catalysis mineral and vegetable oils. Portail Fernand Charles Frederic (inventor); S A Le Carbone (grantee). Issued 1-19-32.
1,842,229. Machine for shearing metal and other sheets. Achard Jean (inventor); S A Des Anciens Etablissements Achard & Cie (grantees). Issued 1-19-32.
1,842,255. Cinematographic projection system with continuous travel of the film. Deville Etienne Sainte Claire (inventor); Soc Des Etablissements Gaumont (grantee). Issued 1-19-32.
1,842,281. Liquid seal closure device for vertical distillation retorts. Pieters Julien (inventor). Issued 1-19-32.
1,842,701. Horticultural scalding apparatus. Vedrinsky Alexandre (inventor). Issued 1-26-32.
1,842,734. Door holding device. Saives Leon (inventor). Renault Louis (grantee). Issued 1-26-32.
1,842,858. Hydroplane. Couzinet Rene Alexandre Arthur (inventor). Issued 1-26-32.
1,842,859. Compensating device of rudder & elevator controls of airplanes. Couzinet Rene Alexandre Arthur (inventor). Issued 1-26-32.
1,842,866. Carburetor. Goudard Maurice (inventor). Issued 1-26-32.
1,842,867. Carburetor. Goudard Maurice (inventor); S A Solex (grantee). Issued 1-26-32.
1,842,898. Receiving system. De Bellescize Henri de Regnauld (inventor). Issued 1-26-32.
1,842,940. Rotary compressor. Jannin Marcel Emile Lucien (inventor). Issued 1-26-32.
1,843,043. Process for the separation of the several components of gaseous mixtures. Patart Georges Leon Emile (inventor). Issued 1-26-32.
1,843,198. Process and apparatus for regulating the density of fluids containing solid particles. Berguerand Lucien (inventor); S A Des Manufactures Des Glaces and Products Chimiques de Saint Gobain Chauny and Cirey (grantee). Issued 2-2-32.
1,843,241. Device for forming infusions. Pouget Louis Marcel (inventor). Issued 2-2-32.
1,843,445. Antenna arrangement. Chireix Henri (inventor); Soc Francaise Radio Electrique (grantee). Issued 2-2-32.
1,843,495. Process and device for producing the rupture or the distortion of a liquid stream and application of the same. Pilon Hector Paul (inventor); S A Etablissements Gaiffe Gallot and Pilon (grantee). Issued 2-2-32.

1,843,505. Freight handling container for transportation of goods. De Andia Yrarrazaval Jean Gonzalez (inventor). Issued 2-2-32.

1,843,525 Feeding arrangement for electric devices. Thomas Sebastien et al, Robert Maurice Theophile (inventors). Issued 2-2-32.

1,843,678 Aeroplane. Jannin Marcel (inventor). Issued 2-2-32.

1,843,734. Combination control apparatus for flying and other controls for aeroplanes or the like purposes. Quessette Jean (inventor). Issued 2-2-32

1,843,851. Process of degumming textile plants. Thuau Urbain Jules Leon (inventor). Issued 2-2-32.

1,843,881. Electrical distant control apparatus for the fire control of ordnance and for other purposes. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee) Issued 2-2-32.

1,844,008 Centrifugal autoclave permitting the recovery of volatile products. Grauss Georges (inventor). Issued 2-9-32.

1,844,224. Inserting and protecting device for shoe laces. Kircher Otto (inventor). Issued 2-9-32.

1,844,429. Method and device for anti-aircraft firing. Le Prieur Yves Marie et al, Paul Gaston, Ricordel Auguste Louis (inventors); Precision Moderne (grantee). Issued 2-9-32

1,844,859 Magnetic and radioelectric goniometry Levy Lucien (inventor). Issued 2-9-32

1,844,978. Closing mechanism for railroad car doors. Renaud Louis (inventor). Issued 2-16-32.

1,845,193 Foundry sand rubbing machine. Ronceray Eugene (inventor); S A Des Etablissements Ph Bonvillain and E Ronceray (grantees). Issued 2-16-32.

1,845,592. Gyroscope suspension. Fleux Jean (inventor); Schneider and Cie (grantee). Issued 2-16-32

1,845,596 Carburetor for internal combustion engines supplied with heavy oil. Goinard Joseph Marie Arsene (inventor). Issued 2-16-32.

1,845,862. Internal combustion engine with staged compression and expansion. Auriol Paul (inventor). Issued 2-16-32.

1,846,162 Rotatable fluid current machine. Thomas Maurice Joseph Charles Marie (inventor). Issued 2-23-32

1,846,215 Recuperation equipment for tramways Lievre Marcel (inventor); Cie Generale Francaise de Tramways (grantee). Issued 2-23-32.

1,846,250. Gear box Delevoye Robert Emile Charles (inventor); S A Des Anciens Etablissements Hotchkiss & Cie (grantees). Issued 2-23-32

1,846,591 Arrangement for fixing monograms or decorative designs on box covers. Guerin Georges Joseph Valentin (inventor). Issued 2-23-32

1,846,715 Fly frame. Gregauff Charles (inventor). Issued 2-23-32

1,846,752. Thermostat apparatus. Picard Jacques et al, Tournadre Andre (inventors). Issued 2-23-32.

1,846,761. Straight knitting machine. Ruinet Yves (inventor). Issued 2-23-32.

1,846,852 Liquid measuring apparatus. Dubreuil Gaston (inventor). Issued 2-23-32

1,847,012. Electromagnet. Lavet Marius (inventor); Etablissements Leon Hatot (grantee) Issued 2-23-32

1,847,014 Locking device. Malivert Jules Eugene (inventor); Soc Dite L Accessoire de Precision (grantee). Issued 2-23-32.

1,847,032. Clutch apparatus. Albert Emile (inventor); Cie de Machines Automatiques Savingma (grantee). Issued 2-23-32

1,847,074 Device for adjusting the type bars relatively to the universal bars in stenographic machines. Grandjean Marc (inventor). Issued 3-1-32.

1,847,491. Landing carriage for high speed airplanes. Messier George Louis Rene Jean (inventor). Issued 3-1-32.

1,847,595. Jointed jewel adaptable to all shapes of nick openings and to all edges of clothes. Cartier Louis Joseph (inventor); Cartier S A (grantee). Issued 3-1-32.

1,847,597. Treatment of crude pyroligneous acid. Charles Ernest Andre (inventor); La S A des Produits Chimiques de Clamecy nievre (grantee). Issued 3-1-32.

1,847,682. Ring type spinning machine. Nau Touron Albert (inventor). Issued 3-1-32.

1,847,686 Lock. Bienaime Robert (inventor). Issued 3-1-32.

1,847,697. Color printing process for textile fabrics. Petitdidier Robert, Feynier Francois Victor et al (inventors); Etablissements Petitdidier Ancienne Maison Jolly Belin (grantee). Issued 3-1-32.

1,847,698 Process for the dyeing & printing of fabrics containing cotton fibers preliminarily immunized which are combined with other fibers. Petitdidier Robert, Feynier Francois Victor et al (inventors); Etablissements Petitdidier Ancienne Maison Jolly Belin (grantee). Issued 3-1-32.

1,847,716. Brake adjusting mechanism. Hallot Paul (inventor). Issued 3-1-32.

1,847,768. Device for producing intermittent rotary motion. Kolbassieff Alexander (inventor). Issued 3-1-32.

1,847,799. Food leavening composition. Weil Louis (inventor). Issued 3-1-32.

1,847,818. Method & device for laying & renewing railroad tracks. Collet Pierre, Loiseau Rene et al (inventors); Collet les Fils D Albert (grantee). Issued 3-1-32.

1,848,550. Headlight for motor vehicles. Rummel Henri Francois (inventor). Issued 3-8-46.

1,848,606. Machine for homogenizing liquids Corblin Henri (inventor). Issued 3-8-46.

1,848,787. Rail joint. Loche Marcel (inventor). Issued 3-8-46.

1,848,865. Transplanting machine. Bacle Paul (inventor). Issued 3-8-46.

1,848,940. Apparatus for the blowing and molding of articles in silica glass. Delpech Gaston (inventor); Soc Quartz & Silice (grantee). Issued 3-8-46.

1,848,973 Recording and reproducing phonographic diaphragm device. Penteado Armando Alvares (inventor). Issued 3-8-46.

1,849,054. Apparatus for the manufacture of metal tubes. Boissou Pierre (inventor); S A Des Hauts Fourneaux et Fonderies de Pont a Mousson (grantee). Issued 3-15-32.

1,849,124. Process of producing phosphoric acid Urbain Edouard (inventor); Cie des Produits Chimiques et Charbons Actifs Ed Urbain (grantee). Issued 3-15-32.

1,849,279 Gas producer. Cezanne Robert Marie Albert Ernest (inventor); Soc D Application Du Gaz Aux Moteurs S A G A M (grantee). Issued 3-15-32

1,849,530. Carburetor for internal combustion engines. Lemoine Paul Louis (inventor). Issued 3-15-32

1,849,564. Linkage device. Beurrier Leon Louis (inventor). Issued 3-15-32.

1,849,607. Apparatus for the comparison and measurement of luminosity. Bernheim Georges (inventor). Issued 3-15-32.

1,849,622. Dialyzer frame. Heibig Edouard (inventor). Issued 3-15-32.

1,849,628. Combined garment and outfit for use with parachutes Lemercier Andre (inventor). Issued 3-15-32.

1,849,648. Treatment of gases and the like. Urbain Edouard (inventor); Cie Des Produits Chimiques Et Charbons Actifs Ed Urbain (grantee). Issued 3-15-32.

1,849,742. Tripod mounting for firearms. Dugied Eugene Albert (inventor); S A Des Anciens Etablissements Hotchkiss & Cie (grantee). Issued 3-15-32.

1,849,767. Process of preparing molding sands for easily oxidizable metals such as magnesium. Michel Gilbert (inventor); Soc Le Magnesium Industriel (grantee). Issued 3-15-32.

1,849,802. Cock. Issued 3-15-32.

1,849,975. Grate for gas producers. Cassin Paul Achille Joseph (inventor); Etablissements Ernest Arnoult S A (grantee). Issued 3-15-32.

1,850,000. Distributing apparatus for conical corks. Dauteuil Edouard Fernand (inventor) Issued 3-15-32.

1,850,018. Molding machine. Lavaude Etienne (inventor). Issued 3-15-32

1,850,259. Suspension arrangement for vehicles. Bugatti Ettore (inventor). Issued 3-22-32.

1,850,322. Liquid distributor. Giroux Joseph Jean Marie (inventor). Issued 3-22-32.

1,850,324. Phase meter for polyphase currents Iliovici Avram David (inventor); Cie Pour La Fabrication Des Compteurs Et Materiel D Usines A Gaz (grantee). Issued 3-22-32.

1,850,641. Apparatus for taking cinematographic film views from variable positions St Genies Anne Henri Jacques De Lassus (inventor). Issued 3-22-32.

1,850,724 Device for braking airplanes upon landing. Messier George Louis Rene Jean (inventor). Issued 3-22-32.

1,850,775. Continuous hat beating machine. Scotti Orlando (inventor). Issued 3-22-32.

1,850,871. Automatic measuring device for gaseous mixture analysis. Follet Didier Rene Leopold (inventor); Soc L Air Liquide S A Pour L Etude L Exploitation Des Procedes Georges Claude (grantees). Issued 3-22-32.

1,850,876. Shock absorber for motor vehicles. Hezard Louis (inventor); Trescartes Leopold (grantee). 3-22-32.

1,850,887. Cover for travelers articles adapted to form a support. Laumaillier Felix Albert (inventor); Cartier S A (grantee). Issued 3-22-32.

1,850,929 Process of engraving. Guerard Jules Robert (inventor). Issued 3-22-32.

1,851,193. Compressor. Laraque Roland (inventor). Issued 3-29-32.

1,851,199 Stand for lamps. Mayer Charles (inventor). Issued 3-29-32.

1,851,253. Treating albuminoid substances. Kahn Maurice (inventor); Soc Francaise Des Produits Alimentaires Azotes (grantee). Issued 3-29-32.

1,851,710 Reenforced concrete article. Lefevre Auguste Henri (inventor). Issued 3-29-32.

1,851,718. Speed governor. Marie Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee) Issued 3-29-32.

1,851,748. Method and apparatus for coding and decoding. Belin Edouard (inventor). Issued 3-29-32.

1,851,877. Machine for wrapping a band of material around an object. Thury Oscar (inventor). Issued 3-29-32.

1,852,230. Landing gear. Breguet Louis (inventor); S A Des Ateliers D Aviation Louis Breguet (grantee). Issued 4-5-32

1,852,735. Unidirectional drive. Chopin Aberic (inventor). Issued 4-5-32

1,852,919. Self locking nut washer and the like. Colas Joseph Ernest (inventor). Issued 4-5-32.

1,852,951. Fuse of a specially responsive type for projectiles. Auriol Louis Paul Alfred (inventor); Soc Francaise Des Munitions De Chasse De Tir et De Guerre (grantee). Issued 4-5-32.

1,852,986. Two cycle motor. Taylor Eugene Henri (inventor) Issued 4-5-32.

1,853,041. Device for connecting to weighing scales a calculating or like secondary apparatus. Cuenoud Fernard Eugene (inventor). Issued 4-12-32.

1,853,111. Multiple disconnectible clasp chiefly for necklaces and the like pieces of jewelry. Bienenfeld Jacques (inventor). Issued 4-12-32.

1,853,230. Clutch mechanism for motor vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 4-12-32.

1,853,630. Electric musical instrument. Martenot Maurice Louis Eugene (inventor) Issued 4-12-32.

1,853,763. Means for controlling the jigging action in jigs used in coal or ore washing. Demonceaux Pierre Alfred Henri (inventor); Preparation Industrielle Des Combustibles S A (grantee). Issued 4-12-32.

1,853,789. Rear seat windscreen. Viaudey Roger Paul Edouard (inventor). Issued 4-12-32.

1,853,802. Pistol for signaling purposes. D Hellencourt Charles Lefebvre (inventor); S A Des Etablissements Ruggieri (grantee). Issued 4-12-32.

1,853,807 Process for the manufacture of resinous soaps. Gillet Cyprien (inventor). Issued 4-12-32.

1,854,049. Electric controlling device. Liber Sosthene Henri (inventor). Issued 4-12-32.

1,854,054. Meter for measuring quantities of liquid. Monard Alfred (inventor); Ateliers De Constructions Mecaniques L Aster (grantee). Issued 4-12-32.

1,854,061. Method for decohering solid substances. Pigache Pierre Gustave Marie Adolphe (inventor). Issued 4-12-32.

1,854,105. Apparatus for the supply of liquids. Carbonaro Marius Clement (inventor); S A Pour Tous Appareillages Mecaniques (grantee). Issued 4-12-32.

1,854,112. Beet pulling and cutting apparatus Cuvillier Francois (inventor). Issued 4-12-32.

1,854,118. Piston. Dreyfuss Achille (inventor). Issued 4-12-32.

1,854,271. Method of making pistons. Michel Gilbert (inventor) Issued 4-19-32.

1,854,330. Metallic construction of aircraft. Delure Gustave (inventor); S A Nieuport Astra (grantee). Issued 4-19-32.

1,854,233. Connection for feeding wattmetrical relays adapted to protect electric mains. Fallou Jean Gustave (inventor); Union D Electricite (grantee). Issued 4-19-32.

1,854,625. Pen support. Reix Jean (inventor). Issued 4-19-32.

1,854,637. Trough shaped belt conveyer. Wolf Christian (inventor); Preparation Industrielle Des Combustibles S A (grantee) Issued 4-19-32.

1,854,663 Dismountable toy furniture. Nebel Miguel Enrique (inventor). Issued 4-19-32.

1,854,669. Fuse more particularly for artillery and aircraft projectiles. Remondy Leon Emile (inventor). Issued 4-19-32.

1,854,692. Television device. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs et Materiel D Usines A Gaz (grantee). Issued 4-19-32.

1,854,733 Radio beacon. De Bozas Guy Du Bourg (inventor). Issued 4-19-32.

1,854,787 Process for the manufacture of purified zinc sulphate solutions. Dutoit Paul (inventor); Soc Miniere & Metallurgique De Penarroya (grantee). Issued 4-19-32.

1,854,800. Sheath for more or less plastic sticks. Lowenfeld Henry (inventor). Issued 4-19-32.

1,854,852 Method for the construction and facing of roadways. Marguet Georges et al, La Veyssiere Marie Boyer (inventors). Issued 4-19-32.

1,854,935 Contact device for the supply of current. Chevrier Jules (inventor). Issued 4-19-32.

1,855,044. Elastic shock absorbing apparatus. Messier George Louis Rene Jean (inventor). Issued 4-19-32.

1,855,045. Mounting for mitrailleuses. Ricordel Auguste Louis (inventor); La Precision Moderne (grantee). Issued 4-19-32.

1,855,114. Apparatus for hydraulic massage. Pavlav Michel (inventor). Issued 4-19-32.

1,855,128. Focusing device for cinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 4-19-32.

1,855,157. Combination switch. Oblin Raymond (inventor); S A Des Nouvelles Inventions Mecanique et Electriques (grantee). Issued 4-19-32.

1,855,399. Powder container. Klotz Georges (inventor). Issued 4-26-32.

1,855,909. Automatic switch with membrane. Guimet Henry Raphael (inventor). Issued 4-26-32.

1,856,019. Compressor. Bernat Raoul (inventor). Issued 4-26-36.

1,856,102. Protective stocking. Lebeau Yves Gabrielle (inventor); Soc A Responsabilite Lte Chambet & Cie (grantee). Issued 5-3-32.

1,856,170. Rolling mill. Roux Jacques (inventor). Issued 5-3-32.

1,856,194. Process for the preparation of alumina. Seailles Jean Charles (inventor). Issued 5-3-32

1,856,220. Multiple way valve. Rustin Louis Desire Auguste et al, Bolard Alfred Jean Gustave (inventors); Rusbol Soc A Responsabilite Lte (grantee). Issued 5-3-32.

1,856,278. Process and plant for the casting of rough plate glass. Despret Georges Paul (inventor); Cies Reunies Des Glaces & Verres Speciaux Du Nord De La France (grantee). Issued 5-3-32.

1,856,374. Method of tagging laces strings and the like. Chasselon Rene Louis (inventor). Issued 5-3-32.

1,856,376. Radio communication system. De Sauvre Maurice (inventor). Issued 5-3-32.

1,856,534. Adjustable seat back. Boery Jean (inventor). Issued 5-3-32.

1,856,541. Moving picture machine. Decaux Rene (inventor); Soc Des Etablissements Gaumont (grantee). Issued 5-3-32.

1,856,575. Fire extinguisher. Martin Jean (inventor). Issued 5-3-32.

1,856,578. Aeroplane. Miquel Gabriel et al, Ladeveze Felix (inventors). Issued 5-3-32.

1,856,910. Process and device for transformation of electric currents. Dieux Jean (inventor). Issued 5-3-32.

1,857,064. Pressure indicating inflator. Mercier Louis Marcel (inventor). Issued 5-3-32.

1,857,080. Process for the manufacture of silica articles with glazed surface. Delpech Gaston (inventor); Soc Quartz & Silice (grantee). Issued 5-3-32.

1,857,117. Machine for placing bands on various articles. Diot Louis Edouard (inventor); S A Parfumerie Houbigant (grantee) Issued 5-3-32.

1,857,231. Apparatus for the manufacture of objects consisting of agglomerated substances by centrifugal force. Bertandeau Gaston (inventor); Soc Stac Nord (grantee). Issued 5-10-32.

1,857,241. Windscreen adjusting mechanism. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantee). Issued 5-10-32.

1,857,306. Relay device for automatic control by the use of a fluid under pressure. Lambletin Roger (inventor). Issued 5-10-32.

1,857,646. Device for automatically advancing perforating hammers by sliding on a support. Gouge Pierre (inventor); Soc Metallurgique de Normandie (grantee). Issued 5-10-32.

1,857,696. Door of road vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 5-10-32.

1,857,874. Apparatus for taking samples of liquids. Rousselet Rene (inventor); Cie Pour la Fabrication Des Compteurs et Materiel d Usines a Gaz (grantees). Issued 5-10-32.

1,857,945. Gun carriage De Beigne Maurice (inventor); S A Des Anciens Etablissements Hotchkiss and Cie (grantees). Issued 5-10-32.

1,858,125. Galvanizing or electroplating process. Von Devecis Michael (inventor); Waldberg S A (grantee). Issued 5-10-32.

1,858,163. Closure. Mathieu De Boissac Henri Marie (inventor); Soc Pierre Remy and Cie (grantee). Issued 5-10-32.

1,858,187. Music leaf turner Carregari Giuseppe (inventor). Issued 5-10-32.

1,858,362. Manufacture and extraction of nitrogenous products from products of animal origin. Kahn Maurice (inventor). Issued 5-17-32.

1,858,792. Film counter for cinematographic view taking apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 5-17-32.

1,858,798. Connecting rod of engines with radially arranged cylinders. Barbarou Marius Jean Baptiste (inventor). Issued 5-17-32.

1,858,801. Extensible shutter. Bolard Edmond (inventor). Issued 5-17-32.

1,858,853. Combined mixing and vaporizing device. Defrance Abel et al, Versille Pierre (inventors). Issued 5-17-32.

1,858,924. Wing surface with automatically variable curvature. Gerin Jacques (inventor). Issued 5-17-32.

1,858,931. Method and apparatus for sounding and for locating submarine obstacles by means of ultra audible waves. Langevin Paul et al, Florisson Charles Louis (inventors); Soc de Condensation et d Applications mechaniques (grantee). Issued 5-17-32.

1,859,126. Cock. Bocuf Pierre Eugene (inventor). Issued 5-17-32.

1,859,244. Method for synthesizing and separating higher alcohols. Patart Georges (inventor). Issued 5-17-32.

1,859,343. Electric traction system. Rouge Raymond (inventor) Issued 5-24-32.

1,859,493. Electromagnetically controlled reversing gear. Bernady Raoul (inventor); Soc d Etudes et de Construction d Appareils de Telemecanique (grantees). Issued 5-24-32.

1,859,499. Ball mill. Deschamps Jules Jean (inventor); Soc Francaise de Constructions Mecaniques Anciens Etablissements Cail (grantee) Issued 5-24-32.

1,859,862. Process and apparatus for making sheet glass. Boudin Louis (inventor); S A Des Manufactures de Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee) Issued 5-24-32.

1,860,010. Automatic change speed mechanism. Bourquin Edgard (inventor). Issued 5-24-32.

1,860,041. Gearing arrangement of mangling or wringing machines. Louchet Edmond (inventor); Soc Ateliers St Eloi (grantee). Issued 5-24-32.

1,860,254. Airplane. Latecoere Pierre (inventor). Issued 5-24-32.

1,860,261. Manicure set for ladies hand bags. Hirmann Salomon Robert (inventor). Issued 5-24-32

1,860,282. Equilibrated turret for machine guns on board aeroplanes. Granat Elie (inventor); Cie Des Forges et Aciéries de la Marine et d Homecourt (grantees). Issued 5-24-32.

1,860,328. Device for electrically lighting signals. Mercier Rene (inventor); Etablissements Aera (grantee). Issued 5-24-32.

1,860,579. Apparatus for tailoring garments. Heliot Maurice (inventor). Issued 5-31-32.

1,860,592. Device for tensioning crimp lace in the course of weaving. Perret Gaston (inventor). Issued 5-31-32.

1,860,596. Handgrip. Reinold Louis (inventor). Manufacture Metallugique de Tournus (grantee). Issued 5-31-32.

1,860,707. Rotary internal combustion engine. Ezbelent Georges Eugene (inventor). Issued 5-31-32.

1,860,770. Brake. Bugatti Ettore (inventor). Issued 5-31-32.

1,860,771. Vibration damper. Bugatti Ettore (inventor). Issued 5-31-32.

1,860,773. Case for inclosing an object such as a watch a lighter or otherwise. Sgouvillon Robert Frederic et al, Lafon Jean Robert (inventors). Issued 5-31-32.

1,860,870. Sewing machine. Ollendorff Jacques (inventor); Anciens Etablissements R Cornelly & Co S A (grantee). Issued 5-31-32.

1,861,167. Bulb tube or other hermetically closed receptacle for incandescent electric lamps and similar devices and process of manufacture of the same. Vello Leopoldo Sanchez (inventor) Issued 5-31-32.

1,861,288. Thermostatic control. Weill Leon David (inventor). Issued 5-31-32.

1,861,316. Insulator. Montandon Arthur (inventor); Soc Generale d Enterprises au Maroc (grantee) Issued 5-31-32.

1,861,357. New process for extracting phenols from phenolic tar oils. Perilhou Etienne (inventor). Soc Huiles Goudrons & Derives (grantee). Issued 5-31-32.

1,861,677. Process for obtaining concentrated vitamin preparations. Agopian Levon Arakel (inventor). Issued 6-7-32.

1,861,680. Device for acoustically detecting and tracing aircraft. Bernard Henri Lugilen et al, Marie Joseph, Marcelin André Jules (inventors). Issued 6-7-32.

1,861,690. Application of Diesel engines to the drive of locomotives. Fonty Henri (inventor). Issued 6-7-32.

1,861,884. Change speed device. Salves Leon (inventor); Renault Louis (grantee). Issued 6-7-32.

1,861,927. Preparation of emulsions for sizing textile fibers. Lefranc Georges (inventor) Issued 6-7-32.

1,862,247. Parachute. Tricau Gabriel. Issued 6-7-32.

1,862,422. Arc lamp electrode. Oswald Marcel (inventor); Cie Lorraine De Charbons Pour L Electricite (grantees). Issued 6-7-32.

1,862,457. Device for sharpening the blades of safety razors. Barsch Wilhelm (inventor). Issued 6-7-32.

1,862,943. Suspension spring connection. Salves Leon (inventor); Renault Louis (grantee). Issued 6-14-32.

1,862,951. Clutch. Bignand Pierre (inventor); Soc Industrielle De Mechanique, Automobile Et De Radio Electricite (grantees) Issued 6-14-32.

1,862,962. Weaving apparatus. Lecocq Maurice Charles Henri Octave (inventor). Issued 6-14-32.

1,863,092. Device with retarded release. Altmayer Jean Andre, surnamed Altmayer Delaurelle (inventor). Issued 6-14-32.

1,863,105. Supporting device for vehicles. Garnier Abel Jean Marie (inventor); Vallet Arsene (grantee). Issued 6-14-32.

1,863,431. Device for sharpening the blades of safety razors. Barsch Wilhelm (inventor); Allegro Machine Co (grantee). Issued 6-14-32.

1,863,436. Iron clad clay magnet. De Paniague Ysabel Marie Louis (inventor). Issued 6-14-32.

1,863,555. Sheet metal radiator. Castiaux Rupert (inventor). Issued 6-21-32.

1,863,564. Method & apparatus for changing frequency for radiosignaling. Chretien Lucien (inventor). Issued 6-21-32.

1,863,688. Automatic signaling device for motor vehicles. Delmas Pierre (inventor). Issued 6-21-32.

1,863,693. Machine for bending metal tubes in the cold state. Mingori Cesar (inventor). Issued 6-21-32.

1,863,746. Portable metallic structure. Fillod Ferdinand (inventor). Issued 6-21-32.

1,864,016. Automatic signaling device operated by the oscillations of the rails. Gherassimoff Nicolas (inventor); Soc D Avertisseur Ferrovole (grantee). Issued 6-21-32.

1,864,106. Loom for the manufacture of pile fabrics. Venail Paul (inventor); S A De Fabrication Des Tapis A Points Noues Saftan (grantees). Issued 6-21-32.

1,864,360. Plant for the manufacture of sheets of glass. Lemaire Jean Henri (inventor). Issued 6-21-32.

1,864,519. Apparatus for synchronous cinematographic projection and phonographic audition. Boularan Jacques Dabert et al, otherwise known as Jacques Deval, Digeon Pierre Armand (inventors). Issued 6-28-32.

1,865,064. Ionic relay system. Valensi Georges (inventor). Issued 6-28-32.

1,865,105. Fluid driving device for actuating mechanisms having an initial idle stroke. Houplain Georges (inventor); Soc Des Freins Houplain (grantee). Issued 6-28-32.

1,865,303. Production of nitrate of lime. Charrier Henri (inventor); S A Apparells Et Evaporateurs Kestner (grantees). Issued 6-28-32.

1,865,356. Slipping coupling more particularly for gun laying mechanism. Daum Leon (inventor); Schneider & Cie, Cie Des Forges Et Acieries De La Marine Et D Homecourt (grantees). Issued 6-28-32.

1,865,373. Apparatus for recording the direction and speed of fluid currents. Idrac Jean Marie Pierre (inventor). Issued 6-28-32.

1,865,428. Electric piano harp. Bethenod Joseph (inventor). Issued 7-5-32.

1,865,611. Rotary printing machine. Bonsch Rodolphe F (inventor). Issued 7-5-32.

1,865,703. Process for the manufacture of pearl essence Paisseau Jean (inventor). Issued 7-5-32.

1,865,896. Method of rear suspension of motorcycles. Gillet Rene (inventor). Issued 7-5-32.

1,865,941. Rolling mill. Michel Rene (inventor) Issued 7-5-32.

1,866,013. Trunk and wheel carrier. Coquille Emile Henri (inventor); S A Des Usines Chausson (grantee). Issued 7-5-32.

1,866,195. Radio valves employing gallium. Creuze Pierre (inventor); Soc D Etudes Scientifiques et Industrielles (grantee). Issued 7-5-32.

1,866,203. Agglomeration of finely divided ferruginous ores concentrates and the like. Follet Alexandre et al, Salnderichin Nicolas (inventors). Issued 7-5-32.

1,866,217. Piston pump for medical purposes. Mayer Charles (inventor). Issued 7-5-32.

1,866,655. Filter for preventing distortion. Lebedinsky Myron (inventor); Soc Des Telephones Grammont (grantee). Issued 7-12-32.

1,866,675. Automatic machine for arc welding. Sarazin Robert (inventor). Issued 7-12-32.

1,866,873. Internal combustion engine. Barbarou Marius Jean Baptiste (inventor). Issued 7-12-32.

1,866,905. Pressure producing means. Prompt Lucien Louis Joseph (inventor). Issued 7-12-32.

1,866,951. Apparatus for the pnewtmatic separation of materials of different densities. Soulary Paul (inventor). Issued 7-12-32.

1,866,975. Process for the manufacture of magnesium. Jessup Alfred Claude (inventor). Issued 7-12-32.

1,867,019. Textile fabric and art of forming it. Meyer Aubrey E. (inventor). Issued 7-12-32.

1,867,163. Heat recuperation. Loebell Henry O (inventor); Chavanne J Louis (grantee). Issued 7-12-32.

1,867,182. Closure for collapsible tubes. Scault Paul (inventor); S A Etablissements Tissier (grantee). Issued 7-12-32.

1,867,326. Apparatus for extracting fats at low temperature. Panski Adolphe (inventor). Issued 7-12-32.

1,867,423. Shield for batteries and their parts. Simsinovici Martin (inventor) Issued 7-12-32.

1,867,470. Compressor. Ponthieu Henri (inventor). Issued 7-12-32.

1,867,474. Stoker. Ratel Maurice (inventor). Issued 7-12-32.

1,867,682. Differential pulley. Gaillard Henri (inventor). Issued 7-19-32.

1,867,940. Apparatus and method of manufacturing sheet glass. Delloye Lucien (inventor); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantees). Issued 7-19-32.

1,868,007. Lock nut. Frelin Henri Joseph (inventor); S A L Ecrou Indesserable Rex (grantee). Issued 7-19-32.

1,868,047. Orienting and automatic stopping device for wind motors. Constantin Louis (inventor); Fortier Beaulieu Paul (grantee). Issued 7-19-32.

1,868,053. Process for preventing preignition in internal combustion engines Ducamp Albert Jean (inventor). Issued 7-19-32.

1,868,057. Process for the manufacture of a plastic waterproofing medium made of calf's tallow or fat and lime. Fleisch Christian (inventor). Issued 7-19-32.

1,868,078. Braking device for cinematographic spools. Sainte Claire Deville Etienne (inventor); Soc des Etablissements Gaumont (grantee). Issued 7-19-32.

1,868,133. Liquid meter. Berthet Jean Louis et al, Michel Gaytan (inventors); Cie Pour la Fabrication des Compteurs et Material D Usines A Gaz S A Francaise (grantee). Issued 7-19-32.

1,868,151. Process for preparing solid or half solid solutions of alkaline hypochlorites. Shestakoff Peter (inventor). Issued 7-19-32.

1,868,154. Spinning machine twisting frame reeling on apparatus and like machine for winding threads and the like. Van Coppenolle Gaston (inventor). Issued 7-19-32.

1,868,199. Packing device. Peiterie Robert Esnault (inventor). Issued 7-19-32.

1,868,240. Process for the manufacture of cement. Lepine Veuve Georges Nee Marie Therese Josephine Roussel (inventor). Issued 7-19-32.

1,868,331. Motion picture apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 7-19-32.

1,868,382. Automobile body. Cvadlu Marcel (inventor). Issued 7-19-32.

1,868,421. Mold for the manufacture of articles in silica glass and the like. La Burthe Pierre (inventor); Soc Quartz & Silice (grantee). Issued 7-19-32.

1,868,568. Movable platform for conveying goods chiefly in ship's holds. De Anda Yrarrazaval Jean Gonzalez (inventor). Issued 7-26-32.

1,868,575. Closing device for large openings which are essentially horizontal and are made water tight in all parts Huguenin Albert (inventor). Issued 7-26-32.

1,868,683. Weighing device for use in traveling cranes. Armagnat Pierre Jules (inventor). Issued 7-26-32.

1,868,825. Conveyer Roll. Grosjean Andre (inventor). Issued 7-26-32.

1,868,848. Apparatus for delivering measured quantities of liquid. Porte Rene (inventor); Soc Hardoll Etablissements Harveau Dollmier et Rene Porte & Cie Reunis (grantees). Issued 7-26-32.

1,868,909. Compact and vanity set. Maillard Joseph Eugene Baptiste (inventor). Issued 7-26-32.

1,868,937. Crank shaft bearing. Bugatti Ettore (inventor). Issued 7-26-32.

1,869,247. Vessel adapted for use as landing place for air lines crossing the sea. Lucas Girardville Paul Nicolas (inventor). Issued 7-26-32.

1,869,263. Brace for personal wear. Laurain Alfred (inventor). Issued 7-26-32.

1,869,303. Process and apparatus for the manufacture of rods or tubes or glass or other materials. Cardot Jean Alexandre (inventor); S A Le Pyrex (grantee). Issued 7-26-32.

1,869,966. Triangle 2 cyclopenten barbituric acids. Chaux Rene et al, Dufraisse Charles (inventors); Cie de Bethune (grantee). Issued 8-2-32.

1,869,953. Measuring and feeding device for liquids. Carbonaro Mario Clement (inventor); S A Pour Tous Appareillages Mecaniques (grantees). Issued 8-2-32.

1,870,140. Apparatus for detecting and measuring vibrations. Piette Pierre Felix Edouard (inventor). Issued 8-2-32.

1,870,324. Mute for stringed musical instruments. Y Clavero Manuel Sarrablo (inventor). Issued 8-9-32.

1,870,370. Automatically supplied mold with controlled release for the production of ice blocks. Marchaut Pierre Jean (inventor). Issued 8-9-32.

1,870,406. Molding machine for the production of a continuous ingot. Douteur Mathieu (inventor). Issued 8-9-32.

1,870,486. Apparatus for the prevention of fire by back firing in internal combustion engines and for preventing the obstruction of the suction conduits by frost. Bichler Charles Henri (inventor). Issued 8-9-32.

1,870,578. Carburetor for internal combustion engines. Lemoine Paul Louis (inventor). Issued 8-9-32.

1,870,617. Plaiting machine. Ezbelent Georges et al, Ezbelent Roger (inventors); Ezbelent Fils (grantee). Issued 8-9-32.

1,870,665. Device for producing exothermic reactions between gases by contact with a solid catalyzer. Audibert Etienne (inventor); Soc Nationale de Recherches Sur le Traitement des Combustibles (grantees). Issued 8-9-32.

1,870,817. Manufacture of knives Maag Max et al, Salomon Robert (inventors); Soc D Etudes de Machines A Affuter (grantee). Issued 8-9-32.

1,870,818. Grinding machine. Maag Max et al, Salomon Robert (inventors); Soc D Etudes de Machines A Affuter (grantee). Issued 8-9-32.

1,870,819. Cutting blade. Maag Max et al, Salomon Robert (inventors); Soc D Etudes de Machines A Affuter (grantee). Issued 8-9-32.

1,870,831. Luminescent discharge device. Brettmon Jacques (inventor). Issued 8-9-32.

1,870,941. Sheath crayon holder. Barendse Simon et al, Gareau Louis (inventors). Issued 8-9-32.

1,871,094. Submarine water duct. Boucherot Paul, Claude Georges (inventors). Issued 8-9-32.

1,871,099. Needle holding handle. Vitoux Marcel (inventor). Issued 8-9-32.

1,871,180. Trailing carriage for motor car trailers. Kegresse Adolphe (inventor). Issued 8-9-32.

1,871,335. Stopping device for cinematographic apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 8-9-32.

1,871,690. Circular knitting machine. Harer Auguste (inventor). Issued 8-16-32.

1,871,960. Electromagnetic clutch. Cotal Jean (inventor); Soc de Exploitation des Brevets Cotal (grantee). Issued 8-16-32.

1,873,110. Jack attached to the axles of vehicles. Dessaint Georges (inventor). Issued 8-23-32.

1,873,210. Amusement apparatus. Rapein Robert (inventor); Soc a Responsabilite Limitee Consortium General de l Industrie Horaine (grantee). Issued 8-23-32.

1,873,286. Hat shaping machine. Casse Marcel (inventor). Issued 8-23-32.

1,873,463. Device for reducing the tension of the film in cinematographic apparatus. Oehmichen Etienne (inventor). Issued 8-23-32.

1,873,712. Lifting apparatus. Lemaire Maurice Henri et al, Guilbert Louis Paul (inventors). Issued 8-23-32.

1,873,734. Apparatus for the fractionation of heavy oils. Barbet Emile Augustin (inventor). Issued 8-23-32.

1,873,742. Device for controlling the soft focus device in kinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 8-23-32.

1,873,774. Process of producing antimony oxides. Listrat Jean Joseph (inventor). Issued 8-23-32.

1,873,788. Machine for working glass. Roirant Emile (inventor); S A D Etudes et de Constructions d Apparells Mecaniques Pour la Verrerie (grantees) Issued 8-23-32.

1,873,826. Apparatus for the electrolytic deposition of metals. Devecis Michael (inventor); S A Waldberg (grantee). Issued 8-23-32.

1,874,034. Shock absorbing suspension. Dubonnet Andre (inventor). Issued 8-30-32.

1,874,100. Apparatus for the automatic emptying of receptacles containing a liquid at a given temperature. Labbe Henri Eugene Leon (inventor). Issued 8-30-32.

1,874,308. Rotary motor. Kolko Aron (inventor). Issued 8-30-32.

1,874,430. Synchronized remote control system. Biondel Andre (inventor). Issued 8-30-32.

1,874,784. Carburetor. Mennesson Marcel (inventor); S A Solex (grantee). Issued 8-30-32.

1,874,809. System of lubrication for vehicles. Salves Leon (inventor); Renault Louis (grantee). Issued 8-30-32.

1,874,810. Electrically controlled milling machine for metal. Salves Leon (inventor); Renault Louis (grantee) Issued 8-30-32.

1,874,917. Aparatus for producing dental anaesthesia. Dannequin Charles Henri (inventor). Issued 8-30-32.

1,875,253. Process for preparing nitrogen carbonic oxide and hydrogen. Minotte Maurice Eugene Henri (inventor); Cie de Bethune (grantee). Issued 8-30-32.

1,875,572. Powder box. Dmiterniko Pierre (inventor). Issued 9-6-32.

1,875,629. Propulsion of ships. Marconnet Georges (inventor)(Issued 9-6-32.

1,875,712. Molding apparatus Duval Maurice (inventor). Issued 9-6-32.

1,875,855. Knitting machine. Coudert Jean Gedeon Marie et al, Terme Jean Baptiste (inventors). Issued 9-6-32.

1,875,972. Maintenance of the pressure in vacuum tubes. Abadie Jean Baptiste Joseph Marcel (inventor). Issued 9-6-32.

1,875,983. Means for actuating a water flushing device. Bourdet Amedee Lucien Roger (inventor). Issued 9-6-32.

1,875,989. Brake system. Charles Maurice (inventor). Issued 9-6-32.

1,876,058. Electric flash light. Kayser Daniel Paul Albert Andre (inventor). Issued 9-6-32.

1,876,741. Machine for continuous printing from tracings and the like. Petit Louis (inventor). Issued 9-13-32.

1,877,244. Window assembly. Klein Georges (inventor). Issued 9-13-32.

1,877,252. Atomizer. Patou Jean (inventor). Issued 9-13-32.

1,877,370. Method of making loosening stretchers for cables rods and the like. Streit Albert Paul (inventor). Issued 9-13-32.

1,877,409. Frequency changer. Levy Lucien (inventor). Issued 9-13-32.

1,877,656. Amusement device. Giraud Andre Jules Achille (inventor). Issued 9-13-32.

1,877,725. Device for projecting color and monochrome films. Herault Albert (inventor). Issued 9-13-32.

1,877,824. Machine for sewing velvet on to fabrics of any kind. Delplanque Ferdinand (inventor). Issued 9-20-32.

1,878,167. Lubricating pump Muller Jacques (inventor). Issued 9-20-32.

1,878,375. Power transmission for motor road vehicles and the like. Cache Edmond Louis (inventor). Issued 9-20-32.

1,878,381. Cinematograph. Continsouza Victor et al, Combes Maurice Baptiste (inventors). Issued 9-20-32.

1,878,392. Glass working furnace. George Henri (inventor). Issued 9-20-32.

1,878,418. Air speed switch. Maulde Pierre (inventor). Issued 9-20-32.

1,878,581. Retort with revolving hearth. Ab der Halden Charles (inventor); Soc Pour l Exploitation des Procedes Ab der Halden (grantee). Issued 9-20-32.

1,878,790. Electric flexible conductor. Lund Elnar (inventor); Soc des Electrodes de la Savoie (grantee) Issued 9-20-32.

1,879,048. Vehicle suspension spring. Beurdeley Andre (inventor). Issued 9-27-32.

1,879,203. Plant for loading and unloading wagons. Guilbert Paul et al, Legrand Jules (inventors). Issued 9-27-32.

1,879,467. Building structure. Pierres Rene Eugene Marie (inventor). Issued 9-27-32.

1,879,536. Carburetor. Schneebeli Hugo (inventor). Issued 9-27-32.

1,879,705. Antiaircraft gun. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 9-27-32.

1,879,735. Apparatus for submarine explorations at great depths D Albay Jacques Tournadour (inventor). Issued 9-27-32.

1,879,844. Cinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 9-27-32.

1,879,897. Grinding and mixing apparatus. Gernelle Danloy Joseph Emile (inventor). Issued 9-27-32.

1,880,331. Portable spraying apparatus. Rapp Pierre Frederic Jules (inventor). Issued 10-4-32.

1,880,333. Process and apparatus for producing photochemical radiations. Spindler Henry (inventor). Issued 10-4-32.

1,880,388. Electrical commutator machine. Guerin Gerard (inventor). Issued 10-4-32.

1,880,612. Apparatus for shaping the mill stones for rectifying gear teeth. Voignier Gustave Ernest (inventor). Issued 10-4-32.

1,880,986. Change speed gear box. Schaeffer Charles (inventor); S A Des Anciens Etablissements Panhard and Levassor (grantees). Issued 10-4-32.

1,881,013. Pulverizing apparatus. Woodeson William Armstrong (inventor); S A Fours and Appareils Stein (grantees). Issued 10-4-32.

1,881,155. Shock and vibration absorbing and damping device. Weydert Hubert Jules (inventor). Issued 10-4-32.

1,881,207. Magnetic compass compensating device. Martin Georges Louis Jules (inventor); Etablissements Aera (grantee). Issued 10-4-32.

1,881,252. Ring type spinning machine. Nau Touron Albert (inventor). Issued 10-4-32.

1,881,289. Automatic liquid measuring and delivering apparatus. Panier Antoine Ernest (inventor); S A De Machines Outils Et Appareils Divers la Samoa (grantee). Issued 10-4-32.

1,881,296. Metal built aircraft. Potez Henry Charles Alexandre (inventor). Issued 10-4-32.

1 881 352 Door and passage of cinematographic apparatus. Coudé Maurice (inventor). Issued 10-4-32.

1 881 938 Automatic apparatus for shop windows. Prodhomme Felix Joseph Marie (inventor). Issued 10-11-32.

1 882 112. Manufacture of proteolytic enzymes by means of microorganisms. Boidin Albert Rene et al, Effront Ivan Auguste (inventors). Issued 10-11-32.

1 882 532. Hydroelectric plant. Vacquier Gaston Henri et al, Entraygue Victor Leon (inventors). Issued 10-11-32.

1 883 463 Liquid fuel engine. Bagnulo Alberto (inventor). Issued 10-18-32.

1 883 530 Tightening device. Buisset Andre Paul (inventor). Issued 10-18-32.

1 883 711. Variable speed transmitter for distant control devices. Granat Elie (inventor); Cie Des Forges Et Acieries De La Marine Et D Homecourt (grantees). Issued 10-18-32.

1 883 762 Apparatus for measuring and feeding liquids. Carbonaro Mario (inventor); Soc Hardoll Etablissements Hariveau Et Dolimier Et Rene Porte Et Cie Reunis (grantee). Issued 10-18-32.

1 883 783. Relay for distant control. Granat Elie (inventor); Cie Des Forges Et Acieries De La Marine Et D Homecourt (grantee). Issued 10-18-32

1 883 804 Fastening device more especially for Hoods. Marque Leon (inventor); Massuger Louis (grantee). Issued 10-18-32.

1 883 809 Carburetor. Mennesson Marcel (inventor); S A Solex (grantee). Issued 10-18-32

1 884 381. Card. Thibeau Antoine (inventor). Issued 10-25-32.

1 884 983. Mechanism for fluid distribution systems. Plantin Bernard L P (inventor); Soc Hardoll Anciens Etablissements Hariveau & Dolimier Et Rene Porte & Cie Reunis A French Soc (grantee). Issued 10-25-32.

1 885 189. Circuit protecting device. Dubusc Roger et al, Illovici Avram David (inventors); Cie Pour La Fabrication Des Compteurs Et Materiel D Usines A Gaz (grantee). Issued 11-1-32.

1 885 406 Manufacture of hollow bodies. Bechereau Louis (inventor); S A Avions Kellner Bechereau (grantee). Issued 11-1-32.

1 885 447 Process for the preparation of a Chloro Phosphate of lead. Jolibois Pierre et al, Chaudron Georges (inventors). Issued 11-1-32

1 885 479 Device for automatically rewinding clocks or other mechanisms by the variations of the atmospheric temperature. Reutter Jean Leon (inventor). Issued 11- -32.

1 885 481. Filing device for phonograph disks. Roussel Jules Paul Antoine (inventor). Issued 11-1-32.

1 885 491 Automatic telephone system. Tchoubritch Michel (inventor); Soc Nouvelle De Constructions Telephoniques (grantees). Issued 11-1-32.

1 885 563 Process of utilizing ivory scrap. Bormans Emile (inventor); Tournechet Georges (grantee). Issued 11-1-32.

1 885 640 Turbine wheel propeller & motor. Strandgren Carl Bruno (inventor). Issued 11-1-32

1 885 652 Method & Apparatus for taking soundings. Touly Marcel L (inventor); Soc De Condensation Et D Applications Mechaniques (grantee). Issued 11-1-32.

1 885 683. Brake wheel for airplanes. Charles Maurice (inventor). Issued 11-1-32

1 885 790 Chuck. Amyot Pierre Ulysse Jean (inventor); Les Fils De Virgile Amyot (grantee). Issued 11-1-32.

1 885 796 Valve operating mechanism. Boudet Georges (inventor). Issued 11-1-32.

1 885 966 Automatic rotary machine heating by induction. V.r. Pierre (inventor). Issued 11-1-32.

1 885 989. Device reproducing the sounds recorded on a talking cinematographic film. Charlin Andre Marie Bernard et al, Toulon Pierre Marie Gabriel (inventors). Issued 11-1-32.

1 885 994. Talking machine. Dieux Jean (inventor). Issued 11-1-32.

1 886 109. Multiple ash tray composed of nested elements. Lenfant Louis (inventor); Cartier S A (grantee). Issued 11-1-32.

1 886 204. Prism carrier for cameras and the like optic apparatus. Lemaire Louis Paul (inventor). Issued 11-1-32.

1 886 412. Dyeing and printing process. Gaudit Jules Martin Dit (inventor). Issued 11-8-32.

1 886 646. Carburetor. Claudel Charles Henri (inventor); S A La Cooperation Agricole and Industrielle (grantee). Issued 11-8-32.

1 886 693. Means for coupling two vehicles. Kegresse Adolphe (inventor). Issued 11-8-32.

1 886 712. Suspension apparatus for aeroplanes and other vehicles. Messier George Louis Rene Jean (inventor). Issued 11-8-32

1 886 756. Switch. Suder Georges (inventor); Issued 11-8-32.

1 886 940. Nonwarping chassis for automobile vehicles and the like. Causan Nemorin Laurent (inventor). Issued 11-8-32.

1 887 084. Water level expansion regulator for use in connection with boilers or the like. Ehlinger Marcel (inventor); Soc Alsacienne De Constructions Mechaniques (grantee). Issued 11-8-32.

1 887 103. Means for attaching lenses to cameras. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee) Issued 11-8-32.

1 887 293. Valve cap for pneumatic tires. Dunois Charles (inventor). Issued 11-8-32

1 887 607. Speed reducing or increasing device for internal combustion engines. Waselge Charles Raymond (inventor); Farman Henri et Maurice (grantee). Issued 11-15-32.

1 887 697. Arrangement of auxiliary brushes for road sweeping machines. Perony Jean Albert (inventor); Soc D Outillage Mecanique et D Usinage D Artillerie (grantee). Issued 11-15-32.

1,887,779. Heating apparatus with heat storage body. Nitesco Marcel (inventor); Lagarrigue Jean (grantee). Issued 11-15-32

1 887 795. Carburetor. Bariquand Georges (inventor). Issued 11-15-32.

1 887 802 Wind motor. Constantin Louis et al, Fortier Beaulieu Paul (inventors). Issued 11-15-32.

1 887 814. Hollow panel. Le Gall Jean (inventor). Issued 11-15-32.

1 888 287. Ferro concrete railway sleeper. Prot Etienne Marcel (inventor); Soc A Responsabilite Limitee Dite la Voie Ferree Moderne (grantee). Issued 11-22-32.

1 888 393. Process for pushing glass bottles. Rolrant Emile (inventor); S A D Etudes et de Constructions D Appareils Mecaniques Pour la Verrerie (grantee) Issued 11-22-32.

1,888,536. Radio receiving system. Levy Lucien (inventor). Issued 11-22-32.

1 888 937. Metallic flooring and method of laying the same. Salves Leon (inventor); Renault Louis (grantee). Issued 11-22-32.

1 888 981. Compressor for internal combustion engines. Dugelay Paul (inventor); Soc D Exploitation de Brevets Pour L Industrie L Aviation et L Automobile S E B I A (grantee). Issued 11-29-32.

1,889,058. Flexible body construction. Daste Marius Joseph (inventor). Issued 11-29-32

1 889 289. Stretching device particularly applicable to thin phonographic disks. Penteado Armando Alvares (inventor). Issued 11-29-32.

1,889 299 Pulverized fuel distributing system. Stein Charles M (inventor); S A des Appareils de Manutention et Fours Stein (grantee). Issued 11-29-32.

1,889,345. Massaging device. Boudin Michel Charles (inventor). Issued 11-29-32.

1,889 465. Device for the automatic [illegible] the film in a cinematograph. Chaine Maurice (inventor). Issued 11-29-32.

1,889 483. Method for extinguishing [illegible] fires. Le Gouz Benigne Pierre Marie (inventor) Issued 11-29-32.

1,889,504. Gasoline distributing apparatus. Tribout Adrien Marcel Lucien (inventor); Soc D Etude des Distributeurs Automatiques S E D A (grantee). Issued 11-29-32.

1,889 508 Pump or compressor. Zeni Pierre (inventor). Issued 11-29-32.

1,889,575. Method and apparatus for [illegible] books and the like. Sebille Georges (inventor). Issued 11-29-32.

1,889,674. Truss. Lemarinier Georges (inventor). Issued 11-29-32.

1,889,687. Carburetor. Mennesson Marcel (inventor); S A Solex (grantee). Issued 11-29-32.

1,889 696. Projector. Pierron Jacques (inventor) Issued 11-29-32.

1,889 817 Rotary refrigerating machine. Audiffren Marcel Singrun Albert et al (inventors). Issued 12-6-32.

1,889,832. Safety device for use with earthing circuits in alternating current systems. Hamm Eugene (inventor). Issued 12-6-32.

1,889 876. Apparatus for indicating the mean speed of a vehicle. Pellerin Eric Henri Marcel, Carpenter Pascal Jules et al (inventors). Issued 12-6-32.

1,889,893. Gauge recording device for wire drawing machine. Gurne Jean (inventor). Issued 12-6-32

1,890,068. Lip stick eyebrow pencil and the like. Schall Jacques (Inventor) Issued 12-6-32.

1,890,363. Automatic aerodynamic [illegible] for airplanes. Bemberg Otto Eduard (inventor). Issued 12-6-32.

1,890,446. Servo brake. Athimon Frances (inventor). Issued 12-13-32.

1,890,484. Electric Plug. Allenic Paul (inventor) Issued 12-13-32.

1,890,501. Convertible vehicle body. Di Bitetto Carlo Cito Filomarino (inventor). Issued 12-13-32.

1,890,517. Fire extinguisher. Luenel Henri Charles (inventor); S A Assuro (grantee). Issued 12-13-32.

1,890,522. Container for pulverulent or granulated substances. Maillard Joseph Eugene Baptiste (inventor). Issued 12-13-32.

1,890,575. Feed water regulator for boilers and the like. Ehlinger Marcel (inventor); Soc Alsacienne de Constructions Mecaniques (grantee). Issued 12-13-32

1,890,747. Method of making hollow metallic air screws. Pillard Marcel (inventor); L'Helice Metallique Brevets Pauilhan Pillard S A (grantee). Issued 12-13-32

1,890,775. Instantaneous selective protective arrangement for direct current net works. Fournier Aime Barthelemy (inventor); Union D Electricite (grantee). Issued 12-13-32.

1,891 243. Container for shaving soap. Roura Octave Gonzales (inventor). Issued 12-20-32

1,891,344. Hat press. Casse Marius (inventor). Issued 12-20-32.

1,891,576. Reverse gear for cycles. Pinet Georges (inventor). Issued 12-20-32.

1,891,610. Wearing apparel. Stumpf Paul Elsa (inventor). Issued 12-20-32.

1,891,681. Framework for the wings of airplanes and for other objects. Mesnier George Louis Rene Jean (inventor). Issued 12-20-32.

1 891 699. Automatic machine heating by induction. Viry Pierre (inventor). Issued 12-20-32.

1,891,705. Heat exchanger. Delas Francois Xavier Joseph Albert (inventor). Issued 12-20-32.

1 891 706. Leakless joint for rotating shafts. De Ram Georges Henri Ernest (inventor). Issued 12-20-32.

1 891 828. Hydraulically propelled lifeboat. Motte Charles Marius (inventor). Issued 12-20-32.

1 891 879. Heater suitable for gaseous fluids. Pellet Alexandre, Saindrichin Nicolas et al (inventors). Issued 12-20-32.

1 892 040. Internal combustion engine. De Malvin de Montazet et al, Marie Joseph Antoine, Johanson Ivar (inventors). Issued 12-27-32.

1 892 076. Process relating to baking and dough making. Rabinowitsch Efraim (inventor); Rivoche Eugen (grantee). Issued 12-27-32.

1 892 089. Lubricating device for internal combustion engines. Waselge Charles Raymond (inventor); Farman Henri et Maurice (grantee). Issued 12-27-32.

1 892 270. Variable speed gearing. Granier Leon Frederic (inventor). Issued 12-27-32.

1 892 322. Device playing records with a constant linear speed. Martin Georges Saint (inventor). Issued 12-27-32.

1 892 341. Manufacture of potassium salts from potassium chloride. Hackspill Louis et al., Claude Dominique, Andres Louis Emile, Rollett Pierre Alexandre Antoine (inventors). Issued 12-27-32.

1 892 423 High frequency signaling. Chirex Henri (inventor); Soc Francaise Radio Electrique (grantee). Issued 12-27-32.

1 892 458. Process and apparatus for the manufacture of glass. Do Huu Chan Andre (inventor); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 12-27-32.

1 892 462. Control of heat conditions in glass furnaces. Gentil Eugene (inventor). Issued 12-27-32.

1 892 465. Protecting device for ball bearings. Kegresse Adolphe (inventor). Issued 12-27-32.

1 892 473. Device for the periodic distribution of a liquid substance on a plane surface cinematographic films or others. Rodde Armand (inventor). Issued 12-27-32

1 892 834 Flying shears. Grosbost Alphonse (inventor); Soc d Etudes & de Constructions Metallurgiques (grantee). Issued 1-3-33.

1,892,966. Braking device. Rouanet Louis (inventor); Menard Hubert (grantee). Issued 1-3-33.

1 893 089. Buoy for saving the occupants and the material of submarine boats. Klopotowski Lucien (inventor). Issued 1-3-33.

1 893 129. Airplane constituted by a three element wing. Charpentier Jean Frederic Georges Marie Leon (inventor). Issued 1-3-33.

1 893 132. Packing joint for water cooled internal combustion engines. Barbarou Marius Jean Baptiste (inventor). Issued 3-3-33.

1 893 395. Device for stabilizing and controlling aircraft provided with rotatable wings of the helicopter type. Breguet Louis (inventor). Issued 1-3-33.

1 893 448. Wadding. Schmidt, Jean (inventor). Issued 1-3-33.

1 893 487 Spraying and injecting device for internal combustion engines employing liquid fuel. Tartrais Eugene Henri (inventor). Issued 1-3-33.

1 893 644. Progressive clutch control for automatic gear shifting systems. Fleischel Gaston (inventor). Issued 1-10-33.

1 893 779 Superheterodyne receiving system. Levy Lucien (inventor). Issued 1-10-33.

1,893,943. Process and appartus for the roasting of calcination of pulverulent matters. Saint Jacques Eugene Camille (inventor). Issued 1-10-33.

1,894,029. Device for the transformation of electric currents. Dieux Jean (inventor). Issued 1-10-33.

1,894,054. Tap. Schubenel Robert Xavier (inventor). Issued 1-10-33.

1,894,190. Separation of Gaseous mixtures by liquefaction. Lantz Henri (inventor); L Air Liquide S A Pour L Etude & L Exploitation des Procedes Georges Claude (grantee). Issued 1-10-33.

1,894,224. Apparatus for printing synthetic films. Chretien Henri (inventor). Issued 1-17-33.

1,894,265. Apparatus for printing synthetic anamorphosed films. Chretien Henri (inventor). Issued 1-17-33.

1,894,366. Pressure gauge automatically correcting the temperature. Cantacuzene Servan Georges (inventor). Issued 1-17-33.

1,894,401. Compressor. Paul Rene (inventor). Issued 1-17-33.

1,894,702. Process for preparing transparent phenol formaldehyde resins. Pechin Germaine nee Lacroux (inventor). Issued 1-17-33.

1,894,798. Aiming apparatus for antiaircraft fire. Riberolles Rene (inventor). Issued 1-17-33.

1,894,863. Apparatus for the drawing of tubular articles. Delpech Gaston (inventor); Soc Quartz and Silice (grantee). Issued 1-17-33.

1,895,044. Wheel support. Coquille Emile Henri (inventor); S A des Usines Chausson Asnieres (grantee). Issued 1-24-33

1,895,096. Film feeding device in cinematographic view taking apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 1-24-33

1,895,246. Electrical machine. Doloukhanoff Michel (inventor). Issued 1-24-33.

1,895,279. Multiple carburetor. Constensoux Robert (inventor); Bariquand Georges (grantee). Issued 1-24-33.

1,895,367. Device for producing a movement following a logarithmic law. Salomon Francois Marie Michel et al, Bernard, Govare Harry Paul (inventors). Issued 1-24-33.

1,895,381. Device for feeding explosion engines having an over high pressure of compression. Genety Louis Marie Francois (inventor). Issued 1-24-33.

1,895,470. Carburetor. Mathieu Eugene (inventor). Issued 1-31-33.

1,895,471. Carburetor. Mathieu Eugene (inventor). Issued 1-31-33.

1,895,547 Apparatus for annealing glass. Lebel Henry (inventor); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 1-31-33.

1,895,584. Index card. Chauvin Andre Antoine (inventor). Issued 1-31-33.

1,895,585 Carburetor. Claudel Charles Henri (inventor); S A la Cooperation Agricole & Industrielle (grantee). Issued 1-31-33.

1,895,851. Internal combustion engine. Jannin Marcel (inventor). Issued 1-31-33.

1,895,974. Driving arrangement for aircraft propellers. Barbarou Marius Jean Baptiste (inventor). Issued 1-31-33.

1,895,980. Safety razor. Dupeyron Auguste (inventor). Issued 1-31-33.

1,895,995. Machine for drawing threads from fabrics. Jalbert Georges (inventor); Anciens Etablissements R Cornely & Cie S A (grantee). Issued 1-31-33.

1,896,002. Gold alloy. Lenfant Louis (inventor); Cartier S A (grantee). Issue 1-31-33.

1,896,039. Process for the manufacture of cellulose butyric esters. Gault Henry et al, Anula Bernard Marius Robert (inventors); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 1-31-33.

1,896,100. Manufacture of anhydrous formic acid. Ricard Eloi et al, Guinot Henri Martin (inventors). S A des Distilleries des Deux Sevres (grantee). Issued 2-7-33.

1,896,353. Washable printed leather. Friedman Charles S (inventor); Soc Anciens Etablissements a Combe and Fils and Cie (grantee). Issued 2-7-33.

1,896,584. Trailer vehicle. Jacquet Felicien (inventor). Issued 2-7-33

1,896,743. Amplifier. Dieux Jean (inventor). Issued 2-7-33.

1 896 753. Saccharification of wood and other cellulosic materials. Ricard Eloi et al, Guinot Henri Martin (inventors); S A des Distilleries des Deux Sevres (grantee). Issued 2-7-33.

1,896,786. Gasoline atomizer for internal combustion engines. Oppenheim Rene (inventor); S A le Carbone (grantee). Issued 2-7-33.

1,896,810. Reenforced and anchored masonry structure. Coyne Andre (inventor). Issued 2-7-33.

1,896,824. Apparatus for molding. Mahieu Paul (inventor). Issued 2-7-33.

1,896,905. Automatic signaling device for motor vehicles. Lecolle Fernand Henri Albert (inventor). Issued 2-7-33.

1,896,911. Wheeled gun carriage adapted to be transformed rapidly into a gun carriage for firing upon aircraft. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 2-7-33.

1,896,943. Selective circuit protecting device. Dubusc Roger et al, Illovici Avram David (inventors); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantee). Issued 2-7-33.

1,897,113. Radiator. Doucet Edmond Gabriel (inventor). Issued 2-14-33.

1,897,268. Finder for cameras provided with objectives of different foci. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 2-14-33.

1,897,452. Machine for operating reloopping tools. Vitoux Marcel (inventor). Issued 2-14-33.

1,897,674. Direct acting internal combustion air compressor. Pescara Raul Pateras (inventor). Issued 2-14-33.

1,897,693. Ship s scuttle. Ducroux Rene (inventor). Issued 2-14-33.

1,897,752. Anamorphoser apparatus for cinematography in colors and in relief. Chretien Georges (inventor); Soc Technique d Optique et de Photographie S T O P (grantee). Issued 2-14-33.

1,897,881. Process for the simultaneous manufacture of iron or its carbide compounds and of Portland cement or hydraulic limes. Basset Lucien Paul (inventor). Issued 2-14-33.

1,898,091. System of acoustic signaling. Loth William Arthur (inventor); Soc Industrielle des Procedes W A Loth (grantee). Issued 2-21-33.

1,898 235. Repairing element for vulcanizers. Binay Robert Henri Marie Louis (inventor); Office General des Specialites Automobiles la Garenne Columbes (grantee). Issued 2-21-33.

1,898,410. Vacuum cleaner. Wales Nathaniel Brackett (inventor). Issued 2-21-33.

1,898,729. Device for the cooling of compressors with pistons. Huguenin Albert (inventor). Issued 2-21-33.

1,898,691. Liquid measuring device. Porte Rene (inventor); Soc Hardoll Etablissements Hariveau and Dolimier et Rene Porte & Cie Reunis (grantee). Issued 2-21-33.

1,899,190. Permanent hair waving or curling device. Fogelin Carl Oscar Victor (inventor). Issued 2-28-33.

1,899,313. Button fastening. Coquette Andre (inventor). Issued 2-28-33.

1,899,452. Process for the protection and authentification of articles. Bayle Edmond et al, George Henri, Mache Augustin (inventors). Issued 2-28-33.

1,899,557. Shaving soap case. Charlot Rene Jean Gabriel (inventor); Gibbs Thibaud & Cie (grantee). Issued 2-28-33.

1,899,622. Frequency changer. Levy Lucien (inventor). Issued 2-28-33.

1,899,794. Dust separator. Coupard Christian (inventor). Issued 2-28-33.

1,899,829. Automatic machine with magnetic plates for regulating arcs. Sarazin Robert (inventor). Issued 2-28-33.

1,899,838. Knitting machine. Vollenweider Georges (inventor). Issued 2-28-33.

1,899,857. Movable top panel for vehicles. Dubois Jean Louis (inventor). Issued 2-28-33.

1,899,874. System for continuously cleaning the ballast of railway tracks. Lemaire Maurice Henri (inventor). Issued 2-28-33.

1,900,436. System of indirect lighting of all spaces. Dourgnon Jean Tigrane (inventor). Issued 3-7-33.

1,900,694. Apparatus for the removal of alcohol from wine cider beer and other alcoholic products. Coupeau Marc, et al, Delaville Maurice (inventors); Cornillac Andre (grantee). Issued 3-7-33.

1,900,794. Safety device for locks. Brun Albert (inventor). Issued 3-7-33.

1,900,825. Photographic developing apparatus. Liberman Alexander Iezekil (inventor). Issued 3-7-33.

1,900,999. Firing device for demountable machine guns. Ricordel Auguste Louis (inventor); Precision Moderne (grantee). Issued 3-14-33.

1,901,012. Headlight for vehicles. Tourriol Jean (inventor). Issued 3-14-33.

1,901,330. Fluid conductive hose. Poberejsky Jacques (inventor); Superflexit a Corp of France (grantee). Issued 3-14-33.

1,901,379. System for the central lubrication of vehicles. Salves Leon (inventor); Renault Louis (grantee). Issued 3-14-33.

1,901,380. Parachute equipment. Salone Jacques Charles Germain et al, Lucas Georges Denis (inventors); Soc Salone Ing E C P & Lucas (grantee). Issued 3-14-33.

1,901,389. Process for liquefying and rectifying air. Hazard Flamand Maurice (inventor). Issued 3-14-33.

1,901,523. Automatically loading machine for distributing sand gravel and the like. Millet Eugene Justin Nestor (inventor). Issued 3-14-33.

1,901,783. Apparatus for the pneumatic separation of materials of different densities. Soulary Paul (inventor). Issued 3-14-33.

1,902,041. Sewing machine. Morel Felix (inventor); Anciens Etablissements r Cornely & Cie S A (grantee). Issued 3-21-33.

1,902,272. Wafer dosing filling & sealing machine. Willmann Gustave (inventor). Issued 3-21-33.

1,902,378. Carburetor. Schneebell Hugo (inventor). Issued 3-21-33.

1,902,394. Suspension spring. Carteret Paul Adolphe (inventor). Issued 3-21-33.

1,902,395. Umbrella. Cornic Emile (inventor). Issued 3-21-33.

1,902,410. Interchangeable toothbrush. Lemaine Henry Guido Leon (inventor). Issued 3-21-33.

1,902,[illegible]7. Case for lipsticks. Bergaud Felicie Eugenie Amelie Wampouille (inventor). Issued 3-21-33.

1,902,696. Valve control gear for internal combustion engines. Elmer Ernest (inventor); Delage & Cie (grantee). Issued 3-21-33.

1,902,887. Carburetor. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 3-28-33.

1,903,[illegible]. Protecting device for electric distributing systems. Dupuis Lucien Georges, et al, Tand [illegible] (inventors); Union d Electricite (grantee). Issued 3-28-33.

1,903,039. Device for interlocking two movements. Gianoli Marcel Louis (inventor). Issued 3-28-33.

1,903,635. Method of operating locomotives having internal combustion engines. Salves Leon (inventor); Renault Louis (grantee). Issued 4-11-33.

1,903,680. Alternating current generator. Letrilliart Pierre (inventor); Forges & Ateliers de Constructions Electriques de Jeumont (grantee). Issued 4-11-33.

1,903,695. Adjustable turnbuckle. Chobert Jacques Francois Gabriel (inventor). Issued 4-11-33.

1,903,713. Dynamometric log. Baule Marie Emile Alfred (inventor). Issued 4-11-33.

1,903,720. Emitting or receiving vibration device for submarine sounding. Marti Pierre Auguste Daniel, et al Bertin Charles Frederic Marie, Nandillon Albert Emile Gustave (inventors). Issued 4-11-33.

1,903,351. Fuel supply process for internal combustion engines. Rochefort Francois (inventor). Issued 4-18-33

1,903,966. Vehicle suspension device. Granges Louis (inventor). Issued 4-18-33.

1,904,088. Frame provided with easel stand. Schutz Henri (inventor). Issued 4-18-33.

1,904,112. Device for the control of electric arc welding machines. Achard Jean (inventor). Issued 4-18-33.

1,904,169. Torsion pendulum. Reutter Jean Leon (inventor). Issued 4-18-33.

1,904,223. Machine for ascertaining the volume of loads of granular material. Hanique Alfred (inventor). Issued 4-18-33.

1,904,301. Machine for perforating slow emulsion films while they are being shown on the screen. Delafon Jean Maurice Jacques (inventor). Issued 4-18-33.

1,904,408. Needle securing device for talking machines. Charlin Andre Marie Bernard (inventor). Issued 4-18-33.

1,904,431. Feed water heating plant. Fiedler Sebastien Otto Alfred (inventor); L Auxiliaire des Chemins de fer et de l Industrie (grantees). Issued 4-18-33.

1,904,495. Process for the direct manufacture of ketones from impure volatile acids. Mauger Jacques Georges (inventor); Soc Dite Maison Camus Duchemin S A (grantee). Issued 4-18-33.

1,904,610. Automatic liquid measuring and delivering apparatus. Boutillon Henri (inventor). Issued 4-18-33.

1,904,696. Preparation of stable solutions of halogenated acetylcholin salts. Roy Gustave (inventor). Issued 4-18-33.

1,904,719. Recording apparatus. De Beaumarchais Charles (inventor); Le Materiel Electrique S W (grantee). Issued 4-18-33.

1,904,817. Refrigerating plant. Bernat Raoul, et al Bernat Henri (inventors). Issued 4-18-33.

1,904,833. Manufacture of a coal substitute. Marek John Ivo (inventor); Carbonfix Soc a Responsabilite Limitee (grantee). Issued 4-18-33.

1,905,354. Diazo compound of 2 amino chloro 1 oxy 3 sulphobenzene and its production. Sack Ernest (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 4-25-33.

1,905,428. Electric traction system employing compound motors. Bacqueyrisse Louis (inventor). Issued 4-25-33.

1,905,434. Hopper crane of the movable and travelling type. Boyer Fernand (inventor). Issued 4-25-33.

1,905,460. Process for converting into soluble salts lead and other metals contained in lead bearing ores. Gamichon Paul (inventor). Issued 4-25-33.

1,905,996. Electric organ. Coupleux Edouard Eloi, et al Givelet Joseph Armand Marie Vincent de Paul (inventors). Issued 4-25-33.

1,906,008. Apparatus for the distribution and injection of compressed air for internal combustion engines. Konstantinoff Jean (inventor). Issued 4-25-33.

1,906,140. Shaving brush having a reservoir for the soap. Depasse Henri (inventor). Issued 4-25-33.

1,906,164. Asynchronous electrical machine. Letrilliart Pierre (inventor); Forges & Ateliers de Constructions Electriques de Jeaumont (grantee). Issued 4-25-33.

1,906,168. Process of decorating metal. Malleval Veuve F nee Berthe Burlet (inventor). Issued 4-25-33.

1,906,170. Device for recording the warp of railway tracks. Mauzin Andre Ernest (inventor). Issued 4-25-33.

1,906,175. Machine for determining the resisting qualities in wear of leather for soles. Millet Paul (inventor); Soc en Nom Collectif Dite Veuve Paul Luc & Cie (grantee). Issued 4-25-33.

1,906,177. Automatic device for measuring and delivering liquids. Porte Rene (inventor); Soc Hardoll Etablissements Hariveau and Dolimier et Rene Porte & Cie Reunis (grantee). Issued 4-25-33.

1,906,186. Film drawing device for cinematographic apparatus. Deville Etienne Sainte Claire (inventor); Soc des Etablissements Gaumont (grantee). Issued 4-25-33.

1,906,192. Metal alloy. Vangrevenynge Charles, et al Ellon Henry (inventors). Issued 4-25-33.

1,906,216. Superposed barrel breech loading firearm. R'be Leon (inventor). Issued 4-25-33.

1,906,225. Electrically heated soldering iron. Dupau Fernand (inventor). Issued 5-2-33.

1,906,479. Suspension system for vehicles. Messier Georges Louis Rene Jean (inventor). Issued 5-2-33.

1,906,787. Hydraulic pump and motor. Cuttat Georges (inventor); S A Des Etablissements Cuttat (grantee). Issued 5-2-33.

1,906,898. Device for undulation of hair. Castiaux Victor (inventor). Issued 5-2-33

1,906,905. Relay for distant control. Granat Elie (inventor); Cie Des Forges et Acieries de la Marine et d'Homecourt (grantee). Issued 5-2-33.

1,907,252. Method for treating films arranged in strips. Debrie Andre Leon Victor Clement (inventor). Issued 5-2-33.

1,907,253. Cinematographic printing machine. Debrie Andre Leon Victor Clement (inventor). Issued 5-2-33.

1,907,632. Double tool holder. Weber Gustav (inventor); Weill Rene (grantee). Issued 5-9-33.

1,908,368. Device for changing the direction of travel applicable to belt conveyors. Krieger Lucien (inventor). Issued 5-9-33.

1,908,407. Process for the removal of alcohol from wine cider beer and other alcoholic products. Coupeau Marc Gustave et al Delaville Maurice (inventors); Cornillac Andre (grantee). Issued 5-9-33.

1,908,488. Dragnet and the like. Robert Alphonse Victor Alexandre (inventor); S A Engins de Peche Maritime (grantee). Issued 5-9-33.

1,908,591. Bathing suit and similar sport garment. Entraygues Jules Pierre (inventor). Issued 5-9-33.

1,908,613. Stringed musical instrument. Maccaferri Mario (inventor). Issued 5-9-33.

1,908,724. Hammer pulverizer. Aubé Jean (inventor). Issued 5-16-33.

1,908,880. Alternating current electric motor for phonographs and the like. Bethenod Joseph (inventor). Issued 5-16-33

1,908,923. Apparatus for treating liquids. Schaeffer Jean Adolphe et al, Pierre George (inventors); Cie Technique Des Petroles (grantee). Issued 5-16-33

1,908,924. Process for treating hydrocarbon oils. Schaeffer Jean Adolphe et al Pierre George (inventors); Cie Technique Des Petroles (grantee). Issued 5-16-33

1,909,220. Plate and panel with inscriptions or designs. Paisseau Jean et al, Germain Rodolphe (inventors). Issued 5-16-33.

1,909,498. Process of preparing aromatic amino derivatives of arsine and the product thereof. Oechslin Carl J (inventor). Issued 5-16-33.

1,909,514. Decorative plastic surface. Assael Maurice Moise (inventor). Issued 5-16-33.

1,909,559. Fastening for overlapping roofing plates. Wagner Marcel (inventor). Issued 5-16-33.

1,909,749. Hand operated cigarette making machine. Booth Richard Norman (inventor); S A Pour D Exploitation Des Papeteries L Lacroix Fils (grantees). Issued 5-16-33.

1,909,798. Process for the manufacture of soluble cellulose esters of higher organic acids. Angla Bernard Marius Robert (inventor); Soc Des Usines Chimiques Rhone Poulenc (grantees). Issued 5-16-33.

1,909,837. Automatic fire extinguisher. Laengel Henri Charles (inventor); S A Assuro (grantee). Issued 5-16-33.

1,909,956. Process of coal distillation. Hereng Alfred Jean Andre (inventor). Issued 5-23-33.

1,910,017. Electrolytic extraction of light metals contained in alloys. Hulin Paul Leon (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais (grantees). Issued 5-23-33.

1,910,024. Heat insulation for apparatus working at very low temperatures. Le Rouge Jean (inventor); L Air Liquide S A Pour L Etude and L Exploitation Des Procedes Georges Claude (grantees). Issued 5-23-33.

1,910,033. Obturating device. Mincovsky Zounia (inventor); Soc Francaise D Etudes and de Brevets (grantees). Issued 5-23-33.

1,910,116. Means for automatic tightening of fastening hoops. Malleville Jean Paul Marie (inventor). Issued 5-23-33.

1,910,137. Furniture polish. Van Der Bruggen Arthur (inventor). Issued 5-23-33.

1,910,281. Apparatus for distilling water. Charrier Henri (inventor); S A Appareils et Evaporateurs Kestner (grantees). Issued 5-23-33

1,910,595. Process of weaving and apparatus therefor. Deboutteville Marcel Delamare (inventor). Issued 5-23-33.

1,910,798. Endless track vehicle. Kegresse Adolphe (inventor). Issued 5-23-33.

1,911,259. Pneumatic controlling device. Bergoin Marcel (inventor). Issued 5-30-33.

1,911,309. Electric organ operating by means of electrode valves. Coupleux Edouard Eloi et al, Givelet Joseph Armand (inventors). Issued 5-30-33.

1,911,414. Starting device for internal combustion engines. Waselge Charles Raymond (inventor); Farman Henri et Maurice (grantees). Issued 5-30-33.

1,911,520. Cash register. Marbach Fritz (inventor); Mabille Ernest (grantee). Issued 5-30-33.

1,911,592. Method for forming copying sheets. Supligeau Charles Leon et al, Hippolyte, Guyot Robert Richard Jean (inventors). Issued 5-30-33.

1,911,838. Construction of carburetors. Mathieu Eugene (inventor). Issued 5-30-33.

1,911,935. Fastening device for jewels and other ornaments. Vidal Andre (inventor); Cartier S A (grantee). Issued 5-30-33.

1,912,057. Liquid fuel engine. Bagnulo Alberto (inventor). Issued 5-30-33.

1,912,243. Process and apparatus for firing furnaces. Andrews Richard Henry (inventor). Issued 5-30-33.

1,912,262. Weft feeler for automatic looms for weaving. Diederichs Gustave (inventor). Issued 5-30-33.

1,912,660. Apparatus for catching a moving volume of air. Segui Pierre Jean (inventor). Issued 6-6-33.

1,912,888. Tight holding nut. Courteille Paul (inventor). Issued 6-6-33.

1,912,976. Machine for mechanically finishing roadway concrete coverings. Fedi Justin Andre Hector (inventor). Issued 6-6-33.

1,913,061. Liquid fuel. Seigle Adolphe Antoine, Francois Marius (inventors). Issued 6-6-33.

1,913,087. Cinematographic apparatus. Oehmichen Etienne (inventor). Issued 6-6-33.

1,913,158. Apparatus for the production of mesityl oxide. Guinot Henri (inventor). Issued 6-6-33.

1,913,159. Production of mesityl oxide. Guinot Henri (inventor). Issued 6-6-33.

1,913,229. Surgical apparatus. Bordier Marcel Armand Louis (inventor). Issued 6-6-33.

1,913,266. Structure and structural block. Dreyfus Rose Emile et al, Vaisset Victor Roch (inventors). Issued 6-6-33.

1,913,481. Combined alarm clock and barometer. Gody Henri (inventor); Anciens Establissements Duverdrey and Bloquel (grantees). Issued 6-13-33.

1,913,628. Method of liquefying chlorine. Falkenberg Johan Christian (inventor). Issued 6-13-33.

1,913,787. Antibackfiring gas mixer. Basseau Suzanne nee Guichard (inventor). Issued 6-13-33.

1,913,790. Adjustable stand. Buntschu Edouard Gabriel et al, Buntschu Ignace Charles (inventors). Issued 6-13-33.

1,913,899. Catch hinge. Rodanet Charles Hilaire Henri (inventor); S A Establissements Ed Jaeger (grantee). Issued 6-13-33.

1,913,901. Braking device for motor vehicles. Schaeffer Charles (inventor); Ste Anme Des Anciens Establissements, Panhard & Levassor (grantees). Issued 6-13-33.

1,913,905. Call apparatus for automatic telephones. Servanton Jacques et al, Consael Jean Marie (inventors). Issued 6-13-33.

1,913,910. Control system for electric motors. Altmayer Jean Andre (inventor). Issued 6-13-33.

1,913,913. Record for synchronous cinematographic projection and phonographic audition. Boularan Jacques Dabert et al, known as Jacques Deval Digeon Pierre Armand (inventors). Issued 6-13-33.

1,914,015. Self winding watch. Hatot Leon (inventor). Issued 6-13-33.

1,914,063. Device for heating carburetors or the air fed to carburetors. Barbarou Marius Jean Baptiste (inventor). Issued 6-13-33.

1,914,089. Automatic gasoline vapor generator. Guillemin Victor Prosper (inventor). Issued 6-13-33.

1,914,111. Apparatus for the prevention of backfiring in internal combustion engines. Defrance Abel (inventor). Issued 6-13-33.

1,914,492. Liquid and friction shock absorber for automobiles. Dufaux Armand (inventor). Issued 6-20-33.

1,914,564. Rack for disk gramophone records. Grandjean Rene (inventor). Issued 6-20-33

1,914,711. Load lifting and discharging apparatus. Carmillet Charles (inventor). Issued 6-20-33.

1,914,788. Method of refining lead for use thereof in antifriction alloys containing other metals which are not adapted to be alloyed with lead. Ricard Alfred Edouard et al, Daniel Louis (inventors). Issued 6-20-33.

1,914,789. Exhaust silencer. Rognon Ernest (inventor). Issued 6-20-33.

1,914,831. Electric keyboard musical instrument. Martenot Maurice Louis Eugene (inventor). Issued 6-20-33.

1,914,842. Electrical synchronizing device. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs et Materiel D Usines. A Gaz Montrange (grantees). Issued 6-20-33.

1,914,865. Method and device for automatically reducing speed. Rath Jean Francois (inventor). Issued 6-20-33

1,915,011. Elements of construction. Bribet Georges (inventor). Issued 6-20-33.

1,915,055. Aeroplane. Fauvel Charles (inventor). Issued 6-20-33.

1,915,191. Sight for antiaircraft machine guns. Le Prieur Yves Paul Gaston et al, Ricordel Auguste Louis (inventors); La Precision Moderne (grantee). Issued 6-20-33.

1,915,192. Hood latch. Malivert Jules Eugene (inventor); Soc L Accessoire de Precision (grantee). Issued 6-20-33.

1,915,571. Power transmitting belt. Gardere Pierre Leonce (inventor). Issued 6-27-33.

1,915,720. Clamping collar. De Vulitch Vladimir Antoine (inventor). Issued 6-27-33.

1,915,723. Process for the purification of gases for the synthesis of ammonia. Etienne Alfred et al, Gosselin Albert, Du Chaffaut Roger (inventors); L Air Liquide S A Pour L Etude & L Exploitation Des Procedes Georges Claude (grantees). Issued 6-27-33.

1,916,092. Aeroplane. Bleriot Louis (inventor). Issued 6-27-33.

1,916,098. Individual steering wheel. Dubonnet Andre (inventor). Issued 6-27-33.

1,916,099. Mud guard suspension. Dubonnet Andre (inventor). Issued 6-27-33.

1,916,484. Direct current motor control system. Lejeune Fernand (inventor); Forges & Ateliers de Constructions, Electriques de Jeumont S A (grantees). Issued 7-4-33.

1,916,605. Method of making adjustable spanners. Chobert Jacques Francois Gabriel (inventor). Issued 7-4-33.

1,917,378. Gold alloy. Lenfant Louis (inventor); Cartier S A (grantee). Issued 7-11-33

1,917,462. Safety device for elevator driving means. Roche Henri (inventor); Soc Establissements Edouxsamain (grantee). Issued 7-11-33.

1,917,488. Electric servo motor for automobiles or the like. Bethenod Joseph (inventor). Issued 7-11-33.

1,917,532. Device for automatically dimming the lights of automobiles. Loewenstein Rudolph (inventor). Issued 7-11-33.

1,918,106. Noiseless typewriter. Joerissen Carl A (inventor). Issued 7-11-33.

1,918,152. Telecommunication system. Viard Georges (inventor). Issued 7-11-33.

1,918,416. Foot operated platen lifting device for calculating machines. Moussier Leandre (inventor). Issued 7-18-33.

1,918,667. Controlling mechanism. Renaux Eugene Prosper et al, Renaux Lucien Jules (inventors). Issued 7-18-33.

1,919,088. Wing structure for flying machines. Breguet Louis (inventor); S A Des Ateliers D Aviation Louis Breguet (grantees). Issued 7-18-33.

1,919,089. Flying machine having revolving supporting surfaces. Breguet Louis et al, Dornand Rene (inventors); Breguet Louis (grantee). Issued 7-18-33.

1,919,095. Articles of jewelry and method of manufacturing the same. De Gennaro Gaetan (inventor). Issued 7-18-33.

1,919,105. Electrical controlling device for liquid distributors. Gueux Joseph Jean Marie (inventor). Issued 7-18-33.

1,919,115. Device for giving moving pictures the appearance of relief. Maury Charles et al, Houssin Victor Adrien (inventors). Issued 7-18-33.

1,919,121. Arrangement of sustaining propellers in aerial navigation machines. Oehmichen Etienne Edmond (inventor). Issued 7-18-33.

1,919,133. Automatically opening paint tube. Rolot Georges (inventor). Issued 7-18-33

1,919,253. Method of destructively distilling carbonaceous fuels. Patart Georges (inventor). Issued 7-25-33.

1,919,663. Safety device for overhead electric lines. Mathieu Marie Ernest (inventor). Issued 7-25-33.

1,919,848. Device for opening bulbs closed by welding & their application to fire extinguishers. Levinson Ruvin (inventor); S A Le Mondial (grantee). Issued 7-25-33.

1,920,104. Fluid transmission system. Pescara Raul Pateras (inventor). Issued 7-25-33.

1,920,122. Heat interchanging apparatus & process. Chavanne Jean Louis (inventor). Issued 7-25-33.

1,920,179. Time distribution system. Battegay Constant (inventor); S A des Ateliers Brille Freres (grantee). Issued 8-1-33.

1,920,201. Alternating piston rotary engine. Kolko Aron (inventor). Issued 8-1-33.

1,920,373. Process of synthesizing organic compounds containing oxygen. Gosselin Henri Albert (inventor); Soc. Chimique de la Grande Paroisse Azote & Produits Chimiques (grantees). Issued 8-1-33.

1,920,392. Pulp beating engine. Hery Edouard (inventor). Issued 8-1-33.

1,920,631. Sound amplifying horn. Coumbopoulos Stavros (inventor). Issued 8-1-33.

1,920,674. Variable pitch propeller. Barbarou Marius Jean Baptiste (inventor). Issued 8-1-33.

1,920,681. Condensing apparatus. De Chamerlat Jean (inventor). Issued 8-1-33.

1,920,682. Method and device for cooling gases by contact with a liquid. De Saugy Humbert Frossard (inventor). Issued 8-1-33.

1,920,698. Adjustable gate for both ways of flow in substantially horizontal sluices. Huguenin Albert (inventor). Issued 8-1-33.

1,920,705. Bust holder. Madsen Viggo (inventor). Issued 8-1-33.

1,920,884. Suction stack for chimneys. Petrovitch Louis (inventor). Issued 8-1-33.

1,921,090. Bell swinging device. Müller Paul (inventor). Issued 8-8-33.

1,921,258. Color photography. Nordmann Charles (inventor). Issued 8-8-33.

1,921,322. Wrench. Porte Pierre (inventor). Issued 8-8-33.

1,921,327. Cryptographic printing apparatus. Schimmel Francois et al, Bidault Eugene August (inventors). Issued 8-8-33.

1,921,363. Process for treating fibers. Lefranc Georges (inventor). Issued 8-8-33.

1,921,510. Two stroke cycle internal combustion engine. De Wasmundt Wladimir (inventor). Issued 8-8-33.

1,921,586. Manufacture of dyes containing chromium. Sack Ernest Albert (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 8-8-33.

1,921,591. Process for the manufacture of zinc white. Szidon Viktor (inventor). Issued 8-8-33.

1,921,636. Aeroplane. Quemin Maurice. Inventor). Issued 8-8-33.

1,921,725. Froth breaking. Boutet Robert Charles Marie Paul Fernand (inventor); Soc. Francaise des Glycerines (grantee). Issued 8-8-33.

1,921,880. Starting apparatus for rotary engines. Herz Stanislas et al, Berger Maurice Pierre (inventors). Issued 8-8-33.

1,921,905. Hydroelectric installation. Blom Robert (inventor). Issued 8-8-33.

1,921,911. Can opener. Darque Etienne Marcel (inventor). Issued 8-8-33.

1,921,931. Screw propeller. Levasseur Pierre (inventor). Issued 8-8-33.

1,921,935. Process for the conversion of textile vegetable fibers into threads having the texture of wool. Maillard Frederic Georges (inventor). Issued 8-8-33.

1,921,936. Masher. Mantelet Jean (inventor); Mantelet et Boucher Soc en Nom. Collectif (grantees). Issued 8-8-33.

1,921,942. Metallic propeller. Ratier Paulin Jean Pierre (inventor). Issued 8-8-33.

1,921,951. Shock absorber. Simon Lucien et al, Marcon Rene (inventors); Simon Lucien (grantee). Issued 8-8-33.

1,921,980. Wrench. Porte Pierre (inventor). Issued 8-8-33.

1,922,763. Endless track vehicle. Kegresse Adolphe (inventor). Issued 8-15-33.

1,922,836. Printing clock. Battegay Constant (inventor); S A des Ateliers Brillie Freres (grantee). Issued 8-15-33.

1,922,895. Apparatus for the leveling of railways. Lemaire Maurice Henri (inventor). Issued 8-15-33.

1,922,934. Device for the elimination of chromatic flicker in projection apparatus. Dorel Felix et al, Bellier Elie Eugene (inventors); Soc. Francaise des Films Herault (grantee). Issued 8-15-33.

1,922,940. Method of joining the ends of wire cloth. Franck Rene (inventor). Issued 8-15-33.

1,923,231. Control and safety device for railways and tramways. Rodolausse Eloi (inventor). Issued 8-22-33.

1,923,502. Process and product for protecting aluminum magnesium zinc and their alloys against corrosion. Prier Pierre (inventor). Issued 8-22-33.

1,923,518. Liquid distributor. Thiberge Paul Louis Armand (inventor). Issued 8-22-33.

1,923,519. Compressor. Tisserant Auguste Albert Honore (inventor). Issued 8-22-33.

1,923,615. Battery ignition device. De Fligue Wladimir et al, Lavallee Paul (inventors). Issued 8-22-33.

1,923,619. Process for electrooptical register of sounds or any other elastic wares. Guerbilsky Alexis (inventor). Issued 8-22-33.

1,923,870. Electric amplification of sounds. Kressmann Jean (inventor). Issued 8-22-33.

1,923,963. Aerial safety device. Ayad Ibrahim Ben (inventor). Issued 8-22-33.

1,924,034. Process for the continuous conversion of ferruginous materials into spongy metallic agglomerates. Polliet Alexandre et al, Sainderichin Nicolas (inventors). Issued 8-22-33.

1,924,056. Strain insulator chain. Benit Henri (inventor). Issued 8-22-33.

1,924,104. Manometric apparatus. Itte Georges Charles (inventor). Issued 8-29-33.

1,924,254. Servo brake of the centrifugal type. Piganeau Gerard Pierre (inventor). Issued 8-29-33.

1,924,255. Machine for tentering and drying fabrics. Prat Emile (inventor). Issued 8-29-33.

1,924,641. Safety razor. Dupeyron Auguste (inventor). Issued 8-29-33.

1,924,696. Manufacture of dyes containing chromium and the resulting product. Sack Ernest Albert (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 8-29-33.

1,924,709. Packing case. Coulbeaux Charles Gaston (inventor). Issued 8-29-33.

1,924,710. Process for the manufacture of dichromates. Demant Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 8-29-33.

1,924,905. Method for heating substances such as gypsum in air currents. Bourdet Andre Paul Edouard (inventor). Issued 8-29-33.

1,924,980. Solid fuel distilling apparatus. Chavanne Louis (inventor). Issued 8-29-33.

1,925,025. Process and apparatus for accurately cutting and rectifying gears. Amann Paul Emile (inventor). Issued 8-29-33.

1,925,472. Processes for converting coca alkaloids into alkylated derivatives of ecgonine and pseudo ecgonine. Tirard Auguste (inventor); S A Etablissements Roques (grantee). Issued 9-5-33.

1,925,478. Automatic telephone apparatus. Boye Alfred (inventor). Issued 9-5-33.

1,925,483. Electrical recorder. Dubois Raymond (inventor); Soc Cema Constructions Electro Mecaniques D Asnieres S A (grantee). Issued 9-5-33.

1,925,583. Carburetor nozzle. Delplanque Edmond. Issued 9-5-33.

1,925,616. Ice machine. Velut Rene (inventor). Issued 9-5-33.

1,925,669. Fire extinguisher. Levy Joseph dec (inventor); Adelmann Henri Admr (grantee). Issued 9-5-33.

1,925,920. Process for the preparation of oxide of beryllium. Gadeau Robert Andre (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camarque (grantee). Issued 9-5-33.

1,925,922. Beater for the paper industry. Hery Edouard (inventor). Issued 9-5-33.

1,925,954. Electric relay. De Regnauld de Bellescize Henri, Jean Joseph Marie (inventors). Issued 9-5-33.

1,926,109. Carburetor for heavy oils. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 9-12-33.

1,926,191. Treatment of quantities of water. Boucherot Paul et al, Claude Georges (inventors). Issued 9-12-33.

1,926,260. Motion damper and shock absorber. Broulhiet Georges (inventor). Issued 9-12-33.

1,926,489. Key mechanism for wood wind instruments. Leblanc Leon (inventor). Issued 9-12-33.

1,926,490. Removable stitching and binding device. Levinsky Georges et al, Marcu Charles (inventors). Issued 9-12-33.

1,926,507. Electrical induction apparatus applicable to resistance welding. Achard Jean (inventor). Issued 9-12-33.

1,926,613. Reloading device. De Aldia Yrarrazaval Jean Gonzalez (inventor). Issued 9-12-33.

1,926,804. Lock clasp for jewels and similar articles. Descuches Gerard (inventor); Cartier S A (grantee). Issued 9-12-33.

1,926,905. Process for the manufacture of solid rods and tubes made of glass or other melted material. Le Coultre Ernest (inventor). Issued 9-12-33.

1,926,968. Highflight aeroplane. Causan Nemorin Laurent (inventor). Issued 9-12-33.

1,926,971. Transmission for electrically driven talking machines. De Wrangel Wladimir et al, Saharoff Leon (inventors); De Wrangel Wladimir (grantee). Issued 9-12-33.

1,927,178. Apparatus for the leveling of railways. Lemaire Maurice Henri (inventor). Issued 9-19-33.

1,927,340. Preparing machine for spinning. Fievet Eugene (inventor). Issued 9-19-33.

1,927,358. Brake control for aeroplanes. Breguet Louis (inventor); S A Des Ateliers D Aviation Louis Breguet (grantee). Issued 9-19-33.

1,927,541. Process and plant for the manufacture of pure cellulose from vegetable fibers. Bouvier Cesar et al, Fouche Georges Seguin Edmond (inventors). Issued 9-19-33.

1,928,082. Electrically controlled tool. Vigne Emile Leon. (inventor). Issued 9-26-33.

1,928,191. Friction locking device. Van Meurs Jean (inventor); S A Francaise du Ferodo (grantee). Issued 9-26-33.

1,928,196. Surfacing and polishing. Betrancourt Fortune (inventor); S A Des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantees). Issued 9-26-33.

1,928,326. Aeroplane with four axially arranged engines. Bratu Raymond (inventor). Issued 9-26-33.

1,928,425. Apparatus for metallizing by the melting and projection of metals. Hedde Marie Claude Roger (inventor); La Soc Dite Soc Nouvelle de Metallisation (grantee). Issued 9-26-33.

1,928,498. Seat structure. Mougeotte Auguste Angelo Gaston (inventor). Issued 9-26-33.

1,928,539. Antidazzling headlight. Labasteau Maurice Leon (inventor). Issued 9-26-33.

1,928,544. Bearing member & process for manufacturing it. Ricard Alfred Edouard (inventor). Issued 9-26-33.

1,928,545. Compensated suspension device for vehicles. Rondier Georges (inventor). Issued 9-26-33.

1,928,553. Method of scanning images in television. Barthelemy Rene et al, Le Duc Jean (inventors); Cie Pour La Fabrication Des Compteurs et Materiel D Usines A Gaz (grantees). Issued 9-26-33.

1,928,31. Automatic ribbon reversing mechanism for typewriters. Grandjean Marc (inventor). Issued 9-26-33.

1,928,981. Boiler. Augustin Normand Paul (inventor); S A Chantiers et Ateliers Augustin Normand (grantees). Issued 10-3-33.

1,929,129. Continuous press for solid materials containing liquids. Villez Paul Alexandre Henri (inventor). Issued 10-3-33.

1,929,137. Process and apparatus for edging cardboard articles and similar objects. Cassegrain Pierre Auguste Gustave (inventor). Issued 10-3-33.

1,929,138. Time switch. Cotnareanu Ionel (inventor). Issued 10-3-33.

1,929,733. Tightness device. Autier Victor (inventor). Issued 10-10-33.

1,929,892. Carriage window. Kellner Jacques (inventor); Soc a Responsabilite Limitee Jacques Kellner (grantee). Issued 10-10-33.

1,930,360. Apparatus for the lye treatment and washing of clothes. Julien Cyprien Edouard Paul (inventor). Issued 10-10-33.

1,930,371. Circular weaving loom. Sery Claude (inventor); Soc a Responsabilite Limitee Etablissements Rotatiss (grantee). Issued 10-10-33.

1,930,393. Adhesive to be employed in the manufacture of waterproof abrasive products. Lemerle Jacques (inventor); S A Cie Centrale des Emeris et Produits a Polir (grantees). Issued 10-10-33.

1,930,416. Sliding and pivoting wristlet watch. Chauvot Rene Alfred (inventor). Issued 10-10-33.

1,930,424. Glass sheet forming apparatus. Escole Paul Joseph Maximilien (inventor); Forges et Ateliers de Constructions Electriques de Jeumont S A (grantee). Issued 10-10-33.

1,930,548. Propeller with variable pitch. Barbarou Marius Jean Baptiste (inventor). Issued 10-17-33.

1,930,549. Servo brake. Barbarou Marius Jean Baptiste (inventor). Issued 10-17-33.

1,930,563. Electronic discharge tube. Ponte Maurice (inventor); La Radiotechnique (grantee). Issued 10-17-33.

1,930,740. Process and product for lining walls and other surfaces. Desagnat Gaston (inventor). Issued 10-17-33.

1,930,744. Process for the simultaneous manufacture of dicalcium phosphate and of ammonium chloride. Durepaire Louis et al, Quanquin Bernard (inventors). Issued 10-17-33.

1,930,877. Apparatus for the electrolytic manufacture of metals and chiefly of magnesium. Jesup Alfred Claude (inventor). Issued 10-17-33.

1,930,964. Method of striking and maintenance of an electric arc in a medium having a great dielectric strength. Bethenod Joseph (inventor); L Air Liquide S A Pour l Etude et l Exploitation des Procedes Georges Claude (grantee). Issued 10-17-33.

1,931,182. Clutch. Dombret Emile (inventor). Issued 10-17-33.

1,931,200. Starter. Louette Joseph Ernest Octave (inventor). Issued 10-17-33.

1,931,230. Fire extinguishing apparatus. Laengel Henri Charles (inventor); S A Asturo (grantee). Issued 10-17-33.

1,931,428. Making leather substitutes. Doudy Leonard (inventor). Issued 10-17-33.

1,931,432. Apparatus for launching a lifeboat. Petit Colas Henri Fernand et al, Bernier Louis Jules (inventors). Issued 10-17-33.

1,931,842. Fountain pen. Godek Boleslas Andre (inventor). Issued 10-24-33.

1,931,875. Process and apparatus permitting the utilization of heavy fuels for feeding engines. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 10-24-33.

1,931,952. Hydraulic power transmitting system. Charles Maurice (inventor). Issued 10-24-33.

1,931,955. Projection apparatus. Deve Charles (inventor). Issued 10-24-33.

1,931,956. Concrete mixer. Freyssinet Eugene (inventor). Issued 10-24-33.

1,932,094. Aerial vehicle and braking system therefor. Hallot Paul (inventor). Issued 10-24-33.

1,932,156. Process of coating. Ducamp Albert Jean et al, Baule Marie Emile Alfred (inventors). 10-24-33.

1,932,164. Electric regulating apparatus. Petit Jean Francois Gabriel (inventor); Etablissements Labinal (grantee). Issued 10-24-33.

1,932,305. Surfacing apparatus. Escole Paul Joseph Maximilien (inventor); Forges & Ateliers de Constructions Electriques de Jeumont (grantee). Issued 10-24-33.

1,932,332. Internal combustion engine. Bernard Auguste Louis Rene (inventor); Fulton Moteurs (grantee). Issued 10-24-33.

1,932,598. Extensible reel for unspooling of tanks. Parrier Gabriel (inventor). Issued 10-31-33.

1,932,876. Comb for cutting and thinning the hair. Agostini Leon (inventor). Issued 10-31-33.

1,932,893. Machine for grinding springs. Merckelbout Raoul Albert (inventor). Issued 10-31-33.

1,932,925. Automatic radioelectric standby device. Chauveau Louis Lucien Eugene (inventor); Soc Francaise Radio Electrique (grantee). Issued 10-31-33.

1,933,033. Automatic air or mixture admission valve for internal combustion engines. Saives Leon (inventor); Renault Louis (grantee). Issued 10-31-33.

1,933,066. Film pressing device for motion picture apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 10-31-33.

1,933,086. Electric speedometer and milemeter. Battegay Constant (inventor); S A des Ateliers Brillie Freres (grantee). Issued 10-31-33.

1,933,087. Means for keeping up the oscillations of pendulums. Battegay Constant (inventor); S A des Ateliers Brillie Freres (grantee). Issued 10-31-33.

1,933,088. Selective call system. Battegay Constant (inventor); S A des Ateliers Brillie Freres (grantee). Issued 10-31-33.

1,933,089. Call system adapted to be used in connection with automatic telephones. Battegay Constant (inventor); S A des Ateliers Brillie Freres (grantee). Issued 10-31-33.

1,933,100. Process for the secret transmission of vibrated modulated currents. Dieux Jean (inventor). Issued 10-31-33.

1,933,167. Guiding plates used in rolling machines and pouring tables for manufacturing plate glass and the like. Despret Georges Paul (inventor); Cies Reunies des Glaces & Verres Speciaux du Nord de la France (grantees). Issued 10-31-33.

1,933,208. Clutching and speed changing device. Cotal Jean (inventor); Soc d Exploitation des Brevets Cotal (grantee). Issued 10-31-33.

1,933,217. Manufacture of diamidodiphenyl disulphides. Lantz Robert (inventor); S A des Matieres Colorantes & Produits Chimiques de Saint Denis (grantee). Issued 10-31-33.

1,933,419. Boiler. Dieterlen Henry (inventor). Issued 10-31-33.

1,934,376. Hydromechanical transmission device. Ribis Gustave Prosper Georges (inventor). Issued 11-7-33.

1,934,682. Process of manufacturing reinforced glass sheets. Delloye Robert (inventor). Issued 11-14-33.

1,934,735. Automatic recording telephone. Nigeradse Vladimir et al (inventors); Thomas Julian M (grantee). Issued 11-14-33.

1,934,809. Distributing box for pasty and powdery products. Maillard Joseph Eugene Baptiste (inventor). Issued 11-14-33.

1,934,840. Carburetor. Claudel Charles Henri (inventor); S A la Cooperation Agricole & Industrielle (grantee). Issued 11-14-33.

1,934,999. Apparatus for controlling ring spinning machines. Trilou Andre (inventor). Issued 11-14-33.

1,935,082. Process for the manufacture of alkaline dichromates. Demant Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 11-14-33.

1,935,330. Shock absorbing device for appliances such particularly as aircraft parachutes. Tricau Gabriel (inventor). Issued 11-14-33.

1,935,343. Machine for resistance electric welding. Achard Jean (inventor). Issued 11-14-33.

1,935,474. Preparation of alkali phosphates. Laubi Atto (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 11-14-33.

1,935,849. Process for the preparation of azinic dyes. Lantz Robert et al, Wahl Andre (inventors); S A Des Matieres Colorantes et Produits Chimiques de Saint Denis (grantee). Issued 11-21-33.

1,936,290. Watchcase. Ditisheim Gaspard Pierre (inventor); S A Montres Clarte (grantee). Issued 11-21-33.

1,936,476. Manufacture of fused silica. George Henri (inventor); Soc Quartz et Silice (grantee). Issued 11-21-33.

1,936,573. Coupling device for aligned shafts. Anger Jacques Robert (inventor). Issued 11-28-33.

1,936,785. Engine with adjustable compression chamber. Filliol Louis Alain Daniel (inventor). Issued 11-28-33.

1,936,831. Process for preparing esters of high gravity from castor oil. Del Turco Cosimo Rosselli (inventor); French Soc Legendre Vin & Guetet (grantee). Issued 11-28-33.

1,936,967. Pointer sighting device. Müller Emil et al, Schmidt Leopold (inventors); Brandt Edgar William (grantee). Issued 11-28-33.

1,937,026. Means for signaling. Loth William Arthur (inventor). Issued 11-28-33.

1,937,095. Dust catcher. Frat Emile (inventor). Issued 11-28-33.

1,937,363. Folding umbrella. Serajhim Joseph (inventor). Issued 11-28-33.

1,937,502. Device for securing a member on a cylindrical shaft. Anger Jacques Robert (inventor). Issued 12-5-33.

1,937,683. Automatic adjusting device for brake members. Boirault Louis (inventor). Issued 12-5-33.

1,937,814. Machine for the printing of positive bichromate films. De Lesseps Fernand (inventor). Issued 12-5-33.

1,943,529. Apparatus for grinding cutter b

1,946,308. Apparatus for radiocommunication. Chireix Henri (inventor). Issued

1,950,069. Apparatus for the removal of solid substances in suspension in a current of

1,953,552. Apparatus for the vertical filing of file wrappers or similar objects. De-

1,937,976. Film pressing arrangement for motion picture apparatus. Merle Andre Noel (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 12-5-33.

1,938,003. Self adjusting sunlight reflector. Arthuys Jacques Marie et al, Bayle Andre (inventors); Arthel Soc d Exploitation des Brevets Jacques Arthuys (grantee). Issued 12-5-33.

1,938,074. Apparatus for indicating the ratio between the linear function of two temperatures Lanquetin Roger (inventor) Issued 12-5-33.

1,938,148. Airplane with supporting surfaces of variable area. Makhonine Ivan (inventor). Issued 12-5-33.

1,938,517. Gas producer fuel support. Cousin Paul Achille Joseph (inventor); Etablissements Ernest Arnoult S A (grantee). Issued 12-5-33.

1,938,518. Gas producer fuel support. Cousin Paul Achille Joseph (inventor); Etablissements Ernest Arnoit S A (grantee). Issued 12-5-33.

1,938,600. Headlight for motor vehicles. Marsat Antoine Jean Baptiste (inventor). Issued 12-12-33.

1,939,136. Artificial fur. Romane Georges (inventor). Issued 12-12-33.

1,939,309. Direct current motor control system. Mejean Ernest (inventor); Forges & Ateliers de Constructions Electriques de Jeumont S A (grantee) Issued 12-12-33.

1,939,361. Electric connection particularly applicable to junction boxes. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 12-12-33.

1,939,367. Apparatus for aiming guns. Riberolles Rene (inventor). Issued 12-12-33.

1,939,540. Mechanism for angular adjustment of gun sights Charvet Gustave (inventor); Soc Des Establissements Krauss Optique et Mecanique de Precision (grantee). Issued 12-12-33.

1,939,603. Pump. Bernard Auguste Louis Rene (inventor); Soc Fusion Moteurs (grantee). Issued 12-12-33.

1,939,766. Transmission device. Corset Lucien Alfred Maurice (inventor). Issued 12-19-33.

1,939,903. Apparatus and method of obtaining lighting of luminescent tubes. Kayser Daniel Paul Albert Andre (inventor) Issued 12-19-33.

1,940,056. Packing device for cylindrical bodies or liners. Konstantinoff Jean (inventor). Issued 12-19-33.

1,940,161. Synchronizing system. Barthelemy Rene (inventor); Cie Pour la Fabrication Des Compteurs et Materiel d Usines a Gaz (grantee). Issued 12-19-33.

1,940,175. Method and device for winding a filiform member within a hollow body. Loubet Henri Rene (inventor); Cie Pour la Fabrication Des Compteurs et Materiel d Usine a Gaz (grantee). Issued 12-19-33.

1,940,503. Color reproduction. Nordmann Charles (inventor). Issued 12-19-33.

1,940,524. Fuel pump. Bellem Louis Henri Libert et al. Foss Erling Christian (inventors). Issued 12-19-33.

1,940,620. Process of dehydrating magnesium and similar chlorides. Blumenfeld Joseph (inventor); Soc de Products Chimique des Terres Rares (grantee). Issued 12-19-33.

1,941,158. Automatic brake for windlasses. Spinetta Dominique (inventor); Preparation Industrielle des Combustibles S A (grantee). Issued 12-26-33.

1,941,380. Brake for motor vehicles or the like. Anteleme Louis Xavier et al, Trescartes Leopold (inventors). Issued 12-26-33.

1,941,402. Lubricating device particularly adapted to be used in connection with rotary distributors for internal combustion engines. Konstantinoff Jean (inventor). Issued 12-26-33.

1,941,407. Vibrating blade rectifier. Marianvalle Albert (inventor). Issued 12-26-33.

1,941,487. Carbureting process and apparatus. Portail Fernand Charles Frederic (inventor); S A le Carbone (grantees). Issued 1-2-34.

1,941,618. Multiple system. Nemirovsky Leon (inventor); Belloy Antoine (grantee). Issued 1-2-34.

1,941,678. Electric gasifier Gamard Henri (inventor). Issued 1-2-34.

1,941,879. Suspension. Dubonnet Andre (inventor). Issued 1-2-34.

1,941,924. Apparatus for maintaining the thickness of drawn glass. Arrault Jules (inventor); S A Des Manufactures Des Glaces et Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 1-2-34.

1,941,930. Method and means for replacing railroad rails. Collet Pierre et al, Loiseau Rene (inventors); Les Fils D Albert Collet (grantee). Issued 1-2-34.

1,941,945. Device for transforming motor trucks and similar vehicles into winches. Landrin Marcel (inventor). Issued 1-2-34.

1,941,955. Remote transmission and control device. Rondot Leon Adolphe Bernard (inventor). Issued 1-2-34.

1,941,981. Scale. Fontaine Pierre Marie (inventor). Issued 1-2-34.

1,942,105. Apparatus for the lighting of luminescent tubes. Kayser Daniel Paul Albert Andre (inventor). Issued 1-2-34.

1,942,208. Means for obtaining lead in metallic condition. Gamichon Paul (inventor). Issued 1-2-34.

1,942,239. Metal window frame. Chauvet Gabriel (inventor). Issued 1-2-34.

1,942,307. Refrigerator. Roch Joannes Emmerick Wolf (inventor); S A de Conservation Industrielle Du Poisson (grantee). Issued 1-2-34.

1,942,329. Roller head with endless belts for spinning machines. Gegauff Charles (inventor). Issued 1-2-34.

1,942,343. Dial for various apparatus. Melik Minassiantz Raphael (inventor). Issued 1-2-34.

1,942,347. Liquid dispensing apparatus. Tribout Lucien (inventor); Soc D Etude de Distributeurs Automatiques S E D A (grantee) Issued 1-2-34.

1,942,365. Machine for cutting or unrolling thongs of leather or other material. Rozier Henri Hippolyte (inventor); Manufacture de Chaussures de Moulins S A (grantee). Issued 1-2-34.

1,942,884. Method of and means for radio signaling. Soulie Clement (inventor). Issued 1-9-34.

1,942,956. Apparatus for making explosive gaseous mixtures. De Grey Jack Arnoul (inventor). Issued 1-9-34.

1,943,032. Metal drawing press. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 1-9-34.

1,943,171. Cementation mixture for ferrous metals. Follet Alexandre et al, Sainderichin Nicolas (inventors). Issued 1-9-34.

1,943,182. Starting device and starting circuit. Louette Joseph Ernest Octave (inventor). Issued 1-9-34.

1,943,206. Folding ladder with rear prop. Corneloup Louis (inventor). Issued 1-9-34.

1,943,208. Machine for filling and corking bottles of any shape and dimension. Dauteuil Edouard Fernand (inventor). Issued 1-9-34.

1,943,210. Automatically variable pitch propeller. De Lavaud Dimitri Sensaud (inventor). Issued 1-9-34.

1,943,306. Change speed gear. Quevrain Leon et al, Quevrain Hippolyte (inventors). Issued 1-16-34.

1,943,397. Apparatus for determining the course and speed of aircraft. Riberolles Rene (inventor). Issued 1-16-34.

1,943,529. Apparatus for grinding cutter bars of mowing machines. Hirth Alphonse (inventor). Issued 1-16-34.

1,943,536. Valve mechanism for cutting off the supply of liquid to reservoirs casks and other containers. Muller Jacques (inventor). Issued 1-16-34.

1,943,705. Automatic mixer for hot and cold water. Trubert Rene (inventor). Issued 1-16-34.

1,944,057. Apparatus for continuous distillation of heavy hydrocarbons. Barbe Emile Augustin (inventor). Issued 1-16-34.

1,944,140. Medical gas producer employing a heated liquid. Noirot Jean (inventor) Issued 1-16-34.

1,944,354. Photogravure process and metal plate therefor. Ludvigsen Niels (inventor). Issued 1-23-34.

1,944,383. Oil bath insulator. Weill Robert (inventor). Issued 1-23-34.

1,944,647. Apparatus for the distillation of bituminous schists. Petit Rene (inventor); Soc Des Schistes et Petroles de Franche Comte (grantee). Issued 1-23-34.

1,944,648. Pump. Saussard Louis (inventor); S A Pour Tous Appareillages Mecaniques (grantee). Issued 1-23-34.

1,944,650. Doorbolt for multileaf doors. Vincent Maurice (inventor). Issued 1-23-34.

1,944,778. Method of protecting lead against corrosion. Benit Henri (inventor); Soc Generale D Electricite (grantee). Issued 1-23-34.

1,944,821. Perfume diffuser. Blaise Louis Marcel (inventor). Issued 1-23-34.

1,944,830. Loom for weaving without a shuttle. Verriere Louis Pierre Julien Antoine (inventor). Issued 1-23-34.

1,945,005. Lock for nuts and bolts. Vigier Nicolas (inventor). Issued 1-30-34.

1,945,032. Production of benzoic acid and benzoates. Demant Jules Emile (inventor); Bozel Maletra Soc Industrielle Produits Chimiques (grantee). Issued 1-30-34.

1,945,209. Compensated universal joint. Villard Marcel (inventor). Issued 1-30-34.

1,945,326. Machine for drilling screw nuts tapping. Marchal Pierre Edmond Adolphe (inventor). Issued 1-30-34.

1,945,447. Control of electric motors. Pretarini Joseph Maxime (inventor). Issued 1-30-34.

1,945,454. Remote control device for electric motors. Trubert Rene (inventor). Issued 1-30-34.

1,945,491. Filtering apparatus. Lamort Marcel (inventor); Etablissements E & M Lamort Fils (grantee). Issued 1-30-34.

1,945,492. Pulp strainer. Lamort Marcel (inventor); Establissements E & M Lamort Fils (grantee). Issued 1-30-34.

1,945,723. Synchronous induction motor. Barthelemy Rene (inventor); Cie Pour la Fabrication Des Compteurs et Materiel D Usines A Gaz (grantee). Issued 2-6-34.

1,945,745. Thermostat controlling temperature for central heating system. Jouvet Pierre Maurice (inventor); Cressaty C M (grantee). Issued 2-6-34.

1,945,892. Rivet setting machine. Gagon Jean Dit Daude (inventor). Issued 2-6-34.

1,945,900. Rotor wheel. Huguenin Albert (inventor). Issued 2-6-34.

1,945,901. Distributor for hydraulic reversal turbines. Huguenin Albert (inventor) Issued 2-6-34.

1,945,989. Electrically controlled clock. Battegay Constant (inventor); S A Des Ateliers Brillie Freres (grantee). Issued 2-6-34.

1,945,990. Time meter. Battegay Constant (inventor); S A Des Ateliers Brillie Freres (grantee). Issued 2-6-34.

1,946,221. Boiler feed water heating plant. Loutz Camille (inventor); Soc Alsacienne de Constructions Mecaniques (grantee). Issued 2-6-34.

1,946,308. Apparatus for radiocommunication. Chireix Henri (inventor). Issued 2-6-34.

1,946,411. Apparatus for blowing bottles and other similar hollow bodies made of glass. Roirant Emile (inventor); S A d'Etudes et de Constructions d'Appareils Mecaniques Pour la Verrerie (grantee). Issued 2-6-34.

1,946,413. Electric welding with magnetic stabilization. Sarazin Robert (inventor). Issued 2-6-34.

1,946,702. Apparatus for indicating the ratio between the linear function of two temperatures. Lanquetin Roger (inventor). Issued 2-13-34.

1,947,802 Automatic pencil. Sabon Raoul (inventor). Issued 2-20-34.

1,947,864. Catalyst for the production of nitric acid and the like. Marmier Louis Jean Alexis (inventor). Issued 2-20-34.

1,947,902 Piston pump. De Stoutz Robert (inventor). Issued 2-20-34.

1,947,924. Machine for manufacturing tubular fabric. Sery Claude (inventor); Soc a Responsabilite Limitee Etablissements Rotatiss (grantee). Issued 2-20-34.

1,947,930. Surfacing apparatus. Escole Paul Joseph Maximilien (inventor); Forges & Ateliers de Constructions Electriques de Jeumont (grantee). Issued 2-20-34.

1,948,047. Fuel pump. Retel Jules Marie Rene (inventor). Issued 2-20-34.

1,948,066. Cinematographic printing machine. Debrie Andre Leon Victor Clement (inventor). Issued 2-20-34.

1,948,074. Sheath holder for a rouge stick. Matheret Rene et al, Garreau Louis (inventors). Issued 2-20-34.

1,948,205. Molding machine. Du Donjon Norbert Jacquemont (inventor). Issued 2-20-34.

1,948,253. Device for sounding purposes and for measurements of distance by the reflected sound of a submarine signal received on shipboard. Blondel Andre Eugene (inventor). Issued 2-20-34.

1,948,404. Mechanical power transmission chain. Tremolieres Gustave Henri (inventor). Issued 2-20-34.

1,948,453. Apparatus for mechanically preparing gluten from flour. Barbade Pierre (inventor); Etablissements Tripette & Renaud Fils (grantees). Issued 2-20-34.

1,948,794. Receptacle. Makowsky Jacques (inventor). Issued 2-27-34.

1,948,800. Apparatus for removing stones from coal. Revelart Auguste Jules (inventor). Issued 2-27-34.

1,948,892. Auditorium. Varin Jules Ernest (inventor). Issued 2-27-34.

1,948,897. Starting device for internal combustion engines. Bailly Marcel (inventor). Issued 2-27-34.

1,948,996. Musical instrument working through a keyboard & photoelectric cell. Toulon Pierre Marie Gabriel (inventor); Ste de Recherches et de Perfectionnements Industriels (grantee). Issued 2-27-34.

1,949,009. Thermostatic radiator control. Dintilhac Jean Georges (inventor); Soc Yacco S A F (grantee). Issued 2-27-34.

1,949,024. Dial arrangement applicable to various apparatus. Melik Minassiantz Raphael (inventor). Issued 2-27-34.

1,949,041. Exhaust silencer. De Lagabbe Edmond (inventor). Issued 2-27-34.

1,949,327. Manicuring instrument. Picard Pierre (inventor). Issued 2-27-34.

1,950,000. Process for the treatment of ores containing lead Gamichon Paul (inventor) Issued 3-6-34

1,950,047. Projection apparatus for publicity or other uses. Contal Camille (inventor). Issued 3-6-34.

1,950,063 Air compressor. Pescara Raul Pateras (inventor) Issued 3-6-34.

1,950,064 Grip fastening for suspenders for hose. Pugniet Paul (inventor). Issued 3-6-34

1,950,069. Apparatus for the removal of solid substances in suspension in a current of gas. Stein Charles M (inventor); S A Fours et Appareils Stein (grantee). Issued 3-6-34.

1,950,228. Rotary internal combustion engine. Dedieu Jean (inventor). Issued 3-6-34.

1,950,305. Distributor control for hydraulic reversing turbines. Huguenin Albert (inventor). Issued 3-6-34.

1,950,494. Method of preventing the incrustation of boilers. Kobseff Joakime (inventor). Issued 3-13-34.

1,950,537. Method for the differential flotation of sulphureted copper and zinc ores. Barthelemy Edmond Marie Camille (inventor). Issued 3-13-34.

1,950,606 Electric resistance. Gindre Eugene (inventor); S A de Carbone (grantee). Issued 3-13-34.

1,950,853. Suction box for the manufacture of paper and similar products. Lamort Ernest (inventor); Soc E & M Lamort Fils (grantee). Issued 3-13-34.

1,950,863. Individual envelope for photographic films. Raguin Georges Andre (inventor); Soc Lumiere (grantee). Issued 3-13-34.

1,950,915. Device combining lift propulsion and Autopropulsion for aircraft. Lado Bordowsky Jean (inventor). Issued 3-13-34.

1,950,950. Servomotor. Piganeau Gerard Pierre (inventor). Issued 3-13-34.

1,951,489. Process for the production of a compound fertilizer. Remy Neris Jean Paul Louis (inventor); Soc Chimique de la Grande Paroisse Azote et Produits Chimiques (grantees). Issued 3-20-34.

1,951,505. Electrically driven childs auto. Dambrine Maurice Alfred (inventor). Issued 3-20-34.

1,951,753. Electrical furnace. George Henri et al, Delpech Gaston (inventors); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 3-20-34.

1,951,781 System for electrical transmission and reception of pictures documents and the like. Yanouchewsky Vladimir (inventor); Etablissements Edouard Belin (grantee). Issued 3-20-34.

1,951,803. Production of gases for feeding explosion motors. Lombard Pierre Paul et al, Duval Henri Joseph (inventors). Issued 3-20-34.

1,951,836. Process and apparatus for the production of magnesium by electrolysis. Obiedoff Vladimir (inventor); Soc de Produits Chimiques des Terres Rares (grantees). Issued 3-20-34.

1,951,863. Vehicle body. De Vizcaya Jean Antoine Augustin (inventor). Issued 3-20-34.

1,951,923. Crystallizer. Cartoux Henri Gaspard (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais (grantees). Issued 3-20-34.

1,951,994. Process for the preparation of artificial silk. Rochet Joseph (inventor); Cie de Produits et Chimiques Electrometallurgiques Alais (grantee). Issued 3-20-34.

1,952,286. Self releasing clutch. Roux Charles et al, Clemencet Louis Eugene (inventors). Issued 3-27-34.

1,952,542. Superheating device. Ehlinger Marcel (inventor); Soc Alsacienne de Constructions Mecaniques (grantee). Issued 3-27-34.

1,952,810. Electric arc carbon. Lemaigre Louis Edmond (inventor); Cie Lorraine de Charbons Pour L Electricite (grantee). Issued 3-27-34.

1,953,055. Fastener for hand bags. Nahas Michel (inventor). Issued 3-27-34.

1,953,265. Device for the adjustment of receiving sets for wireless waves. Routin Joseph Louis (inventor). Issued 4-3-34.

1,953,552. Apparatus for the vertical filing of file wrappers or similar objects. Dequeker Maurice (inventor); Soc Dite Mce Dequeker & Cie (grantee). Issued 4-3-34.

1,953,556. Shutter for photographic apparatus. Gitzhoven Arsene (inventor); Gitzo S A (grantee). Issued 4-3-34.

1,953,563. Vehicle. Martinage Leon (inventor). Issued 4-3-34.

1,953,569. Apparatus for applying waterproof bands for glazing and the like. Sagit Leon Joseph (inventor); Paix & Cie (grantee). Issued 4-3-34.

1,953,731. Windshield cleaner. Thibault Emile (inventor). Issued 4-3-34.

1,954,208. Producer gas engine apparatus. Imbert Jean P (inventor). Issued 4-10-34.

1,954,396. Method of and apparatus for measuring transmission levels. Viard Georges (inventor); Lignes Telegraphiques et Telephoniques (grantee). Issued 4-10,34.

1,954,785. Means for breaking electric circuits. Bresson Charles (inventor); Ateliers de Constructions Electriques de Delle (grantee). Issued 4-17-34.

1,954,876. Mounting of objectives for use with cinematographs & like projectors. Joannides Alexandre Georges (inventor); Soc Pour L Exploitation Des Brevets A G I (grantee). Issued 4-17-43.

1,954,890. Device to reverse the rotation of coupled shafts. Rembert Juste et al, Salvetti Casimir (inventor); Dirac (grantee). Issued 4-17-34.

1,954,899. Rubbered shoe for horses or other hoofed animals. Thuillier Georges (inventor) Issued 4-17-34.

1,954,916. Internal combustion engine. Bugaud Charles (inventor). Issued 4-17-34.

1,954,922. Method for the aluminothermic preparation of air quenching steel. Delachaux Clarence Leon (inventor). Issued 4-17-34.

1,954,934. Elastic hinge joint. Houdaille Maurice et al, Lecler Charles (inventors). Issued 4-17-34.

1,955,116. Photographic reconstruction apparatus. Duchateliier Henry (inventor); L Aerotopographie (grantee). Issued 4-17-34.

1,955,326. Process for the manufacture of chromates and dichromates. Demant Jules Emil (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 4-17-34.

1,955,658. Arrangement for engraving cylinders to obtain films with refringent elements. Rodde Armand et al, Herault Albert Henri, Hudeley Victor. Lagrave Jean (inventors). Issued 4-17-34.

1,955,952. Method for pouring glass. Chan Andre Do Huu (inventor); S A Des Manufactures des Glaces et Produits Chimiques de Saint Gobain Chauny Cirey (grantees). Issued 4-24-34.

1,956,134. Transmitting circuits with thermionic valves. Ruspoli Edmondo (inventor). Issued 4-24-34.

1,956,222. Fuse for projectiles. Methlin Nicolas Emilien (inventor); Schneider & Cie grantee). Issued 4-24-34.

1,956,223. Fuse for projectiles. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 4-24-34.

1,956,329. Apparatus for cleaning and stripping grain. Moureaux Rene (inventor); Soc de Construction Mecanique de Vierzon Anciens Etablissements Brouhot & Cie (grantee). Issued 4-24-34.

1,956,339. Electromechanical lamp. Bernasconi Charles et al, Berthier Rene Marie (inventors). Issued 4-24-34.

1,956,384. Pocket crytographic apparatus. Gentet Albert (inventor). Issued 4-24-34.

1,956,612. Fuel injection pump for internal combustion engines. Brun Georges Jean Pierre Jules Joseph (inventor); Soc D Etudes & D Exploitation de Generateur a Piston Libre (grantee). Issued 5-1-34.

1,956,667. Apparatus for the sterilization of milk by the action of ultraviolet light. Bonnet Jean Marie (inventor); Soc Anon Des Ateliers de Construction Electriques de Delle (grantee). Issued 5-1-34.

1,958,159. Disconnecting switch with compensated electrodynamic forces. Bresson Charles (inventor); Ateliers De Constructions Electriques De Jeumont S A (grantee). Issued 5-8-34.

1,960,875. Powder puff Parisot Paul (inventor). Issued 5-29-34.

1,960,951. Method of converting by catalysis

1,963,268. Electric motor control. Heidmann Leon (inventor); Forges & Ateliers De Constructions Electriques De Jeumont S A (grantees). Issued 6-19-34.

Matieres Colorantes & Produits Chimiques de Saint Denis (grantees). Issued 7-10-34.

1,965,709. Esters of unsubstituted and alpha-

1,968,599. Manufacture of chromium oxide. Demant Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimi-

1,956,667. Apparatus for the sterilization of milk by the action of ultraviolet light. Castelain Louis (inventor). Issued 5-1-34.
1,956,668. Hydropneumatic shock absorber. Charles Maurice (inventor). Issued 5-1-34.
1,956,669. Shock absorber. Charles Maurice (inventor) Issued 5-1-34.
1,956,749. Catalytic heating device. Terret Henri Georges (inventor). Issued 5-1-34.
1,956,755. Device for stabilizing airplanes by means of wind vanes. Constantin Louis (inventor). Issued 5-1-34.
1,956,760. Method and apparatus for the magnetic separation of mixed products. Forrer Robert Charles (inventor); Mines Domaniales de Potasse D Alsace (grantee). Issued 5-1-34.
1,956,899. Adhesive. Goldmann Jacques (inventor); Levy Armand (grantee). Issued 5-1-34.
1,956,926. Process for the simultaneous manufacture of ammonium phosphate and of other fertilizing substances. Mitteau Ferdinant (inventor); Soc D Etudes Scientifiques et D Entreprises Industrielles (grantees). Issued 5-1-34.
1,957,010. Multiple tariff metering system. Chirol Maurice (inventor); Cie Pour La Fabrication des Compteurs et Materiel D Usines A Gaz (grantees). Issued 5-1-34.
1,957,148. Device for reducing the stresses upon films in cinematographic apparatus. Oehmichen Etienne (inventor). Issued 5-1-34.
1,957,149. Aerial navigation machine utilizing a light gas. Oehmichen Etienne Edmond (inventor). 5-1-34.
1,957,196. Coupling mechanism. Bonnet Maurice (inventor) Issued 5-1-34.
1,957,283. Electrolytic vat. Obiedoff Vladimir (inventor); Soc De Produits Chimiques Des Terres Rares (grantee). Issued 5-1-34.
1,957,284. Electrolytic process for the production of magnesium. Obiedoff Vladimir (inventor); Soc De Produits Chimiques Des Terres Rares (grantee). Issued 5-1-34.
1,957,285. Device for throwing anchors from aircraft. Oehmichen Etienne Edmond (inventor). Issued 5-1-34.
1,957,350. Compound fertilizer and process for manufacturing same. Remy Neris Jean Paul Louis (inventor); Soc Chimique De La Grande Paroisse Azote et Produits Chimiques (grantee). Issued 5-1-34.
1,957,354. Process of protecting light metals against corrosion. Prier Pierre (inventor). Issued 5-1-34.
1,957,392. Automatically operating musical instrument of the electric oscillation type. Coupleux Edouard Eloi et al, Givelet Joseph Armand (inventors). Issued 5-1-34.
1,957,420. Cinemato phonographic photography. Butez Pierre et al, Contant Pierre (inventors); Soc Independante De Telegraphie Sans Fil (grantee). Issued 5-1-34.
1,957,539. Apparatus for reading sound on cinematograph sound films. Joannides Alexandre Georges (inventor); Soc Pour L Exploitation Des Brevets A G I (grantee). Issued 5-8-34.
1,957,540. Apparatus for reading sound on Cinematograph sound films. Joannides Alexandre Georges (inventor); Soc Pour L Exploitation Des Brevets A G I (grantee). Issued 5-8-34.
1,957,876. Process for the treatment of sugar juices. Wuidart Paul (inventor); Soc Industrielle Et Agricole De La Somme. Issued 5-8-34.
1,957,881. Measuring and distributing apparatus for alimentary liquids or others and more particularly for milk. Fouga Francois (inventor). Issued 5-8-34.
1,957,890. Slack adjusting device for brakes. Houplain Georges (inventor); Soc Des Freins Houplain (grantee). Issued 5-8-34.
1,958,152. Device for automatically adjusting the size of the loop in cinematographic apparatus. Oehmichen Etienne (inventor). Issued 5-8-34.
1,958,159. Disconnecting switch with compensated electrodynamic forces. Bresson Charles (inventor); Ateliers De Constructions Electriques De Delle (grantee). Issued 5-8-34.
1,958,323. Manufacture of aluminum in high power tanks. Torchet Pierre Jean Michel (inventor); Cie De Produits Chimiques Et Electrometallurgiques O'als Froges Et Camargue (grantee). Issued 5-8-34.
1,958,324. Auditorium. Varin Jules Ernest (inventor). Issued 5-8-34.
1,958,333. Turbine. Danel Herman (inventor). Issued 5-8-34.
1,958,699. Process for securing compounds of lead. Gamichon Paul (inventor). Issued 5-15-34.
1,958,818. Carburetor. Goudard Maurice (inventor); S A Solex (grantee). Issued 5-15-34.
1,958,820. Method of manufacturing margarine. Gropengiesser Kurt (inventor). Issued 5-15-34.
1,959,450. Brake testing apparatus. Taylor Arthur George (inventor); Wahiche Maurice (grantee). Issued 5-22-34.
1,959,477. Tread train for an endless band vehicle. Kegresse Adolphe (inventor). Issued 5-22-34.
1,959,480. Process for the production of nitrate of lime through absorption at elevated temperatures of nitrous fumes. Lefort Des Vlouses Gaston (inventor); L Azote Francais (grantee). Issued 5-22-34.
1,959,498. Production of composite motion pictures. Planskoy Leonti (inventor); Soc A R L Metra (grantee). Issued 5-22-34.
1,959,527. Electric machine with laminated masses. Ehrmann Paul (inventor). Issued 5-22-34.
1,959,547. Process of extracting acetic acid from pyroligneous substances. Ricard Eloi et al. inventors); Guinot Henri Martin, S A Usines De Melle (grantees). Issued 5-22-34.
1,959,620. Lock nut and washer. Eveno Alexandre Auguste (inventor). Issued 5-22-34.
1,959,676. Hay gathering and trussing machine. Jeanson Auguste Mari (inventor). Issued 5-22-34.
1,959,704. Suspension of railway cars and other vehicles. Bugatti Jean (inventor). Issued 5-22-34.
1,959,723. Spinning process. Lejeune Leon Sylvain Max et al, Bongrand Jean Etienne Charles (inventors). Issued 5-22-34.
1,959,942. Hoeing tractive engine. Avignon Edouard Georges (inventor). Issued 5-22-34.
1,960,094. Process for recording and reproducing. Thurm Leon (inventor). Issued 5-22-34.
1,960,119. Manicure set. Mirmann Georgette (inventor). Issued 5-22-34.
1,960,129. Recording emitting assembly for automatic telephone systems. Tchoubritch Michel (inventor); S A Francaise Dite Soc Nouvelle De Constructions Telephoniques Brevets Tchou Britch Derval (grantee). Issued 5-22-34.
1,960,136. Means for obstructing the flow of molten glass. Boudin Louis (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantee). Issued 5-22-34.
1,960,142. Spark Gap for Electric Oscillations generators. De Panlagua Marie Louise Ysabel (inventor). Issued 5-22-34.
1,960,149. Foldable container for disinfectant odorants and the like substances. Gilot Emile Armand (inventor); Soc S E P (grantee). Issued 5-22-34.
1,960,222. Manufacture of tempered glass. Long Bernard (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantee). Issued 5-22-34.
1,960,648. Apparatus for permanent waving of the hair. Peyrole Gabriel (inventor). Issued 5-29-34.
1,960,875. Powder puff. Parisot Paul (inventor). Issued 5-29-34.
1,960,951. Method of converting by catalysis mineral and vegetable oils. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 5-29-34.
1,960,986. Process of preparation of beryllium fluoride from a double fluoride of beryllium and of an alkali metal. Beja Maurice (inventor); Cie De Produits Chimiques Et Electrometallurgiques alais Froges Et Camarque (grantee). Issued 5-29-34.
1,960,987. Anti water hammer device for pipe lines under pressure. Biclet Emile (inventor). Issued 5-29-34.
1,961,205. Automobile body. De Vizcaya Jean Antoine Augustin Dec (inventor); Johanet Henri Lucien Leon Admr (grantee). Issued 6-5-34.
1,961,275. High tension ignition magneto. Bernard Jean (inventor). Issued 6-5-34.
1,961,304. Method of treatment of friction pieces comprising an exuding substance. Ricard Alfred Edouard (inventor). Issued 6-5-34.
1,961,312. Magnetic compass for aviation navigation and other purposes. Vion-Eugene (inventor). Issued 6-5-34.
1,961,315. Testing plant for internal combustion engines. Waselge Charles Raymond (inventor); Farman Henry, Farman Maurice (grantees). Issued 6-5-34.
1,961,475. Circuit breaker with liquid or gas blow outs. Clerc Andre (inventor). Ateliers De Constructions Electriques De Delle (grantee). Issued 6-5-34.
1,961,537. Coin controlled vending and change making mechanism. Velazquez Federico (inventor). Issued 6-5-34.
1,961,729. Current rectifier. Audubert Rene (inventor). Issued 6-5-34.
1,961,872. Stop for bottles by metallic capsules. Colombani Colomban (inventor). Issued 6-5-34.
1,961,887. Direct current motor control. Lejeune Fernand (inventor); Forges & Ateliers De Constructions Electriques De Jeumont S A (grantee). Issued 6-6-34.
1,962,054. Device for heating viscous liquid in a tank. Cantacuzene Servan Georges (inventor). Issued 6-5-34.
1,962,070. Ships log. Granat Elie (inventor); Cie Des Forges Et Acieries De La Marine Et D Homecourt (grantee). Issued 6-5-34.
1,962,078. Spark plug. Kegresse Adolphe (inventor). Issued 6-5-34.
1,962,079. Sparking plug for internal combustion engines. Kegresse Adolphe (inventor). Issued 6-5-34.
1,962,300. Device for amplifying and diffusing sound. Ephraim Armand Fernand (inventor). Issued 6-12-34.
1,962,650. Air purifying device. Torricadella Michel (inventor). Issued 6-12-34.
1,962,700. Grab. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise De Construction De Bennes Automatiques (grantee). Issued 6-12-34.
1,962,813. Talking machine. Fauchet Henore (inventor). Issued 6-12-34.
1,962,845. Apparatus for cooling liquids. Sideris Andre Basile (inventor). Issued 6-12-34.
1,962,892. Anamorphotic lens system and method of making the same. Chrétien Henri (inventor); Soc Technique D Optique Et De Photographie (grantee). Issued 6-12-34.
1,962,952. Controlling device for heat exchanging apparatus. Dauphin Andre Lucien (inventor). Issued 6-12-34.
1,962,970. Apparatus for the handling of shoes mounted upon lasts. Ple Edmond et al, Ple Pierre, Ple Marcel (inventors). Issued 6-12-34.
1,963,037. Circuit closing device for steering wheels. Turgeon Charles (inventor). Issued 6-12-34.

1,963,268. Electric motor control. Heidmann Leon (inventor); Forges & Ateliers De Constructions Electriques De Jeumont S A (grantee). Issued 6-19-34.
1,963,432. Engine set. Baudon Francois (inventor). Issued 6-19-34.
1,963,447. Loose leaf binder. Prache Andre (inventor). Issued 6-19-34.
1,963,711. Process for the manufacture of fertilizers. Mitteau Ferdinand (inventor); L Air Liquide S A Pour L Etude Et L Exploitation Des Procedes Georges Claude (grantees). Issued 6-19-34.
1,963,785. Inkwell. Gerschel Paul (inventor). Issued 6-19-34.
1,963,880. Friction operated mechanism. Barthelemy Pierre (inventor). Issued 6-19-34.
1,963,890. Manufacture of thin panels. De Fleury Raymond (inventor). Issued 6-19-34.
1,963,893. Process for the production of metals in a finely divided state. Drouilly Eugene (inventor); S A Trefileries & Laminoirs Du Havre (grantee). Issued 6-19-34.
1,964,169. Mechanism for actuating windshield wipers. Cusset Jules Emilien (inventor). Issued 6-26-34.
1,964,196. Regulator for hydraulic cylinders. Cuttat Georges (inventor); S A Des Etablissements Cuttat (grantee). Issued 6-26-34.
1,964,210. Lady's Bathing Garment. Negri Teresina Maria (inventor). Issued 6-26-34.
1,964,246. Apparatus for automatically charging batteries. Ber Henri (inventor). Issued 6-26-34.
1,964,658. Manufacture of threads of textile material. Bongrand Jean Etienne Charles et al, Lejeune Leon Sylvain Max (inventors). Issued 6-26-34.
1,964,762. Clutch mechanism for use with winches. Jund Frederic (inventor); Les Ateliers De St Pierre (grantee). Issued 7-3-34.
1,964,814. Process for the treatment of coffee for the purpose of expelling the caffeine. Gilbert Pierre (inventor). Issued 7-3-34.
1,964,832. Electrode for arc furnaces. Soulary Pierre (inventor); L Air Liquide S A Pour L Etude Et L Exploitation Des Procedes George Claude (grantee). Issued 7-3-34.
1,964,862. Process for the manufacture of moisture proof opaque or transparent paper. Schoenfeld Eugene (inventor). Issued 7-3-34.
1,964,877. Apparatus for the treatment of coal. Herenq Alfred Jean Andre (inventor). Issued 7-3-34.
1,964,878. Process and apparatus for the low temperature distillation of solid fuels. Hesens, Alfred Jean Andre (inventor). Issued 7-3-34.
1,965,046. Electrical distant indicating apparatus. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 7-3-34.
1,965,473. Spring suspension for motor vehicles. Schwoerer Charles (inventor). Issued 7-3-34.
1,965,478. Telemechanical control device for shock absorbers. Simon Lucien (inventor). Issued 7-3-34.
1,965,494. Apparatus for the treatment of cinematographic and similar films. Marchand Rene (inventor) Issued 7-3-34.
1,965,724. Stamping machine. Sanglier Arnaud et al, Sanglier Rene, Sanglier Henry (inventors); Soc des Appareils a Timbrer Affranchir Systeme Sanglier (grantees). Issued 7-10-34.
1,965,762. Self oscillating electric clock. Battegay Constant (inventor); S A des Ateliers Brille Freres (grantee). Issued 7-10-34.
1,965,765. Electric clock. Battegay Constant (inventor); S A Des Ateliers Brille Freres (grantee). Issued 7-10-34.
1,965,776. Manufacture of sulphides of nitro aromatic diphenyl or substitution products thereof. Lantz Robert (inventor); S A Des Matieres Colorantes & Produits Chimiques de Saint Denis (grantees). Issued 7-10-34.
1,965,792. Esters of unsubstituted and alpha substituted cyclopentenylacetic acid and their production. Chaux Rene (inventor); Cie de Bethune (grantee). Issued 7-10-34.
1,965,801. Lighting system for vehicles. Gandillon Pierre Albert (inventor). Issued 7-10-34.
1,965,918. Apparatus for massaging purposes. Auberger Thomas (inventor). Issued 7-10-34.
1,965,922. Apparatus for the manufacture of cakes of carbonic snow. Fievet Henri (inventor). Issued 7-10-34.
1,965,932. Carburetor. Schimanek Emil (inventor); Soc Du Carburateur Blériot (grantee). Issued 7-10-34.
1,966,237. Storage battery separator. Dunn Alfred (inventor). Issued 7-10-34.
1,966,480. Method of preparing alloys. Berthelemy Pierre et al, De Montby Henry, Pouvreau Jean Marie (inventors); S A Francaise Dite Soc Des Brevets, Berthelemy de Montby (grantee). Issued 7-17-34.
1,966,481. Homogeneous antimony bismuth alloy. Berthelemy Pierre et al, De Montby Henry, Pouvreau Jean Marie (inventors); S A Francaise Dite Soc des Brevets, Berthelemy de Montby (grantees). Issued 7-17-34.
1,966,616. Generating oscillations device. David Pierre Bernard Francois (inventor). Issued 7-17-34.
1,966,694. Pump. Vaudet Paul Lazare et al, Guitaut Fernand Auguste (inventors). Issued 7-17-34.
1,966,846. Driving device for propelling vehicles. Cassagne Georges Raymond (inventor). Issued 7-17-34.
1,966,871. Machine for decorticating maize cobs. Serre Eugene Edmond Charles (inventor). Issued 7-17-34.
1,966,992. Indicating apparatus such as clocks barometers meters and the like. Melik Minassiantz Raphael (inventor). Issued 7-17-34.
1,967,159. Rotary apparatus for converting alternating electric currents to direct electric currents and vice versa. Pestarini Joseph Maxime (inventor). Issued 7-17-34.
1,967,396. Alarm selector apparatus. Chaudeau Louis L E (inventor). Issued 7-24-34.
1,967,513. Electronic discharge tube. Ponte Maurice (inventor); La Radiotechnique (grantee). Issued 7-24-34.
1,967,739. Machine for hooping or strapping boxes and other packages or objects. Brenholsen Herman (inventor). Issued 7-24-34.
1,967,989. Blow out chamber with insulating grids. Clerc Andre (inventor); Ateliers de Constructions, Electriques de Delle (grantees). Issued 7-24-34.
1,967,996. Electric circuit breaker. Bresson Charles (inventor); Ateliers de Constructions, Electriques de Delle (grantees). Issued 7-24-34.
1,968,085. System of navigation and plant for carrying it out. Loth William Arthur (inventor); Soc Industrielle des Procedes W A Loth (grantees). Issued 7-31-34.
1,968,208. Hydrogenation of organic substances. Hugel Georges et al, Paul Marcel, Boistel Maurice (inventors); Soc d Etudes Chimiques Appliquees S E C A (grantee). Issued 7-31-34.
1,968,223. Process of treating paper pulp. Risen Gotthard (inventor). Issued 7-31-34.
1,968,245. Phonograph. Bussoz Pierre Joseph (inventor). Issued 7-31-34.
1,968,317. Demountable reflector assembly. Schmitt Paul (inventor). Issued 7-31-34.
1,968,439. Gearing. Cousin Maurice (inventor). Issued 7-31-34.
1,968,565. Conenction for blasting fuses and method of using the same. Mallet Louis Charles Richard (inventor). Issued 7-31-34.
1,968,599. Manufacture of chromium oxide. Demant Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantees). Issued 7-31-34.
1,968,604. Transmitting gear. Hertz Stanislas et al, Berger Maurice Pierre (inventors). Issued 7-31-34.
1,968,950. Cover for culinary utensils. Malgret Andre (inventor). Issued 8-7-34.
1,969,202. Fuel vaporizing device. Bugaud Charles (inventor). Issued 8-7-34.
1,969,214. Riveting machine. Gobin Jean Dit Daude (inventor). Issued 8-7-34.
1,969,298. Obturating & distributing apparatus for fluids. Daue Emile Eugene (inventor). Issued 8-7-34.
1,969,704. Acoustic device. D Alton Andre (inventor). Issued 8-7-34.
1,969,808. Rotary planing tool. Lentuly Henri (inventor). Issued 8-14-34.
1,969,932. Substitute for rubber and the process of its manufacture. Laurin Louis et al, Bidot Emile (inventors). Issued 8-14-34.
1,970,240. Portable crane. Marchand Pierre Jean (inventor). Issued 8-14-34.
1,970,273. Production of material decorative articles and protecting linings or the like by the transformation of fibrous cellulose materials. Bosso Valentino et al, Silvestrini Nicolo, Sacchi Francesco (inventors); Botta Guido (grantee). Issued 8-14-34.
1,970,285. Binding arrangement. Douvry Roger Marie Louis (inventor); Drager Freres (grantee). Issued 8-14-34.
1,970,648. Combing machine. Dolder Henri (inventor); Soc Alsacienne de Constructions Mecaniques (grantees). Issued 8-21-34.
1,970,708. Glasshouse. Ritter Robert (inventor). Issued 8-21-34.
1,970,882. Flancing press delivery device. Bremont Andre (inventor); Soc Des Agrafes Francaises S A (grantee). Issued 8-21-34.
1,971,080. Ladys bathing garment. Negri Teresina Maria (inventor). Issued 8-21-34.
1,971,085. Suspension of the seats of vehicles. Tissier Guy Albert (inventor); Soc D Exploitation Des Brevets Lecocq and Tissier (grantee). Issued 8-21-34.
1,971,126. Winch for the operation of grabs buckets and the like. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise De Construction De Bennes Automatiques (grantee) Issued 8-21-34.
1,971,176. Four cycle internal combustion engine. Duglay Paul (inventor); Soc D Exploitation De Brevets Pour L Industrie L Aviation E L Automobile S E B I A (grantee) Issued 8-21-34.
1,971,293. Carburetor. Le Breton Leon (inventor); Soc A Responsabilite Limitee Carburateur Nutilx (grantee). Issued 8-21-34.
1,971,433. Method for coating cylindrical members with a hard material. Tarrais Eugene Henri (inventor). Issued 8-28-34.
1,971,643. Automatic adjusting device. De Lavaud Dimitri Sensaud (inventor). Issued 8-28-34.
1,971,645. Engine and propeller arrangement chiefly adapted for aeroplanes and like aircraft. Ehmig Victar (inventor). Issued 8-28-34.
1,971,843. Packing of dental amalgams. Allaire Eugene (inventor). Issued 8-28-34.
1,971,847. Method of impregnating a solid to control its chemical activity. Baume Georges et al, Glorifet Andre (inventors). Issued 8-28-34.
1,971,859. Printing device for tabulating machines for perforated cards. Knutsen Knut Andreas (inventor). Issued 8-28-34.
1,971,860. Printing device. Knutsen Knut Andreas et al, Vethe Anders Eriksen (inventors). Issued 8-28-34.

1,972,011. Process for manufacturing carbon papers. Deplanche Armand (inventor). Issued 8-28-34.

1,972,257. Thermostatic detector. Bory Georges Henri Louis Gaston (inventor). Issued 9-4-34.

1,972,377. Automatic demultiplying apparatus. De Laderriere Marcel (inventor). Issued 9-4-34.

1,972,427 Refrigerating system. Normelli Wulf Berzelius (inventor). Issued 9-4-34.

1,972,438. Automobile dashboard. Bugatti Ettore (inventor). Issued 9-4-34.

1,972,600. Device for the production of artificial smoke. Reboul Raoul Celestin et al., Boissou Pierre (inventors); S A Des Hauts Fourneaux Et Fonderies De Pont A Mousson (grantee). Issued 9-4-34.

1,972,646. Acetylene gas generator. De La Rochette Charles (inventor). Issued 9-4-34.

1,972,666. Method and machine for the treatment of grain. Pays Achille (inventor). Issued 9-4-34.

1,972,674. Lug matrix for type metal. Barennes Robert P (inventor). Issued 9-4-34.

1,973,290. Turbine. Leon Gabriel (inventor); S A Des Brevets Leon (grantee). Issued 9-11-34.

1,973,306. Apparatus for developing. Breton Jean (inventor). Issued 9-11-34.

1,973,325. Feeding and emptying device for reservoirs. Berger Jacques Louis Bernard (inventor); Guinard Andre Paul (grantee). Issued 9-11-34.

1,973,504. Telecommunication system. Pierrot Andre (inventor); Lignes Telegraphiques et Telephoniques (grantee). Issued 9-11-34.

1,973,519. Change speed mechanism. Barthelemy Pierre (inventor). 9-11-34.

1,973,635. Manufacture of azo dyestuffs containing sulphur. Lantz Robert (inventor); S A Des Matieres Colorantes and Produits Chimiques De Saint Denis (grantee). Issued 9-11-34.

1,973,636. Manufacture of azo dyestuffs containing sulphur from diazotized orthoaminophenols. Lantz Robert (inventor); S A Des Matieres Colorantes and Produits Chimiques De Saint Denis (grantee). Issued 9-11-34.

1,973,644. Device for fixing glasses. Magis Auguste (inventor). Issued 9-11-34.

1,974,236. Sampling apparatus for liquids Cantacuzene Servan Georges (inventor). Issued 9-18-34.

1,974,239 Calculating machine. Gorbatchewsky Alexis (inventor). Issued 9-18-34.

1,974,481. Process for obtaining a finely divided carbonaceous product. Antoneff George et al., Freedland Jean (inventors). Issued 9-25-34.

1,974,551 Automatic telephone signaling apparatus Tuscher Jean Edouard, Spiro Marcel et al (inventors); Soc De L Avertisseur Telephonique Automatique (grantee). Issued 9-25-34.

1,974,678. Pump, Lafont Lucien (inventor). Issued 9-25-34.

1,974,722. Apparatus for catalyzing oil. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 9-25-34.

1,974,795. Brush. Cahen Georges, Chevalier Paul et al (inventors). Issued 9-25-34.

1,975,037. Spooling machine. Durand Marcel Paul (inventor). Issued 9-25-34.

1,975,231. Apparatus for recording or reproducing sound on films. Joannides Alexandre Georges (inventor); Soc Pour L Exploitation Des Brevets A G I (grantee). Issued 10-2-34.

1,975,319. Centrifugal machine for purification of paper pulp and analogous masses. Grauls Georges (inventor). Issued 10-2-34.

1,975,398. Process for the manufacture of molding sand as used for making cores and flask molding free and template moldings. Malaspina Jean Amedee (inventor). Issued 10-2-34.

1,975,399. Process for the manufacture of molding sand more particularly suitable for the confection of cores and stone bed molds. Malaspina Jean Amedee (inventor). Issued 10-2-34.

1,975,502. Transmission belt or chain for internal combustion motors or the like. Cousin Maurice (inventor). Issued 5-16-33.

1,975,638. Sewage purification. Girard Alexandre (inventor). Issued 5-16-33.

1,975,675. Mechanical regulation or tension indicator. Antelme Louis Xavier (inventor) 5-16-33.

1,975,676. Resiliently articulated joint. Antelme Louis Xavier (inventor). Issued 5-16-33.

1,975,725 Vehicle. Martinage Leon (inventor). Issued 5-16-33.

1,975,726 Endless track vehicle. Martinage Leon (inventor). Issued 5-16-33.

1,976,180. Shaking sieve. Marot Emile (inventor). Issued 10-9-34.

1,976,428 Self regulating heliostat. Arthuys Jacques Marie et al, Bayle Andre (inventors); Soc Said Arthel Soc D Exploitation des Brevets Jacques Arthuys (grantee). Issued 10-9-34.

1,976,459 Process for rough turning in the lathe or similar machine tool. Quichon Paul (inventor). Cie des Forges de Chatillon Commentry & Neuves Maisons (grantee). Issued 10-9-34.

1,976,630 Method and apparatus for effecting combustion in internal combustion engines. Pescara Raul Pateras (inventor). Issued 10-9-34.

1,976,861 Protractor device. Tombal Leon Emile (inventor). Issued 10-16-34.

1,976,933 Recovery by cold of a constituent in a gas mixture. Gobert Maurice (inventor); L Air Liquide S A Pour l Etude and l Exploitation des Procedes Georges Claude (grantee). Issued 10-16-34.

1,976,951 Suspension of vehicles. Lombard Edmond (inventor). Issued 10-16-34.

1,976,986. Decorative lining for walls or other partitions Desagnat Gaston (inventor). Issued 10-16-34.

1,977,182. Corrosion resisting ferrous alloy adapted for forging and casting purposes. Fould Maurice Palmyre (inventor); S A des Hauts Fourneaux Forges and Acieries de Pompey (grantee). Issued 10-16-34.

1,977,526. Cooling device. Piscetta Frederic (inventor); Sogni Joseph (grantee). Issued 10-16-34.

1,977,592. Cock for fluid pressure conduits. Reure Francois Louis Rene et al, Martin Francois Gabriel (inventors). Issued 10-16-34.

1,977,933. Comb for cutting and thinning the hair. Agostini Leon (inventor). Issued 10-23-34.

1,977,938 Spark plug. Excoffier Eugene (inventor). Issued 10-23-34.

1,978,202. Portable electric lamp. Hochon Robert Eugene (inventor). Issued 10-23-34

1,978,243. Apparatus for permanent hair waving. Agostini Louis Gaetano (inventor); Agostini Leon (grantee). Issued 10-23-34.

1,978,320. Method for producing stabilized mixture of spirit and water. Musset Francois (inventor). Issued 10-23-34.

1,978,447. Process for the preparation separation and purification of salts salt solutions and other solutions. Austerweil Geza et al., Jeanprost Charles (inventors). Issued 10-30-34.

1,978,741. Process for the manufacture of artificial silks. Delpech Jacques et al, Heinrich Constantin (inventors). Issued 10-30-34.

1,978,864. Operating mechanism for feeding apparatus for liquids. Gueux Joseph Jean Marie (inventor). Issued 10-30-34.

1,978,945. Apparatus for the distillation of coal Hereng Alfred Jean Andre (inventor). Issued 10-30-34.

1,979,011. Disappearing carriage for aircraft. Potez Henry Charles Alexandre (inventor). Issued 10-30-34.

1,979,185. Apparatus for the final refining of benzols washed with acid. Barbet Emile Augustin (inventor). Issued 10-30-34

1,979,194. Airplane having a variable lifting surface. Gerin Jacques (inventor). Issued 10-30-34.

1,979,195. Cam. Govare Harry Paul et al, Salomon Francois Marie, Michel Bernard (inventors). Issued 10-30-34.

1,979,439 Hydraulic rotatory and translatory device. Benit Henri (inventor); Cie Generale d Electricite (grantee). Issued 11-6-34.

1,979,440. Storage battery charging system. Benit Henri (inventor); Cie Generale D Electricite (grantee). Issued 11-6-34

1,979,509. Driving mechanism for revolving needle bars of combing and gilling machines. Van Hille Pierre (inventor); Ateliers Saint Eloi (grantee). Issued 11-6-34.

1,979,533. Rail bond. Dupuy Victor Emile (inventor) Issued 11-6-34.

1,979,597 Manufacture of lasts. Amann Paul et al, Ple Andre (inventors). Issued 11-6-34.

1,979,605. Method and apparatus for dispensing gas containing beverages and the like. Charmat Eugene (inventor). Issued 11-6-34.

1,979,757. Liquid fuel burner. Melot Henri Fabrice (inventor). Issued 11-6-34.

1,980,276. Endless track vehicle. Kegresse Adolphe (inventor). Issued 11-13-34

1,980,423. Automatic recovery device for pneumatic suspensions. Messier Georges Louis Rene Jean (inventor). Issued 11-13-34.

1,980,469. Device for controlling the action of a fluid. Breton Jean (inventor). Issued 11-13-34.

1,980,493. Emptying device for bathing tubs or the like. Morisseau Jacques Henri (inventor) Issued 11-13-34.

1,980,611. Brake. Brisson Louis Charles (inventor) S A Soc des Freins Hydrauliques S de Lavaud (grantee). Issued 11-13-34.

1,980,633. Wind screen ensuring direct vision through the air. Pottier Yves Leon Jacques (inventor). Issued 11-13-34.

1,980,847 Device for regulating the pitch of variable pitch propellers during flight Breguet Louis (inventor); S A des Ateliers d Aviation Louis Breguet (grantee). Issued 11-13-34

1,980,882. Hydraulic pressure device for rolling mills. See Jacques et al, Huot Leon (inventors), Etablissements Hutchinson le Materiel Special L M S (grantees). Issued 11-13-34.

1,980,886. Device indicating the flying attitude of aircraft. Talafre Remi et al, Renault Henri (inventors). Issued 11-13-34.

1,980,911. Electric organ and method of electrically producing tones. Coupleux Edouard Eloi et al, Givelet Joseph Armand (inventors). Issued 11-13-34.

1,980,912 Electric radio organ. Coupleux Edouard Eloi et al, Givelet Joseph Armand (inventors). Issued 11-13-34.

1,981,408. Permutation lock. Zulli Maurice (inventor). Issued 11-20-34.

1,981,600. Uninflammable balloon. Letourneur Jean (inventor). Issued 11-20-34.

1,981,609 Connecting rod. Berland Leon Antoine (inventor). Issued 11-20-34

1,982,134. Circuit breaker with liquid gas blowout. Clerc Andre (inventor); Soc Ateliers de Constructions Electriques de Delle (grantee) Issued 11-27-34.

1,982,143. Picture framing and the like Schill Rene Jacques (inventor). Issued 11-27-34.

1,982,171. Warp pile fabric. Lorthioir Robert (inventor). Issued 11-27-34.

1,982,420. Fuel for internal combustion engines. De La Riboisiere Jean Felix Paul (inventor). Issued 11-27-34.

1,982,603. Eccentric control. Barbarou Marius Jean Baptiste (inventor). Issued 11-27-34.

1,982,726. Process of manufacturing bimetallic appendixes for monometallic balances. Ditisheim Paul (inventor). Issued 12-4-34.

1,983,432. Synchronizing system for television. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs Et Material D Usines A Gaz (grantee). Issued 12-4-34.

1,983,435. Radio Signaling system. Blondel Andre (inventor). Issued 12-4-34.

1,983,475. Breathing apparatus. Lemoine Georges Eugene (inventor). Issued 12-4-34.

1,984,099. Telecommunication system. Viard Georges (inventor); Lignes Telegraphiques et Telephoniques (grantee). Issued 12-11-34.

1,984,144. Pneumatic shock absorber. Laugaudin Eugene (inventor). Issued 12-11-34.

1,984,200. Controlling and guiding device for the faller bars of gill boxes. Schlumberger Robert (inventor); Soc Nouvelle Soc De Construction Ci Devant N Schlumberger & Cie (grantee). Issued 12-11-34.

1,984,396. Gas cooling device for compressed gas electric circuit breaker silencers. Clerc Andre (inventor); Ateliers De Constructions Electriques De Delle (grantee). Issued 12-18-34.

1,984,455. Device for cooling bottles or similar vessels. Bienenfeld Jacques (inventor). Issued 12-18-34.

1,984,461. Dress glove structure. Chanut Paul A (inventor). Issued 12-18-34.

1,984,734. Gauge tube. Fournier Joseph Barbe (inventor). Issued 12-18-34.

1,985,139. Electrical synchronizing device. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs Et Materiel D Usines a Gaz (grantee). Issued 12-18-34.

1,985,144 Elastic wheel for railway vehicles. Bugatti Ettore (inventor). Issued 12-18-34.

1,985,145 Front axle for automobile vehicles. Bugatti Ettore (inventor). Issued 12-18-34.

1,985,175. Split drum winding machine. Lache Augustin (inventor); S A Nouvelle Soc De Construction Late N Schlumberger & Cie (grantee). Issued 12-18-34.

1,985,180. Method & machine for manufacturing boxes such as match boxes. Mange Frederic (inventor); Soc Indo Chinoise Forestiere Et Des Allumettes (grantee). Issued 12-18-34

1,985,184. Torpedo tube Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 12-18-34.

1,985,185. Remote controlled device for inserting & extracting primers for large bore guns. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 12-18-34.

1,985,308. Electroplating of articles with chromium. Bornhauser Oscar (inventor); Soc D Electrochimie D Electrometallurgie Et Des Acieries Electriques D Ugine (grantee). Issued 12-25-34.

1,985,710. Apparatus for the boring of wells or shafts and for like operations. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise De Construction De Bennes Automatiques (grantee). Issued 12-25-34.

1,985,794 Engine starter. Petit Jean Francois Gabriel (inventor); Etablissements Labinal (grantee). Issued 12-25-34.

1,986,065 Optical system having multiple foci and a single source of light. Maillet Antoine Andre (inventor). Issued 1-1-35.

1,986,095. Apparatus for the boring of wells or shafts and for like operations. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise De Construction De Bennes Automatiques (grantee). Issued 1-1-35.

1,986,096 Apparatus for the boring of wells or shafts and for like operations. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise De Construction De Bennes Automatiques (grantee). Issued 1-1-35.

1,986,270. Driving pulley having teeth of variable pitch. Kegresse Adolphe (inventor). Issued 1-1-35.

1,986,319. Process of manufacture of threads of textile material. Bongrand Jean Etienne Charles et al, Lejeune Leon Sylvain Max (inventors). Issued 1-1-35.

1,986,321. Carburetor. Chanard Auguste (inventor). Issued 1-1-35.

1,986,375. Shock absorber control device. Simon Lucien (inventor); Soc d Exploitation des Brevets Lucien Simon Amortisseurs Sanchok S A (grantee). Issued 1-1-35.

1,986,559. Trawl net with free ground rope. Dahl Oscar et al, Black William Forsyth (inventor). Issued 1-1-35.

1,986,709. Flying machine having revolving supporting surfaces. Breguet Louis et al, Dorand Rene (inventors); Breguet Louis (grantee). Issued 1-1-35.

1,987,160. Valve of explosion motors or internal combustion engines. Saives Leon (inventor); Renault Louis (grantee). Issued 1-8-35.

1,987,495. Safety circuit breaker for automobile vehicles. Soulat Georges (inventor). Issued 1-8-35.

1,987,569. Electric circuit breaker. Bresson Charles (inventor); Ateliers De Constructions Electriques De Delle (grantee). Issued 1-8-35.

1,987,733. Device for controlling from a distance the displacement of certain organs. Dussumier De Fonbrune Pierre Henry (inventor). Issued 1-15-35.

1,987,734. Method and apparatus for working glass dussumier De Fanbrune Pierre Henry (inventor). Issued 1-15-35.

1,988,139. Two liquid Cell. Pellini Joseph (inventor). Issued 1-15-35.

1,988,414. Boring apparatus adapted for the removal of the material by automatic dredging devices. Bogoutsky Pierre (inventor). Issued 1-15-35.

1,988,537. Electric welding machine. Breguet Louis (inventor); S A Des Ateliers D Aviation Louis Breguet (grantee). Issued 1-22-35.

1,988,562. Captive balloon. Letourneur Jean (inventor). Issued 1-22-35.

1,988,763. Crystallizing apparatus. Walter Jacques (inventor); Mines Domaniales De Potasse D Alsace (grantee). Issued 1-22-35.

1,988,893. Device for supporting driving and presenting views images advertisements and even articles. George Andre (inventor). Issued 1-22-35.

1,988,980. Safety closing circuit device for preventing stuffing in cinematographic apparatus. Debrie Andre Leon Victor Clement (inventor). Issued 1-22-35.

1,988,981. Drive for cinematographic films. Debrie Andre Leon Victor Clement (inventor). Issued 1-22-35.

1,988,989. Retardation device. Viard Georges (inventor); Lignes Telegraphiques et Telephoniques (grantee). Issued 1-22-35.

1,989,990. Apparatus for simultaneously coating the ends of a number of objects. Weeks Walter Roy (inventor). Issued 1-22-35.

1,990,022. Brush. Perrichon Pierre Joseph (inventor). Issued 1-22-35.

1,989,321. Traction device. Laize Auguste. (inventor). Issued 1-29-35.

1,989,499. Device for promoting chemical reactions and particularly the combustion of mixtures of gases and other materials such as vapors liquids and colloids. Sabot Rene Charles (inventor). Issued 1-29-35.

1,989,633. Animated luminous display system. Collard Robert Alphonse (inventor). Issued 1-29-35.

1,990,040. Perspective drawing instrument. Launay Andre Pierre Leopold (inventor). Issued 2-5-35.

1,990,044. Electrophonic filter. Mabboux Georges (inventor). Issued 2-5-35.

1,990,059. Turbine for elastic fluids adapted for use as compressors. Bertin Gabriel (inventor). Issued 2-5-35.

1,990,060. Sound volume regulator. Bethenod Joseph (inventor); Cie Generale de Telegraphie Sans Fil (grantee). Issued 2-5-35.

1,990,132. Knitting machine. Oudiette Maxime (inventor). Issued 2-5-35.

1,990,133. Yarn clearer. Regley Louis (inventor). Issued 2-5-35.

1,990,399. Process for the preparation of condensation products. Belloc Maurice (inventor); Soc Nobel Francaise (grantee). Issued 2-5-32.

1,990,428. Synchronizing system. De Regnauld De Bellescize Henri, Jean Joseph Marie (inventors). Issued 2-5-35.

1,990,633. Device for measuring the volume of flowing gas. Brandl Johann (inventor); Cie Pour La Fabrication Des Compteurs et Materiel D Usines A Gaz (grantee). Issued 2-12-35.

1,990,849. Machine for and method of forming tapes. Wagon Jean (inventor). Issued 2-12-35.

1,990,950. Wheeled gun carriage. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 2-12-35.

1,990,951. Wheeled gun carriage. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 2-12-35.

1,990,952. Wheeled gun carriage. Methlin Nicolas Emilien (inventor); Schneider and Cie (grantee). Issued 2-12-35.

1,991,255. Elevator for any applications. Martin Louis Joseph Henri (inventor). Issued 2-12-35.

1,991,296. Method for the automatic control of aviation engines. Schimanek Emil (inventor); Soc Du Carburateur Bieriot (grantee). Issued 2-12-35.

1,991,308. Blade of pumps or compressors. Zens Pierre (inventor). Issued 2-12-35.

1,991,453. Fluid distributor for hydraulic jacks. Giovannoni Jean Albert (inventor); Issued 2-19-35.

1,991,695. Building. Petrovitch Louis (inventor. 2-19-35.

1,991,795. Device for taking up the wear of pieces. Debaecker Gaston Lucien (inventor). Issued 2-19-35.

1,991,839. Electric timepiece. Favre Bulle Maurice Philippe (inventor). Issued 2-19-35.

1,991,923. Ammunition case. Dhome Alfred (inventor); Deffrenne Paul (grantee). Issued 2-19-35.

1,992,068. Sighting device for cameras. Gwozdecki Gustaw (inventor). Issued 2-19-35.

1,992,076. Lighter. Kirchner Leon (inventor). Issued 2-19-35.

1,992,091. Photographic roller holder. Petit Louis (inventor). Issued 2-19-35.

1,992,104. Mixing and distributing cock for hydrotherapy. Theodorides Michel (inventor). Issued 2-19-35.

1,992,143. Resistance for electric heating devices. Challet Etienne (inventor). Issued 2-19-35.

1,992,252. Speedometer. Stoecklin Charles (inventor); S A Tel (grantee). Issued 2-26-35.

1,992,572. Process for producing sulphates and sulphur. Harnist Charles (inventor). Issued 2-26-35.

1,992,643. Fastening device. Vidal Andre Jules (inventor). Issued 2-26-35.

1,992,854. Process for the obtaining of solutions of berryllium fluoride from double fluoride of beryllium and of an alkali metal. Beja Maurice (inventor); Cie De Produits Chimiques et Electrometallurgiques Alais Forges et Camargue (grantee). Issued 2-26-35.

1,992,994. Method for the manufacture of glass and similar products. Delpech Gaston (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantee). Issued 3-5-35.

1,993,245. Transporting and hoisting undercarriage. Meron Frederic (inventor). Issued 3-5-35.

1,993,246. Process and apparatus for recording sound. Nublat Rene Leon Adolphe (inventor). Issued 3-5-35.

1,993,252. Permutation lock. Zulli Maurice (inventor). Issued 3-5-35.

1,993,440. Duplicating form and arrangement for its production. Glogaud Pierre James Etienne (inventor). Issued 3-5-35.

1,993,486. Telephone repeating apparatus. Ricchiardi Pier Carlo (inventor). Issued 3-5-35.

1,993,544. Automtaic speed ratio control. Fleischel Gaston (inventor); Soc the Pour L Application Des Transmissions Automatiques Fleischel (grantee). Issued 3-5-35.

1,993,645. Tripping device. Birkigt Louis (inventor). Issued 3-5-35.

1,993,651. Bodywork. Daste Marius Joseph (inventor). Issued 3-5-35.

1,993,653. Load brake mechanism. Douziech Eugene Felix Marc (inventor); Soc Des Freins Houplain (grantee). Issued 3-5-35.

1,994,049. Sorter or separator. Saint Jacques Eugene Camille (inventor). Issued 3-12-35.

1,994,197. Split trail gun carriage. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 3-12-35.

1,994,210. Method of connecting hollow bodies. Chobert Jacques Francois Gabriel (inventor). Issued 3-12-35.

1,994,213. Process for manufacture of sodium auro thiomalate. Delepine Marcel (inventor); Soc Des Usines Chimiques Rhone Poulenc (grantee). Issued 3-12-35.

1,994,367. Hollow transparent unit for construction. Despret Georges Paul (inventor); Cie Reunies Des Glaces et Verres Speciaux Du Nord De La France (grantee). Issued 3-12-35.

1,994,399. Device for the transportation of goods. Moreau Gaston Andre Elie (inventor). Issued 3-12-35.

1,994,932. System for vaporizing liquids and the absorption of smoke evil odors and the like. Vidal Pierre Lucien (inventor). Issued 3-19-35.

1,995,228. Aircraft carburetor. Schimanek Emil (inventor); Soc Du Carburateur Bleriot (grantee). Issued 3-19-35.

1,995,416. Convertible equipment for compartments of sleeping cars and similar applications. Carcanagues Paul (inventor); Cie Internationale Des Wagons Lits et des Grands Express Europeens (grantee). Issued 3-26-35.

1,995,437. Color motion picture camera. Secci Armeno (inventor); Francita Soc De Films en Couleurs Naturelles (grantee). Issued 3-26-35.

1,995,578. Apparatus for testing the brakes of a motor vehicle. Piquerez Emile (inventor). Issued 3-26-35.

1,995,584. Electrode for arc welding. Sarazin Robert (inventor). Issued 3-26-35.

1,995,966. Apparatus for the conditioning of substances. Delemme Cyrille Arthur (inventor). Issued 3-26-35.

1,996,145. Device for receiving high frequency currents superimposed on electrical power supply lines. Chirol Maurice (inventor); Cie Pour la Fabrication Des Compteurs et Materiel d'Usines a Gaz (grantee). Issued 4-2-35.

1,996,150. Fluid meter. Eches Pierre Georges et al, Moreau Charles Andre (inventors); Cie Pour la Fabrication des Compteurs et Materiel d'Usines a Gaz (grantee). Issued 4-2-35.

1,996,316. Lifting device of the portable and dismountable type adapted for the mounting of vehicle wheels. Aubry Charles (inventor). Issued 4-2-35.

1,996,321. Lightning arrester with ionization chamber. Capart Gustav Paul (inventor); Soc a Responsabilite Limitee Dite le Parafoudre Universel Corona (grantee). Issued 4-2-35.

1,996,429. Formation of printing blocks. Ludvigsen Niels (inventor). Issued 4-2-35.

1,996,490. Cellular structure for panels and other applications. Romanoff Hippolyte Waldemar (inventor); Senutovich Wladimir, Nobel Emil (grantees). Issued 4-2-35.

1,996,539. Method of decorating objects and decorated objects obtained by means of these methods. Dufay Louis (inventor). Issued 4-2-35.

1,996,854. Device for ionizating sparking gaps. Capart Gustave Paul (inventor). Issued 4-9-35.

1,996,861. Device for preventing back firing capable of being used as theft preventing devices for any applications. Dores Gaston et al, Girard Lucien (inventors). Issued 4-9-35.

1,996,874. Articulated ankle joint for artificial feet. Mascau Emile Desire (inventor). Issued 4-9-35.

1,996,881. Means for regulating the temperature in explosion motors. Royer Georges Gaston (inventor). Issued 4-9-35.

1,996,915. Apparatus for progressively changing speed ratios. Fleischel Gaston (inventor); Soc Pour la Application des Transmissions Automatiques Fleischel (grantee). Issued 4-9-35.

1,996,952. Device for feeding heated rooms with water vapor. Cehendy Michel (inventor). Issued 4-9-35.

1,996,973. Motor compressor. Pescara Raul Pateras (inventor). Issued 4-9-35.

1,996,974. Motor compressor. Pescara Raul Pateras (inventor). Issued 4-9-35.

1,997,111. System of stroboscopic radiogoniometry. Hardy Rene Jean (inventor). Issued 4-9-35.

1,997,125. Separation of foreign bodies from powdered materials. Soyez Emile et al, Chercourrier Marcel (inventors). Issued 4-9-35.

1,997,303. Antiaircraft fire control table. Le Prieur Yves Paul Gaston et al, Ricordel Auguste Louis (inventors); Soc la Precision Moderne (grantee). Issued 4-9-35.

1,997,371. Picture transmitting device. Loiseau Louis Marie Jean (inventor). Issued 4-9-35.

1,997,391. Storage battery. Pautou Paul (inventor). Issued 4-9-35.

1,997,937. Apparatus for the thermic treatment of pulverized liquids or semiliquids. Leaute Pierre Marcel Andre (inventor); Soc de Recherches & de Perfectionnements Industriels (grantee). Issued 4-16-35.

1,997,975. Incandescent electric lamp. Perrin Marcel Charles et al, Vinzant Jean Eugene (inventors). Issued 4-16-35.

1,998,187. Improved optical combination. Conti James Tiburce Felix (inventor); Soc pour la Eclairage Rationnel Sper (grantee). Issued 4-16-35.

1,998,217. Apparatus for projecting molten pulverized bodies. Bendit Francois Philippe Charles (inventor). Issued 4-16-35.

1,998,355. Calculating machine and typewriter combined. Boutet Rene Edmond (inventor). Issued 4-16-35.

1,998,384. Process for preserving fresh vegetables in the raw state. Peitipas Julien (inventor). Issued 4-16-35.

1,998,435. Talking clock. Battegay Constant (inventor); S A Des Ateliers Brillie Freres (grantee). Issued 4-23-35.

1,998,533. Brake. Brisson Louis Charles. (inventor); S A Soc des Freins Hydrauliques S de Lavaud (grantee). Issued 4-23-35.

1,998,556. Portable cutting device. Polly Daniel (inventor); Soc Industrielle de Ferblanterie (grantee). Issued 4-23-35.

1,998,727. Method for measuring the rigidity & fatigue of structures. Le Rolland Paul Marcel (inventor). Issued 4-23-35.

1,998,740. Cock guide for metallic casks etc. Schubenel Robert (inventor). Issued 4-23-35.

1,998,788. Storage battery. Pautou Paul (inventor). Issued 4-23-35.

1,998,878. Process for the production of ethylene oxide. Lefort Theodore Emile (inventor); S A Soc Francaise de Catalyse Generalisee (grantee). Issued 4-23-35.

1,998,925. Process for the preparation of benzoic acid and benzoates. Demant Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 4-23-35.

1,999,246. Radiator. Maret Karol (inventor); Soc De Dietrich & Cie (grantee). Issued 4-30-35.

1,999,247. Radiotelegraphic receiver. Marrec Yves et al, Beauvais Georges Armand (inventors). Issued 4-30-35.

1,999,266. System of lubrication. Wilson Pierre (inventor). Issued 4-30-35.

1,999,337. Tempering of plate glass or other sheets made of any materials. Meer Raymond (inventor). Issued 4-30-35.

1,999,338. Manufacture of gloves. Mercier Julien Francois (inventor). Issued 4-30-35.

1,999,363. Hydrogeneration process. Fleury Andre Jean et al, Florentin Jean Marie Felix Daniel (inventors); Soc De Carburants Synthetiques (grantee). Issued 4-30-35.

1,999,752. Machine of the torus type. Dedieu Jean (inventor). Issued 4-30-35.

1,999,819. Flooring or like aggregate and unit for construction of the same. Thiers Eugene Germain Paul (inventor). Issued 4-30-35.

1,999,897. Stabilizing device. Ficux Jean (inventor); Schneider & Cie (grantee). Issued 4-30-35.

1,999,95-. Machine for assembling printed gatherings or similar objects. Bigelows Robert (inventor). Issued 4-30-35.

2,000,096. Process for manufacturing formaldehyde. Prudhomme Eugene Albert (inventor); Roman Lucien Henri (grantee). Issued 5-7-35.

2,000,240. Method and means for surfacing glass. Long Bernard (inventor); S A Des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 5-7-35.

2,000,504. Knot forming mechanism. Adrian Emile (inventor). Issued 5-7-35.

2,000,718. Rheostat. Schmitt Paul (inventor). Issued 5-7-35.

2,000,827. Land and water motor vehicle. Texier de la Caillerie Ulysse (inventor). Issued 5-7-35.

2,001,237. Machine for the manufacture of pipes. Bille Leon (inventor). Issued 5-14-35.

2,001,257. Resilient connection. Lacter Charles (inventor); Houdaille Maurice (grantee). Issued 5-14-35.

2,001,269. Hydraulic compressor. Sublette Serge Raymond (inventor). Issued 5-14-35.

2,001,357. Electric traction. Guignard Edouard (inventor); Soc Parisienne Pour L Industrie des Chemins de Fer et des Tramways Electriques (grantees). Issued 5-14-35.

2,001,546. Machine for covering electrical wires or tapes. Pourtier Gaston (inventor). Issued 5-14-35.

2,001,607. Automatic stabilizer for vehicles. Gianoli Marcel Louis (inventor). Issued 5-14-35.

2,001,613. Method of extracting the phenols of tars and similar mixtures. Jarry Robert Marie (inventor). Issued 5-14-35.

2,001,618. Buckle. Laurain Alfred (inventor); Soc du Caoutchouc Manufacture (grantee). Issued 5-14-35.

2,001,619. Motor car with trailer for camping. Levoyer Antoine Marie Louis (inventor). Issued 5-14-35.

2,001,863. Automobile door. Bedaux Charles E (inventor). Issued 5-21-35.

2,001,865. Gas density meter. Brandl Johann (inventor); Cie Pour la Fabrication des Compteurs et Materiel D Usines A Gaz (grantee). Issued 5-21-35.

2,002,404. Pulp strainer. Lamort Marcel (inventor); Etablissements E & M Lamort Fils (grantee). Issued 5-21-35.

2,002,406. Process of dyeing. Lantz Robert (inventor); S A des Matieres Colorantes & Produits Chimiques de Saint Denis (grantee). Issued 5-21-35.

2,002,414. Machine for drawing threads from fabrics. Ollendorff Jacques (inventor); Anciens Etablissements R Cornely and Cie S A (grantee). Issued 5-21-35.

2,002,422. Container for the transportation of goods. Lefevre Utile Michel Marie Jean (inventor). Issued 5-21-35.

2,002,432. Automatic machine for making serum phials. Comoy Leon Louis (inventor). Issued 5-21-35.

2,002,948. Device for placing protective coverings automatically on the seats of water closets. Jariot Camille (inventor). Issued 5-28-35.

2,003,317. Power transmission. Strandgren Carl Bruno (inventor). Issued 6-4-35.

2,003,348. Machine for cutting and resharpening the reeds of wind instruments. Dulac Pierre (inventor); Soc Charles Chedeville Albert Lelandais et Cie (grantee). Issued 6-4-35.

2,003,415. Process of treating earth nut kernels. Ammann Paul (inventor). Issued 6-4-35.

2,003,881. Auto collimated objective for color photography. Grosset Georges et al, Hudelev Victor, Lagrave Jean (inventors). Issued 6-4-35.

2,003,994. Marble sawing wire. D Avocourt Pierre de Vitry (inventor). Issued 6-4-35.

2,004,029. Impregnation of textile materials by latex. Bongrand Jean Etienne Charles et al, LeJuene Leon Sylvain Max (inventors). Issued 6-4-35.

2,004,034. Poise device. Cadiet Charles (inventor); S A des Etablissements Charles Testut (grantee). Issued 6-4-35.

2,004,040. Air cooling system for motors. Dintilhac Jean Georges (inventor); Soc Yacco S A F (grantee). Issued 6-4-35.

2,004,051. Apparatus for continuously cleaning railway ballast. Lemaire Maurice Henri (inventor). Issued 6-4-35.

2,004,111. Apparatus for presenting advertisement pictures and others. Heaulme Henri (inventor). Issued 6-11-35.

2,004,240. Electric traction. Gratzmuller Louis Rene Eugene (inventor). Issued 6-11-35.

2,004,624. Device for setting tubular rivets. Antelme Jean Baptiste Selde (inventor); Bleriot Aeronautique (grantee). Issued 6-11-35.

2,004,822. Pressure control for pneumatic tires. Mercier Louis Marcel (inventor). Issued 6-11-35.

2,004,845. Bogie for vehicles traveling upon rails. Worms Jacques (inventor). Issued 6-11-35.

2,004,850. Seat for use in road or rail vehicles. Bugatti Ettore (inventor). Issued 6-11-35.

2,004,865. Ammunition supplying device for guns mounted in turrets or the like. Daum Leon (inventor); Schneider & Cie, Cie des Forges & Acleries de la Marine et D Homecourt (grantees). Issued 6-11-35.

2,004,866. Ammunition supplying device for guns mounted in turrets or the like. Daum Leon (inventor); Cie des Forges et Acleries et la Marine et D Homecourt, Schneider & Cie (grantees). Issued 6-11-35.

2,004,882. Apparatus for delivering flat elements one at a time more especially for delivering envelopes to an obliterating machine. Vorms Armand (inventor); Soc de L Outillage R B V S A Francais (grantee). Issued 6-11-35.

2,005,049. Apparatus for making imitation Astrakhan fur. Romane Georges (inventor). Issued 6-18-35.

2,005,065. Means for opening containers of all kinds. Saignier Etienne (inventor). Issued 6-18-35.

2,005,774. Production of benzoic acid and benzoates. Demant Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 6-25-35.

2,005,842. Toy aeroplane. Marcus Etienne (inventor). Issued 6-25-35.

2,005,862. Electromotive forces comparing device. Antraniklan Haig (inventor). Issued 6-25-35.

2,006,126. Sorting apparatus for substances of different densities. Berry Francois Jacques Barthelemy (inventor). Issued 6-25-35.

2,006,171. Lighting apparatus. Kalhaus Ernst et al, De Christmas Dirckinck de Holmfeld John Edmond, De Christmas Dirckinck de Holmfeld Valdemar (inventors). Issued 6-25-35.

2,006,233. Combined picture and sound recording and reproduction in motion pictures. Chretien Henri (inventor). Issued 6-25-35.

2,006,247. Hydraulic engine. Eynard Elysee Marius (inventor). Issued 6-25-35.

2,006,260. Hat working machine. Casse Marcel (inventor). Issued 6-25-35.

2,006,261. Ratchet device for preventing the rearward motion of power driven vehicles. Catella Atille (inventor). Issued 6-25-35.

2,006,262. Mechanism for angular adjustment of gun sights. Charvet Gustave (inventor); Anciens Etablissements Barbier Benard & Turenne (grantee). Issued 6-25-35.

2,006,276. Safety bolt. Nodiere Victor (inventor). Issued 6-25-35.

2,006,375. Fuse for projectiles. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 7-2-35.

2,006,415. Swimming and life saving apparatus. Ferber Robert Paul Frederic (inventor). Issued 7-2-35.

2,006,434. Process for the manufacture of dispersion products). Tassel Edmond (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 7-2-35.

2,006,971. Liquid container. Verdini Jean Louis Joseph Robert (inventor). Issued 7-2-35.

2,006,985. Method and apparatus for obtaining power from sea water. Claude Georges et al, Boucherot Paul (inventors). Issued 7-2-35.

2,007,080. Motor cooling assembly. Dintilhac Jean Georges (inventor); Soc Yacco S A F (grantee). Issued 7-2-35.

2,007,091. Process for obtaining products of great value easily and rapidly by electrolytic means. Kuppel Hermann et al, Simeant Louis (inventors); Soc a Responsabilite Limitee Kuppel and Simeant (grantee). Issued 7-2-35.

2,007,106. Automatic aerodynamic stabilizer for airplanes. Bemberg Otto Eduardo (inventor). Issued 7-2-35.

2,007,805. Apparatus for stabilizing the movement of opposed pistons in internal combustion engines. Pescara Raul Pateras (inventor). Issued 7-9-35.

2,007,823. Internal combustion engine of the two cycle type. Bernard Auguste Louis Rene (inventor); Soc Fusion Moteurs (grantee). Issued 7-9-35.

2,007,336. Fuel filter. Malivert Jules Eugene (inventor). Issued 7-9-35.

2,007,400. Apparatus for the leveling of railways. Lemaire Maurice Henri (inventor). Issued 7-9-35.

2,007,417. Air propeller with variable pitch. Aivaz Jacques (inventor). Issued 7-9-35.

2,007,479. Manufacture of organic iodine compounds. Salles Pierre Max Raoul et al, Loubatie Mathieu Rene (inventors). Issued 7-9-35.

2,007,873. Vehicle body top capable of being stowed away. Paulin Georges Auguste (inventor). Issued 7-9-35.

2,008,050. Ball joint. Tampier Rene Jean Camille (inventor). Issued 7-16-35.

2,008,112. Process for obtaining alumina. Sailles Jean Charles (inventor). Issued 7-16-35.

2,008,127. Thread composed of textile fibers. Bongrand Jean Etienne Charles et al, Lejeune Leon Sylvain Max (inventors). Issued 7-16-35.

2,008,335. Support for glass capsules containing pharmaceutical products. Nuyts Georges (inventor); S A Etablissements Nuyts Freres (grantee). Issued 7-16-35.

2,008,338. Watch. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantee). Issued 7-16-35.

2,008,457. Process for obtaining three color films. Lessertisseux Paul Emmanuel Francois (inventor). Issued 7-16-35.

2,008,472. Method for protecting concrete structures. Sailles Jean Charles (inventor). Issued 7-16-35.

2,008,696. Continuous furnace. Fourment Marcel (inventor). Issued 7-23-35.

2,008,834. Variable directional mouthpiece for ejectors. Marchaut Pierre Jean (inventor). Issued 7-23-35.

2,009,161. Device combined with a rangefinder for facilitating the measurement of the ranges of moving objectives. Castellani Antoine (inventor); Soc d Optique et de Mecanique de Haute Precision (grantee). Issued 7-23-35.

2,009,275. Servo brake. Piganeau Gerard Pierre (inventor). Issued 7-23-35.

2,009,276. Vehicle of any type and more particularly in railway carriages. Rimailho Emile (inventor). Issued 7-23-35.

2,009,282. Improved burring motion for treating wool and other textile fibers. Thibeau Antoine (inventor). Issued 7-23-35.

2,009,295. Oleaginous solution of organic salts of bismuth. Goissedet Paul Emile Charles et al, Despois Robert Ludovic (inventors); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 7-23-35.

2,009,362. Method of constructing monolithic canalized structures. Mourraille Jean Pierre Louis (inventor); Ste Dite Satujo Ste Anme de Construction de Tuyaux Sans Joints Systeme Cravetto Brevete S G D G (grantee). Issued 7-23-35.

2,009,503. Electrostatic machine. Landwerlin Georges (inventor). Issued 7-30-35.

2,009,520. Electroacoustic device. Reisz Eugen (inventor). Issued 7-30-35.

2,009,749. Shock absorber. Simon Lucien et al, Marcon Rene (inventors); Soc d Exploitation des Brevets Lucien Simon Amortisseurs Sanchok S A (grantee). Issued 7-30-35.

2,009,761. Dispensing device. Calderara Mario (inventor). Issued 7-30-35.

2,009,918. Adjustable chair. Grassi Marcel Henri (inventor). Issued 7-30-35.

2,010,185. Lip stick holder. Garreau Louis (inventor). Issued 8-6-35.

2,010,269. Tipping body. Kutsukian Frank (inventor). Issued 8-6-35.

2,010,437. Collapsible automatic erection egg box. Nuyts Georges Alfred Hippolyte (inventor). Issued 8-6-35.

2 010 617 Mounting of wheels for vehicles running on roads and on rails. Willeme Louis (inventor). Soc Pour l Exploitation de Brevets de Roues Automobiles Sobra (grantee). Issued 8-6-35

2 010,623 Shock absorber. Bugatti Ettore (inventor). Issued 8-6-35

2 010 625 Bodywork. Daste Marius Joseph (inventor). Issued 8-6-35

2,010,742. Firearm. Sutter Charles (inventor); S A des Anciens Etablissements Hotchkiss & Cie (grantee). Issued 8-6-35

2,010,760. Large output device for measuring volumes of granulated material. Hanique Alfred (inventor). Issued 8-6-35.

2,010,897. Automatic safety circuit breaking device for vehicles. Rodel Guy Marie Jacques (inventor). Issued 8-13-35.

2 010,916. Process of and apparatus for pouring glass to be formed into sheets or plates. Despret Georges Paul (inventor); Cie Reunies des Glaces et Verres Speciaux du Nord de la France (grantee). Issued 8-13-35

2 010,974. Dispensing apparatus for sparkling beverages. Andrieu Robert Joseph (inventor). Issued 8-13-35

2 011,156. Process for the manufacture of paper. Nelson Harry Huet et al, Becker Guillaume (inventors). Issued 8-13-35.

2,011,238 Vehicle brake tester. Boixin Maurice Jules (inventor). Issued 8-13-35

2,011,472. Fastening and assembling device. Chabert Jacques Francois Gabriel (inventor). Issued 8-13-35

2 011 490 Plastic artificial leather composition. Perrin Paul Henri, Vulliet Duran Gaston Hubert, et al (inventors); Perrin Paul Henri (grantee). Issued 8-20-35.

2,011,888 Air cleaner. Bernard Auguste Louis Rene (inventor); Fusion Moteurs (grantee). Issued 8-20-35.

2,012,000. Device preventing the backfire in internal combustion engines. Eyssartier Georges (inventor). Issued 8-20-35.

2 012,061. Process for the preparation of monochromates and dichromates. Demandt Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 8-20-35.

2 012,062. Process for the preparation of monochromates and dichromates. Demandt Jules Emile (inventor); Bozel Maletra Soc Industrielle de Produits Chimiques (grantee). Issued 8-20-35.

2 012,187 Sound emitting system. Florisson Charles Louis (inventor); Soc de Condensation & D Applications Mecaniques (grantee) Issued 8-20-35.

2 012,369. Resilient wheel for rail vehicles. Bacqueyrisse Louis (inventor). Issued 8-27-35

2,012,765. Alloy steel chiefly for use in the manufacture of railroad parts, rails and the like. Marthourey Paul Pierre (inventor); Acieries de Gennevilliers (grantee). Issued 8-27-35.

2 012,769. Process for treating yarns. Beaufaillt Louis (inventor) Issued 8-27-35

2 012,884. Regulating vapor electric discharge rectifier. Leroy Louis (inventor); Forges et Ateliers de Constructions Electriques de Jeumont S A (grantee). Issued 8-27-35.

2 013,032 Device for feeding or withdrawing bottles for bottle rinsing machines. Chelle Paul Louis (inventor). Issued 9-3-35.

2 013 484. Pump. Alvaz Jacques (inventor). Issued 9-3-35

2 013 533. Device for shaping sticks of paint and similar purposes. Gamard Denise (inventor) Issued 9-3-35

2,013,567. Reed for saxophones, clarinets and like wind instruments. Maccaferri Mario (inventor). Issued 9-3-35.

2 013 586 Device for changing gear. Semasy Jean Marie Charles (inventor). Issued 9-3-35

2 013 665 Remote control apparatus. Mesnier George Louis Rene Jean deed (inventor); Messier Yvonne Lucie born Bonnamy admx (grantee). Issued 9-10-35.

2,013,812. Inking device. Supligeau Charles Leon Hippolyte, Guyot Robert Richard Jean et al (inventors). Issued 9-10-35.

2,013,850. Device for measuring or drawing angles and inclinations. Marischal Omer Marie Cyrille (inventor). Issued 9-10-35.

2,013 933. Machine for inserting and removing boiler tubes. Wagner Georges (inventor). Issued 9-10-35.

2 013,969. Apparatus for capturing insects. Menasche Vitali (inventor); Nomosquito (grantee). Issued 9-10-35.

2,014,087 Construction of buildings and the like. Mopin Eugene Germain Paul (inventor). Issued 9-10-35.

2,014,088. Pump injector apparatus. Nicholas Jean (inventor); Cie Lilloise de Moteurs (grantee). Issued 9-10-35

2,014,318. Hand shoe stitching machine. Fiquet Arthur Louis, Mousset Andre Gabriel et al (inventors). Issued 9-10-35.

2,014,338. Feed device for hydraulic transmissions. Messier George Louis Rene Jean Deed (inventor); Messier Yvonne Lucie born Bonnamy Admx (grantee). Issued 9-10-35.

2,014,339. Hydraulic apparatus for controlling brakes. Messier George Louis Rene Jean Deed (inventor); Messier Yvonne Lucie Born Bonnamy Admx (grantee). Issued 9-10-35.

2,014,508 Bed & the like. Pupier Andre (inventor) Issued 9-17-35.

2,014,686. Combustion of fuels. Lubovitch Eugene, Fieschi Jean Midor et al (inventors); Lubovitch Eugene (greater). Issued 9-17-35.

2,014,688. Process & device for the application of elasticimetry particularly of photoelasticimetry. Mabboux Georges (inventor). Issued 9-17-35.

2,014 746 Method of making nails. Robergel Gabriel (inventor). Issued 9-17-35

2,014,757. Process for the integral transformation of coke oven gas or town gas into ammonia & methyl alcohol. Blondelle Raymond (inventor); Soc des Mines de Dourges (grantee). Issued 9-17-35

2,014,942 Spraying apparatus for atomizing paint and other liquids. Lemoine Henri Guido (inventor) Issued 9-17-35.

2,015,066. Process of making storage battery separators. Ekisler Jean (inventor); Pagenel Maurice (grantee). 9-17-35.

2,015,151. Breast supporter. Morty Henri (inventor). 9-24-35.

2,015,217. Method based upon the use of vibrations and apparatus therefor. Denlau Marcel (inventor). Issued 9-24-35.

2,015,464 Separator. Saint Jacques Eugene Camille (inventor). Issued 9-24-35.

2,015,870. Process and apparatus for concentrating and esterifying aliphatic acids. Ricard Eloi, Guinot Henri Martin, Parant Andre Marie et al (inventors); S A Usines de Melle (grantee). Issued 10-1-35

2,015,906 Block for correspondence. Peltzer Victor Henri (inventor); Soc Dualis (grantee Issued 10-1-35.

2,015 993 Suction apparatus. Foreau Rene (inventor); S A Anciens Etablissements a Chanard (grantees) Issued 10-1-35.

2,016,061. Mixing device. Thiberge Paul Louis Armand (inventor). Issued 10-1-35.

2,016,190. Spinning or twisting machine. Boutry Pierre (inventor); S A Dite Filatures Boutry Droulers (grantee) Issued 10-1-35.

2,016,217. Production of cinematographic films. Ragum Georges Andre (inventor); Soc Lumiere (grantee) Issued 10-1-35.

2,016,613. Motor compressor. Pescara Raul Pateras (inventor). Issued 10-8-35

2,016,615. Despatching system for banks of elevators and the like. Reche Henry Leopold Roger (inventor); S A Etablissements Etoux Samain (grantee). Issued 10-8-35

2,016,621. Reciprocating pump. Bernard Auguste Louis Rene (inventor); Fusion Moteurs (grantee). Issued 10-8-35.

2,016,718. Method for treating bronze waste for recovering copper tin lead and precious metals therefrom. Hollard Auguste (inventor). Issued 10-8-35.

2,016,853. Connector particularly for lamps having two filaments. Conti James Hilburce Felix (inventor). Issued 10-8-35

2,017,043. Device for conveying gaseous streams. Galliot Norbert (inventor). Issued 10-15-35.

2,017,357. Metal carriage for mule machine. Taine Roger (inventor); Soc Alsacienne de Constructions Mecaniques (grantee). Issued 10-15-35.

2,017,416. Sanitary appliance such as wash basins bidets sinks baths and the like. Mallet Charles et al, Couetoux Henry Charles (inventors); Etablissements Jacob Delafon Cie Ceramique de Pouilly Sur Saone et Belvoye (grantees). Issued 10-15-35.

2,017,471. Absorption refrigerating machine with heat recovery. Normelli Wulf Bozelius (inventor). Issued 10-15-35

2,017,646. Bath for the electrodeposition of cobalt. Berger Henri (inventor). Issued 10-15-35.

2,017,788. Steel welding method. Delachevalerie Clarence Leon (inventor); Acieries de Gennevilliers Anciens Etablissements Daux-chaux (grantees). Issued 10-15-35.

2,017,961. Fluid current motor. Ferral Frederic (inventor). Issued 10-22-35.

2,018,056. Method & means for finishing siliceous articles. Delpech Gaston (inventor); S A Des Manufactures Des Glaces & Produits Chimiques de Saint Gobain, Chauny & Cirey (grantees). Issued 10-22-35.

2,018,118. Method for transforming into a mixture of carbon monoxide nitrogen & hydrogen residual gas & blow off gas resulting from the manufacture of hydrogen by the processes based on the iron water vapor reaction. Blondelle Raymond (inventor); Soc Des Mines de Dourges (grantee). Issued 10-22-35.

2,018,533. Continuously variable change speed gear. Ramin Jean Robert (inventor) Issued 10-22-35.

2,018,564. Hinge with hydraulic brake. Mally Lucien Charles Eugene (inventor). Issued 10-22-35.

2,018,592. Cinematography in relief. Albert Albert (inventor). Issued 10-22-35

2,018,593. Machine for testing metals & other solid materials. Arthuis Albert Rene (inventor). Issued 10-22-35.

2,019,023. Fluid pumping apparatus. Sailliere Serge Raymond (inventor) Issued 10-29-35.

2,019,046. Method and means of manufacturing hollow articles. Delpech Gaston (inventor); S A Des Manufactures Des Glaces et Produits Chimiques de Saint Gobain, Chauny and Cirey (grantees). Issued 10-29-35.

2,019,096. Production of suppression in photocells. Rother Franz (inventor) Issued 10-29-35.

2,019,398. Process and apparatus for chamfering the sharp edges of small plates of a lining. Desagnat Gaston (inventor) Issued 10-29-35.

2,019,412. Manufacture of cartons paper and like receptacles of thin metal and paper cardboard and the like. Heyndrickx Pierre (inventor). Issued 10-29-35.

2,019,420. Process for facilitating the impregnation of latex into textile fibers threads tissues cords and other textile materials. LeJeune Leon Sylvain Max et al, Bourgin Jean Etienne Charles (inventors) Issued 10-29-35.

2,019,694. Nozzle for the expansion of liquids. Reitlinger Henri B (inventor); Office National Des Recherches Scientifiques et Industrielles et Des Inventions Husson Camille (grantees). Issued 10-29-35.

2 019,800. Pneumatically playing accordion. Seybold Rene (inventor). Issued 11-5-35.

2 020,095. Bottle and stopper assembly. Bergaud Felicie Eugenie Amelie Wanpoulle (inventor). Issued 11-5-35.

2 020,105 Automatic piloting device. Constantin Louis (inventor). Issued 11-5-35.

2 020,109. Preservation of fish by cold storage. De Meric de Bellefon Hugues et al, Marie Jacques, Folliot Joseph Ernest Alexandre (inventors); Soc Rene Mauballarcq & Cie (grantee). Issued 11-5-35.

2 020,178. Method of and apparatus for the manufacture of safety glass. Haas Jean (inventor); Soc Generale D'Optique S A Des Anciens Etablissements Huet & Cie et Jumelles Flammarion (grantees). Issued 11-5-35.

2 020,635. Apparatus for picking up objects from a conveyer. Derome Pierre Leon (inventor); Etablissements A Derome S A (grantee). Issued 11-12-35.

2 020,788. Torpedo wake reducing device. Konstantinoff Jean (inventor). Issued 11-12-35.

2 020,905. Compensated compass especially for aerial vehicles. Robert Guy Octave (inventor). Issued 11-12-35.

2 021,051. Safety screw. Desbrueres Edmond Pierre (inventor). Issued 11-12-35.

2 021,092. Improved method and means for incorporating a fluid to a stream of a fluid or of a pulverulent solid. Tellet Jean Antoine Marcel (inventor). Issued 11-12-35.

2 021,670. Machine for the manufacture of bottles flagon, and other hollow glass objects. Boirant Emile (inventor); S A D'Etudes et de Constructions D Appareils Mecaniques Pour la Verrerie (grantee). Issued 11-19-35.

2 021,777. Self winding watch. Hatot Leon (inventor). Issued 11-19-35.

2 022,140. Spark plug provided with an ionizing catalytic element. Michel Charles (inventor). Issued 11-26-35.

2 022,214. Expanding support for casting cores. Martel Emile Leon Joseph (inventor). Issued 11-26-35.

2 022,217. Method for securing and tensioning resilient spokes for wheels provided with a suspended hub. Rimailho Emile (inventor). Issued 11-26-35.

2 022,432. Printing apparatus for transferring bichrome or trichrome pictures to Lenticulated films. Rodde Armand et al, Herault Albert Henri, Hudeley Victor, Lagrave Jean (inventors). Issued 11-26-35.

2 022,498 Machine for making printing plates or stencils. Glogaud Pierre James et al, Etienne, Souze Paul Amedee (inventors). Issued 11-26-35.

2 022,567 Endless track. Kegresse Adolphe (inventor). Issued 11-26-35.

2 022,589. Method of treating cellulosic matter. Dobry Alma (inventor); Cie de Produits Chimiques et Electrometallurgiques Olais (grantees). Issued 11-26-35.

2 022,957. Carburetor. Drouin Charles (inventor). Issued 12-3-35.

2 023,275. Method and means for surfacing glass. Long Bernard (inventor); S A Des Manufactures Des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 12-3-35.

2 023,304. Tractor wheel. Brodart Marcel (inventor). Issued 12-3-35.

2 023,308. Floating roof for tanks. Cantacuzene Servan Georges (inventor). Issued 12-3-35.

2 023,329. Setting head for machines for the grinding of worms. Lechesne Gabriel (inventor); Durand Paul (grantee). Issued 12-3-35.

2 023,505. Synchronous device. Barthelemy Rene (inventor); Cie Pour la Fabrication Des Compteurs Et Materiel D Usines A Gaz (grantee). Issued 12-10-35.

2 023,572. Method for effecting by pressure the face grinding of hard material surfaces. Brendel Georges Fernand (inventor); S A Dite Soc Marbriere De Paris (grantee). Issued 12-10-35.

2,023,646. Tubular heat exchange apparatus. Richard Henri Andre (inventor). Issued 12-10-35.

2,023,648. Machine for manufacturing zip fasteners. Schune Lucien Marcel (inventor). Issued 12-10-35.

2,023,737. Endless track vehicle. Martinage Leon (inventor). Issued 12-10-35.

2,023,745. Device for the continuous renewal of glass in a drawing off basin attached to a glass furnace. Boirant Emile (inventor); S A D Etudes Et De Constructions D Appareils Mecaniques Pour La Verrerie (grantees). Issued 12-10-35.

2,023,746. Rotating drawing off basins attached to glass furnaces. Boirant Emile (inventor); S A D Etudes Et De Constructions D Appareils Mecaniques Pour La Verrerie (grantee). Issued 12-10-35.

2,023,750. Feathering paddle wheel. Strandgren Carl Bruno (inventor). Issued 12-17-35

2,024,048. Compound tunnel or flame furnace. Kyriacou Nicolas (inventor). Issued 12-10-35

2,024,269. Piston. Bernard Auguste Louis Rene Dec (inventor); Bernard Renee Nee Bournonville Exer (grantee). Issued 12-17-35.

2,024,307. Mattressing. Rosenfeld Salomon (inventor). Issued 12-17-35.

2,024,538. Change speed apparatus. Saives Leon (inventor); Renault Louis (grantee). Issued 12-17-35.

2,024,848. Internal combustion engine. Cousin Maurice (inventor). Issued 12-17-35

2,024,854. Means for treating substances. George Henri (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny & Cirey (grantee). Issued 12-17-35.

2,024,864. Chromatable azo dyestuffs and their production. Kopp Georges, Peticolas Pierre et al (inventors); Cie Nationale De Matieres Colorantes Et Manufactures De Produits Chimiques Du Nord Reunies Etablissements Kuhlmann (grantee). Issued 12-17-35.

2,024,018. Explosion motor. Mondragon Hector Eugene (inventor). Issued 12-17-35

2,024,176 Motor compressor. Pescara Raul Pateras (inventor). Issued 12-24-35.

2,024,177. Motor compressor. Pescara Raul Pateras (inventor). Issued 12-24-35.

2,025,195. Starting device for engines. Cibie Pierre (inventor). Issued 12-24-35.

2,025,326. Fire extinguisher. Bouillon Joseph Marie Francois (inventor). Issued 12-24-35.

2,025,338. Lightning rod assembly. Capart Gustave Paul (inventor). Issued 12-24-35.

2,025,402. Apparatus for the roasting or the calcination of pulverulent materials. Saint Jacques Eugene Camille (inventor); Soc Chantereine D Applications Industrielles De Brevets (grantee). Issued 12-24-35.

2,025,454. Check valve for air brakes. Houplain Georges (inventor). Issued 12-24-35.

2,025,483. Closure device with separable fasteners for cloths and the like. Tchekhovitch Apollon (inventor). Issued 12-24-35

2,025,496. Paving of roads or streets. Courtois Georges (inventor); Soc Francaise Du Viallit (grantee). Issued 12-24-35.

2,025,559. Polychromatic printing plate. Tchechonin Serge (inventor). Issued 12-24-35.

2,025,608. Method and apparatus for recording and reproducing mechanical vibrations. Nublat Rene Leon Adolphe (inventor); Soc A Responsabilite Ltee Soc D Etudes Pour L Exploitation Des Brevets Nublat (grantee). Issued 12-24-35.

2,025,634. Evaporator for refrigerating plants. Bernat Raoul et al, Bernat Henri (inventors). Issued 12-24-35.

2,025,640. Gyrostat. Broulhiet Georges (inventor). Issued 12-24-35.

2,025,671. Cinematographic film in natural colors. Raguin Georges Andre (inventor); Soc Lumiere (grantee). Issued 12-24-35

2,025,720. Independent wheel suspension. Broulhiet Georges (inventor). Issued 12-31-35.

2,025,721. Front axle provided with independent wheels. Broulhiet Georges (inventor). Issued 12-31-35.

2,025,952. Casing holding display matter for motor vehicles. Levet Georges (inventor); S A Des Usines Chausson (grantee). Issued 12-31-35.

2,025,953. Fire extinguishing device. Marchaut Pierre Jean (inventor). Issued 12-31-35.

2,025,982. Light projector. Guicherd Louis (inventor). Issued 12-31-35.

2,025,996. Light sensitive organic chromic salt colloid layer and process of preparing same. Maillet Gaston (inventor). Issued 12-31-35.

2,026,094 Time fuse. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 12-31-35.

2,026,244. Universal constant speed joint. Myard Francis Emile (inventor). Issued 12-31-35

2,026,439. Apparatus for molding fuel briquettes. Sanial Eugene (inventor); Soc A Responsabilite Limitee Dite Distillation A Basse Temperature Et Auto Agglomeration Des Combustibles (grantee). Issued 12-31-35.

2,026,466. Electrolytic system for the production of aluminum. Grolee Jean (inventor); Cie De Produits Chimiques Et Electrometallurgiques Alais (grantees). Issued 12-31-35.

2,026,927. Corking machine. Wintenberger Paul (inventor). Issued 1-7-36.

2,027,475. Apparatus for the purification of water. Giraud Pierre Rene (inventor); Soc D Etude Pour L Epuration Des Eaux Procedes G Et B (grantee). Issued 1-14-36.

2,027,678 Cinematographic film driving device. Debrie Andre Leon Victor Clement (inventor). Issued 1-14-36

2,027,679. Cinematographic projector. Debrie Andre Leon Victor Clement (inventor). Issued 1-14-36.

2,027,680. Projecting machine for sound cinematographs. Debrie Andre Leon Victor Clement (inventor). Issued 1-14-36.

2,027,763. Process of making hard sintered metals. Boecker Gustav (inventor); Acidia (grantee). Issued 1-14-36.

2,027,877. Motor compressor. Pescara Raul Pateras (inventor). Issued 1-14-36.

2,027,903. Apparatus for testing liquids and especially lubricants. Dintilhac Jean Georges (inventor); Soc L'Huile Des Records Du Monde S A F (grantee). Issued 1-14-36.

2,027,924. Freewheel device. Moreau Pierre (inventor). Issued 1-14-36.

2,027,966. Suspension device. Dubonnet Andre (inventor). Issued 1-14-36.

2,028,046. Door constituting a removable and changeable refrigerating unit for refrigerating plants. Calatroni Edison (inventor). Issued 1-14-36.

2,028,193. Flushing apparatus. Colliot Jules Henri (inventor). Issued 1-21-36.

2,028 233. Welding. Naeder Maurice (inventor). Issued 1-21-36.

2,028,312. Electroplating of aluminum. Bornhauser Oscar (inventor); Soc D Electrochimie D Electrometallurgie Et Des Acieries Electriques D Ugine (grantee). Issued 1-21-36.

2,028,434. Device for effectively dissipating heat from machine parts. Bernard Auguste Louis Rene Decd (inventor); Bernard Renee Nee Bournonville Exer. (grantee). Issued 1-21-36.

2,028,476. Garage for automobiles & the like. Rome Jacques et al, Rubinstein Kurt (inventors). Issued 1-21-36.

2,028,494. Machine for making finishing welts. Blanchet Paul et al, Tillie Gaston (inventors); S A F A C A (grantee). Issued 1-21-36.

2,028,518. Cell of the solid electrolyte type. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 1-21-36.

2,028,587. Multiple switch. Brustlein Jean (inventor); Gavoret Georges & Cie (grantee). Issued 1-21-36.

2,028,675. Expansion valve for steam. Lavergne Jean (inventor); Soc Cie De Chauffage Central Par Le Vide (grantee). Issued 1-21-36.

2,028,996. Manufacture of cartridge case cups. Sautier Emile (inventor); Manufacture De Machines Du Haut Rhin S A (grantee). Issued 1-28-36.

2,029,797. Apparatus for the manufacture of cups from which cartridge cases can be cold drawn. Sautier Emile (inventor); Manufacture De Machines Du Haut Rhin S A (grantee). Issued 2-4-36.

2,029,829. System for ensuring fluid tightness for horizontal hydraulic cylinders. Messier George Louis Rene Jean Dec (inventor); Messier Yvonne Lucie Born Bonnamy Admx (grantee). Issued 2-4-36.

2,030,017. Automatic smoke preventer. Mlle Raymond (inventor) Issued 2-4-36.

2,030,018. Apparel belt. Mcuilbau Jules (inventor); Soc Du Caoutchouc Manufacture (grantee). Issued 2-4-36.

2,030,162. Heating block for the treatment of hair. Waret Julien (inventor). Issued 2-11-36.

2,030,491. Device for applying luminescent tubes to power transmission lines. Abadie Jean Baptiste Joseph Marcel (inventor). Issued 2-11-36.

2,030,795. Color Cinematography. Hudeley Victor et al, Lagrave Jean (inventors). Issued 2-11-36.

2,030,963. Discharge tube. Claude Andre (inventor); S A Pour Les Applications De L Electricite Et Des Gaz Rares Etablissements Claude Paz & Silva (grantee). Issued 2-18-36.

2,031,379. Carburetor. Mathieu Eugene (inventor). Issued 2-18-36.

2,031,554. Recovery of the gases and dust evolved in the electrolytic manufacture of aluminum. Torchet Pierre Jean Michel (inventor); Cie De Produits Chimiques Et Electrometallurgiques Alais (grantee). Issued 2-18-36.

2,031,736. Radio receiving system. Rotard Yves (inventor); La Radiotechnique (grantee). Issued 2-25-36.

2,031,852. Meter for liquids. Poilot Jean Pierre Edmond (inventor); Etablissements Pompes Guinard Pompes Guinard & Etablissements Cohendet Reunis (grantee). Issued 2-25-36.

2,032,076. Lap forming apparatus. Weinbrenner Jules (inventor). Issued 2-25-36.

2,032,108. Two stroke engine. Bernard Auguste Louis Rene Dec (inventor); Bernard Renee Nee Bournonville Excx (grantee). Issued 2-25-36.

2,032,148. Electrically actuated pulsator pump. Ramige Cecile (inventor). Issued 2-25-36.

2,032,229. Telephone call apparatus. Servanton Jacques et al, Consael Jean Marie (inventors). Issued 2-25-36.

2,032,267. Wagon for transportation by rail and by road. Degiarge Julien Rene Louis (inventor). Issued 2-25-36.

2,032,622. Reflector. Le Guillou Rene Jean (inventor); Soc Des Applications Guillux (grantee). Issued 3-3-36.

2,032,652. Process & apparatus for carrying out chemical reactions in particular catalytic reactions. Du Chaffaut Roger (inventor); L Air Liquide S A Pour L Etude & L Exploitation Des Procedes Georges Claude (grantee). Issued 3-3-36.

2,032,673. Machine for manufacturing reenforcing elements for concrete structures. Thiberge Jean Georges (inventor). Issued 3-3-36.

2,032,955. System of assembly for the elements of constructional toys. Roussy Louis et al, Trubert Rene (inventors). Issued 3-3-36.

2,032,975. Suspension device for automobiles. Broulhiet Georges (inventor). Issued 3-3-36.

2,032,977. Heat treating welded steel parts. Delachaux Clarence Leon (inventor); Acieries De Gennevilliers Anciens Etablissements Delachaux (grantee). Issued 3-3-36.

2,032,994. Bismuth campholate. Lecoq Louis (inventor). Issued 3-3-36.

2,033,172. Process for the manufacture of alloys containing boron. Andrieux Jean Lucien (inventor); Soc D Electrochimie D Electrometallurgie Et Des Acieries Electriques D Ugine (grantee). Issued 3-10-36.

2,033,351. Process of manufacture of paper. Nelson Harry Huet et al, Becker Guillaume (inventors). Issued 3-10-36.

2,033,508. Electric Apparatus. Bignon Lucien (inventor). Issued 3-10-36.

2,033,517. Heating device. Gazda Leopoldine (inventor). Issued 3-10-36

2,033,581. Portable wire tying machine. Malinge Leon (inventor). Issued 3-10-36.

2,033,590. Clutch control for motor vehicles. Saives Leon (inventor); Renault Louis (grantee) Issued 3-10-36.

2,033,721. Suspension system. Liron Charles et al, Veper George (inventors). Issued 3-10-36.

2,035,733. Homokinetic transmission joint. Myard Francis Emile (inventor). Issued 3-10-36.

2,033,810. Internal combustion engine. Bernard Auguste Louis Rene Dec (inventor); Bernard Renee Born Bournonville Excx (grantee). Issued 3-10-36.

2,033,938. Shock absorber for motor and other vehicles. Jalbert Jean Henry (inventor). Issued 3-17-36.

2,034,323. Air cleaner. Bernard Auguste Louis Rene Reed (Inventor); Bernard Renee Nee Bournonville Excx (grantee). Issued 3-17-36.

2,034,339. Refining of aluminum. Gadeau Robert Andre (Inventor); Cie de Produits Chimiques et Electro Metallurgiques Alais (grantees). Issued 3-17-36.

2,034,448. Mechanical underfeed stoker. Sevellec Eugene Cyprien (inventor). Issued 3-17-36.

2,034,504. Suspension of railway cars and other vehicles. Bugatti Jean (inventor). Issued 3-17-36.

2,034,534. Process and apparatus for assembling and fitting the elements of needle or roller bearings. Pitner Alfred Otto (inventor). Issued 3-17-36.

2,034,604. Chopping machine. Borsakovsky Voldemar (inventor); Vincent Eugene (grantee). Issued 3-17-36.

2,034,855. Means for supplying an additional fluid to the cylinder of an internal combustion engine. Alby Pierre Leon (inventor). Issued 3-24-36.

2,034,977. Brake for vehicles. De Lavaud Dimitri Sensaud (inventor). Issued 3-24-36.

2,034,987. Process for coating glass sheets. Morita Kikujiro (inventor). Issued 3-24-36.

2,035,151. Gas pressure regulator. Eches Georges (inventor); Cie Pour La Fabrication des Compteurs et Materiel D Usines A Gaz (grantees). Issued 3-24-36.

2,035,159. Pump. Henry Louis Eugene Victor Joseph (Inventor). Issued 3-24-36.

2,035,177. Carburetor. Mennesson Marcel Louis (inventor); S A Solex (grantee). Issued 3-24-36.

2,035,287. Talking machine. Lahr Alfred (inventor); Cie Francaise du Mirodisque (grantee). Issued 3-24-36.

2,035,303. Automatic quick firing arm. Delacre Henri (inventor). Issued 3-24-36.

2,035,308. Toy. Ferber Robert Paul Frederic (inventor). Issued 3-24-36.

2,035,773. Photoelectric apparatus. Thomas Albert (inventor). Issued 3-31-36.

2,036,126. Ammunition supplying device for pairs of guns mounted in turrets or the like. Daum Leon (inventor); Schneider and Cie, Forges Cie Des et Acieries de la Marine et D Homecourt (grantees). Issued 3-31-36.

2,036,137. Process of preparation of dichloracetic acid. Guyot Alfred (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue (grantees). Issued 3-31-36.

2,036,385. Brake. Amirault Maxime (inventor); S A Francaise du Ferodo (grantee). Issued 4-7-36.

2,036,436. Device for rough turning in the lathe or similar machine tool. Quirbin Paul (inventor); S A Compagnie des Forges de Chatillon Commentry & Neuves Maisons (grantees). Issued 4-7-36.

2,036,442. Method and apparatus for developing sound record motion picture film. Tanatar Marc (inventor). Issued 4-7-36.

2,036,917. Electric timepiece. Favre Balle Maurice Philippe (inventor). Issued 4-7-36.

2,036,919. Feed mechanism for separating coupons tickets or the like. Calmes Eugene Martin (inventor). Issued 4-7-36.

2,036,924. Process and apparatus for the continuous extraction or treatment of liquids. Coutor Charles (inventor); Soc Etablissements Lambiotte Freres (grantee). Issued 4-7-36

2,036,996. Engine radiator. Bernard Auguste Louis Rene Dec (inventor); Bernard Renee Nee Bournonville Excr (grantee). Issued 4-14-36.

2,037,228. Mold and method of manufacturing the same. George Henri (inventor); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Cirey & Cirey (grantees). Issued 4-14-36

2,037,345. Mileage counter for the hubs of vehicle wheels. Seignol Edouard (inventor) Issued 4-14-36.

2,037,619. Liquid Fuel Admission valve for internal combustion engines. Cornelen Louis (inventor). Issued 4-14-36

2,037,627. Device for controlling the action of a fluid under pressure. Hertz Stanislas Dec (inventor); Hertz Denise Nee David Exer Berger Mourice Pierre (grantee). Issued 4-14-36.

2,037,854. Sound reader for sound film projectors. Debrie Andre Leon Victor Clement (inventor). Issued 4-21-36.

2,037,972. Cinematograph apparatus. Gillet Andre Auguste (inventor); Soc Pour L Exploitation des Brevets A G I (grantees). Issued 4-21-36.

2,038,138. Automatic control device for the pneumatic cleaning of coal. Spindler Dominique (inventor); Preparation Industrielle des Combustibles (grantees). Issued 4-21-36.

2,038,367. Process for the manufacture of concrete having a high electric insulation resistance. Lambert Emile Pierre Claudius (inventor). Issued 4-21-36.

2,038,369. Method for transforming hydrocarbons. Lege Edouard Georges Marie Pomain (inventor). Issued 4-21-36

2,038,427. Telephonic Signaling device. Friedlander Albert (inventor). Issued 4-21-36.

2,038,442. Motor compressor. Pescara Raul Pateras (inventor). Issued 4-21-36

2,038,489. Closing device for receptacles. Guiot Auguste (inventor) Issued 4-21-36

2,038,643. Apparatus for the treatment of hats and other articles. Casse Marcel (inventor). Issued 4-28-36.

2,038,650. Bag filling and weighing machine. Du Bois Alfred (inventor). Issued 4-28-36

2,038,655. Meter for granular material. Hanique Alfred (inventor). Issued 4-28-36.

2,038,799. Change speed gear. Masson Louis Maxime (inventor); Omnium Financier Pour L Industrie et le Commerce S A (grantee). Issued 4-28-36.

2,038,897. Gear cutter for the cutting of curved teeth gears. Geny Alfred Joseph (inventor). Issued 4-28-36.

2,038,901. Locking device for lids box and trunk panels and the like. Mollet Leon Julien (inventor); S A des Usines Chausson (grantee). Issued 4-28-36.

2,038,942. Metallizable azodyestuffs and their production. Kopp Georges (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee) Issued 4-28-36.

2,038,979. Gravity dam. Baticle Louis Urbain Edgar Antonin (inventor). Issued 4-28-36.

2,039,151. Device for cushioning the shock of ships. Dubois Charles Emile Ferdinand (inventor); Soc S I M E C, Soc Industrielle de Materiel d Enterprise et de Construction (grantees) Issued 4-28-36.

2,039,190. Apparatus for determining the value of the braking action of the brakes of automobiles. Salle Maurice (inventor). Issued 4-28-36

2,039,198. Gun carriage. Sutter Charles et al, Dugied Eugene Albert (inventors); S A des Anciens Etablissements Hotchkiss & Cie. (grantee) Issued 4-28-36.

2,039,209. Stop motions of textile apparatus. Blum Izchak (inventor); Soc Comptoir d Appareils Textiles, Societe a Responsabilite Limitee (grantees) Issued 4-28-36.

2,039,210. Axle for vehicles. Bugatti Ettore (inventor). Issued 4-28-36

2,039,213. Multiple printing machine. Debrie Andre Leon Victor Clement (inventor). Issued 4-28-36

2,039,260. Retaining wall construction. Ravier Sylvain Louis (inventor). Issued 4-28-36

2,039,455. Window for vehicle doors. Saives Leon (inventor); Renault Louis (grantee). Issued 5-5-36.

2,039,890. Burner. De Coster Henri (inventor) Issued 5-5-36.

2,039,949. Rolling device for films. Bombrun Mathieu Jean Albert (inventor). Issued 5-5-36.

2,040,197. Mechanism for the tripping or release of movable organs. Birkigt Louis (inventor). Issued 5-12-36.

2,040,206. Arrangement for operating engine valve gear sleeves. Kegresse Adolphe (invenator). Issued 5-12-36.

2,040,208. Emulsion for surfacing roads. Lacau Robert Joseph (inventor). Issued 5-12-36

2,040,213. Centrifugal machine. Perrier Daniel (inventor); S A Francaise Said Anciens Etablissements Cail (grantee). Issued 5-12-36.

2,040,333. Suction and force pump. Duffaud Suzanne Alice (inventor). Issued 5-12-36.

2,040,663. Installation for mixing two fluids. Mallet Charles et al, Couetoux Henri Charles (inventors); Etablissements Jacob Delafon Cie Ceramique de Pouilly sur Saone et Belvoye (grantee). Issued 5-12-36.

2,040,729. Apparatus for drying wood and the like. De Cissey Pierre (inventor). Issued 5-12-36.

2,041,748. Vapor electric discharge device. Lemp Louis (inventor); Forges et Ateliers de Constructions Electriques de Jeumont S A (grantee). Issued 5-12-36.

2,041,929. Method of corrugating sheet material. Franghia Byron (inventor). Issued 5-19-36.

2,041,107. Bush. Bastin Louis Henri Pierre (inventor); Soc. Generale Isothermos S A (grantee). Issued 5-19-36.

2,041,486. Electric furnace. Richalet Paul (inventor). Issued 5-19-36.

2,041,528. Safety glass. Cottet Emile Clement (inventor); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 5-19-36.

2,041,539. Valve spring arrangement. Gaulier Maurice (inventor); Delage & Cie (grantee) Issued 5-19-36.

2,041,603. Automatic brake for railway trains. Hallot Paul (inventor). Issued 5-19-36.

2,041,826. Apparatus for increasing draft in furnaces and for purifying flue gases. Garnier Fernand (inventor). Issued 5-26-36.

2,041,907. Colored cellulose material. Dosne Henry (inventor). Issued 5-26-36.

2,041,989. Apparatus for the transportation and working off of spun cakes produced by the centrifuge spinning process. Borzykowski Benno (inventor). Issued 5-26-36.

2,042,393. Colored cellulose material. Dosne Henry (inventor). Issued 5-26-36

2,042,449. Quick firing arm. Baumann Werner (inventor). Issued 6-2-36.

2,042,590. Embroidery machine. Chiti Aroldo (inventor); Anciens Etablissements R Cornely & Cie S A (grantee). Issued 6-2-36.

2,042,614. Railway track gauge. Mauzin Andre Ernest (inventor). Issued 6-2-36.

2,042,696. Compositions useful for the production of azo dyestuffs & their application. Bader Marcel Joseph Gustave (inventor) Issued 6-2-36.

2,042,697. Electromechanical reproducer for gunfire. Baranoff Andre Valentin (inventor) Issued 6-2-36.

2,043,115. Apparatus for the amalgamation of ores. Phily Claude Joseph Francois Dit de Phily (inventor) Issued 6-2-36.

2,043,155. Cinematographic view taking camera. Debrie Andre Leon Victor Clement (inventor). Issued 6-2-36.

2,043,170. Air cooled engine. Heinrich Jean (inventor); Soc des Moteurs Salmson (grantee) Issued 6-2-36.

2,043,181. Endless conveyer band filter. Lamort Marcel (inventor); Lamort E et M Fils (grantee) Issued 6-2-36.

2,043,437. Device for recuperating heat in cooking foodstuffs or the like. Hettinger Victor (inventor). Issued 6-9-36.

2,043,514. Carburetor. Mennesson Marcel (inventor); S A Solex (grantee). Issued 6-9-36.

2,043,522. Photographic apparatus for color cinematography. Valentin Auguste et al, Bassani Laurent (inventors). Issued 6-9-36.

2,043,526. Automatic telephone apparatus. Boye Alfred (inventor). Issued 6-9-36.

2,043,562. Fluidtight coupling. Taillefierre Henri (inventor). Issued 6-9-36.

2,043,564. Method of preparing artificial sponges. Vautier Leon Pierre Georges et al, Fays Rene (inventors); Comptoir des Textiles Artificiels (grantee). Issued 6-9-36.

2,043,565. Blasting cartridge. Weber Guillaume (inventor); les Petits Fils de Francois de Wendel & Cie (grantee). Issued 6-9-36.

2,043,604. Method of preparing wiping rollers for printing. Beaune Serge (inventor); Soc des Procedes Serge Beaune (grantee). Issued 6-9-36.

2,043,655. Cooling of electric machines. Ehrmann Paul (inventor). Issued 6-9-36.

2,043,828. Electric organ. Coupleux Edouard Eloi (inventor). Issued 6-9-36.

2,044,123. Alkali primary cell with depolarization by air. Oppenheim Rene (inventor). S A Le Carbone (grantee). Issued 6-16-36.

2,044,306. Endless track vehicle. Kegresse Adolphe (inventor). Issued 6-16-36.

2,044,307. Endless track vehicle. Kegresse Adolphe (inventor). Issued 6-16-36

2,044,550. Typewriter. Teissedre Gustave (inventor). Issued 6-16-36.

2,044,646. Flow control mechanism. Stein Charles Marie (inventor); S A Fours et Appareils Stein (grantee). Issued 6-16-36.

2,044,706. Bottle closure and dispenser. Landrin Albert (inventor). Issued 6-16-36.

2,044,766. Process for separating the volatile liquid organic constituents of pyroligneous acid. Berthelemy Pierre et al, Baylocq Francois (inventors); S A Francaise Said les Produits Chimiques Purs (grantee). Issued 6-23-36.

2,044,923. Battery. Thompson Harrison G et al, Hughes Dow B (inventors); Le Carbon Co (grantee). Issued 6-23-36.

2,045,042. Electrical teleindicating device. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 6-23-36.

2,045,077. Cock with rotary continuous distributor for machines to fill bottles with liquid under pressure. Gely Andre (inventor). Issued 6-23-36.

2,045,132. Betaines and process for preparing the same. Girard Andre et al, Sandulesco Georges (inventors); Les Laboratoires Francais de Chimiotherapia (grantee). Issued 6-23-36.

2,045,152. Process of and apparatus for performing conversions of mechanical and thermal energy. Lebre Albert Francois (inventor). Issued 6-23-36.

2,045,194. Device for supplying hot air to a furnace. Luks Robert Emile (inventor). Issued 6-23-36.

2,045,201. Car braking apparatus for railroads. Rabourdin Jean (inventor). Issued 6-23-36.

2,045,288. Barthelemy Rene (Inventor); Cie Pour La Fabrication Des Compteurs et Materiel d Usines a Gaz (grantee). Issued 6-23-36.

2,045,513. Process for separating volatile organic compounds from aqueous solutions. Berthelemy Pierre et al, Baylocq Francois (inventors); S A Francaise Said Les Produits Chimiques Purs (grantee). Issued 6-23-36.

2,046,017. Silencer for firearms combustion engines and the like. Coanda Henri (inventor). Issued 6-30-36

2,046,083. Means for the manufacture of pads or sheets composed of fibers of kapok or the like materials. Mims Charles Norman (inventor). Issued 6-30-36.

2,046,208. Resilient transmission disk. Paulsen Jean Felix et al, Strachovsky Nikita (inventors). Issued 6-30-36.

2,046,314. Room cooling unit. Benkly George N (inventor). Issued 7-7-36.

2,046,464. Printing device for statistical calculating and tabulating machines utilizing perforated cards. Knutsen Knut Andreas (inventor). Issued 7-7-36.

2,046,465. Card controlled device. Knutsen Knut Andreas (inventor). Issued 7-7-36.

2,046,494. Heat insulating and fireproof materials. Van Rolleghem Robert (inventor); Cie Internationale de Produits Ignifuges et Calorifuges C I P I C (grantee). Issued 7-7-36.

2,046,499. Regenerative treatment of rubber. Cable Bruno Gisleno (inventor). Issued 7-7-36.

2,046,803. Device for controlling variable and adjustable condensers. Vulet Rene Alfred Laurent (inventor); Blemer S A R L (grantee). Issued 7-7-36

2,047,451. Ship S form. Yourkevitch Vladimir (inventor). Issued 7-14-36.

2,047,456. Holder for dental thread or floss. Barsch Guillaume (inventor). Issued 7-14-36.

2,047,481. Ceramic bath. Mallet Charles (inventor); Etablissements Jacob Delafon Cie Ceramique de Pouilly Sur Saone et Belvoye (grantee). Issued 7-14-36.

2,047,505. Accounting typewriter. Hausheer Max Emile (inventor). Issued 7-14-36.

2,047,644. Shed and analogous construction. Mopin Eugene Germain Paul (inventor). Issued 7-14-36.

2,047,675. Anhydride of the half ester of carbonic and salicylic acids and process of making the same. Dupont Lucien Alexandre (inventor). Issued 7-14-36.

2,047,884 Fuse for projectiles. Remondy Leon Emile (inventor). Issued 7-14-36.

2,048,059. Respiratory apparatus. Giraudet de Boudemange Jean Marie Guy (inventor). Issued 7-21-36.

2,048,238. Corset steel. Weeks Walter Roy (inventor). Issued 7-21-36.

2,048,253. Method and apparatus for the manufacture of hollow bodies of reinforced concrete. Freyssinet Eugene (inventor). Issued 7-21-36.

2,048,902. Liquid cooling apparatus. Velut Rene (inventor). Issued 7-28-36.

2,048,903 Holding handle for relooping tools. Vitoux Marcel (inventor). Issued 7-28-36.

2,048,947. Machine for cutting transverse grooves in pneumatic and resilient tires. Piquerez Emile (inventor). Issued 7-28-36.

2,049,006 Airplane having variable lifting surfaces. Gerin Jacques (inventor). Issued 7-28-36.

2,049,099. Ultraviolet radiation apparatus Axelos Jeanne Goude et al, Claude Andre (inventors); S A Pour Les Applications de L Electricite & Des Gaz Rares Etablissements, Claude Paz & Silva (grantee). Issued 7-28-36

2,049,110. Reactive pencil for the determination of the pH index. Dru Raymond Antonin Albert (inventor). Issued 7-28-36

2,049,117 Heat exchanging apparatus Hubert Charles Adolphe (inventor). Issued 7-28-36.

2,049,154. Process for communicating with trains in motion by a high frequency current and applications Chireix Henri (inventor); Soc Francaise Radio Electrique (grantee). Issued 7-28-36.

2,049,198. Alkali earth metal aurothioglycollates and process of producing same. Delange Raymond (inventor); Fabriques de Produits de Chimie Organique de Laire (grantee). Issued 7-28-36.

2,049,367 Reflecting sign or signal. Gerber Armand (inventor). Issued 7-28-36.

2,049,378. Case for rouge sticks. Holl Charles (inventor). Issued 7-28-36.

2,049,822 Apparatus for beading eyelets. Polly Daniel (inventor); Soc Industrielle de Ferblanterie (grantee) Issued 8-4-36.

2,049,949 Apparatus for producing sudoriferous vapor baths. Diena Jacopo (inventor). Issued 8-4-36

2,049,995 Electric circuit breaker with compressed gas blow out Clerc Andre (inventor); Ateliers de Constructions, Electriques de Delle (grantees). Issued 8-4-36.

2,049,996 Electric circuit breaker with compressed gas blow out. Clerc Andre (inventor); Ateliers de Constructions Electriques de Delle (grantees) Issued 8-4-36

2,050,252. Electric traction system with compound motors and electric braking. Bacquevrisse Louis (inventor). Issued 8-11-36.

2,050,411 Receiving apparatus for television. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantee). Issued 8-11-36.

2,050,412. Telecinematographic emitter. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantee). Issued 8-11-36.

2,050,672. Pressure relief device for shock absorbers Simon Lucien (inventor); Soc d Exploitation des Brevets, Lucien Simon Amortisseurs Sanchok S A (grantees). Issued 8-11-36.

2,050,806. Loader for refuse vehicles. Rey Fernand (inventor) Issued 8-11-36

2,051,022 Bodywork. Bugatti Ettore (inventor) Issued 8-18-36.

2,051,095 Masher. Mantelet Jean (inventor); Mantelet & Boucher, Soc en Nom Collectif (grantees). Issued 8-18-36.

2,051,104. Frequency changing radio receiving apparatus. Rocard Yves (inventor); La Radiotechnique (grantee). Issued 8-18-36.

2,051,321. Refrigerating machine. Vin Rene Joseph Emile Constant (inventor); Callon Pierre (grantee). Issued 8-18-36.

2,051,553. Control device for variable ratio transmissions. Fleischel Gaston (inventor). Issued 8-18-36.

2,051,729. Means for reproducing sound from and re recording sound films. Marty Rene Henri Charles (inventor). Issued 8-18-36.

2,052,071. File fabric and the method and apparatus for making same. Banister Xenia (inventor); Strachovsky Nikita Paulsen Jean Felix (grantees). Issued 8-25-36

2,052,212 Apparatus for the continuous manufacture of sheet glass. Boudin Louis (inventor); S A des Manufactures Des Glaces et Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 8-25-36.

2,052,253. Device for the production of yaourt or the like. Savary Jean Baptiste Raoul (inventor). Issued 8-25-36.

2,052,368 Gas controlled automatic firearm Sutter Charles et al, Dugied Eugene Albert (inventors); S A des Anciens Etablissements Hotchkiss et Cie (grantees). Issued 8-25-36.

2,052,448. Device for manufacturing elastic joints. Colaert Daniel Dominique Joseph Charles Corneille (inventor). Issued 8-25-36

2,052,503 Parachute. Tricau Gabriel (inventor) Issued 8-25-36.

2,052,660. Device for stabilizing rail vehicles. Rocard Yves Andre (inventor). Issued 9-1-36.

2,052,794 Rotary fluid meter. Petot Henry Francois (inventor). Issued 9-1-36

2,052,818. Process for the manufacture of molded pieces or bodies from mortars or concrete. Freyssinet Eugene et al, Seailles Jean (inventors); Freyssinet Eugene (grantee). Issued 9-1-36.

2,052,869. Device for deflecting a stream of elastic fluid projected into an elastic fluid. Coanda Henri (inventor). Issued 9-1-36.

2,053,017 Internal combustion engine with reciprocating blades. Babel Raymond Alexandre (inventor). Issued 9-1-36.

2,053,173. Shadow producing screen for luminous projections and other applications and process for its manufacture. Astima Eugene (inventor). Issued 9-1-36.

2,053,175 Method for the direct manufacture and employment of artificial fibers. Borzykowski Benno (inventor). Issued 9-1-36.

2,053,619 Polarized alternating current relay. Le Goff Lucien Joseph Armand (inventor); Soc d Electricite Mors (grantee). Issued 9-8-36

2,053,634 Automatic starter for motors. Roes Georges (inventor). Issued 9-8-36.

2,053,652 Smelting furnace. Blanchard Paul Louis Charles, et al., Delot Maurice Helie Valentin Pigal Roland Arthur (inventors). Issued 9-8-36.

2,053,657 Pirnless shuttle for weaving looms. Dewas Raymond (inventor). Issued 9-8-36.

2,053,742 Station name indicator for radio receivers. Routin Joseph Louis (inventor). Issued 9-8-36.

2,053,834 Process for the simultaneous production of sulphuric and nitric acids. Kachkaroff Pierre et al. Matignon Camille (inventors). Issued 9-8-36.

2,054,038. Masher. Mantelet Jean (inventor); Mantelet & Boucher Soc en Nom Collectif (grantee). Issued 9-8-36.

2,054,063. Suspension device. Chedru Gustave Emile (inventor); Dubonnet Andre (grantee). Issued 9-15-36.

2,054,510. Percussion fuse for projectiles bombs the like. Remondy Leon Emile (inventor). Issued 9-15-36.

2,054,810. Adjustable pitch propeller Gaba Achille Ernest (inventor). Issued 9-22-36.

2,054,876. Feathering propeller. De Tryon Montalembert Rene (inventor). Issued 9-22-36.

2,054,907. Locking device for trunks chests and the like. Mollet Leon Julien (inventor); S A Des Usines Chausson (grantee). Issued 9-22-36.

2,054,951 Body of automobile vehicles Saives Leon (inventor); Renault Louis (grantee) Issued 9-22-36.

2,054,977. Automatic furniture leveling device. Herve Alexandre (inventor). Issued 9-22-36.

2,055,271. Automatic flushing apparatus for water closets and like purposes. Vu[illegible] Pierre Emile (inventor). Issued 9-22-36.

2,055,298. Light Reflector. Leray Gu[illegible] (inventor). Issued 9-22-36.

2,055,585. Screw capable of conversion into a fixed wing Perrin Edouard Alfred (inventor). Issued 9-29-36

2,055,590. Device for extinguishing fires on board ships. Pugnet Rene (inventor) S A Des Chantiers et Ateliers de Saint Nazaire Penhoet (grantee) Issued 9-29-36

2,055,691. Insulating material for lining and other uses. Bardou Job Pierre Michel et al Justin, Hebrard Henri Francis (inventors); reissue Saint Marguerite Ceret (grantee) Issued 9-29-36.

2,055,947. Process for the production of calcium aluminate and alumina. S[illegible] Jean Charles (inventor). Issued 9-29-36.

2,055,951. Power transmission device Strandgren Carl Bruno (inventor). Issued 9-29-36.

2,055,981. Electric furnace for heating [illegible] of plate glass or sheet glass before tempering. Magnien Raymond (inventor); Soc Assurex le Roi des Verres de Securite Magnien Monnier et Cie, Petit Leon Alfred Edouard (grantees). Issued 9-29-36

2,056,046. Manufacture of bases derived from benz dioxane Fourneau Ernest (inventor); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 9-29-36

2,056,533. Free piston compressor. Pescara Raul Pateras (inventor). Issued 10-6-36

2,056,696 Complex objective for three color projection. Valentin Auguste et al, Bassani Laurent (inventors). Issued 10-6-36

2,056,705. Jewel setting. Arpels Salomon Dit Charles (inventor); Soc Van Cleef & Arpels (grantee). Issued 10-6-36

2,056,735. Apparatus for countercurrent extraction. Olier Andre (inventor); S A des Etablissements a Olier (grantee). Issued 10-6-36.

2,056,772. Fishing net. Dahl Oscar (inventor). Issued 10-6-36.

2,057,031. Ticket printing device. J[illegible]aux Charles Daniel (inventor). Issued 10-13-36

2,057,248. Tank for petroleum or other liquids. Peyrouze Jean (inventor) Issued 10-13-36.

2,057,304. Apparatus for regularizing the exhaust of explosion motors S[illegible] Jacques Eugene Camille (inventor) Issued 10-13-36.

2,057,323. Production of artificial silk Borzykowski Benno (inventor). Issued 10-13-36.

2,057,390. Protecting socket for spark plugs Metailler Rene Louis (inventor). Issued 10-13-36.

2,057,736. Universal transmission [illegible] Parville Maurice (inventor); Soc la Precision Moderne (grantee). Issued 10-20-36

2,057,758. Piston. Bernard Auguste Louis Rene Dec (inventor); Bernard Renee nee Bournonville Exer (grantee). Issued 10-20-36.

2,057,902. Relay. Moreau Henri (inventor) Issued 10-20-36.

2,057,942. Toy construction unit. Fey Marc Aurele Alfred (inventor). Issued 10-20-36

2,057,995. Lifeboat launching device Badovici Jean (inventor). Issued 10-20-36.

2,058,022. Heat exchanger. Lebre Albert Francois (inventor). Issued 10-20-36

2,058,060. Braking device. Charles Maurice (inventor). Issued 10-20-36.

2,058,185. System for absorbing the vibrations produced by a machine. Simon Lucien (inventor); Soc d Exploitation des Brevets Lucien Simon Amortisseura Sanchok S A (grantees). Issued 10-20-36.

2,058,325. Apparatus for the automatic emptying of receptacles. Labbe Henri Eugene Leon (inventor). Issued 10-20-36.

2,058,415. Continuous printing machine for cinematographic films. Chretien Henri (inventor). Issued 10-27-36.

2,058,505. Internal combustion engine. Reno Emile (inventor). Issued 10-27-36.

2,058,671. Automatic multicolor printing machine. Dubuit Louis Gilbert (inventor). Issued 10-27-36.

2,058,697. Static polarization of alternating current apparatus. Le Goof Lucien Joseph Armand (inventor); Soc d Electricite Mors (grantee). Issued 10-27-36.

2,058,777. Multiple printing machine for cinematographic films. Debrie Andre Leon Victor Clement (inventor). Issued 10-27-36.

2,058,815. Apparatus for threading tobacco leaves. Muller Paul (inventor). Issued 10-27-36.

2,058,822. Automatic igniter for grenades. Petter Charles Gabriel (inventor); Soc Alsacienne d Explosifs Soc a Responsabilite Limitee a Richwiller (grantee). Issued 10-27-36.

2,058,831. Carburetor. Sanctorum Charles (inventor); Soc SPHINX (grantee). Issued 10-27-36.

2,058,848. Lap forming apparatus. Weinbrenner Jules (inventor). Issued 10-27-36.

2,059,396. Dentifrice product. Ripert Jean (inventor); Thibaud Gibbs and Cie (grantee) Issued 11-3-36.

2,059,434. Elastic suspension device for vehicles. Broulhiet Georges (inventor). Issued 11-3-36.

2,059,547. Means for driving the counting mechanism of gas meters. Brandl Hans (inventor); Cie Pour la Fabrication des Compteurs et Material d Usines a Gaz (grantee). Issued 11-3-36.

2,059,633. Apparatus for producing plans of ground exclusively by photographic means. Ferber Robert (inventor); Soc l Aerotopographie (grantee). Issued 11-3-36.

2,059,726. Weft feeder for weaving looms with continuous weft feeding. Dewas Raymond (inventor). Issued 11-3-36.

2,059,934. Process of treating organic esters of cellulose. Dobry Alma (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue (grantee). Issued 11-3-36.

2,060,181. Alkali metal salts of antimonio thiomalic acid. Delepine Marcel et al, Gailliot Paul (inventors); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 11-10-36.

2,060,183. Process for desiccation of gases contained in nitrous fumes. Des Ylouses Gaston Lefort (inventor); L Azote Francais (grantee). Issued 11-10-36.

2,060,279. Self acting connecting device for the starting of motors. Cible Pierre (inventor). Issued 11-10-36.

2,060,282. Electric circuit breaker with compressed gas blow out. Clerc Andre (inventor); Ateliers de Constructions Electriques de Delle (grantee). Issued 11-10-36

2,060,531. Clock provided with a transparent dial and an invisible mechanism. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantee). Issued 11-10-36.

2,060,558. Disk differential gear. De Lavaud Dimitri Sensaud (inventor). Issued 11-10-36.

2,061,128. Separation of ammonium salts from their mixtures with other salts. Andres Louis (inventor); Soc d Etudes Pour la Fabrication et l Emploi des Engrais Chimiques (grantee). Issued 11-17-36.

2,061,140. Manufacture of cement. Coiffu Pierre (inventor); Soc des Ciments Francais et des Portland de Boulogne Sur Mer et Compagnie des Portland de Desvres. (grantee). Issued 11-17-36.

2,061,146. Furnace for electrolytic purposes. Ferrand Louis (inventor). Issued 11-17-36.

2,061,343. Liquid purifier. Bichler Charles Henri, et al., Eyssartier Georges (inventors). Issued 11-17-36.

2,061,552 Developing machine. Debrie Andre Leon Victor Clement (inventor). Issued 11-24-36.

2,061,623. Folding vehicle. Guy Jean Emile (inventor). Issued 11-24-36.

2,062,212 Ammunition supplying device. Daum Leon (inventor); Cie des Forges et Acieries de la Marine et D. Homecourt, Schneider & Cie (grantees). Issued 11-24-36.

2,062,213. Dispensing system for lubricants and the like. Dieny Alfred Emile (inventor). Issued 11-24-36.

2,062,506. Carbureting device. Djordjevitch Yesdimir (inventor). Issued 12-1-36.

2,062,529 Vibratory screen. Sahut Jean (inventor). Issued 12-1-36.

2,062,709. Elevator for liquor for feeding fuel to automobile engines. Guichard Louis (inventor). Issued 12-1-36.

2,062,801. Removable guiding device for automobile vehicles running on rails. Talon Augustin (inventor); S. A. des Pneumatiquea Dunlop (grantee). Issued 12-1-36.

2,062,810. Speed governing device applicable to electric traction. Gratzmuller Louis Rene Eugene (inventor). Issued 12-1-36.

2,062,983. Suspension bridge. Baticle Louis Urbain Edgar Antonin (inventor). Issued 12-1-36.

2,062,984. Suspension bridge. Baticle Louis Urbain Edgar Antonin (inventor). Issued 12-1-36.

2,062,985. Suspension bridge. Baticle Louis Urbain Edgar Antonin (inventor). Issued 12-1-36.

2,063,194. Rotary pump and compressor. Roy Paul Mary Ferdinand Maurice (inventor). Issued 12-8-36.

2,063,223. Alcoholic fermentation of sugar containing liquids. Boinot Firmin (inventor). Issued 12-8-36.

2,063,226. Transfer material such as carbon paper. Braunstein Roger (inventor); S. A. des Anciens Etablissements, Barunstein Freres (grantees). Issued 12-8-36.

2,063,228. Apparatus for the delivery of liquids. Charmat Robert (inventor); Charmat Eugene (grantee). Issued 12-8-36.

2,063,251. Starting device. Hertz Stanislas, et al, Berger Maurice Pierre (inventors). Issued 12-8-36.

2,063,536. Apparatus for simulating artillery firing. Baranoff Andre Valentin (inventor). Issued 12-8-36.

2,063,558. Retaining wall. Ravier Sylvain Louis (inventor). Issued 12-8-36.

2,063,886. Waist band. Alexandre Paul (inventor). Issued 12-15-36.

2,064,145. Polychromatic photograph & cinematograph method. Bonneau Paul Edmond (inventor); Chausson Gaston (grantee). Issued 12-15-36.

2,064,293. Engine valve gear. Cossart Leon Rene Camille (inventor). Issued 12-15-36.

2,064,296 Upwardly swelling fishing net. Dahl Oscar, et al., Black William Forsyth (inventors). Issued 12-15-36.

2,065,009. Sanitary appliance. Mallet Charles (inventor); Etablissements Jacob Delafon Cie Ceramique de Pouilly Sur Saone et Belvoye (grantees). Issued 12-22-36.

2,065,057. Light control strip for cinematographic printing machines. Debrie Andre Leon Victor Clement (inventor). Issued 12-22-36.

2,065,062. Valve for high speed compressors. Dugelay Paul (inventor). Soc D Exploitation de Brevets Pour, L Industrie L Aviation et, L Automobile Sebia (grantees). Issued 12-22-36.

2,065,164. Nondazzling projector. Weizel Joseph (inventor). Issued 12-22-36.

2,065,273 Recoil absorbing device for firearms. Galliot Norbert (inventor). Issued 12-22-36.

2,065,419. Internal combustion engine fed with heavy fuels. Bagnulo Albert (inventor). Issued 12-22-36.

2,065,432. Brake for automobiles Delay Eugene (inventor). Issued 12-22-36.

2,065,648. Controlling device for rotating shafts. Rime Bruneau Paul (inventor); Soc D Exploitation des Procedes Dabeg (grantees). Issued 12-29-36.

2,065,777. Automatic obturator with variable opening for cine picture taking apparatus. Weisbrodt Jean (inventor). Issued 12-29-36

2,065,959. Advertising apparatus. Bauml Jacques Marcel (inventor); Zouckermann Armand (grantee). Issued 12-29-36

2,066,345 Automatic temperature regulator. Greby Jules Ernest Michel (inventor) Issued 1-5-37.

2,066,452. Method and apparatus for lubricating. Bernard Auguste Louis Rene (inventor); Soc. Fusion Moteurs (grantee). Issued 1-5-37.

2,066,513. Remote control and signaling system for railway installations. Becq Andre, et al., Nicolas Paul (inventors); Soc Francaise Radio Electrique (grantee). Issued 1-5-37.

2,066,661. Cooling of heat engines. Vuillerme Marcel (inventor). Issued 1-5-37

2,066,964. Process of making tile structures. Desagnat Gaston (inventor). Issued 1-5-37.

2,067,262. Device for measuring pressure variations. Demontvignier Marcel, et al., Labarthe Andre (inventors). Issued 1-12-37.

2,067,373. Process for the manufacture of iron or steel and Portland cement in a rotary furnace. Basset Lucien Paul (inventor). Issued 1-12-37.

2,067,379. Brassiere composed of two independent pockets. Cristofanetti Lucia (inventor). Issued 1-12-37.

2,067,583. Device for feeding coal furnaces. Stark Virgile (inventor). Issued 1-12-37.

2,067,787. Infusion apparatus. Pouget Louis Marcel (inventor). Issued 1-12-37.

2,067,823. Furnace with helical hearth. Flajoliet Bracq Paul (inventor). Issued 1-12-37.

2,068,209. Apparatus for obtaining films for cinematographic projection in colors. Valentin Auguste et al, Bassani Laurent (inventors). Issued 1-19-37.

2,068,655. Railway signaling system. Chireix Henri, et al., Nicolas Paul (inventors); Soc Francaise Radio Electrique (grantee). Issued 1-26-37.

2,068,820 Electrical device for the absorption of mechanical energy. Sarazin Raoul, et al., Lagache Andre (inventors). Issued 1-26-37.

2,069,014. Lady's corselet and like underwear. Molyneux Steel Winefryde Margaret Anna (inventor). Issued 1-26-27.

2,069,136. Apparatus for recording and reproducing sounds. Durand Louis Paul et al, Ricchiardi Pier Carlo (inventors). Issued 1-26-37.

2,069,261. Feeding device and method. Monnet Georges (inventor); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 2-2-37.

2,069,421. Apparatus for the distillation of solid carbonizable fuel. Salerni Edoardo Michele (inventor); Soc d Etudes et de Valorisation Industrielle des Combustibles, Soc a Responsabilite Limitee (grantees). Issued 2-2-37.

2,069,461. Diazoarmino compounds and process for their production. Petitcolas Pierre (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 2-2-37.

2,069,468. Suspension for luminescent tubes. Abadie Jean Baptiste Joseph Marcel (inventor). Issued 2-2-37.

2,069,584. Furnace for the incineration of household refuse. Lorton Pierre (inventor). Issued 2-2-37.

2,069,598. Setting device for a precious stone or the like. Arpels Salomon Dit Charles (inventor); Soc Van Cleef & Arpels (grantee). Issued 2-2-37.

2,069,677. Liquid meter for reduced flows and low heads. Ollagnon Paul (inventor). Issued 2-2-37.

2,069,680. Brake. Piganeau Gerard Pierre (inventor). Issued 2-2-37.

2,069,705. Process of manufacture of metallic glucinum and its alloys. Gadeau Robert Andre (inventor); Cie de Produits Chimiques et Electrometallurgiques Olais Froges et Camargue (grantee). Issued 2-2-37.

2,070,137. Masher. Mantelet Jean (inventor); Mantelet and Boucher Soc en Nom Collectif (grantee). Issued 2-9-37.

2,070,163. 3 6 diamino 10 methyl acridinium methane sulphonate. Gailliot Paul Louis (inventor); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 2-9-37.

2,070,232. Pocket lighter. Lenfant Louis (inventor); Cartier S A (grantee). Issued 2-9-37.

2,070,341. Drive mechanism for motor vehicles. Salves Leon (inventor); Renault Louis (grantee). Issued 2-9-37.

2,070,394. Machine for the manufacture of sheet paper blocks. Danger Etienne (inventor); S A Usines Decoufle (grantee). Issued 2-9-37.

2,070,449. Embroidery and hemstitching machine. Ollendorff Jacques (inventor); Anciens Etablissements R Cornely and Cie S A (grantee). Issued 2-9-37.

2,070,475. Spark gap apparatus. Dufour Rene (inventor). Issued 2-9-37.

2,070,510. Mechanical amplifying and reducing speed transformer. Claude Andre et al, Manet William (inventors); Soc a Georges Claude Manet et Cie (grantee). Issued 2-9-37.

2,070,565. Air cooled engine. Dintilhac Jean Georges (inventor); Soc Yacco S A F (grantee). Issued 2-16-37.

2,070,702. Road or railway vehicle. Willeme Louis (inventor); S A Etablissements Willeme (grantee). Issued 2-16-37.

2,070,752. Freewheel device for eliminating the reaction effects of a differential gear. Roes Georges (inventor). Issued 2-16-37.

2,070,774. Method of reception of electric signaling impulses. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d'Usines a Gaz (grantee). Issued 2-16-37.

2,070,824. Electric calculating machine. Boutet Rene Edmond (inventor). Issued 2-16-37.

2,071,020. Pneumatic recocking device for machine guns. Boussel Lucien Albert (inventor); S A des Anciens Etablissements Hotchkiss & Cie (grantee). Issued 2-16-37.

2,071,140. Automatic printing telegraph. Penot Robert Emile Marie (inventor). Issued 2-16-37.

2,071,435. Combined flame baffle and indicator for fusible cut outs. Saudicoeur Louis Joseph (inventor); Ateliers de Constructions Electriques de Delle (grantee). Issued 2-23-37.

2,071,610. Wrapping device. Braude Simon (inventor). Issued 2-23-37.

2,071,689. Distant transmission of angular movements. Granat Elie (inventor); Cie des Forges et Acieries de la Marine et d Homecourt (grantee). Issued 2-23-37.

2,071,782. Cinematographic projector employing combined sound and picture films. Debrie Andre Leon Victor Clement (inventor). Issued 2-23-37.

2,071,878. Cinematographic apparatus. Huc Marcel Remy (inventor). Issued 2-23-37.

2,072,158. Weft inserting apparatus for looms with fixed weft bobbins. Dewas Raymond (inventor). Issued 3-2-37.

2,072,159. Weaving loom for continuous weaving in which the weft is inserted by means of pirnless shuttles. Dewas Raymond (inventor). Issued 3-2-37.

2,072,160. Weaving loom for continuous weaving in which the weft is inserted by means of pirnless shuttles. Dewas Raymond (inventor). Issued 3-2-37.

2,072,161. Thread carrying apparatus for weaving looms and the like. Dewas Raymond (inventor). Issued 3-2-37.

2,072,196. Aerial propeller. Berger Emile Claude (inventor). Issued 3-2-37.

2,072,281. Mixing and atomizing apparatus for hydrocarbons and other fluid materials. Simonin Raymond Felix (inventor); Soc d Etudes des Procedes Simonin (grantee). Issued 3-2-37.

2,072,299. Airplane having a variable lifting surface. Gerin Jacques (inventor). Issued 3-2-37.

2,072,404. Mercury vapor rectifier. Leroy Louis (inventor); Forges & Ateliers de Constructions Electriques de Jeumont S A (grantee). Issued 3-2-37.

2,072,482. Compressor or pump. Myard Francis Emile (inventor); S A Cie des Machines Pneumatiques Rotatives (grantee). Issued 3-2-37.

2,072,497. Apparatus for electrically vulcanizing india rubber pieces. Dupont Roland Albert Ernest (inventor). Issued 3-2-37.

2,072,615. Valve. Bugatti Jean (inventor). Issued 3-2-37.

2,072,718. Automatic discharge device for roasters. Munsch Pierre (inventor). Issued 3-2-37.

2,072,735. Load handling apparatus. Dudouit Henri (inventor). Issued 3-2-37.

2,072,845. Apparatus for spraying pulverized materials. Benoit Francois Philippe Charles (inventor). Issued 3-9-37.

2,073,018. Process for the treatment of light metals and their alloys. Lepp Henry (inventor); Cie Generale D Electro Metallurgie (grantee). Issued 3-9-37.

2,073,019. Process for the purification of metals and metallic alloys. Lepp Henry (inventor); Cie Generale D Electro Metallurgie, Soc D Electro Chimie D Electrometallurgie et des Acieries Electriques D Ugine (grantees). Issued 3-9-37.

2,073,020. Method of improving the physical and mechanical properties of alloys. Lepp Henry (inventor); Cie Generale D Electro Metallurgie Soc D Electro Chimie D Electrometallurgie et des Acieries Electriques D Ugine (grantees). Issued 3-9-37.

2,073,203. Directional stabilizing apparatus for aerial or marine craft. Fleux Jean (inventor); Schneider & Cie (grantee). Issued 3-9-37.

2,073,275. Clock with automatic calendar. Elberg Boris (inventor). Issued 3-9-37.

2,073,288. Method and arrangement for the operation of internal combustion engines. Serruys Max Yves Antonin (inventor). Issued 3-9-37.

2,073,294. Hose clamp. Caillau Marcel Urbain (inventor). Issued 3-9-37.

2,073,414. Process for manufacturing colored cellulose ester material. Dosne Henry (inventor). Issued 3-9-37.

2,073,419. Resilient joint. Houdaille Maurice et al, Lecler Charles (inventors). Issued 3-9-37.

2,073,425. Musical instrument. Leblanc Leon (inventor). Issued 3-9-37.

2,073,520. Separator. Saint Jacques Eugene Camille (inventor). Issued 3-9-37.

2,073,609. Wad for fowling pieces. Court Marie Rose (inventor). Issued 3-16-37.

2,073,610. Controlling flume. Danel Pierre Francois (inventor); Ateliers Neyret Beylier Piccard Pictet (grantees). Issued 3-16-37.

2,073,976. Device for the mounting of engines. Renaux Eugene Prosper et al, Renaux Lucien Jules (inventors). Issued 3-16-37.

2,073,977. Manufacture of copper sulphate. Serciron Marcel (inventor). Issued 3-16-37.

2,074,201. Airfoil used in aeronautics. Bechereau Louis (inventor); Soc Avions Kellner Bechereau (grantee). Issued 3-16-37.

2,074,272. Hose supporter. Pugniet Paul (inventor). Issued 3-16-37.

2,074,374. Apparatus for intestinal irrigations. Suarez de Mendoza Fernand Francois Dominique (inventor). Issued 3-23-37.

2,074,452. Heating element for drying apparatus. Bergmann Auguste (inventor). Issued 3-23-37.

2,074,634. Tubular heating device for gynecological purposes. Ackermann Henri (inventor). Issued 3-23-37.

2,074,779. Expansible nut unable to work loose. De Launay Maurice Bourdon (inventor). Issued 3-23-37.

2,074,794. Sieve. Mantelet Jean (inventor); Mantelet & Boucher Soc en Nom Collectif (grantees). Issued 3-23-37.

2,074,795. Mill for pepper, salt, sugar, coffee and the like. Mantelet Jean (inventor); Mantelet & Boucher Soc en Nom Collectif (grantees). Issued 3-23-37.

2,074,894. Radio phono telephonic system. Duran Louis Paul (inventor). Issued 3-23-37.

2,075,086. Machine provided with an automatic firearm. Birkigt Marc (inventor). Issued 3-30-37.

2,075,087. Airplane provided with an automatic firearm. Birkigt Marc (inventor). Issued 3-30-37.

2,075,133. Apparatus for producing a compressed & heated gas. Pescara Raul Pateras (inventor). Issued 3-30-37.

2,075,231. Internal combustion engine. Schimanek Emil (inventor); Soc du Carburateur Stratos (grantee). Issued 3-30-37.

2,075,346. Receptacle for closure by sealing cap. Landau Robert (inventor). Issued 3-30-37.

2,075,634. Automatic telephone apparatus. Boye Alfred (inventor). Issued 3-30-37.

2,075,789. Manufacture of blocks with predetermined number of sheets. Chambon Henri (inventor); S A des Anciens Etablissements L Chambon (grantees). Issued 4-6-37.

2,076,080. Process for recovering zirconium oxide. George Henri et al, Lambert Roger (inventors); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantees). Issued 4-6-37.

2,076,115. Comb regulator for electric machines. Benit Henri (inventor); L Eclairage des Vehicules sur Rail (grantee). Issued 4-6-37.

2,076,126. Process and apparatus for the extraction of products in solution by means of solvents. Guinot Henri Martin (inventor). Issued 4-6-37.

2,076,238. Method of charging the electric accumulators of lead having slight local actions. Jumau Lucien Jules (inventor); Cie Generale D Electricite (grantee). Issued 4-6-37.

2,076,279. Liquid oxygen explosive. Sauvage Henri (inventor); L Air Liquide S A Pour L Etude & L Exploitation des Procedes Georges Claude (grantees). Issued 4-6-37.

2,076,337. Apparatus for fixing caps on bottles. Gauthier Paul Marie Adrien (inventor). Issued 4-6-37.

2,076,350. Elastic fabric with one or more inextensible zones. Roques Louis (inventor); Roques Louis, Arrachequesne Georges (grantees). Issued 4-6-37.

2,076,724. Electroacoustic sounding apparatus. Jacquet Gaetan Gilbert et al, Badin Raoul Edouard (inventors). Issued 4-13-37.

2,076,879. Radial field relay. Carton Jean (inventor). Issued 4-13-37.

2,076,883. Method of producing a lime brick. Ernould Jules (inventor); Soc des Hauts Fourneaux de la Chiers grantee). Issued 4-13-37.

2,076,884. Method of producing a dolomite brick. Ernould Jules (inventor); Soc des Hauts Fourneaux de la Chiers (grantee). Issued 4-13-37.

2,076,899. Disintegrating paper making material. Lamort Marcel (inventor); Lamort E et M Fils (grantee). Issued 4-13-37.

2,077,322. Process for the manufacture of azo dyestuffs for esters of cellulose and azo dyestuffs obtained therefrom. Hatt Daniel (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 4-13-37.

2,077,525. Pneumatic safety device for thread working machines. Mennesson Marcel Louis (inventor); S A Solex (grantee). Issued 4-20-37.

2,077,526. System for resiliently connecting floats to seaplane bays. Messier George Louis Rene Jean, deceased (inventor); Messier Yvonne Lucie Born Bonnamy, administratrix (grantee). Issued 4-20-37.

2,077,775. Method for the automatic control of the power output of aircraft engines. Schimanek Emil (inventor); Soc du Carburateur Stratos (grantee). Issued 4-20-37.

2,077,824. Cylinder head. Darche Albert Alexandre Augustin (inventor). Issued 4-20-37.

2,077,950. Building construction. Mopin Eugene Germain Paul (inventor). Issued 4-20-37.

2,078,001. Railroad signaling system. Joly Elisee Auguste (inventor); Cie du Chemin de Fer Metropolitain de Paris (grantee). Issued 4-20-37.

2,078,019. Aircraft. Rabatel Henri Augustin (inventor). Issued 4-20-37.

2,078,143. Regenerative electric cell. Jumau Lucien Jules (inventor); Cie Generale d Electricite (grantee). Issued 4-20-37.

2,078,157. Motor compressor with free pistons. Pescara Raul Pateras (inventor). Issued 4-20-37.

2,078,355. Lap forming apparatus. Weinbrenner Jules (inventor). Issued 4-27-37.

2,078,541. Process for tempering glass. Monnier Robert (inventor); Soc Assurex le Roi des Verres de Securite Magnien Monnier et Cie Petit Leon Alfred Edouard (grantees). Issued 4-27-37.

2,078,615. Device for adjusting pressure relief devices. Simon Lucien (inventor); Soc d Exploitation des Brevets Lucien Simon Amortisseurs Sanchok S A. Issued 4-27-37.

2,078,835. Resilient wall. Brisson Louis Charles (inventor); S A Soc des Freins Hydrauliques S de Lavaud (grantee). Issued 4-27-37.

2,078,861. Manufacture of azo dyestuffs. Lantz Robert (inventor); S A des Matieres Colorantes & Produits Chimiques de Saint Denis (grantee). Issued 4-27-37.

2,078,983. Process & Apparatus for mixing & Emulsifying liquids. Thiberge Paul Louis Armand (inventor). Issued 5-4-37.

2,078,993. Watertight portable thermometer. Barbier Emile (inventor) Issued 5-4-37.

2,079,027. Apparatus for dispensing liquid hydrocarbons. Myon Daniel (inventor); Soc d Etude de Distributeurs Automatiques S E D A (grantee). Issued 5-4-37.

2,079,042. Machine for the electric welding of the side members of vehicle frames. Salves Leon (inventor); Renault Louis (grantee). Issued 5-4-37.

2,079,178. Igniter for grenades. Mortreux Andre Valere Adrien (inventor); Soc Alsacienne d Explosifs Soc a Responsabilite Limitee a Richwiller (grantees). Issued 5-4-37.

2,079,226. Means adapted to reduce the torsional oscillations of crankshafts. Sarazin Raoul Roland Raymond (inventor). Issued 5-4-37.

2,079,789. Treatment of aqueous solutions of acetic acid. Charles Ernest Andre (inventor); Soc Des Produits Chimiques de Clamecy, Etablissements Lambiotte Freres (grantees). Issued 5-11-37.

2,079,972. Apparatus for manufacturing phonographic disks. St Hilaire Albert Barbier (inventor); Soc des Vernis Pyrolac S A R L (grantee). Issued 5-11-37.

2,080,074. Piece of reenforced concrete. Freyssinet Eugene et al, Seailles Jean (inventors). Issued 5-11-37.

2,080,081. Multiplex radio communication. Loth William Arthur et al, Givelet Armand Joseph (inventors). Issued 5-11-37.

2,080,082. Commutating balanced multiplex telephony. Loth William Arthur et al, Givelet Joseph Armand (inventors). Issued 5-11-37.

2,080,083. Manufacture of hardened or tempered glass plates. Magnien Raymond (inventor); Soc Assurex le Roi des Verres de Securite Magnien Monnier & Cie Petit Leon Alfred Edouard (grantees). Issued 5-11-37.

2,080,180. Device ensuring rational suspension of railroad vehicles. Messier George Louis Rene Jean, deceased (inventor); Messier Yvonne Lucie born Bonnamy, administratrix (grantee). Issued 5-11-37.

2,080,186. Latitude and longitude meter for ships. Reymond Henry Claude (inventor). Issued 5-11-37.

2,080,194. Apparatus and process for the continuous distillation rectification of musts containing acetone ethyl alcohol and butyl alcohol. Barbet Emile Augustin (inventor). Issued 5-11-37.

2,080,463. Machine for the continuous projection printing of moving picture films. Dalotel Maurice Albert (inventor). Issued 5-18-37.

2,081,135. Radio receiver. Devienne Emile (inventor). Issued 5-25-37.

2,081,253. Distributing device. Serre Paul (inventor). Issued 5-25-37.

2,081,381. Aerial navigation apparatus. Oehmichen Etienne Edmond (inventor). Issued 5-25-37.

2,081,416. Device for preventing ballooning in spinning. Vicq Jean Charles Albert (inventor); S A Francaise du Ferodo (grantee). Issued 5-25-37.

2,081,476. Ceramic furnace. Dusseris Etienne Jean (inventor). Issued 5-25-37.

2,081,509. General container and closure and toothed article therefor. Simsinovici Martin (inventor). Issued 5-25-37.

2,081,679. Self releasing clutch. Roux Charles et al, Clemencet Louis Eugene (inventors). Issued 5-25-37.

2,081,772. Method and device for the electrical purification of gases. Saint Jacques Eugene Camille (inventor). Issued 6-25-37.

2,081,934. Cinnamic preparations for therapeutic uses. Jacobson Jacob (inventor). Issued 6-1-37.

2,082,116. Construction adapted to cover large surfaces. Mopin Eugene Germain Paul (inventor). Issued 6-1-37.

2,082,151. Cushion particularly for seats and back supports of vehicles. De Poix Felix Marie Joseph Tyrel (inventor); Soc H and F de Poix and Cie (grantee). Issued 6-1-37.

2,082,172. Aeroplane. Mignet Henri (inventor). Issued 6-1-37.

2,082,468. Means for preventing or stopping stomach sickness especially sea sickness. Pupier Andre (inventor). Issued 6-1-37.

2,082,598. Airplane landing gear. Saulnier Raymond (inventor). Issued 6-1-37.

2,083,045. Locking device for nuts. Vaurs Baptiste (inventor); Soc de Boulonnerie et de Matricage de Precision (grantee). Issued 6-8-37.

2,083,113. Carton for shipping and storing boxes bottles etc. Bergaud Felicie Eugenie Amelie Wanpouille (inventor). Issued 6-8-37.

2,083,116. Fancy tile fixing means. Burgel Joseph (inventor). Issued 6-8-37.

2,083,167. Turbo pump unit for extinguishing fires. Lamere Andre (inventor); Soc De Moteurs a Gaz Et D Industrie Mecanique (grantee). Issued 6-8-37.

2,083,195. System for the transmission of signals to railroad vehicles. Le Goff Lucien Joseph Armand (inventor); Soc D Electricite Mors (grantee). Issued 6-8-37.

2,083,253. Method for refining hydrocarbons. Budowski Issar (inventor). Issued 6-8-37.

2,083,880. Bracelet. Tourot Emma Elisa (inventor). Issued 6-15-37.

2,083,962. Process for the manufacture of amino and nitro derivatives. Petitcolas Pierre (inventor); Cie Nationale De Matieres Colorantes Et Manufactures De Produits Chimiques Du Nord Reunies Etablissements Kuhlmann (grantee). Issued 6-15-37.

2,084,063. Metal seal for connecting the ends of a metal band binding a package. Rebichon Andre et al, Sicard Seraphin (inventors). Issued 6-15-37.

2,084,218. Delay action fuse for projectiles and the like. Remondy Leon Emile (inventor). Issued 6-15-37.

2,084,522. Clutching and speed changing gear. Cotal Jean (inventor). Issued 6-22-37.

2,084,526. Luminous plastic substance and its method of manufacture. Grenier Joseph Pierre (inventor); Soc Francaise Helita (grantee). Issued 6-22-37.

2,084,527. Dynamo and dynamo installation. Guilbert Andre Vincent Ernest Cyrille (inventor). Issued 6-22-37.

2,084,656. Self loading refuse vehicle. Rottee Pierre (inventor); Genevе Fernand (grantee). Issued 6-22-37.

2,084,682. Apparatus for incorporating to a stream of fluid under pressure other fluid or powdered bodies. Guenot Maurice Pierre Joseph (inventor). Issued 6-22-37.

2,084,691. Process of and apparatus for performing thermal conversions. Lebre Albert Francois (inventor). Issued 6-22-37.

2,084,698. Connecting device. Mollet Leon (inventor); S A Des Usines Chausson (grantee). Issued 6-22-37.

2,084,720. Garment waist band. Alexandre Paul (inventor). Issued 6-22-37.

2,084,822. Auto Compressor. Pescara Raul Pateras (inventor). Issued 6-22-37.

2,084,823. Motor compressor. Pescara Raul Pateras (inventor). Issued 6-22-37.

2,084,936. Electric circuit breaker. Bresson Charles (inventor); Ateliers De Constructions Electriques De Delle (grantee). Issued 6-22-37.

2,085,115. Gear mechanism. Moineau Rene Joseph Louis (inventor). Issued 6-29-37.

2,085,269. Alkali primary cell with depolarization by air. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 6-29-37.

2,085,329. Device for the loading and unloading of wheeled loads on railway cars. Porte Antoine Paul Rene (inventor); Soc Pour L Union Des Transports Ferroviaires Et Routiers (grantee). Issued 6-29-37.

2,085,448. Wireless receiving set. Ponsot Theophile Elphege et al, Bataille Roger, Kirsch Georges (inventors). Issued 6-29-37.

2,085,475. Seat for automobiles. Salves Leon (inventor); Renault Louis (grantee). Issued 6-29-37.

2,085,483. Aircraft propelling device. Trebucien Jean Jacques (inventor). Issued 6-29-37.

2,085,496. Label holder applicable to documents. Guichard Raymond Arthur Eugene (inventor). Issued 6-29-37.

2,085,507. Automatic loom for the manufacture of knot stitch carpets. Monier Jules (inventor); S A De Fabrication De Tapis A Points Noues Saftan (grantee). Issued 6-29-37.

2,085,575. Transporting and guiding means. Desbordes Louis et al, Bertrand Pierre (inventor); S A Des Manufactures Des Glaces et Produits Chimiques De Saint Gobain Chauny and Cirey (grantees). Issued 6-29-37.

2,085,598. Electric cells connected in a battery. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 6-29-37.

2,085,822. Cosmetic containing case. Mortier Rene (inventor); Soc A Responsabilite Ltee G Rolot et Lemasson de Route De Dijon Et Beaune (grantees). Issued 7-6-37.

2,086,292. Carburetor. Chanard Marthe Louise (inventor). Issued 7-6-37.

2,086,293. Antiblinding goggles and analogous screens. Chevalier Jules Marcel (inventor). Issued 7-6-37.

2,086,308. Carding machine. Van Hille Pierre et al, Taine Roger (inventors); Ateliers Saint Eloi (grantee). Issued 7-6-37.

2,086,520. Device for cooling quick firing arms. Baumann Werner (inventor). Issued 7-13-37.

2,086,555. Two cycle internal combustion engine and method of operating the same. Jalbert Jean Henry et al, Heloir Georges (inventors). Issued 7-13-37.

2,086,824. Shock absorbing device. Simon Lucien et al, Marcon Rene (inventors); Soc D Exploitation Des Brevets Lucien Simon Amortisseurs Sanchok S A (grantee). Issued 7-13-37.

2,086,934. Art of electromechanical recording of sound and in the photoelectric reproduction of the latter from the inscriptions obtained. Bonneau Paul Edmond (inventor); S A La Recherche Industrielle Francaise (grantee). Issued 7-13-37.

2,086,978. Extensible electric cord. Hollenweger Hans Heinrich (inventor); Umgemuth Herman Arthur (grantee). Issued 7-13-37

2,087,166. Gearing mechanism. Saives Leon (inventor); Renault Louis (grantee). Issued 7-13-37.

2,087,230. Method for regenerating phosphoric pickling bath. Bigeon Jean Adrien Marie (inventor); La Cie Nationale De Matieres Colorantes Et Manufactures De Produits Chimiques Du Nord Reunies Etablissements Kuhlmann (grantee). Issued 7-20-37.

2,087,426. Hydraulic shock absorber and similar apparatus. Bechereau Louis et al, Carrouee Rene (inventors). Issued 7-20-37.

2,087,534. Method and apparatus for determining the unbalance of rotating bodies. Coutignal Pierre Louis (inventor). Issued 7-20-37.

2,087,568. Combination lock. Destinay Laurent (inventor). Issued 7-20-37.

2,087,579. Braking device. Piganeau Gerard Pierre (inventor). Issued 7-20-37.

2,087,639. Plow. Demeulenaere Gedeon (inventor). Issued 7-20-37.

2,087,640. Molding for electric wires. Lefebvre du Prey Maurice Albert (inventor). Issued 7-20-37.

2,087,661. Sporting gun. Bretton Georges (inventor). Issued 7-20-37.

2,087,684. Hub. Alessi Grimaldi Antonino (inventor). Issued 7-20-37.

2,087,816. Hydraulic piston machine. Saussard Louis et al, Saussard Andre (inventors). Issued 7-20-37.

2,087,817. Universal joint. Saussard Louis (inventor). Issued 7-20-37.

2,087,885. Lever controlled system. Fleischel Gaston (inventor). Issued 7-27-37.

2,087,948. Relay generator or relay dynamo and its application to traction. Gratzmuller Louis Rene Eugene (inventor). Issued 7-27-37.

2,088,234. Acceleration pump for carburetors. Djordjevitch Yesdimir (inventor). Issued 7-27-37.

2,088,289. Voltage regulating apparatus for electric current generators. Cibie Pierre (inventor). Issued 7-27-37.

2,088,332. Movement converting device. Marchou Elie Raoul (inventor). Issued 7-27-37.

2,088,380. Muzzle recoil check for guns. Methlin Nicolas Emilien (inventor); Schneider et Cie (grantee). Issued 7-27-37.

2,088,540. Change speed device without breach of continuity. Tellez Raymond (inventor). Issued 7-27-37.

2,088,684. Processes for treating the secretions of plants. Bellini Delle Stelle Umberto Gualtiero (inventor). Issued 8-3-37.

2,088,899. Case for lip rouge. Chevreau Pierre (inventor); S A Grenoville (grantee). 8-3-37.

2,088,909. Gastight closure. Jaubert George Francois (inventor). Issued 8-3-37.

2,088,923. Internal combustion engine. Rafalioff Valerien (inventor). Issued 8-3-37.

2,089,022. Heating means. George Henri et al, Delpech Gaston (inventors); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 8-3-37.

2,089,101. Coatings for welding electrodes. Roux Albert (inventor); L Air Liquide S A Pour L Etude et L Exploitation des Procedes Georges Claude (grantees). Issued 8-3-37.

2,089,109. Pneumatic percussive tool. Brun Georges (inventor); Soc D Etudes et D Exploitation du Generateur A Piston Libre (grantees). Issued 8-3-37,

2,089,110. Railway or track vehicle. Bugatti Ettore (inventor). Issued 8-3-37.

2,089,118. Racket. Fritsch Charles (inventor). Issued 8-3-37.

2,089,140. Parachute. Tricau Marcelle (inventor). Issued 8-3-37.

2,089,530. Processes for the preparation of condensation products. Belloc Maurice (inventor); Soc Nobel Francaise S A (grantee). Issued 8-10-37.

2,089,547. Hose reel for fire extinguishing apparatus. Folliot Ernest (inventor). Issued 8-10-37.

2,089,875. Apparatus for the agglomeration of powders of solid combustibles. Bruyant Gaston Victor (inventor); Soc A Responsabilitie Limitee Dite Distillation A Basse Temperature et Auto Agglomeration Des Combustibles (grantee). Issued 8-10-37.

2,090,011. Musical instrument. Selmer Henri (inventor). Issued 8-17-37.

2,090,424. Asymmetrical free piston motor compressor. Pescara Raul Pateras (inventor. Issued 8-17-37.

2,090,489. Process for the manufacture of molded articles. Sommerfeld Arthur (inventor). Issued 8-17-37.

2,090,546. Process for the manufacture of velvet or pile articles. Motte Roger (inventor); S A Etablissements Motte Bossut Fils (grantee). Issued 8-17-37.

2,090,733. Pressure lubricating apparatus. Piquerez Emile (inventor). Issued 8-24-37.

2,090,734. Device for filling tanks with hydrocarbons. Piquerez Emile (inventor). Issued 8-24-37.

2,091,119. Heat exchanger. Saint Jacques Eugene Camille (inventor). Issued 8-24-37.

2,091,519. Refuse vehicle and the like. Noyer Louis (inventor). Soc Sovel Vehicules Electriques Industriels (grantee). Issued 8-31-37.

2,091,547. Internal combustion engine with fuel injection. Jalbert Jean Henry (inventor). Issued 8-31-37.

2,091,553. Sanitary appliances such as wash basins baths etc having hot and cold water supply taps. Mallet Charles (inventor); Etablissements Jacob Delafon Cie Ceramique De Pouilly Sur Saone et Bellevye (grantees). Issued 8-31-37.

2,091,611. Free and opposed piston motor compressor unit. Pescara Raul Pateras (inventor). Issued 8-31-37.

2,091,639. Process for the melting refining and casting of magnesium and its alloys. Jessup Alfred Claude (inventor); Soc De Produits Chemiques Des Terres Rares (grantee). Issued 8-31-37.

2,091,950. Process for the preparation of alloys containing boron. Andrieux Jean Lucien (inventor); Soc D Electrochimie D Electrometallurgie et Des Acieries Electriques D Ugine (grantee). Issued 9-7-37.

2,092,349. Cover for books, ledgers and similar articles. Fortier Anna Alphonsine (inventor.) Issued 9-7-37.

2,092,424. Device for operating the control surfaces of flying machines. Potez Henry Charles Alexandre (inventor). Issued 9-7-37.

2,092,446. Variable speed and automatically driven transmission. Fleischel Gaston (inventor). Issued 9-7-37.

2,092,447. Transmission control mechanism. Fleischel Gaston (inventor). Issued 9-7-37.

2,092,532. Extensible electric cord. Hollenweger Hans Heinrich (inventor); Umgemuth Herman Arthur (grantee). Issued 9-7-37.

2,092,825. Method of increasing viscosity of latex mixes. Behr Arthur (inventor). Issued 9-14-37.

2,092,957. Printing device applicable to weighing apparatus. Cuenoud Fernand (inventor). Issued 9-14-37.

2,093,174. Pressure fastening device of the continuous type. Podolsky Rubin (inventor). Issued 9-14-37.

2,093,403. Cable connecter and junction with conical contact. Sertillange Maurice Antoine (inventor). Issued 9-21-37.

2,093,469. Exhaust manifold for internal combustion engines. Saint Jacques Eugene Camille (inventor). Issued 9-21-37.

2,039,558. Hemstitching machine. Hirsch Claude (inventor). Anciens Etablissements R Cornely & Cie S A (grantee). Issued 9-21-37.

2,093,656. Manufacture of bodies containing metallic carbides. Fodor Gabriel et al, Garih Henri (inventors). Issued 9-21-37

2,093,709. Fulling machine of the roller type. Casse Marcel (inventor). Issued 9-21-37.

2,093,812. Multiplex telegraphic and telephonic system. Loth William Arthur et al, Givelet Joseph Armand (inventors). Issued 9-21-37.

2,093,836. Metallic structure. Guyon Yves (inventor). Issued 9-21-37.

2,093,846. Elastic suspension of engines. Paulsen Jean Felix et al, Strachwsky Nikita (inventors). Issued 9-21-37.

2,093,939. Electrical heater for cooking purposes. Strack Albert Friedrich (inventor). Issued 9-21-37.

2,094,149. Adjustable pitch propeller. Gabe Achille Ernest (inventor). Issued 9-28-37.

2,094,293. Thermal switch. Dupont Rivaud (inventor). Issued 9-28-37.

2,094,939. Process for the preparation of stable colloidal sulphur. Boulogne Edgar (inventor); Soc Industrielle Des Derives Du Soufre Boulogne Edgar (grantees). Issued 10-5-37.

2,094,956. Construction of lead chambers for the manufacture of sulphuric acid. Moritz Rene (inventor). Issued 10-5-37.

2,095,110. Heel. Toursier Jean Francois Roger Paul (inventor). Issued 10-5-37.

2,095,136. Spherical plug cock. Jaussaud Robert Maurice (inventor). Issued 10-5-37.

2,095,148. Radiator composed of removable elements. Mical Camille (inventor). Issued 10-5-37.

2,095,169. Moistening device for the treatment of the hair. Colson Lucien et al, Colson Marcel (inventors). Issued 10-5-37.

2,095,493. Device for producing a auction. Bernard Auguste Louis Rene decd (inventor); Bernard Renee nee Bournonville excr (grantee). Issued 10-12-37.

2,095,574. Mining fuse. Roumazeilles Maurice et al, Harle Roger (inventors). Soc Dite Harle Freres and Co S A R L (grantee). Issued 10-12-37.

2,095,605. Reed for wind instruments. Leblanc Georges (inventor). Issued 10-12-37.

2,095,606. Automatic knitting machine for the manufacture of proportioned articles with or without seams. Lebocey Gaston (inventor). Issued 10-12-37.

2,095,639. Process for preparation of azo dyestuffs. Kienzle Paul Jean Andre (inventor); Cie Nationale De Matieres Colorantes et Manufacturers De Produits Chemiques Du Nord Reunies Etablissements Kuhlmann (grantee). Issued 10-12-37.

2,095,716. Measurement apparatus. Riberolles Rene (inventor). Issued 10-12-37.

2,095,864. Device for stabilizing and adjusting the tension of the suspension means of vehicles. Gaudefroy Emile (inventor). Issued 10-12-37.

2,095,919. Manufacture of cigarette paper blocks. Chambon Henri (inventor); S A De Anciens Etablissements L Chambon (grantee). Issued 10-12-37.

2,095,946. Apparatus for tempering rails. Blage Marcel (inventor); S A Des Hauts Fourneaux De La Chiers (grantee). Issued 10-12-37.

2,096,260. Device damping the disturbances propagated in fluid. Pavillon Andre Francois (inventor). Issued 10-19-37.

2,096,516. Regulator for compressed air brakes. Houplain Georges Emile (inventor). Issued 10-19-37.

2,096,637. Process for the manufacture of unsaturated aliphatic aldchydes. Guinot Henri Martin Emmanuel (inventor). Issued 10-19-37.

2,096,734. Process for concentrating and purifying acetic acid from pyroligneous products. Coutor Charles (inventor); Soc Etablissements Lambiotte Freres (grantee). Issued 10-26-37.

2,096,830. Air or gas compressor. Vendome Raoul (inventor); Franck Marcel (grantee). Issued 10-26-37.

2,096,999. Elastic coupling device. Sarazin Raoul Roland Raymond (inventor). Issued 10-26-27.

2,097,011. Automatic change speed device. Athimon Alfred (inventor). Issued 10-26-37.

2,097,073. Tempered glass article and method of manufacturing the same. Long Bernard (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantee). Issued 10-26-37.

2,097,077. Depolarizing electrode for electric batteries. Oppenheim Rene (inventor); S A Le Carbone (grantee). Issued 10-26-37.

2,097,164. Automatic railway signaling. Semond Roger Georges (inventor). Issued 10-26-37.

2,097,220. Mechanical self stopping device for pictures with an automatic re starter. Blum Raymond (inventor). Issued 10-26-37.

2,097,431. Stabilizing device for two stroke free piston engine. Brun Georges Jean Pierre Jules Joseph (inventor). Issued 11-2-37.

2,097,522. Means for simultaneously determining the volume the weight and the density of granular and other materials. Hanique Alfred (inventor). Issued 11-2-37.

2,097,962. Remote control for machine guns. Boussel Lucien Albert (inventor); S A Des Anciens Etablissements Hotchkiss & Cie (grantee). Issued 11-2-37.

2,097,992. Carding machine. Wallaert Andre (inventor). Issued 11-2-37.

2,098,002. Display lighting circuits. Guerin Marcel et al, Breton Paul (inventors). Issued 11-2-37.

2,098,012. Lock and more particularly door lock for automobiles. Papst Max (inventor). Issued 11-2-37.

2,098,363. Railroad signaling device based upon the spacing due to the speed. Tuot Raymond Arthur (inventor); Soc Auxiliare D Etudes Electrotechniques (grantee). Issued 11-9-37.

2,098,531. Stabilization of ships. Baze William Lawrence (inventor). Issued 11-9-37.

2,098,608. Apparatus for the purification of miscellaneous liquid mixtures. Berges Andre (inventor). Issued 11-9-37.

2,098,689. Apparatus for automatically recording unusual or accidental occurrences. Masson Emile (inventor). Issued 11-9-37.

2,098,877. Stabilizing device for aerial navigation machines. Oehmichen Etienne Edmond (inventor). Issued 11-9-37.

2,099,082. Process for the rolling of thin sheet metal. Saives Leon (inventor); Renault Louis (grantee). Issued 11-16-37.

2,099,265. Process for the manufacture of molded pieces from mortar or concrete. Freyssinet Eugene (inventor). Issued 11-16-37.

2,099,367. Method of compounding ceramic products. Lefranc Jacques Gustave Adolphe (inventor). Issued 11-16-37.

2,099,386. Motor starting device. Cibie Pierre (inventor). Issued 11-16-37.

2,099,693. Gridiron. Lafitte Jacques Paul Louis (inventor). Issued 11-23-37.

2,099,780. Apparatus for weaving terry fabric. Van De Casteele Marc (inventor). Issued 11-23-37.

2,099,853. Handbag. Konelsky Ernest (inventor). Issued 11-23-37.

2,099,867. Body of automobile vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 11-23-37.

2,099,965. Method of recording the work performed by welders. Sarazin Robert (inventor). Issued 11-23-37.

2,099,973. Life saving and swimming propelling device. De Corlieu Louis Marie (inventor). Issued 11-23-37.

2,100,038. Plug or cork for delivering doses. Schubenel Robert (inventor). Issued 11-23-37.

2,100,087. Photographic printing machine. Priou Pierre Auguste Marcellin (inventor). Issued 11-23-37.

2,100,148. Apparatus for producing images. Parker Claire (inventor). Issued 11-23-37.

2,100,182. Compressed fluid circuit breaker with multiple breaks. Clerc Andre (inventor); Ateliers De Constructions, Electriques De Delle (grantees). Issued 11-23-37.

2,100,673. Device for the combined control of the admission of air and of fuel in automatic heavy oil furnaces. Schwander Erwin Frederic (inventor); Soc D'Etudes Des Vehicules Sev (grantee). Issued 11-30-37.

2,100,689. Elastic suspension system. Dubonnet Andre (inventor). Issued 11-30-37.

2,101,076. Electric time indicator for sounding apparatus. Laboureur Louis Auguste et al, Marie Joseph, Dubois Raymond (inventors). Issued 12-7-37.

2,101,412. Free piston driving gas generator. Pescara Raul Pateras (inventor). Issued 12-7-37.

2,101,425. Braking device for rotating machine parts. Brisson Louis Charles (inventor); S A Soc Des Freins Hydrauliques De Lavaud (grantee). Issued 12-7-37.

2,101,618. Endless track for vehicles. Kegresse Adolphe (inventor). Issued 12-7-37.

2,102,036. Clutch control device. Saives Leon (inventor); Renault Louis (grantee). Issued 12-14-37.

2,102,113. Carburetor. Djordjevitch Yesdimir (inventor). Issued 12-14-37.

2,102,145. Automatic regulator. Fallou Jean (inventor); Cie Pour La Fabrication Des Compteurs & Materiel D Usines A Gaz (grantee). Issued 12-14-37.

2,102,245. Explosive charge and apparatus for the manufacture of the same. Weber Guillaume (inventor); Les Petits Fils De Francois De Wendel & Cie (grantees). Issued 12-14-37.

2,102,263. Saliva ejector. Grunewald Hubert (inventor). Issued 12-14-37.

2,102,373. Latching system for automobiles or other vehicles. Moittie Lucien Dominique Octave (inventor); S A Des Etablissements Repusseau and Cie (grantee). Issued 12-14-37.

2,102,476. Floatless carburetor. Mennesson Marcel (inventor); S A Solex (grantee). Issued 12-14-37.

2,102,505. Machine for the tooling of metallic screw propeller blades. Bertillez Charles William (inventor); Cie De Fives Lille (grantee). Issued 12-14-37.

2,102,524. Centrifugal clutch. Fleux Jean (inventor); Schneider & Cie (grantee). Issued 12-14-37.

2,102,540. Machine for hobbing the teeth of worm wheels. Lechesne Gabriel (inventor); Durand Paul (grantee). Issued 12-14-37.

2,102,639. Apparatus for constructing monolithic canalized structures. Mourraille Jean Pierre Louis (inventor); Ste Dite Satujo Ste Anme De Construction De Tuyaux Sans Joints Systeme Cravetto Brevete S G D G (grantee). Issued 12-21-37.

2,102,880. Apparatus for dry separation of materials of different densities. Berry Francois Jacques (inventor); Ateliers et Chantiers De La Manche (grantee). Issued 12-21-37.

2,102,903. Loud speaking and amplified microphone telephone exchange. Leveque Emile (inventor); Le Telephone Prive National S A (grantee). Issued 12-21-37.

2,102,946. Internal combustion engine. Dugelay Paul (inventor); Soc D'Exploitation De Brevets Pour L'Industrie L'Aviation et L'Automobile Sebia (grantee). Issued 12-21-37.

2,103,060. Brassiere. Cadolle Marcel (inventor). Issued 12-21-37.

2,103,144. Apparatus for giving anesthetics. Carre Jean (inventor). Issued 12-21-37.

2,103,402. Safety razor. Beckley Pendleton (inventor). 12-28-37.

2,103,426. Grilling and toasting device. Le Masson Marcel (inventor). Issued 12-28-37.

2,103,590. Resilient suspension device for motor cars or other vehicles. Lefevre Andre Rene (inventor); S A Andre Citroen (grantee) Issued 12-28-37.

2,103,666. Antifrost device. D'Ornellas Manuel Luis Jose (inventor). Issued 12-28-37.

2,103,935. Device for preventing evaporation of volatile products. Cossats Raoul Eugene (inventor). Issued 12-28-37.

2,104,154. Sacking into valve bags. Du Bois Alfred (inventor). Issued 1-4-38.

2,104,493. Device for emptying tanks. Muller Jacques (inventor). Issued 1-4-38.

2,104,509. Type casting and setting machine. Deveze Frederic (inventor). Issued 1-4-38.

2,104,555. Electrical furnace. Cousteix Blaise (inventor); S A Des Manufactures Des Glaces et Produits Chimiques De Saint Gobain Chauny et Cirey (grantees). Issued 1-4-38.

2,104,557. Electrical heating means. George Henri et al, Delpech Gaston (inventors); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantee). Issued 1-4-38.

2,104,943. Bathing suit. D Achon Simone (inventor); La Soc A Responsabilite Limitee Dite Irmone (grantee). Issued 1-11-38.

2,105,042. Motor vehicle with variable propulsion. Kegresse Adolphe (inventor). Issued 1-11-38.

2,105,050. Electrical clock device. Mome Marcel (inventor). Issued 1-11-38.

2,105,160. Apparatus for emptying drums containing very thick lubricants or other viscous materials. Piquerez Emile (inventor). Issued 1-11-38.

2,105,177. Device for controlling cathode beams. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs Et Materiel D Usines A Gas (grantee). Issued 1-11-38.

2,105,186. Variable speed power transmitting device. De La Barre De Nanteuil Christian (inventor). Issued 1-11-38.

2,105,208. Manufacture of vinyl resins. Belloc Maurice (inventor); Soc Nobel Francaise (grantee). Issued 1-11-38.

2,105,293. Convertible body for vehicles and particularly for motor vehicles. Paulin Georges Auguste (inventor). Issued 1-11-38.

2,105,374. Tail device for airplanes. Saulnier Raymond (inventor). Issued 1-11-38.

2,105,634. Machine for facing the surfaces of hard substances by pressure. Brendel Georges Fernand (inventor); S A Soc Marbriere De Paris (grantee). Issued 1-18-38.

2,105,777. Reproduction and projection of goffered films. Saint Genies Anne Henri Jacques De Lassus (inventor). Issued 1-18-38.

2,105,988. Fuel agitator. Ridet Henri A (inventor); S A Fours Et Apparells Sten (grantee). Issued 1-18-38.

2,106,115. Cinematographic intermittent film feed and shutter. Debrie Andre Leon Victor Clement (inventor). Issued 1-18-38.

2,106,397. Optical adjusting device for cinematographic apparatus. Angenieux Pierre et al Gutmann Jean Marie (inventors). Issued 1-25-38.

2,106,460. Optical device for measuring angles such as sectants. Lepetit Albert (inventor). Issued 1-25-38.

2,106,533. Reflector in particular for vehicles. Nielsen Frederic (inventor). Issued 1-25-38.

2,106,603. Automatic variable speed gear. Jacques Emile (inventor). Issued 1-25-38.

2,106,633. Machine for the manufacture of biscuits. Girodin Marius Ernest (inventor). Issued 1-25-38.

2,106,791. Resilient Diaphragm. Brisson Louis Charles (inventor); S A Soc De Freins Hydrauliques S De Lavaud (grantees). Issued 2-1-38.

2,106,820. Flying machine. Thibault Emile Henri (inventor). Issued 2-1-38.

2,106,933. Reproduction of lenticular films. Saint Genies Anne Henri Jacques De Lassus (inventor). Issued 2-1-38.

2,106,934. Landing gear for aircraft. Saulnier Raymond (inventor). Issued 2-1-38.

2,106,998. Tachymetric correcting device more particularly for use in connection with sighting apparatus for artillery. Fieux Jean (inventor); Schneider & Cie (grantee). Issued 2-1-38.

2,107,197. Process for the preparation of wetting emulsifying dispersing or cleansing agents and products obtained by this process. Butignot Andre (inventor); Cie Nationale De Matieres Colorantes Et Manufactures De Produits Chimiques Du Nord Reunies Etablissements Kuhlmann (grantee). Issued 2-1-38.

2,107,619. Device for making oneself a tie knot. Ramas Jules Ferdinand (inventor). Issued 2-8-38.

2,107,637. Method of making porous articles. Lefebvre Carnot Pierre et al, Vautier Leon Pierre Georges (inventors); Soc Francaise De La Viscose S A (grantee). Issued 2-8-38.

2,107,689. Power transmitting mechanism for vehicles and especially railroad vehicles. Bugatti Ettore (inventor). Issued 2-8-38.

2,107,722. Mechanical propulsion toy vehicle. Vimeux Leon (inventor). Issued 2-8-38.

2,107,804. Method of modifying the acoustics of a room. Roux Bernard et al, Ganzin Robert, Sellima Marie (inventors). Issued 2-8-38.

2,107,823. Braking system. Hallot Paul (inventor). Issued 2-8-38.

2,107,969. Method of making record cards for statistical machines. Valtat Raymond Louis Andre (inventor). Issued 2-8-38.

2,107,973. Electric transformer for high tension. Bajon Adolphe (inventor); S A Transformateurs De Mesure E Walter (grantee). Issued 2-8-38.

2,107,974. Shock absorber. Bechereau Louis et al, Carrouee Rene (inventors). Issued 2-8-38.

2,107,980. Method for preparing iron and steel. Elian John (inventor). Issued 2-8-38.

2,108,010. Clockwork system. Delviniotti Jean (inventor). Issued 2-8-38.

2,108,026. Automatic firearm. Sutter Charles et al, Boussel Andre (inventors); S A Anciens Etablissements Hotchkiss and Cie (grantee). Issued 2-8-38.

2,108,384. Transmission gear for electric starters. Moisy Alexandre (inventor). Issued 2-15-38.

2,108,652. Propelling device. Coanda Henri (inventor); S A d'Etudes des Brevets et Procedes Coanda Societe Coanda (grantee). Issued 2-15-38.

2,108,977. Means for cooling and filtering liquids. Vulliermе Marcel (inventor). Issued 2-22-38.

2,109,086. Grinding instrument for use in dental work. Coussement Hilaire P et al, Cappette Floris (inventors). Issued 2-22-38.

2,109,088. Machine for cutting embossing and printing sheets of paper and cardboard. Levin Salomon (inventor). Issued 2-22-38.

2,109,353. Control device for rectifiers with ionized vapor. Demontvignier Marcel (inventor); Hewittic S A (grantee). Issued 2-13-40.

2,109,403. Means for guiding toy vehicles. Roussy Louis et al, Trubert Rene (inventors). Issued 2-22-38.

2,109,549. Apparatus for emptying packages or receptacles having flexible walls. Piquerez Emile (inventor). Issued 3-1-38.

2,109,691. Pneumatic tire. D Agguesvives Serge (inventor). 3-1-38.

2,109,710. Device for the control of sliding body tops for vehicles. Salves Leon (inventor); Renault Louis (grantee). Issued 3-1-38.

2,109,737. Show window. Schlumbohm Peter (inventor). Issued 3-1-38.

2,109,820. Card selecting system. Desaubliaux Robert Roger Maurice (inventor). Issued 3-1-38.

2,109,850. High tension fuse with high rupturing power. Saudicoeur Louis Joseph (inventor); Ateliers de Constructions Electriques de Delle (grantee). Issued 3-1-38.

2,110,012. Packing for ground coffee. Auban Felix (inventor). Issued 3-1-38.

2,110,103. Measuring valve for use with collapsible tubes. Blanchard Andre (inventor); S A Etablissements Betts et Blanchard (grantee). Issued 3-1-38.

2,110,166. Signaling system for railway and like installations. Nicolas Paul (inventor); Soc Francaise Radio Electrique (grantee). Issued 3-8-38.

2,110,180. Device for changing gears in motor cars and the like. Semery Jean Marie Charles (inventor). Issued 3-8-38.

2,110,191. Polyfuel engine. Bagnulo Albert (inventor). Issued 3-8-38.

2,110,314. Pump for injection engines. Wisner Rene (inventor); S A Andre Citroen (grantee). Issued 3-8-38.

2,110,422. Boiler furnace. Norguet Rene Marie Emile Omer (inventor). Issued 3-8-38.

2,110,445. Process for purifying impure lead. Leferrer Ferdinand (inventor); Soc Miniere et Metallurgique de Penarroya (grantee). Issued 3-8-38.

2,110,446. Process for purifying impure lead. Leferrer Ferdinand (inventor); Soc Miniere et Metallurgique de Penarroya (grantee). Issued 3-8-38.

2,110,529. Soldering or welding machine. Rossignol Alfred Auguste Adolphe et al, Qatremains Alexis Eugene, Rossignol Auguste Louis (inventors). Issued 3-8-38.

2,110,530. Process for the mechanical trimming of pieces. Salves Leon (inventor); Renault Louis (grantee). Issued 3-8-38.

2,110,563. Aircraft of the autogyro type. Thaon Andre (inventor). Issued 3-8-38.

2,110,566. Apparatus for the operation of grabs buckets and the like. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise de Construction de Bennes Automatiques (grantee). Issued 3-8-38.

2,110,791. Case which can be transformed into a table. Denormandie Paul (inventor). Issued 3-8-38.

2,110,930. Recuperation of valuable metals from photographic baths. Doffin Henri Georges (inventor). Issued 3-15-38.

2,110,942. Roller conveyor. Piquerez Emile (inventor). Issued 3-15-38.

2,111,140. Process for concentrating acetic acids. Coutor Charles (inventor); S A Etablissements Lambiotte Freres (grantee). Issued 3-15-38.

2,111,200. Mechanical packing joint. Amourelle Jean (inventor). Issued 3-15-38.

2,111,315. Force measuring device for rockets. Damblanc Louis (inventor). Issued 3-15-38.

2,111,469. Manufacture of formaldehyde. Francon Jacques (inventor). Issued 3-15-38.

2,111,470. Process for electrolytic preparation of alkaline earth alloys. Gadeau Robert Andre (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue (grantee). Issued 3-15-38.

2,111,475. Flexible mounting for carrying rollers on vehicles. Kegresse Adolphe (inventor). Issued 3-15-38.

2,111,549. Valve for internal combustion engines. Blanchet Jean (inventor). Issued 3-22-38.

2,111,768. Preparation of p benzylamino benzenesulphonamides. Goissedet Paul Emile Charles et al, Despois Robert Ludovic (inventors); Soc des Usines Chemiques Rhone Poulenc (grantee). Issued 3-22-38.

2,111,792. Improved shock absorber. Laugaudin Eugene (inventor). Issued 3-22-38.

2,111,850. Process for the manufacture of knitted articles such as silk stockings. Flescher Pierre Henry Edmond (inventor); Dore & Fils (grantee). Issued 3-22-38.

2,111,885. Automobile body work. Cambessedes Jean Etienne Felix (inventor). Issued 3-22-38.

2,111,991. System for heating by hot water circulation. Richard Henri Andre (inventor). Issued 3-22-38.

2,112,113. Drawing instrument. Rabe Karl (inventor); Rosenberger Adolf (grantee). Issued 3-22-38.

2,112,168. Product for surfacing roads. Leaute Pierre Marcel Andre (inventor); Soc de Recherches & de Perfectionnements Industriels (grantee). Issued 3-22-38.

2,112,391. Supercharged furnace. Anxionnaz Rene (inventor). Issued 3-29-38.

2,112,394. Manufacture of sheaths particularly cigarette paper sheaths. Chambon Henri (inventor); S A des Anciens Etablissements L Chambon (grantee). Issued 3-29-38.

2,112,411. Optical system for motor head lights and projectors. Schaffner Henri Alexandre, Hippolyte Joseph (inventors). Issued 3-29-38.

2,112,478. Knitting machine with rectilinear needle beds. Cavero Michel (inventor); Soc en Nom Collectif Lebocey Freres Dite Etablissements Lebocey (grantee). Issued 3-29-38.

2,112,757. Stabilizing device for aeroplanes. Billioque Elie Jean Henri (inventor). Issued 3-29-38.

2,113,315. Internal combustion engine. Bugatti Ettore (inventor). Issued 4-5-38.

2,113,316. Method of making valves. Bugatti Jean (inventor). Issued 4-5-38.

2,113,333. Greasing apparatus. Piquerez Emile (inventor). Issued 4-5-38.

2,113,476. Method of copying goffered films. Saint Genies Anne Henri Jacques De Lassus (inventor). Issued 4-5-38.

2,113,478. Air screw with automatically variable pitch. Gobereau Robert Richard (inventor). Issued 4-5-38.

2,113,492. Means for the manufacture of fabrics with bias weft. Philippe Eugene (inventor); Soc Ch Philippe & Cie (grantee). Issued 4-5-38.

2,113,619. Furnace for the agglomeration of pulverulent materials. Saint Jacques Eugene Camille (inventor). 4-12-38.

2,113,794. Road surfacing product. Leaute Pierre Marcel Andre (inventor); Soc de Recherches et de Perfectionnements Industriels (grantee). Issued 4-12-38.

2,113,831. Combustion apparatus. Dupuy Henri (inventor). Issued 4-12-38.

2,113,879. Lifting apparatus. Delalandre Camille (inventor). Issued 4-12-38.

2,113,990. Internal combustion engine. Laraque Roland (inventor). Issued 4-12-38.

2,114,214. Self propelling projectile. Damblanc Louis (inventor). Issued 4-12-38.

2,114,238. Cooling system. Rabatel Henri Augustin (inventor). Issued 4-12-38.

2,114,278. Controlling device for rotatable shafts. Cazes Paul Georges (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 4-19-38.

2,114,571. Suspension for vehicles. Renaux Eugene Prosper (inventor). Issued 4-19-38.

2,114,653. Divisor. Danel Pierre Francois (inventor); Ateliers Neyret Beyller and Piccard Picket (grantees). Issued 4-19-38.

2,114,672. Brake. Bertrand Lucien (inventor); S A Francaise du Ferodo (grantee). Issued 4-19-38.

2,114,759. Direction signal for motor cars. Barjot Henri Marie Rene (inventor). Issued 4-19-38.

2,115,095. Coupling device for railroad vehicles. Bugatti Ettore (inventor). Issued 4-26-38.

2,115,100. Needle holder for a relooping needle. Gostkowski Bedri Hussein (inventor); Soc Vitos (grantee). Issued 4-26-38.

2,115,101. Apparatus for operating a relooping needle. Gostkowski Bedri Hussein (inventor); Soc Vitos (grantee). Issued 4-26-38.

2,115,408. Apparatus for the manufacture of colored glass. Brosse Pierre (inventor); S A Holbrever (grantee). Issued 4-26-38.

2,115,480. Incandescent electric lamp. Claude Andre Nicolas (inventor); S A Pour les Applications de l Electricite et des Gas Rares Etablissements Claude Paz & Silva (grantee). Issued 4-26-38.

2,115,576. Substituted camphoric amides and process for their preparation. Goissedet Paul Emile Charles et al, Despois Robert Ludovic (inventors); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 4-26-38.

2,115,797. Waterproof compound. Belloc Maurice Henri (inventor); Soc Nobel Francaise (grantee). Issued 5-3-38.

2,116,077. Container for liquid servicing products. Mauguy Valentine Amelie et al, Levy Robert Joachim (inventors). Issued 5-3-38.

2,116,355. Disazo dyestuffs and their production. Kopp Georges (inventor); Cie Nationale de Matieres Colorantes et Manufactures de produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 5-3-38.

2,116,608. Carburetor. Seignoledcuard Frederic Charles et al, Monier Francis Jules (inventors); Soc Auxiliaire Pour le Developpement d Industries Mecaniques S A D I M (grantee). Issued 5-10-38.

2,116,611. Porous material and method of making same. Vautier Leon Pierre Georges et al, Carnot Claude (inventors); Soc Francaise de la Viscose S A (grantee). Issued 5-10-38.

2,116,620. Weft feeder for weaving looms. Dewas Raymond (inventor). Issued 5-10-38.

2,116,633. Light filter. Long Bernard (inventor); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 5-10-38.

2,116,667. Rádio beacon and blind landing system. Chireix Henri (inventor); Cie Generale de Telegraphie Sans Fil (grantee). Issued 5-10-38.

2,116,825. Container for the transport of merchandise. Crescent Andre Jules Alexandre et al, Robinet Aime Joseph (inventors); Crescent Andre Jules Alexandre (grantee). Issued 8-8-39.

2,116,834. Endless track for vehicles. Kegresse Adolphe (inventor). Issued 8-8-39.

2,116,835. Flexible joint for machine parts. Kegresse Adolphe (inventor). Issued 8-8-39.

2,117,211. Thermal motor for rewinding clocks or like apparatus. Reutter Jean Leon (inventor). Issued 8-8-39.

2,117,212. Damping means for magnetic speedometers. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantee). Issued 8-8-39.

2,117,213. Electric switch with manometric control. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantee). Issued 8-8-39.

2,117,544. Lighting by sustained luminescence. Coustal Rene Andre (inventor); S A Stella Lux (grantee). Issued 5-17-38.

2,117,575. Power Hammer for stamping with counter tup. Salves Leon (inventor); Renault Louis (grantee). Issued 5-17-38.

2,117,603. Opening of textile fabrics from rope form. Dungler Julien (inventor). Issued 5-17-38.

2,118,341. Combustion chamber for internal combustion engines with ignition by compression. Colell Richard (inventor). Issued 5-24-38.

2,118,375. Selvedge guide apparatus for fabrics. Dungler Julien (inventor). Issued 5-24-38.

2,118,577. Paving device. Thevenin Georges (inventor). Issued 5-24-38.

2,118,667. Dielectric. Domenach Louis (inventor); Cie Generale d Electricite (grantee). Issued 5-24-38.

2,118,712. Primary cell. Oppenheim Rene (inventor); S A le Carbone (grantee). Issued 5-24-38.

2,118,790. Electromechanical winding device. Fouques Raoul et al, Lenfant Jacques (inventors). Issued 5-24-38.

2,118,979. Means for preventig crust formations on the walls of boilers. Mazza Plinio Sergio Davide (inventor). Issued 5-31-38.

2,119,003. Calculating machine. Bister Germain Justin Marie (inventor). Issued 5-31-38.

2,119,067. Jewel ornamented with stones. Arpels Salomon Dit Charles (inventor); Soc Van Cleef & Arpels (grantee). Issued 5-31-38.

2,119,088. Method for producing flat blanks for aluminum cooking vessels. Strack Albert Friedrich (inventor). Issued 5-31-38.

2,119,092. Magneto. Bernard Jean (inventor). Issued 5-31-38.

2,119,151. Friction bearing for aircraft control surfaces. Calvy Jean (inventor). Issued 5-31-38.

2,119,181. Aircraft. Saulnier Raymond (inventor). Issued 5-31-38.

2,119,270. Method for treating the residues from the roasting of the iron pyrites. De Vecchis Ineo (inventor). Issued 5-31-38.

2,119,466. Process for the manufacture of urea & formaldehyde varnishes & product obtained. Michaut Paul (inventor). Issued 5-31-38.

2,119,573. Needle of weaving looms. Dewas Raymond (inventor). Issued 6-7-38.

2,119,680. Method and means for the manufacture of electrical resistances. Long Bernard (inventor); S A des Manufactures des Glaces & Produits Chemiques de Saint Gobain, Chauny & Cirey (grantees). Issued 6-7-38.

2,119,836. Baby carriage foldable to form trunks. Waeles Daniel Charles et al, Rozentraub David (inventors). Issued 6-7-38.

2,119,903. Shoe brake. Brisson Louis Charles et al, Marmignon Pierre (inventors); S A Soc des Freins Hydrauliques, S de Lavaud (grantees). Issued 6-7-38.

2,119,999. Welding strip. Naeder Maurice (inventor). Issued 6-7-38.

2,120,016. Connecting rod. Bugatti Jean (inventor). Issued 6-7-38.

2,120,148. Apparatus for producing permanent waves. Kallmann Simon (inventor). Issued 6-7-38.

2,120,435. Transporting and guiding means. Desbordes Louis et al, Bertrand Pierre (inventors); S A des Manufactures des Glaces and Produits Chimiques de Saint Bobain, Chauny and Cirey (grantees). Issued 6-14-38.

2,120,576. Means for controlling the worker of teasing machines. Scholaert Albert C (inventor). Issued 6-14-38.

2,120,647. Door lock. Parsi Max (inventor). Issued 6-14-38.

2,120,729. Process and device for automatically centering x-rays in radiographic and stereoscopic radiographic apparatus. Chausse Clement Sylvain (inventor). Issued 6-14-38.

2,120,733. Clutching and speed changing mechanism. Cotal Jean (inventor). Issued 6-14-38.

2,120,734. Coupling mechanism. Cotal Jean (inventor). Issued 6-14-38.

2,120,735. Adjustable drive roll for developing machines for films and the like. Debrie Andre Leon Victor Clement (inventor). Issued 6-14-38.

2,120,753. Silencing device for endless track vehicles. Kegresse Adolphe (inventor). Issued 6-14-38.

2,120,785. Furnace for treating pulverulent materials. Saint Jacques Eugene Camille (inventor). Issued 6-14-38.

2,120,813. Radio tuning indicator device. Riotte Roger (inventor); Sonora Radio S A (grantee). Issued 6-14-38.

2,120,890. Spark plug. Figard Pierre (inventor). Issued 6-14-38.

2,121,300. Apparatus for atomizing. Peycru Louis (inventor). Issued 6-21-38.

2,121,445. Control mechanism. Prompt Lucien Louis Joseph (inventor). Issued 6-21-38.

2,121,506. Carburetor. Mennesson Marcel (inventor); S A Solex (grantee). Issued 6-21-38.

2,121,659. Reinforced track crossing. Grand Jean Francois Eugene et al, Grand Rene Lucien (inventors). Issued 6-21-38.

2,121,670. Construction of fuselages vehicle bodies and the like. Salves Leon (inventor); Renault Louis (grantee). Issued 6-21-38.

2 121 816 Relay for fuel gauge. Mortier Henri (inventor). Issued 6-28-38.

2 121,999 Vertical heat exchanger. Trepaud Georges (inventor). Issued 6-28-38.

2,122 083. Method of and apparatus for producing corrugated glass sheets. Boudin Louis et al Poeymirou Henri (inventors); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny & Cirey (grantees). Issued 6-28-38

2 122 111 Air filter Poelman Armand J J et al Schneider Robert (inventors). Issued 6-28-38

2 122 123 Powder puff forming a receptacle. Zolotnizky Mischa (inventor). Issued 6-82-38

2 122.200 Apparatus for conveying objects treated in continuously operating furnaces. Feurment Marcel (inventor). Issued 6-28-38

2 122,422 Apparatus for reducing resistance. Huet Andre (inventor) Issued 7-5-38.

2,122 856. Strapping material for binding or securing boxes bales parcels and other packages and process for manufacturing the same. Brenneisen Hermann (inventor) Issued 7-5-38.

2 122,928 Gyroplane. Breguet Louis (inventor); S A des Ateliers d Aviation. Louis Breguet (grantees). Issued 7-5-38

2,122,949 Device for automatically controlling the filling of reservoirs tanks and the like. Piquerez Emile (inventor). Issued 7-5-38

2 123 096 Aeroplane Charpentier Jean Frederic Georges Marie Leon (inventor). Issued 7-5-38.

2 123,115 Stroboscopic device for checking and adjusting meters Maillat Gustave Ernest (inventor); Union d Electricite (grantee) Issued 7-5-38.

2 123 354 Coating size on a paper strip Corse Gaston (inventor); Soc Dite Ancienne Etablissements L Chambon (grantees). Issued 7-12-38.

2,123 463 Apparatus for the manufacture of yeast Effront Ivan Auguste (inventor). Issued 7-12-38.

2 123 469 Device for placing protective coverings automatically on the seats of water closets Joriot Camille (inventor). Issued 7-12-28

2,123.578 Engine mount Renaux Eugene Prosper et al. Renaux Lucien Jules (inventors) Issued 7-12-38.

2,123,769 Speed changing gear. Cotal Jean (inventor). Issued 7-12-38

2 123,770 Clutching and speed changing mechanism. Cotal Jean (inventor). Issued 7-12-38

2 124 133 Injection device for internal combustion engines Bellem Louis Henri Libert (inventor). Issued 7-19-38.

2 124 150 Method and device for recording sound Ricchiardi Pier Carlo, inventor. Issued 7-19-38.

2 124,260 Gas purifying material Poss Ferdinand Christoph (inventor); Cie des Produits Chimiques et Charbous Actifs Edouard Urbain (grantees) Issued 7-19-38

2 124,287 Purse. Clavier Jean (inventor). Issued 7-19-38

2 124 471 Hat retainer. Rittener Agnes Born Collins (inventor) Issued 7-19-38

2 124 493 Apparatus for use in connection with bottles containing a gaseous fluid under pressure Mejean Jacques Gustave (inventor); Soc Bronzavia (grantee). Issued 7-19-38

2 124 787 Radiator of aeroplane engines. Lachasse Louis Maurice (inventor); S A des Appareils G A L (grantee). Issued 7-26-38

2 124 817 Gyroscope Fieux Jean (inventor). Schneider and Cie (grantee). Issued 7-26-38

2 124 818 Milling cutter with helical teeth. Gouverneur Fernand (inventor). Issued 7-26-38.

2,124 901. Apparatus adapted for the propulsion of fluids. Barna Nicolas (inventor); Soc les Fils de Emile Salmson (grantee). Issued 7-26-38.

2,124 911 Automatic firearm. Darne Regis (inventor). Issued 7-26-38.

2.125 168 Spindle. Leclercq Robert (inventor) Issued 7-26-38.

2,125 319 Method of illuminating rooms. Schlumbohm Peter (inventor). Issued 8-2-38

2 125.619. Vertical filing device for cards and other uses. Parent Edmond Henri Andre (inventor). Issued 8-2-38.

2 125 638. Clockwork movement. Hubert Jean (inventor); Delviniotti Jean (grantee). Issued 8-2-38.

2,125,751 Liquid cooling device for aircraft engines. Saulnier Raymond (inventor). Issued 8-2-38.

2,125 752. Removable roof for the cockpits of aircraft. Saulnier Raymond (inventor). Issued 8-2-38.

2,125,764 Apparatus for projection of molten pulverized bodies. Benoit Francois Philippe Charles (inventor). Issued 8-2-38.

2.125 594. Needle weaving loom. Dewas Raymond (inventor). Issued 8-9-38

2,125,912 Electrical heating. George Henri et al. Delpech Gaston (inventors); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 8-9-38.

2,125,941. Manufacture of nitric acid esters and of explosives. Matter Oskar (inventor); Soc d Exploitation des Brevets O Matter S E B O M (grantee). Issued 8-9-38.

2 126,047. Mechanical time fuse. Schenk Edouard H (inventor); Brandt Edgar (grantee). Issued 8-9-38.

2.126.096. Polishing composition. Deguide Hubert inventor). Issued 8-9-38.

2,126,098. Reclining armchair. Ducrot Albert (inventor). Issued 8-9-38.

2,126,115. Supervision device for variations of temperature. Jordi Rene Jean (inventor); Etablissements Mighom (grantee). Issued 8-9-38.

2 126,306. Piston for internal combustion engines. Bernard Auguste Louis Rene DEC (inventor); Bernard Renee nee Bourbonville excx (grantee). Issued 8-9-38.

2,126,442. Crude oil engine. Baud Albert (inventor). Issued 8-9-38.

2,126,555. Process for the treatment of solutions of colloidal and crystalloidal nature and in particular of sweet juices and residual waters. Hugel Emile Joseph (inventor). Issued 8-9-38.

2 126,973 Apparatus for emptying flexible walled packages of viscous materials. Piquerez Emile (inventor). Issued 8-16-38.

2 127,054 Process for the manufacture of masks. Cesar Guy Francis Aime (inventor). Issued 8-16-38.

2 127.063. Weighing apparatus. Levy Marcel Adrien Elie et al. Loth William Arthur (inventors); S A Societe Francaise de Metrographie (grantee). Issued 8-16-38.

2 127 172. Furnace burner. Hermitte Louis (inventor); Soc Rateau (grantee). Issued 8-16-38.

2 127,238 Apparatus for integral carburetion for motors. Stokiss Edmond Lucien (inventor). Issued 8-16-38.

2,127,349 Hair curler. Boulard Gabriel (inventor). Issued 8-16-38.

2,127,416. Loose leaf binding. Martin Andre Lucien (inventor). Issued 8-16-38

2 127,475. Ship's stern. Yourkevitch Vladimir (inventor). Issued 8-16-38.

2,127,768. Friction driving device. Debrie Andre Leon Victor Clemen (inventor). Issued 8-23-38

2,127,802. Apparatus for inhalations. Sene Leon Paul (inventor). Issued 8-23-38.

2 127,814. Transmitting gear with variable speed Guiraud Henry (inventor). Issued 8-23-38.

2,127 864 Control device for the flaps of aircraft. Girard Rene (inventor); Cie des Avions Hanriot (grantee). Issued 8-23-38

2,127,888. Vibration reducing device. Sarazin Raoul Roland Raymond (inventor). Issued 8-23-38.

2,128,082. Frame for agricultural machines and mowing machines comprising this frame Durand Albert Jules Marius Joseph (inventor). Issued 8-23-38.

2,128,687. Streamlined vehicle. Andreau Jean Edouard (inventor). Issued 8-30-38

2,128,694 Elastic suspension system for vehicles. Dubonnet Andre (inventor) Issued 8-30-38.

2,128,773. Arrangement for taking motion pictures in natural colors. Gutmann Jean Marie et al. Angenieux Pierre (inventors). Issued 8-30-38.

2,128,789 Aircraft machinery. Anxionnaz Rene (inventor). Issued 8-30-38.

2,128,838. Fuse for projectiles. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 8-30-38.

2,128,839. Device for operating land mines and the like by the passage of tanks or other vehicles. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 8-30-38.

2,129,113. Device for the transportation and distribution of liquids. Bancons Jean Louis Roger (inventor). Issued 9-6-38

2,129,119. Extrusion container. Davis Charles (inventor). Issued 9-6-38.

2,129,120. Method of forming extrusion containers Davis Charles (inventor). Issued 9-6-38

2,129,241. Apparatus for continuously measuring torques. Sarazin Raoul Roland Raymond (inventor). Issued 9-6-38.

2,129,404 Pane securing means. Bugatti Ettore (inventor). Issued 9-6-38

2,1289,405. Truck and wheel train especially intended for railroad vehicles. Bugatti Ettore (inventor). Issued 9-6-38.

2,129,757. Cummutator brush control Fouques Raoul et al, Lenfant Jacques (inventors). Issued 9-13-38.

2,129,826. Fire protecting device for air cooled engines. Dintilhac Jean Georges (inventor). Issued 9-13-38.

2,129,842. Process and apparatus for the production of flat bags. Holweg Charles (inventor); Ateliers de Constructions Mecaniques C & A Holweg (grantee). Issued 9-13-38.

2,130.537. Arrangement for copying lenticular films. Dervieux Andre (inventor); Walker Henry Lymne (grantee). Issued 9-20-38

2,130,715. Electric heating element Coupier Marcel Marie Joseph Eugene (inventor). Issued 9-20-38.

2,130,763. Closing device for vessels containing a matter under pressure especially fire extinguishers. Bouillon Joseph Marie Francois (inventor). Issued 9-20-38

2,130,777. Method for the production of composite images. Planskoy Leonti (inventor). Issued 9-20-38.

2,130,951. Loading apparatus for vehicles Edwards Charles Kearns (inventor). Rey Fernand (grantee). Issued 9-20-38

2,131,025. Automatic rotary valve. Daniel Pierre Francois (inventor). Ateliers Nevret Beylier & Piccard Pictet (grantee). Issued 9-27-38.

2,131,369. Braking device. Brisson Louis Charles (inventor). S A Soc des Freins Hydrauliques S de Lavaud (grantee). Issued 9-27-38.

2,131,449. Pneumatic polishing wheel Mary Clotaire (inventor). Issued 9-27-38

2,131,457. Bust supporter. Tachat Jeanne (inventor). S A Bernard & Cie (grantee). Issued 9-27-38.

2,131,472. Motor. Coanda Henri (inventor). Issued 9-27-38.

2,131,528. Flying machine adapted to rise on water. Soyer Robert (inventor). Issued 9-27-38.

2,131,660. Water jet apparatus. Heidmann Leon (inventor). Forges & Ateliers de Constructions Electriques de Jeumont S A (grantees). Issued 9-27-38.

2,131,813. Apparatus for producing hollow articles or containers from paper pulp. Marguerat Robert et al, Chevrier Eugene Marcel (inventors) Issued 10-4-38

2,131,974. Screen for the production of stereoscopic images. Saint Genies Anne Henri Jacques de Lassus (inventor). Issued 10-4-38.

2,132,130. Pump system for liquid fuel heating plants. Sallot Louis Edouard (inventor). Issued 10-4-38.

2,132,613. Hydrogenation catalyst. Francon Jacques (inventor). Soc Industrielle des Carburants et Solvants (grantee). Issued 10-11-38.

2,132,746. Soap covered with a soft sheath. Meyer Claude Isaac (inventor). Issued 10-11-38.

2,132,782. New plastic material and process for manufacturing the same. Fernbach Auguste (inventor) Issued 10-11-38

2 132,797. Machine for stitching shoes. Mousset Andre Gabriel (inventor). Issued 10-11-38.

2,132,801. Variable speed gearing. Perruca Felix (inventor); Soc a Responsabilite Limitee la Filiere Unicum (grantee). Issued 10-11-38.

2,132,905. Stone setting device for jewelry or other applications. Maynier Victor (inventor); Soc en Nom Collectif V Maynier and G Pincon (grantees). Issued 10-11-38.

2,132,971. Knitting frame for elastic fabric having unextensible zones. Roques Louis (inventor); Roques Louis et Georges Arrachequesne (grantee. Issued 10-11-38.

2 133.176. Universal driving joint. Parent Jacques Auguste (inventor). Issued 10-11-38.

2 133,204. Fastener. Max Ella (inventor). Issued 10-11-38.

2 133.207. Diaphragm pump. Mennesson Andre Louis (inventor); S A Solex (grantee). Issued 10-11-38.

2 133,327. Process for refining lead which contains bismuth Jollivet Leon Eugene (inventor); Soc Miniere et Metallurgique de Penarroya (grantee). Issued 10-18-38.

2 133,394. Automatic oil heater. Mortier Henri (inventor) Issued 10-18-38.

2 133,414. Drill grinding machine. Bahuaud Adrien Auguste (inventor) Issued 10-18-38.

2 133 533. Automatic heat compensated slack adjusting device. Brisson Louis Charles (inventor); Soc des Freins Hydrauliques S de Lavaud (grantee) Issued 10-18-38.

2 133.657. Drawing and retention mechanism for preparing and spinning machines. Devaux Paul (inventor). Issued 10-18-38.

2 133 668. Wing for aircraft. Potez Henry Charles Alexandre (inventor). Issued 10-18-38.

2 133.864. Process for the preparation in an acid medium of chromed dyestuffs and products resulting from this process. Kopp Georges (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 10-18-38.

2 134.237. Pump for aircraft machinery. Saulnier Raymond (inventor). Issued 10-25-38.

2 134 248. Furnace lining especially of highly heated metallurgical furnaces and particularly to linings of furnace gas ports. Godenne Jean (inventor). Issued 10-25-38.

2 134 342. Machine for the manufacture of blown glass articles of great capacity. Roirant Emile (inventor); S A D Etudes et de Constructions d Appareils Mecaniques pour la Verrerie (grantees). Issued 10-25-38.

2 134 628. Vehicle coupling device. Verney Louis Adolphe (inventor); Soc Centrale de Chemins de Fer and d Entreprises (grantee). Issued 10-25-38.

2,134,642. Azo dyestuff and process for the manufacture thereof. Petitcolas Pierre et al Sureau Robert Frederic Michel (inventors); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 10-25-38.

2,134,853. Method of making bent pipe elements. Boissou Pierre (inventor); S A des Hauts Fourneaux and Fonderies de Pont a Mousson (grantees). Issued 11-1-38.

2,134,890. Means for materializing the stream lines of a fluid. Redon Henry (inventor); Soc Provencale de Constructions Aeronautiques (grantees) Issued 11-1-38.

2,135,396. Optical reproduction of lenticulated or goffered films. Saint Genies Anne Henri Jacques de Lassus (inventor). Issued 11-1-38.

2,135,825. Apparatus for finishing hollow articles produced directly from paper pulp. Marguerat Robert et al, Chevrier Eugene Marcel (inventors). Issued 11-8-38.

2,135,826. Signaling lamp. Marischal Omer Marie Cyrille (inventor). Issued 11-8-38.

2,135,925. Fuel injecting device for internal combustion engines. Tuscher Jean Edouard (inventor) Issued 11-8-38.

2,135,951. Windshield lifting device. Rodanet Charles Hilaire Henri (inventor); S A Etablissement ed Jaeger (grantee). Issued 11-8-38.

2,135,997. Automatic heliostat. Arthuys Jacques Marie (inventor); Arthel Soc d Exploitation des Brevets Jacques Arthuys (grantees). Issued 11-8-38.

2,136,059. Machine for the electric welding of tubes. Sciaky David (inventor). Issued 11-8-38.

2,136,084. Shoe. Perugia Andre (inventor). Issued 11-8-38.

2,136,128. Airplane having a variable lifting surface Gerin Jacques (inventor). Issued 11-8-38.

2 136 181 Line & altitude delineator.. Courtois Suffit Roger Maurice Robert (inventor) Issued 11-8-38.

2,136,303. Colored screen for stereoscopic projections. Lumiere Louis (inventor). Issued 11-8-38.

2,136,314 Device for exerting a frictional action. Petit Jean Emile (inventor) Issued 11-8-38.

2,136,327 Reproduction of goffered films. St Genies Anne Henri Jacques de Lassus (inventor). Issued 11-8-38.

2,136,486 Automatic apparatus for direct observation of picture strips and the like. Blondin Michel Charles (inventor). Issued 11-15-38

2,136,586. Wheel mounting. Dubonnet Andre. Issued 11-15-38.

2,136,760. Locking device for vehicle wheels. Saives Leon (inventor); Renault Louis (grantee). Issued 11-15-38.

2,136,877. Insulators heat resisting and similar articles and methods of manufacturing the same. Delpech Gaston, et al., Lambert Roger (inventors); S. A. des Manufactures des Glaces and Produits Chimiques de Saint Gobain. Chauny and Cirey (grantees). Issued 11-15-38.

2,136,971. Variable speed mechanism. Fleischel Gaston (inventor). Issued 11-15-38.

2,137,059. Electromagnetic system for the automatic regulation of temperatures. Moreau Henri (inventor). Issued 11-15-38.

2,137,145. Servo brake for motor vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 11-15-38.

2,137,327. Safety razor Bertry Vital Antoine. (inventor). Issued 11-22-38.

2,137,498 Disazo dyestuffs and process for their manufacture. Mirocourt Henry, et al, Jirou Marcel Georges (inventors); Cie Nationale de Matieres Colorantes Et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 11-22-38.

2,137,591. Vibration damping device. Sarazin Raoul Roland Raymond (inventor). Issued 11-22-38.

2,137,983. Percussion fuse for projectiles Remondy Leon Emile (inventor). Issued 11-22-38

2,138,072 Propeller and like rotary member. Saint Jacques Eugene Camille (inventor). Issued 11-29-38.

2,138,135. Pipe joint. Boucher Jacques (inventor); S. A. des Hauts Fourneaux et Fonderies de Pont a Mousson (grantees). Issued 11-29-38.

2,138,326. Flying machine. Pouit Robert (inventor). Issued 11-29-38.

2,138,339. Airscrew having a variable pitch. Chauviere Lucien Edouard (inventor); S. A. Forge et Usinage de Metaux Legers Helices Metalliques Chauviere (grantees). Issued 11-29-38.

2,138,421. Distant electric control system. Granat Elie (inventor); Cie des Forges et Acieries de la Marine et D. Homecourt (grantees). Issued 11-29-38

2,138,487. Adjustable pitch propeller Gaba Achille Ernest (inventor). Issued 11-29-38.

2,138,547. Pneumatic braking device. Houplain Georges Emile (inventor). Issued 11-29-38.

2,138,850. Locking means for interthreaded elements. Garnier Desire Theodule Arsene (inventor). Issued 12-6-38.

2.138.873. Soap tablet covered with a soft sheath. Meyer Claude Isaac (inventor). Issued 12-6-38.

2,138,973 Continuous distillation furnace. Lege Edouard Georges Marie Romain (inventor). Issued 12-6-38.

2,139.096. Installation for the washing of vehicles. Piquerez Emile (inventor) Issued 12-6-38.

2,139.097. Dispensing device. Piquerez Emile. (inventor). Issued 12-6-38.

2,139.203. Automatic pistol. Petter Charles Gabriel (inventor). Issued 12-6-38.

2,139 303 Watercraft. Grunberg Wsevolode Dit Greg (inventor). Issued 12-6-38

2,139,791. Process of manufacturing dry rectifiers Barrey Etienne (inventor). Issued 12-13-38.

2,139,806. Machine for the continuous printing of negative films on a plurality of positives at the same time. Dalotel Maurice Albert (inventor); Mathot Suzanne Rosalie (grantee). Issued 12-13-38.

2.139 841. Regulating device for internal combustion engines. Mennesson Marcel Louis (inventor); S. A. Solex (grantee). Issued 12-13-38.

2,139.855. Apparatus for photography with or without color. Saint Genies Anne Henri Jacques. De Lassus (inventor). Issued 12-13-38.

2 139 935 Thiocyanic and dithiocarbamic anhydrides and the process of making the same. Claudin Jean (inventor); S A des Matieres Colorantes and Produits Chimiques de Saint Denis (grantees). Issued 12-13-38

2.139 987. Dyeing and printing with insoluble azo dyestuffs. Wahl Andre, et al. Paillard Maurice (inventors); S. A. des Matieres Colorantes Produits Chimiques de Saint Denis (grantees). Issued 12-13-38.

2,140,629. Heat interchange means. Hubert Charles Adolphe (inventor). Issued 12-20-38

2,140,696. Method for producing an elastic fabric Ferrari Andre (inventor). Issued 12-20-38

2 140.756. Support forming current intake with automatic adjustment of temperature for electric heating apparatus. Lobstein Jean (inventor). Issued 12-20-38.

2,140,765 Hysteresis compensated pressure measuring device. Reutter Jean Leon (inventor); S. A. Etablissements Ed Jaeger (grantee). Issued 12-20-38.

2,140,881 Intensive electric arc carbon. Parisot Jean (inventor); Cie Lorraine de Charbons Pour L Electricite (grantees). 12-20-38

2,140,883. Methods of manufacturing alumina. Seailles Jean Charles (inventor). Issued 12-20-38.

2,141,416. Indicator of detonations for internal combustion engines. Serruys Max Yves Antonin (inventor). Issued 12-27-38.

2,141,422 Control device for variable condensers. Thomas Andre (inventor). Issued 12-27-38

2,141,506. Apparatus for charging furnaces. Francois Bongarcon Aime Pierre Joseph (inventor). Issued 12-27-38.

2,141,514. Apparatus designed for the successive exhibition of dioramas. Carre Philippe Alexis Jean et al, Carre Jacques Louis Alexis Maurice C (inventors). Issued 12-27-38.

2,141,552 Variable pitch airscrew. Ratle Pierre Paul (inventor); Soc. D. Etudes Pour L. Aviation S. E. P. A. (grantee). Issued 12-27-38

2,141,553. Transmission control circuit. Ravut Camille et al, Godeau Louis (inventors); Soc Industrielle Des Telephones, Constructions Electriciques, Caoutchouc Cables (grantee). Issued 12-27-38.

2,141,667. Water insoluble azo dyestuffs. Petitcolas Pierre (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 12-27-38.

2,141,737. Valve bag. Du Bois Alfred (inventor). Issued 12-27-38

2,141,738. Filling and weighing machine. Du Bois Alfred (inventor). Issued 12-27-38.

2,142,438. Method of constructing metal doors. Falveley Louis (inventor). Issued 1-3-39.

2,142,541 Protection for electric distribution systems. Vogel Theodore Mathieu (inventor). Cie Pour la Fabrication des Compteurs & Material d Usines a Gaz (grantee). Issued 1-3-39.

2,142,742. Machine for engraving rings. Blois Felix (inventor) Issued 1-3-39.

2,143,321. Hydraulic Clutch Mechanism. Kegresse Adolphe (inventor). Issued 1-10-39

2,143,596. Recoil absorber for firearms. Galliot Norbert Jules Andre et al; Chable Jeanne Adrienne, Victorine Anna (inventors). Issued 1-10-39

2,143,597. Liquid level indicator. Gilles Georges et al, Lustin Henri (inventors). Issued 1-10-39.

2,143,617. Roller for use in printing. Beaune Serge Virgile (inventor); Soc Des Procedes Serge Beaune (grantee). Issued 1-10-39.

2,143,649. Extensible electrical conductor cord or ribbon. Dansard Felix (inventor). Issued 1-10-39.

2,143,732 Grinding body for crusher tubes and similar apparatus. Gernelle Henry Victor Jean (inventor). Issued 1-10-39.

2,143,753. Device for handling metal section members and more particularly rails in order to harden them. Bladge Marcel (inventor); S A des Hauts Forneaux de la Chiers (grantee). Issued 1-10-39.

2,143,932 Method of synchronizing cathode beams. Barthlelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d'Usines a Gaz (grantee). Issued 1-17-39.

2,143,933 Television receiver. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compeurs et Materiel d'Usines a Gaz (grantee). Issued 1-17-39

2,143,951. Method and apparatus for the manufacture of cellular glass. Lambert Roger (inventor); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 1-17-39.

2,143,953. Articulated beam. Le Roy Michel (inventor). Issued 1-17-39.

2,144,021. Safety fastening for skis. Kiener Christian (inventor). Issued 1-17-39.

2,144,081. Transportation of rolling loads. Porte Antoine Paul Rene (inventor); Soc Pour l'Union des Transports Ferroviaires et Routiers (grantee). Issued 1-17-39.

2,144,181. Hopper. Du Bois Alfred (inventor). Issued 1-17-39.

2,144,232. Cartridge for shotguns. Spengler Jules (inventor). Issued 1-17-39.

2,144,706. Cylinder for engines of the apposed piston type. Pescara Raul Pateras (inventor); Soc Etudes et de Participations Eau Gaz Electricite Energie S A (grantee). Issued 1-24-39.

2,144,927. Variable pitch airplane propeller. Levasseus Pierre Georges Albert (inventor). Issued 1-24-39.

2,144,966. Regulator of combustion for thermic furnaces. Frion Paul (inventor). Issued 1-24-39.

2,145,044. Variable translation speed feeding device for fabrics and the like. Dungler Julien (inventor). Issued 1- 4-39.

2,145,076. Method of preparing artificial threads. Ehrenstein Paul (inventor); Soc Rhodiaceta (grantee). Issued 1-24-39.

2,145,151. Method of manufacturing cigarette paper. Braunstein Roger (inventor); S A Des Anciens Etablissements Braunstein Freres (grantee). Issued 1-24-39.

2,145,342. Radio wave measuring device. Corriez Andre Jacques (inventor). Issued 1-31-39.

2,145,373. Hydraulic servo brake for motor vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 1-31-39.

2,145,374. Apparatus for subjecting gases to the action of liquids Salerni Edoardo Michele (inventor). Issued 1-31-39.

2,145,785. Racket for tennis and like games. Aubert Emile Henri (inventor); Soc Pour la Realisation et l'Exploitation d' Inventions Mechoniques Reim. (grantee). Issued 1-31-39.

2,146,063. Card selecting device. Gardin Andre et al, Flahaut Rene (inventors). Issued 2-7-39.

2,146,207. Brake adjusting dveice. Farkas Pierre (inventor). Issued 2-7-39.

2,146,208. Drum brake for automobile vehicles. Farkas Pierre (inventor). Issued 2-7-39.

2,146,297 Wind deflector and brake. Huet Andre (inventor). Issued 2-7-39

2,146,336 Derivation clip serving for junction of a cock to water conduit. Frey Charles (inventor). Issued 2-7-39.

2,146,348. Primary battery. Portail Fernand Charles Frederic (inventor); S A Le Carbone (grantee). Issued 2-7-39.

2,146,351. Internal combustion engine. Rochefort Francois (inventor). Issued 2-7-39

2,146,618 Rotary mixing apparatus. Boudrant Robert Jean Charles (inventor); Soc d'Electricite de Paris (grantee). Issued 2-7-39.

2,146,990. Parachute. Rousselot Marcelle Born Tricau (inventor). Issued 2-14-39.

2,147,107. Billiard table. Proust Gilbert (inventor). Issued 2-14-39.

2,147,189 Loaded electric line. Brillouin Leon Nicolas (inventor). Issued 2-14-39.

2,147,205. Process for dephosphorizing and desulphurizing steel. Lemoine Robert Paul (inventor); Soc d'Electrochimie d'Electrometallurgie et des Acieries Electriques d'Ugine (grantee). Issued 2-14-39.

2,147,206. Process for dephosphorizing and desulphurizing steel. Lemoine Robert Paul (inventor); Soc d'Electrochimie d'Electrometallurgie et des Acieries Eelectriques d'Ugine (grantee). Issued 2-14-39.

2,147,214. Apparatus for boring. Perebaskine Victor et al, Gravirowsky Pierre, Nikitine Serge (inventors). Issued 2-14-39.

2,147,334. Pumping unit with automatic clutch. De Boysson Joseph Bernard Antoine (inventor). Issued 2-14-39.

2,147,349. Packing or wrapping for viscous liquids and pasty materials. Piquirez Emile (inventor). Issued 2-14-39.

2,147,390. Fuel feed pump. Vaudet Paul Lazare (inventor); Soc Provencale de Constructions Aeronautiques (grantee). Issued 2-14-39.

2,147,550. Projectile. Sabathe Louis Gaston (inventor). Issued 2-14-39.

2,147,551. Apparatus for the treatment of gas. Saives Leon (inventor); Renault Louis (grantee). Issued 2-14-39.

2,147,552. Metallic construction. Saives Leon (inventor); Renault (grantee). Issued 2-14-39.

2,147,968. Aircraft. Delanne Maurice Henri (inventor). Issued 2-21-39.

2,147,970. Closing of valve bags. Du Bois Alfred (inventor). Issued 2-21-39.

2,147,989. Fuel injection apparatus for internal combustion engines. Puurmann Juri (inventor). Issued 2-21-39.

2,148,209. Method for the manufacture of superphosphates. Loiseau Henri et al, Cartigny Georges (inventors); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 2-21-39.

2,148,267 Method of and apparatus for radio goniometric indication. Honore Etienne Augustin Henri (inventor). Issued 2-21-39.

2,148,642 Process for the manufacture of molds and cores for castings. Ricard Rene Francois Jules (inventor). Issued 2-28-39.

2,148,683. Radioactive article. Chabchay Alexander F Kagan also known as Alexandre Kagon Chabchay (inventor). Issued 2-28-39.

2,148,795. Flexible coupling. Barbarou Marius Jean Baptiste (inventor). Issued 2-28-39.

2,148,837. Progressive acting change speed gear for bicycles. Roes Georges (inventor). Issued 2-28-39.

2,148,930. Metallic sash for windows and like bays. Douzille Leon Charles Eugene (inventor). Issued 2-28-39.

2,148,940. Reinforced crossing of lines. Grand Jean Francois Eugene (inventor). Issued 2-28-39.

2,148,954. Electric tele indicator device. Methlin Nicolas Emilien (inventor); Schneider & Cie (grantee). Issued 2-28-39.

2,148,972. Operating mechanism for retractable members on board aircraft such as landing gears cupolas tanks etc. Wasseige Charles Raymond (inventor); Air Equipment (grantee). Issued 2-28-39.

2,149,134. Permanent waving. Denis Marcel (inventor). Issued 2-28-39.

2,149,251. Electric flatiron with self acting safety device. Campana Georges (inventor). Issued 3-7-39.

2,149,319. Treatment of human hair. Soussa Edmond (inventor). Issued 3-7-39.

2,149,469. Timing and release mechanism for mechanical time fuses. Schenk Edouard H (inventor); Brandt Edgar (grantee). Issued 3-7-39.

2,149,470. Mechanical time fuse. Schenk Edouard H (inventor); Brandt Edgar (grantee). Issued 3-7-39.

2,149,504 Means and method of saturating transmission air Brunatto Emanuele (inventor). Issued 3-7-39.

2,149,510. Method and means for preventing deterioration of turbo machines. Darrieus Georges (inventor); Cie Electro Mecanique (grantee). Issued 3-7-39.

2,149,551. Apparatus for publicity. Robert Andre (inventor). Issued 3-7-39.

2,149,600. Pumping device in particular for volatile liquids. Guinard Paul Andre (inventor). Issued 3-7-39.

2,150,075. Regulating device for internal combustion engines supplied by fuel injection. Mennesson Marcel (inventor); S A Solex (grantee). Issued 3-7-39.

2,150,187. Hand driven weaving loom for home work. Raba Alice Henriques et al, Raba Georges Henriques (inventors). Issued 3-14-39.

2,150,361. Method of and apparatus for securing hollow bodies in holes in other bodies. Chobert Jacques Francois Gabriel (inventor). Issued 3-14-39.

2,150,843. Warp holder for hand driven weaving looms. Raba Alice Henriques et al, Raba Georges Henriques (inventors). Issued 3-14-39.

2,151,085. Needle weaving loom. Dewas Raymond (inventor). Issued 3-21-39.

2,151,260. Means for damping the vibrations of pipes. Rouy Auguste Louis Marie Antoine (inventor). Issued 3-21-39.

2,151,337. Musical instrument. Selmer Henri (inventor). Issued 3-21-39.

2,151,408. Method of recording and reproducing sound. Ricchiardi Pier Carlos (inventor). Issued 3-21-39.

2,151,584. Testing apparatus applicable mainly to parts of aircraft. Bugatti Jean (inventor). Issued 3-21-39.

2,151,606. Last for the manufacture of boots or the like. Lovaglio Giovanni (inventor). Issued 3-21-39.

2,151,742. Cinematographic projection apparatus. Cazes Paul Georges (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 3-28-39.

2,151,832. Cam motion transmitting device. Bugatti Ettore (inventor). Issued 3-28-39.

2,151,833. Ball & socket joint. Bugatti Ettore (inventor). Issued 3-28-39.

2,151,834. Distribution control mechanism. Bugatti Ettore (inventor). Issued 3-28-39.

2,151,835. Reciprocating piston engine. Bugatti Ettore (inventor). Issued 3-28-39.

2,151,836. Boat. Bugatti Ettore (inventor). Issued 3-28-39.

2,151,853. Internal combustion engine. Jonvike Charley et al, Ferlay Paul (inventors). Issued 3-28-39.

2,151,894. Apparatus for sorting household rubbish. Cambessedes Jean Etienne Felix (inventor). Issued 3-28-39.

2,151,899. Process for the production of colored picture films. Combes Maurice (inventor). Issued 3-28-39.

2,152,220. Drilling bucket hammer. Solomon Guillaume Jean (inventor). Issued 3-28-39.

2,152,406. Methods of pickling metals. Ducamp Albert Jean et al, Baule Marie Emile Alfred (inventors). Issued 3-28-39.

2,152,624. Intermittent film feed. Cazes Paul Georges (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 4-4-39.

2,152,948. Devon made of soft material. Bocchino Roger Paul Alexandre (inventor). Issued 4-4-39.

2,152,972. Auto compressor. Pescara Raul Pateras (inventor). Issued 4-4-39.

2,152,974. Aerodynamic flap for slotted wings for aircraft. Riviere Henri (inventor); Cie Des Avions Hanriot (grantee). Issued 4-4-39.

2,152,979. Process and apparatus for regulating the feed of single tube boilers. Schwander Erwin Frederic (inventor); Soc D Etudes Des Vehicles Sev (grantee). Issued 4-4-39.

2,153,004. Clock so called mysterious small clock. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantee). Issued 4-4-39.

2,153,073. Inspection door and like closure. Chobert Jacques Francois Gabriel (inventor). Issued 4-4-39.

2,153,090. Electric transformer for high tension. Libbe Alfred (inventor); S A Transformateurs De Mesure E Walter (grantee). Issued 4-4-39.

2,153,099. Elastic wing assemblage. Saives Leon (inventor); Renault Louis (grantee). Issued 4-4-39.

2,153,658. Process for the manufacture of hydrogen peroxide from barium dioxide and phosphoric acid. Budowski Issar (inventor); Cie Parisienne De Produits Chimiques (grantee). Issued 4-11-39.

2,153,709. Apparatus for establishing communications by means of light. Bournisien Jacques (inventor). Issued 4-11-39.

2,153,773. Compressor unit for refrigeration and other applications. Patrignani Leonida (inventor); Calatroni Edison (grantee). Issued 4-11-39.

2,153,926. Control valve for hydraulic change speed devices. Kegresse Adolphe (inventor). Issued 4-11-39.

2,154,174. Deformable self. locking nut. Marchou Elie Raoul (inventor). Issued 4-11-39.

2,154,320. Pulverized fuel burner. Boudrant Robert Jean Charles (inventor); Soc D Electricite De Paris (grantee). Issued 4-11-39.

2,154,359. Device for balancing reciprocating engines. Sarazan Raoul Roland Raymond, Saint Prix France (inventors). Issued 4-11-39.

2,154,585. Machine for the treatment of photographic prints. Samandji Jacques (inventor). Issued 4-18-39.

2,154,701. Differential mechanism Ruspoli Edmondo (inventor). Issued 4-18-39.

2,154,770. Firing regulator. Petter Charles Gabriel (inventor); S A Air Equipment (grantee). Issued 4-18-39.

2,154,948. Phonogram and means for moving same with reference to a stationary needle. Ionesco Jean (inventor). Issued 4-18-39.

2,154,968. Screen for the projection of images in relief. Saint Genies Anne Henri Jacques De Lassus (inventor). Issued 4-18-39.

2,154,986. Pump fire extinguisher. Mars Maurice (inventor). Issued 4-18-39.

2,155,002. Animated toy. Villemajane Jacques (inventor). Issued 4-18-39.

2,155,033. Picture reproducer. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs Et Materiel D Usines A Gaz (grantee). Issued 4-18-39.

2,155,034. Photoelectric cell modulator. Barthelemy Rene (inventor); Cie Pour La Fabrication Des Compteurs Et Materiel D Usines A Gaz (grantee). Issued 4-18-39.

2,155,513. Hinge mechanism for the moving or control surfaces of aircraft. Tampier Rene (inventor). Issued 4-25-39.

2,156,198. Lubricant retaining device. Moreau Jules (inventor). Issued 5-2-39.

2,156,403. Lateral control surfaces of airplanes. Riviere Henri (inventor); Cie Des Avions Hanriot (grantee). Issued 5-2-39.

2,156,470. Distribution mechanism for machines of the piston type and especially steam engines. Bugatti Jean (inventor). Issued 5-2-39.

2,156,484. Device for imparting impulses to a system. Sarazin Raoul Roland Raymond (inventor). Issued 5-2-39.

2,157,260. Process for the preparation of potassium nitrate. Dessevre Jean, Durepaire Louis, Quanquin Bernard et al (inventors). Issued 5-9-39.

2,157,277. Brake. Bertrand Lucien (inventor); S A Francaise Du Ferodo (grantee). Issued 5-9-39.

2,157,281. Propelling device. Coanda Henri (inventor); S A D Etudes Des Brevets Et Procedes Coanda Soc Coanda (grantee). Issued 5-9-39.

2,157,366. Closed body for automotive vehicles. Vigroux Joseph Jean Pierre (inventor). Issued 5-9-39.

2,157,431. Monoazo dyes of the xanthone series and process of making them. Petitcolas Pierre (inventor); Cie Nationale De Matieres Colorantes Et Manufactures De Produits Chimiques Du Nord Reunies Etablissements Kuhlmann (grantee). Issued 5-9-39.

2,157,495. Permit mailing and stamping machine. Nilsson Robert Severin (inventor); S A Des Etablissements Cuttat (grantee). Issued 5-9-39.

2,157,778. Dispensing device. Tourot Emma Elisa (inventor). Issued 5-9-39.

2,157,783. Folding hood for automobile vehicles or the like. Bessonneau Maurice (inventor). Issued 5-9-39.

2,158,040. Process for hydrogenation of ketones. Blumenfeld Joseph (inventor). Issued 5-9-39.

2,158,405. Device for rendering visible invisible rays. Coanda Henri (inventor); S A D Etudes Des Brevets Et Procedes Coanda Soc Coanda (grantee). Issued 5-16-39.

2,158,457. Vehicle for mixed propulsion by wheels and endless tracks. Kegresse Adolphe (inventor). Issued 5-16-39.

2,158,642. Apparatus for correcting the defects of accommodation of the eye. Tartrais Eugene Henri (inventor). Issued 5-16-39.

2,158,764. Stethoscope. Silka Silvio (inventor). Issued 5-16-39.

2,158,890. Connection device. Antelme Louis Xavier (inventor). Issued 5-16-39.

2,159,173. Carburetor for internal combustion engines. Mennesson Marcel (inventor); S A Solex (grantee). Issued 5-23-39

2,159,281. Method and plant for the hydrogenation of carbonaceous substances containing sulphur. Marecaux Paul (inventor). Issued 5-23-39.

2,159,420. Apparatus for color cinematography. Blondel Andre (inventor). Issued 5-23-39.

2,159,683. Process for the production of photographic pictures in natural colors in accordance with the three color principle. Beauvais Marcelle (inventor); Papadakis Simeon (grantee). Issued 5-23-39

2,159,855. Shock absorber. Lauguadin Eugene Jules (inventor). Issued 5-23-39.

2,159,864. Manufacture of copper acetoarsenite or schweinfurt green. Serciron Marcel (inventor). Issued 5-23-39.

2,160,202. Range finding and fire correction sighting device. Pieux Jean (inventor); Schneider and Cie (grantee). Issued 5-30-39.

2,160,252. Method and apparatus for the elimination of defects in sound tracks. Meyer Raymond (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantees). Issued 5-30-39.

2,160,340. Method and device for obtaining or reproducing color photographs. Nordmann Charles (inventor). Issued 5-30-39.

2,160,406. Product for inhibiting the attack on metals by acids or salts and its applications. Mascre Jacques Edouard Julien Georges (inventors); Etablissements Lambiotte Freres (grantee). Issued 5-30-39.

2,160,442. Molded artificial fuel. Piou de Sainte Gilles Gaston, Oscar Frederic Saget Jean Guillaume Yves (inventors). Issued 5-30-39.

2,160,541. Elastic system. Dubonnet Andre (inventor). Issued 5-30-39.

2,160,553. Centrifugal governor. Martinotti Pietro (inventor). Issued 5-30-39.

2,160,716. Diaphragm for lenticulated films. Blondel Andre (inventor). Issued 5-30-39

2,160,742. Tube rolling mill. Landrieu Max (inventor); S A D Escaut and Meuse (grantee). Issued 5-30-39.

2,160,779. Concordance restoring system for distant control means. Granat Elie (inventor); Cie des Forges et Acieries de la Marine et D Homecourt (grantee). Issued 5-30-39.

2,161,017. Hat brim curling machine. Casse Marcel (inventor). Issued 6-6-39.

2,161,081. Automatic bomb releasing device Ovtschinnikoff Alexandre (inventor). Issued 6-6-39.

2,161,082. Bomb suspension. Ovtschinnikoff Alexandre (inventor). Issued 6-6-39.
2,161,374. Motor pump or electric generator. Moineau Rene Joseph Louis (inventor). Issued 6-6-39.
2,161,464. Securing device. Gilbert Gustave Francois Leon (inventor). Issued 6-6-39.
2,161,536. Navigating instrument. Sordoillet Pierre (inventor). Issued 6-6-39.
2,161,781. Electric heating plate. Challet Etienne (inventor). Issued 6-13-39.
2,161,790. Electrode for vacuum tubes. Abadie Jean Baptiste Joseph Marcel (inventor); Lumineles Soc a Responsabilite Limitee (grantee). Issued 6-13-39.
2,162,942. Process for the preparation of magnesium by the electrolysis of its fused chloride. De Rohden Charles (inventor). Issued 6-20-39.
2,163,183. Weighing apparatus. Baagoe Anthon Johannes (inventor). Issued 6-20-39.
2,163,188. Remotely controlled luminous exhibitor. Bosche Andre (inventor). Issued 6-20-39.
2,163,202. Hydraulic change gear device for automobile vehicles. Kegresse Adolphe (inventor). Issued 6-20-39.
2,163,203. Hydraulic supply of rotating systems. Kegresse Adolphe (inventor). Issued 6-20-39.
2,163,289. Sponge rubber coated fabric and method of manufacturing the same. Pennel Jean, Flipo Joseph et al (inventors). Issued 6-20-39.
2,163,457. Electric heating plate. Challet Etienne (inventor). Issued 6-20-39.
2,163,731. Automatic regulating device for brakes. Hallot Paul (inventor). Issued 6-27-39.
2,163,746. Apparatus for marking the position of a vehicle on a map. Courtois Suffit Roger, Maurice Robert. Tailleferre Henri Eugene et al (inventors). Issued 6-27-39.
2,163,826. Coupling device intended especially for railroad vehicles. Bugatti Ettore (inventor). Issued 6-27-39.
2,163,847. Impact indicator. Perrey Marcel Augustin Leon (inventor); S A des Hauts Fourneaux de la Chiers (grantee). Issued 6-27-39.
2,163,929. Control of the sleeve valves of engines. Barbarou Marius Jean Baptiste (inventor). Issued 6-27-39.
2,163,975. Control mechanism for change speed gears of motor vehicles and the like. Delmas Robert Louis (inventor). Issued 6-27-39.
2,164,046. Machine to punch electric sign tape or the like. Zuckermann Armand et al, called Armand Zouckermann Renard Adolphe Julien Emile (inventors); Soc a Responsabilite Limitee Luminograph (grantees). Issued 6-27-39.
2,164,139. Optical balance. Luteraan Philip (inventor). Issued 6-27-39.
2,164,243. Liquid level gauge. Hubbard Michael Edmund. Issued 6-27-39.
2,164,418. Means for treating hard surfaces. Monnet Georges (inventor); S A des Manufactures des Glaces & Produits Chimiques de Sainte Gobain Chauny & Cirey (grantees). Issued 7-4-39.
2,164,562. Extensible jewel. Bezault Georges Albert Julien (inventor); Cartier S A (grantee). Issued 7-4-39.
2,164,681. Metallic plate element for building parts. Fould Maurice (inventor); Forges de Strasbourg S A (grantee). Issued 7-4-39.
2,164,704. Method of manufacture of a parachute surface. Ferrari Andre (inventor). Issued 7-4-39.
2,165,604. Device for filling small containers. Abel Eugene (inventor). Issued 7-11-39.
2,165,647. Automatic linear dimension gauge. Oehmichen Etienne Edmond (inventor). Issued 7-11-39.
2,166,020. Apparatus for dressing the grinding wheels used for gearing. Philippe Maurice Germain Edmond (inventor); Soc Dite la Bougie B G (grantee). Issued 7-11-39.
2,166,036. Signboard with removable letters. Bertoye Louis (inventor); Soc Fonciere Industrielle et Commerciale (grantees). Issued 7-11-39.
2,166,038. Manufacture of board strengthened coverings. Chambon Henri (inventor); S A des Anciens Etablissements L Chambon (grantees). Issued 7-11-39.
2,166,050. Artificial minnow. Gasque Paul Emile (inventor). Issued 7-11-39.
2,166,053. Device for the drawing upon forms of articles to be finished such as stockings and other hosiery goods. Heliot Leon Pierre (inventor). Issued 7-11-39.
2,166,079. Method and apparatus for the mechanical recording of sound oscillations. Ricchiardi Pier Carlo (inventor); Soc Reterson Holding (grantee). Issued 7-11-39.
2,166,258. Reversible top for camera stands. Matrat Gabriel (inventor). Issued 7-18-39.
2,166,681. Diazoamino compounds. Fierz David Hans Eduard et al, Stoll Willy Gerhard (inventors); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 7-18-39.
2,166,702. Process for the preparation of oxygen containing compounds of cerium. Blumenfeld Joseph (inventor); Soc de Produits Chimiques des Terres Rares (grantees). Issued 7-18-39.
2,166,772. Atomizer for liquids. Salsas Serra Francisco (inventor). Issued 7-18-39.
2,166,857. Lubricating device. Bugatti Jean (inventor). Issued 7-18-39.
2,166,858. Railway truck. Bugatti Ettore (inventor). Issued 7-18-39.
2,167,081. Device for the continuous determination and recording of the cant of a railway track. Mauzin Andre Ernest (inventor). Issued 7-25-39.
2,167,118. Clutch control. Lanser Alfred Henri (inventor). Issued 7-25-39.
2,167,269. Ignition device for engines. Svistounoff Boris (inventor). Issued 7-25-39.
2,167,290. Apparatus for the manufacture of glassware. Boudin Louis (inventor); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 7-25-39.
2,167,318. Method and means for shaping glass. Verlay Achille (inventor); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 7-25-39.
2,167,374. Switch unit. Rodanet Charles Hilaire Henri (inventor); S A Etablissements Ed Jaeger (grantees). Issued 7-25-39.
2,167,403. Spring suspension for motor vehicles and the like. Guerard Georges (inventor); S A Dite Etablissements Laffly (grantee). Issued 7-25-39.
2,167,554. Process for the electric welding of tube. Sciaky David (inventor). Issued 7-25-39.
2,167,561. Aircraft turret. Amiot Felix (inventor). Issued 7-25-39.
2,167,813. Process for patinating wood and other vegetable materials. Platrou Eugene (inventor). Issued 8-1-39.
2,168,108. Automobile vehicle. Bunau Varilla Guy (inventor). Issued 8-1-39.
2,168,112. Magnetic compass. Benard Jacques Alfred Victor (inventor). Issued 8-1-39.
2,168,114. Remote control for automatic firearms. Boussel Andre (inventor); S A des Anciens Etablissements Hotchkiss & Cie (grantees). Issued 8-1-39.
2,168,117. Apparatus for controlling liquid levels. Danel Pierre Francois (inventor); Ateliers Neyret Beyler & Piccard Pictet (grantees). Issued 8-1-39.
2,168,128. Portable derrick. Kervarrec Bernard (inventor). Issued 8-1-39.
2,168,187. Apparatus for forming gas liquid emulsions. Auger Adrien (inventor); Soc A Responsabilite Limitee Osmo (grantee). Issued 8-1-39.
2,168,487. Episcopic apparatus. Mestre Louis Nicolas (inventor); Anciens Etablissements Barbier Benard & Turenne (grantees). Issued 8-8-39.
2,168,508. Relaxation oscillation generator. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d'Usines A Gaz (grantees). Issued 8-8-39.
2,168,715. Servo clutch. Peyruqueou Pierre Felix (inventor); S A des Freins Bendix (grantees). Issued 8-8-39.
2,168,829. Free piston machine. Pescara Raul Pateras (inventor). Issued 8-8-39.
2,168,845. Vehicle brake. Nicolet Victor et al, Rousselet Robert (inventors). Issued 8-8-39.
2,169,162. Azo dyestuffs and process for the manufacture thereof. Petitcolas Pierre (inventor); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlman (grantees). Issued 8-8-39.
2,169,519. Device for regulating the action of brakes. Briand Henry (inventor). Issued 8-15-39.
2,169,523. Planetary transmission system. Fleischel Gaston (inventor). Issued 8-15-39.
2,169,581. Tooth brush. Dadian Mesguerditch (inventor). Issued 8-15-39.
2,169,647. Motored clock. Jarry Albert Gaston (inventor). Issued 8-15-39.
2,169,806. Auscultation microphone. Lian Camille et al, Minot Georges (inventors). Issued 8-15-39.
2,169,822. Transmission device. Armstrong Taylor Duncan (inventor). Issued 8-15-39.
2,169,933. Duplicating machine. Terrier Felix et al, Adam Marcel (inventors). Issued 8-15-39.
2,170,443. Mounting of cylinders in motors. Barbarou Marius Jean Baptiste (inventor). Issued 8-22-39.
2,170,444. Two speed step up gear with hydraulic control. Barbarou Marius Jean Baptiste (inventor). Issued 8-22-39.
2,170,477. High speed motor operating with heavy liquid fuel. Lemasson Roger Pierre Felix (inventor). Issued 8-22-39.
2,170,484. Heat interchanger. Prat Emile (inventor). Issued 8-22-39.
2,171,472. Moving picture camera. D[illegible]el Maurice Albert (inventor); Mathot Suzanne Rosalie (grantee). Issued 8-29-39.
2,171,742. Printing machine for cylindrical objects. Dombre Jean Pierre Paul (inventor). Issued 9-5-39.
2,171,904. Chassis for motor cars. Barenyi Bela Viktor (inventor); Soc de Progres Technique (grantee). Issued 9-5-39.
2,172,032. Gear wheel grinding apparatus. Philippe Maurice Germain Edmond (inventor); Soc Dite la Bougie B G (grantee). Issued 9-5-39.
2,172,035. Apparatus for the saturation of liquids by gas. Roth Roger Eugene (inventor); Soc d'Etude Pour l'Acide Carbonique (grantees). Issued 9-5-39.
2,172,133. Separator. Thuillard Leon (inventor). Issued 9-5-39.
2,172,299. Apparatus for automatically regulating the evacuation of heavy products. Spinetta Dominique (inventor); Preparation Industrielle des Combustibles (grantees). Issued 9-5-39.
2,172,491. Covering for printing rollers. Auvray Gustave (inventor). Issued 9-12-39.
2,172,499. Constitution and manufacture of stuffing and padding pieces for garments or the like. Chassaing Francois (inventor). Issued 9-12-39.
2,172,694. Aneroid altimetric device with a high amplitude for aircraft. Blondelle Roger (inventor). Issued 9-12-39.

2,172,703. Method of constructing reinforced concrete monolithic structures. Freyssinet Eugene (inventor). Issued 9-12-39.
2,172,706. Suspension of vibrating bodies. Julien Maurice Franocis Alexandre (inventor). Issued 9-12-39.
2,172,707. Resilient coupling. Julien Maurice Francois Alexandre (inventor). Issued 9-12-39.
2,172,807. Artificial fur. Romane Georges (inventor). Issued 9-12-39.
2,173,009. Electromechanical control device for lathes and other machine tools. Cotal Jean (inventor). Issued 9-12-39.
2,173,042. Multiple screw driver. Picard Pierre (inventor). Issued 9-12-39.
2,173,549. Silencer for engines. Coanda Henri (inventor). Issued 9-19-39.
2,173,550. Exhaust of gases from engines. Coanda Henri (inventor). Issued 9-19-39.
2,173,583. Press & method of pressing. Forichon Gaston Sebastien (inventor). Issued 9-19-39.
2,173,775. Knitted sheath or corset & process for the manufacture of the same. Boudios Edmond (inventor); Etablissements Boudios (grantee). Issued 9-19-39.
2,173,781. Fabric for masks & protective clothing. Gibello Henri (inventor); Soc Nobel Francaise (grantee). Issued 9-19-39.
2,174,134. Sorting machine. Momon Louis (inventor); Soc Industrielle D Instruments de Precision (grantee). Issued 9-26-39.
2,174,201. Filing system. Chauvin Andre (inventor). Issued 9-26-39.
2,174,225. Stabilizing device. Gianoli Marcel Louis (inventor). Issued 9-26-39.
2,174,348. Apparatus for the automatic unclogging of hoppers. Damond Emile (inventor). Issued 9-26-39.
2,174,373. Fastening device. Baillod Marcel Known As Cerny (inventor). Issued 9-26-39.
2,174,434. Bed for invalids. Beaufour Robert Emile (inventor). Issued 9-26-39.
2,174,846. Safety device for automobile vehicles. Soulat Georges (inventor). Issued 10-3-39.
2,175,039. Transformer with a closed magnetic circuit. Soulary Pierre (inventor); L Air Liquide S A Pour L Etude et L Exploitation des Procedes Georges Claude (grantee). Issued 10-3-39.
2,175,130. Tube for fluid or semifluid substances. Sabattier Charles Felix Georges (inventor). Issued 10-3-39.
2,175,132. Preparation of metallic and ammonium sulphates. Serciron Marcel (inventor). Issued 10-3-39.
2,175,236. Method of preparing an alloy having artificial radio activity. Yadoff Oleg (inventor). Issued 10-10-39.
2,175,302. Closure mechanism. Muller Jacques (inventor). Issued 10-10-39.
2,175,303. Portable filling device. Muller Jacques (inventor). Issued 10-10-39.
2,175,304. Liquid transfer mechanism. Muller Jacques (inventor). Issued 10-10-39.
2,175,515. Coupling device for railway vehicles. Bugatti Ettore (inventor). Issued 10-10-39.
2,175,516. Suspension device. Bugatti Jean (inventor). Issued 10-10-39.
2,175,518. Photographic objective of high luminosity. Djian Georges Felix (inventor). Issued 10-10-39.
2,175,530. Printing device particularly for tabulating machines controlled by record cards or bands. Knutsen Knut Andreas (inventor). Issued 10-10-39.
2,175,582. Cathode ray oscillograph. Vogel Theodore Mathieu et al, Traverse Paul (inventors); Cie Pour la Fabrication des Compteurs et Materiel D Usines A Gaz (grantee). Issued 10-10-39.
2,175,832. Heating apparatus. Demarcay Philippe Charles Louis (inventor). Issued 10-10-39.
2,175,879. Treatment of aqueous solutions of acetic acid. Coutor Charles Jean Louis (inventor); S A Etablissements Lambiotte Freres (grantee). Issued 10-10-39.
2,176,168. Frequency modulated signal. De Bellescize Henri Jean Joseph, Marie De Regnauld (inventors). Issued 10-17-39.
2,177,428. Control device for variable ratio transmissions. Fleischel Gaston (inventor). Issued 10-24-39.
2,177,567. Method of fixing fastening pieces to metallic cables. Imbault Georges (inventor). Issued 10-24-39.
2,177,798. Airfoil used in aeronautics. Bechereau Louis (inventor). Issued 10-31-39.
2,177,803. Agricultural machine. Ferte Andre Marie Auguste et al, Balp Andre (inventors). Issued 10-31-39.
2,177,814. Measuring and computing device. Sordoillet Pierre (inventor). Issued 10-31-39.
2,177,858. Apparatus for exciting luminous tubes. Bethenod Joseph (inventor); S A Pour Les Applications de L Electricite et des Gaz Rares Etablissements Claude Paz & Silva (grantee). Issued 10-31-39.
2,177,859. Reinforced concrete tank. Brice Louis Pierre (inventor); S A La Parvi Hydraulique (grantee). Issued 10-31-39.
2,177,876. Kinetic energy indicator for impact testing apparatus. Perrey Marcel Augustin Leon (inventor); S A des Hauts Fourneaux de la Chiers (grantee). Issued 10-31-39.
2,177,887. Apparatus for shielding a body from fluid currents. Huet Andre (inventor). Issued 10-31-39.
2,177,895. Electric gaseous discharge device. Lecorguillier Jean (inventor); S A Pour les Applications de L Electricite et des Gaz Rares Etablissements Claude Paz & Silva (grantee). Issued 10-31-39.
2,177,908. Device for controlling the content of a carbureted mixture. Muselier Bernard Gabriel Marie (inventor). Issued 10-31-39.
2,178,311. Free piston engine. Pescara Raul Pateras (inventor). Issued 10-31-39.
2,178,332. Shock absorber for vehicles. Beurdeley Andre (inventor). Issued 10-31-39.
2,178,627. Drafting mechanism. Devaux Paul (inventor). Issued 11-7-39.
2,179,030. Multicylinder engine. Bugatti Jean (inventor). Issued 11-7-39.
2,179,112. Amplifier for electrons. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel D Usines A Gaz (grantee). Issued 11-7-39.
2,179,205. Television receiving apparatus. Toulon Pierre Marie Gabriel (inventor). Issued 11-7-39.
2,179,706. Sleeve valve engine. Barbarou Marius Jean Baptiste (inventor). Issued 11-14-39.
2,179,881. Method and device for making articles consisting of a band of the helical type. Du Boscq de Beaumont Henry Martial Emile (inventors). Issued 11-14-39.
2,179,894. Means for checking flame projection from incandescent gas discharge conduits. Malczewski Jeremi (inventor); Soc Bronzavia (grantee). Issued 11-14-39.
2,179,905. Calculating device. Thiboust Lucien (inventor). Issued 11-14-39.
2,179,923. Disk differential. De Lavaud Dimitri Sensaud (inventor). Issued 11-14-39.
2,180,030. Bolt. Bugatti Ettore (inventor). Issued 11-14-39.
2,180,036. Airship and process for sustaining the same. Dardel Aime Joseph (inventor). Issued 11-14-39.
2,180,041. Tunnel kiln. Durieux Jules Joseph (inventor). Issued 11-14-39.
2,180,043. Gyroscope. Fieux Jean (inventor); Schneider & Cie (grantee). Issued 11-14-39.
2,180,668. Process for the electrolytic preparation of oxychlorine salts. Delavenna Lucien et al, Maillard Jean (inventors). Issued 11-21-39.
2,180,671. Planetary transmission system. Fleischel Gaston (inventor). Issued 11-21-39.
2,181,346. Musical instrument. Selmer Henri (inventor). Issued 11-28-39.
2,181,498. Fastening device. Wahl Adalbert (inventor). Issued 11-28-39.
2,181,720. Television receiver. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantee). Issued 11-28-39.
2,181,868. Valve sealing means for engines. Cantoni Humbert Denis Jean (inventor). Issued 12-5-39.
2,181,985. Aerial propeller with variable pitch. Waseige Charles Raymond (inventor). Issued 12-5-39.
2,182,038. Make and break device. Soulat Georges (inventor). Issued 12-5-39.
2,182,049. Hydraulic clutch and power transmission device. Henry Francois Joseph Georges (inventor). Issued 12-5-39.
2,182,054. Air cooled engine on aircraft. Richard Paul Aime (inventor). Issued 12-5-39.
2,182,136. Electrical sound recording. Ricchiardi Pier Carlo (inventor). Issued 12-5-39.
2,182,291. Binding medium. Fleuret Andre Michel (inventor); Etablissements Rouzaud and Fils (grantee). Issued 12-5-39.
2,182,295. Automatic variable output feeder for shaped knitted articles. Lebocey Gaston (inventor). Issued 12-5-39.
2,182,554. Brake adjustment indicating device. Galle Jean Baptiste Paul Henri (inventor). Issued 12-5-39.
2,182,571. Safety razor. Savary Jean Baptiste Raoul (inventor). Issued 12-5-39
2,182,610. Manufacture of velvet woven in double piece. Calonnier Maurice (inventor). Issued 12-5-39.
2,182,722. Gun turret for aircraft. De Gavardie Pierre Henry Edmond (inventor). Issued 12-5-39.
2,183,193. Change speed gear. Husson Marie Emile Louis Jules (inventor). Issued 12-12-39.
2,183,304. Apparatus for forming extrusion containers. Davis Charles (inventor). Issued 12-12-39.
2,183,305. Method of obtaining color photographs. De Lassus Saint Genies Anne Henri Jacques (inventor). Issued 12-12-39.
2,183,462. Lighting system. Mestre Louis Nicolas (inventor); Anciens Etablissements Barbier Benard & Turenne (grantee). Issued 12-12-39.
2,183,467. Device for balancing alternating machines. Sarazin Raoul Roland Raymond (inventor). Issued 12-12-39.
2,184,033. Centrifuge for chemical reactions. Argant Henri et al. Chanay Henry, Robatel Georges (inventors); S A Ateliers Robatel and Buffaud. S A Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantees). Issued 12-19-39.
2,184,606. Hydraulic power transmission. De Lavaud Dimitri Sensaud (inventor). Issued 12-26-39.
2,184,716. Method of making an alloy. Hermsen Wilhelmus et al, Delves Francis Joseph (inventors). Issued 12-26-39.
2,184,719. Mill for grinding pepper salt sugar coffee and the like. Mantelet Jean (inventor); Mantelet & Boucher Soc en Nom Collectif (grantee). Issued 12-26-39.
2,184,908. Device for regulating the temperature of metal cylinders. Do Huu Chan Andre (inventor); S A des Manufactures des Glaces and Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 12-26-39.
2,185,160. Device for actuating the controls on aircraft. Tampier Rene (inventor). Issued 12-26-39.

2,185,489. Muffler. Wilman Zygmunt (inventor). Issued 1-2-40.

2,185,549. Method of generating a combustible gas mixture. Gault Henry (inventor). Issued 1-2-40.

2,185,581. Disappearing hood for motor vehicles. Bessonneau Maurice (inventor). Issued 1-2-40.

2,185,679. Arc lamp cathodes. Parisot Jean (inventor); Soc le Carbone Lorraine (grantee). Issued 1-2-40.

2,186,558. Aircraft. Rouanet Roger Leger Marie et al, Fernand, Rey Francois Victor Andre Joseph (inventors). Issued 1-9-40.

2,186,680. Vacuum heating system. Lavergne Jean (inventor); Autocalor S A (grantee). Issued 1-9-40.

2,187,342. Exhaust of gases from engines. Coanda Henri (inventor). Issued 1-16-40.

2,187,344. Weft inserting device for weaving looms having a continuous weft supply. Dewas Raymond (inventor). Issued 1-16-40.

2,187,357. Method of preserving yeast. Matti Jean Christian (inventor); Cie Internationale de Procedes de Panification Itam (grantee). Issued 1-16-40.

2,187,364. Variable pitch airscrew. Ratie Pierre Paul (inventor); Ratie Paulin Jean Pierre (grantee). Issued 1-16-40.

2,187,706. Power transmitting coupling. Julien Maurice Francois Alexandre (inventor). Issued 1-16-40.

2,187,937. Hydraulic device for transmitting movement. De Lavaud Robert Sensaud (inventor); De Lavaud Dimitri Sensaud (grantee). Issued 1-23-40.

2,188,019. Apparatus for copying lenticular films by projection. St Genies Anne Henri Jacques de Lasus (inventor). Issued 1-23-40.

2,188,244. Pyridine carboxylic acid morpholides. Langlois Gilbert Auguste et al, Deloison Auguste Marius (inventors); Fabriques de Produits de Chimie Organique de Laire. Issued 1-23-40.

2,188,945. Double walled electric incandescent lamp. Gomonet Edouard (inventor); S A Pour les Applications de l Electricite et des Gaz Rares Etablissements Claude Paz et Silva (grantee). Issued 2-6-40.

2,189,488. Process of separation by floating of ammonium chloride from its mixture with alkaline salts. Dessevre Jean (inventor). Issued 2-6-40.

2,189,497. Free piston machine. Pescara Raul Pateras (inventor). Issued 2-6-40.

2,189,498. Metal cartridge for shotguns. Spengler Jules (inventor). Issued 2-6-40.

2,189,522. Production of polyazo dyestuffs and new industrial products resulting therefrom. Kopp Georges, et al, Gangneux Rene (inventors); Cie Nationale de Matieres Colorantes, Et Manufactures de Produits, Chimiques du Nord Reunies, Etablissements Kuhlmann (grantee). Issued 2-6-40.

2,189,846. Automatic relay control system. Andre Valtat Raymond Louis Andre (inventor); Augier Queyras Jean Francois (grantee). Issued 2-13-40.

2,189,857. Psychrometric apparatus for direct reading of humidity. Crapez Jules (inventor). Issued 2-13-40.

2,189,976. Rotary engine. De Lavaud Dimitri Sensaud (inventor). Issued 2-13-40.

2,189,991. Apparatus for closing tanks. Muller Jacques (inventor). Issued 2-13-40.

2,190,014. Filter pack. Celas Jacques (inventor); Soc. Alfa, Celas Louis, Celas Andre (grantees). Issued 2-13-40.

2,190,051. Fuel injection. Tuscher Jean Edouard (inventor). Issued 2-13-40.

2,190,326. Apparatus for projection of molten pulverized bodies. Benoit Francois Philippe Charles (inventor). Issued 2-13-40.

2,190,397. Vehicle. Bugatti Ettore (inventor). Issued 2-13-40.

2,190,398. Reel for fishing. Bugatti Ettore (inventor). Issued 2-13-40.

2,190,409. Nonraveling knitted fabric. Maier Karl (inventor). Issued 2-13-40.

2,190,722. Machine for shaping wires which are intended for binding perforated leaflets. Martin Andre Lucien (inventor). Issued 2-20-40.

2,190,744. Process for forming slivers from coconut fibers. Van der Jagt Barend Glisbertus Hendrikus (inventor). Issued 2-20-40.

2,191,617. Grinding machine. Koster Paul (inventor). Issued 2-27-40.

2,191,648. Recoil absorber for firearms. Galliot Norbert Jules Andre et al, Chable Jeanne Adrienne Victorine Anna (inventors). Issued 2-27-40.

2,191,789. Machine for the molding or casting under pressure of metals. De Sternberg Jaime (inventor). Issued 2-27-40.

2,191,843. Grain sorting machine. Bloc Frederic Bertrand (inventor); Soc. de Anciens Etablissements Lhuillier (grantee). Issued 2-27-40.

2,191,849. Box shaped spool for films. Debrie Andre Leon Victor Clement (inventor). Issued 2-27-40.

2,191,850. Film developing machine. Debrie Andre Leon Victor Clement (inventor). Issued 2-27-40.

2,191,862. System for analyzing vibrations. Sarazin Raoul Roland Raymond (inventor). Issued 2-27-40.

2,191,950. Tractor wheel. Bernardon Marcellin Eugene Rene (inventor); S. A. des Pneumatiques Dunlop (grantee). Issued 2-27-40.

2,192,075. Motor vehicle and its manufacture. Gregoire Jean Albert (inventor). Issued 2-27-40.

2,192,271. Azo dyestuffs. Mirocourt Henry, et al, Jirou Marcel Georges (inventors); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 3-5-40.

2,192,530. Tap. Tottereau Andre (inventor). Issued 3-5-40.

2,192,728. Needle for weaving looms. Dewas Raymond (inventor). Issued 3-5-40.

2,192,871. Means for controlling the movements of ailerons rudders and elevators of aircraft. Tampier Rene (inventor). Issued 3-5-40.

2,192,872. Means for controlling the moving surfaces of aircraft. Tampier Rene (inventor). Issued 3-5-40.

2,193,365. Pouring nozzle. Cantoni Rene (inventor); Soc D Electrochimie D Electrometallurgie et des Acieries Electriques D Ugine (grantee). Issued 3-12-40.

2,193,526. Racket for tennis and like games. Aubert Emile Henri (inventor); Soc Pour la Realisation et L Exploitation D Inventions Mecaniques Reim (grantee). Issued 3-12-40.

2,193,616. Screw propeller. Baumann Werner (inventor). Issued 3-12-40.

2,194,689. Writing pen. Chouffet Pierre (inventor). Issued 3-26-40.

2,194,872. Manufacture of cylinders & cooling jackets of internal combustion engines. Saives Leon (inventor); Renault Louis (grantee). Issued 3-26-40.

2,194,950. Crossing motion pirn winding machine. Miesch Camille (inventor); Etablissements Weco S A R L (grantee). Issued 3-26-40.

2,194,954. Speed changing device. Ravigneaux Pol (inventor). Issued 3-26-40.

2,194,965. Process for the manufacture of complex silicon alloys. Andrieux Jean Lucien (inventor); Soc D Electrochimie D Electrometallurgie et des Acieries Electriques D Ugine (grantee). Issued 3-26-40.

2,194,994. Solvents for the condensation products of polyvinyl alcohols & aldehydes. Belloc Maurice (inventor); Soc Nobel Francaise (grantee). Issued 3-26-40.

2,195,011. Process for the manufacture of water insoluble dyestuffs & products obtained therefrom. Petitcolas Pierre, et al, Goupil Rene, Frenkiel Joseph, Benti Rudolf (inventors); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann (grantee). Issued 3-26-40.

2,195,025. Gas turbine. Couzinet Rene Alexandre Arthur (inventor). Issued 3-26-40.

2,195,082. Two stage compression internal combustion engine. Dugelay Paul (inventor); Soc D Exploitation de Brevets Pour L Industrie L Aviation et L Automobile Sebia (grantee). Issued 3-26-40.

2,195,152. Adjustment of the amplification of amplifiers. Roux Bernard, et al, Sollima Mario, Gamzon Robert (inventors). Issued 3-26-40.

2,195,171. Process for extinguishing an incendiary body. Herbline Celestin Leon (inventor). Issued 3-26-40.

2,195,239. Process for the manufacture of artificial leather & parchment & products obtained thereby. Champsaur Luciene Marie Charles (inventor). Issued 3-26-40.

2,195,268. Film magazine for cinematographic cameras. Cazes Paul Georges (inventor); Pathe Cinema Anciens Etablissements, Pathe Freres (grantees). Issued 3-26-40.

2,195,563. Device for protection against poison gases. Granger Louis Fils (inventor). Issued 4-2-40.

2,195,783. Gear box with free wheeling gear. Ravigneaux Pol (inventor). Issued 4-2-40.

2,195,935. Sterilizing device. Nuyts Georges Alfred Hippolyte (inventor); S A Dentelair (grantee). Issued 4-2-40.

2,195,946. Liquid fuel injection pump for internal combustion engines of the Diesel type. Uecusic Karl et al, Hearley Clarence A (inventors). Issued 4-2-40.

2,196,161. Protecting magnesium and its alloys. Frasch Jean (inventor); Fratkine Samuel (grantee). Issued 4-2-40.

2,196,217. Method of making boats. Lamy Marcel Victor Joseph (inventor). Issued 4-9-40.

2,196,340. Aircraft engines. Seligman Roger Adolphe Leonard (inventor). Issued 4-9-40.

2,196,346. Automatic servo braking for motor vehicles. Vau Jean Baptiste Paul (inventor). Issued 4-9-40.

2,196,435. Printing composition. Belloc Maurice (inventor); Soc Nobel Francaise (grantee). Issued 4-9-40.

2,196,548. Highway lighting apparatus. Colu Merry et al, Trequigneaux Alfred (inventors); S A Des Anciens Etablissements, Saunier Duval Frisquet (grantees). Issued 4-9-40.

2,196,554. Process for the manufacture of primary hydroxyalkylamines. Guinot Henri Martin (inventor); Les Usines De Melle (grantee). Issued 4-9-40.

2,196,643. Plant for freezing and storing fish on ships. Reeh Johannes (inventor). Issued 4-9-40.

2,196,782. Stamping machine. Saives Leon (inventor); Renault Louis (grantee). Issued 4-9-40.

2,196,792. Automatic machine for applying stamps or the like. Gasca Albin (inventor). Issued 4-9-40.

2,197,301. Variable speed and automatically driven transmission. Fleischel Gasten (inventor). Issued 4-16-40.

2,197,441. Hydraulic press. Perony Jean Albert (inventor); Soc D Outillage Mecanique et d Usinage d Artillerie (grantee). Issued 4-16-40.

2,197,555. Carburetor. Lepicard Etienne Marie Jules (inventor). Issued 4-16-40.

2,197,752. Hair drier. Kallmann Simon (inventor). Issued 4-16-40.

2,198,141. Closed monobloc power plant. Vincent Achille Paul (inventor). Issued 4-23-40.

2,198,407. Snow plow device or the like. De Brun Charles (inventor). Issued 4-23-40.

2,198,437. Coil and condenser assembly for high frequency purposes. Kaufman Albert (inventor). Issued 4-23-40.

2,198,541. Electrical switching device. Krebs Edouard (inventor). Issued 4-23-40.

2,198,551. Device for compelling a gyroscope to remain vertical. Meiller Claudius (inventor); Soc D Exploitation de Brevets Pour L Industrie L Aviation et L Automobile Sebia (grantee). Issued 4-23-40.

2,198,655. Device for facilitating the discharge of a gas under pressure. Coanda Henri (inventor). Issued 4-30-40.

2,198,673. Process for the manufacture of aluminum. Loevenstein Hirsch (inventor); Foundaminsky Israel Jacob (grantee). Issued 4-30-40.

2,198,731. Steering wheel. Lambert Pierre Louis Jean Baptiste (inventor); Soc Cie Franco Americaine des Jantes en Bois (grantee). Issued 4-30-40.

2,198,732. Device for the automatic partition in varying dimensions for advancing the reams of paper in paper cutting machines. Langenhagen Emile (inventor). Issued 4-30-40.

2,198,754. Magneto. Bernard Jean (inventor). Issued 4-30-40.

2,198,759. Fluid metering device. Cadet Louis Jules Adrien (inventor); S A Dite Soc d Etude de Distributeurs Automatiques S E D A (grantees). Issued 4-30-40.

2,198,842. Device for the mounting of an engine or like apparatus on its support. Renaux Eugene Prosper et al, Renaux Lucien Jules (inventors). Issued 4-30-40.

2,198,846. Picking device for flat hosiery knitting frames having hooked needles. Tesse Felix (inventor); Soc Dite Soc Generale de Bonneterie (grantee). Issued 4-30-40.

2,198,864. Agricultural machine. Degrelle Georges (inventor). Issued 4-30-40.

2,198,880. Cake of soap or other tablet or block covered with a soft sheath. Meyer Claude (inventor). Issued 4-30-40.

2,199,125. Antifriction metaling of bearings. Barbarou Marius Jean Baptiste (inventor). Issued 4-30-40.

2,199,523. Clutch with hydraulically compressed disks. Kegresse Adolphe (inventor). Issued 5-7-40.

2,199,608. Electronic television transmitter. Barthelemy Rene (inventor); Cie Pour la Fabrication des Compteurs et Materiel d Usines a Gaz (grantees). Issued 5-7-40.

2,199,713. Footwear. Perugia Andre (inventor). Issued 5-7-40.

2,199,763. Navigation apparatus. Sordoillet Pierre (inventor). Issued 5-7-40.

2,199,773. Machine for sharpening the points of twist drills or the like. Armand Joseph (inventor). Issued 5-7-40.

2,199,819. Aerial navigation means. Galle Jean Baptiste Paul Henri (inventor); S A Jaeger Aviation (grantee). Issued 5-7-40.

2,199,871. Automatic firearm. Birkigt Marc (inventor). Issued 5-7-40.

2,199,872. Automatic firearm. Birkigt Marc (inventor). Issued 5-7-40.

2,200,018. Process of polychrome photography. Bertrand Jean Pierre (inventor). Issued 5-7-40.

2,200,154. Device for measuring liquids. Cadet Louis Jules Adrien (inventor); S A Dite Soc d Etude de Distributeurs Automatiques S E D A (grantees). Issued 5-7-40.

2,200,162. Method of manufacturing gas bottles. De Vulitch Vladimir Antoine (inventor). Issued 5-7-40.

2,200,190. Playing apparatus. Plouvier Paul Joseph (inventor). Issued 5-7-40.

2,200,431. Combined magnetic compass and directional gyroscope. Rateau Jacques (inventor). Issued 5-14-40.

2,201,066. Screen television receiver. Toulon Pierre Marie Gabriel (inventor). Issued 5-14-40.

2,201,637. Gravity switch. Soulat Georges (inventor). Issued 5-21-40.

2,201,740. Method for producing copies of lenticular color photographs. Nordmann Charles (inventor). Issued 5-21-40.

2,201,886. Motion picture camera. Dalotel Maurice Albert (inventor). Issued 5-21-40.

2,201,893. Engine and propeller. Gadoux Eugene et al Crousse Louis (inventors). Issued 5-21-40.

2,201,896. Electric variable pitch log. Granat Elie (inventor); Cie des Forges et Aciéries de la Marine et d Homecourt (grantee). Issued 5-21-40.

2,201,928. Process for preparing a colloid oxychloride of copper. Souviron Pierre Francois et al Joseph, Bigourdan Pierre Ernest Benin Paul (inventors). Issued 5-21-40.

2,201,940. Alternating current rectifier. Barrey Etienne (inventor); Masnou Maurice Joseph Louis (grantee). Issued 5-21-40.

2,202,354. Apparatus for photography in relief with or without color. Saint Genies Anne Henri Jacques de Lassus (inventor). Issued 5-28-40.

2,202,355. Method and apparatus for copying lenticular films. Saint Genies Anne Henri Jacques de Lassus (inventor). Issued 5-28-40.

2,202,696. Rotary crystallizer cooker. Lafeuille Fernand (inventor). Issued 5-28-40.

2,202,746. Self-centering spindle for spinning frames. Raboisson Joseph (inventor); Soc Manufacture Alsacienne de Broches Anciennement les Fils d Edouard Latscha S A R L (grantee). Issued 5-28-40.

2,202,753. Coupling apparatus for vehicles. Bugatti Ettore (inventor). Issued 5-28-40.

2,203,031. Means for drawing in loose loops of thread in superposed layers of fabric. Seidlmair Josef (inventor); Rosenberger Adolf (grantee). Issued 6-4-40.

2,203,296. Device for control and operation by fluid servo motor. Fleischel Gaston (inventor). Issued 6-4-40.

2,203,039. Treatment of grain especially wheat. Francois Auguste Eugene (inventor). Issued 6-11-40.

2,204,049. Method for the production of images which are geometrically equivalent applicable to photography and to cinematography. Planskoy Leonti (inventor). Issued 6-11-40.

2,204,315. Electrical route indicator. Levin Remy Felix Oliver (inventor); Cie du Chemin de Fer Metropolitain de Paris (grantee). Issued 6-11-40.

2,204,472. Vibrating device. Caquot Albert Irenee (inventor). Issued 6-11-40.

2,204,696. Machine for manufacturing propeller blades by copying. Ratie Paulin Jean Pierre (inventor). Issued 6-18-40.

2,204,698. Starter. Rinot Roger Georges (inventor). Issued 6-18-40.

2,205,030. Vehicle and especially automotive railroad vehicles. Bugatti Ettore (inventor). Issued 6-18-40.

2,205,067. Electric arc. Pierron Noel et al Aubry Pierre (inventors); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 6-18-40.

2,205,083. Driving mechanism of the barrel type. Cazes Paul Georges (inventor); Pathe Cinema Anciens Etablissements Pathe Freres (grantee). Issued 6-18-40.

2,205,542. Process for the manufacture of formaldehyde by electrosynthesis from carbon monoxide and hydrogen. Ricard Eloi (inventor); Les Usines de Melle (grantee). Issued 6-25-40.

2,205,543. Heating surface. Rideau Jean Robert et al Ducret Andre Maxime (inventors). Issued 6-25-40.

2,205,549. Supercharger. Waselge Charles Raymond (inventor). Issued 6-25-40.

2,205,832. Variable speed transmission. Henriod Charles Edouard Fils (inventor). Issued 6-25-40.

2,205,833. Automatic clutch. Henriod Charles Edouard Fils (inventor). Issued 6-25-40.

2,206,015. Aircraft machine gun camera. Weissbrodt Jean Ernest (inventor); Soc Facin (grantee). Issued 7-2-40.

2,206,396. Photographic reproducing apparatus. Glass Jules Henry et al Lezy Maurice (inventors). Issued 7-2-40.

2,206,476. Apparatus for observing cinematographic bands. Damblanc Louis (inventor). Issued 7-2-40.

2,206,507. Device for breaking froth. Kuhni Hans (inventor); L Air Liquide S A Pour l Etude et l Exploitation des Procedes Georges Claude (grantee). Issued 7-2-40.

2,206,527. Photoelectric reading system. Constant Roger Emile Raphael (inventor), Etablissements Edouard Belin (grantee). Issued 7-2-40.

2,206,562. Process for the manufacture of aluminum. Gentil Henri Louis (inventor), Soc d Electrochimie d Electrometallurgie et des Acieries Electriques d Ugine (grantee). Issued 7-2-40.

2,206,611. Method of applying azo dyestuffs to fibers by development under the effect of light. Lantz Robert (inventor); S A des Matieres Colorantes & Produits Chimiques de Saint Denis (grantee). Issued 7-2-40.

2,206,613. Pump for concrete mortar and the like. Londais Roger (inventor). Issued 7-2-40.

2,206,685. Catalyzer. Balachowsky Dmitri (inventor). Issued 7-2-40.

2,207,041. Brake control device for motor vehicles. Vau Jean Baptiste Paul (inventor). Issued 7-9-40.

2,207,042. Propeller control mechanism for adjustable and reversible pitch propellers. Waselge Charles Raymond (inventor). Issued 7-9-40.

2,207,195. Equatorial precision sundial. Guadet Julien Paul Marie (inventor). Issued 7-9-40.

2,207,305. Additional impelling device for cycles and like vehicles. Souhart Jacques Paul (inventor). Issued 7-9-40.

2,207,386. Device for controlling carburetors of internal combustion engines in aircraft. Tampier Rene (inventor). Issued 7-9-40.

2,207,481. Automatic control means for vehicles. Derungs Ernest Alphonse (inventor). Issued 7-9-40.

2,207,869. Precious stones and jewelry. Monnier Andre Henri Georges (inventor). Issued 7-16-40.

2,208,204. Closed body in particular for automobile vehicles. Vigroux Joseph Jean Pierre (inventor). Issued 7-16-40.

2,208,492. Roof. Beschkine Leon (inventor); Entreprise Rouzaud et Fils (grantee). Issued 7-16-40.

2,208,588. Ball fountain pen. Laforest Jean (inventor). Issued 7-23-40.

2,208,705. Tunnel oven used for the carbonization at low temperatures of oil shale lignite coal and similar materials. Soubbotin Igor et al Romanoff Vladimir (inventors). Issued 7-23-40.

2,209,122. Control device with adjustable reversibility. Houplain Rene Benjamin (inventor). Issued 7-23-40.

2,209,137. Refrigerating plant. Reeh Johannes (inventor). Issued 7-23-40.

2,209,149. Device for regulating the action of brakes. Briand Henry (inventor). Issued 7-23-40.

2,209,267. Method and apparatus for the post synchronization of films. Gorochov Iedidia (inventor). Issued 7-23-40.

2,210,772. Storage battery. Navarin Louis Leon Lucien (inventor); Soc des Accumulateurs Fixes et de Traction (grantee). Issued 8-6-40.

2,211,076. Means for imparting impulses to a system. Sarazin Raoul Roland Raymond (inventor). Issued 8-13-40.

2,211,266. Textile sizing. Gibello Henri (inventor); Soc Nobel Francaise (grantee). Issued 8-13-40.

2,212,315. Radioelectric control device. Bollaek Lucien Armand (inventor). Issued 8-20-40.

2,212,994. Balanced gear pump. Vrolix Albert Sylvain Toussaint (inventor); S A L Outillage R B V (grantee). Issued 8-27-40.

2,213,060. Cathode ray tube. Toulon Pierre Marie Gabriel (inventor). Issued 8-27-40.

2,214,123. Electrical furnace. Delpech Gaston (inventor); S A des Manufactures des Glaces & Produits Chimiques des Saint Gobain Chauny & Cirey (grantee). Issued 9-10-40.

2,214,874. Apparatus for controlling the distortion of rolls. Bruno Paul Louis Marie (inventor); S A des Manufactures de Glaces et Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 9-17-40.

2,216,111. Combined radiator and air deflector. Huet Andre (inventor). Issued 10-1-40.

2,216,385. Rotatable fastening device. Chibert Jacques Francois Gabriel (inventor). Issued 10-1-40.

2,216,643. Arrhythmic Telewriter. Estoup Jean also known as Henri Estoup (inventor). Issued 10-1-40.

2,216,982. Hand actuated carriage. Oilagnon Paul (inventor). Issued 10-8-40.

2,217,669. Radial cylinder engine. Cantoni Humbert Denis Jean (inventor); Mawen S A (grantee). Issued 10-15-40.

2,218,620. Flyer spinning means. Nau Touron Albert (inventor); Frenkel Isaac (grantee). Issued 10-22-40.

2,218,675. Construction of composite walls. Fould Maurice (inventor); Forges de Strasbourg S A (grantee). Issued 10-22-40.

2,218,763. Film gate and feeding device. Mery Jean (inventor). Issued 10-22-40.

2,219,070. Speed control device for machines. Hermitte Louis (inventor); Soc Rateau la Courneuve (grantee). Issued 10-22-40.

2,219,796. Esters of amino alcohols and process for producing them. Viaud Pierre (inventor); Soc des Usines Chimiques Rhone Poulenc (grantee). Issued 10-29-40.

2,219,848. Optical system for dual beam automobile headlights. Schaffner Henri Alexander Hippolyte Joseph (inventor). Issued 10-29-40.

2,220,174. Speed changing device. Ravigneaux Pol (inventor). Issued 11-5-40.

2,220,513. Differential. De Place Henri Leon Marie Joseph (inventor). Issued 11-5-40.

2,220,523. Method and apparatus for renewing the perforations of motion picture films. Kaganski Nochoum (inventor). Issued 11-5-40.

2,220,546. Aircraft tail device. Saulnier Raymond (inventor). Issued 11-5-40.

2,220,557. Skate. User Armand (inventor). Issued 11-5-40.

2,220,660. Accordion. Razzaboni Umberto (inventor). Issued 11-5-40.

2,220,813. Electromagnetic remote control device. Derungs Ernest Alphonse (inventor). Issued 11-5-40.

2,221,106. Electric battery. Portail Fernand Charles Frederic (inventor); Le Carbone Co (grantee). Issued 11-12-40.

2,221,269. Quick acting obturating flap valve. Sertillange Maurice Antoine (inventor). Issued 11-12-40.

2,221,613. Propellor having an automatically variable pitch. Sensaud de Lavaud Robert (inventor). Issued 11-12-40.

2,221,759. Slide fastener. Erard Georges Leon (inventor); Cartier S A (grantee). Issued 11-19-40.

2,222,154. Pressing device for knitting machines. Noble Emile (inventor); etablissements Delostal Freres (grantee). Issued 11-19-40.

2,222,546. Method for taking up the play of spokes. Streit Albert Paul (inventor). Issued 11-19-40.

2,222,742. Defrosting device plate and method for manufacturing same. Ducret Andre Maxime et al, Rideau Jean Robert (inventors). Issued 11-26-40.

2,222,913. Control mechanism. Pescara Raul Pateras (inventor). Issued 11-26-40.

2,222,918. Hosiery knitting frame. Tesse Felix (inventor); Soc Dite Soc Generale de Bonneterie (grantee). Issued 11-26-40.

2,222,927. Mill for grinding pepper salt sugar coffee and the like. Mantelet Jean (inventor); Mantelet & Boucher Soc en Nom Collectif (grantees). Issued 11-26-40.

2,222,979. Anode for electrolyzers with vertical diaphragms. Lemair Jacques Philippe (inventor). Issued 11-26-40.

2,223,014. Recoil absorber for firearms. Galliot Norbert Jules Andre et al, Chable Jeanne Adrienne Victorine Anna (inventors). Issued 11-26-40.

2,223,645. Well and the like sinking apparatus. Solomon Guillaume Jean (inventor). Issued 12-3-40.

2,223,703. Auxiliary service plant for aircraft. Potez Henry Charles Alexandre (inventor). Issued 12-3-40.

2,224,151. Magnesium alloys. Gauthier Gaston (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue (grantees). Issued 12-10-40.

2,224,186. Body of motor road vehicles. Henri Labourdette Jean (inventor). Issued 12-10-40.

2,224,234. Electromagnetic clutching mechanism. Cotal Jean (inventor). Issued 12-10-40.

2,224,260. Propelling device for vehicles. Galliot Norbert Jules Andre (inventor). Issued 12-10-40.

2,224,481. Automatic mechanical return device. Laraque Roland (inventor). Issued 12-10-40.

2,225,015. Method and means for producing concrete structures. Lebelle Jean (inventor); Procedes Techniques de Construction (grantee). Issued 12-17-40.

2,225,019. Injection device for combustion engines. Retel Jules Marie Rene (inventor). Issued 12-17-40.

2,225,164. Method for producing concomitant movements and sounds. Ducout Marcel Stanislas (inventor). Issued 12-17-40.

2,225,433. Photographic camera for flexible materials sensitive to light. Goldberg Emanuel (inventor). Issued 12-17-40.

2,225,616. Electric furnace for melting glass. Borel Edouard Virgile (inventor); S A Des Manufactures Des Glaces & Produits Chimiques De Saint Gobain Chauny & Cirey (grantee). Issued 12-24-40.

2,225,617. Electric heating of liquid baths. Borel Edouard Virgile et al, Peyches Yvan (inventors); S A Des Manufactures Des Glaces & Produits Chimiques De Saint Gobain Chauny & Cirey (grantee). Issued 12-24-40.

2,225,903. Drafting board. Chaix Pierre Louis Maurice (inventor). Issued 12-24-40.

2,225,929. Vibration damper. Sarazin Roaul Roland Raymond (inventor). Issued 12-24-40.

2,225,938. Alloy with artificial radio activity. Yadoff Oleg (inventor). Issued 12-24-40.

2,226,154. Alternating current high tension cable system. Bethenod Joseph (inventor); S A Pour Les Applications De L Electricite & Des Gaz Rares Etablissements Claude Paz & Silva (grantees). Issued 12-24-40.

2,226,171. Gas or vapor electric discharge device. Lecorguillier Jean (inventor); S A Pour Les Applications De L Electricite Et Des Gaz Rares Etablissements Claude Paz & Silva (grantees). Issued 12-24-40.

2,226,201. Jack apparatus. Freyssinet Eugene (inventor). Issued 12-24-40.

2,226,536. Octave vent for musical wind instruments. Selmer Maurice (inventor); Selmer H & Cie (grantee). Issued 12-31-40.

2,226,978. System including rotary blades. Pescara Raul Pateras (inventor). Issued 12-31-40.

2,227,143. Printing device particularly for tabulating machines controlled by record cards or bands. Knutsen Knut Andreas (inventor). Issued 12-31-40.

2,227,653. Process of stanching & consolidating porous masses. Langer Charles (inventor). Issued 1-7-41.

2,227,815. Synchronization system for television. Toulon Pierre Marie Gabriel (inventor). Issued 1-7-41.

2,228,342. Incandescent electric lamp. Claude Andre (inventor); S A Pour Les Applications De L Electricite Et Des Gaz Rares Etablissements Claude Paz Et Silva (grantee). Issued 1-14-41.

2,228,794. Guide for a sliver roving or the like in drawing frames. Taine Roger (inventor); Soc Alsacienne De Constructions Mecaniques (grantee). Issued 1-14-41.

2,228,797. Manufacture of telephone cables. Wassermann Gunter (inventor); Le Conducteur Electrique Blinde Incombustible (grantee). Issued 1-14-41.

2,228,798. Manufacture of telephone cables. Wassermann Gunter (inventor); Le Conducteur Electrique Blinde Incombustible (grantee). Issued 1-14-41.

2,229,709. Two cycle engine. Tisserant Auguste Albert Honore (inventor). Issued 1-28-41.

2,229,936. Binder for leaves. Prache Andre (inventor). Issued 1-28-41.

2,230,032. Underground tubular structure and method of making the same. Freyssinet Eugene (inventor); Enterprise Campenon Bernard (grantee). Issued 1-28-41.

2,230,160. Radio device for measuring angles. Lehmann Gerard Jules (inventor); S A Des Industries Radioelectriques (grantee). Issued 1-28-41.

2,230,318. Process for carrying out industrial alcoholic fermentations. Boinot Firmin (inventor); Les Usines de Melle (grantee). Issued 2-4-41.

2,230,572. Projection apparatus. Mestre Louis Nicolas (inventor); Anciens Etablissements Barbier Benard & Turenne (grantee). Issued 2-4-41.

2,230,573. Diascopic projection apparatus. Mestre Louis Nicolas (inventor); Anciens Etablissements Barbier Benard and Turenne (grantee). Issued 2-4-41.

2,230,655. Printing process. Sauerwein Georges (inventor). Issued 2-4-41.

2,230,935. Endless chain. Chevreau Lucien (inventor); Soc Industrielle d Auteuil S A (grantee). Issued 2-4-41.

2,230,938. Method of obtaining color photographs. De Lassus Saint Genies Anne Henri Jacques (inventor). Issued 2-4-41.

2,231,438. Stenographic machine. Dold Victor Charles (inventor); Le Progres Technique (grantee). Issued 2-11-41.

2,231,546. Antitheft lock for bicycles. Neiman Abram (inventor). Issued 2-11-41.

2,232,035. Carburetor. Mennesson Andre Louis (inventor); S A Solex (grantee). Issued 2-18-41.

2,232,887. Servo brake for automobile vehicles. Salves Leon (inventor); Renault Louis (grantee). Issued 2-25-41.

2,232,929. Octave vent for saxophones or similar wind instruments. Selmer Maurice (inventor); Selmer H and Cie (grantee). Issued 2-25-41.

2,233,410. Process for direct nickel plating of aluminum and its alloys. Frasch Jean (inventor); Soc de Produits Chimiques des Terres Rares (grantee). Issued 3-4-41.

2,233,839. Moving picture projecting machine. Heurtier Antoine (inventor). Issued 3-4-41.

2,233,950. Detent means. Lepetit Albert Emile Marcel (inventor). Issued 3-4-41.

2,234,235. Protection device for electric networks. Dubusc Roger (inventor). Issued 3-11-41.

2,234,347. Electric smoothing iron and its support forming current supply plug for said irons. Lobstein Jean (inventor). Issued 3-11-41.

2,234,393. Device for the filling of tanks. Amiot Felix (inventor). Issued 3-11-41.

2,234,394. Aerial navigation machine. Amiot Felix (inventor). Issued 3-11-41.

2,234,515. Cradle for infants. Carrel Alexis Auguste et al, Carrel Anne nee de la Motte (inventors). Issued 3-11-41.

2,235,206. Method & apparatus for projecting & for copying by projection lenticular films in color or in relief. De Lassus Saint Genies Anne Henri Jacques (inventor). Issued 3-18-41.

2,235,460. Apparatus for microscopic projection. Mestre Louis Nicolas (inventor); Anciens Etablissements Barbier Benard & Turenne (grantee). Issued 3-18-41.

2,235,484. Machine for folding flat linen & the like. Jesus Henri Leon Lucien (inventor). Issued 3-18-41.

2,235,570. Process for the manufacture of 1458 tetra amino anthraquinone Bludow Pierre (inventor); Soc Rhodiaceta (grantee). Issued 3-18-41.

2,235,588. Two stage compression arrangement for aircraft engines. Potez Henry Charles Alexandre (inventor). Issued 3-18-41.

2,235,605. Screw propeller. Bugatti Ettore (inventor). Issued 3-18-41.

2,235,743. Apparatus for taking stereoscopic pictures. Gagliardi Pierre (inventor); Etablissements Emel S A R L (grantee). Issued 3-18-41.

2,235,947. Process for the gaseous cementation of steel pieces. Salves Leon (inventor); Renault Louis (grantee). Issued 3-25-41.

2,236,189. Torpedo for signaling on railroads or for other uses. Veber Leon (inventor); S A Dite Soc Francaise de Munitions, de Chasse de Tir et de Guerre Anciens Etablissements Gevelot et Gaupillat (grantees). Issued 3-25-41.

2,236,231. Device for electrically heating drawing kilns for sheet glass. Borel Edouard Virgile (inventor); S A des Manufactures des Glaces et Produits Chimiques de Saint Gobain Chauny & Cirey (grantees). Issued 3-25-41.

2,236,335. Firing mechanism for multiple guns. Dugied Eugene Albert (inventor); S A des Anciens Etablissements Hotchkiss & Cie (grantees). Issued 3-25-41.

2,236,645. Telephonic system. Levy Jacques (inventor). Issued 4-1-41.

2,236,838. Lateral control for airplanes. Robert Roger (inventor). Issued 4-1-41.

2,236,841. Variable pitch aerial propeller. Wasaige Charles Raymond (inventor). Issued 4-1-41.

2,236,911. Coated glass articles and a method of manufacturing the same. Long Bernard (inventor); S A des Manufactures des Glaces & Produits Chimiques de Saint Gobain Chauny and Cirey (grantees). Issued 4-1-41.

2,236,947. Electric relay. Le Goff Lucien Joseph Armand (inventor); Soc D Electricite Mors (grantee). Issued 4-1-41.

2,237,082. Power plant. Pateras Pescara Raul (inventor). Issued 4-1-41.

2,237,341. Circuit controller for tentering machines. Dungler Julien (inventor). Issued 4-8-41.

2,237,590. Trolley system. Delachaux Clarence Leon (inventor). Issued 4-8-41.

2,237,650. Brake. Brisson Louis (inventor). Issued 4-8-41.

2,238,658. Circular weaving loom. Pelce Henri et al, Bes Armand, Tizzoni Arthur (inventors); S A Saint Freres and Soc A Responsabilite Limitee Etablissements Rivetiss (grantees). Issued 4-15-41.

2,238,806. Oil burner. Doubledent Felix (inventor); Soc Chantereine D Applications, Industrielles de Brevets (grantees). Issued 4-15-41.

2,239,187. Apparatus for temporarily rendering secondary representations visible on a transparent primary representation. Becker Charles (inventor). Issued 4-22-41.

2,239,243. Oil circuit breaker for ultra high speed reclosure. Monchamps Albert (inventor); S A Dite Forges et Ateliers de Constructions Electriques de Jeumont (grantees). Issued 4-22-41.

2,239,262. Four stroke explosion engine. Violet Marcel Achille (inventor). Issued 4-22-41.

2,239,301. Door lock particularly for automobiles. Papst Max (inventor). Issued 4-22-41.

2,239,313. Positively and progressively acting speed varying device. Beschkine Leon (inventor). Issued 4-22-41.

2,239,360. Mechanism for justifying of number wheels. Levy Marcel Adrien Elie (inventor); S A Soc Francaise de Metrographie (grantee). Issued 4-22-41.

2,239,641. Operating device for adjustable transformers and the like. Soulary Pierre (inventor); L Air Liquide S A Pour L Etude et L Exploitation des Procedes Georges Claude (grantees). Issued 4-29-41.

2,239,973. Variable speed gear. Ravigneaux Pol (inventor). Issued 4-29-41.

2,240,022. Framework for vehicles. Salves Leon (inventor); Renault Louis (grantee). Issued 4-29-41.

2,240,052. Device for destroying sound waves more especially utilizable as a silencer for combustion and explosion engines. Pomies Robert Pierre (inventor). Issued 4-29-41.

2,240,131. Arrangement for securing stereoscopic cinematographic projections. Carre Suzanne nee Berment (inventor); Soc A Responsabilite Limitee Dite la Chronostereoscopie (grantees). Issued 4-29-41.

2,240,223. Meter for liquids. Muselier Bernard Gabriel Marie (inventor); Herman Jean Faure (grantee). Issued 4-29-41.

2,240,308. Orthopedic belt for the treatment of gastric ptoses. Mahe Roger Herve (inventor). Issued 4-29-41.

2,240,329. Dropper combined with cap for phials and the like. Fialip Robert Jean Marie (inventor); Picard Lucien (grantee). Issued 4-29-41.

2,240,341. Azo dyestuffs. Mirocourt Henry et al, Jirou Marcel Georges (inventors); Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies, Etablissements Kuhlmann (grantees). Issued 4-29-41.

2,240,372. Superheater element. Huet Andre (inventor). Issued 4-29-41.

2,241,125. Molding device with extensible core. Girard Emile Gustave Louis (inventor). Issued 5-6-41.

2,241,138. Resilient support. Julien Maurice Francois Alexandre (inventor). Issued 5-6-41.

2,241,139. Engine unit mounting. Julien Maurice et al, Francois Alexandre, Paulsen Jean Felix (inventors). Issued 5-6-41.

2,241,196. Variable surface airfoil. Gerin Jacques (inventor). Issued 5-6-41.

2,241,521. Airplane. Richard Paul Aime (inventor). Issued 5-13-41.

2,241,525. Backpedaling brake device. Roes Georges (inventor); Frenkel Robert (grantee). Issued 5-13-41.

2,241,786. Stabilization of rotating lifting systems. Loth William Arthur et al, Guyot Sebastienne Marie Henriette (inventors). Issued 5-13-41.

2,241,964. Scanning disk with synchronization device. Schiesinger Kurt (inventor). Issued 5-13-41.

2,242,013. Photographic or cinematographic camera or the like. Martin Alphonse (inventor). Issued 5-13-41.

2,242,221. Brace or like article. Bayon Henri Joseph (inventor). Issued 5-20-41.

2,242,231. Internal combustion engine. Cantoni Humbert Denis Jean (inventor). Issued 5-20-41.

2,242,516. Organometallic compound and process for its manufacture. Duval Clement (inventor); Soc D Electrochimie D Electrometallurgie et des Acieries Electriques D Ugine (grantees). Issued 5-20-41.

2,242,832. Governor device for internal combustion engines. Mennesson Marcel (inventor); S A Solex (grantee). Issued 5-20-41.

2,242,846. Reinforced concrete tank. Brice Louis Pierre et al, Lipsky Jean (inventors); S A La Paroi Hydraulique (grantee). Issued 5-20-41.

2,242,986. Wheel. Zipper Emil (inventor). Issued 5-20-41.

2,243,788. Device for lighting operating rooms. Benard Jacques Alfred Victor (inventor); Anciens Etablissements Barbier, Benard & Turenne (grantees). Issued 5-27-41.

2,243,885. Supporting surface for aircraft. Schweisch Andre (inventor). Issued 6-3-41.

2,243,906. Apparatus for shielding a body from fluid currents. Huet Andre (inventor). Issued 6-3-41.

2,244,214. Fuel mixture feed system for internal combustion engines. Pateras Pescara Raul (inventor). Issued 6-3-41.

2,244,328. Process for preparing biliary acids having a ketonic function. Charonnat Raymond et al, Horeau Alain (inventors); Chimie et Atomistique (grantee). Issued 6-3-41.

2,244,594. Direct air cooled engine. Amiot Felix (inventor). Issued 6-3-41.

2,244,595. Guiding means especially in machines for delivering rivets. Amiot Felix (inventor). Issued 6-3-41.

2,244,615. Toothbrush. Garcin Louis (inventor). Issued 6-3-41.

2,244,763. Power plant for airplanes. Bugatti Ettore (inventor). Issued 6-10-41.

2,245,123. Fabric printing. Belloc Maurice (inventor); Soc Nobel Francaise (grantee). Issued 6-10-41.

2,245,467. Driving mechanism between rotary elements. De Place Henri Leon Marie Joseph (inventor). Issued 6-10-41.

2,245,505. Process for replenishing and correcting the electrolyte in the refining of aluminum. Siedentopf Karl (inventor); Cie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue (grantee). Issued 6-10-41.

2,245,758. Flexible tube. Chernack Abel Edgar (inventor). Issued 6-17-41.

2,245,954. Gas turbine engine plant. Anxionnaz Rene (inventor); Soc Rateau (grantee). Issued 6-17-41.

2,246,133. Apparatus for rapidly effecting metallurgical operations. Greffe Andre (inventor); Soc D Electrochimie D Electrometallurgie et des Acieries Electriques D Ugine (grantees). Issued 6-17-41.

2,246,493. Aerial navigation machine of the airplane type. Amiot Felix (inventor). Issued 6-24-41.

2,246,494. Means for assembling elements by riveting. Amiot Felix (inventor). Issued 6-24-41.

2,246,872. Method and apparatus for manufacturing thin gelatinous coatings. Beaune Serge Virgile (inventor); Soc des Procedes Serge Beaune (grantee). Issued 6-24-41.

2,247,091. Storage battery. Jumau Lucien Jules (inventor). Issued 6-24-41.

2,247,288. Gyromagnetic compass. Delsuc Jacques (inventor); S A Ateliers J Carpentier (grantee). Issued 6-24-41.

2,247,307. Weft fork for circular weaving looms. Pelce Henri (inventor); Soc Dite Saint Freres S A (grantee). Issued 6-24-41.

2,247,768. Firing equipment for the combustion of liquid fuels. Huwyler Eugen (inventor). Issued 7-1-41.

2,247,880. Iodine organic compounds for use as X-ray contrast compositions. Guerbet Andre Gaston Jules (inventor). Issued 7-1-41.

2,248,073. Pulsator for fluids. Gage Andre Martial (inventor). Issued 7-8-41.

2,248,227. Tuned circuit. Gantet Pierre (inventor). Issued 7-8-41.

2,248,280. Machine for heating metal bars and tubes. Nobiron Henri Edward Dec, et al, Nobiron Marie Louise nee Guillon C, heir at law (inventors), S A Louvroil Montbard Aulnoye (grantee). Issued 7-8-41.

2,248,281. Circular weaving loom. Pelce Henri (inventor); Soc Dite Saint Freres S A (grantee). Issued 7-8-41.

2,248,282. Device for guiding the shuttles in circular weaving looms. Pelce Henri (inventor); Soc Dite Saint Freres S A (grantee). Issued 7-8-41.

2,248,526. Apparatus for disintegrating cereals and othér granular materials. Francois Auguste Eugene (inventor). Issued 7-8-41.

2,248,626. Recovery of alumina. Seailles Jean Charles et al, Dyckerhoff Walter Robert Gustav (inventors); Seailles Jean Charles (grantee). Issued 7-8-41.

2,249,390. Heddle. Mahler Otto (inventor). Issued 7-15-41.

2,250,129. Azo dyestuffs and method for their manufacture. Kopp Georges et al, Gangneux Rene Eugene Marcel (inventors), Cie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies, Etablissements Kuhlmann (grantees). Issued 7-22-41.

2,250,221. Electrical control device for clutch and gear mechanisms. Derungs Ernest Alphonse (inventor). Issued 7-22-41.

2,250,357. Electric range. Chaliet Etienne (inventor); Entreprises Electriques Fribourgeoises (grantees). Issued 7-22-41.

2,250,593. Method and machine for cutting openings in metal ribbons or the like. Mesnel Pierre (inventor). Issued 7-29-41.

2,250,624. Pane Securing means. Bugatti Ettore (inventor). Issued 7-29-41.

2,250,628. Shaping of glass sheets. Forbes Lewis Jex Blake (inventor); S A Des Manufactures Des Glaces et Produits Chimiques de Saint Gobain Chauny & Cirey (grantees). Issued 7-29-41.

2,250,654. Vehicle frame. Saives Leon (inventor); Renault Louis (grantee). Issued 7-29-41.

2,251,195. Dust guard for journal bearings. Meunier Marcel (inventor). Issued 7-29-41.

2,251,205. Apparatus for winding wire around a body of revolution. Revel Maurice (inventor); Soc Des Tuyaux Bonna (grantee). Issued 7-29-41.

2,252,470. Weaving loom. Pelce Henri (inventor); Soc Dite Saint Freres S A (grantee). Issued 8-12-41.

2,252,480. High speed internal combustion engine. Boulet Georges (inventor). Issued 8-12-41.

2,252,494. Self clamping jack. Du Rostu George Levesque (inventor); S A Andre Citroen (grantee). Issued 8-12-41.

2,252,524. Steering wheel. Quillery Henri Paul Marcel (inventor). Issued 8-12-41.

2,252,581. Selector. Saint Jacques Eugene Camille (inventor). Issued 8-12-41.

2,252,803. Jet digger suction head. Durepaire Pierre (inventor). Issued 8-19-41.

2,252,815. Transmission of mechanical energy. Salomon Francois Marie, Michel Bernard (inventors). Issued 8-19-41.

2,253,112. Hydraulic control system. De Boysson Joseph Bernard Antoine (inventor). Issued 8-19-41.

2,253,190. Suspension of vehicles. Mistral Paul Henri (inventor). Issued 8-19-41.

2,253,505. Engine. Cantoni Humbert Denis Jean (inventor); Mawen S A (grantee). Issued 8-26-41.

2,253,530. Device including receiving element fed by compressed gas generators. Pescara Raul Paternas (inventor). Issued 8-26-41.

2,253,730. Process of molding concrete. Seailles Jean Charles (inventor). 8-26-41.

2,253,757. Propeller actuated machine. Bugatti Ettore (inventor). Issued 8-26-41.

2,253,981. Current supply device for resistors of electric furnaces. Peyches Yvan (inventor); S A Des Manufactures Des Glaces & Produits Chimiques de Saint Gobain, Chauny & Cirey (grantees). Issued 8-26-41.

2,253,991. Process for the regeneration of waste of artificial and synthetic leathers. Strachovsky Nikita (inventor); Soc Salpa Francaise (grantee). Issued 8-26-41.

2,254,082. Spark plug. Meyer Charles Eugene (inventor); Soc De Construction D Appareils Mecaniques & Electriques Pour Automobiles S C A M E A (grantees). Issued 8-26-41.

2,254,299. Tabulating machine or the like. Leger Bernard et al, Dussaillant Francois, Bessiere Fernand, Boyer Fernand (inventors); Cie Parisienne de Distribution D Electricite (grantee). Issued 9-2-41.

2,254,858. Clockwork apparatus & new portable gas or vapor watch. Reutter Jean Leon (inventor); S A Etablissements ed Jaeger (grantee). Issued 9-2-41.

2,255,002. Rotary electric contact maker. Rodanet Charles Hilaire Henri (inventor); S A Jaeger Aviation (grantee). Issued 9-2-41.

2,255,004. Paddle wheel. Rodanet Charles Hilaire Henri (inventor); S A Jaeger Aviation (grantee). Issued 9-2-41.

2,255,005. Measuring instrument having capsules. Rodanet Charles Hilaire Henri (inventor); S A Jaeger Aviation (grantee). Issued 9-2-41.

2,255,033. Grab. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise De Construction De Bennes Automatiques (grantee). Issued 9-2-41.

2,255,205. Filtering element. Chamouton Claude Francois Albert (inventor); Soc De Constructions Mecaniques De Stains (grantee). Issued 9-9-41.

2,255,226. Flour mill with garlic separator. Meneux Charles et al, Bourdin Sylvain Gabriel, Chausse Louis (inventors). Issued 9-9-41.

2,255,391. Reinforced flexible pipe. Mesnel Jean Roger (inventor); Soc Mesnel Freres (grantee). Issued 9-9-41.

2,255,574. Winch for use on board aircraft. Waselge Charles Raymond (inventor); Air Equipment (grantee). Issued 9-9-41.

2,255,844. Metallurgical furnace. Gentil Henri Louis (inventor); Soc D Electrochimie D Electrometallurgie et Des Acieries Electriques D'Ugine (grantees). Issued 9-16-41.

2,256,134. Crusher and like apparatus. Bornay Raymond Ernest Henri (inventor). Issued 9-16-41.

2,256,261. Process for preparing azo compounds. Girard Andre (inventor); Les Laboratories Francais De Chimiotherapie (grantee). Issued 9-16-41.

2,256,426. Process for manufacturing tubes. Damien Rene (inventor); S A Des Tubes De Valenciennes et Denain (grantee). Issued 9-16-41.

2,256,436. Device for providing twist in rovings preparatory to spinning. Kruse Arthur (inventor). Issued 9-16-41.

2,256,789. Clutch device. Pegard Marcel (inventor). Issued 9-23-41.

2,257,034. Device for conjugating the rotation of rotating members. Bugatti Ettore (inventor). Issued 9-23-41.

2,257,676. Optical device for photography. Gance Abel et al, Angenieux Pierre (inventors). Issued 9-30-41.

2,257,939. Glove. Davidsohn Hilde (inventor). Issued 10-7-41.

2,258,164. Screen for photography in relief. Saint Genies Anne Henri Jacques De Lassus (inventor). Issued 10-7-41.

2,258,558. Apparatus for obtaining photographs in color by projection copying. Saint Genies Anne Henri Jacques De Lassus (inventor). Issued 10-7-41.

2,259,681. Signal transmission device. Clavette Claude Jean (inventor). Issued 10-21-41.

2,260,102. Automobile vehicle. Freret Paul Leon (inventor). Issued 10-21-41.

2,260,197. Internal combustion engine. Seligman Roger Adolphe Leonard (inventor). Issued 10-21-41.

2,261,247. Molding device. Girard Emile Gustave Louis (inventor). Issued 11-4-41.

2,261,249. Transmitting station for distant control systems. Granat Elie (inventor), Cie Des Forges et Acieries De La Marine et D Homecourt (grantee). Issued 11-4-41.

2,261,860. Body for vehicles. Saives Leon (inventor); Renault Louis (grantee). Issued 11-4-41.

2,262,544. Soluble sulphanilamide derivatives and process for making them. Depois Robert Ludovic (inventor); Soc Des Usines Chemiques Rhone Poulenc (grantee). Issued 11-11-41.

2,262,545. Method and means for controlling heat treatments. Do Huu Chan Andre (inventor); S A Des Manufactures De Glaces et Produits Chimiques De Saint Gobain, Chauny & Cirey (grantee). Issued 11-11-41.

2,263,220. Large high speed rim. Megean Ernest (inventor); Forgeo et Ateliers De Constructions Electriques De Jeumont S A (grantee). Issued 11-18-41.

2,263,354. Construction of walls. Fould Maurice (inventor); Forges De Strasbourg S A (grantee). Issued 11-18-41.

2,263,355. Construction of walls partitions and the like. Fould Maurice (inventor); Forges De Strasbourg S A (grantee). Issued 11-18-41.

2,263,482. Automatic control for grabs buckets and the like. Allard Pierre Jean Marie Theodore (inventor); Soc. Francaise De Construction De Bennes Automatiques (grantees). Issued 11-18-41.

2,263,493. Apparatus for manufacturing glass sheets. Habert Louis (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantee). Issued 11-18-41.

2,263,549. Electrical heating of liquid baths. Peyches Yvan (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantee). Issued 11-18-41.

2,263,868. Wheel arrangement. Boyer Robert et al, Marin Marcel, Gaestel Michel (inventors); Soc Goodrich S A S A (grantee). Issued 11-25-41.

2,264,267. Weighing apparatus for the addition of different products of variable bulk and in given proportions. Rabilloud Pierre (inventor). Issued 11-25-41.

2,264,429. Process for preparing substituted phthalic anhydrides. Bergmann Ernst (inventor); Cie De Produits Chimiques et Electrometallurgiques Alais Froges et Camargue (grantee). Issued 12-2-41.

2,264,470. Connecting device especially for railway vehicles coupled together. Bugatti Ettore (inventor). Issued 12-2-41.

2,264,881. Folding umbrella. Herbin Marie Louis Camille Georges (inventor). Issued 12-2-41.

2,264,923. Retractable landing gear for aircraft. Waselge Charles Raymond (inventor); Air Equipment (grantee). Issued 12-2-41.

2,265,106. Hydrodynamic tachometer. Fleux Jean (inventor); Schneider & Cie (grantee). Issued 12-2-41.

2,265,182. Apparatus for diascopic projection. Maestre Louis Nicolas (inventor); Anciens Etablissements Barbier Benard & Turenne (grantee). Issued 12-9-41.

2,265,195. Percussive fuse for projectiles. Remondy Leon Emile dec (inventor); Arbey Marie Leonie legal representative. Remondy Georges Henri legal representative (grantees). Issued 12-9-41.

2,265,265. Threads cutting machine. Castelli Xavier Francois (inventor). Issued 12-9-41.

2,265,499. Method of taking up the play of spikes. Streit Albert Paul (inventor). Issued 12-9-41.

2,265,747. Vibration damping device. Sarazin Raoul Roland Raymond (inventor). Issued 12-9-41.

2,265,896. Focusing device for motion and still picture cameras. Dalotel Maurice Albert (inventor); Mathot Suzanne Rosalie (grantee). Issued 12-9-41.

2,266,178. System for constituting a rolling track for vehicles. Dubois Leon (inventor). Issued 12-16-41.

2,266,682. Device for filling tanks. Amiot Felix (inventor). Issued 12-16-41.

2,266,961. Process for manufacturing the outside piece of a two piece safety nut. Desbrueres Edmond Pierre (inventor); Soc Securities E D L C (grantee). Issued 12-23-41.

2,267,537. Electric furnace. Romazzotti Joseph (inventor); S A Des Manufactures Des Glaces and Produits Chimiques De Saint Gobain Chauny and Cirey (grantees). Issued 12-23-41.

2,267,554. Apparatus for making glass tubes. Despret Georges Paul (inventor); Cies Reunies Des Glaces et Verres Speciaux Du Nord De La France (grantee). Issued 12-23-41.

2,267,874. Device for the mounting of engines or like apparatus. Renaux Eugene Prosper et al, Renaux Lucien Jules (inventors). Issued 12-30-41.

2,267,981. Elastic pulley and wheel and the like. Julien Maurice Francois Alexandre (inventor). Issued 12-30-41.

2,268,115. Heating method and means. George Henri (inventor). Issued 12-30-41.

2,268,183. Cooling system for aircraft. Bugatti Ettore (inventor). Issued 12-30-41.

2,268,324. Process for the preparation of photographic bleaching out layers. Folgar Andre et al, Thalmos Charles (inventors). Issued 12-30-41.

2,268,391. Apparatus for measuring the rate of flow of fluid. Gauthier Ernest (inventor). Issued 12-30-41.

2,268,954. Air cooling device for internal combustion engines. Marais Rene (inventor); S A Andre Citroen (grantee). Issued 1-6-42.

2,268,957. System for supplying and metering liquid fuel to motors. Museller Bernard Gabriel Marie (inventor); Herman Jean Faure (grantee). Issued 1-6-42.

2,270,172. Vehicle seat. Ruegger Andre (inventor). Issued 1-13-42.

2,270,240. Anchoring of tensioned cables in concrete constructions. Freyssinet Eugene (inventor). Issued 1-20-42.

2,270,342. Sensitive percussion fuse. Remondy Leon Emile decd (inventor); Arbey Marie Leonie, Remondy Georges Henri rep (grantees). Issued 1-20-42.

2,270,374. Intaglio printing. Kanitz Georges (inventor). Issued 1-20-42.

2,270,476. Apparatus for measuring pressure. Bellin Georges (inventor); Groupement Francais Pour Le Developpement Des Recherches Aeronautiques (grantee). Issued 1-20-42.

2,270,916. Operating apparatus for grabs or the like. Allard Pierre Jean Marie Theodore (inventor); Soc Francaise De Construction De Bennes Automatiques (grantee). Issued 1-27-42.

2,271,016. Antivibrating resilient support. Julien Maurice Francois Alexandre (inventor). Issued 1-27-42.

2,271,175. Portable rotary grater. Mantelet Jean (inventor); Mantelet and Boucher (grantees). Issued 1-27-42.

2,271,260. Tractor or other vehicle wheel. Bernardon Marcellin Eugene Rene (inventor); S A Des Pneumatiques Dunlop (grantee). Issued 1-27-42.

2,271,509. Lateral control means for flying machines with pivoted wings. Rouanet Roger Leger Marie Fernand et al, Rey Francois Victor Andre Joseph (inventors). Issued 1-27-42.

2,272,024. Apparatus for butt welding metal sheets. Saives Leon (inventor); S A Dite Soc Des Aciers Fins De L Est (grantee). Issued 2-3-42.

2,272,067. Ash tray. Poivrel Jean Louis et al, Michelang Marie Charles Hubert (inventors). Issued 2-3-42.

2,272,080. Device for the nightly light beaconing of high tension overhead cables. Bethenod Joseph et al, Kayser Daniel (inventors); S A Pour Les Applications De L Electricite et Des Gaz Rares Etablissements Claude Paz and Silva (grantee). Issued 2-3-42.

2,272,676. Continuous flow gas turbine. Leduc Rene (inventor). Issued 2-10-42.

2,272,916. Verifying machine for perforated cards. Knutsen Knut Andreas (inventor). Issued 2-10-42.

2,272,934. Mechanism for power transmission. Cotal Jean (inventor). Issued 2-10-42.

2,273,023. Radiotelephone system. De Regnauld De Bellescize Henri Jean, Joseph Marie (inventors). Issued 2-17-42.

2,273,869. Resilient support. Julien Maurice Francois Alexandre (inventor). Issued 2-24-42.

2,273,913. Valve gear for compound locomotive engines. Walckenaer Francois Marie Andre Athanase (inventor); Schneider & Cie (grantee). Issued 2-24-42.

2,274,328. Olefin polymerization. Guinot Henri Martin (inventor); Les Usines de Melle (grantee). Issued 2-24-42.

2,274,430. Turning gear for internal combustion engines. Potez Henry Charles Alexandre (inventor). Issued 2-24-42.

2,274,593. Glucamine salts of amino phenylstibonic acid. Despois Robert Ludovic (inventor); Soc Des Usines Chimiques Rhone Poulenc (grantee). Issued 2-24-42.

2,275,652. Brace or like article. Bayon Henri Joseph (inventor). Issued 3-3-42.

2,275,966. Antivibration resilient support. Julien Maurice Francois Alexandre (inventor). Issued 3-10-42.

2,276,663. Airscrew system. Mercier Pierre Ernest (inventor). Issued 3-17-42.

2,276,688. Control device for ailerons and flaps. Dewoitine Emile Julien Eugene (inventor). Issued 3-17-42.

2,276,678. Electric furnace for melting glass. Borel Edouard Virgile (inventor); S A Des Manufactures Des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantee). Issued 3-31-42.

2,277,679. Electric furnace for melting glass. Borel Edouard Virgile (inventor); S A Des Manufactures Des Glaces and Produits Chimiques de Saint Gobain Chauny and Cirey (grantee). Issued 3-31-42.

2,277,798. Gripping device serving both as hairpin and curler. Sylow Hansen Berthe Hortense born Hubert (inventor). Issued 3-31-42.

2,277,854. Colloidal tertiary calcium phosphate. Lecoq Louis Paul Victor (inventor). Issued 3-31-42.

2,277,855. Caterpillar tractor. Mercier Adrien (inventor). Issued 3-31-42.

2,277,885. Securing device. Rodanet Charles Hilaire Henri (inventor); S A Jaeger Aviation (grantee). Issued 3-31-42.

2,278,113. Galvanometer contact device. Moreau Henri (inventor). Issued 3-31-42.

2,278,192. Thermic process. Cantacuzene Georges Servan (inventor). Issued 3-31-42.

2,278,203. Intermittent recorder for angle measurement. Lepetit Albert (inventor). Issued 3-31-42.

2,278,217. Securing device utilizing the resilient distortion and incompressibility of rubber. Rodanet Charles Hilaire Henri (inventor); S A Jaeger Aviation (grantee). Issued 3-31-42.

2,278,660. Radiogoniometer. Lehmann Gerard (inventor). Issued 4-7-42.

2,278,722. Metallic coating. Loiseleur Jean (inventor); S A Des Manufactures Des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 4-7-42.

2,279,246. Visual direction finding system. Podliasky Ilia et al, Guerbilsky Alexis (inventors). Issued 4-7-42.

2,279,615. Aircraft. Bugatti Ettore (inventor). Issued 4-14-42.

2,280,560. Protective treatment for wood. Vautherin Henri Marie Andre (inventor); Schelameur Pierre, Jacques de Liniers Yves Elie Marie (grantees). Issued 4-21-42.

2,280,669. Engine. Sklenar Ignac (inventor). Issued 4-21-42.

2,280,765. Gas turbine thermic engine. Anxionnaz Rene et al, Imbert Roger (inventors); Anxionnaz Rene, Soc Rateau (grantees). Issued 4-21-42.

2,281,045. Pump. Outin Jean (inventor); Soc La Precision Mecanique (grantee). Issued 4-28-42.

2,281,182. Process and apparatus for controlling moisture in granular and pulverulent substances. Chopin Marcel (inventor). Issued 4-28-42.

2,281,408. Method and apparatus for manufacture and treatment of glass and analogous substances. Borel Edouard Virgile (inventor); S A Des Manufactures Des Glaces & Produits Chimiques de Saint Gobain Chauny & Cirey (grantee). Issued 4-28-42.

2,282,638. Elastic wheel. Boyer Robert et al, Marin Marcel Gaestel Michel (inventors); Soc Goodrich S A (grantee). Issued 5-12-42.

2,282,693. Luminous torus. Abadie Jean Baptiste Joseph Marcel (inventor). Issued 5-12-42.

2,282,766. Toy for sports. Miremont Pierre Georges (inventor). Issued 5-12-42.

2,283,035. Process for the manufacture of 1458 tetraaminoanthraquinone. Bludow Pierre (inventor); Soc Rhodiaceta (grantee). Issued 5-12-42.

2,283,338. Drilling machine. Pegard Marcel (inventor). Issued 5-19-42.

2,283,449. Garlic separator. Meneux Charles et al, Bourdin Sylvain Gabriel, Chausse Louis (inventors). Issued 5-19-42.

2,283,598. Illuminating apparatus. Decalion Maurice (inventor); Soc Pour La Fabrication Des Projecteurs Electriques Marchal S A (grantee). Issued 5-19-42.

2,284,334. Exhaust device for internal combustion engines. Mercier Pierre Ernest (inventor). Issued 5-26-42.

2,284,990. Method and apparatus for electrical prospecting. Schlumberger Marcel (inventor). Issued 6-2-42.

2,285,388. Adjusting system for field glasses. Benard Jacques Alfred Victor (inventor). Issued 6-9-42.

2,285,604. Plant and device for fluid control. Mercier Jean (inventor). Issued 6-9-42.

2,285,669. Antenna. Lehmann Gerard (inventor); S A Des Industries Radioelectriques S A D I R (grantee). Issued 6-9-42.

2,286,150. Automatic wing lift varying device for aircraft. Mercier Pierre Ernest (inventor). Issued 6-9-42.

2,286,893. Apparatus & method for bending pipes bars plates & like pieces. Boissou Pierre (inventor); S A Des Hauts Fourneaux et Fonderies de Pont A Mousson (grantee). Issued 6-16-42.

2,287,691. Method of making self locking nuts. Marchou Elie Raoul (inventor). Issued 6-23-42.

2,287,844. Rubber covered paving block. Tiberghien Marcel (inventor); S A Des Caoutchouc Reno (grantee). Issued 6-30-42.

service in the transportation of passen-

possessing or obtaining the requisite op-

grades of bed linens set forth in paragraph (b), at prices no higher than those

(2) For sales by the manufacturer to retailers, the maximum price is $8.53,

(a) * * *

(3) *Modification of maximum prices*

2,288,207. Electrical switch particularly for control of warning and lighting devices for vehicles. Quillery Henri Paul Marcel (inventor). Issued 6-30-42.
2,288,420. Carriage control means of machine tools. Pegard Marcel (inventor). Issued 6-30-42.
2,288,581. Elastic wheel. Boyer Robert, et al, Marin Marcel, Gaestel Michel (inventors); Soc Goodrich S A (grantee). Issued 6-30-42.
2,289,145. Arrangement for controlling brakes with interposition of a servo brake. Salves Leon (inventor); Renault Louis (grantee). Issued 7-7-42.
2,289,286. Process for the manufacture of hydrated aluminum triformate. Mazabraud Edmond (inventor); Soc Normande de Produits Chimiques (grantee). Issued 7-7-42.
2,289,396 Mounting of accessories on aircraft. Waseige Charles Raymond (inventor); Air Equipment (grantee). Issued 7-14-42.
2,289,766. Powder catapult. Fieux Jean (inventor); Schneider and Cie (grantee). Issued 7-14-42.
2,290,479. Hydraulic control system. Mercier Jean (inventor. Issued 7-21-42.
2,290,607. Propeller. De Lavaud Robert Sensaud (inventor). 7-21-42.
2,290,610. Auxiliary carburetion device for supercharged internal combustion engines. Goudard Maurice (inventor); S A Solex (grantee). Issued 7-21-42.
2,290,766. Machine tool and especially radial drilling machine. Pegard marcel (inventor). Issued 7-21-42.
2,291,607. Cooling device for engines. Chausson Gaston Auguste (inventor); S A Des Usines Chausson (grantee). Issued 8-4-42.
2,292,731. Device for shaping pieces. Amiot Felix (inventor). Issued 8-11-42.
2,293,239. Assembly of metallic elements or the like. Brasseur Jacques (inventor); Soc Bronzavia (grantee). Issued 8-18-42.
2,293,372. Means for amplifying mechanical vibrations. Vasilach Serge (inventor); Soc Des Telephones Picart Lebas (grantee). Issued 8-18-42.
2,293,555. Distributor for fluid operated apparatus. Mercier Jean (inventor). Issued 8-18-42.
2,293,758. Gearbox. Pescara Raul Pateras (inventor). Issued 8-25-42.
2,293,948. Means for manufacturing glass. Peyches Yvan (inventor); S A des Manufactures des Glaces & Produits Chimiques de Saint Gabain Chauny & Cirey (grantee). Issued 8-25-42.
2,294,931. Vitreous enamel containing zirconium and process for preparing same. Paquet Maxime (inventor). Issued 9-8-42.
2,295,207. Selection of waves having superposed frequencies. Gabrilovitch Leonide (inventor). Issued 9-8-42.
2,295,573. Fuse setting apparatus for artillery projectiles. Fontaine Georges Marie Telesphore Alexandre (inventor); Schneider & cie (grantee). Issued 9-15-42.
2,296,238. Carbureted emissive electrode. Abadie Jean Baptiste Joseph Marcel (inventor). Issued 9-22-42.

[F. R. Doc. 43-5336; Filed, April 5, 1943; 2:47 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-41]

COORDINATED OPERATION BETWEEN CHICAGO, ILLINOIS, AND INDIANAPOLIS, INDIANA

EMPIRE TRAILS, INC., VICTORY TRAILWAYS, AND PENNSYLVANIA GREYHOUND LINES, INC.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with the Office of Defense Transportation by Empire Trails, Inc., Chicago, Illinois, Victory Trailways, Chicago, Illinois, and Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio, pursuant to § 501.49 of General Order ODT 11, as amended (7 F.R. 4389, 11099), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Empire Trails, Inc., Chicago, Illinois, Victory Trailways, Chicago, Illinois, and Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Chicago, Illinois, and Indianapolis, Indiana, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Between Chicago, Illinois, and Indianapolis, Indiana, the Pennsylvania Greyhound Lines, Inc., shall operate a through service of not to exceed eleven (11) round trips daily, and Victory Trailways in conjunction with Empire Trails, Inc., shall operate a through service of not to exceed two (2) round trips daily.

3. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

4. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

5. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-41".

This order shall become effective April 28, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of April 1943.

JOSEPH B. EASTMAN
Director.

APRIL 14, 1943.

[F. R. Doc. 43-5947; Filed, April 16, 1943; 11:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 8 Under RPS 89]

SEARS, ROEBUCK & COMPANY

ORDER GRANTING ADJUSTMENT

Order 8 under § 1316.111 (d) (5) of Revised Price Schedule No. 89—Bed Linens; Docket No. 3089-11.

On April 7, 1942, Sears, Roebuck & Company, Chicago, Illinois, filed an application for adjustment pursuant to § 1316.111 (d) (5) of Revised Price Schedule No. 89. Due consideration has been given to the application, and opinion in support of this Order No. 8 has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) Sears, Roebuck & Company may purchase, agree, offer or attempt to purchase from Riverside and Dan River Cotton Mills, Inc., Danville, Virginia, and Hesslein & Co., Inc., 77 Worth Street, selling agent for Commander Mills, Inc.; and Riverside and Dan River Cotton Mills, Inc., and Hesslein & Co., Inc., selling agent for Commander Mills, Inc., may sell and deliver, agree, offer, solicit and attempt to sell and deliver to Sears Roebuck & Company, the kinds and grades of bed linens set forth in paragraph (b), at prices no higher than those stated therein.

(b) The premiums set forth below may be added to the otherwise applicable maximum price on sales of Super Launderite sheets of the following sizes, made with two-ply warp yarns for 2 inches on each side and 2 inches in the center, and Super Launderite pillow cases of the following sizes, made with two-ply warp yarns for 2 inches on each side:

Size	Description	Premium (percent)
72 x 110	Sheet	4.09
81 x 1[illegible]	Sheet	3.19
[illegible] x 1[illegible]	Sheet	3.51
42 x [illegible]	Pillow case	4.53
42 x [illegible]	Pillow case	4.19

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 8 shall become effective as of February 2, 1942.

Issued this 15th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5920; Filed, April 15, 1943; 3:37 p. m.]

[Order 261 Under MPR 188[1]]

MOSAIC TILE COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 261 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices For Specified Building Materials And Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 261 sets temporary maximum prices for sales of a new fireplace grate manufactured by the Mosaic Tile Company, Zanesville, Ohio. It applies only to the grate which has been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after December 31st, 1943.

The prices stated below as the maximum prices may be charged only if the manufacturer attaches to each grate a written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales by the manufacturer and by wholesalers and retailers shall be computed by deducting 25% from the prices stated below.

(1) For sales by the manufacturer to jobbers, the maximum price is $7.75, f. o. b. factory.

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140.

(2) For sales by the manufacturer to retailers, the maximum price is $8.53, f. o. b. factory.

(3) For sales at wholesale by a person other than the manufacturer, the maximum price is $10.33, f. o. b. the seller's city.

(4) For sales at retail, the maximum price is $15.50.

(b) The maximum prices set forth in paragraph (b) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

The Mosaic Tile Company, Zanesville, Ohio, the manufacturer of this grate, warrants to the retailer and to any person buying from him that this grate will withstand the heat generated by the burning of coal, coke, or wood for one year from the date of purchase by the consumer. If the company desires to do so, it may add: "This warranty, however, does not protect against rough handling by the consumer." The warranty shall be attached to the grate before shipment by the manufacturer and shall not be detached until the grate had been delivered to the consumer.

(c) Before delivery of a grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states that the retail ceiling price of a grate is $15.50. The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) At or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser of the maximum price set by this Order for resales by the purchaser. This notice may be given in any convenient form.

(e) This Order No. 261 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

This order shall become effective April 17, 1943, and shall terminate on the 31st day of December, 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5961; Filed, April 16, 1943; 11:52 a. m.]

[Amendment 2 to Order A-1 Under MPR 188]

CALCINED FLINT FIRE CLAY PRODUCERS IN COLORADO

MODIFICATION OF MAXIMUM PRICES

Amendment 2 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying Amendment No. 2 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

The title of Order No. A-1 is amended to read as set forth above.

Order No. A-1 is amended by adding a new subparagraph (a) (3) to read as follows:

(a) * * *

(3) *Modification of maximum prices for calcined flint fire clay.* (i) The maximum price for the sale and delivery of calcined flint fire clay produced in the State of Colorado shall be $7.35 per net ton f. o. b., producers' plant.

(ii) *Definitions.* For the purposes of this subparagraph (3) the term "calcined flint fire clay" means a flint fire clay which has been heat-treated to a temperature from 1500° to 2200° Fahrenheit.

This amendment shall become effective April 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5962; Filed, April 16, 1943; 11:52 a. m.]

[Order 34 Under MPR 152]

FALL RIVER CANNING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 34 under Maximum Price Regulation No. 152—Canned Vegetables.

The Fall River Canning Company, Fall River, Wisconsin, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of certain items of peas in certain container sizes.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Fall River Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive the following commodities at the maximum prices indicated:

Container size	Commodity	Authorized maximum price per dozen f. o. b. factory
No. 1 size cans.	Standard 2 sieve Alaska peas	$0.775
No. 1 size cans.	Extra standard 3 sieve sweet peas	.875
No. 1 size cans.	Extra standard 6 sieve sweet peas	.825
No. 1 size cans.	Standard 2 sieve sweet peas	.80
No. 1 size cans.	Standard 6 sieve sweet peas	.775
No. 1 size cans.	Fancy ungraded as to sieve size sweet peas.	.875
No. 1 size cans.	Extra standard ungraded as to sieve size sweet peas.	.8[illegible]
No. 1 size cans.	Standard ungraded as to sieve size sweet peas.	.825
No. 2 size cans.	Sub-standard ungraded as to sieve size sweet peas.	1.025
No. 1 size cans.	Sub-standard ungraded as to sieve size sweet peas.	.7[illegible]

Inc., the maximum price is $10.00, f. o. b.

For the reasons set forth in an opinion issued simultaneously herewith and filed

(b) This Order No. 34 may be revoked or amended by the Price Administrator

SECURITIES AND EXCHANGE COMMISSION.

ever, to the condition that jurisdiction is reserved with respect to the use of

(b) This Order No. 34 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Fall River Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on April 17, 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5957; Filed, April 16, 1943; 11:53 a. m.]

[Order 262 Under MPR 188]

CONCO BUILDING PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 262 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales of a new fireplace grate distributed by Conco Building Products, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 262 sets temporary maximum prices for sales of a new fireplace grate manufactured for Conco Building Products, Inc., Mendota, Illinois, by Ceramic Supply Company, Brooksville, Ohio. It applies only to the grate which has been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after December 31, 1943.

The prices stated below may be charged only if Conco Building Products, Inc. attaches to the grate a written warranty described in paragraph (b). If the company does not make the warranty, the maximum prices for sales by that company and by wholesalers and retailers should be computed by deducting 25% from the prices stated below.

(1) For sales by Ceramic Supply to Conco Building Products, Inc., the maximum is $6.10.

(2) For sales by Conco Building Products, Inc., to wholesalers or jobbers, the maximum prices is $7.50, f. o. b. Creeksville, Ohio.

(3) For sales by Conco Building Products, Inc., to retailers, the maximum price is $8.25, f. o. b. Creeksville, Ohio.

(4) For sales at wholesale by persons other than Conco Building Products, Inc., the maximum price is $10.00, f. o. b. the seller's city.

(5) For sales at retail, the maximum price is $15.00.

(b) The maximum prices set forth in subparagraphs (2), (3), (4), and (5) of paragraph (a) can be charged only if Conco Building Products, Inc., sells the grate with a written warranty in the following form:

> Conco Building Products, Inc., Mendota, Illinois, warrants to the retailer and to any person buying from him that this grate will withstand the heat generated by the burning of coal, coke, or wood for one year from the date of purchase by the consumer.

If the company desires to do so, it may add:

> This warranty, however, does not protect against rough handling by the consumer.

The warranty shall be attached to the grate before shipment by Conco Building Products, Inc., and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, Conco Building Products, Inc. shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following form would be sufficient: "Retail Ceiling Price $15.00". The tag or label should not be detached until the grate has been delivered to the consumer.

(d) At or before the time of the first delivery after the effective date of this order, Conco Building Products, Inc. shall notify in writing every person who buys from it of the maximum price set by this Order No. 262 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) This Order No. 262 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

This order shall become effective on the 17th day of April 1943, and shall terminate on the 31st day of December, 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5960; Filed, April 16, 1943; 11:52 a. m.]

[Order 263 Under MPR 188]

NATIONAL SEWING MACHINE CO.

APPROVAL OF MAXIMUM PRICE

Order No. 263 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the National Sewing Machine Company, Belvidere, Illinois, of 11 items of utility cabinets and tables.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) National Sewing Machine Company of Belvidere, Illinois is authorized to sell and deliver the utility cabinets and tables listed herein at prices no higher than those set forth below:

No. 3899 Single door wood utility cabinet, white enamel	$9 03
No. 3900 Black base, left hand door or right hand door	9 03
No. 3901 Double door wood utility cabinet, white enam., black base	11 49
No. 4640 Single door wood utility cabinet, unpainted	7 72
No. 4641 Double door wood utility cabinet, unpainted	9 71
No. 4126 Maple Drop leaf table, unpainted	8 50
No. 3973 Double door wood oversink cabinet, white enamel	5 86
No. 3974 Double door wood undersink cabinet, white enamel	5 95
No. 3904 Double door small wall cabinet, white enamel	7 60
No. 3905 Small base cabinet—linoleum table top, one drawer, two doors white enameled	15 29
No. 3907 Double door large wall cabinet, white enameled	8 34
No. 3908 Large base cabinet—linoleum table top, two drawers, two doors white enameled	19 45

(b) This Order No. 263 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 263 shall become effective on the 17th day of April 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5954; Filed, April 16, 1943; 11:56 a. m.]

[Order 34 Under RPS 57]

BIGELOW SANFORD CARPET CO.

APPROVAL OF MAXIMUM PRICES

Order No. 34 under Revised Price Schedule No. 57—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Bigelow Sanford Carpet Company may sell, offer to sell, deliver or transfer the new fabrics designated as Burnell and Raypoint at prices no higher than those set forth below:

Burnell at $3.01 per square yard f. o. b. mill roll.

Raypoint at $4.60 per square yard f. o. b. mill roll.

The prices listed above for Burnell and Raypoint shall be subject to discounts, allowances, and rebates no less favorable than those in effect as to Bushnell and Gropoint under § 1352.1 of Revised Price Schedule No. 57.

(b) This Order No. 34 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

This order shall become effective on the 17th day of April 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5959; Filed, April 16, 1943; 11:52 a. m.]

[Order 1 Under 2d Rev. Maximum Export Price Regulation]

RICHARD B. FRENKEL

ORDER GRANTING PETITION FOR RELIEF

Order No. 1 under the 2d Revised Maximum Export Price Regulation; Docket No. ME3-28.

The opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register, and in accordance with section 12 of the 2d Revised Maximum Export Price Regulation, *It is hereby ordered:*

(a) Richard B. Frenkel, 211 West 106 Street, New York, New York, is authorized to invoice directly to the Government of Guatemala the following commodities at the prices c. i. f. Suchiate or Puerto Barrios, Guatemala, as indicated below:

250 Gross ⅝-inch Harness buckles, cast iron japanned, $3.25 per gross
250 Gross 1-inch Harness buckles, cast iron japanned, $3.25 per gross
139 Gross 1¼-inch Harness buckles, cast iron japanned, 7.15 per gross
330 Yards bleached twills, mercerized cotton 28 ' wide, .50 per yard
4900 Lbs. copper belt rivets and burs No. 14, ⅝", .85 per pound
300 Lbs. of music wire (half tempered steel wire), 1.00 per pound
695 Gross lead pencils, 2.50 per gross
50,000 Wooden penholders, 18.00 per 1,000
8,000 Liters of powdered ink in liter envelopes, .06 per liter
Electric Bulbs.
500 115 V 25 Watts clear finish, .288 per bulb
500 115 V 60 Watts clear finish, .264 per bulb
300 115 V 100 Watts clear finish, .288 per bulb

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 shall become effective April 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5955; Filed, April 16, 1943; 11:56 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-8; 70-676]

COMMONWEALTH & SOUTHERN CORP., ET AL.

ORDER APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of April 1943.

In the matter of The Commonwealth & Southern Corporation and its subsidiary companies, Respondents, File No. 59-8; Transportation Securities Corporation, and the Commonwealth & Southern Corporation, File No. 70-676.

Transportation Securities Corporation ("Transportation") and The Commonwealth & Southern Corporation ("Commonwealth"), its parent company and a registered holding company, having filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 regarding the acquisition by Transportation of 18,000 shares of Commonwealth's preferred stock, $6 Series, in consideration for the sale by Transportation of its investment in Springfield Transportation Company; and the Commission having granted such application subject, however, to certain terms and conditions including the requirement that within fifteen days after the consummation of the aforesaid transaction Commonwealth shall take steps to purchase from Transportation for cash, at a price to be approved by the Commission, the aforesaid 18,000 shares of Commonwealth's preferred stock which are to be acquired by Transportation and the reservation of jurisdiction with respect to accounting entries on the books of Transportation and Commonwealth relating to the aforementioned transaction; and

Transportation and Commonwealth having filed an amendment to the application requesting approval of the acquisition of the said 18,000 shares of preferred stock by Commonwealth from Transportation for cash in the amount of $950,000 and designating accounting entries to be made on the books of Transportation and Commonwealth; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that such acquisition be approved and that it is unnecessary to further reserve jurisdiction concerning such accounting entries;

It is ordered, That the application as amended in regard to the acquisition by The Commonwealth & Southern Corporation of 18,000 shares of its preferred stock from Transportation Securities Corporation for a cash consideration of $950,000 be and hereby is approved and that jurisdiction be and is hereby released, in so far as the present proceeding is concerned, in respect of the proposed accounting entries on the books of such companies; such approval and release of jurisdiction are subject, however, to the condition that jurisdiction is reserved with respect to the use of the proceeds accruing to Transportation Securities Corporation and are subject further to the conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5907; Filed, April 15, 1943; 2:50 p. m.]

[File No. 70-540]

TRI-CITY UTILITIES CO. AND KENTUCKY UTILITIES CO.

ORDER MODIFYING CONDITIONS AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of April 1943.

In the matter of Tri-City Utilities Company, successor in interest herein to Kentucky-Tennessee Light and Power Company, and Kentucky Utilities Company, File No. 70-540.

Applications and declarations, and amendments thereto, having been filed with this Commission by Tri-City Utilities Company, a subsidiary of Associated Electric Company, a registered holding company, and Kentucky Utilities Company, a registered holding company and a subsidiary of The Middle West Corporation, a registered holding company, pursuant to sections 10 and 12 (d), and Rule U-44 thereunder, of the Public Utility Holding Company Act of 1935, regarding the sale and exchange of certain electric public utility properties; and

The Commission having by order dated August 17, 1942, granted the applications and permitted the declarations to become effective, subject to the terms and conditions prescribed in Rule U-24; and having by further orders entered herein on October 9, 1942, December 17, 1942, and February 17, 1943, modified the said conditions to the extent necessary to extend the time within which such transactions may be consummated to April 17, 1943; and

Tri-City Utilities Company and Kentucky Utilities Company having requested that the said conditions be further modified to the extent necessary to extend the time within which the transactions as set forth in the applications and declarations may be consummated to June 17, 1943; and the Commission deeming it appropriate that such request be granted;

It is ordered, That the conditions contained in the order of August 17, 1942, be and hereby are modified to the extent necessary to extend the time within which such transactions may be consummated to June 17, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5908; Filed, April 15, 1943; 2:50 p. m.]

[File Nos. 59-34; 59-56]

...ion to withdraw its Capital Stock from ...sting and registration on the San Fran-

The Fireman's Fund Insurance Company, pursuant to section 12 (d) of the

evidence, and require the production of any books, papers, correspondence, mem-

evidence, and require the production of any books, papers, correspondence,

of Defense Transportation with respect

[File Nos. 59-34; 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSOCIATION ET AL.

ORDER REMOVING HEARING TO BOSTON, MASSACHUSETTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of April 1943.

In the matter of New England Gas and Electric Association, Paul Smith, Alexander Speer, and Frederick W. Bartow, as trustees of Gas and Electric Associates; Francis G. Goodale, as trustee of Utility Investing Trust; Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation; Stanley Clarke, as trustee of Associated Gas and Electric Company, File No. 59-34; in the matter of New England Gas and Electric Association, File No. 59-56.

The Commission, by order dated February 17, 1943, having instituted proceedings with respect to New England Gas and Electric Association under sections 11 (a), 11 (b) (2), 12 (f), 12 (g), 15 (f), and 20 (a) of the said Act, and having consolidated such proceedings for hearing with the proceedings under section 11 (b) (1) of the said Act directed against said New England Gas and Electric Association, and having named certain persons as additional parties to said proceedings; hearings having been held on the consolidated matter on March 4, 1943, and April 6, 1943, and said hearings having been continued until April 21, 1943; and

Counsel for the Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation having requested that the continued hearing in this matter be reconvened in Boston, Massachusetts; and

The Commission having considered the matter, and it appearing to the Commission that the continued hearing should be reconvened at the offices of the Securities and Exchange Commission at Boston, Massachusetts;

It is ordered, That the continued hearing in this matter be held on April 21, 1943, at 10 a. m., E. W. T., at the offices of the Securities and Exchange Commission, Room 426, Shawmut Bank Building, 82 Devonshire Street, Boston, Massachusetts, before the same trial examiner heretofore designated, and that said hearing shall be continued thereafter from time to time and at such places as the trial examiner shall direct.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5909; Filed, April 15, 1943; 2:50 p. m.]

[File No. 1-1832]

FIREMAN'S FUND INSURANCE COMPANY

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of April, A. D. 1943.

The Fireman's Fund Insurance Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its capital stock from listing and registration on the San Francisco Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing on Monday, May 24, 1943, at 10:00 a. m. or as soon thereafter as counsel can be heard, at the office of the Commission, 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5910; Filed, April 15, 1943; 2:50 p. m.]

[File No. 1-1833]

HOME FIRE AND MARINE INSURANCE COMPANY OF CALIFORNIA

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of April, A. D. 1943.

The Home Fire and Marine Ins. Co. of Cal. pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock from listing and registration on the San Francisco Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing on Monday, May 24, 1943, at 10:00 a. m., or as soon thereafter as counsel can be heard, at the office of the Commission, 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5911; Filed, April 15, 1943, 2:50 p. m.]

[File No. 1-1834]

OCCIDENTAL INSURANCE COMPANY

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of April, A. D. 1943.

The Occidental Insurance Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock from listing and registration on the San Francisco Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing on Monday, May 24, 1943, at 10:00 a. m., or as soon thereafter as counsel can be heard, at the office of the Commission, 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5912; Filed, April 15, 1943; 2:50 p. m.]

[Filed No. 1-1835]

FIREMAN'S FUND INDEMNITY COMPANY

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of April, A. D. 1943.

The Fireman's Fund Indemnity Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock from listing and registration on the San Francisco Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing on Monday, May 24, 1943, at 10:00 a. m., or as soon thereafter as counsel can be heard, at the office of the Commission, 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5913; Filed, April 15, 1943; 2:51 p. m.]

WAR PRODUCTION BOARD.

[Certificate 52]

COORDINATED OPERATION BETWEEN CHICAGO, ILLINOIS, AND INDIANAPOLIS, INDIANA.

The ATTORNEY GENERAL:

I submit herewith Special Order ODT B-41 [1] issued by the Director of the Office of Defense Transportation with respect to the coordination of motor vehicle service in the transportation of passengers by Empire Trails, Inc., Chicago, Illinois; Victory Trailways, Chicago, Illinois; and Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the Special Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT B-41 is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

APRIL 14, 1943.

[1] *Supra.*

[F. R. Doc. 43-5946; Filed, April 16, 1943; 11:45 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 77

Washington, Tuesday, April 20, 1943

The President

EXECUTIVE ORDER 9330

TRANSFER OF CERTAIN CENTRAL ADMINISTRATIVE SERVICES OF THE OFFICE FOR EMERGENCY MANAGEMENT

By virtue of the authority vested in me by the Constitution and Statutes, including Title I of the First War Powers Act, 1941, and as President of the United States, it is hereby ordered as follows:

1. The fiscal functions performed by the Division of Central Administrative Services of the Office for Emergency Management with respect to the Office of Price Administration and the War Production Board in the District of Columbia and in the field (including but not limited to appropriation and allotment accounting, pay-roll preparation and administrative examination, certification and scheduling of vouchers, but not including procurement) are transferred to the Office of Price Administration and the War Production Board, respectively

2. The function of recruitment of personnel in the field, performed by the said Division with respect to the Office for Emergency Management, the constituent agencies thereof, and the Office of Price Administration, is transferred to the United States Civil Service Commission.

3 The function of classification of field positions which are subject to the grades and schedules of the Classification Act of 1923, as amended, performed by the said Division with respect to the Office for Emergency Management, the constituent agencies thereof, and the Office of Price Administration, is transferred to the United States Civil Service Commission and shall be exercised in accordance with the following requirements:

(a) The Civil Service Commission shall promulgate standards for the proper classification of field positions in accordance with the grades and salaries prescribed by the Classification Act of 1923, as amended.

(b) The heads of the Office for Emergency Management, its constituent agencies, and the Office of Price Administration shall each, acting through his designated representatives, (1) allocate field positions in his agency to appropriate position classes in accordance with the standards promulgated by the Civil Service Commission, and (2) refer to the Commission for allocation such field positions as are not covered by the standards promulgated by the Commission.

(c) The Civil Service Commission shall (1) make necessary post audits to verify conformity of allocations with the standards promulgated by the Commission, and (2) report any erroneous allocations to the head of the agency concerned for correction or satisfactory explanation.

4. There is transferred, for use in connection with the functions transferred by this order, to the respective agencies to which such functions are transferred, so much, as the Director of the Bureau of the Budget shall determine, (a) of the personnel, records, and property (including office equipment) used in the administration of the functions so transferred, and (b) of the unexpended balances of appropriations, allocations, and other funds available for the administration of the functions so transferred. In determining the sums to be transferred the said Director may include amounts to provide for the liquidation of obligations previously incurred against such balances of appropriations, allocations or other funds.

5. The transfers provided for in the foregoing paragraphs shall be effective on such date or dates as the Director of the Bureau of the Budget shall designate.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 16, 1943.

[F. R. Doc. 43-6035; Filed, April 17, 1943; 4:01 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS

INSURANCE REQUIREMENTS FOR BANK LOANS

Part 10 of Title 6, Code of Federal Regulations, is hereby amended as follows:

(Continued on p. 5131)

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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FEDERAL REGISTER

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§ 10.186 *Reduction of insurance under certain circumstances.* Section 10.186 is hereby withdrawn.

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 43-6097; Filed, April 19, 1943; 10:21 a. m.]

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

MERGER OF SHAREHOLDER GROUPS

Section 11.375 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 11.375 *Procedure.* Whenever, in an association authorized to operate under section 25 (b) of the Farm Credit Act of 1937, all impairment is removed in the stock owned by shareholders in group 1, and there is no impairment in the stock owned by shareholders in group 2, such groups may merge in the manner hereinafter set forth:

(a) The board of directors of the association shall call separate special meetings of the shareholders of group 1 and the shareholders of group 2 for the purpose of considering a proposed resolution of merger in a form prescribed by the Administration. Such meetings shall be called and held in accordance with the provisions of the association's bylaws applicable to meetings of association shareholders. The notice of the meetings shall contain a statement that a merger of the two groups of association shareholders will be voted upon and should contain a brief statement of the nature and effect of the proposal. At these meetings the effect of the proposed merger should be fully explained to the shareholders.

(b) The approval of two-thirds of the shareholders present and voting at each meeting at which the resolution of merger is considered shall be requisite for the adoption of such resolution.

(c) At least three copies of such resolution shall be prepared, and, when the resolution has been duly adopted by both groups, three copies shall be forwarded to the bank.

(d) The bank may request an examination of the association either on or before the adoption of the merger resolution. An examination may be required by the Land Bank Commissioner at any stage in the proceedings if it appears necessary in the interests of the shareholders.

(e) The bank shall forward to the Administration the three copies of the resolution, a current financial statement of groups 1 and 2, and its recommendation as to whether the merger should be approved.

(f) No merger shall be effective unless or until it has been approved by the Commissioner. If the merger resolution is approved by the Commissioner, the effective date will be specified in his written approval and the bank and association will be notified of the approval and effective date by letter; and each will be sent one copy of the merger resolution for its files. Upon receipt of the approval notice the bank shall take such steps as it deems necessary to assist the secretary-treasurer of the association in consolidating the accounts and records of the two groups pursuant to the merger resolution. Such consolidation of accounts and records shall be made as of the close of business on the effective date of the merger. As soon as the merger has been completed, the secretary-treasurer shall notify each of the members of the association that the merger has been effected. A copy of that notice shall be sent to the Administration.

(Sec. 6, 47 Stat. 14, Sec. 25 (b), 50 Stat. 710; 12 U.S.C. 665, 724 (d))

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 43-6096; Filed, April 19, 1943; 10:21 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 50]

PART 1418—WOOL

PURCHASE AND SALE OF DOMESTIC WOOL

Pursuant to the authority vested in me by Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), and to assure an adequate supply and efficient distribution of wool to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1418.1 *Purchase and sale of domestic wool*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee, agency or bureau of the United States Department of Agriculture designated by such Director.

(3) The term "Corporation" means the Commodity Credit Corporation.

(4) The term "domestic wool" means wool which is shorn from sheep or lambs raised in the continental United States, or removed from the skins of such slaughtered sheep or lambs.

(5) The term "producer" means a person who owns sheep or lambs which are raised in the continental United States, and from which wool is shorn, or the skins of such slaughtered sheep or lambs from which wool is removed.

(6) The term "handler" means a person who has entered into a Wool Handlers' Agreement with the Corporation under its 1943 Wool Purchase Program.

(7) The term "secondary handler" means a person, operating as a country merchant or assembler, who:

(i) Purchases domestic wool for his own account from producers in lots of not to exceed one thousand pounds each, grease weight.

(ii) Takes domestic wool from producers in any quantity on consignment and performs such services in connection therewith as delivering from farm to local market or shipping point, bagging, country grading, and loading on trucks or cars.

(8) The term "manufacturer" means a person who processes domestic wool beyond the grease stage, including scourers or carbonizers.

(9) The term "purchase" includes contracts to purchase.

(10) The terms "sell" and "sale" include contracts to sell.

(11) The terms "deliver" and "delivery" include contracts to deliver.

(b) *Restrictions.* No person shall sell or deliver domestic wool to any person other than the Corporation, and no person other than the Corporation shall purchase or accept delivery of domestic wool, except as hereinafter provided or specifically authorized by the Director.

(c) *Exemptions.* The provisions of (b) shall not apply to:

(1) Purchases by and sales or deliveries to a handler for the account of the Corporation pursuant to the terms of such handler's agreement with the Corporation.

(2) Purchases by and sales or deliveries of domestic wool to a secondary handler, for his own account, from any producer in lots of not to exceed one thousand pounds, grease weight: *Provided, however,* That such wool shall be

sold by such secondary handler to the Corporation.

(3) Deliveries to a secondary handler, in lots of any size, on consignment for sale to the Corporation.

(4) Purchases by and sales or deliveries to a manufacturer directly from producers located within a radius of 50 miles from such manufacturer's mill or plant, subject to the following requirements:

(i) The total quantity of domestic wool so purchased by any manufacturer during the period from the effective date of this order through December 31, 1943, shall not exceed the total quantity of domestic wool purchased by such manufacturer directly from producers during the calendar year 1942.

(ii) Such manufacturer shall submit to the Director, not later than the tenth day of each calendar month, a report showing the total quantity of domestic wool so purchased from producers during the preceding calendar month, together with the cumulative total of such purchases. The first report shall cover the period from the effective date of this order through April 30, 1943.

(iii) Such manufacturer shall submit with his first report a statement of the total quantity of domestic wool purchased directly from producers during the calendar year 1942.

(5) Domestic wool purchased from or sold by producers prior to the effective date of this order, regardless of when delivery of such wool is made: *Provided, however,* That contracts for the sale of such wool shall be available for examination by the Director, and such wool, whether or not resold under any subsequent contract, shall be subject to appraisal by the Director.

(6) Domestic wool purchased from or sold by the Corporation.

(d) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(e) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Audit and inspection.* Every person subject to this order shall, upon request, permit inspections at all reasonable times of his stocks of domestic wool and of the premises used in his business, and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Territorial scope.* The provisions of this order shall apply within the forty-eight states and the District of Columbia.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may petition the Director, in writing (in triplicate) for relief, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action by the Director shall be final.

(i) *Violations.* Any person who willfully violates any provision of this order or who, by any act or omission, falsifies records to be kept or information to be furnished pursuant thereto, or who willfully conceals a material fact concerning a matter within the scope of this order may be prohibited from receiving or making further deliveries of domestic wool, and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under Paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(j) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD–50.

(k) *Effective date.* This order shall become effective on April 25, 1943.

(E.O. 9322, 8 F.R. 3807; E.O. 9280, 7 F.R. 10179)

Issued this 17th day of April 1943.

[SEAL] CHESTER C. DAVIS,
Administrator.

[F. R. Doc. 43–6037; Filed, April 17, 1943; 4:03 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 35—PAYMENT OF BILLS AND ACCOUNTS

DAMAGES FOR DELAY IN PERFORMANCE

In § 35.8 (f) subparagraph (1) is amended; subparagraph (2) is redesignated (3), the headnote being amended, and a new subparagraph (2) is added, as follows:

§ 35.8 *Adjustments.* • • •

(f) *Delay in performance*—(1) *When no damages provided for in contract.* (i) Where no specific provision is made in a contract for either liquidated or actual damages, the contractor is, upon failure to complete the contract within the specified time, chargeable with all expenses caused the Government by the delay as actual damages, unless the delay is excusable under the provisions of the contract or under the provisions of the act of May 31, 1941 (55 Stat. 236).

(ii) Where there has been delay in performance under a contract which does not contain a provision for damages, the contracting officer will determine whether or not the delay resulted in actual damage to the Government.

(iii) In cases where the contracting officer has determined that the delay resulted in actual damage to the Government, the contracting officer will furnish for file with the voucher a statement of the damage resulting from the delay.

(iv) In cases where the contracting officer has determined that the delay did not result in actual damage, the contracting officer will not be required to furnish a certificate to that effect, except as hereinafter provided. In all cases where the voucher is not accompanied by a statement as to damages, it will be assumed that the contracting officer has determined that no actual damages resulted or that the contractor was not responsible for the delay, and the disbursing officer will make full payment of the voucher, if otherwise correct. If in any such case the General Accounting Office should, after payment of the voucher, request a certificate, the contracting officer will prepare and furnish a certificate that the delay did not result in any actual damage to the Government.

(2) *When actual damages provided for in contract.* Whenever under a contract containing provisions for actual damages the contracting officer determines that the failure to complete the contract within the specified time did not result in any actual damage to the Government, the provisions of subparagraph (1) (iv) of this paragraph will apply.

(3) *When liquidated damages provided for in contract.* • • •

(R.S. 161; 5 U.S.C. 22) [Par. 5f, AR 35–6040 June 12, 1942 as amended by C2, April 10, 1943.]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–6098; Filed, April 19, 1943; 10:22 a. m.]

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

SHORT OVERCOAT FOR OFFICERS AND WARRANT OFFICERS

Sections 79.9 (c) (2) and 79.24 (b) (2) (xv) are amended as follows:

§ 79.9 *Coat.*[1] • • •

(c) *Overcoat.* • • •

(2) *Short; for officers and warrant officers*—(i) *Material.* Of adopted standard (§ 79.2 (a) (1) (iv)).

(ii) *General description*—(a) *In general.* A double-breasted coat, lined or unlined, with a notched lapel roll collar approximately 5 inches in width, buttoned down the front with a double row of large regulation buttons, three on each side below the roll of collar with additional buttons or loops so that the coat can be buttoned to the neck.

(b) *Pockets.* Two outside patch pockets, one on each side. (R.S. 1296; 10 U.S.C. 1391) [Par. 9, A.R. 600–35, November 10, 1941, as amended by C 16, April 3, 1943.]

§ 79.24 *Insignia for collar and lapel of coat.*[2] • • •

[1] 7 F.R. 11, 2987, 4246, 4637, 7989, 10359.
[2] 7 F.R. 11, 9449; 8 F.R. 2252, 3752.

(b) *Other officers, Army nurses, and warrant officers.* • • •

(2) *Insignia of arm, service, and bureau.* • • •

(xv) *Medical Department.* Device 1 inch in height, letters 3/8 inch in height, except as noted. (R. S. 1296; 10 U.S.C. 1391) [Par. 24, A.R. 600–35, November 10, 1941, as amended by C 14, March 6, 1943.]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–5994; Filed, April 17, 1943; 9:53 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

The following addition to the regulations contained in Part 81 is hereby prescribed. This section is also contained in the War Department procurement regulations dated September 5, 1942 (7 F.R. 8082), as amended by Changes No. 15, April 7, 1943.[1] The number to the right of the decimal point corresponds with the respective paragraph number in the procurement regulations.

Section 81.1317 is added as follows:

§ 81.1317 *W. D. Contract Form No. 17 (W. D. Forms Nos. 47 and 47–A)*—(a) *Explanatory notes.* (1) W. D. Contract Form No. 17 comprising new War Department Forms Nos. 47 and 47–a, is available for use by supply services and service commands in contracting for supplies and services not exceeding $500,000 in amount, regardless of the number of payments or the time of performance involved. After June 1, 1943, the form will be mandatory in contracting for regular commercial items in amounts of not less than $100,000 and not more than $500,000, and in contracting for regular commercial items in amounts of less than $100,000 where signatures by both the Government and the contractor are required or desired. It will be optional for all other contracts for supplies or services in amounts not exceeding $500,000.

(2) The form has been devised to meet the need for a standard instrument to be used principally in making purchases of regular commercial items. Chiefs of supply services and Commanding Generals of service commands have been urged to impress the officers within their commands with the necessity for giving the form a fair trial promptly, and using it wherever possible. They have also been requested to obtain comments on the form from the officers within their commands, to consolidate such comments, and to forward the same to the Director, Purchases Division, Headquarters, Army Service Forces, not later than May 15, 1943. The form may hereafter be revised in the light of comments received.

(3) The form is largely self-explanatory. Attention is invited to the following points:

(i) Certain standard clauses have been abbreviated or modified in view of the size and character of the purchases which will ordinarily be made under the form.

(ii) The form calls for execution both by the Contracting Officer and the contractor. When so executed, it should be complete in itself, without reference to other documents such as proposal or bid forms.

(iii) When filled in, signed by the Contracting Officer, and delivered to the contractor, the form (W. D. Form No. 47 alone, or both W. D. Forms Nos. 47 and 47–a, with or without further continuation sheets) constitutes an offer by the Government to contract on the terms set forth. So far as the information is available at the time the form is delivered to the Contractor, all applicable blanks should be filled in. Where a particular matter is not known at the time the form is delivered to the Contractor (for example, "Ship To" or "Schedule of Deliveries"), the blanks should be filled in with appropriate language indicating how such information will be subsequently furnished.

(iv) When signed by the Contractor in the space marked "Contractor's Acceptance" and returned to the Government in the time allowed, the form becomes a binding contract provided the contractor has not made any changes by way of deletion, interlineation or addition, thus departing from the terms of the offer. Contractors should be instructed to inform the Contracting Officer of any changes which appear to be required, so that amendments may be made and initialed by both parties, or a corrected form issued.

(v) General Provision No. 2 (Inspection) provides that "unless an inspection point is specified herein," inspection may occur at all times and places, etc. An inspection point may be specified under the column "Supplies or Services" or in any other space on the form or on a continuation sheet. Similarly, General Provision 3 (Variation in Quantities) permits a variation of 10% "unless otherwise specified." Statement of a permitted variation other than 10% may be inserted in any space on the form or on a continuation sheet.

(vi) Methods of presenting invoices or vouchers, and of giving notice of and marking shipments, will be as specified in any space on the form or on a continuation sheet, or, in the absence of such statement, as directed by the Contracting Officer.

(vii) The continuation sheet, W. D. Form 47-a, containing a statutory renegotiation article and a termination article, will be used in accordance with instruction set forth in the margin thereof.

(viii) Additional continuation sheets may be used as extensions of columns on the form (for example, the column marked "Supplies and Services"), or for inclusion of any further contract clauses considered necessary in particular cases (for example, patents clauses).

(4) Chiefs of supply services and Commanding Generals of service commands may obtain the form of contract in quantity upon request from the Procurement and Accounting Division, Office of the Secretary of War, Pentagon Building, Washington, D. C. Requests for the form should indicate the quantity of each sheet (W. D. Forms 47 and 47–a) desired, and the type of duplicating process intended to be used by the agency in making copies for distribution and files (two grades of paper are available, for convenience in handling).

(b) *Contract form.*

WAR DEPARTMENT
W. D. Form No. 47
Approved March 8, 1943
Government's Order and Contractor's Acceptance

W. D. establishment, office or station, and address: ----------

TO: ---------- (Contractor) ---------- (Address) ---------- (Factory address)

Ship to: ----------

Contract No. (if any) W---------- Order No.---------- Other Government identifying numbers or symbols ---------- ----------

All these numbers must appear on all packages and papers relating to this order.

Payment will be made by Finance Officer, U. S. Army, at----------

The supplies and services to be obtained by this instrument are authorized by, are for the purposes set forth in, and are chargeable to the following allotments, the available balances of which are sufficient to cover the cost thereof:

This contract is authorized by and negotiated under the First War Powers Act, 1941 (Public 354, 77th Cong.), and Executive Order No. 9001 (Dec. 27, 1941).

GOVERNMENT'S ORDER

Please furnish the following on the terms specified on both sides of this page and on the continuation sheets, if any, attached hereto, including delivery f. o. b.----------

Acceptance must be received by the Government within ------ days after the date first above written.

Methods of presenting invoices or vouchers, and of giving notice of and marking shipments, shall be as indicated herein and/or as directed by the Contracting Officer.

Minimum wages under the Walsh-Healey Act are: ----------

Schedule of delivery:

[1] For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640, 10906; 8 F.R. 401, 411, 2531, 3339, 3486, 3752.

11. *Disputes.* Except as otherwise specifically provided in this contract, all disputes concerning questions of fact which may arise under this contract, and which are not disposed of by mutual agreement, shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail a copy thereof to the Contractor. Within 30 days from said mailing the Contractor may appeal to the Secretary of War, whose decision or that of his designated representative, representatives, or board shall be final and conclusive upon the parties hereto. Pending decision of a dispute hereunder the Contractor shall diligently proceed with the performance of this contract.

12. *Assignment of rights hereunder.* This General Provision 12 shall apply if this contract is for $1,000 or more. Insert ¶ 355 (§ 81.355)

13. *Officials not to benefit.* Insert ¶ 322 (§ 81.322)

14. *Covenant against contingent fees.* Insert ¶ 323 (§ 81.323)

15. *Definitions.* Insert ¶ 1301.22 (§ 81.1301 (u))

W. D. Form No. 47-a — Continuation Sheet No. ------ of ------ Continuation Sheets
(Approved March 8, 1943)

All Paragraphs on This Continuation Sheet Not Deleted Shall Apply to This Contract.

Marginal Instructions Are Not Part of This Contract

Instructions

A. *Renegotiation pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1943 (Public 528, 77th Cong.), as Amended.* Insert ¶ 342.1 (§ 81.342 (a))

Include where contract is for $100,000 or more and subject to renegotiation statute.

(Reverse side of W. D. Form 47-a)

B. *Termination for the convenience of the Government.* Insert ¶ 324 (the article in § 81.324 (a)), except unless contract is for less than $50,000. In other cases inclusion is optional.

Include where contract is to be completed in more than 6 months, that (a) (2) should read: "transfer to the Government, by direct . . .", and references in (1) should be to "General Provision 10 (Delays-Damages)."

Item No.	Quantity	Unit	Supplies and services	Unit price	Amount
			Total		

Contractor's Acceptance — United States of America

Accepted this ____ day of ____, 194__ — By ____

Contractor. — Title ____ Contracting Officer.

(Authorized to accept this order)

(Reverse side of W. D. Form 47)

GENERAL PROVISIONS

1. *Payments.* Insert ¶ 1301.8 (§ 81.1301 (h))

2. *Inspection.* Unless an inspection point is specified herein, all material and workmanship shall be subject to inspection and test at all times and places (including inspection and test after arrival at destination) and, when practicable, during manufacture. In case any articles are found to be defective in material or workmanship, or otherwise not in conformity with the specification requirements, the Government shall have the right to reject such articles, or require their correction.

3. *Variation in quantities.* Insert ¶ 329 (§ 81.329)

4. *Taxes.* Insert ¶ 357.2 (§ 81.357 (b))

5. *Walsh-Healey Act.* If this contract is for an amount in excess of $10,000, the representations and stipulations required by Section 1 of the Act of June 30, 1936 (Walsh-Healey Act, Public 846, 74th Cong.), to be included in all contracts therein specified, are hereby incorporated and made a part of this contract with the same force and effect as if fully set forth in the contract, subject to all applicable regulations, determinations, and exemptions of the Secretary of Labor now or hereafter in effect. (Minimum wage determination by the Secretary of Labor, if any, is shown on the reverse side of this page.)

6. *Eight-Hour Law.* This General Provision 6 shall be applicable if General Provision 5 is not applicable. Insert ¶ 348 (§ 81.348)

7. *Anti-discrimination.* Insert ¶ 325 (§ 81.325)

8. *Convict labor.* The Contractor shall not employ any person undergoing sentence of imprisonment at hard labor.

9. *Changes.* Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the Contracting Officer may at any time, by a written order, and without notice to the sureties, if any, make changes in the drawings or specifications. Changes as to shipment and packing of all supplies may also be made as above provided. If such changes cause an increase or decrease in the amount due under this contract, or in the time required for its performance, an equitable adjustment shall be made and the contract shall be modified in writing accordingly.

10. *Delays-damages.* If the Contractor refuses or fails to perform this contract within the time specified, or any extension thereof, the Government may, by written notice, terminate the right of the Contractor to proceed with deliveries or with such part or parts thereof as to which there has been delay, and may hold the Contractor liable for any damage caused the Government by reason of such termination. The right of the Contractor to proceed with the performance of this contract shall not be terminated under this General Provision 10 if the delay is due to unforeseeable causes beyond the control and without the fault or negligence of the Contractor, including without being limited to, any preference, priority, or allocation order issued by the Government or any other act of the Government.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 60-17]

PART 60—AIR TRAFFIC RULES

TRAFFIC CONTROL

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of April 1943.

Effective April 8, 1943, § 60.33, excepting §§ 60.330 through 60.332, of the Civil Air Regulations is amended to read as follows:

§ 60.33 *Traffic control.* No person shall operate an aircraft within a control zone contrary to traffic control instructions issued by certificated air-traffic control-tower operators of the Administrator on duty at the control airport of such zone.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-6102; Filed, April 19, 1943; 10:43 a. m.]

[Amendment 60-18]

PART 60—AIR TRAFFIC RULES

TRAFFIC CONTROL

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of April 1943.

Effective April 8, 1943, the regulation set forth below is hereby made a part of the Civil Air Regulations:

§ 60.530 *Traffic control*—(a) *En route.* No person shall operate an aircraft en route contrary to traffic control instructions issued by an airway traffic control center of the Administrator.

(b) *Approach.* No person shall operate an aircraft during an approach for landing at a control airport contrary to traffic control instructions issued by a certificated air-traffic control-tower operator of the Administrator on duty at such airport.

This regulation shall terminate at the end of the war.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-6100; Filed, April 19, 1943; 10:43 a. m.]

route contrary to traffic control instructions issued by an airway traffic control center of the Administrator.

(b) *Approach.* No person shall operate an aircraft during an approach for landing at a control airport contrary to traffic control instructions issued by a certificated air-traffic control-tower operator of the Administrator on duty at such airport.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-6101; Filed, April 19, 1943; 10:43 a. m.]

[Serial No. 270]

PART 61—SCHEDULED AIR CARRIER RULES

PILOT PERSONNEL

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of April 1943.

Effective April 8, 1943, the regulation designated as follows is hereby repealed:

Serial Number 246,[1] relating to pilot personnel of the armed forces assigned to an air carrier for training, adopted by the Board November 13, 1942.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-6099; Filed, April 19, 1943; 10:43 a. m.]

[Serial No. 271]

PART 61—SCHEDULED AIR CARRIERS RULES

MILITARY TRAINEES MANIPULATING THE CONTROLS OF SCHEDULED AIR CARRIER AIRCRAFT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of April 1943.

The following regulation is made and promulgated to become effective April 8, 1943:

Notwithstanding any provision of the Civil Air Regulations to the contrary, personnel of the armed forces holding a rating as pilot or naval aviator assigned to an air carrier for training, may be admitted to the pilots' compartment of air carrier aircraft in scheduled or non-scheduled flight and, at the discretion of the first pilot, may manipulate the controls from the copilot's seat: *Provided,* That a regularly assigned crew of the air carrier, holding the proper certificates and ratings, is aboard, and the first pilot occupies the left-hand pilot seat during the entire period the military trainee is occupying the copilot's seat. *And provided further,* That such operations shall not interfere with the carriage of air carrier inspection personnel of the Administrator in the performance of their official duties.

[1] The subject matter of this regulation is now covered by Regulation Serial Number 271 effective April 8, 1943.

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 21]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF RED CIVIL AIRWAY NO. 33; BLUE CIVIL AIRWAY NO. 18

APRIL 12, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 600.10232 Red civil airway No. 33 (Harrisburg, Pa., to New York, N. Y.) to read as follows:

§ 600.10232 Red civil airway No. 33 (Harrisburg, Pa., to Stewart Field, N. Y.) From the intersection of the center lines of the on course signals of the east leg of the Harrisburg, Pa., radio range and the southwest leg of the Allentown, Pa., radio range, via the Allentown, Pa., radio range station; to the Stewart Field, N. Y., radio range station.

2. By amending § 600.10317 *Blue civil airway No. 18 (Newark, N. J., to Burlington, Vt.)* to read as follows:

§ 600.10317 *Blue civil airway No. 18 (Newark, N. J., to Burlington, Va.).* From the intersection of the center lines of the on course signals of the northeast leg of the Newark, N. J., radio range and the southeast leg of the Stewart Field, N. Y., radio range, via the Stewart Field, N. Y., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Stewart Field, N. Y., radio range and the southwest leg of the Albany, N. Y., radio range; and the Albany, N. Y., radio range station; to the Burlington, Vt., radio range station.

This amendment shall become effective 0001 e. w. t., April 30, 1943.

C. I. STANTON, *Administrator.*

[F. R. Doc. 43-6094; Filed, April 19, 1943; 10:21 a. m.]

[Amendment 27]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTIONS, CONTROL AIRPORTS AND RADIO FIXES

REDESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS AND RADIO FIXES

APRIL 12, 1943.

Acting pursuant to the authority vested in my by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of airway traffic control areas: Blue Civil Airway No. 4; Red Civil Airway No. 33; redesignation of radio fixes: Red Civil Airway No. 33; Blue Civil Airway No. 18.

1. By deleting in the title of § 601.10304 *Blue civil airway No. 4, airway traffic control areas (Boston, Mass. to Rouses Point, N. Y.)* the words: *"Rouses Point, N. Y."*, and substituting in lieu thereof the words: *"U. S.—Canadian Border."*

2. By deleting in the title of § 601.10233 *Red civil airway No. 33, airway traffic control areas (Harrisburg, Pa., to New York, N. Y.)* the words: *"New York, N. Y."*, and substituting in lieu thereof the words: *"Steward Field, N. Y."*

3. By deleting in the title of § 601.40233 *Red civil airway No. 33 (Harrisburg, Pa., to New York, N. Y.)* the words: *"New York, N. Y."*, and substituting in lieu thereof the words: *"Steward Field, N. Y."*

4. By amending § 601.40318 *Blue civil airway No. 18 (Newark, N. J. to Burlington, Vt.)* to read as follows:

§ 601.40318 *Blue civil airway No. 18 (Newark, N. J. to Burlington, Vt.)* Stewart Field, N. Y., radio range station.

This amendment shall become effective 0001 e. w. t., April 30, 1943.

C. I. STANTON, *Administrator.*

[F. R. Doc. 43-6095; Filed, April 19, 1943; 10:21 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T.D. 5260]

Subchapter A—Income and Excess Profits Taxes

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 20—MISCELLANEOUS REGULATIONS UNDER THE REVENUE ACT OF 1939

CORRECTION OF CERTAIN TECHNICAL ERRORS

Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) and Treasury Decision 4918, approved August 7, 1939, (Part 20, Title 26, Code of Federal Regulations, 1939 Sup.) are amended as follows:

Regulations 103

PARAGRAPH 1. Section 22 (b) (9)-1, as amended by Treasury Decision 5238, approved March 8, 1943, is further amended by striking from the last sentence of the first paragraph of paragraph (b) "December 31, 1942" and inserting in lieu thereof "December 31, 1941" so that such last sentence now reading,

The requirement with respect to unsound financial condition prescribed for years covered by paragraph (a) of this section does not apply with respect to discharges of indebtedness occurring in

taxable years beginning after December 31, 1942, and before January 1, 1946.

will reads as follows:

The requirement with respect to unsound financial condition prescribed for years covered by paragraph (a) of this section does not apply with respect to discharges of indebtedness occurring in taxable years beginning after December 31, 1941, and before January 1, 1946.

PAR. 2. Section 19.23 (q)–1, as amended by Treasury Decision 5234, approved March 1, 1943, is further amended by striking from the second sentence of the first paragraph the phrase "a taxable year" where such phrase occurs the second time in such second sentence and inserting in lieu thereof "the first taxable year" so that such second sentence now reading,

Where payment is made in a taxable year beginning after December 31, 1941, and prior to a taxable year beginning after the date of the cessation of hostilities in the present war, as proclaimed by the President, the charitable deduction prescribed is allowable to corporations even though the gifts or contributions are used outside of the United States or its possessions.

will read as follows:

Where payment is made in a taxable year beginning after December 31, 1941, and prior to the first taxable year beginning after the date of the cessation of hostilities in the present war, as proclaimed by the President, the charitable deduction prescribed is allowable to corporations even though the gifts or contributions are used outside of the United States or its possessions.

PAR. 3. Section 19.23 (x)–1, as added by Treasury Decision 5234, approved March 1, 1943, is amended by striking from the third paragraph of the example "$90" where it first occurs in such paragraph and inserting in lieu thereof "$60".

PAR. 4. Section 19.26–5, as added by Treasury Decision 5227, approved February 10, 1943, is amended as follows:

(A) By striking therefrom the first sentence of the second paragraph which reads as follows:

For the purposes of section 26 (h) preferred stock means stock which was issued prior to October 1, 1942, and which during the whole of the taxable year (or the part of the taxable year after its issue) was stock the dividends in respect of which were cumulative, nonparticipating as to earnings or profits either currently or in liquidation, and payable in preference to the payment of dividends on other stock.

and by inserting in lieu thereof the following sentence:

For the purposes of section 26 (h) preferred stock means stock which was issued prior to October 1, 1942, and which during the whole of the taxable year (or the part of the taxable year after its issue) was stock nonparticipating as to earnings or profits either currently or in liquidation, the dividends in respect of which were cumulative and payable in preference to the payment of dividends on other stock.

(B) By striking out the second sentence of the second paragraph which reads as follows:

If the stock has a par or stated value its share in any distribution in liquidation must be limited to the par or stated value of the stock plus any accumulated unpaid dividends.

PAR. 5. Section 19.51–2, as amended by Treasury Decision 5219, approved February 2, 1943, is further amended as follows:

(A) By striking therefrom the fourth sentence of the third paragraph and inserting in lieu thereof the following:

Whenever a return is made by an agent it must be accompanied by the prescribed power of attorney, Form 935, except that an agent holding a valid and subsisting general power of attorney authorizing him to represent his principal in making, executing, and filing the income return, may submit a certified copy thereof in lieu of the authorization on Form 935.

(B) By striking therefrom the sixth sentence of the third paragraph and inserting in lieu thereof the following:

For returns of nonresident aliens, see §§ 19.217–1 and 19.217–2.

PAR. 6. Section 19.113 (b) (3)–3, as added by Treasury Decision 5230, approved February 13, 1943, is amended by striking from the heading thereof "§ 19.113 (b) (3)–3" and inserting in lieu thereof "§ 19.113 (c)–1".

PAR. 7. Section 19.117–1, as amended by Treasury Decision 5217, approved January 19, 1943, is further amended by striking therefrom the second sentence of the second paragraph which reads as follows:

Property held for the production of income, but not used in a trade or business of the taxpayer, is not excluded from the term "capital assets" even though depreciation may have been allowed with respect to such property under section 23 (l) prior to its amendment by the Revenue Act of 1942.

and by inserting the identical wording of such second sentence immediately following the fourth sentence which reads, "See § 19.117–7."

PAR. 8. Section 19.162–2, as added by Treasury Decision 5215, approved January 19, 1943, is amended by striking from the fifth sentence of the second paragraph of paragraph (c) "December 31, 1943" and inserting in lieu thereof "December 31, 1942" so that such fifth sentence now reading,

Thus, if $4,250 is to be paid every two years on March 1, the period of the interval ending March 1, 1943, is considered to begin 12 months preceding December 31, 1943, since the part of the interval not falling within the taxable year 1943 (March 2, 1941, through December 31, 1942) is more than 12 months.

will read as follows:

Thus, if $4,250 is to be paid every two years on March 1, the period of the interval ending March 1, 1943, is considered to begin 12 months preceding December 31, 1942, since the part of the interval not falling within the taxable year 1943 (March 2, 1941, through December 31, 1942) is more than 12 months.

Treasury Decision 4918

PAR. 9. Treasury Decision 4918, approved August 7, 1939, as amended by Treasury Decision 5213, approved January 12, 1943, is further amended by striking from subparagraph (1) of § 20C.2 [20.52] "on or before" so that such subparagraph (1) now reading,

(1) Elects to include such loan in gross income by filing an amended return on or before at or prior to the time prescribed for the filing of the taxpayer's return for the taxable year of the taxpayer beginning in 1942, or if there is more than one taxable year of the taxpayer beginning in 1942, for the last taxable year so beginning, including therein such item as a part of gross income;

will read as follows:

(1) Elects to include such loan in gross income by filing an amended return at or prior to the time prescribed for the filing of the taxpayer's return for the taxable year of the taxpayer beginning in 1942, or if there is more than one taxable year of the taxpayer beginning in 1942, for the last taxable year so beginning, including therein such item as a part of gross income;

(Secs. 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U.S.C., 1940 ed., 62, 3791))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: April 17, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-6104; Filed, April 19, 1943; 11:13 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Regulation No. 4]

PART 904—RESTRICTING TRANSFER OF WORKERS

REGULATIONS AND LIST OF ESSENTIAL ACTIVITIES

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9328, dated April 8, 1943 (8 F.R. 4681), I hereby prescribe the following regulation:

§ 904.1 *Workers previously engaged in other than essential activities for work in essential activities.* Any employer engaged in an essential activity may hire for work in such activitiy any new employee who for the preceding 30 days was not engaged in an essential activity.

§ 904.2 *Workers previously engaged in essential activities for work in other than essential activities.* No employer shall hire for work in an activity other than an essential activity any new employee who, during the preceding 30-day period, was engaged in an essential activity if the wage or salary rate to be paid by the employer would exceed the rate most recently earned by such employee.

§ 904.3 *Workers previously engaged in essential activities for work in other essential activities.* No employer shall hire (except as provided for in § 904.4 of this regulation) for work in an essential activity any new employee who, during the preceding 30-day period, was engaged in an essential activity if the salary or wage rate to be paid by the employer would exceed the rate most recently received during such period by the employee.

§ 904.4 *Workers previously engaged in essential activities for work in other essential activities in areas or industries subject to War Manpower Commission employment stabilization programs.* (a) Any employer engaged in an essential activity may hire for work in such activity any new employee who, during the preceding 30-day period, was engaged in an essential activity, without regard to his preceding wage rate or salary scale, providing such hiring is subject to, and permitted under an employment stabilization program approved by the War Manpower Commission.

(b) A statement of availability shall be issued to any worker by his last employer or by the War Manpower Commission as may be provided in such employment stabilization programs and whenever the worker:

(1) Is discharged by his last employer,

(2) Is laid off for an indefinite period or for a period of 7 or more days, or

(3) Can establish that his present employment does not utilize him at his highest skill or that he is not being employed at full time.

No statement of availability shall be issued solely on the ground that an individual's wage or salary rate is substantiall less than that prevailing in the locality for the same or substantially similar work.

Any such statement shall contain the worker's name, his social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and a statement to the effect that the worker may be hired elsewhere in an essential activity. The inclusion by an employer on such notice of any information other than that required by this regulation shall be deemed to be a violation of this regulation.

§ 904.5 *Acceptance of employment by workers.* No individual shall accept new employment with an employer if the employer is prohibited from hiring him under this regulation.

§ 904.6 *Penalties.* The hiring by an employer of a new employee, or the acceptance by an individual of new employment, in violation of this regulation is subject to the penal provisions of the Act of October 2, 1942 (Pub. No. 729, 77th Cong.). The Provisions of § 4001.10 of the Regulations of the Economic Stabilization Director, (7 F.R. 8748, 10024) issued October 27, 1942, apply to any wages or salaries paid in violation of this regulation.

§ 904.7 *Definitions.* (a) "Essential activity" means any activity in the War Manpower Commission List of Essential Activities (see Appendix A) and any activity approved by a Regional Manpower Director as a locally needed activity.

(b) "New employee" means any individual who has not been in the employ of the hiring employer at any time during the preceding 30-day period.

(c) "New employment" means employment with an employer by whom the individual has not been employed at any time during the 30-day period preceding such employment.

§ 904.8 *Employee - employer agreements.* Nothing in this regulation shall be construed to prejudice existing rights of an employee under any agreement with his employer.

§ 904.9 *Effective date.* This regulation shall become effective at 12:01 a. m. Sunday, April 18, 1943.

Dated: April 16, 1943.

PAUL V. MCNUTT,
Chairman.

Approved: April 16, 1943.

JAMES F. BYRNES,
Economic Stabilization Director.

APPENDIX A—LIST OF ESSENTIAL ACTIVITIES

1. *Production of aircraft and parts.* The production, maintenance and repair of aircraft; gliders; parachutes; dirigibles; balloons; aircraft engines; aircraft parts; pontoons; propellers; and similar products.

2. *Production of ships, boats and parts.* The production, maintenance and repair of ships, boats, ship and boat parts and equipment.

3. *Production of ordnance and accessories.* The production, maintenance and repair of firearms, guns, howitzers, mortars; gun turrets and mounts; tanks; sighting and fire-control equipment; torpedo tubes; and similar products.

4. *Production of ammunition.* The production of bombs, mines, torpedoes, grenades, chemical warfare projectiles, explosives, fuses, pyrotechnics, as well as products such as glycerin which go into the manufacture of ammunition.

5. *Agriculture and commercial fishing*—(a) *Agriculture.* Livestock and livestock products, including beef cattle, dairy cattle, hogs, poultry, sheep and goats; fiber, oil crops, and potatoes, including castor beans, American-Egyptian, Sea Island and Upland cotton, flaxseed and soybeans, hemp, peanuts, Irish potatoes and sweet potatoes; field crops, including barley, dry field peas, oats, rye, wheat, alfalfa hay, alfalfa hay seed, cover crop seed, broom corn, corn for grain and silage, dry edible beans, green peas for processing, rice, sweet corn, hybrid seed corn, grain sorghum, tame hay and seed, wild or native hay; tree fruits; small fruits and berries; medicinal, insecticide and rubber plants; vegetables for fresh consumption and processing; vegetable plants and seeds; other food and special crops, including honey, tree nuts, sugarcane for sugar and syrup, sugar beets, sugar beet seed, sorghum and sorgo syrup, and tobacco.

(b) *Agricultural services and commercial fishing.* Agricultural, horticultural, and animal husbandry services such as: commercial hatcheries, seed processing, animal breeding, crop disease protection services, initial processing services such as ginning, compressing, threshing, cleaning, shelling and curing, irrigation services, farm repair and maintenance services, farm product assembly services, all of which are performed on a substantially year round basis to essential activities related to essential crops and livestock enterprises indicated in Local Board Release No. 175; Commercial Fishing.

6. *Processing of food.* Meat-packing and slaughtering (including poultry); production of all types of butter, cheese, milk and eggs, canned or preserved fish and nuts; canned or preserved fruits and vegetables and their juices; soups; flour and other grain mill products; prepared feeds for animals and fowls; starch, cereals, rice; bread and other bakery products; sugar; leavening compounds; corn syrup; and edible fats and oils. Includes dried, dehydrated, frozen, and other special-processed foods.

7. *Forestry, logging and lumbering.* Timber tracts and logging camps, sawmills, veneer, cooperage-stock planing, and plywood mills; raising of tung-oil trees; fire prevention, pest control; forest nurseries and reforestation services; gathering of gums and barks for the manufacture of naval stores and medicinal purposes.

8. *Construction.* Highway and street construction; marine construction; construction of approved industrial plants, houses, hospitals, and military projects; repair of such facilities; and services necessary to complete such construction.

9. *Coal mining.* The mining of anthracite, bituminous, and semianthracite coal; lignite, and peat, and the operation of breakers or preparation plants. Includes also removing overburden and other such activities preparatory to coal mining operations.

10. *Metal mining.* The mining of iron, copper, lead, zinc, aluminum, mercury, manganese, chromium, molybdenum, tungsten, vanadium and similar ores, and the dressing of such ores. Includes also removing overburden, sinking shafts, and other such activities preparatory to metal-mining operations.

11. *Nonmetallic mining and processing and quarrying.* The mining and processing of rock salt, phosphate rock, sulphur, potash, asbestos, graphite pyrites, graphite, borates and other salines, fluorspar, mica, talc, abrasive sands, and similar essential products.

12. *Smelting, refining and rolling of metal; scrap salvage.* Primary and secondary smelting and refining, alloying, rolling, and drawing of iron, steel, copper, lead, zinc, magnesium, aluminum, brass, bronze, nickel, tin cadmium, ferro-alloys, and any other metals used in the production of war materials; and scrap salvage.

13. *Production of metal shapes and forgings.* The manufacture of castings, die castings, forgings, wire, nails, chains, anchors, axles, pipe, springs, screws, bolts, tubing, stampings, pressings, structural shapes, and machined parts.

14. *Finishing of metal products.* Enameling, japanning, lacquering, painting, plating, and galvanizing of metal products.

15. *Production of industrial and agricultural equipment.* Power boilers, wiring devices and supplies; agricultural implements; electric lamps; storage and primary batteries; pumps, compressors, and pumping equipment; recording, controlling and measuring instruments and meters; conveyors, industrial cars and trucks; blowers, exhaust and ventilating fans; mechanical power-transmission equipment such as clutches, drives and shafts; mechanical stokers; tools, files, and saws; plumbers' supplies; professional and scientific instruments, photographic apparatus, and optical instruments; and all equipment necessary to operate plants producing essential commodities.

16. *Production of machinery.* Engines and turbines; metalworking machinery and equipment; electrical generating, distribution and industrial apparatus for electric public utility, manufacturing, mining, transporta-

tion and construction use, for use in manufactured products or in service industries; construction, mining, agricultural, oil field, smelting and refining machinery, as well as all machinery necessary to produce, equip and maintain aircraft, ships, ordnance, and other military equipment.

17. *Production of chemicals and allied products and essential derivatives thereof.* Glycerin; turpentine, rosin and other naval stores; wood tars, oils, acids, and alcohols; plasticizers; lubricating oils and greases; animal and vegetable oils; fertilizers; tanning materials; chemical pulp; salt; synthetic rubber; coal-tar products, plastics; compressed and liquefied gases; refined sulphur; acids; caustic and other sodas; alcohols; electrochemical and electrometallurgical products such as carbide, sodium and potassium metals and high-percentage ferroalloys; drugs and medicines; insecticides and related chemical compounds; synthetic textile fibers used in military equipment exclusively; grease and tallow. (Explosives, flares, and other fireworks, generally classified as chemical products, are included with ammunition.)

18. *Production of rubber products.* All rubber products.

19. *Production of leather products.* The production of shoe and belting leather; industrial belting for transmission of power; boots, shoes, and gloves, for civilian, military and industrial use; saddlery, harness, and accessories.

20. *Production of textiles.* Spinning and weaving of fabrics for parachutes and powder bags; of canvas for tents, sails, tarpaulins, and related heavy canvas products; asbestos, fibrous glass, cotton, woolen, knit, linen, silk, and synthetic fiber goods for military and industrial use.

21. *Production of apparel.* Apparel for the armed forces, and work clothing.

22. *Production of stone, clay and glass products.* Scientific and industrial glass products; sand-lime, fire-brick and other heat-resisting clay products; lime; abrasive wheels, stones, paper, cloth and related products; asbestos products including steam and other packing, pipe and boiler covering; crucibles and retorts; porcelain electrical supplies; as well as parts of military apparatus.

23. *Production of petroleum, natural-gas and petroleum and coal products.* Drilling, rig-building, and maintenance service operations, and petroleum refining. Includes also production of tar and pitch, coal gas and coke.

24. *Production of finished lumber products.* Cork products such as life preservers; storage battery boxes; insulating material; oars; matches; wood preservation activities. Includes also wooden parts of aircraft, ships, and other military equipment.

25. *Production of transportation equipment.* The production of motor vehicles such as trucks, ambulances, fire engines, busses, and military motorized units; essential parts and accessories of such motor vehicles; motorcycles, bicycles, and parts; locomotives and parts; railroad and street cars and equipment.

26. *Transportation services.* Air transportation; line-haul railroad; switching and terminal; railway and air express; freight forwarding, rail inspection; local transit, rapid transit, inter-urban electric railway, and over-the-road bus; offshore and intercoastal water transportation; including shore service such as stevedoring and harbor operations; pipeline transportation; transportation services on the inland waterways: Great Lakes, harbors, bays, sounds, and waters connected with the seas, including shore service such as stevedoring; trucking; warehousing; dry, open and cold storage of essential and perishable commodities.

27. *Production of materials for packing and shipping products.* Textile bags; vegetable and fruit baskets; cooperage; excelsior; heavy-duty paper and pulp; rope, cordage and twine; wooden, paperboard, containerboard, glass, fiber, metal, and paper containers and envelopes for shipping and preserving essential products.

28. *Production of communication equipment.* Radios and radio equipment; radar; telephone, telegraph, cable, television, and signalling apparatus.

29. *Communication services.* Magazines of general circulation which are devoted primarily to the dissemination of public information; newspapers and news syndicates; production of motion pictures (including technical and vocational training films for the Army, Navy, and war production industries); protective signal systems which supplement fire and police protection to military, public and private industrial and commercial establishments; radio broadcasting; radio communications (radiotelephone and radiotelegraph); submarine cable; telegraph; telephone; television.

30. *Heating, power, water supply and illuminating services.* Electric light and power, water and gas utilities; steam-heating companies.

31. *Repair services.* Repair of: vehicles, such as bicycles, motorcycles, automobiles, busses, trucks; tires; typewriters and business machines; elevators; shoe repairing; radios; refrigerators; clocks; harnesses; tools, stoves; pneumatic tube systems; power laundry equipment; electric appliances and motors, engines, heating equipment; scientific, commercial and industrial weighing-machines; farm and other industrial and scientific equipment; roofing, and electric, gas, and plumbing and heating installations in domestic, commercial, and industrial buildings. Blacksmithing, armature rewinding; locksmithing. It is intended that consideration be given only to individuals qualified to render all-around repair services on the types of equipment specified herein as required for the minimum essential needs of the community.

32. *Health and welfare services.* Offices of physicians, surgeons, dentists, oculists, osteopaths, podiatrists, and veterinarians; medical and dental laboratories; hospitals; nursing services; institutional care; auxiliary civilian welfare services to the armed forces; welfare services to civilians.

33. *Educational services.* Public and private industrial and agricultural vocational training; elementary, secondary, and preparatory schools; junior colleges, colleges, universities, and professional schools, educational and scientific research agencies; and the production of technical and vocational training films.

34. *Governmental services.*

35. *Technical, scientific, and management services.* The supplying of technical, scientific and management services to establishments engaged in war productions; union-management negotiation services; and the publication of technical and scientific books and journals.

[F. R. Doc. 43-6005; Filed, April 16, 1943; 11:36 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Order No. 352]

PART 308—REPORTS AND RECORDS

ORDER RELIEVING DISTRICT NO. 22 FROM FILING MONTHLY TONNAGE REPORTS

The Bituminous Coal Producers Board for District No. 22 having requested that the code members within said districts be relieved from filing the monthly tonnage reports required to be filed pursuant to the rules and regulations requiring tonnage reports from code members, established by order in General Docket No. 24, dated April 7, 1942, 7 F.R. 2894, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assesssments by district boards*) be amended to provide that the code members within District No. 22 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 22 monthly tonnage data on Form B. C. D. No. 718, with respect to coal produced on and after January 1, 1943. (Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: April 17, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6093; Filed, April 19, 1943; 10:32 a. m.]

[Docket No. A-1720]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER CHANGING PRICES FOR CERTAIN MINES IN DISTRICT NO. 2

Order of the director in the matter of the petition of District Board No. 2 for a change in the effective minimum prices for truck shipments for coals produced by certain mines in District No. 2.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the minimum prices of the coals produced by O. N. Ritenour, at his O. N. Ritenour Mine (Mine Index No. 923), Hindman Coal Co., at its Kenedy Mine (Mine Index No. 858), Stadnik Coal Co. (Louis Stadnik), at its Stadnik Coal Co. Mine (Mine Index No. 934), and Taylor Coal Co. (H. L. Taylor), at its N. Wash. Cannel Mine (Mine Index No. 1628), in Washington and Venango Townships, Butler County, Pennsylvania, of District 2, in Size Groups 1 and 2, for truck shipments, should be revised, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That effective fifteen (15) days from the date hereof § 322.23 (*General prices*) is amended by revising the minimum prices of the coals produced by O. N. Ritenour, at his O. N. Ritenour Mine (Mine Index No. 923), Hindman Coal Co., at its Kenedy Mine (Mine Index No. 858), Stadnik Coal Co., (Louis Stadnik) at its Stadnik Coal Co. Mine (Mine Index No. 934), and Taylor Coal Co., (H. L. Taylor) at its N. Wash. Cannel Mine, (Mine Index No. 1628), in Washington and Venango Townships, Butler County, Pennsylvania, of District 2, in Size Groups 1 and 2, for truck shipments, in accordance with the minimum prices contained in Supplement T which is hereinafter set forth and hereby made a part hereof. *Provided, however*, That all contracts, orders, invoices, acknowledgments, and other instruments concerning the sale and delivery of such coals shall specifically identify the same as "cannel coal."

It is further ordered, That except as hereinabove indicated the petition herein is in all other respects denied.

Dated: April 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6092; Filed, April 19, 1943; 10:33 a. m.]

[Docket No. A-1607]

PART 322—MINIMUM PRICE SCHEDULE DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting permanent relief in the matter of the petition of District Board No. 2 for a change in minimum prices established for truck shipments for the coals of certain mines in District No. 2.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the minimum prices of the coals produced by the Binkerd Mine (Mine Index No. 709), of David Frazer, the Evans Mine (Mine Index No. 707), of David L. Corbett, operating in the Upper Freeport and Upper Kittanning Seams, respectively, in Armstrong County, Pennsylvania, in Size Groups 6 to 9, inclusive, for truck shipments should be revised and the prices of the coals produced by the Walker Mine (Mine Index No. 1709), of James E. Walker, operating in the Upper Freeport Seam, in Armstrong County, Pennsylvania, in Size Groups 1 to 11, inclusive, for truck shipments, should be revised to equal the prices herein established for the Binkerd and Evans Mines, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That effective fifteen (15) days from the date hereof, § 322.23 (*General prices*) is amended by revising the minimum prices of the coals produced by the Binkerd Mine (Mine Index No. 709), of David Frazer, the Evans Mine (Mine Index No. 707), of David L. Corbett, in Size Groups 6 to 9, inclusive, and by the Walker Mine (Mine Index No. 1709), of James E. Walker, in Size Groups 1 to 11, inclusive, in accordance with the minimum prices for these respective mines contained in Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That except as herein above indicated the petition herein is in all other respects denied.

Dated: April 16, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6091; Filed, April 19, 1943; 10:33 a. m.]

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 322.9 (*Special prices—(c) Railroad fuel*) is amended by adding thereto Supplement R-II, § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 7, 1943.

[SEAL] DAN H. WHEELER, *Director.*

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING TEMPORARY RELIEF

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 322.9 (*Special prices—(c) Railroad fuel*) is amended by adding thereto Supplement R-II, § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 7, 1943.

[SEAL] DAN H. WHEELER, *Director.*

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

[Alphabetical listing of code members, showing railroad, freight origin group No., and other classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.]

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.													
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2649	Acro Supply Company (A. John Gioia, Jr.)	Acro (S)	Redstone	3	Mutual, Pa	PRR	74	G	G	G	G	G	G	G	G	G	G	G	G	G	G	(1)	(1)
2634	Ehlemiller, Adam	Ehlemiller, Adam	Pittsburgh	6	Acmetonia, Pa	PRR	10	G	G	G	G	G	H	H	H	H	H	H	H	H	H	(1)	(1)
1285	Ehlemiller, Adam	William Penn (S)	Pittsburgh	6	William Penn, Pa	PRR	10	G	G	G	G	G	H	H	H	H	H	H	H	H	H	(1)	(1)
721	Guseman-Hall Coal Co	Lemont #1	Pittsburgh	6	Detroit, Pa	PRR (MO)	111	F	F	F	F	F	J	J	J	J	J	J	J	J	J	(1)	(1)
2702	Hillsmere Coal & Coke Co	Allen #6	Sewickley	3	Allen #6 Dock, Pa	Monon, River		(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2711	Kelly, Stefan (Kelly Coal Company)	Top Vein (S)	Pittsburgh	6	Smithton, Pa	PRR	30	G	G	G	G	G	H	H	H	H	H	H	H	H	H	(1)	(1)
2602	Lindsay, Frank G. (Hope Hollow Coal Co.)	Nanty (S)	Pittsburgh	6	Martin, Pa	Slough	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	(1)	(1)

†Indicates no prices or classifications effective for these size groups. ‡ Indicates change in name.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

§ 322.7 *Alphabetical list of code members*—Supplement R-I—Continued

Mine Index No.	Code member	Mine name	Seam	Sub-district No.	Freight origin group No.	Size group Nos.														
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
					20	E	E	D	D	C	C	D	D	D	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2655	Lucas & Greenough (L. C. D. Greenough)	Victoria (S)	U. Kittanning	1																
621	Miller, W. J	Miller (S)	Pittsburgh	7	74	A	A	C	C	F	D	E	E	E	(1)	(1)	(1)	(1)	(1)	(1)	(1)
655	Millerstown Coal Company (Joseph Batcher)[1]	Victory	Freeport	8	41	E	D	D	D	D	E	D	D	D	(1)	(1)	(1)	(1)	(1)	(1)	(1)
262	Rae, Jean Ellen[1]	Ra-Kol #1 (W)	Brookville	1	100	G	G	G	G	G	G	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
262	Rae, Jean Ellen[1]	Ra-Kol #1 (R)	Brookville	1	100	(1)	(1)	F	F	F	F	G	G	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2653	Ritzo, Frank	Ritzo (S)	Pittsburgh	3	80	F	F	E	E	E	E	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1477	Sarver Coal Company c/o Culmerville Coal Co.[1]	Coal Hollow	L. Freeport	1	79	F	F	E	E	D	E	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2660	Sasso, Leonard (Standard Coal Company)	Leonard Sasso #2 (S)	Pittsburgh	7	74	L	L	J	J	J	J	K	K	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2661	Tuck & Miller	Tuck & Miller #3 (d)	U. Kittanning	7	21	E	D	D	D	C	C	D	D	D	(1)	(1)	(1)	(1)	(1)	(1)	(1)
209	Woods, Gary & Welsh (Wm. E. Welsh)	Shuter #2	Pittsburgh	3	20	(1)	(1)	E	E	C	C	C	C	C	(1)	(1)	(1)	(1)	(1)	(1)	(1)

§ 322.23 *General prices*—Supplement T—Continued

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
BUTLER COUNTY														
Eakins, Floyd & Charles McKean (Floyd Eakins).[1]	622	Cherry Valley	Kittanning	345	325	305	285	265	250	235	225	210	200	190
Lucas & Greenough (L. C. D. Greenough)	2655	Victoria (S)	U. Kittanning	345	330	320	310	300	290	280	270	260	220	210
Lucas, W. J.	1477	Coal Hollow	L. Freeport	345	325	305	285	280	280	265	265	250	200	190
Sarver Coal Company c/o Culmerville Coal Co.[1]	2661	Tuck & Miller No. 3 (d)	U. Kittanning	345	325	305	285	280	265	265	250	250	200	190
Tuck & Miller	2661													
FAYETTE COUNTY														
Brewer Brothers Coal Company (James B. Brewer).	2485	Sutton[1]	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Cinel, Serafino (Cinel Coal Co.).[1]	2652	Cinel #1	Pittsburgh	310	300	290	270	250	240	235	240	225	230	195
Gusemah-Ball Coal	121	Lemont #1[1]	Pittsburgh	330	320	310	290	270	260	255	260	230	220	205
Matthews & Hager	2698	Alton (S)[1]	Pittsburgh	330	310	300	280	260	250	245	250	230	230	195
Old LaBelle Mine (J. Holstot, Jr.).[1]	2650	LaBelle S. D.	Pittsburgh	320	310	300	280	260	250	245	250	230	230	195
Ritzo, Frank	2653	Ritzo	Pittsburgh	310	300	290	270	250	240	235	240	225	225	195
West, Lee & W. F.	2657	Nicory	Pittsburgh	295	285	275	260	240	230	230	230	215	215	195
Woods, Gary & Welsh (Wm. E. Welsh).[1]	209	Shuter #2	Pittsburgh	320	310	300	280	260	250	240	240	225	225	195

§ 322.23 *General prices*—Supplement T—Continued

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
ALLEGHENY COUNTY														
Colehagle, Pete[1]	611	Creighton & Millers Run	Pittsburgh	295	285	275	250	235	225	230	240	190	190	180
Dillon & Barnhart (R. B. Barnhart).[1]	1466	Campbells Run	Pittsburgh	320	310	300	275	250	240	240	260	230	210	200
Fine Bros. & Ross Vanetino (Gordon Fine).[1]	1857	Cole	Redstone	295	285	275	260	235	235	230	240	200	190	180
Glass Run Coal Co. Inc.[1]	2516	Willock #1	Pittsburgh	330	320	310	285	255	255	245	265	225	215	205
Klein, Stefan (Klein Coal Co.).	2645	Fort View #2 (S)	Pittsburgh	315	305	295	270	246	245	240	240	215	205	200
Millerstown Coal Company (Joseph Batcher).	558	Victory[1]	Freeport	295	285	275	250	235	235	230	240	200	190	180
Presto Coal Corporation.	2658	Lottie	Pittsburgh	295	285	275	255	235	235	230	240	210	200	190

[1] Indicates change in name.

[1] Indicates no prices or classifications effective for these site groups.
[1] Indicates change in name.

§ 322.9 *Special prices (c) Railroad fuel*—Supplement R-II.

NOTE: In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown. Group No. 1: 621, 1477; Group No. 2: 2645, 2649, 2660; Group No. 6: 121, 1004; Group No. 7: 209, 2602, 2653; Group No. 9: 555; Group No 12: 2661; Group No. 13: 1289; Group No. 14: 2651; Group No. 15: 2655; Group No. 19: 262.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
Colehagle, Pete[1]	611	Creighton & Millers Run	Pittsburgh	295	285	275	250	235	225	230	240	190	190	180
Dillon & Barnhart (R. B. Barnhart).[1]	1466	Campbells Run	Pittsburgh	320	310	300	275	250	240	240	260	230	210	200
Fine Bros. & Ross Vanetino (Gordon Fine).[1]	1857	Cole	Redstone	295	285	275	260	235	235	230	240	200	190	180
Glass Run Coal Co. Inc.[1]	2516	Willock #1	Pittsburgh	330	320	310	285	255	255	245	265	225	215	205
Klein, Stefan (Klein Coal Co.).	2645	Fort View #2 (S)	Pittsburgh	315	305	295	270	246	245	240	240	215	205	200
Millerstown Coal Company (Joseph Batcher).	558	Victory[1]	Freeport	295	285	275	250	235	235	230	240	200	190	180
Presto Coal Corporation.	2658	Lottie	Pittsburgh	295	285	275	255	235	235	230	240	210	200	190

[1] Indicates change in name.

§ 322.23 *General prices*—Supplement T—Continued

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
GREENE COUNTY														
Hillman Coal & Coke Co.	2662	Alicia #3	Sewickley	285	275	265	255	235	225	225	220	200	190	170
LAWRENCE COUNTY														
Smith, E. R., George & Howard (E. R. Smith).[1]	1582	Reno	Kittanning	320	310	300	275	270	265	245	245	205	195	185
MERCER VENANGO COUNTY														
Rae, Jean Ellen[1]	262	Ra-Kol #1 (W)	Brookville	355	340	320	305	300	285	285	270	205	195	180
Rae, Jean Ellen[1]	262	Ra-Kol #1 (R)	Brookville	345	330	310	295	290	275	275	260	205	195	180
WASHINGTON COUNTY														
Balkan Coal Co.	2663	Balkan #2	Pittsburgh	330	320	310	290	270	260	255	265	230	220	195
Sasso, Leonard (Standard Coal Company).	2660	Leonard Sasso #2 (S)	Pittsburgh	295	285	275	250	240	225	215	225	200	190	180
WESTMORELAND COUNTY														
Argo Supply Company (A. John Goetz).	2649	Argo (S)	Redstone	285	275	265	250	245	235	215	220	200	190	180
Bridge, P. R.	2657	Bridge #2	Freeport	290	280	270	260	250	230	230	225	205	195	185
Eidemiller, Adam	2651	Alexander (S)	Pittsburgh	285	275	265	255	245	240	235	225	205	195	185
Eidemiller, Adam 1	1289	William Penn (S)	Pittsburgh	300	290	280	270	250	240	240	235	215	205	195
Latrobe Construction Co. (B. Ferrari).	2656	Slate	Freeport	290	280	270	260	250	230	230	225	205	195	185
Myers, A. G	2654	A. G. Myers U.	Freeport	285	275	265	250	245	235	215	220	200	190	180

[1] Indicates change in name.

[F. R. Doc. 43-5929; Filed, April 16, 1943; 10:44 a. m.]

TITLE 31—MONEY AND FINANCE

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1943 Dept. Cir. 92, Rev.]

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER THE ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED[1]

APRIL 14, 1943.

Part 203, Supchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States of America (appearing also as Treasury Department Circular No. 92 (Revised), dated February 23, 1932, as amended) is hereby revised to read as follows:

[1] The forms mentioned in this part were filed as a part of the original document with the Division of the Federal Register. Copies may be obtained upon request from the Bureau of Accounts, United States Treasury Department, Washington, D. C.

Sec.
203.0 Introductory.

GENERAL PROVISIONS

203.1 Banks and trust companies desiring to act as depositaries of public moneys.
203.2 Application; resolution; forms.
203.3 Depositaries already qualified.
203.4 Discontinuance of depositaries; redesignation.
203.5 Determination of maximum amount of deposits for which application will be made.
203.6 Approval of depositaries.

COLLATERAL SECURITY

203.7 Designated depositaries must pledge collateral security before receiving deposits; acceptable securities.
203.8 United States Government securities or obligations guaranteed by the United States may be required to be pledged as security.
203.9 Additional collateral.
203.10 Additional collateral; approval and valuation; withdrawals; substitution.

CUSTODY OF SECURITIES

203.11 Deposit of securities with Federal Reserve Bank or branch or designated custodian.

HOW DEPOSITS ARE TO BE MADE

203.12 War Loan Deposit Account.
203.13 Payment by credit of amounts payable on subscriptions; form of notice.
203.14 Deposits not to exceed authorized amount.

WITHDRAWAL OF DEPOSITS

203.15 Calls for withdrawal of deposits; payment.

EXEMPTION FROM INSURANCE ASSESSMENTS AND RESERVE REQUIREMENTS

203.16 Provisions of Act of April 13, 1943.

AMENDMENT OF REGULATIONS

203.17 Right reserved to amend, supplement or revise the regulations in this part.

AUTHORITY: §§ 203.0 to 203.17, inclusive, issued under sec. 8, 40 Stat. 291, sec. 5, 40 Stat. 504, sec. 14 (a) (2), 48 Stat. 343; 31 U.S.C. 771; section 10 of the Act of June 11, 1942.

§ 203.0 *Introductory.* Banks and trust companies designated pursuant to the terms of this part are given the title "Special Depositaries of Public Moneys" and are hereinafter referred to as "Special Depositaries." Special Depositaries are permitted to make payment in the form of a deposit credit for the purchase price of United States Government obligations purchased by such banks or trust companies for their own account or for the account of their customers, who enter their subscriptions through these banks or trust companies, when this method of payment is permitted under the terms of the circulars inviting subscriptions to such issues. The deposit credits set up under this designation are called "War Loan Deposit Accounts". Under this arrangement the large sums of money raised by the Treasury through financing operations are left on deposit in local banking institutions until the Treasury needs to withdraw them to meet Government expenditures thus avoiding the dislocations in the banking system which might result from immediate withdrawal of such funds. Pursuant to recent amendments to the Federal Reserve Act, these deposit accounts will, for the duration of the War and for six months after the cessation of hostilities, be exempt from insurance assessments of the Federal Deposit Insurance Corporation and from the reserve requirements of the Federal Reserve System.

GENERAL PROVISIONS

§ 203.1 *Banks and trust companies desiring to act as depositaries of public moneys.* Any incorporated bank or trust company in one of the States of the United States or in the District of Columbia desiring to participate in deposits of public moneys, as authorized by the

Act of Congress approved September 24, 1917, as amended (Second Liberty Bond Act, as amended), hereinafter referred to as the Act, should make application to the Federal Reserve Bank of its district.

§ 203.2 *Application; resolution; forms.* Application for deposit of public moneys under the Act must be in Form H–5 and must be accompanied by a certified copy of a resolution, duly adopted by the Board of Directors of the applicant, in Form J–5.

§ 203.3 *Depositaries already qualified.* Depositaries already qualified to a sufficient amount pursuant to this part will not be required to file new formal applications or resolutions, but they will, by the acceptance or retention of deposits after April 30, 1943, be conclusively presumed to have assented to all the terms and provisions hereof, and to the retention of collateral security theretofore pledged as collateral security hereunder.

§ 203.4 *Discontinuance of depositaries; redesignation.* A Special Depositary, heretofore or hereafter designated, which having subscribed to an offering of United States bonds, notes, certificates of indebtedness, or Treasury Bills and having in due course received an allotment on its subscription, refuses to receive the said allotment and to make payment therefor, may be discontinued. A Special Depositary discontinued for any reason may be redesignated upon full compliance with the terms of this part, upon recommendation of the Federal Reserve Bank of its district, and upon the approval of the Secretary of the Treasury.

§ 203.5 *Determination of maximum amount of deposits for which application will be made.* In fixing the maximum amount of deposits for which it will apply, the applicant bank or trust company should be guided by the amount of the payments which it expects to make, on subscriptions made by or through it for bonds, notes, certificates of indebtedness, and Treasury Bills of the United States issued under authority of the Act, and, as well by any statutory limitations upon the amount of deposits which the applicant bank or trust company may receive from any one depositor.

§ 203.6 *Approval of depositaries.* The Secretary of the Treasury will designate approved Special Depositaries and determine the maximum amount of deposits on the basis of recommendations of the Federal Reserve Banks. Any application may be rejected or the applicant may be designated for a smaller maximum amount than that for which it applied.

COLLATERAL SECURITY

§ 203.7 *Designated depositaries must pledge collateral security before receiving deposits; acceptable securities.* Designated Special Depositaries will be required, before receiving deposits, to qualify by pledging as collateral security for such deposits, securities of any of the following classes, to an amount, taken at the rates and conforming to the conditions provided below, at least equal to such deposits: *Provided*, That no collateral security shall be required for such part of the deposits as are insured under section 12B of the Federal Reserve Act, as amended:

(a) *United States Government securities.* Transferable bonds, notes, certificates of indebtedness, and Treasury Bills of the United States Government of any issue, including interim certificates or receipts for payment therefor, except such securities as by the terms of their issue are not acceptable as security for deposits of public moneys; all at face value.

(b) *Obligations guaranteed by the United States.* Obligations fully and unconditionally guaranteed by the United States both as to principal and interest; all at face value.

(c) *Obligations of Government agencies, etc.* Obligations of the Federal Land Banks, Federal Intermediate Credit Banks, Federal Home Loan Banks, the Federal National Mortgage Association, and obligations of Public Housing Agencies (as defined in the United States Housing Act of 1937, as amended) when secured to the full amount thereof by a Requisition Agreement with the Federal Public Housing Authority; all at face value.

(d) *Insular and Territorial Government securities.* Bonds of Puerto Rico, bonds and certificates of indebtedness of the Philippine Islands, and bonds of the Territory of Hawaii, all at market value, not to exceed face value.

(e) *State bonds.* Bonds of any State of the United States, at market value, not to exceed face value.

(f) *State notes, certificates of indebtedness, and warrants.* Approved notes, certificates of indebtedness, and warrants issued by any State of the United States; at 90 percent of market value, not to exceed face value.

(g) *County and municipal securities.* Approved bonds of any county, city, or other political subdivision in the United States; and approved notes, certificates of indebtedness, and warrants with a fixed maturity issued by any county or city in the United States, which are direct obligations of the county or city as a whole, or which are payable from general taxes levied on all taxable property in such county or city; provided the obligations meet the requirements of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System and the Federal Deposit Insurance Corporation for classification by bank examiners under Group I, as follows:

Group I securities are marketable obligations in which the investment characteristics are not distinctly or predominantly speculative. This group includes general market obligations in the four highest grades and unrated securities of equivalent value.

Obligations of counties, cities, and other political subdivisions, rated in one of the three highest grades by a recognized investment service organization regularly engaged in the business of rating or grading bonds, may be accepted at 90 percent of market value, not to exceed face value, and other qualified obligations of counties, cities, and other political subdivisions may be accepted at 80 percent of market value, not to exceed face value.

(h) *Corporate securities.* Approved bonds, notes, and other obligations of domestic corporations, provided they meet the requirements for classification under Group I as defined in § 203.7 (g) of this part; at 80 percent of market value, not to exceed face value.

(i) *Commercial and agricultural paper and bankers' acceptances.* Commercial and agricultural paper and bankers' acceptances having a maturity at the time of pledge of not to exceed six months, and notes of correspondent incorporated banks or trust companies secured by such commercial or agricultural paper or bankers' acceptances, all of which are approved by the Federal Reserve Bank of the district in which the depositary is located; at 80 percent of face value.

§ 203.8 *United States Government securities or obligations guaranteed by the United States may be required to be pledged as security.* The Secretary of the Treasury reserves the right to require all or any stated percentage of deposits received by any bank pursuant to the provisions of this part and not insured under section 12B of the Federal Reserve Act, as amended, to be secured by pledge of United States Government securities or obligations guaranteed by the United States as defined in §§ 203.7 (a) and 203.7 (b) of this part.

§ 203.9 *Additional collateral.* The stipulations as to the rates at which collateral may be accepted hereunder are intended to indicate maximum values only and the right is expressly reserved to call for or require additional collateral security at any time.

§ 203.10 *Additional collateral; approval and valuation; withdrawals; substitution.* The approval and valuation of securities is committed to the several Federal Reserve Banks, acting under the direction of the Secretary of the Treasury. The withdrawal of securities, the pledge of additional securities, and the substitution of securities shall be made from time to time as required or permitted by the Federal Reserve Banks, acting under like direction.

CUSTODY OF SECURITIES

§ 203.11 *Deposit of securities with Federal Reserve Bank or branch or designated custodian.* All securities accepted as collateral security for deposits hereunder must be deposited with the Federal Reserve Bank or branch of the district in which the depositary is located, as fiscal agent of the United States, or by the direction of and subject to the order of such Federal Reserve Bank or branch, as fiscal agent of the United States, with a custodian or custodians within the United States designated by such Federal Reserve Bank, and under such terms and conditions as it may prescribe.

HOW DEPOSITS ARE TO BE MADE

§ 203.12 *War Loan Deposit Account.* Each qualified Special Depositary will be required to open and maintain or continue for the account of the Federal Reserve Bank of its district, as fiscal agent of the United States, a separate account for deposits to be made hereunder, to be known as the "War Loan Deposit Account."

§ 203.13 *Payment by credit of amounts payable on subscriptions; form of notice.* Qualified Special Depositaries, if and to the extent from time to time hereafter authorized by the Secretary of the Treasury, may be permitted to make payment by credit, when due, to a War Loan Deposit Account, of amounts payable on subscriptions made by or through them for bonds, notes, certificates of indebtedness, and Treasury Bills of the United States issued under authority of the Act of September 24, 1917, as amended. In order to make payment by credit to a War Loan Deposit Account, the Special Depositary must, on or before the date when such payment is due, notify the Federal Reserve Bank of the district of such intention and issue a certificate of advice to such Federal Reserve Bank, stating that a sum specified has been deposited with such depositary for the account of such Federal Reserve Bank, as fiscal agent of the United States, in the War Loan Deposit Account. Such certificate of advice will be furnished in the form and manner prescribed by the Federal Reserve Bank.

§ 203.14 *Deposits not to exceed authorized amount.* The amount deposited with any special depositary shall not in the aggregate exceed at any one time (a) the maximum amount for which it shall have been designated as a depositary, nor (b) the aggregate amount of the collateral security pledged by it taken at the rates hereinbefore provided, excepting that part of the deposits insured under section 12B of the Federal Reserve Act, as amended.

WITHDRAWAL OF DEPOSITS

§ 203.15 *Calls for withdrawal of deposits; payment.* All deposits will be payable on demand without previous notice. Calls for withdrawals of deposits with Special Depositaries will be made by direction of the Secretary of the Treasury through the Federal Reserve Banks, and such depositaries will be required to arrange for payments of such calls in funds that will be immediately available on the payment due date.

EXEMPTION FROM INSURANCE ASSESSMENTS AND RESERVE REQUIREMENTS

§ 203.16 *Provisions of Act of April 13, 1943.* The Act of Congress, approved April 13, 1943, contains the following provisions relative to exemption of "War Loan Deposits" from (a) assessments for insurance by the Federal Deposit Insurance Corporation and (b) the reserve requirements of member banks of the Federal Reserve System:

• • • the second sentence of paragraph (1) of subsection (h) of section 12B of the Federal Reserve Act (U.S.C., title 12, sec. 264 (h) (1)), as amended, is hereby further amended by substituting a colon for the period at the end thereof and adding the following: "*And provided further*, That until 6 months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress any balance payable to the United States by any insured bank, whether represented by a deposit account or otherwise, arising solely as a result of subscriptions made by or through such insured bank for United States Government securities issued under authority of the Second Liberty Bond Act, as amended, shall be excluded from the definition of 'deposit' for the purpose of determining the assessment base.

SEC. 2. The last sentence of section 19 of the Federal Reserve Act (U.S.C., title 12, sec. 462a–1) be amended by substituting a colon for the period at the end thereof and by adding the following: "*Provided*, That until 6 months after the cessation of hostilities in the present war as determined by proclamation of the President or concurrent resolution of the Congress no deposit payable to the United States by any member bank arising solely as the result of subscriptions made by or through such member bank for United States Government securities issued under authority of the Second Liberty Bond Act, as amended, shall be subject to the reserve requirements of this section.

AMENDMENT OF REGULATIONS

§ 203.17 *Right reserved to amend, supplement or revise the regulations in this part.* The right is reserved to amend or supplement or revise the provisions of this part at any time or from time to time.

[SEAL] H. MORGENTHAU, Jr.
Secretary of the Treasury.

[F. R. Doc. 43–6019; Filed, April 17, 1943; 11:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 53]

PART 802—GENERAL LICENSES

ADDITION OF CERTAIN DESTINATIONS TO COUNTRY GROUP K

Paragraph (a) of § 802.3 *General license country groups* (8 F.R. 4238) is hereby amended by adding to the countries designated in "Country Group K" therein the following destinations:

Madagascar	92
Reunion	95

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 16, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43–5985; Filed, April 17, 1943; 9:48 a. m.]

[Amendment 54]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

DELETION OF CERTAIN COUNTRIES AS SELECTED DESTINATIONS

Part 805—Selected Destinations Clearance Procedure—is hereby amended in the following particulars:

1. Section 805.2 *Selected destinations* (8 F.R. 1570) is hereby amended by deleting from the list of destinations therein listed the following:

Iran	G–80
Iraq	G–74
Madagascar	G–92
Reunion	G–95

2. Section 805.3 *General license provisions* (8 F. R. 1570) is hereby amended by deleting from the countries therein designated Iran and Iraq.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 16, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43–5986; Filed, April 17, 1943; 9:48 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 16]

AIRCRAFT INVENTORY TRANSFERS

§ 903.28 *Directive 16*—(a) *Control of aircraft inventory transfers.* Notwithstanding the provisions of Priorities Regulations Nos. 1 and 13 or any other order or regulation of the War Production Board inconsistent herewith, all persons listed on Schedule A attached (Persons listed on schedule A and affected by this directive have been mailed complete copies of this directive.) are directed not to sell, trade, give or otherwise transfer any material listed on Schedule B to any other person without authorization of the Director of the Aircraft Resources Control Office, Aircraft Production Board, or the undersigned, except to fulfill the purpose for which it was obtained.

(b) *Delegation of authority.* The Director of the Aircraft Resources Control Office is hereby delegated the power to authorize the transfer of materials affected by this directive and is authorized to redelegate this authority to such persons as he may deem proper.

(c) *Effective date.* This directive shall become effective the 25th day of April, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of April 1943.

C. E. WILSON,
Executive Vice Chairman and Chairman, Aircraft Production Board.

SCHEDULE B

1. All primary forms and non-assembled, partially or wholly fabricated forms of the following metals:

a. Aluminum and aluminum base alloys.
b. Copper and copper base alloys.
c. Steel (including carbon, alloy, stainless and tool steels).

2. Standard items of aircraft hardware on the following list:

a. Hex Hd. bolts. Specifications: AN-3 through AN-16.
b. Clevis bolts. Specifications: AN-21 through AN-36.
c. Eye bolts. Specifications: AN-42 through AN-49.
d. Hex. Hd. bolts. Specifications: Air Corps Drawing No. 60, Air Corps Drawing No. 65.
e. Drilled Hex Hd. bolts. Specifications: AN-73 through AN-81.
f. Close tolerance bolts. Specifications: NAS-53 through NAS-60, NAS-62, NAS-64, NAS-66.
g. Phillips Hd. bolts. Specifications: NAS-200, NAS-202.
h. Fearson Hd. Bolts. Specifications: NAS-201, NAS-203.
i. Nuts. Specifications: AN-310, AN-315, AN-316, AN-320, Air Corps Drawing No. 325, Air Corps Drawing No. 330, Air Corps Drawing No. 335, AN-340, AN-345, AN-350, AN-355, AN-360.
j. Cotter pins. Specifications, AN-380.
k. Taper pins. Specifications: AN-385, AN-386.
l. Clevis pins. Specifications: AN-392 through AN-400, AN-402, AN-404, AN-406.
m. Screws. Specifications: Air Corps Drawing No. 500, Air Corps Drawing No. 501, AN-502, Air Corps Drawing No. 503, AN-505, AN-510, AN-515, AN-520 Air Corps Drawing No. 525, AN-526, Air Corps Drawing No. 530, Air Corps Drawing No. 531, AN-535, Air Corps Drawing No. 540, AN-545, AN-550, Air Corps Drawing No. 560, Air Corps Drawing No. 565, Air Corps Drawing No. 566, Air Corps Drawing No. 570, NAF-1164, NAF-1175, NAF-1176, NAF-1177, NAF-1178, NAF-1193.
n Phillips hd. screws. Specifications: 42B4937 through 42B4945, 42A-4946, 42A4947, 42B5184.
o. Frearson hd. screws. Specifications: 42A5700, 42A5701, 42B5702 through 42B5711.
2. Turnbuckle assemblies and parts. Specifications: AN 130, AN-135, AN 140, Air Corps Drawing No. 150, AN-155, AN-160, Air Corps Drawing No. 161, AN-165, AN-170, NAF-1084.
3. Rod end adjusting clevis. Specifications: AN-665.
4. Threaded clevis type tie rod terminals. Specifications: AN-665.
5. Swaged cable terminals. Specifications: AN-666 through AN-669.
6. Dzus fasteners or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
7. Elastic stop nuts or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
8. Boots self-locking nuts or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
9. Aircraft valves ("Parker" type). Standard AN, AC and NAF part numbers only, but not including oxygen valves or high pressure valves.
10. Aircraft fittings ("Parker" type). Standard AC 811, AN and NAF part numbers only.

DEFINITIONS

1 "Primary form" means those forms in which metals are received from the mill, for example: ingot forging billets, sheet, tube, bar, wire, standard extruded shapes, etc., (and not including special extruded shapes, castings, or forgings); or mill forms which have been subjected to such fabrication as mills customarily provide upon specification of standard extras (such as cutting to length, tempering, etc.)

2. "Nonassembled, partially or wholly fabricated forms" means any nonassembled forms, (including special extruded shapes, castings and forgings) whether purchased parts or materials which have been fabricated by or for you, produced entirely from a single primary form, and which has been subjected to any fabrication beyond the extent specified for Primary Form as defined above.

3. "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy; for example, brass, bronze, nickel-silver, etc.

4 "Aluminum base alloy" means any alloy metal in the composition of which the percentage of aluminum metal by weight equals or exceeds 50% of the total weight of the alloy; for example, Alcoa alloy No. 2508, 2108, etc.

[F. R. Doc. 43-6011; Filed, April 17, 1943; 11:40 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 17]

35 MM. FILM

Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9040 of January 24, 1942, and Executive Order No. 9125 of April 7, 1942, and for the purpose of securing the efficient distribution of 35 mm. film; *It is hereby ordered*, That:

§ 903.29 *Directive 17*—(a) *Delegation of authority to the Office of War Information with respect to 35 mm. film.* The Office of War Information is authorized and directed to perform the functions and exercise the power, authority, and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. Law 671, 76th Cong.; 54 Stat. 676), as amended by the Act of May 31, 1941 (Pub. Law 89, 77th Cong.; 55 Stat. 236), and as further amended by the Act of March 27, 1942 (Pub. Law 507, 77th Cong.; 56 Stat. 176), with respect to the exercise of control over the sale, lease, trading, loan, delivery, shipment or transfer of 35 mm. film by any person to the following persons for exposure in connection with factual pictures:

(1) Any governmental agency, whether federal, state or local (excluding the Army or Navy of the United States).

(2) Class B newsreel producers as defined in General Limitation Order L-178, issued by the War Production Board, as amended from time to time.

(3) Persons producing factual trailers.

(b) The authority of the Office of War Information under this directive shall include the power to regulate or prohibit the transfer or other disposition of 35 mm. film to any person who has acted in violation of any regulation or order prescribed by the Office of War Information pursuant to this directive. The Office of War Information is likewise authorized to require such reports and the keeping of such records and to make such investigations as it may deem necessary or appropriate for the administration of the powers conferred herein.

(c) The War Production Board will from time to time advise the Office of War Information as to the amount of 35 mm. film available for distribution by the Office of War Information under this directive, and may from time to time formulate and advise the Office of War Information as to policies or programs for the distribution of 35 mm. film.

(d) Nothing herein shall be construed to limit or modify any order heretofore issued by the Office of Production Management or the War Production Board, nor to delegate to the Office of War Information the power to extend, amend, or modify any such order.

(e) Notwithstanding the provisions of Directive 1 (§ 903.1), the Office of Price Administration shall have no authority with respect to the exercising of rationing control over 35 mm. films.

(f) For the purposes of this directive, the following definitions shall apply:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras and other than film in strips of less than 100 linear feet.

(2) "Factual picture" means any picture whose main function is informational or instructional, including newsreels produced by Class B newsreel producers, as defined in General Limitation Order L-178, issued by the War Production Board, as amended from time to time, but not including special pictures (as defined in General Limitation Order L-178) or pictures whose main function is entertainment.

(3) "Factual trailer" means any factual picture less than 300 linear feet in length, produced for exhibition in commercial theaters.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of April 1943.

J. A. KRUG,
Program Vice Chairman.

[F. R. Doc. 43-6012; Filed, April 17, 1943; 11:40 a. m.]

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719 sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-237, Amendment 1]

SUPER GAS CO., INC.

Super Gas Company, Inc., 789 Amboy Avenue, Fords, New Jersey, has appealed from the provisions of Suspension Order S-237, issued February 27, 1943. After a review of the case it has been determined that the appeal be denied but that Suspension Order S-237 be modified so as to allow Super Gas Company, Inc. to accept some deliveries of motor fuel at its Fords, New Jersey service station and to make increased deliveries of motor fuel to other service stations.

In view of the foregoing, paragraphs (a) and (b) of § 1010.237 Suspension Order S-237, issued February 27, 1943, are hereby amended to read as follows:

(a) During each of the months of April and May, 1943, Super Gas Company, Inc. its successors and assigns, shall not deliver or cause to be delivered directly or indirectly, any motor fuel, as defined in Limitation Order L-70, to any service station in excess of 40 percent of the average monthly gallonage delivered to such service station by Super Gas Company, Inc. during the period of August 1942 through December 1942.

(b) During the months of April and May, 1943, Super Gas Company, Inc., its successors and assigns, shall not accept from any source the delivery of any motor fuel, as delivered in Limitation Order L-70, at the Super Gas Service Station owned and operated by it located at 789 Amboy Avenue, Fords, New Jersey, in excess of 25 per cent of the average monthly gallonage delivered to said service station during the period of August 1942 through December 1942.

Issued this 16th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5971; Filed, April 16, 1943; 2:20 p. m.]

PART 1075—CONSTRUCTION

[Supplementary Conservation Order L-41-d]

In accordance with the provisions of § 1075.1, Conservation Order L-41, which the following order supplements:

§ 1075.11 *Supplementary Conservation Order L-41-d.* Conservation Order L-41, as amended, shall not apply to the re-siding of any structure with asbestos siding or the re-roofing of any structure with asbestos roofing material, where any part of the existing siding or roofing, as the case may be, is in need of repainting or other maintenance and repair: *Provided, however,* That no rubber, metal other than fastenings, nor lumber restricted by the provisions of paragraph (c) of Conservation Order M-208 shall be used in such re-siding or re-roofing.

Paragraph (e) of Interpretation No. 1 of Conservation Order L-41 as amended is hereby revoked.

Issued this 16th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-4970; Filed, April 16, 1943; 2:20 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-f as Amended April 17, 1943]

ORDER RESTRICTING THE USE OF RUBBER CEMENTS AND ADHESIVES

Whereas the fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.8 *Supplementary Order M-15-f*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber cement" means any type of cement, adhesive or coating made in whole or in part of crude rubber, latex, reclaimed rubber or scrap rubber.

(b) *Restrictions on the use of rubber cement.* Except as otherwise permitted by general or special authorization of the War Production Board, no person who for compensation or profit engages in manufacturing, repairing, combining, laminating, coating, impregnating or otherwise treating any luggage, handbags, belts for wearing apparel, pocketbooks, wallets, key rings or cases, hats or other millinery, cosmetic appliances, cosmetic bags, tobacco pouches, furs or embroidered or other materials for emblems, pennants, chevrons, appliques or other similar decorative material, or in laminating, combining or treating any fabrics or materials, or in manufacturing shoes, shall use any rubber cement in manufacturing, repairing, combining, laminating, coating, impregnating or treating any such products or materials; except that rubber cement may be used (i) in the following operations only in the manufacture or repair of shoes: Cutting and fitting room operations, bed and side lasting, folding gem duck, heel breasting, wood heel covering, insole rib and lip, moccasin seam, prewelt, platform attaching (but only if no equipment for the use of another method is available), rand, soft box toe, sole attaching, semi-automatic toe lasting (but only if no equipment for the use of another method is available), unishank, leather welting, channelling McKay shoes and Littleway sewed shoes (but no others), and shoe repair, and (ii) in the manufacture, application or repair of any products for the manufacture of which crude rubber, latex, reclaimed rubber or scrap rubber may be consumed under the provisions of § 940.3 (Supplementary Order No. M-15-b) as amended from time to time.

[Paragraph (b) amended April 17, 1943]

(c) *Restriction on the purchase and sale of rubber cement.* No person shall purchase rubber cement for the purpose of using such rubber cement for any of the purposes for which rubber cement may not be used under the provisions of paragraph (b) hereof; nor shall any person sell, trade transfer or deliver, or offer to sell, trade, transfer or deliver, any rubber cement to any other person if he knows or has reason to believe such other person intends or proposes to use such rubber cement for any of the purposes prohibited by paragraph (b) hereof.

(d) *Exceptions as to supplies on hand.* Notwithstanding the restrictions imposed by paragraph (b) of this order, any person who on July 31, 1942, had in his possession any rubber cement which he purchased or was holding for his own use for any of the purposes prohibited by paragraph (b) may use in operations prohibited by paragraph (b) hereof an amount of rubber cement not exceeding five gallons.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales of rubber cement and the uses to which such per-

sons put rubber cement now owned or hereafter acquired by them.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(4) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(5) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(6) *Appeals.* Any person affected by this order who considers that compliance with this order would work an exceptional and unreasonable hardship upon him or that it would result in a problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(7) *Communications.* All communication concerning this order shall be addressed to: Office of the Rubber Director, War Production Board, Washington, D. C., Ref.: M-15-f.

(8) Any action which, under the terms of this order, is to be taken by the War Production Board may be taken in the name of the Rubber Director in such manner as may be prescribed.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6013; Filed, April 17, 1943; 11:40 a. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-260]

KENNY BOILER AND MANUFACTURING CO.

Suspension Order S-260 provided that deliveries of material to the Kenny Boiler and Manufacturing Company could be accorded priority and that allocation of material to the Kenny Boiler and Manufacturing Company could be made only as specifically authorized in writing by the War Production Board. Inasmuch as this company is engaged in repair operations, which in some cases are vital to the war effort, it has been determined that authority to grant exceptions to the above order should be vested in the Regional Compliance Chief.

In view of the foregoing facts, it is hereby ordered that paragraphs (a) and (b) of § 1010.260 of Suspension Order S-260 are amended to read as follows:

(a) Deliveries of material to Kenny Boiler and Manufacturing Company, its successors and assigns, shall not be accorded priority, directly or indirectly, over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as hereafter specifically authorized in writing by the Regional Compliance Chief, of the Regional Office of the War Production Board, in Chicago, Illinois.

(b) No allocation shall be made to Kenny Boiler and Manufacturing Company, its successors and assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the Regional Compliance Chief, of the Regional Office of the War Production Board, Chicago, Illinois.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6003; Filed, April 17, 1943; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-285]

SALCE CONSTRUCTION CO.

Salce Construction Company of which Pasquale Salce is the president, treasurer and principal or sole stockholder, is a corporation with offices in Bridgeport, Connecticut. On or about October 30, 1942 the said corporation entered into a contract with Louis Capozzi by the terms of which the company agreed to make certain alterations in the building, both interior and exterior, for the sum of $3,600. Pursuant to said contract, the Salce Construction Company commenced construction work and carried it forward almost to completion. The estimated cost of the work was in excess of the amount permitted by Order L-41 with which the Salce Construction Company and Pasquale Salce were familiar. Such conduct on the part of Salce Construction Company and Pasquale Salce constituted a violation of Conservation Order L-41. These acts have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.285 *Suspension Order S-285.* (a) Deliveries of material to Salce Construction Company or Pasquale Salce, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Salce Construction Company or Pasquale Salce, their successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Salce Construction Company or Pasquale Salce from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 19, 1943, and shall expire on October 19, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6009; Filed, April 17, 1943; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-287]

JORDAN BOTTLING CO.

The Jordan Bottling Company, Laurinburg, North Carolina, is an individual proprietorship, owned by Charles L. Jordan, Jr., and is a bottler of non-alcoholic beverages. During the months of June, July, August, and September, 1942, the company used closures in the bottling of these non-alcoholic beverages substantially in excess of its quotas under Conservation Order M-104. The company's total excess usage of closures amounted to 2,038 gross. During this period the company was familiar with the restrictions contained in Conservation Order M-104 and its excess use of closures constituted wilful violations of that order which have made it appropriate that the company's future use of closures be restricted. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.287 *Suspension Order S-287.* (a) During each of the calendar quarters beginning April 1, 1943, July 1, 1943, and October 1, 1943, the quota of closures which Charles L. Jordan, Jr., individually or doing business as the Jordan Bottling Company, his successors and assigns, would otherwise be entitled to use in the bottling of non-alcoholic beverages under the provisions of Conservation Order M-104 shall be reduced by 675 gross.

(b) Nothing contained in this order shall be deemed to relieve Charles L. Jordan, Jr. individually or doing business as the Jordan Bottling Company, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 20, 1943, and shall expire on December 31, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6010; Filed, April 17, 1943; 11:41 a. m.]

PART 1189—ROTENONE

[Conservation Order M-133, as Amended April 17, 1943]

§ 1189.1 *Conservation Order M-133*—(a) *Definitions.* (1) "Rotenone" means the active insecticidal ingredients of the roots of derris, cube, barbasco, tuba or timbo. The term includes:

(i) "Crude rotenone" in the form of root or of root which has been dried, broken, shredded, cut or chipped;

(ii) "Processed rotenone" in the form of finely ground or powdered crude rotenone; also in the form of liquid or solid extracts (or resins) obtained from crude rotenone.

(2) "Rotenone insecticide" means any compound containing rotenone combined with other liquid or dry materials, whether active or inert; provided that such compound is suitable for use as an insecticide.

(3) "Importer" means any person engaged in the importation of rotenone.

(4) "Processor" means any person engaged in producing or selling processed rotenone in any of the forms described in paragraph (a) (1) (ii) hereof.

(b) *Restrictions on delivery.* (1) No importer or processor shall deliver any rotenone to any person except as specifically authorized or directed by the War Production Board upon application made pursuant to paragraph (f) (1) hereof; and no person shall accept delivery of any rotenone which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions with respect to deliveries to be made in each calendar month will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time issue directions with respect to deliveries to be made.

(3) In the event that any importer or processor, after receiving notice from the War Production Board with respect to a delivery of rotenone which he is authorized or directed to make to any specific customer, shall be unable to make such delivery either because of receipt of notice of cancellation from such customer or otherwise, such importer or processor shall forthwith give notice of such fact to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-133, and shall not, in the absence of specific authorization or direction from the War Production Board resell or otherwise dispose of the rotenone which he is unable to deliver as aforesaid.

(4) No person shall deliver any material containing rotenone to any other person unless prior to such delivery he will have received from the person to whom delivery is made, a requirement certificate in substantially the following form:

The undersigned hereby certifies to his supplier and to the War Production Board that the rotenone or rotenone insecticide hereby ordered for delivery will be used, or sold for use only for the purposes permitted under the terms of Conservation Order M-133, paragraph (c) as follows:

For resale—For use [cross out one]—Date _____

Description of product _____

Quantity _____

[If purchased for use omit the following:]

Percentage of rotenone contained _____

[If purchased for use, complete the following:]

Crop _____ Insect Pest _____

Acreage (or number of animals to be treated) _____

He further certifies that the amount of rotenone ordered will not exceed a practical minimum working inventory.

This certification is made in accordance with the terms of Order M-133, with which the undersigned is familiar

_____
Name of Purchaser

By _____ _____
Authorized Official or Agent Title

(5) No person shall use the rotenone received by him except for the purpose or purposes specified in the certificate furnished pursuant to paragraph (b) (4).

(c) *Restrictions on use.* No person shall use rotenone or any rotenone insecticide except for one or more of the following purposes:

(1) Use in the protection of the following food crops against the following insects, or the manufacture of any preparation for such use:

(i) Peas—protection against the pea weevil and pea aphid.

(ii) Beans—protection against Mexican bean beetle.

(iii) Cole crops—other than cabbage, including: broccoli, brussels sprouts, cauliflower, kohl-rabi, mustard, kale, turnips, and collards—for protection against caterpillars and aphids.

(iv) Sweet corn—for protection against the European corn borer.

(2) Use on cattle for the specific control of the cattle grub (ox warble) or short-nosed cattle louse, or the manufacture of any insecticide for such use.

(3) Any other specified use, where specifically authorized or directed by the War Production Board.

(d) *Restrictions on production.* (1) No person shall manufacture or process any rotenone insecticide in the form of dust or powder with a content of more than half of one per cent of rotenone, except as otherwise specifically authorized or directed by the War Production Board. This paragraph (d) (1) shall not, however, be understood to prevent the manufacture or preparation of dust having a rotenone content of half of one per cent in accordance with standard commercial practice: *Provided*, That the actual variation from the permitted rotenone content shall not exceed ten per cent; nor shall this paragraph (d) (1) be understood to prevent the use in the manufacture of any rotenone insecticide of other active ingredients, activators or wetting agents.

(2) No person shall manufacture or process any rotenone insecticide incorporating pyrethrum.

(e) *Restrictions on packaging.* (1) No processed rotenone or rotenone insecticide may be delivered in any package to any person by any importer, processor, manufacturer or distributor unless such package clearly displays on the label thereof or on a suitable tag securely affixed thereto, a statement substantially as follows:

The use of this material is restricted by WPB's Conservation Order No. M-133, as amended, to the following uses:

1. Peas—protection against the pea weevil and pea aphid.

2. Beans—protection against Mexican bean beetle.

3 Cole crops—other than cabbage, including: broccoli, brussels sprouts, cauliflower, kohl-rabi, mustard, kale, turnips, and collards—for protection against caterpillars and aphids.

4 Sweet corn—for protection against the European corn borer.

5. Cattle—for the specific control of cattle grub (ox warble) or short-nosed cattle louse.

[Paragraph (e) (1) amended April 17, 1943]

(2) War Production Board may at any time issue directions to processors with respect to the size of package in which rotenone insecticides may be packed.

(f) *Applications and reports.* (1) Each importer or processor seeking authorization to make delivery of rotenone during any calendar month beginning with March, 1943 shall file application on or before the 10th day of the preceding calendar month. Application for authorization to deliver rotenone in January or February, 1943, shall be made as many days as possible in advance of the requested delivery. In any case, the application shall be made on Form PD-601 in the manner prescribed therein, subject to the following specific instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-133, the fourth to be retained for applicant's files.

(iii) In the heading, under name of chemical, specify "Rotenone"; under WPB Order No., specify "M-133"; under name of company, state name and mailing address; under unit of measure, specify "pounds"; and state the month and year for which authorization for use or acceptance of delivery is sought.

(iv) In Columns 3 and 8, specify form; that is, whether dust, extract, ground root, etc., and insert per cent of pure rotenone.

(v) The importer or processor may, if he wishes, leave blank Column 5.

(vi) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(2) Each person, other than the Army or Navy of the United States, or the United States Maritime Commission, or War Shipping Administration, who, as of the close of business on December 31, 1942, owned more than five hundred pounds of rotenone, or more than five thousand pounds of rotenone insecticides, or a combination of the two having a rotenone content of more than five hundred pounds, shall on or before February 10, 1943, file Form PD–785 with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133, retaining a copy for his files.

(3) The War Production Board may require each person affected by this order to file such other reports in respect to such materials and at such times as it may from time to time prescribe and may issue special directions to any importer or processor with respect to the preparing and filing of PD–601.

(g) *Exceptions in the case of rotenone insecticides in small packages.* The restrictions of paragraphs (b) (1) to (b) (5), inclusive, (c) (1) to (c) (3), inclusive, and (e) (1) are not applicable to rotenone insecticides packaged in quantities of one pound or less, where in solid form, or of one pint or less, where a liquid.

(h) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

[Paragraph (h) redesignated April 17, 1943]

(i) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning deliveries, processing and use of rotenone and rotenone insecticides.

[Paragraph (1) redesignated April 17, 1943]

(2) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6014; Filed, April 17, 1943; 11:41 a. m.]

PART 1235—COMBED COTTON YARN (INCLUDING SALES YARN AND YARN FOR PRODUCERS' OWN USE)

[General Preference Order M–155 as Amended April 17, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of combed cotton yarn and of certain combed cotton fabrics, for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1235.1 *General Preference Order M–155*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purposes of this order:

(1) "Combed cotton yarns" means greige cotton yarn, in all counts and descriptions up to and including 90's, which in addition to having been put through cotton carding machinery has also been through the further process of combing, whether produced for sale or in integrated mills for use directly in the manufacture of fabrics, braids, tapes or other products.

(2) "Medium combed yarns" means the combed cotton yarns in counts from 61s to 90s, inclusive, single or plied, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes or other products.

(3) "Coarse combed yarns" means the combed cotton yarns in counts coarser than 61s single or plied, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes or other products.

(4) "Reserved combed yarn" means the combed cotton yarns, required to be earmarked pursuant to the terms of this order, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes or other products.

(5) "Producer" means any person who, on February 28, 1942, was spinning medium or coarse combed yarns, or both, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes, or other products, or who, on that date, had idle equipment capable of producing either of them, except that any such person shall not be deemed a producer as to that portion of his production which is equivalent to the portion of his production during the month of February, 1942 which was used or sold in the manufacture of combed yarn used in stitching thread (as distinguished from embroidery or decorative thread). The term "producer" shall include, but without limitation thereto, sales yarn mills, spinner-weavers, spinner-mercerizers and spinner-knitters.

(6) "Officers uniforms" shall mean uniforms (including shirts) manufactured in accordance with the regulations of and required to be worn by the United States governmental agency concerned for:

(i) United States Army officers (warrant officers and nurses).

(ii) United States Navy officers (commissioned and warrant), chief petty officers and nurses.

(iii) United States Marine Corps officers and warrant officers.

(iv) United States Coast Guard officers nd chief petty officers.

(v) United States Government military and naval academy and training school students.

(vi) United States Maritime Commission officers.

(vii) United States Coast and Geodetic Survey officers.

(viii) United States Public Health Service officers or nurses.

(ix) United States Women's Army Auxiliary Corps and any similar United States navy corps or organization.

(x) United States Army Specialist Corps.

(c) *Directions with respect to the production of combed cotton yarns.*—(1) *Medium combed yarns.* Notwithstanding the provisions of any contracts to which he may be a party, each producer of medium combed yarns shall, as soon as may be necessary for him to do so in order to make delivery in accordance with the terms of any purchase order placed with him of the type specified in paragraph (d) (1) hereof and as soon as the required yarn counts and descriptions can be produced by him, earmark at least 40 percent of his production thereof as reserved combed yarns.

(2) *Coarse combed yarns.* Notwithstanding the provisions of any contracts to which he may be a party, each producer of coarse combed yarns shall, as soon as may be necessary for him to do so in order to make delivery in accordance with the terms of any purchase order placed with him of the type specified in paragraph (d) (1) hereof and as soon as the required yarn counts and descriptions can be produced by him, earmark at least 65 percent of his production thereof as reserved combed yarns.

(3) No producer shall fail to operate his equipment capable of producing medium or coarse combed yarns at maximum practicable capacity or take any action which would decrease his weekly production of medium combed yarns, coarse combed yarns, or both, except to the extent necessary to meet his required deliveries of such yarns or of fabrics woven therefrom, within the limitations set forth in paragraph (c) (1), (2) and (5).

(4) Nothing in paragraph (c) (1), and (2) and (3) shall prevent or preclude any producer from earmarking a higher percentage of medium or coarse combed yarns as reserved yarns.

(5) Production in accordance with paragraph (c) (1) and (2) shall be earmarked in the counts required to meet the current specifications or requirements of the procurements of:

(i) The Army or Navy of the United States, including, but without limitation thereto, the yarn counts required by the following fabrics:

(a) Cloth, cotton, twill, 6 oz., Quartermaster Corps Tentative Specification P. Q. D. No. 95. September 25, 1941;

(b) Cloth, cotton, uniform, twill, Quartermaster Corps Tentative Specification P. Q. D. No. 33–A, December 9, 1941, superseding P. Q. D. No. 33, February 17, 1941;

(c) Cloth, cotton, wind resistant, Quartermaster Corps Tentative Specification P. Q. D. No. 1, December 13, 1940, superseding Q M. C. Tent. Spec. September 24, 1940;

(d) Army-Navy Aeronautical Specification cloth; airplane, cotton, mercerized, AN–CCC–C–399, Amendment 1, October 23, 1939;

(e) Twill, bleached and shrunk, Navy Department Specification No. 27T25, Sept. 2, 1941, superseding 27D5c, Jan. 2, 1937;

(f) Lining, uniform, cotton (twill), U. S. Army Specification No. 6–100B, Sept. 17, 1929;

(g) Cloth, balloon; finished, U. S. Army Specification No. 6–39–G, May 5, 1937. Amendment No. 2, June 25, 1941;

(h) Cloth, balloon; finished, U. S. Army Specification No. 6–39–G, May 5, 1937, superseding No. 6–39–F, December 2, 1932;

(i) Netting; mosquito (unbleached-bobbinet) Federal Specification JJ–N–191, January 5, 1932, superseding F. S. No. 540a, January 25, 1929;

(j) Netting; mosquito, U. S. Army, Quartermaster Corps Specification P. Q. D. No. 17a;

(k) Netting; mosquito, U. S. Army, Quartermaster Corps Specification P. Q. D. No. 82;

(l) Netting; mosquito, U. S. Navy, Bureau of Ships Specification No. 27N1 (INT);

(m) Socks, cotton, tan, Federal Specification No. JJ–S 566A, dated August 26, 1938.

as such specifications are from time to time revised or amended.

(ii) The United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(iii) Manufacturers of officers uniforms or fabrics therefor as approved by the respective departmental regulations for such uniforms;

(iv) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates and Yugoslavia;

(v) Any agency of the United States Government for material or equipment to be delivered to, or for the account of, the government of any country listed in paragraph (c) (5) (iv) or any other country, including those in the western hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(vi) Manufacturers of tracing cloth, typewriter ribbons, and electrical insulation materials, but only to the extent and in the counts that such combed yarns have been heretofore used or specified for such purposes;

(vii) The Defense Supplies Corporation, or other corporation organized under section 5d of the Reconstruction Finance Corporation Act, as amended;

(viii) Manufacturers specifically authorized to purchase reserved combed yarns by the War Production Board acting pursuant to paragraph (f).

(d) *Directions with respect to the sale, delivery or use of reserved combed yarns.* (1) All reserved combed yarns shall be used, sold, or delivered only upon orders therefor for physical incorporation into material or equipment to be delivered to or for the account of the persons listed in paragraph (c) (5), except as otherwise authorized by the War Production Board.

(2) No producer shall hold a stock of reserved combed yarn for the account of any customer over one week without notifying the War Production Board and stating the counts, quantities and descriptions of such reserved combed yarns.

(3) Each producer, holding a stock of reserved combed yarn for his own account in excess of his current weekly production of such yarn, shall immediately notify the War Production Board stating the counts, quantities and descriptions of such reserved combed yarns on hand.

(4) No person, operating a warehouse or other place of storage shall hold in storage any combed yarns for a period longer than 30 days without notifying the War Production Board, stating the most complete description of the yarn known to him and the person for whose account it is being stored.

(5) No person, except those mentioned in paragraph (c) (5) (vii) and (viii) or (d) (4), shall accept delivery of reserved combed yarns unless such yarns shall be put into process by him within 30 days after actual receipt thereof by him at his plant or at any warehouse or other place of storage for his account or are required by him for immediate delivery to others who shall put them into process after actual receipt thereof by him at his plant or at any warehouse or other place of storage for his account.

(6) No producer, regardless of whether he has heretofore engaged in the business of selling combed cotton yarns, or not, shall refuse to accept and fill, to the extent of his production of reserved combed yarns, a purchase order therefor of the kind specified in paragraph (d) (1), unless:

(i) The person placing the same is unable or unwilling to meet the established prices and terms therefor; or

(ii) The producer shall have already sold all of his reserved combed yarns to be produced in the delivery period required by the said purchase order to another person for a use permitted in the said paragraph (d) (1); or

(iii) The producer will require all his unsold reserved combed yarns for use himself as permitted in paragraph (d) (1), prior to the availability of further production thereof by himself; or

(iv) The purchase order is for combed cotton yarn in counts or in put-ups which the producer, in view of his commitments under paragraph (d) (6) (ii) and (iii) above, is not capable of producing, due to the limitations of his available machinery and equipment and the proposed purchaser is unable or unwilling to supply the necessary equipment or machinery;

Provided, however, That nothing in this order shall excuse any person producing combed cotton fabrics from the requirements of complying with the provisions of Priorities Regulation No. 1 with respect to the compulsory acceptance and filling of defense or other preference rated orders in accordance with the preference ratings assigned thereto; but any person with whom an order is placed for fabrics for a use permitted in paragraph (d) (1) hereof may, if his own supply of reserved combed yarns is not available, in whole or in part, for any of the reasons set forth in paragraphs (d) (6) (ii), (iii) and (iv) above, place a purchase order with any other producer for the necessary combed cotton yarns required over and above his own reserved combed yarns, to be filled out of such other producer's reserved yarns. Such other producer shall accept and fill such purchase order subject to paragraphs (d) (6) (i), (ii), (iii) and (iv).

(e) *Restrictions on the sale or delivery of the residual supply of combed cotton yarns and on fabrics woven therefrom.* No producer shall make any discriminatory cuts in sales or deliveries of non-reserved coarse or medium combed cotton yarns in counts which the producer continues to make, or fabrics woven therefrom, between former customers desiring to purchase the same, and who purchased such yarns or fabrics in the year 1941 and heretofore in 1942, notwithstanding the provisions of any contracts to which he may be a party, or between such former customers and his own use of such yarns or fabrics, except to the extent necessary to make his required deliveries upon purchase orders for such yarns or fabrics carrying preference ratings.

(f) *Appeal.* Any person affected by this order who considers that compliance

therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of combed cotton yarn conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M–155, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time, but no reports other than the notifications required by paragraph (d) hereof, shall be filed until forms therefor shall have been prescribed.

(i) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder, shall unless otherwise directed, be in writing and be addressed to: War Production Board, Washington, D. C. Reference M–155.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6015; Filed, April 17, 1943; 11:40 a. m.]

PART 1252—GAGES AND PRECISION MEASURING HAND TOOLS

[General Preference Order E-5-a as Amended April 17, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of gages and precision measuring hand tools, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1252.2 *General Preference Order E–5–a*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person who is engaged in the manufacture of gages or precision measuring hand tools.

(3) "Approved user" means any of the following:

(i) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(ii) Any person producing any product or conducting any business listed on Schedule I or II of CMP Regulation No. 5, as amended from time to time.

(iii) Any person conducting any activity or rendering any service listed on Schedule I or II of CMP Regulation No. 5A, as amended from time to time.

(iv) The government of any country designated, under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), as eligible to receive lend-lease aid.

(v) Any person to whom the Board of Economic Warfare has approved the granting of an export license for gages or for precision measuring hand tools.

(vi) Any other persons specifically designated by the War Production Board.

(4) "Approved employee" means any person who is employed or is about to be employed by any approved user. A student of any vocational or other training school is not an approved employee as such, and sales to such students, whether by producers, distributors, or the vocational or training school itself are not permitted under the provisions of this order.

(5) "Distributor" means any person other than an approved user who purchases or accepts delivery of any gages or precision measuring hand tools exclusively for resale and not for use.

(6) "Gages and precision measuring hand tools" means those tools which are used to determine whether a product meets required dimensional specifications, excluding those gages specified on Exhibit A attached hereto and excluding devices made of wood.

(7) "Continental United States" means the territory comprising the several States and the District of Columbia.

(b) *Restrictions on sales by producers and distributors.* On and after May 1, 1943, no producer or distributor shall sell or deliver any gages or precision measuring hand tools except in fulfillment of the following purchase orders:

(1) Purchase orders placed by approved users, and by distributors, bearing a preference rating of A–9 or higher, accompanied by a statement substantially as follows which shall be in addition to any other certification required in applying or extending such preference rating:

Purchased pursuant to General Preference Order E–5–a. Delivery of this order will not increase the undersigned's inventory beyond a supply required by the undersigned's current practices for use or for resale during a thirty-day period, except as permitted by paragraph (c) of General Preference Order E–5–a.

Provided, however, No such statement is required to accompany purchase orders for those production type gages listed on Exhibit B attached hereto.

(2) (i) Purchase orders placed by approved employees bearing a preference rating of AA–2X or higher, accompanied by a certification by the approved employee and an authorized official of his employer (which employer must be an approved user) signed either manually or as provided in Priorities Regulation No. 7, substantially as follows:

Preference Rating ------ (specify rating) EHT. The following gage or precision measuring hand tool----------

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(only one tool may be placed on each certification; specify type and size of tool)

is required by the undersigned approved employee as a condition to retaining or obtaining employment with the undersigned approved user as defined in General Preference Order E–5–a. The undersigned approved employee further certifies that he does not own or possess any similar gage or tool capable of use in his employment.

Name of Approved Employee
Position: ----------

Name and Address of Approved User

Authorized Signature.

(ii) Effective March 26, 1943, deliveries to an approved employee of gages and precision measuring hand tools which are required by him as a condition to retaining or obtaining employment with an approved user are hereby assigned the same preference rating as is assigned to such approved user's purchase of maintenance, repair and operating supplies by CMP Regulation No. 5 or CMP Regulation No. 5A. (For example: Deliveries to an approved employee of gages and precision measuring hand tools required in his employment in a plant manufacturing ammunition are assigned a preference rating of AA–1, this being the same rating assigned to his employer (an approved user) by Schedule 1 of CMP Regulation No. 5.)

(iii) A preference rating assigned under paragraph (b) (2) (ii) of this order shall be applied by placing the rating at the commencement of the joint certification required from the approved employee and his employer by paragraph (b) (2) (i) of this order.

(iv) A person who receives a purchase order rated and endorsed in accordance with paragraph (b) (2) of this order may extend the rating to the extent permitted by Priorities Regulation No. 3 (using the endorsement therein specified) and accompanying such endorsement with the symbol EHT and a statement substantially in the same form as set forth in paragraph (b) (1) of this order.

(v) The symbol EHT shall constitute an "allotment symbol" for the purposes of CMP Regulation No. 3, and a purchase order bearing the symbol EHT shall have the status of a delivery order bearing a preference rating with an allotment symbol as provided in CMP Regulation No. 3.

(c) *Restrictions on sales by approved users.* On and after May 1, 1943, no approved user shall sell or deliver any gages or precision measuring hand tools except to persons employed or about to be employed by such approved user, or except pursuant to § 944.11 of Priorities Regulation No. 1.

(d) *Effect of certification.* Any certification made pursuant to this order shall constitute a representation to the seller and to the War Production Board of the truth of the facts therein set forth, upon which the seller shall be entitled to rely unless he knows or has reason to believe the same to be false.

(e) *Restrictions on inventory.* On and after May 1, 1943, no distributor or approved user shall buy or accept delivery of any gage or precision measuring hand tool the delivery of which will at the time effect an increase in his inventory beyond a supply required by his current practices for use or for resale during a thirty-day period: *Provided, however,* That the deliveries of gages or precision measuring hand tools pursuant to the following designated types of purchase orders shall be permitted to effect such an increase:

(1) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) Purchase orders placed by the Army, Navy, Maritime Commission, or War Shipping Administration for gages or precision measuring hand tools required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes or to supply such bases or supply depots outside the continental United States.

(3) Purchase orders for those production type gages listed on Exhibit B attached hereto.

(f) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of gages or precision measuring hand tools, allocate any order for gages or precision measuring hand tools to any other producer, divert or otherwise direct the delivery of any gage or precision measuring hand tool to any other person.

(g) *Records.* Each producer and distributor shall keep and preserve for not less than two years complete records of his inventories and sales of gages and precision measuring hand tools.

(h) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(k) *General Preference Order E–5 superseded.* This order supersedes as of May 1, 1943, General Preference Order E–5, issued on June 15, 1942.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: E–5–a.

(n) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Spark plug gages.
Camber gages.
Caster gages.
Brake shoe gages.
Brake drum gages.
Toe-in gages.
Alignment indicators.

EXHIBIT B

Round external gages.
Round internal gages.
External thread gages.
Internal thread gages.
Snap gages.
Fixture gages.
Flat gages.

[F. R. Doc. 43-6016; Filed, April 17, 1943; 11:40 a. m.]

PART 3220—BLANKETS

[Conservation Order M-298]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the manufacture of blankets for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3220.1 *Conservation Order M–298*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Blanket manufacturer" means any person engaged in the business of manufacturing blankets for sale.

(2) "Blanket materials" means materials (including binding fabric and sewing thread) for physical incorporation in blankets, except wool fiber.

(3) "Blanket line" shall have its customary trade significance.

(c) *Assignment and application of preference rating.* Preference rating of A–2 hereby is assigned to deliveries of blanket materials pursuant to purchase or manufacturing orders placed by blanket manufacturers, subject to paragraph (d). Said rating shall be applied and extended in the manner provided by Priorities Regulation 3.

(d) *Restrictions on use of materials secured pursuant to rating.* No manufacturer shall use any blanket materials obtained pursuant to the application of the preference rating assigned by paragraph (c) unless the blankets manufactured conform to the sizes, weights and specifications applicable to the respective types and kinds of blankets, as set forth below:

(1) All cotton blankets:
(i) Plaid:
66" x 76" 2 lbs. per pair—stitched ends only.
70" x 80" 2½ lbs. per pair—stitched ends only.
72" x 84" 3½ lbs. per pair—stitched ends or maximum 3" binding.
Colors: Rose and white—blue and white. In pairs or singles of pairs.
(ii) White sheet blankets:
70" x 90"—single only—stitched ends only.
70" x 95"—single only—stitched ends only.
80" x 95"—single only—stitched ends only.
Weight or construction: Only one weight or construction produced by the blanket manufacturer during 1942 as a regular number.
(iii) Jacquard blankets:
64" x 76" 1¾ lbs. per single—single only.
66" x 80" 2¼ lbs. per single—single only.
70" x 80" 5 lbs. per pair. Pairs or singles of pairs.
72" x 84" 5½ lbs. per pair. Pairs or singles of pairs.
Stitched or hemmed ends or with binding not over 4".
Patterns: Only those for which cards were cut prior to April 17, 1943.
Colors: Not more than 4-color combinations to a pattern.
(2) 95% cotton and 5% wool waste, noils, reprocessed or reused wool fibers:
(i) Plaid.
70" x 80" 3 lbs. per pair.
Colors: Rose and white—blue and white.
Binding: Not exceeding 3".
In pairs or singles of pairs.
(3) 95% cotton and 5% wool:
(i) Plaid.
72" x 84" 3¾ lbs. per pair.
Colors: Rose and white—blue and white—cedar and white.
Binding: Not exceeding 4".
In pairs or singles of pairs.
(4) 75% cotton and 25% wool:
(i) Plaid.
72" x 84" 3¾ lbs. per pair.

Colors: Rose and white—blue and white—cedar and white—green and white.
Binding: Not exceeding 4".
In pairs or singles of pairs.
(ii) Solid color single:
72" x 84" 2¾ lbs. per single.
72" x 84" 3¼ lbs. per single.
Colors: Rose blue, green, and cedar.
Binding: Not exceeding 4".
(iii) Jacquard single
72" x 84" 2¾ lbs. per single.
Patterns: Only those for which the cards were cut prior to April 17, 1943.
Colors: Not more than 4-color combinations to a pattern.
Binding: Not exceeding 4".
(5) Rayon and other fibers:
(i) Solid color single
Only one size—not exceeding 72" x 84".
Only one weight—not exceeding 3½ lbs. per single.
Only one blend—as made during 1942 and containing not over 25% wool fiber by weight.
Colors: Rose, blue, green, and cedar
Binding: Not exceeding 4".
(ii) Jacquard single
Only one size—not exceeding 72" x 84"
Only one weight—not exceeding 3½ lbs.
Only one blend—as made during 1942 and containing not over 25% wool fiber by weight.
Patterns: Only those for which the cards were cut prior to April 17, 1943.
Colors: Not more than 4-color combinations to a pattern.
Binding: Not exceeding 4".
(6) Wool blankets:
Blankets either plain, plaid or jacquard design containing more than 25% wool fiber by finished weight.
Width: Not to exceed 72".
Length: Not to exceed 84".
Weight: Not to exceed 4¼ lbs. per single for double woven fabric or 2¾ lbs. per single and 5½ lbs per pair for single woven fabric.
Colors: Solid colors, plaids and jacquards restricted to not more than 4 colors and white in any one range.
Binding: Not to exceed 4".
Wool blends limited to following ranges:
50% wool fiber, 75% wool fiber, 98–100% wool fiber.
(7) Crib blankets:
(i) All cotton receiving blankets
26" x 34"
Either 27" x 36" or 28" x 37"
30" x 40"
36" x 50"
(ii) All cotton jacquard or double woven:
30" x 40"
36" x 50"
(iii) Rayon blend containing not more than 25% wool fiber:
36" x 50"
(iv) 75% cotton and 25% wool blankets:
36" x 50"
Blends, weights, patterns and designs: Only those which were manufactured by blanket manufacturer on or before April 17, 1943.
Colors: Pink, blue and white.
Binding: Not over 4" or with stitched ends.

(e) *General restrictions on manufacture of blankets.* No person shall, after May 17, 1943, manufacture for sale any blankets:

(1) Which exceed 84" in length: *Provided, however,* That white cotton sheet blankets may be manufactured in lengths not exceeding 95", or

(2) In more than four colors and white for each blanket line, or in the case of jacquard blankets, in color combinations requiring more than four colors and white.

(f) For the purpose of this order a tolerance of

(1) 10% plus of wool fiber content shall be permitted, and

(2) 5% plus or minus in weight and size of a blanket shall be permitted.

(g) *Fair distribution of products.* No blanket manufacturer shall discriminate in the acceptance or filling of orders or in making deliveries, as between regular customers who meet his established terms and conditions.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M–298.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6017; Filed, April 17, 1943; 11:41 a. m.]

PART 1100—ANTI-FREEZE

[Limitation Order L–51 as Amended April 19, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of alcohols as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1100.1 *General Limitation Order L–51*—(a) *Definitions.* For the purposes of this order:

(1) "Anti-freeze" means any mixture that is designed and intended for use, without further processing, to depress the freezing point of coolant water in internal combustion engines.

(2) "Alcohols" means ethyl alcohol, methyl alcohol, isopropyl alcohol, and/or ethylene glycol.

(3) "Producer" means any person engaged in the manufacture of anti-freeze from alcohols.

(4) "Distributor" means any person engaged in the resale of anti-freeze manufactured from alcohols.

(5) "Passenger automobile" means any passenger type vehicle, including station wagons and taxicabs, propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(6) "Commercial vehicle" means any motor vehicle other than a passenger automobile, and in addition includes stationary engines.

(b) *Restrictions on manufacture of anti-freeze* (1) No producer shall manufacture anti-freeze from alcohols in greater quantities than specifically authorized from time to time hereafter by the War Production Board.

(2) The restrictions on the manufacture of anti-freeze from alcohols set forth in paragraph (b) (1) of this section shall not apply to the manufacture of anti-freeze to be delivered to fill a specific contract or subcontract for:

(i) The Army or Navy of the United States, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development,

(ii) The government of any of the following countries: The United Kingdom, Canada and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, The Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia, and

(iii) The government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

Quantities of anti-freeze permitted to be manufactured under this subparagraph shall be in addition to quantities permitted under quotas authorized pursuant to paragraph (b) (1) of this section.

(3) Producers may apply to the War Production Board for an authorized anti-freeze quota on Form PD-476.

(c) (1) Except as provided in (c) (2) hereof, no producer or distributor shall deliver anti-freeze, manufactured in whole or in part from ethylene glycol, or containing ethylene glycol, to any person other than a distributor, except by physically placing such anti-freeze in the radiator of a commercial vehicle owned or operated by such person.

(2) Notwithstanding the provisions of paragraph (c) (1) hereof, a producer or distributor may deliver anti-freeze to:

(i) Any of the agencies or governments named in paragraph (b) (2);

(ii) Any passenger automobile manufacturer for use in any new passenger automobile to be delivered to the Army or Navy of the United States; or

(iii) Any other person who shall prior to such delivery have filed with such producer or distributor a certificate in substantially the following form:

The undersigned purchaser hereby certifies that the anti-freeze hereby ordered (manufactured from or containing ethylene glycol) will not be used in, or disposed of for use in, any passenger automobile as defined in War Production Board Order L–51.

Name of Purchaser

By ---
Authorized Official Title

Date

Such certificate may be endorsed on or accompany the order for anti-freeze and shall constitute a representation to (but need not be filed with) War Production Board. It shall be signed by the purchaser, if an individual, or if not, then by a duly authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of anti-freeze by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

[NOTE: Paragraphs (d), (e), (f), (g), (h), (i) and (j) redesignated April 19, 1943]

(d) *Exemption from general inventory restrictions.* The restrictions on inventories provided by Priorities Regulation No 1 (§ 944.14) shall not be applicable to anti-freeze manufactured from alcohol; *Provided, however,* That no person shall knowingly make, and no person shall accept, delivery of such anti-freeze if the inventory of the person accepting delivery is or will by virtue of such acceptance become, in excess of the quantity required, whether for own use or resale, for the season April 1, 1943, to March 31, 1944.

(e) *Effect on other orders.* The terms and provisions of this order or of any specific authorization issued hereunder by the War Production Board, establishing an anti-freeze quota, shall control and supersede the terms and provisions of any other order heretofore issued by the War Production Board affecting the manufacture of anti-freeze from any of the alcohols.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the Chemicals Division, War Production Board, such reports and questionnaires as said branch shall from time to time prescribe.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of anti-freeze conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference: L–51, Attention Chemicals Branch, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

Issued this 19th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6107; Filed, April 19, 1943; 11:16 a. m.]

PART 1222—EXPORTS UNDER LICENSES ISSUED BY THE BOARD OF ECONOMIC WARFARE

[General Exports Order M–148, as Amended April 19, 1943]

§ 1222.1 *General Exports Order M–148*—(a) *Requirement of delivery for export.* Any person receiving, from the holder of an export license issued by the Board of Economic Warfare, a purchase order for material covered by such license, to which a preference rating has been assigned by the Board of Economic Warfare, shall accept such order and make delivery thereunder in accordance with such rating, unless such order would be in excess of any export quota relating to such material previously established for such person by the War Production Board. Such delivery shall be made regardless of any order of the War Production Board restricting inventories of material or uses thereof in manufacture or otherwise, or requiring certificates with respect to such inventories or uses, insofar as such inventories are maintained or such uses occur in the country to which such material is to be exported, but shall be subject to such restrictions with respect to inventories maintained or uses occurring within the United States prior to export. Such preference ratings shall be assigned by the Board of Economic Warfare only pursuant to specific authority granted, from time to time, by the War Production Board with respect to specified quantities of material.

[Paragraph (b) *Reports* revoked April 19, 1943, and subsequent paragraphs redesignated]

(b) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(c) *Application or extension of rating.* Notwithstanding the provisions of Priorities Regulation No. 3, a rating assigned by the Board of Economic Warfare may be applied, by the holder of the export license for the material ordered, only by endorsing on, or attaching to, the contract or purchase order to which the rating is to be applied, a certification in substantially the following form (or, if appropriate, and at the holder's option, in the form prescribed in Priorities Regulation No. 9, as amended from time to time) signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby represents to the seller and the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this purchase order, pursuant to an assignment thereof by the Board of Economic Warfare upon Export License Number ----, and that this purchase order is subject to the provisions of General Exports Order No. M–148. This material is to be charged to the period: -------- to --------.

(Name) (Address)

(Date)

By ---
(Signature and title of duly authorized officer)

Any extension of any such rating shall be pursuant to the provisions of Priorities Regulation No. 3.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

This order shall take effect October 1, 1942, and shall continue in effect until revoked by the War Production Board.

Issued this 19th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6109; Filed, April 19, 1943; 11:16 a. m.]

PART 1246—CHEMICAL COTTON PULP

[Conservation Order M–157, as Amended April 19, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chemical cotton pulp for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1246.1 *Conservation Order No. M–157*—(a) *Definitions.* For the purpose of this order:

(1) "Chemical cotton pulp" means

(iii) In the heading, under name of chemical, specify chemical cotton pulp; name and

mailing address; and leave delivery destination, supplier and his shipping point

(c) *Special provisions governing applications and reports.* (1) The War

PART 3135—ACRYLIC MONOMER AND ACRYLIC RESIN

ment of any of the following countries: Belgium, China, Czechoslovakia, Free

(1) "Chemical cotton pulp" means pulp manufactured by chemically purifying raw cotton fibres, sometimes described as "cotton linter pulp" or "cottonseed hull shavings pulp."

(2) "Producer" means any person producing chemical cotton pulp.

(3) "Consumer" means any person who purchases or accepts delivery of chemical cotton pulp for use or resale.

(b) *Restrictions on deliveries of chemical cotton pulp.* (1) No producer shall deliver chemical cotton pulp, and no person shall accept delivery of chemical cotton pulp from a producer, except as specifically authorized by the War Production Board upon application pursuant to paragraph (d), or as provided in paragraph (c).

(2) Each person specifically authorized to accept delivery of chemical cotton pulp shall use such chemical cotton pulp for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board in its discretion may at any time issue special directions to any person with respect to the use or delivery of chemical cotton pulp by such person, notwithstanding the provisions of paragraph (c) hereof, or special directions to any producer with respect to the kinds of chemical cotton pulp which he may or must manufacture, the amount of his monthly production which he shall withhold as a reserve, and the disposition of such production reserve.

(c) *Exemptions.* Specific authorization of the War Production Board shall not be required with respect to deliveries by a producer (which may be made without regard to preference ratings) of 200 short tons or less of chemical cotton pulp in any one month (in lots of not more than 50 short tons to any one consumer in any one month), and the acceptance by a consumer of delivery of 50 short tons or less of chemical cotton pulp in any one month.

(d) *Applications and reports.* (1) Each consumer seeking authorization to accept delivery of chemical cotton pulp during any calendar month shall file application on or before the 5th day of the month preceding the month for which authorization for use or delivery is requested. Such application shall be made on Form PD–600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–600 may be obtained at local offices of the War Production Board.

(ii) Five copies shall be prepared, of which three certified copies shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–157, and one (with Tables II, III and IV blank) shall be forwarded to the supplier. A separate set of forms shall be prepared for each plant location of the applicants, and for each supplier from whom pulp is requested.

(iii) In the heading, under name of chemical, specify chemical cotton pulp; under War Production Board order number, specify M–157; under unit of measure, specify short tons (2,000 lbs.); under name of company, specify name and mailing address; under delivery destination, show plant location; fill in supplier's name and his shipping point; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, specify "loose" or "sheeted".

(v) In Column 2, specify quantity of chemical cotton pulp requested for each use listed in Column 4.

(vi) In Column 3, specify primary product in terms of the following:

Viscose products.
Cellulose acetate products.
Cellulose nitrate products.
Cupra-ammonium products.
Acetate propionate.
Acetate butyrate.
Ethyl cellulose.
Methyl cellulose.
Other (specify).

(vii) In Column 4, specify product use in terms of the following:

Rayon filament yarn (other than high-tenacity)
Rayon staple fibre.
Rayon high-tenacity yarn.
Plastics (molding compounds).
Plastics (sheets, rods and tubes).
Film (photographic)
Film (other than photographic).
Surface coatings (lacquers, paints, etc.).
Explosives (military propellants).
Explosives (other than military propellants)
Meat casings.
Other (specify).

(viii) In columns 12 and 15 show separately, amounts on hand and amounts in transit directed to the applicant and subject to a bill of lading.

(ix) Leave Table IV blank on all copies, and Tables II and III blank on supplier's copy.

(2) Each consumer who has not filed an application on Form PD–600 pursuant to paragraph (d) (1) above during any month and who on the first day of such month had on hand 100 short tons or more of chemical cotton pulp shall file a report on or before the 5th day of such month. Such report shall be made on Form PD–600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–600 may be obtained at local offices of the War Production Board.

(ii) Two copies shall be prepared, of which one certified copy shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–157. A separate set of forms shall be prepared for each plant location.

(iii) In the heading, under name of chemical, specify chemical cotton pulp; under War Production Board order number, specify M–157; under unit of measure, specify short tons (2,000 lbs.); under name of company, specify name and mailing address; and leave delivery destination, supplier and his shipping point blank.

(iv) Leave Tables I, III and IV blank, filling in only Table II.

(v) State "last month" in heading of table II (the month preceding the month in which report is filed).

(vi) In column 11, specify "loose" or "sheeted".

(vii) In columns 12 and 15 show separately amounts on hand and amounts in transit directed to the reporting consumer and subject to a bill of lading.

(3) Each producer shall, on or before the 15th day of each month, file a report and apply for authorization to make deliveries during the next month; *Provided, however,* That no producer shall be required to file a report for any plant during the month following any month in which such plant produced 50 short tons or less of chemical cotton pulp. Such application and report shall be made on Form PD–601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD–601 may be obtained at local offices of the War Production Board.

(ii) Prepare five copies, of which four certified copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–157. A separate set of forms shall be prepared for each plant location.

(iii) Suppliers who have filed application on Form PD–600, specifying themselves as their suppliers, shall list their own names as customers on Form PD–601, and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify chemical cotton pulp; under War Production Board order Number, specify M–157; under name of company, state name and mailing address; state plant location and check producer box; state the month and year during which deliveries covered by the application are to be made; and under unit of measure, specify short tons (2,000 lbs.).

(v) Fill in Tables I and II, leaving only Columns 6 and 7 blank.

(vi) In Column 1 group customers by grade ("loose" first, and "sheeted" second), and list customers alphabetically in each group.

(vii) In Column 3, specify "loose" or "sheeted" grades as stated in customer's Form PD–600.

(viii) The supplier may, if he wishes, leave Column 5 blank.

(ix) In Column 8, specify "loose" or "sheeted".

(x) Stocks shown in Columns 10 and 13 should be the actual stock on hand at the time stated, excluding chemical cotton pulp in process or subject to a bill of lading, directed to a consumer.

(xi) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(e) *Special provisions governing applications and reports.* (1) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(2) Each producer who consumes all or part of his production of chemical cotton pulp shall treat the production and consumption parts of his operations as separate divisions within the meaning of paragraph (f) (3) hereof, and in his separate capacity as a consumer and as a producer shall file all the applications and reports required by paragraph (d).

(3) Each producer shall notify the War Production Board of the cancellation of any authorized delivery or of inability to make any authorized delivery as soon as possible after he has notice of such fact.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Records.* In addition to the records required to be kept by Priorities Regulation No. 1, as amended, each producer and each consumer shall retain for a period of not less than two years copies of all purchase orders for chemical cotton pulp, whether accepted or rejected, segregated from all other purchase orders or filed in such manner that they can readily be produced for inspection by representatives of the War Production Board.

(3) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of chemical cotton pulp shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(4) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or wilfully furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M–157.

Issued this 19th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6160; Filed, April 19, 1943; 11:16 a. m.]

PART 3135—ACRYLIC MONOMER AND ACRYLIC RESIN

[Allocation Order M–260 as Amended April 19, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of acrylic monomer and acrylic resin for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3135.1 *Allocation Order M–260*—(a) *Definitions.* For the purpose of this order:

(1) "Acrylic monomer" means the unpolymerized forms of the methyl and higher esters of acrylic and methacrylic acids.

(2) "Acrylic resin" means the polymerized form of the methyl and higher esters of acrylic and methacrylic acids, in the following forms:

Cast sheet (unfabricated)
Molded sheet (unfabricated)
Molding powder
Rod
Tube
Solution
Emulsion
Cast shapes
Acrylic denture-base material

The term "acrylic resin" shall include, but is not limited to, those acrylic resins in the above forms known by the following trade names:

Acryloid	Plexiglas
Crystalite	Primal
Lucite	Rhoplex
Methacrol	

["Methacrol" and "Plexiglas" corrected April 19, 1943]

(3) "Producer" means any person who, for other than exclusively dental purposes:

(i) Synthesizes acrylic monomer from raw materials; or

(ii) Manufactures acrylic monomer by de-polymerization of acrylic resin; or

(iii) Manufactures acrylic resin by polymerization of acrylic monomer.

(4) "Distributor" means any purchaser of acrylic monomer or acrylic resin from a producer for purpose of resale without further fabrication, processing or admixing, but does not mean any purchaser of acrylic monomer or acrylic resin who resells exclusively for dental purposes.

(5) "Direct war use" means a use where the acrylic monomer or acrylic resin or products made therefrom are to be delivered to, or incorporated into material to be delivered to, the United States Army, Navy, Coast Guard, Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Civil Aeronautics Administration, National Advisory Committee for Aeronautics, Office of Scientific Research and Development, or the government of any country, including those of the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(b) *Restrictions on use and delivery of acrylic monomer and acrylic resin by producers and distributors.* (1) On and after January 1, 1943, no producer or distributor shall use or deliver acrylic monomer or acrylic resin, and no person shall accept delivery of acrylic monomer or acrylic resin from a producer or distributor, except as follows:

(i) Pursuant to specific authorization by the War Production Board upon application pursuant to paragraph (f); or

(ii) Delivery by and acceptance of delivery from a person who produces or distributes acrylic monomer or acrylic resins exclusively for dental use; or

(iii) Acceptance of delivery of acrylic resin in cast sheet or molded sheet form from a producer or distributor by any person for aircraft glazing other than aircraft instrument lenses. Producers and distributors may not make deliveries for such use, however, without specific authorization of the War Production Board; or

(iv) Delivery of acrylic monomer by the acrylic monomer producing subdivisions to the acrylic resin producing subdivisions of the same enterprise under common ownership and control, and the use of such acrylic monomer by the latter subdivisions in the manufacture of acrylic resins; provided that no greater amount of acrylic monomer shall be so delivered and used than is necessary to produce the amount of acrylic resins for which delivery by the said acrylic resins producing subdivisions has been authorized; or

(v) Small order delivery and use of acrylic monomer and acrylic resins pursuant to paragraph (c).

(2) Each person authorized to accept delivery of acrylic monomer or acrylic resin shall use such acrylic monomer or acrylic resin for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) On and after December 10, 1942, the War Production Board at its discretion may at any time issue special directions to any person with respect to the use, delivery, or transportation of acrylic monomer or acrylic resin by any such person, or of products made from acrylic monomer or acrylic resin allocated to such person; or special directions to any producer with respect to the kinds of acrylic monomer or acrylic resin which he may or must manufacture.

(c) *Small order exemption.* (1) Specific authorization under this order by the War Production Board shall not be required with respect to acceptance of delivery from a producer or distributor by any person of acrylic monomer and acrylic resins in one or more of the following forms, in amounts not exceeding the following quantities in any one calendar month (subject to the requirements of paragraph (c) (2) below):

Molding powder	50 pounds
Cast sheet	50 square feet
Molded sheet	50 square feet
Cast shapes	50 pounds
Tube	25 pounds
Rod	25 pounds
Solution	10 gallons
Emulsion	10 gallons
Monomer	10 pounds

(2) No person shall use acrylic monomer or acrylic resin acquired pursuant to paragraph (c) (1) above except for a direct war use, as defined, or for experimental purposes directly relating to a direct war use.

(3) Each producer or distributor shall deliver amounts of acrylic monomer and acrylic resin to persons entitled to accept delivery pursuant to paragraph (c) (1) above, in amounts not exceeding the total amount which he is specifically authorized by the War Production Board (on Form PD–601) to deliver for such purpose.

(d) *Restrictions on use or delivery of inventories.* (1) No person other than a producer or distributor shall use or deliver first grade (unfabricated) acrylic resin cast sheet or virgin acrylic resin molding powder in the inventory of, or in transit to, such person on January 1, 1943, and no person shall accept such a delivery, except as follows:

(i) Use by such person of 25 pounds or less of such sheet and powder together in the aggregate; or

(ii) Use or delivery of such sheet or powder for a direct war use, or for an experimental purpose directly relating to a direct war use; or

(iii) Use or delivery of such powder by (but not to) such person who sells or distributes acrylic resin exclusively for dental purposes; or

(iv) Pursuant to specific authorization of the War Production Board upon application pursuant to paragraph (f).

(2) Use and delivery by producers and distributors of their stocks of acrylic monomer and acrylic resins shall be governed by the provisions of paragraph (b).

(e) *Special directions with respect to scrap.* The War Production Board at its discretion may from time to time issue special directions with respect to use, processing, delivery or acceptance of delivery of acrylic resin scrap.

[Paragraph (f) amended April 19, 1943]

(f) *Applications for authorization.* (1) Each person (including producers or distributors) seeking authorization to use or accept delivery of acrylic monomer or acrylic resin shall file application on Form PD–600 in the manner prescribed therein, subject to the following instructions for purpose of this order:

Form PD–600. Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

Time. Applications shall be filed on or before the 15th day of the month preceding the month for which authorization for use or acceptance of delivery is requested, except where delivery is sought from a distributor, in which case application shall be filed on or before the 10th day of the month, or except during December 1942, in which month applications shall be filed at the earliest possible opportunity.

Application shall be filed in time to ensure that a copy of the application will have reached the War Production Board and the producer or distributor on the date specified.

Applications under paragraphs (b) and (d). Applications by any person for use or acceptance of delivery of acrylic monomer or acrylic resin, whether from a producer or distributor under paragraph (b), or for inventory under paragraph (d), may be made on a single set of PD–600 forms.

Aircraft sheet applications. Application shall not be made on Form PD–600 by persons seeking delivery of acrylic resin cast sheet or molded sheet for aircraft glazing other than instrument lenses. Quantities of such sheet allocated each month by the War Production Board for such purpose will be distributed in accordance with instructions issued by the Aircraft Scheduling Unit, Steele building, Dayton, Ohio.

Number of copies. Where application is made for authorization to accept delivery as well as to use, five copies shall be prepared of which one (in which columns 4 through 23 inclusive may be left blank) shall be forwarded to the producer or distributor (or other person from whom delivery is sought), and three certified completely filled out copies to the War Production Board, Chemicals Division, Washington, D. C., Ref. M–260. Where application is made for use only, and not for acceptance of delivery, four copies shall be prepared, and three certified completely filled out copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref. M–260. A separate set of forms shall be filed for each producer, distributor, or other person from whom delivery is sought.

Intra-company deliveries. Subdivisions of any producer or distributor seeking authorization to accept delivery of acrylic monomer or acrylic resin from any other subdivision of the same enterprise under common ownership or control shall file Form PD–600 as in the case of any other applicant; except that intra-company deliveries of acrylic monomer for the production of acrylic resin governed by paragraph (b) (1) (iv) do not require the filing of Form PD–600.

Heading. Under name of chemical, specify acrylic monomer or acrylic resin, or both, as the case may be; under War Production Board order, specify M–260; under name of company, specify name and mailing address of applicant; under unit of measure, specify area and thickness in the case of flat sheet, and pounds or gallons in the case of other products (where more than one unit of measure is needed, specify each unit of measure and indicate symbols used below referring to such unit of measure); and specify delivery destination, supplier and shipping point.

Table I. Specify in the heading the month and year for which authorization for use or delivery is sought.

Column 1. Specify the grade or physical form of the material ordered, as follows:

1st grade cast sheet
2nd grade cast sheet
Molded sheet
Molding powder
Rod
Tube
Solution
Emulsion
Cast shapes
Monomer (identify type)

Column 2. Specify quantities in terms of the unit of measure stated in the heading above.

Column 3. Fill in Column 3 as follows:

For orders on hand:
  Primary Product*
  Export (in original form)
  Resale (in original form)
For anticipated orders:
  Primary Product*
  Export (in original form)
  Resale (in original form)
Inventory (in original form)

*The primary products referred to above shall be specified as follows:
Fabricated or molded parts (Identify as fabricated gauge lens, molded reflector, etc.)
Adhesive (Identify as label adhesive, tape adhesive, etc.)
Coating (Identify material coated such as leather, paper, canvas, etc.)
Pharmaceuticals
Dentures
Synthetic rubber
Other (Specify)

Column 4. Identify and specify end use of finished product or assembly. If definite end use is not known, written statement must be obtained from the prime contractor. In the case of secret projects, the word "secret" and the name of the prime contractor should be entered. The end use of the parts shall be identified as, for example, M–4 Tank, Navy PT Boat, etc.

In the case of a distributor, opposite "resale" in Column 3, write in "pursuant to further authorization or for paragraph (c) small orders" in Column 4.

Columns 5, 6, 7, 8, 9 and 10. Leave blank.

Tables II and III. Fill in as indicated.

Table IV. Leave blank.

(2) Each producer, distributor or other person seeking authorization to make delivery of acrylic monomer or acrylic resin, shall file application on Form PD–601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD–601. Copies of Form PD–601 may be obtained from local field offices of the War Production Board.

Time. Application on Form PD–601 shall be filed on or before the 22nd day of the month preceding the month for which authorization to make delivery is requested.

Applications under paragraphs (b) and (d). Application by any person to make delivery of acrylic monomer or acrylic resin may be made on a single set of PD–601 forms (whether under paragraph (b) or (d)).

Aircraft sheet deliveries. A consolidated application on Form PD–601 shall be made for authorization for deliveries of acrylic resin cast or molded sheet for aircraft glazing other than instrument lenses. (See instructions for Column 1 below.) Special directions by the War Production Board will be issued each month with respect to the amount of such sheet which shall be delivered by each producer (or distributor), in accordance with instructions issued by the Aircraft Scheduling Unit, Steele High Bldg., Dayton, Ohio.

Divisions of company. Each division of a single company producing or distributing acrylic monomer or acrylic resin shall file Form PD–601 as a separate individual for the purpose of this order. For further directions, see Column 1 instructions listed below.

Number of copies. Four copies shall be prepared, of which three certified copies shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref. M–260. A separate set of forms shall be filed for each plant of the producer or distributor.

Heading. Under name of chemical, specify acrylic monomer or acrylic resin, or both, as the case may be; under War Production Board order number, specify M–260; under name of company, specify name and mailing address of applicant seeking to make delivery; specify applicant's plant or warehouse address; indicate whether the applicant is a producer or a distributor as defined herein; specify the month and year during which deliveries covered by the application are to be made; and under unit of measure, specify area and thickness in the case of flat sheet, or pounds or gallons in the case of other products (where more than one unit of measure is used, specify the symbols used below to indicate such unit of measure).

Column 1. All customers shall be listed here who have filed Form PD–600 with the applicant.

Producing divisions seeking authorization to make deliveries to other divisions of the same enterprise under common ownership or control shall list the names of such other divisions as customers in Column 1 and shall fill in the other columns of Form PD–601 for such divisions as in the case of other customers. Intra-company deliveries of monomer for conversion into resin under paragraph (b) (1) (iv) need not be mentioned.

In the case of aircraft orders for cast or molded acrylic resin sheet, write in "sheet deliveries to be governed by Aircraft Scheduling Unit, Steele High Bldg., Dayton, Ohio."

Column 2. Fill in as indicated. Leave blank in case of sheet orders governed by Aircraft Scheduling Unit.

Column 3. Specify grade or physical form as stated in each customer's Form PD–600. In the case of aircraft sheet orders, specify "aircraft sheet".

Column 4. Specify quantity and unit of measure.

Columns 5 and 6. Leave blank.

Column 7. Persons (other than producers and distributors as defined) seeking to make delivery from inventory under paragraph (d) shall state in Column 7 the total amount in stock of each grade stated in Column 3.

Small orders. Producers and distributors filing application on Form PD–601 for authorization to make deliveries pursuant to paragraph (c) (3) shall list "small orders" in Column 1, the corresponding grade in Column 3, and the estimated aggregate deliveries in Column 4.

Experiment. A producer or distributor requiring acrylic monomer or acrylic resin for research, experiment, or development, shall make application on Form PD–601, and shall list his own name as customer.

Table II. In Column 8, grade or physical form shall be specified in the same manner as prescribed above for Column 1 of Form PD–600.

Producers, as defined herein, shall fill out Table II in full, and in Column 16 shall specify the estimated amount of monomer required for the estimated production appearing in Column 14. The producer shall strike out the heading printed in Column 16 and write in "monomer needed".

Distributors shall fill in Columns 8, 10, 12, 13 and 15 as indicated, and shall leave Columns 9, 11, 14 and 16 blank.

Persons (other than producers or distributors) seeking authorization to make deliveries from inventory under paragraph (d) shall leave Table II blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed and may issue special instructions to any such person with respect to preparing and filing forms PD–600 and PD–601.

(g) *Notification of customers.* Each producer and distributor shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the War Production Board priorities regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order where inconsistent herewith.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M–260.

Issued this 19th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R Doc. 43–6108; Filed, April 19, 1943; 11:16 a. m.]

PART 3238—LUMBER

[General Conservation Order M–279, as Amended April 19, 1943]

YELLOW POPLAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of yellow poplar for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Section 3167.1 *General Conservation Order M–279* of Part 3167—Yellow Poplar, is hereby transferred to the above designated Part and, as transferred, is amended in the following respects:

§ 3238.6 *General Conservation Order M–279*—(a) *Definitions.* For the purposes of this order:

(1) "Yellow poplar logs" means logs of the species *Liriodendron tulipifora.*

(2) "Yellow poplar aircraft logs" means all yellow poplar logs meeting the specifications for one of the following grades:

Log grades	Length[1]	Top diam. inside bark	Surface requirements	Taper allowed[2]	Spiral grain	Rot or dote permitted	Sweep ordinarily permitted
Select logs	12'+	24"+	Clear, no defects	2" in 8'	1" in 12"	6" in center of log	2" in 8'
No. 1 logs	12'+	18–23"	...do	...do	...do	5" in center of logs	Do.
No. 1 logs	12'+	24"+	3 clear faces or 75% of length clear.			6" in center of logs	Do.
No. 2 logs	12'+	14–17"	Clear	2" in 8'	1" in 12"	5" in center of log	Do.
No. 2 logs	12'+	18–23"	3 clear faces or 75% of length clear.	...do	...do	...do	Do.
No. 2 logs	12'+	24"+	2 clear faces or 50% of length clear.	...do	...do	6" in center of log	Do.

[1] Short logs of any length that are acceptable to the purchaser should be graded the same as longer logs.
[2] The taper stated in these log grading specifications refers to normal taper and does not apply to abnormal taper in the butt logs near the stump cut. Butt swell or root flare should be handled according to the effect that it will have on the finished product and logs graded and scaled accordingly.

(3) "Yellow poplar aircraft veneer" means any veneer produced from yellow poplar logs which meets the specifications AN–NN–P–511b.

(4) "Yellow poplar lumber" means any sawed lumber of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, produced from yellow poplar logs.

(5) "Yellow poplar aircraft lumber" means all yellow poplar lumber which meets the following basic specifications and grades:

(i) It shall meet the following requirements, which shall be considered the basic specifications:

(a) *Specific gravity.* The specific gravity shall be not less than 0.38 based on weight and volume when oven dry.

(b) *Annual rings.* There shall be not less than eight annual rings per inch.

(c) *Slope of grain.* The slope of the grain in all cuttings shall not exceed 1" in 15", except for short deviations occasioned by permissible burls.

(d) *Sapwood.* Sapwood shall be admitted in all cuttings without limit.

(e) *Blue stain.* Light blue stain will be admitted.

(f) *Mineral streaks or fire streaks.* Mineral streaks or fire streaks which show a separation of fiber, indication of decay or hard brittle wood, will not be admitted.

(g) *Coloration.* Sound natural colorations inherent to yellow poplar shall be admitted in the cuttings.

(h) *Burls.* Occasional sound burls not exceeding $\frac{1}{2}$" in diameter shall be admitted, provided they are located at least 1" from the edges of the cuttings.

(i) *Method of sawing.* All boards or cuttings shall be rift sawn or quarter sawn, or both. A board or cutting will be considered quarter or rift sawn if the annual rings form an angle of not less than 45 degrees to the face of each piece for at least $\frac{2}{3}$ its width.

(j) Grade No. 1 and all cuttings shall conform to the foregoing basic specifications and shall otherwise be clear.

(ii) In addition it shall conform to the following grading rules:

(a) Widths, all grades, 4" and wider.

(b) Lengths, all grades, 10' and longer in multiples of six inches, except that No. 1 aircraft grade will admit up to 5% in scale (board measure) of lengths under 10' and not less than 6' in length.

No. 1 Aircraft: Shall yield 100% in one piece.

No. 2 Aircraft: Shall yield 10/12 or 83⅓% in cuttings 3" and wider by 6' and longer. Minimum length of board 10'.

No. 3 Aircraft: Shall yield 8/12 or 66⅔% in cuttings 3" and wider by 6' and longer. Minimum length of board 10'.

(6) "Producer" means any plant which processes, by sawing, edging, planing, cutting, slicing, peeling or other comparable method, 25% or more of the total volume of logs, cants, flitches and lumber purchased or received by it, and which sells as lumber or veneer the product of such processing. "Volume" means board foot volume, or in the case of veneer, surface measure, processed or sold within the last six calendar months immediately prior to the transaction affected by this order.

(b) *General limitations.* No producer shall process any Select or Grade No. 1 yellow poplar aircraft logs into any other material than yellow poplar aircraft veneer or yellow poplar aircraft lumber, except to the extent that:

(1) Such logs will not yield yellow poplar aircraft veneer or yellow poplar aircraft lumber; or

(2) Such logs are processed into some other specified material pursuant to a specific processing directive or order issued by the War Production Board under paragraph (c) of this order.

(c) *Allocations.* The War Production Board may from time to time allocate specific quantities of yellow poplar aircraft logs to specific producers. It may also direct the specific manner and quantities in which delivery of such logs so allocated shall be made to particular producers and the production by such producers of particular lumber or veneer items from such logs. Such allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made in the discretion of the War Production Board, without regard to any preference ratings assigned to particular purchase orders or contracts. The War Production Board may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, by addressed to: War Production Board, Lumber and Lumber Products Division, Washington, D. C. Ref.: M-279.

Issued this 19th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6105; Filed, April 19, 1943; 11:16 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Utilities Order U-1, as Amended April 17, 1943]

§ 4500.1 *Utilities Order U-1*—(a) *Definitions for the purpose of this order:* (1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, engaged in, or constructing facilities for the purpose of engaging in, one or more of the following services, whether or not such producer has applied the preference ratings herein assigned:

(i) Supplying electric power directly or indirectly for general use by the public.

(ii) Supplying gas, natural or manufactured, directly or indirectly for general use by the public, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines.

(iii) Supplying water directly or indirectly for general use by the public, other than exclusively for irrigation purposes.

(iv) Supplying central steam heating directly or indirectly for general use by the public.

(v) Supplying any of the foregoing services but not for general use by the public, provided that a specific direction from the War Production Board, entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington, D. C., Ref.: U-1.

(2) "Producer" also means any producer, as defined in paragraph (a) (1), but located in the Dominion of Canada, to whom and in whose name a copy of this order has been specifically issued by the War Production Board.

(3) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(4) "Controlled material" means controlled material as defined in Schedule I of CMP Regulation 1.

(5) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(6) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

(7) "Operating supplies" means:

(i) Material which is essential to the operation of any of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts.

(ii) Material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion shall not include any work order, job, or project in which the cost of material shall exceed $1,500 in the case of underground construction and $500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

(8) Material for "maintenance," "repair," and "operating supplies" includes only material which is essential to minimum service standards, and does not include material for the improvement of a producer's property or equipment through the replacement of material which is still usable in the existing installation with material of a better kind, quality, or design.

(9) "Supplier" means any person with whom a purchase order or contract has been placed for d livery of material to a producer or to another supplier.

(10) "Calendar quarterly period" means the quarterly period commencing on the first day of the first, fourth, seventh, and tenth months of the calendar year and ending, respectively, on the last day of the third, sixth, ninth, and twelfth months of the calendar year, or the producer's customary accounting period closest to such period.

(11) "Inventory" means all new or salvaged material in the producer's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, appliances, merchandising supplies, and material in the producer's possession which is segregated for use in additions and expansions specifically authorized (a) under paragraph (e) (2) of this order, or (b) by an operative order in the P-19 series, or (c) by an operative preference rating certificate issued by the War Production Board. After construction of such an addition or expansion is complete, however, any material remaining shall be included in "inventory", even though the rating therefor is still operative.

(12) "Construction" means any addition to or expansion of property or equipment having a dollar value for material in excess of the dollar values specified for "operating supplies" in paragraph (a) (7) (ii) of this order.

(13) "Class" means any one of those categories of material established as a basis for the classification of inventory in Schedule A of this order.

(14) "Short item" means any item of material which the producer estimates he will require for use in maintenance, repair, or as operating supplies during the ninety-day period following its delivery date.

(b) *Preference ratings.* (1) For maintenance, repair, and operating supplies, a preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material, including controlled material, Class A products, Class B products, and other products or material.

(2) For construction of transmission, switching and distribution facilities necessary to serve rated projects or to serve rated equipment, the lowest rating assigned to such project or to the delivery of such equipment, is hereby assigned, subject to the provisions of paragraph (e) (2), to orders to be placed by a producer for material, including controlled material, Class A products, Class B products, and other products or material.

(c) *Restrictions on use of rating.* The preference ratings hereby assigned shall not be applied or extended by a producer or supplier:

(1) To obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design.

(2) To obtain deliveries of material which can be purchased without the use of such ratings,

(3) To obtain any item listed in Schedule E hereof.

(d) *Assignment of CMP allotment symbol.* (1) The CMP allotment symbol MRO-U is hereby assigned to orders to be placed by a producer for controlled material, *Except* aluminum, for use in maintenance, repair, or as operating supplies.

(2) An order for controlled material, *Except* aluminum, for use in maintenance, repair, and as operating supplies, bearing the CMP allotment symbol MRO-U and the certification required in paragraph (e) hereof shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment number under all applicable CMP regulations unless otherwise expressly provided. Such allotment number or symbol shall constitute an "allotment number or symbol" for the purposes of CMP Regulation 3.

(3) Aluminum required by a producer for use in construction approved under paragraph (e) (2) hereof or for use in maintenance, repair or as operating supplies may be obtained:

(i) On specific application to the War Production Board, Office of War Utilities, Washington, D. C., Ref. U-1, or

(ii) In amounts not exceeding 100 pounds per quarter as provided for in CMP Regulation 5 or

(iii) If delivery is to be from another producer, by placing an order rated in accordance with paragraphs (b) and (e) of this order.

(e) *Application and extension of ratings; application of CMP allotment symbol*—(1) *Certification.* (i) The ratings assigned by paragraph (b) (1) of this order and the CMP allotment symbol MRO-U may be applied by a producer to deliveries of material, including controlled material, Class A products, Class B products, and other products or material, for use in maintenance, repair, or as operating supplies only by use of a certification in substantially the following form (in lieu of the endorsements specified in Priorities Regulation 3 and CMP Regulation 5), *Except* that no preference rating need be applied to an order to be placed with a controlled material producer:

Preference Rating AA-1, CMP Allotment Symbol MRO-U. The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Such certification shall be signed manually or as provided in Priorities Regulation No. 7.

(ii) The ratings assigned by paragraph (b) (2) of this order may be applied by a producer to deliveries of material, including controlled material, Class A products, Class B products, and other products or material, for use in construction to serve rated projects or equipment, by use of the certification provided in Priorities Regulation 3, as amended, *Except* that no preference rating need be applied to an order to be placed with a controlled material producer and *Provided:*

(a) That approval for such construction has been granted pursuant to paragraph (e) (2) hereof; and

(b) That the CMP allotment number assigned, upon approval of the construction pursuant to paragraph (e) (2), to deliveries of controlled material to be used in such construction by the producer is indicated on all rated orders.

(2) In addition to the requirements of paragraph (e) (1), a producer, in order to apply the preference ratings assigned by paragraph (b) (2), or to segregate material from inventory for the uses described in such paragraph, or to accept delivery of material for such uses, must, unless otherwise directed, communicate with the Office of War Utilities, War Production Board, Washington, D. C., Ref.: U-1, supplying in detail the following information or such other information as may from time to time be required:

(i) The producer's job number relating to the proposed construction.

(ii) A description of the project or equipment to be served, including the location, an estimate of peak load and consumption, as well as other pertinent information.

(iii) A description of the proposed utility construction including a print of line construction showing size of conductor or pipe, capacity of transformers, pumps, compressors, tanks, holders, and other equipment, the location of hydrants and important control valves, as well as other information relevant thereto.

(iv) A statement of relationship to military needs, war production, public health or safety.

(v) A copy of the customer's project or equipment preference rating order or certificate. (Such copies of orders or certificates are not required when utilities' applications accompany the customer's project application.)

(vi) A statement explaining whether service can be rendered in any other way, or by any other producer, with the use of smaller quantities of critical materials.

(vii) An estimate of the total cost of the producer's project.

(viii) A list of materials required for the construction, giving the estimated weight of each material with the estimated cost, classified as indicated in the instructions for revised Form PD–200. (Such list should indicate materials in inventory not to be replaced, materials to be purchased from the excess stocks of other producers, materials to be obtained or replaced without priorities assistance, and materials expected to be obtained or replaced with priorities assistance.)

(ix) The dates when deliveries of controlled material as specified on Form CMP–4C are required to meet the construction schedule, and the quantities of controlled material needed during each calendar quarter, excluding, however, controlled material to be obtained from other U–1 producers.

The War Production Board will notify the producer whether and to what extent the application is approved and no producer shall apply such preference ratings, segregate material from inventory for the uses described in paragraph (b) (2), or accept delivery of material for such uses without such approval.

(3) The ratings assigned by this order may be extended by a supplier in the manner provided in Priorities Regulation No. 3, and CMP Regulation 3.

(4) An order for material, other than controlled material, bearing a rating assigned or extended in accordance with this paragraph (e) and a CMP allotment number or symbol shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such number or symbol shall constitute an "allotment number or symbol" for the purposes of CMP Regulation 3.

(f) *Restrictions on deliveries, inventory, and withdrawals*—(1) *Scheduling deliveries.* No producer shall, in placing orders, schedule for delivery to him in any calendar quarterly period any material (whether or not rated pursuant to this order) to be used for maintenance, repair, as operating supplies, or for any other purpose (except material to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P–19 series, or by an operative preference rating certificate), the aggregate dollar value of which shall exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942.

(2) *Accepting deliveries; inventory restrictions.* No producer shall at any time accept any delivery of material (whether or not rated pursuant to this order) to be used for maintenance, repair, as operating supplies, or for any other purpose (except material to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P–19 series, or by an operative preference rating certificate), if the producer's inventory of material in the same class is, or will by virtue of such acceptance become in excess of a practical working minimum. The value of such practical working minimum inventory shall in no case exceed the aggregate dollar value of inventory permitted, class by class, by paragraph (f) (2) of Preference Rating Order P–46 as amended October 10, 1942: *Provided* that after March 31, 1943, the value of such inventory, class by class, shall not exceed:

(i) For material in the following classes—transmission and distribution, meters, house regulators, and (in the case of electric power producers) wire, cable, and bus bar, as well as wood poles and cross arms—four-thirds of the aggregate dollar value of items of material of the same class withdrawn from inventory for use in maintenance, repair, and as operating supplies during the last nine months of 1942;

(ii) For material in the following classes—source of supply, reservoirs, elevated and pressure tanks, pumping and booster stations, (excluding fuel), generating station (other than fuel), production and pumping station (excluding fuel)—the aggregate dollar value of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the producer's inventory was taken, plus an amount proportionate to the increase in system output in the twelve months' period preceding the current quarter over the system output in the calendar year 1940.

(iii) For material in the switching and substation class, the aggregate dollar value of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the producer's inventory was taken;

(iv) For every other class of material except the classes specified in paragraph (f) (7), two-thirds of the aggregate dollar value of material of the same class withdrawn from inventory for use in maintenance, repair, and as operating supplies during the last nine months of 1942.

(3) *Withdrawals.* No producer shall, during any calendar quarterly period, make withdrawals from inventory of material to be used for maintenance, repair, as operating supplies or for any other purpose (except material to be sold or to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P–19 series, or by an operative preference rating certificate), the aggregate dollar value of which shall exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942.

(4) *Exceptions.* Notwithstanding the provisions of paragraphs (f) (1) and (3):

(i) A producer may, in any calendar quarterly period, increase scheduled deliveries and withdrawals of material in any of the classes named in paragraph (f) (2) (ii), over the limits prescribed in paragraphs (f) (1) and (f) (3) respectively, proportionately to the increase in system output in the twelve months' period preceding the current quarter over the system output in the calendar year 1942.

(ii) A producer may make withdrawals from inventory of consumer's meters or house-regulators in any calendar quarterly period in an amount not in excess of one-third of the number of such meters or house-regulators condemned and destroyed by the producer in the last nine months of 1942, plus the number of meters and house-regulators necessary to serve the net increase in customers occurring in the current quarter. For the purposes of this subparagraph, withdrawals of meters and house-regulators shall not include meters or house-regulators put in service to replace meters and house-regulators removed from service;

(iii) A producer may in any calendar quarterly period schedule for delivery or make withdrawals from inventory of, material necessary for the maintenance or repair of the producer's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, fire, flood, and storm or similar climatic conditions: *Provided,* That if the restrictions of paragraphs (f) (1) and (3) are exceeded because of the scheduling of such deliveries, or because of such withdrawals, a full report thereof together with reasons therefor shall be made immediately to the War Production Board.

(iv) A producer may in any calendar quarterly period schedule for delivery material in any class having in the aggregate a dollar value not more than the dollar value of material of the same class taken from the producer's inventory for delivery to other persons authorized to accept delivery under applicable regulations of the War Production Board but only if, and to the extent that, such taking has reduced the producer's inventory of material of the same class below a practical working minimum; and

(v) A producer may in any calendar quarterly period withdraw from inventory material in any class having in the aggregate a dollar value not more than the dollar value of usable material of the same class salvaged from plant during the current calendar quarterly period.

(vi) A producer, in order to provide for seasonal requirements of material for the maintenance, repair and operation of his system, may in any calendar quarterly period increase the dollar value of materials withdrawn for these purposes in any calendar quarter, provided that adjustments are made in withdrawals in other calendar quarters of the same calendar year to the extent that the total value of materials withdrawn during that calendar year do not exceed the amounts permissible to have been withdrawn during that calendar year under the terms of this order and of former Preference Rating Order P–46, as they may apply.

(5) *Short item deliveries.* Notwithstanding the provisions of paragraph (f) (2), in cases where the inventory of a class of material exceeds a practical working minimum, a producer may accept deliveries of any short item within such class which is required for use in maintenance, repair, or as operating supplies;

(i) *Provided,* That all material in all classes of inventory in excess of a practical working minimum is:

(*a*) Continuously recorded as excess on records kept by the producer for that purpose,

(*b*) Continuously held for sale to financially responsible persons and agencies authorized (under applicable regulations issued by the War Production Board) to accept delivery thereof; and

(*c*) Reported to the War Production Board, when requested by the War Production Board, on Form WPB–921 A, B, or C, to the extent required by such form, or in such other manner as the War Production Board may prescribe, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, and

(ii) Further provided that material transferred from excess to practical working minimum inventory on the records of a producer or used from excess inventory is recorded as a scheduled delivery under paragraph (f) (1); that is, that in any calendar quarterly period the aggregate dollar value of material in any class transferred on the producer's records from that portion of inventory which is separately accounted for as excess pursuant to this paragraph (f) (5) to practical working minimum inventory, or of material taken directly from such portion of inventory for use in maintenance, repair, or as operating supplies, plus the aggregate dollar value of short item deliveries in such class, does not exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942.

(6) The War Production Board, on its own motion or on the application of any producer, may modify the limitations on practical working minimum inventory, on scheduling or accepting deliveries, or on making withdrawals set forth in this paragraph (f).

(7) The provisions of paragraphs (f) (1), (f) (2), and (f) (3) shall not apply to fuel, water purification material, and gas chemical material and supplies.

(g) *Controlled material to be used in construction.* (1) Notwithstanding the provisions of any preference rating certificate or other order, except a direction referring specifically to this paragraph (g), no producer shall schedule for delivery or accept delivery of any controlled material named in, and in the form indicated in, Schedule B of this order for use in construction if his usable stocks of such controlled material are, or will by virtue of such scheduling or acceptance become, in excess of the dollar value of such controlled material he estimates will be required for use in authorized construction on his system during the 60-day period succeeding the scheduled delivery date of such material, or the actual delivery date, whichever is the later.

[NOTE: Words "After March 31, 1943" stricken April 17, 1943.]

(2) Notwithstanding the restrictions of paragraph (g) (1), a producer may accept deliveries of controlled material for use in construction under the circumstances stated in paragraph (c) of CMP Regulation 2.

(h) *Restrictions on additions to plant.* (1) No producer shall construct an addition to or an expansion of property or equipment, and no producer shall, in the case of contract construction, accept delivery of material for such purposes, unless:

(i) Such addition or expansion is specifically authorized by the War Production Board.

(ii) Such addition or expansion is an extension less than 250 feet in length (including service drop or service pipe and any portion built by or for a consumer) of a line to serve a new building where the foundation, under the main part of the structure, was completed prior to July 1, 1942, or

(iii) Such addition or expansion requires an expenditure of material having a dollar value of less than $1,500 in the case of underground construction and $500 in the case of other construction, and is not an extension of a line to consumer premises: *Provided, however,* That no single work order, job, or project shall be subdivided into parts to come below these limits and that such addition or expansion requires only material which is essential to minimum service standards and does not include material for the improvement of the producer's property through the replacement of material which is still usable in the existing installation with material of a better kind, quality, or design.

(2) No producer shall connect with a line built by or for a consumer or a prospective consumer which, at the date of its completion, exceeded the restrictions of this order applicable to lines constructed by or for producers, unless the producer has been specifically authorized by the War Production Board, to construct a line of substantially identical specifications to serve such consumer.

(i) *Sales from inventory.* No producer may make a sale of material from his inventory except as follows:

(1) Any sale of material which is a special sale of industrial material under Priorities Regulation 13, as amended from time to time, may be made as provided in that regulation. In addition, any producer may make a special sale of industrial material (i) to any other producer to fill an order bearing a preference rating of AA–5 or higher or (ii) pursuant to a specific direction issued by the War Production Board, and any such sale shall be expressly permitted under paragraph (c) (3) of Priorities Regulation 13.

(2) Any sale of material which is not a special sale of industrial material under Priorities Regulation 13 may, subject to the restrictions of Limitation Orders L–31, L–94, and L–102, be made:

(i) To fill an order bearing a preference rating of AA–3 or higher, or

(ii) Pursuant to a specific written direction issued by the War Production Board, or

(iii) To a person who produces, or to the person from whom the producer purchased, such material in the form in which it was purchased, or

(iv) To a scrap dealer as scrap, or

(v) To a used equipment dealer for resale if the item is used equipment and is not listed on Schedule D hereof, or

(vi) To the Army, Navy, Maritime Commission, or a public housing authority for the repair of an actual or threatened breakdown of electric, gas, water, or central steam heating facilities owned and operated by such agencies. This exception shall not be construed to extend to a sale of material for use in construction.

(j) *Placing orders.* Except in an emergency no producer may transmit to any supplier, other than another producer, an order totaling $100 or more for the delivery of any material listed in Schedule C of this order (including material to be used in construction) without first obtaining a statement from the War Production Board Utility Inventory Control Office in his region that such material is not reasonably available in the excess inventory of another producer. This statement shall be secured by filing an inquiry, in duplicate, in letter form or by using the producer's own price inquiry forms, stating (1) the quantity of each item required and (2) a description of the item. An oral or telephonic statement will be sufficient for the purposes of this paragraph, provided that confirmation is promptly obtained.

[NOTE: Words "After March 31, 1943" stricken April 17, 1943.]

(k) *Refusal to sell to other producers.* Any producer may, by specific direction from the War Production Board, be prohibited from applying or extending preference ratings assigned by this order or by any other certificate or order, upon a determination by the War Production Board, that such producer has wilfully refused to sell (after receiving a bona fide offer to purchase at not less than maximum prices established by regulations of the Office of Price Administration, made by any financially responsible producer who is authorized—under applicable regulations—to accept delivery of the material specified in such offer) the following material:

(1) Material which is in inventory in excess of a practical working minimum, and

(2) Material which is included in practical working minimum inventory when such material is required by another producer for the repair of an actual breakdown of facilities or equipment.

(l) *Audits and reports.* (1) Each producer and each supplier who applies the preference ratings hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each producer and each such supplier shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

[NOTE: Second sentence stricken April 17, 1943.]

(3) Each producer shall maintain a continuing record of inventory and of segregated material in his possession.

(4) In addition to the records required to be kept under Priorities Regulation No. 1, the producer, and each supplier placing or receiving any purchase order or contract rated hereunder, shall retain, for a period of 2 years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(m) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington, D. C., Ref.: U-1.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority control, and may be deprived of priorities assistance.

(o) *Applicability of regulations.* This order and all transactions affected thereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time. The restrictions of paragraph (f) of CMP Regulation 5, however, shall not apply to producers as defined in this order, nor shall the preference ratings assigned in CMP Regulation 5 supersede preference ratings assigned by this order.

(p) [Revoked April 17, 1943.]

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

[NOTE: First sentence and headings amended April 17, 1943.]

All material in the inventory of any producer shall be carried on the producer's own records and reported to the War Production Board as may be required, classified as follows:

WATER UTILITIES MATERIAL CLASSIFICATION

1. Fuel, such as coal, fuel oil, and other fuel.
2. Material for source of supply, reservoirs, elevated and pressure tanks, pumping and booster stations (excluding fuels)
3. Purification materials, such as chlorine, alum, lime, other chemicals, and other purification operating supplies.
4. Meters.
5. Transmission and distribution material and supplies (excluding meters), cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe fittings, valves and valve parts, hydrants, parts for meters and hydrants, other transmission and distribution materials and supplies.
6. Other material and supplies.

ELECTRIC UTILITIES MATERIAL CLASSIFICATION

1. Fuel, such as coal, fuel oil, and other fuel.
2. Generating Station Material (other than fuel), such as electrical equipment, parts, and materials, chemical materials and supplies, and other materials and supplies.
3. Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.
4. Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper shapes.
5. Wood poles and cross arms.
6. Meters.
7. Other transmission and distribution material, such as iron and steel poles, towers, and parts, line hardware—overhead and underground, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.).
8. Other material and supplies.

GAS UTILITIES MATERIAL CLASSIFICATION

1. Fuel and gas production material, such as coal, coke, gas oil and crude oil, butane and propane, other fuel, residuals, and byproducts.
2. Production and pumping station material (excluding fuel).
3. Chemical material and supplies
4. Meters and house regulators
5. Transmission and distribution material (excluding meters and house regulators), such as cast iron, steel and wrought iron pipe, copper and brass pipe and tubing, pipe fittings, valves, and valve parts, governors and regulators, parts for meters, regulators and governors, other transmission and distribution material and supplies.
6. Other material and supplies

SCHEDULE B

Forms of controlled material subject to the restrictions of paragraph (g):

ALUMINUM

Cable (electric transmission only)

COPPER

Copper and copper base alloy tubing and pipe.
Copper rods and bars, including extruded shapes.
Copper wire and cable (including copper content of insulated wire and cable and copper content of composite conductors).

STEEL

Carbon and alloy steel bars, cold finished or hot rolled.
Carbon and alloy steel pipe.
Carbon and alloy steel plates.
Carbon steel rails and track accessories
Carbon steel sheets and strip
Carbon steel structural shapes and piling.
Carbon and alloy steel tubing.
Carbon steel wheels and axles.
Carbon and alloy steel wire rods, wire and wire products.

SCHEDULE C

[NOTE: Item 16 amended April 17, 1943]

Items restricted by the provisions of paragraph (j):

A. *Items to be used by water utilities:*
1. Cast iron pipe
2. Steel pipe
3. Wrought iron pipe
4. Cement asbestos pipe
5. Copper and brass tubing
6. Lead and lead-alloy pipe and tubing
7. Steel pipe fittings
8. Electric motors
9. Meters
10. Hydrants
11. Distribution valves, 2 inches and larger
12. Bronze valves, smaller than 2 inches, corporation cocks, curb stops
13. Pumps
14. Steel tanks
15. Steam engines
16. Chlorine control apparatus

B *Items to be used by gas utilities:*
1. Cast iron pipe
2. Steel pipe
3. Wrought iron pipe
4. Copper and brass pipe and tubing
5. Steel pipe fittings, 1¼ inches and larger
6. Mechanical pipe couplings
7. District regulators and governors
8. Gas meters
9. Valves, 1¼ inches and larger
10. Condensers (coolers)
11. Electric motors
12. Steam engines
13. Exhausters
14. Boosters
15. Compressors
16. Pumps
17. Blowers
18. Station meters

C *Items to be used by electric utilities:*
1. Wire (all types)
2. Cable
3. Bus bar shapes
4. Power transformers
5. Distribution transformers
6. Watt-hour meters
7. Oil or air circuit breakers
8. Disconnecting switches
9. Electric motors
10. Current transformers
11. Potential transformers
12. Suspension insulators
13. Lightning arrestors, 20,000 volts and over
14. Steam valve, piping and fittings, larger than 3 inch and for pressures of 300 pounds and over
15. Regulators (feeder voltage)
16. Fuse cutouts
17. Automatic line splices

SCHEDULE D

[NOTE: Item 9 amended April 17, 1943]

The following items of used equipment in the possession of producers may not be the subject of a sale to any used equipment dealer pursuant to paragraph (1) (2) (v) of this order:

USED EQUIPMENT

(1) Steam generating boilers designed for pressures of 100 pounds per square inch or above
(2) Steam engines and engine generator units of more than 300 h. p. rated capacity
(3) Oil or air circuit breakers of 2200 volts or higher
(4) Air circuit breakers of less than 2200 volts with interrupting capacity of 15,000 amperes or higher
(5) Metal clad switchgear of 2200 volts or higher
(6) Metal clad switchgear of less than 2200 volts containing oil or air circuit breakers listed in this Exhibit
(7) Unit substations containing transformers of 250 KVA or higher rated capacity
(8) Unit substations containing transformers of less than 250 KVA rated capacity if they also contain oil or air circuit breakers listed in this Exhibit
(9) Chlorine control apparatus
(10) Diesel and natural gas engines and engine generator units of more than 300 h. p. rated capacity
(11) Liquid filled power or distribution transformers 250 KVA and larger
(12) Steam turbine generator units of more than 300 h. p. rated capacity
(13) Mechanical drive steam turbines of more than 300 h. p. rated capacity
(14) Water gas sets
(15) Gas purification apparatus
(16) Electric motors, 250 h. p. or larger
(17) Pumps, 100 g. p. m. and larger
(18) Boosters
(19) Compressors
(20) Scrubbers
(21) Gas holders
(22) Gas station meters
(23) Blowers for manufactured gas plants
(24) Exhausters for manufactured gas plants

SCHEDULE E

[NOTE: Schedule E added April 17, 1943]

No producer may apply the ratings assigned by this order to obtain delivery of any of the following items:

1. Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.
2. Printed matter and stationery.
3. Paper, paperboard, and products manufactured therefrom; molded pulp products.
4. Fuel or electric power.
5. Office machinery or office equipment.
6. Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):
a. Asbestos clothing.
b. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.
c. Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves.
d. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.
e. Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.
f. Safety industrial leather clothing other than gloves or mittens.
g. Metal mesh gloves, aprons and sleeves.
h. Plastic and fibre safety helmets.
7. Automotive replacement parts.
8. Automotive maintenance equipment.
9. Cellophane and similar transparent materials derived from cellulose having a gage of .003" and cellulose caps or bands of any gage.

[F. R. Doc. 43-6007; Filed, April 17, 1943; 11:41 a. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amendment 1]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 3 (c) (1) is amended to read as follows:

(c) *How to figure the average price.* The average price should be figured as follows:

(1) *Purchased logs and bolts.* If, during September and October 1942, the buying plant bought logs or bolts of the species and grade for which it is figuring an average price, the buying plant should add up the total delivered cost of all logs or bolts of that grade and species purchased during the two months, and divide this total by the total footage of these logs or bolts. In figuring the total cost of these logs or bolts, the buying plant is to include any charges paid for transporting the logs or bolts to the plant.

In making this calculation for logs and bolts "purchased" during September and October 1942, the buying plant is to include only the following:

(i) Logs and bolts received at the plant during September and October 1942, except those received under contracts entered into before July 1, 1942.

(ii) Such logs and bolts received at the buying plant during the period November 1, 1942, to March 1, 1943, as were obtained pursuant to a dated and written firm contract of purchase entered into by the buying plant during September or October, 1942, in which contract the prices, footages, grades and species of logs and bolts purchased were definitely stated.

2. Section 9 is amended to read as follows:

SEC. 9 *Establishment of dollars-and-cents prices by areas*—(a) *Petition for "area pricing".* Any group of four or more buying plants, of any kind, may petition the Lumber Branch of the Office of Price Administration in Washington, D. C., to establish a system of dollars-and-cents prices by grades, sizes, and species for buying plants in an area of at least 400 square miles which contains at least five buying plants. The petition must relate to all grades, sizes, and species of logs and bolts bought by plants in that area, of the kind joining in the petition, and must request establishment of a system of ceiling prices applicable to all buying plants in the area. Two copies of the petition must be filed.

(b) *Contents of petition.* The petition must contain:

(1) A description of the exact boundaries of the area, and the reasons for the boundary lines chosen; that is, the rea-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3670.

sons why the particular area constitutes a market area in which a single pricing system should prevail.

(2) Copies of the notices of maximum prices of the petitioning plants.

(3) A proposal of uniform grades with detailed specifications, uniform scaling rules, and a dollars-and-cents ceiling price system; and a comparison of these with the average prices, and the grades and rules prevailing in the area during the period September-October 1942. The system proposed may contain price differentials within the area, based on differences in transportation rates, which will prevent diversion of logs as between buying plants in the area.

(4) A showing that the proposed prices will not cause diversion of logs or bolts away from buying plants in either this area or elsewhere.

(c) *Notice and hearing.* On receipt of a petition showing a proper case for the consideration of area pricing, the Office of Price Administration will send notices of the proposed prices, grades and sealing rules and area boundaries. These will be sent to all buying plants in and within 25 miles of the area whose purchases may be affected by the proposal and whose maximum prices have been filed under section 4 (c) of this regulation. Within 20 days of the date of this notice, any person affected may submit objections to the Lumber Branch, Office of Price Administration, Washington, D. C. If there is any substantial volume of objection, the Office of Price Administration may hold a hearing on the proposal.

(d) *Action on petition.* The Price Administrator, if he believes the facts submitted justify such action, will establish a system of dollars-and-cents ceiling prices and uniform grades and scaling rules for all buying plants in an appropriate area. The ceiling prices so established will be at a level which bears a proper relation to the prices of competing primary forest products, and which will not cause diversion to or away from other purchasers of logs and bolts. The Price Administrator may depart from the original proposal, establish price differentials within an area, or set up a system based on seller's prices for logs and bolts produced within a specified area, if necessary or proper to make the action fair and equitable and to prevent diversion. In considering requests for area pricing, the Price Administrator may consolidate petitions dealing with areas that are near each other. When a system of area pricing is approved, the prices, grades, scaling rules, and a description of the area will be published as an appendix to this regulation.

(e) *Temporary suspension of ceiling prices.* In the case of any proper petition under this section filed before June 23, 1943, the petitioners have the privilege of having the operation of ceiling prices suspended on logs and bolts delivered to the petitioners during the forty-five days immediately following the filing. This privilege can be exercised by stating in the petition that the petitioners are exercising the option of having ceiling prices temporarily suspended in sales to, and purchases by, the petitioners. The privilege can be used only by buying plants that join in and sign the petition.

Petitioners who are in good faith preparing a petition but who wish to start the forty-five day period of exemption running before the completion of the petition, may do so by filing, instead of the petition, a letter stating that a petition is in preparation and giving an outline of the proposed area and plan. In any case, the total exemption period will not be more than forty-five days from the filing of the letter, regardless of when the petition is filed.

If the petitioners exercise the privilege, each petitioning buying plant must attach to its posted ceiling purchase prices a notice stating "Our ceiling prices for purchasing logs and bolts have been officially suspended until _____." (Fill in the date which is 45 days from the date on which the petition was filed.) A similar notice must be sent to all log and bolt suppliers of each petitioner.

This amendment shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5982; Filed, April 16, 1943; 4:47 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 255,[1] Amendment 8]

PERMITTED INCREASES FOR WHOLESALERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Canned boned chicken and turkey.
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Bakers' fillings for fruit pie and pastry.
Peanut candy.
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A statement of the considerations involved in the issuance of Amendment 8 to Maximum Price Regulation 255 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 255 is amended in the following respects:

Section 1351.703 (d) (12) is hereby revoked.

[1] 8 F.R. 2988, 3946.

This amendment shall be effective as of April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5979; Filed, April 16, 1943; 4:46 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 256,[1] Amendment 5]

PERMITTED INCREASES FOR RETAILERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Canned boned chicken and turkey.
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Peanut candy.
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A statement of the considerations involved in the issuance of Amendment 5 to Revised Maximum Price Regulation 256 has been issued and filed with the Division of the Federal Register.*

Section 1351.203 (b) (12) is hereby revoked.

This amendment shall become effective as of April 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5978; Filed, April 16, 1943; 4:46 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,[2] Amendment No. 6]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The phrase "maple sugar" is hereby deleted from § 1351.969.

This amendment shall be effective as of April 14, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8893, 10473; 8 F.R. 1266, 2106 2673, 8946.

[2] 7 F.R. 9244; 8 F.R. 262, 273, 437, 973, 2285.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5980; Filed, April 16, 1943; 4:46 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] as Amended April 16, 1943]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

Sections 1351.801, 1351.808 (d) amended; § 1351.808 (m), (n), (o), (p), (q), added; § 1351.806 revoked by Amendment 20, issued April 16, 1943, and effective April 22, 1943, so that Maximum Price Regulation No. 280 shall read as follows:

Preamble. In the judgment of the Price Administrator it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 issued by the President or October 3, 1942 to maintain as the maximum prices for certain essential food products heretofore covered under Temporary Maximum Price Regulation No. 22 the prices prevailing with respect thereto during the period September 28, 1942 to October 2, 1942, inclusive. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will aid in stabilizing the cost of living. The maximum prices established herein are not below prices which will reflect to the producers of the covered agricultural commodities prices for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.[2]

Therefore, with the concurrence of the Secretary of Agriculture and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, [7 F.R. 8961; 8 F.R. 3313, 3533] Maximum Price Regulation No. 280 is hereby issued.

Sec.
1351.801 Purpose of this regulation.
1351.802 Prohibition against buying and selling above maximum prices.
1351.803 Maximum prices.
1351.804 Relationship between minimum prices established by federal marketing agreements, orders or licenses and maximum prices established herein.

[1] 7 F.R. 10144.

[2] Statements of considerations also are issued simultaneously with the issuance of amendments. Requests for copies should be addressed to the Office of Price Administration.

Sec.
1351.805 Addition allowed sellers of fluid milk or fluid cream because of price increases resulting from federal milk marketing agreements, orders or licenses.
1351.805a Determination of adjusted maximum prices for fluid cream sold at wholesale other than in glass or paper containers after butterfat content is reduced to comply with Conservation Order No. M-259 issued by War Production Board on November 25, 1942.
1351.806 [Revoked]
1351.807 Adjustment of maximum prices of fluid milk and shell eggs.
1351.807a Special provisions for foreign-type cheese.
1351.808 Exempt sales.
1351.809 Evasion.
1351.810 Sales for export.
1351.811 Imports.
1351.812 Records and reports.
1351.813 Enforcement.
1351.814 Petitions for amendment and applications for adjustment.
1351.815 Adjustable pricing.
1351.816 Definitions.
1351.817 Relation to other maximum price regulations.
1351.818 Geographical applicability.
1351.819 Revocation of Temporary Maximum Price Regulation No. 22.
1351.820 Effective date.
1351.821 Effective dates of amendments.

AUTHORITY: §§ 1351.801 to 1351.821, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871.

§ 1351.801 *Purpose of this regulation.* Except for those sales exempt in § 1351.808, it is the purpose of this regulation to establish maximum prices for sales of the following specific food products:

(a) *Fluid milk and milk products.* Fluid milk and cream sold at wholesale other than in glass or paper containers to stores, hotels, restaurants and institutions; butter sold by a farmer which he has produced on his farm from milk produced solely on his farm; cheeses in so far as their sales are not covered by Maximum Price Regulation 289 or Maximum Price Regulation 268; condensed milk; evaporated milk in so far as its sale is not covered by Maximum Price Regulations Nos. 289, 237, or 238; packaged powdered skim milk sold for animal feed; edible casein; malted milk powder; and any other food commodity which is processed from cows' milk and composed of milk ingredients constituting more than 50 per cent in weight or volume, excluding ice cream (which is covered by the General Maximum Price Regulation)[3] and excluding any other commodity so composed of milk ingredients in so far as its sale is covered by some other regulation.

(b) *Eggs.* Shell eggs of the domestic barnyard hen found to be infertile and sold for industrial use.

(c) *Poultry.* Poultry in so far as their sale is not covered by Maximum Price Regulation No. 268 or 269.

[3] 8 F.R. 3096, 3849, 4347, 4486, 4724.

(d) *Canned citrus fruits and juices.* All canned fruits and juices made from citrus fruits (such as oranges, grapefruits, lemons, limes but not including concentrates) and combinations or blends thereof in so far as their sale is not covered by Maximum Price Regulation 237 or 238 or Maximum Price Regulation 306.

(e) *Cake mixes and flour mixes in bulk and "packaged" in quantities greater than 3 pounds.* All combinations of flours with any other ingredients in so far their sale is not covered by Maximum Price Regulations 237 or 238.

(f) *Dried peas and lentils.* All threshed and dried field or garden peas and lentils used for human consumption in so far as their sale is not covered by Maximum Price Regulation No. 237 or 238.

(g) *Meaning of the term "listed food products".* Wherever the term "listed food products" appears in this regulation it refers to a particular kind, grade, quality and container size of the food products listed above.

§ 1351.802 *Prohibition against buying and selling above maximum prices.* (a) On and after December 3, 1942, regardless of any contract, agreement or other obligation, no person shall sell or deliver a listed food product, and no person in the course of trade or business shall buy or receive a listed food product at a price higher than the maximum price permitted by this Maximum Price Regulation No. 280; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(b) However, prices lower than maximum prices may be charged, demanded, paid or offered.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency or government whose defense is vital to the defense of the United States.]

§ 1351.803 *Maximum prices.* (a) The seller's maximum price for any listed food product shall be the highest price charged by the seller during the period September 28, 1942, to October 2, 1942, inclusive, for the same listed food product; or if no charge was made for the same listed food product, for the similar listed food product most nearly like it. If the seller did not sell the same or similar listed food product during the period September 28, 1942, to October 2, 1942, inclusive, his maximum price for such listed food product shall be the highest price charged during that period by his most closely competitive seller of the same class for the same listed food product; or, if no charge was made for the same listed food product, for the similar food product most nearly like it.

(b) If the seller cannot determine his maximum price for a listed food product under the foregoing, because neither he nor his most closely competitive seller of the same class delivered or offered for delivery such listed food product to a purchaser of the same class during the base period and adjusting the price to October 2, 1942, inclusive, he may determine his maximum price by the following procedure applied in the following order:

(1) By taking the maximum price of the same or similar listed food product most nearly like it which he charged a different class of purchaser during such base period and adjusting the price to reflect the customary differential between the two classes of purchasers.

(2) By taking the maximum price of the same or similar listed food product most nearly like it charged by his most closely competitive seller of the same class to a different class of purchaser during such base period, and adjusting that maximum price to reflect the customary differential between the price charged that different class of purchaser by such competitor, and the price for that class of purchaser for whom a maximum price is sought by the seller.

(3) By taking as the maximum price the most recent price which he (or, if none, his most closely competitive seller of the same class) charged any class of purchasers at any time within one year previous to said base period and adjusting said price to reflect a reasonable differential to other classes of purchasers.

(4) In all other cases, by taking the maximum price for the most nearly similar listed food product that he (or, if none, his most closely competitive seller of the same class) has delivered or offered for delivery during such base period (or, if none at the most recent time within one year prior thereto) and adjusting that price to reflect the differential between the two commodities normal or customary to his business or, if none, to reflect the reasonable differential between the two commodities based upon the variances in the cost of production of the two commodities.

[Paragraphs (3) and (4) added by Amendment 10, 8 F.R. 1741]

(c) [Revoked by Amendment 10, 8 F.R. 1741.]

(d) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "Dallas Regional area". Maximum Prices for such sales are set in subdivision (vi) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 89 [4] to Supplementary Regulation No. 14, issued January 16, 1943 and effective January 18, 1943.)

[Paragraph (d) added by Amendment 6, 8 F.R. 876]

(e) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "Memphis, Tennessee area". Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 95 [5] to Supplementary Regulation No. 14.)

[Paragraph (e) added by Amendment 7, 8 F.R. 877]

(f) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "Chicago, Illinois area". Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 104 [6] to Supplementary Regulation No. 14.)

[Paragraph (f) added by Amendment 9, 8 F.R. 1462]

(g) The provisions of this Maximum Price Regulation No. 280 do not apply to the following milk product: "ice cream mix", the butterfat content of which is reduced to not less than 8% (by weight) included in 14% or more (by weight) of total milk solids. Maximum prices for sales of such "ice cream mix" are fixed in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 119 [7] to Supplementary Regulation No. 14.)

[Paragraph (g) added by Amendment 14, 8 F.R. 2346. Terminates on May 23, 1943.]

(h) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "New York Metropolitan Area." Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1), Supplementary Regulation 14 to the General Maximum Price Regulation. (Amendment No. 134 [8] to Supplementary Regulation 14.)

[Paragraph (h) added by Amendment 16, 8 F.R. 3070. Terminates April 1, 1943.]

[NOTE: Supplementary Order No. 13 (7 F.R. 6523) provides that retail sellers of commodities or services, who own more than one establishment and who have maintained a fixed practice of selling commodities or services at retail at uniform or at substantially uniform prices, may apply for authorization to determine and use uniform maximum prices.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1351.804 *Relationship between minimum prices established by Federal marketing agreements, orders or licenses and maximum prices established herein.* If the maximum price established for any seller by this Maximum Price Regulation No. 280 is below the minimum price established for him by any marketing agreement, order or license heretofore or hereafter to be issued by the Secretary of Agriculture, pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, such minimum price shall become the seller's maximum price.

§ 1351.805 *Addition allowed sellers of fluid milk or fluid cream because of price increases resulting from Federal milk marketing agreements, orders or licenses.* Any seller of fluid milk or fluid cream at wholesale other than in glass or paper containers, to stores, hotels, restaurants and institutions may add to his maximum price established by this Maximum Price Regulation No. 280, the amount in dollars and cents of any price increase which he actually pays to his supplier, after taking into account and making appropriate deductions for all governmental subsidies, because of any increase in minimum producers prices since October 2, 1942 as the result of any marketing agreement, order or license heretofore or hereafter issued by the Secretary of Agriculture pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended: *Provided, however,* That no increase allowed under this § 1351.805 shall be greater than the increase allowed the producer under such marketing agreement, order or license, after taking into account and making appropriate deductions for all governmental subsidies.

[§ 1351.805 as amended by Amendment 3, 7 F.R. 10786]

§ 1351.805a *Determination of adjusted maximum prices for fluid cream sold at wholesale other than in glass or paper containers after butterfat content is reduced to comply with Conservation Order No. M-259,[9] issued by the War Production Board on November 25, 1942.* (a) (1) After the butterfat content of fluid cream sold at wholesale other than in glass or paper containers is reduced to not less than 19%, the seller shall reduce his established maximum price for any unit size, as determined under §§ 1351.803, 1351.804, and 1351.805 hereof, proportionately on the basis of 5¢ per gallon for each one percent that the butterfat content is reduced.

(2) *Table: Adjusted maximum prices where butterfat content is reduced to 19%:*

Butterfat content prior to reduction—Con.	*Seller must subtract from established maximum price for any unit size on basis of following amounts per gallon*
40%	$1.05
39%	1.00
38%	.95
37%	.90
36%	.85
35%	.80
34%	.75
33%	.70
32%	.65
31%	.60
30%	.55
29%	.50
28%	.45
27%	.40
26%	.35
25%	.30
24%	.25
23%	.20
22%	.15
21%	.10
20%	.05

(b) *Calculations.* (1) The foregoing pricing formula shall apply to sales and deliveries of fluid cream at wholesale other than in paper or glass containers in any package size, whether more or less than one gallon, on a proportionate basis. All calculations shall be carried to the fourth decimal place of a cent. Any final calculation of a maximum price for any unit size resulting in a fraction of a cent shall be adjusted to the nearest half cent.

Example

Butterfat content prior to reduction	Gallon-size container—seller must subtract from established maximum price	Quart-size container—seller must subtract from established maximum price	Pint-size container—seller must subtract from established maximum price	Half-pint-size container—seller must subtract from established maximum price
40%	$1.05	$0.2625	$0.1313	$0.0659
36%	.85	.1725	.0863	.0431
20%	.05	.0125	.0067	.0033

(2) If the seller has established maximum prices, as determined by §§ 1351.803, 1351.804, and 1351.805 hereof, for sales and deliveries of fluid cream having different percentages of butterfat content, his adjusted maximum price shall be determined according to the pricing formula applicable to the class of cream yielding the lowest maximum price.

(c) *Records and reports.* On or before January 11, 1943, each seller of fluid cream affected by the provisions of this section shall prepare, on the basis of available information and records, and file with the nearest District or State Office of the Office of Price Administration a report showing:

(1) His adjusted maximum prices for fluid cream in each size and type of container; and

(2) The basis for the adjusted maximum prices, including (i) the butterfat content of the fluid cream sold in each size and type of container prior to November 25, 1942, (ii) the established maximum prices in effect immediately prior to the issuance of Conservation Order M-259 by the War Production Board on November 25, 1942, and (iii) the present butterfat content of such cream for each size and type of container.

[§ 1351.805a added by Amendment 2, 7 F.R. 10475]

§ 1351.806 [Revoked April 16, 1943]

§ 1351.807 *Adjustment of maximum prices of fluid milk and shell eggs.* (a) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this Maximum Price Regulation 280 for fluid milk sold at wholesale in containers other than bottles or paper containers in the case of any seller or group of sellers, and may adjust any price so established for shell eggs sold at wholesale or retail in the case of any seller or group of sellers where it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such fluid milk or shell eggs; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such fluid milk or shell eggs; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this § 1351.807.

(c) Applications for adjustment under this § 1351.807 shall be filed in accordance with Revised Procedural Regulation No. 1.

[§ 1351.807 as amended by Amendment 4, 7 F.R. 10995]

§ 1351.807a *Special provision for foreign-type cheese.* Sellers of cheese, except the following:

Processed cheese of all kinds.
Cheddar cheese covered by Maximum Price Regulation No. 289.[10]
Aged cheddar cheese covered by Maximum Price Regulation No. 280.
Colby cheese.
Washed curd cheese.
Monterey or jack cheese.

All other cheeses of cheddar class having a moisture content of 40% or more.
Cottage cheese.
Baker's cheese.
Pot cheese.
Smearcase cheese.
Neufchatel cheese.
All other cheese of less than 20% butterfat content in the water free substance.

may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof: *Provided,* That this 3¢ increase shall not be applied to those stocks of cheeses which were in the seller's possession prior to February 10, 1943. However, a cheese factory may apply this increase to cheeses which it has manufactured and delivers on or after February 10, 1943, regardless of whether such cheeses were manufactured before or after that date.

"Colby cheese" and "washed curd cheese" means Colby cheese and washed curd cheese as defined in the "Standards of Identity for Cheddar Cheese, Cheese, Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the Federal Register of January 9, 1941, page 195.

"Cottage cheese", and "neufchatel cheese" means cottage cheese and neufchatel cheese as defined in the "Definitions and Standards of Identity for Creamed Cheese, Neufchatel Cheese, Cottage Cheese and Creamed Cottage Cheese" promulgated by the Food and Drug Administration, and published in the FEDERAL REGISTER of December 23, 1942, pages 10758 and 10759.

[§ 1351.807a added by Amendment 11, 8 F.R. 1885 and amended by Amendment 19, 8 F.R. 4335.]

§ 1351.808 *Exempt sales.* This Maximum Price Regulation No. 280 shall not apply to the following:

(a) Sales and deliveries made directly by a farmer of any listed food product produced on his farm. However, this Maximum Price Regulation No. 280 shall apply to a sale or delivery by a farmers' cooperative, whether as agent or otherwise, and to a sale or delivery directly by a farmer of any listed food product to an ultimate consumer if during the preceding month the farmers' sales to ultimate consumers of all food products produced on his farm exceeded $75.00.

(b) Deliveries to the United States, or any agency thereof, under contracts entered into prior to October 5, 1942.

(c) Sales, deliveries or transactions in connection with any listed food product which may be exempt by the following sections of Revised Supplementary Regulation No. 4 [11] to the General Maximum Price Regulation, as well as amendments to them, and such sections and amendments are hereby made applicable to every person selling listed food products:

(1) § 1499.29 (a) (5) (Developmental contracts)

(2) § 1499.29 (a) (6) (Secret contracts)

(3) § 1499.29 (a) (7) (Emergency purchases)

(d) Sales or deliveries by hotels, restaurants, soda fountains, bars, cafes or other similar establishments of listed food products prepared on the premises

[4] 8 F.R. 1139.

[5] 8 F.R. 878.

[6] 8 F.R. 1467.

[7] 8 F.R. 2346.

[8] 8 F.R. 3360.

[9] 7 F.R. 9811.

[10] 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327.

and sold for consumption either on or off the premises.

(e) All sales of dried whole eggs to the United States of America, or any agency thereof, where the seller is obligated to make delivery of such eggs during the months of January and February, 1943.

(f) All sales of shell, liquid and frozen eggs to manufacturers of dried whole eggs for the sole purpose of manufacturing such eggs into dried whole eggs, and the sale and delivery of the manufactured product to the United States of America, or any agency thereof, during the months of January and February, 1943.

[Paragraphs (e) and (f) added by Amendment 1, 7 F.R. 10337]

(g) All sales of shell eggs purchased for the sole purpose of hatching by persons now or hereafter engaged in the production of baby chicks, poults, or other newly hatched poultry and which shall not be resold or used for any other purpose.

[Paragraph (g) added by Amendment 5, 8 F.R. 158]

(h) Fluid milk sold at wholesale in bulk to stores, hotels, restaurants, and institutions in the Dallas Regional area. Maximum prices for such sales are set in subdivision (vi) of § 1499.73 (a) (1) of Supplementary Regulation No. 14, to the General Maximum Price Regulation. (Amendment No. 89 to Supplementary Regulation No 14, issued January 16, 1943, and effective January 18, 1943).

[Paragraph (h) added by Amendment 6, 8 F.R. 876]

(i) Fluid milk sold at wholesale in bulk to stores, hotels, restaurants, and institutions in the Memphis, Tennessee area. Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 95 to Supplementary Regulation No. 14).

[Paragraph (i) added by Amendment 7, 8 F.R. 877]

(j) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants, and institutions in the Chicago, Illinois area. Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 104 to Supplementary Regulation No. 14.)

[Paragraph (j) added by Amendment 9, 8 F.R. 1468]

(k) Milk products known as "ice cream mix", as defined in subparagraph (8) of § 1351.816 (a) below. Maximum prices for sales of such "ice cream mix" are fixed in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14 of the General Maximum Price Regulation. [Amendment No. 119 to Supplementary Regulation No. 14]

[Paragraph (k) added by Amendment 14, 8 F.R. 2346]

(l) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants, and institutions, in the New York Metropolitan Area. Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1), Supplementary Regulation 14 to the General Maximum Price Regulation. (Amendment No. 134 to Supplementary Regulation 14.)

[Paragraph (l) added by Amendment 16, 8 F.R. 3070]

(m) All sales and purchases of breeding poultry when sold or purchased for breeding purposes only.

(n) All sales and purchases of "baby" or "started" chicks, ducklings, goslings, and poults when sold for purposes other than present human consumption.

(o) All sales and purchases of female poultry when sold and purchased for egg production purposes.

(p) All sales of pigeons, squabs, guineas, quails, and pheasants.

(q) All sales of canned citrus fruits and juices when sold by packers and canners.

§ 1351.809 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 280 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to a listed food product alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing a business practice relating to the price lines, grading, labeling, packaging or branding of a listed food product.

[NOTE: Supplementary Order No. 29 (7 F.R. 9816) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1351.810 *Sales for export.* The maximum prices at which a person may export a listed food product shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1351.811 *Imports.* On and after the effective date of this Maximum Price Regulation No. 280, no person in the course of trade or business shall import or agree, offer, solicit, or attempt to import a listed food product at a price in excess of that established by this Maximum Price Regulation No. 280. "Import" means to buy, receive, or in any manner to pay for any listed food product pursuant to or in connection with any transaction, contract, agreement or other obligation whereby the listed food product is transported or is to be transported to the United States, its territories and possessions, or the District of Columbia from any place outside the United States, its territories and possessions and the District of Columbia, regardless of whether the importer deals directly with the seller, or deals through an agent, broker or other intermediary acting for either party, in or outside the United States, its territories or possessions, or the District of Columbia, and regardless of whether such importation is for use or for resale.

§ 1351.812 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this Maximum Price Regulation No. 280 every person selling a listed food product shall preserve for examination by the Office of Price Administration all his existing records relating to prices which he charged for such listed food product delivered or supplied during the period from September 28, 1942, to October 2, 1942, inclusive, and his offering prices for delivery or supply of a listed food product during such period; and shall also preserve all information and records required by § 1351.807 of Temporary Maximum Price Regulation No. 22, and shall keep for examination by any person during ordinary business hours, a statement showing (1) the highest prices charged for such listed food product delivered or supplied during such period and his offering prices for delivery or supply of a listed food product during such period, together with an appropriate identification of such product and (2) all his customary allowances, discounts, and other price differentials.

(b) As to all sales not specifically exempted by other sections of this Maximum Price Regulation No. 280, every person selling a listed food product shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charged for such food product during the period from September 28, 1942, to October 2, 1942, inclusive, and, in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1351.813 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 280 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 280 or of any price schedule, regulation, or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[1] 7 F.R. 3056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10831; 8 F.R. 130, 137, 372, 1685, 1681, 1893.

[1] 2nd Revision, 8 F.R. 4132.

§ 1351.814 *Petitions for amendment and applications for adjustment*—(a) *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 280 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) *Applications for adjustment.* The Office of Price Administration or any duly authorized representative thereof may adjust any of the maximum prices established herein except those established for eggs as listed in § 1351.801, paragraph (b) of the regulation, where the applicant files an application pursuant to Revised Procedural Regulation No. 1 showing that:

(1) Such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established pursuant to this regulation for other sellers, and

(2) This abnormality subjects him to hardship.

(c) *Joint applications.* Manufacturers or processors of the commodities listed in § 1351.801 except eggs, and persons who purchase those commodities from them for resale, may file joint applications for adjustment under paragraph (b) above pursuant to § 1300.14 of Revised Procedural Regulation No. 1.

(d) *Limitation on application for adjustment.* No application for adjustment pursuant to paragraph (b) above will be granted unless it is filed within:

(1) Sixty days of the effective date of this section, or

(2) Sixty days after an application for adjustment is granted pursuant to the terms of this paragraph to a person from whom the applicant purchases one of the items referred to in paragraph (b) above.

(e) Each regional administrator is authorized to make adjustments or act upon applications for adjustment under paragraph (b) above where the applicant is a wholesaler or a retailer.

[§ 1351.814 as amended by Amendment 15, 8 F.R. 3001.]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1351.815 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment requires extended consideration, the Price Administrator, may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1351.816 *Definitions.* (a) When used in this Maximum Price Regulation No. 280, the term:

(1) "Person" means individual, corporation, partnership, association or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing;

(2) "Highest price charged during the base period" means the highest price which the seller (except a seller of wheat flour or a seller of corn meal, hominy or hominy grits) charged for a listed food product delivered by him during the period from September 28, 1942, to October 2, 1942, inclusive, to a purchaser of the same class, or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. In the case of a seller of wheat flour or a seller of corn meal, hominy or hominy grits in bulk and packaged in quantities greater than three pounds, "highest price charged during the base period" means the highest price at which the seller during the period from September 28, 1942, to October 2, 1942, inclusive, contracted to sell for immediate or future delivery to a purchaser of the same class, or if the seller made no such contract during such period, his highest offering price during that period to a purchaser of the same class No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any listed food product than the seller required purchasers of the same class to pay during such period on deliveries of a listed food product.

(3) "Purchaser of the same class" refers to the practice followed by the seller in the ninety-day period preceding October 2, 1942, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, manufacturer, wholesaler, jobber, retailer, government agency, public institutions, individual consumer or any ordinarily recognized subgroup or combination of the foregoing) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(4) "Fluid milk and fluid cream" refers to raw or pasteurized fluid milk and fluid cream.

[Paragraph (4) added by Amendment 3, 7 F.R. 10786]

(5) "Dallas Regional area" means the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

[Paragraph (5) added by Amendment 6, 8 F.R. 876]

(6) "Memphis, Tennessee area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order O–64, effective October 4, 1942, issued by the Secretary of Agriculture.

[Paragraph (6) added by Amendment 7, 8 F.R. 877]

(7) "Chicago, Illinois area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order O–41, as amended, issued by the Secretary of Agriculture on September 1, 1939.

[Paragraph (7) added by Amendment 9, 8 F.R. 1468]

(8) "Ice cream mix" means any liquid or dry unfrozen preparation (including, but not limited to, ice cream mix, ice cream powder, milk ice mix, ice milk mix, milk shake mix, and similar preparations) containing sugar and milk fat, the percentage of which is reduced to not less than 8% (by weight) included in 14% or more (by weight) of total milk solids, as defined in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14. [Amendment No. 119 to Supplementary Regulation No. 14]

[Paragraph (8) added by Amendment 14, 8 F.R. 2346]

(9) "New York Metropolitan Area" means the territory included in the City of New York, Counties of Nassau, Suffolk (except Fisher's Island) and Westchester, all in the State of New York.

[Paragraph (9) added by Amendment 16, 8 F.R. 3070]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1351.817 *Relation to other maximum price regulations.* (a) The provisions of this Maximum Price Regulation No. 280 shall not apply to any sale or delivery of a listed food product for which a maximum price is in effect on December 3, 1942, under the provisions of any other price regulation, including the General Maximum Price Regulation, issued by the Office of Price Administration.

(b) The following sections of the General Maximum Price Regulation, as well as the amendments to them, shall be applicable to every person selling a listed food product:

(1) *Adjustment of maximum prices in cases of special deals* (§ 1499.4b).

(2) *Transfers of business or stock in trade* (§ 1499.5).

(3) *Federal and state taxes* (§ 1499.7). In applying § 1499.7 of the General Maximum Price Regulation, the base period of September 28, 1942, to October 2, 1942, inclusive, shall be substituted for the period of March, 1942 used therein, and the date October 2, 1942, shall be substituted for the date March 31, 1942, used therein.

(4) *Sales slips and receipts* (§ 1499.14).

(5) *Registration* (§ 1499.15).

(6) *Licensing* (§ 1499.16).

§ 1351.818 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 280 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1351.819 *Revocation of Temporary Maximum Price Regulation No. 22.* Temporary Maximum Price Regulation No. 22 (§§ 1351.801 to 1351.814, inclusive), which was issued October 3, 1942, and which was to expire on December 3, 1942, is hereby revoked and replaced by this Maximum Price Regulation No. 280.

§ 1351.820 *Effective date.* Maximum Price Regulation No. 280 (§§ 1351.801 to 1351.820, inclusive) shall become effective on December 3, 1942. [Issued December 3, 1942]

§ 1351.821 *Effective dates of amendments.*

Amendment Nos. and issue dates:	Effective
Amendment 1, (12-9-42)	12- 7-42
Amendment 2, (12-12-42)	12-12-42
Amendment 3, (12-21-42)	12-21-42
Amendment 4, (12-24-42)	12-23-42
Amendment 5, (1-2-43)	1- 8-43
Amendment 6, (1-16-43)	1-18-43
Amendment 7, (1-16-43)	1-16-43
Amendment 8, (1-22-43)	12- 3-42
Amendment 9, (2-1-43)	2- 2-43
Amendment 10, (2-6-43)	2-12-43
Amendment 11, (2-10-43)	2-10-43
Amendment 12, (2-12-43)	12- 3-42
Amendment 13, (2-13-43)	2-13-43
Amendment 14, (2-22-43)	2-22-43
Amendment 15, (3-9-43)	3-15-43
Amendment 16, (3-10-43)	3-11-43
Amendment 17, (3-27-43)	4- 2-43
Amendment 18, (3-30-43)	3-30-43
Amendment 19, (4- 2-43)	4- 2-43
Amendment 20, (4-16-43)	4-22-43

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-5984; Filed, April 16, 1943; 4:46 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169,[1] Amendment 7]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this Amendment No. 7 to Revised Maximum Price Regulation No. 169, Beef and Veal Carcasses and Wholesale Cuts has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.451 (a) (5) is amended by deleting the date April 14, 1943, and substituting therefor the date April 22, 1943.

2. Section 1364.452 (p) (1) is amended by deleting the date April 14, 1943, and substituting therefor the date April 22, 1943.

This amendment shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5983; Filed, April 16, 1943; 4:47 p. m.]

PART 1376—FLUORITE

[MPR 126[1] as Amended, Amendment 2]

FLUORSPAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 126 is amended in the following respects:

1. Section 1376.1 (b) (1) is amended to read as follows:

(1) The maximum price f. o. b. a consumer's plant for any shipment of acid grade fluorspar shall be $32.00 per ton, plus either (i) railroad freight on such shipment from the seller's shipping point to the consumer's plant or (ii) railroad freight on such a shipment from Rosiclare, Illinois, to the consumer's plant, whichever is lower.

2. Section 1376.1 (b) (3) is amended to read as follows:

(3) As an alternative method of pricing, on all sales or deliveries made by the Metals Reserve Company and on all sales or deliveries to a buyer who has customarily bought on a premium and penalty basis, the maximum price for any sale or delivery shall be computed by taking as the base price the maximum price established in paragraph (b) (1) or (b) (2) of this § 1376.1 for a base analysis of 97.5% CaF_2 and 1.5% SiO_2 and applying thereto in the case of sales or deliveries to a buyer who has customarily bought on a premium and penalty basis the premiums and penalties customarily applied by such buyer, and in the case of sales or deliveries by the Metals Reserve Company the following premiums and penalties:

Premiums

CaF_2 above 97.5%—3% of the delivered price established in paragraph (b) (1) for each 1%.

SiO_2 below 1.5%—10% of the delivered price established in paragraph (b) (1) for each 1%.

Penalties

CaF_2 below 97.5%—3% of the delivered price established in paragraph (b) (1) for each 1%.

SiO_2 above 1.5%—10% of the delivered price established in paragraph (b) (1) for each 1%.

Fractions of percentages may be calculated proportionately.

Each seller, except the Metals Reserve Company, shall file with the Office of Price Administration, Washington, D. C., all such premiums and penalties to which he is subject on or before December 17, 1942, and thereafter within 10 days after he becomes subject to any different premiums or penalties.

This amendment shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5977; Filed, April 16, 1943; 4:46 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 26,[1] Amendment 14]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

To the table in § 1381.62 (a) entitled "No. 1 Boards and Shiplap, Green, Surfaced, A. L. S.," footnote 11 is added to read as follows:

11. If a mill is operating in compliance with the War Production Board's Circular No. 31, of March 31, 1943, addressed "To all Douglas Fir Sawmills", for so long as such order is in force and for so long as the mill has not been granted exception from such order, its maximum prices shall be the maximum prices established under this Table and footnotes thereto plus $3.50 per MBM in the case of Select merchantable, No. 1 Common, and No. 2 Common boards, or, in the case of No. 3 Common boards, $1.50 per MBM.

This amendment shall become effective April 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5981; Filed, April 16, 1943; 4:46 p. m.]

PART 1346—BUILDING MATERIALS

[Rev. MPR 236,[2] Amendment 2]

HEATING BOILER CONVERSION PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 236 is amended in the following respects:

1. Section 1316.158 is amended to read as follows:

§ 1346.158 *Maximum prices for the installation of conversion parts.* The maximum price for the installation of conversion parts and incidental brick and masonry work, but including the installation of special combination grates only when installed by a person other than the seller of the special combination grate, shall not be in excess of a sum computed in the following manner:

(a) Take the number of hours utilized in making the installation (figuring the time on the basis of the practice customarily employed by the installer on October 1, 1941).

(b) Multiply the number of hours utilized by the highest hourly price charged by the installer during the month of March 1942 for the same or similar mechanical service employing the same class of mechanics or, in the event the installer had no such established hourly price for such service or similar service during March 1942, the maximum hourly price of the nearest competitor who pays the same wage rate and employs the same class of mechanics: *Provided*, That the hourly price charged may be adjusted to reflect actual increases in wage rates paid by the installer becoming effective between March 1, 1942, and October 3, 1942, by adding to such March hourly price charged only the actual hourly increase in the wage rate during such period.

(c) Add to the price computed in paragraph (b) above, the cost to the installer of brick and masonry materials, if used in the installation.

2. Section 1346.159 is amended to read as follows:

§ 1346.159 *Maximum prices for special combination grates*—(a) *Installed price.* The maximum prices for the sale of special combination grates installed in the purchaser's heating boiler are as follows:

TABLE 1

Trade name of special combination grate	Manufacturer	Type	Size	Installed price	Items included
"Konver-to-Kol"	Albert Lea Foundry Co.	Kit A Kit B	Diameter up to 24", inc. Diameter of 25" to 34", inc.	$34.95 39.95	Hearth base and extensions, if required, Konver-to-Kol grate, necessary grate bars, clinker tongs, summer service scoop, instruction card for installation and operation, and incidental material to complete installation.
"Convert-O-Grate"	Jersey Oil Heat Co.	Kit A Kit B	Diameter up to 24", inc. Diameter of 25" to 34", inc.	34.95 39.95	Necessary grate bars, fire brick, fire brick blocks and frame, port plug and handle, ash hoe, clinker hook, 2 instruction cards (installation and operation), and incidental material to complete installation.
"Globe"	Stainless Steel Products Co.	A-14 A-22 Type B Type C	Diameter up to 20", inc. Diameter of 22" to 30", inc. Diameter of 22" to 40", inc. Diameter of 21" to 27", inc.	32.95 39.95 37.95 34.95	Hearth base, stoker grate, insulating hearth extension, ash pit frame, ash remover, instruction card for installation and operation, and incidental material to complete installation.

TABLE 1—Continued

Trade name of special combination grate	Manufacturer	Type	Size	Installed price	Items included
"Blue Coal"	D. L. & W. Coal Co.	Round Round	Diameter up to 21", inc. Diameter of 22" to 25", inc.	44.95 49.95	Supporting ring, necessary grate bars, complete shaker mechanism including either a crank for attachment to ash pit door (8" x 13") in floor, shaker handle, ash pit door (8" x 13") and frame, and incidental material to complete installation.
"Old Company Lehigh"	Lehigh Navigation Coal Co.	Round Round	Diameter up to 21", inc. Diameter of 22" to 25", inc.	44.95 49.95	
"Hudson Coal Co. Grates."	Hudson Coal Co.	Round Round	Diameter up to 21", inc. Diameter of 22" to 25", inc.	44.95 49.95	
Universal Conversion Grates.	Hershey Machine & Foundry Co. American Brake Shoe & Foundry Co. Early Foundry Co. Dieters Foundry. Sears, Roebuck & Co.	Round Round Round Circular. Obround	Diameter up to 21", inc. Diameter of 22" to 25", inc. Diameter of 22" to 25", inc. Diameter up to 28", inc. Diameter of 27" to 32", inc.	44.95 49.95 49.95 34.95 39.95	Conversion burner grate, clean-out door and frame, clinker tongs, ash remover, refractory cement, grate bars, insulating hearth and incidental material to complete installation.
"Hercules"					
"Standard Universal Conversion Grates."	Standard Utilities Corp.	4 Grate 5 Grate 6 Grate	Diameter up to 24", inc. Diameter of 25" to 29", inc. Diameter of 27" to 29", inc.	*49.95 *54.95 *59.95	Necessary grate bars and grate, ash pit door and frame, necessary "bricking in" fire brick blocks to fit grate, 2 shaker handles, 24" x 30" slide plate, necessary angle clips, instruction card for installation and operation, and incidental material to complete installation.

*Includes installations made with angle clips only. When fire brick chamber is used, add $9.00 to price.

TABLE 2

Trade name of special combination grate	Manufacturer	Grate area	Size	Installed price	Items included
Universal rectangular conversion grates.	(Lehigh Navigation Coal Co. Hudson Coal Co. D. L. & W. Coal Co. Hershey Machine & Foundry Co. Early Foundry Co. Dieter's Foundry.	2 sq. ft. 3 sq. ft. 4 sq. ft. 5 sq. ft. 6 sq. ft. 7 sq. ft. 8 sq. ft.	12" by 24" 10" by 18" 12" by 24" 14" by 24" 16" by 30" 20" by 36" 18" by 48" 24" by 36" 24" by 42" 24" by 48"	$54.95 62.95 73.95 83.95 91.95 99.95 107.95	All necessary castings and parts to complete the grate assembly and shaker mechanism, including fastening to attach to the grate, 2 instruction cards (installation and operation), and incidental material to complete installation.

(1) Prices listed in Table 2 include installation in dry base boilers. An additional charge of $1.00 for each leg may be added to the appropriate listed price if installed in a wet base boiler.

(2) To find the grate area, the horizontal diameter at the most restricted point, measured not more than 4 inches vertically above the grate, is the horizontal diameter to be used.

(3) To price grate areas other than those listed in Table 2, the following rules govern:

(4) Grate areas under 2 square feet are priced as 2 square feet.

(5) Grate areas less than ½ square foot larger than a listed size shall be priced as of the listed size; grate areas ½ square foot larger than a listed size shall be priced as of the next larger listed size. For example, if area is 4½ square feet, use the price of 5 square feet; if the area is 4½ square feet or any size up to but not 4½ square feet, use the 4 square foot area price.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5097, 4786, 4844.

[1] 7 F.R. 9490; 8 F.R. 437.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4573, 5180, 5360, 6168, 6388, 6424, 7285, 7942, 8384, 8877, 8948; 8 F.R. 138, 1811, 3253, 4270.

[2] 7 F.R. 9895; 8 F.R. 1681.

(b) *Uninstalled maximum price.* The maximum price for the sale of any special combination grate listed above when sold to an ultimate purchaser on an uninstalled basis shall not exceed the maximum installed price established in paragraph (a) above less the cost of the installation allowance established by the seller in the following manner:

The seller shall establish the installation allowance by securing bona fide quotations from one or more persons performing mechanical installation services (installing conversion grates) located in the area where the seller is conducting its business; then the seller shall subtract the amount of the lowest quotation received from the installed price enumerated in paragraph (a) of this section. The amount remaining after such deduction shall constitute the uninstalled maximum price.

The seller shall, upon request of the purchaser, submit the name or names of the persons who have issued quotations for the mechanical installation service.

This amendment shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6028; Filed, April 17, 1943; 2:34 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271, Corr. to Amendment 9[1]]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

The designation of § 1351.1031 (a) (3) is corrected to read § 1351.1031 (a) (4).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6029; Filed, April 17, 1943; 2:34 p. m.]

PART 1398—RATIONING OF OFFICE AND STORE MACHINES

[RO 4A,[2] Amendment 2]

TYPEWRITERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 4A is amended in the following respects:

1. Section 1398.114 is amended to read as follows:

§ 1398.114 *Certificate-free rental of Class B typewriters.* A Class B typewriter may be rented by, and to, any person without a certificate for a period not to exceed three months and may be renewed for succeeding periods not to exceed three months, subject however, to the recall provisions of § 1398.128 (b). (The other terms of the rental agreement are governed by § 1398.127.)

2. Section 1398.119 is amended to read as follows:

§ 1398.119 *Typewriters may be acquired as part of assets of business.* (a) Any person who buys or otherwise acquires all or substantially all the assets of any store, business, plant, or other enterprise, including the good will, may acquire any typewriters included among the assets, without giving up a certificate, for use in the continuance of the business or enterprise, or for permissible transfer.

(b) However, any person who buys or otherwise acquires typewriters from a typewriter dealer, wholesaler, or manufacturer, under this section, may acquire them for permissible transfer only and must file the reports as explained in § 1398.134.

3. The text of § 1398.128 is designated § 1398.128 (a).

4. Section 1398.128 (b) is added to read as follows:

(b) Every typewriter dealer, wholesaler and manufacturer, in renting a Class B typewriter, must give preference to a certificate-holder over a person not holding a certificate. If all the Class B typewriters of the dealer, wholesaler, or manufacturer are out on rental, he must, upon demand by a certificate-holder, recall the number of typewriters specified on the certificate within 48 hours from a person or persons to whom he rented them without certificates.

This amendment shall become effective April 23, 1943.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; W.P.B. Dir. No. 1; Supp. Dir. 1-D; Conversion Order No. L-54-a; 7 F.R. 562, 1792, 2130; E.O. 9125; 7 F.R. 2719)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6030; Filed, April 17, 1943; 2:33 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 11]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 16.7 is added to read as follows:

SEC. 16.7 *Sugar purchase certificates may be corrected and used instead of certificates on OPA Form R-1201.* (a) Where no food ration certificates (OPA Form R-1201) are available, sugar purchase certificates (OPA Form R-306) may be used instead, if the word "sugar" in the title is changed to "meats and fats", and the rest of the sentence following the applicant's name and address and ending with "Administration" is changed to read "is issued [amount in words] ([amount in numerals]) points of meats and fats." In the upper right corner, "not valid before" shall be changed to "not valid after", and the date inserted there shall be 60 days from date of issue. The date in the lower right corner shall be left blank.

2. The definition of "Certificate" in section 24.1 (a) is amended to read as follows: "Certificate" means a certificate on OPA Form R-1201, or on OPA Form R-306 revised in accordance with section 16.7.

This amendment shall become effective April 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6031; Filed, April 17, 1943; 2:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 403 Under § 1499.3 (b) of GMPR]

BISSELL WEISERT PIANO CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to §§ 1499.3 (b) and 1499.3 (c) of the General Maximum Price Regulation, *It is ordered:*

§ 1499.1890 *Establishment of maximum prices by Bissell Weisert Piano Company for radio parts.* (a) Bissell Weisert Piano Company, Chicago, Illinois, may sell and deliver at retail the following radio parts at prices no higher than those set forth below, exclusive of federal excise tax.

Laureate chassis	$71 00
Oxford cabinet	95 50
Sheraton cabinet	104 25
Victorian cabinet	132 00
Co-axial speaker	21 25
Four unit sound system	49 50
New products record changer	21 75
Webster mixer changer	55 50
Seeburg recordomatic	50 75

Bissell Weisert Piano Company if it assembles any of the above mentioned radio parts into a radio receiving set, phonograph or radio phonograph combination, may charge, in addition to the maximum prices set forth in this Order No. 403, a labor charge for the assembly based upon March 1942 wage rates. In no event, however, may the labor charges exceed $10.00.

(b) Bissell Weisert Piano Company shall unconditionally service each part and each radio receiving set, phonograph or radio phonograph combination assembled from the parts set forth in this Order No. 403 for a period of ninety days and shall install the assembled radio receiving set without additional charges.

(c) This Order No. 403 may be revoked or amended by the Price Administrator at any time.

This Order No. 403 shall become effective on the 19th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6033; Filed, April 17, 1943; 2:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 404 Under § 1499.3 (b) of GMPR]

B. B. CHEMICAL CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.1891 *Approval of maximum prices for sales of cements, adhesives, stains, finishes, and comparable chemical products by the B. B. Chemical Company.* (a) The maximum price per unit for sale by the B. B. Chemical Company of Cambridge, Massachusetts, of any cements, adhesives, stains, finishes, or comparable chemical products manufactured by it, for which a maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, shall be the sum which bears the same percentage relationship to the sum of items (1) and (2) below, as the net sales of the B. B. Chemical Company in March 1942, bore to the sum of raw material costs and manufacturing costs for all articles sold in that month, which percentage relationship is established in a statement filed with the Office of Price Administration by the B. B. Chemical Company, dated March 23, 1943.

(1) Raw material costs per unit, computed on the basis of actual prices (not to exceed the applicable maximum prices) paid for raw materials, and in any case not to exceed the highest price charged in March 1942, by the actual supplier to a purchaser of the same class as the B. B. Chemical Company.

(2) Manufacturing costs—equal to the sum of the applicable unit costs prevailing during March 1942 for the operations used in making the article to be priced, as specified in a list of unit manufacturing costs filed by the B. B. Chemical Company with the Office of Price Administration, dated March 23, 1943.

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect during March 1942, on the sale by the B. B. Chemical Company of comparable products, shall apply to the maximum prices determined under paragraph (a).

(c) On or before the last day of each month, beginning with May 1943, the B. B. Chemical Company shall submit to the Office of Price Administration in Washington, D. C. a report for each product priced under this Order No. 404 during the preceding month. Each such report shall include a description of the product so priced; a statement showing why the product cannot be priced under § 1499.2 of the General Maximum Price Regulation; the maximum price determined; and a detailed statement of the factors referred to in paragraph (a) of this order which were used in the determination of such maximum price. Each price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 404 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6034; Filed, April 17, 1943; 2:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 43 Under SR 15]

STAMP TRUCK LINE, INC.

The General Maximum Price Regulation Order No. 43 under § 1499.75 (a) (3) of Supplementary Regulation No. 15; Docket No. GF3-1011.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1343. *Adjustment of maximum prices for contract carrier services sold by Stamp Truck Line, Inc.* (a) Stamp Truck Line, Inc., Three Rivers, Michigan, may sell and deliver contract carrier services at the rates charged in March, 1942, as set forth in its MF-I. C. C. No. 25 and Supplements Numbers 1, 2, and 3, filed with the Interstate Commerce Commission plus an increase not to exceed 10% of those rates.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 43 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 43 (§ 1499.1343) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 43 (§ 1499.1343) shall become effective April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6032; Filed, April 17, 1943; 2:33 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 43]

MAXIMUM PRICES FOR CERTAIN SALES OF CERTAIN SURPLUS STOCKS

A statement of the reasons for this Supplementary Order No. 43 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered* That:

§ 1305.58 *Maximum prices for certain sales of certain surplus stocks.* (a) Notwithstanding the provisions of any price regulation the Standard Oil Company of Venezuela, the Lago Petroleum Corporation and the Standard Oil Company of New Jersey or any one or more of them may sell through one or more supply and/or equipment houses all or any part of the materials and supplies ordered in the United States prior to December 31, 1942, by or for the account of the Standard Oil Company of Venezuela or the Lago Petroleum Corporation and not exported prior to March 19, 1943, at prices not in excess of the maximum prices which would be applicable if the sale whose maximum price is determined under this order were made in the regular course of business by the supply and/or equipment house through which the sale subject to this order is made, and any supply and or equipment house may sell all or any part of the aforementioned materials and supplies on the terms hereinabove set forth.

(b) Notwithstanding the provisions of any price regulation the amount that any supply and/or equipment house may charge the Standard Oil Company of Venezuela, the Lago Petroleum Corporation or the Standard Oil Company of New Jersey for making or assisting in the making of any one or more of the sales subject to this order shall not be subject to price control.

(c) The sale of any materials and supplies subject to this order by any supply and or equipment house at a price in excess of the maximum price applicable to such sale shall be deemed not to constitute a violation of this order by the Standard Oil Company of Venezuela, the Lago Petroleum Corporation, the Standard Oil Company of New Jersey or any of their officers or employees: *Provided*, That in the event any such sale is made at a price in excess of the applicable maximum price, the last aforementioned corporations shall refund to the purchasers the amount by which the sale price exceeds the maximum price.

(d) As used in this order the term "price regulation" means a price schedule effective in accordance with the provisions of Section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued or any amendment or supplement

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4718

[2] 7 F.R. 10806; 8 F.R. 1065, 1588.

[1] 8 F.R. 3591, 3715, 3949, 4137, 4350, 4721, 4423, 4784.

*Copies may be obtained from the Office of Price Administration.

thereto or order thereunder heretofore or hereafter issued, including Maximum Price Regulation No. 204.[1]

This order shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6053; Filed, April 19, 1943; 10:02 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 369]

DRY ROOFING FELT

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of dry roofing felt by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

§ 1347.901 *Maximum prices for dry roofing felt.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 369 (Dry Roofing Felt), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.901 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 369—DRY ROOFING FELT

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Sec.
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2 Less than maximum prices.
3 Geographical applicability.
4 Applicability of the General Maximum Price Regulation.
5 Export sales.
6 Evasion.
7 Enforcement.
8 Records and reports.
9 Petitions for amendment.
10 Adjustable pricing.
11 Definitions.
Appendix A: Maximum prices for dry roofing felt.

SECTION 1 *Prohibition against dealing in dry roofing felt at prices above the maximum.* On and after April 24, 1943, regardless of any contract or other obligation:

(a) No person shall sell or deliver dry roofing felt in rolls of 100 square feet or more at higher prices than those set forth in Appendix A of this regulation.

(b) No person shall buy or receive dry roofing felt in rolls of 100 square feet or more in the course of trade or business at prices higher than those set forth in Appendix A of this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 2 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

SEC. 3 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia, but shall not be applicable to the territories and possessions of the United States.

SEC. 4 *Applicability of the General Maximum Price Regulation.*[1] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of which the maximum prices are established by this regulation.

SEC. 5 *Export sales.* The maximum price at which a person may export dry roofing felt shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[2] issued by the Office of Price Administration.

SEC. 6 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, delivery, purchase, or receipt of or relating to dry roofing felt, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

SEC. 7 *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 8 *Records and reports.* (a) Every person making purchases, sales, or exchanges of dry roofing felt in April, 1943 or any month thereafter shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase, sale, or exchange of dry roofing felt made during such month and each month thereafter, showing the following:

(1) Date of purchase, sale, or exchange.

(2) Name and address of the buyer or seller, or of the other party to the exchange.

(3) Weight in pounds per 480 sq. ft. and quantity of each weight purchased, sold, or exchanged.

(4) Prices, including discounts paid or received, and including all other direct or indirect considerations given or received and returns and allowances made or taken.

(5) Specifications, including any warranties given or received.

(6) Origin and destination of the shipment, means of transportation used, and amount of transportation charges, insofar as known to the person keeping the record.

(b) Persons required to keep records shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section 8 as the Office of Price Administration may from time to time require, or permit, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 9 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.*

SEC. 10 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 11 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Dry roofing felt" includes any fibrous material produced by the felting of vegetable and animal fibers, which is suitable for asphalt or tar saturating purposes, and is customarily used in the production of finished roofing material.

(3) "Short air dry ton" means 2,000 pounds gross weight, including a maximum moisture content of 5%.

(4) "Point of shipment" means that point at which dry roofing felt is loaded upon the carrier or conveyance for shipment to the purchaser.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

Appendix A: Maximum prices for dry roofing felt. Maximum prices for dry roofing felt shall in no event exceed the specific dollars and cents prices set forth below, except that if during March 1942 there was an agreement between seller and buyer for the sale of dry roofing felt, the maximum price for sales between that seller and that buyer shall not be in excess of the amount which is arrived at by computation under the pricing formula contained in that agreement, or the specific dollars and cents prices set forth below, whichever is lower.

MAXIMUM PRICES

Weight per 480 square feet:	*Maximum price per short air dry ton, f. o. b. point of shipment*
Less than 60 pounds	$52.00
60 pounds or more	$[illegible].00

This Maximum Price Regulation No. 369 shall become effective April 24, 1943.

NOTE: All of the reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6052; Filed, April 19, 1943; 10:02 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 370]

LINSEED OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

In the judgment of the Price Administrator, the prices of linseed oil meal, cake, pea size meal and pellets have risen and are threatening to rise further to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended, and are thereby causing undue increases in prices.

The Administrator has considered all pertinent provisions of the Emergency Price Control Act of 1942, as amended, and has complied with all requirements thereof.

The maximum prices established by this Maximum Price Regulation No. 370 are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1351.353 *Maximum prices for linseed oil meal, cake, pea size meal and pellets.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, Maximum Price Regulation No. 370 (Linseed Oil Meal, Cake, Pea Size Meal and Pellets), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.353 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 370—LINSEED OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

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SECTION 1 *Prohibition against sales above the maximum price.* While this regulation is in effect, regardless of any contract, agreement or other obligation, no person to whom this regulation is applicable shall sell, offer for sale or deliver any linseed oil meal, cake, pea size meal or pellets at prices higher than the maximum prices specified in this Maximum Price Regulation No. 370, and no person in the course of trade shall buy, solicit or receive any such linseed oil meal, cake, pea size meal or pellets at a price higher than the maximum prices specified in this Maximum Price Regulation No. 370; and no person shall agree, solicit or attempt to do any of the foregoing.

SEC. 2 *Less than maximum prices.* Lower prices than those provided for in this Maximum Price Regulation No. 370 may be charged, demanded, paid or offered.

SEC. 3 *To what transactions and commodities this regulation applies.* This regulation applies to all sales and deliveries of linseed oil meal, cake, pea size meal or pellets.

SEC. 4 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 370 shall be applicable to the forty-eight States and the District of Columbia.

SEC. 5 *Definitions.* (a) When used in this regulation:

(1) "Person" includes any individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing and includes the United States or any other government or any political subdivision or agency of any of the foregoing.

(2) "Crusher" means any person who by expeller, extraction or hydraulic process removes oil from flaxseed, and in that process produces oil meal, cake, pea size meal or pellets.

(3) "Jobber" means a person who buys linseed oil meal, cake, pea size meal or pellets whether in carlots or less-than-carlots, and distributes the same without unloading into a warehouse and resells the same other than at retail.

(4) "Wholesaler" means a person who buys linseed oil meal, cake, pea size meal or pellets and unloads his purchase into a warehouse and resells the same, except at retail.

(5) "Retail" means a person who sells linseed oil meal, cake, pea size meal or pellets to an ultimate consumer or feeder.

(6) "Linseed oil meal, cake, pea size meal or pellets" means the product made for animal feding purposes which results when the oil is removed from flaxseed by an expeller, extraction or hydraulic process.

(7) "Carload lot" means the minimum quantity required to obtain carload lot rates from the point of shipment to the point of destination.

(8) "Less than carload lot" means a quantity other than a carload, mixed car or pool car lot, and includes truck quantities.

(9) "Pool car" means a car in which two or more buyers have combined for the purpose of obtaining a carload rate.

(10) "Transportation charges actually incurred" means:

(i) Where the carrier is not owned or controlled by the seller, the amount paid such carrier (including the 3 per cent tax provided for in section 620 of the Revenue Act of 1942) not exceeding any applicable common or contract carrier rate for a like billing or shipment nor any applicable maximum price for such service.

(ii) Where the carrier is owned or controlled by the seller, the reasonable value of the transportation in question not exceeding, if any, the common or contract rate nor the maximum price for a like service if performed by a person other than the seller.

Except as loading or unloading charges may be included in such transportation charges, no additional charges may be made for such services.

SEC. 6 *Maximum prices of crushers.* (a) The maximum prices for the sale or delivery of linseed oil meal, cake, pea size meal or pellets, produced from flaxseed grown in the United States, Mexico or Canada, per ton by a crusher, in bulk, f. o. b. plant where produced shall be as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6479, 7366, 8948.

[1] 8 F.R. 3096, 3849, 4347, 4486.

[2] 7 F.R. 5059, 7242, 5529, 9000, 10530; 8 F.R. 8846.

*7 F.R. 8961; 8 F.R. 3313, 3533.

*Copies may be obtained from the Office of Price Administration.

Location of crushing plants	Guaranteed minimum percentage of protein	Maximum prices in carload lots		Maximum prices in less than carload lots	
		Meal or cake	Pea size meal or pellets	Meal or cake	Pea size meal or pellets
1. Mankato, Minneapolis and Red Wing, Minnesota	34%	$40.00	Add differential of $1.50 to maximum price.	$41.00	Add differential of $1.50 to maximum price.
2. Chicago, Illinois, and Milwaukee, Wisconsin.	34%	42.00	....do.....	43.00	Do.
3. Cleveland and Toledo, Ohio	34%	43.00	....do.....	44.00	Do.
4. Fredonia and Fredonia, Kansas	34%	44.00	....do.....	45.00	Do.
5. Buffalo, New York	34%	44.00	....do.....	45.00	Do.
6. Amsterdam, New York	34%	44.50	....do.....	45.50	Do.
7. Edgewater and Newark, New Jersey, Philadelphia, Pennsylvania; Brooklyn and Staten Island, New York.	34%	45.00	....do.....	46.00	Do.
8. Corpus Christi, Harlingen, and Houston, Texas.	34%	45.00	....do.....	46.00	Do.
9. Los Angeles and San Francisco, California.	30%	40.00	....do.....	41.00	Do.
9. San Francisco, California	34%	42.00	....do.....	43.00	Do.
10. Portland, Oregon	34%	40.00	....do.....	41.00	Do.

(b) The foregoing maximum prices shall be decreased by $5.00 per ton for the sale or delivery of linseed oil meal, cake, pea size meal or pellets produced from flaxseed grown in any country other than the United States, Canada, or Mexico.

(c) If the actual analysis of linseed oil meal, cake, pea size meal or pellets differs from the guaranteed minimum percentage of protein above specified then:

(1) If above said guaranteed minimum percentage of protein, no increase in maximum price is permitted.

(2) If below said guaranteed minimum percentage of protein, the deficiency shall be settled for in the following manner: Divide the maximum price per ton for such guaranteed minimum percentage of protein by said minimum percentage of protein, and multiply the resulting figure by the actual number of units (the actual percentage of protein) in the lot in question, and this resulting figure will be the adjusted maximum price.

(d) The foregoing maximum prices may be increased for the sale or delivery by a crusher of linseed oil meal, cake, pea size meal or pellets packed in accordance with the appropriate differential given below:

In seller's new sacks add	$3.50
In seller's used sacks add	3.00
In buyer's new or recleaned sacks add	.50
In buyer's sacks of any other kind add	1.00

(e) The foregoing maximum prices may be increased for the sale or delivery by a crusher of linseed oil meal, cake, pea size meal or pellets at any point other than the plant where produced by the transportation charges actually incurred by such crusher for the delivery from the plant where produced to the buyer's receiving point.

(f) Should any crushing plant be established, in addition to the ones named in this regulation, the maximum price of such additional crushing plant shall be the maximum price of that crushing plant located nearest thereto.

SEC. 7 *Maximum prices of jobbers.* The maximum price for the sale or delivery of linseed oil meal, cake, pea size meal or pellets by a jobber shall be 50 cents per ton (maximum markup) for sales or deliveries in carload lots, and $1.00 per ton (maximum markup) for sales or deliveries in less than carload lots or in pool cars, over the maximum price which he could lawfully have paid a crusher for the quantity and quality purchased and delivered (from out of which lot the sale or delivery is made) plus transportation charges actually incurred by the seller in respect to the lot sold.

SEC. 8 *Maximum prices of wholesalers.* The maximum price for the sale or delivery of linseed oil meal, cake, pea size meal or pellets by a wholesaler shall be $2.50 per ton (maximum markup) over the maximum price which he could lawfully have paid the crusher or jobber for the quantity and quality purchased and delivered to his receiving point (from out of which lot the sale or delivery is made) plus transportation charges actually incurred by the seller in respect to the lot sold.

SEC. 9 *Maximum prices of retailers.* The maximum price for the sale or delivery of linseed oil meal, cake, pea size meal or pellets by a retailer shall be $5.50 (maximum markup) over the maximum price which he could lawfully have paid the crusher, jobber or wholesaler for the quantity and quality purchased and delivered to his receiving point (from out of which lot the sale or delivery is made) plus transportation charges actually incurred by the seller in respect to the lot sold.

SEC. 10 *Maximum prices for sales or deliveries by others.* (a) The maximum price for the sale or delivery of linseed oil meal, cake, pea size meal or pellets by an ultimate consumer or other person of a class not hereinbefore specifically provided for shall be the maximum price which his seller could lawfully have charged him when he purchased the same.

(b) Notwithstanding any other provision of this regulation sales between persons of one of the classes hereinbefore specifically provided for shall be permissible: *Provided*, That no such sales, nor sales to a person of a different class, shall be at a higher price than the maximum price hereinbefore prescribed for said class of sellers.

SEC. 11 *Intermediate sellers' sacks.* When an intermediate seller who has purchased linseed oil meal, cake, pea size meal or pellets in bulk resells the same in sacks he may add the differentials given in section 6 (d) above.

SEC. 12 *Maximum prices shall not be increased for any special charges.* The maximum prices fixed in this regulation shall not be increased by any special charges whatsoever, including, but not limited to, duties, brokerages and commissions, or storage, insurance, carrying and handling charges, or charges for the extension of credit.

SEC. 13 *Imported sales.* No person shall sell or deliver imported linseed oil meal, cake, pea size meal or pellets at a higher price than could lawfully be charged for a like sale or delivery by a like class of seller of domestic linseed oil meal, cake, pea size meal or pellets, but in the case of the first seller within the United States his maximum price shall be computed as if he had purchased the product from that domestic crusher whose production plant is located nearest the port of entry of the imported product in question.

SEC. 14 *Maximum prices for export sales.* The maximum price for export sales of linseed oil meal, cake, pea size meal or pellets shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation.[1]

SEC. 15 *Federal and State taxes including certain licenses or inspection fees.* Any tax upon or incident to the sale, delivery, processing or use of linseed oil meal, cake, pea size meal or pellets, including license or inspection fees levied on a tonnage basis imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price for linseed oil meal, cake, pea size meal or pellets, and in preparing the records of such seller with respect thereto: If at the time the seller determines his maximum price, the statute or ordinance imposing the tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately, the seller may collect in addition to the maximum price, the amount of tax or fee actually paid by him or an amount equal to the amount of tax or fee paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

SEC. 16 *Evasion.* The provisions of this Maximum Price Regulation No. 370 shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of any commodity covered by this regulation alone or in connection with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding or otherwise.

SEC. 17 *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of linseed oil meal, cake or pellets after the effective date of this regulation.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.

SEC. 18 *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions suits for treble damages, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 19 *Protests and petitions for amendment.* Any person desiring to file a protest against or seeking an amendment of any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration.

This regulation shall become effective April 24, 1943.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6051; Filed, April 19, 1943; 10:02 a. m.]

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530, 8 F.R. 3846.

PART 1382—HARDWOOD LUMBER

[Rev. MPR 97,[1] Amendment 3]

SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 97 is amended in the following respect:

1. Section 1382.122 (b) (1) (i) is amended by inserting, after the words "Maurice W. Grundy, 8201 Fig Street, New Orleans, Louisiana," the words "Southern Lumber Company, 200 Block, Octavia Street, New Orleans, Louisiana."

This amendment shall become effective April 24, 1943.

[1] 8 F.R. 142, 3530.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533.
*Copies may be obtained from the Office of Price Administration.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6054; Filed, April 19, 1943; 10:02 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 171[1] Under § 1499.3 (b) of GMPR]

PERMANENTE METALS CORP.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (c) of § 1499.1187 is hereby revoked.

This amendment shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6049; Filed, April 19, 1943; 10:00 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 405 Under § 1499.3 (b) of GMPR]

HARTZELL INDUSTRIES INC.

Order No. 405 under § 1499.3 (b) of the General Maximum Price Regulation—Hartzell Industries Incorporated; Docket No. V2-23-1.

Hartzell Industries Incorporated of Piqua, Ohio, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization of a maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered* That:

§ 1499.1892 *Approval of maximum price for a new grade of veneer.* (a) On and after April 20, 1943, the Hartzell Industries Incorporated of Piqua, Ohio, may sell and deliver to any person and any person may buy and receive from Hartzell Industries Incorporated, at a price not to exceed $9.50 per M square feet, f. o. b. mill, a new grade of 1/20" rotary veneer, cut on a face machine from native woods, including poplar and maple.

(b) This order may be amended or revoked by the Price Administrator at any time.

[1] 7 F.R. 10347.

The effective date of this order shall be April 20, 1943.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6055; Filed, April 19, 1943; 10:00 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 406 under § 1499.3 (b) of GMPR]

SHARPE & DOME, INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1893 *Approval of maximum prices for sales of Tyrothricin Concentrate (Human) Mulford*—(a) *Maximum prices.* Maximum prices for Tyrothricin Concentrate (Human) Mulford are established as follows:

(1) *Sales other than sales on prescription.*

Sales to—	M 330-41%	M 330-022
	Each	*Each*
Individual ultimate consumers	$1.60	$5.65
Physicians	1.20	4.24
Retail druggists and hospitals	.96	3.39
Wholesalers	.82	2.88
State, county and city governments or agencies thereof	.80	2.82
U. S. Government or agencies thereof	.76	2.68

(2) *Sales on prescriptions.* The maximum prices established by subparagraph (1) of this paragraph shall not apply to sales on prescription of Tyrothricin Concentrate (Human) Mulford. The maximum price for a sale on prescription of Tyrothricin Concentrate (Human) Mulford shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that no report of the maximum price so determined need be filed as required by that section.

(b) *Discounts and allowances.* Any seller making sales of Tyrothricin Concentrate (Human) Mulford shall apply to the maximum prices established for such sales in paragraph (a) all quantity differentials, trade practices, credit terms, practices relating to transportation costs, and other customary discounts and allowances which were in effect on his sales of biological products manufactured by Sharp & Dohme, Incorporated, during March 1942, or if such seller did not sell such biologicals in March 1942, on his sales of the product most comparable to Tyrothricin Concentrate (Human) Mulford which such seller sold in March 1942.

(c) *Definitions.* When used in this order, the term:

(1) "Tyrothricin Concentrate (Human) Mulford" refers to an organic germicide and bacteriostatic agent extracted from cultures of soil bacilli and

used exclusively in treating human beings which is manufactured by Sharp & Dohme, Incorporated, a corporation of Maryland having its principal offices in Philadelphia, Pennsylvania.

(2) "M 330–419" refers to a package containing a 1 cc. ampule of a solution of Tyrothricin Concentrate (Human) Mulford, 25 mgm. per cc., and a vial containing 49 cc. of pyrogen-free, sterile, distilled water for diluting the concentrate before use.

(3) "M 330–022" refers to a vial containing 20 cc. of a solution of Tyrothricin Concentrate (Human) Mulford, 25 mgm. per cc.

(d) *Notification.* (1) With or prior to the first delivery of each size of Tyrothricin Concentrate (Human) Mulford to a wholesaler, Sharp & Dohme, Incorporated shall furnish such wholesaler a written notice containing the following information:

(i) The maximum price established by this order for sales by Sharp & Dohme, Incorporated, to such wholesalers.

(ii) Wholesalers' maximum price to retailers.

(iii) Retailers' maximum price to individual ultimate consumers.

(iv) A statement that wholesalers' and retailers' maximum prices are subject to the discounts, allowances and trade practices in effect on sales by the seller during March 1942 of biological products manufactured by Sharp & Dohme, Incorporated, or if the seller did not sell such biological products during March 1942, on sales of the product most comparable to Tyrothricin Concentrate (Human) Mulford which the seller sold during March 1942.

(2) Prior to the first delivery of each size of Tyrothricin Concentrate (Human) Mulford, Sharp & Dohme, Incorporated shall publish in any drug trade periodical of national circulation generally circulated among retail sellers of drugs, a notification setting forth the maximum prices established by this order for sales thereof to retailers and the maximum prices established by this order for sales thereof by retailers to individual ultimate consumers: *Provided*, That such publication is not required so long as Sharp & Dohme, Incorporated directly supplies each retailer who purchases such product, with or prior to the first delivery thereof, with a written notice of the maximum prices established by this order for sales to retailers and to individual ultimate consumers.

(e) This Order No. 406 may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6050; Filed, April 19, 1943; 10:00 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 407 Under § 1499.3 (b) of GMPR]

P. HICKS CADLE, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1894 *Authorization of Maximum Prices for "All American Table Seasoning Bouquet" manufactured by P. Hicks Cadle, 68 Wazee Market Place, Denver, Colorado.* (a) On and after April 20, 1943, the maximum price f. o. b. Denver, Colorado for the following product of P. Hicks Cadle, Inc. packed in one ounce shaker type containers, 24 containers per shipping case, shall be as set forth below:

"All American Table Bouquet Seasoning"—$1.85 per case.

(b) This order may be revoked or amended by the Administrator at any time.

(c) This Order No. 407 (§ 1499.1894) shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6044; Filed, April 19, 1943; 10:03 a. m.]

PART 1499—COMMODITIES AND SERVICES

GEORGE H. SHOOK & SONS

[Order 44 Under SR 15 to GMPR]

Order No. 44 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3–3093.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1344 *Adjustment of Maximum Prices for Contract Carrier Services by George H. Shook, doing business under the firm name of George H. Shook & Sons, of 7861 Cameron Avenue, Detroit, Michigan.* (a) George H. Shook, doing business under the firm name of George H. Shook & Sons, of 7861 Cameron Avenue, Detroit, Michigan, may sell and deliver contract carrier services for the transportation of beer from Frankenmuth, Michigan to the following points of delivery at prices not to exceed the following maximum prices:

	Per case
Detroit	7¢
Mt. Clemens	7¢
Ann Arbor	7¢
Fort Custer	7¢

(b) All requests of the application not granted herein are denied.

(c) This Order No. 44 (§ 1499.1344) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 44 (§ 1499.1344) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 44 (§ 1499.1344) shall become effective April 20, 1943.

(Pub. Laws No. 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43–6045; Filed, April 19, 1943; 10:03 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 45 Under SR 15 to GMPR]

CALLAHAN TRANSPORTATION

Order No. 45 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3–984.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1345 *Adjustment of Maximum Prices for Contract Carrier Services sold by John R. Callahan, doing business as Callahan Transportation.* (a) John R. Callahan, doing business as Callahan Transportation, 851 Beech Avenue, N. S., Pittsburgh, Pennsylvania, hereinafter referred to as applicant, may increase his March, 1942 rates for motor contract carrier services for the delivery of malt beverages for the Duquesne Company, of Pittsburgh, Pennsylvania, by 5%, and for the delivery of carbonated beverages for Canada Dry Ginger Ale Company, of Pittsburgh, Pennsylvania, by 3%.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 45 (§ 1499.1345) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 45 (§ 1499.1345) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 45 (§ 1499.1345) shall become effective April 20, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6046; Filed, April 19, 1943; 10:03 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 46 Under SR15 to GMPR]

T. O. VEST

Order No. 46 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3–1341.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1346 *Adjustment of Maximum Prices for Contract Carrier Services sold by T. O. Vest.* (a) T. O. Vest, of Joplin, Missouri, may sell and deliver contract carrier services to Hegeler Zinc Company, in connection with the transportation of zinc ore concentrates from mine bins in the Tri-State District to nearby railroad sidings at a rate not to exceed 55¢ per ton.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 46 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 46 (§ 1499.1346) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 46 (§1499.1346) shall become effective April 20, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6047; Filed, April 19, 1943; 10:03 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 47 Under SR 15 to GMPR]

MOORE & WEST

Order No. 47 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3–1193.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1347 *Adjustment of Maximum Prices for Contract Carrier Services sold by Silva Moore and C. A. West, doing business as Moore & West.* (a) Silva Moore and C. A. West, doing business as Moore & West, at 1138 Wilbur Avenue, Akron, Ohio, hereinafter referred to as applicant, may charge as their maximum prices for the transportation by motor vehicle of tire fabric, chemicals, scrap tires and tubes, reclaimed rubber shoddy, iron or steel automobile wheel rims and parts, iron or steel wheel bands plain or punched for the Firestone Tire & Rubber Company, and its affiliates, the Firestone Steel Products Company, and the Xylos Rubber Company, the rates not to exceed those set forth in the schedule of rates submitted as Exhibit No. 2, attached to the application filed in this Office on August 6, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 47 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 47 (§ 1499.1347) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 47 (§ 1499.1347) shall become effective April 20, 1943.

(Pub Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6048; Filed, April 19, 1943; 10:03 a. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, etc.

[T. D. 50848]

CANADIAN HALIBUT FISHING VESSELS

PERMISSION TO LAND CATCH IN ALASKA

APRIL 15, 1943.

Section 4311 R.S. (46 U.S.C. 251) waived to extent necessary to permit Canadian halibut fishing vessels to land catch of halibut in Alaska.

Upon the written recommendation of the Secretary of State and by virtue of the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Cong.), I hereby waive compliance with the provisions of section 4311 R.S. (46 U.S.C. 251) to the extent necessary, for the duration of the calendar year 1943, to permit Canadian fishing vessels engaging in the North Pacific halibut fishery only to land their catch of halibut in ports of entry in Alaska upon compliance with the applicable customs laws. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43–6018; Filed, April 17, 1943; 11:44 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 6—RULES GOVERNING FIXED PUBLIC RADIO SERVICES

QUARTERLY REPORT

The Commission, on April 13, 1943, effective immediately, amended § 6.31 to read as follows:

§ 6.31 *Quarterly report.* Commencing with the report due May 10, 1943, each licensee of a station at a specific location or of stations under a common transmitter control point, shall, within 40 days after the close of the quarter, submit a quarterly report in duplicate, stating in Part I of such report each frequency and associated call letters contained in the license(s), number of hours each such frequency was used to each point of communication for each class of service rendered (such as telegraph, telephone, program or radiophoto), and the total hours each such frequency was used; stating in Part II of such report the volume of paid public correspondence transmitted to, received from, and the total with respect to each point of communication named in the license(s); and stating in Part III of such report a list of the frequencies which were received from all stations beyond the continental limits of the United States, indicating call letters, locations, type of emissions, and whether such frequencies were received normally or occasionally: *Provided, however,* That this report is not required for stations operating on frequencies above 30,000 kilocycles which are used primarily to control the operation of, or to relay messages to or from, another radio station for which such a report is submitted or for the operation of stations on frequencies above 30,000 kilocycles which are used as an extension to or an integral part of the domestic communication network.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43–5996; Filed, April 17, 1943; 10:29 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 26A–1]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART P—RENTAL CARS

In accordance with § 501.144 of General Order ODT 26A, it is hereby authorized that:

§ 521.3800 *Certain commercial deliveries of merchandise authorized.* Notwithstanding the provisions of § 501.142 (b) of General Order ODT 26A any person, during the periods April 23, 1943, to April 25, 1943, inclusive, and May 7, 1943, to May 9, 1943, inclusive, may drive and operate a rental car for the purpose of making commercial deliveries of flowers which have been sold at retail.

(E.O. 8989, 9156, 9214; 6 F.R. 6725, 7 F.R. 3349, 6097; General Order ODT 26A, 8 F.R. 4934)

This General Permit ODT 26A–1 shall become effective April 19, 1943.

Issued at Washington, D. C., this 19th day of April 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43 6110; Filed, April 19, 1943; 11:33 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service, Bureau of the Public Debt.

[1943 Dept. Circ. 711]

7/8 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES C–1944

APRIL 20, 1943.

I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series C–1944, in pay-

ment of which only 0.65 percent Treasury Certificates of Indebtedness of Series C–1943, maturing May 1, 1943, or ¾ percent Commodity Credit Corporation Notes of Series F, also maturing May 1, 1943, may be tendered. The amount of the offering under this circular will be limited to the amount of such Series C–1943 certificates and Series F notes tendered and accepted.

II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated May 1, 1943, and will bear interest from that date at the rate of ⅞ percent per annum, payable semiannually on November 1, 1943, and May 1, 1944. They will mature May 1, 1944, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes and will not bear the circulation privilege.

4. Bearer certificates with two interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par for certificates allotted hereunder must be made or on before May 1, 1943, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series C–1943 or in Commodity Credit Corporation Notes of Series F, maturing May 1, 1943, which will be accepted at par, and should accompany the subscription.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43-6103; Filed, April 19, 1943; 11:13 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

SEISMOGRAPH SERVICE CORPORATION

PROCEEDINGS FOR REVOCATION OF LICENSE

Order of dismissal without prejudice to future proceedings.

Purchaser's License No. 101,570 under the Federal Explosives Act (act of December 26, 1941, 55 Stat. 863, referred to herein as "the act") was issued on February 28, 1942, to Seismograph Service Corporation of Tulsa, Oklahoma, an Oklahoma corporation, and a new or reissued license, Purchaser's License No. 213,837, was issued to the same licensee on February 9, 1943. On November 16, 1942, these proceedings for revocation of the license then outstanding were started by filing a Specification of Charges alleging that the licensee had violated the act at a number of times and places. The licensee filed an answer in the form of a letter, requesting dismissal of the charges or a hearing thereon. A hearing was deemed necessary, and, after written notice to the licensee, was held in Dallas, Texas, on December 21, 1942, before a Hearing Officer designated by me. The licensee appeared by its attorney, John L. Carlson, Esq., and evidence bearing upon the charges was presented.

The Hearing Officer filed a report dated February 4, 1943, stating findings of fact and conclusions of law that the licensee, in a number of instances, had violated the act and the regulations then in force. The report recommended revocation of the license then outstanding, and also of any reissued license granted to the licensee; and further recommended that, because of efforts made by the licensee since these proceedings were started, to conform to the law and applicable regulations, any revocation order should be without prejudice to the right of the Seismograph Service Corporation to apply to the Director of the Bureau of Mines for a new license upon a showing of full compliance with all applicable laws, regulations, and instructions relative to the storage of explosives. A copy of the report was sent on February 4, 1943, to the licensee by mailing to its attorney, John L. Carlson.

By letter dated February 24, 1943, the licensee filed exceptions to the report of the Hearing Officer. No exception was taken to the findings of fact and conclusions of law that the licensee had violated the act; the exceptions were limited to the recommendations for revocation of licenses and were expressly directed to the exercise of my discretion under the act, in disposing of the proceedings, to consider circumstances other than guilt or innocense of the licensee. The licensee also requested a hearing on the report and exceptions before any revocation order was made.

The exceptions were based largely on the allegation that the licensee was at the date of the exceptions complying fully with the act, the regulations issued pursuant thereto and instructions for storing, handling and transporting explosives approved by me, and the assurance that it would continue such compliance in the future. After further investigation, I am satisfied that the licensee is now conforming to all requirements of law and I believe it will continue to do so hereafter.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (act of December 26, 1941, 55 Stat. 863) and § 301.22 of the regulations issued pursuant thereto (7 F.R. 5901), I, R. R. Sayers, Director of the Bureau of Mines, having reviewed the record and considered the exceptions, *Order*, That the findings of fact and conclusions of law of the Hearing Officer to the effect that the Seismograph Service Corporation did in a number of instances violate the Federal Explosives Act (act of December 26, 1941, 55 Stat. 863) and regulations then in force are hereby approved and adopted as my own;

That since the licensee is now fully complying with the act, these proceedings are dismissed; the dismissal to be without prejudice, however, to the initiation of similar proceedings against this licensee hereafter if the licensee shall be guilty of any future violation of the Federal Explosives Act (act of December 26, 1941, 55 Stat. 863) or any regulation or instruction issued pursuant thereto; the record herein or any part thereof may be introduced as evidence in, and the violations proved herein may be considered in support of, any such future revocation proceedings, and, after such future violation, in support of any action I may seek to take with respect to the issue or reissue of a license to the above-named licensee and in any proceedings involving its rights under the said act.

Since the licensee requested further hearing before revocation of its license, and not otherwise, so that the present disposition of the proceedings leaves no request pending, nor any occasion, for further hearing, accordingly none will be held.

Dated at Washington, D. C., this 15th day of April 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-6075; Filed, April 19, 1943; 10:22 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF COUNTIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1 1942, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION V

ALABAMA

Lamar County

Locality I—Consisting of Precincts 1, 5, 7, 8, 9, 10, and 11	$1,482
Locality II—Consisting of Precincts 2, 3, 4, 6, 12, 15, 16, 17, 18, and 19	1,084
Locality III—Consisting of Precincts 13, 14, 20 and 21	1,451

FLORIDA

Walton County

Locality I—Consisting of Precincts 1, 2, 7, 8, 10, 11, 12, 15, 16, 18, 22, and 24	$747
Locality II—Consisting of Precincts 3, 4, 5, 6, 9, 14, 17, 19, 20, 21, 23, 25, 26 and 27	1,476

REGION VII

NEBRASKA

Buffalo County

Locality I—Consisting of the townships of Center, Collins, Elm Creek, Gibbon, Kearney (Coextensive with Kearney city), Odessa, Platte, Sharon, Shelton	$9,366
Locality II—Consisting of the townships of Armada, Beaver, Cedar, Cherry Creek, Livide, Gardner, Garfield, Grant, Harrison, Logan, Loup, Ravenna city, Riverdale, Rusco, Sarabeth, Schneider, Scott, Thornton, Valley	6,206

REGION VIII

TEXAS

Hopkins County

Locality I—Consisting of Precinct 1	$3,304
Locality II—Consisting of Precinct 2	1,794
Locality III—Consisting of Precinct 3	1,569
Locality IV—Consisting of Precinct 4	3,490
Locality V—Consisting of Precinct 5	3,094
Locality VI—Consisting of Precinct 6	2,006
Locality VII—Consisting of Precinct 7	1,938
Locality VIII—Consisting of Precinct 8	4,029

San Augustine County

Locality I—Consisting of Precinct 1	$1,826
Locality II—Consisting of Precinct 2	2,595
Locality III—Consisting of Precinct 3	1,767
Locality IV—Consisting of Precinct 4	1,869
Locality V—Consisting of Precinct 5	1,140
Locality VI—Consisting of Precinct 6	1,558

Limestone County

Locality I—Consisting of Precinct 1	$4,642
Locality II—Consisting of Precinct 2	6,802
Locality III—Consisting of Precinct 3	2,003
Locality IV—Consisting of Precinct 4	4,330
Locality V—Consisting of Precinct 5	2,127
Locality VI—Consisting of Precinct 6	2,151
Locality VII—Consisting of Precinct 7	5,793
Locality VIII—Consisting of Precinct 8	5,250

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved April 14, 1943.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 43-6006; Filed, April 17, 1943; 11:47 a. m.]

Food Distribution Administration.

DELEGATION OF AUTHORITY

ADMINISTRATION OF FOOD DISTRIBUTION ORDER 50

Order designating an administrator, and alternate administrators, of Food Distribution Order No. 50,[1] and delegating authority to perform certain functions.

Pursuant to the provisions of Food Distribution Order No. 50, issued under the provisions of Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807) and to effectuate the purposes of such Order, Lawrence Myers, Milton S. Briggs and William T. Darden, employees of the Commodity Credit Corporation, are designated as Administrator and Alternate Administrators, respectively, of Food Distribution Order No. 50, and they are hereby authorized, subject to such instructions as the Director of Food Distribution may from time to time issue, to perform all functions and duties necessary in the administration of said order.

This delegation shall not be construed to affect any power or authority vested in the Director of Food Distribution under Food Distribution Order No. 50.

(E.O. 9322, 8 F.R. 3807; Food Distribution Order No. 50)

Issued this 17th day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-6036; Filed, April 17, 1943; 4:03 p. m.]

[1] *Supra.*

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective April 19, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Free Service Tire Company, Johnson City, Tennessee; Rubber; 2 learners (T); Tire Recapper for a learning period of Four Weeks (160 hours) at 35¢ per hour until June 28, 1943.

S. W. Shetter Paper Box Manufacturing, Howard and Perry Streets, York, Pennsylvania; Converted Paper Products; 1 learner (T); Topping machine operator for a learning period of Six Weeks (240 hours) and Turner In for a learning period of Four Weeks (160 hours) at 35¢ per hour until October 19, 1943.

Signed at New York, N. Y., this 17th day of April 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-6042; Filed, April 19, 1943; 9:40 a. m.]

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination or order or regulation, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Winsor Manufacturing Company, 59 Social Street, Woonsocket, Rhode Island; Cotton handkerchiefs; 5 learners (T); effective April 19, 1943, expiring April 19, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments, Divisions of the Apparel Industry

Cohoes Silk Undergarment Company, 31 Ontario Street, Cohoes, New York; Gowns, housecoats and pajamas; 10 learners (T); effective April 19, 1943, expiring April 19, 1944.

Osgood and Sons, Incorporated Decatur, Illinois; Wash dresses, house coats and robes; 10 percent (T); effective April 19, 1943, expiring April 19, 1944.

H. A. Satin and Company, Incorporated, 521 Iron Street, Negaunee, Michigan; Cotton wash dresses, barsinsect-field; 10 percent (T); effective April 19, 1943, expiring April 19, 1944.

Steward Manufacturing Company, Incorporated, 63 Central Avenue, Ossining, New York; Women's, Junior's and Misses' dresses; 10 learners (T); effective April 19, 1943, expiring April 19, 1944.

Western Underwear Company of Minneapolis, 608 First Avenue North, Minneapolis, Minnesota; Slips, gowns and pajamas of woven fabric, slips, panties and gowns of knitted fabric; 10 learners (T); effective April 19, 1943, expiring April 19, 1944.

Glove Industry

Scotsmoor Company, Incorporated, Broadalbin, New York; Knit wool gloves; 5 learners (T); effective April 19, 1943, expiring April 19, 1944.

Tennessee Glove Company, Incorporated, South Atlantic Street, Tullahoma, Tennessee; Work gloves; 10 learners (A. T.); effective April 19, 1943, expiring December 10, 1943.

Wool Products Industries, Incorporated, 980 Kent Street, St. Paul, Minnesota; Knit fabric gloves; 5 learners (T); effective April 19, 1943, expiring April 19, 1944.

Hosiery Industry

Black Mountain Hosiery Mills, Incorporated, Box 756, Black Mountain, North Carolina; Seamless hosiery; 5 learners (A. T.); effective April 19, 1943, expiring October 12, 1943.

Elizabeth James Mills No. 2, South Logan Street, Marion, North Carolina; Full fashioned; 15 learners (A. T.); effective April 19, 1943, expiring November 30, 1943.

Lyerly Full Fashioned Mills, Incorporated, 8th Street, Hickory, North Carolina; Full-fashioned hosiery; 31 learners (A. T.); effective April 19, 1943, expiring October 19, 1943.

Pine Hosiery Mills, Incorporated, Star, North Carolina; Seamless hosiery; 5 learners (A. T.); effective April 19, 1943, expiring April 19, 1944.

Princeton Hosiery Mills, Princeton, Kentucky; Full-fashioned; 15 percent (A. T.); effective April 19, 1943, expiring October 19, 1943.

Radford Knitting Mills, Radford, Virginia; Full-fashioned hosiery; 5 learners (T); effective April 19, 1943, expiring April 19, 1944.

Slatedale Knitting Mills, Incorporated, Slatedale, Pennsylvania; Seamless hosiery; 20 learners (A. T.); effective April 19, 1943, expiring October 19, 1943. (This certificate replaces the one you now have bearing the expiration date of June 1, 1943.)

Vogue Manufacturing Corporation, Tappahannock, Virginia; Full-fashioned hosiery; 5 learners (T); effective April 19, 1943, expiring April 19, 1944.

Kitted Wear Industry

Robert P. Miller Company, Shoemakersville, Pennsylvania; Cotton knit underwear, cotton and wool sweaters; 5 learners (T); effective April 19, 1943, expiring April 19, 1944.

Textile Industry

Morton Feldman, Incorporated, Holeman Street, Mt. Holly, New Jersey; Cotton, silk, rayon and nylon; 8 learners (A. T.); effective April 19, 1943, expiring October 19, 1943. (This certificate replaces the one you now have bearing the expiration date of June 22, 1943.)

Holt-Williamson Manufacturing Company, Fayetteville, North Carolina; Cotton yarn; 3 percent (T); effective April 19, 1943, expiring April 19, 1944.

Huntingdon Throwing Company, Huntingdon, Pennsylvania; Silk, rayon and synthetic yarn; 20 percent (A. T.); effective April 19, 1943, expiring October 19, 1943.

Kingston Manufacturing Company, 210 Third Street, San Antonio, Texas; Women's work clothes, slacks and coveralls; 8 learners (T); effective April 19, 1943, expiring April 19, 1944.

C. F. Smith Company, 126–132 West Los Feliz Boulevard, Glendale, California; Men's sport shirts and ladies' robes; 15 learners (A. T.); effective April 19, 1943, expiring August 3, 1943.

Signed at New York, N. Y., this 17th day of April, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-6043; Filed, April 19, 1943; 9:40 a. m.]

PORTNOY GARMENT COMPANY

RELIEF FROM RECORD KEEPING REGULATIONS

Notice of granting of exception pursuant to § 516.18 of the Record Keeping Regulations, Part 516.

Notice is hereby given that pursuant to § 516.18 of the Record Keeping Regulations, Part 516, issued under the Fair Labor Standards Act of 1938, the Administrator of the Wage and Hour Division hereby grants to the Portnoy Garment Company of St. Louis, Missouri, relief from the necessity of preserving its employees' piece-work tickets for 2 years as required by § 516.15 (a) (1) of the Record Keeping Regulations: *Provided*, That these piece-work tickets are preserved for not less than 4 weeks, and that the weekly totals of piece work performed by each of the employees are entered in the payroll records and the payroll records are preserved for the period required by § 516.14 of the Record Keeping Regulations.

This authority is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 16th day of April 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-6041; Filed, April 19, 1943; 9:40 a. m.]

CANNED FRUITS AND VEGETABLES AND RELATED PRODUCTS INDUSTRY

MINIMUM WAGE RECOMMENDATION

Notice of hearing on the minimum wage recommendation of Industry Committee No. 56 for the Canned Fruits and Vegetables and Related Products Industry to be held May 10, 1943.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on February 25, 1943, by Administrative Order No. 182, appointed Industry Committee No. 56 for the Canned Fruits and Vegetables and Related Products Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 56, on March 17, 1943, recommended a minimum wage rate for the Canned Fruits and Vegetables and Related Products Industry and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on March 19, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons, and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 56 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 56 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Canned Fruits and Vegetables and Related Products Industry (as defined in Administrative Order No. 182) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Canned Fruits and Vegetables and Related Products Industry as set forth in Administrative Order No. 182, issued February 25, 1943, is as follows:

The canning and preserving of fruits and vegetables, and the manufacture of related products.

(a) It includes, but without limitation, the manufacture of jams, jellies and juices; soups of all kinds; relishes and sauces of all kinds; vinegar; cider; pectin; flavoring extracts and flavoring syrups; salad dressings; sandwich spreads (except those made principally from meat or cheese); peanut and nut butters; mustard and horseradish; mincemeat; honey; and canned spaghetti, chili con carne, stew, hash, and pudding, containing fruit or vegetables.

(b) The term "canning," as used herein, means sterilizing and hermetically sealing in containers of tin, glass, or other material.

(c) The term "preserving," as used herein, includes pickling, preserving, freezing, cold packing, drying, dehydrating, and similar processes.

Provided, however, That this definition shall not include the manufacture of coffee; spices; malt extracts and syrups; salad and cooking oils including olive oil; potato chips; ready-to-mix desserts; or any products covered by the definitions of the Grain Products Industry, the Candy and Related Products Manufacturing Industry, or the Sugar and Related Products Industry, contained in the Administrative Orders appointing committees for those industries.

III. The full text of the report and recommendation of Industry Committee No. 56 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street; Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets; Hartford, Connecticut, Department of Labor and Factory Inspection, 357 State Office Building; Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street; Baltimore, Maryland, 201 North Calvert Street; Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets; Jacksonville, Florida, 456 New Post Office Building; New York, New York, 341 Ninth Avenue; Newark, New Jersey, Essex Building, 31 Clinton Street; Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street; Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets; Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street, N. E.; Birmingham, Alabama, 1007 Comer Building, 2nd Avenue and 21st Street; New Orleans, Louisiana, 916 Union Building; Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.; Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets; Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive; Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets; Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street; San Francisco, California, 800 Humboldt Bank Building, 785 Market Street; Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street; New York, New York, 165 West 46th Street; Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street; Cleveland, Ohio, Main Post Office, West 3rd and Prospect Avenue; Detroit, Michigan, David Stott Building, 1150 Griswold Street; Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue; St. Louis, Missouri, 316 Old Customs House; Dallas, Texas, Rio Grande National Building, 1100 Main Street; Los Angeles, California, 417 H. W. Hellman Building; San Juan, Puerto Rico, Post Office Box 112; Washington, District of Columbia, Department of Labor, 1st Floor;

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on May 10, 1943, before the Administrator of the Wage and Hour Division or a representative designated to preside in his place, at 10:00 a. m. in Room 3229, United States Department of Labor Building, 14th Street and Constitution Avenue, NW., Washington, D. C., for the purpose of taking evidence on the following question: Whether the recommendation of Industry Committee No. 56 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 56 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than May 1, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 56.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 56 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Canned Fruits and Vegetables and Related Products Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, Canned Fruits and Vegetables and Related Products Industry, Economic Factors Affecting the Establishment of Minimum Wage Rates, prepared by the Economics Branch, Wage and Hour and Public Contracts Divisions, United States Department of Labor, March 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless pro-

vision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer, the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, a complete record of the proceedings shall be filed with the Administrator. No intermediate report shall be filed unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 15th day of April 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-6039; Filed, April 19, 1943; 9:40 a. m.]

MATTRESS, BEDDING AND RELATED PRODUCTS INDUSTRY

MINIMUM WAGE RECOMMENDATION

Notice of hearing on the minimum wage recommendation of Industry Committee No. 54 for the Mattress, Bedding, and Related Products Industry to be held May 12, 1943.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on February 11, 1943, by Administrative Order No. 174, appointed Industry Committee No. 54 for the Mattress, Bedding, and Related Products Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 54, on March 23, 1943, recommended a minimum wage rate for the Mattress, Bedding, and Related Products Industry and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on March 24, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons, and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 54 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 54 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Mattress, Bedding, and Related Products Industry (as defined in Administrative Order No. 174) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Mattress, Bedding, and Related Products Industry as set forth in Administrative Order No. 174, issued February 11, 1943, is as follows:

(a) The manufacture, renovation, and repair of mattresses, boxsprings, bedsprings (except metal), bedding, and related products, including, but without limitation, sleeping bags, bolsters, upholstered bedrests, and hassocks.

(b) The processing of feathers to be used as filling.

Provided, however, That this industry shall not include any product or part the manufacture of which is covered by the definition of an industry for which a wage order has been issued or for which an industry committee has been appointed under the Fair Labor Standards Act.

III. The full text of the report and recommendation of Industry Committee No. 54 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston Massachusetts, Old South Building, 294 Washington Street; Hartford, Connecticut, Department of Labor and Factory Inspection, 357 State Office Building; New York, New York, 341 Ninth Avenue; Newark New Jersey, Essex Building, 31 Clinton Street; Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets; Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street; Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street; Baltimore Maryland, 201 North Calvert Street; Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street, N. E.; Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets; Columbia, South Carolina, Federal Land Bank Building; Hampton and Marion Streets; Jacksonville, Florida, 456 New Post Office Building; Birmingham, Alabama, 1007 Comer Building, Second Avenue and 21st Street; New Orleans, Louisiana, 916 Union Building; Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street; Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N; Cleveland, Ohio, Main Post Office, West Third and Prospect Avenue; Cincinnati, Ohio; 1312 Traction Building, Fifth and Walnut Streets Detroit, Michigan, David Stott Building, 1150 Griswold Street; Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive; Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue; Kansas City, Missouri, 504 Title and Trust Building, Tenth and Walnut Streets; St. Louis, Missouri 316 Old Customs House; Denver, Colorado 300 Chamber of Commerce Building, 1726 Champa Street; Dallas, Texas, Rio Grande National Building 1100 Main Street; San Francisco, California, 800 Humboldt Bank Building, 785 Market Street; Los Angeles, California, 417 H. W. Hellman Building; Seattle, Washington, 305 Post Office Building, Third Avenue and Union Street; San Juan, Puerto Rico, Post Office Box 112; Washington, District of Columbia, Department of Labor, First Floor; New York, New York, 165 West 46th Street

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on May 12, 1943, before the Administrator of the Wage and Hour Division or a representative designated to preside in his place, at 10:00 a. m. in Room 1001, United States Department of Labor, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question: Whether the recommendation of Industry Committee No. 54 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 54 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided,* That not later than May 3, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 54.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 54 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Mattress, Bedding, and Related Products Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, Economic Factors Bearing on the Establishment of Minimum Wages in the Mattress, Bedding, and Related Products Industry, prepared by the Economics Branch, Wage and Hour and Public Contracts Divisions, United States Department of Labor, March 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer, the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, a complete record of the proceedings shall be filed with the Administrator. No

intermediate report shall be filed unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 15th day of April 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-6040; Filed, April 19, 1943; 9:40 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6501]

WORCESTER BROADCASTING CORP. (KFMB)

NOTICE OF HEARING

In re application of Worcester Broadcasting Corporation (KFMB); dated, October 8, 1942; for renewal of license; class of service, broadcast; class of station, broadcast; location, San Diego, California; operating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-entitled application and has designated the matter for hearing to be consolidated with the application of The First National Trust and Savings Bank of San Diego, for Voluntary Transfer of Control of Worcester Broadcasting Corporation, Docket No. 6500, for the following reasons:

1. To determine whether public interest would be served by the granting of a renewal license for operation of Station KFMB under control of a trustee without equitable or beneficial interest in the station.

2. To determine whether public interest, convenience, and necessity would be served by the granting of renewal license for operation of Station KFMB under the control of a bank or trust company which has no beneficial interest in the station and whose regular business is devoted to banking and to the administration of various and numerous trusts, estates, accounts, and agencies.

3. To determine the manner in which Station KFMB would be operated, particularly with respect to the management and service if the application for renewal of license were granted.

4. To determine whether the granting of a renewal license application for operation of KFMB under the control of the First National Trust and Savings Bank, San Diego, California, as trustee under the terms and conditions proposed by the applicant would be consistent with the provisions of the Communications Act of 1934.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Worcester Broadcasting Corporation, Radio Station KFMB, Pacific Square Studios, San Diego, California.

Dated at Washington, D. C., April 15, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-6073; Filed, April 19, 1943; 10:17 a. m.]

[Docket Nos. 6502 to 6508]

R. C. A. COMMUNICATIONS, INC. AND MACKAY RADIO AND TELEGRAPH CO., INC.

ORDER GRANTING PETITION AND DESIGNATING MATTER FOR HEARING

In the matter of applications of R. C. A. Communications, Inc., Dockets Nos. 6502, 6503, 6504, 6505, for authority to communicate with Dakar, French West Africa; R. C. A. Communications, Inc., Docket No. 6506, for authority to communicate with Rabat, French Morocco; Mackay Radio and Telegraph Company, Inc., Docket No. 6507, for authority to communicate with Dakar, French West Africa; Mackay Radio and Telegraph Company, Inc., Docket No. 6508, for authority to communicate with Rabat, French Morocco.

At a regular session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of April 1943;

The Commission having under consideration the petition of Mackay Radio and Telegraph Company, Inc., filed on March 30, 1943, for reconsideration of the Commission's action of February 23, 1943, in granting the request of R. C. A. Communications, Inc., for authority to communicate with Dakar, French West Africa, and in denying the request of Mackay Radio and Telegraph Company, Inc. for such authority; and for reconsideration of the Commission's action of March 23, 1943, in granting the application of R. C. A. Communications, Inc., for authority to communicate with Rabat, French Morocco, and in denying the request of Mackay Radio and Telegraph Company, Inc., for such authority; and the Commission also having under consideration the oppositions to the foregoing petition of Mackay Radio and Telegraph Company, Inc., filed by R. C. A. Communications, Inc., on April 3, 1943, and by Press, Wireless, Inc., on April 8, 1943;

It is ordered, That the foregoing petition for reconsideration filed by Mackay Radio and Telegraph Company, Inc. on March 30, 1943 be, and it is hereby, granted;

It is further ordered, That the foregoing request and application of R. C. A. Communications, Inc. for authority to communicate with Dakar, French West Africa (File Nos. T1-SA-216; T1-SA-222; T1-SA-223; T1-SA-224) and with Rabat, French Morocco (File No. T1-SA-227) and the request of Mackay Radio and Telegraph Company, Inc. for authority to communicate with Dakar, French West Africa (File No. T1-SA-236) and with Rabat, French Morocco (T1-SA-235), be, and they are hereby, designated for hearing upon the following issues:

1. To determine the method of operation proposed by each of the respective applicants for operating communication circuits between the United States, on the one hand, and Dakar, French West Africa and Rabat, French Morocco, on the other hand;

2. To determine what classifications of messages each of the respective applicants proposes to handle between the United States, on the one hand, and Dakar and Rabat on the other hand;

3. To determine what rates are proposed by each of the respective applicants for service between the United States on the one hand, and Dakar and Rabat, on the other hand, and what arrangements for division of tolls with the foreign correspondent at Dakar and Rabat are proposed by each of the respective applicants.

4. To determine what steps had been taken by each of the respective applicants, at the time of the Commission action upon their requests and applications for authority to communicate with Dakar and Rabat, in preparation for the establishment and operation of circuits between the United States, on the one hand, and Dakar and Rabat on the other hand, and whether service could be established more expeditiously by one of the applicants than by the other applicant;

5. To determine which of the applicants can operate circuits between the United States, on the one hand, and Dakar and Rabat, on the other hand, in a manner most consistent with public interest, convenience or necessity under wartime conditions;

6. To determine whether public interest, convenience or necessity would be served by authorizing both applicants to communicate with Dakar or with Rabat or with Dakar and Rabat;

7. To determine whether in the light of the foregoing issues, public interest, convenience or necessity would be served by a continuance of the special temporary authority heretofore issued to R. C. A. Communications, Inc. to communicate with Dakar, French West Africa, and with Rabat, French Morocco, or any extension or renewal thereof;

It is further ordered, That the special temporary authority to communicate with Dakar, French West Africa, granted to R. C. A. Communications, Inc. on February 23, 1943, for a period of 3 months, and the special temporary authority to communicate with Rabat, French Morocco, granted to R. C. A. Communications, Inc. on March 23, 1943, for a period of one month and any extensions or renewals of such authorizations

be, and they are hereby, made subject to the disposition of the proceeding herein instituted;

It is further ordered, That the hearing herein ordered be consolidated with the hearing ordered by the Commission on March 16, 1943, in the proceeding entitled "In the Matter of Applications of Mackay Radio and Telegraph Company, Press Wireless, Inc., and R. C. A. Communications, Inc. for authority to communicate with Algiers, Algeria," Dockets Nos. 6495, 6496, 6497, and 6498, and that such consolidated hearing be held at the Commission's offices at Washington, D. C., beginning on the 5th day of May, 1943.

It is further ordered, That the Commission's Order in Dockets Nos. 6495, 6496, 6497, and 6498 be, and it is hereby amended, so that Issue No. 3 therein set forth be amended to read as follows:

3. To determine what rates are proposed by each of the respective applicants for service between the United States and Algiers, Algeria, and what arrangements for division of tolls with the foreign correspondent at Algiers, are proposed by each of the respective applicants;

and that the following additional issue be inserted in such order:

4A. To determine what steps had been taken by each of the respective applicants, at the time of the Commission action upon their applications for authority to communicate with Algiers, Algeria, in preparation for the establishment of a circuit between the United States and Algiers, and whether service could be established more expeditiously by any one of the applicants than by the other applicants.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-6074; Filed, April 19, 1943; 10:17 a. m.]

[Docket No. 6500]

FIRST NATIONAL TRUST AND SAVINGS BANK OF SAN DIEGO

NOTICE OF HEARING

In re application of The First National Trust and Savings Bank of San Diego, executor of the last will and testament of Warren B. Worcester, deceased, transferor and The First National Trust and Savings Bank of San Diego, as trustee under declaration of trust for Warren B. Worcester, deceased, transferee; dated January 5, 1943, for voluntary transfer of control of Worcester broadcasting corporation, licensee of radio station KFMB, class of service, broadcast; class of station, broadcast; location, San Diego, California; operating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-entitled application and has designated the matter for hearing to be consolidated with the application of Worcester Broadcasting Corporation, Docket No. 6501, for the following reasons:

1. To determine whether public interest would be served by approval of the proposed transfer of control of Station KFMB to a trustee without equitable or beneficial interest in the station.

2. To determine whether public interest would be served by the transfer of control of Station KFMB to a bank or trust company which has no beneficial interest in the station and whose regular business is devoted to banking and to the administration of various and numerous trusts, estates, accounts, and agencies.

3. To determine the manner in which Station KFMB would be operated, particularly with respect to management and service, if the application for transfer of control were approved.

4. To determine whether approval of the transfer of control of Station KFMB to the First National Trust and Savings Bank of San Diego, trustee, under the terms and conditions proposed in the application would be consistent with the provisions of the Communications Act of 1934 and in the public interest.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: The First National Trust and Savings Bank of San Diego, % Trust Department, San Diego, California.

The licensee's address is as follows: Worcester Broadcasting Corporation, Radio Station KFMB, Pacific Square Studios, San Diego, California.

Dated at Washington, D. C., April 15, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-6072; Filed, April 19, 1943; 10:17 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4763]

SAVOY MANUFACTURING CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Charles Deer and Jack Deer, individuals trading as Savoy Manufacturing Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony; and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. section 41),

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, April 28, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5997; Filed, April 17, 1943; 11:02 a. m.]

[Docket No. 4808]

GLOBE CARDBOARD NOVELTY CO., INC., ET AL

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 26, 1943, at one-thirty o'clock in the afternoon of that day (eastern standard time) in Court Room No. 1, Post Office Building, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5998; Filed, April 17, 1943; 11:02 a. m.]

[Docket No. 4818]

EDWARD W. ARNOLD COMPANY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY.

At a regular session of the Federal Trade Commission, held at its office in

Standard Time), in Room 500, 45 Broad

the City of Washington, D. C., on the 16th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, May 11, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), North Court Room, County Court House, Logansport, Indiana.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5999; Filed, April 17 1943; 11:02 a. m.]

[Docket No. 4891]

S. FRIEDMAN & SONS AND SUNRAY YARN HOUSE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Abraham Friedman and Samuel Friedman, trading as S. Friedman & Sons, and as Sunray Yarn House.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, April 23, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B JOHNSON,
Secretary.

[F R Doc. 43-6000. Filed, April 17, 1943; 11 02 a m.]

[Docket No. 4903]

BAUSCH & LOMB OPTICAL COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress 38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, May 4, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 330, Federal Building, Syracuse, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-6002; Filed, April 17, 1943; 11:03 a. m.]

[Docket No. 4899]

THOMAS LEEMING & COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 26, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-6003; Filed, April 17, 1943; 11:03 a. m.]

[Docket No. 4919]

HAWKEYE SALES, INC. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, May 14, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 316, United States Court House, Des Moines, Iowa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-6004; Filed, April 17, 1943; 11:03 a. m.]

[Docket No. 4930]

ARTRA COSMETICS, INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, April 28, 1943, at t[illegible] clock in the forenoon of that day (Eastern

Standard Time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-6001; Filed, April 17, 1943; 11:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1091]

NOSAWA & COMPANY (NEW YORK AGENCY)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Nosawa & Company, a sole proprietorship, whose last known address is Tokyo, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Nosawa & Company has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to said Nosawa & Company,

is property of a business enterprise within the United States which is a national of the aforesaid designated enemy country (Japan);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5941; Filed, April 16, 1943; 11:34 a. m.]

[Vesting Order 1092]

THEODOR WILLE & CO., INC. (NEW YORK)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Theodor Wille & Cia. Ltda., whose principal place of business is in Santos, Brazil, and Hans U. Uebele, whose last known address is Brazil, are named in the Proclaimed List of Certain Blocked Nationals, promulgated pursuant to Proclamation No. 2497 of the President of July 17, 1941;

2. Finding that Theodore Wille & Cia. Ltda. is acting for and on behalf of Henschel & Sohn A. G., Kassel, Germany, J. N. Voith, Heidenheim, Germany and Hewald Stwerke A. G., Kiel, Germany, who are persons within a designated enemy country (Germany) and are, therefore, nationals of a designated enemy country (Germany); and determining therefore that said Theodore Wille & Cia. Ltda. is a national of such designated enemy country (Germany);

3. Finding that Hans U. Uebele is acting for and on behalf of a designated enemy country (Germany) or persons within Germany and is a national of such designated enemy country (Germany);

4. Finding that Olga Jurksheit, whose last known address was represented to the undersigned as being within Germany, is a national of a designated enemy country (Germany);

5. Finding that 10 shares of $500. par value common capital stock of Theodor Wille & Co., Inc., a New York corporation, New York, N. Y., are registered in the name of and owned by Theodore Wille & Cia. Ltda. of Santos, Brazil;

6. Finding that said Theodor Wille & Co., Inc. is a business enterprise within the United States and that said 10 shares constitute all of the outstanding capital stock of said business enterprise and are evidence of ownership and control thereof;

7. Determining, therefore, that said Theodor Wille & Co. Inc., is a national of a designated enemy country (Germany);

8. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Olga Jurksheit and Hans Uebele, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by said Theodore Wille & Co., Inc., including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly such obligations represented on the books and records of said Theodor Wille & Co., Inc. as accounts payable,

is an interest in the aforesaid business enterprise held by nationals of an enemy country and is also property within the United States owned or controlled by nationals of a designated enemy country (Germany);

9. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

10. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

11. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 10 shares of stock referred to in subparagraph 5 hereof and the property described in subparagraph 8 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of Theodor Wille & Co., Inc. to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5942; Filed, April 16, 1943; 11:34 a. m.]

[Vesting Order 1093]

THEODOR WILLE & CO., INC. (LA.)

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended,

an admission of the existence, validity

Any person, except a national of a designated enemy country, asserting any

be determined that such return should be made or such compensation should be

security rights in and to any and all collateral for any or all such obligations and

have the meanings prescribed in section 10 of said Executive Order.

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Theodor Wille & Cia, Ltda., whose principal place of business is in Santos, Brazil, is named in the Proclaimed List of Certain Blocked Nationals, promulgated pursuant to Proclamation No. 2497 of the President of July 17, 1941;

2. Determining that said Theodor Wille & Cia. Ltda. is acting for and on behalf of Henschel & Sohn A. G., Kassel, Germany, J. N. Voith, Heidenheim, Germany and Howald Stwerke A. G., Kiel, Germany, who are persons within a designated enemy country (Germany) and are therefore nationals of a designated enemy country (Germany), and determining therefore that said Theodor Wille & Cia. Ltda. is a national of such designated enemy country (Germany);

3. Finding that 25 shares of $100 par value common capital stock of Theodor Wille & Co., Inc., a Louisiana corporation, New Orleans, Louisiana, are registered in the name of and owned by Theodor Wille & Cia. Ltda;

4. Finding that said Theodor Wille & Co., Inc. is a business enterprise within the United States, and that said 25 shares constitute all of the outstanding capital stock of said business enterprise and are evidence of ownership and control thereof;

5. Determining, therefore, that said Theodor Wille & Co., Inc. is a national of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 25 shares of stock referred to in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F.R. Doc. 43-5943; Filed, April 16, 1943; 11:34 a. m.]

[Vesting Order 1136]

CHIFUNE SHOTEN, LTD., AND/OR THE ONE HUNDREDTH BANK, LTD.

Re: Certain cases of glass beads owned by Chifune Shoten, Limited and/or The One Hundredth Bank, Limited.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Chifune Shoten, Limited, and The One Hundredth Bank, Limited, are corporations organized under the laws of Japan, whose principal places of business are located at Tokio, Japan, and are nationals of a designated enemy country (Japan);

2. Finding that said Chifune Shoten, Limited and/or The One Hundredth Bank, Limited, are the owners of the property hereinafter described in subparagraph 3;

3. Finding that the property described as follows:

a. Eleven (11) cases of glass beads stored at the warehouse of Republic Storage Company, Inc., 726–736 Greenwich Street, New York, New York, in the name of Yokohama Specie Bank, Ltd.,

b. Nine (9) cases of glass beads stored at the warehouse of Bowne-Morton's Stores, Inc., 611 Smith Street, Brooklyn, New York, in the name of Yokohama Specie Bank, Ltd.,

is property within the United States owned or controlled by a national or nationals of a designated enemy country (Japan);

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons by treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5936; Filed, April 16, 1943; 11:33 a. m.]

[Vesting Order 1140]

VELKO M. BABOFF

Re: Embroideries and weavings owned by Velko M. Baboff.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Velko M. Baboff is a subject of Bulgaria, whose last known address is Sofia, Bulgaria, and is a national of a designated enemy country (Bulgaria);

2. Finding that said Velko M. Baboff is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property presently stored in the warehouse of Ben Langan Storage & Van Company, 5201 Delmar Boulevard, St. Louis, Missouri, and described as follows:

93 pieces of antique Bulgarian folk embroideries and weavings,

is property within the United States owned or controlled by a national of a designated enemy country (Bulgaria);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Bulgaria);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-5937; Filed, April 16, 1943; 11:33 a. m.]

[Vesting Order 1145]

ERNST H. MESSER

Re: Real property situated in Weld County, Colorado, personal property, bank accounts and claim, owned by Ernst H. Messer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ernst H. Messer is a citizen of Germany, whose last known address is 15 Landsbergers, Berlinchen, Neumark, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Ernst H. Messer is the owner of the property described in subparagraph 3 hereof;

3. Finding that property described as follows:

a. All right, title, interest and estate, both legal and equitable of Ernst H. Messer, in and to

(i) Real property situated in Weld County, Colorado, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all the fixtures, improvements, and appurtenances thereto,

(ii) An undivided one-half interest in the real property situated in Weld County, Colorado, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all the fixtures, improvements, and appurtenances thereto,

and any and all claims of Ernst H. Messer for rents, refunds, benefits or other payments arising from the ownership of such properties,

b. Household goods, farm implements, truck, and livestock, particularly described in Exhibit C attached hereto and by reference made a part hereof, located on the real property referred to in subparagraph 3-a (i) hereof,

c. All right, title, interest and claim of any name or nature whatsoever of said Ernst H. Messer in and to all obligations, contingent or otherwise and whether or not matured, owing to him by the First National Bank, Longmont, Colorado, and the First National Bank of Denver, Colorado, and each of them, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations and including particularly:

(i) The bank account in the First National Bank, Longmont, Colorado, which is due and owing to, and held for and in the name of Ernst H. Messer,

(ii) The bank account in the First National Bank of Denver, Denver, Colorado, which is due and owing to, and held for and in the name of Ernst H. Messer,

(iii) The bank account in the First National Bank of Denver, held in the name of Augusta H. Block, Trustee, for the benefit of Ernst H. Messer and Augusta H. Block,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraphs 3-a and 3-b) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of the real property situated in Weld County, Colorado and particularly described in said Exhibit B to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

Re: Real property in Weld County, Colorado owned by Ernest H. Messer.

EXHIBIT "A"

All those tracts or parcels of land situated in the County of Weld, State of Colorado, more particularly described as follows:

Tract 1

The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) and the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$), all in Section Twenty-nine (29), Township Two (2) North of range Sixty-eight (68) West of 6th P. M., containing eighty acres more or less. Expressly excepting therefrom all land now owned and used by the B. & M. R. R. Co. as their right of way and all land now used as a Public or county road through the above described land.

Tract 2

A strip of land containing about two (2) Acres and being a part of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}$ of $SE\frac{1}{4}$) of Section twenty nine (29) in Township Two (2) North of Range Sixty-eight (68) West of 6th P. M. and more particularly described as follows: beginning at the northeast corner of the said $NW\frac{1}{4}$ of the $SE\frac{1}{4}$, thence running South Twenty rods; thence running West Sixteen (16) rods; thence running North Twenty rods (20); thence running east Sixteen (16) rods to the place of beginning.

Re: Real property in Weld County, Colorado, jointly owned by Ernst H. Messer and Augusta H. Block.

EXHIBIT "B"

All that tract or parcel of land situated in the County of Weld, State of Colorado, more particularly described as follows:

The South half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) Section Twenty eight (28) and the Northwest quarter ($NW\frac{1}{4}$) of Section Thirty-three (33) all in Township Two (2) North of Range Sixty eight (68) West, containing 240 acres more or less. Together with all water rights and priorities, Ditch and Ditch rights and privileges, Reservoir rights and privileges connected with, used upon or appurtenant to said lands or any thereof and particularly ten (10) shares of stock in The Consolidated Lower Boulder Reservoir and Ditch Company, Fourteen (14) shares of stock in The Erie Coal Creek Ditch and Reservoir Company, one half ($\frac{1}{2}$) share of stock in The Boulder and Weld County Ditch Company, Five (5) shares of stock in The Base Line Land and Reservoir Company and all water rights, Ditch and Reservoir rights represented by said stock, excepting certain reservations reserved by The Union Pacific Railway Co., contained in its deed to $NW\frac{1}{4}$ Sec 33, Twp 2 N of R 68 West and recorded in Book 77 Page 356 of the Weld County records at Greeley, Colorado, to which reference is hereby made.

Re: Personal property owned by Ernst H. Messer.

EXHIBIT "C"

Household goods

5 beds	2 large book cases
5 dressers	2 small tables
2 large tables	1 desk
2 rockers	1 big leather chair
1 heatrola	1 victrola
1 glass cupboard	1 buffet
10 chairs	1 kitchen range
2 rugs	

Farm implements

1 wagon	1 walking plow
1 land drag	1 two way plow
2 buck rakes	1 hay stacker
1 roller	1 grain binder
1 6 ft mower	1 beet cultivator
1 beet puller	1 corn cultivator
1 disk	1 harrow
1 manure spreader	1 grain drill
1 hay rake	1 beet drill
1 old milking machine	

Cattle

11 cows	6 heifers
	1 bull

Horses

4 horses	1 colt

[F. R. Doc. 43-5938; Filed, April 16, 1943; 11:34 a. m.]

[Vesting Order 1178]

ERICH PURPER

Re: Jewels and jewelry owned by Erich Purper.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Erich Purper, a citizen of Germany whose last known address is 4 Brunnengasse, Idar-Oberstein 2, Germany, is a national of a designated enemy country (Germany);

2. Finding that said Erich Purper is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property presently in the possession of Frederick W. Rausch, c/o Chemical Safe Deposit Company, 165 Broadway, New York, New York, and described as follows:

Eleven (11) Oriental pearl necklaces;
One (1) Oriental pearl bandeau; and
Oriental Baroque pearls weighing 871 grains,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-5939; Filed, April 16, 1943; 11:34 a. m.]

[Vesting Order 1180]

YOSHIO SHINOHARA

Re: Real property situated in Dallas, Texas, and personal property, owned by Yoshio Shinohara.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Yoshio Shinohara is a subject of Japan whose last known address is 45 Ooti, Utide, Asiya, Hyogo Prefecture, Japan, and is a national of a designated enemy country (Japan);

2. Finding that said Yoshio Shinohara is the owner of the property described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Yoshio Shinohara, in and to that certain real property situated at 5309 Ross Avenue, in the City of Dallas, State of Texas, and particularly described in Exhibit A attached hereto and made a part hereof, together with all the fixtures, improvements and appurtenances thereto and any and all claims of Yoshio Shinohara for rents, refunds, benefits and other payments arising from the ownership of such property,

b. All right, title, interest and claim of any name or nature whatsoever, of Yoshio Shinohara in and to all obligations, contingent or otherwise and whether or not matured, owing to him by the Republic National Bank of Dallas, Dallas, Texas, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly:

(i) A checking account in the name of Yoshio Shinohara in the Republic National Bank of Dallas, Dallas, Texas, which is due and owing to, and held for, Yoshio Shinohara,

(ii) A savings account in the name of Yoshio Shinohara in the Republic National Bank of Dallas, Dallas, Texas, which is due and owing to, and held for, Yoshio Shinohara, and

(iii) Certain monies held in a special account in the name of Yoshio Shinohara in the Republic National Bank of Dallas, Dallas, Texas, which are due and owing to, and held for, Yoshio Shinohara,

c. The household furnishings, furniture and personal effects located in the residence at 5309 Ross Avenue, Dallas, Texas, owned by Yoshio Shinohara,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

4. Determining that the property described in subparagraph 3-b hereof, is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraphs 3-a and 3-c) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian

Real Estate owned by Yoshio Shinohara located at 5309 Ross Avenue, Dallas, Texas

EXHIBIT "A"

All that certain tract of land, being a part of Block N. 6/1471 of the City of Dallas, Texas, according to Murphy & Bolanz official map of said city; beginning at a point in the northwest line of Ross Avenue, and being the northeast corner of Ross Avenue and Henderson Avenue; thence northwest and parallel with the northeast line of Henderson Avenue 192½ feet; thence east parallel with Ross Avenue 150 feet; thence southeast and parallel with the northeast line of Henderson Avenue 192½ feet to a point on Ross Avenue 150 feet from the northeast corner of Ross Avenue and Henderson Avenue; thence southwest along the northwest line of Ross Avenue 150 feet to the place of beginning; and being the same property conveyed to H. Yamanouchi by S. Oshima by deed dated September 22, 1934 recorded in Volume 1864 of the Deed Records of Dallas County, Texas.

[F. R. Doc. 43-5940; Filed, April 16, 1943; 11:33 a. m.]

[Vesting Order 1215]

HUGO MEYER & COMPANY

Re: Camera lenses and photographic equipment owned by Hugo Meyer & Company, Görlitz, Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Hugo Meyer & Company is a business enterprise organized and existing under the laws of Germany, whose principal place of business is at Görlitz, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Hugo Meyer & Company is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property presently in the possession of Hugo Meyer & Company, Inc., 39 West 60th Street, New York, New York, and described as follows:

Camera lenses and photographic equipment particularly described in Exhibit A attached hereto and made a part hereof,

is property within United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT "A"

Consignment Merchandise on Hand 6/14/41

3—1⅜-inch, f:1.5 Kino-Plasmat, DeBrie Mts., #462081, #462084, #462085
1—12-inch, f:2.7 Makro-Plasmat, Standard Mt., #463986
1—10-inch, f:2.9 Makro-Plasmat, Standard Mt., #463852
1—7-inch, f:2.9 Makro-Plasmat, Half Sunk Mt., #464163
2—7-inch, f:4.5 Helioplan lenses, Half Sunk Mt., #538778, #538779
2—7¾-inch, f:4.5 Helioplan lenses, Half Sunk Mt., #389892, #389893
1—4¾-inch, f:6.3 Trioplan lens, Standard Mt., #591447
1—5¼-inch, f:6.3 Trioplan lens, Standard Mt., #591448
1—6-inch, f:6.3 Trioplan lens, Standard Mt., #591449
1—7-inch, f:3 Trioplan lens, Standard Mt., #420105
1—8½-inch, f:3 Trioplan lens, Standard Mt., #422557
1—8½-inch, f:4 Trioplan lens, Sunk Mt., #538790
1—7-inch, f:3 Trioplan lens, Standard Mt., #418551
1—6-inch, f:3 Triplan lens, Sunk Mt., #591157
1—6½-inch, f:3 Triplan lens, Sunk Mt., #591160
1—5¼-inch, f:4.5 Triplan lens, Sunk Mt., #538187
1—2-inch, f:2 Kino-Plasmat lens, Standard Mt., #294082
1—12-inch, f:4 Double Plasmat, Standard Mt., #293934
1—16½-inch, f:4 Double Plasmat, Standard Mt., #501585
1—14¾-inch, f:4 Double Plasmat, Standard Mt., #293617
1—8½-inch, f:4 Double Plasmat, Standard Mt., #293632
2—6½-inch, f:4 Double Plasmat, Sunk Mt., #504137, #580107
1—7¾-inch, f:4 Plasmat Set, Sunk Mt., #502133
3—8¼-inch, f:4 Double Plasmat, Sunk Mt., #294191, 2 @ —1 @— #294359, #294361
1—9½-inch, f:4 Double Plasmat, Sunt Mt., #502543
1—5¼-inch, f:4 Double Plasmat, Half Sunk Mt., #580426
1—10⅜-inch, f:4 Double Plasmat, Compur Shutter, #502297
1—7¾-inch, f:4 Plasmat Set, Half Sunk Mt., #500938
1—f:4 Plasmat Set, Series III, Standard Mt., #502490
1—f:4 Plasmat Set, Series IV, Compound Shutter, #294335
1—f:4 Plasmat Set, Series IV, Compound Shutter, #294336
1—f:4 Plasmat Set, Series III, Compur Shutter, #294749
1—14¼-inch, f:5.5 Double Plasmat, Standard Mt., #502291
1—16½-inch, f:5.5 Double Plasmat, Standard Mt., #293551
1—8¼-inch, f:5.5 Double Plasmat, Half Sunk Mt., #500917
1—6½-inch, f:5.5 Double Plasmat, Half Sunk Mt., #580432
1—10¾-inch, f:5.5 Double Plasmat, Compur Shutter, #294186
1—f:5.5 Plasmat Set, Series III, Standard Mt., #294100
1—14¼-inch, f:6.8 (7.7) Double Anast. Standard Mt., #496429
1—10¾-inch, f:6.8 Double Anastigmat, Standard Mt., #415706
1—9½-inch, f:6.8 Double Anastigmat, Compur Shutter, #523343
2—7-inch, f:6.8 Double Anastigmat, Compur Shutter, #523342, #531507
2—14½-inch, f:4 Aristostigmat, Standard Mt., #411688, #411689
1—12-inch, f:4 Aristostigmat, Standard Mt., #415341
1—7¾-inch, f:4 Aristostigmat, Sunk Mt., #417403
2—7-inch, f:4.5 Aristostigmat, Compound Shutter, #553388, #553389
1—9½-inch, f:4.5 Aristostigmat, Compound Shutter, #553695
1—7¾-inch, f:6 Euryplan lens, Standard Mt., #525283
1—7-inch Euryplan lens, f:6, Standard Mt., #525192
1—8¼-inch, f:6.3 Euryplan lens, Standard Mt., #525194
1—5-inch, Kinon I Power Projection lens, #31935
1—2¾-inch, Kinon II Sup. Projection lens, #33236
1—3-inch, Kinon II Sup. Projection lens, #33237
1—3⅜-inch, Kinon II Sup. Projection lens, #33238
1—3½-inch, Kinon II Sup. Projection lens, #33239
1—1-inch, Kinon III Projection lens, #33231
1—1⅝-inch, Kinon III Projection lens, #33232
1—2-inch, Kinon III Projection lens, #33233
1—14¼-inch, f:4 Double Plasmat lens, Standard Mt., # 293618 (or # 292560)
1—12-inch, f:4 Double Plasmat, Standard Mt., #294350
1—4¾-inch, f:4.5 Aristostigmat lens, Compur Shutter, #553693
1—Series VI Euryplan Set, Compur Shutter #416515
1—2-inch No. III Kinon Projection lens #31934
1—Reversing Prism #416186
1—Extra Rapid Superior Kinon No. IV, No. 44029
1—7-inch, f:4.5 Heliopian #486507
Miscellaneous Parts ($200.00 net).

[F. R. Doc. 43-5944; Filed April 16, 1943; 11:33 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 265 Under MPR 188 [1]]

BRIDGEPORT METAL GOODS MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 265 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140.

Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Bridgeport Metal Goods Mfg. Co., Bridgeport, Connecticut, may sell and deliver its No. 3692 flashlight at prices per unit no higher than those set forth below:

Quantities of 500 or more:	
In bulk packing	$0.3075
In individual boxes	.3225
Quantities of less than 500:	
In bulk packing	.345
In individual boxes	.36

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 19, 1943.

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6024; Filed, April 17, 1943; 2:32 p. m.]

[Order 266 Under MPR 188]

CHANDLER PALRUBA COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 266 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Chandler Palruba Company, East Taunton, Massachusetts, may sell and deliver rug border (packed 1 roll to the carton) to retailers at prices f. o. b. Yardville, New Jersey, no higher than those set forth below:

24" wide (packed 1 roll to the carton), $0.185 per lineal yd.
36" and 72" wide (packed 1 roll to the carton) $0.26 per square yd.

The prices listed above and other widths are subject to all the terms, discounts, allowances, and differentials which Congoleum-Nairn, Inc., of 295 Fifth Avenue, New York, New York, had in effect in its price list, dated December 24, 1942, and its policy letter of the same date, on file with the Office of Price Administration in Washington, D. C.

(b) This Order No. 266 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 266 shall become effective on the 19th day of April 1943.

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6025; Filed, April 17, 1943; 2:33 p. m.]

[Order 267 Under MPR 188]

J. C. PLATING WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 267 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) J. C. Plating Works, 865 North Sangamon Street, Chicago, Illinois, is authorized to sell and deliver the following articles at prices no higher than those set forth below:

	Per hundred
No. 10	$60.13
No. 12	54.81
No. 16	76.75
No. 31	82.66
No. 42	88.61
No. 43	94.34
No. 9	51.01
No. 9½	56.52
No. 80	76.55
No. 82	79.90
No. 83	81.26
1 chair frame	166.03

(b) This Order No. 267 may be revoked or amended by the Price Administrator at any time.

(c) This order No. 267 shall become effective on the 19th day of April 1943.

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6026; Filed, April 17, 1943; 2:33 p. m.]

[Order 268 Under MPR 188]

OXFORD LIMITED

APPROVAL OF MAXIMUM PRICES

Order No. 268 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specific Building Materials and Consumers' Goods Other Than Apparel.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Oxford Limited of 853 Reed Street, Chicago, Illinois, may sell and deliver the following upholstered chairs at prices no higher than those set forth below:

Pattern No.	Maximum prices				
	Grade 5	Grade 6	Grade 7	Grade 8	Grade 4
(1) 117	$31.31	$32.81	$34.56	$36.51	$30.01
(2) 105	30.08	31.58	33.33	35.23	28.73
(3) 104	23.46	24.41	25.51	26.81	22.66
(4) 124	30.87	31.17	32.92	34.87	30.07
(5) 108	35.19	36.79	38.59	40.59	33.84
(6) 60	29.86	31.36	33.11	35.11	28.56
(7) 138	29.82	31.12	32.87	34.82	29.02

(b) Within 120 days after the effective date of this Order No. 268, Oxford Limited shall file with the Office of Price Administration, Washington, D. C., a detailed profit and loss statement and a breakdown of actual unit direct costs of manufacture for the 90 days immediately following the effective date of this Order No. 268.

(c) This Order No. 268 shall be subject to adjustment if Oxford Limited's actual operating figures for the 90 day period mentioned in paragraph (b) show that costs are substantially different from the projected costs upon which the maximum price has been based, and this Order No. 268 may be revoked or amended by the Price Administrator at any time.

Issued and effective this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6027; Filed, April 17, 1943; 2:34 p. m.]

[Order 1 Under RO 3[1]]

ALLOTMENT NECESSITATED BY MILITARY MANEUVERS

ORDER GRANTING TEMPORARY INCREASES

Order No. 1 issued pursuant to § 1407.86b under Rationing Order No. 3—Sugar Rationing Regulations.

Military maneuvers of the armed forces of the United States are to be held in the counties of Bedford, Cannon, Clay, Coffee, DeKalb, Franklin, Jackson, Macon, Moore, Putnam, Rutherford, Smith, Sumner, Trousdale, Warren, White, and Wilson, in the State of Tennessee during a substantial part of the remainder of 1943.

The undersigned finds that these military maneuvers will cause temporary abnormal demands for sugar-containing products within the counties named and they are hereby defined as the area affected by this order. The undersigned also finds that certain temporary increases in the allotments of registering units delivering such products within the affected area will be necesary in consequence of such abnormal demands.

Accordingly, pursuant to the authority vested in the Director of the Food Rationing Division of the Office of Price Administration by § 1407.86b of Rationing Order No. 3,

It is hereby ordered, That a registering unit which during January and February 1943 delivered within the affected area 25 percent or more, in dollar value, of its total deliveries of sugar-containing products produced by it may apply to the board on OPA Form R-315 for a temporary increase of its March-April and May-June 1943 allotments. The amount of the temporary increases shall be determined as follows:

(a) The dollar value of sugar-containing products delivered by the registering unit within the affected area during January and February 1943 shall be divided by the dollar value of all sugar-containing products delivered by it during those months.

(b) The figure obtained in (a) shall be divided by 10.

(c) The temporary increase to be granted in the registering unit's March-April 1943 allotment shall be computed by taking ½ of the registering unit's March-April allotment and multiplying it by the figure obtained in (b).

(d) The temporary increase to be granted in the registering unit's May-June 1943 allotment shall be computed by multiplying its May-June allotment by the figure obtained in (b).

Application for the temporary increases authorized by this Order shall be made on or before May 5, 1943. However, application for the temporary increase in the May-June allotment may be made after such date, but in such case the board shall reduce the temporary increase by the amount allocable to the expired portion of the May-June allotment period, in the proportion which the number of days which have elapsed from the start of the period bears to the total number of days in the period.

Any increase granted under this order is conditioned upon the continuance of deliveries by the registering unit within the affected area during April, May, and June 1943 of the same proportion of its total deliveries, in dollar value, as the registering unit delivered within the affected area during January and February 1943, and also upon the delivery by such registering unit within the affected area of an amount of sugar-containing products produced by it equal to those produced from the sugar it obtained under this order. A registering unit which uses any increase granted under this order must comply with these requirements.

As used in this order the term "registering unit" refers only to the industrial users which are included within such registering unit.

This order shall become effective April 17, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2709; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1 and Supp. Dir. 1E, 7 F.R. 562, 2965; Food Dir. 3, 8 F.R. 2005; sec. 1407.86b, Rationing Order 3)

Issued this 17th day of April 1943.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 43-6020; Filed, April 17, 1943; 2:32 p. m.]

[Order 2 Under RO 3[1]]

ALLOTMENTS NECESSITATED BY MILITARY MANEUVERS

ORDER GRANTING TEMPORARY INCREASES

Order No. 2 issued pursuant to § 1407.86b under Rationing Order No. 3—Sugar Rationing Regulations.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758, 3176, 3180, 3522, 4484, 4519, 4644.

unit within the affected area during January and February 1943 shall be divided by the dollar value of all sugar-containing products delivered by it during those months.

(b) The figure obtained in (a) shall be divided by 10.

(c) The temporary increase to be granted in the registering unit's March-April 1943 allotment shall be computed by taking ½ of the registering unit's March-April allotment and multiplying it by the figure obtained in (b).

(d) The temporary increase to be granted in the registering unit's May-June 1943 allotment shall be computed by multiplying its May-June allotment by the figure obtained in (b).

Application for the temporary increases authorized by this Order shall be made on or before May 5, 1943. However, application for the temporary increase in the May-June allotment may be made after such date, but in such case the board shall reduce the temporary increase by the amount allocable to the expired portion of the May-June allotment period, in the proportion which the number of days which have elapsed from the start of the period bears to the total number of days in the period.

Any increase granted under this order is conditioned upon the continuance of deliveries by the registering unit within the affected area during April, May, and June 1943 of the same proportion of its total deliveries, in dollar value, as the registering unit delivered within the affected area during January and February 1943, and also upon the delivery by such registering unit within the affected area of an amount of sugar-containing products produced by it equal to those produced from the sugar it obtained under this order. A registering unit which uses any increase granted under this order must comply with these requirements.

As used in this order the term "registering unit" refers only to the industrial users which are included within such registering unit.

This order shall become effective April 17, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2709; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1 and Supp. Dir. 1E, 7 F.R. 562, 2965; Food Dir. 3, 8 F.R. 2005; sec. 1407.86b, Rationing Order 3)

Issued this 17th day of April 1943.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 43-6021; Filed, April 17, 1943; 2:32 p. m.]

[Amendment 1 to Order 7 Under MPR 121]

BERWIND FUEL COMPANY

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 7 under Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered From Producing Facilities; Docket No. 3121-30.

For reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and paragraph (c) of Order No. 7 under Maximum Price Regulation No. 121, *It is hereby ordered*, That paragraph (e) of Order No. 7 under Maximum Price Regulation No. 121 is amended to read as follows:

(e) This Order No. 7 shall become effective as of December 23, 1942.

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6022; Filed, April 17, 1943; 2:33 p. m.]

[Corr to Order 11[1] Under RPS 67]

NORTON COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Correction to Order No. 11 under Revised Price Schedule No. 67—New Machine Tools.

The docket number "3067-15" is corrected to read "3067-57".

This correction shall be effective as of February 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6023; Filed, April 17, 1943; 2:32 p. m.]

[1] 8 F.R. 3879.

[Order 17 Under Rev. MPR 125]

RAY CALDWELL COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 17 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125–27.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) Anything in Revised Maximum Price Regulation No. 125 to the contrary notwithstanding, Ray Caldwell, doing business as Ray Caldwell Company of Syracuse, New York, hereinafter referred to as "the applicant", may make final settlement for any nonferrous castings produced by it and sold or delivered between March 6, 1943, and April 20, 1943, at prices not in excess of the maximum prices hereinafter prescribed for sales made on or after April 20, 1943, and on and after April 20, 1943, the applicant the applicant nonferrous castings promay sell and deliver to any person and any person may buy and receive from duced by the applicant at prices not higher than the following:

(1) Anything in this order to the contrary notwithstanding, the maximum prices for castings the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, shall be the maximum prices prescribed by § 1395.3 of Revised Maximum Price Regulation No. 125; Except, that in determining the maximum prices of nonferrous castings under that section the applicant need not make the reductions required by paragraph (b) of that section.

(2) On the first sale of a nonferrous casting not the same, or of the same class, as any casting sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, or sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, and not of the same class as any casting whose maximum price was previously determined under this subparagraph, the maximum price shall be the price determined by the application of the applicant's pricing formula to the applicant's best estimates of the variable elements in the applicant's pricing formula applied to the casting whose maximum price is being determined.

(3) On subsequent sales of a nonferrous casting the same as, and on the first and subsequent sales of a nonferrous casting, not the same as, but of the same class as one whose maximum price has previously been determined under subparagraph (2) of this paragraph, the maximum price shall be the price at which the first sale was made or the maximum price for the first sale of the casting whose maximum price has previously been determined under subparagraph (2) of this paragraph whichever is the lower.

(b) When used in this order the term:

(1) "The applicant's pricing formula" means the revised pricing formula of the applicant set forth in its application for adjustment under Revised Maximum Price Regulation No. 125, which was filed with the Office of Price Administration, Washington, D. C. on March 12, 1943, and assigned Docket No. 3125–27.

(2) "First sale" means the first sale of a nonferrous casting of any given pattern made on or after April 20, 1943.

(3) Other terms used in this order shall have the meaning given them by Revised Maximum Price Regulation No. 125.

(c) All prayers in the applicant's application for adjustment under Revised Maximum Price Regulation No. 125, Docket No. 3125–27, not granted herein, are hereby denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1943.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6057; Filed, April 19, 1943; 10:02 a. m.]

[Order 18 Under MPR 136]

STEWART-WARNER CORPORATION

ORDER GRANTING IN PART AND DENYING IN PART

Order No. 18 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. 3136–233.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Stewart-Warner Corporation of Chicago, Illinois, is hereby authorized to enter into, offer to enter into and carry out contracts with the United States or any agency thereof or with the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", or any agency of any such government, or subcontracts under any such contract, covering the following commodities at prices not in excess of the following prices:

	Applicant's new maximum price (each)
No. 444029 Oil gauge	$0.51
No. 440021 Ammeter	.455

(b) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6068; Filed, April 19, 1943; 10:05 a. m.]

[Order 19 Under MPR 136]

PENN METAL COMPANY, INC.

APPROVAL OF MAXIMUM PRICE

Order No. 19 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket 3136–175.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (b) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) Penn Metal Company, Inc., of Boston, Massachusetts, is hereby authorized to perform machinery services for American Brake Shoe and Foundry Company of New York, in fabricating sheet steel furnished by American Brake Shoe and Foundry Company, into an expanded material which is inserted during manufacture into brake shoes for railroad cars and locomotives, at the maximum price of $18.99 per net ton.

(b) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6066; Filed, April 19, 1943; 10:05 a. m.]

[Amendment 1 to Order 2 Under MPR 177]

PARK-KENNY, LTD.

APPROVAL OF MAXIMUM PRICES

Amendment 1 to Order No. 2 under § 1389.106 of Maximum Price Regulation 177[1]—Men's and Boys' Tailored Clothing; Docket No. 3177–56.

The opinion in support of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 2 under § 1389.106 of Maximum Price Regulation 177 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) Park-Kenny, Ltd., may sell and deliver, and any person may buy and receive from Park-Kenny, Ltd., men's suits, men's sport coats and men's top coats at prices not in excess of those stated in paragraphs (b) and (c) of this order.

2. Paragraph (b) is amended to read as follows:

(b) The maximum prices for the men's suits, men's sport coats and men's top coats which have been described by Park-Kenny, Ltd., under the following lot numbers, and which are to be made of the fabrics indicated, and tailored in accordance with the specifications of Grade 4 "make" as that grade is customarily understood in the New York City, market, and for any garments similar thereto, shall be as set forth below:

(1) MEN'S SUITS

Lot No.	Mill	Mill range	Price
7411			
7465	Dunn	39	$25.29
7466			
7460			
7461	Eick	6261	24.74
7479			
7442	Holyoke	801	26.13
7444			
7477	Putnam	32	21.51
7478			
7463	Prendergast	3227	25.69
7464			
7451			
7453	Brunswick	14	25.29
7459			
7447	Merlon	342	24.79
7448			
7467			
7468	Manchester	129	25.59
7471			
7469	Woolen Corp. of America	9400	25.99
7470		9900	
7472	Z. Alpert & Sons	2026	26.39
7474	H Lawton	159	24.69
7475			
7476	Merion	542	25.09
7505–7516 inclusive.	Princeton	55	21.99
7500–7504 inclusive.	Princeton	53	21.99
7508	Elck	1500–2–2	21.64
7537	Eick	1500–23–2	21.59
7	Shetucket	257	21.29
7535	Shetucket	162	21.69
7	Guerin	1600	21.34
7			
7542–7545 inclusive.	Guerin	1651	21.39
7546–7641 inclusive.	Guerin	1652	21.34
7548–7551 inclusive.	The Kingsley Company	1242	20.29
7552–7555 inclusive.	The Kingsley Company	1242	20.29
7 –7508 inclusive.	Angle Fabrics	1008	27.49
7	Angle Fabrics	9008	27.49
7			
7			
7	Taylor & Littlewood	1300s	27.49
7 –7497 inclusive.			
	Taylor & Littlewood	1200s	27.49

(2) MEN'S SPORT COATS

Lot No.	Mill	Mill range	Price
– inclusive.	The Kingsley Company	1, 234	$14.39
– inclusive.	The Kingsley Company	18	14.59
– inclusive.	Stanley Mills	126	14.09

(3) MEN'S TOP COATS

– inclusive.	Manchester	129	$22.42

3. Paragraph (c) is amended by deleting the phrase "men's overcoat" and inserting a comma after the phrase "men's suit" and adding the phrase "men's sport coat or men's top coat."

4. Paragraph (c) (3) is amended to read as follows:

(3) Divide the remainder by the total value as found in (1). But no maximum price shall exceed $27.41 for a man's suit, $14.50 for a man's sport coat or $22.42 for a man's top coat.

This amendment shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6064; Filed, April 19, 1943; 10:06 a. m.]

[Order 269 Under MPR 188]

MICHIGAN CHEMICAL CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 269 under § 1400.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) Specific authorization is hereby granted to the Michigan Chemical Corporation to sell and deliver the following commodities at prices not in excess of the maximum prices set forth below:

PERICLASE

In bulk, $47.00 per net ton, f. o. b. St. Louis, Mich.

In paper or single cloth sacks, $51.00 per net ton, f. o. b. St. Louis, Mich.

CAUSTIC CALCINED MAGNESITE

	CL	LCL
Michigan #1 (Chloride free)		
Michigan #5 (Chemical grade)		
Bulk granular	$68.75	$73.25
Granular material in sacks	68.75	70.25
Powdered material in sacks (90%–200 Mesh)	71.75	79.25

The prices listed above for caustic calcined magnesites are per net ton, f. o. b. St. Louis, Michigan. However, the Michigan Chemical Corporation shall equalize freight with Newark, California; Joliet, Illinois; or New York City, whichever has the lowest freight rate to destination. The containers used by the Michigan Chemical Corporation shall be bags of 5-play paper and 1-ply asphalt. The Michigan Chemical Corporation shall reduce prices of caustic calcined magnesite by 5% on sales to persons who resell the material in the same form. The terms of sale shall be net, 30 days.

(b) The Michigan Chemical Corporation shall submit such reports to the Office of Price Administration as it may from time to time require.

(c) This Order No. 269 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1943.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6061; Filed, April 19, 1943; 10:00 a. m.]

[Order 270 Under MPR 188]

THERMAL COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 270 under § 1499.153 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) This Order No. 270 establishes maximum prices for sales of Thermal Guards manufactured by the Thermal Company of Merion, Pennsylvania and applies only to the commodity which has been described in the application submitted by the Thermal Company to the Office of Price Administration.

(b) There are set forth below the maximum prices for sales of Thermal Guards by the manufacturer (Thermal Company) to distributors, dealers and consumers; sales by distributors to dealers and consumers; sales by dealers to consumers.

Size	Manufacturer to distributor price	Manufacturer to dealer price	Distributor to dealer price	Dealer to consumer price	Price to consumer
30"	$0.75	$1.00	$1.00	$1.49	$1.49
36"	.85	1.14	1.15	1.69	1.69

(c) All sales by the Thermal Company are to be made f. o. b. Merion, Pennsylvania.

(d) All maximum prices established for the Thermal Company are subject to a discount of 2% if payment by the purchaser is made on or before the tenth day following that on which shipment is made.

(e) The maximum prices established for distributors and dealers under this Order No. 270 shall be subject to the same extension of discounts and the same rendition of services which were extended or rendered or would have been extended or rendered on sales of similar

[1] 7 F.R. 10508

[2] 7 F.R. 5182, 7475, 6792, 7100, 7344, 8940, 9000, 8940, 8948.

commodities to purchasers of the same class on March 1, 1942.

(f) The Thermal Company shall notify every person, except consumers, who buys from it of the maximum prices established by this Order No. 270 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(g) The Thermal Company shall submit to the Office of Price Administration such reports as it may from time to time require.

(h) This Order No. 270 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6056; Filed, April 19, 1943; 10:04 a. m.]

[Order 271 Under MPR 188]

IVEL CORPORATION

APPROVAL OF MAXIMUM PRICE

Order No. 271 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the Ivel Corporation of a wooden locker and shelving.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Ivel Corporation, 211 West 61st Street, New York, New York, is authorized to sell and deliver the following articles at prices f. o. b. New York City, no higher than those set forth below:

A-4 Standard 4 bank locker ..... Sgn. 57

A-3 Five shelf, adjustable interlocking unit:

	First section	Each additional section in run
Oak	$27.88	$23.[illegible]
Poplar	25.62	21.[illegible]
Pine	21.88	18.[illegible]

(b) This Order No. 271 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 271 shall become effective on the 20th day of April 1943.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6071; Filed, April 19, 1943; 10:04 a. m.]

[Order 4 Under MPR 193]

H. E. POGUE DISTILLERY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 4 under Maximum Price Regulation No. 193—Domestic Distilled Spirits.

Authorization of maximum prices for "Pogue's Reserve" brand of domestic whiskey manufactured by H. E. Pogue Distillery Company. H. E. Pogue Distillery Company, Maysville, Kentucky, distillers and rectifiers of alcoholic beverages, has made application under § 1420.13 (c) of Maximum Price Regulation No. 193 for determination of maximum prices for sales of "Pogue's Reserve" brand of domestic whiskey. That brand is a blended whiskey at 86° proof, aged as follows: 40%—34 months, 60%—6 months.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, As Amended, *It is ordered:*

(a) *Maximum prices for all sales by H. E. Pogue Distillery Company.* On and after April 20, 1943 H. E. Pogue Distillery Company, Maysville, Kentucky, may sell and deliver to any person and any person may buy and receive from H. E. Pogue Distillery Company, "Pogue's Reserve" brand of domestic whiskey, a blended whiskey at 86° proof, aged as above, at the following prices:

$18.44 plus $5.16, being the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, or a total of $23.60 per case of 12 bottles, each bottle containing one quart of such whiskey;

$19.04 plus $5.16, being the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, or a total of $24.20 per case of 24 bottles, each bottle containing one pint of such whiskey;

$19.79 plus $5.16, being the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, or a total of $24.95 per case of 48 bottles, each bottle containing one-half pint of such whiskey; and

$15.07 plus $4.13, being the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, or a total of $19.20 per case of 12 bottles, each bottle containing one-fifth gallon of such whiskey

(b) *Maximum prices for all sales to Monopoly States.* The maximum prices for sales of each container size of "Pogue's Reserve" brand of domestic whiskey, as hereinbefore described, to Monopoly States by any seller shall be the maximum price for such container size set forth in paragraph (a), plus an amount which will restore to the price any trade discount now allowed to the Monopoly State: *Provided,* That the rate of such discount shall not exceed the rate prevailing on March 31, 1942.

(1) *Maximum prices for all sales by Monopoly States.* Any Monopoly State may sell or deliver to any person and any person may buy and receive from such Monopoly State "Pogue's Reserve" brand of domestic whiskey at maximum prices determined as follows:

(i) Add to the maximum price established at (b), exclusive of the amount of the increased Federal excise tax of November 1, 1942 applicable thereto, for the particular container size in question the amount of freight charges, if any, at the rate applicable in March 1942 from the rectifying plant or freight basing point from which shipment is made to the receiving point of the particular Monopoly State.

(ii) Add to the resulting figure at (i) the applicable amount of any tax incident to the sale, processing or use of the domestic whiskey to be priced hereunder in accordance with any statute in effect in the Monopoly State on March 31, 1942.

(iii) Apply to the resulting figure at (ii) the statutory or discretionary percentage markup in effect in such Monopoly State on March 31, 1942.

(iv) Add to the resulting figure at (iii) the amount of the increased Federal excise tax of November 1, 1942 applicable thereto.

(v) Divide the resulting figure at (iv) by the figure 12 in the case of quarts and fifths, by the figure 24 in the case of pints, and by the figure 48 in the case of one-half pints, and follow the practice prevailing in the Monopoly State on March 31, 1942 with respect to the disposition of fractional and odd cents, if any, existing in the latter figure. The resulting figure shall be the Monopoly State's maximum price for the particular container size in question of "Pogue's Reserve" brand of domestic whiskey.

(2) *Notification in connection with all sales to Monopoly States.* On or before making any offer to sell, sale or delivery of this commodity to a Monopoly State the seller shall notify the Monopoly State of his maximum prices established under paragraph (b) for all sales to Monopoly States, and of the method for the computation of the Monopoly State's maximum prices for sales of this commodity. Such notification shall be accomplished by attaching a true and exact copy of this order to the written quotation or to the invoice issued by the seller in connection with the particular transaction. With respect to any particular Monopoly State, no notification shall be required after the first notification.

(c) *Maximum prices for sales at wholesale.* Any wholesaler or jobber may sell and deliver to any person and any person may buy and receive from such wholesaler or jobber "Pogue's Reserve" brand of domestic whiskey, as hereinbefore described, at prices not in excess of those computed by the wholesaler or jobber as follows:

(1) Add to the amount of $18.44, $19.04, $19.79 or $15.07 for cases of 12 quarts, 24 pints, 48 one-half pints or 12 fifths respectively, freight charges, if any, at the rate applicable in March 1942 from the rectifying plant or freight basing point from which shipment is made to the receiving point of the particular wholesaler or jobber.

(2) Add to the resulting figure at (1) the amount of any tax incident to the sale, delivery, processing or use of the domestic whiskey to be priced hereunder which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof in effect in March 1942: *Provided,* That the amount of such tax has been paid or shall have accrued and be payable by the seller to the proper taxing authority or to any prior vendor.

(3) Multiply the resulting figure at (2) by 1.15, or in those States or subdivisions thereof where the markup of such vendors of distilled spirits is fixed by a statute or ordinance in effect in March 1942, by a figure which will produce a selling price for the particular vendor in accordance with the minimum requirements of such statute or ordinance.

(4) Add to the resulting figure at (3) the amount of the increased Federal excise tax of November 1, 1942 applicable thereto; and the applicable amount of any new or increased tax incident to the sale, delivery, processing, or use of the domestic whiskey to be priced hereunder which is imposed upon the wholesaler or jobber by any statute or ordinance of any State or subdivision thereof which became effective after March 31, 1942: *Provided,* That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authority or to any prior vendor. The resulting amount shall be the particular wholesaler's maximum price for the particular container size in question of "Pogue's Reserve" brand of domestic whiskey. Such maximum price shall be inapplicable to sales to Monopoly States. The maximum prices for all sales to Monopoly States shall be determined pursuant to paragraph (b).

(5) Wholesalers' and jobbers' discounts on sales of "Pogue's Reserve" brand of whiskey shall be applicable to the maximum prices established pursuant to (c) at a rate which is not less than the rate allowed by the wholesaler or jobber in March 1942 on sales of domestic whiskey in the same price class to the same class of purchasers.

(d) *Maximum prices for sales at retail.* Any retailer may sell and deliver to any person and any person may buy and receive from such retailer "Pogue's Reserve" brand of domestic whiskey, as hereinbefore described, at prices not in excess of those computed by the retailer as follows:

(1) Multiply the resulting figure at (c) (3), as computed by the particular wholesaler or jobber from whom the retailer purchases such commodity by 1.33, or, in those states or subdivisions thereof where the markup of such vendors of distilled spirits is fixed by statute or ordinance in effect in March 1942, by a figure which will produce a selling price for the particular vendor in accordance with the minimum requirements of such statute or ordinance.

(2) Add to the resulting figure at (1) the amount of the Federal excise tax of November 1, 1942 applicable thereto; and the applicable amount of any new or increased tax incident to the sale, processing or use of the domestic whiskey to be priced hereunder which is imposed upon the seller by any statute or ordinance of any State or subdivision thereof which became effective after March 31, 1942: *Provided,* That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authority or to any prior vendor.

(3) Divide the resulting figure at (2) by the figure 12 in the case of quarts and fifths, by the figure 24 in the case of pints, and by the figure 48 in the case of one-half pints. The retailer shall adjust the figure thus arrived at to the next higher even cent if the fraction is ½ cent or over or to the next lower even cent if the fraction is less than ½ cent.

(4) Multiply the resulting figure at (3) by the percentage rate of any State or local sales tax imposed upon the retailer by any statute or ordinance of any State or subdivision thereof: *Provided,* That the amount thereof was separately stated and collected by the retailer in March 1942, and the retailer now continues to state and collect the amount thereof separately. The resulting figure shall be rounded off to the nearest full cent in accordance with the practice of the seller in March 1942, and added to the amount determined at (3). The resulting amount shall be the particular retailer's maximum price for the particular container size in question of "Pogue's Reserve" brand of domestic whiskey. Such maximum price shall be inapplicable to sales to Monopoly States. The maximum prices for all sales to Monopoly States shall be determined pursuant to paragraph (b).

(e) *Notification by H. E. Pogue Distillery Company.* On or before the first delivery of this commodity after the effective date hereof H. E. Pogue Distillery Company shall notify any person purchasing the commodity from them of applicant's maximum price established under paragraph (a), and applicant shall make a separate statement of the increased Federal excise tax of November 1, 1942. Such notification shall be accomplished by attaching a true and exact copy of this order to the invoice issued by the applicant in connection with the particular transaction. No notification shall be required after the first notification to any particular purchaser.

(f) *Notification by wholesalers and jobbers.* (1) On or before the first delivery of this commodity after the effective date hereof, all wholesalers and jobbers shall notify wholesaler purchasers thereof of the seller's maximum price established under paragraph (c) and he shall accomplish such notification by attaching a true and exact copy of this order to the invoice issued in connection with the particular transaction together with the following statement:

Our Maximum prices for "Pogue's Reserve" brand of whiskey are as follows:

Quarts	$_____
Pints	_____
½ pints	_____
Fifths	_____

The maximum prices above are established under paragraph (c) of Order No. 4 under Maximum Price Regulation No. 193. You, too, are required to establish your maximum prices for this commodity under paragraph (c) of that order, attached hereto, and you are required to give notification to all purchasers in accordance with the provisions of the order.

OPA requires that you keep this notice for examination.

No notification shall be required after the first notification unless the seller's maximum prices shall be adjusted for a permitted tax increase pursuant to the provisions hereof.

(2) On or before the first delivery of this commodity after the effective date hereof, all wholesalers and jobbers of this commodity shall notify retailer purchasers thereof of the wholesaler's or jobber's maximum price as established under paragraph (c); and they shall notify such retailers of the method for the computation of the retailer's maximum price as follows:

Our maximum price for "Pogue's Reserve" brand of domestic whiskey and the method whereby we have computed your maximum price for that brand is as follows:

1. Our maximum price per case of (container size in question)	$_____
2. Subtract increased Federal excise tax of November 1, 1942	_____
3. Subtract increased State or local taxes after March 31, 1942	_____
4. Base for computation of retailer's maximum price	_____
5. Line 4 multiplied by 1.33 or minimum statutory markup	_____
6. Add increased Federal excise tax	_____
7. Add increased State or local tax	_____
8. Total	_____
9. Divide line 8 by the figure 12 for quarts and fifths, by the figure 24 for pints, and by the figure 48 for one-half pints.	
10. Add State or local sales tax or similar tax per bottle (if separately stated and collected by retailer in March 1942 and which retailer now separately states and collects)	_____
11. Retailer's maximum price per container size in question)	_____

The figure at line 11 is your maximum price, including all taxes, per (container size in question) for "Pogue's Reserve" brand of domestic whiskey in accordance with OPA Order No. 4 under Maximum Price Regulation No. 193. OPA requires you to keep this notice for examination.

No notification shall be required after the first notification unless the seller's maximum prices shall be adjusted for a permitted tax increase pursuant to the provisions hereof.

(g) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 4 shall become effective April 20, 1943.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6058; Filed, April 19, 1943; 10:01 a. m.]

[Order 2 Under MPR 207]

BOZEMAN CANNING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2 under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 20, 1943, the maximum prices, f. o. b. factory, for sales by Bozeman Canning Co., Mount Vernon, Washington, of frozen apricots shall be:

13¾¢ per pound packed in 25-pound and 30-pound cans
13¢ per pound packed in 40-pound bulk cases

(b) Bozeman Canning Co. shall apply to its maximum selling prices of frozen apricots the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 shall become effective as of April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6069; Filed, April 19, 1943; 10:05 a. m.]

[Order 3 Under MPR 207]

SNIDER PACKING CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 3 under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 20, 1943, the maximum price, f. o. b. Chicago, Illinois, for sales by Snider Packing Corporation, 40 Franklin Street, Rochester, New York, of Snider's quick frozen shoestring beets shall be $1.95 per dozen 12 ounce packages packed 48 to a case.

(b) Snider Packing Corporation shall apply to its maximum selling price of Snider's quick frozen shoestring beets the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 3 shall become effective as of April 20, 1943.

(Pubs. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6060; Filed, April 19, 1943; 10:00 a. m.]

[Order 4 Under MPR 207]

GEO. W. HAXTON & SON, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 4 under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 20, 1943, the maximum price, f. o. b. factory, for sales by Geo. W. Haxton & Son, Inc., Oakfield, New York, of frozen blueberries packed in 22 pound lugs shall be 17½¢ per pound.

(b) Geo. W. Haxton & Son, Inc., shall apply to its maximum selling price of frozen blueberries the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 4 shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6059; Filed, April 19, 1943; 10:01 a. m.]

[Order 5 Under MPR 207]

HEMET PACKING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 5 under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 20, 1943, the maximum prices f. o. b. factory for sales by Hemet Packing Company, Hemet, California, of the following products shall be:

	Cents per dozen
Frozen corn on the cob, 5 inch cobs	53½
Frozen unblanched apricots, 5 x 1 pack, in 30 pound tins and in barrels	101½
Frozen pre-cooked apricots, in 30 pound tins and in cases	121½
Frozen apricot pulp, in 30 pound tins and in cases	91½

(b) Hemet Packing Company shall apply to its maximum selling prices established by this order the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 5 shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6063; Filed, April 19, 1943; 10:01 a. m.]

[Order 1 Under MPR 226]

THE MOREY MERCANTILE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 1 under § 1341.303 (b) of Maximum Price Regulation No. 226—Fruit Preserves, Jams and Jellies.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 20, 1943, the maximum prices, delivered to retailers, for sales by The Morey Mercantile Company, Denver, Colorado, for the following products shall be:

Type	Brand	Flavor	Grade	Container type	Container size	Price (illegible)
					Oz.	
Preserves	Solitaire	Plum	Fancy	Jelly glass	53	$1.[illegible]
Preserves	Solitaire	Plum	Fancy	Tumbler	14	2.[illegible]
Preserves	Solitaire	Plum	Fancy	R U glass	16	[illegible]
Preserves	Solitaire	Plum	Fancy	R U glass	32	[illegible]
Preserves	Solitaire	Plum	Fancy	Jar	74	[illegible]

(b) The Morey Mercantile Company shall apply to its maximum selling prices the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in the same or a lower selling price.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6067; Filed, April 19 [illegible] 10:05 a. m.]

[Correction of Order 82 Under RPS 64 [1]]

BARNES HEATER COMPANY

APPROVAL OF MAXIMUM PRICES

Correction of Order No. 82 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

Order No. 82 under Revised Price Schedule No. 64 is corrected in the following respect:

Paragraph (b) should read as follows:

(b) Trailer manufacturers, trailer dealers or dealers in trailer accessories may sell and deliver the Model B oil trailer heater, manufactured by the Barnes Heater Company to consumers at a price no higher than $46.52.

This correction shall become effective on the 20 day of April, 1943.

(Public Laws 421 and 729, 77th Cong.; E. O. 9250; 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6062; Filed, April 19, 1943; 10:01 a. m.]

[Order 2 Under MPR 300]

ALLIED LATEX CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 2 under Maximum Price Regulation 300—Maximum Manufacturers' Prices for Rubber Drug Sundries.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250, *It is hereby ordered:*

(a) The Allied Latex Corporation of East Newark, New Jersey, hereinafter called the "manufacturer," may sell, offer to sell, deliver and transfer rubber prophylactics of a type manufactured by it on February 1, 1943, at a price not in excess of $2.45 a gross when they are packaged in match-folder packages and $2.75 a gross when they are packaged in tins

(b) When the manufacturer sells rubber prophylactics to wholesalers and jobbers two percent shall be deducted from the price specified in paragraph (a) if the buyer pays cash within 10 days of delivery.

(c) The manufacturer shall allow freight to New York City, New York. All other freight may be paid by the buyer.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20 1943.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6070; Filed, April 19, 1943; 10:04 a. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221 8948; 8 F.R. 1974, 4640.

[Order 83 Under RPS 64 [1]]

GLENWOOD RANGE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 83 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On February 20, 1943, Glenwood Range Company, Taunton, Mass., filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for a new model coal heater designated in the application as Model 14 cabinet.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Glenwood Range Company may sell, offer to sell, transfer or deliver its Model 14 cabinet to dealers at a price no higher than $46.50 delivered, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 218 BC range.

(b) Dealers may sell and deliver to consumers the model 14 cabinet coal heater manufactured by Glenwood Range Company at a price no higher than $69.75. This maximum price does not include any amount for installation or delivery by the dealer to consumer.

(c) Before making delivery of the Model 14 cabinet, the Glenwood Range Company shall attach securely to the stove, so that it is clearly visible, a durable tag or label containing in easily readable lettering the following statement:

Retail ceiling price for this Model 14 cabinet, $69.75. This tag may not be removed until after delivery to the purchaser.

(d) This Order No. 83 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

This Order No. 83 shall become effective on the 20th day of April 1943.

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6065; Filed, April 19, 1943; 10:05 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-703]

INTERNATIONAL UTILITIES CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of April, A. D., 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation, a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

International Utilities Corporation proposes to spend other than as an ordinary expenditure approximately $3,000, plus out-of-pocket expenses and disbursements, in connection with the solicitation of proxies for the annual meeting of its stockholders on May 5, 1943, said aggregate amount to be paid to certain individuals who will solicit proxies by personal interview, by mailing, by telephone and telegraph, and who may request brokerage houses and other custodians, employees, and fiduciaries, to forward solicitation material to the beneficial owners of the stock held of record by such persons. Additional solicitation, if made, will be made without extra compensation by approximately twelve of the directors, officers and regular employees of International Utilities Corporation and the cost of such additional solicitation, if made, will not exceed $500.

International Utilities Corporation states in its declaration that a quorum of stockholders was not obtained at the last annual meeting of the corporation on May 6, 1942, and that its stockholders are widely scattered over the United States and Canada.

It is further stated in the declaration that three members of the Board of Directors have notified the corporation that they are opposed to the solicitation of proxies by the management, and that the corporation understands that the possibility of a proxy contest has been the subject of discussion by certain members of its Board of Directors and others. If determinative action with respect to a proxy contest comes to the notice of the corporation, it proposes to amend the declaration filed with this Commission and in the event a proxy contest should develop, the cost of soliciting proxies on behalf of the management of the corporation, in excess of $1,000 (except for ordinary expenses in connection with preparing, assembling and mailing proxies, proxy statements and accompanying data), will be borne by those directors of the corporation as are willing to contribute to the payment of such expenses.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter, and that said declaration should not become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and rules of the Commission thereunder be held on April 22, 1943 at 10:00 o'clock, a. m., e. w. t., at

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221.

the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing-room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration shall become effective. Notice is hereby given of said hearing to the above named declarant and to all interested persons, said notices to be given to said declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. The aggregate amount of money or consideration to be expended by International Utilities Corporation in connection with the solicitation of proxies in the manner proposed.

2. Whether the proposed expenditures in connection with the solicitation of proxies are necessary and reasonable corporate expenditures and are not detrimental to the interest of investors.

3. Whether it is necessary or appropriate to impose terms and conditions in the public interest or for the protection of investors.

4. Generally, whether the action proposed to be taken complies with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5973; Filed, April 16, 1943; 2:46 p. m.]

[File No. 812-287]

PIONEER SECURITIES CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of April, A. D. 1943.

An application having been filed by Pioneer Securities Corporation, a registered investment company under and pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 for an order exempting it from the provisions of section 8 (b) of said Act relating to the filing of a registration statement with the Commission, section 30 (a) of said Act relating to the filing of annual reports with the Commission, section 30 (d) of said Act relating to reports to stockholders;

It is ordered, Pursuant to section 40 (a) of the said Act, that a hearing on the aforesaid application be held on May 3, 1943 at 11:00 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building at 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Charles S. Lobingier, Esq., or any other officer of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5974; Filed, April 16, 1943; 2.46 p. m.]

[File No. 70-684]

THE TWIN STATE GAS & ELECTRIC CO. ET AL.

ORDER POSTPONING DATE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of April 1943.

In the matter of The Twin State Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation, New England Public Service Company.

The Twin State Gas & Electric Company ("Twin State"), Public Service Company of New Hampshire ("New Hampshire"), Central Vermont Public Service Corporation ("Central Vermont") and New England Public Service Company ("Nepsco") having filed joint declarations and applications pursuant to sections 6, 9, 10 and 12 of the Public Utility Holding Company Act of 1935; and the Commission having on April 5, 1943, issued its Notice of Filing and Order for Hearing thereon, and having set the date for hearing on such matter on April 22, 1943; and

Twin State, New Hampshire, Central Vermont and Nepsco having filed a joint petition for postponement of hearing on the ground that certain depreciation and valuation studies are now being made of the properties of Twin State and Central Vermont which cannot be completed by April 22, 1943, and having requested that said hearing be postponed until May 11, 1943; and

The Commission having considered said petition, and deeming it appropriate under the circumstances of this particular matter, that said petition be granted, and that the hearing be postponed to May 11, 1943;

It is ordered, That the hearing in this matter previously scheduled for April 22, 1943, be, and hereby is postponed to May 11,1943, at the same time and place, and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5975; Filed, April 16, 1943; 2:46 p. m.]

[File No. 59-10]

THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

NOTICE OF FILING OF PETITION BY NORTHERN NATURAL GAS CO.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of April 1943.

The Commission having entered its order herein on April 14, 1942, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 directing The North American Company and certain of its subsidiary companies to take various steps in order to comply with the provisions of section 11 (b) (1) of said Act;

Notice is hereby given that Northern Natural Gas Company, one of the respondents herein, has filed a petition requesting the entry of an order by this Commission under section 11 (c) of the Act extending for one year the time within which to comply with the order of April 14, 1942, above described.

All interested persons are referred to said petition which is on file in the office of the Commission for full details concerning the petition.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said petition and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:30 a. m., e. w. t., on the 3d day of May, 1943, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by the Commission's rules of practice, Rule XVII, on or before April 26, 1943.

At said hearing there will be considered (1) whether Northern Natural Gas Company has exercised due diligence in its efforts to comply with the Commission's order of April 14, 1942, and (2) whether an extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That Charles S. Moore or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to The North American Company, North American Light & Power Company and to Northern Natural Gas Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5976; Filed, April 16, 1943; 2:46 p. m.]

[File No. 1-2243]

ACME MINING COMPANY

ORDER DISMISSING PROCEEDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of April, A. D. 1943.

This proceeding having been instituted pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, to determine whether or not the Commission should suspend or withdraw the registration of the assessable common stock, 10¢ par value, of Acme Mining Company, listed and registered on the San Francisco Mining Exchange, a national securities exchange;

A hearing having been held on February 9, 1943, after appropriate notice to the registrant and the San Francisco Mining Exchange; the trial examiner having filed an advisory report finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ended December 31, 1941, which annual report was due to be filed not later than April 30, 1942;

The registrant having filed said annual report on February 13, 1943, four days after the close of the hearing herein, and the Commission not deeming it to be necessary or appropriate for the protection of investors to suspend or withdraw the registration of said stock at this time; *It is ordered*, That the proceeding herein be and it hereby is dismissed, without prejudice to the institution of such future proceedings as the Commission may deem appropriate with respect to said registration.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5988; Filed, April 17, 1943; 9:53 a. m.]

[File No. 1-2617]

REORGANIZED BOOTH MINING COMPANY OF GOLDFIELD

FINDINGS AND ORDER WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of April, A. D. 1943.

This proceeding having been instituted pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, to determine whether or not the Commission should suspend or withdraw the registration of the capital stock, $1.00 par value, assessable, of Reorganized Booth Mining Company of Goldfield, listed and registered on the San Francisco Mining Exchange, a national securities exchange;

A hearing having been held after appropriate notice to the registrant and the San Francisco Mining Exchange; the trial examiner having filed an advisory report finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ended December 31, 1941; no exceptions to the trial examiner's report having been filed; the Commission having adopted the trial examiner's findings as being in accord with the evidence, and finding that it is necessary and appropriate for the protection of investors to withdraw the said stock from registration;

It is ordered, pursuant to section 19 (a) (2) of said Act, that the registration of the stock in question be and the same hereby is withdrawn, effective ten days after the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5991; Filed, April 17, 1943; 9:53 a. m.]

[File No. 1-2307]

BELMONT UNCLE SAM MINING COMPANY

FINDINGS AND OTHER WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of April, A. D. 1943.

This proceeding having been instituted pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, to determine whether or not the Commission should suspend or withdraw the registration of the common stock, 10¢ par value, of Belmont Uncle Sam Mining Company, listed and registered on the San Francisco Mining Exchange, a national securities exchange;

A hearing having been held after appropriate notice to the registrant and the San Francisco Mining Exchange; the trial examiner having filed an advisory report finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ended December 31, 1941; no exceptions to the trial examiner's report having been filed; the Commission having adopted the trial examiner's findings as being in accord with the evidence, and finding that it is necessary and appropriate for the protection of investors to withdraw the said stock from registration;

It is ordered, pursuant to section 19 (a) (2) of said Act, that the registration of the stock in question be and the same hereby is withdrawn, effective ten days after the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5989; Filed, April 17, 1943; 9:54 a. m.]

[File No. 1-2281]

TRINITY GOLDBAR MINING COMPANY

FINDINGS AND ORDER WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of April, A. D. 1943.

This proceeding having been instituted pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, to determine whether or not the Commission should suspend or withdraw the registration of the assessable common stock, 25¢ par value, of Trinity Goldbar Mining Company, listed and registered on the San Francisco Mining Exchange, a national securities exchange;

A hearing having been held after appropriate notice to the registrant and the San Francisco Mining Exchange; the trial examiner having filed an advisory report finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ended December 31, 1941; no exceptions to the trial examiner's report having been filed; the Commission having adopted the trial examiner's findings as being in accord with the evidence, and finding that it is necessary and appropriate for the protection of investors to withdraw the said stock from registration;

It is ordered, pursuant to section 19 (a) (2) of said Act, that the registration of the stock in question be and the same hereby is withdrawn, effective ten days after the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5990; Filed, April 17, 1943; 9:54 a. m.]

[File Nos. 70-249 and 70-697]

BIRMINGHAM GAS COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of April, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been

filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than April 30, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Birmingham Gas Company, a subsidiary company of Community Gas and Power Company and of American Gas and Power Company, both registered holding companies, proposes to declare and pay out of earned surplus a dividend of 60 cents per share on the issued and outstanding shares of common stock of the company, such dividend aggregating $136,529. Of this amount American Gas and Power Company, owning 62.82% of the common stock of Birmingham Gas Company, would receive $85,773. The application was filed by Birmingham Gas Company pursuant to section 12 (c) of said Act and the restriction and condition contained in its amended declaration and application regarding the issuance and sale on April 1, 1941, of $5,850,000 principal amount of its First Mortgage Bonds, 3⅞% Series Due 1971, said amended application having been granted and said amended declaration permitted to become effective by order of this Commission dated March 13, 1941 (File No. 70-249). Said restriction and condition provide in part that from the date of issuance of said Bonds, applicant will not, so long as the ratio of its outstanding funded debt to the amount of its net property shall exceed 50%, declare or pay any dividend on its common stock (other than dividends payable solely in shares of such stock) without first obtaining the consent of this Commission to such dividend declaration and payment.

By the Commission

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc. 43-5993; Filed, April 17, 1943; 9 54 a. m.]

[File Nos 54-47 and 59-43]

JACKSONVILLE GAS COMPANY

NOTICE OF FILING OF AMENDMENTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of April, A. D. 1943.

Notice is hereby given that Jacksonville Gas Company has filed with this Commission Amendments Nos. 12 and 12A to its application, heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan to effectuate the provisions of section 11 (b) of the Act. This Commission by order dated May 28, 1942, supplemental order dated December 8, 1942, and second supplemental order dated January 8, 1943, has heretofore approved said plan as modified, and has reserved jurisdiction, among other things, with respect to the opening book entries in the books of account of Jacksonville Gas Corporation. The District Court of the United States for the Southern District of Florida, by orders dated October 14, 1942, and January 28, 1943, has approved said plan as modified.

Notice is further given that any interested person may, not later than April 30, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such amendments and the proposed book entries therein contained, as filed or as amended, may be approved by the Commission. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said Amendments Nos. 12 and 12A, which are on file in the office of the Commission, for the statements, schedules and documents therein contained, which the Commission is requested to approve. Said amendments propose that the books of Jacksonville Gas Corporation be opened as of February 1, 1943, instead of June 1, 1942, with the result that the opening balance in Capital Surplus account (not available for dividends) will be $1,008,886, instead of $935,682. Said amendments set forth the proposed opening entries and Balance Sheet of Jacksonville Gas Corporation as of February 1, 1943, together with supporting statements and schedules.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R. Doc. 43-5992; Filed, April 17, 1943; 9:54 a. m.]

[File No. 1-2235]

OPERATOR CONSOLIDATED MINES COMPANY

FINDINGS AND ORDER WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia. Pa., on the 16th day of April, A.D. 1943.

This proceeding having been instituted pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, to determine whether or not the Commission should suspend or withdraw the registration of the common stock, 10¢ par value, of Operator Consolidated Mines Company, listed and registered on the San Francisco Mining Exchange, a national securities exchange;

A hearing having been held after appropriate notice to the registrant and the San Francisco Mining Exchange; the trial examiner having filed an advisory report finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ended December 31, 1941; no exceptions to the trial examiner's report having been filed; the Commission having adopted the trial examiner's findings as being in accord with the evidence, and finding that it is necessary and appropriate for the protection of investors to withdraw the said stock from registration;

It is ordered, pursuant to section 19 (a) (2) of said Act, that the registration of the stock in question be and the same hereby is withdrawn, effective ten days after the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-5987; Filed, April 17, 1943, 9:54 a. m.]

[File No. 52-19]

PORTLAND ELECTRIC POWER COMPANY

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of April 1943.

Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, a registered holding company now in reorganization under Chapter X of the Federal Bankruptcy Act, having filed with this Commission pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 a plan for the reorganization of said Portland Electric Power Company; and

The Commission by its order of October 15, 1942 having set said matter down for hearing on November 9, 1942 and said hearing having been held pursuant to said order and evidence having been taken with respect to said plan and said hearing having been continued on the 14th day of November, 1942 to a time, date and place to be fixed by the trial examiner or the Commission; and

The Commission having by its order of January 25, 1943 reconvened said hearing to be held on February 15, 1943, at the City of Portland, Oregon, and said reconvened hearing having been held pursuant to said order and evidence having been taken with respect to said plan and said hearing having been continued on the 5th day of March, 1943 to a time, date and place to be fixed by the Commission;

It is ordered, That said hearing be reconvened on the 25th day of May, 1943 at 10:00 o'clock a. m., p. w. t. in the Court Room of the Ninth Circuit of Appeals, New Federal Court House, Portland, Oregon, before William W. Swift, the trial examiner heretofore designated.

It is further ordered, That notice hereof shall be given to the parties hereto by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6077; Filed, April 19, 1943; 10:21 a. m.]

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

[Administrative Order 2]

PERSIAN GULF SERVICE COMMAND

AUTHORIZATION OF LOCAL PAYMENTS OF BENEFITS

By virtue of the authority vested in the United States Employees' Compensation Commission by the Employees' Compensation Act of September 7, 1916, as amended (sec. 42, 56 Stat. 725; 5 U.S.C. Supp. 793), the Foreign Claims Commission for the Persian Gulf Service Command, Middle Eastern Theater of Operations, War Department, is authorized to process claims, to make initial payments of compensation, and to furnish other benefits initially, as provided by such Act of September 7, 1916, as amended, and pursuant to the regulations of the Commission promulgated thereunder (20 CFR, Chapt. I, Subchapter A) and such supplementary instructions as may from time to time be issued by the Commission, in cases of civilian employees of the United States who are injured while in the performance of their duties for the United States in employment under the Persian Gulf Service Command.

As used herein the phrase "to process claims" means (1) to receive, assemble, and file reports of injury, medical reports, reports of investigation, and other papers relating to cases of injury; (2) to make investigations and to secure necessary supplementary information in connection with cases or claims; (3) to obtain medical examinations; (4) to arrange for medical, surgical, and hospital services and supplies in the treatment and care of employees in disability cases; (5) to examine and adjudicate claims for compensation in injury cases, including making of findings of fact and award; (6) to prepare vouchers for local disbursement of benefits and local payment of medical and other expenses; (7) to review cases for readjustment of compensation.

As used herein the phrases "to make initial payments of compensation" and "to furnish other benefits initially" mean the payment of compensation in cases of injury, and the furnishing of any other benefits provided for by such Act, except compensation for death, for a period not to exceed 180 days.

The action of the said Foreign Claims Commission in any case, and the payments made under this authority, are subject to final review by the Commission and readjustment if found necessary.

Order approved by the Commisison April 1, 1943.

WILLIAM MCCAULEY, *Secretary.*

[F. R. Doc. 43-6076, Filed, April 19, 1943; 10:21 a m]

WAR PRODUCTION BOARD.

BUFFALO BAYOU PROJECT, TEXAS

CANCELLATION OF REVOCATION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Flood Control, Barker Dam, Buffalo Bayou Project, Texas.

The revocation of preference rating issued on February 5, 1943 is hereby cancelled; all preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby restored; and said preference ratings shall have full force and effect.

Issued: April 17, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6038; Filed, April 17, 1943; 5:04 p m]

FEDERAL REGISTER

VOLUME 8 — THE NATIONAL ARCHIVES OF THE UNITED STATES 1934 — NUMBER 78

Washington, Wednesday, April 21, 1943

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 17—REGULATIONS OF THE BOARD OF LEGAL EXAMINERS

The regulations of the Board of Legal Examiners are revised and amended as follows:

Sec.
17.1 Appointments.
17.2 Position of law clerk trainee.
17.3 Promotion, transfer and reassignment.
17.4 War service transfer.
17.5 Reinstatement.
17.6 Registers of eligibles.
17.7 Register applicants entering military service.

AUTHORITY: §§ 17.1 to 17.7, inclusive, issued under E.O. 8743, 6 F.R. 2117, as amended by E.O. 9230, 7 F.R. 6665; 54 Stat. 1211, 5 U.S.C. 631 (a), 681.

§ 17.1 *Appointments.* (a) If a person whose appointment to an attorney position was authorized by the Board prior to March 16, 1942, subject to later non-competitive examination, fails to pass the examination, his appointment shall terminate within 30 days after notification by the Board to the department or agency in which he is employed, except that in cases of special emergency he may be retained, without acquiring civil service status, for such longer period as the Board, in its discretion, deems necessary. A person whose appointment was authorized prior to March 16, 1942 and who passes a non-competitive examination acquires a classified civil service status six months from the date of his appointment, if there has been compliance with the provisions of Section 2.6 of this chapter, other than those provisions relating to recommendation and examination.

(b) Except as provided in paragraph (g) of this section, no person may be appointed to an attorney position unless he has passed a non-competitive examination prescribed by the Board or has his name listed on an attorney register applicable to the position to which he is appointed. The non-competitive examination will be given only to a person whose proposed appointment has been submitted to the Board by an appointing officer.

(c) The following qualifications will be required:

(1) *For appointment to Grade CAF-4.* Graduation from a recognized law school as defined by the Commission, to wit, a law school authorized to confer the Bachelor or higher degree in law, which requires residence work. No person shall be eligible for appointment to this position who has failed a bar examination since his graduation from law school and who has not subsequently passed such an examination, or who has, except for good cause shown, failed to take a bar examination within one year of graduation from law school.

(2) *For appointment to Grade P-1 and higher.* Admission to the bar and the following professional experience or its equivalent: P-1, none; P-2, one year; P-3, eighteen months; above P-3, three years. In judging the equivalent of professional experience, special qualifications may be taken into consideration.

(d) Non-competitive examinations shall be conducted by or under the supervision of examining committees of three members to be appointed by the Chairman of the Board or pursuant to his direction and such committees shall determine the eligibility or ineligibility of the candidate. The determination shall be based upon (1) the record and experience of the candidate and (2) an oral examination. The oral examination may be waived in the case of appointments above P-5 and in the case of any war service appointment, if the examining committee is satisfied, without regard thereto, that the candidate is eligible.

(e) The determination of the examining committee in non-competitive examinations shall be final, except that within fifteen days after notification of failure an unsuccessful candidate may petition the Board to review the determination. Such review is discretionary and will be granted only for good cause shown.

(f) Examinations shall be directed to determining whether the candidate pos-

(Continued on next page)

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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FEDERAL REGISTER

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Telephone information: DIstrict 0525.

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mends the immediate establishment of a general position classification consisting of non-professional law clerk duties, preparatory in character for professional legal work. The position should have a designation indicating its training or preparatory character. Government departments and agencies having legal staffs should, wherever possible, include such positions in their legal organizations, as a means of recruiting able law school students. Since these appointments are to permit preparation for professional legal work, they shall be made with an expressly stipulated condition that the appointee prior to entrance upon duty shall have obtained a law degree and shall obtain membership in the bar of a State or Territory, or the District of Columbia, within a period of 18 months from his appointment. Failure to meet this condition should result in his separation, or assignment to other duties. Upon acquiring bar membership, the appointee should be immediately eligible for assignment as Junior Attorney.

§ 17.3 *Promotion, transfer and reassignment.* (a) A person who has civil service status as an attorney may be transferred or reassigned without examination to an attorney position within the grades in which he has such status. Subject to a non-competitive examination approved by the Board, he may be promoted, transferred, or reassigned to a position in a higher grade.

(b) Except as provided in paragraph (c) of this section, the incumbent of any attorney position included within the Civil Service who has neither civil service status as an attorney nor eligibility for such status acquired through recommendation under the terms of an executive order or statute may not be promoted, transferred, or reassigned to any other position in the Civil Service. Such incumbents, if they have not failed a non-competitive examination occasioned by a recommendation that they be granted civil service status, may receive war service appointments under § 17.1 (g) of this chapter to positions not covered by an existing attorney register and to positions covered by such a register if it can be established by affirmative proof that failure to recommend them for civil service status when they were eligible to be so recommended was caused by lack of information or erroneous information concerning civil service requirements.

(c) Subject to the provisions of these regulations, a person who receives a war service appointment under § 17.1 (g) of this chapter may be promoted, transferred, or assigned to other positions for the duration of his appointment.

(d) The minimum qualifications required for new appointments by § 17.1 (c) of this chapter shall apply to promotions and transfers with increase in grade, *Provided, however,* That with the prior approval of the Board of Legal Examiners the incumbent of an attorney position whose work is certified by the Chief Law Officer of the employing agency to be of unusually high quality may without reference to the foregoing limitations be advanced to a position in the same agency in the next higher grade.

§ 17.4 *War service transfer.* (a) On and after March 16, 1942 all transfers from one attorney position to another such position shall be governed by § 18.9 of this chapter, except that the determinations required thereunder shall be made by the Board of Legal Examiners.

(b) Incumbents of attorney positions who desire to transfer under the War Service Regulations shall file with the Board of Legal Examiners a statement to that effect, accompanied by Form 3821 ("Application for Attorney Positions") unless this form has previously been filed with the Board.

§ 17.5 *Reinstatement.* (a) A person who has civil service status as an attorney and who is separated from a civilian position in the Federal service after serving a probationary period in an attorney position may, upon passing a non-competitive examination when required by the Board, be reinstated to an attorney position provided request is made by an appointing officer within 1 year of separation if the period of service was less than 2 years, within 2 years if the period of service was 2 years or more but less than 3 years, within 3 years if the period of service was 3 years or more but less than 4 years, within 4 years if the period of service was 4 years or more but less than 5 years, or at any time if the period of service was 5 years or more or if the former employee is entitled to military preference in appointment or was retired upon annuity under the Civil Service Retirement Act because of total disability and is eligible for reinstatement by reason of recovery, or if the reinstatement is for war service tenure.

(b) A person separated from an attorney position during his probationary period may be reinstated subject to the other provisions of these regulations; but if the separation was by reason of voluntary resignation prior to the completion of six months of satisfactory service, he may be reinstated only in the same agency. Reinstatement under this section will be subject to the completion of the original probationary period if in the agency from which the employee was separated or if the separation occurred after six months of satisfactory service; in other cases it will be subject to the satisfactory completion of a new probationary period.

(c) Subject to non-competitive examination when required by the Board but without regard to any other provisions of this section, an attorney may be retransferred to an attorney position in which he was formerly employed or to any position to which transfer could be made therefrom, if since his transfer from the attorney position he has served continuously and satisfactorily (1) in the executive or judicial civil service of the United States or of its insular possessions; (2) in the legislative service; (3) in the service of a state, county, municipality, or foreign government in a position in which he has acquired valuable training and experience; or (4) in a training course approved by the Board in an educational institution of recognized standing.

(d) Subject to non-competitive examination when required by the Board, a person who receives a war service appointment to an attorney position under § 17.1 (g) of this chapter and who is separated therefrom, may be reinstated to an attorney position with war service tenure.

§ 17.6 *Registers of eligibles.* Registers of eligibles for attorney positions shall contain such numbers, be applicable to such positions, and be effective for such periods as the Board shall determine and announce. The publication of each register and of the supplements thereto shall constitute the certification of the eligibles included. The register, together with pertinent information concerning the eligibles which the Board will supply, shall be available in full to appointing officers, who may make selections for appointment from among those included, subject to the Board's stated minimum experience requirements for particular grades of positions and with the exception that the Board may from time to time suspend the certification of eligibles from particular States in order to give effect to the principle that appointments shall so far as practicable be distributed among the States in proportion to population. Except as to individuals of whom the Board is advised by appointing officers in advance of publication of the register, all appointments to the positions and for the period covered by any register shall be from the register. The selections from any register shall be communicated immediately by the appointing agencies to the Board. The Board, immediately upon entering its approval of proposed appointments, will remove the names of the appointees from the register. The Board may from time to time add to a register others who have qualified through examination, in substitution for those who have been found unavailable for appointment, and may at any time suspend or cancel the eligibility of an individual included upon register for cause arising either before or after his original certification. In case the life of a register is extended, the eligibles remaining upon it may as a condition of continued eligibility be required to furnish supplementary statements of qualifications and experience.

§ 17.7 *Register applicants entering military service.* Applicants for the Board's register who enter the military and related services or who are drafted into national service under the Selective Service Act shall enjoy the following rights, provided request is made within six months following their honorable discharge and return to civilian status:

(a) An applicant whose score upon a written examination confers eligibility for oral examination and who enters the service before his oral examination shall be entitled to take a qualifying oral examination or at the option of the Board to compete in a competitive oral examination in process at the time of his request and, if recommended by the examining committee, to be included for one year among the eligibles for positions in the grade or grades for which the original written examination was given.

(b) An applicant who enters the service after having qualified for a register but before the register is announced shall not be placed upon the register but shall be included for one year following action upon his request among the eligibles for positions in the grade or grades covered by the register for which he had qualified.

(c) An eligible upon a register who enters the service during the life of the register shall be included among the eligibles for positions in the same grade or grades for one year following action upon his request.

The foregoing rights shall accrue regardless of the tenure and status attaching to appointments during the periods within which eligibility is conferred pursuant to this section.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL, *President.*

APRIL 19, 1943.

[F. R. Doc. 43-6150; Filed, April 20, 1943; 11:00 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 6-2]

PART 1405—FRUITS AND VEGETABLES

CITRUS FRUIT

Determination relative to oranges and lemons fit for human consumption or for processing into juice.

Pursuant to the authority vested in me by Food Distribution Order No. 6 (8 F.R. 511) issued by the Secretary of Agriculture of the United States on January 12, 1943, under the authority of Executive Order No. 9280, dated December 5, 1942, and in order to effectuate the purposes of such orders, *It is hereby determined and ordered*, As follows:

§ 1405.5 *Oranges and lemons fit for human consumption or for processing into juice*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "mature" means oranges which have soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of 8 parts to every part of acid contained in the juice, and the acidity of the juice is to be calculated as citric acid without water of crystallization. The sample selected for testing maturity shall be a composite sample of the lot of oranges except where it is evident that immature oranges are mixed throughout the entire lot, in which case a separate maturity test shall be made of the fruit having an immature appearance.

(2) The term "damage by dryness" means oranges in which 20 percent or more of the exposed pulp on a transverse cut through the center shows dryness or desiccation.

(b) *Oranges.* Any lot of oranges produced in California or Arizona is fit for human consumption or for processing into juice if such oranges meet the following minimum grade specifications: The oranges are mature, free from decay, free from damage by dryness, and free from other defects making the juice unsatisfactory for canning. A tolerance shall be allowed, with respect to damage by dryness, of 15 percent; and an additional tolerance shall be allowed, of 10 percent, for other defects making the juice unsatisfactory for canning, but not over one-half of said tolerance of 10 percent shall be allowed for decay.

(c) *Lemons.* Any lot of lemons produced in California or Arizona is fit for human consumption or for processing into juice if such lemons (1) meet the minimum quality requirements specified in the Agricultural Code of California, as revised effective September 13, 1941; (2) are free from serious damage caused by bud mite; and (3) are colored to the extent that 75 percent or more of the surface of each lemon is of a full yellow color. A tolerance of 5 percent shall be allowed for serious damage caused by bud mite, but this tolerance shall be included in the tolerance for defects other than serious freezing damage as provided in the Agricultural Code of California, as revised effective September 13, 1941. An additional tolerance of 5 percent shall be allowed for lemons which do not meet the aforesaid color requirement, but such tolerance shall be in addition to the other tolerances permitted under the aforesaid Agricultural Code of California, as revised effective September 13, 1941.

(d) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., P. w. t., April 22, 1943.

(E.O. 9280, 7 F.R. 10179; F.D.O. 6, 8 F.R. 511)

Issued this 20th day of April 1943.

[SEAL] ROY F. HENDRICKSON, *Director of Food Distribution.*

[F. R. Doc. 43-6152; Filed, April 20, 1943; 11:09 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Part 81 and Part 83 are hereby prescribed. These regulations are also contained in War Department procurement regulations dated September 5, 1942 (7 F.R. 8082), as amended by Changes No. 14, March 26, 1943.[1] In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

General Instructions

Section 81.105 is rescinded as follows:

§ 81.105 *Contents.* [Rescinded]

General Purchase Policies

Sections 81.201 to 81.208, inclusive, are rescinded and the following §§ 81.201 to 81.294, are substituted therefor.

GENERAL

Sec.
81.201 Rescission of regulations.
81.202 Compliance with Procurement Regulation No. 2.
81.203 Definitions.
81.204 Contracting authority.
81.205 Purpose of regulations.

CONTRACT PLACEMENT

81.220 Scope.
81.221 Purchase of used or second-hand materials.
81.222 Time for placing contracts and scheduling deliveries.
81.223 Factors governing placement of contracts.
81.224 Contracts for newly developed articles.
81.225 Smaller war plants policy.
81.226 Debarred bidders.
81.227 Factors governing revision of existing supply contracts.

CONTRACT PRICE POLICIES

81.230 Basic objectives.
81.231 General policy.
81.232 Cost-plus-a-fixed-fee contracts

[1] For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640, 10906; 8 F.R. 401, 411, 2531, 3339, 3486, and 3752

Sec.
81.233 Fixed price contracts.
81.234 Termination article.
81.235 Financing provisions.
81.236 Price adjustment provisions.
81.237 Adjustments without contract provisions.
81.238 Policies on certain special items of cost.

NEGOTIATION OF CONTRACTS

81.240 Method of contracting.
81.241 Methods of negotiation.
81.242 Use of informal bids.
81.243 Standard proposal forms.
81.244 Purchase analysis.
81.245 Special clauses.
81.246 Compulsory purchases.
81.247 Assistance by Headquarters, Army Service Forces.
81.248 Purchasing by prime contractors.

PRICE SUPERVISION

81.250 General policy.
81.251 Price analysis.
81.252 Profit analysis.
81.253 Cost analysis.
81.254 Supervision of subcontracts and purchases.
81.255 Sanctions.
81.256 Coordination.

PURCHASE ACTION REPORTS

81.291 General.
81.292 Responsibility of the chiefs of the supply services and the commanding generals of the service commands.
81.293 Reports of purchase actions exceeding $10,000.
81.294 Monthly summary of purchase actions.

GENERAL PURCHASE POLICIES

GENERAL

§ 81.201 *Rescission of regulations.* Army Regulations 5-140, May 22, 1940, as amended; Army Regulations 5-160, October 24, 1941, as amended; Army Regulations 5-240, February 11, 1936, as amended; and all other prior directives and instructions of whatsoever nature relating to negotiated purchases, open market purchases, procurement without advertising, and other purchasing methods are hereby rescinded.

§ 81.202 *Compliance with Procurement Regulation No. 2.* Unless otherwise specifically provided, compliance with any provision of Procurement Regulation No. 2[1] or of any amendment thereto which requires a change in contract procedure or in any contract provision shall not be mandatory until thirty days after the issuance of such regulation or amendment.

§ 81.203 *Definitions.* (a) The term "negotiation" as used in these procurement regulations includes any method of contracting or purchasing, except the formal advertising and sealed bid procedure prescribed by section 3709, Revised Statutes.

[1] Procurement Regulation No. 2 includes §§ 81.201 to 81.294, inclusive.

(b) The term "negotiated purchases" includes all purchases made by negotiation as so defined. (See § 81.241).

§ 81.204 *Contracting authority*—(a) *Basis.* War Department contracting and purchasing are now based primarily on the authority contained in the Act of December 18, 1941 (Public No. 354, 77th Congress) referred to as the First War Powers Act, 1941, and Executive Order No. 9001, December 27, 1941. The earlier authority contained in sections 1 (a) and (b) of the Act of July 2, 1940 (Public No. 703, 76th Congress) has also been extended, however, by section 9 of the Act of June 30, 1941 (Public No. 139, 77th Congress) and by section 13 of the Act of June 5, 1942 (Public No. 580, 77th Congress). (See § 81.240).

(b) *First War Powers Act.* Title II of the First War Powers Act, 1941, reads as follows:

SEC. 201. The President may authorize any department or agency of the Government exercising functions in connection with the prosecution of the war effort, in accordance with regulations prescribed by the President for the protection of the interests of the Government, to enter into contracts and into amendments or modifications of contracts heretofore or hereafter made and to make advance, progress and other payments thereon, without regard to the provisions of law relating to the making, performance, amendment, or modification of contracts whenever he deems such action would facilitate the prosecution of the war: *Provided*, That nothing herein shall be construed to authorize the use of the cost-plus-a-percentage-of-cost system of contracting: *Provided further*, That nothing herein shall be construed to authorize any contracts in violation of existing law relating to limitation of profits: *Provided further*, That all acts under the authority of this section shall be made a matter of public record under regulations prescribed by the President and when deemed by him not to be incompatible with the public interest.

(c) *Authority conferred.* Title I of Executive Order No. 9001 confers authority on the War Department under The First War Powers Act, 1941, as follows:

(1) Section 1 of the Executive Order authorizes the Secretary of War

within the limits of the amounts appropriated therefor, to enter into contracts and into amendments or modifications of contracts heretofore or hereafter made, and to make advance, progress, and other payments thereon, without regard to the provisions of law relating to the making, performance, amendment, or modification of contracts.

and to delegate these powers with authority to redelegate them. With respect to such delegations, see § 81.107 and following of these procurement regulations, and especially § 81.107 (i).

2. The contracts hereby authorized to be made include agreements of all kinds (whether in the form of letters of intent, purchase orders, or otherwise) for all types and kinds of things and services necessary, appropriate or convenient for the prosecution of war, or for the invention, development, or production of, or research concerning any such things, including but not limited to, aircraft, buildings, vessels, arms, armament, equipment, or supplies of any kind, or any portion thereof, including plans, spare parts and equipment therefor, materials, supplies, facilities, utilities, machinery, machine tools, and any other equipment, without any restriction of any kind, either as to type, character, location or form.

3. The War Department, the Navy Department, and the United States Maritime Commission may by agreement modify or amend or settle claims under contracts heretofore or hereafter made, may make advance, progress and other payments upon such contracts of any percentum of the contract price, and may enter into agreements with contractors and or obligors, modifying or releasing accrued obligations of any sort, including accrued liquidated damages or liability under surety or other bonds, whenever, in the judgment of the War Department, the Navy Department, or the United States Maritime Commission respectively the prosecution of the war is thereby facilitated. Amendments and modifications of contracts may be with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished hereunder, irrespective of the time or circumstances of the making of or the form of the contract amended or modified, or of the amending or modifying contract, and irrespective of rights which may have accrued under the contract, or the amendments or modifications thereof.

4. Advertising, competitive bidding, and bid, payment, performance, or other bonds or other forms of security, need not be required.

(See §§ 81.401-81.427.)

(d) *Restrictions on powers.* (1) Title II of Executive Order No. 9001 prescribes the following regulations for the exercise of the authority thereby conferred.

1. Complete data shall be maintained by the War Department, the Navy Department, and the United States Maritime Commission as to all contracts and purchases which they respectively make pursuant to the Act and this Executive Order. The Secretary of War, the Secretary of the Navy, and the Chairman of the United States Maritime Commission shall make available for public inspection, as they may respectively deem compatible with the public interest, so much of such data as does not cover restricted, confidential, or secret contracts or purchases.

As amended by E.O. 9296, January 30, 1943. See §§ 81.291-81.294.

2. Notwithstanding anything in the Act or Executive Order, the War Department, the Navy Department, and the United States Maritime Commission shall not discriminate in any act performed thereunder against any person on the ground of race, creed, color or national origin, and all contracts shall be deemed to incorporate by reference a provision that the contractor and any subcontractors thereunder shall not so discriminate.

(See § 81.325.)

3. No claim against the United States arising under any purchase or contract made under the authority of the Act shall be assigned except in accordance with the Assignment of Claims Act, 1940 (Public No. 811, 76th Congress, approved October 9, 1940).

(See § 81.3180.)

4. Advance payments shall be made hereunder only after careful scrutiny to determine that such payments will promote the national interest and under such regulations to that end as the Secretary of War, the Secretary of the Navy, or the United States Maritime Commission may prescribe.

(See § 81.321.)

(2) Every contract entered into pursuant to the Act and Executive Order must contain the warranty by the contractor against payment of commissions and contingent fees set out in § 81.323 (see § 81.1107).

(3) The cost-plus-a-percentage-of-cost system of contracting shall not be used.

(4) Provisions of law limiting profits under contracts or fixed-fees continue in effect and in no case shall the fixed fee under a cost-plus-a-fixed-fee contract exceed 7% of the estimated cost exclusive of the fee.

(5) No contract or modification or amendment thereof shall be exempt from the provisions of the Walsh-Healey Act (49 Stat. 2036) because of being entered into without advertising or competitive bidding, and the provisions of that act, the Davis-Bacon Act, as amended (49 Stat. 1011), the Copeland Act, as amended (48 Stat. 948) and the Eight Hour Law, as amended by the Act of September 9, 1940 (Public No. 781, 76th Congress) if otherwise applicable apply to contracts made and performed under the authority of the Act and Executive Order. (See §§ 81.901–81.985.)

(e) *Extent of authority.* By an opinion dated August 29, 1942, the Attorney General of the United States has construed the powers conferred by the First War Powers Act, 1941, and Executive Order No. 9001. This opinion ruled that a proposed delegation of authority from the Under Secretary of War to the Commanding General, Army Service Forces, substantially similar to the delegation contained in § 81.107 (e) was within the authority of the Act and Executive Order.

§ 81.205 *Purpose of regulations.* In conferring the powers under the First War Powers Act, Executive Order No. 9001 directed the war agencies to work with the War Production Board "to bring about the conversion of manufacturing industries to war production, including the surveying of the war potential of industries, plant by plant; the spreading of war orders; the conversion of facilities; the assurance of efficient and speedy production; the development and use of subcontracting to the fullest extent and conservation of strategic materials." The policies and procedures designed to carry out these procurement objectives are stated in this and the following regulations. This regulation discusses the basic principles underlying the policies and methods elaborated in the subsequent regulations, and the relation of these various policies to the procurement program as a whole.

CONTRACT PLACEMENT

§ 81.220 *Scope.* (a) Attainment of the essential procurement objectives with the minimum disruption of the nation's economic system, and effective use of available labor, materials and facilities, depend to a large extent on sound contract placement. This section states the policies to be followed and the factors to be considered in placing contracts, in selecting contractors, in scheduling deliveries and in revising delivery schedules.

(b) Further policies governing placement of contracts for plant facilities expansion are treated in §§ 81.1001–81.1019. Policies governing purchasing through other services and other departments are discussed in §§ 81.601–81.613 and foreign purchases are treated in §§ 81.501–81.510.

§ 81.221 *Purchase of used or second-hand materials*—(a) *Policy.* In view of the prevalent shortages of raw materials, manufacturing facilities and labor, second-hand or used articles will be procured instead of new articles whenever (1) they are suitable in quality and design for the particular purpose involved, and (2) they can be obtained at reasonable cost with reasonable effort at the time required, unless any agency allocating such articles (such as the Machine Tool Section of the Resources and Production Division) orders otherwise.

(b) *Execution.* The chief of each supply service will make adequate provision to insure that all procurement offices and agencies under his direction comply with the policy stated in paragraph (a) of this section, and will place responsibility upon a designated member of his staff for requiring compliance with that policy to the greatest extent practicable.

(c) *Obstacles.* Whenever a statute, order or regulation prevents the effective procurement of suitable used articles or other articles already available instead of new articles, the chief of the supply service concerned will notify the Director, Purchases Division, Headquarters, Army Service Forces, of this fact so that appropriate action may be taken pursuant to the First War Powers Act, 1941 and Executive Order 9001, or otherwise, to remove any obstruction to such procurement.

(d) *Purchases through Procurement Division, Treasury Department.* In connection with the use of used or second hand materials, it is of the utmost importance that all procurement offices and agencies avail themselves of the facilities of the Procurement Division, Treasury Department as more fully set forth in § 81.613. That division makes available to the War Department property which is surplus to the need of other Government agencies. Chiefs of supply services should see that all procurement offices and agencies under their direction obtain the catalog of available property referred to in § 81.613 (f), and that they keep in touch with the Regional Property Officers of the Procurement Division referred to in § 81.613 (e). In this way much used and second-hand material can be obtained.

§ 81.222 *Time for placing contracts and scheduling deliveries*—(a) *Scheduling of deliveries.* Proper scheduling of deliveries is essential for the most efficient use of available industrial capacity. If manufacturers are required to produce and deliver items long before they will actually be needed, they may be forced to increase the number of their employees abnormally or be unable to produce other items which will be needed sooner, and scarce materials may be tied up in inventory not currently needed. Thus the failure to schedule deliveries properly tends to disrupt the Army supply program and prevents industrial capacity from being used in the production of items as they are needed. Accordingly, subject to directives of the Director of Production Scheduling, future contracts will be scheduled so that supplies will be delivered only a short time before they are actually required, unless in a particular case efficient production requires otherwise. Existing contracts will also be reviewed with a view to rescheduling deliveries on the same basis.

(b) *Time for placing contracts.* The policy of deferring production and deliveries until supplies are needed does not mean that the placing of contracts for such items should be postponed. Frequently, prompt placing of contracts for supplies to be delivered in the future will assist the contractor to plan his entire production, to obtain necessary allocations of materials and to employ his labor in a more orderly, efficient and continuous manner. This insures the maximum use of facilities and avoids waste and delay. Under the Controlled Materials Plan it is particularly important for contractors to know well in advance the amounts of such materials which will be required for particular periods. Accordingly, contracts for future needs will be promptly placed wherever such early placement is feasible and will promote more efficient or orderly production.

§ 81.223 *Factors governing placement of contracts.* The selection of a contractor for a particular contract from among the available qualified producers depends on a number of factors. In making such selections effect must be given to various policies laid down by the War Production Board (see Directive No. 2, October 10, 1942, 7 F.R. 8179, by the War Manpower Commission in its directives, and by Congress, as in the Smaller War Plants Act. These policies,

their relation and relative importance are discussed in the following paragraphs:

(a) *Ability to perform.* Primary emphasis shall be placed upon securing performance or deliveries at the time, in the quantity, and of the quality required by the war program. In addition an effort should be made to have for each item of supply and equipment at least two producers so located as not to be subject to the same hazard.

(b) *New facilities.* When two or more producers are able to perform the contract equally well, but will require substantially different amounts of additional new machinery, equipment, or facilities for the performance of the contract, it shall be placed with the concern which needs to acquire the least. When the Smaller War Plants Corporation decides to obtain machinery, equipment or facilities in order to qualify a smaller war plant, however, the amount of this equipment will be disregarded in applying this policy and the concern will be treated as if such equipment had been on hand.

(c) *Labor supply policy.* (1) The War Manpower Commission has divided the country into twelve Regions and from time to time classifies localities in each Region according to their labor supply conditions and on this basis designates them as:

Group I: Areas of current acute labor shortage.

Group II: Areas of labor stringency and those anticipating a labor shortage within six months.

Group III: Areas in which a general labor shortage may be anticipated after six months.

Group IV: Areas in which labor supply is and will continue to be adequate to meet all known labor requirements.

The Industrial Personnel Division, Headquarters, Army Service Forces, will advise the supply services monthly, or more often if conditions warrant, of the designations of the Commission.

(2) When two or more contractors are able to perform a contract equally well, and are substantially on a par with respect to new equipment and facilities, the selection between them shall be based on the labor supply situation in the areas in which they are located, in accordance with paragraphs (d) and (e) of this section.

(d) *Labor shortage areas.* In accordance with paragraph (c) of this section the following policies will be observed with respect to the placing of contracts in Groups I, II, or III labor areas:

(1) *Group I:* It is the intent to avoid so far as possible the placement of contracts in Group I areas. The only contracts which may be placed there are those (i) for which established special facilities exist and for which labor has been specially trained; or (ii) on which the required speed of deliveries cannot otherwise be met; or (iii) which, in the considered judgment of the chief of the supply service concerned or of any person or persons to whom he may delegate his authority, it is impracticable to place elsewhere.

(2) *Group II:* In these areas there may be placed any contract for the continuation of the production of items of the same character as those already being produced by the contractor for any government department, if no labor is required in addition to that currently employed by such contractor. In addition, any contract may be placed in a Group II area which is of such character that it might properly be placed in a Group I area under the provisions of subparagraph (1).

(3) *Group III:* In these areas there may be placed any contract (whether representing new or continuation business) which can be completed within six months and which will not require the employment of labor in addition to that normally or currently employed by the contractor. In addition, any contract may be placed in a Group III area which is of such character that it might properly be placed in a Group I or II area under the provisions of subparagraphs (1) and (2).

(4) *Exceptions.* The restrictions stated in this paragraph do not apply to the placing of contracts—

(i) With firms which either normally or currently employ less than 100 wage earners and will not employ more than their normal number of wage earners or more than 100 wage earners (whichever is less) during the performance of the contract; or

(ii) With firms which are recommended as prime contractors or subcontractors by the Smaller War Plants Division, War Production Board; or

(iii) With originating manufacturers for newly developed articles in accordance with § 81.224.

(e) *Labor surplus areas; Group IV labor areas.* There are no restrictions from the standpoint of labor supply upon the placement of contracts in Group IV or unclassified areas. Furthermore, the policy of the War Department is to distribute its business so as to utilize as widely as practicable the facilities of concerns located in Group IV, unclassified and Group III areas.

(f) *Spreading contracts.* When the policies stated in paragraphs (a) to (e) of this section and § 81.224 have been met, contracts will be placed so as to spread production among as many firms as is reasonable and feasible. In carrying out this policy, consideration will be given in each instance to the following objectives:

(1) *Small business.* To give as large a proportion of the business as possible to qualified small plants in accordance with the procedure prescribed under § 81.225.

(2) *Conserving special abilities.* To conserve for the more difficult war production problems, the resources of concerns best able by reason of engineering, managerial and physical resources to handle them, by placing contracts for items which involve relatively simple production problems with concerns, normally the smaller ones, which are less able to handle the more difficult problems.

(3) *Efficiency.* To use the minimum quantity of materials and minimum number of man-hours to make the supplies needed.

(4) *Keeping needed concerns intact.* To keep in operation concerns with experience and managerial or engineering staffs valuable to the war effort.

(5) *Flexibility.* To use concerns whose operations are most flexible so as to facilitate changes in specifications, quantities or rates of production.

(6) *Transportation.* To conserve transportation facilities by avoiding unnecessary cross hauling of raw, semi-finished or finished material from the point of origin to the point of consumption and by avoiding long hauling when such materials are available at a shorter distance.

(g) *Price.* (1) The application of the principles stated in paragraphs (a)–(f) of this section, will frequently require contracts to be placed with a producer whose costs and prices are higher than those of the lowest bidder. The supply services are hereby authorized and directed to pay prices higher than would otherwise be required to the extent that such action is necessary to carry out the foregoing policies. In any case where application of these policies will require award of the contract to a concern at a price so much higher than other available prices that the procurement officer is uncertain whether the award is justified, he may request instructions from the chief of the supply service concerned.

(2) When the foregoing policies have been met and selection among available contractors is still possible, contracts will be so placed as to obtain the lowest price for the Government. Moreover, the policy of selecting among available contractors on bases other than price does not mean that the price of the contractor selected is unimportant or to be disregarded. On the contrary, as is more fully explained in § 81.231 (b), when the contractor has been selected according to the foregoing principles the supply service must carefully negotiate the contract to insure that the price is fair in the light of the costs and circumstances of the particular producer.

(h) *Exceptions.* Upon specific request the Director, Purchases Division, Headquarters, Army Service Forces, may grant authority to depart from the policies stated in §§ 81.220–81.227. Requests for such authority stating the reasons therefor will be forwarded to the Smaller War Plants Branch, Purchases Division, Headquarters, Army Service Forces.

§ 81.224 *Contracts for newly developed articles.* In placing contracts for new articles developed by a manufacturer for War Department use, the following principles will be observed:

(1) In general a substantial proportion of the initial orders for a new article should be placed with the manufacturer who developed it. Enough of the volume should be placed with other qualified producers, however, to develop at least one other experienced source; except in unusual cases this should be a going production order and not a limited quantity educational order.

(2) When the originating manufacturer demands a price for the item substantially higher than the price for which it can be secured elsewhere, or will require substantially more facilities or tools than some other producer in order to get into production, or is already heavily loaded with orders, and the article can readily be made by one or more other producers, the contracts for the article should be placed with such producers. In such cases the originating manufacturer should be fairly paid for his developmental work as such.

§ 81.225 *Smaller war plants policy*—(a) *Smaller War Plants Act.* (1) Public Law 603 (77th Congress, approved June 11, 1942) creates the "Smaller War Plants Corporation", authorizes a Deputy Chairman of the War Production Board on Smaller War Plants and gives the Chairman of the War Production Board certain new powers incident to placement of Government contracts with smaller plants.

(2) Section 3 of the Act authorizes the Chairman of the War Production Board to certify small business concerns or groups of such concerns to the Secretary of War with respect to capacity and credit as to a specific Government procurement contract.. The War Department is directed to accept such certification as conclusive and is authorized to place the contract with the concern or group of concerns without requiring the meeting of any other requirements with respect to capacity and credit. The Act recognizes that small plants are frequently unable to produce at as low unit costs as larger plants and that, as a consequence, in order to mobilize the Nation's full productive capacity, it may be necessary for the Government to pay a higher unit price for articles when obtaining them from small plants than it pays to business concerns operating large plants.

(3) The Act also gives the Smaller War Plants Corporation power to enter into prime contracts with the War Department for articles, equipment, supplies or materials, or parts thereof, or work in connection therewith and to subcontract the production of these items to small business concerns. If the Chairman of the War Production Board certifies that the Smaller War Plants Corporation is competent to perform any specific government procurement contract, the contract must be let to it on such terms as the Chairman may specify. The Corporation is also given broad powers of financing.

(4) It is important to note that the Smaller War Plants Division of the War Production Board and the Smaller War Plants Corporation have separate and distinct functions. For convenience, the Smaller War Plants Division of the War Production Board will be referred to in this section simply as the War Production Board.

(b) *General policy.* (1) The established policy of the War Department is to place prime contracts and subcontracts with small business concerns or groups of such concerns without the necessity for certification by the War Production Board or for the making of contracts by the Smaller War Plants Corporation. To implement this policy, the procedure prescribed in the following paragraphs has been established in order to assist the smaller plants to participate to the greatest possible extent in the war effort.

(2) This procedure is briefly as follows: Under paragraph (c) of this section the Army supply program is reviewed to select products suitable for production by small plants. When actual procurements of suitable products are made, an agreed portion is allotted pursuant to paragraph (d) of this section for placement with small plants recommended by the War Production Board. Then the portion of the business so allotted to small firms is distributed by the contracting officers in accordance with paragraph (e) below. Finally, procedures to facilitate and encourage subcontracting to smaller firms under existing and future prime contracts are prescribed by paragraphs (f) and (g) below.

(3) To carry out this program the War Production Board has assigned a representative to each of the supply services and to each office originating procurement directives, and a Liaison Specialist to each contracting office. The chief of each supply service will also designate a liaison officer for his supply service for each office originating procurement directives, and a Smaller War Plants Contact Officer for each contracting office.

(4) The chief of each supply service will issue definite instructions to contracting officers at all levels in his service to do their utmost to see that all usable productive capacity is brought into the war effort whenever this will increase the volume or speed of production or will aid in clearing present or prospective shortages or bottlenecks.

(5) Unless the Director, Purchases Division, Headquarters, Army Service Forces, authorizes a variation therein, the procedure prescribed in paragraphs (d) and (e) of this section will be followed with respect to each proposed procurement directive of a supply service, except:

(i) Where secret or confidential items are procured; or

(ii) Where, in the judgment of the chief of the supply service, the urgency resulting from military necessity does not allow time to receive plant recommendations from the War Production Board; but in such cases the War Production Board representative at the originating office will be promptly notified of the item and the circumstances; or

(iii) Where the items involved have been determined in accordance with paragraph (c) of this section to be unsuitable for manufacture by smaller plants.

(c) *Selection of products suitable for manufacture by small plants.* With the active assistance of the liaison officer designated for this purpose by the chief of the supply service, the War Production Board representative will:

(1) Review with the proper personnel of the supply service the related parts of the Army Supply Program and select from it products suitable for manufacture by plants recommended by the War Production Board.

(2) Ascertain the total quantities of these selected products to be purchased.

(3) Discuss with the proper personnel of the supply service existing plans for the procurement of the selected products.

(d) *Determination of portion of procurements allotted to recommended small plants.* (1) With the active assistance of the liaison officer designated for this purpose by the chief of the supply service, the War Production Board representative on small war plants stationed at the office originating procurement directives will:

(i) Review with the proper personnel of the supply service each proposed procurement directive (with the exceptions stated in paragraph (b) (5) of this section and determine whether the products covered are suitable for manufacture in small plants;

(ii) Discuss with the proper personnel of the supply service existing plans for the procurement of such products as have been determined to be suitable for small plant manufacture. In order to ascertain whether, in the light of all the circumstances, existing plans provide for placement with small plants of a sufficient proportion of the procurement;

(iii) Reach agreement with the supply service, in cases determined to be appropriate under (i) (ii), on a definite portion of the products covered by the proposed directive, for placement as hereinafter provided with plants recommended by the War Production Board;

(iv) Reach agreement as to the latest date when War Production Board recommendations on geographical allocation of its portion of the proposed procurement will be received by and agreed upon with the supply service. If, however, the recommendation has not been made within the time agreed upon, and military necessity does not permit extension, the supply service may make the determination without the recommendation and issue procurement directives accordingly. (It has been agreed upon with the War Production Board that in making recommendations concerning this geographical distribution, consideration will be given to factors governing the plans of the supply service for the geographical distribution of the procurement as a whole, with a view to avoiding impracticable variations between the geographical distribution of the War Production Board part of the procurement and the remainder. The time which can be reasonably allowed for this recommendation will vary with the urgency of the procurement, and may range from 24 hours to several days.)

(v) Reach agreement as to the latest date when War Production Board plant recommendations will be received by the contracting office in the field. (The time to be allowed for this purpose will be made as long as is reasonable for each procurement, and will be set so that plants recommended by the War Production board will have substantially the same opportunity to bid or negotiate as other firms bidding or negotiating for the procurement.)

(2) Each procurement directive to a contracting office covering items agreed upon under subparagraph (1) will specify (i) the proportion of the total quantity allocated for placement by that office with plants recommended by the War Production Board, and (ii) the agreed date when War Production Board plant recommendations will be received.

(e) *Selection of concerns to receive business allotted to small plants.* (1) The War Production Board Liaison Specialist at each contracting office is its authorized representative at that office. One of his functions is to maintain contact with that office through its Smaller War Plants Contact Officer, whose duty is to assist the Liaison Specialist and to serve as a source of information for small plants. The War Production Board will advise its Liaison Specialist (i) of each procurement covering items agreed upon, (ii) of the amount set aside for the War Production Board at the contracting office, and (iii) of the agreed date when War Production Board plant recommendations are to be furnished by him to the contracting office.

(2) On receipt of these recommendations, the contracting office will review and discuss them with the Liaison Specialist and will determine which of the plants recommended are suitable, giving consideration to such engineering, financial or other assistance, as will be supplied by the War Production Board in the particular case, as authorized by Public Law No. 603, 77th Congress. If an insufficient number of suitable firms remain, the contracting office, if time permits, will receive further recommendations from the Liaison Specialist. If, however, these recommendations are not received by the agreed date or any extension thereof possible under the circumstances, or if the time does not permit the receipt of recommendations of additional firms, the contracting office

(if possible after consulting with and receiving recommendations from the Liaison Specialist as to any firm then under consideration by the contracting office) may place any remaining quantity of the procurement as it may determine. If urgent military necessity should require the shortening of the time originally agreed upon, the contracting office upon such notice to and receipt of such recommendations from the Liaison Specialist as circumstances may in its judgment permit, may place any remaining quantity of the procurement as it may determine. The contracting office will be free at any time to make suggestions to the Liaison Specialist of additional suitable small plants for inclusion among the War Production Board plant recommendations.

(3) The contracting office will negotiate with those recommended firms which have been found suitable and will endeavor to place among an appropriate number of them, to be determined by it, the portion of the procurement set aside for the War Production Board. Negotiation and placement with these firms will be governed by the considerations stated in §§ 81.220–81.227 of the procurement regulations. The Liaison Specialist will be given opportunity to make representations to the contracting office in behalf of the recommended firms before decisions are reached on their bids, and will be promptly informed of such decisions when made.

(f) *Encouraging subcontracting under existing prime contracts.* In order to promote subcontracting to smaller plants under existing contracts, the following procedure will be used:

(1) Examination of existing prime contracts will be made by headquarters of the supply services in cooperation with representatives of the War Production Board to determine the possible extent of additional subcontracting thereunder of products suitable for placement with plants recommended by the War Production Board.

(2) All procurement agencies in the field, in cooperation with War Production Board Liaison Specialists, will expeditiously examine contracts with a view to the possibility of further subcontracting. All prime contractors will be advised of the necessity for cooperating in placing all work practicable under existing and proposed contracts with small plants on a subcontracting basis. Orders for new machine tools and equipment will be cancelled whenever the corresponding operations can be handled by subcontracting if production schedules can be maintained.

(3) As indicated by Public Law 603, 77th Congress, it will facilitate the prosecution of the war to utilize the facilities of smaller plants by subcontracting work to them wherever practicable. Accordingly, when the chief of a supply service or his duly authorized representative determines that it will accomplish this purpose, he is authorized to enter into and approve supplemental agreements amending or modifying existing contracts to provide for the payment of an increased price to the prime contractor to cover increased costs resulting from additional subcontracting. Any such agreement will be made pursuant to the First War Powers Act, 1941, and may be made without consideration to the Government other than promotion of the policy stated by Public Law 603, 77th Congress, and in this paragraph.

(4) The procedure described in subparagraphs (1) to (3) above will also be applied to subcontracts where it appears to be practicable to get a subcontractor to spread his load among more subcontractors.

(5) The initial discussion with prime contractors and subcontractors relative to subparagraphs (1) to (4) above will be arranged through the War Department contracting agency in the field.

(g) *Encouraging subcontracting under future prime contracts.* The chiefs of supply services will facilitate discussion with War Production Board representatives as to subcontractors under future prime contracts. Such discussions can be undertaken either in the offices of the supply services in Washington or with the contracting officers in the field.

(h) *Limitations*—(1) *Standardization.* While the War Production Board representatives will be afforded every assistance for the further spreading of work to smaller plants, consistent with the maintenance of required delivery schedules and quality of production, standardization programs on items where a flow of replacement parts is a factor will also be taken into account.

(2) *Preventing abuses.* In carrying out the policy of spreading the work to smaller war plants, contracting officers and Liaison Specialists must take precautions to prevent abuse of the preferred position of such plants. For instance, a smaller war plant contractor should not be allowed to subcontract substantially the entire work to a large plant at a lower price and thereby to operate virtually as a contract broker.

(i) *Method of handling disagreements.* All matters of policy relating to increased subcontracting and to increased prime contracting with smaller plants will be dealt with for the War Production Board by the Deputy Chairman on Smaller War Plants, and for the War Department by the Smaller War Plants Branch, Purchases Division, Headquarters, Army Service Forces. On such matters, contact will be between these offices. Any disagreement between representatives of the War Production Board and of the supply services on any of the matters described in paragraphs (b) to (h) of this section will be referred by both parties to these offices for discussion and settlement.

§ 81.226 *Debarred bidders*—(a) *Persons disqualified.* Contracts will not be placed with persons who are on any of the following lists of debarred bidders.

(1) List of bidders debarred from bidding on War Department contracts by reason of violations of the Walsh-Healey Act (see § 81.916 et seq.).

(2) List of bidders debarred from bidding on War Department contracts by reason of violations of the Davis-Bacon Act (see § 81.910 et seq.).

(3) War Department confidential list of bidders to whom awards will not be made.

(4) The proclaimed list of blocked nationals which the Secretary of State from time to time publishes listing persons and organizations deemed to be acting directly or indirectly for the benefit of the enemy (see § 81.1102).

(b) *Distribution of lists.* The Adjutant General will distribute to the supply services lists of bidders debarred by the Comptroller General by reason of violations of the Walsh-Healey Act or the Davis-Bacon Act and copies of the War Department confidential list of debarred bidders. Copies of the proclaimed list of blocked nationals will also be made available to the chiefs of the supply services.

(c) *Procedures for placing bidders on confidential list*—(1) *Authority.* The Adjutant General will place a bidder upon the confidential list of bidders to whom awards will not be made (i) where the Director, Purchases Division, Headquarters, Army Service Forces, determines that the bidder has been guilty of fraud or attempted fraud against the United States, or (ii) for the duration of the present war, in any instance where the Director, Purchases Division, determines that the best interests of the United States require that contracts be not awarded to the bidder. In recommending that a bidder's name be placed on the list, the chief of a supply service will submit to the Director, Purchases Division, a full report of the specific instances of the bidder's alleged dereliction together with any available evidence relating to the contract concerned and the complaint against the bidder.

(2) *Notice.* If such action has not already been taken, the Director, Purchases Division, will send to the bidder by registered mail, a notice stating (i) that a recommendation has been made that the bidder's name be placed on the War Department's confidential list of bidders to whom awards will not be made, (ii) the specific contract, bid, or action of the bidder as to which complaint is made, and the specific nature of the complaint in reasonable detail, and (iii) that the bidder may make a statement in writing with respect to the complaint on or before a date fixed in the notice. The bidder will not be given access to any evidence in the hands of the War Department, except in the notice and statement required by this paragraph (2).

(3) *Direction.* The Director may make such investigations and study of the complaint, either directly or through the Judge Advocate General or Inspector General, as he deems proper. If the Director determines that the bidder's name should be placed on the confidential list, he will transmit to the Adjutant General (i) the complete file, including any statement filed by the bidder, together with the direction to place the bidder's name on this list, and (ii) drafts of notices of the action taken to be sent by the Adjutant General to the bidder, the supply services and the Comptroller General.

§ 81.227 *Factors governing revision of existing supply contracts.* (a) In connection with adjustments of supply contracts growing out of changes in the Army Supply Program, in each instance consideration will be given to the factors comprehended by the broad headings below:

(1) Minimum use of material.
(2) Minimum man-hours.
(3) Status of facilities.
(4) Labor supply area.
(5) Flexibility for revisions—shift operations one form of flexibility.
(6) Extent of subcontracting.
(7) Strategic considerations.
(8) Comparative costs.
(9) Engineering background.
(10) Horizontal adjustment.
(11) Effect on manufacturer and subcontractors involved.
(12) Use of facility for other war work.
(13) Effect on transportation—minimum of cross-haul.

(b) Where adjustments in any program are indicated, particular weight should be given to continuing in operation those facilities employing the minimum amount of material and the minimum number of man-hours to complete like components and like end-products. These considerations alone should not control; each of the other items enumerated should be taken into account, so that the final result reflects evaluation of all factors enumerated.

(c) Where existing facilities are adequate to care for the program projected, consideration should be given to immediate cancellation of incomplete facilities, including machine tools, jigs and fixtures. In individual cases it may be sound procedure to plan on completing specific facilities even though existing facilities are in balance with current estimates of requirements.

(d) In cutting back facilities, with the background of changing requirements growing out of demands of war, and in the interest of flexibility, consideration should be given in each instance to the desirability of partial multiple shift operations in all or certain plants, in contrast with full shift operations in some plants, to avoid possible resultant abandonment of facilities which would not be otherwise used to good advantage in the war effort.

(e) In cutting back facilities, firms which employ 100 wage-earners or less, or which were recommended as prime or subcontractors by the Smaller War Plants Division of the War Production Board, shall be given preferred consideration, if reasonably efficient in their operations.

CONTRACT PRICE POLICIES

§ 81.230 *Basic objectives.* Policies regarding contract prices have three main objectives: to maintain incentives for efficiency reductions in costs and maximum production; to obtain fair prices and prevent excessive profits; and to contribute to the control of inflation

(a) *Incentives.* Increasing shortages in materials and manpower imperatively require that all producers be encouraged to operate at their highest attainable efficiency with the minimum waste or misuse of materials and labor, if maximum production of war equipment is to be reached and maintained. Increased efficiency, improved methods, and lower costs mean better use of available resources and savings in labor, materials and facilities and can be encouraged by making profits depend on efficiency. This requires careful purchasing and contracting to keep prices close enough to costs so that producers must exercise careful management and ingenuity to increase production and decrease costs in order to earn a reasonable profit.

(b) *Profit control.* In spending public money the War Department has the duty to see that its purchases are made at fair prices. In addition, by section 403 of Public 528, approved April 28, 1943, and amended October 21, 1942, the War Department is directly charged with the responsibility for preventing and eliminating excessive profits on its contracts and on subcontracts thereunder. In many cases, skillful and careful negotiation of contracts will prevent excessive profits from accruing and make their renegotiation unnecessary.

(c) *Inflation.* For many types of military commodities ordinary methods of price control by maximum price regulations, formulas and ceilings become extremely complex and difficult to administer, and divide procurement responsibility. At the request of the War and Navy Departments the Office of Price Administration has agreed to refrain from further extending its price control over strictly military items, and in return the War and Navy Departments have undertaken the responsibility for maintaining control of prices in this limited exempted area. (See § 81.1131 (c).)

§ 81.231 *General policy*—(a) *Sound pricing.* The three objectives stated in § 81.230 are all closely related and must be handled accordingly. In order to promote efficiency and prevent inflation, it is vitally necessary to obtain sound contract prices reasonably close to costs, since recapture of profits for past periods on renegotiation will not operate to control costs or inflationary tendencies. This requires effective purchasing and price supervision to obtain well-negotiated original contracts. The chief of each supply service will see that this policy is implemented and followed in his service. This will require the use of appropriate contracts and contract provisions (discussed in §§ 81.230–81.238), adequate methods of negotiation (discussed in §§ 81.240–81.248) and effective price supervision (discussed in §§ 81.250–81.256).

(b) *Relation to contract placement policies.* This basic policy of emphasizing the price element in negotiating contracts, stated in the preceding paragraph, is not inconsistent with the relatively minor importance of price in selecting contractors, stated in § 81.223 (g). The selection of a contractor for a particular contract from among the qualified producers is based primarily on policies regarding speed and quality in performance and efficient use of manpower, materials and facilities. (See § 81.223 (a)–(g)). In making this choice among producers the price of a particular producer as compared to other available producers is considered as less important than these other policies. When these other policies are satisfied by several producers, however, choice is based on comparative price. Moreover, the price to be fixed in the contract with the producer selected on these bases is vitally important. The fact that the war program requires that contractors be selected on bases other than comparative prices, makes it especially necessary to have sound methods of negotiation and price supervision to ensure that the contract prices agreed upon with such contractors will be close enough to their costs to encourage efficient operations, to prevent excessive profits and to restrain inflationary influences.

§ 81.232 *Cost-plus-a-fixed-fee contracts*—(a) *Disadvantages.* Fixed-fee contracts have the following disadvantages:

(1) The fixed-fee contract does not encourage efficiency to the same extent as the well-negotiated fixed price contract. While the fixed-fee contractor is obligated to perform in an efficient manner, he does not have the same direct financial inducement to economize in the use of materials, machinery or manpower, or to keep down material and labor costs, or to use ingenuity and inventiveness in finding substitutes and improvements.

(2) Such contracts require uneconomical use of executive, auditing and administrative personnel, both by the Government and the contractor, in checking and rechecking vouchers, in auditing and allocating costs and in adjusting accounting questions.

(3) The financial pressures which restrain a fixed price contractor in competing for labor and accumulating inventories do not apply to the same extent to the fixed-fee contractor.

(b) *Use discouraged.* For the foregoing reasons supply contracts will be made on a cost-plus-a-fixed-fee basis only if no practicable alternative exists. Difficulties in estimating costs with reasonable accuracy because of possible future fluctuations in material or labor costs should not be regarded as an adequate reason for using this type of contract. Even the unfamiliarity of the contractor with the manufacturing process involved, as in the case of new, experimental or developmental articles, does not necessarily justify the use of the fixed-fee contract. For instance, the experience of other manufacturers may often provide sufficient basis for estimating costs and fixing the price, or a fixed price contract may be used with provision for redetermination or for upward or downward price revision, as soon as costs become known and reasonably stable.

(c) *Conditions on use.* In the exceptional cases where the cost-plus-a-fixed-fee form is used for a supply contract the following conditions will be met:

(1) When the contractor is to be reimbursed for substantially all its costs, the fixed fee represents essentially profit without risk. It should be determined not by the amount of the estimated cost, but by the extent and nature of the work supervised or the services to be performed by the contractor. Thus in fixing the fee consideration should be given, among other things, to whether the work or production involved is complicated or simple, the turnover slow or rapid, how much or little of the work will be subcontracted, and how extensive or difficult the duties of the prime contractor will be in supervising the subcontracted work.

(2) Whenever feasible, the contract will include a provision for conversion of the contract as soon as practicable to a fixed price basis related to the costs during the early part of the contract. (See § 81.1225.)

(3) If conversion to a fixed price basis is not feasible, consideration will be given to inclusion of a provision for upward or downward adjustments in the fee based on efficiency after a test period. (See § 81.1226.)

(4) The article for statutory renegotiation of the fixed-fee will be included in accordance with § 81.1208 (b).

(5) In no case will the fixed-fee exceed the statutory maximum of 7% for supply contracts.

(d) *Construction contracts.* Whenever feasible, construction contracts will be made on a fixed price rather than a fixed-fee basis.

(e) *Existing contracts.* Whenever feasible, existing fixed-fee contracts will be amended to convert them or provide for converting them to a fixed price basis as soon as practicable.

§ 81.233 *Fixed price contracts*—(a) *Advantages.* The ordinary fixed price contract without provisions for adjustment gives a contractor maximum incentives for efficiency if the original price is well negotiated. It is generally suitable for contracts of reasonable duration for standard articles made by an experienced producer. It should be used wherever conditions permit.

(b) *Limitations.* Under war conditions, however, the ordinary fixed price contract is not practicable for certain types of cases:

(1) When the articles required are new, experimental or developmental, or unfamiliar to the contractor, the lack of cost experience may prevent the setting of a fair price when the contract is made.

(2) Even where cost experience exists, shortages of materials, priorities and allocations and changes in the quantities and rates of delivery may seriously affect the costs during performance of the contract.

(c) *Adaptation to war conditions.* To meet these and other situations and to facilitate the used of the fixed price contract, various provisions and policies have been developed including the following:

(1) Termination articles.
(2) Financing provisions.
(3) Price adjustment based on production experience.
(4) Provisions to assume specific risks and for short-term pricing.
(5) Periodic adjustment of price and exemption from renegotiation.
(6) Adjustments and relief, without contract provisions, under the First War Powers Act.

These provisions and policies are intended to adapt the fixed price contract to war conditions, to minimize the risks of the contractor from unpredictable contingencies, and to facilitate obtaining contract prices close to costs. To the extent that the risks of unpredictable contingencies are reduced, the contractor does not need reserves or allowances against them in his price.

§ 81.234 *Termination article.* The risk of loss from termination of the contract, either for a change in the procurement program or upon cessation of hostilities, would deter contractors from making fixed price contracts or would require large allowances in the price to protect against this risk. The termination article is designed to remove this risk of loss by guaranteeing the contractor payment for all proper expenditures and costs in connection with the contract and an appropriate allowance for profit on the unfinished work in process, and by providing for expeditious settlement and payment of the amounts due. (See § 81.324.) These provisions reduce to the minimum any hardships on contractors resulting from necessary adjustments and reductions in the supply program.

§ 81.235 *Financing provisions.* Lack of working capital or difficulties of financing would discourage contractors from undertaking fixed price contracts and necessitate the use of cost-plus-a-fixed-fee contracts. To overcome this, the War Department has arranged various methods of assisting contractors and subcontractors in financing war business. Three of these are (a) partial payments, (b) advance payments, and (c) guaranteed loans. The principles and purposes governing the use of these financing methods are discussed in §§ 81.319–81.321, 81.330, and 81.331. Other arrangements have been provided to assist with the financing and construction of plant facilities expansion. These are discussed in §§ 81.1001–81.1019. Finally, the right to assign government contracts as security for financing is dealt with in § 81.318a.

§ 81.236 *Price adjustment provisions*—(a) *Price adjustment based on production experience.* To adapt the fixed price contract to cases where the lack of experience with production of a new or unfamiliar article makes dependable estimates of costs and prices impracticable, several types of clauses have been developed to permit the fixing of a tentative price with provision for adjusting or fixing the price after part performance has supplied the necessary cost data. These clauses, discussed in §§ 81.1220–81.1226 make the use of the cost-plus-a-fixed-fee contract unnecessary in such situations. For cases where the fixed-fee contract cannot be avoided, clauses are provided for converting it to a fixed price basis after part performance or for relating the fee to efficiency in production in order to minimize the

and assemblies, initial and extra equipment, and the costs of additional facili-

ance with the policies stated in §§ 81.220–81.227 of this Regulation, an analysis of

cost-plus-a-fixed-fee contractors. Cost-

disadvantages of this form of contract. (See §§ 81.1220–81.1226.)

(b) *Provisions against specific risks.* Normally contractors attempt to protect themselves against risks which will increase the cost of performance by allowances in their prices. Under war conditions, certain risks affecting the costs of performing war contracts, especially those of long duration, are particularly difficult to predict. If contingency allowances to cover them were permitted, it would make prices unreasonably high and reduce the incentives for efficient operation. Accordingly, it is the policy of the War Department to reduce the necessity for such contingency allowances in fixed price contracts as much as possible by contract provisions assuming certain unpredictable risks not subject to the contractor's control. Various contract articles of this type are discussed in §§ 81.1230–81.1236. In return for the benefits of these provisions, the contractor will be required to eliminate from his price the allowances or reserves which would otherwise be needed to protect against these risks.

(c) *Short-term pricing.* These uncertainties as to future conditions can also be minimized by fixing prices for limited periods only. For commodities which do not involve a long period of production or planning, this can be done merely by making short-term contracts. Where longer contracts are necessary for production or other reasons, similar benefits can be obtained by providing for revising the price for future deliveries after a reasonable period. Such articles are discussed in §§ 81.1230–81.1236.

(d) *Periodic adjustment of price and exemption from renegotiation.* The accumulation of more experience and data covering production and costs has made feasible a new type of contract combining (1) periodic adjustment of price at regular intervals during the life of the contract (compare paragraph (c) above) with (2) provision for exemption from renegotiation if the adjusted price is sufficiently low. It is designed to unite maximum incentives for efficient production with adequate control of profits and prices, by giving the contractor firm prices without commitments of too long duration. This type of contract is discussed in §§ 81.1240–81.1247.

§ 81.237 *Adjustments without contract provisions.* Paralleling the contract provisions for price revision discussed under § 81.236, and necessary to complete the price program, are the policies regarding price adjustments and other relief under Title II of the First War Powers Act and Executive Order No. 9001 in the absence of contract provisions. Thus where a contractor, who has kept down the contingency allowances in his price, suffers some unexpected risk or event, it may often be equitable and in the interests of the Government for it to adjust the contract price or other terms by supplemental agreement so as to assume some or all of any resulting increases in costs. By granting such relief to contractors in appropriate cases, either with or without consideration, the Government will reduce the necessity for large allowances in prices and encourage greater cooperation by contractors. The application of these policies is discussed in §§ 81.1250–81.1252.

§ 81.238 *Policies on certain special items of cost*—(a) *Amortization.* Under section 124 of the Internal Revenue Code, contractors who construct or acquire facilities necessary for the war effort are allowed under certain conditions to amortize the cost of them for tax purposes over a period of sixty months instead of the longer period of normal depreciation. This special tax credit was provided by Congress in order to encourage contractors to provide such facilities from their own funds rather than at Government expense. In view of this purpose, it is essential that in negotiating contracts involving the use of such facilities, the expense of such facilities be not passed on to the Government and that the price be fixed on the basis of only normal depreciation on the facilities and not at the accelerated rate of amortization permitted for tax purposes by section 124. In other words, the contractor may not treat the amortization at the accelerated rate as a cost against war contracts, but must provide for the excess over normal depreciation from his normal profit; this the tax credit greatly facilitates by leaving a larger net profit after taxes available for this purpose. Where the contractor desires the contract price to provide for a larger amount of the cost of such facilities, the Government is in effect paying for the facilities to the extent of the additional amount included in the contract. In such cases the contract must state the amount so included in the price and must contain suitable provisions to protect the interests of the Government in the facilities in accordance with § 81.1007 and following.

(b) *Reconversion and storage.* (1) In appropriate cases, the cost of converting plants to war production, including the removal of existing equipment and incidental building alterations, may be included in cost and therefore in the contract price and the contract may provide for payment, on termination of production for the Government, of the costs of removing Government-financed machinery and equipment, and of preparing it for storage and shipment.

(2) The Government will not bear either directly or indirectly, however, any part of the cost of reconverting the contractor's plant to commercial production (including installation of privately-owned machinery and equipment) or the cost of storing such machinery and equipment during the period between conversion and reconversion. This policy applies to all types of contracts, whether facilities contracts, cost-plus-a-fixed-fee contracts or fixed price contracts. It does not, however, prevent giving a contractor, in exceptional cases where fairness so requires, special protection against loss through early termination of the contract in accordance with § 81.324 (e).

NEGOTIATION OF CONTRACTS

§ 81.240 *Method of contracting*—(a) *By negotiation.* Except as provided in paragraph (b) of this section, all contracts and purchases made by the War Department will be made by negotiation under authority of the First War Powers Act, 1941, and Executive Order No. 9001, and in accordance with these procurement regulations. While this Act and Executive Order are construed to embody all the authority conferred by sections 1 (a) and (b) of the Act of July 2, 1940 (Public Law No. 703, 76th Congress), as extended, the earlier Act may also be cited as authority for contracting in appropriate cases if desired (see § 81.204 (a)).

(b) *By formal advertising.* When authorized by the Director, Purchases Division, Headquarters, Army Service Forces, contracts may be placed by formal advertising instead of by negotiations if deemed necessary in the interests of the Government.

(c) *Aids to negotiation.* Sound purchase control requires that the original contract be well negotiated on the basis of reliable cost experience and close estimates. To do this, all available information and aids to negotiation must be used as effectively as possible. This section deals with some of the methods and data which will assist such sound negotiation of contracts.

§ 81.241 *Methods of negotiation*—(a) *General rule.* Subject to specific provisions of these regulations, the chief of each supply service may determine the methods of negotiation to be followed by his service. Any method which, in the judgment of the chief of the supply service concerned, will result in the most efficient award of contracts and will protect the interests of the Government, is hereby authorized. Such methods may include not only face to face dealing but also informal written bids or telephone quotations, but the request for any such bids or quotations will clearly indicate that it is made under the authority of the First War Powers Act, 1941.

(b) *Decentralization.* The chiefs of the supply services will decentralize to their field agencies the actual work of negotiating contracts to the greatest extent consistent with efficiency and proper safeguarding of the public interest.

§ 81.242 *Use of informal bids.* Where consistent with the required speed of war procurement, notification of the proposed procurement will be given to a reasonable number of qualified producers and suppliers, and quotations secured from them.

§ 81.243 *Standard proposal forms*—(a) *Use.* Where the article is to be specially manufactured according to specifications it is useful to have a standard form for the contractor to use in submitting his proposal. Such standard proposal forms assist in obtaining all of the necessary information from the contractor at the same time and facilitate the comparison and evaluation of proposals from several producers, by insuring a uniform basis of statement.

(b) *Contents.* Such standard proposal forms should ordinarily require the following types of information—

(1) Separate quotations for the basic (or major) item, essential extra parts and assemblies, initial and extra equipment, and the costs of additional facilities required by the contractor.

(2) Proposed delivery schedule.

(3) Summary of the approximate number, amount and extent of completion of other outstanding Government contracts.

(4) Itemized estimate of cost of production with adequate explanation of the basis used for allocating overhead, etc.

(5) Statement showing the cost experience for the same or similar items under other recent contracts.

(6) Statement as to labor needs and supply, contemplated hours of work and number of shifts.

(7) Contemplated method of financing the contract.

(8) Statement of material to be furnished by the Government and disposition of scrap therefrom.

(9) Summary of types and extent of subcontracting.

(10) Requirements for additional equipment and facilities.

(11) Statement of any optional clauses desired in the contract.

(12) Statement in detail of taxes included in the price and their estimated amount, and of any taxes to be excluded from the price for which contractor will claim reimbursement or a tax exemption certificate.

To avoid unnecessary duplication of paper work, a contractor should generally not be required to supply information required by subparagraphs (3), (5) and (9) where he has recently submitted the same information or it is otherwise available to the procurement office or its preparation will involve undue difficulty in view of the size of the contract.

(c) *Value.* The information obtained from the proposal forms will permit the selection of the appropriate contractor in accordance with section II of this regulation and will provide a basis for negotiations with that contractor in accordance with this section.

§ 81.244 *Purchase analysis*—(a) *Price comparison.* Comparative prices for similar items compiled in accordance with § 81.251 will be made available to contracting officers for use in negotiating new contracts. The prices offered for new contracts should be carefully compared with previous prices for similar items, making allowance for improved methods, rates of production, type of facilities and other factors. Where proposals are obtained from several producers they should be similarly compared with each other.

(b) *Renegotiation information.* The chief of each supply service will insure that contracting officers make regular use of studies and other information compiled by the price adjustment and cost analysis sections and useful in negotiating with contractors, such as data on volume of business, the policies regarding overhead and reserves, rates of profit and other material. (See § 81.252.)

(c) *Cost analysis.* When the prices or cost estimates submitted by a producer are out of line with previous experience or other proposals and use of his facilities is necessary or desirable in accordance with the policies stated in §§ 81.220–81.227 of this Regulation, an analysis of the contractor's costs should ordinarily be made in order to find the causes of the higher costs or prices. Likewise where prices or cost estimates of a producer for an unfamiliar item are so low as to indicate mistakes in the estimates, a similar study should be made. Such study and analysis should be limited to the minimum necessary to obtain the required information and should be made with the least possible inconvenience to the producer. (See § 81.253.)

(d) *Check lists.* Orderly and speedy negotiations are facilitated by the use of standard negotiation check lists. Such forms should be designed to indicate the information to be obtained from the contractor and from other sources and the methods to be used in evaluating this material and in arriving at the final contract terms.

§ 81.245 *Special clauses.* The contracting officer should consider in each case whether use of any of the various articles for price adjustment discussed in §§ 81.230–81.238 and in §§ 81.1200–81.1291 is desirable. When such articles are used, the contracting officer will satisfy himself that the original price is sufficiently reduced, by eliminating or reducing contingency reserves and by lower profit margins, to justify the Government in agreeing to such adjustment provisions in favor of the contractor.

§ 81.246 *Compulsory purchases.* Where a fair contract cannot be obtained by voluntary negotiation, it may be necessary to resort to compulsory methods.

(a) *Mandatory orders.* Under section 9 of the Selective Training and Service Act of 1940 a mandatory order may be placed with any producer to require him to supply any item of the nature and kind usually produced or readily capable of being produced by him, for a fair and just compensation. While the general use of such orders is not favored, they should be resorted to where necessary after patient negotiations have failed. Thus where a qualified producer refuses to make a contract upon terms which in the opinion of the contracting officer are fair, the chief of the supply service may request the issuance of a mandatory order to the producer. Such requests will be forwarded to the Director, Purchases Division, Headquarters, Army Service Forces, and will state the reason for the request.

(b) *Requisitioning.* When needed articles are already in existence, but cannot be bought after reasonable negotiations, they may be obtained by requisition in accordance with §§ 81.1401–81.1428.

§ 81.247 *Assistance by Headquarters, Army Service Forces.* The Purchase Pricing Methods Branch, Purchases Division, Headquarters, Army Service Forces, will assist any service in preparing standard forms for proposals by contractors, evaluation sheets or check lists and other aids to effective negotiation.

§ 81.248 *Purchasing by prime contractors*—(a) *Purchasing methods of cost-plus-a-fixed-fee contractors.* Cost-plus-a-fixed-fee contractors should ordinarily make their subcontracts and purchases by negotiation rather than by formal advertising. In connection with such negotiations, they will obtain informal quotations from qualified suppliers whenever feasible, but evidence of formal competition will not be required in connection with such agreements unless the contracting officer directs otherwise.

PRICE SUPERVISION

§ 81.250 *General policy.* For the reasons stated in § 81.230, the War Department is responsible for supervising and controlling the prices of all supplies and equipment procured and of the various items and services entering into the costs of these supplies and equipment to insure that such prices are reasonable and not excessive. Sections 81.250–81.256 deal with the performance of this responsibility by the services.

§ 81.251 *Price analysis*—(a) *Functions.* The chief of each supply service will maintain within his service appropriate agencies to perform the following price analysis functions:

(1) To assemble, analyze, interpret and disseminate price data for all important items procured by the supply services and for important component items entering into the costs of such items;

(2) To prepare special price analysis reports for procurement officers; and

(3) To compile and maintain comparative price records and indices for such items and their important components.

(b) *Sources of data.* In performing their functions, price analysis agencies will make use of the following types of information:

(1) Contract prices for similar items, which will be compiled on a comparable basis with respect to the basic (or major) item, essential extra parts and assemblies, initial and extra equipment, Government furnished equipment and scrap salvage.

(2) Cost estimates and other relevant data from proposals submitted by contractors.

(3) Analyses of the effect of major production and engineering problems on prices and costs.

(4) Prices paid for important subcontracted items. (See § 81.254.)

(5) Breakdowns of costs of subcontractors and sub-subcontractors based on production experience.

(6) Balance sheets and operating statements and similar data for contractors and subcontractors from price adjustment sections and financial services.

(7) Information from other Government agencies such as the Office of Price Administration. (§§ 81.1130–81.1135.)

(8) Where necessary, audits of costs of contractors and subcontractors made by the cost analysis sections.

(c) *Use of price data.* (1) The price analysis agencies will prepare full analyses and reports on the comparative prices paid for important items and their

components, making proper allowance for differences in the size of the contract, [illegible] seems most appropriate to him to permit their effective performance; they need not be placed in the fiscal section of [illegible] ited to those of substantial amounts, if regular selective checking is maintained instead.

their integration with procurement. Thus, in its discretion, a supply service may combine these functions in a single [illegible] ice, the chief of that service may direct supplementary data to be submitted to him.

reports required to be filed under § 81.293 should be forwarded so as to be received by the fifth calendar day following the

components, making proper allowance for differences in the size of the contract, in design, local wage scales, type of facilities, contract terms and other factors. These reports will be in a form usable by procurement officers and price adjustment sections and will contain any recommendations for necessary or desirable action by them.

(2) In making or revising contracts, procurement officers will consult with the appropriate price analysis section and make use of all pertinent price analyses and reports then available.

(3) The price analysis agency will cooperate closely with the price adjustment sections and will make available to them price analyses and reports for use in renegotiation. When renegotiation reveals excessive profits the price analysis agency should immediately make studies of the prices of such contractors.

(4) Price records on items procured by the supply service and important components will be kept in such manner as to be readily available for reporting to higher authority or to the Office of Price Administration as requested.

(d) *Corrective action.* When price analysis reveals that the prices of comparable items are out of lien, the procurement officer directly concerned will immediately initiate measures to discover the reasons. The appropriate measures will depend upon the particular situation. The contractor or his important subcontractors may be required to furnish a breakdown of actual costs based on production experience. When these are inadequate, cost audits or spot checks may be undertaken through the cost analysis section, and studies of purchasing methods may be made in accordance with § 81.254. Unless the facts disclose that differences in price are justified by higher costs and by the policies stated in §§ 81.220–81.227 negotiations will be initiated for appropriate adjustments in contract or subcontract prices.

§ 81.252 *Profit analysis.* The studies, by the price adjustment sections of each supply service, of the overall costs, profits and financial position of contractors and subcontractors provide valuable data to assist contract negotiation, such as information regarding overhead, reserves, profit margins, volume of business and similar matters. The chief of each supply service will make arrangements to insure that such information is made readily available in useful form for procurement officers in conducting negotiations with such contractors and for price analysis agencies in performing their functions.

§ 81.253 *Cost analysis*—(a) *Organization.* Each supply service will maintain appropriate agencies to perform cost-analysis functions and to act as fact finding units with respect to costs and profits on its contracts and subcontracts for use in negotiations by contracting officers as well as in renegotiation by price adjustment sections. The chief of each supply service may assign the cost analysis functions to such place in the organization of the service as seems most appropriate to him to permit their effective performance; they need not be placed in the fiscal section of the supply service unless the chief of the service so decides.

(b) *Functions.* When a cost analysis study of any contractor is made to prepare reports for the price adjustment section, there will also be made such study as seems appropriate in each case to aid procurement officers in future contract negotiations with the contractor. In addition, whenever price analysis indicates that prices or costs of a particular contractor or subcontractor are out of line and the procurement officer so requests, the cost analysis agency will make necessary studies of any contractor or subcontractor. Such studies will be limited to the extent necessary to obtain the desired information.

§ 81.254 *Supervision of subcontracts and purchases*—(a) *Policy.* The Government is vitally interested in the prices of component parts and materials of the items which it procures. The prices for such component articles are reflected in prices under fixed price prime contracts and are directly reimbursed under fixed-fee contracts. If excessive, such prices encourage inefficiency, inflationary expenditures and excessive profits in the same manner as excessive prime contracts prices. Accordingly, the War Department and supply services must also supervise these prices. Because the Government could not attempt to inspect or approve individual purchases under all fixed price and fixed-fee contracts, they must be supervised by more selective methods adapted to varying circumstances.

(b) *Methods of supervising purchases under cost-plus-a-fixed-fee contracts.* While the cost-plus-a-fixed-fee contractor is responsible for efficient buying, the lack of direct financial incentives for economy makes it essential to supervise its purchasing with respect to prices, quantities and capacity of suppliers. Experience has shown that detailed prior approval of all purchase orders and subcontracts under fixed-fee supply contracts is less efficient for this purpose than more selective methods. Accordingly the following procedure for supervision will be adopted in the case of supply contracts.

(1) The purchasing policies and methods of the cost-plus-a-fixed-fee contractor should be carefully analyzed to determine their adequacy for sound purchasing. This analysis should ascertain (i) whether prices paid are reasonable; (ii) whether quantities purchased are proper; (iii) whether suppliers and subcontractors are reasonably qualified; (iv) whether the purchasing personnel are well-qualified; and (v) whether purchasing procedures are sound and adequate.

(2) If the purchasing policies and methods are adequate with respect to prices, quantities and suppliers and are consistently followed, prior approval of subcontracts and purchase orders by the representatives of the contracting officer need not be required, or may be limited to those of substantial amounts, if regular selective checking is maintained instead.

(3) If the purchasing methods are inadequate in any respect, steps should be taken immediately to require the contractor to correct the deficiency, and if necessary, prior approval of subcontracts and purchase orders by the representative of the contracting officer to check on the propriety of the prices and other terms should be required until the deficiency is corrected.

(4) Periodically a report should be prepared with respect to each important contractor, stating the results of the inspection of the purchases and examination during the preceding period.

(5) If at any time the chief of a supply service finds that the selective method of supervision is inadequate, he may require such further supervision, including prior approval of purchase orders and subcontracts, as he deems necessary.

(c) *Methods of supervising purchasing by fixed price contractors.* (1) In the case of fixed price contracts, the contractor ordinarily has strong incentives to purchase at low prices in order to enhance the profit, but with high excess profits taxes and renegotiation, this incentive can be fully maintained only by keeping the prices under prime contracts close to minimum costs. For this purpose procurement officers must have adequate information on what component parts and materials should cost if well purchased and must know whether the contractor is equipped to obtain the best prices available.

(2) Price analyses in accordance with § 81.251 will supply necessary information. In that connection, the purchasing policies and methods of important fixed price contractors should be analyzed in the manner described in paragraph (b) of this section. When such analysis or the study of the prices paid by different contractors for important component parts and materials reveals deficiencies, they should be called to the attention of the contractor with recommendations for their correction.

(d) *Personnel.* A selective method of control requires the use of well trained and experienced personnel with a knowledge of purchasing methods and industrial costs and prices. Each service should obtain an adequate number of qualified officers or employees to perform these functions.

§ 81.255 *Sanctions.* Whenever study or analysis reveals that the prices of a contractor or subcontractor are excessive, and he refuses to make appropriate adjustments, the facts should be reported through the chief of the supply service to the Purchases Division, Headquarters, Army Service Forces. In appropriate cases the Director may then authorize action to correct the situation by the use of compulsory orders, renegotiation, or other means.

§ 81.256 *Coordination.* Each supply service may determine the form of organization necessary to perform the foregoing functions within its service and to obtain their essential coordination and

their integration with procurement. Thus, in its discretion, a supply service may combine these functions in a single agency or assign them to several separate agencies. Because these various price functions are so closely related, however, it is recommended that even where they are performed by several agencies in any service, all of them should be coordinated and integrated under a single head. Such an agency should supervise within the service all functions relating to contract clearance, negotiation aids, price analysis and supervision, liaison with the Office of Price Administration, renegotiation and price adjustment, and price research. This policy has been followed in Headquarters, Army Service Forces, by the creation within the Purchases Division of an Assistant Director for Price responsible for supervising all of these functions. Creation of a similar agency in each service will facilitate coordination and cooperation between Headquarters and the services.

PURCHASE ACTION REPORTS

§ 81.291 *General*—(a) *Statistics and Progress Branch.* Under General Orders No. 14, Headquarters, Army Service Forces, dated June 12, 1942, the Statistics and Progress Branch, Control Division, Headquarters, Army Service Forces, was established. This branch is responsible for supervision, preparation and submission of all purchase reports required by law to be submitted by the War Department to The Congress, as well as to other Federal agencies, authorized to receive such reports. Effective July 1, 1942, it will be the responsibility of every station to make reports of purchase actions as outlined in the succeeding paragraphs. The reports will cover all negotiated purchase actions in excess of $10,000 for all types and kinds of things and services, supply contracts (including purchase actions for engineering or architectural services, maintenance of real estate and procurement of abstracts of titles) and purchase actions for the acquisition and leasing of real estate; also purchase actions for construction services, contracts with Defense Plant Corporation and purchase actions for utilities.

(b) *Reports required to be filed.* The reports required to be filed are those specified in §§ 81.293 and 81.294. As indicated in paragraph (e) (3) of this section, reports submitted by stations under the jurisdiction of the Special Services, Army Service Forces and the Administrative Services, Army Service Forces, are required to be transmitted to the Statistics and Progress Branch. In the case of reports submitted by stations under the jurisdiction of the chiefs of the supply services and the commanding generals of the service commands (including the Commanding General of the Military District of Washington), such reports are not, as indicated by paragraph (e) (4) of this section, required to be transmitted to the Statistics and Progress Branch. Instead, recapitulations of such reports are required to be filed with that Branch (see § 81.292). In any case where supplementary information is required for operating purposes of a service, the chief of that service may direct supplementary data to be submitted to him.

(c) *Service required to prepare original reports.* When reallocation or suballotment of funds is involved, the post, camp or station to which funds are assigned is responsible for making the reports required to be filed under §§ 81.293 and 81.294.

(d) *Signing of reports.* Reports will be signed by the Officer in Charge. At procurement stations on the exempted list, it will be the Commanding Officer; at posts, camps, or stations on the non-exempted list, it will be the supply officer in charge of procurement covered by the report.

(e) *Procedure for forwarding reports*—(1) *Time.* The reports will be forwarded by each station to the chief of its respective service. The reports required to be filed under § 81.293 should be forwarded so as to be received by the fifth calendar day following the purchase action; those required to be filed under § 81.294, should be forwarded so as to be received by the fifth calendar day following the close of the month.

(2) *Number of copies.* Two copies will be prepared by the station originating the purchase. The original signed copy will be forwarded as indicated in subparagraphs (3) and (4) below. The carbon copy will be retained for reference by the station preparing the report as indicated in subparagraph (6) of § 81.293 (a). This subparagraph will become effective May 1, 1943.

(3) *Reports by exempted and non-exempted stations.* Reports (both individual action reports and monthly summary reports) will be submitted to the chiefs of the various supply services (including the Commanding General, Materiel Command, Army Air Forces) and to the Commanding Generals of the Service Commands (including the Commanding General, Military District of Washington). Copies of these reports will be submitted to one of these locations. Only those relating to contracts which have been numbered as service command contracts in accordance with § 81.318b (e) will be submitted to the Commanding Generals of the service commands; and those numbered as supply serivce contracts in accordance with § 81.309 (b) will be forwarded to the chiefs of the supply service concerned. This will apply to all types of installations whether Class I, II, III or IV. Separate summary reports will be submitted to the Commanding General of the service command and to each of the supply services concerned.

(4) *Transmission of reports by Special Services and Administrative Services.* In the case of reports submitted by stations under the jurisdiction of the Special Services, Army Service Forces and the Administrative Services, Army Service Forces, one copy of each report forwarded will be retained by the office of the chief of the service involved and the original will be forwarded from said office to the Commanding General, Army Service Forces, attention, Statistics and Progress Branch, Control Division. The reports required to be filed under § 81.293 should be forwarded so as to be received by the fifth calendar day following the purchase action; the reports required to be filed pursuant to § 81.294 should be forwarded so as to be received by the eighth calendar day following the close of the month. The chiefs of Special Services and Administrative Services will be responsible for complete, accurate and proper submission of reports from stations under their respective jurisdiction.

(f) *Reports not to be duplicated.* When a "final type" contract is executed covering a previously reported purchase action, no additional Purchase Action Report will be filed. Likewise, a purchase order is to be reported only when it is the original purchase action on the item in question; and a purchase order is not to be reported when it is an order placed against an existing transaction previously reported as a purchase action.

(g) *Matters not to be reported.* Pay of individuals' shipping and traveling expenses, etc., are not to be included in the reports required to be filed under §§ 81.293 and 81.294. The items involved in this category are stated in War Department Circular No. 206, 1942. This paragraph refers only to individuals on a War Department payroll.

(h) *Definitions*—(1) *Purchase action.* A purchase action is any transaction (including all types of awards) obligating government funds. A transaction, in this case, includes transactions with any individual, firm, corporation, or governmental agency outside of the jurisdiction of the War Department. The execution of a preliminary contractual agreement is to be regarded as a purchase action unless the undertaking contained therein is conditioned upon funds becoming available, and hence does not obligate government funds (see for example, the letter of intent which was the subject of the decision of the Comptroller General issued under date of December 22, 1941; G–21673).

(2) *Service.* Notwithstanding the provisions of § 81.108 (d), the term "service" as used in §§ 81.291–81.294 including all supply services, Army Service Forces; the Materiel Command, Army Air Forces; all service commands, Army Service Forces (including the Military Forces; the Materiel Command, Army District of Washington); Special Services, Army Service Forces; and Administrative Services, Army Service Forces, with the exception of the Army Exchange Service.

(3) *Preliminary contractual agreements.* The term "preliminary contractual agreements" as used in §§ 81.291–81.294 refers to all written agreements which do not obligate War Department funds to the full amount which it is anticipated will finally be obligated (see W. D. Contract Form No. 7, § 81.1307, as one type of such agreement). Such agreement becomes final when the total estimated amount has been fully obligated or a final definitive contract has been executed.

§ 81.292 *Responsibility of the chiefs of the supply services and the commanding generals of the service commands.*

The chiefs of the supply services (including the Commanding General, Materiel

to the purchase action reporting requirements of these regulations.

ports made in the new fiscal year for awards made in the previous fiscal year

a cost-plus-a-fixed-fee contract, indicate the full estimated cost (not including the fixed-fee) in the description

(b) *Reports of increased purchase actions not originally reported.* When a purchase action, which originally was not

will be submitted as indicated above. As of the termination date, an additional report will be submitted adjusting any

The chiefs of the supply services (including the Commanding General, Materiel Command, Army Air Forces) and the commanding generals of the service commands (including the Commanding General, Military District of Washington) are charged with the following responsibilities:

(a) Responsibility for assuring that all reports required by this Procurement Regulation No. 2, are prepared by the stations under their jurisdiction and are forwarded to them in accordance with § 81.291 (e). This responsibility includes

(1) Responsibility for ascertaining that purchase action reports are received for all actions entered into, as controlled by the serial number system;

(2) Responsibility for checking by contract number to assure that duplicate reports are not received including the checking of notices and cancellations;

(3) Responsibility for reconciling individual purchase action reports submitted by each station with the monthly reports submitted by such station.

(b) Responsibility for the preparation, typing, checking, and distribution of the daily report on procurement (daily log). The Statistics and Progress Branch, Control Division, Headquarters, Army Service Forces, will advise as to the form and distribution of this report.

(c) Responsibility for the preparation of individual strips for all purchase actions in excess of $150,000. From these strips arranged in alphabetical order, pages will be made up for a quarterly report. These pages will be submitted to the Statistics and Progress Branch for reproduction and final compilation of the report required to be filed with Congress pursuant to Public Law 528, 77th Congress. That Branch will advise as to the form and time schedule of these strips.

(d) Responsibility for submitting to the Statistics and Progress Branch, Control Division, Headquarters, Army Service Forces, recapitulations of the monthly summaries submitted by the stations under their jurisdiction as well as recapitulations of the individual purchase action reports submitted by such stations. The Statistics and Progress Branch will advise as to the time schedule and form of these recapitulations.

(e) Responsibility for obtaining detailed information on specific transactions when the same is deemed necessary.

(f) Responsibility for the reproduction of the original signed purchase action report and for forwarding four copies to the Department of Labor, Washington, D. C., attention Wages and Hours Division. The transmittal of such copies will relieve the contracting officers of filing the present Department of Labor Form P. C. 1. This will become effective with reports received May 1, 1943, and thereafter. As many additional copies may be reproduced as directed by the chief of the service concerned.

(g) The Statistics and Progress Branch, Control Division, Headquarters, Army Service Forces, retains, despite the decentralization of some of the operating functions, full authority pertaining to the purchase action reporting requirements of these regulations.

§ 81.293 *Reports of purchase actions exceeding $10,000.* A report of every original purchase action which exceeds $10,000 (actual or estimated) in amount will be made on an 8" x 10½" sheet and forwarded through the offices of the chiefs of the various services in accordance with the time schedule (the fifth calendar day following the purchase action) and procedure stated in § 81.291 (e). Reports should be made on the form set forth below:

WAR DEPARTMENT

Date. .....

.....Station
.....Address
(1) Purchase Action Report Serial No.....
(3) .... Station No.

Subject: Report of Negotiated Purchase in Excess of $10,000

Station	Supply Service (or Service Command)	Number	Date of Award

(6) Contract.....
Contracting as
(4) Contractor.....Mfg. ☐ Dealer ☐
Address.....
(5) Work Performed at.....
(Name and location)

Type of	(8) Delivery to start	To be Completed
(7) Purchase Action.....		

(9 & 11) Description of item	No. of units	Unit cost	Total cost (If estimated so indicate)

(10) Preference Rating..... Identification Symbol.....
(12) If Escalator Clause is included in Contract, state whether such clause is for Labor, Materials, or both.....
(13) Check if this Contract is subject to Walsh-Healey Public Contracts Act ☐
The ..... Industry Minimum Wage Determination of The Secretary of Labor is applicable to this Purchase Action (Indicate industry by title) Date Poster (PC 13) sent to Contractor .....

If the estimated initial value of the contract is in excess of $150,000 the following information must also be submitted:

(14) (a) Negotiators for Government.....
(b) Negotiators for Contractor.....
(c) Reasons for selecting Contractor.....
(If no competition was obtained)
(d) Name of Person approving specification.....
(Where Federal, Army, Supply Service, Navy, or other bureau specification is used, a statement to that effect is sufficient.)
(e) In reporting purchase of land, the following information must be submitted:
(1) Location.....
(2) Area.....
(3) Intended Use.....
(4) Price.....
(5) Assessed Value.....
Signature.....
Name.....
Rank.....

Copy Distribution
1 Chief, Responsible Service.
1 Your file.

(a) *Explanation of report form for purchase actions exceeding $10,000.* The following notes apply to the report form set forth in above. It will be noted that the report form contains cross references to these notes.

(1) Each station will begin with serial No. 1 for the new fiscal year and continue in exact sequence (based on the date of award as established in subparagraph (6) of this paragraph) to the end of the fiscal year. Purchase action reports made in the new fiscal year for awards made in the previous fiscal year should have a serial number in the series of the previous fiscal year.

(2) This note has been deleted.

(3) Include name of station, location and station number.

(4) Name and address of contractor. If more than one, list each one as a split award on separate purchase action reports.

(5) Name and location of establishment or plant or location where work will be performed. If more than one, list each one. If this is same as contractor, so indicate.

(6) Under the headings "Station", "Supply Service" and "Number" indicate the contract (purchase action) number in accordance with the system specified in § 81.309 (b) or § 81.318 (e) of these procurement regulations. When purchase orders are required to be reported (see § 81.291 (f), the number thereof will be shown under this item of the form. The date shown will be the date shown on the original agreement as established by the transmission of the document from the contracting officer to the contractor. It will be the date of the award of the agreement and not necessarily the date of the acceptance. In the event that a preliminary agreement (as defined in subparagraph (3) of § 81.291 (h) is first executed and is subsequently superseded by a definitive agreement, the date shown will be the date of the preliminary agreement and not the date of the definitive agreement. If a purchase order is the original purchase action (see § 81.291 (f)), use the Symbol P. O. and its serial number rather than the contract number. If the purchase order was issued by a service command, the service command symbol indication will be shown following the serial number in parenthesis.

(7) Indicate whether lump sum, unit price, cost-plus-a-fixed-fee, etc. If the transaction being reported is evidenced by a preliminary agreement (as defined in subparagraph (3) of § 81.291 (h)) indicate also by word "preliminary".

(8) For construction, this means work to begin, etc. For real estate, this means date of possession. The starting date may be the same as the completion date; and the starting date or both the starting date and completion date may be the same as the date of award. Where dates are dependent upon receipt of material estimated dates are permissible but will be so indicated.

(9) Complete description of product, service, facilities, project or property. Long lists of items attached to Purchase Action Reports are not required for centralized reporting unless specifically directed by the chief of the service responsible for procurement of the item involved. Where assorted items of like nature are reported, indicate group headings such as: various engine parts, various knit clothing, etc. If item or service is classified state description but so label whole report, and transmit according to regulations, covering classified information. If the purchase transaction being reported is the execution of a cost-plus-a-fixed-fee contract, indicate the full estimated cost (not including the fixed-fee) in the description column. If the purchase transaction being reported is evidenced by a preliminary agreement under which the Government only obligates itself for a percentage of the anticipated total contract price, the anticipated full contract price should be shown under the heading "Description of Item".

(10) For the preference rating, the WPB priority rating (AAA, AA–1, A–1–a, AA–2x, etc.) will be shown. It is anticipated that sometime in the future, the use of the Federal Standard Stock Catalog number will be required as the identification symbol.

(11) Number of units, unit cost and total cost. If cost is estimated, write "estimated" after amount. For purchase actions involving architect-engineer or similar services, only indicate as the total cost, the amount payable to the individual contractor and chargeable against a War Department appropriation. This applies primarily to cost-plus-a-fixed-fee contracts. If on such a contract the contractor has, besides the architect-engineer, management, or similar fee, a portion or all of the work to perform, each fee will be separately shown from the other items. The total obligated amount will also be shown for this purchase action. In cases where land acquisition, plant expansion, tool expansion and supply items are involved on a single purchase action, a distribution by these groups and a total cost will be shown. If the purchase action is a preliminary contractual agreement, (see subparagraph (3) of § 81.291 (h)), the amount for which the War Department is obligated will be shown as the total cost. In cases where a varied group of items are shown in the description section of the report and not detailed, indicate various unit prices in the same manner. Indicate this assortment either as a price range, i. e., $4.37 to $4.69 ea., or show the word "various" for a wide range of unit prices such as on tools. In all cases a total cost (actual or estimated) will be shown. This includes purchase actions for utilities or other "open-end" contracts.

(12) State when an escalator clause is included in the contract and whether such clause is for labor, materials or both.

(13) Reporting provisions of the Walsh-Healey Act (Act of June 30, 1936; 41 Stat. 2036; 41 U.S.C. 35–45) will, after May 1, 1943, be fulfilled by the submission of the report called for under § 81.293. If any provision of that Act is applicable to the purchase action, the box should be checked as indicated. If the purchase action comes under any provision of the Act, the industry involved should be indicated on the second line of this item. On the third line there should be indicated the date on which the poster (P.C. 13) was sent to the contractor and to the plant locations.

(14) Where total value of purchase action is in excess of $150,000.00 additional data is required as shown on form (§ 81.293).

(b) *Reports of increased purchase actions not originally reported.* When a purchase action, which originally was not reported because it involved a total cost of not more than $10,000 is increased to an amount in excess of $10,000, a Purchase Action Report will be made on the form set forth in § 81.293 showing the new net value of the purchase action and the date on which the agreement exceeded $10,000. See § 81.294 (a) for method of treating such purchase actions in monthly summary reports.

(c) *Cancellation and supplemental reports.* (1) A purchase action report form will be used to report cancellation and supplemental actions as stated below. This form will be identical with the form shown in § 81.293, except that the words "Net Change" will be substituted for "Total Cost", and will be prepared on blue stock. Such report will be submitted for each change within the time schedule (5 calendar days after the action) and in accordance with the procedure stated in § 81.291 (e). This report will contain the same serial number as the original purchase action report followed by a letter of the alphabet in parentheses; the first such change using the letter (a); the second (b); etc.

(2) If a purchase action report has been submitted under § 81.293 and § 81.293 (b) and subsequently canceled, completely canceling the value of the purchase action, the action will be reported as above.

(3) In case a previously reported individual purchase action has been decreased so that the net value is below $10,000, a blue report will be submitted showing a net change figure equal to the previously reported figures, not merely the amount of the decrease. For this regulation, changes of this type will be considered as a cancellation because only purchase actions having a net value in excess of $10,000 are reportable. Cancellations that do not reduce the contract price to $10,000 or less will not be reported as cancellations even though the quantity may have been reduced to zero.

(4) Changes (increase or decrease) of a previously reported purchase action will be reported as above when the change is in excess of $1,000. Changes resulting from renegotiation will be included. The report will be on the basis of the net increase or decrease (state which) and not the revised total cost of the purchase action.

(5) Changes (increase or decrease) of $1,000 or less on purchase actions previously reported, which had a value in excess of $10,000, will not be reported in the above manner. A summary of such smaller changes (including changes resulting from renegotiation) will be included in report required under § 81.294. The net change figure reported for cancellations, as stated above, will include any of these smaller changes applying to the purchase action being canceled.

(6) In the case of an "open end contract", the original purchase action report will have indicated the estimated quantity and value as of the award date. Any changes during the life of the award will be submitted as indicated above. As of the termination date, an additional report will be submitted adjusting any unreported quantity and value (whether it be an increase or decrease).

§ 81.294 *Monthly summary of purchase actions.* A summary of all purchase actions will be rendered for each calendar month as of the last day thereof and submitted on an 8" x 10½" sheet through the offices of the chiefs of the various services in accordance with the time schedule (5 calendar days after close of the month) and procedure stated in § 81.291 (e) (on the basis of net obligations undertaken during the month and not appropriations authorized). The form set forth below will be used for all reports submitted following the submission of the reports covering the month of April 1943. Accordingly the reports submitted in June covering purchase actions in May and any unreported activity for previous months will be on the new form.

(1) Station ..... (2) Date of Submittal ....., 19--
(3) Transactions not previously reported for month of .....
(4) Reported through .....
Subject: Summary Report of Purchase Actions in Excess of $10,000.
(5) Value of Negotiated Purchase Actions.
a. Original Awards .....
b. Cancellations ..... (Decrease)
c. Changes and Supplements Reported on Blue Purchase Action Reports.....
d. Changes and Supplements Not Reported on Blue Purchase Action Reports.....
e. Net Total.....
(6) Number of Negotiated Purchase Actions.
a. Original Awards .....
b. Cancellations ..... (Decrease)
c. Net total.....
(7) Signature .....
Name .....
Rank: Service .....

(a) *Explanation of monthly summary of purchase actions.* (1) Indicate station name, number and location.

(2) Record date submitted.

(3) The month in which the action took place will be shown. A separate monthly summary will be required for each month in which purchases actions, that have not been previously reported, were awarded. The award date of the supplement cancellation or change is the determining month and not the date of the original award.

(4) Where a particular post, camp or station has purchases during a period coming under the jurisdiction of more than one service, separate monthly summary reports will be submitted to each service according to instructions included in § 81.291 (e), but said reports will not contain duplicated entries. Indicate service to which submitted (see § 81.291 (e)).

(5a) Include all purchase actions previously reported whose value (not quantity) was cancelled in their entirety during the month shown in item (3) as well as the full previously reported value (including all previous changes) of purchase actions that have been reported as being in excess of $10,000 and which by

this change during the month shown in item (3) decreases the net value to

who is not a contracting officer, as defined in subparagraph (1), be empowered

Section 81.305 is amended as follows:

§ 81.305 *Making and approval of*

does not make an adjustment of $50,000 or more: *And provided further*, That where such contract was placed as a result of a formal or informal invitation

Service Forces, unless the contracting officer shall find that such delay caused no substantial damage to the Govern-

(2) Station number representing the station or office as published in Finance Circulars.

this change during the month shown in item (3) decreases the net value to $10,000 or less.

(5b) [No explanation for item (5b) in original document.]

(5c) Include value of supplements or changes made during the month shown in item (3) and which had a value in excess of $1,000 and were reported on blue purchase reports as described in § 81.293 (c).

(5d) Include value of supplements or changes made during month shown in item (3) and which had a value of $1,000 or less and were not reported on blue purchase action reports as described in § 81.293 (c).

(5e) Show the net total of items 5a, 5b, 5c and 5d. (5c, 5d or 5e may be an increase or decrease. Indicate which.)

(6a) Show the number of purchase actions represented by the dollar value shown in item (5a).

(6b) Show the number of purchase actions represented by the dollar value shown in item (5b).

(6c) Show the net total of items 6a and 6b. (The number of purchase actions to be shown is only for original awards reported (5a) and cancellations (5b). The counts of purchase actions whose value is shown as items 5c and 5d will never be included.)

(7) Fill in signature, name, rank and service.

(b) *Negative reports.* In case where no activity is shown for the current month a negative report will be submitted. Where a station has been terminated a report will be submitted indicating that such report is final.

CONTRACTS

GENERAL

Subparagraphs (3) and (4) of § 81.302 (c) are amended as follows:

§ 81.302 *Definitions.* * * *

(c) *Contracting officer.* * * *

(3) Representatives may be designated as follows:

(i) The chief of a supply service may designate any officer or civilian official to act as representative of the contracting officer or his duly appointed successor;

(ii) A commanding officer may designate any contracting officer assigned to his command or station to act as representative of any other contracting officer assigned to the same command or station, or of a contracting officer's duly appointed successor so assigned;

(iii) A contracting officer, his duly appointed successor, and any representative designated pursuant to (i) or (ii) of this subparagraph (3), may respectively designate any officers or civilian officials to act as their representatives.

(4) A designation authorized by subparagraph (3) may be made by instructions relating to particular contractual instruments or classes of instruments, and may, to the extent not specifically prohibited by the terms of the contractual instrument involved, empower the representative to take any or all action thereunder which could lawfully be taken by the contracting officer. In no event, however, shall a representative who is not a contracting officer, as defined in subparagraph (1), be empowered to execute any contract or supplemental agreement (as distinguished from change order).

* * * * *

Section 81.303 is amended as follows:

§ 81.303 *General requirements for contracts.* Every purchase transaction except those where payment is made coincidentally with receipt of supplies will be evidenced by a written contract.

(a) *Types of contracts.* Contracts may be either formal or informal.

(b) *Formal contracts; when required.* A formal contract is one which is contained in one instrument executed by both parties. Formal contracts may be used for any purchase transaction and will be used for all purchase transactions other than those for which informal contracts are authorized by paragraph (c) below.

(c) *Informal contracts; when permitted.* Informal contracts are of two types:

(1) An informal contract consisting of a written instrument signed by the contracting officer on behalf of the United States, and not by the contractor. This type of informal contract may be used for any of the following purchase transactions:

(i) Any transaction the contract price of which does not exceed $5,000.

(ii) Any transaction the contract price of which exceeds $5,000 but does not exceed $100,000: *Provided,* That not more than one payment is involved: *And provided* That the time of performance does not exceed 180 days.

(iii) Any transaction made at public auction at a produce exchange or under similar conditions.

(2) An informal contract embodied in more than one instrument. At least one instrument is signed by the contracting officer on behalf of the United States and at least one other instrument is signed by or on behalf of the contractor. This type of informal contract may be used for any of the following purchase transactions:

(i) Any transaction the contract price of which does not exceed $5,000.

(ii) Any transaction the contract price of which exceeds $5,000 but does not exceed $500,000, provided that the time of performance does not exceed 180 days.

AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

Section 81.304 is amended as follows:

§ 81.304 *Definitions* — (a) *Standard forms of contract.* * * *

(1) * * *

(xv) War Department Contract Form No. 14 Government-owned Equipment Rental Agreement. (See § 81.1314.)

(xvi) War Department Contract Form No. 15. Negotiated Electric Service Contract. (See § 81.1315.)

(xvii) War Department Contract Form No. 16 Lump Sum Contract for Architect-Engineer Services With Optional Supervision. (See § 81.1316.)

Section 81.305 is amended as follows:

§ 81.305 *Making and approval of awards of contracts, supplemental agreements and change orders.* * * *

(b) *Awards requiring the approval of Director, Purchases Division.* (1) The award of all contracts, supplemental agreements and change orders other than those specified in subparagraphs (1) and (2) of paragraph (a) of this section must be submitted for approval to the Director, Purchases Division, Headquarters, Army Service Forces.

(2) If it is desired to execute a preliminary contract, as defined below, with a particular contractor, and the choice of contractor presents no real alternative, it shall not be necessary to obtain any approval pursuant to subparagraph (1) above. Such approval will, however, be obtained prior to the execution of the final definitive agreement, if required by subparagraph (1). The term "preliminary contract", as used in this subparagraph (2), refers to any type of tentative agreement (as, for example, a letter purchase order of the type set forth in § 81.1307) which, it is contemplated, will be subsequently superseded by a final definitive agreement which will obligate War Department funds in an estimated amount at least twice the amount obligated by the tentative agreement.

Section 81.308b is amended as follows:

§ 81.308b *Correction of mistakes.* Effecting amendment of contracts with the least possible delay to correct misunderstanding, mistakes, errors, and ambiguities will facilitate the prosecution of the war by expediting the procurement program and by giving contractors proper assurance that mistakes unavoidable in a war program as large and extensive as that now in progress, will be corrected expeditiously and fairly. Accordingly, mistakes may be corrected by supplemental agreement pursuant to Title II of the First War Powers Act, 1941, and Executive Order No. 9001 as follows:

(a) Each chief of a supply service may, within the time prescribed by § 81.308f, enter into supplemental agreements correcting mistakes found by the chief of the supply service to be of the following types: (1) misunderstandings, mistakes, errors of the parties to a written agreement, or ambiguities therein, which consist solely of a failure to express in the written agreement the true agreement between them in accordance with the negotiations between them, or of a mutual mistake as to a material fact: (2) mistakes and errors of a contractor, even if unilateral which consist solely of the failure of the contractor, in good faith, to set forth in a bid or in a written agreement what he intended to include therein: *Provided,* That notice of the mistake is given by the contractor to the contracting officer at any time before completion of performance or termination of the contract: *Provided further,* That both as to such mutual mistakes and such unilateral mistakes, the effect of any change by such supplemental agreement to correct any such mistakes does not make an adjustment of $50,000 or more: *And provided further,* That where such contract was placed as a result of a formal or informal invitation to bid such change shall not result in the payment to the contractor of a sum in excess of the amount of any bid submitted by any other bidder upon substantially the same terms and conditions, except that if the contract was not originally placed on a basis of competition as to price but primarily on the basis of other considerations the imitation contained in this proviso shall not be applicable.

(b) In any other case where the chief of a supply service determines that it will facilitate the prosecution of the war to execute a supplemental agreement to correct a mistake, he will first obtain approval of the Director, Purchases Division, Headquarters, Army Service Forces.

(c) Approval of the Director, Purchases Division, will not be required in the case of any supplemental agreement correcting a mistake, under which the Government receives adequate new legal consideration, regardless of whether the supplemental agreement involves an adjustment amounting to $50,000 or more, and regardless of the time of execution of such supplemental agreement.

Requests for approval by the Director, Purchases Division, Headquarters, Army Service Forces, of supplemental agreements to correct misunderstandings, mistakes, errors and ambiguities in contracts in accordance with the provisions of this paragraph will be accompanied by a full statement of the circumstances including all relevant papers or copies thereof. The evidence submitted shall show that an error or mistake was made or that a misunderstanding or ambiguity exists, in what it consists, and how it occurred, the true intent of the parties, and the effect of the mistake, if not corrected, upon the financial condition of the contractor. When this paragraph does not require that the approval of the Director, Purchases Division, be obtained, the chief of the supply service approving or executing such agreement will see that a similar statement is prepared with respect to each such supplemental agreement and that such statement and all relevant papers and evidences are carefully preserved. Attention is directed to the provisions of § 81.308g.

Sections 81.308e to 81.308g, inclusive, are added as follows:

§ 81.308e *Extension of time for performance.* The chief of each supply service may authorize contracting officers designated by him to extend by supplemental agreement within the time prescribed by § 81.308f, the time fixed for performance in any contract and to waive accrued liquidated damages. Each such supplemental agreement shall be entered into pursuant to the First War Powers Act and Executive Order No. 9001. If the contractor shall be in default by reason of delay at the date thereof, such supplemental agreement shall be subject to the approval of the Director, Purchases Division, Headquarters, Army Service Forces, unless the contracting officer shall find that such delay caused no substantial damage to the Government (as distinguished from the accrual of liquidated damages under the contract). For the purposes of this paragraph, the contractor shall not in any case be considered in default by reason of delay if such delay is excusable within the meaning of the contract. Attention is directed to the provisions of § 81.308g.

§ 81.308f *Amendment of contracts after final administrative determination of amount due.* The authority granted to the chiefs of the supply services pursuant to §§ 81.308b, 81.308e, 81.379, and 81.380 will not be exercised after the contracting officer has administratively determined the final amount due under the contract by communicating his determination to the contractor or by the approval of a final voucher therefor, except that if the contracting officer's determination is, by the terms of the contract, subject to review by the Secretary of War, or his duly authorized representative, such authority may be exercised at any time prior to final action on such review if the contractor perfects his right to such review. Attention is directed to the provisions of § 81.308g.

§ 81.308g *Supplements and change orders dealing with or directly affecting matters pending before the General Accounting Office in respect of the amended contract.* Chiefs of supply services may not approve or authorize the execution of any supplemental agreement or change order which deals with or directly affects the claim under the contract amended thereby which has been transmitted to the General Accounting Office, or any dispute under the contract which has been referred to the General Accounting Office. This limitation of authority is applicable to action taken pursuant to §§ 81.306 (c) and (d), 81.308a, 81.308b, 81.308e, 81.379, and 81.380 notwithstanding any authority granted to the chiefs of the supply services by those paragraphs respectively. In requesting any approval of the Director, Purchases Division, Headquarters, Army Service Forces, required by these regulations, the chiefs of the several supply services will call attention to any matters pending before the General Accounting Office with respect to the contract in question, or any closely related contract which may be affected or dealt with by the supplementary agreement, change order, or action, approval of which is requested, and will state fully the circumstances in any such pending matter.

FORMALITIES IN CONNECTION WITH EXECUTION OF CONTRACTS AND MODIFICATIONS THEREOF

Paragraphs (b) and (c) of § 81.309 are amended as follows:

§ 81.309 *Numbering contracts.* * * *

(b) *System.* Contract numbers will be placed in the upper right-hand corner and will consist of the following in the order named:

(1) The capital letter "W", representing the War Department.

(2) Station number representing the station or office as published in Finance Circulars.

(3) The letter or letters representing the supply service. The Chief of Finance will be promptly notified of any change in the letter symbol or of the adoption of a new symbol.

(4) A serial number, separated from the above by a hyphen, commencing with the number 1 and continuing in succession indefinitely, without regard to the fiscal year. When the serial number reaches the limit of five digits (99,999), a new series will be used beginning with the serial number 1 and followed by the capital letter "A". Should additional series become necessary, they will be distinguished by the capital letters "B", "C", "D", etc., as may be required.

NOTE: The foregoing applies only to the numbering of supply service contracts and not to the numbering of service command contracts. As to the latter, see § 81.318b (e).

(c) *Examples.* Based upon paragraph (b) above, the following is the number of the first numbered contract executed by the Philadelphia Quartermaster Depot:

W-669qm-1.

Section 81.313 (b) is amended as follows:

§ 81.313 *Form of supplemental agreements and change orders.* * * *

(b) *Change orders.* (1) Change orders will be in the form of letters addressed to the contractor, and will specify the number of the contract concerned, the changes to be made, the increase or decrease in price and time for performance, and such other terms as may be necessary. Change orders will bear the same identification as the contract which is thereby modified or amended and will be lettered or numbered, whichever method is authorized by the chief of the supply service concerned, in the order in which the modifications or amendments to the contract are issued. One continuous series of lettering or numbering as the case may be will be used for each contract, even though it is modified or amended both by supplemental agreements and by change orders.

(2) In order to avoid the work involved in duplicating change orders, the following procedure may, in the discretion of the chief of the supply service, be adopted with respect to any or all contracts:

(i) Change orders will be classified as primary change orders and secondary change orders.

(ii) Primary change orders are those which specify an increase or decrease in price or make any other material change in the terms of the contract.

(iii) All other change orders (including those in which an increase or decrease in price will be necessitated, but the amount of which is not known at the time of the change order) are secondary change orders.

(iv) Primary change orders will be numbered in accordance with subparagraph (1) above.

(v) Secondary change orders will be given only such identification as the chief of the supply service shall prescribe.

(f) *Example.* Based upon paragraph * * * is based on a total estimated amount

(vi) Secondary change orders will not be included in the continuous series of lettering or numbering referred to in the last sentence of subparagraph (1).

(vii) If a secondary change order is executed and it subsequently becomes apparent that the change made thereby will result in an increase or decrease in price, a supplemental agreement will be executed to evidence such increase or decrease.

DISTRIBUTION OF CONTRACTS AND ORDERS THEREUNDER

Paragraph (b) is added to § 81.317a as follows:

§ 81.317a *Supplemental agreements and change orders.* (a) Signed numbers and copies of supplemental agreements and change orders will be distributed in the same manner as is prescribed for the contracts to which they pertain and the contracting officer will note on his retained copy of the supplemental agreement or change order the date on which the contractor's number was delivered or mailed to him. When, pursuant to § 81.313 (a) (2), a single supplemental agreement is executed to modify more than one contract, the following procedure will be followed:

(1) The original signed number will be forwarded to the General Accounting Office.

(2) The duplicate signed number will be filed with the contracting officer who supervised the execution thereof or with the chief of the supply service concerned and correct copies of the supplemental agreement will be furnished to the contracting officers under all of the contractors affected by the supplemental agreement.

(3) The triplicate signed number will be forwarded to the contractor.

(4) An authenticated copy will be forwarded to the disbursing officer under each contract affected by the supplemental agreement.

(b) If the alternative procedure of numbering change orders provided for in § 81.313 (b) (2) is adopted, only primary change orders will be distributed in accordance with subparagraph (1) above. Secondary change orders will be given only such distribution as the chief of the supply service concerned may prescribe.

CONTRACT PROCEDURE WITHIN THE SERVICE COMMANDS

Sections 81.318a and 81.318b have been redesignated § 81.390 and §81.391, respectively, and new §§ 81.318a and 81.318b are added as follows:

§ 81.318a *Organization of service commands*—(a) *Functions of the service commands.* The Commanding Generals of the service commands are the direct subordinates of the Commanding General, Army Service Forces, and are his field representatives for the performance of the administrative, housing, house-keeping, hospitalization, and supply functions assigned to them. (See § 403.01 of the Services of Supply Organization Manual.)

(b) *Relationship between the service commands and the supply services.* The former offices of the special staff (including the quartermaster, engineer, ordnance officer, and signal officer) are under the complete jurisdiction of the Commanding General of each service command, and are an integral part of his headquarters; such offices are not to be considered field offices or agencies of the supply services. The supply services act as staff agencies of the Commanding General, Army Service Forces, for the functions assigned to them in directing and supervising those functions in the service commands. Accordingly, they may issue instructions to the Commanding Generals of the service commands in their own names or under the authority of the Commanding General, Army Service Forces, but they may not exercise direct command of the subordinates in the headquarters of a Commanding General of a service command (including the quartermaster, engineer, ordnance officer, and signal officer). (See § 403.02 of the Services of Supply Organization Manual.)

§ 81.318b *Contract procedure*—(a) *Appointment of contracting officers.* Commanding Generals of service commands are authorized to appoint contracting officers. Contracting officers so appointed may execute service command contracts as that term is defined in paragraph (b) below, as well as supply service contracts executed on behalf of a supply service as set forth in paragraph (c) below.

(b) *Service command contracts.* All contracts which are executed within a service command and which are to be paid for with funds made available to the Commanding Generals of the service commands by the Commanding General, Army Service Forces, are to be regarded as service command contracts and not the contracts of any supply service. There appears to be considerable confusion in this matter when contracts are executed by the quartermaster or the signal officer on the staff of a Commanding General of a service command. The tendency seems to exist to regard such contracts as Quartermaster Corps or Signal Corps contracts, as the case may be. As pointed out in § 81.318a (b) the quartermaster and the signal officer at a post, camp, or station within a service command are under jurisdiction of the Commanding General of the service command and are not to be regarded as subordinates of the chief of any supply service. Contracts executed under the complete supervision of the service commanders and which are not financed with funds furnished directly by the supply services are also to be regarded as service command contracts. An illustration is contracts for the employment of contract surgeons (see paragraph 1, section II, Circular No. 206, War Department 1942).

(c) *Supply service contracts executed by service commands.* Frequently contracting officers within the service commands are requested to execute contracts on behalf of a supply service, and it is understood that such contracts are to be paid for out of supply service funds. Likewise, when a given item is not available at a depot, a representative of a service command may be given sufficient funds by the supply service to enable the service command to purchase the item in question. All such contracts, being financed with supply service funds and not with the funds made available to the service command by the Commanding General, Army Service Forces are to be regarded as supply service contracts and the contracting officer of the service command, in executing such contracts, is merely acting as agent for the supply service on whose behalf the contract is executed. As indicated in paragraph (a) of this section above, however, the authority of the contracting officer of the service command includes authority to execute such a supply service contract.

(d) *Distribution of service command contracts.* The provisions of §§ 81.315–81.318 are applicable to service command contracts. It is to be noted, however, that whenever any paragraph of that section requires a contract to be filed with the "chief of the supply service concerned" the intention is that it be filed with the Commanding General of the service command (See § 81.108 (e).) It is important that no service command contract (as that term is defined in paragraph (b) of this section) be forwarded to the Headquarters of the various supply services for filing.

(e) *Numbering of service command contracts.* (1) Contract numbers will be placed in the upper right-hand corner of service command contracts and will consist of the following in the order named:

(i) The capital letter "W", representing the War Department.

(ii) The station number, that is, the station or office as published in Finance circulars.

(iii) A symbol in parentheses to indicate the service command. This symbol will consist of the capital letters (S. C.) followed by a hyphen and a Roman numeral indicating in which service command the contract was executed. It is important that capital letters followed by periods and by the Roman numeral be used in order that no confusion will arise with Signal Corps contracts which bear the symbol "sc".

(iv) A serial number separated from the above by a hyphen, commencing with the number "1" and continuing in succession indefinitely without regard to the fiscal year.

(2) It is to be emphasized that the numbering procedure set forth in this paragraph is applicable only to service command contracts (as the term is defined in paragraph (b) of this section). When supply service contracts are executed within a service command (see paragraph (c) of this section), such contracts should be numbered as supply service contracts in accordance with the provisions of § 81.309 (b).

(3) It is desirable that a separate series be commenced for service command contracts (as defined in paragraph (b) of this section). This should be done not later than April 20, 1943. Supply service contracts executed by service commands will be continued in the old series.

(f) *Example.* Based upon paragraph (e) above, the following is the number of the first numbered contract executed at Fort Bragg, North Carolina: W–159 (S. C.–IV)–1. The foregoing is on the assumption that the contract is to be paid with funds allotted to the Fourth Service Command by the Commanding General, Army Service Forces.

GUARANTEES, LOANS AND COMMITMENTS, AND ADVANCE PAYMENTS

In § 81.321 (n) subparagraph (1) is rescinded and subparagraphs (2), (3), and (4) are redesignated (1), (2), and (3), respectively, as follows:

§ 81.321 *Advance payments.* * * *

(n) *Reports.* In connection with advance payments, the supply services will make the following reports:

(1) *Individual advance payment report.* * * *

(2) *Quarterly report.* * * *

(3) *Interim reports.* * * *

MANDATORY AND OPTIONAL CONTRACT PROVISIONS

Section 81.338 is amended as follows:

§ 81.338 *Plant protection clauses.* In those cases where the Contracting Officer deems it necessary to retain some control as to the plant protective devices in a particular plant, the contract will contain a clause substantially similar to one of those set forth below. Such a clause will not normally be necessary in construction contracts.

Section 81.340 is amended as follows:

§ 81.340 *Clauses for rental of gas cylinders.* Every contract for the rental of gas cylinders will contain a clause substantially similar to one of the following:

Section 81.341 is amended as follows:

§ 81.341 *Price adjustment based on production experience.* The following articles provide for redetermination of price by formula (paragraph (a) of this section), price revision by negotiation (paragraph (b)), conversion of fixed-fee contract to fixed price basis (paragraph (c)), and incentive provisions in fixed-fee contracts (paragraph (d)). They may be used in accordance with the instructions in §§ 81.1220–81.1226.

(a) *Redetermination of price by formula.*

*Article * * *. Redetermination of price by formula*—(a) *Agreement to redetermine price.* The Government and the Contractor recognize that the costs of performing this contract cannot be accurately estimated at the time of its execution, and that the price fixed in Article * * * may therefore be too high. They therefore agree that the contract price fixed in Article * * * shall be redetermined in accordance with this Article on the basis of the actual experience of the Contractor in performing part of the contract. They agree that the cost of producing the first ____% of the items called for hereunder (hereinafter called the "preliminary run") will not necessarily be typical for the remainder of the contract. The cost of producing the next ____% (hereinafter called the "test run") shall therefore be used as the general basis for the redetermination of price.

(b) *Estimate of costs.* The Contractor represents that the contract price fixed in Article * * * is based on a total estimated cost of $_____, itemized as follows: [1]

A. Factory Cost
1. Direct materials.
2. Direct productive labor.
3. Direct engineering labor.
4. Miscellaneous direct factory charges.
5. Indirect factory expenses [2] (State basis of allocation)
Total Factory Cost
B. Other manufacturing cost.
C. Miscellaneous direct expenses.
D. Indirect engineering expenses.
E. Expenses of distribution, servicing and administration.
F. Guarantee expenses.

(c) *Cost statements.* (1) Within _____ days after the completion of the production of the "test run" the Contractor shall submit to the Contracting Officer the following data—

(i) Separate statements showing the costs of producing the "preliminary run" and the "test run" itemized in the same way as the estimated cost stated in section (b) above:

(ii) Estimates of the cost of producing the items to be delivered during the remainder of the contract based upon the previous cost experience of the Contractor and upon all other relevant factors; and

(iii) Proposed revised prices under the contract.

(2) The Contractor will maintain books, records and accounts so as to reflect accurately and segregate clearly the costs of performing this contract during the "preliminary run" and "test run." For this purpose the Contractor may follow the cost accounting system regularly used by it, if the Contracting Officer finds it is adequate and in accordance with sound accounting practice. The statements showing costs experienced by the Contractor under this contract shall be based upon such books, records and accounts and shall be certified as correct by two officers of the Contractor or by an independent public accountant. The Contractor shall submit his books, records and accounts to such examination and audit as the Contracting Officer may request.

(d) *Method of redetermination.* (1) Upon the filing of the data required by section (c) hereof, the Contracting Officer and the Contractor shall determine the costs of producing the "preliminary run" and the "test run" and the cost of producing the remainder of the items called for by the contract as indicated by the cost of production of the "test run" and the cost estimate submitted by the Contractor under section (c). Any disagreement as to the experienced costs or estimated costs shall be subject to Article * * * (Disputes).

(2) If the cost of producing the "preliminary run" and the "test run" plus the cost of production of the remainder of the items called for by the contract as determined under subsection (1) above, is less than the total estimated cost stated in section (b), the total price to be paid pursuant to Article * * * shall be reduced by the amount of the difference. The redetermined price shall be evidenced by a supplemental agreement.

(e) *Payment.* Pending the redetermination of the contract price hereunder the Government shall pay for all items delivered hereunder at the price fixed in Article * * *. Upon the redetermination of the price hereunder the Contractor shall apply as a credit against payment for subsequent deliveries or shall repay to the Government, as the Contracting Officer may direct, an amount equal to the difference between the price paid on all items theretofore delivered and the redetermined price for such items; and the Government shall pay for all items thereafter delivered the redetermined price minus any such credit. If, before the price is redetermined hereunder, any amount paid under this contract has been included in any renegotiation agreement made under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, no refund or credit shall be required hereunder with respect to that amount.

(f) *Renegotiation.* Any redetermination of the contract price made under this Article is without prejudice to the determination of any excessive profits of the Contractor upon subsequent renegotiation under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, or the contract article inserted herein pursuant to that Act.

(b) *Revision of entire price by negotiation.*

*Article * * * Revision of entire price by negotiation*—(a) *Agreement to revise price.* The Government and the Contractor recognize that the costs of performing this contract cannot be accurately estimated at the time of its execution and that the contract price fixed in Article * * * may therefore be either too high or too low. They therefore agree that the contract price shall be revised upward or downward in accordance with this article on the basis of actual experience of the Contractor in producing --% of the items under this contract (hereinafter called the "trial run"). They recognize that the costs of performing that part of the contract will not be typical for the remainder of the contract, but will provide sufficient information and experience to permit revision of the price.

(b) *Estimate of costs.* The Contractor represents that the contract price fixed in Article * * * is based on a total estimated cost of $_____, itemized as follows: [1]

A. Factory Cost.
1. Direct materials
2. Direct productive labor
3. Direct engineering labor
4. Miscellaneous direct factory charges
5. Indirect factory expenses [2]
(State basis of allocation)
Total Factory Cost
B. Other manufacturing cost.
C. Miscellaneous direct expenses.
D. Indirect engineering expenses.
E. Expenses of distribution, servicing and administration.
F. Guarantee expenses.

(c) *Cost statements.* (1) Within _____ days after the completion of the trial run, the Contractor shall submit to the Contracting Officer the following data: [1]

[1] This breakdown may be altered to suit particular circumstances. Any reserves for contingencies should be stated separately and clearly identified.

[2] State separately the estimated amount of each of the following items included:
(a) Normal depreciation
(b) Special amortization

[3] Where it will be unduly difficult for the Contractor to submit the data in the form specified in paragraphs (i) and (ii), the following form may be substituted for these paragraphs, if the Contracting Officer is satisfied that it will provide reliable and sufficient data for the purposes of the article:

(i) Revised estimates of the cost of performing the entire contract, based upon the cost experience of the Contractor during the trial run and upon all other relevant factors, itemized in the same way as the estimated cost stated in section (b) above, and showing separately any reserves for contingencies included in the estimate.

Paragraph (iii) will then be renumbered (ii).

(f) *Renegotiation.* Any revision of the

and the Contractor agree that the fee fixed

Section 81.342 is amended as follows:

(C) Be eliminated through reductions in the contract price [or fixed-fee hereunder] or

quired for the performance of this contract, unless exempt under or exempted pursuant

(i) Separate statements showing costs of production for the trial run, itemized in the same way as the estimated cost stated in section (b) above.

(ii) Estimates of the cost of producing the items to be delivered during the remainder of the contract based upon the previous cost experience of the Contractor and upon all other relevant factors.

(iii) Proposed revised prices under the contract.

(2) The Contractor will maintain books, records and accounts so as to reflect accurately and segregate clearly the costs of performing this contract. For this purpose the Contractor may follow the cost accounting system regularly used by it, if the Contracting Officer finds it is adequate and in accordance with sound accounting practice. The statements showing costs experienced by the Contractor under this contract shall be based upon such books, records and accounts and shall be certified as correct by two officers of the Contractor or by an independent public accountant. The Contractor shall submit his books, records and accounts to such examination and audit as the Contracting Officer may request.

(d) *Negotiation for revision.* (1) Upon the filing of the data required by section (c) hereof, the Contractor and Contracting Officer shall negotiate in good faith to agree upon revised prices under this contract. The revised price may be different for different periods of the contract and may be in excess of or less than the price stated in Article * * * hereof. The agreement reached shall be evidenced by a supplemental agreement to this contract stating the revised price under the contract.

(2) If the Contracting Officer and Contractor fail to agree on revised prices under the contract within thirty days after the date for filing of the data by the Contractor under section (c) hereof, or such further period as may be fixed by agreement, the Contractor, if not in default, or the Government, may terminate the contract hereunder by written notice delivered within ten days after the expiration of said thirty day period or extension. Upon such termination by either party, the rights and obligations of the parties shall be governed by the provisions of Article * * * hereof ("Termination for the Convenience of the Government"), except that the Contractor shall be allowed no profit for any uncompleted portion of the contract. If revised prices are not agreed upon and the contract is not terminated, the Government shall pay to the Contractor the price fixed in Article * * * for the remainder of the contract.

(e) *Payments.* Until the contract price is revised hereunder, the Government shall pay to the Contractor the price set forth in Article * * * for all articles delivered. If the contract price is revised upward hereunder, the Government shall pay to the Contractor the difference between the prices paid on all items theretofore delivered and the revised price for such items. If the contract price is revised downward hereunder an amount equal to the difference between the price paid on all items theretofore delivered and the revised price for such items, shall be applied as a credit against payments for subsequent deliveries or shall be applied in such other manner or repaid to the Government, as the Contracting Officer may direct. For all items delivered after any price revision hereunder, the Government shall pay the contractor the revised price, minus any such credit. If, before the price is redetermined hereunder, any amount paid under this contract has been included in any renegotiation agreement made under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, no refund or credit shall be required hereunder with respect to that amount.

(f) *Renegotiation.* Any revision of the contract price made under this Article is without prejudice to the determination of any excessive profits of the Contractor upon subsequent renegotiation under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, or the contract article inserted herein pursuant to that Act.

(c) *Conversion to fixed price contract.*

*Article * * *. Conversion to fixed price contract.* (a) The Government and the Contractor agree to convert this contract from a cost-plus-a-fixed-fee basis to a fixed price basis in accordance with this article.

(b) Within fifteen (15) days after the production of __% of the items covered by this contract, the Contractor will submit to the Contracting Officer the following data:[1]

(1) Statements showing the cost of producing all items theretofore completed for delivery for which cost figures are available, and such other statements as the Contracting Officer may require.

(2) Estimates of the cost of producing the remainder of the contract based upon the previous cost experience of the Contractor and upon all other relevant factors.

(3) Proposed prices for the items theretofore delivered and to be delivered during the remainder of the contract.

(c) Upon the filing of the data required by section (b) hereof, the Contractor and Contracting Officer will negotiate in good faith to agree upon a price or prices for this contract on a fixed price basis. In negotiating such prices consideration may be given to all pertinent factors which have affected the Contractor's costs during the preceding period and which are likely to affect such costs during the remainder of the contract and to all pertinent factors bearing upon the profit margin which is reasonable for the contractor to earn under the contract. The agreement to convert may make the fixed price basis applicable to the entire contract, including performance before as well as after the effective date of the conversion; and it may provide for the treatment of any advance payments and reimbursements theretofore made to the Contractor as payments under the revised contract, for appropriate credit for deliveries theretofore made by him, and for releasing to the Contractor any interest or title of the Government in any materials and property acquired for the performance of the contract. The terms of the agreement shall be evidenced by a supplemental agreement.

(d) Any conversion made or contract price fixed under this Article is without prejudice to the determination of any excessive profits of the Contractor upon subsequent renegotiation under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, or the contract article inserted herein pursuant to that Act.

(d) *Adjustment of fixed fee.*

Article * * *. *Adjustment of fixed fee*—(a) *Agreement to adjust.* The Government and the Contractor agree that the fee fixed in Article * * * hereof shall be adjusted in accordance with this Article in this Article the first _____% of the items to be produced hereunder is called the "preliminary run"; the next _____% thereof is called the "test run" and all items to be produced hereunder after the test run are called the "remainder of the contract".

(b) *Basis of Adjustment.* (1) Within _____ days after the production of the test run the Contractor shall submit to the Contracting Officer the following data:

(i) Separate itemized statements showing the costs of production of the preliminary run and the test run.

(ii) Estimates of the costs of producing the remainder of the contract, based upon the previous cost experience of the Contractor and all other relevant factors.

(2) Upon the filing of the foregoing data, the Contracting Officer and Contractor shall agree upon an estimate for the cost of producing the remainder of the contract (herein called the "target estimate") on the basis of the costs of production of the test run and the estimated costs submitted by the Contractor.

(c) *Adjustment.* (1) Upon the completion of the contract the Contractor shall submit itemized statements of the cost of producing the remainder of the contract. The Contracting Officer, after making such adjustments as he deems necessary thereto, shall determine the amount by which the Contractor had reduced the costs of producing the remainder of the contract below the target estimate by efficiency in buying, production or management or has increased such costs above the target estimate by its inefficiency in these respects. Using the amount of the reduction or increase of costs so determined, he shall compute the percentage of the target estimate which such reduction or increase represents.

(2) The Contracting Officer shall then adjust the fee on the basis of the percentage of such increase or reduction in costs in the following manner.

(i) For each 1% of such reduction in costs up to 10% the fee shall be increased by 1% of the dollar amount of the fee or for each 1% of such increase in costs up to 10% the fee shall be decreased by 1% of the dollar amount of the fee.

(ii) For each 1% of such reduction in costs beyond 10% the fee shall be increased by 2% of the dollar amount of the fee or for each 1% of increase in costs beyond 10% the fee shall be reduced by 2% of the dollar amount of the fee.

In no event shall the fee as adjusted be increased to more than 7% of the original estimated costs or be reduced to less than 1% of the original estimated cost.

(d) *Books and records.* The Contractor will maintain books, records and accounts so as to reflect accurately and segregate clearly the costs of performing this contract. For this purpose the Contractor may follow the cost accounting system regularly used by it, if the Contracting Officer finds that it is adequate and in accordance with sound accounting practice. The statements showing costs experienced by the Contractor under this contract shall be based upon such books, records and accounts and shall be certified as correct by two officers of the Contractor or by an independent public accountant. The Contractor shall submit his books, records and accounts to such examination and audit as the Contracting Officer may request.

(e) *Disputes.* Any disagreement with respect to the amount of the "target estimate" under section (b) (2), or the amount of the reduction or increase in costs under section (c) (1), or the computation of the adjustment of the fee under section (c) (2) shall be subject to Article * * * (Disputes).

[1] Where it will be unduly difficult for the Contractor to submit the data in the form specified in paragraphs (1) and (2), the following form may be substituted for these paragraphs, if the Contracting Officer is satisfied that it will provide reliable and sufficient data for the purposes of the article:

(1) Revised estimates of the cost of performing the entire contract, based upon the cost experience of the Contractor during the trial run and upon all other relevant factors, itemized in the same way as the estimated cost stated in section (b) above, and showing separately any reserves for contingencies included in the estimate.

Paragraph (3) will then be renumbered (2).

Section 81.342 is amended as follows:

§ 81.342 *Price renegotiation clauses.* The following price renogtiation clauses will be used in accordance with § 81.1201 et seq.

(a) *Form I.*

[Form I] Renegotiation Pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(a) Upon the written demand of the Secretary, at such period or periods when, in the judgment of the Secretary, the profits accruing to the Contractor under this contract can be determined with reasonable certainty, the contract price will be renegotiated to eliminate therefrom any amount found as a result of such renegotiation to represent excessive profits. The demand of the Secretary shall fix a place for renegotiation and a time for commencement thereof not later than one year after the close of the fiscal year of the Contractor within which completion or termination of the contract, as determined by the Secretary, occurs.

(b) The Contractor will furnish to the Secretary such statements of actual costs of production and such other financial statements, at such times and in such form and detail, as the Secretary may prescribe, and will permit such audits and inspections of its books and records as the Secretary may request.

(c) The Government shall retain from amounts otherwise due the Contractor, or the Contractor shall repay to the Government if paid to him, any amount of the contract price found as a result of such renegotiation to represent excessive profits and not eliminated through reductions in contract price or otherwise, as the Secretary may direct.

(d) The Contractor will include in each subcontract made by it under this contract for an amount in excess of $100,000, the following provisions:

ARTICLE * * * Renegotiation pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(1) Upon the written demand of the Secretary, at such period or periods when, in the judgment of the Secretary, the profits accruing to _____ (subcontractor) under this contract can be determined with reasonable certainty, the Secretary and _____ (subcontractor) will renegotiate the contract price [or fixed-fee hereunder] to eliminate therefrom any amount found as a result of such renegotiation to represent excessive profits. The demand of the Secretary shall fix a place for renegotiation and a time for the commencement thereof not later than one year after the close of the fiscal year of the subcontractor within which completion or termination of the contract, as determined by the Secretary, occurs.

(2) _____ (subcontractor) will furnish to the Secretary such statements of actual costs or production and such other financial statements, at such times and in such form and detail, as the Secretary may prescribe, and will permit such audits and inspections of its books and records as the Secretary may request.

(3) Any amount of the contract price [or fixed-fee hereunder] found as a result of such renegotiation to represent excessive profits shall, as directed by the Secretary,—

(A) Be deducted by _____ (contractor) from payments otherwise due to _____ (subcontractor) under this contract; or

(B) Be paid by _____ (subcontractor) directly to the Government, if paid to him; or

(C) Be eliminated through reductions in the contract price [or fixed-fee hereunder] or otherwise.

(4) _____ (subcontractor) agrees that _____ (contractor) shall not be liable to _____ (subcontractor) for or on account of any amount paid to the Government by _____ (subcontractor) or deducted by _____ (contractor) from payments otherwise due under this contract, pursuant to directions from the Secretary in accordance with the provisions of this Article. Under its contract with the Government _____ (contractor) is obligated to pay or credit to the Government all amounts withheld by it from _____ (subcontractor) hereunder.

(5) _____ (subcontractor) agrees (a) upon _____ (subcontractor) direction of the Secretary, to include in any subcontract hereunder sections (1) to (6) inclusive of this Article, and (b) to make no subdivisions of any contract or subcontract for the purpose of evading the provisions of this section, and (c) to repay to the Government the amount of any reduction in the contract price of any such subcontract which results from renegotiation thereof by the Secretary, and which the Secretary directs _____ (subcontractor) to withhold from payments otherwise due under such subcontract and actually unpaid at the time _____ (subcontractor) receives such direction.

(6) As used in this Article—

(a) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary including the Contracting Officer.

(b) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract, unless exempt under or exempted pursuant to section 403 (1) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by section 801 of the Revenue Act of 1942.

(c) The terms "renegotiate" and "renegotiation" have the same meaning as in section 403 (b) of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(d) The term "this contract" means this contract as modified from time to time.

(e) (1) The Contractor agrees to make no subdivisions of any contract or subcontract for the purpose of evading the provisions of this Article.

(2) If any renegotiation between the Secretary and any subcontractor pursuant to the provisions required by section (d) hereof results in a reduction of the contract price or fixed-fee of the subcontract, the Government shall retain from payments otherwise due to the Contractor, or the Contractor shall repay to the Government, as the Secretary may direct, the amount of such reduction which the Secretary directs the Contractor to withhold from payments otherwise due to the subcontractor under the subcontract and actually unpaid at the time the Contractor receives such direction.

(f) As used in this Article—

(1) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary, including the Contracting Officer.

(2) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract, unless exempt under or exempted pursuant to section 403 (1) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by section 801 of the Revenue Act of 1942.

(3) The term "renegotiate" and "renegotiation" have the same meaning as in section 403 (b) of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(4) The term "this contract" means this contract as modified from time to time.

(b) *Form II.*

[Form II] Renegotiation Pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act as amended, 1942.

(a) The Contractor will include in each subcontract made by it under this contract for an amount in excess of $100,000, the following provisions:

ARTICLE * * *. Renegotiation pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended

(1) Upon the written demand of the Secretary, at such period or periods when, in the judgment of the Secretary, the profits accruing to _____ (subcontractor) under this contract can be determined with reasonable certainty, the Secretary and _____ (subcontractor) will renegotiate the contract price [or fixed-fee hereunder] to eliminate therefrom any amount found as a result of such renegotiation to represent excessive profits. The demand of the Secretary shall fix a place for renegotiation and a time for the commencement thereof not later than one year after the close of the fiscal year of the subcontractor within which completion or termination of the contract, as determined by the Secretary, occurs.

(2) _____ (subcontractor) will furnish to the Secretary such statements of actual costs of production and such other financial statements, at such times and in such form and detail, as the Secretary may prescribe, and will permit such audits and inspections of its books and records as the Secretary may request.

(3) Any amount of the contract price [or fixed-fee hereunder] found as a result of such renegotiation to represent excessive profits shall, as directed by the Secretary—

(A) Be deducted by _____ (contractor) from payments otherwise due to _____ (subcontractor) under this contract; or

(B) Be paid by _____ (subcontractor) directly to the Government, if paid to him or

(C) Be eliminated through reductions in the contract price [or fixed-fee hereunder] or otherwise.

(4) _____ (subcontractor) agrees that _____ (contractor) shall not be liable to _____ (subcontractor) for or on account of any amount paid to the Government by _____ (subcontractor) or deducted by _____ (contractor) from payments otherwise due under this contract, pursuant to directions from the Secretary in accordance with the provisions of this Article. Under its contract with the Government _____ (contractor) is obligated to pay or credit to the Government all amounts withheld by it from _____ (subcontractor) hereunder.

(5) _____ (subcontractor) agrees (a) upon _____ (subcontractor)

direction of the Secretary, to include in any subcontract hereunder sections (1) to (6) inclusive of this Article and (b) to make no subdivisions of any contract or subcontract for the purpose of evading the provisions of this section, and (c) to repay to the Government the amount of any reduction in the contract price of any such subcontract which results from renegotiation thereof by the Secretary, and which the Secretary directs ---------- to withhold from payments
(subcontractor)
otherwise due under such subcontract and actually unpaid at the time ----------
(subcontractor)
receives such direction.

(6) As used in this Article—

(a) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary, including the Contracting officer.

(b) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract unless exempt under or exempted pursuant to section 403 (1) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by section 801 of the Revenue Act of 1942.

(c) The terms "renegotiate" and "renegotiation" have the same meaning as in section 403 (b) of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(d) The term "this contract" means this contract as modified from time to time.

(b) (1) The Contractor agrees to make no subdivision of any contract or subcontract for the purpose of evading the provisions of this Article.

(2) If any renegotiation between the Secretary and any subcontractor pursuant to the provisions required by section (a) hereof results in a reduction of the contract price or fixed-fee of the subcontract, the Government shall retain from payments otherwise due to the Contractor, or the Contractor shall repay to the Government, as the Secretary may direct, the amount of such reduction which the Secretary directs the Contractor to withhold from payments otherwise due to the subcontractor under the subcontract and actually unpaid at the time the Contractor receives such direction.

(c) As used in this Article—

(1) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary, including the Contracting Officer.

(2) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract, unless exempt under or exempted pursuant to section 403 (1) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by section 801 of the Revenue Act of 1942.

(3) The terms "renegotiate" and "renegotiation" have the same meaning as in section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(4) The term "this contract" means this contract as modified from time to time.

Section 81.351 is amended as follows:

§ 81.351 *Price adjustment articles.* The price adjustment articles set forth in paragraphs (a) to (c) of this section may be used when it is desired to provide for price and adjustment under certain circumstances.

(a) *Price adjustment for costs of rubber and synthetic rubber.*

Article • • • Price adjustment for costs of rubber and synthetic rubber. (a) In the performance of this contract, the Contractor will use the following types and estimated quantities of rubber or synthetic rubber at the following estimated prices:

Type	Estimated Quantities	Estimated Price per Pound	Total Estimated price

(b) The Government, or any of its agencies or instrumentalities, by allocation of material or sources of supply or other action, requires the Contractor to purchase any of such material required for the performance of this contract at a price which is more or less than the above estimated price therefor, the parties will make an equitable adjustment in the contract price for such increase or decrease in the cost of such material to the Contractor, in accordance with section (c).

(c) The Contractor will keep accurate records based on his regular system of inventory accounting, of all such material purchased for the performance of this contract and of the prices paid therefor. After the Contractor has obtained all of such material needed hereunder, he shall promptly submit to the Contracting Officer a statement showing the quantities of such material purchased hereunder and the actual prices paid therefor. The Contracting Officer may agree with the Contractor upon such adjustment, if any, in the contract price hereunder as he deems justified, but no upward adjustment (1) shall be based upon any price for such material in excess of any maximum price established by the Office of Price Administration and in effect at the time of its purchase, or (2) shall exceed the amount of increase in price actually paid by the Contractor, as determined by the Contracting Officer. If the parties fail to agree upon the adjustment to be made, the dispute shall be determined in accordance with Article • • • (Disputes). The adjustment shall be evidenced by a supplemental agreement to this contract.

(b) *Price adjustment for freight costs on allocations.*

Article • • •. Price adjustment for freight costs on allocations. (a) The Contractor represents that the contract price is based on procuring any steel needed for the performance of this contract from the plant of the ---------- Company located at ---------- at a net cost to the Contractor of $---------- per ton for freight.

(b) If as a result of priority or allocation orders by any Government agency the Contractor is unable to procure all or any part of the steel needed for the performance of this contract from that source and is required to obtain all or part of such steel from some other point of origin, the parties will make an equitable adjustment in the contract price for any increase or decrease in freight costs to the Contractor resulting from such change in source, in accordance with section (c).

(c) The Contractor will notify the Contracting Officer within 30 days after it is first required to obtain steel from some other source, or within such further period as the Contracting Officer may allow before the date of final settlement of the contract. The Contractor will keep accurate records, based on his regular system of inventory accounting, of all such material so purchased for the performance of this contract and of the freight paid thereon. After the Contractor has obtained all of such material needed hereunder, he shall promptly submit to the Contracting Officer a statement showing the quantities of such material purchased hereunder and actual freight paid thereon. The Contracting Officer may agree with the Contractor for such adjustment, if any, in the contract price as he deems justified. If the parties fail to agree upon the adjustment to be made, the dispute will be determined in accordance with Article • • • (Disputes). The adjustment shall be evidenced by supplemental agreement to this contract.

(c) *Price adjustments for changes in delivery schedules.*

Article • • • Price adjustments for changes in delivery schedules. (a) If the Government reduces the rate of deliveries hereunder by partial termination for the convenience of the Government, or if, without fault or negligence on the part of the Contractor, the Government or any of its agencies or instrumentalities, by any preference, priority or allocation order, or by any other act, at any time prevents the Contractor from delivering any of the items under this contract in accordance with the delivery schedules then in effect, and such reduction or delay so changes or interrupts the Contractor's schedules of production as substantially to affect the cost of any of the items procured hereunder the Government will make an equitable adjustment in the contract price and time for performance hereunder.

(b) The Contractor shall assert any claim for adjustment under this Article within thirty (30) days after the date any such reduction is ordered or any such delay first occurs or within such further period as the Contracting Officer may allow before the date of final settlement of the contract. The Contracting Officer may agree with the Contractor upon such adjustment, if any, in the contract price or time of performance hereunder or both, as he deems justified. If the parties fail to agree as to the cause of the delay or upon the adjustment to be made the dispute shall be determined in accordance with Article • • • (Disputes. The adjustment shall be evidenced by a supplemental agreement to this contract.

Two sentences are added at the end of § 81.352 as follows:

§ 81.352 *Delays-damages clause.* • • •

If desired the portion of paragraph (b) of the above clause, commencing with the word "and" in the fifth line and ending with the word "Contractor" in the fifteenth line of that paragraph, may be eliminated. In such event the "(b)" in the third line of that paragraph will be eliminated, the comma after the word "define" in the fifth line will be changed to a period, and the word "the" in the fifteenth line will be changed to "The".

Section 81. 352a is amended as follows:

§ 81.382a *Provision for liquidated damages.* Except with the permission of the chief of the supply service concerned (which may be granted with respect to contracts individually or by class), or in accordance with general instructions given by him, no contract shall provide for liquidated damages in the event of default. Where a contract provides for liquidated damages and a default takes place, action will be taken, subject to the provisions of §§ 81.308e, 81.379 and 81.380, promptly on behalf of the Government to enforce any remedies available under the contract. So far as possible, such action will be taken in such manner as will prevent the inequitable accumulation of liquidated damages.

Paragraphs (c) and (d) are added to § 81.353 as follows:

§ 81.353 *Walsh-Healey Act; representations and stipulations.* • • •

(c) *Minimum wage determinations under the Walsh-Healey Act.* In the event that a minimum wage determination has been made for the industry involved, the contract should contain a reference thereto. The following language is suggested:

Minimum wages payable by the Contractor pursuant to the foregoing stipulations are those determined by the Secretary of Labor to be the prevailing minimum wages in the Industry, namely, ------ cents per hour and -------- dollars per week of 40 hours.

In the event that no such determination has been made, it is suggested that a statement to that effect should be inserted in the contract.

(d) *Incorporation by reference of Walsh-Healey Act stipulations.* By Circular Letter No. 12–42, dated January 4, 1943, the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor permitted the incorporation of the Walsh-Healey Act representations and stipulations by reference. Accordingly, notwithstanding the provisions of that portion of this section which precedes paragraph (a), such representations and stipulations may be incorporated by reference. The following language is suggested.

The representations and stipulations required by section 1 of the Act of June 30, 1936 (Walsh-Healey Act, Public No. 846, 74th Congress) to be included in all contracts therein specified are hereby incorporated and made a part of this contract with the same force and effect as if fully set forth in the contract.

If desired, the following sentence may be added:

Such representations and stipulations shall be subject to all applicable regulations, determinations, and exemptions of the Secretary of Labor now or hereafter in effect. (Compare § 353.1).

The provisions of paragraph (c) of this section are applicable whether the representations and stipulations are set forth in full or are incorporated by reference.

In § 81.357 paragraphs (b) and (e) are amended as follows:

§ 81.357 *Tax articles in fixed price (lump sum) contracts.* • • •

(b) *Short form tax article.* In purchase orders and contracts where the estimated time of the performance of the purchase order or contract does not exceed 60 days the following short form of tax article may be employed or a tax article may be omitted. Attention is again directed to the necessity of including in each contract (see § 81.358) suitable provisions to specify any taxes to be excluded from or included in the contract price otherwise than as provided in such tax article.

• • • • • •

(e) *Appropriate tax articles.* The Chief of any Supply Service may authorize the omission of the tax articles set forth in paragraphs (a) and (b) of this section from any contract where they are plainly inapplicable or inappropriate. In any class or classes of contracts for services where a major part of the cost of performance consists of payroll expense, e. g., stevedoring contracts, the Chief of any Supply Service may authorize the inclusion of a provision for price adjustment in the event of changes in payroll taxes with respect to such services. The form of any such provision in general should be similar to the provision found in paragraph (b) of the tax article set out in paragraph (a) of this section but should not be made applicable to taxes other than those paid with respect to the wages of the employees of the particular contractor.

Section 81.359 is amended as follows:

§ 81.359 *Telephone messages.* Every cost-plus-a-fixed-fee contract will contain a clause substantially as follows:

Telephone messages (including teletype and facsimile, when authorized by the Contracting Officer to be installed) sent by the Contractor or its representatives, in connection with this contract, shall be paid by the Contractor tax free. Such payments by the Contractor shall be accompanied by a tax exemption certificate.

Section 81.360 is amended as follows:

§ 81.360 *Periodic adjustment of price and exemption from renegotiation.* The following articles for periodic adjustment of price will be used in accordance with §§ 81.1240–81.1247.

• • • • •

Section 81.361 is rescinded, the regulations contained therein having been included in § 81.351 (c) and new § 81.361 is added as follows:

§ 81.361 *Short term pricing.* The following article for revision, after part performance, of the contract price for the remainder of the contract may be used in accordance with §§ 81.1230–81.1236.

(a) *Revision of future prices by negotiation.*

Article • • • Revision of future prices by negotiation—(a) *Agreement to revise price.* The Government and the Contractor agree that after the delivery of ——% of the articles hereunder (herein called the "initial period") the contract price fixed in Article • • • shall be revised upward or downward for deliveries after the initial period (called herein the "remainder of the contract") in accordance with this Article.

(b) *Cost statements.* (1) Within ------ days before the completion of the initial period, the Contractor shall submit to the Contracting Officer the following data:

(i) Itemized statements showing costs of production during the preceding part of the initial period.

(ii) Estimates of the cost of producing the items to be delivered during the remainder of the contract based upon the previous cost experience of the Contractor and upon all other relevant factors.

(iii) Proposed revised prices for the remainder of the contract.

(2) The Contractor will maintain books, records and accounts so as to reflect accurately and segregate clearly the costs of performing this contract. For this purpose the Contractor may follow the cost accounting system regularly used by it, if the Contracting Officer finds it is adequate and in accordance with sound accounting practice. The statements showing costs experienced by the Contractor under this contract shall be based upon such books, records and accounts and shall be certified as correct by two officers of the Contractor or by an independent public accountant. The Contractor shall submit his books, records and accounts to such examination and audit as the Contracting Officer may request.

(c) *Negotiation for revision.* (1) Upon the filing of the data required by section (b) hereof, the Contractor and Contracting Officer shall negotiate in good faith to agree upon revised prices for the remainder of this contract. The revised price may be different for different periods of the contract and may be in excess of or less than the price stated in Article • • • hereof. The agreement reached shall be evidenced by a supplemental agreement of this contract stating the revised price for the remainder of the contract.

(2) If the Contracting Officer and Contractor fail to agree on revised prices for the remainder of the contract within thirty (30) days after the date for filing of the data by the Contractor under section (b) hereof, or such further period as may be fixed by agreement, the Contractor, if not in default, or the Government may terminate the contract hereunder by written notice delivered within ten days after the expiration of said thirty day period or extension. Upon such termination by either party, the rights and obligations of the parties shall be governed by the provisions of Article • • • hereof ("Termination for the Convenience of the Government"), except that the Contractor shall be allowed no profit for any uncompleted portion of the contract. If revised prices are not agreed upon and the contract is not so terminated, the Government shall pay to the Contractor the price fixed in Article • • • for the remainder of the contract.

(d) *Payments.* Until the contract price is revised hereunder, the Government shall pay to the Contractor the price set forth in Article • • • for all articles delivered after the initial period. If the contract price for the remainder of the contract is revised upward hereunder, the Government shall pay to the Contractor the difference between the price paid on all items delivered after the initial period and the revised price for such items. If the contract price for the remainder of the contract is revised downward hereunder an amount equal to the difference between the price paid on all items delivered after the initial period and the revised price for such items, shall be applied as a credit against payments for subsequent deliveries or shall be applied in such other manner or repaid to the Government as the Contracting Officer may direct. For all items delivered after any price revision hereunder, the Government shall pay the Contractor the revised price, minus any such credit.

• • • • • •

(f) *Renegotiation.* Any revision of the contract price made under this Article is without prejudice to the determination of any excessive profits of the Contractor upon subsequent renegotiation under Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, or the contract article inserted herein pursuant to that Act.

Section 81.363 is redesignated § 81.364 and a new § 81.363 is added as follows:

§ 81.363 *Disposition of Government-owned property by contractors.* There may be inserted in any contract a clause substantially as follows:

It is recognized that during the course of the performance of this contract, certain machine tool equipment, processing equipment, manufacturing aids, raw materials, manufactured materials or other materials or facilities which are owned by the Government will be in the custody of the Contractor; and that it may become desirable to have such items transferred to other contractors having war contracts. Accordingly, whenever the Contracting Officer shall so direct, the Contractor shall, and is hereby authorized on behalf of the Government to, sell, transfer or otherwise dispose of any such machine tool equipment, processing equipment, manufac-

turing aids raw materials, manufactured materials or other materials or facilities to any individual or corporation upon such terms and conditions as the Contracting Officer shall specify.

In connection with the above clause, see § 83.707 (e)

§ 81.364 *Marking of shipping containers.* Every supply contract will contain a clause substantially as follows (see § 81.1101):

* * * * *

TERMINATION OF FIXED PRICE (LUMP SUM) CONTRACTS—TERMINATION UPON DEFAULT OF CONTRACTOR

Section 81.379 is amended as follows:

§ 81.379 *Steps to be taken in event of default.* (a) The rigid enforcement of contract provisions imposing liquidated damages on contractors for failure to perform within specified periods, or authorizing termination of contracts for default, has been found in many instances to impede the prosecution of the war. The exercise by the several chiefs of supply services of discretion to take such action as may seem to them fair and equitable under all the circumstances will expedite the procurement of necessary war materiel and facilitate the prosecution of the war. For the foregoing reasons, authority is delegated to and confirmed in the chief of each supply service to authorize contracting officers under his command, subject to such limitations as the chief of the supply service may establish, to take any of the following courses in the event of default of the Contractor:

(1) Permit the contractor to proceed and to charge the contractor with the actual damages resulting from the default. If the contract provides for liquidated damages, such damages and not actual damages must be charged.

(2) Enter into a supplemental agreement with the Contractor's surety providing for the completion of performance of the contract and for payment therefor. Such supplemental agreement should clearly state that all rights against the Contractor are reserved so far as the surety does not undertake to cure the effect of the defaults by the Contractor.

(3) Terminate the contract:

(i) Under any provision of the contract permitting termination in the event of default, in which case the provisions of § 81.380 shall be applicable. In exercising the authority to terminate for default due regard should be given to the preservation of rights against any surety on any performance bond.

(ii) Under any contract article providing for termination for the convenience of the Government, when the defaults of the Contractor have not been gross or wilful, and have not caused substantial injury to the Government, if the Contracting Officer shall find that the use of that termination article will facilitate the prosecution of the war and be equitable under all the circumstances.

(4) Extend by supplemental agreement the time fixed in the contract for performance in the manner provided in § 81.308e, and within the time prescribed by § 81.308f, if the default consists of failure to perform within the time specified by the contract. In general, it is not the policy of the Government to terminate contracts for default under the stringent provisions of a delays-damages article, in a manner to bring about a forfeiture or a severe loss on the part of the Contractor, merely because, at a time when the Government desires to terminate its contract for reasons not based upon the defaults of the Contractor, the Contractor happens to be in technical default under the contract. Attention is directed as to the provisions of § 81.308g.

Section 81.380 is amended as follows:

§ 81.380 *Steps to be taken in event of termination because of default.* (a) If termination is effected pursuant to a contract provision substantially similar to that set forth in § 81.352 or Article 9 of the contract form contained in § 81.1302, the chief of a supply service may, but it is not required to, pursue the remedies provided for in such contract provision or available by law. In lieu of making use of such remedies he may within the time prescribed by § 81.308f, if he finds that to do so will facilitate the prosecution of the war, make a supplemental agreement with the Contractor and relieve the Contractor of liability which would result from the enforcement of such remedies. Such an agreement may be entered into only with the prior approval of the Director, Purchases Division, Headquarters, Army Service Forces (obtained in the manner provided in § 81.308a) except where the chief of a supply service shall find any one of the following facts:

(1) That the Government no longer has need for the supplies, services, or construction called for by the contract;

(2) That the supplies or services, undelivered because of the contractor's default, can be obtained from some source other than the Contractor on a basis as favorable as that set forth in the contract or that the construction provided for in the contract can be accomplished on terms substantially as favorable to the Government as though performed under the original contract;

(3) That for reasons of policy the supply service wishes to buy supplies of the type covered by the contract on terms more expensive or less favorable to the Government than those set forth in the terminated contract. (For example, the supply service may desire to buy from particular producers or in particular geographical areas in order to distribute war work more widely despite any extra expense involved. The excess expense in such a case should not equitably be charged to the Contractor);

(4) That any excess cost charged to the Contractor would be nominal;

(5) That the Contractor currently employs less than 100 employees or was recommended as a prime contractor by the Smaller War Plants Division, War Production Board, has other war contracts existing or prospective, and that enforcement of the remedies provided in the contract would materially impair his ability to perform such contracts.

MISCELLANEOUS

Section 81.318a is redesignated § 81.390 as follows:

§ 81.390 *Assignments* — (a) *Basic statutes.* * * *

(b) *Assignment of Claims Act of 1940.* * * *

(c) *Assignments by operation of law.* * * *

(d) *Transfer of entire business.* * * *

(e) *Corporate mergers.* * * *

(f) *Recognition of assignments prohibited by revised statutes.* * * *

(g) *In connection with the assignment of claims.* * * *

Section 81.318b is redesignated § 81.391 and amended as follows:

§ 81.391 *Charges for telegraph, cable, and radio messages in cost-plus-a-fixed-fee contracts.* Pursuant to the provisions of Public Law, 78th Congress, cost-plus-a-fixed-fee contractors and subcontractors are no longer entitled to send telegraph, cable or radio messages at government rates.

Section 81.392 is added as follows:

§ 81.392 *Handling defaults and threatened defaults by suppliers and subcontractors under cost-plus-a-fixed-fee prime contracts.* (a) The following procedures are established to assure to the Government the maximum amount of protection and salvage in cases where suppliers or subcontractors of cost-plus-a-fixed-fee prime contractors fail or refuse to perform their obligations under purchase orders or subcontracts, or threaten to do so:

(1) In general, it is the responsibility of the prime contractor to administer and police his purchase orders and subcontracts; and nothing herein contained shall be construed to remove, lessen or impair such responsibility. In case of a threatened breach of contract by a supplier or subcontractor, it is the duty of the prime contractor to use all lawful means employed by businessmen in the trade to obtain performance. This will normally include the sending of a reminder to the supplier or subcontractor that compliance with contract terms is expected and that the supplier or subcontractor will be held to strict accountability for breach; personal interviews where feasible; and similar steps. It is also the duty of the prime contractor to take all steps reasonably necessary to assure that he will not lose contract rights through waiver or estoppel.

(2) Where default is threatened by a supplier or subcontractor because of bona fide misunderstandings or differences between him and the prime contractor which appear to be capable of fair settlement, the prime contractor will attempt, through negotiation, to obtain such settlement. But no settlement involving any change in the terms of a purchase order or subcontract previously approved by the Contracting Officer shall be made without the written approval of the Contracting Officer.

(3) The prime contractor will notify the Contracting Officer promptly of any situation which may require the issuance of a purchase order or subcontract to another supplier or subcontractor for supplies or services covered by a purchase order or subcontract as to which default is in prospect or has occurred. Such additional purchase order or subcontract may be issued when the successful and speedy completion of the prime contractor's work is imperilled by default of a supplier or subcontractor. The prime cotnractor will maintain full and accurate records of cost under such additional purchase order or subcontract for the purpose, among others, of establishing a claim for damages against the defaulting supplier or subcontractor. He will also prepare and keep careful notes of all other information pertinent to the case which may be of assistance in the event of a lawsuit.

(4) Where a supplier or subcontractor has defaulted, and a claim arises in favor of the prime contractor, the latter will attempt to negotiate and settle the claim on reasonable terms whenever it appears that a fair settlement may be preferable to litigation. The prime contractor will keep the Contracting Officer informed of the progress of such settlement negotiations. The Contracting Officer shall have authority to approve a settlement and no settlement agreement will be made without his written approval.

(5) When, in the opinion of the prime contractor, further efforts at settlement will be ineffectual, he will so notify the Contracting Officer. If the Contracting Officer concurs in this opinion, he will direct the prime contractor to assemble all the papers pertinent to the claim, and to make or obtain any affidavits or other records of the transaction, and to prepare any necessary report on the claim. The Contracting Officer will forward this record, together with his own report and recommendation, to the Litigation Division, Office of The Judge Advocate General, through the chief of the supply service concerned.

(6) The Judge Advocate General may from time to time in the further handling of the claim request cooperation and assistance from the prime contractor, the Contracting Officer, and the chief of the supply service concerned, and will in some cases require the Contracting Officer to obtain assignment, from the prime contractor to the United States, of the defaulted purchase order or subcontract. No such assignment will be obtained without the approval of The Judge Advocate General.

(7) If the matter is to be forwarded to the General Accounting Office by The Judge Advocate General it will be forwarded through the Fiscal Division, Headquarters, Army Service Forces.

INTERDEPARTMENTAL PURCHASES

In § 81.608 paragraph (b) is separated into paragraphs (b) and (c), both paragraphs being amended, and paragraph (c) is redesignated paragraph (d) as follows:

§ 81.608 *Purchases from Federal Prison Industries, Inc., Department of Justice.* * * *

(b) *Requirement.* It is required that all items manufactured by and all services rendered by, Federal Prison Industries, Inc. be purchased from that agency except where a general or special clearance for the purchase of the items from commercial sources has been granted.

(c) *General clearances.* (1) The following general clearance which covers purchases up to June 30, 1943, indicates not only the items as to which such clearance has been granted but also those items which are available and which accordingly must be purchased from Federal Prison Industries, Inc.:

DECEMBER 4, 1942.
Reference: Our letter 12/4/42

The UNDER SECRETARY OF WAR,
Washington, D. C.

DEAR SIR: The following articles and services are available and can be furnished by Federal Prison Industries, Inc., from industries established under the Act of Congress approved May 27, 1930 (46 Stat., 391):

Brushes: Paint and varnish; floor sweeps; hand scrubs, all sizes.

Canvas goods: Shell covers, tarpaulins, water tanks, barracks bags, litters, bags, shower curtains, bandoleers.

Castings: Manhole frames and covers, grates, grate bars, gutter drains, for delivery in the following states only: Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania, New Jersey, Maryland, West Virginia, Virginia, Kentucky, and the District of Columbia.

Fibre furniture.

Laundry services required by posts and stations within 25 miles of the Federal Correctional Institution, Tallahassee, Fla.

Milk: 1,000 pounds per day for delivery to Fort Bliss, Texas, only.

Sheet metal products: Storage shelving, transfer cases, food trays, tool boxes, tool cabinets, tool racks, fin assemblies, ammunition boxes, powder boxes, and stops for bomb storage, land mine casings or shells, practice bombs.

Other metal products: Metal beds and bunks, all types; bomb dunnage racks.

Wood furniture: Douglas, 4C, 3C, wide arm, and side chairs; desk trays for delivery west of the Rocky Mountains.

Work gloves and mittens as listed in Schedule of Products.

Clearance C-20380

a. Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., not listed above.

b. Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., including the items listed above, in the following cases:

(a) By contractors or contracting officers under cost-plus-a-fixed-fee construction or supply contracts;

(b) By contracting officers under fixed-price (lump sum) construction or supply contracts, wherein the Government is required to furnish certain Government materials;

(c) When immediate delivery or performance is required by the public exigency.

(d) When suitable second hand or used articles can be procured.

(e) When required in small quantities and for delivery within ten days.[1]

c. This clearance is to cover purchases made by the War Department only, and is effective for the period January 1, to June 30, 1943, inclusive.

d. Copy of this clearance should be attached to your contract or voucher when transmitted to the General Accounting Office, or reference made thereon to this clearance number.

Very truly yours,

FEDERAL PRISON INDUSTRIES, INC.,
By (Signed) A. H. CONNER,
Associate Commissioner.

(2) By letter dated January 14, 1943, Federal Prison Industries, Inc., granted clearance for the purchase from commercial sources of 3C chairs until further notice.

(3) By letter dated March 6, 1943, Federal Prison Industries, Inc., granted clearance until June 30, 1943, for the purchase of paint, varnish, floor sweeps and hand scrubs, all sizes, with the following exceptions:

Stock No. 38–B–5145–E: Flat Varnish, Medium Grade, No. 4.
Stock No. 38–B–5150–E: Flat Varnish, Medium Grade, No. 5.
Stock No. 38 B–5190–E: Flat Varnish, High Grade, No. 1
Stock No. 38–B–5195–E: Flat Varnish, High Grade, No. 2.
Stock No. 38–B–5205–E: Flat Varnish, High Grade, No. 4.

(d) *Procedure.* * * *

FEDERAL, STATE AND LOCAL TAXES

STATE AND LOCAL TAXES

In § 81.810 the item pertaining to Colorado is amended as follows:

§ 81.810 *Applicable tax directives.* * * *

Colorado	March 12, 1943

* * * * *

LABOR

EIGHT-HOUR LAW OF 1912

Sections 81.904 to 81.914, inclusive, are rescinded and the following §§ 81.904 to 81.912, inclusive, are substituted therefor:

§ 81.904 *Basic law.* The Act requires that, in every contract to which it is applicable, a provision must be inserted that no laborer or mechanic doing any part of the work contemplated by the contract in the employ of a contractor or any subcontractor, shall be required or permitted to work more than 8 hours in any one calendar day upon such work unless such mechanic or laborer is compensated for all hours worked in excess of 8 hours in any one calendar day at not less than $1\frac{1}{2}$ times the basic rate of pay. Act of June 19, 1912 (37 Stat. 137), as amended by section 5 (b) Act of June 28, 1940 (54 Stat. 679) and section 303 Act of September 9, 1940 (54 Stat. 884), 40 U. S. C. 324, 325, 325–A; M. L. 1939 and Supp. I, secs. 743, 745.

(a) *Form of provision.* The form of the provision to be used in contracts to which the Act applies is set out in § 81.346.

§ 81.905 *Applicability of eight-hour law.* The basic law applies to all War Department contracts which may require or involve the employment of la-

[1] Subparagraph (e) was added by a letter from Federal Prison Industries, Inc., dated March 11, 1943.

borers or mechanics either by the prime contractor or any subcontractor, with the following exceptions:

(a) *Exceptions; supply contracts.* The law does not apply to supply contracts, such contracts ordinarily being subject to the Walsh-Healey Act where the amount involved is in excess of $10,000.00 (§§ 81.916 to 81.961a).

(b) *Exceptions; miscellaneous contracts.* Where the same class of work is not, as a general rule, being performed by the Government, contracts for any of the following classes of work are not covered by the Act.

(1) Contracts for transportation by land or water.

(2) Contracts for the transmission of intelligence.

(3) Contracts for the construction or repair of levees or revetments necessary for protection against floods or overflows on the navigable waters of the United States.

(4) Contracts for supplies or for such materials or articles as may usually be bought in the open market, whether such supplies, materials or articles are made to conform to particular specifications or not (except armor and armor plate).

COPELAND ("ANTI-KICKBACK") ACT

§ 81.906 *Basic law.* The Act provides that whoever shall induce any person employed in work subject to the Act to give up any part of the compensation to which he is entitled under his contract of employment by force, intimidation, threat of procuring dismissal from such employment or any other manner whatsoever, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both. Act of June 13, 1934, (48 Stat. 948) 40 U.S.C.A. secs. 276 (b) and (c) as amended by Reorganization Plan No. IV, effective June 30, 1940, (54 Stat. 1236) in accordance with sec. 4 of H. J. Res. 551 (Pub. Res. 75) approved June 4, 1940, sec. 4, (54 Stat. 231)—5 U.S.C. 133u.

(a) *Form of provision.* The form of the provision required by regulation in contracts to which the Act applies is set out in § 81.344. (Title 29–A, Department of Labor Regulations 2.6.)

§ 81.907 *Applicability of anti-rebate law*—(a) *Character of contracts.* Generally the Act applies to contracts and subcontracts for the construction, prosecution, completion or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States.

(b) *Cost plus contracts.* The Act applies to contracts for such work entered into upon a cost-plus-a-fixed-fee basis or otherwise, with or without advertising for proposals, as well as to contracts entered into upon a lump sum basis.

(c) *Exceptions.* The Act does not apply to supply contracts, such contracts ordinarily being subject to the Walsh-Healey Act where the amount is in excess of $10,000 (see §§ 81.916–81.961a); nor does it apply ordinarily to installation or maintenance work done for the account of the Government in connection with and as an incident to supply contracts.

(d) *Determination of applicability.* Since the primary factor for determining whether or not the Act applies is the nature of the work contemplated in the contract and since this same factor is involved in determining whether or not the Davis-Bacon Act applies, reference is here made to § 81.911 which is equally applicable to this section.

§ 81.908 *Procedure.* Pursuant to the provisions of the Act, the Secretary of Labor has prescribed certain regulations made effective April 30, 1942 which govern the procedure to be followed in connection with contracts that are subject to the Act, and the Davis-Bacon Act (§ 81.910 et seq.); also with regard to certain types of authorized deductions and the method of securing approval thereof. The substance of the pertinent regulations follows:

(a) *Weekly affidavit with respect to payment of wages.* Each contractor or subcontractor engaged in work subject to the Act is required to furnish each week a sworn affidavit with respect to the wages paid each of its employees (which shall not be deemed to apply to persons in classifications higher than that of laborer and mechanic and those who are the immediate supervisors of such employees) engaged on the work covered by the Act during the preceding weekly payroll period. The affidavit shall be executed and sworn to by the contractor or subcontractor who supervises the payment of wages and shall be in the following form:

STATE OF_____
*County of*_____ *ss:*

I, _____ (Name of party signing affidavit), _____ (title) being duly sworn, do depose and say: That I pay or supervise the payment of the persons employed by _____ (contractor or subcontractor) on the _____ (building or work); that the attached payroll sets out accurately and completely the name, occupation, and hourly wage rate of each person so employed for the weekly payroll period from the_____day of_____, 194__, to the _____ day of _____194__, the total number of hours worked by him during such period, the full weekly wages earned by him and any deductions made from such weekly wages, and the actual weekly wages paid to him; that no rebates have been or will be made either directly or indirectly to or on behalf of said _____ (contractor or subcontractor) from the full weekly wages earned as set out on the attached pay-roll; and that no deductions, other than the permissible deductions (as defined in the Regulations under the "Kickback" Act (48 Stat. 948)) described in the following paragraph of this affidavit, have been made or will be made, directly or indirectly, from the full weekly wages earned as set out on the attached pay-roll.

(Paragraph describing deductions, if any)

_____
(Signature and title)

Sworn to before me this_____day of _____, 194__, (Title 29–A Dept. of Labor Regulations, 2.3 (b)).

(b) *Exemptions with respect to weekly affidavits.* Upon a written finding by the Secretary of War, the Secretary of Labor may provide reasonable limitations, variations, tolerances and exemptions from the requirements set forth in paragraph (a) above, subject to such conditions as the Secretary of Labor may specify. Request for such finding shall be submitted through the chief of the supply service to the Industrial Personnel Division, Headquarters, Army Service Forces, for submission through channels to the Secretary of Labor. (Title 29–A, Dept. of Labor Regulations, 2.3 (c)).

(c) *Submission of weekly affidavits and subcontractors summaries.* Each weekly affidavit shall be delivered by the contractor or subcontractor within seven days after the regular payment date of the payroll period to the contracting officer or such other officer as may be designated for such purpose by the chief of the supply service. After such examination and check as may be made, such affidavit or a copy thereof, together with a report of any violation shall be transmitted by the contracting officer or other designated officer directly to the Bureau of Labor Statistics, U. S. Department of Labor, Washington, D. C. (Title 29–A Dept. of Labor Regulations 2.4 (a).)

(d) *Submission of subcontractor summaries.* Each contractor or subcontractor shall within seven days after the making of any subcontract with another person concerning work subject to the Act deliver to the contracting officer or such other officer as may be designated for such purpose by the chief of the supply service, an affidavit setting forth the name and address of his subcontractor and a summary description of the precise work subcontracted. After such examination and check as may be made, such affidavit or a copy thereof shall be transmitted by the contracting officer or other designated officer directly to the Bureau of Labor Statistics, U. S. Department of Labor, Washington, D. C. (Title 29–A Dept. of Labor Regulations 2.4 (b)).

(e) *Authorized pay-roll deductions.* (1) Deductions for the following payments are permissible:

(i) Where required by Federal, State, or local statutes or ordinances to be made by the employer from the wages earned by the employee;

(ii) Bona fide prepayment of wages without discount or interest;

(iii) Deductions required by court process provided that the contractor or subcontractor will not be permitted to make such a deduction in favor of the contractor, subcontractor, or any affiliated person or where collusion or collaboration exists. (Title 29–A Department of Labor Regulations 2.5 (a).)

(2) Any deduction is also permissible which in fact meets the following standards and with respect to which the contractor or subcontractor shall have made written application by registered mail to the Secretary of Labor, a copy of which application shall be sent to the contracting agency by the contractor or subcontractor setting forth all the pertinent facts, indicating that such deductions will meet the following standards:

(i) That such deduction is not prohibited by other law; and

(ii) That such deduction is (a) voluntarily consented to by the employee in writing and in advance of the period in which the work was done, and that consent to the deduction is not a condition either for the obtaining of or for the continuance of employment; or (b) that such deduction is for the benefit of the employees or their labor organization through which they are represented and is provided for in a bona fide collective bargaining agreement; and

(iii) That from such deduction no payment is made to, nor profit or benefit is obtained directly or indirectly by the contractor or subcontractor or any affiliated person, and that no portion of the funds, whether in the form of a commission or otherwise, will be returned to the contractor or subcontractor or to any affiliated person; and

(iv) That the convenience and interest of the employees are served thereby, and that such or similar deductions have been customary in this or comparable situations. (Title 29–A Dept. of Labor Regulations 2.5 (b)).

(3) After application in good faith, the deduction may be made in accordance with the foregoing standards: *Provided, however,* That if the Secretary of Labor, on his own motion, or on the application of any person or agency affected by the granting of the application, shall conclude at any time, after written notice to the applicant and an opportunity for him to present his views in support of the deduction, that the deduction has not met the foregoing standards, such deductions shall cease to be "permissible" seven days after the applicant and the Federal agency concerned have been notified of the Secretary's decision. (Title 29–A Department of Labor Regulations 2.5 (c)).

(4) Upon application to and prior written permission from the Secretary of Labor, and subject to the standards set forth in paragraph (e) (2) of this section, deductions may be made by a contractor or subcontractor or any affiliated person, for membership fees in group benefit or retirement associations; for board and lodging; or for other purposes where the Secretary of Labor concludes the deduction is required by compelling circumstances: *Provided, however,* The contractor, subcontractor, or any affiliated person does not make a profit or benefit directly or indirectly from the deduction. A copy of the Secretary's decision shall be sent to the applicant and the Federal agency concerned. (Title 29–A Department of Labor Regulations 2.5 (d)).

(5) In accordance with and subject to the standards set forth in paragraph (e) (2) of this section, general permission is hereby granted to make payroll deductions for:

(i) The payment of the purchase price of United States Defense Stamps and Bonds and United States Tax Savings Notes;

(ii) The repayment of loans to or the purchase of shares in credit unions organized in accordance with District of Columbia, Federal, or State credit union statutes;

(iii) Contributions to a Federal governmental or quasi-governmental agency. (Title 29–A Department of Labor Regulations 2.5 (e)).

(f) *Restricted payments prohibited.* In any case in which the employee does not have full and actual freedom of disposition of his wage payment, whether made in cash or by check, any restricted payment made to the employee is considered a deduction under the regulations in this part. (Title 29–A Department of Labor Regulations 2.5 (h)).

(g) *Lack of knowledge no defense.* Nothing herein shall be construed to permit any deduction which the contractor or subcontractor knew, or in the exercise of good faith should have known, did not meet the foregoing standards. In order to insure compliance with this section, the Secretary of Labor may notify the contractor or subcontractor that the deduction will be permitted only if certain conditions with respect thereto are observed. The contractor or subcontractor or any affiliated person shall also comply with such general rules and regulations concerning the deductions as the Secretary of Labor shall make from time to time, notice of which shall have been given to the contractor or subcontractor or any affiliated person making the deduction and to the Federal agency concerned either directly or through publication in the FEDERAL REGISTER. (Title 29–A Dept. of Labor Regulations 2.5 (g)).

(h) *Request for advisory opinions.* The Secretary of Labor will furnish an opinion regarding the coverage of any specific project or with respect to the application of any provisions of the regulations in this part at the request of any Federal or State agency. Request for any such opinion shall be submitted through the chief of the supply service to the Industrial Personnel Division, Headquarters, Army Service Forces, for submission through channels to the Secretary of Labor. (Title 29–A Department of Labor Regulations 2.7).

§ 81.909 *Alternative procedures for railway carriers.* By letters of October 5, 1942 and January 22, 1943 from the Secretary of Labor to the Secretary of War, a partial exemption regarding the submission of weekly reports above described in paragraph (a) of this section was granted to railway carriers and an alternative method for obtaining permission of the Secretary of Labor to make certain types of deductions was approved. Copies of these letters may be obtained from the office of the Labor Relations Section, Industrial Personnel Division, Headquarters, Army Service Forces.

DAVIS-BACON ACT

§ 81.910 *Basic law.* The Act as amended requires as to every contract to which it applies:

That a scale of minimum wages for every class of mechanics or laborers employed shall be set out in the specifications (in cases where specifications are advertised for bids).

That a minimum wage scale must be included in the contract together with a stipulation that the same will be observed whether contracts are let on bids or not.

The inclusion of certain additional provisions referred to hereinafter for the administration and enforcement of the required stipulations.

(Act of March 3, 1931 (46 Stat. 1494), as amended by Act of August 30, 1935 (49 Stat. 1011), Act of June 15, 1940, (54 Stat. 399), and Act of March 23, 1941, (55 Stat. 53, 40 U.S.C. 276a, a–1 to a–7), M.L. 1939 and Sup. I, sec. 746)

(a) *Form of provisions required.* The form of provisions required by regulation in contracts to which the Act applies is set out in § 81.343. (Title 29–A, Department of Labor Regulations 2.6).

§ 81.911 *Applicability of Davis-Bacon law: Character of contracts covered.* The Act as amended applies to all contracts in excess of $2,000 to be performed in any of the States of the United States, the Territory of Alaska, the Territory of Hawaii or the District of Columbia, for construction, alteration or repair including painting or decorating of public buildings or public works where the same require or involve the employment of mechanics or laborers.

(a) *Definition of "building" and "work" by regulation.* The Secretary of Labor has, by regulation, defined the words "building" and "work" as including, generally, construction activity as distinguished from manufacturing, furnishing of materials, or servicing and maintenance work.

(b) *Definition of "construction", or "repair".* The Secretary of Labor has defined the above terms as used in the Act and in the Copeland Act covered in §§ 81.906–81.909 above as, in substance including all types of work done under a construction contract such as altering, remodeling, painting and decorating, the transporting of materials and supplies to or from the building or work by the employees of the construction contractor or construction subcontractor and the manufacturing or furnishing of materials, articles, supplies, or equipment on the site of the building or work by persons employed at the site by the contractor or subcontractor. (Title 29–A Department of Labor Regulations 2.2 (b)).

(c) *Cost plus contracts.* The Act applies to contracts entered into upon a cost-plus-a-fixed-fee basis or otherwise with or without advertising for bids, as well as to contracts entered into upon a lump sum basis.

(d) *Exceptions.* The Act does not apply to:

(1) Contracts for the construction, alteration or repair of vessels or other movable personal property where the place of performance of the contract is not known or cannot be reasonably ascertained at the time the contract is negotiated.

(2) Contracts with railroad carriers or subcontractors let to railroad carriers for the construction, alteration, or repair of railroads insofar as such contracts involve wage rates payable to employees of railroad carriers operating under collective bargaining agreements with the railroad carriers, made agreeable to the provisions of the Railway Labor Act

(Letter March 14, 1942 from the Secretary of Labor to the Secretary of War).

(3) Contracts for servicing and maintenance work generally. (Title 29–A, Department of Labor Regulations 2.2 (a)).

(4) Contracts for manufacturing and furnishing materials or supplies (see Title 29–A, Department of Labor Regulations 2.2 (a)) and servicing and maintenance work incident thereto.

(e) *"Servicing and maintenance work" defined.* The terms "servicing and maintenance work" as used in subparagraphs (3) and (4) of paragraph (d) above, include:

(1) Movement of machinery into or out of or from one part to another part of a building or plant completed or substantially completed.

(2) Installation of machinery, machine tools or other equipment in a plant or building completed or substantially completed.

(3) Plant rearrangement and production facilities adjustment or alterations incident to (1) or (2) above.

NOTE: This definition in connection with subparagraphs (3) and (4) of paragraph (d) does not relate to servicing and maintenance prosecuted by a construction contractor as a part of construction work.

(f) *Determination by chief of supply service.* The Act contemplates an administrative determination of the application of the law to particular contracts and the War Department is authorized to make such determination. The chief of the supply service involved will determine within his own office whether the foregoing regulations require the inclusion of Davis-Bacon (and Copeland) Act provisions in any particular contract. In cases of doubt the question, accompanied by full statement of the facts, shall be referred to the Industrial Personnel Division, Headquarters, Army Service Forces, for determination.

§ 81.912 *Regulations, forms and procedures*—(a) *Regulations; applicability.* The regulations of the Secretary of Labor described in § 81.908, where pertinent, are applicable to all contracts subject to the Act.

(b) *Regulations; prevailing rates of wages.* Regulation No. 503 issued by the Secretary of Labor September 30, 1935, as amended April 30, 1942, prescribes the procedures to be followed in predetermining prevailing rates of wages. Whenever a request for wage rate predeterminations is made by the contracting officer and referred to the Secretary of Labor in accordance with the procedures hereinafter described, the necessary steps to obtain evidence upon which the Secretary may make the requisite predeterminations are to be taken by the Solicitor of Labor in accordance with the provisions of Regulation No. 503.

(c) *Forms.* Wage rate predeterminations are to be requested on Forms DB–11, accompanied by Forms DB–15, issued by the Department of Labor (see paragraphs (e) and (f) below). Reports of violations are to be made on standard Form No. 1093 (see paragraph (g) below).

(d) *How obtained.* Copies of pertinent regulations and forms will be obtained by the chief of the supply service directly from the Department of Labor for distribution to those concerned. The chiefs of the supply services are responsible for the supplying of the necessary regulations and forms to their contracting officers.

(e) *Procedures; request for wage rate predeterminations.* Prior to entering into negotiations for awarding a contract to which the basic law is applicable, the contracting officer will request the Secretary of Labor, through the chief of the supply service concerned, to predetermine the wage rates to be contained in the contract. This request will be made on Department of Labor Form DB–11, and the instructions on that form will be followed. Since the Department of Labor has stated that the basic law does not apply to the following positions, no predetermination of wages is necessary in their cases:

Assistant engineer on dredges or floating plant in supervisory positions.
Assistant foreman.
Camp assistant.
Checker.
Chief mate.
Civil engineer.
Clerk.
Cook.
Cook's helper.
Foreman.
Junior deck officer.
Master or captain.
Mate.
Mess boy.
Messenger.
Office manager.
Pilot.
Quartermaster or steersman.
Steward.
Storekeeper.
Superintendent.
Timekeeper.
Waiter.
Watchman.

(f) *Procedures; prevailing rate information.* Each request submitted as indicated in paragraph (d) above will be accompanied by one or more copies of Department of Labor Form DB–15, executed in accordance with the instructions on that form, which require a separate form for each occupation. In filling out this form, the contracting officer will consult the following and consider the information obtained therefrom in forming the opinion which he is required to state on the form:

(1) The Building Trades Council (or some other local federation or council of the various craft unions),

(2) Independent labor organizations not allied with the local Building Trades Council,

(3) Municipal Officials (the commissioner of public works, the city clerk or other officials in charge of municipal construction who have data on the wage rates paid on city projects),

(4) The employers' organizations (such as Master Builders, the Master Painters, or other contractors' associations, the local chamber of commerce, etc.).

(5) Individual contractors and architects in the locality,

(6) The State Labor Department or its equivalent,

(7) The contracting officer and supervising superintendent, and

(8) The local office of the United States Employment Service or affiliated agency.

(g) *Reports of violations.* Where a contracting officer finds that any laborer or mechanic employed by a contractor or subcontractor on work subject to the Act has been or is being paid wages less than the wages required by the contract to be paid, the contracting officer will make a report on standard Form No. 1093 (schedule of deductions from payment to contractors) executed as completely as possible from his records to the disbursing officer. The latter will complete the execution of the form from his records and transmit it to the office indicated on the form. (Circular letter A–34106, February 28, 1936 of the Comptroller General).

WAGE AND SALARY STABILIZATION

Paragraph (b) is added to § 81.980p as follows:

§ 81.980p *General Order No. 16.* • • •

(b) *General Order No. 30.* In accordance with the provisions of section 4 of Title II of Executive Order 9250, increases in wage or salary rates which do not bring such rates above 40¢ per hour may be made without the approval of the National War Labor Board, provided that such increases shall not furnish a basis either to increase price ceilings of the commodity or service involved or to resist otherwise justified reductions in such price ceilings.

FORTY-EIGHT HOUR WORKWEEK

Paragraph (d) is added to § 81.985 as follows:

§ 81.985 *Forty-eight hour workweek.* • • •

(d) *Statement re adoption of forty-eight hour week.* Under date of March 11, 1943, the National War Labor Board defined the extent of its jurisdiction in the matter of overtime pay in the light of Executive Order No. 9301, as follows:

In order to answer the many inquiries received as to the effect of Executive Order 9250 on wages and salaries in the light of the Executive Order of February 9, establishing the minimum wartime work-week of 48 hours, the National War Labor Board today issued the following statement:

1. *Effect of the order on employer's obligation to pay over-time.* Any employer who adopts a 48 hour week in compliance with Executive Order 9301 of February 9, 1943 and the regulations of the War Manpower Commission issued thereunder is under the same obligation with respect to over-time pay as if he had adopted a 48 hour week before the order was issued. That is, his obligation to pay or not to pay over-time rates is in no way affected by the order.

This interpretation is based on the following provision of section 5 of the order:

Nothing in this order shall be construed as superseding or in conflict with • • • the provisions of any individual or collective bargaining agreement with respect to rates of pay for hours worked in excess of the agreed or customary work-week, nor shall this Order be construed as suspending or modifying any provision of the Fair Labor Standards Act or any other Federal, State or local law relating to the payment of wages or overtime.

2. *Necessity to secure War Labor Board approval for the payment of overtime.* Approval of the War Labor Board is not required for payment of overtime rates to wage and salary employees for hours worked in excess of 40 made in accordance with the provisions of the Fair Labor Standards Act or any other similar Federal, State or local law or by the provisions of a collective bargaining agreement or by the employer's past custom and practice.

If none of these applies, then payment for the hours worked in excess of 40 at other than straight time rates would be a wage increase and would therefore require approval by the War Labor Board.

3 *Salaried employees.* Salaried employees within the jurisdiction of the War Labor Board, whose overtime pay is not covered by the Fair Labor Standards Act or any other similar Federal, State or local law, or by a collective bargaining agreement or their employer's past practice, may not, without the prior approval of the War Labor Board, be paid at more than straight time rates proportionate to the additional hours worked.

4 Application for approval of the increases referred to above may, of course, be made, in accordance with the National War Labor Board's regular procedure, at any local office of the Wage and Hour Division of the U. S. Department of Labor.

PLANT FACILITIES EXPANSIONS

PROCEDURE FOR OBTAINING CLEARANCE AND APPROVAL OF FACILITIES EXPANSIONS

Section 81.1011a is added as follows:

§ 81.1011a *Continuing capital expenditures application.* This application may be made by a supply service for approval of Continuing Capital Expenditures required in connection with an existing project theretofore sponsored by or transferred to sponsorship of such supply service. Such application shall state:

(a) The estimated costs of the additional capital facilities required for a specified current or ensuing quarter year (giving breakdown thereof in accordance with § 81.1009 (a) (5)) together with estimated dollar amount required for the next succeeding three quarter-years, the total amount for such four quarter-years not to exceed 5 percent of the total estimated cost of the project as theretofore approved;

(b) The necessity for such Continuing Capital Expenditures; and

(c) The method of financing thereof, the amount of Expediting Production Funds, if any, required therefor, and the manner in which the balance of such expenditures will be financed.

Such application shall be submitted to and approved by Resources and Production Division. Approval of the War Production Board of such application is not required regardless of the amount, but Resources and Production Division shall notify War Production Board of the amount approved.

(1) Approval of such application shall be subject to the following terms and conditions:

(i) Such expenditures shall be limited to items normally classified as capital charges and shall not be used for items which may properly be charged to maintenance, repairs, or operations;

(ii) Such expenditures shall be only for construction, alterations, extensions, machinery, equipment or other facilities required to round-out or improve operating efficiency, balance production, or otherwise develop maximum utilization of the existing project;

(iii) Such expenditures shall not be used for any new structure, the estimated cost of which exceeds $25,000, nor for camouflage or any administration buildings or cafeterias but may be used for alterations or extensions of existing facilities of this character;

(iv) Prior to the end of each such quarter-year the supply service shall approve a supplemental schedule setting forth the facilities and estimated costs thereof required for the ensuing quarter-year and no expenditure for the second, third, or fourth quarter shall be made except for items included in such supplemental schedule approved by the supply service for such quarter-year.

MISCELLANEOUS PURCHASE INSTRUCTIONS

MARKING OF CONTAINERS

Section 81.1106a is redesignated § 81.1101, paragraph (e) being amended and paragraphs (f) and (g) being added as follows:

§ 81.1101 *Marking of containers.* • • •

(e) *Marking by contractors.* The supply services will provide either in the contract specifications or by instructions to contracting officers for the marking by contractors of containers in conformance with the principles set forth in the preceding paragraphs. (See § 81.364.)

(f) *U. S. Army specification.* The foregoing paragraphs have been published pending the issuance of a revised United States Army Specification 100–2 which will make uniform the requirements for marking shipping containers.

(g) *Marking of containers.* The foregoing paragraphs do not require remarking of any containers already marked and will be applied to containers used in connection with existing contracts only to the extent reasonably practicable.

Section 81.1106 is redesignated § 81.1102, an introductory paragraph is included preceding paragraph (a), and paragraph (i) is amended as follows:

§ 81.1102 *Numbering of compressed gas cylinders.* See in this connection AR 850–60 (September 29, 1942) covering the safe handling, storing, shipping and using of compressed gas cylinders.

• • • • • •

(i) Cylinders originally made for other agencies • • •

(5) If such cylinders are required for export and it is not practicable in the time available to stamp the added marks, any or all of the procedure specified in the foregoing subparagraphs may be omitted.

Section 81.1105 is rescinded. The provision formerly contained in this section with respect to maximum price is integrated with the regulations contained in §§ 81.1130 to 81.1135, inclusive.

Section 81.1108 is rescinded and the substance of the regulations contained therein has been included in § 81.221.

PATENTS

Section 81.1112 (i) is amended as follows:

§ 81.1112 *Adjustment of royalties for use of inventions.* • • •

(i) *Further delegations.* The authority referred to in subparagraphs (1) and (2) of paragraph (h) of this section has been further delegated to the following:

(1) All Division Engineers of the Corps of Engineers,

(2) Director of Research and Development Division, Signal Corps,

(3) The Commanding General, Army Air Forces, Materiel Center, Wright Field, Dayton, Ohio, and

(4) Royalty Adjustment Board, Army Air Forces, Materiel Center, Wright Field, Dayton, Ohio.

The Secretary of War or the Under Secretary of War upon request will make further delegations. In the event the chief of any supply service desires that the authority referred to in subparagraphs (1) and (2) of paragraph (h) be delegated to other officers, such chief shall forward to the Director, Purchases Division, Headquarters, Army Service Forces, a memorandum specifying the office to whom such delegation should be made and the extent of such delegation. The title of the position held and not the name of the individual officer should be specified. The powers, duties and authorities referred to in paragraph (h) shall not be redelegated by the chiefs of the supply services under the authority to redelegate conferred in § 81.107 (i).

• • • • • •

LITIGATION AND RELATED MATTERS

Section 81.1113 is redesignated § 81.1120 as follows:

§ 81.1120 *Procedure for handling litigation involving cost-plus-a-fixed-fee contractors.* • • •

Section 81.1115 is redesignated § 81.1121 as follows:

§ 81.1121 *Reports of criminal conduct in connection with War Department contracts.* • • •

PRICE REGULATIONS

Section 81.1130 to 81.1135 are added as follows:

§ 81.1130 *General*—(a) *Scope of §§ 81.1130–81.1135.* Sections 81.1130 to 81.1135, inclusive, deal with problems arising from or associated with the application of the maximum price regulations issued by the Office of Price Administration to purchases made by the War Department. The basic authority for OPA actions is to be found in the Emergency Price Control Act of 1942 (Public, 421, 77th Congress), as amended by Act of October 2, 1942 (Public, 729, 77th Congress), and in Executive Order 9250, promulgated October 3, 1942. The following discussion of maximum price regulations and various orders issued by

OPA is introductory and is not intended to be complete. Complete details and the text of OPA regulations may be procured from the FEDERAL REGISTER, or may be had from any OPA office. Should these sources fail, inquiries should be sent through the Chief of the Supply Service concerned to the Price Regulation Branch, Purchases Divisions, Headquarters, Army Service Forces, Washington, D. C.

(b) *Function of Price Regulation Branch.* (1) Because of penalties imposed by the Emergency Price Control Act upon manufacturers who violate price ceilings, manufacturers must proceed with caution in the acceptance of contracts. To accelerate the placing of contracts, it is important that procurement personnel be familiar with the problems involved and able on occasions to be of assistance or guidance to contractors. It is an important function of the Price Regulation Branch to expedite the solution of specific problems.

(2) Whenever contact or negotiation is necessary between one of the services and the office of Price Administration on any price regulation or rationing problem which involves a general policy or might affect more than one of the services, the negotiations will be conducted through the Chief, Price Regulation Branch, Purchases Division.

§ 81.1131 *Applicable OPA regulations*—(a) *Specific commodity price regulations.* Beginning in February, 1941, the OPA began promulgating "maximum price schedules". One hundred and five such schedules were issued prior to February 11, 1942, when the Administrator took office under the Emergency Price Control Act of 1942. Up to that time, there was no directly applicable statute authorizing price control. However, the Emergency Price Control Act of 1942 expressly validated previous schedules and gave the Administrator express power to issue "maximum price regulations". Up to the end of December, 1942, some 289 specific commodity price regulations (or schedules) had been issued. Certain "price schedules" have been re-promulgated as "price regulations"; but whether or not re-promulgated, a "price schedule" is equally effective as a "price regulation" in imposing a maximum price. See § 81.1135 for a list of maximum price regulations and schedules of possible interest to procurement officers.

(b) *The General Maximum Price Regulation.* On April 28, 1942, the OPA Administrator issued the General Maximum Price Regulation, commonly known and hereafter referred to as the GMPR, placing a price ceiling on practically all commodities and services sold or rendered by manufacturers, wholesalers and retailers, if not covered by specific price regulations. (See § 81.1132 for Exemptions.) Except for certain procedural requirements, this regulation, however, does not apply to transactions covered by any other price regulation, either past or future. The OPA is continuing to issue new specific price regulations. With respect to sales or deliveries to or contracts with the War Department or the Navy Department, the effective date of the GMPR is July 1, 1942. In general, ceiling prices on items covered by this regulation are based on the highest prices charged in March, 1942. Reference should be made to the regulation itself for an exact statement of such provisions of the methods for determining maximum prices for articles to which the formula for determining price in accordance with the highest price charged in March 1942 cannot apply. Commodities and services that are included under specific price regulations, past or future, remain or become subject to the specific price ceilings, even though they may be exempt from the GMPR under a supplementary regulation, unless specifically exempted by the terms of the specific price regulation itself. (See § 81.1132 (d)).

(c) *War Department; OPA Agreement, September 1942.* From the foregoing, it will be noted that items now entirely exempt from regulation may by some future date be brought under regulation by a new specific price regulation. However, by recent agreement between the OPA and the War Department, military items exempt in September 1942, will remain exempt, whether exempted from the GMPR by Supplemental Regulation No. 4 (§ 81.1132 (a)) or from a specific regulation by its terms. Under this agreement, the OPA has reserved the right to resume control over exempt items if it develops that the War Department is unable to control prices effectively through its own procurement policies.

(d) *The Service Regulation; MPR 165.* As above noted (paragraph (b) all services (along with commodities) were brought under control of OPA by the GMPR. Effective August 19, 1942, Maximum Price Regulation 165 brought under specific control a long list of services, leaving those not specifically listed still covered by the GMPR, subject to exemptions. (See § 81.1132 (e).)

§ 81.1132 *Exemptions*—(a) *Exemptions under Supplementary Regulation No. 4 of the GMPR.* (1) Revised Supplementary Regulation No. 4, effective July 1, 1942, provides that the General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(i) Sales or deliveries to the United States or any agency thereof, or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of such government, of aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats and torpedoes; and amphibians, armored vehicles, automobiles, tanks, trailers and trucks for military purposes.

(ii) Component parts and subassemblies of any product set forth under (a) above, regardless of the person to whom sold or delivered. The term "component parts and subassemblies" includes all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated. The term does not include raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those set forth under (a) above.

(iii) Any manufacturing service performed by a person other than the manufacturer in the production of any product set forth under (a) and (b) above, if all or part of the material on which such service is performed is supplied by the manufacturer.

(iv) Military propellants and explosives.

(v) Developmental contracts or subcontracts, secret contracts, and emergency purchases.

(vi) Sales and deliveries to the United States or any of its agencies of certain canned foods.

(vii) Sales and deliveries to the armed forces of the United States of certain dried fruits and of dehydrated vegetables.

(viii) Sales and deliveries to the armed forces of the United States of beef and veal, or any products made from them, under contracts entered into prior to July 13, 1942.

2. The above is not an exact or complete quotation. In specific cases reference should be made to the text of Revised Supplementary Regulation No. 4, which also contains other exceptions. It is to be noted that the exceptions are from the GMPR; articles exempt from the GMPR may be covered by a specific MPR.

(b) *Commodities excepted from the GMPR by Supplementary Regulation No. 1.* Certain commodities, certain kinds of sales and deliveries (as for example the sale and delivery of used, damaged or waste material by the War Department), and certain services have been excepted from the application of the GMPR by Supplementary Regulation No. 1. Reference is made to said Regulation for a complete list of exceptions, some of which may be of interest to procurement officers.

(c) *Exemption of sales by Army stores.* By Supplementary Order 27 effective November 14, 1942, all sales and deliveries of any commodity by the War Department through the Department's sales stores, including commissaries, Army canteens, and Post exchanges, were exempted from all price regulation. The OPA retained the right, however, to bring such sales under control by specific provisions inserted in a regulation issued at a later date.

(d) *Exemptions contained in specific price regulations.* Certain of the specific maximum price regulations contain exemptions of the commodities covered by them of interest to Procurement Officers. These exemptions may be in whole or in part, and are effected by various methods, among which may be enumerated:

(1) By the incorporation by general reference of all supplementary regulations to the GMPR, including Revised Supplementary Regulation No. 4;

(2) By exempting sales to the United States and all agencies thereof;

(3) By incorporating by reference certain of the clauses of Revised Supplementary Regulation No. 4;

(4) By clauses specifically excluding secret and developmental contracts or emergency purchases or all three from the coverage of the specific price regulation. (See paragraph (f) of this section.)

(e) *Exemptions of services.* By Supplementary Regulation No. 11 effective August 19, 1942, a large number of special services were exempted from the provisions of the GMPR. By an amendment effective December 3, 1942, the provisions of MPR 165 were specifically made non-applicable to the services exempted by Supplementary Regulation No. 11, as well as to those services exempted by Supplementary Regulation No. 4.

(f) *Exemption of developmental and secret contracts and emergency purchases.* (1) By Revised Supplementary Regulation No. 4, developmental and secret contracts and subcontracts entered into, and emergency purchases made by, the United States or any of its agencies are exempt from the GMPR. In addition, certain of the specific Maximum Price Regulations exempt such contracts and purchases, either specifically or by incorporating by general or specific reference the exemptions of such contracts and purchases contained in Supplementary Regulation No. 4. Reference must be made in each case to the applicable MPR to ascertain whether or not these contracts and purchases are excluded therefrom. In the case of both developmental and secret contracts, the exemption applies only during such period as is necessary for development or for the preservation of secrecy. A contract or subcontract is deemed to be "developmental" if the manufacturer or supplier requires a period of time for the accumulation of sufficient production experience to permit him to make a fair estimate of his manufacturing costs, or if the purchaser under such contract or subcontract requires a period of time to select a product, or both. To satisfy the definition of "emergency" for purposes of the exemption

(i) The subject matter of the purchase must be needed at once, and

(ii) At least a portion of the purchase must be capable of immediate delivery. In any case, the emergency exemption is applicable only to the quantity immediately deliverable. The exemption will not apply to contracts or agreements for future delivery.

2. By the terms of the Service Regulation (MPR 165) sales of services pursuant to developmental and secret contracts and subcontracts entered into, and emergency purchases made by, any war procurement agency were exempted from the application of this Regulation and also the GMPR. In general, the same qualifications apply to developmental contracts and to emergency purchases as described above in this paragraph in connection with Revised Supplementary Regulation No. 4; except that for services the developmental period is limited to ninety days.

§ 81.1133 *Procedure for obtaining exemption under developmental and secret contracts and emergency purchases or for relief from a price regulation*—(a) *Procedure under developmental contracts.* To obtain exemption of the sale or delivery of any commodity manufactured or service supplied pursuant to a developmental contract or subcontract it is necessary (1) that the contract or subcontract be certified in writing to the OPA, Washington, D. C. by the United States or its agency as being a developmental contract or subcontract and (2) that the manufacturer of the commodity or supplier of the service file a report with the OPA, Washington, D. C. within ten days after entering into any such contract or subcontract. The form of certification to be used by the purchasing agency is not standardized, but all that need be stated is:

> In accordance with the provisions of Maximum Price Regulation No. ------, Section --------, (or General Maximum) the following contract is hereby certified as "developmental", Contract No. --------, Date of Contract ----------, Name and address of the supplier ----------, Commodity covered ----------

This certification should be sent in duplicate to the Office of Price Administration, Washington, D. C., Attention War Goods Price Coordinator.

(b) *Procedure under secret contracts.* To obtain exemption of the sale or delivery of any commodity manufactured or service supplied pursuant to a secret contract or subcontract it is necessary that it be certified as such to the OPA by the purchasing agency. Such certification need only set forth the date of the secret contract and its number or other designation, not including the commodity covered or the name or address of the supplier. This certification should be sent to the Office of Price Administration, Washington, D. C., attention: War Goods Price Coordinator.

(c) *Procedure under emergency purchases.* To obtain exemption of the emergency purchase for any commodity for immediate delivery or of services for immediate performance, it is necessary that the purchasing officer, whenever such a purchase is made above maximum prices, file a report with OPA in Washington within five days (ten days in the case of services) after the purchase is made. This report must certify that it was imperative to secure the commodity or service immediately and that it was impossible to secure or unfair to require immediate delivery or performance at the applicable maximum price. The report should set forth (1) the name and address of the seller (2) the date of purchase (3) the date of delivery or performance (4) the description of the commodity purchased or service performed (5) the quantity purchased or performed (6) the price at which purchased or supplied, and (7) a brief statement of the facts giving rise to the emergency situation. This report should be sent in duplicate to the Office of Price Administration, Washington, D. C. Attention: War Goods Price Coordinator. No report is required in the case of services unless the total price thereof exceeds $500.00 and a similar exemption is extended in some specific MPR's to emergency purchases.

(d) *Procedure for obtaining relief.* OPA Procedural Regulation No. 6, effective July 3, 1942, sets forth the procedure to be followed in all cases except when otherwise specifically provided to obtain prompt adjustments of maximum prices for commodities or services under Government contract or sub-contract. The regulation provides that any person who has entered into or proposes to enter into a Government contract, or subcontract under a Government contract, and who believes that an established maximum price impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program, may apply for adjustment of that maximum price. Any Government agency may appear as an interested party under any such application. Upon the filing of an application and pending the issuance of an order by the OPA granting or denying the application, contracts or subcontracts may be entered into, and deliveries made at the price requested in the application, subject to later refunds and price reduction if the application is denied. Applications involving contracts exceeding $5,000,000 in value must be filed with the OPA in Washington, D. C. Other applications (with a few exceptions) may be filed either with the appropriate regional office of the OPA or with the OPA in Washington, D. C.

§ 81.1134 *Compliance*—(a) *Responsibility of contracting officers.* (1) Contracting Officers, in executing contracts, unless otherwise specifically directed, are not required to verify the prices charged by any vendor or contractor against the maximum prices fixed in accordance with the Emergency Price Control Act of 1942, and in the absence of actual knowledge of violation of price limitations, they may assume that prices charged do not exceed maximum prices. Likewise, in connection with cost-plus-a-fixed-fee contracts, contracting officers in approving items for reimbursement are not responsible for determining whether the costs of materials, supplies, tools, equipment or machinery exceed the maximum prices thus fixed. In the interests of economical purchasing, however, contracting officers are expected to exert reasonable effort to be familiar with the OPA regulations that apply to the commodities and services which they buy.

(2) Where a contracting officer is definitely informed that the price or proposed price of a commodity or service is in excess of the OPA maximum, he should proceed as follows:

(i) Try to negotiate a reduction in the price to conform to the OPA standard;

(ii) If such a reduction proves impossible, endeavor to have the contractor file an application for an adjustment of the established maximum price with OPA under Procedural Regulation 6 (see § 81.1133 (d));

(iii) If necessary, and if immediate deliveries can be made, make emergency purchases for immediate delivery in excess of the OPA maxima, complying with

the requirements set forth in § 81.1133 (c):

(iv) If recourse to the foregoing methods proves unsuccessful and the contracting officer believes an impairment of production of essential war material is threatened, report should be made at once to the Chief of the Supply Service concerned and the services of the Price Regulation Branch enlisted to remove the impediment.

(v) As a last resort, the statutes provide for the requisition of needed articles already in existence, and for mandatory orders to compel the supply of essential military items. For the conditions and procedures governing the use of these methods, see § 81.246 (a) and §§ 81.1401 to 81.1428.

(b) *Acceptance of contractor's certification.* The action of certifying and disbursing officers in connection with such price limitations is governed by Fiscal Directive SPBFA-11A, June 19, 1942, providing as follows:

1. The certification now required on Standard Form No. 1034-revised, as used in connection with payments made to vendors or contractors for purchases or services rendered other than personal will be continued in use and is a proper and sufficient warranty of compliance by the vendor or contractor with the price ceilings established in accordance with the provisions of the Emergency Price Control Act of 1942, Public Law 421, approved January 30, 1942.

2. In the absence of actual knowledge of violation of price limitations, certifying officers may rely upon the certificate of the vendor or contractor as to the correctness of the prices charged and will not be required to verify such prices against maxima established by the Office of Price Administration. Disbursing Officers may rely upon their records and the certificate of the vendor or contractor and will not be required to verify such maxima prices.

3. Disbursing officers will make payment in accordance with the above outlined procedure.

The form of certification (Standard Form 1034) is as follows:

I certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to American production and labor standards, and all conditions of purchase applicable to the transactions have been complied with; and that State or local sales taxes are not included in the amounts billed.

The words "the above bill is correct and just" and "all conditions of purchase applicable to the transactions have been complied with" constitute a proper and sufficient warranty by the vendors and contractors that the prices billed are within any applicable price ceilings established by the OPA. Accordingly, no additional certificate or statement by the vendors and contractors with respect to maximum prices should be required. Also, no special certificate accompanying quotations, or warranty in the contract with respect to compliance with price regulations will be required.

(c) *Exemption from liability of contracting and finance officers.* Supplementary Order No. 7, entitled "Removal of Liability of War Procurement Agencies and Governments whose Defense is Vital to the Defense of the United States," effective July 11, 1942, provides that prohibitions contained in maximum price regulations against buying or receiving a commodity or service at a price higher than the permitted maximum shall not apply to (1) any War Procurement Agency of the United States or any contracting or paying finance officer thereof or (2) the Government of any country whose defense is deemed by the President to be vital to the defense of the United States under the terms of the Act of March 11, 1941. It provides further that any such War Procurement Agencies or contracting or paying finance officers of any such government or agency, shall be relieved of any criminal or civil liability imposed by a maximum price regulation or by the Emergency Price Control Act of 1942. The OPA statement of considerations involved in the issuance of Supplementary Order No. 7 states such purchases are typically not purchases "in the course of trade or business" within the meaning of the Act.

(d) *Non-exemption of contractors holding War Department contracts.* The OPA had advised, however, that this exemption is applicable only to Government contracting officers in connection with Government purchases and does not extend to purchases made by contractors even when operating under cost-plus-a-fixed-fee contracts, and even though purchases made by them are reimbursable by the Government. Cost-plus-a-fixed-fee contractors, as well as all other prime contractors, are buyers "in the course of trade or business" within the meaning of section 4 (a) of the Emergency Price Control Act of 1942, and are, therefore, subject to the prohibitions of that section.

§ 81.1135 *Index of Army purchase items.* For convenience of identification of applicable price regulations an index of articles commonly purchased for the Army, taken substantially from Army Purchase Information Bulletin, is incorporated in this section (paragraph (b)) followed by a further list of the price regulations by numerical sequence (paragraph (c)). These lists are subject to revision and must be used with caution, bearing in mind that OPA is constantly issuing changes and revisions, and from time to time is placing articles now under the GMPR under the control of Specific Price Regulations, or shifting them from the coverage of one MPR to another.

(a) *OPA revisions of price regulations.* Whenever the Office of Price Administration makes an industry-wide revision of ceiling prices on any item purchased by the War Department, or other revision in ceiling prices affecting products purchased by the War Department, the Office of the Chief of the Supply Service involved will notify all contracting officers concerned and the Service's Price Analysis Section. For the information of the Supply Services the Price Regulation Branch will issue bulletins from time to time summarizing all such changes or other actions of OPA affecting Army procurement made or taken during the preceding period. The Chiefs of the Supply Services will designate a suitable officer or employee who shall be charged with the duty of disseminating all such information.

(b) *General index of articles purchased and applicable OPA regulations.*

Commodity	*Regulations*
Abrasives	316
Adding machines	188-GMPR
Air compressors	134-136
Aircraft communications equipment.	136
Airplanes, airplane parts, equipment and accessories; military.	Exempt
Alcohol	28-34-37-170-295-GMPR
Aluminum and alloys: bars, plates, rods, shapes, sheets.	GMPR
Aluminum paste and powder.	GMPR
Athletic equipment (except clothing and shoes.	188-210-GMPR
Automotive equipment & supplies (except military which are exempt):	
automobile parts	136-GMPR
mechanic's hand tools	188-GMPR
tires	63-119-143-GMPR
Badges	157-188-GMPR
Bags:	
paper	182-GMPR
other materials	55-118-151
Bakery equipment:	
machinery	136
other equipment and supplies.	188-GMPR
Barrels	43-GMPR
Basins:	
canvas folding	GMPR
wash	GMPR
Bathrobes	142-210-GMPR
Bedding rolls	188-GMPR
Beds, double deck	188-GMPR
Bedsteads	188-GMPR
Belts: web, leather	157-GMPR
Biologicals	282-GMPR
Black boards	188-GMPR
Blankets	118-157-GMPR
Boat equipment: boat hooks, bilge pumps, anchors, etc.	188-GMPR
Books	Exempt
Boots:	
canvas or leather	157-210-GMPR
rubber	132-157-229-GMPR
Borax	GMPR
Brass, wire, plates, cartridge, etc.	GMPR
Brassards	157-GMPR
Bridges, pontoon	Exempt
Bronze: wire, bars, plates, etc.	GMPR
Brooms	188-GMPR
Brushes, cleaning equipment.	188-GMPR
Buckets, G. I	43-GMPR
Building materials: heating, hardware, concrete, clay, sand, insulating and similar products.	188-GMPR
Burlap	18-GMPR
Butter	268-289
Buttons	149-188-GMPR
Cable and wire, electrical	82-136
Calcium hypochlorite	GMPR
Camouflage equipment:	
paint	188-GMPR
rope or twine netting	GMPR
wire netting	6-49
Candles	GMPR
Candy, chewing gum	249-250-255-256-262-GMPR
Cans, corrugated	GMPR
Canvas	118-127-157
Canvas cot covers	118-157
Canvas folding basins	GMPR
Caps	142-157-210-GMPR
Cars, railroad	136
Carts, hand	136
Caustic soda	GMPR
Ceramics	188-GMPR
Chain:	
except power transmission.	188-GMPR
power transmission	136
Chairs	188-GMPR
Chamois	GMPR
Charcoal	GMPR
Cheese	268-280-289
Chemical plant equipment.	136
Chemicals:	
formaldehyde—21; acetic acid—31; natural acetone—36; glycerine—38; paraffin wax—42; hide glue stock—68; carbon tetrachloride—79; dry or powdered lithopone—80; pure zinc sulphide—80; titanium pigments—98; acetyl salicylic acid (aspirin)—99; citric acid—101; salicylic acid—103; vitamin preparations—104; 203 GMPR; antifreeze solutions—170; nitrocellulose film scrap—171; pine oil—179; color pigments—180, cotton linters (chemical grade)—191; cresylic acid (imported)—192; shellac—245; industrial waxes—264; totaquina and totaquina products—278; private formula pharmaceutical, proprietary drug, and cosmetic products—282; natural resins—297; all other chemicals.	GMPR
Chemicals industrial (see Chemicals).	
Chests, supply and pack artillery (wooden).	195
Chinaware	116-GMPR
Cigars and cigarettes	62-260-GMPR
Cipher and coding devices, military.	Exempt
Cleaner, metal and wood	GMPR
Clipping machines, horse, including blades and parts.	188-GMPR
Cloth, suiting	23-118-127-157-163
Cloth, specially prepared	GMPR
Clothing: uniforms for men and women, flying and mountain warfare, special, bakers', cooks', nurses',	157-177-287-330-GMPR
cold climate	157-210-GMPR
Clothing, repair equipment (industrial sewing machines).	136
Clubs, police	GMPR
Coal	112-120-121-122-189
Coat hangers	187-188-GMPR
Code and cipher devices, military.	Exempt
Comforters, wool filled	188-GMPR
Communications equipment	136
Construction machinery	134-136
Construction materials (see Building materials).	
Containers, corrugated metal.	GMPR
Copper: bars, wire plates	GMPR
Cordage	188-GMPR
Cots, canvas	188-GMPR
Cotton waste (wiping rags).	GMPR
Covers, canteen: cloth	GMPR
Cranes	134-136
Crates, wooden	195
Cutlery	188-GMPR
Dental equipment, instruments & supplies:	
rubber	300-301-GMPR
all except rubber	188-GMPR
Deodorants	282-GMPR
Desks	188-GMPR
Dies, molds and patterns	136
Dishes	188-GMPR
Disinfectants	142-GMPR
Dogs	Exempt
Dog food	GMPR
Dog shipping crates	195
Dog training equipment	GMPR
Drafting equipment	136-188-GMPR
Dredges	134-136
Drugs (see Chemicals).	
Dubbing	GMPR
Eggs	280-333
Electrical supplies (light and power):	
cable and wire	82-136
generators, dynamos, etc.	136
wiring devices	136
Electro-plating equipment.	136
Engines, gasoline and electric.	136
Engines, marine	136
Experimental equipment (aircraft communication).	136
Explosive processing equipment.	136
Explosives, military	Exempt
Fences	6-49-210-324-GMPR
Fertilizers	135-GMPR
Field house equipment	188-GMPR
Filling equipment	188-GMPR
Fire fighting equipment, portable.	188-GMPR
Fire hydrants	188-GMPR
Fish:	
canned	184-209-237-238-247-277-299-311-328-GMPR
fresh	Exempt
frozen	303-GMPR
Flags, colors, and standards.	157-GMPR
Floats, pneumatic	157-GMPR
Floor coverings	57-65-288-GMPR
Flour	237-238-280-296-305-GMPR
Fly paper	129
Fly swatters	188-GMPR
Flying equipment and supplies: apparel and related items.	157
Foods, for human consumption.	(48 maximum price regulations)
Foot measuring devices	188-GMPR
Forage:	
alfalfa hay (California, Oregon, Washington).	322
except California, Oregon, Washington.	Exempt
animal product feeding stuffs.	74
millfeeds (except wheat).	Exempt
unprocessed grains	Exempt
wheat millfeeds	173
all other forage	GMPR
Fountains, drinking	188-GMPR
Fruits, fresh and frozen:	
fresh (except bananas and citrus fruits).	Exempt
frozen	207-255-256
bananas, fresh	268-285
citrus fruits, fresh	268-280-292
Fruit juice extractors	188-GMPR
Furniture	188-GMPR
Furnaces, heat treating	136
Gauges	136-188-GMPR
Gas Masks, military	Exempt
Gas, oxygen and acetylene.	GMPR
Gasoline Station Equipment: pumps, storage tanks, etc.	136
Generators, electrical	136
Glass, window	188-GMPR
Glass bottles and jars	188-GMPR
Glass components of gas masks.	Exempt
Glassware	188-GMPR
Gloves	157-210-GMPR
Glue	76-GMPR
Goggles	188-GMPR
Grinders (machine tools)	1-67
Groceries, for human consumption.	(48 maximum price regulations)
Hardware, builders'	40-188-261-317-GMPR
Harness and saddlery	133-GMPR
Harness, dog	GMPR
Hats	142-157-210-GMPR
Haversacks	157-GMPR
Heating equipment: commercial and household.	188-GMPR
Industrial	136
Horses	Exempt
Hospital equipment	188-GMPR
Ice storage	GMPR
Identification Buttons, photographic.	188-GMPR
Implements, agricultural (hand tools).	188-GMPR
Incinerators	188-GMPR
Insecticides	142-144-GMPR
Insignia	157-188-GMPR
Insulation	188-GMPR
Instruments, special and technical.	136-188-GMPR
Iron and steel: wire, bars, plates, etc.	6-49
Iron and steel castings	41-214-235-241-244
Kerosene	88-137
Kitchen equipment: furniture and fixtures.	188-GMPR
Kitchenware	188-GMPR
Laboratory supplies and equipment.	136-188-GMPR
Lamps, incandescent	188-GMPR
Lanterns and accessories	188-GMPR
Lasts, shoe	196-GMPR
Lathes: metalworking, woodworking.	1-67-136
Laundry equipment and supplies.	136-188-GMPR
Lawn mowers	188-GMPR
Lead	69-70-199-GMPR
Leggins	157-GMPR
Lighting equipment: commercial and industrial, household	134-136
	188-GMPR
Lime, chlorinated	188-GMPR
Lithograph equipment	188-GMPR
Lockers, trunk	188-GMPR
Locks and locking devices.	40-188-261-317-GMPR
Lumber	(31 maximum price regulations)
Lye	GMPR
Machinery, horse clipping.	188-GMPR
Machines, laundry	136-188-GMPR

Commodity	*Regulations*
Machines and machine tools	1-67-133-134-136-246-GMPR
Machines, road	134-136
Machines, shoe repair	136
Machines, woodworking	136
Marking devices (metal)	136
Matches, safety	122 GMPR
Mattresses	188 GMPR
Meats and meat products	148-156-169-239-286-GMPR
Medals	188-GMPR
Medical equipment	188-GMPR
Metal cleaners and polishers	GMPR
Metal components of gas masks	Exempt
Meteorological equipment	136-188-GMPR
Mirrors	188-GMPR
Mortuary supplies	188-GMPR
Mosquito bars	GMPR
Moulds	136
Mules	Exempt
Musical instruments	188-GMPR
Napthalene flakes	GMPR
Navigational equipment	136
Neckties	142-157-GMPR
Numbering machines	188-GMPR
Optical instruments, and accessories	188-GMPR
Organs, Chapel	188-GMPR
Overcoats	157-177
Packs, pack board	157-GMPR
Paints, varnish, oils and related products	188-GMPR
Paint spraying equipment	188-GMPR
Pajamas	210-GMPR
Paper	32-129-130-182-187-210-225-226-307-GMPR
Parachutes	157
Photoengraving equipments	188-GMPR
Photographic equipment	188 GMPR
Physiotherapy equipment	188 GMPR
Pigeon equipment	GMPR
Pillow cases	89
Plastic gas mask component	Exempt
Plumbing fixtures	188-GMPR
Polish, metal	GMPR
Poultry	268 269
Pumps	134 136 188-GMPR
Radio communication equipment	136
Railroad and track supplies	136
Raincoats	157 220-GMPR
Ranges	64 188-GMPR
Recreation equipment	188-GMPR
Refrigerators:	
commercial and industrial	136
household	102-110-139-188-GMPR
Ribbons	GMPR
Rope	188-GMPR
Rubber clothing	157-220-300-301-GMPR
Rubber stamps	188-GMPR
Ruck sacks	157-GMPR
Rust preventatives	GMPR
Saddles	133 GMPR
Safes	188-GMPR
Scales, weighing	136-188-GMPR
Scientific equipment	136-188-GMPR
Searchlights, military	Exempt
Shapers (metalworking)	1-67
Ships	Exempt
Sheets, bed	89-157-GMPR
Shoes	157-210-GMPR
Shoe repair equipment	136
Shoelaces	GMPR
Sleeping bags	188 GMPR
Snow plows	136
Snow shoes	188-GMPR
Soap	GMPR
Socks	GMPR
Sodium hypochlorite	GMPR
Sponges	267-GMPR
Stationery supplies	188-210-225-GMPR
Stage equipment	GMPR
Standards for flags	GMPR
Steel bridges	Exempt
Steel buildings	Exempt
Steel: wire, rods, bars, plates, etc.	6-49
Steel wool	GMPR
Stencil paper	188-GMPR
Stools	188-GMPR
Stoves	188-GMPR
Subsistence, for human consumption	(48 maximum Price regulations)
Surgical supplies	188-GMPR
Surveying equipment	136
Suspenders	220-GMPR
Sweaters	210-GMPR
Tables, folding camp	188-GMPR
Tables, mess	188-GMPR
Tableware	188-GMPR
Tanks, water, gasoline	136-188-GMPR
Telephone and telegraph equipment	136
Tentage	118-127-157
Textiles, apparel and related items when made in accordance with military specifications.	157
Thermometers	136-188-GMPR
Thread	7-23-33 GMPR
Tobacco and tobacco products	62-228-260-283-308 GMPR
Toilet paper	266
Toilet articles	188-GMPR
Tools, hand	188-GMPR
Tool boxes, wood	188-GMPR
Tools, machine	1-67
Towels, cloth	188-GMPR
Tractors, construction	134-136
Trailers	GMPR
Transformers	136
Tubs, foot	188 GMPR
Typewriters	162-188 GMPR
Typewriter ribbons	188 GMPR
Underwear	157-210-221-273-GMPR
Uniforms (see clothing).	
Vegetables:	
fresh (except potatoes, carrots, tomatoes, snap beans, peas, cabbage, spinach and lettuce.	Exempt
canned	152-237-238-GMPR
frozen	207-255-256
carrots, tomatoes, snap beans, peas and cabbage: fresh.	TMPR-28[1]
potatoes	255-256-262 268-271
spinach and lettuce, fresh.	TMPR 29[1]
Vehicles:	
animal-drawn	133 246-GMPR
motor	85-136 GMPR
Veterinary equipment	188-GMPR
Waste receptacles	188 GMPR
Water, distilled	GMPR
Wax, floor	GMPR
Welding equipment and supplies.	134-136-188-GMPR
Wheelbarrows	188-GMPR
Whistles, thunderer	188-GMPR
Wire and cable, electrical	82-136
Women's wear	142-157-178-210-220-287-330
Wooden crates	195
X-Ray machines and supplies.	188-GMPR
Zippers	188-GMPR

[1] TMPR—Temporary Maximum Price Regulation; see following list for expiration date.

(c) *Maximum price regulations and price schedules, by number and title.*

No.	*Title*
1	Second hand machine tools.
2	Aluminum scrap and secondary ingot.
3	Zinc scrap materials and secondary slab zinc.
4	Iron and steel scrap.
5	Bituminous coal (revoked).
6	Iron and steel products.
7	Combed cotton yarns.
8	Nickel scrap and secondary materials.
9	Hides, kips, and calfskins.
10	Pig iron.
11	Cotton grey goods
12	Brass mill scrap.
13	Douglas fir peeler logs and Douglas fir plywood.
14	Raw silk and silk waste (Revoked).
15	Copper.
16	Sugar.
17	Pig tin.
18	Burlap.
19	Southern pine lumber.
20	Copper scrap.
21	Formaldehyde.
22	Pennsylvania grade crude oil (Revoked).
23	Rayon grey goods.
24	Washed cattle tail hair and winter hog hair.
25	Fats and oils and their products (Revoked).
26	Douglas fir lumber.
27	Anthracite (Revoked).
28	Ethyl alcohol.
29	Coke.
30	Wastepaper.
31	Acetic acid.
32	Paperboard sold east of the Rocky Mountains.
33	Carded cotton yarn.
34	Wood alcohol—methanol.
35	Carded grey and colored yarn cotton goods.
36	Acetone.
37	Normal butyl alcohol.
38	Glycerine.
39	Upholstery furniture fabrics, woven decorative fabrics
40	Builder's hardware and insect screen cloth.
41	Steel castings.
42	Paraffin wax.
43	Used steel barrels or drums.
44	Douglas fir doors.
45	Asphalt or tarred roofing.
46	Relaying rail.
47	Old rags.
48	Emergency civilian defense materials and equipment.
49	Resale of iron or steel product.
50	Green coffee.
51	Cocoa beans and cocoa butter.
52	Pepper.
53	Fats and oils.
54	Douglas Fir peeler logs.
55	Second-hand bags.
56	Reclaimed rubber.
57	Wool floor coverings.
58	Wool and wool tops and yarns.
59	Kapok.
60	Direct consumption sugars.
61	Leather.
62	Cigarettes.
63	Retail price for new rubber tires and tubes.
64	Domestic cooking and heating stoves.
65	Resale of floor coverings.
66	Retreaded and recapped rubber tires.

No.	*Title*
67	New machine tools.
68	Hide glue stock.
69	Primary lead.
70	Lead scrap materials—secondary lead including calking lead; battery lead scrap; and primary, secondary antimonial lead.
71	Primary and secondary cadmium.
72	Bunker C and No. 6 grade fuel oils, East and Gulf Coasts (Revoked).
73	Feeding stuffs, fishmeal and fish scrap.
74	Feedingstuffs—animal product feedingstuffs.
75	Dead burned grain magnesite.
76	Hide glue.
77	Beehive oven furnace coke produced in Pennsylvania.
78	Carbon tetrachloride.
79	Oxalic acid.
80	Lithopone.
81	Primary slab zinc.
82	Wire, cable and cable accessories.
83	Radio receivers and phonographs.
84	Radio receiver and phonograph parts.
85	New passenger automobiles.
86	Domestic washing machines and ironers.
87	Scrap rubber.
88	Petroleum and petroleum products.
89	Bed linens.
90	Rayon waste.
91	Tea.
92	Soy bean and peanut oils.
93	Mercury.
94	Western pine lumber.
95	Nylon hose.
96	Domestic fuel oil storage tanks.
97	Southern hardwood lumber.
98	Titanium pigments.
99	Acetyl salicylic acid.
100	Cast iron soil pipe and fitting.
101	Citric acid
102	Household mechanical refrigerators.
103	Salicylic acid.
104	Vitamin C.
105	Gears, sprockets, pinions, speed reducers.
106	Domestic shorn wool.
107	Used tires and tubes.
108	Nitrate of soda, sulphate of ammonia and cyanamid.
109	Aircraft spruce.
110	Resale of new household mechanical refrigerators.
111	Household vacuum cleaners.
112	Pennsylvania anthracite.
113	Iron ore produced in Minn., Wis., Mich.
114	Woodpulp.
115	Silk waste.
116	China and pottery.
117	Used egg cases and used component parts.
118	Cotton products.
119	Original equipment tires and tubes.
120	Bituminous coal.
121	Miscellaneous solid fuels delivered from producing facilities.
122	Solid fuels.
123	Raw and processed wool waste materials.
124	Rolled zinc products.
125	Nonferrous foundry products.
126	Fluorspar
127	Finished piece goods.
128	Processing piece goods.
129	Certain converted paper product.
130	Standard newsprint paper
131	Camelback.
132	Waterproof rubber footwear.
133	Retail price for farm equipment.
134	Construction and road maintenance equipment rental prices.
135	Mixed fertilizer, superphosphate and potash.
136	Machines and parts.
137	Motor fuel sold at service stations.
138	Standard ferromanganese.
139	Used household mechanical refrigerators.
140	Sanitary napkins.
141	Domestic raw shearlings and tanned shearlings for the armed forces.
142	Retail prices for summer season commodities.
143	Wholesale prices for new rubber tires and tubes.
144	Retail price for agricultural insecticides and fungicides.
145	Pickled sheepskins.
146	Appalachian hardwood lumber.
147	Bolts, nuts, screws, and rivets.
148	Dressed hogs and wholesale pork cuts.
149	Mechanical rubber goods.
150	Milled rice.
151	New bags.
152	Canned vegetables.
153	Women's, girls and children's outerwear garments
154	Ice.
155	Central hardwood lumber.
156	Certain beef and beef products purchased by certain Federal agencies.
157	Sales and fabrication of textiles, apparel and related articles for military purposes.
158	Resale of war bicycles—distributors and dealers
159	Fabricated concrete reinforcing bars.
160	Seasonal wooden agricultural containers.
161	West coast logs.
162	Sale and rental of used typewriters.
163	Woolen and worsted civilian apparel fabrics.
164	Red cedar shingles.
165	Consumer service.
166	Zinc oxides.
167	Rayon yarn and staple fiber.
168	Converted rayon yarn and converting charges.
169	Beef and veal at wholesale and packer levels.
170	Anti-freeze.
171	Nitrocellulose film scrap.
172	Charges of contractors in apparel industry.
173	Wheat millfeeds.
174	Freight car materials sold by car builders.
175	Rough, rolled figured wire and heat absorbing rolled glass.
176	Rotary cut southern hardwood box lumber.
177	Men's and boys' tailored clothing.
178	Women's fur garments.
179	Pine oil.
180	Color pigments.
181	New formula condensed soups packed under WPB Conservation Order M-81.
182	Kraft wrapping papers Kraft bag papers.
183	Territories and possessions.
184	Fresh, cured and canned meat and fish.
185	Canned fruits and canned berries.
186	Wooden containers—Western wooden agricultural containers.
187	Paperboard products.
188	Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.
189	Bituminous coal sold for direct use as a bunker fuel.
190	Free cotton linters.
191	Cotton linters and hull fibers.
192	Imported cresylic acid.
193	Domestic distilled spirits.
194	Alaska.
195	Industrial wooden boxes.
196	Turned or shaped wood products.
197	Canned fruits and canned berries at wholesale and retail.
198	Imports of silver bullion.
199	Lead bullet rod.
200	Rubber heels, rubber heels attached and attaching of rubber heels.
201	Virgin Islands.
202	Brass and bronze alloy ingot.
203	Vitamin A natural oils and concentrates.
204	Idle or frozen materials sold under Priorities Regulation 13.
205	Sulphate of ammonia producers, importers and primary jobbers.
206	Vitrified clay sewer pipe and allied products.
207	Frozen fruits, berries and vegetables.
208	Staple work clothing.
209	Sales by canners of California sardines.
210	Retail and wholesale price for fall and winter seasonal commodities.
211	Cotton ginning services.
212	Frozen fruits, berries and vegetables at wholesale and retail.
213	Coil and flat bedsprings with nonsteel frames.
214	High alloy castings.
215	Distribution yard sales of soft wood.
216	Railroad ties.
217	Walnut gunstock blanks.
218	Central Appalachian wooden mine materials.
219	Northeastern softwood lumber.
220	Certain rubber commodities.
221	Manufacturers' prices for fall and winter knitted underwear.
222	Northern softwood lumber.
223	Northern hardwood lumber.
224	Cement.
225	Printing and printed paper commodities.
226	Fruit preserves, jams and jellies
227	Dried fruits.
228	Flue-cured tobacco.
229	Retail and wholesale prices for victory line waterproof rubber footwear
230	Reusable iron and steel pipe.
231	Raw spices and spice seeds.
232	Apple butter.
233	Canned and dried apples and apple prod.
234	pproved stirrup pumps.
235	Manganese steel castings
236	Heating boiler conversion parts
237	Adjusted and fixed markup regulation for sales of certain food products at wholesale.
238	Same as above at retail
239	Lamb carcasses and whole, & retail cuts.
240	Florida land pebble phosphate rock and Tennessee brown phosphate rock.
241	Malleable iron castings.
242	Dried prunes and raisins.
243	Pitted and macerated domestic dates an domestic date products.
244	Gray iron castings
245	Shellac.
246	Manu. and whole. prices for farm equip.
247	Domestic canned crabmeat.
248	Manganese ores
249	Sales of certain, seasonal food products at wholesale.
250	Same as 249 at retail.
251	Construction and maintenance services and sales of building and industrial equipment and materials on an installed or erected basis.
252	Vinegar cured herring.
253	Redwood lumber and millwork.
254	New small firearms and firearm parts.
255	Permitted increases for wholesalers of certain foods.
256	Permitted increases for retailers of certain foods.
257	Woodpulp produced in or sold into the the states of Minn., Mich., and Wis.
258	Chrome ores.
259	Domestic malt beverages.
260	Cigars.
261	Contract sales of finishing builders' hardware.
262	Seasonal and miscellaneous food commodities.
263	New phonograph records and record scrap.
264	Industrial waxes.
265	Sales by canners of salmon.
266	Certain tissue paper products.
267	Sponges.

No.	Title
268	Sales of certain perishable foods at retail—potatoes, onions & turkeys.
269	Poultry and eggs.
270	Dry edible beans.
271	Sales of certain perishable foods, except at retail.
272	Cast iron boilers and cast-iron radiation.
273	Articles of apparel in which materials have been replaced.
274	Women's silk hosiery.
275	Extracted honey.
276	Asphalt tile.
277	Sales by canners of mackerel.
278	Totaquina and totaquina products.
279	Hops.
280	Specific food products.
281	Navy oak ship stock.
282	Certain private formula pharmaceutical proprietary drug and cosmetic products.
283	Burley tobacco.
284	Western primary forest products.
285	Imported fresh bananas, except at retail.
286	Certain sausage products for war procurement agencies.
287	Manu prices for women's girls', and children's outerwear garments.
288	Specific maximum prices in Alaska.
289	Dairy products.
290	Sitka spruce lumber.
291	Certain syrups and molasses.
292	Sales of citrus fruits by packers, brokers, auction markets, terminal sellers and intermediate sellers.
293	Stock millwork.
294	Used household vacuum cleaners and attachments.
295	West coast ethyl alcohol.
296	Wheat flour.
297	Natural resins.
298	Rotenone.
299	Sales by canners of tuna, bonita and yellowtail.
300	Maximum manufacturers' prices for rubber drug sundries.
301	Retail and wholesale prices for rubber drug sundries.
302	Magnesium scrap and remelt magnesium ingot.
303	Frozen Canadian smelts.
304	Manufacturers' and wholesalers' prices for specified men's and boys' work and sport shirts.
305	Corn meal, corn flour, corn grits, hominy, hominy grits, brewers grits and other products made by a dry corn milling process.
306	Certain packed food products.
307	Waxed papers.
308	Connecticut shade grown (Type No. 61) tobacco.
309	Platinum group metals and their products.
310	Reusable structural steel shapes and plates, and shafting.
311	Sales by canners of shrimp.
312	Maple syrup.
313	Prime grade hardwood logs.
314	Magesium and magnesium alloy ingot.
315	Lead arsenate.
316	Coated and bonded abrasive products.
317	Locks and lock sets.
318	Feathers and down.
319	Certain bakery products.
320	Eastern and central wooden agricultural containers.
321	Feldspar fire extinguishers.
322	Alfalfa hay—California, Oregon and Washington.
323	Asphalt and asphalt products.
324	Northern white cedar fence posts.
325	Rayon tops and noils.
326	Macaroni products and noodle products.
327	Certain nonmetallic minerals.
328	Canned Eastern and Gulf oysters.
329	Purchase of milk from producers for resale as fluid milk.
330	Retailers' and wholesalers' prices for women's, girls' and children's outerwear garments.
331	Soybeans.
332	Simplified men's and boys' shirts and pajamas.
333	Eggs and egg products.
334	Rabbits.
335	Peanuts and peanut butter.
336	Retail ceilings on pork cuts.
337	Frozen lake smelts.
338	Aircraft veneer.
339	Women's rayon hosiery.
340	Jute and istle yarn, rove and rope.
341	(Not yet issued).
342	Nail kegs, staves and headings.
343	Salt cured herring.
344	New cotton linen and underwear cuttings.
345	Thermoplastic scrap.
346	Corn. Temporary Maximum Price Regulations—(Will be replaced by permanent regulation before expiration dates).
TMPR 1–25	Expired.
TMPR 26	Onion sets (expires April 16, 1943).
TMPR 27	Broomcorn (expires April 26, 1943).
TMPR 28	Certain perishable fruits and vegetables (carrots, tomatoes, snap beans, peas, cabbage) (expires April 24, 1943).
TMPR 29	Certain perishable vegetables (spinach and lettuce) (expires April 26, 1943).

MISCELLANEOUS MATTERS

Section 81.1101 is redesignated § 81.1180 as follows:

§ 81.1180 *Discounts in purchasing.* • • •

Section 81.1107 is redesignated § 81.1181 as follows:

§ 81.1181 *Contingent fees.* • • •

Section 81.1114 is redesignated § 81.1182 as follows:

§ 81.1182 *Track-scaling of loaded railroad cars.* • • •

Section 81.1116 is redesignated § 81.1183 as follows:

§ 81.1183 *Ordering of spare parts.* • • •

Section 81.1102 is redesignated § 81.1184 as follows:

§ 81.1184 *Contracts with foreign nationals.* • • •

Section 81.1103 is redesignated § 81.1185 as follows:

§ 81.1185 *Contracts with blocked nationals.* • • •

Section 81.1104 is redesignated § 81.1186 as follows:

§ 81.1186 *Limitation on purchase of arms, ammunition and implements of war.* • • •

Renegotiation and Price Adjustment

Sections 81.1201 to 81.1228, inclusive, are rescinded and the following §§ 81.1200 to 81.1291, are substituted therefor.

Sec.
81.1200 Scope of Regulation.

STATUTORY RENEGOTIATION

81.1201 Scope of Section.

RENEGOTIATION STATUTE AND EXEMPTIONS

Ses.
81.1202 Statutory provisions.
81.1203 Effect of Act.
81.1204 Exemptions from statutory renegotiation.

CONTRACT ARTICLES FOR STATUTORY RENEGOTIATION

81.1207 Articles authorized; deviations.
81.1208 Use of articles.
81.1209 Deviations.
81.1210 Use of other articles.

CONTRACT ARTICLES FOR PRICE ADJUSTMENT ON THE BASIS OF PRODUCTION EXPERIENCE

81.1220 Scope.
81.1221 Effect of articles.
81.1222 Relation to other price adjustment articles.
81.1223 Price redetermination by formula.
81.1224 Negotiated revision of entire contract price—upward or downward.
81.1225 Article for converting fixed-fee contracts to fixed price basis.
81.1226 Incentive provisions for fixed-fee contracts.

CONTRACT PROVISIONS FOR PRICE ADJUSTMENT UPON CONTINGENCIES AND SHORT-TERM PRICING

81.1230 Scope.
81.1231 Changes article.
81.1232 Escalation.
81.1233 Interruption of production schedules by Government action.
81.1234 Operation of articles.
81.1235 Article for short term pricing.
81.1236 Periodic adjustment of price without provision for exemption from renegotiation.

CONTRACT ARTICLES FOR PERIODIC READJUSTMENT OF PRICE AND EXEMPTION FROM RENEGOTIATION

81.1240 Articles authorized.
81.1241 Effect of articles.
81.1242 Purpose of articles.
81.1243 Use of articles.
81.1244 Insertion of statutory renegotiation article.
81.1245 Changes in termination article.
81.1246 Price adjustments under the articles.
81.1247 Inserting articles in existing contracts.

PRICE ADJUSTMENTS WITHOUT CONTRACT PROVISIONS

81.1250 Scope.
81.1251 Amendments with consideration.
81.1252 Amendments without consideration.

APPENDIX

81.1290 Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public 528, 77th Congress), approved April 28, 1942, as amended by the section 801 of the Revenue Act of 1942 (Public 753, 77th Congress) approved October 21, 1942.
81.1291 Joint regulation.

RENEGOTIATION AND PRICE ADJUSTMENT

§ 81.1200 *Scope of Regulation*—(a) *General.* This Regulation No. 12[1] deals with policies and contract provisions of all types relating to the adjustment of prices under contracts with the War Department and subcontracts thereunder. Sections 81.1201–81.1210 deal with the contract provisions and procedure for statutory renegotiation under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended. Sections 81.1220–81.1247 discuss various optional clauses providing for price adjustment independently of statutory renegotiation. Sections 81.1250–81.1252 discuss the adjustment of prices under the First War Powers Act in order to adapt contracts to changing conditions and to relieve contractors from hardship. These contract clauses and policies are intended to carry out the general purchase policies stated in §§ 81.201–81.294, inclusive.

(b) *Regulations rescinded.* Temporary Procurement Regulations 10–T and 17–T, issued April 30, 1942 and May 11, 1942, by Headquarters, Services of Supply, and all other prior directives and instructions relating to contract provisions for revision and renegotiation of contract prices are hereby rescinded.

[1] Procurement Regulation No. 12 includes §§ 81.1200 to 81.1291, inclusive.

STATUTORY RENEGOTIATION

§ 81.1201 *Scope of section.* (a) Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public 528, 77th Congress, approved April 28, 1942) as amended by section 801 of the Revenue Act of 1942 (Public 753, 77th Congress, approved on October 21, 1942), which provides for renegotiation of certain war contracts and subcontracts, is called "section 403, as amended", and "the Act" in this Regulation, and renegotiation pursuant to its provisions is called "statutory renegotiation".

(b) Sections 81.1201–81.1210 and additional sections now in preparation discuss the various aspects of statutory renegotiation, in three parts. (1) Sections 81.1202–81.1204 deal with the provisions of section 403, as amended, and the exemptions and exclusions therefrom. (2) Sections 81.1204–81.1207 discuss the contract articles for stautory renegotiation and their use. (3) Sections are in preparation which deal generally with the policies and procedure governing statutory renegotiation..

RENEGOTIATION STATUTE AND EXEMPTIONS

§ 81.1202 *Statutory provisions*—(a) *Renegotiation Act.* The full text of subsections (a) to (i) of section 403, as amended, is set forth in paragraphs (a) to (i), inclusive, of § 81.1290.

(b) *Section 3806 of the Internal Revenue Code.* Section 3806 of the Internal Revenue Code referred to in subsection (c) (3) of section 403, as amended, is set out in paragraph (j) of § 81.1290. Under that section the amount of federal income and excess profits taxes paid or payable with respect to any excessive profits must be credited against the amount of such profits in computing the amount to be refunded by the contractor or subcontractor, or otherwise recovered.

§ 81.1203 *Effect of Act*—(a) *Coverage.* (1) The Act applies to all contracts made by the War, Navy and Treasury Departments and the Maritime Commission (called herein Departments) and subcontracts thereunder, with the exceptions stated under paragraph (d) of this section and § 81.1204. With those exceptions, the Act directs the Secretary of each Department to require any contractor with his Department or subcontractor thereunder to renegotiate the contract price with him whenever in his opinion the profits realized or likely to be realized from the contract or subcontract may be excessive, whether or not the contract or subcontract contains a renegotiation clause.

(2) Subcontracts include purchase orders or agreements to perform all or any part of the work, or to make or furnish any article, material, part, assembly, machinery, equipment or other personal property, required for the performance of another war contract or subcontract. Such subcontracts are not limited to those made by the prime contractor but include those made by subcontractors and sub-subcontractors down through the various tiers unless specifically exempt. (Subsections (a) and (c), paragraphs (a) and (c) of § 81.1290)

(b) *Contract articles.* With certain exceptions discussed under § 81.1204, the Act requires that each prime contract over $100,000 contain a contract article (1) providing for renegotiation of the price and (2) requiring the contractor to insert a similar article in each subcontract over $100,000 made by him. As stated in paragraph (a) of this section, contracts or subcontracts which do not include a renegotiation article are nevertheless subject to the Act unless they are expressly excluded.

(c) *Administration of renegotiation.* Subsections (c) to (f) of the Act provide for its administration. The principal provisions are as follows:

(1) In his discretion, the Secretary may renegotiate with a contractor or subcontractor holding two or more contracts or subcontracts to eliminate excessive profits on some or all of them as a group without separately renegotiating the contract price of each of them (Subs. (c) (1)).

(2) The Act specifies that excessive costs shall not be allowed, but properly applicable exclusions and deductions of the character allowed under Chapters 1 and 2E of the Internal Revenue Code shall be recognized, and credit shall be given for Federal income and excess profits taxes in accordance with section 3806 of the Internal Revenue Code (Subs. (c)(3)). Subsections (d) and (e) give extensive powers to obtain information and statements.

(3) The Secretary is directed to eliminate excessive profits (i) by reductions in price and other contract revisions; (ii) by withholding from amounts otherwise due, any amount of such excessive profits; (iii) by directing a contractor to withhold for the account of the United States from amounts otherwise due the subcontractor any amount of such excessive profits; (iv) by recovery by repayment, credit or suit, of any amount of excessive profits actually paid; or (v) by any combination of these (Subs. (c) (2)).

(4) The Secretary is authorized to make final or other agreements for the elimination of excessive profits and for the discharge of any liability under the Act. They may cover past or future periods and are final according to their terms and may not be reopened except for fraud, malfeasance or wilful misrepresentation (Subs. (c)(4)).

(5) The Secretary may delegate his authority and discretion under the Act within his own or another Department (Subs. (f)).

(d) *Exclusions.* (1) The Act does not apply to any contract or subcontract on which final payment was made before April 28, 1942 (Subsection (c)(6), paragraph (c) of § 81.1290).

(2) A contract or subcontract is not subject to stautory renegotiation where the aggregate sales of the contractor or subcontractor and its affiliates (including all persons controlling, controlled by, or under common control with it) under all such contracts and subcontracts do not or, in the opinion of the Secretary, will not exceed $100,000 during its fiscal year (Subsection (c) (6), paragraph (c) of § 81.1290).

(3) Certain contracts or subcontracts are exempt or may be exempted from the statute under subsections (b) and (i) of the Act (Paragraph (b) and (i) of § 81.1290). These exemptions are discussed under § 81.1204.

(e) *Limitations on time for commencing renegotiation.* The statute contains the following provisions limiting the time for commencing renegotiation.

(1) *Individual contracts.* Under subsection (c) (6) of the Act renegotiation of a contract or subcontract must be commenced within one year after the close of the contractor's fiscal year in which the contract is completed or terminated, as determined by the Secretary of the Department.

(2) *Fiscal Year.* Under subsection (c) (5) of the Act, a contractor or subcontractor may obtain clearance for a prior fiscal year by filing such financial and cost statements for that year, in such form and detail, as the Secretaries prescribe by joint regulation. Unless the Secretary gives notice to renegotiate within one year from the date of filing, and commences renegotiation within sixty days of such notice, the contractor or subcontractor may not be required to renegotiate for that fiscal year.

(3) *Contractual.* Under subsection (b) of the Act, in the discretion of the Secretary, the contract may limit the period within which renegotiation may be had.

(4) *Expiration of the Act.* Subsection (h) of the Act provides that it shall remain in force during the war and for three years thereafter, but that court proceedings do not abate upon its termination.

§ 81.1204 *Exemptions from statutory renegotiation* — (a) *Statutory provisions*—(1) *Mandatory exemptions.* Under subsection (1) of section 403 (i), the Act does not apply (i) to certain governmental contracts and (ii) to contracts and subcontracts for certain raw materials. These exemptions are set out in § 81.1290 (i) and discussed in paragraphs (c) and (d) of § 81.1204.

(2) *Discretionary exemptions.* Under subsections 403 (b) and (i) (2) the Secretary of a Department or his authorized representative may exempt from part or all of the Act any contracts or subcon-

(as modified from time to time), and shall

section 403 of the Sixth Supplemental ... by the Price Adjustment Board and Price

tracts (i) to be performed outside of the United States, or in Alaska, or (ii) under which the profits can be determined with reasonable certainty when the contract price is established, or (iii) to the extent that the provisions of the contract are otherwise adequate to prevent excessive profits. Such exemptions may be made by individual contracts and subcontracts or by general classes or types, and may cover only a part of the contract or subcontract or of the performance thereunder. (See paragraphs (b) and (i) of § 81.1290). These exemptions are discussed in paragraphs (b) and (e) et seq. of this section.

(b) *Delegations of discretionary power to exempt.* The discretion to grant exemptions under section 403 (b) and 403 (i) (2) is delegated to the supply services only to the extent provided in the following paragraphs. Where these paragraphs authorize the chief of a supply service to make such exemptions then:

(1) He may personally exempt general classes or types of contracts or subcontracts within the specified categories but each such exemption shall be forwarded to the Director, Purchases Division, Headquarters, Army Service Forces, for publication in these procurement regulations and shall become effective only after such publication;

(2) He may personally exempt such contracts or subcontracts individually (See § 81.1208 (d)); or

(3) He may redelegate to officers or civilian officials in his service the discretion to make such exemptions of individual contracts if, but only if, he prescribes standards for the exercise of such discretion, approved by the Director, Purchases Division, Headquarters, Army Service Forces.

(c) *Contracts with governmental agencies.* (1) In this regulation the term "Department" means the War, Navy and Treasury Departments and the Maritime Commission; and the term "other Government agency" includes (i) any department, bureau, agency or governmental corporation of the United States, except one of the Departments, (ii) any territory, possession or state or any agency thereof, and (iii) any foreign government or any agency thereof.

(2) Section 403 as amended does not apply to (i) any contract between a Department and any other Government agency; (ii) any contract between a contractor with a Department or a subcontractor thereunder, and any other Government agency; (iii) any contract made by the other Government agency in connection with a contract with one of the Departments, or one of their contractors, or subcontractors, unless the other Government agency is acting merely as an agent for the Department concerned (Subs. (i) (1) (i)).

(3) Thus no contract between the War Department or one of its contractors or subcontractors and the Defense Supplies Corporation, the Defense Plant Corporation, the Metals Reserve Company, Rubber Reserve Company or similar agencies is subject to statutory renegotiation. Likewise no contract made by such Government corporations or agencies, even though made in connection with a War Department contract or subcontract, is subject to statutory renegotiation unless made solely as agent for one of the Departments named in the Act.

(4) Accordingly, no article for statutory renegotiation under section 403, as amended, will be included in any such contract or subcontract.

(d) *Contracts and subcontracts for raw materials.* (1) By subsection 403 (i) (1) (ii), the Act does not apply to

(ii) any contract or subcontract for the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined, or treated beyond the first form or state suitable for industrial use; and the Secretaries are authorized by joint regulation, to define, interpret and apply this exemption.

Under this authority the Secretaries have issued a joint regulation interpreting the exemption and specifying certain commodities which are within its terms. The text of this regulation is contained in § 81.1291.

(2) This exemption also extends to all contracts made in connection with the performance of any such exempt contract or subcontract for raw materials.

(3) No article for statutory renegotiation under Section 403 as amended will be included in any contract or subcontract for one of the exempted products. (See paragraphs (c) and (d) of § 81.1209.)

(e) *Contracts and subcontracts outside of the United States.* (1) The chief of a supply service is authorized, in his discretion, to exempt from some or all of the provisions of section 403, as amended, any contract with his supply service, or any subcontract thereunder, which is to be performed outside of the territorial limits of the continental United States, or in Alaska. This authority applies to existing as well as future contracts and subcontracts.

(2) War Department Circular No. 43, February 9, 1943, delegated to each commanding general outside of the United States or in Alaska like authority with respect to contracts made or administered under his authority, and subcontracts thereunder.

(3) When a contract is exempted under this paragraph, Form II (§ 81.342 (b)) will be inserted in it unless all subcontracts thereunder have also been exempted.

(f) *Patent Licenses.* The chief of a supply service may exempt from some or all of the provisions of section 403, as amended, any contract granting to the Government a license under a patent or a patent application or transferring a patent or patent application to the Government, if the aggregate royalty payable under the contract for its duration or for any stated period is either (i) a fixed amount determinable at the time of the execution of the contract, or (ii) limited by contract to a maximum amount determinable at the time of the execution of the contract, and if, in his opinion, the fixed amount or maximum amount will not yield excessive profits to the contractor. In all other cases, the renegotiation article will be included in the contract. In such cases subsections (a), (b), (c) and (f) (1), (3) and (4) of Form I (see § 81.342 (a)) will be used. (See also § 81.1112.)

(g) *Exemption from renegotiation in connection with periodic adjustment of price.* Sections 81.1240–81.1247 authorize the use under certain conditions of contract articles providing for periodic adjustment of price and corresponding exemption from renegotiation. Where these contract articles are used, the contracting officer in charge of the contract is authorized in his discretion to grant exemption from renegotiation in accordance with the contract provisions and the related procurement regulations.

CONTRACT ARTICLES FOR STATUTORY RENEGOTIATION

§ 81.1207 *Articles authorized; deviations.* Standard forms of contract articles approved for use in accordance with this regulation to satisfy the statutory requirements set forth in § 81.1290 (b) are contained in paragraphs (a) and (b) of § 81.342 of these Regulations. The article set forth in § 81.342 (a) is hereafter called "Form I" and the article in § 81.342 (b) is hereafter called "Form II". Except as expressly authorized in this Regulation or subsequent instructions, deviations from the standard articles will not be used.

§ 81.1208 *Use of articles*—(a) *Fixed price contracts.* Subject to § 81.1204 et seq., Form I will be included in all fixed price or lump sum contracts hereafter made for an amount in excess of $100,000.

(b) *Fixed fee contracts.* Subject to § 81.1204 et seq., Form I will be included in every fixed-fee contract, where the amount of the estimated cost plus the fixed-fee is in excess of $100,000. In using Form I in fixed-fee contracts, the words "fixed fee specified in Article * * *" will be substituted for the term "contract price" in paragraphs (a) and (c).

(c) *Supplemental agreements.* With respect to supplemental agreements (which as used herein include change orders) the following principles will be observed:

(1) Subject to § 81.1204 et seq., every supplemental agreement for an amount in excess of $100,000 will include either Form I or Form II, whichever is appropriate, unless the contract to which the supplemental agreement relates contains an adequate renegotiation article which will apply to the supplemental agreement.

(2) If the chief of the supply service determines that it will be practicable to renegotiate the contract price of the supplemental agreement separately, the renegotiation article may be limited in its application to the supplemental agreement; otherwise, the renegotiation article included in the supplemental agreement will be made to apply to the original contract as well as the supplemental agreement.

(3) When Form I is to be limited to the supplemental agreement, subsection (4) of section (f) will be omitted and the following section will be added to the Article:

(g) This Article applies only to the supplemental agreement by which it was added (as modified from time to time), and shall be construed accordingly: (1) the term "this contract" means that supplemental agreement; (2) the term "the contract price" means the price provided by that supplemental agreement; and (3) the obligation of the Contractor under section (d) to insert renegotiation provisions in subcontracts applies only to subcontracts made under that supplemental agreement.

(4) When Form II is to be limited to the supplemental agreement, subsection (4) of section (c) will be omitted, and the following section will be added to the Article:

(d) This Article applies only to the supplemental agreement by which it was added (as modified from time to time), and shall be construed accordingly: (1) the term "this contract" means that supplemental agreement; and (2) the obligation of the Contractor under section (a) to insert renegotiation provisions in subcontracts applies only to subcontracts made under that supplement agreement.

(5) When the renegotiation article (Form I or Form II) is to apply to the original contract, as well as to the supplemental agreement, the Article will be added to the original contract by the supplemental agreement and the first sentence of section (d) of Form I or of section (a) of Form II, whichever is used, will be modified to read as follows:

The Contractor will include in each subcontract for an amount in excess of $100,000 made under this contract after the date of the supplemental agreement which added this Article, the following provisions:

By this change the obligation of the contractor to insert renegotiation provisions in subcontracts will be limited to those made after the date of the supplemental agreement which adds the Article to the original contract.

(6) When the contract to which the supplemental agreement relates contains a renegotiation article, but its inadequacy requires insertion of the article in the supplemental agreement, and that article is limited to the supplemental agreement, the supplemental agreement may provide that in case of any conflict between the article in the original contract and the article in the supplemental agreement, then the article in the supplemental agreement shall govern.

(d) *Exempt contracts.* When a contract or subcontract is exempt from statutory renegotiation under § 81.1204 (c) or (d), no article for statutory renegotiation pursuant to paragraphs (e) to (g), inclusive, of § 81.1204, Form I will be omitted from the contract, but Form II will be inserted unless all subcontracts under the contract will also be exempt from renegotiation under § 81.1204. When a contract or subcontract is individually exempted from Section 403, as amended, it will contain a statement showing (1) the extent of the exemption, (2) by whom it was granted, and (3) the provision of section 403, as amended, on which the exemption is based.

§ 81.1209 *Deviations*—(a) *Substitution of article for prior form.* Where a renegotiation provision pursuant to

section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, has been included in a contract in a form different from that herein prescribed, the contracting officer is authorized to amend the contract to substitute the form herein prescribed for the earlier form if the contractor so desires.

(b) *Fixed fee subcontracts.* When the prime contractor makes a fixed-fee subcontract, the subcontract article for renegotiation will be revised by substituting the words "fixed-fee hereunder" for the term "contract price" in sections (1) and (3).

(c) *Optional provision in subcontracts.* Where a contractor with the War Department or a subcontractor thereunder is required by his contract to insert a renegotiation article in his subcontracts, and there is doubt (1) whether an agreement or order which he proposes to make or place is a subcontract under the Act, or (2) whether it is exempt from renegotiation under subsection (i) of the Act, he should insert the prescribed renegotiation article in the agreement or order, but may add the following additional provision at the end of the article:

(7) This article shall apply to this contract only if it is a "subcontract" subject to renegotiation under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended by section 801 of the Revenue Act, 1942.

The authority to use this additional provision in accordance with this paragraph may be expressly added to the renegotiation article (§ 81.342 (a) or (b)) in any existing or future contract if it is so desired; but this authority may be used whether or not the contract or subcontract so provides.

(d) *Contracts for raw material products whose status under section 403 (i) (1) (ii) is uncertain—optional provision.* As stated in § 81.1204 (d), contracts for certain raw materials are exempt under subsection 403 (i) (1) (ii), and the Secretaries are authorized by joint regulation to define, interpret, and apply this exemption. Wherever a contract with the War Department covers the product of a mine, oil or gas well, or mineral or natural deposit or timber, and it is uncertain whether or not the product is within this exemption or joint regulation, the contract should include the standard renegotiation article if otherwise required but the following additional provision may be added at the end of the article:

(g) If any joint regulation issued pursuant to subsection (i) (1) (ii) of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, defines, interprets, or applies that subsection (i) (1) (ii) to exempt from the provisions of said section 403, as amended, contracts for any product or products covered by this contract, then the contract price for such product or products, if separately stated herein, shall not be subject to renegotiation under this article.

§ 81.1210 *Use of other articles.* Statutory renegotiation under the contract articles discussed in § 81.1201 et seq. is for the purpose of preventing or eliminating excessive profits and is handled by the Price Adjustment Board and Price Adjustment Sections. As authorized by the Act, it is generally conducted on an over-all basis for the contractor's fiscal year rather than by individual contracts. Various other clauses discussed in the following sections designed to provide for adjustment of the price of the specific contract to meet various types of conditions, may be used in addition to the contract articles for statutory renegotiation.

CONTRACT ARTICLES FOR PRICE ADJUSTMENT ON THE BASIS OF PRODUCTION EXPERIENCE

§ 81.1220 *Scope.* In certain cases the cost of production under a contract cannot be estimated with reasonable accuracy at the time of its execution. For example, the item may be entirely new or the particular contract may lack experience with its production or its design may still be experimental or subject to radical changes or development. This section deals with contract provisions designed to meet these situations by adjusting the price on the basis of production experience after part performance. It includes articles for (a) price redetermination by formula, (b) price revision by negotiation, (c) conversion of fixed-fee contracts to fixed price contracts and (d) incentive adjustments in fixed-fees.

§ 81.1221 *Effect of articles.* The effect of these various articles and the differences between them are briefly as follows:

(a) *Redetermination by formula.* Under this article (§ 81.341 (a)) an itemized estimate of costs is stated in the contract. After a specified percentage of the work under the contract is completed the contractor is required to submit similarly itemized statements of the cost of a "preliminary run" and a "test run". Then the original price is reduced, not by negotiation but by formula reflecting the extent to which the total costs as indicated by the preliminary and test runs are less than the original estimate of costs.

(b) *Negotiated revision of entire price.* Under this article (§ 81.341 (b)) the entire contract price may be revised either upward or downward by negotiation in good faith after a specified part of the contract has been performed. The revised price applies both to past and future performance. It differs from redetermination (1) by relying on negotiation instead of a formula for making the adjustment and (2) by permitting adjustment upward as well as downward.

(c) *Conversion of fixed-fee to fixed-price contracts.* Two articles apply only to fixed-fee contracts. One of these provides for converting the fixed-fee contract to a fixed price contract by negotiation after part performance.

(d) *Fixed-fee incentive provisions.* The other article for fixed-fee contracts (§ 81.341 (d)) provides for adjustments in the fee either upward or downward on the basis of efficiency in performance.

§ 81.1222 *Relation to other price adjustment articles.* (a) The articles discussed in §§ 81.1220–81.1226 are distinct from those for statutory renegotiation

under section 403, as amended. While statutory renegotiation is intended to eliminate excessive profits and is generally conducted on an over-all fiscal year basis, the articles in this section contemplate readjusting the price of the individual contract during its performance on the basis of production experience. These articles are for use in addition to statutory renegotiation provisions which must also be included in the contract in accordance with § 81.1208, unless the contract is exempt from renegotiation (see § 81.1204).

(b) Likewise, the articles in §§ 81.1220–81.1226, which assume a general uncertainty as to production costs when the contract is made, differ in purpose and scope from the articles covered by §§ 81.1230–81.1236 which provide for price adjustments to meet specific kinds of contingencies. In appropriate cases, however, both types of article may be included in the same contract.

(c) These articles also differ from those discussed in §§ 81.1240–81.1247. While those provide for exemption from statutory renegotiation, the articles in §§ 81.1220–81.1226 do not so provide and also contemplate only one revision in the price and not its periodic adjustment. Furthermore, the articles for periodic adjustment of price assume reasonable certainty as to costs, while those in §§ 81.1220–81.1226 are for cases of great uncertainty in costs.

§ 81.1223 *Price redetermination by formula*—(a) *Article authorized.* The article for price redetermination by formula set out in § 81.341 (a) is authorized for use in accordance with this regulation. Minor deviations may be made in this article but it will never be changed to allow redetermination of the price upward. When upward as well as downward price adjustment is desired, the article discussed in § 81.1224 will be used.

(b) *Use and operation of article.* In using and operating this article for price redetermination the following principles will be observed:

(1) Before agreeing to the use of this article the contracting officer will analyze or examine the cost accounting system of the contractor to satisfy himself that it is sufficiently accurate to permit the effective operation of this article.

(2) The "preliminary run" is intended to cover the initial performance while production is getting under way and before costs have become stabilized. Accordingly it should include the percentage of the work or period which the contracting officer estimates will be needed before costs level off and become reasonably typical. The "test run" should cover an adequate period after such costs are expected to become reasonably stable. Unless these two periods will be completed before forty per cent of the contract is performed this article will not be used without special permission from the Director, Purchases Division, Headquarters Army Service Forces.

(3) After the contractor submits the itemized statements of costs for the "preliminary run" and for the "test run" the contracting officer should make sufficient check to satisfy himself that they are accurate and reliable. If necessary he may examine the books and records of the contractor for this purpose.

(4) On the basis of the statements submitted and any other data obtained from the books and records of the contractor or otherwise, the contracting officer should determine the total costs for the "preliminary run" and for the "test run" and for the remainder of the contract. This should be done objectively as a factual determination. If the contractor disagrees with the decision of the contracting officer he may appeal under the Disputes Article. The contract price should be reduced by the difference between the total costs as so determined and the original estimated costs.

(5) Upon redetermination of the price, amounts paid for items theretofore delivered in excess of the new price shall be refunded to the Government or applied against subsequent deliveries, as the contracting officer may direct. The new price and provisions for refunds will be evidenced by a supplemental agreement.

§ 81.1224 *Negotiated revision of entire contract price—upward or downward*—(a) *Article authorized.* The article for a negotiated price revision set out in § 81.341 (b) is authorized for use in accordance with this regulation. Under this article the contract price for past and future deliveries is revised upward or downward by negotiation after a specified part of the contract has been performed. This will be used only in special cases where the developmental or experimental nature of the item or the lack of previous production experience with it or other causes, prevent reliable estimates of costs when the contract is made and make it essential to provide in the contract for later revision of the initial price in the light of actual production experience. Minor deviations may be made in this article, but it will never be changed to obligate the Government to increase the price on the basis of costs or any other formula, or to do more than negotiate in good faith to revise the price.

(b) *Use and operation of article.* In using and operating this article (§ 81.341 (b)) the following principles will be observed:

(1) When the article is to be used the contracting officer will satisfy himself that the cost accounting system of the contractor is sufficiently accurate to provide reasonable information as to costs of production experienced in performing the contract.

(2) The time fixed in the contract for negotiation to revise the price will depend upon the circumstances in each case. The period before revision should be sufficient to allow costs to become reasonably stable and capable of estimation with reasonable accuracy, but it should not be longer than is necessary for this purpose. Generally, performance of about twenty per cent of the contract should be an adequate trial period; in no case will the trial period exceed forty per cent of the contract without special permission from the Director, Purchases Division, Headquarters, Army Service Forces.

(3) In return for the agreement by the Government to negotiate to revise the price upward the contractor will be required to eliminate from the original prices substantially all allowances for contingencies.

(4) When the contractor submits the statements of costs for the trial period and estimates for the remainder of the contract, the contracting officer will make a sufficient check to satisfy himself that they are reasonably accurate and reliable. If necessary he may examine the books and records of the contractor for this purpose.

(5) Negotiations to revise the price should be conducted upon much the same basis as an original contract negotiation when like information on costs is available. Consideration will be given to all pertinent factors which have affected the contractor's costs during the trial period or which are likely to affect such costs during the remainder of the contract, and to all pertinent factors bearing upon the profit margin which it is reasonable for the contractor to earn under the circumstances, including the fact that the contract article reduces certain of the risks of performance. As a standard the contracting officer should estimate costs of producing the item in the contractor's plant by efficient management and operation, plus a reasonable profit. If the contracting officer concludes that the contractor's operations are inefficient and that his costs are high, he will limit the revised price accordingly; on the other hand, if the contractor has reduced his costs by skillful management, careful buying or efficiency of production, the contemplated margin of profit under the contract may be increased in recognition of these facts. The contracting officer should bear in mind that the costs of production during the first part of the contract will almost always be substantially higher than those during the remainder of the contract. Consequently average costs during the trial period are generally not an accurate index of the costs for the remainder of the contract. Allowance should be made for this fact in fixing the revised prices.

(6) A revised price will be evidenced by a supplemental agreement, which will also provide for making appropriate credits or payments by the contractor or payments to him for the difference between the prices actually paid for items theretofore delivered and the revised price.

§ 81.1225 *Article for converting fixed-fee contracts to fixed price basis*—(a) *Use of article.* In accordance with § 81.232(c), fixed-fee contracts will include, whenever feasible, the article set out in § 81.341 (c) providing for conversion to a fixed price basis by negotiation after part performance. The time specified for conversion should be the earliest at which sufficient experience and cost data will be available to fix a fair price. Where possible, existing contracts will be amended to include this article.

(b) *Basis of conversion.* Such conversion is simpler if the fixed price basis is substituted for the entire contract, including past as well as future performance, and not merely for the remainder of the contract. When this is done, the price should be negotiated on the basis of the earlier experience, with appropriate allowance for declining costs, and should be fixed to yield approximately the cost plus the proportionate part of the fee for the past performance and a fair profit for the remainder of the contract. All previous payments made to the contractor should be applied against the amount due or to become due under the converted contract, or as advance payments, or partial payments against amounts to become due under it. By this method it will be unnecessary to evaluate the work in process or materials on hand, which will then assume their ordinary status under a fixed price contract, subject to any interest of the Government retained as security for advance or partial payments or for other purposes in accordance with the agreement to convert.

§ 81.1226 *Incentive provisions for fixed-fee contracts*—(a) *Use of article.* Paragraph (d) of § 81.341 sets out an article providing for increasing or reducing the fixed-fee under cost-plus-a-fixed-fee contracts on the basis of efficiency in performance. Under it the fee is adjusted by comparing a target estimate of costs fixed after part performance with actual costs for the same period. This article is designed to provide incentives for reductions in costs and efficient operations under such contracts, and will be used wherever feasible if conversion of the contract to a fixed price basis is not practical.

(b) *Operation of article.* In the operation of this article § 81.341 (d) the following principles will be observed:

(1) The trial or test period specified in the contract should be sufficient to allow costs of production to become reasonably stable and to provide reliable data on production costs.

(2) In fixing the estimate of costs for the remainder of the contract, the contracting officer will take into account the fact that costs during the first part of the contract will not necessarily be typical for the remainder.

(3) The increase or reduction in the fee will be based on the amount by which costs during the remainder of the contract have been reduced or increased by the efficiency or inefficiency of the contractor. In determining this amount the contracting officer will make allowance for changes in costs resulting from other causes.

(4) The amount of the increase or decrease of the fee shall be evidenced by supplemental agreement.

CONTRACT PROVISIONS FOR PRICE ADJUSTMENT UPON CONTINGENCIES AND SHORT-TERM PRICING

§ 81.1230 *Scope.* Frequently at the time the contract is negotiated, cost data and experience are sufficient to permit the fixing of a fair price on the basis of existing conditions, but some of the elements of cost which are not under the control of the contractor are expected to change during the life of the contract. Under such circumstances the contractor will seek to include in his price allowances to protect himself against such changes unless the Government agrees to adjust the price to compensate for them if they occur. It is therefore necessary in each case to decide which course is more to the advantage of the Government in the particular instance. Sections 81.1230–81.1236 deal with various types of contract provisions under which the Government assumes certain of the risks of such changes in conditions. When they are used the contractor will be required to eliminate from the price any allowances to cover such contingencies.

§ 81.1231 *Changes article.* The standard contract article for changes allows the Government to modify the specifications or shipping and packing instructions by written order and provides for an equitable adjustment if such changes cause increases or decreases in the amount due under the contract or the time required for its performance. Often, however, it is necessary for the Government to increase or decrease the quantity to be delivered under the contract in order to conform to changes in needs, material allotments and other factors. To facilitate such variations a modified form of the "Changes" article has been authorized by § 81.329a, which allows the Government to reduce or enlarge the quantity to be delivered under the contract within prescribed limits and provides for an equitable adjustment in price either up or down depending on the effect of the change.

§ 81.1232 *Escalation*—(a) *Based on indices.* During the early stages of the procurement program a standard escalator clause providing for price adjustments on the basis of general indices for various classes of labor and materials was authorized to protect contractors against serious inflationary price and wage rises during performance. With the greater stability of wages and material prices the need for such escalator clauses has decreased. Since the administration of such clauses is complex and requires extensive accounting and auditing, authority for their use has been rescinded and they will therefore not be included in contracts hereafter negotiated.

(b) *For Government-fixed prices.* In cases where the Government directly fixes the price of a component material required for the performance of a contract, the contract may include a provision for equitable adjustment of the contract price to compensate for changes made by the Government in the price of the component material. (See § 81.351 (a).) This article will not be used where the Government merely fixes a maximum price for the component material, as by the Office of Price Administration. It will be used only where the Government fixes the actual sale price as in the case of rubber sold by the Rubber Reserve Company. Likewise, a provision may be included for adjustment based on increased freight rates fixed by the Interstate Commerce Commission (§ 81.339) when such a provision does not violate any maximum price regulation of the Office of Price Administration. Finally § 81.357 contains a provision for price adjustment based on changes in certain taxes paid by the contractor.

(c) *Adjustment based on allocations.* (1) In the case of certain commodities such as cotton duck and certain classes of lumber, the Government controls the entire supply and allocates production sources among contractors. Where this is the case, the actual price paid by a particular contractor will depend on the source from which he is required to obtain such material. Since this is determined solely by the Government it is preferable to agree to adjust the price to the contractor on the basis of the amount paid by him for the allocated material than to include in the price an allowance against this risk. The article contained in § 81.351 (a) may be used for this purpose but only where the Government actually controls and allocates available sources of supply and requires the contractor to procure from the designated source.

(2) Under the system of priorities and allocations applicable to certain materials, a contractor may be obliged to purchase such materials from sources of supply at greater distances from his plant than normal and pay additional freight costs which may represent a serious burden; in such cases the contract may include the article contained in § 81.351 (b) if the contractor eliminates from his price any allowance for such additional expenses.

(3) The articles authorized in this section will generally be used only where the costs of the materials or freight will constitute an appreciable element in the total cost and inclusion of the article will eliminate the need for substantial allowances in the price. If this is not the case, the benefit from their use will be too slight to justify the time and effort involved in their operation.

§ 81.1233 *Interruption of production schedules by Government action.* Government allocations, priorities, and other actions may prevent a contractor from maintaining a constant schedule of production and thereby increase his costs of operation substantially, especially in mass production industries. To avoid the inclusion in price of an allowance against such interruptions, a contract article providing for equitable adjustment in the contract price and the time for performance under such circumstances is contained in § 81.351 (c). Whenever an interruption in the production schedules of a contractor will substantially affect his cost of performance and there is serious risk of such interruption as a result of Government action, this article may be included in the contract if the contractor has eliminated from his price any allowances and reserves for such contingencies.

§ 81.1234 *Operation of articles—(a) Upon request by contractor.* When the contractor requests equitable adjustment in the price in accordance with a contract article therefor, the following principles will be observed:

(1) The contracting officer will determine from information supplied by the contractor and, if necessary, by inspection of its books and records (i) whether the contingency covered by the article has occurred; and (ii) the amount, if any, by which the costs of the contractor have been increased by the change or contingency.

(2) The adjustment in price should be sufficient to compensate the contractor for the net amount by which his costs have been increased by the change or contingency. Care must be taken to eliminate increases due to other factors, and to allow for any offsetting reductions in costs which have also resulted from the change or contingency.

(3) The contracting officer will promptly notify the contractor in writing of the amount of the adjustment which he has determined to be equitable.

(b) *On initiative of contracting officer.* Certain of these articles provide for equitable adjustment of the contract price downward when specified contingencies reduce the costs. When the contract contains such a provision, the following principles will be observed:

(1) The contracting officer should determine before final payment under the contract (i) whether the specified contingency has occurred and the costs of the contractor have thereby been reduced; and (ii) if so, the amount by which the contract price should be adjusted under the contract article.

(2) In making this determination, care must be taken to eliminate reductions in costs resulting from other factors such as the efficiency of the contractor, and to take into account any offsetting increases in cost which may also have resulted from the same change or contingency.

(3) The contracting officer will promptly notify the contractor of any such downward adjustment in the contract price.

§ 81.1235 *Article for short term pricing—(a) Purpose of article.* Orderly scheduling of materials, production, subcontracting and deliveries often makes long term contracts necessary or desirable. Cost data and experience may be sufficient for fixing a fair price for part of the performance, but uncertainty of future conditions may prevent this for the remainder of the contract. Thus the contractor may be able to predict conditions for a reasonable period in advance sufficiently to agree to a close price for that period, but may fear that changes in conditions will seriously affect his costs after that time and seek contingency allowances to protect himself. The article for negotiated price revision set out in § 81.361 (a) is designed to meet this situation and is authorized for use in accordance with this regulation.

(b) *Nature of article.* Under this article (§ 81.361 (a)) the original price is fixed for a specified period and thereafter price is revised upward or downward by negotiation but the revised price applies only to the remainder of the contract and not to deliveries made during the specified period. While this article is similar to § 81.341 (b), they differ basically in purpose. Section 81.341 (b) covers cases where lack of experience and data prevent the fixing of a fair price when the contract is made and allows adjustment of the entire price for past as well as future deliveries. Section 81.361 (a) assumes that the original price can be fairly fixed, but that future conditions cannot be adequately predicted. This article is similar to Form I in § 81.360 of the contract article for periodic adjustment of price, except that it does not provide for exemption from statutory renegotiation and provides for only one revision in the price and not for periodic adjustment.

(c) *Use and operation of article.* In using this article (§ 81.361 (a)) the following principles will be observed:

(1) The contracting officer should satisfy himself that the contractor can supply reliable data on which to base the price revision at the end of the specified period.

(2) The time fixed in the contract for negotiation to revise the price will depend on the circumstances in each case. The original price should be kept in effect for as long a period as conditions will permit without undue contingency allowances and revision provided for thereafter.

(3) In return for the use of this article, the contractor will be required to eliminate from his original price substantially all allowances for future contingencies.

(4) The negotiations to revise the price should be carried on promptly after the time specified in the contract. The contracting officer should obtain sufficient information from the contractor and other sources to permit the new price to be well negotiated. If necessary, he may examine the books and records of the contractor for this purpose. Negotiations should be conducted upon much the same principles as the original negotiation and in accordance with § 81.1224 (b) (5).

(5) The revised price will be evidenced by supplemental agreement specifically providing that the revised price applies only to performance after the original period.

§ 81.1236 *Periodic adjustment of price without provision for exemption from renegotiation—(a) Articles authorized.* Sections 81.1240–81.1247 authorize the use of two articles in § 81.360 providing for periodic adjustment of the contract price and for exemption of the contract price from statutory renegotiation under certain conditions. Where a supply service desires to provide in a contract for such periodic adjustment of the contract price at regular intervals but does not desire to provide for exemption or for the power to exempt the contract price from statutory renegotiation in accordance with §§ 81.1240–81.1247, either Form I or Form II of § 81.360 may be revised to eliminate exemption of the contract price from statutory renegotiation or the power of the contracting officer to exempt it therefrom. Form I of § 81.360 will be so modified by deleting the second and third sentences of subsection (b) (2) and the second sentence of subsection (d) (3). Form II of § 81.360 may be so modified by deleting the second sentence of subsection (d) (3). With these deletions Form I or Form II of § 81.360 may be used in the discretion of the chief of a supply service without special permission from the Director, Purchases Division, Headquarters, Army Service Forces.

(b) *Use and operation of articles.* In using § 81.360 modified in accordance with paragraph (a) of this section, the following principles will be observed:

(1) The contracting officer should satisfy himself that the contractor can supply reliable data on which to base the price adjustment at the end of each period.

(2) The contract will include the standard form of contract article for statutory renegotiation (§ 81.342 (a)), if required by § 81.1208.

(3) The contract price will be adjusted for each period in the manner described in §§ 81.1240–81.1247 of this regulation, except that no exemption from renegotiation will be granted and the price will remain subject to statutory renegotiation unless otherwise exempt from section 463, as amended.

CONTRACT ARTICLES FOR PERIODIC READJUSTMENT OF PRICE AND EXEMPTION FROM RENEGOTIATION

§ 81.1240 *Articles authorized.* Alternative contract articles providing for periodic readjustment of the contract price, and for exemption from statutory renegotiation under the Act of April 28, 1942, (sec. 403, Public Law 528—77th Cong.) as amended, under certain conditions, are set forth in § 81.260 (Form I) and (Form II). These articles, which are called Form I and Form II in this Regulation are approved for use in lump sum or fixed price contracts in accordance with §§ 81.1240–81.1247. Except as expressly authorized in §§ 81.1240–81.1247 or subsequent instructions, deviations from the standard articles will not be used.

§ 81.1241 *Effect of articles.* Both Form I and Form II divide performance under the contract into specified periods for the purpose of adjusting the contract price. Under Form I the original contract price is exempt from statutory renegotiation for the first period of performance, but under Form II the price for the first period will be adjusted at the end of that period and appropriate credit or refund made, and this adjusted price may be exempted from statutory renegotiation by the contracting officer, as hereafter described. Under both forms the contracting officer and contractor will negotiate at the end of each period on the basis of cost experience and other data, and the contracting officer, at his discretion, may exempt the price so fixed from statutory renegotiation, if he believes that the cost data are sufficiently accurate and that the price is fair to the Government and will not result in excessive profits to the contractor.

§ 81.1242 *Purpose of articles.* These articles are intended to carry out the policy of the War Department to promote efficiency in operation and production, reductions in costs by its contractors, and lower prices to the Government. They are designed to obtain these results as follows:

(a) Since the periods for which prices are fixed are to be relatively short, uncertainty and the risks of future changes in conditions are reduced, and the need for reserves and allowances for contingencies should be correspondingly decreased. At the end of each period, the prices for the next period will be fixed on the basis of recent past experience, current conditions, and more accurate forecasts.

(b) If a firm exempt from statutory renegotiation during the specified period is granted, the contractor is expected to agree in return to a close price with a narrow profit margin and to rely on his managerial skill to increase his profit by improved methods and efficiency.

(c) If costs are reduced in one period through efficiency, then when the prices are adjusted for the succeeding period, the Government and the contractor will share the benefit of the reduced costs in the form of lower prices but with a higher allowed profit margin.

§ 81.1243 *Use of articles.* In using these articles the following principles will be observed:

(a) Since the operation of these articles requires reliable and accurate data on the actual costs of performance, they will be used only when the contracting officer is convinced that the contractor can and will supply reliable cost information in accordance with the contract provisions. Before using these articles in any contract, the contracting officer will therefore examine and analyze the cost accounting system of the contractor and satisfy himself that it is accurate and adequate for these purposes.

(b) These articles also assume that the costs of performance during a succeeding period can be predicted with reasonable accuracy; otherwise there is no sound basis for predicting the probable profits with assurance, or for exempting them from statutory renegotiation. Accordingly, it will not ordinarily be feasible to use these articles unless the contractor has had previous experience in producing substantially similar articles, or the costs are reasonably standardized or can be accurately determined after a short period of performance.

(c) Form I, which provides for a firm price exempt from statutory renegotiation for the first period of performance, will be used only where accurate data are available at the time the contract is made, on the cost of producing substantially the same articles under substantially the same conditions. In general, it will be used only for repeat orders for materials or equipment previously produced by the same contractor.

(d) Form II, under which the contract price for the first period is readjusted at the end of the period, will be used when the available data on costs of performance are insufficient to allow Form I to be used, but where reasonably accurate costs data will become available toward the end of the first period of performance.

(e) Use of these articles will be limited to contractors who are willing substantially to eliminate allowances in the price for contingencies in view of the short-term pricing and to accept a smaller original profit margin in return for the other benefits of the contract.

(f) The length of the periods of performance to be specified for adjusting the price will depend upon the circumstances of each case. When Form II is used, the first period should be sufficient to allow costs of production to become reasonably stable. The succeeding periods under Form II and all periods under Form I should range from three or four months in most cases up to a maximum of six months where conditions are unusually stable and costs are accurately predictable. Where it will be simpler or more convenient to do so, the contract article may fix the periods by reference to the production or delivery of a prescribed number of articles instead of in terms of days or months, if the length of the periods so fixed will substantially conform to the required duration.

(g) When either Form I or Form II is used, the contract will not include any other provisions for price adjustment (such as escalation, redetermination, upward renegotiation) except (1) the statutory renegotiation article in accordance with § 81.1224, and (2) provisions for equitable adjustment of the price in case of changes in specifications, deliveries, rates of production, or increased expenses resulting from allocations or other Government action (see § 81.351).

(h) Form I or Form II will be used only with the permission of the Director, Purchases Division, Headquarters, Army Service Forces. Requests for such permission will state (1) the experience of the contractor with similar production, (2) the adequacy of the cost system and cost data of the contractor, (3) the price and profit margin which the contractor will agree to if the article is included, and (4) the reasons for recommending approval of the use of the article in the particular contract.

§ 81.1244 *Insertion of statutory renegotiation article.* Under both Form I and Form II of the articles for periodic price adjustment, the contract price for any period (except the first period under Form I) will remain subject to statutory renegotiation under the Act of April 28, 1942 (sec. 403, Public Law 528, 77th Cong.), as amended, unless it is exempt under the terms of the statute or is exempted by the contracting officer in the exercise of his discretion under the contract article. Accordingly, any contract which contains an article for periodic adjustment of the contract price will also include the contract article for statutory renegotiation (§ 81.342 (a)), if it is required by the provisions of §§ 81.1207–81.1210 of these regulations, but an additional sentence will be added at the end of section (a) of the statutory renegotiation article (§ 81.342 (a)) in such cases. When Form I is used this added sentence will read as follows:

> Sections (a) and (c) of this Article do not apply to the prices fixed for the first period under this contract and exempt from statutory renegotiation by Article • • • or to the prices fixed for any other periods thereunder which are exempted from statutory renegotiation by the Contracting Officer in the exercise of his discretion under that Article.

When Form II is used this added sentence will read as follows:

> Sections (a) and (c) of this Article do not apply to the prices fixed for any period under Article • • • of this contract which are exempted from statutory renegotiation by the Contracting Officer in the exercise of his discretion under that Article.

§ 81.1245 *Changes in termination article.* When Form I or Form II is used, the contract article entitled "Termination for the Convenience of the Government" (§ 81.324 (a)) will be amended by adding at the end of (d) (3) (A) and of (g) of that article the following additional sentence:

> For this purpose the contract price for the uncompleted portion of the contract shall be computed on the basis of (1) the prices agreed upon for the price period in which the notice of termination takes effect, if adjusted prices have been agreed upon for that period, or (2) such estimated prices as the contracting officer deems reasonable under all the circumstances, if adjusted prices have not been agreed upon for that period.

§ 81.1246 *Price adjustments under the articles.* In the operation of contracts containing Form I or Form II, contracting officers will observe the following principles:

(a) When the contractor submits the cost data, estimates, and proposed prices in accordance with the contract terms, the contracting officer will make such tests or checks of the data submitted, by examining the records of the contractor or otherwise, as he deems necessary to satisfy himself of their accuracy and sufficiency.

(b) Negotiations with the contractor to adjust the price will be begun and completed as expeditiously as possible in order to avoid delay in fixing the adjusted price. If, in the opinion of the contracting officer, the contractor unreasonably prolongs or delays the negotiations or refuses to agree upon a reasonable adjusted price, the contracting officer will promptly report the facts to the chief of the supply service who may then initiate appropriate action to protect the interest of the Government either by termination of the contract, by statutory renegotiation of the contract price for any period not exempt therefrom, by compulsory order, or by other means.

(c) In determining the price for the first period under Form II or for succeeding periods under Form I or Form II, the contracting officer will allow more liberal profit margins where the contractor by skillful management, careful buying, or efficiency has reduced costs, and will demand lower profit margins where performance has been inefficient or below

§ 81.1251 *Amendments with consideration—(a) Price adjustment upward.*

fected the conditions of performance of a contract, and the contractor in fixing his prices has not provided contingency

war. A liberal policy of granting amendments in appropriate cases will

thority and preserved in the records of the supply service. In general, the re-

partment with detailed knowledge of the facts of the case.

formance has been inefficient or below standard.

(d) The contracting officer will exercise his power to exempt from statutory renegotiation the adjusted prices agreed upon for the first period under Form II or for succeeding periods under Form I or Form II, only if he is convinced (1) that the cost data and cost estimates are reliable and provide a sufficient basis for fixing fair adjusted prices for the next period, and (2) that the adjusted prices are fair to the Government and, in his opinion based on the cost data and estimates and other available information, will not result in excessive profits. The contracting officer has full responsibility for granting or withholding the exemption. When he is convinced that the foregoing conditions are met, however, he should ordinarily grant the exemption for the period involved. In making this determination he will consult with the Price Adjustment Section of the supply service.

(e) Whenever the contracting officer grants an exemption under a contract containing either Form I or Form II, he will make a report to the Director, Purchases Division, Headquarters, Army Service Forces, stating the adjusted price agreed upon, and containing copies of the data submitted by the contractor and any other data on which the adjusted price was based.

(f) After the entire contract is completed, the contracting officer will request from the contractor a statement showing the actual costs of performing the entire contract, and the prices paid during each period, and will send a copy of the statement to the Director, Purchases Division, Headquarters, Army Service Forces.

§ 81.1247 *Inserting articles in existing contracts.* Where it is practicable and to the advantage of the Government to do so, existing contracts may be amended by supplemental agreement to insert either Form I or Form II upon the conditions prescribed by these regulations, and with the permission of the Director, Purchases Division, Headquarters, Army Service Forces.

PRICE ADJUSTMENTS WITHOUT CONTRACT PROVISIONS

§ 81.1250 *Scope.* (a) As the preceding sections emphasize, war conditions frequently require adjustment of contract terms to prevent unfairness to the contractor or the Government. While the provisions discussed above make the contract terms sufficiently flexible to meet many kinds of changes, they do not cover all contingencies and many contracts do not contain these provisions. Accordingly, contracts must often be amended to adapt them to new or unexpected developments.

(b) Such amendments arise from two main sources: (1) changes in the procurement program arising from changes in war equipment or in the relative needs for various types of equipment or from other causes; (2) unexpected difficulties by the contractor in performing the contract. §§ 81.1250–81.1252 deal with policies and methods governing both classes of amendment.

§ 81.1251 *Amendments with consideration*—(a) *Price adjustment upward.* The chief of a supply service may amend contracts to increase or modify the price or other contract terms in order to adjust contracts to new conditions:

(1) Whenever the amendment changes the contract specifications, delivery schedules, conditions of manufacture or similar contract terms.

(2) Whenever the amendment restricts or modifies the right of the contractor to perform the contract as he sees fit or on the basis most advantageous to him. Examples are cases where a contractor, who is not bound to do so by his existing contract, agrees to use particular methods of manufacture, substitute materials, specified or costlier sources of supply or subcontractors, or other specified methods or devices to conform with Government policy. (See, for example, § 81.225 (f) and § 81.222 (a).)

(3) Wherever the amendment modifies the volume or rate of production so as to affect adversely the contractor's costs (See, for example, § 81.227 and § 81.307).

(4) In any other case where the amendment is to the advantage of the Government and is based on legal consideration. The chief of the supply service may make any such amendments in accordance with § 81.306 (c) and following without the approval of higher authority, except as expressly required in those paragraphs.

(b) *Price adjustment downward.* Not all such amendments will require an increase in the price and some will justify a reduction in the price. For example, where the contract is amended to increase production or the rate of production under the contract, the costs of production may be reduced. Inasmuch as many of the fixed expenses have been provided for by the original volume, they should not be charged at all or to the same extent against the increased or accelerated production, and this saving will often more than offset any added costs involved in the increased volume or accelerated rate of production. Accordingly, the effects of any increase, speed-up or other change should be carefully analyzed in each case in order to obtain the proper adjustment.

§ 81.1252 *Amendments without consideration*—(a) *Authority.* Under the First War Powers Act, 1941 and Executive Order No. 9001 the War Department has power to amend and modify contracts without consideration whenever such amendments will facilitate the prosecution of the war. (See § 81.204, and Opinion of The Attorney General dated August 29, 1942). The following paragraphs do not delegate to the supply services any authority to make amendments without consideration. Such amendments will be made only in accordance with §§ 81.306 (d), 81.308a, and 81.308b of these regulations or express authority conferred by other provisions of the regulations, such as §§ 81.380 and 81.381.

(b) *General policy.* The general policy is to amend contracts to meet changed conditions whenever such action will facilitate the prosecution of the war. A liberal policy of granting amendments in appropriate cases will (1) assist in obtaining close prices and reasonable cost estimates without excessive allowances in the price for contingencies against unforeseen risks, and (2) insure maximum cooperation and production by assuring contractors of fair treatment. By this policy it is believed that the costs of War Department procurement as a whole will be materially reduced and that the efficiency of production will be substantially increased. The general principles for carrying out this policy are stated in the following paragraphs.

(c) *Basic principle.* Any amendment without consideration under authority of the First War Powers Act must be based upon a finding that such action will facilitate the prosecution of the war. Precise rules for deciding whether this finding is justified in a particular case cannot be prescribed, for in each instance the determination is a matter of sound judgment on the basis of all of the facts, but certain guides can be given as to the matters which should be considered and the type of circumstances where relief may be appropriate.

(d) *Types of cases.* While it is obviously impossible to predict or classify all of the grounds upon which amendments without consideration may be appropriately made, examples of certain types or classes of cases where such relief may be proper are as follows:

(1) Where a contractor has suffered or is threatened with loss or diminished profit on a particular contract as a result of a mutual mistake or a bona fide mistake by the contractor alone as to existing fact (for example, through a clerical error or reasonable misunderstanding as to specifications), the contract price or terms should generally be corrected in accordance with the provisions of § 81.308b of these regulations.

(2) Where a contractor suffers a loss or a diminished profit on a particular contract as a result of Government action, the character of the Government action will generally determine whether any adjustment will be made and its extent.

(i) Where the governmental action is directed primarily at the contractor and is taken by the Government in its capacity as the other contracting party, the price may be equitably adjusted to compensate the contractor for the effect of the action if fairness so requires. Thus where such action by the representatives of the Government, although not creating any liability on its part, increases the cost of performance, or contributes to difficulty encountered by the contractor, considerations of fairness may make appropriate some equitable adjustment of the price or terms.

(ii) Even when the action is not taken by the Government primarily in its capacity as the other contracting party, fairness may sometimes require an equitable adjustment in the contract price or other terms, depending on the nature of the action, the circumstances and the effect on the contractor.

(3) Where special circumstances of the war or enemy action have materially affected the conditions of performance of a contract, and the contractor in fixing his prices has not provided contingency reserves adequate to meet them, appropriate amendment or equitable adjustment of the contract may be justified.

(4) Where an actual or threatened loss on a war contract, however caused, will impair the productive capacity or efficiency of a contractor whose continued operation as an efficient source of supply is, in the judgment of the War Department, important to the war effort, the contract will generally be equitably adjusted to the extent necessary to avoid such impairment of his operations insofar as they are important to the war effort.

(5) Where substitution of new contract procedures or provisions will eliminate administrative difficulties, reduce Government costs, expedite production or auditing, aid accounting, save time and expense or simplify procurement, the contract may be so modified even though the Government in a particular instance may receive no other substantial advantage from the modification (see for example § 81.324).

The foregoing types of situations are enumerated as a guide to contracting officers in submitting cases for amendment without consideration. The grounds described are not mutually exclusive. In some instances several of them will exist, and action on one may be justified although the conditions on the other are not met, or the combined effect of all the grounds of relief may be such as to lead to action under the statute. Whether relief will be granted in a particular case depends, of course, on its special facts and on whether the granting of relief in that case or in the class of cases will facilitate the prosecution of the war. This enumeration is not exhaustive and other types of circumstances may meet the conditions necessary for such relief.

(e) *Time of amendments.* All applications for contract adjustments under the First War Powers Act should be handled as promptly as possible after the occasion for relief arises. If action is delayed until the contractor has completed performance the relief may be ineffective, if granted, or may be denied as a matter of administrative judgment. As a general rule relief will be granted less readily in the later stages of contracts. Accordingly, whenever a request for such action is made or it appears likely that it will be made, the supply service should immediately make an investigation to obtain the necessary facts and submit the case without delay. Speedy action will often greatly increase the value of the adjustment to the contractor, and the knowledge of contractors that such relief will be granted expeditiously will aid the Government in obtaining closer pricing and achieving the other desired objectives of this policy.

(f) *Preparation of cases.* In view of the special nature of the power to be exercised, the supply service will develop the facts in each case adequately and prepare a report to be submitted with any request for approval by higher authority and preserved in the records of the supply service. In general, the report should contain information of the following types, so far as relevant to the particular case, and any other pertinent facts likely to assist in considering the proposed relief.

(1) Brief description of the contract involved.

(i) Date and length of contract; items, delivery schedules, and prices.

(ii) Special clauses for price adjustments; for partial or advance payments; or other special clauses.

(iii) Government-owned, Emergency Plant, or Defense Plant facilities involved, and methods employed to protect any Government interest in facilities of contractor.

(2) Factors creating need for relief.

(i) Nature of item (standard, new or experimental).

(ii) Previous experience of contractor with similar production.

(iii) Changes in conditions or Government action affecting contractor's costs.

(iv) Cost experience of the contractor under the contract, and relation to original estimates.

(v) Reserves or allowances against such contingencies included in original price.

(3) Extent of relief needed.

(i) Financial position of contractor, with supporting balance sheets and profit and loss statements.

(ii) Estimates of future costs under contract.

(iii) Extent of completion, and amounts paid.

(iv) Other war contracts and business of contractor.

(v) Views of contractor on relief appropriate.

(vi) Effect of granting relief on profits of the contractor, and comparison with prices and contracts of other contractors.

(vii) Effect of refusing relief.

(4) Importance of contract or contractor to the prosecution of the war.

(i) Size of contract and need for item.

(ii) Other available sources of supply in comparison with contractor.

(iii) Quality of performance by contractor (rate of production, delays, rejections).

(iv) Probable future orders to contractor; or other war work.

(5) A statement showing whether or not any claim relating to the case is pending before the General Accounting Office.

(6) Statement by the chief of supply service himself, or by an officer specially designated by him to review requests for relief of this type and to make recommendations thereon in his behalf, stating:

(i) The exact relief recommended.

(ii) That in his opinion the granting of the relief recommended will facilitate the prosecution of the war (see paragraph (c) of this section).

(iii) The scope of the investigation of the circumstances made by the supply service.

(iv) The extent of his own review of the facts.

(v) The name, address, and telephone number of the person in the War Department with detailed knowledge of the facts of the case.

(g) *Approvals by Purchases Division, Headquarters.* All necessary approval by higher authority will be obtained in each instance in accordance with §§ 81.306 (d), 81.308a, and 81.308b and other sections of these regulations.

APPENDIX

§ 81.1290 *Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public 528, 77th Congress), approved April 28, 1942, as amended by the section 801 of the Revenue Act of 1942 (Public 753, 77th Congress) approved October 21, 1942*—(a) *Sec. 403 (a).*

SEC. 403 (a). For the purposes of this section:

(1) The term "Department" means the War Department, the Navy Department, the Treasury Department, and the Maritime Commission, respectively.

(2) In the case of the Maritime Commission, the term "Secretary" means the Chairman of such Commission.

(3) The terms "renegotiate" and "renegotiation" include the refixing by the Secretary of the Department of the contract price.

(4) The term "excessive profits" means any amount of a contract or subcontract price which is found as a result of renegotiation to represent excessive profits.

(4) The term "excessive profits" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any article required for the performance of another contract or subcontract. The term "article" includes any material, part, assembly, machinery, equipment, or other personal property.

For the purposes of subsections (d) and (e) of this section the term "contract" includes a subcontract and the term "contractor" includes a subcontractor.

(b) *Sec. 403 (b).*

SEC. 403 (b). Subject to subsection (i) the Secretary of each Department is authorized and directed to insert in any contract for an amount in excess of $100,000 hereafter made by such Department:

(1) A provision for the renegotiation of the contract price at a period or periods when, in the judgment of the Secretary, the profits can be determined with reasonable certainty;

(2) A provision for the retention by the United States from amounts otherwise due the contractor, or for the repayment by him to the United States, if paid to him, of any excessive profits not eliminated through reductions in the contract price, or otherwise, as the Secretary may direct;

(3) A provision requiring the contractor to insert in each subcontract for an amount in excess of $100,000 made by him under such contract (i) a provision for the renegotiation by such Secretary and the subcontractor of the contract price of the subcontract at a period or periods when, in the judgment of the Secretary, the profits can be determined with reasonable certainty, (ii) a provision for the retention by the contractor for the United States of the amount of any reduction in the contract price of any subcontract pursuant to its renegotiation hereunder, or for the repayment by the subcontractor to the United States of any excessive profits from such subcontract paid to him and not eliminated through reductions in the contract price or otherwise, as the Secretary may direct, and (iii) a provision for relieving the contractor from any liability to the subcontractor on account of any amount so retained by the contractor or repaid by the

war and for three years after the termination of the war, but no court proceedings brought

the meaning of section 403 of the Sixth Supplemental National Defense Appropriation

the amount by which the tax for such year under such chapters is decreased by the

subcontractor to the United States, and (iv) in the discretion of the Secretary, a provision requiring any subcontractor to insert in any subcontract made by him under such subcontract, provisions corresponding to those of subparagraphs (3) and (4) of this subsection (b); and

(4) A provision for the retention by the United States from amounts otherwise due the contractor, or for repayment by him to the United States as the Secretary may direct, of the amount of any reduction in the contract price of any subcontract under such contract, which the contractor is directed, pursuant to clause (3) of this subsection, to withhold from payments otherwise due the subcontractor and actually unpaid at the time the contractor receives such direction.

The provision for the renegotiation of the contract price, in the discretion of the Secretary, (i) may fix the period or periods when or within which renegotiation shall be had; and (ii) if in the opinion of the Secretary the provisions of the contract or subcontract are otherwise adequate to prevent excessive profits, may provide that renegotiation shall apply only to a portion of the contract or subcontract or shall not apply to performance during a specified period or periods and may also provide that the contract price in effect during any such period or periods shall not be subject to renegotiation.

(c) *Sec. 403 (c).*

SEC. 403 (c) (1) Whenever, in the opinion of the Secretary of a Department, the profits realized or likely to be realized from any contract with such Department, or from any subcontract thereunder whether or not made by the contractor, may be excessive, the Secretary is authorized and directed to require the contractor or subcontractor to renegotiate the contract price. When the contractor or subcontractor holds two or more contracts or subcontracts the Secretary in his discretion, may renegotiate to eliminate excessive profits on some or all of such contracts and subcontracts as a group without separately renegotiating the contract price of each contract or subcontract.

(2) Upon renegotiation, the Secretary is authorized and directed to eliminate any excessive profits under such contract or subcontract (i) by reductions in the contract price of the contract or subcontract or by other revision in its terms; or (ii) by withholding from amounts otherwise due to the contractor or subcontractor, any amount of such excessive profits; or (iii) by directing a contractor to withhold for the account of the United States, from amounts otherwise due to the subcontractor, any amount of such excessive profits under the subcontract; or (iv) by recovery from the contractor or subcontractor through repayment, credit or suit, of any amount of such excessive profits actually paid to him; or (v) by any combination of these methods, as the Secretary deems desirable. The Secretary may bring actions on behalf of the United States in the appropriate courts of the United States to recover from such contractor or subcontractor, any amount of such excessive profits actually paid to him and not withheld or eliminated by some other method under this subsection. The surety under a contract or subcontract shall not be liable for the repayment of any excessive profits thereon. All money recovered by way of repayment or suit under this subsection shall be covered into the Treasury as miscellaneous receipts.

(3) In determining the excessiveness of profits realized or likely to be realized from any contract or subcontract, the Secretary shall recognize the properly applicable exclusions and deductions of the character which the contractor or subcontractor is allowed under Chapter I and Chapter 2E of the Internal Revenue Code. In determining the amount of any excessive profits to be eliminated hereunder the Secretary shall allow the contractor or subcontractor credit for Federal income and excess profits taxes as provided in section 3806 of the Internal Revenue Code.

(4) Upon renegotiation pursuant to this section, the Secretary may make such final or other agreements with a contractor or subcontractor for the elimination of excessive profits and for the discharge of any liability for excessive profits under this section, as the Secretary deems desirable. Such agreements may cover such past and future period or periods, may apply to such contract or contracts of the contractor or subcontractor, and may contain such terms and conditions, as the Secretary deems advisable. Any such agreement shall be final and conclusive according to its terms; and except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, (i) such agreement shall not be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States; and (ii) such agreement and any determination made in accordance therewith shall not be annulled, modified, set aside, or disregarded in any suit, action, or proceeding.

(5) Any contractor or subcontractor who holds contracts or subcontracts to which the provisions of this section are applicable, may file with the Secretaries of all the Departments concerned statements of actual costs of production and such other financial statements for any prior fiscal year or years of such contractor or subcontractor, in such form and detail, as the Secretaries shall prescribe by joint regulation. Within one year after the filing of such statements, or within such shorter period as may be prescribed by such joint regulation, the Secretary of a Department may give the contractor or subcontractor written notice, in form and manner to be prescribed in such joint regulation, that the Secretary is of the opinion that the profits realized from some or all of such contracts or subcontracts may be excessive, and fixing a date and place for an initial conference to be held within sixty days thereafter. If such notice is not given and renegotiation commenced by the Secretary within such sixty days the contractor or subcontractor shall not thereafter be required to renegotiate to eliminate excessive profits realized from any such contract or subcontract during such fiscal year or years and any liabilities of the contractor or subcontractor for excessive profits realized during such period shall be thereby discharged.

(6) This subsection (c) shall be applicable to all contracts and subcontracts hereafter made and to all contracts and subcontracts heretofore made, whether or not such contracts or subcontracts contain a renegotiation or recapture clause, unless (i) final payment pursuant to such contract or subcontract was made prior to April 28, 1942, or (ii) the contract or subcontract provides otherwise pursuant to subsection (b) or (i) or is exempted under subsection (i), of this section 403, or (iii) the aggregate sales by the contractor or subcontractor, and by all persons under the control of or controlling or under common control with the contractor or subcontractor, under contracts with the Departments and subcontracts thereunder do not exceed, or in the opinion of the Secretary concerned will not exceed $100,000 for the fiscal year of such contractor or subcontractor.

No renegotiation of the contract price pursuant to any provision therefor, or otherwise, shall be commenced by the Secretary more than one year after the close of the fiscal year of the contractor or subcontractor within which completion or termination of the contract or subcontract, as determined by the Secretary, occurs.

(d) *Sec. 403 (d).*

SEC. 403 (d). In renegotiating a contract price or determining excessive profits for the purposes of this section, the Secretaries of the respective Departments shall not make any allowance for any salaries, bonuses, or other compensation paid by a contractor to its officers or employees in excess of a reasonable amount nor shall they make allowance for any excessive reserves set up by the contractor or for any cost incurred by the contractor which are excessive and unreasonable. For the purpose of ascertaining whether such unreasonable compensation has been or is being paid, or whether such excessive reserves have been or are being set up, or whether any excessive and unreasonable costs have been or are being incurred, each such Secretary shall have the same powers with respect to any such contractor that an agency designated by the President to exercise the powers conferred by title XIII of the Second War Powers Act, 1942, has with respect to any contractor to whom such title is applicable. In the interest of economy and the avoidance of duplication of inspection and audit, the services of the Bureau of Internal Revenue shall, upon request of each such Secretary and the approval of the Secretary of the Treasury, be made available to the extent determined by the Secretary of the Treasury for the purposes of making examinations and determinations with respect to profits under this section.

(e) *Sec. 403 (e).*

SEC. 403 (e). In addition to the powers conferred by existing law, the Secretary of each Department shall have the right to demand of any contractor who holds contracts with respect to which the provisions of this section are applicable in an aggregate amount in excess of $100,000, statements of actual costs of production and such other financial statements, at such time and in such form and detail, as such Secretary may require. Any person who willfully fails or refuses to furnish any statement required of him under this subsection, or who knowingly furnishes any such statement containing information which is false or misleading in any material respect, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or imprisonment for not more than two years, or both. The powers conferred by this subsection shall be exercised in the case of any contractor by the Secretary of the Department holding the largest amount of such contracts with such contractor, or by such Secretary as may be mutually agreed to by the Secretaries concerned.

(f) *Sec. 403 (f).*

SEC. 403 (f). Subject to any regulations which the President may prescribe for the protection of the interest of the Government, the authority and discretion herein conferred upon the Secretary of each Department may be delegated in whole or in part by him to such individuals or agencies as he may designate in his Department, or in any other Department with the consent of the Secretary of that Department, and he may authorize such individuals or agencies to make further delegations of such authority and discretion.

(g) *Sec. 403 (g).*

SEC. 403 (g). If any provision of this section or the application thereof to any person or circumstance is held invalid, the remainder of the section and the application of such provision to other persons or circumstances shall not be affected thereby.

(h) *Sec. 403 (h).*

SEC. 403 (h). This section shall remain in force during the continuance of the present war and for three years after the termination of the war, but no court proceedings brought under this section shall abate by reason of the termination of the provisions of this section.

(i) *Sec. 403 (i).*

SEC. 403 (i). (1) The provisions of this section shall not apply to—

(i) Any contract by a Department with any other department, bureau, agency, or governmental corporation of the United States or with any Territory, possession, or State or any agency thereof or with any foreign government or any agency thereof; or

(ii) Any contract or subcontract for the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined, or treated beyond the first form or state suitable for industrial use; and the Secretaries are authorized by joint regulation, to define, interpret, and apply this exemption.

(2) The Secretary of a Department is authorized, in his discretion, to exempt from some or all of the provisions of this section—

(i) Any contract or subcontract to be performed outside of the territorial limits of the continental United States or in Alaska;

(ii) Any contracts or subcontracts under which, in the opinion of the Secretary, the profits can be determined with reasonable certainty when the contract price is established, such as certain classes of agreements for personal services, for the purchase of real property, perishable goods, or commodities the minimum price for the sale of which has been fixed by a public regulatory body, of leases and license agreements, and of agreements, where the period of performance under such contract or subcontract will not be in excess of thirty days; and

(iii) A portion of any contract or subcontract or performance thereunder during a specified period or periods, if in the opinion of the Secretary, the provisions of the contract are otherwise adequate to prevent excessive profits.

The Secretary may so exempt contracts and subcontracts both individually and by general classes or types.

Subsection (d) of section 801 of the Revenue Act of 1942 provides:

The amendments made by this section shall be effective as of April 28, 1942 [the date of enactment of the Sixth Supplemental National Defense Appropriation Act, 1942].

(j) *Sec. 3806 of I. R. C.* The text of section 3806 of the Internal Revenue Code as added by section 508 of the Revenue Act of 1942 is as follows:

SEC. 3806. *Mitigation of effect of renegotiation of war contracts or disallowance of reimbursement*—(a) *Reduction for prior taxable year.*—(1) *Excessive profits eliminated for prior taxable year.* In the case of a contract with the United States or any agency thereof, or any subcontract thereunder, which is made by the taxpayer, if a renegotiation is made in respect of such contract or subcontract and an amount of excessive profits received or accrued under such contract or subcontract for a taxable year (hereinafter referred to as "prior taxable year") is eliminated and, in a taxable year ending after December 31, 1941, the taxpayer is required to pay or repay to the United States or any agency thereof the amount of excessive profits eliminated or the amount of excessive profits eliminated is applied as an offset against other amounts due the taxpayer, the part of the contract or subcontract price which was received or was accrued for the prior taxable year shall be reduced by the amount of excessive profits eliminated. For the purposes of this section—

(A) The term "renegotiation" includes any transaction which is a renegotiation within the meaning of section 403 of the Sixth Supplemental National Defense Appropriation Act (Pub 528, 77th Cong., 2d Sess.) or such section, as amended, any modification of one or more contracts with the United States or any agency thereof, and any agreement with the United States or any agency thereof in respect of one or more such contracts or subcontracts thereunder.

(B) The term "excessive profits" includes any amount which constitutes excessive profits within the meaning assigned to such term by subsection (a) of section 403 of the Sixth Supplemental National Defense Appropriation Act (Public 528, 77th Cong., 2d Sess.), as amended by the Revenue Act of 1942, any part of the contract price of a contract with the United States or any agency thereof, any part of the subcontract price of a subcontract under such a contract, and any profits derived from one or more such contracts or subcontracts.

(C) The term "subcontract" includes any purchase order or agreement which is a subcontract within the meaning assigned to such term by subsection (a) of section 403 of the Sixth Supplemental National Defense Appropriation Act (Public 528, 77th Cong., 2d Sess.), as amended by the Revenue Act of 1942.

(2) *Reduction of reimbursement for prior taxable year.* In the case of a cost-plus-a-fixed-fee contract between the United States or any agency thereof and the taxpayer, if an item for which the taxpayer has been reimbursed is disallowed as an item of cost chargeable to such contract and, in a taxable year beginning after December 31, 1941, the taxpayer is required to repay the United States or any agency thereof the amount disallowed or the amount disallowed is applied as an offset against other amounts due the taxpayer, the amount of the reimbursement of the taxpayer under the contract for the taxable year in which the reimbursement for such item was received or was accrued (hereinafter referred to as "prior taxable year") shall be reduced by the amount disallowed.

(3) *Deduction disallowed.* The amount of the payment, repayment, or offset described in paragraph (1) or paragraph (2) shall not constitute a deduction for the year in which paid or incurred.

(4) *Exception.* The foregoing provisions of this subsection shall not apply in respect of any contract if the taxpayer shows to the satisfaction of the Commissioner that a different method of accounting for the amount of the payment, repayment, or disallowance clearly reflects income, and in such case the payment, repayment, or disallowance shall be accounted for with respect to the taxable year provided for under such method, which for the purposes of subsections (b) and (c) shall be considered a prior taxable year.

(b) *Credit against repayment on account of renegotiation or allowance.* (1) *General rule.* There shall be credited against the amount of excessive profits eliminated the amount by which the tax for the prior taxable year under Chapter 1, Chapter 2A, Chapter 2D, and Chapter 2E, is decreased by reason of the application of paragraph (1) of subsection (a); and there shall be credited against the amount disallowed the amount by which the tax for the prior taxable year under Chapter 1, Chapter 2A, Chapter 2D, and Chapter 2E, is decreased by reason of the application of paragraph (2) of subsection (a).

(2) *Credit for barred year.* If at the time of the payment, repayment, or offset described in paragraph (1) or paragraph (2) of subsection (a), refund or credit of tax under Chapter 1, Chapter 2A, Chapter 2D, or Chapter 2E, for the prior taxable year, is prevented (except for the provisions of section 3801) by any provision of the internal-revenue laws other than section 3761, or by rule of law, the amount by which the tax for such year under such chapters is decreased by the application of paragraph (1) or paragraph (2) of subsection (a) shall be computed under this paragraph. There shall first be ascertained the tax previously determined for the prior taxable year. The amount of the tax previously determined shall be (A) the tax shown by the taxpayer upon his return for such taxable year, increased by the amounts previously assessed (or collected without assessment) as deficiencies, and decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax; or (B) if no amount was shown as the tax by such taxpayer upon his return, or if no return was made by such taxpayer, then the amounts previously assessed (or collected without assessment) as deficiencies, but such amounts previously assessed, or collected without assessment, shall be decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax. There shall then be ascertained the decrease in tax previously determined which results solely from the application of paragraph (1) or paragraph (2) of subsection (a) to the prior taxable year. The amount so ascertained, together with any amounts collected as additions to the tax or interest, as a result of paragraph (1) or paragraph (2) of subsection (a) not having been applied to the prior taxable year shall be the amount by which such tax is decreased.

(3) *Interest.* In determining the amount of the credit under this subsection no interest shall be allowed with respect to the amount ascertained under paragraph (1) or paragraph (2); except that if interest is charged by the United States or the agency thereof on account of the disallowance for any period before the date of the payment, repayment, or offset, the credit shall be increased by an amount equal to interest on the amount ascertained under either such paragraph at the same rate and for the period (prior to the date of the payment, repayment, or offset) as interest is so charged.

(c) *Credit in lieu of other credit or refund.* If a credit is allowed under subsection (b) with respect to a prior taxable year no other credit or refund under the internal revenue laws founded on the application of subsection (a) shall be made on account of the amount allowed with respect to such taxable year. If the amount allowable as a credit under subsection (b) exceeds the amount allowed under such subsection, the excess shall, for the purposes of the internal revenue laws relating to credit or refund of tax, be treated as an overpayment for the prior taxable year which was made at the time payment, repayment, or offset was made.

§ 81.1291 *Joint regulation.*

Joint regulation interpreting and applying subsection (i) (1) (ii) of section 403, the Sixth Supplemental National Defense Appropriation Act, 1942, as amended by section 801 of the Revenue Act of 1942.

I. The term "exempted product", as used in this regulation, shall mean any of the following products:

Aggregates consisting of washed or screened sand, gravel or crushed stone.

Aluminum ingots and pigs; alumina; calcined or dried bauxite; crude bauxite.

Antimony ore, crude; antimony ore, concentrated; antimony metal; antimony oxide.

Arsenic powder; arsenicus oxide (white arsenic).

Asbestos fibre.

Bismuth.

Cement.

Chromium ore and ferrochrome not processed beyond the form or state suitable for use as an alloy or refractory in the manufacture of steel; bichromates; chromic acid.

China clay; kaolin clay; fire clay; brick and tile made from clays other than kaolin, china or fire clay.

Coal, prepared; run of mine coal.

Copper ore, crude; copper ore, concentrated;

Section 81.1315 is added as follows:

§ 81.1315 *W. D. Contract Form No. 15.*

shall install, operate and maintain the Contractor's New Facilities to be located on Government property; and such license shall

tract: *Provided, however,* That at any time within fifteen (15) months from the date of

in the presence of the Contracting Officer or his authorized representative. These ac-

and the Government hereby agrees to pay for such electric current at the higher or lower

Coal, prepared; run of mine coal.
Copper ore, crude; copper ore, concentrated; copper billets, cathodes, cakes, ingots, ingot bars, powder slabs and wirebars.
Fluorspar ore; fluorspar fluxing gravel; lump ceramic ground fluorspar; acid grades of fluorspar.
Crude iron ore; pig iron.
Gas, natural, not processed or treated further than the processing or treating customarily occurring at or near the well.
Gypsum, crude; calcined gypsum.
Lead ore; refined lead bars, ingots and pigs; antimonial lead bars ingots and pigs.
Lime.
Magnesite; dead burned magnesite.
Metallic magnesium pigs and ingots.
Manganese ore; ferromanganese; silicomanganese.
Oil, crude, not processed or treated further than the processing or treating customarily occurring at or near th well.
Phosphate rock; superphosphate.
Ferromolybdenum; calcium molybdate; molybdenum oxide.
Rock salt; common salt of all grades.
Refined silver bars, shot, powder and grains.
Stone, rough dimension.
Sulphur, crude.
Refined pig tin.
Standing timber, logs sawed into lengths, and logs with or without bark.
Tungsten ore and concentrates; ferrotungsten; tungsten powder.
Vanadium ore and concentrates; ferrovanadium; vanadium pentoxide.
Zinc anodes, balls, oxides, powder and slabs.

2. Subsection (1) (1) (ii) of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, is interpreted to mean that each of the exempted products is "the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined or treated beyond the first form or state suitable for industrial use". The provisions of said section 403, as amended, shall not apply to contracts or subcontracts for the exempted products.

3. In cases where a contractor or subcontractor (a) processes, refines or treats a product to bring it up to the form or state of an exempted product and, (b) further refines, processes or treats such exempted product beyond the first form or state suitable for industrial use in order to perform his contract or subcontract, then in such cases the exempted product in its first form or state suitable for industrial use shall be considered, for the purposes of renegotiation, under Section 403, as amended, as an item of cost at its established sale or market price.

4. This regulation may be amended from time to time, revising the list of exempted products contained in paragraph 1 of this regulation.

FEBRUARY 1, 1943.

ROBERT P. PATTERSON,
Under Secretary of War.
JAMES FORRESTAL,
Under Secretary of the Navy.
CLIFTON E. MACK,
Director of Procurement, Treasury Department.
EMORY S. LAND,
Chairman, Maritime Commission.

FORMS OF CONTRACTS

Article X of § 81.1303 is amended as follows:

§ 81.1303 *W. D. Contract Form No. 3*

* * *

ART. X. Labor. * * *
5. Insert [¶ 325] (§ 81.325)
6. Insert [¶ 344] (§ 81.344)

Section 81.1315 is added as follows:

§ 81.1315 *W. D. Contract Form No. 15.*

Contract No. ------

WAR DEPARTMENT

NEGOTIATED ELECTRIC SERVICE CONTRACT

Contractor & address:
Place:
Connection charge:
Estimated annual refund:
Payment:
To be made by ----------, U. S. Army, at ----------

The equipment, supplies and services to be obtained by this instrument are authorized by, are for the purposes set forth in, and are chargeable to the following allotments, the available balances of which are sufficient to cover the cost of same:

This contract was negotiated under and is authorized by the following laws:

NEGOTIATED ELECTRIC SERVICE CONTRACT

This contract, entered into this ---- day of ----------, 19----, by and between The United States of America (hereinafter called the "Government"), represented by the Contracting Officer executing this contract, and ----------

---

a Corporation organized and existing under the laws of the State of ---------- with principal office at ---------- (hereinafter called the "Contractor"), Witnesseth that:

Whereas, the Contractor is a public utility engaged in the business of supplying electric service to private and public consumers in the State of ----------; and Whereas, the Government and the Contractor are entering into this contract for the supplying by the Contractor to the Government of electric service for the operation of ---------- known as ---------- (hereinafter called the "Project"); and

Whereas, in order that the Contractor may supply electric service in accordance with the terms of this contract and within the time specified, it is necessary for the Contractor to provide the facilities described and enumerated in Appendix "A" attached hereto, and generally referred to hereinafter as Contractor's New Facilities; and

Whereas, due to the present uncertainty as to the amount of electric service which Government will use, and as to the length of time the Project will be operated, the Government is willing to compensate Contractor in the form of a connection charge for the cost of the facilities required to furnish services;

Now, therefore, in consideration of the premises and of the mutual agreements herein contained, to be performed by the parties hereto respectively, it is agreed as follows:

ARTICLE I. *Facilities to be provided.*

1. The Contractor shall proceed to acquire or construct all necessary equipment, materials and rights of way needed for Contractor's New Facilities, which are described more fully in Appendix "A" attached hereto and made a part hereof. It is estimated that such facilities will be completed ---------- from the date of approval of this contract. It is expressly understood however that neither the Contractor nor the Government guarantees the correctness of this estimate but will use its best effort to acquire or construct the facilities within the time specified.

2. The Government hereby grants to the Contractor a license to enter upon and use a site or sites to be agreed upon between the parties hereto upon which the Contractor shall install, operate and maintain the Contractor's New Facilities to be located on Government property; and such license shall continue in effect until such time as the Government shall order the removal of Contractor's New Facilities located thereon: *Provided*, That after Contractor's New Facilities are ordered removed Contractor shall have ninety (90) days within which to comply with the Government order and if such facilities are not removed within said ninety (90) day period, title thereto shall vest in the Government without further action brought, and no claim for damages against the Government or its officers or agents shall be created by or made on account thereof: *And provided further*, That if the Government orders removal to another location on the project, for the convenience of the Government, then the Government shall pay the cost of such removal and relocation and shall likewise license Contractor to use such land as may be necessary for the relocation The license hereby granted by the Government to the Contractor shall be free of any rental or other charges

3. The names of the employees of the Contractor whose services Contractor proposed to retain in the construction, operation and maintenance of that portion of Contractor's New Facilities located within the boundaries of the Project shall be submitted to the Commanding Officer, or his authorized representative, in advance of actual employment for such purposes, together with pertinent information within the knowledge of Contractor as to the character, background and international political sympathies or affiliations of such employees, and the Commanding Officer, or his representative, shall reject or approve of the employment of such persons within the confines of the Project as he may deem proper in the interests of the United States. Only those employees who have been approved as hereinbefore provided shall receive employment within the confines of the Project and those so approved shall be designated as such by a method to be agreed upon by the Contractor and the Commanding Officer of the Project.

ART. II. *Payment for cost of facilities.* 1. In consideration of the investment to be made by the Contractor and the uncertain duration of the operation of the Project the Government agrees to pay the Contractor, as a connection charge, the estimated cost, less estimated salvage value of the facilities to be provided by the Contractor under this contract within thirty (30) days after receipt of satisfactory evidence of completion of the facilities. It is estimated that the facilities to be constructed under this contract will cost $---------- The agreed net salvage value to be deducted is $---------- The net connection charge to be paid by the Government shall be $---------- The Government is to receive a refund of the amount so paid as hereinafter provided.

ART. III. *Ownership, operation, maintenance, and removal of facilities to be provided hereunder.* 1. The facilities to be supplied by the Contractor as hereinbefore provided for, notwithstanding the reimbursement by the Government of the estimated cost thereof less net salvage value, shall be and remain the sole property of the Contractor and shall, at all times during the life of this contract or any renewals thereof, be operated and maintained by the Contractor at its expense, and all taxes and other charges in connection therewith, together with all liability arising out of the construction, operation, or maintenance of said facilities shall be assumed by the Contractor

2. Upon termination of the service provisions of this contract, Contractor may, of its own volition, remove any of its new facilities constructed under and by virtue of this contract: *Provided, however*, That at any time within fifteen (15) months from the date of termination such facilities so removed will be reinstalled by Contractor without cost to the Government, upon receipt of sixty (60) days written notice from the Government: *And provided* A new service contract is executed between the parties hereto This provision shall not give the Government the right to have such facilities reinstalled without cost to the Government in the event the Government "orders" removal as provided under Article I, section 2.

ART. IV. *Refund agreement.* 1. In consideration of the fact that the Contractor is to be reimbursed for the estimated cost of the facilities to be provided hereunder less the estimated net salvage value thereof, and the further consideration that title to said facilities is to be and remain in the Contractor, it agrees to allow the Government on each monthly bill for electric service supplied as hereinafter provided for, a credit of ten percent (10%) of the gross amount of such bills as rendered, said credits to be made monthly and continue until such time as the accumulated credits equal the amount of the connection charge, unless this contract shall have been previously terminated, except that if a new contract for the supply of electric service shall be entered into between the parties hereto within a period of fifteen months from the date of such failure to renew, the deductions shall resume and continue as above provided.

2. Anything in this contract to the contrary notwithstanding, no refund shall be made the Government or credit allowed on Government bills, after fifteen (15) years from the date of this contract.

ART. V. *Option to reduce minimum charges.* 1. In the event of a partial or total shutdown or abandonment of the Project, and, as a result thereof, power consumption is curtailed to less than twenty five percent (25%) of the average consumption for the ninety (90) day period immediately preceding such curtailment then the Government shall have the option to give he Contractor ninety (90) days notice after which time the minimum charge indicated in the rate schedule shall not apply, and the minimum to be charged shall be in accordance with the rate for the class of service required.

ART. VI. *Term of contract.* 1. This contract shall take effect as of the date of execution thereof and continue until further notice. Notice of intention to terminate this contract shall be at the option of the Government and shall be given in writing by the Contracting Officer to the Contractor not less than ninety (90) days in advance of the effective date of termination.

ART. VII. *Service.* 1. Contractor shall supply the electric service required by the Government for use at the Project. The Government agrees that the electric service to be supplied under the terms of this contract shall be used only in connection with activities within the boundaries of the Project as presently located or as such boundaries may be extended in the future.

ART. VIII. *Description of electric current delivered.*
Volts-------- Cycles-------- Phase--------
Number of wires { 2 / 3 / 4 } direct or alternating current.

ART. IX. *Metering and accounts.* 1. The Contractor shall furnish, install, maintain, calibrate, and read the meters used to measure the electrical energy supplied by the Contractor for which payment is to be made, and shall render monthly accounts to the Contracting Officer, the meter reading to be made in the presence of the Contracting Officer or his authorized representative. These accounts, which shall remain the property of the Government, shall contain the statements of the readings of the meters at the beginning of the month, meter constants, monthly consumption, with respective charges and allowances, if any, in detail.

ART. X. *Description of meters.* 1. All electrical energy supplied by the Contractor under the terms of this agreement shall be measured by means of the following metering equipment:

(1) When purchased on primary meter measurement—
Primary watt-hour meter, ----------amperes, ----------volts, ----------cycles, ----------phases, ----------wires.
Located at ----------
Other meters ----------

---

(2) When purchased on secondary meter measurement—
Secondary watt-hour meter, ----------amperes, ----------volts, ----------cycles, ----------phases, ----------wires.
Located at ----------

(3) When purchased with demand meter measurement—
Maximum demand indicator arrangements to record or indicate the average maximum demand over a period of ---------- minutes, and the average billing maximum demand shall be the average of ---------- such readings per month. The instrument used for this purpose shall be of the following type and description: ----------

---

ART. XI. *Billing.* 1. Bills shall be rendered on the basis of -------- meters installed, the readings of each separate meter to be—
[1](1) Billed separately.
[1](2) All added and billed as one quantity.

ART. XII. *Service regulations.* 1. The matter of meters, meter accuracy, reliability of service, voltage regulation, and frequency variations, and all other matters not stipulated in this contract, shall be governed by the rules applicable and on file with the State Commission having jurisdiction in said matters, or where not on file with the State Commission, then such matters shall be governed by applicable rules of codes of the United States Bureau of Standards.[2]

ART. XIII. *Change in load.* 1. Reasonable notice will be given by each party to the other as to any material changes proposed in the connected load in the Project or on the lines serving the Project.

ART. XIV. *Change of schedule.* 1. The Contractor hereby agrees that if, after furnishing electrical energy for any ninety (90) day period during the life of this contract, it would have been more advantageous to the Government to have taken service under any other of the Contractor's standard rate schedules in effect during any such period for like conditions of service to the class of service furnished hereunder, the rate shall be changed to conform to the schedule and an adjustment of the charges for the last of such periods shall be made, based on such schedule.

ART. XV. *Change of rates.* 1. If during the life of this contract the State Commission having jurisdiction receives for file in authorized manner rates that are higher or rates that are lower than those stipulated herein for like conditions of service, the Contractor hereby agrees to continue to furnish electric current as stipulated in this contract, and the Government hereby agrees to pay for such electric current at the higher or lower rates from and after the date when such rates are made effective.

ART. XVI. *Deductions.* 1. This contract contemplates that continuous service shall be furnished Should the power company desire to interrupt service for maintenance or repair purposes, arrangement therefor shall be made with the proper officials in order that such interruptions will least interfere with service for the Government.

2. If such arrangement is not made, and if the interruption is due to conditions within the control of the Contractor, deductions shall be imposed which will partially compensate the Government. For a shut-down lasting from three minutes to thirty minutes, 10 percent of the cost of current for the preceding day of similar service shall be deducted. For a shut-down of over thirty minutes, 25 percent of the cost of current for the preceding day of similar service shall be deducted

ART. XVII. *Payments.* 1. For and in consideration of the faithful performance of the stipulations of this contract, the Contractor shall be paid by the designated disbursing officer for electrical energy herein contracted for, at the rates and under the terms and conditions hereinafter set forth; and the Contractor hereby declares that said rates are not in excess of the lowest rates now available to any prospective customer under like conditions of service.

2. All bills for electric energy delivered shall be paid without penalty or interest within fifteen (15) days from the date the bill is rendered, but this provision shall not operate to preclude the Government from the benefits of any discounts that might be available through more prompt payment

ART. XVIII. *Ownership of premises.* 1. The premises to be served under this contract are:
A. Government owned.
B. Government leased.
2. a. The symbol number of the Government lease is ----------

---

b. The name of the lessor is ----------

ART. XIX. *Rates.*

ART. XX. *General provisions.*
1. Convict Labor [Insert (¶ 345) (§ 81.345)]
2 Eight-Hour Law (Insert [¶ 346]) (§ 81.346)
3. Officials Not To Benefit (Insert [¶ 322]) (§ 81.322)
4. Disputes (Insert [¶ 326]) (§ 81.326)
5. Covenant Against Contingent Fees (Insert [¶ 323]) (§ 81.323)
6. Anti-Discrimination (Insert [¶ 325]) (§ 81.325)
7. Assignment of Rights Hereunder (Insert [¶ 355]) (§ 81.355)
8. Renegotiation Pursuant to Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended (Insert [¶ 342.1]) (§ 81.342 (a))

ART. XXI. *Definitions.* (Insert [¶ 301.22]) (§ 81.1301v)

ART. XXII. *Changes.* 1. The Contracting Officer may at any time, with the consent of the Contractor, by a written order, make changes in this contract within the general scope thereof. If such changes cause an increase or decrease in the amount due under this contract, an equitable adjustment shall be made, and the contract shall be modified in writing accordingly.

ART. XXIII. *Alterations.* 1. The following changes were made in this contract before it was signed by the parties hereto:

---

[1] Delete irrelevant statement.
[2] Delete irrelevant words in cases where State Commission has no jurisdiction.

In witness whereof, the parties hereto have executed this contract as of the day and year first above written:

THE UNITED STATES OF AMERICA

By _____

_____
(Official Title)

_____
(Contractor)

By _____

_____
(Business Address)

Witnesses as to signature of Contractor

_____

_____
(Address)

_____

_____
(Address)

I _____ certify that I am the _____ Secretary of the corporation named as Contractor herein; that _____ who signed this contract on behalf of the Contractor was then _____ of said corporation; that said contract was duly signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

In witness whereof, I have hereunto affixed my hand and the seal of said corporation this _____ day of _____, 19____

(Corporate Seal) _____
(_____ Secretary)

I hereby certify that, to the best of my knowledge and belief, based upon observation and inquiry _____, who signed this contract for _____ had authority to execute the same, and is the individual who signs similar contracts on behalf of this corporation with the public generally.

_____
(Contracting Officer)

Appendix A

(NOTE: This Appendix should contain a description of the facilities to be provided, including a small map showing their location and route, and small drawings or sketches of the type of facilities involved.)

Section 81.1316 is added as follows:

§ 81.1316 *W. D. Contract Form No. 16.*

Contract No._____

LUMP SUM CONTRACT FOR ARCHITECT-ENGINEER SERVICES WITH OPTIONAL SUPERVISION

WAR DEPARTMENT

Architect-Engineer and Address:
Services in Connection With:
Location:
Amount: For Title I $_____
For Title II $_____
Payment: To be made by_____ U. S. Army, at_____

The supplies and services to be obtained by this instrument are authorized by, are for the purposes set forth in, and are chargeable to, the following allotments, the available balances of which are sufficient to cover the cost of the same:

_____

This contract was negotiated under and is authorized by the following laws:

LUMP SUM CONTRACT FOR ARCHITECT-ENGINEER SERVICES WITH OPTIONAL SUPERVISION

This Contract, entered into this _____ day of _____ 19____ by the United States of America (hereinafter called the "Government"), represented by the Contracting Officer executing this contract and_____ *a corporation organized and existing under the laws of the State of_____ *a partnership consisting of_____ *an individual trading as_____ in the City of_____ State of _____ (hereinafter called the "Architect-Engineer"),

Witnesseth that:

Whereas, the accomplishment of the hereinafter described work and services is authorized by law and will facilitate the prosecution of the war; and

Whereas, the Government desires to engage the Architect-Engineer to render services as hereinafter set forth for the preparation of necessary reports, designs, drawings, specifications and other documents; and, at the option of the Government, for technical supervision of the construction of the project described in Article I-A hereof; and

Whereas, the Secretary of War has directed _____ to negotiate this Architect-Engineer Contract:

Now, Therefore, the parties hereto do mutually agree as follows:

TITLE I

ARTICLE I-A. *Description of Project.* 1. The Architect-Engineer shall, upon receipt of notice to proceed, perform all the services required under this contract for the project generally described as follows:

_____

_____

(hereinafter referred to as "the project"), located at or in the vicinity of_____ and more specifically described in Appendix "A" which is attached hereto and made a part hereof.

ART. I-B *Statement of architect-engineer services.*

The Architect-Engineer shall perform the following services:

1. Make such topographical and other surveys and maps as are specified in Appendix "A"; supervise necessary test borings and other subsurface investigations required by the Contracting Officer, but the cost of such borings and investigations shall be borne by the Government. This provision is not to be deemed to require the Architect-Engineer to make real estate surveys.

2. Establish a permanently monumented base line, with elevations, tied into the North American Datum.

3. Prepare, subject to the approval of the Contracting Officer, preliminary studies, sketches, and layout plans and reports including estimates of cost of the proposed project and of all structures, utilities and appurtenances thereto. But if more than three sets of such studies, sketches, plans, or reports are required because of changes initiated by the Contracting Officer, an adjustment in the contract price will be made as provided in Article III-E.

4. Adapt Government designs, drawings, specifications and standards for buildings and other structures as necessary to meet the requirements of the approved layout of the proposed project, and prepare detailed designs, specifications and drawings in required form for buildings and other structures for which Government designs are incomplete or unavailable.

5. When preliminary drawings are approved in writing by the Contracting Officer, prepare final designs, detailed working drawings and specifications in accordance with Government standards necessary for the effective coordination and efficient execution of the construction work and revise such drawings and specifications if necessary. All such drawings may be prepared in pencil on pencil cloth. Prepare and furnish _____ copies of the specifications and _____ sets of full size copies of working drawings; in the event additional copies are required the Government shall pay the cost thereof. There shall be included in the specifications all provisions which the Contracting Officer may direct to have incorporated therein relating to the advertising, negotiating, or awarding of construction contract or contracts, conditions under which the work shall be done, and any special provisions required by statute or existing War Department regulations or instructions.

6. Obtain necessary permits and approvals from all local, State and Federal authorities. Should it become necessary in the performance of the work and services for the Architect-Engineer to secure the right of ingress and egress to perform any of the work required by Title I hereof on properties not owned or controlled by the Government, the Architect-Engineer shall, if practicable, secure the consent of the owner, his representative, or agent, prior to effecting entry on such property. In the event the owner requires the payment of any fee for a license to enter upon and/or use such property, the Architect-Engineer, when so directed by the Contracting Officer, shall pay such fee and obtain a receipt therefor. The expenditures covering such fees shall constitute a reimbursable item under this contract, and the Architect-Engineer, upon presentation of a voucher therefor, duly supported by proper receipts attached thereto, shall be reimbursed for the full amount thereof.

7. Prepare an estimate of the cost of the proposed project based upon the approved designs, drawings and specifications therefor.

8. Prepare schedules and charts showing the sequence of operations in the construction of each of the several portions of the work.

9. Prepare estimates showing the quantities of critical and important materials and length of time after award of the construction contract when such materials will be required on the site.

10. Assist the Contracting Officer in preparing invitations for bids or proposals analyzing and evaluating bids or proposals for a construction contract or contracts based upon the approved drawings and specifications.

11. Check and approve all shop and working drawings submitted by the Constructor in connection with the construction work to assure that they conform with approved drawings.

12. During the construction period the Architect-Engineer shall furnish such advice as may be requested and an approved representative shall make _____ visits to the site of the work at periods required by the Contracting Officer; additional visits, if made, shall be paid for at _____ Dollars ($_____) per day in full satisfaction therefor. In the event that the option of Title II is exercised, the provisions of this paragraph shall not apply.

ART. I-C. *Progress schedule.* 1. The Architect-Engineer shall, promptly after the execution of this contract, prepare and submit to the Contracting Officer, for approval, a schedule showing the order in which the Architect-Engineer proposes to carry on the work, with dates on which he will start the several salient features of the work and the contemplated dates for completing the same. Such schedule shall provide for completion of all work hereunder within the contract time. The schedule shall be in the form of a progress chart at suitable scale so as to indicate with symbols the percentage completed at any time. The Architect-Engineer shall correct the progress schedule at the end of each week and shall immediately deliver three copies to the Contracting Officer.

2. The Architect-Engineer shall furnish sufficient technical, supervisory and administrative personnel to insure the prosecution of the work in accordance with the approved progress schedule.

ART. I-D. *Period of service.* 1. The Architect-Engineer shall complete all work and services under Title I of this contract except work and services required under Article I-B, sections 11 and 12, within _____ months after receipt of notice to proceed.

ART. I-E. *Payment.* 1. In consideration of the performance of his undertakings under this Title I, the Architect-Engineer shall be paid the sum of _____ Dollars ($_____), which shall constitute complete payment for all services required to be performed under this Title I and all expenditures which may be made and expenses incurred except as are otherwise expressly provided herein.

TITLE II

At any time prior to six months after satisfactory completion and acceptance of the work and services to be furnished under Title I except Article I-B, sections 11 and 12, the Government, at its option, may direct, by a written order, the Architect-Engineer to perform the work and services provided under this Title II. Upon receipt of such direction, the Architect-Engineer shall proceed with such work and services.

ART. II-A. *Services to be furnished by architect-engineer.*

The Architect-Engineer shall perform the following services:

1. Furnish all governing lines, bench marks and grades essential to the construction of the project.

2. Furnish a Resident Engineer and staff of assistants and other personnel to supervise the construction to assure that every part of the work is done in accordance with the approved drawings and specifications and within the areas and boundaries designated for the project. The Architect-Engineer will furnish _____ man-months of inspection service as required by the Contracting Officer.

3. Make all field tests at the site of the work and report to the Contracting Officer in writing as to the conformity or nonconformity of the materials and equipment and workmanship to specifications. The Architect-Engineer shall evaluate reports on such other tests of materials and equipment as may be required by the Contracting Officer, but the cost of such tests shall be borne by the Government.

4. Prepare, with the assistance of the Constructor, labor estimates showing the approximate numbers, trades and dates required to meet the approved construction schedule.

5. Prepare weekly progress reports in approved form showing the progress of the construction work and any deviation from the approved construction schedule.

6 Prepare, when required by the Contracting Officer, the partial and final construction estimates for payment.

7. Without additional compensation the Architect-Engineer or any member of the organization, when requested, shall consult and advise with the Contracting Officer on any questions which may arise in connection with the work under this contract.

8. Upon termination or completion of this contract as determined by the Contracting Officer, and before final payment, the Architect-Engineer shall:

a. Prepare record drawings to the satisfaction of the Contracting Officer to show details of construction as actually accomplished as follows:

(1) Drawings of topographical surveys, project layouts, utility layout maps, unit layout maps (including utilities), landscape layouts, and detailed drawings, for all special structures of a permanent nature, including sewage disposal plants, and water and electrical supply systems, shall be inked in on linen.

(2) All other record drawings shall be prepared in pencil on pencil cloth.

b. Assist the Contracting Officer in the preparation of the completion report for the project.

c. Supervise the testing of operating units to assure their conformance with specifications and furnish all engineering services necessary to secure such conformance.

d. Prepare instructions for the proper operation and maintenance of all utilities and operating equipment designed by the Architect-Engineer.

ART. II-B. *Period of service.* 1. The period of service of the Architect-Engineer under Title II of this Contract shall be _____, months from receipt of the order to proceed, but the Government may extend such period as provided in Article III-E of this Contract.

ART. II-C. *Payment.* 1. In consideration of the performance of his undertakings under this Title II the Architect-Engineer shall be paid the sum of _____ Dollars ($_____), which shall constitute complete payment for all services required to be performed under this Title II and all expenditures which may be made and expenses incurred except as are otherwise provided herein.

TITLE III

The provisions of this Title shall apply to this entire contract, towit: to Title I and likewise to Title II, should Title II become operative as provided herein.

ART. III-A. *Method of payment.* 1. Estimates shall be made semi-monthly of the amount and value of the work and services performed by the Architect-Engineer under this contract, determined in accordance with Appendix "A" attached hereto and made a part hereof.

2. Upon approval of such estimate by the Contracting Officer payment upon vouchers approved by the Contracting Officer shall be made to the Architect-Engineer as soon as practicable of 90% of the amount as determined above, less all previous payments.

3. In the event that the Government does not exercise the option under Title II of this contract within 30 days after the satisfactory completion and acceptance by the Contracting Officer of the work done by the Architect-Engineer under Article I-B, sections 1 through 10 inclusive, the Architect-Engineer shall be paid the unpaid balance of any money due for work done under said sections.

4. Upon satisfactory completion of the construction work and its final acceptance the Architect-Engineer shall be paid the unpaid balance of any money due hereunder. Prior to such final payment under the contract, or prior to settlement upon termination of the contracts, and as a condition precedent thereto, the Architect-Engineer shall execute and deliver to the Contracting Officer a release of all claims against the Government arising under or by virtue of this contract, other than such claims, if any, as may be specifically excepted by the Architect-Engineer from the operation of the release in stated amounts to be set forth therein.

ART. III-B. *Drawings and other data to become property of government.* 1. All notes, designs, drawings, specifications and other technical data are to become the property of the Government on completion as outlined in this contract, and the Government shall have full right to use those instruments for the purpose of constructing under contract or otherwise any buildings or other structures for the sole use of the Government when and where the Government may designate, without any claim on the part of the Architect-Engineer for additional compensation.

2. All notes, designs, drawings, specifications and other technical data concerning the project shall be delivered to the Government whenever requested by the Contracting Officer, and, furthermore, access to such data shall be restricted to trusted and duly authorized representatives of the Government and of the Architect-Engineer.

ART. III-C. *Contracting officer's decisions.* 1. The extent and character of the work to be done by the Architect-Engineer shall be subject to the general supervision, direction, control and approval of the Contracting Officer to whom the Architect-Engineer shall report and be responsible. In the event that there should be any dispute with regard to the extent and character of the work to be done, the decision of the Contracting Officer shall govern, but the Architect-Engineer shall have the right of appeal as provided in Article III-D.

ART. III-D. *Disputes.* (Insert ([¶326]) (§ 81.326))

ART. III-E. *Changes.* 1. The Contracting Officer may at any time, by a written order, and without notice to the sureties, make any changes in this contract which may either increase or decrease the services hereunder. If such changes cause an increase or decrease in the services required under this contract, or in the time required for its performance, an equitable adjustment shall be made and the contract shall be modified in writing accordingly. No changes involving an estimated increase or decrease in the amount of payment for services of more than _____ Dollars ($_____) shall be ordered unless approved in writing by the Secretary of War or his duly authorized representative. Any claim for adjustment under this article must be asserted within 10 days from the date the change is ordered: *Provided, however,* That the Contracting Officer, if he determines that the facts justify such action, may receive and consider, and with the approval of the Secretary of War or his duly authorized representative, adjust any such claim asserted at any time prior to the date of final settlement of the contract. If the parties fail to agree upon the adjustment to be made, the dispute shall be determined as provided in Article III-D, but nothing provided in this article shall excuse the Architect-Engineer from proceeding with the prosecution of the work so changed.

ART. III-F. *Termination.* 1. The Government may terminate this contract at any time and for any cause by a notice in writing from the Contracting Officer to the Architect-Engineer. Upon receipt of such notice the Architect-Engineer shall, unless the notice directs otherwise, immediately discontinue all work.

2. If the contract is terminated for the convenience of the Government, payment to the Architect-Engineer will be made promptly for that proportion of the services required under the contract which the work actually performed bears to the total work required under the contract, less any payments previously made.

3. If this contract is terminated because of the failure on the part of the Architect-Engineer to fulfill his undertakings under this contract, the Government may take over the work and prosecute the same to completion by contract or otherwise, and the Architect-Engineer shall be liable to the Government for any excess cost occasioned to the Government thereby.

ART. III-G. *Covenant against contingent fees.* (Insert [¶323] (§ 81.323))

ART. III-H. *Officials not to benefit.* (Insert [¶322] (§ 81.322))

ART. III-I. *Assignment of claims.* (Insert [¶355] (§ 81.355))

*Delete all lines which do not apply.

ART. III-J *Contract labor.* (Insert [¶345] (§ 81.345))

ART. III-K *Dismissals.* 1. Should the continued employment, under this contract, of any person in the Architect-Engineer's organization be deemed by the Contracting Officer to be prejudicial to the interests of the Government, that person shall be immediately removed from the work. The Architect-Engineer shall make every reasonable effort in the selection of his employees and in the prosecution of the work under this contract to safeguard all drawings and specifications, and to prevent the theft or unauthorized use of the same.

ART. III-L. *Workmen's Compensation Laws.* 1. The Act of June 25, 1936 (49 Stat. 1938, 1939; 40 U. S. C. 290), provides that the several states have authority to make their Workmen's Compensation Laws applicable to contracts for the construction, alteration or repair of a public building or public work of the United States, and the several States are vested with the power and authority to enforce such state laws on lands of the United States.

ART. III-M. *Accident prevention.* 1. The Architect-Engineer will maintain an accurate record of, and will report to the Contracting Officer in the manner and on the forms prescribed by the Contracting Officer, all causes of death, occupational disease, and traumatic injury arising out of or in the course of employment on work under this contract.

ART. III-N *Anti-discrimination.* (Insert [¶325] (§ 81.325))

ART. III-O *Renegotiation.* Pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as Amended. (Insert [¶342.1] (§ 81.342 (a)))

ART. III-P *Definitions.* (Insert [¶1301.22] (§ 81.1301 (v)))

ART. III-Q *Approval.* 1. This contract shall be subject to the written approval of the _____ and shall not be binding unless so approved.

ART. III-R. *Alterations.* 1. The following changes were made in this contract before it was signed by the parties hereto:

In witness whereof, the parties hereto have executed this contract as of the day and year first above written:

THE UNITED STATES OF AMERICA,
By _____
_____
(Official title)
_____
(Architect-engineer)
By _____
_____
(Business address)

Witnesses as to signature of Architect-Engineer

_____
_____
(Address)
_____
_____
(Address)

I, _____, certify that I am the _____ Secretary of the corporation named as Architect-Engineer herein: that _____ who signed this contract on behalf of the Architect-Engineer was then _____ of said corporation; that said contract was duly signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

In witness whereof, I have hereunto affixed my hand and the seal of said corporation this _____ day of _____, 19__.

(Corporate Seal)
(_____ Secretary)

I hereby certify that, to the best of my knowledge and belief, based upon observation and inquiry, _____ who signed this contract for _____ had authority to execute the same, and is the individual who signs similar contracts on behalf of this corporation with the public generally.

_____
(Contracting Officer)

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

Section 83.106a is added as follows:

§ 83.706a *Numbering and distribution of contracts of sale.* The provisions of § 81.309 and of § 81.318b (c) relating to the numbering of contracts are applicable to contracts for the sale of property except that in connection with contracts for the sale of property a separate series of numbers will be used in which the letter "s" will be added immediately after the letters representing the supply service (or service command) concerned. Contracts for the sale of property will be distributed in the same manner as other contracts (see §§ 81.315–81.318).

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225, 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601–622)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-5972; Filed, April 16, 1943; 3:24 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 178]

REPORT ON OCCUPATIONAL DEFERMENT OF FEDERAL GOVERNMENT EMPLOYEES

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 38, entitled "Report on Occupational Deferment of Federal Government Employees,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 17, 1943.

[F. R. Doc. 43-6111; Filed, April 19, 1943; 3:56 p. m.]

[1] Form filed as part of the original document.

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1, Direction 5]

HEAT TREATED AND NORMALIZED CARBON AND ALLOY STEEL FOR COMMERCIAL WAREHOUSE ORDERS

The following direction is issued to all steel producers, pursuant to paragraph (t) of CMP Regulation No. 1:

(a) In order to reduce the excessive load on heat treating facilities, steel producers are hereby prohibited, until further notice, from shipping normalized or heat treated carbon or alloy steel on any commercial warehouse order, except as permitted by paragraph (b) hereof. For the purposes of this direction, "Commercial Warehouse Order" does not include orders for shipment to earmarked aircraft warehouse stock, or for direct shipment to a manufacturer of aircraft or aircraft parts, but does cover all other orders for shipment to warehouse stock or direct to a warehouse customer.

(b) Commercial warehouse orders already normalized or heat treated, or now in process of being normalized or heat treated, may be shipped when an as completed, if otherwise validated in accordance with applicable War Production Board orders or regulations.

(c) Commercial warehouse orders already melted but not yet in process of being normalized or heat treated should be renegotiated with the purchaser on the basis of furnishing plain hot rolled, annealed, and/or cold drawn steel.

(d) Commercial warehouse orders not yet melted should either be cancelled or should be renegotiated with the purchaser on the basis of furnishing plain hot rolled, annealed, and/or cold drawn steel.

Issued this 19th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6120; Filed, April 19, 1943; 5:03 p. m.]

PART 935—VINYL POLYMERS

[Allocation Order M-10, as Amended April 20, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of vinyl polymers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 935.1 *Allocation Order M-10*—(a) *Definitions.* For the purposes of this order:

(1) "Vinyl polymers" means plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products. Such term also includes, but is not limited to, vinyl chloride-acetate copolymers, polyvinyl butyral, polyvinyl formal and polyvinyl acetal and the materials known by the trade names of Koroseal, Vinylite V, Saran, Butvar, Formvar, Alvar, Butacite, Heydenite, Saflex, Vinylite X, Vinylite A, PVA, Gelva and Solva. Such term also includes vinyl polymer scrap regardless of the source from which derived. Such term shall not include acrylic resins as defined in Order M-260 (§ 3135.1).

(2) "Producer" means any person engaged in the production of any vinyl polymer and includes any person who has any vinyl polymer produced for him pursuant to toll agreement.

(b) *Restrictions on use and delivery.* (1) No person, including a producer, shall use, deliver or accept delivery of vinyl polymers except as specifically authorized by the War Production Board upon application pursuant to paragraph (d).

(2) Each person authorized to use or to accept delivery of vinyl polymers shall use such vinyl polymers and products made from such vinyl polymers only for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board at its discretion may from time to time issue special directions to any person with respect to the use or delivery of vinyl polymers by such person, or of products made from vinyl polymers allocated to such person, notwithstanding the provisions of paragraph (c), or may issue special directions to any producer with respect to the kinds of vinyl polymers which he may produce or manufacture.

(c) *Exemptions.* The specific authorization of the War Production Board pursuant to paragraph (b) (1) shall not be required with respect to the following:

(1) Delivery of vinyl polymers to a producer by any person, and the acceptance of such delivery.

(2) Delivery, acceptance of delivery or use by any person of any material made in whole or in part from vinyl polymers pursuant to any specific authorization or direction issued by the War Production Board: *Provided, however,* That this exemption shall not be construed to apply to vinyl polymer scrap resulting from an authorized use of vinyl polymers.

(3) Use and acceptance of delivery of 50 pounds or less of vinyl polymers by any person in any one calendar month. Authorization by the War Production Board is required to make such small order deliveries upon application pursuant to paragraph (d) requesting an aggregate quantity of vinyl polymers "for paragraph (c) (3) small orders".

(4) Acceptance of delivery of vinyl polymers by any person for experimental purposes, and the experimental use by such person of the vinyl polymers so delivered. Authorization by the War Production Board is required to make deliveries for experimental purposes, upon application pursuant to paragraph (d) requesting an aggregate quantity of vinyl polymers "for deliveries for experimental purposes".

(5) Delivery by any person of vinyl polymer scrap to, and acceptance of such delivery by, any person purchasing such scrap for resale as scrap without further processing except cleaning and sorting. In addition, delivery of vinyl polymers may be made and accepted without specific authorization in the case of special sales pursuant to the provisions of Priorities Regulation No. 13. However, the purchaser of vinyl polymers pursuant to the provisions of Priorities Regulation No. 13 is subject to the provisions of this order M-10 with respect to use or redelivery of such vinyl polymers.

(d) *Reports.* In addition to such other reports as may from time to time be required by the War Production Board:

(1) Each person seeking authorization to use or accept delivery of any vinyl polymer pursuant to paragraph (b) (3) hereof, shall apply for such authorization on Form PD-36. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein.

(2) Each producer of vinyl polymers, including each person producing vinyl polymers for another pursuant to toll agreement, shall file a report on Form PD-33, in the manner prescribed therein, on or before the 25th day of each calendar month.

(e) *Notification of customers.* Producers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms thereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-10.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

11:29 a. m.]

[F. R. Doc. 43-6161; Filed, April 20, 1943;

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended April 20, 1943]

§ 1075.1 *Conservation Order L-41*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Construction" means the erection, construction, reconstruction, restoration, or remodeling of any structure or project, or additions thereto or extensions or alterations thereof, but not including:

(i) "Maintenance and repair" as defined in paragraph (a) (12);

(ii) The excavation or other movement of earth where no material except earth or other unprocessed material is to be incorporated.

(3) "Residental construction" means any construction where the principal designed function of the structure or project is or will be to provide living space or accommodations.

(4) "Multiple residential construction" means any residential construction where the principal designed function of the structure or project is or will be to provide living space or accommodations for six or more families, or which is divided or to be divided into six or more suites.

(5) "Agricultural construction" means any construction, (other than residential construction), where the principal designed function of the structure or project is or will be the production of agricultural products including, but not limited to, those produced by farmers, planters, ranchmen, dairymen, poultrymen, or nut or fruit growers.

(6) "Industrial construction" means any construction where the principal designed function of the structure or project is or will be the manufacture, processing or assembling of goods or materials.

(7) "Other restricted construction" means any construction, other than residential, multiple residential, agricultural, or industrial construction, including, but not limited to, commercial, highway, roadway, sub-surface, railroad, and utilities construction, whether publicly or privately financed.

(8) "Project" means all separate structures or units of construction situated in close proximity to each other and integrated to serve a single general use; it does not mean a particular construction operation or job. In no case shall a single structure or unit of construction be subdivided into more than one project for the purpose of this order.

(9) "Begin construction" means to initiate construction, or to resume construction which has not been carried on as one continuous construction job, by physically incorporating or installing into a structure or project on the site, material which is to be an integral part of the structure or project.

(10) "Cost" shall be the sum of the total cost or value, whichever is higher, of the following (except as qualified in (a) (11) below):

(i) Material which is to be an integral part of the structure or project, including articles, chattels, or fixtures which are to be physically incorporated in and used as a part of the structure or project, or are to be so substantially affixed thereto that they cannot be detached without materially injuring them or the structure or project;

(ii) Labor engaged in the construction;

(iii) Architects', engineers' and contractors' services.

(11) "Cost" does not include the following:

(i) The value of used material, articles, chattels or fixtures which have been severed from the same or another structure or project and are to be used without change in ownership, nor the cost or value of labor engaged in incorporating the same;

(ii) The cost or value of production machinery or equipment to be used directly in the manufacturing, processing or assembling of goods or materials;

(iii) The value of labor, not entailing financial outlay, of an owner or tenant and members of the owner's or tenant's immediate family residing with him, on a structure or project owned or leased by him.

(12) "Maintenance and repair" means such work as is necessary to keep a structure or project in sound working condition, or to rehabilitate a structure or project or any portion thereof when the same has been rendered unsafe or unfit for service by wear and tear or other similar causes. The term does not include any building operation or job where a structural alteration or change in design is to be made. However, different materials may be used and different types of articles, chattels or fixtures (but of the same general nature) may be incorporated, provided that there are no such structural alterations or changes in design. No building operation or job may be part construction and part maintenance and repair, as the terms are used herein, but if any construction is to be done, the entire building operation or job is construction. Maintenance and repair does not include the reconstruction or restoration of a structure or project or portion thereof destroyed by fire, flood, tornado, earthquake, act of God or the public enemy.

(b) *Prohibited construction.* (1) No person shall begin construction, carry on any construction begun in violation of any order in the L–41 series, cause such construction to be begun or carried on or participate in such construction, or order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material for such purposes.

(2) The terms and restrictions of (b) (1) shall not apply where the construction is of:

(i) A structure or project to be the property of the Army or Navy of the United States, the United States Maritime Commission, Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, or the Office of Scientific Research and Development;

(ii) A structure or project which is to be used directly in the discovery, development or depletion of mineral deposits;

(iii) A type subject to the provisions of any order in the M–68 series (Part 1047) relating to the production and distribution of petroleum, or is of a type subject to the provisions of any Petroleum Administrative Order (Chapter XIII), and such construction is permitted only to the extent authorized by the applicable order in the M–68 series or by the applicable Petroleum Administrative Order;

(iv) Telephone facilities or equipment, including facilities or equipment for such telegraph or teletypewriter service as may be conducted by a telephone operator, other than buildings, and is authorized or permitted under the terms of Order L–50 (§ 1095.1);

(v) Railroad tracks, together with necessary operating facilities, but not including buildings, tunnels, overpasses, underpasses, or bridges;

(vi) Facilities, other than buildings, to be owned by a producer, as defined in Order P–46 (§ 978.1), pertaining to utilities, and which are to be used directly in providing one or more of the services set forth in paragraph (a) (1) of said order;

(vii) Irrigation pipe lines or drainage tile drains, classified as agricultural construction under this order, in which no materials except earth or other unprocessed material or clay or non-reinforced concrete tile not more than 12 inches in internal diameter are incorporated.

(viii) Agricultural construction necessary to the installation of material or equipment, the distribution of which is controlled by Order L–170 (§ 1029.10) or orders in the M–21 series (Part 962), and which are listed in Schedule 1 of Food Production Order 3 of the United States Department of Agriculture.

(ix) A structure or project for which no material will be used to provide electric, gas, water, or steam services for the incorporation of which specific authorization is required under orders in the U series (unless such authorization has been received before construction was begun), provided it is

(*a*) Residential construction and not multiple residential construction, or is specifically listed on Schedule B attached hereto, and the estimated cost of construction is less than $200; or

(*b*) Multiple residential, agricultural or other restricted construction, is not specifically listed on Schedule B, and the estimated cost of construction is less than $1,000; or

(*c*) Industrial construction, is not specifically listed on Schedule B, and the estimated cost of construction is less than $5,000; or

(*d*) The minimum construction necessary to make safe and to protect any structure or project (or the contents thereof) damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy; or

(*e*) Agricultural construction, and the immediate construction thereof is determined by the United States Department of Agriculture in accordance with such administrative procedures as may be from time to time prescribed, to be necessary to avert threatened loss of farm products: *Provided*, That within two weeks of such determination Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section.

(3) The terms and restrictions of (b) (1) shall not apply where the construction is to reconstruct or restore:

(i) Residential or multiple residential construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, or to build in its place and stead new residential or multiple residential construction: *Provided, however*, That the estimated cost of such reconstruction, restoration, or new construction shall be less than $5,000, and that within two weeks of such damage or destruction Form PD–105 (for residential) or Form PD–200 (for multiple residential) is filed in accordance with the provisions of paragraph (f) of this section;

(ii) Agricultural construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy where the immediate reconstruction thereof is determined by the United States Department of Agriculture, in accordance with such administrative procedures as may be from time to time prescribed, to be essential to the agricultural program: *Provided*, That within two weeks of such damage or destruction Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section;

(iii) Industrial or other restricted construction, not specifically listed on Schedule B, damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, where the immediate reconstruction thereof is necessary for the prosecution of the war or the protection of public health or safety: *Provided*, That within five days of the damage or destruction notice thereof is given by telegraph to the War Production Board setting forth (*a*) the cause of the damage or destruction, (*b*) the function of the structure or project which has been damaged or destroyed, (*c*) the type of construction, (*d*) why immediate reconstruction or restoration is necessary, and (*e*) the estimated cost of reconstruction: *And provided further*, That within two weeks of the giving of such telegraphic notice, Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section.

Nothing contained in this subparagraph (3) shall be interpreted as a commitment that priorities assistance will be accorded to any particular construction authorized by the provisions of this subparagraph and the War Production Board may at any time either order said construction to cease or require any modification thereof that seems to it to be proper.

(4) The terms and restrictions of (b) (1) shall not apply where the construction has been or is hereafter authorized by the Director of Priorities of the Office of Production Management or by the War Production Board by the issuance of:

(i) One of the preference rating orders or certificates listed on Schedule A attached hereto, as that schedule may be amended from time to time, according priorities assistance to the construction; or

(ii) An order specifically authorizing the construction.

(5) The exceptions set forth in paragraphs (b) (2) (ix) (*a*), (b) (2) (ix) (*b*), and (b) (2) (ix) (*c*) shall not be construed to authorize separate or successive construction operations commencing after September 6, 1942, the aggregate cost of which over any continuous twelve-month period exceeds the amount specified in the applicable paragraph for the particular structure or project; not including in said aggregate cost the cost of any construction thereon during said period authorized under the provisions of paragraph (b) (2) (ix) (*d*), (b) (2) (ix) (*c*), (b) (3) and (b) (4).

(c) *Prohibited deliveries.* No person shall accept an order for, sell, deliver, or cause to be delivered material which he knows, or has reason to believe, will be used in violation of the terms of this order.

(d) *Further construction limitations.* Nothing in this order shall be construed to authorize the use or delivery of any material, or the application or extension of any preference rating, in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, Office of Production Management, or by the War Production Board.

(e) *Orders or certificates not constituting authorization.* The assignment of a preference rating by a PD–1, PD–1A, or other certificate, or by any order, other than those listed on Schedule A, shall not constitute authorization to begin construction.

(f) *Application for authority to begin construction.* (1) The application forms prescribed by paragraphs (f) (2) and (f) (3) hereof shall be executed by the person who is or is to be the owner of the structure or project for which authorization is required by the terms of this order, or his duly authorized agent.

(2) If the applicant requires priorities assistance for the proposed construction, an application shall be made for the appropriate preference rating order or certificate listed on Schedule A on the form referred to therein.

(3) Where the applicant does not require priorities assistance, application for specific authorization to begin construction referred to in paragraph (b) (4) (ii) hereof may be made by filing Form PD–200, or such other forms as may hereafter be prescribed. Such forms are to be filed in the manner prescribed on Schedule A for the filing of applications for Preference Rating Order P–19–h.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* Applications, communications and reports under this order shall, unless otherwise directed in Schedule A or by specific instructions be addressed to: War Production Board, Washington, D. C., Ref.: L–41.

Those relating to residential construction shall in addition be conspicuously marked "Res.", those relating to multiple residential construction "M. R.", those relating to agricultural construction "Agr.", those relating to industrial construction "Ind.", and those relating to other restricted construction "O. R."

This order, as amended, shall supersede all orders, amendments and interpretations in the L–41 series issued prior to February 19, 1943, except L–41–a, L–41–b and its interpretation, and L–41–c.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The following preference rating orders and certificates are listed pursuant to paragraph (b) (4) (i) of the above order. A general description of the type of construction covered by each, the appropriate application form and where such form should be filed, are given solely for the purposes of identification.

Preference rating order	Type of construction	Application form	Where filed
P–14–a	Shipyards and shipways	No form	Maritime Commission, Washington, D. C.
P–14–b			
P–19	Structures or projects important to the war effort and essential civilian needs, other than housing	No further application accepted under P–19 and P–19–a. Apply for P–19–h.	
P–19–a			
P–19–d	Publicly financed war housing	No further applications accepted; see P–19–h.	
P–19–e			
P–19–g	Public roads	Application is made by or through the Public Roads Administration of F. W. A.	
P–19–h	Structures and projects important to the war effort and essential civilian needs, including war housing owned by FHA and farm dwellings (for other housing see P–55 below)	Form PD–200	At the following places or such other places as may be prescribed: Agricultural and farm dwellings with Department of Agriculture County War Board having jurisdiction over location of the site. All other types of construction with War Production Board, Washington, D. C.
P–19–i			
P–1	Construction of air transport facilities	Expired Oct. 1, 1942	
P–55	Housing and Remodeling of housing except farm dwellings and housing owned by the FPHA	Form PD–105 and Form PD–105A	With FHA field office having jurisdiction over location of the site.
P–55 Amended			
P–89 as amended	Construction of certain types for production of chemicals	Form PD–315	With War Production Board Washington, D. C., Ref: P–89.
P–98–b	Construction related to petroleum enterprises as defined and limited therein	See orders in M–68 series	
P–110	Remodeling of housing programmed for critical areas by the National Housing Agency	No further applications accepted.	
P–130	Construction of certain facilities other than buildings by telephone companies and construction by such companies of facilities necessary to serve defense projects	See order Form PD–685	With War Production Board, Washington, D. C., or such other place as may be prescribed
P–132	Construction of certain facilities other than buildings by telegraph companies and construction by such companies of facilities necessary to serve defense projects	See order Form PD–683	With War Production Board, Washington, D. C., or such other place as may be prescribed.
Certificates: PD–3 PD–3A	Certain specific types of construction of the Army or Navy	PD–3A	With the contractor or procurement official having jurisdiction of the contract.

SCHEDULE B

The following structures or projects are listed pursuant to paragraphs (b) (2) (ix) and (b) (3) (iii) of the above order:

(a) A structure or project which has as its principal designed function:

(1) Public or private amusement, entertainment or recreation, with the exception of playgrounds for children;

(2) Occupancy by not more than five establishments selling or dispensing goods, merchandise, food or drink, or providing services:

(3) Use as a club, lodge, fraternity or sorority house, association, auditorium or assembly hall;

(4) Manufacture, processing or assembling of any one or more of the following:

(i) Athletic supplies, sporting goods, or toys or games as defined in Order L-81.

(ii) Beverages, except milk.

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter.

(iv) Candy or chewing gum.

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff.

(vi) Jewelry, watches, traveling bags, brushes, razors, pipes and like articles for personal use or adornment.

(vii) Furniture, silverware, china, household electrical appliances, draperies, and all other similar articles.

(viii) Musical instruments.

(ix) Stationery or office supplies.

(x) Toiletries or cosmetic products as defined in Order L-171.

(xi) Wearing apparel of every sort, nature or description, except for the Army or Navy;

(b) Industrial construction with a productive floor area of less than 10,000 square feet.

INTERPRETATION 1

(a) Paragraph (a) of Conservation Order No. L-41, as amended, places in different classes the construction of various structures or projects, and paragraph (b) (2) (ix) provides the limits within which the several classes of construction may be begun without authorization. Any structure shall be classified in accordance with such provisions unless it constitutes a part of a "project" as defined in paragraph (a) (8), in which event the classification of the project shall control.

(b) In connection with paragraphs (a) (3), (a) (4), (a) (5), (a) (6), and (a) (7), where part of a structure or project falls within one class under said order and other parts within another or other classes, the predominant designed use shall determine the classification of the whole structure or project.

(c) In connection with paragraphs (a) (5) and (a) (7), a structure to be used primarily for the storage of farm products which are produced by a person other than the proprietor of such structure shall be interpreted to be "other restricted construction."

(d) "Construction" as defined in paragraph (a) (2) includes the laying of asphalt tile, linotile, cork tile, rubber tile, and linoleum, if the same is cemented to or in any way is affixed to the construction.

(e) The application of siding or roofing is "construction" as the word is used in paragraph (a) (2), where such siding or roofing is applied to a portion of a building or structure which is not in need of "maintenance and repair" as the words are used in paragraph (a) (12). (Issued February 19, 1943)

[F. R. Doc. 43-6165; Filed, April 20, 1943; 11:31 a. m.]

PART 3119—REAGENT CHEMICALS

[Preference Rating Order P 135, as Amended April 20, 1943]

§ 3119.1 *Preference Rating Order P-135*—(a) *Definition.* For the purposes of this order the term "reagent chemical" means any chemical prepared and packed for reagent use in laboratories.

(b) *Assignment of preference rating.* Preference rating AA2X is hereby assigned to deliveries of any reagent chemical for use by any laboratory for analytical, testing, control, educational or research purposes and to deliveries of any material (not including repair, maintenance and operating supplies) which will enter, at any stage, into the production of any such reagent chemical.

Nothing contained in this order shall prevent the use of any other or higher rating to which any person operating a laboratory or any producer of reagent chemicals may be entitled by reason of any other preference rating certificate or order.

(c) *Application and extension of rating.* The preference rating assigned by paragraph (b) hereof shall, subject to the provisions of paragraph (d) hereof, be applied or extended only in accordance with the provisions of Priorities Regulation No. 3, as amended from time to time.

(d) *Restrictions on applications and extensions of rating.* The preference rating hereby assigned shall not be applied:

(1) To obtain deliveries of any reagent chemical or material:

(i) Which will be incorporated in, or which will enter into any chemical reaction directly involved in the manufacture of any product, other than a reagent chemical, manufactured for sale;

(ii) Which will be used in the rendering of any service other than analytical, testing, control, educational or research laboratory services.

(2) To obtain deliveries during any calendar quarter of reagent chemicals, and material (not including maintenance, repair and operating supplies) which will enter, at any stage, into the production of reagent chemicals, greater in dollar value than the sum of the following:

(i) Twenty-five percent (25%) of the total dollar value of reagent chemicals and such material delivered, for analytical, testing, control or research purposes (exclusive of educational purposes) or for the manufacture of such reagent chemicals, to the person applying the rating hereby assigned during the twelve (12) month period ended September 30, 1942, and

(ii) One hundred percent (100%) of the total dollar value of reagent chemicals and such material delivered, for educational purposes or for the manufacture of reagent chemicals for such purposes, to the person applying the rating hereby assigned during such twelve (12) month period: *Provided, however*, That the dollar value of deliveries of reagent chemicals for educational purposes and of material which will enter into the production of reagent chemicals for educational purposes, to which such preference rating may be applied in any four successive quarters shall not exceed one hundred percent (100%) of the total dollar value of reagent chemicals and such material delivered for such purposes to the person applying the rating during such twelve (12) month period.

(3) If during any calendar quarter or other applicable period the dollar volume of production, services rendered, appropriations for research or number of students enrolled, by the person applying the rating hereby assigned, is greater than for the corresponding quarter or other period of the twelve (12) months ended September 30, 1942, the allowable dollar value to which the rating hereby assigned may be applied in terms of paragraph (d) (2), may be increased in proportion to the increase in production, services rendered, research appropriation or enrollment.

(4) The quantitative restrictions of CMP Regulations 5 and 5A shall not apply to deliveries of reagent chemicals or of material (not including maintenance, repair and operating supplies) which will enter into the production of reagent chemicals.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: P-135.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6166; Filed, April 20, 1943; 11:31 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation No. 5 of CMP Regulation No. 1]

It is provided in § 3175.1 (s) (6) that a delivery order placed by a consumer for controlled material before he has received his allotment may afterwards be converted into an authorized controlled material order by furnishing the necessary information and certificate. Such conversion is not retroactive in effect. The order must be treated as an authorized controlled material order as of the date on which the necessary information and certificate (including the allotment number) are furnished to the producer, unless the War Production Board has previously expressly authorized the filling of the particular order, in which case it is to be treated as an authorized controlled material order received on the date of receipt of such authorization by the producer.

It follows from the foregoing that the controlling date for purposes of determining whether an order has been placed sufficiently far in advance to comply with the requirements of paragraph (s) (4) and the accompanying Schedule III is the date on which the order becomes an authorized controlled material order. For example, a manufacturer on May 1 places an order for carbon steel structural shapes to be delivered in July. He has not yet received his allotment for the related production schedule. The steel mill may receive and record the order without the allotment number but is not required to do so. In any event, the mill may not then treat it as an authorized controlled material order. The customer furnishes the necessary information and certificate, including the allotment number, on May 20. Since this is later than the advance period of 45 days specified in Schedule III, the mill may refuse to schedule the order, or may in its discretion accept the same as a late authorized controlled material order, provided it does not discriminate in doing so, as further explained in Interpretation No. 1 of CMP Regulation No. 1. If the mill received on May 15th an express direction or other express authorization from the War Production Board to fill the particular order, the mill would treat the order as an authorized controlled material order received on that date and would be required to accept it and schedule it for delivery accordingly.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6162; Filed, April 20, 1943; 11:29 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 2 to CMP Regulation 5]

A person who is permitted to get controlled materials under paragraph (c) (1) of CMP Regulation No. 5 for maintenance, repair and operating supplies is not entitled to use the MRO symbol for purposes of allotting controlled materials to others. For example, a manufacturer of a product listed in Schedule I or Schedule II of the regulation requires a spring as a repair part. He may use the MRO symbol to place an authorized controlled material order for steel which he will fabricate into the spring which he requires, but if he buys the spring from a spring manufacturer, he may not make an allotment with the MRO symbol to the spring manufacturer. The spring manufacturer receives his allotment direct from the War Production Board as provided in paragraph (k-1) of CMP Regulation No. 1.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6163; Filed, April 20, 1943; 11:29 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 1 of CMP Regulation 5A]

Interpretations of the various provisions of CMP Regulation No. 5 are equally applicable to the corresponding provisions of CMP Regulation No. 5A. In most cases, the provisions of the two regulations are similar although there are several important differences and, therefore, care should be exercised to ascertain that the provision of CMP Regulation No. 5 covered by a particular interpretation corresponds in substance to the provision of CMP Regulation No. 5A to which it is sought to be applied.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6164; Filed, April 20, 1943; 11:29 a. m.]

Chapter X—Federal Works Administrator

PART 1201—DISCRIMINATION IN DEFENSE HOUSING OR DEFENSE PUBLIC WORKS

DEFENSE PUBLIC WORKS

Section 1201.3 of the regulation providing against discrimination in work on defense housing, dated January 6, 1941 (6 F.R. 196), as amended by the regulation providing against discrimination in work on defense public works, dated September 11, 1941 (6 F.R. 4737), and by the regulation providing against discrimination in work on defense public works in and near the District of Columbia, dated January 5, 1943 (8 F.R. 328), is hereby amended to read as follows:

§ 1201.3 *Negro labor and defense public works.* In order to ascertain compliance, in respect to Negro labor, with § 1201.1, providing against discrimination in work on defense public works, it is requested that:

(a) Contracting officers in charge of the development of defense public works undertaken, and public and private agencies to which loans or grants are made for defense public works, pursuant to the Act of October 14, 1940 (Public No. 849, 76th Congress), as amended, shall, after the effective date of this section:

(1) Submit to each contractor engaged in constructing any such defense public works, the percentage of Negro skilled and unskilled labor in the locality of the project, as reflected by the Federal census and other relevant data, as determined by the Assistant Federal Works Administrator.

(2) Require each contractor engaged in constructing any such defense public works to indicate by notation (W for non-Negro, N for Negro) on payroll forms required to be submitted to the Government, or to such public or private agencies, the race of each laborer, skilled or unskilled, listed on such payroll forms; and

(3) Ascertain and report to the Bureau of Labor Statistics through appropriate channels at designated intervals during the construction period, the respective amounts paid by each such contractor during such period as wages, for work in the development of defense public works at the sites thereof to (i) non-Negro skilled labor (irrespective of individual trades); (ii) Negro skilled labor (irrespective of individual trades); (iii) non-Negro unskilled labor; and (iv) Negro unskilled labor.

(b) If the percentages of the total amounts so paid for all skilled labor and for all unskilled labor that are paid, respectively, to Negro skilled and unskilled labor approximate the respective percentages of Negro skilled and unskilled laborers in the locality (as submitted to the contractor by the contracting officer or by the public or private agency), there shall be deemed to be prima facie evidence that the contractor is not discriminating against Negro labor. Otherwise, or if any contractor shall fail or refuse to make the payroll notations hereinabove referred to, the contracting officer (as to defense public works constructed pursuant to subparagraph (b) of section 202 of said Act of October 14, 1940, as amended) or the public or private agency (as to defense public works for which loans or grants have been made pursuant to subparagraph (c) of section 202 of said Act of October 14, 1940, as amended) shall investigate and report the reasons therefor to the Assistant Federal Works Administrator.

(c) Copies of this regulation shall be distributed to all contractors engaged in the development of defense public works under the aforesaid Act of October 14, 1940, as amended.

(d) As used in this regulation, the tefm "contractor" includes subcontractors.

(Sec. 308, Pub. Law 849, 76th Cong., as amended by Pub. Laws 42, 137, 409, 522, and 723, 77th Cong.)

In testimony whereof, I have hereunto set my hand and official seal in the city of Washington this 19th day of April 1943.

[SEAL] PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 43-6125; Filed, April 20, 1943; 9:45 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,* Amendment 15]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Sections 7.1 (c), 7.3 (e), 13.3 (b) (7), 15.2 (a) and the definition of "dollar revenue" in section 22.1 are amended by inserting the words "pursuant to written contract with an agency of the United States" after the words "commissioned or non-commissioned officer".

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348, 2598, 2663, 2667, 3178, 3216, 3255, 3616, 3851, 4325, 4131, 4784, 4785, 4839.

2. Section 7.5 is added to read as follows:

SEC. 7.5 *Change of registration to include certain military and naval personnel.* (a) An institutional user who, when he registered under this order, excluded from his report of dollar revenue, December use, or number of persons served, food service to Army, Navy, Marine Corps, or Coast Guard personnel or selectees, for which government meal tickets were received, shall change his registration to include such service. His base for each rationed food shall be recomputed on the basis of the changed registration and his allotments for the second and subsequent allotment periods shall be calculated on the recomputed base.

(b) The board shall add to his allotments for the second allotment period, the difference between the allotments he would have received for the first period if the recomputed base had been used and the allotments he actually received for that period. However, from this sum there shall be deducted the amount of any ration checks or certificates received by him for food served to military or naval personnel from March 1, 1943 to April 30, 1943, inclusive, other than those received for service to military or naval personnel during that period pursuant to a written contract with a government agency, where government meal tickets were not used.

(c) Ration checks or emergency acknowledgments may not be issued by the Army, Navy, Marine Corps, or Coast Guard or accepted by an institutional user, for service on government meal tickets.

3. Article XXV and section 25.1 are revoked and a new Article XXV and sections 25.1 and 25.2 are added to read as follows:

Article XXV—Obtaining Rationed Foods for Service to Certain Military and Naval Personnel

SEC. 25.1 *Obtaining rationed foods for service to military or naval personnel pursuant to written contract.* (a) Whenever, pursuant to a written contract made with an agency of the United States, an institutional user needs (or has used) rationed foods for the preparation of food which he will serve (or has served) to Army, Navy, Marine Corps, or Coast Guard personnel messed under the command of a commissioned or noncommissioned officer and for which government meal tickets will not be (or were not) received, an officer authorized by the Army, Navy, Marine Corps, or Coast Guard may issue ration checks to him or to his supplier, for the amount of rationed foods needed (or used) for such purpose.

(b) If, for any reason, ration checks are not available, an authorized officer may issue an emergency acknowledgment instead of a ration check. The emergency acknowledgment may be in any form, but must show the name and address of the person to whom it is issued, the amount of rationed foods for which it is issued (in points for foods rationed under a point system, and in pounds for other rationed foods) and the date of issuance. The person who issues the acknowledgment must sign his name, state his rank and the name and address of the activity or organization to which he is attached. The emergency acknowledgment must be exchanged for a ration check when ration checks are available, upon presentation to the activity or organization named thereon.

(c) The weight of any substitute or substance, including but not limited to chicory, cereal, peas or beans, mixed, blanded or compounded (or to be mixed, blended or compounded) by the institutional user with the roasted coffee used (or to be used) shall not be included in the amount of any ration check or emergency acknowledgment issued for coffee pursuant to this section.

SEC. 25.2. *How organized messes obtain rationed food.* (a) The Army, Navy, Marine Corps, or Coast Guard may authorize messes organized pursuant to their respective regulations to draw on exempt ration bank accounts or to open exempt ration bank accounts in accordance with arrangements made with the Office of Price Administration. Messes so authorized are not required to register with a board under this order. They may acquire rationed foods only in exchange for ration checks drawn on such accounts in accordance with instructions issued by the Army, Navy, Marine Corps, or Coast Guard.

This amendment shall become effective April 19, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M, and 1–R, 7 F. R. 562, 2965, 7234, 9684, respectively, Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6114; Filed, April 19, 1943; 4:39 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amendment 1 to Supp. 1]

FOOD RATIONING FOR INSTITUTIONAL USERS

Correction

In the document appearing on page 4840 of the issue for Wednesday, April 14, 1943, the table in § 1305.203 (c) should read as follows:

Rationed food	*Allowance per person*
Processed foods	0.6 points
Sugar:	
1. For Group III institutional users only:	
(i) For allotment period ending April 30, 1943	.03 pounds
(ii) For the second and subsequent allotment periods	.04 pounds
2. For Group II institutional users only:	
(i) For all allotment periods	.03 pounds
Coffee	.013 pounds

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306, Amendment 7]

CERTAIN PACKED FOOD PRODUCTS

Correction

In paragraph 1 of the document appearing on page 4840 of the issue for Wednesday, April 14, 1943, the reference to § 1341.563 (a) (2) should be to § 1341.583 (a) (2).

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237,[1] Amendment 13]

SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 237 is amended in the following respects:

1. The table in Appendix A, § 1351.518, is amended so that the dates opposite the food products, "cereals, breakfast", "rice", "sugar, cane and beet", and "vegetables, canned", under the column entitled "Last date for determining new maximum prices under this regulation" shall read "May 3, 1943" instead of "April 15, 1943" as they now read.

2. The table in Appendix A, § 1351.518, is amended so that the dates opposite the food products, "cereals, breakfast", "rice", "sugar, cane and beet", and "vegetables, canned" under the column entitled "Last date for filing new maximum prices with appropriate OPA district or State offices" shall read "May 13, 1943" instead of "April 25, 1943" as they now read.

3. The table in Appendix B, § 135 519, is amended so that the dates opposite the food products numbers 1 to 17 inclusive under the column entitled "Last date for determining new maximum prices under this regulation" shall read "May 3, 1943" instead of "April 15, 1943" as they now read.

4. The table in Appendix B § 1351.519, is amended so that the dates opposite the food products numbers 1 to 17 inclusive under the column entitled "Last date for filing new maximum prices with appropriate OPA district or State offices" shall read "May 13, 1943" instead of "April 25, 1943" as they now read.

This amendment shall become effective April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6115; Filed, April 19, 1943; 4:39 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569, 1200, 2106, 2671, 3946.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238,[1] Amendment 14]

SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 238 is amended in the following respects:

1. The table in Appendix A, § 1351.618, is amended so that the dates opposite the food products, "cereals, breakfast", "rice", "sugar, cane and beet", and "vegetables, canned", under the column entitled "Last date for determining new maximum prices under this regulation" shall read "May 20, 1943" instead of "May 1, 1943" as they now read.

2. The table in Appendix B, § 1351.619, is amended so that the dates opposite the food products numbers 1 to 17 inclusive under the column entitled "Last date for determining new maximum prices under this regulation" shall read "May 20, 1943" instead of "May 1, 1943" as they now read.

This amendment shall become effective April 19 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6116; Filed, April 19, 1943; 4:39 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 53,[1] Amendment 30]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.151 (b) (15) (vii) is amended to read as follows:

(vii) When any of the above named tallows or greases are sold in drums, barrels or tierces (a) to a buyer who has obtained a priority rating or priority order for such tallows or greases from the Food Distribution Administration, (b) by a seller who customarily has charged a premium for tallows or greases when sold in drums, barrels or tierces to a person engaged in a business similar to that in which the buyer is engaged, the maximum prices of such tallows or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container in which the tallows or greases are shipped:

Container	*Differential to be added in cents per pound*
Returnable drums, barrels or tierces	⅜
Non-returnable drums, barrels, or tierces	1

This amendment shall become effective April 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6112; Filed, April 19, 1943, 4:39 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5B,[1] Amendment 16]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5B is amended in the following repects:

1. Section 1394.2301 (b) and (c) are amended to read as follows:

(b) Classes B and C ration books shall be issued as supplemental rations for passenger automobiles, shall contain twelve (12) pages of eight (8) coupons to each page. All coupons on each page shall bear the same number and all coupons on each succeeding page shall be consecutively numbered.

(c) Valid periods for B and C coupons:

Coupons bearing number:	*6 days beginning*
22	Apr. 5, 1943
23	Apr. 12, 1943
24	Apr. 19, 1943
25	Apr. 26, 1943
26	May 3, 1943
27	May 10, 1943
28	May 17, 1943
29	May 24, 1943
30	May 31, 1943
31	June 7, 1943
32	June 14, 1943
33	June 21, 1943
34	June 28, 1943

2. Section 1394.2401 (a) (1) is amended to read as follows:

(1) S1 Ration Books for a public car or publico which is duly licensed and used exclusively as a public car or publico, and for the continued operation of which a currently valid certificate of necessity and convenience or a currently valid special permit has been issued by the Public Service Commission of the Insular Government.

3. Section 1394.2401 (a) (1) (i) is revoked and § 1394.2401 (a) (1) (ii) is redesignated as § 1394.2401 (a) (1) (i).

4. Section 1394.2403 (a) (4) is amended to read as follows:

(4) The valid periods for S–1, S–2, S–3, S–4 and S–5 coupons are as follows:

Coupons bearing number:	*6 days beginning*
21	Apr. 5, 1943
22	Apr. 12, 1943
23	Apr. 19, 1943
24	Apr. 26, 1943
25	May 3, 1943
26	May 10, 1943
27	May 17, 1943
28	May 24, 1943
29	May 31, 1943
30	June 7, 1943
31	June 14, 1943
32	June 21, 1943
33	June 28, 1943

5. Section 1294.2759 is added to read as follows:

§ 1394.2759 *Presentation of certificate of war necessity*—(a) If a certificate of war necessity is required by any order of the Office of Defense Transportation for the operation of a motor vehicle, no ration shall be issued or used for the operation thereof unless the operator of such motor vehicle has obtained and holds a currently valid certificate of war necessity.

This amendment shall become effective April 3, 1943.

(Pub. Laws 671, 76th Cong.; W.P.B. Dir. 1, 7 F.R. 562; Supp. Dir. No. 1–J, 7 F.R. 8731; E.O. 9125; 7 F.R. 2719)

Issued this 3d day of April 1943.

WILLIAM B. MEAD,
Director.

[F. R. Doc. 43-6119; Filed, April 19, 1943; 4:41 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amendment 42]

MILEAGE RATIONING, GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7704 (a) is amended by substituting for the phrase "in paragraph (c)" the phrase "in paragraphs (c) and (e)".

2. Section 1394.7704 (e) is added to read as follows:

(e) Unless the applicant's occupation requires him to live at a temporary or seasonal home or lodging, a Board shall allow no more occupational mileage to an applicant living at a temporary or seasonal home or lodging than the amount which would be allowable to the applicant for the same occupational purposes if he were living at his usual home or lodging.

3. In § 1394.7904 (b) (2) the last sentence is amended to read as follows:

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2760, 2720, 3096, 3261, 3253, 3254, 3255, 3315, 3616, 4180, 4341.

For purposes of this paragraph non-occupational uses shall include use of a motorboat or outboard motor for travel between a temporary or seasonal home or lodging and a fixed place of work, sightseeing, guiding pleasure parties or conducting or chartering boats for fishing parties, other than commercial fishing.

This amendment shall become effective April 24, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6118; Filed, April 19, 1943; 4:40 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amendment 43]

MILEAGE RATIONING, GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.7904 (a) the expression "paragraphs (b) and (c)" is amended to read "paragraphs (b), (c) and (f)".

2. Section 1394.7904 (f) is added to read as follows:

(f) Notwithstanding any other provision of Ration Order No. 5C, no ration may be issued for non-occupational use with an inboard motorboat or outboard motor normally kept or stationed in the gasoline shortage area, unless the boat is enrolled as a member of the Coast Guard Auxiliary and the application for the ration is accompanied by a written certification of such membership by an officer designated by the Coast Guard to make such certification. If the necessary certification is presented, and no ration has been issued for occupational use with such boat, the Board may allow an amount of gasoline for such non-occupational purpose not in excess of the amount determined by the formulae contained in paragraph (b) of this section.

This amendment shall become effective April 24, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2720, 2780, 3096, 3201, 3253, 3254, 3255, 3315, 3616, 4189, 4341.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6117; Filed, April 19, 1943; 4:39 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amendment 11]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. Section 1407.623 is hereby revoked.
2. Section 1407.662 is hereby revoked.
3. Section 1407.704 is hereby revoked.

This amendment shall become effective April 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1–J, O.P.A. Admihistrative Order 19; 7 F.R. 562, 5043)

Issued this 12th day of April 1943.

WILLIAM H. DEAN,
Acting Territorial Director, Virgin Islands.

[F. R. Doc. 43-6113; Filed, April 19, 1943; 4:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 38 Under Supp. Reg. 15 of GMPR]

KANE TRANSFER CO.

Amendment No. 1 to Order No. 38, under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation; Docket No. GF3–1549.

An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1499.1338 is amended to read as set forth below:

§ 1499.1338 *Adjustment of maximum prices for contract carrier services sold by Kane Transfer Company.* (a) Kane Transfer Company, 2116 Fifth Street, N. E., Washington, D. C. may sell and furnish contract carrier services to Proctor & Gamble Distributing Co. from, to and between points in the states of Maryland and Virginia and the District of Columbia at prices not higher than 6% above the March 1942 levels as set forth in Exhibit 3 and Exhibit 4 in the application for adjustment of Kane Transfer Company.

[1] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 8315.

(b) All requests of the application not granted herein are denied.

(c) This Amendment No. 1 to Order No. 38 may be revoked or amended by the Price Administrator at any time.

(d) This Amendment No. 1 to Order No. 38 (§ 1499.1338) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Amendment No. 1 to Order No. 38 (§ 1499.1338) shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6147; Filed, April 20, 1943; 10:28 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 231 Under § 1499.18 (b) of GMPR]

MANCUSO BARREL AND BOX COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1831 *Adjustment of maximum price for slack wooden barrels manufactured and sold by Mancuso Barrel and Box Company.* (a) The maximum price for slack wooden barrels, made of No. 2 28½" staves, 2 heads, and 2 elm hoops, manufactured and sold by Mancuso Barrel and Box Company shall be 90 cents per barrel, f. o. b. factory.

(b) This order may be amended or revoked by the Price Administrator at any time.

(c) This Order No. 231 (§ 1499.1831) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This order shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6148; Filed, April 20, 1943; 10:28 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 232 Under § 1499.18 (b) of GMPR]

PEYRONNIN COOPERAGE COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1832 *Adjustment of maximum price for slack barrels manufactured and sold by Peyronnin Cooperage Company, Inc.* (a) The maximum price for slack barrels 19⅛" x 28½" manufactured and sold by Peyronnin Cooperage Company, Inc., shall be 90 cents per barrel, f. o. b. factory.

(b) This order may be amended or revoked by the Price Administrator at any time.

(c) This Order No. 232 (§ 1499.1832) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This order shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6149; Filed, April 20, 1943; 10:28 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 233 Under § 1499.18 (b) of GMPR]

JOS. GARNEAU CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1833 *Denial of application of The Jos. Garneau Company for adjustment of maximum prices for Veuve Clicquot Ponsardin French champagne.* (a) The application of The Jos. Garneau Company, 1819 Broadway, New York, New York, filed June 26, 1942 and assigned Docket No. GF3-418, requesting permission to increase maximum prices for Veuve Clicquot Ponsardin French champagne sold by it is denied.

This Order No. 233 shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6144; Filed, April 20, 1943; 10:29 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 48 Under Supp. Reg. 15 of GMPR]

RAY EVERITT

Order No. 48 Under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation; Docket No. GF3–2285.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1348 *Adjustment of maximum prices for contract carrier services sold by Ray Everitt.* (a) Ray Everitt of Fables Flats, Stroudsburg, Pennsylvania, may sell and deliver contract carrier services to the Montgomery Ward & Company retail store in Stroudsburg, Pennsylvania, at a rate not to exceed $1.60 per hour.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 48 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 48 (§ 1499.1348) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 48 (§ 1499.1348) shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6142; Filed, April 20, 1943; 10:29 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 408 Under § 1499.3 (b) of GMPR]

D. L. SLADE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1895 *Authorization of maximum prices for imitation cinnamon manufactured by D. L. Slade Company, 139–191 State Street, Boston, Massachusetts.* (a) On and after April 21, 1943 the maximum prices f. o. b. Boston, Massachusetts for imitation cinnamon manufactured by D. L. Slade Company in the following packs, shall be as set forth below:

Twelve 3 ounce cartons	$0 84
Twelve 1 pound cartons	4 02
Six pound boxes (per pound)	31

(b) D. L. Slade Company shall maintain for imitation cinnamon all allowances and discounts, which applied to Natural Cinnamon in March 1942.

(c) This order may be revoked or amended by the Administrator at any time.

(d) This Order No. 408 (§ 1499.1895) shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6141; Filed, April 20, 1943; 10:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 409 Under § 1499.3 (b) of GMPR]

LOUISVILLE COOPERAGE CO.

Maximum price for 58–60 gallon paraffin lined oak barrels.

Louisville Cooperage Company of Louisville, Kentucky, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization of a maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250; *It is ordered:*

§ 1499.1896 *Approval of maximum price for 58–60 gallon paraffin lined tight oak barrels.* (a) On and after April 21, 1943, Loisville Cooperage Company of Louisville, Kentucky, may sell and deliver to any person and any person may buy and receive from the Louisville Cooperage Company 58–60 gallon paraffin lined tight oak barrels with 6 hoops at a price not to exceed $4.25 each, f. o. b. factory.

(b) This Order No. 409 may be revoked or amended at any time.

The effective date of this Order shall be April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTIS M. BROWN,
Administrator.

[F. R. Doc. 43-6143; Filed, April 20, 1943; 10:29 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 410 Under § 1499.3 (b) of GMPR]

CAMPBELL SOUP CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1897 *Authorization of maximum prices for sales of Franco-American Dehydrated Pre-cooked Beans in Sauce in 6½ ounce packages by Campbell Soup Company, by wholesalers and by retailers.* (a) On and after April 21, 1943, the maximum price for sales by Campbell Soup Company, having its principal office in Camden, New Jersey, of Franco-American Dehydrated pre-cooked beans in sauce delivered to purchasers' stations shall be $1.35 per dozen 6½ ounce packages, packed 48 to the case.

(b) Campbell Soup Company and sellers at wholesale shall apply to their maximum selling prices for Franco-American Dehydrated Pre-Cooked Beans in Sauce the same discounts, allowances and price differentials which they customarily apply to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

(c) Wholesalers and retailers shall determine their maximum selling prices for Franco-American Dehydrated Pre-Cooked Beans in Sauce by the applicable Office of Price Administration regulations.

(d) This Order No. 410 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 410 (§ 1499.1897) shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6145; Filed, April 20, 1943; 10:28 a. m.]

(d) H. J. Heinz Company shall give

This order shall be effective until and

Car Service Division, as agent of the

Act, Part II (e) and Part II (i) 6 of the

June 23, 1941 inclusive, by Southwestern

PART 1499—COMMODITIES AND SERVICES

[Order 411 Under § 1499.3 (b) of GMPR]

H. J. HEINZ CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1098 *Authorization of maximum prices for sales of Heinz Frozen Cooked Spaghetti with Tomato Sauce, Heinz Dehydrated Chicken Noodle Soup, and Heinz Pre-cooked Dehydrated Chili Beans and Dehydrated Sauce, by H. J. Heinz Company and by retailers*—(a) *Heinz Frozen Cooked Spaghetti with Tomato Sauce, 17½ ounce package packed 1 dozen to the case*—(1) *Sales by H. J. Heinz Company.* On and after April 21, 1943, the maximum prices for sales by H. J. Heinz Company, having its principal place of business at Pittsburgh, Pennsylvania, of Heinz Frozen Cooked Spaghetti with Tomato Sauce delivered to retailers or f. o. b. Heinz warehouses according to Heinz' established custom shall be:

$1.85 per dozen Zone No. 1
$1.93 per dozen Zone No. 2.
$2.02 per dozen Zone No. 3.
$1.98 per dozen Zone No. 4.
$2.06 per dozen Zone Nos. 5, 6, 7.

(2) *Sales by retailers.* Retailers shall determine their maximum prices for Heinz Frozen Cooked Spaghetti with Tomato Sauce by the appropriate Office of Price Administration regulation.

(b) *Heinz Dehydrated Chicken Noodle Soup, 2 ounce packaged packed 2 dozen to the case*—(1) *Sales by H. J. Heinz Company.* On and after April 21, 1943, the maximum prices for sales by H. J. Heinz Company of Heinz Dehydrated Chicken Noodle Soup delivered to retailers or f. o. b. Heinz warehouses according to Heinz established custom shall be:

$1.70 per dozen in Zone No. 1.
$1.71 per dozen in Zone Nos. 2, 3, 4.
$1.78 per dozen in Zone Nos. 5, 6, 7.

(2) *Sales by retailers.* Retailers shall determine their maximum selling prices for Heinz Dehydrated Chicken Noodle Soup in 2 ounce packages by the appropriate Office of Price Administration regulation.

(c) *Heinz Pre-cooked Dehydrated Chili Beans and Dehydrated Sauce, 20 ounce package packed 1 dozen to the case*—(1) *Sales by H. J. Heinz Company.* On and after April 21, 1943, the maximum prices for sales by H. J. Heinz Company of Heinz Pre-Cooked Dehydrated Chill Beans and Dehydrated Sauce delivered to retailers or f. o. b. Heinz warehouses according to Heinz established custom shall be:

$5.58 per dozen in Zone No. 1.
$5.67 per dozen in Zone No. 2.
$5.69 per dozen in Zone No. 3.
$5.82 per dozen in Zone No. 4.
$6.03 per dozen in Zone No. 5.
$6.16 per dozen in Zone Nos. 6, 7.

(2) *Sales by retailers.* Retailers shall determine their maximum selling prices for Heinz Pre-Cooked Dehydrated Chili Beans and Dehydrated Sauce in 20 ounce packages by the appropriate Office of Price Administration regulation.

(d) H. J. Heinz Company shall give the same discounts and other allowances which it gives on other comparable items handled by it when making sales of the items priced by this order, unless a change in any of these discounts results in a lower selling price.

(e) This Order No. 411 may be revoked or amended at any time by the Price Administrator.

(f) This Order No. 411 (§ 1499.1898) shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-6146; Filed, April 20, 1943; 10:28 a. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

[T.D. 50849]

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

CERTAIN FOREIGN-FLAG VESSELS TRANSPORTING COAL BETWEEN UNITED STATES PORTS BETWEEN NORFOLK, VIRGINIA, AND EASTPORT, MAINE

WAIVER OF ENTRANCE AND CLEARANCE LAWS

APRIL 17, 1943.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of the navigation laws, relating to the entrance and clearance of vessels to the extent necessary to permit foreign-flag vessels which are under time charter to the War Shipping Administration and which are engaged in the transportation of coal between United States ports in the range between Norfolk, Virginia, and Eastport, Maine, to be accorded the same treatment with respect to report of arrival, entrance, clearance, coastwise permits to proceed, and manifests, as is accorded enrolled or licensed vessels of the United States engaged in the same trade. I deem that such action is necessary in the conduct of the war.

This order shall be effective until and including July 1, 1943 only.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-6167; Filed, April 20, 1943; 11:34 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 104, Amendment 1]

PART 95—CAR SERVICE

SUBSTITUTION OF REFRIGERATOR CARS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 19th day of April, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 104, and upon request of shippers and carriers for extension of the territory in which empty refrigerator cars may be furnished in lieu of box cars, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent shortage of railroad equipment, empty mileage of box cars, and congestion of traffic; *It is ordered*, That:

Section 95.304 *Substitution of refrigerator cars* is hereby amended by adding the following paragraphs:

(d) On and after 12:01 a. m. April 29, 1943, and until further order of this Commission, common carriers by railroad subject to the Interstate Commerce Act transporting westbound shipments, in carloads, originating in the state of Utah and destined to points in Nevada and California, may, at their option, furnish and transport not more than three refrigerator cars of Pacific Fruit Express or Santa Fe Refrigerator Despatch ownership in lieu of each box car ordered, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car. (See note.)

NOTE: This provision does not apply on shipments on which the carload minimum weight varies with the size of the car.

(e) The operation of all rules, regulations, and tariff provisions, including

Tariffs issued by—	Tariff No.	ICC No.	Item or rule	Suppl. No.
Agent J. P. Haynes	1-Q (Exceptions)	1346	[1] 157	36
Agent J. P. Haynes	2-C (Exceptions)	1278	[1] 110	37
Agent J. P. Haynes	51-L (Class)	1271	305	100
Agent J. P. Haynes	52-F (Class & Com.)	1360	1247	55
Agent J. P. Haynes	216 (Class)	1067	375	71
Agent J. P. Haynes	240-A (Commodity)	1425	870	([2])
Agent J. P. Haynes	250 (Salt)	1305	395	50

[1] Rule number.
[2] Original.

or reissues thereof, and all other tariff provisions, insofar as they are inconsistent with this order, are hereby suspended.

(f) The provisions of Service Order No. 68, as amended, and all other orders of the Commission, insofar as they conflict with the provisions of this order, as amended, are hereby suspended (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That copies of this order and direction be served on the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy of it in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-6160; Filed, April 20, 1943; 11:22 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-356]

BLACK DIAMOND COAL MINING CO.

NOTICE OF FILING OF APPLICATION

In the matter of W. W. Bridges, Receiver, Black Diamond Coal Mining Company, Code Member.

Notice of filing of application for disposition of compliance proceeding without formal hearing pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division.

Notice is hereby given that an application dated March 9, 1943 for disposition of the above entitled matter without formal hearing, was filed with the Bituminous Coal Division (the "Division") on March 12, 1943, pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division by W. W. Bridges, Receiver, Black Diamond Coal Mining Company, the above named Code Member (the "Code Member").

Said W. W. Bridges, as Receiver of the Black Diamond Coal Mining Company, was duly authorized and directed by order dated March 16, 1943 entered by the court having jurisdiction thereof to execute and file said application with the Division and to do all things necessary to fully execute and carry out the agreements in said application.

The application was filed with respect to a written complaint dated December 11, 1942 and filed with the Division on December 15, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") by the Bituminous Coal Producers Board for District No. 9, complainant, alleging that the above-named Code Member had wilfully violated the Act, the Bituminous Coal Code (the "Code") and rules and regulations thereunder, as more fully set forth in the said complaint.

In said application the Code Member:

1. Admits that it is a Code Member operating the Black Diamond No. 2 Mine, Mine Index No. 6 and the Black Diamond No. 3 Mine, Mine Index No. 7, located in Muehlenburg County, Kentucky in District No. 9.

2. Admits that it wilfully violated section 4 II (e) and section 4 II (i) 6 of the Act, Part II (e) and Part II (i) 6 of the Code and Rule 6 of section XIII of the Marketing Rules and Regulations by selling and delivering during the period October 29, 1940 to April 20, 1942 coal produced by the said Code Member to the Boillin-Harrison Company, Clarksville, Tennessee, a wholesale grocer, for resale and delivery to W. E. Beach Coal Company, Clarksville, Tennessee, a retail coal dealer, a total of 4819.15 tons of various sizes of coal and allowing to the said Boillin-Harrison Company rebates, credits or unearned discounts from the invoice prices of said coal in amounts ranging from 5 cents to 25 cents per ton, thereby reducing the sales prices of said coal below the effective minimum prices therefor.

3. Admits that it wilfully violated section 4 II (e) and section 4 II (i) 6 of the Act, Part II (e) and Part II (i) 6 of the Code and Rule 1 (F) of section VII and Rule 6 of section XIII of the Marketing Rules and Regulations by failing to receive payment for the coal referred to in paragraph 2 above in United States currency or funds equivalent thereto, payment for said coal being made to the Code Member in the form of groceries or other staple articles.

4. Admits that it wilfully violated section 4 II (e) of the Act and Part II (e) of the Code and Rule 1 of section X of the Marketing Rules and Regulations by granting allowances ranging from 20 cents to 35 cents per ton from the invoice prices for alleged substandard preparation or quality on a total tonnage of 254.75 tons of coal of various sizes, sold on or about June 28, 1941, August 13, 1941, and January 3, 1942 without filing the statement required by Rule 1 of section X of the Marketing Rules and Regulations, thereby reducing the actual sales prices below the applicable minimum prices for said coal.

5. Admits that it wilfully violated section 4 II (i) 8 of the Act, Part II (i) 8 of the Code, Rule 8 of section XIII and Rule 2 of section XII of the Marketing Rules and Regulations by intentionally misrepresenting on invoices the sizes of a total of approximately 18,842.35 tons of coal produced by the Code Member and sold to various purchasers during the period October 25, 1940 through March 31, 1941 inclusive.

6. Admits that it wilfully violated section 4 II (e) of the Act, Part II (e) of the Code and Rule 1 (e) of section XI of the Marketing Rules and Regulations by unlawfully substituting during the period July 26, 1941 to July 30, 1941 both dates inclusive, a total tonnage of 430.7 tons of 6'' lump coal produced by the Code Member on orders for 3'' lump coal from the Forest Products Chemical Company, with the result that the coal actually delivered to the said purchaser was sold at prices less than the applicable minimum prices therefor.

7. Admits that it wilfully violated Rule 4 (A) and Rule 9 (a) of section II of the Marketing Rules and Regulations by paying to Southwestern Fuel Company, Memphis, Tennessee unauthorized sales agency commissions ranging from 5 cents to 18.31 cents per ton for sales during the period October 12, 1940 to June 23, 1941 inclusive, by Southwestern Fuel Company on behalf of the said Code Member of approximately 7,410.85 tons of coal produced by the Code Member, whereas neither the Code Member nor the Southwestern Fuel Company had filed with the Division a copy of the contract of agency executed on September 13, 1938.

8. Consents with respect to the foregoing admitted violations referred to in paragraph 2 hereof to the entry of an order revoking and cancelling its Code Membership.

9. Consents with respect to the foregoing admitted violations referred to in paragraphs 3 through 7, inclusive hereof, to the entry of an order directing the Code Member to cease and desist from violations of the Code and regulations thereunder, which order will continue in full force and effect upon any restoration of Code Membership.

10. Agrees with respect to the foregoing admitted violations referred to in paragraph 9 hereof to pay a tax in the amount of $2,411.09 as a condition precedent to restoration to membership in the Code.

11. Agrees to execute any and all documents necessary to dispose of this proceeding in the event this application is granted.

12. Represents that to the best of its knowledge and belief it has not committed any other violations of the Act, the Code, or regulations thereunder, other than the foregoing admitted violations.

13. Represents in extenuation of the foregoing admitted violations that the practices were long established for many years and were not carried on with any intent to violate the minimum price provisions of the Act.

All interested parties may, if they so desire, file with the Division, recommendations or requests for informal conferences with respect to said application within fifteen (15) days from the date of publication of this notice.

Dated: April 15, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6083; Filed, Apr. 19, 1943; 10:33 a. m.]

[Docket No. B-301]

CLAUDE E. TAYLOR

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On February 3, 1943, after notice of hearing, Edward J. Hayes, a duly designated Examiner of the Division submitted a report in which he found that code member, Claude E. Taylor, operating the Taylor Mine, Mine Index No. 1556, located in Bell County, Kentucky, in District 8, had wilfully violated the Order in General Docket No. 19, dated October 9, 1940, by selling for rail shipment approximately 226.4 tons of 3/8'' x 0 slack, whereas minimum prices ,temporary or final, had not been established for the sale of said coal for rail shipment.

The Examiner recommended that an order be entered requiring code member to cease and desist from violating the Order in General Docket No. 19, dated October 9, 1940, or from otherwise violating the Act, the Code and orders, rules and regulations issued thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation set forth in the Report and upon the entire record in this proceeding,

It is hereby ordered, That the Proposed Findings of Fact and the Proposed Conclusions of Law of the Examiner are approved and adopted as the Findings of Fact and the Conclusions of Law of the Director.

It is further ordered, That Claude E. Taylor, a code member operating the Taylor Mine (Mine Index No. 1556) in Bell County, Kentucky, his agents, employees, representatives, heirs and assigns, and all persons acting or claiming to act on his behalf or interest, cease and desist from violating the Order in General Docket No. 19, dated October 9, 1940, or from otherwise violating the provisions of the Act, the Code or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6079; Filed, April 19, 1943; 10:34 a. m.]

[Docket No. B-67]

PARIS MARTIN

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On February 3, 1943, after notice and hearing, Edward J. Hayes, a duly designated Examiner of the Division submitted a report in which he found that code member Paris Martin, operating the Blue Gem Mine, Mine Index No. 1531, located in Bell County, Kentucky, in District 8, had wilfully violated the Order in General Docket No. 19, dated October 9, 1940, by selling for rail shipment approximately 296.05 tons of $3_4''$ x 0 slack, whereas minimum prices, temporary or final, had not been established for the sale of said coal for rail shipment.

The Examiner recommended that an order be entered requiring code member to cease and desist from violating the Order in General Docket No. 19, dated October 9, 1940, or from otherwise violating the Act, the Code and the orders, rules and regulations issued thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation set forth in the Report and upon the entire record of this proceeding,

It is hereby ordered, That the Proposed Findings of Fact and the Proposed Conclusions of Law of the Examiner are approved and adopted as the Findings of Fact and the Conclusions of Law of the Director.

It is further ordered, That Paris Martin, a code member operating the Blue Gem Mine (Mine Index No. 1531) in Bell County, Kentucky, his agents, employees, representatives, heirs and assigns, and all persons acting or claiming to act on his behalf or interest, cease and desist from violating the Order in General Docket 19, dated October 9, 1940, or from otherwise violating the provisions of the Act, the Code, or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6080; Filed, April 19, 1943; 10:34 a. m.]

[Docket Nos. A-1921 and A-1921-Part II]

DISTRICT BOARD NO. 1

MEMORANDUM OPINION AND ORDER

In the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines in District No. 1.

In the matter of the petition of District Board No. 1 for permission to mix coals of certain mines in District No 1.

Memorandum opinion and order severing Docket No. A-1921, Part II, from Docket No. A-1921 and granting temporary relief in Docket No. A-1921, Part II.

The original petition in the above-entitled matter filed with the Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, prays for the establishment of temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 1, and for permission to mix coals of certain other mines also located in District No. 1. It appears, however, that no final determination should be made at this time with respect to the request for permission to mix coals produced at Mine Index No. 3960, 1023, 3762, 3763, 224 and 225 for the reason that insufficient facts have been presented upon which to base a final determination.

In view of the foregoing, it is deemed advisable at this time to grant only temporarily the request of petitioner to mix coals, produced at the aforementioned mines.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, *It is ordered* That the portion of Docket No. A-1921 relating to the request of petitioner to mix coals of Mine Index Nos. 3960, 1023, 3762, 3763, 224 and 225 be, and it hereby is, severed from the remaining part of that docket and designated as A-1921, Part II.

It is further ordered That, pending further order of the Director, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck is supplemented to include the price classifications, minimum prices, changes in shipping points and other matter appearing in Supplement R which is annexed hereto and made a part hereof.

It is further ordered That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6086; Filed, April 19, 1943; 10:32 a. m.]

[Docket No. A-1912]

DISTRICT BOARD NO. 10

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals produced for rail shipment at certain mines in District No. 10.

On March 20, 1943, a petition was filed, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by District Board No. 10. The District Board requested that price classifications and minimum prices be established for coals produced for rail shipment at the Bunker Hill Mine, Mine Index No. 1038, of Bunker Hill Coal & Mining Company, Collinsville Mine, Mine Index No. 1040 of Collinsville Coal Corporation, Glenn Carbon Coal Mine, Mine Index No. 1042, of Glen Carbon Coal Co., Buck Road Coal Co. Mine, Mine Index No.1327 of Wm. H. Johnson, Sugar Loaf Mine, Mine Index No. 1049 of Sugar Loaf Coal Corporation, Sunset Hill Mine, Mine Index No. 1051 of Sunset Hill Coal Company, and the Truck Trade Mine, Mine Index No. 1052 of the Truck Trade Coal Company, all located in District No. 10, and also requested that permission be granted these code members to commingle coals produced at the afore-named mines for rail shipment.

The District Board states that the mines herein involved, all located in the southwestern part of Madison County, Illinois, produce comparable coals in the No. 6 Seam. The District Board further states that because of the large demand for coals engendered by the war effort, the code members herein involved have asked the District Board to propose minimum prices for the rail shipment of the comparable coals when loaded into railroad cars on the Illinois Terminal Railroad at Sand Cut near Collinsville, Illinois, and for permission to commingle the coals of their respective mines so as to make possible more efficient use of railroad equipment.

A reasonable showing of necessity has been presented for the granting of temporary relief. Accordingly, I am establishing temporary price classifications and minimum prices for the coals produced at the mines herein involved, as requested by the District Board except that I have provided price exceptions for sales for railroad locomotive fuel in order that these mines shall have the same fair competitive opportunities as other rail shipping mines in the same Freight Origin Group and in the same Price Group; and have provided price adjustments to the f. o. b. mine prices herein established for coals of these mines when shipments are made to Market Area 40, which are the same adjustments as are applicable to rail shipments to Market Area 40 from Mine Index Nos. 139, 153, and 173, which are also located on the Illinois Terminal Railroad and which take the same freight rates for shipment to that Market Area as the mines herein involved. I have also determined to deny the request of the District Board that minimum prices applicable to the coals herein involved when commingled shall be the price of the coal having the highest minimum price because no justification for such method of pricing has been shown. In order, however, that some opportunity may be present for these mines to commingle their coals until such time as this matter may be more thoroughly explored the order herein provides for mixture of certain coals which bear the same minimum prices in their respective size groups.

Now, therefore, *It is ordered*, That until further order temporary relief is granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck is supplemented to include the matters set forth in the schedule marked Supplement R annexed hereto and made a part hereof.

It is further ordered, That invoices required to be filed under appropriate orders of the Division shall be filed by the shipper of the coals herein involved: *Provided*, That if a single carload is made up of coal or two or more mines, the invoice shall be prepared and filed by the person or entity in whose name the coal is shipped and shall indicate that the coals comprising such carload originated at more than one of the mines herein involved.

It is further ordered, That each producer herein concerned shall file with the Statistical Bureau for District No. 10 on or before the tenth (10th) day of each month a statement setting forth the tonnage of each size, kind and quality of coal transported or shipped to the loading ramp at Sand Cut, Illinois during the preceding month.

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6087; Filed, April 19, 1943; 10:32 a. m.]

[Docket Nos. A-1918 and A-1918, Part II]

DISTRICT BOARD NO. 9

MEMORANDUM OPINION AND ORDER

In the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices and for other relief for the coals of certain mines.

In the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for Size Group 7 coals of Mine Index No. 506 for all shipments except truck.

Memorandum opinion and order severing Docket No. A-1918, part II from Docket No. A-1918 and granting temporary relief in Docket No. A-1918, part II.

The original petition in the above-entitled matter, which was filed with this Division by District Board No. 9 pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requests the establishment of temporary and permanent price classifications and minimum prices and a change of shipping points for the coals of certain mines in District No. 9, and further requests the establishment of a price of $2.85 per net ton for Size Group 7 coals produced by Bell Mine No. 1, Mine Index No. 506, of Mid-Continent Coal & Transportation Company in District No. 9.

The petition describes the Bell No. 1 Mine as located in the Bell seam. In the Schedule of Effective Minimum Prices for District No. 9 for Truck Shipments however, this mine is described as located in the Stray Seam and is priced the same as other mines which produce coals in the Stray Seam.

The $2.85 minimum price requested for Size Group 7 coals produced at Mine Index No. 506 for all shipments except truck is approximately $1.00 per ton more than the minimum price established for Stray Seam coals in this size group produced at other mines in the Stray Seam for such shipments.

It appears that although a hearing will be required to adduce sufficient facts to justify the establishment of a minimum price for the coals in Size Group 7 produced at Mine Index No. 506 for all shipments except truck which is substantially higher than the minimum prices established for coals in the same size group produced at other mines in the same seam for the same type of shipments, nevertheless an adequate showing of necessity has been made for the relief hereinafter granted.

Now, therefore, *It is ordered*, That the portion of Docket No. A-1918 relating to the establishment of a minimum price of $2.85 per net ton for the coals in Size Group 7 produced at the Bell Mine No. 1, Mine Index No. 506, of Mid-Continent Coal & Transportation Company in District No. 9 be, and it hereby is, severed from the remainder of Docket No. A-1918 and designated as Docket No. A-1918, Part II.

It is further ordered, That, pending further order, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 9 for All Shipments Except Truck is supplemented to include the price classification and minimum price set forth in the Schedule marked "Supplement R" annexed hereto and hereby made a part hereof.

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6088; Filed, April 19, 1943; 10:32 a. m.]

[Docket No. A-1595]

CARROLLTOWN COAL CO.

ORDER GRANTING REQUEST TO POSTPONE HEARING AND POSTPONING HEARING

In the matter of the petition of Carrolltown Coal Company, a corporation, for approval of its agreement with Frank B. Wood, an individual trading and doing business as F. B. Wood Coal Mining Company, to purchase the entire production of the Foxburg No. 1 Mine, Mine Index No. 1685, and other coal; for a change in shipping point, and for permission to mix coals of Mine Index Nos. 582 and 1685.

The above-entitled matter having been heretofore scheduled for hearing on April 16, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C., by orders issued herein on February 13 and March 13, 1943; and

A request that said hearing be postponed having been filed herein by the above-named petitioner; and

The Director being of the opinion that good cause for the granting of said request has been shown, and that said hearing should be postponed;

Now, therefore, it is ordered, That said request be and the same hereby is granted and that said hearing be and the same

hereby is postponed from April 16, 1943, at 10 o'clock in the forenoon of that day to a date to be set by an order to be issued in due course.

It is further ordered, That said order issued herein on February 13, 1943, shall, in all other respects, remain in full force and effect.

Dated: April 15, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6084; Filed, April 19, 1943; 10:33 a. m.]

[Dockets Nos. A-1730, Part II, and A-1869]

DISTRICT BOARD NO. 7

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 7 for a change in the territorial boundary between Districts Nos. 7 and 8 in Nicholas County, West Virginia.

The above entitled matter having been heretofore scheduled for hearing on April 19, 1943 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. by an order issued herein on March 3, 1943; and

A motion that said hearing be continued having been filed herein by the above named petitioner; and

The Director being of the opinion that good cause for the granting of said motion has been shown, and that said hearing should be postponed;

Now, therefore, it is ordered, That said motion be, and the same hereby is granted, and that said hearing be, and the same hereby is, postponed from April 19, 1943 at 10 o'clock in the forenoon of that day to a time and place to be designated in a subsequent order to be issued herein.

It is further ordered, That the order issued herein on March 3, 1943 shall, in all other respects, remain in full force and effect.

Dated: April 16, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6078; Filed, April 19, 1943; 10:34 a. m.]

[Docket No. A-1929]

DISTRICT BOARD NO. 10

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 997.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Lete and Son Mine, Mine Index No. 997 of Lete Coal, Inc. Although this petition did not set forth sufficient facts upon which permanent relief may be based, it appears that there is reasonable necessity for the granting of temporary relief in the manner hereinafter set forth.

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck is amended to include the price classifications and minimum prices set forth in the schedule marked Supplement R annexed hereto and made a part hereof.[1]

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since Railroad Locomotive Fuel Price Exception 1-A on page 45 of Price Schedule No. 1, District No. 10 for All Shipments Except Truck is applicable to the coals of all other mines in Price Groups 14 and 15 of District No. 10 for which minimum prices have been established for all shipments except truck, and since adequate reason has not been advanced for denying the application of this Price Exception to the coals of Mine Index No. 997, the relief granted affords the producer here involved the same competitive opportunity available to all other producers similarly situated by making the said Price Exception applicable to the coals of its mine, Mine Index No. 997.

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 15, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6090; Filed, April 19, 1943; 10:33 a. m.]

[Docket No. A-1932]

MORRISDALE COAL CO.

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of Morrisdale Coal Company for permission to mix coals of certain mines in District No. 1.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting permission to mix coals produced from the Sotok & Campbell Mine, operated by Mike Sotok and Alex Campbell, a copartnership doing business as Sotok & Campbell, Mine Index No. 988, for shipment by rail over either the tipple of the Morrisdale No. 4 Mine operated by the Morrisdale Coal Company, Mine Index No. 212, or the tipple of the Maxton Slope Mine, Mine Index No. 722, also operated by the Morrisdale Coal Company, at Hawk Run, Pennsylvania, on the New York Central Railroad.

No petitions of intervention have been filed in this matter.

On the basis of the original petition filed herein, the Director is of the opinion that temporary relief, as hereinafter set forth, may be granted petitioner, pending further order of the Director, but no final determination should be made at this time with respect to the request for permission to mix coals produced at Mine Index Nos. 212, 722 and 988.

Now, therefore, it is ordered, That pending further order of the Director, temporary relief be, and the same hereby is, granted, as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 1 For All Shipments Except Truck is supplemented to include the price classifications and minimum prices and other matter appearing in Supplement R which is annexed hereto and made a part hereof.[1]

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

An order scheduling a hearing to adduce facts on which final relief in this matter may be based will be issued in due course.

Dated: April 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6089; Filed, April 19, 1943; 10:33 a. m.]

[Docket No. B-267]

R. & W. COAL CO.

MEMORANDUM OPINION AND ORDER REVOKING CODE MEMBERSHIP

In the matter of G. H. Ware and C. M. Reese, individually and as copartners, doing business under the name and style of R. & W. Coal Company, Code Members.

On October 6, 1942, after due notice and hearing Charles S. Mitchell, a duly designated Examiner of the Division, submitted a report in which he found that code members G. H. Ware and C. M. Reese, individually and as copartners doing business under the name and style of R. & W. Coal Company, operating the Gould Road Mine (Mine Index No. 652), in Jefferson County, Ohio, in District 4, willfully violated sections 4 II (e) and (g) of the Bituminous Coal Act of 1937, the corresponding sections of the Bituminous Coal Code and Price Instruction No. 6, as amended, of the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments by selling from December 16, 1940 to May 31, 1941, inclusive, 799.84 tons of 1¼" x 0 coal, produced at his Gould Road Mine, at a price of $2.00 per net ton delivered to a point 6.3 miles from the mine, whereas the effective minimum price for such coal was $2.00 per net ton f. o. b. the mine plus the actual costs of transporting and handling the coal costs of not less than 20 cents per ton. The Examiner recommended that the code membership of Andrew Pipo be revoked and cancelled and that prior to the restoration of such code membership, he pay a tax to the United States in the amount of $623.88.

Opportunity was afforded to all parties to file exceptions to the Examiner's report but no exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record.[1] Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the Report, and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director;

It is further ordered, That, effective fifteen (15) days from the date hereof, the code membership of Andrew Pipo, doing business under the name and style of Gould Road Coal Company, operating the Gould Road Mine (Mine Index No. 652), in Jefferson County, Ohio, in District 4, is cancelled and revoked, and that prior to any reinstatement to membership in the Code he pay to the United States a tax in the amount of $623.88, as provided in section 5 (c) of the Act.

Dated: April 16, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6082; Filed, April 19, 1943; 10:34 a. m.]

[1] Not filed with the Division of the Federal Register.

(a) Section 4 II (e) of the Act and the corresponding section of the Bituminous Coal Code, by the sale, during the period from October 1, 1940 to December 31, 1941, of 625.35 net tons of coal classified as Size Group 5, for $2.25 per net ton f. o. b. the mine, whereas the effective minimum price was $2.45; and

(b) Sections 4 II (e) and (g) of the Act and corresponding sections of the Code, by the sale, during the same period, of 6,771.05 net tons of Size Group 6 coal at delivered prices ranging from $1.85 to $2.30, being less than the effective minimum price of $1.95 plus the cost of transportation.

The Examiner recommended that an order be entered revoking and cancelling the code membership of G. H. Ware and C. M. Reese, and providing that prior to reinstatement in the Code, they shall pay to the United States a tax in the amount of $6,831.44.

Opportunity was afforded to all parties to file exceptions to the Examiner's report. No exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the report and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That the code membership of G. H. Ware and C. M. Reese, individually and as copartners doing business under the name and style of R. & W. Coal Company, operating the R. & W. Mine, Mine Index No. 1080, located in Vinton County, Ohio, in Subdistrict 7 of District 4, be and it hereby is revoked and cancelled.

It is further ordered, That prior to reinstatement to membership in the Code the said G. H. Ware and C. M. Reese, or either or both of them shall pay to the United States a tax in the amount of $6,831.44, as provided in section 5 (c) of the Act.

Dated: April 16, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6081; Filed, April 19, 1943; 10:34 a. m.]

[Docket No. B-268]

GOULD ROAD COAL CO.

MEMORANDUM OPINION AND ORDER REVOKING CODE MEMBERSHIP

In the matter of Andrew Pipo, doing business under the name and style of Gould Road Coal Company, Code Member.

On September 26, 1942, after notice and hearing, Charles S. Mitchell, a duly designated Examiner of the Division, submitted a report in which he found that code member Andrew Pipo, doing business under the name and style of Gould Road Coal Company, operating the Gould Road Mine (Mine Index No. 652), in Jefferson County, Ohio, in District 4, willfully violated sections 4 II (e) and (g) of the Bituminous Coal Act of 1937, the corresponding sections of the Bituminous Coal Code and Price Instruction No. 6, as amended, of the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments by selling from December 16, 1940 to May 31, 1941, inclusive, 799.84 tons of 1¼" x 0 coal, produced at his Gould Road Mine, at a price of $2.00 per net ton delivered to a point 6.3 miles from the mine, whereas the effective minimum price for such coal was $2.00 per net ton f. o. b. the mine plus the actual costs of transporting and handling the coal costs of not less than 20 cents per ton. The Examiner recommended that the code membership of Andrew Pipo be revoked and cancelled and that prior to the restoration of such code membership, he pay a tax to the United States in the amount of $623.88.

Opportunity was afforded to all parties to file exceptions to the Examiner's report but no exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record.[1] Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the Report, and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director;

It is further ordered, That, effective fifteen (15) days from the date hereof, the code membership of Andrew Pipo, doing business under the name and style of Gould Road Coal Company, operating the Gould Road Mine (Mine Index No. 652), in Jefferson County, Ohio, in District 4, is cancelled and revoked, and that prior to any reinstatement to membership in the Code he pay to the United States a tax in the amount of $623.88, as provided in section 5 (c) of the Act.

Dated: April 16, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6082; Filed, April 19, 1943; 10:34 a. m.]

[1] Code member suggested at the hearing that he had not sold the coal as alleged in the complaint but had given it outright to his son who in turn had disposed of the coal to the purchaser, McCauslen Florists. The Examiner found that in view of the language of section 4 II (e), the sale, delivery or offering for sale of coal at less than established minimum prices is prohibited and that it was accordingly unnecessary to determine whether code member in fact sold the coal as alleged in the complaint or had violated section 4 II (e) by giving it away. No objection has been made to this disposition of the question and I agree that the Examiner's treatment was proper. Without detailing the evidence, however, my own consideration of the record leads me to reject the hypothesis that the coal was given to code member's son; in my view there is substantial evidence to support the conclusion that code member himself sold the coal and that at most his son was acting as his agent in such sale.

CARGILL COAL AND EQUIPMENT CO.

APPLICATION FOR REGISTRATION AS DISTRIBUTOR

An application for registration as a distributor has been filed by the following and is under consideration by the Director:

Name and Address	*Date application filed*
E. L. Weisbecker (Cargill Coal and Equipment Co.), La Crosse, Wis.	Mar. 29, 1943

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of the above-named applicant for registration as a distributor under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before May 17, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: April 15, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6085; Filed, April 19, 1943; 10:32 a. m.]

DEPARMENT OF LABOR.

Children's Bureau.

CHILD LABOR REGULATION

EMPLOYMENT OF MINORS BETWEEN 14 AND 16

Notice of hearing on proposed amendment to Child Labor Regulation No. 3 issued under the Fair Labor Standards Act of 1938.

Whereas the employment of minors under the age of 16 years in any occupation constitutes oppressive child labor within the meaning of section 3 (l) of the Fair Labor Standards Act of 1938, excepting that the Chief of the Children's Bureau may provide by regulation or order that the employment of minors between the ages of 14 and 16 years in occupations other than manufacturing and mining shall not be deemed to constitute oppressive child labor, if and to the extent that he has determined that such employment is confined to periods which will not interfere with their schooling or with their health or well-being, and

Whereas the Chief of the Children's Bureau, pursuant to section 3 (l) of the Act, issued Child Labor Regulation No. 3 (4 F.R. 1983, Code of Federal Regulations 1939 Supp., Ti. 29, Ch. IV, Part 441), effective May 24, 1939, providing that the employment of minors between the ages of 14 and 16 years in certain occupations under specified conditions shall not be deemed to constitute oppressive child labor, and

Whereas a petition has been received from operators of fruit and vegetable packing sheds in the State of Mississippi requesting authority to employ minors between 14 and 16 years of age after

7 p. m. and for more than 40 but not more than 48 hours in any one week when school is not in session (periods of employment outside the scope of Child Labor Regulation No. 3) during a period of not more than 10 weeks in any one year, and

Whereas the question raised by said petition appears to be a question of interest to the entire fruit and vegetable packing industry, and

Whereas the Chief of the Children's Bureau is of the opinion that it is desirable to hold a public hearing on the question whether Child Labor Regulation No. 3 should be amended to provide that the employment of minors between the ages of 14 and 16 years during periods and under conditions in which such employment now constitutes oppressive child labor shall not be deemed to be oppressive child labor,

Now, therefore, notice is hereby given that:

I. A public hearing will be held at 10 a. m. Monday, May 3, 1943, at Assembly Room 516, United States Customs and Courthouse, Twelfth and Market Streets, St. Louis, Missouri, before Julius Schlezinger or any other presiding officer designated by me for the purpose of taking testimony on the following questions:

1. During what periods, if any, and under what conditions is the employment of minors between the ages of 14 and 16 years in the fruit and vegetable packing industry necessary for the war effort, and

2. If such employment of minors between the ages of 14 and 16 years is found to be necessary for the war effort, what safeguards should be established to protect their schooling and their health and well-being?

II. Any interested person may appear at the hearing to offer evidence either on his own behalf or on behalf of any other person if, not later than May 1, 1943, he files with Mr. Earl V. Powers, Branch Manager, by mail or otherwise, at the office of the United States Department of Labor, 316 Old Customs House, St. Louis, Missouri, a notice of his intent to appear, which shall contain the following information:

1. The name and address of the person appearing;

2. If such person is appearing in a representative capacity, the name and address of the person or persons he is representing.

III. Any interested person may secure further information concerning the aforesaid hearing by inquiry directed to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C., or to Mr. Earl V. Powers, Branch Manager, United States Department of Labor, 316 Old Customs House, St. Louis, Missouri.

IV. The hearing will be conducted in accordance with the following rules of procedure subject to such subsequent modification by the Chief of the Children's Bureau or the presiding officer as may be deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which shall be available at prescribed rates to any person upon request made to the official reporter of the Children's Bureau, United States Department of Labor, Washington, D. C.

2. At the discretion of the presiding officer, the hearing will be continued from day to day or adjourned to a later day or to a different place by announcement thereof at the hearing by the presiding officer or by other appropriate notice.

3. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken except at the request of the Chief of the Children's Bureau unless provision has been made at the hearing for the later receipt of such evidence.

V. On the close of the hearing, the presiding officer shall forthwith file a complete record of the proceedings with the Chief of the Children's Bureau.

VI. No amendment to Child Labor Regulation No. 3 issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 20th day of April 1943.

KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 43-6151; Filed, April 20, 1943; 11:09 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Divesting Order 1]

CISATLANTIC CORP. AND CISOCEANIC CORP.

Re: All of the capital stock of Cisatlantic Corporation and of Cisoceanic Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having on July 2, 1942, for reasons and under conditions and circumstances at that time existing which made such action then advisable, vested, pursuant to Vesting Order Number 46, as property of nationals of a foreign country, among other things, all of the capital stock of Cisatlantic Corporation and of Cisoceanic Corporation;

2. Having thereafter received (a) a notice executed by Edgar Ausnit on Form APC–1 claiming an interest in said capital stock and asserting a claim arising as a result of the aforesaid vesting order, and (b) a written waiver by said Edgar Ausnit of "any claim or right granted by" those certain "Regulations Relating To Property Vested In The Alien Property Custodian" theretofore prescribed and issued by the undersigned and published in 7 Fed. Reg. 2290 (March 26, 1942);

3. Finding, as a result of further investigation conducted subsequent to July 2, 1942, that all of the aforesaid capital stock was on July 2, 1942 owned by said Edgar Ausnit; that said Edgar Ausnit was at that time and at all times since then has been and now is a citizen of Cuba, a resident of the United States, not in any manner detained, and not acting or purporting to act directly or indirectly for the benefits or on behalf of, and not controlled by nor a cloak for, any designated enemy country or national thereof;

4. Finding that on November 4, 1942 the Federal Reserve Bank of New York, by direction and on behalf of the Secretary of the Treasury, and pursuant to License No. NY 428596-BE, granted to said Edgar Ausnit the status of a generally licensed national, the issuance of which license had the effect of unblocking all of his personal accounts; and that at all times since November 4, 1942 said license has been and still is in full force and effect;

5. Determining that had all of the facts hereinbefore recited in subparagraph 3 been known by the undersigned, and had all of the facts hereinbefore recited in subparagraph 4 existed, on July 2, 1942, the undersigned would not have included in such vesting order any of such capital stock;

6. Determining, therefore, that the aforesaid vesting was under mistakes of fact;

7. Having received no other claim (except the one hereinbefore mentioned in subparagraph 2), or notice of claim, on Form APC–1 or otherwise, to any interest in any or all of such capital stock, or arising as a result of such vesting order; and having no knowledge of any interest in such capital stock held by any national (except the aforesaid Edgar Ausnit) of any foreign country;

8. Having neither assigned, transferred or conveyed such capital stock or any part thereof or any interest therein to anyone, nor issued any license with respect thereto, nor in any manner created therein any right or interest in any person whomsoever;

9. Determining that the error committed in vesting such capital stock should be corrected by a return thereof, and that such disposition of the aforesaid claim of Edgar Ausnit, being for the purpose of correcting a mistake made in vesting such capital stock originally, does not require any further hearing;

10. Having made all determinations and taken all action required by law; and

11. Deeming it necessary and proper in the national interest;

hereby orders that all of the aforesaid capital stock be returned to said Edgar Ausnit.

Now, therefore, the undersigned hereby assigns, transfers, conveys and quitclaims to Edgar Ausnit of 46 East 61st Street, New York, New York, all right, title, interest and estate which the undersigned acquired pursuant to Vesting Order Number 46 of July 2, 1942 in and to that certain property described as follows:

a. All of the capital stock of Cisatlantic Corporation, a New York corporation; and

b. All of the capital stock of Cisoceanic Corporation, a New York corporation;

the intention of this conveyance being to return to said Edgar Ausnit all property and interest in said capital stock which the undersigned took from him pursuant to said Vesting Order Number 46, without, however, warranting what such property and interest are.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on April 19, 1943.

[SEAL] LEO T. CROWLEY.
Alien Property Custodian.

[F. R. Doc. 43-6153; Filed, April 20, 1943; 11:04 a. m.]

[Vesting Order 1061]

FRIEDRICH WILHELM HERZOG

Re: Real properties situated in McIntosh County, North Dakota, and certain bank accounts, owned by Friedrich Wilhelm Herzog.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Friedrich Wilhelm Herzog is a citizen of Germany, whose last known address is Schenkenschanz, Bei Kleve, Rheinland, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Friedrich Wilhelm Herzog is the owner of the property hereinafter described in subparagraph 3;

3. Finding, therefore, that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Friedrich Wilhelm Herzog, in and to:

(i) Real property situated in McIntosh County, North Dakota, particularly described as the South East Quarter (SE¼) of Section Twenty One (21) and the North East Quarter (NE¼) of Section Twenty Eight (28) all in Township One Hundred Thirty Two (132) North, of Range Seventy One (71) West of the 5th P. M. containing Three Hundred Twenty (320) acres more or less according to the U. S. Government Survey thereof, together with all fixtures, improvements and appurtenances to such property, and

(ii) Real property situated in McIntosh County, North Dakota, and particularly described as Lots Seven (7), Eight (8) and Nine (9) of Block Fifteen (15) in the City of Ashley, together with all fixtures, improvements and appurtenances to such property,

together with any and all claims of Friedrich Wilhelm Herzog for rents, refunds, benefits or other payments arising from the ownership of such properties;

b. All right, title, interest and claim of any name or nature whatsoever of Friedrich Wilhelm Herzog in and to all obligations, contingent or otherwise and whether or not matured, owing to him by McIntosh County Bank, Ashley, North Dakota, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly:

(i) The account in said bank held in the name of Rev. F. W. Herzog and due and owing to, and held for, Friedrich Wilhelm Herzog, and

(ii) The account in said bank held in the name of Christ. Dockter, Agent for F. W. Herzog and due and owing to, and held for, Friedrich Wilhelm Herzog,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-6154; Filed, April 20, 1943; 11:04 a. m.]

[Vesting Order 1089]

JOSEPH AND EMMA ROHMER

Re: Real and personal property owned by Joseph Rohmer and Emma Rohmer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Joseph Rohmer and Emma Rohmer, his wife, are citizens of the United States residing at 19 Ekkebertstr, Littenweiler, Freiburg, Baden, Germany, and are nationals of a designated enemy country (Germany);

2. Finding that said Joseph Rohmer and Emma Rohmer, his wife, are the owners of the real property described in subparagraph 4 hereof;

3. Finding that said Joseph Rohmer is the owner of the property described in subparagraph 5 hereof;

4. Finding, therefore, that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Joseph Rohmer and Emma Rohmer, his wife, and each of them, in and to the real property situated at 113-25 200th Street, St. Albans, New York, more particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Joseph Rohmer and Emma Rohmer, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

5. Finding, therefore, that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Joseph Rohmer, in and to an undivided one-half interest in the real properties situated at 106, 106½ and 108 Douglass Street, Brooklyn, New York, more particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Joseph Rohmer for rents, refunds, benefits or other payments arising from the ownership of such properties,

b. All right, title, interest, estate and claim of any name or nature whatsoever, of Joseph Rohmer in and to any and all obligations, contingent or otherwise and whether or not matured, which are secured by certain tax liens, evidenced by tax lien certificates Nos. 61714, 61715 and 61716, on the lot and improvements owned by Joseph Rohmer and Oscar Jacobs, located at 106, 106½ and 108 Douglass Street, Brooklyn, New York and more particularly described in said Exhibit B, including but not limited to any and all collateral (including the aforesaid tax liens) for any or all such obligations and the right to enforce and collect such obligations, and

c. All right, title, interest and claim of any name or nature whatsoever of Joseph Rohmer in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Joseph Rohmer by, and represented on the books of, Richter and Kaiser, Inc., 186 Remsen Street, Brooklyn, New York, as a credit due Joseph Rohmer, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, is property within the United States owned or controlled by a national of a designated enemy country (Germany);

6. Determining that the property described in subparagraphs 5-b and 5-c hereof is necessary for the maintenance or safeguarding of the interests in other property (namely, that hereinbefore described in subparagraphs 4 and 5-a) of the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

7. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraphs 4 and 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control to the extent deemed necessary or advisable from time to time by the undersigned of the real properties situated at 106, 106½ and 108 Douglass Street, Brooklyn, New

York, referred to in subparagraph 5a hereof.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land lying or being in the Fourth Ward, Borough and County of Queens, City and State of New York, described as follows:

Beginning at a point on the easterly side of 200th Street, distant Two hundred eighteen and 5 10 (218.5) feet southerly from the corner formed by the intersection of the easterly side of 200th Street, with the southerly side of 113th Avenue, running thence easterly at right angles to 200th Street, One hundred (100) feet; thence southerly parallel with 200th Street, Thirty-one (31) feet; running thence westerly at right angles to 200th Street, One hundred (100) feet; to the easterly side of 200th Street, and thence northerly along the easterly side of 200th Street, Thirty-one (31) feet; to the point or place of beginning.

Together with all the right, title and interest of the party of the first part of, in and to the land lying in the bed of 200th Street in front of and adjoining said premises to the centre line thereof.

EXHIBIT B

All that lot or parcel of land lying or being in the Borough of Brooklyn, County of Kings, City and State of New York, described as follows:

Beginning at a point on the southerly side of Douglas Street distant 114' 8" westerly from the corner formed by the intersection of the southerly side of Douglas Street with the westerly line of Hoyt Street, running thence southerly and parallel with Hoyt Street and partly through a party wall there standing 70 feet; thence, westerly 45 feet; thence, northwesterly parallel with Hoyt Street, partly through a party wall there standing 70 feet to the southerly side of Douglas Street, thence, easterly along the southerly side of Douglas Street 45 feet to the point or place of beginning.

NOTE: "Douglas" Street and "Douglass" Street are the same.

[F. R. Doc. 43-6155; Filed, April 20, 1943; 11:04 a. m.]

[Vesting Order 1090]

FLORENCE BECCADELLI DI BOLOGNA

Re: Real property situated in Edgewater Park, New Jersey, and claim, held in trust by Florence Beccadelli di Bologna (Princess di Camporeale), as Trustee for Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Florence Beccadelli di Bologna (Princess di Camporeale), Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala), are citizens of Italy whose last known addresses are 24 via Paganini, Rome, Italy, and are nationals of a designated enemy country (Italy);

2. Finding that the property described in subparagraph 3 hereof is held by Florence Beccadelli di Bologna (Princess di Camporeale) as Trustee for Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala);

3. Finding, therefore, that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Florence Beccadelli di Bologna (Princess di Camporeale), Trustee, Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala), and each of them, in and to the real property situated in Edgewater Park, Township and County of Burlington, State of New Jersey, more particularly designated in the tax map of the Township of Burlington as Lot No. Five (5) in Block No. Five (5) on Park Avenue, Edgewater Park, New Jersey, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Florence Beccadelli di Bologna (Princess di Camporeale), Trustee, Alexander Kingsland, and Anna Beccadelli di Bologna (Princess di Castelcicala), and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property;

b. All right, title, interest and claim of any name or nature whatsoever, of Florence Beccadelli di Bologna (Princess di Camporeale), Trustee, Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala), and each of them, in and to any and all obligations (contingent or otherwise and whether or not matured) owing to them, or any of them, and held to their credit, by William H. Carey, 15 Exchange Place, Jersey City, New Jersey, in excess of the sum of $427.10 alleged to be due and payable to the said William H. Carey for advances and expenses paid by him in connection with the property described in subparagraph 3–a hereof, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

4. Determining that the property described in subparagraph 3–b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3–a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6156; Filed, April 20, 1943; 11:03 a. m.]

[Vesting Order 1175]

CONTINENTAL CERAMICS CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Philip Rosenthal, Wilhelm Rosenthal and Udo Rosenthal (hereinafter referred to as the Rosenthal family) whose last known addresses are Germany, are nationals of a designated enemy country (Germany);

2. Finding that Rosenthal Porzellanfabrik of Selb, Bavaria, Germany is a national of a designated enemy country (Germany);

3. Finding that A. G. fur Keramische Unternehmungen is a corporation organized and existing under the laws of Switzerland, whose last known address is Zug, Switzerland, and is owned or controlled by, or acting for or on behalf of or as a cloak for, Rosenthal Porzellanfabrik and/or the members of the Rosenthal family of Germany and, therefore, is a national of a designated enemy country (Germany);

4. Finding that 6,500 shares of $10 par value common capital stock of Continental Ceramics Corporation, a New York corporation, New York, New York, are registered in the name of and owned by A. G. fur Keramische Unternehmungen;

5. Finding that Continental Ceramics Corporation is a business enterprise within the United States and that said 6,500 shares constitute all of its outstanding capital stock and are evidence of ownership and control thereof;

6. Determining that Continental Ceramics Corporation is controlled by or acting for or on behalf of or as a cloak for said Rosenthal Porzellanfabrik and/or the members of the Rosenthal family of Germany and, therefore, is a national of a designated enemy country (Germany);

7. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interests of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., March 31, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6157; Filed, April 20, 1943; 11:03 a. m.]

[Vesting Order 1177]

VADASZTOLTENY GYUTACS ES FERMARUGYAR, R. T.

Re: Two negotiable delivery receipts for a total of 551,155 pounds of lead owned by Vadasztolteny Gyutacs es Fermarugyar, R. T.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Vadasztolteny Gyutacs es Fermarugyar, R. T., Budapest, Hungary, is a corporation organized under the laws of Hungary and is a national of a designated enemy country (Hungary);

2. Finding that the property hereinafter described in subparagraph 3 is owned by the aforesaid Vadasztolteny Gyutacs es Fermarugyar, R. T.;

3. Finding, therefore, that the property held by Chase National Bank and described as follows:

a. Certificate No. 641 issued by American Smelting & Refining Company to Mineralia Metal & Oil Corporation, or order, dated September 20, 1940, entitling the holder to the delivery of 220,462 pounds of pig lead in bond, on or after September 30, 1940 upon surrender of such certificate, F. O. B. seller's refinery, Monterrey, Mexico, with delivery paid to f. a. s. Galveston, Texas, and

b. Certificate No. 642 issued by American Smelting & Refining Company to Mineralia Metal & Ore Corporation, or order, dated September 20, 1940, entitling the holder to the delivery of 330,693 pounds of pig lead in bond, on or after September 20, 1940 upon surrender of such certificate, F. O. B. seller's refinery, Monterrey, Mexico, with delivery paid to f. a. s. Galveston, Texas,

is property within the United States owned by a national of a designated enemy country (Hungary);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Hungary);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6158; Filed, April 20, 1943; 11:03 a. m.]

[Vesting Order 1179]

CLARA STOECKLER

Re: A purchase money mortgage on real property, and non-interest bearing promissory note, owned by Clara Stoeckler.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Clara Stoeckler is a resident and citizen of Germany whose last known address is Kirchen Bezirk Eningen A/D Wurttenberg, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Clara Stoeckler is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

All right, title, interest, estate and claim of any name or nature whatsoever of Clara Stoeckler in and to any and all obligations, contingent or otherwise and whether or not matured,

a. Which are secured by a purchase money mortgage, dated June 10, 1937 and recorded in the Office of the Register of Hudson County in Book 1788 of Mortgages, Page 553, on the lots and improvements owned by Julius Stoeckler and Anna Stoeckler, his wife, and situated at 1716–18–20 New York Avenue, Union City, New Jersey, including, but not limited to, all security rights, in and to any and all collateral (including the aforesaid mortgage) for any or all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any note or bond evidencing such obligations; and

b. Which are owing to her by Julius Stoeckler, including, but not limited to, all security rights in and to any and all collateral for any or all of such obligations and the right to enforce and collect such obligations, and including particularly but not limited to that certain obligation evidenced by a non-interest bearing promissory note in the principal amount of $500 payable to Clara Stoeckler by Julius Stoeckler, and the right to the possession of said note,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year, from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6159; Filed, April 20, 1943; 11:03 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-19]

COORDINATED OPERATIONS BETWEEN INDIANAPOLIS AND LAFAYETTE, INDIANA

THE SILVER FLEET MOTOR EXPRESS, INC., ET AL.

Upon consideration of applications for authority to coordinate operations as common carriers by motor vehicle in the transportation of property between Indianapolis and Lafayette, Indiana, and intermediate points, filed with the Office of Defense Transportation by The Silver Fleet Motor Express, Inc., of Louisville, Kentucky, Kenneth G. Foster, doing business as (and hereinafter referred to as) Foster Freight Lines, of Indianapolis, Indiana, Commercial Motor Freight, Inc. of Indiana, of Columbus, Ohio, Lafayette-Indianapolis Transit Co., Inc., of Indianapolis, Indiana, and Charles F. Davis and Charles W. Peters, doing business as Turner Trucking Company, of Lebanon, Indiana, to facilitate compliance with requirements of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), and

It appearing that such coordination is necessary in order to assure maximum utilization of the facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, of the above named carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The Silver Fleet Motor Express, Inc., shall suspend its service in respect of shipments moving to or from all intermediate points on its route between Indianapolis and Lafayette via Lebanon and Frankfort, Indiana.

2. Foster Freight Lines shall suspend its service in respect of shipments moving to or from Lafayette and West Lafayette, and shipments moving between Indianapolis and Lebanon, Indiana.

3. Commercial Motor Freight, Inc. of Indiana shall suspend its service in respect of shipments moving to or from all intermediate points on its route between Lebanon and Lafayette via Frankfort, Indiana.

4. Lafayette-Indianapolis Transit Co., Inc., shall suspend its service in respect of shipments moving between Indianapolis and Lebanon, Indiana.

5. All records of the carriers pertaining to any transportation performed pursuant to this order shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The provisions of this order shall not be so construed or applied as to require or permit any carrier named herein to perform any transportation service, the performance of which by it is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

7. Each of the carriers named in paragraphs 1 to 4, inclusive, herein shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

8. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-19", and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

9. This order shall become effective April 26, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of April 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-6170; Filed, April 20, 1943; 11:52 a. m.]

RECOMMENDATION OF JOINT ACTION PLAN IN KANSAS CITY, MISSOURI-KANSAS

DELIVERY BY MOTOR VEHICLE OF FLOWERS AND RELATED ARTICLES

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623), C. T. Reinhardt & Son and 48 others, listed in Appendix A hereto, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in the Kansas City, Missouri-Kansas Commercial Zone, as defined by the Interstate Commerce Commission in Kansas City, Mo.-Kansas City, Kans. Commercial Zone, 31 M. C. C. 5.

The participants in the plan comprise all of the retail florists in the area. Duplicate and parallel transportation services in connection with these establishments at present involve considerable waste. The plan provides that no motor vehicle used in such services will be operated more than six days in any calendar week, except in certain holiday weeks. The participants propose to eliminate wasteful operations and duplication of parallel services and to pool deliveries by transferring orders, joint use of the same truck or trucks and by delivering goods sold by each other. Several groups of the participants in addition have separately agreed to pool their delivery services; and the plan contemplates similar pooling by other groups of participants. It is estimated that operation under the plan will save approximately 150,000 truck-miles a year. Allocation of business or division of territories between or among participants is not contemplated.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 19th day of April 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

APPENDIX A

1. C. T. Reinhardt & Son.
2. Thomas Silver.
3. Rock Flower Company.
4. A. F. Barbe Sons.
5. Miller Floral Company.
6. Chandler Landscape & Floral Company.
7. Crestwood Flowers.
8. Adolph D. Mohr.
9. Peed's Ruby Brookside Flower Shop.
10. Floralart Shop.
11. Barnes Flowers.
12. Alpha Floral Company.
13. Frank Helden.
14. Mary Hayden.
15. Mark W. Weston.
16. The Rosery Flower Shop.
17. Marion J. Johnson.
18. Rose Marie Floral Shop.
19. Malang's House of Design.
20. Clemens Florist.
21. L. C. Fields Flower Shop.
22. Stats Flower Shop.
23. Teefey's Flowers, Inc.
24. Sands Floral Company.
25. Dalton's Flowers.
26. Liesveld Flower Shop.
27. James Payne & Son.
28. Leon N. Walker Greenhouses.
29. Frank Bunyar.
30. Muehleback Flower Shop.
31. Peter B. Lapetina.
32. F. E. Keller.
33. George W. Mears.
34. George M. Adlof.
35. Mohr Bros. Florists.
36. Carl Cordes.
37. Primrose Gardens.
38. Mr. George Neibaum.
39. Ed. V. Pierce.
40. Mrs. Serrice.
41. Mrs. O. H. Carroll.
42. Mrs. Fred R. Green.
43. McCoy Greenhouse and Flower Shop.
44. Cowan's Floral Shoppe.
45. Pebley's Gardens
46. Ellsworth Flowers.
47. Driggs Florist.
48. Tabler Flowers.
49. H. H. Bartlow & Son Florist.

[F. R. Doc. 43-6171; Filed, April 20, 1943; 11:52 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 16 Under Rev. MPR 125]

ARTH BRASS AND ALUMINUM CASTINGS COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 16 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-33.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Arth Brass and Aluminum Castings Company of Cleveland, Ohio, hereinafter referred to as "the applicant" may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, at the maximum prices prescribed by § 1395.3 of Revised Maximum Price Regulation No. 125: Except, that in determining the maximum prices of nonferrous castings under that section the applicant need not make the reductions required by paragraph (b) of that section.

(b) All prayers in the applicant's application for adjustment (Docket No. 3125-33) not granted herein are hereby denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 10, 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5958; Filed, April 16, 1943; 11:52 a. m.]

[Order 264 Under MPR 188]

EVERBEST MOP HANDLE MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 264 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Everbest Mop Handle Mfg. Co., 4133 Third Avenue, New York, New York, may sell and deliver three new wooden mop handles manufactured by it f. o. b. factory, subject to discounts, allowances and terms no less favorable than those customarily granted by it at prices no higher than those set forth below:

	Per gross
No. 30	$23 50
No. 35	25 00
No. 45	39 00

(b) This Order No. 264 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 264 shall become effective on the 17th day of April 1943.

Issued this 16th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5956; Filed, April 16, 1943; 11:53 a. m.]

[Order 3 Under MPR 33]

BIBB MFG. CO., ET AL.

ORDER GRANTING ADJUSTMENT

Order No. 3 under Maximum Price Regulation No. 33—Carded Cotton Yarn and the Processing Thereof.

Granting adjustment to:

Applicants	*Docket Nos.*
Bibb Manufacturing Company, Macon, Georgia	3033-15
Long Shoals Cotton Mills, Inc., Lincolnton, N. C.	3033-14
Textiles-Incorporated, Gastonia, N. C.	3033-18
Cleveland Mill & Power Company, Lawndale, N. C.	3033-16
Gossett Mills, Anderson, South Carolina	3033-6

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered*, That the maximum prices for certain carded yarns sold by the above-captioned companies, hereinafter called the applicants, shall be the prices for such yarns as set forth below:

(a) The applicants may sell and deliver and any person may purchase and receive from the applicants the respective yarns indicated below at prices not in excess of the applicable maximum prices set forth in Maximum Price Regulation No. 33 plus the respective premiums indicated below:

Company	Yarn No.	Specifications	Premium (cents per pound)	Premium allowable on deliveries made on and after—
Gossett Mills, Anderson, S. C.	26s, 30s	When made of 1 1/4" staple	3.32	Oct. 26, 1942
Bibb Manufacturing Co., Macon, Ga.	12s	When made of strict middling cotton—1 3/8" to 1 3/32" staple.	4.95	Feb. 5, 1943
Long Shoals Cotton Mills, Inc., Lincolnton, N. C.	36s, 40s	When made of 1 3/32" staple	.28	Jan. 16, 1943
Textiles, Incorporated, Gastonia, N. C.	10s	When made of 1 3/16" staple	11.10	Feb. 22, 1943
Cleveland Mill & Power Co., Lawndale, N. C.	8s, 10s, 12s	When made of 1 1/16" staple When made of 1 3/32" staple	1.65 1.16	Dec. 18, 1942

(b) The provisions of Maximum Price Regulation No. 33, except as modified by paragraph (a) above, shall apply to all sales of such carded yarns by the applicants.

(c) All prayers of the petitions not granted herein are denied.

(d) This Order No. 3 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 3 shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6139; Filed, April 20, 1943; 10:27 a. m.]

[Order 7 Under MPR 74]

SWIFT AND CO.

APPROVAL OF MAXIMUM PRICES

Order No. 7 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended—Animal Product Feeding-stuff.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, *It is hereby ordered:*

(a) *Approval of maximum prices for sales of meat and bone scraps containing 48 per cent protein.* Swift and Company, Ft. Worth, Texas and San Antonio, Texas, may sell and deliver and any person may buy and receive from Swift and Company, meat and bone scraps containing 48 per cent protein at a maximum price not to exceed $65.58 per ton, f. o. b. production plant, located in Zone 4 at Ft Worth, Texas and San Antonio, Texas.

(b) *Price adjustments where actual analysis differs from guaranteed minimum protein content.* In any sale made pursuant to the provisions of this order, if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, the following shall apply.

(1) If the protein content is above the guaranteed minimum percentage of protein, no increase in the maximum price is permitted.

(2) If the protein content is one per cent or less below the guaranteed minimum percentage of protein, deduct $1.50 per ton from the selling price.

(3) If the protein content is more than one per cent below the guaranteed minimum percentage of protein deduct from the selling price $1.50 per ton for the first one per cent and $3.00 per ton for each additional per cent or fraction thereof.

(c) *Notification of maximum prices.* Swift and Company shall provide the following notice of maximum price established by this order with the first delivery to each buyer of meat scraps having a guaranteed minimum protein of 48 per cent.

The Office of Price Administration has permitted us to sell meat and bone scraps with a guaranteed minimum protein content of 48 per cent at a maximum price of $65.58 per ton, f. o. b. our production plant, Ft. Worth, Texas and San Antonio, Texas, which is in line with the maximum prices established for the product by Maximum Price Regulation No. 74, as amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of meat and bone scraps.

(d) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

This Order No. 7 shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6126; Filed, April 20, 1943; 10:31 a. m.]

[Order 20 Under MPR 136]

CHRYSLER CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 20 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (a) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) Chrysler Corporation, of Detroit, Michigan, is hereby authorized to sell the following marine engines at prices not in excess of the maximum prices set opposite each engine listed below:

	Model No.	Standard rotation	Opposite rotation
CROWN MARINE ENGINE			
Reverse gear		$388.00	$394.00
Reduction gear	1.43	453.00	440.00
Reduction gear	1.97	438.00	445.00
Reduction gear	2.56	449.00	456.00
Reduction gear	3.46	481.00	487.00
Reduction gear	4.91	588.00	594.00
Reduction gear "V" drive	1.43	542.00	519.00
Reduction gear "V" drive	2.62	513.60	519.00
ROYAL MARINE ENGINE			
Reverse gear		710.00	713.00
Reduction gear	1.48	716.00	718.80
ACE MARINE ENGINE			
Reduction gear	1.93	782.00	

(b) Dealers of Chrysler Corporation are hereby authorized to increase their prices for the marine engines listed in paragraph (a) by an amount equal to the dollar amount of increase for each marine engine granted to Chrysler Corporation in paragraph (a).

(c) Chrysler Corporation shall notify each person to whom it sells the marine engines listed in paragraph (a) of the increase of their maximum prices made by paragraph (a) by sending him a copy of paragraphs (a) and (b).

(d) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6136; Filed, April 20, 1943; 10:27 a. m.]

[Order 21 Under MPR 136]

COLE'S MACHINE TOOL & DIE SHOP

AUTHORIZATION OF MAXIMUM CHARGE FOR SERVICES

Order No. 21 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. 3136-245.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (b) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) Cole's Machine Tool & Die Shop of Mansfield, Ohio, is hereby authorized to charge $2.75 per hour for machinery services it performs in the manufacture of tools, dies, jigs, and fixtures.

(b) The issuance of this order shall not in any way affect or relieve the liability of Cole's Machine Tool & Die Shop for any violation of any regulation or order issued by the Office of Price Administration.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6133; Filed, April 20, 1943; 10:30 a. m.]

[Order 22 Under MPR 136]

HAYWARD TESTING SERVICE

APPROVAL OF MAXIMUM PRICES

Order No. 22 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. 3136-232.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (a) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) Hayward Testing Service of Long Beach, California is hereby authorized to sell any of the following Hayward Cement Collars used in oil wells at prices not in excess of the maximum prices set opposite each size listed below:

Casing size:	Maximum prices
4½"	$312.50
5"	315.00
5½"	317.50
5¾"	320.00
6"	325.00
6⅝"	330.00
7"	335.00
7⅝"	350.00
8⅝"	355.00
9"	370.00
9⅝"	390.00
10¾"	425.00
11¾"	455.00
13⅜"	490.00

Such maximum prices shall be subject to the same discounts Hayward Testing Service had in effect on October 1, 1941.

(b) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6134; Filed, April 20, 1943; 10:29 a. m.]

[Order 272 Under MPR 188]

GRAPHICUT CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 272 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Graphicut Corporation, 480 Canal Street, New York, New York, is authorized to sell and deliver its new game, designated in the application as "Junior Eureko", at prices, f. o. b. New York, New York, no higher than those set forth below:

	Each
For jobbers	$0.475
For retailers	.57

(b) This Order No. 272 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 272 shall become effective on the 21st day of April 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6135; Filed, April 20, 1943; 10:29 a. m.]

[Order 273 Under MPR 188]

BUDDY "L" WOOD PRODUCTS CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 273 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Buddy "L" Wood Products Corporation, Glens Falls, New York, is authorized to sell and deliver its new wooden toys, described in its application of February 16, 1943, at prices to retailers, f. o. b. Glens Falls, New York, no higher than those set forth below:

	Dozen
No. 334 dump truck	$10.20
No. 336 ladder truck	10.50
No. 342 Army supply truck	10.50
No. 343 Army gun truck	10.50
No. 340 commando gun	9.60
No. 351 jeep rough rider	10.80
No. 353 rough rider cannon unit	14.00
No. 354 jeep rough rider trailer wagon	14.50
No. 355 dump cart	15.60
No. 357 ice truck	15.60
No. 358 wrecking truck	16.80
No. 359 hook & ladder truck	18.00
No. 360 Army supply truck	17.40
No. 361 Army combat car	18.00
No. 362 Army truck	19.50
No. 363 Army transport and trailer unit	25.20
No. 364 Army combat car and cannon	21.00
No. 365 deluxe trailer timber truck	34.20
No. 366 deluxe trailer allied van	41.40
No. 367 Shell oil truck	39.60
No. 368 deluxe trailer hook & ladder	52.00

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 21, 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6132; Filed, April 20, 1943; 10:30 a. m.]

[Order 274 Under MPR 188]

DUPLIGRAPH, JR. COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 274 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Dupligraph, Jr. Company, 14-125 Merchandise Mart, 222 North Bank Drive, Chicago, Illinois, is authorized to sell and deliver its new toy product, designated in its application of February 24, 1943, as "Woodettes", at prices, f. o. b. Chicago, Illinois, no higher than those set forth below:

	Per dozen
For jobbers	$12.00
For chain stores	12.75
For retailers	14.40

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 21, 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6138; Filed, April 20, 1943; 10:27 a. m.]

[Order 275 Under MPR 188]

THE FEDERAL WASHBOARD COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 275 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Federal Washboard Company, 75 East Jackson Street, Chicago, Illinois, is authorized to sell and deliver its new wagons, described in its application of January 29, 1943, at prices to retailers, f. o. b. Chicago, Illinois, no higher than those set forth below:

	Each
No. 6	$1.80
No. 7	2.10

(b) This Order No. 275 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 275 shall become effective on the 21st day of April 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6131; Filed, April 20, 1943; 10:30 a. m.]

[Order 276 Under MPR 188]

DETROIT TOY COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 276 under § 1499.158 of Maximum Price Regulation No. 188—Manu-

facturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Detroit Toy Company, 17102 Mack Avenue, Grosse Pointe, Michigan, is authorized to sell and deliver its new educational hobby toy, designated in its application of March 3, 1943, as "Paint-Pals", at prices, f. o. b. Grosse Pointe, Michigan, no higher than those set forth below:

	Triple box	Double box	Single box
To jobber	$0.45	$0.3375	$0.225
To chain stores	.50	.3750	.25
To dept. stores	.54	.4050	.27

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 21, 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6130; Filed, April 20, 1943; 10:30 a. m.]

[Order 277 Under MPR 188]

ROBERT B. PAYSEE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 277 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices For Specified Building Materials And Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Robert B. Paysee Company, 173 West Madison Street, Chicago, Illinois, is authorized to sell and deliver its new cartoon drawing set, described in its application of February 26, 1943, at prices, f. o. b. Chicago, Illinois, no higher than those set forth below:

	Per dozen
To jobbers	$5.40
To chain stores	6.00
To retailers	7.20

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 21, 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6129; Filed, April 20, 1943; 10:30 a. m.]

[Order 278 Under MPR 188]

VICTORY PATTERN MFG. COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 278 under § 1499.158 of maximum price regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Victory Pattern Manufacturing Company, 4046 West Lawrence Avenue, Chicago, Illinois, may sell and deliver to jobbers its two new mop sticks f. o. b. factory, subject to discounts, allowances and terms no less favorable than those customarily granted by it at prices no higher than those set forth below:

	Per dozen
Holder #1	$1.80
Holder #2	2.40

(b) This Order No. 278 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 278 shall become effective on the 21st day of April 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6128; Filed, April 20, 1943; 10:30 a. m.]

[Order 279 Under MPR 188]

RONI STUDIOS

APPROVAL OF MAXIMUM PRICES

Order No. 279 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Roni Studios, Whitestone, New York, is authorized to sell and deliver its new educational toy, designated in its application of February 26, 1943, as "Carvatoy," at prices to retailers, f. o. b. Whitestone, New York, no higher than $1.50.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 21, 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6127; Filed, April 20, 1943; 10:31 a. m.]

[Order 9 Under Rev. MPR 213]

MOORE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 9 under § 1365.61 of Revised Maximum Price Regulation No. 213—Coil and Flat Bedsprings with Non-steel Frames.

Approval of maximum f. o. b. factory, l. c. l. carload prices for the Moore Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) The Moore Company of Muncie, Indiana, may sell and deliver its No. 8391 and No. 8592 coil bedsprings with wood frames and partial platform tops at prices no higher than $5.90 and $7.20 respectively, f. o. b. factory, l. c. l.

(b) Any person may sell at wholesale and deliver No. 8391 and No. 8592 coil bedsprings with partial platform tops at warehouse or delivered prices no higher than $5.90 and $7.20 respectively, plus the dollar amount by which such a seller's warehouse or delivered price exceeded the manufacturer's f. o. b. factory, l. c. l price for the most comparable bedspring with a steel frame during March 1942 under the same conditions of sale.

(c) Any person may sell at retail and deliver the No. 8391 and No. 8592 bedsprings at prices no higher than $10.25 and $12.50 respectively plus $0.50 each for a sale at retail in the Far West Zone.

(d) The maximum prices set forth in paragraphs (a), (b) and (c) hereof shall be subject to the same discounts, allowances, terms and differentials as the seller had in effect for the most comparable bedspring with a steel frame during March, 1942.

(e) The Moore Company shall notify in writing all persons selling at wholesale who purchase No. 8391 and No. 8592 bedsprings of the maximum prices established in paragraphs (a), (b) and (c) hereof before delivery of any such bedsprings.

(f) Before making delivery of No. 8391 and No. 8592 bedsprings with wood frames and partial platform tops, the Moore Company must attach securely to each bedspring so that it is clearly visible, a durable tag containing, in easily readable lettering, the statement in the following form:

The Office of Price Administration has established a Retail Ceiling Price of (insert the correct figure) for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(g) This Order No. 9 may be revoked or amended by the Office of Price Administration at any time.

(h) Unless the context otherwise requires, the definitions set forth in Revised Maximum Price Regulation No. 213 shall apply to the terms used herein.

(i) This Order No. 9 under § 1365.61 of Revised Maximum Price Regulation No. 213 shall become effective April 21, 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6140; Filed, April 20, 1943; 10:27 a. m.]

[Order 2 Under MPR 230]

PRODUCERS PIPE AND SUPPLY COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 2 under § 1306.460 (b) of Maximum Price Regulation 230—Reusable Iron and Steel Pipe; Docket No. 3230-6.

For the reasons set forth in the opinion issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration: *It is hereby ordered,* That:

(a) The Producers Pipe and Supply Company, Kennedy Building, Tulsa, Oklahoma, is hereby authorized to charge the U. S. Army Engineers of Seattle, Washington, the additional sum of $651.76 over the maximum price established by Maximum Price Regulation 230, on its contract W-869, Eng. 7736, with the U. S. Army Engineers entered into September 8, 1942.

(b) All prayers of the petitions filed by the Producers Pipe and Supply Company not specifically granted herein are denied.

This Order No. 2 shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6137; Filed, April 20, 1943; 10:27 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 37-58, 4-46]

AMERICAN WATER WORKS AND ELECTRIC CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 12th day of April A. D., 1943.

In the matter of American Water Works and Electric Company, Incorporated, Water Works Service Company, Inc., American Water Works Construction Company, File No. 37-58; American Water Works and Electric Company, Incorporated, Atlantic County Electric Company of New Jersey, Commonwealth Water Company, The Bernards Water Company, Monmouth Consolidated Water Company, New Jersey Water Company, Ocean County Water Company, American Water Works Construction Company and Water Works Department, Inc., File No. 4-46.

Notice is hereby given that on April 9, 1943, American Water Works and Electric Company, Incorporated, a registered holding company, and its subsidiary companies, American Water Works Construction Company and Water Works Service Company, Inc. filed applications and declarations with this Commission pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Water Works Service Company, Inc. has filed a declaration with respect to its organization and conduct of business as a subsidiary service company. It proposes to furnish various services to system subsidiary operating water companies and services of a limited character to several system subsidiary non-operating companies and to American Water Works and Electric Company, Incorporated. Water Works Service Company, Inc. proposes to issue and sell 1,500 shares of common stock, par value $100 per share, to American Water Works and Electric Company, Incorporated for $150,000 in cash.

American Water Works Construction Company, all of whose outstanding securities are owned by American Water Works and Electric Company, Incorporated and which performs engineering services for associate water companies, will declare a liquidating dividend of all its assets and be dissolved. Among its assets to be distributed to and acquired by American Water Works and Electric Company, Incorporated, are 9,792 shares of the common stock and 132 shares of the $6 Series First Preferred Stock of American Water Works and Electric Company, Incorporated, 574 shares of the 7% Cumulative Preferred Stock of Monongahela West Penn Public Service Company (a public utility subsidiary company of American Water Works and Electric Company, Incorporated), and $74,500 principal amount of West Penn Traction Company First Mortgage Five Per Cent Gold Bonds which are assumed obligations of West Penn Railways Company (a registered holding company and subsidiary of American Water Works and Electric Company, Incorporated).

The declarant, Water Works Service Company, Inc., proposes to file additional information by amendment including, among other things, its proposed method of allocating its costs of doing business among associate companies, the departmental organization of the company, and the nature of the services to be performed by the various departments.

The Commission having on January 28, 1943, instituted proceedings pursuant to sections 18 (a), 18 (b), and 13 of the Public Utility Holding Company Act of 1935 in respect of the construction, sales, and service arrangements of American Water Works and Electric Company, Incorporated, American Water Works Construction Company, and Water Works Department, Inc. with associate companies (File No. 4-46); and

The Commission having held a public hearing on February 18, 1943, for the purpose of taking evidence on the issues involved under sections 18 (a), 18 (b), and 13 of the Act, and said hearing having been adjourned to April 22, 1943; and

It appearing to the Commission that the proceeding heretofore instituted pursuant to sections 18 (a), 18 (b), and 13 (File No. 4-46) and the applications and declarations hereinbefore described (File No. 37-58) involve common questions of law and fact and should be consolidated;

It is hereby ordered, That such proceedings be and the same hereby are consolidated and that the hearings in the above entitled matters be held on April 22, 1943, at 10 o'clock in the forenoon of that day at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day the hearing-room clerk in Room 318 will inform the parties as to the exact room at which said hearing will be held.

It is further ordered, That Richard Townsend, a Trial Examiner of the Commission, or any officer or officers of the Commission designated by it for that purpose be, and he hereby is, designated to preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 20, 1943, his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearings aforesaid by mailing a copy of this order to American Water Works and Electric Company, Incorporated, Water Works Service Company, Inc., American Water Works Construction Company, Atlantic County Electric Company of New Jersey, Commonwealth Water Company, The Bernards Water Company, Monmouth Consolidated Water Company, New Jersey Water Company, Ocean County Water Company, American Water Works Construction Company and Water Works Department, Inc., File No. 4-46.

Notice is hereby given that on April 9, 1943, American Water Works and Electric Company, Incorporated, a registered holding company, and its subsidiary companies, American Water Works Construction Company and Water Works Service Company, Inc. filed applications and declarations with this Commission pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Water Works Service Company, Inc. has filed a declaration with respect to its organization and conduct of business as a subsidiary service company. It proposes to furnish various services to system subsidiary operating water companies and services of a limited character to several system subsidiary non-operating companies and to American Water Works and Electric Company, Incorporated. Water Works Service Company, Inc. proposes to issue and sell 1,500 shares of common stock, par value $100 per share, to American Water Works and Electric Company, Incorporated for $150,000 in cash.

American Water Works Construction Company, all of whose outstanding securities are owned by American Water Works and Electric Company, Incorporated and which performs engineering services for associate water companies, will declare a liquidating dividend of all its assets and be dissolved. Among its assets to be distributed to and acquired by American Water Works and Electric Company, Incorporated, are 9,792 shares of the common stock and 132 shares of the $6 Series First Preferred Stock of American Water Works and Electric Company, Incorporated, 574 shares of the 7% Cumulative Preferred Stock of Monongahela West Penn Public Service Company (a public utility subsidiary company of American Water Works and Electric Company, Incorporated), and $74,500 principal amount of West Penn Traction Company First Mortgage Five Per Cent Gold Bonds which are assumed obligations of West Penn Railways Company (a registered holding company and subsidiary of American Water Works and Electric Company, Incorporated).

The declarant, Water Works Service Company, Inc., proposes to file additional information by amendment including, among other things, its proposed method of allocating its costs of doing business among associate companies, the departmental organization of the company, and the nature of the services to be performed by the various departments.

The Commission having on January 28, 1943, instituted proceedings pursuant to sections 18 (a), 18 (b), and 13 of the Public Utility Holding Company Act of 1935 in respect of the construction, sales, and service arrangements of American Water Works and Electric Company, Incorporated, American Water Works Construction Company, and Water Works Department, Inc. with associate companies (File No. 4-46); and

The Commission having held a public hearing on February 18, 1943, for the purpose of taking evidence on the issues involved under sections 18 (a), 18 (b), and 13 of the Act, and said hearing having been adjourned to April 22, 1943; and

It appearing to the Commission that the proceeding heretofore instituted pursuant to sections 18 (a), 18 (b), and 13 (File No. 4-46) and the applications and declarations hereinbefore described (File No. 37-58) involve common questions of law and fact and should be consolidated;

It is hereby ordered, That such proceedings be and the same hereby are consolidated and that the hearings in the above entitled matters be held on April 22, 1943, at 10 o'clock in the forenoon of that day at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day the hearing-room clerk in Room 318 will inform the parties as to the exact room at which said hearing will be held.

It is further ordered, That Richard Townsend, a Trial Examiner of the Commission, or any officer or officers of the Commission designated by it for that purpose be, and he hereby is, designated to preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 20, 1943, his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearings aforesaid by mailing a copy of this order to American Water Works and Electric Company, Incorporated, Water Works Service Company, Inc., American Water Works Construction Company, Atlantic County Electric Company of New Jersey, Commonwealth Water Company, The Bernards Water Company, Monmouth Consolidated Water Company, New Jersey Water Company, Ocean County Water Company, Water Works Department, Inc., the Public Utilities Commissions of the States of Iowa, New Jersey, Kansas, Indiana, West Virginia, Arkansas, Virginia, Illinois, Pennsylvania, Rhode Island, Massachusetts, Connecticut, New York, Kentucky, Ohio, Maryland, Tennessee, Missouri,

Wisconsin, and Texas not less than eight days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to American Water Works and Electric Company, Incorporated and such subsidiaries, to their security holders, and to all consumers of American Water Works and Electric Company, Incorporated and such subsidiaries, to all state municipalities and political subdivisions of states within which is located any of the physical assets of said companies or under the laws of which any of said companies are incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities and instrumentalities or one or more states, municipalities, or other political subdivisions having jurisdiction over American Water Works and Electric Company, Incorporated or such subsidiaries or any of the businesses, affairs or operations of any of them, that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this Order in the FEDERAL REGISTER not later than seven days prior to the date hereinbefore fixed as the date of hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6121; Filed, April 20, 1943; 9:45 a. m.]

[File Nos. 54-39, 54-69, 59-65]

LACLEDE GAS LIGHT CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of April, A. D. 1943.

In the matters of the Laclede Gas Light Company, Laclede Power & Light Company, Phoenix Light, Heat and Power Company, Ogden Corporation, File No. 54-39; Ogden Corporation and Subsidiary Companies, File No. 54-69, and Ogden Corporation and Subsidiary Companies, Respondents, File No. 59-65.

Notice is hereby given that The Laclede Gas Light Company, Laclede Power & Light Company, and Phoenix Light, Heat and Power Company, subsidiaries of Ogden Corporation, a registered holding company, and Ogden Corporation have filed a plan, as amended, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of effectuating the reorganization of The Laclede Gas Light Company, disposing of the electric utility assets operated by Laclede Power & Light Company to Union Electric Company of Missouri, and enabling the Ogden holding company system to comply, in part, with the provisions of section 11 (b) of the Act.

All interested persons are referred to said plan, as amended, which is on file at the office of this Commission, for a statement of the transactions proposed therein, which may be summarized as follows:

1. The transfer by The Laclede Gas Light Company ("Laclede Gas"), Phoenix Light, Heat and Power Company ("Phoenix"), and Laclede Power & Light Company ("Laclede Electric") to Union Electric Company of Missouri ("Union Electric") of the electric properties operated by Laclede Electric for a base purchase price of $8,600,000, subject to certain adjustments for property additions and retirements, receivables, materials and supplies, and other items of a similar fluctuating nature. In connection with such sale, Laclede Electric will not exercise the option granted to it pursuant to an agreement entered into in 1926 to purchase from Laclede Gas the properties covered in said agreement, but said agreement will, as a part of the plan, be terminated concurrently with the joint transfer of the said electric properties;

Laclede Gas and Laclede Electric have entered into a contract for division of the proceeds of the sale of electric properties. Under this contract, Laclede Gas is to receive $2,200,000 out of such proceeds;

2. The payment by Union Electric of the aforesaid base purchase price for the said electric properties in the amount of $8,600,000, as adjusted, as follows:

(a) There shall be paid directly to Laclede Electric only such portion of the said purchase price which, when added to the cash of Laclede Electric, will be sufficient to discharge in full all the liabilities of Laclede Electric not assumed by Union Electric, as provided in the contract of sale, and to pay severance compensation to such of the employees of Laclede Electric as may not be taken over by Union Electric.

(b) There shall be paid directly to Laclede Gas all of the balance of the said purchase price, which balance will include not only the portion to which Laclede Gas is entitled ($2,200,000), but also the portion of the said price to which Laclede Electric is entitled which remains after the payment by Union Electric to Laclede Electric of the amount provided to be so paid in sub-paragraph (a) preceding;

3. The transfer to Laclede Gas by Laclede Electric of all of its assets, except cash, remaining after the consummation of the said contract of sale of the electric properties;

4. The decrease in the par value of the outstanding shares of preferred stock and of the outstanding, as well as the authorized but unissued, shares of common stock of Laclede Gas, from a par value of $100 per share to a par value of $5 per share and a corresponding increase in the number of the outstanding shares of such preferred stock and of the outstanding, as well as the authorized but unissued, shares of such common stock;

5. The issuance to Ogden Corporation of 1,500,000 shares of authorized but unissued common stock of $5 par value of Laclede Gas in return for;

(a) The cancellation of the $2,000,000 principal amount of Notes of Laclede Gas owned by Ogden Corporation,

(b) The portion of the purchase price of said electric properties paid to Laclede Gas by Union Electric (hereinbefore provided) to which Laclede Electric is entitled, and

(c) The assets transferred by Laclede Electric to Laclede Gas, as hereinbefore described;

Of the shares so received by it, Ogden Corporation will release for delivery to all stockholders of Laclede Electric, other than Ogden Corporation, such number of shares of such common stock of Laclede Gas as this Commission shall fix as equitable and fair;

6. The cancellation of nine out of the twenty shares of preferred stock of $5 par value, which each holder of one share of preferred stock is entitled to receive as a result of the decrease in par value of such stock and the corresponding increase in the number of shares, as described hereinbefore in paragraph 4, and the cancellation of all rights and preferences appertaining to the preferred stock, including all rights to accumulated, unpaid dividends. Such shares so cancelled will not be reissued;

The result of the foregoing will be that, upon consummation of the Plan, each holder of preferred stock of $100 par value will receive eleven shares of common stock of $5 par value for each share of preferred stock of $100 par value surrendered by him;

7. The cancellation of nineteen out of the twenty shares of common stock of $5 par value, which each holder of one share of common stock of $100 par value is entitled to receive as a result of the decrease in par value of such stock and the corresponding increase in the number of shares, as provided hereinbefore in paragraph 4. Such shares so cancelled shall not be reissued;

The result of the foregoing will be that upon consummation of the Plan, each holder of common stock of $100 par value will receive one share of common stock of $5 par value for each share of common stock of $100 par value surrendered by him;

8. The payment in cash by Laclede Gas of interest on its outstanding bonds and notes from the respective preceding interest payment dates to the effective date of the Plan;

9. The use of the portion of the said purchase price of the said electric properties which is paid to Laclede Gas by Union Electric (as hereinbefore provided) in addition to such other cash of Laclede Gas as may be necessary to retire $7,868,000 principal amount of Refunding and Extension Mortgage 5% Gold Bonds, dated April 1, 1904, outstanding in the hands of the public;

10. The issuance by Laclede Gas of the following securities:

(a) $20,000,000 principal amount of First Mortgage Bonds, bearing interest at the rate of 3½% per annum and maturing twenty years from the date of issuance thereof.

(b) $5,000,000 principal amount of Debentures bearing interest at the rate of 5½% per annum and maturing ten years from the date of issuance thereof.

The proceeds from the sale of these securities will be used to discharge the balance of the outstanding funded debt of Laclede Gas by payment of the face amount of such securities to the holders thereof;

11. The result of the cancellation of shares of preferred stock and common stock of $5 par value (as hereinbefore provided) will be to increase capital surplus on the books of Laclede Gas by approximately $11,214,850. The increase in the property account of Laclede Gas as a result of a revaluation effected in 1926, as well as the loss on the books of Laclede Gas resulting from the said sale of the electric properties to Union Electric, will be charged to capital surplus. There will also be charged to capital surplus any other adjustments required to be made on the books of Laclede Gas by any regulatory body having jurisdiction;

12. The offer by Ogden Corporation to residents of the State of Missouri of the $5 par value common stock of Laclede Gas, which it is entitled to receive hereunder, at a price to be subject to the approval at the time by the Securities and Exchange Commission as fair. Said offer shall be made within one year after completion of the reorganization unless such time shall be extended by this Commission;

The consummation of the Plan is subject to:

(a) The entry of an order by this Commission pursuant to section 11 (e) and to the applicable provisions of the Public Utility Holding Company Act approving such Plan.

(b) Such orders of the Public Service Commission of the State of Missouri with respect to the approval of the plan or the carrying out of any or all of the steps contemplated by the plan which may be necessary or desirable;

The plan further provides that at any time after its approval, as provided above, the Board of Directors of Laclede Gas may, if it be deemed necessary or desirable, request the Securities and Exchange Commission, pursuant to section 11 (e), to apply to a court of competent jurisdiction to carry out the terms and provisions of the plan.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said plan or the plan as subsequently amended and that such plan should not be approved except pursuant to further order of this Commission;

It further appearing to the Commission that the plan filed herein by Laclede Gas, Laclede Electric, Phoenix, and Ogden Corporation (File No. 54-39) and proceedings in respect of the plan filed by Ogden Corporation and subsidiary companies pursuant to section 11 (e) of the Act (File No. 54-69) and the proceedings instituted by the Commission directed to Ogden Corporation and subsidiary companies, respondents, pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Act (File No. 59-65), involve common questions of law and fact and should be consolidated;

It is ordered, That such proceedings be and the same hereby are consolidated.

It is further ordered, That hearings on such matters under the applicable provisions of the Act and the Rules promulgated thereunder, be held on the 18th day of May, 1943, at 10 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at such time by the hearing room clerk in Room 318.

It is further ordered, That Edward C. Johnson, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented in the consolidated proceeding, particular attention will be directed at the hearing to the following matters and questions:

(a) Whether the proposed issuance by Laclede Gas of $25,000,000 principal amount of debt will result in an excessive amount of debt and whether the issuance of $25,000,000 of debt is reasonably adapted to its assets, earning power, and security structure;

(b) Whether this Commission should also require as a term and condition to its approval of the Plan filed under section 11 (e) by Laclede Gas, Laclede Electric, Phoenix, and Ogden Corporation and to the issuance of the securities proposed in such Plan, the following term and condition imposed by the Public Service Commission of the State of Missouri in its order approving the Plan of Reorganization of Laclede Gas: "That any surplus upon the books of The Laclede Gas Light Company as of the date of issuance of the securities authorized herein shall be unavailable for the payment of dividends. Any earned surplus accruing subsequent to such date to the extent of $3,000,000 shall likewise be unavailable for the payment of such dividends" and what other or additional terms and conditions in regard to restriction of dividends should be imposed;

(c) Whether Laclede Gas should be required to carry its fixed assets on its books at the estimated original cost thereof as determined by the accountants for the Public Service Commission of the State of Missouri, as of August 31, 1942, plus subsequent net additions at actual cost;

(d) Whether the write-downs in the property account of Laclede Gas proposed in the plan, as well as other write-downs which may be required by this Commission or other regulatory bodies having jurisdiction, should be charged, first, to the earned surplus account and any remainder thereof charged to existing capital surplus and capital surplus created by the reduction in the aggregate stated value of capital stock;

(e) Whether the depreciation reserve of Laclede Gas is adequate and whether any remaining balance in capital surplus, after giving effect to all other charges for property adjustments and similar matters, should be required to be transferred to the depreciation reserve;

(f) Whether the proposed base purchase price of $8,600,000 to be received from Union Electric for the electric properties operated by Laclede Electric is reasonable and whether the sale of such properties to Union Electric is in compliance with the provisions of section 12 (d) and other applicable provisions of the Act;

(g) Whether the proposed allocation of the proceeds of the sale of the electric properties operated by Laclede Electric between Laclede Gas and Laclede Electric is fair and equitable;

(h) Whether the proposed issuance by Laclede Gas of eleven shares of new $5 per value common stock for each share of $100 par value preferred stock to the present holders thereof and the proposed issuance of one share of new $5 par value common stock for each share of $100 par value common stock to the present holders thereof are fair and equitable to the persons affected thereby;

(i) Whether the securities and cash proposed to be received and retained by Ogden as a result of the reorganization of Laclede Gas, the sale of the electric properties operated by Laclede Electric, and the liquidation and dissolution of Laclede Electric, constitute fair and equitable consideration for Ogden's interests in Laclede Gas and Laclede Electric;

(j) To what extent, if any, the proposed Plan should be modified or amended to render it feasible and fair and equitable to the persons affected and what terms and conditions should be imposed in the public interest and for the protection of investors and consumers.

Notice is hereby given of said hearing to the above-named applicants and respondents, and to all interested persons; said notice to be given to said applicants and respondents by registered mail, and to all other persons by publication in the Federal Register. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of this Commission, on or before May 10, 1943, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions, or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with these proceedings other filings or matters pertaining to said Plan or to take such other action as may appear conducive

to an orderly, prompt, and economical

Company, and the Illinois Commerce Commission; and that notice of said

amount of its First Mortgage and First Lien Bonds, Series C, 5%, due September

RECOMMENDATION OF JOINT ACTION PLAN IN KANSAS CITY, MISSOURI-KANSAS

named therein with respect to the transportation and delivery by motor vehicle of flowers and related articles in the

find and so certify to you that the doing of any act or thing, or the omission to

to an orderly, prompt, and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6124; Filed, April 20, 1943; 9:45 a. m.]

[File Nos. 59-54, 70-577]

KEWANEE PUBLIC SERVICE CO. AND ILLINOIS IOWA POWER CO.

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of April 1943.

In the matter of Kewanee Public Service Company, Respondent, File No. 59-54; and Illinois Iowa Power Company, File No. 70-577.

Illinois Iowa Power Company having filed an application or declaration (or both) pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder regarding the acquisition by said company of the publicly held preferred stock of Kewanee Public Service Company (File No. 70-577) which application or declaration (or both) was set for hearing on September 2, 1942 and subsequently continued to September 23, 1942; and

The Commission having entered an order on September 3, 1942 instituting proceedings against Kewanee Public Service Company pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Act (File No. 59-54) a copy of which order has been mailed to the stockholders of said company; and

The Commission having by order dated September 8, 1942 consolidated the hearings on the aforesaid application or declaration (or both) and on the proceedings so instituted and set the consolidated hearing on September 23, 1942; and a consolidated hearing having been held on said date which was adjourned subject to the call of the trial examiner; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a further hearing be held with respect to said proceedings;

It is ordered, That a reconvened hearing in said proceedings shall be held on the 11th day of May, 1943 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania in such room as may be designated on that date by the hearing room clerk in Room 318.

It is further ordered, That the Secretary of the Commission shall serve notice of the reconvened hearing by mailing a copy of this order by registered mail to Kewanee Public Service Company, Illinois Iowa Power Company, Illinois Traction Company, North American Light & Power Company, The North American Company, and the Illinois Commerce Commission; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Kewanee Public Service Company mail a copy of this notice at least fifteen days prior to the date herein fixed as the date of the reconvened hearing to all of its known security holders including the Trustee under the Indenture securing its bonds and that said company mail a copy of our order of September 3, 1942 in this matter to all of its known security holders, including the Trustee under the Indenture securing its bonds, who have not previously been mailed a copy thereof;

It is further ordered, That any person desiring to be heard in connection with these proceedings or to intervene therein shall, on or before the 28th day of April 1943 file with the Secretary of the Commission his written request or application, as required by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6123; Filed, April 20, 1943; 9:45 a. m.]

[File No. 70-702]

EASTERN SHORE PUBLIC SERVICE CO. (DEL.) AND EASTERN SHORE PUBLIC SERVICE CO. OF MARYLAND

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of April 1943.

Eastern Shore Public Service Company (Delaware), a registered holding company (hereinafter called Delaware), and The Eastern Shore Public Service Company of Maryland, a subsidiary thereof (hereinafter called Maryland), having filed declarations pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 thereof, and Rules U-42 and U-43 thereunder, with respect to the following transactions:

Maryland has outstanding as of February 28, 1943, $3,692,500 principal amount of its First Mortgage 4% Bonds due September 1, 1969, all of which bonds are owned by Delaware and pledged by Delaware to secure its First Mortgage and First Lien Bonds. Maryland proposes to redeem $100,000 principal amount of its outstanding bonds at par and accrued interest thereon, in accordance with the terms of the Indenture securing them.

The funds to be received by Delaware from Maryland will be deposited with the Trustee under the Indenture securing Delaware's First Mortgage and First Lien Bonds. In order to obtain the release of funds so deposited, Delaware then proposes to deliver to the Trustee for cancellation $100,000 principal amount of its First Mortgage and First Lien Bonds, Series C, 5%, due September 1, 1946, now pledged as collateral security to its 3% note payable to The Chase National Bank of the City of New York, upon which note there is an unpaid balance of $450,000. Delaware will apply the $100,000 it will receive to reduce the amount due on the bank loan.

Said declarations having been filed on April 8, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to the declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The above-named parties having requested that said declarations be permitted to become effective before April 20, 1943; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declarations pursuant to Rules U-42 and U-43 to become effective, and being satisfied that the effective date of such declarations should be advanced;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declarations be, and hereby are, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6122; Filed, April 20, 1943; 9:45 a. m.]

WAR PRODUCTION BOARD.

[Certificate 53]

COORDINATED OPERATIONS BETWEEN INDIANAPOLIS AND LAFAYETTE, INDIANA.

THE SILVER FLEET MOTOR EXPRESS, INC., ET AL.

The Attorney General: I submit herewith Supplementary Order ODT 3, Revised-19,[1] issued by the Director of the Office of Defense Transportation with respect to coordinating the operations of common carriers of property by motor vehicle between Indianapolis and Lafayette, Indiana, and intermediate points.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 3, Revised 19, is requisite to the prosecution of the war.

Dated: April 19, 1943.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 43-6168; Filed, Apr. 20, 1943; 11:52 a. m.]

[1] *Supra.*

RECOMMENDATION OF JOINT ACTION PLAN IN KANSAS CITY, MISSOURI-KANSAS

DELIVERY BY MOTOR VEHICLE OF FLOWERS AND RELATED ARTICLES

[Certificate 54]

The Attorney General: I submit herewith a Recommendation of the Director of the Office of Defense Transportation of a plan for joint action by the persons named therein with respect to the transportation and delivery by motor vehicle of flowers and related articles in the Kansas City, Missouri-Kansas Commercial Zone.[1]

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan as described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

Dated April 19, 1943.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 43-6169; Filed, April 20, 1943; 11:52 a. m.]

[1] *Supra.*

FEDERAL REGISTER

VOLUME 8 NUMBER 79

Washington, Thursday, April 22, 1943

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

PART 1—ADMINISTRATIVE REGULATIONS

PROCEEDINGS BEFORE THE DEPARTMENT, REPRESENTATION; AMENDMENT

By virtue of the authority vested in the Secretary of Agriculture under section 161 of the Revised Statutes as amended (5 U.S.C., 1940 ed. sec. 22), Title 7, Subtitle A, Part I, § 1.1579, Code of Federal Regulations is amended to read as follows:

§ 1.1579 *Representation in proceedings before the Department.* In any proceeding before the Department, the parties may appear in person or by counsel or other representative. Persons who appear as counsel or in a representative capacity at a hearing must conform to the standards of ethical conduct required of practitioners before the courts of the United States. Whenever the Secretary finds, after notice and opportunity for hearing, that a person who is acting or has acted as counsel or representative for another person in any proceedings before the Department is guilty of unethical conduct, he will order that such person be precluded from acting as counsel or representative in any proceeding before the Department.

No former officer or employee of the Department of Agriculture shall, within two years after termination of his employment, be permitted to practice or appear, or to act as an attorney or agent, in any case, claim, contest, or other proceeding before the Department, or before any office, bureau or agency thereof.

This regulation shall not be construed to prevent any former officer or employee of the Department from appearing as a witness in any hearing, investigation, or other proceeding before the Department.

Done at Washington, D. C., this 20th day of April, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-6198; Filed, April 21, 1943; 11:27 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 116—CIVIL AIR NAVIGATION

APPLICATION OF CERTAIN LAWS AND REGULATIONS TO CIVIL AVIATION

NOTE: For the text of the amendments to this part see Title 19—Customs Duties, Part 4—Air Commerce Regulations, *infra*.

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

GREENVILLE STOCK YARDS, GREENVILLE, MISS.[1]

By a document published in the FEDERAL REGISTER on April 11, 1939 (4 F.R. 1568), notice was given by the Acting Secretary of Agriculture that the Greenville Stock Yards, Greenville, Mississippi, owned by C. I. Stafford & Sons, was a stockyard subject to the provisions of the Packers and Stockyards Act, 1921 (7 U.S.C. 1940 ed. 181 et seq.). The name of this stockyard appears incorrectly in the Code of Federal Regulations (9 CFR, 1939 Sup., 204.1) as G. I. Stafford & Sons.

It has been ascertained that the area of this stockyard normally used is now less than twenty-thousand square feet, so that the act no longer applies to it. Therefore, notice of such fact is given to its owners and to the public, and its name is deleted from the list of posted

[1] Modifies list posted stockyards, 9 CFR 204.1.

(Continued on next page)

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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FEDERAL REGISTER

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stockyards in the Code of Federal Regulations, cited above.

(42 Stat. 159; 7 U.S.C. 1940 ed. 181 et seq.)

Done at Washington, D. C., this 20th day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[2]

[F. R. Doc. 43-6199; Filed, April 21, 1943; 11:27 a. m.]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

D. E. BLACKWELL COMMISSION CO., ATLANTA, GA.[1]

It has been ascertained that D. E. Blackwell Commission Company, Atlanta, Georgia, does not handle livestock in interstate commerce and no longer comes within the definition of stockyard in the Packers and Stockyards Act, 1921 (7 U. S. C. 1940 ed. 181 et seq.). Therefore, notice of such fact is given to its owner and to the public, and its name is deleted from the list of posted stockyards in the Code of Federal Regulations (9 CFR. 1941 Sup., 204.1).

(42 Stat. 159; 7 U.S.C. 1940 ed. 181 et seq.)

Done at Washington, D. C., this 20th day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[2]

[F. R. Doc. 43-6200; Filed, April 21, 1943; 11:27 a. m.]

[1] Modifies list posted stockyards, 9 CFR. 204.1.

[2] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81, 7 F.R. 2656).

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial 269]

PART 228—FREE AND REDUCED RATE TRANSPORTATION

SCOPE AND PRACTICES

Amendment 1 of § 228.4.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of April 1943.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 403 (b) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective May 1, 1943, § 228.4 of the Economic Regulations is hereby amended in its entirety to read as follows:

§ 228.4 *Free and reduced rate transportation scope and practices*—(a) *Definitions.* As used in this regulation, unless the context otherwise requires:

(1) "Carrier" means an air carrier or a foreign air carrier.

(2) An "affiliate" of a carrier means a person:

(i) Who controls such carrier, or is controlled by such carrier or by another person who controls or is controlled by such carrier, and

(ii) Whose principal business in purpose or in fact is:

(*a*) The holding of stock in one or more carriers, or

(*b*) Scheduled transportation by air or the sale of tickets therefor, or

(*c*) The operation of one or more airports, one or more of which is used by such carrier or by another carrier who controls or is controlled by such carrier or who is under common control with such carrier by another person, or

(*d*) Activities devoted to the scheduled transportation by air conducted by such carrier or by another carrier who controls or is controlled by such carrier or who is under common control with such carrier by another person.

Within the meaning of this subparagraph, "control" means the beneficial ownership of more than 40 per centum of outstanding voting capital stock unless, as to the specific case, the Board shall have determined in a proceeding pursuant to section 408 of the Act that control does not exist; such control may be direct or by or through one or more intermediate subsidiaries likewise controlled or controlling through beneficial ownership of more than 40 per centum of outstanding voting capital stock.

(3) "Pass" means a written authorization issued by a carrier for free or reduced-rate transportation of persons or property; "annual pass" means such an authorization effective over a period of a calendar year; "term pass" means such an authorization effective over a specified period of less than a year; "trip pass" means such an authorization for a single one-way trip or round trip (whether the return trip is made via the same or a different route as the outbound trip) between designated points.

(4) "Free transportation" means the carriage by a carrier of any person or property (other than property owned by such carrier) in air transportation without compensation therefor; "reduced-rate transportation" means such carriage for a compensation less than that under the rate, fare, or charge published in the tariffs of such carrier on file with the Board and otherwise applicable to such carriage.

(5) All other words and phrases shall have the meaning defined in the Act.

(b) *Persons to whom free or reduced-rate transportation may be furnished.* Subject to the provisions of the Act and the orders, regulations, including this regulation, and rules of the Board now or hereafter in effect, any carrier may at its option provide free or reduced-rate transportation to any or all classes of persons specifically mentioned in section 403 (b) of the Act; and in addition thereto, all carriers engaged in overseas or foreign air transportation may furnish free or reduced-rate transportation to:

(1) Directors, officers, and employees and members of their immediate families, of any affiliate of such carrier, the name of which affiliate currently is included in the list of affiliates filed by such carrier pursuant to paragraph (g) (3) of this section.

(2) Directors, officers, and employees, and members of their immediate families of any person operating as a common carrier by air, or in the carriage of mails by air, or conducting transportation by air, in a foreign country, but only over routes and in territories served in such foreign country.

(3) Other persons to whom such carrier is required to furnish free or reduced-rate transportation by law or by a contract or agreement, now or hereafter in effect, between such carrier and the government of any country served by such carrier, but only to the extent so required and only if such contract or agreement is filed with the Board and if the provisions thereof relating to such transportation are not disapproved by the Board as being contrary to the public interest.

(c) *Passes to be issued.* No carrier shall furnish any free or reduced-rate transportation unless a pass therefor has been issued, except that passes need not be issued:

(1) For any transportation provided for in any tariff on file with the Board and currently effective when such transportation is furnished.

(2) For necessary travel of the carrier's own directors, officers or employees in the performance of their official duties.

(3) For free or reduced-rate transportation of persons injured in aircraft accidents or of physicians or nurses attending such persons, or with the object of providing relief in cases of general epidemic, pestilence, or other calamitous visitation.

(4) For free or reduced-rate transportation authorized in any other section of the Economic Regulations or Order of the Board now or hereafter in effect.

(d) *Form of pass.* No carrier shall issue any form of pass other than an "annual," "term," or "trip" pass. Every pass shall be issued upon the express condition that it is subject to suspension or cancellation for the abuse of the privileges accorded thereunder, and must show on its face, at least, the name of the person or persons who, or whose property, is entitled to receive free or reduced-rate transportation. Each pass must bear either the signature in ink of an official named in the list referred to in paragraph (g) (1) hereof, or the facsimile signature of such an official and the counter-signature in ink of some other official or responsible subordinate who is designated by name and title on the pass, and before presented for transportation such pass must bear the signature in ink of the person to whom issued: *Provided*, That regular tickets or bills of lading, stamped with a suitable notation, may be used as trip passes, and when so used need not conform to the provisions of this paragraph as to form.

(e) *Carrier's records.* Each carrier shall maintain a record of all passes issued by it, which record shall be filed in such manner as to be accessible and convenient for examination, and shall contain the following information: the type of pass; dates of issuance and expiration; number; to whom issued, including name, address, and eligibility under the Act and under this regulation; privileges accorded thereunder; points between which transportation is authorized, or, in the case of "annual" and "term" passes, the route number or system or particular points, as may be appropriate; and the name of the official upon whose authorization the pass was issued. All correspondence or memoranda relating to free or reduced-rate transportation shall be retained and made a part of the carrier's records. In the case of reduced-rate transportation, the records shall show the amount of the charge assessed or assessable.

(f) *Carrier's rules to be filed with the Board.* Each carrier shall file with the Board three copies of all instructions to its employees, and of all company rules and regulations, governing its practices in connection with the issuance and interchange of passes. If no instructions, rules, or regulations are in effect, then three copies of a general statement by an appropriate official of the carrier, comprehensively describing its practices in connection with the issuance and interchange of passes must be filed. Three copies of any change in any such instructions, rules, regulations or statement of practices must be filed with the Board within thirty days after the effective date of such change.

(g) *Filing of lists.* Before issuing any pass each carrier shall file with the Board:

(1) A list containing the name and title of each of its officials upon whose authorization passes may be issued,

(2) A list containing the name and title of each of its officials who are authorized to request passes from other carriers, and

(3) In the case of issuance of passes to directors, officers, employees, or members of their immediate families, of any affiliate of such carrier, a list containing all of such carrier's affiliates and showing the exact relationship of each such affiliate to such carrier as respects control and principal business.

Any change in any of such lists must be filed with the Board within fifteen days after such change is effective: *Provided*, That an affiliate not previously included in any list filed with the Board must be included in a new list prior to the issuance of any pass to any person authorized to receive such pass by reason of such affiliation.

(h) *Application for authority to carry other persons.* Any carrier desiring special authorization under section 403 (b) of the Act to furnish free or reduced-rate overseas or foreign air transportation to a person or persons not described in that section or in paragraph (b) of this regulation may apply to the Board, by letter or other writing, for such authorization. The application shall state the identity of the person or persons to whom and the points between which such transportation is to be furnished, the time or approximate time of departure, and the carrier's reasons for desiring to furnish such transportation. Except as hereinafter provided, the application shall be made at least ten days before the transportation is to be furnished, and shall contain a definite indication that the carrier is willing and intends to furnish such transportation if authority to do so is granted by the Board. Such application shall be deemed to have been granted unless the Board shall otherwise advise the carrier within seven days after the application is received by the Board. In extraordinary cases, and for good cause shown, the application may be made within less than ten days before the transportation is to be furnished, but in such event shall not be deemed to have been granted unless the carrier is so advised before the transportation is furnished.

(i) *Repealer.* Section 228.5 of the Economic Regulations, as amended, hereby is repealed, but nothing contained herein

shall be construed as repealing or amending any provision of any other section of the Economic Regulations.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-6172; Filed, April 20, 1943; 12:03 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4777]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GARMENT BOX MANUFACTURERS ASSOCIATION, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of garment boxes and other similar merchandise, and on the part of respondent Garment Box Manufacturers Association, some 22 corporations, individuals and partnerships, members thereof, and seven individuals, manager, president and directors, and their various representatives, etc., and among other things, as in order set forth, entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to (1) establish, fix, or maintain prices for garment boxes or adhere to or promise to adhere to prices so fixed; (2) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent Garment Box Manufacturers Association or any other medium or agency concerning proposed or future prices at which respondents should sell garment boxes or other similar merchandise; (3) exchange, distribute, or relay among respondent members or any of them or through respondent Garment Box Manufacturers Association or through any other medium or central agency duplicate invoices, daily sales analyses, or other information showing current or future prices, or information showing the current or future prices of any particular respondent; or (4) exchange, distribute, or relay among respondent members or any of them or through respondent Garment Box Manufacturers Association or through any other medium or central agency duplicate invoices, daily sales analyses, or other information which discloses to competing respondent members data on prices charged and quantities sold on individual sales to named customers, or information as to quantities of garment boxes sold by any respondent member to any particular customer or group of customers; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Garment Box Manufacturers Association, et al., Docket 4777, April 10, 1943]

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise:* § 3.27 (d) *Combining or conspiring—To enhance maintain or unify prices:* § 3.30 (g) *Cutting off competitors' access to customers or market—Withholding supplies from competitors' customers.* In connection with offer, etc., in commerce, of garment boxes and other similar merchandise, and on the part of respondent Garment Box Manufacturers Association, some 22 corporations, individuals and partnerships, members thereof, and seven individuals, manager, president and directors, and their various representatives, etc., and among other things, as in order set forth, entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to (1) coerce, induce, or persuade, or attempt to coerce, induce, or persuade, respondent members to adhere to or maintain prices or sales quotas among respondent members by maintaining any agency, committee, or bureau as a disciplinary or punitive agency to enforce the provisions of any plan or policy with reference to the allocation of business among respondent members, or to collect or enforce payment of any assessment or penalty to cover violation of quota sales provided by such plan or policy; (2) coerce, induce, or persuade, or attempt to coerce, induce, or persuade, respondent members to adhere to or maintain prices or sales quotas among respondent members by requiring the deposit of sums of money by respondent members to guarantee or assure the maintenance by such respondent members of any quota or allocation of business established by any plan or policy adopted by the respondent Association or the respondent members or by providing for the payment of a penalty by any respondent member who might exceed such quota or allocation of business so established; (3) coerce, induce, or persuade, or attempt to coerce, induce, or persuade, any competitor of respondent members who does not maintain the prices fixed by said respondent members to discontinue the business of selling garment boxes; or (4) refuse to sell or agreeing not to sell garment boxes to any purchaser or user thereof who buys or has bought garment boxes from any assembler, dealer, or distributor who is not a member of respondent Association; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Garment Box Manufacturers Association, et al., Docket 4777, April 10, 1943]

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of garment boxes and other similar merchandise, and on the part of respondent Garment Box Manufacturers Association, some 22 corporations, individuals and partnerships, members thereof, and seven individuals, manager, president and directors, and their various representatives, etc., and among other things, as in order set forth, entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to (1) authorize or permit the examination of the books and records of the respondent members by any agent of the respondent Garment Box Manufacturers Association or by any agent of the respondents or any of them to determine or check the quantity of garment boxes sold by any respondent member, the prices charged by such respondent member, and the extent to which any respondent member has or has not sold garment boxes within the quotas established or the extent to which such respondent member has or has not complied with any plan for allocation of sales; (2) formulate or put into operation any other practice or plan which has the purpose of or the tendency or effect of fixing prices for garment boxes, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of garment boxes; or (3) employ or utilize respondent Garment Box Manufacturers Association or any other medium or central agency as an instrument or vehicle or aid in performing or doing any of the acts and practices prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Garment Box Manufacturers Association, et al., Docket 4777, April 10, 1943]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 10th day of April, A. D. 1943.

In the Matter of Garment Box Manufacturers Association; Samuel Small, President; and Daniel Bellin, Samuel Small, Morris Bradhoff, Harry Siegel, Bernard N. Jaffe, and Henry Rosen, Directors; Bilt-Rite Box Corporation; Chic Container Corporation; Excel Container Corporation; F & F Box Company; Gates Container Corporation; Gem Corrugated Box Corporation; Independent Container Corporation; Rainbow Container Corporation; Small Brothers Container Corporation; Solid Container Corporation; Spear Box Company, Inc.; State Container Company; United Box Corporation; York Box and Paper Corporation; Phineas Beck, Trading as Beck Container Company; J. Holman; Bernard N. Jaffe; Max Firsty, Trading as M & F Box Company; Louis H. Clark, Trading as Interboro Container Company; Samuel Goldstein and Abraham Goldstein, Trading as Merit Container Company; Henry Rosen and Marvin A. Rosen, Trading as Mutual Fibre Box Company; Jerome Rosen and Henry Rosen, Trading as Quick Service Box Company; Irving Helsell, Trading as Royal Corrugated Box Co.; Joseph Barbash and Rose Barbash, Trading as Sunshine Paper Box Company, Members; and Samuel L. Wallerstein

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of all the respondents except State Container Company, in which answers said respondents admit all the material allegations of fact set forth in said complaint and waive all intervening procedure and further hearings as to said facts, and also upon testimony and other evidence in support of the allegations of said complaint and in opposition thereto as to respondent State Container Company taken before a trial examiner of the Commission theretofore duly designated by it, and report of the trial examiner upon the evidence (the filing of briefs having been waived and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents Garment Box Manufacturers Association, an unincorporated association, Bilt-Rite Box Corporation, a corporation, Ohio Container Corporation, a corporation, Excel Container Corporation, a corporation, F & F Box Company, a corporation, Gates Container Corporation, a corporation, Gem Corrugated Box Corporation, a corporation, Independent Container Corporation, a corporation, Rainbow Container Corporation, a corporation, Small Brothers Container Corporation, a corporation, Solid Container Corporation, a corporation, Spear Box Company, Inc., a corporation, United Box Corporation, a corporation, York Box and Paper Corporation, a corporation, and their respective officers, representatives, agents, and employees; respondents Phineas Beck, an individual trading as Beck Container Company, J. Holman, an individual, Bernard N. Jaffe, an individual, Max Firsty, an individual trading as M & F Box Company, Louis H. Clark, an individual trading as Interboro Container Company, Samuel Goldstein and Abraham Goldstein, individuals trading as Merit Container Company, Henry Rosen and Marvin A. Rosen, individuals trading as Mutual Fibre Box Company, Jerome Rosen and Henry Rosen, individuals trading as Quick Service Box Company, Irving Helsell, an individual trading as Royal Corrugated Box Co., Joseph Barbash and Rose Barbash, individuals trading as Sunshine Paper Box Compay, Samuel L. Wallerstein, an individual, and their respective representatives, agents, and employees; and Samuel Small, individually and as president and director, and respondents Daniel Bellin, Morris Bradhoff, Harry Siegel, Bernard N. Jaffe, and Henry Rosen, individually and as directors of Garment Box Manufacturers Association, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of garment boxes and other similar merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

1. Establishing, fixing, or maintaining prices for garment boxes or adhering to or promising to adhere to prices so fixed.

2. Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent Garment Box Manufacturers Association or any other medium or agency concerning proposed or future prices at which respondents should sell garment boxes or other similar merchandise.

3. Exchanging, distributing, or relaying among respondent members or any of them or through respondent Garment Box Manufacturers Association or through any other medium or central agency duplicate invoices, daily sales analyses, or other information showing current or future prices, or information showing the current or future prices of any particular respondent.

4. Exchanging, distributing, or relaying among respondent members or any of them or through respondent Garment Box Manufacturers Association or through any other medium or central agency duplicate invoices, daily sales analyses, or other information which discloses to competing respondent members data on prices charged and quantities sold on individual sales to named customers, or information as to quantities of garment boxes sold by any respondent member to any particular customer or group of customers.

5. Fixing, determining, designating, or maintaining sales quotas or allocations of business among respondent members or formulating, promoting, placing in effect, or participating in any plan or policy to allocate or divide among respondent members or any of them the total business of the industry or any part thereof or any lot or piece of business or the business of any purchaser or purchasers.

6. Formulating, promoting, placing in effect, or participating in any plan or policy which provides for a penalty for exceeding any sales quota established by such plan or policy or for reimbursement for failing to sell such quota.

7. Adhering to or promising to adhere to any allocation or division of any lot or piece of business or the business of any given purchaser or purchasers by refusing to sell such purchasers or prospective purchasers so allotted to particular respondent members.

8. Coercing, inducing, or persuading, or attempting to coerce, induce, or persuade, respondent members to adhere to or maintain prices or sales quotas among respondent members by maintaining any agency, committee, or bureau as a disciplinary or punitive agency to enforce the provisions of any plan or policy with reference to the allocation of business among respondent members, or to collect or enforce payment of any assessment or penalty to cover violation of quota sales provided by such plan or policy.

9. Coercing, inducing, or persuading, or attempting to coerce, induce, or persuade, respondent members to adhere to or maintain prices or sales quotas among respondent members by requiring the deposit of sums of money by respondent members to guarantee or assure the maintenance by such respondent members of any quota or allocation of business established by any plan or policy adopted by the respondent Association or the respondent members or by providing for the payment of a penalty by any respondent member who might exceed such quota or allocation of business so established.

10. Coercing, inducing, or persuading, or attempting to coerce, induce, or persuade, any competitor of respondent

members who does not maintain the prices fixed by said respondent members to discontinue the business of selling garment boxes.

11. Refusing to sell or agreeing not to sell garment boxes to any purchaser or user thereof who buys or has bought garment boxes from any assembler, dealer, or distributor who is not a member of respondent Association.

12. Authorizing or permitting the examination of the books and records of the respondent members by any agent of the respondent Garment Box Manufacturers Association or by any agent of the respondents or any of them to determine or check the quantity of garment boxes sold by any respondent member, the prices charged by such respondent member, and the extent to which any respondent member has or has not sold garment boxes within the quotas established or the extent to which such respondent member has or has not complied with any plan for allocation of sales.

13. Formulating or putting into operation any other practice or plan which has the purpose of or the tendency or effect of fixing prices for garment boxes, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of garment boxes.

14. Employing or utilizing respondent Garment Box Manufacturers Association or any other medium or central agency as an instrument or vehicle or aid in performing or doing any of the acts and practices prohibited by this order.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to State Container Company, a corporation.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R Doc. 43 6189; Filed, April 21, 1943; 11:15 a m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

PART 4—AIR COMMERCE REGULATIONS

APPLICATION OF CERTAIN LAWS AND REGULATIONS TO CIVIL AVIATION

Amendments to regulations for the application to civil air navigation of the laws and regulations relating to customs, public health, entry and clearance, and immigration.

The regulations for the application to Civil Air Navigation of the laws and regulations relating to customs, public health, entry and clearance, and immigration issued by the Acting Secretary of the Treasury, The Federal Security Administrator, the Acting Secretary of Commerce, and the Acting Attorney General, within their respective authorities, on August 28, 1941, as amended on October 31, 1941, June 5, 1942, and September 21, 1942 (6 F.R. 4516, 4536, 4537, 4514, 5582, 5583, 5596 and 7 F.R. 4471, 4472, 4496, 7800, 7813; 19 CFR 4.1 to 4.11, 42 CFR 11.501 to 11.516, 14 CFR 904.1 to 904.15, and 8 CFR 116.1 to 116.16), are hereby further amended as follows:

Section 4.8 (c) (1) of Title 19, Code of Federal Regulations, also designated as § 11.508 (c) (1) of Title 42, § 904.8 (c) (1) of Title 14 and § 116.8 (c) (1) of Title 8, is amended by deleting the last sentence. (R.S. 161, 251, sec. 644, 46 Stat. 761, sec. 7, 44 Stat. 572, sec. 5, 27 Stat. 451, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166; 5 U.S.C. 22, 19 U.S.C. 66, 1644, 49 U.S.C. 177, 42 U.S.C. 94, 8 U.S.C. 102, 222. Secs. 201 (a), 205 (b), President's Reorganization Plan No. I, sec. 1, President's Reorganization Plan No. V; 4 F.R. 2728, 2729, 5 F.R. 2132, 2223. E.O. 9083, Feb. 28, 1942; 7 F.R. 1609)

[SEAL] W. R. JOHNSON, *Commissioner of Customs.*
HERBERT E. GASTON, *Acting Secretary of the Treasury.*
PAUL V. MCNUTT, *Federal Security Administrator.*
FRANCIS BIDDLE, *Attorney General.*

APRIL 14, 1943.

[F. R. Doc. 43-6183; Filed, April 21, 1943; 10:47 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter I—United States Employees' Compensation Commission

Subchapter F—Regulations Governing the Administration of Title I and Title II of the Act of December 2, 1942, Providing Compensation for Injury, Disability, Death, or Enemy Detention of Employees of Contractors With the United States, and for Other Purposes

PART 61—GENERAL ADMINISTRATIVE PROVISIONS

Sec.
61.1 General provisions; definitions.
61.2 Deductions from benefits; exclusions.
61.3 Limitations upon benefits.
61.4 Employee's notice of injury and claim.
61.5 Claim for death benefits.
61.6 Claim for detention benefits.
61.7 Cooperative arrangements; reports of injury, death, and detention.
61.8 Filing of reports of injury and death.
61.9 Claim filing, processing, and adjudications; transfers.
61.10 Delegation of powers and duties.
61.11 Reports by employees and dependents.
61.12 Furnishing of medical treatment.
61.13 Medical forms.
61.14 Transportation of recovered bodies of missing persons.
61.15 Burial expenses.
61.16 Persons authorized to provide preparation of body, transportation and burial expenses.
61.17 Transportation of persons released from detention and return of employees.
61.18 Confidential nature of records and papers relating to injury, death or detention of employees.
61.19 Inspection of records by interested party.
61.20 Approval of claim for legal and other services.
61.21 Assignments; creditors.
61.22 Contracts for service facilities of insurance carriers.

AUTHORITY: §§ 61.1 to 61.22, inclusive, issued under sec. 32, 39 Stat. 749; 5 U.S.C. 763, and sec. 106, 56 Stat. 1033; 42 U.S.C. 1706.

§ 61.1 *General provisions; definitions.* (a) The United States Employees' Compensation Commission is charged with the administration of Public Law No. 784, 77th Congress, entitled "An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes," approved December 2, 1942. This Act, in Title I, provides compensation for injury or death proximately resulting from a war-risk hazard, with respect to the following categories of employees:

(1) Any person employed by a contractor with the United States, if such person is an employee specified in the Act of August 16, 1941 (Public Law 208, 77th Congress), as amended, and no compensation is payable with respect to injury or death under such Act.

(2) Any person engaged by the United States under a contract for his personal services outside the United States or in Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

(3) Any person employed as a civilian employee of a post-exchange or ship-service store outside the United States or in Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

Compensation and other benefits under such Act are provided with respect to injury or death proximately resulting from a war-risk hazard, as defined by the Act (see paragraph (c) of this section), whether or not the person was at time of injury engaged in the course of his employment. The purpose intended by such Act is to provide continuous 24 hour compensation protection with respect to injuries caused by war hazards, except as to certain employees referred to in § 61.2 (a) of these regulations. Such protection is accomplished by making applicable to such persons the provisions of the Act providing compensation for civil employees of the United States, approved September 7, 1916, as amended, except that in determining compensation for disability, the scale of compensation benefits and computation of benefits and the wage base thereof shall be made in accordance with the provisions of sections 6, 8 and 10 of the Longshoremen's and Harbor Workers' Compensation Act, and except that in determining compensation for death, the classes of beneficiaries and the computation of compensation, including the wage basis and payment thereof shall be made in accordance with sections 9 and 10 of such Longshoremen's Act. Where terms relating to beneficiaries used in such section 9 of the Longshoremen's and Harbor Workers' Compensation Act are defined in section 2 of such Longshoremen's Act, such definitions shall apply. Compensation for disability is limited to a maximum amount of $7,500 in case of injury, and $7,500 in case of death, such sum being exclusive of medical costs and funeral and burial expenses. Medical treatment and care will be furnished under applicable sections of such Act of September 7, 1916, as amended, and not under section 7 of such Longshoremen's Act.

(b) Under the provisions of such Public Law No. 784, 77th Congress, approved December 2, 1942, if any person within any category specified in paragraph (a) of this section of these regulations:

(1) Is found to be missing from his place of employment, whether or not such person then actually was engaged in the course of his employment, under circumstances supporting an inference that his absence is due to the belligerent action of an enemy; or

(2) Is known to have been taken by an enemy as prisoner, hostage, or otherwise; or

(3) Is not returned to his home or to the place where he was employed, by reason of the failure of the United States or its contractor to furnish transportation;

until such time as he is returned to his home, to the place of his employment, or is able to be returned to the jurisdiction of the United States, such person shall be regarded, for the purpose of paying benefits for detention, as totally disabled. The same benefits as are provided for total disability under the provisions of paragraph (a) of this section shall be credited to his account and be payable to him for the period of such absence or until his death is in fact established or can be legally presumed to have occurred. A part of such compensation for total disability, accruing to such person, may be disbursed during the period of such absence to the dependents of such person, if such dependents reside in the United States or its territories or possessions (including the United States Naval Operating Base, Guantanamo Bay, Cuba, the Canal Zone, and in the Philippine Islands). In determining the monthly benefits which may be paid from the accrued compensation for total disability, credited to the account of such person, the provisions of section 9 of the Longshoremen's and Harbor Workers' Compensation Act shall apply, including the designation of classes of beneficiaries and percentages of the missing person's average wages, as therein provided. The monthly benefits payable to a dependent, from funds accrued to the account of the missing person, shall be in the same amount as would otherwise be payable for the death of such person, as provided by such Longshoremen's Act.

(c) As used in this subchapter:

(1) The term "Commission" means the United States Employees' Compensation Commission.

(2) The term "contractor with the United States" includes any subcontractor or subordinate subcontractor with respect to the contract of such contractor.

(3) The term "war-risk hazard" means any hazard arising after December 6, 1941, and prior to the end of the present war, from—

(a) The discharge of any missile (including liquids and gas) or the use of any weapon, explosive, or other noxious thing by an enemy or in combating an attack or an imagined attack by an enemy; or

(b) Action of the enemy, including rebellion or insurrection against the United States or any of its Allies; or

(c) The discharge or explosion of munitions intended for use in connection with the national war effort (except with respect to any employee of a manufacturer or processor of munitions during the manufacture, or processing thereof, or while stored on the premises of the manufacturer or processor); or

(d) The collision of vessels in convoy or the operation of vessels or aircraft without running lights or without other customary peacetime aids to navigation; or

(e) The operation of vessels or aircraft in a zone of hostilities or engaged in war activities.

(4) The term "injury" means injury resulting from a war-risk hazard, as herein defined, whether or not such injury occurred in the course of the person's employment, and includes any disease proximately resulting from such cause.

(5) The term "death" means death proximately caused by injury, as herein defined.

(6) The terms "compensation", "physician" and "medical, surgical, and hospital services and supplies" shall be construed and applied as defined in such Act of September 7, 1916, as amended.

(7) The terms "disability", "wages", "child", "grandchild", "brother", "sister", "parent", "widow", "widower", "adoption" or "adopted", shall be construed and applied as defined in such Longshoremen's and Harbor Workers' Compensation Act, as amended.

(d) The regulations in Part 1 of this chapter shall not apply under this subchapter, unless made applicable specifically, by reference in this part.

§ 61.2 *Deductions from benefits; exclusions.* (a) The provisions of Title I of such Public Law No. 784, 77th Congress, approved December 2, 1941 (relating to compensation benefits and for injury, death or enemy detention) shall not apply in the case of any person (1) whose residence is at or in the vicinity of the place of his employment, and (2) who is not living there solely by virtue of the exigencies of his employment, unless his injury or death resulting from injury occurs, or his detention begins, while in the course of his employment.

(b) No payment of benefits to any person within any category specified in § 61.1 (a) of these regulations, or to the dependent of such person, on account of absence as therein specified, shall be made during any period such person or dependent, respectively, has received, or may be entitled to receive, any other payment from the United States, either directly or indirectly, because of such absence, unless such person or dependent refunds or renounces such other benefit or payment for the period claimed. Every person or dependent filing a claim for benefits on account of such absence or detention under Title I of such Public Law shall state whether or not he has claimed, recovered, or is receiving any payments whatsoever on account of such absence or detention, setting forth the source or sources of such payments, the weekly rate of payment, the period or periods during which such payments have been received, and the place where any claim therefor was filed.

(c) No benefits shall be paid or furnished under the provisions of Title I of such Public Law, that is, no compensation benefits for injury or death, or payment of accrued compensation for total disability to such persons or their dependents on account of such absence or detention, to any person who recovers or receives workmen's compensation benefits for the same injury or death under any law (other than such Title I) of the United States, or under the law of any State, Territory, possession, foreign country, or other jurisdiction, or benefits in the nature of workmen's compensation benefits payable under an agreement approved or authorized by the United States pursuant to which a contractor with the United States has undertaken to provide such benefits. Every person or dependent claiming benefits for injury, death, or detention under Title I of such Public Law shall state whether or not he has claimed, recovered, or is receiving any payments whatsoever under any workmen's compensation law, or under any agreement providing benefits in the nature of workmen's compensation benefits, on account of the same injury or death for which benefits are sought in his claim under Title I of such Public Law, setting forth in such claim the place where such other claim was filed, and the amounts of payments received, together with such information as may be necessary to identify (1) the agreement under which payments are made, or (2) the jurisdiction under the law of which such payments are made.

(d) Where any person specified in section 101 (a), Title I of such Public Law (and in § 61.1 (a) of these regulations), or the dependent, beneficiary, or allottee of such person, receives or claims wages, payments in lieu of wages, insurance benefits for disability or loss of life (other than workmen's compensation benefits), and the cost of such wages, payments, or benefits is provided in whole or in part by the United States, the amount of such wages, payments, or benefits shall be credited, in such manner as the Commission shall determine, against any payments to which any such person may be found entitled under such Title I of such Public Law. Every person or dependent claiming benefits for injury, death, or detention under such Title I shall state whether or not he has claimed, recovered, received or is receiving any such wages, payments, or benefits, setting forth the source of such payments, the weekly amount of payment, the total sum received, and the period covered by all payments received.

Credits shall be applied under this subparagraph only where the wages, payments, or benefits received are items with respect to which the contractor with the United States is entitled to reimbursement by the United States, or where they are otherwise reimbursable by the United States.

(e) Where a national of a foreign government is entitled to benefits on account of injury or death resulting from a war-risk hazard, under the laws of his native country or any other foreign country, the benefits provided under such Title I of such Public Law shall not apply. Every person or dependent claiming benefits for injury, death, or detention, under such Title I shall state in his claim thereunder the name of the country of which he is a national, and whether or not he has claimed, received, or is receiving, or is entitled to, any benefits on account of the same injury or death under the laws of the country of which he is a national, or of any other foreign country, and where such claim has been filed, or may be filed.

(f) Persons convicted in a court of competent jurisdiction of any subversive act against the United States or any of its Allies, committed after the declaration of the President on May 27, 1941, of the national emergency, shall not, nor shall their beneficiaries, be entitled to any benefits under Title I of such Public Law. As provided in such Public Law, any person charged with the commission of such subversive act shall have his compensation or other benefits suspended until such charge is disposed of, forfeiting such compensation or benefits if convicted or dying prior to such disposition, with removal of forfeiture upon withdrawal or acquittal of such charge. Every person filing claim under Title I of such Public Law shall state whether or not he has been charged with such offense and the disposition of any such charge.

§ 61.3 *Limitations upon benefits.* (a) Compensation for permanent total or permanent partial disability or for death payable under Title I of such Public Law to persons who are not citizens of the United States and who are not residents of the United States or Canada, shall be in the same amount as provided for residents; except that dependents in any foreign country shall be limited to surviving wife or husband and child or children, or if there be no surviving wife or husband or child or children, to surviving father or mother whom such person has supported, either wholly or in part, for the period of one year immediately prior to the date of the injury; and except that the Commission, at its option, may commute all future installments of compensation to be paid to such persons by paying to them one-half of the commuted amount of such future installments of compensation as determined by the Commission. Persons coming within the foregoing provisions, claiming disability benefits, who have left an unrelinquished residence in the United States or Canada to engage in employment within the purview of section 101 (a) of Title I of such Public Law, and who signify an intention to return to such residence, will be regarded as residents of the place at which they had their last permanent residence. The foregoing provisions do not apply to dependents claiming benefits for detention under section 101 (b) of such Public Law; the rights of such dependents are determinable under such section.

(b) In determining benefits for disability or death (including payments to dependents on account of enemy detention), as provided in section 101 of such Public Law, the minimum limit upon weekly compensation for disability and the minimum limit on the average weekly wages on which death benefits are to be computed, as fixed in section 6 (b) and section 9 (e) of such Longshoremen's and Harbor Workers' Compensation Act, shall not apply.

(c) If at the time a person sustains an injury coming within the purview of Title I of such Public Law, such person is receiving workmen's compensation benefits on account of a prior accident or disease, said person shall not be entitled to any benefits under such Title during the period covered by such workmen's compensation benefits unless the injury from a war-risk hazard increases his disability, and then only to the extent such disability has been so increased. Every person claiming benefits under such Title I shall state whether or not he is receiving or is entitled to receive workmen's compensation benefits from any source for the same condition or cause of disability as to which such claim relates, setting forth a sufficient reference to such other workmen's compensation law, the nature of the disability for which compensation is paid or payable, the amount of weekly compensation for such disability, and the name of the employer or insurance carrier obligated to him under such other law. This provision is applicable only to disability resulting jointly from two unrelated causes, namely, (1) prior industrial accident or disease, and (2) injury from a war-risk hazard.

§ 61.4 *Employee's notice of injury and claim.* (a) To facilitate compliance with the provisions of sections 15 to 20, inclusive, of such Act of September 7, 1916, as amended and modified, notice of injury and claim for compensation for disability payable under Title I of such Public Law may be given simultaneously, whether or not actual or compensable disability exists at time of filing. The Commission has provided a combined notice of injury and claim form (sworn to by claimant) to be used for such purpose, but no injured person's rights shall be prejudiced because of failure to use such form, provided such person files written notice of injury and claim in other sufficient manner, containing all material facts showing his right under such Title I.

(b) Whenever the Commission shall find that, because of circumstances beyond the control of an injured person, compliance with the limitation provisions of sections 15 to 20, inclusive, of such Act of September 7, 1916, as amended, could not have been accomplished within the time therein specified, the Commission, in its discretion, may waive such limitation provisions.

§ 61.5 *Claim for death benefits.* (a) For the purpose of compliance with the provisions of sections 18 to 20, inclusive, of such Act of September 7, 1916, as amended and modified, claim for compensation for death payable under Title I of such Public Law shall be filed. The Commission has provided appropriate forms for such purpose (to be sworn to), applicable to the various classes of beneficiaries as specified in such Longshoremen's and Harbor Workers' Compensation Act, made applicable by such Title I, but the rights of a beneficiary shall not be prejudiced because of failure to use such form, provided such beneficiary files claim for such compensation in other sufficient manner, containing all material facts showing a right to benefits under such Title I.

(b) Whenever the Commission shall find that, because of circumstances beyond the control of such beneficiary compliance with the limitation provisions of sections 18 to 20, inclusive, of such Act of September 7, 1916, as amended, could not have been accomplished within the time therein specified, the Commission, in its discretion, may waive such limitation provisions.

§ 61.6 *Claim for detention benefits* (a) Pursuant to section 101 (b) (1) of Title I of such Public Law, a claim for detention benefits, as provided under such section, is required to be filed by dependents and others entitled thereto. The Commission has provided appropriate forms for such purpose (to be sworn to), applicable to missing persons, and to the several classes of dependents as specified in such Longshoremen's and Harbor Workers' Compensation Act, made applicable by such Title I, but the rights of a beneficiary shall not be prejudiced because of failure to use such form, provided such dependent files claim for such detention benefits in other sufficient manner. The dependent in such case, if an award is made, will be paid detention benefits from the amount accruing as compensation for total disability which has been credited to the account of the missing person related to such dependent.

(b) In order to establish the amount of compensation for total disability, to be credited to the account of a person missing as specified in section 101 (b), Title I, of such Public Law, as the amount available for payments to dependents (the balance thereof to be payable to such person upon his return from such absence), the Commission shall make such inquiry and investigation with respect to the status of such missing person as the circumstances of his case shall require, and thereafter shall determine his status. A determination that an individual has been detained by the enemy may be made on the basis that he has disappeared under circumstances such as to make such detention appear probable. In making such determination the Commission will consider the information and the conclusion of the Department or agency of the United States having knowledge of the circumstances surrounding the absence of such missing person, as prima facie evidence of the status of such person. Dependents making claim for such detention benefits may be required to submit all evidence available to them relative to the employment status of the missing person and to the circumstances of such absence. The filing of the prescribed notice of injury, claim for compensation for total disability, and forms relating to disability compensation, shall not be required in the cases of missing persons either on their behalf or by dependents seeking such detention benefits. Administrative determination shall establish the presumptive status of total disability of such missing persons, which shall continue during the period of such absence, or until death is in fact established or can be legally presumed to have occurred. A dependent having knowledge of a change of status of such missing person shall promptly inform the Commission in writing of such change. The Commission should be advised in writing, immediately, by such dependent (or on return, by the person who has been absent) if such person is returned to his home, to the place of his employment, or is able to be returned to the jurisdiction of the United States.

(c) In determining the amount of compensation for total disability which shall accrue to the account of missing persons, for the purpose of paying a part thereof to dependents, the provisions in Title I of such Public Law requiring denial of benefits, deductions, or adjustments (because of receipt of or entitlement to other payments from the United States, directly or indirectly) shall, whenever practicable and equitable, be applied, respectively, (1) to dependents' claims, or (2) to claims by persons returned from such absence who seek payment of the balance of any compensation not disbursed to dependents; that is, whenever practicable and equitable, denial of benefits, deductions and adjustments which are directly applicable to dependents shall be taken into account in adjusting their claims for detention benefits (without regard to such other denials, deductions and adjustments as may directly affect the missing person's right to such compensation), and upon filing of a claim by a person, returned from such absence, for the balance of compensation accrued to his account, only such denials, deductions and adjustments directly affecting his right to compensation will be taken into account.

(d) A claim shall be filed by a person, returned from absence as specified in section 101 (b) of Title I of such Public Law, for the detention benefits accrued to his account. The Commission has provided an appropriate form for such purpose, which may be had upon application to the Commission.

(e) Whenever the Commission shall find that, because of circumstances beyond the control of a dependent or other person entitled to detention benefits under this section, compliance with the time limitation provisions of such Act of September 7, 1916, as amended, could not have been accomplished within such time as is therein specified for the filing of claims, the Commission, in its discretion, may waive such limitation provisions. (Sec. 101 (b) (1), 56 Stat. 1028; 42 U.S.C. 1701)

§ 61.7 *Cooperative arrangements; reports of injury, death, and detention.* (a) In order that the Commission may have fullest available information with respect to cases involving injury, death, and detention, for which benefits may be paid or provided under Title I of such Public Law, and otherwise to facilitate administration, the Commission is authorized to enter into agreements or cooperative working arrangements with other agencies of the United States or of any State (including the District of Columbia, Hawaii, Alaska, Puerto Rico, and the Virgin Islands) or political subdivisions thereof, and with other public agencies and private persons, agencies, or institutions, within and without the United States. To the extent that Departments and agencies of the United States, government contractors, insurance carriers, and others, and the representatives of such, voluntarily cooperate with the Commission and its representatives by supplying necessary information for the adjustment of claims and otherwise furnish assistance, the formalizing of cooperative working arrangements by written agreements may be avoided. The Commission will therefore when necessary seek such cooperative working arrangements on such basis as will assure prompt field reports of cases and necessary supplementary information. Formal working agreements will be limited to situations in which cooperative effort is not feasible.

(b) Reports of injury or death should be filed, as provided by § 61.8 of these regulations, by the employer of the injured or deceased person, or the insurance carrier for such employer. The report of injury may be submitted on Form US–202, the employer's report of injury. This form should be accompanied by Form US–204, attending physician's report, together with the employee's notice of injury and claim for compensation (upon a form which is provided for under these regulations). In case of death, Form US–261, supplemental report of employer in death case, should accompany the other forms. The numbered forms referred to are those formulated by the Commission for use under the Longshoremen's and Harbor Workers' Compensation Act. In order to avoid confusion with administration of such Longshoremen's Act there should be written or stamped at the top of such forms, in large letters, the words "War-Injury Claim". The employer's report should also contain the symbol or code number of the Government contract involved and reference to the Department or agency making such contract.

(c) Where facilities are established at field locations for the assembling and transmission of reports of injury or death in normal industrial accident cases, reports under these regulations should be sent by employers or insurance carriers to the Commission or its representative as provided by § 61.8 of these regulations. These reports may be transmitted through any field representative of a Department or agency of the United States handling reports of injury cases in the particular area. Employers, insurance carriers, and such Government representatives concerned should investigate immediately the circumstances of any reported injury or death where the facts relating to the occurrence of alleged injury or death, or to alleged war-hazard as the cause, are questionable or not fully known to the employer or to such field representative. Particular attention in all cases should be given to obtaining and transmitting written statements of available witnesses (with their names and addresses) in every case in which there is likelihood of a claim for compensation for disability or death.

(d) Where an employee specified in section 101 (a), Title I, of such Public Law, is found to be missing, or has been taken by an enemy, or otherwise is absent, as specified in section 101 (b) of such Title, the employer should immediately report such absence, with fullest details, to the nearest representative of the United States authorized to receive such report, with the request that such report, together with any supplementary official reports relative thereto, be transmitted promptly to the Department or agency of the United States requiring such reports or having charge over projects or work places. These regulations contemplate that all reports relative to persons absent as specified in section 101 (b) of such Title will be received by the Commission from the Department or agency of the United States concerned, rather than directly from the employers or field representatives of such Departments or agencies. Such Department and agencies, in transmitting information and reports with respect to such missing persons, if authorized so to do, should state a definite conclusion upon the status of the persons, as the conclusion of the principal Government agency concerned will be accepted by the Commission as prima facie evidence of the status of such persons for the purpose of providing benefits for detention. In any case of doubt concerning the filing of such reports, the Commission may be sufficiently advised by the employer or field representative of the Government, and the Commission in such cases will secure such information from the proper Government agency as is necessary to determine the status of such persons. All completed case records relating to such missing persons will be filed, and the files maintained, at the principal office of the Commission, which is located at 285 Madison Avenue, New York, N. Y. To the extent that it is practicable, the processing and adjudication of claims for detention benefits will be made by the Commission at such principal office. The filing, processing and adjudication of war-risk injury and death claims is provided for by § 61.9 of these regulations.

§ 61.8 *Filing of reports of injury and death.* (a) Reports of injury and death

with respect to war-risk hazards, provided for by § 61.7 of these regulations, may be filed:

(1) With the deputy commissioner of the Commission administering the Act of August 16, 1941, as amended (referred to in section 101 (a), Title I of such Public Law), or any sub-office of such deputy commissioner, if the injury or death occurred within the compensation district or jurisdictional area of such deputy commissioner.

(2) With such officer or agent of the United States, or other person designated by the Commission, by administrative order, pursuant to the provisions of section 42 of such Act of September 7, 1916 (as amended by the Act of July 29, 1942), or pursuant to the provisions of section 106 (b), Title I, of such Public Law, if serving under such designation in the locality in which the employee was employed or the injury occurred.

(3) With the principal office of the Commission at 285 Madison Avenue, New York, N. Y., whenever doubt exists as to proper place at which to file such reports.

(b) The Commission will, whenever practicable, with respect to projects and work places within the purview of Title I of such Public Law, advise the Department or agency of the United States, or the contractor, employer or other person concerned, with respect to the nearest available facility (existing or to be established), as provided for in paragraph (a) of this section, for the filing of such reports.

§ 61.9 *Claim filing, processing, and adjudications.* (a) Claims for compensation, for injury or death arising as the result of such war-risk hazards, may be filed as follows:

(1) With the deputy commissioner, or officer or agent of the United States or other designated person, to whom report of the injury or death has been sent, as provided for by § 61.8 of these regulations.

(2) With any deputy commissioner of the Commission under the Longshoremen's and Harbor Workers' Compensation Act, or that Act as extended by other Acts.

(3) With the principal office of the Commission located at 285 Madison Avenue, New York, N. Y. Claims filed at places to which reports of injury have not been sent should be transmitted immediately to the proper deputy commissioner, or designated person, as may appear from the claim, or such claims may be sent to the Commission for further transmission, if doubt exists as to proper filing place.

(b) Claims for detention benefits provided under section 101 (b), Title I, of such Public Law shall be filed with the Commission at such principal office. Such claims may be filed with any deputy commissioner, or designated person, authorized in paragraph (a) of this section to receive claims for injury or death due to war-risk hazards, and any claims so received shall be deemed and considered as having been filed with the Commission for the purpose of tolling any time limitation provision applicable to such claims but any such claims so filed shall be transmitted immediately to the Commission at its principal office for adjudication.

(c) Claims for compensation for such injury or death, and compensation cases, shall be processed as follows:

(1) By deputy commissioners, authorized by § 61.8 (a) to receive reports of injury or death.

(2) By such officers or agents of the United States, or other designated persons, authorized by § 61.8 (a) to receive reports of injury or death, to the extent authorized by administrative order or by administrative instructions issued by the Commission.

(3) By the Commission at its principal office.

The term "processed" as used in this paragraph means:

1. Receiving, assembling, and filing reports of injury and death, medical reports, reports of investigation and other papers relating to cases of injury or death (under such instructions as to numbering of cases, method of filing, disposition, etc. as the Commission may from time to time prescribe by administrative instructions issued to its authorized representatives);

2. Making of investigations and securing necessary supplementary information in connection with cases or claims for completion of records, such as may be deemed necessary by such representative, or as may be necessary to comply with administrative instructions;

3. Obtaining medical examinations in disability cases where deemed necessary or required by administrative instructions;

4. Arranging for medical, surgical, and hospital services and supplies in the treatment and care of employees in disability cases;

5. Examination and adjustment of claims for compensation in injury and death cases under Title I of such Public Law, and, under administrative instructions, awarding of compensation;

6. Preparation of vouchers for disbursement of compensation for injury or death, under administrative instructions;

7. Review of cases for readjustment of compensation in injury and death cases, and making supplemental awards or adjustments, under administrative instructions.

The authority of deputy commissioners, and other designated persons, referred to under subparagraphs (1) and (2) of this paragraph shall include, without further authorization, authority to act and proceed as stated in clauses 1, 2 and 3, under the above definition of the term "processed".

The authority of deputy commissioners, referred to under subparagraph (1) of this paragraph shall include authority to act and proceed as stated in clauses 1 to 7, inclusive, under such definition of the term "processed", subject to such administrative instructions as the Commission may from time to time issue to them.

The authority of officers or agents of the United States, or other designated persons, referred to under subparagraph (2) of this paragraph, with respect to action under clauses 4 to 7, inclusive, will be exercised only as extended by the Commission in administrative orders issued, respectively, to them.

(d) Authority to process claims as set forth in paragraph (c) may be modified from time to time to expedite administration and payment of claims. The Commission maintains full and complete authority over the processing of claims, and may from time to time complete such processing at its principal office, or direct other and different handling of claims, as in its opinion circumstances may warrant. When any case involving disability or death has been adjudicated and payments are likely to continue at a rate not subject to change, such case may be transferred to the Commisison in accordance with administrative instructions relative to the disposition of such cases.

(e) Cases processed otherwise than by the Commission at its principal office shall be subject to review and modification, if necessary, by the Commission, either on its own motion or on application by a party in interest, under such administrative instructions as the Commission may from time to time issue. Any person aggrieved by the action of a field representative of the Commission may in writing apply directly to the Commission at such principal office for such review, stating fully the basis upon which such review is sought.

(f) In all cases where responses to questions upon claim forms, or investigations or inquiries, disclose that the right to compensation may be barred by a provision in Title I or Title II of such Public Law, or a credit, deduction, or adjustment of benefits may be necessary because the claimant has received or is entitled to receive payments from some other source, which are required to be taken into account, payment of compensation shall not be made until the facts in respect thereto have been submitted to the Commission and advice obtained with respect to the adjudication of such claim.

(g) Reports of injury or death, claims for compensation, and other papers erroneously filed and not processed may be transferred, without further authority, to the proper representative of the Commission. Cases which have been processed, as defined, may be transferred from one compensation district to another, or to any designated person referred to in paragraph (c) (2), of this section, after approval of such transfer by the Commission. Requests for transfer may be made by letter to the Commission stating the necessity for such transfer. (Sec. 18, 39 Stat. 746; 5 U.S.C. 768)

§ 61.10 *Delegation of powers and duties.* (a) Pursuant to the authority contained in section 106 (b), Title I, of such Public Law, the Commission delegates:

(1) To deputy commissioners of the Commission, and to persons acting for such deputy commissioners, as referred to in § 61.8 (a) (1) of these regulations; and

(2) To officers or agents of the United States, or other persons, designated by the Commission, as referred to in § 61.8 (a) (2), but only to the extent of their authority to act and process claims as set forth in these regulations and in administrative orders;

such of its powers and duties as are necessary in the processing of claims for injury or death under such Public Law, within the meaning of the term "processed" as defined in § 61.9 of these regulations. Such delegation includes authority to do all things authorized by such Public Law and the applicable provisions of other laws integrated therewith, to the extent of the authority herein contained. In exercising such powers or performing such duties, the persons or agencies so authorized shall act for and on behalf of the Commission.

(b) When the exercise of a power or performance of a duty is not clearly within the authority of this section, in advance of the exercise, or performance thereof, advice shall be obtained from the Commission with respect thereto.

§ 61.11 *Reports by employees and dependents.* (a) By administrative instructions, the Commission will designate such reports, and the form thereof, as shall be required of persons entitled to benefits for disability under Title I of such Public Law, such as reports of recurrence or termination of disability, of employment and earnings, and of any other facts materially affecting such person's right to compensation. For the purpose of implementing this regulation the provisions of §§ 1.6, 1.9, 1.10, and 1.11 of the Commission's regulations (20 CFR 1.6, 1.9, 1.10, and 1.11), so far as not inapplicable, shall be applied.

(b) By administrative instructions, the Commission will designate such reports, and the form thereof, as shall be required of a dependent entitled to detention benefits, or compensation for death, under Title I of such Public Law, such as report of death, claims for continuance of compensation on account of death, report of change of status of beneficiary, and other reports of facts materially affecting the right of such dependent to benefits. For the purpose of implementing this regulation the provisions of §§ 1.12, 1.14, 1.15, and 1.16 of the Commission's regulations (20 CFR 1.12, 1.14, 1.15, and 1.16), so far as not inapplicable, shall be applied.

§ 61.12 *Furnishing of medical treatment.* (a) All medical services, appliances, drugs, and supplies which in the opinion of the Commission are necessary for the treatment of an injury coming within the purview of section 101 (a), Title I of such Public Law shall be furnished to the same extent, and wherever practicable in the same manner and under the same conditions as are prescribed in section 9 of such Act of September 7, 1916, as amended. All provisions of such Act with respect to treatment, medical examinations, and payment of cost of transportation and expenses incident to such treatment or examinations, shall apply in cases of such injury.

(b) The regulations in Part 2, subchapter A of this Chapter, which govern the furnishing of medical treatment under such Act of September 7, 1916, as amended, shall, in so far as not inapplicable, and to the extent not herein modified, apply with respect to the administration of paragraph (a) of this section.

(c) Where persons specified in § 61.1 of these regulations are entitled to or may receive medical, surgical, hospital and other treatment, services, and care either by use of local facilities made available by a Department or agency of the United States, or use of local or other facilities made available by contractors or other employers, such facilities may be used in lieu of the furnishing of such treatment, services and care under the provisions of this section, to the extent that provision has been made therefor. Upon termination of such treatment, services or care, a complete record of the injury and treatment furnished (prepared in the manner prescribed in § 2.10, Part 2, subchapter A of this Chapter) should be filed in the same manner as is provided in §§ 61.7 and 61.8 of these regulations, so that such report may be included in the file containing the report of injury.

(d) Where medical, surgical or hospital treatment or care is necessary in any case coming within the purview of Title I of such Public Law, and it is not practicable to provide for such treatment or care in a manner consistent with the regulations in Part 2, subchapter A of this Chapter, or where such treatment or care is not otherwise available through use of such facilities as are referred to in paragraph (c), and in cases of an emergency nature or cases involving unusual circumstances, initial treatment or care may be furnished by the use of such facilities as may be available under the circumstances, and immediate report thereof should be made to the proper deputy commissioner or designated person authorized to receive reports of injury under § 61.8 of these regulations. Upon receiving such report such deputy commissioner or designated person shall make such further arrangements as may be necessary and as are practicable to have such treatment or care continued in conformity with paragraph (b) of this section.

(e) The following, other than the Commission, without further authorization, have general authority to provide for the furnishing of medical, surgical, hospital and other treatment and care, including transportation and expenses thereof and physical examinations, as provided by such Act of September 7, 1916, as amended, and under these regulations, provided the case is one within the jurisdiction of, or which has been transferred to, such person for processing:

(1) A deputy commissioner of the Commission administering the Act of August 16, 1941, as amended, or the person acting for the deputy commissioner.

(2) An officer or agent of the United States, or other person, designated by the Commission, by administrative order, referred to in § 61.8 (a) (2) of these regulations, if serving under such designation in the locality in which the employee was employed or injury occurred, and if otherwise authorized to arrange for such treatment.

(f) The following, without further authorization, have limited authority to authorize limited medical treatment and care, as provided for by paragraph (d) of this section, pending authorization of further treatment and care by the Commission or by a person referred to in paragraph (e) hereof:

(1) Any person referred to in § 61.8 of these regulations.

(2) The employing contractor, subcontractor, or subordinate contractor, or his superintendent in charge or compensation representative, including the representative of the insurance carrier for any such employer.

(3) Any Government field representative, referred to in § 61.7 (c) of these regulations.

Immediate report of medical treatment or care authorized hereunder should be submitted as provided in § 61.7 (c), and the physician or hospital furnishing the same should be advised that further treatment or care is subject to authorization, direction and control by an authorized representative of the Commission as provided by these regulations.

(g) Orthopedic or prosthetic appliances, such as artificial eyes, limbs, or removable denture will be provided only after approval by the Commission. Section 2.9 of the Commission's regulations (Part 2, subchapter I) shall apply with respect to such appliances.

§ 61.13 *Medical forms.* (a) Persons having general authority under these regulations to request medical, surgical, hospital, and other treatment or care, will use the forms provided for by Part 2, subchapter A, of this Chapter, relating to furnishing of medical treament under such Act of September 7, 1916. These forms will be furnished, or supplied upon request, with administrative instructions relating to their use. There should be written or stamped at the top of such forms, in large letters, the words "War-Injury Claim."

(b) Persons having limited authority under these regulations to request such forms, if available; otherwise, such request may be made by letter, addressed to the person or hospital furnishing the services, of which a copy will be retained and transmitted to the representative of the Commission to whom report of injury is sent. Such letter should advise the physician as provided in § 61.12 (f).

§ 61.14 *Transportation of recovered bodies of missing persons.* (a) In the case of death of a person coming within the purview of section 101 (b), Title I, of such Public Law, and § 61.1 of these regulations, while such person is missing or absent as therein specified, and his body is thereafter recovered, the body of such person shall, in the discretion of the Commission, and if so desired by his next of kin, his near relative, or legal representative, be embalmed and transported in a hermetically sealed casket or other appropriate container to the home of the deceased, or to such other place as may be designated by such next of kin, near

relative, or legal representative. In the case of any such person missed from the place of his employment, due to belligerent action of an enemy, or taken by an enemy (as specified in section 101 (b) (1) (A) and (B) of such Public Law), such preparation and transportation may be authorized: *Provided*, That at the time of death (not resulting from a war-risk hazard) such person had not been repatriated. The term "repatriated" as used in this section, with respect to such person shall be deemed to mean returned to the United States or country of his residence or domicile. A person shall be deemed to have been repatriated within the meaning of this subsection upon his having returned to continental United States (or Alaska or Canada) if his last residence or domicile was there, upon his return to the Territory or possession of the United States wherein he last maintained residence or domicile, or upon return to the country (or possession of such country) wherein he last maintained residence or domicile. In case of the death of such person after such repatriation, where death is due to war-risk hazard and occurred away from his home, such preparation and transportation shall be provided and the body shall be delivered to the home of such person or to such other place as may be designated by such next of kin, near relative or legal representative. No expenses may be incurred under this section after transportation and delivery of the body has been accomplished. Funeral or other expenses in connection with burial are not provided for hereunder and are not payable with respect to the disposition of the body of such person, unless the death resulted from war-risk hazard, in which event the provisions of § 61.15 relating to such expenses are also applicable.

(b) In the case of any such person who is not returned to his home or to the place where he was employed, by reason of the failure of the United States or its contractor to furnish transportation (where the furnishing of such transportation was an obligation of the United States or such contractor), and the death of such person occurs away from his home and while thus absent, the provisions of paragraph (a) hereof shall apply, except that such person shall not be deemed to have been repatriated until he has returned to his home or to the place where he was employed. In determining benefits accruing to such person not returned because of such failure of transportation, under the provisions of section 101 (b), Title I, of such Public Law, and § 61.1 (b) of these regulations, such person shall be regarded as totally disabled until the date he has returned to his home or to the place of his employment: *Provided*, That in the event such person fails, refuses, or neglects to return to his home or to the place of his employment after he has been afforded opportunity to do so, compensation accruing under such section 101 (b), on account of such absence, shall cease to accrue as of the date when he might otherwise have departed for home or place of employment, and, should death thereafter occur, the provisions of paragraph (a) hereof shall not be applied in his case, unless the Commission shall find that refusal to return was justified.

§ 61.15 *Burial expenses.* (a) When the death of a person specified in section 101 (a), Title I, of such Public Law, and § 61.1 (a) of these regulations, results from an injury proximately caused by a war-risk hazard, the Commission may in its discretion pay reasonable burial expenses in an amount not to exceed $200 as provided by section 9 of such Longshoremen's and Harbor Workers' Compensation Act: *Provided*, That if any part of the burial expense has been paid by any other agency of the United States, or by any person under obligation to discharge burial expenses, payment hereunder shall not exceed the difference between the amount so paid and $200, if the expense is actually incurred. Payment will be made (1) direct to the undertaker, (2) to the estate of the deceased if the estate is obligated to make payment, or (3) to any person who has paid such burial expenses and is entitled to such reimbursement.

(b) In case of death of such person whose home is within the United States, and death resulted from injury proximately caused by a war-risk hazard and occurred away from his home, or outside the United States, and if so desired by his relatives, the body shall, in the discretion of the Commission, pursuant to section 11 of such Act of September 7, 1916, be embalmed and transported in a hermetically sealed casket to the home of the employee, and the reasonable and necessary expenses of such embalming and transportation shall be in addition to the amount, if any, allowed for burial expenses under paragraph (a) hereof. The term "United States" as used in this subsection shall mean continental United States, or any Territory or possession of the United States.

§ 61.16 *Persons authorized to provide preparation of body, transportation and burial expenses.* (a) Incurring and paying of expenses for embalming and transportation of bodies, and funeral and burial expenses, as provided under §§ 61.14 and 61.15 of these regulations, is authorized with respect to the following:

(1) Deputy commissioners, and persons acting for such deputy commissioners, authorized by § 61.8 (a) (1) to receive reports of injury or death, if the case is within the jurisdiction, for processing, of such deputy commissioner.

(2) Officers or agents of the United States, or other person designated by the Commission, authorized by § 61.8 (a) (2) to receive reports of injury or death, if authorized by administrative order, and jurisdiction with respect to the case otherwise exists under administrative order.

(3) The Commission at its principal office.

(b) Persons authorized under paragraph (a) to provide for preparation and transportation of bodies, and payment of burial expenses, will exercise such authority only in cases of death from war-risk hazard which arise within the area in which they represent the Commission. If deaths from such cause occur within their respective jurisdictions in cases which are subject to processing by a representative of the Commission in another area, the Commission's authorized representative in that area should be informed immediately in order that he may give advice with respect to the disposition of the remains; if this is impracticable, the Commission at its principal office may be informed directly in order that it may furnish proper advice. Full information should be given by the representative seeking such advice, showing the basis for the application of such benefits in the particular case. In cases of detained persons, where such cases are within the purview of section 101 (b) (1) and (3), Title I, of such Public Law, and § 61.14 of these regulations, authority to incur expense for preparation and transportation of bodies is subject to prior approval by the Commission, which should be requested immediately, and all payments for such services will be made by the Commission.

(c) Where circumstances in particular cases prevent compliance with the regulations in this section and prevent timely receipt of authority to prepare or transport remains, and in cases of an emergency nature, the following, without further authorization, shall have authority to incur reasonable and minimum necessary expenses of embalming (or other necessary preparation of remains), of providing appropriate container, and of transportation of the body, of any person whose death occurs under circumstances giving rise to the application of the provisions of such Public Law and these regulations relating to preparation and transportation of bodies:

(1) Any person referred to in § 61.8 of these regulations.

(2) The employing contractor, subcontractor, or subordinate contractor, or his superintendent in charge or compensation representative, including the representative of the insurance carrier for any such employer.

(3) Any Government field representative, referred to in § 61.7 (c) of these regulations.

Immediate report of the services obtained should be made as provided in § 61.7 (c) to the proper representative of the Commission in cases of death due to war-risk hazard, and a copy of such report should be transmitted to the Commission. In cases of deceased detained persons, such report should be made directly to the Commission at its principal office. Vouchers for direct payment of expenses incurred under this subsection or for reimbursement of such expenses paid, will be submitted to the Commission for audit and payment.

§ 61.17 *Transportation of persons released from detention and return of employees.* (a) Upon application of a person specified in section 101 (b), Title I, of such Public Law, and § 61.1 (b) of these regulations, who no longer is in the custody of the enemy, or upon application of someone on behalf of such person, the Commission may furnish transportation or the cost thereof (including reimbursement) to any such person from the point where his release from custody by the enemy is effected, to his home, the place of his employment, or other place within the jurisdiction of the United States. No transportation, or the cost thereof, shall be furnished where such person is furnished such transportation, or the cost thereof, under any agreement with his employer or under any other provision of law.

(b) Applications for such transportation, or authority to incur expense therefor (to be paid by reimbursement), shall be made directly to the Commission at its principal office, or may be transmitted to the Commission for the applicant by any person referred to in § 61.8 of these regulations, any government contractor, subcontractor, or subordinate contractor, or any officer or employee of the United States, or Government field representative. Such applications shall set forth the full name of the person for whom such transportation is sought, together with his home address and his local address at which communications sent to him may be received (if application is made on behalf of such person, the application should also state the full name, address and relationship of the individual applying); the name and address of the employer of such person; the symbol or code number of the contract under which the employee was employed, if known; the date, place, and circumstances of capture or detention, and the date, place and circumstances of release; the present physical condition of such person and whether he is able to return to work; and a statement whether transportation or the cost thereof has been claimed or received under any agreement with his employer or under any other provision of law. Such application should be sworn to before any person authorized to administer oaths. The applicant is required to state in the application the place to which transportation is sought and to identify such place, such as his home, the place of his employment, etc. Transportation authorized under this section and necessary subsistence en route (if not included in the price of passage), so far as practicable shall conform with and be subject to the Standardized Government Travel Regulations, and shall conform with such administrative instructions as the Commission may from time to time issue with respect thereto.

(c) Transportation, or the cost thereof, may be furnished under this section to such person as follows: (1) to the place of actual employment or work, if missing from such place, and if physical condition permits reemployment and such employment is available; or (2) if return to such work place or place of employment cannot be accomplished: (i) to the home of such person, (ii) to the place where he was employed, or (iii) to any place designated in the application if the costs incident to transportation to such place do not exceed the cost of transportation to the person's home or place where he was employed.

(d) Where an employee is not returned to his home or to the place where he was employed, by reason of the failure of the United States or its contractor to furnish transportation (where the furnishing of such transportation was an obligation of the United States or such contractor) and where no detention by an enemy is involved, such employee may apply to the Commission for transportation, subject to the provisions of this section. (Sec. 101, 56 Stat. 1028; 42 U.S.C. 1701)

§ 61.18 *Confidential nature of records and papers relating to injury, death or detention of employees.* (a) All records, medical and other reports, statements of witnesses, and other papers relating to the disability, death, or detention of any persons coming within the purview of Title I of such Public Law, are the official records of the Commission and are not records of the agency, establishment, Government department, employer, or any individual making or having the care of such records. Such records and papers pertaining to any such injury, death, or detention are confidential and no official or employee of the United States, or other person, who has investigated or secured statements from witnesses and others pertaining to any case within the purview of Title I of such Public Law, or any person having the care or use of such records and papers, shall disclose information from or pertaining to such records to any person, except upon written approval of the Commission, or except as otherwise provided for by these regulations.

(b) Any person having any such record or paper shall assume no control over same nor shall such person be vested with any discretion relative to the production of same in court, as such discretion shall remain in the Commission to whose business such records appertain. Any such person is prohibited from presenting such records or information in court, whether in answer to a subpoena duces tecum or otherwise. When a subpoena shall have been served upon such person, he shall appear in court and respectfully decline to present such records or papers or to divulge the information called for, basing his refusal upon this regulation and upon the fact that such person is not the custodian of such records or papers.

(c) Information with respect to any matter necessary for the official purpose of any department, agency, or other establishment of the United States may be disclosed upon a showing that the information will be used exclusively for such official purpose.

§ 61.19 *Inspection of records by interested party.* Any party in interest may be permitted to examine the record of the case in which he is such party. The Commission or its duly authorized representative shall be the judge of the reasonableness of any such request, and may, in its or his discretion, permit inspection of such record or part thereof which will not result in damage or harm to any person, or which will not be inimical to the interests of the Commission or the interests or safety of the United States. Original records shall not be removed for such purpose from the office wherein they are kept.

§ 61.20 *Approval of claims for legal and other services.* (a) No claim for legal services or for any other services rendered in respect of a claim or award for compensation under Title I, of such Public Law, to or on account of any person shall be valid unless approved by the Commission or its duly authorized representative; and any claim so approved shall, in the manner and to the extent fixed by the Commission or its duly authorized representative, be paid out of the compensation payable to the claimant; and any person who receives any fee, other consideration, or any gratuity on account of services so rendered, unless such consideration or gratuity is so approved, or who solicits employment for another person or for himself in respect of any claim or award for compensation under such Title I shall be liable upon conviction for such offense to the penalty provided in section 204, Title II, of such Public Law.

(b) Persons representing the Commission, who are authorized to process claims under clauses 1 to 7, inclusive, of the term "processed" as defined in § 61.9 of these regulations, are without further authorization, authorized to approve reasonable fees for services under this section.

(c) No contract for a stipulated fee or for a fee on a contingent basis will be recognized, and no fee for services shall be approved except upon application for such approval, supported by a sufficient statement of the extent and character of the necessary work done on behalf of the beneficiary. Except where the beneficiary was advised that such representation would be rendered on a gratuitous basis, the fee approved shall be reasonably commensurate with the actual necessary work performed by such representative, with due regard to the capacity in which the representative appeared, the amount of compensation involved, and the circumstances of the beneficiary.

§ 61.21 *Assignments; creditors.* The right of any person to benefits under Part 61 of these regulations and the applicable provisions of Title I of such Public Law, pursuant to section 207 thereof, is not transferable or assignable at law or in Equity except to the United States, and none of the moneys paid or payable (except money paid as reimbursement for funeral expenses), or rights existing under such Title, are subject to execution, levy, attachment, garnishment, or other legal process or to the operation of any bankruptcy or insolvency law.

§ 61.22 *Contracts for service facilities of insurance carriers.* (a) Under the provisions of section 106 (a) of such Public Law the Commission is authorized to contract with insurance carriers for the use of the service facilities of such carriers for the purpose of facilitating administration. The Commission under this authority may enter into contracts for the use of service facilities which may be available and can be utilized in the processing of claims arising directly under section 101 and under section 104, Title I of such Public Law.

(b) Contracts for the use of service facilities will be arranged directly with insurance carriers or carrier groups as the Commission finds to be necessary to facilitate administration.

(c) Compensation for the use of service facilities shall be based upon the services rendered for the Commission, with reimbursement for such items of claims expense (see § 62.6 of these regulations) as may be necessarily incurred or authorized by the Commission, unless the service charge agreed upon includes all items of the carriers expense. The compensation for services shall be such amount as the Commission and the carrier shall agree upon as reasonable for services rendered.

JEWELL W. SWOFFORD,
Chairman.
JNO. J. KEEGAN
Commissioner.
ALBERT H. LADNER, Jr.,
Commissioner.

[F. R. Doc. 43-6173; Filed, April 20, 1943; 2:18 p. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Regulation No. 4]

PART 904—RESTRICTING TRANSFER OF WORKERS

REGULATIONS AND LIST OF ESSENTIAL ACTIVITIES

Correction

In the document appearing on page 5136 of the issue for Tuesday, April 20, 1943, paragraphs 19 and 20 of Appendix A should read as follows:

19 *Production of leather products.* The production of shoe and belting leather, industrial belting for transmission of power; boots, shoes, and gloves, for military and industrial use; saddlery, harness, and accessories.

20 *Production of textiles.* Spinning and weaving of fabrics for parachutes and powder bags; of canvas for tents, sails, tarpaulins, and related heavy canvas products; asbestos, fibrous glass, cotton, woolen, knit, linen, silk, and synthetic fiber goods for civilian, military, and industrial use.

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 55]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended by changing the description of the commodity "Jewels and jewel bearings, industrial", wherever said commodity appears in said section, to read "Jewels and jewel bearings."

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 14, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-6186; Filed, April 21, 1943; 11:11 a. m.]

[Amendment 56]

PART 804—INDIVIDUAL LICENSES

OFFICIAL SEAL

Paragraph (d) of § 804.1 *General provisions* is hereby amended to read as follows:

(d) When countersigned by an authorized officer of the Office of Exports the application shall become a license authorizing, subject to the provisions of this subchapter, the exportation of the quantity of those commodities described therein to the purchaser and consignee in the designated destination.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 21, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-6187; Filed, April 21, 1943; 11:11 a. m.]

[Amendment 57]

PART 802—GENERAL LICENSES

CANCELLATION OF CERTAIN GENERAL LICENSES TO NEWFOUNDLAND

Paragraph (a) of § 802.3 *General license country groups* is hereby amended by placing before the name of the country Newfoundland listed therein the letter "a" wherever the name of such country appears in this section.

Shipments of commodities to Newfoundland which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order prior to the effective date of this amendment, may be exported under previous general license provisions. Shipments moving to a vessel on or after the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to said effective date may also be exported under previous general license provisions.

This amendment shall become effective May 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: April 21, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-6188; Filed, April 21, 1943; 11:11 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-293]

BARQ'S BOTTLING CO.

Barq's Bottling Company is a Texas corporation with its principal place of business in Dallas, Texas. It is engaged in the bottling of non-alcoholic beverages, and is subject to the quota provisions of Conservation Order M-104. During the months of June, July and August 1942, the company used over 2,000 gross of new bottle caps or closures in excess of its permissible quota. The officers of this corporation, B. B. Barnes, President, C. E. Sherman, Secretary and Treasurer, and its employees, John Raymond Lewis, sales manager or supervisor, and H. T. Gersch, bookkeeper, knew that such order existed and that it restricted the use of new metal closures made of tinplate, terneplate and blackplate. In violation of its provisions the company used new metal closures in excess of its quota, and concealed the purchase and use of many of such closures by making false entries on its books.

The company also furnished false information to the War Production Board with reference to its inventories of new metal closures.

This violation of Conservation Order M-104 has impeded and hampered the war effort by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.293 *Suspension Order S-293.* (a) From the effective date of this order, neither Barq's Bottling Company, B. B. Barnes, C. E. Sherman, John Raymond Lewis nor H. T. Gersch, their successors or assigns, shall purchase, sell, deliver or use any new metal closures made of tinplate, terneplate or blackplate, nor shall they accept delivery of, withdraw from inventory or in any other manner secure or use new metal closures made of tinplate, terneplate or blackplate except as hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Barq's Bottling Company, B. B. Barnes, C. E. Sherman, John Raymond Lewis or H. T. Gersch, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 22d day of April 1943 to continue in effect for a period of one year from said date, after which time it shall have no further effect.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6181; Filed, April 20, 1943; 5:07 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-268]

JAMES A. KENNY

James A. Kenny, 120 West Norris Street, Philadelphia, Pennsylvania, is engaged in the manufacture of burial vaults, caskets, shipping cases and other funeral supplies. James A. Kenny violated Limitation Order L-64 by using approximately 7,000 pounds of iron and steel, or 21 per cent, in excess of his May 1942 quota and approximately 12,000 pounds of iron and steel, or 40 per cent, in excess of his June 1942 quota to produce caskets. Subsequent to June 30, 1942 he used approximately 247,000 pounds of sheet steel to process, fabricate or assemble caskets in violation of Limitation Order L-64. Subsequent to March 28, 1942, he used copper in the production of 37 caskets and bronze in the production of 10 caskets in violation of Limitation Order L-64 and Conservation Order M-9-c. James A. Kenny, furthermore, violated Priorities Regulation No. 1 by accepting on March 6, 1942 the delivery of 46,420 pounds of No. 20 gauge sheet steel at a time when his inventory of steel was in excess of a practicable minimum working inventory.

James A. Kenny's failure to ascertain the nature of the restrictions of the War Production Board governing the operation of his business was such gross negligence as to constitute wilful conduct. These violations have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.268 *Suspension Order S-268.* (a) James A. Kenny, his successors and assigns, shall not use any metal whatsoever in the production of more than 100 burial vaults, caskets and shipping cases during any calendar month, except as specifically authorized in writing by the War Production Board.

(b) Deliveries of material to James A. Kenny, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) No allocation shall be made to James A. Kenny, his successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve James A. Kenny, his successors and assigns from any restriction, prohibition or provision of any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 22, 1943, and shall expire on January 22, 1944, at which time the restrictions contained in this order shall be of no further effect.

Issued this 20th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6182; Filed, April 20, 1943; 5:07 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 44]

APPLICABILITY OF MAXIMUM PRICE REGULATIONS TO THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this Supplementary Order No. 44 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1305.56 *Applicability of maximum price regulations to the Territory of Hawaii.* (a) All maximum price regulations, temporary maximum price regulations, and schedules which have been issued by the Office of Price Administration prior hereto are hereby declared to be inapplicable to the Territory of Hawaii, except the following, which are hereby adopted and affirmed to be applicable to the Territory of Hawaii:

Revised Price Schedule No. 1—Second hand machine tools.
Maximum Price Regulation No. 19—Southern pine lumber.
Revised Price Schedule No. 21—Formaldehyde.
Maximum Price Regulation No. 36—Acetone.
Maximum Price Regulation No. 37—Butyl alcohol and esters thereof.
Revised Price Schedule No. 44—Douglas fir doors.
Revised Maximum Price Regulation No. 55—Second hand bags.
Revised Price Schedule No. 56—Reclaimed rubber.
Revised Price Schedule No. 61—Leather.
Revised Price Schedule No. 63—Retail prices for new rubber tires and tubes.
Revised Price Schedule No. 66 as amended—Retreaded and recapped rubber tires, the retreading and recapping of rubber tires, and basic tire carcasses.
Revised Price Schedule No. 85—New passenger automobiles.
Revised Price Schedule No. 88—Petroleum and petroleum products.
Maximum Price Regulation No. 107—Used tires and tubes.
Revised Maximum Price Regulation No. 108—Nitrate of soda, sulphate of ammonia and cyanamid.
Maximum Price Regulation No. 111—New household vacuum cleaners and attachments.
Maximum Price Regulation No. 119—Original equipment tires and tubes.
Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant.
Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities.
Revised Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities other than Producing Facilities—Dealers.
Maximum Price Regulation No. 133—Retail Prices for Farm Equipment.
Maximum Price Regulation No. 134—Construction and Road Maintenance Equipment Rental Prices.
Revised Maximum Price Regulation No. 135—Fertilizer
Maximum Price Regulation No. 136, as amended—Machine and Parts, and Machinery Services.
Maximum Price Regulation No. 137—Petroleum Products Sold at Retail.
Revised Maximum Price Regulation No. 139—Used Household Mechanical Refrigerators.
Maximum Price Regulation No. 140—Sanitary Napkins.
Maximum Price Regulation No. 143—Wholesale Prices for New Rubber Tires and Tubes.
Maximum Price Regulation No. 151—New Bags.
Maximum Price Regulation No. 154—Ice.
Maximum Price Regulation No. 156—Certain Beef and Beef Products Purchased by Certain Federal Agencies.
Maximum Price Regulation No. 158—Resale of War Bicycles—Distributors and Dealers.
Maximum Price Regulation No. 162—Sale and Rental of Used Typewriters.
Maximum Price Regulation No. 180—Color Pigments.
Maximum Price Regulation No. 181—New-Formula Condensed Soups Packed under WPB Conservation Order M-81.
Maximum Price Regulation No. 185—Canned fruits and canned berries.
Maximum Price Regulation No. 192—Imported cresylic acid.
Maximum Price Regulation No. 198—Imports of silver bullion.
Maximum Price Regulation No. 203—Vitamin A natural oils and concentrates.
Maximum Price Regulation No. 234—Approved stirrup pumps.
Maximum Price Regulation No. 254—New small firearms and firearms parts.
Maximum Price Regulation No. 260—Cigars
Maximum Price Regulation No. 294—Used household vacuum cleaners and attachments for used household vacuum cleaners.
Maximum Price Regulation No. 297—Natural resins.
Maximum Price Regulation No. 309—Platinum group metals and their products.
Maximum Price Regulation No. 341—Used commercial motor vehicles.

(b) Any matter required or permitted to be filed with the Office of Price Administration, Washington, D. C., by the provisions of any price regulation or schedule hereby adopted, or hereafter issued and made applicable to the Territory of Hawaii, shall instead be filed with the Office of Price Administration, Hawaii Territorial Office, Iolani Palace, Honolulu, T. H.

(c) Any records required to be kept by the provisions of any price regulation

*Copies may be obtained from the Office of Price Administration.

or schedule hereby adopted, or hereafter issued and made applicable to the Territory of Hawaii, shall be kept as provided therein, and shall be made available for examination by the Office of Price Administration, Hawaii Territorial Office, Iolani Palace, Honolulu, T. H.

(d) Notwithstanding the provisions for adjustment of maximum prices, contained in any price regulation or schedule hereby adopted or hereafter issued and made applicable to the Territory of Hawaii, all adjustments of maximum prices and applications therefor in the Territory of Hawaii shall be made in accordance with Procedural Regulation No. 7.[1]

This Supplementary Order No. 44 shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6179; Filed, April 20, 1943; 4:08 p. m.]

PART 1316—COTTON TEXTILES

[RPS 35,[2] Amendment 13]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 is amended in the following respects:

1. In § 1316.61 (b) (4) the adjustment granted for Class C sheetings in the footnote to Table III, is amended as follows:

CLASS C SHEETINGS

(Total thread-count per sq. in.)

128 to 139, inclusive ..... add 1¢

2. The yarn numbers for Class A, Class B and Class C sheetings set forth in Table III-A of § 1316.61 (b) (4) are amended as follows:

TABLE III-A—KEY TO TYPES AND CLASSES OF CLOTH LISTED IN TABLE III

Type and class of cloth	*Yarn numbers (all numbers inclusive)*
Sheetings (under 42" in width):	
Class A	Up to 14.99's.
Class B	15's to 20.99's.
Class C	21's and above.

This amendment shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6176; Filed, April 20, 1943; 4:07 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4779, 8 F.R. 970.

[2] 8 F.R. 1963.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amendment 82]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1390.25 (a) (43) is added to read as follows:

(43) *Loom picker sticks and other textile machinery parts made of hickory.*—(i) *Increase in maximum prices.* Notwithstanding any other provisions of this regulation, the maximum price calculated under this regulation apart from this subparagraph for any loom picker sticks and any other weaving and spinning hardwood parts made of hickory (such as: jack sticks, sweep sticks, binders, crank or pitman arms, skewers, parallel blocks, dobby sheaves, etc.) shall be increased by the amount provided in whichever of the following subdivisions (*a*) to (*c*) is applicable:

(*a*) *Manufacturers who buy picker stick blanks.* The amount to be added by any manufacturer who buys the hickory picker stick blanks from which he manufactures the parts involved shall be the combined dollar amount of the increases in the maximum price of the picker stick blanks going into the production of the picker sticks and other textile machinery parts made of hickory being priced, which became effective April 1, 1943 and April 8, 1943. Those increases shall be the amounts by which Order No. 16 under § 1499.18 (c), as amended, of the General Maximum Price Regulation and Amendment No. 151 to Supplementary Regulation No. 14 to the General Maximum Price Regulation increased the maximum price of hickory picker stick blanks sold or delivered by the manufacturer's supplier to the manufacturer, including any increase due to delivery charges that the supplier is permitted to make.

(*b*) *Manufacturers who make their own picker stick blanks.* The amount to be added by any manufacturer who makes the hickory picker stick blanks from which he manufactures the parts involved shall be an amount in line with the amounts to be added under (*a*) by comparable manufacturers who buy their hickory picker stick blanks, specifically authorized in writing by the Office of Price Administration. The manufacturer shall write to the Office of Price Administration, Washington, D. C., for such authorization.

(*c*) *Sellers other than manufacturers.* The amount to be added by any seller other than a manufacturer shall be the dollar amount by which the maximum price of the seller's supplier has been increased by this subparagraph on sales and deliveries to the seller. If the seller's supplier has notified the seller of the amount of such increase in accordance with subdivision (ii) and if the seller has no reason to doubt the validity of such notification, the amount of which the seller has been so notified shall be deemed to be the proper amount to be added under this subdivision (c).

(ii) *Notification by sellers who sell to purchasers for resale.* Every seller of loom picker sticks and other textile machinery parts made of hickory which are covered by this subparagraph, who sells such items to purchasers who buy for the purpose of resale, shall notify every such purchaser in writing of the amount by which the seller's maximum price to the purchaser has been increased on each such item calculated according to the appropriate provision in subdivision (i).

This amendment shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6178; Filed, April 20, 1943; 4:07 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS, AND ADMIXTURES

[MPR 118,[1] Amendment 18]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 118 is amended in the following respects:

The Table to § 1400.118 (d) (13) (iv) (*a*) is amended as follows:

Class	Average yarn numbers (all numbers inclusive)	Ceiling [illegible]
A	Up to 14.99's	[illegible]
B	15's to 20.99's	[illegible]
C	21's to 24.99's	[illegible]
D	25's and above	[illegible]

This amendment shall become effective April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6177; Filed, April 20, 1943; 4:07 p. m.]

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[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 534, 1058, 1382, 2270, 3314, 3370, 3848, 4341, 4476, 4515, 4516, 4524, 4787.

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005, 6481, 7451, 8217, 8941, 9002, 8948, 9969; 8 F.R. 274, 2338, 4137.

PART 1418—TERRITORIES AND POSSESSIONS

GENERAL MAXIMUM PRICE REGULATION FOR THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this General Maximum Price Regulation has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

§ 1418.152 *General Maximum Price Regulation for the Territory of Hawaii.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, General Maximum Price Regulation for the Territory of Hawaii, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1418.152 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

GENERAL MAXIMUM PRICE REGULATION FOR THE TERRITORY OF HAWAII

CONTENTS

Article I—Maximum Prices

Sec.
1 Prohibition against dealing in commodities above maximum prices.
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6 Adjustment of maximum prices in case of special deals.
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APPENDIX A—COMMODITIES DESIGNATED BY THE PRICE ADMINISTRATOR AS COST-OF-LIVING COMMODITIES

Article I—Maximum Prices

SECTION 1 *Prohibition against dealing in commodities above maximum prices.* On and after the effective date of this general maximum price regulation, regardless of any contract or other obligation:

(a) No person shall sell or deliver any commodity at a price higher than the maximum price permitted by this general maximum price regulation; and

(b) No person in the course of trade or business shall buy or receive any commodity at a price higher than the maximum price permitted by this general maximum price regulation.

(c) The provisions of paragraph (b) of this section shall not be applicable to any war procurement agency or any contracting or paying finance officer thereof and any such agency or contracting or paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this general maximum price regulation or by the Emergency Price Control Act of 1942. "War procurement agency" as used in this paragraph, includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

SEC. 2 *Maximum prices for commodities; general and special provisions.* (a) Except as otherwise provided in this regulation, the seller's maximum price for any commodity shall be:

(1) The highest price charged by the seller during April, 1942 for the same commodity; or if no charge was made for the same commodity, for the similar commodity most nearly like it.

(b) If the seller's maximum price cannot be determined under paragraph (a), the seller's maximum price shall be:

(1) The highest price charged during April 1942 by the most closely competitive seller of the same class for the same commodity; or if no charge was made for the same commodity, for the similar commodity most nearly like it.

(c) For the purposes of this general maximum price regulation, the highest price charged by a seller during April 1942 shall be the highest price which the seller charged for a commodity delivered by him during April 1942 to a purchaser of the same class; or if the seller made no such delivery during April 1942, his highest offering price for delivery during that month to a purchaser of the same class; or if the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during April 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers: *Provided, however,* That

(1) If before May 1, 1942, the seller raised his prices for commodity, to all his classes of purchasers (or to all his classes of purchasers except those to whom he was bound to make delivery during April 1942 pursuant to a firm commitment made before the price rise) and

(2) If during April 1942 he delivered the commodity at the increased price to at least one class of purchasers, then, in order to allow the seller to apply the price rise to any class of purchasers to which no delivery was made during that month after the price rise (except under a firm commitment made before the price rise), the highest price charged during April 1942 shall be deemed to be:

(i) The seller's increased offering price to such class of purchasers for delivery during April 1942, or

(ii) If the seller had no such increased offering price to that particular class of purchasers, the highest price charged during April 1942 to a purchaser of a different class, adjusted to reflect:

(*a*) The seller's customary differential in price between the two classes of purchasers; or

(*b*) If the seller had no such customary differential, the actual percentage differential in price between the two classes of purchasers which existed at the time the seller last entered into a commitment, or, if he did not enter into such a commitment, last submitted an offering price, for delivery to a purchaser of that particular class during April 1942.

(d) No seller shall evade any of the provisions of this general maximum price regulation by changing his customary allowances, discounts or other price differentials.

(e) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any commodity than the seller required purchasers of the same class to pay during April 1942 on deliveries or supplies of the same or similar types of commodities.

(f) One commodity shall be deemed "similar" to another commodity, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold in the same price line. In determining the similarity of such commodities, differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such commodities would ordinarily have been sold, shall not be taken into account.

(g) The maximum prices established by this section for certain commodities or in certain transactions may be modified by supplementary regulation issued under this section.

SEC. 3 *Maximum prices for commodities which cannot be priced under section 2.* (a) The seller's maximum price for a commodity which cannot be priced under section 2 of this general maximum price regulation shall be a maximum price in line with the level of maximum prices established by this general maximum price regulation. Such prices shall be either the maximum price established under this section 3 for the same commodity by the most closely competitive seller of the same class, or a maximum price determined by the seller in accordance with the following procedures:

(1) In the case of a sale at wholesale or retail of a commodity, the seller shall make application for approval by the Office of Price Administration of a

*Copies may be obtained from the Office of Price Administration.

maximum price for that commodity upon a form obtainable from the Office of Price Administration. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(2) In the case of a sale other than at wholesale or retail of a commodity, the maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Honolulu, Hawaii, an application setting forth (i) a description in detail of the commodity for which a maximum price is sought; and (ii) a statement of the facts which differentiate such commodity from other commodities delivered during April 1942 by such seller and by other competitive sellers of the same class. Such authorization will be given in the form of an order prescribing a method of determining the maximum price for the applicant or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

(3) In the case of a sale at wholesale or retail of a commodity which cannot be priced under paragraph (a) of this section, the maximum price shall be a price determined by the seller after specific authorization from the Office of Price Administration or any duly authorized officer thereof. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the office of the Office of Price Administration for the district in which his principal place of business is located an application setting forth (i) a description of the commodity or commodities for which a maximum price is sought; (ii) a statement of the reasons why such commodity or commodities cannot be priced under section 2 or 3 (a) of this general maximum price regulation; and (iii) any other facts which the seller wishes to submit in support of the application. The seller shall also submit such additional pertinent information as the Office of Price Administration may require. Such authorization will be given in the form of an order prescribing a method of determining the maximum price.

SEC. 4 *Supplemental regulations.* (a) If the maximum prices established for any commodity under the provisions of this general maximum price regulation fail equitably to distribute returns from the sale at retail of such commodity among producers, manufacturers, wholesalers and retailers, the Price Administrator will by supplementary regulation establish such maximum prices for different classes of sellers, or fix such base periods for the determination of their maximum prices, as will insure that each such class of sellers shall receive a fair share of such return.

SEC. 5 *Determination of maximum prices by sellers at retail operating more than one retail establishment.* (a) A seller who owns more than one establishment selling commodities at retail and who has had a fixed practice, which prevailed during April 1942, of selling commodities at retail at uniform or at substantially uniform prices in all such establishments or in all such establishments located in a particular area may make written application to the Office of Price Administration, Honolulu, Hawaii, for authorization to determine and use uniform maximum prices under this general maximum price regulation in all of such establishments in which it has been the practice to charge uniform or substantially uniform prices. Such application shall state (1) the name and address of the principal office of the seller; (2) the number of separate retail establishments owned by the seller and the address of each such establishment; (3) the kind of merchandise carried in such retail establishments; (4) whether commodities are purchased centrally by the seller and distributed by the seller to such retail establishments or are purchased separately by such establishments; (5) a description of the fixed practice of the seller of selling commodities at uniform or substantially uniform prices in all such retail establishments or in all such retail establishments located in particular areas indicating the length of time during which such practice has been in effect and whether uniform selling prices are determined in a central office; (6) the names and addresses of the seller's most closely competitive sellers of the same class on a territorial basis; and (7) any other facts which the seller wishes to submit in support of the application. If such authorization is given, it will be accompanied by instructions as to the method by which the seller may determine and use uniform maximum prices under this general maximum price regulation.

SEC. 6 *Adjustment of maximum prices in cases of special deals.* (a) Any seller, other than a seller at retail, whose maximum price for a commodity to purchasers of a particular class is based on a "special deal" given by him to such purchasers which he can demonstrate was to have terminated not more than 125 days from the date on which it first became effective, may adjust his maximum price to such purchasers to the highest price at which such commodity was delivered by him to a purchaser of that class during the 30 days immediately preceding the date on which the special deal first became effective.

(b) A seller at retail whose maximum price for a commodity to purchasers of a particular class is based on a special deal given by him to such purchasers as the result of a special deal given to him by his supplier may adjust his maximum price to such purchasers to the highest price at which such commodity was delivered by him to a purchaser of that class during the 30 days immediately preceding the date on which the special deal given by him first became effective. Such adjusted maximum price shall not apply to the particular commodities purchased by the retailer under the special deal given to him by his supplier.

(c) The words "special deal," as used in this section, mean any reduction in the price of a commodity to purchasers of a particular class from the price in effect for purchasers of that class on the day immediately preceding the date on which the special deal first became effective, including but not limited to a reduction in such price resulting from offers of free goods, combination sales and increased quantity and other discounts to purchasers of such class.

(d) A seller who makes an adjustment in his maximum price pursuant to this section shall within 10 days thereafter submit a statement to the office of the Office of Price Administration for the district in which the seller's place of business is located, except that if the seller makes sales of the commodity in more than one district, the statement shall be submitted to the Office of Price Administration, Honolulu, Hawaii. Such statement shall set forth:

(1) The seller's maximum price for the commodity prior to the adjustment permitted by this section;

(2) A description of the special deal given by the seller including all the terms thereof, the class or classes of purchasers to which it was applicable, the dates during which it was in effect, and copies of price lists, advertisements and trade announcements pertaining to such special deal;

(3) In the case of a seller at retail a description of the special deal given to him by his supplier including all the terms thereof, the dates during which it was in effect and copies of price lists and trade announcements pertaining to such special deal;

(4) In the case of a seller other than a seller at retail, detailed evidence demonstrating that the special deal was to have terminated on or before a date not more than 123 days from the date on which the special deal first became effective.

(5) The adjusted maximum price established by the seller pursuant to this section; and

(6) A description of all prices and terms of payment which the seller has had in effect for the commodity since January 1, 1941.

(e) The adjusted maximum price reported by the seller pursuant to this section shall be subject to adjustment at any time by the Office of Price Administration.

SEC. 7 *Transfers of business or stock in trade.* (a) If the business, assets or stock in trade of any business are sold or otherwise transferred after May 28, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this general maximum price regulation.

SEC. 8 *Federal and State taxes.* (a) Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity imposed by any statute of the United States or statute or ordinance of any state, territory or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(1) *As to a tax in effect during April, 1942.* (i) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during April 1942 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this general maximum price regulation.

(ii) In all other cases if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this general maximum price regulation.

(2) *As to a tax or increase in a tax which becomes effective after April 30, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 9 *Less than maximum prices.* Lower prices than those established by this general maximum price regulation may be charged, demanded, paid or offered.

Article II—Commodities Excepted From This General Maximum Price Regulation

SEC. 10 *Commodities excepted from this general maximum price regulation.* (a) This general maximum price regulation shall not apply to sales or deliveries of the following commodities:

(1) Any raw and unprocessed agricultural commodity or greenhouse commodity while it remains in substantially its original state, except that dried fruits and dried berries (other than dried prunes and other than sales or deliveries "in natural condition" by growers to packers), bananas, and dried imported agricultural commodities, shall be governed by this general maximum price regulation.

(2) Eggs and poultry.

(3) All milk products, including butter, cheese, condensed and evaporated milk, except that fluid milk sold at wholesale and retail, cream sold at wholesale and retail, and ice cream shall be governed by this general maximum price regulation.

(4) Flour, cake mixes and flour mixes, except that packaged cake mixes and flour mixes shall be governed by this general maximum price regulation.

(5) Mutton and lamb.

(6) Fresh fish and seafood, and game.

(7) Dried prunes, dry edible beans, leaf tobacco (whether dried or green), all nuts and peanuts, except cleaned or raw shelled peanuts harvested from the 1941 crop, all salted peanuts and peanut butter, linseed oil, linseed cake and linseed meal, manure, garbage, mixed seeds for housepet birds, and poultry tonics and condiments.

(8) Living animals, whether wild or domestic.

(9) Books, magazines, motion pictures, periodicals, newspapers, and materials furnished for publication by any press association or feature service.

(10) Blister copper, lead bullion, ores, and ore concentrates.

(11) Stumpage, logs, and pulpwood.

(12) Stamps and coins; precious stones and mountings into which precious stones are set; antiques and knotted oriental rugs; paintings, etchings, sculptures and other objects of art.

(13) Used automobiles.

(14) Wood and gum for naval stores and gum naval stores.

(15) Securities.

(16) Such other commodities as may be specified by supplementary regulations issued under this section.

(b) This general maximum price regulation shall not apply to the following sales or deliveries:

(1) By a farmer, of commodities grown and processed on his farm, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(2) By any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale. *Provided, however,* That the exception provided in this subparagraph shall not apply to sales or deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a, issued by the Director General for Operations, War Production Board.

(3) By an owner, of his used personal or household effects or other personal property used by him.

(4) At a bona fide auction of used household or personal effects.

(5) By hotels, restaurants, soda fountains, bars, cafes, cafeterias or other similar eating establishments, or meals, servings of food portions customarily served separately or as part of a meal, or beverages mixed or prepared by the seller.

(i) This exemption shall not apply to sales of ice cream in cones, dixie cups or similar packages.

(6) By a breeder, trapper, or hunter, of pelts, furs, or other parts of wild animals raised by him, or trapped, shot, or killed by him, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(7) Of commodities sold without private profit in the course of any sale, fair, or bazaar conducted for a period of not more than 15 days by any religious, charitable, or philanthropic organization.

(8) To the United States or any agency thereof of such commodities or in such transactions as may be specified by supplementary regulations issued under this section.

(9) Such other sales and deliveries as may be specified by supplementary regulations issued under this section.

Article III—Records

SEC. 11 *Base-period records.* (a) Every person selling commodities for which, upon sale by that person, maximum prices are established by this general maximum price regulations, shall:

(1) Preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for such of those commodities as he delivered during April 1942, and his offering prices for delivery of such commodities during such month; and

(2) Prepare, on or before August 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(i) The highest prices which he charged for such of those commodities as he delivered during April 1942 and his offering prices for delivery of such commodities during such month, together with an appropriate description or identification of each such commodity; and

(ii) All his customary allowances, discounts, and other price differentials.

(b) Any person, other than a person selling at retail, who claims that substantial injury would result to him from making such statement available to any other person, may file it with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this general maximum price regulation.

SEC. 12 *Current records.* (a) Every person selling commodities for which, upon sale by that person, maximum prices are established by this general maximum price regulation shall keep, and make available for examination by

the Office of Price Administration, records of the same kind as he has customarily kept, relating to the prices which he charged for such of those commodities as he sold after the effective date of this general maximum price regulation; and, in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices for those commodities.

SEC. 13 *Maximum prices of cost-of-living commodities: statement, marking or posting.* (a) For the purposes of this section, a cost-of-living commodity is any commodity designated as such by the Price Administrator. A list of the classes of commodities so designated appears in Appendix A, of this general maximum price regulation

(1) On and after June 18, 1942, every person offering to sell a cost-of-living commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum price may be marked on the commodity itself or on the shelf, bin, rack, or other holder or container upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale: *Provided*, That whichever of the above methods of posting is adopted, the maximum price of each commodity offered for sale shall be plainly visible to the purchaser at the place in the business establishment where the commodity is offered for sale, and shall not be obscured by the posted prices of other commodities, whether by use of price books or catalogs or layers of price lists or otherwise or in any other manner. The maximum price shall be stated as follows: "Ceiling Price $_____;" or "Our Ceiling $_____." Any person choosing to post by price-lines the maximum prices of commodities in the classifications marked by asterisks in Appendix A, shall post the maximum price by price-line at the place in the business establishment where the commodities in such price-line are offered for sale, and, in addition, shall mark the selling price of each such commodity on the commodity itself.

(2) Every seller making retail sales on the basis of orders received by mail shall post or mark his maximum prices in all catalogs, flyers, leaflets, circulars, booklets, lists or other printed or similar matter issued and distributed by him after the effective date of this amendment for the purpose of obtaining mail orders. One of the following methods of posting or marking shall be used:

(i) State the maximum price for each cost-of-living commodity listed in each of the publications described above at the place in the publication where such commodity is listed. The maximum price shall be stated substantially as follows: "Ceiling price $_____;" or "Our ceiling price $_____;" or,

(ii) Print on the front cover of all catalogs, flyers, leaflets, circulars or booklets or the front page of all lists or publications not having a cover, at the time they are issued, substantially the following statement signed with the name of the seller:

NOTICE TO CUSTOMERS

No price for any article listed or described herein exceeds the ceiling price for that article as determined under the applicable maximum price regulation issued by the Office of Price Administration. As required by that Office, we will, upon request, furnish you with a statement of our maximum prices on any of the commodities listed about which you inquire.

(Signed) _____

Any seller using this method, shall upon request, furnish a statement of the maximum prices for any commodities listed or described in the publication and about which the customer inquires.

(3) Any seller making retail sales by mail may apply to the Office of Price Administration for permission to deviate from the requirements in subparagraph (2). The application shall state why such requirements are inequitable or inappropriate as applied to the applicant's business, and shall show that the requested method of posting is substantially in line with the requirements of posting for mail order sellers set forth in subparagraph (2).

(4) On or before August 1, 1942, every person offering to sell cost-of-living commodities at retail shall file with the appropriate war price and rationing board of the Office of Price Administration a statement showing his maximum price for each such commodity, together with an appropriate description or identification of it. Such statement shall be kept up to date by such person by filing on the tenth day of every succeeding month a statement of his maximum price for any cost-of-living commodity newly offered for sale during the previous month, together with an appropriate description or identification of the commodity.

(5) No person is required to mark or file the maximum price of any commodity manufactured by him if his only sales at retail of such commodity are made to his employees.

SEC. 14 *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity sold, and the price received for it.

Article IV—Registration and Enforcement

SEC. 15 *Registration.* (a) Every person selling at wholesale, and every person who owns, or hereafter becomes the owner of, any business operating an establishment selling at retail any commodity for which a maximum price is established by this general maximum price regulation or by any other price regulation of the Office of Price Administration, shall register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe, on forms which will be made by the Office of Price Administration.

SEC. 16 *Licensing*—(a) *License required.* A license as a condition of selling is required of every person selling at wholesale or retail any commodity for which a maximum price is established by the General Maximum Price Regulation or by any other price regulation of the Office of Price Administration. No person whose license is suspended in proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942 shall, during the period of suspension, sell any commodities as to which his license to sell is suspended.

(b) *License granted.* Every person selling at wholesale or retail any commodity for which a maximum price is established by the General Maximum Price Regulation or by any other price regulation of the Office of Price Administration is by the General Maximum Price Regulation granted a license as a condition of selling any such commodity. The provisions of the General Maximum Price Regulation and of every price regulation of the Office of Price Administration to which this section now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of the General Maximum Price Regulation or when any such person becomes subject to the maximum price provisions of this or any other price regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, remain in effect as long as such regulation, or any applicable part, amendment, or supplement remains in effect.

SEC. 17 *Penalties.* (a) Persons violating any provision of this general maximum price regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, and proceedings for the suspension of licenses.

Article V—Procedure for Adjustment or Amendment

SEC. 18 *Adjustment of maximum prices.* (a) Adjustments of maximum prices heretofore granted by the Office of the Military Governor for Hawaii under the provisions of General Maximum Regulation No. 1 of the Military Governor shall continue in full force and effect until revoked or modified by the Office of Price Administration.

(a) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the case of any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such

seller and of like sellers for such commodity; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(a) The Director of the Office of Price Administration for the Territory of Hawaii is authorized to make adjustments or act upon applications for adjustment under this section.

(1) Applications for adjustment shall be filed in accordance with Procedural Regulation No. 7:[1] *Provided, however*, That the action to be taken thereunder by the Regional Administrator may be taken in like manner by the Director of the Office of Price Administration for the Territory of Hawaii, Honolulu, T. H.

SEC. 19 *Petitions for amendment.* (a) Any person seeking an amendment of any provision of this general maximum price regulation, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1:[2] *Provided, however*, That such petition shall be filed with the Director of OPA for the Territory of Hawaii, Honolulu, T. H.

Article VII—Definitions and Explanations

SEC. 20 *Definitions and explanations.* (a) This general maximum price regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Appropriate field office of the Office of Price Administration" means the district office for the district in which is located the seller's place of business from which his sales are made

(2) "Appropriate war price and rationing board" means the war price and rationing board for the area in which is located the seller's place of business from which the cost-of-living commodities are offered for sale.

(3) "Commodity" includes commodities, articles, products, and materials and contracts to buy, sell, or deliver any of the foregoing.

(4) A commodity shall be deemed to have been "delivered" during April 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(5) "Establishment selling at retail." "Establishment" refers to the physical location of the store, shop or other place of business in which commodities are sold. Any such establishment shall be deemed to be selling at retail if it has an established practice of making sales at retail.

(6) "Most closely competitive seller of the same class". "Seller of the same class" means a seller (i) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing, or repairing), (ii) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (iii) dealing in the same type of commodities, and (iv) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (i) is selling the same or a similar commodity, and (ii) is closely competitive in the sale of such commodities, and (iii) is located nearest to the seller.

(7) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner, except that in the case of sales of commodities by an establishment selling at retail, the offering price shall be the price at which the commodity was offered for sale at the immediate point of sale (for example, the shelves or counters). But "offering price" shall not include a price intended to withhold a commodity from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(8) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(9) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(10) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(11) "Raw and unprocessed agricultural commodity or greenhouse commodity." Commodities that are picked, harvested, threshed, ginned, husked, cleaned, dried, baled, boxed, packed, transported, and/or refrigerated, without more, remain "raw and unprocessed". But operations such as slaughtering, freezing, canning, preserving, milling, crushing, straining, centrifuging, shelling of nuts, cooking, distilling, purifying with heat, constitute processing for this purpose. For the purposes of the General Maximum Price Regulation the following commodities shall be deemed to be raw and unprocessed agricultural commodities: (i) All natural flowers and floral products, whether fresh or dried, (ii) All seeds and bulbs as long as they maintain their original identity without being further processed into products commonly designated by other names. Forest products, such as lumber, wood, naval stores and mineral products, whether processed or unprocessed, shall not be deemed to be agricultural commodities.

(12) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(13) "Replacement cost" shall be the net price paid by the seller after June 18, 1942, or the net price which the seller would have to pay to replace such commodity after such date.

(14) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) for the purpose of section 3 of this general maximum price regulation a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) for the purpose of sections 9 and 11 of this general maximum price regulation a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency or any of the foregoing.

(15) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that (i) for the purposes of section 3 of this general maximum price regulation a sale at wholesale shall include any sale by such person to an industrial or commercial user and (ii) "sold at wholesale" refers to a sale, by any person, of fluid milk or cream in bottles or paper container, ice cream mix whose butterfat content is reduced to not less than 8% included in 14% or more (by weight) of milk solids, and ice cream to any person, including an industrial or commercial user, other than the ultimate consumer.

(16) "Securities" includes any note, stock, bond, and interest or instrument commonly known as a "security."

(17) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly. Nothing in this general maximum price regulation shall be construed to prohibit the making of a contract to sell a commodity at a price not to exceed the maximum price at the time of delivery or supply.

(18) "Seller" includes a seller of any commodity. Where a seller at retail makes sales through more than one selling unit, other than salesmen making sales at uniform prices, each such separate place of business of the seller shall be deemed to be a separate seller. Where a seller other than at retail makes sales through more than one selling unit, all selling units whose prices for most of the commodities they sell have customarily been determined centrally by the same office, shall be deemed to be a single seller; but where a seller has by charging different prices for a commodity at his selling units estab-

[1] 7 F.R. 4779, 8 F.R. 970

[2] 7 F.R. 8961, 8 F.R. 3313, 3533.

lished different classes of purchasers, he will have different maximum prices for the different selling units. For the purposes of section 16 of this general maximum price regulation, the owner of a business shall be considered the seller regardless of the number of separate places of business he owns.

(19) "Flour" means the flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soybeans and potatoes. Combinations of flours produced from the said commodities, and bleached, bromated, enriched, phosphated and self-rising flours shall be considered flour. Flour from wheat shall mean:

(i) Any product of the milling of wheat, other than durum wheat, whose ash content is not more than 1.20th of the protein calculated to a moisture-free basis plus .35 except that farina shall not be deemed to be flour from wheat.

(ii) Any product of the milling of durum wheat, whose ash content calculated to a moisture-free basis, is not more than 1.5 per cent, except that semolina shall not be deemed to be a flour from wheat.

(iii) Whole wheat flour.

(iv) Whole durum wheat flour.

(v) Blends of the foregoing flours from wheat.

(vi) In determining whether the ash content of bleached, bromated, enriched, phosphated and self-rising flours complies with the above ash requirements, allowances shall be made for the increase in the ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self-rising ingredients.

(20) "Cake mixes" and "Flour mixes" means combinations of flour or flours with any other ingredients except those used in making bleached, bromated, enriched, phosphated and self-rising flours.

(21) "Packaged" as applied to "cake mixes" and "flour mixes" means packaged for sale at retail in a container of any holding three pounds or less, where the packaging has been done before arrival at the point of retail sale.

(22) "Ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. "Ore concentrates" means any ore, as defined above, after the removal of a part of the gangue, or a part of the non-metallic elements, either by a physical or chemical process.

(23) "Precious stones" means any ruby, sapphire, emerald, natural pearl, or any diamond (other than an industrial diamond) weighing more than 1.00 carat, or any semi-precious stone after sale by the cutter, when the cutter has received more than $100 for the sale of the stone. Synthetic stones and cultured pearls shall not be deemed "precious stones". If two or more diamonds (other than industrial diamonds) with an aggregate weight of 1.50 carats are set in one mounting, the diamonds shall be deemed precious.

Article VII—Other Price Regulations, Applicability, Effective Date

SEC. 21 *Effect of other price regulations.* (a) Sections 13, 14, 15, and 16 of this general maximum price regulation shall apply but the other provisions of this general maximum price regulation shall not apply to any sale or delivery for which a maximum price is in effect, at the time of such sale or delivery, under the provisions of any other price regulation issued, or which may be issued, by the Office of Price Administration, unless otherwise provided in any such price regulation. This general maximum price regulation supersedes the applicable provisions of General Order No. 49.

SEC. 22 *Applicability.* (a) The provisions of this general maximum price regulation shall be applicable to the Territory of Hawaii unless otherwise provided herein.

SEC. 23 *Effective date.* This general maximum price regulation shall become effective on June 18, 1942.

APPENDIX A—COMMODITIES DESIGNATED BY THE PRICE ADMINISTRATOR AS COST-OF-LIVING COMMODITIES

(NOTE: For the commodity classifications marked by asterisks, maximum prices may be posted by price-lines at the place in the business establishment where the commodities are offered for sale, provided that, in addition, the selling price of each commodity in such classification shall be marked on the commodity itself. See Section 13 of this General Maximum Price Regulation.)

TOBACCO, DRUGS, TOILETRIES, AND SUNDRIES

(All brands, grades, and sizes, except where otherwise indicated)

Tobacco:
- Cigarettes.
- Smoking tobacco, in cans and packages.

Packaged household drugs:
- Aspirin tablets.
- Milk of magnesia, liquid.
- Cod liver oil, liquid.
- Epsom salts.
- Boric acid.
- Castor oil and mineral oil.
- Witch-hazel and rubbing alcohol.

Toiletries and sundries:
- Hand and toilet soaps.
- Dentifrices (paste, powder, and liquid).
- Shaving cream.
- Toothbrushes.
- Sanitary napkins.
- Razor blades.
- Facial tissues.

Infants' food: All types.

Ice cream: Bulk and packaged.

APPAREL AND YARD GOODS

Men's and boys' clothing:
- Suits, business and sport.*
- Overcoats, topcoats, and raincoats, business and sport.*
- Trousers and slacks, dress, sport, and wash.*
- Men's shirts, other than formal.*
- Pajamas and nightshirts, cotton, wool, and part wool.*
- Shorts, cotton.
- Undershirts, cotton knit.
- Union suits.
- Hosiery, other than pure silk and pure wool.*
- Felt hats.*
- Work shirts.
- Work pants.
- Overalls and coveralls.
- Sweaters.
- Mackinaws.*
- Jackets, boys' only.*
- Men's work gloves.
- Boys' gloves and mittens.
- Boys' blouses and shirts.

Men's and boys' clothing—Continued.
- Boys' snow suits.*

Infants' clothing:
- Diapers.
- Dresses, other than silk.
- Shirts.
- Binders.
- Sleeping garments.
- Coats, cotton, wool, part wool.
- Snow suits.
- Sweaters.
- Sunsuits (cotton only).

Women's and girls' clothing:
- Coats, untrimmed and fur-trimmed, sport and dress.*
- Suits.*
- Dresses, street and house.*
- Hosiery, including anklets.*
- Panties and slips.*
- Foundation garments and brassieres.*
- Women's gloves, children's gloves and mittens.*
- Skirts.
- Blouses and shirts, tailor, rayon or cotton.*
- Sweaters.
- Children's jackets.*
- Nightgowns and pajamas, other than silk.*
- Robes and house coats, flannel and cotton.*
- Children's overalls, slacks, sunsuits and shorts (cotton only).*
- Children's snow suits.*

Yard goods:
- Cotton yard goods.
- Rayon yard goods.
- Wool and mixtures of wool.

Footwear:
- Street, work dress, and sport shoes for men, women, and children.*
- Infants' shoes.
- Rubber footwear.

FOOD AND HOUSEHOLD SUNDRIES

(Meat)

Fresh beef:
- Rib roast.
- Chuck steak.
- Top round steak.
- Rump roast.
- Chuck roast.
- Beef liver.
- Ground round steak.

Pork:
- Loin whole roast.
- Rib end roast.
- Loin end roast.
- Best center cut chops.
- Bacon.
- Ham, whole, half, or sliced.
- Salt pork.

Other meat products:
- Cooked or smoked ham.
- Frankfurters.

(Canned Fruits, Vegetables, and Juices)
- Canned peaches.
- Canned pears.
- Canned pineapples.
- Canned corn.
- Canned peas.
- Canned tomatoes.
- Canned pork and beans.
- Canned green beans, cut.
- Canned tomato juice.
- Canned grapefruit juice.
- Canned pineapple juice.

OTHER GROCERIES AND HOUSEHOLD SUNDRIES
- Canned salmon.
- Canned vegetable soup.
- Canned tomato soup.
- Packaged flour mixes (cake, pancake, biscuit mixes only).
- Macaroni and spaghetti, dried, bulk, and packaged.
- Rolled oats, bulk and packaged.
- Corn flakes.
- Bread, all types.
- Soda crackers.
- Fresh milk and cream.
- Lard, bulk and print.
- Vegetable shortening.
- Sugar, all types, packaged and bulk.
- Coffee.
- Cocoa.
- Table salt.
- Corn meal, bulk or packaged.
- Rice, bulk or packaged.
- Toilet paper.
- Soaps (bar, flakes, powder, chips, granular, and cleansing powders).
- Paper napkins.

HOUSEHOLD FURNITURE, APPLIANCES, AND FURNISHINGS

Appliances and equipment:
- Radios and phonographs.
- Vacuum cleaners and carpet sweepers.
- Refrigerators and iceboxes.
- Washing machines.
- Sewing machines.
- Stoves and ranges.
- Small appliances: irons, toasters, glass coffee makers, and mixers.
- Floor lamps and bridge lamps.
- Light bulbs.
- Ironing boards.
- Step-on cans.
- Floor brooms.
- China and pottery tableware, in sets.
- Cooking utensils (10-quart pail, 2-quart saucepan, 5-quart teakettle).

Furniture:
- All living room, dining room and bed room suites (sets or individual pieces).
- Kitchen tables and chairs.
- Studio couches and sofa beds.
- Mattresses.
- Bedsprings.

Furnishings:
- Rugs and carpets, size 6 by 9 feet and larger.
- Linoleum.
- Felt base floor coverings.
- Bed sheets and sheeting, cotton.*
- Towels, cotton bathroom and kitchen.*
- Blankets and comforts.*
- House curtains.*
- Bed spreads, cotton.*
- Tablecloths and napkins, plain and print (cotton only).*
- Window shades.

HARDWARE, AGRICULTURAL SUPPLIES, MISCELLANEOUS
- Hayforks.
- Garden and lawn rakes.
- Dirt shovels.
- Axes, single bit.
- Claw Hammers.
- Handsaws.
- Inside and outside house paints (ready mixed).
- Fertilizer, bulk and packaged.
- Insecticides.
- Bicycles, adult sizes.
- Bicycle tires.
- Flashlights.

ICE AND FUEL AND AUTOMOTIVE
- Ice.
- Coke.
- Coal (hard and soft).
- Charcoal.
- Firewood.
- Kerosene.
- Fuel oil.
- Gasoline.
- Oil.
- Tires and inner tubes.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6175; Filed, April 20, 1943; 4:08 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3076.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 374]

JEWELRY AND CERTAIN OTHER ARTICLES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1418.153 *Maximum prices for jewelry and certain other articles in the Territory of Hawaii.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250, Maximum Price Regulation No. 374 (Jewelry and Certain Other Articles in the Territory of Hawaii), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1418.153 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION No. 374—JEWELRY AND CERTAIN OTHER ARTICLES IN THE TERRITORY OF HAWAII

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Appendix A

Article I—Prohibitions and Scope of Regulation

SEC. 1 *Prohibition against selling and buying at higher than maximum prices.* On and after April 20, 1943, regardless of any contract or obligation, no person is permitted to sell or deliver at wholesale or at retail any article listed or described in Appendix A at a price which is higher than the applicable maximum price established by this regulation, and no person, in the course of trade or business, is permitted to buy or receive any such article from a wholesaler or retailer at a price which is higher than that maximum price. The maximum prices established by this regulation are applicable whether the sale is for cash or for credit. In no case shall the maximum price for the sale of any article at wholesale or retail exceed the maximum price permitted by the provisions of the General Maximum Price Regulation for Hawaii.

SEC. 2 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 374, may be charged, demanded, paid or offered.

SEC. 3. *To what transactions, products and persons this ceiling applies*—(a) *What commodities are covered.* This regulation applies only to the articles listed or described in Appendix A of this regulation.

(b) *What transactions are covered.* This regulation applies only to sales at wholesale or at retail of the articles listed or described in Appendix A of this regulation.

(c) *Geographical applicability of this regulation.* This regulation applies only to sales and purchases in the Territory of Hawaii of the articles listed or described in Appendix A of this regulation.

(d) *Effect upon the General Maximum Price Regulation for Hawaii and other maximum price regulations.* The provisions of this regulation supersede the provisions of Maximum Price Regulation No. 27, as issued by the Office of the Military Governor, Territory of Hawaii, General Order No. 49,[1] and of all other maximum price regulations issued by the Office of Price Administration, except as hereinafter provided, with respect to sales and purchases in the Territory of Hawaii of the articles listed or described in Appendix A of this regulation.

Article II—Maximum Prices and Terms of Sale

SEC. 4 *Maximum price for sales at wholesale.* (a) The maximum price for sales at wholesale of any article listed or described in Appendix A shall be a price $1\frac{1}{3}$ times the manufacturer's selling price.

(b) *Examples.* (1) A wholesaler in Honolulu buys a birthstone ring from a mainland manufacturer for $30.00, which is the manufacturer's selling price, as that term is defined in this regulation. It costs the wholesaler 30¢ to bring the ring from the mainland to Honolulu. The wholesaler shall compute his maximum price in the following manner: $30.30 \times 1\frac{1}{3} = \$40.40$. The resulting figure, $40.40, is his maximum price.

(2) A wholesaler in Honolulu buys a birthstone ring from a mainland wholesaler for $35.00. It costs the wholesaler 30¢ to bring the ring from the mainland to Honolulu. The manufacturer's selling price to the mainland wholesaler was $30.00. The Honolulu wholesaler shall compute his maximum price in the following manner: $30.30 x $1\frac{1}{3} = \$40.40$. The resulting figure, $40.40, is his maximum price.

(c) *Statement by wholesaler of manufacturer's selling price.* Every person making a sale at wholesale of an article listed or described in Appendix A, shall give his buyer a written statement, set forth in the invoice or otherwise, stating the manufacturer's selling price on that article.

[1] 8 F.R. 3076.

If the wholesaler, in the event he did not purchase the article from the manufacturer, shall receive from his seller a written statement stating the manufacturer's selling price and if he has no knowledge of the manufacturer's selling price and no cause to doubt the accuracy of his seller's statement, he may use the price set forth in his seller's statement for the purpose of making his written statement to his buyer.

SEC. 5. *Maximum prices for sales at retail.* The basis upon which the maximum retail price shall be computed depends upon whether the particular article being priced was in the inventory of the retailer as of November 9, 1942, and whether the retailer purchased the article from the manufacturer or from a wholesaler. No article shall be deemed to be in the inventory of the retailer as of November 9, 1942, unless the article was actually delivered to the retailer prior to November 9, 1942. An article shall be deemed to have been delivered to the retailer prior to November 9, 1942, if, prior to November 9, 1942, it was received by the retailer or by any carrier for shipment to the retailer, or was deposited in the mails addressed to the retailer.

(a) *Articles in inventory as of November 9, 1942*—(1) *Articles which retailer purchased from wholesaler.* (i) The maximum price for any article in the inventory of the retailer as of November 9, 1942, which the retailer purchased from a wholesaler shall be a price 1.75 times the net cost of the article to the retailer.

(ii) *Example.* A retailer had a gold bracelet in his inventory as of November 9, 1942, which he purchased from a wholesaler, the net cost of which to him was $64.00. The retailer shall compute his maximum price in the following manner: $64×1.75=112. The resulting figure, $112.00, is his maximum price.

(2) *Articles which retailer purchased from manufacturer.* (i) The maximum price for any article in the inventory of the retailer as of November 9, 1942, which the retailer purchased from the manufacturer shall be a price two times the net cost of the article to the retailer.

(ii) *Example.* A retailer had a sterling silver cigarette case in his inventory as of November 9, 1942, which he purchased from the manufacturer, the net cost of which to him was $10.60. The retailer shall compute his maximum price in the following manner: $10.60×2=$21.20. The resulting figure, $21.20, is his maximum price.

(b) *Articles not in inventory as of November 9, 1942.* (1) The maximum price for any article not in the inventory of the retailer as of November 9, 1942, shall be a price (i) 2 times the net cost of the article to the retailer, or (ii) 2⅓ times the manufacturer's selling price, whichever is lower.

(2) *Examples.* (i) A Honolulu retailer buys a birthstone ring from a Honolulu wholesaler after November 9, 1942, for $40.00. The wholesaler gives the retailer the required written statement to the effect that the manufacturer's selling price was $30.00. The retailer shall compute his maximum price in the following manner. He shall first compute what his maximum price would be if he used twice his net cost as his basis, $40.×2=$80. The resulting figure, $80.00, would be his maximum price on this basis. He shall then compute what his maximum price would be if he used 2⅓ times the manufacturer's selling price as his basis, $30.×2⅓=$70. The resulting figure, $70.00, would be his maximum price on this basis. The retailer must take the lower of these two figures, $70.00, as his maximum price.

(ii) A retailer in Honolulu buys a birthstone ring after November 9, 1942, from the mainland manufacturer for $30.00, which is the manufacturer's selling price as that term is defined in this regulation. It costs the retailer 30¢ to bring the ring from the mainland to Honolulu, making the net cost to him $30.30. Since in every case in which a retailer buys directly from a manufacturer, twice his net cost will yield a price less than 2⅓ times the manufacturer's selling price, the retailer shall compute his maximum price on the basis of his net cost, in the following manner, $30.30×2=$60.60. The resulting figure, $60.60, is his maximum price.

(c) *Effect of wholesaler's statement of manufacturer's selling price.* If a retailer, in the event he did not purchase the article being priced from the manufacturer, shall receive from his seller a written statement, set forth in the invoice or otherwise, stating the manufacturer's selling price and if he has no knowledge of the manufacturer's selling price and no cause to doubt the accuracy of his seller's statement, he may use the price set forth in his seller's statement as the manufacturer's selling price for the purpose of applying section 5 (b) of this regulation.

SEC. 6 *Maximum prices for sales of second-hand watches.* (a) The provisions of section 1, section 4, section 5, section 13 and section 14 of this Maximum Price Regulation No. 374 shall not apply to sales of second-hand watches.

(b) For the purposes of this regulation, a second-hand watch is any watch which is not new and includes second-hand and rebuilt watches.

(c) On and after March 3, 1943, no person shall sell or deliver at retail any second-hand watch at a price which is higher than the applicable maximum price established by this regulation.

(d) The maximum retail price for any second-hand watch having a cylinder or pin lever movement shall be $1.00. The maximum retail price for any second-hand watch having a lever escapement movement and of a make appearing in subparagraph (1) hereof shall be the price set forth in subparagraph (2) hereof, corresponding to the type, movement and case of such watch.

(1) Hamilton, Elgin, Bulova, Waltham, Gruen, Vacheron-Constantin, Tavannes, Jules Jurgensen, Howard, Illinois, Glycine, Longines, Muvado, Rolex, Mido, Matthy-Tissot, Girard-Perregaux, Omega, Harvel, Eterna, Benrus, LeCoultre, Wyler, Patek-Phillipe

(2) *Maximum prices:*

Men's wrist watches

Number of jewels in movement	Solid gold case	Gold filled or rolled gold plate case	Chrome base in case
7–9	$18.00	$12.50	$
15	20.00	15.00	
17	32.50	20.00	
19	37.50	25.00	
21	40.00	27.50	

Pocket watches

7–9	23.00	12.50	
15	27.50	15.00	
17	42.50	20.00	
19	47.50	25.00	
21	50.00	27.50	

Ladies' wrist watches

7–9	15.00	12.50	
15	17.50	15.00	
17	22.50	20.00	
19	25.00	22.50	
21	30.00	27.50	

16‑watches which will pass Railroad inspection

	65.00	45.00	

For the purposes of this section a watch which will pass railroad inspection means a watch which (1) is size 16 or larger, (2) has a movement containing more jewels, (3) has a stem wind, (4) is lever set, (5) is adjusted to five or more positions, and (6) does not vary more than thirty seconds for any period of thirty days.

(e) The maximum price at retail for any watch with a lever escapement movement of a make not listed in subparagraph (1) of paragraph (d) shall be 66⅔% of the applicable price set forth in subparagraph (2) of paragraph (d).

(f) Any second-hand watch sold or offered for sale must be tagged with a tag which is prominently and distinctly marked "used". Any person selling any such watch must tell the purchaser or prospective purchaser thereof that the watch is not a new watch and must give the purchaser a sales slip upon which it distinctly appears that the watch sold is a second-hand watch.

SEC. 7 *Maximum price for retail sales of articles listed in Appendix A, which are of special design.* (a) The maximum price of sales at retail of any article of special design shall be the maximum price permitted by section 5 hereof; *Provided, however,* That in the event the maximum price permitted by the provisions of the General Maximum Price Regulation for Hawaii is higher than the maximum price permitted under section 5 hereof, such higher maximum price may be permitted upon the compliance by the seller with the provisions of subparagraph (b) of this section and the subsequent approval of this Office.

(b) Any seller at retail who desires to establish the higher maximum price mentioned in paragraph (a) hereof as his maximum price for any article of special design, shall file with the Office of Price Administration a statement showing the name of the designer of the article, the name of the manufacturer, the type of article, the numbers of such articles being made, all costs, the maximum price for such article established by section 5 of this regulation, the requested maximum price, and that the seller is the only person offering such article or articles for sale.

SEC. 8 *Maximum charges for altering or engraving any article listed or described in Appendix A.* Any person who makes sales at retail of any article listed or described in Appendix A, and who alters or engraves the article at the request, and to the specifications, of the buyer, may make a charge and receive payment therefor, in addition to the maximum price established by this regulation; *Provided,* That, (a) the buyer is charged separately for such service, and (b) the charge for such service does not exceed the maximum charge that would be permitted under the provisions of Maximum Price Regulation No. 165,[2] as amended.

SEC. 9 *Application for approval of prices for nationally advertised articles.* Application may be made for approval of a price for an article listed in Appendix A which is nationally advertised by the manufacturer thereof, who also requires that such article be sold at the prices established by such manufacturer. The applicant must set forth:

(a) A description of the article.

(b) Proof that such article is nationally advertised by the manufacturer.

(c) Proof that the manufacturer established prior to November 9, 1942 a uniform resale price for the type of sale of this article made by applicant (wholesale or retail), and that the manufacturer required prior to November 9, 1942 that this article be sold at this price for such type of sale.

(d) Proof that the applicant customarily sold this article prior to November 9, 1942 at the price (1) established prior to November 9, 1942 by the manufacturer for the type of sale made by the applicant and (2) at which the manufacturer required prior to November 9, 1942 that this article be sold for such type of sale.

(e) Proof that the price as to which approval is requested is the price (1) presently established by the manufacturer for the type of sale to be made by applicant, and (2) at which the manufacturer presently requires that this article be sold for such type of sale.

(f) A description of the services, if any, rendered by applicant in connection with the sale of such article prior to November 9, 1942.

(g) A statement whether applicant customarily made an additional charge for such services prior to November 9, 1942, or whether such services were included in the selling price of the article.

(h) A description of the terms of the guarantee, if any, given by applicant in connection with the sale of such article prior to November 9, 1942.

(i) A statement whether applicant made an additional charge for such guarantee or whether such guarantee was included in the selling price of the article.

[2] 7 F.R. 4734, 5028, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1960 3324, 4782.

SEC. 10 *Evasive practices.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, any of the articles which must be priced under this regulation, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement, combination sale, or other trade understanding, or otherwise.

Article III—Miscellaneous

SEC. 11 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 374 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1;[3] *Provided, however,* That any such petition shall be filed with the Director of the Office of Price Administration for the Territory of Hawaii, Honolulu, T. H.

SEC. 12 *Applications for adjustment.* (a) Any seller or group of sellers may apply for adjustment of a maximum price of a commodity established for him or them by this Maximum Price Regulation No. 374, or any order issued hereunder, when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) Except as otherwise provided in this section 12, all applications for adjustment shall be filed in accordance with Procedural Regulation No. 7: '*Provided, however,* That the action to be taken thereunder by the Regional Administrator may be taken in like manner by the Director of the Office of Price Administration for the Territory of Hawaii.

SEC. 13 *Records and reports*—(a) *Required of wholesaler*—(1) *Purchase records.* Every person making sales at wholesale of any article listed or described in Appendix A shall keep, and make available for examination by this Office, for not less than one year after sale of such article, complete and accurate records of each purchase of each such article showing: (i) the date of receipt, (ii) the name and address of the vendor, (iii) the price paid, and (iv) the manufacturer's selling price. If the wholesaler did not purchase the article from the manufacturer but is relying upon his vendor's written statement of the manufacturer's selling price, he shall keep such statement, and make it available for examination by the Office of Price Administration for not less than one year after sale of such article. The wholesaler shall likewise keep, and make available for examination by the Office of Price Administration for not less than one year after sale of an article his purchase invoice covering that article.

(2) *Sales records.* Every person making sales at wholesale of any article listed, or described in Appendix A shall invoice each sale of each such article. The original invoice shall be delivered to the buyer and shall state: (i) the date of delivery, (ii) the name and address of the buyer, (iii) the price charged and (iv) if the wholesaler has not given his buyer a separate written statement of the manufacturer's selling price, the manufacturer's selling price. The wholesaler shall likewise keep, and make available for examination by this Office, for not less than one year after sale of such article, a copy of the invoice covering that article required to be furnished by him under this section 13 (a) (2).

(b) *Required of retailer*—(1) *Purchase records.* Every person making sales at retail of any article listed or described in Appendix A, shall keep and make available for examination by this Office for not less than one year after sale of such article, complete and accurate records of each purchase of each such article showing: (i) the date of receipt, (ii) the name and address of the vendor, (iii) the net cost of the article to the retailer and, (iv) if the article was not in the inventory of the retailer as of November 9, 1942, the manufacturer's selling price. If the retailer did not purchase the article from the manufacturer but is relying upon his wholesaler's written statement of the manufacturer's selling price, he shall keep such statement and make it available for examination by this Office for not less than one year after sale of such article. The retailer shall likewise keep and make available for examination by this Office for not less than one year after sale of an article, his purchase invoice covering that article.

(2) *Sales records*—(i) *Sales slips and receipts.* Any retailer who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any retailer, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the retailer, a description of the article sold, and the price received for it.

(ii) *Other records.* Every retailer shall keep, and make available for examination by the Office of Price Administration, for not less than one year after sale of any article listed or described in Appendix A, records of the same kind as he has customarily kept, relating to the prices charged for such article and, in addition, records showing as precisely as possible, the basis upon which he de-

[3] 7 F.R. 8961, 8 F.R. 3313, 3533.

[4] 7 F.R. 4779, 8 F.R. 970.

termined the maximum price for such article.

SEC. 14 *Posting of prices.* Every person offering to sell at retail any article listed or described in Appendix A, shall mark the selling price of such article in a manner plainly visible to, and understandable by, the purchasing public; and a sign stating "Each article in this case is sold at our ceiling price or less" must be placed upon each counter, shelf, rack, or other container where the merchandise is offered for sale.

SEC. 15 *Licensing.* (a) Every person selling at wholesale or at retail any article listed or described in Appendix A, is by this regulation granted a license as a condition of selling any such article. Such license shall be effective on the effective date of this regulation or when any such person becomes subject to the provisions of this regulation and shall, unless suspended by this Office, remain in effect as long as this regulation remains in effect.

(b) This Office may suspend the license of any person selling at wholesale or at retail any article listed or described in Appendix A, if such person shall (1) violate any provision of this regulation or of any other price regulation which has been or may be issued by the Office of Price Administration, or (2) fail to keep the records required to be kept by this regulation or by any other price regulation which has been or may be issued by the Office of Price Administration.

SEC. 16 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 374 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest office of the Office of Price Administration.

SEC. 17 *Federal and territorial taxes.* If, at the time the seller determines his maximum price under the provisions of this regulation, the statute of the United States or the Territory of Hawaii imposing any tax upon, or incident to, the sale or delivery of any article listed or described in Appendix A, does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount as part of the manufacturer's selling price or his net cost in computing his maximum price.

SEC. 18 *Definitions.* (a) "Articles commonly or commercially known as jewelry" shall include all articles designed to be worn on the person or apparel for the purpose of adornment and which in accordance with custom or ordinary usage are worn so as to be displayed.

(b) "Precious stones" means:

(1) Any of the following stones weighing more than one karat: ruby, sapphire, emerald, natural pearl; or

(2) Any loose or unset diamond (other than industrial diamond) regardless of weight; or

(3) Any set diamond (other than industrial diamond), weighing more than one karat; or

(4) Two or more diamonds (other than industrial diamonds) with an aggregate weight of 1.50 karats and set in one mounting; or

(5) Any loose or unset jade; or

(6) Any stone, including those above named, after sale by the cutter or importer when the cutter or importer has received more than $100.00 (one hundred dollars) for the sale of the stone.

Synthetic stones and cultured pearls will not be deemed "precious stones".

(c) "Precious metals and imitations thereof" includes platinum, gold, silver and other metals of similar or greater value and platings and alloys of such metals.

(d) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer.

(e) "Sale at retail" means a sale to an ultimate consumer.

(f) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it, plus transportation costs, including marine and war risk insurance and storage charges incident to delays in shipment, and less all discounts and all allowances allowed the buyer; *Provided, however,* That cash discounts up to 2% shall not be subtracted in determining such manufacturer's selling price.

In the case of an article manufactured outside the United States, its territories and possessions, the importer shall be deemed to be the manufacturer for the purpose of determining the "manufacturer's selling price".

(g) "Net cost" means the amount the buyer paid for the article delivered at his place of business (including transportation costs, marine and war risk insurance, and storage charges incident to delays in shipment, if such expenses are actually incurred by the buyer) less all discounts and allowances, except cash discounts up to 2% allowed the buyer.

(h) "Maximum price" means the maximum price established by this regulation adjusted to the nearest nickel: *Provided, however,* That the maximum price may, at the option of the seller, be deemed to be the nearest half dollar lower than the maximum price computed and adjusted as provided above.

(i) *Antiques.* Antiques are articles which are old, are commonly known and dealt in as antiques by the trade, and are purchased primarily because of their authenticity, age, rarity or style, rather than for utility.

(j) *Articles of special design.* Articles of special design are those in which the original design was conceived and executed by the seller and manufactured for him to sell as an exclusive and individual item. Articles produced in the course of business on a mass or semi-mass basis will not be deemed articles of special design.

Appendix A

(a) *List of articles which must be priced under this regulation.* All articles commonly or commercially known as jewelry, whether real or imitation; such as rings; bracelets; earrings; chains, singly or with lockets or with crosses; key chains, cuff buttons and cuff links; bead, shell or seed leis and chokers; brooches, clips and pins; necklaces and lavaliers.

All articles made of, or ornamented, mounted or fitted with, precious metals or imitations thereof; such as wallets; book ends; ash trays; fountain pens and pencils; combs, brushes and fittings; umbrellas; walking sticks; glassware; china; pottery; purses and handbags with frames, snaps, catches, buckles or clips, made of, ornamented, mounted or fitted with, precious metals or imitations thereof.

Watches and clocks.

All metal service insignia, including gold and silver braid.

Cigarette boxes, cases and lighters.

Compacts.

Identification tags.

Lauhala bags.

Mesh bags.

Photograph frames.

Vanity cases.

Binoculars; field, marine and opera glasses.

(b) *List of articles exempted from this regulation.* (1) Sterling silver or silver plate flatware or hollow ware.

(2) Precious stones.

(3) Antiques.

Effective Date

This regulation shall become effective April 20, 1943.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6180; Filed, April 20, 1943; 4:03 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,[1] Amendment 4]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 305 is amended in the following respects:

1. Section 1351.1754 is amended to read as follows:

§ 1351.1754 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products shall be $2.77 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products shall be $2.81 per hundredweight at the basing point of Kansas City, Missouri.

2. Section 1351.1764 is amended to read as follows:

§ 1351.1764 *Export sales.* The maximum price at which a person may export corn products shall be determined in accordance with the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

3. § 1351.1766 (a), the word "hominy" appearing immediately after the words "corn grits" is hereby deleted.

4. Section 1351.1776 (c) is hereby revoked.

This amendment shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6201; Filed, April 21, 1943; 11:58 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amendment 1]

PASSENGER AUTOMOBILES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 2B is amended in the following respect:

1. Section 1.2 is amended to read as follows:

Section 1.2 *The rationing of 1942 passenger cars with a list price of $2500 and over and 1941 passenger cars which have been driven less than 1000 miles.* ("List Price" whenever used in this order means the list price provided for in OPA Revised Price Schedule No. 85[2] and amendments thereto.) This section applies only to 1942 passenger cars with a list price of $2500 and over and to all 1941 passenger cars which have been driven less than 1000 miles. The only other references in this order applying to 1941 cars are found in Article IV.

(a) No person shall transfer or acquire (or offer to transfer or acquire) for the purpose of use a 1941 passenger car which has been driven less than 1000 miles, except as permitted by this section.

(b) Any 1942 passenger car with a list price of $2500 or over, or any 1941 passenger car which has been driven less than 1000 miles may be transferred to a person for use in carrying on either a gainful occupation or work contributing to the war effort or to the public welfare. Before any of such cars may be transferred, the transferee and the transferor shall make and sign the following statement, indicating the purposes for which the car will be used:

(Statement of buyer and seller)

I, _____, hereby certify to
(Print name of buyer)
the Office of Price Administration that I am acquiring the following described passenger car for the following purposes_____
(Describe the gainful occupation or work contributing to the war effort or to the public welfare for which you will use this car.)

Description of car

Make_____ Serial No. _____
Year model_____ Engine No. _____
Body type_____

_____
(Buyer's signature)
_____
(Print buyer's address)
_____
(Date)

I, _____, hereby certify to the
(Print name of seller)
Office of Price Administration that I am transferring the above described car to _____, and that to the best
(Print name of buyer)
of my knowledge his statement is true and correct in every respect.

_____
(Seller's signature)
_____
(Print seller's address)
_____
(Date)

(c) The signed statement shall be mailed by the transferor to the Office of Price Administration, Washington, D. C., within 5 days from the date that he signed it.

(d) If the conditions of this section have been satisfied, the Office of Price Administration in Washington, D. C. will issue to the transferee of a 1942 passenger car which has a list price of $2,500 or over a clearance statement permitting him to register the car. A 1941 passenger car transferred under this section may be registered without authorization from the Office of Price Administration.

(e) A person who acquires a car under this section is not required to secure a certificate or other authorization from this Board.

This amendment shall become effective April 27, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir 1, 7 F.R. 562, Supp. Dir. 1A, 7 F.R. 698, 1493, 2229, 2729, Supp. Dir. 1A, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 21st day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6202; Filed, April 21, 1943; 11:59 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2483.

[2] 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 1450, 2040, 3213.

[1] 8 F.R. 1063, 2501, 3178, 3705.

*Copies may be obtained from the Office of Price Administration.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 336,[1] Amendment 2]

RETAIL CEILING PRICES FOR PORK CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4 of Maximum Price Regulation No. 336 is amended by adding at the end thereof the following:

The port cuts listed in the "O. P. A. List of Ceiling Prices for Pork Cuts" are defined in Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts. If O. P. A. allows any person to make a different cut, you will receive notice when you buy that cut of the ceiling price you may charge for it at retail.

This amendment shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6203; Filed, April 21, 1943; 12:00 m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 6,[1] Amendment 10]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 6 is amended in the following respect:

1. Section 1404.2 (1) is amended by inserting after the phrase "excluding all men's and boys' rubber boots and rubber work shoes below size six" the following: "all olive drab, clay or khaki colored above-the-knee height boots."

This amendment shall become effective April 21, 1943

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 421 and 729, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 526 and Supp. Dir. 1-N, 7 F.R 7730; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6204; Filed, April 21, 1943; 12:00 m.]

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[1] 8 F.R. 2859, 4253.

[2] 7 F.R. 7748, 7967, 8363, 8809, 9084, 9736, 10581, 10781; 8 F.R. 548, 1892.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,[1] Amendment 55]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.109a (a) shall be amended to read as follows:

(a) Each owner of a registering unit which includes or is composed of one or more wholesale establishments, more than one retail establishment or a single retail establishment whose gross sales of all meats, groceries, fruits, vegetables and similar products during December 1942, or during any single calendar month since December 1942, were over $2,500.00, shall open at least one account for all the component establishments of such registering unit.

2. Section 1407.109a (b) is revoked.

3. Section 1407.109a (f) is added to read as follows:

(f) An account which serves a registering unit composed of a single retail establishment for which a ration bank account is not required by paragraph (a) of this section, shall be closed on or before July 3, 1943.

This amendment shall become effective April 27, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2709; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6206; Filed, April 21, 1943; 12:00 m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12,* Amendment 30]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

1. Section 1407.992 (a) (2) is amended to read as follows:

(2) A single retail establishment whose gross sales of all meats, groceries, fruits, vegetables and similar products made from such establishment during December 1942, or during any single calendar month since December 1942, were more than $2,500.00; or

2. Section 1407.992 (b) is revoked;

3. Section 1407.992 (f) is added to read as follows:

(f) An account which serves a retail establishment for which a bank account is not required by this section shall be closed on or before July 3, 1943.

This amendment shall become effective April 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6205; Filed, April 21, 1943; 12:00 m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 15]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

Section 7.5 (c) is added to read as follows:

(c) The word establishment, as it is used in this order, covers the operation at a place, as well as the place itself. Where a person such as a wholesaler or a retailer does not operate from any fixed place, his wholesale or retail operations as a whole are regarded as an establishment. Similarly, if a person who deals in processed foods and makes sales or transfers of them does not actually keep processed foods at any particular place, his operations as a whole, are regarded as his establishment, and he may register as a wholesaler or a retailer, depending on the class of persons to whom he makes transfers.

This amendment shall become effective April 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6208; Filed, April 21, 1943; 11:59 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 2 to Rev. Supp. 1[2]]

PROCESSED FOODS

Revised Supplement No. 1 to Ration Order 13 is amended in the following respect:

Section 1407.1102 (e) is added to read as follows:

(e) The following are the periods referred to in §§ 2.4 (b) and 9.4 (e) of Ration Order 13, during which blue stamps may be used by consumers:

(1) Stamps lettered G, H, and J may be used from April 24 to May 31, 1943 inclusive.

This amendment shall become effective April 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6207; Filed, April 21, 1943; 12:00 m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 12]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 4.11 (a) is amended to read as follows:

(a) *Registration.* Every primary distributor must register with the Office of Price Administration A primary distributor who is required to report on OPA Form R-1606 must register by filing an additional copy of his first report, along with that report. A primary distributor who is required to report on OPA Form R-1609 is considered to be registered when he files his first report.

2. Section 4.11 (b) is amended by inserting, between the fourth and fifth sentences of that paragraph, the following sentence: However, reports due in May, 1943, may be filed on or before May 31, 1943.

This amendment shall become effective April 27, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6209; Filed, April 21, 1943; 11:59 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[Rev. MPR 13, Amendment 4]

DOUGLAS FIR PLYWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Item I of § 1413.4 (a) is amended to read as follows:

Item 1 The maximum carload f. o. b. mill price for direct mill sales.

This amendment shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6210; Filed, April 21, 1943; 12:00 m.]

PART 1499—COMMODITIES AND SERVICES

[Order 412 Under § 1499.3 (b) of GMPR]

WILBUR-SUCHARD CHOCOLATE COMPANY INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1899 *Authorization of maximum prices for "Dri-Syrup" manufactured by Wilbur-Suchard Chocolate Company, Inc., Lititz, Pennsylvania.* (a) On and after April 22, 1943, the maximum delivered prices for "Dri-Syrup", manufactured by Wilbur-Suchard Chocolate Company, Inc., shall be as set forth below:

One pound cartons—12 cartons per case—$2.40 per case.

One-half pound cartons—12 cartons per case—$1.38 per case.

One-quarter pound cartons—24 cartons per case—$1.56 per case.

(b) This order may be revoked or amended by the Administrator, at any time.

(c) This Order No. 412 (§ 1499.1899) shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6211; Filed, April 21, 1943; 11:58 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4616, 5193, 5361, 6084, 6478, 6628, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10536, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1249, 2026, 2153, 2432, 2483, 2675, 2758, 3176, 3180, 3522, 4484, 4510, 4644.

[2] 8 F.R. 340, 3843, 4486, 4519, 4892.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4784, 4726.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4901

[2] 8 F.R. 3349, 4892

[1] 8 F.R. 3591, 3715, 3949, 4137, 4250, 4423, 4784, 4893.

[1] 8 F.R. 3955, 3958, 3959, 3960, 4261, 4792.

[2] Filed as part of the original document. Copies may be obtained from the Petroleum Administration for War, Interior Building, Washington, D. C., or Subway Terminal Building, Los Angeles, Calif. Ref.: Supp. Order 4 to PAO 11.

Chapter XIII—Petroleum Administration for War

[PAO 11, Supp. Order 4 as Amended April 19, 1943[1]]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

DRILLING OF NEW WELLS

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

§ 1515.10 *Supplementary Order No. 4 to Petroleum Administrative Order No. 11.*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11 or by the provisions of any exception issued pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, the provisions of this order shall, to the extent provided herein, be applicable to production operations in the fields and pools of the State of California specified in Exhibit A,[2] but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11 shall apply in this order. In addition:

(1) "Designated area" means the pools specified in Exhibit A of this order.

(2) "New well" means an oil well spudded subsequent to April 22, 1943.

(3) "Rework" means to perforate, plug back, deepen, redrill, clean out or otherwise rework an existing well in that pool from which such well is producing or last produced but excluding redrilling from a point more than 500 feet above such pool.

(c) *New well drilled in the designated area.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material to drill, complete, equip, and connect any new well in the designated area: *Provided,* That:

(1) Such well is drilled to and completed in a pool specified in Columns Nos. 3 and 4 of Exhibit A of this order opposite the name of the field in which such pool is located; and

(2) Such well is not drilled to a vertical depth greater than the depth specified in Column No. 5 of Exhibit A of this order opposite the name of the pool to which such well is drilled; and

(3) Such well is not completed in more than one pool; and

(4) Such well is drilled, with respect to the pool in which it is to be completed, in conformity with the uniform well-spacing provisions contained in paragraph (d) of this order, of at least the size prescribed for such pool in Column No. 6 of Exhibit A: *Provided,* That where no uniform well-spacing is prescribed in Column No. 6 of Exhibit A for a pool, the provisions of paragraph (c) of this order shall not extend to such pool; and

(5) All separate property interests in the drilling unit on which such well is drilled are first consolidated with each other; and

(6) The direct linear distance between any two points which are farthest removed from each other on the drilling unit upon which such well is drilled does not exceed the length of the diagonal of a rectangle, the length of which is twice its width and which is equivalent in surface acreage to such drilling unit; and

(7) If such well is intentionally deviated from the vertical:

(i) The surface location of such well shall be deemed to be the point at which the vertical projection of the bottom of the well bore intersects the surface, and

(ii) Two copies of a true and correct subsurface directional survey of its well bore shall be filed with the District Director of Production, District No. Five within 30 days after the completion of such well.

(d) *Uniform well-spacing.*—(1) *Uniform 5 acre well-spacing.* Each new well drilled pursuant to paragraph (c) of this order shall conform to "uniform 5 acre well-spacing" only where:

(i) With respect to the pool to which such well is drilled:

(*a*) Such well is drilled on a drilling unit of not less than 5 surface acres, no portion of which is attributable to or falls within 200 feet of any other drilling or producible oil well located on the same lease or property; and

(*b*) Such well is drilled at least 400 feet from every other drilling or producible oil well; and

(*c*) Such well is drilled at least 200 feet from every lease line, property line, or subdivision line which separates unconsolidated property interests.

(2) *Uniform 10 acre well-spacing.* Each new well drilled pursuant to paragraph (c) of this order shall conform to "uniform 10 acre well-spacing" only where:

(i) With respect to the pool to which such well is drilled,

(*a*) Such well is drilled on a drilling unit of not less than ten surface acres, no portion of which is attributable to or falls within 250 feet of any other drilling or producible oil well located on the same lease or property; and

(*b*) Such well is drilled at least 500 feet from every other drilling or producible oil well; and

(*c*) Such well is drilled at least 300 feet from every lease line, property line or subdivision line which separates unconsolidated property interests.

(3) *Uniform 20 acre well-spacing.* Each new well drilled pursuant to paragraph (c) of this order shall conform to "uniform 20 acre well-spacing" only where:

(i) With respect to the pool to which such well is drilled:

(*a*) Such well is drilled on a drilling unit of not less than 20 surface acres, no portion of which is attributable to or falls within 300 feet of any other drilling or producible oil well located on the same lease or property; and

(*b*) Such well is drilled at least 890 feet from every other drilling or producible oil well; and

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The following action being deemed

DEPARTMENT OF AGRICULTURE.

(c) Such well is drilled at least 300 feet from every lease line, property line or subdivision line which separates unconsolidated property interests.

(4) *Uniform 40 acre well-spacing.* Each new well drilled pursuant to paragraph (c) of this order shall conform to "uniform 40 acre well-spacing" only where:

(i) With respect to the pool to which such well is drilled:

(*a*) Such well is drilled on a drilling unit of not less than 40 surface acres, no portion of which is attributable to or falls within 300 feet of any other drilling or producible oil well located on the same lease or property; and

(*b*) Such well is drilled at least 990 feet from every other drilling or producible oil well; and

(*c*) Such well is drilled at least 300 feet from every lease line, property line, or subdivision line which separates unconsolidated property interests.

(*e*) *Computation of attributable acreage.* (1) The acreage attributable to any well spudded on or before December 23, 1941, shall be determined by assigning to such well an acreage equivalent to that in the existing well density or well-spacing contiguous to such well, but not greater than that provided in Exhibit A for a new well to the same pool in which such well is completed.

(2) The acreage attributable to any well spudded subsequent to December 23, 1941, shall be the same as the drilling unit assigned to such well pursuant to Conservation Order M-68, any Supplementary M-68 Order, any exception issued pursuant to a determination under Conservation Order M-68, or pursuant to Petroleum Administrative Order No. 11, any order issued as a supplement to Petroleum Administrative Order No. 11, or any exception issued in response to an application filed as provided by paragraph (j) of this order, whichever is applicable.

(f) *Rework of well in the designated area.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material to rework (but not to deepen or plug-back from one pool to another) any oil well in the designated area: *Provided*, That with respect to the productive acreage within the pool in which such well is completed, the number of wells on any single lease or tract which are reworked subsequent to the date of this order does not at any time exceed the average well density specified in Column No. 7 of Exhibit A opposite the name of the pool in which such well is completed: *Provided further*, That where no well density is prescribed in Column No. 7 of Exhibit A for a pool, the provisions of this paragraph (f) shall not extend to such pool.

(g) *Restrictions on new wells in pools designated "E" in Column No. 6 of Exhibit A.* Notwithstanding the provisions of paragraphs (c) (6) and (c) (7) of Petroleum Administrative Order No. 11, no person shall accept delivery of, acquire, or use material to drill, complete, equip, or connect any new well in any pool in the designated area which is marked "E" in Column No. 6 of Exhibit A opposite such pool except in conformity with an exception issued by the Petroleum Administration for War in response to an application filed as provided by paragraph (j) of this order.

(h) *Restriction on exposing more than one pool in same well-bore.* Notwithstanding the provisions of paragraphs (c) (6), (c) (7), and (c) (9) of Petroleum Administrative Order No. 11 or the provisions of this order, no person shall accept delivery of, acquire, or use material to complete or recomplete any well in the State of California in more than one pool except in conformity with an exception issued by the Petroleum Administration for War in response to an application filed as provided by paragraph (j) of this order.

(i) *Installation of pumping or other artificial lifting equipment.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11 and subject to the provisions contained in paragraph (f) thereof, any person may accept delivery of, acquire, or use material for pumping or other artificial lifting equipment to be installed on any oil well in the designated area: *Provided*, That the number of wells on any lease or tract to which pumping or other artificial lifting equipment is attached does not at any time with respect to the productive acreage within the pool in which such well is completed exceed the average well density specified in Column No. 8 of Exhibit A opposite the name of such pool: *Provided, further*, That where no well density is prescribed in Column No. 8 of Exhibit A for a pool, the provisions of this paragraph (i) shall not extend to such pool.

(j) *Filing of application for exceptions.* All copies of application for exceptions pursuant to paragraphs (c) (10) and (g) of Petroleum Administrative Order No. 11 covering a production operation within PAW District No. 5 together with the information required thereby shall be addressed to:

(1) The District Director of Production, District No. 5 where a crude oil operation including pressure maintenance, repressuring, and secondary recovery operations; or

(2) The District Director of Natural Gas and Natural Gasoline, District No. 5, for a natural gas, natural gasoline or condensate operation.

The application and information shall be filed in triplicate with the Petroleum Administration for War, Subway Terminal Building, Los Angeles, California, Ref: PAO 11.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(l) This order shall be effective on and after April 22, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of April 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-6185; Filed, April 21, 1943; 10:39 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service

PART 11—FOREIGN QUARANTINE

APPLICATION OF CERTAIN LAWS AND REGULATIONS TO CIVIL AVIATION

NOTE: For the text of the amendments to this part see Title 19—Customs Duties, Part 4—Air Commerce Regulations, *supra*.

Notices

WAR DEPARTMENT.

[Public Proclamation 17]

ARMY PERSONNEL OF JAPANESE ANCESTRY ON WEST COAST

SUSPENSION OF RESTRICTIONS

APRIL 19, 1943.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

To the people within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah and Arizona, and the public generally:

Whereas it appears desirable in the national interest to revise the restrictions governing the entry and movement of persons of Japanese ancestry within certain military areas of Western Defense Command as specified below, to permit such persons who are members of the Army of the United States on active duty or who have been inducted and are in uniform on furlough or leave, to enter and travel within Military Area No. 1 and that portion of Military Area No. 2 lying within the State of California while on such furlough or leave:

Now, therefore, I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War, and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare and proclaim that:

All terms and conditions of Public Proclamations, Civilian Exclusion Orders and Civilian Restrictive Orders, this headquarters, heretofore issued, governing the presence, entry and movements of persons of Japanese ancestry within said military areas of Western Defense Command are suspended in said military areas as to persons of Japanese ancestry who are members of the Army of the United States on active duty or who have been inducted and are in uniform while on furlough or leave.

J. L. DEWITT,
Lieutenant General, U. S. Army, Commanding.

[F. R. Doc. 43-6184; Filed, April 21, 1943; 10:28 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1915]

SUNLIGHT COAL COMPANY

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

In the matter of tax petition of District Board 11 for the establishment of temporary price classifications and minimum prices for the coals produced at a new pit operation at the Sunlight No. 11 Mine of the Sunlight Coal Company, a code member in District No. 11.

On March 22, 1943, an original petition was filed, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by District Board 11, requesting the establishment of temporary price classifications and minimum prices for coals to be produced for shipment by both rail and truck from a new pit operation at the Sunlight No. 11 Mine, of the Sunlight Coal Company, Mine Index No. 87, located in District No. 11.

The District Board alleges that the new pit at the Sunlight No. 11 Mine is located in Warrick County in the Boonville Subdistrict of District No. 11, approximately a mile from the present operations of Sunlight No. 11 Mine; that the coal to be mined from said pit is identified as "Millersburg Vein" which is thought to be similar to the Standard Fifth Vein coals now mined in the same vicinity; and that the tipple and loading facilities at the Sunlight No. 11 Mine, located at Boonville, Indiana, on the Southern Railway will be utilized for the production from this pit. The District Board further alleges that it is unable at the present time to make a thorough investigation of the seam of coal to be mined at this pit and hence requests that temporary price classifications and minimum prices be established so that the Sunlight Coal Company may ship coals produced from the new pit at such temporary price classifications and minimum prices until such time as permanent price classifications and minimum prices may be established.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That pending further order, temporary relief is granted as follows: Commencing forthwith, the Schedules of Effective Minimum Prices for District No. 11 for all shipments except truck, and for truck shipments are supplemented to include the price classifications and minimum prices set forth in the schedules marked Supplement R and Supplement T, annexed hereto and made a part hereof.[1]

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6190; Filed, April 21, 1943; 11:17 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[General Memorandum 57]

ALLOCATION OF FUNDS FOR LOANS

APRIL 8, 1943.

The allocation specified below was made by Executive Order under the Emergency Relief Appropriation Act of 1935. It is now desired to change the allocation designation in accordance with the provisions of the amendment to General Order No. 84, dated August 15, 1941, the loan made to the Loup River Public Power District having been assumed by the Cornhusker Rural Public Power District. However, inasmuch as Executive Orders cannot be amended by Administrative Order, such allocation designation should for the purposes of our records be deemed to be changed as follows:

Project designation	Date of executive order	Amount of allocation	Amount of allocation advanced	New project designation
Nebraska 6026A1 Loup River District Public. (Allocated as Nebraska 26 Platte, changed by General Memorandum No. 49 dated Aug. 28, 1940.)	Apr. 25, 1936.....	$391,000.00	----------	Nebraska 81 Cornhusker District Public (Nebraska 6026A1 Loup River District Public).
	Reduction by General Memorandum No. 50, dated Dec. 10, 1940.	16,084.82	----------	
		$374,915.18	$374,915.18	

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc 43-6195; Filed, April 21, 1943; 11:27 a. m.]

[Administrative Order 753]

ALLOCATION OF FUNDS FOR LOANS

APRIL 1, 1943.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Colorado 3-1034C1 Eagle----------	$175,000
Kansas 3-1028B1 Norton----------	10,000
Minnesota 3-2062C2 Wright------	50,000
Missouri 3-1043C1 Laclede-------	216,000
Virginia 3-1035G1 Madison------	45,000
Washington 3-1042A1 Clallam District Public----------	120,000
Washington 3-1042G1 Clallam District Public----------	63,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-6196; Filed, April 21, 1943; 11:27 a. m.]

[1] Not filed as part of the original document.

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-20]

COORDINATED OPERATION BETWEEN POINTS IN MISSOURI

BYERS TRANSPORTATION COMPANY, INC.
CHURCHILL TRUCK LINES, INCORPORATED

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of property in less-than-truckload lots between points in Missouri, filed with the Office of Defense Transportation by Byers Transportation Company, Inc., Kansas City, Missouri, and Churchill Truck Lines, Incorporated, Meadville, Missouri, as governed by § 501.9 of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), and

It appearing that such coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies, and to assure the maximum utilization of such transportation equipment, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. Byers Transportation Company,

8. Each of the carriers forthwith shall

way, to Freer, Texas (except when either

present war shall have been duly pro-

amended, and Executive Order No. 9250,
It is ordered:

For the reasons set forth in an opinion issued simultaneously herewith and filed

1. Byers Transportation Company, Inc. shall:

(a) Discontinue the transportation of less-than-truckload shipments between Meadville, Missouri, and Bevier, Browning, Bucklin, Callao, Galt, Harris, Laclede, Laredo, Lemons, Linneus, Lucerne, Marceline, Milan, Newtown, New Cambria, Osgood, Pollock, Powersville, Purdin, Reger, Unionville, and Wheeling, Missouri and shall divert to Churchill Truck Lines, Incorporated, at Meadville, Missouri, all less-than-truckload shipments destined to such other points; and

(b) Accept from Churchill Truck Lines, Incorporated, at Meadville, Missouri, all shipments diverted to it pursuant hereto.

2 Churchill Truck Lines, Incorporated shall:

(a) Discontinue the transportation beyond Meadville of all less-than-truckload shipments originating at points named in paragraph one hereof and destined to St. Louis, Missouri, or routed through that gateway, and shall divert all such shipments to Byers Transportation Company, Inc., at Meadville, Missouri; and

(b) Accept from Byers Transportation Company, Inc., at Meadville, Missouri, all shipments diverted to it pursuant hereto.

3. The carrier to whom a shipment has been diverted shall forward such shipment pursuant to the lawfully applicable rates, charges, rules and regulations of the carrier issuing the bill of lading.

4. Byers Transportation Company, Inc. shall discontinue the use of a separate terminal at Meadville, Missouri; and the carriers shall use jointly the terminal now used by Churchill Truck Lines, Incorporated at that point.

5. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

6. The records of the carriers shall be available for examination and inspection at all reasonable times by a representative of the Office of Defense Transportation.

7. The provisions of this order shall not be so construed or applied as to require either carrier named herein to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any shipper. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

8. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

9. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

10. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised—20", and should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

11. This Supplementary Order ODT 3, Revised—20, shall become effective April 28, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1943.

JOSEPH B. EASTMAN,
Director of the Office of Defense Transportation.

[F. R. Doc. 43-6194; Filed, April 21, 1943; 11:14 a. m.]

[Supplementary Order ODT 3, Revised-21]

COORDINATED OPERATION BETWEEN ALICE AND FREER, TEXAS

BROWN EXPRESS, ET AL.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of property from Alice, Texas, to Freer, Texas, filed with the Office of Defense Transportation by Brown Express, a corporation, of San Antonio, Texas, Alamo Freight Lines, Inc., a corporation, of San Antonio, Texas, J. H. Robinson Truck Lines, Incorporated, a corporation, of Corpus Christi, Texas, and Burdette A. Lay, doing business as (and hereinafter referred to as) Lay's Motor Freight Line, of Freer, Texas, as governed by § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), and

It appearing that such coordination is required in order to conserve and providently utilize materials and equipment, and to assure the maximum utilization of such materials and equipment, by reason whereof, *It is hereby ordered*, That:

1. Brown Express, Alamo Freight Lines, Inc. and J. H. Robinson Truck Lines, Incorporated, shall discontinue the transportation of shipments of property in less-than-truckload lots moving from Alice, Texas, or through that gateway, to Freer, Texas (except when either of such carriers shall have available a sufficient quantity of such shipments to load to capacity a vehicle, in which event it may perform such transportation); and shall divert such shipments to Lay's Motor Freight Line at Alice, Texas, for transportation from such point to Freer, Texas.

2. Lay's Motor Freight Line shall accept all shipments diverted to it at Alice, Texas, by Brown Express, Alamo Freight Lines, Inc. and J. H. Robinson Truck Lines, Incorporated, and shall transport such shipments over its route from Alice to Freer, Texas, pursuant to the lawful rates and the rules and regulations of the diverting carrier.

3. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by any appropriate State regulatory body or bodies, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

4. The provisions of this order shall not be so construed or applied as to require any carrier named herein to perform any service beyond its transportation capacity, or to permit any carrier to alter its legal liability to any shipper. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs, or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible but not prior to the effective date of this order.

6. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

7. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3, Revised-21".

This order shall become effective April 28, 1943, and shall remain in full force and effect until the termination of the

present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1943.

JOSEPH B. EASTMAN,
Director of the Office of Defense Transportation.

[F. R. Doc. 43-6193; Filed, April 21, 1943; 11:14 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 280 Under MPR 188]

MRS. S. H. GRAUTEN

APPROVAL OF MAXIMUM PRICE

Order No. 280 under § 1499.148 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of a maximum price for sales of a new bread slicer by Mrs. S. H. Grauten.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Mrs. S. H. Grauten, 1722 Harrison Street, Evanston, Illinois, may sell and deliver her new bread slicer manufactured by her at a price no higher than $.77 per unit.

(b) This Order No. 280 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 280 shall become effective on the 22d day of April, 1943.

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6212; Filed, April 21, 1943; 11:57 a. m.]

[Order 281 Under MPR 188]

HILO INSULATION CO.

APPROVAL OF MAXIMUM PRICE

Order No. 281 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of a maximum price for sales of a bread slicer by Hilo Insulation Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Hilo Insulation Company, 98 Massachusetts Avenue, Boston, Massachusetts, may sell and deliver its new bread slicer described in its application dated February 22, 1943, at a price no higher than $.42.

(b) This Order No. 281 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 281 shall become effective on the 22d day of April 1943.

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6213; Filed, April 21, 1943; 11:58 a. m.]

[Order 282 Under MPR 188]

EMIL ROTTERSMAN

APPROVAL OF MAXIMUM PRICE

Order No. 282 under § 1499.148 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of a maximum price for sales of a bread slicer by Emil Rottersman.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Emil Rottersman, 700 South 18th Street, St. Louis, Missouri, may sell and deliver his new bread slicer described in an application dated February 27, 1943, at a price no higher than $.80.

(b) This Order No. 282 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 282 shall become effective on the 22d day of April 1943.

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6214; Filed, April 21, 1943; 11:58 a. m.]

[Order 283 Under MPR 188]

ANNETTE RUGS

APPROVAL OF MAXIMUM PRICE

Order No. 283 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sale by Mrs. A. O. Fullerton of an oval braided rug.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Mrs. A. O. Fullerton, doing business as Annette Rugs, Hendersonville, North Carolina, may sell and deliver to retail dealers the oval cotton braided rug, known as "Annette" at prices f. o. b. Hendersonville, North Carolina, no higher than those set forth below:

Size:	*Maximum price*
20" x 32"	$0.90
22" x 40"	$1.25

These prices are subject to discounts for cash of 5% or 4/10 60 X.

(b) This Order No. 283 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 283 shall become effective April 22d. 1943.

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F.R. Doc. 43-6216, Filed, April 21, 1943, 11:57 a. m.]

[Order 1 Under MPR 241]

FRAZER & JONES COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1 under § 1421.107 (a) of Maximum Price Regulation 241—Malleable Iron Castings; Docket No. 3241-1.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for malleable iron castings sold by Frazer & Jones Company. (a) On and after January 18, 1943, Frazer & Jones Company, 3000 Milton Avenue, Solvay, New York, is hereby authorized to sell, offer to sell and deliver, and any person is authorized to buy, offer to buy and receive from said Company, malleable iron castings at prices not in excess of said Company's applicable maximum prices under Maximum Price Regulation 241, plus 12% of said maximum prices before the addition of charges, if any, for transportation.

(b) *It is further ordered*, That Frazer & Jones Company shall (1) revise any contracts which it has entered into at prices in excess of those permitted by this order in accordance with the terms of this order, (2) refund to its purchasers any payments made on malleable iron castings delivered on and after January 18, 1943, which are in excess of the maximum prices permitted by this order and (3) file a statement with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., within 60 days after the effective date of this order, to the effect that any such contracts were reduced in accordance with

the terms of this order, and wherever required, refunds were made.

(c) The permission granted in paragraph (a) of this order to Frazer & Jones Company is subject to the conditions specified in paragraph (b) herein and also to the following condition: Said Company shall submit to the Office of Price Administration, Washington, D. C., the following documents, all prepared in accordance with recognized accounting principles and submitted under oath or affirmation: (1) monthly profit and loss statements, said statements to be filed within thirty days following the close of each month beginning with the month of April 1943, (2) monthly profit and loss statements for the months of January, February and March 1943, said statements to be filed not later than April 31, 1943, (3) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the first calendar quarter of 1943, (4) the profit and loss statements filed pursuant to (1) and (2) of this paragraph (c) must show (i) gross sales, (ii) returns and allowances, (iii) net sales, (iv) manufacturing costs, segregating total labor costs, exclusive of general and administrative salaries, total metal costs, and total other manufacturing costs, (v) general and administrative expenses, segregating total compensation to owners, officers and directors, (vi) net profits before income and excess profits taxes, (vii) weight of good castings produced and weight of castings delivered, and (viii) all charges to operations representing accumulations of reserves: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data, or in the future does file such data on or before the time limits specified in this paragraph (c), on Form A—Annual Financial Report, or Form B—Interim Financial Report, issued by the Office of Price Administration.

(d) All prayers of the petition not granted herein are denied.

(e) Nothing in this Order No. 1 shall be taken as a waiver or a condonation of any violation of Maximum Price Regulation 241 by Frazer & Jones Company.

(f) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

This Order No. 1 shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6215; Filed, April 21, 1943; 11:57 a. m.]

[Order 15 Under MPR 244]

SAN FRANCISCO IRON FOUNDRY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 15 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-20.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administer by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by San Francisco Iron Foundry. (a) On and after the effective date of this order, San Francisco Iron Foundry, 260 Townsend Street, San Francisco, California, is hereby authorized to sell, offer to sell and deliver, and any person is authorized to buy, offer to buy and receive, gray iron castings at prices not in excess of San Francisco Iron Foundry's applicable maximum prices under Maximum Price Regulation 244, plus 4% of said maximum prices before the addition of charges, if any, for transportation.

(b) San Francisco Iron Foundry is hereby ordered to revise any contract which it has entered into at prices in excess of those permitted by this order in accordance with the terms of this order and to refund to its purchasers any payments made on gray iron castings delivered on and after December 21, 1942, which are in excess of the maximum prices permitted by this order. San Francisco Iron Foundry is hereby further ordered to file a statement with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., within 60 days after the effective date of this order, to the effect that any such contracts were reduced in accordance with the terms of this order, and wherever required, refunds were made.

(c) The permission granted in paragraph (a) of this order to the San Francisco Iron Foundry is subject to the condition that the requirements of paragraph (b) herein be observed, and also to the following condition: Said Company shall submit to the Office of Price Administration, Washington, D. C., on or before the last day of each month following the close of each quarter year beginning with the quarter ending March 31, 1943, the following documents signed under oath or affirmation and prepared in accordance with recognized accounting principles: (1) Profit and loss statements for the preceding quarter, (2) balance sheets as of the close of the preceding quarter, (3) the profit and loss statements filed pursuant to (1) of this paragraph (c) must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (c), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(d) All prayers of the petition not granted herein are denied.

(e) Nothing in this Order No. 15 shall be taken as a waiver or a condonation of any violation of Maximum Price Regulation 244 by San Francisco Iron Foundry.

(f) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

This Order No. 15 shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6218; Filed, April 21, 1943; 11:57 a. m.]

[Amendment 1 to Order 49, RPS 64]

COLUMBUS STOVE COMPANY

APPROVAL OF MAXIMUM PRICES

Amendment No. 1 to Order No. 49 under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

For the reasons set forth in an opinion, which is issued simultaneously herewith, and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, the text of paragraph (a) of Order No. 49 under Revised Price Schedule No. 64 is amended to read as follows:

(a) Columbus Stove Company, Columbus, Ohio, may sell, offer to sell, deliver or transfer its model designated as 37LIT, 37LI and 37I at prices no higher than those specified, (in less than carload lots):

Model 37LIT—insulated, with oven heat control and top lighter, $29.70 f. o. b. factory to dealers.

Model 37LI—insulated, with top lighter, $26.85 f. o. b. factory to dealers.

Model 37I—insulated only, $26.48 f. o. b. factory to dealers.

subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable model designated as 144 LIT when sold insulated with oven heat control and top lighter, as model 144 LI when sold insulated with top lighter, and as model 144I when sold insulated only, respectively, as established under Revised Price Schedule No. 64.

This Amendment No. 1 to Order No. 49 shall become effective on the 22d day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7th F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6217; Filed, April 21, 1943; 11:57 a. m.]

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[1] 7 F.R. 1329, 1838, 2000, 2132, 4464, 5872, 6221, 8948; 8 F.R. 1974, 4610.

FEDERAL REGISTER

VOLUME 8 NUMBER 80

Washington, Friday, April 23, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[Correction to Amendment 3 to FPO 5]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER

In the document appearing on page 4817 of the issue for Wednesday, April 14, 1943, amending § 1206.1, the effective date April 14, 1942, should be April 14, 1943.

Done at Washington, D. C., this 22d day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-6243; Filed, April 22, 1943; 11:24 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3303]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HYGIENIC CORPORATION OF AMERICA, ET AL.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Products:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., in commerce, of respondents' so-called feminine hygiene preparations and appliances now designated as "Protex-U" and "Surete" and consisting principally of douche powder, ointment, jelly, syringe, applicator, and vaginal diaphragm, whether sold together or separately, or any other similar preparation or appliance, and among other things, as in order set forth, representing, directly or by implication, that any of said preparations or appliances, whether used alone or in conjunction with any other of said preparations or appliances (1) will prevent conception; (2) possesses any therapeutic value in the treatment of delayed menstruation or any other ailment or disease peculiar to women; or (3) constitutes a competent or effective means or method for the destruction of germs in the female genital organs, or constitutes a competent or effective prophylactic; or representing (4) that respondents' appliances will fit all female anatomies; or representing (5) through failure to reveal that the use of the appliance designated by respondents as "Health Shield" (vaginal syringe) is not wholly safe, or representing through any other means or device, or in any other manner, that such appliance may be used with safety or without injurious effects; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Hygienic Corporation of America, et al., Docket 3303, April 15, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government connection:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or corporate business as association:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Non-profit character:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Personnel or staff:* § 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards — Government indorsement:* § 3.6 (l) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.18 *Claiming indorsements or testimonials falsely:* § 3.96 (b) *Using misleading name—Vendor—Individual or corporate business as association:* § 3.96 (b) *Using misleading name—Vendor—Non-profit character.* In connection with offer, etc., in commerce, of respondents' so-called feminine hygiene preparations and appliances now designated as "Protex-U" and "Surete" and consisting principally of douche powder, ointment, jelly, syringe, applicator, and vaginal diaphragm, whether sold to-

(Continued on next page)

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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FEDERAL REGISTER

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gether or separately, or any other similar preparation or appliance, and among other things, as in order set forth, (1) representing, directly or by implication, that the respondents or their business activities are connected in any way with, or that any of respondents' products is approved by, the United States Public Health Service or any public health service; (2) using the name "American Health Association", or "American Health Association of Washington, D. C.", or any other name of similar import or meaning, to designate or describe the respondents or their business; or (3) using the term "Nurse", or "Visiting Nurse", or any other term of similar import or meaning, to designate or describe respondents' solicitors or sales women; or otherwise representing, directly or by implication, that respondents' solicitors or saleswomen are nurses; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Hygienic Corporation of America, et al., Docket 3303, April 15, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1943.

In the Matter of Hygienic Corporation of America, Hygienic Company of America, Merrill-Saunders Company, Ltd., Corporations, and Harold L. DeBar, Individually and Trading as American Health Association of Washington, D. C., Women's Advisory Bureau, Women's Co-operative Service, Protex-U-Hygienic Service, American Bureau of Hygiene, and Surete Laboratories

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it, original and supplemental reports of the trial examiners upon the evidence, and original and supplemental briefs in support of the complaint (no brief having been filed on behalf of respondents and oral argument not having been requested); and the Commission having made its modified findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Hygienic Corporation of America, Hygienic Company of America, and Merrill-Saunders Company, Ltd., corporations, and their officers, and Harold L. DeBar, individually and trading as American Health Association of Washington, D. C., Women's Advisory Bureau, Women's Co-operative Service, Protex-U-Hygienic Service, American Bureau of Hygiene, and Surete Laboratories, or trading under any other name, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' so-called feminine hygiene preparations and appliances now designated as "Protex-U" and "Surete" and consisting principally of douche powder, ointment, jelly, syringe, applicator, and vaginal diaphragm, whether sold together or separately, or any other preparation composed of substantially similar ingredients or possessing substantially similar properties, or any other appliance possessing substantially similar characteristics, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Representing, directly or by implication, that any of said preparations or appliances, whether used alone or in conjunction with any other of said preparations or appliances, will prevent conception.

2. Representing, directly or by implication, that any of said preparations or appliances, whether used alone or in conjunction with any other of said preparations or appliances, possesses any therapeutic value in the treatment of delayed menstruation or any other ailment or disease peculiar to women.

3. Representing, directly or by implication, that any of said preparations or appliances, whether used alone or in conjunction with any other of said preparations or appliances, constitutes a competent or effective means or method for the destruction of germs in the female genital organs, or constitutes a competent or effective prophylactic.

4. Representing, directly or by implication, that respondents' appliances will fit all female anatomies.

5. Representing, through failure to reveal that the use of the appliance designated by respondents as "Health Shield" (vaginal syringe) is not wholly safe, or representing through any other means or device, or in any other manner, that such appliance may be used with safety or without injurious effects.

6. Representing, directly or by implication, that the respondents or their business activities are connected in any way with, or that any of respondents' products is approved by, the United States Public Health Service or any public health service.

7. Using the name "American Health Association," or "American Health Association of Washington, D. C.," or any other name of similar import or meaning, to designate or describe the respondents or their business.

8. Using the term "Nurse," or "Visiting Nurse," or any other term of similar import or meaning, to designate or describe respondents' solicitors or sales women; or otherwise representing, directly or by implication, that respondents' solicitors or saleswomen are nurses.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-6240; Filed, April 22, 1943; 10:20 a. m.]

TITLE 24—HOUSING CREDIT

Chapter 5—Federal Housing Administration

PART 501—CLASS 1 AND CLASS 2 PROPERTY IMPROVEMENT LOANS

PROVISION FOR PAYMENT

Amendment of § 501.3 of the regulations effective May 26, 1942, issued by the Federal Housing Commissioner in connection with property improvement loans under Title I of the National Housing Act as amended.

Part 501, § 501.3 of the regulations effective May 26, 1942, is hereby amended by adding a new paragraph (h) to read as follows:

(h) Loans made on and after April 20, 1943 and prior to September 1, 1943, the proceeds of which are used exclusively for (1) the conversion of heating equipment to the use of any other fuel, (2) the installation of loose-fill, blanket, or batt-type insulation, or insulating board, within existing structures, (3) the installation of storm doors, storm windows, or weather stripping, may provide for a first payment not later than November 1, 1943, unless a later first payment is permitted by section 3 of this regulation.

The amendments contained herein are hereby declared to have the same force and effect as if included in and made a part of each Contract of Insurance, and are effective April 20, 1943.

Issued at Washington, D. C., April 16, 1943.

[SEAL] ABNER H. FERGUSON, *Federal Housing Commissioner.*

[F. R. Doc. 43-6219; Filed, April 21, 1943; 3:15 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5263]

PART 3—INCOME TAX UNDER THE REVENUE ACT OF 1936

ADDITIONAL CREDITS FOR UNDISTRIBUTED PROFITS

In order to conform Regulations 94 [Part 3, Title 26, Code of Federal Regulations] to section 501 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding Article 14–1 [§ 3.14–1, Title 26, Code of Federal Regulations] the following:

SEC. 501. ADDITIONAL CREDITS FOR UNDISTRIBUTED PROFITS TAX. (Revenue Act of 1942, Title V.)

(a) *Amendments to the Revenue Act of 1936.* (1) Section 14 (a) (2) of the Revenue Act of 1936 (relating to definition of undistributed net income) is amended to read as follows:

(2) The term "undistributed net income" means the adjusted net income minus the sum of (A) the dividend paid credit provided in section 27, (B) the credit provided in section 26 (c) relating to restrictions on payment of dividends, (C) except in cases where section 26 (c) (1) is applicable, the deficit credit provided in section 26 (f), and (D) the redemption credit provided in section 26 (g).

* * * * *

(b) *Effective date of amendments.* The amendments made by subsection (a) shall be effective as of the date of the enactment of the Revenue Act of 1936.

* * * * *

PAR. 2. Article 14–1 [§ 3.14–1, Title 26, Code of Federal Regulations] is amended by striking from the third paragraph thereof "and (b) the credit provided in section 26 (c), relating to contracts restricting the payment of dividends (see article 26–2)" and inserting in lieu thereof the following:

(b) The credit provided in section 26 (c), relating to restrictions on payment of dividends (see article 26–2), (c) except where section 26 (c) (1) is applicable, the deficit credit provided in section 26 (f) (see article 26–4), and (d) the redemption credit provided in section 26 (g) (see article 26–5).

PAR. 3. There is inserted immediately preceding Article 26–1 [§ 3.26–1, Title 26, Code of Federal Regulations] the following:

SEC. 501. ADDITIONAL CREDITS FOR UNDISTRIBUTED PROFITS TAX. (Revenue Act of 1942, Title V.)

(a) *Amendments to the Revenue Act of 1936.* * * *

(2) Section 26 (c) of the Revenue Act of 1936 (relating to credits of corporations) is amended by amending the heading to read as follows: "(c) *Restrictions on payment of dividends.*—"; and by amending paragraph (3) to read as follows:

(3) *Deficit corporations.* In the case of a corporation having a deficit in accumulated earnings and profits as of the close of the preceding taxable year, the amount of such deficit, if the corporation is prohibited by a provision of a law or of an order of a public regulatory body from paying dividends during the existence of a deficit in accumulated earnings and profits, and if such provision was in effect prior to May 1, 1936.

(4) *Double credit not allowed.* If more than one of the credits provided in the foregoing paragraphs (1), (2), and (3) apply, then the paragraph which allows the greatest credit shall be applied; and, if the credit allowable under each paragraph is the same, only one of such paragraphs shall be applied.

(3) Section 26 of the Revenue Act of 1936 (relating to the credits of corporations) is amended by adding at the end thereof the following new subsections:

(f) *Deficit credit.* The amount by which the adjusted net income exceeds the sum of (1) the earnings and profits accumulated after February 28, 1913, as of the beginning of the taxable year, and (2) the earnings and profits of the taxable year (computed as of the close of the taxable year without diminution by reason of any distributions made during the taxable year). For the purposes of this subsection, earnings and profits of the taxable year shall be computed without diminution by the amount of the tax imposed under section 14, 102, 103, or 351 for such taxable year; and earnings and profits accumulated after February 28, 1913, as of the beginning of the taxable year, shall be diminished on account of the tax under section 14, 102, 103, or 351 for any previous taxable year only by the amount of such tax as computed under the amendments made by section 501 of the Revenue Act of 1942.

(g) *Stock redemption credit.* An amount equal to the portion of the recognized gain, realized within the taxable year and prior to March 3, 1956, from the sale or other disposition of a capital asset, which, pursuant to a contract, was distributed prior to such date to shareholders in redemption in whole or in part of preferred stock and which is not otherwise allowable as a credit under any other provision of this section or section 27.

(b) *Effective date of amendments.* The amendments made by subsection (a) shall be effective as of the date of the enactment of the Revenue Act of 1936

(c) *Overpayments.* If the refund or credit of any overpayment for any taxable year, to the extent resulting from the application of this section, is prevented on the date of the enactment of this Act or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than this subsection and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an income tax erroneously collected under the Revenue Act of 1936, if claim therefor is filed within one year from the date of the enactment of this Act.

PAR. 4. Article 26–2 [§ 3.26–2, Title 26, Code of Federal Regulations] is amended as follows:

(A) By changing the heading of the article to read as follows: "Credit in connection with restrictions on payment of dividends.—".

(B) By amending paragraph (a) to read as follows:

(a) The credit provided in section 26 (c) with respect to the restriction on the payment of dividends is not available under every contractual or statutory prohibition which might operate to restrict the payment of dividends, but only with respect to those provisions of a written contract, a law, or an order of a public regulatory body, as the case may be, which satisfies the conditions prescribed in the Act. The charter of a corporation does not constitute a written contract executed by the corporation within the meaning of section 26 (c). The restrictive provisions recognized by the Act are of three general types, as follows:

(1) Those which come within section 26 (c) (1), in that they prohibit or limit the payment of dividends during the taxable year;

ing a gain of $500,000 all of which is recog-

(3) *Computation of net operating loss de-*

1941 shall be reduced by the sum of the net

(2) Those which come within section 26 (c) (2), in that they require the payment, or irrevocable setting aside, within the taxable year, of a specified portion of the earnings and profits of the taxable year for the discharge of a debt incurred on or before April 30, 1936; and

(3) Those which come within section 26 (c) (3), in that they prohibit the distribution of dividends during the existence of a pre-existing deficit in earnings and profits.

If a corporation is restricted with respect to the payment of dividends by two or more contract provisions coming within section 26 (c) (1), only the largest of the credits computed with respect to each of such provisions, and not their sum, shall be allowable under section 26 (c) (1) and, for such purpose, if two or more credits are equal in amount, only one shall be taken into account. However, section 26 (c) (4) provides that if more than one of the credits provided in section 26 (c) (1), section 26 (c) (2) and section 26 (c) (3) apply, then the paragraph which allows the greatest credit shall be applied; and, if the credit allowable under each paragraph is the same, only one of such paragraphs shall be applied.

(C) By inserting a new paragraph (d) immediately after paragraph (c) to read as follows:

(d) *Deficit corporations.* Under the provisions of section 26 (c) (3), a corporation having a deficit in accumulated earnings and profits as of the close of the preceding taxable year is allowed as a credit the amount of such deficit to the extent that the corporation is prohibited by a provision of a law or of an order of a public regulatory body from paying dividends during the existence of a deficit in accumulated earnings and profits, and if such provision was in effect prior to May 1, 1936.

Whether such a deficit exists as of the close of the preceding taxable year is a question to be determined from the facts and circumstances of each particular case. In any such case the taxpayer must show how the deficit arose, whether from operating losses, capital distributions in excess of earnings and profits, or other causes. In addition the taxpayer must show, under a law or an order of a public regulatory body, the extent to which it could not legally have paid dividends during the existence of such deficit. A State law, for example, might permit the payment of a dividend from unrealized appreciation in value of assets even though the corporation had a deficit in accumulated earnings and profits. A deficit in accumulated earnings and profits can arise only out of the operation of the business at a loss and cannot be caused by distributions to shareholders in excess of the amount of accumulated earnings and profits. If distributions are made to shareholders out of accumulated earnings and profits, however, such distributions may contribute to the creation of a deficit by so exhausting the accumulated earnings and profits that they are incapable of absorbing a loss thereafter resulting from the business. Unrealized appreciation or depreciation in value of assets is not a factor in determining accumulated earnings and profits.

The application of the provisions of section 26 (c) (3) may be illustrated by the following examples:

Example (1). The M Corporation for the calendar year 1936 had an adjusted net income of $200,000 but had an actual deficit in accumulated earnings and profits as of December 31, 1935 of $20,000. By reason of a State law in effect prior to May 1, 1936, with respect to deficit corporations, the M Corporation was prohibited from paying dividends during the existence of such deficit. Under section 26 (c) (3), the M Corporation is allowed a credit of $20,000.

Example (2). Assume in the above example that the deficit in accumulated earnings and profits is $20,000 for income tax purposes, but the deficit on the corporation's books by reason of a prior capitalization of surplus in the course of a nontaxable reorganization amounts to $250,000. In this case, even though the State law might prevent the distribution of any dividends, the credit under section 26 (c) (3) is limited to $20,000, which is the deficit in accumulated earnings and profits for income tax purposes.

Example (3). If in the example (1) above there was, in addition to the deficit of $20,000, a contract executed prior to May 1, 1936 prohibiting the distribution of dividends in excess of $150,000, under section 26 (c) (1), the corporation would be entitled to a credit of $50,000 that being the amount of adjusted net income in excess of the amount which can be distributed as dividends without violating the contract. Since the credit of $50,000 allowable under section 26 (c) (1) is greater than the credit of $20,000 allowable under section 26 (c) (3), the former credit is the one to be used as provided by section 26 (c) (4).

PAR. 5. There is inserted immediately after article 26–3 [§ 3.26–3, Title 26, Code of Federal Regulations] the following:

ART. 26–4 [§ 3.26–4, Title 3, Code of Federal Regulations, 1943 Sup.] *Deficit credit.* Section 26 (f) is designed to be used particularly in those cases where the surtax on undistributed profits cannot be avoided because the corporation has adjusted net income but has no accumulated earnings and profits at the beginning of the year and no earnings and profits of the taxable year on account of certain unallowable deductions, such as capital losses. In such a case a credit is allowed in the amount by which the adjusted net income exceeds the sum of the earnings and profits, if any, accumulated after February 28, 1913 (as of the beginning of the taxable year) and those of the taxable year, computed as of the close of such year, without regard to distributions made during the year, or to the amount of the surtax on undistributed profits imposed under section 14, the graduated income tax or surtax imposed under section 102, the tax on citizens and corporations of certain foreign countries imposed under section 103, or the surtax on personal holding companies imposed under section 351, for the taxable year. In computing earnings and profits as of the beginning of the taxable year accumulated after February 28, 1913, the taxes just mentioned for any previous taxable year are to be deducted only as computed under the amendments provided by section 501 of the Revenue Act of 1942. If there is a deficit in the accumulated earnings and profits as of the beginning of the taxable year, or for the taxable year, such deficit shall not be taken into consideration in determining the credit allowable under section 26 (f), and in such a case the earnings and profits as of the beginning of the taxable year, or the earnings and profits of the taxable year, shall be considered as zero.

The application of the provisions of section 26 (f) may be illustrated by the following examples:

Example (1). The M Corporation on the accrual basis for the calendar year 1936 had a gross income of $300,000, miscellaneous deductions of $106,000, capital losses of $92,000 of which only $2,000 were deductible due to the provisions of section 117 (d), and a normal tax liability under section 13 of $28,840. Its adjusted net income was therefore $171,160 ($300,000, less $106,000 less $2,000 less $28,840) while its earnings and profits of the taxable year computed after deducting the normal tax imposed by section 13 for such year but without diminution by the amount of the tax imposed for such year by section 14, 102, 103 or 351, were $73,160 ($300,000 less $106,000 less $92,000 less $28,840). Assuming that the corporation had no accumulated earnings and profits as of December 31, 1935, it is allowed, in computing its undistributed net income subject to tax under section 14, a credit under section 26 (f) of $98,000, the amount by which the adjusted net income of $171,160 exceeds the earnings and profits of the taxable year.

Example (2). If in the above example there was a contract in existence prior to May 1, 1936, under which the M Corporation could not distribute dividends in excess of $150,000 during the calendar year 1936, section 26 (c) (1) is applicable and allows a credit of $98,000, namely, an amount equal to the excess of the adjusted net income, $171,160, over the aggregate of the amounts which can be distributed within the taxable year as dividends, $73,160. Accordingly, the credit allowable under section 26 (f) is inapplicable.

Example (3). Assume in example (1) that the M Corporation had a deficit of $20,000 in accumulated earnings and profits as of December 31, 1935, and that the State law prohibited dividend distributions during the existence of a deficit in accumulated earnings and profits. In addition to the deficit credit of $98,000 provided in section 26 (f), the M Corporation, under paragraph (3) of section 26 (c) is allowed a credit of $20,000, the amount of the deficit in accumulated earnings and profits as of December 31, 1935.

ART. 26–5 [§ 3.26–5, Title 3, Code of Federal Regulations, 1943 Sup.] *Stock redemption credit.* Under the provisions of section 26 (g) a credit is allowed in an amount equal to the portion of the recognized gain, realized in the taxable year and prior to March 3, 1936, from the sale or other disposition of a capital asset and which, pursuant to a contract, was distributed prior to March 3, 1936 to shareholders, in partial or complete redemption of preferred stock and which is not otherwise allowable as a credit under any other provision of section 26 or section 27.

The application of the provisions of section 26 (g) may be illustrated by the following example:

Example. The M Corporation sold a capital asset in February, 1936, for $1,030,000 realizing a gain of $500,000 all of which is recognized in computing net income. The sale was made pursuant to a contract which required that the proceeds would be used to retire certain preferred stock. Prior to March 3, 1936, and within the taxable year, the proceeds of such sale in the amount of $1,000,000 were used to retire such preferred stock. The M Corporation is allowed a stock redemption credit under section 26 (g) of $500,000, the amount of the recognized gain used in the retirement of such stock.

ART. 26–6 [§ 3.26–6, Title 3, Code of Federal Regulations, 1943 Sup.] *Overpayments.* If, as a result of the application of section 501 of the Revenue Act of 1942, relating to additional credits for undistributed profits tax for taxable years beginning after December 31, 1935, and prior to January 1, 1938, any overpayment is established or determined with respect to such tax for any such taxable years and a claim is filed within one year after October 21, 1942, for the credit or refund of such overpayment, and if, on October 21, 1942, or within one year thereafter, such credit or refund would otherwise be prevented, then notwithstanding any other provision of law or rule of law (other than section 501 (c) of the Revenue Act of 1942, and other than the following sections relating to compromises: section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938), such overpayment shall be refunded or credited in the same manner as in the case of an income tax erroneously collected under the Revenue Act of 1936.

(Sec. 62 of the Revenue Act of 1936 (49 Stat. 1673; 26 U.S.C. 62) and sec. 501 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: April 21, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

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[T.D. 5262]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

NET OPERATING LOSS DEDUCTION

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 105 (e) (3) and section 153 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.122–1 the following:

SEC. 105. TAX ON CORPORATIONS. (Revenue Act of 1942, Title I.)

* * * * * * *

(c) *Technical amendments made necessary by change in base for corporate tax*—

* * * * * *

(3) *Computation of net operating loss deduction.* Section 122 (relating to net operating loss) is amended as follows:

(A) Subsection (a) is amended to read as follows:

(a) *Definition of net operating loss.* As used in this section, the term "net operating loss" means the excess of the deductions allowed by this chapter over the gross income, with the exceptions, additions, and limitations provided in subsection (d).

(B) Subsection (c) is amended by striking out the parenthesis at the end thereof and inserting in lieu thereof the following: "and without the credit provided in section 26 (c)).

(C) Subsection (d) is amended by striking out "exceptions and limitations" and inserting in lieu thereof "exceptions, additions, and limitations" and by inserting at the end thereof the following new paragraph:

(6) There shall be allowed as a deduction the amount of tax imposed by Subchapter E of Chapter 2 paid or accrued within the taxable year, subject to the following rules—

(A) No reduction in such tax shall be made by reason of the credits for income, war-profits, or excess-profits taxes paid to any foreign country or possession of the United States;

(B) Such tax shall be computed without regard to the adjustments provided in section 734; and

(C) Such tax, in the case of a consolidated return for excess-profits tax purposes, shall be allocated to the members of the affiliated group under regulations prescribed by the Commissioner, with the approval of the Secretary.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 153. TWO-YEAR CARRY-BACK OF NET OPERATING LOSSES. (Revenue Act of 1942, Title I.)

(a) *Determination of carry-back.* Section 122 (b) (relating to the amount of the net operating loss carry-over), is amended to read as follows:

(b) *Amount of carry-back and carry-over*—

(1) *Net operating loss carry-back.* If for any taxable year beginning after December 31, 1941, the taxpayer has a net operating loss, such net operating loss shall be a net operating loss carry-back for each of the two preceding taxable years, except that the carry-back in the case of the first preceding taxable year shall be the excess, if any, of the amount of such net operating loss over the net income for the second preceding taxable year computed (A) with the exceptions, additions, and limitations provided in subsection (d) (1), (2), (4), and (6), and (B) by determining the net operating loss deduction for such second preceding taxable year without regard to such net operating loss.

(2) *Net operating loss carry-over.* If for any taxable year the taxpayer has a net operating loss, such net operating loss shall be a net operating loss carry-over for each of the two succeeding taxable years, except that the carry-over in the case of the second succeeding taxable year shall be the excess, if any, of the amount of such net operating loss over the net income for the intervening taxable year computed (A) with the exceptions, additions, and limitations provided in subsection (d) (1), (2), (4), and (6), and (B) by determining the net operating loss deduction for such intervening taxable year without regard to such net operating loss and without regard to any net operating loss carry-back. For the purposes of the preceding sentence, the net operating loss for any taxable year beginning after December 31, 1941 shall be reduced by the sum of the net income for each of the two preceding taxable years (computed for each such preceding taxable year with the exceptions, additions, and limitations provided in subsection (d) (1), (2), (4), and (6)), and computed by determining the net operating loss deduction without regard to such net operating loss or to the net operating loss for the succeeding taxable year).

(b) *Amount of net operating loss deduction.* Section 122 (c), relating to the amount of the net operating loss deduction, is amended by inserting in lieu of "amount of the net operating loss carry-over" the following: "aggregate of the net operating loss carry-overs and of the net operating carry-backs to the taxable year".

(c) Section 122 (e) is amended to read as follows:

(e) *No carry-back to year prior to 1941.* As used in this section, the term "preceding taxable year" and the term "preceding taxable years" do not include any taxable year beginning prior to January 1, 1941.

(d) *Limitation on interest on overpayment caused by a carry-back of loss or credit.* Section 3771 (relating to interest on overpayments) is amended by inserting at the end thereof the following:

(e) *Claims based on carry-back of loss or credit.* If the Commissioner determines that any part of an overpayment is attributable to the inclusion in computing the net operating loss deduction for the taxable year of any part of the net operating loss for a succeeding taxable year or to the inclusion in computing the unused excess profits credit adjustment for the taxable year of any part of the unused excess profits credit for a succeeding taxable year, no interest shall be allowed or paid with respect to such part of the overpayment for any period before the filing of a claim for credit or refund of such part of the overpayment or the filing of a petition with the Board, which ever is earlier.

(e) *Effective date.* The amendments made by this section shall be applicable only to taxable years beginning after December 31, 1940.

PAR. 2. Section 19.122–1 is amended as follows:

(A) By striking out the first two paragraphs of paragraph (a), and by inserting in lieu thereof the following:

Section 122 provides the rules for the computation of the net operating loss deduction allowed by section 23 (s). The net operating loss deduction is, for taxable years beginning before January 1, 1941, the net operating loss carry-over, and, for taxable years beginning on or after January 1, 1941, the aggregate of the net operating loss carry-overs and carry-backs to the taxable year, reduced in each case by certain adjustments to prevent the deduction of losses absorbed by income not taxed.

For taxable years beginning before January 1, 1941, the net operating loss carry-over which is the basis for determining the net operating loss deduction for such a taxable year is, in general, the sum of the net operating losses, if any, for the two preceding taxable years. If there is net income (computed as provided in section 122) in the first preceding taxable year, the net operating loss for the second preceding taxable year is reduced to the extent such loss has been absorbed by such net income. The net operating loss deduction is first available for a taxable year beginning

after December 31, 1939, and the first taxable year from which a net operating loss may be carried over is one beginning after December 31, 1938. Ordinarily, the carry-over to a taxable year beginning after December 31, 1939, and before January 1, 1941, will be only a one-year carry-over. The only exception is in the case of the intervention of more than one complete taxable period between December 31, 1938, and the beginning of such taxable year.

For taxable years beginning on or after January 1, 1941, section 122, as amended by the Revenue Act of 1942, provides that the aggregate of the net operating loss carry-overs and carry-backs to such a taxable year shall be the basis of the net operating loss deduction. For the purpose of determining such carry-overs, the net operating loss for any taxable year may be carried over to the two succeeding taxable years. If the taxable year began on or after January 1, 1942, the net operating loss for such taxable year may also be carried back to the two preceding taxable years, not considering as a preceding taxable year any year which began before January 1, 1941. The amount of the net operating loss which may be carried back or carried over to any taxable year is the net operating loss to the extent it was not absorbed by the net income for the other taxable years, preceding such taxable year, to which it was carried back or carried over. If the net operating losses for several taxable years are carried back or carried over to one taxable year, they are considered to be applied in reduction of the net income for such taxable year in the order of the taxable years from which such losses are carried over or carried back, beginning with the loss for the earliest taxable year. Therefore, the net operating loss carry-overs to a taxable year beginning on or after January 1, 1941, are the net operating loss for the first preceding taxable year and so much of the net operating loss for the second preceding taxable year as has not been absorbed by the net income (computed under section 122), if any, for the first preceding taxable year, and the net operating loss carry-backs to such a taxable year are the net operating loss for the second succeeding taxable year and so much of the net operating loss for the first succeeding taxable year as has not been absorbed by the net income (computed under section 122), if any, for the first preceding taxable year. If either of the taxable years preceding the taxable year for which the deduction is allowed began on or after January 1, 1942, the net operating loss for such preceding taxable year is first reduced to the extent it has been absorbed by the net income (computed under section 122), if any, for the taxable years in which such loss has been carried back.

A fractional part of a year which is a taxable year under section 48 (a) is a preceding or succeeding taxable year for the purpose of determining under section 122 the first, second, or third preceding taxable year or the first or second succeeding taxable year.

(B) By striking out the first word of the second sentence of paragraph (b), and by inserting in lieu thereof the following: "For taxable years beginning before January 1, 1941, the".

(C) By inserting at the end of paragraph (b) the following sentences:

For taxable years beginning on or after January 1, 1941, the first step is the computation of the net operating loss, if any, for the two preceding taxable years and for the two succeeding taxable years, not including as a succeeding taxable year a year which begins before January 1, 1942. The second is the computation of the net operating loss carry-overs to the taxable year from such preceding taxable years and the computation of the net operating loss carry-backs to the taxable year from such succeeding taxable years. The third is the conversion of the aggregate of such net operating loss carry-overs and carry-backs into the net operating loss deduction.

(D) By inserting at the end of such section the following new paragraph:

(c) *Ascertainment of deduction dependent upon net operating loss carry-back.* If, for any taxable year beginning on or after January 1, 1941, the taxpayer is entitled in computing his net operating loss deduction to a carry-back which he is not able to ascertain at the time his return is due, he shall compute the net operating loss deduction on the return without regard to such net operating loss carry-back. When the taxpayer ascertains the net operating loss carry-back, he may within the applicable period of limitations file a claim for credit or refund of the overpayment, if any, resulting from the failure to compute the net operating loss deduction for the taxable year with the inclusion of such carry-back. Under the provisions of section 3771 (e), as added by section 153 (d) of the Revenue Act of 1942, no interest is allowed with respect to any such overpayment for the period prior to the filing of the claim for credit or refund of such overpayment or prior to the filing of a petition with the Board of Tax Appeals asserting such overpayment, whichever is earlier. If the taxpayer files a claim based upon the overpayment caused by a carry-back from the first succeeding taxable year, and later ascertains that he is entitled to a carry-back from the second succeeding taxable year, he should file a second claim for credit or refund based on the overpayment, if any, caused by the failure to take into account the carry-back from such second succeeding taxable year.

PAR. 3. Section 19.122–2, as amended by Treasury Decision 5217, approved January 19, 1943, is further amended as follows:

(A) By inserting immediately following "exceptions" in the first sentence thereof the following: ", additions,".

(B) By striking out "and" at the end of subparagraph (3) of the first paragraph, and by striking out the period at the end of subparagraph (4) and inserting in lieu thereof "; and" and the following new subparagraph:

(5) For taxable years beginning after December 31, 1941, there shall be allowed as a deduction the amount of excess profits tax imposed by subchapter E of chapter 2 paid or accrued within the taxable year, subject, however, to the provisions of section 122 (d) (6) (A), (B), and (C).

PAR. 4. Section 19.122–4, as amended by Treasury Decision 5217, is further amended as follows:

(A) By inserting immediately before the period at the end of the heading thereof the following: "to taxable years beginning before January 1, 1941".

(B) By striking the first word of the first sentence, and by inserting in lieu thereof the following: 'For taxable years beginning before January 1, 1941 the".

(C) By inserting immediately after (3) of (a) the following sentence:

If a first, second, or third preceding taxable year is a taxable year which begins before January 1, 1939, the net operating loss, if any, for such taxable year shall not be taken into account in the above computations.

(D) By inserting after "exceptions" in the first sentence of the second paragraph thereof the following: ", additions,".

(E) By striking out the third sentence of the second paragraph and inserting in lieu thereof the following:

A taxpayer, other than a corporation, however, shall apply only the first four exceptions and limitations specified in § 19.122–3 (a) and, in lieu of the last three exceptions and limitations there specified, is required only to restrict the amount of his deductions for long-term and short-term capital losses to the amount of his long-term and short-term capital gains, respectively.

(F) By striking out that part of paragraph (a) which follows the second paragraph thereof.

(G) By striking out that part of paragraph (b) which follows paragraph (4) thereof.

PAR. 5. Section 19.122–5, as amended by Treasury Decision 5057, approved July 2, 1941, is renumbered as § 19.122–6, and there is inserted immediately after § 19.122–4 the following new section:

§ 19.122–5 *Computation of net operating loss carry-overs and net operating loss carry-backs to taxable years beginning on or after January 1, 1941*—(a) *In general.* For a taxable year beginning on or after January 1, 1941, the aggregate of any net operating loss carry-overs and any net operating loss carry-backs to such taxable year shall be the basis of the net operating loss deduction. In order to compute such deduction, the taxpayer must first determine the part of any net operating losses for the two preceding taxable years which are carry-overs to the current taxable year, and the part of any net operating losses for the two succeeding taxable years which are carry-backs to the current taxable year.

Under section 122, as amended by the Revenue Act of 1942, the net operating loss for any taxable year beginning on or after January 1, 1942, may be carried back to the two preceding taxable years (except any such taxable year which began before January 1, 1941) and may be carried over to the two succeeding taxable years. The net operating loss for any taxable year beginning before January 1, 1941, may be carried over to the two succeeding taxable years, regardless of whether such year begins before, on, or after January 1, 1941. The amount which is so carried back or carried over to any taxable year is the net operating loss to the extent it was not absorbed in the computation of the net income for other taxable years, preceding such taxable year, to which it was carried back or carried over. For the purpose of determining the net income for a taxable year which so absorbs the net operating loss that is carried back or carried over, the various net operating loss carry-overs and carry-backs to such taxable year are considered to be applied in reduction of the net income for such taxable year in the order of the taxable years from which such losses are carried over or carried back, beginning with the loss for the earliest taxable year.

(b) *Portion of net operating loss which is a carry-over or a carry-back to the current taxable year.* The net operating loss sustained in any taxable year beginning before January 1, 1942 may be carried over to such of the two succeeding taxable years as begin on or after January 1, 1941. The entire net operating loss may be carried over to the first succeeding taxable year, and the carry-over to the second succeeding taxable year (whether or not the first succeeding taxable year began on or after January 1, 1941) is the excess of the net operating loss over the net income, if any, for the first succeeding taxable year (computed as provided in paragraph (c) of this section). For example, the taxpayer had a net operating loss of $10,000 in 1939. It had a 1940 net income of $6,000 (computed as provided in paragraph (c) of this section). The carry-over from 1939 to 1941 is $4,000, the excess of the $10,000 loss over the $6,000 net income for 1940.

The net operating loss sustained in any taxable year beginning on or after January 1, 1942 may be carried back to the two preceding taxable years (not considering as a preceding taxable year a year beginning prior to January 1, 1941) and may be carried over to the two succeeding taxable years. The entire net operating loss may be carried back to the second preceding taxable year. However, if the second preceding taxable year began before January 1, 1941, no part of the net operating loss may be carried back to such taxable year, and the net income for such taxable year does not reduce the amount of the net operating loss which may be carried back or carried over to the other taxable years. The net operating loss, to the extent it exceeds the net income, if any, (computed as provided in paragraph (c) of this section) for the second preceding taxable year, may then be carried back to the first preceding taxable year. To the extent that the net operating loss exceeds the aggregate of the net income, if any, (computed as provided in paragraph (c) of this section) for the two preceding taxable years, it may be carried over to the first succeeding taxable year. To the extent that the net operating loss exceeds the aggregate of the net income, if any, (computed as provided in paragraph (c) of this section) for the two preceding taxable years and for the first succeeding taxable year, it may be carried over to the second succeeding taxable year.

Example. The taxpayer has a net operating loss of $100,000 in 1943. It has net income (computed as provided in paragraph (c) of this section) as follows: $10,000 in 1941, $15,000 in 1942, $35,000 in 1944, and $60,000 in 1945. The net operating loss carry-back from 1943 to 1941 is $100,000, an amount equal to the full net operating loss. The carry-back to 1942 is $90,000, the excess of the $100,000 net operating loss over the $10,000 net income for 1941 (computed as provided in paragraph (c) of this section). The carry-over to 1944 is $75,000, the excess of the $100,000 net operating loss over the aggregate of the $10,000 net income for 1941 and the $15,000 net income for 1942 (computed in each instance as provided in paragraph (c) of this section). The carry-over to 1945 is $40,000, the excess of the $100,000 net operating loss over the aggregate of the $10,000 net income for 1941, the $15,000 net income for 1942, and the $35,000 net income for 1944 (computed in each instance as provided in paragraph (c) of this section).

(c) *Computation of net income which is subtracted from net operating loss to determine carry-back or carry-over.* The net income for any taxable year which is subtracted from the net operating loss for another taxable year to determine the portion of such net operating loss which is a carry-back or carry-over to a particular taxable year as provided in paragraph (b) of this section is computed with the following adjustments:

(1) The net operating loss deduction for such taxable year is computed by taking into account only such net operating losses otherwise allowable as carry-overs or carry-backs to such taxable year as were sustained in taxable years preceding the taxable year in which the taxpayer sustained the net operating loss from which the net income is to be deducted.

Example. In computing the net operating loss deduction for 1945, the taxpayer has a carry-over from 1944 of $6,000, a carry-back from 1946 of $18,000, and a carry-back from 1947 of $14,000, or an aggregate of $47,000 in carry-overs and carry-backs which is the basis for the deduction. In computing the net income for 1945 which is deducted from the net operating loss for 1946 in order to determine the portion of such net operating loss which may be carried over to 1947 or 1948, the net operating loss deduction for 1945 is computed without taking into account the $18,000 carry-back from 1946 or the $14,000 carry-back from 1947.

The net operating loss deduction for 1945 is, for the purposes of such computation, the aggregate of the $9,000 carry-over from 1943 and the $6,000 carry-over from 1944, or $15,000, adjusted as provided in § 19.122-6 (relating to the conversion of the aggregate of the net operating loss carry-overs and carry-backs to the taxable year into the net operating loss deduction).

In computing the net income for 1945 which is deducted from the net operating loss for 1947 in order to determine the portion of such loss which may be carried back to 1946 and carried over to 1948 and 1949, the net operating loss deduction for 1945 is computed without taking into account the $14,000 carry-back from 1947, and as so computed is the aggregate of the $9,000 carry-over from 1943, the $6,000 carry-over from 1944, and the $18,000 carry-back from 1946, or $33,000, adjusted as provided in § 19.122–6.

(2) In the case of a corporation, the net income shall be computed in accordance with the exceptions, additions, and limitations applicable in the computation of a net operating loss (see § 19.122–2), except that the net operating loss deduction shall be allowed to the extent provided in paragraph (1) above.

(3) In the case of a taxpayer other than a corporation, the net income shall be computed in accordance with the first four exceptions, additions, and limitations specified in § 19.122–3 (a), except that the net operating loss deduction shall be allowed to the extent provided in paragraph (1) above. In lieu of the last three exceptions specified in § 19.122–3 (a), the taxpayer is required only (i) for a taxable year beginning before January 1, 1942, to restrict the amount of his deductions for long-term and short-term capital losses to the amount of his long-term and short-term capital gains, respectively, and (ii) for a taxable year beginning on or after January 1, 1942, to restrict the amount of his deduction for capital losses to the amount of his capital gains. The ordinary non-business deductions are allowed in full if otherwise allowable by law. The exceptions and limitations dependent upon the distinction between business and non-business items of gross income and deductions are not applicable in the computation of the net income to be subtracted in computing carry-backs and carry-overs.

(4) Any deduction which is limited in amount to a percentage of the taxpayer's net income shall be recomputed upon the basis of the net income determined with the adjustments prescribed in the preceding paragraphs.

(5) The net income, as adjusted, shall in no case be considered less than zero.

(d) *Illustration of computation of net operating loss carry-backs and carry-overs.* The application of this section may be illustrated by the following example:

Example. The taxpayer is a corporation making its income tax returns on the calendar year basis. It had no net operating loss in 1939 or 1940, or in 1948 or 1949. Its net income, computed without any net operating loss deduction (it being assumed that none of the other adjustments provided in paragraph (c) of this section is applicable), was $21,000 in 1941, $35,000 in 1942, $36,000 in 1946, and $85,000 in 1947. It sustained net operating losses as follows: $25,000 in 1943, $5,000 in 1944, and $40,000 in 1945. It is assumed for the purposes of this example that the application of § 19.122-6 does not cause any reduction in the amount of the aggregate of the net operating loss carry-overs and carry-backs to any taxable year, so that such aggregate is the net operating loss deduction for such taxable year.

(1) The portions of the $25,000 net operating loss for 1943 which may be used as carry-backs to 1941 and 1942 and as carry-overs to 1944 and 1945 are computed as follows:

(i) For 1941, the carry-back is $25,000, that is, the amount of the net operating loss.

(ii) For 1942, the carry-back is $5,000, that is, the excess of the $25,000 net operating loss over the $20,000 net income for 1941 (such net income being determined without any net operating loss deduction since there is no carry-over to 1941 from 1939 or 1940 and no carry-back from 1942, and the carry-back from 1943 is not taken into account).

(iii) For 1944 and 1945, there is no carry-over of the net operating loss for 1943 since such loss does not exceed $55,000, the sum of the net incomes for the two taxable years preceding 1943 computed as provided in paragraph (c) (the $20,000 net income for 1941 and the $35,000 net income for 1942, there being no net operating loss deduction for either taxable year since the carry-backs from 1943 and from 1944 are not taken into account).

(2) The portions of the $50,000 net operating loss from 1944 which may be used as carry-backs to 1942 and 1943 and as carry-overs to 1945 and 1946 are computed as follows:

(i) For 1942, the carry-back is $50,000, that is, the amount of the net operating loss.

(ii) For 1943, the carry-back is $20,000, that is, the excess of the $50,000 net operating loss over the $30,000 net income for 1942 (the $35,000 income for 1942 reduced by the $5,000 carry-back from 1943, the carry-back from 1944 not being taken into account).

(iii) For 1945, the carry-over is $20,000, that is, the excess of the $50,000 net operating loss over $30,000, the sum of the $30,000 net income for 1942 (computed with the deduction of the $5,000 carry-back from 1943 and without the deduction of the carry-back from 1944) and the $0 net income for 1943 (a year in which a net operating loss was sustained).

(iv) For 1946, the carry-over is $20,000, that is, the excess of the $50,000 net operating loss over $30,000, the sum of the $30,000 net income for 1942 (computed with the deduction of the $5,000 carry-back from 1943 and without the deduction of the carry-back from 1944) and the $0 net income for 1943 and 1945 (years in which net operating losses were sustained).

(3) The portions of the $40,000 net operating loss for 1945 which may be used as carry-backs to 1943 and 1944 and as carry-overs to 1946 and 1947 are computed as follows:

(i) For 1943, the carry-back is $40,000, that is, the amount of the net operating loss.

(ii) For 1944, the carry-back is $40,000, that is, the excess of the $40,000 net operating loss for 1945 over $0, the net income for 1943 (a year, in which a net operating loss was sustained).

(iii) For 1946, the carry-over is $40,000, that is, the excess of the $40,000 net operating loss for 1945 over $0, the sum of the net incomes for 1943 and 1944 (years in which net operating losses were sustained).

(iv) For 1947, the carry-over is $30,000, that is, the excess of the $40,000 net operating loss for 1945 over $10,000, the sum of the $0 net incomes for 1943 and 1944 and the $10,000 net income for 1946 (such net income for 1946 being computed as the $30,000 income reduced by the net operating loss carry-over of $20,000 from 1944, the $40,000 carry-over to 1946 from 1945 not being taken into account).

For 1941, the net operating loss deduction is determined to be $25,000, that is, the carry-back from 1943.

For 1942, the net operating loss deduction is determined to be $55,000, that is, the aggregate of the carry-back of $5,000 from 1943 and of the carry-back of $50,000 from 1944.

For 1946, the net operating loss deduction is determined to be $60,000, that is, the aggregate of the $20,000 carry-over from 1944 and the $40,000 carry-over from 1945.

For 1947, the net operating loss deduction is determined to be $30,000, that is, the carry-over from 1945.

(e) *Joint return by husband and wife.* If a husband and wife making a joint return for any taxable year did not make a joint return for any of the taxable years involved in the computation of a net operating loss carry-over or a net operating loss carry-back to the taxable year for which the joint return is made, such separate net operating loss carry-over or separate net operating loss carry-back is a joint net operating loss carry-over or joint net operating loss carry-back to such taxable year.

If a husband and wife making a joint return for a taxable year made a joint return for each of the taxable years involved in the computation of a net operating loss carry-over or net operating loss carry-back to such taxable year, the joint net operating loss carry-over or joint net operating loss carry-back to such taxable year is computed in the same manner as the net operating loss carry-over or net operating loss carry-back of an individual under the preceding paragraphs of this section but upon the basis of the joint net operating losses and the combined net income of both spouses.

If a husband and wife making separate returns for a taxable year made a joint return for any or all of the taxable years involved in the computation of a net operating loss carry-over or net operating loss carry-back, the separate net operating loss carry-over or separate net operating loss carry-back of each spouse to the taxable year is computed in the manner set forth in the preceding paragraphs of this section, but with the following exceptions and limitations:

(1) The net operating loss of each spouse for a taxable year for which a joint return was made shall be deemed to be the portion of the joint net operating loss (computed in accordance with § 19.122–3 (e)) attributable to the gross income and deductions of such spouse, both gross income and deductions being taken into account to the same extent that they are taken into account in computing the joint net operating loss.

(2) The net income of a particular spouse for any taxable year which is subtracted from the net operating loss of such spouse for another taxable year in order to determine the amount of such loss which may be carried back or carried over to still another taxable year is deemed to be, in a case in which such net income was reported in a joint return, the sum of the following:

(i) The portion of the combined net income of both spouses for such year for which the joint return was made which is attributable to the gross income and deductions of the particular spouse, both gross income and deductions being taken into account to the same extent that they are taken into account in computing such combined net income, and

(ii) The portion of such combined net income attributable to the other spouse, but if such other spouse has a taxable year beginning on the same date as the taxable year in which the particular spouse sustained the net operating loss from which the net income is subtracted, and if such other spouse sustained a net operating loss in such taxable year, then such portion shall first be reduced by such net operating loss of such other spouse. However, such net operating loss of such other spouse shall first be diminished by the excess if any, of the reduction provided in section 122 (c) for the year in which the net income was realized over the aggregate of the net operating loss carry-overs and net operating loss carry-backs which are taken into account in computing the net operating loss deduction for such taxable year (see subdivision (*b*) of the next sentence).

For the purposes of (i) and (ii) above, the combined net income shall be computed as though the combined income and deductions of both spouses were those of one individual, and in such computation—

(*a*) The exceptions, additions, and limitations provided in section 122 (d) (1), (2), and (4) shall apply, and

(*b*) The net operating loss deduction shall be determined without taking into account any net operating loss of either spouse or any joint net operating loss of both spouses which was sustained in a taxable year beginning on or after the date of the beginning of the taxable year in which the particular spouse sustained the net operating loss from which the net income is subtracted.

In the following examples, which illustrate subparagraphs (1) and (2) above, its is assumed that there are no items of adjustment under section 122 (d) (1), (2), and (4), and the net income or loss in each case is the net income or loss determined without any net operating loss deduction. The taxpayers in each example, H, a husband, and W, his wife, report their income on the calendar year basis.

Example (1). H and W filed joint returns for 1941 and 1942. They sustained a joint net operating loss of $1,000 for 1941 and a joint net operating loss of $2,000 for 1942. For 1941, the deductions of H exceeded his gross income by $700, and the deductions of W exceeded her gross income by $300, the total of such amounts being $1,000. Therefore, $700 of the $1,000 joint net operating loss for 1941 is considered the net operating loss of H for 1941, and $300 of such joint net operating loss is considered the net operating loss of W for 1941. For 1942 the gross income of H exceeded his deductions, so that his separate net income would be $1,500, and the deductions of W exceeded her gross income by $3,500. Therefore, all of the $2,000 joint net operating loss for 1942 is considered the separate net operating loss of W for 1942.

Example (2). H and W filed joint returns for 1939 and 1941, and separate returns for 1940 and 1942. For such years they had net incomes and net operating losses as follows:

	1939	1940	1941	1942
H	$5,000 (loss)	$2,500 (loss)	$6,500 (income)	$4,000 (loss).
W	$3,000 (loss)	$2,000 (income)	$3,000 (income)	$1,500 (loss).
	$8,000 (joint loss)		$9,500 (combined income).	

The net operating loss carry-over of H from 1942 to 1943 is $4,000, that is, his $4,000 net operating loss for 1942 which is not reduced by any part of the net income for 1941, since none of such net income is attributable to H and the portion attributable to W is entirely offset by her separate net operating loss deduction for her taxable year 1942, which taxable year begins on the same date as H's taxable year 1942. The determination of the amount ($0) of net income for 1941 which reduces H's net operating loss for 1942 is made as follows:

The combined net income of $9,500 for 1941 is reduced to $1,000 by the net operating loss deduction for such year of $8,500. This net operating loss deduction is computed without taking into account any net operating loss sustained in a taxable year beginning on or after January 1, 1942, the date of the beginning of the taxable year in which H sustained the net operating loss which is a carry-over to 1943. This $8,500 amount is composed of H's carry-overs of $5,000 from 1939 and $2,500 from 1940, or a total of $7,500 and of W's carry-over of $1,000 from 1939 (the excess of W's $3,000 loss for 1939 over her $2,000 income for 1940). None of the $1,000 combined net income for 1941 (computed with the net operating loss deduction as described above) is attributable to H since it is caused by W's income (computed after deducting her separate carry-over) offsetting H's loss (computed by deducting from his income his separate carry-overs). No part of the $1,000 net income for 1941 which is attributable to W is used to reduce H's net operating loss for 1942 since such net income attributable to W must first be reduced by W's $1,500 net operating loss for 1942 her taxable year beginning on the same date as the taxable year of H in which he sustained the net operating loss from which the net income is subtracted.

The net operating loss carry-over of W from 1942 to 1943 is $500, her $1,500 loss reduced by the $1,000 net income for 1941, computed in the manner prescribed in the preceding paragraph, since all of such net income is attributable to her.

Example (3). Assume the same facts as in example (2), except that for 1942 the net operating loss of W is $200 instead of $1,500.

The net operating loss carry-over of H from 1942 to 1943 is $3,200, that is, his $4,000 net operating loss reduced by $800 of the net income for 1941, computed as follows:

The combined net income for 1941, computed with the net operating loss deduction in the manner described in example (2), remains $1,000, no part of which is attributable to H. To the $0 net income attributable to H there is added $800, the excess of the $1,000 net income attributable to W over her $200 net operating loss sustained in 1942, a taxable year beginning on the same date (January 1, 1942) as the taxable year of H (1942) in which he sustained the $4,000 net operating loss from which the net income is subtracted. See paragraph (2) (ii) above.

W has no net operating loss carry-over from 1942 to 1943 since her net operating loss of $200 for 1942 does not exceed the $1,000 net income for 1941 attributable to her.

Example (4). Assume the same facts as in example (2) except that W changes her accounting period in 1942 to a fiscal year ending on January 31, and has neither income nor losses for the taxable year January 1, 1942 to January 31, 1942, but has a net operating loss of $200 for the fiscal year February 1, 1942 to January 31, 1943.

The net operating loss carry-over of H from 1942 to 1943 is $3,000, that is, his net operating loss of $4,000 for 1942 reduced by the $1,000 net income for 1941, computed as follows:

The combined net income for 1941, computed with the net operating loss deduction in the manner described in example (2), remains $1,000, no part of which is attributable to H. To the $0 net income attributable to H there is added the $1,000 net income attributable to W. The net income attributable to W is not reduced by any amount since she does not have a net operating loss for her taxable year beginning on January 1, 1942, the date of the beginning of the taxable year of H in which he sustained the $4,000 net operating loss from which the net income is deducted.

The net operating loss carry-over of W from the fiscal year beginning February 1, 1942 to her next fiscal year is $200, her net operating loss for such year. This net operating loss is not reduced by any amount of net income for 1941, since there is no net income for 1941 when computed for the purpose of determining the carry-over of W's net operating loss for her fiscal year beginning February 1, 1942. For such purpose, the net income of $9,500 for 1941 is reduced to $0 by the net operating loss deduction for such year of $12,500, computed without taking into account any net operating loss sustained in a taxable year beginning on or after February 1, 1942, the date of the beginning of the taxable year in which W sustained the net operating loss which is the basis for the carry-over. This $12,500 amount is composed of H's carry-overs of $5,000 from 1939 and $2,500 from 1940, and his carry-back of $4,000 from 1942 (the calendar year beginning January 1, 1942), and of W's carry-over of $1,000 from 1939 (the excess of her $3,000 loss for 1939 over her $2,000 income for 1940).

If a husband and wife making a joint return for any taxable year made a joint return for one or more but not all of the taxable years involved in the computation of a net operating loss carry-over or net operating loss carry-back to such taxable year, such net operating loss carry-over or net operating loss carry-back to the taxable year is computed in the manner set forth in subparagraphs (1) and (2) above. Such net operating loss carry-over or net operating loss carry-back is considered a joint net operating loss carry-over or joint net operating loss carry-back to such taxable year. For example, if in examples (2) and (3) of this paragraph a joint return was filed for 1943, the same amounts computed in those examples as carry-overs of H and W to that year would be the amounts considered joint net operating loss carry-overs to that year.

The joint net operating loss carry-overs and joint net operating loss carry-backs to any taxable year for which joint return is made are all the net operating loss carry-overs and net operating loss carry-backs of both spouses to such taxable year. For example, a husband and wife file a joint return for the calendar year 1943. The wife filed a separate return for the calendar years 1941 and 1942, in which years she sustained net operating losses. The husband filed separate returns for his fiscal year ending June 30, 1942 and, having received permission to change his accounting period to a calendar year basis, for the six-month period ending December 31, 1942. The husband sustained net operating losses in both such taxable periods. Since the husband and wife did not file a joint return for any taxable year involved in the computation of the net operating loss carry-overs to 1943 from 1941 and 1942 (see the preceding paragraphs of this section), the joint net operating loss carry-overs to 1943 are the separate net operating loss carry-overs of the wife from the calendar years 1941 and 1942 and the separate net operating loss carry-overs of the husband from the fiscal year ending June 30, 1942, and from the short taxable year ending December 31, 1942. If the husband and wife also filed joint returns for the calendar years 1944 and 1945, having joint net income in 1944 and a joint net operating loss in 1945, the joint net operating loss carry-back to 1943 from 1945 is computed upon the basis of the joint net operating loss for 1945, since separate returns were not made for any taxable year involved in the computation of such carry-back.

PAR. 6. Such § 19.122–6, as renumbered, is further amended as follows:

(A) By changing so much of the first sentence as precedes clause (1) to read as follows:

The net operating loss deduction for any taxable year is, if the taxable year begins before January 1, 1941, the net operating loss carry-over to such taxable year computed as prescribed in § 19.122–4, or, if the taxable year begins on or after January 1, 1941, the aggregate of the net operating loss carry-overs and carry-backs to such taxable year computed as prescribed in § 19.122–5, reduced in each case by the excess of the net income for such taxable year (computed, if the taxable year begins before January 1, 1941, in the same manner as the net income is to be computed for the purposes of § 19.122–4, or, if the taxable year begins on or after January 1, 1941, in the same manner as the net income is computed for the purposes of § 19.122–5 except that no net operating loss deduction shall be taken into account and, if the taxable year begins after December 31, 1941, no deduction for excess profits tax imposed by subchapter E of chapter 2 shall be taken into account) over—

(B) By changing clause (2) in the first sentence thereof to read as follows:

(2) in the case of a corporation, the normal-tax net income computed without regard to the exceptions, additions, and limitations specified in § 19.122–2, except that no net operating loss shall be taken into account and, for taxable years beginning after December 31, 1941, the credit provided in section 26 (e) for income subject to the excess profits tax shall not be allowed.

(C) By changing the first two sentences of the example in such section to read as follows:

The aggregate of the net operating loss carry-overs and carry-backs to 1942 for the X Corporation is $55,000. Its net income for 1942, computed with the adjustments required by this section, is $450,000 and its normal-tax net income, computed without any exceptions, additions, and limitations except that no net operating loss deduction is allowed and the credit provided in section 26 (e) for income subject to the excess profits tax is not allowed, is $445,000.

(D) By changing the first two lines of the tabulation in the third sentence of the example to read as follows:

Aggregate of net operating loss carry-overs and carry-backs to 1942	$55,000
Less: Excess of net income for 1942, with adjustments, over normal-tax net income for 1942, without adjustments except that no net operating loss deduction shall be allowed and the credit provided in section 26 (e) for income subject to the excess profits tax shall not be allowed ($450,000 minus $445,000)	5,000

(E) By changing "for any taxable year," in the last paragraph to read as follows: "for any taxable year beginning before January 1, 1941,".

(F) By inserting immediately after such last paragraph the following new paragraph:

In the case of a husband and wife making a joint return for any taxable year beginning on or after January 1, 1941, the computation of the net operating loss deduction (as set forth in the first paragraph of this section) is to be made upon the basis of the aggregate of the joint net operating loss carry-overs and joint net operating loss carry-backs of the spouses to such year (computed as prescribed in § 19.122–5 (e)) and the combined net income of the spouses.

(Secs. 23 (s), 62, and 122 of the Internal Revenue Code (53 Stat. 32, 867; 26 U.S.C., 23 (s), 62, 122) and secs. 105 (e) (3) and 153 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: April 21, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-6254; Filed, April 22, 1943; 11:48 a. m.]

Subchapter C—Miscellaneous Excise Taxes

[T.D. 5261]

PART 144—REGULATIONS RELATING TO THE REMOVAL OF MANUFACTURED TOBACCO, SNUFF, CIGARS, AND CIGARETTES, WITHOUT PAYMENT OF TAX, FOR SHIPMENT TO A TERRITORY OF THE UNITED STATES FOR THE USE OF MEMBERS OF THE MILITARY AND NAVAL FORCES OF THE UNITED STATES.

Sec.
144.0 Scope of regulations.
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144.10 Removal of shipment and disposition of application Form 550.
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AUTHORITY: §§ 144.0 to 144.14 are issued under sec. 2135 (a) (1) of the Internal Revenue Code, as amended by Pub. Law 14, 78th Cong., approved March 23, 1943, and sec. 3791 of the Internal Revenue Code (26 U.S.C. 3791, 53 Stat. 467).

§ 144.0 *Scope of regulations.* These regulations deal with the removal of manufactured tobacco, snuff, cigars, and cigarettes, under section 2135 (a) (1) of the Internal Revenue Code, as amended by Public Law 14, 78th Congress, approved March 23, 1943, without payment of tax for shipment to a territory of the United States for the use of members of the military and naval forces of the United States.

SEC. 2135. EXEMPTION FROM TAX. (As amended by Public Law 14, 78th Congress, approved March 23, 1943.)

(a) *Shipments to foreign countries and possessions of the United States*—(1) *Manufacturers.* Manufactured tobacco, snuff, cigars, or cigarettes may be removed for export to a foreign country or for shipment to a possession of the United States (or, until the date on which the President proclaims that hostilities in the present war have terminated, to a territory of the United States for the use of members of the military or naval forces of the United States) without payment of tax under such rules and regulations and the making of such entries, and the filing of such bonds and bills of lading as the Commissioner, with the approval of the Secretary, shall prescribe.

§ 144.1 *Shipment and use restricted.* The removal of manufactured tobacco, snuff, cigars, and cigarettes, under these regulations without payment of tax may be made only for shipment to the Territories of Alaska and Hawaii, and then only for the use of members of the military or naval forces of the United States. Such removals are authorized only on and after March 23, 1943, and until the President proclaims that hostilities in the present war have terminated.

§ 144.2 *Bond.* A manufacturer who has in force a bond, Form 549, to cover the removal of tobacco, snuff, cigars, or cigarettes, without payment of tax for exportation to a foreign country or to a possession of the United States, will be permitted to remove the tobacco product covered by his bond without payment of tax under these regulations, provided he submits consent of the surety on his bond to the removal under these regulations. Consent of the surety shall be submitted on Form 542, executed in duplicate (which form should be appropriately modified as may be required), and shall be filed by the manufacturer with the collector for the district in which the factory is located. The collector shall forward to the Commissioner the duplicate consent of surety to be attached to the duplicate bond in force.

Before or at the time of filing his first application on Form 550 for removal of tobacco, snuff, cigars, or cigarettes, a manufacturer who does not already have a bond in force on Form 549, and who desires to remove any of such products from his factory without payment of tax under these regulations, shall furnish to the collector for the district in which the factory is located a bond in duplicate on Form 549, with surety satisfactory to that officer, accompanied by consent of surety, as specified in the preceding paragraph. A separate bond must be filed to cover the withdrawal of "large cigars", "small cigars", "small cigarettes", "large cigarettes", and "tobacco and snuff". The penal sum of the bond must be sufficient to cover the estimated amount of tax which shall at any time constitute a charge against the bond, and in no case less than $500. When the bond, in duplicate, is submitted to the collector, he shall, if the bond meets with his approval, make indorsement to that effect on both the original and duplicate of the bond and forward immediately to the Commissioner the duplicate bond and consent of surety. The liability under such bond shall be a continuing one, and will be subject to increase or decrease as withdrawals are made and completed. When the limit of liability under such bond has been reached, further withdrawals may not be made thereunder. Instead, a new bond with consent of surety, both in duplicate, must be filed under which subsequent withdrawals shall be made.

§ 144.3 *Packing, and marking or branding.* Manufactured tobacco, snuff, cigars, or cigarettes when removed from the factory under these regulations without the payment of tax, shall be put up in packages of the same size and description as prescribed by law for like articles removed for domestic consumption. Each package shall have affixed in place of the internal-revenue stamp a label, which label shall be readily distinguishable from an internal-revenue stamp and shall bear the following legend:

Free of tax. For use only of U. S. military or naval forces in Alaska and Hawaii or for use outside the jurisdiction of the internal revenue laws of the United States.

§ 144.4 *Shipping containers.* Each shipping container in which manufactured tobacco, snuff, cigars, or cigarettes are to be removed under these regulations shall be stenciled or plainly marked by the manufacturer as prescribed in this section.

Each container shall bear the manufacturer's marks and number, such number to be a consecutive one of a series adopted by the manufacturer for removals under his bond, Form 549, and to begin with No. 1 and beginning again with No. 1 on July 1 of each subsequent year.

Each shipping container must bear the legend indicated below (with first three lines properly filled in) in letters and figures not less than three-fourths of an inch in length.

(Name of article)
By _____
Fac No. _____ Dist. _____
Inspected _____ 194__
_____, D. C.
For consumption without payment of tax under sections 2135 and 2197 I.R.C.

If desired, the name of the person or firm for whom the removal is made may be substituted for that of the manufacturer on the second line of the legend. The deputy detailed to inspect a shipment intended for removal under these regulations, shall fill in the fourth and fifth lines of the legend on each container. A reduction in the length of the letters and figures in the legend may be made on containers shipped by parcel post.

Shipping containers for all shipments required to be inspected by a deputy collector shall not be closed and fastened until after their contents have been inspected and verified by the deputy collector.

§ 144.5 *Application for withdrawal.* An application on Form 550 shall be filed for each shipment (other than by parcel post where the amount of tax involved is $10 or less) intended for withdrawal under these regulations. Such application shall be executed and filed in duplicate by the manufacturer with the collector for the district in which the factory is located. Each application shall bear a serial number, such number to be a consecutive one of a series adopted by the manufacturer for removals under his bond, Form 549, and to begin with No. 1 and commencing again with No. 1 on July 1 of each year. Copies of each application, as required by these regulations, shall bear the same serial number as the original. Each application shall be completely and legibly filled in and show the information as required on the form. The product covered by the application shall not be withdrawn from the factory until after inspection and verification by a deputy collector as hereinafter required.

In the case of a shipment by parcel post where the amount of tax involved is $10 or less, inspection and verification by a deputy collector will not be required. However, in such case the original of Form 550, properly numbered, shall be executed by the manufacturer and shall be disposed of as specified in § 144.10 (b).

Upon receipt of each application properly executed, the collector shall, if the tax liability thereon does not increase the outstanding tax liability in excess of the penal sum of the bond under which the withdrawal is to be made, immediately after signing each copy of the application, detail a deputy collector to visit the factory for the purpose of making proper inspection and verification of the articles described in the application.

§ 144.6 *Inspection of shipment.* It will be the duty of the deputy detailed to inspect a shipment to determine definitely that the shipment contains the exact kind and quantity of articles specified in the application and that the packages of such articles meet the requirements of these regulations. The deputy shall supervise the packing of the shipping containers and affix his signature and date of inspection in the legend on each shipping container.

Tobacco products may be removed under these regulations from the place of manufacture for shipment or delivery only after inspection by the deputy, where required. Such products found stored outside of the bonded factory premises without the approval of the Commissioner shall be subject to seizure for forfeiture.

§ 144.7 *Report of deputy.* After inspection and verification of the shipment have been completed, and the shipping containers have been made ready for removal, the deputy shall fill in and sign his report on each copy of the application, Form 550. The shipment shall then be released by the deputy for removal by the manufacturer. The deputy shall return to the collector the duplicate of Form 550 and deliver the original to the manufacturer for disposition as hereinafter provided.

§ 144.8 *Delay in removal; cancellation of shipment.* In case a shipment is not removed from the place of manufacture within ten days after inspection by the deputy, the manufacturer must advise the collector of internal revenue for the district in which the factory is located as to the probable date of removal. If the order for the shipment has been canceled, the manufacturer should so state and request permission to return the shipment to stock in the factory.

§ 144.9 *Change in consignee.* If, after inspection by the deputy, but before removal of the shipment, the manufacturer for good and sufficient reasons desires to change the name and address of the consignee, the manufacturer shall forward the original Form 550 left by the deputy to the collector for correction and endorsement, with a letter setting forth his reasons for the change. Any other change in respect to the shipment must be approved by the Commissioner.

§ 144.10 *Removal of shipment and disposition of application Form 550.* After the shipment has been released for removal, the manufacturer shall enter on the original Form 550 the date of removal of the shipment from the factory, after which the shipment may go forward. The original Form 550 shall then be disposed of by the manufacturer as hereinafter prescribed.

(a) *Shipments by other than parcel post.* If the shipment is to be made from the factory direct to the consignee in the territory of the United States, the original Form 550 shall be forwarded by the manufacturer to the consignee. If the shipment is made to an Army port of embarkation or Navy supply depot for transshipment to a territory of the United States, the original Form 550 shall be forwarded by the manufacturer to the Army port transportation officer, or Navy supply officer, as the case may be.

The manufacturer shall insert on the original Form 550 immediately preceding the "Certificate of Mailing by Parcel Post" a "Certificate of Receipt" as follows:

CERTIFICATE OF RECEIPT

I certify that the tobacco manufactures herein described, except for the discrepancies as listed below, were delivered to me on _____, 19__, and that said manufactures are intended for delivery to a territory of the United States for the use of military or naval forces of the United States therein.

Discrepancies _____
(Name)
_____
(Title)

Upon receipt and verification of the shipment, the consignee in the territory or the Army or Navy officer in the continental United States to whom the original Form 550 had been forwarded by the manufacturer, shall execute the "Certificate of Receipt" appearing on such Form 550, note thereon any discrepancies in the shipment, and return the executed form to the manufacturer. Such executed form shall then be forwarded promptly by the manufacturer to the appropriate collector.

(b) *Shipments by parcel post.* If the shipment is to be made by parcel post (including a shipment where the amount of tax involved is $10 or less, as to which an inspection and verification by the deputy is not required) the manufacturer shall execute on each package a waiver of right to withdraw the package from the mails, and then at the time of mailing present the original Form 550 to the postmaster or his agent for execution of the certificate of mailing as provided for on the back of the form. The original Form 550 shall be forwarded promptly thereafter by the manufacturer to the appropriate collector.

§ 144.11 *Return of shipment to factory.* If, after removal a manufacturer desires to return a shipment to the factory, he must make application to the Commissioner for permission to do so. The manufacturer must identify the shipment, set forth where it has been since it left the factory, where held and in whose custody at the time of making application, and the reasons for return. After receipt of such application, the Commissioner will then issue appropriate instructions.

§ 144.12 *Tax liability.* The responsibility for the delivery of a shipment removed from the factory under these regulations shall rest upon the manufacturer making the withdrawal, who will be liable for the internal revenue tax on tobacco products shipped or delivered otherwise than in accordance with these regulations.

§ 144.13 *Credit for shipment.* Upon receipt of the original Form 550, with the prescribed "Certificate of Receipt" or certificate of mailing properly executed, the collector shall enter the proper credit in the account, Form 94, kept with the bond under which the shipment was made, provided no discrepancy or shortage is reported. In case a shortage is reported, the collector shall enter credit for the actual quantity of merchandise delivered and require the manufacturer to pay the amount of tax due on the shortage reported.

§ 144.14 *Penalties.* Sections 2160 and 2173 of the Internal Revenue Code impose severe penalties for the possession, use, or dealing in, within the United States (including its territories) of manufactured tobacco, snuff, cigars, and cigarettes upon which the tax properly due has not been paid. These sections apply to tobacco products removed without payment of tax under these regulations, and accordingly, any person possessing, using, or dealing in, such products otherwise than as authorized by these regulations may be subject to the penalties prescribed therein.

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: April 21, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-6253; Filed, April 22, 1943; 11:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1911]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classification and minimum prices for the coals of certain mines in District No. 3 and for a change in shipping point for Mine Index No. 486.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3 and for a change in shipping point for Mine Index No. 486.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
377	Allegheny Coke Co., Inc.[1]	Island Run [1]	H. V. Kitt	Junior, W. Va.	W. M.	33	J	J	J	J	J	J	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)
101	Clark, John A., Jr.	Mary	Sewickley	Lowesville, W. Va.	Mongh.	52	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
1405	Clark Coal Co. (Clark, John A., Jr.)	Blair	Sewickley	Everson, W. Va.	B&O	61	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
1405	Clark Coal Co. (Clark, John A., Jr.)	Jackson	Sewickley	Chieftan, W. Va.	W. M.	65	J	J	J	J	J	J	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
710	Fox, Margaret Lillian [Fox Coal Co.]	Fox #2 [1]	Pittsburgh	Morgantown, W. Va.	Monch.	52	F	A	F	A	F	A	F	A	F	A	X	A	A	A	A	A
1401	Kessler, Clyde D. (Kessler Coal Co.)	Kessler	Sewell	Jerryville, W. Va.	B&O	10	A	J	A	J	A	J	A	H	A	H	(†)	(†)	(†)	(†)	(†)	(†)
1394	Moore Brothers Coal Co.[1] (Frances Moore)	Grafton	Freeport	Morgantown, W. Va.	Monglh.	52	J	F	J	F	J	F	J	F	J	F	(†)	(†)	(†)	(†)	(†)	(†)
1228	Potter, Chas. E. (Winchester Coal Co.)	Winchester #4 (s)	Pittsburgh	Everson, W. Va.[2]	B&O	361	F	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B
486	Potter, Chas. E. (Winchester Coal Co.)	Clelland #1 (s)	Pittsburgh	Everson, W. Va.	B&O	61	DE	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B
472	Weddell, James C. (Black Diamond Coal Co.)	Clelland #1 (s)	Pittsburgh	Kingmont, W. Va.	Monon. River		DE	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B
472	Weddell, James C. (Black Diamond Coal Co.)	Clelland #1 (s)	Pittsburgh	Clarksburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
791	Young, Clayton G. (Young Coal Co.)	Nutter	Pittsburgh	Clarksburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)

(†) Indicates no classification or prices established for these size groups.
[1] Indicates change in name.
[2] Indicates change in shipping point.
Indicates change in freight origin group number.

NOTE: The classifications for Mine Index No. 486 are applicable only via the freight origin group, shipping point, railroad and railroad lines named below for this mine. Freight origin groups, shipping points, railroads and railroad lines shown in previous schedule are hereby deleted.

NOTE.—For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) and § 323.8 (c) in Minimum Price Schedule No. 1: Group No. 1, 452, 486, 710 (a), 791, Group No. 3, 377, 1228 (a), Group No. 4, 101 (a), 1405, 1406, Group No. 5, 1401.

To Note (1) in § 323.8 (b) of the Effective Schedule add Mine Index Nos. 101, 710, 1228, 1405, and 1406. These mines shall be priced at 15 cents less than shown for coal consigned to the Erie, P&LE and New York Central Railroads only.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member or index	Mine index No.	Mine	Seam	County	Size groups: Lump over 2" egg over 2" bottom size	Lump 2", egg 2" bottom size but over 1¼"	Lump 1¼" and under, egg 1¼" and under, bottom size	All nut and pea 2" and under	Run of mine resultant over 2"	1½" and 2" slack	½" slack
					1	2	3	4	5	6	7
Allegheny Coke Company, Inc.[1]	377	Island Run [1]	H. V. Kitt	Barbour	228	223	223	198	198	188	178
Clark, John A., Jr.[1]	101	Mary	Sewickley	Monongalia	228	223	223	198	198	183	173
Clark Coal Co. (Clark, John A., Jr.)	1406	Jackson	Sewickley	Marion	228	223	223	198	198	183	173
Clark Coal Co. (Clark, John A. Jr.)	1405	Blair	Sewickley	Marion	228	223	223	198	198	183	173
Fox, Margaret Lillian [Fox Coal Co.][1]	710	Fox #2[1]	Pittsburgh	Monongalia	243	238	238	213	213	198	188
	Mine Index No. 1112[2]										
Kessler, Clyde D. (Kessler Coal Co.)	1401	Kessler	Sewell	Webster	273	268	268	243	243	233	213
Lodge, K. G.[1]	765	Thrasher [1]	Pittsburgh	Barbour	243	238	238	213	213	198	188
	Mine Index No. 763[2]										
May Bros. (Delbert May)	1394		Pittsburgh	Braxton	243	238	238	213	213	198	188
Moore Brothers Coal Co. (Frances Moore)[1]	1228	Grafton	Freeport	Monongalia	245	245	245	220	220	210	200
Perkins, F. C.[1]	1086	Perkins	Coalburg	Nicholas	273	268	268	243	243	233	213
Potter, Chas. E. (Winchester Coal Co.)	486	Winchester #4 (s)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Simmons, Leslie D.	1403	Simmons	Peerless	Randolph	273	268	268	243	243	233	213
Taylor, James S.	485	Taylor #1	H. V. Kitt	Braxton	228	223	223	198	198	188	178
Weddell, James C. (Black Diamond Coal Co.)	452	Clelland #1 (s)	Pittsburgh	Harrison	243	233	238	213	213	198	188
Young, Clayton G. (Young Coal Co.)	791	Nutter	Pittsburgh	Harrison	243	238	238	213	213	198	188

[1] Indicates change in name.
[2] Indicates deletion of mine index numbers, minimum prices and price classifications heretofore established for the coals produced by these mines.

[F. R. Doc. 43-6191; Filed, April 21, 1943; 11:17 a. m.]

[Docket No. A-1920]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines in District No. 8.

An original petition, and an amendment thereto, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines, and for changes in shipping points for the coals of certain other mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 8, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

As of April 1, 1943, the following list of code members is substituted for the list of code members in § 328.11 of Supplement Q.

Mine ID No.	Code member	Mine name	Mine	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group numbers: For deductions other than Great Lakes: 1 1½ 2	2 2½ 3	3 3½ 4	4 4½ 5	5 5½ 6	6 6½ 7	7 7½ 8	8 8½ 9	9 9½ 10	10 10½ 11	11 12½ 15	15 15½ 17	16 18½ 21	21 23	23 25	25 26	26 27	For Great Lakes cargo only: 1 1½ 2	2 2½ 3	3 3½ 4	4 4½ 5	5 5½ 6	6 6½ 7	7 7½ 8	8 8½ 9	9 9½ 10	10 10½ 11	11 12½ 15	15 15½ 17	16 18½ 21	21 23	23 25	25 26	26 27
606	Baker Coal Co., Inc.	Baker Creek No. 1	Baker Creek	1	Baker, Ky.	L&N	61	K	H	G	E	C	C	B	D	G	(1)	(1)	(1)	(1)	C	K	H	D	B	B	C	K	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)	C
607	Beech Creek Mining & Manufacturing Co.	Beech Creek No. 2	Beech Creek	1	Beech Creek, Ky.	L&N	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
608	Big Elkhorn Coal Co. (E. W. Hall).	Big Elkhorn No. 2	Big Elkhorn No. 2	1	Olga, Ky.	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
609	Bolling, Joe E. (Bolling Hall Coal Co.).	Sean Bennett	Hall	1	Norton, Va.	N&W	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
2405	Bond & Berry Coal Co. (H. B. Berry).	Whitehall	Widow Kennedy	1	Cochran, Va.	C&O-KTP	61	H	H	H	G	E	C	C	E	H	(1)	(1)	(1)	(1)	H	H	H	G	E	C	C	E	H	(1)	(1)	(1)	(1)	(1)	(1)	(1)	H
1764	Calaby, Jerome	Castle	No. 1	6	Cumberland Falls, Ky.	C&O	61	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	(1)	(1)	(1)	H
2603	Castle, Herbert (Top Hat Mining Company).	Turner No. 6	Elkhorn No. 2	1	Orkney, Ky.	C&O	61	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	(1)	(1)	(1)	H
2604	Cox, Martin	Cox No. 1	Red Ash No. 2	6	Owensville, Tenn.	T. C.	72	P	M	L	K	J	H	G	E	M	(1)	(1)	(1)	(1)	M	P	M	L	K	J	H	G	E	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	M
2605	Crooked Creek Coal Co.	Crooked Creek No. 1	Hazard No. 4	1	Combs, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
2606	Dingus, Owen E. (Dingus Coal Co.).	Clayton No. 19	Hazard No. 4	1	Combs, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
2607	Elliott & Fraley (Elliott & Fraley).	A. L. Eagle No. 1	Darby Creek	1	Darby, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
1504	Elliott & Stewart (Elliott & Fraley).	No. 1	Darby Creek	6	Darby, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
3106	Elliott & Stewart (Elliott & Fraley).	No. 2	Darby Creek	6	Darby, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
3626	Elliott & Stewart (Elliott & Fraley).	No. 3	Darby Creek	6	Darby, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
2322	Fry, P. H. (P. H. Fry Coal Co.).	Fry No. 1	Hazard No. 4	1	Combs, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
5862	Fry, P. H. (P. H. Fry Coal Co.).	Big Lynn	No. 5 Block	1	East Lynn, W. Va.	N&W	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
5879	Fry, S. P. (S. P. Fry Coal Co.).	———	No. 5 Block	1	East Lynn, W. Va.	N&W	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
3160	Gregory, Ed (Gregory Coal Company).	Highcraft	Dotson Creek	6	Manchester, Ky.4	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
3266	High Knob Coal Company (Jason Lynch).	High Knob No. 5	Dotson Creek	6	Vinolia, Va.	N&W	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K

*Indicates previously classified. There are no changes in all base prices for these size groups.
†Indicates no classification (tariff) for these size groups.
‡Denotes new shipping point. Shipping point at Manchester, Ky., shall no longer be applicable.
§Denotes new shipping point. Shipping point at Richards, Ky., shall no longer be applicable.

§ 328.11 *Alphabetical list of code members*—Supplement R—Continued

As of April 1, 1943, the following list of code members is substituted for the list of code members in § 328.11 of Supplement Q.

Mine ID No.	Code member	Mine name	Mine	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group numbers: For deductions other than Great Lakes: 1 1½ 2	2 2½ 3	3 3½ 4	4 4½ 5	5 5½ 6	6 6½ 7	7 7½ 8	8 8½ 9	9 9½ 10	10 10½ 11	11 12½ 15	15 15½ 17	16 18½ 21	21 23	23 25	25 26	26 27	For Great Lakes cargo only: 1 1½ 2	2 2½ 3	3 3½ 4	4 4½ 5	5 5½ 6	6 6½ 7	7 7½ 8	8 8½ 9	9 9½ 10	10 10½ 11	11 12½ 15	15 15½ 17	16 18½ 21	21 23	23 25	25 26	26 27
606	Johnson, Earl (Wolfpit Elkhorn Coal Company).	Johnson No. 1	Elkhorn No. 1	1	Marrowbone, Ky.	C&O	61	K	H	D	B	B	C	K	G	(1)	(1)	(1)	(1)	C	K	H	D	B	B	C	K	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)	C
1112	Jewell Ridge Elkhorn Coal Company.	Roberts No. 2	Elkhorn No. 1	1	Maytown, Ky.1	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
912	Jewell Ridge Elkhorn Coal Company (Luther H. Shively).	Roberts No. 5	Elkhorn No. 1 & 2	1	Maytown, Ky.2	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
511	Jewell Ridge Elkhorn Coal Company (Luther H. Shively).	Shivel No. 3	Elkhorn No. 1 & 2	1	Maytown, Ky.2	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
631	Jewell Ridge Elkhorn Coal Company (Luther H. Shively).	Shivel No. 4	Elkhorn No. 1	1	Maytown, Ky.2	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5147	K. & K. Coal Co. (H. W. Kinder).	Lally	Elkhorn No. 1	6	East Bernstadt, Ky.	L&N	111	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	K	M	K	J	G	E	D	C	E	K	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
5917	Mellmyer, Perce	Mellmyer	Hazard No. 4	3	Hazard, Ky.	L&N	100	M	M	K	H	F	E	K	G	M	M	H	F	E	K	G	M	M	H	F	E	K	G	M	(1)	(1)	(1)	(1)	(1)	(1)	(1)	M
1451	Mullins, Vernon & E. Webber (Vernon Mullins).	York No. 1	Coalhurst	4	York Mine No. 1 (Clay), W. Va.3	B&O	113	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5975	Murray, C. S. (Murray Coal Co.).	Murray	Iron Air No. 2	6	Crossville, Tenn.	T. C.	72	P	M	L	K	J	H	G	O	(1)	(1)	(1)	(1)	P	O	M	H	E	F	M	Q	O	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	P
974	Nance Elkhorn Coal Company, c/o Wayne Stumbo.	Pace	Elkhorn No. 2	1	Drift, Ky.	C&O	61	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	(1)	(1)	(1)	H
5987	Nance Elkhorn Coal Company, c/o Wayne Stumbo.	Wayne	Elkhorn No. 2	1	Drift, Ky.	C&O	61	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	H	H	H	G	E	C	B	C	H	(1)	(1)	(1)	(1)	(1)	(1)	(1)	H
5894	Robinson, Sam Company (Charles Simpkins).	Robinson No. 2	Elkhorn	3	Whitesburg, Ky.	L&N	127	O	K	L	H	E	H	D	G	(1)	(1)	(1)	(1)	K	K	E	D	D	G	L	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	K
3384	Simpkins, Charles (Charles Simpkins).	Simpkins	No. 7 Gas	1	Cannelton, W. Va.	KVC	127	O	K	L	H	E	H	D	G	(1)	(1)	(1)	(1)	K	K	E	D	D	G	L	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	B
5444	Thompson Capt. Bob.	———	Sawmire	6	Creb Orchard, Tenn.	T. C.	72	P	M	L	K	J	H	G	O	(1)	(1)	(1)	(1)	P	O	M	H	F	M	Q	O	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	P
5935	Tilson Mining Company, The.	Tilson No. 1, 2 & 3	Millers Creek	1	Ravenlite, Ky.	C&O	61	D	E	E	C	B	A	G	L	(1)	(1)	(1)	(1)	D	D	E	E	C	B	A	G	L	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	D

*Indicates previously classified these size groups.
†Indicates no classification (tariff) for these size groups.
‡Denotes new shipping point. Shipping point at Drift, Ky., shall no longer be applicable.
§Denotes new shipping point. Shipping point at Clay, W. Va., shall no longer be applicable.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index No.	Code member	Mine	Mine Index No.	Seam	Base sizes: Lump 3" x 6"	Lump 3" and 2" x 6"	Lump 3" and under, 6" x 6"	Lump 3" and under	Egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¼" and under, slack
					1	2	3	4	5	6	7	8	
606	Baker Coal Co., Inc.	Baker Creek No. 1	606	Elkhorn No. 2	302	285	265	245	245	225	190	185	
607	Beech Creek Mining & Manufacturing Co.	Beech Creek No. 2	607	Elkhorn No. 2	302	285	265	245	245	225	190	185	
608	Big Elkhorn Coal Co. (E. W. Hall).	Big Elkhorn No. 2	608	Elkhorn No. 2	302	285	265	245	245	225	190	185	
609	Bolling, Joe E. (Bolling Hall Coal Co.).	Sean Bennett Hall	609	Elkhorn No. 2	302	285	265	245	245	225	190	185	
2405	Bond & Berry Coal Co. (H. B. Berry).	Whitehall	2405	Elkhorn No. 2	302	285	265	245	245	225	190	185	
1764	Calaby, Jerome	Castle	1764	Elkhorn No. 2	302	285	265	245	245	225	190	185	
2603	Castle, Herbert (Top Hat Mining Company).	Turner No. 6	2603	Elkhorn No. 2	302	285	265	245	245	225	190	185	
2604	Cox, Martin	Cox No. 1	2604	Red Ash No. 2	302	285	265	245	245	225	190	185	
2605	Crooked Creek Coal Co.	Crooked Creek No. 19	2605	Hazard No. 4	302	285	265	245	245	225	190	185	
2606	Dingus, Owen E. (Dingus Coal Co.).	Clayton No. 19	2606	Hazard No. 4	302	285	265	245	245	225	190	185	
2607	Elliott & Fraley (Elliott & Fraley).	A. L. Eagle No. 1	2607	Darby Creek	302	285	265	245	245	225	190	185	
1504	Elliott & Stewart (Elliott & Fraley).	No. 1	1504	Darby Creek	302	285	265	245	245	225	190	185	
3106	Elliott & Stewart (Elliott & Fraley).	No. 2	3106	Darby Creek	302	285	265	245	245	225	190	185	
3626	Elliott & Stewart (Elliott & Fraley).	No. 3	3626	Darby Creek	302	285	265	245	245	225	190	185	
2322	Fry, P. H. (P. H. Fry Coal Co.).	Fry No. 1	2322	No. 5 Block	302	285	265	245	245	225	190	185	
5862	Fry, P. H. (P. H. Fry Coal Co.).	Big Lynn	5862	No. 5 Block	302	285	265	245	245	225	190	185	
5879	Fry, S. P. (S. P. Fry Coal Co.).	———	5879	No. 5 Block	302	285	265	245	245	225	190	185	
3160	Gregory, Ed (Gregory Coal Company).	Highcraft	3160	Dotson Creek	302	285	265	245	245	225	190	185	
3266	High Knob Coal Company (Jason Lynch).	High Knob No. 5	3266	Dotson Creek	302	285	265	245	245	225	190	185	

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index No.	Code member	Mine	Mine Index No.	Seam	Base sizes: Lump 3" x 6"	Lump 3" and 2" x 6"	Lump 3" and under, 6" x 6"	Lump 3" and under	Egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¼" and under, slack
					1	2	3	4	5	6	7	8	
606	Baker Coal Co., Inc.	Baker Creek No. 1	606	Elkhorn No. 2	302	285	265	245	245	225	190	185	
607	Beech Creek Mining & Manufacturing Co.	Beech Creek No. 2	607	Elkhorn No. 2	302	285	265	245	245	225	190	185	
608	Big Elkhorn Coal Co. (E. W. Hall).	Big Elkhorn No. 2	608	Elkhorn No. 2	302	285	265	245	245	225	190	185	
609	Bolling, Joe E. (Bolling Hall Coal Co.).	Sean Bennett Hall	609	Elkhorn No. 2	302	285	265	245	245	225	190	185	
2405	Bond & Berry Coal Co. (H. B. Berry).	Whitehall	2405	Elkhorn No. 2	302	285	265	245	245	225	190	185	
1764	Calaby, Jerome	Castle	1764	Elkhorn No. 2	302	285	265	245	245	225	190	185	
2603	Castle, Herbert (Top Hat Mining Company).	Turner No. 6	2603	Elkhorn No. 2	302	285	265	245	245	225	190	185	
2604	Cox, Martin	Cox No. 1	2604	Red Ash No. 2	302	285	265	245	245	225	190	185	
2605	Crooked Creek Coal Co.	Crooked Creek No. 19	2605	Hazard No. 4	302	285	265	245	245	225	190	185	
2606	Dingus, Owen E. (Dingus Coal Co.).	Clayton No. 19	2606	Hazard No. 4	302	285	265	245	245	225	190	185	
2607	Elliott & Fraley (Elliott & Fraley).	A. L. Eagle No. 1	2607	Darby Creek	302	285	265	245	245	225	190	185	
1504	Elliott & Stewart (Elliott & Fraley).	No. 1	1504	Darby Creek	302	285	265	245	245	225	190	185	
3106	Elliott & Stewart (Elliott & Fraley).	No. 2	3106	Darby Creek	302	285	265	245	245	225	190	185	
3626	Elliott & Stewart (Elliott & Fraley).	No. 3	3626	Darby Creek	302	285	265	245	245	225	190	185	
2322	Fry, P. H. (P. H. Fry Coal Co.).	Fry No. 1	2322	No. 5 Block	302	285	265	245	245	225	190	185	
5862	Fry, P. H. (P. H. Fry Coal Co.).	Big Lynn	5862	No. 5 Block	302	285	265	245	245	225	190	185	
5879	Fry, S. P. (S. P. Fry Coal Co.).	———	5879	No. 5 Block	302	285	265	245	245	225	190	185	
3160	Gregory, Ed (Gregory Coal Company).	Highcraft	3160	Dotson Creek	302	285	265	245	245	225	190	185	
3266	High Knob Coal Company (Jason Lynch).	High Knob No. 5	3266	Dotson Creek	302	285	265	245	245	225	190	185	

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	1	2	3	4	5	6	7	8
SUBDISTRICT No. [illegible]—HAZARD											
BREATHITT COUNTY, KY											
McIntyre, [illegible]	McIntyre	577	Hazard No. 4	255	[illegible]	230	225	210	220	[illegible]	160
LETCHER COUNTY, KY											
Richardson, Tom	[illegible] No. 2	[illegible]	Elkhorn	245	275	240	210	225	220	180	175
SUBDISTRICT No. 4—KANAWHA											
KANAWHA COUNTY, W VA											
High Vein Coal Company (James Rushton)	High Vein Coal Co	[illegible]	No. 5 Block	[illegible]	215	230	215	200	220	165	160
SUBDISTRICT No. 6—SOUTHERN APPALACHIAN											
BELL COUNTY, KY											
Big Jim Coal Company (P. W. Guthrie)	Big Jim No. 2	[illegible]	Blue [illegible]	[illegible]	255	240	200	235	230	175	170
Motch, A. B.	Motch	[illegible]	Turner	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	175	170
CLAY COUNTY, KY											
Crooked Creek Coal Co., Inc. c/o W. L. Livingston	Oneida	[illegible]	Horse Creek	285	[illegible]	240	210	225	230	175	170
KNOX COUNTY, KY											
Swafford, Charlie	Swafford Blue Gem No. 4	[illegible]	Blue Gem	355	335	255	280	215	245	165	160
MADISON COUNTY, KY											
Van Winkle, Virgil	Bluel No. 2	[illegible]	Horse Creek	285	265	240	240	225	230	175	170
WHITLEY COUNTY, KY											
[illegible], W. M.	O. J. Bowlin	[illegible]	Blue Gem	[illegible]	[illegible]	255	280	215	245	165	160
CUMBERLAND COUNTY, TENN											
Cox, Morris	Cox No. 1	[illegible]	Bon Air No. 2	270	[illegible]	[illegible]	230	205	205	175	170
Murray, [illegible] (Murray Coal Co.)	Murray [illegible]	[illegible]	Bon Air No. 2	270	[illegible]	[illegible]	[illegible]	205	[illegible]	[illegible]	150

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	1	2	3	4	5	6	7	8
DISTRICT No. [illegible]—SOUTHERN APPALACHIAN (Continued)											
OVERTON COUNTY, TENN											
[illegible], J. F.	[illegible] Branch	[illegible]	[illegible] Air No. 2	270	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
SUBDISTRICT No. 7—VIRGINIA											
SCOTT COUNTY, VA											
Dooley, Ervin	Dooley	571	Upper Banner	285	265	240	240	235	230	175	170
WISE COUNTY, VA											
Bolling, H. H.	H. H. Bolling Coal Co.	572	Blair	285	265	240	240	235	230	175	170
SUBDISTRICT No. 8—WILLIAMSON											
MINGO COUNTY, W VA											
Ramsden Coal Company (G. W. Fryer)	Ramsden Coal Co	[illegible]	Pond Creek	[illegible]	255	245	235	235	235	200	195
Big Creek Winifrede Coal Co	Big Creek No. 2	907	Thacker	[illegible]	[illegible]	230	220	205	220	175	170
WAYNE COUNTY, W VA											
Fry, F. B. (F. B. Fry Coal Co.)	[illegible] Lynn	[illegible]	No. 5 Block	[illegible]	215	225	230	205	215	165	160
Fry, F. P. (F. P. Fry Coal Co.)	[illegible]	[illegible]	No. 5 Block	[illegible]	[illegible]	225	230	205	215	165	160
Pack, Ralph	Wheeler	[illegible]	No. 5 Block	[illegible]	[illegible]	225	230	205	215	165	160

[F. R. Doc. 43-6192; Filed, April 21, 1943; 11:17 a. m.]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

[Docket No. A 1718]

MEMORANDUM OPINION AND ORDER

Memorandum opinion and order extending temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8, for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

A motion having been filed by District Board No. 8, the original petitioner herein, requesting that the relief heretofore granted by an Order Granting Temporary Relief and Conditionally Providing for Final Relief issued in this matter on November 19, 1942 (7 F.R. 10095), and extended in certain particulars by an order dated December 15, 1942 (7 F.R. 10602), be extended further until June 3, 1943, in so far as it pertains to the Poplar Lick Mine, Mine Index No. 5643, of Garmeada Coal Company and the No. 6 Mine, Mine Index No. 5790, of Raleigh-Wyoming Mining Company, and good cause having been shown therefor;

Now, therefore, it is ordered, That the temporary relief heretofore granted by the Order Granting Temporary Relief and Conditionally Providing for Final Relief issued in this matter on November 19 1942, and extended by the order dated December 15, 1942, be, and the same hereby is, continued to June 3, 1943, in so far as it pertains to the Poplar Lick Mine, Mine Index No. 5643, of Germeada Coal Company and the No. 6 Mine, Mine Index No. 5790, of Raleigh-Wyoming Mining Company, at which time such relief shall become final unless otherwise ordered.

It is further ordered, That pleadings in opposition to the amended petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within thirty (30) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: April 21, 1943.

[SEAL] DAN H. WHEELER, *Director*.

[F. R. Doc. 43-6236; Filed, April 22, 1943; 10:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 14]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order 5 is amended in the following respect:

1. Section 11.6 (a) is amended by striking out the last sentence and inserting the following sentence in lieu thereof:

It must contain a statement by the superintendent or other executive officer, or by the physician in charge of the establishment, showing the reason why a supplemental allotment is required and the additional amount of the rationed food needed for that purpose.

This amendment shall become effective this 27th day of April 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6, and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 21st day of April 1943.

PRENTISS M. BROWN, *Administrator*.

[F. R. Doc. 43-6223; Filed, April 21, 1943; 4:45 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 367,[1] Amendment 1]

HORSEMEAT

A statement of the considerations involved in the issuance of this Amendment No. 1 to Maximum Price Regulation No. 367, Horsemeat, has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 367 is amended in the following respects:

1. Section 13 is amended to extend the effective date of the Regulation from April 20, 1943 to May 1, 1943. Wherever the date April 20, 1943 appears in the regulation the date May 1, 1943 shall be substituted therefor; wherever the date April 19, 1943 appears in the regulation the date, April 30, 1943 shall be substituted therefor.

2. The effective date provision of the regulation is amended to read as follows:

This regulation shall become effective May 1, 1943, except that it shall become effective on April 14, 1943 with respect to sales to war procurement agencies.

This amendment shall be effective as of April 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April, 1943.

PRENTISS M. BROWN, *Administrator*.

[F. R. Doc. 43-6225; Filed, April 21, 1943; 4:45 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[2] Amendment 3 to Rev. Supp. 1]

PROCESSED FOODS

The point values of frozen fruits and fruit juices; frozen vegetables and vegetable juices; canned and bottled soups; and dried and dehydrated soups in the Official Table of Point Values (No. 2) referred to in paragraph (a) of § 1407.1102 are amended to read as follows:

POINT VALUES

[Fluids: 1 pint = 1 pound, 1 quart = 2 pounds]

	Weight over including—					
	Over 0 including 8 oz	Over 8 oz including 12 oz	Over 12 oz including 16 oz	Over 16 oz including 23 oz	Over 23 oz including 31 oz	Over 31 oz including 10 lbs per pound
Frozen fruits and fruit juices:						
Strawberries	3	4	6	8	10	4
All other frozen fruits	3	4	6	8	10	4
All frozen fruit juices	2	3	4	5	7	4
Frozen vegetables and vegetable juices:						
Asparagus	3	4	6	8	10	4
Beans, baked	3	4	6	8	10	4
Beans, green and wax	3	4	6	8	10	4
Beans, lima	3	4	6	8	10	4
Corn	3	4	6	8	10	4
Peas	3	4	6	8	10	4
Spinach	3	4	6	8	10	4
All other frozen vegetables, vegetable juices, and frozen soups	3	4	6	8	10	4

	Weight over including—							
	Over 0 including 4 oz	Over 4 oz. including 7 oz	Over 7 oz including 10 oz.	Over 10 oz including 14 oz	Over 14 oz. including 1 lb 2 oz	Over 1 lb 2 oz including 1 lb. 6 oz	Over 1 lb 6 oz including 1 lb 14 oz	Over 1 lb 14 oz including 2 lb
Other processed foods:								
Tomato soup (canned and bottled)	2	2	2	3	4	5	6	8
All other canned and bottled soups	2	2	3	4	6	8	10	11

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616, 3851, 4325, 4131, 4784, 4785, 4[illegible].

[1] 8 F.R. 4918.

[2] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4784.

	Weight over including—								
	Over 2 lb. including 2lb 4oz.	Over 2lb 4oz. including 2lb 8oz.	Over 2lb 8oz. including 2 lb. 12 oz.	Over 2 lb. 12oz including 3 lb.	Over 3 lb. including 3lb 4oz.	Over 3lb 4oz. including 3lb 8oz.	Over 3lb 8oz. including 3 lb. 12 oz.	Over 3 lb. 12oz. including 4 lb.	Per lb.
Other processed foods:									
Tomato soups canned and bottled	9	10	11	12	13	14	15	16	4
All other canned and bottled soups	12	14	16	18	19	20	22	24	6

	Weight over including—				
	Over 0 including 8 oz.	Over 4 oz. including 8 oz.	Over 8 oz. including 12 oz.	Over 12 oz. including 1 lb	Per lb.
Dried and dehydrated soups: All types of containers	1	2	3	4	4

This amendment shall become effective at 12:01 a. m. April 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-6221; Filed, April 21, 1943; 4:45 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 16]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

1. Section 1.1 (a) (3) is amended to read as follows:

(3) All dried and dehydrated soups.

2. Section 3.1 (a) (1) (iii) is revoked.

3. Section 16.7 (a) is amended to read as follows:

(a) Every person who, for sale or transfer (1) packs frozen fruits or vegetables in containers over ten pounds, or (2) produces jams, jellies, preserves, fruit butters, pickles or relishes, or (3) cans or bottles fruit or vegetable juices in hermetically sealed containers over one gallon and sterilizes them by the use of heat, or (4) cans condensed or evaporated milk, or meat, or fish or shellfish in hermetically sealed containers sterilized by the use of heat, or (5) packages dried or dehydrated fruits (unless he packages them only for sale or transfer directly to consumers), must file monthly reports on OPA Form R–1305. He must give all information as to those items called for by the form.

4. Section 21.1 (d) (10) (iii) is amended to read as follows:

(iii) All dried and dehydrated soups.

5. Section 21.1 (a) (12) (iii) is revoked.

This amendment shall become effective April 27, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law. 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6222; Filed, April 21, 1943; 4:45 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,[1] Amendment 18]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Article XXIII is given a title to read as follows: "Article XXIII — Exempt Agencies; Ships' Stores; Governmental Investigatory Agencies."

2. The following items are added to the list in Appendix A:

Dry blackeye peas (otherwise known as dry blackeye beans).
Dry cow peas

This amendment shall become effective at 12:01 a. m., April 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6226; Filed, April 21, 1943; 4:46 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333,[1] Amendment 4]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Table C of § 1429.69 (d) is amended insofar as it relates to maximum prices in basing point cities for the months of April and May 1943 to read as follows:

Grade	April				May				
	5	12	19	26	3	10	17	24	
I	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43
II	42.5	42.5	42.5	42.5	42.5	42.5	42.5	42.5	42
III	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42
IV	41.5	41.5	41.5	41.5	41.5	41.5	41.5	41.5	41

2. Table D of § 1429.69 (e) is amended insofar as it relates to maximum prices in Chicago for the months of April and May 1943 to read as follows:

Grade	April				May			
	5	12	19	26	3	10	17	24
I	41.4	41.4	41.4	41.4	41.4	41.4	41.4	41.4
II	40.9	40.9	40.9	40.9	40.9	40.9	40.9	40.9
III	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4
IV	39.9	39.9	39.9	39.9	39.9	39.9	39.9	39.9

3. Section 1429.69 (f) is amended to read as follows:

(f) *Maximum prices of retail grades sold and delivered to the United States or any agency thereof.* The maximum prices of shell eggs of retail grades, sold and delivered to the United States or any agency thereof, shall be the same as the maximum prices of such retail grades when sold and delivered to retailers or commercial, industrial, institutional, or non-federal governmental users.

4. Section 1429.78 is amended to read as follows:

§ 1429.78 *Period provisions of this amendment shall continue in effect.* The provisions of this amendment, namely, Table C of § 1429.69 (d) and Table D of § 1429.69 (e) as amended herein and § 1429.69 (f) shall continue in effect until 12 o'clock midnight on May 17, 1943, at which time the original maximum prices set forth in Table C of § 1429.69 (d) and Table D of § 1429.69 (e) and the original provisions of § 1429.69 (f) of Maximum Price Regulation 333, as issued on February 25, 1943, shall be reinstated automatically and without further order of the Administrator and the indicated provisions of this amendment shall cease and terminate.

This amendment shall be effective as of April 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER C. DAVIS,
Administrator, Food Production and Distribution.

[F R Doc. 43-6224; Filed, April 21, 1943; 4:45 p. m.]

Chapter XIII—Petroleum Administration for War

[Suspension Order PSO-1]

PART 1595—PETROLEUM SUSPENSION ORDERS

CASH FUEL AND FEED CO.

Ford L. Wright, doing business under the trade name of Cash Fuel and Feed Company, 5360 North Broadway, Wichita, Kansas, is engaged in the business of marketing of motor fuel. Since the effective date of Petroleum Administrative Order No. 4, January 23, 1943, to the present time, Ford L. Wright has delivered motor fuel from his service station located at 5360 North Broadway, Wichita, Kansas, more than 12 hours per day and more than 72 hours per week, and further, has not posted his service station hours of operation in accordance with the provisions of Petroleum Administrative Order No. 4.

While the above mentioned violations were occurring, Ford L. Wright was fully aware of the provisions of Petroleum Administrative Order No. 4, but publicly stated that he did not intend to comply with said order and continuously operated his service station in violation of the order. This constituted a wilful disregard of the provisions of Petroleum Administrative Order No. 4, and said wilful violations have hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered:*

§ 1595.1 *Petroleum Suspension Order PSO-1.* (a) Ford L. Wright, doing business under the trade name of Cash Fuel and Feed Company or under any other name, his successors or assigns, shall not accept from any source the delivery of any motor fuel, as defined in Petroleum Administrative Order No. 4, at the service station, as defined in Petroleum Administrative Order No. 4, located at 5360 North Broadway, Wichita, Kansas, or at any storage facility or other service station now or hereafter owned, operated or leased by him.

(b) No person, as defined in Petroleum Administrative Order No. 4, shall deliver any motor fuel to the service station located at 5360 North Broadway, Wichita, Kansas, or to any storage facility or any other service station now or hereafter owned, operated or leased by Ford L. Wright, doing business under the trade name of Cash Fuel and Feed Company or any other name.

(c) Nothing contained herein shall be deemed to relieve Ford L. Wright, doing business under the trade name of Cash Fuel and Feed Company, his successors or assigns, from any restrictions, prohibitions, or provisions contained in any other order, regulation, or directive of the Petroleum Administration for War, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 24, 1943, and shall expire on August 23, 1943.

Issued this 21st day of April 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F R. Doc. 43-6242, Filed, April 22, 1943; 10:57 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-271]

RICHARDS AND SANFORD

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

In the matter of Belmont Richards and George Sanford, individually and as copartners doing business under the name and style of Richards & Sanford, Code Members.

On September 30, 1942, after notice and hearing, Charles O. Fowler, a duly designated Examiner of the Division submitted a report in which he found that code members, Belmont Richards and George Sanford, individually and as copartners doing business as Richards & Sanford, operating the Stallings Mine, Mine Index No. 128, located in San Juan County, New Mexico, in District 18, wilfully violated:

The Order in General Docket No. 19 dated on October 9, 1940, by selling to various purchasers during the period from May 29, 1941 to June 25, 1941, 234.08 net tons of 2½" lump coal, Size Group 1, produced at the Stallings Mine, at a price of $3.00 per net ton f. o. b. the mine, whereas, at the time of such transactions, no prices, temporary or final, had been established for Size Group 1 coal produced at said mine.

The Examiner recommended that an order be entered requiring code members to cease and desist from selling coal for which no minimum price, either temporary or final, has ben established by the Division.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law, and recommendations set forth in the Report, and upon the entire record in this proceeding.

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That Belmont Richards and George Sanford, individually and as copartners doing business under the name and style of Richards & Sanford, operating the Stallings Mine, Mine Index No. 128, in San Juan County, New Mexico, their agents, employees, representatives, successors, and assigns, and all persons acting or claiming to act on their behalf or interest, cease and desist from violating the Order in General Docket No. 19, dated October 9, 1940, or from otherwise violating the provisions of the Bituminous Coal Act of 1937, the Bituminous Coal Code, and the orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 21, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6238; Filed, April 22, 1943; 10:09 a. m.]

Bureau of Reclamation.

OCHOCO PROJECT, OREGON

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 15, 1943.

THE SECRETARY OF THE INTERIOR.

Sir: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), and that departmental order of October 21, 1935, establishing Oregon Grazing District No. 5, be modified and made subject to the withdrawal effected by this order.

OCHOCO PROJECT

PRINEVILLE RESERVOIR SITE

Willamette Meridian, Oregon

T. 16 S., R. 17 E.,
Sec. 23, SW¼;
Sec. 26, SE¼NE¼, E½SW¼;

*Copies may be obtained from Office of Price Administration.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784.

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4921.

[1] 8 F.R. 2488, 3002, 3070, 3735.

Sec. 27, $NE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 28, $NE\frac{1}{4}SE\frac{1}{4}$;
Sec. 31, lot 3, $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 32, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 33, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 34, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$.
T. 17 S., R. 17 E.
Sec. 3, $SE\frac{1}{4}SW\frac{1}{4}$;
Sec. 4, lot 2;
Sec. 5, lots 3, 4, $S\frac{1}{2}SW\frac{1}{4}$;
Sec. 6, lot 7, $NW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$;
Sec. 7, lots 1, 2, 3, 4, $NE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 8, $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$;
Sec. 9, $N\frac{1}{2}$;
Sec. 18, lots 1, 2, $E\frac{1}{2}NW\frac{1}{4}$;
Sec. 19, lots 1, 2, $E\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$.

Respectfully,

H. W. BASHORE,
Assistant Commissioner.

I concur: March 16, 1943.

ARCHIE D. RYAN,
Acting Director of the Grazing Service.

I concur: March 31, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

APRIL 14, 1943.

[F. R. Doc. 43-6250; Filed, April 22, 1943; 11:37 a. m.]

OCHOCO PROJECT, OREGON

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 15, 1943.

The SECRETARY OF THE INTERIOR.

Sir: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

OCHOCO PROJECT

PRINEVILLE RESERVOIR SITE

Willamette Meridian, Oregon

T. 17 S., R. 16 E.
Sec. 1, lots 1, 2, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 11, $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 12, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 13, $E\frac{1}{2}$, $NW\frac{1}{4}$;
Sec. 14, $N\frac{1}{2}$;
Sec. 24, $E\frac{1}{2}$.

Respectfully,

H. W. BASHORE,
Assistant Commissioner.

I concur: March 31, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

APRIL 14, 1943.

[F. R. Doc. 43-6251; Filed, April 22, 1943; 11:37 a. m.]

COLUMBIA BASIN PROJECT, WASHINGTON

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 22, 1943.

The SECRETARY OF THE INTERIOR.

Sir: In accordance with the authority vested in you by the Act of June 28, 1936 (49 Stat. 1976) it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

COLUMBIA BASIN PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 28 N., R. 34 E.
Sec. 28, lots 8, 9;
Sec. 29, lots 3, 4;
Sec. 32, lots 6 to 12, inclusive;
Sec. 33, lots 8 to 18, inclusive.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: April 13, 1943.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

APRIL 15, 1943.

[F. R. Doc. 43-6252; Filed, April 22, 1943; 11:37 a. m.]

General Land Office.

[Stock Driveway Withdrawal 9, N. Mex. 8, reduced]

NEW MEXICO

STOCK DRIVEWAY WITHDRAWAL

The department order of February 28, 1918, withdrawing certain lands in New Mexico for stock driveway purposes under section 10 of the Act of December 29, 1916, 39 Stat. 865, 43 U.S.C. 300, is hereby revoked so far as it affects the following-described public lands which are within New Mexico Grazing District No. 2:

NEW MEXICO PRINCIPAL MERIDIAN

T. 4 S., R. 12 W.,
Sec. 24, $S\frac{1}{2}NW\frac{1}{4}$ and $N\frac{1}{2}SW\frac{1}{4}$.
The areas described aggregate 160 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 6, 1943.

[F. R. Doc. 43-6244; Filed, April 22, 1943; 11:36 a. m.]

[Stock Driveway Withdrawal 262, Colo. 26, Enlarged]

COLORADO

STOCK DRIVEWAY WITHDRAWAL

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C. title 43, sec. 300), *It is ordered*, as follows:

The following-described public lands in Colorado are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 262, Colorado No. 26:

SIXTH PRINCIPAL MERIDIAN

T. 5 N., R. 90 W.,
Sec. 21, lot 1;
Sec. 22, lot 4.

The areas described aggregate 82.28 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 8, 1943.

[F. R. Doc. 43-6248; Filed, April 22, 1943; 11:36 a. m.]

[Public Land Order 109]

IDAHO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN AIRPORT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws and reserved for the use of the War Department as an airport:

BOISE MERIDIAN

T. 4 S., R. 5 E.,
Secs. 20 to 22, inclusive,
Secs. 27 to 29, inclusive, and
Secs. 32 to 34, inclusive.
The areas described, including both public and non-public lands, aggregate 5,760 acres.

This order shall be subject to (1) the withdrawal for electrical transmission line purposes made by the Executive order of October 29, 1913, as modified by the Executive order of February 11, 1915 (Power Site Reserve No. 406), and (2) the withdrawal for transmission line purposes made April 16, 1923, under Federal Power Commission Project No. 406, so far as such withdrawals affect any of the above-described lands.

The order of April 8, 1935, of the Secretary of the Interior, establishing Idaho Grazing District No. 1, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the public lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 12, 1943.

[F. R. Doc. 43-6245; Filed, April 22, 1943; 11:36 a. m.]

[Public Land Order 110]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered*, As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for aviation purposes:

SAN BERNARDINO MERIDIAN

T. 6 N., R. 7 W.,
Sec. 2, lots 1 and 2 of $NE\frac{1}{4}$, and lots 1 and 2 of $NW\frac{1}{4}$;
Sec. 3, lots 1 and 2 of $NE\frac{1}{4}$, and lots 1 and 2 of $NW\frac{1}{4}$;
Sec. 4, lots 1 and 2 of $NE\frac{1}{4}$, and lots 1 and 2 of $NW\frac{1}{4}$.
T. 7 N., R. 7 W.,
Sec. 33, $S\frac{1}{2}$;
Sec. 34, $S\frac{1}{2}$;
Sec. 35, $S\frac{1}{2}$.

The areas described, including both public and non-public lands, aggregate 1,941.91 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects any of the above-described lands.

It is intended that the public lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

APRIL 14, 1943.

[F. R. Doc. 43-6246; Filed, April 22, 1943; 11:36 a. m.]

[Public Land Order 111]

NEW MEXICO

REVOCATION OF PUBLIC LAND ORDER NO. 52 WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT AS A BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered*, as follows:

Public Land Order No. 52 of November 3, 1942, withdrawing certain public land in New Mexico for the use of the War Department as a bombing range, is hereby revoked.

HAROLD L. ICKES,
Secretary of the Interior.

APRIL 14, 1943.

[F. R. Doc. 43-6247; Filed, April 22, 1943; 11:37 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 754]

ALLOCATION OF FUNDS FOR LOANS

APRIL 8, 1943.

Inasmuch as Boone-Nance Rural Public Power District and Loup River Public Power District have transferred all their assets and liabilities to Cornhusker Rural Public Power District, and Cornhusker Rural Public Power District has assumed the entire indebtedness to United States of America, on Boone-Nance Rural Public Power District and Loup River Public Power District, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend the Administrative Orders designated below to change the allocation designations specified therein as follows:

Project designation	Administrative order		Amount of allocation	Amount of allocation		New project designation
	No.	Date		Advanced	Not advanced	
Nebraska 8026W1 Loup River District Public (Allotted as Nebraska 8026W1 Platte, changed by Administrative Order No. 511, dated August 28, 1940.	192	February 10, 1938	$5,000	$1,996.11	----------	Nebraska 81 Cornhusker District Public (Nebraska 8026W1 Loup River District Public.
					$3.89	Nebraska 8081 Cornhusker District Public.
Nebraska R902B1 Loup River District Public (Allotted as Nebraska R902B1 Platte, changed by Administrative Order No. 511, dated August 28, 1940.	301 438	October 18, 1938 Reduction March 11, 1940.	214,000 90,000 124,000	$4,651.51	----------	Nebraska 81 Cornhusker District Public (Nebraska R902B1 Loup River District Public.
					39,348.59	Nebraska R905A1 Cornhusker District Public.
Nebraska R905A1 Boone-Nance District Public (Allotted as Nebraska R905A1 Boone, changed by Memorandum to Staff, dated September 15, 1939).	306	November 3, 1935	226,000	129,944.91	----------	Nebraska 81 Cornhusker District Public (Nebraska R905A1 Boone-Nance District Public.
					96,055.09	Nebraska R9051B1 Cornhusker District Public.
Nebraska R902W2 Loup River District Public (Allotted as Nebraska R902W2 Platte, changed by Administrative Order No. 511, dated August 28, 1940.	318	January 31, 1939	10,000	9,902.10	----------	Nebraska 81 Cornhusker District Public (Nebraska R902W2 Loup River District Public.
					97.90	Nebraska R90182 Cornhusker District Public.
Nebraska R905W1 Boone-Nance District Public (Allotted as Nebraska R905W1 Boone, changed by Memorandum to Staff, dated September 15, 1939).	338	April 18, 1939	5,000	3,143.00	----------	Nebraska 81 Cornhusker District Public (Nebraska R905W1 Boone-Nance District Public)
					1,857.00	Nebraska R90183 Cornhusker District Public.
Nebraska R902W3 Loup River District Public.	476	July 1, 1940	10,000	4,632.22	----------	Nebraska 81 Cornhusker District Public (Nebraska R902W3 Loup River District Public.
					5,367.78	Nebraska R90183 Cornhusker District Public.
Nebraska 2026S4 Loup River District Public.	620	September 23, 1941	9,000	----------	9,000.00	Nebraska 2081S5 Cornhusker District Public.
Nebraska 2058S2 Boone-Nance District Public.	620	September 23, 1941	7,000	----------	7,000.00	Nebraska 20818S Cornhusker District Public.

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-6197; Filed, April 21, 1943; 11:27 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 191]

COTTONSEED AND PEANUT CRUSHING INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 57

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Boris Shishkin from Industry Committee No. 57 for the Cottonseed and Peanut Crushing Industry, and do appoint in his stead Mr. W. W. Rowland of Memphis, Tennessee as representative for the employees on such committee.

Signed at New York, New York this 17th day of April, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-6235; Filed, April 22, 1943; 9:33 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 300 and 499]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF FURTHER HEARING

In the matter of the petition of Pan American Airways, Inc., for rehearing, reargument and reconsideration of the Board's order dated August 31, 1942, fixing the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith in the petitioner's transpacific services.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on April 28, 1943, 10 a. m. (eastern war time) in Room 3237, Post Office Department, 12th Street and Pennsylvania Avenue, NW., Washington, D. C.

Dated Washington, D. C., April 21, 1943.

[SEAL] HERBERT K. BRYAN,
ROSS I. NEWMANN,
Examiners.

[F. R. Doc. 43-6241; Filed, April 22, 1943; 10:51 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4840]

HECHT COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Hecht Company, a corporation, also trading as Hecht Bros.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; U.S.C.A., section 41),

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, May 5, 1943, at ten-thirty o'clock in the forenoon of that day (eastern standard time) in Room 507, Post Office Building, Baltimore, Maryland.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-6239; Filed, April 22, 1943; 10:20 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-43]

GREAT LAKES UTILITIES COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of April 1943.

The Commission having by order dated March 31, 1942, under section 11 of the Public Utility Holding Company Act of 1935, approved a Plan dated March 1, 1942, providing for the liquidation of Great Lakes Utilities Company, a registered holding company; and said order having provided that Great Lakes Utilities Company should make application to the Commission for the entry of such further orders as were necessary or appropriate for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate;

Notice is hereby given that Great Lakes Utilities Company has filed an application requesting approval by the Commission of the extension of the maturity date on the remaining outstanding First Lien Collateral Trust Gold Bonds, 5½% Series, due 1942, from May 1, 1943, to May 1, 1944; the said Plan having provided, inter alia, for the extension of the maturity date of said bonds from May 1, 1942, to May 1, 1943, with the further provision that, subject to the approval of this Commission and the Court and upon the proof that the applicant has been or will be unable in the exercise of due diligence to sell at a fair price sufficient assets or securities for an amount in cash to be received prior to May 1, 1943, to pay in full the principal and accrued interest on the outstanding bonds of said issue, the applicant should have the right further to extend the maturity of said bonds to May 1, 1944; and

The District Court of the United States for the Eastern District of Pennsylvania in the proceeding entitled "In the Matter of Great Lakes Utilities Company, No. M-989", having by order entered on April 21, 1942, approved said plan pursuant to an application filed by this Commission at the request of Great Lakes Utilities Company; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application;

It is ordered, That a hearing be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 o'clock a. m., e. w. t., on the 28th day of April 1943, in such room as may be designated at that time by the Hearing Room Clerk in Room 318. All persons desiring to be heard, or otherwise wishing to participate in the proceeding, should notify the Commission in the manner provided by our Rules of Practice, Rule XVII, on or before April 23, 1943.

All interested persons are referred to said application, which is on file in the office of the Commission, for full details concerning the application;

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether Great Lakes Utilities Company has exercised due diligence in its efforts to sell its assets or securities, as provided in the plan;

(2) Whether an extension of the maturity date of the outstanding bonds from May 1, 1943 to May 1, 1944 is appropriate in the light of the provisions of the plan and consistent with the public interest and the interests of investors and consumers.

It is further ordered, That the Secretary of this Commission serve notice of the entry of this order by mailing a copy thereof by registered mail to the applicant, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6228; Filed, April 22, 1943; 9:35 a. m.]

[File No. 37-30]

PUBLIC UTILITIES MANAGEMENT CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia Pennsylvania, on the 19th day of April A. D. 1943.

Notice is hereby given that Post Amendment No. 1 to the Application of Public Utilities Management Corporation for approval as a mutual service company (File No. 37-30) has been filed with this Commission by American Gas and Power Company and Public Utilities Management Corporation, pursuant to the provisions of the Public Utility Holding Company Act of 1935. All interested persons are referred to said Post Amendment No. 1, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Public Utilities Management Corporation was approved as a mutual service company for the associate companies comprising the holding-company system of Community Gas and Power Company and American Gas and Power Company, pursuant to paragraphs (b) and (d) of section 13 of the Act, by order of this Commission dated November 19, 1938, subject to the conditions set forth in said order.

By order dated September 24, 1942, this Commission instituted a proceeding (File No. 59-55) against Community Gas and Power Company, American Gas and Power Company and the subsidiary companies thereof, in which the following issues (among others) were raised:

Whether it is necessary or appropriate pursuant to section 13 of the Act to require elimination of interlocking directorates and personnel among Public Utilities Management Corporation, the holding companies, and the utility companies in the holding-company system, and to require prospective or retroactive adjustments, or both, of cost allocations in order to prevent direct or indirect payment by the utility companies of compensation to officers, directors and employees of the holding companies, to prevent direct or indirect payment by the utility companies of other charges for services rendered, directly or indirectly, by the holding companies and to effect a fair and equitable allocation of costs among the holding companies and utility companies; and whether it is necessary or appropriate to require other changes in the organization and conduct of business of Public Utilities Management Corporation in the light of action which may be taken or required under sections 11 (b) (1) and 11 (b) (2) of the Act.

Hearings were held on the issues raised in our order of September 24, 1942. By notice and order dated March 2, 1943 in said proceeding (File No. 59-55) this Commission directed that evidence be adduced and consideration given at the reconvening of the hearing in said proceeding to the following issues, among others:

Whether the Commission should enter forthwith an order pursuant to section 13 of said Act, rescinding as of a date sixty days after the entry of said rescinding order, the order of the Commission dated November 19, 1938 which granted approval of Public Utilities Management Corporation as a mutual service company, and requiring that after sixty days from the entry of said rescinding order, unless pursuant to further order of the Commission, Public Utilities Management Corporation shall make no charges to and receive no payments from Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, St. Augustine Gas Company, Lowell Gas Light Company, and Bangor Gas Company, or any of them, except for services rendered prior to said date.

A hearing on the issues specified in said notice and order of March 2, 1943 has been held, and said issues are to be submitted to this Commission for determination after briefs have been filed and oral argument heard.

Public Utilities Management Corporation has issued and outstanding 3,000 shares of its $1 par value common capital stock as follows:

Name of stockholder	Number of shares	Consideration received from stockholders
Bangor Gas Company	51	$510
Birmingham Gas Company	677	6,770
Jacksonville Gas Corporation	190	1,900
Lowell Gas Light Company	244	2,440
Minneapolis Gas Light Company	1,643	16,430
Savannah Gas Company	168	1,683
St. Augustine Gas Company	27	270
	3,000	30,000

American Gas and Power Company and Public Utilities Management Corporation propose, in said Post Amendment, that the following transactions and changes in methods of operation shall be effectuated as of August 1, 1943:

(a) Public Utilities Management Corporation shall terminate all its said service contracts.

(b) Public Utilities Management Corporation shall acquire for cash all the shares of its common stock held by Jacksonville Gas Corporation, and one-half of the shares of its common stock held respectively by the other companies listed above, at a price equal to the book value of such stock at July 31, 1943. Such shares upon their acquisition shall be cancelled and retired by Public Utilities Management Corporation.

(c) American Gas and Power Company shall acquire for cash from each of the companies listed above, other than Jacksonville Gas Corporation, the remaining one-half of such stock holdings, also at a price equal to the book value of such stock at July 31, 1943. The aggregate amount to be so paid by American Gas and Power Company will be approximately $14,577.

(d) American Gas and Power Company shall enter into an agreement with Public Utilities Management Corporation whereby American Gas and Power Company will pay the entire cost of operations of Public Utilities Management Corporation.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters: *It is ordered*, That a hearing on said matters under the applicable provisions of said Act and the Rules of the Commission thereunder be held on May 4, 1943 at 10 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause will be shown why said Post Amendment No. 1 shall be granted.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings on said matters. The officer so designated to preside at such hearings is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in this proceeding, particular attention will be directed at the hearings to the following matters and questions:

1. Whether upon consummation of the transactions and changes in methods of operation proposed in said Post Amendment No. 1 any operating company in the holding-company system of American Gas and Power Company will be charged or have allocated to it, directly or indirectly, any portion of the salaries or expenses of any person or persons who are holding-company officers or employees, or whose functions relate primarily to the functions of supervision of the holding-company system and review of the activities of operating companies, their officials and staffs.

2. Whether upon consummation of the transactions and changes in methods of operation proposed in said Post Amendment No. 1 any holding-company officer or officers, or person or persons whose functions relate primarily to holding-company functions, shall receive any compensation or reimbursement of expenses directly or indirectly from any operating company.

3. Whether Public Utilities Management Corporation should be permitted to conduct its operations and business in the manner proposed in said Post Amendment No. 1, and, if so, whether any terms or conditions should be imposed.

4. Whether an order of the Commission pursuant to sections 9 (a), 10, 12 (c) or 12 (f) of the Act prohibiting or conditioning the proposed acquisitions by Public Utilities Management Corporation of shares of its common stock, and by American Gas and Power Company of shares of the common stock of Public Utilities Management Corporation, is necessary or appropriate to protect the financial integrity of the companies in the holding-company system, to safeguard their working capital, to prevent the circumvention of the provision of the Act or of the rules, regulations or orders thereunder, or otherwise in the public interest or for the protection of investors or consumers; whether such proposed acquisitions are unlawful under the provisions of section 8 of the Act, or detrimental to the carrying out of section 11 of the Act, and whether such proposed acquisitions will serve the public interest by tending towards the economic and efficient development of an integrated public-utility system.

It is further ordered, That notice of said hearing is hereby given to American Gas and Power Company and Public Utilities Management Corporation, respondents herein, and to Community Gas and Power Company, Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, Jacksonville Gas Corporation, St. Augustine Gas Company, Bangor Gas Company, Lowell Gas Light

Company, and American Utilities Associates, to their respective security holders and consumers, to all States, municipalities, and public subdivisions of States within which are located any of the physical assets of said companies or under the laws of which any of said companies are incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities, or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over any of such companies or over any of the business, affairs, or operations of any of them; that the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to American Gas and Power Company and Public Utilities Management Corporation, respondents herein, and to Community Gas and Power Company, Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, Jacksonville Gas Corporation, St. Augustine Gas Company, Bangor Gas Company, Lowell Gas Light Company, and American Utilities Associates, and to the Alabama Public Service Commission, the Georgia Public Service Commission, the Department of Public Utilities of Massachusetts, and the Public Utilities Commission of the State of Maine, and the Cities of Minneapolis, Minnesota, Jacksonville, Florida and St. Augustine, Florida, such mailing to be made on or before April 23, 1943; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases, issued under the Act; and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER on or before April 23, 1943.

It is further ordered, That any person proposing to intervene or to be heard in these proceedings shall file with the Secretary of the Commission on or before May 3, 1943 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6229; Filed, April 22, 1943; 9:35 a. m.]

[File No. 70-399]

UTILITY SERVICE COMPANY

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of April 1943.

Utility Service Company, a registered holding company and wholly-owned subsidiary of Manufacturers Trust Company, an exempt holding company, having filed an application and declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 10 and Rules U-42, U-43 and U-44 promulgated thereunder, regarding its proposal (a) to accept from its parent, for cancellation and retirement, its demand notes in the principal amount of $1,218,000 which notes will be surrendered as a capital contribution; (b) to convey to its parent all of its assets remaining after the payment of or provision for the payment of all of its liabilities; and (c) to acquire and retire all of its outstanding shares of capital stock; and

A public hearing having been held on said application and declaration after appropriate notice; and the Commission having made and filed its findings and opinion herein; and

The Commission having found that the proposed transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Act and fair and equitable to the persons affected and are not in contravention of any of the applicable provisions of the Act, or of any rules or regulations promulgated thereunder; and

Utility Service Company having requested that the order of the Commission herein conform to the requirements of Section 1808 of the Internal Revenue Code as amended by section 506 (e) and (h) of the Revenue Act of 1942 and contain findings therein specified;

It is hereby ordered, That said application, as amended, be granted and that said declaration, as amended, be permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24.

It is further ordered, That the liquidation and dissolution of Utility Service Company and the conveyance and delivery by it to Manufacturers Trust Company of (a) 35,000 shares of the Common Stock and 6,021 shares of the Cumulative $6 Preferred Stock of Eastern Minnesota Power Corporation, (b) 330,000 shares of the Common Stock of The Marion-Reserve Power Company, and (c) 48,483 shares of the Common Stock of New England Public Service Company, or any or all of said transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6230; Filed, April 22, 1943; 9:35 a. m.]

[File No. 70-672]

CONSOLIDATED ELECTRIC AND GAS COMPANY AND HOUGHTON COUNTY ELECTRIC LIGHT COMPANY

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of April, A. D. 1943.

Consolidated Electric and Gas Company, a registered holding company, and its subsidiary company, Houghton County Electric Light Company, having filed an application and declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 9, 10, and 12 thereof, and Rules U-42, U-43, and U-44 promulgated thereunder, regarding the reclassification by Houghton County Electric Light Company of its outstanding preferred stock (12,000 shares of $25 par value), all of which is owned by Consolidated Electric and Gas Company, into 12,000 shares of common stock of $25 par value and regarding a capital contribution by Consolidated Electric and Gas Company of 800 shares of Houghton County Electric Light Company common stock to the latter company and regarding the pledge by Consolidated Electric and Gas Company of the new common shares of Houghton County Electric Light Company under the indenture securing its Collateral Trust Bonds in substitution for the old shares of preferred and common stock of Houghton County Electric Light Company. The application and declaration states that Houghton County Electric Light Company will write off through a charge to earned surplus any amount presently in the Utility Plant Acquisition Adjustment Account, which the Michigan Public Service Commission may find upon completion of its pending study, to be of a nature which should properly be included in Account 107 of the Uniform System of Accounts as prescribed by the Federal Power Commission, and treat the balance of such item which is of a nature to be included in Account 100.5 under said System of Accounts, in such manner as may be directed by the Michigan Public Service Commission; and

Said application and declaration having been filed on February 2, 1943 and amendments having been filed thereto, the last on April 2, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said application and declaration within the period prescribed in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application, as amended, and to permit said declaration, as amended, to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application, as amended, be and the same is hereby granted and said declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6231, Filed, April 22, 1943; 9:35 a. m.]

[File No. 70-694]

THE BUCKEYE LIGHT & POWER COMPANY AND UNITED PUBLIC UTILITIES CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of April 1943.

Notice is hereby given that a joint application and declaration has been filed by The Buckeye Light & Power Company and United Public Utilities Corporation pursuant to the Public Utility Holding Company Act of 1935. All interested persons are referred to said application and declaration which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

(1) The Buckeye Light & Power Company, a wholly-owned subsidiary of United Public Utilities Corporation, a registered holding company, proposes to issue and sell its negotiable promissory note in the principal amount of $76,500 to be dated May 15, 1943, bearing interest at the rate of 6% per annum to mature January 1, 1945 in consideration of $76,500 in cash to be paid by United Public Utilities Corporation;

(2) The proceeds of the sale will be used by The Buckeye Light & Power Company to retire its Twenty-year 7% First Mortgage Bonds in the principal amount of $76,500 which mature on May 15, 1943; said First Mortgage Bonds are now owned by United Public Utilities Corporation, but are pledged with the Provident Trust Company of Philadelphia, as Trustee, under the Collateral Trust Indenture securing the outstanding Collateral Trust Bonds of United Public Utilities Corporation;

(3) United Public Utilities Corporation will then pledge Buckeye's new note with said Trustee in compliance with the provisions of the Collateral Trust Indenture, but will not receive any cash upon the pledge of the new note.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters, and that said application shall not be granted nor said declaration permitted to become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on April 29, 1943, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission located at 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application or declaration (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named applicant and declarant and to all interested persons, said notice to be given to said applicant and declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise the powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declaration and application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the issue and sale of said 6% negotiable promissory note is solely for the purpose of financing the business of The Buckeye Light & Power Company;

(2) Whether the issue and sale of said note has been expressly authorized by the state commission of the state in which said company is organized and doing business;

(3) What terms and conditions, if any, would it be appropriate in the public interest or for the protection of investors or consumers to impose in connection with the exemption, if granted, of the issue and sale of said note from provisions of section 6 (a) of said Act;

(4) Whether the acquisition and pledge by United Public Utilities Corporation of said note will comply with the applicable standards of sections 10 (b), 10 (c), 12 (b), 12 (d) and 12 (f) of said Act and the applicable Rules thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6232; Filed, April 22, 1943; 9:36 a. m.]

[File No. 59-10]

THE NORTH AMERICAN COMPANY, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of April 1943.

In the matter of the North American Company and its subsidiary companies, respondents.

Notice of filing by Washington Railway and Electric Company and the Washington and Rockville Railway Company of Montgomery County of application for extension of time and order for hearing.

The Commission having entered its order in the above styled and numbered proceeding on April 14, 1942, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 directing The North American Company and certain of its subsidiary companies to take various steps in order to comply with the provisions of section 11 (b) (1) of said Act;

Notice is hereby given that on April 14, 1942, Washington Railway and Electric Company and The Washington and Rockville Railway Company of Montgomery County, two of the respondents in said proceeding, filed a petition requesting the entry of an order by this Commission under section 11 (e) of the Act extending for one year the time within which to comply with the said order of April 14, 1942.

All interested persons are referred to said petition which is on file in the office of the Commission for full details concerning the petition.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said petition and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 11:30 a. m., e. w. t., on the 3rd day of May, 1943, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII, on or before April 26, 1943.

At said hearing there will be considered (1) whether Washington Railway and Electric Company and The Washington and Rockville Railway Company of Montgomery County have exercised due diligence in their efforts to comply with the Commission's order of April 14, 1942, and (2) whether an extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to The North American Company, Washington Railway and Electric Company, and The Washington and Rockville Railway Company of Montgomery County and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6233; Filed, April 22 1943; 9:36 a. m.]

[File Nos. 70-178, 70-686]

PUBLIC SERVICE COMPANY OF OKLAHOMA, ET AL.

NOTICE OF FILING, ETC.

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pennsylvania, on the 20th day of April, A. D. 1943.

In the matters of Public Service Company of Oklahoma, Southwestern Light and Power Company and the Middle West Corporation; File No. 70–178 and West Texas Utilities Company and American Public Service Company; File No. 70–686.

Notice of filing of amendments, notice of filing of application and declaration, order of consolidation and order for hearing.

Notice is hereby given that amendments to declarations or applications have been filed with this Commission under the Public Utility Holding Company Act of 1935 by The Middle West Corporation ("Middle West") and its indirect subsidiaries, Public Service Company of Oklahoma ("Oklahoma") and Southwestern Light & Power Company ("Southwestern"), a subsidiary of Oklahoma. Central and South West Utilities Company ("Central"), a subsidiary of Middle West, has joined in the amendment to the extent and for the purpose of its participation in the proposals therein.

Notice is further given that an application or declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 by West Texas Utilities Company ("West Texas") and its parent, American Public Service Company ("American"), a registered holding company and a subsidiary of Middle West.

All interested persons are referred to said documents which are on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Southwestern proposes to dissolve. For the purpose of effecting this principal transaction, and in connection therewith, the various companies propose as follows:

1. Southwestern proposes to transfer and convey to Oklahoma in liquidation of all outstanding shares of Southwestern's capital stock owned by Oklahoma at date of liquidation, all assets of Southwestern, and Oklahoma proposes to acquire all such assets.

2. Oklahoma proposes to issue 11,167 shares of its $100 par value common stock to Middle West in exchange for 11,167 shares of Southwestern's $6 preferred stock now owned by Middle West, and Middle West proposes to acquire said stock of Oklahoma in pursuance of such exchange.

3. Oklahoma proposes to offer 15,000 shares of its 5% preferred stock in exchange, on a share for share basis, for 15,000 shares of the 24,411 shares of Southwestern's $6 preferred stock owned by the public and to issue such of its stock subscribed for pursuant to such offer and to acquire such of Southwestern's stock delivered to it pursuant to such offer.

4. Oklahoma proposes to issue and sell to Middle West and Middle West proposes to purchase 2,500 shares of Oklahoma's $100 par 5% preferred stock, at par plus accrued dividends, less the number of shares of said stock in excess of 2,500 shares as may be subscribed for by the public pursuant to the offer referred to in paragraph 3 hereof.

5. Oklahoma proposes to issue and sell to American and American proposes to acquire 10,000 shares of Oklahoma's $100 par 5% preferred stock, at par, plus accrued dividends, less the number of shares of said stock in excess of 5,000 shares as may be subscribed for by the public pursuant to the offer referred to in paragraph 3 hereof.

6. Oklahoma proposes to advance to Southwestern on open account, without interests, a sum sufficient to pay $100 per share of the liquidation price payable in respect of such number of the 24,411 shares of Southwestern's $6 preferred stock as are not acquired by Oklahoma pursuant to the public offering referred to in paragraph 3 hereof and Southwestern proposes to pay to a depositary or liquidation agent the moneys necessary to pay the following amounts to certain of its stockholders:

(a) $100 per share plus accrued dividends to the holders of such number of shares of its $6 preferred stock as are not acquired by Oklahoma pursuant to the public offering;

(b) $100 per share plus accrued dividends to the holders of 393 shares of its Class "A" common stock not now owned by Oklahoma; and

(c) $21 per share to the holders of 143 shares of its common stock not now owned by Oklahoma.

7. Oklahoma proposes to acquire, and Southwestern proposes to transfer and convey to Oklahoma, in final liquidation of Southwestern and in satisfaction of the advance on open account referred to in paragraph 6 above, and in cancellation and extinguishment of all shares of capital stock of Southwestern then owned by Oklahoma, all utility assets and other assets of Southwestern (except only the moneys paid to the depositary or liquidation agent as set forth in paragraph 6 hereof), and to assume payment of all liabilities of Southwestern including the $6,648,000 principal amount of Southwestern's first mortgage bonds, series A, 3¾%, due December 1, 1969.

8. Oklahoma proposes to issue, under an indenture dated February 1, 1941 heretofore executed by it to City National Bank and Trust Company of Chicago and Arthur T. Leonard, as trustees, and to sell to underwriters $6,600,000 principal amount of its first mortgage bonds, series A, 3¼%, due February 1, 1971 and to apply the proceeds thereof, together with requisite treasury funds, to the redemption at 105¼ and accrued interest of the $6,648,000 principal amount of Southwestern's outstanding first mortgage bonds above described.

9. West Texas proposes to acquire from American and American proposes to sell to West Texas a maximum of 14,251 shares of no par $6 cumulative preferred stock of West Texas at a cash price of $70.17 per share. The number of said such shares to be actually acquired and sold will be such number, (not to exceed 14,251) as will, at the sale price of $70.17 per share, provide American with the approximate amount of funds required by it to be paid for such number of shares of Oklahoma's 5% preferred stock as American will undertake to purchase under the proposal set forth in paragraph 5 hereof.

10. Middle West proposes to sell to American, forthwith upon acquisition, and American proposes to purchase 1,488 shares of Oklahoma's $100 par common stock for an aggregate price of $148,800 payable in cash, and Middle West further proposes to sell to Central and Central proposes to acquire 9,679 shares of Oklahoma's $100 par common stock for an aggregate price of $967,900, payable $97,900 in cash and the balance of $870,000 in annual installments of $87,000 each, with interest at the rate of 4% per annum payable semi-annually, the obligation to pay the installments of principal to be evidenced by Central's promissory note to be secured by a pledge of the shares acquired and to provide for prepayment at the maker's option of any principal installment without premium at any time.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration, as amended, of Oklahoma and Southwestern, the application or declaration as amended of Middle West, or the application or declaration of West Texas and American shall not be granted or permitted to become effective except pursuant to further order of this Commission; and

It further appearing to the Commission that said matters are related and involve common questions of law and fact; that evidence offered in respect of each of said matters may have a bearing on the others; and that substantial savings in time, effort and expense will result if the hearings on said matters are consolidated so that they may be heard as one matter, and so that evidence heretofore or hereafter adduced with respect to the proceedings in cases Nos. 70–178 and 70–686 may stand as evidence in both of said matters for all purposes;

It is ordered, That the hearings on said matters be and they hereby are consolidated. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any of said matters, to order a separate hearing concerning such matter, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record on any other matter.

It is further ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on May 11, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice by registered mail to Public Service Company of Oklahoma, Southwestern Light & Power Company, The Middle West Corporation, American Public Service Company, West Texas Utilities Company and Central and Southwest Utilities Company; and that notice of said hearing is hereby given to each of said companies, the security holders and consumers of said companies, all states, municipalities, and political divisions of states within which are located any of the utility assets of any of said companies, or under the laws of which any of said companies are incorporated, all state commissions, state securities commissions and all agencies, authorities or instrumentalities of any one or more states, municipalities, or other political subdivisions having jurisdiction over any of said companies or over any of the businesses, affairs, or operations of any of said companies; that such notice shall also be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication in the FEDERAL REGISTER, not later than 15 days prior to the date of said hearing.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's Rules of Practice on or before April 29, 1943.

It is further ordered, That Richard Townsend, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said amendments and by said application or declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters in question:

A. Whether the acquisition by Oklahoma of the assets of Southwestern is unlawful under the provisions of section 8 or is detrimental to the carrying out of the provisions of section 11 of the Act.

B. Whether the acquisition by Oklahoma of the assets of Southwestern will tend towards the economical and efficient development of an integrated public-utility system.

C. Whether compliance has been effected with such state laws as may be applicable in respect of the acquisition by Oklahoma of the assets of Southwestern.

D. Whether the issue and sale by Oklahoma of its securities pursuant to the proposed transactions meet the requirements of section 7 and whether any facts exist which would require adverse findings under section 7 (d) of the Act.

E. Whether the proposed offer and exchange by Oklahoma of its 5% preferred stock, on a share for share basis, for shares of Southwestern's preferred stock owned by the public is fair and equitable to all persons interested.

F. Whether the acquisition by Middle West and American of shares of Oklahoma's preferred stock, as proposed, meet the requirements of section 10 of the Act.

G. Whether the proposed advance of moneys by Oklahoma to Southwestern and the acquisition by Southwestern of its own securities meet the requirements of sections 12 (b) and 12 (c) of the Act and the applicable rules and regulations thereunder, and is fair and equitable to all persons interested.

H. Whether the assumption by Oklahoma of the liabilities of Southwestern meets the requirements of section 7 and whether any facts exist which would warrant adverse findings under section 7 (d) of the Act.

I. Whether the acquisition by West Texas from American of its preferred stock now owned by American, and the sale of such stock by American, meet the requirements of sections 10, 12 (c) and 12 (d) of the Act and whether such proposed transactions are fair and equitable to all persons interested.

J. Whether the acquisitions by American and Central of common stock of Oklahoma meet the requirements of section 10 and whether the sale of such stock by Middle West to American and Central meets the requirements of section 12 (d) of the Act.

K. Whether the issuance by Central of its note to Middle West and the deposit of the shares of common stock of Oklahoma to secure such note meet the requirements of section 7 and whether any facts exist which would warrant adverse findings under section 7 (d) of the Act.

L. Whether the acquisition by Middle West of Central's note and of the securities to be pledged thereunder meet the requirements of section 10 of the Act.

M. Whether all of the transactions, as proposed, comply with all applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6234; Filed, April 22, 1943; 9:36 a. m.]

[File No. 1-2235]

OPERATOR CONSOLIDATED MINES CO.

ORDER RESCINDING ORDER WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of April, A. D. 1943.

The Commission having on January 23, 1943 instituted proceedings pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934 to determine whether the registration of the common stock, 10¢ par value, of the Operator Consolidated Mines Company on the San Francisco Mining Exchange should be suspended or withdrawn for failure to file its annual report for the fiscal year ended December 31, 1941 as required by section 13 of said Act and the rules and regulations thereunder; and

The Commission having on April 16, 1943 made its findings in this matter and ordered that the registration of the common stock, 10¢ par value of said Operator Consolidated Mines Company on the San Francisco Mining Exchange be withdrawn, effective ten days after such date; and

It appearing that subsequent to the hearing in this matter the said Operator Consolidated Mines Company filed with the Commission an annual report on Form 10-K for the fiscal year ended December 31, 1941;

It is ordered, That the findings and order of April 16, 1943 withdrawing such securities from registration on said exchange be and the same are hereby rescinded; and

It is further ordered, That the proceeding herein be and it hereby is dismissed, without prejudice to the institution of such future proceedings as the Commission may deem appropriate with respect to said registration.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6249; Filed, April 22, 1943; 11:37 a. m.]

VETERANS' ADMINISTRATION.

[Instruction 1]

VOCATIONAL HANDICAPS AND AWARDS OF PENSIONS DURING PERIODS OF VOCATIONAL REHABILITATION

PRINCIPLES AND PROCEDURE GOVERNING DETERMINATIONS

Principles and procedure governing determinations as to vocational handicap and the awarding of pension during the period of vocational rehabilitation under Pub. Law 16, 78th Congress.

1. The adjudication division in each regional office or facility under the direction of an adjudication officer, and the claims division, veterans claims service, central office, under the direction of a chief, are vested with authority to determine whether a vocational handicap exists and award pension payable during the period of vocational rehabilitation.

2. Requirements for entitlement to vocational rehabilitation follow:

(a) Active military or naval service any time after December 6, 1941, and during the present war.

(b) Honorable discharge.

(c) Service-connected pensionable disability due to World War II service.

(d) Vocational handicap due to such disability.

(e) Need for vocational rehabilitation to overcome such handicap.

3. Rating boards in the adjudication division, field office, and the central disability board, claims division, veterans

claims service, central office, will have original jurisdiction to determine whether a vocational handicap exists. Need for vocational rehabilitation to overcome the handicap will be determined by the vocational rehabilitation division.

4. A vocational handicap will be determined to exist when, upon the basis of the evidence of record as to the disabled person's education, occupational training and experience, it is found the disability will materially interfere with securing and pursuing employment comparable with that for which qualified by education, training and experience.

(a) It is to be distinctly borne in mind, in applying the above definition, that there is a clear distinction between average impairment in earning capacity for pension purposes and a vocational handicap requiring vocational rehabilitation to overcome the handicap. A person who is totally disabled on the basis of average impairment in earning capacity may nevertheless be fully able to secure and pursue employment in some occupation for which he is well qualified. Conversely, a person who has a very slight pensionable disability may, on acount of peculiar relationships existing between specified skills and his occupational experience, have a vocational handicap which would require vocational rehabilitation to overcome. It should also be borne in mind that unemployment is not necessarily an indication that a vocational handicap exists, nor is employment alone sufficient to support a determination that no vocational handicap exists. Mere temporary employment, the tenure of which may be dubious or which is not suitable for the individual, or comparable with his education, occupational training and skill, is not incompatible with the existence of a vocational handicap. A disabled person may be able to follow occupations not comparable with the occupation pursued prior to service and still have a vocational handicap. By comparable is meant, substantially similar or on a parity with regard to remuneration, permanence of employment, opportunities for advancement, and environment. When, however, the disabled person's best interests will be served by seeking and pursuing employment for which he is qualified, that is, when this offers a suitable career, it may not be held that a vocational handicap exists.

(b) Determinations as to existence of a vocational handicap will be recorded by proper notation on the rating sheet as follows:

Vocational handicap exists, Pub. Law 16, 78th Congress.

or

Vocational handicap does not exist, Pub. Law 16, 78th Congress.

(c) Determination as to existence of vocational handicap will not be made by the rating agencies unless it is determined the veteran has a service-connected pensionable disability due to World War II service.

5. When the rating board or central disability board determines the World War II service-connected pensionable disability produces a vocational handicap, written notice of the decision will include a statement substantially as follows:

Pub Law 16, 78th Congress, amended Veterans Regulation No. 1 (a), as amended, to provide among other things "that any person who served in the active military or naval service at any time after December 6, 1941, and prior to the termination of the present war, who is honorably discharged therefrom and who has a disability incurred in or aggravated by such service for which a pension is payable under laws administered by the Veterans Administration or would be but for the receipt of retirement pay, and is in need of vocational rehabilitation to overcome the handicap of such disability, shall be entitled to such vocational rehabilitation as may be prescribed by the Administrator of Veterans Affairs to fit him for employment consistent with the degree of disablement . . ." In the event you are interested and consider vocational rehabilitation is necessary to overcome the handicap of your service-connected disability, the enclosed Form 1900 should be prepared and returned to this office for consideration and determination as to whether you are in need of vocational rehabilitation.

(a) Should the determination be in the negative, written notice of the decision will contain no reference to vocational handicap.

(b) When Form 1900 is received from the veteran, it will be attached to the claims folder and forwarded to the vocational rehabilitation division.

6. The authorization unit, adjudication division, field office, and the authorization subdivision, claims division, veterans claims service, central office, will have jurisdiction over determinations as to basic entitlement to monetary benefits payable on account of vocational rehabilitation.

(a) Immediately upon entrance of the disabled veteran into vocational training the vocational rehabilitation division will notify the adjudication division, field office, or claims division, central office, depending upon the jurisdiction of the claim, by appropriate form showing veteran's name, claim number, and date of entrance into, and type of, training, that is, whether on the job. The vocational rehabilitation division will also notify the adjudication division or claims division by form, of any change in status which would affect the rate of pension.

(b) The monthly rate of pension payable while the disabled veteran is pursuing a course of vocational rehabilitation will, except as hereinafter provided, be as follows:

(1) If the disabled person has neither wife nor child, $80.00.

(2) If he has a wife, but no child, $90.00.

(3) If he has a wife and one child, $95.00, and $5.00 for each additional child.

(4) If he has no wife and one child, $90.00, and $5.00 for each additional child.

(5) If he has a mother or father, either or both dependent on him for support, then, in addition to the above amounts, $10.00 for each parent so dependent.

(6) The monthly rates of pension authorized in (1) to (5) above will be reduced to the extent of any forfeiture invoked as a penalty for breach of rules or regulations during training, upon notification from the vocational rehabilitation division.

(7) In no event will the monthly rate of pension payable while pursuing a course of vocational rehabilitation be less than the monthly rate of pension or retirement pay to which the disabled person would be entitled for service-connected disability.

(8) When the disabled person pursuing a course in vocational rehabilitation is furnished hospitalization by the United States Government or a political subdivision thereof, other than during approved leave, he will be entitled only to the monthly amount of pension or retirement pay authorized for the service-connected disability, and this disability pension or retirement pay will be subject to reduction or discontinuance as provided in § 35.06.

7. Pension payable on account of vocational rehabilitation will be apportioned as provided in §§ 3.1310–3.1317.

8. Awards adjusting the monthly rate of pension on account of vocational rehabilitation to the disabled person will be prepared upon Form 553 (c); apportioned awards to dependents, on Form 553 (a), citing "Pub. Law 16, 78th Congress" as authority for the award in the proper space.

(a) The effective date of an award of pension on account of vocational rehabilitation shall be the date of entrance into vocational rehabilitation, or reentrance, if interrupted.

(b) The effective date of an increased award of pension on account of vocational rehabilitation based on the marriage of the claimant, the birth or adoption of a child, or dependency of a parent, shall be the date of receipt of claim by the Veterans' Administration or the date the evidence of relationship or dependency shows entitlement, whichever is the later. In the event claimant's application is not complete, he will be advised of the evidence necessary to complete the application, and if such evidence is not received within one year from the date of request therefor, increased pension will not be paid by virtue of that application.

(c) Reduction of an award of pension payable on account of vocational rehabilitation shall be effective:

(1) In the event of death of a dependent, as of the date of death;

(2) In the event of divorce, the date preceding date of divorce;

(3) In case of a child, the date preceding the eighteenth anniversary of date of birth; or if attending school after age 18, the date of cessation of school attendance or the date preceding the twenty-first anniversary of the date of birth, whichever is the earlier; the date preceding date of marriage; in case of cessation of incapacity to support self by reason of mental or physical defect, last day of month in which reduction is approved.

(4) By reason of wages, compensation or other income received while training on the job, last day of month in which award effecting reduction is approved.

(d) Discontinuance of an award of pension payable on account of vocational rehabilitation because of interruption of course or employability determined, shall be effective:

(1) Interruption of course, date following date of interruption of course.

(2) Employability determined, first day of the third calendar month next succeeding that in which employability was determined.

9 Pub. Law 16, 78th Congress, provides, among other things, that:

Where any person while following a course of vocational rehabilitation as provided for in this part suffers an injury or aggravation of an injury, as a result of the pursuit of such course of vocational rehabilitation, and not the result of his or her own willful misconduct, and such injury or aggravation results in additional disability to or death of such person, the benefits under laws applicable to veterans of the present war shall be awarded in the same manner and extent as if such disability, aggravation, or death were service-connected within the meaning of such laws; except that no benefits under this paragraph shall be awarded unless application be made therefor within two years after such injury or aggravation was suffered, or such death occurred.

(a) The benefits granted under that portion of Pub. Law 16, 78th Congress, quoted above, will not be awarded unless application is made therefor within two years after such injury or aggravation was suffered or such death occurred.

(b) Pending revision of Veterans' Administration Form 526–A, it, or any communication from or action by a claimant or his duly authorized representative, which clearly indicates an intent to apply for benefits by reason of injury or aggravation of injury resulting in additional disability or death, will be considered an informal claim and handled as provided in § 2.1027.

(c) Jurisdiction, determinations and adjudication action under this paragraph will be in accordance with the provisions of §§ 2.1122, 2.1123 and 2.1124, in so far as applicable.

10. All cases heretofore rated and determined to be entitled to pension for disability due to World War II service will be reviewed at the earliest possible date and a determination made by the rating agency as to whether a vocational handicap exists. The budget officer and chief of statistics, central office, or the manager in field offices, will prepare and certify from the abstract cards a list of claims to be reviewed under this paragraph. The list will be forwarded to the chief, claims division, veterans claims service, central office, and to the adjudication officer in the field offices. The veteran will be notified of this determination as outlined in paragraph 5 hereof.

11. Pub. Law 16, 78th Congress, amends Title I, Pub. Law 2, 73d Congress, and § 35.01, as amended, accordingly, except as otherwise provided herein, the provisions of regulations and procedure, Veterans Administration, pertaining to definitions of relationship, dependency, jurisdiction, appeals, etc., under Pub. Law 2, 73d Congress, in so far as applicable, will control under this instruction.

12. An initial supply of Rehabilitation Form 1900 will be furnished each regional office and facility with regional office activities. Additional forms will be requisitioned from central office in the usual manner. (April 21, 1943) [Pub. Law 16, 78th Congress]

FRANK T. HINES,
Administrator of Veterans Affairs.

[F. R. Doc. 43–6220; Filed, April 21, 1943; 4:04 p. m.]

WAR PRODUCTION BOARD.

[Preference Rating Order P–55, Serial 7071–00050—230]

RESTORATION AND AMENDMENT OF PREFERENCE RATING

L. S. Corporation, 176th Pl. & Wentworth Avenue, Lansing, Illinois.

The partial revocation issued February 1, 1943, of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect, as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire on May 15, 1943.

Issued this 21st day of April 1943.

J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6227; Filed, April 21, 1943; 4:57 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 81

Washington, Saturday, April 24, 1943

The President

EXECUTIVE ORDER 9332

ESTABLISHING THE SOLID FUELS ADMINISTRATION FOR WAR

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. Whenever used in this Order:

(a) The term "solid fuels" includes all forms of anthracite, bituminous, subbituminous, and lignitic coals (including packaged and processed fuels, such as briquettes).

(b) The term "solid fuels industries" means the development, production, preparation, treatment, processing, storage, shipment, receipt, and distribution of solid fuels within the United States, its territories and possessions, but does not include the transportation of solid fuels.

(c) The term "transportation" means transportation as defined in the Interstate Commerce Act, as amended, and in Executive Orders Nos. 8989 and 9156.

(d) The terms "distribution" and "shipment" exclude transportation, and the terms "distribute" and "ship" exclude transport.

(e) The term "directive" includes order, regulation, and any other similar instrument.

2. There is established within the Department of the Interior a Solid Fuels Administration for War, at the head of which shall be a Solid Fuels Administrator, hereinafter referred to as the Administrator. The Secretary of the Interior shall serve ex-officio as Administrator.

3. The Administrator shall:

(a) Subject to the provisions of this Order, establish basic policies and formulate plans and programs to assure for the prosecution of the war the conservation and most effective development and utilization of solid fuels in the United States and its territories and possessions, issue necessary policy and operating directives to parties engaged in the solid fuels industries, and appoint such general, regional, local, or functional solid fuels industries committees or councils as the Administrator finds necessary, *Provided* that no directive issued hereunder shall conflict with any directive which has heretofore been issued or may hereafter be issued (1) by the Chairman of the War Production Board pursuant to paragraph one of Executive Order No. 9125 of April 7, 1942, or (2) by the Chairman of the War Manpower Commission pursuant to Executive Orders Nos. 9139 of April 18, 1942, 9279 of December 5, 1942, and 9301 of February 9, 1943.

(b) Serve, as far as practicable, as the liaison and channel of communication between parties engaged in the solid fuels industries and the several departments and agencies of the Federal Government on matters directly involving the functions of the Administrator.

(c) Obtain from the Departments of War and the Navy, the several divisions and branches of the War Production Board, such other Federal and state departments and agencies as may be appropriate, and from any other sources, private or governmental, any information, statistics, and data necessary to effectuate the purposes of this Order.

(d) (1) Prepare estimates as to the quantities of solid fuels which the Administrator deems necessary to meet direct and indirect military, and essential industrial and civilian requirements and submit such estimates with recommendations to the War Production Board.

(2) Recommend to the War Production Board any program for distribution of solid fuels which the Administrator deems necessary to meet direct and indirect military, and essential industrial requirements.

(3) Prepare and submit to the War Production Board recommendations as to the kinds and quantities of materials needed by parties engaged in the solid fuels industries to make available solid fuels in such quantities as the Administrator deems necessary to meet direct and indirect military, and essential industrial and civilian requirements.

(e) Subject to the direction of the Chairman of the War Production Board, exercise the powers, authority, and the discretion conferred upon the Chairman by Paragraph 1 of Executive Order No. 9125 of April 7, 1942, by issuing, and taking appropriate action to enforce, such

(Continued on next page)

IMPORTANT NOTICE

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directives to the solid fuels industries as the Administrator may deem necessary, in order to:

(1) Provide adequate supplies of solid fuels for direct and indirect military, and essential industrial and civilian requirements;

(2) Effect the proper distribution of such amounts of materials as the Chairman of the War Production Board may allot for the solid fuels industries.

(f) Compile data and make continuing surveys with respect to the effect of the prices charged for solid fuels upon the efficient wartime operations of the solid fuels industries and the maintenance of adequate supplies of solid fuels for direct and indirect military, and essential industrial and civilian requirements. On the basis of such surveys, the Solid Fuels Administrator shall consult with and recommend to the Price Administrator, for consideration in light of the provisions of the Emergency Price Control Act of 1942, such upward or downward adjustments in the schedule of prices charged for solid fuels as will, in the judgment of the Solid Fuels Administrator, assure the efficient wartime operation of the solid fuels industries and the maintenance of adequate supplies of solid fuels for direct and indirect military, and essential industrial and civilian requirements. In order to enable the Solid Fuels Administrator to make appropriate recommendations, the Price Administrator shall advise with the Solid Fuels Administrator prior to the establishment or alteration by the Price Administrator of any schedule of prices to be charged for solid fuels.

(g) Be advised of all plans or proposals which deal with the civilian rationing of solid fuels and consult with rationing authorities in the development of such plans or proposals; and, determine, after advising with the War Production Board, the areas and the times within which such rationing should be effective and the amount of solid fuels available for such purpose.

(h) Prepare and submit to the Office of Defense Transportation recommendations concerning the provision of transportation facilities adequate for the transportation and distribution of the solid fuels necessary to meet direct and indirect military, and essential industrial and civilian requirements.

(i) Prepare and submit to the War Shipping Administration recommendations concerning the provision of vessels and related facilities adequate for the transportation and distribution of the solid fuels necessary to meet direct and indirect military, and essential industrial and civilian requirements.

(j) Request the War Manpower Commission to take such action as it deems appropriate to meet the manpower problems of the solid fuels industries in the light of the over-all manpower needs of the Nation, when the ability of the solid fuels industries to make available solid fuels in such quantities as the Administrator deems necessary to meet direct and indirect military, and essential industrial and civilian requirements is represented to be impaired or endangered by a shortage of manpower.

(k) Formulate and submit any necessary policy recommendations to the appropriate Federal departments and agencies, after consultation with them, concerning plans and procedures with respect to foreign solid fuels activities.

4. In the performance of his functions, the Administrator shall consult with the appropriate authorities in the Federal departments and agencies whose functions affect the solid fuels industries in advance of any action proposed to be taken by him which may affect any such department or agency in the performance of its functions.

5. The several Federal departments and agencies shall supply such information and data as the Administrator may require in performing his functions and shall advise with the Administrator before undertaking any action which might affect the continuous, ready availability of solid fuels for direct and indirect military, and essential industrial and civilian requirements. In order to assist him in carrying out the purposes of this Order, the Administrator may establish committees or designate groups of advisers, representing two or more departments or agencies of the Federal Government, or states.

6. The Administrator may appoint a Deputy Administrator to whom he may delegate, subject to such departmental supervision and direction as he may determine, any and all power, authority, and discretion conferred upon him by this Order. The Administrator may designate either the Deputy Administrator or the Acting Secretary of the Interior to serve as Acting Solid Fuels Administrator in the absence of the Administrator. The Administrator and Deputy Administrator may (a) exercise the powers, authority, and discretion conferred upon them by or under the provisions of this Order through such personnel of the Solid Fuels Administration for War and the Department of the Interior, and in such manner as the Administrator or Deputy Administrator may determine, and (b) accept the services of other departments, agencies, and officials of the Government in carrying out the purposes of this Order. The Administrator, within the limits of such funds as may be allocated or appropriated for the purpose, may employ necessary personnel and make provision for necessary supplies, facilities, travel and services.

7. In the performance of his functions the Administrator shall, to the fullest extent compatible with efficiency, utilize appropriate existing agencies, facilities and services of the Department of the Interior.

8. The Office of Solid Fuels Coordination for National Defense established pursuant to letter of the President dated November 5, 1941 (changed to the Office of Solid Fuels Coordinator for War by letter of the President dated May 25, 1942) is abolished, and its personnel, records, property, and funds are transferred to the Solid Fuels Administration for War, effective fifteen days from the date of this Order. All directives, agreements, recommendations, and other documents issued or entered into under the functions, duties, and authorities of the Solid Fuels Coordinator for War shall remain in force as the responsibility of the Administrator until such time as he may revoke, alter, or otherwise change such documents under provisions of this Executive order.

9. The Administrator shall keep the President informed with respect to the progress made in carrying out this Order and perform such related duties as the President may from time to time assign or delegate to him.

10. Nothing in this Order shall be deemed to limit in any way the statutory powers of the Interstate Commerce Commission with respect to rates, charges, statistics, accounts, car service (including emergency service powers) or operating authority, or in any way to limit or restrict the functions and authority, and the exercise thereof, of the Federal Power Commission under the Natural Gas Act, the Federal Power Act, Executive Order No. 8202 of July 13, 1939, and Presidential Directives of September 26, 1942 and October 22, 1942 concerning electric service for war plants and establishments.

11. Nothing in this Order shall be deemed to limit in any way the authority of the Departments of War and Navy to initiate or carry out directly, without review or approval by the Administrator, any action relating to solid fuels or the solid fuels industries which either Department deems to be a matter of military necessity or expediency and which arises in such areas and is of such military urgency as to require special or secret disposition.

12. Any provision of any prior Executive order conflicting with this Executive order is superseded to the extent of such conflict.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 19, 1943.

[F. R. Doc. 43-6313; Filed, April 23, 1943; 11:31 a. m.]

EXECUTIVE ORDER 9333

AMENDING SUBDIVISION XXIX OF SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403), it is ordered that Subdivision XXIX of Schedule A of the Civil Service Rules be, and it is hereby, amended to read as follows:

XXIX. INLAND WATERWAYS CORPORATION

1. For the duration of the war and six months thereafter all positions in or under the Inland Waterways Corporation.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 19, 1943.

[F. R. Doc. 43-6312; Filed, April 23, 1943; 11:31 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

MISCELLANEOUS AMENDMENTS

Section 18.9 *Transfer* is amended as follows:

(b) *Inter-agency transfers.* * * *

(2) No transfer will be authorized by the Commission unless the Commission shall find that the employee will make a more effective contribution to the war program in the position to which his transfer is proposed, nor will any transfer be authorized which is contrary to the most effective methods of filling the Federal Government's requirements for manpower in the civilian service or in conflict with policies or directives of the War Manpower Commission.

* * * * *

Section 18.12 *Stabilization of employment* is added as follows:

§ 18.12 *Stabilization of employment*—(a) *Definitions.* (1) "Essential activity" means any activity in the War Manpower Commission list of essential activities and any activity approved by a Regional Manpower Director as a locally needed activity.

(2) "New employee" means any individual who has not been in the employ of the hiring employer at any time during the preceding thirty-day period.

(3) "New employment" means employment with an employer by whom the individual has not been employed at any time during the thirty-day period preceding such employment.

(b) *Restrictions on employments*—(1) *Former employees of nonessential activities.* The Commission will approve for employment in a Federal agency any new employee who, for the preceding thirty days, was not engaged in an essential activity even though the salary or wage rate to be paid by the Federal Government would exceed the rate most recently received by such employee.

(2) *Former employees of essential activities.* The Commission will not approve for employment in a Federal agency (except as provided in subparagraph (3) of this paragraph) any new employee who, during the preceding thirty-day period, was engaged in an essential activity if the salary or wage rate (exclusive of overtime payments) would exceed the rate most recently received during such period by the employee.

(3) *Former employees of essential activities in employment stabilization areas.* The Commission will approve for employment in a Federal agency any new employee who, during the preceding thirty-day period, was engaged in an essential activity without regard to his preceding wage rate or salary scale, provided the hiring of the employee is subject to and is permitted under a War Manpower Commission employment

stabilization program for the area in which the employee is to work.

(4) *Issuance of statements of availability.* In the case of an employee now working for a Federal agency in an employment stabilization area, statements of availability will be issued under the following conditions:

(i) If the employee's services are terminated by the Federal agency for any reason, the agency itself shall immediately furnish him with such a statement.

(ii) If the employee is furloughed or laid off for an indefinite period, or for a period of seven or more days, the agency in which he is employed shall immediately furnish him with such a statement.

(iii) If the employee alleges that his present employment does not utilize him at his highest skill, or that he is not being employed at full time, he may request of the Director of Personnel of a department or agency or his authorized representative, acting as an agent of the Commission, a statement of availability. If, in conformity with such regulations as the Commission may prescribe, it is determined that the employee's allegations are in conformity with the facts, and if it is determined further that no satisfactory arrangements can be made for placing the employee elsewhere in the department or agency or in the Federal service, a statement of availability shall be issued.

If the Director of Personnel or his authorized representative refuses to issue a statement of availability, the employee may appeal the decision to the nearest Commission representative. If the Commission's nearest representative refuses to issue such a statement, the employee may appeal his decision to the appropriate War Manpower Commission official.

(iv) No statement of availability will be issued solely on the ground that an individual's wage or salary rate is substantially less than that prevailing in the locality for the same or substantially similar work.

(v) Any statement of availability shall contain the worker's name, his social security account number, if any, the name and official address of the person issuing the statement, the date of issuance, and a statement to the effect that the worker may be hired elsewhere in an essential activity. No other information shall be included on the statement.

(5) *Penalties for violation.* Whenever the Commission shall find that any person has been appointed to or is holding a position in the Federal service in violation of this Regulation, it will notify the employee concerned and direct the proper appointing officer to remove such employee. If the employee is not removed within ten days after such notice, the Commission will certify the facts to the proper disbursing and auditing officers pursuant to Civil Service Rule XV (Part 15 of this chapter). (E.O. 9063, 7 F.R. 1075; E.O. 9243, 7 F.R. 7213; War Manpower Commission Directive X, 7 F.R. 7298)

NOTE: This regulation is issued in conformity with the regulations of the War Manpower Commission restricting transfer of workers under Executive Order 9328 of April 8, 1943, (8 F.R. 5136). Violation of such regulations is subject to the penal provisions of the Act of October 2, 1942, (Pub. Law 729—77th Congress). The provision of § 4001.10 of the Regulations of the Economic Stabilization Director, issued October 27, 1942, (7 F.R. 8748), apply to any wages or salaries paid in violation of the regulations of the Chairman of the War Manpower Commission.

Application of the subject matter of this regulation to positions and employees under the jurisdiction of the Board of Legal Examiners will be covered in a regulation promulgated by the Board.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

APRIL 19, 1943.

[F. R. Doc. 43-6323; Filed, April 23, 1943; 11:59 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined that the provisions of such order which provide seasonal minimum prices for Class I milk during the month of May 1943, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., e. w. t., April 25, 1943, the following provisions of § 927.4 (a) (1) of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, are hereby suspended for the period ending May 24, 1943:

1. Designation of the periods "April through June," and "July through March," and

2. The prices established for the period "April through June."

Done at Washington, D. C., this 23d day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-6317; Filed, April 23, 1943; 11:33 a. m.]

PART 941—MILK IN THE CHICAGO, ILLINOIS, MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, it is hereby determined that the provision of such order which provides seasonal minimum prices for Class I milk during the months of May and June 1943, is a provision which obstructs and does not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is therefore, ordered, That, effective as of 12:01 a. m., c. w. t., May 1, 1943, the following provisions of § 941.5 (a) (2) of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, are hereby suspended: "Except the delivery periods of May and June," and "and during the delivery periods of May and June the price per hundredweight for Class I milk shall be the price determined pursuant to paragraph (b), plus 50 cents."

Done at Washington, D. C., this 23d day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-6318; Filed, April 23, 1943; 11:33 a. m.]

Chapter X—Food Production Administration

[FPO 5,[1] Amendment 4]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER

Section 1206.1 is hereby amended as set forth below:

Paragraph (c) (1) (v) is amended to read as follows:

(v) Deliveries by fertilizer manufacturers, dealers, or agents of chemical fertilizer containing chemical nitrogen for the preparation of starter solutions to be used in the transplanting of vegetable crop plants, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (v) for such purpose. Notwithstanding any provision in this order to the contrary, fertilizer authorized to be delivered by this paragraph (c) (1) (v) may be packaged in packages of 25 or 50 pounds net weight.

Paragraph (e) is amended to read as follows:

[1] 8 F.R. 947, 3689, 3750, 4817.

(e) *Substitution of grades.* Set forth in Schedule II attached hereto is a list of the grades (stated on a nitrogen content basis or on a crop basis) of chemical fertilizer used in each of the States designated on such schedule during the 1940–1941 season (July 1, 1940–June 30, 1941) and a list of the approved grades for each of such States for the 1942–1943 season (July 1, 1942–June 30, 1943). The 1940–1941 grades and the 1942–1943 grades are listed in groups, each group being identified by a group number. The grades listed in a particular 1942–1943 group are the grades approved for substitution during 1942–1943 for the grades of the 1940–1941 group bearing the corresponding group number. Where a grade in one of the 1940–1941 groups was used on a particular crop during the 1940–1941 season, no grade other than a grade appearing in the corresponding 1942–1943 group shall be used on such crop during the 1942–1943 season, except as otherwise provided in this paragraph (e). For example, where a person used a grade carrying 2% nitrogen on a particular crop in Connecticut during the 1940–1941 season, he shall not use any grade other than a 0–14–14, 0–20–20, or 0–9–27 grade on such crop during the 1942–1943 season. Notwithstanding any other provision of this paragraph (e), grades containing four or less percent nitrogen manufactured, delivered and used in 1940–1941 on crops described as vegetable crops in Schedule III may be replaced by approved grades containing the same percentage of nitrogen as the grade replaced. This paragraph (e) shall not prevent the delivery and use in the 1942–1943 season, at the election of the user, of a grade having a nitrogen content lower than that authorized for use in such 1942–1943 season. Nor shall this paragraph (e) prevent the delivery and use in the 1942–1943 season of a multiple-strength grade of chemical fertilizer instead of an ordinary analysis grade of chemical fertilizer: *Provided,* That the nitrogen content of the multiple-strength grade shall not exceed the nitrogen content of the ordinary analysis grade on a per acre application basis. This paragraph (e) shall not prevent the delivery and use in the 1942–1943 season of any ordinary analysis grade of chemical fertilizer in the hands of a dealer or agent on April 24, 1943, instead of a grade otherwise authorized to be delivered by this paragraph (e): *Provided,* That the nitrogen content of the grade delivered shall not exceed the nitrogen content of the grade otherwise authorized to be delivered on a per acre application basis. In the event that information covering use in the 1940–1941 season is not available, use in the 1942–1943 season may be based on grades used in 1941–1942.

Paragraph (i) (3) is redesignated as paragraph (i) (4).

Paragraph (i) is amended by adding the following new paragraph to be designated as paragraph (i) (3):

(3) Notwithstanding the provisions of paragraphs (i) (1) and (i) (2) hereof, the Director may fix the maximum rate of application per acre for the approved grade (straight or mixed) to be used on any Group A or Group B crop.

Schedule I attached to Food Production Order No. 5 is hereby amended as follows:

The list of approved grades of chemical fertilizer for Georgia is amended to read as follows:

Georgia: 0-14-10; 2-12-6; 3-8-5; 3-9-6; 3-9-9; 3-12-6; [1] 4-2-10; 4-8-4; 4-9-3; 4-8-6; 4-8-8; 4-12-4; [2] 10-0-10.

All grades listed below under the heading "Grades applicable to all states."

[1] For shade tobacco only.
[2] For side-dressing only.

The list of approved grades of chemical fertilizer for Idaho is amended to read as follows:

Idaho: 0-12-20; 3-10-10; 3-10-20; 4-12-4; 4-24-0; 4-24-4; 5-6-8; 6-30-0; 9-4-6; 10-10-5; 10-12-10; 12-12-0; 17-4-4; 17-12-0.

All grades listed below under the heading "Grades applicable to all states."

The list of approved grades of chemical fertilizer for Maryland and District of Columbia is amended to read as follows:

Maryland and District of Columbia: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10; 2-12-6; 2-12-12; 3-8-12; 3-12-6; 3-9-15; 3-12-15; 3-18-9; 4-8-12; 4-12-8; 4-16-4; 4-16-8; 4-16-20; 4-24-12; 4-12-4; [1] 5-10-5; 6-6-8; 7-21-7; [2] 10-0-10; [3] 10-6-4.

All grades listed below under the heading "Grades applicable to all states."

[1] For vegetables and potatoes only.
[2] For side-dressing only.
[3] For side or top-dressing fruits and vegetables only.

The list of approved grades of chemical fertilizer for North Carolina is amended to read as follows:

North Carolina: 0-10-10 (basic); 0-14-7; 2-8-10 (basic); 2-10-6; 2-12-6; 3-8-5; 3-9-6; 3-9-9; 3-12-6; 4-8-4; 4-9-3; 4-8-6; 4-8-8; 4-10-6; 4-12-4; 4-12-8; [1] 5-7-5; [2] 5-5-20; [3] 10-0-10.

All grades listed below under the heading "Grades applicable to all states."

[1] For side dressing only.
[2] For side dressing tobacco only.
[3] For vegetables and potatoes only.

The list of approved grades of chemical fertilizer for South Carolina is amended to read as follows:

South Carolina: 0-14-7; 0-12-12; 2-12-6; 3-8-5; 3-9-6; 3-9-9; 3-12-6; 4-9-3; 4-8-4; 4-8-6; 4-8-8; 4-12-4; 4-12-8; [1] 5-7-5.

All grades listed below under the heading "Grades applicable to all states."

[1] For vegetables and potatoes only.

The list of approved grades of chemical fertilizer for Texas is amended to read as follows:

Texas: 0-14-7; 3-8-5; 3-10-0; 3-15-0; 3-12-6; 4-12-4; 4-10-7; 4-8-12; 6-30-0; [1] 10-10-0; [2] 10-20-0.

All grades listed below under the heading, "Grades applicable to all states."

[1] For vegetables and fruits in the Rio Grande Valley only.

The list of approved grades of chemical fertilizer for Virginia is amended to read as follows:

Virginia: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10; 2-12-6; 2-12-12; 3-8-5; 3-9-6; 3-12-6; 3-9-15; 3-12-15; 3-18-9; 4-8-4; 4-9-3; 4-8-6; 4-12-4; 4-8-12; 4-12-8; 4-16-4; 4-16-8; [1] 5-10-5; [2] 10-0-10; [3] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

[1] For vegetables and potatoes only.
[2] For side or top-dressing fruits and vegetables only.
[3] For side-dressing only.

Schedule II attached to Food Production Order No. 5 is hereby amended as follows:

In the lists of 1942–43 approved grades of chemical fertilizer for Georgia, Kentucky, Maryland and District of Columbia, North Carolina, South Carolina, Tenneessee, and Virginia, the indication to footnote 1, wherever it appears, is hereby deleted. The footnote "[1] Which must carry at least one unit of organic nitrogen" is hereby deleted.

In the list of 1942–43 approved grades for North Carolina, the indication to footnote 2, wherever it appears, is changed to an indication to footnote 1. The footnote "[2] Basic" is changed to "[1] Basic."

To group (2) of the 1942–43 approved grades for Texas, grade 3–8–5 is added.

This amendment shall become effective April 24, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Done at Washington, D. C., this 23d day of April, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-6315; Filed, April 23, 1943; 11:33 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

SALES BY NEGOTIATION

Section 83.4 (b) (2) is amended as follows:

§ 83.4 *Authorized methods of sale.* • • •

(b) *Sales by negotiation.* • • •

(2) Sales by negotiation will be made by written invitation for informal bids on W.D., Q.M.C. Form No. 327 unless specific authority for other procedure has been obtained from The Quartermaster General. Such specific authority will not be necessary however, in the event that the sale is to be made to an Army exchange. (P. S. 161; 5 U.S.C. 22) [Par. 21b, AR 30–2145, September 2, 1942 as amended by C3 April 14, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-6278; Filed, April 22, 1943; 3:32 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

PART 904—AIR COMMERCE REGULATIONS

APPLICATION OF CERTAIN LAWS AND REGULATIONS TO CIVIL AVIATION

NOTE: For the text of the amendments to this part see Title 19—Customs Duties, Part 4—Air Commerce Regulations, on page 5296 of the issue for Thursday, April 22, 1943.

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

[General Order 7,[1] Amendment]

WAGE OR SALARY INCREASES

§ 803.7 *General Order No. 7.* General Order No. 7 adopted by the National War Labor Board on October 28, 1942, is hereby amended by adding thereto the following:

* * * *Provided, however,* That if any changes in such statutes or orders are made or promulgated after April 8 1943, increases in wage or salary rates directed thereby may not be made without the approval of the Board.

Adopted April 14, 1943.

(E.O. 9250, 7 F.R. 7871)

L. K. GARRISON,
Executive Director.

[F. R. Doc. 43-6284; Filed, April 22, 1943; 3:21 p. m.]

[1] 7 F.R. 8981.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1903]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for a change in seam designations of coals produced by certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain code members in Anderson, Morgan, Pickett and Scott Counties, Tennessee; Clinton and Wayne Counties, Kentucky; and Wise County, Virginia; in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purpose of the Act;

It is ordered. That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered. That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered. That relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Petitioner requests relief for the Huff Mine, Mine Index No. 3324, of G. T. Guffey, the L. D. Crass Mine, Mine Index No. 1896, of L. D. Crass, and the Henry Cross Mine, Mine Index No. 2093, of Henry Cross. It appears that the correct mine names and the code member producers operating Mine Index Nos. 3324, 1896 and 2093 are Sloan No. 1 Mine, Sloan Coal Company, Inc.; W. A. Ray Mine, W. A. Ray; and E. B. Sexton Mine, Clyde Strunk, respectively, and they have been listed accordingly.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group No. — For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27
3944	Bales & Chambers (Arlet Chambers).	Bales & Chambers	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
1894	Brown, W. C.	W. C. Brown	Stray [1]	6	Oliver Springs, Tenn.	Sou	40	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)	(†)
2099	Carson, J. M.	Johnson & Acres	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
924	Carson, Tom J.	Tom J. Carson	Poplar Creek [1]	6	Oliver Springs, Tenn.	Sou	40	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)	(†)
5580	Clark, W. A. & V. C. & Lee Melhorn (W. A. Clark).	Clark & Melhorn	Coal Creek [1]	6	Camp Austin, Tenn.	CNO&TP	41	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)	(†)
621	Cross, S. S.	Cross	Glen Mary [1]	6	Robbins, Tenn.	CNO&TP	70	O	O	M	L	H	F	G	F	E	M	(†)	(†)	(†)	(†)	(†)	(†)
5725	Dobbs, Hastell	Hastell Dobbs	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2366	Dobbs, Noah	Noah Dobbs	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2101	Dobbs, Noah	Noah Dobbs No. 2	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2057	Duncan, Edgar & Oscar West (Jesse Duncan).	Duncan & West	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)

Price classifications by size group No. — For Great Lakes cargo only: 1, 2 | 3, 4 | 5, 6 | 7 | 8 | 9 | 10 | 16, 17 | 18, 19, 20, 21 | 22 | 24 | 25 | 26 | 27

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
3944	Bales & Chambers (Arlet Chambers).	Bales & Chambers	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	N	K	(†)	(†)	(†)	(†)	(†)
1894	Brown, W. C.	W. C. Brown	Stray [1]	6	Oliver Springs, Tenn.	Sou	40	O	M	K	F	D	D	G	L	K	(†)	(†)	(†)	(†)	(†)
2099	Carson, J. M.	Johnson & Acres	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
924	Carson, Tom J.	Tom J. Carson	Poplar Creek [1]	6	Oliver Springs, Tenn.	Sou	40	O	M	L	F	D	B	F	G	K	(†)	(†)	(†)	(†)	(†)
5580	Clark, W. A. & V. C. & Lee Melhorn (W. A. Clark).	Clark & Melhorn	Coal Creek [1]	6	Camp Austin, Tenn.	CNO&TP	41	O	M	L	F	D	B	F	G	K	(†)	(†)	(†)	(†)	(†)
621	Cross, S. S.	Cross	Glen Mary [1]	6	Robbins, Tenn.	CNO&TP	70	O	O	M	H	F	F	G	N	M	(†)	(†)	(†)	(†)	(†)
5725	Dobbs, Hastell	Hastell Dobbs	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
2366	Dobbs, Noah	Noah Dobbs	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
2101	Dobbs, Noah	Noah Dobbs No. 2	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	H	F	F	H	L	K	(†)	(†)	(†)	(†)	(†)
2057	Duncan, Edgar & Oscar West (Jesse Duncan).	Duncan & West	Glen Mary [1]	6	Stanley Jct., Tenn	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)

§ 328.11 *Alphabetical list of code members*—Supplement R—Continued

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group No. — For destinations other than Great Lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27
596	Fisher Coal Company	Fisher	Poplar Creek [1]	6	Coalfield, Tenn.	H&NE	90	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	C	C	(†)	(†)	(†)	(†)	(†)	(†)
2040	Jackson Brothers (W. I. Jackson).	Jackson Bros	Poplar Creek [1]	6	Oliver Springs, Tenn.	L&N & Sou	260	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)	(†)
5557	Jackson, W. O.	Jackson	Poplar Creek [1]	6	Oliver Springs, Tenn.	L&N & Sou	260	O	O	H	G	G	E	G	E	C	K	(†)	(†)	(†)	(†)	(†)	(†)
2112	Kline, C. L.	C. L. Kline	Glen Mary [1]	6	Robbins, Tenn.	CNO&TP	70	O	O	M	L	H	F	(†)	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2827	Laxton, Elbert	Duncan-West & Laxton.	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	M	O	(†)	(†)	(†)	(†)	(†)
2102	Laxton Sherman	Sherman Laxton	Glen Mary [1]	6	Oneida, Tenn.	CNO&TP	70	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2101	Miller-Jellico Mountain Coal Co	Miller King	Glen Mary [1]	6	Winfield, Tenn	CNO&TP	70	O	O	M	L	H	F	(†)	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2103	Myers, Geo. T.	Geo. T. Myers	Glen Mary [1]	6	Helenwood, Tenn.	Sou	70	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
610	Pemberton, H. F.	H. F. Pemberton No. 1.	Glen Mary [1]	6	Pemberton, Tenn.	B.R.K.	73	K	K	H	G	F	D	E	C	D	M	(†)	(†)	(†)	(†)	(†)	(†)
5807	Phillips, L. C.	Phillips	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
5466	Phillips, Leonard	Lewis Allen	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
5756	Phillips, Odas & A. Y. (Odas Phillips).	Phillips	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
5494	Sexton Brothers (Harry Sexton)	Sexton Bros	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2083	Strunk, Clyde	E. B. Sexton	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2111	Walt, Fred	George Watts	Glen Mary [1]	6	Robbins, Tenn	Sou	70	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
5341	West, W. O.	West Coal Co	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)
2113	Wolford, Ancil	Cotton	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	L	H	F	(†)	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)

Price classifications by size group No. — For Great Lakes cargo only: 1, 2 | 3, 4 | 5, 6 | 7 | 8 | 9 | 10 | 16, 17 | 18, 19, 20, 21 | 22 | 24 | 25 | 26 | 27

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
596	Fisher Coal Company	Fisher	Poplar Creek [1]	6	Coalfield, Tenn.	H&NE	90	(†)	(†)	(†)	(†)	(†)	(†)	(†)	L	(†)	(†)	(†)	(†)	(†)	(†)
2040	Jackson Brothers (W. I. Jackson).	Jackson Bros	Poplar Creek [1]	6	Oliver Springs, Tenn.	L&N & Sou	260	O	O	H	G	G	E	G	L	K	(†)	(†)	(†)	(†)	(†)
5557	Jackson, W. O.	Jackson	Poplar Creek [1]	6	Oliver Springs, Tenn.	L&N & Sou	260	O	O	H	G	G	E	G	L	K	(†)	(†)	(†)	(†)	(†)
2112	Kline, C. L.	C. L. Kline	Glen Mary [1]	6	Robbins, Tenn.	CNO&TP	70	O	O	M	H	F	F	(†)	L	K	(†)	(†)	(†)	(†)	(†)
2827	Laxton, Elbert	Duncan-West & Laxton.	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	N	M	O	(†)	(†)	(†)	(†)
2102	Laxton Sherman	Sherman Laxton	Glen Mary [1]	6	Oneida, Tenn.	CNO&TP	70	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
2101	Miller-Jellico Mountain Coal Co	Miller King	Glen Mary [1]	6	Winfield, Tenn	CNO&TP	70	O	O	M	H	F	F	(†)	N	K	(†)	(†)	(†)	(†)	(†)
2103	Myers, Geo. T.	Geo. T. Myers	Glen Mary [1]	6	Helenwood, Tenn.	Sou	70	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
610	Pemberton, H. F.	H. F. Pemberton No. 1.	Glen Mary [1]	6	Pemberton, Tenn.	B.R.K.	73	K	K	H	E	D	D	(†)	L	M	(†)	(†)	(†)	(†)	(†)
5807	Phillips, L. C.	Phillips	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
5466	Phillips, Leonard	Lewis Allen	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
5756	Phillips, Odas & A. Y. (Odas Phillips).	Phillips	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
5494	Sexton Brothers (Harry Sexton)	Sexton Bros	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
2083	Strunk, Clyde	E. B. Sexton	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
2111	Walt, Fred	George Watts	Glen Mary [1]	6	Robbins, Tenn	Sou	70	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
5341	West, W. O.	West Coal Co	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	(†)	(†)	K	(†)	(†)	(†)	(†)	(†)
2113	Wolford, Ancil	Cotton	Glen Mary [1]	6	Stanley Jct., Tenn.	Tenn	71	O	O	M	H	F	F	H	L	K	(†)	(†)	(†)	(†)	(†)

[1] Indicates change in seam designation. No change in price classifications
†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes — Lump over 2" egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 5"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
CLINTON COUNTY, KY.											
Bertram, E. M.	Bertram	5074	No. 2 [1]	275	255	235	230	220	225	175	170
Braswell, L. C.	Braswell	5096	No. 2 [1]	275	255	235	230	220	225	175	170
Davison, J. C.	Davison	5073	No. 2 [1]	275	255	235	230	220	225	175	170
Glinn, O. D.	Duvall	882	No. 2 [1]	275	255	235	230	220	225	175	170
Massengale, O. A.	Massengale	5081	No. 2 [1]	275	255	235	230	220	225	175	170
Sloan Coal Company, Inc	Sloan No. 1	3324	No. 2 [1]	275	255	235	230	220	225	175	170
Stinson, Arthur	T. C. Kogger	877	No. 2 [1]	275	255	235	230	220	225	175	170
Vitatoe, Earl W.	Long	5077	No. 2 [1]	275	255	235	230	220	225	175	170

See footnotes at end of table.

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes — Lump over 2" egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 5"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN—Con.											
MCCREARY COUNTY, KY.											
Wilson, Walter [1]	Walter Wilson	2052	Glen Mary [1]	275	255	235	230	220	225	175	170
WAYNE COUNTY, KY.											
Barnett & Sheppard (Ralph Sheppard).	Barnett	2047	No. 2 [1]	275	255	235	230	220	225	175	170
Black, W. C.	Black	1817	No. 2 [1]	275	255	235	230	220	225	175	170
Coffey, Cullom	Cullom Coffey	1818	No. 2 [1]	275	255	235	230	220	225	175	170
Coffey, John L.	Cullum Rock	1819	No. 2 [1]	275	255	235	230	220	225	175	170
Denney, Lee		5552	No. 2 [1]	275	255	235	230	220	225	175	170

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2" x 6"	Lump 2" and under, over 1¼" x 6"	Lump 2" and under	Egg 2" x 1¼" and 2" x ⅞"	Stove 2" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT No. 6—SOUTHERN APPALACHIAN—Con.											
SCOTT COUNTY, TENN.—con.											
Stanley, R. L.	R. L. Stanley	2107	Glen Mary [1]	275	255	235	230	230	225	175	170
Strunk, Clyde	E. B. Sexton	2903	Glen Mary [1]	275	255	235	230	230	225	175	170
Strunk, Thadus	A. B. Strunk	2110	Glen Mary [1]	275	255	235	230	230	225	175	170
Terry, J. C.	J. C. Terry	5004	Glen Mary [1]	275	255	235	230	230	225	175	170
Wall, Fred	George Watts	2111	Glen Mary [1]	275	255	235	230	230	225	175	170
West, W. O.	West Coal Co	5341	Glen Mary [1]	275	255	235	230	230	225	175	170
Wolford, Aneil	Corton	2113	Glen Mary [1]	275	255	235	230	230	225	175	170
Woodrum, William	Woodrum	2114	Glen Mary [1]	275	255	235	230	230	225	175	170
SUBDISTRICT No. 7—VIRGINIA											
WISE COUNTY, VA.											
F. & B. Coal Co. (W. S. Barker).	F. & B. Coal Co. No. 2.	2321	Blair	250	265	240	240	235	230	175	170

[1] Indicates change in seam designation. No change in minimum prices.
[2] Indicates correction in county location.
[3] Indicates no classification effective for these size groups.

[F. R. Doc. 43-6237; Filed, April 22, 1943; 10:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 102]

ROSEWOOD PROJECT, MD.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis D. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Rosewood Project to be work of national importance, to be known as Civilian Public Service Camp No. 102. Said project, located at Owings Mills, Baltimore County, Maryland, will be the base of operations for work at the Rosewood State Training School, an institution under the State mental hospital system of Maryland, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Rosewood Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Rosewood State Training School, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Rosewood State Training School. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

APRIL 20, 1943.

[F. R. Doc. 43-6277; Filed, April 22, 1943; 1:45 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 1 to Supplementary Order M-15-b as Amended April 13, 1943]

Supplementary Order M-15-b as amended April 13, 1943 (§ 940.3) is hereby amended in the following respects:

1. By amending paragraph (a) (17) to read as follows:

(17) "War order" means:

(i) Any contract or purchase order for material or equipment to be delivered to or for the account of any agency of the United States, including any independent regulatory commission or board, any executive department, independent establishment, commission, board, bureau, division, agency, administration, service, or office of the Executive branch of the Federal Government, and any corporation operated by the Federal Government. The term does not include any contract or purchase order for material or equipment to be delivered, (*a*) to or for the account of any Federal Government-owned or -controlled corporation which is not operated by the Federal Government or, (*b*), to or for the account of any post exchange, ship's store, commissary, officer's mess, officers', noncommissioned officers' or enlisted men's club, or any similar agency or organization, whether or not such contract or purchase order bears an endorsement specified in Priorities Regulation No. 17.

(ii) Any contract or purchase order placed by any agency of the United States for material or equipment to be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act),

(iii) Any contract or purchase order for material or equipment required by the person placing the same to fill his contracts or purchase orders on hand, provided such material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under (i) and (ii) of this paragraph (a) (17).

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6257; Filed, April 22, 1943; 12:14 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 16, as amended April 22, 1943]

APPEALS

§ 944.37 *Priorities Regulation 16*—(a) *Certain appeals to be filed with field offices.* Every appeal from any order listed in Appendix A to this regulation shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, notwithstanding any existing provision of any regulation, order or form.

(b) *Appeals forms.* Every appeal from any order listed in Appendix A to this regulation shall be filed on Form PD-500 or such other form as may be specifically designated in Appendix A, notwithstanding any existing provision of any regulation, order or form.

(c) *Other appeals.* An appeal from any rule, regulation or order not listed in Appendix A to this regulation shall be filed with the Washington Office of the War Production Board unless the rule, regulation or order appealed from provides otherwise.

(d) *Appeal by letter.* An appeal for which no specific form is prescribed by any rule, regulation or order shall be made by filing with the appropriate office of the War Production Board a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

This regulation as amended shall take effect May 1, 1943.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

[Appendix A amended April 22, 1943]

Orders

L-13-a	L-73	L-173 (Letter)
L-18-b	L-74 (Letter)	L-179 (Letter)
L-18-c	L-77	L-182
L-21	L-79 (Letter)	L-185 (Letter)
L-21-a	L-80	L-187
L-22 a	L-81	L-199 (Letter)
L-23-c	L-92	L-205 (Letter)
L-27 (Letter)	L-93	L-218
L-27-a	L-98	L-225
L-29	L-104	L-229 (Letter)
L-30-a	L-135	L-236 (Letter)
L-30-b	L-136	L-248
L-30-c	L-142 (Letter)	L-277
L-30-d	L-150 (Letter)	M-11-b
L-33	L-150-a (Letter)	M-83 (Letter)
L-36	L-150-b (Letter)	M-122 (Letter)
L-42 (Letter)	L-152 (PD-417)	M-126
L-49	L-157 (Letter)	M-177 (Letter)
L-59-b	L-161	M-208 (Letter)
L-62	L-165 (Letter)	M-209 (Letter)
L-64		M-248 (Letter)
L-64-a		

[F. R. Doc. 43-6259; Filed, April 22, 1943; 12:13 p. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-h as Amended April 22, 1943]

TOOL STEEL

Supplementary Order M-21-h (§ 962.9) is amended to read as follows:

§ 962.9 *Supplementary Order M-21-h*—(a) *Definitions.* For the purpose of this order:

(1) "Tool steel" means any steel to be used for the manufacture of tools for use in mechanical fixtures for cutting, shaping, forming, and blanking of material, either hot or cold, or for precision gauges. It is not deemed to include steel for use as shanks in the manufacture of tipped or welded tools or for hand tools such as chisels, pliers, screw drivers, wrenches, centering punches and nail-sets.

(2) "Alloy steel" means alloy steel as defined in paragraph (a) of Supplementary Order M-21-a.

(3) "High-speed steel" means alloy steel of either of the following classes:

(i) "Class A high-speed steel" means either alloy steel containing not less than .60% carbon and more than 3.0% molybdenum; or alloy steel containing not less than .60% carbon, 6.0% or less tungsten, and more than 3.0% molybdenum.

(ii) "Class B high-speed steel" means alloy steel containing not less than .55% carbon and more than 12.0% tungsten.

Other alloying elements may be present in the high-speed steels of either class, but steel not containing the elements named, in the amount specified, shall not be deemed high-speed steel.

(4) "Producer" means any person who melts tool steel.

(b) *Purchasers' statements.* In addition to any statement required by General Preference Order M-21, on and after May 1, 1943, every order placed with a producer for steel to be used for the manufacture of tools for use in mechanical fixtures for cutting, shaping, forming or blanking of material, either hot or cold, or for precision gauges, shall include the statement, "This is an order for 'tool steel' ", over the signature, either manual or as provided in Priorities Regulation No. 7, of a duly authorized official of the purchaser, which will constitute a representation to the producer and to the War Production Board that the steel ordered will be used only for one or more of the above purposes.

(c) *Producers' forms.* Each producer shall file monthly with the War Production Board, Ref.: M-21-h, melting schedules on form PD-440. The War Production Board may make such changes in any melting schedule as shall seem appropriate and may from time to time issue supplementary directions with regard to melting of tool steel.

(d) *Melting and deliveries of tool steel.* Except pursuant to specific authorization in writing by the War Production Board, tool steel shall be melted and delivered as follows:

(1) Each producer shall melt tool steel in accordance and only in accordance with such melting schedules as are approved by the War Production Board or such supplementary directions as may from time to time be issued by the War Production Board.

(2) Each producer shall deliver tool steel on an order and only on an order for which the melting has been specifically authorized or directed by the War Production Board.

(e) *Special instructions.* The War Production Board may from time to time issue directions as to facilities to be used in production and directions specifying as to any alloying element the quantities and proportions which may be used in making tool steel, and whether and in what proportions any such element is to be the metal, a ferroalloy, reclaimed metal, scrap, a chemical compound or any other material containing such element.

(f) *Restrictions of deliveries under toll agreements.* Except pursuant to specific authorization in writing by the War Production Board, no person shall make or accept delivery under any toll agreement whereby one person melts tool steel for another person.

(g) *Melting and deliveries of high-speed steel.* Except pursuant to specific authorization in writing by the War Production Board

(1) No producer shall melt high-speed steel except within the limits below specified for the following elements:

(i) Class A high-speed steel:

Grade	C.	Cr.	W.	Mo.	V.	Co.
	Min.	*Max.*	*Max.*	*Max.*	*Max.*	
I	.60	4.5	6.0	5.0	1.6	0.0
Ic	.60	4.5	6.0	5.0	1.9	3.5 Min.
II	.60	4.5	1.8	8.75	1.2	0.0
IIc	.60	4.5	1.8	8.75	1.9	3.5 Min.
III	.60	4.5	------	8.75	1.9	0.0
IIIc	.60	4.5	------	8.75	1.9	3.5 Min.

(ii) Class B high-speed steel:

Grade	C.	Cr.	W.	Mo.	V.	Co.
	Min.	*Max.*	*Max.*		*Max.*	
IV	.55	4.5	19.0	0.0	1.10	0.0
IVc	.55	4.5	22.0	1.1 Max.	1.90	3.5 Min.

(2) On and after January 1, 1943 no producer shall melt in any calendar quarter, Class B high-speed steel which will exceed, in the aggregate, by weight one-third of the Class A high-speed steel melted by him in such quarter.

(3) No person shall place an order with a producer or any other person for Class B high-speed steel if Class A high-speed steel would reasonably fulfill his requirements.

(4) On and after January 1, 1943 no person shall place with a producer and no producer shall accept in any calendar quarter orders for Class B high-speed steel which will exceed, in the aggregate, by weight, one-third of the Class A high-speed steel ordered by such person from such producer during such quarter, except that this provision shall not apply to the placement of orders for high-speed steel with warehouses. On and after January 1, 1943, no person shall request cancellation from a producer in any calendar quarter, of any order for Class A high-speed steel, unless such person shall also request cancellation of an order or orders for one-third of such quantity, by weight, of Class B high-speed steel placed with such producer or some other producer during such quarter.

(5) On and after January 1, 1943, no person shall accept from a producer in any calendar quarter, deliveries of Class B high-speed steel which will exceed in the aggregate, by weight, one-third of the aggregate of deliveries of Class A high-speed steel made to him by all producers during such quarter, except that this provision shall not apply to deliveries of high-speed steel by warehouses.

(6) Customers' orders for high-speed steel which are to be filled in whole or in part by the use of material, including tungsten ore, ferro tungsten, and tungsten-bearing scrap, furnished by such customers shall be subject to all the restrictions and provisions of this order.

(h) *Exceptions to restrictions on deliveries of high-speed steel.* The provisions of paragraphs (g) (4) and (5) with respect to maximum permitted purchases and deliveries of Class B high-speed steel shall not apply to:

(1) Deliveries of high-speed steel to any person whose total receipts of high-speed steel from all producers does not exceed 100 lbs. per calendar quarter.

(2) Deliveries of high-speed steel to any person whose total receipts of high-speed steel from any producer in any calendar quarter balance within 5%, by weight, or 500 lbs., whichever is the lesser, of the required ratio of Class B high-speed steel to Class A high-speed steel.

(i) *Melting and deliveries of Class A high-speed steel.* Except pursuant to specific authorization in writing by the War Production Board:

(1) On and after December 1, 1942, no producer shall melt during any calendar month Class A high-speed steel, grades II and III, in excess of 30% of the monthly average tonnage of such Class A high-speed steel melted by him during the second calendar quarter of 1942.

(2) On and after January 1, 1943, no person shall accept for delivery from a producer during any calendar quarter Class A high-speed steel, grades II and III, in excess of 35% of the amount of such Class A high-speed steel received by him during the second calendar quarter of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Steel Division, Washington, D. C.; Ref.: M-21-h.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6263; Filed, April 22, 1943; 12:14 p. m.]

PART 1282—BABY CARRIAGES

[Limitation Order L-152, As Amended April 22, 1943]

Section 1282.1 *General Limitation Order L-152* is hereby amended to read as follows:

§ 1282.1 *General Limitation Order L-152*—(a) *Definitions.* For the purposes of this order:

(1) "Group I carriage" means any coach, folding carriage or beach cart for the conveyance of one baby.

(2) "Group II carriage" means any twin coach, folding carriage or beach cart for the conveyance of two babies.

(3) "Group III carriage" means any stroller, sulky, baby walker, or combination stroller and baby walker intended for the conveyance of one baby.

(4) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, who manufactures or assembles carriages (whether Group I, Group II, or Group III).

(b) *General restrictions.* (1) Except pursuant to specific authorization of the War Production Board, on and after April 22, 1943, no manufacturer shall process, fabricate, work on or assemble any carriages containing more iron and carbon steel, including joining hardware, than the amounts specified below:

	Pounds
In Group I carriages	9
In Group II carriages	12
In Group III carriages	11½

(2) No manufacturer shall process, fabricate, work on, or assemble any carriage (whether Group I, Group II, or Group III) which contains any metal other than iron and carbon steel.

(3) (i) On and after April 22, 1943, no manufacturer shall produce any carriage except in accordance with a production quota assigned to him in a schedule issued by the War Production Board pursuant to this order. Such production quotas shall be assigned for periods of time to be specified in the schedule and shall expire on the last day of the period for which they are assigned. Any manufacturer desiring to obtain a production quota shall file with the War Production Board at least 30 days before the expiration date of the schedule in effect at that time a written application to be assigned a production quota for such period as the War Production Board shall specify.

(ii) Such application should contain a statement as to the amount of iron and steel to be contained in each carriage the applicant proposes to produce during such period. Whenever production quotas are assigned by the War Production Board, it will take into consideration the amount of iron and steel to be used by such applicant, the performance of the carriages which each applicant proposes to produce as established by tests of the National Bureau of Standards or otherwise, and also the labor and transportation situation in the area where the plant of each applicant is located and such other factors as the War Production Board shall deem appropriate. In general, after the other factors have been considered, the larger quotas will be assigned to those manufacturers using less iron and steel per carriage.

(iii) No manufacturer who has been assigned a production quota shall process, fabricate, work on, or assemble any carriage containing more iron and steel than the amount specified in such manufacturer's application for a production quota pursuant to the provisions of this paragraph.

(c) *Reports.* On or before April 30, 1943, for the month of March 1943, and on or before the twentieth day of each month thereafter, for the preceding month, every manufacturer of carriages shall execute and file with the War Production Board, Consumers Durable Goods Division, Washington, D. C., a report on Form PD-655.

(d) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any iron or steel in the production of baby carriages to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500.

(h) *Communications.* All reports to be filed, and other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-152.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6264; Filed, April 22, 1943; 12:14 p. m.]

PART 1282—BABY CARRIAGES

[Schedule I to Limitation Order L-152 as Amended April 22, 1943]

§ 1282.2 *Schedule I to Limitation Order L-152.* Pursuant to paragraph (b) (3) of Limitation Order L-152, the following production quotas for carriages are hereby established for the period from April 22, 1943, to June 30, 1943, inclusive. Each manufacturer named is authorized to produce during that period the number of carriages set forth opposite his name.

Name	Number of carriages			
	Group I		Group II	Group III
	Maximum steel—6 lbs.	Maximum steel—9 lbs.		
Atlas Baby Carriage Co., New York, N. Y.		3,000	60	
Bitt-Rite Baby Carriage Co., Brooklyn, N. Y.		6,000	120	
Collier-Keyworth Co., Gardner, Massachusetts		7,500	150	
Crown Venetian Blind Co., Los Angeles, California				15,000
George Cooper Mfg. Co., New York, N. Y.		340	7	
Hartman Mfg. Co., St. Louis, Missouri		8,500	170	
C. H. Hartshorn Co., Gardner, Massachusetts		3,500	70	
Heilstrom-Union Co., Gardner, Massachusetts		18,500	370	
Heywood-Wakefield Co., Gardner, Massachusetts	35,000		700	
Kroll Bros. Co., Chicago, Illinois	25,000		500	
Kumholm Mfg. Co., Gardner, Massachusetts		24,000	480	15,000
Leader Baby Carriage Co., New York, N. Y.		1,000	20	
Mahr-Button Co., Minneapolis, Minnesota		3,000	60	
Pearl Mfg. Co., New York, N. Y.		700	14	
Perfection Mfg. Co., St. Louis, Missouri		6,500	130	1,500
O. W. Siebert Co., Gardner, Massachusetts	30,000		600	
Schuler Radiant Co., Cleveland, Ohio				10,000
S & E Manufacturing Co., Fitchburg, Massachusetts				10,000
Sterkine Furniture Co., Chicago, Illinois	25,000		500	
Frank F. Tayler, Cincinnati, Ohio				100,000
Thayer Co., Gardner, Massachusetts	30,000		600	12,000
Victoria Baby Carriage Co., New York, N. Y.		1,000	20	
Wear-Ever Carriage Co., New York, N. Y.		4,000	80	
The Welsh Co., St. Louis, Missouri		54,000	1,080	
L. A. Whitney Carriage Co., Leominster, Massachusetts	27,000		500	

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F R Doc 43-6265; Filed, April 22, 1943; 12:14 p. m.]

PART 3122—ELECTRICAL MOTORS AND GENERATORS

[General Conservation Order L-221 as Amended April 22, 1943]

Section 3122.1 *General Conservation Order L-221* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of electric motors for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3122.1 *General Conservation Order L-221*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor" means any rotating equipment or device (including gearmotors) used to transform electrical energy into mechanical energy and built in frame size 203 (or frames corresponding to one horsepower, 1800 RPM, 60 cycle, two or three phase) and larger; except (i) motors used in the operation of passenger automobiles, trucks, truck trailers, passenger carriers, and off-the-highway motor vehicles, as defined in Order L-158, or (ii) starting motors for internal combustion engines.

(3) "Generator" means any rotating equipment or device used to transform mechanical energy into electrical energy and having a rating of not less than $\frac{3}{4}$ KW, built in frames corresponding to $\frac{3}{4}$ KW, 1800 RPM or larger; except (i) generators used in the operation of passenger automobiles, trucks, truck trailers, passenger carriers, and off-the-highway motor vehicles, as defined in Order L-158, (ii) generators for use in the operation of internal combustion engines, or (iii) generators for the following power sets: power frequency changers (below $62\frac{1}{2}$ cycles), synchronous condensers, hydroelectric generator sets, land use steam turbine generator sets, marine auxiliary steam turbine generator sets, steam engine generator sets, land use Diesel engine generator sets, 750 RPM or less, and land use gas engine (not gasoline) generator sets, 750 RPM or less.

(4) "Manufacture" means the fabrication or assembly of motors or generators.

(5) "Manufacturer" means any person to the extent that he is engaged in the manufacture of motors or generators; and includes sales agencies and warehouses controlled by such person.

(6) "Dealer" means any person to the extent that he acquires new motors or generators for resale, as such.

(7) "Machinery producer" means any person to the extent that he fabricates or assembles, for resale, machinery (other than motors or generators) into which he incorporates or to which he attaches motors or generators which he has either purchased or produced.

(8) "Used motor or generator" means any motor or generator which has been operated for any purpose other than that of being tested.

(9) "Delivery" includes delivery of a motor or generator from one affiliate to another or from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise where the recipient affiliate, branch, division or section will use the motor or generator or incorporate it into other machinery.

(10) "Order" means any commitment or other arrangement for the delivery of a new motor or generator.

(11) "Army, Navy, Maritime Commission or War Shipping Administration" does not include any privately operated plant or shipyard financed by, or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(12) "Operating spare" means any extra or spare motor or generator, whether new or used, which has been set aside and marked as emergency replacement equipment for motors or generators of similar characteristics and kilowatt or horsepower rating in regular operation. Only motors or generators for use in a series production plan or for replacement of motors or generators used in the operation of machinery which by virtue of failure would cause serious and substantial impairment of facilities and substantial reduction of production shall be considered as operating spares.

(b) *Restrictions on acceptance and delivery of orders.* (1) No manufacturer, dealer, or machinery producer shall accept any order for or deliver any new motor or generator or machinery including any new motor or generator; and no person shall accept delivery from a manufacturer, dealer, or machinery producer of any new motor or generator or of machinery including a new motor or generator, unless:

(i) The purchaser shall have no idle motor or generator (other than an operating spare) in his possession which is adaptable to the purpose for which the new motor or generator will be used. The term "idle" as used above refers to a motor or generator which is not connected to the purchaser's load and electrical system; and "adaptable" means that the motor or generator has mechanical and electrical characteristics, including speed and horsepower rating, generally comparable to the motor or generator sought to be purchased.

(ii) Immediately prior to the placement of his order, the purchaser shall have attempted to obtain a used motor or generator for his purpose, from at least three persons whom he knows or has reasonable cause to believe are currently engaged in dealing in used motors or generators of that kind or from any three dealers whose names have been furnished to the purchaser by the War Production Board (Used Equipment Section, Electrical Equipment Branch) upon request. As to motors, the limitations and restrictions of this paragraph (b) (1) (ii) shall apply only to orders for general purpose, open 40° C. rise continuous duty motors and orders for dripproof or splashproof 50° C. rise motors.

(iii) The new motor or generator (other than an operating spare) to be acquired is necessary for installation within the shortest practicable time after delivery. For the purpose of this subparagraph, a motor or generator shall be deemed installed when it is connected to the purchaser's load and electrical system, notwithstanding that the purpose of such equipment may be emergency relief service.

(iv) With reference to motors, the purchaser does not have operating spares, in the same horsepower rating category (as listed below) as the new motor to be acquired, in excess of three per cent of the motors in the same category in operation (except that, in any event, the purchaser may have one operating spare in each category): *Provided, however,* That for the purpose of this subparagraph, motors operated by the proposed purchaser with legal title in another person may be separately classified, and permissible operating spares for each such classification may be based on the motors in such classification. The categories referred to above shall be:

1–3 horsepower
3 1–7 5 horsepower
7 6–20 horsepower
20 1–50 horsepower
50 1 and above

(2) No manufacturer or dealer shall accept any order for any motor or generator, unless the order has a preference rating of AA–5 or higher.

(c) *Restrictions on types of motors.* Except as otherwise specifically provided herein or authorized by the War Production Board no manufacturer, dealer, or machinery producer, shall accept any order for or deliver any new motor or any machinery which include a new motor; and no person shall accept delivery from a manufacturer, dealer, or machinery producer of any new motor or machinery which includes a new motor; unless the motor is in compliance with the following standards and is otherwise of the simplest practicable mechanical and electrical design:

(1) *Mechanical and electrical design.* The following minimum standards shall be applied with respect to electrical and mechanical design of new motors:

(i) No motor shall have a temperature rise (based on an ambient temperature of 40° C.) of less than 40° C., for open type; less than 50° C. for splashproof and dripproof type; or less than 55° C. for totally enclosed type motors: *Provided, however,* That the temperature rise of the motor may vary from the above standards to the extent that the manufacturer has heretofore provided tolerance therefrom in his design and manufacture of the same or a similar type motor rated 40° C., 50° C., or 55° C., as the case may be.

(ii) No motor shall include a special enclosure to make it other than open type; except that (*a*) a motor may be explosion proof type if it is to be used in a Class I hazardous location, as defined in paragraph 5005, Article 500, Chapter 5 of the National Electrical Code approved by the American Standards Association August 7, 1940; (*b*) a motor may be totally enclosed if it is to be used in a Class II hazardous location, as defined in paragraph 5006, Article 500, Chapter 5 of the above Code, or if it is to be used generally in an atmosphere which is corrosive or which contains such quantities of material particles, dust or fumes as to be destructive of an open type motor; (*c*) a motor may be splashproof or dripproof type in any case where the motor is to be installed outdoors without any other protection or where the motor will be subjected to continually falling material particles, or to drops of splashing or jet propelled liquids falling at regular intervals of not less than once a day; (*d*) top half enclosing covers or top and bottom half enclosing screens shall be permitted on direct current motors, and wound rotor and single phase alternating current motors where there is danger of accidental contact by persons with live parts or where such covers or screens are necessary to prevent entrance of vermin or falling materials: *Provided, however,* That in any case where the requirements of General Limitation Order L–147, or any action taken by the War Production Board thereunder shall be more restrictive than the requirements of this subparagraph, the former shall apply.

(iii) Where practicable, AC polyphase motors shall be single voltage.

(iv) All alternating current multi-speed motors shall be single winding, except motors for use on metal reducing machinery, hoists, elevators, centrifuges, and single phase and two phase two speed motors.

(v) No motor shall be of slip ring wound rotor type, except for hoist, crane, conveyor, elevator, towline and dragline duty and for dry wire drawing, bending rolls, straightening rolls, metal reducing applications, aerial tramways, electric shovels, clam shell cranes, ball mills and jaw crushers.

(vi) No motor shall be of direct current type except (*a*) where only direct current is available to the user; (*b*) where speed matching is required; (*c*) for use on metal cutting machines or testing equipment; or (*d*) for use on cranes, hoists, metal reducing applications, steel mill auxiliaries, electric shovels, tramways, bending rolls, or elevators authorized under Order L–89.

(vii) No direct current motor shall have a lower base speed than as prescribed below:

Horsepower rating:	*Minimum base speed (r p m)*
1 to 5 incl.	575
5 1 to 25 incl.	450
25.1 to 75 incl.	400
75.1–200	300

(2) *Horsepower loading.* The following standards shall be applied in determining horsepower loads for motor ratings:

(i) Horsepower required for purposes of ascertaining load as provided herein shall be determined by test or, where test is impossible, by careful calculation or comparison with known power requirements of similar apparatus.

(ii) Where the motor rated voltage will be maintained and the ambient temperature, normally, will be below 40° C. and will only occasionally and for short periods, equal or exceed 40° C.: (*a*) in the case of alternating current motors rated 40° C. open type, continuous duty, the horsepower rating shall be not more than 80% of the determined horsepower load; (*b*) in the case of alternating current or direct current motors rated 50° C. semi-enclosed, or 55° C. totally enclosed, continuous duty, the horsepower rating shall be not more than 91% of the determined horsepower load; and (*c*) in the case of direct current motors rated 40° C. open type, continuous duty, the horsepower rating shall be not more than 87% of the determined horsepower load: *Provided, however,* That in any case where the application of any of the above formulae results in a horsepower rating which is not a standard horsepower rating, the rating may be the standard horsepower rating next above the rating resulting from the application of the formula.

Example: Where the horsepower required as determined in subdivision (1) is 9.3 HP, of which 80% would be 7.44 a motor not exceeding 7.5 standard HP should be delivered.

(3) *Speed.* The following minimum standards shall be applied in determining motor speed:

(i) All alternating current motors 25 horsepower and below shall have a synchronous speed of at least 1800 R. P. M. at 60 cycles, 1500 R. P. M. at 50 or 25 cycles: *Provided, however,* That in any case where the purchaser deems such speed impracticable he shall endorse on the certification required by paragraph (d) below such facts as shall demonstrate such impracticability, and if the manufacturer or machinery producer shall likewise certify such impracticability on the order, the provisions of this subdivision (i) shall not apply.

(ii) All other motors shall be of the highest practicable speed for the purpose for which purchased.

(d) *Certification by purchasers of motors and machinery.* (1) Each person (except a machinery producer) placing an order with a manufacturer or dealer for delivery of a new motor or generator as such, and each person who receives delivery of a new motor or generator as such, from a manufacturer or dealer pursuant to an order placed prior to December 10, 1942, shall furnish to the manufacturer or dealer, as a condition to receiving delivery, a certification in the form prescribed in Appendix A hereto.

A dealer shall transmit his purchaser's certification to the person from whom he purchases a motor, in satisfaction of the requirements of this paragraph (d) (1).

(2) Each person who places an order with a machinery producer (including any sales agent therefor) for a new motor or generator or for machinery which will be delivered to the purchaser with a new motor or generator incorporated therein or attached thereto, or who receives from any machinery producer (or sales agent therefor) delivery of any such motor, generator or machinery after May 22, 1943, shall furnish to the machinery producer a certification in the form prescribed in Appendix A hereto. If the purchaser does not have in his possession the information required by subparagraph (4) of the certification and shall so certify he may omit such information.

(3) In any case where an order relates to motors or generators of the identical kind and rating covered by a certification previously furnished to the same manufacturer or machinery producer, any facts included in the previous cer-

tification which have remained unchanged may be incorporated in a later certification, by reference to the previous certification.

(4) The above mentioned certification shall be signed by a duly authorized and responsible official of the person required to make the certificate and shall constitute a representation to the War Production Board as well as to the person with whom the certificate is filed, of the facts certified therein. No person shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification, and no person shall falsely furnish the certification set forth above.

Any manufacturer, dealer, or machinery producer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(e) *Authorizations of War Production Board.* Application for the authorization of the War Production Board to deviate from the standards and conditions of paragraphs (b), (c) or (d) may be made by the purchaser or proposed purchaser of the new motor or generator or by the machinery producer in any case where the motor or generator is to be incorporated into machinery manufactured by said producer. Such application shall be in the form of a letter or telegram or other communication addressed to the General Industrial Equipment Division, War Production Board, setting forth facts sufficient to enable the War Production Board to determine the necessity for such authorization. If granted, the authorization shall be transmitted by the purchaser to his supplier, except that a machinery producer shall retain such authorization in his files.

(f) Exemptions. (1) The limitations and restrictions of paragraph (b) (1) shall not apply to (i) any order for motors or generators for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration, or for incorporation in or attachment to any machinery or equipment to be used directly by said agencies; (ii) to any order by a machinery producer for motors to be incorporated in or attached to, and sold as part of machinery which he produces, if such machinery producer does not have on hand at the time of such order a greater number of motors in the same category (as specified in paragraph (b) (1) as the new motor sought to be purchased than the number thereof which he used for incorporation or assembly into machinery during the preceding two calendar months; (iii) to any order by a machinery producer for generators, if he does not have in his inventory a greater number thereof than he used for incorporation or assembly during the preceding two calendar months; or (iv) to any order for motors or generators to be delivered for use outside of continental United States and Canada.

(2) The limitations and restrictions of paragraphs (c) and (d) shall not apply to (i) any motor or generator ordered by and delivered to a machinery producer, but such limitations and restrictions shall apply to his resale of such motor or generator, as such or as part of other machinery; or to (ii) any motor or generator delivered for use outside of continental United States and Canada.

(3) The limitations and restrictions of paragraph (d) shall not apply to any order for generators for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration or for incorporation in or attachment to any machinery or equipment to be used directly by said agencies.

(4) The limitations and restrictions of paragraphs (b), (c) and (d) of this order shall not apply (i) to industrial truck motors, torque motors, traction motors and generators, motors used in the operation of air-borne equipment, frequency changers (62½ cycles and above), two bearing motor-generator sets (including electric welders of the two bearing type) dynamometers and rotary converters; or (ii) to any motor or generator to be used on any vessel owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration or to be used in the operation of combat equipment. As used herein "combat equipment" means any combat end product (including but not limited to ammunition and other ordnance, tanks, warships and aircraft) prescribed for field or combat use by the Army, the Navy, or the Maritime Commission.

(g) *Production schedules.* (1) On and after February 1, 1943, no manufacturer shall manufacture any motor or generator unless the motor or generator is included in a production schedule approved by the War Production Board as provided below.

(2) On or before the 20th day of each calendar month, every manufacturer shall file with the War Production Board a report on Form PD–738 which shall include such manufacturer's proposed production schedules of motors and generators so far as then planned, and such other information as shall be required by said Form PD–738. The production schedule for such period following the date of filing as shall be specified in the instructions to said Form PD–738 shall be deemed to be approved by the War Production Board upon its receipt of the above mentioned report unless and until the War Production Board shall otherwise direct. Regardless of the terms of any other order or rule or regulation or of any commitment by the manufacturer or any customer, the War Production Board may at any time change any schedule; direct the cancellation of any order held by any manufacturer whether or not included or reflected in any schedule; prescribe any other schedule for production; allocate any order theretofore received by the manufacturer to any other manufacturer; or direct the delivery of any motor or generator, in production or completed to any person, at the established price and terms. No manufacturer shall alter any approved or prescribed production schedule unless authorized or directed to do so by the War Production Board.

(h) *Miscellaneous provisions.* — (1) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto or other regulations of the War Production Board, effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C. Ref: L–221.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

The certification required by paragraph (f) of the order shall be in substantially the following form:

Purchase Order No. ----------
Date ----------

"The undersigned hereby certifies that the motor (s) covered by the above mentioned purchase order are of the simplest practicable mechanical and electrical design and that

(1) *Idle and used motors.* He has no adaptable idle motor or generator (except operating spares) and no operating spares in excess of the number prescribed in paragraph (b) (1) (iv) of Order L–221; and he has been unable to obtain a used motor or generator for his purpose from the following dealers known by him to be engaged currently in dealing in such motors

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(2) *Operating conditions.* (To be filled in only if motor is not open type). The following operating conditions, as listed in paragraph (c) (1) (ii) of Order L–221 justify type of enclosure ordered:

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(3) (If motor is (i) alternating current multi-speed, and is not single winding; (ii) slip ring wound rotor type; or (iii) direct current, state justification below)

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(4) *Horsepower and speed.* Horsepower rating is in accordance with paragraph (c) (2) of Order L–221.

(If motors do not have a speed of at least 1800 R. P. M. at 60 cycles or 1500 R. P. M. at 50 or 25 cycles, give here the data required by paragraph (c) (3) (i)).

Speed Certified
By ----------
Machinery Producer or
Motor Mfr.
---------- Company.
By ----------"
(Authorized Official)

INSTRUCTIONS

1 If any of the above items are inapplicable to the order being certified, a statement should be made to that effect. If an item is inapplicable because of an exemption provided by Order L–221, reference should be made to the pertinent provision of the order. If the purchaser's order has been granted any exemption by the War Production Board, appropriate reference should be made, including the date of the authorizing document and any conditions contained therein.

2 If the order is for motors or generators of identical kind and rating covered by a previous certification, information which has remained unchanged need not be repeated but reference (including date and order number) should be made to the previous certification.

[F. R. Doc. 43–6258; Filed, April 22, 1943; 12:13 p. m.]

PART 3122—ELECTRICAL MOTORS AND GENERATORS

[Interpretation 1 of General Conservation Order L–221 as Amended April 22, 1943]

Paragraph (f) (4) of § 3122.1 *General Conservation Order L–221* provides certain exemptions for motors and generators used on any vessel owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration. The question has been raised as to the proper classification of floating dry docks. It was contemplated that floating dry docks, produced for service anywhere, would be considered vessels within the meaning of this paragraph.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6256; Filed, April 22, 1943; 12:14 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Direction 2]

§ 3175.3 *Special direction regarding manufacturers of combat measuring instruments (as defined in Limitation Order L–203).* A delivery order for combat measuring instruments which bears a preference rating with an allotment number or symbol shall not be deemed superior in rating for purposes of Priorities Regulation 1, to a delivery order for combat measuring instruments which bears a rating of the same grade without an allotment number or symbol; and manufacturers of combat measuring instruments shall schedule deliveries thereof without regard to allotment numbers or symbols, but subject to and in accordance with all applicable provisions of orders and regulations of the War Production Board other than paragraph (c) of CMP Regulation 3.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43 6261; Filed, April 22, 1943; 12:13 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 3 of CMP Reg. 5]

The following official interpretation is issued with respect to § 3175.5, *CMP Regulation 5.*

Reels required for shipment or delivery of products are not included within the term "fabricated containers" on List A of CMP Regulation No. 5, and consequently the procedures provided by the regulation may be used to obtain them.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43 6260; Filed, April 22, 1943; 12:13 p. m.]

PART 3227—VULCANIZED FIBRE

[Allocation Order M–305]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of vulcanized fibre for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest, and to promote the national defense.

§ 3227.1 *Allocation Order M–305.* — (a) *Definitions.* For the purpose of this order:

(1) "Vulcanized fibre" means the chemically converted and hardened cellulose material commonly designated "vulcanized fibre" or "hard vulcanized fibre", usually prepared by treating cotton rag or alpha cellulose paper with zinc chloride which is subsequently leached out of the resulting mass.

(2) "Producer" means any person who produces vulcanized fibre.

(3) "Fabricate" means to perform any machining or forming operation on vulcanized fibre.

(b) *Restrictions on use and delivery of vulcanized fibre.* (1) On and after April 22, 1943, no producer shall fabricate or deliver vulcanized fibre, except as specifically authorized by the War Production Board upon application pursuant to paragraph (g).

(2) On and after April 22, 1943, no fabricator or distributor under common ownership and control with any producer shall fabricate or deliver vulcanized fibre, except for uses approved by the War Production Board upon application by such producer pursuant to paragraph (g). Such application shall be based upon descriptions of proposed ultimate uses furnished to the producer by such fabricator or distributor with respect to vulcanized fibre in the inventory of, or to be delivered by the producer to such fabricator or distributor.

(3) Each person furnishing a certified description of ultimate use with an order for vulcanized fibre pursuant to paragraph (f) shall use the vulcanized fibre delivered on such order only for the purpose specified in such certificate, except as otherwise specifically authorized by the War Production Board.

(4) The War Production Board at its discretion may at any time issue special directions to any person with respect to use, fabrication, delivery or acceptance of delivery of vulcanized fibre, or with respect to disposition of vulcanized fibre in process or of finished vulcanized fibre in inventory.

(c) *Inventory restriction.* On and after April 22, 1943, no person other than a producer shall accept delivery of vulcanized fibre (irrespective of authorization to his producer to make such delivery) if his inventory of vulcanized fibre of the same or equivalent grade, specification and thickness is, or by virtue of such acceptance would become, greater than a 60-day supply, having regard to his method and rate of operation or sales.

(d) *Color restriction.* On and after April 30, 1943, no producer shall put in process vulcanized fibre of other than natural gray color if such vulcanized fibre is to be finished as sheets of ¼" or greater thickness, except as specifically authorized by the War Production Board.

(e) *Exemptions.* Notwithstanding the provisions of paragraph (b) or (f), specific authorization of the War Production Board, or the filing of a certified description of ultimate use, shall not be required for the following:

(1) Fabrication or delivery of vulcanized fibre on or before May 15, 1943, in fulfillment of orders placed and in process of production or fabrication prior to April 22, 1943.

(2) Delivery of vulcanized fibre by any person to a producer.

(f) *Certification of ultimate use.* (1) Certified description of ultimate use of vulcanized fibre shall be furnished to the producer as follows:

The person who fabricates or incorporates vulcanized fibre into an item of definable consumer use shall furnish the producer of vulcanized fibre with a certified description of the ultimate use to which such vulcanized fibre will be put. In those cases where such person purchases from any person not a producer of vulcanized fibre, such certified description of ultimate use may be transmitted through such intermediaries as may exist, to said producer. Such intermediate fabricators or suppliers shall transmit such certified descriptions of ultimate use either by transmitting the original customers' certificates or by transmitting new certificates signed by the fabricator or supplier containing the

customers' ultimate use descriptions without change.

For example, a formed piece for a welder's helmet, which obviously could be used only for that purpose, would be an item of definable consumer use. The fabricator ordering vulcanized fibre for such piece would furnish with his order a certified description of ultimate use. On the other hand, the purchaser of the piece from the fabricator would not have to file a certified description of ultimate use with his order for such piece, because the fabricator could determine the use unaided. However, in the case of a machinery manufacturer ordering a vulcanized fibre punched part, the use of which could not be determined by inspection, a certified description of the ultimate use of such punched part should be furnished by the manufacturer to the fabricator of the part.

No department or agency of the United States Government ordering vulcanized fibre pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), shall be required to furnish a certified description of ultimate use pursuant to this order. The prime contracting seller holding a Lend-Lease order, for the purpose of his PD-602 application (if he is a producer), or for the purpose of furnishing a certified description of ultimate use, shall specify the Lend-Lease contract or serial number without further end use description.

(2) Certified description of ultimate use may be placed on or attached to the purchaser's purchase order and shall be in substantially the following form:

(Description of ultimate use)

The undersigned hereby certifies that the vulcanized fibre (or products made therefrom) covered by the accompanying purchase order will be used solely for the purpose(s) listed above, and that he is familiar with the inventory restriction imposed by Order M-305.

_____
Name of customer

By _____
Signature of authorized official

_____ _____
Date Title

The above certificate shall constitute a representation to (but shall not be filed with) the War Production Board, and may be signed manually or as provided in Priorities Regulation No. 7.

(3) The description of ultimate use provided for in paragraph (f) (2) hereof shall be sufficiently specific to enable the producer to indicate product use and function on his application for authorization to deliver vulcanized fibre. Authorization to deliver vulcanized fibre will be based on the essentiality of the specific use to which each item of vulcanized fibre is to be put. It is, therefore, essential that information with respect to the ultimate use and function be as precise as possible.

In connection with usages of secondary essentiality, a statement justifying the use of vulcanized fibre rather than some other material should accompany the certified description of ultimate use, if applications for such uses are to be given full consideration without undue delay.

In the case of confidential or secret items for the Armed Services, the part number, contract number, and the name and location of the contracting agency shall be transmitted in lieu of a description of ultimate use.

(4) Any producer, fabricator or other supplier may accept and rely upon any certified description of ultimate use furnished pursuant to this paragraph (f) unless he knows or has reason to believe it to be false.

(5) Where one or more partial deliveries are made against a single order, the original certified description of ultimate use shall suffice for all such deliveries.

(6) In the event that two or more end uses are involved in a single purchase order, the amount of vulcanized fibre required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the producer to advise his customers, by purchase order number and item number, as to the action taken on the producer's application for authorization to make delivery.

(7) Each producer and other supplier shall notify his customer as soon as possible of denial, in whole or in part, by the War Production Board of any item or items for which application has been made by such customer.

(8) Notwithstanding the provisions of Priorities Regulation No. 1, no producer, fabricator or other supplier shall accept or fill any order for vulcanized fibre from a purchaser required by this paragraph (f) to file a certified description of ultimate use, unless and until such purchaser shall file such certificate with him, and such order shall have been approved by the War Production Board in the manner provided in this order.

(9) In cases where vulcanized fibre is purchased for a prospective use which does not materialize, the purchaser shall not use the vulcanized fibre so obtained for other use without authorization of the War Production Board.

Application for such authorization may be made by letter in triplicate directed to the War Production Board, Chemicals Division, Washington, D. C. Ref. M-305, setting forth the material facts. Such letter shall be certified by the applicant in substantially the following form, and may be signed manually or as provided in Priorities Regulation No. 7:

(Statement)

The undersigned applicant certifies to the War Production Board that the information contained in this letter is complete and correct.

_____
Name of applicant

By _____
Signature of authorized official

Date_____ Title_____

(g) *Applications and reports.* (1) Each producer seeking authorization to fabricate or deliver vulcanized fibre shall file application on Form PD-602 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-602. Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

Time. Application on Form PD-602 may be made at any time, but not less often than once in each calendar month.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant and three certified copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref. M-305.

Number of sets. Any group of producing units under common ownership or control may file a consolidated set of PD-602 forms, regardless of location of plant(s).

Heading. Under name of material, specify vulcanized fibre; leave grade space blank; under War Production Board order number, specify M-305; leave the delivery month blank; under unit of measure, specify pounds net; and otherwise fill in as indicated, disregarding instruction to file a separate form for each plant or warehouse.

Table I. List all orders received since filing the previous PD-602, as follows:

Column 1. List customers' names.

Column 1a. Show end use based on customer's or fabricator's certificate.

Column 4. Show total amount of each order in pounds.

Column 5. Show proposed monthly delivery, and in parentheses indicate how many monthly deliveries. Leave blank if such delivery schedule has not been determined.

Column 5a. Show whether sheets, rods or tubes. For this purpose the use of abbreviations will be permitted in accordance with the following:

"S"---------- Sheets.
"R"---------- Rods.
"T"---------- Tubes.

Column 6. Leave blank.

Column 7. Show producer's mill order number.

Rolling stock. Leave blank the columns at the end of Table I referring to hopper cars and tank cars required.

Table II. Fill in Columns 9, 11, 12, 14, and 15, and leave the other columns blank. Total net poundage ready for shipment shall be reported for the purpose of Table II.

Table II shall be filled out on only one set of applications per month, which shall be filed by each producer on or before the 20th day of each month.

(2) Receipt by a producer from the War Production Board of Form PD-602 signed by the War Production Board shall constitute authorization to such producer to deliver (after necessary fabrication) the quantity of vulcanized fibre to the persons and for the end uses indicated therein, without regard to the limitation in such authorization that "such authorization as to any one customer shall terminate automatically if he requires you to postpone authorized delivery beyond ten days after the close of the month for which allocated, or if he fails to place an order for such material before the end of such month."

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special directions to any such person with respect to preparing and filing Form PD-602 or certificates required by paragraph (f).

(h) *Notification of customers.* Each producer and fabricator is requested to notify his regular customers as soon as possible of the requirements of this order and of all amendments hereto, but failure to receive such notice shall not excuse

any person from complying with the terms hereof.

(i) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref. M-305.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6262; Filed, April 22, 1943; 12:13 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-230]

J. SEPENUK & SONS, INC.

J. Sepenuk & Sons, Inc., a New Jersey corporation located at 171 Provost Street, Jersey City, New Jersey, buys and sells nonferrous metals. During the period from November 16, 1942, through January 14, 1943, J. Sepenuk & Sons, Inc. accepted delivery of approximately 97,445 lbs. of copper base alloy ingots without authorization of the Director General for Operations as required by Supplementary Order M-9-b. The Company believed, because of an unreasonable interpretation of the order, that it was entitled to accept such deliveries; and continued to do so after it had been put on notice that the interpretation was incorrect.

The acceptance of delivery of copper alloy ingots was a wilful violation of Supplementary Order M-9-b and has impeded and hampered the war effort of the United States by diverting copper to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.230 *Suspension Order S-230.* (a) Deliveries of material or equipment to J. Sepenuk & Sons, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied or assigned to such delivery by any preference rating certificate, preference rating order, general preference order, or any other orders or regulations of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation to J. Sepenuk & Sons, Inc. shall be made of any material, the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve J. Sepenuk & Sons, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 25, 1943, and shall expire July 25, 1943, at which time it shall have no further force or effect.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6288; Filed, April 22, 1943, 4:08 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-282]

ESSAM LAMP SHADE CO.

Sam Miller and Anne G. Bress, a partnership doing business as the Essam Lamp Shade Company, Chicago, Illinois, is engaged in the manufacture of lamp shades. On September 12, 1942 the partnership purchased the trade name "Style-Rite Lamp Shade Company," and proceeded between that date and November 30, 1942 to manufacture and assemble under that trade name 35,901 lamp shades, although no quota had been established for the manufacture by the respondents of lamp shades under such trade name by the provisions of General Limitation Order L-33, and Priorities Regulation 7-A. The respondents, as the Essam Lamp Shade Company, also manufactured during the period from May 1, 1942 to September 30, 1942, 1,221 lamp shades in excess of the quota established for them under the provisions of General Limitation Order L-33. The respondents were aware of the limitations affecting their business and acted in reckless disregard of such limitations. This production and assembly of 37,122 lamp shades was a wilful violation of General Limitation Order L-33.

This wilful violation has hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board.

In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.282 *Suspension Order S-282.* (a) Neither Sam Miller or Anne G. Bress, individually, or doing business as the Essam Lamp Shade Company, or Style-Rite Lamp Shade Company, or otherwise, directly or indirectly, or their successors and assigns, shall put in process, process, manufacture or assemble any silk, metal in any form, phenolic plastics or any other material, the supply or distribution of which is subject to the control of the War Production Board, to make lamp shades or portable lamps, as defined in General Limitation Order L-33, or parts thereof, except as specifically hereafter authorized in writing by the War Production Board.

(b) Deliveries of material to Sam Miller and Anne G. Bress, individually or doing business as the Essam Lamp Shade Company, or Style-Rite Lamp Shade Company, or otherwise, directly or indirectly, or their successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as specifically hereafter authorized in writing by the War Production Board.

(c) No allocation shall be made to Sam Miller and Anne G. Bress, individually or doing business as the Essam Lamp Shade Company, or Style-Rite Lamp Shade Company, or otherwise, directly or indirectly, or their successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Sam Miller or Anne G. Bress, individually or doing business as Essam Lamp Shade Company, or the Style-Rite Lamp Shade Company, or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 24, 1943, and shall expire on July 24, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6290; Filed, April 22, 1943; 4:08 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-290]

ARTISTIC BRONZE TABLET CO., INC.

The Artistic Bronze Tablet Company, Inc., a corporation organized under the laws of the State of New York, doing business at 25-27 Bainbridge Street, Brooklyn, New York, engages chiefly in the business of furnishing bronze memorial tablets and name plates to charitable institutions. Respondent furnishes patterns and finishes the product, the actual casting being done by others. During the period June through August, 1942, the company delivered approximately 2,785 lbs. of copper scrap to a foundry to be

cast under an unauthorized toll agreement in wilfull violation of Supplementary Order M–9–b, and during the period January through August, 1942, used approximately 10,295 lbs. of copper base alloy in the manufacture of memorial tablets and name plates in wilful violation of Conservation Order M–9–c.

These violations of Supplementary Order M–9–b and Conservation Order M–9–c have impeded and hampered the war effort of the United States by diverting copper to uses unauthorized by the War Production Board.

In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.290 *Suspension Order No. S–290.* (a) Deliveries of material to Artistic Bronze Tablet Company, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be applied or assigned to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, and any other order or regulation of the War Production Board except as hereafter specifically authorized by the War Production Board.

(b) No allocation shall be made to Artistic Bronze Tablet Company, Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Artistic Bronze Tablet Company, Inc., its successors and assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 24, 1943, and shall expire on October 24, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 22d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHALEN,
Recording Secretary.

[F. R. Doc. 43–6289; Filed, April 22, 1943; 4:08 p. m.]

PART 1147—COLLAPSIBLE TUBES

[Conservation Order M–115 as Amended April 23, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1147.1 *Conservation Order M–115.* (a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Tube" means any collapsible container in the shape of a tube, including but not limited to any such container made in whole or in part of tin, lead, or any combination thereof and includes closures, crowns and caps for such tubes.

(3) "Class I tube" means a tube used or intended to be used to pack any product listed on Table I annexed hereto within such limitations, including but not limited to tube size and end use, as may be specified with respect to any such product in said table.

(4) "Class II tube" means a tube used or intended to be used to pack any product listed on Table II, annexed hereto.

(5) "Class III tube" means a tube used or intended to be used to pack any product listed on Table III, annexed hereto.

(6) "Non-essential tube" means any tube other than a tube described in subparagraphs 3, 4 and 5 above.

(7) "Tube user" means any person, whether or not he is also a tube manufacturer, engaged in the business of packing or filling tubes with any product of any kind for sale to others.

(8) "Retailer" means a person other than a distributor who sells or distributes tubes to the ultimate purchaser.

(9) "Distributor" means a person who sells or distributes tubes to retailers, including, but not limited to, wholesalers, jobbers, tube users, and tube manufacturers when they are engaged in such sale or distribution.

(10) "Ultimate purchaser" means a person who acquires filled tubes for the satisfaction of personal needs (with or without paying any consideration therefor), as distinguished from one acquiring tubes for industrial or other business purposes or for further distribution.

(c) *Restrictions upon the manufacture, sale and delivery of blanks and tubes and upon the use of tubes for packing*—(1) *Non-essential tubes.* No person shall manufacture or sell, for non-essential tubes, blanks containing any tin (but not including tin present as an impurity amounting to 0.5% or less); no tube manufacturer shall manufacture or sell non-essential tubes containing any tin (but not including tin present as an impurity amounting to 0.5% or less); and no tube user shall use any tubes containing any tin (but not including tin present as an impurity amounting to 0.5% or less) to pack any product not listed on Tables I, II, or III.

(2) *Class I tubes.* Notwithstanding the provisions of Conservation Order M–43–a, as amended, and until further order by the War Production Board there shall be no restriction upon the percentage of tin which may be used in the manufacture of Class I tubes, nor on the number of such tubes manufactured or used for packing products listed on Table I.

(3) *Class II tubes.* No person shall manufacture or sell for Class II tubes blanks containing more than 7½% of tin by weight; no tube manufacturer shall manufacture or sell Class II tubes containing more than 7½% of tin by weight; and no tube user shall use any tube containing more than 7½% of tin by weight to pack any product listed on Table II.

(4) *Class III tubes for period prior to April 1, 1943.* Until April 1, 1943, no person shall manufacture or sell for Class III tubes blanks containing more than 5% of tin by weight; and no tube manufacturer shall manufacture or sell Class III tubes containing more than 5% of tin by weight; and no tube user shall use any tube containing more than 5% of tin by weight to pack any product listed on Table III.

(5) *Class III tubes after April 1, 1943.* On and after April 1, 1943, no person shall manufacture or sell for Class III tubes blanks containing more than 3% of tin by weight; and no tube manufacturer shall manufacture or sell Class III tubes containing more than 3% of tin by weight; and no tube user shall use any tube containing more than 3% of tin by weight to pack any product listed on Table III.

(6) *Quota for Table III products.* No tube user shall pack in tubes, during the calendar year 1943, more than 75% of the amount of products listed on Table III which he packed in tubes during the calendar year 1942: *Provided further*, That no tube user shall pack in tubes during each of the three-month periods beginning January 1, 1943, April 1, 1943, July 1, 1943, and October 1, 1943, respectively, more than 25% of the amount of products listed in Table III of this order which he is permitted to pack in tubes during the entire calendar year 1943 pursuant to the preceding provisions of this subparagraph. All percentages above mentioned shall be based upon volumetric weight. Said percentages shall be in addition to the products listed on Table III which are packed in tubes and sold and delivered to the Army or Navy of the United States or the United States Coast Guard (including but not limited to post exchanges, ships' stores, ships' service stores, and marine exchanges), or to the American Red Cross, and in addition to products listed on Table III which are packed in tubes having no greater tin content than that prescribed in paragraph (c) (1) of this order for non-essential tubes.

(d) *Further conservation of tin.* (1) All manufacturers and users of all the kinds of tubes covered by this order shall cooperate in effectuating as rapidly and as completely as possible a program of reducing the thickness of the tin coating on such tubes to the minimum thickness which will be sufficient for satisfactory packing of the particular product packed.

(2) All manufacturers of all kinds of tubes permitted to be manufactured or filled by this order and all tube users packing products in such tubes are ordered to concentrate to the greatest extent practicable upon the larger-size tubes and to manufacture and to use for tube filling respectively as high a proportion of larger-size tubes (as compared with smaller-size tubes) as may be feasible and practicable. All such manufacturers and tube users are further ordered to substitute, for all tubes made in whole or in part of tin, containers made of other materials to the extent that such substitution may be feasible and practicable.

(3) No retailer shall sell or deliver any filled metal tube containing dental cleansing or shaving preparations to any ultimate purchaser (except as bona fide samples, manufactured prior to the 15th day of June, 1942, which are distributed indiscriminately and without any conditions) unless such purchaser delivers to such retailer concurrently with his purchase one used metal tube of any kind for each metal tube delivered to such purchaser. All such used tubes, together with any other used tubes held by retailers, shall be held by such retailers and shall not be disposed of by them except as follows:

(i) To the Tin Salvage Institute, 411 Wilson Avenue, Newark, New Jersey, as agent for Metals Reserve Company;

(ii) To any wholesaler of products packed in tubes, who is a duly authorized representative of the Tin Salvage Institute as agent for the Metals Reserve Company; or

(iii) To any other person who is such a representative.

Such deliveries may be made by such retailers at any time and in any manner consented to by the person to whom delivery is to be made, and shall be made, upon demand of such person and at the expense of such person, in such manner and at such time as such person may request. In no case shall any consideration be paid or received for any used tubes so delivered and no person (including, but not limited to, wholesalers of products packed in tubes and dealers in scrap metal and junk) shall, except as otherwise expressly permitted by this paragraph (d) (3), deliver any used tube of any kind to any person except those designated above. Damaged or unused tubes shall, at the option of the holder, be returned for credit to the party from whom they were purchased or delivered to the Tin Salvage Institute as agent for Metals Reserve Company.

(4) Nothing in this order shall prevent the manufacture, sale, delivery, purchase, acceptance of delivery, or use of tubes, made from blanks manufactured on or before the dates hereinafter specified and containing no more than the permitted tin content respectively specified, within the limits set forth opposite each such date.

Date of manufacture of blank	Permitted tin content	Permitted use
April 1, 1942 to October 1, 1942	Unrestricted	Unrestricted.
October 1, 1942 to [illegible] day of January 1943.	7½ percent by weight.	For packing products listed in Table III and shaving preparations.
[illegible] day of January 1943.	1½ percent by weight.	For packing shaving preparations.

Provided, however, That the volumetric weight of any products listed in Table III which are packed in accordance with the provisions of this subparagraph shall be subtracted from the quota allowed to the tube user pursuant to paragraph (c) (6) of this order.

(5) Notwithstanding any other provisions of this order, gift kits or combination set boxes holding multiple units, including filled Class III or shaving preparation tubes, the value of which comprises not over 25 percent of the total value of the package, may be disposed of without complying with the used tube exchange provision set forth in paragraph (d) (3) hereof; provided that any such boxes are delivered or sent direct by the seller to a member of the Army or Navy of the United States or of the United States Coast Guard.

(6) Compliance with the used tube exchange provision set forth in paragraph (d) (3) hereof shall not be required in connection with the sale or distribution of Class III or shaving preparation tubes when made by the following agencies or instrumentalities of the United States Government; namely, army exchanges, ships stores, ships service stores, and marine exchanges; if made under any of the following circumstances:

(i) Distributions or sales, made aboard ship, in the Territory of Alaska, or outside the continental limits of the United States.

(ii) Distributions or sales made at ports of embarkation, induction centers, receiving stations, receiving ships, to newly inducted selectees or enlistees or other persons designated by the commanding officer.

(iii) Sales or distributions made in hospitals under the jurisdiction of the armed forces of the United States to casualties of war.

Provided, however, That no tubes containing more than 7½% tin shall be sold or delivered pursuant to the subparagraph: *And further provided*, That the exemption, provided by this subparagraph shall be subject to such conditions as shall be prescribed by the appropriate authorities of that branch of the Government under whose jurisdiction the above named agencies or instrumentalities respectively operate.

(7) Compliance with the used tube exchange provision set forth in paragraph (d) (3) hereof shall not be required in connection with the free distribution of Class III or shaving preparation tubes by the American Red Cross: *Provided, however*, That no tubes containing more than 7½% tin shall be distributed pursuant to this paragraph (d) (7).

(e) *Certificates and reports relating to all kinds of tubes covered by this order*—(1) *Certificates of tube users.* Each tube user who purchases any tubes shall furnish to the tube manufacturer from whom he buys, a certificate, in substantially the form attached hereto as Exhibit A, that such tube user is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that, during the life of this order, he will not use any tubes purchased from such tube manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given tube manufacturer need be furnished by a tube user to that tube manufacturer (who shall retain such certificate), but no tube manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe it to be false.

(2) *Certificates of retailers.* Each retailer who purchases any filled Class III or shaving preparation tubes shall furnish to the manufacturer or distributor from whom he buys a certificate, in substantially the form attached hereto as Exhibit B, that such retailer is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that, during the life of this order, he will not use any tubes purchased from such manufacturer or distributor in violation of its terms. Only one such certificate covering all present and future purchases from a given manufacturer or distributor need be furnished by a retailer, but no manufacturer or distributor shall be entitled to rely on any such certificate if he knows, or has reason to believe, it to be false: *Provided, however*, That such certificates shall not be required in connection with the export of filled Class III or shaving preparation tubes from the forty-eight states of the United States of America and the District of Columbia.

(3) *Reports.* Each tube manufacturer and each tube user shall file such reports as the War Production Board may prescribe for the purpose of effective administration of the order, and no tube manufacturer or distributor shall sell any tubes except under contracts or orders validated by the certification required by this paragraph (e).

(f) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Sales of tin.* No person shall hereafter sell or deliver tin to any tube manufacturer or tube user if he knows or has reason to believe that such tin is to be used in violation of the terms of this order.

(4) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref.: M–115.

(5) *Effect of other orders.* Except as provided in paragraph (c) (2) above, insofar as any other order of the War Production Board heretofore or hereafter issued limits or curtails to a greater extent than herein provided the use of any material used in the production of tubes, the limitations of such order shall control.

Issued this 23rd day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—TUBE USER'S CERTIFICATE

Certificate required by paragraph (e), subparagraph (1) of Conservation Order M-115. One copy of this certificate is to be delivered to each tube manufacturer from whom the tube user purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remain in effect.

(Tube user's address) (Date)

In accordance with paragraph (e), subparagraph (1) of Conservation Order M-115 of the War Production Board designed to conserve the amount of tin used in collapsible tubes the undersigned hereby certifies—and this shall constitute a certification to the War Production Board—that the undersigned is familiar with the terms of said Conservation Order, and any and all amendments thereto, and that the undersigned will not use any tubes purchased from

---

(Name of tube manufacturer) (Address of tube manufacturer)

in violation of the terms of said order and amendments.

(Legal name of tube user)

By ---

(Authorized official)

(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

EXHIBIT B—RETAILER'S CERTIFICATE

Certificate required by paragraph (e), subparagraph (2) of Conservation Order M-115. One copy of this certificate is to be delivered to each distributor from whom the retailer purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remains in effect.

(Retailer's address) (Date)

In accordance with paragraph (e), subparagraph (2) of Conservation Order M-115 of the War Production Board designed to conserve the amount of tin used in collapsible tubes, the undersigned hereby certifies—and this shall constitute a certification to the War Production Board—that the undersigned is familiar with the terms of said conservation order, and any and all amendments thereto, and that the undersigned will not use any tubes purchased from

---

(Name of tube manufacturer or distributor)

(Address of tube manufacturer or distributor)

in violation of the terms of said order and amendments.

(Legal name of retailer)

By ---

(Authorized official)

(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

TABLE I—CLASS I TUBES

1. Ointments and other preparations for ophthalmic use.
2. Sulfa drugs in ointment or jelly form.
3. Diagnostic extracts (allergens).
4. Morphine for hypodermic injection (limited to tubes containing individual doses only and sold directly to the Army or Navy of the United States).

TABLE II—CLASS II TUBES

1. (a) Medicinal and pharmaceutical ointments not included in Table I.
   (b) Preparations which are intended for introduction into body orifices (nasal, vaginal, rectal, surgical jelly, etc.), not included in Table I.

TABLE III—CLASS III TUBES

1. Dental cleansing preparations.

[F. R. Doc. 43-6301; Filed, April 23, 1943; 11:12 a. m.]

PART 1222—EXPORTS UNDER LICENSE ISSUED BY THE BOARD OF ECONOMIC WARFARE

[Revocation of Supp. 1 to General Exports Order M-148 as Amended]

STEEL

Section 1222.2 *Supplement 1 to General Exports Order M-148* is hereby revoked.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6298; Filed, April 23, 1943; 11:12 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule II as Amended April 23, 1943]

FORGED AXES, FORGED HATCHETS, FORGED BROAD AXES, FORGED ADZES, AND FORGED LIGHT HAMMERS

§ 1293.3 *Schedule II to Limitation Order L-157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or otherwise fabricates forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers.

(2) "Forged light hammer" means a forged hammer weighing less than 4 pounds. (Handles not included in this weight).

(3) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him.

(4) "Lend-Lease Government" means the government of any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". (Lend-Lease Act).

(b) *Simplified practices.* (1) Pursuant to Limitation Order No. L-157, the kinds, styles, sizes, weights and provisions set forth in Appendices A, B and C hereto, are hereby established as specifications for the manufacture of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers. Notwithstanding such limitation a producer may manufacture or otherwise fabricate forged axes not conforming to the specifications set forth in Appendix A hereto, for export under a license issued by the Board of Economic Warfare or to fill an order of a Lend-Lease Government.

(2) Forged axes, forged hatchets, forged broad axes, forged adzes or forged light hammers may be supplied with or without handles. Handles shall be limited to not more than three grades, as selected by the producer, for any one pattern (irrespective of size) of axe, hatchet, broad axe, adze, or light hammer manufactured, forged, or otherwise fabricated in accordance with this paragraph (b). On or before May 15, 1943, each producer shall file on Form PD-754, with the War Production Board, Building Materials Division, Washington, D. C., a list of the three grades of handle selected by him for each pattern.

(c) *Effective date of simplified practices.* The provisions of this Schedule II, as amended, shall take effect on the 15th day of April, 1943. On and after the 15th day of April, 1943, no producer shall put into process any ferrous metal in the manufacture of a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, which fails to conform to the specifications established by paragraph (b) of this Schedule II and as set forth in Appendices A, B, and C hereto. Notwithstanding the provisions of paragraph (b) of this Schedule II, a producer may at any time sell or deliver a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer manufactured prior to the 15th day of April, 1943.

(d) *Application to manufacture exceptions.* Application by a producer to manufacture a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, not in accordance with the specifications as set forth in Appendices A, B and C of this schedule shall be made in writing to the War Production Board, Building Materials Division, Washington, D. C., Ref.: L-157. The War Production Board may thereupon take such action as it deems appropriate.

(e) *Records covering material, types and sizes, work in process, etc.* On or before May 15, 1943, each producer of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers shall file on Form PD-754 with the War Production Board, Building Materials Division, Washington, D. C., a list of all items manufactured by him in conformance with this amended schedule.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—FORGED AXES

1. Patterns, bit styles and sizes shall be as specified in the following tables 1, 2 and 3, and patterns shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943. Not more than one type of any one pattern as listed shall be manufactured.

2. A "plain" bit style means a forged axe having a bit in which the transverse surface is continuous.

3. The finish on all forged axes shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit or bits. The striking face and bit or bits shall be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit or bits shall be ground and polished for a distance not to exceed 2½ inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. In cases where a substitute name is shown in the listing of pattern names, the name listed first shall be the name of the pattern, but a producer or distributor may use one of the substituted names for the pattern, providing such listing does not indicate it as a different pattern. Substitute names may not be used for patterns other than as listed.

5. A manufacturing tolerance of 3 ounces plus or minus shall be permitted in the sizes as listed, but any pattern may only be cataloged and listed in the sizes as shown in the tables.

6. No alloy steel shall be used in the manufacture of any forged axes.

TABLE 1—SINGLE-BIT AXES

Pattern	Bit style	Size (weight of head in lbs.)
Maine (also known as Yankee or Maine).	Plain	3, 3½, 4
Michigan	Plain	3, 3½, 4
Jersey (also known as Baltimore Jersey, Caroline-Jersey).	Plain	3, 3½, 4
Connecticut	Plain	3, 3½, 4
Kentucky (also known as Southern-Kentucky).	Plain	3, 3½, 4
Dixie axes (Patterns listed above with hardened head).	Plain	3, 3½, 4

TABLE 2—DOUBLE BIT AXES

Michigan (also known as Crown 2½ (also known as Cruiser and Cruiser)	Plain	2½, 3, 3½, 4
Western (also known as Pennsylvania)	Plain	3, 3½, 4
Beveled (also known as Hudson Bay).	Plain	3½, 4
Pan	Plain	4, 4½
Swamp	Plain	4, 4½

TABLE 3—MISCELLANEOUS AXES

Light weight axe (varying handle lengths).	Plain	1¾, 2¼
Kindling	Plain	2¾, 6
Pioneer (Forestry)	Plain	3¼
Brush hooking and belt axe	(To be made in accordance with Army Specifications to fill Government Orders only.)	

APPENDIX B—FORGED HATCHETS, BROAD AXES AND ADZES

[NOTE: Table 3 Amended April 23, 1943]

1. Patterns, sizes, widths of cutting edge and weight of head shall be as specified in the following tables 1, 2 and 3.

2. Patterns as specified shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943, but not more than one type of any one pattern of hatchet, broad axe or adze as listed shall be manufactured.

(i) When "width of cutting edge in inches" for forged hatchets, forged broad axes, and forged adzes is specified in tables 1, 2 and 3 of this appendix, a tolerance of ⅛ inch plus or minus shall be permitted.

(ii) When "approximate weight of head in pounds" for forged broad axes is specified in table 2 of this appendix, a tolerance of 8 ounces plus or minus shall be permitted.

4. No alloy steel shall be used in the manufacture of any forged hatchets, forged broad axes or forged adzes.

5. The finish on all forged hatchets, forged broad axes and forged adzes, shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit. The bit shall be, and striking face may be, ground and polished but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit shall be ground and polished for a distance not to exceed 1½ inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

TABLE 1—FORGED HATCHETS

Pattern	Size	Width of cutting edge in inches
Standard patterns:		
Half	2	3⅛
Claw	2	3⅛
Broad	2	4½
Broad	4	5½
Special patterns:		
Half—(Octagon, square or round head) thin blade*	2	3½
Underhill lath, milled head 9 or 12 rows*	1	2¼
Underhill fruit box, milled head, 12 rows, Coast pattern	1	2½
Underhill shingler—with gauge		
Produce, 12 ounces		
Packers or barrelling 12 or 14 ounces*		
Car or rig builders, plain or milled head	2	3½

*Choice of only one style or size.

TABLE 2—FORGED BROAD AXES

Pattern	Width of cutting edge in inches	Weight of head in pounds
Canada	12	7
Pennsylvania	11	6½
Pennsylvania	12	7

TABLE 3—FORGED ADZES

Pattern:	Width of cutting edges in inches
Half head	4
Full head	4
Full head (railroad)	5
Ship carpenters, plain	4
Ship carpenters, plain	4½
Ship carpenters, lipped	4½
Ship carpenters, lipped	5
Mine track, ±3 eye	3
Railroad, A. R. E. A. design (9" Blade)	4

APPENDIX C—FORGED LIGHT HAMMERS

[NOTE: Table 1 Amended April 23, 1943]

1. Kinds, patterns and weights of forged light hammers shall be as specified in the following tables 1 and 2.

2. Octagon or hexagon patterns indicate a hammer having an octagonal or hexagonal neck or poll, or neck and poll.

3. The finish on all forged light hammers shall be a forge finish as follows: All flash and scale to be removed with a hard wheel. Only striking faces and peins to be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. Surfaces having a polish finish shall be completely and heavily coated with an oil or grense compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. Where weights are specified in tables 1 and 2, such weights are for heads only, and a tolerance of 2 ounces plus or minus shall be permitted.

5. No alloy steel shall be used in the manufacture of any forged light hammers or special purpose hammers except machinists and magnetic tack or bill-posters hammers. Alloy steels, such as are permitted at the time of manufacture by the Steel Division of the War Production Board, may be used in the manufacture of machinists and magnetic tack or bill-posters hammers.

6. Milled faces on nail and ripping hammers will be permitted on 16 ounce and 20 ounce sizes only.

TABLE 1—FORGED LIGHT HAMMERS

Kind	Pattern	Ounces	Pounds
Nail	Octagon or hexagon	13, 16, 20	
	Bell face	7, 13, 16, 20	
	Plain	16, 20, 24 or 28	(1)
Ripping	Bell face	16, 20	
Trimmers and blacksmiths[2]	Cross pein		1¼, 2, 2½, 3, 4.
Bricklayers[2]	Plain or adze eye		1½, 2.
Coopers	Regular		3, 4
Engravers	Double face		2½, 3.
	Octagon poll, driving	7, 10	
	Rd. poll, curved claw, driving	7, 10	
	Rd. poll, straight claw, driving	12	
Farriers	Turning		2½.
	Fitting		2½.
	Sharpening		2½.
Machinists	Ball pein	2, 4, 8, 12	1, 1¼, 1½, 2, 2½.
	Straight or Cross Pein		1½.
Riveting	Plain eye	4, 9, 12	
Tinners	Riveting	8, 12	
	Paneing or setting	12	
	Raising	28	
Body workers[3]			

(1) In 24 and 28 ounce weights, one weight only to be manufactured.
(2) Ripstyle only.
(3) May only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

TABLE 2—SPECIAL PURPOSE HAMMERS

Kind	Weight	
	Ounces	Pounds
Boiler inspectors	9	
Hand drilling or stone cutters 4" head (#2 or #1 eye)		3
Pattern makers	5	
Prospecting pick	16, 24	
Saw setters	8	1½
Sealing hammers		1
Electricians	20	
Tack (magnetic or non-magnetic)	4, 7	
Bill posters (magnetic)	5, 8	
Tile setters	3	
Boilermakers, double face (*)		2, 3
Riveting (*)	18	
Timers facing (*)	32	
Trimmers drop forged, with claw tool (*)	7	
Welders chipping, with wire brush (*)		1
Blacksmiths hand (set hammer with handle) 1½" face (*)		3
Tinners riveting (*)	16	

(*) May only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

[F. R. Doc. 43-6302; Filed, April 23, 1943; 11:12 a. m.]

PART 3161—SUN GLASSES

[General Limitation Order L-238]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of sun glasses and sun glasses cases; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3161.1 *General Limitation Order L-238*—(a) *Definitions.* For the purposes of this order:

(1) "Sun glasses" means spectacles or goggles designed primarily to protect the wearer's eyes from sun-glare and other harmful or discomforting rays of the sun.

(2) "Sun glasses case" means a case or container designed for carrying sun glasses when not being worn.

(3) "Aviation sun glasses" means sun glasses designed for use in aircraft by pilots, observers and other aircraft personnel.

(b) *Restrictions on the use of materials.* Except as provided in paragraph (c) of this order, no person shall incorporate any metal in the manufacture of sun glasses or sun glasses cases.

(c) *General exceptions.* (1) The provisions of paragraph (b) of this order shall not apply to the manufacture of sun glasses or sun glasses cases which are manufactured:

(i) From parts which were finished and ready for assembly on April 23, 1943, provided that such manufacture is completed on or before May 23, 1943; or

(ii) From metal to the extent permitted by Appendix A, attached to this order.

(2) The provisions of paragraph (b) of this order shall not apply to the manufacture of aviation sun glasses which are manufactured pursuant to a contract or purchase order for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided that the specifications of such contract or purchase order specify aviation sun glasses which cannot be manufactured within the limitations of paragraph (b) and (c) (1) of this order. Notwithstanding the provisions of Priorities Regulation 17, the foregoing provisions of this paragraph (c) (2) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department. Aviation sun glasses which are manufactured in accordance with the foregoing provisions of this paragraph (c) (2) shall be sold or delivered only to the Army or Navy of the United States (not including United States Army or Marine Corps Post Exchanges or United States Navy Ship's Service Departments), or the appropriate agency of the United States Government for Lend-Lease purposes.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(e) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref: L-238.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

Appendix A

Pursuant to the provisions of paragraph (b) and subdivision (c) (1) (ii) of this order, a person may incorporate the following metals in the manufacture of sun glasses to the extent indicated:

(1) Steel for:

(i) Core wire in plastic temples, provided that such core wire is manufactured (a) from wire which was in his inventory on April 23, 1943, or (b) from wire obtained by him pursuant to a special sale, as defined in Priorities Regulation No. 13, and in accordance with the terms of that regulation;

(ii) Spring clips in slip-over type sun glasses;

(iii) Half-hinges, hinge pins, and rivets; and

(iv) Snaps for cases for aviation sun glasses.

(2) Brass for barrel-hinges, hinge pins, rivets, and screws to fill orders bearing preference ratings of AA-5 or higher.

(3) Copper (strike), zinc, silver, gold and palladium for electroplating.

[F. R. Doc. 43-6300; Filed, April 23, 1943; 11:12 a. m.]

PART 3208—CRITICAL COMMON COMPONENTS

[General Scheduling Order M-293, As Amended April 21, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of certain critical common components for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3208.1 *General Scheduling Order M-293*—(a) *Definitions.* For the purpose of this order:

(1) "Critical common component" means any new equipment or apparatus of the types, descriptions and classifications set forth on the schedule hereto annexed. Class X and Class Y critical common components are those components which are so designated on such schedule.

(2) "Manufacturer" means any person who constructs or manufactures a critical common component to the extent that he is engaged in such construction or manufacture and shall include sales and distribution outlets and agencies controlled by such manufacturer.

(b) *Operation reports.* Each manufacturer of a critical common component shall file the applicable form designated in Column 1 of the annexed schedule on the dates prescribed by such form. Such form as filed shall where called for show production capacity and orders unfilled, received, shipped, cancelled and scheduled for the period specified in the form.

(c) *Deliveries of Class X critical common components.* (1) Each manufacturer of Class X critical common components shall file the applicable form as specified in Column 2 of the annexed schedule on the dates prescribed by such form. Such form as filed shall show the manufacturer's delivery schedule for Class X critical common components for the period therein specified.

(2) On and after May 1, 1943 (or such later date as may be specified in the applicable form), notwithstanding any preference rating which other orders may bear or any directive, rule or regulation of the War Production Board, each manufacturer shall deliver Class X critical common components only in accordance with the schedule filed pursuant to paragraph (c) (1), as the same may be changed by the War Production Board.

(d) *Placing and acceptance of orders for Class Y critical common components.* (1) Except as otherwise provided in the annexed schedule on and after May 1, 1943 no person shall place an order with a manufacturer, and no manufacturer shall accept an order, for any Class Y critical common component unless accompanied by a specific authorization of the War Production Board. Such authorization may specify the manufacturer with whom the order may be placed. Applications for such authorization may be made to the War Production Board by the person seeking to place an order on the applicable form designated in Column 3 of the annexed schedule.

(2) Any order so authorized shall be accepted by the manufacturer with whom it is placed, provided it meets his regularly established prices and terms. Delivery shall be made in accordance with the terms of such order as authorized, notwithstanding any preference rating which other orders may bear or any directive, rule or regulation of the War Production Board.

(e) *Other allocation and scheduling action.* With respect to any critical common component, the War Production Board may, notwithstanding any other order, preference rating, directive, rule or regulation of the War Production Board:

(1) Direct the return or cancellation of any order on the books of a manufacturer

(2) Direct changes in the delivery or production schedule of a manufacturer

(3) Allocate orders placed with one manufacturer to another manufacturer

(4) Revoke any authorization to place an order granted by it pursuant to this order, or

(5) Take such other action, as it deems necessary, with respect to the placing of orders for, or the production or delivery of critical common components.

(f) *Application of other orders and regulations.* The listing of any product as a critical common component under this order does not relieve any person from complying with the provisions of any other order, directive, rule or regulation of the War Production Board, except as specifically provided in this order.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 21st day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE ANNEXED TO GENERAL SCHEDULING ORDER M-293

[This schedule amended in its entirety April 21, 1943]

1 *Designations.* Only those critical common components designated as Class X or Class Y are subject to the provisions of paragraphs (c) and (d) of this order. A critical common component may be both a Class X and Class Y component and thus be subject to all the provisions of the order.

2 *Applicable forms.* If no form is listed in any of the columns opposite a specific item, no form is to be filed as to that item. If a form is listed opposite a general class of product, but not opposite a subclassification, the form shall be filed only for the class as a whole (or for such part of a class as the manufacturer produces). If a form is listed opposite a general class of product and also opposite a specific sub-classification, the form is to be filed both for the class as a whole (or for such part of a class as the manufacturer produces) and the specified subclassification, but if the manufacturer produces only a specified subclassification the form need be filed only for that item.

Subject to the provisions of the foregoing paragraph:

The applicable form shown in Column 1 is to be used in making the report required of manufacturers of all critical common components by paragraph (b) of this order.

The applicable form shown in Column 2 is to be used in making the report required of manufacturers of Class X critical common components pursuant to paragraph (c) of this order.

The applicable form shown in Column 3 is that on which a purchaser of the Class Y critical common component may apply to the War Production Board for authorization to place an order with a manufacturer pursuant to paragraph (d) of this order.

Where the same form number is specified in more than one column, the form should only be filed once. Where the form specified is filed pursuant to any other "E", "L", "M" or "P" order, the form should only be filed once.

3 *Reports and communications.* The list of critical common components is arranged so that the name of the Industry Division appears in parenthesis above the type of critical common component for which it is primarily responsible.

All reports and forms required by the order and all communications with respect to any critical common component should be addressed to the War Production Board, Washington, D. C., attention of the appropriate Industry Division as so listed.

Type of critical common component	Designation	Applicable forms column 1	2	3
(AIRCRAFT PRODUCTION BOARD RESOURCES CONTROL OFFICE)				
1. Parker type fittings and valves (Tube, hose and pipe fittings and valves specially designed for use in aircraft plumbing by virtue of their inherent low weight, compact dimensions and other design characteristics peculiar to aircraft usage.)		PD-902		
a. Parker type fittings (exclusive of valves): Adapters. Bushings. Caps. Cells. Collars. Connectors. Couplings. Crosses. Elbows. Hose assembly. Inserts. Liners. Manifolds. Nipples. Nuts (special). Parker flanges. Reducers. Rings. Sleeves. Stubbers. Supports. Tees. Unions.				
b. Parker type valves: All types including Advl.		PD-843		
2. Gears, aircraft				
a. Aircraft engine gears.				
b. Aircraft propeller gears.				
c. Aircraft instrument gears.				
d. Airframe actuating gears.				
3. Aircraft engine accessories.				
a. Generators: "E" type—12 volt, 50 amp. "L" type—24 volt, 25 amp. "M" type—24 volt, 50 amp. "0" type—24 volt, 100 amp. "P" type—24 volt, 200 amp. "R" type—30 volt, 300 amp.		PD-902		
b. Spark plugs: Ceramic: Long reach shielded type. Short reach shielded type. Short reach unshielded type. Mica: Long reach shielded type. Short reach shielded type. Short reach unshielded type.		PD-902		
c. Starters: Electric inertia type. Hand inertia type. Direct crank type. Cartridge type.		PD-902		
d. Carburetors: Pressure injection type. Large float type (over 1,000 h. p.). Small float type (up to 1,000 h. p.).		PD-902		
e. Magnetos: 4 Cylinder—SF. 5 Cylinder—SF. 6 Cylinder—SF and SB. 7 Cylinder—SF, VMN and DF, MJT. 9 Cylinder—SF, DFN and VAG, SB and MJT. 12 Cylinder—DFLN and DFN. Single 12 Cylinder SF. 14 Cylinder—SF. 18 Cylinder—DF and low tension. 24 Cylinder—DFN.		PD-902		

Type of critical common component	Designation	Applicable forms column 1	2	3
(AIRCRAFT PRODUCTION BOARD RESOURCES CONTROL OFFICE)—continued				
4. Hydraulic actuating cylinders (A cylindrical chamber in which a piston is impelled by the pressure of a working fluid to provide the motive force required for the operation or control of some continuous device.)		PD-902		
Classification: 1 — Bore: 1¼" and under — Stroke: Any.				
Classification: 2 — Bore: Over 1¼" up to and including 2" — Stroke: Up to and including 10".				
Classification: 3 — Bore: Over 1¼" up to and including 2" — Stroke: Over 10".				
Classification: 4 — Bore: 2" up to and including 3" — Stroke: Up to and including 10".				
Classification: 5 — Bore: 2" up to and including 3" — Stroke: Over 10".				
Classification: 6 — Bore: Over 3" — Stroke: Up to and including 15".				
Classification: 7 — Bore: Over 3" — Stroke: Over 15".				
5. Aircraft type pumps a. Fuel pumps, engine driven. b. Hand fuel pumps. c. Hydraulic pumps, engine driven.		PD-902		
(ALUMINUM AND MAGNESIUM DIVISION)				
1. Forgings (aluminum) a. Propellers. b. Crank cases. c. Pistons. d. Large hammer forgings (10,000 lbs. and over). e. Small hammer forgings (less than 10,000 lbs). f. Press forgings.	X	WPB-63 CMP-12	WPB-2261	
(AUTOMOTIVE DIVISION)				
1. Crankshafts, finished, drop-forged	X	WPB-878C.1	WPB-878C.1	
2. Diesel and gas (not gasoline) engines (non-marine only): a. Over 750 r. p. m.	X	WPB-878	WPB-878	
3. Gasoline engines (except aircraft propulsion): a. Air-cooled b. Liquid-cooled	X X	WPB-878 WPB-878	WPB-878 WPB-878	
4. Engine mounted accessories: a. Magnetos (except types used on aircraft propulsion engines)	X	WPB-878A.2	WPB-878A.2	
b. Fuel injection equipment: 1. One-cylinder pumps 2. Multi-cylinder pumps 3. Nozzles and holders	X X X	WPB-878A.1 WPB-878A.1 WPB-878A.1	WPB-878A.1 WPB-878A.1 WPB-878A.1	
c. Carburetors—gasoline (except types used on aircraft propulsion engines).				
(BUILDING MATERIALS DIVISION)				
1. Marine fittings hardware a. Forged shackles—all types & sizes. b. Forged and fabricated rope sockets—all sizes. c. Rope thimbles—for wire or manila rope—¼" diameter and larger. d. Forged, fabricated and pipe turnbuckles—all styles and sizes (except aircraft). e. Tackle blocks—all types, maximum lifting capacity 200 lbs. to maximum lifting capacity 100 tons. f. Wire rope clips and clamps.	Y	PD-902		PD-817
2. Electrical connectors (plugs and receptacles) a. A. N. type (Army-Navy standard). b. Types generally similar to A. N., including British standard and ultra low loss connectors for coaxial cables. c. Miscellaneous types not manufactured under general "A. N." specification, excluding telephone type plugs and jacks and/or plugs and receptacles and similar wiring devices ordinarily used in building construction.		PD-902		
(GENERAL INDUSTRIAL EQUIPMENT DIVISION)				
1. Fans, blowers and exhausters as defined under Limitation Order L-260		PD-900		
2. a. Compressors and dry vacuum pumps, reciprocating air and gases defined in L-100 (excluding compressors for air conditioning, ice making, food and beverage cooling, processing and preservation and cold storage systems, compressors as part of air braking systems)	XY	PD-900	[1] PD-416	PD-41
b. All others having piston displacement of over 1 cubic foot per minute (excluding compressors for air conditioning, ice making, food and beverage cooling, processing and preservation and cold storage systems, compressors as part of air braking systems)		PD-900		
3. Conveying machinery and mechanical power transmission equipment, as defined in Limitation Order L-193		PD-900		
a. Speed reducing units and unmounted gears (except main marine propulsion and ship engine room auxiliary equipment gears, and aircraft gears)		PD-813		
4. Flexible couplings		PD-902		

[1] As required under L-100.

Type of critical common component	Designation	Applicable forms column 1	2	3
(GENERAL INDUSTRIAL EQUIPMENT DIVISION)—continued				
5. Heat exchangers as defined in Limitation Order L-172 a. 12" diameter and over b. Under 12" diameter	XY X	PD-900	[1] PD-615B [1] PD-615B	[1] PD-615
6. Pumps, industrial (except measuring and dispensing, and reciprocating compressors and dry vacuum pumps) a. Pumps, reciprocating (except compressors and dry vacuum pumps) b. Pumps, centrifugal c. Pumps, rotary (including vane, screw, lobe and gear) d. Fluid power systems (hydraulic)		PD-900 PD-900 PD-900		
7. High pressure blowers, compressors, exhausters, and vacuum pumps of the rotative type, for pressure differential of 1½ lbs. or over (including diesel superchargers and scavengers, but excluding all other blowers for shipboard use, and excluding centrifugal refrigeration compressors and aircraft engine superchargers): a. Centrifugal type—20 h. p. and above Single stage. Multi-stage. Axial. Blast furnace.	XY	PD-900 PD-616B	PD-616B	[2] PD-616
b. Rotary type—20 h. p. and above Lobe. Sliding vane. Liquid piston.	XY	PD-616B	PD-616B	[2] PD-616
c. Major repairs and spares for "a" and "b" having sales value of $1,000 and above	XY	PD-616B	PD-616B	PD-616
d. Rotary and centrifugal—below 20 h. p.	X	PD-901	PD-901	
8. Welding rods and electrodes a. Welding rods for gas welding: Bronze welding rods		PD-900		
b. Electrodes for arc welding: Carbon steel electrodes (Flux coated)	X	PD-900	PD-901	
c. Stainless steel electrodes for armor plate welding	X	PD-900	PD-901	
d. Stainless steel electrodes for corrosion and heat resisting	X	PD-900	PD-901	
e. Copper base alloy electrodes for resistance welding		PD-900		
9. Motors and generators, electric Fractional and integral size—all types (except internal combustion engine mounted accessories, generators for aircraft, power frequency changers (62½ cycles and below), hydro-electric generators, steam turbine generators, marine auxiliary steam turbine generators, gas turbine generators, steam engine generators, and non-marine diesel engine and natural gas engine generators 750 r. p. m. or less)		PD-738		
a. Aircraft type electric motors (including gear motors)	X		PD-854	
b. Integral horsepower motors to meet Navy shock, Maritime shipboard specifications, ABS steel, or equivalent steel construction	X		PD-853	
c. Integral generators (except marine auxiliary steam turbine generator sets, and steam engine regenerator sets) to meet Navy shock, Maritime shipboard specifications, A. B. S. steel or equivalent steel construction	X		PD-853	
10. Electric motor control equipment—all sizes and types (except for internal combustion engine mounted accessories)		PD-900		
a. Navy shipboard type	X		PD-855	
b. Maritime shipboard type	X		PD-856	
11. Small air circuit breakers types AB, ET or similar		PD-900		
12. Pressure vessels. Any sealed metallic vessel or shell subjected to internal or external pressure designed for the purpose of retaining one or more fluids (liquids, gases, or vapors), excluding: (a) Direct-fired vessels, such as locomotives or boilers; (b) Vessels for containing only water under pressure for domestic supply, or those containing air, the compression of which serves only as a cushion as in air-lift pumping systems; (c) Vessels for storage or transportation designed for pressure below 30 lbs. per square inch and for vessels of less than 30 cubic feet in volume regardless of pressure; (d) Vessels designed as heat exchangers of the surface type, or enclosures therefor; (e) Vessels designed for cooking foodstuffs or used directly in preparing foodstuffs for packaging	X	PD-900	PD-839	
(MISCELLANEOUS MINERALS DIVISION)				
Jewel bearings: a. Vee jewels b. Large instrument ring jewels		[4] PD-235 [3] PD-235	[3] PD-235 [3] PD-235	[3] PD-236 [3] PD-236
(POWER DIVISION)				
1. Generators: (Limited to those driven by steam turbines other than marine propulsion, hydraulic turbines, steam engines, non-marine diesel engines and natural gas engines (750 r. p. m. or less), gas turbines; and those driven by steam turbines for marine auxiliary use)	X	PD-738	(5)	
2. Power frequency changers (62½ cycles and below)	X	PD-738	[4] PD-665	

[1] As required under L-172.
[2] As required under L-163.
[3] As required under Order M-89.
[4] As required under Order M-68.
[5] As required under Order L-117.

Type of critical common component	Designation	Applicable forms column 1	2	3
(POWER DIVISION)—continued				
3. Steam turbine generator sets (except for ship propulsion)	X	(1)	(1)	
4. Hydro electric turbine generator sets	X	(1)	(1)	
5. Turbines (except for ship propulsion):				
a. Steam turbines for generator drive	X	(1)	(1)	
b. Steam turbines for mechanical drive	X	(1)	(1)	
c. Hydraulic turbines	X	(1)	(1)	
6. Circuit Breakers:				
a. Indoor oil breakers, 2200 volts and above, complete with all components necessary to enclose, control, and assemble complete operating units	X	[2] PD-665	[2] PD-665	
b. Air breakers except types AB, ET or similar, complete with all components necessary to enclose, control, and assemble complete operating units	X	[2] PD-665	[2] PD-665	
7. Power boilers—all land boilers for the lbs. design pressure and above including water tube and fire tube (excluding boilers for locomotive use)	X Y	[2] PD-665	PD-665	(2)
8. Coal pulverizers for power boilers	X	[2] PD-665	[2] PD-665	
9. Coal stokers above 30 ft. of grate area	X	[2] PD-665	PD-665	
10. Diesel and gas (not gasoline) engines (non-marine only):				
a. 750 r. p. m. and less	X	WPB-878	WPB-878	
11. Crankshafts—finished:				
a. Hammer, press forged, and cast	X	WPB-878C.2	WPB-878C.2	
12. Transformers, reactors, and chokes, for non-power (electronic) applications only		PD-902		
(RADIO AND RADAR DIVISION)				
1. Capacitors (fixed):		PD-902		
a. Ceramic capacitors.				
b. Electrolytic capacitors.				
c. Mica capacitors.				
d. Paper capacitors.		PD-902		
2. Coaxial cable—radio frequency:				
a. Solid-dielectric synthetic-insulation.				
b. Solid-dielectric rubber-insulation.				
c. Gas or air-filled rigid lines.				
d. Modulator high voltage cables (surge).		PD-750		
3. Industrial type instruments (as classified L-234):				
a. Control valves (as defined L-272) purchase orders of $5,000 or more	Y	PD-750		PD-556
b. Liquid level controllers (as defined L-272), purchase orders of $5,000 or more	Y	PD-750		PD-556
c. Purchase orders having a combination of a. and b., above, of $5,000 or more	Y	PD-750		PD-556
A person shall not subdivide his purchase orders or requirements for the purpose of avoidance of the provisions of 3a, 3b, and 3c, above.				
4. Electrical indicating instruments ("combat measuring instruments"), as classified in L-203		PD-676 PD-902		(3)
5. Resistors, fixed and variable				
6. Test equipment—electronic:				
a. Generators of audio and radio frequency signals, except rotary type:	XY	PD-902	PD-901	PD-556
Radio frequency signal generators.				
Radio frequency oscillators.				
Audio frequency signal generators.				
Audio frequency oscillators.				
b. Frequency measuring equipment, including standards.	XY	PD-902	PD-901	PD-556
Primary and secondary standards, and associated measuring equipment:				
Interpolation oscillators.				
Heterodyne detectors.				
Audio frequency meters.				
Electronic frequency meters.				
Electronic deviation meters.				
Wave meters, wave analyzers.				
c. Waveform measuring equipment	XY	PD-902	PD-901	PD-556
Harmonic analyzers.				
Cathode ray oscilloscopes		PD-902		
d. Power supplies (electronic and voltage regulators)				
e. Impedance, inductance, capacitance, voltage, amperage and resistance measurement equipment (excluding instruments controlled by orders L-203 and L-234)	XY	PD-902	PD-901	PD-556
Impedance bridges, Wheatstone bridges.				
Capacitance bridges.				
Precision condensers.				
Vacuum-tube bridges.				
Inductance bridges.				
Megohm bridges and megohmmeters.				
Vacuum tube voltmeters.				
Electronic tube-testers.				
Output meters.				
Q-meters.				
Electronic volt ohmmeters.				
Voltohm milliampere analyzers.				
Noise and field strength meters.				
f. Precision standards of items in e, above	XY	PD-902	PD-901	PD-556
g. Electronic speed regulating and measuring equipment		PD-902		
Electronic stroboscopic devices.				
h. Electronic recording devices, graphical and visual				
Oscillograph recorders				
7. Vacuum tubes, electronic (excluding X-ray tubes and mimar type rectifiers		WPB-1093		

[1] As required under Order M-76.
[2] As required under Order L-117.
[3] As required under Order L-203.

Type of critical common component	Designation	Applicable forms column 1	2	3
(SAFETY AND TECHNICAL EQUIPMENT DIVISION)				
1. Fire extinguishers, carbon dioxide, high and low pressure (portable, wheeled, and systems), including fire extinguishers using extinguishing agents which are converted into carbon dioxide when expelled. These fire extinguishers are classified on the basis of the weight of the extinguishing agent contained in the cylinders or by the capacities or dimensions of same in either standard or special order sizes		PD-960		
a. Hand type, portable (all sizes).				
b. Wheeled type (all sizes).				
c. High pressure systems (using cylinders).				
d. Low pressure systems (using refrigeration tanks).				
2. Oxygen equipment:				
a. Air-borne oxygen equipment.				
b. Medical oxygen equipment.				
c. Safety oxygen equipment.				
(SHIPBUILDING DIVISION)				
1. Valves, including all valves such as industrial, marine, hydrant, sluice gate, drilling, flow line, cocks, etc., except refrigeration, aircraft, automotive, instrument, regulating and control valves:				
a. Steel valves:				
Safety and relief		PD-900		
Turbine (including strainers, throttle or overspeed, cross-over, maneuvering and manifold)		PD-900		
All other steel valves		PD-900		
b. Iron valves:				
1 Safety and relief		PD-900		
All other iron body		PD-900		
c. Bronze valves:				
Safety and relief		PD-900		
Compressed gas and cylinder		PD-900		
All other bronze valves 100 lbs. W. S. P. and over		PD-900		
2. Pipe fittings:				
All steel fittings		PD-900		
3. Turbines, main marine propulsion	X	WPB-1826	WPB-1826	
4. Diesel engines (marine only)	X	WPB-878	WPB-878	
Main propulsion.				
Auxiliary drive.				
Emergency generator drive.				
5. Gears (marine only):				
Main reduction gears (turbine propulsion)	X	WPB-1826	WPB-1826	
Main reduction and reverse gear units (diesel and gasoline propulsion engine)		PD-902		
Speed reduction units (engine room auxiliary equipment)		PD-843		
(TOOLS DIVISION)				
1. Bearings, ball and roller		WPB-1314		
2. Mechanic's hand service tools		WPB-2057 WPB-2057		
a. Adjustable wrenches (crescent type).				
b. Socket wrenches.				
c. Monkey wrenches.				
d. Pliers, side cutting.				
3. Metal cutting tools		WPB-30		
a. Machine broaches, flat and spline.				
b. Threading chasers for die heads and collapsible taps.				
c. High speed taper shank drills, 1" diameter and larger.				
d. Ground gear hobs, 48 pitch and finer.				
e. Ground multiple thread milling cutters and hobs.				
4. Precision measuring tools		WPB-2099		
Micrometers.				
a. Internal micrometers.				
c. Calipers, pocket slide.				
d. Planer gages.				
e. Thickness gages.				
f. Telescope gages.				
Precision levels.				
h. Parallels.				
i. Protractors.				
j. Solid squares.				
k. Steel rules.				
l. Vernier calipers.				
m. Vernier, gear tooth.				
n. V blocks.				
5. Forgings, forging		(1)	(1)	(1)
6. Presses, mechanical and hydraulic (metal working)		(1)	(1)	(1)
7. Threading machines (metal)		(1)	(1)	(1)
8. Machine tool attachments and accessories.		PD-902		
a. Lathe chucks		WPB-30		
b. Die heads		WPB-30		
c. Collapsible taps		WPB-30		
9. Machine tools		(1)	(1)	(1)
a. Surface broaching machines (5 to 15 tons).				
b. Planers, double housing (48" and up).				
c. Thread milling machines.				
d. Thread grinding machines (8" and up).				
e. Cylindrical grinding machines.				
f. Precision boring machines.				
g. Special and way drilling machines.				
h. Spur and helical gear shaping machines.				
i. Special machines (various types).				

[1] As required under order E-1-b.

[F. R. Doc. 43-6287; Filed, April 22, 1943; 4:08 p. m.]

PART 3233—FOUNDRY EQUIPMENT AND ELECTRIC METAL MELTING FURNACES

[General Preference Order E-11]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of foundry equipment and electric metal melting furnaces for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3233.1 *General Preference Order E-11*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of individuals, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of foundry equipment, or electric metal melting furnaces.

(3) "Foundry equipment" means those types of equipment listed on Schedule A attached hereto, which are designed for foundry use and which have a retail sales price of two hundred dollars or more.

(4) "Electric metal melting furnace" means any metal melting furnace of the electric arc or induction types having a kilowatt input of 50 or over except those furnaces which are designed primarily for laboratory operations and are subject to the provisions of Limitation Order L-144.

(b) *Restrictions on sales and purchases of foundry equipment and electric metal melting furnaces.* (1) From and after June 1, 1943, no person shall sell, transfer, or deliver any foundry equipment or electric metal melting furnaces except on orders bearing a preference rating of AA-4 or higher.

(2) From and after June 1, 1943, no person shall purchase, acquire, or accept delivery of any foundry equipment or electric metal melting furnaces by the application of any preference rating assigned on Form PD-25A, PD-25F, or by CMP Regulation No. 5 or 5A; nor shall any person fill any such order which he knows or has reason to believe bears a preference rating assigned on Form PD-25A, PD-25F, or by CMP Regulation No. 5 or 5A.

(c) *Schedules to be filed.* From and after April 23, 1943, any producer, when specifically required to do so by the War Production Board, shall file on such form as may be required in accordance with instructions attached to such form, such producer's proposed schedule of production and deliveries of foundry equipment or electric metal melting furnaces, for such period or periods as may be required by the War Production Board. In any such proposed schedule of production and delivery, the sequence of production and deliveries shall be scheduled in accordance with the terms of Priorities Regulation No. 1 and other applicable regulations of the War Production Board.

(d) *Specific modification of schedules.* (1) Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of foundry equipment or electric metal melting furnaces, or direct the delivery of any foundry equipment or electric metal melting furnace to any other person in accordance with prices and terms regularly established for sales by the supplying producer to such a purchaser.

(2) The production and delivery schedules established by any specific direction which may be issued from time to time pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter to be assigned to particular contracts, commitments, or purchase orders, and may be altered only upon specific directions of the War Production Board.

(3) If it becomes impossible for any producer to maintain production and delivery of foundry equipment or electric metal melting furnaces in accordance with any such schedule, he shall immediately notify the War Production Board and, unless otherwise directed by the War Production Board, he shall continue to produce and deliver such foundry equipment or electric metal melting furnaces in the order set forth in such schedule and shall postpone production and delivery of any such foundry equipment or electric metal melting furnaces only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(e) *Repair parts.* Nothing in this order shall be deemed to prevent the sale and delivery of any part manufactured for use in the repair or maintenance of foundry equipment or electric metal melting furnaces. Purchase and delivery of such repair parts shall be in accordance with current regulations and orders of the War Production Board.

(f) *Applicability of regulations.* All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(h) *Reports.* All producers affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington, D. C., Ref: E-11.

Schedule A to General Preference Order E-11

1. Blast cleaning equipment, sand or shot.
2. Core-making and crushing machinery.
3. Cupolas.
4. Dust collectors.
5. Flasks.
6. Ladles.
7. Metal molding machines.
8. Ovens, core, mold.
9. Sand preparing equipment.
10. Shakeout equipment.
11. Tumbling barrels or tumbling mills.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6299; Filed, April 23, 1943; 11:12 a. m.]

PART 3243—SHIPPING CONTAINERS

WOODEN SHIPPING CONTAINERS FOR FRESH FRUITS AND VEGETABLES

[Limitation Order L-232, as Amended April 23, 1943]

Section 3144.1 *Limitation Order L-232,* of Part 3144—Wooden Shipping Containers for Fresh Fruits and Vegetables—is hereby transferred to Part 3243—Shipping Containers.

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials entering into the manufacture of wooden shipping containers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

[NOTE: "Wooden shipping container s" substituted for "wooden container/s" April 23, 1943.]

§ 3243.6 *General Limitation Order L-232*—(a) *Definitions.* For the purpose of this order:

(1) "Wooden shipping container" means any new box, case, crate, hamper, round stave basket, splint basket, climax basket, till basket, or berry cup which (i) is made wholly or partially of lumber, veneer, or plywood, and (ii) is designed for use in packing fresh fruits and vegetables for sale and/or shipment.

(2) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations[1] of The Secretary of Agriculture issued under the United States Standard Container Act of 1928.[2] "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations[3] of The Secretary of Agriculture issued under the United States Standard Container Act of 1916,[4] as amended.[5]

(b) *Restrictions*—(1) *Manufacture and assembly of containers.* No person shall commercially manufacture or assemble any wooden shipping container which does not conform with the specifications of Schedule A of this order;

(2) *Manufacture of container parts.* No person shall commercially manufacture any wooden parts designed for any wooden shipping container which, when assembled will not conform with those specifications:

(3) *Coloring.* No manufacturer of, dealer in, or commercial user of wooden shipping containers shall dye, stain, or otherwise color such containers or parts.

(4) *Printing.* No manufacturer of, dealer in, or commercial user of wooden shipping containers shall imprint or stamp, or cause to be imprinted or stamped, on such containers any names, words, or figures not required by law. No such imprinted or stamped item shall appear more than once on any wooden shipping container, unless required by law, in which event it may appear the minimum number of times so required. The restrictions of this paragraph (b) (4) shall not apply to the attachment of paper or other labels or to the placing of any markings which:

(i) Designate the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) In the case of baskets and hampers only, are identifying markings provided for in rules and regulations[1] of the Secretary of Agriculture issued under the United States Standard Container Act of 1928.[2]

(c) *Exceptions.* The restrictions of paragraph (b) above shall not apply to:

(1) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before March 4, 1943: *Provided,* Such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943: *Provided,* Such assembly is completed by August 31, 1943;

(3) The manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, or the Department of Agriculture (for Lend-Lease purposes): *Provided,* The government agency's specifications require wooden shipping containers which do not comply with paragraph (b);

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies: *Provided,* The government agency's specifications require wooden shipping containers which do not comply with paragraph (b): *And provided further,* Such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-232. The material ordered herewith is for that purpose only.

Company_____
By_____
Title_____Date_____

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref.: L-232.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 23d day of April, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I—HAMPERS, BASKETS, BERRY CUPS

[NOTE: Paragraph (a) and specifications therein amended April 23, 1943.]

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type (1)	Dry capacity (2)
1 Hampers	½, ⅝, 1 bu.
2 Round stave baskets	½, 1 bu.
3 Splint baskets	8, 12, 16, 24 qts.
4 Climax baskets	4, 12 qts.
5 Till baskets	1, 2, 3, 4 qts.
6 Berry cups	½, 1 pt., 1 qt.

TABLE II—OTHER WOODEN SHIPPING CONTAINERS

[NOTE: Paragraph (c) and specifications in paragraph (d) amended April 23, 1943.]

(a) Specifications for the inside dimensions of wooden shipping containers, other than those subject to Table I above, are set out under paragraph (d) below. "Inside depth" and "inside width" of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. "Inside length" of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to 1/8" under or up to ¼" over the specified inside lengths is allowed. A tolerance of up to 1/8", plus or minus, in the specified inside depths and inside widths is allowed for shrinkage and mismanufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of the table below or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of the table below, a single cleat ¾", ⅝", ½", ⅝", 11/16", or ¾" thick may be attached to the top of each end piece or end frame, provided such cleat does not increase the inside dimensions of the container by more than the specified thickness of the cleat.

(d) Specifications for wooden shipping containers subject to this table are as follows (the designation in column (1) is merely for identification and shall not be construed as restricting usage):

REVISED TABLE FOR PARAGRAPH (D) OF TABLE II

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box	10½ [1]	11½	18.
2. Apple box	11	12½	16.
3. Apple box	11	13.	17.
4. Apricot lug	4⅝	12½	16.
5. Artichoke box	9¾	11.	20¾.
6. Asparagus crate	10½	9 or 9½ top, 11 bottom	17 9/16 or 18.
7. Asparagus crate	12⅞	9¼ top, 10½ bottom	17¼.
8. Asparagus crate	11	9¾ top, 12 bottom	16¾.
9. Avocado box	4½	13½	16.
10. Berry crate	2¾	16½	21½.
11. Berry crate	2 9/16	13½	18.
12. Berry crate	3½ or 3⅝	13½	18.
13. Berry crate	9 or 9½	9.	18.
14. Berry crate	7½	11.	22.
15. Berry crate	9	11.	22.
16. Berry crate	11	11.	21¼ to 22.
17. Bushel crate	12	12.	18.
18. Cantaloupe pony crate	11	11.	22.
19. Cantaloupe standard crate	12	12.	22.
20. Cantaloupe jumbo crate	13	13.	22.
21. Cauliflower crate	8½	18.	21⅝ to 22.
22. Cauliflower crate	12⅞	14½	23.
23. Celery crate	20	11.	20¾.
24. Celery crate	9¾	16.	20⅝.
25. Celery crate	5⅞	18.	12⅝.
26. Celery crate	8.	8.	12⅝.
*27. Cherry, apricot, prune lug	3¾	11½	14.
*28. Cherry, apricot, prune lug	3¾	10½	14.
*29. Cherry, apricot, prune lug	3⅝	10½	15.
30. Cranberry box	9¼	10½	15.
31. Cranberry box	9½	11.	13 1/16.
32. Fig box	17⅝	11.	16.
*33. Fruit box	3.	11½	16.
*34. Fruit box	4.	11½	16.
*35. Fruit box	4½	11½	16.
*36. Fruit box	5.	11½	16.
*37. Four-basket crate	4¼	16.	16.
*38. Four-basket crate	4½	16.	16.
*39. Four-basket crate	4⅝	16.	16.
*40. Four-basket crate	5.	16.	16.
41. Honey dew standard crate	6¾	16.	22.
42. Honey dew jumbo crate	7¾	16.	22.
43. Lemon box	9⅞	13.	23.
44. Lettuce crate	13¾	17½	21⅝ to 22.
45. Lime box	6.	12.	12.
*46. Lug box	5¾	13½	16.
*47. Lug box	4¾	13½	16.
*48. Lug box	3¾	13½	16.
49. Melon crate	6¾	12.	22.
50. Melon crate	7¾	14.	22.
51. Orange and grapefruit box	11½	11½	24.
52. Orange and grapefruit box	12.	12.	24.
53. Half orange and grapefruit box	9½	9½	19.
54. Pear box	8½	11½	18.
55. Half pear box	5½	11½	18.
*56. Pear lug	6½	13½	20⅝.
57. Pepper crate	13⅜	11.	22.
58. Produce box (1 bushel)	7 1/16	17½	17⅛.
59. Produce box (1½ bushel)	7 1/16	12⅜	12⅛.
60. Pineapple crate	10½	12.	33.
61. Rhubarb box	9.	11½	24⅛.
62. Rhubarb box	3 13/16	11½	24⅛.
63. Sweetpotato crate	12 1/16	12¾ top, 13¾ bottom	15 top, 16 bottom.
64. Sweetpotato crate	12.	12.	16¾.
65. Vegetable crate	13.	17½	21⅝ to 22.
66. Vegetable crate	9.	13.	21⅝ to 22.
67. Vegetable crate	8.	12.	22.
68. Vegetable crate	7½	15 or 15½	18¾.

[1] The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

[F. R. Doc. 43-6297; Filed, April 23, 1943; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 323, Amendment 2]

ASPHALT AND ASPHALT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 323 is amended in the following respects:

1. Section 1340.353 (b) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

[2] 45 Stat. 685; 15 U.S.C. 257.

[3] U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

[4] 39 Stat. 673; 15 U.S.C. 251.

[5] 45 Stat. 930; 15 U.S.C. 251.

(b) *Limitation on the price of roofing flux and oxidized asphalt.* Normally, a seller is permitted to charge his maximum f. o. b. refinery price as determined by Table I or II, even though the laid-down cost to the buyer may exceed what his laid-down cost would have been had he purchased from some other refinery. To this general principle there is one exception, namely, a refiner must make a reduction in his maximum f. o. b. refinery bulk price when all of the following circumstances are present.

(1) The sale is of roofing flux or oxidized asphalt; and

(2) The refinery nearest the destination has a different reference point from the refinery making the shipment; and

(3) The sum of the maximum f. o. b. price at the refinery from which a shipment is made plus the rail freight cost from that refinery to the destination exceeds the sum of the maximum f. o. b. price at the refinery producing roofing flux or oxidized asphalt nearest to that destination plus the rail freight cost from that nearest refinery to that destination.

Under the above circumstances the reduction in his maximum f. o. b. refinery price as determined by Table I or II shall be the amount necessary to make the laid-down cost from the refinery making the shipment the same as it would be from the refinery producing roofing flux or oxidized asphalt nearest the destination. However, the required reduction need never exceed 20% of the maximum f. o. b. refinery price.

For example: A buyer in Wisconsin desires to purchase roofing flux. The refinery nearest to him producing roofing flux uses Chicago as its reference point. Assume that the laid-down cost on the Indiana purchase is $10.50 plus $1.00 freight, or $11.50. Suppose the same buyer wishes to purchase from a Texas refinery. The Texas refinery uses Ft. Worth, Texas, as its reference point; the maximum price for the Texas refinery is $7.50. Assume the freight from the Texas refinery to the same buyer in Wisconsin is $7.00. This would mean a laid-down cost to the buyer of $14.50. To equalize this with the laid-down cost from Indiana of $11.50 would mean a reduction in the f. o. b. Texas refinery price of $3.00. But this is more than 20% of the Texas f. o. b. price of $7.50. Therefore, the reduction by the Texas refiner would be $1.50 (20% of $7.50) making his maximum f. o. b. refinery price for the Wisconsin destination $6.00 and the buyer's laid-down cost from the Texas refinery would be $13.00.

2. Section 1340.353 (c) is amended by (a) removing Somerset, Kentucky, from the list of reference points in Table I and the prices for liquid asphalt under such reference point, (b) inserting in Table I a price of .0525 for liquid asphalt S. C. 1–5 under reference point West Branch, Michigan, and (c) amending footnote 1 to Table I to read as set forth below:

Footnote 1. Notwithstanding this table, the maximum delivered bulk price for flux to the roofing and floor covering industry at the points designated below shall be as follows: In the city limits of St. Paul and Minneapolis, Minnesota, $13.25 per ton. Within the State of Louisiana, $10.00 per ton

3. Paragraph (d) of § 1340.353 is redesignated as (e) and a new paragraph (d) is added to read as follows:

(d) *Roofing flux converters.* If a seller purchases roofing flux and converts or processes it to a product of a melting point of not less than 110 and not more than 220, his maximum bulk price f. o. b. his plant shall be his maximum price for oxidized asphalt of the same melting point as determined by the tables in paragraph (c) of this section plus $1.00 per ton.

4. Section 1340.354 is amended to read as set forth below:

§ 1340.354 *Maximum bulk prices for special products.* The maximum bulk price f. o. b. refinery for special products as defined in §1340.360 (b) shall be as follows:

(a) *Special products, the specifications of which will meet those of a standard product but sold for different uses.* (1) If a seller delivered a special product having the specifications that will meet those of a standard product during the period August 1–November 1, 1941, such seller's maximum price shall be the highest price charged by the seller for a delivery of that product during such period to a purchaser of the same class: *Provided, however,* That a price charged under a contract entered into prior to said period need not be maintained unless such contract price reflected current market conditions during said period. If a seller's bulk prices for standard products are governed by Table II of § 1340.353, he may add $1.40 per ton to the price of any special product calculated under this subparagraph (1).

(2) If the seller is unable to determine his maximum bulk price for a special product under (1) he shall set a tentative maximum price f. o. b. his refinery taking into consideration the two products which he sells which are nearest in specifications to the product to be priced, one having the next lower maximum price to the chosen tentative price and one having the next higher maximum price. He shall then complete Form No. 652.166 below.

If the seller has no product of similar specifications, he shall take into consideration the prices of the two products which his nearest geographical competitor sells which are nearest in specifications to the product to be priced, one having the next lower maximum price and one having the next higher maximum price.

Such a seller shall then complete Form No. 652.166 below with reference to such products of that nearest competitor. Space for name and address of nearest competitor must then be added to the form.

The seller shall within 15 days after setting a tentative maximum price, file with the Office of Price Administration a written request for approval of such tentative maximum price. In connection with such request, the seller shall file with the Petroleum Branch of the Office of Price Administration at its principal office in Washington, D. C., the information required in Form No. 652.166 below:

Budget Bureau No. 08-S. T 153

REPORT OF TENTATIVE MAXIMUM PRICE SPECIAL ASPHALT PRODUCT

	Product nearest in specification having a lower maximum price	New product	Product nearest in specification having a higher maximum price
	A	B	C
1. a. Identification			
b. Maximum price and unit of sale including container if packaged			
2. Delivery cost of ingredients used in the manufacture of products shown above, Item 1a, Columns A, B, and C:			
a. Crudes or residuum			
b. Asphalt			
c. Other ingredients (list each)			
3. The percentage of weight of finished product of ingredients used in the manufacture of the product shown above, Item 1a, Columns A, B, and C and detailed in Items 2a, b, and c:			
a. Crudes or residuum			
b. Asphalt			
c. Other ingredients (list each)			
Total (add a, b, and c)	100.0	100.0	100.0
4. Container shipments:			
a. Type of container (i. e. barrel, drum, carton, etc.)			
b. Material from which container is fabricated			
c. Capacity of container			
d. Unit cost of container			
5. Penetration of finished product:			
a. At 32° F.			
b. At 77° F.			
c. At 115° F.			
6. Ductility of finished product, 77° F.			
7. Flash point of finished product, degrees F.			
8. Melting point of finished product, degrees F.			
9. Percent soluble of finished product:			
a. In carbon disulphide			
b. In carbon tetrachloride			
10. Percent loss on heating of finished product			

NOTE: All tests shall be conducted in accordance with the latest methods as set forth by the A. S. T. M.

11. Has the new product been requested by a buyer? (Answer "yes" or "no")

12. Identify products replaced by new product

13. Identify product supplemented by new product

Filed by

Name of company

Address

Date

NOTE: Where a new special product is liquid, and where the tests required above are not applicable, then standard detailed specifications should be supplied.

Where the information required is submitted, a tentative price shall be the seller's maximum price for the particular product unless it is disapproved in writing by the Office of Price Administration within 30 days from the date it is filed as above provided or a substitute price is set. If a substitute price is set, then such price shall be the maximum price. A tentative price which has been approved as a maximum price hereunder may subsequently be changed by order of the Price Administrator.

(b) *Special products having different specifications from those of any standard product.* (1) If the seller delivered a special product during the period August 1–November 1, 1941 having different specifications from those of any standard product, such seller's maximum price shall be either (i) the highest price charged by such seller for a delivery of that product during such period to a purchaser of the same class except that if a seller's bulk prices for standard products are governed by Table II of § 1340.353 he may add $1.40 per ton to such highest price or (ii) the maximum bulk price of that standard product having the specifications nearest to those of such special product: *Provided, however,* That if the only delivery of a special product was made under a contract negotiated prior to said period and the price charged for such delivery did not reflect current market conditions during such period the seller's maximum price shall be determined under subparagraph (2) below.

(2) If the seller is unable to determine his maximum bulk price for a special product having different specifications from those of a standard product under (1) such seller's maximum prices shall be either (i) the maximum bulk price of that standard product having specifications nearest to those of such special product or (ii) tentative maximum price established in accordance with the provisions of subparagraph (2) of paragraph (a).

5. Section 1340.356 is amended to read as set forth below:

§ 1340.356 *Packaged asphalt.* (a) Except as provided in (b) below, when the seller supplies a container, the maximum price for packaged asphalt in carload quantities shall be the sum of the following:

(1) The maximum bulk price as determined by this regulation but without reference to the adjustment provided for by § 1340.353 (b).

(2) (i) If the container supplied by the seller is not returnable, a charge for the container of an amount equal to the cost of acquisition, including the cost of transportation to the seller's refinery or plant but not including the cost of assembling such container, of the initial shipment of the same kind of container received at such refinery or plant after February 20, 1943. If, however, at any time the cost of acquisition of a particular kind of container amounts to 10% more or less than the amount that is currently being charged purchasers of packaged asphalt, the amount chargeable thereafter for the container shall be, the cost of acquisition at such time. The maximum amount chargeable for a particular kind of container is not adjustable either up or down merely because of a change in the cost of acquisition of such container not amounting to as much as 10%.

(ii) If the container supplied by the seller is returnable, 2.5 cents per gallon. The seller, however, shall pay for the cost of returning, cleaning and repairing such container.

(3) The following packaging differentials:

Reference point:	*Packaging differential per ton*
New York, N. Y.	$2.00
Charleston, S. C.	2.00
Buffalo, N. Y.	3.00
Columbus, Ohio	3.00
Chicago, Ill.	3.00
St. Louis, Mo.	4.00
El Dorado, Ark.	4.00
New Orleans, La.	3.00
Kansas City, Mo.	4.00
Wichita, Kans.	4.00
Oklahoma City, Okla.	4.00
Dallas, Tex.	4.00
Houston, Tex.	4.00
Cody, Wyo.	4.00
Great Falls, Mont.	4.00
Dodge City, Kans.	4.00
Salt Lake City, Utah	4.00
San Francisco, Cal.	4.00
Bakerfield, Cal.	4.00
Los Angeles, Cal.	4.00
Santa Maria, Cal.	4.00
Yazoo City, Miss.	3.00
West Branch, Mich.	3.00

Either the seller shall in every case separately show the above charges in invoicing the purchaser or the seller shall at the time of the initial shipment of the packaged asphalt after April 28, 1943, to a particular purchaser send the purchaser a letter separately stating the maximum amount of each of the above charges that he is permitted to make. If the seller adopts the latter alternative he shall, thereafter, notify the purchaser of any changes in the maximum amount of any charge that he is permitted to make.

(b) *Special products.* If a seller did not deliver a special product in bulk during the August 1–November 1, 1941 period, but such seller did deliver such a special product in packages during such period, his maximum price for such packaged asphalt shall be either (1) the highest price charged by the seller for such packaged asphalt during such period to a purchaser of the same class except that if a seller's bulk prices are governed by Table II of § 1340.353 he may add $1.40 per ton to such highest price or (2) a price determined in accordance with the provisions of (a) above.

(c) When the seller uses a form to congeal hot asphalt, then removes the form and ships the molded asphalt without packaging it, the maximum price for such asphalt in carload quantities shall be determined in the same manner as the seller would determine his maximum price for packaged asphalt and such seller shall comply with all the provisions of (a) above, except that in lieu of a charge for the container the seller may charge an amount equal to the actual cost of all materials used and operations performed which would not have been necessary if the asphalt had been shipped in a package: *Provided, however,* That the total amount so chargeable by the seller shall never exceed $1.50 per ton.

(d) When the purchaser supplies the container, the seller's maximum price for packaged asphalt in carload quantities shall be the maximum bulk price as determined by this price regulation plus the packaging differential specified under (a) (3) above.

(e) The seller's maximum price for packaged asphalt for less than carload quantities shall be his maximum price for carload quantities plus $2.00 per ton.

6. Section 1340.357 is amended to read as set forth below:

§ 1340.357 *F. o. b. warehouse and bulk plant sales.* The maximum price for asphalt of any dealer, reseller, or refiner who receives shipments at a warehouse or a bulk plant other than a terminal as defined in § 1340.360 (e) in carload or truckload quantities shall be determined by adding to the cost delivered at the warehouse or bulk plant an amount sufficient to give the seller the same dollars and cents mark-up that he had during the major portion of the period August 1–November 1, 1941. If such a seller did not carry inventory or receive shipments of asphalt at a warehouse or bulk plant during the period specified above, then his maximum price in carload or truckload quantities shall be determined by adding to the cost delivered at the warehouse or bulk plant an amount sufficient to give the seller the same dollar and cents mark-up that his most closely competitive seller had during the major portion of the period August 1–November 1, 1941. For the purposes of this section "mark-up" means the dollars and cents difference between the selling price of the asphalt and the cost thereof delivered at the warehouse or bulk plant.

A seller who maintains and does business through a warehouse or bulk plant, other than a terminal, may make shipment direct from the production point to a consumer and add the same dollars and cents mark-up above the delivered cost to any destination as he did during the major portion of the period August 1–November 1, 1941.

The "mark-up" computed under this section must be reported to the Petroleum Branch of the Office of Price Administration at Washington, D. C. within 15 days after April 28, 1943.

7. Section 1340.360 (b) (4), (c) and (f) are amended to read as set forth below:

(4) *Liquid asphalt.* "Liquid asphalt" means any grade of asphalt having a penetration in excess of 300 at 77° F. when used for road construction or similar ground surfacing.

S. C. (Slow curing)
M. C. (Medium curing)
R. C. (Rapid curing)

(c) "Special product" means any asphalt or asphalt product not included under standard products with the exception of those products which have been specially processed by the roofing or paint industry by the addition of another ingredient.

(f) "Ton" means a "net ton" of 2,000 pounds, provided, however, that if a seller normally sold packaged asphalt during the period August 1–November 1, 1941 on a gross ton basis, then "ton" means a gross ton (includes weight of package) of 2,000 pounds.

8. Section 1340.362 is amended to read as set forth below:

§ 1340.362 *Tank truck sales.* An additional charge of 75¢ per ton may be added for filling tank trucks.

9. Section 1340.363 is amended to read as set forth below:

§ 1340.363 *Maximum prices on delivered basis.* If a seller wishes to quote a delivered price, the delivered price shall never result in a higher laid-down cost to a particular buyer than the sum of his maximum price f. o. b. his refinery, terminal or warehouse and his actual transportation cost incurred from that point to the destination except that when the seller transports by his own vehicles, the transportation cost shall be the applicable rates of a common carrier performing like transportation service. In the event there is no applicable common carrier rate the seller should add his own actual cost of transportation.

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6276; Filed, April 22, 1943; 12:20 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 94]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (c) (1) (viii) (a) is amended by adding a new field and establishing a maximum price per barrel for black oils produced therefrom, as follows:

Elk Basin (Tensleep Crude)	$.90

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718, 3795, 3845, 4130, 4131, 4241, 4252, 4334, 4783, 4840.

2. Section 1340.159 (c) (1) (xvi) is added to read as follows:

(xvi) *Illinois.* (a) The maximum price at the receiving tank for crude petroleum produced in the Plymouth Pool, McDonough County, Illinois, shall be $1.15 per barrel.

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6275; Filed, April 22, 1943; 12:21 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271,[1] Amendment 10]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.1001b is added to read as follows:

§ 1351.1001b *Who may remove tags on selected white seed potatoes.* Notwithstanding any other provision of this regulation, any seller who has selected seed potatoes tagged or labeled as seed for planting, and who cannot resell the same for planting purposes may be granted permission by the nearest authorized office of the Office of Price Administration to remove the tags or labels from such seed potatoes and resell the same as tablestock potatoes at tablestock prices.

(a) *Delegation of authority.* Any regional office of the Office of Price Administration and such other offices as may be authorized by order issued by the appropriate regional office, are hereby authorized to grant permission to remove tags or labels from selected seed potatoes and resell the same as tablestock potatoes at tablestock prices pursuant to this section.

This amendment shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER C. DAVIS,
Administrator of Food Production and Distribution.

[F. R. Doc. 43-6272; Filed, April 22, 1943; 12:21 p. m.]

[1] 7 F.R. 9179, 10715; 8 F.R. 233, 1748, 1981, 3397, 3733, 3853, 4718, 4725.

PART 1416—COAL TAR

[Rev. MPR 192]

IMPORTED TAR ACIDS

Maximum Price Regulation No. 192 is amended to read as set forth below:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1416.51 *Maximum prices for imported tar acids.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 192 (Imported Tar Acids), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1416.51 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

REVISED MAXIMUM PRICE REGULATION NO. 192—IMPORTED TAR ACIDS

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Sec.
1 Prohibition against sales of imported tar acids at higher than maximum prices.
2 Less than maximum prices.
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6 Records and reports.
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8 Enforcement and licensing.
9 Definitions.
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Appendix A: Maximum prices for imported A. D. F. cresylic acid.
Appendix B: Maximum prices for finished tar acids imported from the United Kingdom, other than A. D. F. cresylic acid.

SECTION 1 *Prohibition against sales of imported tar acids at higher than maximum prices.* On and after April 28, 1943, regardless of any contract or other obligation:

No person shall sell or deliver imported tar acids at prices higher than the maximum prices established by this regulation;

No person in the course of trade or business shall buy or receive imported tar acids at prices higher than those so established; and

No person shall agree, offer, or attempt to do any of the foregoing.

SEC. 2 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

SEC. 3 *Adjustable pricing.* It is permissible under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 4 *Relationship of this to other maximum price regulations.*—(a) *General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation[1] (including Revised Supplementary Regulation No. 12[2]—Imported Commodities) with respect to sales and deliveries of imported tar acids for which maximum prices are established by this regulation.

(b) *The second revised maximum export price regulation applicable.* The maximum prices at which a person may export imported tar acids shall be determined in accordance with the provisions of the second revised maximum export price regulation.[3]

SEC. 5 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 6 *Records and reports.* (a) Every person making sales or purchases of imported tar acids for which maximum prices are established by this regulation, after April 27, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date, the name and address of the buyer and the seller, the price contracted for or received, the quantity of each type and grade of imported tar acids purchased or sold, and the type of container in which such acids were purchased or sold.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required by paragraph (a) of this section as the Office of Price Administration may from time to time require.

SEC. 7 *Evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to imported tar acids, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates, or otherwise.

SEC. 8 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Supplementary Order No. 11[4] licenses all sellers under this regulation who are distributors as the term "distributor" is defined in the order. This order, in brief, provides that a license is necessary for such distributors to make sales under this regulation. A license is automatically granted to these sellers. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order No. 11 describe the circumstances under which licenses may be suspended.

SEC. 9 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 192, the term:

"Distributor" means a person designated by Defense Supplies Corporation to purchase tar acids other than A. D. F. cresylic acid imported from the United Kingdom from that Corporation and to resell the same to industrial consumers.

"Finished tar acids" means distilled coal tar acids in a form in which they may be utilized by an industrial consumer without further processing, except imported A. D. F. cresylic acid.

"Imported A. D. F. cresylic acid" means refined cresylic acid produced outside of the United States which is not subject to customs duty upon importation into the United States.

"Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any of its political subdivisions, or any other government or any agency of any of the foregoing.

"Private importer" means a person, other than Defense Supplies Corporation or any government agency, who has purchased imported A. D. F. cresylic acid located outside the United States for shipment into the United States.

"Reseller of imported A. D. F. cresylic acid" means a person selling imported cresylic acid which he has not imported. Some sources from which a "reseller" may obtain such acid are, for example: private importers, Defense Supplies Corporation, other resellers.

"Shipping point" means the point from which actual shipment is made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this Revised Maximum Price Regulation No. 192.

SEC. 10 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

SEC. 11 *Effective dates.* This Revised Maximum Price Regulation No. 192 shall become effective April 28, 1943, *Provided,* That Maximum Price Regulation No. 192 shall remain in effect until this Revised Maximum Price Regulation No. 192 becomes effective April 28, 1943.

APPENDIX A: MAXIMUM PRICES FOR IMPORTED A. D. F. CRESYLIC ACID

(a) *Sales by private importers.* Maximum prices for sales of imported A. D. F. cresylic acid in quantities of 60 gallons or more by the private importer thereof, shall be the sum of the items listed below, f. o. b. importer's shipping point:

(1) Net amount paid for cresylic acid naked ex works, which amount with respect to purchases made after August 5, 1942, shall not be computed at a price in excess of $.728 per U. S. gallon.

(2) The following items of cost insofar as actually incurred by private importer prior to clearance by customs inspectors of the United States, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 5 per cent of the item set forth in subparagraph (1) of this paragraph (a), paid to foreign exporters or brokers, to the extent that such commission does not inure to the benefit of importer, directly or indirectly;

(ii) Filling charges in foreign country;

(iii) Transportation charges in foreign country, including all cartage and insurance charges incurred in connection with such transportation;

(iv) U. S. consular fees;

(v) Containers;

(vi) Ocean freight;

(vii) Marine insurance;

(viii) War risk insurance;

(ix) Duty on containers;

(x) Entry charges.

(3) The following items of cost insofar as actually incurred by importer after clearance by customs inspectors of the United States, in no case in excess of a reasonable amount:

(i) Demurrage on pier;

(ii) Transportation charges, including all cartage and insurance charges incurred in connection with such transportation;

(iii) Storage charges, including warehouse insurance.

(4) Leakage loss actually borne by private importer, to be computed percentagewise upon the basis of the cost to importer prior to clearance by customs inspectors of the United States of the particular shipment with respect to which such loss is claimed.

(5) A mark-up not to exceed $.10 per U. S. gallon.

(b) *Sales by Defense Supplies Corporation.* Maximum prices for sales by Defense Supplies Corporation of A. D. F. cresylic acid imported from the United Kingdom shall be the sum of the items listed below, ex dock, port of entry:

(1) Net amount paid for imported A. D. F. cresylic acid naked ex works, not to be computed at a price in excess of $.728 per U. S. gallon.

(2) War risk insurance at rates no greater than whichever of the following rates is applicable:

(i) If purchased by Defense Supplies Corporation c. i. f. a port in the continental United States, the actual sums incurred for such insurance by the supplier;

(ii) If the risks are borne by Defense Supplies Corporation, rates no higher than those established by the War Shipping Administration.

(3) The following items of cost insofar as actually incurred by Defense Supplies Corporation prior to sale by that corporation, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 5 per cent of the item set forth in subparagraph (1) of this paragraph (b), paid to exporters or brokers in the United Kingdom, to the extent that such commission does not inure directly or indirectly to the benefit of Defense Supplies Corporation;

(ii) Filling charges in United Kingdom;

(iii) Transportation charges in United Kingdom, including all cartage, loading, and insurance charges incurred in connection with such transportation;

(iv) U. S. consular fees;

(v) Containers;

(vi) Ocean freight;

(vii) Marine insurance;

(viii) Entry charges;

(ix) Leakage loss actually borne by Defense Supplies Corporation, to be computed percentagewise upon the basis of the cost to Defense Supplies Corporation, ex dock, United States port of entry, of the particular ship-

[1] 5 F.R. 3096, 3849, 4347, 4486.
[2] 7 F.R. 10532, 8 F.R. 6111, 2035.
[3] 8 F.R. 4132.
[4] 7 F.R. 6167, 11007.
[5] 7 F.R. 8961, 8 F.R. 3313, 3533.

ment with respect to which such loss is claimed:

(x) Demurrage on pier;

(xi) Transportation charges in the United States, including all cartage and insurance charges incurred in connection with such transportation;

(xii) Storage charges, including warehouse insurance

(4) A mark-up not to exceed $.03 per U. S. gallon

(c) *Sales by resellers.* Maximum prices for sales by resellers of A. D. F. cresylic acid imported by private importers or by Defense Supplies Corporation shall be the sum of the items listed below, f. o. b. reseller's shipping point:

(1) Net amount paid for such imported cresylic acid by reseller

(2) The following additional items of cost in so far as actually incurred by reseller, in no case in excess of a reasonable amount:

(i) Transportation charges, including all cartage and insurance charges incurred in connection with such transportation;

(ii) Storage charges, including warehouse insurance.

(3) Leakage loss actually borne by reseller, to be computed percentagewise upon the basis of delivered cost to reseller of the particular lot with respect to which such loss is claimed.

(4) A total mark-up of not more than $.05 per U. S. gallon which may not be exceeded regardless of the number of resales of the particular quantity of acid.

(d) *Invoice requirement.* No charge may be made by any private importer or reseller of imported cresylic acid which is not itemized in accordance with the designations set forth in paragraphs (a) or (c) of this Appendix A, as the case may be, on an invoice furnished to buyer prior to payment by him.

APPENDIX B: MAXIMUM PRICES FOR FINISHED TAR ACIDS IMPORTED FROM THE UNITED KINGDOM, OTHER THAN A. D. F. CRESYLIC ACID

(a) *Sales by Defense Supplies Corporation to distributors.* Maximum prices for sales by Defense Supplies Corporation to distributors of finished tar acids imported from the United Kingdom shall be the sum of the items listed below, ex dock port of entry:

(1) Net amount paid for finished tar acid naked, ex works, not to be computed at a price in excess of the maximum price applicable to such payment under Statutory Rules and Orders 1942 No. 2509 (Coal Tar Products Prices Order of the British Minister of Fuel and Power).

(2) War risk insurance at rates no greater than whichever of the following rates is applicable

(i) If purchased by Defense Supplies Corporation c. i. f. a port in the continental United States, the actual sums incurred for such insurance by the supplier;

(ii) If the risks are borne by Defense Supplies Corporation, rates no higher than those established by the War Shipping Administration.

(3) The following items of cost in so far as actually incurred by Defense Supplies Corporation prior to sale by that corporation, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 5 per cent of the item set forth in paragraph (a) (1) of this section, paid to exporters or brokers in the United Kingdom, to the extent that such commission does not inure directly or indirectly to the benefit of Defense Supplies Corporation;

(ii) Filling charges in United Kingdom;

(iii) Transportation charges in United Kingdom, including all cartage, loading, and insurance charges incurred in connection with such transportation;

(iv) U. S. consular fees;

(v) Containers;

(vi) Ocean freight;

(vii) Marine insurance;

(viii) Entry charges;

(ix) Leakage loss actually borne by Defense Supplies Corporation, to be computed percentagewise upon the basis of the cost to Defense Supplies Corporation, ex dock, United States port of entry, of the particular shipment with respect to which such loss is claimed;

(x) Demurrage on pier;

(xi) Transportation charges in the United States, including all cartage and insurance charges incurred in connection with such transportation;

(xii) Storage charges, including warehouse insurance.

(4) A mark-up not to exceed $.01 per U. S. gallon.

(b) *Sales by Defense Supplies Corporation to industrial consumers.* Maximum prices for sales by Defense Supplies Corporation to industrial consumers of finished tar acids imported from the United Kingdom shall be the maximum prices established by paragraph (a) of this Appendix B, plus $.02 per U. S. gallon, ex dock, port of entry.

(c) *Sales by distributors to industrial consumers.* Maximum prices for sales by distributors to industrial consumers of finished tar acids imported from the United Kingdom shall be the sum of the items listed below, delivered to industrial consumers:

(1) Net amount paid for such finished tar acid by the distributor, not to exceed the maximum price established by paragraph (a) of this Appendix B.

(2) Leakage loss actually borne by distributor, to be computed percentagewise upon the basis of delivered cost to the distributor of the particular lot with respect to which such loss is claimed.

(3) Transportation charges in the United States including all cartage and insurance charges in connection therewith, actually incurred by distributor.

(4) A mark-up not to exceed $.06 per U. S. gallon

(5) Minus $.01 per U. S. gallon in the event the sale does not include containers.

(d) *Invoice requirement.* No charge may be made by any distributor for any finished tar acid subject to maximum prices established by this Appendix B which is not itemized in accordance with the designations set forth in paragraph (c) of this Appendix B on an invoice furnished to the industrial consumer prior to payment by such consumer

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6274; Filed, April 22, 1943; 12:21 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

§ 1418.151 *Maximum prices in the Territory of Hawaii.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 373 (Maximum Prices in the Territory of Hawaii), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1418.151 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 373—MAXIMUM PRICES IN THE TERRITORY OF HAWAII

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Article I—Prohibitions and Scope of Regulation

SECTION 1. *Prohibition against dealing in certain commodities at prices above the maximum.* (a) Maximum prices are established as follows:

(1) On and after April 20, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation or order heretofore issued by the Office of Price Administration, no person shall sell or deliver, and no person shall buy or receive, in the Territory of Hawaii the following commodities at prices higher than the maximum prices set forth in sections 14 to 39, Tables I to XXVI, inclusive; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 373 may be charged, demanded, paid, or offered.

SEC. 3. *To what transactions, commodities and persons these ceilings apply*—(a) *What transactions are covered.* This regulation covers sales within the Territory of Hawaii, unless otherwise provided herein, of the commodities enumerated in the tables set forth below. The type of transaction covered, whether wholesale, retail, or both, is specified in each table.

(b) *What products are covered.* This regulation covers the commodities enumerated in the tables set forth below.

(c) *What persons are covered.* Any person who sells or, in the usual course of business buys, any commodity enumerated in the tables set forth below is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government or any of its political subdivisions; or any agency of any of the foregoing.

SEC. 4. *Relation to other regulations.* (a) The sale of commodities not otherwise governed by this Maximum Price Regulation No. 373 shall be covered by the General Maximum Price Regulation for Hawaii and other price regulations applicable to sales within the Territory of Hawaii.

(b) This Maximum Price Regulation No. 373 supersedes the applicable provisions of General Order No. 49.[1]

SEC. 5. *Geographical applicability.* (a) The provisions of this Maximum Price Regulation No. 373 shall be applicable in the territory of Hawaii unless otherwise provided herein.

Article II—Terms of Sale

SEC. 6. *Prohibited practices*—(a) *General.* Any device to obtain a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this Maximum Price Regulation No. 373 as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, combination sales, trade understandings and the like.

(b) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of any commodity covered by this regulation has been completed, but the price may be adjustable to the maximum price in effect at the time of delivery.

SEC. 7. *Fractional prices for commodities sold at retail.* (a) Whenever provision is made in this regulation for the calculation of a maximum price not otherwise specified in dollars and cents, for the sale of a commodity at retail, and such calculation results in a fraction of a cent, then the amount so calculated shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent, if the fraction is one-half cent or more.

Article III—Miscellaneous

SEC. 8. *Petitions for amendment.* (a) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 373 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1;[2] *Provided, however,* That any such petition shall be filed with the Director of the Office of Price Administration for the Territory of Hawaii, Honolulu, T. H.

SEC. 9. *Applications for adjustment.* (a) Adjustment of a maximum price, for any commodity subject to this regulation, heretofore granted by the Office of the Military Governor for Hawaii, shall continue in full force and effect until revoked or modified by the Office of Price Administration.

(b) Any seller or group of sellers may apply for adjustment of a maximum price of a commodity established for him or them by this Maximum Price Regulation No. 373, or any order issued thereunder, when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(c) Except as otherwise provided in this section 9, all applications for adjustment shall be filed in accordance with Procedural Regulation No. 7;[3] *Provided, however,* That the action to be taken thereunder by the Regional Administrator may be taken in like manner by the Director of the Office of Price Administration for the Territory of Hawaii.

SEC. 10. *Records and reports*—(a) *Records to be kept.* (1) Every person making sales at other than retail of the Commodities subject to this Maximum Price Regulation No. 373 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the markup charged and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation No. 373 shall, on and after the date of any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, the quantity purchased, and the mark-up charged by the seller to the buyer.

(b) *Prices to be marked and posted.* (1) On and after the date any commodity becomes subject to this Maximum Price Regulation No. 373, every person offering to sell at retail any such commodity, shall mark the maximum price of such commodity in a manner plainly visible to and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price $_____," or "Our Ceiling $_____."

(c) *Sales slips and receipts.* (1) Every seller at retail of the commodities subject to this Maximum Price Regulation No. 373, who has customarily given purchasers sales slips or receipts, shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

(d) *Notification of maximum retail prices by persons selling to retailers.* (1) Every person selling any of the commod-

[1] 8 F.R. 3076.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533.

[3] 7 F.R. 4779; 8 F.R. 970.

ities enumerated in the tables below, for which dollar-and-cents prices are established at retail, on and after the effective date of maximum prices established by this Maximum Price Regulation No. 373, before or at the time of the first delivery to each purchaser, shall supply the purchaser with a statement of the maximum retail prices set forth below for the commodity or commodities delivered.

SEC. 11. *Enforcement and licensing.* (a) Persons violating any provision of this Maximum Price Regulation No. 373 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest office of the Office of Price Administration.

(c) The registration and licensing provisions of sections 15 and 16 of the General Maximum Price Regulation for Hawaii are herein made applicable to every person selling, at wholesale or retail, any commodity for which a maximum price is now, or may hereafter, be established by this Maximum Price Regulation No. 373, or by any amendment thereto. The General Maximum Price Regulation for Hawaii in effect, therefore, provides that a license is necessary for persons to make wholesale or retail sales of commodities as defined and covered by this Maximum Price Regulation No. 373. A license is automatically granted to all such sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, sets forth the circumstances under which licenses may be suspended. The license cannot, of course, be transferred.

SEC. 12. *Definitions.* (a) When used in this Maximum Price Regulation No. 373, except as otherwise provided herein, the terms:

(1) "Sale at retail" means a sale or selling to an ultimate consumer.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer and shall include any sale to the United States, any other government, or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, commercial or industrial user, or any agency of any of the foregoing.

(3) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(4) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used herein.

SEC. 13. *Effective date.* This Maximum Price Regulation No. 373 shall become effective April 20, 1943.

Article IV—Maximum Prices

SEC. 14. *Table I; Maximum prices for rice.* (a) Maximum prices for rice sold in the Island of Oahu:

Rice	Maximum price at wholesale per 100 lbs.	Maximum price at retail per lb.
		Cents
1. U. S. No. 1	$7.80	
2. U. S. No. 2	7.70	
3. U. S. No. 3	7.75	
4. U. S. No. 4	7.50	
5. U. S. No. 5	7.50	
6. Brown	7.75	

(b) The maximum prices of all other grades or kinds of rice are governed by the General Maximum Price Regulation for Hawaii.

SEC. 15. *Table II, Maximum prices for certain food products.* (a) Maximum prices for certain food products:

	Maximum price at wholesale	Maximum price at retail
(1) Peas, canned (sales in the Territory of Hawaii)		*Per can*
Extra Std. #2 can	$3.65 per case of 24 cans	19 cents (37 cents for 2 cans).
Ungraded #2 can	$3.67 per case of 24 cans	19 cents (37 cents for 2 cans).
(2) Tomato juice, canned (sales in the Territory of Hawaii):		
Grade A, 46 oz. can	$3.07 per case of 12 cans	32 cents (63 cents for 2 cans).
Grade A, #2 can	$2.94 per case of 24 cans	15 cents (29 cents for 2 cans).
Grade C, 46 oz. can	$2.78 per case of 12 cans	29 cents (57 cents for 2 cans).
Grade C, #2 can	$2.61 per case of 24 cans	14 cents (27 cents for 2 cans).
Grade C, #2½ can	$3.42 per case of 24 cans	18 cents (35 cents for 2 cans).
Grade C, 13½ oz. can	$4.12 per case of 48 cans	11 cents (21 cents for 2 cans).
Grade C, 12 oz. can	$4.00 per case of 48 cans	10 cents
Grade C, #1 can, tall	$3.65 per case of 48 cans	10 cents (19 cents for 2 cans)
Grade C, 8 oz. can	$4.23 per case of 72 cans	7 cents.
Grade A, 96 oz. can	$3.02 per case of 6 cans	62 cents.
Grade C, 96 oz. can	$2.71 per case of 6 cans	56 cents.
(3) Prunes, dried (sales in the Territory of Hawaii)		*Per package*
1 lb. package—50/60	$2.94 per case of 24 pkgs	15 cents (29 cents for 2 pkgs.).
1 lb. package—30/40	$3.21 per case of 24 pkgs	16 cents
(4) Raisins, dried (sales in the Territory of Hawaii)		
Grade A, 15 oz. package	$4.91 per case of 48 pkgs	13 cents (25 cents for 2 pkgs.).
Grade C	$2.40 per 25-lb. box	12 cents per lb.
(5) Salmon, canned (sales in the Territory of Hawaii)		*Per can*
Red, #1 can	$17.50 per case of 48 cans	42 cents
Medium red, #1 can	$14.20 per case of 48 cans	36 cents (71 cents for 2 cans).
Pink, #1 can	$9.95 per case of 48 cans	25 cents (49 cents for 2 cans).
(6) Sardines, canned (sales in the Territory of Hawaii)		
(Maine) Oil, 3¼ oz. can	$5.46 per case of 100 cans	7 cents (13 cents for 2 cans).
(Maine) Tomato, 9 oz. can	$4.75 per case of 48 cans	14 cents (27 cents for 2 cans).
(Maine) Tomato, 3¼ oz. can	$5.52 per case of 100 cans	7 cents (13 cents for 2 cans).
(Maine) Tomato, 10 oz. can	$5.75 per case of 48 cans	15 cents (29 cents for 2 cans).
(Calif. Pilchards) Nat. #1 can, tall	$4.43 per case of 48 cans	11 cents
(Calif. Pilchards) Tomato, #1 can, oval	$5.58 per case of 48 cans	14 cents
(Calif. Pilchards) Tomato, #1 can, tall	$4.83 per case of 48 cans	12 cents.
(7) Onions (sales in the Territory of Hawaii)		*Per lb.*
All varieties	$2.30 per 50-lb. bag	7 cents (13 cents for 2 lbs.).
(8) Potatoes (sales in the Territory of Hawaii)		
All varieties	$3.95 per 100-lb. bag	6 cents (11 cents for 2 lbs.).
(9) Evaporated milk, canned (sales in the Territory of Hawaii) at wholesale		*14½ oz. can*
Terms of sale	*Per case of 48 14½ oz. cans*	
C. O. D. delivered to retailer, in lots of 25 cases or more	$4.60	11 cents
C. O. D. delivered to retailer, in lots of less than 25 cases	$4.65	11 cents
Credit sale, delivered to retailer, in lots of 25 cases or more	$4.70	11 cents
Credit sale, delivered to retailer in lots of less than 25 cases	$4.75	
No. 10 cans per case of 6, in all instances	$1.80	
Peaches, canned (sales in the Territory of Hawaii)	*Per case of 24 cans*	*Per can*
Grade B, sliced, #2 can	$3.72	18 cents.
Grade B, sliced, #2½ can	$5.38	26 cents.
Grade C, halves, #2½ can	$5.38	26 cents.
Grade C, sliced, #2 can	$3.31	17 cents (33 cents for 2 cans).
Grade C, sliced, #2½ can	$4.83	24 cents.
Grade C, halves, #2 can	$4.07	20 cents (33 cents for 2 cans).
Grade C, halves, #2½ can	$4.83	24 cents.
Grade D, sliced, #2½ can	$4.50	22 cents.
Grade D, halves, #2½ can	$4.50	22 cents.
Grade D, mixed, #2½ can	$4.50	22 cents.
Grade C, halves, #10 can	$4.44 per case of 6 cans	87 cents.
(11) Canadian herring, canned (sales in the Territory of Hawaii).		
Tomato, #1 can, oval	$5.98 per case of 48 cans	15 cents for 1 can.

	Maximum price at retail per No. 1 can unless otherwise indicated
(12) Soups, canned (sales in the Island of Oahu only):	
(i) Campbell's old style soups:	
Chicken	14½¢ (2 cans for 29¢).
Bouillon	14½¢ (2 cans for 29¢).
Consommé	14½¢ (2 cans for 29¢).
Vegetable	13¢.
Pea	12½¢ (2 cans for 25¢).
Cream of potato	12½¢ (2 cans for 25¢).
Vegetable-beef	12½¢ (2 cans for 25¢).
Beef	12½¢ (2 cans for 25¢).
Black bean	12½¢ (2 cans for 25¢).
Assorted	12½¢ (2 cans for 25¢).
Chicken-noodle	12½¢ (2 cans for 25¢).
Asparagus	12½¢ (2 cans for 25¢).
Celery	12½¢ (2 cans for 25¢).
Clam chowder	12½¢ (2 cans for 25¢).
Mock turtle	12½¢ (2 cans for 25¢).
Oxtail	12½¢ (2 cans for 25¢)
Tomato	10¢.
Pepper pot	12½¢ (2 cans for 25¢).
(ii) Campbell's new formula condensed soups:	
Chicken	19½¢ (2 cans for 39¢).
Vegetable beef	18¢.
Beef	18¢.
Bouillon	18¢.
Chicken gumbo	18¢.
Chicken noodle	17½¢ (2 cans for 35¢).

	Maximum price at retail per No. 1 can unless otherwise indicated
(12) Soups, canned (sales in the Island of Oahu only):	
(ii) Campbell's new formula condensed soups—Con.	
Clam chowder	14½¢ (2 cans for 29¢).
Mock turtle	14½¢ (2 cans for 29¢).
Oxtail	14½¢ (2 cans for 29¢).
Pepper pot	14½¢ (2 cans for 29¢).
Scotch broth	14½¢ (2 cans for 29¢).
Vegetarian-vegetable	14½¢ (2 cans for 29¢).
Consommé madrilene	14½¢ (2 cans for 29¢).
Vegetable soup	14½¢ (2 cans for 29¢).
Tomato	11¢.
(iii) Van Camp's soup:	
Vegetable No. 300 tall can	14½¢ (2 cans for 29¢).
Tomato No. 300 tall can	13¢.
Asparagus	9¢.

(iv) Maximum retail price for any canned soup not listed above shall be computed on the basis of 17% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per can by 0.83. For example, assume brand X carries an invoice cost per can to the retailer of $0.11. Divide $0.11 by $0.83=$0.132. Adjusting this to the nearest cent results in a maximum retail price of $0.13 per can. For fractional prices derived from this computation see section 7 of this Maximum Price Regulation No. 373.

	Maximum price at wholesale	Maximum price at retail
(13) Corned beef, canned (sales in the Territory of Hawaii):		*Per can*
12 oz. can	$6.77 per case of 24 cans. $13.54 per case of 48 cans.	34 cents (67 cents for 2 cans).
(14) Luncheon meat, canned (sales in the Territory of Hawaii)		
12 oz. can	$16.37 per case of 48 cans	41 cents.
(15) Dried beans (sales in the Territory of Hawaii):		*Per lb.*
Baby limas	$9.26 per 100-lb. bag	11 cents
Large limas	$11.96 per 100-lb. bag	15 cents (29 cents for 2 lbs.).
Red kidney	$9.26 per 100-lb. bag	11 cents.
(16) Flour (sales in the Territory of Hawaii)		
All-purpose family	$2.40 per case of 10-4.9-lb. sacks	$0.30 per 4.9-lb. bag.
All-purpose family	$1.91 per 49-lb. sack	$2.42 per 49-lb. bag.
Baker's bread	$3.08 per 98-lb. sack	
Cake and pastry	$3.62 per 98-lb. sack	
Special cake	$3.85 per 98-lb. sack	
Cracker	$3.76 per 98-lb. sack	

(17) *Certain Birdseye frozen foods* (Sales in the Territory of Hawaii).

(i) The maximum price shall be the maximum price as determined or to be determined in accordance with section 2 or 3 of the General Maximum Price Regulation for Hawaii, or as permitted by any authorized subsequent adjustment thereof, plus the following permitted increases:

	Permitted increase (cents per carton)
Peaches	2
Raspberries	1
Strawberries	3
Asparagus tips	2
Lima beans	2½
Broccoli	2
Brussels sprouts	2
Cauliflower	2½
Peas	1½
Strawberries 10 #	3

SEC. 16. *Table III: Maximum prices for canned fruits, juices and berries.* (a) The provisions of the General Maximum Price Regulation for Hawaii shall apply to all sales and deliveries of any kind, grade, brand and container size of canned fruits and canned berries of the 1941 pack or any earlier pack. This section 16 applies only to sales and deliveries of canned fruits and canned berries of the 1942 pack.

(b) *Definitions.* (1) When used in this Table III the term:

(i) "Canner" means a person who preserves by heating and hermetically sealing in containers of metal, glass or any other material any of the products defined herein as canned fruits or canned berries.

(ii) "Canned fruits" means the following fruits and products preserved by heat and hermetically sealed in containers of metal, glass, or any other material (except those which have been purchased from the Federal Surplus Commodities Corporation in Hawaii):

Apricots.
Cherries, red sour pitted.
Cherries, sweet.
Figs.
Fruit cocktail.
Fruits for salad.
Fruit juices and nectars, plain or mixed, made from the fruits listed in this paragraph.
Peaches, clingstone (including clingstone nectarines).
Peaches, freestone (including freestone nectarines).
Pears.
Pineapples.
Plums.
Prunes, fresh.

(iii) "Canned berries" means the following berries and products preserved by heat and hermetically sealed in containers of metal, glass, or any other materials (except those purchased from the Federal Surplus Commodities Corporation in Hawaii):

Berry juices made from the berries listed in this paragraph.
Blackberries.
Blueberries.
Boysenberries.
Cranberries.
Gooseberries.
Huckleberries.
Loganberries.
Raspberries, black.
Raspberries, red.
Strawberries.
Youngberries.

(iv) "1942 pack" of any canned fruits or canned berries shall be that pack, the major portion of which was processed and hermetically sealed in containers of metal, glass, or any other material during the calendar year 1942.

(v) "Kind," when referring to any canned fruits or canned berries, also refers to the style of the pack of such canned fruits or canned berries.

(c) *Wholesalers maximum prices for sales in the Territory of Hawaii of canned fruits, canned juices and canned berries of the 1942 pack.* (1) Except as otherwise provided in this Maximum Price Regulation No. 373 the wholesalers' maximum price per dozen for each kind, grade, brand and container size of canned fruits or canned berries of the 1942 pack, except canned pineapple and canned pineapple juice, shall be:

(i) The wholesalers' maximum price per dozen for such kind, grade, brand and container size computed in accordance with the General Maximum Price Regulation for Hawaii, or as permitted by any subsequent authorized adjustment thereof, plus

(ii) The amount reported by the wholesaler's supplier as the permitted increase for such kind, grade, brand and container size pursuant to the provisions of § 1341.106a of Maximum Price Regulation No. 185[1] of the Office of Price Administration.

(2) If at the time of computing his maximum price for any kind, grade, brand and container size of such canned fruits or canned berries, the wholesaler has purchased or contracted to purchase the same kind, grade, brand and container size from two or more canners, he shall use as the amount to be added pursuant to paragraph (c) (1) (ii) of this section the amount reported as the permitted increase by the canner from whom the largest amount of such kind, grade, brand and container size was purchased.

(d) *Retailers maximum prices for sales in the Territory of Hawaii of canned fruits, canned juices and canned berries of the 1942 pack.* (1) Except as otherwise provided in this Maximum Price Regulation No. 373 the retailers' maximum price per can or container for each kind, grade, brand and container size of canned fruits or canned berries of 1942 pack, except canned pineapple and canned pineapple juice, shall be:

(i) His maximum price per can or container, as determined or to be determined in accordance with section 2 or

[1] 7 F.R. 5772, 5988, 7530, 8948, 10684 11075; 8 F.R. 490, 1133, 2998.

3 of General Maximum Price Regulation for Hawaii, or as permitted by an authorized subsequent adjustment thereof, for each kind, grade, brand and container size; plus;

(ii) The amount reported by his supplier as the permitted increase per can or container for such kind, grade, brand, and container size, pursuant to the provisions of paragraph (f) of this section 16, or one-twelfth of the amount reported by his supplier as the permitted increase per dozen cans or containers for such kind, grade, brand and container size, pursuant to the provisions of § 1341.106a of Maximum Price Regulation No. 185. The permitted increase per can or container shall be adjusted to the next lower cent for fractions of less than one-half cent and to the next higher cent for fractions of one-half cent or more.

(e) *Maximum prices for sales in the Territory of Hawaii of canned pineapple and canned pineapple juice.* (1) Except as otherwise provided in the Maximum Price Regulation No. 373, the wholesaler's maximum price per dozen for each grade, brand and container size of canned pineapple or pineapple juice shall be:

(i) The wholesaler's maximum price per dozen for such grade, brand, and container size computed in accordance with the General Maximum Price Regulation for Hawaii, or as permitted by any authorized subsequent adjustment thereof; plus

(ii) The difference between the price for such grade, brand and container size, f. o. b. canner's shipping point, on the canner's price list for November 1941, and such canner's maximum price, f. o. b. canner's shipping point.

(2) Except as otherwise provided in this Maximum Price Regulation No. 373, the retailer's maximum price per can or container for each grade, brand and container size of canned pineapple or pineapple juice shall be:

(i) His maximum price per can or container as determined or to be determined in accordance with sections 2 and 3 of the General Maximum Price Regulation for Hawaii, or as permited by any subsequent authorized adjustment thereof, for each grade, brand and container size; plus

(ii) In the case of a retailer purchasing directly from a canner, the amount of the difference between the price per can or container for such grade, brand and container size, f. o. b. canner's shipping point of the canner's price list for November 1941 and such canner's maximum price, f. o. b. canner's shipping point, adjusted to the next lower cent for fractions of less than one-half cent and adjusted to the next higher cent for fractions of one-half cent or more; or

(iii) In the case of a retailer purchasing from a wholesaler, the amount of the permitted increase for such grade, brand and container size, as reported by the wholesaler pursuant to the provisions of paragraph (f) of this section 16.

(f) *Information to purchasers from wholesalers.* (1) Within thirty days after establishing his maximum price per dozen for any kind, brand and container size of canned fruits or berries of the 1942 pack under the provisions of paragraph (a) of this section 16, each wholesaler shall

(i) Prepare a statement in writing showing his maximum price under the provisions of the General Maximum Price Regulation for Hawaii or as permitted by any subsequent adjustment thereof which shall be designated as the "base price," his maximum price as computed under the provisions of this regulation, which shall be designated as the "maximum price" and the amount of the difference between such prices, which shall be designated as the "permitted increase," and

(ii) File a copy of each such statement with this office.

(2) Each wholesaler, before or at the time of his first delivery to any retailer of any kind, grade, brand and container size of canned fruits or canned berries, after the wholesaler's maximum price therefor has been established pursuant to the provisions of paragraph (a) of this section 16, shall supply to such retailer a written statement identifying each such item included in the sale and shall clearly indicate for each such item the permitted increase per can or container which the retailer is entitled to add to his maximum price established under the General Maximum Price Regulation for Hawaii in order to compute the retailer's maximum price under this regulation. The permitted increase so reported shall be one-twelfth of the amount reported to the wholesaler by his supplier as the permitted increase, or, in the case of canned pineapple and canned pineapple juice, one-twelfth of the increase determined by the wholesaler pursuant to sub-paragraph (1) of this paragraph (a). Such permitted increase per can or container shall be adjusted to the next lower cent for fractions of less than one-half cent and to the next higher cent for fractions of one-half cent or more. In every such statement the information prescribed by this paragraph shall be preceded by the following statement:

Your new ceiling price for each item noted is your March ceiling price plus the permitted increase per retail package. The Office of Price Administration requires you to keep this information for examination.

Although this regulation requires no special form for listing items and permitted increases, an example of an approved form which may be helpful to many wholesalers is set forth below.

NOTICE OF RETAILER'S PERMITTED INCREASE

To_____

Address_____

Your new ceiling price for each item noted is your April ceiling price plus the permitted increase per retail package. The Office of Price Administration requires you to keep this information for examination.

Kind	Grade	Brand	Container size No.	Permitted increase per retail pkg.
ITEM				Cents
Apricots, unpeeled halves.	Standard	Star	2½	1
Apricots, peeled halves.	Choice	Moon	2½	1
Peaches, sliced, etc.	Fancy	Sun	10	2

Wholesaler_____

Address_____

By_____

Date_____

This statement may also contain similar information for any other items covered by this Regulation even though they are not included in the sale.

(g) *Marking, posting and filing by retailers; applicability of the marking, posting and filing provisions of the General Maximum Price Regulation for Hawaii.* (1) The marking, posting and filing provisions of section 13 of the General Maximum Price Regulation for Hawaii are applicable to every person selling at retail any canned fruits or canned fruit juices referred to in that Section or in Appendix A of the General Maximum Price Regulation for Hawaii.

(2) Each retailer who adjusts his maximum price on canned peaches, canned pears, canned pineapple or canned pineapple juice, pursuant to the provisions of this section 18, shall file with this office a statement or statements showing each such adjustment. Such statement or statements shall be filed on or before the 10th day of the month following the month in which the maximum price was so adjusted. Each such statement may contain the required information for one or more of such commodities and shall contain an appropriate description or identification of each such commodity.

SEC. 17. *Table IV: Maximum prices for sugar*—(a) *Definitions.* When used in this Table IV the term:

(1) "Primary distributor" means any person who manufactures fine granulated sugar or granulated sugar, or the agent of any such person. The term "agent" shall be deemed to include a broker, factor, commission merchant, or a person who takes title but actually performs functions commonly performed by brokers, factors, or commission merchants.

(2) "Canner" means a canner of pineapples.

(3) "Class of purchaser" refers to the practice adopted by the primary distributor in setting different prices for sales to different purchasers or kinds of purchasers (for example, jobber, wholesaler, Army, Navy, canner), or for purchasers located in different areas, or for different quantities or grades, or under different conditions of sale.

(b) *Maximum prices for sales by primary distributors located on the Island of Oahu*—(1) *Sales of granulated sugar to canners.* (i) $5.25 per one hundred pounds on orders placed by the canner with the primary distributor before June 25 of any calendar year for deliveries to be made during the same calendar year.

(ii) $5.45 per one hundred pounds on orders placed by the canner with the primary distributor on and after June 25 of any calendar year for deliveries to be made during the same calendar year.

(iii) The containers shall be in good sound condition of such material as is available, preferably jute with cotton liners.

(iv) These maximum prices include delivery by the primary distributor f. o. b. cars of the Oahu Railway & Land Company at the buyer's cannery in Honolulu, or the depot or wharf of the Oahu Railway & Land Company in Honolulu, or f. a. s. Inter-Island Steamer, at the buyer's option.

(v) There shall be deducted from these maximum prices an amount equal to two per cent thereof for cash within five days. As to when the five-day period commences, this shall be determined in accordance with the usage existing between the primary distributor and canners prior to the effective date of this regulation.

(vi) These maximum prices are for a quality and polarization of granulated sugar not below the average quality and polarization delivered to canners by the primary distributor during the calendar year 1942.

(2) *Sales of fine granulated sugar to persons other than canners.* (i) $5.45 per one hundred pounds.

(ii) Containers shall be in good sound condition of such material as is available; and in the case of 100-lb. bags, preferably jute with cotton liners

(iii) This maximum price shall be adjusted in accordance with the grade and package differentials employed by the primary distributor in December 1942.

(iv) This maximum price includes delivery by the primary distributor to the customary receiving points of the respective purchasers or classes of purchasers in accordance with the practice in existence during December 1942. However, if during December 1942 the primary distributor charged a premium for delivery to a particular purchaser or class of purchasers, there may be added to the maximum price for that purchaser or class of purchasers an amount not in excess of the premium so charged.

(v) On the other hand, the primary distributor shall not reduce his discounts and allowances to a particular purchaser or class of purchasers below those which he had in effect as to deliveries during December 1942 to the same purchaser or class of purchasers. Such discounts and allowances shall be deducted from the maximum price.

(vi) This maximum price is for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to persons other than canners during the calendar year 1942.

(c) *Maximum prices for sales by primary distributors located on the Island of Maui*—(1) *Sales of granulated sugar to canners.* (i) $5.25 per one hundred pounds less,

(ii) An amount equal to two per cent thereof for cash within five days.

(iii) Twenty-five cents per one hundred pounds.

(iv) As to when this five-day period commences, this shall be determined in accordance with the usage existing between the primary distributor and canners prior to the effective date of this regulation.

(v) The containers shall be in good sound condition of such material as is available, preferably jute with cotton liners.

(vi) This maximum price is f. o. b. railroad cars or buyers' conveyances Paia.

(vii) This maximum price is for a quality and polarization of granulated sugar not below the average quality and polarization delivered to canners by the primary distributor during the calendar year 1942.

(2) *Sales of fine granulated sugar to persons other than canners.* (i) $5.20 per one hundred pounds.

(ii) Containers shall be in good sound condition of such material as is available and in the case of 100-lb. bags, preferably jute with cotton liners.

(iii) This maximum price shall be adjusted in accordance with the grade and package differentials employed by the primary distributor in December 1942.

(iv) This maximum price includes delivery by the primary distributor to the customary receiving points of the respective purchasers or classes of purchasers in accordance with the practice in existence during December 1942. However, if during December 1942 the primary distributor charged a premium for delivery to a particular purchaser or class of purchaser, there may be added to the maximum price for that purchaser or class of purchasers an amount not in excess of the premium so charged.

(v) On the other hand, the primary distributor shall not reduce his discounts and allowances to a particular purchaser or class of purchasers below those which he had in effect as to deliveries during December 1942 to the same purchaser or class of purchasers. Such discounts and allowances shall be deducted from the maximum price.

(d) Maximum prices for sales of sugar by persons in the Territory not covered by this Table IV shall continue to be those established by the General Maximum Price Regulation for Hawaii or any applicable price schedule, regulation, or order issued by the Office of Price Administration.

SEC. 18. *Table V: Maximum prices for sales of fats and oils and canned meats in the Island of Oahu only.* (a) This Table V is applicable to all fats and oils and canned meats sold in the Island of Oahu, except such of these commodities as are covered by this Maximum Price Regulation or other orders or regulations issued by the Office of Price Administration.

(b) *Sales at wholesale.* (1) The wholesaler shall calculate his maximum price for each item (that is, kind, brand, grade and container size) of a commodity covered by this Table V as follows: (i) The wholesaler shall calculate the base price by adding the amounts permitted in paragraph (c) below; (ii) To this base price he may add the applicable margin set forth in paragraphs (g), (h) and (i) below; (iii) In appropriate cases he may add an additional amount as specified in paragraph (f) below.

(c) *Base price.* (1) In the case of purchases other than purchases from the Federal Surplus Commodities Corporation, "base price" means an amount not in excess of the sum of the following. Of course, if any of the items specified in subdivision (ii) through (vii) have already been included in the amount specified in subdivision (i) it may not again be added.

(i) An amount equal to the price which the wholesaler agreed to pay the mainland seller before deducting any cash discount, swell allowance or promotional allowance.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including transportation taxes, terminal charges, and extra charges for shipment of less than carload lots.

(iii) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the wholesaler, but charges for storages, and insurance in connection therewith, in excess of six months shall not be included.

(iv) An amount computed at the rate of $1.20 per ton, weight or measurement, to cover cartage from warehouse to dock in port of shipment, whether or not actually incurred.

(v) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler.

(vi) An amount equal to cartage charges in Honolulu from dock to warehouse computed at a rate not in excess of $1.20 per ton, weight or measurement, provided that the commodity is moved from the dock at the wholesaler's expense.

(vii) With respect to packaged oleomargarine and lard only, and if the packaged oleomargarine or lard is placed in public cold storage in Honolulu at the wholesaler's expense, then an amount therefor computed at a rate not in excess of $.0033 per pound, net weight: *Provided*, That, no amount may be included for the first month's storage. Public cold storage charges for the first month's storage in Honolulu shall be absorbed by the wholesaler.

(2) In the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be the net price paid plus an amount equal to cartage charges computed at a rate not in excess of $1.20 per ton, weight or measurement.

(3) If an identical item of the same grade in the wholesaler's inventory on hand has two or more different base prices, then the base price for that item

may be determined by calculating a weighted average base price for that item.

(4) If the actual amount for a charge is not in hand with respect to a particular shipment of any item, the wholesaler may estimate the amount of the charge for the purpose of determining the base price, but upon the following conditions:

(i) That he set up an "error account;" which he shall keep and maintain for inspection by the Office of Price Administration for a period of not less than one year;

(ii) That when the actual amount becomes known he immediately include in this account the difference between the actual amount and the estimated amount;

(iii) That if the difference is an amount in excess of the actual amount, then such difference shall be deducted in calculating the base price for any item on hand or received in the next shipment;

(iv) That if the difference is an amount less than the actual amount, then such difference may be added in calculating the base price for any item on hand or received in the next shipment;

(v) That the error account show how the differences are applied.

(d) These maximum prices contemplate distribution by only one wholesaler on the Island of Oahu. In the event that in the course of distribution of any commodity covered by this regulation after arrival in Honolulu, such commodity moves through the hands of more than one wholesaler, then the wholesalers shall distribute between them the margins set forth in appendices annexed hereto. In such event the primary wholesaler making the importations shall furnish the wholesaler purchasing from him a statement of the base price determined in accordance with this section.

(e) No extra charge may be added for delivery in the City of Honolulu.

(f) In the case of a sale to a buyer who does not have a gross income tax license, the seller may add to the maximum price one and one-quarter (1¼%) per cent of it.

(g) *Oleomargarine, shortening and lard.* The maximum margins which may be added to the base price shall not be higher than the following:

(1) Bulk shortening and lard, $.0175 per lb. net weight.

(i) "Bulk shortening and lard" means shortening and lard in drums, cans over 6 pounds net weight, tubs, tierces or barrels, and includes the following:

(a) Standard shortening such as Jewel, Pearl, Sance, Vegetele, Advance, Flakewhite, Fluffo, Seoco, Kneedit, Crustene, Hydora, Durkee's, Superla, Ore, Diamond Head;

(b) Hydrogenated and high ration shortening such as Primax and Sweetex, Cove and Cove Super Mix, Heavy Duty MFB and Quik Blend, Vream and Vreamay, Kremit and Kremer, Bakerite and Bakerite 140.

(c) Lard.

(2) Packaged shortening and lard $.02 per lb. net weight.

(i) "Packaged shortening and lard" means shortening and lard in containers of six pounds net weight or less, and includes the following:

(a) Standard and hydrogenated shortening, such as Spry, Crisco, Jewel, Snowdrift, Fermay and Fluffo;

(b) Lard and lard compounds or substitutes.

(3) *Oleomargarine.*

(i) Bulk, $.03 per lb. net weight.

(ii) Packaged.

(a) Base price 20 cents per pound, net weight or over, $.0475 per lb. net weight.

(b) Base price under 20 cents per pound, net weight, $.0425 per lb. net weight

(h) *Cooking and salad oils.* (1) The maximum margins for all cooking and salad oils other than olive oil and Planters peanut oil which may be added to the base price shall not be higher than the following:

(i) *Bulk.*

(a) Containers over 5 gallons, $.018 per lb. net weight.

(b) 5-gallon containers, $.80 per 5 gallons.

(ii) *Packaged.*

(a) 1-gallon containers, $1.00 per case of 6 containers.

(b) ½-gallon containers, $.55 per case of 6 containers.

(c) 23-oz. containers, $.50 per case of 12 containers.

(d) 1-qt. containers, $.70 per case of 12 containers.

(e) 1-pt. containers, $.70 per case of 24 containers.

(2) The maximum margins for olive oil and Planters peanut oil which may be added to the base price shall not be higher than the following:

(i) *Planter's peanut oil 10% on selling price*

(ii) *Olive oil*

(a) Containers of one pint or more 10% on selling price

(b) Containers of less than one pint 15% on selling price

(3) *Items not covered.* The maximum margin for any cooking or salad oil not covered above shall be 10 per cent on selling price over the base price.

(4) "Cooking and salad oils" shall mean all vegetable oils, whether pure or mixed such as "77", Angela Mia, Puritan, Fluffo, Jewel, Star, Certified Crustene, Primrose, Wesson, Mazola; but shall not include prepared dressings.

(i) *Canned meats.* (1) The maximum margin for canned meats shall be 11 per cent on selling price over base price, except that when packed in glass, the maximum margin shall be 13 per cent on selling price over base price.

(2) The term "canned meats" includes canned meats and meats in combination with other foods, such as luncheon meats, spreads, sausages and sausage meats, frankfurters, hamburger, loaf goods, brains, tongues, bacon, corned beef, dried beef, sliced dried beef, hash, potted and deviled meats, spaghetti and meat balls, spaghetti sauce with meat, noodles and meat, vegetables and meat, stews, chili con carne, prepared hot tamales, chicken, turkey and other poultry, and similar items which are customarily considered shelf goods, and are not stored under refrigeration.

(j) *Sales at retail.*

Commodity	Maximum Price (net weight)
1. Shortening:	
Crisco, Snowdrift & Spry	$.30 per 1-lb. container
	.85 per 3-lb. container
	1.70 per 6-lb. container
Formay	.80 per 3-lb. container
	1.60 per 6-lb. container
All other brands	.05 per lb. over retailer's invoice cost
2. Lard	.05 per lb. over retailer's invoice cost
3. Oleomargarines:	
Nucoa and Allsweet	.33 per lb.
All others	.06 per lb. over retailer's invoice cost
4. Salad oils:	
Wesson oil	.65 per 1-quart container
	1.10 per ½-gal. container
	2.02 per 1-gal container
Mazola	.35 per 1-pint container
	.65 per 1-quart container
	1.20 per ½-gal. container
	2.30 per 1-gal. container
Primrose and Jewel	1.93 per 1-gal. container
	1.05 per ½-gal. container
	.43 per 23-oz. bottle
Planters Peanut Oil (Hi-Hat)	.73 per 1-quart container
	1.25 per ½-gal. container
Olive Oil:	
California olive oil:	
Lindsay	.98 per 16-oz. bottle
	.56 per 8-oz. bottle
	.28 per 4-oz. bottle
	.18 per 2-oz. bottle
Olive Tree	.69 per 8-oz. bottle
S & W	.73 per 8-oz. bottle
Imported olive oil:	
Star	2.19 per 32-oz. tin
	1.15 per 16-oz. tin
Don Juan	.65 per 8-oz. bottle

NOTE: The maximum price for containers not listed in item 4 shall be computed on a basis of 16% on selling price over retailer's price cost, except that in the case of olive oil, it shall be 20% on selling price. In computing 16% on selling price over retailer's invoice cost, the maximum price shall be arrived at by dividing invoice cost in cents per pound by 0.84. For example, assume Brand "X" carries an invoice cost to the retailer of twenty cents per pound, dividing $.20 by 0.84 equals $.238. Adjusting this to the nearest cent gives a maximum retail price of twenty-four cents per pound. For fractional prices derived from this computation, see section 7 of this Maximum Price Regulation No. 373.

SEC. 19. *Table VI: Maximum prices for sales of meats, poultry and certain dairy products in the Island of Oahu only.* (a) When used in this Table VI, the term "Sale at wholesale" means a sale by a person who customarily distributes the commodities covered by this regulation for resale by retail outlets, or to commercial, industrial or institutional users, or to the armed forces of the United States. A person making such a sale may hereinafter sometimes be referred to as a "wholesaler."

(b) *Sales at wholesale; mainland meats, poultry and certain dairy products.* This paragraph (b) applies only to meats, poultry and certain dairy products imported from the continental United States.

(1) *How a wholesaler calculates his maximum price.* The wholesaler shall calculate his maximum price for each item (that is, kind, brand, grade and container size) of a commodity covered by this regulation as follows:

(i) The wholesaler shall calculate the base price by adding the amounts permitted in paragraph (c) below.

(ii) To this base price he may add the applicable margin set forth in paragraph (d) below.

(iii) In appropriate cases he may add an additional amount as specified in paragraph (g) below.

(c) *Base price.* (1) In the case of purchases other than purchases from the Federal Surplus Commodities Corporation, "base price" means an amount not in excess of the sum of the following. Of course, if any of the items specified in subdivision (ii) through (vii) have already been included in the amount specified in subdivision (i) it may not again be added.

(i) An amount equal to the price which the wholesaler agreed to pay the mainland seller for the meat, poultry, or dairy product prepared for shipment; or, if the wholesaler must prepare the meat, poultry or dairy product covered by this regulation for shipment on his own account subsequent to purchase from the mainland seller, then an amount equal to the price which the wholesaler agreed to pay the mainland seller, plus the charges actually paid or incurred by the wholesaler in the preparation of the meat, poultry or dairy product for shipment.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including such charges in connection therewith as were theretofore customarily included, such as icing charges, switching, demurrage and the like.

(iii) An amount equal to cold storage charges, and insurance in connection therewith, in the port of shipment computed at a rate not in excess of forty cents per one hundred pounds net weight, provided that the commodity is stored at the wholesaler's expense; except that, in the case of poultry, it may be an amount equal to the charges actually incurred by the wholesaler for cold storage, and insurance in connection therewith, in the port of shipment.

(iv) An amount computed at the rate of thirteen cents per one hundred pounds net weight to cover cartage from warehouse to dock in port of shipment, whether or not actually incurred.

(v) An amount for ocean freight, war risk and marine insurance which, however, shall not be higher than the following:

	Per 100 lbs. Net weight
Refrigerated—	
1. Beef, lamb, veal, hogs, in bales, bone-in	$3.56
2. Mutton	3.40
3. Boned carcass beef in cases	3.84
4. Pork cuts in cases and barrels	3.90
5. Fancy meats:	
Liver:	
Veal in pails	4.50
Calf in pails	4.31
Calf in boxes	4.06
Beef in boxes	3.90
Pork in boxes	3.80
Lamb, Boxes or pails	3.71
Sweetbreads:	
Veal in pails	4.32
Calf in paddies	3.86
Beef in pails	4.10
Lamb in boxes	3.84
Pork tongues, tails and feet in boxes, oxtails in boxes, and beef tripe in boxes	3.71
Hearts in boxes	3.75
Kidneys in boxes	3.67
Brains in pails	3.84
6. Fresh smoked sausage in cases or barrels including franks and bologna, and prepared meat loaves, but not including dry sausages	3.96
7. Smoked meats, whole and sliced	3.95
8. Canned hams	4.55
9. Luncheon meat, canned, 6 lb. tin	4.15
10. Turkeys, regular	4.00
Turkeys, table dressed	4.23
11. Broilers and fryers, regular and table dressed	4.13
12. Other poultry, regular and table dressed	3.95
13. Disjointed rabbits, quick frozen	3.25
14. Canned eggs, frozen:	
Whites, naked tins	3.75
Whites, tins in cartons	3.96
Whole, naked tins	3.85
Whole, tins in cartons	4.06
Sugared yolk, naked tins	3.94
Sugared yolk, tins in cartons	4.15
15. Butter	3.44
Unrefrigerated—	
1. Smoked meats:	
Hams and picnics	1.25
Other smoked meats	1.20
Canned hams	1.30
Canned luncheon meats in 3 lb. tins and over	1.16
Dry salt bellies	1.25
Dry sausage:	
Fiber cases	1.60
Wood cases	1.70
Pork cuts and beef tongue in barrels in brine	1.43
Bologna and Franks	1.56
Cheese:	
Cheddar and granulated type cheese except New York Martin	$1.06
Cheese, processed, 5 lb loaf	1.15
New York Martin	1.24
Processed cheese, packaged	1.09
Powdered milk	1.23
Shell eggs	.90
Gelatine, bulk	1.87

(vi) An amount equal to cartage charges in Honolulu from dock to warehouse or cold storage computed at a rate not in excess of twelve cents per one hundred pounds net weight, provided that the commodity is moved from the dock at the wholesaler's expense.

(vii) An amount equal to public cold storage charges actually incurred by the wholesaler for public cold storage in Honolulu in excess of the first month's charges. All storage charges for the first month's storage in Honolulu shall be absorbed by the wholesaler. Such charges shall be computed according to the customary practices of the trade in prorating such costs.

(2) In the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be the net price paid plus an amount equal to cartage charges computed at a rate not in excess of twelve cents per one hundred pounds net weight.

(3) If an identical item of the same grade in the wholesaler's inventory on hand has two or more different base prices, then the base price for that item may be determined by calculating a weighted average base price for that item.

(4) If the actual amount for a charge is not in hand with respect to a particular shipment of any item, the wholesaler may estimate the amount of the charge for the purpose of determining the base price, but upon the following conditions:

(i) That he set up an "error account"; which he shall keep and maintain for inspection by the Office of Price Administration for a period of not less than one year;

(ii) That when the actual amount becomes known he immediately includes in this account the difference between the actual amount and the estimated amount;

(iii) That if the difference is an amount in excess of the actual amount, then such difference shall be deducted in calculating the base price for any item on hand or received in the next shipment;

(iv) That if the difference is an amount less than the actual amount, then such difference may be added in calculating the base price for any item on hand or received in the next shipment;

(v) That the error account show how the differences are applied.

(d) *Maximum margins.* The maximum margins which may be added to the base price shall not be higher than the following:

Commodity	Maximum margin case lots (cents per lb.)	Maximum margin less than case lots (cents per lb.)
1. All F. S. C. C. frozen meats	2	3.
2. Fresh frozen mainland beef carcasses	2	3.
Forequarters	3½ under carcass price.	
Hindquarter	5 over carcass price.	
3. Beef cuts, mainland	2½	3½.
4. Fresh frozen pork carcasses	2	3½.
5. Fresh frozen pork cuts, mainland	2½	3¼.
6. Fresh frozen lamb and mutton	2	3.
7. Fresh frozen lamb and mutton cuts, mainland	2½	3¼.
8. Chilled or frozen poultry, ready-to-cook	2	4.
9. Chilled or frozen poultry, table dressed	3	4½.
10. Smoked meats, hams, bacon, and dry salt meats, etc.	3	4.
11. Boiled hams	3	4.
12. Canned hams and luncheon meat and corned beef, 3 lb. cans and over	3½	4½.
13. All canned meat items in 3 lb. cans and over, other than shelf items	3½	4½.
14. Fresh and smoked sausage in cases or bbls., including franks and bologna and meat sausage loaves, but not including dry sausage	2½	3½.
15. Dry sausage (not tinned) except dried Chinese	5	5.
16. Dried Chinese sausage, mainland or domestic	5	3.
17. Dried Chinese sausage, Canadian	10	12.
18. Sweet pickled meats such as spareribs, pork feet, pork tail, beef tongues, etc.	3	4.
19. Fancy meats, base price 30 cents or over	3	4.
20. Fancy meats, base price under 30 cents	2	3.
21. Disjointed rabbits	2	2.
22. On any meat items not covered by this order the margin shall be 2 cents per lb.		
23. Powdered milk, bulk	2	3.
24. Cheese		
Triplets	3	4.
5-lb. loaf, processed	3	4.
1 and 2-lb. packages	4	5.
5-lb. packages	5	6.
New York Martin and Jack cheeses	4	5.
25. Unsalted butter in cubes	2	3.
26. Table butter, 1 or 2-lb. cartons or prints	2½	3½.
27. Shell eggs, medium and large, loose	$1.05 per case	$1.20 per case.
28. Shell eggs, medium and large, cartoned by wholesaler	$1.05 per case	$1.80 per case.
29. Powdered whole eggs, in 8 oz. jars	$.50 per doz.	None.
30. Powdered whole eggs, in bulk	8	None.
31. Canned eggs, frozen	2½	None.
32. Gelatine, in bulk	3	4.

(e) These maximum prices contemplate distribution by only one wholesaler on the Island of Oahu. In the event that in the course of distribution of any commodity covered by this regulation after arrival in Honolulu, such commodity moves through the hands of more than one wholesaler, then the wholesalers shall distribute between them the margins set forth in paragraph (d) above. In such event the primary wholesaler making the importations shall furnish the wholesaler purchasing from him a statement of the base price determined in accordance with this section.

(f) No extra charge may be added for delivery in the City of Honolulu.

(g) In the case of a sale to a buyer who does not have a gross income tax license, the seller may add to the maximum price one and one-quarter per cent (1¼%) of it.

(h) *Sales at wholesale; Island meats.* This paragraph (h) applies only to meats originating in the Territory of Hawaii.

ISLAND BEEF

Island carcass beef	Maximum price per lb.	
	Grade A	Grade B
Steers and heifers	$.23½	
Cows		$.20
Bulls		.17

Island veal	Maximum price per pound
Veal	$.24½

Quartered beef and veal	Maximum price per pound
Hindquarters	4¢ over carcass price.
Forequarters	3½¢ under carcass price.

(i) *Definitions*—(1) *Steer or heifer beef.* All top-grade or grade A steer or heifer beef shall have a blocky or good conformation, no bruises, and shall not weigh over 650 pounds. Chine bones must show a distinct red coloration and must contain a sizeable amount of soft, white cartilage "button" bones.

(i) Steer or heifer beef not having such qualifications must be priced lower depending upon its condition of finish and conformation.

(2) *Cow and bull beef.* All top-grade cow beef must have a blocky or good conformation, no bruises, and must not weigh over 650 pounds. Chine bones must show some evidence of white cartilage "button" bones.

(i) Cow beef not having such qualifications must be priced lower depending upon its condition of finish and conformation.

(3) One quarter of a cent per pound reduction must be allowed for any beef weighing between 650 and 700 pounds. One-half cent per pound reduction must be allowed for any beef weighing over 700 pounds and up to 749 pounds. Three-fourths of a cent per pound reduction must be allowed for any beef weighing above 749 pounds. All steers and heifers shall be stamped "A". Cows and bulls shall be stamped "B".

(4) *Veal.* All top-grade veal must have a blocky or good conformation, no bruises, and must weigh between 50 and 250 pounds. Veal heavier than 250 pounds must be classed as beef.

(i) Veal not having such qualifications must be priced lower, depending upon its condition of finish and conformation.

ISLAND PORK

Live hogs, Grade A:	Maximum price per pound
175–240 lbs	$.22
241–275 lbs	.21
276–300 lbs	$.20
301 and over	.18
Sows, young stags and young boars, Grade B	.14
Old boars, poor stags and sows	.07

PORK CARCASSES

Whole or half carcasses, Grade A:	
140–180 lbs	.30
181–210 lbs	.29
211–230 lbs	.28
231–245 lbs	.26
246 and over	.24
Hind quarter, Grade A:	
140–180 lbs	.32
181–210 lbs	.31
211–230 lbs	.30
231–245 lbs	.28
246 and over	.26
Fore quarter, Grade A:	
140–180 lbs	.29
181–210 lbs	.28
211–230 lbs	.27
231–245 lbs	.25
246 and over	.23
Sows, young stags and young boars, Grade B:	
Whole or half carcasses	.20
Hind quarter	.22
Fore quarter	.19
Old boars, poor stags and sows:	
Whole or half carcass	.10

Island pork cuts. No cuts shall be offered for sale or sold other than those shown below:

	Maximum price	
	Grade A per lb.	Grade B per lb.
Leg of pork—boneless, mainland style	$.46	$.40
Leg of pork—bone in, mainland style	.41	.35
Shoulder pork—boneless (4 rib-cut)	.45	.39
Shoulder pork—bone in (4 rib-cut)	.38	.32
Pork chops—not over ½ inch fat, mainland style	.46	.40
Spare ribs—no fat	.43	.37
Pork bellies—rib bone on	.33	.27
Pork belly with pork chops attached	.33	.27
Pig feet	.30	.25
Pork jowl	.21	.17
Boneless, skinless, lean pork	.46	.40
Pig head—boneless	.22	.16
Pig head—bone in	.15	.10
Pig tail	.30	.24
Pork liver	.30	.24

(j) *Sales at retail—Mainland meats.* This paragraph (j) applies only to imports from the continental United States.

Mainland beef. (1) The maximum prices listed below are for cuts from choice or Grade A steers and heifers, approved as such by the United States Department of Agriculture. Grade classification is marked on the carcass, box or other container as received by the retailer, or can be ascertained by him from the wholesaler's invoice.

(2) For cuts from all other grades, the maximum prices shall be determined as follows:

(i) For cuts from Grade AA steers and heifers, add 2 cents per pound to the price listed below for each individual cut.

(ii) For cuts from Grade B steers and heifers, subtract 2 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C steers and heifers, subtract 4 cents per pound from the price listed below for each individual cut.

(iv) For all Federal Surplus Commodities Corporation boneless meat and Army-specification boneless cuts, take the same maximum prices as mainland carcass boneless Grade A cuts.

(3) For cuts from grades of cows, the maximum prices shall be determined as follows: (These grades shall be as approved by the United States Department of Agriculture)

(i) For cuts from Grade A cows, subtract 3 cents per pound from the price listed below for each individual cut.

(ii) For cuts from Grade B cows, subtract 5 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C cows, subtract 8 cents per pound from the price listed below for each individual cut.

Cut	Mainland carcass, bone in, maximum price (cents per lb.)	Mainland carcass, boneless, maximum price (cents per lb.)
1. Filet steak or tenderloin	42	100
2. Flank steak	60	42
3. Sirloin tip steak	65	60
4. Sirloin steak		75
5. New York cut	65	
6. Porterhouse steak		75
7. Market steaks	55	
8. Round steaks	60	60
9. Top round steaks		55
10. Bottom round steaks	45	
11. Prime rib roast	65	65
12. Primerib roast, boned and rolled	55	55
13. Rib steak	38	
14. Chuck roast	49	49
15. Chuck roast, boneless	43	53
16. Chuck steak	42	
17. Round bone shoulder roast	50	50
18. Boneless cross rib	40	55
19. Trimmed rump	25	30
20. Plate beef	30	
21. Short ribs	30	35
22. Pound brisket	20	
23. Soup bones:	2	
Center shank	45	45
Knuckle bones	30	30
24. Boneless lean stew meat	40	40
25. Hamburger	49	49
26. Lean ground beef	21	21
27. Kidneys	40	40
28. Corned beef, boneless brisket		

NOTE: The maximum price of beef corned from beef other than boneless brisket shall be the maximum price of the original cuts listed above.

MAINLAND PORK

Cut	Maximum price (cents per lb.)
1. Pork loin roast, either end	43
2. Pork loin center chops or roast	49
3. Spare ribs:	
Under 3 lbs	36
3–5 lbs	33
Over 5 lbs	31
4. Boneless butts	56
5. Boston butts, 4–8 lbs	50
6. Boston butts, 4–8 lbs. sliced	53
7. Bulk pork sausage meat	52
8. Legs, skin on, whole or half (fresh or corned)	46
9. Legs, skinless, whole or half (fresh or corned)	48
Center leg steaks	53
10. Fresh clear bellies, 8–12 lbs	38
11. Shoulder roasts, bone in	46
12. Steaks	49
13. Shank	30
14. Dry salt bellies, 12 lbs. or over	35
15. Pork feet, fresh	19
16. Pork tails, fresh	27
17. Pork tenders	56
18. Pork sausage meat (bulk)	52

MAINLAND PORK—Continued

	Maximum price (cents per lb.)	
	1st grade	2nd grade
19. Smoked meats:		
Hams:		
Regular, bone in, No. 1, whole under 14 lbs	50	48
Half (without wrapper)	50	48
Skinned, bone in, No. 1, whole 14–18 lbs	53	51
Half (without wrapper)	53	51
Center slices	75	75
Shanks, under 3 lbs	28	26
Shanks, 3–4 lbs	40	38
Butt end, sliced	50	48
Ready to serve:		
Regular	56	
Picnics	52	
Boneless butts	63	

	Maximum price (cents per lb.)
Bacon:	
Slab No. 1, half or whole, under 10 lbs	48
Slab No. 1, sliced (skinless)	56
Slab No. 2, half or whole	44
Slab No. 2, sliced	52
Packaged, 1st Grade	58
Packaged, 2nd Grade	54
Bellies, square cut and seedless, 12 lbs. and over	37
Bellies, square cut and seedless, 12 lbs. sliced	41

Pork sausage, link, all types—the maximum retail price shall not exceed the net cost to the retailer plus 12¢ per lb.

NOTE: The maximum retail price of any mainland pork cuts not listed above shall be computed on the basis of 24% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.76 e. g. Assume mainland pork cut "X" carries an invoice cost price to the retailer of 50¢ per lb. Dividing 50.00¢ by 0.76=65.7¢. Adjusting this to the nearest cent gives a maximum retail price of 66¢ per lb.

(4) *Mainland lamb and mutton.* The maximum prices listed below are for cuts from Grade A lambs, approved as such by the Department of Agriculture. For all cuts from all other grades, the maximum prices shall be determined as follows:

(i) For cuts from Grade AA lamb, add 2 cents per pound to the price listed below for each individual cut.

(ii) For cuts from Grade B lamb, subtract 2 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C lamb, subtract 4 cents per pound from the price listed below for each individual cut.

Cut	Mainland lamb (¢ per lb.)	Mainland mutton (¢ per lb.)
1. Rib chops	50	30
2. Shoulder chops	45	25
3. Small loin	60	32
4. Legs	50	25
5. Large loin	52	30
6. Breast and neck shanks	24	16

(5) *Mainland veal.* The maximum prices listed below are for cuts from Grade A veal, approved as such by the United States Department of Agriculture. For cuts from all other grades, the maximum prices shall be determined as follows:

(i) For cuts from Grade AA veal, add 2 cents per pound to the price listed below for each individual cut.

(ii) For cuts from Grade B veal, subtract 2 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C veal, subtract 4 cents per pound from the price listed below for each individual cut.

Cut:	Maximum price (cents per lb.)
1. Rump roast	45
2. Leg cutlet	70
3. Leg roast	42
4. Sirloin butt	58
5. Rib chops	53
6. Loin chops	58
7. Shoulder roast	40
8. Breast stew	22
9. Trimming	30
10. Round bone shoulder roast	43
11. Loin steak, large	60
12. Shoulder chops	43

MAINLAND POULTRY

DRESSED

Commodity	Grade	Weight (lbs per dozen, as delivered to retailer)	Maximum price (¢ per pound)
Turkeys	Prime	Under 16 lbs	57
		16–20	56
		20 lbs. & up	55
	Choice	Under 16 lbs	55
		16–20	54
		20 lbs. & up	53
	Commercial	Under 16 lbs	52
		16–20	50
		20 lbs. & up	49
Ducks, Long Island			44
Fryers	Prime	31–35 lbs	56
		36–42	53
	Choice	31–35 lbs	53
		36–42	51
Broilers	Prime	12–18 lbs	58
		18–24	57
	Choice	12–18 lbs	56
		18–24	55
Roasters	Prime	43–47 lbs	56
		48–54	58
		54–60	58
	Choice	43–47 lbs	57
		48–54	57
		54–60	57
Fowl, colored	Prime	43–47 lbs	51
		48 & up	52
	Choice	43–47 lbs	49
		48 & up	51
Fowl, white	Prime	26–30 lbs	43
		30–42	46
		41–47	48
		48 lbs. & up	49
	Choice	26–30 lbs	40
		30–42	43
		43–47	44
		48 lbs. & up	46
Stags (old roosters)			50
Squabs			77
Geese			47
Capons, choice			51

TABLE DRESSED

Commodity:	Maximum price (cents per lb.)
Turkeys	70
Ducks	59
Prime fryers	75
Prime broilers	75
Prime roasters	75
Prime fowl	67
Disjointed fryers	75

NOTE: The maximum price for any poultry not listed above, or for grades not specified herein shall be computed on the basis of 20% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.80. Assume poultry commodity "X", not listed above, carries an invoice cost price to the retailer of 51¢ per lb. dividing 51.00¢ by

0.80=63.7¢. Adjusting this to the nearest cent gives a maximum retail price of 64¢ per lb.

MAINLAND FANCY MEATS

Commodity	Maximum price (cents per lb.)
Selected veal liver	94
Calf liver, 2½ lbs. & under per liver	74
Calf liver, 4 lbs. & under per liver	68
Calf liver, 6–7 lbs. each	59
Baby beef liver	56
Beef liver, regular	46
Pork liver	35
Lamb liver	39
Beef sweatbreads:	
1. Beef	49
2. Veal	72
3. Calf, in paddies	45
4. Lamb	39
Pork tongues	31
Ox tongues, fresh	44
Oxtails	28
Porktails	27
Hearts:	
Beef	29
Lamb	30
Calf	29
Pork	32
Kidneys:	
Pork	30
Beef	28
Pork feet	23
Brains:	
Veal	27
Sheep	22
Pork	28
Cooked beef tripe	24

NOTE: The maximum price of fancy meats other than those listed above shall be computed on the basis of 25% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.75. Assume that a fancy meat "X" not listed above carries an invoice cost to the retailer of 40¢ per lb. Dividing 40.00¢ by 0.75=53.3¢. Adjusting this to the nearest cent gives a maximum retail price of 53¢ per lb.

MAINLAND COLD CUTS—TABLE READY MEATS

Commodity	Maximum price (cents per lb.)
Boiled ham, sliced	90
Bologna, 1st Grade (such as Swift's Premium, Armour's Star, Wilson's Certified or Cudahy's Puritan)	41
2nd Grade (all others than specified above)	39
Army and Navy specification	47
Frankfurters, 1st Grade (including Army and Navy)	49
2nd Grade	41
Liver sausage, fresh	46
Smoked	50
Cooked salami	47
Mettwurst sausage and garlic sausage	46
Head cheese	43
Whole canned hams, midget or large	75
Half canned hams	80
Quarter canned hams	90
Dried Chinese sausage, lean, pure pork	130
Portuguese sausage, beef and pork	70
Portuguese sausage, pure pork	90
Spiced ham and luncheon meat, canned	[1] 15

NOTE: The maximum prices of any mainland cold cuts not listed above shall be computed on the basis of 30% on selling price over the retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb by 0.70 e. g. Assume that mainland cost cut "X" carries an invoice cost price to the retailer 25¢ per lb. Dividing 25.00¢ by 0.70=35.7¢. Adjusting this to the nearest cent results in a maximum retail price of 36¢ per lb.

[1] Over cost.

MAINLAND SLICED & PACKAGED CHEESE

Commodity	Maximum price (cents per lb.)
Wheel cheese, natural, cheddar or granular type except Jack, Mount Hope, Chantelle, New York Martin & Cheeses aged 18 months or over	50
Jack, Mount Hope, and Chantelle	52
New York Martin	60
Loaf: 5 lb. processed, American, pimento, Swiss, brick & Neopolitan	50
Wisconsin Swiss, wheel or loaf	60
	Cents per pkg.
1 lb. package, processed	50
2 lb. package, processed	93
½ lb. package, processed	28
Old English, ½ lb.	30

NOTE: The maximum retail price of any mainland sliced cheese or packaged cheese not listed above shall be computed on the basis of 25% on selling price over the retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.75 e. g. Assume that mainland cheese "X" is not listed above and is invoiced to the retailer at 35¢ per lb. Dividing 35.00¢ by 0.75=46.6¢ per lb. Adjusting the fraction of a cent in accordance with Section 7 results in a maximum retail price of 47¢ per lb.

MAINLAND BUTTER AND EGGS

Commodity	Maximum price (cents per lb.)
Butter:	
All table butter	6¢ per lb. over retailer's cost per lb., according to invoice.
Eggs:	
Shell eggs, loose or delivered to retailer in cartons.	7¢ over retailer's cost per dozen.
Shell eggs, cartoned by retailer.	9¢ over retailer's cost per dozen.
Powdered whole eggs, 8 oz. jar.	80¢ per jar.

(k) *Island meats and poultry.* This paragraph (k) applies only to meats and poultry originating in the Territory of Hawaii.

(1) *Island beef.* Grade A beef is beef from Island steers or heifers; Grade B, Island cows.

Cut	Grade A maximum price (cents per lb.)	Grade B maximum price (cents per lb.)
1. Flank steak	37	32
2. Sirloin tip steak	49	44
3. Sirloin steak	50	45
4. Porterhouse steak	55	50
5. Round steaks	45	40
6. Top round steaks	48	44
7. Prime rib roast	37	32
8. Prime rib roast, boned and rolled	48	42
Rib steak	45	40
9. Chuck roast	30	25
10. Chuck roast, boneless	38	33
Chuck steak	33	28
11. Round bone shoulder roast	32	30
12. Boneless cross rib	40	35
13. Trimmed rump	37	32
14. Plate beef	18	15
Short ribs	25	20
15. Pound brisket	22	17
16. Soup bones:		
Center shank	18	13
Knuckle bones	3	2
17. Boneless lean stew meat	35	30
18. Hamburger	30	30
19. Lean ground beef	49	49
20. Kidneys	21	21
21. Corned beef, boneless brisket	30	24

(2) Beef corned from cuts other than boneless brisket shall sell at a maximum price not to exceed the maximum price of the original cuts as listed above.

(3) *Island pork at retail.* Grade A pork is pork derived from young pigs; Grade B pork is defined as pork derived from sows and stags. All Grade B cuts must be plainly marked as such when exhibited for sale. No cuts shall be offered for sale or sold other than those shown below.

Cut	Maximum prices Grade A (cents per lb.)	Maximum prices Grade B (cents per lb.)
1. Leg of pork—boneless, mainland style	55	40
2. Leg of pork—bone-in, mainland style	48	32
3. Shoulder pork—boneless (4 rib cut)	52	35
4. Shoulder pork—bone-in (4 rib cut)	45	28
5. Pork chops or loin—not over ½ inch fat mainland style	55	40
6. Spare ribs—meaty	50	30
7. Pork bellies—rib bones on	40	24
8. Pork belly with pork chops attached	40	24
9. Pig feet	35	20
10. Pork jowl	25	20
11. Boneless, skinless, lean pork	55	40
12. Pig head—boneless	25	15
13. Pig head—bone-in	17	12
14. Pig tail	35	25
15. Pork liver	40	40
16. Pork fat	10	10
17. Roasted or barbecued pork—all cuts	70	(1)

[1] Not permitted.

ISLAND VEAL

Cut:	Maximum price (cents per lb.)
1. Rump roast	40
2. Leg cutlet	63
3. Leg roast	38
4. Sirloin butt	52
5. Rib chops	50
6. Loin chops	53
7. Shoulder roast	35
8. Breast stew	22
9. Trimming	30
10. Round bone shoulder roast	38
11. Loin steak, large	55
12. Shoulder chops	39

(4) *Island poultry at retail.* Dressed poultry is defined as birds which have been bled and plucked. No island poultry shall be exhibited for sale or sold in any market which has had the head, feet, and entrails removed. Butchers may draw birds at the request of the customers after the sale is made if they desire to do so. The purpose of this provision is to protect customers against the sale of unhealthy birds.

Commodity	Maximum prices (cents per lb.)
1. Chickens—(broilers, fryers, roasters and capons):	
Dressed weight	70
Live weight	60
2. Chickens—(hens):	
Dressed weight	60
Live weight	50
3. Turkeys—(young toms or young hens):	
Dressed weight	70
Live weight	55
4. Turkeys—(gobblers or old hens):	
Dressed weight	60
Live weight	45
5. Ducks and geese:	
Dressed weight	60
Live weight	50
6. Squabs:	
Dressed weight	87
Live weight	77

NOTE: No sales of island poultry for which a maximum price has not been established in this regulation shall be made until application has been made to the Office of Price Administration and a maximum price granted.

MISCELLANEOUS

	Cents per pound
Island rabbits, dressed and drawn	65

ISLAND EGGS

	Cents per dozen
Shell eggs—large, cartoned	85
Shell eggs—medium, cartoned	79
Shell eggs—small, cartoned	61

SEC. 20. *Table VII: Maximum prices for fresh fish and sea food.* (a) The term "producer" as used in this Table VII means any person engaged in producing fish in-shore, off-shore, or in fish ponds, and selling all or any part of the catch other than at wholesale or retail.

(b) Maximum prices for sales of whole fresh fish and sea food in the Island of Oahu only:

Kinds of fish	Producers' maximum price	Wholesalers' maximum price	Maximum retail price
1. Amaama (mullet)	$.50	$.55	$.65
2. Ahuleholo	.38	.42	.50
3. Awaawa	.41	.47	.55
4. Awa (less than 10 lbs.)	.29	.32	.40
5. Awa (10 lbs. or more)	.26	.28	.35
6. Akule	.29	.32	.40
7. Aweoweo	.38	.42	.50
8. Alalihi	.23	.25	.30
9. Aku (tuna)	.29	.32	.40
10. Aha	.23	.25	.30
11. Aawa	.23	.25	.30
12. Ahi (yellow fin tuna—20 lbs. or more)	.32	.35	.45
13. Ahi (yellow fin tuna—less than 20 lbs.)	.29	.32	.40
14. Crab (samoan)	.26	.28	.35
15. Carp	.18	.20	.25
16. Cat fish	.38	.42	.50
17. Clam	.09	.10	.15
18. Hilu	.22	.25	.30
19. Hee (squid)	.38	.42	.50
20. Honu (shelled turtle)	.26	.28	.35
21. Honu (whole turtle)	.13	.15	----
22. Humuhumu	.23	.25	.30
23. Hihimano (sea bass)	.23	.25	.30
24. Hinalea	.23	.25	.30
25. Halalolo (small akule)	.29	.32	.40
26. Holie (stick fish)	.29	.32	.40
27. Kupenpen	.38	.42	.50
28. Kaku	.60	.65	.75
29. Kahala	.41	.47	.55
30. Kumu	.70	.75	.85
31. Kawakawa (bonito)	.38	.42	.50
32. Kala (10 lbs. or more)	.18	.20	.25
33. Kala (less than 10 lbs.)	.14	.15	.20
34. Kole	.18	.20	.25
35. Kanadu	.18	.20	.25
36. Kawele	.38	.42	.50
37. Lawehe	.23	.25	.30
38. Lai	.18	.20	.25
39. Lauvilli	.18	.20	.25
40. Manini (go)	.55	.60	.70
41. Moano (sin)	.46	.50	.60
42. Mamala (dolphin)	.32	.35	.45
43. Malolo	.38	.42	.50
44. Mu	.60	.65	.75
45. Mamamu	.38	.42	.50
46. Moi	.50	.55	.65
47. Mai	.23	.25	.30
48. Mano (shark)	.05	.07	.10
49. Nikawa	.23	.25	.30
50. Nenue	.29	.32	.40
51. Nohu	.32	.35	.45
52. Oio	.14	.15	.20
53. Opelu	.18	.20	.25
54. Opihi (oysters)	$.36	$.40	$.50
55. Omilu (4 lbs. or more)	.46	.50	.60
56. Omilu (less than 4 lbs.)	.50	.55	.65
57. Opae (shrimp)	.60	.65	.75
58. Ollihiepe	.60	.65	.75
59. Oio	.41	.45	.55
60. Opule	.09	.10	.15
61. Opuhue (balloon fish)	.46	.50	.60
62. Ono	.38	.42	.50
63. Oopu	.40	.36	.50
64. Papio (small ulua)	.50	.55	.65
65. Panchon	.32	.35	.45
66. Pualu (5 lbs. or more)	.18	.20	.25
67. Pualu (less than 5 lbs.)	.11	.15	.20
68. Palani (5 lbs. or more)	.18	.20	.25
69. Palani (less than 5 lbs.)	.14	.15	.20
70. Paki	.60	.65	.75
71. Panuuhu	.38	.42	.50
72. Puhi (white eel)	.18	.20	.25
73. Puhi (black eel)	.09	.10	.15
74. Papai (white crab)	.26	.28	.35
75. Papai (red crab)	.18	.20	.25
76. Upapa	.32	.38	.45
77. Lukanipo	.65	.70	.80
78. Uu (big eye)	.55	.60	.70
79. Uku	.46	.50	.60
80. Ulua	.32	.35	.45
81. Ula (lobster)	.46	.50	.60
82. Ulua (20 lbs. or more)	.41	.45	.55
83. Ulua (less than 20 lbs.)	.30	.55	.65
84. Weke	.46	.50	.60

NOTE: The prices established by this regulation are maximum prices for the whole fish.

(c) Maximum prices for sales of imported dried shrimp in the Island of Oahu only:

	Maximum price at wholesale	Maximum price at retail
Imported dried shrimp.	6¢ per pound over landed cost per pound at dock, Honolulu.	15¢ per pound over invoice cost per pound.

SEC. 21. *Table VIII: Maximum prices for fresh fruits and fresh vegetables—*(a) *Definitions.* For the purposes of this Table VIII, the term:

(1) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user, except that a sale at retail shall not include any sale to the United States or public institution, or an agency of either.

(2) "Sale at wholesale" means a sale to any person other than the ultimate consumer and shall include sales to licensed retail stores, peddlers, hotels, restaurants, licensed boarding houses, the United States, public institutions, and all commercial and industrial users.

(3) "Special institutional sales" means sales to hotels, restaurants, licensed boarding houses, the United States and public institutions where, in connection with such sale, the seller opens the container, reconditions the commodity and absorbs shrinkage and spoilage.

(b) *Special provisions.* (1) Wholesale sales may be made by broken lots, that is a part of a bag, box or crate, but the aggregate price received from the sale of such parts may not exceed the wholesale ceiling for the entire bag, box or crate. For example, for sales made by the half box, quarter box, etc., the maximum price shall be computed by dividing the wholesale ceiling by two, four, etc. In the case of a sale to any buyer who does not have a gross income tax license, the seller may add one and one-quarter per cent to the wholesale ceiling.

(2) Special institutional sales, where the seller opens the container, reconditions the commodity and absorbs shrinkage and spoilage, may not be made at prices higher than those appearing herein under the caption "Special Institutional Maximum Prices." Whether sales shall be by the unopened crate or otherwise shall be at the option of the buyer.

(3) *Extra charges.* No charges may be made for cartage or any other service rendered, or cost incurred, in connection with the sale of the commodities covered by this Table VIII if such charges result in prices higher than the maximum prices established herein.

(c) *Maximum prices for sales in the Island of Oahu only of fresh vegetables imported from the mainland.* (1) Where the total price for the aggregate quantity of any commodity sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

	Wholesale maximum prices	Special institutional maximum prices	Retail maximum prices
Beets	$.075 per lb. net cont	$.08 per lb	$.075 per lb.
Carrots	$.075 per lb. net cont	$.0875 per lb	$.10 per lb.
Cauliflower	$9.40 per full crate	$.10 per lb	$.24 per lb.
Cauliflower	$6.00 box, "Pony Crate"	$.23 per lb	$.28 per lb.
Celery	$9.50 per crate	$.10 per lb	$.25 per lb.
Garlic	$.15 per lb. net cost	$.20 per lb	$.27 per lb.
Lettuce	$10.00 per crate	$.30 per head	$.24 per head.
Onions	$8.10 per bag	None	$.09 per lb.
Potatoes	$4.05 per 100 lbs	$.0475 per lb	$.065 per lb.
Rutabaga turnips	$.055 per lb. net cont	$.06 per lb	$.075 per lb.

(d) *Maximum prices for sale in the Island of Oahu only of fresh fruits imported from the mainland.* (1) Where the total price for the aggregate quantity of any commodity sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

	Wholesale maximum prices	Special institutional maximum prices	Retail maximum prices
Apples:	*Per box*		*Per lb.*
Extra fancy	$5.75	None	$0.18
Winesaps			
Extra fancy			
Newtons	5.50	None	.17
Grapefruit:		*Each*	*Each*
Sunkist:			
64's	4.37	$0.07½	.12
70's	4.37	.07	.08
80's	4.37	.06	.07½
100's	4.37	.05	.06
Coachella:			
80's	4.37	.06	.07
100's	4.37	.05½	.07½
Lemons:		*Per doz.*	*Per doz.*
360's	7.00	.28	.42
432's	7.20	.23	.27
Oranges:			
344's	5.70	.23	.27
288's	5.70	.27	.32
252's	5.70	.31	.36
220's	5.70	.36	.42
200's	5.70	.40	.46
176's	5.70	.45	.52
150's	5.70	.52	.61
126's	5.70	.62	.72
Pears, Hanjan:			
Fancy	8.80	None	.26
Hamakua, extra fancy	9.00	None	.26
Winter Nellis	7.20	None	.21
Easter Bluerose	7.20	None	.21
All others	7.50	.19	.22

(c) *Maximum prices for sales in the Island of Oahu only of Island-grown produce.* (1) All grades shall conform to the specifications therefor established by the Agricultural Extension Service of the University of Hawaii and contained in Agricultural Extension Circular No. 156 as amended January 20, 1943. These specifications may be obtained at the University or at the Office of Price Administration, Honolulu, Hawaii. "MQ" refers to "merchantable quality." Appearance and size are not important factors in determining merchantable quality, but produce having more than 10 per cent serious damage, or more than 2 percent soft rot shall be deemed not to be merchantable quality.

(2) Where the total price for the aggregate quantity of any item of produce sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(3) "Sales at wholesale" means a sale by a person who customarily distributes Island-grown produce to any person other than the ultimate consumer, and shall include sales to the United States, any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, an industrial or commercial user, or any agency of any of the foregoing: *Provided*, That when any institution for the sick, deaf, blind, disabled, aged or insane or any hospital or any commercial user cannot obtain for immediate needs commodities covered by this regulation from a person selling at wholesale, then such institution or hospital or commercial user may upon permission in writing from the Office of Price Administration, purchase such commodities from a licensed retailer, and such retailer may sell such commodities to such institution, hospital or commercial user at prices not higher than those established for sales at retail. A copy of the permission granted shall be delivered by such institution, hospital or commercial user to the seller at or before the time of delivery of the commodities.

(4) "Sale at retail" means a sale or selling to an ultimate consumer.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per lb.	*Per lb.*
1. Asparagus, fresh	A	$0.23	$0.30
2. Asparagus, fresh	B	.20	.27
3. Asparagus, fresh	C	.18	.25
4. Avocados	A	.15	.20
5. Avocados	B	.12	.16
6. Avocados	MQ	.08	.12
7. Bananas, bunch (stem limited to 8 inches above first hand where hands join stem) bunches	MQ	.04	
Hands	MQ	.052	.075
8. Bananas, cooking:			
Bunches	MQ	.08	
Hands	MQ	.10	.14
9. Beans, snap, green string and yellow wax	A	.12	.16
10. Beans, green, string and yellow wax	MQ	.10	.13
11. Beans, green lima (pod)	MQ	.07	.10
12. Beans, green lima (shelled)	MQ	.18	.25
13. Beet tops (tubers not to exceed 1 inch)	MQ	.10	.15
14. Beets, bunched	MQ	.05	.08
15. Beets, topped	A	.035	.075
16. Beets, topped	MQ	.040	.060
17. Bitter melon or Fu Qua	MQ	.15	.20
18. Broccoli	MQ	.14	.20
19. Cabbage, Chinese	A	.075	.10
20. Cabbage, Chinese	MQ	.06	.08
21. Cabbage, head	AA	.062	.09
22. Cabbage, head	A	.052	.08
23. Cabbage, head	MQ	.04	.06
24. Cabbage, bunched (all types (Chinese and Japanese, green mustard and white stem))	MQ	.08	.12
25. Cabbage, swamp, or Ung Choy	MQ	.07	.10
26. Carrots, bunched	MQ	.07	.10
27. Carrots, topped	A	.07	.09
28. Carrots, topped	MQ	.045	.06
29. Celery		.16	.25
		Per 6 doz.	*Per doz.*
30. Corn, green	A	2.58	.60
31. Corn, green	B	2.10	.50
32. Corn, green	MQ	1.68	.40
		Per lb.	*Per lb.*
33. Cucumbers	MQ	.10	.16
34. Eggplant, long (Molokai type)	MQ	.07	.095
35. Eggplant, round and half long	MQ	.05	.075
36. Ginger, mature	MQ	.10	.15
37. Gobo, #1, medium & long stems	MQ	.15	.20
38. Gobo, #2, small & short stems	MQ	.11	.15
39. Gobo, #2, large stems	MQ	.11	.15
40. Kohlrabi, bunched or topped	MQ	.07	.10
41. Lettuce, all types		.17	.22
42. Lotus roots, or lily roots	MQ	.13	.17
43. Okra, Chinese, or See Qua	MQ	.15	.20
44. Okra, English	MQ	.10	.15
45. Onions, Maui, dry	MQ	.046	.065
46. Onions, bunching, green	MQ	.15	.22
47. Papayas	#1	.0420	.06
48. Papayas	#2	.035	.05
49. Parsnips	MQ	.08	.11
50. Peas, Chinese	MQ	.60	.80
51. Peppers, bell	MQ	.18	.25
52. Peppers, hot	MQ	.25	.35
53. Peppers, chile	MQ	.50	.65
54. Pineapples		.025	.04
55. Potatoes, Irish	AA	.043	.06
56. Potatoes, Irish	A	.045	.055
57. Potatoes, Irish	MQ	.035	.045
58. Potatoes, sweet (yam type)	AA	.07	.095
59. Potatoes, sweet (Yellow)	A	.06	.07
60. Potatoes, sweet	B	.04	.055
61. Potatoes, sweet	MQ	.03	.04
62. Pumpkin	MQ	.05	.07
63. Pumpkin, Japanese, or Kona Crape	MQ	.065	.09
64. Radishes, red (per bunch of not less than 12)	MQ	*Per doz.* $0.50	*Per*
65. Rhubarb	MQ	*Per lb.* .10	*Per*
66. Soy beans, edible green	MQ	.07	
67. Spinach (all types) bunched	MQ	.10	
68. Squash, Chinese, or Tung Qua, large, 6 lbs. or over	MQ	.05	
69. Squash, young Chinese, small, below 6 lbs. each	MQ	.10	
70. Squash, banana	MQ	.065	
71. Squash, Hubbard	MQ	.065	
72. Squash, Italian and summer	MQ	.10	
73. Squash, Queen	MQ	.08	
74. Swiss chard (bunched or loose)	MQ	.05	
75. Taro, Japanese or Dasheen	#1	.08	
76. Taro, Japanese or Dasheen	#2	.04	
77. Taro, Hawaiian and Chines (bunched and not for manufacture)	MQ	.03	
78. Tomatoes, large (2" minimum diameter)	A	.14	
79. Tomatoes, large (2" minimum diameter)	B	.12	
80. Tomatoes, large (2" minimum diameter	MQ	.10	
81. Tomatoes, small (less than 2" diameter)	MQ	.08	
82. Tomatoes, cut	MQ	.08	
83. Turnip tops (Tubers not to exceed 1")	MQ	.10	
84. Turnips, Japanese (Daikon)	MQ	.04	
85. Turnips, long white, bunched or trimmed (including white Chinese, white radish and similar types)	MQ	.04	
86. Turnips, round white, purple tops, bunched or topped	MQ	.055	
87. Turnips, yellow topped (Rutabagas)		.055	
88. Watercress (1½-lb. bunch or larger)	MQ	.10	
89. Yam (Chop Suy or Fern Quat	MQ	.10	
90. Yam, mountain	MQ	.065	

SEC. 22 *Table IX: Maximum prices for petroleum products.* (a) Maximum Price Regulation No. 137[5] and Revised Price Schedule No. 88,[6] except as otherwise provided herein, govern the sales of petroleum products in the Territory of Hawaii.

(b) On sales in the Territory of Hawaii, amounts not in excess of the following may be added to the maximum prices established by Revised Price Schedule No. 88, and Maximum Price Regulation No. 137 for gasoline, kerosene, and Diesel fuel:

(1) One cent per gallon for shipments from Honolulu to Kaumalapau, Lanai, Kaunakakai, Molokai, and Hana, Maui and points serviced therefrom. This addition may only be made on shipments from Honolulu, and does not apply to direct shipments.

(2) Two cents per gallon for shipments from Hilo to Honuapo, Hawaii.

(3) One and one-half cents per gallon for shipments by barge from Honolulu to Makukona and Kailua, Hawaii.

[5] 8 F.R. 4092.

[6] 8 F.R. 3718, 3795, 3845, 4130, 4131, 4241, 4252, 4334, 4783, 4918, 4840.

(4) Two and one-half cents per gallon for shipments by rail or tank truck, or both, from Honolulu to Mahukona and Kailua, Hawaii.

(5) Two and one-half cents per gallon for gallon shipments from Kahului, Maui, to Hana, Maui.

SEC. 23 *Table X: Maximum prices for beer and ale.* (a) The maximum prices for sales of beer and ale in the Island of Oahu only:

	Wholesale (price per case)	Retail (price per case)	Consumption on premises (price per bottle)
Acme 24 11 oz. "steinies"	$2.40	$2.90	$0.20
Lucky Lager and Rainier:			
24 11 oz. (long-necks)	2.45	2.95	.20
12 22 oz. (long necks)	2.30	2.80	.40
12 32 oz. (long-necks)	3.25	3.75	.55
Miller High Life: 24 12 oz. (long-necks)	3.50	4.00	.30
Pabst Blue Ribbon:			
24 12 oz. "steinies"	3.05	3.55	.25
24 12 oz. "long-necks" (beer and ale)	3.20	3.70	.25
Rheingold 24 11 oz. "steinies"	1.95	2.60	.20
Primo and Royal 24 11 oz. "steinies"	2.15	2.60	.20
Primo and Royal:			
24 12 oz. "steinies"	2.15	2.60	.20
24 11 oz. "long-necks"	2.15	2.60	.20
24 12 oz. "long-necks"	2.15	2.60	.20
Ortlieb:			
24 12 oz. "steinies"	2.80	3.30	.25
12 32 oz. "quart-size"	3.65	4.35	.60
Local pale beer			
24 12 oz. "steinies"	3.70	4.25	.40
24 12 oz. 24 12 oz. "long-necks"	3.40	4.00	.25

(1) Customary bottle allowances must be continued.

(2) The maximum prices for all other brands and quantities of beer and ale sold in the Island of Oahu, and for all brands and quantities of beer and ale sold elsewhere in the Territory of Hawaii shall be governed by the General Maximum Price Regulation for Hawaii.

(3) For the purposes of this table, the term "Beer and Ale" means malt beverages made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted barley with hops or their parts or products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

SEC. 24 *Table XI: Maximum prices for retreaded and recapped rubber tires and retreading and recapping rubber tires.* (a) Revised Price Schedule No. 66, as amended, except as otherwise provided herein, governs the sale of retreaded and recapped tires and the retreading and recapping of tires in the Territory of Hawaii.

(b) *Retreading and recapping (tire carcass furnished by purchaser).* The maximum prices for retreading or recapping a tire are the prices set forth for such retreading or recapping in the following schedules.

[7] 7 F.R. 8803, 8948; 8 F.R. 3174.

(c) *Retreaded and recapped tires (tire carcass furnished by seller).* The maximum prices for a retreaded or recapped tire, where the tire carcass is furnished by the seller are, regardless of the thickness of rubber on the tread of such tire carcass, the sum of the price for the retreading or recapping plus the price for the tire carcass as set forth herein under the designation "Basic Tire Carcasses."

(d) *Basic tire carcasses.* The maximum prices for basic tire carcasses are the prices set forth herein under the designation "Basic Tire Carcasses."

MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING PASSENGER CAR TIRES AND FOR BASIC TIRE CARCASSES

Tire size	Maximum prices when market prices of camelback used, exclusive of Federal excise tax is 2c cents per pound or more, tread design depth 1/32" or more	Maximum prices when market price of camelback used, exclusive of Federal excise tax is under 2c cents per pound, tread design depth 1/32" or more	Basic tire carcasses. Add this price when ever any basic tire carcass is furnished by the seller
4.40–21	$5.85	$5.00	$2.75
4.50–20	6.50	5.65	2.75
4.75–19	6.50	5.65	3.20
4.75–20	6.50	5.65	3.20
5.00–16	6.50	5.65	3.20
5.00–17	6.50	5.65	3.20
5.00–18	6.50	5.65	3.20
5.00–19	6.50	5.65	3.20
5.00–20	6.50	5.65	3.20
5.00–21	7.00	6.15	3.20
5.25–17	7.35	6.50	3.20
5.25–18	7.35	6.50	3.20
5.25–19	7.85	7.00	3.20
5.25–20	7.85	7.00	3.20
5.25–21	7.85	7.00	3.20
5.50–16	7.15	6.30	3.20
5.50–17	7.50	6.50	3.20
5.50–18	7.35	6.50	3.20
5.50–19	7.85	7.00	3.20
5.50–20	7.85	7.00	3.20
6.00–16	8.25	7.40	3.50
6.00–17	8.26	7.40	3.50
6.00–18	8.40	7.55	3.50
6.00–19	8.40	7.55	3.50
6.00–20	10.35	9.50	3.50
6.00–21	10.35	9.50	3.50
6.25–16	9.70	8.85	4.00
6.50–16	9.70	8.85	4.00
6.50–17	9.70	8.85	4.00
6.50–18	9.70	8.85	4.00
6.50–19	9.85	9.00	4.00
6.50–20	10.55	10.70	4.00
7.00–14	10.55	9.70	4.55
7.00–15	10.55	9.70	4.55
7.00–16	10.55	9.70	4.55
7.00–17	10.55	9.70	4.55
7.00–18	10.85	10.00	4.55
7.00–19	12.10	11.25	4.55
7.00–20	13.75	12.90	4.55
7.50–15	12.60	11.75	5.25
7.50–16	14.95	14.10	5.25
7.50–17	15.40	14.55	5.25
Jumbo "14"	11.00	10.15	6.55
Jumbo "15"	12.60	11.75	6.55

MOTORCYCLE TIRES

4.00–18	$5.80	$4.95	$2.75
4.00–19	5.80	4.95	2.75
5.50–18	6.90	6.05	2.75
5.50–19	6.90	6.05	2.75

NOTE: When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tires are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

Figures expressed in terms of 32nd inches are depths of the tread design imposed by the retreading or recapping process at the center circumference of the tire.

MAXIMUM PRICES FOR RETREADING AND FULL CAPPING TRUCK OR TOP CAPPING AND BUS TIRES AND FOR TRUCK AND BUS BASIC TIRE CARCASSES

Tire size	Maximum prices when market price of camelback used, exclusive of Federal excise tax, is 2c cents per pound or more, tread design depth 1/32" or more	Maximum prices when market price of camelback used, exclusive of Federal excise tax, is under 2c cents per pound, tread design depth 1/32" or more	Basic tire carcasses. Add this price whenever any basic tire carcass is furnished by the seller
6.00–20/30 x 5	$11.40	$10.20	$6.00
6.50–20/32 x 6, 8 ply	15.05	13.85	6.00
7.00–16	11.60	10.40	5.00
7.00–17	15.75	14.55	5.00
7.00–20/32 x 6, 10 ply	16.40	15.20	8.40
7.00–24 36 x 6	20.60	19.40	7.75
7.50–16	16.95	15.75	6.50
7.50–17	17.90	16.30	6.50
7.50–18/32 x 7	17.80	16.60	6.50
7.50–20/34 x 7	19.15	17.55	8.00
7.50–24 38 x 7	24.50	22.90	8.00
8.25–18	22.80	21.30	10.80
8.25–20	26.80	24.40	10.80
8.25–24	28.65	26.65	10.80
9.00–18	29.05	23.85	12.00
9.00–20/36 x 8	29.10	26.50	12.00
9.00–22	30.35	28.15	12.00
9.00–24 40 x 8	30.50	28.30	12.00
9.75–20/38 x 9	32.45	30.25	12.00
10.00–18	30.55	28.35	14.20
10.00–20/38 x 9	32.45	30.25	14.20
10.00–22	32.65	30.45	14.20
10.00–24 42 x 9	33.50	31.30	14.40
10.50–20	34.75	32.55	11.40
11.00–20	34.75	32.55	14.40
10.50–22	36.40	34.20	14.40
11.00–22	36.40	34.20	14.40
10.50–24	41.00	38.80	14.40
11.00–24	41.00	38.80	14.40
11.25–20/40 x 10	42.80	39.70	16.80
12.00–20/40 x 10	42.80	39.70	16.80
11.25–24 44 x 10	47.10	43.90	16.80
12.00–24/44 x 10	47.10	43.90	18.00
12.75–24	51.50	48.30	18.00
13.00–24	51.50	48.30	18.00
14.00–24	68.30	65.10	19.20

NOTE: When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tire are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

Figures expressed in terms of 32nd inches are the depths of the tread design imposed by the retreading or recapping process at the center circumference of the tire.

MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING GROUND GRIP TYPE TIRES AND FOR GROUND GRIP TYPE BASIC TIRE CARCASSES

Tire size	Column 1 Retreading, full capping and top capping	Column 2 Basic tire carcasses, add this price whenever tire carcass is furnished by the seller
5.50–17	$8.10	$4.50
6.00–16 6 ply	9.10	4.50
6.25–16	10.55	4.75
6.50–16 8 ply	10.55	4.75
7.00–20/32 x 6 10 ply	18.35	8.40
7.50–18	18.15	6.50
7.50–20	18.70	7.20
8.25–20	27.60	10.80
9.00–18	29.95	12.00
9.00–20	31.95	12.00
9.00–24	33.00	12.00
9.75–20	38.50	12.00
10.00–20	38.50	13.20
10.50–24	43.45	11.40
11.00–24	43.45	14.40
11.25–24	47.10	16.80

MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING GROUND GRIP TYPE TIRES AND FOR GROUND GRIP TYPE BASIC TIRE CARCASSES—Con.

Tire size	Column 1 Retreading, full capping and top capping	Column 2 Basic tire carcasses, add this price whenever tire carcass is furnished by the seller
12.00–24	$47.10	$16.80
12.75–24	51.50	18.00
13.00–24	51.50	18.00
13.50–24	57.75	18.00
14.00–24	57.75	19.20

NOTE: When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tire are the prices shown in column 1. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the prices for the retreading or recapping, shown in column 1, plus the tire carcass price indicated in column 2.

SEC. 25 *Table XII: Maximum prices for intoxicating liquors.* (a) The maximum prices for intoxicating liquors sold at retail by the package or bottle shall not exceed the highest price charged by each seller on sales or deliveries made during the period from November 7, 1941, inclusive, except as modified in this table below. For the purposes of this table, the term "Intoxicating liquor" means any liquid with alcoholic content over 3.2% by volume.

(b) Maximum prices for sales in the Island of Oahu of compounded liquor manufactured in the Territory of Hawaii.

GIN—85 PROOF GIN

Number of bottles per case	Size of bottles	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	$29.68	
3	1 gallon	22.26	
6	½ gallon	23.16	
12	1 quart	24.74	$2.72
12	⅘ quart	20.44	2.25
24	1 pint	25.64	1.44
48	½ pint	20.95	.76

Gin other than 85 proof. For gin other than 85 proof, apply the factors shown in the following conversion table for each variation of 1 degree in proof content:

CONVERSION TABLE

Number of bottles per case	Size of bottles	Factors for adjusting prices to be charged to retailers and dispensers (per case)	Factors for adjusting prices to be charged to consumers (per bottle)
4	1 gallon	$0.3389	
3	1 gallon	.2541	
6	½ gallon	.2541	
12	1 quart	.2541	$0.02796
12	⅘ quart	.2033	.02237
24	1 pint	.2541	.01430
48	½ pint	.2541	.00715

NOTE *Fractions.* Drop fractions of less than ½ cent. For fractions of ½ cent or over, raise to the next highest whole cent.

Variations of less than one degree in proof content. Adjust proportionately, by interpolation.

Examples. To determine the maximum price to retailers and dispensers for a case of 12 one-quart bottles of 90 proof gin:

Maximum price for a similar case of 85 proof gin	$24.74
Factor for adjusting prices (from conversion table)	$.2541
Number of degrees variation in proof content (90–85)	+5
Adjustment of 85 proof price ($.2541 x 5)	$+1.2705
Adjustment after dropping fraction of less than ½ cent	+1.27
Maximum price for a case of 90 proof quarts	26.01

To determine the maximum price to consumers for one quart bottle of 90 proof gin:

Maximum price for one quart bottle of 85 Proof Gin	$2.72
Factor for adjusting prices (from conversion table)	$.02796
Number of degrees variation in proof content (90–85)	+5
Adjustment to 85 proof price ($.02796×5)	+.1398
Adjustment after raising fraction of more than ½ cent	+.14
Maximum price for one quart bottle of 90 proof gin	2.86

Complete schedule of 90 proof gin prices resulting from application of conversion table in accordance with above examples:

90 PROOF GIN

Number of bottles per case	Size of bottles	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 Gallon	$31.37	
3	1 Gallon	23.53	
6	½ Gallon	24.43	
12	1 Quart	26.04	$2.56
12	⅘ Quart	21.46	2.06
24	1 Pint	26.01	1.51
48	½ Pint	28.22	.80

(c) Maximum prices for gin drinks applicable in the Island of Hawaii only shall be:

(1) Gin manufactured in the Territory of Hawaii and sold in jiggers straight—$0.20 per ounce of gin.

(2) Mixed drinks made with gin manufactured in the Territory of Hawaii—$0.05 per drink less the dispenser's maximum price for mixed drinks made with imported gin.

VODKA, RUM, ARRACK, OKOLEHO, BRANDY, AND ALL OTHER COMPOUND LIQUORS IN THE TERRITORY OF HAWAII—85 PROOF

Number of bottles per case	Size of bottles	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	$30.12	
3	1 gallon	22.59	
6	½ gallon	23.51	
12	1 quart	25.10	$2.76
12	⅘ quart	20.74	2.28
24	1 pint	26.02	1.46
48	½ pint	27.34	.77

Other than 85 proof. Apply the factors shown in the following conversion table for each variation of 1 degree in proof content:

CONVERSION TABLE

Number of bottles per case	Size of bottles	Factors for adjusting prices to be charged to retailers and dispensers (per case)	Factors for adjusting prices to be charged to consumers (per bottle)
4	1 gallon	$0.3445	
3	1 gallon	.2584	
6	½ gallon	.2584	
12	1 quart	.2584	$0.02842
12	⅘ quart	.2067	.02274
24	1 pint	.2584	.01421
48	½ pint	.2584	.00711

NOTE: *Fractions.* Drop fractions of less than ½ cent. For fractions of ½ cent or over, raise to the next highest whole cent.

Variations of less than one degree in proof content. Adjust proportionally, by interpolation.

Examples: (i) To determine the maximum price to retailers and dispensers for a case of 12 four-fifths quart bottles of 80.6 Vodka

Maximum price for a similar case of 85 proof Vodka	$20.74
Factor for adjusting prices (from conversion table)	$0.2067
Number of degrees variation in proof content (80.6—85)	−4.4
Adjustment of 85 proof price ($0.2067×(−4.4))	−.90948
Adjustment after raising fraction of more than ½ cent	−.91
Maximum price for a case of 80.6 proof fifths	19.83

(ii) To determine the maximum price to consumers for one four-fifths quart bottle of 80.6 vodka:

Maximum price for one bottle (4/5 quart) of 85 proof vodka	$2.28
Factor for adjusting prices (from conversion table)	$0.02274
Number of degrees variation in proof content (80.6—85)	−4.4
Adjustment of 85 proof price ($0.02274×(−4.4))	−.100056
Adjustment after dropping fraction of less than one half cent	−.10
Maximum price for one bottle (4/5 quart) of 80.6 proof	2.18

(iii) Complete schedule of 80.6 proof prices resulting from application of conversion table in accordance with above examples:

80.6 PROOF LIQUORS OTHER THAN GIN

Number of bottles per case	Size of bottle	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	$28.60	
3	1 gallon	21.45	
6	½ gallon	22.37	
12	1 quart	23.96	$2.63
12	4/5 quart	19.83	2.18
24	1 pint	24.88	1.49
48	½ pint	26.20	.74

(iv) Complete schedule of 90 proof prices resulting from application of conversion table in accordance with above examples:

90 PROOF LIQUORS OTHER THAN GIN

Number of bottles per case	Size of bottle	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	$31.84	
3	1 gallon	23.88	
6	½ gallon	24.80	
12	1 quart	26.39	$2.90
12	⅘ Quart	21.77	2.39
24	1 pint	27.31	1.53
48	½ pint	28.63	.81

(v) Complete Schedule of 105 proof prices resulting from application of conversion table in accordance with above examples:

105 PROOF LIQUORS OTHER THAN GIN

Number of bottles per case	Size of bottle	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	$37.01	
3	1 gallon	27.76	
6	½ gallon	28.68	
12	1 quart	30.27	$3.33
12	⅘ quart	24.87	2.73
24	1 pint	31.19	1.75
48	½ pint	32.51	.92

(c) *Maximum prices for sales outside the Island of Oahu of compounded liquor manufactured in the Territory of Hawaii.* (1) There may be added to the prices to be charged to consumers as determined under paragraph (b) of this table, an amount equal to $.03 per bottle on quarts and ⅘ quarts, or $.01 per bottle on pints and ½ pints, for sales in the Territory of Hawaii outside the Island of Oahu. No transportation tax or other tax (except the 6% Territorial Tax) may be added.

(d) *Miscellaneous*—(1) *Taxes.* The prices contained in paragraphs (b) and (c) of this Table do not include the 6% Territorial Tax, which may be added, but they include all other taxes.

(2) Less than case prices to be charged retailers and dispensers should be proportional to the prices contained in paragraph (b) and (c) of this table for full cases. For this purpose, where fractions occur the next highest whole cent may be used. For example, the maximum price to be charged dispensers for a case of four one-gallon bottles of 90 proof gin is $31.37. Since this would produce a price of $7.84¼, the fraction may be raised to the next highest cent, and $7.85 charged. The price for two bottles, however, would be $15.69, and for three bottles, $23.53.

Note that the rule for handling fractions for purposes of determining less than case prices is not the same as the rule for handling fractions when using the conversion tables under paragraph (b).

(3) Selling prices to retailers and dispensers are f. o. b. consignor's warehouse, but the consignor may not add to such price an amount greater than the actual transportation charges actually paid by him. He may not add a charge for delivering in his own conveyances.

SEC. 26 *Table XIII: Maximum prices for war bicycles.* (a) Maximum Price Regulation No. 158,[8] except as otherwise provided herein, governs the sale of war bicycles in the Territory of Hawaii.

(b) The maximum prices for war bicycles sold or delivered in the Territory of Hawaii shall be:

	Sales at wholesale	Sales at retail
War bicycles	$33.25	$43.75

(1) These maximum prices apply to all war bicycles shipped directly from the mainland of the continental United States to the Islands of Hawaii, Molokai, Kauai, or Maui. If war bicycles are trans-shipped from Honolulu to any other of the Hawaiian Islands the maximum prices set forth above may be increased by the amount of the cost of inter-island transportation actually paid or incurred by the seller.

(2) Any additional equipment or accessories placed on the war bicycle prior to sale and not ordinarily a part of the equipment of such bicycle shall be added only at the option of the purchaser. The maximum prices for such additional items, which must be sold separately, are governed by the General Maximum Price Regulation for Hawaii.

SEC. 27 *Table XIV: Maximum prices for sale and rental of used typewriters.* (a) Maximum Price Regulation No. 162,[9] except as otherwise provided herein, governs the sale and rental of used typewriters in the Territory of Hawaii.

(b) On sales of used typewriters the maximum prices set forth in Maximum Price Regulation No. 162 may be increased by the cost of transporting at the time of sale of a similar typewriter from San Francisco, California, to the Territory of Hawaii.

SEC. 28 *Table XV: Maximum prices for soft drinks.* (a) Maximum prices for all soft drinks ordinarily sold over the counter in the bottle not exceeding twelve ounces in size shall be five cents per bottle.

(b) A bottle deposit, which must be refunded when the bottle is returned, of not more than five cents per bottle may be charged.

(c) This maximum price may not be increased by changing customary methods of serving soft drinks by adding a service charge or any additional charge.

(d) For the purposes of this table, the term "soft drinks" means flavored or unflavored non-alcholic beverages and waters in bottles or other closed containers, whether carbonated or not, but excluding milk drinks, fruit juices, vegetable juices, and combinations thereof where at least 85% by weight is pure fruit juice, vegetable juice, or a mixture thereof.

SEC. 29. *Table XVI: Maximum prices for used refrigerators.* (a) Revised Maximum Price Regulation No. 139,[10] except as otherwise provided herein, governs the sale of used refrigerators in the Territory of Hawaii.

(b) On sales of used refrigerators in the Territory of Hawaii, in order to allow for transportation charges, the maximum prices set forth in Revised Maximum Price Regulation No. 139 may be increased by an amount not in excess of the following:

Interior measurement:	
4 cu. ft. or less	$12.00
Over 4 cu. ft. to 5 cu. ft. inc	13.00
Over 5 cu. ft. to 6 cu. ft. inc	15.00
Over 6 cu. ft. to 7 cu. ft. inc	16.00
Over 7 cu. ft.	17.00

(c) The maximum price for any 1941 or 1942 model of used household mechanical refrigerator shall be 70% of the original list price of an identical new refrigerator for sale, delivered in Hawaii, without the addition of the above allowance.

SEC. 30. *Table XVII: Maximum prices for household mechanical refrigerators.* (a) The maximum price for household mechanical refrigerators in the Territory of Hawaii shall be the landed cost multiplied by 1.77. The maximum price for any lower price at which the refrigerator may be sold below the ceiling herein set) includes delivery, installation, servicing, and a 5-year warranty by the seller, and all Federal and Territorial taxes, including the Hawaii Gross Income Tax.

(1) Landed cost is the sum of such of the following items as are expenses actually incurred:

(i) *Factory cost.* Factory cost is the amount actually paid or to be paid to the manufacturer.

(ii) *Cost of warranty contract.* This item may not be included if no additional charge is made therefor by the manufacturer over and above the factory cost.

(iii) *Federal excise tax.* This item may not be included if no additional charge is made therefor by the manufacturer over and above the factory cost.

(iv) *Mainland freight.* Under this item the cost of all freight covering transportation from the point of manufacture to the port of shipment to Hawaii may be included. Federal transportation taxes, terminal charges, and extra charges for shipment of less than carload lots may also be included.

(v) *Cost of mainland storage.* Under this item all warehousing costs incurred as a result of the War Production Board's action in freezing new refrigerator stocks may be included. Other warehousing costs actually incurred by the seller for storage on the mainland United States may be included, but any cost for such storage in excess of three months shall not be included. Insurance charges incurred as a result of such storage may also be included, but limited to three months as above.

[8] 7 F.R. 4295, 7452, 8948, 10294.
[9] 7 F.R. 4484, 4584, 8356, 8948.
[10] 7 F.R. 3410, 5563, 7178, 8996, 8948; 8 F.R. 3706.

(vi) *Ocean freight.* Under this item the cost of all freight covering transportation from the port of shipment to Hawaii, plus Territorial tolls and tonnage taxes as shown on the bill of lading may be included. The cost of freight for shipments between islands of the Hawaiian group may also be included.

(vii) *Cost of transportation insurance.* Under this item the cost of rail, marine and war risk insurance may be included, except that any cost of war risk insurance in excess of the rates charged by the War Shipping Administration shall not be included.

(viii) *Cost of exchange.* Under this item the cost of exchange at rates prevailing in the Territory of Hawaii may be included.

(b) *Evasion.* The limitations set forth in this Maximum Price Regulation No. 373 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to household mechanical refrigerators alone, or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or by tying agreement, or otherwise.

(c) Specifically, but not exclusively, the following practices are prohibited:

(1) Increasing charges for deferred payment, or for any other form of installment or time payment or credit accounts, above those in effect on February 2, 1942.

(2) Failing to give or shortening the warranty, or failing to give delivery, installation and other services available or in effect to the same general class of purchaser in exchange for the prices prevailing on February 2, 1942.

(d) *Definitions.* When used in this Table XVII, the term:

(1) "Manufacturer" means any person who operates a plant or factory which manufactures household mechanical refrigerators;

(2) "Distributor" means any person other than a manufacturer or dealer, who, prior to February 14, 1942, was engaged in the business of selling household mechanical refrigerators to dealers;

(3) "Dealer" means any person other than a manufacturer or distributor, engaged in the business of selling household mechanical refrigerators to persons purchasing for use, rather than resale;

(4) "Household mechanical refrigerator" means any new refrigerator for household use which operates either by compression or absorption;

(5) "Model" means any combination of size and specifications of equipment;

(6) "Ultimate consumer" means a person who purchases a household mechanical refrigerator for use in his own premises.

SEC. 31. *Table XVIII: Maximum prices for Hawaiian standard blackout bulbs.* (a) The maximum price at retail for sales of Hawaiian standard blackout bulbs in the Territory of Hawaii shall be 33 cents per bulb.

SEC. 32. *Table XIX: Maximum prices for "Kills 'Em Roach Spray".* (a) The maximum prices for sales of "Kills 'Em Roach Spray" in the Territory of Hawaii shall be:

	Maximum price at wholesale per case	Maximum price at retail
11-ounce bottles, 24 to a case	$4.68	*Each* $0.235
11½ ounce bottles, 24 to a case	4.80	.24
Pints, 24 to a case	6.00	.30
Quarts, 12 to a case	5.70	.58
Half-gallons, 6 to a case	5.40	1.06
Gallons, 4 to a case	6.00	1.75

SEC. 33. *Table XX: Maximum prices for cosmetics.* (a) Maximum prices for sales in the Territory of Hawaii of the following Hawaii Eiko Sha Cosmetics shall be:

	Maximum manufacturer's price per gross	Maximum wholesale price per dozen	Maximum retail price per package
Eiko hair pomade 16 oz.	$50.40	$5.10	$0.50
Eiko hair pomade 8 oz.	30.44	3.11	.32
Eiko hair pomade 4 oz.	21.49	2.10	.25
Eiko hair pomade 2 oz.	14.43	1.45	.16
Eiko brilliantine 16 oz.	65.55	6.90	.75
Eiko brilliantine 8 oz.	38.93	1.07	.45
Eiko brilliantine 4 oz.	28.16	2.86	.35
Bouquet Brilliantine 8 oz.	55.43	6.60	.75
Bouquet Brilliantine 4 oz.	35.66	3.97	.44
Bouquet Brilliantine 2 oz.	21.99	2.43	.29

(b) The maximum prices of all other kinds, grades and qualities of cosmetics shall continue to be governed by the General Maximum Price Regulation for Hawaii.

SEC. 34. *Table XXI: Maximum price for candy.* (a) Maximum prices for sales in the Territory of Hawaii of Hester May marshmallows shall be:

	Sales at wholesale per lb.	Sales at retail per lb.
Hester May marshmallows	$0.40	$0.60

(1) Maximum prices for sales of different quantities shall be computed proportionately.

SEC. 35. *Table XXII: Maximum prices for phonograph records and albums.* (a) The maximum prices for sales of phonograph records and albums in the Territory of Hawaii shall be:

Make or label	Wholesale	Retail
1. Bluebird 10"	$0.30	$0.45
2. Victor Black Label 10"	.40	.61
3. Victor Black Label 12"	.56	.85
4. Victor Red Label 10"	.56	.85
5. Victor Red Label 12"	.75	1.10
6. Decca Blue Label 10"	.28	.40
7. Decca Blue Label 12"	.40	.85
8. Decca Black or Red Label 10"	.33	.55
9. Decca Black or Red Label 12"	.67	1.10
10. Decca Red Seal 10"	.40	.85
11. Okeh 10"	.25	.42
12. Vocalion 10"	.25	.42
13. Columbia Red Label 10"	.34	.57
14. Columbia Red Label 12"	.51	.85
15. Columbia Classical Blue or Green Label 10"	.51	.85
16. Columbia Classical Blue or Green Label 12"	.69	1.15
17. Columbia Blue Label (Add-a-part) 10"	.69	1.15
18. Columbia Blue Label (Add-a-part 12"	1.02	1.70
19. Columbia YB Black Label 10"	.51	.85
20. Columbia ME Gold Label 12"	.69	1.15
21. Hit records 10"	.34	.57
22. Hawaiian transcription 10"	.50	.85
23. Silvertone 10"		
24. Silvertone 12"		
25. Conqueror 10"		
26. Capitol 10"		
27. Elite 10"		
28. Imperial 10" Black Label		
29. Excelsior 10" Red Label		
30. Philharmonic transcription 12" Classic		
Albums included with record sets	.90	1.50

SEC. 36. *Table XXIII: Maximum prices for sanitary napkins.* (a) Maximum Price Regulation No. 140, except as provided elsewhere herein, governs sales of sanitary napkins in the Territory of Hawaii.

(b) The maximum prices for sales of sanitary napkins in the Territory of Hawaii shall be:

	Maximum with wholesaler	Maximum [illegible]
1 case lot 24 or 36s	$6.11 per case	$1.03 per [illegible] 24 or 36
4 case lots 24s or 36s 20 case lots 24s or 36s	6.21 per case 6.08 per case	
1 case lot 12s	9.35 per case	$0.95 per [illegible] 12
4 case lots 12s 20 case lots 12s	9.01 per case 8.86 per case	

SEC. 37. *Table XXIV: Maximum prices for new radio receivers, phonographs, record changers and players*—(a) *Definitions.* When used in this Table XXIV the term:

(1) "Radio receiver" means any of the following, alone or in combination with a record playing device: home receiving sets, portable receiving sets, and automobile receiving sets.

(2) "Phonograph" means any device for the playing of records by the use of electrical amplification.

(3) "Record changers or players" means any device for the playing of records intended to be used in conjunction with a radio receiver or a phonograph.

(4) "Dealer" means any person engaged in the business of selling new radio receivers or phonographs or record changers or players to persons purchasing for use rather than resale.

(5) "Consumer" means a person who purchases for use rather than resale.

(6) "Model" means any radio receiver or phonograph or record player or changer sold as a distinct item.

(b) Maximum prices for sales of the following makes and models of new radio receivers, phonographs, record changers and players in the Island of Oahu only shall be:

Model	*Ceiling*
Philco:	
42-1015	$[illegible].50
RP1	[illegible].75
PT95	27.50

Model	*Ceiling*
Philco—Continued.	
1008	$194.95
RP2	34.95
PT96	24.95
322T	39.50
327T	46.95
340T	49.50
350T	76.50
355T	85.00
380X	106.95
H361	82.50
801GS	104.50
41-300X	149.50
Harris: 201	24.50
Gibb Portable: 7006	36.50
Admiral:	
4220D5	24.00
4204–B6	33.95
4203–B6	38.50
4207–A10	189.95
4214–L5	78.50
4221–N6	98.50
79P6	43.95
78P6	41.95
77P5	36.50
4215–C7	124.95
105 Record Changer	38.95
4217 P6	47.95
Emerson:	
426	32.95
301 Wal	20.95
301 Ivory	23.00
450	51.95
423	51.95
424	42.95
428	47.50
454	24.50
336	22.50
421	26.50
441	28.50
425	26.50
Crosley:	
53TP	51.95
83CP	123.45
83CQ	202.50
03CP	194.50
03TA	58.50
02PA	44.95
52PB	41.95
03CR	256.95
Detrola:	
433	110.50
3393	43.95
D419	85.50
448	79.95
Music Master:	
640	76.95
Knight:	
D165	54.95
LCU–154	102.95
Packard Bell:	
88 PA	81.95
51 B P R	207.50
67 B P R	175.50
88 PA Deluxe Bleach	131.00
5 EP	52.50
67 BA	130.50
Traveler:	
515	36.95
T3726	54.95
563	36.50
640	64.95
512	36.95
TK510	52.95
507	30.50
Capehart:	
111 M2	741.95
112 M2	795.00
Panamuse Capehart:	
15M4	197.50
16M4	208.50
14M3	234.95
17M3	277.95
19M3	299.00
21M2	309.95
22M2	341.95
21M2	352.50

Model	*Ceiling*
Zenith:	
7G–605ML	$93.00
105–690	242.00
22–698	708.00
12–650	175.50
12–670	175.50
7S685	186.50
6G–601M	49.50
6G–601L	60.50
6S–646	82.50
7S–633	65.95
10S–689	136.50
5R–680	56.95
6R683	64.95
7S681	154.50
14H–697	475.00
General Electric:	
LB703	46.95
LB701	42.95
LB641	31.95
LB642	31.95
LB702	46.95
LB700	42.95
LB530	59.50
LB612	31.95
L500	15.95
LF115	181.50
LF116	202.75
LFC118	245.50
LFC1228	346.95
L678	47.95
LB603	31.95
LC619	159.95
LC638	47.95
LC658	79.95
LC758	202.75
X108	74.95
X156	59.50
LC648	127.95
L640	53.50
M40	445.00
M–30–C	274.50
M–30–M	245.50
RCA-Victor:	
O2 Phono	20.50
QU55	289.00
QU5	235.00
QU51	269.00
Q33	99.50
Q16	63.00
Q14	52.00
Q11A	45.00
QU8	1,485.00
QU56	95.00
QB1	70.00
QB5	35.00
QB6	59.00
Q15	55.00
25PB	38.50
26BB	51.00
V105	56.00
Duette	55.00
12X	21.00
16X2	27.50
28X5	63.00
Stewart Warner: 206GA	49.95
Majestic: 6P1	46.95
Swing Master:	
Radio Wired R C	46.50
Electric Mhg. Auto R C	73.50
Electric Blond Auto R C	75.95
Music King: IRW	22.95
Pal Standard: Portable	29.50
Pal De Luxe	35.95
Isis: Wireless record player	31.00
Silvertone (Sears):	
7036A	33.50
7058	65.50
2411	29.95
7063A record player	44.50
5818 portable phone	92.50
Olympic: 550	98.95
Magnavox: 55G	395.00
General Television: M47	87.50

(c) Maximum prices for sales of new radio receivers, phonographs, record changers and players in the Territory of Hawaii, but not in the Island of Oahu, shall be the maximum prices set forth in subparagraph (2) of this section, plus ocean freight and war risk insurance premiums actually incurred in any shipment from the Island of Oahu to the place where sale or offer of sale is made.

(d) Maximum prices for sales of new radio receivers, phonographs, record changers and players not set forth in paragraph (b) of this section shall be a price approved by the Office of Price Administration, Iolani Palace, Honolulu, Hawaii, which approval shall be obtained before any such new radio receiver, phonograph, record changer and player is sold or offered for sale.

SEC. 38. *Table XXV: Maximum prices for honey.* (a) The maximum prices for sales of honey produced in the Territory of Hawaii shall be:

(1) *Packaged honey of U. S. #1 grade:*

	Wholesale (each)	Retail (each)
¾ pint size, glass jar (6 oz. net wt. or 4 fluid oz.)	$0.08	$0.10
½ pint size, glass jar (12 oz. net wt. or 8 fluid oz.)	.16	.20
⅔ pint size, glass jar (16 oz. net wt. or 12 fluid oz.)	.21	.26
1 pint size, glass jar (24 oz. net wt. or 16 fluid oz.)	.30	.38
1 quart size, glass jar (48 oz. net wt. or 32 fluid oz.)	.50	.65
1 gallon size, glass jar (192 oz. net wt. or 12 lbs. or 128 fluid oz.)	1.80	2.30
No. 10 tins (6 pounds net wt.)	1.35	1.73
60 lb. tins "individuals" (5 gals. fluid content)	8.70	11.14

(i) The maximum prices for honey sold in containers of a size not listed above shall be determined as follows: The price per fluid ounce or other applicable unit of honey in the nearest larger size listed above shall be computed, and that price multiplied by the number of fluid ounces or other appropriate units of content or weight in the container to be priced, and the result will be the maximum price. Prices at retail thus computed shall be adjusted to the nearest cent. For example: the maximum price for a glass jar containing 6 fluid ounces of honey would be determined as follows: the nearest larger size listed is the ½ pint size containing 8 fluid ounces. In such case, the price per fluid ounce at wholesale is $.02 and at retail $.025. These figures multiplied by 6 result in a maximum price of $.12 at wholesale and $.15 at retail.

(2) *Comb honey of U. S. #1 grade.*

	Wholesale	*Retail*
4½" Square Combs	$0.20	$0.27

SEC. 39. *Table XXVI: Maximum prices for lauhala and lauhala products*—(a) *Lauhala purses.* The maximum price for sales of shells of square purses shall be:

(2) *Table mats of size 11" x 17".*

Item	Weave and size	Maximum producers' price	Maximum wholesale price	Maximum retail price
Coasters	¼"–3⁄16" weave natural	$0.14	$.17	$.30
Coasters	¼"–3⁄16" weave two-tone	.17	.20	.30
Coasters	¼"–3⁄16" weave bleached	.20	.24	.30
Cigarette cases	1⅛"–1¼" weave natural	.27	.33	.50
Cigarette cases	1⅛"–1¼" weave two-tone	.33	.40	.75
Cigarette cases	1⅛"–1¼" weave bleached	.40	.50	.75
Shopping bags	All weaves—small	.85	1.00	1.50
Shopping bags	All weaves—#1 Large (18"–20")	2.05	2.50	3.75
Shopping bags	All weaves—#2 Medium (16"–17")	1.81	2.17	2.75
Shopping bags	All weaves—#1 Medium (14"–15")	1.92	2.25	2.75
Shopping bags	All weaves—#1 Small (12"–13")	1.25	1.50	2.25

Item	Weave and size	Price per sq. in.	Maximum producers' price	Maximum wholesale price	Maximum retail price
½" Plain or combination weave natural lauhala		$0.002	$0.53	$0.63	$0.75
½"–¾" Plain or combination weave natural lauhala		.0025	.65	.78	.98
¾"–1" Plain or combination weave natural lauhala		.003	.78	1.17	1.17
1⅛"–1¼" Plain or combination weave natural lauhala		.0035	.78	1.17	1.17
½" Plain or combination weave two-tone lauhala		.003	.65	.98	1.17
¾"–1" Plain or combination weave two-tone lauhala		.0035	.78	1.17	1.17
1⅛"–1¼" Plain or combination weave two-tone lauhala		.004	.98	1.17	1.34
½" Plain or combination weave bleached lauhala		.003	.65	.98	1.17
¾"–1" Plain or combination weave bleached lauhala		.0035	.78	1.17	1.17
1⅛"–1¼" Plain or combination weave bleached lauhala		.004	.98	1.17	1.34

(3) *Table mats of a size 12" x 18".*

Item	Weave and size	Price per sq. in.	Maximum producers' price	Maximum wholesale price	Maximum retail price
½" Plain or combination weave natural lauhala		$0.002	$0.43	$0.52	$0.78
½"–¾" Plain or combination weave natural lauhala		.0025	.54	.65	.98
¾"–1" Plain or combination weave natural lauhala		.003	.65	.78	1.17
1⅛"–1¼" Plain or combination weave natural lauhala		.0035	.65	.78	1.17
½" Plain or combination weave two-tone lauhala		.0025	.54	.65	.98
¾"–1" Plain or combination weave two-tone lauhala		.003	.65	.78	1.17
1⅛"–1¼" Plain or combination weave two-tone lauhala		.0035	.65	.78	1.17
½" Plain or combination weave bleached lauhala		.003	.65	.78	1.17
¾"–1" Plain or combination weave bleached lauhala		.0035	.78	.98	1.17
1⅛"–1¼" Plain or combination weave bleached lauhala		.004	.98	1.17	1.22

(4) The maximum price for table mats of sizes other than those listed above shall be determined by multiplying the price per square inch of the appropriate weave listed above by the number of square inches in the mat to be priced. This will give the producer's maximum price. To determine the maximum wholesale price, multiply the producer's maximum by 1.2. To determine the maximum retail price, multiply the maximum wholesale price by 1.5. The maximum price will in each case be the result of such multiplication.

(5) Maximum prices for double mats shall be 20% more than the applicable price for a single mat of the same size and weave.

(6) Maximum prices for oval mats shall be the same as the maximum price for a rectangular mat having the same length and width measurements as the length and width measurements of the oval mat measured at its center.

(e) Lauhala coasters, cigarette cases, slippers and shopping bags. The maximum price for lauhala coasters, cigarette cases, slippers and shopping bags shall be:

Item	Weave and size	Maximum producers' price	Maximum wholesale price	Maximum retail price
Coasters	¼"–3⁄16" weave natural	$0.14	$.17	$.30
Coasters	¼"–3⁄16" weave two-tone	.17	.20	.30
Coasters	¼"–3⁄16" weave bleached	.20	.24	.30
Cigarette cases	1⅛"–1¼" weave natural	.27	.33	.50
Cigarette cases	1⅛"–1¼" weave two-tone	.33	.40	.75
Cigarette cases	1⅛"–1¼" weave bleached	.40	.50	.75
Shopping bags	All weaves—small	.85	1.00	1.50
Shopping bags	All weaves—#1 Large (18"–20")	2.05	2.50	3.75
Shopping bags	All weaves—#2 Medium (16"–17")	1.81	2.17	2.75
Shopping bags	All weaves—#1 Medium (14"–15")	1.92	2.25	2.75
Shopping bags	All weaves—#1 Small (12"–13")	1.25	1.50	2.25

(f) *Lauhala leaves.* The maximum price for sales for lauhala leaves shall be:

	Cents each
White, bleached wide long	5
White, bleached wide short	4
Brown, bleached white wide long	4
Brown, bleached white wide short	3
Red, wide long	3
Red, wide short	2
Brown, wide long	2
Brown, wide short	1½
Natural, wide long 1st grade	1½
Natural, wide short 1st grade	1
Natural, wide long, 2nd grade	1
Natural, wide short 2nd grade	½

"Long" means a leaf 30" or more in length.

"Short" means a leaf less than 30" in length.

"2nd grade" means a leaf which is spotted and very brittle.

(g) *Lauhala, cocoanut fiber or hau bark hula skirts.* The maximum price for sales of hula skirts shall be:

	Size	Maximum producer price	Maximum wholesale price	Maximum retail price
Lauhala or cocoanut fiber hula skirts	Large	$1.34	$1.67	$2.50
	Small	1.06	1.33	2.00
	Children's	.80	1.00	1.50
Hau bark, washed, first grade	Large	1.60	2.00	3.00
	Small	1.34	1.67	2.50
	Children's	1.06	1.33	2.00

(1) The maximum price for second grade washed hau bark hula skirts shall be 20% less than the applicable price for first grade washed hau bark hula skirts, 35% less for third grade washed hau bark hula skirts, 50% less for fourth grade washed hau bark hula skirts, and 65% less for fifth grade washed hau bark hula skirts.

(h) *Definitions.* For the purposes of this Table XXVI the term:

(1) "Combination weave" means a mixed weave of two or more widths of weaving strands. The width of the predominantly used strand determines the classification of the weave.

(2) "Two-tone weave" means a weave using substantially equal amounts of two or more different colors of lauhala, or a weave in which the word "Aloha," "Hawaii," or some other similar word is woven into the product by use of different colors of lauhala.

(3) "Three-inch" weave means a weave of strands approximately three inches wide.

(4) "Bleached lauhala" means lauhala that has been subjected to a bleaching process.

(5) "Tapa" means genuine tapa cloth and does not include other cloths printed or otherwise marked with a design normally used on tapa cloth.

(6) "First, second, third, fourth and fifth grades" of washed hau bark have the same meaning as is presently attributed to them by persons in the trade.

(7) "Size" expressed in inches means the latitudinal measurement of the article in question unless otherwise required by the context.

(8) "Shell" means the completed lauhala portion of a lauhala purse from which the completed purse is made by adding thereto a lining or zipper or both.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6174; Filed, April 20, 1943; 4:07 p. m.]

PART 1499—COMMODITIES AND SERVICE

[Order 234 Under § 1499.18 (b) of GMPR]

AMERICAN RULE AND BLOCK COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1834 *Adjustment of maximum prices of basswood products manufactured by American Rule and Block Company.* (a) The maximum prices for basswood products manufactured and sold by American Rule and Block Company shall be the March 1942 list price plus 10 percent.

(b) All relief not herein granted is hereby denied.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 234 (§ 1499.1834) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

The order shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6271; Filed, April 22, 1943; 12:21 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 239, Amendment 3]

LAMB AND MUTTON CARCASSES AND CUTS AT WHOLESALE AND RETAIL

Correction

The first part of § 1364.167 (a) of the document appearing on page 4786 of the issue for Tuesday, April 13, 1943, should read:

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, it shall be the duty of each person to have all lambs, * * *

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Gasoline Rationing Emergency Order 2]

VIRGIN ISLANDS

By virtue of the authority vested in the Director of the Office of Price Administration for the Territory of the Virgin Islands by Revised General Order No. 21 issued August 28, 1942, by the Administrator of the Office of Price Administration, (7 F.R. 6911), the following order is prescribed:

§ 1394.6502 *Gasoline rationing during the emergency.* (a) The operation of Ration Order No. 8, Gasoline Rationing Regulations for the Virgin Islands, is hereby suspended in the municipalities of St. John and St. Thomas.

(b) *General restriction on the use of gasoline.* From and after the effective date of this Gasoline Rationing Emergency Order No. 2, no dealer or other person in the municipalities of St. John and St. Thomas, Virgin Islands of the United States, shall sell, give, export, exchange, deliver or otherwise transfer gasoline in exchange for coupons or otherwise, or accept or receive any such sale, gift, exchange, delivery, or transfer of gasoline except as provided in paragraph (c) hereof: *Provided,* That the foregoing prohibition shall not apply to importations of gasoline into the municipalities of St. John and St. Thomas: *And provided further,* That the same shall not apply to any transfer to or for the account of the Army, Navy, Marine Corps, Coast Guard or Maritime Commission of the United States.

(c) *Permitted transfers.* The use of gasoline ration coupons is temporarily suspended in the municipalities of St. John and St. Thomas. Transfers of gasoline may be made only upon written authorization of the Director of the Office of Price Administration to provide for the maintenance of such public, governmental or other necessary services as, in his discretion are essential to the public health, safety or the war effort.

(d) *Inventory.* Every gasoline dealer in the municipalities of St. John and St. Thomas shall file forthwith with the Office of Price Administration a sworn statement showing his gasoline inventory on the effective date of this order.

(e) *Violations.* Any person who violates this Gasoline Rationing Emergency Order No. 2 may be prohibited by the Director of the Office of Price Administration for the Virgin Islands from receiving any deliveries of or selling or otherwise disposing of gasoline, for such period as, in the discretion of the Director is necessary to permit the efficient

rationing of gasoline in the Virgin Islands.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal to the Director in St. Thomas, orally or in writing, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director of the Office of Price Administration may thereupon take such action as he deems appropriate.

(g) *Scope.* The provisions of this Gasoline Rationing Emergency Order No. 2 shall apply to the municipalities of St. John and St. Thomas, Virgin Islands of the United States, only.

(h) *Effective date.* This order shall become effective at five (5) o'clock post meridian, April 9, 1943, and shall continue in full force and effect until rescinded.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir. 1, Supp. Dir. 1–J [as amended) O.P.A. Administrative Order No. 19 (as amended); 7 F.R. 562)

Issued this 9th day of April 1943.

WILLIAM H. DEAN,
Acting Territorial Director,
Virgin Islands.

[F. R. Doc. 43–6282; Filed, April 22, 1943; 4:00 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 2 to Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (f) is added to read as follows:

(f) The following are the periods referred to in sections 2.3 (b) and 10.4 (g) of Ration Order 16, during which red stamps may be used by consumers:

Stamps lettered:	*Time when they may be used (inclusive)*
E	April 25, 1943 to May 31, 1943.
F	May 2, 1943 to May 31, 1943.
G	May 9, 1943 to May 31, 1943.
H	May 16, 1943 to May 31, 1943.
J	May 23, 1943 to May 31, 1943.

This amendment shall become effective at 12:01 a. m. April 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1–M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6281; Filed, April 22, 1943; 4:00 p. m.]

[1] 8 F.R. 3591, 3715, 3949, 4137, 4350, 4423, 4721, 4784, 4893, 4967.

PART 1429—POULTRY AND EGGS

[Revised MPR 269[1] Amendment 8]

POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 1429.4 (a) is amended to read as follows:

(a) Every seller and purchaser subject to this Revised Maximum Price Regulation No. 269 making sales or deliveries or purchases of poultry items to the value of $200.00 or more in any one month, after December 21, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect a complete and accurate record of each sale or delivery of poultry items, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities, types, grades, weight classes of poultry bought and sold, the number of head of each type, grade, and weight class of poultry bought and sold, the type of sale made (delivered or nondelivered), and the price paid or received.

2. Section 1429.4 (b) is amended to read as follows:

(b) Every person shipping live poultry by freight car, truck, or any other means of transport, from one place to another, shall post within such freight car, truck, or other means of transport, a manifest showing the place from which such poultry items were shipped, the name and address of the seller or sellers, the quantities, types, grades, weight classes of poultry bought and sold, the number of head of each type, grade, and weight class of poultry bought and sold, and the price paid.

3. A new § 1429.4 (c) is added to read as follows:

(c) Every seller and purchaser subject to this regulation shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

4. Section 1429.19 (a) is amended to read as follows:

(a) Every place in the United States shall have its own maximum base price for the poultry items listed in Table A of this section.

(1) The word "place" means any city, town, village, hamlet, or any unincorporated area in the United States where the purchase and sale of any poultry item occurs.

(2) Every unincorporated area in the United States which is not a city, town, village, or hamlet shall have as its maximum base price for the poultry items listed in Table A of this section the same price as is established for the city, town, village, or hamlet nearest to such unincorporated area.

5. Section 1429.19 (b) is amended to read as follows:

(b) The United States shall be divided into an "Eastern zone" and a "Western zone" for the purpose of calculating maximum base prices for poultry items.

(1) The "Eastern zone" shall consist of the Counties of Milwaukee, Racine, and Kenosha in the State of Wisconsin, the Counties of Cook, Lake, and Du Page, in the State of Illinois, and all of the United States east of the line running south from the Canadian border along the eastern shore of Lake Michigan, the Illinois-Indiana State Line, the Illinois-Kentucky State Line, and then south along the eastern bank of the Mississippi River to the Gulf of Mexico.

(2) The "Western zone" shall consist of all of the United States west of the above line, excluding the Counties of Milwaukee, Racine, and Kenosha in the State of Wisconsin, and the Counties of Cook, Lake, and Du Page in the State of Illinois.

6. Section 1429.19 (d) is amended to read as follows:

(d) *Maximum base prices for live duck items.* (1) The maximum base price for any live duck item purchased, sold, or delivered at any place in the United States shall be 25 cents per pound.

7. Section 1429.19 (g) (4) is added to read as follows:

(4) The maximum base price for any live broiler item weighing less than 2¼ pounds, produced and purchased, sold, or delivered at any place in the States of Washington, Oregon, California, Nevada, and Arizona, for ultimate consumption at any place in such States shall be 30 cents per pound.

8. Section 1429.19 (g) (5) is added to read as follows:

(5) The maximum base price for any dressed, drawn, or quick-frozen eviscerated broiler item weighing less than 2 pounds dressed, and less than 1¼ pounds drawn or quick-frozen eviscerated, produced and processed and purchased, sold or delivered at any place in the State of Washington, Oregon, California, Nevada, and Arizona, for ultimate consumption at any place in such States shall be as follows:

	Cents per pound
Dressed	38.0
Kosher-killed	38.0
Kosher-dressed and plucked	39.5
Drawn	51.5
Quick-frozen eviscerated	59.5

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2289, 3316, 3419, 3792.

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9. Section 1429.19 (h) (1) is amended to read as follows:

(h) *Maximum base prices for poultry items in the basing point cities.* (1) The "Eastern zone" basing point city for all poultry items designated below, excluding duck items, is Chicago. The "Western zone" basing point cities for all poultry items designated below, excluding duck items, are New York, Los Angeles, San Francisco, Seattle, and Portland, Oregon. The "Eastern zone" basing point city for all dressed, drawn, and quick-frozen eviscerated duck items designated below is New York. The "Western zone" basing point cities for all dressed, drawn, and quick-frozen eviscerated duck items designated below are Chicago, New Orleans, Los Angeles, San Francisco, Seattle, and Portland, Oregon.

The following maximum base prices are for poultry items as designated below delivered to the buyer's customary receiving point at the basing point cities listed immediately below:

(i) *Grade "A" poultry items.*

TABLE A

Food products: Type	Weight: Live-weight	Weight: Kosher-killed, Kosher-dressed, and dressed weight	Weight: Quick-frozen eviscerated, and drawn weight	Eastern zone basing-point city: Chicago: Live	Chicago: Dressed—Kosher-killed	Chicago: Kosher-dressed and plucked	Chicago: Drawn	Chicago: Quick-frozen eviscerated	Western zone basing-point cities: New York: Live	New York: Dressed—Kosher-killed	New York: Kosher-dressed and plucked	New York: Drawn	New York: Quick-frozen eviscerated	Pacific Coast—Los Angeles, San Francisco, Seattle, and Portland: Live	Pacific Coast: Dressed—Kosher-killed	Pacific Coast: Kosher-dressed and plucked	Pacific Coast: Drawn	Pacific Coast: Quick-frozen eviscerated
Broilers and fryers	under 4	under 3½	under 2½	27.5	34.0	35.5	46.5	53.5	28.5	35.0	36.5	47.5	54.5	29.0	35.5	37.0	48.0	55.0
Roasters	4 and over	3½ and over	2½ and over	27.5	34.0	35.5	44.5	50.5	28.5	35.0	36.5	45.5	51.5	29.0	35.5	37.0	46.0	52.0
Capons:																		
Light	under 6	under 5½	under 4½	27.5	34.0	35.5	44.5	50.5	28.5	35.0	36.5	45.5	51.5	29.0	35.5	37.0	46.0	52.0
Heavy	6 and over	5½ and over	4½ and over	31.0	37.0	38.5	47.0	52.0	32.0	38.0	39.5	48.0	53.0	32.5	38.5	40.0	48.5	53.5
Fowl	all weights	all weights	all weights	24.0	30.0	31.5	40.0	45.0	25.0	31.0	32.5	41.0	46.0	25.5	31.5	33.0	41.5	46.5
Stags and Old Roosters	all weights	all weights	all weights	20.0	25.5	27.0	34.0	34.0	21.0	26.5	28.0	35.0	35.0	21.5	27.0	28.5	35.5	35.5
Geese	all weights	all weights	all weights	25.0	29.0	30.5	42.5	45.5	26.0	30.0	31.5	43.5	46.5	26.5	30.5	32.0	44.0	47.0
Young Turkeys:																		
Light	under 18	under 16	under 13	35.0	39.0	40.5	50.0	53.0	36.0	40.0	41.5	51.0	54.0	35.0	39.0	40.5	50.0	53.0
Medium	18 to 22	16 to 20	13 to 16½	33.5	37.5	39.0	47.5	50.5	34.5	38.5	40.0	48.5	51.5	33.5	37.5	39.0	47.5	50.5
Heavy	22 and over	20 and over	16½ and over	32.5	36.5	38.0	45.5	48.5	33.5	37.5	39.0	46.5	49.5	32.5	36.5	38.0	45.5	48.5
Old Turkeys:																		
Light	under 18	under 16	under 13	33.0	37.0	38.5	48.0	51.0	34.0	38.0	39.5	49.0	52.0	33.0	37.0	38.5	48.0	51.0
Medium	18 to 22	16 to 20	13 to 16½	31.5	35.5	37.0	45.5	48.5	32.5	36.5	38.0	46.5	49.5	31.5	35.5	37.0	45.5	48.5
Heavy	22 and over	20 and over	16½ and over	30.5	34.5	36.0	43.5	46.5	31.5	35.5	37.0	44.5	47.5	30.5	34.5	36.0	43.5	46.5

FOOD PRODUCT: DUCKS—ALL WEIGHTS

Basing-point cities	Live	Dressed	Kosher-killed	Kosher dressed and plucked	Drawn	Quick-frozen eviscerated
Eastern Zone—New York	[1]25.0	27.0	[1]28.0	[1]30.0	38.5	41.5
Western Zone:						
Chicago	25.0	28.0	[1]28.0	[1]30.0	39.5	42.5
New Orleans	25.0	28.4	[1]28.0	[1]30.0	39.9	42.9
Pacific Coast: Los Angeles, San Francisco, Seattle, and Portland	[1]25.0	29.0	[1]28.0	[1]30.0	40.5	43.5

[1] These are maximum base prices at all places in the United States.

10. Section 1429.19 (h) (1) (i) (*a*) is added to read as follows:

(*a*) For a period of 69 days, to and including the 30th day of June, 1943, any person who on the 22d day of April 1943, owned and was in possession of any of the dressed or quick-frozen eviscerated poultry items listed immediately below in Temporary Table A–1, and who prior to the 7th day of May 1943, filed with his Regional or State O. P. A. Office, a complete inventory in triplicate showing the quantities, types, grade, and weight classes of such dressed or quick-frozen eviscerated poultry items owned by him, may sell and deliver such dressed or quick-frozen eviscerated poultry items at the maximum base prices established in Temporary Table A–1 immediately below, and may, if qualified to do so by the provisions of § 1429.21 of this regulation, add to such maximum base prices the proper permitted increase established for such person in § 1429.21, Table B.

For a period of 69 days, to and including the 30th day of June, 1943, any purchaser who purchases any of the dressed or quick-frozen eviscerated poultry items listed immediately below in Temporary Table A–1, at the maximum base prices established in such table, from any seller authorized by the provisions of this § 1429.19 (h) (1) (i) (*a*) to sell at such maximum base prices, may resell such dressed or quick-frozen eviscerated poultry items at the maximum base prices established in Temporary Table A–1, and may, if qualified to do so by the provisions of § 1429.21 of this regulation, add to such maximum base prices the proper permitted increase established for such purchaser in § 1429.21, Table B. *Provided:* That, such purchaser file with his Regional or State O. P. A. Office, at the time of purchase, a statement in triplicate showing the quantities, types, grades, and weight classes of dressed or quick-frozen eviscerated poultry items purchased by him, the price paid for each such poultry item, the date of the purchase, and the name and address of the seller.

TEMPORARY TABLE A–1

[The prices established in this table shall remain in effect for a period of 69 days, to and including the 30th day of June 1943. Thereafter, these prices shall be replaced by those established in Table A of this section. These prices do not apply to any poultry items dressed, processed, or quick-frozen eviscerated after the 22d day of April 1943]

Food products—type	Weight: Dressed weight	Weight: Quick-frozen eviscerated weight	Eastern zone basing-point city: Chicago: Dressed	Chicago: Quick-frozen eviscerated	New York: Dressed	New York: Quick-frozen eviscerated	Western zone basing-point cities—Pacific Coast: Los Angeles, San Francisco, Seattle, and Portland: Dressed	Pacific Coast: Quick-frozen eviscerated
Roasters:								
Light	3½ to 5	2½ to 3¾	35.5	54.5	36.5	55.5	37.0	56.0
Heavy	5 and over	3¾ and over	37.5	56.0	38.5	57.0	39.0	57.5
Stags:								
Light	Under 5	Under 3¾	30.5	47.5	31.5	48.5	32.0	44.0
Heavy	5 and over	3¾ and over	32.0	48.5	33.0	49.5	33.5	45.0
Capons:								
Light	Under 7	Under 5	39.5	61.0	40.5	62.0	41.0	62.5
Heavy	7 and over	5 and over	40.5	61.5	41.5	62.5	42.0	63.0
Fowl:								
Medium		2½ to 3¾		47.5		48.5		49.0
Heavy		3¾ and over		47.0		48.0		48.5
Old roosters:								
Light		Under 3¾		36.0		37.0		37.5
Heavy		3¾ and over		36.5		37.5		38.0

11. Section 1429.19 (h) (1) (ii) is amended to read as follows:

(ii) *Grade "B" poultry items.* All Grade "B" poultry items, except Grade "B" dressed duck items, shall be 1½ cents per pound less in price than the corresponding Grade "A" poultry items listed above. All Grade "B" dressed duck items shall be the same price as Grade "A" duck items.

12. Section 1429.19 (i) (3) is amended to read as follows:

(3) "Drawn poultry" means dressed poultry from which the head, shank, crop, entrails, and gall bladder have been wholly removed without contamination of the body cavity, the gizzard has been cleaned by removing the contents and lining, the cleaned gizzard and heart and liver then being included with the carcass. Dressed poultry not drawn as herein described shall be sold at the prices established for dressed poultry.

13. Section 1429.19 (i) (4) is amended to read as follows:

(4) "Quick-frozen eviscerated poultry" means dressed poultry the exterior of which has been singed, from which the head, shank, crop, windpipe, esophagus, entrails, gall bladder, lungs, kidneys and oil sac have been wholly removed under the supervision of a federal inspector present at all stages of evisceration, the giblets of which have been cleaned and replaced, and the carcass and giblets of which have been subjected to a cleansing process which makes them ready to cook, the whole then being individually wrapped or packaged in carcass, split, or dismembered forms, packed in cartons or boxes, and frozen at quick-freezing temperatures. Dressed poultry not eviscerated as herein described shall be sold at not more than the maximum prices established for drawn poultry.

14. Section 1429.20 is amended to read as follows:

§ 1429.20 *Application of maximum base prices.* The maximum base prices for poultry items established in § 1429.19 of this regulation apply to all persons purchasing or selling or delivering such poultry items as follows:

(a) The maximum base price for live poultry items shall be the maximum base price at the place where the seller parts with physical possession of such live poultry items. The weight of such live poultry items shall be determined at the time when the seller parts with physical possession.

EXAMPLE. A trucker purchases 100 live broilers from a producer; the trucker takes physical possession of the broilers at the producer's place of business which is in an unincorporated area, and loads the live broilers onto his truck. The maximum base price which the producer may charge and which the trucker may pay is the maximum base price established for the producer's place of business which is the same as that established for the city, town, village, or hamlet nearest such unincorporated area.

The same trucker hauls the live broilers to the county seat for sale at the local market. Here he has his broilers auctioned off to buyers from Pittsburgh, Cleveland, and Detroit. These buyers load the broilers onto their trucks immediately after the auction. The trucker's maximum base price is the maximum base price established for the local market.

A trucker, or farmer, or shipper receives a telephone call from a New York wholesaler ordering 10,000 pounds of fryers. The live fryers are loaded onto the seller's trucks and hauled to the nearest railroad station, where the birds are then loaded onto a fright car. The maximum base price for such a sale is the maximum base price established for the city, town, village, or hamlet in which the railroad freight station is located.

(b) The maximum base price for dressed poultry items shall be the maximum base price at the seller's shipping point in the following instances:

(1) All sales by "wholesalers" as hereinafter defined in § 1429.21, in quantities of less than 10,000 pounds to any type of buyer.

(2) All sales to the United States Government or any agency thereof by any type of seller.

(3) All sales by a producer or processing plant at retail to an ultimate consumer other than a commercial, institutional, industrial, or governmental user.

(c) In all other cases, the maximum base price for dressed poultry items shall be the maximum base price at the buyer's customary receiving point. All sales of dressed poultry, other than those specified in paragraph (b) immediately above, shall be made on the basis of delivery to the buyer's customary receiving point, and the maximum base prices established for those places where the seller's shipping points are located shall not be applicable in such sales.

(1) Where any person purchases any dressed poultry item at one place for shipment or reshipment to another place, his customary receiving point shall be the place where shipment ends and not the place where shipment begins.

(2) All f. o. b. prices for dressed poultry sales, other than those specified in paragraph (b) immediately above, shall be calculated in relationship to the maximum base prices at the buyer's customary receiving point. Where any person purchases or sells any dressed poultry item at one place for shipment to another place at a price f. o. b. the seller's shipping point, he shall calculate his maximum f. o. b. price as follows:

(i) He shall first determine the maximum base price for such poultry item at the place to which it will be shipped; and

(ii) He shall then subtract from such base price his "freight rate" from the place where shipment begins to the place where shipment ends, and the difference so obtained shall be his maximum selling f. o. b. price for such poultry item.

(3) Except as provided for in paragraph (b) of this section, where any person purchases any dressed poultry item at one place for shipment or reshipment to another place, and at the time of purchase does not know the exact location of the place to which shipment shall be made, he shall purchase on an open price basis until such time as he ascertains the location of the place to which shipment shall be made, and thereafter shall calculate his maximum purchase price as follows:

(i) He shall first determine the maximum base price for such poultry item at the place to which it will be shipped; and

(ii) He shall then subtract from such base price his "freight rate" from the place where shipment begins to the place where shipment ends, and the difference so obtained shall be his maximum purchase price for such poultry item.

Provided, That nothing in this subparagraph (3) shall prevent any purchaser from making part payment for such poultry item in an amount not to exceed 85 percent of the maximum base price for such poultry item at the seller's shipping point at any time before such purchaser ascertains the location of the place to which shipment shall be made.

(d) The following exceptions are provided to paragraph (c) of this section:

(1) When any person sells any turkey item to a purchaser who cans boned turkey meat for sale to the United States Government or any agency thereof, he may sell at his maximum base price f. o. b. his shipping point without subtracting his "freight rate" from the place where shipment begins to the place where shipment ends:

Provided, That:

(i) The turkey items sold must be destined exclusively for processing into canned boned turkey meat, all of which must be sold and delivered to the United States Government, or any agency thereof, and

(ii) At the time of purchase, the purchaser of such turkey items must file with the seller and with the seller's Regional or State OPA Office an affidavit certifying that such purchaser has completely exhausted his own stocks of roaster, fowl, and turkey items suitable for processing into canned boned turkey meat.

(2) For a period of 69 days, to and including the 30th day of June, 1943, any person in the State of Utah may sell and deliver any poultry item produced in the State of Utah to any "wholesaler", individual retail store, or ultimate consumer including commercial, industrial, institutional, or governmental users, located at any place in the States of Idaho, Montana, and Wyoming, at the seller's maximum base price f. o. b. his shipping point without subtracting his "freight rate" from the place where shipment begins to the place where shipment ends:

Provided, That:

(i) The poultry items sold must be destined exclusively for ultimate consumption at any place in the States of Idaho, Montana, and Wyoming.

(e) The maximum base prices for poultry items established in § 1429.19 of this regulation are the maximum base prices to which the specified permitted increases listed in § 1429.21 below may be added.

15. The text of § 1429.21 (a) is amended and item (1a) is added to Table B of § 1429.21 (a) to read as follows:

(a) *Permitted increases which may be added to maximum base prices.*—(1) *Permitted increase for transporting live poultry.* (i) Any person who transports live poultry items for a distance of more than 30 miles to any city, town, or village where such poultry items are destined for ultimate consumption, may sell or deliver such live poultry items to any "wholesaler", individual retail store, or any ultimate consumer, including commercial, industrial, institutional, or governmental users, located in such city, town, or village, at the maximum base price established for such city, town, or village in § 1429.19 (h) (1) Table A, of this Regulation, plus the following permitted increases in cents per pound:

Shortest distance in road miles or railroad miles from the place where transport of live poultry begins to place where such transport ends:	*Maximum permitted increase in cents per pound.*
Less than 30 miles	No increase.
30 to 50 miles	¾ cent.
50 to 100 miles	1 cent.
100 to 150 miles	1¼ cents.
150 to 200 miles	1½ cents.
200 to 250 miles	1¾ cents.
250 to 300 miles	2 cents.
300 miles and over	2 cents.

(ii) Only one permitted increase for transporting live poultry items may be added to the maximum base price for such live poultry items at any city, town, or village where such live poultry items are destined for ultimate consumption. Permitted increases for transporting live poultry items may not be added cumulatively.

(iii) *Examples.* (a) A Delaware producer hauls a truckload of live broilers 35 miles to Wilmington, where he sells the entire load to a trucker who will haul them alive to New York. Question: May the producer add the permitted increase of ¾ cent per pound to the maximum base price for live broilers in Wilmington?

Answer: No, because Wilmington is not the city where the broilers are destined for ultimate consumption. Furthermore, the trucker does not fall within the class of buyers who may be charged with the permitted increase.

(b) A trucker hauls a truckload of live poultry 60 miles to a country dressing plant. He offers this truckload of live poultry for sale at the maximum base price at the country dressing plant plus 1 cent per pound for hauling. Question: May the trucker charge the 1 cent permitted increase?

Answer: No, because the country dressing plant is not the place where the poultry is destined for ultimate consumption. Furthermore, the country dressing plant does not fall within the class of buyers who may be charged with the permitted increase.

(c) A trucker hauls a truckload of live poultry 500 miles to New York City. He sells this truckload to a New York City "wholesaler" who resells such live poultry to New York City retailers.

Question: May the trucker add the 2 cent permitted increase to his maximum base price for the live poultry in New York City?

Answer: Yes, because he is selling the live poultry in the city where the poultry is destined for ultimate consumption, and because he is selling to a "wholesaler".

(d) A trucker hauls a truckload of live poultry 500 miles to Chicago, Illinois. He sells this truckload to a Chicago processing plant which does not qualify as a "wholesaler" under the definition of § 1429.21 (b) (5) of this regulation. This processing plant will convert the live poultry into dressed birds, some of which it will sell for ultimate consumption in Chicago, and most of which it will export out of the city. Question: May the trucker add the 2 cent permitted increase to his maximum base price for the live poultry in Chicago?

Answer: No, because he is selling to a processing plant which does not fall within the class of buyers who may be charged with the permitted increase, and because Chicago is not the city where most of the live poultry will be ultimately consumed.

(e) A trucker hauls a truckload of live poultry 500 miles to Chicago, Illinois. He sells this truckload to a Chicago "wholesaler" who will convert the live poultry into dressed birds, most of which he will sell for ultimate consumption in Chicago, and some of which he will export out of the city. Question: May the trucker add the 2 cent permitted increase to his maximum base price for the live poultry in Chicago?

Answer: Yes, because he is selling to a "wholesaler" who is processing most of the live poultry for ultimate consumption in Chicago. When any live poultry items are purchased by a processing plant which also qualifies as a "wholesaler" it will be assumed that such live poultry items are being purchased for ultimate consumption in the city where the "wholesaler" is located.

(f) A trucker hauls a truckload of live poultry 500 miles to Chicago, Illinois. He sells this truckload to a Chicago "wholesaler" who will convert all the live poultry into dressed birds to be sold for ultimate consumption in Chicago. The Chicago "wholesaler" pays the trucker the maximum base price for the live poultry in Chicago plus the 2 cent permitted increase for hauling. Question: May the Chicago "wholesaler" add the 2 cent permitted increase paid out by him to the trucker, to the maximum base price for dressed poultry items in Chicago, when he sells such dressed poultry items?

Answer: No. The permitted increase for transporting live poultry items may never be added to the maximum base price for dressed poultry items, notwithstanding the fact that the person selling such dressed poultry items may have originally paid such permitted increase to a transporter of live poultry.

(2) *Other permitted increases to maximum base prices.* (i) Any person who makes any one of the following described sales of poultry items may add the increase indicated below for such sale to the maximum base price indicated below for such sale in order to determine his maximum selling price. No person may add more than one permitted increase to any maximum base price.

TABLE B—MAXIMUM PERMITTED INCREASES FOR SALES OF POULTRY ITEMS

Seller and type of sale made	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in cents per pound for "wholesaler" and "hotel supply house" only		
					Non-delivered sales	Delivered within 25 miles	Delivered beyond 25 miles
					Cts.	*Cts.*	*Cts.*
(1a) All "wholesalers" who buy live poultry items, and sell such live poultry items, and who have paid out a permitted increase for transporting such live poultry items to any live poultry transporter.	All "wholesalers" individual retail stores, or commercial, industrial, or governmental users located in the city, town, or village, where the seller maintains his place of business.	Less than 10,000 lbs.	Any live poultry item.	Maximum base price at seller's shipping point, plus actual permitted increase paid out by seller to live poultry transporter for transporting live poultry items, in a sum not to exceed 2¢ per lb.	1½	1¾	2

16. Section 1429.21 (b) (5) (iv) is amended to read as follows:

(iv) He must customarily sell or distribute at least 75 percent of his dollar volume of poultry items, exclusive of sales to the United States Government or agency thereof, for ultimate consumption within a radius of 100 miles from his place of business: *Provided*, That: If he maintains his business establishment at any place in the States of Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, California, Oregon, and Washington, he must customarily sell or distribute at least 75 percent of his dollar volume of poultry items, exclusive of sales to the United States Government or agency thereof, for ultimate consumption within a radius of 200 miles from his place of business.

17. Section 1429.23 is added to read as follows:

§ 1429.23 *Relief from extreme hardship in certain cases.* (a) Any person who purchased for resale any dressed or quick-frozen eviscerated turkey item during the period, November 9, 1942 to

December 18, 1942, inclusive, and retains such turkey item in his possession upon the date of issuance of this amendment may, if he believes that resale of such turkey items remaining in his possession at prices within the maximum prices established by this amendment will impose unreasonable and extreme hardship upon him, apply in writing to the Regional Administrator having jurisdiction of the area in which such person's place of business is located for an adjustment of the maximum prices at which he may sell such turkey items.

(b) Such application to the Regional Administrator shall contain the following:

(1) Applicant's name and address.

(2) The date(s) of purchase by applicant.

(3) The name(s) and address(es) of seller(s) to applicant.

(4) The quantities, grades, and weight classes of the turkey items bought by applicant during such period, and the prices paid.

(5) The time(s) of delivery of such turkey items.

(6) The quantities, grades, weight classes, and number of head of such turkey items remaining in applicant's possession and their location on the date of the application.

(7) The quantities, grades, weight classes, and number of head proposed to be sold by the applicant.

(8) The name(s) and address(es) of the proposed purchaser(s).

(9) The prices proposed to be paid and received for such turkey items.

(10) The facts constituting unreasonable and extreme hardship.

Upon consideration of such application, the Regional Administrator may grant in writing an adjustment of the maximum prices of such turkey items for the particular sale(s): *Provided*, That such maximum prices shall not exceed the maximum prices permitted under applicable maximum price regulations at the time the applicant received possession of the turkey items, to which may be added the monthly adjustments provided in § 1429.19 (b) (1) (iv).

This amendment shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER C. DAVIS,
Administrator, Food Production and Distribution.

[F. R. Doc. 43-6273; Filed, April 22, 1943; 12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 382 Under § 1499.3 (b) of GMPR]

W. E. CHAMBERS

Correction

In § 1499.1869 (a) of the document appearing on page 4791 of the issue for Tuesday, April 13, 1943 the second item in the table should read:

Chambers Dehydrated Sweet Potato Powder, one-half pound jars, $0.32.

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 372 Under § 1499.3 (b) of GMPR]

GROCERY PRODUCTS MANUFACTURING CORP.

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. 372 is amended in the following respects:

1. Section 1499.1859 (b) is amended to read as follows:

(b) The wholesale grocers' maximum price for sliced dehydrated mushrooms packed in six gram laminated glassine bags, 24 to a case by Grocery Products Manufacturing Corporation, Mushroom Division shall be $2.60 per case of 24 six gram bags.

2. Section 1499.1859 (c) is amended to read as follows:

(c) Retail grocers' maximum price for sliced dehydrated mushrooms packed in six gram laminated glassine bags, 24 to a case by Grocery Products Manufacturing Corporation, Mushroom Division shall be $.15 per six gram bag.

3. Section 1499.1859 (g) is added to read as follows:

(g) On and after April 24, 1943, the Grocery Products Manufacturing Corporation, Mushroom Division shall notify wholesalers that they are authorized to establish a maximum price of $2.60 per case of 24 for sliced dehydrated mushrooms packed in six gram laminated glassine bags and that retailers are authorized to establish a maximum price of $.15 per six gram bag.

This amendment shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6311; Filed, April 23, 1943; 11:19 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12, Amendment 29]

COFFEE RATIONING REGULATIONS

Correction

The bracketed head of the document appearing on page 4892 of the issue for Thursday, April 15, 1943, should read as above, "RO 12, Amendment 29."

PART 1499—COMMODITIES AND SERVICES

[Order 230 Under § 1499.18 (b) of GMPR]

KEYSTON BROS.

Correction

In § 1499.1830 of the document appearing on page 4967 of the issue for Saturday, April 17, 1943, the 72d item should read "1631 Throat latch------$2.07 doz.", the 78th item should read "1647 Cow bell straps------$1.59 doz.", the 79th item should read "1648 Plow bellybands------$9.20 doz.".

PART 1499—COMMODITIES AND SERVICES

[Order 396 Under § 1499.3 (b) of GMPR]

CUPRINOL INCORPORATED

Correction

In § 1499.1883 (e) of the document appearing on page 4931 of the issue for Friday, April 16, 1943, the cents per one-ounce bottle in the first paragraph of the notice to wholesalers should be "30 cents". In the second paragraph of the notice, the cents per one ounce bottle should be "36 cents".

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

BLOCK ISLAND SOUND, N. Y., RESTRICTED AREA

Pursuant to the provisions of Chapter XIX of the Army Act approved July 9, 1918 (40 Stat. 892; 33 U. S. C. 3) a portion of Block Island Sound and Fort Pond Bay at the United States Naval Torpedo Testing Range, Montauk, Long Island, New York, is hereby defined and established as a restricted area, and the following regulations relating thereto are hereby adopted:

§ 204.12 *Block Island Sound; Restricted Area, Naval Torpedo Testing Range, Fort Pond Bay, Montauk, L. I., N. Y.*—(a) *The area.* The restricted area is bounded by a line beginning at the flashing red light at Montauk West Jetty and running northeasterly to Shagwong Reef Lighted Bell Buoy "7 SR"; thence northerly to Cerberus Shoal Lighted Whistle Buoy "9"; thence westerly to a point in latitude 41°09'10" North, longitude 72°06' West, on a line running from Cerberus Shoal Lighted Whistle Buoy "9" to Gardiners Island Lighted Buoy "1GI"; thence southeasterly to a point in latitude 41°02'54" North, longitude 71°59'25" West, on Rocky Point. The southern boundary of the restricted area shall be the shore line between the termini of the east-west boundaries.

(b) *The regulations.* (1) No vessel shall enter or navigate that part of the restricted area in Fort Pond Bay inside of a line drawn from a point in latitude 41°02'54" North, longitude 71°59'25" West, on Rocky Point to a point in latitude 41°04'12" North, longitude 71°57'38" West, on Culloden Point, except that commercial craft may enter from or depart to the eastward by navigating close to the shore line, but shall not navigate westward of "Duryea's Wharf". Such navigation will proceed at its own risk. All other waters of the restricted area shall be open to navigation except at such times as the torpedo testing range is in actual operation.

(2) During such times as the torpedo testing range is in actual operation, all traffic within the restricted area is prohibited, except as provided in subparagraph (1) of this section.

(3) Notice that the torpedo testing range is in operation will be given by range boats which will warn all traffic.

(4) These regulations shall be enforced by the Captain of the Port and Commandant, Third Naval District, through such officers and personnel as may be assigned thereto, including the Inspector of Ordnance in Charge, Naval Torpedo Testing Range, Montauk, Long Island, New York. (40 Stat. 892; 33 U.S.C. 3) [Regs. April 16, 1943. (CE 800.2121 (Block Island Sound, L. I., N. Y.)–SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-6279; Filed, April 22, 1943; 3:32 p. m.]

PART 206—FISHING AND HUNTING REGULATIONS

FISHING IN CHESAPEAKE BAY, MD. AND VA.

Pursuant to the provisions of section 10 of the River and Harbor Act approved March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403), the regulations governing the placing and maintenance of fishing structures in Chesapeake Bay and its tributary waters are amended to read as follows:

§ 206.50 *Chesapeake Bay, Md. and Va., and its tributary waters; fishing.* Until further notice all fishermen, oystermen and crabbers who desire to operate in Chesapeake Bay, Maryland and Virginia, and navigable tributaries thereto,[1] are hereby authorized by the Secretary of War to construct and maintain fishing structures, to mark oyster bottoms and to locate and mark crab pots subject to the following regulations.

(a) *Supervision.* General supervision of the location, construction and manner of maintenance of all fishing structures shall be exercised by the United States District Engineer in charge of the locality in which the structure is placed. The term "fishing structure" shall include lines of fish net, settings, stakes, leads, traps, pounds, gill or fyke nets, heads, hedging, oyster bottom, crab pot markers, and similar appurtenances. The types of structures permitted shall conform to the laws of the respective States of Maryland and Virginia.

(b) *Limits.* The approved limits of the areas within which fishing structures may be placed are shown on maps entitled, "Limits for Placing Fishing Structures" which form a part of these regulations. These maps may be examined or purchased in the offices of the respective United States District Engineers. Regular aids to navigation are used where possible to mark the limits of the areas, and special fishing structure buoys have been established where additional markers are necessary. These buoys are marked as follows:

For the Baltimore District, B_1, B_2, B_3, B_4, etc.

For the Washington District, W_1, W_2, W_3, W_4, etc.

For the Norfolk District, N_1, N_2, N_3, N_4, etc.

(c) *Restrictions.* (1) The approach to the mouth of any tributary or to the mouth of any navigable branch of any tributary shall be left free and unobstructed by fishing structures. Where limiting lines are not shown on the respective maps, the free and unobstructed approach shall lie along the channel usually followed by boats and shall have a width of not less than one-third of the width of the mouth of the tributary or branch.

(2) Within the tributaries where limiting lines are not shown on maps a channel in deep water, of at least one-third of the total width of the waterway at the locality, shall be left free and unobstructed for the use of boats.

(3) No fishing structures shall be placed within 500 feet of any buoy or other aid to navigation (fishing structure buoys excepted) placed or maintained by the United States Coast Guard, or within 200 feet of the edges of channels in Northeast River and Elk River, Maryland, which are marked by established aids to navigation.

(4) Nothing in these regulations shall supersede any danger zone regulations prescribed by the Secretary of War for these waters. (See Part 204, Chapter II of this Title—Rules and Regulations Relating to the Navigable Waters of the United States.) Copies of these regulations can be secured from the United States District Engineer in charge of the locality in question or from the Commanding Officer of the establishment concerned.

(d) *Requirements.* (1) No single fishing structure shall have a length greater than that prescribed by the laws of the respective States of Maryland and Virginia. Fishing structures shall be construed as being in the same line only when the distance between adjacent structures, measured along a line generally parallel to the structures, is at least 200 feet; and the distance between the same structures, measured along a line generally perpendicular to the structures, is not more than 200 feet. The required openings between adjacent structures shall be maintained clear and unobstructed. The distance between adjacent lines of fishing structures shall be that prescribed by the laws of the respective States of Maryland and Virginia. In localities not covered by the laws of these States, the distance between lines of fishing structures shall be at least 400 yards. A clear fairway at least 200 feet wide shall be maintained between navigable channels and established boat landings. All stakes shall project at least 3 feet above the surface of the water at all ordinary high stages of the tide. Fyke and other submerged fishing structures shall be marked by stakes set at intervals not greater than 50 feet. Marker stakes left in place between fishing seasons for subsequent reestablishment of the fishing structure shall project at least 8 feet above the surface of the water at all ordinary high stages of tide and be marked as indicated in subparagraphs (2) and (3) of this paragraph. Stakes not in compliance with the above conditions shall be spliced or withdrawn.

(2) Both ends of each fishing structure shall be marked plainly by a bush or other suitable and readily discernible day mark.

(2) The name and address of the owner of each fishing structure shall be displayed in black letter not less than 2 inches in height, upon a white background, from a stake at the outer end of the structure, at such height and in such position that it may be easily read. The identification mark must be displayed from the setting of the first stake until removal of the last one.

(4) Fishing structures, with the exception of oyster bottom leaseholds and crab pot markers, shall be lighted between sunset and sunrise, by and at the expense of the owner, for the safety of navigation. A white light shall be displayed at the outer end of the structure. The light shall have a capacity to burn for at least eight days unattended and be visible in clear night weather at least one mile. The light shall be securely placed on piles or stakes at an elevation of at least 8 feet above mean low water and be visible from all points of the compass and from the air. It shall be subject to inspection and approval of the said District Engineer before use, and at any time during use, and the owner shall make provision, by watchman or otherwise, for its proper attendance, so that it shall be in effective condition and properly lighted at all times between sunset and sunrise. In case of removal of the fishing structure, the light prescribed above shall be maintained until the removal of the last pile or stake.

There shall be installed and maintained on the structure by and at the expense of the owner, such additional lights and signals, if any, as may be prescribed by the United States Coast Guard.

Fishing structures from which the nets have been temporarily removed will not be considered as abandoned if the structures are otherwise in a state of good repair and are provided with the necessary lights, name and address plate, and day markers.

(5) Crab pot stake markers shall be located shoreward of approved fish stake limiting lines and where no limit lines are prescribed shall conform to the requirements of paragraph (c) of this section. The diameter of the stake shall not exceed 2 inches at the water surface, shall project at least 6 feet above the surface of the water at all ordinary high stages of the tide and be marked with the name and adress of the owner and a day marker consisting of a bush or other suitable and readily discernible object.

(6) Oyster ground or bottom leaseholds stakes shall be painted with alternate horizontal stripes red and white bands each 10 inches wide. At least two

[1] Map filed as part of the original document.

each of the red and white bands shall project above the surface of the water at all ordinary high stages of the tide. No stakes shall be placed channelward of approved fish stake limiting lines or in a fairway.

(7) The owner of a fishing structure shall be responsible for properly locating, constructing, and repairing such structure and for maintaining such lights and markers as required in these regulations. Structures shall be considered as abandoned at such time as any or all of these requirements are not fully complied with and the owner or owners shall promptly remove all stakes from an improperly located and/or abandoned structure, or be subject to prosecution. Improperly located and/or abandoned fishing structures may be summarily removed, sold, or otherwise disposed of by the United States District Engineer charged with the general supervision of the locality.

(e) *General restrictions.* (1) Nothing herein provided shall be interpreted as setting aside exclusively for fisheries any area of navigable water.

(2) It is to be understood that these regulations do not give any property rights either in real estate or material, or any exclusive privileges and do not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local law or regulations, nor do they obviate the necessity of obtaining State assent to the work authorized.

(3) If at any time in the future it shall be made apparent to the Secretary of War that any fishing structure herein authorized causes unreasonable obstruction to the free navigation of said waters, the owner will be required, upon due notice from the Secretary of War, to remove or alter the same so as to render navigation through said waters reasonably free, easy, and unobstructed.

(f) *Damage or injury.* That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage. (Sec. 10, 30 Stat. 1151; 33 U.S.C. 403) [Regs. March 31, 1943 (CE 800.217 (Chesapeake Bay) SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-6280; Filed, April 22, 1943; 3:32 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 304—LABOR

[General Order 32]

CERTAIN SEAMEN'S CLAIMS AND ELECTION OF REMEDIES

§ 304.20 *Statutory provisions.* Under the provisions of Public Law 17—78th Congress (H. R. 133), approved March 24, 1943, officers and members of crews (hereinafter referred to as "seamen") employed on United States or foreign flag vessels owned by or under bareboat charter to the War Shipping Administration and operated by an Agent under a General Agency form of Service Agreement, with respect to the claims hereinafter specifically enumerated, are given all of the rights, benefits, exemptions, privileges, and liabilities, under law applicable to citizens of the United States employed as seamen on American flag vessels privately owned and operated. Under such Act, court action (1) may not be instituted to enforce such a claim until it shall have been administratively disallowed, in whole or in part, and (2) must be brought pursuant to the Suits in Admiralty Act.

§ 304.21 *Claims which must be submitted for allowance prior to suit.* Claims, unless covered by the Social Security Act or laws administered by the Public Health Service, must be submitted for allowance prior to instituting court action thereon in cases of death, injury, illness, maintenance and cure, loss of effects, detention, repatriation, or claims arising therefrom; in cases relating to the collection of wages and bonuses and the making of allotments, when made against the United States of America, the War Shipping Administration, the Administrator thereof, or any other person for whom the United States of America or War Shipping Administration is responsible; in cases arising under the War Shipping Administration Crew Life and Injury Policy, the Second Seamen's War Risk Policy, and those arising under other Decisions of the Maritime War Emergency Board, in so far as such claims are made against the War Shipping Administration, provided they are made by or on behalf of seamen who, at the time such claims arose, were employees of the United States through the War Shipping Administration, or by or on behalf of their surviving dependents or beneficiaries or legal representatives.

§ 304.22 *Time of accrual.* These regulations (§ 304.20 et seq.) apply to any claim specified in § 304.21 which:

(a) Arose on or after March 24, 1943; or

(b) Accrued on or after October 1, 1941, and prior to March 24, 1943, if the seaman or his surviving dependent or beneficiary or legal representative elects, as provided by §§ 304.28 and 304.29, to enforce such claim in the same manner as it would be enforced if it arose after the date of the enactment of Public Law 17—78th Congress.

§ 304.23 *Court action, condition precedent.* No seaman or his surviving dependent or beneficiary or legal representative, having a claim under the provisions of §§ 304.21 and 304.22, shall commence a court action for the enforcement of such claim, unless such claim has been filed by him or on his behalf or by or on behalf of his surviving dependent or beneficiary or legal representative as provided in §§ 304.24 and 304.25 and has been administratively disallowed by the person or agency with whom it was so filed.

§ 304.24 *Claim, contents.* The claim need not follow any particular form, but it shall be in writing. It shall contain such particulars as are reasonably necessary as a basis for the allowance or administrative disallowance of such claim and should include, with respect to the seaman in question, his home address, date of birth, place of birth, certificate of identification number, as well as all the facts and circumstances leading up to and surrounding the happening of the event out of which it is alleged the claim arose.

§ 304.25 *Claims, with whom filed.* Claims based upon any decision of the Maritime War Emergency Board or any insurance policy issued by the War Shipping Administration, excluding claims for loss of or damage to personal effects (if the insured is alive), bonus, and detention and repatriation benefits, shall be filed with the Chief Adjuster, Division of Wartime Insurance, War Shipping Administration, 99 John Street, New York City, or such other agencies or persons as may be designated by the Chief Adjuster for the purpose of determining the allowance or disallowance of such claim. All other claims, including claims for loss of or damage to personal effects (if the insured is alive), bonus, and detention and repatriation benefits, shall be filed with the General Agent of the vessel with respect to which such claims arose, or such Agent's Berth Sub-Agent to which the former may refer the claim for handling.

§ 304.26 *Claim, when presumed administratively disallowed.* If the person or agency with whom the claim is filed, in accordance with the directions contained herein, fails to notify the claimant in writing of a determination upon such claim, within sixty days following the date of filing thereof, the claim shall be presumed to have been administratively disallowed, and the claimant shall be entitled to enforce his claim by court action.

§ 304.27 *Administrative disallowance, notice of.* In those cases in which the person or agency to whom the claim has been referred, determines that it shall be administratively disallowed, in whole or in part, such person or agency shall mail to the last known address of the claimant, or deliver or cause to be delivered personally to the latter or his agent, a letter in substantially the following form:

Dear Sir:

Reference: (Name of claimant—Name of vessel)

This is to certify that ____(Claimant)____ filed a written claim with the undersigned on ____(Date received)____; that the claim involved or arose out of

(here insert facts sufficient to identify the claim);

that such claim has been administratively disallowed, in accordance with the rules and regulations prescribed by the Administrator under the provisions of section 1 (a) of Public Law 17—78th Congress (H. R. 133).

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§ 304.28 *Election of remedies.* A seaman or his surviving dependent or beneficiary or legal representative, having a claim specified in §§ 304.21 and 304.22 (b) may enforce such claim in the same manner as if Public Law 17—78th Congress (H. R. 133) had been in effect at the time the same arose, upon his election so to do as provided in § 304.29.

§ 304.29 *Election, what constitutes.* A seaman, or his surviving dependent or beneficiary or legal representative shall be deemed to have made an election as provided in § 304.28 if:

(a) He files a claim in writing as provided by § 304.23 et seq.

(b) Prior to the enactment of Public Law 17—78th Congress, he commenced a Court action or proceeding based on such a claim, and signs and files in such action, prior to the entry of final judgment, any writing stating, in substance, that he elects to have such claim enforced as if Public Law 17—78th Congress had been in effect at the time such claim arose.

(E.O. 9054, 7 F.R. 836; Pub. Law 17, 78th Cong.)

[SEAL] E. S. LAND,
Administrator.

APRIL 22, 1943.

[F. R. Doc. 43-6285; Filed, April 22, 1943; 4:11 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AO 33-A 9]

HANDLING OF MILK IN FORT WAYNE, INDIANA, MARKETING AREA

NOTICE OF HEARING

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 2813), notice is hereby given of a hearing to be held in the St. Paul Auditorium, Barr and Madison Streets, Fort Wayne, Indiana, beginning at 10:00 a. m., c. w. t., May 10, 1943, with respect to a proposal that the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area, should regulate the handling of all milk handled in such marketing area which is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce, and with respect to certain proposed amendments to such tentatively approved marketing agreement, as amended, and order, as amended. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the proposals or any modification thereof. The amendments which have been proposed are set forth below:

PROPOSED BY THE WAYNE CO-OPERATIVE MILK PRODUCERS, INC.

1. Renumber § 932.10 as § 932.11.

2. Add as § 932.10 the following:

§ 932.10 *Expense of administration; deduction from payment to producers; for Market Administration.* Each handler and cooperative association shall deduct that amount per hundredweight, not to exceed four cents (4¢), which is announced by the market administrator, on or before the tenth day after the end of each delivery period from the payments to be made by him pursuant to § 932.8 in regard to all milk delivered to him during each delivery period by producers who are not also handlers, and shall, on or before the fifteenth day after the end of each such delivery period, pay such deduction to the market administrator; and each handler who produces milk distributed by him shall make a similar payment for milk produced by him and sold during each delivery period as Class I and Class II milk. Such payments shall be retained by the market administrator in a separate account to meet his cost of operation.

3. Delete from § 932.9 (a) that part of such paragraph which precedes the word "following" and substitute therefor the following language:

§ 932.9 *Marketing services*—(a) *Marketing service deductions.* Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to § 932.8 (b) (1), shall make a deduction of 4 cents per hundredweight of milk, or such lesser deduction as the market administrator shall determine to be sufficient, subject to review by the Secretary, with respect to the following:

PROPOSED BY THE DAIRY AND POULTRY BRANCH, FOOD DISTRIBUTION ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE

1. Delete from § 932.4 (a) the language preceding the phrase "in the manner set forth in § 932.8" and substitute therefor the following:

(a) *Class prices.* Each handler shall pay producers or an association of producers,

2. Delete § 932.8 (a) and substitute therefor the following:

(a) *Token payments.* On or before the last day of each delivery period, each handler shall pay producers or an association of producers, with respect to the quantity of milk he received from each producer, or from an association of producers, during the first 15 days of the delivery period, the uniform price announced by the market administrator pursuant to § 932.7 (b) (7) for milk received during the delivery period next preceding.

3. In the first paragraph of § 932.8 (b) add the phrase "or from an association of producers" following the term "producers."

4. Add as § 932.8 (b) (3) the following:

(3) To an association of producers, with respect to milk which was caused to be delivered to him by such association, for the account of such association and for which such association collects payment, each handler shall make payment at not less than the class prices set forth in § 932.4, and subject to the butterfat differential provided in paragraph (d) of this section, for the utilization value of such milk. On or before the fifteenth day after the end of each delivery period, such association shall pay to the market administrator the amount by which the utilization value of such milk, and of the milk of each producer which it caused to be delivered during the delivery period to a plant from which no milk is disposed of in the marketing area, is greater than the sum obtained by multiplying the hundredweight of such milk by the appropriate price required to be paid by handlers pursuant to paragraph (a) (1) of this section, and adding together the resulting amounts. For the purpose of determining the use classification of milk caused to be delivered by an association to a handler, the milk caused to be so delivered shall be ratably apportioned among the receiving handler's total Class I, Class II, and Class III milk.

5. Delete § 932.1 (a) (8) and substitute therefor the following:

(8) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is or who may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

6. Add as § 932.12 the following:

§ 932.12 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: April 23, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-6316; Filed, April 23, 1943; 11:33 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT LB-11]

SURFACE TRANSPORTATION CORPORATION OF NEW YORK

DIRECTION TO SUSPEND CERTAIN OPERATIONS

Pursuant to Executive Orders 8989, 9156, and 9214, and in order to assure the orderly and expeditious movement of necessary passenger traffic and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. Surface Transportation Corporation of New York, New York, New York (hereinafter called "carrier"), in the transportation of passengers as a common carrier by bus in the Boroughs of

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Manhattan and the Bronx, New York, New York, shall not operate buses:

(a) Over that section of its bus route described in the appendix hereto and designated as route "Bx–10—Riverdale Avenue", along Broadway between West 230th Street and West 207th Street, along West 207th Street between Broadway and Vermilyea Avenue, along Vermilyea Avenue between West 207th Street and Isham Street, and along Isham Street between Vermilyea Avenue and Broadway;

(b) Over that section of its bus route described in the appendix hereto and designated as route "Bx–18—Macombs Road", along East 170th Street between Teller Avenue and Jerome Avenue, along Andrews Avenue between West 176th Street and West 175th Street, along West 175th Street between Andrews Avenue and Montgomery Avenue, along Montgomery Avenue between West 175th Street and West Tremont Avenue, and along West Tremont Avenue between Montgomery Avenue and Andrews Avenue;

(c) Over that section of its bus route described in the appendix hereto and designated as route "Bx–50—Highbridge", along West 167th Street between Woodycrest Avenue and Ogden Avenue, along Ogden Avenue between West 167th Street and West 169th Street, along West 169th Street between Ogden Avenue and Nelson Avenue, and along Nelson Avenue between West 169th Street and West 167th Street;

(d) Over any bus route described and designated in the appendix hereto in excess of the bus miles that it operated on such route on March 1, 1943.

2. As used herein the term:

(a) "Bus" means any rubber-tired vehicle used on the streets, highways, or other thoroughfares in the transportation of passengers;

(b) "Bus miles" includes all miles of actual bus operation, whether in passenger service or otherwise.

3. The carrier shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, New York, New York, and should refer to "Special Order ODT LB-11".

This order shall become effective May 2, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of April, 1943.

JOSEPH B. EASTMAN,
Director.

APRIL 22, 1943.

APPENDIX 1

DESCRIBING BUS ROUTES REFERRED TO THEREIN

Route Bx–10—Riverdale Avenue.

Beginning at the intersection of Riverdale Avenue and the North City Line; along Riverdale Avenue to the intersection of West 254th Street and Henry Hudson Parkway West; along Henry Hudson Parkway West to West 239th Street; along West 239th Street crossing Henry Hudson Parkway to Riverdale Avenue; along Riverdale Avenue to West 230th Street; along West 230th Street to Broadway; along Broadway to West 231st Street; along West 231st Street to Kingsbridge Avenue; along Kingsbridge Avenue to West 230th Street; also along Irwin Avenue between 230th Street and 231st Street; also along Henry Hudson Parkway East between West 239th Street and West 254th Street; along West 254th Street between Henry Hudson Parkway East and Henry Hudson Parkway West; also beginning at the intersection of West 239th Street and Henry Hudson Parkway East; along West 239th Street crossing Henry Hudson Parkway to Henry Hudson Parkway West; along Henry Hudson Parkway West to Kappock Street; along Kappock Street crossing Henry Hudson Parkway to Johnson Avenue; along Johnson Avenue to Irwin Avenue (also known as Spuyten Duyvil Road); along Irwin Avenue to West 230th Street; along West 230th Street to Broadway; along Broadway to West 207th Street; along West 207th Street to Vermilyea Avenue; along Vermilyea Avenue to Isham Street; along Isham Street to Broadway; also along Henry Hudson Parkway East between Kappock Street and West 239th Street.

Route Bx–18—Macombs Road.

Beginning at the intersection of Teller Avenue and East 170th Street; along East 170th Street to Jerome Avenue; along Jerome Avenue to Macombs Road; along Macombs Road to University Avenue; along University Avenue to West Tremont Avenue; along West Tremont Avenue to Andrews Avenue South; along Andrews Avenue South to West 175th Street; along West 175th Street to Montgomery Avenue; along Montgomery Avenue to West Tremont Avenue; along West Tremont Avenue to Andrews Avenue; also along West 176th Street between Andrews Avenue and University Avenue; also along University Avenue between West 176th Street and Macombs Road.

Route Bx–50—Highbridge.

Beginning at the intersection of East 161st Street at River Avenue, along East 161st Street to Girard Avenue crossing Girard Avenue from the south roadway of 161st Street, to the north roadway of 161st Street, along East 161st Street to Jerome Avenue to Woodycrest Avenue, along Woodycrest Avenue to West 167th Street, along West 167th Street to Ogden Avenue, along Ogden Avenue to West 169th Street, along West 169th Street to Nelson Avenue, along Nelson Avenue to West 167th Street, along West 167th Street to Anderson Avenue, along Anderson Avenue to 162nd Street, along 162nd Street to Ogden Avenue, along Ogden Avenue to Jerome Avenue, along Jerome Avenue to East 161st Street, along East 161st Street to River Avenue.

[F. R. Doc. 43-6286; Filed, April 22, 1943; 4:13 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under MPR 119]

DEERE & CO., AND J. I. CASE CO.

APPROVAL OF MAXIMUM PRICES

Pursuant to paragraph (f) in § 1315.-1451, and for the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) This order applies to the following two sellers and to the following six purchasers:

Sellers

Deere & Company, Moline, Illinois.
J. I. Case Company, Racine, Wisconsin.

Purchasers

Allis-Chalmers Mfg. Co., Milwaukee, Wisconsin.
International Harvester Co., Chicago, Illinois.
Massey-Harris Co., Racine, Wisconsin.
Minneapolis-Moline Power Implement Co., Minneapolis, Minnesota.
Oliver Farm Equipment Co., Chicago, Illinois.
Root-Heath Company, Plymouth, Ohio.

(b) The maximum prices for the sale or delivery by the two sellers named in paragraph (a) to any of the six purchasers named in paragraph (a) for the original equipment of vehicles of any of the farm implement tires and tubes which the sellers now have in inventory shall be the net cost to the particular seller of the tires and tubes involved increased by 5%. The net cost of the tires and tubes means the net price which the seller paid to the vendor from whom he purchased for the tires and tubes delivered to the seller here involved.

(c) There may be added to the maximum prices established by paragraph (b) the actual dollar amount of the federal excise tax which the seller paid on the tires and tubes involved as a separate item to the vendor from whom he purchased.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 2 shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6270; Filed, April 22, 1943; 12:20 p. m.]

[Order 39 Under RPS 6]

PHOENIX IRON COMPANY

ORDER GRANTING RELIEF

Order No. 39 under Revised Price Schedule No. 6—Iron and Steel Products; Docket No. 3006–40.

On February 5, 1943, The Phoenix Iron Company of Phoenixville, Pennsylvania, filed an application for adjustment of prices that may be charged by them on semi-finished steel. Due consideration has been given to the petition and an opinion in support of this Order No. 39 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Phoenix Iron Company may sell and deliver and agree, offer, solicit and attempt to sell and any person may buy and receive from The Phoenix Iron Company mild steel ingots rerolling grade, rerolling grade billets, blooms and slabs, forging quality ingots, and forging quality billets, blooms and slabs at prices not in excess of those stated in paragraph (b) hereof, f. o. b. Phoenixville, Pennsylvania.

(b) (1) The maximum base price which may be charged for mild steel ingots rerolling grade is $38.75 per gross ton.

(2) The maximum base price which may be charged for rerolling grade billets, blooms and slabs is $41.00 per gross ton.

(3) The maximum base price which may be charged for forging quality ingots is $43.00 per gross ton.

(4) The maximum base price which may be charged for forging quality billets, blooms and slabs is $47.00 per gross ton.

(5) The maximum base prices set forth in 1, 2, 3 and 4 above shall be applicable to shipments of all material produced after February 5, 1943.

(c) All prayers of the petitioner not granted herein are denied.

(d) This Order No. 39 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 39 shall be effective as of February 5, 1943.

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6267; Filed, April 22, 1943; 12:21 p. m.]

[Order 13 Under RPS 67 and MPR 137]

THE MEASUREGRAPH COMPANY

DENIAL OF APPLICATION, ETC.

Order No. 13 under Revised Price Schedule No. 67—New Machine Tools and Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket Nos. 3067–51, 3067–52, 3067–53, 3067–54, 3136–224, 3136–225.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The applications for adjustment filed on March 1, 1943 by The Measuregraph Company of St. Louis, Missouri, are denied.

(b) Any contract entered into by The Measuregraph Company, in accordance with Procedural Regulation No. 6, at prices above the maximum prices established by Revised Price Schedule No. 67 or Maximum Price Regulation No. 136, as amended, shall be revised to conform with the terms of this order, any payment made to The Measuregraph Company in excess of the maximum prices authorized by Maximum Price Regulation No. 136, as amended, or Revised Price Schedule No. 67, on account of deliveries made subsequent to March 1, 1943, and prior to the effective date of this order, shall be refunded to the purchaser, and, within 30 days after the date on which this order was mailed to him, the applicant shall file a statement with the Office of Price Administration in Washington, D. C. to the effect that such contracts were revised in accordance with the terms of this order and, wherever required, refunds were made.

(c) The issuance of this order shall not in any way affect or relieve The Measuregraph Company for any violation of any regulation or order issued by the Office of Price Administration.

This Order No. 13 shall become effective April 22, 1943.

(Pub. Laws 121 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6268; Filed, April 22, 1943; 12:20 p. m.]

[Rev. Gen. Order 32, Amendment 4]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Paragraph (a) (6) is added to read as follows:

(6) Granting permission sought by sellers pursuant to § 1351.1001b of Maximum Price Regulation No. 271 (Certain Perishable Food Commodities, Sales Except at Retail).

2. Paragraph (b) (5) is added to read as follows:

(5) Granting permission sought by sellers pursuant to § 1351.1001b of Maximum Price Regulation No. 271 (Certain Perishable Food Commodities, Sales Except at Retail).

This amendment to Revised General Order No. 32 shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6269; Filed, April 22, 1943; 12:20 p. m.]

[Order 6 Under MPR 39]

HOLT-WILLIAMSON MANUFACTURING COMPANY

GRANTING ADJUSTMENT OF MAXIMUM PRICES

Order No. 6 under Maximum Price Regulation No. 39—Woven Decorative Fabrics; Docket No. 3039–21.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

(a) On and after April 23, 1943 the Holt-Williamson Manufacturing Company of Fayetteville, North Carolina, herein called the petitioner, may sell and deliver and any person may purchase and receive from it the following woven decorative fabrics at prices not in excess of the prices set forth below:

Style no.:	Maximum prices per yd.
475	$ .375
824	.375
831	.4375
851	.3255
853	.53

(b) Except for the adjusted maximum prices granted herein, all sales of the constructions of woven decorative fabrics set forth above shall be subject to the provisions of Maximum Price Regulation No. 39.

(c) Petitioner shall mail or cause to be mailed to all persons who purchase from it the constructions of woven decorative fabrics listed above for sale at retail a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you to the following:

Style no.:	Maximum prices per yd.
475	$ .375
824	.375
831	.4375
851	.3255
853	.53

These increases granted to us represent only those parts of cost increases which we are unable to absorb and they were granted with the understanding that retail prices will not be raised. The Office of Price Administration has not permitted you or any other seller to raise your maximum prices for sales of these woven decorative fabrics.

(d) All prayers of the petitioner not granted herein are denied.

(e) This Order No. 6 may be revoked or amended at any time by the Office of Price Administration.

(f) This Order No. 6 shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43 6283; Filed, April 22, 1943; 4:00 p. m.]

[Administrative Exception Order 4 Under RO 17]

DALE SYSTEM, INCORPORATED

AUTHORIZATION TO RECEIVE RATION CREDIT

Administrative Exception Order No. 4 under Ration Order 17—Shoes.

Dale System, Incorporated is a business enterprise engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the clients' sales clerks. The method used involves the making of a complete purchase of an article and observing the actions of the sales clerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client, in a way to prevent revealing to the client's employees the identity of the individual making the test. The Dale System, Incorporated requests authority to secure ration currency to enable it to continue to make test purchases of shoes in the course of its business.

The granting of the request in this and all similar cases would not defeat or impair the effectiveness of the policy of the Ration Order because it would not increase the quantity of shoes used.

It is hereby ordered, That Dale System, Incorporated, 1776 Broadway, New York, New York, is authorized to receive a ration credit or a supply of ration currency from the Office of Price Administration, Washington, D. C., which it may use as a revolving fund to enable its employees to make purchases of shoes from its clients in the manner otherwise permitted by Ration Order 17. As soon as practicable after making a purchase of shoes, it shall return them unused to the client from whom they were acquired and receive special shoe stamps or a ration check for the number of pairs returned. To facilitate its handling of ration checks received from its clients, Dale System, Incorporated is authorized to open a shoe ration bank account or accounts in the manner otherwise permitted by General Ration Order 3A, and to obtain further supplies of special shoe stamps from its board in exchange for a certified ration check drawn on its account to the account of the Office of Price Administration. The Dale System, Incorporated shall keep records of the shoes acquired hereunder and the return of the shoes and shall make such reports as the Office of Price Administration may require. The amount of the ration credit or ration currency and the number and location of the shoe ration bank accounts shall be determined by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C.

It is hereby further ordered, That any other persons similarly situated may be authorized on similar conditions, to receive a ration credit or ration currency to be used to make test purchases of shoes. Such authority may be granted in writing by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C.

This order shall become effective April 24, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507, and 429, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 23d day of April 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-6303; Filed, April 23, 1943; 11:18 a. m.]

[Order 12 Under MPR 28]

PUBLICKER COMMERCIAL ALCOHOL COMPANY OF LOUISIANA, INCORPORATED

ORDER DENYING ADJUSTMENT

Order No. 12 under Maximum Price Regulation No. 28—Ethyl Alcohol (Excluding West Coast Ethyl Alcohol); Docket No. 3028-19.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The petition of Publicker Commercial Alcohol Company of Louisiana, Incorporated, of Philadelphia, Pennsylvania, Docket No. 3028-19, for an adjustment of the maximum prices established by Maximum Price Regulation No. 28 for sales of ethyl alcohol, is denied.

This order shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6306; Filed, April 23, 1943; 11:18 a. m.]

[Revocation of Order 18 Under MPR 122]

T. A. D. JONES AND COMPANY

ORDER OF REVOCATION

Correction

In the first sentence of the document appearing on page 4803 of the issue for Tuesday, April 13, 1943, the order number should read, "Order No. 18".

[Order 23 Under MPR 136 as Amended]

RIEGEL PAPER CORPORATION

Order No. 23 under Maximum Price Regulation 136 as amended—Machines and Parts, and Machinery Services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and § 1390.11 (f) of Maximum Price Regulation No. 136, as amended, *It is hereby ordered:*

(a) Riegel Paper Corporation of Riegelsville, New Jersey, is hereby authorized to sell to Automatic Paper Machinery Company, Inc., of Hoboken, New Jersey, one second-hand Yankee Paper Machine (known as No. 12), together with auxiliary equipment for the maximum price of $492,846.78, and Automatic Paper Machinery Company, Inc., is hereby authorized to pay the Riegel Paper Corporation such maximum price.

(b) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6308; Filed, April 23, 1943; 11:19 a. m.]

[Order 284 Under MPR 188[1]]

THE OHIO FOUNDRY AND MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 284 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This order sets temporary maximum prices for sales of 3 new fireplace grates manufactured by The Ohio Foundry and Manufacturing Company, Steubenville, Ohio. It applies only to the grates described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after December 31, 1943

The prices stated below may be charged only if the manufacturer attaches to the grate, a written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales by it and by wholesalers and retailers shall be computed by deducting 25% from the prices stated below.

(1) For sales by the manufacturer to wholesalers or jobbers, the maximum prices are:

Model No. 2	$5.25
Model No. 3	5.25
Model No. 4	4.75

The above prices are f. o. b. Steubenville, Ohio.

(2) For sales by the manufacturer to retailers, the maximum prices are:

Model No. 2	$5.80
Model No. 3	5.80
Model No. 4	5.25

The above prices are f. o. b. Steubenville, Ohio.

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155. 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931.

(3) For sales at wholesale by persons other than the manufacturer, the maximum prices are:

Model No. 2	$7.00
Model No. 3	7.00
Model No. 4	6.33

The above prices are f. o. b. the seller's city.

(4) For sales at retail, the maximum prices are:

Model No. 2	$10.50
Model No. 3	10.50
Model No. 4	9.50

(b) The maximum prices set forth in paragraph (a) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

The Ohio Foundry and Manufacturing Company, Steubenville, Ohio, the manufacturer of this grate, warrants to the retailer and to any person buying from him that this grate will withstand the heat generated by the burning of_____ for one year from the date of purchase by the consumer.

The company shall insert "coal or wood" in the blank in the warranty attached to Model No. 2 grates. It shall insert the word "coal" in the warranty attached to Model No. 3 grates. It shall insert the word "wood" in the warranty attached to Model No. 4 grates.

If the manufacturer desires to do so, it may add to the warranty: "This warranty, however, does not protect against rough handling by the consumer." The warranty shall be attached to the grate before shipment by the manufacturer and shall not be detached until the grate has been delivered to the consumer.

(c) Before delivery of a grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, the tag or label attached to a Model No. 2 grate shall state, "Retail Ceiling Price $10.50." The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) Each seller of the grate to a purchaser for resale shall notify such purchaser of the maximum price set by this order for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser after April 23, 1943. It may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

This order shall become effective April 24, 1943, and shall terminate on the 31st day of December 1943.

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6304; Filed, April 23, 1943; 11:19 a. m.]

[Order 285 Under MPR 188]

AMERICAN FIXTURE AND MFG. CO.

APPROVAL OF MAXIMUM PRICE

Order No. 285 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) The American Fixture & Mfg. Co. may sell, offer for sale, transfer or deliver its Model A-285, household ice-box manufactured by that company, at a price no higher than the following:

To distributors:

$40.29 f. o. b. factory, less a discount of 20 and 5%.

To dealers:

$40.29 f. o. b. factory, subject to the following quantity discounts: 5% on purchases of 11 to 24 ice refrigerators, 10% on purchases of 25 or more but less than carload lots, 15% on purchases of carload lots.

All the above prices to distributor and dealer are subject to a discount of 2% 10 days, net 30 days.

(b) This Order No. 285 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 285 shall become effective on the 24th day of April 1943.

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6309; Filed, April 23, 1943; 11:19 a. m.]

[Order 13 Under MPR 244]

WILSON STOVE & MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 13 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-19.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Wilson Stove & Mfg. Co., Inc. (a) On and after March 15, 1943, Wilson Stove & Mfg. Co., Inc., of Metropolis, Illinois, is hereby authorized to sell, offer to sell and deliver gray iron castings for stoves and ranges for which maximum prices would otherwise be determined under § 1421.166 (a) of Maximum Price Regulation 244, and any person is authorized to buy, offer to buy and receive such castings from said Company, at prices not in excess of $5.40 per cwt. f. o. b. Metropolis, Illinois: *Provided however*, That in any case in which said Company's maximum price under § 1421.166 (a) for a gray iron casting is in excess of $5.40 per cwt. f. o. b. Metropolis, Illinois, said Company may, if it so chooses, determine its maximum price for such casting under § 1421.166 (a).

(b) The permission herein granted to Wilson Stove & Mfg. Co., Inc., is subject to the following condition: Said Company shall submit to the Office of Price Administration, Washington, D. C., on or before the last day of each month following the close of each quarter year beginning with the quarter ending March 31, 1943, the following documents signed under oath or affirmation and prepared in accordance with recognized accounting principles: (1) profit and loss statements for the preceding quarter, (2) balance sheets as of the close of the preceding quarter, (3) the profit and loss statements filed pursuant to (1) of this paragraph (b) must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total materiel costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided*, That said Company need not file any of the foregoing financial data if he has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

This Order No. 13 shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6307; Filed, April 23, 1943; 11:18 a. m.]

[Order 14 Under MPR 244]

STANDARD BUFFALO FOUNDRY, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 14 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-18.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Standard Buffalo Foundry, Inc. (a) On and after March 15, 1943, Standard Buffalo

Foundry, Inc., 743 Hertel Avenue, Buffalo, New York, is hereby authorized to sell, offer to sell and deliver to Hercules Motors Corporation of Canton, Ohio, and Hercules Motors Corporation is hereby authorized to buy, offer to buy and receive, the oil pan gray iron casting, pattern number 20190–D, at prices not in excess of $10.81 each, f. o. b. foundry, Buffalo, New York: *Provided however,* That said Standard Buffalo Foundry, Inc. shall submit to the Office of Price Administration, Washington, D. C., on or before the last day of each month following the close of each quarter year beginning with the quarter ending March 31, 1943, the following documents signed under oath or affirmation and prepared in accordance with recognized accounting principles: (1) profit and loss statements for the preceding quarter, (2) balance sheets as of the close of the preceding quarter, (3) the profit and loss statements filed pursuant to (1) of this paragraph (a) must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes, and *Provided further,* That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (a), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

This Order No. 14 shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6310; Filed, April 23, 1943; 11:18 a. m.]

[Order 1 Under MPR 291]

PENICK & FORD LTD.

PERMISSION TO PAY PREMIUM PRICE

Order No. 1 under § 1351.1352 (d) of Maximum Price Regulation No. 291—Certain Syrups and Molasses.

Permission to Penick & Ford, Ltd., to pay a premium price for invertase syrup, produced by Kessler & Sternfels, Belle Rose, Louisiana.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Penick & Ford, Ltd., 420 Lexington Avenue, New York, New York, may pay and Kessler and Sternfels of Belle Rose, Louisiana, may charge a premium of 1¢ per gallon over maximum prices established in § 1351.1367 (a) of Maximum Price Regulation No. 291 for Louisiana cane syrup, i. e. 36¢ per gallon net f. o. b. producer's factory, in tank cars supplied by the buyer, for invertase Louisiana cane syrup which tests one degree Baumé heavier than standard Louisiana cane syrup as defined in Maximum Price Regulation No. 291.

(b) Such permission is given on the specific condition that Penick & Ford, Ltd., shall neither increase nor apply for an increase in the maximum prices set forth in Maximum Price Regulation No. 291, or in any other regulation for such syrup or anything made or manufactured from it, because of paying such premium.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

This Order No. 1 shall become effective this 24th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6305; Filed, April 23, 1943; 11:18 a. m.]

[Order 33 Under RPS 57]

NEW JERSEY CARPET MILLS, INC.

APPROVAL OF MAXIMUM PRICES

Correction

In the document appearing on page 4940 of the issue for Friday, April 16, 1943, the last sentence of paragraph (a) should read:

"These prices shall be subject to a discount of 10 and 5% on sales to distributors, and subject to terms of 4% 10 days, 60 days extra on all sales."

Regional Office, Region VIII.

[Order 1 Under Ration Order 14]

FIREWOOD

REGISTRATION BY DEALERS

Pursuant to the authority conferred upon the Regional Administrator by Ration Order No. 14—Firewood, the following order is prescribed:

Every dealer shall register on March 20, 22, 23, 24, or 25, 1943, in the manner prescribed in Ration Order No. 14. Any person who becomes a dealer after March 25, 1943, shall register within ten days after becoming a firewood dealer.

This order shall become effective March 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 597, 77th Cong.; Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1–U, 8 F.R. 1835; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of March 1943.

FRANK E. MARSH,
Acting Regional Administrator.

[F. R. Doc. 43-6266; Filed, April 22, 1943; 12:22 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–663, 70–677]

AMERICAN UTILITIES SERVICE CORP., ET AL.

ORDER APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of April 1943.

In the matters of American Utilities Service Corporation, File No. 70–663; and Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg; File No. 70–677.

American Utilities Service Corporation ("American"), a registered holding company, having on August 31, 1942, filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan for compliance with section 11 (b) (2); and

The Commission having thereafter instituted proceedings pursuant to section 11 (b) (1) and section 11 (b) (2) of said Act; and

American having subsequently on January 11, 1943, filed an application, pursuant to section 11 (e) of said Act, regarding the sale and transfer of all the outstanding common stock (2,000 shares) of its subsidiary company, Northwestern Wisconsin Electric Company ("Northwestern") for approximately $264,365 in cash, and the acquisition and retirement out of the proceeds of said sale of $250,000 principal amount of its Collateral Trust 6% Bonds, Series A, due 1964 by call or through invitation for tenders by the Continental Illinois National Bank and Trust Company of Chicago, Indenture Trustee, as a plan for partial compliance with said sections 11 (b) (1) and 11 (b) (2) of said Act; and

American, having requested that the order of the Commission approving said plan of January 11, 1943 conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations described in sections 371 (b), 371 (f) and 1808 (f) of said Internal Revenue Code as amended; and

Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg, having filed an application, and an amendment thereto, pursuant to sections 9 (a) (2) and 10 of the Act with respect to the acquisition of the common stock of Northwestern; and

The above described applications having been consolidated for the purpose of hearing; and

A public hearing having been held after appropriate notice; and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein; and

The Commission having found that said plan of January 11, 1943 is necessary and appropriate to effectuate the provisions of section 11 (b) of the Act and is fair and equitable to the persons affected thereby:

It is ordered, That said plan of January 11, 1943, be, and it is hereby approved, and that American shall within 120 days after the date thereof; (a) sell and transfer all of the common stock (2,000 shares) of its subsidiary, Northwestern; and (b) use the proceeds from said sale, or so much thereof as may be necessary, for the acquisition and retirement of $250,000 principal amount of its Collateral Trust 6% Bonds, Series A, due 1964; and (c) make such sale and use such proceeds thereof in accordance with the proposals as set forth in said plan of January 11, 1943.

It is further ordered, That the foregoing transactions be and they hereby are specifically authorized, permitted and approved to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 within the meaning of section 373 (a) of the Internal Revenue Code as amended.

It is further ordered, That the said application, as amended, by Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg be, and hereby is, approved subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6319; Filed, April 23, 1943; 11:43 a. m.]

[File No. 70–690]

CENTRAL OHIO LIGHT & POWER COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of April, A. D. 1943.

Central Ohio Light & Power Company, a subsidiary of Crescent Public Service Company, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and the order of the Commission dated February 19, 1941, File No. 70–228, with respect to the declaration and payment of dividends in the aggregate amount of $20,000 to the holders of its common stock in April, 1943; and

Said declaration having been filed on March 23, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission having considered the declaration and it appearing that the payment of dividends as proposed will not be detrimental to the public interest or the interest of investors or consumers;

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 and to the additional terms and conditions set forth in the order aforesaid dated February 19, 1941, that said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6320; Filed, April 23, 1943; 11:43 a. m.]

[File No. 54–32]

NORTH SHORE GAS CO., ET AL.

ORDER WITH RESPECT TO PAYMENT OF FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of April, A. D. 1943.

In the matter of North Shore Gas Company, North Shore Coke & Chemical Company, North Continent Utilities Corporation.

North Continent Utilities Corporation, a registered holding company, and North Shore Gas Company and North Shore Coke & Chemical Company, subsidiaries of North Continent Utilities Corporation, having filed applications and declarations under section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935, with respect to a plan of reorganization for the North Shore Gas Company and North Shore Coke & Chemical Company;

The Commission having entered an order on November 13, 1941, approving said plan, subject to certain conditions and reservations, including a reservation of jurisdiction with respect to the payment of fees and expenses incurred or to be incurred in connection with the plan; and directing that the applicants file with the Commission a notification and itemized statement of all claims against them for such fees and expenses;

The applicant companies and various claimants having filed statements with respect to the fees and expenses requested herein; a hearing having been held thereon after due notice; briefs having been filed and oral argument having been heard; the Commission having entered orders on December 3, and December 30, 1942, with respect to certain of the fees and expenses in this proceeding; the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the following fees and expenses be and they hereby are allocated against North Shore Gas Company and North Continent Utilities Corporation in the following manner; and that, as allocated, the said fees and expenses are approved:

Claimant	Allocated against	
	North Shore Gas Co	North Continent Utilities Corporation
Pam, Hurd & Reichmann, attorneys	$12,318 45	$28,473 59
Arthur Young & Co., accountants	8,593 37	6,093 96
Duff and Phelps, analysts	6,665 45	

It is further ordered, That North Continent Utilities Corporation reimburse North Shore Gas Company in the amount of $3,123.59, representing the amount paid by North Shore Gas Company to Pam, Hurd & Reichmann in excess of the amount allocated to North Shore Gas Company, thus leaving a net amount of $25,350.00 to be paid by North Continent Utilities Corporation to Pam, Hurd & Reichmann.

It is further ordered, That the amounts allocated against North Continent Utilities Corporation may be paid in installments, one-third within thirty days from the date of this order, one-third within one year after the expiration of such thirty-day period, and one-third within two years after the expiration of such period;

It is further ordered, That jurisdiction is reserved as to the fees and expenses of The William A. Baehr Organization, Inc.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6322; Filed, April 23, 1943; 11:43 a. m.]

[File No. 52–17]

NORTHWEST CITIES GAS CO.

ORDER PERMITTING POST-EFFECTIVE AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of April 1943.

In the matter of John H. Rauscher, W. D. Courtright, Earl W. Huntley, Paul C. Harper, and Frederick T. Sutton, as bondholders' advisory committee for Northwest Cities Gas Company.

The Commission having permitted to become effective a declaration, as amended, and a post-effective amendment to such declaration, pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935, with respect to the solicitation by John H. Rauscher, W. D. Courtright, Earl W. Huntley, Paul C. Harper, and Frederick

T. Sutton, as bondholders' advisory committee for Northwest Cities Gas Company, of acceptances to the plan of reorganization of Northwest Cities Gas Company; and

The District Court of the United States for the Eastern District of Washington, Southern Division, having entered an order on March 24, 1943, which order permits further solicitation and provides, in part, for additional time for filing claims and for filing acceptances or rejections of the plan of reorganization, and reclassifies creditors and stockholders; and

Said Bondholders' Advisory Committee having on April 19, 1943 filed supplemental solicitation material as a post-effective amendment to said declaration, pursuant to authorization granted by said Court order, and having requested an acceleration of the effective date of such amendment;

The Commission having considered such post-effective amendment and finding that the requirements of Rule U–62 are complied with and deeming it appropriate to grant the request that the effective date of such post-effective amendment be accelerated;

It is ordered, That such post-effective amendment be permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6321; Filed, April 23, 1943; 11:43 a. m.]

FEDERAL REGISTER

VOLUME 8 — NUMBER 82

Washington, Tuesday, April 27, 1943

The President

EXECUTIVE ORDER 9331

MEDAL FOR MERIT

By virtue of and pursuant to the authority vested in me by section 2 of the act of July 20, 1942 (Public Law 671, 77th Congress), I hereby prescribe the following rules and regulations for the award of the decoration of the "Medal for Merit" created by said act:

1. The decoration of the Medal for Merit shall be awarded only by the President of the United States or at his direction. Awards of the Medal for Merit may be made to such civilians of the nations prosecuting the war under the joint declaration of the United Nations and of other friendly foreign nations, as have, since the proclamation of an emergency by the President on September 8, 1939, distinguished themselves by exceptionally meritorious conduct in the performance of outstanding services. Awards of the Medal for Merit made to civilians of foreign nations shall be for the performance of an exceptionally meritorious or courageous act or acts in furtherance of the war efforts of the United Nations and shall have the prior approval of the Secretary of State.

2. There is hereby created a Board to be known as the "Medal for Merit Board", which shall consist of—

The Secretary of State
The Secretary of War, and
The Secretary of the Navy

The Secretary of State shall act as Chairman of the Board. Each member of the Board may designate an alternate to represent him on the Board and empower the person so designated to act in his stead.

3. The Medal for Merit Board will receive and consider proposals for the award of the decoration of the Medal for Merit and submit to the President the recommendations of the Board with respect thereto.

4 The Medal for Merit Board is authorized to prescribe, with the approval of the President, such rules and regulations not inconsistent with the provisions of this order as may be necessary to accomplish its purposes.

5. Executive Order 9286, dated December 24, 1942,[1] is hereby superseded.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 19, 1943.

[F. R. Doc. 43-6328; Filed, April 23. 1943; 2:39 p. m.]

EXECUTIVE ORDER 9334

WAR FOOD ADMINISTRATION

Executive Order No. 9322 of March 26, 1943,[2] entitled "Centralizing and Delegating Authority with Respect to the Production and Distribution of Food," is hereby amended to read as follows:

"By virtue of the authority vested in me by the Constitution and the statutes of the United States, particularly by the First War Powers Act, 1941, as President of the United States and Commander in Chief of the Army and Navy, and in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs, it is hereby ordered as follows:

"SECTION 1. The Food Production Administration (except the Farm Credit Administration), the Food Distribution Administration, the Commodity Credit Corporation, and the Extension Service, together with all their powers, functions, and duties, are hereby consolidated within the Department of Agriculture into a War Food Administration, to be administered under the direction and supervision of a War Food Administrator. The Administrator shall be appointed by the President and shall be directly responsible to him.

"SEC. 2. All powers, functions, and duties of the Secretary of Agriculture (a) under Executive Order No. 9280 of December 5, 1942,[3] (b) under Title IV of Executive Order No. 9250 of October 3, 1942,[4] (c) which relate to labor and manpower under orders of the Economic Stabilization Director or the Chairman

(Continued on p. 5425)

[1] 7 F.R. 10899.
[2] 8 F.R. 3807.
[3] 7 F.R. 10179.
[4] 7 F.R. 7871.

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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of the War Manpower Commission, (d) which relate to or which have heretofore been exercised through or in connection with the agencies, including corporations, consolidated by section 1 of this order, and (e) which relate to personnel, property and records transferred by section 3 of this order, are transferred to and shall be exercised and performed by the War Food Administrator (in addition to the powers, functions, and duties conferred upon him by Executive Order No. 9328 of April 8, 1943);[1] but the Secretary of Agriculture shall continue as chairman of the inter-departmental committee set up by section 7 (a) of Executive Order No. 9280, as a member of the War Production Board as provided in section 7b of Executive Order No. 9280, and as the American representative on the Combined Food Board. The War Food Administrator shall be a member of the said inter-departmental committee, which shall be advisory to him. He shall also be alternate American representative on the Combined Food Board.

"SEC. 3. For use in connection with the exercise or performance of the powers, functions, and duties consolidated and transferred by this order, so much of the unexpended balances of appropriations, allocations, and other funds available to the Department of Agriculture for such purposes, as the Director of the Bureau of the Budget shall determine, and all of the personnel, property, and records used primarily in the administration of such powers, functions, and duties, are hereby transferred to the War Food Administration.

"SEC. 4. In addition to the powers and authority granted by this order, and in order to carry out its purposes, the Secretary of Agriculture and the War Food Administrator, to the extent necessary to enable them to perform their respective duties and functions, shall each have authority to exercise any and all of the powers vested in the other by statute or otherwise; and the exercise of any such power by either of them shall be deemed to be authorized and in accordance with this order, and shall not be subject to challange by any third party affected by the exercise of the power on the ground that the action taken was within the jurisdiction of the Secretary of Agriculture rather than the War Food Administrator, or vice versa.

"SEC. 5. Any provision of any Executive order or proclamation conflicting with this Executive order is superseded to the extent of such conflict. All prior directives, rules, regulations, orders, and similar instruments heretofore issued by any Federal agency relating to matters conforming which authority is vested in the War Food Administrator by this order shall continue in full force and effect unless and until modified or revoked by orders or directives issued by or under the direction of the War Food Administrator pursuant to authority vested in him."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 19, 1943.

[F. R. Doc. 43-6329; Filed, April 23, 1943; 2:39 p. m.]

EXECUTIVE ORDER 9235[2]

PROVIDING ADDITIONAL MEMBERS OF THE WAR PRODUCTION BOARD

Pursuant to the authority vested in me by the Constitution and the statutes of the United States, as President of the United States and Commander-in-Chief of the Army and the Navy, it is hereby ordered as follows:

1. Paragraph 1 of Executive Order 9024 of January 16, 1942, as amended,[1] is hereby amended to include the Chairman of the War Manpower Commission, the Director of the Office of Defense Transportation, and the Petroleum Administrator for War as members of the War Production Board.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 19, 1943.

[F. R. Doc. 43-6327; Filed, April 23, 1943; 2:39 p. m.]

[1] 8 F.R. 4681.

[2] 7 F.R. 329, 527, 2719, 10179.

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 19—CLASSIFICATION OF POSITIONS

CLASSIFICATION OF FIELD POSITIONS

Pursuant to the authority contained in War Manpower Commission Directive No. XII (7 F.R. 7650), the Commission is empowered to make fact-finding surveys of the classification in the field service of executive departments and agencies of civilian positions which are subject to the schedules of grades and salaries prescribed by the Classification Act of 1923 (42 Stat. 1488), as amended. If, upon completion of such a survey, the Commission finds that the classifications are such as to result in (a) material interference with the effective administration of Executive Order No. 9243 (7 F.R. 7213) and War Manpower Commission Directive No. X (7 F.R. 7298), (b) undesirable competitior for employees among such departments or agencies, or (c) an impediment to the effective utilization of the Nation's manpower in the war effort, the Commission is required by the Directive to prepare standards for the classification of such positions and to promulgate such standards to the heads of the executive departments and agencies. Pursuant to this authority, the following regulations are prescribed as Part 19 of Title 5, Chapter I, Code of Federal Regulations:

DEFINITIONS OF TERMS

Sec.
19.1 Definitions.

ALLOCATION OF POSITIONS AND REPORTS TO COMMISSION

19.2 Date of allocation and principles to be followed.
19.3 Reports.
19.4 Information regarding duties of individual positions.

CASES INVOLVING REDUCTIONS IN PAY

19.5 Action suspended when reductions in pay involved; length of appeal period.
19.6 Notice to employees of pending reductions.
19.7 Filing of objections.
19.8 Effect on reductions where no objections filed.
19.9 Consideration of objections by departments.
19.10 Consideration and decision by the Commission.
19.11 Effect of decisions.

AUTHORITY: §§ 19.1 to 19.11, inclusive, issued under War Manpower Commission Dir. XII, 7 F.R. 7650; Act of March 4, 1923, 42 Stat. 1488, as amended.

DEFINITIONS OF TERMS

§ 19.1 *Definitions.* As used in these regulations, the following terms, words, and phrases shall be construed as follows:

(a) "Commission" means the U. S. Civil Service Commission.

(b) A "position" is a specific civilian office or employment, whether occupied or vacant, consisting of a group of all the current duties and responsibilities, assigned or delegated by competent authority and requiring the full-time or part-time employment of one person.

(c) A "class of positions" is a group of all individual positions that are sufficiently alike in duties, responsibilities, and qualification requirements of the work to warrant like treatment in carrying out the usual personnel processes, such as fixing pay, testing, selections, transfer, and promotion.

(d) A "series" or "series of classes" consists of one or more classes of posi-

tions similar as to specialized line of

be considered in determining the class

§ 19.7 *Filing of objections.* A state-

TITLE 6—AGRICULTURAL CREDIT

as amended; 12 U.S.C. 723 (e), 781 "Ninth" 1016 (e), 1017) [Res. Bd. Dir.,

TITLE 7—AGRICULTURE

tions similar as to specialized line of work but differing in difficulty or responsibility of work, and therefore in grade and salary range.

(e) "Grade" means a zone of difficulty and responsibility of work under the Classification Act of 1923, as amended, including one or more positions for which approximately the same basic qualifications and compensation are prescribed, the distinction between grades being based upon differences in the importance, difficulty, responsibility and value of the work.

(f) "Allocation" means the classification of a position in terms of its appropriate service, grade, and class, under the provisions of the Classification Act of 1923, as amended, and in accordance with standards promulgated under the provisions of said Directive No. XII.

(g) A "class specification" is a form of written allocation standard consisting of a formal statement of the duties and responsibilities of the positions in one class as distinguished from other classes, illustrated by examples of work performed (typical tasks or typical positions in the class).

ALLOCATION OF POSITIONS AND REPORTS TO COMMISSION

§ 19.2 *Date of allocation and principles to be followed.* Allocation standards for classes of positions surveyed under the provisions of War Manpower Commission Directive No. XII will be promulgated through Commission departmental circulars. As soon as possible after such promulgation, the heads of the departments and agencies affected shall classify, in accordance with the following basic principles, all positions of the classes covered by said standards:

(a) The allocation of a given position to a class shall be based upon the duties actually performed in the position, and the responsibilities, supervisory or otherwise, actually discharged therein.

(b) A position belonging in any series covered by specifications, but not specifically described by such specifications, shall be allocated to that class in the series to which it is most nearly comparable in duties and responsibilities.

(c) Allocations shall not be based on any extraneous factor not covered in the specification, such as geographic location, isolation, or hazard beyond that normally encountered in the occupation. The fact that equipment is paid for by the employee or is furnished to the employee by the Government shall have no bearing on the allocation of the position.

(d) The qualifications—as to education, experience, knowledge, or ability—which the person now holding the position may happen to possess or lack shall not be taken as criteria for allocation purposes.

(e) Under no circumstances shall the allocation of a given position be made to depend upon the civil service status or the classification grade of the present incumbent.

(f) Neither the existing salary of the position nor the amount to which it is desired to adjust the existing salary shall be considered in determining the class to which a given position belongs.

§ 19.3 *Reports.* After the allocations have been effected, each department and agency concerned shall report to the Commission (Attention, Personnel Classification Division), for each field station or establishment having positions covered by the allocation standards:

(a) Summary showing the number of employees allocated, as a result of the application of the standards, to each class described in the standards.

(b) A summary showing the number of such employees in each of the grades to which allocated prior to the making of the adjustments required by the application of the standards.

(c) The names, the present grades and salaries, and the proposed grades, classes, and salaries of any employees facing reductions in compensation to be made, at the termination of the appeal period hereinafter described, as a result of the application of the standards. If there are no such cases, that fact is to be reported.

§ 19.4 *Information regarding duties of individual positions.* At all times when the Commission is carrying out its responsibilities under said Directive No. XII, the departments and agencies affected shall make available to the Commission's representatives information regarding the duties, responsibilities, and allocations of individual positions covered by any fact-finding survey so made or by any standards so promulgated.

CASES INVOLVING REDUCTIONS IN PAY

§ 19.5 *Action suspended when reductions in pay involved; length of appeal period.* An allocation of a field position made in accordance with standards promulgated under War Manpower Commission Directive No. XII which would result in a pay reduction, if put into effect in accordance with existing laws and regulations, shall be suspended until the expiration of the time limit for an appeal or until a decision has been rendered upon the filing of objections as hereinafter provided. The time limit for the filing of such an appeal shall be 30 days from the date of notification to the employee, as hereinafter provided.

§ 19.6 *Notice to employees of pending reductions.* When, as a result of grade and salary adjustments required by the application of such standards, the existing salary of the incumbent of any position must be reduced, the department or agency involved shall notify the employee (a) of the prospective reduction in pay and the reason therefor; (b) that action is being suspended for 30 days to give him a fair opportunity to present his objections to the proposed reduction; (c) that during this 30-day period he has the right to present his written objections to the Commission, through the department or agency, if he so desires; (d) of the name and address of the official in the department or agency to whom such appeal should be directed; and (e) where he may have access to copies of the allocation standards.

§ 19.7 *Filing of objections.* A statement of objections to an allocation which if effected would result in a pay decrease, shall be made in writing and directed to the official of the department or agency indicated in the notice of proposed reduction. Such a statement shall contain the name, mailing address, and present classification grade and salary of the employee filing objections, the grade to which his position has been allocated under the standards and the salary to which reduction is proposed, an accurate and complete description of the duties performed and responsibilities exercised, the name, title, and grade of his immediate supervisor, and such collateral information and objections as he may care to present.

§ 19.8 *Effect on reductions where no objections filed.* If at the expiration of 30 days no appeal has been filed, the allocation and salary reduction proposed by the department or agency shall be put into effect.

§ 19.9 *Consideration of objections by department.* A responsible officer in the department or agency involved, and preferably in the field establishment where the employee is located, shall, within a period of 20 days after receipt of the appeal, consider the written objections of the employee, particularly with a view to re-examining the application of the standards to the duties and responsibilities currently performed by the employee. If in his judgment the facts so warrant, he shall readjust the allocation of the position involved in accordance with the standards. If in his judgment the facts do not warrant a readjustment in allocation, he shall prepare appropriate comments and recommendations as to action to be taken upon the case, and shall submit it promptly to the Commission (Attention, Personnel Classification Division), in Washington, D. C.

§ 19.10 *Consideration and decision by the Commission.* The Commission will review all cases where adverse action has been taken by the department or agency on the appeals of field employees from pay reductions resulting from application of allocation standards promulgated under Directive No. XII. The Commission will consider each case, will obtain any additional information it deems necessary, will make a decision thereon, and will notify the department or agency and the appellant of the action taken.

§ 19.11 *Effect of decisions.* The department or agency shall make such changes in the allocation of the employee's position as are necessitated by the Commission's decision on the appeal.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

APRIL 24, 1943.

[F. R. Doc. 43-6445; Filed, April 26, 1943; 11:25 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 31—THE FEDERAL LAND BANK OF BERKELEY

FEES

Section 31.1 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.1 *Application appraisal fees, all types of loans.* (a) A fee of $10.00 should accompany each application for a new loan, including each application for an increased loan whether or not additional security is offered.

(b) Each application for the division of an existing loan should be accompanied by a fee of $5.00.

(Sec. 13 "Ninth", 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.322, 19.330) (Res. Bd. Dir., December 15, 1942)

Section 31.2 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.2 *Closed loan fees, all types of loans.* (a) If a new loan exceeding $5,000 is closed, the bank will deduct from the proceeds a fee amounting to $1.00 for each $1,000, or fraction thereof, by which the amount loaned exceeds $5,000. In the event the application results in a joint land bank and Land Bank Commissioner loan, the fee will be computed upon the basis of the aggregate amount loaned.

(b) If an increased loan is closed, the bank will deduct from the proceeds a fee amounting to $1.00 for each $1,000, or fraction thereof, by which the amount of new money loaned exceeds $5,000.

(c) In connection with the division of an existing loan, if the application results in an increased loan, the bank will deduct from the proceeds a fee of $1.00 for each $1,000, or fraction thereof, by which the amount of new money loaned exceeds $5,000.

(Secs. 7, 13 "Ninth", 39 Stat. 365, 372, as amended, Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 723 (e), 781 "Ninth" 1016 (e), 1017; 6 CFR 19.322, 19.326, 19.330) [Res. Bd. Dir., December 15, 1942].

Section 31.3 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.3 *Personal risk investigation fees.* Where, in connection with an application for a new loan, an increased loan, or the division of an existing loan, it appears necessary for the bank to have a nonresident personal investigation made, a fee of $7.50 will be required.

(Secs. 7, 13 "Ninth", 39 Stat. 365, 372, as amended, Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 723 (e), 781 "Ninth", 1016 (e), 1017) [Res. Bd. Dir., December 15, 1942].

Section 31.4 *Inspection fees* of Title 6, Code of Federal Regulations, is hereby revoked.

(Secs. 7, 13 "Ninth", 39 Stat. 365, 372, as amended, Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 723 (e), 781 "Ninth", 1016 (e), 1017) [Res. Bd. Dir., December 15, 1942].

Section 31.5 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.5 *Reappraisal fees.* Where a reappraisal is required because of delay of the applicant or is made at the applicant's request, a second fee equal to the original application appraisal fee will be charged.

(Secs. 7, 13, "Ninth", 39 Stat. 365, 372, as amended, Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 723 (e), 781 "Ninth", 1016 (e), 1017; 6 C.F.R. 322) [Res. Bd. Dir., December 15, 1942].

Section 31.6 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.6 *Partial release fees.* (a) Each application for a partial release of the mortgaged security or subordination of mortgage or deed of trust should be accompanied by a fee of $10.00.

(b) Where, upon transfer of title to the mortgaged property, an application is made for release from personal liability, a fee of $10.00 will be required in connection with each application.

(Secs. 7, 13 "Ninth", 39 Stat. 365, 372, as amended, Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 723 (e), 781 "Ninth", 1016 (e), 1017; 6 C.F.R. 322) [Res. Bd. Dir., December 15, 1942.]

Section 31.7 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 31.7 *Return fees.* (a) The bank's application appraisal fee will be refunded in its entirety to the applicant if an appraisal of the property is not made.

(b) The personal risk investigation fee will be refunded in its entirety to the applicant if an investigation proves to be unnecessary or is not made.

(c) The partial release or subordination application fee will be refunded in its entirety to the applicant if an appraisal is not made.

(d) The fee for application for release from personal liability will be refunded in its entirety to the applicant if an appraisal is not made.

(Secs. 7, 13 "Ninth", 39 Stat. 365, 372, as amended, Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 723 (e), 781 "Ninth", 1016 (e), 1017; 6 CFR 322) [Res. Bd. Dir., December 15, 1942].

Section 31.12 *Reamortization fees* of Title 6, Code of Federal Regulations, is hereby revoked.

(Sec. 13 "Thirteenth", as added by Sec. 4, 47 Stat. 1548, Sec. 32, 48 Stat. 48, as amended, Secs. 1, 2, 4 (b) as amended, 48 Stat. 344, 345, 346; 12 U.S.C. 781 "Thirteenth", 1016, 1020, 1020 (a), 1020 (d), and Sup.; 6 CFR 19.282; 4 F.R. 4942 DI) [Res. Bd. Dir., December 15, 1942].

[SEAL] THE FEDERAL LAND BANK OF BERKELEY,
By CHAS. PARKER, *President.*

[F. R. Doc. 43-6358; Filed, April 24, 1943; 10:05 a. m.]

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[FPO 10]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER IN PUERTO RICO

Pursuant to Executive Order No. 9280 (7 F.R. 10179), dated December 5, 1942, and Executive Order No. 9322 (8 F.R. 3807) dated March 26, 1943, and in order to assure an adequate production of food crops and sugarcane in Puerto Rico to meet war and civilian needs, *It is hereby ordered*, That:

§ 1206.501 *Chemical Fertilizer in Puerto Rico*—(a) *Definitions.* For the purposes of this order:

(1) "Chemical fertilizer" means any material used as a plant food containing one or more of the following: nitrogen, phosphorous, or potassium, excluding, however, animal manures and animal, fish, and plant residues, unless mixed with a chemical fertilizer.

(2) "Food crop" means any crop, other than sugarcane, grown for human or animal consumption or use.

(3) "Fertilizer manufacturer" means any person who manufactures or mixes chemical fertilizer.

(4) "Dealer" means any person, other than a fertilizer manufacturer, who purchases or has purchased chemical fertilizer for resale.

(5) "Agent" means any person, other than a fertilizer manufacturer, who receives or has received chemical fertilizer on a consignment basis for resale.

(6) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons", and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and the Government of Puerto Rico or any agency thereof.

(7) "War Board" or "Board" means the United States Department of Agriculture War Board for Puerto Rico.

(8) "Director" means the Director of Food Production, or, in his absence, the Acting Director of Food Production.

(b) *Effective period of order.* Unless sooner revoked or superseded, or unless extended by appropriate order, this order shall be in force and effect from its issuance through January 31, 1944, but amendments may be made from time to time: *Provided*, That nothing in this paragraph (b) shall be deemed to limit the record keeping requirement of paragraph (c) hereof.

(c) *General administration.* (1) This order shall be administered by the War Board, which shall be responsible to and subject to the general supervision of the Director. In administering this order, the War Board may utilize the facilities and personnel of any agency of the United States Department of Agriculture represented on the War Board to the extent necessary to carry out the purposes of this order, but consistent with the needs and requirements of such agencies in discharging their regular functions. The War Board may delegate any of the

duties and functions imposed upon it by

shall be only for such purpose and for

(2) No person shall be authorized to

(ii) The number of tons of chemical fertilizer (showing its formula), which

the matter to the War Board. The decision of the Director shall be in writ-

manufacturers, dealers, agents and other persons to whom this order applies shall

duties and functions imposed upon it by this order to any committee of the War Board or to any officer or employee of the United States Department of Agriculture.

(2) No member of the War Board and no officer or employee of the United States Department of Agriculture to whom the War Board may delegate any duty or function under this order shall take part in any action which involves or affects himself, any member of his immediate family or other close relatives, or his landlord, tenant, or associate.

(d) *Allocation of chemical fertilizer materials.* It shall be the duty of the War Board to encourage the use of available chemical fertilizer on food crops so as to obtain the greatest practicable amount of food production in Puerto Rico. To this end the Board shall require fertilizer manufacturers to set apart, from existing stocks, such quantities of fertilizer materials as the Board determines should be made available for use on food crops, but not less than enough of such fertilizer materials to mix 10,000 tons of chemical fertilizer shall be so required to be set apart. This requirement shall be made before the Board may authorize delivery of any chemical fertilizer for use on sugarcane. From time to time, as additional supplies of fertilizer materials become available in Puerto Rico, the Board shall require fertilizer manufacturers to set apart such quantities of fertilizer materials as the Board determines should be made available for use on food crops in order to maintain, as nearly as possible, an adequate supply of such materials for such purpose. Fertilizer materials not required to be set apart for use on food crops may be made available for use on sugarcane. The War Board shall also endeavor to see that shipments to Puerto Rico of sufficient quantities of fertilizer materials for use on both food crops and sugarcane are arranged through the proper authorities, taking into account the shipping space allocated monthly for such purpose.

(e) *Manufacture of chemical fertilizer.* From time to time, the War Board shall prescribe a formula or formulae for the mixing of chemical fertilizer suitable for use on food crops and sugarcane, taking into account the supply of fertilizer materials available or expected to be available in Puerto Rico; and no manufacturer shall mix chemical fertilizer except in conformity with a formula prescribed by the Board. (Unless otherwise specified by the Board, nitrogen prescribed in any formula will mean nitrogen (N) expressed in terms of ammonia (NH_3).)

(f) *Restrictions on delivery and use of chemical fertilizer.* (1) No fertilizer manufacturer, dealer, agent or other person shall deliver to any person, and no person shall accept for use any chemical fertilizer of a formula not prescribed by the War Board pursuant to paragraph (e) hereof. This restriction shall not apply, however, to the delivery of any mixed chemical fertilizer on hand on the effective date of this order, but the delivery of such mixed chemical fertilizer shall be only for such purpose and for use on such crops as may be approved by the Board.

(2) No fertilizer manufacturer, dealer, agent or other person shall deliver to any person, and no person shall accept, for use any chemical fertilizer except as authorized by the War Board by means of a purchase permit or a ration card issued pursuant to this order.

(g) *Directions.* (1) Each fertilizer manufacturer shall comply with such directions as may be issued from time to time by the War Board with respect to the quantities, grades, and kinds of mixed fertilizer to be manufactured and with respect to the use or delivery of any fertilizer materials including nitrogen-bearing materials.

(2) Each fertilizer manufacturer, dealer, agent or other person to whom this order applies shall comply with such directions as may be issued from time to time by the War Board with respect to the delivery and use of chemical fertilizers.

(h) *Requirements of fertilizer users.* (1) The War Board shall establish the basis or method for determining the requirements of fertilizer users. This shall be established by taking into account the supply of fertilizer materials available or expected to be available in Puerto Rico and the need to obtain the greatest practicable amount of food production in Puerto Rico. Such basis or method shall be uniformly applicable in determining the requirements of all persons growing the same crops or crops, and, so far as practicable, shall apply throughout the growing seasons during which this order is effective: *Provided, however,* That with respect to sugarcane, no person's requirements for chemical fertilizer shall exceed, in a basic formula of 10–6–9 or its nitrogen equivalent in any other formula prescribed by the Board, 50 percent by weight of the average amount per acre of chemical fertilizer used by such person during the period January 1, 1940, to April 1, 1941, irrespective of the formula of the chemical fertilizer used during such period, multiplied by his acreage to be cultivated for the 1943–1944 harvest. The average amount per acre of chemical fertilizer used by any person for sugarcane during the period January 1, 1940, to April 1, 1941, shall be ascertained from the Agricultural Adjustment Agency records: *Provided, further,* That with respect to sugarcane, in the case of (1) persons who planted or cultivated no sugarcane during the period January 1, 1940, to April 1, 1941, (2) persons who planted or cultivated sugarcane during such period but used no chemical fertilizer, and (3) other persons for whom the Agricultural Adjustment Agency has no record of use of chemical fertilizer during such period, the requirements of such persons shall not exceed 125 pounds of chemical fertilizer per acre cultivated for the 1943–1944 harvest in a basic formula of 10–6–9 or its nitrogen equivalent in any other formula prescribed by the Board. As used in this paragraph (h) (1), "nitrogen" means nitrogen (N) expressed in terms of ammonia (NH_3).

(2) No person shall be authorized to obtain chemical fertilizer by a purchase permit or a ration card in excess of his requirement as determined under paragraph (h) (1) hereof.

(3) The War Board will require applicants for ration cards for chemical fertilizer for use on sugarcane to take an additional amount of fertilizer for use on food crops, in accordance with the existing procedure of the War Board. No ration card for chemical fertilizer for use on sugarcane shall be issued to any person, unless such person agrees to take and use such additional amount of fertilizer for use on food crops.

(i) *Application for purchase permits and ration cards.* (1) Before obtaining any chemical fertilizer from any fertilizer manufacturer, dealer, or agent, or any other person, any farmer who operates a farm as owner or tenant shall first apply to the War Board in writing for a purchase permit or ration card entitling him to obtain such fertilizer. If the fertilizer applied for is for food crops only, the application shall be for a purchase permit; if it is for sugarcane and food crops, the application shall be for a ration card. No more than one person may apply for a ration card or a purchase permit for use with respect to the same land. Such applications shall be on forms to be prescribed by the War Board, and such forms shall be made available at places convenient to farmers.

(2) In making an application for a ration card, a sugarcane grower shall agree to use the fertilizer obtained by such card only for the purposes indicated thereon by the War Board, and shall also agree to carry out the requirements of the farming practice determination applicable to the 1943–1944 crop of sugarcane issued pursuant to the Sugar Act of 1937. Each sugarcane grower shall state in his application, in addition to such other matters as the War Board may deem appropriate for the purposes of this order, the following:

(i) The number of acres of sugarcane growing on his farm as of January 31, 1943, showing the acreage of such sugarcane planted in 1941 for harvest in 1943, planted in 1942 for harvest in 1944, planted in 1942 for harvest in 1943, and cultivated in 1942 for harvest in 1943.

(ii) The acreage of sugarcane which he expects to cultivate for the grinding season 1943–1944.

(iii) The number of tons of chemical fertilizer (showing its formula), which the applicant has on hand, or has applied since July 1, 1942, to his acreage in sugarcane for harvest in 1944, but not including fertilizer previously allocated by the War Board for use on food crops.

(3) In making an application for a purchase permit, a farmer shall agree to use the fertilizer obtained by such permit only for the purposes indicated thereon by the War Board. Each farmer applying for a purchase permit for chemical fertilizer for use on food crops only shall state in his application, in addition to such other matters as the War Board may deem appropriate for the purposes of this order, the following:

(i) The acreage which he expects to plant to each food crop.

(ii) The number of tons of chemical fertilizer (showing its formula), which the applicant has on hand for use on the crops with respect to which the application is made.

(j) *Issuance of ration cards and purchase permits.* (1) Ration cards and purchase permits shall be issued on forms to be prescribed by the War Board. They shall show the quantities and the formulae of the chemical fertilizers authorized to be obtained and the purposes for which such fertilizers may be used. They shall contain expiration dates after which they shall become void, unless an extension of time is granted by the War Board upon good cause shown by the holder thereof. Purchase permits shall be issued in triplicate and one copy may be retained by the applicant.

(2) Upon receiving an application for a ration card or purchase permit, the War Board shall determine whether such application has been properly made and shall either approve or deny the application, in whole or in part, as the facts may warrant. In determining the quantity of chemical fertilizer which any person may be authorized to obtain on a purchase permit or ration card, the Board shall take into account the amount of chemical fertilizer which the applicant has on hand and, in the case of a sugarcane grower, the amount which he has applied since July 1, 1942, to his acreage in sugarcane for harvest in 1944. If any application is wholly denied, the applicant shall be so notified by a letter setting forth the reasons therefor. If any application is approved, in whole or in part, a ration card or purchase permit, as the case may be, shall be issued. In the case of an application partly denied, the applicant shall be notified by letter of the reasons for such partial denial.

(3) Any applicant whose application for a ration card or purchase permit has been denied, in whole or in part, may, within fifteen calendar days after notification of such denial, request the War Board, in writing, to reconsider its action. Within fifteen calendar days after the receipt of such request, the War Board shall notify the applicant by letter of its action on the reconsideration.

(4) If, after the reconsideration provided for in paragraph (j) (3) hereof, any applicant has good reason to believe that the final ruling of the War Board on his application is not in accordance with the provisions of this order, such applicant may, within 15 calendar days after receiving notification of such ruling, file with the War Board a written appeal to the Director from such ruling, setting forth specifically the reasons for his appeal, and stating in full the facts upon which his appeal is based. Such written appeal shall be dated and made by the applicant under oath. The War Board shall promptly transmit such appeal to the Director. The Director may require the furnishing of additional information by the applicant or the War Board. The Director may affirm, reverse, or modify the decision of the War Board or he may remand the matter to the War Board. The decision of the Director shall be in writing, shall be communicated to the applicant and to the War Board and shall be final and conclusive.

(k) *Authorization to deliver fertilizer for sugarcane.* A ration card will show either the total quantity of chemical fertilizer which a sugarcane grower may obtain for use on sugarcane during the effective period of this order, or the total quantity of such fertilizer which a sugarcane grower may obtain for use on any specified sugarcane crop planted or to be planted during the effective period of this order. The quantity of chemical fertilizer which may be delivered to a sugarcane grower for use on sugarcane at any specified time, however, shall be a percentage of the total quantity shown on his ration card. Such percentage shall be determined by the War Board for all sugarcane growers, from time to time, taking into account the available supply of chemical fertilizer for use on sugarcane and the needs of sugarcane growers. The War Board shall notify fertilizer manufacturers, dealers and agents of such determination.

(l) *Obtaining fertilizer on a ration card.* A sugarcane grower may obtain chemical fertilizer only upon presenting his ration card to a fertilizer manufacturer, dealer, agent or other person from whom such fertilizer is to be obtained. No fertilizer shall be delivered to such grower for use on sugarcane until delivery has been made of the fertilizer for use on food crops, which, as shown on his ration card, such grower is required to take. The quantity of fertilizer delivered to any grower for use on sugarcane shall not exceed the quantity authorized by the War Board, pursuant to paragraph (k) hereof, to be delivered at that time. Upon making delivery of fertilizer for use on sugarcane or food crops authorized by a ration card, the fertilizer manufacturer, dealer, agent, or other person making such delivery shall sign and date the ration card as of the date of delivery and indicate thereon the kinds and quantities delivered.

(m) *Obtaining fertilizer on a purchase permit.* A farmer may obtain chemical fertilizer for use on food crops only by surrendering to a fertilizer manufacturer, dealer, agent or other person from whom such fertilizer is to be obtained, the original and one copy of his purchase permit. Upon making delivery of such fertilizer, the fertilizer manufacturer, dealer, agent, or other person making such delivery shall sign and date the original and the copy, shall mail the original to the War Board as the Board may direct, and shall retain the copy on file for at least 60 days.

(n) *Records of War Board.* The War Board shall keep an accurate record of all applications received for ration cards and purchase permits, all ration cards and purchase permits issued, and all other pertinent data which it deems appropriate to carry out the purposes of this order or which may be required by the Director.

(o) *Records and reports of manufacturers, dealers and agents.* Fertilizer manufacturers, dealers, agents and other persons to whom this order applies shall keep records for not less than two years of all deliveries of chemical fertilizer, including the quantities and kinds delivered and the names of persons to whom delivered, in such detail and for such periods of time as the War Board may prescribe, and shall make reports to the War Board of all such deliveries in such form and detail as the Board may require. (This record keeping and reporting requirements has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(p) *Audits and inspections.* Each fertilizer manufacturer, dealer, agent or other person to whom this order applies shall, upon request, submit his books, records, and accounts for audit and inspection by duly authorized representatives of the War Board.

(q) *Notification of customers.* Manufacturers, dealers, and agents shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any person from complying with the terms hereof.

(r) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any chemical fertilizer or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the Secretary of Agriculture, and may be deprived of any priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(s) *Petition for relief from hardship.* Except as provided in paragraphs (j) (3) and (j) (4) hereof, any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and information. The Director may, upon the basis of such application and other information, take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(t) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall

but also to deliveries from one branch

unless instructions to the contrary are issued, be addressed to the United States Department of Agriculture War Board for Puerto Rico, P. O. Box 4349, San Juan, Puerto Rico, Ref. FPA 10.

(u) *Territorial application of order.* This order shall have application only in Puerto Rico.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Done at Washington, D. C. this 24th day of April, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-6409; Filed, April 24, 1943; 3:43 p. m.]

Chapter XI—Food Distribution Administration

[FDO 19-1, Amendment 2]

PART 1455—SPICES

RESTRICTED SPICES QUOTAS

Pursuant to the authority vested in me by Food Distribution Order No. 19 (8 F.R. 1827), issued by the Secretary of Agriculture of the United States on February 8, 1943, under the authority of Executive Order No. 9280, dated December 5, 1942, and in order to effectuate the purposes of such orders, *It is hereby ordered*, That Director Food Distribution Order No. 19-1 (8 F.R. 1829), as amended, be, and the same hereby is, amended as follows:

1. By deleting from § 1455.2 (a) the column entitled "Restricted spice" and the quota percentage for each spice designated in such column, and inserting, in lieu thereof, the following:

Restricted spice:	Quota percentage
Black pepper	60
Cassia (cinnamon)	40
Cloves	90
Ginger	100
Mace	40
Nutmeg	60
Pimento (allspice)	115
White pepper	60

2. By deleting from the aforesaid order the provisions in § 1455.2 (b) and inserting, in lieu thereof, the following:

Any packer, any receiver, or any industrial user may, in lieu of a quota computed pursuant to (a) hereof, avail himself of a quota of one hundred pounds of any restricted spice or any combination of restricted spices.

The provisions of this amendment shall take effect at 12:01 a. m., E. W. T., April 27, 1943.

(E.O. 9280, 7 F.R. 10179; F.D.O. 19, 8 F.R. 1827)

Issued this 26th day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director.

[F. R. Doc. 43-6442; Filed, April 26, 1943; 11:19 a. m.]

[FDO 51]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

RESTRICTIONS ON THE USE AND DELIVERY OF EDIBLE MOLASSES

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order 9322, dated March 26, 1943, and to assure an adequate supply and efficient distribution of edible molasses to meet war and essential civilian needs: *It is hereby ordered*, As follows:

§ 1490.5 *Edible molasses; use and delivery restricted*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "edible molasses" means:

(i) Any molasses, sirup, or sugar solution derived from sugarcane, which contains soluble non-sugar solids (excluding any foreign substances that may have been added) equal to more than six per centum of the total soluble solids, and which is to be used for human consumption, or

(ii) Any sirup of cane juice produced from sugarcane grown in the continental United States, which is to be used for human consumption, notwithstanding the percentage of non-sugar solids in the total soluble solids.

(2) The term "blender" means any person who accepts delivery of edible molasses for the purpose of processing such molasses for resale. Processing as used herein shall include, but shall not be limited to, blending or packaging.

(3) The term "food manufacturer" means any person who accepts delivery of edible molasses in excess of one hundreds gallons in the aggregate, during any marketing year, from all persons, other than blenders or distributors of edible molasses processed by a blender, for use in the manufacture of any product for human consumption other than molasses as such.

(4) The term "distributor" means any person who accepts delivery of edible molasses for resale, without further processing, to blenders or food manufacturers.

(5) The term "calendar quarter" means the several three-month periods of the year commencing January 1, April 1, July 1, and October 1.

(6) The term "calendar quarterly supply" means a quantity of edible molasses equal to the total quantity of edible molasses processed by a blender or used by a food manufacturer during a corresponding calendar quarter in the twelve-month period ended June 30, 1941, without regard to the source of supply.

(7) The term "marketing year" means a twelve-month period beginning on October 1 and ending on September 30. For the purposes of this order the first marketing year shall end on September 30, 1943.

(8) The term "yearly supply" means a quantity of edible molasses equal to the total quantity of edible molasses processed by a blender or used by a food manufacturer during the twelve-month period ended June 30, 1941, without regard to the source of supply.

(9) The term "person" means any individual, partnership, corporation, association, or other business entity.

(10) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on deliveries.* (1) Unless specifically authorized by the Director, no blender or food manufacturer shall accept delivery of edible molasses during any marketing year in excess of 100% of a yearly supply.

(2) No person shall knowingly deliver edible molasses to any person, the acceptance of which by the person to whom delivery is made is in violation of the terms of this order.

(3) Every blender or food manufacturer, before accepting delivery of edible molasses shall deliver (in duplicate) to his supplier a certificate in substantially the following form properly filled out and manually signed by a duly authorized official:

The undersigned hereby certifies to the United States Department of Agriculture, Food Distribution Administration, and his supplier that the delivery to him of ------ gallons of edible molasses in connection with which this certificate is furnished, will not, taking into consideration edible molasses received or to be received by the undersigned, during this marketing year, from all sources, be in excess of 100% of a yearly supply to which the undersigned as a ---------- is
(blender or food manufacturer)
entitled under the terms of Food Distribution Order No. ------, with which the undersigned is familiar.

Name of deliveree

By
Date Duly authorized official

(4) Each supplier of edible molasses shall forward to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref. FD-51, within 15 days after the end of each month, one original of each certificate received by him during the preceding month pursuant to the provisions of paragraph (b) (3) hereof.

(c) *Restrictions on use and processing.* Unless specifically authorized by the Director, no blender shall process and no food manufacturer shall use, during any calendar quarter, more than a calendar quarterly supply of edible molasses.

(d) *Restrictions on use for beverage spirits.* Notwithstanding any of the other provisions of this order, no person shall accept delivery of, use, or knowingly deliver edible molasses for the manufacture of beverage spirits, unless specifically authorized by the Director.

(e) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, unless otherwise ordered by the Director, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise owned or controlled by the same person.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of edible molasses and premises used in his business, and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other period of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe. Persons who produce edible molasses in excess of 1,000 gallons during any marketing year, importers of edible molasses, blenders, food manufacturers, and distributors shall fill out and file a copy of Form FDO-51-1 for each calendar quarter hereafter, beginning with the quarter commencing on April 1, 1943, within 15 days after the end of such calendar quarter, and shall also fill out and file a copy of said form with the Director, covering the calendar quarter ended March 31, 1943, within 15 days after the effective date of this order.

(h) *Bureau of the Budget approval.* The specific reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Further specific record keeping or reporting requirements which may be prescribed by the Director shall be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(j) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *General Preference Order No. M-54 partially superseded.* This order supersedes General Preference Order No. M-54, as amended (8 F.R. 1020), of the War Production Board, insofar as said order applies to edible molasses as defined herein, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said general preference order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal, pertaining to edible molasses, pending under said general preference order shall be considered under paragraph (i) hereof.

(l) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref.: FD-51.

(m) *Territorial extent.* The prohibitions and restrictions of this order shall apply only to persons in the forty-eight States of the United States and the District of Columbia.

(n) *Effective date.* This order shall be effective on April 27th, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Issued this 24th day of April 1943.

[SEAL] CHESTER C. DAVIS,
Administrator, Food Production and Distribution Administration.

[F. R. Doc. 43-6407; Filed, April 24, 1943; 3:43 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[Supp. 6 to General Order C-21]

PART 170—REGISTRATION AND FINGERPRINTING OF ALIENS IN ACCORDANCE WITH THE ALIEN REGISTRATION ACT, 1940

CERTAIN ALIENS ENTERING THE UNITED STATES UNDER OFFICIAL ORDERS

APRIL 23, 1943.

Pursuant to the authority contained in sections 32 (c), 34 (a) and 37 (a) of Title III of the Act of June 28, 1940 (54 Stat. 674, 674, 675; 8 U.S.C. 453 (c), 455 (a), 458 (a)), § 90.1, Title 8, Chapter I, Code of Federal Regulations (7 F.R. 6753) and all other authority conferred by law, the following amendments of Part 170 of the said regulations are hereby promulgated.

Paragraphs (b) and (d) of § 170.1 are amended by changing the language in each subsection which now reads "Subject to paragraph (k) of this section" to read "Subject to paragraph (j) of this section".

The following new paragraph (k) is added to § 170.1:

(k) Notwithstanding any other provisions of this section, any alien temporarily entering the United States (including Alaska, Hawaii, Puerto Rico and the Virgin Islands of the United States) under orders of his Government and in whose case the Secretary of State has waived the requirement of a visa will not be required to be registered and fingerprinted while in the United States in accordance with the orders of his Government, but if he continues to remain in the United States beyond the period required by the orders of his Government, he shall then be required to be registered and fingerprinted in accordance with the applicable provisions of this Part within 30 days from such time.

EARL G. HARRISON,
Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 43-6446; Filed, April 26, 1943; 11:22 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 54—ARMY EXCHANGES

Sections 54.1 to 54.13, inclusive, are rescinded and the following substituted therefor.

The regulations contained in §§ 54.1 to 54.12, inclusive, are also contained in A. R. 210-65, March 19, 1943, the particular paragraphs being shown in brackets at the end of sections. The regulations in § 54.13 are contained in W. D. Circular 88, March 30, 1943.

Sec.
54.1 Purposes.
54.2 Establishment.
54.3 Legal status.
54.4 New construction of buildings
54.5 Activities
54.6 Army exchange service.
54.7 Purchases.
54.8 Sales.
54.9 Personnel.
54.10 Enlisted employees.
54.11 Civilian auditors.
54.12 Contracts.
54.13 Liquidation of accounts payable of exchanges lost through enemy action.

AUTHORITY: §§ 54.1 to 54.13 inclusive issued under R.S. 161; 5 U.S.C. 22.

§ 54.1 *Purposes.* Exchanges are established for the following purposes:

(a) To supply the persons to whom sales are authorized (§ 54.8) at the lowest possible prices with articles of necessity and convenience not supplied by the Government except as provided in § 54.5 (b) (5).

(b) To make available from profits funds which may be used to afford to military personnel additional facilities for comfort, recreation, and amusement, and to contribute to activities which will foster and increase the physical and spiritual welfare of military personnel. [Par. 3]

§ 54.2 *Establishment.* Except for the operations of post restaurants as

provided in AR 210–100,[1] the establishment or operation as a civilian installation of any of the activities which an exchange is authorized to operate under the provisions of § 54.5 is prohibited. [Par. 4*h*]

§ 54.3 *Legal status.* The legal status, rights, and liabilities of Army exchanges, exchange funds, property and personnel, commanding officers, exchange councils and exchange officers, and the rights as to litigation are determined by statute, the decisions of the Courts, the opinions of the Attorney General, and The Judge Advocate General of the Army. Subject to the foregoing and to these regulations, the Chief of Army Exchange Service is authorized to establish by interpretation the policy of the War Department upon the subjects noted. [Par. 8]

§ 54.4 *New construction of buildings.* Authority of the Secretary of War is required to permit the erection of temporary buildings on military reservations by private individuals or commercial concerns. This authority is not required for construction by exchanges, or when construction contracts between private individuals or commercial concerns and the exchange specify that immediately upon completion of the buildings, title thereto passes to the exchange. [Par. 9*c*]

§ 54.5 *Activities*—(a) *Authorized activities.* An exchange may include, when approved by the commanding officer, the following activities and facilities:

(1) Main store, including military clothing and equipment.
(2) Branches.
(3) Warehouses.
(4) Soda fountain.
(5) Beer bar.
(6) Meat market.
(7) Vegetable and grocery market.
(8) Gasoline filling station.
(9) Automobile garage and service station.
(10) Restaurant or cafeteria.
(11) Barber shop.
(12) Beauty parlor.
(13) Laundry.
(14) Watch repair shop.
(15) Radio repair shop.
(16) Tailor shop, including dry cleaning and pressing.
(17) Shoe repair shop.
(18) Photographic studio.
(19) Vending and amusement machines.
(20) Gymnasium, including equipment for outdoor athletics.
(21) Recreation rooms, including billiard and pool tables, bowling alleys, and equipment for other indoor games when not provided by other services.
(22) Library supplied with books and periodicals when not provided by other services.
(23) Theater in which motion pictures, amateur dramatics, and other entertainment may be conducted, if not provided by other services.

[1] Administrative regulations of the War Department relating to post restaurants.

(24) Publication of a periodical.
(25) Taxicab and bus operation, subject to the following limitations:

(i) Unless strictly confined to service personnel and civilian Government employees as passengers, an exchange is not authorized to operate a taxicab or bus transportation facility nor to compete in any manner with civilian enterprise in such activity.

(ii) The exchange may enter into a separate contract with any taxicab or bus company operating on the post, camp, station, or installation under a revocable license from the post commander, under which contract the exchange agrees to act as agent for such company for the sale of tickets entitling the holder to transportation.

(iii) Under the limitations of (b) (1) below, the contract under (ii) above requires the permission of the commanding general of the service command.

(iv) For its services as such ticket agent the exchange may receive a legal commission. This should not exceed 10 percent of the sales price of such tickets, and no part of such commission may be rebated or allowed in any manner as a credit to the purchaser of such ticket.

(v) Under the limitations described in (i), (ii), (iii), and (iv) above, exchange coupons of equivalent money cost may be used by ticket purchaser either to obtain transportation tickets or to pay such transportation cost in any manner included within the terms of such contract.

(b) *Limitations on activities.* (1) Activities other than those enumerated in paragraph (a) of this section will not be added to the business of an exchange without obtaining approval, through the Chief of Army Exchange Service, of the War Department.

(2) Except at stations located outside the continental limits of the United States and subject to the provisions of § 54.6 (c), articles for sale will be limited to those articles of necessity and convenience as the commanding officer of the post, camp, station, or installation or the commanding general of the service command may determine desirable in view of local conditions. See also § 54.7 (a) (7).

(3) In all cases where the exchange acts as a collection agency for either a civilian activity or a concessionnaire, its liability will be limited to that of an agent and it will not be bound to perform any part of the customer's contract either by the payment of money or otherwise.

(4) Field exchanges may sell supplies obtained from quartermaster stores at cost price plus overhead cost fixed by the Secretary of War.

(5) The sale to enlisted men of regulation trousers, shirts, caps, belts, ties, socks, underwear, insignia, including cloth insignia such as chevrons, shoulder, sleeve, and other patch type insignia, is authorized. The sale of articles of the uniform, except those specified above, similar to or as substitute for those issued by the supply service of the Army is forbidden.

(6) The operation of any gambling device, such as punch boards, slot machines, etc., by or in any exchange or exchange activity is prohibited.

(7) The sale of or dealing in beer, wine, or any other intoxicating liquors by any person in any exchange or upon any premises used for military purposes by the United States is prohibited. Beer with an alcoholic content of not more than 3.2 percent by weight is considered nonintoxicating. See § 54.12 (g).

(8) A periodical published by an exchange will not carry paid advertising.

(9) An exchange will not accept any gift or subsidy which might, directly or indirectly, be calculated to cause a preference in the purchase or sale of merchandise.

(c) *Concessions.* (1) So far as is practicable all of the authorized activities of the exchange will be conducted by the exchange.

(2) Subject to the provisions of (3) and (4) below, and when unusual conditions warrant, concessions may be granted by the exchange officer with the consent of the commanding officer, only for the conduct of activities indicated in paragraph (a) (6) to (18), inclusive, of this section.

(3) Concessions will not be granted private individuals, firms, or corporations to operate any of the activities of the type listed in (2) above without the approval of the commanding general of the service command, and if the furniture, fixtures, and equipment necessary to operate any such activity are owned by the exchange, in the absence of extenuating circumstances, such approval will not be given.

(4) A concession contract will be approved only when it embodies the express provision that the concessionaire assumes complete liability for all local taxes applicable to the property, income, and transactions of the concessionaire.

(5) Contracts with concessionaires will neither state nor imply that any rental is to be charged the concessionaire for occupancy of space in buildings or for the use of utilities or facilities on the military reservation except that fuel, water, or electric services will not be supplied at Government expense for the operation of cooking devices, mechanical equipment, refrigeration, electrical appliances, washing, cleaning, or power machinery for such enterprises as restaurants, tailor shops, barber shops, shoe repair shops, or any other activities operated by the exchange or concessionaires.

The contract will contain provisions that the post authorities retain supervision of the activities and control of prices to be charged.

(6) When concessions occupy real estate not under control of the exchange, a license or lease is required (§52.1 and §§ 52.5–52.16).

(7) A concessionaire is in no sense an agent of the exchange and will not be permitted to represent himself as such to the public by the use of the words "------ Exchange" on letter or bill heads, signs, or in any other manner.

(8) The limitations imposed upon sales by exchanges apply equally to exchange concessionaires.

(d) *Vending and amusement machines.* (1) Vending and amusement machines may be installed in posts, camps, stations, and installations by:

(i) Outright purchase for cash, or installment contract.
(ii) Rental purchase.
(iii) Loan.
(iv) Rental.

(2) The negotiating agency for procuring vending and amusement machines at posts, camps, stations, or installations will normally be the exchange.

(3) All vending and amusement machines installed on the post will be under the control of the exchange. Exception is made for those installed in hospitals, service clubs, and messes operated under the provisions of AR 210–60,[1] for the benefit of the fund concerned, at the discretion of the post, camp, station, or installation commanding officer, and except where specific War Department authority has been granted under the provisions of AR 210–50.[2] [Par. 10]

§ 54.6 *Army Exchange Service.* (a) The Army Exchange Service is that part of the Army which has jurisdiction over and provides staff supervision of the operation of all Army exchanges, and consists of such officers, enlisted men, and civilian personnel necessary to perform the functions assigned to it.

(b) This Service will have jurisdiction over, and will be extended to, all exchanges of the Army through appropriate personnel on the staffs of commanding generals of service commands and commanding officers of posts, camps, stations, and installations, at whose directions exchanges have been established.

(c) With reference to all Army exchanges, the Army Exchange Service is charged with:

(1) Developing policies, plans, and procedures for and supervising the installation and operation of:

(i) A uniform and coordinated system of operating procedures, pricing policies, and merchandising methods, including the safeguarding of exchange funds and property, and the determination of permitted types of merchandise to be sold by exchanges.

(ii) Personnel policies and procedures, to include insurance plans, in-service training programs, and training of exchange officers.

(iii) Accounting and auditing methods and procedures.

(iv) Minimum and maximum percentages of gross profits, operating expenses, and net profits.

(v) The regulation of dividends.

(vi) Determination of type of equipment and fixtures to be used by exchanges.

(vii) Establishment of fees to be paid by exchanges to the Army Exchange Service for services enumerated herein.

(2) Performing the following functions:

(i) Providing and prescribing the use of purchasing and fiscal services.

(ii) Obtaining price agreements from manufacturers and distributors on items purchased by exchanges, and prescribing the use of such price agreements.

(iii) Administrating all funds accruing to the Army Exchange Service.

(iv) Negotiating for and providing funds to be loaned to exchanges under such regulations as the Chief of Army Exchange Service may prescribe.

(3) Transmitting to exchange officers and personnel in an appropriate manner necessary information as to all activities within the scope of the foregoing duties and functions.

(4) Exercising an advisory and policy-making function for the War Department in all other matters within the scope of the foregoing duties and functions. [Par. 11]

§ 54.7 *Purchases*—(a) *For exchange.* (1) Except as authorized in (i) and (ii) below and except when such duty has been delegated to an assistant exchange officer, all purchases of merchandise or other property will be made by the exchange officer who will notify all vendors on the purchase order, or by other appropriate means, that the contract is made with the exchange and not with the United States Government.

(i) Exception to the above requirement is authorized, when, by reason of absence on other duty, the exchange officer may not advantageously make such purchases. In these cases the exchange office manager may, when specifically authorized by the commanding officer, make routine purchases in limited quantity.

(ii) In large exchanges maintaining a purchasing department and stock control system, routine replacement of lines of merchandise handled in the exchange may be made by the head of the purchasing department from a list of dealers authorized by the exchange officer.

(2) The exchange officer will, in all cases, be responsible for the purchase made by any subordinate as authorized in (1) (i) and (ii) above.

(3) Purchases made verbally by the exchange officer, or as provided in (1) (i) and (ii) above, will be confirmed by written purchase order immediately thereafter.

(4) Inventories will be held to a reasonable minimum.

(5) Purchases at prices in excess of those published in Army Exchange Service price agreements (§ 54.6 (c)) are not authorized except to supply immediate needs to exchanges operating in the field, or in emergencies due to lost or delayed shipments or other like circumstances, or when procurement, delivery, or price considerations render it to the interest of the exchange to purchase from local distributors.

(6) (i) All purchases within the continental limits of the United States by exchanges located outside the continental limits of the United States will be made through Army Exchange Service.

(ii) Commercial and financial transactions of any type within the United States by exchanges located outside the continental limits of the United States will be conducted only through Army Exchange Service in accordance with provisions prescribed by the Chief of Army Exchange Service.

(7) The purchase or sale by Army exchanges of articles of military uniform and equipment not in conformity with the provisions of §§ 79.1 to 79.64, inclusive, is forbidden.

(b) *For concessionaires.* The purchase by the exchange of material needed by concessionaires in the operation of their concessions is permitted only after all taxes involved, if any, have been advanced by the concessionaire and when such material is not to be resold.

(c) *No merchandise will be held on consignment* or to be paid for by exchanges when sold. The provisions of this paragraph will not be construed as prohibiting the established business practice of making an agreement, at the time of purchase, for the return to the vendor for credit of unsold seasonable merchandise at a specific time. [Par. 12]

§ 54.8 *Sales*—(a) *To whom made.* Exchanges are authorized to sell to the following-named persons and organizations only. Purchases by individuals will be limited as hereinafter set forth.

(1) Personnel and organizations now or hereafter authorized by law and regulation to purchase subsistence stores or other quartermaster supplies as defined in paragraphs 2 and 6, AR 30–2290,[1] may purchase at exchanges. Dependent members of the families of persons so authorized may act as agents for such persons upon proper identification.

(2) Civilians other than those above defined and who are regularly employed or serving at military posts, camps, stations, or installations may purchase for their own consumption on the post, upon proper identification, items of food,

[1] Administrative regulations of the War Department relative to post messes.
[2] Administrative regulations of the War Department relative to unit and similar funds of posts, camps, and stations.

[1] Administrative regulations of the War Department relative to sale of supplies and services.

drink, and tobacco products and no other merchandise of any kind.

(b) *Sales to Government.* Sales to the Government by exchanges are authorized only in cases where the same class of service cannot be conveniently or reasonably obtained elsewhere and where a direct advantage will accrue to the Government from the method resorted to. In no case will an exchange or concessionaire bidding as such be permitted to enter into public competition or to submit bids in response to advertisements calling for proposals for furnishing supplies or services. When accounts are submitted for sales of the kind described, the vouchers will contain a full statement of the grounds upon which the sale of supplies or services was based and will fully set forth all the circumstances of the transaction with a view to enabling the proper agencies of the United States Government to determine whether such purchase was in the public interest. [Par. 13]

§ 54.9 *Personnel—(a) General.* (1) So far as is practicable, exchanges will be operated by civilian employees, with Army officers in executive control.

(2) Great care will be exercised in the selection of personnel in order that an efficient and permanent body of civilian employees may be developed. [Par. 15]

§ 54.10 *Enlisted employees.* (a) The commanding officer of the post, camp, station, or installation may, subject to the approval of the commanding general of the service command, authorize the use of enlisted men in exchanges.

(b) Position responsibility of enlisted employees will be as prescribed for civilian personnel.

(c) The employment of enlisted men by exchange concessionaires is prohibited. [Par. 21]

§ 54.11 *Civilian auditors.* Under unusual circumstances and only after approval by the commanding general of the service command the commanding officer may authorize the employment of a qualified civilian accounting firm at stated intervals to audit the accounts of the exchange at its expense. In such cases the commanding officer, the exchange council, and the auditing officer retain their full responsibility. The officer designated as the auditing officer may work with the accountant, in which case he is authorized to amend the certificate required of him. [Par. 27]

§ 54.12 *Contracts.* (a) Under the provisions of the regulations in this part the exchange officer is the contracting officer for the exchange, and he is authorized to execute a contract obligating the exchange.

(b) All contracts and agreements to which exchanges are parties will contain when applicable the statement that such contracts will be terminated when an exchange is liquidated or for other reasons at the option of the exchange.

(c) Contracts on behalf of an exchange will not cover periods of more than 1 year without the approval of the commanding general of the service command.

(d) Proposed concession contracts will be submitted to the commanding general of the service command for approval, as provided in § 54.5 (c).

(e) All contracts involving future performance will be reduced to writing, signed by the contracting parties, and filed in the records of the exchange.

(f) All contracts that involve the use of Government property not under the control of the exchange will be submitted to the commanding general of the service command for approval.

(g) Contracts involving the sale of 3.2 percent beer entered into in connection with the provisions of § 54.5 (b) (7) of these regulations will, without exception, be accompanied by affidavit of the manufacturer and distributor of such beer certifying that the alcoholic content of such product does not exceed that permitted by these regulations.

(h) (1) Exchange contracts are solely the obligation of the exchange. They are not Government contracts and the distinction between exchange contracts and Government contracts will be observed and clearly indicated at all times.

(2) Contracts for the erection of temporary exchange buildings will contain a statement that the proposed construction is an exchange transaction and that the exchange alone is responsible for the debt, and not the Government.

(i) When applicable, contracts for the erection of temporary buildings will contain a statement that immediately upon completion of the building, title thereto passes to the exchange. See § 54.4.

(j) Notwithstanding the provisions of (a) above, whenever an exchange outside the continental limits of the United States makes purchases within the United States as provided in § 54.7 (a) (6) the fiscal officer appointed for such exchange is, within the scope of his assigned duties under such appointment, the contracting officer for the said exchange in limitation of the functions of the commanding officer and the exchange officer. [Par. 33]

§ 54.13 *Liquidation of accounts payable of exchanges lost through enemy action.* (a) Creditors of exchanges which have been lost or hereafter may be lost or destroyed through enemy action may file with Army Exchange Service their claims, duly authenticated as hereinafter provided, for the payment of any amount of money lawfully owing to them by such exchange. The claims herein contemplated will be limited to claims for merchandise, equipment, and supplies.

(b) Creditor claims referred to in paragraph (a) of this section will be made on such form or forms as shall be prescribed by the Chief of Army Exchange Service, and will be accompanied by statements under oath of the claimant concerning the facts in support of such claim. Attached to such claim will be certified copies of bills of lading, indicating shipment of goods or merchandise made the subject of such claim, together with such other documents as will be required in each specific case by the Chief of Army Exchange Service to constitute proof thereof. Claimant will state, under oath, whether or not he has received direct or through any person, firm, or corporation payment of any part or portion of the amount represented in said claim for or because of the shipment of merchandise which is the basis of such claim.

(c) The Chief of Army Exchange Service will appoint a board of officers to review and recommend to him necessary action upon any such claim or claims properly filed, as provided in this section.

(d) Subject to the terms of this section and to such rules and regulations as the Chief of Army Exchange Service may hereafter prescribe under the provisions of this section, the creditors of any such exchange will be paid the amounts found by the board (paragraph (c)) to be owing to them respectively by such lost or destroyed exchange or exchanges out of such funds as Army Exchange Service may possess available for such purposes in its reserve fund for contingencies.

(e) Upon the approval of such payment, the creditor claimant will be required, prior to receipt of the amount so approved, to execute an assignment of such claim or claims to the Chief of Army Exchange Service.

(f) Under the provisions of the assignment provided for in paragraph (e) of this section, Army Exchange Service will be subrogated to all the rights of the creditor so assigning his claim against any person whomsoever, including the exchange to whose account the merchandise represented by such claim was charged, and against any enemy government responsible for the loss or damage occasioned to the exchange in question.

[W. D. Cir. 88, March 30, 1943]

[SEAL] J. A. ULIO,
Major General.
The Adjutant General.

[F. R. Doc. 43-6356; Filed, April 23, 1943; 4:48 p. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

Correction

Section 81.291 (h) (2) of the document appearing on page 5210 of the issue for Wednesday, April 21, 1943 should read:

(2) *Service.* Notwithstanding the provisions of § 81.108 (d), the term "service" as used in §§ 81.291–81.294 including all

supply services, Army Service Forces; the Matériel Command, Army Air Forces; all service commands, Army Service Forces (including the Military District of Washington); Special Services, Army Service Forces; and Administrative Services, Army Service Forces, with the exception of the Army Exchange Service.

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

FORM INSTRUCTION BOOKS AMENDED

Amendment No. 8 to the instruction books for Forms 12K and 12A–K.

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the said Act, hereby amends paragraph 3 under the caption "Instructions as to Exhibits" in the Instruction Books for Forms 12–K and 12A–K to read as follows:

3. Notwithstanding the provisions of paragraph 1, above, any registrant filing a copy of Form A may, if it so desires, file a copy of Form A leaving blank any or all pages, schedules or items except the following:

Schedules 102; 103; 104A; 104B; 108; 109; 110; 200A; 200L; 200A (System); 200L (System); lines 40, 48, 56, 57, 58 and 59 of 211; 212; 214; 215; 216; 217; 218; 221; 251; 251A; 252; 261N; 261E; 261 I; 110A; 261P; 263; 282; 283; 284; 285; 286; 287; 288; 289; 290; 295; 300 I; 300P 300D; 300 I (System); 300P (System) 310; lines 101, 102, 103, 142, 143, 144, 155, 210, 215, 223, 225, 240, 241 and 242 of 320; 321; 350; 371; 371A; 383; 383A; 396; 411; 412, classes 800, 810, 820, 830, 840, 850, 710 and 860 of 541; Divisions 1, 2 and 801 of 561; 562; 563; 581; paragraphs 3 and 4 of 591; and verification.

If this privilege is exercised, all applicable instructions of the Interstate Commerce Commission should be followed in filling out the various schedules subject to the provisions of paragraph 4 below.

Effective April 23, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6413; Filed, April 24, 1943; 4:26 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Revision V]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), The Proclaimed List of Certain Blocked Nationals, Revision IV of November 12, 1942 and Supplements 1, 2, 3, 4, 5, and 6 thereto, are superseded by the following Revision V of the List, which is hereby promulgated.[1]

By direction of the President:

CORDELL HULL,
Secretary of State.
RANDOLPH PAUL,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSIE H. JONES,
Secretary of Commerce.
MILO PERKINS,
Executive Director
Board of Economic Warfare.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

APRIL 23, 1943.

[F. R. Doc. 43-6410; Filed, April 24, 1943; 4:22 p. m.]

Chapter IV—Medal for Merit Board

PART 800—REGULATIONS GOVERNING THE MEDAL FOR MERIT

By virtue of the authority vested in the Medal for Merit Board by Executive Order 9331, dated April 19, 1943 (supra), authorizing the issuance of rules and regulations governing the award of the Medal for Merit pursuant to section 2 of the act of July 20, 1942 (56 Stat. 602), the following regulations are hereby made and issued.

Sec.

800.1 Citizens of the United States
800.2 Citizens of other nations.
800.3 Recommendations.
800.4 Restrictions on award.
800.5 Determinations by Medal for Merit Board.
800.6 Authority to issue and manner of presentation.
800.7 Succeeding awards.

§ 800.1 *Citizens of the United States.* (a) Civilian citizens of the United States shall be eligible for the Medal for Merit if they have, since the proclamation of an emergency by the President on September 8, 1939, distinguished themselves by exceptionally meritorious conduct in the performance of outstanding services.

(b) Recommendations may be submitted to the Medal for Merit Board (hereinafter referred to as "the Board") by any individual having personal knowledge of the facts of the exceptionally meritorious conduct of the candidate in the performance of outstanding services, either as an eyewitness or from the testimony of others who have personal knowledge or were eyewitnesses.

(c) Recommendations shall be accompanied by such certificates or affidavits, further explained in § 800.3 hereof, as may be obtainable from any individuals who have personal knowledge of the service for which such recommendation is made, and shall show that the candidate distinguished himself by exceptionally meritorious conduct in the performance of outstanding services.

(d) Each recommendation shall contain a draft of an appropriate citation to be rendered with the award of the Medal for Merit.

(e) Recommendations shall be forwarded through the appropriate channels of the agency concerned to the Chairman of the Board. If such recommendation originates with a Federal, State, or local government agency, it shall be forwarded directly by such agency to the Chairman of the Board. If the recommendation originates with any person or persons, or with any organization other than a Federal, State, or local government agency, it shall be transmitted direct to the Board.

(f) Each case shall be submitted separately and the recommendation shall be treated as strictly confidential both by the originating agency and the Board and no publicity shall be given such recommendation until such time as an award is made in the discretion of the President.

§ 800.2 *Citizens of other nations.* (a) Civilian citizens of nations other than the United States shall be eligible for the Medal for Merit if they are citizens of any nation prosecuting the war under the joint declaration of the United Nations or of other friendly nations, and if they have, since the proclamation of an emergency by the President on September 8, 1939, distinguished themselves by exceptionally meritorious or courageous act or acts in furtherance of the war efforts of the United Nations.

(b) Recommendations may be submitted to the Board by any person having personal knowledge of the facts of the distinguished performance of an exceptionally meritorious or courageous act or acts, of the candidate, in furtherance of the war efforts of the United Nations, either as an eyewitness or from

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

the testimony of persons who have personal knowledge or were eyewitnesses.

(c) Recommendations shall be accompanied by such certificates or affidavits, further explained in § 800.3 hereof, as may be obtainable from any individuals who have personal knowledge of the performance of an exceptionally meritorious or courageous act or acts in furtherance of the war efforts of the United Nations. Such recommendations shall be submitted to the Secretary of State of the United States for prior approval before submission to the Board.

(d) Each recommendation shall contain a draft of an appropriate citation to be rendered with the award of the Medal for Merit.

(e) Recommendations shall be forwarded through the appropriate channels of the agency concerned to the Chairman of the Medal for Merit Board. If such recommendation originates with one of the United Nations, it shall first be submitted to the Secretary of State of the United States for prior approval before submission to the Board.

(f) Each case shall be submitted separately and the recommendations shall be treated as strictly confidential both by the originating agency and the Board and shall be accompanied by proper evidence of the fact that the candidate was a citizen of a friendly foreign nation, as described in § 800.2 (a) hereof.

§ 800.3 *Recommendations.* (a) Each basic recommendation for an award shall show the exact status, at the time of the rendition of the service on which the recommendation is based, with respect to citizenship, employment, and all other material factors, of the person who is being recommended for the Medal for Merit.

(b) Testimony shall be submitted showing in detail the basis for the recommendation of the award of the Medal for Merit. Such testimony shall be in the form of written statements supported by affidavits executed in accordance with applicable laws of the States of the United States or in accordance with applicable laws of other friendly or any of the United Nations.

(c) Where recommendations are based upon longevity of service, information shall be included as to the exact periods of such service and shall be rendered in such detail that the Board may determine whether the service performed was, in fact, of such a character as to meet the requirements as to service and merit.

(d) When any recommendation for the award of the Medal for Merit to a citizen of the United States is supported by an official record of any Federal, State, or local government agency or of any corporation or person or persons, such fact shall be stated, and there shall accompany the recommendation certified copies of the record if practicable.

(e) In all instances greater emphasis shall be placed on the written statements supporting the recommendation than on the substance of the citation.

§ 800.4 *Restrictions on award.* No military personnel shall be eligible for this award.

§ 800.5 *Determinations by Medal for Merit Board.* All recommendations shall be submitted to the Board and final action shall always be taken by the Board with respect to every recommendation.

§ 800.6 *Authority to issue and manner of presentation.* The President of the United States has sole authority to make an award of the Medal for Merit and the presentation thereof shall be made by him or at his direction.

§ 800.7 *Succeeding awards.* No more than one Medal for Merit shall be awarded to any one person; but for each succeeding service, or act or acts, to justify an award of the Medal for Merit, a Bronze Oak Leaf Cluster shall be awarded in lieu thereof.

CORDELL HULL,
Secretary of State, Chairman.
HENRY L. STIMSON,
Secretary of War.
FRANK KNOX,
Secretary of the Navy.

Approved: April 19, 1943.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 43-6457; Filed, April 24, 1943; 4:24 p. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Amendment 1]

PART 903—MINIMUM WARTIME WORKWEEK OF 48 HOURS

EXCLUSIONS

By virtue of authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9301 establishing a minimum wartime workweek of 48 hours, and by Executive Orders Nos. 9139 and 9279, paragraph (c) of § 903.7 of this chapter is hereby amended to read as follows:

§ 903.7 *Exclusions:*[1] • • •

(c) Of persons in the employ of any State or any political subdivision thereof, the District of Columbia, any foreign government, the legislative or judicial branches of the Federal Government, or any instrumentality of any one or more of the foregoing;

(E.O. 9139, 9279, 9301, 7 F.R. 2919, 10177, 8 F.R. 1825)

PAUL V. MCNUTT,
Chairman.

APRIL 14, 1943.

[F. R. Doc. 43-6360; Filed, April 24, 1943; 11:39 a. m.]

[1] 8 F.R. 2641.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1921]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1 and requesting changes in shipping points for the coals of certain other mines also located in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Temporary relief only is granted with respect to the request of petitioner for permission to mix coals for Mine Index Nos. 3960, 1023, 3762, 3763, 224 and 225, of the reason that insufficient facts have been presented upon which to base a final determination. Accordingly, an order has been issued severing that portion of Docket No. A-1921 which relates to them and designating such portion as Docket No. A-1921, Part II.

No relief is granted for the Arcadia No. 96 Mine, Index No. 3744, of H. C. Bonner, for the reason that the request relating to this mine was granted in Docket No. A-1809.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine Index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3954	Anderson, J. Bruce (Helen Jennings Coal Co.)	Jennings #6	29	C'	Johnstown, Pa.	C. & B. L.	47	(†)	(†)	E	(†)	(†)
3960	Armstrong, Paul J.	Galemine	12	E	Juneau, Pa.	B&O	112	(†)	(†)	G	(†)	(†)
3956	Bailey, Robert	Gray Hollow	8	E	Philipsburg, Pa.	PRR	45	(†)	(†)	E	(†)	(†)
3762	Brookwood Shaft, Inc., & William O. Gulbranson.	Brookwood Shaft #3	21	C	Osceola Mills, Pa.	PRR						
3763	Brookwood Shaft, Inc., & William O. Gulbranson.	Brookwood Shaft #3.	21	A	Osceola Mills, Pa.	PRR	45	F	F	F	F	F
2963	Grande, Louis A. (Peacock Coal Co.)	Peacock	22	Fifthseam	Clearfield, Pa.	B&O	112	(†)	(†)	E	(†)	(†)
2961	Hill Bros. (Coal) (W. D. Hill)	Ashman #6	8	D	Hawk Run, Pa.	NYC	44	(†)	(†)	D	(†)	(†)
3962	Hill Bros. (Coal) (W. D. Hill)	Ashman #7	8	D	Hawk Run, Pa.	NYC	44	(†)	(†)	E	(†)	(†)
3949	Hoffman Brothers (James E. Hoffman).	Hoffman #3	9	E	Karthaus, Pa.	NYC	44	(†)	(†)	D	(†)	(†)
3950	Hoffman Brothers (James E. Hoffman).	Hoffman #4	9	D	Karthaus, Pa.	NYC	44	(†)	(†)	D	(†)	(†)
3953	McFadden, John (Jackson Hill Coal Co.)	Sheaver #1	26	A	Twin Rocks, Pa.	PRR	53	F	F	F	F	F
3958	Prushnok, J. P. (The Arcadia Co.)	Prushnok	12	E	Hooversburst, Pa.	NYC	44	G	G	G	G	G
1779	Redline, Thomas (Mary Ellen Coal Co.)	Mary Ellen #2	8	C	Shawsville, Pa.	NYC	44	(†)	(†)	F	(†)	(†)
3188	Rounsley Coal Co. (R. W. Rounsley).	Rounsley #2	21	E	Belsbin, Pa.	PRR	45	(†)	(†)	F	(†)	(†)
3848	Russell Mining Co. (George F. Haslewood).	Russell	43	D	Pittsburgh	Barton, Md.	66	(†)	(†)	D	(†)	(†)
3909	Stewart & Foreman (John F. Foreman).	Stewman #1	33	D	Windber, Pa.	PRR	19	(†)	(†)	A	(†)	(†)
3570	Thomas Bros. (Thomas Coal Co.)	Thomas #2	7	D	Grampian, Pa.	PRR	45	(†)	(†)	F	(†)	(†)
3957	Walker, Ray S. (Brailford Coal Co.)	Aurora #6	8	C	Shawsville, Pa.	NYC	44	(†)	(†)	F	(†)	(†)

†Indicates no classifications and prices for these size groups.
‡Indicates change in shipping point.
NOTE.—The above prices are applicable only via the respective freight origin groups, shipping points and railroads shown for respective mines. Shipping points, railroads and freight origin groups previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Mine Index No.	Code member index	Mine	Sub-district No.	County	Seam	All lump coal, double screened, top size 2" and over	Double screened, top size 2", and under	Run of mine, unscalped H.M	2" and under, slack	3/4" and under, slack
						1	2	3	4	5
3954	Anderson, J. Bruce (Helen Jennings Coal Co.)	Jennings #6	29	Cambria	C'	(†)	(†)	245	(†)	(†)
3960	Armstrong, Paul J.	Galemine	12	Indiana	E	265	(‡)	235	(‡)	(‡)
3956	Bailey, Robert	Gray Hollow	8	Clearfield	E	265	(‡)	245	(‡)	(‡)
3712	Bittinger, Thomas	Bittinger #96	42	Garrett	D	265	240	230	(‡)	(‡)
3762	Brookwood Shaft, Inc., & William O. Gulbranson.	Brookwood Shaft #2.	21	Clearfield	C	265	240	240	230	220
3763	Brookwood Shaft, Inc., & William O. Gulbranson.	Brookwood Shaft #2	21	Clearfield	A	265	230	230	210	
2963	Grande, Louis A. (Peacock Coal Co.)	Peacock	22	Indiana	Fifthseam	(†)	(†)	240	(†)	(†)
3962	Hill Bros. (Coal) (W. D. Hill)	Ashman #6	37	Somerset	D	(‡)	(‡)	260	(‡)	(‡)
3962	Hill Bros. (Coal) (W. D. Hill)	Ashman #7	8	Clearfield	D	(‡)	(‡)	260	(‡)	(‡)
3949	Hoffman Brothers (James E. Hoffman).	Hoffman #3	9	Clearfield	E	(‡)	(‡)	250	(‡)	(‡)
3950	Hoffman Brothers (James E. Hoffman).	Hoffman #4	9	Clearfield	D	(‡)	(‡)	250	(‡)	(‡)
3953	McFadden, John (Jackson Hill Coal Co.)	Sheaver #1	26	Indiana	Fifthseam	265	(‡)	245	(†)	(†)
3958	Prushnok, J. P. (The Arcadia Co.)	Prushnok	12	Indiana	E	265	(‡)	235	(†)	(†)
1779	Redline, Thomas (Mary Ellen Coal Co.)	Mary Ellen #2	8	Clearfield	C	265	(‡)	235	(†)	(†)
3188	Rounsley Coal Co. (R. W. Rounsley).	Rounsley #2	21	Clearfield	E	(‡)	(‡)	220	(‡)	(‡)
3848	Russell Mining Co. (George F. Haslewood).	Russell	43	Garrett	D	(‡)	(‡)	250	(‡)	(‡)
3909	Stewart & Foreman (John F. Foreman).	Stewman #1	33	Somerset	B	265	(‡)	265	(‡)	(‡)
3570	Thomas Bros. (Thomas Coal Co.)	Thomas #2	7	Cambria	E	(†)	(‡)	240	(‡)	(‡)
3957	Walker, Ray S. (Brailford Coal Co.)	Aurora #6	8	Clearfield	C	(†)	(‡)	240	(‡)	(‡)
3954	Weaver & Schetller (A. F. Weaver).	Weaver & Schetller #2.	1	Clarion	B	265	240	240	230	220

†Indicates no classifications and prices for these size groups.
‡Indicates change in shipping point.

[Docket No. A-1913]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for rail shipments and changes in shipping points for the coals of certain mines in District No. 2; and

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the freight origin group numbers and the shipping points for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof; and commencing forthwith, the freight origin group numbers and the shipping points appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the freight origin group numbers and the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
492	Belan, John Jr	Jennings	Pittsburgh	3	Lake Lynn, Pa.[1]	B&O	80	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2550	Fayette Fuel Company	Kelley Strip (S)	Pittsburgh	3	Puritan #7, Siding, Pa.,[1] Reilly Siding, Uniontown, Pa.	Mongh.-PRR.	[2]136	(†)	(†)	(†)	(†)	(†)	D	E	E	E	(†)	(†)	(†)	(†)	E	E	E
1618	F & H Coal Co. (Jesse Hayden)	F & H	Pittsburgh	3	Geneva Ovens Siding, Martin, Pa.[1]	Mongh	[2]30	(†)	(†)	(†)	(†)	(†)	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2341	Highway Coal Co., The	Weinberg (S)	Redstone	9	Yukon, Pa.[1]	Whyel Hr. PRR.	74	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1954	Sarver Standard Coal Co., c/o D. C. Stewart	#1 Mine	U. Freeport	1	Refractory Siding, Ivywood, Pa.[1]	B&LE	[2]41	E	E	E	E	C	C	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)
1477	Sarver Coal Company c/o Culmerville Coal Company.	Coal Hollow	L. Freeport	1	Ivywood, Pa., Culmerville, Pa.[1]	B&LE	[2]41	F	F	E	E	D	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2616	White & Frederick Coal Co. (C. W. White)	White & Frederick #3 (S)	Pittsburgh	3	Reilly Siding, Uniontown, Pa.[1]	PRR	31	E	E	C	C	B	B	B	B	B	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no prices or classifications effective for these size groups.
[1] Indicates change in shipping point.
[2] Indicates change in freight origin group.

NOTE: The above prices are applicable only via the respective freight origin groups, shipping points, and railroads shown for the respective mines. Freight origin groups, shipping points, and railroads previously assigned to these mines are hereby deleted.

NOTE: All mines in Freight Origin Group No. 136 will take the same necessary or permissible adjustments as Freight Origin Group No. 30.

NOTE: In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown. Group No. 5, 2341; Group No. 6, 2550, 2616; Group No. 7, 492, 1618; Group No. 9, 1477, 1954.

[F. R. Doc. 43-6295; Filed, April 23, 1943; 10:10 a. m.]

[Docket No. A-1918]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices and for other relief for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices, and also for changes in shipping points; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; no petitions of intervention have been filed with the Division in the above-entitled matter; and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief is granted herein for the coals of the Green River Mine (C. A. Reis) for the reason that the Code Membership Acceptance submitted with respect to this mine has not been approved by the Division.

No relief is granted herein as to that part of the petition requesting the establishment of a price of $2.85 for Size Group 7 coals produced by Bell Mine No. 1, Mine Index No. 506 of Mid-Continent Coal and Transportation Company in District No. 9, for the reasons set forth in the order designating the portion of Docket No. A-1918 relating to such relief as Docket No. A-1918, Part II.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
24	Benson, H. A. (Pond Valley Coal Co.).	Pond Valley	11	30	Mondray[1]	L&N.
681	Blackwell, John	Carbon Hill	11	30	Drakesboro	L&N.
293	Franklin & Clements (Chesley Franklin).	F. C. H.	9	[3]50	Providence[2]	IC-L&N.
1066	Hinton, John	Hinton	9	40	Beaver Dam	IC.
1069	Hi-Speed Coal Co. (W. L. Hailey).	Hi-Speed	9	30	Centertown Kronos-Centertown	L&N. L&N.
765	House, Cecil P.	House	11	40	Central City	L&N-IC.
546	Laffoon & Webb (Dexter Laffoon).	Cat Hill	9	[4]40	Earlington Madisonville	L&N. IC.
1067	Jenkins, Charles F. (Jenkins Coal Co.).	Jenkins #2	9	50	Providence	IC-L&N.
1061	Leach Bros. (Joy Leach)	Joy	9	30	Centertown	L&N.
1073	Mauger Construction Co.	Pond River	11	10	Pond	IC.
1068	Mercer, Denford	Mercer #2	9	10	Lucerne Greenville	IC. IC.
1065	Moore, Hester	Moore	11	40	Madisonville	L&N-IC.
972	Newman & Brackett (Murel E. Newman).	Barnsley No. 1	9	40	Earlington Madisonville	L&N. IC.
1071	Pompore, J. T.	Evitts Strip	11	40	Central City	IC-L&N.
1019	Robinson, R. E.	Robinson #2	6	10	St. Charles	IC.
321	Schwab, E. H.	Schwab	11	40	Nortonville	L&N-IC.
1071	Vincent, Jim R.	Rocky Knob	9	10	Greenville	IC.
1075	Walker, J. B.	Walker #2	9	40	Morton Madisonville	L&N. IC.
1076	West Kentucky Coal Company.	North Diamond No. 3-a.	11	[4]40	Earlington Madisonville	L&N. IC.
385	O'Bannon, Ed.	Wells	11	40	Central City	L&N-IC.
1077	Cox, W. R.	Cox #4	9	10	McHenry	IC

[1] Shipping Point, Drakesboro, Kentucky is no longer applicable.
[2] Shipping Point, Dawson Springs, Kentucky is no longer applicable.
[3] Freight Origin Group 10 is no longer applicable.
[4] Freight Origin Group 10 is no longer applicable.

NOTE.—The f. o. b. mine prices for coal shipped by Mine Index Nos. 24, 681, 293, 1066, 1069, 765, 546, 1067, 1061, 1073, 1068, 1065, 972, 1071, 1019, 321, 1071, 1075, 1076, 385 to any market area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Mine Index No. 1, in Price Schedule No. 1 for District No. 9, For All Shipments Except Truck.

NOTE.—The f. o. b. mine price for coal shipped by Mine Index No. 1077 to any market area in size group 14 only and for any use, including Railroad Locomotive Fuel, is the same as the price shown for size group 14 for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, Price Schedule No. 1 for District No. 9, For All Shipments Except Truck.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	26, 27	28, 29
HANCOCK COUNTY																
Corley & Laslie (Lonnie Corley)	1060	Corley & Laslie	Stray	210	200	190	180	175	165	165	155	145	115	55	125	120
HOPKINS COUNTY																
Jenkins, Charles F. (Jenkins Coal Co.).	1067	Jenkins #2	#9	210	200	190	180	175	165	165	155	145	115	55	125	120

§ 329.24 *General prices in cents per net ton for shipment into any market area*—Supplement T—Continued

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	26, 27	28, 29
HOPKINS COUNTY—con.																
Mauger Construction Co	1073	Pond River	#11	210	200	190	180	175	165	165	155	145	115	55	125	120
Moore, Hester	1065	Moore	#11	210	200	190	180	175	165	165	155	145	115	55	125	120
Walker, J. B	1075	Walker #2	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
West Kentucky Coal Company	1076	North Diamond #3-a.	#11	210	200	190	180	175	165	165	155	145	115	55	125	120
MUHLENBERG COUNTY																
Mercer, Denford	1068	Mercer #2	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
Pompore, J. T	1074	Evitts Strip	#11	210	200	190	180	175	165	165	155	145	115	55	125	120
Vincent, Jim R	1071	Rocky Knob	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
OHIO COUNTY																
Hi-Speed Coal Company (W. L. Hailey).	1069	Hi-Speed	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
Hinton, John	1066	Hinton	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
Leach Bros. (Joy Leach)	1061	Joy	#9	210	200	190	180	175	165	165	155	145	115	55	125	120

[F. R. Doc. 43-6291; Filed, April 23, 1943; 10:10 a. m.]

[Docket No. A-1928]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 1626.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Tripp Mine, Mine Index No. 1626 of Tripp & McCoy (W. N. Tripp), in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 10																		
WILLIAMSON COUNTY																		
Tripp & McCoy (W. N. Tripp).	1626	Tripp	5	220	220	220	205	200	195	185	165	155	155	155	155	135	135	70

[F. R. Doc. 43-6293; Filed, April 23, 1943; 10:10 a. m.]

[Docket No. A-1896]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals produced at certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R-I, § 333.7 (*Special prices—(a) Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R-II, § 333.7 (*Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R-III, § 333.24 (*General prices*) is amended by adding thereto Supplement R-IV, § 333.25 (b) (*Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R-V, § 333.27 (*Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*) is amended by adding thereto Supplement R-VI, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-II and T-III, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

It appears that the Metz No. 2 Mine, Mine Index No. 1633, for which price classifications and minimum prices were established in Docket No. A-1606, is the same mine as the Metz Mine, Mine Index No. 967. Accordingly, as requested in the original petition herein, the separate designation of the Metz No. 2 Mine, Mine Index No. 1633, and the price classifications and minimum prices established therefor are hereby cancelled.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER, *Director*.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 *General prices*—Supplement R-I

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and Lake cargo coal]

Mine index No.	Code member	Mine	Subdistrict No.	Seam	Freight origin group
	BLOUNT COUNTY, ALA.				
[1] 196	Hill, Mack (Mack Hill Coal Company)	Scratch Out	1	Black Creek	31
[2] 238	Wilson, J. E.	J. E. Wilson	1	Jagger	31
	ETOWAH COUNTY, ALA.				
[3] 1232	Sullivan, J. F.	#10	1	Underwood	31
	JEFFERSON COUNTY, ALA.				
[4] 1742	Elgin, R. T.	Cardwell #2	1	Harkness	19
	MARION COUNTY, ALA.				
[5] 1731	Colburn, W. J. (Colburn Mining Co.)	Colburn #3½	1	Black Creek	60
[6] 1732	Whitehead, C. W.	Bowlin #12	1	Black Creek	101
[6] 1733	Whitehead, C. W.	Bowlin #13	1	Black Creek	101
	WALKER COUNTY, ALA.				
[7] 1350	Guthrie, C. B.	Wideman #1	1	Black Creek	101
[7] 1528	Guthrie, C. B.	Wideman #4	1	Black Creek	101
[7] 1529	Guthrie, C. B.	Wideman #5	1	Black Creek	101

[1] Shipping point: Warrior, Ala. Railroad: L&N. Change in shipping point. Shipping point at Trafford, Ala., shall no longer be applicable.

[2] Shipping point: Oneonta, Ala. Railroad: L&N. Change in shipping point. Shipping point at Inland, Ala., shall no longer be applicable.

[3] Shipping Point: Altoona, Ala. Railroad: L&N. This mine shall have in Size Group 13, on each respective price table, the same price as is listed thereon for Mine Index No. 270 (Sullivan, J. R., #41 Bull Hollow mine, Price Schedule No. 2) and will be included in Group No. 133.

[4] Shipping Point: McComb, Ala. Railroad: C of G. This mine shall have in Size Groups 12, 13, 17, 18 and 24, on each respective price table, the same prices as are listed thereon for Mine Index No. 751 (Elgin, R. T. (Dr.), Cardwell mine, Price Schedule No. 2) and will be included in Group No. 135.

[5] Shipping point: Brilliant, Ala. Railroad: I. C. R. R. This mine shall have in Size Groups 1, 4, 6, 7, 13, 17, 18, 20, 22, 23, and 26, on each respective price table, the same prices as are listed thereon for Mine Index No. 1174 (Colburn, W. J., Colburn No. 1 mine, Price Schedule No. 2) and will be included in Group No. 29.

[6] Shipping point: Eldridge, Ala. Railroad: St. L.-S. F. These mines shall have in Size Groups 1, 4, 6, 7, 13, 17, 18, 20, 22, 23 and 26, on each respective price table, the same prices as are listed thereon for Mine Index No. 972 (Whitehead, C. W., Kelly #6 mine, Price Schedule No. 2) and will be included in Group No. 29.

[7] Shipping point: Eldridge, Ala. Railroad: St. L.-S. F. Change in shipping point. Shipping point at Carbon Hill, Ala., shall no longer be applicable.

§ 333.7 *Special prices—(a) Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R-II

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads]

The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply. For all mines in Sub-District No. 1. For all sizes customarily furnished railroads for Locomotive Fuel.

Mine index No.	Central of Georgia	Seaboard Air Line Railway	St. Louis and San Francisco Railroad for consignment West of the Mississippi River	St. Louis and San Francisco Railroad for consignment East of the Mississippi River	A. B. & C. Railroad	All other Railroads not specifically shown
1742	273	----------	230	250	----------	250
1732, 1733-1734	250	250	230	250	----------	250

§ 333.7 *Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R-III

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions. Size groups and prices applicable for steamship vessel fuel]

Mine index No.	Mine group	14, 15, 16, 17, 18	12	13	19
1732, 1733, 1734	Black Creek	315	315	----	

§ 333.24 *General prices*—Supplement R-IV

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and Lake cargo coal]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	BLEDSOE COUNTY, TENN.				
[1] 1361	Keener, Roscoe	Little Mtn. Coal Co.	3	Little Mtn. (Sewanee)	160
	MARION COUNTY, TENN.				
[2] 1739	Sunshine Coal & Coke Co.	Hudson #2	3	Sewanee	150
	SEQUATCHIE COUNTY, TENN.				
[1] 826	Johnson Creek Coal Company	Market St. Coal Co.	3	Sewanee	210

[1] Shipping point: Lee, Tenn. Railroad: N. C. & St. L. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 11.

[2] Shipping point: Whitwell, Tenn. Railroad: N. C. & St. L. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 9.

[3] Shipping point Platt Siding, North Chattanooga, Tenn. Railroad: Chattanooga Traction Company R. R. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 1.

§ 333.25 *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R-V.

For mines in subdistrict No. 3 (Mine index No.)	Size	Price
826, 1739	For all sizes except screenings	255
	Screenings with top size not more than 2"	245
1361	For all sizes except screenings	250
	Screenings with top size not more than 2"	245

FREE ALONGSIDE DELIVERIES

§ 333.27 *Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to F. A. S. consumers in the states of Tennessee and Alabama*—Supplement R-VI

Code member index	Mine	Mine index No.	County	Seam	Lump: over 2" egg, top size over 5"	Egg: top size 5" and under, bottom size 2" and under	Lump 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker, top size 1½" and under, bottom size ½" and under	Stoker top size ¾" and under, bottom size ¼" and under	Straight and modified M/R	Resultants 5" and under	Resultants 4" and under	Screenings 2" and under	Screenings 1½" and under	Screenings 1¼" and under	Screenings ¾" and under	Screenings ⅜" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE—GEORGIA																			
Keener, Roscoe	Little Mtn. Coal Co.	1361	Bledsoe	Little Mtn. (Sewanee)	335	345	330	285	280	275	265	265	255	240	240	230	230	185	285
Sunshine Coal & Coke Co.	Hudson #2	1739	Marion	Sewanee	315	315	335	250	280	275	265	265	255	235	235	230	230	195	290

FOR TRUCK SHIPMENTS

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump over 2", egg top size over 6"	Egg top size 6" and under	Lump 2" and under	Nut top size 3" and under, bottom size over 2"		Chestnut top size 3" and under, bottom size 1½" and under		Chestnut top size 1½" and under bottom size ½" and under		Run of mine mechanically R&M	Resultants: 1" and under		Screenings 1½" and under		Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	24-25-26
ALABAMA																			
JEFFERSON COUNTY																			
Elgin, R. T.	Cardwell #2	1742	2	Harkness	395	395	370	365	345	345	320	370	305	295	280	220	280	295	305
Elgin, R. T. (Dr.)	Cardwell	271	2	Harkness	395	395	370	365	345	345	320	370	305	295	280	220	280	295	305
Smith, C. R.	McNutt	353	2	Wadsworth	395	395	370	365	345	345	320	370	305	295	280	220	280	295	305
MARION COUNTY																			
Burgess, Arthur A.	A. Burgess	1735	2	Black Creek	415	415	390	365	345	345	320	340	320	320	305	295	295	295	320
Colburn, W. J. (Colburn Mining Co.)	Colburn #5[1]	1734	2	Black Creek	415	415	390	365	345	345	320	340	320	320	305	295	295	295	320
Whitehead, C. W.	Bowlin #12	1732	2	Black Creek	415	415	390	365	345	345	320	340	320	320	305	295	295	295	320
Whitehead, C. W.	Bowlin #13	1733	2	Black Creek	415	415	390	365	345	345	320	340	320	320	305	295	295	295	320

[1] Denotes change in seam. This supersedes and cancels America seam and prices previously established.
[2] Denotes change in seam. This supersedes and cancels Nunnally seam and prices previously established.

FOR TRUCK SHIPMENTS

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: over 2", egg top size over 5"	Egg: top size 5" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker top size 1½" and under; bottom size ½" and under	Stoker: top size ¾" and under; bottom size ¾" and under	Straight and modified M.R	Resultant 5" and under	Resultants 1" and under	Screenings 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ⅜" and under	Industrial coal
					1	2	3	4	5	6	7		9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
BLEDSOE COUNTY, TENN.																			
Keener, Roscoe	Little Mtn. Coal Co.	1361	4	Little Mtn. (Sewanee)	335	335	330	285	280	275	265	265	265	240	240	230	220	185	285
MARION COUNTY, TENN.																			
Sunshine Coal & Coke Co.	Hudson #2	1739	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
SEQUATCHIE COUNTY, TENN.																			
Johnson Creek Coal Company	Lewis	1737	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	281
Lawrence, I. D. (Oak Hill Mining Co.)	Lawrence #3	1729	4	Soddy #5	335	335	325	280	270	260	255	255	265	245	235	225	220	185	281
Lawrence, I. D. (Oak Hill Mining Co.)	Lawrence #4	1730	4	Soddy #5	335	335	325	280	270	260	255	255	255	235	235	225	220	185	280

FOR TRUCK SHIPMENTS

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–III

Code member index	Mine	Mine index No.	Subdistrict	Seam	Base sizes: Lump over 2", egg over 4" x 4"	Lump 2" and under, egg 3" x 3"	Lump ¾" and under	Egg 2" x 4", egg 2" x 5"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
					1	2	3	4	5	6	7	8
TENNESSEE, WHITE COUNTY												
Smith Bros. (Archie Smith)	Smith #1	1719	4	Sewanee #2	280	260	235	240	215	225	165	160

[F. R. Doc. 43-6296; Filed, April 23, 1943; 10:11 a. m.]

[Docket No. A-1914]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 having been duly filed with this Division by the above-named party requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15, and praying that no permanent price classifications or minimum prices be established for the coals of the Taylor Mine (Mine Index No. 1675), located in Putnam County, Missouri, pending the entry of a final order in Docket No. A–179; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief as requested in the petition; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That pending final disposition of the above-entitled matter temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order unless it shall otherwise be ordered.

No relief is granted herein for the coals of the Taylor Mine (Mine Index No. 1675), of code member Tom Taylor in Putnam County, Missouri, for the reasons set forth in the Order severing that portion of Docket No. A–1914 relating to said coals from the remainder of the docket, designating such severed portion as Docket No. A–1914, Part II, and granting temporary relief therein.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group: 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Maslen Brothers (John Maslen)	1672	St. John	3	Moberley, Mo.	Wab	111	A	A	A	A	C	C	C	C	A	C	A	A	..	A	A
Starne, William (Star Coal Co.)[1]	1493	Star	1	Arcadia, Kans.	SL-SF	146	A	A	A	A	A	A	A	A	A	A	A	A	..	A	A

[1] Previously classified as truck mine.
A is Market Area list price as listed in Price Schedule No. 1
C, minus 10 cents from list price.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Production group No.	County	3" lump	3" up	10" x 1¼"	10" x 1¼"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¼" x ⅜"	1¼" x ¼(R)	1¼" x 0(W)	1¼" x 0(R)	⅜" x ¼"
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Eravi & Sons (Joe J. Eravi)	1673	No. 7	3	Randolph, Mo.	240	240	240	240	225	215	205	195	220	190	195	180	...	120	45
Maslen Brothers (John Maslen)	1672	St. John	3	Randolph, Mo.	240	240	240	240	225	215	205	195	220	190	195	180	..	130	45

[F. R. Doc. 43-6292; Filed, April 23, 1943; 10:10 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1943 Dept. Circ. 570 Rev.]

PART 226—SURETY COMPANIES

COMPANIES HOLDING CERTIFICATES OF AUTHORITY

APRIL 20, 1943.

The following is a list of companies holding certificates of authority from the Secretary of the Treasury, issued under the Act of Congress approved August 13, 1894, 28 Stat. 279–80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241, (U. S. Code, title 6, secs. 6–13), as acceptable sureties on Federal bonds; this list also includes acceptable reinsurance companies under Department Circular No. 297, dated July 5, 1922, as amended. Further details including the amount of underwriting limitation of each company, as well as the extent and localities with respect to which they are acceptable as sureties on Federal bonds may be found at any time by reference to the current issue of Treasury Department Form 356, copies of which may be procured from the Treasury Department, Section of Surety Bonds, Washington, D. C.

NAMES OF COMPANIES, LOCATIONS OF PRINCIPAL EXECUTIVE OFFICES AND STATES IN WHICH INCORPORATED

CALIFORNIA

1. Associated Indemnity Corporation, San Francisco.
2. Fireman's Fund Indemnity Co., San Francisco.
3. National Automobile Insurance Co., Los Angeles.
4. Occidental Indemnity Co., San Francisco.
5. Pacific Employers Insurance Co., Los Angeles.
6. Pacific Indemnity Co., Los Angeles.
7. West American Insurance Co., Los Angeles.

CONNECTICUT

8. The Aetna Casualty and Surety Co., Hartford.
9. The Century Indemnity Co., Hartford.
10. Hartford Accident and Indemnity Co., Hartford.
11. The Travelers Indemnity Company, Hartford.

DELAWARE

12. Saint Paul-Mercury Indemnity Co., St. Paul, Minn.

ILLINOIS

13. American Motorists Insurance Co., Chicago.
14. Lumbermens Mutual Casualty Co., Chicago.

INDIANA

15. Continental Casualty Co., Chicago, Ill.

KANSAS

16. The Kansas Bankers Surety Co., Topeka.
17. The Western Casualty and Surety Co., Fort Scott.

MAINE

18. Maine Bonding and Casualty Co., Portland.

MARYLAND

19. American Bonding Company of Baltimore.
20. Fidelity and Deposit Co. of Maryland, Baltimore.
21. Maryland Casualty Company, Baltimore.
22. United States Fidelity and Guaranty Co., Baltimore.

MASSACHUSETTS

23. American Employers' Insurance Co., Boston.
24. American Mutual Liability Insurance Co., Boston.
25. Liberty Mutual Insurance Co., Boston.
26. Massachusetts Bonding and Insurance Co., Boston.
27. New England Casualty Insurance Company, Springfield.

MICHIGAN

28. National Casualty Co., Detroit.
29. Standard Accident Insurance Co., Detroit.

MISSOURI

30. Central Surety and Insurance Corporation, Kansas City.
31. Employers Reinsurance Corporation, Kansas City.

NEW HAMPSHIRE

32. Peerless Casualty Company, Keene.

NEW JERSEY

33. Commercial Casualty Insurance Company, Newark.
34. International Fidelity Insurance Co., Jersey City.

NEW YORK

35. American Guarantee and Liability Insurance Co., Chicago, Illinois
36. American Re-Insurance Co., New York.
37. American Surety Co. of New York.
38. Columbia Casualty Co., New York.
39. Eagle Indemnity Co., New York
40. The Excess Insurance Co. of America, New York
41. The Fidelity and Casualty Co. of New York.
42. General Reinsurance Corporation, New York.
43. Glens Falls Indemnity Co., Glens Falls.
44. Globe Indemnity Co., New York.
45. Great American Indemnity Company, New York.
46. The Home Indemnity Co., New York.
47. London & Lancashire Indemnity Co. of America, Hartford, Conn.
48. Merchants Indemnity Corporation of New York.
49. The Metropolitan Casualty Insurance Co. of New York, Newark, N. J.
50. National Surety Corporation, New York.
51. New Amsterdam Casualty Co., Baltimore, Md.
52. New York Casualty Co., New York.
53. North American Casualty and Surety Reinsurance Corporation, New York.
54. Phoenix Indemnity Co., New York
55. The Preferred Accident Insurance Co. of New York.
56. Royal Indemnity Co., New York.
57. Seaboard Surety Co., New York.
58. Standard Surety and Casualty Co. of New York, Hartford, Conn.
59. Sun Indemnity Co. of New York.
60. United States Casualty Co., New York.
61. United States Guarantee Co., New York.
62. The Yorkshire Indemnity Co. of New York.

OHIO

63. The Ohio Casualty Insurance Co., Hamilton.

PENNSYLVANIA

64. American Casualty Co. of Reading, Pennsylvania.
65. Eureka Casualty Co., Philadelphia.
66. Indemnity Insurance Co. of North America, Philadelphia.
67. Manufacturers' Casualty Insurance Co., Philadelphia.
68. Mellon Indemnity Corporation, Pittsburgh.

SOUTH DAKOTA

69. Western Surety Co., Sioux Falls.

TEXAS

70. American General Insurance Co., Houston.
71. American Indemnity Co., Galveston.
72. Commercial Standard Insurance Co., Fort Worth.
73. Employers Casualty Co., Dallas.
74. Texas Indemnity Insurance Co., Galveston.
75. Trinity Universal Insurance Co., Dallas.

VIRGINIA

76. Virginia Surety Company, Inc., Toledo, Ohio.

WASHINGTON

77. General Casualty Co. of America, Seattle.
78. Northwest Casualty Co., Seattle.
79. United Pacific Insurance Co., Tacoma.

FOREIGN COMPANIES AUTHORIZED TO DO A REINSURANCE BUSINESS ONLY

80. Accident and Casualty Insurance Company of Winterthur, Switzerland (U. S. Office, New York, N. Y.)
81. Car and General Insurance Corporation, Ltd., London, England (U. S. Office, New York, N. Y.)
82. The Employers' Liability Assurance Corporation, Ltd., London, England (U. S. Office, Boston, Mass.)
83. The European General Reinsurance Company, Ltd., London, England (U. S. Office, New York, N. Y.)
84. The Guarantee Company of North America, Montreal, Canada (U. S. Office, New York, N. Y.)
85. London Guarantee and Accident Company, Ltd., London, England (U. S. Office, New York, N. Y.)
86. The Ocean Accident and Guarantee Corporation, Ltd., London, England (U. S. Office, New York, N. Y.)

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-6444; Filed, April [illegible], 1943; 11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[ORDER 101]

FOREIGN RELIEF AND REHABILITATION PROJECT, PA.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Foreign Relief and Rehabilitation Project to be work of national importance to be known as Civilian Public Service Camp No. 101. Said project, located at Philadelphia, Pennsylvania, with side camps at such educational institutions as are approved by Selective Service, will be used as a research and training center for training assignees for foreign relief and rehabilitation programs approved by the Office of Foreign Relief and Rehabilitation Operations of the Department of State and by the Selective Service System. Registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, and who have volunteered their services for immediate and/or future assignment for foreign relief under public and or private agencies for the duration of the emergency and twelve months thereafter, may be assigned to said project in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 101 will consist of pursuing a course of study in preparation for duty on foreign relief and rehabilitation, preparation of data for the use of Civilian Public Service training units, for the preparation of curricula, the preparation of mimeographed material and such other manuscripts, pamphlets, booklets, etc. as may be used in training in specific fields for service in foreign countries either under public or private agencies and such other work as may be assigned them by the Office of Foreign Relief and Rehabilitation Operations and shall be under the technical direction and management of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

APRIL 21, 1943.

[F. R. Doc. 43-6324; Filed April 23, 1943; 1:29 p. m.]

[No. 179]

DAILY RECORD OF TREATMENT—ILL OR INJURED ASSIGNEES

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 51A, entitled "Daily Record of Treatment—Ill or Injured Assignees," effective immediately upon the filing hereof with the Division of the Federal Register.[1] Upon receipt of the revised DSS Form 51A, the use of the original DSS Form 51A will be discontinued and all unused copies thereof will be destroyed.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 20, 1943.

[F. R. Doc. 43-6325; Filed, April 23, 1943; 1:29 p. m.]

[No. 180]

REPORT OF ILLNESS OR INJURY

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 51B, entitled "Report of Illness or Injury," effective immediately upon the filing hereof with the Division of the Federal Register.[1] Upon receipt of the revised DSS Form 51B, the use of the original DSS Form 51B will be discontinued and all unused copies thereof will be destroyed.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 20, 1943.

[F. R. Doc. 43-6326; Filed, April 23, 1943; 1:29 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-288]

NATIONAL WEATHERSTRIP CO. AND SEAL TITE CAULKING CO.

Max Blatt, Ruth Blatt and David Slobin, doing business as the National Weatherstrip Company and the Seal Tite Caulking Company, 4234 Joy Road, Detroit, Michigan, are engaged in the business of manufacturing, selling and installing weatherstrip materials. From July 22, 1942 to October 9, 1942, the National Weatherstrip Company made over 400 separate installations of copper or copper base alloy weatherstripping in violation of Supplementary Conservation Order M-9-c-4. These installations were made in such reckless disregard of the order as to constitute wilful behavior. In addition, incomplete records were kept of the transactions in copper and copper base alloy weatherstripping, in violation of § 944.15 of Priorities Regulation No. 1.

These violations have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing: *It is hereby ordered*, That:

§ 1010.288 *Suspension Order S-288.* (a) Max Blatt, Ruth Blatt and David Slobin, doing business as the National Weatherstrip Company or the Seal Tite Caulking Company or otherwise, their successors and assigns, shall not purchase, accept delivery of, sell, install, deliver or otherwise deal in any copper or copper base alloy building material, as defined in Supplementary Conservation Order M-9-c-4, except as specifically authorized in writing by the War Production Board.

(b) Deliveries of material to Max Blatt, Ruth Blatt and David Slobin, doing business as National Weatherstrip Company or Seal Tite Caulking Company or otherwise, their successors and assigns, shall not be accorded priority, directly or indirectly, over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) No allocation shall be made to Max Blatt, Ruth Blatt and David Slobin, doing business as National Weatherstrip Company or Seal Tite Caulking Company or otherwise, their successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Max Blatt, Ruth Blatt and David Slobin, doing business as National Weatherstrip Company or Seal Tite Caulking Company or otherwise, from any restriction, prohibition or provision contained in any order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 25, 1943 and shall expire on July 25, 1943, at which time the restrictions

[1] Form filed as part of the original document.

contained in this order shall be of no further effect.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6354; Filed, April 23, 1943; 4:39 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-294]

ANDERSON FUR COMPANY

Morris Goralnik, doing business as Anderson Fur Company, at 106 South Main Street, Fall River, Massachusetts, is engaged in the retail fur business at said address.

After January 29, 1943, without the authorization of the Director General for Operations of the War Production Board, Goralnik began construction and ordered and purchased materials to begin construction on the remodeling of his leased premises, the estimated cost of which was in excess of the permitted cost of construction under Conservation Order L-41.

Prior to beginning construction Goralnik was put on notice that there was a limit upon construction, but elected to proceed without any further inquiry with respect to the order and its application to his proposed construction.

This construction was begun in wilful violation of Conservation Order L-41 and has hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.294 *Suspension order No. S-294.* (a) Morris Goralnik, doing business as Anderson Fur Company, or under any other name, his successors and assigns, shall not order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue or complete construction of the alteration and remodeling of the premises leased by the respondent at 106 South Main Street, Fall River, Massachusetts, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Morris Goralnik, doing business as Anderson Fur Company, or under any other name, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on issuance.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6353; Filed, April 23, 1943; 4:39 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-295]

GLEN AMUSEMENT CORPORATION

Glen Amusement Corporation is a New York corporation engaged in the amusement business for which purpose it undertook to construct a roller skating rink at 5031 Main Street, Williamsville, New York. This construction was commenced on or about June 1, 1942 and is now about 80 per cent completed. The respondent was aware of the governmental restrictions on construction work. The cost of this roller skating rink, if and when completed, was conceded by the respondent to total at least $15,000, and it follows that a reasonably accurate estimate of the cost of construction necessarily would have been in excess of the limit permitted by Conservation Order L-41. Commencing this construction constituted a wilful violation of Conservation Order L-41.

Said violation by the respondent has hampered and impeded the war effort of the United States, and has diverted essential critical materials and labor to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.295 *Suspension Order No. S-295.* (a) Neither Glen Amusement Corporation, nor its successors and assigns, nor any other person whether individual or corporate, shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue, or complete construction of, or remodel, rehabilitate, or in any manner alter the roller-skating rink building located at 5031 Main Street, Williamsville, New York, except as hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Glen Amusement Corporation, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 25, 1943.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6352; Filed, April 23, 1943; 4:39 p. m.]

PART 3162—FOLDING AND SET-UP BOXES

[Correction of Limitation Order L-239 as Amended April 15, 1943]

Section 3162.1, Order L-239 is corrected by making the second line in the listing under paragraph (a), Table IV, Schedule I read "over 2½ lbs. but not over 5 lbs." instead of "over 2½ lbs. but under 5 lbs."

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6355; Filed, April 23, 1943; 4:39 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 15]

PYRETHRUM INSECTICIDES

Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9040 of January 24, 1942 and Executive Order No. 9125 of April 7, 1942, and for the purpose of securing the efficient distribution to and use in agriculture of pyrethrum insecticides in order to assure the greatest possible production of food, *It is hereby ordered*, That:

§ 903.27a *Directive 15: Pyrethrum insecticides.* (a) Within the quantities of pyrethrum insecticides from time to time allocated to agriculture by War Production Board, the Administrator of Food Production and Distribution is authorized to perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. Law 671, 76th Cong.; 54 Stat. 676), as amended by the Act of May 31, 1941 (Pub. Law 89, 77th Cong.; 55 Stat. 236), and as further amended by the Act of March 27, 1942 (Pub. Law 507, 77th Cong.; 56 Stat. 176), with respect to the sale or other disposition of pyrethrum insecticides to ultimate agricultural consumers and the use of pyrethrum insecticides in agriculture by such consumers.

(b) The authority of the Administrator of Food Production and Distribution under this directive shall include the power to regulate or prohibit use of pyrethrum insecticides in agriculture and sale or other disposition of pyrethrum insecticides to or acquisition of pyrethrum insecticides by any ultimate consumer for use in agriculture. The Administrator of Food Production and Distribution may issue such regulations, orders and directives, direct such inspections, and take such measures as it may deem necessary or appropriate for the effectuation of the powers conferred by this directive.

(c) Nothing herein shall be construed to authorize the Administrator of Food Production and Distribution (1) to determine the amount of governmental requirements for pyrethrum or pyrethrum insecticides, (2) to regulate or prohibit the manufacture or import of pyrethrum or pyrethrum insecticides, (3) to regulate or prohibit the use, sale or other distribution of pyrethrum, (4) to regulate or prohibit any non-agricultural use of pyrethrum insecticides or the sale or other distribution of pyrethrum insecticides for any nonagricultural use, (5) to control the delivery of pyrethrum or pyrethrum insecticides to or for the account of, or the acquisition or use of pyrethrum or pyrethrum insecticides by or for the account of: (i) the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics and the Office of Scientific Research and Development; or (ii) Government agencies or other persons acquiring such product for export to and consumption or use in any foreign country.

(d) The Administrator of Food Production and Distribution may exercise the power, authority and discretion conferred by this directive, through such officials, including part time and uncompensated special agents, as it may determine.

(e) The Chairman or Executive Vice Chairman of the War Production Board may from time to time delegate to the Administrator of Food Production and Distribution such additional powers with respect to the distribution to or use in agriculture of pyrethrum insecticides or amend or revoke the delegation herein in such manner and to such extent as he may determine to be necessary.

(f) Nothing herein shall be construed to limit or modify any order heretofore issued by the Director of Priorities of the Office of Production Management, by the Director of Industry Operations of the War Production Board, by the Director General for Operations of the War Production Board, or by War Production Board, as from time to time amended, nor to delegate to the Administration of Food Production and Distribution the power to extend, amend or modify any such order.

(g) Nothing herein shall be construed to limit such authority as is conferred on the Secretary of Agriculture by section 2 of Executive Order No. 9280 of December 5, 1942.

(h) For the purposes of this directive: (1) "Pyrethrum" means pyrethrum flowers and the powder, dust or extract derived therefrom. (2) "Pyrethrum insecticides" means any compound containing pyrethrum combined with other liquid or dry materials, whether active or inert; provided that such compound is suitable for use as an insecticide. (3) "Person" means any individual, partnership, corporation, association, government or governmental agency and any other organized group or enterprise. (4) "Agriculture" means the raising of crops and domestic animals and includes the production of dairy products, cotton, tobacco, wool, hemp, flax fiber, and all trees, shrubs, flowers, grasses and other plants. The term does not include the distribution (through retail stores or otherwise) of agricultural products.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 43-6375; Filed, April 24, 1943; 12:00 m.]

PART 998—METAL OFFICE FURNITURE AND EQUIPMENT

[Supplementary Limitation Order L-13-a, as Amended April 24, 1943]

Section 998.2 *Supplementary Limitation Order L-13-a* is hereby amended to read as follows:

§ 998.2 *Supplementary Limitation Order L-13-a*—(a) *Definitions.* For the purposes of this order:

(1) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any other organized group of persons, whether incorporated or not, engaged in the production of metal office furniture and equipment.

(2) "Metal office furniture and equipment" means any one of the following: Insulated metal filing cabinets, safes; metal visible record equipment; metal shelving; metal filing cabinets other than insulated filing cabinets; metal lockers; metal storage cabinets; metal desks; office chairs containing more than two pounds of metal other than swivel irons; metal office tables, including typewriter and office machine stands (except those which are integral parts of the machines which they support); metal bank vault equipment; metal office counters; other metal office equipment, including but not limited to, waste paper baskets, metal trays and wire baskets; any other office furniture not specifically mentioned, containing more than 5% of metal in the net weight of the finished product other than such minimum amount of iron or steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware for the construction and assembly of nonmetal structural parts, and other than wood filing cabinets containing not more than two pounds per drawer of essential operating steel hardware.

(3) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of metal office furniture and equipment by one person to any other person, but shall not include:

(i) Transfers of metal office furniture and equipment from one branch division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control;

(ii) Transfers of title merely for security purposes;

(iii) Transfers of metal office furniture and equipment to and from warehouses where no substantial change in right, title or ownership to such metal office furniture and equipment is effected;

(iv) Transfers to and from carriers in order to effect the transfers specified in this paragraph.

(b) *Restrictions on production and transfer of metal office furniture and equipment.* On and after April 24, 1943, no manufacturer shall process, fabricate, work on, assemble or transfer any metal office furniture and equipment, except:

(1) Any metal office furniture and equipment, the manufacture, assembly or transfer of which was authorized in any manner by the War Production Board prior to April 24, 1943.

(2) Pursuant to a specific purchase order, contract or subcontract for the account of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration when such purchase order, contract or subcontract specifically states that such metal office furniture and equipment is for use on board a steel seagoing or combatant vessel.

(3) Pursuant to a specific authorization on Form PD-556 pursuant to an application filed on said form by a manufacturer or any other person, or pursuant to any other specific authorization of the War Production Board, manufacturers may be authorized to (i) transfer any metal office furniture and equipment; or (ii) assemble any metal office furniture and equipment from fabricated parts only.

(c) *Reports.* Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref: L-13-a, on or before the 10th day following the close of each calendar month, Form PD-655.

(d) *Appeals.* Any appeal from the provisions of this order should be made on Form PD-500.

(e) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-13-a.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6386; Filed, April 24, 1943; 12:00 m.]

PART 1026—PRODUCTION OF CHEMICALS

[Preference Rating Order P-89, as Amended April 24, 1943]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

Section 1026.1 is hereby amended in its entirety to read as follows:

§ 1026.1 *Preference Rating Order P-89*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" means any person operating a plant physically situated within the limits of the United States, its territories and possessions, or the Dominion of Canada, and engaged in the

production of chemicals or allied products, who shall have received a serial number from the War Production Board pursuant to paragraph (b).

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Controlled material" means controlled material as defined in CMP Regulation No. 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(6) "Operating supplies" means any material which is essential to the operation of the producer's plant including, but not limited to, lubricants, catalysts, and small perishable tools: *Provided, however*, That the term operating supplies shall not include;

(i) Any material which is physically or chemically incorporated, at any stage of production, in whole or in part, into any material which the producer manufactures.

(ii) Any material which, at any stage of production, enters into the chemical reaction necessary to the manufacture, or is used in the purification (including, among other things, washes, solvents, extractants and the like) of any material which the producer manufactures.

(7) Material for maintenance, repair and operating supplies shall include:

(i) Material for the improvement of the producer's plant through the replacement of material in the existing installation, but only when such equipment is beyond economical repair.

(ii) Material for the maintenance and repair of pressure cylinders.

(iii) Material, such as hand tools, customarily purchased by the particular employer for sale to his employees for use only in his business, provided such material would constitute an operating supply under established accounting practice if issued to employees without charge.

(8) In addition, there may be included as maintenance, repair and operating supplies minor capital additions (subject to subparagraph (a) (9)), the cost of which does not exceed $500, excluding the producer's cost of labor, for any one complete addition which has not been subdivided for the purpose of coming within this definition.

(9) Material for maintenance, repair and operating supplies shall not include any of the following items, regardless of whether normally carried as such according to established accounting practice:

(i) Fabricated containers (in knockdown or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

(ii) Printed matter, including envelopes, letterheads and forms.

(iii) Paper, paperboard and products manufactured therefrom, and molded pulp products, except litmus or filter paper or drafting, blueprint, ozalid, or photostat type papers.

(iv) Fuel or electric power.

(v) Office machinery or office equipment, other than office supplies as defined in Limitation Order L-73, as amended.

(vi) Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick, or cellulose caps or bands of any gauge.

(vii) Automotive replacement parts or automotive maintenance equipment.

(viii) Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):

(*a*) Asbestos clothing.

(*b*) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

(*c*) Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves.

(*d*) Gaunlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(*e*) Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.

(*f*) Safety industrial leather clothing other than gloves or mittens.

(*g*) Metal mesh gloves, aprons and sleeves.

(*h*) Plastic and fibre safety helmets.

(ix) Signal or alarm equipment, fire protective equipment, or motorized fire apparatus, as defined in General Limitation Orders L-39 and L-43, as amended.

(x) Material for additions to, or expansions of, buildings or external structures other than processing equipment.

(10) "Calendar quarter" means the quarterly period commencing on the first day of the first, fourth, seventh and tenth months of the calendar year and ending, respectively, on the last day of the third, sixth, ninth, and twelfth months of the calendar year, or the operator's customary three months accounting period closest to such quarter.

(11) "Unit cost" means the purchase price paid by the producer for material for maintenance, repair or operating supplies. Unit cost shall include labor cost, except cost of labor performed by employees of the producer, but shall not include transportation charges. An item for maintenance, repair or operating supplies shall not be subdivided into its component parts for the purpose of determining unit cost.

(b) *Application for assignment of serial number.* In order to become a producer subject to this order, any person operating a plant physically situated within the limits of the United States, its territories and possessions, or the Dominion of Canada, and engaged in the production of chemicals or allied products, may apply by letter requesting assignment of a serial number under this order to specified plants. Such letter shall be addressed to War Production Board, Chemicals Division, Washington, D. C., Ref.: P-89, and shall be accompanied by application on Form PD-762 pursuant to paragraph (d) (1) for the current or succeeding calendar quarter.

(c) *Assignment of preference rating and allotment symbol and purchase order quota for second calendar quarter of 1943.* (1) Preference rating of AA-1 and allotment symbol MRO-P-89 are hereby assigned to purchase order placed by each producer during the second calendar quarter of 1943 for materials for maintenance, repair and operating supplies: *Provided, however*, That no producer shall apply the preference rating or allotment symbol assigned by this paragraph (c) (1) to any order for fabricated parts or equipment having a unit cost of $500 or more, or to purchase orders placed during the second calendar quarter for an aggregate amount of aluminum in any of the forms or shapes constituting a controlled material in excess of 100 pounds. Application for preference ratings or allotment numbers or symbols for such orders may be made pursuant to paragraph (e).

(2) No producer shall place any purchase order for any material for maintenance, repair or operating supplies, whether or not obtained with preference ratings or allotment numbers or symbols derived from any source, which would cause the aggregate dollar value of purchase orders for materials for maintenance, repair and operating supplies placed by the producer during the second calendar quarter of 1943 to exceed the aggregate dollar value of purchase orders for such materials placed by the producer during the first calendar quarter of 1943.

(d) *Assignment of preference ratings, allotment numbers or symbols, and purchase order quotas for calendar quarters after July 1, 1943.* (1) Preference ratings, allotment numbers or symbols, and purchase order quotas will be assigned by the War Production Board to each producer for purchase orders placed during the third calendar quarter of 1943, and each calendar quarter thereafter, on the basis of applications on Form PD-762, as prescribed therein. Applications for the third calendar quarter of 1943 shall be filed on or before May 15, 1943, and applications for each subsequent calendar quarter shall be filed not later than 45 days prior to the first day of such calendar quarter.

(2) No producer shall place any purchase order for any material for maintenance, repair or operating supplies, whether or not accompanied by preference ratings or allotment numbers or symbols assigned pursuant to this order, which would cause the producer to exceed his purchase order quota for such material assigned pursuant to paragraph (d) (1), unless authorized upon application pursuant to paragraph (e).

(e) *Special applications.* If the producer is unable to secure delivery of materials for maintenance, repair or operating supplies because the preference ratings or allotment numbers or symbols assigned hereunder are insufficient, or because the producer's purchase order quota or the unit cost limitation of paragraph (c) (1) would be exceeded, the War Production Board may, upon written or telegraphic request, assign such special ratings or allotments or additions to the purchase order quota as it deems proper. Such letters or telegrams shall be addressed to the War Production Board, Chemicals Division, Washington, D. C., Ref: P-89 and shall contain the following information:

1 Plant location and serial number.
2 Material needed.
3 Weight of the material (specify separately weight of each controlled material required).
4 Value of the material.
5 Function of the material.
6 Amount of such material (or equivalent substitute) in inventory.
7 Name and address of supplier.
8 Purchase order number and date.
9 Product or products affected.
10 Percentage curtailment of production.
11 Reason for request.
12 Requested rating and allotment.
13 Delivery date promised by supplier on basis of rating requested.

Provided, however, That any producer requiring aluminum in any of the forms or shapes constituting a controlled material for essential maintenance, repair or operating supplies, in amounts in excess of 100 lbs. during any one calendar quarter, shall apply by letter for an allotment for the amount in excess of 100 lbs. to the War Production Board, Ref: Aluminum and Magnesium Division MRO, giving substantially the information described by paragraphs (d) (1) through (d) (6) of the Supplementary Order M-1-i as amended March 10, 1943.

(f) *Special preference ratings for containers.* Any producer may apply to the War Production Board, Chemicals Division, Washington, D. C., Ref.: Chemicals Packaging Section, for special preference ratings under this order for containers and container parts, other than wooden or fibre containers as defined in Preference Rating Order P-140.

(g) *Procedure for applying preference ratings and allotment numbers or symbols to purchase orders.* (1) Each producer requiring delivery of material for maintenance, repair or operating supplies may obtain such material by endorsing on, or furnishing with, the delivery order a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

------ (Preference rating) ------ (Allotment number or symbol)

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

(Name of purchaser)	(Address)
By ----------	----------
(Signature and title of duly authorized officer)	(Date)

(2) An order bearing such certification shall be deemed an authorized controlled material order in the case of controlled materials, and in the case of all other materials shall have the same status as an order bearing an allotment number or symbol for the purposes of CMP Regulation No. 3 and all other applicable CMP regulations.

(h) *Inventory diversion.* No producer shall use material for maintenance, repair or operating supplies obtained with ratings or allotment numbers or symbols assigned by or pursuant to this order, except in that portion of his productive facilities to which a serial number under this order has been assigned.

(i) *Inventory restriction.* No producer shall accept delivery of any non-controlled material for maintenance, repair or operating supplies, whether or not obtained with preference ratings or allotment numbers or symbols assigned by or pursuant to this order, which would cause his inventory of such material for maintenance, repair or operating supplies to exceed a minimum practicable working inventory. Inventories of controlled materials held by producers are subject to the provisions of CMP Regulation No. 2.

(j) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time; *Provided, however*, That no producer shall be subject to the provisions of CMP Regulations No. 5 or No. 5A, and no producer shall obtain any material under the provisions of either of said regulations.

(k) *Miscellaneous provisions*—(1) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a producer placing any purchase order or contract rated or assigned a CMP allotment number or symbol hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts, or filed in such manner that they can be readily segregated for such inspection.

(2) *Reports.* The War Production Board may require each producer to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to Federal Reports Act of 1942, and may issue special directions to any producer with respect to preparing and filing Form PD-762.

(3) *Conservation and standardization.* Each producer shall use his best efforts to conserve materials by elimination, simplification or standardization of types, sizes or forms or by substitution of less critical for more critical materials, and shall cooperate in any program developed for such purpose by the War Production Board. The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials, entitled, "Materials Substitutions and Supply".

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Division, Washington, D. C.; Ref.: P-89.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6383; Filed, April 24, 1943; 11:59 a. m.]

PART 1076—PLUMBING AND HEATING; SIMPLIFICATION

[Revocation of Schedule II to Limitation Order L-42]

Section 1076.3 *Schedule II to Limitation Order L-42* is hereby revoked.

Issued this 17th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6379; Filed, April 24, 1943; 12:01 p. m.]

PART 1077—RADIO RECEIVERS AND PHONOGRAPHS

[Revocation of General Limitation Order L-44]

Section 1077.1 *General Limitation Order L-44* is hereby revoked.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6388; Filed, April 24, 1943; 11:59 a. m.]

PART 1077—RADIO RECEIVERS AND PHONOGRAPHS

[Revocation of General Limitation Order L-44-a]

Section 1077.2 *Supplementary General Limitation Order L-44-a* is hereby revoked.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6385; Filed, April 24, 1943; 12:00 m.]

PART 1132—PRINTING INK

[Conservation Order M-53, as Amended April 24, 1943]

§ 1132.1 *Conservation Order M-53*—(a) *Definitions.* (1) "Producer" means any person engaged in the manufacture of printing inks for sale to others or for his own consumption, but does not include the Government Printing Office or the Bureau of Engraving and Printing of the United States.

(2) "Printing ink" includes any fluid or viscous material or composition of materials used in printing, impressing, stamping or transferring upon paper or paper-like substances, wood, fabrics or metals by the recognized mechanical reproductive processes employed in printing, publishing and related service industries.

(3) "News ink" means any black ink made from mineral oil and carbon black, with or without rosin, used in the production of newspapers and newspaper supplements.

(4) "Non-scratch ink" means an ink containing resins for the purpose of increasing hardness and reducing abrasion.

(b) *Restrictions on use.* In the manufacture of printing ink, no producer shall:

(1) Use any oil soluble toner in any black ink, nor a toner of any form in news ink; *Provided, however,* That nothing contained in this paragraph (b) (1) shall restrict a producer's use of oil soluble toners, either in dry form or solution, in the production of black inks other than news inks, where such toners were in his inventory prior to March 30, 1942.

(2) Use any alkali blue or other organic toner as a toner for black ink in excess of eight percent (8%), by weight, of such black ink where such alkali blue or other organic toner is in paste form or, where in the form of dry color, then in excess of four percent (4%), by weight, of such black ink.

(3) Use any glycerol phthalate resins or phenolic resins for the production of any gloss ink, non-scratch ink or gloss overprint varnish: *Provided, however,* That nothing contained in this paragraph (b) (3) shall restrict the use of varnishes containing such resins in the inventories of ink producers, printers, or manufacturers of varnishes for the printing ink industry, where such varnishes were manufactured prior to March 30, 1942, for use in the manufacture of printing ink.

(c) *Prohibitions against sales or deliveries of materials.* No person shall hereafter sell or deliver any of the materials named in paragraph (b) hereof to any other person if he knows or has reason to believe such material is to be used in violation of the terms of this order.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C.: Ref.: M-53.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6381; Filed, April 24, 1943; 12:01 p. m.]

PART 1158—INDUSTRIAL MACHINERY

[Interpretation 2 to General Limitation Order L-83, as Amended March 12, 1943]

General Limitation Order L-83 restricts deliveries to those made on approved orders. An approved order is defined in paragraph (a) (6). Some confusion has arisen as to the exact requirements of an approved order assigned a rating on Form PD-3A, in accordance with the provisions of paragraph (a) (6) (iii). Under this paragraph Form PD-3A may be used after May 18, 1942 only to assign preference ratings to orders to be delivered to or for the direct account of the agencies specified in paragraph (a) (6) (i), and the machinery in question must be specified on the certificate. The two requirements are not alternates but must both be met in any one case.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6380; Filed, April 24, 1943; 12:01 p. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Schedule III to Limitation Order L-120, as Amended April 24, 1943]

FINE WRITING PAPERS

Section 1223.4 *Schedule III to Limitation Order L-120* is hereby amended and revised to read as follows:

§ 1223.4 *Schedule III to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the Appendix:

(1) The term "fine writing papers" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the Appendix below.

(2) A "grade" means one particular quality within a kind of fine writing paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper and/or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "substance weight" means the weight of a kind of "fine writing paper" in pounds per 500 sheets in the size indicated under the appropriate caption.

(5) An "item" means a quantity of paper all of which is of the same size, grain, substance weight, finish, color and grade.

(6) The term "standard" as applied to grade, color, substance weight, and size means, with respect to each manufacturer, a grade and color selected and a substance weight and size specified under A of the appropriate caption in the Appendix below.

(7) The term "special" as applied to grade, color, substance weight, and size means with respect to each manufacturer, any grade, color, substance weight or size that is not standard.

(8) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, converter or consumer.

(9) The term "manufacture" includes all making and finishing operations prior to packaging or packing.

(10) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other form of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures

paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption of the Appendix, if any, belongs each of the "fine writing papers" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "fine writing paper," or whether a particular kind of paper is such a paper at all or belongs under any caption of the Appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "fine writing paper" shall with respect to each such kind he manufactures, select such "grade" or "grades" thereof, not to exceed the number specified in A (1) of the appropriate caption of the Appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form PD-589. The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection by dropping a "grade" or "grades" and substituting another or others, but unless and until such leave is granted by the War Production Board in writing the original selection shall be and remain binding. Each person who regularly manufactures any Extra 100 percent rag content grade of any kind of "fine writing paper" shall notify, as above, the War Production Board thereof on Form PD-589, stating in addition in what respect each such grade differs from his standard 100 percent rag grade, submitting with his statement representative samples of each such grade and a list of sizes, weights and colors regularly manufactured.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "fine writing paper," to select a number of colors, each person who manufactures such grade, if he desires to manufacture such grade in colors, shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection, on Form PD-589. The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection by dropping a color or colors and substituting another or others, but unless and until such leave is granted by the War Production Board in writing the original selection shall be and remain binding.

(e) *General limitations.* Except to the extent and upon the conditions indicated in paragraphs (f), (g), (h) and (i) of this revised schedule, or under B of the appropriate caption in the Appendix below, no person shall manufacture any kind of "fine writing paper" in any grade, color, substance weight or size other than those selected or specified as standard under A of the appropriate caption of the Appendix, or contrary to any other provision under A of the appropriate caption.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of "fine writing papers" and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona-fide attempt to manufacture "fine writing paper" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing by the War Production Board sell in the domestic market) any kind of "fine writing paper" in any size or substance weight required, regardless of quantity, provided all other provisions of this schedule are complied with; and further, bonds, ledgers and writings may be manufactured with any percent of rag content specified by any foreign government to fill a special making order for such government.

(j) *Records and Reports*—(1) *Standard samples.* Each person who manufactures any kind of "fine writing paper" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after the effective date of this revised schedule, each person who manufactures any "special making order" permitted under B of the appropriate caption of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer, converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require.

(3) *Export orders.* On and after the effective date of this revised schedule, each person who manufactures "fine writing paper" for export shall require from the buyer a statement to the effect that such paper is purchased for export and, in the case of a foreign government that such paper is purchased for such government, shall keep such statement, together with a complete record of the order against which such paper is manufactured readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX TO REVISED SCHEDULE III TO LIMITATION ORDER L–120

FINE WRITING PAPERS

RAG CONTENT BOND PAPERS

[Paragraphs A (1), (2), (3) and (4) Amended April 24, 1943]

A. *Grades, colors, weights and sizes for regular manufacture:*

(1) *Standard grades.* Any or all of the five following, selected in accordance with (c) of the foregoing Schedule:

25 percent rag content.
50 percent rag content.
75 percent rag content.
100 percent rag content.
Extra 100 percent rag content.

(2) *Standard colors.* White and Ivory and six other colors, selected according to paragraph (d) of the foregoing Schedule.

(3) *Standard weights* (per 500 sheets 17" x 22"): for 100% rag content:

Substance weights 11, 13, 16, 20 and 24; for all other grades:

Substance weight 11, 13, 16, 20; and, if for use as a protective paper or for checks, substance weight 24, provided that, before the sale thereof, the manufacturer shall require from the buyer a statement that the order is for use as a protective paper or for checks. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) *Standard sizes* (in inches):

For White and Ivory

Sheets. 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 34 x 44.

Rolls. None permitted as standard.

For Other Colors

Sheets. 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls. None permitted as standard.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

(7) Extra 100 percent rag content: If selected, unrestricted in any respect, except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a rag content bond paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT LEDGER PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than four of the following, selected according to Paragraph (c) of the foregoing Schedule:

25 percent rag content
50 percent rag content
75 percent rag content
85 percent rag content
100 percent rag content

and in addition to the four selected, Extra 100 percent rag content.

(2) Standard Colors: White and Blue, Buff and Green—White tint only.

(3) Standard Weights (per 500 sheets 17" x 22"): for 100% rag content: Substance weights 24, 28, 32 and 36; for all other grades: Substance weights 24, 28 and 32.

(4) Standard Sizes (In Inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22½ x 22½, 22 x 34, 24 x 38, 28 x 34.

Rolls. None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

(7) Extra 100 percent rag content: Unrestricted in any respect, except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT LOOSE LEAF LEDGER PAPERS

(Including Machine Posting Ledger Papers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than four of the following, selected according to paragraph (c) of the foregoing schedule.

25 percent rag content
50 percent rag content
75 percent rag content
85 percent rag content
100 percent rag content

and in addition to the four selected, Extra 100 percent rag content.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing Schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): for 100% rag content: Substance weights 24, 28, 32 and 36; for all other grades: Substance weights 24, 28 and 32.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17½ x 22½, 19½ x 24½, 22½ x 22½, 22½ x 28½, 22½ x 35, 24½ x 24½, 24½ x 28½, 24½ x 39.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

(7) Extra 100 percent rag content: Unrestricted in any respect, except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that

(a) The quantity of each special color is at least 5,000 pounds in one standard grade, and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Loose Leaf Ledger Paper or Machine Posting Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT WRITING PAPERS

(Including Linens)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected (by percentage of rag content) according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory and three other colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 20 and 24.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(d) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Writing Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT ONION SKIN PAPERS

(Including Manifold Papers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Any or all of the three following, selected in accordance with (c) of the foregoing schedule.

25 percent rag content.
75 percent rag content (White only).
100 percent rag content.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance Weights 7 to 9 inclusive.

(4) Standard Sizes (in inches):

For White

Sheets: 21 x 32, 22 x 34, 24 x 38, 26 x 34, 28 x 34.

Rolls: None permitted as standard.

For Colors

Sheets: 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

5. Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) Special Grades: Any person may manufacture any grade listed in A (1) above, whether or not selected by him, and in addition 50 percent rag content, in White or in any color and size, to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 500 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 500 pounds of a sheet size or at least 500 pounds of a roll width:

(a) In a standard grade, standard color or White, standard weight and one finish; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 1,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each item is at least 500 pounds; and

(c) There is at least 1,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Onion Skin Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT WEDDING PAPERS

(Including Wedding Bristols)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected (by percentage of rag content) according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory only.

(3) Standard Weights (per 500 sheets): substance weights (17" x 22")—28, 32 and 36; substance weights (22½" x 28½")—120, 140 and 160.

Pasted weights may be supplied in multiples of standard weights.

(4) Standard Sizes (in inches):

For White

Sheets: 22 x 34, 22½ x 28½.

Rolls: None permitted as standard.

For Ivory

Sheets: 22 x 34.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

(7) Extra 100 percent rag content: If selected, unrestricted in any respect, except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Wedding Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT INDEX

A *Grades, Colors, Weights and Sizes for regular manufacture:*

(1) Standard Grades: Not more than four of the following, selected according to paragraph (c) of the foregoing schedule.

25 percent rag content.
50 percent rag content.
75 percent rag content.
100 percent rag content.
Extra 100 percent rag content.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 25½" x 30½"): Substance weights 90, 110, 140 and 170.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20½ x 24½, 25½ x 30½.
Rolls: None permitted as standard.

(5) No restrictions as to finish.

(6) Extra 100 percent rag content: If selected, unrestricted in any respect, except for the report required by paragraph (c) of the foregoing schedule.

B *Exceptions for "Special Making Orders"* as defined in (a) (8) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, in a standard substance weight, or in substance weight 220 in a quantity of at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight or substance weight 220 is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds in one standard grade; each special size is at least 2,000 pounds.

(3) Special Weights: Substance weight 220 may be manufactured to fill a special making order in a quantity of at least 5,000 pounds, in a standard grade, standard color or White or a special color, provided the quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or white and standard weight; or

(b) In a special color, or in substance weight 220, in the quantities provided for under Exceptions (2) and (3) above.

BASE STOCK FOR BLUEPRINT AND DIRECT LINE PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture.*

(1) Standard Grades: Any or all of the four following, selected in accordance with (c) of the foregoing schedule.

100 percent rag content.
50 percent rag content.
25 percent rag content.
No rag content.

(2) Standard Colors: No restrictions.

(3) Standard Weights (per 500 sheets 17" x 22"): 100 percent rag content: substance weights 17, 20½ and 24; for all other grades: substance weights 17 and 20½.

(4) Standard Sizes:

Rolls only: 24, 30, 36, 42, 48, and 54 inches wide.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) Special Grades: Variations only because of different treatment in the beater or on the paper machine, or the use of different non-fibrous matcrials shall not be considered as resulting in a different grade.

(2) No Special Weights permitted.

(3) Special Width Rolls may be manufactured to fill a special making order in a quantity of 10,000 pounds, in a standard grade, in one shade and standard weight.

RAG CONTENT ANTIQUE (MACHINE FINISH) COVER PAPERS

(Excluding Manuscript Covers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected (by percentage of rag content) according to paragraph (d) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to either Ivory or India; or five colors in addition to Ivory and India, selected according to paragraph (c) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 20" x 26"): Substance weights 50, 65, 80, and 130, and weights made by pasting any of these substances.

(4) *Standard Sizes* (in inches):

White and Colors

Sheets: 20 x 26, 23 x 35, 26 x 40.
Rolls: None permitted as standard.

(5) Any secondary finish may be applied to any item conforming to the other conditions of this caption.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade, and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

CHEMICAL WOOD PULP ANTIQUE (MACHINE FINISH) COVER PAPERS

(Including Ground Wood Content Cover Papers but Excluding Manuscript Covers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades:
Chemical Wood Pulp: Not more than two;
Ground Wood Content: Not more than one;
selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to either Ivory or India; or five colors in addition to Ivory and India, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 20" x 26"):
Chemical Wood Pulp: Substance Weights 50, 65, 80 and 130, and weights made by pasting any of these substances.
Ground Wood Content: Substance Weights 40, 50, 65, 80 and 130, and weights made by pasting any of these substances.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20 x 26, 23 x 35, 26 x 40.
Rolls: None permitted as standard.

(5) Any secondary finish may be applied to any item conforming to the other conditions of this caption.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

SPECIALTY COVER PAPERS

(Coated, Embossed or Decorative Specialty Covers, and including "S. and S. C. Cover")

A. *Grades, Colors, Weights, and Sizes for regular manufacture.*

(1) Standard Grades: With respect to each manufacturer, any grade or grades regularly stocked as an established cover line as of December 1, 1941, selected in accordance with paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to Ivory or India or five colors in addition to Ivory and India, selected according to paragraph (c) of the foregoing schedule.

(3) Standard Weights: With respect to each manufacturer and each standard grade under A (1), any weight regularly stocked as of December 1, 1941, such weight or weights to be reported to the Director General for Operations, as standard for each such grade.

(4) Standard Sizes: With respect to each manufacturer and each standard grade under A (1), any size regularly stocked as of December 1, 1941, such size or sizes to be reported to the Director General for Operations, as standard for each such grade.

B *Exceptions for "special making orders"* (as defined in (a) (viii) of the foregoing schedule):

(1) Any Grade of Specialty Cover Papers may be manufactured by any person to fill a special making orde , provided that:

(a) The quantity of such grade is at least 5,000 pounds, all in either White or any one color and finish; and

(b) The quantity of each substance weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 2,000 pounds; and

(d) Such person can show that such grade was manufactured by some person prior to December 1, 1941

(2) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item in a standard grade, standard color or White and standard weight.

CHEMICAL WOOD PULP BOND PAPERS

A *Grades, Colors, Weights, and Sizes for regular manufacture.*

(1) *Standard Grades:* Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) *Standard Colors:* White, and Ivory and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard Weights* (per 500 sheets 17" x 22"): Substance weights 13, 16 and 20; and, if for use as a protective paper or for checks, or for use on an addressing machine, substance weight 24, provided that before the sale thereof, the manufacturer shall require from the buyer a statement that the order is for use as a protective paper or for checks or for use on an addressing machine. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

For White and Ivory

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 34 x 44.

Rolls: None permitted as standard.

For Other Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7½ x 10½.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or white and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or white and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in white or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Bond Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or white, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP LEDGER PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture.*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Buff and Green-White tint only.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance Weights 24, 28 and 32.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 22½ x 22½, 22½ x 34½, 24½ x 24½, 24½ x 39.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in white or in any color or size to fill a special making order for the United States Government provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP WRITING PAPERS
(Wove)

A *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 16 and 20; and, if for use as a protective paper or for checks, or for use on an addressing machine, substance weight 24, provided that, before the sale thereof, the manufacturer shall require from the buyer a statement that the order is for use as a protective paper or for checks or for use on an addressing machine. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

(5) Standard Watermarks: Any mill watermarks if used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Writing Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

REGISTER, CONTINUOUS FORM, AND SALES BOOK CHEMICAL WOOD PULP BOND PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture and to be distributed only to fill a special making order or orders as defined in (a) (viii) in the foregoing schedule:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and five colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights, 10, 12, 15 and 20.

(4) Standard Sizes: Any size, sheet or roll, if manufactured in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item.

(5) Standard Watermarks: None permitted.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 1,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 1,000 pounds of a sheet size or at least 1,000 pounds of a roll width:

(a) In a standard grade, standard color or White, and standard weight and one finish; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each item is at least 1,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Manifold Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP MIMEOGRAPH PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 16 and 20.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 22 x 34, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than $8\frac{1}{2}$ x 14 and no smaller than $7\frac{1}{4}$ x $10\frac{1}{2}$.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order for the United States Government in White or in any color or size, in any standard substance weight, or in substance weight 18 in a quantity of at least 10,000 pounds.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll; or

(d) The quantity of paper made with any one watermark in substance weight 18 is at least 10,000 pounds, with at least 5,000 pounds of each item.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Mimeograph Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

GELATIN AND SPIRIT PROCESSES

CHEMICAL AND WOOD PULP DUPLICATING PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture.*

(1) Standard Grades: Gelatin Process—Not more than two; Spirit Process—Not more than two; selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): For White: Substance weights 13, 16, and 20. For colors: Substance weights 16 and 20.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than $8\frac{1}{2}$ x 14 and no smaller that $7\frac{1}{4}$ x $10\frac{1}{2}$.

(5) Standard Watermarks: Any mill watermarks used to identify standard mill grades; none otherwise.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of papers under this caption for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP OPAQUE CIRCULAR PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 13, 16, 20 and 24.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 22 x 34, 25 x 38, 28 x 34, 35 x 45, 38 x 50.

Rolls: None permitted as standard.

(5) Standard Watermarks: Any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, White and a standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Opaque Circular Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, White, standard weight and standard size, and in the quantities required above for a special watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP VELLUM AND WEDDING PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory, Granite and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets in the size indicated): White, 22 x 34: 48, 56, 64 and 72; White, 35 x 45: 101 and 118; White, $22\frac{1}{2}$ x $28\frac{1}{2}$: 100, 120, 140, 160 and 180; Ivory and Granite, 22 x 34: 48, 56, 64 and 72; Ivory and Granite, 35 x 45: 118; Other colors, 22 x 34: 48 and 56; Other colors, 35 x 45: 118. Pasted weights may be supplied in multiples of standard weights.

(4) Standard Sizes (in inches):

White

Sheets: 22 x 34, 35 x 45, $22\frac{1}{2}$ x $28\frac{1}{2}$.

Rolls: None permitted as standard.

Colors

Sheets: 22 x 34, 35 x 45.

Rolls: None permitted as standard.

(5) Standard Watermarks: Any mill watermarks used to identify standard mill grades; none otherwise.

(6) Standard Finishes: Any vellum primary finish and any secondary finish; none otherwise.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured

(2) Standard Colors: White, and Ivory and

(1) A Special Grade may be manufactured in White or in any color or size to fill a spe-

(a) In a standard grade, standard color or White and standard weight; or

GROUND WOOD CONTENT MIMEOGRAPH PAPERS

ture of a Ground Wood Content Mimeograph

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of Chemical Wood Pulp Vellum and Wedding Papers for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a special watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

(6) Deckle Edges: Papers under this caption may be manufactured deckle edge to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or a roll width:

(a) In a standard grade, standard color or White, standard weight and a primary finish; or

(b) In a special color in a quantity of at least 20,000 pounds in one standard grade; provided that:

(i) the quantity of each standard weight is at least 10,000 pounds; and

(ii) the quantity of each item is at least 5,000 pounds.

CONVERTING GRADES OF CHEMICAL WOOD PULP PAPETERIE PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture and to be distributed only to fill a special making order or orders as defined in (a) (8) of the foregoing schedule:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): White and Ivory: Substance weights: 16, 20, 24 and 28. Other Colors: Substance weights: 20, 24 and 28. Pasted weights may be supplied in multiples of standard weights.

(4) Standard Sizes: Any size, sheet or roll, if manufactured in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item.

(5) Standard Watermarks: No laid or other watermark permitted.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in white or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) Special Sizes: Only as permitted under A (4) above.

(5) Any Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(6) Deckle Edges: Papers under this caption may be manufactured deckle edge to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or a roll width:

(a) In a standard grade, standard color or white, standard weight and a primary finish; or

(b) In a special color in a quantity of at least 20,000 pounds in one standard grade; provided that

(i) The quantity of each standard weight is at least 10,000 pounds; and

(ii) The quantity of each item is at least 5,000 pounds.

CHEMICAL WOOD PULP INDEX BRISTOLS

A. *Grades, Colors, Weights and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 25½" x 30½"):

Substance weights 90, 110, 140 and 170.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20½ x 24¾, 22½ x 28½, 25½ x 30¼.

Rolls: None permitted as standard.

(5) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, in a standard substance weight, or in substance weight 220 in a quantity of at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight or substance weight 220 is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds.

(3) Special Weights: Substance weight 220 may be manufactured to fill a special making order in a quantity of at least 5,000 pounds:

(a) In a standard grade and standard color or White and in at least 2,000 pounds of a standard sheet size, and in at least 5,000 pounds of a special sheet size or 2,000 pounds of a roll width; or

(b) In a quantity of at least 10,000 pounds in a special color in the quantities provided for under Exception (2) above.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Ground Wood Content Bond Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

(6) Deckle Edges: Papers under this caption may be manufactured deckle edge to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or a roll width:

(a) In a standard grade, standard color or White, standard weight and a primary finish; or

(b) In a special color in a quantity of at least 20,000 pounds in one standard grade; provided that:

(i) the quantity of each standard weight is at least 10,000 pounds; and

(ii) the quantity of each item is at least 5,000 pounds.

CONVERTING GRADES OF CHEMICAL WOOD PULP PAPETERIE PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture and to be distributed only to fill a special making order or orders as defined in (a) (8) of the foregoing schedule:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

GROUND WOOD CONTENT BOND PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 16 and 20.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restrictions as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds in a standard weight; or, if in substance weight 18, the quantity of each item is at least 5,000 pounds.

(3) Special Weights: Substance weight 18 may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade and a standard color or White; or

(b) In a special color in the quantities provided for under Exception (2) above.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exceptions (2) and (3) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll; or

(d) The quantity of paper made with any one watermark in substance weight 18 is at least 10,000 pounds, with at least 5,000 pounds of each item.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Ground Wood Content Mimeograph Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

GROUND WOOD CONTENT MIMEOGRAPH PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: No more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 16 and 20.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 22 x 34, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order for the United States Government in White or in any color or size, in any standard substance weight, or in substance weight 18 in a quantity of at least 10,000 pounds.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds in a standard weight; or, if in substance weight 18, the quantity of each item is at least 5,000 pounds.

(3) Special Weights: Substance weight 18 may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade and a standard color or White; or

(b) In a special color in the quantities provided for under Exception (2) above.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color or substance weight 18 in the quantities provided for under Exceptions (2) and (3) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll; or

(d) The quantity of paper made with any one watermark in substance weight 18 is at least 10,000 pounds, with at least 5,000 pounds of each item.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Ground Wood Content Mimeograph Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

[F. R. Doc. 43-6377; Filed, April 24, 1943; 12:01 p. m.]

PART 3037—ELECTRONIC EQUIPMENT

[Revocation of General Limitation Order L-183]

Section 3037.1 *General Limitation Order L-183*, is hereby revoked.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6376; Filed, April 24, 1943; 12:00 m.]

PART 3037—ELECTRONIC EQUIPMENT

[General Limitation Order L-265]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export, of electronic equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3037.8 *General Limitation Order L-265*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of individuals whether incorporated or not.

(2) "Manufacture" means produce, fabricate or assemble electronic equipment, or perform any act or operation upon electronic equipment so as to modify or convert it from one to another type, use or mode of operation, but shall not include acts incidental to the maintenance or repair of electronic equipment.

(3) "Electronic equipment" means any electrical apparatus or device involving the use of vacuum or gaseous tubes, and any associated or supplementary device, apparatus, or component part therefor, and shall include any acoustic phonograph and component parts therefor. The term shall not include hearing aid devices; wire telephone and telegraph equipment; electric batteries; power and light equipment; or medical, therapeutic, x-ray and fluoroscopic equipment other than replacement electron tubes therefor.

(4) "Preferred order" means any order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aero-

(2) No producer or supplier shall by are subject to all applicable provi-

Paragraph (c) (1) of General Limitation Order L-248 (Commercial Dishwashers) reads all applicable regulations of the War Production Board.

PART 3224—PIPE FITTINGS: SIMPLIFICATION

[General Limitation Order L-260]

nautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or any order bearing a preference rating of AA-4 or higher.

(5) "Transfer" means sell, lease, trade, give, deliver, or physically transfer in any way so as thereby to make available for the use of a person other than the transferor, but shall not include the transfer of electronic equipment by one person to another person for repair or storage thereof nor the return of such equipment to the owner thereof (or his agent).

(6) "Producer" means any person to the extent engaged in the manufacture of electronic equipment for transfer or for commercial use.

(7) "Supplier" means any person to the extent that his business consists in whole or in part of the sale, distribution or transfer from stock or inventory of electronic equipment, and includes wholesalers, distributors, jobbers, dealers, retailers, servicemen, branch warehouses or other distribution outlets controlled by producers and other persons performing a similar function.

(8) "Consumer" means any person who owns, operates or purchases electronic equipment for his own use.

(b) *Restrictions.* (1) No producer shall manufacture any electronic equipment except:

(i) To fill preferred orders, or

(ii) To fulfill, under the Controlled Materials Plan, an authorized production schedule or authorized program, as defined in CMP Regulation 1.

(2) No producer or supplier (other than Defense Supplies Corporation) shall transfer any electronic equipment to any consumer, nor shall any consumer accept the transfer of any electronic equipment from any producer or supplier (other than Defense Supplies Corporation) except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of A-1-a or higher, or

(iii) To fill an order for any component part of electronic equipment provided the consumer delivers to the producer or supplier concurrently with the transfer a used, defective or exhausted part of similar kind and size which cannot be repaired or reconditioned; or, when circumstances render the delivery of a part for a part impractical, provided the consumer's purchase order (or written confirmation thereof) is accompanied by a certificate in substantially the following form signed by the consumer:

CONSUMER'S CERTIFICATE

I hereby certify that the part(s) specified on this order are essential for presently needed repair of electronic equipment which I own or operate.

Signature and Date

(3) No producer or supplier shall transfer any electronic equipment to any supplier, nor shall any supplier accept the transfer of any electronic equipment from any producer or supplier, except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of A-1-a or higher, or

(iii) To fill an order for component parts of electronic equipment required by the receiving supplier for the repair of electronic equipment then in his possession, or to replace in the inventory of the receiving supplier parts similar in kind and equal in number which have been delivered on or after the 24th day of April 1943 by the receiving supplier to consumers against defective or exhausted parts or consumer's certificates, or to other suppliers against supplier's certificates, as specified in this order; provided the purchase order is accompanied by a certificate in substantially the following form signed by the receiving supplier:

SUPPLIER'S CERTIFICATE

I hereby certify that I am entitled to purchase the items specified on the accompanying purchase order under the provisions of Limitation Order L-265, with the terms of which I am familiar.

Signature and Date

The producer or supplier to whom the above certificate is furnished shall be entitled to rely thereon as evidence that the purchase order is within the provisions of this paragraph (b) (3) (iii), unless he has knowledge or reason to believe that it is false.

(4) No producer or supplier shall retain in his inventory possession or control for more than sixty (60) days any used, defective, exhausted or condemned parts which cannot be reconditioned but must dispose of the same through salvage disposal or scrap channels.

(c) *Exceptions.* (1) The provisions of this order shall not apply:

(i) To the transfer of any finished product of the following kinds which was produced and designed for home use and the manufacture of which was completed on or before the 24th day of April 1943, to wit: radio receiving sets; phonographs and record players; sound motion picture projectors.

(ii) To transfers of electronic equipment which transfers are made on or before the 23d day of June 1943 pursuant to purchase orders placed prior to the 24th day of April 1943.

(iii) To the lease of electronic equipment to any person by any person: *Provided*, That the lessor was actually engaged in the leasing of such equipment as a normal incident and part of his established business prior to the 24th day of April 1943.

(2) The War Production Board may from time to time specifically authorize in writing exceptions to the provisions and restrictions of paragraphs (b) (2) and (b) (3) hereof.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to War Production Board, Radio and Radar Division, Washington, D. C., Ref: L-265.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6389; Filed, April 24, 1943; 12:00 m.]

PART 3122—ELECTRICAL MOTORS AND GENERATORS

[Interpretation 2 of General Conservation Order L-221, as Amended April 22, 1943]

Paragraphs (f) (1) and (2) of § 3122.1 *General Conservation Order L-221* exempt orders for motors and generators to be delivered for use outside continental United States and Canada. This provision is intended in this order (but not necessarily in other orders where a similar expression is used) to exempt from the limitations and restrictions of paragraphs (b) (1), (c) and (d) of Order L-221 any order for motors and generators delivered for use outside of the forty-eight states (and the District of Columbia) and Canada. Motors and generators delivered for use in Alaska, the Panama Canal Zone, Puerto Rico and other possessions and territories of the United States would be exempt from the above mentioned restrictions.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6387; Filed, April 24, 1943; 12:00 m.]

PART 3171—COMMERCIAL DISHWASHERS

[Interpretation 1 to Limitation Order L-248]

The following official interpretation is hereby issued by the War Production Board with respect to § 3171.1 *General Limitation Order L-248:*

Paragraph (c) (1) of General Limitation Order L-248 (Commercial Dishwashers) reads as follows:

(1) Any person may make or accept physical delivery of any such dishwasher on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States;

Question has been raised as to whether purchase by the Army Pre-Flight Training Schools is within the exception stated in this subparagraph or whether such schools desiring to purchase this equipment must apply on Form PD 638A for authorization.

The exception referred to applies only to specific contracts or subcontracts for deliveries to or for the account of the agencies named. It does not include equipment which will be owned by the training schools and not by the Army, even though it is intended that the equipment will for the present be used solely for the benefit of the personnel assigned to the school. Such a delivery is not made on a specific contract or subcontract for delivery to or for the account of the Army within the meaning of the provision quoted above. Accordingly, any training school desiring to purchase this equipment under these circumstances must apply on Form PD-638A for authorization.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6378; Filed, April 24, 1943; 12.01 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Direction 6 Under CMP Reg. 2]

SEGREGATED STRUCTURAL STEEL FOR CONSTRUCTION

§ 3175.106 *Inventory Direction 6.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered*, That:

In the case of persons who order structural steel, in controlled material form, for use in construction (including buildings, bridges and other structures of a like type) and who order such steel delivered cut to the specifications required for a specific project and who normally keep such steel segregated for the specific project, the provisions of paragraph (b) (1) of CMP Regulation 2 shall not apply to acceptance of deliveries of such steel. In lieu thereof, no such person shall accept delivery of such steel more than 60 days before it is scheduled to be fabricated or, if it is not to be further fabricated, before it is scheduled to be assembled.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6384; Filed, April 24, 1943; 11:59 a. m.]

PART 3224—PIPE FITTINGS: SIMPLIFICATION

[General Limitation Order L-288]

GREY CAST IRON, MALLEABLE IRON AND BRASS AND BRONZE PIPE FITTINGS: SIMPLIFICATION

The fulfillment of requirements for the defense of the United States has created a shortage of iron, brass and bronze used in the manufacture of pipe fittings for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3224.6 *General Limitation Order L-288*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" means any person who manufactures pipe fittings.

(2) "Pipe fitting" means any threaded or flanged pipe fitting made from grey cast iron, malleable iron, brass or bronze, except:

(i) Those known as hydraulic or high pressure pipe fittings;

(ii) Those known as cast or forged steel fittings;

(iii) Those known as brazed or soldered brass or bronze fittings, whether screwed or flanged at any outlet; and

(iv) Those produced under specific contract or subcontract for use as part of the equipment of aircraft or watercraft other than pleasure craft.

(3) "Manufacture" means to fabricate, assemble, produce, process, machine or alter materials by physical or chemical means, or to cause the doing of those acts.

(b) *Restrictions.* (1) No producer shall manufacture after March 1, 1942, any pipe fittings which do not conform to the types, sizes and specifications contained and prescribed in the Appendix hereto.

(2) No producer shall sell or make delivery, nor shall any person knowingly purchase or accept delivery of any pipe fittings manufactured in violation of this order.

(c) *Exemptions.* The provisions of this order shall not apply:

(1) To such pipe fittings as were in any producer's stock in finished form on March 1, 1942, or which had, on said date, been cast, machined or otherwise processed in such manner that their manufacture in conformity with this order and the Appendix hereto would be impractical; or

(2) To the manufacture, sale, purchase or delivery pursuant to specific authorization by the War Production Board of pipe fittings which do not conform to the types, sizes and specifications prescribed in the Appendix hereto.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable regulations of the War Production Board.

(e) *Records.* Every producer shall maintain and shall retain for a period of two years adequate records evidencing his manufacture, sale and delivery of all pipe fittings, which records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall unless otherwise directed be addressed to: War Production Board, Shipbuilding Division, Washington, D. C., Ref: L-288.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX

GREY CAST IRON, MALLEABLE IRON AND BRASS AND BRONZE PIPE FITTINGS: SIMPLIFICATION

NOTE: (1) *Abbreviations:* SWP stands for steam working pressure; WWP, for water working pressure

(2) *Sizes.* The fittings listed herein are designated by the nominal pipe size of the pipe with which the fittings are intended to be used. All dimensions are in inches. Reducing tees, three-way reducing elbows, and reducing Y branches, are designated by size in the following order: (1) largest size on the run, (2) opposite size, (3) size of outlet or inlet. Reducing double Y branches are designated by (1) size of run openings, and (2) size of inlets. The last size given for circulating boiler fittings is the inside opening of the boiler end of the fitting. In the case of fittings with side outlets the size of the outlet is given last. The second dimension given for flanges is the outside diameter of the flange.

(3) *Threads.* All fittings have right hand threads, except where otherwise specified.

(4) *Column Markings.* Where columnar spaces are provided, an X in the applicable box indicates that the size specified in the heading is to be retained.

TABLE 1. GREY CAST IRON PIPE FITTINGS—STRAIGHT

[For reducing and other fittings identified by two or more dimensions see table 2]

Kind	Nominal pipe size																
	⅛	¼	⅜	½	¾	1	1¼	1½	2	2½	3	3½	4	5	6	8	10
SCREWED FITTINGS																	
125 lb SWP, Standard																	
90° elbows		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
90° elbows, right and left hand					x	x	x	x	x								
90° elbows, patched																	
45° elbows		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Tees		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Crosses						x	x	x	x	x	x	x					
45° Y bends					x	x	x	x	x	x	x	x	x	x	x	x	
Caps					x	x	x	x	x	x	x	x	x	x	x	x	
Flange unions, standard, gasket type																	
250 lb SWP, short pattern																	
90° elbows		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
45° elbows				x	x	x	x	x	x	x	x	x	x	x	x	x	
Tees		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Plugs, bushings, locknuts, rod floor flanges (see table 5)														x	x	x	x
Drainage fittings																	
90° elbows							x	x	x	x	x	x	x	x	x	x	x
90° elbows, long turn							x	x	x	x	x						
90° elbows, extra long turn									x	x	x						
90° elbows, with 2-inch hub outlet														x			
90° elbows, with 2-inch heel outlet														x			
90° street elbows							x	x	x	x	x	x	x		x	x	x
60° elbows							x	x	x	x	x						
45° elbows							x	x	x	x	x	x	x	x	x	x	x
45° elbows, long turn							x	x	x	x	x						
45° street elbows							x	x	x	x	x	x	x	x			
22½° elbows							x	x	x	x	x						
11¼° elbows							x	x	x	x	x						
Three-way elbows							x	x	x	x	x	x	x				
Tees							x	x	x	x	x						
Pasm tees							x	x	x	x	x	x	x	x	x	x	
90° Y branches, tee pattern							x	x	x	x	x	x	x	x	x	x	
90° Y branches, long turn, tee pattern							x	x	x	x	x						
90° double Y branches, tee pattern							x	x	x	x	x	x	x	x			
90° double Y branches, long turn, tee pattern							x	x	x	x	x						
45° Y branches							x	x	x	x	x	x	x	x	x	x	
45° double Y branches							x	x	x	x	x	x	x				
P traps							x	x	x	x	x						
Bath P traps									x	x	x						
Running traps									x	x	x	x	x	x	x	x	
Roof connections									x	x	x	x	x	x	x	x	
Tucker connections									x	x	x	x	x	x	x	x	
Couplings																	
	1¼	1½	2	2½	3	3½	4	5	6	8	10	12	14	16	18	20	24
FLANGED FITTINGS																	
125 lb SWP																	
90° elbows		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
90° elbows, long radius			x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
90° base elbows, square or round base																	
45° elbows																	
Side outlet elbows		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Tees, standard or regular sweep			x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Crosses			x	x	x	x											
45° laterals																	
250 lb SWP																	
90° elbows			x	x	x		x	x	x	x	x	x	x				
90° base elbows, round base																	
45° elbows			x	x	x												
Tees, standard or regular sweep			x	x	x		x	x	x	x	x						
Crosses																	
45° laterals																	
SPRINKLER FITTINGS																	
175 lb WWP, American Standard:																	
90° elbows, flanged, screwed						x		x	x	x							
Tees, flanged, screwed, screwed						x		x	x	x							
Tees, flanged, screwed, flanged																	
125 lb SWP, and 175 lb WWP					x	x		x									
90° elbows, short turn, flanged, screwed					x	x		x	x	x							
45° elbows, short turn, flanged, screwed																	

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC

SCREWED, 125 LB. SWP, STANDARD

90° reducing elbows

Right hand

¼ x ⅛	2½ x 1
⅜ x ⅛	3 x 2½
⅜ x ¼	3 x 2
½ x ⅜	3 x 1¼
¾ x ½	3 x 1½
1 x ¾	3½ x 3
1¼ x 1	4 x 3½
1½ x ¾	4 x 3
1½ x 1	4 x 2½
1½ x 1¼	4 x 2
2 x ¾	5 x 4
2 x 1	5 x 3
2 x 1¼	5 x 2½
2 x 1½	6 x 5
	6 x 4
	6 x 3
	8 x 6

Patched

1 x 1½	1¼ x 1¼
1½ x ¾	2 x 1½
1½ x 1	

Reducing Tees

½ x ½ x ¾	2 x 1¼ x 2	3 x 2 x 1½
¾ x ½ x ¾	2 x 1¼ x 1½	3 x 1½ x 3
¾ x ¾ x ½	2 x 1¼ x 1¼	3 x 1½ x 2½
¾ x ¾ x ¾	2 x 1¼ x 1	3 x 1¼ x 3
1 x ¾ x ½	2 x 1 x 2	3 x 1¼ x 2½
1 x ¾ x ¾	2 x 1 x 1½	3 x 1 x 3
1 x 1 x ½	2 x 1 x 1¼	3 x 1 x 2½
1 x 1 x ¾	2 x ¾ x 2	3 x ¾ x 3
1¼ x ¾ x ¾	2 x 1½ x 2	2½ x 2½ x 3
1¼ x 1 x ¾	2 x ¾ x 1½	2½ x 2 x 3
1¼ x 1 x 1	1¼ x 1¼ x 2	2½ x 1½ x 3
1¼ x 1¼ x ¾	1¼ x 1¼ x 2	2½ x 1¼ x 3
1¼ x 1¼ x 1	1¼ x 1 x 2	2½ x 1 x 3
1½ x ¾ x ¾	2½ x 2½ x 2	2 x 2 x 3
1½ x 1 x ¾	2½ x 2 x 1½	3½ x 2½ x 3
1½ x 1 x 1	2½ x 1½ x 2	3½ x 3½ x 2
1½ x 1¼ x ¾	2½ x 1¼ x 2	3½ x 3 x 2½
1½ x 1¼ x 1	2½ x 1¼ x 1½	3½ x 3½ x 2
1½ x 1¼ x 1¼	2½ x 1 x 2	3½ x 3 x 1¼
1½ x 1½ x ¾	2½ x 1 x 1½	3½ x 3½ x 1
1½ x 1½ x 1	2½ x 1 x 1¼	3½ x 2½ x 3½
1½ x 1½ x 1¼	2½ x ¾ x 2½	3½ x 2½ x 3
2 x ¾ x ½	2½ x 1½ x 2½	3½ x 2 x 3½
2 x ¾ x ¾	2½ x 1½ x 2	3½ x 2 x 3
2 x 1 x ½	2½ x 1½ x 1½	3½ x 1½ x 3½
2 x 1 x ¾	2½ x 1¼ x 2½	3½ x 1¼ x 3½
2 x 1 x 1	2½ x 1¼ x 2	3½ x 1 x 3½
2 x 1¼ x ¾	2½ x 1¼ x 1½	3 x 3½ x 3½
2 x 1¼ x 1	2½ x 1 x 2½	3 x 2½ x 3½
2 x 1¼ x 1¼	2½ x 1 x 2	3 x 2 x 3½
2 x 1½ x ¾	2½ x ¾ x 2½	3 x 1½ x 3½
2 x 1½ x 1	2½ x ¾ x 2	3 x 1¼ x 3½
2 x 1½ x 1¼	2½ x 1½ x 2½	3 x 1 x 3½
2 x 1½ x 1½	2½ x 1½ x 2	2½ x 2½ x 3½
	2½ x 2 x 2½	4 x 4 x 3½
	2½ x 2 x 2	4 x 4 x 3
	2½ x 1½ x 2½	4 x 4 x 2½
	1½ x 1½ x 2½	4 x 4 x 2
	3 x 3 x 2½	4 x 4 x 1½
	3 x 3 x 2	4 x 4 x 1¼
	3 x 3 x 1½	4 x 4 x ¾
	3 x 3 x 1¼	4 x 3½ x 4
	3 x 3 x 1	4 x 3½ x 3½
	3 x 3 x ¾	4 x 3½ x 3
	3 x 3 x ½	4 x 3½ x 2½
	3 x 2½ x 3	4 x 3½ x 2
	3 x 2½ x 2½	4 x 3½ x 1½
	3 x 2½ x 2	4 x 3½ x 1¼
	3 x 2½ x 1½	4 x 3½ x 1
	3 x 2½ x 1¼	4 x 3 x 3
	3 x 2½ x 1	4 x 3 x 2½
	3 x 2 x 3	4 x 3 x 2
	3 x 2 x 2½	4 x 2½ x 4
	3 x 2 x 2	

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

SCREWED, 125 LB. SWP, STANDARD—continued

Reducing Tees—Continued

4 x 2½ x 3½	5 x 3½ x 3½	6 x 4 x 6 6
4 x 2½ x 3	5 x 3½ x 3	6 x 4 x 5
4 x 2½ x 2	5 x 3 x 5	6 x 4 x 4
4 x 2 x 3½	5 x 3 x 4	6 x 3½ x 6
4 x 2 x 3	5 x 3 x 3½	6 x 3½ x 5
4 x 2 x 2	5 x 2½ x 5	6 x 3 x 6
4 x 1½ x 4	5 x 2½ x 4	6 x 3 x 5
4 x 1¼ x 4	5 x 2 x 5	6 x 3 x 4
4 x 1 x 4	5 x 1½ x 5	6 x 2½ x 6
3½ x 3½ x 4	5 x 1¼ x 5	6 x 2 x 6
3½ x 3 x 4	4 x 3½ x 5	6 x 1½ x 6
3½ x 2½ x 4	4 x 3 x 5	6 x 1¼ x 6
3½ x 2 x 4	4 x 2½ x 5	5 x 3 x 6
3 x 3 x 4	3½ x 3½ x 5	5 x 4 x 6
3 x 2½ x 4	3½ x 3 x 5	5 x 3½ x 6
2½ x 2½ x 4	3 x 3 x 5	5 x 3 x 6
2 x 2 x 4	3 x 3 x 4	4 x 4 x 6
5 x 5 x 4	6 x 6 x 5	4 x 2½ x 6
5 x 5 x 3½	6 x 6 x 4	8 x 8 x 6
5 x 5 x 3	6 x 6 x 3½	8 x 8 x 5
5 x 5 x 2½	6 x 6 x 3	8 x 8 x 4
5 x 5 x 2	6 x 6 x 2½	8 x 8 x 3½
5 x 5 x 1½	6 x 6 x 2	8 x 8 x 2½
5 x 5 x 1¼	6 x 6 x 1½	8 x 8 x 2
5 x 5 x 1	6 x 6 x 1¼	8 x 8 x 6
5 x 4 x 5	6 x 6 x 1	8 x 8 x 5
5 x 4 x 4	6 x 5 x 6	8 x 8 x 4
5 x 4 x 3½	6 x 5 x 5	8 x 8 x 3½
5 x 4 x 3	6 x 5 x 4	8 x 8 x 3
5 x 4 x 2½	6 x 5 x 3½	8 x 8 x 2½
5 x 4 x 2	6 x 5 x 3	8 x 8 x 2
5 x 4 x 1½	6 x 5 x 2½	8 x 8 x 6
5 x 4 x 1¼	6 x 5 x 2	8 x 8 x 5
5 x 3½ x 5	6 x 5 x 1½	8 x 8 x 4
5 x 3½ x 4	6 x 5 x 1¼	8 x 8 x 3½

Reducing crosses

1½ x 1½ x 1" x 1"	3½ x 3 x 1¼" x 1¼"	
1½ x 1¼ x 1" x 1"	3½ x 3 x 1¼" x 1¼"	
2" x 2" x 1" x 1"	4 x 4 x 3½" x 3½"	
2 x 1½ x 1¼ x 1¼"	4 x 4 x 3½" x 3"	
2 x 1½ x 1" x 1"	4 x 4 x 3½" x 2½"	
2½" x 2½" x 2" x 2"	4 x 4 x 3½" x 2"	
2½ x 2½ x 1½ x 1½"	4 x 4 x 3" x 3"	
2½ x 2½ x 1¼ x 1¼"	4 x 4 x 3" x 2½"	
2½" x 2½" x 1" x 1"	4 x 4 x 3" x 2"	
2½" x 2" x 2" x 2"	4 x 4 x 2½" x 2½"	
2½ x 2 x 1½ x 1½"	4 x 4 x 2½" x 2"	
2½ x 2 x 1¼ x 1¼"	4 x 4 x 2" x 2"	
2½" x 1½" x 1" x 1"	4 x 4 x 1¼" x 1¼"	
2½ x 1½ x 1¼ x 1¼"	4 x 4 x 1" x 1"	
2½" x 1¼" x 1" x 1"	4 x 3½ x 4" x 1"	
3 x 3 x 2½ x 2½"	4 x 3½ x 3½" x 3"	
3 x 3 x 2" x 2"	4 x 3½ x 3" x 2½"	
3 x 3 x 1½" x 1½"	4 x 3½ x 3" x 2"	
3 x 3 x 1¼" x 1¼"	4 x 3½ x 2½" x 2"	
3 x 2½ x 2" x 2"	4 x 3½ x 2" x 1½"	
3 x 2½ x 1¼ x 1½"	4 x 3½ x 1¼" x 1¼"	
3 x 2½ x 1" x 1"	5 x 5 x 4 x 4"	
3½ x 3½ x 3 x 3"	5 x 5 x 3½ x 3½"	
3½ x 3½ x 2½ x 2½"	5 x 5 x 3 x 3"	
3½ x 3½ x 2" x 2"	5 x 5 x 2½ x 2½"	
3½ x 3½ x 1¼" x 1¼"	5 x 5 x 1½ x 1½"	
3½ x 3½ x 1" x 1"	5 x 5 x 1¼ x 1¼"	
3½ x 3 x 2½ x 2½"	5 x 4 x 2½ x 2½"	
3½ x 2½ x 1" x 1"	5 x 4 x 2 x 2"	
3½ x 3½ x 3 x 3"	5 x 3½ x 3½ x 3"	
3½ x 3½ x 2½ x 2½"	6 x 6 x 5 x 5"	
3½ x 3½ x 2" x 2"	6 x 6 x 4 x 4"	
3½ x 3½ x 1¼" x 1¼"	6 x 6 x 3½ x 3½"	
3½ x 3½ x 1" x 1"	6 x 6 x 3 x 3"	
3½ x 3 x 2½ x 2½"	6 x 6 x 2½ x 2½"	
3½ x 2½ x 1" x 1"	6 x 6 x 2 x 2"	
3½ x 3½ x 3 x 3"	6 x 6 x 1½ x 1½"	
3½ x 3½ x 2½ x 2½"	6 x 6 x 1¼ x 1¼"	
3½ x 3½ x 2" x 2"	8 x 8 x 6 x 6"	
3½ x 3½ x 1¼" x 1¼"	8 x 8 x 4 x 4"	
3½ x 3½ x 1" x 1"		
3½ x 3 x 2½ x 2½"		
3½ x 2½ x 2" x 2"		

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

SCREWED, 125 LB. SWP, STANDARD—continued

Reducers—concentric

¾ x ½	2 x 1½	3 x 2	8 x 4
1 x ¾	2 x 1¼	4 x 3	8 x 5
1 x ½	2 x 1	4 x 2½	8 x 6
1¼ x 1	2½ x 2	4 x 2	8 x 8
1½ x 1¼	3 x 2½		

Reducers—eccentric

1¼ x 1	3½ x 1
1¼ x ¾	4 x 3½
1½ x 1¼	4 x 3
1½ x 1	4 x 2½
1½ x ¾	4 x 2
2 x 1½	4 x 1½
2 x 1¼	4 x 1¼
2 x 1	4 x 1
2 x ¾	5 x 4
2½ x 2	5 x 3½
2½ x 1½	5 x 3
2½ x 1¼	5 x 2½
2½ x 1	5 x 2
3 x 2½	6 x 5
3 x 2	6 x 4
3 x 1½	6 x 3
3 x 1¼	6 x 2½
3 x 1	6 x 2
3½ x 3	8 x 6
3½ x 2½	8 x 5
3½ x 2	
3½ x 1½	
3½ x 1¼	

Screwed flanges and blind flanges

1 x 4¼	6 x 11
1¼ x 4⅝	8 x 13½
1½ x 5	10 x 16
2 x 6	12 x 19
2½ x 7	14 x 21
3 x 7½	16 x 23½
3½ x 8½	18 x 25
4 x 9	20 x 27½
5 x 10	24 x 32

Reducing screwed flanges

1 x 5	3 x 10
1 x 6	4 x 10
1¼ x 6	2 x 11
1½ x 6	2½ x 11
1½ x 7	3 x 11
2 x 7	4 x 11
1½ x 7½	5 x 11
2 x 7½	3 x 13½
2½ x 7½	4 x 13½
3 x 8½	5 x 13½
1¼ x 9	6 x 13½
2 x 9	6 x 16
2½ x 9	8 x 16
3 x 9	8 x 19
3½ x 9	10 x 19

LAPPED JOINT, 125 LB. SWP

Lapped joint flanges

2 x 6	5 x 10	14 x 21
2½ x 7	6 x 11	16 x 23½
3 x 7½	8 x 13½	18 x 25
3½ x 8½	10 x 16	20 x 27½
4 x 9	12 x 19	24 x 32

Return bends

Close pattern, right hand		Open pattern				Wide pattern, right hand	
		Right hand		Right and left			
Size	Center to center	Size	Center to center	Size	Center to center	Size	Center to center
½	1¼	¾	1½	1	2½	1	3
¾	1½	1	2½	1¼	3	1	4
1	1¾	1¼	3	1½	3½	1¼	4
1¼	2¼	1½	3½			1¼	6
1½	2½	2	4½			1½	6
2	3¼	2½	5½			2	8
		3	6½				

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

SCREWED, 250 LB. SWP

Reducing tees, short-pattern

3/8 x 3/8 x 1/2	1 1/2 x 1 1/2 x 1
1 x 1 x 3/4	1 1/2 x 1 1/2 x 3/4
1 x 1 x 1 1/2	2 x 2 x 1 1/2
1 1/4 x 1 1/4 x 1	2 x 2 x 1 1/4
1 1/4 x 1 1/4 x 3/4	2 x 2 x 1
1 1/2 x 1 1/2 x 1 1/4	2 x 2 x 3/4

Screwed flanges and blind flanges

1 1/2 x 6 1/2	5 x 11
2 x 6 1/2	6 x 12 1/2
2 1/2 x 7 1/2	8 x 15
3 x 8 1/4	10 x 17 1/2
3 1/2 x 9	12 x 20 1/2
4 x 10	

Reducing screwed flanges

2 x 8 1/4	4 x 12 1/2
2 1/2 x 8 1/2	5 x 12 1/2
3 x 10	6 x 15
4 x 11	

LAPPED JOINT, 250 LB. SWP

Lapped joint flanges

2 x 6 1/2	5 x 11	14 x 23
2 1/2 x 7 1/2	6 x 12 1/2	16 x 25 1/2
3 x 8 1/4	8 x 15	18 x 28
3 1/2 x 9	10 x 17 1/2	20 x 30 1/2
4 x 10	12 x 20 1/2	24 x 36

(For iron plugs, bushings, locknuts, and floor flanges see table 5)

SCREWED DRAINAGE FITTINGS

90° reducing elbows

1 1/2 x 1 1/4	2 x 1 1/2

Three-way reducing elbows

1 1/4 x 1 1/4 x 1 1/4	1 1/2 x 1 1/2 x 2

Reducing tees

1 1/2 x 1 1/4 x 1 1/4	3 x 3 x 2
2 x 2 x 1 1/2	3 x 3 x 1 1/4
2 x 2 x 1 1/4	4 x 4 x 3
2 1/2 x 2 1/2 x 2	4 x 4 x 2

90° reducing Y branches, tee pattern

1 1/2 x 1 1/4 x 1 1/4	3 x 3 x 1 1/2
1 1/2 x 1 1/4 x 1 1/4	3 x 3 x 1 1/4
2 x 2 x 1 1/2	4 x 4 x 3
2 x 2 x 1 1/4	4 x 4 x 2
2 x 1 1/2 x 2	4 x 4 x 1 1/2
2 x 1 1/2 x 1 1/4	5 x 5 x 4
2 1/2 x 2 1/2 x 2	6 x 6 x 5
3 x 3 x 2	6 x 6 x 4

60° reducing Y branches, long turn, tee pattern

1 1/2 x 1 1/2 x 1 1/4	3 x 3 x 2
2 x 2 x 1 1/2	3 x 3 x 1 1/2
2 x 2 x 1 1/4	4 x 4 x 3
2 x 1 1/2 x 2	4 x 4 x 2
2 1/2 x 2 1/2 x 2	4 x 4 x 1 1/2
3 x 3 x 2 1/2	

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

SCREWED DRAINAGE FITTINGS—continued

90° reducing double Y branches, tee pattern

1 1/2 x 1 1/4	3 x 1 1/2
2 x 1 1/2	4 x 2
2 x 1 1/4	4 x 1 1/2
3 x 2	

90° reducing double Y branches, long turn, tee pattern

1 1/2 x 1 1/4	2 x 1 1/4
2 x 1 1/2	3 x 2

45° reducing Y branches

1 1/2 x 1 1/2 x 1 1/4	4 x 4 x 3
2 x 2 x 1 1/2	4 x 4 x 2
2 x 2 x 1 1/4	4 x 4 x 1 1/2
2 x 1 1/2 x 1 1/4	5 x 5 x 4
2 1/2 x 2 1/2 x 2	6 x 6 x 5
2 1/2 x 2 1/2 x 1 1/2	6 x 6 x 4
3 x 3 x 2 1/2	8 x 8 x 6
3 x 2 x 2	8 x 8 x 4
4 x 4 x 2 1/2	
4 x 4 x 1 1/2	
4 x 3 x 4	
4 x 2 1/2 x 3	
4 x 2 1/2 x 2 1/2	
4 x 2 x 4	
4 x 3 x 3	
5 x 5 x 4	
5 x 5 x 3	
5 x 5 x 2 1/2	
5 x 5 x 2	
6 x 4 x 5	
6 x 4 x 4	

45° reducing double Y branches

2 x 1 1/2	3 x 2

Increasers

2 x 1 1/2	4 x 2	6 x 4
3 x 2	5 x 4	
4 x 3	6 x 5	

FLANGED, 125 LB. SWP

90° reducing elbows

2 x 1 1/2	5 x 3	10 x 6
2 1/2 x 2	6 x 5	12 x 10
3 x 2 1/2	6 x 4	12 x 8
3 x 2	6 x 3	12 x 6
4 x 3	8 x 6	14 x 12
4 x 2 1/2	8 x 5	16 x 12
4 x 2	8 x 4	
5 x 4	10 x 8	
6 x 3	10 x 6	

90° reducing elbows, long radius

3 x 2 1/2	6 x 5	10 x 8
3 x 2	6 x 4	12 x 10
4 x 3	8 x 6	
5 x 4	8 x 5	

Taper reducers

2 1/2 x 1 1/2	6 x 2 1/2	12 x 10
3 x 2 1/2	6 x 5	12 x 8
3 x 2	6 x 4	12 x 6
3 x 1 1/2	6 x 3	14 x 12
3 1/2 x 3	6 x 2 1/2	14 x 10
4 x 3 1/2	8 x 2	14 x 8
4 x 3	8 x 6	14 x 6
4 x 2 1/2	8 x 5	16 x 14
4 x 2	8 x 4	16 x 12
5 x 4	10 x 8	16 x 10
6 x 3	10 x 6	

TABLE 2. GREY CAST IRON PIPE FITTINGS—REDUCING, ETC.—Continued

FLANGED, 125 LB. SWP—continued

Eccentric reducers

3 x 2	6 x 5	10 x 8
4 x 3	6 x 4	12 x 10
5 x 4	8 x 6	

Reducing tees—standard or regular sweep

2 x 2 x 1 1/2	4 x 4 x 5	8 x 5 x 8
2 1/2 x 2 1/2 x 2	6 x 6 x 5	8 x 4 x 8
3 x 3 x 2 1/2	6 x 6 x 4	8 x 4 x 6
3 x 3 x 2	6 x 6 x 3	6 x 6 x 8
3 x 3 x 1 1/2	6 x 6 x 2 1/2	10 x 10 x 8
3 x 2 1/2 x 3	6 x 6 x 2	10 x 10 x 6
3 x 2 1/2 x 2 1/2	6 x 5 x 6	10 x 10 x 5
3 x 2 x 3	6 x 5 x 5	10 x 10 x 4
2 1/2 x 2 1/2 x 3	6 x 5 x 4	10 x 10 x 3
4 x 4 x 3	6 x 4 x 6	10 x 8 x 10
4 x 4 x 2	6 x 4 x 4	10 x 8 x 8
4 x 4 x 2 1/2	6 x 4 x 3	10 x 8 x 6
4 x 4 x 1 1/2	6 x 3 x 6	8 x 8 x 10
4 x 3 x 3	6 x 3 x 4	12 x 12 x 10
4 x 3 x 2	6 x 3 x 3	12 x 12 x 8
4 x 2 1/2 x 3	6 x 2 x 6	12 x 12 x 6
4 x 2 1/2 x 2 1/2	5 x 5 x 6	12 x 12 x 5
4 x 2 x 4	4 x 4 x 6	12 x 12 x 4
3 x 3 x 4	8 x 8 x 6	12 x 10 x 8
5 x 5 x 4	8 x 8 x 5	12 x 10 x 10
5 x 5 x 3	8 x 8 x 4	12 x 10 x 8
5 x 5 x 2 1/2	8 x 8 x 3	12 x 10 x 6
5 x 5 x 2	8 x 6 x 8	12 x 8 x 12
6 x 4 x 5	8 x 6 x 6	12 x 8 x 8
6 x 4 x 4	8 x 6 x 5	10 x 10 x 12
	8 x 6 x 4	14 x 14 x 8
	8 x 6 x 3	

FLANGED, 250 LB. SWP.

90° reducing elbows

2 1/2 x 2	6 x 3	8 x 4
3 x 2 1/2	6 x 5	10 x 8
4 x 3	6 x 4	10 x 6
4 x 2 1/2	8 x 6	10 x 5
5 x 4	8 x 5	

Taper reducers

2 1/2 x 2	5 x 2 1/2	8 x 5
3 x 2 1/2	5 x 2	8 x 4
3 x 2	6 x 5	10 x 8
4 x 3	6 x 4	10 x 6
4 x 2 1/2	6 x 3	10 x 5
4 x 2	6 x 2 1/2	10 x 4
5 x 4	6 x 2	
5 x 3	8 x 6	

Reducing tees—standard or regular sweep

2 1/2 x 2 1/2 x 2	5 x 5 x 2 1/2	8 x 8 x 2
2 1/2 x 2 x 2	5 x 5 x 2	8 x 6 x 8
3 x 3 x 2 1/2	5 x 4 x 5	8 x 6 x 6
3 x 3 x 2	5 x 4 x 4	10 x 10 x 8
3 x 2 1/2 x 3	6 x 6 x 5	10 x 10 x 6
3 x 2 1/2 x 2 1/2	6 x 6 x 4	10 x 10 x 5
3 x 2 x 3	6 x 6 x 3	10 x 10 x 4
3 x 2 x 2	6 x 6 x 2 1/2	10 x 8 x 10
4 x 4 x 3	6 x 6 x 2	10 x 8 x 8
4 x 4 x 2 1/2	6 x 5 x 6	10 x 8 x 6
4 x 4 x 2	6 x 5 x 5	10 x 8 x 5
4 x 3 x 4	8 x 8 x 6	10 x 6 x 10
4 x 3 x 3	8 x 8 x 5	10 x 6 x 8
4 x 3 x 2	8 x 8 x 4	10 x 6 x 6
5 x 5 x 4	8 x 8 x 3	8 x 8 x 10
5 x 5 x 3	8 x 8 x 2 1/2	

TABLE 3. MALLEABLE IRON PIPE FITTINGS—STRAIGHT

(For reducing and other fittings identified by two or more dimensions see table 4)

Kind	Nominal pipe size															
	1/8	1/4	3/8	1/2	3/4	1	1 1/4	1 1/2	2	2 1/2	3	3 1/2	4	5	6	8	10	12
FITTINGS																		
125 lb SWP, standard banded:																		
90° elbows	X	X	X	X	X	X	X	X	X	X	X	X	X	X	---	---	---	---
90° street elbows	X	X	X	X	X	X	X	X	X	X	X	X	X	X	---	---	---	---
45° elbows	X	X	X	X	X	X	X	X	X	X	X	X	X	X	---	---	---	---
45° street elbows	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Tees	X	X	X	X	X	X	X	X	X	X	X	X	X	X	---	---	---	---
Service tees	---	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Crosses	---	X	X	X	X	X	X	X	X	X	X	X	X	X	---	---	---	---
45° Y bends	---	---	X	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---
Couplings	X	X	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---
Couplings, right and left	---	---	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Caps	X	X	X	X	X	X	X	X	X	X	X	X	X	X	---	---	---	---
150 lb SWP, standard, plain:																		
90° elbows	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Side outlet elbows	---	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Tees	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Four way tees	---	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Couplings	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---	---
Caps	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---	---
Extension pieces	---	---	X	X	X	---	---	---	---	---	---	---	---	---	---	---	---	---
Drop elbows, female	---	X	X	X	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Waste nuts	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
200 and 300 lb SWP, including AAR [1]:																		
90° elbows	---	A	A	A	A	A	A	A	A	A	A	X	X	X	X	X	X	X
90° street elbows	---	X	X	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
45° elbows	---	A	A	A	A	A	A	A	A	A	A	X	X	X	X	X	X	X
45° street elbows	---	---	---	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Tees	---	A	A	A	A	A	A	A	A	A	A	X	X	X	X	X	X	X
Crosses	---	A	A	A	A	A	A	A	A	A	A	X	X	---	---	---	---	---
Couplings	---	A	A	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---
Caps	---	A	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---
Plugs, bushings, locknuts, and floor flanges (see table 5)																		
Reducing fittings, ball pattern:																		
90° elbows, right hand	---	---	---	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
90° elbows, side outlet, right hand	---	---	---	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Tees, right hand	---	---	---	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Tees, right, left, right	---	---	---	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Tees, side outlet, right hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Tees, side outlet, right, left, right, side outlet right	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Crosses, right hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Crosses, right, right, right, left	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Crosses, side outlet, right hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Crosses, side outlet, right, right, right left; side outlet right hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Base flanges, square, right hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Crescents, ball, male, right hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Crescents, ball, male, left hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
Crescents, ball, female, right hand	---	---	---	X	X	X	X	X	---	---	---	---	---	---	---	---	---	---
GROUND JOINT UNIONS AND UNION FITTINGS																		
150 lb SWP:																		
Unions, female	---	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---
Unions, male and female	---	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---
90° elbows with female union	---	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
90° elbows with male union	---	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Tees with female union on run	---	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
Tees with male union on run	---	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
200 lb SWP:																		
90° elbows with female union	---	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
90° elbows with male union	---	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---	---
250 lb SWP:																		
Unions, female	---	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---
Unions, male and female	---	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---
300 lb SWP, including AAR unions and union fittings [1]:																		
Unions, female	X	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
Unions, male and female	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
90° elbows with female union	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
90° elbows with male union	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
45° elbows with female union	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
45° elbows with male union	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
Tees with female union on run	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
Tees with male union on run	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
Tees with female union on outlet	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
Tees with male union on outlet	---	A	A	A	A	A	A	A	A	A	---	---	---	---	---	---	---	---
GASKET-TYPE UNIONS AND UNION FITTINGS																		
150 lb SWP:																		
Unions, female	---	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---
90° elbows with female union	---	X	X	X	X	X	X	X	X	X	---	---	---	---	---	---	---	---
THREE-PART FLANGE UNIONS [2]																		
250 lb SWP:																		
Unions, female	---	---	---	---	---	---	---	---	---	---	---	---	X	X	X	X	---	---
300 lb SWP:																		
Unions, female	---	---	---	---	---	---	X	X	X	X	X	X	X	X	---	---	---	---

[1] Sizes 1/4 to 6 inches, inclusive are for 300 lb. SWP, sizes 8 to 12 inches, inclusive for 250 lb SWP.
[2] Sizes identified by a capital A may be made to conform with specifications of the Association of American Railroads.
[3] A flange union with a separate bolting ring on one half to facilitate alignment of the bolt holes.

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC

150 LB SWP, STANDARD BANDED

90° reducing elbows

1/4 x 1/8	1 1/4 x 1
3/8 x 1/4	1 1/4 x 1 1/4
3/8 x 1/8	1 1/2 x 1
1/2 x 3/8	1 1/2 x 3/4
1/2 x 1/4	2 x 1 1/2
3/4 x 1/2	2 x 1 1/4
3/4 x 3/8	2 x 1
3/4 x 1/4	2 x 3/4
1 x 3/4	2 1/2 x 2
1 x 1/2	2 1/2 x 1 1/2
1 x 3/8	3 x 2
1 1/4 x 1	3 x 2 1/2
1 1/4 x 3/4	4 x 3

90° reducing street elbows

1/2 x 3/8	1 1/4 x 1 1/4
3/4 x 1/4	1 1/2 x 1
1 x 1/2	1 1/2 x 1 1/4
1 1/4 x 1	2 x 1 1/2
1 1/4 x 3/4	

Reducing tees

1/4 x 1/4 x 1/8	1 1/2 x 1 1/4 x 1 1/2
3/8 x 1/4 x 1/4	1 1/2 x 1 1/2 x 1 1/4
3/8 x 1/4 x 1/8	1 1/2 x 1 1/2 x 1
3/8 x 3/8 x 1/4	1 1/2 x 1 1/4 x 1
1/2 x 1/4 x 1/4	2 x 1 1/2 x 1 1/2
1/2 x 1/4 x 1/8	2 x 1 1/2 x 1 1/4
1/2 x 3/8 x 1/4	2 x 1 1/2 x 1
1/2 x 3/8 x 3/8	2 x 1 1/4 x 1 1/4
1/2 x 1/2 x 1/4	2 x 1 1/4 x 1
1/2 x 1/2 x 3/8	2 x 1 x 1
3/4 x 1/4 x 1/4	2 1/2 x 2 x 1 1/2
3/4 x 1/4 x 1/8	2 1/2 x 2 x 1 1/4
3/4 x 3/8 x 1/4	2 1/2 x 2 x 1
3/4 x 3/8 x 3/8	2 1/2 x 1 1/2 x 1
3/4 x 1/2 x 1/4	3 x 2 x 2
3/4 x 1/2 x 3/8	3 x 2 x 1 1/2
3/4 x 1/2 x 1/2	3 x 2 x 1 1/4
1 x 1/2 x 1/4	3 x 2 x 1
1 x 1/2 x 3/8	3 x 1 1/2 x 1 1/2
1 x 1/2 x 1/2	3 x 1 1/2 x 1 1/4
1 x 3/4 x 1/4	3 x 1 1/2 x 1
1 x 3/4 x 3/8	4 x 3 x 3
1 x 3/4 x 1/2	4 x 3 x 2 1/2
1 x 3/4 x 3/4	4 x 3 x 2
1 1/4 x 1 x 1/2	4 x 3 x 1 1/2
1 1/4 x 1 x 3/4	4 x 2 x 4
1 1/4 x 1 x 1	4 x 2 x 3
1 1/4 x 1 1/4 x 1/2	4 x 2 x 2
1 1/4 x 1 1/4 x 3/4	4 x 2 x 1 1/2
1 1/4 x 1 1/4 x 1	
1 1/2 x 1 x 1/2	
1 1/2 x 1 x 3/4	
1 1/2 x 1 x 1	
1 1/2 x 1 1/4 x 1/2	
1 1/2 x 1 1/4 x 3/4	
1 1/2 x 1 1/4 x 1	
1 1/2 x 1 1/4 x 1 1/4	

Reducing tees to tees

1 x 1 x 1/2	1 1/4 x 1 1/4 x 1 1/2
1 1/4 x 1 x 1 1/4	1 1/2 x 1 1/2 x 1 1/2
1 1/4 x 1 x 1	2 x 1 x 1
1 1/4 x 1 1/4 x 1 1/2	2 x 1 1/2 x 2
1 x 1 x 1 1/4	

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

150 LB SWP, STANDARD, BANDED—continued

Reducers

$\frac{3}{8}$ x $\frac{1}{8}$	$1\frac{1}{4}$ x 1
$\frac{1}{2}$ x $\frac{1}{4}$	$1\frac{1}{2}$ x 1
$\frac{3}{4}$ x $\frac{1}{4}$	$1\frac{1}{2}$ x $1\frac{1}{4}$
$\frac{3}{4}$ x $\frac{3}{8}$	2 x $1\frac{1}{4}$
1 x $\frac{1}{4}$	2 x 1
1 x $\frac{3}{8}$	2 x $\frac{3}{4}$
1 x $\frac{1}{2}$	2 x $1\frac{1}{2}$
$1\frac{1}{4}$ x $\frac{1}{2}$	$2\frac{1}{2}$ x 2
$1\frac{1}{4}$ x $\frac{3}{4}$	$2\frac{1}{2}$ x $1\frac{1}{2}$
$1\frac{1}{4}$ x 1	$2\frac{1}{2}$ x $1\frac{1}{4}$
$1\frac{1}{2}$ x $\frac{1}{2}$	$2\frac{1}{2}$ x 1
$1\frac{1}{2}$ x $\frac{3}{4}$	3 x 2
$1\frac{1}{2}$ x 1	3 x $1\frac{1}{2}$
$1\frac{1}{2}$ x $1\frac{1}{4}$	3 x $1\frac{1}{4}$
	3 x 1
	$3\frac{1}{2}$ x 3
	$3\frac{1}{2}$ x $2\frac{1}{2}$

Return bends

Close pattern		Medium pattern		Open pattern	
Size	Center to center	Size	Center to center	Size	Center to center
$\frac{1}{2}$	1	$\frac{1}{2}$	$1\frac{1}{4}$	$\frac{1}{2}$	$1\frac{1}{2}$
$\frac{3}{4}$	$1\frac{1}{4}$	$\frac{3}{4}$	$1\frac{1}{2}$	$\frac{3}{4}$	2
1	$1\frac{1}{2}$	1	$1\frac{3}{4}$	1	$2\frac{1}{2}$
$1\frac{1}{4}$	$1\frac{3}{4}$	$1\frac{1}{4}$	$2\frac{1}{4}$	$1\frac{1}{4}$	3
$1\frac{1}{2}$	$2\frac{1}{4}$	$1\frac{1}{2}$	$2\frac{1}{2}$	$1\frac{1}{2}$	$3\frac{1}{2}$
		2	3	2	4
				$2\frac{1}{2}$	$4\frac{1}{2}$
				3	5
				4	6

SCREWED, 125 LB SWP, STANDARD

Screwed flanges and blind flanges

1 x $4\frac{1}{4}$	3 x $7\frac{1}{2}$	8 x $13\frac{1}{2}$
$1\frac{1}{4}$ x $4\frac{5}{8}$	$3\frac{1}{2}$ x $8\frac{1}{2}$	10 x 16
$1\frac{1}{2}$ x 5	4 x 9	12 x 19
2 x 6	5 x 10	
$2\frac{1}{2}$ x 7	6 x 11	

Reducing screwed flanges

1 x 5	$1\frac{1}{2}$ x 7	$2\frac{1}{2}$ x $7\frac{1}{2}$
1 x 6	2 x 7	3 x $8\frac{1}{2}$
$1\frac{1}{4}$ x 6	$1\frac{1}{2}$ x $7\frac{1}{2}$	$1\frac{1}{2}$ x 9
$1\frac{1}{2}$ x 6	2 x $7\frac{1}{2}$	2 x 9

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

150 LB SWP, STANDARD, BANDED—continued

Reducers—Continued

$3\frac{1}{2}$ x 2	6 x 3
4 x $3\frac{1}{2}$	6 x $4\frac{1}{2}$
4 x 3	6 x 5
4 x $2\frac{1}{2}$	6 x 4

Reducers—Plain

$\frac{1}{4}$ x $\frac{1}{8}$	$\frac{3}{4}$ x $\frac{1}{4}$
$\frac{3}{8}$ x $\frac{1}{4}$	1 x $\frac{3}{4}$
$\frac{3}{8}$ x $\frac{1}{8}$	1 x $1\frac{1}{2}$
$\frac{1}{2}$ x $\frac{3}{8}$	1 x $\frac{3}{8}$
$\frac{1}{2}$ x $\frac{1}{4}$	1 x $\frac{1}{4}$
$\frac{1}{2}$ x $\frac{1}{8}$	$1\frac{1}{4}$ x 1
$\frac{3}{4}$ x $\frac{1}{2}$	$1\frac{1}{2}$ x $1\frac{1}{2}$
$\frac{3}{4}$ x $\frac{3}{8}$	

Return bends

Size	Center to center
1	$1\frac{1}{2}$
1	2
1	$2\frac{1}{2}$
$1\frac{1}{4}$	2
$1\frac{1}{4}$	$2\frac{1}{2}$
$1\frac{1}{4}$	3
$1\frac{1}{2}$	$2\frac{1}{2}$
$1\frac{1}{2}$	3
2	$3\frac{1}{2}$
2	4
2	5

(For plugs, bushings, locknuts, and floor flanges see table 7)

300 LB SWP, GROUND JOINT UNION FITTINGS AND UNIONS, INCLUDING AAR SIZES[1]

Reducing tees with female union on run, and Reducing tees with male union on run

*1 x 1 x $\frac{3}{8}$	*1 x 1 x $\frac{3}{4}$
*1 x 1 x $\frac{1}{2}$	

Air pump unions

*1 x $\frac{3}{4}$	*2 x 1
*$1\frac{1}{4}$ x 1	*2 x $1\frac{1}{4}$
*$1\frac{1}{2}$ x $1\frac{1}{4}$	*2 x $1\frac{1}{2}$

Circulating Boiler Fittings—Gasket or Ground Joint Type

90° elbows with unions	
90° elbows without unions	
Couplings with unions	
Couplings without unions	
$\frac{1}{2}$ x $\frac{1}{2}$ x 1	$\frac{3}{4}$ x $\frac{3}{4}$ x 1
$\frac{3}{4}$ x $\frac{1}{2}$ x 1	

SCREWED, 250 LB, SWP

Screwed flanges and blind flanges

$1\frac{1}{2}$ x $6\frac{1}{8}$	$3\frac{1}{2}$ x 9	8 x 15
2 x $6\frac{1}{2}$	4 x 10	10 x $17\frac{1}{2}$
$2\frac{1}{2}$ x $7\frac{1}{2}$	5 x 11	12 x $20\frac{1}{2}$
3 x $8\frac{1}{4}$	6 x $12\frac{1}{2}$	

Reducing screwed flanges

2 x $8\frac{1}{4}$	4 x 11	6 x 15
$2\frac{1}{2}$ x $8\frac{1}{4}$	4 x $12\frac{1}{2}$	
3 x 10	5 x $12\frac{1}{2}$	

LAPPED JOINT, 250 LB, SWP

Lapped joint flanges

1 x $4\frac{7}{8}$	$3\frac{1}{2}$ x 9	12 x $20\frac{1}{2}$
$1\frac{1}{4}$ x $5\frac{1}{4}$	4 x 10	14 x 23
$1\frac{1}{2}$ x $6\frac{1}{8}$	5 x 11	16 x $25\frac{1}{2}$
2 x $6\frac{1}{2}$	6 x $12\frac{1}{2}$	18 x 28
$2\frac{1}{2}$ x $7\frac{1}{2}$	8 x 15	20 x $30\frac{1}{2}$
3 x $8\frac{1}{4}$	10 x $17\frac{1}{2}$	24 x 36

[1]Sizes identified by an asterisk (*) may be made to conform with specifications of the Association of American Railroads.

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

150 LB SWP, INCLUDING AAR SIZES

90° malleable elbows

$\frac{3}{8}$ x $\frac{1}{4}$	$1\frac{1}{4}$ x $\frac{3}{4}$
$\frac{1}{2}$ x $\frac{3}{8}$	*$1\frac{1}{4}$ x 1
*$\frac{1}{2}$ x $\frac{1}{4}$	*$1\frac{1}{2}$ x $\frac{1}{2}$
$\frac{3}{4}$ x $\frac{1}{2}$	*2 x $1\frac{1}{4}$
*$\frac{3}{4}$ x $\frac{3}{8}$	*2 x $1\frac{1}{2}$
1 x $\frac{1}{2}$	*3 x $2\frac{1}{2}$
1 x $\frac{3}{4}$	
*1 x 1	

Reducers

*$\frac{3}{8}$ x $\frac{1}{4}$	*$1\frac{1}{2}$ x $\frac{3}{4}$
*$\frac{1}{2}$ x $\frac{1}{4}$	*$1\frac{1}{2}$ x 1
*$\frac{1}{2}$ x $\frac{3}{8}$	*2 x $1\frac{1}{4}$
$\frac{3}{4}$ x $\frac{1}{2}$	*2 x $1\frac{1}{2}$
$\frac{3}{4}$ x $\frac{3}{8}$	*2 x 1
1 x $\frac{1}{2}$	*2 x $\frac{3}{4}$
1 x $\frac{3}{4}$	*$2\frac{1}{2}$ x $1\frac{1}{2}$
*1 x $\frac{1}{2}$	*$2\frac{1}{2}$ x 2
*1 x $\frac{3}{4}$	*$2\frac{1}{2}$ x $1\frac{1}{4}$
*1 x 1	*$2\frac{1}{2}$ x 2
*$1\frac{1}{4}$ x $\frac{3}{4}$	*3 x $2\frac{1}{2}$
*$1\frac{1}{4}$ x 1	*3 x $1\frac{1}{2}$
*$1\frac{1}{4}$ x $1\frac{1}{4}$	*3 x 2
*$1\frac{1}{2}$ x $\frac{3}{4}$	*3 x 3
*$1\frac{1}{2}$ x 1	*4 x 3
*$1\frac{1}{2}$ x $1\frac{1}{4}$	*4 x 2

REDUCING SCREWED FLANGES, 125 LB SWP—continued

$2\frac{1}{2}$ x 9	$2\frac{1}{2}$ x 11	5 x $13\frac{1}{2}$
3 x 9	3 x 11	6 x $13\frac{1}{2}$
$3\frac{1}{2}$ x 9	4 x 11	6 x 16
3 x 10	5 x 11	8 x 16
4 x 10	3 x $13\frac{1}{2}$	8 x 19
2 x 11	4 x $13\frac{1}{2}$	10 x 19

LAPPED JOINT, 125 LB SWP

Lapped Joint Flanges

1 x $4\frac{1}{4}$	$3\frac{1}{2}$ x $8\frac{1}{2}$	12 x 19
$1\frac{1}{4}$ x $4\frac{5}{8}$	4 x 9	14 x 21
$1\frac{1}{2}$ x 5	5 x 10	16 x $23\frac{1}{2}$
2 x 6	6 x 11	18 x 25
$2\frac{1}{2}$ x 7	8 x $13\frac{1}{2}$	20 x $27\frac{1}{2}$
3 x $7\frac{1}{2}$	10 x 16	24 x 32

300 LB SWP, INCLUDING AAR SIZES—continued

Reducing tees

$\frac{3}{8}$ x $\frac{3}{8}$ x $\frac{1}{4}$	$1\frac{1}{4}$ x 1 x 1
*$\frac{1}{2}$ x $\frac{1}{2}$ x $\frac{3}{8}$	$1\frac{1}{4}$ x $1\frac{1}{4}$ x $1\frac{1}{4}$
$\frac{1}{2}$ x $\frac{1}{2}$ x $\frac{1}{4}$	*$1\frac{1}{2}$ x $1\frac{1}{2}$ x $1\frac{1}{4}$
*$\frac{1}{2}$ x $\frac{3}{8}$ x $\frac{1}{2}$	*$1\frac{1}{2}$ x $1\frac{1}{2}$ x 1
*$\frac{3}{4}$ x $\frac{3}{8}$ x $\frac{1}{2}$	*$1\frac{1}{2}$ x $1\frac{1}{2}$ x $\frac{3}{4}$
$\frac{3}{4}$ x $\frac{1}{2}$ x $\frac{1}{2}$	*$1\frac{1}{2}$ x $1\frac{1}{2}$ x $\frac{1}{2}$
$\frac{3}{4}$ x $\frac{3}{8}$ x $\frac{3}{4}$	*$1\frac{1}{2}$ x $1\frac{1}{4}$ x $1\frac{1}{4}$
*$\frac{3}{4}$ x $\frac{1}{2}$ x $\frac{3}{4}$	*2 x 2 x $1\frac{1}{2}$
*$\frac{3}{4}$ x $\frac{1}{2}$ x $\frac{1}{2}$	*2 x 2 x $1\frac{1}{4}$
$\frac{3}{4}$ x $\frac{1}{2}$ x $\frac{1}{4}$	*2 x 2 x 1
*1 x 1 x $\frac{3}{4}$	*2 x 2 x $\frac{3}{4}$
*1 x 1 x $\frac{1}{2}$	*2 x 2 x $\frac{1}{2}$
*1 x 1 x $\frac{3}{8}$	*2 x $1\frac{1}{2}$ x 2
1 x 1 x $\frac{1}{4}$	*$2\frac{1}{2}$ x $2\frac{1}{2}$ x 2
*1 x $\frac{3}{4}$ x 1	*$2\frac{1}{2}$ x $2\frac{1}{2}$ x $1\frac{1}{4}$
1 x $\frac{3}{4}$ x $\frac{1}{4}$	*$2\frac{1}{2}$ x 2 x $2\frac{1}{2}$
1 x $\frac{1}{2}$ x 1	*3 x 3 x $2\frac{1}{2}$
$\frac{3}{4}$ x $\frac{3}{4}$ x 1	*3 x 3 x 2
*$1\frac{1}{4}$ x $1\frac{1}{4}$ x 1	3 x 3 x $1\frac{1}{2}$
*$1\frac{1}{4}$ x $1\frac{1}{4}$ x $\frac{3}{4}$	*3 x $2\frac{1}{2}$ x 3
*$1\frac{1}{4}$ x $1\frac{1}{4}$ x $\frac{1}{2}$	4 x 4 x 3
*$1\frac{1}{4}$ x 1 x $1\frac{1}{4}$	4 x 4 x $2\frac{1}{2}$
	4 x 4 x 2

TABLE 4. MALLEABLE IRON PIPE FITTINGS—REDUCING, ETC.—Continued

300 LB SWP, INCLUDING AAR SIZES—continued

Return bends

Size	Center to center
1	$1\frac{1}{2}$
1	2
1	$2\frac{1}{2}$
$1\frac{1}{4}$	2
$1\frac{1}{4}$	$2\frac{1}{2}$
$1\frac{1}{4}$	3
$1\frac{1}{2}$	$2\frac{1}{2}$
$1\frac{1}{2}$	3
2	$3\frac{1}{2}$
2	4
2	5

(For plugs, bushings, locknuts, and floor flanges see table 7)

300 LB SWP, GROUND JOINT UNION FITTINGS AND UNIONS, INCLUDING AAR SIZES[1]

Reducing tees with female union on run, and Reducing tees with male union on run

*1 x 1 x $\frac{3}{8}$	*1 x 1 x $\frac{3}{4}$
*1 x 1 x $\frac{1}{2}$	

Air pump unions

*1 x $\frac{3}{4}$	*2 x 1
*$1\frac{1}{4}$ x 1	*2 x $1\frac{1}{4}$
*$1\frac{1}{2}$ x $1\frac{1}{4}$	*2 x $1\frac{1}{2}$

Circulating Boiler Fittings—Gasket or Ground Joint Type

90° elbows with unions	
90° elbows without unions	
Couplings with unions	
Couplings without unions	
$\frac{1}{2}$ x $\frac{1}{2}$ x 1	$\frac{3}{4}$ x $\frac{3}{4}$ x 1
$\frac{3}{4}$ x $\frac{1}{2}$ x 1	

SCREWED, 250 LB, SWP

Screwed flanges and blind flanges

$1\frac{1}{2}$ x $6\frac{1}{8}$	$3\frac{1}{2}$ x 9	8 x 15
2 x $6\frac{1}{2}$	4 x 10	10 x $17\frac{1}{2}$
$2\frac{1}{2}$ x $7\frac{1}{2}$	5 x 11	12 x $20\frac{1}{2}$
3 x $8\frac{1}{4}$	6 x $12\frac{1}{2}$	

Reducing screwed flanges

2 x $8\frac{1}{4}$	4 x 11	6 x 15
$2\frac{1}{2}$ x $8\frac{1}{4}$	4 x $12\frac{1}{2}$	
3 x 10	5 x $12\frac{1}{2}$	

LAPPED JOINT, 250 LB, SWP

Lapped joint flanges

1 x $4\frac{7}{8}$	$3\frac{1}{2}$ x 9	12 x $20\frac{1}{2}$
$1\frac{1}{4}$ x $5\frac{1}{4}$	4 x 10	14 x 23
$1\frac{1}{2}$ x $6\frac{1}{8}$	5 x 11	16 x $25\frac{1}{2}$
2 x $6\frac{1}{2}$	6 x $12\frac{1}{2}$	18 x 28
$2\frac{1}{2}$ x $7\frac{1}{2}$	8 x 15	20 x $30\frac{1}{2}$
3 x $8\frac{1}{4}$	10 x $17\frac{1}{2}$	24 x 36

[1]Sizes identified by an asterisk (*) may be made to conform with specifications of the Association of American Railroads.

TABLE 5. IRON PLUGS, BUSHINGS, LOCKNUTS, AND FLOOR FLANGES

Plugs

Kind	Nominal pipe size														
	$\frac{1}{8}$	$\frac{1}{4}$	$\frac{3}{8}$	$\frac{1}{2}$	$\frac{3}{4}$	1	$1\frac{1}{4}$	$1\frac{1}{2}$	2	$2\frac{1}{2}$	3	$3\frac{1}{2}$	4	5	6	8
Square head																
Cored				x	x	x	x	x	x	x	x	x	x			
Solid	x	x	x	x	x	x	x	x	x	x	x	x	x			
Bar																
Cored														x	x	x
Solid														x	x	x
Countersunk		x	x	x	x	x	x	x	x	x	x	x	x			

Hexagon bushings

$\frac{3}{8}$ x $\frac{1}{8}$	$2\frac{1}{2}$ x 1
$\frac{1}{2}$ x $\frac{1}{4}$	$2\frac{1}{2}$ x $1\frac{1}{4}$
$\frac{3}{4}$ x $\frac{1}{4}$	3 x $1\frac{1}{2}$
$\frac{3}{4}$ x $\frac{3}{8}$	3 x $1\frac{1}{4}$
1 x $\frac{1}{4}$	3 x 1
1 x $\frac{3}{8}$	$3\frac{1}{2}$ x $\frac{3}{4}$
1 x $\frac{1}{2}$	$3\frac{1}{2}$ x 1
$1\frac{1}{4}$ x $\frac{1}{2}$	$3\frac{1}{2}$ x 2
$1\frac{1}{4}$ x $\frac{3}{4}$	$3\frac{1}{2}$ x $1\frac{1}{2}$
$1\frac{1}{4}$ x 1	$3\frac{1}{2}$ x $1\frac{1}{4}$
$1\frac{1}{2}$ x $\frac{1}{2}$	4 x $2\frac{1}{2}$
$1\frac{1}{2}$ x $\frac{3}{4}$	4 x 2
$1\frac{1}{2}$ x 1	4 x $1\frac{1}{2}$
$1\frac{1}{2}$ x $1\frac{1}{4}$	4 x $1\frac{1}{4}$
$1\frac{1}{2}$ x $1\frac{1}{4}$	4 x 1
2 x $\frac{3}{4}$	5 x 4
2 x 1	5 x 3
2 x $1\frac{1}{4}$	5 x 2
2 x $1\frac{1}{2}$	6 x 5
$2\frac{1}{2}$ x 2	6 x 4
$2\frac{1}{2}$ x $1\frac{1}{2}$	6 x $3\frac{1}{2}$
$2\frac{1}{2}$ x $1\frac{1}{4}$	6 x 3
$2\frac{1}{2}$ x 1	6 x 2
3 x 2	8 x 5
3 x $1\frac{1}{2}$	8 x 6
3 x $1\frac{1}{4}$	8 x 4
3 x 1	
$3\frac{1}{2}$ x $1\frac{1}{2}$	
$3\frac{1}{2}$ x $1\frac{1}{4}$	
4 x 3	
4 x 2	
4 x 1	

*Malleable iron or steel. Others, cast iron, malleable iron, or steel.

Hexagon locknuts

Kind	Nominal pipe size												
	$\frac{1}{8}$	$\frac{1}{4}$	$\frac{3}{8}$	$\frac{1}{2}$	$\frac{3}{4}$	1	$1\frac{1}{4}$	$1\frac{1}{2}$	2	$2\frac{1}{2}$	3	$3\frac{1}{2}$	4
Cast iron		x	x	x	x	x	x	x	x	x	x		x
Malleable iron	x	x	x	x	x	x	x	x	x				

Round floor flanges

$\frac{3}{8}$ x $2\frac{13}{16}$	7 x 4
*$\frac{1}{2}$ x 3	$1\frac{1}{4}$ x $4\frac{1}{2}$
1 x $3\frac{1}{2}$	2 x $5\frac{1}{2}$
$\frac{3}{4}$ x $3\frac{1}{2}$	

*Cast iron. Others, cast iron and malleable iron.

Bushings—Extra

$\frac{1}{4}$ x $\frac{3}{8}$	$\frac{1}{2}$ x $1\frac{1}{2}$	$\frac{3}{4}$ x 1	1 x 2
$\frac{1}{4}$ x $\frac{1}{2}$	$\frac{3}{4}$ x $1\frac{1}{4}$	1 x $\frac{3}{4}$	1 x $1\frac{1}{4}$
$\frac{3}{8}$ x $\frac{1}{4}$	$\frac{3}{4}$ x 1	1 x $\frac{1}{2}$	1 x $\frac{3}{4}$
$\frac{3}{8}$ x $\frac{1}{2}$	$\frac{3}{4}$ x $\frac{1}{2}$	$1\frac{1}{4}$ x 2	$1\frac{1}{4}$ x 1
$\frac{3}{8}$ x $\frac{3}{4}$	$\frac{3}{4}$ x $\frac{3}{8}$	$1\frac{1}{4}$ x $1\frac{1}{2}$	$1\frac{1}{4}$ x $\frac{3}{4}$
$\frac{1}{2}$ x $\frac{1}{4}$	$\frac{3}{4}$ x $\frac{1}{4}$	$1\frac{1}{4}$ x $\frac{3}{4}$	$1\frac{1}{4}$ x $\frac{1}{2}$
$\frac{1}{2}$ x $\frac{3}{8}$	1 x $1\frac{1}{4}$	$1\frac{1}{4}$ x 1	$1\frac{1}{4}$ x $\frac{3}{8}$
$\frac{1}{2}$ x $\frac{3}{4}$	1 x 1	$1\frac{1}{4}$ x $\frac{1}{2}$	$1\frac{1}{4}$ x $\frac{1}{4}$
$\frac{1}{2}$ x 1	1 x $\frac{3}{4}$	$1\frac{1}{4}$ x $\frac{3}{8}$	$1\frac{1}{2}$ x 3
$\frac{1}{2}$ x $1\frac{1}{4}$	1 x $\frac{1}{2}$	$1\frac{1}{4}$ x $\frac{1}{4}$	$1\frac{1}{2}$ x 2
$\frac{1}{2}$ x $\frac{1}{4}$	1 x $\frac{3}{8}$	$1\frac{1}{2}$ x 2	$1\frac{1}{2}$ x $1\frac{1}{4}$
$\frac{1}{2}$ x $\frac{1}{8}$	1 x $\frac{1}{4}$	$1\frac{1}{2}$ x $1\frac{1}{4}$	$1\frac{1}{2}$ x 1
$\frac{3}{4}$ x $\frac{1}{2}$	$1\frac{1}{4}$ x 1	$1\frac{1}{2}$ x 1	$1\frac{1}{2}$ x $\frac{3}{4}$
$\frac{3}{4}$ x $\frac{3}{8}$	$1\frac{1}{4}$ x $\frac{3}{4}$	$1\frac{1}{2}$ x $\frac{3}{4}$	$1\frac{1}{2}$ x $\frac{1}{2}$
$\frac{3}{4}$ x $\frac{1}{4}$	$1\frac{1}{4}$ x $\frac{1}{2}$	$1\frac{1}{2}$ x $\frac{1}{2}$	2 x 3
$\frac{3}{4}$ x $\frac{1}{8}$	$1\frac{1}{4}$ x $\frac{3}{8}$	2 x $1\frac{1}{2}$	2 x 4
	$1\frac{1}{4}$ x $\frac{1}{4}$	2 x $1\frac{1}{4}$	2 x 3
		2 x 1	2 x $2\frac{1}{2}$
		2 x $\frac{3}{4}$	2 x 2
		2 x $\frac{1}{2}$	

TABLE 6. BRASS OR BRONZE SCREWED FITTINGS—STRAIGHT

[For reducing and other fittings identified by two or more dimensions see table 7]

Kind	Nominal pipe size											
	⅛	¼	⅜	½	¾	1	1¼	1½	2	2½	3	4
FITTINGS												
125 lb. SWP, standard												
90° elbows	x	x	x	x	x	x	x	x	x	x	x	x
90° street elbows	x	x	x	x	x	x	x	x	x			
45° elbows	x	x	x	x	x	x	x	x	x	x	x	
45° street elbows	x	x	x	x	x	x	x	x	x			
Tees	x	x	x	x	x	x	x	x	x	x	x	x
Crosses	x	x	x	x	x	x	x	x	x			
45° Y bends			x	x	x	x	x	x	x			
Couplings	x	x	x	x	x	x	x	x	x	x	x	x
Couplings, right and left	x	x	x	x	x	x	x	x	x	x	x	
Caps	x	x	x	x	x	x	x	x	x	x	x	x
250 lb. SWP:												
90° elbows		x	x	x	x	x	x	x	x	x	x	x
45° elbows		x	x	x	x	x	x	x	x	x	x	x
Tees		x	x	x	x	x	x	x	x	x	x	x
Crosses		x	x	x	x	x	x	x	x	x	x	x
Couplings		x	x	x	x	x	x	x	x	x	x	x
Plugs, bushings, locknuts and floor flanges (see table 8).												
UNIONS AND UNION FITTINGS												
125 lb SWP:												
Unions, female		x	x	x	x	x	x	x	x	x	x	
150 lb SWP:												
Unions, female		x	x	x	x	x	x	x	x	x	x	
200 lb SWP:												
Unions, female	x	x	x	x	x	x	x	x	x			
Unions, female, octagon end	x	x	x	x	x	x	x	x	x	x	x	
Union elbows, female	x	x	x	x	x	x	x	x	x			
250 lb SWP:												
Unions, female		x	x	x	x	x	x	x	x			
300 lb SWP:												
Unions, female		x	x	x	x	x	x	x	x			

TABLE 7. BRASS OR BRONZE SCREWED FITTINGS—REDUCING, ETC.

125 LB SWP, STANDARD

90° reducing elbows

¼ x ⅛	1¼ x ¾
¼ x ¼	1¼ x 1
⅜ x ⅛	1¼ x 1¼
⅜ x ¼	1½ x 1
⅜ x ⅜	1½ x 1¼
½ x ⅜	2 x 1½
½ x ½	2 x 1¼
¾ x ½	2½ x 2
¾ x ¾	4 x 2½
1 x ¾	4 x 3
1 x 1	
1¼ x 1	

Reducing tees

¼ x ¼ x ⅛	1¼ x 1½ x 1¼
⅜ x ⅜ x ⅛	1 x 1 x 1¼
⅜ x ⅜ x ¼	1¼ x 1¼ x ¾
½ x ½ x ⅛	1¼ x 1¼ x 1
½ x ½ x ¼	1½ x 1½ x ¾
½ x ½ x ⅜	1½ x 1½ x 1
½ x ⅜ x ¼	1½ x 1¼ x 1¼
¾ x ¾ x ⅛	1½ x 1¼ x 1
¾ x ¾ x ¼	1½ x 1 x 1¼
¾ x ¾ x ⅜	1½ x 1 x 1
¾ x ½ x ¼	1¼ x ¾ x 1
¾ x ½ x ⅜	1¼ x 1¼ x 1
¾ x ⅜ x ¼	1 x 1 x ¾
1 x 1 x ¾	2 x 2 x 1½
1 x 1 x 1½	2 x 2 x 1¼
1 x 1 x ⅜	2 x 2 x 1
1 x ¾ x 1	2 x 2 x ¾
1 x ¾ x ½	2 x 2 x ½
1 x ½ x 1	2 x 1½ x 2
1 x ½ x ¾	2 x 1½ x 1¼
1 x ½ x ½	2½ x 2½ x 2
1¼ x 1¼ x 1	2½ x 2 x 2
1¼ x 1¼ x ½	3 x 3 x 2½
1¼ x 1 x 1¼	3 x 3 x 2
1¼ x 1 x 1	4 x 4 x 3
1¼ x 1 x ¾	4 x 4 x 2
1¼ x ¾ x 1¼	

TABLE 7. BRASS OR BRONZE SCREWED FITTINGS—REDUCING, ETC.—Continued

125 LB SWP, STANDARD—continued

Reducers

¼ x ⅛	1¼ x ¾
⅜ x ⅛	1¼ x 1
⅜ x ¼	1½ x ¾
½ x ⅜	1½ x 1
½ x ¼	1½ x 1¼
¾ x ⅜	2 x 1½
¾ x ½	2 x 1¼
1 x ¾	2 x 1
1 x 1¼	2½ x 2
1¼ x 1	3 x 2½
	4 x 3

Return bends

Close pattern		Open pattern	
Size	Center to center	Size	Center to center
½	1	½	1½
¾	1¼	¾	2
1	1½	1	2½
		1¼	3
		1½	3½
		2	4

150 LB SWP

Companion flanges

1 x 4⅛	2½ x 7
1¼ x 4⅝	3 x 7⅝
1½ x 5	4 x 9
2 x 6	6 x 11

TABLE 7. BRASS OR BRONZE SCREWED FITTINGS—REDUCING ETC.—Continued

250 LB SWP

90° reducing elbows

⅜ x ¼	1¼ x ¾
¾ x ½	1½ x 1¼
1 x ¾	1½ x 1
1 x 1½	2 x 1½
1¼ x 1	

Reducing tees

¼ x ½ x ⅜	½ x ½ x ¾
½ x ¼ x ½	1 x 1 x ¼
¾ x ¾ x ½	1 x 1 x ½
¾ x ½ x ¾	1 x ¾ x 1
¾ x ½ x 1½	1 x ¾ x ¾

TABLE 7. BRASS OR BRONZE SCREWED FITTINGS—REDUCING, ETC.—Continued

250 LB SWP—continued

Reducing tees—Continued

¾ x ¾ x 1	1½ x 1¼ x 1¼
1¼ x 1¼ x 1	1½ x 1¼ x 1
1¼ x 1¼ x ¾	1½ x 1 x 1½
1¼ x 1¼ x 1½	1¼ x 1¼ x 1¼
1¼ x 1 x 1¼	2 x 2 x 1½
1¼ x 1 x 1	2 x 2 x 1¼
1¼ x ¾ x 1¼	2 x 2 x 1
1 x 1 x 1¼	2 x 2 x ¾
1¼ x 1¼ x 1¼	2 x 2 x ½
1½ x 1 x 1	2½ x 2½ x 2
1½ x 1½ x ¾	3 x 3 x 2
1½ x 1½ x 1½	

(For plugs, bushings, locknuts and floor flanges see table 8)

TABLE 8. BRASS OR BRONZE PLUGS, BUSHINGS, LOCKNUTS AND FLOOR FLANGES

Plugs

Kind	Nominal pipe size											
	⅛	¼	⅜	½	¾	1	1¼	1½	2	2½	3	4
Square head												
Cored				x	x	x	x	x	x	x	x	x
Solid	x	x	x	x	x	x	x	x	x	x	x	x
Countersunk				x	x	x	x	x	x	x	x	x

Hexagon bushings

¼ x ⅛	1¼ x ⅜
⅜ x ¼	1½ x 1¼
⅜ x ⅛	1½ x 1
½ x ⅜	1½ x ¾
½ x ¼	1½ x ½
½ x ⅛	2 x 1½
¾ x ½	2 x 1¼
¾ x ⅜	2 x 1
¾ x ¼	2 x ¾
1 x ¾	2 x ½
1 x ½	2½ x 2
1 x ¼	2½ x 1½
1¼ x 1	2½ x 1¼
1¼ x ¾	2½ x 1
1¼ x ½	3 x 2½
	3 x 2

Hexagon bushings—Continued

3 x 1½	4 x 2½
3 x 1¼	4 x 2
4 x 3	4 x 1½

Face bushings

¼ x ⅛	1 x ½
⅜ x ¼	1¼ x 1
½ x ⅜	1½ x 1¼
½ x ¼	2 x 1½
¾ x ½	2 x 1¼
1 x ¾	

Hexagon locknuts

Kind	Nominal pipe size											
	⅛	¼	⅜	½	¾	1	1¼	1½	2	2½	3	4
Locknuts, hexagon	x	x	x	x	x	x	x	x	x	x	x	x

Round floor flanges

⅜ x 2⅛	1 x 3⅜
¾ x 2⅞	1¼ x 4
⅞ x 3	1½ x 4⅜
¾ x 3¼	2 x 5

[F. R. Doc. 43-6382; Filed, April 24, 1943; 11:59 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-289]

ABSOPROOF WEATHERSTRIP & CAULKING CO., ET AL.

Max Greenberg and Irwin Green, doing business as Absoproof Weatherstrip and Caulking Company and Century Metal Strip Products Company, 3030 West Davison Avenue, Detroit, Michigan, are engaged in the business of fabricating, selling and installing weatherstrip materials and thresholds. From July 22 to September 30, 1942, Absoproof Weatherstrip and Caulking Company made 635 separate installations of copper or copper base alloy weatherstripping, involving approximately 2,000 pounds of such materials, in violation of Supplementary Conservation Order M-9-c-4. The company's failure to familiarize itself with this restriction upon its business was so grossly negligent as to constitute wilful behavior. The Century Metal Strip Products Company, as a Class I producer, failed to file a Production Requirements Plan application for the fourth quarter of 1942. The company was familiar with the provisions of Priorities Regulation No. 11, and this failure to file such application was, therefore, in wilful violation of that regulation. Although they were aware of the requirement, both companies, in careless disregard of § 944.15 of Priorities Regulation No. 1, failed to keep complete records of their inventories and of the production of materials subject to War Production Board orders and regulations.

These violations have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board.

In view of the foregoing: *It is hereby ordered*, That:

§ 1010.289 *Suspension Order S-289.* (a) Max Greenberg and Irwin Green, doing business as Absoproof Weatherstrip and Caulking Company and Century Metal Strip Products Company or otherwise, their successors and assigns, shall not purchase, accept delivery of, sell, install, deliver or otherwise deal in any copper or copper base alloy building material, as defined in Supplementary Limitation Order M-9-c-4, except as specifically authorized in writing by the War Production Board.

(b) Deliveries of material to Max Greenberg and Irwin Green, doing business as Absoproof Weatherstrip and Caulking Company and Century Metal Strip Products Company or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied, assigned, or extended to such deliveries by any preference rating order, preference rating certificate, general preference order or any other order or regulation of the War Production Board, except to enable them to fill orders bearing Preference Rating AA-2X or higher and except as specifically authorized in writing by the War Production Board.

(c) No allocation shall be made to Max Greenberg and Irwin Green, doing business as Absoproof Weatherstrip and Caulking Company and Century Metal Strip Products Company or otherwise, their successors and assigns, of any materials the supply or distribution of which is governed by any order of the War Production Board, except to enable them to fill orders bearing Preference Rating AA-2X or higher and except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Max Greenberg and Irwin Green, doing business as Absoproof Weatherstrip and Caulking Company and Century Metal Products Company or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect April 26, 1943 and shall expire on August 26, 1943, at which time the restrictions contained in this order are to be of no further effect.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6405; Filed, April 24, 1943; 3:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-296]

RAYJAY MFG. CO., INC.

Rayjay Mfg. Co., Inc., a corporation located at 109 North Third Street, Brook-

§ 3176.1 *Limitation Order L-252-(a)* ... and stating fully the grounds of the

APPENDIX

lyn, New York, is engaged in manufacturing electric fuses for distribution to wholesalers and jobbers. During the period from September 9 through December 30, 1942, the company violated Limitation Order L–161 by selling and delivering approximately 700,000 electric fuses on orders which did not bear any preference ratings. The company also violated Priorities Regulation No. 3 and Priorities Regulation No. 11 in that it improperly applied the preference rating assigned to it on its PD–25A certificate for the third quarter of 1942 to obtain more materials than it was authorized to obtain through the application of such rating.

These violations of orders and regulations of the War Production Board have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing; *It is hereby ordered*, That:

§ 1010.296 *Suspension Order No. S–296.* (a) Deliveries of material to Rayjay Mfg. Co., Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied, extended, or assigned to such deliveries by any preference rating certificate, preference rating order, general preference order, or any other order or regulation of the War Production Board, except as specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Rayjay Mfg. Co., Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Rayjay Mfg. Co., Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 27, 1943, and shall expire on July 27, 1943, at which time the restrictions contained in this order shall be of no further force or effect.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6404; Filed, April 24, 1943; 3:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–298]

EMPIRE ELECTRIC MFG. COMPANY

W. J. Gorman, Philip France and Nate France, co-partners doing business as the Empire Electric Manufacturing Company, 673 West Madison Street, Chicago, Illinois, are engaged in the business of manufacturing and selling electric and fluorescent lighting fixtures. From June 13, 1942 to October 19, 1942 the Empire Electric Manufacturing Company sold approximately 2500 new fluorescent lighting fixtures in violation of Limitation Order L–78. After October 31, 1942, the Empire Electric Company used steel to partially manufacture approximately 600 reflectors for fluorescent lighting fixtures in violation of Limitation Order L–78. Between July 8, 1942 and November 12, 1942, the company sold approximately 1884 pounds of copper wire in violation of General Preference Order M-9-a. Between June 13, 1942 and November 16, 1942 the Empire Electric Manufacturing Company violated Priorities Regulation No. 3 by applying or extending preference ratings to obtain copper wire and iron and steel in excess of the specific quantities authorized. The company, in violation of Priorities Regulation No. 1, failed to keep complete records of its inventories, production and sales of fluorescent and electric lighting fixtures, and although it was a Class I producer, failed to operate as a Production Requirements Plan Unit after June 30, 1942 as required by Priorities Regulation No. 11. After November 20, 1942, the company furthermore, violated a specific order of the Director General for Operations of the War Production Board by continuing to manufacture and assemble fluorescent lighting fixtures.

The conduct of the Empire Electric Manufacturing Company was not only marked by careless disregard of whether its activities were governed by several of the above orders and regulations, but it consciously violated other of the above-mentioned orders and regulations. These wilful violations have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board.

In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.298 *Suspension Order S–298.* (a) W. J. Gorman, Philip France and Nate France, doing business as the Empire Electric Manufacturing Company or otherwise, their successors and assigns, shall not manufacture, process, assemble, sell, deliver, or otherwise transfer any fluorescent lighting fixture, as defined in Limitation Order L–78, or any component part thereof, except with the written approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(b) Deliveries of material to W. J. Gorman, Philip France and Nate France, doing business as the Empire Electric Manufacturing Company or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) No allocations shall be made to W. J. Gorman, Philip France and Nate France, doing business as the Empire Electric Manufacturing Company or otherwise, their successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve W. J. Gorman, Philip France and Nate France, doing business as the Empire Electric Manufacturing Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 26, 1943, and shall expire October 26, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6406; Filed, April 24, 1943; 3:03 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1, Directive 7]

ALUMINUM CASTINGS

The following direction is issued pursuant to § 3175.1 (t) (6) of CMP Regulation No. 1 to all aluminum producers:

(a) Orders for aluminum castings approved for April delivery on Form PD–26A are hereby given the status of authorized controlled material orders and such orders shall be accepted and filled by aluminum producers in the manner prescribed in paragraph (t) of CMP Regulation No. 1.

(b) All orders for aluminum castings approved on Form PD–26A for delivery during a month prior to April on which delivery was not completed within the time limit specified in the instructions for filing the form, will expire as of April 30, unless they are rescheduled and reapproved on Form PD–26A for delivery during April. Such supplemental applications will be approved for shipment provided the foundry does not request an additional allocation of primary metal.

(c) Aluminum foundries will not be permitted to accept new orders for castings specifying delivery during May or thereafter unless such orders constitute authorized controlled material orders under applicable CMP regulation.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6402; Filed April 24, 1943; 3:03 p. m.]

PART 3176—VALVES AND VALVE PARTS

[Limitation Order L–252, as Amended April 24, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of steel, copper, and other critical materials used in the manufacture of valves and valve parts, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3176.1 *Limitation Order L–252*—(a) *Definitions.* Wherever used in this order:

(1) "Producer" means any person who manufactures valves and valve parts.

(2) "Valves" means gate, globe, angle, cross, lift check, angle check, or swing check valves (including variations of those types, such as the valves generally referred to as quick opening, blow off, hose end, Y-type and hydraulic), except drilling through and flow line valves for oil production service. This definition does not include valves of the types generally referred to as "specialties".

(3) "Valve parts" means parts for valves as defined above.

(4) "Put into process" means to process, machine, or fabricate or in any other manner alter any material by physical or chemical means.

(b) *Limitations.* Except as specifically authorized by the War Production Board, no producer shall after May 1, 1943, put into process or cause to be put into process, any material to be incorporated into valves or valve parts, except for the manufacture of valves and valve parts which conform to the specifications contained in the Appendix attached to and a part of this order, or for the manufacture of:

(1) Valves

(i) The bodies or bonnets of which were cast or forged before May 1, 1943;

(ii) Ordered for use as part of the equipment of aircraft or watercraft other than pleasure craft; or

(iii) For the conduction of liquid or gas having chemical or physical properties which render the use of valves described in the Appendix dangerous or impractical; and

(2) Valve parts for repair of valves which are completed on May 1, 1943, or which are produced thereafter in accordance with the provisions of paragraph (b) (1) of this order.

(c) *Restricted deliveries.* Except as specifically authorized by the War Production Board:

(1) No producer shall sell or make delivery of any valves or valve parts manufactured in violation of the terms of this order, and

(2) No person shall knowingly purchase or accept delivery of any valve or valve part produced in violation of this order.

(d) *Order superseded.* The provisions of this order supersede the provisions of Schedule No. 1 of Limitation Order L–42.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable priorities regulations.

(f) *Records.* Each producer shall retain in his files for a period of two years records showing his inventory and production of all valves, including those for the manufacture of which material was put into process subsequent to May 1, 1943. These records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Shipbuilding Division, War Production Board, Washington, D. C., Ref.: L–252.

Issued this 24th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX

[Part 3, paragraphs 3 (b), (f), 4 (b), (f), (g), 5 (f), (g) are amended April 24, 1943]

Specifications for Valves and Valve Parts

The following specifications govern the manufacture of valves and valve parts. These specifications do not purport to contain any recommendations regarding the most efficient or safe use of any valve or valve parts covered herein.

Certain of the terms used in this appendix (including the terms valves and valve parts) are defined in the body of this order, L–252. In addition, certain exceptions are made, and certain obligations imposed upon producers and others. You should, therefore, be thoroughly familiar with the body of the order before reading this appendix.

PART 1

Iron Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Iron valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1 and in the particular sizes, specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary[1] pressure classifications in pounds per square inch		Gates (inches)			Globe and angle (inches)		Lift check (inches)		Swing check (inches)		
Steam	Water	Screwed	Flanged	Hub	Screwed	Flanged	Screwed	Flanged	Screwed	Flanged	Hub
25	10	----------	4 to 72	4 to 72	----------	----------	----------	----------	----------	----------	----------
	100	----------	4 to 72	4 to 72	----------	----------	----------	----------	----------	----------	----------
125	100 to 500	2 to 6	2 to 72	2 to 72	2 to 4	2 to 10	2 to 4	3 to 6	2 to 6	2 to 24	4 to 24
150[2]	250	1¼ to 3	1 to 3	----------	1¼ to 3	1 to 3	1¼ to 3	----------	1¼ to 3	----------	----------
250[2]	500	2 to 4	2 to 24	----------	2 to 4	2 to 6	----------	----------	2 to 4	2 to 12	----------
300[2]	----------	1¼ to 3	1 to 3	----------	1¼ to 3	1 to 3	----------	----------	1¼ to 3	----------	----------
	800	1 to 6	3 to 12	----------	----------	----------	----------	----------	----------	3 to 12	----------

[1] The primary pressure classification designates a class of valves and does not necessarily mean that all sizes in a given class carry the primary pressure classification. American Standards Association standards and manufacturers practice frequently reduce the pressure ratings as size increases, and may not always rate valves for both steam and water.

[2] In sizes 3" and smaller the 150# and 300# primary pressure classification valves are included as substitutes for brass valves. Flanged valves may be rated in accordance with the American Flange Standard used.

NOTE: Other valve end connections in common use on the date of issuance of this order, including among others, the types known as Victaulic, Dresser and Universal, may be manufactured, but only in accordance with the specifications listed in Table 1. For the purposes of this order, "common use" means use by at least ten companies.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

¼	4	24
⅜	5	30
½	6	36
¾	8	42
1	10	48
1¼	12	54
1½	14	60
2	16	66
2½	18	72
3	20	

2. *General requirements for iron valves.* (a) End flanges shall conform to American Standards Association standards for corresponding pressure classes, except that for 150# and 300# valves when made of malleable iron as substitutes for brass valves, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP–2 may be used. Flanges may be furnished to the American Gas Association flange standard for low pressure gas service.

(b) Face to face of flanged valves, size 4" and larger, shall comply with American Petroleum Institute standard #5–G–1 and American Standards Association standard B–16.10 for the pressure classes and types which these standards cover.

(c) Valves for 150# primary steam rating and lower shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Nickel alloy.

(d) Valves for 250# primary steam rating and higher shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Chrome iron.

(e) Bonnet bolts or studs shall be carbon steel.

(f) Nuts for bonnet bolting shall be carbon steel.

(g) Handwheels shall be of ferrous metal, either cast or otherwise fabricated, or of suitable non-metallic material.

(h) All extension stems, couplings and gear housings shall be of ferrous metal

(i) Spot facing or back facing on iron valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products

3. *Iron gate valves.* (a) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(b) Discs for solid wedge gates 4" and larger and for split wedge or double disc gates 5" and larger, shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class. Discs for non-rising stem valves may be provided with brass or bronze bushing for stem thread

(c) Bonnet bushing for backseating shall not be provided in outside screw and yoke valves

(d) Packing gland flange bolts or studs shall be carbon steel.

(e) Nuts for packing gland flange bolts or studs shall be carbon steel.

(f) For valve 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass

4. *Iron globe, angle, and cross valves.* (a) "Plug" type discs shall not be used for primary pressure 125# classification; but no manufacturer shall make more than one design of metal to metal seat in this class.

(b) Discs for valves 4" and larger shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(c) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(d) Bonnet bushing for back seating shall not be provided

(e) Packing gland flange bolts or studs shall be carbon steel.

(f) Nuts for packing gland flange bolts or studs shall be carbon steel.

(g) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

(h) Cross valves shall not be manufactured

5 *Iron check valves.* (a) Discs for valves 4" and larger shall be either all iron, or iron or steel with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(b) Nuts for attaching swing check disc to hinge or arm shall be carbon steel, or malleable iron.

(c) The hinge or arm for valves 2" and larger shall be of ferrous metal and may be bronzed bushed.

PART 2

Brass or bronze gate, globe, angle, cross, and check valves and valve parts

1. *Standard size schedule: Brass or bronze valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classifications in lbs. per sq. in.[1]	Sizes[2] screwed end (inches)	Sizes flanged end (inches)	Sizes solder end (inches)
100 Steam	⅛ to 1		⅜ to 2
125 Steam	⅛ to 2		¼ to 2
150 Steam	⅛ to 2	1 to 2	¼ to 2
200 Steam	⅛ to 2	1 to 2	¼ to 2
300 Steam	¼ to 2	1 to 2	¼ to 2
Hydraulic 1000 & Higher	⅛ to 2		¼ to 1½

[1] The primary steam rating in no way regulates the pressure at which these valves should be rated for other fluids, but restricts the classes to those mentioned.

[2] Only globe and angle valves may be made in the ⅛" size.

[3] These valves are rated 150#

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

⅛	½	1¼
¼	¾	1½
⅜	1	2

2. *General requirements for brass or bronze valves.* (a) Check valves shall be horizontal lift and vertical lift or swing check types only. Angle type prohibited.

(b) Spot facing on end connecting flanges is prohibited.

(c) 150# primary pressure classification and lower shall have integral seats.

(d) 150# primary pressure classification and lower shall have brass, bronze, or non-metallic disc only, and plug type discs shall not be used in globe and angle valves.

(e) 200# primary pressure classification and higher shall have manufacturer's standard seating materials comprising any of the following:

Non-metallic disc.
Brass or bronze.
Chrome iron.
Nickel alloy.

(f) Union bonnet rings and union rings for valve ends shall be malleable iron or steel.

(g) Stuffing box packing nuts shall be malleable iron or steel.

(h) Handwheels and valve handles shall be ferrous metal, either cast or otherwise fabricated; or suitable non-metallic material.

(i) End flanges shall conform to:

1. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 150#-SP-2.

2. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 300#-SP-2.

(Depending upon rated pressure of the valve)

(j) Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade A or American Society for Testing Materials B-62 or EA-B62 brass or bronze for all valve pressure castings in valves in primary pressure classifications of 125#, 150# and 200# Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP 20 grade B or American Society for Testing Materials B-61 brass or bronze for all valve pressure castings in valves in primary classifications of 300# or higher. Bonnets 200# and higher pressure classification may be made of a "cast bearing bronze"

(k) Cross valves shall not be manufactured.

PART 3

Steel Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

NOTE: These limitations do not apply for primary ratings higher than 1500#. Moreover, these limitations do not apply for valves for temperatures exceeding 1000 degrees F. or below minus 50 degrees F. Furthermore, these limitations do not apply to drilling through or flow line valves for oil production service

The term "stainless" is used in this Part 3 of this appendix to describe any of the iron base alloys such as 12% chrome, or 18-8 chrome nickel whose primary characteristics are resistance to corrosive attack, or elevated temperature or both

1. *Standard size schedule: Steel valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2 which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classification in lbs. per sq. in.	Gate (inches)			Globe and angle (inches)			Horizontal and angle check (inches)			Swing check (inches)		
	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded
150	2 to 4	2 to 24		2 to 4	2 to 8					2 to 4	2 to 8	
300	2 to 4	2 to 24		2 to 4	2 to 12			2 to 8		2 to 4	2 to 12	
600	¼ to 2	½ to 24	¼ to 24	⅛ to 2	½ to 14	⅛ to 14	¼ to 2	½ to 14	¼ to 14	½ to 2	1¼ to 14	1¼ to 14
900		3 to 18	3 to 18		3 to 14	3 to 14		3 to 14	3 to 14		3 to 14	3 to 14
1500	¼ to 2	1½ to 14	¼ to 14	¼ to 2	1½ to 14	¼ to 14	¼ to 2	1½ to 14	¼ to 14		3 to 14	3 to 14

(b) Detail of permitted sizes.

TABLE 2

(Sizes in inches)

⅛	2	10
¼	2½	12
⅜	3	14
½	4	16
¾	5	18
1	6	20
1¼	8	24
1½		

2. *General requirements for steel valves.* (a) Valves covered by items 3, 4, and 5, which follow, shall be in accordance with American Petroleum Institute standard 600A for gate valves, and with American Standards Association B16e for all types, except as modified by the specifications set forth in this part 3 of this appendix.

(b) Face to face of flange end valves shall comply with American Petroleum Institute standard 5-G-1 and American Standard Association B16.10 for the types covered by these standards.

(c) Discs of valves 5" and larger shall be made of the same material as the valve body, with seating material laid on or attached.

(d) Handwheels 24" diameter and smaller shall be malleable iron, or fabricated steel.

(e) Raised contact faces on flanges shall be serrated (concentric or spiral) or smooth at manufacturer's option.

(f) Cross valves shall not be manufactured

3. *150 lb. Pressure class: Steel valves.* (a) End flange faces shall have American Standards Association 1/16" raised face.

(b) Bodies and bonnets shall be carbon steel.

(c) Seating materials shall be any of the following:

Carbon steel.
Brass or bronze.
12% chrome iron.

(d) Bonnet bushing for back seating shall not be provided, but backseating shall be included.

(e) Stems shall be carbon steel, brass or bronze

(f) Bonnet bolting shall be either carbon steel or manganese steels of the SAE 1300 Series.

(g) Bonnet bolt nuts shall be semi-finished carbon steel

(h) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(i) Bonnet gaskets shall be asbestos composition sheet.

4. *300 lb. Pressure class: Steel valves.* (a) End flange faces shall be American Standards Association 1/16" raised face, or American Petroleum Institute octagonal ring joint groove providing the groove is cut in the basic flange thickness.

(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme corrosion or temperature conditions they may be 4% to 6% chrome, ½% molybdenum.

(c) The seating materials shall be any of the following:

Same material as body.
Brass or bronze.
12% chrome iron.
Nickel copper alloy.
Hard facing.

(d) Stems shall be any of the following:

Brass or bronze.
12% chrome iron.

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2 For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

5 *600 lb., 900 lb & 1500 lb. Pressure classes: Steel valves.* (For 600 lb. and 1500 lb general purpose valves, see paragraph 6) (a) End flange faces shall be either American Standards Association octagonal ring joint groove or American Petroleum Institute octagonal ring joint groove, or ¼" American Standards Association large male face

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions in which case they may be 4% to 6% chrome, ½% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) The seating materials shall be of any of the following:

Same material as body.
Stainless (See definition in note under heading of Part 3).
Nickel copper alloy.
Hard facing.

(d) Stems shall be the following:

Stainless (See definition in note under heading of Part 3)

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

6. *General purpose steel valves: 600 lb. & 1500 lb.—2" and smaller.* (a) End connections shall be:

1. Flanged American Standards Association standard with ¼" large male face.

2. Screwed end.

3. Socket welding end.

The 600 lb. class flanged end valves may be made with 150-lb. American Standards Association steel flange diameter, drilling, and or facing.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions in which case they may be 4% to 6% chrome, ½% molybdenum, or stainless if so specified (See definition for "stainless" in note under heading of Part 3.)

(c) Seating materials shall be any of the following:

Same material as body.
Brass or bronze
Stainless. (See definition in note under heading of Part 3.)
Nickel copper alloy.
Hard facing.

[F. R. Doc. 43-6403; Filed, April 24, 1943; 3:03 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended April 26, 1943]

§ 1075.1 *Conservation Order L-41*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Construction" means the erection, construction, reconstruction, restoration, or remodeling of any structure or project, or additions thereto or extensions or alterations thereof, but not including:

(i) "Maintenance and repair" as defined in paragraph (a) (12);

(ii) The excavation or other movement of earth where no material except earth or other unprocessed material is to be incorporated.

(3) "Residental construction" means any construction where the principal designed function of the structure or project is or will be to provide living space or accommodations.

(4) "Multiple residential construction" means any residential construction where the principal designed function of the structure or project is or will be to provide living space or accommodations for six or more families, or which is divided or to be divided into six or more suites.

(5) "Agricultural construction" means any construction, (other than residential construction), where the principal designed function of the structure or project is or will be the production of agricultural products including, but not limited to, those produced by farmers, planters, ranchmen, dairymen, poultrymen, or nut or fruit growers.

(6) "Industrial construction" means any construction where the principal designed function of the structure or project is or will be the manufacture, processing or assembling of goods or materials.

(7) "Other restricted construction" means any construction, other than residential, multiple residential, agricultural, or industrial construction, including, but not limited to, commercial, highway, roadway, sub-surface, railroad, and utilities construction, whether publicly or privately financed.

(8) "Project" means all separate structures or units of construction situated in close proximity to each other and integrated to serve a single general use; it does not mean a particular construction operation or job. In no case shall a single structure or unit of construction be subdivided into more than one project for the purpose of this order.

(9) "Begin construction" means to initiate construction, or to resume construction which has not been carried on as one continuous construction job, by physically incorporating or installing into a structure or project on the site, material which is to be an integral part of the structure or project.

(10) "Cost" shall be the sum of the total cost or value, whichever is higher, of the following (except as qualified in (a) (11) below):

(i) Material which is to be an integral part of the structure or project, including articles, chattels, or fixtures which are to be physically incorporated in and used as a part of the structure or project, or are to be so substantially affixed thereto that they cannot be detached without materially injuring them or the structure or project;

(ii) Labor engaged in the construction;

(iii) Architects', engineers' and contractors' services.

(11) "Cost" does not include the following:

(i) The value of used material, articles, chattels or fixtures which have been severed from the same or another structure or project and are to be used without change in ownership, nor the cost or value of labor engaged in incorporating the same;

(ii) The cost or value of production machinery or equipment to be used directly in the manufacturing, processing or assembling of goods or materials;

(iii) The value of labor, not entailing financial outlay, of an owner or tenant and members of the owner's or tenant's immediate family residing with him, on a structure or project owned or leased by him.

(12) "Maintenance and repair" means such work as is necessary to keep a structure or project in sound working condition, or to rehabilitate a structure or project or any portion thereof when the same has been rendered unsafe or unfit for service by wear and tear or other similar causes. The term does not include any building operation or job where a structural alteration or change in design is to be made. However, different materials may be used and different types of articles, chattels or

fixtures (but of the same general nature) may be incorporated, provided that there are no such structural alterations or changes in design. No building operation or job may be part construction and part maintenance and repair, as the terms are used herein, but if any construction is to be done, the entire building operation or job is construction. Maintenance and repair does not include the reconstruction or restoration of a structure or project or portion thereof destroyed by fire, flood, tornado, earthquake, act of God or the public enemy.

(b) *Prohibited construction.* (1) No person shall begin construction, carry on any construction begun in violation of any order in the L–41 series, cause such construction to be begun or carried on or participate in such construction, or order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material for such purposes.

(2) The terms and restrictions of (b) (1) shall not apply where the construction is of:

(i) A structure or project to be the property of the Army or Navy of the United States, the United States Maritime Commission, Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, or the Office of Scientific Research and Development;

(ii) A structure or project which is to be used directly in the discovery, development or depletion of mineral deposits;

(iii) A type subject to the provisions of any order in the M–68 series (Part 1047) relating to the production and distribution of petroleum, or is of a type subject to the provisions of any Petroleum Administrative Order (Chapter XIII), and such construction is permitted only to the extent authorized by the applicable order in the M–68 series or by the applicable Petroleum Administrative Order;

(iv) Facilities, other than buildings, ment, including facilities or equipment for such telegraph or teletypewriter service as may be conducted by a telephone operator, other than buildings, and is authorized or permitted under the terms of Order L–50 (§ 1095.1);

(v) Railroad tracks, together with necessary operating facilities, but not including buildings, tunnels, overpasses, underpasses, or bridges;

(vi) Facilities, other than buildings, to be owned by a producer, as defined in Order P–46 (§ 978.1), pertaining to utilities, and which are to be used directly in providing one or more of the services set forth in paragraph (a) (1) of said order;

(vii) Irrigation pipe lines or drainage tile drains, classified as agricultural construction under this order, in which no materials except earth or other unprocessed material or clay or non-reinforced concrete tile not more than 12 inches in internal diameter are incorporated.

(viii) Agricultural construction necessary to the installation of material or equipment, the distribution of which is controlled by Order L–170 (§ 1029.10) or orders in the M–21 series (Part 962), and which are listed in Schedule 1 of Food Production Order 3 of the United States Department of Agriculture.

(ix) A structure or project for which no material will be used to provide electric, gas, water, or steam services for the incorporation of which specific authorization is required under orders in the U series (unless such authorization has been received before construction was begun), provided it is

(*a*) Residential construction and not multiple residential construction, or is specifically listed on Schedule B attached hereto, and the estimated cost of construction is less than $200; or

(*b*) Multiple residential, agricultural or other restricted construction, is not specifically listed on Schedule B, and the estimated cost of construction is less than $1,000; or

(c) Industrial construction, is not specifically listed on Schedule B, and the estimated cost of construction is less than $5,000; or

(*d*) The minimum construction necessary to make safe and to protect any structure or project (or the contents thereof) damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy; or

(*e*) Agricultural construction, and the immediate construction thereof is determined by the United States Department of Agriculture in accordance with such administrative procedures as may be from time to time prescribed to be necessary to avert threatened loss of farm products: *Provided,* That within two weeks of such determination Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section.

(3) The terms and restrictions of (b) (1) shall not apply where the construction is to reconstruct or restore:

(i) Residential or multiple residential construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, or to build in its place and stead new residential or multiple residential construction: *Provided, however,* That the estimated cost of such reconstruction, restoration, or new construction shall be less than $5,000, and that within two weeks of such damage or destruction Form PD–105 (for residential) or Form PD–200 (for multiple residential) is filed in accordance with the provisions of paragraph (f) of this section;

(ii) Agricultural construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy where the immediate reconstruction thereof is determined by the United States Department of Agriculture, in accordance with such administrative procedures as may be from time to time prescribed, to be essential to the agricultural program: *Provided,* That within two weeks of such damage or destruction Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section;

(iii) Industrial or other restricted construction, not specifically listed on Schedule B, damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, where the immediate reconstruction thereof is necessary for the prosecution of the war or the protection of public health or safety: *Provided,* That within five days of the damage or destruction notice thereof is given by telegraph to the War Production Board setting forth (*a*) the cause of the damage or destruction, (b) the function of the structure or project which has been damaged or destroyed, (c) the type of construction, (*d*) why immediate reconstruction or restoration is necessary, and (*e*) the estimated cost of reconstruction: *And provided further,* That within two weeks of the giving of such telegraphic notice, Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section.

Nothing contained in this subparagraph (3) shall be interpreted as a commitment that priorities assistance will be accorded to any particular construction authorized by the provisions of this subparagraph and the War Production Board may at any time either order said construction to cease or require any modification thereof that seems to it to be proper.

(4) The terms and restrictions of (b) (1) shall not apply where the construction has been or is hereafter authorized by the Director of Priorities of the Office of Production Management or by the War Production Board by the issuance of:

(i) One of the preference rating orders or certificates listed on Schedule A attached hereto, as that schedule may be amended from time to time, according priorities assistance to the construction; or

(ii) An order specifically authorizing the construction.

(5) The exceptions set forth in paragraphs (b) (2) (ix) (*a*), (b) (2) (ix) (*b*), and (b) (2) (ix) (c) shall not be construed to authorize separate or successive construction operations commencing after September 6, 1942, the aggregate cost of which over any continuous twelve-month period exceeds the amount specified in the applicable paragraph for the particular structure or project; not including in said aggregate cost the cost of any construction thereon during said period authorized under the provisions of paragraph (b) (2) (ix) (*d*), (b) (2) (ix) (*e*), (b) (3) and (b) (4).

(c) *Prohibited deliveries.* No person shall accept an order for, sell, deliver, or cause to be delivered material which he knows, or has reason to believe, will be used in violation of the terms of this order.

(d) *Further construction limitations.* Nothing in this order shall be construed to authorize the use or delivery of any material, or the application or extension of any preference rating, in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, Office of Production Management, or by the War Production Board.

(e) *Orders or certificates not constituting authorization.* The assignment of a preference rating by a PD–1, PD–1A, or other certificate, or by any order, other than those listed on Schedule A, shall not constitute authorization to begin construction.

(f) *Application for authority to begin construction.* (1) The application forms prescribed by paragraphs (f) (2) any (f) (3) hereof shall be executed by the person who is or is to be the owner of the structure or project for which authorization is required by the terms of this order, or his duly authorized agent.

(2) If the applicant requires priorities assistance for the proposed construction, an application shall be made for the appropriate preference rating order or certificate listed on Schedule A on the form referred to therein.

(3) Where the applicant does not require priorities assistance, application for specific authorization to begin construction referred to in paragraph (b) (4) (ii) hereof may be made by filing Form PD–200, or such other forms as may hereafter be prescribed. Such forms are to be filed in the manner prescribed on Schedule A for the filing of applications for Preference Rating Order P–19–h.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* Applications, communications and reports under this order shall, unless otherwise directed in Schedule A or by specific instructions be addressed to: War Production Board, Washington, D. C., Ref.: L–41.

Those relating to residential construction shall in addition be conspicuously marked "Res.", those relating to multiple residential construction "M. R.", those relating to agricultural construction "Agr.", those relating to industrial construction "Ind.", and those relating to other restricted construction "O. R."

This order, as hereby amended this 26th day of April 1943 shall supersede all orders, amendments and interpretations in the L–41 series heretofore issued, except the following: L–41–a, L–41–b and its interpretation issued November 6, 1942, L–41–c, L–41–d and Interpretation 1 to L–41 issued February 19, 1943. (NOTE: Paragraph (e) of said Interpretation 1 is revoked by L–41–d).

Issued this 26th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The following preference rating orders and certificates are listed pursuant to paragraph (b) (4) (i) of the above order. A general description of the type of construction covered by each, the appropriate application form and where such form should be filed, are given solely for the purposes of identification.

Preference rating order	Type of construction	Application form	Where filed
P–14–a	Shipyards and shipways	No form	Maritime Commisston, Washington, D. C.
P–14–b			
P–19	Structures or projects important to the war effort and essential civilian needs, other than housing.	No further application accepted under P–19 and P–19–a. Apply for P–19–h.	
P–19–a			
P–19–d	Publicly financed war housing	No further applications accepted; see P–19–h.	
P–19–g			
P–19–e	Public roads	Application is made by or through the Public Roads Administration of F. W. A.	
P–19–h	Structures and projects important to the war effort and essential civilian needs, including war housing owned by FPHA and farm dwellings (for other housing see P–55 below).	Form PD–200	At the following places or such other places as may be prescribed: Agricultural and farm dwellings with Department of Agriculture County War Board having jurisdiction over location of the site. All other types of construction with War Production Board, Washington, D. C.
P–19–i			
P–41	Construction of air transport facilities	Expired Oct. 1, 1942	
P–55	Housing and Remodeling of housing except farm dwellings and housing owned by the FPHA.	Form PD–105 and Form PD–105A.	With FHA field office having jurisdiction over location of the site.
P–55, Amended			
P–89 as amended	Construction of certain types for production of chemicals.	Form PD–315	With War Production Board Washington, D. C., Ref. P–89.
P–98–b	Construction related to petroleum enterprises as defined and limited therein.	See orders in M–68 series	
P–110	Remodeling of housing programmed for critical areas by the National Housing Agency.	No further applications accepted.	
P–130	Construction of certain facilities other than buildings by telephone companies and construction by such companies of facilities necessary to serve defense projects.	See order Form PD–685	With War Production Board, Washington, D. C., or such other place as may be prescribed.
P–132	Construction of certain facilities other than buildings by telegraph companies and construction by such companies of facilities necessary to serve defense projects.	See order Form PD–683	With War Production Board, Washington, D. C., or such other place as may be prescribed.
Certificates: PD–3, PD–3A	Certain specific types of construction of the Army or Navy.	PD–3A	With the contracting or procurement official having jurisdiction of the contract.

SCHEDULE B

The following structures or projects are listed pursuant to paragraphs (b) (2) (ix) and (b) (3) (iii) of the above order:

(a) A structure or project which has as its principal designed function:

(1) Public or private amusement, entertainment or recreation, with the exception of playgrounds for children;

(2) Occupancy by not more than five establishments selling or dispensing goods, merchandise, food or drink, or providing services:

(3) Use as a club, lodge, fraternity or sorority house, association, auditorium or assembly hall;

(4) Manufacture, processing or assembling of any one or more of the following:

(i) Athletic supplies, sporting goods, or toys or games as defined in Order L–81.

(ii) Beverages, except milk,

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter,

(iv) Candy or chewing gum,

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff,

(vi) Jewelry, watches, traveling bags, brushes, razors, pipes and like articles for personal use or adornment,

(vii) Furniture, silverware, china, household electrical appliances, draperies, and all other similar articles,

(viii) Musical instruments,

(ix) Stationery or office supplies,

(x) Toiletries or cosmetic products as defined in Order L–171,

(xi) Wearing apparel of every sort, nature or description, except for the Army or Navy;

(b) Industrial construction with a productive floor area of less than 10,000 square feet.

INTERPRETATION 1

(a) Paragraph (a) of Conservation Order No. L–41, as amended, places in different classes the construction of various structures or projects, and paragraph (b) (2) (ix) provides the limits within which the several classes of construction may be begun without authorization. Any structure shall be classified in accordance with such provisions unless it constitutes a part of a "project" as defined in paragraph (a) (8), in which event the classification of the project shall control.

(b) In connection with paragraphs (a) (3), (a) (4), (a) (5), (a) (6), and (a) (7), where part of a structure or project falls within one class under said order and other parts within another or other classes, the predominant designed use shall determine the classification of the whole structure or project.

(c) In connection with paragraphs (a) (5) and (a) (7), a structure to be used primarily for the storage of farm products which are produced by a person other than the proprietor of such structure shall be interpreted to be "other restricted construction."

(d) "Construction" as defined in paragraph (a) (2) includes the laying of asphalt tile, linotile, cork tile, rubber tile, and linoleum, if the same is cemented to or in any way is affixed to the construction.

(e) The application of siding or roofing is "construction" as the word is used in paragraph (a) (2), where such siding or roofing is applied to a portion of a building or structure which is not in need of "maintenance and repair" as the words are used in paragraph (a) (12). **(Issued February 19, 1943)**

[F. R. Doc. 43–6456; Filed, April 26, 1943; 11:42 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 16]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 5.4 is added to read as follows:

SEC. 5.4 *Future allotments for certain Group II or III institutional users.* (a) Because of transportation difficulties or unusually long distances from markets, some Group II or III institutional users must obtain rationed foods to last for more than one allotment period. When such institutional users apply for allotments pursuant to section 5.3 (b), they may also apply in writing, for allotments to be used in later allotment periods. (An allotment to be used in a later allotment period is called a future allotment.) The board may, for good cause, permit an application for a future allotment to be made at any other time.

(b) If the board finds that the applicant meets the tests set out in paragraph (a), it may grant the future allotment required by him.

(c) Each future allotment of a rationed food shall be equal in amount to the last allotment granted on application made pursuant to section 5.3(b). (For example on May 1, 1943, an applicant applies pursuant to section 5.3(b) for an allotment of sugar for May and June, and a future allotment for July and August. If his allotment for May and June is 500 pounds, the board may grant an allotment of an additional 500 pounds for July and August.)

(d) When an applicant who has received a future allotment next applies for allotments pursuant to section 5.3(b), the board shall compute the allotment which he would have received pursuant to that section for the allotment period covered by the future allotment. If the amount of a future allotment exceeds the amount of the allotment he would have been entitled to receive for that period pursuant to section 5.3(b), the difference shall be deducted from the allotment for which he is applying. If the amount of the future allotment is less than the amount which he would have been entitled to receive, the difference shall be added to the allotment for which he is applying.

2. The head note of section 10.1 is amended to read as follows:

SEC. 10.1 *Group II and III Seasonal Users.*

3. Section 10.3 is added to read as follows:

SEC. 10.3 *A Group I seasonal user may obtain a certificate in certain cases.* (a) A Group I institutional user is a seasonal user with respect to an establishment which is not in operation during every month in the year.

(b) A Group I seasonal user who must get rationed foods before the persons who will eat at his establishment arrive may apply for certificates for rationed foods to be used until he can obtain such foods with the ration books of those persons. If, because of transportation difficulties or unusually long distances from markets, the applicant finds it a hardship to acquire supplies of rationed foods as each successive stamp or series of stamps in war ration books become valid, he may include in his application a request for certificates covering a longer period.

(c) Application must be made to the board in writing and must show:

(1) The name, address and business of the applicant;

(2) The date on which such persons will arrive at his establishment;

(3) The earliest date thereafter on which rationed foods can be obtained with the books of such persons;

(4) The number of persons he expects to serve during the period covered by the application (in estimating the number of persons to be served, an individual is counted separately for each occasion on which he is served but no one individual may be counted more than three (3) times on any one day;

(5) Where the applicant includes in his application a request for certificates covering a longer period, the period of time for which his purchasing must be done.

(d) The board may issue certificates for an amount of a rationed food computed by multiplying the allowance per person for that food by the number of persons which it determines will be served during the period for which such certificates are required.

(e) An institutional user who has received a certificate under this Section must give up, to the board, stamps or certificates equal to the amount of the certificate issued to him. Only stamps taken from the war ration books of the individuals eating in his establishment, or certificates received from them may be given up. He must give them up within 60 days after receiving the certificate. However the board may, for good cause, give him additional time.

(f) An institutional user who obtains an allotment pursuant to section 26.1 of this order may not receive a certificate under this section for the same purpose.

4. Section 27.1 (b) (1) is amended to read as follows:

(1) The number of employees, the period of time covered by the application, and the place where such employees will be fed;

This amendment shall become effective on April 29, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M, and 1–R, 7 F.R. 652, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6, and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6343; Filed, April 23, 1943; 3:38 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amendment 17]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order 5 is amended in the following respects:

1. Section 21.1 (b) is amended by deleting "the Coast and Geodetic Survey" therefrom.

2. The title to Article XXIV is amended to read as follows: "Article XXIV—Certain Government Agencies Obtain Allotments From Washington Office."

3. Sections 24.1 and 24.2 are revoked, and a new section 24.1 is added to read as follows:

SEC. 24.1 *Certain government agencies obtain allotments from Washington Office.* (a) The following government agencies may, at any time, apply to the Washington Office for allotments of rationed foods for any purpose:

(1) The Veterans' Administration;

(2) The Coast and Geodetic Survey.

(b) The following government agencies may, at any time, apply to the Washington Office for allotments of rationed foods for institutional use:

(1) The War Relocation Authority and the Department of Justice, in connection with the operation of war relocation centers and enemy alien detention stations and camps.

(c) Allotments will be given in accordance with arrangements made with the Washington Office. The Washington Office will issue certificates, the amount of which may be distributed, through the use of ration checks, to the various centers, stations, camps or activities, for which allotments are granted pursuant to this paragraph.

(d) Ration bank accounts may be opened for these centers, stations, camps or activities.

(e) These agencies are not required to register their institutional user establishments with a board.

This amendment shall become effective this 29th day of April 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M, and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6, and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6344; Filed, April 23, 1943; 3:35 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195, 2348, 2598, 2666, 3178, 3216, 3255, 3616, 3851, 4325, 4131, 4784, 4785, 4639.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 26]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended as follows:

Sections 1315.401 (c), 1315.504 (f) and 1315.505 (b) (3) are hereby revoked.

This amendment shall become effective May 1, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 69, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-6333; Filed, April 23, 1943; 3:38 p m.]

PART 1316—COTTON TEXTILES

[MPR 11,[1] Amendment 4]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1316.4 Table III subparagraph (4) (i), (4) (ii), (5) (i) and (5) (ii) are amended by changing the date April 24, 1943 in each to read May 24, 1943.

This amendment shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6345; Filed, April 23, 1943; 3:35 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 53]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1340.225 (b) (1) (i) is added to read as follows:

(i) *Special price instructions.* (a) The maximum price for lump coal (solid shot) with a bottom size larger than 2½", when produced at mines in Production Groups 2 to 9, inclusive, shall be the maximum price which is applicable generally under § 1340.225 (b) (1) for Size Group 3 plus 15 cents per net ton.

This amendment shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6334; Filed, April 23, 1943; 3:39 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 50,[1] Amendment 5]

GREEN COFFEE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 50 is amended in the following respects:

1. Section 1351.1 (b) (2) is amended to read as follows:

(2) If the services of a broker or brokers are used to negotiate a sale between a domestic owner and a buyer either in a port of entry or in a secondary market, a commission or commissions, which in the aggregate shall not exceed 1% of the maximum price named in § 1351.1 (c) of Revised Price Schedule 50 or a maximum price determined by trade differentials in effect prior to December 8, 1941, as provided for in § 1351.1 (c) of the schedule, may be added to such maximum price. This addition may be made only when such commissions are actually paid and shall be based upon the net maximum price before the addition of charges permitted by paragraphs (b) (i); (c); (f) and (g) of § 1351.1 of the schedule. No addition may be made to such maximum prices of commissions on sales negotiated by a broker or brokers either in a port of entry or in a secondary market for the account of a foreign principal.

2. Section 1351.1 (c) is amended by inserting after the words and figures "Native Unwashed ------ 10½" the following:

PRICE IN CENTS PER POUND EX RAILROAD CARS OR OTHER TYPE CARRIERS ANY UNITED STATES POINT OF ENTRY ON MEXICO-UNITED STATES BORDER

Mexico	*Cents*
Coatepec	16.30
Huatusco	16.18
Orizaba	15.80
Jalapa	15.80
Cordoba	15.80
Tapachula firsts	15.63
Tapachula seconds	15.13
Tapachula thirds	14.25
Oaxaca	14.80
Current quality Oaxaca	13.30

PRICE IN CENTS PER POUND EX RAILROAD CARS OR OTHER TYPE CARRIERS ANY UNITED STATES POINT OF ENTRY ON MEXICO-UNITED STATES BORDER—continued

Guatemala	*Cents*
Antigua	17.35
Strictly hard bean	17.10
Hard bean	16.85
Semi hard bean	16.60
Extra prime washed	16.35
Prime	16.10
Maragogipe	16.10
Extra good	15.35
Good	15.10
Fair	14.85
Bourbon	14.73
Coban strictly hard	17.10
Coban hard bean	16.85
Coban semi hard	16.60
El Salvador	
High grown washed	16.60
Prime washed	16.35
Good washed	16.10
Superior unwashed	14.35
Current unwashed	13.93

3. Section 1351.1 (c) is amended by deleting the last paragraph thereof and substituting the following:

For aged grades of "extra superior" quality of Washed Cucuta Excelso, Washed Bucaramanga Excelso and Washed Maracaibo only a premium may be added to the maximum price named in § 1351.1 (c) for the same growth provided this premium does not exceed the premium obtained for the same grade and quality of such growth of coffee between August 1, 1941 and December 8, 1941.

For imports from any country of limited amounts of coffee deemed "markedly superior" to the best grade listed for that country, other than aged grades of "extra superior" quality, a premium may be added to the maximum price for the best grade listed for that country provided such premium does not exceed the premium obtained for the same grade and quality of such growth of coffee between August 1, 1941 and December 8, 1941.

Any premium added in accordance with the provisions of the foregoing paragraphs must be stated separately on the sales contract and invoice and shall be reported within 15 days after a sale to the Imported Foods Section, Office of Price Administration, Washington, D. C., with sufficient facts showing that it does not exceed the premium obtained for the same grade and quality between August 1, 1941 and December 8, 1941.

4. Section 1351.1 (d) is amended to read as follows:

(d) The maximum prices quoted above are ex dock New York City or any United States point of entry on the border between Mexico and the United States. The maximum prices ex dock any other port of entry shall be determined by adding to or subtracting from the New York City ex dock price the difference between the December 8, 1941 actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to New York City and the December 8, 1941 actual cost of ocean freight, war risk insurance, and marine insurance from the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521, 3702, 3837, 4179, 4628, 4769, 4849.

[1] 8 F.R. 361, 2206, 4628, 4725.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8748, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2713, 2873, 2920, 2997, 2873, 2921, 3216, 3855, 4258, 4717, 4785.

[1] 7 F.R. 1305, 2132, 2945, 5462, 6387, 6685, 8948, 10471.

same port of origin to such other port of entry.

This amendment shall become effective the 29th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6346; Filed, April 23, 1943; 3:36 p. m.]

PART 1361—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169,[1] Amendment 8]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.452 (m) (2) is amended by adding the following sentence after the table of prices:

During the period April 23, 1943, to May 7, 1943, inclusive, the seller may add $1.00 per cwt. to the applicable boning plant price.

2. Section 1364.453 (b) is amended to read as follows:

(b) For all beef carcasses and/or beef wholesale cuts, and/or other meat items subject to this Subpart B delivered in a straight or mixed carload shipment or sold as part of a straight or mixed carload sale, the seller shall deduct $.75 per cwt. from the applicable zone price, except that this provision shall not apply to deliveries made to a war procurement agency during the period April 23, 1943 to May 7, 1943, inclusive.

This amendment shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6347; Filed, April 23, 1943; 3:35 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[MPR 102,[2] Amendment 6]

HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration

[1] 8 F.R. 5097, 4786, 4814.

[2] 7 F.R. 1401, 2132, 2794, 3125, 4425, 7174, 8948.

Maximum Price Regulation No. 102 is amended in the following respect:

Section 1380.51 (d) is amended to read as follows:

(d) *Additions which may be made to the base price in determining the maximum price.* The maximum price for the sale by a manufacturer of any model of household mechanical refrigerator shall not exceed the sum of the following items:

(1) The base price as set forth in paragraphs (a), (b), or (c) of this section, less any amount charged on account of cooperative advertising.

(2) (i) If the sale is to a wholesale consumer or to a distributor or dealer who purchases the refrigerator for resale to a wholesale consumer, the following allowances may be added:

(*a*) An allowance equal to 1% of the manufacturer's price f. o. b. the manufacturer's plant for each month or fraction thereof, which elapsed between February 14, 1942, or the date on which the refrigerator was ready for delivery by the manufacturer, whichever is later, and September 13, 1942.

(*b*) An additional allowance of $5.00 for each refrigerator which is delivered to a carrier for shipment to the purchaser between May 1, 1943 and December 31, 1943, except that this allowance may not be charged with respect to a shipment after May 1, 1943, which is made pursuant to an order which is postmarked on or before April 24, 1943, specifying shipment prior to May 1, 1943, if the order is supported by an appropriate WPB certificate of authorization or,

(*c*) An allowance of $10.00 if the refrigerator is delivered to a carrier for shipment to the purchaser after January 1, 1944, except that this allowance may not be charged with respect to a shipment after January 1, 1944, made pursuant to an order which is postmarked on or before December 24, 1943, specifying shipment prior to January 1, 1944, if the order is supported by an appropriate WPB certificate of authorization: if the refrigerator is shipped pursuant to such an order $5.00 only may be added.

(ii) If the sale is to a distributor or to a dealer purchasing the refrigerator for eventual resale to an ultimate consumer, an amount equal to four-fifths of the amount which may be charged under subparagraph (2) (i) (*a*) of this § 1380.51 (d).

(iii) If the sale is to an ultimate consumer, no amount may be added under this subparagraph (2) of § 1380.51 (d).

(iv) The amount which may be added for any portion of the inventory held by the manufacturer for the period between February 14, 1942, and September 13, 1942, may, at the option of the manufacturer, be calculated as follows: The total number of days that all refrigerators involved in the calculation have been ready for delivery up to September 13, 1942, shall be divided by the total number of refrigerators involved in the calculation. The resulting average of days during which the refrigerators involved have been ready for delivery up to September 13, 1942, may be assessed at the rate specified in subparagraphs (2) (i) and (2) (ii) of this § 1380.51 (d) for each month or fraction thereof against each refrigerator.

(3) The federal excise tax, unless the manufacturer is not obliged to pay the tax.

(4) The amount paid by or to be paid by the manufacturer (i) on account of transportation of the refrigerator from manufacturer's point of shipment to destination, except any such amount already included in the base price of the refrigerator, (ii) on account of the one-year service contract, if that service is requested by the purchaser, but the amount to be added on such account shall in no event exceed $4.50.

(5) If the number of refrigerators to be delivered by the manufacturer to the purchaser requires a less than carload shipment, an amount equal to 2% of the base price of the refrigerator.

(6) If the refrigerator is sold to an agency of the United States which does not require the warranty customarily afforded by the manufacturer, the maximum price shall be reduced by the amount charged for the warranty by the manufacturer on February 2, 1942.

This amendment shall become effective April 23d, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6348; Filed, April 23, 1943; 3:35 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[MPR 110,[1] Amendment 7]

RESALE OF NEW HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 110 is amended in the following respect:

Section 1380.110 (b) is amended to read as follows:

(b) *Maximum prices for sales by distributors to dealers and to other persons.* The maximum price for the sale by a distributor of any model of household mechanical refrigerator shall not exceed the sum of the following amounts:

(1) The base price, which (i) in the case of sales to dealers, shall be the net price which will yield the distributor the same percentage of the total dollar margin between the manufacturer's price to him, and the dealer's resale price to consumers, as he received during the period October 1, 1941, to October 15, 1941, for the sale of the same or the most comparable model to the same general class of dealer, or (ii) in the case of sales to other persons shall be the highest net

[1] 7 F.R. 2311, 2543, 2761, 4107, 6052, 7174, 8948, 11070; 8 F.R. 137.

price in effect to the same general class of purchaser during the two month period ending February 2, 1942. In the case of a sale to a purchaser who does not fall within any class for whom a price was in effect during the two month period ending February 2, 1942, the base price shall be the manufacturer's price to the distributor, together with the cost of transportation from the manufacturer to the distributor, plus a mark-up of 20% of such price.

(2) (i) If the sale is to a wholesale consumer or to a dealer for resale to a wholesale consumer, the following allowances may be added:

(*a*) An allowance equal to 1% of the manufacturer's price f. o. b. the manufacturer's plant for each month or fraction thereof, which elapsed between February 14, 1942, or the date on which the refrigerator was ready for delivery by the manufacturer, whichever is later, and September 13, 1942.

(*b*) An additional allowance of $5.00 for each refrigerator which is shipped to the purchaser between May 1, 1943 and December 31, 1943, except that this allowance may not be charged with respect to a shipment after May 1, 1943, which is made pursuant to an order which is postmarked on or before April 24, 1943, specifying shipment prior to May 1, 1943, if the order is supported by an appropriate WPB certificate of authorization or,

(*c*) An allowance of $10.00 if the refrigerator is shipped to the purchaser after January 1, 1944, except that this allowance may not be charged with respect to a shipment after January 1, 1944, made pursuant to an order which is postmarked on or before December 24, 1943, specifying shipment prior to January 1, 1944, if the order is supported by an appropriate WPB order of authorization: if the refrigerator is shipped pursuant to such an order $5.00 only may be added.

(ii) If the sale is to an ultimate consumer, no amount may be added under this subparagraph (2) of § 1380.110 (b).

(iii) If the sale is to a dealer for resale to an ultimate consumer:

(*a*) And the refrigerator was acquired by the distributor prior to September 9, 1942, an amount equal to three-quarters of the amount which may be added under paragraph (b) (2) (i) (*a*) of this § 1380.110.

(*b*) And the refrigerator was acquired by the distributor subsequent to September 9, 1942, an amount equal to three-fifths of the amount which may be added under paragraph (b) (2) (i) (*a*) of this § 1380.110.

(3) The Federal Excise Tax.

This amendment shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6349; Filed, April 23, 1943; 3:35 p. m.]

No. 82——8

PART 1382—HARDWOOD LUMBER

[Rev. MPR 97,[1] Amendment 4]

SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 97 is amended in the following respects:

1. Section 1382.104 (d) is amended to read as follows:

(d) *Delivery, and custom kiln-drying and milling charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice;

(1) Truck delivery after rail haul;

(2) Custom kiln-drying or milling: the invoice of the custom kiln or milling establishment must be attached to the lumber invoice of the seller.

2. Section 1382.112 (e) (4) is revoked, and a new paragraph (h) is added to § 1382.112 to read as follows:

(h) *Custom kiln-drying and milling.* Where Southern hardwood lumber is kiln-dried or milled for the seller by a custom kiln or milling establishment, and the custom kiln or milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of this custom kiln-drying or milling. The amount added may not be higher than the maximum price established by Maximum Price Regulation 165, as amended,[2] Services, for the custom kiln or milling establishment applicable to the sale of the services of custom kiln-drying or milling.

This amendment shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6335; Filed, April 23, 1943; 3:39 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 146,[1] Amendment 12]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1382.11 (d) is amended by adding the following subparagraph (7):

(7) *Custom kiln-drying and milling.* Where Appalachian hardwood lumber is kiln-dried or milled for the seller by a custom kiln or milling establishment, and the custom kiln or milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of this custom kiln-drying or milling. The amount added may not be higher than the maximum price established by Maximum Price Regulation 165, as amended,[2] Services, for the custom kiln or milling establishment applicable to the sale of the services of custom kiln-drying or milling. The invoice of the custom kiln or milling establishment must be attached to the lumber invoice of the seller.

This amendment shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6336; Filed, April 23, 1943; 3:37 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 142, 3530, 3530.

[2] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11[illegible]10; 8 F.R. 1060, 3324, 4782.

[1] 7 F.R. 2776, 4179, 4852, 5520, 6053, 6998, 7600, 7747, 8198, 8350, 8384, 8948; 8 F.R. 3056.

[2] 7 F.R. 4109, 7202, 7780, 8385; 8 F.R. 3056, 3848.

PART 1382—HARDWOOD LUMBER

[MPR 223,[1] Amendment 4]

NORTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1382.163 is amended by adding the following new paragraph (f):

(f) *Custom kiln-drying and milling.* Where Northern hardwood lumber is kiln-dried or milled for the seller by a custom kiln or milling establishment, and the custom kiln or milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of this custom kiln-drying or milling. The amount added may not be higher than the maximum price established by Maximum Price Regulation 165, as amended,[2] Services, for the custom kiln or milling establishment applicable to the sale of the services of custom kiln-drying or milling. The invoice of the custom kiln or milling establishment must be attached to the lumber invoice of the seller.

This amendment shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6351; Filed, April 23, 1943; 3:37 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Max. Rent Regs., Supp. Amendment 18]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraph (6) is added to paragraph (b) of §§ 1388.11, 1388.61, 1388.111, 1388.161, 1388.211, 1388.261, 1388.311, 1388.361, 1388.411, 1388.461, 1388.511, 1388.561, 1388.611, 1388.661, 1388.711, 1388.761, 1388.811, 1388.861, 1388.911, 1388.961, 1388.1011, 1388.1651, 1388.1701, 1388.1751, 1388.1801, 1388.2051, 1388.3051, 1388.4051, 1388.5051, 1388.6051, 1388.7051, 1388.8051, 1388.31, 1388.131, 1388.231, 1388.281, 1388.381, 1388.581, 1388.631, 1388.781, 1388.881, and 1388.981 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, 62, and 64, respectively, to read as follows:

(6) Housing accomodations located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1942 and ending on March 31, 1943.

The exemption provided by this paragraph (b) (6) shall be effective only from June 1, 1943 to September 30, 1943, inclusive.

This Supplementary Amendment No. 18 shall become effective June 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6337; Filed, April 23, 1943; 3:37 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Max. Rent Regs., Supp. Amendment 10A]

HOTELS AND ROOMING HOUSES

Subparagraph (5) is added to paragraph (b) of §§ 1388.1501, 1388.1551, 1388.1601, 1388.1851, 1388.1901, 1388.1951, 1388.2001, 1388.3001, 1388.4001, 1388.5001, 1388.6001, 1388.7001, 1388.8001, 1388.9001, 1388.81, 1388.181, 1388.331, 1388.431, 1388.631, 1388.731, 1388.831, 1388.931, and 1388.1031 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, 42A, 44A, 46A, 48A, 50A, 54A, 56A, 58A, 59A, 61A, 63A, and 65A, respectively, to read as follows:

(5) Rooms located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1942 and ending on March 31, 1943.

The exemption provided by this paragraph (b) (5) shall be effective only from June 1, 1943 to September 30, 1943, inclusive.

This Supplementary Amendment No. 10A shall become effective June 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6338; Filed, April 23, 1943; 3:37 p. m.]

PART 1398—RATIONING OF OFFICE AND STORE MACHINES

[RO 4A,[1] Amendment 1 to Supplement 1]

TYPEWRITERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplement 1 to Ration Order 4A is amended in the following respects:

1. Section 1398.154 of Supplement 1 to Ration Order 4A is amended by changing the words "April, and July" to read "May, and August" and by adding the following sentence after the words "New York City": "*Provided, however,* That dealers, wholesalers and manufacturers in the territories and possessions of the United States (other than the District of Columbia) shall mail inventory reports on or before the tenth day of the month following, to the Director of the Office of Price Administration for the territory in which the place of business is located."

This amendment shall become effective April 29, 1943.

NOTE: These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; W.P.B. Dir. No. 1; Supp. Dir. 1-D; Conversion Order No. L-54a; 7 F.R. 562, 1792, 2130; E.O. 9125, 7 F.R. 2719)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6339; Filed, April 23, 1943; 3:35 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12,[1] Amendment 31]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

Section 1407.1091 is amended by adding a new item as follows:

Ration period	Coffee stamp valid during ration period
• • •	• • •
April 26, 1943 to May 30, 1943, inclusive.	Coffee Stamp No. 23.
• • •	• • •

This amendment shall become effective April 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6341; Filed, April 23, 1943; 3:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 17]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respect:

1. Section 6.6 (f) is added, to read as follows:

(f) *Industrial users who have unbalanced stocks.* If an industrial user is not entitled to receive a certificate because he has excess inventory, but finds that he does not have an adequate stock of a particular kind of processed foods, he may apply to the board with which he is registered on OPA Form R-315, for a certificate to enable him to get that kind. The application must show the kind and amount of food which he needs and the reasons he needs it. The board may call upon him for any other information which it finds necessary in order to act upon the application. If the board finds that he does not have an adequate stock of the particular food, it may issue to him a certificate for the number of points needed, up to one-third of his allotment for that period. The points so issued must be treated as excess inventory. The granting of the application shall not be treated as an increase in his allotment. The board may grant only one such application for an industrial user.

This amendment shall become effective April 29, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E. O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

RATIONALE ACCOMPANYING AMENDMENT NO. 17 TO RATION ORDER 13

1. Certain industrial users had on hand, as a result of seasonal purchases or other circumstances, very large stocks of a few kinds of processed foods and very small stocks of other kinds of processed foods. The large stocks may represent the user's entire allotment, not only for the first allotment period, but for periods running beyond that. He might thereby be prevented from making products which require other kinds of processed foods. He would not be able to obtain additional processed food until he had consumed a substantial portion of those foods of which he had large amounts.

It is desirable to permit industrial users who have these unbalanced inventories to obtain additional stocks of the processed foods they need. Section 6.6 (f) is, therefore, added to permit this, with a provision to insure that an adjustment of this kind will not permanently increase the industrial user's inventory.

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6332; Filed, April 23, 1943; 3:38 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 20 Under § 1499.3 (c) of GMPR]

POTOMAC ELECTRIC POWER COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and § 1499.3 (c) of the General Maximum Price Regulation, *It is hereby ordered*, That:

§ 1499.820 *Authorization of a maximum price for two valves for the Potomac Electric Power Company.* (a) The Potomac Electric Power Company, a public utility company engaged in the sale of electrical current, may sell and deliver to the Treasury Department, Procurement Division, and the Treasury Department, Procurement Division, may buy and receive under Requisition No. R-3713, Contract No. DA-TPS-26762, two 12" list 150-pound, flanged end, outside screw and yoke, carbon steel gate valves at $418.37 each, f. o. b. Washington, D. C., packed for export.

(b) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(c) The Potomac Electric Power Company shall submit any reports which the Office of Price Administration may from time to time require.

(d) This Order No. 20 shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6342; Filed, April 23, 1943; 3:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 413 Under § 1499.3 (b) of GMPR]

THE PENN TOBACCO COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1651 *Authorization of maximum prices for Willoughby Taylor smoking sets to be sold by The Penn Tobacco Company.* (a) On and after April 24, 1943, The Penn Tobacco Company, Wilkes-Barre, Pennsylvania, may sell and deliver, and any purchaser may buy and receive from The Penn Tobacco Company, the Willoughby Taylor smoking set (consisting of two 1⅝ ounce packages of Willoughby mixture smoking tobacco, a Taylor Hall pipe and a packing container for those items) at a maximum price not in excess of $10.56 per dozen, freight paid to destination, less 10 percent trade discount and 2 percent cash discount for payment within 10 days. The amount of any state or local tax applicable to the particular quantity of smoking sets sold and paid or payable by the manufacturer to the proper taxing authorities with respect thereto may be added to such maximum price.

(b) Any wholesaler or jobber may sell and deliver, and any purchaser may buy Willoughby Taylor smoking sets from such wholesaler or jobber at a maximum price not in excess of $10.56 per dozen, freight paid to destination, less discounts customarily allowed in March, 1942 by such wholesaler or jobber on his sales of similar combination smoking sets to purchasers of the same class. The amount of any state or local tax applicable to the particular quantity of smoking sets involved and paid or payable by the wholesaler or jobber to the proper taxing authorities or to any prior vendor with respect thereto may be added to such maximum price.

(c) Any retailer may sell and deliver, and any person may buy and receive Willoughby Taylor smoking sets from such retailer at a maximum price not in excess of $1.10 per set. The amount of any state or local tax applicable to the particular quantity of smoking sets sold and paid or payable by the retailer to the proper taxing authorities or to any prior vendor with respect thereto may be added to such maximum price.

(d) On or before their first delivery of any Willoughby Taylor smoking sets to any purchaser, The Penn Tobacco Company and every wholesaler and jobber shall notify such purchaser of the exact maximum price thereof, as set forth in this order, by delivering to such purchaser a written notice as follows:

On our new Willoughby Taylor smoking tobacco set the Office of Price Administration has authorized us to establish a maximum list price of $10.56 per dozen, freight paid to destination. Manufacturers' discounts may not be less than 10% trade discount plus 2% cash discount for payment within 10 days. Wholesalers' and jobbers' discounts may not be less than those customarily allowed in March, 1942 on their sales of similar combination smoking sets to the same class of purchasers. The Office of Price Administration has also authorized us to establish a maximum retail price of $1.10 per set. The amount of any state or local tax applicable to the particular quantity of smoking sets sold, and paid or payable by the manufacturer, wholesaler, jobber or retailer to the proper taxing authorities or to any prior vendor, may be added to such maximum prices. Wholesalers' and jobbers receiving this notice are required to give similar notice to each person to whom they sell and deliver Willoughby Taylor smoking sets at or before their first delivery of such sets to the purchaser. The Office of Price Administration requires you to keep this notice for examination.

(e) This Order No. 413 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 413 (§ 1499.1651) shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6340; Filed, April 23, 1943; 3:36 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 3,[1] Amendment 3]

PROCEDURE FOR ADJUSTMENTS, AMENDMENTS, PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

Revised Procedural Regulation No. 3 is amended in the following respects:

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 6445, 8945; 8 F.R. 121, 2783.

[2] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 3324.

[1] 7 F.R. 10506, 8 F.R. 1065, 1588.

[1] 8 F.R. 3400, 3843, 4486, 4519, 4977, 4892

*Copies may be obtained from the Office of Price Administration

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4784, 4726, 4921.

[1] 8 F.R. 526, 1798, 3534.

1. Section 1300.208 (b) is amended to read as follows:

(b) An order entered by a rent director upon a petition for adjustment or other relief, or an order entered by a rent director on his own initiative, shall be effective and binding until changed by further order and shall be final subject only to application for review or protest as provided in §§ 1300.209 and 1300.210 and §§ 1300.215 to 1300.228, inclusive, of this regulation. An order entered by a rent director may be revoked or modified at any time upon due notice to the petitioner.

2. Section 1300.209 is amended to read as follows:

§ 1300.209 *Applications for review.* (a) Any landlord whose petition for adjustment or other relief has been dismissed or denied in whole or in part by the rent director, or any landlord subject to an order entered by the rent director on his own initiative, may within a period of sixty days after the date of issuance of such determination, regardless of the effective date thereof, file with the rent director an application for review of such determination by the regional administrator for the region in which the defense-rental area office is located: *Provided*, That any landlord subject to an order entered under section 5 (d) of any maximum rent regulation or subject to an order entered by the rent director under § 1300.207 of this regulation, may either apply for review of such order as provided in this section, or may protest any provision of such order as provided in §§ 1300.215 to 1300.223, inclusive, of this regulation. An application for review shall be filed in triplicate upon forms prescribed by the Administrator and pursuant to instructions stated on such forms. Upon the filing of an application for review of such determination, the rent director shall forward the record of the proceedings with respect to which such application is filed to the appropriate regional administrator.

(b) Applications for review shall be deemed filed on the date received by the rent director: *Provided*, That applications for review properly addressed to the rent director, bearing a postmark dated within the sixty-day period specified above, but received after the expiration thereof, shall be deemed to have been filed on the date of the postmark.

3. Section 1300.210 is amended to read as follows:

§ 1300.210 *Action on applications for review.* Upon the filing of an application for review in accordance with § 1300.209 of this regulation, and after due consideration, the regional administrator may affirm, revoke, or modify, in whole or in part, the determination of the rent director sought to be reviewed and may enter such order as is necessary or proper. In any case where an application for review does not conform in a substantial respect to the requirements of this regulation, the regional administrator may dismiss such application. An order entered by a regional administrator upon an application for review shall be effective and binding until changed by further order and shall be final subject only to protest as provided in §§ 1300.215 to 1300.228, inclusive, of this regulation. An order entered by a regional administrator upon an application for review may be revoked or modified at any time upon due notice to the applicant.

4. Section 1300.215 is amended to read as follows:

§ 1300.215 *Right to protest.* Any landlord subject to any provision of a maximum rent regulation, or of an order issued under § 1300.210 of this regulation, or of an order entered under section 5 (d) of any maximum rent regulation, or of an order entered by the rent director under § 1300.207 of this regulation, may file a protest in the manner set forth below. A landlord is, for the purposes of this regulation, subject to a provision of a maximum rent regulation or of an order only if such provision prohibits or requires action by him. Any protest filed by a landlord not subject to the provision protested, or otherwise not in accordance with the requirements of this regulation, may be dismissed by the Administrator.

5. Section 1300.216 (a) is amended to read as follows:

(a) Any protest as provided in § 1300.215 of this regulation against a provision of a maximum rent regulation or an order, shall be filed with the Secretary, Office of Price Administration, Washington, D. C., within a period of sixty days after the date of issuance of such regulation or order, regardless of the effective date thereof: *Provided*, That a protest against a provision of a maximum rent regulation based solely on grounds arising after the date of issuance of such maximum rent regulation shall be filed within a period of sixty days after the protestant has had, or could reasonably have had, notice of the existence of such grounds.

6. Section 1300.224 is amended to read as follows:

§ 1300.224 *Protest and evidential material not conforming to this regulation.* In any case where a protest or accompanying evidential material does not conform, in a substantial respect, to the requirements of this regulation, the Administrator may dismiss such protest, or, in his discretion, may strike such evidential material from the record of the proceedings in connection with the protest. A protest against the provisions of an order entered under section 5 (d) of any maximum rent regulation or of an order entered by a rent director under § 1300.207 of this regulation may be dismissed where, prior to the filing of such protest, the landlord filed an application for review of such order as provided in § 1300.209 of this regulation.

7. Section 1300.229 is amended to read as follows:

§ 1300.229 *Requests for oral hearing.* Any protestant, applicant, or petitioner may request an oral hearing. Such request shall be accompanied by a showing as to why the filing of affidavits or other written evidence and briefs will not permit the fair and expeditious disposition of the protest, application for review, or petition. In the event that an oral hearing is ordered in connection with a protest, application for review, or petition, notice thereof shall be served on the protestant, applicant, or petitioner not less than five days prior to such hearing. The time and place of the hearing shall be stated in the notice. Any such oral hearing may be limited in such manner and to the extent deemed appropriate to the expeditious determination of the proceeding.

8. Section 1300.230 is amended to read as follows:

§ 1300.230 *Conference prior to oral hearing.* At any time prior to the commencement of the oral hearing, the protestant, applicant, or petitioner may be requested to appear at a conference to consider (a) the simplification of issues; (b) the possibility of obtaining stipulations of fact which will avoid unnecessary proof; and (c) such other matters as may expedite the conduct of the oral hearing. No transcript of such conference shall be kept, but the officer authorized to conduct such conference shall incorporate in the record of the proceedings any written stipulations or agreements made at, or as a result of, the conference. If the circumstances are such that an oral conference is impracticable, such negotiations may be conducted by correspondence.

9. Section 1300.232 is amended to read as follows:

§ 1300.232 *Conduct of the oral hearing.* (a) An oral hearing on a protest, application for review, or petition shall be conducted by the Administrator or such officer or employee of the Office of Price Administration (hereinafter referred to as the "presiding officer") as the Administrator may appoint or designate for that purpose. Any such appointment or designation may be made or revoked at any time.

(b) The oral hearing shall be conducted in such manner as will permit the protestant, applicant, or petitioner to present evidence and argument to the fullest extent compatible with expeditious decision of the issues. To this end:

(1) The rules of evidence prevailing in courts of law or equity shall not be controlling; and

(2) The presiding officer, having due regard to the need for expeditious decision and for fair treatment to the protestant, applicant, or petitioner, may restrict oral argument and the examination and cross-examination of witnesses: *Provided*, That in no event shall this section be construed to limit the right of the protestant, applicant, or petitioner to submit affidavits or other written evidence or arguments.

10. Section 1300.233 is amended to read as follows:

§ 1300.233 *Filing of briefs.* The presiding officer shall allow the protestant, applicant, or petitioner to file briefs or written arguments within such time as he shall designate.

11. Section 1300.234 (a) is amended to read as follows:

(a) Any protestant, applicant, or petitioner may apply for a subpoena in connection with an oral hearing. Applications for subpoenas when made prior to the oral hearing shall be filed as follows: (1) in connection with a protest against a provision of a maximum rent regulation or order, with the Secretary, Office of Price Administration, Washington, D. C.; (2) in connection with a proceeding under §§ 1300.207 to 1300.210, inclusive, of this regulation, with the rent director or regional administrator, as the case may be, before whom such proceeding is pending. The Administrator may grant or deny an application for a subpoena or refer it to the presiding officer appointed or designated under § 1300.232 who may thereafter grant or deny the application. Applications for subpoenas made during the oral hearing shall be submitted to the presiding officer, who may grant or deny such application.

This amendment shall become effective April 24, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6374; Filed, April 24, 1943; 11:47 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 25]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (11) is amended to read as follows:

(11) "Grade I," as applied to tires, means a new passenger-type tire.

2. Section 1315.201 (a) (12) is hereby revoked. The tires formerly defined as "Grade II" by this subdivision are now included within the definition of "Grade I" tires.

3. Section 1315.503 (b) is amended by deleting the words "Grade II" and by deleting the commas immediately preceding and following them.

4. The table set forth in § 1315.503 (c) is amended to read as follows:

Total allowed mileage	Kind of tire	Kind of tube
240 miles per month or less	Grade III	New or used at applicant's option.
241 miles per month or over	Grade I or Grade III tire at applicant's option	New or used at applicant's option.
Farm fleet passenger automobiles or official passenger automobiles for which interchangeable gasoline ration books have been currently issued.	Grade III tire; if applicant establishes that the particular vehicle will be operated for 241 or more miles per month, then a Grade I tire.	New or used at applicant's option.

5. Section 1315.503 (d) (2) is amended to read as follows:

(2) An applicant whose allowed gasoline mileage would entitle him to a Grade I tire may be limited to a certificate for a Grade III tire if the length of time for which he will need his allowed monthly mileage will be substantially less than the normal life of a Grade I tire.

6. Section 1315.503 (d) (5) is amended by deleting the word "either" and by deleting the words "or Grade II."

7. Section 1315.509 (c) is amended to read as follows:

(c) *Amount of allotment of Grade I tires.* In addition, each applicant may be allotted one Grade I tire, for each $2,000 of his 1941 retail and wholesale net dollar sales of passenger-type tires and tubes from the establishment for which the allotment is sought, but any applicant shall be entitled to at least six tires: *Provided*, That a certificate shall be granted to authorize the acquisition of no more than the difference between such allotment and his inventory of Grade I tires (including Parts B of certificates authorizing the acquisition of Grade I and Grade II tires) as of the date of his application.

8. Section 1315.602 (e) is amended by deleting the words "and II."

9. Section 1315.607 (b) (2) is amended by deleting the words "Grade II" and the comma immediately preceding them.

10. Section 1315.609 (c) is amended to read as follows:

(c) *By State Director or District Manager.* If a State Director or District Manager issues OPA Form R-2 (Revised) for an allotment of tires or tubes under § 1315.509, he shall tear off and destroy Parts A and C of such certificates. If the certificate is for Grade I tires, the State Director or District Manager shall mark Parts B and D thereof "Grade I tires only." If the certificate is for used passenger-type tires, he shall mark Parts B and D thereof "used passenger-type tires only." If the certificate is for tubes, he shall mark Parts B and D thereof "passenger-type tubes only."

11. Section 1315.611 (c) (1) is amended to read as follows:

(1) Any dealer may, in exchange for a certificate for a Grade I or Grade II tire, transfer to the holder thereof a Grade I tire.

12. The table set forth in § 1315.804 (c) (3) is amended to read as follows:

If Part B calls for:	Dealer or manufacturer may replenish with
Any size Grade I tire	Any size Grade I or III
Any size Grade II tire	Any size Grade I or III tire
Any size Grade III tire	Any size Grade III tire
Any size Grade I or II tire only	Any size Grade I tire
Any size truck-type tire	Any size truck, tractor, implement-type or Grade III tire
Any size tractor-type tire	Any size tractor, implement-type or Grade III tire
Any size implement-type tire	Any size tractor, implement-type or Grade III tire
Any size passenger tube	Any size passenger tube
Any size truck tube	Any size truck or passenger tube

13. Section 1315.1002 is amended by deleting the words "or Grade II."

This amendment shall become effective May 1, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6369; Filed, April 24, 1943; 11:48 a. m.]

PART 1335—CHEMICALS

[RPS 42,[1] Amendment 5]

PARAFFIN WAX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 42 is amended in the following respects:

1. Section 1335.460 (g) is amended to read as follows:

(g) Notwithstanding anything to the contrary in the foregoing paragraphs, Paragon Products Corporation, a corporation having its principal place of business in Oshkosh, Wisconsin, may sell, deliver, and transfer to any consumers, and such consumers may buy paraffin wax processed by such corporation at prices not higher than $.005 per pound over the maximum prices otherwise established pursuant to paragraphs (a), (b), and (e) of this section in the following quantities: (1) during the calendar year 1942, a quantity not greater than the quantity of paraffin wax sold by it during the period from April 21, 1941, to December 31, 1941; (2) during succeeding calendar years a quantity not greater than the quantity of paraffin wax sold by it during the calendar

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521, 3702, 3837, 4179, 4628, 4769.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1285, 2000, 2132, 3430, 4833, 8202, 8948, 9783.

year 1941. This amendment shall not operate retroactively from the effective date hereof, except with respect to sales made by Paragon Products Corporation upon a price adjustable basis subsequent to April 21, 1942. In January, 1943, and at six month intervals thereafter, Paragon Products Corporation shall file with the Office of Price Administration in Washington, D. C., a detailed profit and loss statement covering the preceding six months, which statement shall contain a breakdown of cost of operations. This paragraph may be revoked or amended at any time by the Office of Price Administration.

2. Section 1335.460 (h) is amended to read as follows:

(h) Notwithstanding anything to the contrary in the foregoing paragraphs, Paragon Wax Refining, Inc., a California corporation having its place of business in San Francisco, California, may sell, deliver, and transfer to any consumers, and such consumers may buy, paraffin wax processed by such corporation at prices not higher than $.010 per pound over the maximum prices otherwise established pursuant to paragraphs (a), (b), and (e) of this section in the following quantities: (1) during the calendar year 1942, a quantity not greater than the quantity of paraffin wax sold by it during the period from April 21, 1941, to December 31, 1941; (2) during succeeding calendar years a quantity not greater than the quantity of paraffin wax sold by it during the calendar year 1941. This amendment shall not operate retroactively from the effective date hereof, except with respect to sales made by Paragon Wax Refining, Inc., upon a price adjustable basis subsequent to April 21, 1942. In January, 1943, and at six month intervals thereafter, Paragon Wax Refining, Inc. shall file with the Office of Price Administration, at Washington, D. C., a detailed profit and loss statement covering the preceding six months, which statement shall contain a breakdown of cost of operations. This paragraph may be revoked or amended at any time by the Office of Price Administration.

This amendment shall be effective as of July 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6372; Filed, April 24, 1943; 11:46 a. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Correction to Rev. MPR 139[1]]

USED HOUSEHOLD MECHANICAL REFRIGERATORS

Revised Maximum Price Regulation No. 139 is corrected in the following respects:

1. Section 3 (d) Frigidaire—1940 SV56 should read Frigidaire 1940—SVS6.

2. Section 3 (d) Norge 1940—Model VR6A "as is" price of $97.47 should be $94.47.

This correction shall become effective as of the 30th day of April 1943.

(Public Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R Doc. 43-6371; Filed, April 24, 1943; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 414 Under § 1499.3 (b) of GMPR]

SELLERS OF ARTICLES MADE OF BLACK PLATE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1652 *Authorization to sellers of articles made of black plate which were formerly made of hot-dip tin plate.* (a) On and after the effective date of this order, any person manufacturing and selling an article made of black plate which was formerly made of hot-dip tin plate is hereby specifically authorized to determine his maximum price for such article in the following manner: From the ceiling price per unit of sale established under § 1499.2 of the General Maximum Price Regulation for the article made of tin plate there shall be deducted the delivered cost of tin plate per unit when last used in manufacturing the article, and there shall be added the delivered cost of black plate per unit, including enamel, if any. The resulting figure shall be the maximum price of the article made of black plate. Any person may purchase such article from such seller at such price.

For example: 1. A producer of gallon cans formerly used ten base boxes of 100-pound tin plate to produce 1,000 cans. He paid $5.00 per base box, (less 2% for cash, plus $0.50 freight, for a net delivered cost of $54.00 per 1,000 cans. Black plate costs him $1.20 per hundred pounds, less 1½% for cash, plus $0.50 freight, and plus $1.00 for lacquering, or a total of $56.80. His ceiling price for the hot-dip cans was $70; the ceiling price for the black plate cans under this order becomes $72.80. 2. A producer of friction-top cans formerly used two base boxes of 95-pound hot-dip tin plate in making 1,000 cans. His net delivered cost per 1,000 cans was $10.60. The necessary black plate now costs $7.66, or $2.94 less. His ceiling price, for hot-dip cans was $20 per 1,000; the ceiling price for the black plate cans is $17.06.

(b) Any person determining his maximum price pursuant to this order shall within ten days of making such determination file with the Office of Price Administration, Washington, D. C. a statement showing (1) the ceiling price of the article made of tin plate, (2) the net delivered cost of tin plate per unit when last used in producing the article, (3) the net delivered cost of black plate, showing mill base price, where purchased, extras, freight and discounts, and (4) the new ceiling price calculated pursuant to this order.

(c) This order applies only to articles for which maximum prices are established under the General Maximum Price Regulation, and not to any article for which maximum prices are established by any specific maximum price regulation, for example, Maximum Price Regulation No. 350—Packers' Tin Cans.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This Order 414 shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6366; Filed, April 24, 1943; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 229 Under § 1499.18 (b) of GMPR]

ANCHOR THREAD CO., INC.

Order No. 229 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-368.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1829 *Adjustment of maximum prices for yarns manufactured and processed by Anchor Thread Co., Inc.* (a) Anchor Thread Company, Inc., Groveville, New Jersey, may sell and deliver, and any person may buy and receive from Anchor Thread Company, Inc., the following yarns at prices no higher than those set forth below:

Description	Maximum prices per pound (cents)
40/2 Glazed Dyed Yarn on 6 x 5 Tubes	82½
26/2 Soft Dyed Karded Yarn on Perforated Tubes	63½
20/2 Soft Dyed Yarn on Butt Braider Tubes	64
30/2 Soft Dyed Yarn on Wardwell Braider Tubes	70
30/2 Soft Dyed Yarn on Butt Braider Tubes	71¾
24/2 Glazed Dyed Yarn on Wardwell Braider Tubes	72
40/2 Soft Dyed Yarn on Butt Braider Tubes	78½
24/2 Glazed Dyed Yarn on Butt Braider Tubes	72¾
30/2 Glazed Dyed Yarn on Butt Braider Tubes	76½
30/2 Semi-Glazed Dyed Washed Yarn on Wardwell Braider Tubes	73½
40/2 Soft Dyed Washed Yarn on Wardwell Braider Tubes	78½
40/2 Soft Dyed Washed Steamfast on Wardwell Tubes	81½

(b) The prices set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as were granted to purchasers during March, 1942.

(c) Purchasers of the yarns listed in paragraph (a) may not use the increase in price granted herein as a basis for increasing their resale prices for these yarns or for commodities of which these yarns have become a part.

(d) Anchor Thread Company, Inc., shall cause the following notice to be sent, in writing, to all purchasers of its yarns listed in paragraph (a) of this section:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of the following yarns to the prices set forth below:

Description	Maximum prices per pound (cents)
40/2 Glazed Dyed Yarn on 6 x 5 Tubes	82½
26/2 Soft Dyed Karded Yarn on Perforated Tubes	63½
20/2 Soft Dyed Yarn on Butt Braider Tubes	64
30/2 Soft Dyed Yarn on Wardwell Braider Tubes	70
30/2 Soft Dyed Yarn on Butt Braider Tubes	71¾
24/2 Glazed Dyed Yarn on Wardwell Braider Tubes	72
40/2 Soft Dyed Yarn on Butt Braider Tubes	78½
24/2 Glazed Dyed Yarn on Butt Braider Tubes	72¾
30/2 Glazed Dyed Yarn on Butt Braider Tubes	76½
30/2 Semi-Glazed Dyed Washed Yarn on Wardwell Braider Tubes	78½
40/2 Soft Dyed Washed Yarn on Wardwell Braider Tubes	78½
40/2 Soft Dyed Washed Steamfast on Wardwell Tubes	81½

This increase represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that prices on commodities of which these yarns become a part would not be raised. The Office of Price Administration has not permitted you or any other purchaser to raise maximum prices for sales on any commodity of which these yarns become a part.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 229 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 229 may be revoked or amended at any time.

(h) This Order No. 229 shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R Doc. 43-6370; Filed, April 24, 1943; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Reg. 14 to GMPR, Amendment 161]

SALES OF EDIBLE CORNSTARCH

A statement of the considerations involved in the issuance of Amendment No. 161 to Supplementary Regulation No. 14 has been issued and filed with the Division of the Federal Register.*

Section 1499.73 (a) is amended by adding the following new subparagraph (96):

(96) *Sales of edible cornstarch to procurement agencies of the United States for the account of the Office of Lend-Lease Administration*—(i) *Maximum prices.* On and after April 30, 1943, the maximum price for sales to a procurement agency buying for the account of the Office of Lend-Lease Administration of edible cornstarch delivered to the point specified by such agency shall be the seller's maximum price established under the General Maximum Price Regulation[1] for sales to a private purchaser of such edible cornstarch in the same quantity and type of container delivered to the same point.

(ii) *Definition.* As used in this subparagraph "private purchaser" means a purchaser other than a procurement agency of the United States.

This amendment shall become effective April 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6367; Filed, April 24, 1943; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 49 Under § 1499.75 (a) (3) of Supp. Reg. 15 to GMPR]

NUNN TRUCKING CO.

Order No. 49 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-1631.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1349. *Adjustment of maximum prices for contract carrier services sold by Andrew Nunn, d/b/a Nunn Trucking Co.* (a) Andrew Nunn, d/b/a Nunn Trucking Co., 2301 East Rosecrans Avenue, Compton, California, may sell and furnish contract carrier services to the Monalith Portland Cement Company in connection with the transportation of Portland Cement from Monalith, California to Hawthorne, Nevada at prices not to exceed 24¼ cents per hundred pounds.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 49 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 49 (§ 1499.1349) is hereby incorporated as a Section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 49 (§ 1499.1349) shall become effective April 26, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6368; Filed, April 24, 1943; 11:49 a. m.]

PART 1305—ADMINISTRATION

[Gen RO 5,[1] Amendment 18]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 1.1 (c) is added as follows:

(c) On and after May 1, 1943 any use of a rationed food for experimental, educational, testing or demonstration purposes is an industrial and not an institutional use.

2. A new section 3.7 is added to read as follows:

SEC. 3.7 *Correction of registration.* (a) A person who uses rationed food for experimental, educational, testing or demonstration purposes and who has included such use in his registration as an institutional user shall correct his registration to exclude such use.

This amendment shall become effective on April 30, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6, and 7, 8 F.R. 2005, 2251, 2471 respectively)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6395; Filed, April 24, 1943; 12:40 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Correction of Supp. Amendment 9A to Max. Rent Regs.]

HOTELS AND ROOMING HOUSES

The references in Supplementary Amendment No. 9A to "1388.132, 1388.134, 1388.135, 1388.136" are deleted and corrected to read "1388.182, 1388.184, 1388.185, 1388.186," respectively.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6373; Filed, April 24, 1943; 11:46 a. m.]

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[1] 8 F.R. 3706.

*Copies may be obtained from Office of Price Administration.

[1] 8 F.R. 3096, 3849, 4347, 4486.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616, 3651, 4323, 4131, 4784, 4785, 4839.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amendment 44]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (b) (2) (v) is added to read as follows:

(v) To transport a person to enable him regularly to cultivate a garden, if an area of at least fifteen hundred (1500) square feet is devoted to the production of vegetables, and if his labor is necessary for such cultivation. A ration issued for such purpose may not provide mileage in excess of three hundred (300) miles for use during the six-month period immediately following the date of the application. No ration shall be issued for such purpose unless the applicant shows that a bona fide ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will regularly be carried in the vehicle for the purpose for which the application is made, or that no such ride-sharing arrangement could reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which it is used.

2. Section 1394.7851 (c) (4) is amended by substituting the words "or paragraph (b) (2) (i), (ii), (iii) or (v)" for the words "or paragraph (b) (2) (i), (ii) or (iii)."

This amendment shall become effective April 30, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6396; Filed, April 24, 1943; 12:40 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12,[1] Amendment 32]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10736, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3254, 3255, 3315, 3616, 4189, 4341, 4850, 4976

[1] 8 F.R. 3400, 3843, 4486 4519, 4977, 4892.

Ration Order No. 12 is amended in the following respects:

Section 1407.1041 (a) is amended by substituting the numeral "100" for the numeral "50" wherever it appears therein; and by inserting, immediately following the word "exceeds" in the phrase in the third sentence which reads "exceeds his allowable inventory," the phrase "200 per cent of" so that the complete phrase will read "exceeds 200 per cent of his allowable inventory".

This amendment shall become effective April 28, 1943.

(Pub. Law. 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6397; Filed, April 24, 1943; 12:40 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 24]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 183 is amended in the following respects:

1. Section 1418.1 (a) (19) and (20) are added to read as follows:

(19) On and after April 26, 1943, with respect to sales to wholesalers and on and after April 26, 1943, with respect to sales at wholesale and at retail, regardless of any contract, agreement or other obligation, no person shall sell or deliver, and no person shall buy or receive macaroni, spaghetti or vermicelli in the Territory of Puerto Rico at prices higher than maximum prices permitted by § 1418.14 (ff), Table XXVII; and no person shall offer, solicit, or attempt to do any of the foregoing.

(20) On and after April 26, 1943, with respect to sales by importers, and on and after April 26, 1943, with respect to sales by merchants and distributors regardless of any contract, agreement, or other obligation, no person shall sell or deliver and no person shall buy or receive Kraft wrapping paper, Kraft bag paper or standard grocer's bags in the Territory of Puerto Rico at prices higher than the maximum prices permitted by § 1418.14 (gg), Table XXVIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

2. Section 1418.5 (e) and (f) are added to read as follows:

(e) *Reports on paper.* Every importer of Kraft wrapping paper and Kraft bag paper shall file with the Office of Price Administration for the Territory of Puerto Rico within five days following his first sale of Kraft wrapping paper and Kraft bag paper, a statement itemizing all items comprised in his landed cost of such paper.

(f) *Reports on paper bags.* Every importer of Standard grocer's bags shall file with the Office of Price Administration for the Territory of Puerto Rico within five days following his first sale of Standard grocer's bags, a statement itemizing the costs included in the allowable extra charge and the number of bales of each size of paper bags comprising the shipment.

3. Sections 1418.11 (a) (33), (34), (35), (36), (37), (38) and (39) are added to read as follows:

(33) "Prepackaged" means an inner and outer sealed, cellophane or paper wrapped, paperboard package.

(34) "Macaroni, spaghetti and vermicelli in bulk" means macaroni, spaghetti and vermicelli that has not been prepackaged.

(35) "Kraft wrapping paper" means "Standard Kraft wrapping paper", "No. 1 Kraft wrapping paper", "Superstandard Kraft wrapping paper", "Imitation Kraft wrapping paper", "Standard unbleached Kraft butchers wrapping paper", "No. 1 unbleached Kraft butchers wrapping paper", and "Machine glazed Kraft wrapping paper", as each of these grades of Kraft wrapping paper is defined in § 1347.311 of Maximum Price Regulation No. 182 [2] as amended.

(36) "Kraft bag paper" means "Standard Kraft bag paper", "Variety Kraft bag paper", and "Machine Glazed Kraft bag paper", as each of these grades of Kraft bag paper is defined in § 1347.311 of Maximum Price Regulation No. 182 as amended.

(37) "Standard grocer's bags" means all types of grocer's bags (squares, flats, self-opening (automatics)).

(38) "Landed cost" means the maximum price of Kraft wrapping paper, Kraft bag paper or Standard grocer's bags as established by Maximum Price Regulation No. 182 as amended, exclusive of exporter's margins, in addition to an amount to compensate for warehouse and storage expenses at port of shipment; inland freight allowed under Maximum Price Regulation No. 182 as amended, on exports; marine freight and surcharges and war risk insurance costs not in excess of the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

(39) "Allowable extra charge" means an amount to compensate for warehouse and storage expenses at port of shipment; inland freight allowed under Maximum Price Regulation No. 182 as amended, on exports; marine freight and surcharges and war risk insurance costs not in excess of the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

4. Section 1418.14 (ff), Table XXVII and (gg), Table XXVIII are added to read as follows:

[2] 7 F.R. 5712, 6048, 7974, 8997, 8943, 9724, 10811; 8 F.R. 4252, 4180.

[1] 8 F.R. 4122, 4351, 4781, 4788.

(ff) *Table XXVII: Maximum prices for macaroni, spaghetti and vermicelli.* (1) The maximum prices for macaroni, spaghetti and vermicelli to wholesalers, at wholesale, and at retail in bulk shall be as follows:

To wholesalers (per cwt.)	At wholesale (per cwt.)	At retail (per lb.)
$7.50	$8.00	$.10

(2) The maximum prices for prepackaged macaroni, spaghetti and vermicelli to wholesalers, at wholesale, and at retail shall be as follows:

	To wholesalers	At wholesale	At retail (pkg.)
Cruz Roja de Malta, 32 pkgs. (7 oz. pkg.)	$1.95	$2.15	$0.08
Italy, 20 pkgs. (1½ lb. pkg.)	1.25	1.35	.08
Italy, 20 pkgs. (1 lb. pkg.)	1.90	2.10	.13
Estrella Roja, 28 pkgs. (½ lb. pkg.)	1.90	2.10	.09
	Cwt.	*Cwt.*	
La Javanela (½ lb. pkg.)	14.50	16.00	.09
La Javanela (15 oz. pkg.)	14.50	16.00	.18

(3) The allowances, discounts, or other price differentials customarily granted on sales of macaroni, spaghetti or vermicelli shall not be changed or altered unless such change results in a lower price than that specified herein.

(4) In the case of a sale of prepackaged macaroni, spaghetti or vermicelli of a variety which has not been enumerated in Table XXVII, the maximum price shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. A seller who seeks a maximum price for a non-enumerated variety, shall file with the Puerto Rico Office of Price Administration an application setting forth (i) a description of the prepackaged macaroni, spaghetti or vermicelli for which the maximum price is sought; (ii) a complete statement of all costs in connection with such variety of macaroni, spaghetti or vermicelli, and (iii) any other facts which the seller wants to submit in support of his application. The seller shall also submit such pertinent information as the Puerto Rico Office of the Office of Price Administration may require. Such authorized price will be given in the form of an amendment or of an order, by the Director of the Office of Price Administration for the Territory of Puerto Rico, prescribing the maximum price for the applicant or for sellers of the product generally, including purchasers for resale, or for a class of such sellers.

(5) The maximum prices established on sales to wholesalers, to retailers and at retail, shall be fair and equitable prices and either in line with the usual or normal differentials for grades above or below the prices for enumerated brands or with mark-ups established herein on enumerated brands.

(6) In the event of an imported brand the direct cost to the importer may not exceed the cost of a reasonably expeditious shipment via the most efficient, readily and regularly available route and means.

(gg) *Table XXVIII: Maximum prices for Kraft wrapping paper and Kraft bag paper.* (1) The maximum price at which an importer, merchant or distributor may sell Kraft wrapping paper or Kraft bag paper shall not exceed the landed cost for each shipment plus the following mark-ups:

Quantity in pounds	Per cwt.
0-374	$2.25
375-749	1.50
750-1,499	1.25
1,500-7,499	1.00
7,500-14,999	.75
15,000-29,999	.50
30,000 or more	.25

(2) The maximum price at which an importer, merchant or distributor may sell standard grocer's bags shall not exceed the amount resulting from the following discounts from the base list and net discount table set forth in § 1347.317 of Maximum Price Regulation No. 182 as amended, plus the allowable extra charge prorated on a per bale basis for each shipment.

Quantity of sale	Squares and flats	Automatics	Allowable extra charge per bale
Less than 5 bales	20.5s	19.5s	X
5 to less than 10 bales	21.5s	20.5s	X
10 to less than 75 bales	22.5s	21.5s	X
75 to less than 300 bales	23.5s	22.5s	X
300 bales to less than 600 bales	24.5s	23.5s	X
Over 600 bales	25.5s	24.5s	X

(3) Every sale of Kraft wrapping paper, Kraft bag paper and standard grocer's bags shall be accompanied by a sales invoice or statement which shall contain the landed cost of such paper together with a list of the allowable mark-ups plus the actual selling price on the particular sale.

(4) On every roll or bale of Kraft wrapping paper and Kraft bag paper the landed cost and the maximum mark-ups set forth in Table XXVIII shall be conspicuously marked.

(5) On every bale of standard grocer's bags the applicable maximum prices set forth in Table XXVIII plus the allowable extra charge shall be conspicuously marked.

This amendment shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6398; Filed, April 24, 1943; 12:40 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 376]

CERTAIN FRESH FRUITS AND VEGETABLES

In the judgment of the Price Administrator it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, to maintain as the maximum prices for certain fresh fruits and vegetables heretofore covered under Temporary Maximum Price Regulations Nos. 28 [1] and 29,[2] the prices prevailing with respect thereto during the periods February 18, 1943 to February 22, 1943, inclusive, or February 20, 1943 to February 24, 1943, inclusive, whichever is applicable. The maximum prices established herein will aid in stabilizing the cost of living and are not below prices which will reflect to producers of the fresh fruits and vegetables covered by this regulation, prices equal to the highest of the prices required by the provisions of the Act, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1439.2 *Maximum prices for certain fresh fruits and vegetables.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 376 (Certain Fresh Fruits and Vegetables), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.2 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 376—CERTAIN FRESH FRUITS AND VEGETABLES

Sec.
1 Purposes of this regulation.
2 Prohibition against buying and selling above the maximum prices
3 Maximum prices for certain fresh fruits and vegetables.
4 Applications for adjustment of maximum prices and regional adjustments.
5 Exempt sales.
6 Evasion.
7 Sales for export.
8 Records and reports.
9 Enforcement.
10 Petitions for amendment.
11 Relationship to the General Maximum Price Regulation.
12 Geographical applicability.
13 Definitions.
14 Revocation of Temporary Maximum Price Regulations Nos. 28 and 29.

SECTION 1 *Purposes of this regulation.* The purposes of this regulation are to establish maximum prices for sales and deliveries of each kind, variety and type of the following fresh vegetables, whether imported or domestic:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2396, 2499, 2828, 3328, 4727.

[2] 8 F.R. 2499, 2888, 3328, 4727.

(a) Tomatoes.
(b) Snap beans.
(c) Carrots.
(d) Cabbage.
(e) Green peas.
(f) Lettuce.
(g) Spinach.

The fresh fruits and vegetables listed above are referred to in this regulation as the "listed commodities".

SEC. 2 *Prohibition against buying and selling above maximum prices.* On and after April 24, 1943, regardless of any contract, agreement or other obligation, no person shall sell or deliver a listed commodity and no person in the course of trade or business shall buy or receive a listed commodity at a price higher than the maximum price permitted by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged, demanded, paid or offered.

SEC. 3 *Maximum prices for certain fresh fruits and vegetables.* (a) The seller's maximum price for any listed commodity shall be the highest price charged by the seller to a purchaser of the same class during the period February 18, 1943 to February 22, 1943, inclusive, (as to tomatoes, snap beans, carrots, cabbage, and green peas) and during the period February 20, 1943 to February 24, 1943, inclusive, (as to lettuce and spinach) for the same listed commodity.

(b) If, during the applicable base period, a seller did not sell, deliver or otherwise deal in a listed commodity, such seller's maximum price for such listed commodity shall be the highest price charged during the applicable base period by his most closely competitive seller to a purchaser of the same class for such listed commodity.

(c) If the seller cannot determine his maximum price for a listed commodity under the foregoing, because neither he nor his most closely competitive seller of the same class delivered or offered for delivery such listed commodity to a purchaser of the same class during the applicable base period, he shall determine his maximum price by the following procedure applied in the following order:

(1) By taking the maximum price for the similar listed commodity most nearly like it which he (or, if none, his most closely competitive seller of the same class) charged a purchaser of the same class during the applicable base period;

(2) By taking the maximum price of the same commodity which he (or, if none, his most closely competitive seller of the same class) charged a different class of purchaser during the applicable base period and adjusting the price to reflect the customary differential between the two classes of purchasers.

(3) By taking the maximum price of the similar listed commodity most nearly like it which he (or, if none, his most closely competitive seller of the same class) charged a different class of purchaser during the applicable base period, and adjusting the price to reflect the customary differential between the two classes of purchasers.

(4) In all other cases, by taking the maximum price for the most nearly similar listed commodity that he (or, if none, his most closely competitive seller of the same class) has delivered or offered for delivery during the applicable base period and adjusting that price to reflect the differential between the two commodities normal or customary to his business or, if none, to reflect the reasonable differential between the two commodities based upon the variances in the cost of the two commodities.

(d) Where a maximum price is established by using the maximum price of the most nearly similar listed commodity, the base period shall be the base period applicable to that listed commodity and not that applicable to the listed commodity being priced.

SEC. 4 *Applications for adjustments of maximum prices and regional adjustments.* (a) If any seller finds that by reason of distress sales or other unusual conditions, his maximum price for any of the listed commodities is abnormally low in relation to the maximum prices for merchantable quality of the listed commodities established for other sellers of the same class, he may file an application for adjustment of his maximum price.

(b) Such application shall be filed with the State or district office of the Office of Price Administration for the area in which the applicant is located. Such applicant shall submit a statement setting forth:

(1) His name and address.
(2) The type of business establishment operated by him (for example, but not limited to, commission merchant, wholesaler, country shipper, terminal seller, etc.)
(3) The listed commodity for which he seeks an adjustment.
(4) His present maximum price.
(5) A full description of the sale which established his present maximum price, including:
(i) The date of the sale.
(ii) The name and address of the purchaser.
(iii) The type of business establishment operated by the purchaser.
(iv) The quantity sold.
(v) A full description of the condition of the merchandise when sold.
(vi) The maximum price.
(vii) The terms of the sale.
(6) The reasons why the applicant's present maximum price is abnormally low.

(c) Any regional office of the Office of Price Administration, or such other offices as may be authorized by the appropriate regional office, may by order adjust any maximum price established by this regulation for any seller, or group of sellers, in any area or locality within its jurisdiction whenever it appears that the maximum price established for such seller, or group of sellers, is higher or lower than the maximum prices generally prevailing in the region and thereby disrupts, or threatens to disrupt, the normal distribution of any listed commodity. When adjusted the maximum prices shall be fixed in line with those generally prevailing in the region.

SEC. 5 *Exempt sales.* This Maximum Price Regulation No. 376 shall not apply to the following:

(a) Deliveries to the United States, or any agency thereof, under contracts entered into prior to February 18, 1943 (as to tomatoes, snap beans, carrots, cabbage and green peas) and February 20, 1943 (as to lettuce and spinach).

(b) Sales and deliveries by a farmer of any listed commodity grown on his farm to a country shipper and sales and deliveries to an ultimate consumer, if during the preceding month the farmer's sales to ultimate consumers of all food and food products produced on his farm did not exceed $75. This regulation shall apply to any sales and deliveries by a farmer directly to wholesalers, retailers, and commercial, industrial and institutional users.

(c) Such sales at retail are now or may hereafter be covered by Maximum Price Regulation No. 268.[1]

SEC. 6 *Evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitations, agreement, sale, delivery, purchase or receipt of or relating to a listed commodity, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing a business practice relating to the price lines, grading, labeling, packaging or branding of a listed commodity.

SEC. 7 *Sales for export.* The maximum prices at which a person may export a listed commodity shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation,[2] issued by the Office of Price Administration.

SEC. 8 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this regulation, every person selling a listed commodity shall preserve for examination by the Office of Price Administration all his existing records relating to prices which he charged for such listed commodity, delivered or supplied during the applicable base period and his offering prices for delivery or supply of a listed commodity during such period; and shall prepare on or before May 15, 1943, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, so long as the Emergency Price Control Act of 1942 remains in effect, a statement showing (1) the highest prices charged for such listed commodity during such period, together with an appropriate identification of such commodity, and (2) all his customary allowances, discounts, and other price differentials.

(b) As to all sales not specifically exempted by other sections of this regulation every person selling a listed commodity shall keep and make available for examination by the Office of Price Administration, so long as the Emergency Price Control Act of 1942 remains in effect, records of the same kind as he has customarily kept relating to the prices which he charges for such listed commodity and, in addition, records showing, as precisely as possible the basis upon which he determined maximum prices.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

SEC. 9 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or of any price schedule, regulations, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

SEC. 10 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] and amendments, issued by the Office of Price Administration.

SEC. 11 *Relationship to the General Maximum Price Regulation.*[4] The following sections of the General Maximum Price Regulation, and amendments to them, shall be applicable to every person selling a listed commodity:

(a) *Adjustment of maximum prices in cases of special deals* (§ 1499.4).

(b) *Transfers of business or stock in trade* (§ 1499.5).

(c) *Federal and State taxes* (§ 1499.7). In applying § 1499.7 of the General Maximum Price Regulation, the applicable base period shall be substituted for the period of March 1942 used therein, and the last day of the applicable base period shall be substituted for the date March 31, 1942.

SEC. 12 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 376 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

SEC. 13 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and agencies of any of the foregoing.

(2) "Highest price charged during the period February 18, 1943 to February 22, 1943, inclusive" and "highest price charged during the period February 20, 1943 to February 24, 1943, inclusive" means the highest price which the seller charged for a listed commodity delivered by him during the applicable base period to a purchaser of the same class, or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of any listed commodity than the seller required purchasers of the same class to pay during the applicable base period on deliveries of a listed commodity.

(3) "Purchaser of the same class" refers to the practice followed by the seller in the ninety-day period preceding the first day of the applicable base period, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer, or any ordinarily recognized subgroup or combination of the foregoing) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 15 *Revocation of Temporary Maximum Price Regulation Nos. 28 and 29.* Temporary Maximum Price Regulations Nos. 28 and 29, which were issued on February 23, 1943 and February 25, 1943, respectively, and which were to expire on April 24, 1943 and April 26, 1943, respectively, are hereby revoked and replaced by this regulation; *Provided*, That any order or amendment thereto heretofore issued by any regional, district or State office of the Office of Price Administration under the provisions of Temporary Maximum Price Regulation No. 28 or Temporary Maximum Price Regulation No. 29 shall remain in full force and effect under this regulation until amended or revoked by the appropriate office or offices.

This regulation shall become effective April 24, 1943.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

CHESTER C. DAVIS,
Administrator, Food Distribution Administration and Food Products Administration.

[F. R. Doc. 43-6399; Filed, April 24, 1943; 12:32 p. m.]

[1] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664, 3527, 3732, 4524, 4929.
[2] 8 F.R. 4137.
[3] 7 F.R. 8961; 8 F.R. 3313, 3533.
[4] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848.

PART 1499—COMMODITIES AND SERVICES

[Order 415 Under § 1499.3 (b) of GMPR]

FORD MOTOR COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1653 *Approval of maximum prices for sales of Formula T–839 white base paint.* (a) On and after April 26, 1943, the Ford Motor Company, of Detroit, Michigan, may sell and deliver Formula T–839 white base paint; and the Acme White Lead and Color Works, of Detroit, Michigan, may buy and receive Formula T–839 white base paint at a price not in excess of the following:

$230.60 per hundred gallons in tank trucks or tank cars, f. o. b. Highland Park, Michigan

(b) This Order No. 415 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6400; Filed, April 24, 1943; 12:41 p. m.]

PART 1400—COMMODITIES AND SERVICES

[Order 416 Under § 1499.3 (b) of GMPR]

CHICOPEE MANUFACTURING CORP.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1654 *Maximum prices for the sale by Chicopee Manufacturing Corporation of "Masslinn" fabrics and fabrics of which "Masslinn" is a component.* (a) Chicopee Manufacturing Corporation, New Brunswick, New Jersey, herein called the Applicant, may sell and deliver and any person may buy and receive from it the following commodities at prices not in excess of those set forth below:

Commodity:	*Maximum price (cents per yard)*
6-250 Towel stock	3.9
10-300 Masslinn	3.8
10-400 Masslinn	4.3
10-500 Masslinn	4.7
10-600 Masslinn	5.2
10-700 Masslinn	5.6
400 Curtain spadecloth	7.3
500 Drapery spadecloth	6.9
Masslinn camouflage	14.8

(b) The prices set forth in paragraph (a) of this section shall be subject to terms of net 30 days, f. o. b. applicant's plant.

(c) All requests of the applicant not granted herein are denied.

(d) This Order No. 416 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 416 shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6421; Filed April 26, 1943, 10:11 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 12—INTERSTATE QUARANTINE

SHIPMENT OF SHAVING OR LATHER BRUSHES

Amendment No. 6[1] to the Interstate Quarantine Regulations is hereby amended to add the following paragraph:

§ 12.14 *Shipment of shaving or lather brushes.* * * *

(d) This section as amended shall become effective on July 1, 1943.

Dated April 17, 1943.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: April 22, 1943.

WATSON B. MILLER,
Acting Administrator,
Federal Security Agency.

[F. R. Doc. 43-6359; Filed, April 24, 1943; 10:22 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Order 3666]

PARTS 73, 75, 80 AND 85—TRANSPORTATION OF EXPOSIVES[2]

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of April, A. D. 1943.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921, (41 Stat. 1445), and section 204 (a) (2) of Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles, be, and they are hereby, amended as follows:

AUTHORITY: Issued under sec. 233, 41 Stat. 1445; sec. 204 (a) (2), 49 Stat. 546; 18 USC 383; 49 USC 304.

Part 2—Commodity List of Explosives and Other Dangerous Articles

Superseding and amending list, section 4, order August 16, 1940, or December 12, 1942, as follows (add or change):[1]

Article	Classed as	Exemptions and packing (section)	Label	Maximum quantity, express
Cyclopentane	Inf. L	103,110	Red	10 gallons.
Cyclopentane, methyl	Inf. L	103,110	Red	10 gallons.
Heptane	Inf. L	103,110	Red	10 gallons.
Hexane	Inf. L	103,110	Red	10 gallons.
Isobutylene, see Liquefied petroleum gas.				
Isooctane	Inf. L	103,110	Red	10 gallons.
Isooctene	Inf. L	103,110	Red	10 gallons.
Isopentane	Inf. L	103,110	Red	10 gallons.
Neohexane	Inf. L	103,110	Red	10 gallons.
Nitrogen dioxide, liquid	Pois. A	No exemption 332A	Poison gas	Not accepted.
Nitrogen peroxide (tetroxide)	Pois. A	No exemption 332A	Poison gas	Not accepted.
Pentane, methyl	Inf. L	103,110	Red	10 gallons.
Sodium azide	Pois. B	352,361	Poison	200 pounds.
Urea nitrate wet with not less than 10% of water, over 25 pounds, see High explosives.				
Urea nitrate wet with not less than 10% of water, in excess of 16 ounces but not exceeding 25 pounds.	Inf. S	No exemption 346	Yellow	25 pounds.
Urea nitrate, dry, see High explosives.				
Urea nitrate wet, not exceeding 16 ounces.	See section 193			16 ounces.

Part 3—Regulations Applying to Shippers

Superseding and amending paragraph (b) (4), section 61, order February 10, 1943, to read as follows (*packing high explosives*):

(4) Before cartridges or bags of explosives are packed in boxes, lined in accordance with section 61 (b) (3), dry fine wood pulp or sawdust at least ¼ inch in depth must be spread over the bottom of boxes to be used for all gelatin and semigelatin types of explosives. Dry fine wood pulp or sawdust must also be used in similar manner for packing all nongelatinous types of explosives containing 30% or more liquid explosive ingredient.

Superseding and amending paragraph (f) (1), section 61, order July 14, 1942, to read as follows (*packing high explosives with no liquid explosive ingredient nor any chlorate*):

(1) *Ammonium picrate, nitroguanidine, nitrourea, urea nitrate, picric acid, tetryl, trinitrorcesorcinol, trinitrotoluene, and pentolite*, in dry condition, in addition to containers prescribed in section 61 (e) (1) to (e) (6), must be shipped in containers complying with the following specifications:

Superseding and amending paragraph (d), section 72, order August 16, 1940, to read as follows (*packing primers*):

(d) *Percussion caps* must be packed in metal or other inside boxes containing not more than 500 caps; the construction of the cap or packing and the kind and quantity of explosives in each must be such that the explosion of a part of the caps in the completed shipping package will not cause the explosion of all the caps.

Superseding and amending paragraph (a) (8), section 110, order August 16, 1940, to read as follows (*packing inflammable liquids*):

(8) Specification 12B. Fiberboard boxes with inside containers which must be: Glass or earthenware, not over 1 quart each; metal cans, not over 1 gallon each. Packages containing glass or earthenware containers must not weigh over 65 pounds gross.

Superseding and amending note, paragraph (b) (5), section 110, order December 30, 1942 to read as follows (*packing inflammable liquids*):

NOTE: Because of the present emergency and until further order of the Commission, wooden whiskey barrels, with char removed and properly recoopered, which comply with all the provisions of specification 10B, are also authorized. Marking is required on the head of each container, by the reconditioner, by hot branding iron, as follows:

(a) ICC-10B.

(b) Name or symbol (letters) of reconditioner; this must be registered with the Bureau of Explosives and located just above, below, or following the mark specified in (a).

(c) Size of markings (minimum): ¾ inch high.

Amending paragraph (b) (6), section 110, order August 16, 1940, as follows (*packing inflammable liquids*) (add):

NOTE: Because of the present emergency and until further order of the Commission, fiberboard boxes, specification 12B, paragraph 35, with one inside rectangular metal can, specification 2F, not to exceed 5 gallons capacity, are authorized. Gross weight of completed package not over 65 pounds.

Superseding and amending paragraphs (d) and (e), section 113, order August 16, 1940, to read as follows (*packing paint, etc.*) (add):

(1) *Paint, enamel, lacquer, stain, shellac, varnish, aluminum, bronze, gold, wood filler, liquid, and lacquer base liquid, and thinning, reducing and removing compounds therefor, and driers, liquid, therefor*, with flash point above 20° F., may, in additions to containers prescribed in section 113 (a), (b) and (c), be shipped in specification containers as follows:

(2) Specification 10C. Wooden barrels or kegs.

Amending paragraph (c), section 163, order August 16, 1940, as follows (*packing chlorate of soda, etc.*) (add):

NOTE: Because of the present emergency and until further order of the Commission, specification 37F metal drums for chlorate of soda, marked for an authorized gross weight of 160 pounds, may be filled to a gross weight not to exceed 180 pounds.

Amending paragraph (h), section 176, order August 16, 1940, as follows (*packing strike-anywhere matches*) (add):

[1] 8 F.R. 4853.

[2] Parts 2, 3, 4, and 7 in this order appear in CFR as Parts 73, 75, 80, and 85.

NOTE: Because of the present emergency and until further order of the Commission, asbestos board, lapped at all joints and all joints sealed airtight, may be used in lieu of specification 2F lining.

Superseding and amending paragraph (a), section 193, order August 16, 1940, to read as follows (*packing picric acid*):

193 (a) *Picric acid or urea nitrate wet with not less than 10 per cent water must* be packed in specification containers as follows:

Amending section 195, order August 16, 1940, as follows (*packing pyroxylin plastic scrap, etc.*) (add):

(c) Specification 12B. Fiber boxes. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Amending section 201, order August 16, 1940, as follows (*packing rubber scrap and rubber buffings*) (add):

(6) Specification 36A or 44B. Bags. Use of these containers will be permitted because of the present emergency and until further order of the Commission.

Amending section 206, order August 16, 1940, as follows (*packing sodium, metallic*) (add):

(3) Specification 37D. Metal drums (single-trip) authorized for cylindrical blocks at least 2 inches in diameter and not less than 6 inches in length. Net weight not over 30 pounds.

Amending section 260, order August 16, 1940, as follows (*packing electric storage batteries—exemptions*) (add):

(e) Electric storage batteries containing electrolyte or corrosive battery fluid, other than those of the nonspillable type, when shipped in less than carload and less than truckload lots, must be marked and labeled as required by sections 401 (a), 401 (c) and 402 (d).

Superseding and amending paragraph (c), section 346, order August 16, 1940, to read as follows (*packing methyl bromide*):

(c) Specification 15A, 15B, 15C, 16A, 19A, or 12B. Wooden, wire-bound wooden, or fiberboard boxes, with inside metal cans containing not over 1 pound each; outage required so cans will not become liquid-full at 130° F. Cans must be made with body of at least 95-pound tin plate, with concave ends at least 107-pound tin plate, with all seams soldered or lined to prevent leakage, and with strength to withstand at least 130 pounds interior pressure without leakage.

Amending paragraph (e), section 361, order August 16, 1940, as follows (*packing poisonous solids, class B, n. o. s.*) (add):

NOTE: Because of the present emergency and until further order of the Commission, wooden whiskey barrels, with char removed and properly recoopered, which comply with all the provisions of Specification 10B, are also authorized. Marking is required on the head of each container, by the reconditioner, by hot branding iron, as follows:

(a) ICC-10B.

(b) Name or symbol (letters) of reconditioner; this must be registered with the Bureau of Explosives and located just above, below, or following the mark specified in (a).

(c) Size of markings (minimum): ¾" high.

Superseding and amending paragraph (a), section 401, order August 16, 1940, to read as follows (*dangerous articles—marking*):

401 (a) *Dangerous articles.* Packages containing inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisons, as defined herein must be marked, unless exempted, with the proper shipping name as shown in the commodity list of these regulations. For tank cars this marking must appear either on the placards or commodity cards.

Regulations Applying to Shippers—Appendix

Superseding and amending paragraphs 3, 22 (4) and 22 (5), *specification 3A*, order August 16, 1940, to read as follows:

3. *Inspection by whom and where.* By competent and disinterested inspector acceptable to the Bureau of Explosives; chemical analyses and tests, as specified, to be made within limits of the United States. This requirement is necessary because of the present emergency and until further order of the Commission.

22 (4) Acceptable results for physical and flattening tests. Elongation at least 20 percent for 2 inch gauge length or at least 10 percent in other cases; flattening required, without cracking, to 6 times wall thickness.

22 (5) Reports of manufacture and tests shall include the following information: Chemical analysis data on chromium, molybdenum and other alloying material present, if any; definite statement as to the heat treatment used.

Amending *specification 5*, order August 16, 1940, as follows (add):

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Amending *specification 5B*, order August 16, 1940, as follows (add):

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Amending *specification 5D*, order August 16, 1940, as follows (add):

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Amending *specification 6A*, order August 16, 1940, as follows (add):

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Amending *specification 6B*, order August 16, 1940, as follows (add):

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Amending *specification 6C*, order August 16, 1940, as follows (add):

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Amending *specification 12B*, order August 16, 1940, as follows (add):

35. *Special box:* Authorized only for *one 5-gallon rectangular metal can, spec. 2F; gross weight not to exceed 65 pounds.* Must comply with this specification except as follows: Must be 1-piece type of double-wall corrugated fiberboard at least 350 pound test; must have top and bottom pads of double-wall corrugated fiberboard at least 350 pound test, pads to be double-flanged with flanges extending down the inside of carton at least four inches.

Superseding and amending 2nd table, par. 19 (b), *specification 15A*, order August 16, 1940, to read as follows:

Wires, Washburn and Moen gauge, authorized as follows:

Gauge of wires when number of strands is—		
1	2	3
12	14	
11	12	
9	11	12
	10	11
	10	11
	9	10

Amending *specification 17C*, order August 16, 1940, as follows (add):

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Superseding and amending paragraph 14, *Specification 17E*, order, August 16, 1940, to read as follows:

14. *Leakage test.* Each container shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others; leakers shall be rejected or repaired and retested; removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months; samples, so tested, must be retained until further tests are made.

Superseding and amending paragraphs 19 (a) and 20 (b), *specifications Emergency USG–A, USG–B, USG–C*, order December 12, 1942, to read as follows:

19. *Retests of tanks and interior heater systems.* (a) Tanks must be retested as prescribed in paragraph 17 (a) before being returned to service after any repairs requiring fusion welding, and after any repairs requiring extensive riveting or calking. Interior heater systems must be retested as prescribed in paragraph 17 (c) before being returned to service after any repairs

20. (b) Tanks built under these specifications must be stenciled "For liquids weighing not over 8 pounds per gallon with maximum vapor pressure of 16 pounds per square inch, absolute, at 100° F." on each side of the tank, or jacket if lagged, in letters and figures at least 2 inches high, immediately above the stenciled marks specified in paragraph 20 (b).

Part 4—Regulations Applying Particularly to Carriers by Rail Freight

Superseding and amending paragraph (k), section 589, order August 16, 1940, to read as follows (*handling cars*):

(k) Placarded loaded tank cars must not be placed in trains next to cars placarded "Explosives" or next to cars containing lighted heaters, stoves, or lanterns; nor next to refrigerator cars equipped with automatic refrigeration of the gas-burning type; nor next to flat cars with lading such as logs, lumber, rails, or pipe, or gondola cars with such lading higher than ends, that is liable to shift. In through trains such tank cars must not be placed nearer than the sixth car from the engine, electric locomotive or motor car, or a caboose in service, and in local trains not nearer than the second car from the engine, electric locomotive, motor car or a caboose in service, when length of train permits and cars other than placarded loaded tank cars are in the train. (Note to paragraph canceled.)

Part 7—Regulations Applying to Shipments Made by Way of Common or Contract Carriers by Public Highway

Superseding and amending section 820, order November 8, 1941, to read as follows:

820 *Waybills, manifests, etc.* The waybill, manifest, dispatch, memorandum receipt, bill of lading, transfer sheet, or interchange record, when prepared for shipments and used for transferring such shipments to a connecting carrier, must properly describe the articles by name as shown in these regulations, and show color of label applied.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after April 28, 1943, and shall remain in full force and effect and be observed until further order of the Commission;

It is further ordered, That compliance with the aforesaid regulations, as amended, made effective by this order, is hereby authorized on and after the date hereof;

And it is further ordered, That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-6314; Filed, April 23, 1943; 11:21 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A–1907; A–1907, Part II]

DISTRICT BOARD 12

MEMORANDUM OPINION AND ORDER

In the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for Mine Index No. 519 and for other relief; Docket Nos. A–1907.

In the matter of the petition of District Board No. 12, requesting the establishment of absorptions of certain freight charges and a Federal Tax on transportation of certain locomotive fuels; Docket No. A–1907.

Memorandum opinion and order severing Docket No. A–1907, Part II, from Docket No. A–1907.

The original petition in the above-entitled matter filed with the Division on March 13, 1943, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the establishment of temporary and permanent price classifications and minimum prices for the coals produced at Mine Index No. 519 of G. B. Jensen (Wilson Bridge Coal Co.) when shipped by rail and further requested that certain off-line mines in District No. 12 be granted permission to absorb certain freight charges and a federal tax on the transportation of certain rail shipments of locomotive fuel.

As was found in an order issued this day in Docket No. A–1907, a reasonable showing of necessity has been made for the granting of the relief requested by petitioner for Mine Index No. 519. With respect to the request that certain off-line mines in District No. 12 be granted permission to absorb certain freight charges and a federal tax on the transportation of certain rail shipments of locomotive fuel, however, it appears that the original petitioner has not set forth sufficient facts to warrant the granting of such relief, either temporary or permanent, without a hearing.

Now, therefore it is ordered, That the portion of Docket No. A–1907 relating to the request that certain mines in District No. 12 be granted permission to absorb certain freight charges and a federal tax on the transportation of certain rail shipments of locomotive fuel, be, and hereby is, severed from the remainder of Docket No. A–1907 and designated as Docket No. A–1907, Part II.

It is further ordered, That the request that this relief be granted temporarily, be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief upon further showing, or upon the basis of the record to be made at a hearing to be held herein.

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6433; Filed, April 26, 1943; 10:53 a. m.]

[Docket Nos. A–1949 and A–1949, Part II]

DISTRICT BOARD 2

MEMORANDUM OPINION AND ORDER

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2; Docket No. A–1949.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for truck shipments for the coals produced at the Nagel Mine of Edgar H. Nagel in District No. 2; Docket No. A–1949, Part II.

Memorandum opinion and order severing Docket No. A–1949, Part II, from Docket No. A–1949 and granting temporary relief in Docket No. A–1949, Part II.

The original petition in the above-entitled matter, filed with the Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, prays for the establishment of temporary and permanent price classifications and minimum prices for Truck Shipment for the coals produced at the Nagel Mine of Edgar H. Nagel in District No. 2. It appears, however, that mine index numbers have heretofore been assigned to this same mine and that from the facts alleged in this petition no final determination can be made at this time with regard to the assigning an additional mine index number to this mine without a hearing.

In view of the foregoing, it is deemed advisable to grant only temporarily the request of petitioner to establish minimum prices and price classifications for the coals produced at the aforementioned mine.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That the portion of Docket No. A–1949 relating to the request of petitioner to establish minimum prices and price classifications for coals to be produced at the Nagel Mine of Edgar H. Nagel be, and it hereby is, severed from the remaining part of that Docket and designated as Docket No. A–1949, Part II.

It is further ordered, That, pending further order of the Director, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the schedule of effective minimum prices for District No. 2 for Truck Shipments is supplemented to include the price classifications and minimum prices appearing in Supplement T which is annexed hereto and made a part hereof.

It is further ordered, That pleadings in opposition to that portion of the original petition in the above-entitled matter which pertains to the Nagel Mine of Edgar H. Nagel, and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

An order scheduling a hearing to adduce facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6434; Filed, April 26, 1943; 10:54 a. m.]

[Docket No. B-291]

WHITE BROS. COAL CO.

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

In the matter of Earl White and Reno White, individually and as copartners, doing business under the name and style of White Brothers Coal Company, Code Members.

On March 5, 1943, after notice and hearing, Edward J. Hayes, a duly designated Examiner of the Division submitted a Report in which he found that code members Earl White and Reno White, individually and as copartners doing business under the name and style of White Brothers Coal Company, a partnership, operating the Black Hawk Mine, Mine Index No. 802, located in Hocking County, Ohio, wilfully violated the provisions of Order No. 309 of the Division by failing to report to the Statistical Bureau for District No. 4, during the period January 1941–June 1942, inclusive, reports of their monthly sales of coals for delivery by truck as required by said order.

The Examiner recommended that an order be issued directing code members to cease and desist from violating the Code, the rules and regulations thereunder and particularly Order No. 309.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the report and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That Earl White and Reno White, individually and as copartners, doing business under the name and style of White Brothers Coal Company, a partnership, operating the Black Hawk Mine, Mine Index No. 802, located in Hocking County, Ohio, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on their behalf or interest, to cease and desist from violating the Code, the rules and regulations thereunder and particularly Order No. 309.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6435; Filed, April 26, 1943; 10:54 a. m.]

[Docket No. B 278]

EAST WINDBER COAL COMPANY

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that code member willfully violated section 4 II (e) of the Bituminous Coal Act of 1937, the corresponding section of the Bituminous Coal Code and rules and regulations issued thereunder, and the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments;

It is ordered, That code member East Windber Coal Company, its officers, representatives, employees, successors or assigns, and any persons acting or claiming to act for or in its behalf, cease and desist from violating section 4 II (e) of the Act, the corresponding section of the Code, the schedule of Effective Minimum Prices for District No. 1 for truck shipments or from otherwise violating the provisions of the Act, the Code and the rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to any Circuit Court of Appeals for the enforcement thereof or take other appropriate action as authorized by the Act.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-6436; Filed, April 26, 1943; 10:54 a. m.]

[Docket No. B-302]

AYERS AND YORK

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

In the matter of Herbert Ayers and William S. York, individually and as copartners, doing business under the name and style of Ayers and York, code members.

On February 23, 1943, after notice and hearing Edward J. Hayes, a duly designated Examiner of the Division, submitted a report in which he found that code members, Herbert Ayers and William S. York, individually and as copartners doing business under the name and style of Ayers & York, operating the Elmtree Mine, Mine Index No. 3561 located in Bell County, Kentucky, in District 8, wilfully violated the Bituminous Coal Code, the rules and regulations thereunder, and the provisions of the order of the Director in General Docket No. 19, dated October 9, 1940, by selling on or about May 30, 1941, for rail shipment, approximately one carload of slack coal produced at their mine, whereas minimum prices, temporary or final, had not been established for such coal.

The Examiner recommended that an Order be entered directing Herbert Ayers and William S. York, individually and as copartners, to cease and desist from violating the order of the Director in General Docket No. 19, dated October 9, 1940, or from otherwise violating the

coals not consumed at the Uhrichsville

[Docket No. B-303]

ignated Examiner of the Division, sub-

Bituminous Coal Act of 1937, the Code or rules and regulations thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the Report and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That Herbert Ayers and William S. York, individually and as copartners doing business under the name and style of Ayers & York, operating the Elmtree Mine, Mine Index No. 3561, in Bell County, Kentucky, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on their behalf or interest, cease and desist from violating the order of the Director in General Docket No. 19, dated October 9, 1940, or from otherwise violating the Act, the Code or rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6437; Filed, April 26, 1943; 10:54 a. m.]

[Docket No. C-26]

UNIVERSAL SEWER PIPE CORP.

MEMORANDUM OPINION AND ORDER

In the matter of the application for exemption of Universal Sewer Pipe Corporation.

On January 16, 1943, Universal Sewer Pipe Corporation filed an application pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937, requesting a determination that the coal produced at a mine of the applicant located at Uhrichsville, Tuscarawas County, Ohio, is exempt from the provisions of section 4 of the Act because the applicant is both the producer and the consumer of the coal produced at the said mine within the meaning of section 4 II (1) of the Act, and further requesting that such determination be made retroactive to December 15, 1937.

The applicant represents that it operates plants at Uhrichsville, Goshen, and Palmyra, Ohio, for the manufacture of vitrified clay products; that it consumes large quantities of bituminous coal in the burning of its vitrified clay products; that the coals produced at the aforesaid mine, which was acquired in 1919, are used primarily at the applicant's Uhrichsville plant; and that any such coals not consumed at the Uhrichsville plant are consumed at the Goshen plant. The applicant further represents that the actual mining operations connected with the production of the coal coming from the said mine are performed by the applicant through its own employees and that no subsidiary company is involved in the mining operations and no salesmen or brokers are involved in the disposition of the coal produced at this mine.

It appearing on the basis of the representations made by the applicant that coal of the said mine is both produced and consumed by the applicant within the meaning of section 4 II (1) of the Bituminous Coal Act of 1937;

Now, therefore, it is ordered, That in accordance with the provisions of the second paragraph of section 4-A of the Bituminous Coal Act of 1937, Universal Sewer Pipe Corporation is exempt as of January 16, 1943, from any obligation, duty or liability imposed by section 4 of the Act with respect to the commerce covered by its application herein, *Provided, however*, That the exemption established by this paragraph is subject to further order, and provided, further, that this paragraph shall not become effective until sixty (60) days from the date hereof.

It is further ordered, That, subject to the provisions of Rule VIII of the Rules of Practice and Procedure Before the Bituminous Coal Division, interested parties may file petitions of intervention in this matter within forty-five (45) days from the date hereof.

It is further ordered, That the exemption granted herein shall terminate if the applicant shall fail at the end of each six-month period from the date hereof, to file with the Division a verified statement setting forth (a) the name of the applicant and of the coal mine involved herein; (b) the tonnage produced during the preceding six months by size groups; (c) the distribution by size groups during the preceding six months; and (d) a statement that all the facts as set forth in the original application continue to be true and correct.

It is further ordered, That the request that any exemption granted in this matter be made retroactive to December 15, 1937, be, and the same hereby is, denied.

In connection with the request that any exemption which may be granted herein be made retroactive to December 15, 1937, it is noted that on April 10, 1943, applicant was granted code membership effective as of December 15, 1937.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6438; Filed, April 26, 1943; 10:54 a. m.]

[Docket No. B-36]

ARTHUR FOX AND ELBERT ENGLE

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

In the matter of Arthur Fox and Elbert Engle, a partnership, code members.

On March 5, 1943, after notice and hearing, Charles S. Mitchell, a duly designated Examiner of the Division, submitted a report in which he found that code member Arthur Fox, formerly a member of the partnership of Arthur Fox and Elbert Engle, operating the Fox Mine, Mine Index No. 3285, in Knox County, Kentucky, in District 8, wilfully violated section 4 II (e) of the Act and the corresponding section of the Code by:

(a) Between April 20, 1941, and May 1, 1941, selling 100 tons of high volatile 2" x 0 coal, Size Group 7, produced at the Fox Mine, at a price of 50 cents per net ton f. o. b. the mine, whereas the effective minimum price for such coal was $1.55 per net ton f. o. b. the mine; and

(b) On May 3, 1941, selling 31 tons of high volatile lump coal, Size Group 1, likewise produced at the Fox Mine, at a price of $1.50 per net ton f. o. b. the mine, whereas the effective minimum price for such coal was $2.55 per ton f. o. b. the mine.

The Examiner recommended that an order be entered requiring code member Arthur Fox to cease and desist from selling coal at prices below the applicable minimum prices established by the Division or from otherwise violating the Act, the Code, and orders, rules and regulations issued thereunder, and recommended further that the complaint be dismissed as to Elbert Engle and as to Fox and Engle.

Opportunity was afforded to all parties to file exceptions to the Examiners' Report. No exceptions have been filed.

I have considered the report of the Examiner and find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law, and recommendation set forth in the report, and upon the entire record in this proceeding:

It is hereby ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That the complaint insofar as it relates to Elbert Engle and to Fox and Engle, a defunct partnership, is dismissed.

It is further ordered, That Arthur Fox, operating the Fox Mine, Mine Index No. 3285, in Wilton Township, Knox County, Kentucky, in District 8, his agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on his behalf or interest, cease and desist from violating section 4 II (e) of the Act, the corresponding section of the Code, or from otherwise violating the provisions of the Act, the Code, or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6430; Filed, April 26, 1943; 10:54 a. m.]

[Docket No. B-293]

SHAWNEE MINING CORP.

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

In the matter of Shawnee Mining Company, a corporation, code member.

On February 24, 1943, after notice and hearing, Edward J. Hayes, a duly designated Examiner of the Division, submitted a report in which he found that Shawnee Mining Company, a corporation operating the No. 1 Mine, Mine Index No. 197 in Perry County, Ohio wilfully violated the Bituminous Coal Act of 1937 and the Bituminous Coal Code, and the rules and regulations promulgated thereunder, particularly Order No. 307, dated December 11, 1940, Order No. 309, dated January 14, 1941, Order No. 313, dated February 24, 1941, Order No. 14, dated July 15, 1937, Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations, by failing and refusing to file with the Division copies of spot orders, truck tickets and other memoranda required to be so filed.

The Examiner recommended that an order be issued directing code member to cease and desist from violating Orders Nos. 307, 309, 313, 14, Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations and from otherwise violating the Act, the Code and the rules and regulations of the Division.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendations set forth in the Report and upon the entire record in this proceeding.

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That Shawnee Mining Company, a corporation operating the No. 1 Mine, Mine Index No. 197 in Perry County, Ohio, its agents, employees, representatives, successors, and assigns, and all persons acting or claiming to act on its behalf or interest, cease and desist from violating Orders Nos. 307, 309, 313, 14, Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations or from otherwise violating the provisions of the Act, the Code or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6431; Filed, April 26, 1943; 10:55 a. m.]

[Docket No. A-1938]

HAROLD WILL COAL CO.

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of Harold Will Coal Company, operating the Harold Will Coal Company Mine, Mine Index No. 2238, for the approval of agreement to purchase the entire output of the Hoffman Mine, Mine Index No. 1269 of Mrs. Hazel W. Davis, located in District No. 1 and for permission to mix the coals of these mines.

An original petition having been duly filed with this Division by the Harold Will Coal Company pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the approval of an agreement to purchase the entire output of the Hoffman Mine, Mine Index No. 1269 of Mrs. Hazel M. Davis, located in District No. 1, and requesting temporary and permanent relief to load and mix the coals produced at Mine Index No. 1269 with the coals produced at Mine Index No. 2238; and

It appearing that sufficient facts have not been alleged in the petition to justify the granting of permanent relief without a hearing; and

It appearing, however, that a reasonable showing of necessity has been made for granting temporary relief in the manner hereinafter set forth; and

No petition of intervention having been filed with this Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the schedule of effective minimum prices for District No. 1 for all shipments except truck is supplemented to include the price classifications and minimum prices set forth in the schedule marked Supplement R annexed hereto and made a part hereof,[1] and the mixing of the coals of Mine Index No. 1269 with the coals of Mine Index No. 2238 is hereby approved.

It is further ordered, That nothing in this order shall be construed as approval of the agreement mentioned in the original petition.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

An order scheduling a hearing to adduce facts upon which final relief may be based in this matter will be issued in due course.

Dated: April 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-6432; Filed, April 26, 1943; 10:55 a. m.]

[1] Not filed as part of the original document.

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

DIRECTOR OF FOOD DISTRIBUTION

ORDER DELEGATING AUTHORITY TO ADMINISTER RESTRICTION ORDER 1

1. Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942 (7 F.R. 10179), and Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), and to effectuate the purposes of such orders, the Director of Food Distribution, United States Department of Agriculture, is designated and empowered to administer the provisions of and exercise all the powers, functions, and authority conferred upon the United States Department of Agriculture by Restriction Order 1, as amended,[1] the administration of which was transferred from the Office of Price Administration to the United States Department of Agriculture, effective April 1, 1943 (8 F.R. 4151).

2. The authority herein delegated to the Director of Food Distribution shall include the authority to delegate to other employees of the Department of Agriculture the performance of such functions as he may deem necessary to the effective administration of the order.

3. The provisions of this order shall not affect the authority of the Administrator of Food Production and Distribution to perform any function or exercise any authority conferred upon him by Executive Order No. 9280 and Executive Order No. 9322.

Issued this 24th day of April 1943.

[SEAL] CHESTER C. DAVIS,
Administrator, Food Production and Distribution Administration.

[F. R. Doc. 43-6408; Filed, April 24, 1943; 3:43 p. m.]

[Docket AO 170]

HANDLING OF MILK IN ST. JOSEPH COUNTY, INDIANA

NOTICE OF HEARING

Proposed marketing agreement and order regulating the handling of milk in the St. Joseph County, Indiana, marketing area.

Notice is hereby given of a hearing to be held in the Rotary Room, Oliver Hotel, South Bend, Indiana, beginning at 10 a. m., c. w. t., May 7, 1943, with respect to a proposed marketing agreement and a proposed order regulating the handling of milk in the St. Joseph County, Indiana, marketing area.

This notice is given pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 2813).

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth in detail, which has been

[1] 7 F.R. 7839; 8 F.R. 3201, 3328, 3372, 3416, 4151.

proposed, with the exception of sections 14 and 15, by the Pure Milk Association. Sections 14 and 15 are standard provisions and have been included in the proposal at the request of the Food Distribution Administration. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SEC. 1 *Definitions*—(a) *Terms.* The following terms as used herein shall have the following meanings:

(1) "St. Joseph County Marketing Area," hereinafter called "marketing area," means all of the territory in St. Joseph County, Indiana, excepting the townships of Olive, Liberty, and Lincoln and all of the territory in Bertrand Township, Berrien County, Michigan, and Milton Township, Cass County, Michigan, excepting all territory within the corporate limits of Niles, Michigan.

(2) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(3) The term "approved plant" means any plant which is approved by any health authority for the receiving of milk disposed of as Class I milk in the marketing area.

(4) The term "producer" means any person who produces milk which is received by a handler at an approved plant, or who produces milk which, upon proof furnished satisfactory to the market administrator, is qualified to be received at such approved plant.

(5) The term "handler" means any person, who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, other handlers, persons producing milk not qualified to be received at an approved plant, or persons operating an unapproved plant, all, or a portion, of which milk is disposed of as Class I milk or Class II milk in the marketing area; and who, on his own behalf or on behalf of others engages in such handling of milk, or cream therefrom, as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall be deemed to include any person who receives milk from producers at an approved plant from which no milk or cream is disposed of in the marketing area, and any cooperative association or handler with respect to the milk or any producer which it causes to be delivered to a plant from which no milk or cream is disposed of in the marketing area, for the account of such cooperative association or handler.

(6) The term "market administrator" means the agency herein described for the administration hereof.

(7) The term "delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(8) The term "cooperative association" means any cooperative association of producers which the Secretary determines (a) to have its entire activities under the control of its members, and (b) to have and to be exercising full authority in the sale of milk of its members.

(9) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937.

(10) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers or to perform the duties of the Secretary of Agriculture of the United States hereunder.

SEC. 2 *Market Administrator*—(a) *Selection, removal, and bond.* The agency for the administration hereof shall be a market administrator who shall be a person selected and subject to removal by the Secretary. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

(b) *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the Secretary.

(c) *Powers.* The market administrator shall have the power:

(1) To administer the terms and provisions hereof, and (2) report to the Secretary complaints of violations of this order.

(d) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein;

(2) Submit his books and records to examination by the Secretary at any and all times;

(3) Furnish such information and such verified reports as the Secretary may request;

(4) Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the market administrator;

(5) Publicly disclose, after reasonable notice, the name of any person who has not made reports, or payments as hereby required;

(6) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation hereof as do not reveal confidential information;

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof; and

(8) Pay, out of the funds received pursuant to section 9, the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties.

(e) *Announcement of prices.* The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 5th day after the end of each delivery period, the prices for all classes of milk pursuant to section 5 (a), the differentials pursuant to section 5 (c), and the Class I prices applicable pursuant to section 5 (d).

(2) Not later than the 12th day after the end of each delivery period, the uniform price computed pursuant to section 7 (b).

SEC. 3 *Reports of Handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 7th day after the end of each delivery period, each handler who purchases or received milk from associations of producers and other handlers, with respect to all milk purchased or received from such sources, shall submit to the market administrator and to the association of producers or handlers from whom the milk was purchased, a record of the utilization of such milk, classified pursuant to section 4.

(2) On or before the 7th day after the end of each delivery period, the quantity, butterfat test, and butterfat pounds of (a) the receipts of milk at each plant from producers, (b) the receipts of milk at each plant from other handlers, (c) the receipts of milk or cream from sources other than producers and handlers, if any, (d) the receipts at each plant of the milk produced by him, if any, and (e) the utilization of all receipts of milk for the delivery period.

(3) On or before the 5th day after the end of each delivery period the information required with respect to producer additions and producer withdrawals, and changes in the names of farm operators.

(4) On or before the 7th day after the end of each delivery period, the sale or disposition of milk outside the marketing area as follows: (a) the amount and the utilization of such milk, (b) the butterfat test thereof, (c) the point of use, (d) the plant from which such milk is shipped, and (e) such other information with respect thereto as the market administrator may require.

(5) On or before the 25th day after the end of each delivery period his producer pay roll, which shall show for each producer (a) the total delivery of milk with the average butterfat test thereof, (b) the net amount of payment to such producer made pursuant to section 8, (c) any deductions and charges made by the handler, and (d) such other information with respect thereto as the market administrator may require.

(b) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records, and of the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section, and, in case of errors or omissions ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in section 8.

SEC. 4 *Classification of milk*—(a) *Basis of classification.* All milk purchased or received by a handler from producers, associations of producers, and other handlers, including milk produced by him, if any, and including milk or cream purchased or received from sources other than producers or handlers, shall be reported by the handler in the classes set forth in paragraph (b) of this section: *Provided*, That (1) any milk moving as fluid milk from any handler's plant to a plant of a nonhandler who distributes fluid milk shall be classified as Class I milk and any cream moved in the form of cream to such nonhandler shall be classified as Class II milk, except for milk or cream in excess of the amount of Class I or Class II milk distributed by the nonhandler; (2) any milk or cream moving from a handler's plant to a plant of a nonhandler, who does not distribute fluid milk shall be classified according to its use by such nonhandler subject to verification by the market administrator; (3) any milk moving from the handler's plant where the milk was first received from producers to the plant of a second handler, which has manufacturing facilities, shall be Class I milk if moved from the second handler's plant as fluid milk, and Class II if moved as cream; and (4) any milk moving from the handler's plant where the milk was first received from producers to a second handler's plant which has no manufacturing facilities may be classified according to its utilization by a third handler: *And provided further*, That in the case of the sale of milk or cream by a handler to a person who is a handler under another Federal milk agreement or order, such milk may be classified on a prorata basis.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraph (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of fluid milk, including bulk milk disposed of to bakeries, hotels, restaurants, and other retail food establishments, and all milk not accounted for as Class II milk, Class III milk, or Class IV milk.

(2) Class II milk shall be all milk, except skim milk, disposed of in the form of flavored milk and flavored milk drinks, and all milk, the butterfat from which is disposed of in the form of sweet or sour cream, cottage cheese, and buttermilk.

(3) Class III milk shall be all milk the butterfat from which is used to produce a milk product other than one of those specified in Class II and Class IV including frozen cream, ice cream, and ice cream mix.

(4) Class IV milk shall be all milk the butterfat from which is used to produce butter and cheese, except cottage cheese, and all milk accounted for as actual plant shrinkage: *Provided*, That such plant shrinkage shall not exceed 3 percent of the total receipts of milk from producers and from the handler's own production. Any handler whose report claimed the original classification of milk in this class shall be liable under the provisions of section 8 (f) for the difference between the Class IV and Class III prices for the delivery period in which the Class IV classification was claimed on any such milk, if the butterfat used in the production of butter is subsequently used in the production of ice cream or ice cream mix.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of milk as required in paragraph (b) of this section, the responsibilities of handlers in establishing the classification of milk received by them shall be as follows:

(1) In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(2) With respect to milk, or skimmed milk, disposed of to another handler, the burden rests upon the handler who purchased the milk from producers to account for the milk, or skimmed milk, and to prove to the market administrator that such milk, or skimmed milk, should not be classified as Class I milk: *Provided*, That if verification by the market administrator discloses a higher utilization than that reported for milk purchased by a handler from a cooperative association, the market administrator shall notify the purchasing handler and such handler shall within 5 days after notification by the market administrator make adjustment to such cooperative association on the basis of such higher utilization as verified by the market administrator.

(d) *Computation of milk in each class.* For each delivery period, each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class, as defined in paragraph (b) of this section, as follows:

(1) Determine the total pounds of milk (a) received from producers, (b) produced by him, if any, (c) received from other handlers, if any, (d) received from other sources, if any, and (e) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (a) multiply the weight of the milk received from producers by its average butterfat tests, (b) multiply the weight of the milk produced by him, if any, by its average butterfat test, (c) multiply the weight of the milk received from other handlers, if any, by its average butterfat test, (d) multiply the weight of the milk received from other sources, if any, by its average butterfat test, and (e) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (a) convert to quarts the quantity of milk disposed of in the form of milk, and multiply by 2.15, (b) multiply the result by the average butterfat test of such milk, and (c) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk, Class III milk, and Class IV milk, computed pursuant to subparagraphs (4) (b), (5) (b), and (6) (c) of this paragraph, is less than the total pounds of butterfat received, computed in accordance with subparagraph (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to (a) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (a) multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (b) add together the resulting amounts, and (c) divide the result obtained in (b) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (a) multiply the actual weight of each of the several products of Class III milk by its average butterfat test, (b) add together the resulting amounts, and (c) divide the result obtained in (b) of this subparagraph by 3.5 percent.

(6) Determine the total pounds of milk in Class IV as follows: (a) multiply the actual weight of each of the several products of Class IV milk by its average butterfat test, (b) add together the resulting amounts, (c) subtract the total pounds of butterfat in Class I milk, Class II milk, and Class III milk, computed pursuant to subparagraphs (3) (b), (4) (b), and (5) (b) of this paragraph, and the total pounds of butterfat computed pursuant to (b) of this subparagraph, from the total pounds of butterfat computed pursuant to subparagraph (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler) and shall be added to the result obtained in (b) of this subparagraph, and (d) divide the result obtained in (c) of this subparagraph by 3.5 percent.

(7) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class.

(ii) Subtract from the total pounds of milk in each class the total pounds of milk which were received from sources other than producers and handlers and used in such class.

(iii) Subtract pro rata out of the remaining milk in each class the quantity of milk received from the handler's own farm.

section 5 (a) (2), without any adjustment for transportation.

(b) *Computation of the uniform price.* The market administrator shall com-

render such handler a transcript of his account.

(iv) Except as set forth in paragraph (e) of this section, the result shall be known as the "net pooled milk" in each class.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in several classes as computed pursuant to paragraph (d) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to section 6 (c), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler, which result shall be known as the "net pooled milk" in each class.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler, which result shall be known as the "net pooled milk" in each class.

SEC. 5 *Minimum prices*—(a) *Class prices.* (1) Except as set forth in paragraph (d) of this section and subject to the differentials set forth in paragraph (c) of this section, each handler shall pay, at the time and in the manner set forth in section 8, for milk purchased or received by such handler at any plant where accepted from producers, not less than the prices set forth in this paragraph. Any handler who purchases or receives, during any delivery period, milk from a cooperative which is also a handler shall, on or before the 15th day after the end of the delivery period, pay such cooperative association in full for such milk at not less than the minimum class prices, with appropriate differentials, applicable pursuant to this section.

(2) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be the price determined pursuant to paragraph (b) of this section, plus 65 cents.

(3) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be the price determined pursuant to paragraph (b) of this section, plus 40 cents.

(4) *Class III milk.* The price per hundredweight for Class III milk shall be the average, as computed by the market administrator, of basic prices ascertained to have been paid for milk containing 3.5 percent butterfat during the delivery period delivered at the following plants:

Goshen Milk Condensing Co..	Goshen, Ind.
Litchfield Creamery Co.....	Warsaw, Ind.
New Paris Creamery Co.....	New Paris, Ind.

Provided, That if any of such plants fails to report the price paid for milk so purchased during the delivery period the price per hundredweight for Class III milk shall be the average computed by the market administrator of prices, as reported by the United States Department of Agriculture, paid during such delivery period to farmers at each of the manufacturing plants or places listed in this subparagraph for which prices are reported, but in no event shall such price be less than the price computed pursuant to subparagraph (5) of this paragraph.

LOCATION OF MANUFACTURING PLANTS AND PLACES

Mount Pleasant, Mich.
Sparta, Mich.
Hudson, Mich.
Wayland, Mich.
Coopersville, Mich.
Greenville, Wis.
Black Creek, Wis.
Orfordville, Wis.
Chilton, Wis.
Berlin, Wis.
Richland Center, Wis.
Oconomowoc, Wis.
Jefferson, Wis.
New Glarus, Wis.
Belleville, Wis.
New London, Wis.
Manitowoc, Wis.
West Bend, Wis.

(5) *Class IV milk.* Multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and add 20 percent: *Provided,* That such price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture for a Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event the Class IV price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 7½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the prices per hundredweight of Class I and Class II milk, set forth in this section, shall be the price for Class III milk determined pursuant to paragraph (a) (4) of this section, the price for Class IV milk determined pursuant to paragraph (a) (5) of this section, or that derived from the following formula, whichever is the highest:

(1) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture, by six (6);

(2) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided,* That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this formula;

(3) Divide by seven (7), the sum so determined being hereafter referred to in this paragraph as the "combined butter and cheese value";

(4) To the combined butter and cheese value add 30 percent thereof; and

(5) Multiply the sum computed in subparagraph (4) of this paragraph by 3.5.

(c) *Butterfat differential to handlers.* If any handler has purchased or received milk from producers containing more or less than 3.5 percent butterfat, such handler shall add or deduct, per hundredweight of milk, for each one-tenth of 1 percent butterfat above or below 3.5 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add 20 percent and divide the result obtained by 10.

(d) *Sales outside the marketing area.* (1) The price to be paid by a handler for Class I milk disposed of outside the marketing area, in lieu of the price otherwise applicable pursuant to this section, except as provided in subparagraph (2) of this paragraph, shall be the price, as ascertained by the market administrator, which is being paid for milk of equivalent use in the market where such milk is disposed of: But in no event shall such price be more than 20 cents per hundredweight below the price for Class I milk disposed of within the marketing area.

(2) The price to be paid by a handler for Class I milk, disposed of outside the marketing area, for which no price can be ascertained as provided in subparagraph (1) of this paragraph, including Class I milk disposed of to Government institutions and establishments shall be the price for Class I milk set forth in section 5 (a) (2), without any adjustment for transportation.

SEC. 6 *Application of provisions*—(a) *Handlers who are also producers.* No provisions hereof shall apply to a handler whose sole sources of supply are receipts from his own production and from other handlers, except that such handlers shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(b) *Payment for milk received from sources determined as other than from producers or other handlers.* If any handler has purchased or received milk or butterfat from sources determined as other than producers or other handlers, the market administrator, in computing the value of milk for such handler pursuant to section 7, shall consider such milk or the milk equivalent of such butterfat as Class IV milk. If the receiving handler uses such milk or butterfat for other than Class IV purposes, such handler shall pay to producer, through the producer-settlement fund, the difference between (a) the value of such milk or butterfat at the Class IV price and (b) the value according to its actual utilization by the handler. This provision shall not apply to milk or butterfat from sources determined as other than producers or handlers, if such handler can prove to the market administrator that such milk or butterfat was used for purposes which did not violate any regulations issued by the various health authorities in the marketing area.

(c) *Payment for excess milk or butterfat.* In the event that a handler, after subtracting receipts from his own production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk and/or butterfat in excess of the milk and/or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, such handler shall pay to producers, through the producer-settlement fund, the value of such milk and/or the milk equivalent of such butterfat in accordance with its utilization.

SEC. 7 *Determination of uniform price*—(a) *Net pool obligation of handlers.* Subject to the provisions of section 6, the net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period as follows:

(1) Multiply the "net pooled milk" in each class, computed pursuant to section 4, by the class price, with appropriate differentials applicable pursuant to section 5 (c) and (d), and add together the resulting values.

(2) Deduct, if the average butterfat content of all milk received from producers is in excess of 3.5 percent, and add, if the average butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to section 8 (b).

(b) *Computation of the uniform price.* The market administrator shall compute the uniform price per hundredweight of milk for each delivery period in the following manner:

(1) Combine into one total the net pool obligations of all handlers, computed pursuant to paragraph (a) of this section, who made the reports pursuant to section 3 (a) (2) for such delivery period;

(2) Add the amount of cash balance in the producer-settlement fund;

(3) Divide the result by the total quantity of net pooled milk of all handlers whose reports are included in this computation; and

(4) Subtract not less than 4 cents nor more than 5 cents to provide against the contingency of errors in reports and payments or of delinquencies in payments by handlers. The result shall be known as the uniform price for milk containing 3.5 percent butterfat received from producers at plants located within the 70-mile zone.

SEC. 8 *Payment for milk*—(a) *Time and method of payment.* On or before the 18th day after the end of each delivery period each handler shall pay each producer, for milk purchased or received during the delivery period, an amount of money representing not less than the total value of such milk, at the uniform price per hundredweight, computed pursuant to section 7 (b) subject to the location adjustment and butterfat differential set forth in this section.

(b) *Butterfat differential to producers.* For each one-tenth of 1 percent above or below 3.5 percent in average butterfat content of milk delivered by any producer during any delivery period, the uniform price paid to such producer shall be plus or minus, as the case may be, an amount computed as follows: To the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add 20 percent and divide the result obtained by 10.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (e) and (g) and out of which he shall make all payments to handlers pursuant to paragraphs (f) and (g) of this section: *Provided,* That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation, including the payments to producers which are required to be made pursuant to section 6, is greater or less than the sum obtained by multiplying such handler's net pooled milk by the uniform price and shall enter such amount on each handler's account as such handler's pool debit or pool credit, as the case may be, and render such handler a transcript of his account.

(d) *Payments to the producer-settlement fund.* On or before the 16th day after the end of each delivery period each handler shall make full payment to the market administrator of any pool debit balance shown on the account rendered, pursuant to paragraph (d) of this section, for the preceding delivery period.

(e) *Payments out of the producer-settlement fund.* On or before the 17th day after the end of each delivery period, the market administrator shall pay to each handler the pool credit balance shown on the account rendered, pursuant to paragraph (d) of this section, if any, for the preceding delivery period, less any unpaid obligations of the handler. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 18th day after the end of each delivery period, has not received the balance of the payment due him from the market administrator shall be deemed to be in violation of paragraph (a) of this section if he reduces his total payments uniformly to all producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the producer-settlement fund pursuant to paragraph (d) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, pursuant to paragraph (d) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer, for milk purchased or received by such handler, discloses payment to such producer of less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

SEC. 9 *Expense of administration*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof each handler, except those handlers exempt from the provisions hereof, shall pay to the market administrator, on or before the 18th day after the end of each delivery period, a sum not exceeding 4 cents per hundredweight with respect to all milk purchased or received by him during such delivery period from producers, from sources other than producers or other handlers, or produced by him, the exact sum to be determined by the market administrator,

subject to review by the Secretary: *Provided*, That each handler, which is a cooperative association, shall pay such prorata share of expense of administration only on that milk of producers actually received at a plant of such cooperative association, or caused to be delivered by such cooperative association to a plant from which no milk or cream is disposed of in the marketing area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

SEC. 10 *Marketing services*—(a) *Marketing service deduction.* In making payments to producers pursuant to section 8, each handler, with respect to all milk received from each producer during each delivery period, at a plant not operated by a cooperative association of which such producer is a member, shall, except as set forth in paragraph (b) of this section, deduct 3 cents per hundredweight or such lesser amount as the market administrator shall determine to be sufficient, such determination to be subject to review by the Secretary, and shall, on or before the 18th day after the end of such delivery period, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator for verification of weights, samples, and tests of milk received from such producers and in providing for market information to such producers. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to, the milk received from such producers.

(b) *Marketing service deductions with respect to members of a producers' cooperative association.* In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members and for whom a cooperative association is actually performing the services set forth in paragraph (a) of this section, each handler shall, in lieu of the deductions specified in paragraph (a) of this section, make such deductions from payments made pursuant to section 8 as may be authorized by such producers, and pay over on or before the 18th day after the end of each delivery period such deductions to the associations rendering such service of which such producers are members.

SEC. 11 *Market advisory committee.* (a) Subsequent to the effective date hereof, the market administrator may select a representative committee of the industry for purposes (1) of recommendation of amendments to this order and (2) for conference, counsel, and advice.

SEC. 12 *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended, or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* Any or all of the provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(d) The market administrator, or such other person as the Secretary may designate, shall (a) continue in such capacity until removed by the Secretary, (b) from time to time account for all receipts and disbursements and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct, and (c) if so directed by the Secretary, execute assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

SEC. 14 *Liability of handlers.* The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

SEC. 15 *Counterparts and additional parties*—(a) *Counterparts of marketing agreement.* This marketing agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to marketing agreement.* After this marketing agreement first takes effect any handler may become a party to this marketing agreement if a counterpart hereof is executed by him and delivered to the Secretary. This marketing agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this marketing agreement shall then be effective as to such new contracting party.

* * * * *

It is hereby declared that an emergency exists in the handling of milk in the aforesaid area which requires a shorter period of notice than fifteen (15) days, and it is hereby determined that the period of notice given is reasonable under the circumstances.

Copies of this notice of hearing may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

APRIL 24, 1943.

[F. R. Doc. 43-6443; Filed, April 26, 1943; 11:19 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective April 19, and 22nd, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Canvas Products Corporation, 19-23 E. McWilliams Street, Fond du Lac, Wisconsin; Canvas Products; 10% of the productive factory workers as learners; 8 weeks for any one learner; 35 cents per hour; Sewing machine operator, presser; expiring July 28, 1943.

Taylor Brothers, Inc., Corner East 1st & Patterson Streets, Winston-Salem, North Carolina; Tobacco; 4 learners; 8 weeks for any one learner; 35 cents per hour; Cappers; expiring October 21, 1943.

J. F. Wieder & Son, Macungie, Pennsylvania; Converted Paper Products; 2 learners; 6 weeks for any one learner; 35 cents per hour; Staying machine operator, stripper; expiring October 19, 1943.

Signed at New York, N. Y., this 24th day of April, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-6416; Filed, April 26, 1943; 10:00 a. m.]

LEARNER EMPLOYMENT CERTIFICATE

NOTICE OF ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulation, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Ware Shoals Manufacturing Company, Ware Shoals, South Carolina; Men's and ladies' handkerchiefs; 5 percent (T); effective April 26, 1943, expiring April 26, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Diane Company, 212 S. Market Street, Chicago, Illinois; Ladies' work clothes, slack suits and jackets; 5 learners (T); effective April 26, 1943, expiring April 26, 1944.

Dorsa Dresses, Incorporated, 808 Washington Avenue, St. Louis, Missouri; Junior dresses; 10 percent (T); effective April 26, 1943, expiring April 26, 1944.

Paula Garrison, 2002 Fifth Avenue, Seattle, Washington; Women's cotton nightwear; 8 learners (T); effective April 22, 1943, expiring April 22, 1944.

Great Lakes Garment Company, North Main Street, Cheboygan, Michigan; Army clothing, children's play suits; 10 percent (T); effective April 26, 1943, expiring April 26, 1944.

H. H. Hoover Company, Lindeke Building, St. Paul, Minnesota; Nurses' uniforms, utility garments, school blouses and jumpers; 1 learner (T); effective April 26, 1943, expiring April 26, 1944.

Klever Klad Frocks, Incorporated, 130 East Chestnut Street, Coatesville, Pennsylvania; Women's cotton dresses; 10 learners (A. T.); effective April 22, 1943, expiring October 22, 1943.

Kline-Meyers Manufacturing Company, Incorporated; 340 East Boundary Avenue, York, Pennsylvania; Cotton and flannel work shirts; 10 percent (T); effective April 26, 1943, expiring April 26, 1944.

Lehigh Sportswear Company, 101 W. White Street, Summit Hill, Pennsylvania; Service apparel; 10 learners (A. T.); effective April 22, 1943 expiring October 22, 1943.

Lewis Meier and Company, 1002 Central Avenue, Indianapolis, Indiana; Government khaki shorts, men's work pants, shirts, coats, and overalls; 10 percent (T); effective April 21, 1943, expiring April 21, 1944.

H. B. Mennig, 86 Ellicott Street, Buffalo, New York; Wash dresses and house coats; 10 learners (T); effective April 26, 1943, expiring April 26, 1944.

Lin-Del Dress Company, 226 S. 11th Street, Philadelphia, Pennsylvania; Cotton dresses and blouses; 10 learners (T); effective May 5, 1943, expiring May 5, 1944.

Mt. Carmel Manufacturing Company, 5th and Walnut Street, Mt. Carmel, Pennsylvania; Boys' shirts; 10 percent (T); effective April 22, 1943, expiring April 22, 1944.

Newport Manufacturing Company, 44 Pennsylvania Avenue, Newport, Pennsylvania; Ladies' rayon underwear; 5 learners (T); effective May 5, 1943, expiring May 5, 1944.

Night Comfort, Incorporated, Pine Grove, Pennsylvania; Men's pajamas and sport shirts; 10 learners (T); effective April 22, 1943, expiring October 22, 1943.

Ottenheimer Brothers, Incorporated, 115 Wood Lane, Little Rock, Arkansas; Women's cotton uniforms, dresses and smocks; 15 learners (A. T.); effective April 22, 1943, expiring December 10, 1943.

Primo Pants Company, 1517 Washington Avenue, St. Louis, Missouri; Men's and boys' pants; 10 learners (T); effective April 26, 1943, expiring April 26, 1944.

Progressive Coat and Apron Manufacturing Company, 2701 North Broad Street, Philadelphia, Pennsylvania; Washable service apparel, mattress covers and barrack bags; 10 percent (T); effective April 26, 1943, expiring April 26, 1944.

Sandees Manufacturing Company, 1027 Arch Street, Philadelphia, Pennsylvania; Boys' clothing; 10 learners (T); effective April 21, 1943, expiring April 21, 1944.

Jules L. Simon, Incorporated, 834 Merchandise Mart, Chicago, Illinois; Cotton shorts, jackets and slacks, part wool coats and shirts; 10 percent (T); effective April 22, 1943, expiring April 22, 1944.

Sterling Sportswear Manufacturing Company, 127 E. 9th Street, Los Angeles, California; Pincheck & denim defense suit cotton, ladies' slacks, slack suits, skirts and men's sport shirts; 10 percent (T); effective April 23, 1943, expiring April 23, 1944.

Tiny Grace Frocks (Jack Tobin), I and Ontario Streets, Philadelphia, Pennsylvania; 10 percent (T); Children's cotton dresses; effective April 26, 1943, expiring April 26, 1944.

Irvin U. Yoder, Reinertown, Pennsylvania; Men's cotton fabric shorts; 5 learners (T); effective May 5, 1943, expiring May 5, 1944.

Glove Industry

The Enoch Manufacturing Company, N. Queen Street, Mt. Sterling, Kentucky; Work gloves; 15 learners (A. T.); effec-

tive April 22, 1943, expiring October 22, 1943. (This certificate replaces the one bearing the expiration date of June 22, 1943.)

Knoxville Glove Company, Knoxville, Tennessee; Work gloves; 10 percent (T); effective April 23, 1943, expiring October 23, 1943. (This certificate replaces the one you have bearing the expiration date of May 25, 1943).

Wells Lamont Corporation, Elsberry, Missouri; Work gloves; 10 learners (T); effective April 23, 1943, expiring December 10, 1943.

Hosiery Industry

Acme Hosiery Dye Works, Incorporated, Pulaski, Virginia; Full-fashioned hosiery; 10 learners (A. T.); effective April 22, 1943, expiring January 1, 1944.

Atlanta Hosiery Mills, 231 Oakland Avenue S. E., Atlanta, Georgia; Seamless hosiery; 10 learners (A. T.); effective April 22, 1943, expiring October 5, 1943.

Berryville Mills, Incorporated, Berryville, Virginia; Full-fashioned hosiery; 4 learners (T); effective April 26, 1944, expiring April 26, 1944

Blue Line Hosiery Mills, Incorporated, Denver, Pennsylvania; Full-fashioned hosiery; 5 percent (T); effective April 26, 1943, expiring April 26, 1944.

Bisher Hosiery Mill, Denton, North Carolina; Seamless hosiery; 10 learners (A. T.); effective April 23, 1943, expiring November 12, 1943.

Holt Hosiery Mills, Incorporated, 232 W. Harden Street, Graham, North Carolina; Full-fashioned hosiery; 5 learners (T); effective April 26, 1943, expiring April 26, 1944.

Industrial Hosiery Mills, Incorporated, 424 Guilford Street, Lebanon, Pennsylvania; Seamless hosiery; 5 percent (T); effective April 22, 1943, expiring April 22, 1944.

Long Finishing Mills, Incorporated, Trade and Worth Streets, Burlington, North Carolina; Seamless and full-fashioned hosiery; 10 percent (A. T.); effective April 22, 1943, expiring October 22, 1943.

Maycourt Hosiery Mill, Incorporated, Shore Road, Cape May Court House, New Jersey; Full-fashioned hosiery; 5 learners (T); effective April 26, 1943, expiring April 26, 1944.

Owen Osborne, Incorporated, Gainesville, Georgia; Full-fashioned hosiery; 20 percent (A. T.); effective April 23, 1943, expiring October 23, 1943. (This certificate replaces the one you have bearing the expiration date of June 1, 1943.)

Sterling Hosiery Mills, Incorporated, Spindale, North Carolina; Full-fashioned hosiery; 5 learners (A. T.); effective April 23, 1943, expiring October 23, 1943.

Union Manufacturing Company, Union Point, Georgia; Seamless hosiery; 30 learners (A. T.); effective April 26, 1943, expiring October 26, 1943.

Wallner Silk Hosiery Mills, Incorporated, Pulaski, Virginia; Full-fashioned hosiery; 20 learners (A. T.); effective April 22, 1943, expiring January 25, 1944.

Wil-Tex Hosiery Products Corporation, Villa Rica, Georgia; Seamless hosiery; 12 learners (A. T.); effective April 22, 1943, expiring October 22, 1943.

Knitted Wear Industry

Geissler Knitting Mill, Hemlock Street and Sherman Court, Hazleton, Pennsylvania; Ladies' underwear, Army shirts and sweaters; 20 learners (A. T.); effective April 26, 1943, expiring October 26, 1943.

Kain-Murphy Corporation, Manufacturers Road, Chattanooga, Tennessee; Knitted underwear; 12 learners (A. T.); effective April 22, 1943, expiring December 14, 1943.

Signal Knitting Mills, Manufacturers Road, Chattanooga, Tennessee; Knitted underwear; 25 learners (A. T.); effective April 22, 1943, expiring December 14, 1943.

Independent Telephone Industry

Northern Indiana Telephone Company, North Manchester, Indiana; To employ learners as commercial switchboard operators at its Bourbon exchange, Bourbon, Indiana, until April 26, 1944.

Textile Industry

Bartow Textile Company, Cartersville, Georgia; Bedspreads, bath mats, lids, rugs and robes; 60 learners (A. T.); effective April 21, 1943, expiring October 21, 1943. (This certificate replaces the certificate which expires June 8, 1943.)

Bernson Silk Mills, Incorporated, Buena Vista, Virginia; rayon and nylon; 7 percent (A. T.); effective April 23, 1943, expiring March 18, 1944.

The Duplan Corporation, 1245 White Street, Winston-Salem, North Carolina; Rayon, nylon and synthetic yarn; 30 learners (A. T.); effective April 22, 1943, expiring October 22, 1943.

The Trion Company, Greymill Plant, Trion, Georgia; Cotton; 3 percent (T); effective April 22, 1943, expiring April 22, 1944.

U. S. Rubber Company, Winnsboro Mills, Winnsboro, South Carolina; Tire cord and yarn; 3 percent (T); effective April 26, 1943, expiring April 26, 1944.

Signed at New York, N. Y., this 24th day of April 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-6415; Filed, April 26, 1943; 10:00 a. m.]

CLYDE SHIRT CO.

NOTICE OF DENIAL OF PETITION

Notice of denial of petition for reconsideration of an order cancelling a special learner certificate.

Notice is hereby given that the petition of the Clyde Shirt Company of Northampton, Pennsylvania, dated April 10, 1943 for reconsideration of the order of the undersigned duly authorized representative of the Administrator (8 F.R. 3812) cancelling a special learner certificate is hereby denied for failure to show, as provided by the Regulations, Part 522, § 522.13, that there is additional evidence which may materially affect the decision and that there were reasonable grounds for failure to adduce such evidence in the original proceedings. The order of cancellation is affirmed.

Signed at New York, New York, this 21st day of April 1943.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 43-6414; Filed, April 26, 1943; 10:00 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 695]

WESTERN AIR LINES, INC.

NOTICE OF HEARING

In the matter of the petition of Western Air Lines, Inc., for an order fixing the fair and reasonable rate of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, over routes Nos. 13, 19, and 52.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on May 18, 1943, 10 a. m. (eastern war time) in Room 3237, Post Office Department, 12th Street and Pennsylvania Avenue NW., Washington, D. C., before Examiner Ross I. Newmann.

Dated Washington, D. C., April 23, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-6357; Filed, April 24, 1943; 10:03 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 279]

KATHARINA BARTH, ET AL.

Vesting Order Number 279 of October 31, 1942, is hereby amended as follows and not otherwise:

By deleting the figure "16" appearing after the word "Township" in subparagraph (a)-(2) thereof; and by substituting therefor the figure "15".

All other provisions of such Vesting Order Number 279 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6447; Filed, April 26, 1943; 11:30 a. m.]

[Vesting Order 1261]

ESTATE OF ANNA M. SCHMITT BAIER

In re: Estate of Anna M. Schmitt Baier, deceased; File No. D-9-100-28-2049; E. T. sec. 2317.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation:

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
The heirs at law or next of kin, executors, administrators, distributees and successors in interest (names unknown) of Marie Sahler-Weber, who died a resident and national of Germany.	Germany.
The heirs at law or next of kin, executors, administrators, distributees and successors in interest names unknown) of Anna Petzy Metz, formerly Anna M. Petry, who died a resident and national of Germany.	Germany.
Victor Haass	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the heirs at law or next of kin, executors, administrators, distributees and successors in interest (names unknown) of Marie Sahler-Weber, who died a resident and national of Germany, the heirs at law or next of kin, executors, administrators, distributees and successors in interest (names unknown) of Anna Petzy Metz, formerly Anna M. Petry, who died a resident and national of Germany and Victor Haass, and each of them, in and to the estate of Anna M. Schmitt Baier, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6448; Filed, April 26, 1943; 11:30 a. m.]

[Vesting Order 1262]

ESTATE OF LINA BECHTEL

In re: Estate of Lina Bechtel, deceased; File D-66-294; E. T. sec. 2382.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Union Trust Company of Pittsburgh, 439 Fifth Avenue, Pittsburgh, Pennsylvania, Executor, acting under the judicial supervision of the Orphans' Court of Beaver County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Martha Cabisius	Germany.
Emma Cabisius	Germany.
Selma Cabisius	Germany.
Rosa Henning	Germany.
Jenny Schneider	Germany.
Selma Thube	Germany.
Annelie Schlemmer	Germany.
Fritz Hose, Jr.	Germany.
Hermann Bechtel	Germany.
Hans Bechtel	Germany.
Gretchen Schlemmer	Germany.
Charlotte Hose	Germany.
Bertha Hose	Germany.
Heinz Hose	Germany.
Ilse Hose	Germany.
Fritz Stiebing	Germany.
Karl Stiebing	Germany.
Bertha Reyher	Germany.
Else Nelken	Germany.
Frieda Rottenken	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Martha Cabisius, Emma Cabisius, Selma Cabisius, Rosa Henning, Jenny Schneider, Selma Thube, Annelie Schlemmer, Fritz Hose, Jr., Hermann Bechtel, Hans Bechtel, Gretchen Schlemmer, Charlotte Hose, Bertha Hose, Heinz Hose, Ilse Hose, Fritz Stiebing, Karl Stiebing, Bertha Reyher, Else Nelken and Frieda Rottenken, and each of them, in and to the estate of Lina Bechtel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6449; Filed, April 26, 1943; 11:30 a. m.]

[Vesting Order 1263]

ESTATE OF CLARA BECKERT

In re: Estate of Clara Beckert, deceased; File D-28-2114; E. T. sec. 2558.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Central Bank, Executor of the estate of Clara Beckert, deceased, acting under the judicial supervision of the Superior Court of the County of Alameda, California; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Frieda Karl	Germany.
Agnes Helene Meyer	Germany.
Pauline Mueller	Germany.
Albert Hermann Noetzold	Germany.
Ferdinand Noetzold	Germany.
Friedrich Hermann Noetzold	Germany.
Herman Richard Noetzold	Germany.
Johannes Ernst Noetzold	Germany.
Michael Noetzold	Germany.
Marie Frieda Schmidt	Germany.
Minna Weiss	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the na-

tional interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frieda Karl, Agnes Helene Meyer, Pauline Meuller, Albert Hermann Noetzold, Ferdinand Noetzold, Friedrich Hermann Noetzold, Hermann Richard Noetzold, Johannes Ernst Noetzold, Michael Noetzold, Marie Frieda Schmidt and Minna Weiss, and each of them, in and to the Estate of Clara Beckert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6450, Filed, April 26, 1943; 11:30 a. m.]

[Vesting Order 1264]

ESTATE OF ISAAC BERG

In re: Estate of Isaac Berg, deceased; File No. D-9-100-28-5206; E. T. sec. 1463.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lee B. Sonneborn, Executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York, and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Helen Beifuss	Bielefeld, Germany.
Jenny (Buchheim) Daltrop	Gutersloh, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helen Beifuss and Jenny (Buchheim) Daltrop, and each of them, in and to the Estate of Isaac Berg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6451; Filed, April 26, 1943; 11:30 a. m.]

[Vesting Order 1267]

ESTATE OF HEINERICK BREMER

In re: Estate of Heinerick Bremer, deceased; File D-28-2150; E.T. sec. 2729.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County and City of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Adelheid Bremer	Germany.
Child or children of Heinerick Bremer, deceased, names unknown, entitled to receive the estate or any portion thereof.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Adelheid Bremer and the child or children of Heinerick Bremer deceased, names unknown, entitled to receive the estate or any portion thereof, and each of them, in and to the Estate of Heinerick Bremer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held, in an appropriate special account or account, pending further determination of the Alien Property Custodian to return such not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6452; Filed, April 26, 1943; 11:31 a. m.]

[Vesting Order 1266]

ESTATE OF ELIZABETH BURKHART

In re: Estate of Elizabeth Burkhart, deceased; File D-28-2149; E. T. sec. 2763

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the California Trust Company, Executor and Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Babette Natter	Germany.
Elise Natter	Germany.
The children, names unknown of Elsie Natter.	Germany.
Margarete Heugele	Germany.
Emma Keckh	Germany.
The children, names unknown of Emma Keckh.	Germany.
Ursula Finckh	Germany.
The children, names unknown of Ursula Finckh.	Germany.
Christian Basler	Germany.
Johanes Basler	Germany.
The wife, name unknown, of Johanes Basler.	Germany.
The children, names unknown, of Johanes Basler.	Germany.
Marie Bauerle	Germany.
Brothers and sisters, names unknown of Marie Bauerle.	Germany.
Elise Sapper	Germany.
The children and heirs, names unknown, of Elise Sapper.	Germany.
Mathilde Dompert	Germany.
The children, names unknown, of Mathilde Dompert.	Germany.
Christian Beidenbach	Germany.
The children, names unknown, of Christian Beidenbach.	Germany.
Otto Natter	Germany.
The children, names unknown, of Otto Natter.	Germany.
Klara Kittelberger	Germany.
The children, names unknown, of Klara Kittelberger.	Germany.
Ernst Finckh	Germany.
The children, names unknown, of Ernst Finckh.	Germany.
Paul Finckh	Germany.
The children, names unknown, of Paul Finckh.	Germany.
Karl Finckh	Germany.
The children, names unknown, of Karl Finckh.	Germany.
Elise Meck	Germany.
The children, names unknown, of Elise Meck.	Germany.
Margarete Finckh	Germany.
The children, names unknown, of Margarete Finckh.	Germany.
Hellmuth Basler	Germany.
The children, names unknown, of Hellmuth Basler.	Germany.
Oskar Basler	Germany.
The children, names unknown, of Oskar Basler.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Babette Natter, Elise Natter, the children, names unknown, of Elise Natter, Margarete Heugele, Emma Keckh, the children, names unknown, of Emma Keckh, Ursula Finckh, the children, names unknown, of Ursula Finckh, Christian Basler, Johanes Basler, the wife, name unknown, of Johanes Basler, the children, names unknown, of Johanes Basler, Marie Bauerle, brothers and sisters, names unknown, of Marie Bauerle, Elise Sapper, the children and heirs, names unknown, of Elise Sapper, Mathilde Dompert, the children, names unknown, of Mathilde Dompert, Christian Beidenbach, the children, names unknown, of Christian Beidenbach, Otto Natter, the children, names unknown, of Otto Natter, Klara Kittelberger, the children, names unknown, or Klara Kittelberger, Ernst Finckh, the children, names unknown, of Ernst Finckh, Paul Finckh, the children, names unknown, of Paul Finckh, Karl Finckh, the children, names unknown, of Karl Finckh, Elise Meck, the children, names unknown, of Elise Meck, Margarete Finckh, the children, names unknown, of Margarete Finckh, Hellmuth Basler, the children, names unknown, of Hellmuth Basler, Oskar Basler, and the children, names unknown, of Oskar Basler, and each of them, in and to the estate of Elizabeth Burkhart, deceased, and in and to the trust estate created under the will of Elizabeth Burkhart, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6453; Filed, April 26, 1943; 11:31 a. m.]

[Vesting Order 1267]

ESTATE OF HENRY J. CASTROP

In re: Estate of Henry J. Castrop, deceased; File D–28–2151; E. T. sec. 2730.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Security First National Bank, Executor, acting under the judicial supervision of the Superior Court of Los Angeles County, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Mary Breckwoldt	Germany.
Ernst Gunther Schoning	Germany.
Walter Schoning	Germany.
Elsie Schoning	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mary Breckwoldt, Ernst Gunther Schoning, Walter Schoning and Elsie Schoning, and each of them, in and to the Estate of Henry J. Castrop, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6454; Filed, April 26, 1943; 11:31 a. m.]

[Vesting Order 1268]

ESTATE OF JOHN DIBBERN

In re: Estate of John Dibbern (John Dibberu), deceased; File D–28–2999; E. T. sec. 2586.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Wells Fargo Bank & Union Trust Company, San Francisco, California, acting under the judicial supervision of the Superior Court of Alameda County, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals:	*Last known address*
Katharina Jarren	Germany.
Margaretha Gruber	Germany.
Anna Hein	Germany.
Child or children, names unknown, of Katharina Jarren, Margaretha Gruber and Anna Hein.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katharina Jarren, Margaretha Gruber, Anna Hein and the child or children, names unknown, of Katharina Jarren, Margaretha Gruber and Anna Hein, and each of them, in and to the Estate of John Dibbern (John Dibberu), deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6455; Filed, April 26, 1943; 11:31 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-42]

COORDINATED OPERATION BETWEEN ATLANTIC CITY, N. J., AND PHILADELPHIA, PA.

PUBLIC SERVICE INTERSTATE TRANSPORTATION CO., QUAKER CITY BUS CO.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Public Service Interstate Transportation Company, Newark, New Jersey, and Quaker City Bus Company, Camden, New Jersey, pursuant to § 501.49 of General Order ODT 11, as amended (7 F.R. 4389, 11099), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Quaker City Bus Company, Camden, New Jersey, and Public Service Interstate Transportation Company, Newark, New Jersey (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Philadelphia, Pennsylvania, and Atlantic City, New Jersey, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. During the effective term of this order, between Philadelphia, Pennsylvania, and Atlantic City, New Jersey, the aggregate daily through service operated by the carriers shall not exceed:

(a) Thirty (30) round trip schedules for the period, October 1 through May 28;

(b) Thirty-two (32) round trips schedules for the period, May 29 through June 24;

(c) Forty-eight (48) round trip schedules for the period, June 25 through September 15;

(d) Thirty-two (32) round trip schedules for the period, September 16 through September 30.

3. (a) Public Service Interstate Transportation Company shall operate 85⅝% of the combined scheduled trips or scheduled mileage between Philadelphia, Pennsylvania, and Atlantic City, New Jersey, and Quaker City Bus Company shall operate 14⅜% of such scheduled trips or scheduled mileage;

(b) Public Service Interstate Transportation Company shall pay to Quaker City Bus Company 90% of the amount of revenue collected by it from scheduled transportation that is in excess of 85⅝% of the combined gross revenue of the carriers from said transportation and Quaker City Bus Company shall pay to Public Service Interstate Transportation Company 90% of the amount of revenue collected by it from scheduled transportation that is in excess of 14⅜% of such combined gross revenue;

(c) The combined revenue of extra sections or trips operated by Public Service Interstate Transportation Company and Quaker City Bus Company shall be divided at the end of each month in direct proportion to the number of extra sections operated by each of them.

4. The term "round-trip schedule" means the regular operation of a bus (including any extra bus or buses operated in connection therewith) at a stated time over a fixed route from the starting point where passengers are first permitted to board the bus to the point served most distant therefrom and return to the starting point.

5. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

6. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

7. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B–42".

This order shall become effective May 6, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22nd day of April 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-6331; Filed, April 23, 1943; 3:17 p. m.]

OFFICE OF PRICE ADMINISTRATION

[Order 8 Under MPR 74, as Amended]

DARLING AND COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 8 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended—Animal Product Feedingstuff.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, *It is hereby ordered:*

(a) Approval of maximum prices for sales of meat scraps containing 52 per cent protein.

Darling and Company, Milsom Plant, Buffalo, New York, may sell and deliver and any person may buy and receive from Darling and Company, meat scraps containing 52 per cent protein at a maximum price not to exceed $67.30 per ton, f. o. b. production plant, located in Zone 6 at Buffalo, New York.

(b) Price adjustments where actual analysis differs from guaranteed minimum protein content.

In any sale made pursuant to the provisions of this order, if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, the following shall apply.

(1) If the protein content is above the guaranteed minimum percentage of protein, no increase in the maximum price is permitted.

(2) If the protein content is one per cent or less below the guaranteed minimum percentage, deduct $1.50 per ton from the selling price.

(3) If the protein content is more than one per cent below the guaranteed minimum percentage of protein deduct from the selling price $1.50 per ton for the first one per cent and $3.00 per ton for each additional per cent or fraction thereof.

(c) *Notification of maximum prices.* Darling and Company shall provide the following notice of the maximum price established by this order with the first delivery to each buyer of meat scraps having a guaranteed minimum protein content of 52 per cent.

The Office of Price Administration has permitted us to sell meat scraps with a guaranteed minimum protein content of 52 per cent at a maximum price of $67.30 per ton, f. o. b. our production plant, Buffalo, New York, which is in line with the maximum price established for the product by Maximum Price Regulation 74, as amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of meat scraps.

(d) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

This Order No. 8 shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6361; Filed, April 24, 1943; 11:46 a. m.]

[Order 15 Under MPR 163]

JAMESTOWN WORSTED MILLS COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 15 under § 1410.119 of Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabrics.

For the reasons set forth in an opinion in support of this order, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

(a) On and after April 26, 1943, the maximum prices at which the Jamestown Worsted Mills Company, of Jamestown, New York, may sell and deliver the fabrics specified below shall be:

Style No. of fabrics	Specifications	Maximum prices (per yard)
[illegible]00	All wool twist; 58 inches in width; 11-11½ ounces in weight, 34 ends; 34 picks; 2/22's yarn count; 85's wool—25%, 44's wool—75%	$2.20
[illegible]00	Men's wear twill suiting; 58 inches in width; 13-14½ ounces in weight; 50 ends; 50 picks; 2/21 x 1/16 yarn count; 85's wool—25%, 44's wool—75%	2.40

(b) If decorations are added to such fabrics, the maximum prices therefor established in paragraph (a) of this order shall be increased or decreased in accordance with the provisions of paragraph (h) of § 1410.102 of Maximum Price Regulation No. 163.

(c) The maximum prices established by this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6362; Filed, April 24, 1943; 11:46 a. m.]

[Order 286 Under MPR 188]

L. A. BERMAN AND COMPANY

APPROVAL OF A MAXIMUM PRICE

Order No. 286 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) L. Berman and Company, 112–114 N. W. First Street, Evansville, Indiana, may sell and deliver its new wooden lunch box at a price no higher than $1.125 each, subject to discounts, allowances and terms no less favorable than those customarily granted by it.

(b) This Order No. 286 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 286 shall become effective on the 26th day of April 1943.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6363; Filed, April 24, 1943; 11:49 a. m.]

[Order 288 Under MPR 188]

MENDENHALL MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 288 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 288 sets maximum prices for sales of a new wooden ironing board manufactured by Mendenhall Manufacturing Co., 817 South Palm Avenue, Alhambra, California.

(1) For sales by the manufacturer to retailers, the maximum price is $2.50 f. o. b. Alhambra, California.

(2) For a sale at retail, the maximum price is $4.25.

(b) To every wooden ironing board to be shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) The manufacturer shall notify each purchaser for resale of the wood ironing board of the maximum price set by this Order No. 288 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser, and may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 288 may be revoked or amended by the Price Administrator at any time.

This Order No. 288 shall become effective on the 26th day of April 1943.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6364; Filed, April 24, 1943; 11:48 a. m.]

[Order 25 Under MPR 157]

CROWN CURTAIN MILLS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 25 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes; Docket No. 3157-44.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with Procedural Regulation No. 6, *It is hereby ordered:*

(a) Crown Curtain Mills, Inc., 23rd Street and Allegheny Avenue, Philadelphia, Pennsylvania, may sell and supply and any person may buy and receive from it the following fabrication service at a price not in excess of that set forth below:

Service	Maximum price (cents per bar)
The fabricating of mosquito bars of the same type and in the same manner as that furnished pursuant to contract W669 QM-18984	70

(b) This Order No. 25 may be revoked or amended at any time by the Office of Price Administration.

(c) This Order No. 25 shall be effective as of November 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6393; Filed, April 24, 1943; 12:41 p. m.]

[Order 13 Under MPR 163, Amendment 1]

RIVER MILLS, INCORPORATED

ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 13 under § 1410.119 of Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabric.

For the reasons set forth in an opinion in support of this Amendment, issued simultaneously herewith and filed with the Division of the Federal Register, paragraph (a) of Order No. 13 is hereby amended to include a maximum price for fabric, style #2000, reading as follows:

(a) On and after April 26, 1943, the maximum price at which the River Mills, Incorporated, Fall River, Massachusetts, may sell and deliver the fabric specified below shall be:

Style No. of fabric	Specifications	Maximum price (per yard)
*	* * * *	*
2000	Women's wear crepe coating; 57 58 inches in width; 18 ounces in weight; 35 ends; 28 picks; 13¼ 12½ run	$3.00

This amendment to Order No. 13 shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6390; Filed, April 24, 1943; 12:40 p. m.]

[Order 287 Under MPR 188]

BERRY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 287 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Berry Manufacturing Co., 223 Sanford Street, Brooklyn, New York, is authorized to sell and deliver its various wood and cardboard toys, described in its application of March 8, 1943, at prices, f. o. b. Brooklyn, New York, no higher than those set forth below:

	To jobbers	To retailers
Wagon #10	$7.50 gross	$8.16 gross
Doll Bed #12	7.20 gross	8.16 gross
Clown #257	1 50 dozen	1 80 dozen
Ring Toss #260	1 50 dozen	1 80 dozen
Clown #557	2. 85 dozen	3 50 dozen

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 26, 1943.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6391; Filed, April 24, 1943; 12:41 p. m.]

[Order 289 Under MPR 188]

CROW COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales of a new wooden garden hose reel manufactured by the Crow Company.

Order No. 289 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 289 sets maximum prices for sales of a new wooden garden hose reel manufactured by the Crow Company, 3016 E. 132nd Street, Cleveland, Ohio, and described in its application dated February 23, 1943.

(1) For sales by the manufacturer to retailers, the maximum price is $1.95.

(2) For a sale at retail, the maximum price is $2.95.

(b) To every wooden garden hose reel to be shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) The manufacturer shall notify every purchaser for resale of the wooden garden hose reel of the maximum price set by this Order No. 289 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(d) This Order No. 289 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 289 shall become effective April 26, 1943.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6394; Filed, April 24, 1943; 12:41 p. m.]

[Order 290 Under MPR 188]

SHURTLEFF TABLE COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 290 under § 1499.161 (a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons appearing in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, *It is hereby ordered:*

(a) Ralph F. Bernays and Frank L. Tarleton, doing business as Shurtleff Table Company at 2288 East 48th Street, Vernon, California, may sell and deliver the tables listed herein at prices no higher than those set forth below:

Model and Style:	Maximum Price
No. 50, Cotton felt top	$14 34
No. 50, Leatherette top	14 75
No. 50, Wool felt top	16 18
No. 50A, Cotton felt top	13 24
No. 50A, Leatherette top	13 66
No. 50A, Wool felt top	15 08
No. 50B, Cotton felt top	12 84
No. 50B, Leatherette top	13 25
No. 50B, Wool felt top	14 68
No. 51, Cotton felt top	14 74
No. 51, Leatherette top	15 17
No. 51, Wool felt top	16 58
No. 100, Cotton felt top	18 30
No. 100, Leatherette top	18 72
No. 100, Wool felt top	20 13

(b) This Order No. 290 may be revoked or amended by the Administrator at any time.

(c) This Order No. 290 shall become effective April 26, 1943.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6392; Filed, April 24, 1943; 12:41 p. m.]

[Order 30 Under RPS 57, Amendment 1]

ROXBURY CARPET CO.

APPROVAL OF MAXIMUM PRICES

Amendment No. 1 to Order No. 30 under Revised Price Schedule No. 57—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Order No. 30 is amended to read "Hopedale" in all places where it now reads "Hinsdale".

This amendment shall become effective on the 26th day of April 1943.

Issued this 24th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6395; Filed, April 24, 1943; 11:48 a. m.]

[Order 1 Under MPR 94]

A. L. KOELZER LUMBER COMPANY

ORDER GRANTING ADJUSTMENT IN PRICES

Order No. 1 under § 1381.508 (a) of Maximum Price Regulation No. 94—Western Pine and Associated Species of Lumber; Docket No. 3094-2.

Upon consideration of the application, and for the reasons set forth in an opinion issued simultaneously herewith, pursuant to Procedural Regulation No. 6 and Maximum Price Regulation No. 94, *It is ordered:*

(a) The A. L. Koelzer Lumber Company, of Austin, Texas, is hereby authorized to enter into, offer to enter into, and carry out, prime contracts with the United States or any agency thereof, for sale and delivery of Ponderosa, Western, or Mexican pine lumber (as defined in Maximum Price Regulation No. 94) produced in and imported from Mexico, at delivered prices not more than $6.50 per MBM in excess of the maximum delivered prices established by Maximum Price Regulation No. 94 for such lumber.

(b) All prayers of the application not herein granted are denied.

(c) This Order No. 1 may be revoked or amended by the Administrator at any time.

(d) This Order No. 1 shall be effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6422; Filed, April 26, 1943; 10:10 a. m.]

[Order 18 Under Rev MPR 125]

WICHITA FALLS FOUNDRY AND MACHINE CO., INC.

ORDER ADJUSTING MAXIMUM PRICES

Order No. 18 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-44.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The Wichita Falls Foundry and Machine Co., Inc., Wichita Falls, Texas, hereinafter referred to as "the applicant" may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, at the maximum prices prescribed by § 1395.3 of Revised Maximum Price Regulation No. 125: Except, that in determining the maximum prices of nonferrous castings under that section the applicant need not make the reductions required by paragraph (b) of that section.

(b) The terms used in this order shall have the meaning given them by Revised Maximum Price Regulation No. 125.

(c) All prayers in the applicant's application for adjustment (Docket No. 3125-44) not granted herein are hereby denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 20, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6419; Filed, April 26, 1943; 10:11 a. m.]

[Order 27 Under MPR 136, as Amended]

ROBERTS TRACTOR & EQUIPMENT CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 27 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. S. O. 28-186.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (b) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) Roberts Tractor & Equipment Co. of Dodge City, Kansas is hereby authorized to charge $1.75 per hour for straight time and $2.25 for overtime for the machinery services it performs in the repair, rebuilding, and maintenance of machines and parts.

(b) To the extent that the application filed by Roberts Tractor & Equipment Co. has not been granted, the application is denied.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6417; Filed, April 26, 1943; 10:17 a. m.]

[Order 161 Under MPR 188 Amendment 1]

JOHNS-MANVILLE SALES CORP.

AUTHORIZATION TO DETERMINE MAXIMUM PRICES

Amendment No. 1 to Order No. 161 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, paragraph (b) (5) is amended by adding the following to the list of types of products:

Asbestos protective clothing.
Asbestos safety curtains.
Marine equipment.

This amendment shall become effective April 27, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6423; Filed, April 26, 1943; 10:09 a. m.]

[Order 292 Under MPR 188]

FRANK L. POLLARD CO.

APPROVAL OF MAXIMUM PRICES

Order No. 292 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sale by the Frank L. Pollard Company of baby cribs.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Frank L. Pollard Company of 24th Street at Union, Oakland, California, may sell and deliver the baby cribs listed herein at prices no higher than those set forth below:

#500 Crib	$6.95
#501 Crib	8.11
#502 Crib	8.70
#503 Crib	8.97
#504 Crib	10.97
#505 Crib	13.95

(b) Within one hundred and twenty days after the effective date of this Order No. 292 Frank L. Pollard Company shall file with the Office of Price Administration, Washington, D. C. a detailed profit and loss statement and a breakdown of actual unit costs of manufacturing the baby cribs listed above for the ninety days immediately following the effective date of this Order No. 292.

(c) This Order No. 292 shall be subject to adjustment if the Frank L. Pollard Company's actual operating figures for the ninety day period mentioned in paragraph (b) show that costs are substantially different from the projected costs upon which the maximum prices have been based, and this Order No. 292 may be revoked or amended by the Office of Price Administration at any time.

This Order No. 292 shall become effective on the 27th day of April, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6427; Filed, April 26, 1943; 10:10 a. m.]

[Order 293 Under MPR 188]

B & M MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 293 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for certain new games manufactured by B & M Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) B & M Manufacturing Company, 4412 Donovan Avenue, St. Louis, Missouri, is authorized to sell and deliver its new games, described in its application of February 25, 1943, at prices to retailers, f. o. b. St. Louis, Missouri, no higher than those set forth below:

	Per dozen
"Rondo"	$18.00
"Opportunity"	12.60
"Spiral Checkers"	6.00
"Jungle Race"	5.40
"Tell-A-Plane"	4.20
"Golden Duckets"	1.80
"Auxiliary Sets for Tell-A-Plane"	1.80

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 27, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6428; Filed, April 26, 1943; 10:10 a. m.]

[Order 294 Under MPR 188]

NORCOR MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 294 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by Norcor Manufacturing Company of folding card table and folding chairs.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Norcor Manufacturing Company, Green Bay, Wisconsin, may sell and deliver the folding card tables and chairs listed herein at prices f. o. b. Green Bay Wisconsin, no higher than those set forth below:

	Each
(1) #9 Table	$4.25
(2) #95 Chair	2.85
(3) #55 Chair	2.28

(b) This Order No. 294 may be revoked or amended by the Price Administrator at any time.

This Order No. 294 shall become effective on the 27th day of April 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6429; Filed, April 26, 1943; 10:10 a. m.]

[Order 295 Under MPR 188]

TOLEDO MILLWORK CO.

APPROVAL OF MAXIMUM PRICES

Order No. 295 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for three new wooden toys, manufactured by A. W. Reiser.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) A. W. Reiser, Toledo Millwork Company, 1704 Oakwood Avenue, Toledo, Ohio, is authorized to sell and deliver his new wooden toys, described in his application of March 24, 1943 at prices to retailers, f. o. b. Toledo, Ohio, no higher than those set forth below:

	Each
#108 Wood Tank	$0.90
#109 Invasion Barge	.90
#110 Wagon & Horses	.90

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 27, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6418; Filed, April 26, 1943; 10:10 a. m.]

[Order 296 Under MPR 188]

E. A. MYERS AND SONS

APPROVAL OF MAXIMUM PRICES

Order No. 296 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales of two new hearing aid battery conversion units and replacement cords manufactured by E. A. Myers and Sons.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The maximum price for all sales (including sales by the manufacturer, sales at wholesale, and sales at retail) of the two new Radiocar Hearing Aid Battery Conversion Units, to be known as Parts P-1017 and P-1027, manufactured by E. A. Myers and Sons, Radiocar Building, 306 Beverly Road, Mt. Lebanon, Pittsburgh, Pennsylvania, is $.63 per unit.

(b) The maximum price for replacement of the cord used in the above battery conversion units is $.20 per unit, less the seller's customary discounts from list prices of Radiocar Hearing Aid products.

(c) At or prior to the first invoice to each purchaser for resale after April 26, 1943 the manufacturer shall notify the purchaser of the maximum prices set by this order for resales by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 296 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 296 shall become effective April 27, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6424; Filed, April 26, 1943; 10:09 a. m.]

Regional Office, Region I

[Order G-7 Under Rev. MPR 122]

BITUMINOUS COAL, METROPOLITAN BOSTON AREA

Order No. G-7 under Revised Maximum Price Regulation No. 122—Solid Fuels Sold and Delivered by Dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of bituminous coal in the Metropolitan Boston Area by dealers are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth. The following maximum prices are established for the specified kinds of bituminous coal:

(1) Maximum prices for all sales f. o. b. transportation facilities at seller's yard, dock or other terminal facilities, to specified classes of purchasers—paragraph (b) hereof.

(2) Maximum prices for all sales on a delivered basis to specified classes of purchasers—paragraph (c) hereof.

A special provision concerning coal treated to allay dust is set forth in paragraph (d). The geographical area to which this order applies is explained in paragraph (e) and the term "Metropolitan Boston Area," and other terms used herein, are defined in paragraph (k). The specifications for the kinds of bituminous coal for which maximum prices are established by this order are set forth in paragraph (f).

Except as otherwise provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this order.

(b) *Maximum prices for sales f. o. b. transportation facilities at seller's yard, dock or other terminal facilities*—(1) *Table of prices, per net ton.*

Kind of coal	Classes of purchasers		
	Classes AA and A	Class B	Class C
Domestic run of mine	7.70	7.92	8.14
Straight run of mine	7.45	7.67	7.89
Mixed run of mine	7.60	7.82	8.04
Nut and slack	7.20	7.42	7.64
Slack	7.15	7.37	7.59
Low volatile pea	7.40	7.62	7.84
High volatile modified stoker	7.05	7.27	7.49
High volatile nut or pea	7.50	7.72	7.94
Cavalier nut and slack	7.35	7.57	7.79
High volatile egg or lump	7.15	7.37	7.59

(2) *Classes of purchasers.* (i) Class AA shall consist of all persons who purchase f. o. b. railroad cars at seller's yard, dock or other terminal facilities.

(ii) Class A shall consist of the following persons who purchase f. o. b. truck or wagon:

(*a*) All wharf dealers.

(*b*) Those consumers who have customarily been supplied by one or more wharf dealers at the same, or substantially the same, price applicable to sales to wharf dealers, whether said price was quoted as f. o. b. point of shipment or, when delivery was arranged for, as a delivered price which was in fact arrived at by the addition to said f. o. b. price of the actual cost of transportation.

(iii) Class B shall consist of the following persons who purchase f. o. b. truck or wagon:

(*a*) Dealers (other than wharf dealers) who have yards or other terminal facilities for the unloading and storing of coal, whether or not such facilities are designed or are customarily used for the handling of bituminous coal.

(*b*) Operators of greenhouses which are used for the growth of vegetables and/or flowers.

(iv) Class C shall consist of the following persons who purchase f. o. b. truck or wagon:

(*a*) All dealers who are not included in Classes A or Class B, except brokers.

(*b*) All consumers who purchase on an f. o. b. truck, or wagon basis and who are not included in Class A or Class B.

Provided, however, That nothing contained herein shall be so construed as to require a dealer to sell coal on an f. o. b. shipping point basis to any consumer to whom said dealer has not customarily so sold, or who has customarily purchased on a delivered basis.

(3) *Sales to brokers.* The maximum price for a sale to a broker who purchases f. o. b. transportation facilities at seller's yard, dock or other terminal facilities and resells without physically handling the coal, shall be 10¢ per ton less than the price applicable to a direct sale to a purchaser of the class of which the broker's customer is a member. The broker shall, when he places the order with the dealer, supply the name of his customer and a statement of his classification.

(4) *Terms of sale and services.* (i) Terms of sale may be c. o. d. However, if credit is extended no additional charge shall be made if payment is received by the tenth day of the month following the month in which the coal is shipped. For the extension of credit beyond the tenth day of the month following the month in which the coal is shipped, interest may be charged at a rate not to exceed one-half of one per cent per month on the unpaid balance.

(ii) The seller shall, upon request, arrange and pay for the transportation of the coal to the purchaser by the method of transportation indicated by the purchaser, to the extent that the requested transportation facilities can, by the exercise of reasonable diligence, be secured. No charge shall be made for such service. The actual cost of the transportation shall be shown separately on the invoice or similar document rendered to the purchaser. In performing such service the dealer shall, when proper under the rules and regulations of the Bureau of Internal Revenue, furnish to the carrier the certification required to avoid further taxation on the transportation of the coal to the purchaser under section 620 of the Revenue Act of 1942.

(c) *Maximum prices for all sales on a delivered basis*—(1) *Table of prices, per net ton:*

Kind of coal	Classes of purchasers				
	Class I	Class II	Class III	Class IV	Class V
Domestic mine run	$10.10	$9.85	$9.60	$9.10	$8.85
Straight mine run	9.85	9.60	9.35	8.85	8.60
Mixed mine run	10.00	9.75	9.50	9.00	8.75
Nut and slack	9.60	9.35	9.10	8.60	8.35
Slack	9.55	9.30	9.05	8.55	8.30
Low volatile pea	9.80	9.55	9.30	8.80	8.55
High volatile modified stoker	9.45	9.20	8.95	8.45	8.20
High volatile nut or pea	9.90	9.65	9.40	8.90	8.65
Cavalier nut and slack	9.75	9.50	9.25	8.75	8.50
High volatile egg or lump	9.55	9.30	9.05	8.55	8.30

tion shall be filed in the Boston Regional

The foregoing prices apply to deliveries made directly from truck or wagon into the consumer's storage facilities, and are inclusive of any trimming that may be necessary. If the coal cannot be so discharged and is carried or wheeled from the truck or wagon to consumer's storage facilities, an additional 50¢ per ton may be charged if such charge is separately stated on the invoice or similar document rendered to the purchaser.

(2) *Classes of purchasers.* Quantities refer to the consumer's annual purchases, but apply only when the minimum delivery is one ton. Prices for deliveries of less than one ton are governed by subparagraph (4) of this paragraph (c). The consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer, except that a dealer may charge the Class I price to any consumer, regardless of his general classification, who purchases less than 4 tons from said dealer during the course of a year.

Class I. Less than 4 tons.

Class II. Four tons or more, but less than 1000 tons, regardless of the number of points within the area at which delivery is received by the purchaser.

Class III One thousand tons or more, regardless of the number of points within the area at which delivery is received by the purchaser.

Class IV. Three thousand tons or more but less than 7,000 tons, delivered to a single point.

Class V. Seven thousand tons or more, delivered to a single point.

If the purchaser's proper classification cannot be determined at the time of the delivery (as for example, in the case of a purchaser who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the purchaser agree to pay an appropriate additional amount if, when his actual classification has been determined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

(3) *Sales to brokers.* The maximum price for a sale by a dealer to a broker who orders coal to be delivered by the dealer directly to the broker's customer shall be 10¢ per ton less than the price applicable to a direct sale to a purchaser of the class of which the broker's customer is a member. The broker shall, when he places the order with the dealer, supply a statement of his customer's classification.

(4) *Maximum prices for half and quarter ton deliveries.* (i) The maximum price for delivery of one-half ton shall be the result arrived at by dividing the Class I price by 2, adjusting the quotient to the nearest multiple of 5¢ and adding 50¢. If the quotient is an exact multiple of 2½¢, the next higher multiple of 5¢ shall be considered the nearest multiple thereof.

(ii) The maximum price for delivery of one-quarter ton shall be the result arrived at by dividing the maximum price for delivery of one-half ton (determined pursuant to the preceding subparagraph) by 2, adjusting the quotient to the nearest multiple of five cents and adding 25¢.

(5) *Terms of sale.* Terms of sale may be c. o. d. However, if credit is extended no additional charge shall be made if payment is received by the tenth day of the month following the month in which the coal is delivered. For the extension of credit beyond the tenth day of the month following the month in which the coal is delivered, interest may be charged at a rate not to exceed one-half of one per cent per month on the unpaid balance.

(d) *Dust treatment.* No extra charge may be made for coal subject to this Order No. 7 which has been subjected to a chemical, oil or waxing process for allaying dust except that ten cents (10¢) per ton may be added to the otherwise applicable maximum price in the following cases:

(1) When the coal has been so treated at the mine and the producer or distributor makes an extra charge for such treatment pursuant to § 1240.210 (a) (10) of Maximum Price Regulation No. 120.

(2) When the coal has been so treated by a dealer subject to this order; but no dealer shall require a purchaser to buy coal which has been so treated by the dealer.

The additional charge for such treatment shall be shown separately on the invoice or similar document which is furnished by the dealer to the purchaser.

(e) *Geographical applicability.* The maximum prices set forth in paragraph (b) hereof for all sales f. o. b. transportation facilities at seller's yard, dock or other terminal facilities shall apply to all such sales when the coal is shipped from a point within the Metropolitan Boston area, regardless of the ultimate destination of the coal, except sales for export and sales of bituminous coal for direct use as bunker fuel, which latter are governed by Maximum Price Regulation No. 189.

The maximum prices set forth in paragraph (c) hereof for all sales on a delivered basis shall apply to all coal sold on a delivered basis to purchasers who receive the coal within the Metropolitan Boston area, regardless of whether the dealer is located within said area, except sales of bituminous coal for direct use as bunker fuel which are governed by Maximum Price Regulation No. 189.

(f) *Specifications for the kinds of coal for which maximum prices are established by this Order No. 7.* (1) "Domestic run of mine" is bituminous coal which is defined by the Bituminous Coal Division as "Domestic, dealer, modified or screened run of mine," or its equivalent as to coarseness, produced in Producing Districts 1, 2, 3, 7 or 8.

(2) "Straight run of mine" is bituminous coal which is defined by the Bituminous Coal Division as "Straight run of mine," or its equivalent as to coarseness, produced in Producing Districts 1, 2, 3, 7 or 8.

(3) "Mixed run of mine" is bituminous coal which is a mixture of "Domestic run of mine" and "Straight run of mine" in equal proportions, or its equivalent as to coarseness.

(4) "Nut and slack" is bituminous coal screenings which, at the mine, have passed through a screen with apenings larger than three-quarters (¾") of an inch.

(5) "Slack" is bituminous coal screenings which, at the mine, have passed through a screen with openings of three-quarters (¾") of an inch or smaller.

(6) "Low volatile pea" is bituminous coal, double screened at the mines, with a top size smaller than two (2) inches and a bottom size one-quarter (¼") inch or larger, and produced in the low volatile sections of Producing Districts 1, 3, 7 and 8.

(7) "High volatile modified stoker" is bituminous coal screenings which, at the mine, have passed through a screen with openings not larger than two (2) inches and containing not less than fifteen per cent (15%) 3/8" x 0 screenings and produced in the high volatile section of Producing District 8.

(8) "High volatile nut or pea" is bituminous coal, double screened at the mines, with a top size two (2) inches and smaller and a bottom size smaller than two (2) inches, and produced in the high volatile section of Producing District 8.

(9) "High volatile lump" is bituminous coal which has been screened at the mines over screens with openings larger than three-quarter (¾") of an inch, and produced in the high volatile sections of Producing District 8.

(10) "High volatile egg" is bituminous coal which has been double screened at the mines, with a top size larger than three (3) inches and a bottom size two (2) inches and smaller, and produced in the high volatile section of Producing District 8.

(11) "Cavalier nut & slack" is the bituminous coal which is known by that trade name, produced by Consolidation Coal Company at its mine having Index No. 5445.

(g) *Addition of railroad freight rate increase prohibited.* The specific maximum prices established by this Order No. 7 include the amount of the railroad freight rate increase incurred as a result of the Interstate Commerce Commission's order in its Docket Ex Parte 148, effective March 13, 1942, and such railroad freight rate increase may not be added to the specific maximum prices.

(h) *Taxes.* A dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased.

(i) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this Order No. 7 shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this Order No. 7 available for examination by any person during ordinary business hours. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer subject to this Order No. 7 shall give to each purchaser an invoice or similar document showing (i) the date of the sale or delivery, the name and address of the dealer, the name and address of the purchaser, the kind and quantity of the bituminous coal sold, the purchaser's classification and the price charged and (ii) separately stating any special items which are required to be separately stated by the terms of this Order No. 7.

(3) Every dealer and broker who sells coal f. o. b. transportation facilities to dealers outside of the Metropolitan Boston Area shall, at the time of the first such sale on or after the effective date hereof to any dealer whose place of business is located outside of the Metropolitan Boston Area, notify such dealer of the specific maximum prices established by this order for the kinds of coal sold to such dealer, and that he should recalculate his maximum prices under Revised Maximum Price Regulation No. 122 and comply with the requirements of § 1340.262 (c) thereof concerning reports.

(k) *Definitions.* When used in this Order No. 7 the term: (1) "Dealer" means any person selling bituminous coal except coal which is delivered from a mine or preparation plant by a producer or distributor, or a person who sold bituminous coal subject to Revised Maximum Price Regulation No. 122 or subject to Maximum Price Regulation No. 122.

(2) "Wharf dealer" means a dealer who has terminal facilities located on tidewater and who normally receives bituminous coal which is transshipped via tidewater.

(3) "Broker" means a dealer who purchases bituminous coal from a dealer and, without physically handling it, resells it.

(4) "Metropolitan Boston Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Dedham, Dover, Everett, Hingham, Holbrook, Hull, Lexington, Malden, Medford, Melrose, Milton, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Somerville, Stoneham, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, Woburn.

(5) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior, and all references to Producing Districts are to the geographical bituminous coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been or may be modified from time to time by the Bituminous Coal Division.

(6) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(l) Lower prices than those set forth herein may be charged, paid or offered.

(m) This order may be revoked, amended or corrected at any time.

This order shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of April 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-6401; Filed, April 24, 1943; 1:38 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-38]

UNITED PUBLIC UTILITIES CORP. AND SUBSIDIARY COMPANIES

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pa., on the 23rd day of April 1943.

Order granting application for extension of time, pursuant to section 11 (e).

The Commission having by order dated March 4, 1942, entered pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directed that United Public Utilities Corporation, a registered holding company, divest itself of all of its interests in, and in the properties and assets owned or operated by the companies designated in the said order, and the order having provided that the respondent should make application to the Commission for the entry of such further orders as are necessary or appropriate for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate; and

The respondent, United Public Utilities Corporation, having filed an application requesting an extension of time for one year within which to comply with our order of March 4, 1942; and

The Commission having found that said company has been unable in the exercise of due diligence to comply with said order within the initial statutory period of one year from the date of its entry, and that a limited extension of time is necessary and appropriate in the public interest and for the protection of investors; and that under the circumstances an extension shall be granted for a period of six months;

It is ordered, That United Public Utilities Corporation be and hereby is granted an additional period of six months from March 4, 1943 within which to comply with said order of March 4, 1942, without prejudice, however, to the respondent to apply for an additional extension if the circumstances warrant.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6412; Filed, April 24, 1943; 4:26 p. m.]

[File No. 1-2234]

REORGANIZED BROKEN HILLS SILVER CORP.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of April, A. D. 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Reorganized Broken Hills Silver Corporation, non-assessable common stock, 10¢ par value, should be suspended or withdrawn.

I

It appearing to the Commission:

That the Reorganized Broken Hills Silver Corporation, a corporation organized under the laws of the State of Nevada, is the issuer of Non-Assessable Common Stock, 10¢ Par Value; and

That the said Reorganized Broken Hills Silver Corporation registered its Assessable Common Stock, Par Value 10¢, on the San Francisco Mining Exchange, by filing with the Exchange and with the Commission on or about November 13, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on June 1, 1936, and that the aforesaid company having changed its Assessable Common Stock, Par Value 10¢, to Non-Assessable Common Stock, Par Value 10¢, and having on or about November 21, 1939 filed an application on Form 8-A, pursuant to the aforesaid section of the Act and the aforesaid Rule, registration pursuant to such application having become effective on January 10, 1940, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual

report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Reorganized Broken Hills Silver Corporation; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That the said Reorganized Broken Hills Silver Corporation has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; and that to date the registrant has not filed with the Commission such annual report nor has it filed with the Commission a request for an extension of time within which to file same; and

II

The Commission having reasonable cause to believe that:

The said Reorganized Broken Hills Silver Corporation has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Reorganized Broken Hills Silver Corporation has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Non-Assessable Common Stock, 10¢ Par Value, of the said Reorganized Broken Hills Silver Corporation on said San Francisco Mining Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 17th day of May, 1943, at 10:00 a. m. Pacific War Time at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-6411; Filed, April 24, 1943; 4:26 p. m.]

WAR PRODUCTION BOARD.

[Certificate 55]

COORDINATED OPERATION BETWEEN ATLANTIC CITY, N. J., AND PHILADELPHIA, PA.; PUBLIC SERVICE INTERSTATE TRANSPORTATION CO., QUAKER CITY BUS CO.

THE ATTORNEY GENERAL: I submit herewith Special Order ODT B-42[1] issued by the Director of the Office of Defense Transportation with respect to the coordination of motor vehicle service in the transportation of passengers by Public Service Interstate Transportation Company, Newark, New Jersey, and Quaker City Bus Company, Camden, New Jersey.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the special order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT B-42 is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 22, 1943.

[F. R. Doc. 43-6330; Filed, April 23, 1943; 3:17 p. m.]

[1] *Supra.*

FEDERAL REGISTER

VOLUME 8 NUMBER 83

Washington, Wednesday, April 28, 1943

The President

PROCLAMATION 2583

NATIONAL MARITIME DAY, 1943

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the sailing of the steamship *The Savannah* on May 22, 1819, from Savannah, Georgia, on the first successful transoceanic voyage under steam propulsion made a significant contribution to the advancement of transportation by sea; and

WHEREAS in commemoration of this achievement the Congress by joint resolution approved May 20, 1933 (48 Stat. 73) designated May 22 of each year as "National Maritime Day" and requested the President to issue annually a proclamation calling upon the people of the United States to observe that day; and

WHEREAS the support of our overseas forces and the rendering of aid to our allies depend upon the steady movement of cargo along the ocean tracks—a movement now maintained by the courageous seamen of our merchant marine in resolute defiance of the enemy above, beneath and on the surface of the seas:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1943 as National Maritime Day by displaying the flag at their homes or other suitable places, and I direct that the flag be displayed on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 24th day of April in the year of our Lord nineteen hundred and [SEAL] forty-three and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-6496; Filed, April 27, 1943; 11:06 a. m.]

EXECUTIVE ORDER 9336

AUTHORIZING FINANCING ARRANGEMENTS TO FACILITATE THE PROSECUTION OF THE WAR

By virtue of the authority vested in me by the Constitution and statutes of the United States, and particularly by the First War Powers Act, 1941 (approved December 18, 1941), and as President of the United States, and in order to facilitate the prosecution of the war, it is ordered as follows:

1. The Office of Lend-Lease Administration and the War Shipping Administration are hereby authorized, without regard to the provisions of law relating to the making, performance, amendment or modification of contracts, to enter into guaranties, agreements of indemnification, agreements to provide funds, and other financing arrangements with the War Department, the Navy Department, and the Maritime Commission in connection with any loans, discounts, advances, contracts, guaranties, or commitments made pursuant to Executive Order No. 9112 of March 26, 1942,[1] for the benefit or on behalf of the Office of Lend-Lease Administration or the War Shipping Administration, respectively, and to pay out funds in accordance with the terms of any such guaranty, agreement, or other financing arrangement so entered into.

2. The authority hereby conferred may be exercised by the Lend-Lease Administrator or the War Shipping Administrator or, in their discretion and by their direction respectively, through any other official or officials of the Office of Lend-Lease Administration or the War Shipping Administration. The Lend Lease Administrator and the War Shipping Administrator may confer upon any such official or officials the power to make further delegations of such powers within their respective offices.

3. Complete data shall be maintained by the Office of Lend-Lease Administration and the War Shipping Administration as to all guaranties, agreements, and other financing arrangements which they respectively make pursuant to this Executive order. The Lend-Lease Ad-

[1] 7 F.R. 2367.

(Continued on next page)

IMPORTANT NOTICE

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ministrator and the War Shipping Administrator shall make available for public inspection, as they may respectively deem compatible with the public interest, so much of such data as does not cover restricted, confidential, or secret transactions.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 24, 1943.

[F. R. Doc. 43-6458; Filed, April 26, 1943; 12:44 p. m.]

EXECUTIVE ORDER 9337

AUTHORIZING THE SECRETARY OF THE INTERIOR TO WITHDRAW AND RESERVE LANDS OF THE PUBLIC DOMAIN AND OTHER LANDS OWNED OR CONTROLLED BY THE UNITED STATES

By virtue of the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, and as President of the United States, it is ordered as follows:

Section 1. The Secretary of the Interior is hereby authorized to withdraw or reserve lands of the public domain and other lands owned or controlled by the United States to the same extent that such lands might be withdrawn or reserved by the President, and also, to the same extent, to modify or revoke withdrawals or reservations of such lands: *Provided*, That all orders of the Secretary of the Interior issued under the authority of this order shall have the prior approval of the Director of the Bureau of the Budget and the Attorney General, as now required with respect to proposed Executive orders by Executive Order No. 7298 of February 18, 1936, and shall be submitted to the Division of the Federal Register for filing and publication: *Provided, further*, That no such order which affects lands under the administrative jurisdiction of any executive department or agency of the Government, other than the Department of the Interior, shall be issued by the Secretary of the Interior without the prior concurrence of the head of the department or agency concerned.

Section 2. This order supersedes Executive Order No. 9146 of April 24, 1942, entitled "Authorizing the Secretary of the Interior to Withdraw and Reserve Public Lands".[1]

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 24, 1943.

[F. R. Doc. 43-6460; Filed, April 26, 1943; 3:15 p. m.]

[1] 7 F.R. 3067.

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q 527]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE REGULATIONS MODIFIED

§ 301.48–c *Administrative instructions; places released from restrictions.* Pursuant to the authority conferred upon the Chief of Bureau of Entomology and Plant Quarantine by the fourth proviso of § 301.48, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 48, on account of the Japanese beetle), all restrictions of the rules and regulations of the above-named quarantine as they relate to the village of Silver Creek, Chautauqua County, N. Y., and the town of Woodstock, Shenandoah County, Va., ar hereby removed, effective April 26, 1943, it having been determined that the application of control measures through soil treatment of infested areas now completed or in progress makes it safe to remove the restrictions as they relate to the above-named village and town.

(7 CFR § 301.48; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Done at Washington this 21st day of April 1943.

[SEAL] P. N. ANNAND,
Chief.

[F. R. Doc. 43-6503; Filed, April 27, 1943; 11:20 a. m.]

temporary relief is granted as follows: Commencing forthwith § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER,
Director.

Chapter V—Food Distribution Administration

[Revocation of FDO 14]

PART 1461—OILSEEDS, FATS AND OILS

TERMINATION OF ORDER PLACING RESTRICTIONS ON THE PURCHASE AND SALE OF PEANUT OIL

Pursuant to the authority vested in me by Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3507), *It is hereby ordered*, as follows:

That Food Distribution Order No. 14, as amended (8 F.R. 1704; 8 F.R. 2530), restricting the purchase and sale of peanut oil, issued by the Secretary of Agriculture, be, and the same is hereby terminated.

With respect to violations of said Food Distribution Order No. 14, as amended, or rights accrued, or liabilities incurred under said Food Distribution Order No. 14, as amended, prior to the effective date of the termination of said order, said Food Distribution Order No. 14, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

Issued this 26th day of April 1943.

(E.O. 9322, 8 F.R. 3807)

[SEAL] CHESTER C. DAVIS,
Administrator.

[F. R. Doc. 43-6496; Filed, April 26, 1943; 5:07 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1933]

PART 322—MINIMUM PRICE SCHEDULE

DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of an additional shipping point for the Maple Grove Mine, Mine Index No. 2626 in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of an additional shipping point for the Maple Grove Mine, Mine Index No. 2626 of the Mineral Coal Mining Co. in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 332.2 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 332.24 (*General prices in cents per net ton*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in this supplement is to be read in the light of the classifications and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical listing of code members*—Supplement R.

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2626	Mineral Coal Mining Co. (Clyde A. Marsh)	Maple Grove	Upper Mercer	1	Raymilton, Pa.—Sandy Lake, Pa.	NYC	101	J	J	H	H	H	J	J	J	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)

(1) Unclassified. Classifications effective for three size groups.
NOTE: The above classification for the above mine under number applicable only via the respective freight origin group, shipping point, railroad and railroad fuel group shown for the mine. Freight origin groups, shipping points, railroads and railroad fuel groups shown in previous schedules are hereby deleted.

Filed, April 26, 1943; 10:53 a. m.]

[Docket No. A-1926]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of certain mines in District No. 12 for all shipments except truck and for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 332.2 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 332.24 (*General prices in cents per net*

price classifications and minimum prices for certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals

ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 332.2 *Alphabetical list of code members*—Supplement R

[Listing of code members, mines, mine index numbers and mine origin groups]

Code member	Mine index No.	Mine name	Mine origin group	Originating railroad	Mine origin group No.
Coal Ridge Coal Co. (Victor Hetherington).	846	No. 2[1]	Bussey	CB&Q-Wab	31
Harkness, Ival (Crow Coal Co.)	32	Crow Coal Co.[1]	{Bussey / Lovilia[2]}	{CB&Q-Wab / CB&Q-Wab}	67
Jones, Thos. H.	844	Rose Hill[1]	{Bussey / Lovilia}	{CB&Q-Wab / CB&Q-Wab}	67
Peewee Coal Company % Chas. Brady	421	Peewee Coal Co.[1]	{Hamilton / Bussey}	{CB&Q-Wab / CB&Q-Wab}	56

[1] Indicates mines shipping via sidings and ramps for railway delivery.
[2] Denotes additional shipping point and change in mine origin group number. Mine origin group No. 31 shall no longer be applicable for this mine.

FOR TRUCK SHIPMENTS

§ 332.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Prod. group No.	County	Chunk	Standard lump	Egg, 3" x 2", 6 x	Stove egg, 4 x 2", 3 x 1½"	Mine run	Nut 2 x 1¼" 1¼ x ⅞"	Domestic stoker, 1¼", 1 x ⅜"	Screenings 2", 1½" 1¼ x 0	Ind. Stoker, ¼", 2" 1½", 1¼" x 0	⅜" x 0
					1	2	3	4	5	6	7	8	9	10
Coal Ridge Coal Co. (Victor Hetherington).	846	No. 2	18	Marion	305	295	285	275	275	275	275	165	225	105
Golden Glo Coal Co. (Gust Larson).	843	Golden Glo	18	Marion	305	295	285	275	275	275	275	165	225	105
Roberts, C. W. (Big 3 Coal Co.).	839	No. 2	18-A	Marion	310	300	290	280	275	275	275	165	225	105

[F. R. Doc. 43-6441; Filed, April 26, 1943; 10:53 a. m.]

[Docket No. A-1889]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15, and praying that no permanent price classifications or maximum prices be established for the coals of the Little Jim Mine (Mine Index No. 1667), located in Putnam County, Missouri, pending the entry of a final Order in Docket No. A-179; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief as requested in the petition; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief is granted herein for the coals of the Little Jim Mine, Mine Index No. 1667, of Jim & Harry Gadberry in Putnam County, Missouri, for the reason set forth in the Order severing that portion of Docket No. A-1889 relating to said coals from the remainder of the docket, designating such severed portion as Docket No. A-1889, Part II, and granting temporary relief therein.

Dated: April 10, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Prod. group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group													
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Skinner, E. W.[1]	1660	Stanfield #3	3	Jacksonville, Mo.	Wab	111	A	A	A	A	C	C	C	C	A	C	C	A	A	(1)	A

[1] Indicates no classification effective for these size groups.
[1] Previously classified as truck mine.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Prod. group No.	County	3" lump	½" up	10" x 11½"	3" x 2"	3" x 1½"	2" x 1¼"	1¼" x ¾"	Mine run	3" x 0	1¼" x ¾" (H)	1¼" x 0 (W)	1¼" x 0 (H)	¼" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Kerr, W. W.	1670	Kerr Strip Pit.	10	McIntosh, Okla.	370	370	370	325	(1)	280	(1)	245	150	160	(1)	(1)	125	(1)	(1)
Kramer Coal Co. (Orretta Kramer)	1674	Kramer #2	2	Henry, Mo.	290	280	290	290	235	230	205	200	220	195	180	(1)	160	160	45
Nolen, Roy	1665	Noce	2	Johnson, Mo.	290	280	290	290	235	230	205	200	220	195	180	(1)	160	160	45
Schreu, Fred	1664	Holland	3	Callaway, Mo.	240	240	240	240	225	215	205	195	220	190	195	180	(1)	120	45

[1] Indicates no classification effective in these size groups.

[F. R. Doc. 43-6439; Filed, April 26, 1943; 10:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[WPB Regulation 2]

DELEGATION OF POWER WITH RESPECT TO HAWAII

§ 903.01 *WPB Regulation No. 2.* (a) The Regional Director of Region No. 10 of the War Production Board is hereby authorized, with respect to materials and transactions wholly within the territory of Hawaii, to perform the functions and exercise all the powers, authority and discretion now or hereafter vested in the Chairman of the War Production Board, except as provided in paragraph (b). This authority includes, among other things, the power to postpone the effective date of orders and regulations of the War Production Board, the power to grant exceptions to such orders and regulations, the power to modify the terms of such orders and regulations, the power to specify additional controls not provided by such orders and regulations and the power to control inventories.

(b) The authority of the Regional Director under this regulation shall not extend to any of the following:

(1) Action with respect to the distribution to civilians of any material which is being rationed by the Office of Price Administration throughout the United States;

(2) The exercise of any of the powers conferred upon the Chairman of the War Production Board by Public Law No. 603, 77th Congress (Smaller War Plants Act);

(3) The amendment or revocation of this regulation or of WPB Regulation No. 1 (§ 903.0), or the issuance, amendment or revocation of any action authorized by paragraph (c) or (d) of WPB Regulation No. 1.

(c) The authority delegated the Regional Director by this regulation may be redelegated by him, either in whole or in part, conditionally or unconditionally, to any employee of the War Production Board subject to his supervision.

(d) Any action taken by the Regional Director or by any employee of the War Production Board to whom the Regional Director has redelegated his authority shall be taken in the name of the War Production Board, countersigned or attested by the Regional Director or by such employee.

(E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued: April 26, 1943.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 43-6464; Filed, April 26, 1943; 3:51 p. m.]

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-292]

PERMANENT SIGN DISPLAY COMPANY

Samuel F. Blatt is the sole owner of the business known as Permanent Sign Display Company, located at 1811 Center Avenue, Reading, Pennsylvania, and is engaged in the manufacture of signs, calendars and advertising novelties. Subsequent to August 15, 1942, the Permanent Sign Display Company put into process iron and steel to make advertising novelties and subsequent to September 15, 1942, it assembled them. Advertising novelties are an item appearing on Supplementary List A of Conservation Order M-126, and both their manufacture and assembly are prohibited. Prior to August 15, 1942, the Permanent Sign Display Company had knowledge of the provisions of Conservation Order M-126 and, therefore, the processing and assembling of iron and steel as aforesaid, constituted a wilful violation of the order.

These violations of Conservation Order M-126 have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts: *It is hereby ordered*, That:

§ 1010.292 *Suspension Order No. S–292.* (a) Samuel F. Blatt, doing business as Permanent Sign Display Company, or otherwise, his or its successors and assigns, shall not receive, process, fabricate or use any of the metals specified on the metals list attached to Priorities Regulation No. 11, in any form, nor shall Samuel F. Blatt, doing business as Permanent Sign Display Company or otherwise, his or its successors and assigns, assemble any article or item containing or to which is attached, any of the metals specified in the metals list attached to Priorities Regulation No. 11, in any form, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this order shall not be applicable to orders bearing a preference rating of AA–2X or higher.

(c) Nothing contained in this order shall be deemed to relieve Samuel F. Blatt, doing business as Permanent Sign Display Company, or otherwise, his or its successors and assigns, from any restriction contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 28, 1943, and shall expire on July 28, 1943, at which time the restrictions contained in this Order shall be of no further effect.

Issued this 26th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6465; Filed, April 26, 1943; 3:51 p. m.]

PART 1001—TIN

[Supplementary Order M-43-b as Amended April 27, 1943]

Section 1001.3 *Supplementary Order M–43–b,* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.3 *Supplementary Order M–43–b*—(a) *Definition.* For the purpose of this order:

"Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) *Restriction on use of tin in certain gas meters.* After February 15, 1943, no person shall use tin-bearing solder or other tin-bearing material in the adjustment, repair, or resealing of any tin-cased gas meter having a rated capacity of less than 300 cu. ft. per hour except:

(1) A meter which is found not to be accurate within an accuracy range of plus or minus 4% when tested by standard meter prover tests;

(2) A meter which has not been previously repaired for twelve years or more;

(3) A meter which has developed an opening through which gas escapes in the outside case or connections; or

(4) A meter which has a functional defect other than mere failure to register accurately within the range specified in subparagraph (b)(1) above.

The restrictions of this paragraph (b) shall not apply to any such gas meter which was withdrawn prior to January 26, 1943, for the purpose of testing and returning it to service. Furthermore, nothing contained in this paragraph (b) shall prevent the repair or resealing of any tin-cased gas meter if the only tin-bearing solder or other tin-bearing material used for such purpose is derived from material reclaimed from meters brought in for repair.

(c) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Such appeals and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington, D. C., Reference: M–43–b.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6499; Filed, April 27, 1943; 11:10 a. m.]

PART 1068—CANS

[Conservation Order M-81, as Amended April 27, 1943]

§ 1068.1 *Conservation Order M–81*—(a) *Definitions.* (1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M–200.

(2) "Tinplate" means any sheet steel coated with tin and includes "primes", "seconds", "waste-waste" (except "electrolytic waste-waste"), and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 29-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack", unless particularly specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of cans.* (1) No person shall sell or deliver any can except under a purchase order or contract validated by a delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any can which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall manufacture any can smaller than 5 gallons, with ears, bails, or handles.

(c) *Restrictions upon purchase, acceptance of delivery, and use of cans.* (1) No person shall, during the calendar year 1943 (or the seasonal year 1942–1943, when specified), purchase, accept delivery of, or use for packing a product any can except to the extent permitted in Schedules I, II, and III, attached to this order: *Provided, however,* That a jobber or retail store may obtain and sell cans in conformity with the provisions of this order.

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, sizes of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall obtain except for products for which a seasonal year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different

form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M–104.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to the extent specifically permitted in the schedules attached to this order.

(d) *Exceptions.* (1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of the following cans:

(i) Cans for packing any product which is not to be sold.

(ii) Fiber or paper bodied cans with ends made of waste, for packing any food product for human consumption, and antiseptic or medicinal powders.

(iii) Open-top sanitary tinplate cans for packing any products listed in Schedules I and II attached to this order: *Provided,* (1) The packer has packed and set aside the full amount of any such product which he is required to set aside pursuant to Food Distribution Order No. 22 and orders supplementary thereto; (2) the cans are not of any of the specific sizes listed for open-top sanitary cans in Schedules I and II; and (3) the cans either were manufactured on or before December 9, 1942, or were or are manufactured from parts lithographed, cut to individual size, or partially assembled on or before December 9, 1942, and/or from parts produced from tinplate which, on or before December 9, 1942, was so processed or was of such size, gauge or grade that it is not suitable for the manufacture of tinplate cans of the types and sizes permitted by this order (exclusive of cans for which "frozen tinplate" is specified).

(iv) Cans (other than open-top sanitary tinplate cans) for packing any product listed in Schedules I, II, and III or, if the cans are not suitable for any such product, for packing any product not so listed: *Provided,* That, in either event, the cans (1) are not of any of the specific sizes listed, in the schedules attached to this order, for the products for which the cans were originally designed and (2) either were completely manufactured on or before December 9, 1942, or were or are manufactured from parts cut to individual size for such cans on or before December 9, 1942.

(v) Cans for packing any product not listed in Schedules I and II attached to this order, when such cans are to be delivered pursuant to a letter of intent approved by, or a purchase order or contract negotiated for or with the Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States.

[NOTE: Paragraph (v) redesignated April 27, 1943]

(2) [Revoked April 27, 1943]

(3) No certificate shall be required for the sale or delivery of cans to any purchaser who has already filed a certificate with his seller under Conservation Order M–81.

(e) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref.: M–81.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) [Revoked April 27, 1943]

Issued this 27th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M–81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M–81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

---
(Name of Seller)

(Address of Seller)

pursuant to this or future purchase orders or contracts in violation of terms of such order.

Date---------

(Legal name of Purchaser)

By ---
(Authorized Official)

(Title of Official)

(Address of Purchaser)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CANS

NOTE: Items 4, 35, 41, 48, and 57 were amended and items 8, 13, 29, 30, 31, 32, 46, 63, and 66 were added April 27, 1943.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a government agency. The designation FDO–22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is hereinafter sometimes referred to as "set aside quotas."

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, in columns (4) or (5), and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears. Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers, and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

(3) Wherever the triple asterisk appears in Column (3) for any product, every canner who possesses No. 10-size can equipment shall pack his entire set-aside quota in No. 10

cans, if the fullest practicable use of that equipment provides sufficient capacity. If such use does not provide sufficient capacity, he shall pack as much of the set-aside quota in No. 10 size cans as such capacity does permit and shall pack the balance of that quota in the other sizes of cans permitted for the particular product.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed.	FDO-22	10	1.25 tin	1.25 tin.
2. Apple sauce, including sauce from crab apples.	FDO-22	2-10***	1.25 tin	1.25 tin.
3. Apricots. Whole apricots not to be packed.	FDO-22	2½-10***	1.25 tin	1.25 tin.
4. Blackberries, black raspberries, red raspberries, boysenberries, loganberries, and youngberries when packed as berries. Quota applicable to each kind of berries respectively.	100% 1942	2-2½-10***	1.50 tin	1.50 tin.
5. Blueberries or huckleberries	FDO-22	10	1.50 tin	1.50 tin.
6. Cherries, other than white	100% 1942	2-2½-10***	1.50 tin	1.50 tin.
7. Cherries, white	100% 1942	2-2½-10***	1.25 tin	1.25 tin.
8. Cherries, RSP—frozen only	50% of total frozen tonnage packed in all containers in 1942.	½ of pack in 30 lb cans; ½ of pack in 50 lb cans.	1.25 tin	1.25 tin.
9. Figs	FDO-22	10	1.25 tin	1.25 tin.
10. Fruit cocktail, consisting of any combination of fruits listed in this schedule I and grapes provided that the combination, by drained weight, shall consist of not less than 50 percent pineapples and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 7 percent of the fruit cocktail.	Unlimited	2½-10***	1.25 tin	1.25 tin.
11. Grapefruit, segments	FDO-22	2	1.25 tin	1.25 tin.
12. Grapefruit juice	Unlimited	2-3 cyl-10***	1.25 tin	1.25 tin.
13. Olives, ripe—from 1942 crop only	25% 1940-41	Not more than ½ of quota in No. 2½; Balance in No. 10	1.25 tin	1.25 tin.
14. Orange juice	FDO-22	2-3 cyl-10***	1.25 tin	1.25 tin.
15. Orange-grapefruit juice blended (50% orange—50% grapefruit)	FDO-22	2-3 cyl-10***	1.25 tin	1.25 tin.
16. Peaches (clingstone), halves, slices or cubes	Unlimited	2½-10***	1.25 tin	1.25 tin.
17. Peaches (freestone), halves, slices, or cubes. Not to be packed in California	Unlimited	2½-10***	1.25 tin	1.25 tin.
18. Pears, halves, slices, or cubes	Unlimited	2½-10***	1.25 tin	1.25 tin.
19. Pineapple, slices, chunks, crushed, or tidbits. Spears not to be packed.	Unlimited	2-2½-3 cyl-10***	1.25 tin	1.25 tin.
20. Pineapple juice	Unlimited	2-3 cyl-10***	1.25 tin	1.25 tin.
21. Plums, green or yellow	100% 1942	2½-10	1.50 tin	1.50 tin.
22. Prunes, fresh Italian. Not to be packed in California	50% 1942	2½-10	1.50 tin	1.50 tin.
VEGETABLES AND VEGETABLE PRODUCTS				
23. Asparagus, all-green or culturally blanched	Unlimited	2-2½-10***	1.25 tin	1.25 tin.*
24. Beans, green or wax	Unlimited	2-2½-10***	1.25 tin	1.25 tin.*
25. Fresh shelled beans, whether referred to as beans or peas:	Unlimited		1.25 tin*	1.25 tin.**
Lima beans		2-2½-10***		
Other fresh shelled beans, including but not limited to blackeyed peas or beans, field peas, soy beans		2-2½-10		
26. Beets. Whole beets over 1" diameter not to be packed	FDO-22	2-2½-10***	1.25 tin	1.25 tin.*
27. Carrots. Whole carrots not to be packed	FDO-22	2-2½-10***	1.25 tin	1.25 tin.*
28. Corn, fresh, sweet, cut	Unlimited		1.25 tin*	1.25 tin.**
Cream style		2-10		
Whole kernel		2-2 vacuum (307 x 306) for vacuum pack-10***		
29. Mixtures of vegetables, which consist of not less than 60% of any combination of vegetables listed in this schedule, or of any such combination and celery, onions, and peppers, provided that the combination by drained weight shall consist of not more than 90% of any one vegetable and, *Provided further*, That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	75% 1941	2 vacuum (307 x 306) 2-2½-10.	1.25 tin	1.25 tin.*

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
VEGETABLES AND VEGETABLE PRODUCTS—con.				
30. Mushrooms	50% 1941-2	2 oz-4 oz-8 oz	1.25 tin	1.25 tin.*
31. Okra	100% 1940	2-2½-10	1.25 tin	1.25 tin.*
32. Tomatoes and Okra	100% 1940	2-2½-10	1.25 tin	1.25 tin.
33. Peas, green	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10***	1.25 tin*	1.25 tin.**
34. Pumpkin and squash	FDO-22	2½	1.25 tin	1.25 tin.*
35. Soups: Limited to the below-listed kinds of seasonal and non-seasonal soups containing no less than the specified percentage, by weight, of solids (dry or salt-free, whichever is specified) from dairy products in any form, poultry or poultry products in any form, fresh, brined, and frozen meats and fish of the kinds listed in Schedules I and II, and fresh or brined vegetables of the kinds listed in Schedules I and II. In addition, such solids for listed non-seasonal soups may be obtained from frozen vegetables: *Provided*, That, during the period June 1, 1943 through December 31, 1943, no person shall use, for all such soups, more than 30%, by weight, of the total amount of frozen vegetables he used for the same kinds of soups during the last 7 months of 1942.				
a. Seasonal soups	Unlimited	1 picnic	1.25 tin	1.25 tin.*
Kinds: Asparagus; Pea; Spinach; Tomato; Mushroom	Minimum solids: 7% dry solids; 6% dry solids; 7% dry solids; 7% dry solids; 18% salt-free solids			
b. Non-seasonal soups	75% of total 1942 pack of specified non-seasonal soups	1 picnic	1.25 tin	1.25 tin.*
Kinds: Chicken, chicken gumbo, chicken noodle, gumbo creole, consommé, bouillon	Minimum solids: 6% dry solids			
Clam or fish chowders, turtle	8% dry solids			
Scotch broth, vegetable, vegetable-vermicelli, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder	10% dry solids			
Beef and vegetable, beef	12% dry solids			
Bean	21% salt-free solids			
36. Green leafy vegetables			1.25 tin	1.25 tin.*
Spinach	80% 1942	2½-10***		
Other green leafy vegetables, limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens	80% 1942	2½-10		
37. Tomatoes	Unlimited	2-2½-10***	1.25 tin	1.25 tin.
38. Tomato catsup, not less than 25 percent (specific gravity 1.111), by weight of total dry solids.	FDO 22	2½-3 cyl-10***	1.25 tin	1.25 tin.*
39. Tomato juice, which may contain not more than 30 percent of other vegetable juices.	Unlimited	2-3 cyl-10***	1.25 tin	1.25 tin.*
40. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037), by weight of dry tomato solids, and not less than 10.0 per cent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt the contents may contain pepper, spice oils, and other flavoring ingredients.	Unlimited	3-10***	1.25 tin	1.25 tin.*
	125% 1942 pack of sizes 8Z and 1 picnic.	5 gal reusable	1.25 tin	1.25 tin.
		8Z—1 picnic	1.25 tin	1.25 tin.*
41. Tomato paste, from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids	Unlimited	2½-10***-12	1.25 tin	1.25 tin.*
		5 gal reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 6Z.	6Z	1.25 tin	1.25 tin.*.
42. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	2-2½-10***	1.25 tin	1.25 tin.*
		5 gal reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 1 picnic.	1 picnic	1.25 tin	1.25 tin.*

NOTE. Tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from 5-gal. or larger reusable cans when required for packing other products, or for repacking in different forms other than in the form of tomato paste, or tomato pulp or puree, but none may be repacked in the same form.

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FISH AND SHELLFISH				
(Processed, and in hermetically sealed cans)				
43. Clams, soft, hard, or razor	Unlimited	½ flat (307 x 200.25)-(307 x 201.25)-1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409)-10 (603 x 700).	1.25 tin*	1.25 tin.*
44. Crabmeat	Unlimited	½ flat (307 x 201.25).	1.25 tin*	1.25 tin.*
45. Fish flakes. Dried fish flakes not to be packed.	Unlimited	300 (300 x 407)-2 (307 x 409).	1.25 tin*	1.25 tin.*
46. Ground fish, containing no filler and packed for human consumption only.	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
47. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
48. Fish roe	Unlimited	300 (300 x 407)-½ oval (513 x 307 x 103).	1.25 tin*	1.25 tin.*
49. Herring, Atlantic Sea, by whatever name known including sardines.	Unlimited	¾ drawn (300.5 x 404 x 014.5)-¾ drawn (304 x 508 x 105)-¾ three piece (308 x 412 x 112)-300 (300 x 407)		
Packed in oil			1.25 tin*	1.25 tin.**
Packed in mustard or tomato sauce	Unlimited	1 tall (301 x 411)	1.25 tin	1.25 tin.
50. Herring, Pacific Sea				
Packed in oil			1.25 tin*	1.25 tin.**
Packed in mustard or tomato sauce	Unlimited	300 (300 x 407)-2 (307 x 409)	1.25 tin	1.25 tin.
51. Herring, river (alewives)	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
52. Mackerel	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
53. Menhaden	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
54. Mullet	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
55. Mussels		1 picnic (211 x 400)-2 (307 x 409)-10 (603 x 700)		
56. Oysters. No. 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out-drained weight. No. 2 cans 11 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited	1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409).	1.25 tin*	1.25 tin.*
57. Pilchards, by whatever name known including sardines.	Unlimited	SZ short (211 x 300)-½ oblong (304 x 508 x 103)-(306 x 510 x 104)-300 (300 x 407)-1 oval (607 x 406 x 108).		
Packed in oil			1.25 tin*	1.25 tin.**
Packed in mustard or tomato sauce	Unlimited	½ flat (307 x 200.25)-(307 x 201.25)-1 flat (401 x 210.5) (401 x 211)-1 tall (301 x 411).	1.25 tin	1.25 tin.
58. Salmon			1.25 tin	1.25 tin.*
59. Shad	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
60. Shrimp	Unlimited	1 picnic (211 x 400)-5 (502 x 510).	1.25 tin*	1.25 tin.*
61. Squid	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
62. Tuna, bonito, and yellowtail	Unlimited	½ tuna (307 x 113)-1 tuna (401 x 205.5)-4 lb. tuna (603 x 408).	1.25 tin*	1.25 tin.*
63. Turtle	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin.*
DAIRY PRODUCTS				
64. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.525, page 2444 and § 18.530, page 2445, as amended, Federal Register, August 8, 1941 pages 3973 and 3974.	100% 1942	14 oz	1.25 tin	1.25 tin.
65. Evaporated milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.520 page 2444.	Unlimited	8 lb	1.25 tin	1.25 tin.
NOTE.—During 1942 a person's pack of evaporated milk in 6 oz. cans shall not exceed 50% of his 1942 pack of 6 oz cans.	90% 1942	6 oz-14½ oz	1.25 tin	1.25 tin.
66. Liquid modifications of milk, for human consumption only, including only milk treated or mixed with other edible substances, provided the packer packed the product in substantially the same form in 1942.	90% 1942	14½ oz	1.25 tin	1.25 tin.
FISH AND SHELLFISH (For refrigerated shipment, fresh)				
67. Oysters. Until Apr 30, 1943	Unlimited	1 gal	CTB	CTB.

SCHEDULE II—FOOD CANS

NOTE: Items 1, 2, 4d, and 14 were amended, and item 21 was added April 27, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States (Lend Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MEATS AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon	None	(24 oz (14 lb	1.25 tin* 1.25 tin*	1.25 tin.** 1.25 tin.*
2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat, by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered		Any size	1.25 tin*	1.25 tin.**
3. Brains	100% 1942	10½ oz	1.25 tin*	1.25 tin.**
4. Meat products as follows:				
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(1)	300 (300 x 407)	1.25 tin*	1.25 tin.*
b. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.	(1)	7 oz	1.25 tin*	1.25 tin.**
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	(1)	3 oz	1.25 tin*	1.25 tin.**
d. Sausage in casings, containing no cereal or similar substance, and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight				
Vienna sausage, pork sausage	(1)	4 oz	1.25 tin*	1.25 tin.**
Sausage in oil, lard or rendered pork fat	(1)	No. 5	1.25 tin*	1.25 tin.**
e. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight	(1)	24 oz	1.25 tin*	1.25 tin.**
f. Chopped lean meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight	(1)	12 oz	1.25 tin*	1.25 tin.**
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.	(1)	3¼ oz	1.25 tin*	1.25 tin.**
5. Tongue	50% 1942	6 oz	1.25 tin*	1.25 tin.**
6. Turkey, boned, and chicken, boned	None	1 lb	1.25 tin*	1.25 tin.**

(1) 100% of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat products f.

SCHEDULE II—FOOD CANS—Continued

SCHEDULE III—NON-FOOD CANS—Continued

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MISCELLANEOUS FOODS				
7 Baby foods: Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used: provided that no person shall use, for packing baby foods, more than 35 percent, by weight, of the frozen fruits and vegetables which he used for this purpose during 1942. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans	100% 1942	202 BF (202 x 214)	1.50 tin	1.50 tin.
Milk formulas and soybean milk liquid	100% 1942	14½ oz.	1.25 tin	1.25 tin.
Milk formulas, dry or powdered	100% 1942	1 lb.	0.50 tin	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
8. Dehydrated vegetables	None	(10	0.50 tin	CTB.
		15 gal	0.50 tin	0.50 tin.
9. Grape juice and grape pulp	100% 1942	5 gal. reusable	1.50 tin	1.50 tin.
10. Citrus pulp and citrus peel	100% 1942	5 gal. reusable	1.25 tin	1.25 tin.
11. Honey	Unlimited	60 lb. reusable	1.25 tin	1.25 tin.
12. Goat's milk	100% 1942	14½ oz.	1.25 tin	1.25 tin.
13. Milk, skimmed, dry or powdered	None	50 lb	0.50 tin	0.50 tin.
14. Milk, whole, dry, or powdered	100% 1942	1lb–2½ lb., 5 lb	0.50 tin	0.50 tin.**
		25 lb–50 lb.	0.50 tin	0.50 tin.
15. Special food products, limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	See product column.			
16. Baking powder. Until June 30, 1943	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942.	6-oz. to 32-oz., inclusive.	Fiber	Frozen blackplate and blackplate rejects.
17. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal, and edible blends of such oils	50% 1942 pack of size 5 gal.	5 gal. reusable	1.25 tin	1.25 tin.
18 Citrus concentrates	None	10	1.25 tin	1.25 tin.
19 Butter and oleomargarine	None	10	1.25 tin	1.25 tin.*
20. Maple syrup, limited to syrup made by the evaporation of maple sap, containing not more than 35 percent water and weighing not less than 11 pounds to the gallon.	Unlimited	1 gal	Frozen tinplate	Frozen tinplate.
21 Pectin, liquid only	Unlimited	5 gal reusable	1.25 tin	1.25 tin.

SCHEDULE III—NON-FOOD CANS

(1) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule III, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) Whenever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, Special Coated Manufacturers' Terneplate, may be substituted for making any part or fitting of the can which is required to be soldered.

(3) No compound containing crude rubber, latex, or synthetic rubber as defined in Order M-15-b, shall be used in the manufacture of cans for packing any product listed in this Schedule III.

SCHEDULE III—NON-FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
1. Abrasives, and grinding and buffing compounds. Not to be packed dry	100% 1942	Any size	Blackplate	Blackplate.
2. Acid nitro-hydrochloric (outer container)	100% 1942	1 lb	Blackplate	Blackplate.
3. Bee feeder cans, friction top, for use in shipping bees	100% 1942	2–2½–3	0.50 tin	CTB
4. Benzol, naphtha, toluene, and xylene	100% 1942	1 gal	SCMT	Blackplate.
5. Blood plasma	Unlimited	Any size	0.10 tin	CTB.
6. Calcium carbide	100% 1942	2 lb.–10 lb	Blackplate	Blackplate.
7. Calcium cyanide	100% 1942	1 lb.–2½ lb	SCMT	Blackplate.
8. Calcium hypochlorite, Grade A	100% 1942	3¾ lb.–5 lb	SCMT	Blackplate.
9. Carbon bisulfide	100% 1942	1 lb	SCMT	Blackplate.
10. Cements and dressings, limited to belting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry	100% 1942	1 qt.–1 gal	Blackplate	Blackplate.
11. Cements, rubber, solvent or latex	100% 1942	1 qt.–1 gal	Blackplate	Blackplate.
12. Chlorpicrin, Bromacetone, Monochloroacetone, and acrolein	100% 1942	1 lb	SCMT	Blackplate.
13. Chloroform and ether	100% 1942	Any size	1.25 tin	1.25 tin.
14. Chromic acid (outer container)	100% 1942	1 lb	Blackplate	Blackplate.
15. Fire extinguisher fluid, limited to chlorinated hydrocarbon type	100% 1942	1 qt.–1 gal	SCMT	SCMT.
16. Gasket assembling compounds	100% 1942	1 qt.–1 gal	Blackplate	Blackplate.
17. Glues and adhesive, liquid	100% 1942	1 qt.–1 gal	SCMT	SCMT.
18. Grain fumigant, liquid	100% 1942	1 gal.–5 gal	SCMT	SCMT.
19. Graphite, with liquid content	100% 1942	1 qt.–1 gal	Blackplate	Blackplate.
20. Greases, lubricating	100% 1942	10 lb.–25 lb	Blackplate	Blackplate.
21. Inks, printing, duplicating, and lithographing. Slip cover style cans of sizes based upon cans which hold the indicated weights of water.	100% 1942	8 oz.–12 oz., 1 lb.–2 lb., 5 lb.–10 lb., 25 lb.–50 lb.	Blackplate	Blackplate.
22. Lye. Until June 30, 1943	50% 1942	13 oz	Blackplate	Blackplate.
23. Drain cleaners, until June 30, 1943	50% 1942	12 oz	Blackplate	Blackplate.
24. Toilet bowl cleaners, limited to cleaners containing not less than 70% bisulphate of soda, until June 30, 1943.	50% 1942	10 oz	Blackplate	Blackplate.
25. Nicotine sulphate	Unlimited	5 lb	1.50 tin	1.50 tin.
26. Nitric acid, fuming (outer container)	100% 1942	1 lb	Blackplate	Blackplate.
27. Oils, essential, distilled or cold pressed	100% 1942	1 qt	0.50 tin	0.50 tin.
28. Oils, transformer	100% 1942	5 gal	0.50 tin	0.50 tin.
29. Paints, copper bottom or antifouling	Unlimited	1 gal	1.25 tin	1.25 tin.
30. Paints. Pigmented oil or oleoresinous, ready mixed, semipaste and paste, including but not limited to white lead in oil, colors in oil, pigmented lacquers, resin emulsion paste, casein paste, and vegetable protein paste paints.	35% 1942	1 gal	Fibre	Blackplate (50% of bottoms to be made from frozen blackplate or blackplate rejects.)
		1 qt	Fibre	Fibre bottom; blackplate ring. Plug made from waste blackplate recovered in manufacture of ends for 1-gal. fibre bodied paint cans.
31. Phosphorus	100% 1942	1 lb	SCMT	SCMT.
32 Shoe polish, leather dressing, and saddle soap. Until June 30, 1943.	50% 1942	Any size	Frozen blackplate and blackplate rejects.	
33. Soap, paste limited to mechanic's hand soap.	100% 1942	3-lb	Frozen blackplate and blackplate rejects.	
34. Sodium and potassium metals	100% 1942	1 lb	Blackplate	Blackplate.
35. Sodium peroxide (outer container)	100% 1942	1 oz	Blackplate	Blackplate.
36. Soldering pastes and boiler sealing compounds.	100% 1942	Any size	Blackplate	Blackplate.
37. Dangerous chemicals, for shipment by Express, when a metal can is required by Interstate Commerce Commission Regulations and no alternate package is permitted.	100% 1942	Any size	Blackplate	Blackplate.
38. Ointment and salve	Unlimited	¼-oz., ½-oz., 1-oz	Limited to frozen tinplate and frozen blackplate and blackplate rejects.	

INTERPRETATION 1

Frozen tinplate, terneplate or blackplate means only tinplate, terneplate or blackplate which, since prior to December 9, 1942, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate, having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified, without qualifications, in the "Can Material" columns of the schedules attached to the said order. (Issued February 22, 1943.)

[F. R. Doc. 43-6500; Filed, April 27, 1943; 11:10 a. m.]

PART 1200—CIVILIAN DEFENSE HELMETS

tion 35 (A) of the Criminal Code (18 U.S.C. 80)

(6) "New" when applied to pumps, means any pump which has not been

shall be deemed to require the repainting of any pumps or repair parts in any

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

other servicing of (including but not limited to maintenance or repairs of accessories or

PART 1200—CIVILIAN DEFENSE HELMETS

[Limitation Order L–105 as Amended April 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials entering into the production of civilian defense helmets for the war effort, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 1200.1 *General Limitation Order L–105*—(a) *Definition.* For the purposes of this order, "civilian defense helmet" means any helmet or hat designed or adapted for civilian use in connection with air raids, air raid drills or other civilian defense activities. The term shall not include any head covering consisting entirely (except for trimmings) of cloth.

(b) *General restrictions.* No person shall manufacture any civilian defense helmet, or part or component thereof, except:

(1) Under purchase order from the Office of Civilian Defense, or other agency or department of the United States, or

(2) For delivery to a foreign country pursuant to the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or

(3) From fabricated or semi-fabricated parts or material which on April 29, 1942 were in process of manufacture into civilian defense helmets.

(c) *Application of Priorities Regulation No. 1.* This order and all transactions affected hereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(d) *Reports.* All persons affected by this order shall execute and file such reports and questionnaires as the War Production Board shall, from time to time, prescribe.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Violations and false statements.* Any violation of this order is a criminal offense. In addition, any person who violates this order, or who by any act or omission falsifies any records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(h) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him or would disrupt or impair a program of conversion from non-war to war work, may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(i) *Communications.* All reports required to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Division, Washington, D. C. Ref.: L–105.

Issued this 27th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6497; Filed, April 27, 1943; 11:10 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule VII to Limitation Order L–217, as Amended April 27, 1943]

PUMPS

§ 3115.8 *Schedule VII to Limitation Order L–217*—(a) *Definitions.* For the purposes of this Schedule VII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of pumps as herein defined.

(3) "Pumps" means gasoline or electric motor driven pumps, skid or trailer mounted, ordinarily used by contractors for dewatering and supply, of the types listed below:

(i) Centrifugal self-priming pumps;

(ii) Diaphragm pumps;

(iii) Triplex piston road pumps; and

(iv) Plunger pumps.

This definition does not include Underwriter's approved fire-fighting pumps, farm type pumps and industrial type pumps.

(4) "Repair part" means any part manufactured for use in the repair of pumps as herein defined.

(5) "The military" means the Army, Navy, Maritime Commission, War Shipping Administration and the following persons when acting as the authorized procurement agents for the Navy:

(i) Fuller, Merritt, Chapman and Scott Corporation.

(ii) M. T. Reed Contracting Company.

(iii) Siems Drake Puget Sound.

(iv) Pacific Naval Air Bases.

(6) "New" when applied to pumps, means any pump which has not been sold by a producer or a distributor to a person acquiring it for use, regardless of whether such pump may have been leased to any person by such producer or distributor.

(7) "Copper" means unalloyed copper metal, including unalloyed copper metal produced from scrap.

(8) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds forty percent (40%) of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Exemptions.* Nothing in this schedule shall be deemed to prevent producers from filling orders for pumps placed by or for the account of the military.

(c) *Limitation on production and assembly of pumps.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of pumps which do not conform to the sizes, types, models and designs established in paragraph (d) hereof. Nothing in this paragraph (c) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(d) *Limitation on sizes and types.* Producers are limited to the following sizes, types and models of pumps, and no more than one design is permitted for each such type, size and model:

(1) *Self-priming centrifugal pumps* (Iron body construction only):

(i) 1½"—3,000 G. P. H. minimum capacity (mounted on skids only).

(ii) 2"—10,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iii) 3"—20,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iv) 4"—40,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(v) 6"—90,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(vi) 8"—125,000 G. P H. minimum capacity (four wheel running gear or on skids only).

(vii) 10"—180,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(2) *Diaphragm pumps:*

(i) 3" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(ii) 4" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(3) *Triplex road pumps:*

(i) 125 G. P. M. at 500 pounds pressure model mounted on four wheel running gear.

(4) *Plunger pumps:*

(i) No plunger pumps are to be manufactured for dewatering purposes.

[NOTE: Paragraph (3) amended April 27, 1943]

(e) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on pumps, nor use more than one color finish coat paint on any one pump and its repair parts if painted. Nothing in this paragraph (e) shall be deemed to require the repainting of any pumps or repair parts in any such producer's inventory on March 15, 1943.

(f) *Limitations on accessories.* On and after March 15, 1943, no producer shall manufacture, or receive from his supplier for resale, any of the following items, unless such items are in process or on order prior to February 25, 1943:

(1) Hand cranks, other than rope starters, to be furnished as equipment for new single cylinder engine pumps;

(2) Spring axle mountings for new pumps;

(3) Bearings, except plain or agricultural pin type bearings, for axle wheels on new pumps;

(4) Vacuum or pressure gauges, except for resale as special equipment;

(5) Skids, unless made of wood, for new pumps; or

(6) Wheel bushings containing copper or copper base alloy.

(g) *Restrictions on producers.* No producer, unless actively engaged in the current production of pumps (as indicated by his January, 1943, filing of production and shipment schedules on Form PD–697, pursuant to Limitation Order L–192) shall thereafter enter into the production thereof.

Issued this 27th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6498; Filed, April 27, 1943; 11:10 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1, Direction 6]

The following direction is issued to all steel producers pursuant to paragraph (t) of CMP Regulation No. 1:

In addition to the deliveries of steel permitted by paragraph (t) (3) of CMP Regulation No. 1, the following type of delivery is also permissible:

Delivery to another controlled materials producer for resale without further conversion, subject, however, to the restrictions provided in paragraph (t) (2) of CMP Regulation No. 1; provided the order on which delivery is made is endorsed or accompanied by a certificate bearing the symbol PI (meaning "Producers interchange") to the effect that the controlled materials covered by the order will be used solely for resale in the form and shape in which received. A controlled materials producer may reject such orders, but shall not discriminate between customers in rejecting or accepting the same. Such orders shall not constitute authorized controlled materials orders unless and until accepted, but if accepted shall have the same status as authorized controlled materials orders. The sale of controlled materials purchased pursuant to this direction shall be subject to all applicable regulations and orders of the War Production Board.

Issued this 27th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6501; Filed, April 27, 1943; 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 45]

EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES AND SERVICES

A statement to accompany this Supplementary Order No. 45 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

§ 1305.59 *Exemption from price control of certain commodities and services.* (a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, all sales by any person of the following listed commodities are exempt from price control:

(1) The following items in the notions category:

Tie racks, shoe racks.
Pin cushions.
Shoe horns.
Wigs and toupes.
Comforter grippers.
Comb cleaners.

(2) The following items in the household accessories category:

Book ends, portable door stops, and paper weights.
Reading racks.
Novelty table centerpieces and decorations, including artificial flower centerpieces, glass flowers, artificial fruit, and place card holders.
Mirror table plateaus.
Beverage coasters.
Dinner bells and chimes.
Figurines and ornamental statuary.
Wood carved figures and animals.
Novelties made of butterfly wings, sea shells, and gourds.
Novelty wall plaques, masks, and decorations.
Music boxes.
Bird houses.

(3) The following miscellaneous items:

Three dimensional sculptured or cast anatomical models (human, botanical, zoological) used for educational purposes.
Floor-sweeping compounds.
Reagent chemicals, when sold for the purposes of scientific and medical research, for analytical and educational uses, and for quality control of industrial products.
Sphagnum moss.
Florists' foliage, decorative and trimming products.
Cathedral glass.
Wrought iron fences.
Wrought iron balustrades.
Lightning rods.
Weathervanes.
Cast-iron cornices.
Steel or iron marquees.
Ornamental iron brackets.
Sesame meal.
Whole crab and shrimp meal.
Ground peanut hay.

(4) The following services:

Aircraft—lubrication, maintenance, painting, "rental", repair, storage, washing, or other servicing of (including but not limited to maintenance or repairs of accessories or parts).
Air-raid precautionary services dealing with buildings or parts thereof.
Carpentry repairs (shopwork only).
Rental of costumes and dress suits.
Public address systems—maintenance, rental or repair of.
Signs—maintenance, painting or repair of.
Sporting goods (including but not limited to guns—remodeling, rental or repair of.

This Supplementary Order No. 45 (§ 1305.59) shall become effective May 1, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

*Copies may be obtained from the Office of Price Administration.

[F. R. Doc. 43–6466; Filed, April 26, 1943; 4:22 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO. 5,[1] Amendment 2 to Supp. 1[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Supplement No. 1 to General Ration Order No. 5 is amended in the following respects:

1. Section 1305.203 (c) is amended to read as follows:

(c) Allowance per person

Rationed food:	*Allowance per person*
Processed foods	6 points
Sugar:	
1. For Group III institutional users only:	
(i) For allotment period ending April 30, 1943	.03 pounds
(ii) For the second and subsequent allotment periods	.04 pounds
2. For all others (for all allotment periods)	.03 pounds
Coffee	.013 pounds

This amendment shall become effective April 30, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively, Food Dir. 3, 5, 6, and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[1] 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 8216, 3255, 3616, 3851, 4131, 4325, 4784, 4785, 4839, 5265.

[2] 8 F.R. 2597, 3851, 4840, 5266.

[F. R. Doc. 43–6474; Filed, April 26, 1943; 4:23 p. m.]

PART 1306—IRON AND STEEL

[MPR [redacted]]

RELAYING RAIL, RELAYING GIRDER RAIL AND USED TRACK ACCESSORIES

Revised Price Schedule No. 46 is revised and amended to read as set forth herein.

In the judgment of the Price Administrator, it is necessary and proper to

establish maximum prices for sales of relaying rail which differ in certain re-

terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer re-

transportation charges, if any, and the quantity and weight purchased or sold.

(b) Before any person shall sell re-

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to

which weighed more than 70 pounds per yard when new.

(2) For quantities of one carload or more but not more than two carloads, $35.84 per

cessories to that basing point mentioned in Appendix A (b) to which the lowest applicable railroad rate from such siding applies:
Provided, That the shipping point price need

establish maximum prices for sales of relaying rail which differ in certain respects from those established by Revised Price Schedule No. 46—Relaying Rail,[1] and also to establish maximum prices for used track accessories. The Price Administrator has ascertained and given due consideration to the prices of relaying rail, relaying girder rail and used track accessories between October 1 and 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1306.251 *Maximum prices for relaying rail, relaying girder rail and used track accessories.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 46 (Relaying Rail, Relaying Girder Rail and Used Track Accessories), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1306.251 issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 46—RELAYING RAIL, RELAYING GIRDER RAIL AND USED TRACK ACCESSORIES

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Appendix C: Maximum prices for used track accessories.

SECTION 1 *Maximum prices*—(a) *Relaying rail.* On and after December 2, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer relaying rail, and no person shall buy, offer to buy, or accept delivery of relaying rail, at prices higher than the maximum prices set forth in Appendix A.

(b) *Relaying girder rail.* On and after December 19, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer relaying girder rail, and no person shall buy, offer to buy, or accept delivery of relaying girder rail, at prices higher than the maximum prices set forth in Appendix B.

(c) *Used track accessories.* On and after May 1, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer used track accessories, and no person shall buy, offer to buy, or accept delivery of used track accessories, at prices higher than the maximum prices set forth in Appendix C.

SEC. 2 *Less than maximum prices.* Lower prices than those set forth in Appendices A, B and C may be charged, demanded, paid or offered.

SEC. 3 *Evasion.* The price limitations set forth in this regulation shall not be evaded either by direct or indirect methods in connection with a purchase, sale, delivery or transfer of relaying rail, relaying girder rail or used track accessories, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by division of orders to obtain more favorable quantity differentials, or otherwise.

SEC. 4 *Registration and licensing.* The provisions of Supplementary Order No. 17,[2] licensing sellers of iron and steel products, are applicable to every person subject to this regulation. That order provides, in brief, that a license is necessary to make sales of any iron or steel products for which maximum prices are established by this and other maximum price regulations. A license is automatically granted. It is not necessary to apply for the license but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity covered by the order, and no person whose license is suspended may sell any such commodity during the period of suspension.

SEC. 5 *Records and reports.* (a) Every person making purchases or sales of:

(1) Relaying rail which weighed 35 pounds or more per yard when new, after January 1, 1942;

(2) Relaying rail which weighed less than 35 pounds per yard when new, after December 19, 1942;

(3) Relaying girder rail, after December 19, 1942;

(4) Used track accessories, after April 30, 1943;

shall keep for inspection by the Office of Price Administration for a period of not less than two years or for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, whichever period is shorter, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the shipping point price paid or received, transportation charges, if any, and the quantity and weight purchased or sold.

(b) Before any person shall sell relaying rail or used track accessories pursuant to paragraph (c) of Appendix A, and paragraph (c) of Appendix C, he must file with the Office of Price Administration a statement indicating that he operates a reconditioning plant equipped with machinery for reconditioning relaying rail and used track accessories, giving a list of such machinery, and must obtain written recognition by the Office of Price Administration of his plant as a relaying rail warehouse. Those persons who have already received written recognition by the Office of Price Administration as a relaying rail warehouse, are hereby granted permission to sell used track accessories out of such warehouse without the filing of any further application therefor. A storage point or yard, not customarily operated as a warehouse, is not a warehouse within the meaning of this paragraph.

(c) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require.

SEC. 6 *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 7 *Petitions for amendment.* Persons seeking any modification of this regulation may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

SEC. 8 *Definitions.* (a) When used in this regulation, the term:

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

"Relaying girder rail" means plain or grooved steel rail of any weight per yard designed for laying as street-car track in city streets or elsewhere, which is suitable for relaying and which is to be used for relaying or for a purpose other than relaying for which new rail is ordinarily used, and which has been submitted to all reconditioning processes, if any, necessary to render it fit for such reuse.

"Relaying rail" means steel rail of any weight per yard (other than relaying girder rail) which is suitable for relaying and which is to be used for relaying or for a purpose other than relaying for which new rail is ordinarily used, and which has been submitted to all reconditioning processes, if any, necessary to render it fit for such reuse.

"Shipping point" means on board the means of transportation to the buyer, whether truck, freight car, barge, or ship.

"Used track accessories" means railroad or mine track spikes, track bolts and nuts, tie plates and joint bars (which shall include rail joints, angle bars, splice bars and fish plates) of any size and weight which are suitable for reuse and which are to be used for relaying purposes and which have been submitted to all reconditioning processes if any, necessary to render them fit for reuse.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 9 *Geographical application.* The provisions of this regulation shall apply only to sales, offers to sell or deliveries of relaying rail, relaying girder rail or used track accessories moving within, into or out of one of the States of the United States or the District of Columbia.

SEC. 10 *Quantity differentials.* The quantity differentials established in this regulation shall not be governed by the seller's deliveries but by the quantities specified in the original order placed by the purchaser.

SEC. 11 *Applicability of other maximum price regulations or revised price schedules.* This regulation supersedes all existing maximum price regulations or revised price schedules including Revised Price Schedule No. 49 with respect to sales of relaying rail, relaying girder rail and used track accessories.

Appendix A: Maximum prices for relaying rail—(a) *Maximum prices for relaying rail originating from Class 1 railroads and Class 1 switching or terminal companies.* The maximum price of relaying rail originating from Class 1 railroads and Class 1 switching or terminal companies shall be $28.00 per gross ton f. o. b. any station on the selling railroad at the option of the buyer: *Provided*, That when such rail is purchased by dealers or jobbers, such dealers or jobbers may sell, except as provided in paragraph (c) of this Appendix, such rail at a maximum price of $30.00 per gross ton f. o. b. shipping point.

(b) *Maximum prices for relaying rail originating from sources other than Class 1 railroads and Class 1 switching or terminal companies.* The maximum price, f. o. b. shipping point, for relaying rail other than rail originating from Class 1 railroads and Class 1 switching or terminal companies, shall be $30.00 per gross ton minus the lowest carload railroad charge for transporting such rail from the railroad siding nearest the location of such rail to the basing point to which the lowest applicable railroad rate from such siding applies: *Provided*, That the shipping point price need in no case be less than $24.00 per gross ton.

The following cities shall be deemed basing points:

Birmingham, Ala.
Boston, Mass.
Buffalo, N. Y.
Chicago, Ill.
Cincinnati, Ohio.
Cleveland, Ohio.
Denver, Colo.
Detroit, Mich.
Duluth, Minn.
Houston, Tex.
Kansas City, Mo.
Los Angeles, Calif.
Norfolk, Va.
Philadelphia, Pa.
Pittsburgh, Pa.
Portland, Oreg.
St. Louis, Mo.
San Francisco, Calif.
Savannah, Ga.
Seattle, Wash.

(c) *Maximum prices for relaying rail sold from warehouses.* The maximum prices, f. o. b. warehouse, for relaying rail which has been shipped to recognized relaying rail warehouses equipped with machinery for reconditioning and there unloaded, when sold from such warehouse, shall be as follows:

(1) For quantities of more than two carloads, $32.00 per gross ton for all such rail which weighed more than 70 pounds per yard when new.

(2) For quantities of one carload or more but not more than two carloads, $35.84 per gross ton for all such rail which weighed more than 70 pounds per yard when new.

(3) For quantities of one carload or more: (i) $35.84 per gross ton for all such rail which weighed 45 pounds or more per yard when new, but not more than 70 pounds; (ii) $39.20 per gross ton for all such rail which weighed 35 pounds or more per yard when new, but less than 45 pounds per yard when new; (iii) $45.00 per gross ton for all such rail which weighed less than 35 pounds per yard when new.

(4) For less than carload quantities of all weights of relaying rail which weighed 35 pounds or more per yard when new: (i) $2.00 per hundred pounds f. o. b. warehouse for quantities of five net tons or more; and (ii) $2.25 per hundred pounds f. o. b. warehouse for quantities of less than five net tons.

(5) For less than carload quantities of all weights of relaying rail which weighed less than 35 pounds per yard when new: (i) $2.25 per hundred pounds f. o. b. warehouse for quantities of five net tons or more; and (ii) $2.40 per hundred pounds f. o. b. warehouse for quantities of less than five net tons.

Provided, however, That there may be added to such maximum prices set forth in this paragraph (c), charges for extras, where furnished pursuant to the purchaser's specifications, as follows:

(6) 15¢ per hundred pounds for cutting to lengths of 10 to 15 feet, inclusive, together with such drilling as may be necessary;

(7) 20¢ per hundred pounds for cutting to lengths of less than 10 feet together with such drilling as may be necessary;

(8) 5¢ per hundred pounds for bonding;

(9) 10¢ per hundred pounds for special drilling.

Appendix B: Maximum prices for relaying girder rail. The maximum price, f. o. b. shipping point, for relaying girder rail shall be $45.00 per gross ton minus the lowest carload railroad charge for transporting such rail from the railroad siding nearest the location of such rail to that basing point mentioned in Appendix A (b) to which the lowest applicable railroad rate from such siding applies: *Provided*, That the shipping point price need in no case be less than $39.00 per gross ton.

Appendix C: Maximum prices for used track accessories—(a) *Maximum prices for used track accessories originating from Class 1 railroads and Class 1 switching or terminal companies.* The maximum prices per hundred pounds for used track accessories originating from Class 1 railroads and Class 1 switching or terminal companies f. o. b. any station on the selling railroad at the option of the buyer, shall be as follows:

	Per hundred pounds, in any quantity
(1) Joint bars	$1.85
(2) Tie plates	1.50
(3) Track bolts and nuts	3.50
(4) Track spikes	2.70

Provided, That when such accessories are purchased by dealers or jobbers, such dealers or jobbers may sell, except as provided in paragraph (c) of this Appendix, such accessories at a price of 25¢ per hundred pounds above the prices listed in this paragraph, f. o. b. shipping point.

(b) *Maximum prices for used track accessories originating from sources other than Class 1 railroads and Class 1 switching or terminal companies.* The maximum prices, f. o. b. shipping point, for used track accessories originating from sources other than Class 1 railroads and Class 1 switching or terminal companies, shall be the prices per hundred pounds listed below, minus the lowest carload railroad charge for transporting such used track accessories from the railroad siding nearest the location of such accessories to that basing point mentioned in Appendix A (b) to which the lowest applicable railroad rate from such siding applies: *Provided*, That the shipping point price need in no case be less than eighty percent of those prices listed herein below:

(1) Joint bars: (i) for quantities of twenty net tons or more, $2.00 per hundred pounds; (ii) for quantities of five net tons and more but less than twenty net tons, $2.50 per hundred pounds; (iii) for quantities of less than five net tons, $3.00 per hundred pounds.

(2) Tie plates: (i) for quantities of twenty net tons or more, $1.65 per hundred pounds; (ii) for quantities of five net tons and more but less than twenty net tons, $2.25 per hundred pounds; (iii) for quantities of less than five net tons, $2.75 per hundred pounds.

(3) Track bolts and nuts: $3.65 per hundred pounds, in any quantity.

(4) Track spikes: $2.85 per hundred pounds, in any quantity.

(c) *Maximum prices for used track accessories sold from warehouses.* The maximum prices, f. o. b. warehouse, for used track accessories which have been shipped to recognized relaying rail warehouses equipped with machinery for reconditioning and there unloaded, when sold from such warehouse, shall be as follows:

(1) Joint bars: (i) for quantities of twenty net tons or more, $2.30 per hundred pounds; (ii) for quantities of five net tons and more but less than twenty net tons, $3.40 per hundred pounds; (iii) for quantities of two net tons and more but less than five net tons, $3.60 per hundred pounds; (iv) for quantities of one net ton and more but less than two net tons, $4.00 per hundred pounds; (v) for quantities of less than one net ton, $4.50 per hundred pounds.

(2) Tie plates: (i) for quantities of twenty net tons or more, $1.95 per hundred pounds; (ii) for quantities of five net tons and more but less than twenty net tons, $3.00 per hundred pounds; (iii) for quantities of two net tons and more but less than five net tons, $3.40 per hundred pounds; (iv) for quantities of one net ton and more but less than two net tons, $3.80 per hundred pounds; (v) for quantities of less than one net ton, $4.25 per hundred pounds.

(3) Track bolts and nuts: $4.00 per hundred pounds, in any quantity.

(4) Track spikes: $3.00 per hundred pounds, in any quantity.

(d) Extras. No premiums or extra charges of any kind whatsoever, in addition to the prices set forth in this Appendix C shall be charged in the sale of used track accessories whether such premiums or extra charges are for straightening, punching, wiring, handling or any reconditioning or service with reference to such accessories.

Effective Date

This regulation shall become effective May 1, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43 6469; Filed, April 26, 1943; 4:22 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amendment 2]

PASSENGER AUTOMOBILES

A rationale accompanying this amendment, issued simultaneously herewith,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1295, 2132, 2508, 3446, 8948, 10328.

[2] 7 F.R. 7239, 11007.

[3] 7 F.R. 8961; 8 F.R. 3313, 3533.

has been filed with the Division of the Federal Register.*

Section 1.3 (a) is amended to read as

or for travel between offices maintained by him.

(8) A farm veterinary who is licensed

fer from post to post), or on official business;

(ii) No adequate quarters can be provided for the applicant at his post of

military or hospital establishments or facilities, establishments or facilities of public utilities, common carriers or other

AUTHORITY: § 1360.251 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

has been filed with the Division of the Federal Register.*

Section 1.3 (a) is amended to read as follows:

(a) *Persons eligible for any 1942 car.* The following persons, who need a car for their own use for one or more of the following purposes and who do not have the use of a serviceable car for the specified purpose, may acquire a 1942 car for use:

(1) A duly elected or appointed agent, officer, representative or employee of a Federal, State, local or foreign government or government agency, for performing the official business or carrying out an official function of that government or government agency; or by the American Red Cross or its duly authorized officials, employees, agents, or representatives, for performing the official business of the American Red Cross. Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official business or carrying out an official function except:

(i) Travel by members of Federal or State legislative bodies between their places of residence and the city or town of legislative session, or within that city or town and within their respective legislative districts in connection with their functions as legislators, or elsewhere in pursuit of legislative business;

(ii) Travel by a member of a war price and rationing board between home or lodgings and the place at which such board conducts its business;

(iii) Travel by a member of a selective service board, an appeal agent or a member of an appeal board of the Selective Service System, between home or lodgings and the place at which the business of the Selective Service System is conducted.

(2) A school teacher or school official, for performing school duties which require regular travel to more than one recognized educational institution.

(3) Any person, for regularly transporting four or more pupils, students, teachers or school employees to or from regular places of study.

(4) Any person, for the transportation of mail on behalf of the United States Government.

(5) Any person, for delivering newspapers and magazines (except for delivery to the reader) or for travel in maintaining the wholesale distribution system of newspapers within a defined area.

(6) A person who is regularly engaged in taking pictures for use in newsreels, newspapers or magazines or for industrial or governmental use, for transporting non-portable photographic or sound-on-film equipment for taking such pictures.

(7) A physician, surgeon, dentist, osteopath, chiropractor, or midwife, who is licensed as such by the appropriate governmental authority, for making necessary professional calls outside his office, if he regularly makes such calls, or for travel between offices maintained by him.

(8) A farm veterinary who is licensed as such by the appropriate governmental authority, for rendering professional service at agricultural establishments if he regularly renders such professional services.

(9) A public health nurse employed by or serving under the direction of a clinic or hospital, governmental agency, industrial concern, or similar organization, for rendering necessary medical, nursing or inspection calls. The term "public health nurse" does not include a private nurse.

(10) An embalmer who is licensed as such by the appropriate governmental authority, for rendering necessary services in connection with the preparation for interment of deceased persons.

(11) A practicing minister of any religious faith who regularly serves a congregation, for meeting the religious needs of the locality which he regularly serves. This does not establish eligibility for a practicing minister who needs a car only to go between his home and his place of worship.

(12) A practicing minister who regularly serves more than one congregation, for travel to the churches which he serves.

(13) A religious practitioner (other than a minister) who is duly authorized by an organized religious faith to render services of a religious nature to members of that faith, for rendering such services to the members in the locality which he regularly serves. This does not establish eligibility for a religious practitioner who needs a car only to go between his home and his place of worship.

(14) A farmer, for transporting farm products and necessary supplies between a farm and a wholesale or retail establishment, a public market, a shipping point, or another farm.

(15) Any person, including an employer, employer's organization or labor organization, for transporting farm workers, commercial fishermen, seamen, or marine workers to, from or between their places of employment.

(16) An engineer or technician, for travel

(i) Between home or lodging and a radio broadcasting transmission station which, because of its power, is located in a rural or suburban area; or

(ii) Between such a station and other permanent facilities for radio broadcasting for purposes necessary to the operation or the station; or

(iii) To transport nonportable equipment to and from temporary installations for radio broadcasting.

(17) A worker, including an executive, technician or office worker (but excluding a member of the armed forces of the United States or military forces organized pursuant to section 61 of the National Defense Act, as amended) for travel to, from, within or between the establishments or facilities listed below, for purposes necessary to their operation or functioning.

(i) Naval, military or hospital establishments or facilities, or civilian public service camps established and maintained pursuant to section 5 (g) of the Selective Service and Training Act of 1940;

(ii) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants engaged in the production or distribution of light, power, electricity, gas, steam, or water; or of irrigation, drainage, flood control or sanitation systems; or of telephone, telegraph, radio-telegraph or radio-telephone (but not radio broadcasting) systems;

(iii) Industrial, extractive or agricultural establishments engaged in the extraction, production, processing, or assembling of: any aircraft, motor vehicle, ship, marine equipment, armament, implement or engine of war, or necessary part thereof; or of any raw, semi-processed or finished materials, supplies or accessories necessarily used in the manufacture thereof; or of tools, machinery or appliances essential to the manufacture or use thereof; or of munitions or fuel or of essential medical supplies or essential food or clothing.

(18) An authorized agent of government, management or labor, for travel

(i) To recruit or train workers listed in subparagraphs (15) or (17) of this paragraph; or

(ii) To, from, within, or between the establishments or facilities listed in subparagraph (17) of this paragraph, in order to maintain peaceful industrial relations therein.

(19) An engineer, architect, technician, construction workers, repair or maintenance man, for performing or for transporting materials or equipment necessary to perform any of the following services:

(i) Construction work;

(ii) Installation, maintenance or repair services;

(iii) Extermination of vermin;

(iv) Exploration, discovery or exploitation of natural resources for the purpose of obtaining necessary war materials. A person listed in this subparagraph is not eligible if he needs a car for transportation only between his home and a fixed place of work, unless he is engaged in construction work

(20) Any person (including a buyer), for performing highly skilled services necessary to the operation or functioning of establishments or facilities listed in subparagraph (17). This does not establish eligibility for a person who needs a car for travel only between his home and a fixed place of work.

(21) Members of the armed forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended, for transportation between home or lodgings and post of duty (but not for transfer from post to post), or on official business where no military vehicle is available. The applicant must present to the board a statement from his commanding officer which sets forth the following:

(i) The car is needed for necessary transportation between home or lodgings and post of duty (but not for transfer from post to post), or on official business;

(ii) No adequate quarters can be provided for the applicant at his post of duty or that the applicant's duties require frequent travel on official business;

(iii) No other practicable means of transportation are available and no military vehicle can be supplied for the applicant's use; and

(iv) The commanding officer will take all reasonable steps to insure that the vehicle will be used for the purpose for which the application is made, and that every effort is made by the applicant to transport as many passengers as possible, consistent with the capacity of the vehicle.

(22) A person who is regularly engaged in the business of delivering telegrams, for delivering such telegrams.

(23) A person regularly engaged in the business of dealing in scrap materials, for locating and accumulating scrap metals or other scrap materials essential to the war effort.

(24) A full-time social worker employed by a bonafide non-profit agency, for travel for one or more of the following purposes: to investigate the necessity for relief or to administer relief; to arrange for the placement of minors or aged, handicapped or indigent persons in foster homes or in institutions, and to inspect such foster homes or institutions; to investigate reported abuse, neglect, or delinquency of minors; or to transport minors or aged, handicapped or indigent persons to foster homes or institutions or to transport persons to hospitals or clinics for treatment or diagnosis. The applicant must present to the board a statement from a responsible official of such social agency, setting forth that the car is needed by a full-time social worker to perform one or more of the purposes specified in this subparagraph and that the social agency employing such worker is either:

(i) Licensed by the appropriate governmental authority; or

(ii) A member of the local Community Chest, the local Council of Social Agencies, the State Conference of Social Work, the Family Welfare Association of America, the Child Welfare League of America, or the National Travelers Aid Association; or

(iii) A bona fide non-profit agency carrying on one or more of the purposes specified in this subparagraph, as evidenced by a certification of that fact by a responsible official of a social agency listed in (i) or (ii) hereof. This does not establish eligibility for a social worker who needs a car for travel only between home and a fixed place of work.

(25) A person principally engaged in selling eligible commodities, for travel in selling such commodities. No person is eligible under this subparagraph unless he drove or has assumed the duties of a person who drove more than an average of 723 miles per month for the purpose of selling such commodities during 1942, or during the part of 1942 in which he was so engaged. Eligible commodities shall, for purposes of this subparagraph, be:

(i) Necessary equipment or necessary materials for the operation of naval, military or hospital establishments or facilities, establishments or facilities of public utilities, common carriers or other essential carriers, or industrial, extractive or agricultural establishments essential to the war effort, as defined in subparagraph (17) of this paragraph.

(ii) Foods, building materials, clothing, fuels or medical supplies which are essential to the health or safety of the community. This does not establish eligibility for a person who needs a car only for selling directly to the ultimate consumer for personal, family or household use, or for selling alcoholic beverages, soft drinks or similar beverages, ice cream, confections or candy, flowers, novelties, jewelry or furs to anyone.

(26) Any person who has secured the permission of the Office of Defense Transportation to add an additional taxicab to his fleet or who desires to replace a taxicab which he owns and operates under the authority of the Office of Defense Transportation, for the purpose of operating such car as a taxicab. If the applicant satisfies the requirements of this subparagraph, he is not required to submit any other evidence of his need for a car.

This amendment shall become effective May 1, 1943.

NOTE: All reporting or record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 563, Supp. Dir. 1A, 7 F.R. 695, 1493, 2229, 2729, Supp. Dir. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. D. 43-6476; Filed, April 26, 1943; 4:24 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[MPR 372]

USED DOMESTIC WASHING MACHINES

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 372 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended; and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1380.251 *Maximum prices for used domestic washing machines.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 372 (Used Domestic Washing Machines), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1380.251 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 372—USED DOMESTIC WASHING MACHINES

SECTION 1 *Sales and rentals of used domestic washing machines at higher than maximum prices prohibited.* (a) Regardless of any contract or other obligation, no person shall sell, rent, or deliver a used domestic washing machine to any other person at prices or rates higher than the maximum prices or rates fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices or rates lower than the maximum prices or rates may be charged.

SEC. 2 *To what products, transactions and persons this regulation applies*—(a) *What products are covered by this regulation.* This regulation covers sales and rentals of all domestic washing machines which have ever been used or which have been in the possession of one or more consumers for more than 90 days, or which are models of the year 1940 or earlier. A used domestic washing machine is a mechanically operated machine made for use in the home for washing clothes or other household fabrics.

(b) *What transactions are covered by this regulation.* This regulation covers all sales and rentals of used domestic washing machines by any person to any other person, including sales by an individual who is selling his own washing machine, and sales by dealers or auctioneers, except sales by a foreign seller to any domestic buyer. This exception includes domestic buyers who purchase through a bona fide agent.

(c) *What persons are covered by this regulation.* This regulation applies to any person who sells or rents a used domestic washing machine except foreign sellers and domestic buyers, insofar as they purchase from the foreign sellers. The term "person" includes: An individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

SEC. 3 *Maximum prices for sales of used domestic washing machines by all persons*—(a) *Standards for washing machines sold with a guaranty.* If the seller sells a used domestic washing machine and gives the purchaser a guaranty, the machine must meet the following standards. (The terms of the guaranty are set forth in section 3 (c)).

(1) Aluminum tubs must have been wire brushed and free from corroded spots. Copper tubs must have a full covering surface, on the inside, of tin or nickel plating. The exterior of copper tubs, when not protected by an outer wall or panel, must have been thoroughly cleaned and polished, and varnished or painted. Porcelain tubs must be free from chipped spots. A tub which has been chipped meets the standards of this paragraph providing the seller has repaired the chipped spot with porcelain cement which reasonably matches the color of the tub at the time of sale.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2483.

*Copies may be obtained from the Office of Price Administration.

(2) The chassis, and all exterior metal parts of the machine must have been thoroughly cleaned and repainted, if worn, scratched, or rusty spots have appeared.

(3) All moving and motor parts shall have been carefully cleaned and lubricated.

(4) Wringer rolls must be of uniform diameter and free from badly worn spots.

(5) Operating mechanisms must be in good working order and capable of remaining so under ordinary use for the length of the guaranty period.

(b) *Machines sold without guaranty.* If the seller does not give the purchaser a guaranty, the washing machine must be in working condition when delivered to the purchaser and if the machine is equipped with a wringer, the top and bottom wringer rolls must be of the same size.

(c) *Guaranty.* The maximum price for the sale of a used machine depends on whether the seller gives the purchaser a guaranty, and, if so, upon the length of the guaranty period. The guaranty to be furnished shall be a written guaranty for at least six months, or for one year or more, which provides that while the guaranty is in effect any part of the machine which proves defective will be replaced without charge for labor, materials or other services.

(d) *Table of maximum prices for used domestic washing machines.* With certain exceptions, the table below establishes maximum prices for used washing machines which are based not on the model or year of manufacture but on the features and specifications of the particular machine offered for sale. To find the maximum price, the machine must be identified as belonging in Class A, B, C, etc., by comparing the machine offered for sale with the specifications in the table below. The maximum price for any machine within a designated class shall be one of the three prices set forth for that class depending on whether the machine is sold without a guaranty, or guaranteed for six months or for one year. In certain circumstances additions to the maximum prices set forth below may be made because of special equipment furnished. These additions are contained in section 4. The maximum prices of the several classes of machines are set forth in the table below:

Class	Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
			To consumers	To dealers
A	$34.75	$29.75	$10.00	$6.67
B	48.25	43.25	18.00	12.00
C	62.50	57.50	27.50	18.33
D	77.50	72.50	40.00	26.67
E	91.00	86.00	54.00	36.00
F	70.00	65.00	33.00	22.00
G	84.50	79.50	47.00	31.67
H	97.50	92.50	57.00	38.00
I	91.00	86.00	50.00	33.33
J	104.75	99.75	64.00	42.67
K	132.50	127.50	90.00	60.00
L	147.50	142.50	105.00	70.00

(1) A Class "A" machine is one which meets the following specifications:

(i) *Chassis frame.* All metal

(ii) *Wringer.* Metal or wood frame equipped with safety release.

(iii) *Tub.* Porcelain, copper, aluminum, monel metal or stainless steel.

(iv) *Motor.* Electric or gas engine.

The maximum prices which may be charged for a Class A machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$34.75	$29.75	$10.00	$6.67

Wringer type washing machines failing to meet these minimum requirements of Class "A" shall sell for a maximum of $21.00 when sold with a guaranty of 6 months or more and shall sell for not more than $10.00 when sold without such guaranty.

(2) A Class B machine is one which meets the following specifications:

(i) *Chassis frame.* All metal.

(ii) *Wringer.* Metal frame equipped with safety release. Minimum diameter of rolls, 1⅞ inches.

(iii) *Tub.* Copper, aluminum, monel metal, stainless steel, or two or more coat porcelain finish. One coat or dark blue cobalt base porcelain coat is not acceptable in this class. Minimum capacity to waterline 12 gallons.

(iv) *Motor.* Electric motor or gas engine.

(v) *Gears.* Must be enclosed and operate in oil or grease unless tub of washer is cast aluminum.

(vi) *Agitator control.* Lever, button or switch. It must be possible to stop the agitator without stopping the motor.

The maximum prices which may be charged for a Class B machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumer	To dealer
$48.25	$43.25	$18.00	$12.00

(3) A Class C machine is one which meets the following specifications:

(i) *Chassis frame.* All metal.

(ii) *Wringer.* All metal frame equipped with push bar or lift type safety release; minimum diameter of rolls two inches; automatic water return drain board.

(iii) *Tub.* Aluminum, monel metal, stainless steel, or two or more coat porcelain finish. One coat or dark blue cobalt base porcelain coat not acceptable in this class. Copper tub acceptable in vacuum cup or cylinder type models.

Minimum capacity to water line for washers of the vacuum cup or cylinder type models; 12 gallons. Minimum capacity for other types to water line; 15 gallons.

(iv) *Motor.* Electric or gas engine.

(v) *Gears.* Must be enclosed and operate in oil or grease unless tub of washer is cast aluminum.

(vi) *Agitator control.* Lever, button or switch. It must be possible to stop the agitator without stopping the motor.

The maximum prices which may be charged for a Class C machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumer	To dealer
$62.50	$57.50	$27.50	$18.33

(4) A Class D machine is one which meets the following specifications:

(i) *Chassis frame.* All metal.

(ii) *Wringer.* All metal frame equipped with push bar or lift type safety release; minimum diameter of rolls two inches; automatic water return drain board.

(iii) *Tub.* Aluminum, monel metal, stainless steel, or two or more coat porcelain finish. One coat or dark blue cobalt base porcelain coat is not acceptable in this class. Copper tub acceptable in vacuum cup or cylinder type models. Minimum capacity to waterline for washers of the vacuum cup or cylinder type models—12 gallons. Minimum capacity for other types to waterline—15 gallons.

(iv) *Motor.* Electric or gas engine.

(v) *Gears.* Must be enclosed and operate in oil or grease.

(vi) *Agitator control.* Lever, button, or switch. It must be possible to stop the agitator without stopping the motor.

(vii) *Special equipment.* Two or more of the following features are required in Class D Models: Built in timer; built in thermometer; on and off switch; automatic motor cord reel; 2½-inch diameter rolls or larger; double wall tub; automatic roll stop which causes both rolls to stop turning when wringer pressure is released; square porcelain or aluminum tub; porcelain twin tubs; adjustable height legs.

The maximum prices which may be charged for a Class D machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$77.50	$72.50	$40.00	$26.67

(5) A Class E machine is one which meets one of the following sets of specifications:

(i) A washer with a square one piece cast aluminum tub with minimum water capacity of 17 gallons to the waterline and equipped with a cast metal frame wringer. Wringer rolls with a minimum diameter of 2½ inches. Single wringer control lever which locks wringer in position when rolls are operated. Double drain board with automatic water return board. A cast aluminum tub made of two pieces with the top section riveted to the main body of the tub is not acceptable in this class.

(ii) A washer with a white porcelain tub with a minimum water capacity of 20 gallons to the waterline, equipped with a metal frame wringer. Wringer rolls with a minimum diameter of 2¼ inches. Single wringer control lever which locks wringer in position when rolls are operated. Double drain board with automatic water return. Automatic load timer.

(iii) A washer with a square porcelain tub with a minimum water capacity of 17 gallons to the waterline also equipped with an automatic load timer and metal frame wringer with rolls having a minimum diameter of 2¼ inches. Automatic roll stop safety feature. Double drain board, and automatic water return.

(iv) A washer with a round porcelain tub with minimum water capacity of 17 gallons to the waterline also equipped with an on and off switch, over load switch, and a metal frame wringer with rolls of a minimum diameter of 2¼ inches and automatic roll stop safety feature. Double drain board and automatic water return. Washers of the vacuum cup type are acceptable in this class with a water capacity of 12 gallons to the waterline if all other specifications are met.

(v) A washer equipped with two tubs, both tubs having a water capacity of not less than 17 gallons to the waterline and with a mechanically driven washing agitator in each tub. A long skirt type frame base which fully encloses both ends and extends from the tubs to a point just above the castors. Gears fully enclosed and operating in oil or grease. The wringer frame shall be cast aluminum, the rolls 2½ inches in diameter or larger. The wringer shall also be equipped with automatic water return board, automatic double roll stop causing both rolls to stop when pressure is released, and a pressure reset lever which sets the roll pressure at varying points.

The maximum prices which may be charged for a Class E machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$91.00	$86.00	$54.00	$36.00

(6) A Class F machine is one which meets the following specifications:

(i) *Chassis frame.* All metal.

(ii) *Water extractor.* Centrifugal spinner or pressure bowl type.

(iii) *Tub.* Porcelain, copper or stainless steel.

(iv) *Drain.* Automatic drain.

(v) *Motor.* Electric motor or gas engine.

(vi) *Gears.* Must be enclosed.

The maximum prices which may be charged for a Class F machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$70.00	$65.00	$33.00	$22.00

(7) A Class G machine is one which meets the following specifications:

(i) *Chassis frame.* All metal.

(ii) *Water extractor.* Centrifugal spinner type.

(iii) *Tub.* Porcelain, copper, or stainless steel. Minimum capacity to waterline 16 gallons except that in vacuum cup models 12 gallon capacity is acceptable.

(iv) *Drain.* Automatic drain.

(v) *Motor.* Electric or gas engine.

(vi) *Gears.* Agitator drive transmission must be enclosed and operate in oil or grease.

The maximum prices which may be charged for a Class G machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$84.50	$79.50	$47.00	$31.67

(8) A Class H machine is one which meets the following specifications:

(i) *Chassis frame.* All metal.

(ii) *Water extractor.* Centrifugal spinner type.

(iii) *Tub.* Porcelain or stainless steel. Minimum capacity to waterline 17 gallons except in vacuum cup models 12 gallons is acceptable.

(iv) *Drain.* Automatic drain.

(v) *Motor.* Electric or gas engine.

(vi) *Gears.* Agitator drive transmission must be enclosed and operate in oil or grease.

(vii) *Special features.* In addition to the above, Class H washers must have two or more of the following features: Built in timer; built in thermometer; automatic cord reel; adjustable length legs; off and on switch; long leg frame construction; top bearing in extractor basket; over load switch; extractor cover equipped with a safety lock to make it impossible to open water extractor while it is in motion; extractor water valve for direct connection with hot water system for the purpose of rinsing clothes while in extractor; white porcelain tub with 20 gallons, or greater, capacity to waterline.

The maximum prices which may be charged for a Class H machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$97.50	$92.50	$57.00	$38.00

Automatic and Semi-Automatic Washing Machines

(9) A Class I machine is one which meets the following specifications:

Bendix semi-automatic type standard model without cabinet.

The maximum prices which may be charged for a Class I machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$91.00	$86.00	$50.00	$33.33

(10) A Class J machine is one which meets the following specifications:

Bendix semi-automatic type deluxe model in cabinet.

The maximum prices which may be charged for a Class J machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$104.75	$99.75	$64.00	$42.67

(11) A Class K machine is one which meets the following specifications:

Bendix home laundry fully automatic type standard model, without cabinet; Blackstone automatic type model ⁼50; ABC-O-Matic model ⁼180.

The maximum prices which may be charged for a Class K machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$132.50	$127.50	$90.00	$60.00

(12) A Class L machine is one which meets the following specifications:

Bendix deluxe home laundry fully automatic type in cabinet; Westinghouse fully automatic type.

The maximum prices which may be charged for a Class L machine are:

Guaranteed for 12 months or more	Guaranteed for at least 6 months	Not guaranteed	
		To consumers	To dealers
$147.50	$142.50	$105.00	$70.00

SEC. 4 *Additions to maximum prices*—(a) *Mechanical drain pumps.* There may be added to the maximum prices of Class A, B, C, D, and E machines, $5.00 when such machines are equipped with mechanical drain pumps.

(b) *Gasoline engines.* There may be added to the maximum prices of all machines, $12.00 when such machines are equipped with a gasoline engine.

SEC. 5 *Taxes.* Any tax upon or incident to the sale of a used domestic washing machine may be added to the maximum prices established by this regulation.

SEC. 6 *Sales for export.* The maximum price at which a person may export any used domestic washing machine is established by the provisions of the Second Revised Maximum Export Price Regulation.[1]

SEC. 7 *Credit, delivery and other charges.* Any charge which is not quoted and billed separately shall for the purposes of this regulation be considered to be part of the selling price of the washing machine. Charges for the extension of credit or for delivery may be added to the maximum retail price set forth in this section, only if: (a) the seller during March, 1942, made a separate charge for the extension of credit, or for delivery, the amount of which was separately stated to the purchaser, (b) the amount charged for the extension of credit or for delivery is not in excess of the charge in effect during March, 1942, upon sales of used domestic washing machines, and (c) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser accept any of the services mentioned.

SEC. 8 *Maximum prices for the rental of used domestic washing machines*—(a) *Rental rates.* The maximum price for the rental of a used domestic washing machine shall be $4.50 for the first month, and $3.50 for each month thereafter. These rates shall include delivery and pick-up, and all other incidental services. No additional charges are permitted.

(b) *Meter-equipped washers.* Rental rates for meter-equipped washers shall not exceed the highest rates charged by the lessor during March 1942. Lessors of meter-equipped washers who were not engaged in the business of renting meter-equipped washers during March 1942 may not charge more than 10 cents for each 30 minutes of use.

SEC. 9 *Maintenance of rented washing machines.* A rented washing machine must meet the standards set forth for a used domestic washing machine

[1] 8 F.R. 4132.

sold with a guaranty in section 3 (a) (1) and during the period of the rental any part of the machine which proves defective must be replaced without charge for labor, materials or other services.

SEC. 10 *Rental payments in advance.* A person who supplies a washing machine may not ask for or receive rental payments for more than three months in advance.

SEC. 11 *Prohibited practices.* (a) Any practice which is devised to get the effect of a higher than ceiling price without actually raising the dollar and cents price, is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, tying agreements, tying requirements, trade understandings and the like.

(b) The following practice is specifically prohibited:

(1) Offering to sell or rent a used domestic washing machine only on condition that the buyer agree to pay for repairs, parts, and services.

SEC. 12 *Tagging.* No person shall sell or offer to sell, or rent, a used domestic washing machine in the course of trade or business unless a tag is attached to the washing machine which indicates the length of the guaranty to be supplied, the class into which the washing machine falls as set forth in this regulation, and the maximum selling price; and if the washing machine is offered for rent, the tag shall also state the maximum monthly rental rates. A tag in the following form is satisfactory.

Class_____
Guaranteed for_____
Maximum selling price_____
(Maximum monthly rental rate)_____

SEC. 13 *Sales slips, receipts and invoices.* Every person selling a used domestic washing machine in the course of trade or business shall furnish the purchaser with a sales slip, receipt, invoice or other writing, stating the length of the guaranty supplied, the date of the sale, the class, the price charged, the nature and amount of any additional charges, and the name and address of the purchaser. If any amount was added to the maximum price on account of a gasoline engine or mechanical drain pump, this shall also be stated. A copy of such sales slip, receipt, invoice, or other writing shall be retained by the seller for inspection by the Office of Price Administration.

SEC. 14 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 372 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 372 or any price schedule, regulation or order issued by this Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

SEC. 15 *Registration and Licensing.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation[2] applies to every person subject to this regulation selling used domestic washing machines at retail.

SEC. 16 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 372 or exception not provided for therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulations No. 1,[3] issued by the Office of Price Administration.

SEC. 17 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 372 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 372.

SEC. 18 *Geographical applicability.* The provisions of this Maximum Price Regulation apply to the forty-eight states, the District of Columbia, and the territories and possessions of the United States.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective May 3, 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6470; Filed, April 26, 1943; 4:22 p. m.]

PART 1381—SOFTWOOD LUMBER

[Rev. MPR 19]

SOUTHERN PINE LUMBER

Maximum Price Regulation 19 is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1381.201 *Maximum prices for Southern pine lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Revised Maximum Price Regulation 19 (Southern Pine Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.201 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

*Copies may be obtained from the Office of Price Administration.

[2] 8 F.R. 3096, 3849, 4347, 4486, 4848.
[3] 7 F.R. 8961, 8 F.R. 3313, 3533.

REVISED MAXIMUM PRICE REGULATION 19—SOUTHERN PINE LUMBER

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ARTICLE I—SCOPE OF THE REGULATION

SECTION 1 *Prices higher than ceiling prohibited.* (a) On and after May 1, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of business, any Southern pine lumber for direct-mill shipment at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the ceiling prices may, of course, be charged and paid.

SEC. 2 *What transactions are covered.* (a) This regulation covers, under the name of "sales for direct-mill shipment" all sales of Southern pine lumber, no matter who the seller is, and regardless of the quantity involved, except sales of Southern pine lumber which was part of the regular stock of a distribution yard at the time the sale was made.

(b) A "distribution yard" is an establishment which meets all of the following tests:

(1) It sells substantially all of the lumber of all species handled through its yard in the same size and condition of dressing in which received. However, a yard located in the Southern pine producing area will be deemed to meet this test if it receives in rough form and processes by sawing or planing less than 30 percent of its Southern pine lumber. If the yard receives in rough form and processes by sawing or planing 30 percent or more of its Southern pine lumber it cannot be considered a distribution yard for sales of this species although it may be considered a distribution yard for other species of lumber and lumber products provided it qualifies as such under the terms of the regulation governing the particular product.

(2) It sells 51 percent or more of the lumber handled through the yard in quantities of 18,000 board feet or less.

(3) It maintains permanent stocks of different species of lumber from different regions (such as Southern pine, Douglas fir, Ponderosa pine, etc.) in various lengths, grades and sizes, and of lumber products (such as millwork, plywood, shingles, etc.).

(4) It maintains a storage yard, offices, yard help and a sales force, for the handling and sale of its stocks.

(5) It is prepared to make prompt delivery, by truck, of lumber and lumber products out of its yard stock in small and large quantities.

(6) It does not manufacture lumber from logs.

(7) It is located in a lumber consuming area.

(c) An establishment will be considered a distribution yard only if it met all the above tests both during the single calendar month and the period of six calendar months preceding the transaction in question. For example, if the date of the transaction is June 10th, the percentage of processing and other tests must be based both upon the month of May and upon the period of December through May.

(d) "CPA yards" as defined in Maximum Price Regulation 215,[1] are considered distribution yards, regardless of the above requirements.

SEC. 3 *What products are covered.* This regulation covers all items of Southern pine lumber, whether the item is specifically named in the price tables or not, (except switch ties and cross ties, which are subject to Maximum Price Regulation 216[2]—Railroad Ties). This means all lumber of the species included in the following definitions of shortleaf and longleaf yellow pine.

(a) "Shortleaf yellow pine" means the species of shortleaf pine (Pinus echinata), loblolly pine (Pinus taeda), slash pine (Pinus caribaea), such longleaf pine (Pinus palustris) as contains less than six annual rings per inch and less than one-third summerwood, or any other pinus species, (except longleaf yellow pine) as defined in paragraph (b) of this section, known commercially as "Southern pine".

(b) "Longleaf yellow pine" means the botanical species of Pinus palustris which contains not less than six annual rings per inch and not less than one-third summerwood.

SEC. 4 *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association or any other organized group, their legal successors and representatives, the United States or any government or any of their political subdivisions or any agency of any of the foregoing.

[1] 8 F.R. 3789.
[2] 7 F.R. 7097, 7368, 8199, 8403, 9130, 10782; 8 F.R. 434.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5 *Basic prices and cash discount*—(a) *Basic prices.* The maximum f. o. b. mill prices for shortleaf lumber are set forth in Article V and for longleaf in Article VI.

(b) *Cash.* If cash is paid the maximum price must be reduced by the seller's August 1941 cash discount. For example, if this discount was 2%, and if the maximum price without cash discount is $30.00, the maximum price when cash is paid is $29.40. In any case, on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

(c) *Sales of certain items of rough lumber.* In all sales of boards, dimension and box items of Southern pine, in rough form, where shipment originates at a sawmill which has no planing mill or which customarily sells the Southern pine lumber produced by it in rough form, the maximum prices set forth in price tables No. 1 (Boards, S. L.) No. 2 (Dimension S. L.), No. 10 (Box S. L.) No. 18 (Boards L. L.) and No. 19 (Dimension L. L.) contained in Article V and VI of this regulation shall include delivery within a radius of 25 miles when made to any purchaser for resale, subject to the following considerations:

(1) This rule shall not apply to carload shipment by rail.

(2) Where delivery over 25 miles is made by the sawmill, the maximum prices set forth in the tables shall be reduced by $2.50 per MBM before applying the transportation addition provided in Section 7.

(3) Where the purchaser himself makes the pick-up at the sawmill the maximum prices established in the price tables shall be reduced $2.50 per MBM.

SEC. 6 *Addition for direct-mill retail sale.* An addition of $3.50 per thousand board feet may be made on a sale of less than 18,000 ft. BM (or less than carload if by rail), to any buyer who does not purchase for resale, where the shipment originates at a mill and the seller:

(a) Sees that the lumber is delivered to the job site at such time and in such manner as the buyer specifies;

(b) Gives the buyer the privilege of exchanging the lumber and returning unused material; and

(c) Agrees to make good any shortage promptly from stocks kept on hand for this purpose.

The size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries.

SEC. 7 *Transportation charges*—(a) *Rail charges.* (1) Only two methods of selling are recognized by this Regulation. Any other method is prohibited, as a device to evade the ceiling by manipulation of freight.

The two permitted methods are: on a delivered basis using the estimated weights in Article VII, or on an f.o.b. mill basis with actual freight (figured, of course, on actual weights) to be paid by the purchaser.

The two methods may not be combined in a single transaction; that is, a seller may not sell on a basis which gives him the benefit of favorable estimated weights but requires the use of actual weights on items where estimated weights would be unfavorable to him. Note that sales described as "ceiling delivered", or as f. o. b. mill with freight paid or included to a given destination, are to be treated as sales on a delivered basis. In such cases, the given estimated weights must be used. However, sales f. o. b. mill with seller to pay the freight to a stated destination and include it in his invoice to the buyer is a sale on an f. o. b. mill basis, and settlement on the basis of the actual weights must be made.

(2) The estimated green weights may be used only when green lumber is actually specified and shipped.

(3) The transportation charge, when estimated weights are used, must be evened out to the nearest quarter-dollar per 1000 feet board measure (or nearest 5 cents per 1000 pieces of plastering lath).

(b) *Common or contract carrier (other than rail).* Where transportation is by common or contract carrier (other than rail) the only rule is that actual cost of transportation may be added to f. o. b. mill ceiling.

(c) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the "actual cost" to the seller of delivery by truck. The "actual cost" may not be higher than the over-all average trucking charge for a similar delivery, arrived at as of the six-month period ending June 30, 1942. In any event, the amount added may not be more than the rail carload rate for the most similar haul as applied to the quantity of lumber actually shipped. However, if this railroad charge is less than $1.50 per MBM, and if the actual cost of delivery is more than $1.50 per MBM, a transportation charge of $1.50 per MBM may be made.

(d) *Trucking to rail shipping point.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railroad, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where the mill, prior to the shortage of tires and gasoline, shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline, and is a substantial distance from a railhead.

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the larger size ripped the price to the

(c) Where random length shipments

(3) Where a mill's rail connection has been abandoned since September 5, 1941, and it has no comparable rail shipping point.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter or telegram. The addition may not be made on quotations or sales until permission has been received.

(e) *Truck delivery after rail haul.* When truck delivery to yard or job site follows a rail haul, and is specified in the order, the actual cost of truck delivery may be added. This may include the actual cost of handling and reloading involved in transfer from rail cars to trucks.

(f) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in sub-paragraphs (b) and (c) of this section.

SEC. 8 *Sales for export.* The maximum price at which a person may export any Southern pine lumber shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

SEC. 9 *Addition for mixed car or mixed truck shipments.* $1.00 additional per 1,000 ft. board measure may be charged for mixed car or mixed truck shipments. A mixed car shipment consists of 3 or more items provided at least 3 items amount to not less than 2,000 board feet each, or at least 6 items amount to not less than 1,000 board feet each, or at least 12 items amount to not less than 500 board feet each. A mixed truck shipment consists of 3 or more items provided at least 3 items amount to not less than 500 board feet each, or at least 6 items amount to not less than 250 board feet each. An item consists of one width, thickness, species (shortleaf or longleaf), working, or "class" of lumber. For the purpose of this regulation an item is in a different "class" if it appears in a different table in this regulation. Different grades or lengths or random widths so ordered do not establish different items for the purpose of this section.

SEC. 10. *F. A. S. sales.* On all F. A. S. sales of lumber to be shipped outside of territorial United States one addition of $3.50 per MBM may be made. This addition may be made only if the seller, at the request of the buyer, bears the expense of so many of the following services as are actually to be performed: marking, bundling, assembling, switching, unloading, tallying, painting the ends, dock insurance and other services required for the proper dispatch of offshore cargo. In other words, if the buyer actually bears the expense of any of these services because of the seller's failure to perform such service or services, the addition may not be made. However, if the buyer's requirements do not include or permit unloading and any dock services which may be incidental thereto, but all other required services are performed, the addition shall be reduced to $2.25.

[1] 8 F.R. 4132.

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

SEC. 11 *What the invoice must contain.*—(a) *F. o. b. mill price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum f. o. b. mill prices must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Charges for transportation.* In all delivered sales, the invoice must contain the:

(1) Point of origin of shipment;

(2) Destination;

(3) Rail rate, if estimated weights are used; otherwise the actual amount added for transportation;

(4) The words "Direct-mill shipment".

(c) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be separately shown on the invoice.

(d) *Direct-mill retail sale.* If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

SEC. 12 *Special rule on averaging out.*—(a) *Different grades, classes or sizes.* Different grades, classes or sizes of lumber may be sold and invoiced at an average price if all of the following conditions are observed:

(1) The footage of each item must be shown separately, and a piece tally must be furnished for each shipment.

(2) The average price for the lumber actually shipped must not be higher than it would have been if all the individual grades, classes and sizes shipped had been sold separately at the individual ceiling price.

(3) If the order is shipped in more than a single carload, truckload, or boat shipment the following invoicing and charging practices must also be followed:

(i) The invoice must show that it is part of a larger order and identify the order. It must also show the individual ceiling prices for the various items of lumber actually contained in each shipment, and the average selling price agreed upon.

(ii) The charges which may be made and collected on account for each shipment must not exceed the average price agreed upon or the total of the ceiling prices for the items in the particular shipment, whichever is the lower. Thus, if an average price was quoted on widths from 4" to 12", and if a car of all 4" was shipped, only the 4" price can be charged and collected on that car. But if a car of all 12" widths was shipped, only the average price quoted could be charged on that car.

(iii) Upon completion of the order the seller must render a final invoice showing the quantity of each shipment or delivery, the freight charge for each if sold on a delivered basis, the amount received on account, the total amount due on the order at the agreed average prices, and a reconciliation of the total amount so computed with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

(b) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids $33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 per MBM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge.

(1) Where this practice is adopted, the seller must observe all of the following conditions:

(i) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(ii) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(iii) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. In the event that the sale was made at an average price for different grades, classes or sizes of lumber as well as an averaging-out of transportation charges, the provisions of (a) above shall also be observed. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 13 *What records must be kept.* All sellers of Southern pine lumber must keep records which will show a complete description of the items of lumber sold (i. e. grade, condition of dressing, quantity, etc.) the name and address of the buyer, the date of the sale and price, for a period of two years. Buyers must keep similar records, including the name and address of the seller. Failure to comply with this provision shall constitute a violation of this regulation. Persons violating are subject to all penalties, actions and proceedings provided for by the Emergency Price Control Act of 1942 as amended, including a fine of not more than $5,000 or imprisonment for not more than two years, or both.

SEC. 14 *Prohibited practices.*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are some of the specific practices prohibited;

(1) Getting the effect of a higher price by changing credit practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit.

(2) Refusing, without good reason, to ship except in specified or restricted random lengths, or in mixed cars, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths, a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in the price tables. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

(4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly or falsely grading or invoicing lumber.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(7) Failing to invoice properly and in accordance with the requirements of this regulation.

(8) Unnecessarily routing lumber through a distribution yard.

(9) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(10) Making additions for kiln-drying, anti-stain treatment or other services, treatments, or specifications unless they are expressly ordered by the buyer.

(11) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered: (for example: charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2 x 4's) except where the items ordered and delivered are non-standard sizes not specifically priced in the tables. This prohibition has no application where the buyer specified the larger size to be ripped or resawn into items of smaller size and the resulting items are priced higher in the tables than the original larger size; for example, the buyer may order 1 x 4 x 12' #2 Common Shortleaf, priced at $31.00 per MBM ripped to 1 x 2 x 12'. By buying the larger size ripped the price to the buyer is lower ($32.00) than it would have been had he ordered the 1 x 2 as such ($34.00). In this example the maximum price is $32.00.

(12) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(13) Breaking up an order or apportioning deliveries in order to get the $3.50 direct-mill retail sale addition.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating lumber, or for any related service (such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the lumber in connection with which the service is performed.

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 2 Common and better is the maximum price fixed for No. 2 Common lumber. But it is permissible to quote a grade with specified percentages of higher grades, provided that when the lumber is shipped, lumber of each grade is tallied on a board foot basis and invoiced separately at prices not in excess of ceiling prices for the respective grades.

(e) *Adjustable pricing.* A price may be made adjustable to the maximum price in effect at the time of delivery. It may not be made adjustable to a maximum price in effect later than the date of delivery, except by special authorization. The Lumber Branch of the Office of Price Administration, Washington, D. C., may issue this authorization, by letter, telegram or general order, when an amendment to this regulation is pending, as the result either of a petition for amendment or of a formal industry advisory committee recommendation.

SEC. 15 *Special pricing rules.* (a) Where the buyer specifies restricted lengths or an average length and the shipment or order fails to conform, the entire shipment must be priced at the random length price (unless the agreed price is lower).

(b) Where the buyer orders a random length shipment, and the given percentages of lengths as specified in footnotes to some of the price tables are not met because there is too large a percentage of shorts, the excess shorts must be priced at the separate prices for the short lengths.

(c) Where random length shipments required to average a specified length (e. g. 12' in the Board Table) fall short of this average, the price may not exceed that of the nearest shorter even length below the average length actually shipped.

(d) Where the order does not specify whether longleaf or shortleaf is required, the seller may only charge shortleaf prices.

(e) Where the order fails to specify the grade required, the seller may only ship and charge for No. 2 Common, unless otherwise agreed.

(f) Where the invoice does not specify the grade shipped or delivered, the price of the lowest grade in the shipment shall apply to the whole order.

(g) Where moisture content requirements are waived by the purchaser, the maximum price for the whole order, shipment or delivery shall be the price herein established for green lumber. Where such a sale is made on a delivered basis, the seller may only use the given estimated weights for dry lumber in computing transportation costs.

(h) None of the additions contained in the footnotes to the tables in Articles V and VI may be added to the prices of the various items set forth in the tables unless the order expressly requires the working, grade, condition, size, or length for which the additions are permitted.

ARTICLE IV—MISCELLANEOUS

SEC. 16 *Petitions for adjustment or amendment.*—(a) *Government contracts.* (1) The term "Government contract" is here used to include any contract with the United States or any of its agencies or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States" which also includes any subcontract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "Government contract", who believes that the maximum prices contained in this Regulation impede or threaten to impede production of Southern pine lumber essential to the war program, may file an application for adjustment in accordance with Procedural Regulation No. 6 [1] issued by the Office of Price Administration. As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must notify the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a

[1] 7 F.R. 5087, 5664.

petition for amendment in accordance

grade which is not specifically priced in

made at the requested price, but the

petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[6] issued by the Office of Price Administration.

SEC. 17 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to War procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Divison of the Treasury Department, or any of their agencies.

SEC. 18 *Licensing.* All sellers under this regulation, except mills, are licensed by Supplementary Order 18. This order, in brief, provides that a license is necessary, except for mills, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

SEC. 19 *Grades.* The grades and terms in this regulation are based on the 1939 standard specifications for Southern pine lumber of the Southern Pine Inspection Bureau, the 1923 Gulf Coast Classification, issued by the Southern Pine Association, and the 1934 standard specifications for grades of Southern pine lumber for freight cars and locomotives in accordance with the Association of American Railroads' recommended practice, issued by the Southern Pine Inspection Bureau.

SEC. 20 *Grades, services, or extras not listed.* (a) If a seller wishes to sell a grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced; and

(3) The price differential between it and the most comparable item in the price tables, between January 1 and August 1, 1941, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but the final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

(c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.212, paragraphs (f), (g) and (h) of the earlier regulation, Maximum Price Regulation 19, these special prices shall no longer apply if specific prices for the items are established by this regulation; but where no specific prices are established in the price tables, price approved under the earlier regulations shall continue in effect.

ARTICLE V—APPENDIX A: SHORTLEAF YELLOW PINE LUMBER

The maximum prices for Shortleaf Yellow pine lumber, f. o. b. mill, per one thousand feet board measure, shall be as follows:

TABLE 1—BOARDS AND STRIPS—SHORTLEAF

S1S, S2S, S3S, S4S, S2S AND MATCHED, V-JOINT, ECB1S, ECB2S, OR SHIPLAP, STANDARD OR ¾", AIR DRIED

Grade	1' and 6' lengths	8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 1	$30.25	$34.75	$35.75	$35.75	$37.75	$37.25	$37.75
4/4 edge[1]	33.00	38.00	39.00	39.00	39.00	40.50	41.50
1 x 2 and 1 x 3	31.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 4	34.00	39.00	40.00	40.00	40.00	41.50	42.00
1 x 5	31.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 6	31.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 7	32.00	37.00	38.00	38.00	38.00	39.50	40.00
1 x 8	32.00	37.00	38.00	38.00	38.00	39.50	40.00
1 x 9	34.00	39.00	40.00	40.00	40.00	41.50	42.00
1 x 10	37.00	42.00	43.00	43.00	43.00	44.50	45.00
1 x 11	42.00	47.00	48.00	48.00	48.00	49.50	50.00
1 x 12	32.00	37.00	38.00	38.00	38.00	39.50	40.00
Restricted random widths[2]	4'	6' and 8'					
No. 2:	27.25	29.25	30.50	31.00	31.50	32.00	32.75
4/4 edge[1]	30.00	32.00	33.50	34.00	34.00	34.50	36.00
1 x 2 and 1 x 3	27.00	29.00	30.50	31.00	31.00	31.50	33.00
1 x 4	29.50	31.50	34.50	34.50	35.00	35.50	37.50
1 x 5	29.00	31.00	32.50	33.00	33.50	34.00	36.00
1 x 6	29.00	31.00	32.50	33.00	33.50	34.00	36.00
1 x 7	29.00	31.00	32.50	33.00	33.50	34.00	36.00
1 x 8	29.00	31.00	32.50	33.00	33.50	34.00	36.00
1 x 9	29.50	31.50	34.50	34.50	35.00	35.50	37.50
1 x 10	32.50	34.50	37.50	37.50	38.00	38.50	40.00
1 x 11	34.00	36.00	39.00	39.50	40.00	40.50	43.00
1 x 12	28.75	30.75	32.50	33.00	33.50	34.00	35.75
Restricted random widths[2]							
No. 3:	20.75	22.50	24.00	25.00	25.50	25.50	27.00
4/4 edge	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 2 and 1 x 3	21.00	23.00	24.50	25.00	25.00	25.50	27.00
1 x 4	22.50	24.50	27.50	27.50	28.00	28.00	30.00
1 x 5	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 6	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 7	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 8	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 9	22.50	24.50	27.50	27.50	28.00	28.50	30.50
1 x 10	22.50	24.50	27.50	27.50	28.00	28.50	30.50
1 x 11	23.00	25.00	28.00	28.50	29.00	29.50	31.50
1 x 12	22.00	24.00	25.75	26.25	26.50	27.00	29.00
Restricted random widths[2]							

See footnotes at end of table.

[6] 7 F.R. 8961; 8 F.R. 3313, 3333.

TABLE 1—BOARDS AND STRIPS—SHORTLEAF—Continued

S1S, S2S, S3S, S4S, S2S AND MATCHED, V-JOINT, ECB1S, ECB2S, OR SHIPLAP, STANDARD OR ¾", AIR DRIED—Continued

Grade	4' lengths	6' and 8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 4 and dunnage:							
4/4 edge[1]	$16.00	$17.75	$19.25	$19.75	$20.25	$20.75	$22.50
1 x 3	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 4	16.00	18.00	19.50	20.00	20.00	20.50	22.00
1 x 5	17.50	19.50	22.50	23.00	23.50	24.00	25.50
1 x 6	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 7	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 8	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 9	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 10	17.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 11	17.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 12	18.00	20.00	23.00	23.50	24.00	24.50	27.50
Restricted random widths[2]	17.00	19.00	20.75	21.25	21.50	22.00	24.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (see Sec. 15 [1])

For working:
1. Rough, deduct $1.00.
2. End-matching, add $2.00.
3. No addition may be made for any matched dressing, otherwise provided for. Patterns requiring matcher work, add $6.50.
4. Ripping or resawing, add $1.00 for each cut.

For grade:
5. No. 1 Common 85 or 100% heart heital area, add $8.00; 85% heart cubical content, add $4.00.

For condition:
6. Kiln dried, add $1.00.
7. Green, deduct $2.00.
8. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For Length:
9. Random lengths must average at least 12' (with a tolerance of 3"), and must take the 12' price.
10. Restricted random lengths, 10' to 16', or longer, all grades, and 8' to 16', or longer, No. 2 or lower grades, charge the specified length price for the lengths actually shipped.
11. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
12. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
13. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
14. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 12 may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:
15. Stock thinner than ¾", deduct $1.00 from the ¾" price for each ⅛2" thinner than ¾". However, sizes that can be resawn from boards or strips 1" in nominal thickness shall take the 1" price plus the resawing addition permitted.
16. 13" and wider, add $2.50 per inch or fraction thereof to 12" price and compute footage on actual size.
17. 5/4 and 6/4 No. 1 and No. 2 Common, add $3.00.
18. 7/4 No. 1 and No. 2 Common, add $2.50.
19. 5/4, 6/4 and 7/4 No. 3 Common, add $2.00.
20. 5/4, 6/4 and 7/4 No. 4 and dunnage, add $1.00.
21. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
22. For an average width, charge the price which would have been charged had the buyer ordered the various widths which were shipped.
23. Random widths (Other than restricted random widths), each width shall be priced at the specified width price.

[1] Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to paragraph 136 S. P. I. B. Rules.

[2] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" widths, and not less than 20% of 10" and wider.

TABLE 2—DIMENSION—SHORTLEAF

S1S, S2S, S3S, OR S4S, AIR DRIED

Grade	4′ lengths	6′ lengths	8′ lengths	9′ lengths	10′ lengths	12′ lengths	14′ lengths	16′ lengths	18′ lengths	20′ lengths	22′ and 24′ lengths
No 1											
2 x 2	$26.00	$28.00	$35.00	$36.00	$35.00	$35.00	$36.00	$37.00	$38.50	$39.50	$45.00
2 x 3	25.00	27.00	34.00	35.00	34.00	34.00	35.00	36.00	37.50	38.50	44.00
2 x 4	26.00	26.00	33.00	34.00	33.00	33.00	34.00	35.00	36.50	37.50	43.00
2 x 5	29.50	29.50	36.50	39.00	38.00	38.00	38.00	39.00	42.50	44.50	49.00
2 x 6	26.00	26.00	33.00	34.00	33.00	33.00	34.00	34.50	36.50	37.50	43.00
2 x 8	26.00	26.00	33.00	34.00	33.00	33.00	34.00	34.50	36.50	37.50	43.00
2 x 10	29.50	29.50	36.50	39.00	38.00	38.00	38.00	39.00	42.50	44.50	49.00
2 x 12	31.50	31.50	38.50	41.00	40.00	40.00	40.00	41.00	44.50	46.50	51.00
No 2											
2 x 2	24.00	24.00	30.00	31.00	30.00	30.00	31.00	32.00	33.50	34.50	40.00
2 x 3	23.00	23.00	29.00	30.00	29.00	29.00	30.00	31.00	32.50	33.50	39.00
2 x 4	24.00	22.00	28.00	29.00	28.00	28.00	29.00	30.00	31.50	32.50	38.00
2 x 5	27.50	27.50	32.50	35.50	31.50	30.50	30.50	30.50	34.00	36.00	41.50
2 x 6	24.00	24.00	28.50	32.50	27.00	27.00	27.00	28.00	30.50	31.50	37.00
2 x 8	24.00	21.00	27.00	28.00	27.00	27.00	27.00	28.00	28.50	31.50	37.00
2 x 10	27.50	27.50	28.50	32.50	31.50	30.50	30.50	31.50	34.00	36.00	41.50
2 x 12	29.50	29.50	30.50	32.50	31.50	31.50	31.50	32.50	36.00	37.00	42.50
No 3											
2 x 2	19.00	22.00	24.00	25.00	24.00	24.00	25.00	26.00	27.50	28.50	30.50
2 x 3	18.00	21.00	23.00	24.00	23.00	23.00	24.00	25.00	26.50	27.50	29.50
2 x 4	17.00	20.00	22.00	23.00	22.00	22.00	23.00	24.00	25.50	26.50	28.50
2 x 5	20.50	20.50	25.50	27.50	24.50	24.50	24.50	24.50	28.00	30.00	32.00
2 x 6	17.50	20.50	22.50	25.50	24.50	23.50	22.50	22.50	24.50	25.50	27.50
2 x 8	19.00	19.00	21.00	22.00	21.00	21.00	21.00	22.00	24.50	25.50	27.50
2 x 10	21.00	19.00	21.00	22.00	21.00	21.00	22.00	22.50	24.50	28.00	33.00
2 x 12	17.50	20.50	22.50	26.50	25.50	24.50	24.50	24.50	28.00	30.00	34.00
	19.50	22.50	24.50	28.50	25.50	25.50	25.50	26.50	30.00	31.00	

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (SEE SEC. 15 (h))

For working:
1. Rough, deduct $1.00.
2. Shiplap, Center Matched, Dressed and Matched, Grooved, or any other Matcher dressing, not otherwise provided for, Standard, add $1.00. Patterns requiring Moulder work, add $6.50.
3. Ripping or Resawing, add $1.00 for each cut.
4. End-Matched and Center-Matched, add $4.00.

For grade:
5. No. 1 Common 85% Heart Facial Area, add $12.00. No. 1 Common 85% Heart Cubical Content, add $8.00.

For condition:
6. Kiln dried, add $1.00.
7. Green, deduct $2.00.
8. Anti-stain treatment (any form), add 50¢ to Air dried prices, but not to Kiln dried prices.

For size:
9. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
10. Odd or fractional widths not listed, add $3.00 to nearest greater listed width and compute footage on actual size.

For length
11. On Random length shipments, sold at a flat price, the average length to be shipped must be specified and the price shall not exceed that of the lineal average shipped. If a flat price is not quoted, the specified length price for each length shipped shall be charged. In either case a piece tally must accompany the invoice.
12. For any average length, except 9′, charge the price for the specified length corresponding to the average length required and shipped. Where a 9′ average is required charge the 8′ price.
13. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.
14. Odd or fractional lengths over 4′, not listed, shall be counted and priced as the next longer even length.
15. For any length shorter than 4′, cut to a specified exact length, charge the price for the nearest even multiple length up to 12′. If there is no even multiple length 12′ or shorter, charge the 12′ price. In either case, add $1.50 per M. B. M. for each necessary cross-cut, but the addition permitted in footnote 13 for precision cutting may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six-inch breaks on the next break above.
16. Lengths longer than 24′, add to 24′ price as follows (for all grades):

Length:	*2 x 10 and smaller*	*2 x 11 and larger*
26′	$1.00	$1.00
28′	2.00	2.00
30′	3.00	5.00
32′	5.00	7.00
34′	7.00	9.00
36′	9.00	12.00
38′	12.00	15.00
40	15.00	20.00

TABLE 8—2″ PLANK AND JOISTS DENSE STRUCTURAL SQUARE EDGE AND SOUND (1,600 F.)—SHORT LEAF

ROUGH—GREEN

Size	Dense structural square edge and sound (1,600 F.)		
	8′ to 16′ lengths	8′ to 20′ lengths	18′ and 20′ lengths
2 x 4	$43.00		$47.00
2 x 5	43.00		47.00
2 x 6	41.00		45.00
2 x 8	43.00		47.00
2 x 10		$53.00	
2 x 12		60.00	

ADDITION AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (SEE SEC. 15 (h))

For Working:
1. S1S S2S, S3S, S4S, Shiplap, T and G, or Grooved two edges, add $2.00.
2. Ripping or Resawing, add $1.00 for each cut.
3. Beveling and/or outgauging, add $4.00.

For grade:

	2 x 4 to 2 x 8	*2 x 10*	*2 x 12*
4. Dense Structural, add	$2.00	$2.00	$2.00
5. Dense Select Structural, add	4.00	4.00	4.00
6. 85% Heart Facial Area, add to grade specified	10.00	12.00	15.00
7. 90% Heart Facial Area, add to grade specified	13.00	15.00	18.00

For length:
8. Over 20′, add to 18′ and 20′ prices, for all grades:

	2 x 4 to 2 x 10	*2 x 12*
22′ and 24′	$5.00	$5.00
26′	6.00	6.00
28′	7.00	7.00
30′	8.00	10.00
32′	10.00	12.00
34′	12.00	14.00
36′	14.00	17.00
38′	17.00	20.00
40′	20.00	25.00

9. Odd or fractional lengths, over 8′, shall be counted and priced as next longer even length.
10. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
11. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.

For condition:
12. Kiln dried, add $3.00.
13. Air dried, add $2.00.
14. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For size:
15. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on actual size.
16. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.

TABLE 4—TIMBERS—SHORT LEAF

ROUGH, GREEN

Sizes	No. 1 Common			No. 2 Common		
	Specified lengths 8' to 16'	Specified lengths 18' and 20'	Specified length 8' to 20'	Specified lengths 8' to 16'	Specified lengths 18' and 20'	Specified lengths 8' to 20'
3 x 3 to 4 x 4	$32.00	$36.00		$29.00	$33.00	
3 x 5 to 4 x 5	32.00	36.00		29.00	33.00	
3 x 6 to 4 x 6	30.00	34.00		27.00	31.00	
4 x 7 to 4 x 8	34.00	38.00		30.00	34.00	
5 x 7 to 5 x 8			$39.00			$35.00
5 x 9 to 5 x 10			38.00			34.00
6 x 9 to 10 x 10			46.00			42.00
8 x 11 to 8 x 12			44.00			40.00
6 x 11 to 12 x 12			54.00			50.00
5 x 13 to 7 x 14			52.00			48.00
5 x 15 to 14 x 14			62.00			60.00
5 x 15 to 7 x 16			64.00			58.00
8 x 15 to 16 x 16			62.00			
5 x 17 to 7 x 18			74.00			
8 x 17 to 18 x 18			72.00			
5 x 19 to 7 x 20			80.00			
8 x 19 to 20 x 20			84.00			

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See sec. 15 (b))

For working:
1. S2S, S2E, S3S, S4S, shiplap or T and G, add $2.00.
2. Grooved two edges, add $1.00 (to dressed prices)
3. Beveling and or out ripping, for two edges on one face, add $4.00, for four edges, or one face and one edge, add $8.00 (to dressed price in each case)

For grade:	5" x 5" to 8" x 8"	5" x 10" to 10" x 10"	5" x 11" and longer
4. Square edge and sound	$1.00	$1.00	$2.00
5. Medium grade (add to No. 1 or No. 2 Common)	3.00	3.00	3.00
6. Dense (add to No. 1 or No. 2 Common	5.00	6.00	7.00
7. Dense square edge and sound	6.00	7.00	9.00
8. Dense No. 1 structural	7.00	8.00	10.00
9. Dense structural, square edge and sound	9.00	10.00	12.00
10. Dense structural	11.00	12.00	14.00
11. Dense select structural	13.00	14.00	16.00
12. 85% heart facial area (add to grade specified)	10.00	12.00	15.00
13. 90% heart facial area (add to grade specified)	13.00	15.00	18.00
14. 85% heart cubical content (add to grade specified)	8.00	10.00	12.00

For lengths:	5" x 5" to 10" x 10"	5" x 11" and longer
15. Over 20', add to 20' prices (all grades):		
22' and 24'	$5.00	$6.00
26'	6.00	7.00
28'	7.00	8.00
30'	10.00	12.00
32'	12.00	14.00
34'	14.00	17.00
36'	17.00	20.00
38'	20.00	25.00
40'		

16. For lengths over 40', add $5.00 per lineal foot.
17. Odd or fractional lengths over 8' shall be counted and priced as next longer even length.
18. For lengths shorter than 8' the nearest multiple-length price plus a total of $2.00 per M. B. M. for cross-cutting.
19. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
20. For pieces requiring to a specified exact length, with tolerance of not more than ½" allowed, add $2.00. No deduction is permitted for customary double end trimming.

For conditions:
21. Air dried, 23% moisture content, 3 x 3 and larger, and 2 x 14 and 2 x 16, No. 1 common and grades above, add $4.00.
22. Kiln dried, 23% moisture content, 40 square inches of end area and less, add $5.00; end area greater than 40 square inches, add $8.00.
23. Kiln dried, 23% moisture content, 2 x 14 and 2 x 16, No. 1 common and grades above, add $6.00.
24. Anti-stain treatment (any forms), 3 x 7 to 10 x 10, or 2 x 14 and wider, add $1.00, 3 x 11 and larger, add $2.00. These additions to be made to air dried prices only.

For [illegible]:
25. In No. 1 common and grades above, for each 1" in width above 20 x 20, add $6.00 to the 20 x 20 price
26. Fractional thickness, add $5.00 to nearest listed greater thickness. Compute footage on actual size.
27. Fractional widths, add $5.00 to nearest listed wider width, and compute footage on actual size.
28. 3 x 14 and 2 x 16, No. 1 common and grades above, add $3.00 to comparable 3" price.
29. For any average size, charge the price for the average size required and shipped.
30. For a specified cubic average, the price shall be that of the length in 12 x 12 required to equal the specified cubic average.

TABLE 5—FLOORING, PLAIN END—SHORT LEAF

KILN DRIED—STANDARD LENGTHS[1]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
HEART FACE SPECIFICATION					
Edge grain:					
1 x 3	$80.00	$66.00	$51.00	$45.00	
1 x 4	78.00	64.00	49.00	43.00	
5/4 x 3	95.00	80.00	62.00	27.00	
5/4 x 4	93.00	78.00	60.00	35.00	
Near edge grain:					
1 x 3	73.00	59.00	46.00	41.00	
1 x 4	71.00	57.00	44.00	39.00	
5/4 x 3	88.00	73.00	57.00	52.00	
5/4 x 4	86.00	71.00	55.00	50.00	
Flat grain:					
1 x 3	65.50	50.50	44.50	33.50	
1 x 4	63.50	48.50	42.50	32.50	
5/4 x 3	80.00	71.00	59.00	48.00	
5/4 x 4	78.00	69.00	57.00	47.00	
NO HEART SPECIFICATION					
Edge grain:					
1 x 3	68.00	60.00	42.00	39.00	
1 x 4	66.00	58.00	40.00	37.00	
5/4 x 3	83.00	71.00	50.00	45.00	
5/4 x 4	81.00	69.00	48.00	43.00	
Near edge grain:					
1 x 3	61.00	53.00	37.00	34.00	
1 x 4	59.00	51.00	35.00	32.00	
5/4 x 3	76.00	64.00	45.00	40.00	
5/4 x 4	74.00	62.00	43.00	38.00	
Flat grain:					
1 x 3	53.00	50.00	35.00	32.00	20.00
1 x 4	52.00	49.00	34.00	29.00	25.00
5/4 x 3	66.00	62.00	43.00	36.00	26.00
5/4 x 4	64.00	60.00	42.00	35.00	27.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (b))

For working:
1. End-matching, add $2.00.
2. Park Lock, deduct $5.00.

For grade:
3. A, add $2.00 to B and Better prices

For condition:
4. Air dried, deduct $1.00.
5. Anti-stain treatment (any form), add five to air dried prices, but not to kiln dried prices.

For Length:
6. Specified lengths, all grades, 12' and 14', add $1.00; 16' and longer, add $3.00.
7. Restricted standard lengths, A, B and C, 12' to 16' or longer, add $2.00.
8. Restricted standard lengths, D, No. 2 and No. 3, 8' to 16' or longer, add 50¢.
9. For shorts, 4', 5' and/or 6', when specified, or when shipped with buyers' approval, in excess of percentage allowed in respective grades, deduct as follows:

4', 5' and or 6' B and Better and C	$10.00
4', 5' and/or 6' D and No. 2	5.00
4', and 6' No. 3	2.00

[1] Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and or 9 foot
C	5% 6 and or 7 foot
D and No. 2 Common	5% 8 and or 9 foot
	5% 4 and/or 5 foot
	5% 6 and/or 7 foot
	5% 8 and/or 9 foot
No. 3 Common	Not to exceed 20% 4 and 6 foot.

TABLE 6—FLOORING, END MATCHED—SHORT LEAF

KILN DRIED

Size	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
HEART FACE SPECIFICATION, 19" TO 96" NESTED AND BUNDLED					
Edge grain:					
1 x 4	$72.00	$59.00	$47.00		
1 x 4	70.00	57.00	45.00		
Near edge grain:					
1 x 3	67.00	56.00	44.00		
1 x 4	66.00	55.00	43.00		
Flat grain:					
1 x 3	57.50	48.50	37.50		
1 x 4	55.50	46.50	35.50		
NO HEART SPECIFICATION, 19" TO 96" NESTED AND BUNDLED					
Edge grain:					
1 x 3	60.00	53.00	38.00		
1 x 4	58.00	51.00	36.00		
Near edge grain:					
1 x 3	55.00	50.00	35.00		
1 x 4	54.00	49.00	34.00		
Flat grain:					
1 x 3	45.00	42.00	32.00	$28.00	$21.00
1 x 4	44.00	41.00	31.00	27.00	20.00
18" TO 18" LINEAL AVERAGE, NESTED AND BUNDLED					
Flat grain:					
1 x 3	38.00	35.00	25.00		
1 x 4	37.00	34.00	24.00		
12" TO 96" NESTED AND BUNDLED					
9/16 to 5/8 x 3		38.50	30.00		
9/16 or 5/8 x 4		35.50	29.00		

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See sec. 15 (h))

For working:
1. Plain end, deduct $2.00.
For conditioning:
2. Air dried, deduct $1.00.
3. Antistain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

TABLE 7—SIDING, CEILING, PARTITION—SHORT LEAF

KILN DRIED—STANDARD LENGTHS

	Grade B and better	Grade C	Grade D	Grade No.	Grade No. 3
Drop siding:					
1 x 6 pattern 107, 117, 118, 119	$46.00	$43.00	$39.00	$33.00	$28.00
1 x 6 all other patterns	51.00	48.00	39.00	33.00	28.00
1 x 8 all patterns	57.00	54.00	40.00	34.00	28.00
1 x 10 all patterns	65.00	58.00	43.00	35.50	29.50
Bevel siding:					
1/2 x 4", 5", 6" and 8"	45.00	42.00	33.00	28.00	20.00
1/2 x 4", 5", 6" and 8"	39.00	36.00	28.00	24.00	17.00
Square edge siding:					
1/2 x 4", 6" and 8", S1S, S1S, S2S, S3S, S4S	44.00	41.00	34.00	28.00	16.00
Ceiling—Standard bead or V, S1S or S2S:					
5/16 and 7/16 x 3" and 4"	39.00	36.00	25.00	24.00	17.00
5/16 and 7/16 x 6"	41.00	38.00	30.00	26.00	19.00
9/16 x 3" and 4"	40.00	38.00	30.00	26.00	17.00
9/16 x 5" and 6"	42.00	40.00	32.00	28.00	19.00
13/16 to 2 1/16 x 3" and 4"	46.00	46.00	34.00	29.00	22.00
13/16 to 2 1/16 x 5" and 6"	50.00	47.00	35.00	30.00	23.00
Partition—Standard bead or V:					
11/16 x 4	49.00	46.00	34.00	29.00	16.00
11/16 x 6	51.00	48.00	36.00	31.00	18.00
3/4 x 4	54.00	51.00	36.00	30.00	18.00
3/4 x 6	56.00	53.00	38.00	32.00	20.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See sec. 15 (h))

For working:
1. Tongued and grooved, add $2.00.
2. Bark backing, ceiling and part iron, deduct $5.00.
For grade:
3. A, add $3.00 to B and better prices.
For conditioning:
4. Air dried, deduct $1.00.
5. Antistain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
For length:
6. Specified lengths, all grades, 12' and 14', add $1.00; 16' and longer, add $3.00.
7. Irregular standard lengths, A, B and C, 12' to 16' or longer, add $2.00.
8. Restricted standard lengths, D, No. 2 and No. 3, 8' to 16' or longer, add 50¢.
9. For shorts, 4' to 7', when specified or when shipped, with buyers' approval, in excess of percentages allowed in respective grades, deduct as follows:

Siding, ceiling, partition, all widths, 4', 5' and/or 6' foot, B and better and C	$5.00
Siding, ceiling, partition, all widths, 4', 5' and/or 6' foot, D	2.00
Siding, ceiling, partition, all widths, No. 2 and No. 3	

Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and/or 9 foot 5% 5 and/or 6 foot 5% 8 and/or 9 foot
C	5% 4 and/or 5 foot 5% 6 and/or 7 foot 5% 8 and/or 9 foot
D and No. 2	Not to exceed 5% 4 and/or 5 foot
No. 3	

TABLE 8—FINISH—SHORT LEAF

S4S KILN DRIED

Grade	Standard lengths [1]	4' and 6' lengths	8' lengths	5', 10' and 12' lengths	7' and 14' lengths	16' lengths	9', 18' and 20' lengths
B AND BETTER							
4/4 edge [2]	$55.50	$52.50	$52.50	$55.50	$56.25	$57.25	$58.25
1 x 2 and 3	61.00	51.00	58.00	61.00	62.00	63.00	64.00
1 x 4	59.00	49.00	56.00	59.00	60.00	61.00	62.00
1 x 6	67.00	57.00	64.00	67.00	68.00	69.00	70.00
1 x 8	59.00	49.00	56.00	59.00	60.00	61.00	62.00
1 x 7	63.00	60.00	60.00	63.00	64.00	65.00	66.00
1 x 8	59.00	56.00	56.00	59.00	60.00	61.00	62.00
1 x 9	63.00	60.00	60.00	63.00	64.00	65.00	66.00
1 x 10	67.00	64.00	64.00	67.00	68.00	69.00	70.00
1 x 11	70.00	67.00	67.00	70.00	71.00	72.00	73.00
1 x 12	83.00	80.00	80.00	83.00	84.00	85.00	86.00
Restricted random widths [3]	61.75	58.75	58.75	61.75	62.75	63.75	64.75
5/4 and 6/4 edge [2]	65.25	62.50	62.50	65.25	66.25	67.25	68.00
5/4 and 6/4 x 2 and 3	71.50	68.50	68.50	71.50	72.50	73.50	74.00
5/4 and 6/4 x 4	69.50	66.50	66.50	69.50	70.50	71.50	72.50
5/4 and 6/4 x 5	77.50	74.50	74.50	77.50	78.50	79.50	80.50
5/4 and 6/4 x 6	69.50	66.50	66.50	69.50	70.50	71.50	72.50
5/4 and 6/4 x 7	73.50	70.50	70.50	73.50	74.50	75.50	76.50
5/4 and 6/4 x 8	69.50	66.50	66.50	69.50	70.50	71.50	72.50
5/4 and 6/4 x 9	73.50	70.50	70.50	73.50	74.50	75.50	76.50
5/4 and 6/4 x 10	77.50	74.50	74.50	77.50	78.50	79.50	80.50
5/4 and 6/4 x 11	80.50	77.50	77.50	80.50	81.50	82.50	83.50
5/4 and 6/4 x 12	93.50	90.50	90.50	93.50	94.50	95.50	96.50
Restricted random widths [3]	72.25	69.25	69.25	72.25	73.25	74.25	75.25
7/4 and 8/4 edge [2]	67.50	64.75	64.75	67.50	68.50	69.50	70.50
7/4 and 8/4 x 2 x 3	74.00	71.00	71.00	74.00	75.00	76.00	77.00
7/4 and 8/4 x 4	72.00	69.00	69.00	72.00	73.00	74.00	75.00
7/4 and 8/4 x 5	80.00	77.00	77.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 6	72.00	69.00	69.00	72.00	73.00	74.00	75.00
7/4 and 8/4 x 7	76.00	73.00	73.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 8	72.00	69.00	69.00	72.00	73.00	74.00	75.00
7/4 and 8/4 x 9	76.00	73.00	73.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 10	80.00	77.00	77.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 11	83.00	80.00	80.00	83.00	84.00	85.00	86.00
7/4 and 8/4 x 12	96.00	93.00	93.00	96.00	97.00	98.00	99.00
Restricted random widths [3]	74.75	71.75	71.75	74.75	75.75	76.75	77.75
10/4 edge [2]	81.75	79.00	79.00	81.75	82.75	83.50	84.00
10/4 x 4	87.00	84.00	84.00	87.00	88.00	89.00	90.00
10/4 x 5	95.00	92.00	92.00	95.00	96.00	97.00	98.00
10/4 x 6	87.00	84.00	84.00	87.00	88.00	89.00	90.00
10/4 x 7	91.00	88.00	88.00	91.00	92.00	93.00	94.00
10/4 x 8	87.00	84.00	84.00	87.00	88.00	89.00	90.00
10/4 x 9	91.00	88.00	88.00	91.00	92.00	93.00	94.00
10/4 x 10	95.00	92.00	92.00	95.00	96.00	97.00	98.00
10/4 x 11	98.00	95.00	95.00	98.00	99.00	100.00	101.00
10/4 x 12	111.00	108.00	108.00	111.00	112.00	113.00	114.00
Restricted random widths [3]	89.75	86.75	86.75	89.75	90.75	91.75	92.75
12/4 edge [2]	95.75	93.00	93.00	95.75	96.75	97.75	98.75
12/4 x 4	102.00	99.00	99.00	102.00	103.00	104.00	105.00
12/4 x 5	110.00	107.00	107.00	110.00	111.00	112.00	113.00
12/4 x 6	102.00	99.00	99.00	102.00	103.00	104.00	105.00
12/4 x 7	106.00	103.00	103.00	106.00	107.00	108.00	109.00
12/4 x 8	102.00	99.00	99.00	102.00	103.00	104.00	105.00
12/4 x 9	106.00	103.00	103.00	106.00	107.00	108.00	109.00
12/4 x 10	110.00	107.00	107.00	110.00	111.00	112.00	113.00
12/4 x 11	113.00	110.00	110.00	113.00	114.00	115.00	116.00
12/4 x 12	126.00	123.00	123.00	126.00	127.00	128.00	129.00
Restricted random widths [3]	104.75	101.75	101.75	104.75	105.75	106.75	107.75
C							
Bark Strips 1 x 3 and 1 x 4 (S2S)	47.00						
4/4 edge [2]	48.75	47.00	47.00	49.75	50.75	51.75	52.75
1 x 2 and 3	55.00	45.00	52.00	55.00	56.00	57.00	58.00
1 x 4	53.00	43.00	50.00	53.00	54.00	55.00	56.00
1 x 5	59.00	49.00	56.00	59.00	60.00	61.00	62.00
1 x 7	56.00	43.00	50.00	53.00	54.00	55.00	56.00
1 x 8	58.00	55.00	55.00	58.00	59.00	60.00	61.00
1 x 9	53.00	50.00	50.00	53.00	54.00	55.00	56.00
1 x 10	58.00	55.00	55.00	58.00	59.00	60.00	61.00
1 x 11	59.00	56.00	56.00	59.00	60.00	61.00	62.00
1 x 12	62.00	59.00	59.00	62.00	63.00	64.00	65.00
Restricted random widths [3]	52.00	49.00	49.00	52.00	53.00	54.00	55.00
5/4 and 6/4 edge [2]	55.50	52.50	52.50	55.50	56.25	57.25	58.25
5/4 and 6/4 x 2 and 3	61.00	58.00	58.00	61.00	62.00	63.00	64.00
5/4 and 6/4 x 4	59.00	56.00	56.00	59.00	60.00	61.00	62.00
5/4 and 6/4 x 5	65.00	62.00	62.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 6	59.00	56.00	56.00	59.00	60.00	61.00	62.00
5/4 and 6/4 x 7	64.00	61.00	61.00	64.00	65.00	66.00	67.00
5/4 and 6/4 x 8	59.00	56.00	56.00	59.00	60.00	61.00	62.00
5/4 and 6/4 x 9	64.00	61.00	61.00	64.00	65.00	66.00	67.00
5/4 and 6/4 x 10	65.00	62.00	62.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 11	68.00	65.00	65.00	68.00	69.00	70.00	71.00
5/4 and 6/4 x 12	78.00	75.00	75.00	78.00	79.00	80.00	81.00
Restricted random widths [3]	61.00	58.00	58.00	61.00	62.00	63.00	64.00
7/4 and 8/4 edge [2]	56.25	53.50	53.50	56.25	57.25	58.25	59.25
7/4 and 8/4 x 2 and 3	62.00	59.00	59.00	62.00	63.00	64.00	65.00
7/4 and 8/4 x 4	60.00	57.00	57.00	60.00	61.00	62.00	63.00
7/4 and 8/4 x 5	66.00	63.00	63.00	66.00	67.00	68.00	69.00
7/4 and 8/4 x 6	60.00	57.00	57.00	60.00	61.00	62.00	63.00
7/4 and 8/4 x 7	65.00	62.00	62.00	65.00	66.00	67.00	68.00
7/4 and 8/4 x 8	60.00	57.00	57.00	60.00	61.00	62.00	63.00
7/4 and 8/4 x 9	65.00	62.00	62.00	65.00	66.00	67.00	68.00
7/4 and 8/4 x 10	66.00	63.00	63.00	66.00	67.00	68.00	69.00
7/4 and 8/4 x 11	69.00	66.00	66.00	69.00	70.00	71.00	72.00
7/4 and 8/4 x 12	79.00	76.00	76.00	79.00	80.00	81.00	82.00
Restricted random widths [3]	62.00	59.00	59.00	62.00	63.00	64.00	65.00

See footnotes at end of table.

TABLE 8—FINISH—SHORT LEAF—Continued

S4S KILN DRIED—Continued

Grade	Standard lengths[1]	4′ and 6′ lengths	8′ lengths	5′, 10′ and 12′ lengths	7′ and 14′ lengths	16′ lengths	9′, 18′ and 20′ lengths
C—continued							
10/4 edge [1]	$65.75	$63.00	$63.00	$65.75	$66.75	$67.50	$68.50
10/4 x 4	70.00	67.00	67.00	70.00	71.00	72.00	73.00
10/4 x 5	76.00	73.00	73.00	76.00	77.00	78.00	79.00
10/4 x 6	70.00	67.00	67.00	70.00	71.00	72.00	73.00
10/4 x 7	75.00	72.00	72.00	75.00	76.00	77.00	78.00
10/4 x 8	70.00	67.00	67.00	70.00	71.00	72.00	73.00
10/4 x 9	75.00	72.00	72.00	75.00	76.00	77.00	78.00
10/4 x 10	76.00	73.00	73.00	76.00	77.00	78.00	79.00
10/4 x 11	79.00	76.00	76.00	79.00	80.00	81.00	82.00
10/4 x 12	89.00	86.00	86.00	89.00	90.00	91.00	92.00
Restricted random widths [2]	72.00	69.00	69.00	72.00	73.00	74.00	75.00
12/4 edge [1]	75.25	72.25	72.25	75.25	76.00	77.00	78.00
12/4 x 4	80.00	77.00	77.00	80.00	81.00	82.00	83.00
12/4 x 5	86.00	83.00	83.00	86.00	87.00	88.00	89.00
12/4 x 6	80.00	77.00	77.00	80.00	81.00	82.00	83.00
12/4 x 7	85.00	82.00	82.00	85.00	86.00	87.00	88.00
12/4 x 8	80.00	77.00	77.00	80.00	81.00	82.00	83.00
12/4 x 9	85.00	82.00	82.00	85.00	86.00	87.00	88.00
12/4 x 10	86.00	83.00	83.00	86.00	87.00	88.00	89.00
12/4 x 11	89.00	86.00	86.00	89.00	90.00	91.00	92.00
12/4 x 12	99.00	96.00	96.00	99.00	100.00	101.00	102.00
Restricted random widths [2]	82.00	79.00	79.00	82.00	83.00	84.00	85.00
Bark strips 1 x 3 and 1 x 4 (S2S)	41.00						

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. Rough, B and better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S1S, S2S, S2S and Matched, Shiplap, or any other Matcher dressing, standard or thinner, add $2.00. No addition may be made for dressing to flooring, drop siding, ceiling or any other pattern for which a maximum price is set in any of the tables.
4. Ripping or Resawing, add $1.00 for each cut.
5. Casing, base, jambs, apron, pulley stiles or any other pattern requiring moulder work (not including mouldings), add $7.50 for 1" stock, $10.00 for 5/4" and thicker.
6. Nosed stepping, add $3.00.
7. Sanding one face, add $3.00.
8. Wrapping, add $5.00.

For grade:
9. A, add $5.00 to B and better prices.
10. If both sides are required A grade (par. 171), or if both sides are required B grade (par. 171), add $5.00 for 1" stock, $7.50 for 5/4 and 6/4, and $10.00 for 7/4 and thicker. No addition may be made if both sides are required C grade.

For condition:
11. Air dried, stain no defect, deduct $6.00.
12. Air dried, stain A defect, deduct $4.00.
13. Green, deduct $9.00 for 1" stock, $11.00 for 5/4 and 6/4, $13.00 for 7/4 and 8/4, and $15.00 for 10/4 and 12/4".
14. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For size:
15. 13" and wider, add $3.50 per inch or fraction thereof to 12" prices and compute footage on actual size.
16. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
17. Random widths: (other than restricted random widths), each width shall be priced at the specified width price.

For length:
18. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add $1.50. No addition is permitted for customary double end trimming.
19. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
20. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length, up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 18 may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six-inch breaks on the next break above.
21. An addition of $7.50 per M may be made for "Special Soft Texture Finish", produced by the following manufacturers, subject to the following conditions:
Any manufacturer intending to sell "Special Soft Texture Finish" and charge the $7.50 premium, must obtain the approval of and register with the Lumber Branch, Office of Price Administration, Washington, D. C., as a producer of "Special Soft Texture Finish". He must certify in his application for registration that he sold "Special Soft Texture Finish", and obtained a premium for it, between October 1, 1941 and March 31, 1942. He must also furnish letters from three buyers stating that they had purchased "Special Soft Texture Finish" from him during this period and that they are still willing to pay a premium for such stock.
Such lumber must be clearly marked "Special Soft Texture Finish".
The $7.50 additional charge shall be quoted and invoiced separately.
The following manufacturers have qualified as producers of "Special Soft Texture Finish":
Allison Lumber Company, Bellamy, Ala.
Black Springs Lumber Company, Eagleton, Ark.
Black Springs Lumber Company, Norman, Ark.
Bradley Lumber Company, Warren, Ark.
Burnett Lumber Company, Heavener, Okla.
Burnett-Baugert Lumber Company, Clayton, Okla.
Burnett-Wyss Lumber Company, Ola, Ark.
Caddo River Lumber Company, Kansas City, Mo.
Conasauga River Lumber Company, Conasauga, Tenn.
Crossett Lumber Company, Crossett, Ark.
Denkmann Lumber Company, Canton, Miss.
Dierks Lumber & Coal Company, Kansas City, Mo.
Fordyce Lumber Company, Fordyce, Ark.
Frost Lumber Industries, Inc., Shreveport, La.
Hatton Lumber Company, Hatton, Ark.
M. Knight Lumber Company, Kansas City, Mo.
Paden Lumber Company, Paden, Okla.
Southern Lumber Company, Warren, Ark.
Tremont Lumber Company, Rochelle, La.
Vredenburgh Saw Mill Company, Vredenburgh, Ala.
Waldren Lumber Company, Waldren, Ark.

[1] Standard lengths are 8' to 20' inclusive, and in shipments of standard lengths, 5% of 8 foot in C and better grades shall be permitted.
Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" widths, and not less than 20% of 10" and wider.
[2] Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to paragraph 136.

TABLE 9—END MATCHED AND CENTER MATCHED BOARDS AND STRIPS—SHORT LEAF

AIR DRIED

Size	Grade B and better	Grade C	Grade No. 1	Grade No. 2	Grade No. 3	Grade No. 4
12" to 96" nested and bundled:						
1 x 5	$61.50	$56.50	$35.50	$28.50	$23.50	$19.50
1 x 6	57.50	51.50	32.50	29.50	24.50	20.50
1 x 8	57.50	51.50	33.50	29.50	24.50	20.50
15" to 18" lineal average, nested and bundled:						
1 x 5	51.50	46.50	25.50	18.50	13.50	9.50
1 x 6	47.50	41.50	22.50	19.50	14.50	10.50
1 x 8	47.50	41.50	23.50	19.50	14.50	10.50

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE. (See Sec. 15 (h))

For working:
1. Plain end, deduct $2.00.
For condition:
2. Kiln dried, add $2.00.
3. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

TABLE 10—BOX—SHORT LEAF

S1S, S2S, S3S, S4S, S2S AND MATCHED, V-JOINT, ECB1S, ECB2S, OR SHIPLAP, STANDARD OR 3/4"

AIR DRIED

Grade	4′ and 6′ lengths	8′ lengths	10′ lengths	12′ lengths	14′ lengths	16′ lengths	18′ and 20′ lengths
No. 1:							
1" Edge Widths [1]	$27.25	$30.25	$31.75	$32.25	$32.75	$33.25	$35.00
1 x 3	30.00	33.00	34.50	35.00	35.00	35.50	37.00
1 x 4	27.00	30.00	31.50	32.00	32.00	32.50	34.00
1 x 5	28.50	32.50	35.50	35.50	36.00	36.50	38.50
1 x 6	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 7	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 8	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 9	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 10	29.50	32.50	35.50	35.50	36.00	36.50	38.50
1 x 11	32.50	35.50	38.50	39.00	39.00	39.50	41.50
1 x 12	34.00	37.00	40.00	40.50	41.00	41.50	44.50
Restricted Random Widths [1]	28.75	31.75	33.50	34.00	34.50	35.00	36.75

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. Rough, No. 1, deduct $2.00.
2. End-matching, add $2.00.
3. No addition may be made for any matcher dressing not otherwise provided for. Patterns requiring moulder work, add $6.50.
4. Ripping or Resawing, add $1.00 for each cut.

For condition:
5. Kiln dried, add $3.00.
6. Green, deduct $2.00.
7. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For length:
8. Random lengths must average at least 12' (with a tolerance of 3") and must take the 12' price.
9. For restricted random lengths, 12' to 16' or longer, charge the specified length price for the lengths actually shipped.
10. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
11. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add $1.50. No addition is permitted for customary double end trimming.
12. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
13. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 11 may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one half foot, compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:
14. Stock thinner than 3/4", deduct $1.00 from the 3/4" price for each 1/32" thinner than 3/4". However, sizes that can be resawn from boards or strips 1" in nominal thickness shall take the 1" price plus the resawing addition permitted.
15. 13" and wider, add $2.50 per inch or fraction thereof to 12" price and compute footage on actual size.
16. 5/4 and 6/4 No. 1 box, add $3.00.
17. 7/4 No. 1 box, add $2.50.
18. 8/4 No. 1 box, price the same as 4/4.
19. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
20. For an average width, charge the price which would have been charged had the buyer ordered the various widths that were shipped.
21. Random widths: (other than restricted random widths), each width shall be priced at the specified width price.

For grade:
22. No. 2 box, apply under Section 20.

[1] Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to Paragraph 136, S. P. I. R. Rules.
[2] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" widths and not less than 20% of 10" and wider.

TABLE 11—FACTORY FLOORING, HEAVY ROOFING, DECKING AND HEAVY SHIPLAP—SHORT LEAF

D & M OR SHIPLAP

GREEN

	Specified lengths 5′ to 16′	Specified lengths 18′ to 20′	Specified lengths 22′ to 24′
Dense standard factory:			
2 x 4, 6 and 8″	$38.50	$42.50	$47.50
2 x 5 and 10″	44.00	48.00	53.00
2 x 12″	46.00	50.00	55.00
2½ to 5 x 4, 6 and 8″	41.50	45.50	50.50
2½ to 5 x 5 and 10″	46.50	50.50	55.50
2½ to 5 x 12″	53.50	57.50	62.50
No. 1 factory:			
2 x 4, 6 and 8″	36.00	40.00	45.00
2 x 5 and 10″	40.00	44.00	49.00
2 x 12″	42.00	46.00	51.00
2½ to 5 x 4, 6 and 8″	39.00	43.00	48.00
2½ to 5 x 5 and 10″	44.00	48.00	53.00
2½ to 5 x 12″	51.00	55.00	60.00
No. 2 factory:			
2 x 4, 6 and 8″	31.25	35.25	40.25
2 x 5 and 10″	33.50	37.50	42.50
2 x 12″	34.50	38.50	43.50
2½ to 5 x 4, 6 and 8″	34.25	38.25	43.25
2½ to 5 x 5 and 10″	39.25	43.25	48.25
2½ to 5 x 12″	46.25	50.25	55.25

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE. (See sec. 15 (h))

For Working:
1. Rough, deduct $2.00.
2. Grooved for splines, add $1.00 to 2″ prices; $2.00 to 2½″ to 5″ prices.
3. Beveling and/or outgauging, for two edges on one face, add $1.00, for four edges, or on one face and one edge, add $8.00.

For Condition:
4. Air dried, add $2.00 to 2″ prices; $4.00 to 2½″ to 5″ prices.
5. Kiln dried, 2″ thickness (15% moisture content), add $3.00; 2½″ to 5″ (20% moisture content), 40 square inches of end area and less, add $5.00; end area greater than 40 square inches, add $8.00.
6. Anti-stain treatment (any form), add 50¢ for 2″; $1.00 for 2½″ to 5″. These additions to be made to air dried prices but not to kiln dried prices.

For Size:
7. Non-standard fractional thicknesses, add $3.00 to nearest greater listed thickness. Compute footage on actual size.
8. Odd or fractional widths not listed, add $3.00 to nearest greater listed width and compute footage on actual size.

For Length:
9. Odd or fractional lengths shall be counted and priced as the next longer even length.
10. Random lengths, charge the specified length price for the quantity of each length shipped.
11. Lengths longer than 24′, add to 24′ price as follows (for all grades,):

Length	2 x 10 and smaller	2 x 11 and larger	Length	2 x 10 and smaller	2 x 11 and larger
26′	$1.00	$1.00	34′	$7.00	$9.00
28′	2.00	2.00	36′	9.00	12.00
30′	3.00	5.00	38′	12.00	15.00
32′	5.00	7.00	40′	15.00	20.00

TABLE 12—SHOP—SHORT LEAF

ROUGH—KILN DRIED

Size and lengths	Grade No. 1	Grade No. 2
1″, R/W 1 and L [1]	$42.00	$32.00
5/4, 6/4, 7/4 and 8/4, R/W 1 and L [1]	46.00	36.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (SEE SEC. 15 (h))

For working:
1. Any Standard Dressing, add $1.00.
2. Ripping or Resawing, add $1.00 for each cut.

For condition:
3. Air dried, deduct $1.00.
4. Green, deduct $3.00.
5. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For length:
6. For restricted standard lengths, 10′ to 16′ or longer, add $1.00.
7. Where specified lengths are required by the buyer, all grades, 12′ and 14′, add $1.00, 16′ and longer, add $3.00.

[1] Random widths are 4″ and wider.
[2] Standard lengths are 6′ and longer.

TABLE 13—CAR MATERIAL, OTHER THAN DECKING AND FRAMING—SHORT LEAF

DRESSED TO PATTERN

KILN DRIED

Size and grade	8′ lengths	9′ lengths	5′ and 10′ lengths	12′ lengths	14′ lengths	16′ lengths	18′ and 20′ lengths	22′ and 24′ lengths
Select—(Par. 51 AAR rules): [1]								
1 x 4 and 1 x 6″	$58.00	$65.00	$60.00	$62.00	$65.00	$67.00	$73.00	$85.00
Common—(Par. 52 AAR rules): [1]								
1 x 4 and 1 x 6″	48.00	55.00	50.00	52.00	55.00	57.00	63.00	75.00
Select—(Par. 55-59-62 AAR rules): [1]								
1 x 4, 1 x 6 and 1 x 8″	58.00	65.00	60.00	62.00	65.00	67.00	73.00	85.00
1 x 10″	66.00	73.00	68.00	70.00	73.00	75.00	81.00	93.00
1 x 12″	82.00	89.00	84.00	86.00	89.00	91.00	97.00	109.00
Common—(Par. 56 AAR rules): [1]								
1 x 4, 1 x 6 and 1 x 8″	48.00	55.00	50.00	52.00	55.00	57.00	63.00	75.00
1 x 10″	56.00	63.00	58.00	60.00	63.00	65.00	71.00	83.00
1 x 12″	72.00	79.00	74.00	76.00	79.00	81.00	87.00	99.00
Common—(Par. 60 AAR rules): [1]								
1 x 4, 1 x 6 and 1 x 8″	38.00	45.00	40.00	42.00	45.00	47.00	50.00	62.00
1 x 10″	46.00	53.00	48.00	50.00	53.00	55.00	58.00	70.00
1 x 12″	62.00	69.00	64.00	66.00	69.00	71.00	74.00	86.00
Select—(Par. 53-55-59-62 AAR Rules): [1]								
2 x 4″	62.00	67.00	62.00	62.00	62.00	67.00	72.00	82.00
2 x 6″	67.00	72.00	67.00	67.00	67.00	72.00	77.00	87.00
2 x 8″	70.00	75.00	70.00	70.00	70.00	75.00	80.00	90.00
2 x 10″	75.00	80.00	75.00	75.00	75.00	80.00	85.00	95.00
2 x 12″	90.00	95.00	90.00	90.00	90.00	95.00	100.00	110.00
Common—(Par. 54-56-60 AAR Rules): [1]								
2 x 4″	47.00	49.00	47.00	47.00	47.00	50.00	52.00	62.00
2 x 6″	52.00	54.00	52.00	52.00	52.00	55.00	57.00	67.00
2 x 8″	56.00	58.00	56.00	56.00	56.00	59.00	61.00	71.00
2 x 10″	64.00	66.00	64.00	64.00	64.00	67.00	69.00	79.00
2 x 12″	80.00	82.00	80.00	80.00	80.00	83.00	85.00	95.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. Rough, deduct $2.00.
2. Where material is required S2S only, add $1.00.

For grade:
3. Edge grain, add $15.00 to select price only.
4. Dense, *running boards only*, add $5.00.
5. Dense, 2″ stock and thicker, add $4.00. Make no addition for dense on stock less than 2″ thick (except for running boards as provided in footnote 4).
6. Grades and specifications other than those contained in A. A. R. rules. The maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

For condition:
7. Air dried, stain no defect, deduct $6.00.
8. Air dried, stain a defect, deduct $4.00.
9. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
10. Green, deduct $8.00.

For size:
11. 5/4 and 6/4, add $10.00 to 4/4 prices.
12. 2¼″ and 2½″ par. 53, 55, 59, and 62, add $15.00 to 5/4 prices; 2¼″ and 2½″ par. 54, 56 and 60, add $3.00 to 8/4 prices.
13. Extra standard thickness, other than those covered by A. A. R., add $1.00 where dressed clean. No addition may be made for hit or miss dressing.
14. Odd or fractional widths, add $3.00 to nearest greater listed width and compute footage on nominal roughsize.

For length:
15. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition permitted for customary double end trimming.
16. Odd or fractional lengths, except 5′ and 9′, shall be counted and priced as next longer even length.
17. For any average length, charge the price for the specified length corresponding to the average length required and shipped.

For inspection:
18. Final inspection at destination rather than at shipping point, add $5.00.

[1] Specifications for car material designated above, (AAR rules) correspond to the specifications issued by the Association of American Railroads as set forth in its pamphlet M-907-33, adopted 1910; revised 1933.

TABLE 13A—CAR MATERIAL, FLOORING (DECKING), FLOOR BOARDS AND DOOR SILLS—SHORT LEAF

DRESSED TO ALL PATTERNS—KILN DRIED OR AIR DRIED

Size and grade	8′ lengths	9′ lengths	10′ lengths	12′ lengths	14′ lengths	16′ lengths
Select—(Par. 57 AAR rules) [1]						
2 x 6 and 2 x 8″	$67.00	$72.00	$67.00	$67.00	$67.00	$72.00
2¼ and 2½ x 6″ and 8″	72.00	77.00	72.00	72.00	72.00	77.00
2¾ and 3 x 6″ and 8″	77.00	82.00	77.00	77.00	77.00	82.00
Common—(par. 58 AAR rules) [1]						
2 x 6″ and 2 x 8″	47.50	49.50	47.50	47.50	47.50	50.50
2¼, 2½, 2¾ and 3 x 6″ and 8″	50.50	52.50	50.50	50.50	50.50	53.50

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (b))

For working:
1. Rough, deduct $2.00.
2. Where material is required S2S only, add $1.00.
3. Stock dressed 2¾″ net thickness, count and price as 2¾″.

For grade:
4. Edge grain, add $15.00 to select price only.
5. Dense, add $4.00.
6. Grades and specifications other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.
7. Heart Face, Common (Par. 58), add $10.00; for All Heart, add $15.00.

For condition:
8. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
9. Drying to moisture content of less than 15%, add $5.00.
10. Green, deduct $5.00

For size:
11. Extra standard thickness, other than those covered by A. A. R., add $1.00 when dressed clean. No addition may be made for hit or miss dressing.
12. Odd or fractional widths, add $3.00 to nearest greater listed width and compute footage on nominal rough size.

For length:
13. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.
14. Odd or fractional lengths, except 9′, shall be counted and priced as next longer even length.

For inspection:
15. Final inspection at destination rather than at shipping point, add $5.00.

[1] Specifications for car material designated above, (AAR Rules) correspond to the specifications issued by the Association of American Railroads as set forth in its pamphlet M-907-33, adopted 1910; revised 1933.

TABLE 13B—CAR MATERIAL, FRAMING—SHORT LEAF

SPECIFIED OR RANDOM LENGTHS, 20′ AND SHORTER—ROUGH—GREEN

Size	Group 7	Group 8	Group 9				Group 10			
	Paragraph 64	Paragraph 65	Paragraph 66	Paragraph 67	Paragraph 68	Paragraph 69	Paragraph 70	Paragraph 71	Paragraph 72	
	Dense common	Non-dense common	Dense select structural	Close grain select structural	Dense select structural	Close grain select structural	Dense common structural	Non-dense common structural	Dense select structural	Close grain select structural	Dense common structural	Non-dense common structural
2″ to 4″ x 2″ to 8″	$45.00	$40.00	$53.00	$51.00	$53.00	$51.00	$47.00	$42.00	$53.00	$51.00	$46.00	$41.00
2″ to 4″ x 8¼″ to 10″	51.00	46.00	59.00	57.00	59.00	57.00	53.00	48.00	59.00	57.00	52.00	47.00
2″ to 4″ x 10¼″ to 12″	58.00	53.00	66.00	64.00	66.00	64.00	60.00	55.00	66.00	64.00	59.00	54.00
2″ to 4″ x 12¼″ to 14¾″	68.00	63.00	76.00	74.00	76.00	74.00	70.00	65.00	76.00	74.00	69.00	64.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (b))

For working:
1. Dressing to standard patterns, add $2.00.

For grade:
2. 85% heart face area, add $12.00.
3. 75% heart girth measurement, add $8.00.
4. 85% heart girth measurement, add $15.00.
5. All heart, add $25.00.
6. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

For condition:
7. Dry, moisture content between 15 and 20%, add $5.00.
8. Anti-stain treatment (any form), add 50¢ for 2″; $1.00 for 2¼″ to 4″; $2.00 over 4″ thickness.

For size:
9. ¼, ½, ¾, ¼, ½, ¾, add $4.00.
10. Over 4″ in thickness, deduct $1.00
11. Measurement for rough sizes must allow not less than ¼″ for dressing on each dimension.

For inspection:
12. Final inspection at point of destination, rather than at shipping point, add $5.00.

For length:
13. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.
14. Odd or fractional lengths, except 5′, 7′ and 9′, shall be counted and priced as next longer even length.
15. Lengths longer than 20′, add to 20′ prices as follows (for all grades):

	10″ and under	Over 10″
22′ and 24′	$5.00	$5.00
26′	6.00	6.00
28′	7.00	7.00
30′	8.00	10.00
32′	10.00	12.00
34′	12.00	14.00
36′	14.00	17.00
38′	17.00	20.00
40′	20.00	25.00

16. For lengths over 40′, add $5.00 per lineal foot.

TABLE 14—STANDARD PLASTERING LATH—SHORT LEAF

KILN DRIED

Lengths	Grade No. 1	Grade No. 2	Grade No. 3
4′	$6.00	$5.00	$3.50
32″	3.50	2.00	

ADDITIONS AND DEDUCTIONS PER 1,000 PIECES

For Condition:
1. Air dried, deduct 25c.
2. Green, deduct 50c.

For Grade:
3. Fence lath, add $2.50 to 4′ No. 1 price.

TABLE 15—BYRKIT LATH—SHORT LEAF

AIR DRIED OR KILN DRIED

Size	Standard lengths [1]	4′, 6′ and 8′
1 x 4	$26.00	$21.00
1 x 6	30.00	27.00

[1] Standard lengths are 4′ and up.

TABLE 16—BED SLATS, S4S—SHORT LEAF

AIR DRIED OR KILN DRIED (BUNDLED)

Grade and size	Per set (8 pieces) 36″	Per set (8 pieces) 39″	Per set (8 pieces) 42″	Per set (8 pieces) 54″ to 56″
No. 1—1 x 3	$0.35	$0.37	$0.38	$0.48
No. 2—1 x 3	.28	.30	.31	.41

TABLE 17—O. G. BATTS—SHORT LEAF

KILN DRIED—STANDARD LENGTHS [1]

	Grade B and better	Grade C	Grade D	Grade No. 2
⅜ or ½ x 8	$42.00	$40.00	$32.00	$28.00
⅜ or ½ x 4	40.00	38.00	30.00	26.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For condition:
1. Air dried, deduct $1.00.
2. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For length:
3. For specified lengths, all grades, 12′ and 14′, add $1.00; 16′ and longer, add $3.00.
4. For shorts, 4′ and 6′, when specified, or when shipped with buyers' approval, in excess of percentage permitted in respective grades, B and better and C, deduct $5.00; D, deduct $3.00; No. 2 Common (4 foot only), deduct $2.00.

[1] Standard lengths are 4′ to 20′ inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

B and better	5% 8 and 9 foot.
C	5% 6 and 7 foot. 5% 8 and 9 foot.
D and No. 2	5% 4 and 5 foot. 5% 6 and 7 foot. 5% 8 and 9 foot.

ARTICLE VI—APPENDIX B: LONGLEAF YELLOW PINE LUMBER

The maximum prices for Longleaf Yellow Pine Lumber, f. o. b. mill, per one thousand feet board measure, shall be as follows:

TABLE 18—BOARDS AND STRIPS—LONG LEAF

S1S, S2S, S3S, S4S, S2S AND MATCHED, V-JOINT, ECB1S, ECB2S, OR SHIPLAP, STANDARD OR ¾″—AIR DRIED

Grade	4′ and 6′ lengths	8′ lengths	10′ lengths	12′ lengths	14′ lengths	16′ lengths	18′ and 20′ lengths
No. 1:							
1 x 2	$37.00	$42.00	$43.00	$43.00	$43.00	$41.50	$45.00
1 x 3	38.00	43.00	44.00	44.00	44.00	43.50	46.00
1 x 4	34.00	39.00	40.00	40.00	40.00	41.50	42.00
1 x 5	39.00	44.00	45.00	45.00	45.00	46.50	47.00
1 x 6	37.00	42.00	43.00	43.00	43.00	44.50	45.00
1 x 7	38.00	43.00	44.00	44.00	44.00	45.50	46.00
1 x 8	38.00	43.00	44.00	44.00	44.00	45.50	46.00
1 x 9	39.00	44.00	45.00	45.00	45.00	46.50	47.00
1 x 10	39.00	44.00	45.00	45.00	45.00	46.50	47.00
1 x 11	40.00	51.00	52.00	52.00	52.00	53.50	54.00
1 x 12	50.00	55.00	56.00	56.00	56.00	57.50	58.00
Restricted random widths [1]	37.25	42.25	43.25	43.25	43.25	44.75	45.25
No. 2:	4′	6′ and 8′					
1 x 2	32.00	34.00	35.50	36.00	36.00	36.50	38.00
1 x 3	33.00	35.00	36.50	37.00	37.00	37.50	39.00
1 x 4	29.00	31.00	32.50	33.00	33.00	33.50	35.00
1 x 5	34.00	36.00	37.50	38.00	38.50	39.00	41.00
1 x 6	32.00	34.00	35.50	36.00	36.50	37.00	39.00
1 x 7	32.00	34.00	35.50	36.00	36.50	37.00	39.00
1 x 8	32.00	34.00	35.50	36.00	36.50	37.00	39.00
1 x 9	34.00	36.00	39.00	39.50	40.00	40.50	42.50
1 x 10	34.00	36.00	39.00	39.50	40.00	40.50	42.50
1 x 11	37.00	39.00	42.00	42.50	44.00	43.50	46.50
1 x 12	41.00	43.00	46.00	46.50	47.00	47.50	50.50
Restricted random widths [1]	32.00	34.00	35.75	36.25	36.75	37.25	39.00
No. 3:							
1 x 2	24.00	26.00	27.50	28.00	28.00	28.50	30.00
1 x 3	26.00	28.00	29.50	30.00	30.00	30.50	32.00
1 x 4	24.00	26.00	27.50	28.00	28.00	28.50	30.00
1 x 5	26.00	28.00	29.50	30.00	30.00	31.00	33.00
1 x 6	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 7	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 8	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 9	26.00	28.00	31.00	31.00	31.50	32.00	34.00
1 x 10	26.00	28.00	31.00	31.00	31.50	32.00	34.00
1 x 11	26.50	28.50	31.50	32.00	32.50	33.00	35.00
1 x 12	27.00	29.00	32.00	32.50	33.00	33.50	35.50
Restricted random widths [1]	26.00	27.00	28.75	29.25	29.75	30.25	32.00

See footnote at end of table.

TABLE 18—BOARDS AND STRIPS—LONG LEAF—Continued

S1S, S2S, S3S, S4S, S1E and Matched, V-Joint, ECB1S, ECB2S, or Shiplap, Standard or ¾"—Air Dried—Continued

Grade	4' lengths	6' and 8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 4 and dunnage:							
1 x 3	$22.00	$24.00	$25.50	$26.00	$26.00	$26.50	$28.00
1 x 4	15.00	17.00	18.50	19.00	19.00	19.50	21.00
1 x 5	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 6	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 7	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 8	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 9	22.00	24.00	27.00	27.50	27.50	28.00	30.00
1 x 10	22.00	24.00	27.00	27.50	27.50	28.00	30.00
1 x 11	22.50	24.50	27.50	28.00	28.00	29.00	32.00
1 x 12	23.00	25.00	28.00	28.50	29.00	29.50	32.50
Restricted random widths [1]	20.25	22.25	24.00	24.50	25.00	25.50	27.25

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. Rough, deduct $1.00.
2. End-matching, add $2.00.
3. No addition may be made for any matcher dressing not otherwise provided for. Patterns requiring moulder work, add $0.50.
4. Ripping or Resawing, add $1.00 for each cut.

For grade:
5. No. 1 common 85 or 90% heart facial area, add $20.00.
6. No. 2 common 85 or 90% heart facial area, add $12.00.

For condition:
7. Kiln dried, add $1.00.
8. Green, deduct $2.00.
9. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For length:
10. Random lengths must average at least 12' (with a tolerance of 3") and must take the 12' price.
11. Restricted random lengths, 10' to 16', or longer, all grades and 8' to 16', or longer No. 2 or lower grades, charge the specified length price for the lengths actually shipped.
12. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
13. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
14. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.
15. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case add $1.50 per M. B. M. for each necessary cross cut, but the additions for precision cutting permitted in footnote 13 may not also be charged and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:
16. Stock thinner than ¾", deduct $1.00 from the ¾" price for each 1/8" thinner than ¾". However, sizes that can be resawn from boards or strips 1" in nominal thickness shall take the 1" price plus the resawing addition permitted.
17. 12" and wider, add $2.50 per inch or fraction thereof to 12" price and compute footage on actual size.
18. 5/4, 6/4, and 7/4 No. 1 and No. 2 Common, add $7.00.
19. 5/4, 6/4 and 7/4 No. 3 Common, add $4.00.
20. 5/4, 6/4 and 7/4 No. 4 Common and dunnage, add $2.00.
21. Extra standard thickness, thicker than American lumber standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
22. For an average width, charge the price that would have been charged had the buyer ordered the various widths that were shipped.
23. Random widths (other than restricted random widths) each width shall be priced at the specified width price.

[1] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" and not less than 20% of 10" and wider.

TABLE 19—DIMENSION—LONG LEAF

S1S, S2S, S3S, S4S—Air Dried

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
No. 1:											
2 x 2	$36.00	$36.00	$43.00	$44.00	$42.00	$42.00	$42.00	$44.00	$47.00	$45.00	$50.00
2 x 3	34.00	34.00	41.00	44.00	41.00	41.00	41.00	42.00	44.00	44.00	49.00
2 x 4	33.00	33.00	40.00	41.00	39.00	39.00	39.00	41.00	42.00	42.00	47.00
2 x 5	37.00	37.00	44.00	50.00	46.00	47.00	48.00	50.00	52.00	52.00	56.00
2 x 6	31.00	31.00	38.00	41.00	38.00	38.00	38.00	39.00	41.00	41.00	46.00
2 x 8	31.00	31.00	38.00	41.00	39.00	39.00	39.00	40.00	42.00	42.00	47.00
2 x 10	37.00	37.00	44.00	50.00	46.00	47.00	48.00	50.00	52.00	52.00	56.00
2 x 12	43.00	43.00	50.00	57.00	53.00	53.00	54.00	57.00	59.00	59.00	63.00
No. 2:											
2 x 2	33.00	33.00	39.00	40.00	38.00	38.00	38.00	40.00	42.00	42.00	45.00
2 x 3	32.00	32.00	38.00	39.00	39.00	38.00	38.00	39.00	41.00	41.00	45.00
2 x 4	30.00	30.00	36.00	37.00	35.00	35.00	35.00	37.00	39.00	39.00	42.00
2 x 5	34.00	34.00	40.00	45.00	42.00	42.00	42.00	43.00	45.00	45.00	49.00
2 x 6	29.00	29.00	35.00	36.00	36.00	36.00	37.00	36.00	38.00	38.00	42.00
2 x 8	29.00	29.00	35.00	37.00	36.00	36.00	36.00	37.00	39.00	39.00	42.00
2 x 10	34.00	34.00	40.00	43.00	42.00	42.00	42.00	43.00	45.00	45.00	49.00
2 x 12	34.00	34.00	40.00	45.00	43.00	43.00	44.00	45.00	47.00	47.00	52.00
No. 3:											
2 x 2	23.00	26.00	28.00	29.00	28.00	28.00	28.00	29.00	26.00	29.00	31.00
2 x 3	23.00	26.00	28.00	29.00	28.00	28.00	28.00	29.00	29.00	29.00	31.00
2 x 4	20.00	23.00	25.00	26.00	25.00	25.00	27.00	26.00	26.00	26.00	28.00
2 x 5	21.00	24.00	26.00	27.00	26.00	26.00	26.00	27.00	27.00	27.00	30.00
2 x 6	20.00	23.00	25.00	26.00	25.00	25.00	25.00	26.00	26.00	26.00	28.00
2 x 8	20.00	23.00	25.00	26.00	25.00	25.00	25.00	26.00	26.00	26.00	28.00
2 x 10	21.00	24.00	26.00	27.00	26.00	26.00	26.00	27.00	27.00	27.00	30.00
2 x 12	21.00	24.00	26.00	27.00	26.00	26.00	26.00	27.00	27.00	27.00	30.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE. (See Sec. 15 (h))

For working:
1. Rough, deduct $1.00.
2. Shiplap, center matched, dressed and matched, grooved, or any other matcher dressing, not otherwise provided for, standard, add $1.00. Patterns requiring moulder work, add $0.50.
3. Ripping or resawing, add $1.00 for each cut.
4. Tongued and center matched, add $4.00.

For grade:
5. No. 2, 1650 f. Par. 333, *when grade marked*, add $2.50 to No. 2 common prices.
6. No. 1 common and No. 2 common, 85 or 90% heart facial area, sizes 2 x 2 to 2 x 8, add $15.00.
7. No. 1 common and No. 2 common, 85 or 90% heart facial area, sizes 2 x 10 and 2 x 12, add $20.00.

For condition:
8. Kiln dried, add $1.00.
9. Green, deduct $2.00.
10. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For size:
11. Extra standard thickness, thicker than American lumber standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
12. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on actual size.

For length:
13. On random length shipments, sold at a flat price, the average length to be shipped must be specified and the price shall not exceed that of the longest average shipped. If a flat price is not quoted, the specified length price for each length shipped shall be charged. In either case a per tally must accompany the invoice.
14. For any average length, even ft. 0", charge the price for the specified length corresponding to the average length required and shipped. Where a 9" average is required charge the 8" price.
15. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
16. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.
17. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition permitted in footnote 15 for precision cutting may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one-half foot, compute footage on actual length, otherwise compute on six inch breaks on the next break above.
18. Lengths longer than 24', add to 24' price as follows (for all grades):

Length:		Length:	
26'	$ 2.00	34'	$14.00
28'	4.00	36'	18.00
30'	6.00	38'	24.00
32'	10.00	40'	30.00

TABLE 20—2" PLANK AND JOISTS, No. 1 STRUCTURAL AND '05 MERCHANTABLE—LONG LEAF

ROUGH—GREEN

Size	No. 1 Structural and '05 merchantable		
	8' to 14' lengths	16', 18' and 20' lengths	22' and 24' lengths
2 x 4	$46.00	$48.00	$51.00
2 x 5	47.00	49.00	52.00
2 x 6	44.00	46.00	49.00
2 x 8	46.00	48.00	51.00
2 x 10	57.00	59.00	62.00
2 x 12	71.00	73.00	76.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For Working:
1. S1S, S2S, S3S, S4S, Shiplap, T and G, or Grooved two edges, add $2.00.
2. Ripping or resawing, add $1.00 for each cut.
3. Beveling and/or outrigging, add $4.00.

For Grade:
4. Structural Square edge and sound, add $3.00.
5. Merchantable Structural, add $5.00.
6. '05 Prime, 8" and over, add $5.00.
7. '05 Prime, under 8", add $10.00.

For Grade—Continued
8. Prime Structural, add as follows:

24' and under	$13.00
25' to 30'	17.00
31' to 40'	23.00

9. Select Structural, add as follows:

24' and under	$30.00
25' to 30'	35.00
31' to 40'	40.00

For Length:
10. 25' to 30', add $1.00 per lineal foot to 24' price.
11. 31' to 36', add $2.00 per lineal foot to 30' price.
12. 37' to 42', add $3.00 per lineal foot to 36' price.
13. Odd or fractional lengths over 8' shall be counted and priced at next longer even length.
14. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
15. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.

For Condition:
16. Kiln dried, add $3.00.
17. Air dried, add $2.00.
18. Anti-stain treatment (any form), add 50¢ to Air dried prices, but not to Kiln dried prices.

For Size
19. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on actual size.
20. Extra Standard Thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.

TABLE 21—TIMBERS—LONG LEAF

ROUGH—GREEN

	No. 1 common specified lengths			Square edge and sound specified lengths			No. 1 structural and merchantable '05 specified lengths		
	8' to 14'	16', 18' and 20'	22' and 24'	8' to 14'	16', 18' and 20'	22' and 24'	8' to 14'	16', 18' and 20'	22' and 24'
3 x 3 to 4 x 4	$40.00	$42.00	$45.00	$42.00	$44.00	$47.00	$44.00	$46.00	$49.00
3 x 5 to 5 x 5	40.00	42.00	45.00	42.00	44.00	47.00	45.00	47.00	50.00
3 x 6 to 6 x 6	38.00	40.00	43.00	40.00	42.00	45.00	42.00	44.00	47.00
3 x 7 to 6 x 8	40.00	42.00	45.00	42.00	44.00	47.00	44.00	46.00	49.00
7 x 7 to 8 x 8	42.00	44.00	47.00	44.00	46.00	49.00	47.00	49.00	52.00
3 x 9 to 5 x 10	50.00	52.00	55.00	52.00	54.00	57.00	55.00	57.00	60.00
6 x 9 to 10 x 10	49.00	51.00	54.00	51.00	53.00	56.00	54.00	56.00	59.00
3 x 11 to 5 x 12	64.00	66.00	69.00	66.00	68.00	71.00	69.00	71.00	74.00
6 x 11 to 12 x 12	62.00	64.00	67.00	64.00	66.00	69.00	67.00	69.00	72.00
3 x 13 to 7 x 14	73.00	75.00	78.00	75.00	77.00	80.00	80.00	82.00	85.00
8 x 13 to 12 x 14	71.00	73.00	76.00	73.00	75.00	78.00	77.00	79.00	82.00
13 x 13 to 14 x 14	75.00	77.00	80.00	77.00	79.00	80.00	79.00	81.00	84.00
3 x 15 to 7 x 16	85.00	87.00	90.00	87.00	89.00	92.00	92.00	94.00	97.00
8 x 15 to 14 x 16	83.00	85.00	88.00	85.00	87.00	90.00	87.00	89.00	92.00
15 x 15 to 16 x 16	85.00	87.00	90.00	87.00	89.00	92.00	89.00	91.00	94.00
3 x 17 to 9 x 18	97.00	99.00	102.00	99.00	101.00	104.00	104.00	106.00	109.00
10 x 17 to 16 x 18	95.00	97.00	100.00	97.00	99.00	102.00	102.00	104.00	107.00
17 x 17 to 18 x 18	97.00	99.00	102.00	99.00	101.00	104.00	104.00	106.00	109.00
3 x 19 to 10 x 20	112.00	114.00	117.00	114.00	116.00	119.00	119.00	121.00	124.00
12 x 19 to 18 x 20	110.00	112.00	115.00	112.00	114.00	117.00	117.00	119.00	122.00
19 x 19 to 20 x 20	112.00	114.00	117.00	114.00	116.00	119.00	119.00	121.00	124.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. S1S, S2S, S3S, S4S, Shiplap or T and G, add $2.00.
2. Grooved two edges, add $3.00 (to dressed prices).
3. Beveling and/or outgrooving, for two edges on one face, add $4.00; for four edges, or one face and one edge, add $5.00 (to dressed price in each case)

For grade:
4. Structural square edge and sound, add $3.00 to merchantable '05 prices.
5. Merchantable Structural, add $5.00 to Merchantable '05 prices.
6. Square edge and Sound, 85% Heart Cubical Content, 6 x 6 and larger, not over 2" out of square, add $5.00 to Merchantable '05 prices.
7. 1965 Prime, 8" and over, add $8.00 to Merchantable '05 prices.
8. 1965 Prime, under 8", add $10.00 to Merchantable '05 prices.
9. Square edge and Sound, 85% Heart Facial Area, make following additions to Merchantable '05 prices:

	24' and under	25' to 30'	31' to 40'
8 x 8 and under	$10.00	$14.00	$20.00
Over 8 x 8	12.00	16.00	22.00

10. Square edge and Sound, 90% Heart Facial Area, add $3.00 to 85% Heart Facial Area, Square Edge and Sound prices.
11. Prime Structural, add to Merchantable '05 prices as follows:
24' and under, $13.00; 25' to 30', $17.00; 31' to 40', $23.00.
12. Square Edge and Sound, 85% Heart Girth, add $10.00 to 85% Heart Facial Area, Square Edge and Sound prices.
13. Square Edge and Sound, 90% Heart Girth, add $13.00 to 85% Heart Facial Area, Square Edge and Sound prices.
14. Select Structural, add to Merchantable '05 prices, as follows:

	24' and under	25' to 30'	31' to 40'
Posts and timbers	$25.00	$30.00	$35.00
Joists, planks, beams and stringers	30.00	35.00	40.00

15. Select structural, heart requirement waived, deduct $15.00 from select structural prices.
16. No. 2 timbers, deduct $8.00 from merchantable '05 prices.

For length:
17. 25' to 30', add $1.00 per lineal foot to 24' price.
18. 31' to 36', add $2.00 per lineal foot to 30' price.
19. 37' to 42', add $3.00 per lineal foot to 36' price.
20. 43' to 50', add $5.00 per lineal foot to 42' price.
21. 51' to 55', add $8.00 per lineal foot to 50' price.
22. 56' to 60', add $12.00 per lineal foot to 55' price
23. Odd or fractional lengths over 8' shall be counted and priced as next longer even length.
24. For lengths shorter than 8' use nearest multiple length price plus a total of $2.00 per M. B. M. for cross cutting.
25. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
26. For precision cutting to a specified exact length, with tolerance of not more than ½" allowed, add $2.00. No addition is permitted for customary double end trimming.

For condition
27. Air dried, 23% moisture content, 3 x 3 and larger, and 2 x 14 and 2 x 16, No. 1 Common and grades above, add $4.00.
28. Kiln dried, 20% moisture content, 2 x 14 and 2 x 16, No. 1 Common and grades above, add $6.00.
29. Kiln dried, 20% moisture content, 40 square inches of end area and less, add $5.00; end area greater than 40 square inches, add $8.00.
30. Anti stain treatment (any form), 3 x 3 to 10 x 10, or 2 x 14 and wider, add $1.00; 3 x 11 and larger, add $2.00. These additions to be made to air dried prices only.

For size:
31. No. 1 Common and grades above, for each 1" in width above 20 x 20, add $7.50 to 20 x 20 price
32. Fractional thickness, add $3.00 to nearest listed greater thickness. Compute footage on actual size.
33. Fractional widths, add $3.00 to nearest listed wider width and compute footage on actual size.
34. 2 x 14 and 2 x 16, No. 1 Common and grades above, add $3.00 to comparable 3" price
35. For any average size, charge the price for the average size required and shipped
36. For a specified cubic average, the price shall be that of the length in 12 x 12 required to equal the average specified.

TABLE 22—FLOORING, PLAIN END—LONG LEAF

KILN DRIED—STANDARD LENGTHS

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
HEART FACE SPECIFICATIONS					
Edge grain:					
1 x 3	$95.00	$80.00	$60.00	$54.00	
1 x 4	98.00	78.00	58.00	52.00	
5/4 x 3	117.00	100.00	77.00	70.00	
5/4 x 4	115.00	98.00	73.00	68.00	
Near edge grain:					
1 x 3	88.00	75.00	55.00	50.00	
1 x 4	86.00	71.00	53.00	48.00	
5/4 x 3	110.00	93.00	70.00	65.00	
5/4 x 4	108.00	91.00	68.00	63.00	
Flat grain:					
1 x 3	73.00	65.00	50.00	42.00	
1 x 4	71.00	63.00	48.00	42.00	
5/4 x 3	95.00	87.00	55.00	45.00	
5/4 x 4	95.00	83.00	75.00	45.00	
NO HEART SPECIFICATIONS					
Edge grain:					
1 x 3	75.00	67.00	52.00	45.00	
1 x 4	73.00	65.00	50.00	45.00	
5/4 x 3	100.00	85.00	60.00	55.00	
5/4 x 4	98.00	83.00	58.00	53.00	
Near edge grain:					
1 x 3	68.00	60.00	47.00	40.00	
1 x 4	66.00	58.00	45.00	40.00	
5/4 x 3	93.00	78.00	55.00	50.00	
5/4 x 4	91.00	76.00	53.00	48.00	
Flat grain:					
1 x 3	56.00	54.00	40.00	32.00	$26.00
1 x 4	56.00	54.00	40.00	32.00	27.00
5/4 x 3	73.00	67.00	47.00	38.00	29.00
5/4 x 4	72.00	66.00	45.00	38.00	28.00
9 to x 4	45.00	43.00	35.00	30.00	24.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. End-matching, add $2.00.
2. Bark back, deduct $8.00.

For grade:
3. A, add $5.00 to B and Better prices.

For condition.
4. Air dried, deduct $1.00.
5. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.

For length
6. Specified lengths, all grades, 12' and 14', add $1.00; 16' and longer, add $3.00.
7. Restricted standard lengths, A, B, and C, 12' to 16' or longer, add $2.00.
8. Restricted standard lengths, D, No. 2 and No. 3, 8' to 16' or longer, add 50¢.
9. For shorts, 4', 5' and or 6', when specified, or when shipped with buyer's approval, in excess of percentage allowed in respective grades, deduct as follows:

4', 5' and or 6', B and Better and C	$10.00
4', 5' and or 6', D and No. 2	8.00
4', and 6', No. 3	2.00

[1] Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and or 9 foot.
C	5% 6 and or 7 foot.
	5% 8 and or 9 foot.
D and No. 2 common	5% 4 and or 5 foot.
	5% 6 and or 7 foot.
	5% 8 and or 9 foot.
No. 3 common	Not to exceed 20% 4 and 6 foot.

TABLE 25—CEILING, END MATCHED—LONG

TABLE 23—FLOORING, END MATCHED—LONG LEAF

KILN DRIED

Size	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
HEART FACE SPECIFICATION—19" TO 96" NESTED AND BUNDLED					
Edge grain:					
1 x 3	$85.00	$71.00	$51.00		
1 x 4	83.00	69.00	49.00		
Near edge grain:					
1 x 3	80.00	68.00	48.00		
1 x 4	79.00	67.00	47.00		
Flat grain:					
1 x 3—18" to 96"	64.00	55.00			
1 x 3—12" to 96"	61.00	52.00	49.00	$41.00	
1 x 4—18" to 96"			46.00	40.00	
1 x 4—12" to 96"					
NO HEART SPECIFICATION—19" TO 96" NESTED AND BUNDLED					
Edge grain:					
1 x 3	65.00	58.00	43.00		
1 x 4	63.00	56.00	41.00		
Near edge grain:					
1 x 3	60.00	57.00	40.00		
1 x 4	59.00	54.00	39.00		
Flat grain:					
1 x 3—18" to 96"	47.00	44.00			
1 x 3—12" to 96"	46.00	43.00	39.00	31.00	$21.00
1 x 4—18" to 96"			38.00	30.00	20.00
1 x 4—12" to 96"					

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. Plain end, deduct $2.00.
For condition:
2. Air dried, deduct $1.00.
3. Anti-stain treatment (any form), add 50c to air dried prices, but not to kiln dried prices.

TABLE 24—SIDING, CEILING, PARTITION—LONG LEAF

KILN DRIED—STANDARD LENGTHS[1]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Drop siding:					
1 x 6"—Patterns 117, 117, 118, 119	$48.00	$45.00	$41.00	$36.00	$28.00
1 x 6"—All other patterns	56.00	51.00	45.00	38.00	29.00
1 x 8"—All patterns	57.00	54.00	47.00	38.00	29.00
Bevel siding:					
½ x 4", 5", 6" and 8"	45.00	42.00	33.00	28.00	20.00
½ x 4", 5", 6" and 8"	39.00	36.00	28.00	24.00	17.00
Square edge siding:					
½ x 4", 6" and 8", S1S, S2S, S3S, S4S	44.00	41.00	34.00	28.00	16.00
Ceiling—Standard bead or V:					
5/16 and 3/8 x 3" and 4", S1S	37.00	35.00	27.00	24.00	16.00
5/16 and 3/8 x 6", S1S	39.00	37.00	29.00	26.00	18.00
5/16 and 3/8 x 3" and 4", S2S	40.00	38.00	29.00	27.00	16.00
5/16 and 3/8 x 6", S2S	43.00	40.00	30.00	27.00	19.00
½ x 3" and 4", S2S	41.00	39.00	31.00	28.00	18.00
½ x 3" and 4", S2S	55.00	52.00	39.00	34.00	18.00
11/16 to 2 1/32 x 3" and 4"	56.00	53.00	40.00	35.00	24.00
11/16 to 2 1/32 x 6"					
Partition—Standard bead or V:	55.00	52.00	39.00	34.00	18.00
11/16 to 2 1/32 x 3" and 4"	56.00	53.00	40.00	35.00	24.00
11/16 to 2 1/32 x 6"					

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. End-matching, add $2.00.
2. Bark back, ceiling and partition, deduct $5.00.
For grade:
3. A, add $5.00 to B and better prices.
4. [illegible] heart facial area, partition, B and better and C, add $20.00; D and lower grades, add $12.00.
For condition:
5. Air dried, deduct $1.00.
6. Anti-stain treatment (any form), add 20c to air dried prices, but not to kiln dried prices.
For length:
7. Specified lengths, all grades, 12' and 14', add $1.00; 16' and longer, add $3.00.
8. Restricted standard lengths, A, B and better and C, 12' to 16' or longer, add $2.00.
9. Restricted standard lengths, D, No. 2 and No. 3, 8' to 16' or longer, add 50c.
10. For shorts, 4', 5' and/or 6', when specified, or when shipped with buyer's approval, in excess of percentage allowed in respective grades, deduct as follows:
Siding, ceiling and partition, all widths, 4', 5' and/or 6', B and better and C $3.00
Siding, ceiling and partition, all widths, 4', 5' and/or 6', D 2.00
Siding, ceiling and partition, all widths, 4', No. 2 and No. 3 .....

[1] Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B	5% 8 and or 9 foot 5% 6 and or 7 foot
C	5% 8 and or 9 foot 5% 4 and or 5 foot
D and No. 2	5% 6 and or 7 foot 5% 8 and or 9 foot
No. 3	Not to exceed 20% 4 and 6 foot.

TABLE 25—CEILING, END MATCHED—LONG LEAF KILN DRIED—12" TO 96"

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
5/16 x 4" 18" to 96"	$31.00	$28.00			
5/16 x 4" 12" to 96"				$20.00	$16.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE. (See sec. 15 (h))

For condition:
1. Air dried, deduct $1.00.
2. Anti-stain treatment (any form), add 50c to air dried prices, but not to kiln dried prices.

TABLE 26—FINISH—LONG LEAF

S4S—KILN DRIED

	Standard lengths[1]	4' and 6' lengths	8' lengths	8', 10' and 12'	7' and 14' lengths	16' lengths	9', 18' and 20' lengths
GRADE B AND BETTER							
4/4 edge[2]	$53.50	$53.50	$53.50	$53.50	$54.50	$55.50	$56.50
1 x 2 and 3	60.00	53.00	60.00	60.00	61.00	62.00	63.00
1 x 4	57.00	50.00	57.00	57.00	58.00	59.00	60.00
1 x 5	65.00	58.00	65.00	65.00	66.00	67.00	68.00
1 x 6	57.00	50.00	57.00	57.00	58.00	59.00	60.00
1 x 7	61.00	54.00	61.00	61.00	62.00	63.00	64.00
1 x 8	57.00	57.00	57.00	57.00	58.00	59.00	60.00
1 x 9	61.00	61.00	61.00	61.00	62.00	63.00	64.00
1 x 10	65.00	65.00	65.00	65.00	66.00	67.00	68.00
1 x 11	68.00	68.00	68.00	68.00	69.00	70.00	71.00
1 x 12	79.00	79.00	79.00	79.00	80.00	81.00	82.00
Restricted Random Widths[3]	59.50	55.75	59.50	59.50	60.50	61.50	62.50
5/4 and 6/4 edge[2]	67.75	67.75	67.75	67.75	68.50	69.50	70.50
5/4 and 6/4 x 2 and 3	74.00	74.00	74.00	74.00	75.00	76.00	77.00
5/4 and 6/4 x 4	72.00	72.00	72.00	72.00	73.00	74.00	75.00
5/4 and 6/4 x 5	80.00	80.00	80.00	80.00	81.00	82.00	83.00
5/4 and 6/4 x 6	72.00	72.00	72.00	72.00	73.00	74.00	75.00
5/4 and 6/4 x 7	76.00	76.00	76.00	76.00	77.00	78.00	79.00
5/4 and 6/4 x 8	72.00	72.00	72.00	72.00	73.00	74.00	75.00
5/4 and 6/4 x 9	76.00	76.00	76.00	76.00	77.00	78.00	79.00
5/4 and 6/4 x 10	80.00	80.00	80.00	80.00	81.00	82.00	83.00
5/4 and 6/4 x 11	83.00	83.00	83.00	83.00	84.00	85.00	86.00
5/4 and 6/4 x 12	92.00	92.00	92.00	92.00	93.00	94.00	95.00
Restricted random widths[3]	74.50	74.50	74.50	74.50	75.50	76.50	77.50
7/4 and 8/4 edge[2]	70.50	70.50	70.50	70.50	71.50	72.50	73.25
7/4 and 8/4 x 2 and 3	77.00	77.00	77.00	77.00	78.00	79.00	80.00
7/4 and 8/4 x 4	75.00	75.00	75.00	75.00	76.00	77.00	78.00
7/4 and 8/4 x 5	80.00	80.00	80.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 6	75.00	75.00	75.00	75.00	76.00	77.00	78.00
7/4 and 8/4 x 7	79.00	79.00	79.00	79.00	80.00	81.00	82.00
7/4 and 8/4 x 8	75.00	75.00	75.00	75.00	76.00	77.00	78.00
7/4 and 8/4 x 9	79.00	79.00	79.00	79.00	80.00	81.00	82.00
7/4 and 8/4 x 10	80.00	80.00	80.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 11	83.00	83.00	83.00	83.00	84.00	85.00	86.00
7/4 and 8/4 x 12	95.00	95.00	95.00	95.00	96.00	97.00	98.00
Restricted random widths[3]	77.00	77.00	77.00	77.00	78.00	79.00	80.00
10/4 edge[2]	84.50	84.50	84.50	84.50	85.50	86.50	87.50
10/4 x 4	90.00	90.00	90.00	90.00	91.00	92.00	93.00
10/4 x 5	95.00	95.00	95.00	95.00	96.00	97.00	98.00
10/4 x 6	90.00	90.00	90.00	90.00	91.00	92.00	93.00
10/4 x 7	94.00	94.00	94.00	94.00	95.00	96.00	97.00
10/4 x 8	90.00	90.00	90.00	90.00	91.00	92.00	93.00
10/4 x 9	94.00	94.00	94.00	94.00	95.00	96.00	97.00
10/4 x 10	95.00	95.00	95.00	95.00	96.00	97.00	98.00
10/4 x 11	98.00	98.00	98.00	98.00	99.00	100.00	101.00
10/4 x 12	110.00	110.00	110.00	110.00	111.00	112.00	113.00
Restricted random widths[3]	92.00	92.00	92.00	92.00	93.00	94.00	95.00
12/4 edge[2]	98.75	98.75	98.75	98.75	99.75	100.50	101.50
12/4 x 4	105.00	105.00	105.00	105.00	106.00	107.00	108.00
12/4 x 5	110.00	110.00	110.00	110.00	111.00	112.00	113.00
12/4 x 6	105.00	105.00	105.00	105.00	106.00	107.00	108.00
12/4 x 7	109.00	109.00	109.00	109.00	110.00	111.00	112.00
12/4 x 8	105.00	105.00	105.00	105.00	106.00	107.00	108.00
12/4 x 9	109.00	109.00	109.00	109.00	110.00	111.00	112.00
12/4 x 10	110.00	110.00	110.00	110.00	111.00	112.00	113.00
12/4 x 11	113.00	113.00	113.00	113.00	114.00	115.00	116.00
12/4 x 12	125.00	125.00	125.00	125.00	126.00	127.00	128.00
Restricted random widths[3]	107.00	107.00	107.00	107.00	108.00	109.00	110.00
GRADE C							
4/4 edge[2]	49.75	49.75	49.75	49.75	50.75	51.75	52.75
1 x 2 and 3	56.00	49.00	56.00	56.00	57.00	58.00	59.00
1 x 4	53.00	46.00	53.00	53.00	54.00	55.00	56.00
1 x 5	61.00	54.00	61.00	61.00	62.00	63.00	64.00
1 x 6	53.00	46.00	53.00	53.00	54.00	55.00	56.00
1 x 7	58.00	51.00	58.00	58.00	59.00	60.00	61.00
1 x 8	53.00	53.00	53.00	53.00	54.00	55.00	56.00
1 x 9	58.00	58.00	58.00	58.00	59.00	60.00	61.00
1 x 10	61.00	61.00	61.00	61.00	62.00	63.00	64.00
1 x 11	64.00	64.00	64.00	64.00	65.00	66.00	67.00
1 x 12	75.00	75.00	75.00	75.00	76.00	77.00	78.00
Restricted random widths[3]	55.50	51.75	55.50	55.50	56.50	57.50	58.50

Footnotes at end of table.

TABLE 27—FACTORY FLOORING, HEAVY

For Condition:

TABLE 26—FINISH—LONG LEAF—Continued

S1S—KILN DRIED—Continued

	Standard lengths	4′ and 6′ lengths	8′ lengths	5′, 10′ and 12′ lengths	7′ and 14′ lengths	16′ lengths	9′, 18′ and 20′ lengths
GRADE C—cont'd							
5/4 and 6/4 edge [1]	61.00	61.00	61.00	61.00	62.00	63.00	64.00
5/4 and 6/4 x 2 and 3	67.00	67.00	67.00	67.00	68.00	69.00	70.00
5/4 and 6/4 x 4	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 5	73.00	73.00	73.00	73.00	74.00	75.00	76.00
5/4 and 6/4 x 6	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 7	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 x 8	65.00	65.00	65.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 9	70.00	70.00	70.00	70.00	71.00	72.00	73.00
5/4 and 6/4 x 10	73.00	73.00	73.00	73.00	74.00	75.00	76.00
5/4 and 6/4 x 11	76.00	76.00	76.00	76.00	77.00	78.00	79.00
5/4 and 6/4 x 12	85.00	85.00	85.00	85.00	86.00	87.00	88.00
Restricted random width [3]	67.50	67.50	67.50	67.50	68.50	69.50	70.50
7/4 and 8/4 edge	64.00	64.00	64.00	64.00	64.75	65.75	66.75
7/4 and 8/4 x 2 and 3	70.00	70.00	70.00	70.00	71.00	72.00	73.00
7/4 and 8/4 x 4	68.00	68.00	68.00	68.00	69.00	70.00	71.00
7/4 and 8/4 x 5	76.00	76.00	76.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 6	68.00	68.00	68.00	68.00	69.00	70.00	71.00
7/4 and 8/4 x 7	73.00	73.00	73.00	73.00	74.00	75.00	76.00
7/4 and 8/4 x 8	68.00	68.00	68.00	68.00	69.00	70.00	71.00
7/4 and 8/4 x 9	73.00	73.00	73.00	73.00	74.00	75.00	76.00
7/4 and 8/4 x 10	76.00	76.00	76.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 11	79.00	79.00	79.00	79.00	80.00	81.00	82.00
7/4 and 8/4 x 12	88.00	88.00	88.00	88.00	89.00	90.00	91.00
Restricted random widths [3]	70.50	70.50	70.50	70.50	71.50	72.50	73.50
10/4 edge [1]	73.25	73.25	73.25	73.25	74.25	75.25	76.25
10/4 x 4	78.00	78.00	78.00	78.00	79.00	80.00	81.00
10/4 x 5	86.00	86.00	86.00	86.00	87.00	88.00	89.00
10/4 x 6	78.00	78.00	78.00	78.00	79.00	80.00	81.00
10/4 x 7	83.00	83.00	83.00	83.00	84.00	85.00	86.00
10/4 x 8	78.00	78.00	78.00	78.00	79.00	80.00	81.00
10/4 x 9	83.00	83.00	83.00	83.00	84.00	85.00	86.00
10/4 x 10	86.00	86.00	86.00	86.00	87.00	88.00	89.00
10/4 x 11	89.00	89.00	89.00	89.00	90.00	91.00	92.00
10/4 x 12	98.00	98.00	98.00	98.00	99.00	100.00	101.00
Restricted random widths [3]	80.50	80.50	80.50	80.50	81.50	82.50	83.50
12/4 edge [1]	82.75	82.75	82.75	82.75	83.75	84.75	85.75
12/4 x 4	88.00	88.00	88.00	88.00	89.00	90.00	91.00
12/4 x 5	96.00	96.00	96.00	96.00	97.00	98.00	99.00
12/4 x 6	88.00	88.00	88.00	88.00	89.00	90.00	91.00
12/4 x 7	93.00	93.00	93.00	93.00	94.00	95.00	96.00
12/4 x 8	88.00	88.00	88.00	88.00	89.00	90.00	91.00
12/4 x 9	93.00	93.00	93.00	93.00	94.00	95.00	96.00
12/4 x 10	96.00	96.00	96.00	96.00	97.00	98.00	99.00
12/4 x 11	99.00	99.00	99.00	99.00	100.00	101.00	102.00
12/4 x 12	108.00	108.00	108.00	108.00	109.00	110.00	111.00
Restricted random widths [3]	90.50	90.50	90.50	90.50	91.50	92.50	93.50

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (SEE SEC. 15 (h))

For working:
1. Rough, B and better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S1S, S2S, S2S and matched, shiplap or any other matcher dressing, standard or thinner, add $2.00. No additions may be made for dressing to flooring, drop siding, ceiling or any other pattern for which a maximum price is set in any of the tables.
4. Ripping or resawing, add $1.00 for each cut.
5. Casing, base, jambs, apron, pulley stiles or any other pattern requiring moulder work (not including moulding), add $7.50 for 1″ stock, $10.00 for 5/4 and thicker.
6. Nosed stepping, add $3.00.
7. Sanding one face, add $3.00.
8. Wrapping, add $3.00.

For grade:
9. A, add $5.00 to B and better prices.
10. If both sides are required A grade (par. 171), or if both sides are required B grade (par. 171), add $5.00 for 1″ stock, $7.50 for 5/4 and 6/4 and $10.00 for 7/4 and thicker. No addition may be made if both sides are required C grade.

For condition:
11. Air dried, stain no defect, deduct $6.00.
12. Air dried, stain A defect, deduct $4.00.
13. Green, deduct $9.00 for 1″ stock, $11.00 for 5/4 and 6/4, $13.00 for 7/4 and 8/4 and $15.00 for 10/4 and 12/4.
14. Anti-stain treatment (any form), add 50¢ to air dried prices but not to kiln dried prices.

For size:
15. 13″ and wider, add $3.50 per inch or fraction thereof to 12″ prices and compute footage on actual size.
16. Extra standard thickness, thicker than American lumber standards (for yard stock), add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
17. Random widths (other than restricted random widths [3]), each width shall be priced at the specified width price.

For length:
18. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.
19. Odd or fractional lengths over 4′, not listed, shall be counted and priced as next longer even length.
20. For any length shorter than 4′, cut to a specified exact length, charge the price of the nearest even multiple length up to 12′. If there is no even multiple length 12′ or shorter, charge the 12′ price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 18 may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

[1] Standard lengths are 8′ to 20′ inclusive, and in shipments of standard lengths, 5% of 8 foot in C and better grades shall be permitted.

[2] Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to paragraph 136.

[3] Restricted random widths are 4″ to 12″ inclusive, and must not contain over 20% of 4″ widths, and not less than 20% of 10″ and wider.

TABLE 27—FACTORY FLOORING, HEAVY ROOFING AND DECKING—LONG LEAF

ALL STANDARD THICKNESSES, BY 6″ AND 8″ WIDTHS, D & M OR SHIPLAP

GREEN

Grade	Specified lengths 8′ to 14′	Specified lengths 16′ to 20′	Specified lengths 22′ to 24′
No. 1 factory	$40.00	$44.00	$40.00
Standard factory	48.00	52.00	57.00
Select merchantable factory	54.00	58.00	63.00
No. 2 factory	37.00	41.00	46.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For Working:
1. Rough, deduct $2.00.
2. Grooved for splines, add $1.00 for 2″ stock, $2.00 for 2½″ to 5″ stock.
3. Beveling and/or outgauging, for two edges on one face, add $4.00; for four edges, or one face and one edge, add $8.00.

For Condition:
4. Air dried, add $2.00 to 2″ prices; $4.00 to 2½″ to 5″ prices.
5. Kiln dried, 2″ thickness (15% moisture content), add $3.00; 2½″ to 5″ (20% moisture content), 40 square inches of end area and less, add $5.00; end area greater than 40 square inches, add $8.00.
6. Anti-stain treatment (any form) add 50¢ for 2″; $1.00 for 2½″ to 5″. These additions to be made to air dried prices but not to kiln dried prices.

For Size:
7. Non-standard fractional thicknesses, add $3.00 to nearest greater listed thickness. Compute footage on actual size.
8. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on actual size.

For Length:
9. Odd or fractional lengths, shall be counted and priced as the next longer even length.
10. Random lengths, charge the specified length price for the quantity of each length shipped.
11. Lengths longer than 24′, add to 24′ price as follows (for all grades):

Length:		Length—Continued.	
26′	$2.00	34′	$14.00
28′	4.00	36′	18.00
30′	6.00	38′	24.00
32′	10.00	40′	30.00

TABLE 28—CAR MATERIAL, OTHER THAN DECKING AND FRAMING—LONG LEAF

DRESSED TO PATTERN

KILN DRIED

Size and grade	8′ lengths	9′ lengths	5′ and 10′ lengths	12′ lengths	14′ lengths	16′ lengths	18′ and 20′ lengths	22′ and 24′ lengths
Select (Par. 51 AAR Rules): [1]								
1 x 4 and 1 x 6″	$58.00	$65.00	$60.00	$62.00	$65.00	$67.00	$73.00	$85.00
Common (Par. 52 AAR Rules): [1]								
1 x 4 and 1 x 6″	53.00	60.00	55.00	57.00	60.00	62.00	68.00	80.00
Select (Par. 55–59–62 AAR rules): [1]								
1 x 4, 1 x 6 and 1 x 8″	58.00	65.00	60.00	62.00	65.00	67.00	73.00	85.00
1 x 10″	66.00	73.00	68.00	70.00	73.00	75.00	81.00	93.00
1 x 12″	82.00	89.00	84.00	86.00	89.00	91.00	97.00	109.00
Common (Par. 56 AAR rules):								
1 x 4, 1 x 6 and 1 x 8″	53.00	60.00	55.00	57.00	60.00	62.00	68.00	80.00
1 x 10″	61.00	68.00	63.00	65.00	68.00	70.00	76.00	88.00
1 x 12″	77.00	84.00	79.00	81.00	84.00	86.00	92.00	104.00
Common (Par. 60 AAR rules):								
1 x 4, 1 x 6 and 1 x 8″	43.00	50.00	45.00	47.00	50.00	52.00	55.00	67.00
1 x 10″	51.00	58.00	53.00	55.00	58.00	60.00	63.00	75.00
1 x 12″	67.00	74.00	69.00	71.00	74.00	76.00	79.00	91.00
Select (Par. 53–55–59–62 AAR rules): [1]								
2 x 4″	70.00	75.00	70.00	70.00	70.00	75.00	80.00	90.00
2 x 6″	75.00	80.00	75.00	75.00	75.00	80.00	85.00	95.00
2 x 8″	75.00	80.00	75.00	75.00	75.00	80.00	85.00	95.00
2 x 10″	83.00	88.00	83.00	83.00	83.00	88.00	93.00	103.00
2 x 12″	98.00	103.00	98.00	98.00	98.00	103.00	108.00	118.00
Common (Par. 54–56–60 AAR rules): [1]								
2 x 4″	52.00	54.00	52.00	52.00	52.00	55.00	57.00	67.00
2 x 6″	57.00	59.00	57.00	57.00	57.00	60.00	62.00	72.00
2 x 8″	57.00	59.00	57.00	57.00	57.00	60.00	62.00	72.00
2 x 10″	65.00	67.00	65.00	65.00	65.00	68.00	70.00	80.00
2 x 12″	81.00	83.00	81.00	81.00	81.00	84.00	86.00	96.00

Specifications for car material designated above (A. A. R. rules) correspond to the specifications issued by the Association of American Railroads as set forth in the pamphlet M-807-33, adopted 1910, revised 1933.

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. Rough, deduct $2.00.
2. Where material is required S2S only, add $1.00.

For grade:
3. Edge grain, add $15.00 to Select price only.
4. Grades and specifications other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specification for the car material item involved in the sale governed by the schedule.

For condition:
5. Air dried, stain no defect, deduct $6.00.
6. Air dried, stain a defect, deduct $4.00.
7. Anti-stain treatment (any form), add 50¢ to air dried prices, but not to kiln dried prices.
8. Green, deduct $8.00.

For size:
9. 7/4 and 6/4, add $10.00 to 4/4 prices.
10. 2¼″ and 2½″ Par. 53–55–59–62, add $13.00 to 8/4 prices; and for 2¼″ and 2½″ Par. 54–56–60, add $3.00 to 8 prices.
11. Extra Standard thickness other than those covered by A. A. R. Standards, add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
12. Odd or fractional widths, add $3.00 to nearest greater listed width and compute footage on nominal rough size.

For length:
13. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.
14. Odd or fractional lengths, except 5′ and 9′, shall be counted and priced as next longer even length.
15. For any average length, charge the price for the specified length corresponding to the average length required and shipped.

For inspection:
16. Final inspection at destination rather than at shipping point, add $5.00.

For length:

2″ DIMENSION, FACTORY FLOORING AND ROOF

TABLE 28A—CAR MATERIAL, FLOORING (DECKING), FLOOR BOARDS AND DOOR SILLS—LONG LEAF

DRESSED TO ALL PATTERNS—KILN DRIED OR AIR DRIED

Size and grade	8′ lengths	9′ lengths	10′ lengths	12′ lengths	14′ lengths	16′ lengths
Select (par. 57 AAR rules):[1]						
2 x 6″ and 2 x 8″	$75.00	$80.00	$75.00	$75.00	$75.00	$80.00
2¼ and 2½ x 6″ and 8″	80.00	85.00	80.00	80.00	80.00	85.00
2¾ and 3 x 6″ and 8″	85.00	90.00	85.00	85.00	85.00	90.00
Common (par. 58 AAR rules):[1]						
2 x 6″ and 2 x 8″	60.00	65.00	60.00	60.00	60.00	65.00
2¼, 2½, 2¾ and 3 x 6″ and 8″	65.00	70.00	65.00	65.00	65.00	70.00

[1] Specifications for car material designated above (A. A. R. rules) correspond to the specifications issued by the Association of American Railroads as set forth in its pamphlet M-907-33, adopted 1910; revised 1933.

ADDITIONS AND DEDUCTION PER 1,000 FEET BOARD MEASURE (See sec. 15 (h))

For working:
1. Rough, deduct $2.00.
2. Where material is required S2S only, add $1.00.
3. Stock dressed 2⅜″ flat thickness, count and price as 2¾″

For grade:
4. Edge grain, add $15.00 to select price only.
5. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale covered by the schedule.
6. Heart face, common (par. 58), add $10.00.

For condition:
7. Anti-stain treatment (any form), add 10¢ to air dried prices, but not to kiln dried prices.
8. Drying to moisture content of less than 15%, add $5.00.
9. Green, deduct $5.00.

For size:
10. Extra standard thickness other than those covered by A. A. R. standards, add $1.00 where stock is dressed clean. No addition may be made for hit or miss dressing.
11. Odd or fractional widths, add $3.00 to nearest greater listed width and compute footage on nominal rough size.

For length:
12. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.
13. Odd or fractional lengths, except 9′, shall be counted and priced as next longer even length.

For inspection:
14. Final inspection at point of destination rather than at shipping point, add $5.00.

TABLE 28B—CAR MATERIAL, FRAMING—LONG LEAF

SPECIFIED OR RANDOM LENGTHS, 8′ TO 14′—ROUGH—GREEN

Size	Group 7	Group 8	Group 9	Group 10		
	Par. 64, Common	Par. 65, Select structural no heart required	Par. 67, Select structural no heart required	Par. 69, Common structural	Par. 70, Select structural no heart required	Par. 72, Common structural
3 to 5 x 3 to 8″	$48.00	$63.00	$63.00	$58.00	$63.00	$56.00
3 to 5 x 9 and 10″	58.00	73.00	73.00	68.00	73.00	66.00
3 to 5 x 11 and 12″	74.00	86.00	86.00	81.00	86.00	79.00
3 to 5 x 13 and 14″	82.00	97.00	97.00	92.00	97.00	90.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For working:
1. Dressing to standard patterns, add $2.00.

For grade:
2. Square edge and sound, 85% heart cubical content, 6 x 6 and larger, not over 2″ out of square, add $5.00.
3. 1905 prime, 8″ and over, add $8.00.
4. 1905 prime, under 8″, add $10.00.
5. Square edge and sound, 85% heart facial area, make following additions:

	24′ and under	25′ to 30′	31′ to 40′
8 x 8 and under	$10.00	$14.00	$20.00
Over 8 x 8	12.00	16.00	22.00

6. Square edge and sound, 90% heart facial area, add $3.00 to 85% heart facial area, square edge and sound prices.
7. Prime structural, add as follows: 24′ and under, $10.00; 25′ to 30′, $17.00; 31′ to 40′, $23.00.
8. Square edge and sound, 85% heart girth, add $10.00 to 85% heart facial area, square edge and sound prices.
9. Square edge and sound, 90% heart girth, add $13.00 to 85% heart facial area, square edge and sound prices.
10. Select structural, heart content required, groups 8, 9 and 10, paragraphs 65, 67, and 70, add $15.00.
11. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

For condition:
12. Dry, moisture content between 15 and 20%, add $5.00.
13. Anti-stain treatment (any form), add 50¢ for 2″; $1.00 for 2¼″ to 4″; $2.00 over 4″ thickness.

For size:
14. Fractional thickness, add $3.00 to nearest listed greater thickness. Compute footage on actual size.
15. Fractional widths, add $3.00 to nearest listed wider width and compute footage on actual size.
16. 2″ sizes in all above grades, add $2.00.
17. 4/4, 5/4, 6/4, 7/4, add $5.00.
18. Over 3″ in thickness, deduct $1.00.
19. Measurement for rough sizes must allow not less than ¼″ for dressing on each dimension.

For inspection:
20. Final inspection at point of destination rather than at shipping point, add $5.00.

For length:
21. For precision cutting to a specified exact length, with tolerance of not more than ¼″ allowed, add $1.50. No addition is permitted for customary double end trimming.
22. Odd or fractional lengths, except 9′, 7′ and 9′, shall be counted and priced as next longer even length.
23. 16′, 18′ and 20′, add $2.00 to 8′ to 14′ price.
24. 22′ and 24′, add $3.00 to 20′ price.
25. 25′ to 30′, add $1.00 per lineal foot to 24′ price.
26. 31′ to 36′, add $2.00 per lineal foot to 30′ price.
27. 37′ to 42′, add $3.00 per lineal foot to 36′ price.
28. 43′ to 50′, add $5.00 per lineal foot to 42′ price.
29. 51′ to 55′, add $8.00 per lineal foot to 50′ price.
30. 56′ to 60′, add $12.00 per lineal foot to 55′ price.

TABLE 29—STANDARD PLASTERING LATH—LONG LEAF

KILN DRIED

Lengths	Grade No. 1	Grade No. 2	Grade No. 3
4′	$5.25	$4.50	$3.00
32″	3.50	2.00	

ADDITIONS AND DEDUCTIONS PER 1,000 PIECES

For condition:
1. Air dried, deduct 25¢.
2. Green, deduct 50¢.

TABLE 30—BED SLATS—LONG LEAF

SIS AND BUNDLED—AIR DRIED OR KILN DRIED

Grade and size	Per set (5 pieces) 36″	Per set (5 pieces) 39″	Per set (5 pieces) 42″	Per set (5 pieces) 54″ to 56″
No. 1—1 x 3″	$0.35	$0.37	$0.38	$0.48
No. 2—1 x 3″	.28	.30	.31	.41

TABLE 31—O. G. BATTS—LONG LEAF

KILN DRIED—STANDARD LENGTHS[1]

	Grade B and better	Grade C	Grade D	Grade No. 2
9/16 or 5/8 x 3″	$43.00	$41.00	$33.00	$29.00
9/16 or 5/8 x 4″	41.00	39.00	31.00	28.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE (See Sec. 15 (h))

For condition:
1. Air dried, deduct $1.00.
2. Anti-stain treatment (any form), add 50¢ to Air dried prices, but not to Kiln dried prices.

For length:
3. For Specified Lengths, all grades, 12′ and 14′, add $1.00; 16′ and longer, add $3.00.
4. For shorts, 4′ and 6′, when specified, or when shipped, with buyer's approval, in excess of percentages permitted in respective grades, B and Better and C, deduct $5.00; D, deduct $3.00; No. 2 Common (4 foot only), deduct $2.00

[1] Standard lengths are 4′ to 20′ inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

B and better	5%	8 and/or 9 foot
C	5%	6 and/or 7 foot
	5%	8 and/or 9 foot
D and No. 2	5%	4 and/or 5 foot
	5%	6 and/or 7 foot
	5%	8 and/or 9 foot

ARTICLE VII—APPENDIX C: TABLE OF ESTIMATED WEIGHTS

[The figures given refer to dry weight, except where otherwise specified]

FLOORING

	Long-leaf Pounds	Short-leaf Pounds
1 x 3″ (For Hollow Back deduct 100 lbs.)	2,000	1,800
1 x 4″ (For Hollow Back deduct 100 lbs.)	2,100	1,900
1¼ x 3″ (For Hollow Back deduct 100 lbs.)	2,200	2,000
1¼ x 4″ (For Hollow Back deduct 100 lbs.)	2,300	2,100

CEILING AND PARTITION

	Long-leaf Pounds	Short-leaf Pounds
5/16″ Ceiling	1,000	900
3/8″ Ceiling	1,200	1,100
1/2″ Ceiling	1,500	1,400
1 5/16″ Ceiling (and Boston Partition)	1,800	1,700
3¼″ Partition	1,900	1,800
2 5/32″ Partition and Ceiling, use same weights as Flooring		

DROP SIDING

1 x 6″ (Pat. 116)	2,000	2,000
1 x 8″ and 10″ (Pat. 116)	2,100	2,100
1 x 6″ (Pat. 117)	1,700	1,700
1 x 8″ and 10″ (Pat. 117)	1,800	1,800
1 x 6″ (Other Patterns)	1,800	1,800
1 x 8″ and 10″ (Other Patterns)	1,900	1,900
Bevel and SE Siding from 1″	1,100	1,000
Bevel and SE Siding from 1¼″	1,400	1,300

FINISH

1 x 2″ to 1 x 10″ S1S or S2S 25/32″	2,600	2,500
1 x 12″ S1S or S2S 25/32″	2,700	2,600
1 x 2″ to 1 x 10″ S3S or S4S 25/32″	2,500	2,400
1 x 12″ S3S or S4S 25/32″	2,600	2,500
1¼″ x 2″ to 2 x 10″ S1S or S2S	2,900	2,800
1¼″ x 12″ to 2 x 12″ S1S or S2S	3,000	2,900
1¼″ x 2″ to 2 x 10″ S3S or S4S	2,800	2,700
1¼″ x 12″ to 2 x 12″ S3S or S4S	2,900	2,800
1″ Finish dressed to 13/16″ add	100	100
2″ Finish Dressed to 1¾″ Add	200	200
1 x 2″ to 2 x 10″ Rough	3,400	3,200
1 x 12″ to 2 x 12″ Rough	3,500	3,300

CASING—BASE—JAMBS

Moulded casing, all widths	2,100	2,000
Moulded base, all widths	2,100	2,000
Jambs—1″	2,100	2,100
Jambs—1¼ to 2″	2,300	2,200

STRIPS AND BOARDS (1 INCH)

1 x 2″ to 1 x 10″ S1S or S2S 25/32″	2,700	2,500
1 x 12″ S1S or S2S 25/32″	2,800	2,600
1 x 2″ to 1 x 10″ S3S or S4S 25/32″	2,600	2,400
1 x 12″ S3S or S4S 25/32″	2,700	2,500
1 x 2″ to 1 x 4″ D & M	2,100	1,900
1 x 6″ D & M or Shiplap	2,400	2,200
1 x 8″ to 1 x 10″ D & M or Shiplap	2,500	2,300
1 x 12″ D & M or Shiplap	2,600	2,400
1 x 2″ to 1 x 10″ Rough	3,400	3,200
1 x 12″ Rough	3,500	3,300
For ¾″ dressed boards, deduct	100	100
For 5/8″ boards, all workings, deduct	500	500
For 11/16″ boards, all workings, deduct	300	300
For 13/16″ boards, all workings, add	100	100
For Resawing, deduct for Each Cut	200	200
For Ripping, no deduction.		
For 1¼″ and 1½″, add	300	300

2″ DIMENSION, FACTORY FLOORING AND ROOF DECKING

	Long-leaf Pounds	Short-leaf Pounds
2 x 2″ to 2 x 8″ Rough	3,400	3,300
2 x 10″ and 2 x 12″ Rough	3,500	3,400
2 x 2″ to 2 x 8″ Dressed to 1 5/8″	2,700	2,500
2 x 10″ and 2 x 12″ Dressed to 1 5/8″	2,800	2,600
For 1¾″ add	400	400
For D & M, SL & Gr. for splines, deduct	200	200
2 x 4″ to 2 x 12″ Rough green	4,500	4,500
2 x 4″ to 2 x 12″ green, dressed 1 5/8″	3,800	3,800

2″ PLANK AND JOISTS

2″ 2 x 2 to 2 x 12 inclusive use 2″ dimension weights as shown above. 2 x 14 and wider use timber weights as shown below

HEAVY JOISTS, TIMBERS, ETC. (OVER 2″ THICK)

Rough, green	4,500	4,500
S4S 1/4″ Scant, Green	4,200	4,200
S4S 3/8″ Scant, Green	4,000	4,000
S4S 1/2″ Scant, Green	3,800	3,800
T & G, SL & Gr. for splines, deduct	300	300
Dry, 3 x 3 to 4 x 4, deduct from corresponding green weight	800	800
Dry, 4 x 5 and larger, deduct from corresponding green weight	500	500

CAR SIDING, LINING AND ROOFING

1 x 4″ and 1 x 6″ T & G 13/16″	2,200	2,200
1 x 4″ and 1 x 6″ S2S 13/16″	2,600	2,600
For 25/32″, deduct	100	100

LONGITUDINAL SHEATHING AND STOCK CAR SLATS

2 x 4″ T & G 1 3/8″	2,400	2,400
2 x 4″ T & G 1 5/8″	2,300	2,300
2 x 4″ T & G 1 1/2″	2,100	2,100
2 x 4″ S2S to 1¾″	2,900	2,900
2 x 4″ S2S to 1 5/8″	2,700	2,700
2 x 4″ S2S to 1½″	2,500	2,500
2 x 6″ T & G to 1¾″	2,500	2,500
2 x 6″ T & G to 1 5/8″	2,400	2,400
2 x 6″ T & G to 1½″	2,200	2,200
2 x 6″ S2S to 1¾″	2,900	2,900
2 x 6″ S2S to 1 5/8″	2,700	2,700
2 x 6″ S2S to 1½″	2,500	2,500

CAR DECKING

2 x 6″ and 2 x 8″ S2S and T&G 1¾″, Dry	2,800	2,600
2½ x 6″ to 3 x 8″ S2S and T&G, Dry	2,900	2,700
2 x 6″ to 3 x 8″ S2S and T&G, Green	3,500	3,500
2 x 6″ to 3 x 8″ S2S, Dry	3,200	3,000
2 x 6″ to 3 x 8″ S2S, Green	4,200	4,200
2 x 6″ to 3 x 8″ S1S 1/8″ Scant, Dry	3,400	3,200
2 x 6″ to 3 x 8″ Rough, Dry	3,600	3,400
2 x 6″ to 3 x 8″ Rough, Green	4,500	4,500

MISCELLANEOUS

Plastering Lath, 48″ K. D	500	500
Plastering Lath, 48″ Green	1,000	1,000
Plastering Lath, 32″ K. D	340	340
Fence Lath, 1/2″ x 1½″—48″ K. D	800	800
Bed Slats, 1 x 3″—4′6″, per set of 8	20	20
Bed Slats, 1 x 3″—3′3″, per set of 8	15	15
Byrkit Lath, 4″ or 6″	1,800	1,800
O. G. Batts, use same weights as 5/16″ Ceiling. (For Hollow Back deduct 100 lbs.)		

(b) Any producer of Long Leaf Yellow Pine in the State of Florida whose lumber is consistently heavier than the weights in the above table, may submit to the Lumber Branch of the Office of Price Administration, Washington, D. C., for approval a list of the

lation or of Maximum Price Regulation

line supply in that area justifies the ex-

PART 1425—LUMBER DISTRIBUTION

[MPR 215,[1] Amendment 5]

ment, issued simultaneously herewith, has been filed with the Division of the

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

estimated weights used by him during the first eight months of 1941 together with a statement that he believes them to be the nearest possible estimate to the present average actual weights. After an order has been published in the FEDERAL REGISTER, listing the producer's name, any seller of the producer's lumber may use the approved estimated weights in computing transportation charges.

The following producers have qualified under this provision up to the day of issuance of this revised regulation. The permitted estimated weights are on file with the FEDERAL REGISTER and may there be examined by any interested person:

Brooks-Scanlon Corporation, Foley, Fla.
Dowling and Camp, Inc., Slater, Fla.
Peavy-Wilson Lumber Co., Holopaw, Fla.

Effective Date

This regulation shall become effective May 1, 1943, except that:

(a) If lumber has been received before May 1, 1943, by a carrier other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this revised regulation. It remains subject to the terms of the earlier regulation, Maximum Price Regulation 19.

(b) If this regulation lowers any maximum price below that fixed in the earlier regulation, contracts that were in existence before the date of issuance of this revised regulation at lawful prices may be completed according to their terms, if delivery is made on or before June 1, 1943.

NOTE: The mere fact that this revised regulation increases some maximum prices does not of itself allow any seller to apply the higher prices to existing uncompleted contracts without the consent of the buyer. The regulation permits the making of certain adjustable pricing agreements to cover such situations. Apart from that, increasing prices in existing uncompleted contracts to the level of increased maximum prices in the regulation is purely a matter of agreement between buyer and seller.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-6478; Filed, April 26, 1943; 4:25 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 313,[1] Amendment 3]

PRIME GRADE HARDWOOD LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1382.258 is amended by the addition of a new paragraph (e) to read as follows:

(e) *Sales of lower grades.* Any sale of logs of a grade lower than prime grade hardwood logs at a price higher than that set for prime grade hardwood logs in this regulation is prohibited, regardless of any other provision of this regulation or of Maximum Price Regulation No. 348,[2] Logs and Bolts.

This amendment shall become effective May 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6477; Filed, April 26, 1943; 4:24 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amendment 45]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7706 (v) is revoked.

2. Section 1394.7706 (w) is added to read as follows:

(w) By any person who requires mileage for driving in the course of any occupation for which the vehicle is used, if such driving does not consist of preferred mileage under any other paragraph of this section. The total occupational mileage allowable for any such driving, when added to any non-preferred occupational mileage allowed for use in such vehicle, shall not exceed an average of 720 miles per month. However, if any mileage is available to a person by reason of a ration issued for his use with any other vehicle, the maximum of 720 miles per month of occupational driving allowable for the use of such person under this paragraph shall be decreased by the occupational mileage available to him by reason of the rations issued for any such other vehicle, unless such mileage consists of preferred mileage allowed under another paragraph of § 1394.7706.

(1) In the event that a person requires more than 470 miles per month in connection with his occupation for driving between home and fixed place or places of work or between fixed places of work, and the vehicle is also used for driving for which preferred mileage is allowable under this paragraph, the board may allow additional mileage in accordance with § 1394.7707. However, if the mileage allowed pursuant to that section equals or exceeds 720 miles per month the board may allow no preferred mileage pursuant to this paragraph.

(2) No mileage may be allowed under this paragraph in the gasoline shortage area until the Office of Price Administration finds that the available gasoline supply in that area justifies the extension of the provisions of this paragraph to that area.

3. Section 1394.7707 (a) is amended to read as follows:

(a) In any case outside the gasoline shortage area where the applicant or person entitled to the use of the vehicle requires more mileage than 470 miles per month for driving between home and a fixed place or places of work, or between fixed places of work in connection with any occupation he may have, or in any case in the gasoline shortage area where such a person requires more mileage than 360 miles per month for driving between home and a fixed place or places of work, or between fixed places of work in connection with his principal occupation, and such driving in either case is not preferred mileage, the board, upon approval of the State director, may allow additional mileage in excess of such maximum, to the extent required for such driving. No mileage may be allowed in any such case for driving in the course of work, unless the driving in the course of work consists of preferred mileage.

4. Section 1394.7707 (b) is amended to read as follows:

(b) An applicant for additional mileage under this section must establish by clear and convincing proof that: (1) a bona fide ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) are regularly carried in the vehicle for the purpose of going to and from their occupations, or that no such ride-sharing arrangement exists but that the vehicle carries as many persons as could reasonably be expected under the circumstances, and (2) there is no reasonably adequate alternative means of transportation.

5. Section 1394.7754 (b) is amended by substituting the figures "720" for the figures "470" wherever the same appear and by substituting a comma for the final period and adding the phrase "except paragraph (w) of § 1394.7706".

6. Section 1394.8052 (a) is amended by adding at the end of the first sentence a new sentence to read as follows:

The holder of a supplemental or fleet ration may also apply for further rations to which he may become entitled by reason of a change in Ration Order 5C increasing the amount of mileage allowable to him.

This amendment shall become effective May 1, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q. 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6473; Filed, April 26, 1943; 4:23 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1453, 2209, 2992

[2] 8 F.R. 3670.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3255, 3254, 3254; 8 F.R. 3315, 3616, 4189, 4341, 4341, 4850, 4850, 4976, 5267, 5268.

PART 1425—LUMBER DISTRIBUTION

[MPR 215,[1] Amendment 5]

DISTRIBUTION YARD SALES OF SOFTWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 215 is amended in the following respects:

1. Section 1425.14 (i) (3) is amended to read as follows:

(3) Ponderosa pine, Sugar pine, and secondary species—MPR 94. Klamath Falls, Oregon (except: in Texas, Arizona, and New Mexico use Susanville, California; and for Ponderosa pine and secondary species, in Idaho, Montana, Iowa, North Dakota, South Dakota, Washington and Wyoming, use Spokane, Washington).

2. Section 1425.14 (i) (5) is amended to read as follows:

(5) Northeastern softwoods—MPR 219:
(i) Eastern spruce (domestic and Canadian), Jack pine, Norway pine, and White cedar shingles: (use American prices and weights). Vanceboro, Maine (except for Norway pine produced in Ottawa Valley, use Niagara Falls, New York, as basing point and Canadian prices and weights).
(ii) White pine (use American prices and weights).
Norway, Maine (except: for White pine produced in Ottawa Valley, use Niagara Falls, New York, and Canadian prices and weights).
(iii) Eastern hemlock (use prices established for Pennsylvania and New York).
Williamsport, Pennsylvania (except: in the New England states, use Norway, Maine, as basing point and prices for hemlock produced in New England).

3. Section 1425.14 (i) (6) is amended to read as follows:

(6) Northern softwoods—MPR 222.
Wausau, Wisconsin (except: for Jack pine, use Mizpah, Minnesota as basing point; for imported Western White spruce use Baudette, Minnesota as basing point for lumber shipped from mills in Saskatchewan and Manitoba; and Spokane, Washington for lumber shipped from mills in British Columbia and Alberta.

4. Section 1425.14 (i) (8), the fifth undesignated paragraph is amended to read as follows:

Valdosta, Ga.: Florida.

This amendment shall become effective May 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6468; Filed, April 26, 1943; 4:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 162]

AIR-CONDITIONING AND REFRIGERATING EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (97) is added to read as follows:

(97) *Sales of air-conditioning and refrigerating equipment of less than 25 h. p. pursuant to War Production Board Program.* (i) Notwithstanding provisions of the General Maximum Price Regulation, as amended, the maximum price applicable to the sale at the direction of the War Production Board of any industrial or commercial air-conditioning or refrigerating equipment of less than 25 h. p., to the manufacturer of such equipment by a person using such equipment and not engaged in the business of selling such equipment, shall be the installed cost of such equipment to such user, less depreciation at the rate of 5% per year (except as provided in subdivision (ii)); the maximum price applicable to the resale of any such equipment by the manufacturer on a reconditioned and guaranteed basis to a new user designated by the War Production Board shall be the total cost of the equipment to the manufacturer, including the cost of inspection, dismantling, and shipment to the manufacturer's plant, estimated if necessary; plus the cost of reconditioning the equipment, of shipment to the purchaser, and of installation, estimated if necessary; plus the amount of any other out-of-pocket expenses incurred in connection with such sale, estimated if necessary; plus a reasonable charge for engineering and a reasonable profit, not upon the cost to the manufacturer, but in the light of the manufacturer's risk and responsibility: *Provided*, That the amount of such profit, together with a description of the transaction, has been submitted to the Office of Price Administration, Washington, D. C., for its review and that the Office of Price Administration has approved or failed to disapprove the amount of such profit within thirty days after receipt of the information.

(ii) If, upon a sale of industrial or commercial air-conditioning or refrigerating equipment of 25 h. p. or less by a state government, or any agency or political subdivision thereof, the War Production Board certifies to the Office of Price Administration prior to such sale that upon the basis of a competent engineering appraisal the 5% rate of depreciation, referred to in subdivision (i), does not fairly reflect the actual depreciation of such equipment to the date of such sale, the rate of depreciation fixed by, and set forth in the certification of, the War Production Board as fairly reflecting such actual depreciation shall be used in the determination of the maximum price of such sale instead of the 5% rate of depreciation.

This amendment shall become effective May 1, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6472; Filed, April 26, 1943; 4:23 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amendment 2]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1 is amended by the addition of a new paragraph (d), to read as follows:

(d) The maximum price of hardwood logs of grades lower than prime grades shall in no event be higher than the maximum prices in Maximum Price Regulation 313,[2] Prime Grade Hardwood Logs.

This amendment shall become effective May 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6467; Filed, April 26, 1943; 4:22 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amendment 27]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respect:

1. Section 1315.506 (a) (1) (iii) is added to read as follows:

(iii) In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a farm tractor tire even though the tire to be replaced is recappable.

This amendment shall become effective May 1, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3789.

[1] 8 F.R. 3670.

[2] 8 F.R. 1453, 2209, 2992.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521, 3702, 3837, 4179, 4179, 4628, 4769, 4849.

7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 26th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6475; Filed, April 26, 1943; 4:23 p. m.]

PART 1340—FUEL

[MPR 189,[1] Amendment 8]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.313 (a) (6) is amended to read as follows:

(6) The maximum price per gross ton for the sale of bituminous coal produced at mines in Districts Nos. 7 and 8, sold for delivery to New York Harbor for bunker fuel use shall be the maximum price established for sales of bituminous coal produced at mines in District No. 1 for such use in accordance with subparagraphs (1) to (5) of this paragraph (a), plus an amount not to exceed the difference between the freight rate on which the particular bituminous coal produced at the Districts Nos. 7 and 8 mines moved, and the following amount: (i) $2.73, where the delivery is made to vessels moving offshore; (ii) $2.84, where the delivery is made to vessels in coastwise trade.

This amendment shall become effective May 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6471; Filed, April 26, 1943; 4:22 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[Corr. to Amendment 28 Under RPS 53[2]]

FATS AND OILS

Section 1351.151 (b) (8) (xii) (*1*) is corrected by deleting therefrom the following:

"Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard, which oil has a minimum stability of seven hours measured by the active oxygen method, has been previously conditioned by seeding under controlled temperatures, and conforms to the following specifications:

and by inserting in lieu thereof the following:

"Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard that has a minimum stability of seven hours measured by the active oxygen method and that has been previously conditioned by seeding under controlled temperatures, which oil conforms to the following specifications:

This correction shall become effective May 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6484; Filed, April 26, 1943; 5:01 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amendment 1]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 364 is amended in the following respects:

1. Section 2 is amended by inserting after the clause "for fresh fish from the port of entry to the freezing point." the sentence "A processor who performs the function of a primary wholesaler at a separately maintained warehouse, or who performs the function of a cash-and-carry or service-and-delivery wholesaler, as specified in section 3, shall establish his maximum price by adding the mark-up provided for the particular class of sale to the maximum price f. o. b. freezing point plus transportation to the warehouse from which the sale is made."

2. Section 3 (c) is amended to read as follows:

(c) *Wholesaler's mark-up for different classes of sales.* Mark-up is the percentage over net cost set forth hereinafter for each class of wholesaler or the type of sale involved. To obtain the selling price, multiply the net cost by the percentage mark-up figure—the result added to the net cost is the selling price. The mark-up which applies in any particular sale depends on the class in which the wholesaler is and the kind of service performed in the particular sale. No wholesaler who purchases from another wholesaler may sell at a price higher than the maximum price permitted hereunder by the seller, except as provided in paragraph (d) (1) *Primary wholesalers,* under this section. The classes, types of service, and mark-ups are set forth in the following paragraph (d).

3. Section 3 (e) is amended to read as follows:

(e) *Imported frozen fish and seafood.* The maximum price at which a wholesaler, including any agent of a foreign processor, may sell any imported frozen fish or seafood listed in section 14 shall be the base price listed in section 14 for the species and style of dressing plus or minus the differential for packaging provided for in section 13, plus the actual freight to the wholesaler's warehouse from the point at which the frozen fish enters the United States. If that freight is less than the carload rail freight rate from the shipping point in the United States closest to the processor's plant to the wholesaler's warehouse, the latter may be added in place of the actual freight. To this amount, may be added the mark-up provided for the class of sale in paragraphs (c) and (d) of section 3.

4. Section 3 (f) is added to read as follows:

(f) *Sales to war procurement agencies.* The maximum price for sales to war procurement agencies shall be determined by reference to the class of sale and kind of service performed. Wholesalers or processors who had executed contracts prior to April 13, 1943 for the sale and delivery of frozen fish and seafood to war procurement agencies may continue to sell and deliver at prices set in the contracts for a period of forty-five days after April 13, 1943.

5. Section 4 is amended by deleting the words "United States, its territories and possessions" and inserting in their place the words "forty-eight states of the United States and the District of Columbia."

6. In section 12 (a), the "Processor" definition is amended to read as follows:

"Processor" means the person who owns the fish or seafood at the time they are frozen, or the person who becomes the owner before they leave the original freezing point.

7. Section 14, Schedule No. 15, base price per pound for Items No. 3, 4, and 5 is amended by deleting the figures ".19", ".18", and ".18", and inserting in their respective places the figures ".20", ".19", and ".19".

8. Section 14, Schedule No. 28 is amended by adding Item No. 3, steaks (Sliced), All sizes, .21, base price per pound.

9. Section 14, Schedule No. 40, Item No. 1, style of processing, is amended by deleting the word "Skinned" and inserting in its place the word "Dressed".

10. Section 14, Schedule No. 54, Name, is amended by deleting the words "Atlantic & Gulf Coasts (Peneus setiferus), (Peneus brasiliensis)," and inserting the words "and Prawn."

11. The *effective date* provision of the regulation is amended to read as follows:

This regulation shall become effective in the United States on April 13, 1943.

This amendment shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43 6479, Filed, April 26, 1943; 5.00 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2973.

[2] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 2975, 1972, 3251, 3784, 4335, 4348, 4349, 4514.

[1] 8 F.R. 4640.

*Copies may be obtained from the Office of Price Administration.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] as Amended, Amendment 81]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1390.21 (c) is added to read as follows:

(c) In the case of a developmental contract or subcontract which is also classified as "confidential" or "restricted" by any agency of the United States, if such agency states that such contract is "confidential" or "restricted" in the certification required by paragraph (a), the provisions of paragraph (b) shall not be applicable.

This amendment shall become effective May 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6483; Filed, April 26, 1943; 5:00 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amendment 13]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.4b is added to read as follows:

SEC. 1.4b *Residents of Mexico may acquire shoes in the United States.* (a) Any person who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border, may apply for special shoe stamps to enable him to acquire shoes in the United States at the rate of one pair for each period for which a War Ration Stamp is valid, as specified in section 1.16. The application must be made in person, on OPA Form R-183, to the board whose office is nearest his customary point of entry into the United States, or if the applicant is unable to apply to the board because of inadequacy of transportation, to the Customs Officer in charge of his customary point of entry. A single application must be made by the applicant for himself and for all members of his family who wish to acquire shoes. An application may be made by a person under 18 years of age only if he is the head of a household or is not a member of a family. However, anyone who can complete the application may sign or present it as agent for an applicant who is unable to appear.

(b) The application must contain or be accompanied by all information needed to establish the eligibility of all the persons for whom the application is made, and any other information called for by the form or requested by the Board or the Customs Officer. In all cases the applicant must present with his application his Non-Resident Alien's Border Crossing Identification, or passport, issued for use by the applicant, bearing a visa for entry into the United States or a notation showing that such a visa has been issued and the identification cards or passports issued for use by any of the members of his family included in the application. He must also indicate the serial number of each of them on his application.

(c) The board, or the Customs Officer, may issue to the applicant, for each period, one special shoe stamp for each eligible person for whom the application is made, and shall insert on each stamp issued the symbol "M" and the date of the commencement of the period for which the stamp is issued. However, stamps issued for the first period shall be dated April 20, 1943.

(d) Stamps may be obtained for subsequent periods without making a new application unless the Board or Customs Officer otherwise requires.

(e) Stamps issued pursuant to this section shall be deemed to be valid for use by the consumer at any time during the period for which they were issued.

2. Section 2.9 (a) is amended by adding, between the second and third sentences, the following sentence: "Special shoe stamps issued pursuant to section 1.4b may be deposited within 30 days after the end of the period for which they were issued."

This amendment shall become effective April 26, 1943.

NOTE: These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6480; Filed, April 26, 1943; 5.00 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amendment 14]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new Article XXV containing sections 25.1, 25.2, 25.3, and 25.4 is added to read as follows:

Article XXV—Acquisition of Foods Covered by This Order by Residents of Mexico

SEC. 25.1 *Residents of Mexico may acquire foods covered by this order in the United States.* (a) Any "person" who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border may apply for points to "acquire" foods covered by this order in the United States. The application must be made in person, on OPA Form R-183, to the "board" whose office is nearest his customary point of entry into the United States, or if the applicant is unable to apply to the board because of inadequacy of transportation, to the customs officer in charge of his customary point of entry. A single application must be made by the applicant for himself and for all members of his "family unit" (that is, for all persons living in his household who are related to him by blood, marriage, or adoption) who wish to acquire foods covered by this order. An application may be made by a person under 18 years of age only if he is the head of a household or is not a member of a family unit. However, anyone who can complete the application may sign or present it as agent for an applicant who is unable to appear.

(b) The application must be signed by the applicant or his agent and must show:

(1) His name, address and age;

(2) The names and ages of all persons living in his household who are related to him by blood, marriage or adoption and who wish to acquire foods covered by this order;

(3) The name and address of the "retailer", "wholesaler", or "primary distributor" from whom the foods covered by this order are to be acquired; and

(4) The serial number of the nonresident alien's border crossing identification card, or of the passport bearing either a visa for entry into the United States or a notation showing that such a visa has been issued for use by the applicant, and of any cards or passports issued for use by the persons included in the application. The applicant shall present all these immigration papers to the board (or customs officer) at the time he makes his application. He shall state on the application whether he wishes

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370, 3848, 4341, 4476, 4515, 4516, 4524, 4787.

[1] 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3853, 4129, 3949, 4716.

[1] 8 F.R. 3591, 3715, 3949, 4127, 4350, 4423, 4784, 4893, 4967, 5172, 5318.

to acquire any foods covered by this order other than "rationed fats or oils". He shall also give any other information which the board or the Customs Officer may request.

(c) If the board (or the customs officer) finds, that the persons included in the application reside in Mexico, within the area described in paragraph (a), and desire to acquire foods covered by this order, in the United States, it shall grant the application. Each certificate issued shall be for all the persons included in the application.

(d) Each certificate issued shall cover one month. There are two exceptions to this rule:

(1) If the application is made in April 1943, the first certificate issued shall cover April and May 1943.

(2) If the persons included in the application are unable for any reason to acquire foods covered by this order in the United States at least once a month, the board (or customs officer) may issue a single certificate to cover two consecutive calendar months.

(e) If the application shows that any foods covered by the order other than rationed fats or oils are to be acquired in the United States for the persons included in the application, the monthly ration for each of the persons included shall be 64 points; if only rationed fats or oils are to be acquired, the monthly allowance for each of the persons included shall be 16 points. The full monthly ration shall be allowed for the month in which the application is made, regardless of the time of the month when the application is made.

(f) The certificate shall be issued in the name of the retailer, wholesaler or primary distributor from whom the foods covered by this order will be acquired. The board (or the customs officer) shall insert, at the top of the certificate above the words "Food Ration Certificate", the name of the applicant for the certificate and the number of persons for whom the certificate is issued. After the words "not valid after" appearing on the certificate, the last day of the period for which it is issued shall be inserted. At the time a certificate is issued, the board (or the customs officer) shall endorse the letter "R" on the applicant's nonresident alien's border crossing identification card, or passport bearing either a visa for entry into the United States or a notation showing that such a visa has been issued and upon the immigration papers, if any, of the other persons included in the application.

(g) The board (or customs officer) shall send the original of the certificate to the person in whose name it is issued, and shall give the duplicate to the applicant. If the certificate is prepared by a customs officer, he shall send the triplicate to the board nearest his customs station. The board shall keep the triplicate in its files.

(h) The board (or customs officer) shall issue certificates for subsequent periods after the first period, only if the applicant returns to the board (or customs officer) his duplicate copy of any certificate which was issued to him for the preceding period. The applicant shall, within five days after the expiration of any certificate issued to him, return his duplicate copy to the board (or customs officer) either in person or by mail. However, if the duplicate copy of a certificate has been lost, destroyed or stolen, a statement given to the applicant by his supplier as provided in section 25.2 may be returned to the board (or customs officer) in place of the duplicate or, if the applicant has not received such a statement, a board may excuse him from returning the duplicate. No new application is required for the issuance of certificates for subsequent periods, after the first, unless, since the date of the last application, the number of members of the applicant's household related to him by blood, marriage or adoption who wish to acquire foods covered by this order has been reduced or new ones have been added. Acceptance by an applicant of a duplicate certificate for a subsequent period in exchange for a duplicate issued for a prior period shall constitute a representation by the applicant that the number of such persons has not been reduced.

(i) An applicant may apply to the board (or the customs officer) where his original application was made, to change the retailer, wholesaler, or primary distributor from whom he acquires foods covered by this order. However, no application for such a change shall be granted with respect to any currently valid certificate unless the supplier in whose name it was issued has refused to accept it. The application, if made with respect to a future certificate, must be made before the 25th day of the month before the one for which the change is requested. Any certificate thereafter issued to the applicant by the board (or customs officer) shall be issued in the name of the new supplier and the original of such certificate shall be sent to him.

SEC. 25.2 *How foods covered by this order may be transferred to residents of Mexico.* (a) The supplier to whom a certificate of the type described in section 25.1 is issued, may "transfer" to the applicant named thereon, or to his authorized agent, and the applicant (or his agent) may acquire from the supplier, foods covered by this order up to the point value of the certificate, at any time before the expiration date stated on the certificate. At the time of each such transfer, the transferor shall write on the back of the duplicate copy of the certificate held by the applicant, the date of the transfer, and the point value of the foods covered by this order which were transferred. No transfer may be made unless the duplicate is presented to the transferor. However, if the applicant or his agent fails to present the duplicate on the ground that it has been lost, destroyed or stolen, the supplier may give the applicant a statement signed by the supplier, containing the applicant's name and address and the point value and dates of all transfers of foods covered by this order made against the duplicate. This statement may then be used in place of the duplicate.

SEC. 25.3 *Records to be kept by persons who transfer foods covered by this order to residents of Mexico.* (a) Any retailer, wholesaler or primary distributor to whom a certificate has been issued shall maintain and keep at his place of business a record showing the name of each applicant for whom he has received a certificate, the point value of each certificate and of all foods covered by this order transferred against it and the dates of such transfers.

SEC. 25.4 *Procurement of foods covered by this order by supplier.* Any retailer, wholesaler or primary distributor to whom a certificate has been issued may, after signing his name on the back of the certificate, use it to acquire foods covered by this order equal in point value to the value of the certificate. Before the 10th day of each month after May 1943, he must give to his board a written statement showing the total point value of all certificates received by him for the preceding month or, in the case of the June report, for the period of April and May 1943, and the total point value of all transfers of foods covered by this order made under such certificates. He shall account to the Office of Price Administration at a time and in a manner to be fixed by that office for the amount by which the number of points given to him by certificates issued under this article exceeds the point value of his transfers against such certificates during the period for which such certificates were issued.

This amendment shall become effective April 26, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6481; Filed, April 26, 1943 5:00 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amendment 19]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new Article XXV containing section 25.1, 25.2, 25.3, and 25.4 is added to read as follows:

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4921, 5318, 5342.

*Copies may be obtained from the Office of Price Administration.

Article XXV—Acquisition of Processed Foods by Residents of Mexico

SEC. 25.1 *Residents of Mexico may acquire processed foods in the United States.* (a) Any "person" who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border, may apply for points to "acquire" "processed foods" in the United States. The application must be made, in person, on OPA Form R-183, to the "board" whose office is nearest his customary point of entry into the United States, or if the applicant is unable to apply to the board because of inadequacy of transportation, to the customs officer in charge of his customary point of entry. A single application must be made by the applicant for himself and for all members of his "family unit" (that is, for all persons living in his household who are related to him by blood, marriage, or adoption) who wish to acquire processed foods. An application may be made by a person under 18 years of age only if he is the head of a household or is not a member of a family unit. However, anyone who can complete the application may sign or present it as agent for an applicant who is unable to appear.

(b) The application must be signed by the applicant or his agent and must show:

(1) His name, address and age;

(2) The names and ages of all persons living in his household who are related to him by blood, marriage or adoption and who wish to acquire processed foods;

(3) The name and address of the "retailer", "wholesaler", "processor", "country shipper", or "grower" from whom the processed foods are to be acquired; and

(4) The serial number of the non-resident alien's border crossing identification card, or of the passport bearing either a visa for entry into the United States or a notation showing that such a visa has been issued for use by the applicant, and of any cards or passports issued for use by the persons included in the application. The applicant shall present all these immigration papers to the board (or customs officer) at the time he makes his application. He shall also give any other information which the board or the Custom Officer may request.

(c) If the board (or the customs officer) finds that the persons mentioned in the application reside in Mexico, within the area described in paragraph (a), and desire to acquire processed foods in the United States, it shall grant the application. Each certificate issued shall be for all persons included in the application.

(d) Each certificate issued shall cover one month. There are two exceptions to this rule:

(1) If the application is made in April 1943 the first certificate issued shall cover April and May 1943;

(2) If the persons included in the application are unable for any reason to acquire processed foods in the United States at least once a month, the board (or customs officer) may issue a single certificate to cover two consecutive calendar months.

(e) The monthly ration for each of the persons included in the application shall be 48 points. The full monthly ration shall be allowed for the month in which the application is made regardless of the time of the month when the application is made.

(f) The certificate shall be issued in the name of the retailer, wholesaler, processor, country shipper or grower from whom the processed foods will be acquired. The board (or customs officer) shall insert, at the top of the certificate above the words "Food Ration Certificate", the name of the applicant for the certificate and the number of persons for whom the certificate is issued. After the words "not valid after" appearing on the certificate, the last day of the period for which it is issued shall be inserted. At the time a certificate is issued, the board (or customs officer) shall endorse the letter "R" on the applicant's non-resident alien's border crossing identification card, or passport bearing either a visa for entry into the United States or a notation showing that such a visa has been issued, and upon the immigration papers, if any, of the other persons included in the application.

(g) The board (or custom's officer), shall send the original of the certificate to the person in whose name it is issued, and shall give the duplicate to the applicant. If the certificate is prepared by a customs officer, he shall send the triplicate to the board nearest his customs station. The board shall keep the triplicate in its files.

(h) The board (or customs officer) shall issue certificates for subsequent periods after the first period only if the applicant returns to the board (or customs officer) his duplicate copy of any certificate which was issued to him for the preceding period. The applicant shall, within five days after the expiration of any certificate issued to him, return his duplicate copy to the board (or customs officer), either in person or by mail. However, if the duplicate copy of a certificate has been lost, destroyed or stolen, a statement given to the applicant by his supplier as provided in section 25.2 may be returned to the board (or customs officer) in place of the duplicate or, if the applicant has not received such a statement, a board may excuse him from returning the duplicate. No new application is required for the issuance of certificates for subsequent periods, after the first, unless, since the date of the last application, the number of members of the applicant's household related to him by blood, marriage or adoption who wish to acquire processed foods has been reduced or new ones have been added. Acceptance by an applicant of a duplicate certificate for a subsequent period in exchange for a duplicate issued for a prior period shall constitute a representation by the applicant that the number of such persons has not been reduced.

(i) An applicant may apply to the board (or customs officer) where his original application was made, to change the retailer, wholesaler, processor, country shipper or grower from whom he acquires processed foods. However, no application for such a change shall be made with respect to any currently valid certificate unless the supplier in whose name it was issued has refused to accept it. The application, if made with respect to a future certificate, must be made before the 25th day of the month before the one for which the change is requested. Any certificate thereafter issued to the applicant by the board (or customs officer) shall be issued in the name of the new supplier and the original of such certificate shall be sent to him.

SEC. 25.2 *How processed foods may be transferred to residents of Mexico.* (a) The supplier to whom a certificate of the type described in section 25.1 is issued, may "transfer" to the applicant named thereon, or to his authorized agent, and the applicant (or his agent) may acquire from the supplier, processed foods up to the point value of the certificate, at any time before the expiration date stated on the certificate. At the time of each such transfer, the transferor shall write on the back of the duplicate copy of the certificate held by the applicant, the date of the transfer, and the point value of the processed foods transferred. No transfer may be made unless the duplicate is presented to the transferor. However, if the applicant or his agent fails to present the duplicate on the ground that it has been lost, destroyed or stolen, the supplier may give the applicant a statement signed by the supplier, containing the applicant's name and address and the point value and dates of all transfers of processed foods made against the duplicate. This statement may then be used in place of the duplicate.

SEC. 25.3 *Records to be kept by persons who transfer processed foods to residents of Mexico.* (a) Any retailer, wholesaler, processor, country shipper or grower to whom a certificate has been issued under this article shall maintain and keep at his place of business a record showing the name of each applicant for whom he has received a certificate, the point value of each certificate and of all processed foods transferred against it and the dates of such transfers.

SEC. 25.4 *Procurement of processed foods by supplier.* Any retailer, wholesaler, processor, country shipper or grower to whom a certificate has been issued may, after signing his name on the back of the certificate, use it to acquire processed foods equal in point value to the value of the certificate. Before the 10th day of each month after May 1943, he must give to his board a written statement showing the total point value of all certificates received by him for the preceding month, or, in the case of the June report, for the period of April and May 1943, and the total point value of all transfers of processed foods made under such certificates. He shall account to the Office of Price Administration at a time and in a manner to be fixed by that office for the amount by which the number of points

given to him by certificates issued under this article exceeds the point value of his transfers against such certificates during the period for which such certificates were issued.

This amendment shall become effective April 26, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6482; Filed, April 26, 1943; 5:00 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271, Amendment 8]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

Correction

In the document appearing on page 4725 of the issue for Saturday, April 10, 1943, the introductory language of item 6 preceding paragraph (d) should read:

6. Section 1351.1019 (d) is amended to read as follows:

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Espionage Act approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (U.S.C. Title 50, Sec. 191, 191a), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively, the regulations relating to the control of vessels in the navigable waters of the United States, are hereby amended as follows:

By adding the following sections to subpart C:

§ 6.5–17 *Naval Research Laboratory, firing range near Chesapeake Beach, Maryland.*—(a) *The danger zone* (1) Area A is an area bounded on the south by a line running due east 1,000 yards from the intersection of the south property line at the Naval Research Laboratory and the shore, at about latitude 38°39'12" North; thence due north to the north property line at about latitude 38°39'40" North; thence due west to the shore.

(2) Area B is an area in the form of a sector having a radius of 9,600 yards, with the center at the southeast corner of building No. 3 and bounded by radii of bearing 31° (to Bloody Point Bar Light) on the north side, and 137.5° (to Buoy N 16 F) on the south side.

(3) Area C is an area corresponding to a segment enclosed by two circles of radius 9,600 yards and 13,200 yards and by the extended radii of Area B.

(b) *The regulations* (1) No vessel shall enter or remain in Area A at any time. No vessel shall enter or remain in Area B between the hours of 1:00 p. m. and 5:00 p. m. daily except Sunday. No vessel shall enter or remain in Area C between the hours of 1:00 p. m. and 5:00 p. m. daily except Sunday, except as provided in paragraph (b) (4).

(2) Advance notice shall be given of the date on which the first firing practice is conducted and such notice shall be published in the "Notice to Mariners". The area will be in use throughout the year and no further notice is contemplated that firing is continuing.

(3) Prior to the conduct of each firing practice a patrol vessel will patrol the range to warn navigation. "Baker" will be flown from a conspicuous point of the patrol vessel and from a prominent position on shore.

(4) Through navigation of commercial craft will be permitted traverse of Area C at all times. Such vessels shall proceed on their normal course and shall not delay their progress.

(5) These regulations shall be enforced by the Captain of the Port and by the Commandant, Potomac River Command, and such agencies as he may designate.

§ 6.7–21 *Waters of Lake Kissimmee, Florida; U. S. Army Air Corps, aerial practice bombing area, in Lake Kissimmee, Florida*—(a) *The danger area* (1) An area located in the southeast corner of Lake Kissimmee, circular in shape, with a radius of one-half mile, the center of the circle being located at latitude 27°51' and longitude 81°13'. The center of the area will be marked with a sign on piling or target base.

(b) *The regulations* (1) The danger area is open to navigation except when bombing practice is being conducted, when no vessel or other craft shall enter or remain within the area except as provided in paragraph (b) (4).

(2) Advance notice shall be given of the date on which the first bombing practice shall begin. At intervals of not more than three months thereafter, notice will be sent out that bombing practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) Prior to the conduct of each bombing practice the area will be patrolled by Army aircraft which will warn navigation to leave the area by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall leave it and no craft shall enter this area until practice has ceased.

(4) These regulations shall not deny traverse of portions of the danger area by commercial craft proceeding on normal sailing lines. In case of the presence of any such vessel in the danger area, the officer in charge of bombing operations shall cause the cessation or postponement of such practice until the vessel shall have cleared the part of the area in which it might be endangered by falling projectiles. The vessel shall proceed on its normal course and not delay its progress.

(5) These regulations shall be enforced by the Captain of the Port and by the Commanding General, Headquarters, Third Air Force, Tampa, Florida and such agencies as he may designate.

§ 6.7–22 *Waters of Tampa Bay, Florida; U. S. Army Air Corps aerial practice bombing area, in Tampa Bay Hillsborough County, Florida*—(a) *The danger area.* (1) An area located in the southeast corner of Tampa Bay, circular in shape, with a radius of one-half mile, the center of the circle being located at latitude 27°39'25" and longitude 82°33'40", and about one mile north of the wharf at Piney Point, Hillsborough County, Florida. The center of the area will be marked with a sign on piling or target base.

(b) *The regulations.* (1) The danger area is open to navigation except when bombing practice is being conducted, when no vessel or other craft shall enter or remain within the area except as provided in paragraph (b) (4).

(2) Advance notice shall be given of the date on which the first bombing practice shall begin. At intervals of not more than three months thereafter, notice will be sent out that bombing practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) Prior to the conduct of each bombing practice the area will be patrolled by Army aircraft which will warn navigation to leave the area by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall leave it and no craft shall enter this area until practice has ceased.

(4) These regulations shall not deny traverse of portions of the danger area by commercial craft proceeding on normal sailing lines. In case of the presence of any such vessel in the danger area, the officer in charge of bombing operations shall cause the cessation or postponement of such practice until the vessel shall have cleared the part of the area in which it might be endangered by falling projectiles. The vessel shall proceed on its normal course and not delay its progress.

(5) These regulations shall be enforced by the Captain of the Port and by the Commanding General, Headquarters, Third Air Force, Tampa, Florida and such agencies as he may designate.

§ 6.7–23 *Waters of Lake Okeechobee, Florida; U. S. Naval Air Station, Ft. Lauderdale, Florida; aerial practice bombing range, in Lake Okeechobee, Florida*—(a) *The danger zone.* (1) An area approximately 2 miles square in Lake Okeechobee, Florida, bounded as follows:

	Latitude	Longitude
N. E. corner	26°47'	80°46'
N. W. corner	26°47'	80°48'
S. E. corner	26°45'	80°46'
S. W. corner	26°45'	80°48'

The danger zone will be marked by appropriate buoys at the four corners and at the target, located in the center of the above-described area.

(b) *The regulations.* (1) The danger area is open to navigation except when target practice is being conducted, when no vessel or other craft shall enter or remain within the area except as provided in paragraph (b) (4).

(2) Advance notice shall be given of the date on which the first bombing practice shall begin. At intervals of not more than three months thereafter notice will be sent out that bombing practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) Prior to the conduct of each bombing practice the area will be patrolled by naval aircraft which will warn navigation to leave the area by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall leave it and no craft shall enter this area until practice has ceased.

(4) These regulations shall not deny traverse of portions of the danger area by commercial craft proceeding on normal sailing lines. In case of the presence of any such vessel in the danger area, the officer in charge of bombing operations shall cause the cessation or postponement of such practice until the vessel has cleared that part of the area or until there is adequate safety distance between the target and such vessel. The vessel shall proceed on its normal course and not delay its progress.

(5) These regulations shall be enforced by the Captain of the Port and by the Commandant, United States Naval Air Station, Ft. Lauderdale, Florida, and such agencies as he may designate.

By amending § 6.7–20 (b) (5) (8 F.R. 3121) to read as follows:

(5) These regulations shall be enforced by the Captain of the Port and by the Commandant, United States Naval Air Station, Jacksonville, Florida.

By amending § 6.9–55 (b) (4) (i) to read as follows:

Minneapolis, Minnesota. The restricted area includes all waters from bank to bank, from Cedar Avenue Highway Bridge, mile 853.2 to Lock and Dam No. 1, mile 847.6 of the Mississippi River.

By adding the following subdivisions to § 6.9–55 (b) (4):

(xix) *Dashields Dam.* The restricted area includes all waters from the sailing line to the right bank from Dashields Lock and Dam, mile 13.3, to Ambridge Aliquippa Bridge, mile 16.8.

(xx) *West Nashville, Tennessee.* The restricted area include all waters from bank to bank of the Cumberland River, from mile 182.5 upstream to mile 185.3.

By adding the following paragraph to § 6.12–5:

(e) *Temporary restricted seaplane area; San Francisco Bay at South San Francisco, California.* (1) The area in San Francisco Bay at South San Francisco, California is hereby defined and established as a temporary restricted seaplane area and the following regulations thereto are hereby adopted: Beginning at a point which point is 2,416 yards 3° true from the Aviation Beacon "Aero" at San Francisco Airport; thence 4,833 yards 90° true to a point which point is 5,500 yards 64° true from Aviation Beacon "Aero"; thence 6,866 yards 134.5° true to a point which point is 10,100 yards 104° true from Aviation Beacon "Aero"; thence 8,333 yards 270° true to the highwater shore line; thence following the highwater shore line in a general northwesterly direction to the point of beginning.

(2) No surface watercraft shall be operated or anchored in this area except by permission of the Commanding Officer, Coast Guard Air Station, South San Francisco, California. Persons desiring to navigate vessels across the restricted area shall give advice of their intention to do so and make the request to the Commanding Officer, Coast Guard Air Station, South San Francisco, not less than four hours in advance of the time they desire to take the vessel across the restricted area.

NOTE: The area will be marked by the U. S. Coast Guard in accordance with standard practice for the designation of anchorage areas and such other buoys as may be selected by the U. S. Coast Guard and Civil Aeronautics Authority for the guidance of seaplanes.

By adding the following subdivision to § 6.6–5 (a) (1):

(x) An area bounded by a line running from a point 260 yards 299° true from Fort Sumter Range Rear Light, thence 2,500 yards 180° true to a point just off the beach head of Cummings Point, thence 3,750 yards 40° true to a point on the front beach of Sullivan Island, thence along the front beach of Sullivan Island in a general westerly direction to a point on the front beach 100 yards 312° true from beacon on South Channel Range line, thence 1,860 yards 250° true to point of beginning.

By adding the following section to Subpart C:

§ 6.8–37 *Waters of Gulf of Mexico along Padre Island and Brazos Island, Texas, including a portion of Laguna Madre; bombing and gunnery range, Advanced Flying School, Harlingen, Texas*—(a) *The danger zone.* (1) The gunnery and bombing range hereinafter referred to as the "restricted area" includes the waters of the Gulf of Mexico adjacent to Padre Island south of latitude 26°45' North, to Brazos Santiago; including all the waters of Laguna Madre between latitude 26°45' North and 26°06' North and is described below. (See U.S.C. and G.S. Charts Nos. 1287 and 1288.) All azimuths are referred to a true meridian.

An area in the Gulf of Mexico and including an area in Laguna Madre beginning at a point on the west shore of Laguna Madre in latitude 26°45' North, thence 90° to a point in latitude 26°45' North, longitude 97°14'12" West, thence 164° to a point in latitude 26°26' North, longitude 97°08' West, thence 168° to a point in latitude 26°05' North, longitude 97°03' West, thence 270° to a point in latitude 26°05' North, longitude 97°06'30" West, thence 355° to a point in latitude 26°06'30" North, longitude 97°06'40" West, thence 270° to a point on the west shore of Laguna Madre. Thence northerly along the west shore line of Laguna Madre to latitude 26°45'.

(2) The Air Corps will broadcast over the radio any information concerning the cessation of firing. This information will be given to the Coast Guard Station at Port Isabel, Texas.

(3) On days when firing is to be held in the restricted area large red flags will be displayed at the Port Isabel Life Boat Station on Padre Island.

(b) *The regulations.* (1) All boats departing from Port Isabel shall check out through the Coast Guard Station so the airplane pilots can be informed to watch for such boats.

(2) On days when firing is scheduled and flag is being displayed as prescribed in paragraph (a) (3) above, no person, boat, vessel or craft shall enter or remain in any portion of restricted area except as provided in paragraph (b) (3): *Provided, however,* That the Commanding General, Gulf Coast Air Corps Training Center, or the Commanding Officer, Advanced Flying School, Harlingen, Texas, may designate from time to time, by suitable notice, through the United States Coast Guard or others concerned, certain times within which the public, including food fishermen may enter the restricted area on days when no firing is scheduled.

(3) These regulations shall not deny traverse of portions of the danger zone by regular cargo carrying vessels proceeding on established steamer lanes, nor by naval units (both surface and air) engaged in anti-submarine operations, nor shall they deny passage of vessels at all times within one mile of the shore in the area. In the case of the presence of any such vessel in the danger area, the officer in charge of gunnery operations shall cause the cessation or postponement of fire until the vessel has cleared the part of the area. The vessel shall proceed on its normal course and not delay its progress.

(4) No markings of the area are proposed and all aircraft and watercraft shall be presumed to know their whereabouts by distances and directions from landmarks or other topographical features along the shore.

(5) These regulations shall be enforced by the Captain of the Port, Brownsville, Texas and by the Commanding Officer, Harlingen Army Gunnery School, Harlingen, Texas, and such agencies as he may designate.

By adding the following section to Subpart C:

the Director, Division of the Federal, each handler which is a cooperative as- lowing computation by the market ad-

§ 6.3–75 *United States Naval Torpedo Testing Range; waters of Fort Pond Bay and Block Island Sound*—(a) *The danger area.* (1) A restricted area to be used as a torpedo testing range is hereby established and defined as follows: By a line beginning at the flashing red light at Montauk West Jetty and running northeasterly to Shagwong Reef Lighted Bell Buoy "7 SR"; thence northerly to Cerberus Shoal Lighted Whistle Buoy "9"; thence westerly to a point in latitude 41°09'10" North, longitude 72°06' West, on a line running from Cerberus Shoal Lighted Whistle Buoy "9" to Gardiners Island Lighted Buoy "1GI"; thence southeasterly to a point in latitude 41°02'54" North, longitude 71°59' 25" West, on Rocky Point. The southern boundary of the restricted area shall be the shore line between the termini of the east-west boundaries.

(b) *The regulations.* (1) No vessel shall enter or navigate that part of the restricted area in Fort Pond Bay inside of a line drawn from a point in latitude 41°02'54" North, longitude 71°59'25" West, on Rocky Point to a point in latitude 41°04'12" North, longitude 71°57' 38" West, on Culloden Point, except that commercial craft may enter from or depart to the eastward by navigating close to the shore line, but shall not navigate westward of "Duryea's Wharf". Such navigation will proceed at its own risk. All other waters of the restricted area shall be open to navigation except at such times as the torpedo testing range is in actual operation.

(2) During such times as the torpedo testing range is in actual operation, all traffic within the restricted area is prohibited.

(3) Notice that the torpedo testing range is in operation will be given by range boats which will warn all traffic.

(4) These regulations shall be enforced by the Captain of the Port and Commandant, Third Naval District, through such officers and personnel as may be assigned thereto, including the Inspector of Ordnance in Charge, Naval Torpedo Testing Range, Montauk, Long Island, New York.

By amending § 6.9–55 (c) (5) to read as follows:

(5) Fishing, hunting, trapping, or related activities within a restricted area are prohibited, except by special permission in writing from the Captain of the Port.

FRANK KNOX,
Secretary of the Navy.

Approved: April 24, 1943.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 43-6490; Filed, April 27, 1943; 10:23 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

REQUISITION OF THE USE OF CERTAIN SEATRAIN, INC., VESSELS

NOTICE OF DETERMINATION

Notice is given that pursuant to section 3 (b) of Public Law 17—78th Congress, the following determination has been made:

Whereas on October 6, 1942, the titles to the following vessels, (including all spare parts appertaining thereto, whether aboard or ashore) were requisitioned, pursuant to section 902 of the Merchant Marine Act, 1936, as amended, namely, "Seatrain New York," "Seatrain New Jersey," "Seatrain Texas," "Seatrain Havana," and "Seatrain New Orleans"; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17—78th Congress, 1st Session), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, of just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the expiration of a period of two months after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner.

Whereas just compensation for the said vessels has not been determined by the Administrator, War Shipping Administration, and no part thereof has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessels, their spare parts and appurtenances, is not required by the United States; and

Whereas by mutual agreement between the Administrator, War Shipping Administration, and Seatrain Lines, Inc., Seatrain Lines, Inc. has consented to the determination by the Administrator that the use rather than the title of the said vessels, their spare parts and appurtenances, shall be deemed to have been requisitioned as of the date of the original taking thereof, namely, October 6, 1942, and the parties have agreed that such requisition for use shall constitute direct continuations of the prior periods during which the respective vessels had been requisitioned for use, said determination being subject to those certain terms and conditions set forth in letter agreement dated April 22, 1943, as supplemented by letter dated April 26, 1943:

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above quoted provision of law, do determine that the ownership of said vessels, their spare parts and appurtenances, is not required by the United States, and that the requisitions on October 6, 1942 of the above mentioned vessels, their spare parts and appurtenances, shall, from and after the date of publication hereof in the FEDERAL REGISTER, be deemed to have been, for all purposes, requisitions of the use rather than of the titles of said vessels, their spare parts and appurtenances, as of the date of the original taking, namely, October 6, 1942, and on the conditions hereinbefore set forth.

Dated: April 26, 1943.

E. S. LAND,
Administrator.

[F. R. Doc. 43-6504; Filed, April 27, 1943; 11:38 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 119]

PART 95—CAR SERVICE

MOVEMENT OF POTATOES FROM MAINE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of April, A. D. 1943.

It appearing that Acting Director Jesse W. Tapp of the Food Distribution Administration of the Department of Agriculture by Food Distribution Order No. 49, Title 7—Agriculture, Chapter XI—Food Distribution Administration, Part 1405—Fruits and Vegetables, Restrictions Relative to Irish Potatoes, § 1405.4, issued April 13, 1943, effective April 15, 1943, 7 F.R. 4859, has ordered that "No person may ship from the State of Maine, * * *, any Irish potatoes until after such person has applied to the Director and received from him a permit to ship the respective lot of Irish potatoes."; and that the Director of the Office of Defense Transportation has requested this Commission to take such action as it deems necessary; the Commission is of the opinion that an emergency exists requiring immediate action; *It is ordered,* That:

§ 95.10 *Movement of potatoes from the state of Maine under permit.* Effective at once and until further order of the Commission, no common carrier by railroad and no common or contract motor carrier subject to the Interstate Commerce Act shall accept or move Irish potatoes from the state of Maine, in carloads, less-than-carloads, or truckloads, or less-than-truckloads, as defined in Food Distribution Order No. 49, 7 F.R. 4859, effective April 15, 1943, except upon presentation of a permit from the Director of the Food Distribution Administration provided for in Food Distribution Order No. 49 or amendments or reissues thereof. (40 Stat. 101, sec. 402. 41 Stat. 476, sec. 4. 54 Stat. 901, 56 Stat. 176; 49 U.S.C. 1 (10)–(17))

It is further ordered, That copies of this order and direction be served upon all common carriers by railroad and all common and contract motor carriers serving the state of Maine and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of this agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-6502; Filed, April 27, 1943; 11:27 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AO 47-A 6]

HANDLING OF MILK IN LA PORTE COUNTY, IND., MARKETING AREA

NOTICE OF HEARING

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the La Porte County, Indiana, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 2813), notice is hereby given of a hearing to be held in the Civic Auditorium, La Porte, Indiana, beginning at 1:30 p. m., c. w. t., May 5, 1943, with respect to a proposal that the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the La Porte County, Indiana, marketing area, should regulate the handling of all milk handled in such marketing area which is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce, and with respect to certain proposed amendments to such tentatively approved marketing agreement, as amended, and order, as amended. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the proposals or any modification thereof. The amendments which have been proposed are set forth below.

Amendments Proposed by the La Porte County Milk Producers Association

1. Renumber § 920.10 as § 920.11.
2. Add as § 920.10 the following:

§ 920.10 *Expenses of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof each handler, except those handlers exempt from the provisions hereof as set forth in § 920.6 shall pay to the market administrator, on or before the 15th day after the end of each delivery period, a sum not exceeding 4 cents per hundredweight, with respect to all milk purchased or received by him during such delivery period from producers, from sources other than producers or other handlers, or produced by him, the exact sum to be determined by the market administrator, subject to review by the Secretary; *Provided,* That each handler which is a cooperative association shall pay such pro rata share of expense of administration only on that milk of producers actually received at a plant of such cooperative association, or caused to be delivered by such cooperative association to a plant from which no milk or cream is disposed of in the market area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

3. From § 920.3 (d) delete the figure "3.8" wherever it appears and substitute therefor the figure "3.5."

4. Delete § 920.4 (a) and substitute therefor the following:

§ 920.4 *Minimum prices*—(a) *Class prices.* Each handler shall pay producers, at the time and in the manner set forth in § 920.8, for the 3.5 percent butterfat content equivalent of milk received at the handler's plant, not less than the following prices:

(1) *Class I milk.* The price per hundredweight for Class I milk shall be the price for Class III milk determined by the market administrator pursuant to subparagraph (3) of this paragraph, plus 65 cents. *Provided,* That with respect to Class I milk disposed of by such handler (i) to persons or families receiving relief from recognized relief agencies, or (ii) under a program approved by the Secretary for the sale or disposition of milk to low-income consumers, including persons on relief, the price shall be such Class I price less 30 cents.

(2) *Class II milk.* The price per hundredweight for Class II milk shall be the price for Class III milk determined by the market administrator pursuant to subparagraph (3) of this paragraph, plus 40 cents.

(3) *Class III milk.* The price per hundredweight for Class III milk shall be the price resulting from the following computation by the market administrator, plus 10 cents. Determine the arithmetic average of the basic or field prices, as reported to the United States Department of Agriculture, paid during the delivery period to farmers at the following places or evaporated milk plants where milk is received for evaporating purposes:

Location of evaporated milk plants and places:

Mount Pleasant, Mich.
Spart, Mich.
Hudson, Mich.
Wayland, Mich.
Coopersville, Mich.
Greenville, Wis.
Black Creek, Wis.
Orfordville, Wis.
Chilton, Wis.
Berlin, Wis.
Richland Center, Wis.
Oconomowoc, Wis.
Jefferson, Wis.
New Glarus, Wis.
Belleville, Wis.
New London, Wis.
Manitowoc, Wis.
West Bend, Wis.

(4) *Class IV milk.* The price per hundredweight resulting from the following computation by the market administrator: multiply by 3.5 percent the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received and add 30 percent thereof.

5. Delete § 920.8 (c) and substitute therefor the following:

§ 920.8 (c) *Butterfat differential.* If any handler has purchased or received milk from producers containing more or less than 3.5 percent butterfat, such handler shall add or deduct, per hundredweight of milk for each one-tenth of one percent butterfat above or below 3.5 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add 20 percent and divide the result obtained by 10.

6. Delete from other provisions of the order not affected by the proposed amendments set forth herein all references to the figure "3.8" and substitute therefor the figure "3.5".

Amendments Proposed by Dairy and Poultry Branch, Food Distribution Administration, United States Department of Agriculture.

1. Delete § 920.1 (a) (2) and substitute therefor the following:

(2) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is or may hereafter be authorized to execute the powers and to perform the duties of the Secretary of Agriculture of the United States.

2. Add as § 920.12 the following:

§ 920.12 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

3. Delete § 920.1 (a) (9).

4. Delete the phrase in § 920.5 (a) (1) which reads "and the quantity of such receipts which represents the total of all milk received from producers in excess of their respective bases."

5. Delete the phrase in § 920.5 (c) which reads "and (c) the portion of such delivery which was in excess of the base of such producer."

6. Delete § 920.7 (b) (1).

7. Delete the words "June, July, August, and September" in §§ 920.7 (b) (2) and 920.8 (a) (2).

8. Delete § 920.7 (c).

9. Delete § 920.7 (d).

10. Delete § 920.8 (a) (1).

11. Add as § 920.1 (a) (9) the following:

(9) The term "emergency milk" means milk received by a handler from sources other than producers under a permit to

receive such milk issued to him by the proper health authorities.

12. Renumber paragraph (d) of § 920.3 (c) (1) as paragraph (f).

13. Add as paragraph (d) of § 920.3 (c) (1) the following:

(d) Multiply the hundredweight of emergency milk, if any, by its average butterfat test;

14. Add as subdivision (e) of § 920.3 (c) (1) the following:

(e) Multiply the hundredweight of milk received from any other source, if any, by its average butterfat test;

15. Add as § 920.3 (c) (6) (iii) the following:

(iii) In the case of a handler who received emergency milk during the delivery period, subtract from the remaining pounds of butterfat in each class an amount computed as follows: divide the total pounds of butterfat in each class by the pounds of butterfat in all classes and multiply each class percentage by the pounds of butterfat in emergency milk; and

16. Add as § 920.3 (c) (6) (iv) the following:

(iv) Subtract from the remaining pounds of butterfat in each class the pounds of butterfat, except butterfat in emergency milk, received from sources other than producers or handlers and used in such class.

17. Add as § 920.7 (a) (7) the following:

(7) If a handler received milk, except emergency milk, from sources other than producers or handlers, as referred to in § 920.3 (c) (6) (iv), there shall be added to the value of milk determined for such handler pursuant to this paragraph a further amount computed as follows: multiply the hundredweight of such milk (computed by dividing the pounds of butterfat therein by 3.8) by the difference between the Class IV price and the price applicable to the class in which it was disposed.

* * * * *

It is hereby declared that an emergency exists in the handling of milk in the aforesaid area which requires a shorter period of notice than fifteen (15) days, and it is hereby determined that the period of notice given is reasonable under the circumstances.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: April 26, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-6487; Filed, April 26, 1943; 5:07 p. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6430]

BLACK HILLS BROADCASTING CO., OF RAPID CITY (KOBH)

ORDER DENYING APPLICATION

In re application of Black Hills Broadcasting Company of Rapid City (KOBH), Rapid City, South Dakota, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of April 1943;

The Commission having under consideration (1) the above-entitled application, as amended, (2) the applicant's motion for a grant thereof, and (3) the petition of The Kansas City Star Company (WDAF), to reinstate and grant its previous petition (which was filed on November 13, 1942), to intervene and enlarge the issues, and being fully informed in the premises;

It is ordered, That applicant's motion for a grant of its application be, and it is hereby, denied;

It is further ordered, That the above-entitled application be, and it is hereby, designated for further hearing upon the following additional issues:

1. To determine the extent and effect of any electrical interference which KOBH, operating as proposed, would cause to Stations CJAT (Trail, British Columbia, Canada) and XEBX, (Sabinas, Coah, Mexico).

2. To determine whether the operation of KOBH, as proposed, would be consistent with the provisions of the North American Regional Broadcasting Agreement.

3. To determine the extent and effect of any electrical interference which would result from the simultaneous proposed operation of KOBH with Station WDAF, Kansas City, Missouri.

4. To determine the areas and populations which would be affected and lose interference-free service from WDAF as a result of the proposed operation of KOBH, and what other broadcast services are available thereto.

5. To determine the extent of the day and nighttime service areas of KOBH, operating both as at present and as proposed, and the broadcast service available to the listeners residing therein.

6. To determine whether the granting of the above-entitled application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

It is further ordered, That the petition of The Kansas City Star Company (WDAF) be, and it is hereby, granted insofar as it requests leave to intervene in the hearing.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-6459; Filed, April 26, 1943; 2:27 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 24 Under MPR 136, as Amended]

J. D. WALLACE AND CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 24 under Maximum Price Regulation No. 136, as Amended—Machines and Parts, and Machinery Services; Docket No. 3136-220.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (a) of Maximum Price Regulation No. 136, as amended, Revised Procedural Regulation No. 1, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) J. D. Wallace and Company of Chicago, Illinois, is hereby authorized to sell the following machines and accessories at the maximum prices set opposite each machine and accessory:

No.	Machine	Horse power	Voltage	Frequency	Phase	Maximum prices
1	Wallace radial saw	1	110 or 220	AC-DC	Single	$240.00
		1½	110 or 220	AC-DC	Single	270.00
		1	110 and 220	50 or 60	Single	280.00
		2	110 and 220	50 or 60	Single	290.00
		1	220 and 440	50 or 60	Three	280.00
		2	220 and 440	50 or 60	Three	290.00
11	Wallace universal saw	1	110 and 220	50 or 60	Single	290.00
		2	110 and 220	50 or 60	Single	300.00
		1	220 and 440	50 or 60	Three	290.00
		2	220 and 440	50 or 60	Three	300.00
12	Wallace universal saw	1	110 or 220	DC		290.00
		1½	110 and 220	50 or 60	Single	310.00
		1	110 or 220	AC-DC	Single	290.00
10	Wallace jointer 3600 R. P. M.	¾	220	50 or 60	Three	280.00
		½	110 and 220	50 or 60	Single	260.00
		1	110 and 220	50 or 60	Single	270.00
		1	220 and 440	50 or 60	Three	270.00
10	H. P. Wallace Jointer 3600 R.P.M.	½	110 or 220	D. C.		250.00
		½	110 or 220	D. C.		260.00
		½	110 and 220	50 or 60	Single	280.00
		½	110 and 220	50 or 60	Single	290.00
		1	220 and 440	50 or 60	Three	280.00
9	Wallace jointer 3600 R. P. M.	½	110 or 220	D. C.		260.00
		½	110 and 220	50 or 60	Single	270.00
		½	100 and 220	50 or 60	Single	270.00
		1	220 and 440	50 or 60	Three	270.00
		½	110 or 220	D. C.		250.00
		1	110 or 220	D. C.		260.00

No.	Machine	Horse power	Voltage	Frequency	Phase	Maximum prices
26	H. P. Wallace Jointer 5,200 R. P. M.	½	110 and 220	50 or 60	Single	$230.00
		1	110 and 220	50 or 60	Single	250.00
		1	220 and 440	50 or 60	Three	240.00
		½	110 or 220	D. C.		230.00
		1	110 or 220	D. C.		250.00
12	Wallace band saw	½	110 and 220	50 or 60	Single	270.00
		1	110 and 220	50 or 60	Single	290.00
		1	220 and 440	50 or 60	Three	280.00
		½	110 or 220	D. C.		270.00
		1	110 or 220	D. C.		290.00
9	Wallace mortiser	2	110 and 220	50 or 60	Single	310.00
		2	220 and 440	50 or 60	Three	300.00
		1	110 and 220	50 or 60	Single	290.00
		1	110 and 220	50 or 60	Single	310.00
		1	220 and 440	50 or 60	Three	300.00
		½	110 or 220	D. C.		290.00
		1	110 or 220	D. C.		310.00
40	Wallace multi-speed lathe	¾	110 and 220	50 or 60	Single	220.00
		220		50 or 60	Three	230.00
		¾	110 or 220	D. C.		220.00
6	Wallace single-speed lathe	¼	110 or 220	50 or 60	Single	160.00
		½	220	50 or 60	Three	170.00
		¼	110 or 220	D. C.		150.00
6	Wallace single-speed lathe	¼	110 or 220	50 or 60	Single	120.00
		½	220	50 or 60	Three	130.00
		¼	110 or 220	D. C.		120.00
23	Wallace tool stone grinder	¼	110 or 220	50 or 60	Single	175.00
		¼	220	50 or 60	Three	185.00
		¼	110 or 220	A. C.-D. C.	Single	155.00
2	Wallace glue pot	650 watts	110 or 220	A. C. any freq.	Single	32.50
		650 watts	110 or 220	D. C.		35.00
18	Wallace shaper	1	110 or 220	AC-DC	Single	145.00
						25.00
18F	Wallace shaper	1	110 or 220	AC-DC	Single	190.00
						25.00
28	Wallace Hy-Gear shaper	2	110 and 220	50 or 60	Single	285.00
			220 and 440	50 or 60	Three	275.00
2020	Skid table, wood					25.00
2030	Skid table, all-steel					30.00
2040	Shop table for wood cutting					35.00
2050	Roller extensions (per unit)					25.00
2048	Cast iron stand					30.00

(b) To the extent that the application filed by J. D. Wallace and Company has not been granted, the application is denied.

(c) Any contract entered into by J. D. Wallace and Company at prices higher than those authorized by this order shall be revised in accordance with the provisions of this order and any payment made to J. D. Wallace and Company in excess of the maximum prices authorized by this order for deliveries made after February 23, 1943, and prior to the effective date of this order shall be refunded to the purchaser, and within 30 days after the date on which this order was mailed to him, the applicant shall file a statement with the Office of Price Administration, Washington, D. C., to the effect that such contracts were revised in accordance with the terms of this order and, wherever required, refunds were made.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6425; Filed, April 26, 1943; 10:09 a. m.]

[Order 25 Under MPR 136, as Amended]

McLANAHAN & STONE CORP.

DENIAL OF APPLICATION FOR ADJUSTMENT

Order No. 25 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. SO 28-294.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The application for adjustment, dated February 24, 1943, and filed on March 15, 1943, by the McLanahan & Stone Corporation of Hollidaysburg, Pennsylvania, is denied.

(b) Any contract entered into by McLanahan & Stone Corporation in accordance with Procedural Regulation No. 6, at prices above the maximum prices established by Maximum Price Regulation No. 136, as amended, shall be revised to conform with the terms of this order; any payments made to McLanahan & Stone Corporation in excess of the maximum prices authorized by Maximum Price Regulation No. 136, as amended, on account of deliveries made subsequent to March 15, 1943, and prior to the effective date of this order, shall be refunded to the purchaser, and, within thirty days after the date on which this order was mailed to it, the applicant shall file a statement with the Office of Price Administration, Washington, D. C., to the effect that such contracts were revised in accordance with the terms of this order, and, wherever required, refunds were made.

(c) The issuance of this order shall not in any way affect or relieve McLanahan & Stone Corporation for any violation of any regulation or order issued by the Office of Price Administration.

This order shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6426; Filed, April 26, 1943; 10:09 a. m.]

[Order 26 Under MPR 136 as Amended]

AMERICAN SAW MILL MACHINERY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 26 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. S. O. 28-35.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (a) of Maximum Price Regulation No. 136, as amended, Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) American Saw Mill Machinery Company of Hackettstown, New Jersey, is hereby authorized to sell the following woodworking and sawmill machinery it manufactures at the list prices set opposite each machine:

Item No.	Symbol No.	Name of machine	Maximum list prices
1	X21B	Saw bench	$261.00
2	X21	Saw bench	261.00
3	241	Saw bench	228.00
4	42	Heavy model cut-off saw	241.00
		Band saw:	
5	72	20"	209.00
6	60	27"	284.00
7	48	36"	440.00
		Pelt lathe:	
8	MT	24"	481.00
9		26"	509.00
10		42"	561.00
11		48"	612.00
12		60"	627.00
13		72"	668.00
		Motor lathe:	
14	MMTL	24"	557.00
15		36"	569.00
16		42"	574.00
17		48"	578.00
18		60"	649.00
19		72"	616.00
		Jointer:	
20	X13	8"	434.00
21	X25	8" H. P.	859.00
22	X25A	12" 5 H. P.	981.00
23	X33B	15" 5 H. P.	1,090.00
24	X35C	20" 5 H. P.	1,177.00
		Jewel planer:	
25	41	16"	422.00
26	41	20"	447.00

Item No.	Symbol No.	Name of machine	Maximum list prices
27	22	Pony planer: 20"	$754.00
28	22	24"	819.00
29	N8	Drum and disc sander	408.00
30	33A	Economy swing saw	84.00
31	X36A	Radial saw (Jr.)	521.00
32	19	No. 2 gang edger	575.00
33	20	Economy gang edger	398.00
34	22A	Lumber trimmer	697.00
35	11	Economy mill	473.00
36	12	No. 2 belt feed mill	818.00
37	14	No. 4 belt feed mill	1,100.00

Such list prices shall be subject to the discounts in effect on November 1, 1941.

(b) To the extent that the application filed by the American Saw Mill Machinery Company has not been granted, the application is denied.

(c) Any contract entered into by American Saw Mill Machinery Company at prices above the maximum prices established by this order shall be revised to conform with the terms of this order; any payment made to American Saw Mill Machinery Company in excess of the maximum prices authorized by this order on account of deliveries made subsequent to February 25, 1943, and prior to the effective date of this order shall be refunded to the purchaser; and, within thirty days after the date on which this order was mailed to it, the applicant shall file a statement with the Office of Price Administration, Washington, D. C., to the effect that such contracts were revised in accordance with the terms of this order and, wherever required, refunds were made.

(d) The issuance of this order shall not in any way affect or relieve the American Saw Mill Machinery Company for any violation of any regulation or order issued by the Office of Price Administration.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-6420; Filed April 26, 1943; 10.11 a. m.]

[Order 16 Under MPR 244]

LAKEY FOUNDRY & MACHINE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 16 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket Nos. 3244-9, 3244-13, 3244-14, 3244-15, 3244-16, 3244-22, 3244-23, 3244-25, 3244-26, 3244-27, 3244-35.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Lakey Foundry & Machine Co. (a) On and after March 10, 1943, Lakey Foundry & Machine Co., Muskegon, Michigan (hereinafter called "Applicant") is hereby authorized to sell, offer to sell and deliver, and any person is hereby authorized to buy, offer to buy and receive from Applicant (1) gray iron castings for which Applicant has submitted pattern numbers and cost estimate sheets in the various applications for adjustment filed with the Office of Price Administration (Docket Nos. 3244-9 (Purchaser — Hercules Motors Corporation), 3244-13 (Purchaser—Continental Motors Corporation), 3244-14 (Purchaser—The Buda Co.), 3244-15 (Purchaser — Waukesha Motor Co.), 3244-16 (Purchaser—Continental Motors Corporation), 3244-22 (Purchaser—Gray Marine Motor Co.), 3244-23 (Purchaser—Chrysler Corporation), 3244-25 (Purchaser—Caterpillar Tractor Co.), 3244-26 (Purchaser—Caterpillar Tractor Co.), 3244-27 (Purchaser—White Motor Co.), and 3244-35 (Purchaser—Fuller Mfg. Co.)), at prices for each such casting, f. o. b. Muskegon, Michigan, not in excess of the total cost of such casting as submitted on the applicable cost estimate sheets accompanying said applications for adjustment, and (2) gray iron castings other than those specified in (1) herein, at prices for each such casting, f. o. b. Muskegon, Michigan, not in excess of the total cost of such casting computed by the pricing method and the cost factors hereinafter specified, plus 4% of such total cost. The pricing method shall be the method used by Applicant for computing the costs of the castings specified in (1) of this paragraph (a), except that the following cost factors shall be used:

Cost of metal, $.02121 per lb. plus cost of any alloys.

Direct labor, piece rates as used in the various applications for adjustment listed in paragraph (a).

Core department overhead, $.0133 per lb. of sand used.

Molding department overhead, $.0017 per lb. of sand used.

Cleaning department overhead, 60% of cleaning department direct labor.

Welding department overhead, 62½% of welding department direct labor.

Paint shop overhead, 203% of paint shop department direct labor.

General overhead, rates as applied in the various applications for adjustment listed in paragraph (a) based on the per line charges as of February 15, 1943.

Scrap core loss, 15% of core department direct labor.

Defective castings (not shop defectives), 10% of the total of department direct labor, department overhead and general overhead.

Provided, That for each casting sold and for which the maximum price was determined under this paragraph (a), Applicant shall submit a report to the Iron and Steel Branch, Washington, D. C., within thirty days after the sale was made showing the name of purchaser, date of sale, pattern number and brief description, maximum price, actual price charged, and, in the case of castings priced under this paragraph (a) (2), computations used to arrive at the maximum price.

(b) The permission granted to Applicant is subject to the condition specified in the preceding paragraph (a) and also to the following conditions: Applicant shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., the following documents and financial information all prepared in accordance with recognized accounting principles and submitted under oath or affirmation: (1) monthly profit and loss statements covering its gray iron casting operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943, except that the statement for the month of March 1943 may be filed not later than May 31, 1943; (2) monthly profit and loss statements covering its over-all operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943, except that the statement for the month of March 1943 may be filed not later than May 31, 1943; (3) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the first calendar quarter of 1943, except that the balance sheet for the first calendar quarter of 1943 may be filed not later than May 31, 1943; (4) statements of its average per pound price for gray iron castings sold each month and its average per pound cost for the gray iron castings sold, said statements to be filed within thirty days after the close of each month beginning with the month of April 1943; (5) the profit and loss statements filed pursuant to (1) and (2) of this paragraph (b) must show (i) gross sales, (ii) returns and allowances, (iii) net sales, (iv) manufacturing costs, segregating total labor costs, exclusive of general and administrative salaries, total metal costs, and total other manufacturing costs, (v) general and administrative expenses, segregating total compensation to owners, officers and directors, (vi) net profits before income and excess profit taxes, (vii) weight of good castings produced and weight of castings delivered, and (viii) all charges to operations representing accumulations of reserves: *Provided*, That Applicant need not file any of the foregoing financial data if it has filed such data, or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) All prayers of any of the applications, Docket Nos. 3244-9, 3244-13, 3244-14, 3244-15, 3244-16, 3244-22, 3244-23, 3244-25, 3244-26, 3244-27 and 3244-35, not granted herein are denied.

(d) Order No. 4 (7 F.R. 8520) under § 1499.29 of the General Maximum Price Regulation (Docket No. GF3-1983), Amendment No. 1 (8 F.R. 1387) to said Order No. 4 and Order No. 8 (8 F.R. 3237) under § 1421.157 of Maximum Price Regulation 244 (Docket No. 3244-9) are hereby revoked.

(e) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

This Order No. 16 shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6483; Filed, April 26, 1943; 5:00 p. m.]

REQUEST FOR APPROVAL OF PROGRAM INVOLVING JOINT ACTION BY PURCHASERS OF LOGS AND BOLTS

APRIL 21, 1943.

THE CHAIRMAN, WAR PRODUCTION BOARD:

In order for the Office of Price Administration adequately to discharge its duties under the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is necessary that buyers of logs and bolts, who are subject to Maximum Price Regulation 348, as amended (Logs and Bolts) (8 F.R. 3670, 5163), act together in a manner proper to the preparation of joint petitions to be filed under and provided for in section 9 of the regulation.

Section 9 in part reads as follows:

SEC. 9 *Establishment of dollars-and-cents prices by areas*—(a) *Petition for "area pricing"*. Any group of four or more buying plants, of any kind, may petition the Lumber Branch of the Office of Price Administration in Washington, D. C., to establish a system of dollars-and-cents prices by grades, sizes, and species for buying plants in an area of at least 400 square miles which contains at least five buying plants. The petition must relate to all grades, sizes, and species of logs and bolts bought by plants in that area of the kind joining in the petition, and must request establishment of a system of ceiling prices applicable to all buying plants in the area.

(b) *Contents of petition*. The petition must contain:

(1) A description of the exact boundaries of the area, and the reasons for the boundary lines chosen; that is, the reasons why the particular area constitutes a market area in which a single pricing system should prevail.

(2) Copies of the notices of maximum prices of the petitioning plants.

(3) A proposal of uniform grades with detailed specifications, uniform scaling rules, and a dollars-and-cents ceiling price system; and a comparison of these with the average prices, and the grades and rules prevailing in the area during the period September–October 1942. The system proposed may contain price differentials within the area, based on differences in transportation rates, which will prevent diversion of logs as between buying plants in the area.

(4) A showing that the proposed prices will not cause diversion of logs or bolts away from buying plants in either this area or elsewhere.

In preparing area pricing petitions, it will be necessary for buyers of logs and bolts subject to regulation to discuss, in meetings or in correspondence, the following matters:

1. Specifications, scaling practices, and grading rules for logs and bolts.

2. Boundaries of areas to which maximum price systems should apply.

3. Maximum prices for logs and bolts, including such matters as price differentials, zones, and transportation charges as they relate to maximum prices.

All joint actions and discussions contemplated by this regulation are to relate directly, and are restricted, to the proper preparation of a petition for area pricing under section 9. If the actions or discussions in concert go beyond this limitation, the entire course of joint conduct shall be considered improper and subject to the restrictions of law which would apply in the absence of any certification by you pursuant to this recommendation. Specifically, but not exclusively, the following actions or discussions shall be deemed to be improper:

1. Discussions relating to products made from logs and bolts, including matters of prices, costs of production, and trade practices, or the like.

2. Discussions relating to allocations of territories within a given area or to allocations to particular buyers of sellers of products.

3. The use of any coercion, direct or indirect, to secure participation of any individual or group in the permissible discussions or the petitions. Coercive practices include the imposition of any condition or prerequisites to participation, such as requiring the joining of an association, grading bureau, or the like.

4. Interfering with, or preventing, the communication to the Office of Price Administration, of the separate views or expressions of any affected individual or group. This includes preventing a person from joining in the petition with reservations or conditions.

It appearing that some joint discussions and actions by buyers of logs and bolts are in conformity with Maximum Price Regulation 348 as amended and that the effectuation thereof will accomplish the purposes of the regulation, I have approved the program set out in section 9 of the regulation and recommend that you find and certify pursuant to section 12 of Public Law 603, 77th Congress (56 Stat. 357) the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with this Recommendation and said section 9, is requisite to the prosecution of the war.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6489; Filed, April 27, 1943; 9:45 a. m.]

[Order 17 Under Rev. MPR 125]

RAY CALDWELL COMPANY

APPROVAL OF MAXIMUM PRICES

Correction

In the document appearing on page 5196 of the issue for Tuesday, April 20, 1943, paragraph (a) should read:

(a) Anything in Revised Maximum Price Regulation No. 125 to the contrary notwithstanding, Ray Caldwell, doing business as Ray Caldwell Company of Syracuse, New York, hereinafter referred to as "the applicant", may make final settlement for any nonferrous castings produced by it and sold or delivered between March 6, 1943, and April 20, 1943, at prices not in excess of the maximum prices hereinafter prescribed for sales made on or after April 20, 1943, and on and after April 20, 1943, the applicant may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant at prices not higher than the following:

* * * * * *

[Order 266 Under MPR 188]

CHANDLER PALRUBA COMPANY

APPROVAL OF MAXIMUM PRICES

Correction

In the document appearing on page 5194 of the issue for Tuesday, April 20, 1943, the paragraph following paragraph (b) should be paragraph (c).

[Order 270 Under MPR 188]

THERMAL COMPANY

APPROVAL OF MAXIMUM PRICES

Correction

The document appearing on page 5197 of the issue for Tuesday, April 20, 1943, should begin "Order No. 270 under § 1499.158 * * * ".

[Order 280 Under MPR 188]

MRS. S. H. GRAUTEN

APPROVAL OF MAXIMUM PRICE

Correction

The document appearing on page 5323 of the issue for Thursday, April 22, 1943, should begin "Order No. 280 under § 1499.158 * * *".

[Order 282 Under MPR 188]

EMIL ROTTERSMAN

APPROVAL OF MAXIMUM PRICE

Correction

The document appearing on page 5323 of the issue for Thursday, April 22, 1943, should begin "Order No. 282 under § 1499.158 * * *".

[Order 2 Under MPR 207]

BOZEMAN CANNING CO.

APPROVAL OF MAXIMUM PRICES

Correction

Paragraph (b) of the document appearing on page 5199 of the issue for Tuesday, April 20, 1943, should read:

(b) Bozeman Canning Co. shall apply to its maximum selling prices of frozen apricots the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

SELECTIVE SERVICE SYSTEM.

[Order 103]

MISSOULA PROJECT, MONT.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, by virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8675, 6 F.R.

831, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the Missoula Project to be work of national importance, to be known as Civilian Public Service Camp No. 103. Said camp, located at Missoula, Missoula County, Montana, will be the base of operations for a parachute fire fighting (smokejumper) unit in Western National Forest areas, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 103 will consist of forest fire fighting through the use of parachutes and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

APRIL 24, 1943.

[F. R. Doc. 43-3492; Filed, April 27, 1943; 10:41 a. m.]

UNITED STATES COAST GUARD.

MISCELLANEOUS ITEMS OF EQUIPMENT

NOTICE OF APPROVAL

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4482, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167 (46 U.S.C. 375, 391a, 404, 474, 475, 481, 489, 367, 526–526t) and Executive Order 9083 dated February 28, 1942 (7 F.R. 1609), the following miscellaneous items of equipment for the better security of life at sea are approved:

Lifeboats

24'0" x 7'6" x 3'3" metallic oar-propelled lifeboat (351 Cu. Ft.) (Dwg. No. 2424, dated 3 August 1942), manufactured by Lane Lifeboat & Davit Corporation, Flushing, N. Y.

24'0" x 8'0" x 3'6" metallic motor-propelled lifeboat (403 Cu. Ft., Gross) (Dwg. No. 2425, dated 10 August 1942), manufactured by Lane Lifeboat & Davit Corporation, Flushing, N. Y.

22'0" x 7'6" x 3'2" metallic motor-propelled lifeboat (355 Cu. Ft., Gross) (Dwg. No. 2219, dated 12 June 1942), manufactured by Lane Lifeboat & Davit Corporation, Flushing, N. Y.

22'0" x 7'6" x 3'2" metallic oar-propelled lifeboat (355 Cu. Ft.) (Dwg. No. 2217, dated 12 June 1942), manufactured by Lane Lifeboat & Davit Corporation, Flushing, N. Y.

12'0" x 4'6" x 2'0" metallic oar-propelled lifeboat for river service, (64.8 Cu. Ft.) (Dwg. No. 556A, dated 18 February 1943), manufactured by Boatcraft Company, Brooklyn, N. Y.

31'0" x 11'3" x 4'6" metallic motor-propelled lifeboat (1028 Cu. Ft., Gross) (Dwg. No. 2414, revised 6 January 1943), manufactured by Welin Davit & Boat Corporation, Perth Amboy, N. J.

Flashlights

Flashlight, Type Z32B, manufactured by United States Electric Manufacturing Corporation, New York, N. Y.

Fishing Kits

Emergency fishing kit, manufactured by Horrock-Ibbotson Company, Utica, N. Y.

Signaling Mirrors

Emergency signaling mirror No. 2 (Dwg. No. 165–22–E–365 GE, dated 1 March 1943), manufactured by General Electric Company, Schenectady, N. Y.

Life Preservers

Adult quilted type kapok life preserver (Drawing dated 6 April 1943), Approval No. B–184, manufactured by Zee-Rose, 132 York Street, Brooklyn, N. Y.

Portable Electric Megaphone

Portable electric megaphone with portable amplifier (Specification No. AS–7003 dated 27 January 1943), manufactured by R. C. A. Manufacturing Company, Inc. Camden, N. J.

Bilge Pumps for Lifeboats

No. 1570, size O, lifeboat bilge pump (Size U.S.C.G. No. 1) (Drawing No. R4233½, dated 22 February 1943), manufactured by The Deming Company, Salem, Ohio.

Lifesaving Net

Lifesaving net, Model "A" (Drawing dated 3 March 1943, revised 9 April 1943), submitted by Everlast Metal Products Corporation, New York, N. Y.

R. R. WAESCHE,
Commandant.

APRIL 26, 1943.

[F. R. Doc. 43-6491; Filed, April 27, 1943; 10:23 a. m.]

WAR PRODUCTION BOARD.

[Preference Rating Order P-19-e, Serial No. 504-c]

KANSAS ROAD PROJECT

AMENDMENT OF REVOCATION ORDER

Builder: Kansas State Highway Comm., Topeka, Kansas. Project: Kansas Road Project SN–FAP 341 H (4).

Notwithstanding the revocation issued December 24, 1942 of the above serially numbered preference rating order, the builder is hereby permitted to complete the paving work only on Kansas Road Project SN–FAP 341 H (4); the ratings assigned by said preference rating order is hereby restored to the extent required to acquire materials necessary for such further construction.

Issued April 26, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6461; Filed, April 26, 1943; 3:51 p. m.]

[Preference Rating Order P-19-e, Serial No. 6-e]

MISSOURI STATE ROAD PROJECT

CANCELLATION OF REVOCATION ORDER

Builder: Missouri State Highway Dept., Jefferson City, Missouri. Project: Missouri State Route #52, FAP 260 A (2).

The revocation of preference rating order issued on April 3, 1943 is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating order shall have full force and effect.

Issued April 26, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6462; Filed, April 26, 1943; 3:51 p. m.]

[Preference Rating Order P-19-h, Serial No. 54993]

DYESS FARMS PROJECT, ARK.

CANCELLATION OF REVOCATION ORDER

Builder: U. S. Dept. of Agriculture, Farm Security Administration, Washington, D. C. Project: Dyess, Mississippi Co., Arkansas, Dyess Farms Project.

The revocation of preference rating issued January 12, 1943 is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating order shall have full force and effect.

Issued April 26, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6463; Filed, April 26, 1943; 3:51 p. m.]

[Certificate 56]

APPROVAL OF JOINT ACTION PLAN FOR PURCHASERS OF LOGS AND BOLTS

The ATTORNEY GENERAL.

I submit herewith a memorandum[1] from the Administrator of the Office of Price Administration describing a program for joint action and discussion by purchasers of logs and bolts relating to the preparation of petitions for area pricing under Maximum Price Regulation 348, as amended.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the program as described in the memorandum; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such approval is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 24, 1943.

[F. R. Doc. 43-6489; Filed, April 27, 1943; 9:45 a. m.]

[1] Filed as part of original.

FEDERAL REGISTER

VOLUME 8 NUMBER 84

Washington, Thursday, April 29, 1943

Regulations

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin 19]

PART 203—OPERATION

ELIMINATING REQUIREMENT OF BANK ADMINISTRATION APPROVAL OF AGENCIES SERVICING MORTGAGE LOANS AND REAL ESTATE

APRIL 26, 1943.

The next to the last sentence of paragraph (c) of § 203.16 of the rules and regulations for the Federal Savings and Loan System is hereby amended, effective April 27, 1943, to read as follows:

No such agency, other than where the functions performed are limited to the servicing of mortgage loans and contracts, or the managing or sale of real estate owned, or any combination of such functions, shall be established or maintained by a Federal association without the prior written approval of the Federal Home Loan Bank Administration, except that temporary and incidental agencies may be created for individual transactions and for special temporary purposes without such approval.

(Sec. 5 (a), 48 Stat. 132; 12 U.S.C. 1464 (a); E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a minor and procedural character within the provisions of paragraph (c) of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

[SEAL] JAMES TWOHY,
Governor.
HAROLD LEE,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant to the Commissioner.

[F. R. Doc. 43-6505; Filed, April 27, 1943; 2:18 p. m.]

Chapter III—Federal Savings and Loan Insurance Corporation

[Bulletin 6]

PART 301—INSURANCE OF ACCOUNTS

MERGER, CONSOLIDATION, OR PURCHASE OF ASSETS

APRIL 26, 1943.

No hearing having been requested in accordance with the provisions of paragraph (d) of § 301.22 of the rules and regulations for insurance of accounts after opportunity therefor was allowed in accordance with paragraph (b) thereof, § 301.17 of the rules and regulations for insurance of accounts is hereby amended by deleting the phrase "or $50,000, whichever is less," from the first sentence of such section.

(Sec. 403 (b) of N.H.A., 48 Stat. 1257, sec. 23, 49 Stat. 298; 12 U.S.C. 1726 (b); E.O. 9070, 7 F.R. 1529)

[SEAL] O. R. KREUTZ,
General Manager.
HAROLD LEE,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant to the Commissioner.

[F. R. Doc. 43-6506; Filed, April 27, 1943; 2:18 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 148, 2d Ed.]

PART 608—EXPENDITURES OTHER THAN FOR PERSONAL SERVICES

TRAVEL AUTHORIZATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Ad-

(Continued on next page)

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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ministrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 608.41 to read as follows:

§ 608.41 *Travel; authorization.* (a) To the extent provided by appropriation made therefor, the following may authorize travel at Government expense in the execution of the selective service law:

(1) The Director of Selective Service, the Deputy Directors of Selective Service, or any other official designated by any one of them.

(2) The Governor of a State or a State Director of Selective Service, for the travel of the personnel of the Selective Service System of his State, provided such travel shall be confined to the territorial limits of the Service Command or Naval District in which his State is located unless travel beyond the territorial limits of the Service Command or Naval District is required in answer to a subpoena issued by the United States District Court, or has been authorized or approved by the Director of Selective Service.

* * * * *

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 27, 1943.

[F. R. Doc. 43-6579; Filed, April 28, 1943; 11:10 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-300]

A. W. HEBEBRAND

A. W. Hebebrand is a partner in the firm of Hebebrand Builders with offices at 18,900 Lorain Avenue, Cleveland, Ohio. The partnership has been engaged for a number of years in building operations and has built more than 200 houses during the last two years. A. W. Hebebrand is the person actively in charge of the firm's operations.

Shortly before October 1, 1942, he purchased for his own use a large house on a 33 acre estate located at 6388 Rocky River (Riverside) Drive, Cleveland, Ohio. On or about October 1, 1942, the respondent employed an architect to prepare plans to remodel this house, in addition to making numerous and extensive changes in the appurtenances and grounds, which contain a stream, tennis court, stable, and four-car garage. Shortly thereafter, the respondent, as owner and installer, began construction of alterations and improvements using critical materials and labor in violation of Conservation Order L-41, Conservation Order M-9-c-4 and Preference Rating Order P-84. Early in December, 1942, when the work was stopped, the respondent had already paid out to apply thereon a total of $4,230.53 and the ultimate cost would have approximated $7,500.00 which was greatly in excess of the amount permitted under L-41. The use of copper pipe and tubing was a violation of Conservation Order M-9-c-4. The purchase and use of new metal heating and plumbing equipment was a violation of P-84. The respondent either knew or should have known of these restrictions on construction work and scarce materials.

Such actions constitute wilful violations of Conservation Order L-41, Conservation Order M-9-c-4 and Preference Rating Order P-84; they have diverted critical materials and labor into nonessential uses without authorization of the War Production Board, and have impeded and hampered the war effort of the United States. In view of the foregoing; *It is hereby ordered*, That:

§ 1010.300 *Suspension Order S-300.* (a) Neither A. W. Hebebrand, nor his successors or assigns, nor any other person, directly or indirectly, shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use any material or construction plant in order to begin or continue any "construction" (as "construction" is defined in Conservation Order L-41, as amended), whether heretofore commenced or not, on the buildings and premises located at 6388 Rocky River (Riverside) Drive, Cleveland, Ohio, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve A. W. Hebebrand, his successors and assigns from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 29, 1943.

Issued this 27th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6532; Filed, April 27, 1943; 4:10 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63 as Amended April 28, 1943]

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD-222C, addressed to the War Production Board, Ref.: M-63, Washington, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any material subject to this order after the governing date unless such bank or person has received either a copy of the authorization issued by the War Production Board, or, if the transaction comes within the exceptions set forth in paragraph (b) (4), an affidavit stating the facts which show the exception.

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) To materials imported by mail where the value of the shipment is less than $100.00; or

(v) To materials consigned as gifts or as samples, or for use as samples, or imported for personal use, where the value of each consignment or shipment is less than $200.00; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States.

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidenc-

ing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form PD-222A, which form shall be addressed to the War Production Board. Ref.: M-63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Any material on List II or List III, which is imported after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD-222B in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington, D. C., Ref.: M-63.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

Issued this 28th day of April 1943.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: List I was amended April 28, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures		—
Sisal cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417.010 3417.110	1/18/43 1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	1/7/42
Cordage of agave fibers, other than sisal	N. S. C.	1/18/43
Cords and twines of agave fibers	N. S. C.	1/18/43
Fabrics woven of agave fiber	N. S. C.	10/11/42
Other manufactures of agave fibers	N. S. C.	1/18/43
Albarco logs	N. S. C.	1/18/43
Albarco lumber	N. S. C.	1/18/43
Alpaca, llama, and vicuna hair	3332 (combined)	7/2/42
Asphalt	3305.100 5078.100 5079.100 5304.000	7/2/42 7/2/42 7/2/42
Beef and mutton tallow—includes oleostock	0404.000	5/22/42
Beef and mutton tallow (inedible—includes oleostock	1812.000	5/22/42
Brazilian pebble (quartz crystals), unmanufactured	5120.000	10/6/42
Brazilian pebble (quartz crystals), manufactured and semi-manufactured in blanks, slabs, bars, etc	N. S. C.	10/6/42
Bristles, hog and pig	0917.000 0979.100	3/13/42 3/13/42
Broomcorn	2936.000	11/24/42
Cacahuananche oil	N. S. C.	1/18/43
Cacahuananche seeds	N. S. C.	2/7/43
Castor beans	2221.000	4/8/42
Cedar, Spanish:		
Logs	4002.100	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	4202.000	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	4/28/43
Cinchona bark or other bark from which quinine may be extracted	2201.000	7/22/42
Coal oil	0804.100	5/22/42
Coir fiber	3409.100	11/24/42
Coir yarn	3420.000	11/25/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc	N. S. C.	11/25/42
Columbium ore (columbite or concentrates)	6270.300	4/8/42
Cottonseed oil, crude, refined	1420.100 1420.200 2220.140	7/22/42 7/22/42 7/2/42
Divi-divi pods		
Divi-divi, hemlock and chestnut extracts	2847.000	7/2/42
Flaxseed (linseed)	2233.000	7/2/42
Goosedown	N. S. C.	7/2/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5730.100	4/8/42
Crystalline flake	5730.200	12/28/41
Crystalline, crucible lump and chip graphite	5730.410	4/8/42
Crystalline, dust and other crystalline lump and chip graphite	5730.430	4/8/42
Hemp (Cannabis sativa) (except), unmanufactured:		
Hackled, including "line of hemp"	3203.000	9/11/42
Not hackled	3203.200	9/11/42
Tow	3203.300	9/11/42
Hides and skins:		
Deer: buck or doe	0293.100	9/11/42
Horse mane and tail hair, raw and drawn, including switches	3694.000 3694.100	3/13/42 3/13/42
Ipecac crude and advanced in value or condition	2210.450 2220.170	1/18/43 1/18/43
Lac: crude, seed, button and stick	2105.000	4/8/42
Lard oil	N. S. C.	3/2/43
Lard (including rendered pork fat)	0036.000	3/5/43

[1] Moved from List III 4-28-43.
[2] Moved from List III 4-28-43.

Material	Commerce Import Class No.	Governing date
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0036.100 (0300.100-0345.900 inc.	3/5/43 1/7/2/42
Leather, unmanufactured		
Linseed oil, and combinations and mixtures, in chief value of such oil	2254.000	5/22/42
Mangrove bark	2320.180	7/2/42
Mangrove extract (including Philippine cutch)	2342.000	7/2/42
Mimi muru nut oil	N. S. C.	8/21/42
Myrobalan fruit and extract	2304.000 2345.800	7/2/42 7/2/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808.950	5/22/42
Oleo oil	0036.200	8/21/42
Palmyra fiber, unmanufactured	3409.310	4/28/43
Palmyra fiber, manufactured in whole or in part, including bassine	3410.030	4/28/43
Palmyra stalks	N. S. C.	4/28/43
Peanut (ground nut) oil	1427.000	5/22/42
Peanuts:		
Shelled	1367.000	4/2/43
Not shelled	1368.000	4/2/43
Piuma Vera:		
Logs	4033.400	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	N. S. C.	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	4/28/43
Pyrethrum or insect flowers	2202.000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220.310	10/21/42
Quebracho extract	2241.000	7/2/42
Quebracho wood	2205.000	7/2/42
Rapeseed	2237.000	5/22/42
Red squill	2216.650	10/21/42
Rotenone bearing roots (cube root cumbo or barbasco) derris and tuba, crude and advanced	2210.280 2210.240 2220.300 2220.370	5/4/42 5/4/42 5/4/42 5/4/42
Rubber seed	2239.500	5/22/42
Rubber seed oil	N. S. C.	5/22/42
Rattle	6270.200	12/28/41
Sanderl	0916.000	4/2/43
Sesame oil edible and inedible	1428.200	7/21/42
	2249.000	7/21/42
Sunflower oil, edible and denatured	1421.000 2247.000 2249.000	5/22/42 5/22/42 5/22/42
Sunflower seed		
Tanning extracts, not specially provided for (including urunday)	2242.000	7/2/42
Tantalum ore (tantalite)	6270.400	4/8/42
Tapioca	2320.200	7/2/42
Tung oil	N. S. C.	8/21/42
Valonia beards and valonia extract	2207.000 2245.100	7/2/42 7/2/42
Vegetables, dehydrated	N. S. C.	4/28/43
Vermiculite	N. S. C.	3/3/43
Wattle bark	2209.000	7/2/42
Wattle extract	2245.500	7/2/42
Whale oil (other than sperm)	0805.500	5/22/42
Wool grease, including degras or brown wool grease (all grades)	0813.100 0813.300 0813.500	5/22/42 5/22/42 5/22/42
Zirconium ore	6270.500	12/28/41

[1] Moved from List III 4-28-43.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II was amended April 28, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Aluminum scrap	6302.300	6/1/42
Antimony	6650.200	12/28/41
	6651.000	12/28/41
	6651.100	12/28/41
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	8380.180 8380.210	12/28/41 12/28/41
	5500.010	1/13/42
	5500.020	1/13/42
	5500.030	1/13/42
	5500.200	1/13/42
	5500.500	1/13/42
	5501.000	1/13/42
	5501.100	1/13/42
	5501.200	1/13/42
	5502.100	1/13/42
Babassu nuts and kernels	2239.150 2259.150	4/8/42 4/8/42
Babassu nut oil	2257.100	4/8/42
Balsa wood:		
Logs	4029.100	6/10/42
Sawed boards, planks, deals and sawed timber	4118.000	6/10/42
Beryl ore or beryllium ore	6270.000	5/4/42
Beryllium oxide, carbonate and other beryllium salts	5380.163	5/4/42
Cashew nut kernel oil	2257.400	4/8/42
Cashew nut shell oil	2260.050	4/8/42
Castor oil	2260.020	4/8/42
Cattle, ox, and calf tail hair including switches	3656.100	7/2/42
Chrome ore (chromite)	6213.100 6213.200 6213.500	12/28/41 12/28/41 12/28/41
Coconut oil	2242.500	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/42
Copper	6401.500 6417.100 6450.600 6418.300	12/28/41 3/14/42 3/14/42 6/1/42
Copper and brass scrap	6401.500 6418.100 6453.000 6760.020	12/28/41 7/2/42 6/1/42 6/1/42
Copper, brass, and bronze manufactures:		
Copper table, household, kitchen, and hospital utensils, and hollow or flat ware, n. s. p. f	6430.090	4/2/43
Finished manufactures of copper, brass, or bronze, not elsewhere specified on this order	N.S.C.	4/2/43
Manufactures of copper, not plated with platinum, gold, or silver, n. s. p. f	6430.100	4/2/43
Brass blow torches, and incandescent lamps operated by compressed air and kerosene or gasoline	6458.700	4/2/43
Brass table, household, kitchen, and hospital utensils, and hollow or flat ware, n. s. p. f	6458.800	4/2/43
Manufactures of brass, not plated with platinum, gold or silver, n. e. s	6458.900	4/2/43
Manufactures of bronze, not plated with platinum, gold, or silver, n. s. p. f	6459.900	4/2/43
Copra	2232.000	1/13/42
Corn or maize oil (edible)	1422.000	5/22/42
Corundum and emery in grains, or ground, pulverized or refined	5470.010	5/22/42
Corundum ore	5460.000	5/22/42
Cotton linters, munitions or chemical grades only (Grades 3-6 according to Department of Agriculture Classification)	N. S. C.	4/8/42
Cotton yarns and fabrics:		
Airplane cloth, type AM	N. S. C.	8/21/42
Balloon fabric, type D-II	N. S. C.	8/21/42
Balloon fabric, type SS	N. S. C.	8/21/42
Cotton rope for spinning mules	N. S. C.	11/23/42
Decating apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 88S and finer	N. S. C.	11/23/42
Filter cloth	N. S. C.	11/23/42
Grey tracing cloth fabric	N. S. C.	11/23/42
Lithographic oilskin cloth	N. S. C.	11/23/42
Printers molleton	N. S. C.	11/23/42
Tracing cloth	3970.000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Cottonseed hull fiber	N. S. C.	7/21/42
Fir, other than Douglas fir:		
Logs	N. S. C.	4/28/43
Lumber, rough sawed boards, planks, deals, etc	4104.040	4/28/43
Lumber, dressed sawed boards, planks, deals, etc	4104.050	4/28/43
Flax, unmanufactured (all types):		
Hackled, including "dressed line"	3201.000	7/2/42
Not hackled:		
Valued less than $340 per ton	3202.500	4/8/42
Valued $340 or more per ton	3202.600	4/8/42
Noils	3202.700	7/2/42
Tow	3202.800	7/2/42
Straw	3202.400	7/2/42
Glycerine, crude and refined	8290.000	5/22/42
	8291.100	5/22/42
Goat and kid skin furs	0711.400	7/2/42
Hides and skins:		
Buffalo hides, dry and wet	0203.000 0203.100	1/13/42 1/13/42
Cabretta skins or hair sheep skins	0235.000	7/2/42
Calf, dry and wet	0207.000 0208.000	1/13/42 1/13/42
Cattle hides, dry and wet	0200.000 0202.000	1/13/42 1/13/42
Goat and kid skins, dry and wet	0241.000 0242.000	7/2/42 7/2/42
Kip, dry and wet	0205.000 0206.000	1/13/42 1/13/42
Shearlings (includes dry and green salted skins)	0231.300	7/2/42
Iron and steel scrap, lt only for remanufacture	6004.000 6004.100	6/1/42 6/1/42
Istle or Tampico fiber, manufactured (unwhitened or partly dressed)	3410.010	3/3/43
Istle or tampico fiber manufactures (including all istle products)	N. S. C.	11/25/42
Istle or tampico fiber, unmanufactured (including istle waste)	3405.000	3/14/42
Jute, unmanufactured	3241.000	1/9/42
Jute bags	3249.050 or sacks 3249.100	4/2/43 4/2/43
Jute butts, unmanufactured	3242.000	10/6/42
Kapok	3403.000	7/2/42
Kyanite and sillimanite	5680.650	12/28/41
Lead	6704.000 6705.000	12/28/41 1/9/42
	6705.100 6706.100	12/28/41 8/30/42
	6706.500	1/9/42
	6706.510	6/1/42
	6707.000	1/9/42
	6709.000	1/9/42
Loofa (luffa) sponges	N. S. C.	8/21/42
Magnesium, metallic and scrap	6770.310	6/1/42
Maguey or cantala, unmanufactured	3409.200	1/13/42
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.100	7/21/42
Mahogany lumber	N. S. C.	3/6/43
Mahogany lumber	4681.000	7/2/42
Mahogany (not further manufactured than sawed)	4202.100	7/21/42
Manila or abaca fiber (except T grade low)	3402.300	4/28/43
Manila or abaca tow (T grade only)	3402.500	4/28/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C.	4/28/43
Mercury-bearing ores and concentrates	N. S. C.	4/8/42
Mercury or quicksilver (metallic)	6692.000	12/28/41
Meshta fiber	N. S. C.	1/9/42
Metallic beryllium, caesium, lithium, and potassium	8380.87	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6710.190	6/1/42
Mica	5260.700	3/14/42
	5260.800	3/14/42
	5260.910	3/14/42
	5260.920	3/14/42
	5260.930	3/14/42
	5260.940	3/14/42
	5260.950	3/14/42
	5260.960	3/14/42
	5260.970	3/14/42
	5260.980	3/14/42
	5260.990	3/14/42
	5261.000	3/14/42
	5261.700	7/21/42
	5261.800	3/14/42
	5261.810	3/14/42
	5261.820	3/14/42
	5261.850	3/14/42
	5261.860	3/14/42
	5261.900	3/14/42
Milkweed	N. S. C.	1/13/42

Material	Commerce Import Class No.	Governing date
Nutgalls or gallnuts	2310.000	9/11/42
Oiticica oil	2255.600	$ 4/28/43
Ourouri (or ururu) nuts and kernels	2239.610	5/22/42
	2239.620	5/22/42
Ourouri (or ururu) oil, inedible and edible	2257.800	5/22/42
	2257.830	5/22/42
Palm nut kernels	2236.500	3/14/42
Palm kernel oil	2248.000	3/14/42
Palm oil	2243.000	1/13/42
Pine, other than Northern white or Norway pine:		
Logs	N. S. C.	4/28/43
Lumber, sawed boards, planks, deals, etc., rough and dressed	4107.700	4/28/43
Punga fiber	N. S. C.	3/5/43
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	8102.000	3/5/43
Quinine alkaloid	8103.200	3/5/43
Other salts and derivatives of quinine	8103.300	3/5/43
Cinchonidine and its salts	8103.400	3/5/43
Cinchonine and its salts	8103.500	3/5/43
Quinidine and its salts	8103.600	3/5/43
Tetraquine and tetroquine compounds	N. S. C.	3/5/43
Ramie, unmanufactured	3409.500	4/28/43
Rapeseed oil, denatured and not denatured	2246.000	5/22/42
	2253.000	1/13/42
Shellac, unbleached and bleached	2107.200	3/14/42
	2108.000	3/14/42
Silk:		
Cocoons	3703.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3799.000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not waund, doubled, twisted, or advanced	3702.000	10/21/42
Silk waste	3704.000	10/21/42
Wild silk or tussah	3702.100	10/21/42
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819.200	7/21/42
Bullion, refined	6819.600	7/21/42
Coin, foreign	6839.800	7/21/42
Sweepings and scrap, including silver sulphides	6819.400	7/21/42
Schuprecessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, tow manufactured (includes flume tow and bagasse waste)	3401.000	1/18/43
Sperm oil, crude, refined or otherwise processed	0803.000	5/22/42
	0803.100	5/22/42
Talc, steatite (magnesium silicate), containing not to exceed 13% lime and 13% ferric oxide	N. S. C.	11/23/42
Crude and unground	N. S. C.	11/23/42
Ground, washed, powdered, or pulverized		
Tin:		
Alloys, chief value tin, n. s. p. f. (including alloy scrap)	6551.100	6/1/42
Bars, blocks, pigs, grain or granulated	6551.300	6/1/42
Metallic scrap (except alloyed scrap)	6551.500	6/1/42
Tinplate scrap	6740.500	7/2/42
Tung oil (China wood oil)	2241.100	1/31/42
Tungsten ore and concentrates	6232.600	12/28/41
Urena lobata fiber	N. S. C.	10/6/42
Vanadium ore	6260.000	12/28/41
Wool, apparel, finer than 44's	3520.000	7/2/42
	3520.100	7/2/42
	3521.200	7/2/42
	3521.300	7/2/42
	3522.000	7/2/42
	3523.100	7/2/42
	3523.200	7/2/42
	3523.300	7/2/42
	3526.000	7/2/42
	3527.100	7/2/42
	3527.200	7/2/42
	3527.300	7/2/42
	3528.000	7/2/42
	3529.100	7/2/42
	3529.200	7/2/42
	3529.300	7/2/42
Wool (apparel, finer than 40's but not finer than 44's)	3513.000	7/2/42
	3514.100	7/2/42
	3514.200	7/2/42
	3514.300	7/2/42
	3524.000	7/2/42
	3525.100	7/2/42
	3525.200	7/2/42
	3525.300	7/2/42
Yucca fiber	N. S. C.	3/5/43
Zinc base alloys, value chiefly of zinc, including "Kirksite"		3/5/43
Zinc, blocks, pigs, or slabs	6558.200	12/28/41
Zinc, dross and skimmings	6558.100	1/18/43
Zinc, old and worn out, fit only for remanufacture	6558.000	1/18/43

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

List III

NOTE: List III was amended April 28, 1943

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Alewives and other pickled or salted fish, n. s. p. f.	(0073.300-0073.900) inc.	7/2/42
Alfalfa seed	2401.000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067.000	7/2/42
Anchovies, in oil or in oil and other substances	0064.200	1/18/43
	0064.300	1/18/43
Annatto and annatto extracts	2320.000	7/2/42
Argols, tartar and wine lees, and crude calcium tartrate	8329.000	7/2/42
	8330.000	7/2/42
	8390.013	7/2/42
Balata, Massarunduba	N. S. C.	3/5/43
Balata, Peruvian, F. A. Q., white	N. S. C.	3/5/43
Balsams, crude, not containing alcohol (except Canada balsam)	2141.000	7/2/42
	2141.300	7/2/42
	2141.400	7/2/42
	2141.500	7/2/42
	2141.900	7/2/42
Bananas, green or ripe	1304.000	7/2/42
Barley malt	1080.000	7/2/42
Baskets and bags of wood, straw, etc.	4221.000	7/2/42
	4221.200	7/2/42
	4221.500	7/2/42
	4221.600	7/2/42
	4221.900	7/2/42
Beans, dried	1192.000	7/2/42
Beef and veal, pickled or cured	0029.000	7/2/42
Beef, canned, including corned beef	0028.000	7/2/42
Beeswax	0972.000	7/2/42
	0972.100	7/2/42
	0974.000	7/2/42
	8505.000	7/2/42
Blood, dried		
Bone black, bone char, and blood char	0990.130	7/2/42
	0911.200	7/2/42
Bones, crude		
Bones, ground, ash, dust, meal and flour	0911.300	7/2/42
Boxwood logs	4033.000	7/2/42
Bran, shorts, and other wheat by-product feeds	1181.000	7/2/42
Brazil or cream nuts	1356.000	7/2/42
	1357.000	7/2/42
Butter	0044.000	7/2/42
Buttermilk, dried	0041.200	4/2/43

Material	Commerce Import Class No.	Governing date
Cacao butter (cocoa butter)	1420.000	7/2/42
Camel's hair	3510.000	4/28/43
	3511.000	4/28/43
	3511.100	4/28/43
	3511.200	4/28/43
	3511.300	4/28/43
	3560.000	1/18/43
Camel's hair tops	2462.000	7/2/42
Canary seed	2252.000	7/2/42
Candelilla wax	2251.000	7/2/42
Carnauba wax	4092.800	7/2/42
Caron fiber	N. S. C.	1/18/43
Caroa manufactures	N. S. C.	10/6/42
Caroa yarn	0943.000	7/2/42
Casein or lactarene	1377.000	4/8/42
Cashew nuts and kernels		
Cashmere goat hair, Angora rabbit hair, and hair of other like animals, n. e. s.	3535.500	4/2/43
	3535.600	4/2/43
	3535.700	4/2/43
	3535.800	4/2/43
	3535.900	4/2/43
Cassia buds, unground	1533.000	10/6/42
Cassia, cassia vera, unground	1533.100	10/6/42
Cassia, cassia buds and cassia vera, ground	1570.070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8509.100	1/18/43
Cheese	(0045.100-0046.900) inc.	7/2/42
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed	0025.400	4/28/43
Live	N. S. C.	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Chickpeas and garbanzos, dried	1200.000	7/2/42
Chicle, crude and refined or advanced	2131.000	7/2/42
	2189.300	7/2/42
China clay or Kaolin	5300.000	8/21/42
Cinnamon and chips of, unground	1539.000	10/6/42
Cinnamon and chips of, ground	1550.030	10/6/42
Cocoa beans or cacao beans	1501.300	7/2/42
Cocoa powder, unsweetened and sweetened	1502.100	1/18/43
	1502.300	1/18/43
	1502.900	1/18/43
Coconuts, in the shell	1351.000	10/21/42
Coconut meat, shredded and desiccated or similarly prepared	1379.000	10/21/42
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil etc., and not in airtight containers, weighing, with contents, not over 15 lbs. each)	0069.000	4/2/43
	0069.200	4/2/43
	0069.900	4/2/43
Coffee, raw or green, roasted or processed	1511.000	7/2/42
	1511.100	7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260.120	7/21/42
Corn	1031.000	7/2/42
Corn, cracked	1090.180	7/2/42
Cotton hinters, other than munitions, & chemical grades (Grades 1-2 according to Department of Agriculture Classification)	N. S. C.	7/2/42
Cotton, raw (all staple length)	3001.000	7/2/42
	3003.600	7/2/42
	3003.700	7/2/42
	3003.800	7/2/42
Cotton waste	3006.100	7/2/42
	3006.200	7/2/42
	3006.310	7/2/42
	3006.330	7/2/42
	3006.350	7/2/42
	3006.600	7/2/42
	3230.380	7/2/42
	3230.390	7/2/42
	9850.902	7/2/42
Cotton—Merino waste	0086.400	7/2/42
Crabs, fresh or frozen prepared or preserved	0086.500	7/2/42
Cream, dried	0041.300	4/2/43
Dog food	1190.700	7/2/42
	1190.800	7/2/42
Egg albumen, dried	0094.000	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0095.000	3/5/43
Eggs (chicken), whole, in the shell	0088.100	7/2/42
Eggs, dried	0090.000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091.000	3/5/43

Material	Commerce Import Class No.	Governing date
Eggs of poultry other than chicken, whole, in the shell	0088.500	3/5/43
Egg yolks, dried	0092.000	3/5/43
Eggs yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0093.000	3/5/43
Ergot	2210.330	10/6/42
Fatty acids, not specifically provided for, derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260.220	5/22/42
Linseed oil	2260.210	7/21/42
Soybean oil	2260.230	7/21/42
Other, not elsewhere specified	2260.240	7/21/42
Fatty acids and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated, not elsewhere specified	2260.280	7/21/42
Fish scrap and fish meal	0670.000	7/2/42
	8509.700	7/2/42
Floor coverings:		
Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.	(3660.000-3670.570) inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3960.100	10/21/42
Pile mats and floor coverings of rattan	3960.300	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3963.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton	3963.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc. n. e. s.	3963.600	10/21/42
Florspar	5301.000	7/2/42
	5301.100	7/2/42
Garlic	1205.000	7/2/42
Ginger root, unground, not preserved or candied	1536.100	10/6/42
Ginger root, ground, not preserved or candied	1550.080	10/6/42
Glue, except glue size and fish glue (value—under 40c lb.)	0940.100	7/2/42
Goat and kid hair except Angora mohair and Cashmere	3696.200	7/2/42
Grapefruit and pomelose	1302.000	7/2/42
Grapes, fresh (other than hothouse)	1318.500	7/2/42
Guano	8504.000	7/2/42
Gum arabic or senegal (Acacia gum)	2161.000	10/21/42
Gum ghatti	N. S. C.	10/21/42
Gum kadayn (karaya) and talka	2163.000	10/21/42
Gum targacanth	2162.000	10/21/42
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	3/5/43
Hempseed	2238.000	5/22/42
Hempseed oil	2260.300	7/21/42
Herring (including sprats, pilchards and anchovies), all types	(0070.000-0070.900) inc.	7/2/42
Hibiscus cannabinus or ferox	N. S. C.	7/2/42
Hide cuttings, raw	0930.800	7/2/42
Hides and skins:		
Horse, colt, and ass	0211.100	7/2/42
	0211.300	2/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Sheep and lamb skins, except shearlings, cabrettas, etc.:		
Pickled skins, not split, no wool	0234.000	7/2/42
Pickled fleshers, split, flesh side	0234.100	7/2/42
Pickled skivers, split, grain side	0234.200	7/2/42
Slats, dry, no wool	0231.700	7/2/42
Other wooled, (wool on) except shearlings	0231.500	7/2/42
	1054.800	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260.100	7/21/42
Ilmenite (including ilmenite sand)	6270.100	7/2/42
Iron	8301.030	7/2/42
	8301.630	7/2/42
Iron ore	6001.000	7/2/42
Jute butts	2210.490	7/2/42
Karakul and sheep fur, except Caracul and Persian lamb	0711.300	7/21/42
Kola extract (including crude sorva gum)	2170.000	3/5/43
Lentils	1199.000	7/2/42
Lignaloe oil or Bois de Rose	2280.270	7/2/42
Limes	1304.000	7/2/42
Lobsters, canned and not canned	0083.000	7/2/42
	0084.000	7/2/42
Lupines	1199.100	7/2/42
Mace, unground	1540.000	10/6/42
Mace, ground	1550.060	10/6/42
Mahua, Bombay or wild, unground	1549.200	10/6/42
Mahua, Bombay or wild, ground	1550.100	10/6/42
Maté	2210.570	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770.900	10/6/42
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0032.900	10/21/42
Meat extracts, including fluid	0096.000	7/2/42
Melons	1330.420	7/2/42
	1330.430	7/2/42
Milk, condensed and evaporated	0040.200	7/2/42
	0040.400	7/2/42
	0040.700	7/2/42
Milk, skimmed, dried	0041.100	4/2/43
Milk, whole, dried	0041.000	4/2/43
Mohair (Angora goat hair	(3530.000-3530.400) inc.	7/2/42
Mohair tops	3560.100	1/18/43
Mohair yarns	(3570.300-3570.600) inc.	1/18/43
Molasses and sugar sirup, edible and inedible	(1630.480-1640.000) inc.	7/2/42
Monazite sand and other thorium ore	5930.300	7/2/42
Muru muru nuts and kernels	2239.630	5/22/42
	2239.640	5/22/42
Nitrates, Sodium and Potassium	8705.000	7/2/42
	8527.500	7/2/42
	8527.900	7/2/42
Nitrogenous material, n. s. p. f. (including beef meal and horn meal)	8709.800	1/18/43
Nutmegs, unground	1539.000	10/6/42
Nutmegs, ground	1550.110	10/6/42
Oats, hulled and unhulled	1041.000	7/2/42
	1041.100	7/2/42
Oiticica, edible	0023.600	7/2/42
Oil cake and oil cake meal:		
Coconut or copra	1111.000	3/5/43
Soybean	1112.000	3/5/43
Cottonseed	1114.000	7/2/42
Linseed	1115.000	3/5/43
Peanut	1119.600	7/2/42
Hempseed	1119.700	7/2/42
Other n. s. p. f.	1119.900	7/2/42
Oleo stearin	0036.300	7/2/42
Onions, edible	1208.100	7/2/42
Orange flower or petal oil	2280.580	1/18/43
Orange oil (including mandarin)	2277.000	1/18/43
Orange oil, terpeneless (including mandarin)	2277.100	1/18/43
Ouricury (uricury) wax	2272.300	7/2/42
Paper base stock	4691.000	7/2/42
Rags for paper stock		
Waste bagging, gunny cloth and bags	4092.000	7/2/42
Grasses, fibers, waste, shavings, chippings, etc., n. e. s.	4692.900	7/2/42
Peaches, green, ripe, or in brine	1330.610	7/2/42
Pears, green, ripe or in brine	1330.660	7/2/42
Peas, dried and split	1197.000	7/2/42
	1198.000	7/2/42
Peppers	1210.650	7/2/42
Phrasava fiber	3409.350	7/2/42
Phrasava fiber manufactured in whole or in part (dressed cut to length, etc.)	3410.050	3/5/43
Pigeons, racing or fancy	1806.500	7/2/42
Pigeons, other	N. S. C.	7/2/42
Pimento (allspice), unground	1543.900	10/6/42
Pimento (allspice), ground	1550.130	10/6/42
Pork, hams, shoulders, bacon, sausage, prepared, cooked, boned, canned, etc.	0030.900	7/2/42
	0031.900	7/2/42
Rice, broken	1059.200	7/2/42
Rye	1044.000	7/2/42
Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere specified, or from fatty acids thereof	2260.260	7/21/42
Sardines, in oil or in oil and other substances	0063.200	4/2/43
	0063.300	4/2/43
Sausage casings, sheep, lamb and goat only	0034.000	7/2/42
Sausage casings, other	0035.500	7/2/42
Sesame seed	2234.000	5/22/42
Sisal and henequen processors' mill waste	N. S. C.	4/28/43
Soap (except Castile) and soap powder	(8712.300 8719.900) inc.	7/2/42
Soap bark or quillaya	2210.820	7/2/42
Sugar, cane	(1610.750-1610.000) inc.	7/2/42
Syrups and extracts for use in the manufacture of beverages	N. S. C.	3/5/43
Tallow, vegetable	2250.000	7/2/42
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	(0675.000 8509.600)	7/2/42
Tapioca, tapioca flour, and cassava (including mandioca flour	1228.000	7/2/42
Tea, not specially provided for	1521.000	7/2/42
Textile waste, not elsewhere specified in the order, including jute thread and flax, etc. (except sisal and henequen processors' mill waste)	N. S. C.	7/2/42
Tobacco, unmanufactured	(2401.000-2610.000) inc.	7/2/42
	1540.000	7/2/42
Tonka beans		
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n. e. s.	3560.500	1/18/43
Tucum nuts and kernels	(2239.650 2239.660)	5/22/42
Tuna fish, fresh or frozen	0058.000	7/2/42
Tuna fish, in oil or in oil and other substances	0095.200	4/2/43
Turkeys:		
Dead, fresh, chilled or frozen, dressed or undressed	0024.000	4/28/43
Live	0014.000	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Turtles	0086.200	7/2/42
Vanilla beans	1545.000	7/2/42
Vegetable ivory or tagua nuts	2911.000	7/2/42
Vegetable oil foots, other than olive	N. S. C.	7/21/42
Vegetable soapstock	N. S. C.	7/21/42
Wool, advanced, n. e. s.	3540.000	1/18/43
Wool, apparel, 40's or coarser	(3509.100-3509.300) inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	(3514.000-3525.000)	7/2/42
Wool, carpet	(3501.000-3502.300) inc.	7/2/42
Wool mungo	3553.000	11/23/42
Wool noils and waste	(3550.000-3553.700) inc.	7/2/42
Wool press cloth waste	9850.903	7/2/42
Wool rags	3594.000	11/23/42
Wool shoddy and wool extract	3553.800	11/23/42
Wool tops	3560.400	1/18/43
Wool yarns and yarns of other hair	(3574.300-3574.600) inc.	1/18/43
Yarns wholly or in chief value of Amerarterial hair	(3574.400-3574.800) inc.	1/18/43

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

Interpretation 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order. (Issued June 30, 1942.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended.

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

[F. R. Doc. 43-6565; Filed, April 28, 1943; 11:44 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a, as Amended April 28, 1943]

Pursuant to General Imports Order M-63, as amended, which this order supplements, *It is hereby ordered*, That:

§ 1042.2 *Supplemental General Imports Order M-63-a.* Until further order of the War Production Board, the provisions of General Imports Order M-63, as amended June 2, 1942, and thereafter, shall not apply to materials on List III of said order which are located in, and are the growth, production, or manufacture of, and are transported into the continental United States overland, by air, or by inland waterway from, Canada, Mexico, Guatemala, or El Salvador, except with respect to materials listed on Schedule A attached hereto.

Issued this 28th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

[NOTE Schedule A amended April 28, 1943]

	Commerce import class No.	Effective date
Material:		
Canary seed	2452 000	Dec. 14, 1942
Chicle, crude and refined or advanced	2131.000	Dec. 14, 1942
	2189.300	Dec. 14, 1942
Chickpeas and garbanzos, dried	1200.000	Mar. 5, 1943
Coffee: raw or green	1511 000	Mar. 5, 1943
roasted or processed	1511 100	Mar. 5, 1943
Molasses, edible and inedible	1630.480-1640 000 inc.	Dec 14, 1942
Oil cake and oil cake meal:		
Coconut or copra	1111 000	Mar. 5, 1943
Soybean	1112 000	Mar. 5, 1943
Cottonseed	1114.000	Dec 14, 1942
Linseed	1115 000	Mar. 5, 1943
Peanut	1119.600	Dec. 14, 1942
Hempseed	1119 700	Dec. 14, 1942
Other, n s p f	1119.900	Dec. 14, 1942
Sesame seed	2234.000	Nov. 26, 1942
Sisal and henequen, processors' mill waste	N S C.	April 28, 1943
Syrups and extracts for use in the manufacture of beverages, if transported in railway tank cars	N S C.	April 28, 1943

[F R Doc 43 6586; Filed, April 28, 1943; 11:44 a m]

PART 1262—HAND SERVICE TOOLS

[General Preference Order E-6 as Amended April 28, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hand service tools and of alloy steel used in their manufacture, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1262.1 *General Preference Order E-6*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, engaged in the production of hand service tools.

(2) "Hand service tool" means any tool listed on Exhibit A hereto attached which is used by hand, and is made of iron or steel or has a principal component part made of iron or steel.

(b) *Restrictions on use of steel for the manufacture of hand service tools.* No producer shall manufacture any hand service tools out of any alloy steels except those which are in the series specified in Exhibit B to this order, or except pursuant to specific permission of the War Production Board: *Provided, however,* that any alloy steel in a series which is not listed in Exhibit B but which has been received by the producer for use in the manufacture of hand service tools before the first day of November 1942 may be so used by him.

(c) *Restrictions on sales of hand service tools.* No producer shall sell or deliver any hand service tools except pursuant to a purchase order bearing a preference rating of A-9 or higher, or except pursuant to specific permission of the War Production Board.

(d) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by addressing a letter to the War Production Board, Washington, D. C., Ref.: E-6, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: E-6.

(h) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(i) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of hand service tools, allocate any order for hand service tools to any other producer, divert or otherwise direct the delivery of any hand service tools to any other person.

EXHIBIT A

Metalworking chisels
Metal cutting files
Machinists' ball pein hammers
Metal cutting snips and shears
Pliers, all types
Metalworking punches
Screw drivers, all types
Wrenches, all types

EXHIBIT B

NE 1300 Series.
NE 8000 Series.
NE 9200 Series.
NE 9600 Series.
NE 9400 Series.

Issued this 28th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6583; Filed, April 28, 1943; 11:44 a. m.]

PART 3090—X-RAY EQUIPMENT

[General Limitation Order L-206 as Amended April 28, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of x-ray equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3090.1 *General Limitation Order L-206*—(a) *Definitions.* For the purposes of this order:

(1) "X-ray equipment" means the following radiographic equipment fluoroscopic equipment and therapy equipment (including industrial radiographic equipment and industrial fluoroscopic equipment): power units; radiographic, fluoroscopic, and therapy tables; photofluorographic units; cassette changers; and tube stands. The term shall not include (i) any parts, accessories, or appliances used in connection with radiography, fluoroscopy or therapy, other than the items specifically named above, (ii) rebuilt equipment, nor (iii) any equipment which has at any time been sold to an ultimate user.

(2) "Power unit" means a high-voltage transformer (with or without rectifying tubes) and control for x-ray use.

(3) "Radiographic, fluoroscopic or therapy table" means a table adapted for placing a patient in position for radiography, fluoroscopy or therapy, and may be either stationary or tilting.

(4) "Photo-fluorographic unit" means an instrument for photographing the image cast by x-rays through a patient on a fluoroscopic screen. It includes a camera, supporting stand, and fluoroscopic screen. It is also known as a "photo-roentgen unit" or a "photofluorograph."

(5) "Cassette changer" means equipment designed to hold two cassettes (one protected from x-rays by a lead shield, and one in the radiographic field) which is constructed to interchange the position of the cassettes.

(6) "Tube stand" means a tubular or frame support (mounted on a base which is either mobile or stationary) which is designed to hold the carriage of an x-ray tube head and allow its vertical movement. The term shall not include supporting or mounting equipment designed for use in connection with industrial radiographic equipment and industrial fluoroscopic equipment.

(7) [Revoked April 28, 1943]

(8) [Revoked April 28, 1943]

(9) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of x-ray equipment.

(10) "Put into production" means to begin the manufacture of x-ray equipment or to begin the assembly of fabricated parts which, when assembled, would constitute x-ray equipment.

(b) *Restrictions on the manufacture of x-ray equipment.* (1) No manufacturer shall manufacture, continue the manufacture of, or assemble any models or types of x-ray equipment other than the permitted number of models of the types set forth and described in Schedule A, attached hereto.

(2) In addition to the restrictions set forth in subparagraph (1) of this paragraph (b), during the period beginning April 28, 1943 and ending May 31, 1943, no person shall put into production any x-ray equipment (other than industrial radiographic equipment and industrial fluoroscopic equipment the manufacture of which has been specifically authorized in writing by the War Production Board), except to fill purchase orders or contracts of the Army or Navy of the United States, or any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act). On and after June 1, 1943, no person shall put into production any x-ray equipment except pursuant to specific authorization by the War Production Board on Form PD-774. Each manufacturer shall file Form PD-774 in accordance with the provisions of paragraph (e) of this order.

(c) *Restrictions on the sale and delivery of x-ray equipment.* (1) Subject to the further restrictions contained in paragraph (e) of this order, no person shall sell, transfer or deliver any x-ray equipment except:

(i) To the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration; or

(ii) To any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(iii) To persons who have been specifically authorized by the War Production Board to receive x-ray equipment pursuant to application on Form PD-556, as provided in paragraph (d) of this order.

(2) No person shall receive or accept transfer or delivery of any x-ray equipment if he knows or has reason to believe that the transfer or delivery of such x-ray equipment is prohibited by the terms of paragraph (c) (1) of this order.

(d) *Procedure for obtaining authorization of the War Production Board on Form PD-556 and for filling such authorized orders.* (1) Each person seeking authorization, as permitted by paragraph (c) (1) (iii) of this order, to receive x-ray equipment shall prepare Form PD-556 (copies of which form may be obtained at the local offices of the War Production Board) in the manner prescribed therein, subject to the following instructions:

(i) The form should be filed only by the person (transferee) desiring to receive x-ray equipment and not by the person (transferor) desiring to make delivery of such equipment.

(ii) Do not fill in columns (b) and (c) of Table II.

(iii) Do not fill in sections 6, 7 and 8 of Table III.

(iv) Under section 5 of Table III give the following information:

(*a*) State whether or not you have in use any radiographic, fluoroscopic or therapy equipment. If so, (1) describe such equipment, (2) state the average number of patients per week on which such equipment is now used, and (3) state whether the equipment applied for would be used to replace existing equipment or is needed for expansion of existing facilities.

(*b*) State how you now accomplish the work for which the equipment applied for would be used.

(*c*) State what attempts you have made to obtain used or rebuilt equipment.

(*d*) Give any other pertinent information which bears on the question of your need for the equipment for which application is made.

(2) The authorization of the War Production Board on Form PD-556 shall apply not only to the purchase order by the original purchaser for the x-ray equipment specified on such form, but also to any orders for x-ray equipment placed by such purchaser's suppliers, as permitted below, in fulfillment of the authorized order. The original purchaser shall notify his supplier of the authorization by furnishing him with a certifica-

tion in substantially the following form (on the purchase order or on an attached document):

The undersigned hereby certifies that delivery of the x-ray equipment ordered by the within (or attached) purchase order has been authorized by the War Production Board on Form PD-556, Case No. ------, under the provisions of paragraph (d) of General Limitation Order L-206.

Name----------
By----------
Authorized Official

Date----------

The purchaser's supplier shall fill any such authorized order from his stock, if he has the authorized equipment in his stock; if he does not have the authorized equipment in stock, he may place an order with his supplier to obtain the authorized equipment, furnishing to his supplier (on or in connection with his purchase order) a certification in substantially the form set forth above.

Any such certification shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7, and shall constitute a representation to the supplier and to the War Production Board of the facts certified therein. The supplier may rely upon such representation unless he knows or has reason to believe such representation to be false.

(e) *Production and shipping schedules and restrictions thereon.* On or before May 10, 1943, and on or before the 10th day of each succeeding calendar month, each manufacturer shall file with the War Production Board in triplicate on Form PD-774, his proposed production and shipping schedules of x-ray equipment for such period as production and shipping may be planned. Upon receipt of such form, the War Production Board will approve or disapprove the proposed production and shipping schedules or make such changes therein as it shall deem necessary, and will thereupon return to the manufacturer a copy of such form as approved or changed. Notwithstanding any preference rating which any order may bear or any rule or regulation of the War Production Board, each manufacturer shall produce and ship x-ray equipment in accordance with his production and shipping schedules as approved or changed by the War Production Board.

(f) [Revoked April 28, 1943]

(g) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board (Ref: L-206) setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(h) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref: L-206.

Issued this 28th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Permitted number of models	Permitted types	Description of permitted types
1	Power unit	Not to exceed 100 milliamperes at 90 KVP. Self-rectifying, with mobile control.
1	Power unit	Not to exceed 200 milliamperes at 100 KVP. Full wave rectification, of a 2-tube design; either mobile or stationary control, or both.
1	Power unit	½ Microfarad condenser discharge.
1	Power unit	Therapy unit, not to exceed 180 KVP.
1	Power unit	Therapy unit, not to exceed 250 KVP.
1	Dental x-ray unit.	Wall model, not to exceed 15 milliamperes at 80 KVP.
1	Dental x-ray unit.	Floor model, not to exceed 15 milliamperes at 80 KVP.
1	Vertical fluoroscope.	Power unit not to exceed 15 milliamperes at 90 KVP.
1	Portable unit	Power unit not to exceed 15 milliamperes at 85 KVP. A portable unit is one that is easily disassembled and transported. It may be equipped with or without casters, and with either a collapsible or non-collapsible stand.
1	Mobile or bedside unit.	Power unit not to exceed 30 milliamperes at 90 KVP. It is specially designed for moving on its own casters.
1	Army field unit.	Light duty, with a power unit not to exceed 15 milliamperes, manufactured in accordance with the specifications of the Army of the United States.
1	Army field unit.	Power unit not to exceed 30 milliamperes, manufactured in accordance with the specifications of the Army of the United States.
1	Army tilting fluoroscopic unit.	Light weight table, containing power unit not to exceed 15 milliamperes at 90 KVP, manufactured in accordance with the specifications of the Army of the United States.
1	Army field table	Manufactured in accordance with the specifications of the Army of the United States.
1	Tilting table	Radiographic and fluoroscopic table, with or without mounting for fluoroscopic tube. The model may be hand-operated (hand crank or rocker) or motor driven, or both.
1	Stationary table.	Horizontal bucky table.
2	Tube stand	Radiographic, with single column.
1	Tube stand	Superficial therapy, with single column.
1	Tube stand	Deep therapy.
2	Cassette changer	Vertical or horizontal, with or without bucky diaphragm.
2	Photo-fluorographic unit.	

NOTE: Items "Tube stand, radiographic, with single column" and "Tube stand, deep therapy" were amended, and all items "Stationary grid" and "Bucky diaphragm" revoked April 28, 1943.

[F. R. Doc. 43-6584; Filed, April 28, 1943; 11:44 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 137,[1] Correction to Amendment 31]

PETROLEUM PRODUCTS SOLD AT RETAIL

In § 1340.91 (h) the list of petroleum products therein set forth is corrected to read as follows: kerosene, range oil, prime white distillate, No. 1 or Pacific Specification No. 100 fuel oil, No. 2 fuel oil and diesel fuel oil.

This correction shall be effective as of April 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6524; Filed, April 27, 1943; 3:24 p. m.]

PART 1340—FUEL

[MPR 137,[1] Amendment 32]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1340.91 a new paragraph (u) is added to read as set forth below:

(u) *Puerto Rico.* Maximum prices of kerosene at retail establishments in Puerto Rico shall be 18¢ per gallon, except that when a quantity of less than one gallon is sold the maximum price shall be 5¢ per quart.

This amendment shall become effective May 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6527; Filed, April 27, 1943; 3:24 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4092, 4335, 4511.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPERS AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 361, Correction]

PULPWOOD PRODUCED IN OR SOLD INTO THE STATES OF MAINE, VERMONT, NEW HAMPSHIRE AND NEW YORK

In section 9 (b) (1) and (b) (2), the references to subparagraphs (1) and (2) of paragraph (a) of said section are corrected to read "subparagraphs (2) and (3) of paragraph (a)".

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6526; Filed, April 27, 1943; 3:24 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 53,[1] Amendment 31]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new § 1351.151 (b) (17) is added to read as follows:

(17) *Linseed oil shortening.* Sales of shortening produced wholly from linseed oil, or from a blend of fats and oils containing 30% or more linseed oil, made to the Food Distribution Administration prior to the earlier of the following dates:

(i) The effective date on which maximum prices in terms of dollars and cents are fixed for such shortening, or

(ii) July 11, 1943,

are exempt from the provisions of this Revised Price Schedule No. 53, and from the provisions of the General Maximum Price Regulation.

This amendment shall become effective May 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6523; Filed, April 27, 1943; 3:24 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8702, 8652, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10800, 11069; 8 F.R. 1200, 1972, 2875, 3251, 3784, 4335, 4348, 4349, 4514, 5267.

PART 1372—SEASONAL COMMODITIES

[MPR 298,[1] Amendment 1]

ROTENONE

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 298 is amended in the following respect:

1. Section 1372.168, 2 (b) is added to read as follows:

(b) The maximum price of a dust base containing finely ground rotenone resin and clay, talc, nutshell flour or similar diluent, f. o. b. manufacturer's plant, shall be the sum of the following: (i) the fractional quantity of pure rotenone contained in one pound of dust base multiplied by $13.00, (ii) the delivered cost to the manufacturer of the quantity of diluent contained in one pound of the dust base, and (iii) $.03 per pound of the dust base.

This amendment shall become effective May 3, 1943.

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6525; Filed, April 27, 1943; 3:24 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amendment 10]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. In section 2.11 (a) (2) add to the phrase "Shoes completed, packaged, and shipped from the factory before April 16, 1943, of the following kinds:" the following "except that shoes which did not fall within the specification of this paragraph at the time they were shipped from the factory may not be marked or transferred as non-rationed even though their design or heel height has been altered to meet the following classifications:"

2. Section 3.8 is amended to read as follows:

SEC. 3.8 *Transfer of shoes is prohibited.* (a) No person shall transfer or acquire shoes (or offer to do so) except in accordance with this order.

(b) Manufacturers shall not transfer infant's shoes unless the size has been plainly marked on at least one shoe of each pair. In marking the size of such shoes, he shall use the same measurement standards and size markings as were customarily used by him before February 7, 1943.

This amendment shall become effective May 3, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6521; Filed, April 27, 1943; 3:25 p. m.]

[1] 8 F.R. 365.

[2] 8 F.R. 1749, 2040, 2487, 2943, 8315, 3371, 8853, 4129, 3949, 4716.

PART 1499—COMMODITIES AND SERVICES

[Order 417 Under § 1499.3 (b) of GMPR]

E. I. DU PONT DE NEMOURS AND CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1655 *Approval of maximum prices for sales of certain products manufactured by E. I. du Pont de Nemours and Company, Inc.* (a) The maximum prices for sales by the E. I. du Pont de Nemours and Company, Inc., Wilmington, Delaware of the following products manufactured by that company shall be the prices set forth below; drums included.

Methoxy-methoxy-ethanol

	Per lb.
Sales in tank cars, f. o. b. Belle, W. Va.	$0.2075
Sales in drums, f. o. b. Belle, W. Va.	.2175

Du Pont P-600 hydraulic fluid

	Per gallon
Sales in tank cars, f. o. b. Belle, W. Va.	$1.85
Sales in drums, f. o. b. Belle, W. Va.	1.935

(b) This Order No. 417 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6528; Filed, April 27, 1943; 3:26 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 163]

"GENERAL MANAGER TYPE" GRAIN DOORS SOLD TO RAILROADS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.73 (a) (83) is amended to read as follows:

(83) *"General Manager type" grain doors sold to railroads*—(i) *Products covered.* This amendment covers "General Manager type" grain doors, size 7'0" x 20" x $1\frac{5}{8}$" or 7'0" x 10' x $1\frac{5}{8}$", which meet any of the following listed, or any similar, specifications:

Chicago, Burlington and Quincy R R specification = 57359

Atchison, Topeka and Santa Fe Railway specification = 17-D-2224

Great Northern Railway specification = 1631

(ii) *Maximum prices.* The maximum price for a "General Manager type" grain door delivered on the line of the pur-

chasing railroad shall be figured as follows:

(*a*) Where the seller is a grain door manufacturer who in 1942 sold the same kind of door to the railroad which is now making the purchase, the maximum price in sales to the purchasing railroad is the price figured as follows: The seller should take the maximum price which governed his sales of the door prior to the effective date of § 1499.73 (a) (83) of the General Maximum Price Regulation. He should then add the amount by which the cost of lumber charged in at market prices (but not over any ceiling price), and the cost of direct labor used in making the door increased between March 1, 1942 and March 1, 1943. The total is the seller's maximum price for that size grain door. However, in no event can the maximum price figured under this subdivision (ii) (*a*) for doors delivered on the line of the purchasing railroad be higher than the following prices:

	Hemlock or other northern softwoods or hardwoods	Ponderosa pine, fir or other western softwoods	Southern pine, cypress, basswood or other softwoods, or cottonwood, softwoods or hardwood
7'0" x 2'0" x 1⅜"	$1.15	$1.24	$1.27
7'0" x 1'0" x 1⅜"	.99	.74	.77

(*b*) Where the seller is a grain door manufacturer who in 1942 sold the same kind of door, but not to the railroad which is now making the purchase, the maximum price to the purchasing railroad is the price figured as follows: The seller should take the price figured under subdivision (ii) (*a*) above and increase (or decrease) it by the amount by which the cost, if any, of making delivery to the purchasing railroad, at the point of delivery required by the buyer, is greater (or less) than the cost of making delivery to the railroad to which the seller sold the same kind of grain doors during 1942.

(*c*) Where the seller is a grain door manufacturer who in 1942 did not sell to any railroad the same kind of door which he now is selling, the maximum price is the price which governs sales to the same purchaser by the closest competitive manufacturer who can figure a ceiling price for that kind of door under either subdivisions (ii) (*a*) or (ii) (*b*) above.

(*d*) Where the seller is not a manufacturer, the ceiling price for the seller is the same as the ceiling price for the plant which manufactures the grain doors sold by the seller.

(iii) *Reports.* Any seller who figures a price for grain doors under this amendment must report the price for each size door to the Lumber Branch, Office of Price Administration, Washington, D. C., before May 15, 1943. The report must show how the price was figured.

(*a*) Where the seller is a grain door manufacturer who in 1942 sold the same kind of door to the railroad which is now making the purchase, the report should show:

(*1*) The seller's maximum price before the effective date of § 1499.73 (a) (83) of the General Maximum Price Regulation.

(*2*) The amount added for an increase in the cost of lumber from March 1, 1942 to March 1, 1943, and an explanation of the type of lumber used and how the increase in cost was figured; and

(*3*) The amount added for an increase in the cost of direct labor from March 1, 1942 to March 1, 1943, and an explanation of how the increase in cost was figured.

(*b*) Where the seller is a grain door manufacturer who in 1942 sold the same kind of door, but not to the railroad which is now making the purchase, the report should show the things required in (*a*) above, and should indicate the adjustment, if any, made for the difference between the cost of making delivery to the purchasing railroad and the cost of making delivery to the railroad to which the seller sold the same kind of grain doors during 1942.

(*c*) Where the seller is a grain door manufacturer who in 1942 did not sell to any railroad the same kind of door which he is now selling, the report should show the name, address, and maximum price of the manufacturer whose ceiling price the seller is using.

(*d*) Where the seller is not a manufacturer, the report should show the name, address, and maximum price of the plant which manufactures the grain doors sold by the seller.

(iv) *Adjustment of incorrect maximum prices.* Where the report submitted shows that the seller figured the maximum price in an incorrect manner, the Office of Price Administration will, by letter, order the price reduced to the correct ceiling price. Refunds must be made to adjust the prices charged by the seller to the correct maximum price. If the Office of Price Administration does not order the price reduced before June 1, 1943, the reported price shall be considered approved.

This amendment shall become effective May 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6522, Filed, April 27, 1943; 3:24 p. m.]

PART 1346—BUILDING MATERIALS

[RPS 45, as Amended,[1] Amendment 2]

ASPHALT OR TARRED ROOFING PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The designation of the Seattle, Washington and Tacoma, Washington Zone in paragraph (h) of Division I in § 1346.64 is revoked and two new designations are added to read as follows:

(h) *Free shipping point zones.* * * *

Seattle, Washington Zone. The corporate limits of Seattle.

Tacoma, Washington Zone. The corporate limits of Tacoma.

This amendment shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6536; Filed, April 27, 1943; 4:33 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[Petroleum Directive 65, Amendment 1]

ELIMINATION OF UNNECESSARY MOVEMENTS WITHIN DISTRICT 2

Section 1545.5 *Petroleum Directive 65* (8 F.R. 4262) is hereby amended by changing paragraph (d) thereof to read as follows:

(d) *Elimination of unnecessary movements within District Two.* In order to balance and coordinate available supplies of petroleum products in District Two with requirements to conserve the use of the transportation facilities, including pipe lines, lake tankers, barges, tank cars, and transport trucks, to increase the movement of petroleum products in a northerly and easterly direction, and to accomplish the other objectives of this directive, the Manager shall, subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, arrange for exchanges, loans, sales, and purchases of petroleum products between and among original suppliers in District Two which will tend to eliminate to the maximum extent practicable the movement of petroleum products, except residual fuel oil, between the areas described in Exhibit "A" hereof, and the movement of residual fuel oil between the areas described in Exhibit "B" hereof. Original suppliers in District Two shall eliminate to the greatest extent practicable inter-area shipments between such areas and shall obtain necessary supplies and dispose of surpluses of petroleum products by means of exchanges, loans, sales, and purchases as provided in the foregoing sentence: *Provided*, That there shall be no tank car shipments of motor fuel, kerosene or distillate fuel oil to meet the requirements of any individual area except as approved by the Director of

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1369, 3853.

Petroleum Supply or such District Director. Petroleum Directive 65 (8 F.R. 4262) is hereby amended by adding thereto a new paragraph (e) to read as follows:

(e) *Elimination of unnecessary movements within District Two.* In order to balance and coordinate available supplies of petroleum products in District Two with requirements to conserve the use of the transportation facilities, including pipe lines, lake tankers, barges, tank cars, and transport trucks, to increase the movement of petroleum products in a northerly and easterly direction, and to accomplish the other objectives of this directive, the Manager shall, subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, arrange for exchanges, loans, sales, and purchases of petroleum products between and among original suppliers in District Two which will tend to eliminate to the maximum extent practicable the movement of petroleum products, except residual fuel oil, between the areas described in Exhibit "A" hereof, and the movement of residual fuel oil between the areas described in Exhibit "B" hereof. Original suppliers in District Two shall eliminate to the greatest extent practicable inter-area shipments between such areas and shall obtain necessary supplies and dispose of surpluses of petroleum products by means of exchanges, loans, sales, and purchases as provided in the foregoing sentence: *Provided*, That there shall be no tank car shipments of motor fuel, kerosene or distillate fuel oil to meet the requirements of any individual area except as approved by the Director of Petroleum Supply or such District Director.

This amendment shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6538; Filed, April 27, 1943; 4:50 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1930]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: April 14, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

§ 322.7 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group number.]

Mine index No.	Code member	Mine name	Seam	Sub-div. [Dist. No.	Shipping point	Size Group Nos.														
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1965	Carvl, Joseph (Sagmiller Coal Co.) [1]	Kelly	Pittsburgh	6	Wilkes, Pa. Fuel Pool No. 1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2672	Detweiler Coal Co. (E. B. Detweiler)	Detweiler #2 (o)	Pittsburgh	9	Leek No. 3, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2674	Dryske & Nolan	Keys (st)	Redstone	3	Fairchance, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2656	Dunn, Alexander (Peacock Coal Company)	Dunn #2 (d)	Pittsburgh	2	Allenport, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2675	Dunlap, Thomas	Dunlap #2 (o)	Pittsburgh	2	Allenport, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2669	Hays, Jesse V.	M. & H.	Pittsburgh	3	Youngwood, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2685	Kilfoyle Coal Company	Kilfoyle #1 (d)	Pittsburgh	6	Monongahela, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2673	Robert Coal Company	Robert (d)	Freeport	8	Clintonville, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1961	Tannuzzi, Joe	Liverly (d)	Sewickley	3	Hillsdale, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

[1] Production no classification and prices effective for these size groups.

[2] Definite change in name.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

Code members—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group number.]

Mine index No.	Code member	Mine name	Seam	Sub-div. [Dist. No.	Shipping point	Size Group Nos.														
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1965	Carvl, Joseph (Sagmiller Coal Co.) [1]	Kelly	Pittsburgh	6	Wilkes, Pa. Fuel Pool No. 1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2672	Detweiler Coal Co. (E. B. Detweiler)	Detweiler #2 (o)	Pittsburgh	9	Leek No. 3, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2674	Dryske & Nolan	Keys (st)	Redstone	3	Fairchance, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2656	Dunn, Alexander (Peacock Coal Company)	Dunn #2 (d)	Pittsburgh	2	Allenport, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2675	Dunlap, Thomas	Dunlap #2 (o)	Pittsburgh	2	Allenport, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2669	Hays, Jesse V.	M. & H.	Pittsburgh	3	Youngwood, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2685	Kilfoyle Coal Company	Kilfoyle #1 (d)	Pittsburgh	6	Monongahela, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2673	Robert Coal Company	Robert (d)	Freeport	8	Clintonville, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1961	Tannuzzi, Joe	Liverly (d)	Sewickley	3	Hillsdale, Pa.	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

[1] Production no classification and prices effective for these size groups.

[2] Definite change in name.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II

NOTE: In § 322.9 (c) in Minimum Price Schedule No. 1 add the mine index numbers in groups shown. Group No. 1: 2665, 2672; Group No. 2: 2674; Group No. 8: 1064; Group No. 9: 2673; Group No. 13: 369, 2675; Group No. 14: 1365; Group No. 20: 2666.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

County and Code Member	Mine Index No.	Mine	Seam	Base sizes: Lump over 4" (1)	Lump 4" (2)	Lump 3" (3)	Lump 2" (4)	Egg 2" x 4" (5)	Stove 1" x 4" (6)	Pea ¾" x 1¼" (7)	Run of mine (8)	2" Nuts (9)	1¼" slack (10)	¾" slack (11)
ALLEGHENY COUNTY														
Beatty, Wm. F.	2668	Beatty	Pittsburgh	290	285	275	255	235	235	230	210	210	200	190
Dutwiler Coal Co., R. B. Dutwiler	2672	Dutwiler #2 (s)	Pittsburgh	315	305	295	270	245	245	240	240	215	205	200
Hadbick, Patrick	2667	McCormick (s)	Pittsburgh	320	310	300	275	250	250	240	260	230	210	200
Kilroy Coal Company	2665	Kilroy #1 (d)	Pittsburgh	320	310	300	280	260	250	240	260	230	220	195
Kolen Coal Company	2671	Kolen (d)	U. Freeport	305	295	285	265	240	240	240	240	210	200	190
ARMSTRONG COUNTY														
Strull, Antoinette (Peacock Coal Company)	2666	Grant #2 (d)	Pittsburgh	290	285	275	255	240	240	235	235	215	205	195
BEAVER COUNTY														
Leng, Norman	420	Lime Kiln	#6	310	305	295	280	265	260	240	240	200	195	185
FAYETTE COUNTY														
Dryske & Noble	2674	Kyle (s)	Redstone	285	275	265	255	235	235	235	235	210	205	190
Matthews Bros. (Robt. N. Matthews)	2673	Valley #2	Sewickley	295	285	275	260	240	230	230	230	215	210	195
LAWRENCE COUNTY														
Brunton, George J.	186	Hoppe	Kittanning	325	315	315	305	300	290	285	285	265	190	170
WASHINGTON COUNTY														
Britten, Carl	2004	Britten	Pittsburgh	300	290	280	265	250	235	225	235	200	190	180
WESTMORELAND COUNTY														
Corvi, Joseph (Lessee)	1067	Kelly	Pittsburgh	285	275	265	255	245	240	235	225	205	195	185
Coal Co.[1]														
Hall, C. M.	2675	Hall #1 (s)	Pittsburgh	310	300	290	270	250	240	235	245	225	215	195
Hays, Jesse A.[1]	369	M. & H.	Pittsburgh	310	300	280	270	250	240	235	245	225	215	195
Snyder, J. M.	2650	Snyder #2	Pittsburgh	290	280	270	245	230	230	220	230	195	185	175

[1] Indicates change in name.

[F. R. Doc. 43-6493; Filed, April 27, 1943; 11:00 a. m.]

[Docket No. A-1934]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the freight origin group numbers and the shipping points for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention have been filed with the Division in the above-entitled matter; and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R–II, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the freight origin group numbers and the shipping points appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the freight origin group numbers and the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief is granted herein for the coal produced at the Norway Mine, located in Marion County, West Virginia, and operated by C. W. McDonald, for the reason that this producer has not accepted membership in the code.

No relief is granted herein for Junior No. 7 Mine, Mine Index No. 1378, of Clark Coal Company, since the request for such relief was withdrawn by the petitioner in a communication dated April 10, 1943.

Dated: April 15, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
538	Caputo, Tony	Davison's Run	Pittsburgh	Clarksburg, W. Va	F	F	F	F	F	F	F	F	F	F	F	(6)	(6)	(6)	(6)	(6)
1407	Grafton Coal Company	Kelly #4 (s)	Pittsburgh	Clarksburg, W. Va	F	F	F	F	F	F	F	F	F	F	F	(6)	(6)	(6)	(6)	(6)
1328	Gabbert, Maude (Jenny Bruce Gabbert)	Maple Run #2	Pittsburgh	Clarksburg, W. Va	F	F	F	F	F	F	F	F	F	F	F	(6)	(6)	(6)	(6)	(6)
1327	Howard, J. W. (Howard Coal Co.)	Island Run #2	Pittsburgh	Moundsville, W. Va	F	F	F	F	F	F	F	F	F	F	F	(6)	(6)	(6)	(6)	(6)
52	Jamison Coal & Coke Co.	Jamison #11	Pittsburgh	Brady, W. Va	F	F	F	F	F	F	F	F	F	F	F	(6)	(6)	(6)	(6)	(6)
1405	Potter, Charles E. (Winchester Coal Co.)	Shun #2	Pittsburgh	Bingamon Jct., W. Va	F	F	F	F	F	F	F	F	F	F	F	(6)	(6)	(6)	(6)	(6)
283	Rosebrever, W. A.[1]	Franklin	Pittsburgh	Kenmont, W. Va																
				Webster Springs, W. Va.																
243	Rosebrever, W. A.[1]	Franklin	Pittsburgh	Kenmont, W. Va	D/E	D/E	D/E	D/E	D/E	D/E	D/E	D/E	D/E	B	B	B	B	B	B	B
686	Willis, Ed F.	Elk Run #1	Sewell	Webster Springs, W. Va.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

†Indicates no classification and prices for these size groups.
[1] Indicates change in name.
[2] Indicates change in Shipping Point.

NOTE: The above classifications are applicable only via the respective freight origin groups, shipping points, railroads and railroad fuel groups hereinafter shown and are hereby defined.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R–II

NOTE: In § 323.8 (b) in Minimum Price Schedule No. 1 add the mine index numbers in groups shown. Group No. 1: 52 (a), 243, 538, 1328 (a), 1407, 1408; Group No. 3: 1327. Group No. 5: 686.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Seam	County	Size groups: Lump over 6" (1)	Lump over 5", bottom size over 6" (2)	Lump 4½" and under 6", bottom size over 5" (3)	All that will pass through 5" screen, bottom size over 4" (4)	Run of mine (over 5" bottom size) (5)	4" and 2" slack (6)	1¼" slack (7)
Gabbert Maple Coal Company (Jenny Bruce Gabbert)[1]	1328	Maple #1	Pittsburgh	Monongalia	215	238	238	213	215	190	188
Grafton Coal Company	1407	Kelly #4 (s)	Pittsburgh	Harrison	240	258	258	213	215	196	188
Howard, J. W. (Howard Coal Co.)	1327	Island Run #2	H. V. Nell	Barbour	225	225	225	196	196	175	175
Jamison Coal & Coke Co.[1]	52	Jamison #11	Pittsburgh	Monongalia	243	258	258	213	213	196	188
Rosebrever, W. A.[1]	243	Franklin	Pittsburgh	Harrison	243	258	258	213	213	196	188
Willis, Ed F.	686	Elk Run #1	Sewell	Webster	215	238	238	213	213	196	188
Potter, Charles E. (Winchester Coal Co.)	1405	Shun #3	Pittsburgh	Harrison	215	238	238	213	213	196	188

[1] Indicates change in name.

[F. R. Doc. 43-6494; Filed, April 27, 1943; 11:00 a. m.]

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas—* Supplement T

Code number	Mine	Mine index No.	Seam	Type	Subdistrict No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad net-price group No.		Base sizes					
										On line	Off line	6" lump	3"–4"–5" lump	2" lump	2" x 0 egg	1¼" lump, 1¼" x 4" egg	Mine run, nut and fine	2" x 0 slack	3" x 0 slack
												1	2	3	4	5	6	7	8
SUBDISTRICT No. 4—MIDDLE STARK COUNTY																			
Johnson Coal Co. (Geo. Johnson, Jr.).												1 290	360	335	310	305	265	255	245
Weaver, Maurice H. (Weaver Coal Co.).	Weaver (deep)	3145	Deep		4	Magnolia	53	P&R	65	113	202–204	6 250	280	270	255	255	230	210	200
Weaver, Maurice H. (Weaver Coal Co.).	Weaver (strip)	3144	Strip		4	Magnolia	53	P&R	65	113	202–204	5 235	285	270	255	255	230	210	200
TUSCARAWAS COUNTY																			
Bernhardt, Michael	#5	3116	Strip		4	Strasburg	51	B&O	65	102	202–204	5 295	285	270	255	255	230	210	200
Bernhardt, Michael	#6	3136	Strip		4	Strasburg	51	B&O	65	102	202–204	5 250	285	270	255	265	230	210	200
SUBDISTRICT No. 6—CROOKSVILLE PERRY COUNTY																			
Hill, Arthur (Hill Coal Co.)	Hill	3146	Deep		6	Zanesville	34	P&R	42	112	201–203	6 300	290	280	255	250	215	185	175
SUBDISTRICT No. 7—JACKSON JACKSON COUNTY																			
Rawlins, Elwood & Son (Elwood Rawlins).	Rawlins	3112	Deep		4	Jackson	31	P&R	42	110	201–203	4 315	305	295	270	265	215	195	185

[1] Classification and prices established for this mine in a previous schedule are no longer applicable.

[F. R. Doc. 43-6495; Filed, April 27, 1943; 11:00 a. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance, and Clearance of Vessels, Etc.

[T.D. 50856]

NAVY-OWNED OR CONTROLLED SALVAGE VESSELS MANNED BY CIVILIANS

ORDER WAIVING CLEARANCE LAWS

APRIL 26, 1943.

Upon the written request of the Secretary of the Navy, who deems such action necessary in the conduct of the war, and by virtue of the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of R.S. 4197, as amended, and the act of April 29, 1902, as amended (46 U.S.C. 91, 95), to the extent necessary to permit salvage vessels owned by or under the complete control and management of the United States Navy and manned in whole or in part by civilian officers and crews to depart from ports in the United States for foreign ports or ports in non-contiguous territory of the United States without delivering to the collector of customs of the district from which such vessels are about to depart a manifest of all the cargo on board the vessels and without obtaining from the collector a clearance for the vessel and her cargo.

[SEAL] JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-6580; Filed, April 28, 1943; 11:17 a. m.]

Chapter IV—War Shipping Administration

[General Order 12, Supp. 15]

PART 306—GENERAL AGENTS AND AGENTS

COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON DRY CARGO VESSELS

Section 306.10 *Adjustment of earnings to cover deficiencies* is amended by striking out the last paragraph thereof (as set forth in Supp. 14, dated February 20, 1943 [1]) and inserting in lieu thereof, the following:

The effective date of the provisions of this § 306.10 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, but the net balance of terminal income and terminal expense for the nine months ending December 31, 1942, shall be included in making the adjustment for the first period; thereafter adjustment under this section shall be made on an annual basis.

Section 306.11 *Adjustment for excessive compensation* is amended by striking out the last paragraph thereof (as set forth in Supp. 14, dated February 20, 1943) and inserting in lieu thereof, the following:

The effective date of the provisions of this § 306.11 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, but the net balance of terminal income and terminal expense for the nine months ending December 31, 1942, shall be included in making the adjustment for the first period; thereafter adjustment under this section shall be made on an annual basis.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

APRIL 27, 1943.

[F. R. Doc. 43-6539; Filed, April 28, 1943; 9:18 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 112]

CALIFORNIA

REVOCATION OF LAND WITHDRAWAL

Revocation in part of Executive Order No. 6206 withdrawing public lands in aid of legislation.

By virtue of the authority contained in section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (U.S.C., title 43, sec. 141), and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered*, As follows:

Executive Order No. 6206 of July 16, 1933, withdrawing public lands in aid of legislation for the protection of the water supply of the City of Los Angeles, is hereby revoked as to the following-described land:

MOUNT DIABLO MERIDIAN

T. 23 S., R. 37 E.,
Sec. 12, lot 1.

The tract described contains 31.28 acres.

HAROLD L. ICKES,
Secretary of the Interior.

APRIL 19, 1943.

[F. R. Doc. 43-6576; Filed, April 28, 1943; 9:43 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of Issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective April 26th and April 28th, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Dadant & Sons, Hamilton, Illinois; Mosquito headnets; 12 learners (E); Machine stitching for a learning period of 208 hours at 35¢ per hour until June 28, 1943.

Rio Grande Button Factory, 410 Illinois Street, Mercedes, Texas, Pearl Buttons; 7 learners (T); Cutter for a learning period of twelve weeks at 30¢ for the 1st 320 hours; 35¢ for the next 160 hours until October 26, 1943.

Signed at New York, N. Y., this 27th day of April 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-6577; Filed, April 28 1943; 9:43 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940, (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941, (6 F.R. 2446), as amended by Administrative Order March 13, 1943, (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940, (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941, (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination or order or regulation, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

City Shirt Company, 19–21 West Vine Street, Mahanoy City, Pennsylvania;

into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

It is further ordered, That the request contained in the petition that Leonard A. Billman be permitted to ship coals produced at Mine Index No. 3047 over the Cipple of Mine Index No. 438 at not less than the minimum prices applicable to truck shipments for coals produced at Mine Index No. 3047.

It is further ordered, That the relief in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That Leonard A. Billman be permitted to ship truck coals produced at Mine Index No. 438 over the Cipple of Mine Index No. 3047 which is hereby designated as a "Truck Mine" for the purpose of this order.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R.

[Alphabetical list of of code members having railroad loading facilities, showing price classification by price group numbers]

Mine Index No.	Code member	Mine name	Seam	Type	Subdistrict No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad net-price group No.	
										On line	Off line
1810	Bernhardt, Michael	#1	5	Strip	4	Magnolia	53	P&R	65	113	202–204
2826	Bernhardt, Michael	#2	5	Strip	4	Strasburg	51	P&R	65	113	202–204
3032	Bernhardt, Michael	#3	5	Strip	4	Strasburg	51	B&O	65	102	202–204
3149	Bernhardt, Michael	#5	5	Strip	4	Strasburg	51	B&O	65	102	202–204
3150	Bernhardt, Michael	#6	5	Strip	4	Strasburg	51	B&O	65	102	202–204
3146	Hill, Arthur (Hill Coal Co.)	Hill	6	Deep	6	Zanesville	34	P&R	42	112	201–203
607	Maute Coal Company	Maute Coal Co	6	Deep	6	Zanesville	34	P&R	42	112	201–203
1692	Peters, Earl (Progressive Coal Co.).	Progressive	6	Deep	6	Crooksville	32	NYC	42	110	201–203
3053	Reed Coal Company	Steele & Reed #2	7	Strip	7	Wellston	41	B&O	54	102	202–204
341	Reed, Coal Co. (Arthur E. Reed).	Gardner	6	Deep	6	McLuney	34	P&R	42	112	201–203
3151	Sunday Creek Coal Company.	Brush Fork Coal Co.-Storage Plot	6		5	Modoc	26	NYC	21	110	201–203

[1] Above prices apply to coal shipped from storage pile (approximately 15,000 tons) originally mined by Brush Fork Coal Company.

NOTE: For letter classification see § 324.9 in Minimum Price Schedule for District No. 4.

Men's shirts; 10 percent (T); effective April 28, 1943, expiring April 28, 1944.

Hollywood Maxwell Company, 146 S. W. Temple Street, Salt Lake City, Utah; Brassieres; 7 learners (T); effective April 28, 1943, expiring April 28, 1944.

M. Janowitch & Sons, Main and Market Streets, Mahanoy City, Pennsylvania; Ladies' dresses, ladies' blouses; 15 learners (A. T.); effective April 26, 1943, expiring February 11, 1944.

LaCrosse Garment Manufacturing Company, 117 North Second Street, LaCrosse, Wisconsin; Nurses' uniforms, bush shirts and civilian women's apparel; 25 learners (A. T.); effective April 26, 1943, expiring October 26, 1943.

Ladies Leader Garment Company, 400 First Avenue North, Minneapolis, Minnesota; Women's and junior's dresses and skirts; 10 percent (T); effective April 28, 1943, expiring April 28, 1944.

I. Lindenberg, 28 N. Sixth Street, Philadelphia, Pennsylvania; Dresses and skirts; 5 learners (T); effective April 27, 1943, expiring April 27, 1944.

The Nite Kraft Corporation, 3rd and Race Street, Sunbury, Pennsylvania; U. S. Army hospital pajamas, men's and boys' pajamas, children's sleepers and U. S. Army shorts and shirts; 10 percent (T); effective May 5, 1943, expiring May 5, 1944.

Rice Stix Factory No. 15, Lebanon, Missouri; Overalls, jumpers, single pants and playsuits; 25 learners (A.T.); effective April 26, 1943, expiring October 22, 1943.

Shmockler Manufacturing Company, 1 Breunig Avenue, Trenton, New Jersey; Summer service khaki Marine trousers; 6 learners (T); effective April 27, 1943 expiring April 27, 1944.

Wm. S. Wismer Clothing Factory, Main Street, Silverdale, Pennsylvania; Men's trousers; 7 learners (T); effective April 28, 1943, expiring April 28, 1944.

Glove Industry

Richmond Glove Corporation, 103 Salem Avenue, West, Roanoke, Virginia; Work gloves; 16 learners (A.T.); effective April 26, 1943, expiring October 26, 1943.

Hosiery Industry

Carpenter Hosiery Mills, Madison Street, Wytheville, Virginia; Seamless hosiery; 22 learners (A.T.); effective April 26, 1943, expiring November 30, 1943.

Irving Knitting Mills, Lexington, North Carolina; Seamless hosiery; 5 learners (T); effective April 28, 1943, expiring April 28, 1944.

O. E. Kearns & Son, Inc., Hamilton Street, High Point, North Carolina; Seamless hosiery; 10 percent (A. T.); effective April 26, 1943, expiring October 26, 1943. (This certificate replaces the one bearing the expiration date of June 1, 1943.)

Mt. Pleasant Hosiery Mills, Incorporated, Mt. Pleasant, North Carolina; Seamless hosiery; 5 learners (T); effective April 28, 1943, expiring April 28, 1944.

Rambo & Regar, Incorporated, Main below Ford Street, Norristown, Pennsylvania; Seamless hosiery; 25 learners (A. T.); effective April 26, 1943, expiring November 5, 1943.

Rockford Mitten & Hosiery Company, 418 So. Wyman Street, Rockford, Illinois; Seamless hosiery; 5 percent (A. T.); effective April 26, 1943, expiring December 7, 1943.

Tither Brothers, Manheim, Pennsylvania; Full-fashioned hosiery; 5 learners (T); effective April 27, 1943, expiring April 27, 1944.

Knitted Wear Industry

Ilena Mills, Incorporated, Manufacturers Road, Chattanooga, Tennessee; Knitted underwear; 15 learners (A. T.); effective April 26, 1943, expiring October 26, 1943. (This certificate replaces the certificate which expires June 25, 1943.)

Sprite Manufacturing Company, Broad and Paterson Streets, Tamaqua, Pennsylvania; Navy undershirts and ladies' underwear; 25 learners (A. T.); effective April 26, 1943, expiring November 26, 1943.

Textile Industry

White Sulphur Industries, Incorporated, 110 Mountain Avenue, White Sulphur Springs, West Virginia; Cotton & rayon; 26 learners (E); effective April 26, 1943, expiring October 26, 1943.

Signed at New York, N. Y., this 27th day of April 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-6578; Filed, April 28, 1943; 9:43 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 492]

PROPERTY OWNED BY BRUNO HOLLENDER, ET AL.

Re: A bank account and mortgages covering real property in New York, New York, owned by Bruno Hollender; and interests of Margaret Grottke and Bruno Hollender in the Frederick Hollender Trust.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Bruno Hollender and his wife, Edith Hollender, whose last known addresses were represented to the undersigned as being Donlitz Post Bresslau, Germany, and Margaret Grottke, whose last known address was represented to the undersigned as being Berlin, Germany, all of whom are citizens of Germany, are nationals of a designated enemy country (Germany);

2. Finding that all right, title, interest, estate and claim of any name or nature whatsoever of said Bruno Hollender and Edith Hollender, and each of them, in and to the following obligations (contingent or otherwise and whether or not matured), including but not limited to all security rights in and to any and all collateral (including the mortgages hereinafter mentioned) for any or all of such obligations and the right to enforce and collect such obligations:

a. Obligation secured by a mortgage from John J. Masterson Inc. to John Kadel and John J. Reynolds, executed June 2, 1926 and recorded June 4, 1926 in the office of the Register of Bronx County in Liber 1034 mp 377 and thereafter duly assigned by mesne assignments to Bruno Hollender, which mortgage covers that certain lot and improvements thereon known as 1430-32 Ferris Place, Borough and County of Bronx, City and State of New York,

b. Obligation secured by a mortgage from Sadie Zellerman to Collateral Finance Co., Inc., executed January 19, 1927 and recorded January 20, 1927, in the office of the Register of Bronx County in Liber 1143 mp 327 and thereafter duly assigned by mesne assignments to Bruno Hollender, which mortgage covers that certain lot and improvements thereon known as 1743 West Farms Road, Borough and County of Bronx, City and State of New York,

c. Obligation secured by a mortgage from Fredyd Realty Corp. to the 3455 Jerome Avenue Corp., executed July 10, 1928 and recorded July 11, 1928, in the office of the Register of Bronx County in Liber 1329 mp 302 and thereafter duly assigned by mesne assignments to Bruno Hollender, which mortgage covers that certain lot and improvements thereon known as 3451-57 Jerome Avenue, Borough and County of Bronx, City and State of New York.

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

3. Finding that all right, title, interest and claim of any name or nature whatsoever of said Bruno Hollender in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by Manufacturers Trust Company, New York New York, including but not limited to all security rights in and to any and all collateral for any or all such indebtedness and the right to sue for and collect such indebtedness and including particularly the account in said Manufacturers Trust Company carried in the name of Bruno Hollender, is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3 hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 2) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Finding that all right, title, interest and estate, both legal and equitable, of said Bruno Hollender and Margaret Grottke, and each of them, in and to that certain property held in trust by Edmund Hollender and Frederick W. Hollender, as trustees under a trust created by the will of Frederick Hollender, deceased, is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vest in the Alien Property Custodian the property described in subparagraphs 2, 3 and 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian.

This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 12, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6540; Filed, April 28, 1943; 9:07 a. m.]

[Vesting Order 1094]

F. E. HESTHAL CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Erna Koester Schoch, whose last known address is Munich, Bavaria, Germany, is a national of a designated enemy country (Germany);

2. Finding that 1,800 shares of no par value common capital stock of F. E. Hesthal Co., a corporation organized under the laws of and doing business in the State of California, are registered as follows:

Name:	Number of shares
Erna Koester Schoch	1,799
J. F. Shuman	1
Total	1,800,

and are beneficially owned by Erna Koester Schoch;

3. Finding that said F. E. Hesthal Co. is a business enterprise within the United States and that said 1,800 shares represent an interest therein and, together with the 1,800 shares of similar stock of said company vested by the undersigned, pursuant to Vesting Order No. 797 of February 1, 1943, as property of a national of a designated enemy country (Germany), constitute a substantial part (namely, 36%) of all outstanding capital stock of said business enterprise;

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Finding that the property described as follows:

All right, interest and claim of any name or nature whatsoever of Erna Koester Schoch in and to all obligations, contingent or otherwise and whether or not matured, owing to her by said F. E. Hesthal Co., including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the interest of Erna Koester Schoch in F. E. Hesthal Co. as represented on the books and records of said company as "Special Deposits Crocker First National Bank—Impounded Dividends, Non-Resident Alien stockholders",

is an interest in the aforesaid business enterprise held by a national of an enemy country, and is also property within the United States owned or controlled by a national of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 1,800 shares of stock referred to in subparagraph 2 hereof and the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date thereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6541; Filed, April 28, 1943; 8:50 a. m.]

[Vesting Order 1147]

CASCO BAY TIMBER COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Aschaffenburger Zellstoffwerke, A. G., Zellstofffabrik Waldhof, and Feldmuehle Papier und Zellstoffwerke, A. G., whose principal places of business are located at Berlin, Germany, are nationals of a designated enemy country (Germany);

2. Finding that 200 shares of $100 par value common capital stock of Casco Bay Timber Company, a corporation organized under the laws of, and doing business in, the State of Maine, are owned by the following persons in the following respective amounts:

Names:	Number of shares
Casco Bay Timber Co.	2 (registered in the name of Wolff Krahmer).
Casco Bay Timber Co.	1 (registered in the name of Frederick Enders).
Casco Bay Timber Co.	1 (registered in the name of Mrs. Charity de Groot).
Casco Bay Timber Co.	1 (registered in the name of Zellstofffabrik Waldhof).
Zellstofffabrik Waldhof	65 (registered in the name of Hamer en van Dongen).
Feldmuehle Papier und Zellstoffwerke, A. G.	65 (registered in the name of Hamer en van Dongen).
Aschaffenburger Zellstoffwerke, A. G.	65 (registered in the name of G. H. Burhmann's Papiergroothandel, N. V.
Total	200;

3. Finding that said corporation is a business enterprise within the United States and that said 200 shares constitute all of the outstanding capital stock of said business enterprise and are evidence of ownership and control thereof;

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6542; Filed, April 28, 1943; 8.50 a. m.]

[Vesting Order 1255]

THE YOKOHAMA SPECIE BANK, LTD., (SEATTLE)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that The Yokohama Specie Bank, Ltd., a Japanese corporation, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. Finding that said The Yokohama Specie Bank, Ltd., has an established agency or branch office at Seattle, Washington, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding, therefore, that the property described as follows:

All property of any nature whatsoever subject to the jurisdiction of the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, said Seattle branch of the aforesaid The Yokohama Specie Bank, Ltd.,

is property of a business enterprise within the United States which is a national of a designated enemy country (Japan);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6543; Filed, April 28, 1943; 9:07 a. m.]

[Vesting Order 1269]

TRUST UNDER WILL OF FERDINANDO D'ONOFRIO

In re: Trust under the will of Ferdinando D'Onofrio, deceased; File D–38–1039; E. T. sec. 2739.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Miners Savings Bank of Pittston, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Antonio D'Onofrio, or his children	Italy.
Giuseppe D'Onofrio, or his children	Italy.
Maria D'Onofrio Monica, or her children.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Antonio D'Onofrio, or his children, Giuseppe D'Onofrio, or his children and Maria D'Onofrio Monica, or her children, and each of them, in and to the Trust Estate created under the will of Ferdinando D'Onofrio, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6547; Filed, April 28, 1943; 9:06 a. m.]

[Vesting Order 1270]

ESTATE OF JOHN DUSSMAN

In re: Estate of John Dussman, deceased; File D–28–1541; E. T. sec. 163.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman D. Sorg, Executor, acting under the judicial supervision of the Middlesex County Orphans' Court, Middlesex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Anna Mathilde Leins	Germany.
Hedwig Pauline Leins	Germany.
Friedrich Schmid	Germany.
Ernst Benk	Germany.
August Weyreter	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title interest, and claim of any kind or character whatsoever of Anna Mathilde Leins, Hedwig Pauline Leins, Friedrich Schmid, Ernst Benk and August Weyreter and each of them in and to the Estate of John Dussman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6548; Filed, April 28, 1943; 9:05 a. m.]

[Vesting Order 1271]

ESTATE OF ROSE FINK

In re: Estate of Rose Fink, deceased; File D–57–65; E.T. sec. 3071.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank Sternlieb, Executor, 1710 West Vliet Street, Milwaukee, Wisconsin, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Milwaukee;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals:	*Last known address*
Simon Leibovich	Strada Unzinel, 8, Yassi, Rumania.
Sima Leibovich	Strada Andre 60, Yassi, Rumania.
Fanny Braff	Strada Andre, 60, Yassi, Rumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Simon Leibovich, Sima Leibovich and Fanny Braff, and each of them, in and to the estate of Rose Fink, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6549; Filed, April 28, 1943; 9:05 a. m.]

[Vesting Order 1272]

ESTATE OF LOUIS GANS

In re: Estate of Louis Gans, deceased; File D–28–2012; E. T. sec. 2169.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chemical Bank & Trust Co. and Robert M. Gluck, Substituted Trustees of the estate of Louis Gans, deceased, acting under the judicial supervision of the Surrogate's Court of New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Lottie Gans Hoefner	Germany.
Hans Hoefner	Germany.
Child, or Children, names unknown, of Lottie Gans Hoefner, resident of Germany.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lottie Gans Hoefner, Hans Hoefner and the Child, or Children, names unknown, of Lottie Gans Hoefner, resident of Germany, and each of them, in and to the Estate of Louis Gans, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6550; Filed, April 28, 1943; 9:05 a. m.]

[Vesting Order 1273]

ESTATE OF CORA HESSELMAN

In re: Estate of Cora Hesselman, deceased; File F–28–11389; E. T. sec. 1977.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, Administrator, 137 North Broadway, Los Angeles, California, acting under the judicial supervision of the Superior Court of the State of California, for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Person or persons (names unknown) entitled to estate of Cora Hesselman, deceased.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the person or persons (names unknown) entitled to the estate of Cora Hesselman, deceased, and each of them, in and to the estate of Cora Hesselman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6551; Filed, April 28, 1943; 9:05 a. m.]

[Vesting Order 1274]

LIQUIDATION OF INTEGRITY TRUST CO.

In re: Liquidation of Integrity Trust Company; File D–28–1965; E.T. sec. 2007.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investgation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Secretary of Banking, Commonwealth of Pennsylvania, Receiver of Integrity Trust Company, acting under the judicial supervision of the Court of Common Pleas, Philadelphia County, Pa.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Franziska Fellman	Germany.
Franz Wilhelm Georg-Schon	Germany.
Luise Fahnle	Germany.
Katharina Schon	Germany.
Friedrich Schon	Germany.
Hilda Lauer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

1/12th interest each of Franziska Fellman, Franz Wilhelm Georg-Schon, Luise Fahnle, Katharina Schon, Friedrich Schon, Hilda Lauer, and each of them, in a mortgage on premises at 7244 Glenthorne Road, Upper Darby, Delaware County, Pa., and in cash of $347.90 with any additions thereto or any income thereof,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6552; Filed, April 28, 1943; 9:05 a. m.]

[Vesting Order 1275]

TRUST UNDER WILL OF AMELIA E. KRUGER

In re: Trust under the will of Amelia E. Kruger, also known as Amalia E. Kruger, deceased; File D–28–2255; E. T. sec. 3248.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Clara Stuhr	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Clara Stuhr in and to the Trust Estate created under the Will of Amelia E. Kruger, also known as Amalia E. Kruger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6553; Filed, April 28, 1943; 9:04 a. m.]

[Vesting Order 1276]

TRUST UNDER WILL OF JOHN H. MICHAELIS

In re: Trust under the will of John H. Michaelis, deceased; File No. D–28–1800; E. T. sec. 1018.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Elmira Bank and Trust Company, trustee, acting under the judicial supervision of the Surrogate's Court of Chemung County, State of New York.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Alwine Von Glahn	Germany.
Martha Mindermann	Germany.
Annie Holland	Germany.
Bertha Busching	Germany.
Emma Olbers	Germany.
Martha Stoge	Germany.
Elsie Adickes	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alwine Von Glahn, Martha Mindermann, Annie Holland, Bertha Busching, Emma Olbers, Martha Stoge, and Elsie Adickes and each of them in and to the Trust under the Will of John H. Michaelis, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6554; Filed, April 28, 1943; 9:04 a. m.]

[Vesting Order 1277]

TRUST UNDER WILL OF E. OSCAR NEBEL

In re: Trust under the will of E. Oscar Nebel, deceased; File D–28–6679; E. T. sec. 5075.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by E. Stanley Martin and Fred C. Gartner, Co-trustees, acting under the judicial supervision of the Orphans Court of Montgomery County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Fritz Nebel	Germany.
Child or children, names unknown, of Fritz Nebel.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Nebel and the child or children, names unknown, of Fritz Nebel and each of them, in and to the Trust created under the will of E. Oscar Nebel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6555; Filed, April 28, 1943; 9:04 a. m.]

[Vesting Order 1278]

TRUST UNDER WILL OF ELIZABETH PANGIRIS

In re: Trust under the will of Elisabeth Pangiris, deceased; File D–38–1141; E. T. sec. 3117.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Fidelity Trust Company and David Stewart, Trustees, acting under the judicial supervision of the Circuit Court No. 2 of Baltimore City, Maryland;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Anna St. Clair Patterson de (da) Conturbia.	Italy.
Fortunato de (da) Conturbia	Italy.
Casarino de (da) Conturbia	Italy.
Franchino de (da) Conturbia	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna St. Clair Patterson de (da) Conturbia, Fortunato de (da) Conturbia, Casarino de (da) Conturbia and Franchino de (da) Conturbia and each of them in and to the trust estate

created under the Will of Elizabeth Pangiris, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6556; Filed, April 28, 1943; 9:04 a. m.]

[Vesting Order 1279]

ESTATE OF LINA EMMA PETERSON

In re: Estate of Lina Emma Peterson, deceased; File D–28–1988; E. T. sec. 2290.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Frankford Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Justin Bohn	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Justin Bohn in and to the Estate of Lina Emma Peterson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6557; Filed, April 28, 1943; 9:03 a. m.]

[Vesting Order 1280]

TRUST UNDER WILL OF WILLIAM PFENNIG

In re: Trust under will of William Pfennig, deceased; File D–28–1676; E. T. sec. 543.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by H. Theodore Sorg, Trustee, under the will of William Pfennig, deceased, acting under the judicial supervision of the Essex County Orphans' Court, Essex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Julius Janssen	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Julius Janssen in and to the Trust Estate created under the Last Will and Testament of William Pfennig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6558; Filed, April 28, 1943; 9:03 a. m.]

[Vesting Order 1281]

ESTATE OF ALFRED R. PICK

In re: Estate of Alfred R. Pick, deceased; File D–28–1977, E. T. sec. 2293.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ellen Abel-Musgrave Krause	Germany.
Marie Schluter	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ellen Abel-Musgrave Krause and Marie Schluter and each of them in and to the Estate of Alfred R. Pick, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6559; Filed, April 28, 1943; 9:03 a. m.]

[Vesting Order 1282]

TRUST FOR BENEFIT OF BERTHA BELLE PICK

In re: Trust for the benefit of Bertha Belle Pick under Paragraph "Third" of the last will and testament of Alfred R. Pick, deceased; File No. D–28–1977; E. T. sec. 2293.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely

Nationals:	*Last known address*
Fritz Hohenemser	Germany.
Nelly Hartmann	Germany.
Nelly Herz	Germany.
Clara Gans	Germany.
Ellen Abel-Musgrave Krause	Germany.
Wolf Schluter	Germany.
Henning Schluter	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fritz Hohenemser, Nelly Hartmann, Nelly Herz, Clara Gans, Ellen Abel-Musgrave Krause, Wolf Schluter and Henning Schluter, and each of them, in and to the Trust for the benefit of Bertha Belle Pick under the Last Will and Testament of Alfred R. Pick, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6560; Filed, April 28, 1943; 9:03 a. m.]

[Vesting Order 1283]

ESTATE OF ELIZABETH RICHTER

In re: Estate of Elizabeth Richter, deceased; File F–28–5838; E. T. sec. 4357.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of Court, Orphans' Court of Philadelphia County, Pa., Custodian of the estate of Elizabeth Richter, deceased, acting under the judicial supervision of the Orphans' Court, Philadelphia County, Pa.,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Katharine Christmann nee Keller.	Germany.
Anna Marie Keller nee Keller	Germany.
Lina Stoffel nee Keller	Germany.
Heinrich Keller	Germany.
Jakob Keller	Germany.
Children of Margarete Heft nee Keller, who died November 5, 1936:	
Philippine Bott	Germany.
Heinrich Heft	Germany.
Hermann Heft	Germany.
Kark Heft	Germany.
Katharine Stoffel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katharine Christmann nee Keller, Anna Marie Keller nee Keller, Lina Stoffel nee Keller, Heinrich Keller, Jakob Keller, Children of Margarete Heft nee Keller, who died November 5, 1936; Philippine Bott, Heinrich Heft, Hermann Heft, Kark Heft and Katharine Stoffel, and each of them, in and to the estate of Elizabeth Richter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6561; Filed, April 28, 1943; 9:02 a. m.]

[Vesting Order 1284]

RUDOLPH SACHSE

In re: Trust u w Rudolph Sachse, deceased; File D–66–508; E. T. sec. 3547.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, Substituted Trustee of the trust created under the will of Rudolph Sachse, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pa.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Richard Sachse	Germany.
Clara Sachse	Germany.
Child, or children of Richard Sachse, names unknown.	Germany.
Children of Gustav Sachse, names unknown.	Germany.
Children of Adolph Sachse, names unknown.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Richard Sachse, Clara Sachse, Child, or children of Richard Sachse, names unknown, Children of Gustav Sachse, names unknown, and Children of Adolph Sachse, names unknown, and each of them, in and to a trust created under the will of Rudolph Sachse, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6562; Filed, April 28, 1943; 9:02 a. m.]

[Vesting Order 1285]

ESTATE OF BERTHA SCHUBERT

In re: Estate of Bertha Schubert, deceased; File D–9–28–1953; E. T. sec. 2295.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Anna Schubert	Germany.
Frieda Blix	Germany.
Sophie Schubert	Germany.
Gustav Schubert	Germany.
Louise Ahrens	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Schubert, Frieda Blix, Sophie Schubert, Gustav Schubert and Louise Ahrens, and each of them, in and to the Estate of Bertha Schubert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6563; Filed, April 28, 1943; 9:02 a. m.]

[Vesting Order 1286]

ESTATE OF ANGELO SERAFINI

In re: Estate of Angelo Serafini, deceased; File No. D–38–1658 E.T. sec. 3775.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Domenic Serafini, as Administrator, acting under the judicial supervision of the Court of Probate, for the District of Bristol, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Aquilina Serafini, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Aquilina Serafini in and to the Estate of Angelo Serafini, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6564; Filed, April 28, 1943; 9:02 a. m.]

[Vesting Order 1287]

ESTATE OF LOUIS SEUFERT

In re: Estate of Louis Seufert, deceased; File D–28–1810; E. T. sec. 1116.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Finanzministerium	State of Baden, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Finanzministerium, of state of Baden, Germany, in and to the Estate of Louis Seufert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6565; Filed, April 28, 1943; 9:01 a. m.]

[Vesting Order 1288]

ESTATE OF FRANCESCA SPAGNOLA

In re: Estate of Francesca Spagnola, deceased; File D–38–436; E. T. sec. 1903.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Antonio Cervino, Administrator of the Estate of Francesca Spagnola, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pa.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Lineal heirs of Florinda Buzzelli, deceased, names unknown.	Italy.
Lineal heirs of Columba Buzzelli, deceased, names unknown.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the lineal heirs of Florinda Buzzelli, deceased, names unknown, and lineal heirs of Columba Buzzelli, deceased, names unknown, and each of them, in and to the Estate of Francesca Spagnola, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6566; Filed, April 28, 1943; 9:01 a. m.]

[Vesting Order 1289]

TRUST UNDER WILL OF ERNEST C. VAHLE

In re: Trust under will of Ernest C. Vahle, deceased; File D–28–2053; E. T. sec. 2354.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Vahle, substituted trustee under the will of Ernest C. Vahle, deceased, acting under the judicial supervision of the Camden County Orphans' Court, Camden County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
William Vahle and his issue	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of William Vahle and his issue, whose names are unknown, in and to the Trust Estate created under the Last Will and Testament of Ernest C. Vahle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and

interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6567; Filed, April 28, 1943; 9:01 a. m.]

[Vesting Order 1290]

ESTATE OF ROSA WARNER

In re: Estate of Rosa Warner, deceased; File D–34–124; E. T. sec. 3953.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Register of Wills, acting under the judicial supervision of the Orphans Court, Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

	Last known address
National:	
Szabo Lajosne	Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Szabo Lajosne in and to the Estate of Rosa Warner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6568; Filed, April 28, 1943; 9:06 a. m.]

ESTATE OF MICHAEL WIESSNER

In re: Estate of Michael Wiessner, deceased; File D–28–1720; E. T. sec. 690.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by A. Lincoln Meyers, Executor of the estate of Michael Wiessner, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pa.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

	Last known address
Nationals:	
Anton Wiessner	Germany.
Bruno Wiessner	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anton Wiessner and Bruno Wiessner, and each of them, in and to the estate of Michael Wiessner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc. 43–6569; Filed, April 28, 1943; 9:01 a. m.]

[Vesting Order 1292]

TRUST UNDER WILL OF ANNA ELISABETH WOOD

In re: Trust under the will of Anna Elisabeth Wood, deceased; File D–28–2398; E.T. sec. 4314.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust & Savings Association, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

	Last known address
National:	
Katherine Becker	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katherine Becker in and to the trust estate created under the Will of Anna Elisabeth Wood, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43–6570; Filed, April 28, 1943; 9:01 a. m.]

[Vesting Order 1293]

TRUST UNDER WILL OF ANNA ELISABETH WOOD

In re: Trust under the will of Anna Elisabeth Wood, deceased; File D–28–2398; E. T. sec. 4314.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust & Savings Association, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco,

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

	Last known address
National:	
Margaret Schild	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Margaret Schild in and to the trust estate created under the will of Anna Elisabeth Wood, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43–6571; Filed, April 28, 1943; 9:00 a. m.]

[Vesting Order 1294]

ESTATE OF GESINE BRODTMANN

In re: Estate of Gesine Brodtmann, also known as Gesine Krenzel, deceased; File D–28–2141; E. T. sec. 2687.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator of the estate of Gesine Brodtmann, also known as Gesine Krenzel, deceased, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

	Last known address
National	
Diedrick Brodtmann	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Diedrick Brodtmann in and to the Estate of Gesine Brodtmann, also known as Gesine Krenzel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43–6572; Filed, April 28, 1943; 9:00 a. m.]

[Vesting Order 1295]

TRUST UNDER WILL OF SARAH RAMSEY DEL FRATE

In re: Trust under the will of Sarah Ramsey Del Frate, deceased; File F–38–4363; E. T. sec. 3752.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Madison Trust Company, Trustee, 23 West Main Street, Madison, Wisconsin, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Dane;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy,

	Last known address
Nationals:	
Carlo Del Frate	Lungotevere Mellini No. 10, Rome, Italy.
Susanna Segre (born Del Frate).	Lungotevere Mellini No. 10, Rome, Italy
Riccardo Del Frate.	Lungotevere Mellini No. 10, Rome, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carlo Del Frate, Susanna Segre (born Del Frate) and Riccardo Del Frate, and each of them, in and to the trust estate created under the Will of Sarah Ramsey Del Frate, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6573; Filed, April 28, 1943; 9:00 a. m.]

[Vesting Order 1296]

RUDOLPH DOSCH

In re: Rudolph Dosch, deceased; File F–28–1022; E. T. sec. 4892.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wilhelmina Behrens as Executrix, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National	*Last known address*
Sophie Eckart, otherwise known as Sophie Eckner.	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie Eckart, otherwise known as Sophie Eckner, in and to the Estate of Rudolph Dosch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6574; Filed, April 28, 1943; 9:00 a. m.]

[Vesting Order 1297]

ESTATE OF FRANK EINWACHTER

In re: Estate of Frank Einwachter, deceased; File D–34–96; E. T. sec. 2258.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John T. Dempsey, Public Administrator, 11 South LaSalle Street, Chicago, Illinois, Administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National	*Last known address*
Rose Eibel	Tukor Street, Vertesacsa, County of Fejer, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frank Einwachter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6575; Filed, April 28, 1943; 9:00 a. m.]

[Vesting Order 1324]

THE YOKOHAMA SPECIE BANK, LTD.
(SAN FRANCISCO)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and, pursuant to law, the undersigned, after investigation:

1. Finding that The Yokohama Specie Bank, Ltd., a Japanese corporation, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. Finding that said The Yokohama Specie Bank, Ltd. has an established Branch Agency or Office at San Francisco, California (herein called "the California Branch") engaged in the conduct of business within the United States, and therefore is to that extent a business enterprise within the United States;

3. Finding that the property of the California Branch is in the process of administration by the Superintendent of Banks of the State of California as its Conservator, acting under the provisions of the Bank Act of the State of California and also under judicial supervision of the Superior Court of the State of California in and for the County of San Francisco;

4. Finding, therefore, that the property described as follows:

The excess proceeds, if any, of the business and property of the California Branch in the possession of the Superintendent of Banks of the State of California, acting in his capacity as Superintendent of Banks, Liquidator and/or Conservator, of which may hereafter come into his possession in any such capacity under and by virtue of the banking law of the State of California, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the California Branch remaining after payment of the claims of the creditors of the California Branch accepted, allowed or established in accordance with the banking law of the State of California, arising out of the business of the California Branch transacted in the State of California, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of California, acting in his capacity as Superintendent, Liquidator and/or Conservator, to continue to retain possession of, collect and liquidate such business, property and assets and, in course of said liquidation or conservatorship, to do such acts and perform such duties (not inconsistent herewith) as may be required of or permitted to said Superintendent of Banks in his capacity as Superintendent, Liquidator and/or Conservator, as aforesaid, by and in accordance with and subject to the provisions of the Bank Act of the State of California: *Provided, however,* That after the claims of the creditors of the California Branch described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the remaining assets of the California Branch, or the proceeds thereof, in the possession of said Superintendent of Banks or to which he may be or become entitled acting in his capacity as Superintendent, Liquidator and/or Conservator, shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, if any, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, if any, or to indicate that compensation will not be paid in lieu thereof if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6544; Filed, April 28, 1943; 9:06 a. m.]

[Vesting Order 1325]

THE SUMITOMO BANK, LTD. (LOS ANGELES)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and, pursuant to law, the undersigned, after investigation:

1. Finding that The Sumitomo Bank, Ltd., a Japanese corporation, Osaka, Japan, is a national of a designated enemy country (Japan);

2. Finding that said The Sumitomo Bank, Ltd. has an established Branch Agency or Office at Los Angeles, California (herein called "the Los Angeles Branch") engaged in the conduct of business within the United States, and therefore is to that extent a business enterprise within the United States;

3. Finding that the property of the Los Angeles Branch is in the process of administration by the Superintendent of Banks of the State of California as its Conservator, acting under the provisions of the Bank Act of the State of California and also under judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

4. Finding, therefore, that the property described as follows:

The excess proceeds, if any, of the business and property of the Los Angeles Branch in the possession of the Superintendent of Banks of the State of California, acting in his capacity as Superintendent of Banks, Liquidator and/or Conservator, or which may hereafter come into his possession in any such capacity under and by virtue of the banking law of the State of California, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the Los Angeles Branch remaining after payment of the claims of the creditors of the Los Angeles Branch accepted, allowed or established in accordance with the banking law of the State of California, arising out of the business of the Los Angeles Branch transacted in the State of California, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of California, acting in his capacity as Superintendent, Liquidator and/or Conservator, to continue to retain possession of, collect and liquidate such business, property and assets and, in course of said liquidation or conservatorship, to do such acts and perform such duties (not inconsistent herewith) as may be required of or permitted to said Superintendent of Banks in his capacity as Superintendent, Liquidator and/or Conservator, as aforesaid, by and in accordance with and subject to the provisions of the Bank Act of the State of California: *Provided, however,* That after the claims of the creditors of the Los Angeles Branch described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the remaining assets of the Los Angeles Branch, or the proceeds thereof, in the possession of said Superintendent of Banks or to which he may be or become entitled acting in his capacity as Superintendent, Liquidator and/or Conservator, shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, if any, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, if any, or to indicate that compensation will not be paid in lieu thereof if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Cus-

todian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States", as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6545; Filed, April 28, 1943; 9:06 a. m.]

[Vesting Order 1326]

THE SUMITOMO BANK, LTD.
(SAN FRANCISCO)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and, pursuant to law, the undersigned, after investigation:

1. Finding that The Sumitomo Bank, Ltd., a Japanese corporation, Osaka, Japan, is a national of a designated enemy country (Japan);

2. Finding that said The Sumitomo Bank, Ltd. has an established Branch Agency or Office at San Francisco, California (herein called "the San Francisco Branch") engaged in the conduct of business within the United States, and therefore is to that extent a business enterprise within the United States;

3. Finding that the property of the San Francisco Branch is in the process of administration by the Superintendent of Banks of the State of California as its Conservator, acting under the provisions of the Bank Act of the State of California and also under judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

4. Finding, therefore, that the property described as follows:

The excess proceeds, if any, of the business and property of the San Francisco Branch in the possession of the Superintendent of Banks of the State of California, acting in his capacity as Superintendent, Liquidator and/or Conservator or which may hereafter come into his possession in any such capacity under and by virtue of the banking law of the State of California, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the San Francisco Branch remaining after payment of the claims of the creditors of the San Francisco Branch accepted, allowed or established in accordance with the banking law of the State of California, arising out of the business of the San Francisco Branch transacted in the State of California, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of California, acting in his capacity as Superintendent, Liquidator and/or Conservator, to continue to retain possession of, collect and liquidate such business, property and assets and, in course of said liquidation or conservatorship, to do such acts and perform such duties (not inconsistent herewith) as may be required of or permitted to said Superintendent of Banks in his capacity as Superintendent, Liquidator and/or Conservator, as aforesaid, by and in accordance with and subject to the provisions of the Bank Act of the State of California: *Provided, however,* That after the claims of the creditors of the San Francisco Branch described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the remaining assets of the San Francisco Branch or the proceeds thereof, in the possession of said Superintendent of Banks or to which he may be or become entitled acting in his capacity as Superintendent, Liquidator and/or Conservator, shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, if any, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, if any, or to indicate that compensation will not be paid in lieu thereof if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States", as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6546; Filed, April 28, 1943; 9:06 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT TC–1]

CERTAIN TAXICAB OPERATORS IN CHICAGO, ILLINOIS

ORDER DIRECTING COORDINATED OPERATION

Upon consideration of the application for authority to coordinate taxicab service filed with this Office by the persons named in the appendix hereof, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by taxicab, and to conserve and providently utilize vital equipment, material, and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered.* That:

1. The persons named in the appendix hereof (hereinafter called "operators"), respectively, in the transportation of passengers by taxicab in Chicago, Illinois, shall:

(a) Suspend operations between the hours of 3 o'clock A. M. and 6 o'clock A. M. on all days of the week except Saturdays and Sundays;

(b) Reduce the mileage that each taxicab is operated so that no taxicab will be operated in excess of 190 miles during any calendar day;

(c) Discontinue all operations more than 10 miles beyond the boundaries of an area in Chicago, Illinois, bounded on the north by 31st Street, on the east by Cottage Grove Avenue, on the south by 69th Street, and on the west by Wentworth Avenue;

(d) Discontinue discharging passengers at points other than street intersections;

(e) Discontinue all operations in or through alleys;

(f) Divert to each other traffic for the purpose of reducing empty mileage and the rendering of duplicating service;

(g) Eliminate duplicating dispatching service and, in lieu thereof, utilize joint dispatching service which shall provide for the dispatching of taxicabs at two block intervals. Contracts, agreements, and arrangements for such joint dispatching service shall not extend beyond the effective period of this order. Joint dispatching service shall be impartial, without preference or discrimination for or against any of the operators;

(h) Cause and require each taxicab operated by them to be operated at a speed not in excess of 30 miles per hour.

2. As used herein the term "taxicab" means any rubber-tired vehicle (a) propelled or drawn by mechanical power, (b) having a seating capacity of less than 10 passengers, (c) used in the call and demand transportation of passengers to and from points chosen or designated by the passengers, and (d) not operated on a fixed schedule, between fixed termini, or over specific routes.

3. The operators may appoint one or more of their members to observe compliance with this order and to report violations thereof to the Office of Defense Transportation.

4. Each operator shall file a report with the Regional Office, Division of Local Transport, Office of Defense Transportation, Chicago, Illinois, on or before the 15th day of each calendar month showing for the preceding calendar month, the number of miles each taxicab was operated and the number of gallons of gasoline used therein.

5. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

6. Communications concerning this order should be addressed to the Regional Office, Division of Local Transport, Office of Defense Transportation, Chicago, Illinois, and should refer to "Special Order ODT TC–1".

This order shall become effective April 26, 1943, and shall remain in full force and effect until the termination of the present war shall have been proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of April 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

APPENDIX TO SPECIAL ORDER ODT TC–1

Describing persons named therein
Theodore Scott, Chicago, Ill.
Roy Stewart, Chicago, Ill.
V. Z. Stewart, Chicago, Ill.
Plymouth Cab Co., Chicago, Ill.
R. Miller Cab Co., Inc., Chicago, Ill.
D. Darby Cab Co., Chicago, Ill.
Colin Roberts, Chicago, Ill.
Leon Davis, Chicago, Ill.
Richard Wallace, Chicago, Ill.
Maclo Gaither, Chicago, Ill.
Herbert Julian, Chicago, Ill.
Joe Nenn, Chicago, Ill.
Jerome Robinson, Chicago, Ill.
Harry Smith, Chicago, Ill.
Herbert Cross, Chicago, Ill.
Charles Washington, Chicago, Ill.
Toney Helm, Chicago, Ill.
Wm. Nolan, Chicago, Ill.
Joe Pruitt, Chicago, Ill.
Charles L. Hill, Chicago, Ill.
Taft Stewart, Chicago, Ill.
James Morgan, Chicago, Ill.
Thomas Striger, Chicago, Ill.
C. Bailey, Chicago, Ill.
Jesse Ingram, Chicago, Ill.
Wm. Igeforth, Chicago, Ill.
O. J. Darman, Chicago, Ill.
Will Davis, Chicago, Ill.
Joseph R. Page, Chicago, Ill.
Bertel W. Daigre, Chicago, Ill.
Sidney Vincent, Chicago, Ill.
Thomas Bates, Chicago, Ill.
John R. Weston, Chicago, Ill.
Royal Cab Co., Inc., Chicago, Ill.
Wallace Watson, Chicago, Ill.
Fate Miles, Chicago, Ill.
James Harris, Chicago, Ill.
Mary Coffey, Chicago, Ill.
Cornelius Palmer, Chicago, Ill.
Rosetta E. Wright, Chicago, Ill.
Party Cab Co., Inc., Chicago, Ill.
Regal Cab Co., Chicago, Ill.
A. Harrington Cab, Chicago, Ill.
Robert Lee Brown, Chicago, Ill.
Arthur A. Johnson, Chicago, Ill.
Luther Landrum, Chicago, Ill.
John A. Grinnell, Chicago, Ill.
Carl McGee, Chicago, Ill.
Ellis Poole, Chicago, Ill.
Rufus Williams, Chicago, Ill.
William McGee, Chicago, Ill.
Elehue Williams, Chicago, Ill.
Fred Grim, Chicago, Ill.
William Fowler, Chicago, Ill.
Sylvester Norman, Chicago, Ill.
A. Poole, Chicago, Ill.
J. Water Powell, Chicago, Ill.
E. C. Williams, Chicago, Ill.
Adair Handy, Chicago, Ill.
George W. Beard, Chicago, Ill.
Parks Cab Co., Inc., Chicago, Ill.
C. J. Thomas, Chicago, Ill.
Warren Dodds, Chicago, Ill.
Victory Cab Co., Inc., Chicago, Ill.
Wm. R. Clarke, Chicago, Ill.
J. K. Cameron, Chicago, Ill.
Stanford L. Simmons, Chicago, Ill.
George Anderson, Chicago, Ill.
Robert White, Chicago, Ill.
Willie McBurlye, Chicago, Ill.
Norman Harris, Chicago, Ill.
John Ward, Chicago, Ill.
George Webb, Chicago, Ill.
Mary M. Johnson, Chicago, Ill.
Eugene Blanks, Chicago, Ill.
William E. McCowan, Chicago, Ill.
Earl Abernarthy, Chicago, Ill.
James Cubie, Chicago, Ill.
Ann Hughes, Chicago, Ill.
Jimmie Mitchell, Chicago, Ill.
Willie S. Williams, Chicago, Ill.
Reeve Simmons, Chicago, Ill.

No. 84——5

[F. R. Doc. 43–6581; Filed, April 28, 1943; 11:19 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 19 Under Reg. MPR 125]

THE AMERICAN MARINE BRASS FOUNDRY, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 19 Under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125–36.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) The American Marine Brass Foundry, Inc., of Brooklyn, New York, hereinafter referred to as "the applicant", may sell and deliver to any person and any person may buy and receive from the applicant nonferrous castings produced by the applicant the same, or of the same class, as those sold or contracted to be sold by the applicant during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by the applicant during the period from May 11, 1942 to January 31, 1943, inclusive, at the maximum prices prescribed by § 1395.3 of Revised Maximum Price Regulation No. 125: Except, that in determining the maximum prices of nonferrous castings under that section the applicant need not make the reductions required by paragraph (b) of that section.

(b) The terms used in this order shall have the meaning given them by Revised Maximum Price Regulation No. 125.

(c) All prayers in the applicant's application for adjustment (Docket No. 3125–36) not granted herein are hereby denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of March 12, 1943.

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6518; Filed, April 27, 1943; 3:25 p. m.]

[Order 28 Under MPR 136, as Amended]

NORTHFIELD IRON COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 28 under Maximum Price Regulation No. 136, as Amended—Machines and Parts, and Machinery Services; Docket No. 3136–235.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The Northfield Iron Company of Northfield, Minnesota, may sell, offer to sell, deliver and transfer the following models of rural highway maintainers at a price not in excess of the following:

Model	Terms of sale	Maximum price
No. 33 Husky	Delivered in ABC Zone	$471
No. 33 Husky	Delivered in D Zone	491
No. 33 Husky	Delivered in EF Zone	506
No. 33 Husky	F.o.b. Northfield, Minn.	455
No. 22 Husky	Delivered in ABC Zone	328
No. 22 Husky	Delivered in D Zone	342
No. 22 Husky	Delivered in EF Zone	352
No. 22 Husky	F.o.b. Northfield, Minn.	304

(b) The Northfield Iron Company may sell, offer to sell, deliver and transfer extra attachments and parts for their models No. 33 Husky and No. 22 Husky rural highway maintainers at a price not in excess of the net price in effect to a purchaser of the same class on October 1, 1941, plus 5% of that price. "Net price" means the list price in effect on October 1, 1941, less all discounts, allowances, and other deductions from the list price in effect to a purchaser of the same class on that date.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) All requests not granted herein are denied.

This order shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6512; Filed, April 27, 1943; 3:26 p. m.]

[Order 29 Under MPR 136, as Amended]

NEW BEDFORD COMB WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 29 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (b) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) New Bedford Comb Works of New Bedford, Massachusetts, is hereby authorized to charge the following maximum prices for repairs it performs on the following:

17 strip half lap	$8.25
20 strip half lap	9.03
Top comb	.72

(b) To the extent that the application filed by the New Bedford Comb Works has not been granted, the application is denied.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6516; Filed, April 27, 1943; 3:25 p. m.]

[Order 30 Under MPR 136, as Amended]

MARIETTA HOLLOW-WARE AND ENAMELING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 30 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. 3136-193.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (b) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) Marietta Hollow-Ware and Enameling Co., of Marietta, Pennsylvania, is hereby authorized to charge the following maximum prices for the services it performs in enameling the inside of barrel gates:

Size:	*Maximum prices (each)*
1"	$0.34
1¼"	.36
1½"	.38
2"	.41
3"	.54
4"	.83
4" Special Flange	1.12

(b) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6515; Filed, April 27, 1943; 3:25 p. m.]

[Order 31 Under MPR 136, as Amended]

W. D. HUSE & SONS

APPROVAL OF MAXIMUM PRICE

Order No. 31 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket No. 3136-154.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25a (b) of Maximum Price Regulation No. 136, as amended, and Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) W. D. Huse & Sons, of Laconia, New Hampshire, is hereby authorized to perform machinery services in connection with the repair, rebuilding, and maintenance of machines and parts, at the maximum price of $1.50 per hour.

(b) The issuance of this order shall not in any way affect or relieve the liability of the applicant for any violation of any regulation or order issued by the Office of Price Administration.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6517; Filed, April 27, 1943; 3:25 p. m.]

[Order 20 Under Rev. MPR 161]

LINDBERG AND HOBI COMPANY

ORDER DISMISSING APPLICATION

Order No. 20 under Revised Maximum Price Regulation No. 161[1]—West Coast Logs.

On March 4, 1943, Lindberg and Hobi Company, Tacoma, Washington, filed an application for adjustment of the maximum prices established by Revised Maximum Price Regulation No. 161 on No. 1 and No. 2 Douglas fir peeler logs sold in the Puget Sound District. This application was filed jointly under Procedural Regulation No. 6[2] and Revised Maximum Price Regulation No. 161. The application was improperly filed under those regulations for the reasons set forth below.

(a) Application for adjustment was not properly filed under either Revised Maximum Price Regulation No. 161 or Procedural Regulation No. 6 since, in the first instance, Revised Maximum Price Regulation No. 161 does not permit the filing of individual applications for adjustment, and, in the second, Procedural Regulation No. 6 permits the filing of such application only where a person has entered into or proposes to enter into a government contract or a sub-contract, and it has not been shown that applicant has entered into or proposed to enter into such contracts.

Accordingly, pursuant to the Emergency Price Control Act of 1942, and Procedural Regulations No. 1 and 6, *It is ordered*, That the said application be, and it hereby is, dismissed.

(b) Any contract entered into by Lindberg and Hobi Company at the price requested in the application shall be revised in accordance with the terms of this order, and any payments made to Lindberg and Hobi Company in excess of the present maximum prices authorized by Revised Maximum Price Regulation No. 161 shall be refunded to the purchaser, and, within 30 days of the date on which this order was mailed to them, applicants shall file a statement with this Office to the effect that such contracts have been revised in accordance with the terms of this order, and that, wherever required, refunds were made.

(c) It is ordered that the said petition be treated as a petition for amendment of Revised Maximum Price Regulation 161.

This order shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6519; Filed, April 27, 1943; 3:25 p. m.]

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[1] 8 F.R. 1117, 2992
[2] 7 F.R. 5087, 5664.

[Order 297 Under MPR 188]

FUN HOUSE, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 297 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales of five new toys manufactured by Fun House, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Fun House, Inc., 161 West 22nd Street, New York, New York, is authorized to sell and deliver its five new toys, described in its application of March 13, 1943, at prices, f. o. b. New York, New York, no higher than those set forth below:

	To jobber (each)	To retailer (each)
[illegible] Skill Toss	$0.63	$0.75
730 Pitch-A-Score	.75	.90
No. 625 Win-A-Board	.63	.75
720 Ring-A-Score	.375	.45
415 Spotter Schoo[illegible]	.375	.45

(b) This Order No. 297 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 297 shall become effective April 28, 1943.

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6513; Filed, April 27, 1943; 3:26 p. m.]

[Order 298 Under MPR 188]

AAA DOLL AND TOY CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 298 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for 32 new dolls, manufactured by the A A A Doll and Toy Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) A A A Doll and Toy Co., Inc., 15 West 20th Street, New York, New York, is authorized to sell and deliver its new dolls, described in its application of March 16, 1943, at prices to retailers, f. o. b. New York, New York, no higher than those set forth below:

	Per dozen		*Per dozen*
No. 1650	$12.00	No. 1865	$18.00
No. 1850	15.00	No. 2065	21.00
No. 3050	18.00	No. 2465	24.00
No. 2450	21.00	No. 2665	30.00
No. 2650	27.00	No. 1770	18.00
No. 1655	15.00	No. 1970	21.00
No. 1855	18.00	No. 2170	24.00
No. 2055	21.00	No. 1775	18.00
No. 2455	24.00	No. 1975	21.00
No. 2655	30.00	No. 2175	24.00
No. 1660	15.00	No. 1580	12.50
No. 1860	18.00	No. 1590	15.50
No. 2060	21.00	No. 1790	18.00
No. 2460	24.00	No. 1585	12.50
No. 2660	30.00	No. 1595	15.50
No. 1665	15.00	No. 1795	18.00

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 28, 1943.

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6514; Filed, April 27, 1943; 3:26 p. m.]

[Order 299 Under MPR 188]

STARLIGHT NOVELTY COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 299 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for a new article entitled "Dolly Stroller", manufactured by Starlight Novelty Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Starlight Novelty Company, 450 Broome Street, New York, New York, is authorized to sell and deliver its toy, designated in its application of February 23, 1943, as "Dolly Stroller", at prices to jobbers, f. o. b. New York, New York, no higher than $5.80 per dozen.

This order shall become effective April 28, 1943.

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6511; Filed, April 27, 1943; 3:26 p. m.]

[Order 291 Under MPR 188]

HYGIENIC DENTAL RUBBER COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 291 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Hygienic Dental Rubber Company, 31 West Market Street, Akron, Ohio, may sell and deliver its new acrylic denture material designated in its application as "Rosetone", to dental dealers at prices no higher than those set forth below, subject to discounts, allowances and terms no less favorable than those customarily granted by it.

	Each
1 to 4 packages inclusive	$9.00
5 to 9 packages inclusive	8.40
10 to 24 packages inclusive	7.95
25 or more packages	7.50

All maximum prices are f. o. b. Akron, Ohio.

(b) This Order No. 291 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 291 shall become effective on the 27th day of April 1943.

Issued this 26th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6533; Filed, April 27, 1943; 4:33 p. m.]

[Order 8 Under MPR 327]

THE HARRIS CLAY COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 8 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) On and after April 27, 1943, The Harris Clay Company, Dillsboro, North Carolina, may sell or deliver, and any person may buy or receive from The Harris Clay Company, the following grades of kaolin at prices f. o. b. Spruce Pine, North Carolina, not higher than those set forth below:

Grade:	*Price per ton*
Kamec	$14.00
Lunday	16.00
Sparks	16.00

An additional charge of $1.50 a ton may be added to the above prices when the customer requires a pulverized product, and the usual bagging charge may be added when applicable.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6535; Filed, April 27, 1943; 4:33 p. m.]

[Order 17 Under MPR 244]

MONTAGUE CASTINGS COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 17 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244–34.

For the reasons set forth in the opinion, issued simultaneously herewith under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Montague Castings Company. (a) On and after April 1, 1943, Montague Castings Company of Muskegon, Michigan, is hereby authorized to sell, offer to sell and deliver, and any person is hereby authorized to buy, offer to buy and receive from said Company (1) gray iron castings for which maximum prices are established under paragraphs (a) and (e) of § 1421.166 of Maximum Price Regulation 244 at prices not in excess of said Company's applicable maximum prices under said paragraphs (a) and (e), plus 15% of such maximum prices before the addition of charges, if any, for transportation, and (2) gray iron castings for which maximum prices are established under paragraph (b) of § 1421.166 of Maximum Price Regulation 244 at prices not in excess of the prices computed by the use of the pricing formula which said Company has filed with the Office of Price Administration as part of its application for adjustment (Docket No. 3244–34), except that a margin of 8% above cost instead of 10% shall be used in said pricing formula.

(b) The permission granted to Montague Castings Company is subject to the conditions specified in the preceding paragraph (a) and also the following conditions: Said Company shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., the following documents and financial information all prepared in accordance with recognized accounting principles and submitted under oath or affirmation: (1) quarterly profit and loss statements, said statements to be filed within thirty days following the close of each quarter beginning with the first calendar quarter of 1943, except that the statement for the first calendar quarter of 1943 may be filed not later than May 31, 1943, (2) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the first calendar quarter of 1943, except that the balance sheet for the first calendar quarter of 1943 may be filed not later than May 31, 1943; (3) statements of its average per pound price for gray iron castings sold each month and its average per pound cost for the gray iron castings sold, said statements to be filed within thirty days after the close of each month beginning with the month of April 1943; (4) the profit and loss statements filed pursuant to (1) of this paragraph (b) must show (i) gross sales, (ii) returns and allowances, (iii) net sales, (iv) manufacturing costs, segregating total labor costs, exclusive of general and administrative salaries, total metal costs, and total other manufacturing costs, (v) general and administrative expenses, segregating total compensation to owners, officers and directors, (vi) net profits before income and excess profit taxes, (vii) weight of good castings produced and weight of castings delivered, and (viii) all charges to operations representing accumulations of reserves: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

This Order No. 17 shall become effective April 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6534; Filed, April 27, 1943; 4:33 p. m.]

[Order 1 Under MPR 347]

MICA CO. OF CANADA (N. Y.) INC.

COMPUTATION OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 347—Mica.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) The maximum price for any built-up mica product sold or delivered by the Mica Co. of Canada (N. Y.) Inc., Massena, New York, shall be a price computed by taking the current list price of the Mica Co. of Canada (N. Y.) Inc. for that product and deducting therefrom at least the respective discount set forth in the following table:

Material	Quantity	Discount
		Percent
India mica plate:		
Milled moulding (No. 1)	Less than 10 lbs.	20
Unmilled moulding (No. 3)	10 to 99 lbs.	25
Commutator (No. 2)	100 to 1,999 lbs.	35
For flat work (No. 4	2,000 lbs. and over.	42
Amber mica commutator plate (No. 5)	Less than 10 lbs.	30
	10 to 99 lbs.	37
	100 to 1,999 lbs.	40
	2,000 lbs. and over.	43
India mica plate for flat work (No. 8) (not made under 1/32")	Less than 10 lbs.	12
	10 to 99 lbs.	15
	100 lbs. and over.	26
Flexible mica plate (No. 7)	Less than 10 lbs.	Net
	10 to 99 lbs.	5
	100 lbs. and over.	17
Mica paper (No. 9)	Less than 10 lbs.	5
	10 to 99 lbs.	11
	100 lbs. and over.	23
Mica cloth (No. 10)	Less than 10 lbs.	10
	10 to 99 lbs.	15
	100 lbs. and over.	28
Red rope paper and mica (No. 11)	Less than 10 lbs.	Net
	10 to 99 lbs.	5
	100 lbs. and over.	16
Fish paper and mica (No. 12)	Less than 10 lbs.	Net
	10 to 99 lbs.	5
	100 lbs. and over.	17
Mica tape (No. 13)	Less than 10 lbs.	plus 25
	10 to 99 lbs.	plus 10
	100 lbs. and over.	less 6
India mica heater plate (No. 14 X).	Less than 10 lbs.	20
	10 to 99 lbs.	32
	100 lbs. and over.	44
Amber mica heater plate (No. 15).	Less than 10 lbs.	22
	10 to 99 lbs.	30
	100 lbs. and over.	42
All mica and 98% round mica tubing.	Under 25 ft.	15
	25 ft. and over.	30
85% round mica tubing.	Under 25 ft.	20
	25 ft. and over.	40
80% round mica tubing, and mica and asbestos tubing.	Under 25 ft.	30
	25 ft. and over.	50
Mica commutator rings:		
Under 1 in. diameter.	Less than 1,000.	plus 10
	1,000 to 49,999.	List
	50,000 and over.	less 15
1 in. dia. to under 3 in.	Less than 1,000.	20
	1,000 to 49,999.	40
	50,000 to 99,999.	45
	100,000 and over.	50
3 in. dia. to under 7 in.	Less than 25.	20
	25 and over.	30
7 in. dia. and over.	Any quantity.	40

Rings .035 thick and under take list wall price. Rings over .035 take price of next thicker wall.

Square tubes: In calculating the price of square tubes secure the inside diameter of such tubes by adding together the inside dimension of the four sides and divide such total by PI (3.1416). This operation will give the inside diameter of an equivalent round tube. Locate this diameter on tubing price list, and under the proper wall thickness is given the list price per foot—to secure discount divide the discount on round tubes by two.

Above discounts apply only to quantities ordered for shipment at one time. Various sizes may be aggregated to secure maximum discounts.

(b) Maximum cutting charges for mica bushings shall be as set forth in the following table:

Size:	*Charge per thousand*
$\frac{1}{32}$" wall or less	$2.50
Over $\frac{1}{32}$" to $\frac{1}{16}$" inclusive	5.00
Over $\frac{1}{16}$" to $\frac{1}{8}$" inclusive	5.50
Over $\frac{1}{8}$" to $\frac{1}{4}$" inclusive	6.00
Over $\frac{1}{4}$" to $\frac{3}{8}$" inclusive	6.50
Over $\frac{3}{8}$" to $\frac{1}{2}$" inclusive	7.00

(c) Maximum stripping charges shall be as shown in the following table:

	Charge per pound net
5" wide and over	No cutting charge
3" wide to 4 15/16" wide	5c.
1" wide to 2 15/16" wide	10c.
Less than 1" wide	15c.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective April 28, 1943.

(Pub. Laws 421 and 729 77th Cong.; E.O 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–6520; Filed, April 27, 1943, 3:33 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–21]

INTERNATIONAL UTILITIES CORPORATION

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 23rd day of April, A. D. 1943.

The Commission having heretofore entered a series of orders in the above entitled proceeding, upon the application of International Utilities Corporation, a registered holding company, as that application has been from time to time amended, by which orders said applicant has been heretofore authorized to purchase an aggregate principal amount of $1,442,500 of Collateral Trust Bonds, 6½% Series, of its subsidiary Dominion Gas and Electric Company subject to certain conditions set forth in said orders, including among others the condition that such purchases be effected on or before December 31, 1942, and said applicant having now filed a further amendment to said application whereby it seeks an extension of time to December 31, 1943, within which to purchase $276,500 principal amount of said Collateral Trust Bonds, said amount being the amount of bonds heretofore authorized to be acquired which had not been acquired on December 31, 1942, and whereby it also seeks authorization for the purchase of an additional $500,000 principal amount of said bonds; and

A public hearing on said application as last amended having been held after appropriate notice, the Commission having examined the record and having made and filed its Findings and Opinion herein;

It is ordered, That said application, as amended, be and hereby is granted, subject, however, to the terms and conditions prescribed in Rule U-24 promulgated under said Act and subject also to the following terms and conditions:

(1) That International shall furnish to this Commission on the first and fifteenth day of each month following the date of this order a report of Dominion bonds acquired, specifying the principal amount, cost per unit, amount of commission, and any other fees paid in connection with such acquisitions, name and address of each broker or dealer, total price for each purchase, name and address of seller and beneficial owner at any private sale;

(2) That all bonds purchased at private sale shall be paid for at a price (including fees, if any) not to exceed the price (excluding brokerage fees) at which such bonds were last sold in a reported sale, to which sale neither International nor the prospective seller nor any person acting in behalf of either was a party;

(3) That no bonds shall be purchased from any person or company in any way associated or affiliated with International except in a transaction at current market price and wherein the affiliated or associated person or company functions solely as broker and receives as compensation no more than the customary brokerage fees;

(4) That no bonds shall be purchased at a price less than 95 per cent of principal amount (exclusive of accrued interest) or at a price above the redemption price of such bonds.

(5) That this order shall be summarily revokable if at any time this Commission shall deem the circumstances are such as to make further purchases no longer compatible with the public interest or the interest of investors and consumers;

(6) That no purchases shall be made after December 31, 1943, subject, however, to the right of International to apply for an extension or extensions of such period.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–6507; Filed, April 27, 1943; 2:21 p. m.]

[File No. 70–696]

INTERNATIONAL UTILITIES CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of April, A. D. 1943.

The above-named person having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder, regarding the declaration and payment by International Utilities Corporation, a registered holding company, out of capital or unearned surplus, of a regular quarterly dividend on May 1, 1943, on its $3.50 Prior Preferred Stock, at the rate of 87½¢ per share on the 95,946 shares of such stock presently outstanding, the aggregate amount of such payment being $83,952.75;

Said declaration having been filed on March 31, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The above-named person having requested that said declaration become effective on or about April 23, 1943; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–6508; Filed, April 27, 1943; 2:22 p. m.]

[File No. 70–675]

SUPERIOR WATER, LIGHT AND POWER CO., ET AL.

ORDER PARTIALLY RELEASING JURISDICTION RESERVED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of April, A. D. 1943.

In the matter of Superior Water, Light and Power Company, Northern Power Company, and American Power & Light Company.

The Commission having on April 5, 1943, entered its Findings, Opinion, and Order in the above-entitled matter granting the applications therein, as amended, and permitting the declarations therein, as amended, to become effective, subject to certain terms and conditions including the following:

(4) That Superior submit to the Commission an opinion of counsel certifying that all State laws applicable to the transactions proposed herein have been complied with;

(5) That Superior submit in final form, prior to consummation of the transactions proposed herein, copies of the contracts under which its bonds and debentures are to be issued; jurisdiction as to the final form and terms of such contracts is hereby expressly reserved;

Superior having submitted to the Commission an opinion of counsel certifying that all State laws applicable to the transactions proposed in said applications and declarations, as amended, have been complied with, and having submitted in final form copies of the contracts under which the proposed bonds and debentures are to be issued:

It is ordered, That the jurisdiction reserved be, and the same hereby is, released with respect to conditions 4 and 5 of the said order hereinabove set forth.

Said order of April 5, 1943, is continued in full force and effect except as expressly modified hereby.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–6509; Filed, April 27, 1943; 2:22 p. m.]

[File No. 1–618]

THE CONNECTICUT AND PASSUMPSIC RIVERS RAILROAD CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of April, A. D. 1943.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the First Mortgage 4% Bonds, due April 1, 1943, of The Connecticut and Passumpsic Rivers Railroad Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, May 21, 1943, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer o. the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc 43-6510 Filed, April 27, 1943; 2:22 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 27, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project location	Issuance date of revocation
P-19-e	438E	N. Y. Dept. of Pub. Wks., Div. of Hwys., Albany, N. Y.	Near Tuxedo Park, FAGH 403-B (1) N. Y.	4-14-43
P-19-e	407E	Mississippi St. Hwy. Dept., Jackson, Miss	Georgetown, Miss., FAS 297 D (1)	4-17-43
P-19-e	444E	New York Div. of Hwys., Dept. of Pub. Wks., Albany, N. Y.	Norwich, N. Y., SN-FAGH 456 B (2) St. Rte. 12.	4-17-43

[F. R. Doc. 43-6529; Filed, April 27, 1943; 4:10 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 27, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of Project	Issuance date
P-19-e	26850	New York Dept. of Pub. Wks., Div. of Hwys., Albany, N. Y.	Henderson to Stony Pt. DA-WR I on S. R. 17a.	4-15-43
P-19-e	25699	Kentucky Dept. of Hwys., Frankfort, Ky.	Bowling Green on U. S. Hwy. 31 W (SN-FAG 501 (1) (2)).	4-14-43
P-19-h	52122	Stanley F. Bretska, Comptroller of Univ. of Chattanooga, Tenn.	Chattanooga, Tenn.	4-14-43

[F. R. Doc. 43-6530; Filed, April 27, 1943; 4:10 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 27, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Serial number	Builder	Project location	Issuance Date
383 7033-00414	Sheffield Construction Co., Grant Building, Pittsburgh, Pa.	Brownsville Rd. between Brownsville Rd. and Pittsburgh Coal Co., Snowden Twp., Allegheny Co., Pa. Lots 1 to 72—S. Hills.	3-30-43
233 77-034-000214	Glenn M. & Morris W. James, 101 Telford Ave., West Lawn, Pa.	Walnut Street, Pottstown, Montgomery Co., Pa.	3-30-43
611 77000-401	S. M. Alexander, 3811 Suitland Rd. SE., Washington, D. C.	Valley Ave., SE, Lot 863 Sq. 5928, Washington, D. C.	3-30-43
679 77000-400	C. A. Marinari, 2009 18th St. SE., Washington, D. C.	3532-34 Minnesota Ave. SE., between B and Crawford, Washington, D. C.	3-30-43
546 77-122-000545	Elmer Starr, 613 Ocean Park Blvd., Venice, Calif.	4113 Lyceum, Culver, Calif	3-30-43
654 77-122-000663	Reliable Home Builders, 1507 Bedford St., Los Angeles, Calif.	Huron St. Lot 13, Blk 2 Clarkdale Tract, Culver City, Calif.	3-30-43
673 77-122-000664	Reliable Home Builders, 1507 Bedford St., Los Angeles, Calif.	Lot 11, Blk 2, Clarkdale Tract, N. E. Corner Huron and Matteson Sts., Culver City, Calif.	3-30-43
2611 77-122-002182	Paul Toth, 4207 Jackson Ave., Culver City, Calif.	Tilden Ave. bet. Aletta and Washington Blvd., Culver City, Calif.	3-30-43
1839 77-122-001618	Ernest J. Branch, 1217 Arapahoe, Los Angeles, Calif.	Westmoreland bet. Pico and Venice Blvd., Los Angeles, Calif.	3-30-43
660 77000-597	Thomas L. Quaife, R. D. 3, Box 371-A, Alexandria, Va.	Brynley Dr. off Springfield Rd., Lot 22, Brumley Subdivision, Fairfax, Va.	4-7-43
711 77000-620	Charles Murgia, 82 S St. N.W., Washington, D. C.	1220 Taylor St. N.E., Washington, D. C.	4-7-43
030 77-058-000485	Builders Supply Co., 619 Tower Ave., Superior, Wis.	Superior, Douglas Co., Wisconsin	4-7-43
943 77-031-900	Meckel Homes, Succasunna, N. J.	Kenvil Ave. and New St., Succasunna, N. J	4-7-43
366 77-031-227	Equity Builders, Inc., 233 West 42d St., New York, N. Y.	W. Richards St., 200 N. Franklin St., Pequannock, N. J.	4-7-43
834 77-031-597	Birchwood Development Co., 342 Madison Ave., New York, N. Y.	Caroline St. between Lexington Ave. and Fairfield Ave., Cranford, N. J.	4-7-43
93 77-101-000143	B. F. Tucker, 1101 West 26th St., Pueblo, Colo.	Court between 25th and 26th, Pueblo, Colo.	4-7-43
4798 77-129-000579	L. A. Simonds, 2028 N. Beachwood Drive, Los Angeles, Calif.	Wilmona, between Collier and Euclid, San Diego, Calif.	4-7-43
1988 7071-001056	Leon Clark, 2218 Jenkinson Court, Waukegan, Ill.	1326 Lincoln St., North Chicago, Ill	4-7-43
1373 77-074-000326	Victory Homes, Inc., 1540 State St., Bettendorf, Iowa.	Davenport, Iowa	4-7-43

[F R Doc 43 6531; Filed, April 27, 1943; 4 10 p m.]

[Certificate 46, Amendment 1]

APPROVAL OF PETROLEUM DIRECTIVE REGARDING ELIMINATION OF UNNECESSARY MOVEMENTS WITHIN DISTRICT 2

The Attorney General: Referring to Certificate No. 46, issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) on March 30, 1943, I submit herewith Amendment No. 1 to Petroleum Directive 65 of the Office of Petroleum Administration for War.[1]

[1] *Supra.*

For the purposes of the aforesaid section 12 of Public Law No. 603, I approve Petroleum Directive 65 as amended, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance therewith is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman, War Production Board.

[F R D c. 43 6537; Filed, April 27, 1943; 4 50 p m.]

[Certificate 57]

APPROVAL OF COORDINATED OPERATION OF CERTAIN TAXICAB OPERATORS IN CHICAGO, ILL.

The Attorney General: I submit herewith Special Order ODT TC-1[1] issued by the Director of the Office of Defense Transportation with respect to the coordination of taxicab service in the named taxicab operators in Chicago, Illinois.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the special order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT TC-1 is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 26, 1943.

[F. R. Doc. 43-6532; Filed, April 28, 1943; 11:19 a. m.]

[1] *Supra.*

FEDERAL REGISTER

VOLUME 8 NUMBER 85

Washington, Friday, April 30, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 29, Amendment 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON THE USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Pursuant to the authority vested in me by Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), and to assure an adequate supply and efficient distribution of cottonseed, peanut, soybean, and corn oil to meet war and essential civilian needs, *It is hereby ordered*, That Food Distribution Order 29 (8 F.R. 2915), issued on March 6, 1943, by the Secretary of Agriculture, be, and the same hereby is, amended to read as follows:

§ 1460.13 *Cottonseed, peanut, soybean, and corn oil; restrictions on use and distribution*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "crude oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, and which has not been refined.

(2) The term "refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation.

(3) The term "refiner" means any person who accepts delivery of crude oil for the purpose of refining, and who may or may not process refined oil, produced by him or acquired from any other person, further in the manufacture of shortening, cooking oil, salad oil, or margarine.

(4) The term "non-refining margarine manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of margarine, and who does not own, control, or operate a refinery for refining crude oil.

(5) The term "non-refining shortening manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of shortening, cooking oil, or salad oil, and who does not own, control, or operate a refinery for refining crude oil.

(6) The term "industrial user" means any person, other than a refiner, who accepts delivery of crude or refined oil, for any use other than the manufacture of an edible product. A manufacturer of medicinal preparations shall be deemed to be an industrial user hereunder.

(7) The term "person" means any individual, partnership, corporation, association, or other business entity.

(8) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(9) The term "receiving notice from the Director" shall include, but is not limited to, the delivery of a telegram or letter from the Director to an employee of the person concerned at the business address of such person.

(b) *Restrictions on delivery of crude oil.* No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, unless specifically authorized or directed by the Director.

(c) *Restrictions on delivery of refined oil.* No person shall deliver refined oil to any other person who is a refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer, and no refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, unless specifically authorized or directed by the Director.

(Continued on next page)

IMPORTANT NOTICE

Beginning May 1, 1943, the subscription rates to the FEDERAL REGISTER will be as follows: $15.00 per year, $1.50 per month, single copies 15¢ minimum. Prior to May 1, subscribers may renew or extend their subscriptions for one year at the $12.50 rate.

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FEDERAL REGISTER

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(d) *Restrictions on the use of crude oil.* No person, other than an industrial user, shall use crude oil except in such quantities and for such purposes as the Director shall specifically authorize or direct.

(e) *Restrictions on the use of refined oil.* No refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer shall use refined oil except in such quantities and for such purposes as the Director shall specifically authorize or direct. The foregoing restriction shall be construed as being supplemented to the restrictions of any other applicable food distribution order, and an authorization or directive issued pursuant to this paragraph (e) shall not be construed as authorizing a violation of any other food distribution order.

(f) *Effective period of authorizations or directives.* The Director may prescribe in an authorization or directive, issued pursuant to this order, a period of time in which the authorization and directive shall be in force and effect, and no person shall deliver, accept delivery of, or use crude or refined oil pursuant to or in reliance on an authorization or directive for such delivery, acceptance of delivery, or use, as the case may be, after the expiration of the effective period thereof.

(g) *Inventories.* Crude or refined oil authorized or directed by the Director to be used for a specific purpose during a specified period shall revert to inventories where and to the extent that such oil is not used during the specified period for the specific purpose designated in the authorization or directive. Crude or refined oil which the Director has authorized or directed to be delivered, accepted for delivery, or used for the purpose of building up inventories, or which has reverted to inventories under the terms of this order, shall not be used for any purpose other than refining to the extent necessary to prevent deterioration, except as the Director may further authorize or direct.

(h) *Further allocations.* No person, after receiving notice from the Director to refrain from delivering or using any crude or refined oil acquired by him pursuant to an authorization or directive issued hereunder, shall deliver or use such oil, except upon further specific authorization of the Director.

(i) *Intra-company deliveries.* The provisions and restrictions of this order with respect to delivery of crude oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(j) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereinafter entered into, or any rights accrued or payments made thereunder.

(k) *Delivery.* For the purposes of this order:

(1) A person shall be deemed to have delivered crude or refined oil upon the occurrence of any one of the following:

(i) The delivery by such person of such oil to a common carrier and the issuance of a bill of lading therefor; or

(ii) The loading of such oil in a truck or tank wagon furnished by the person to whom delivery is to be made; or

(iii) The unloading of such oil in a plant or storage tank which is owned, leased, or controlled by the person to whom delivery is to be made.

(2) A person shall be deemed to have accepted delivery of crude or refined oil upon the occurrence of any one of the following:

(i) The acquisition by such person of a bill of lading issued by a common carrier for such oil; or

(ii) The loading of such oil in a truck or tank wagon furnished by such person; or

(iii) The receiving of such oil in a plant or storage tank which is owned, leased, or controlled by such person.

(l) *Applications, records, and reports.* Applications for authorizations required by this order shall be made on such forms, in such manner, for such period, and at such times as the Director shall prescribe, and every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(n) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(o) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(p) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD–29.

(q) *Effective date.* This order shall become effective on the 3d day of May 1943, at 12:01 a. m., e. w. t.

(E.O. 9322; 8 F.R. 3807; E.O. 9334; 8 F.R. 5423)

Issued this 28th day of April 1943.

[SEAL] CHESTER C. DAVIS,
Administrator,
War Food Administration.

[F. R. Doc. 43–6678; Filed, April 29, 1943; 11:20 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

BURIAL EXPENSES

Sections 36.50 (c) (5) and 36.51 (c) (2) (v) and (vii) are amended as follows:

§ 36.50 *For whom authorized.* * * *

(c) *Civilian employees.* * * *

(5) Civilian employees of the War Department, other than those enumerated above, who die while traveling on official business outside the continental limits of the United States or while on assignment to a post outside the United States, including American citizens hired locally, whose homes in fact are in the continental United States. In addition to preparation and transportation of the remains of these civilian employees, the costs of transportation of dependents of the decedent and of the household effects and other personal property of the decedent and his dependents to his former home or to such other place in the United States and not more distant than the former home of the decedent are authorized. (See § 93.1 for transportation of dependents and AR 55–160 [1] for transportation of household effects and personal effects. See Act July 8, 1940. (54 Stat. 743); E.O. 8557, September 30, 1940. (49 Stat. 1507, 52 Stat. 399, 10 U.S.C. 455d, 916c and 32 U.S.C. 164c)) [Par. 2, AR 30–1830, March 1, 1939, as amended by C1, Nov. 9, 1942]

* * * * *

§ 36.51 *Definition.* * * *

(c) *Burial expenses and transportation for civilian employees enumerated in § 36.50 (c) (4).* * * *

(2) * * *

(v) Transporting body by common carrier. Instead of conveyance by common carrier, removal of the remains overland by hearse (including ferry charges, bridge tolls, and similar items) may be allowed provided that the total charges for transportation will not exceed the total costs of transportation had conveyance been made by common carrier.

* * * * *

(vii) Transportation expenses of an escort for the remains will not be allowed. However, this will not be construed to prohibit the use by an escort of one of the two tickets required to ship the remains as baggage by railroad. (49 Stat. 1507, 52 Stat. 399, 10 U.S.C. 455d, 916c and 32 U.S.C. 164c) [Par. 3c, AR 30–1830, March 1, 1939, as amended by C1, Nov. 9, 1942]

* * * * *

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43–6665; Filed, April 29, 1943; 10:09 a. m.]

[1] Administrative regulations of the War Department relative to transportation of authorized baggage.

Chapter V—Military Reservations and National Cemeteries

PART 55—MOTION PICTURE SERVICE

SUSPENSION OF CREDIT SALES

The suspension notice published in the FEDERAL REGISTER on October 8, 1942 (7 F.R. 7959) pertaining to § 55.8 is rescinded and the following substituted therefor:

At all posts, camps, and stations within the continental United States, except Alaska, all purchases from commissaries and from all company-owned or company-operated activities, for example, barber shops, tailor shops, etc., will be for cash. All purchases from exchanges and theaters will be for cash or for coupons bought and paid for in advance. Quartermaster laundry service, telephone service, and utility service will continue to be handled on a charge sales basis. The issue of rations and sales to organizations (including officers', enlisted men's, and service club messes) which are authorized to buy from commissaries and exchanges under existing regulations may continue on a credit basis.

So much of § 55.8 as is in conflict with the above is suspended. (R.S. 161; 5 U.S.C. 22) [Cir. 87, W.D., March 29, 1943]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43–6664; Filed, April 29, 1943; 10:09 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Serial No. 272]

PART 20—PILOT CERTIFICATES

EXEMPTION OF AIRMEN OUTSIDE OF UNITED STATES FROM REQUIREMENT TO POSSESS IDENTIFICATION CARD

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of April 1943.

The following special civil air regulation is made and promulgated to become effective April 22, 1943:

The holder of an airman certificate when serving in a foreign country may exercise the privileges of such certificate without complying with those provisions of the civil air regulations requiring the possession of an identification card.

This regulation shall terminate six months after the end of the war.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-6605; Filed, April 28, 1943; 2:37 p. m.]

[Amendment 20-5]

PART 20—PILOT CERTIFICATES

GLIDER PILOT CERTIFICATE REQUIREMENTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of April 1943.

Effective April 22, 1943, Part 20 of the Civil Air Regulations is amended as follows:

1. By amending § 20.15 to read as follows:

§ 20.15 *Student glider pilot certificate.* To be eligible for a student glider pilot certificate, an applicant shall comply with the following requirements: *Provided,* That the holder of a currently effective pilot certificate of student grade or higher may serve as a student glider pilot without holding a student glider pilot certificate.

2. By amending § 20.165 to read as follows:

§ 20.165 *Aeronautical knowledge.* Applicant shall be familiar with and accomplish satisfactorily a written examination on the provisions of Part 60 dealing with contact flight. This requirement shall not be applicable to an applicant who possesses a currently effective pilot certificate of private grade or higher.

3. By amending § 20.167 to read as follows:

§ 20.167 *Aeronautical skill.* Applicant shall demonstrate his ability to pilot a glider by satisfactorily making at least the following: One flight with a 180° turn and a downwind landing, one flight with a 360° turn to the right and a landing to within 200 feet of a designated mark, and one flight with a 360° turn to the left and a similar landing. If the applicant possesses a currently effective pilot certificate of private grade or higher, the Administrator may accept as evidence of the above required demonstration of ability, a statement from a commercial glider pilot certifying that the applicant has the aeronautical experience required in § 20.166 and has satisfactorily demonstrated to him the aeronautical skill required by § 20.167.

4. By amending § 20.175 to read as follows:

§ 20.175 *Aeronautical knowledge.* Applicant shall be familiar with and accomplish satisfactorily a written examination on so much of Parts 01, 20, and 60 as are pertinent to his certificate. This requirement shall not apply to an applicant who possesses a currently effective pilot certificate of a private grade or higher.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-6606; Filed, April 28, 1943; 2:37 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4817]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

POW-A-TAN MEDICINE COMPANY

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondent's "Pow-A-Tan Herb Tonic", or any other similar medicinal preparation, and among other things, as in order set forth, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's preparation, which advertisements represent, directly or through inference, (1) that respondent's preparation is a cure or remedy for neuritis, arthritis, rheumatism, indigestion, la grippe, colds, weakness, tired out feeling and general run-down condition, ailments or disorders of the liver, pains in the neck, shoulders, side, back, and hips, heartburn or palpitation of the heart, belching, gas on stomach, sick stomach, lumbago, or female complaints, or that said preparation has any therapeutic value in the treatment of any of such conditions; (2) that respondent's preparation has any therapeutic value in the treatment of gas and bloatiness, piles, biliousness, bad taste in the mouth, or sick headache in excess of affording temporary relief when such conditions are due to constipation; (3) that respondent's preparation is a cure or remedy for constipation or that it has any therapeutic value in the treatment thereof in excess of affording temporary relief for such condition; (4) that the use of respondent's preparation will prevent such diseases and conditions as colds, appendicitis, tuberculosis, catarrh, typhoid, or other contagious or acute diseases; or (5) that respondent's preparation is a tonic or that its use will produce a general tonic effect on the body; or which advertisements (6) fail to reveal that respondent's preparation should not be used in cases of nausea, vomiting, abdominal pains, or other symptoms of appendicitis; prohibited, subject to the provision, however, as respects said last prohibition, that if the directions for use wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contain a warning of the potential dangers in the use of said preparation as hereinabove set forth, such advertisement need contain only the cautionary statement, "Caution: Use only as directed". (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Pow-A-Tan Medicine Company, Docket 4817, April 22, 1943]

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (dd) *Advertising falsely or misleadingly—Special or limited offers:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts:* § 3.96 (a) *Using misleading name—Goods—Nature.* In connection with offer, etc., of respondent's "Pow-A-Tan Herb Tonic", or any other similar medicinal preparation, and among other things, as in order set forth, (1) representing directly or by implication that said preparation is sold by means of a special or limited offer when the method of distribution is the usual and customary method used by the respondents in the usual and customary course of business; or (2) using the word "tonic" alone or in association with any other word or words to designate, describe, or refer to any preparation which is not a tonic and which does not produce any general tonic effect upon the body; prohibited. Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Pow-A-Tan Medicine Company, Docket 4817, April 22, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22nd day of April, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act.

It is ordered, That the respondent, Pow-A-Tan Medicine Company, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of its medicinal preparation designated "Pow-A-Tan Herb Tonic," or any other medicinal preparation of substantially similar composition or possessing substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement represents directly or through inference:

a. That respondent's preparation is a cure or remedy for neuritis, arthritis, rheumatism, indigestion, la grippe, colds, weakness, tired out feeling and general run-down condition, ailments or disorders of the liver, pains in the neck, shoulders, side, back, and hips, heartburn or palpitation of the heart, belching, gas on stomach, sick stomach, lumbago, or female complaints or that said preparation has any therapeutic value in the treatment of any of such conditions.

b. That respondent's preparation has any therapeutic value in the treatment of gas and bloatiness, piles, biliousness, bad taste in the mouth, or sick headache in excess of affording temporary relief when such conditions are due to constipation.

c. That respondent's preparation is a cure or remedy for constipation or that it has any therapeutic value in the treatment thereof in excess of affording temporary relief for such condition.

d. That the use of respondent's preparation will prevent such diseases and conditions as colds, appendicitis, tuberculosis, catarrh, typhoid, or other contagious or acute diseases.

e. That respondent's preparation is a tonic or that its use will produce a general tonic effect on the body.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement fails to reveal that respondent's preparation should not be used in cases of nausea, vomiting, abdominal pains, or other symptoms of appendicitis; *Provided, however,* That if the directions for use wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contains a warning of the potential dangers in the use of said preparation as hereinabove set forth, such advertisement need contain only the cautionary statement, "Caution: Use only as directed."

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce directly or indirectly the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of respondent's preparation which advertisement contains any of the representations prohibited in paragraph 1 hereof and the respective subdivisions thereof or which fails to comply with the requirements set forth in paragraph 2 hereof.

4. Representing directly or by implication that said preparation is sold by means of a special or limited offer when the method of distribution is the usual and customary method used by the respondents in the usual and customary course of business.

5. Using the word "tonic" alone or in association with any other word or words to designate, describe, or refer to any preparation which is not a tonic and which does not produce any general tonic effect upon the body.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-6679; Filed, April 29, 1943; 11:40 a. m.]

[Docket No. 4265]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LEE BOYER'S CANDY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy or any other merchandise, (1) selling, etc., any merchandise so packed and assembled that sales of said merchandise to the public are to be made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with assortments of any merchandise, together with push or pull cards, punch boards, or other devices, which said push or pull cards, punch boards or other devices are to be used or may be used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; (3) supplying, etc., others with push or pull cards, punch boards or other devices, which said push or pull cards, punch boards or other devices are to be used or may be used in the sale or distribution of said merchandise to the public at retail; or (4) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Lee Boyer's Candy, Docket 4265, April 28, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of April, A. D. 1943.

This proceeding coming on for further hearing before the Federal Trade Commission and it appearing that on August 6, 1941, the Commission made its findings as to the facts herein and concluded therefrom that the respondent, Lee Boyer's Candy, a corporation, has violated the provisions of section 5 of the Federal Trade Commission Act, and issued and subsequently served its order to cease and desist; and it further appearing that on May 25, 1942, the United States Circuit Court of Appeals for the Ninth Circuit rendered its opinion, and on May 25, 1942, issued its final decree affirming the aforesaid order of the Commission by modifying said order in certain particulars;

Now, therefore, pursuant to the provisions of subsection (i) of section 5 of the Federal Trade Commission Act, the Commission issues this its modified order to cease and desist in conformity with the said decree:

It is ordered, That the respondent, Lee Boyer's Candy, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of candy or any other merchandise, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed and assembled that sales of said merchandise to the public are to be made by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of others assortments of any merchandise, together with push or pull cards, punchboards or other devices, which said push or pull cards, punchboards or other devices are to be used or may be used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme;

(3) Supplying to or placing in the hands of others push or pull cards, punchboards or other devices, which said push or pull cards, punchboards or other devices are to be used or may be used in the sale or distribution of said merchandise to the public at retail;

(4) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within thirty (30) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-6680; Filed, April 29, 1943; 11:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Revocation of Suspension Order S-128]

CARL M. LOEB RHOADES & CO.

Suspension Order S-128 issued October 30, 1942, prohibited Carl M. Loeb, Rhoades and Company from accepting delivery of, receiving or taking any action to clear through the Bureau of Customs, 100 tons of casein imported by it from Buenos Aires in violation of General Imports Order M-63. Libels were filed on behalf of the United States in the United States District Court for the District of New Jersey and in the United States District Court for the Eastern District of New York on March 4 and 5, 1943, against two separate lots of casein comprising all the casein designated in Suspension Order S-128 which alleged that these lots of merchandise had become subject to forfeiture under the Revenue Laws of the United States (U. S. C. Title 19, section 1593) as mer-

chandise which had been imported into the United States knowingly contrary to law. Carl M. Loeb, Rhoades and Company has tendered a compromise settlement of the claims of the United States under these libels. The Assistant Attorney General, duly empowered to act on behalf of the Department of Justice in this matter, has determined that this tender should be accepted and has requested that Suspension Order S–128 be revoked so that Carl M. Loeb, Rhoades and Company may take such action as is necessary to clear the 100 tons of casein mentioned in Suspension Order S–128 and to accept delivery thereof pursuant to the terms of its tender of compromise.

In view of the foregoing, *It is hereby ordered*, That Suspension Order S–128 (§ 1010.128) issued October 30, 1942, be revoked.

Issued this 28th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43 6603; Filed, April 28, 1943; 2.16 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–303]

RUSSELL SALES & MFG. CO.

Russell Sales & Manufacturing Company is a sole proprietorship, owned and conducted by Walter I. Russell. The company has an office at 15 Park Row, New York, N. Y., a factory at Hudson, N. Y., and is engaged in the manufacture and sale of fly-catching devices in the form of paper ribbons coated with a gummy adhesive, the main ingredient of which is a liquid containing a small percentage of crude rubber in solution. In violation of General Preference Order M–15, during the period July 1 through December 31, 1941, the respondent processed 4,086 lbs. of rubber in excess of the amount permitted to be processed under the order in the manufacture of the flypaper solution. Furthermore, respondent violated Supplementary Order M–15–b by processing, during the period December 13, 1941 through January 17, 1942, 28 cases of smoked rubber having an aggregate weight of approximately 6,800 lbs. in the manufacture of its flycatching compound.

These wilful violations of General Preference Order M–15 and Supplementary Order M–15–b have impeded and hampered the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.303 *Suspension Order No. S–303.* (a) Deliveries of material or equipment to Walter I. Russell, individually or doing business as Russell Sales and Manufacturing Company, or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by any preference rating order, preference rating certificate, general preference order, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation to Walter I. Russell, individually or doing business as Russell Sales and Manufacturing Company, or otherwise, his successors or assigns, shall be made of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Walter I. Russell, individually or doing business as Russell Sales and Manufacturing Company, or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 30, 1943 and shall expire on October 30, 1943, after which time it shall have no further force or effect.

Issued this 28th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6604; Filed, April 28, 1943; 2:16 p. m.]

PART 933—COPPER

[Amendment 1 to Conservation Order M–9–c as Amended April 6, 1943 [1]]

Section 933.4 *Conservation Order M–9–c* is hereby amended:

1. By amending the line on the Combined List under the heading "Automotive, Trailer and Tractor Equipment and Farm Machinery" which now reads:

Garage and automotive repair equipment.	

To be read as follows:

Garage and automotive repair equipment until April 30, 1943. After April 29, 1943, see "Automotive maintenance equipment" on List, A–2.	

2. By adding in its alphabetical position a new item to List A–2 to be and read as follows:

Automotive maintenance equipment except when the only copper products or copper base alloy products used are permitted by the terms of Order L–270----------	Apr. 30, 1943.

Issued this 29th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6668; Filed, April 29, 1943; 10:14 a. m.]

PART 1072—SOLE LEATHER

[Supplementary Order M–80–1]

§ 1072.10 *Supplementary Order M–80–1.* Pursuant to paragraph (b) (1) of Order M–80,[2] which this order supplements, each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside during May, 1943, and during each subsequent month until otherwise directed, at least 20% of the quantity of manufacturers bends produced by him for his own account, or produced for his account by others, during that period. The weight and quality of said portion set aside shall be proportionately equal, as nearly as can be, to those of the manufacturers bends not so set aside.

Issued this 29th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43 6669; Filed, April 29, 1943; 10:14 a. m.]

[1] 8 F.R. 4400.
[2] 7 F.R. 6076.

PART 1114—TIRE RETREADING, RECAPPING AND REPAIR EQUIPMENT

[General Limitation Order L–61, as Amended April 29, 1943]

Section 1114.1 *General Limitation Order L–61* is hereby amended to read as follows:

The fulfillment of requirements for the national defense has created a shortage in the supply of certain critical materials used in the manufacture of retreading, recapping and repair equipment for the national defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1114.1 *General Limitation Order L–61*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or any organized group of persons, whether incorporated or not.

(2) "Retreading, recapping or repair equipment" means any mechanical device used in connection with applying uncured rubber (in the form of camelback, patching rubber or otherwise) to rubber casings or innertubes for the purpose of renewing or repairing a rubber casing or innertube. The term includes, but is not limited to; full circle molds, full circle matrices, holders, tables, steam chambers, kettle curing devices, curing rings, curing bands, pressure plates, spacer rings, curing rims, sectional molds, sectional matrices, tire and tube repair and spot equipment, tire spreaders, tire buffers, mechanical stitchers, mechanical rollers, regroovers. It does not include, however, small tools such as knives, hand rollers, hand stitchers, jacks, shears, and other miscellaneous shop tools and supplies.

(3) "Delivery" means any physical delivery of any item of retreading, recapping or repair equipment, or parts of such equipment to other persons.

(b) *Restrictions on production.* No person shall produce any new retreading, recapping or repair equipment or parts of such equipment, except:

(1) In fulfillment of orders authorized by the War Production Board as provided in paragraph (d) of this order;

(2) As permitted by paragraph (e) of this order;

(3) To fabricate component parts of retreading, recapping or repair equipment for the purpose of maintaining inventories of component parts to be incorporated into new retreading, recapping or repair equipment for delivery in accordance with the provisions of this order: *Provided*, That:

(i) No such manufacturer shall maintain inventories at any time of such component parts in excess of one-sixth of his total production of such component parts during the calendar year 1941; and

(ii) No such component parts shall be assembled in the manufacture of retreading, recapping or repair equipment except in fulfillment of orders specifically authorized in accordance with paragraph (d) of this order.

(c) *Restrictions on delivery.* No person shall deliver or accept delivery of any new retreading, recapping or repair equipment, or parts of such equipment except as permitted by paragraph (e) or as specifically authorized by the War Production Board in accordance with paragraph (d) of this order, upon application of the purchaser.

(d) *Procedure for securing authorization.* Each person seeking to acquire new retreading, recapping or repair equipment or parts of such equipment shall apply on Form PD–840 for an authorization in writing on Form PD–840 by the War Production Board, which shall constitute permission to deliver and to accept delivery of any such equipment specifically authorized therein.

Preference ratings assigned to deliveries of retreading, recapping or repair equipment on Form PD–840 shall be applied in accordance with Priorities Regulation 3, as amended from time to time. In addition to the certification required by said regulation, each person authorized to accept delivery of such equipment pursuant to this paragraph (d) shall endorse his purchase order or contract therefor: "PD–840, Serial No. ---------" inserting in the blank his serial number of PD–840. The use of such endorsement shall constitute a representation to the supplier and to the War Production Board that the delivery of the retreading, recapping or repair equipment was specifically authorized on Form PD–840 in accordance with the provisions of this order.

(e) *Repair parts and certain items of equipment.* The restrictions of paragraphs (b) and (c) of this order shall not apply to the production, assembly, delivery or acceptance of delivery of:

(1) Parts to be used for the maintenance or repair of existing retreading, recapping or repair equipment, or to repair or maintain an item of retreading, recapping or repair equipment delivered in accordance with the provisions of this order.

(2) Any single item of new retreading, recapping or repair equipment having a retail value of $85 or less, except curing bands, full circle and sectional matrices.

(3) New retreading, recapping or repair equipment in fulfillment of orders authorized in accordance with the provisions of General Limitation Order L–61, prior to April 29, 1943.

Provided, That defective repair and maintenance parts containing aluminum shall be disposed of in accordance with the provisions of Supplementary Order M–1–d, as amended from time to time: *And provided, further*, That no person shall produce or acquire any equipment or parts pursuant to this paragraph (e) except in quantities sufficient to maintain minimum practicable working inventories of such equipment or parts.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent that the provisions of this order may be inconsistent with Priorities Regulation 3, in which case the provisions of this order shall govern.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Office of Rubber Director, Washington, D. C., Ref.: L–61.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Records.* Each manufacturer or distributor of new retreading, recapping and repair equipment affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales of such equipment.

Issued this 29th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6670; Filed, April 29, 1943; 10:14 a. m.]

PART 3051—SCALES, BALANCES, AND WEIGHTS

[Limitation Order L–190, as Amended April 29, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the materials used in the manufacture of scales, balances, and weights for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3051.1 *Limitation Order L–190*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Scales" means devices used for weighing persons, materials, objects or substances, or for grading, classifying, counting or evaluating materials, objects or substances in terms of weight, or the measuring of forces expressed in terms of weight. The term includes scales, balances, attachments, and weights.

(3) "Weights" means objects of established weight used in connection with the operation of scales and necessary to the operation or testing thereof.

(4) "Scales for household use" includes all scales commonly used for household purposes except dietetic scales graduated in the metric system for personal use by a person whose diet is regulated by a licensed physician and baby weighing or nursery scales.

(5) "New" scales are all scales other than those which have been used, or sold, rented or lent for the purpose of being used; except that scales which have been used solely for demonstration, trial loans or emergency repair loans are "new" scales.

(6) "Emergency repair loan" means the temporary leasing or lending of a scale to replace a similar scale while the latter is being repaired.

(7) "Class One scales" means commercial scales for use in retail trade, spring type scales equipped with postal charts and having a retail list price of five dollars or less, and scales for household use, including bathroom scales and kitchen scales.

(8) "Class Two scales" means person weighing scales for clinical use and baby weighing or nursery scales.

(9) "Class Three scales" means mailing and parcel post scales, except spring type scales equipped with postal charts and having a retail list price of $5.00 or less.

(10) "Class Four scales" means all scales other than those in Class One, Class Two, Class Three, Class Five, or Class Six.

(11) "Class Five scales" means egg grading scales, milk scales, cotton beam scales, cotton spring scales, and grain sampling, grading, and testing scales.

(12) "Class Six scales" means dietetic scales, graduated in the metric system, for personal use by a person whose diet is regulated by a licensed physician.

(b) *Restrictions on production.* (1) No person shall fabricate parts for new Class One scales or assemble new Class One scales.

(2) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months

commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Two scales in excess of one-fourth of the total number of such scales billed by him to customers during the calendar year of 1941.

(3) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Three scales in excess of one-fourth of the total number of such scales billed by him to customers during the calendar year of 1941.

(4) No person engaged in the manufacture of scales shall increase his inventory of new scales in Class Four if that inventory following such increase will exceed one-twelfth of the total number of such scales billed by him to customers during the calendar year of 1941.

(5) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Five scales in excess of the total number of such scales billed by him to customers during the calendar year of 1941.

(6) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Six scales in excess of the total number of such scales billed by him to customers during the calendar year of 1941.

(c) *Restrictions on transfer.* (1) No person shall sell any new Class Three, Class Four or Class Five scales to fill any order for such scales in an amount of $50.00 or more, except orders to which the purchaser has applied or extended a preference rating issued on Form PD–857, or to which the purchaser has applied or extended a rating of A–9 or higher prior to May 13, 1943. Any person placing such an order amounting to $50.00 or more after May 13, 1943, shall certify, in substantially the following form, that the preference rating applied or extended was issued on Form PD–857.

> The undersigned purchaser represents to the seller and to the War Production Board that the rating of ---------- applied or extended to this purchase order was issued on Form PD–857.

The person receiving this certification shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false.

(2) No person shall rent or lend any new Class Three, Class Four or Class Five scales to fill any order for such scales in any amount, except orders to which the person placing the order has applied or extended a rating issued on Form PD–857, or to which the purchaser has applied or extended a rating of A–9 or higher prior to May 13, 1943. Any person placing such an order after May 13, 1943, shall certify that the rating was issued on Form PD–857 in the manner provided in paragraph (c) (1) of this order, and the person receiving the certification shall be entitled to rely thereon unless he knows or has reason to believe it to be false.

(3) No person shall sell any new Class Three scales to fill any order for such scales in an amount over $5.00 and less than $50.00, except orders rated A–9 or higher.

(4) No person shall sell any new Class Four or Class Five scales to fill any order for such scales in an amount over $5.00 and less than $50.00, placed by a person intending to use such scales on a farm, except orders for which purchase certificates have been issued by a County Farm Rationing Committee, or orders to which a rating of A–9 or higher was applied or extended prior to May 13, 1943.

(5) No person shall sell any new Class Four or Class Five scales to fill any order for such scales in an amount over $5.00 and less than $50.00, placed by a person intending to use such scales elsewhere than on a farm, or to resell them, except orders rated A–9 or higher.

(6) No person shall sell any new Class Two or Class Six scales to any person acquiring such scales for personal or family use except to fill the prescription of a licensed physician.

(7) The restrictions of paragraphs (c) (1) to (c) (6), inclusive, of this order shall not apply to an emergency repair loan of new scales when no used scales are available for such use, or to the selling, renting or lending of any scales which are sold or delivered as "laboratory equipment" in accordance with the provisions of Limitation Order L–144, as amended.

(d) *Repair and maintenance parts.* (1) No person shall produce any repair or maintenance parts for scales for household use except parts to be used for rebuilding used commercial scales into baby weighing scales.

(2) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person shall fabricate a quantity of parts for repair and maintenance of scales which contains, when finished, a total weight of metals greater than 150% of the total weight of metals in the parts (exclusive of those for scales for household use) used or sold by him for repair and maintenance of scales during the calendar year of 1941.

(e) *Restrictions on types, sizes and materials.* (1) So far as any other order of the War Production Board may have the effect of limiting or curtailing the use of any material in any scales or parts thereof to an extent greater than herein provided, the limitations of such order shall be observed.

(2) No manufacturer shall assemble scales equipped with poises, weighbeams, pans, scoops or commodity receivers of copper or copper base alloys. This restriction does not apply to type bars, to scales sensitive to a weight of one centigram or less, or to racks, pinions and rollers for registering poises.

(3) After a period of sixty days following October 10, 1942, no manufacturer may fabricate weights of copper or copper base alloys if such weights are of denominations of 20 grams (metric) or ½ ounce (avoirdupois) and over. This restriction does not apply to weights of classes A, B, M, S, and S2 as defined and recognized by the National Bureau of Standards.

(4) The War Production Board may from time to time issue schedules establishing simplified practices with respect to the types, sizes, forms, materials and specifications or other qualifications for scales. After the effective date of any such schedule no scales shall be fabricated, or assembled, except such as conforms to the issued schedule and except as specifically permitted by such schedule.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except that notwithstanding the provisions of Priorities Regulation No. 3, CMP Regulation No. 5, or CMP Regulation No. 5A, persons applying or extending a rating issued on Form PD–857 for scales shall certify that fact as required by paragraph (c) of this order, in addition to making any certifications required by said regulations.

(g) *Records.* All persons to whom this order applies shall keep, and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(j) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(l) *Communications.* All reports to be filed hereunder, or communications concerning this order, should be addressed to: War Production Board, Service Equipment Division, Service Machinery Section, Washington, D. C. Ref: L–190.

Issued April 29, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Paragraph (a) (7) of § 3051.1, *Limitation Order L–190*, defines "Class One scales" to include "commercial scales for use in retail trade." The phrase "commercial scales for use in retail trade" means only cylinder-type scales, fan-type scales, hanging scales and even-balance scales of the kinds, sizes and models commonly used in making sales of merchandise direct to ultimate consumers.

[F. R. Doc. 43 6671; Filed, April 29, 1943; 10:14 a. m.]

PART 3051—SCALES, BALANCES AND WEIGHTS

[Schedule I of Limitation Order L–190]

§ 3051.2 *Schedule I of Limitation Order L–190.* Pursuant to the provisions of subparagraph (e) (4) of Limitation Order L–190, as amended, this schedule governing the manufacture of baby-weighing and nursery scales is hereby issued. No baby-weighing or nursery scales shall be fabricated or assembled, except scales which conform to the following specifications:

1. No manufacturer shall manufacture any model of baby-weighing or nursery scales other than the one which, of all models manufactured by him during 1942, contains the least amount of steel by weight per scale, exclusive of the tray.
2. No manufacturer shall manufacture any baby-weighing or nursery scales containing any copper or copper-base alloys.
3. No manufacturer shall equip any baby-weighing or nursery scales with metal trays fabricated after April 29, 1943.

Issued April 29, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43–6672; Filed, April 29, 1943; 10:14 a. m.]

PART 3092—TALC

[Conservation Order M–239 as Amended April 29, 1943]

"Part 3092—Steatite Talc" is hereby amended to read "Part 3092—Talc."

Section 3092.1 *Conservation Order M–239* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of talc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3092.1 *Conservation Order M–239*—(a) *Definitions.* For the purposes of this order:

(1) "Talc" means naturally occurring magnesium silicate, both crude and beneficiated.

(2) "Steatite talc" means naturally occurring magnesium silicate both crude and beneficiated, suitable for use in the manufacture of electrical insulators and containing not to exceed one and one-half per cent (1½%) lime (CaO), not to exceed one and one-half per cent (1½%) ferric oxide (Fe_2O_3), and not to exceed four per cent (4%) alumina (Al_2O_3).

(3) "Producer" means a person who mines talc.

(4) "Processor" means a person who mills, treats, or classifies talc or otherwise prepares or beneficiates talc for use by consumers.

(5) "Supplier" means a person who imports talc into the United States or who offers talc for sale to consumers.

(6) "Consumer" means a person who uses talc by incorporating it physically in a product he manufactures or who consumes talc in any other commercial or laboratory process.

(7) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of, or under common control with, or available for the use of such person.

(8) "Minimum practicable working inventory" means:

(i) In the case of steatite talc for use in products and processes on List A, a twelve months' supply; for use in products and processes on List B, a two months' supply; and for use in all other products and processes, a three months' supply.

(ii) In the case of talc other than steatite talc, regardless of use, a six months' supply.

(iii) In the case of steatite talc to be held by dealers or distributors, a two months' supply, based upon average monthly sales during the first nine months of 1942.

(b) *Grinding of talc.* No processor shall grind steatite talc to a grain size so small that it is rendered unusable for steatite insulators, unless he has received a firm order for the amount of steatite talc so to be ground, specifying such small grain size, which is to be delivered within 30 days of the date of such grinding.

(c) *Restrictions on sales or deliveries of talc.* No person after April 29, 1943, shall sell or deliver (including a delivery under toll agreement) talc to any person if he knows or has reason to believe such material is to be received or used in violation of the terms of this order.

(d) *Limitations of inventories*—(1) *Accumulation.* No supplier, other than a producer or a processor, and no consumer, shall accumulate an inventory of talc in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies in quantities in excess of a minimum practicable working inventory.

(2) *Further receipts.* No supplier, other than a producer or a processor, and no consumer, who has an inventory in excess of a minimum practicable working inventory, shall receive any additional talc until his inventory thereof has been reduced below a minimum practicable working inventory.

(3) *Exception.* The foregoing limitations on inventories shall not apply to any supplier (including a dealer or distributor) whose current rate of sale of talc does not exceed five (5) tons per month, or to any consumer whose current rate of consumption of talc does not exceed one (1) ton per month: *Provided, however,* No such supplier or consumer shall accumulate an inventory of talc in the form of raw material in excess of sixty (60) tons.

(e) *Reports.* Each processor shall file in duplicate Form PD–862 in time to reach the War Production Board on or before the 10th day of each month; and each consumer, except a consumer whose current rate of consumption of talc does not exceed one (1) ton per month, shall file in duplicate Form PD–863 in time to reach the War Production Board on or before the 10th day of each calendar quarter.

(f) *Miscellaneous provisions*—(1) *Appeal.* Appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time. All releases of steatite mines which have been granted under Order M–239 prior to April 29, 1943, are hereby revoked. All steatite mines which have been so released prior to April 29, 1943, are subject to all provisions of this order.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C.; Ref: M–239.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any depart-

ment or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 29th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

USES OF STEATITE TALC FOR INVENTORY PURPOSES

1. Steatite insulators for use in communications, radio, radar, and underwater sound instruments.
2. Spark plugs being produced or purchased under specific contract, subcontract, or purchase order for delivery to or for the account of the Army, the Navy, or the Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or being produced in accordance with Limitation Order L-158.
3. Steatite porcelain products used for electrical and heat insulating purposes. This item shall not be deemed to include refractories.
4. Electric light bulbs.
5. Filtering of foods, flavoring extracts, and medicines.
6. Medicinal preparations and health supplies, not including talcum powder or cosmetic preparations
7. Educational, testing, experimentation, and research uses by scientific laboratories.

LIST B

USES OF STEATITE TALC FOR INVENTORY PURPOSES

1. Talcum powder.
2. Cosmetics.
3. Toilet preparations.
4. Foot powder.
5. Insecticides.
6. Roofing materials.

[F. R. Doc. 43-6673; Filed, April 29, 1943; 10:15 a. m.]

PART 3203—MATERIAL ENTERING INTO THE PRODUCTION OF MAINTENANCE EQUIPMENT FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS, AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-270 as Amended April 29, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of automotive maintenance equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3203.1 *Limitation Order L-270*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture or assembly of any automotive maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed on Schedules A, B, and C, to this order, as the same may be amended from time to time, which are manufactured or assembled for automotive repair usage.

(4) "Automotive repair usage" means repairing, reconditioning, rebuilding, renewing, servicing, or maintaining automotive vehicles or parts of automotive vehicles.

(5) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers, and off-the-highway motor vehicles.

(6) "Original equipment" means any automotive maintenance equipment produced for or purchased by manufacturers of automotive vehicles for shipment with such vehicles and included in the manufacturer's sales price of the automotive vehicle.

(c) *Restrictions on production.* On and after April 30, 1943:

(1) No producer shall manufacture or assemble any automotive maintenance equipment listed in Schedule A.

(2) No producer shall manufacture or assemble in any calendar quarter any item of automotive maintenance equipment listed in Schedule B in excess of twenty (20) per cent of the number of like items of automotive maintenance equipment sold by him for other than original equipment in the corresponding calendar quarter of 1941.

(i) In the event that the limitation imposed by paragraph (c) (2) should result in restricting production, in any calendar quarter, to less than his minimum practical factory run of any item of automotive maintenance equipment listed in Schedule B, a producer may, notwithstanding the provision of paragraph (c) (2), produce a minimum practical factory run, provided that his dollar volume of sales of such item, in any calendar quarter shall not exceed twenty (20) per cent of the total dollar volume of his sales of such item in the corresponding calendar quarter of 1941. But in no event may his production of such items during three consecutive calendar quarters exceed twenty (20) per cent of his production of such items during the three corresponding calendar quarters of 1941.

(3) No producer shall manufacture or assemble in any calendar quarter any item of automotive maintenance equipment listed in Schedule C in excess of seventy-five (75) per cent of the number of like items of automotive maintenance equipment sold by him for other than original equipment in the corresponding calendar quarter of 1941.

(4) No producer shall manufacture or assemble in any calendar quarter a dollar volume of repair or replacement parts for automotive maintenance equipment in excess of ten (10) per cent of the total dollar volume of automotive maintenance equipment sold by him in the corresponding calendar quarter of 1941.

(5) No producer shall use any aluminum, copper products, copper base alloy products, steel, or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical material is practicable, and when so used such aluminum, copper products, copper base alloy products, steel, or other critical materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(6) [Revoked April 29, 1943]

(d) *Restriction of sales by producers.* No producer shall sell, transfer or deliver to any person any automotive maintenance equipment, or any replacement parts for automotive maintenance equipment except pursuant to orders bearing a preference rating of AA-5 or higher.

(e) *Exceptions to applicability of this order.* (1) The terms and restrictions of paragraphs (c) (1), (2), (3), and (4) of this order shall not apply to automotive maintenance equipment sold to or produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(2) The terms and restrictions of paragraphs (c) (2), (3) and (4) shall not apply to any automotive maintenance equipment sold to or produced under contracts or orders for delivery to or for the account of:

(i) The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(iii) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States," (Lend-Lease Act).

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Appeals.* Any appeal from the provisions of this order may be made by filing Form PD-500 in triplicate with the Automotive Division, War Production Board, stating therein the information called for.

(k) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C. Reference: Order L-270.

Issued this 29th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Air towers.
Alignment machines (in excess of 500 pounds gross weight).
Analyzers, combustion.
Battery boosters.
Battery carrier straps (metal except post lugs).
Battery chargers, fast type.
Battery chargers, trickle type (except industrial installation).
Body and fender tools (hand, pneumatic, hydraulic, or electric operated).
Brake testing machines.
Car Washers.
Creepers (metal except casters).
Degreasing machines.
Distributor setting machines, synchrograph type.
Dynamometers, chassis.
Engine Cleaners (internal or external).
Frame Straightening Racks.
Frame straightening machines.
Front end combination inspection and/or Correction Machines (in excess of 500 pounds gross weight).
Gasoline mileage testers.
Headlight testers.
Jacks, service—portable type, mechanical or hydraulic (except three, five, eight, twelve, and twenty ton capacity).
Jacks, shop—wheel type, mechanical or hydraulic (except four and ten ton capacity).
Lifts—electric, hydraulic, pneumatic (excepting jacks).
Motor analyzers.
Motor repair stands (metal).
Scuff Detectors (in excess of 55 pounds metal content).
Tire air pressure gauges (except pencil type and truck service type).
Tire pumps, hand operated (except with 1½" x 20" barrel, flat base and two ply hose).
Wheel balancers.
Wheel dollies (metal).

SCHEDULE B

Alignment machines (metal content, 500 pounds or less)
Air chucks
Axle bending bars
Battery cell testers (prong type)
Battery chargers (wall type, twelve battery or over capacity)
Battery charging clips
Battery fillers
Battery jumpers
Brake fillers
Brake lining appliers
Brake riveters
Brake shoe gauges
Cam angle meters
Camber gauges
Caster gauges
Circuit testers
Cleaners, steam or vapor
Coil testers
Condenser testers
Front axle straighteners (metal content, 450 pounds or less)
Front end combination inspection and/or correction machines (metal content, 500 pound or less)
Horses or trestles (metal)
Hydraulic rams
Jacks, push-pull (hydraulic or mechanical)
Jacks, shop-wheel type, hydraulic or mechanical (four and ten ton capacity)
Piston expanders
Piston ring compressors
Ring groove cleaning tools
Scuff detectors (metal content, 55 pounds or less)
Spark plug gauges
Spark plug cleaners
Spark plug tire pumps
Spark plug tire pump adapters
Tire pumps, foot operated
Tire pumps, hand operated (1½" x 20" barrel, flat base and two ply hose)
Tire pumps, automobile engine operated
Toe-in gauges
Turning radius plates
Wrecking cranes
Wheel straighteners

SCHEDULE C

Air pressure gauges (Pencil type and truck service type)
Align reamers
Anti-freeze testers
Battery hydrometers
Brake drum gauges
Brake drum grinders
Brake drum lathes
Clutch rebuilders
Compression gauges
Connecting rod aligners
Connecting rod grinders
Connecting rod reamers
Crankshaft grinders
Cylinder boring bars
Cylinder grinders
Cylinder honer
Cylinder ridge reamers
Jacks, service—Portable type, hydraulic or mechanical (three, five, eight, twelve and twenty ton capacity)
Main bearing boring equipment
Piston grinders
Piston pin grinders
Piston pin hones
Piston pin reamers
Pressure plate grinders
Ring gear riveters
Timing lights
Tire air pressure gauges (Pencil type and truck service type)
Transmission jacks
Vacuum gauges
Valve grinders
Valve guide reamers
Valve refacers
Valve seat insert tools
Valve seat insert grinders
Valve seat reamers

[F. R. Doc. 43-6674; Filed, April 29, 1943; 10:14 a. m.]

Chapter XI—Office of Price Administration

PART 1382—HARDWOOD LUMBER

[MPR 223,[1] Amendment 5]

NORTHERN HARDWOOD LUMBER

1. In § 1382.163 (b), subparagraphs (3) and (4), and an item in subparagraph (12), are amended, and subparagraphs (16) and (17) are added, as set forth below:

(3) *Beech.*

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common	No. 2 Common and Better
4/4	$55.00	$46.00	$34.00				$29.00
5/4	64.00	53.00	40.00				34.00
6/4	72.00	60.00	45.00				38.00
8	85.00	70.00	53.00	$35.00	$31.00	$27.00	45.00
10/4	91.00	75.00	58.00	41.00	34.00	28.00	49.00
12/4	94.00	78.00	62.00	43.00	35.00	28.00	54.00
2	102.00	85.00	69.00	45.00	36.00	28.00	58.00
2½	112.00	93.00	79.00				66.00
3	127.00	113.00	92.00				78.00

(4) *Birch.*

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common and Sound	No. 3 Common
4/4	$86.00	$74.00	$49.00	$32.00		
5/4	97.00	84.00	55.00	37.00		
6	114.00	99.00	65.00	43.00	$36.00	$28.00
10/4	119.00	104.00	73.00	50.00	37.00	29.00
12/4	121.00	106.00	78.00	56.00	38.00	29.00
2	123.00	113.00	89.00	61.00	39.00	29.00
2½	125.00	115.00	93.00	62.00		
3	127.00	117.00	98.00	67.00		

[1] 7 F.R. 7445, 8945; 8 F.R. 121, 2783.

(12) *Hardwood hearts.*

Size (ineh)	Length (feet)	No. 3 Common	Crossing plank and structural stock
... 2 x 8	... 6 to 16	...	... $31.00

(16) *Miscut hardwoods.* The maximum price for miscut lumber of any species covered by this regulation shall be the maximum price for standard sawn lumber of the same species and grade in 4/4" thickness less the following:

FAS	Selects	No. 1 Common	No. 2 Common
$5.00	$5.00	$5.00	$3.00

(17) *Hardwood barkies.* The maximum price for 1" x 4" hardwood barkies in any species covered by this regulation shall be the same as the maximum price for No. 3 Common lumber 1" thick, of the same species.

"Hardwood barkies" as used here, means a trade practice grade which will admit bark without limit on one face, not more than one-third the thickness of the piece, provided the reverse side has two good edges and is sound, as defined in "Sound Cutting," National Hardwood Lumber Association Rules issued January 1943.

2. In § 1382.163, paragraph (e) is redesignated paragraph (g) and a headnote added, and new paragraphs (e) and (f) are added, as set forth below:

(e) *Small quantities.* The following additions per M' may be made when the purchaser (or purchasers in the case of a pool car) orders an item consisting of one species, thickness, and grade, in the following quantities:

Quantity ordered:	*Addition per M'*
3000 to 4000 feet	$1.00
2000 to 2999 feet	2.00
1000 to 1999 feet	2.50
999 feet or less	3.00

(f) *Cross-cutting.* An addition of $1.50 per cut per M' may be made, when the purchaser specifically requires cross-cutting to specified nonstandard lengths.

(g) *N. H. L. A. inspection certificate.* • • •

(3) In § 1382.164 (b), subparagraphs (1) and (2) are amended as set forth below:

(1) STANDARD SPECIAL GRADES, SPECIFIED WIDTHS, AND SPECIFIED LENGTHS

(In specified hardwood species)

Species	Grade or designation	Thickness (inches)	Widths (inches)	Lengths (feet)	Maximum price for 1,000 feet BM	Maximum additions to maximum price established in § 1382.163 for lumber in corresponding stand grade and thickness
Basswood	No. 2 Common and Better	1	Regular	4 and 6	$36.00	
	No. 2 Common	1	3½ to 5½	Regular	$35.00	
	All	1	Regular	10 and 12		$5.00
	All	1¼ and thicker	Regular	10 and 12		6.00
	No. 1 Common and Better	All	7 and wider	Regular		7.00
	No. 1 Common and Better		10 and wider	Regular		15.00
	No. 1 Common and Better		12 and wider	Regular		30.00
	No. 1 Common and No. 2 Common	1		8 and longer (Long cutting).		4.00
						5.00
	Venetian Blind Stock	1 and 1¼			$105.00	
	FAS Key Stock	1			$85.00	
	No. 1 Common and Selects Key Stock				$110.00	
	FAS Key Stock	1¼			$90.00	
	No. 1 Common and Selects Key Stock	1¼			$75.00	
	1 and 2 Face Clear		4	6 to 16	$82.00	
	1 and 2 Face Clear	1	5	6 to 16		
Birch	Selects and Better	1 and 1¼	45% 8 and wider (10% to 12% 10 and wider).	45% 14 and 16	For each 10% of 8" and wider in excess of 45%.	2.50
	Selects and Better	1 and 1¼	45% 8 and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 14' and 16' in excess of 45%.	2.00
						20.00
	Straight-grained, free from cross-grained or curly stock.				$80.00	
	Knotty	1	4 to 8	8 to 16	$65.00	
	No. 1 Common and Better	1	4 and wider	4 and 6	$48.00	
	No. 2 Common and Better	1	4 and wider	4 and 6	$43.00	
	No. 2 Common	1	4 and wider	4 and 6	$58.00	
	No. 2 Common and Better	1¼	4	6 to 16	$89.00	
	1 and 2 Face Clear	1	5	6 to 16	$84.00	
	1 and 2 Face Clear	1	4	6 to 16	$99.00	
	2 Face Clear	1	5	6 to 16	$104.00	
	2 Face Clear	1	4	Any	$65.00	
	No. 1 Common	1	4	Any	$43.00	
	No. 2 Common	1	6	Any	$56.00	
	No. 1 Common	1	4	Any	$44.00	
	No. 2 Common	1	6	Any		20.00
	Selected Red Birch				$93.00	
Hard Maple	1 and 2 Face Clear	1	4	6 to 16	$99.00	
	1 and 2 Face Clear	1	5	6 to 16	$99.00	
	1 and 2 Face Clear	1¼	4	6 to 16	$105.00	
	No. 1 Common and Better—Curly	1 and thicker	Regular	Regular		25.00
	FAS—Birdseye	1 and thicker	Regular	Regular		10.00
	No. 1 Common and Better Heel Stock	1½ to 2½	Regular	4 and longer	$49.00	
	No. 1 Common Flooring Stock	1	4 and wider	4 and longer	$39.00	
	No. 2 Common Flooring Stock	1	4 and wider	4 and longer	$29.00	
	No. 3A Common Flooring Stock	1	4 and wider	4 and longer	$52.00	
	No. 1 Common Flooring Stock	1¼	4 and wider	4 and longer	$42.00	
	No. 2 Common Flooring Stock	1¼	4 and wider	4 and longer	$32.00	
	No. 3A Common Flooring Stock	1¼				20.00
	No. 1 White					15.00
	No. 1 and No. 2 White					10.00
	No. 2 White					7.00
	Sap 1 Face					20.00
	Straight Grain (except in conjunction with No. 1 White, No. 2 White or No. 1 and No. 2 White).					10.00
	Straight Grain (in conjunction with No. 1 White, No. 2 White, or No. 1 and No. 2 White).					

(2) STANDARD SPECIAL WIDTHS AND LENGTHS IN ALL HARDWOOD SPECIES

(Except as otherwise provided in Appendix A, § 1382.163)

Widths and/or Lengths and Grade:	*Maximum additions to maximum price established in § 1382.163 for lumber in corresponding standard grade and thickness*
5" or 6" and wider; 8' and longer, No. 1 Common and No. 2 Common	$2.00
10' and longer or 12' and longer, No. 2 Common	2.00
7" and wider; standard lengths, No. 1 Common and Better	8.00
8" and wider; standard lengths, No. 1 Common and Better	12.00
9" and wider; standard lengths, No. 1 Common and Better	25.00
10" and wider; standard lengths, No. 1 Common and Better	30.00
12" and wider; standard lengths, No. 1 Common and Better	35.00
11" and wider; standard lengths, Step Plank	[1] 35.00
12" and wider; standard lengths, Step Plank	[1] 40.00
1" x 4"; standard lengths, No. 3 Common	1.00
1" x 5" and wider; standard lengths, No. 3 Common	1.00
1" x 6" and wider; standard lengths, No. 3 Common	1.00
1" x 7" and wider; standard lengths, No. 3 Common	2.00
1" x 8" and wider; standard lengths, No. 3 Common	4.00
1" x 9" and wider; standard lengths, No. 3 Common	5.00

[1] Add to FAS price.

All one width. Same price as for the same width and wider, except as otherwise specifically provided for above or in Appendix A, section 1382.163.

6' and shorter. Deduct $2.00 except where otherwise specifically provided for in Appendix A, section 1382.163.

On items of No. 3 Common in above schedule for stock 8' and longer, add $1.00 per M' to maximum price for random lengths.

This amendment shall become effective May 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6591; Filed, April 28, 1943; 12:24 p. m.]

PART 1392—PLASTICS

[MPR 263,[1] Amendment 3]

NEW PHONOGRAPH RECORDS AND RECORD SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1392.55 (c) is added, as set forth below:

(c) *Fractions of cents.* Tax calculations resulting in a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and shall be increased to the nearest higher cent if the fraction is one-half cent or more. For a sale by a retailer, the calculation shall be based upon one record as the unit of sale, regardless of the quantity included in the sale. For a sale by a manufacturer or wholesaler, the calculation shall be based upon the quantity included in the sale.

This amendment shall become effective May 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6590; Filed, April 28, 1943; 12:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 394 Under § 1499.3 (b) of GMPR]

PEPSI-COLA CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1881 *Approval of maximum prices for sales of Pepsi-Cola Flavoring XXXX by Pepsi-Cola Company, 4751 33rd Street, Long Island City, New York.* (a) On and after April 29, 1943 the maximum price of Pepsi-Cola Company, 4751 33rd Street, Long Island City, New York for sales of Pepsi-Cola Flavoring XXXX shall be $55 per unit freight paid to destination.

(b) A unit of Pepsi-Cola Flavoring XXXX shall be the quantity thereof which, when combined with other ingredients in accordance with Pepsi-Cola Company's standard bottling formula, will produce 1200 cases of 24 12-ounce bottles of finished Pepsi-Cola carbonated beverage.

(c) Pepsi-Cola Company shall apply to its maximum price for Pepsi-Cola Flavoring XXXX the same discounts, allowances and price differentials as it customarily applied in March 1942 to its sales of Pepsi-Cola Standard Domestic Concentrate unless a change therein results in a lower selling price.

(d) Before or at its first delivery of Pepsi-Cola Flavoring XXXX to a purchaser, Pepsi-Cola Company shall give written notice to such purchaser as follows:

OPA has authorized us to sell Pepsi-Cola Flavoring XXXX Concentrate at a maximum price of $55 per unit freight paid to destination. Such unit is a quantity thereof which, when combined with other ingredients in accordance with our standard bottling formula, will produce 1200 cases of 24 12-ounce bottles of finished Pepsi-Cola carbonated beverage. Discounts, allowances and price differentials are to be the same as those customarily applied in March 1942 to our sales of Pepsi-Cola Standard Domestic Concentrate unless a change therein results in a lower price. Your ceiling prices for sales of Pepsi-Cola flavored syrup and Pepsi-Cola carbonated beverage are not affected by this notice. OPA requires you to keep this notice for examination.

(e) This Order No. 394 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 394 (§ 1499.1881) shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6587; Filed, April 28, 1943; 12:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 418 Under § 1499.3 (b) of GMPR]

CURTISS CANDY CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1656 *Authorization of maximum prices for sales of "Spread-Mor", a butter extender, packed twelve 1¾ ounce packages to the carton, manufactured by Curtiss Candy Company, Chicago, Illinois, by wholesalers and by retailers.* (a) On and after April 29, 1943, the maximum selling price for "Spread-Mor" for sales by Curtiss Candy Company, 622 Diversey Parkway, Chicago, Illinois, shall be 52 cents per dozen 1¾ ounce packages, subject to a discount of 2% for prompt payment, delivered to purchasers' stations.

(b) Sellers at wholesale are authorized a maximum price of 65 cents per dozen 1¾ ounce packages of "Spread-Mor".

(c) Sellers at retail who purchase "Spread-Mor" directly from the manufacturer (Curtiss Candy Company) are authorized a maximum price of 6 cents per 1¾ ounce package of "Spread-Mor". Sellers at retail who purchase "Spread-Mor" from wholesalers are authorized a maximum selling price of 7½ cents per 1¾ ounce package of "Spread-Mor", (8 cents in single package sales).

(d) Curtiss Candy Company and sellers at wholesale shall apply discounts, allowances, and trade practices to the sales of "Spread-Mor" no less favorable than those customarily applied by them to sales of comparable commodities.

(e) *Notification.* (1) On and after April 29, 1943, Curtiss Candy Company shall supply to each of its purchasers before or at the time of first delivery of "Spread-Mor", a written notification as follows:

Notification From Curtiss Candy Company to Its Purchasers

The OPA has authorized us to charge 52 cents per dozen for 1¾ ounce packages of "Spread-Mor", delivered, less 2% discount for prompt payment. Sellers at wholesale are authorized a maximum price for "Spread-Mor" of 65 cents per dozen 1¾ ounce packages.

Sellers at retail who purchase "Spread-Mor" directly from Curtiss Candy Company are authorized a maximum price for "Spread-Mor" of 6 cents per 1¾ ounce package. Sellers at retail who purchase "Spread-Mor" from wholesalers are authorized a maximum price for "Spread-Mor" of 7½ cents per 1¾ ounce package (8 cents in single package sales). A retailer's notification is enclosed in each carton of one dozen packages. OPA requires that you keep this notice for examination.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9191; 8 F.R. 165, 1612.

From mines in Districts No. 7 or 8; low-

Cents per pound

each unit, the net price received for each

(2) Curtiss Candy Company shall, for a period of three months from the effective date of this order, place in or on each carton of one dozen packages of "Spread-Mor" a notification to retailers as follows:

Notification From Curtiss Candy Company to Retailers

OPA has authorized the following maximum selling prices for retail sellers of "Spread-Mor":

If purchased directly from Curtiss Candy Company, 6 cents per 1¾ ounce package.

If purchased from wholesalers, 7½ cents per 1¾ ounce package (8 cents in single package sales).

OPA requires that you keep this notice for examination.

(f) This Order No. 418 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 418 (§ 1499.1656) shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6588; Filed, April 28, 1943; 12:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 419 Under § 1499.3 (b) of GMPR]

KOLLNERS, INC.

For the reasons set forth in an Opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1657 *Approval of maximum prices for Kollco, manufactured by Kollners, Inc., Jamaica, L. I., N. Y.*—(a) *Sales by Kollners, Inc.*—(1) *Maximum prices.* The maximum delivered prices for sales by Kollners, Inc., of Kollco, are established as set forth below:

Kollco---------- $16.50 per 100 pounds.

(b) This Order No. 419 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 419 (§ 1499.1657) shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6593; Filed, April 28, 1943; 12:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 420 Under § 1499.3 (b) of GMPR]

BARRETT AND CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1658 *Authorization of maximum prices for sales of "Mrs. Taylor's Noodles in Chicken Gravy" by Barrett & Company, Beverly Hills, California, by wholesalers and retailers.* (a) On and after April 29, 1943, the maximum price for sales by Barrett & Company of "Mrs. Taylor's Noodles in Chicken Gravy" in frozen form, f. o. b. cold storage warehouse, Los Angeles, California, shall be $6.00 per case of 18/2 pound cartons.

(b) Wholesalers and retailers shall determine their maximum prices for "Mrs. Taylor's Noodles in Chicken Gravy" in frozen form by applicable Office of Price Administration regulations.

(c) This Order No. 420 may be revoked or amended at any time by the Price Administrator.

(d) This Order No. 420 (§ 1499.1657) shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6592; Filed, April 28, 1943; 12:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Reg. 14 to GMPR,[1] Amendment 164]

PANCAKE FLOUR AND BUCHWHEAT PANCAKE FLOUR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (4) of § 1499.73 (a) is hereby revoked.

This amendment shall become effective May 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6589; Filed, April 28, 1943; 12:23 p. m.]

PART 1336—RADIO, X-RAY, AND COMMUNICATION APPARATUS

[RPS 84,[2] Amendment 5]

RADIO RECEIVER AND PHONOGRAPH PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 84 is amended in the following respects:

1. Section 1336.105 is amended to read as follows:

§ 1336.105 *Records.* Every manufacturer making sales of radio or phonograph parts on or after February 9, 1942, shall keep for inspection by the Office of Price Administration, complete and accurate records of each sale showing the date thereof, the name and address of the buyer, the name, the number or other designation of each unit, the price received for each unit, and the quantity sold.

2. Section 1336.101 (e) (2) is hereby revoked.

3. Section 1336.103 (c) is hereby revoked.

4. Section 1336.103 (d) is redesignated as § 1336.103 (c).

This amendment shall become effective May 4, 1943.

NOTE: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6591; Filed, April 28, 1943; 12:24 p. m.]

PART 1340—FUEL

[Rev. MPR 122,[1] Amendment 4]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 122 is amended in the following respects:

1 § 1340.256 (c) is amended to read as follows:

(c) *Certain lake cargo coal.* Notwithstanding the provisions of Rule 1 of § 1340.254 of this regulation, the maximum price of solid fuel received via water transportation facilities at, and sold from, a dock on the United States bank of Lake Superior or on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois shall be a price for like sales calculated by Rule 1A of § 1340.254, plus:

(1) in the case of bituminous coal prepared at the dock as double-screened or lump sizes, the amount per net ton specified for the solid fuels following:

From mines in Districts Nos. 1, 2, 4, or 6	$0.55
From mines in District No. 3 (except medium volatile in Price Classification A)	.55
From mines in District No. 3 and in Price Classification A: medium volatile	.80
From mines in Districts Nos. 7 or 8: low volatile	1.10
From mines in Districts Nos. 7 or 8: medium or high volatile	.80

The maximum price for each size and kind of dock-run bituminous coal shall be 50 cents per net ton lower than the maximum price for the same size and kind of coal when rescreened at the dock.

(2) in the case of bituminous coal in all other sizes, the amount per net ton specified for the solid fuels following:

From mines in Districts No. 7 or 8: low volatile screenings and run-of-mine	$0.50
From mines in Districts Nos. 1, 2, 3, 4, 6, 7, or 8: high volatile screenings and run-of-mine	.40
From mines in Districts Nos. 1, 2, 3, 4, or 6: high volatile stoker size	.40
From mines in Districts Nos. 7 or 8: high volatile stoker size	.70
From mines in Districts Nos. 7 or 8: low volatile stoker size	.50

(3) in the case of Pennsylvania anthracite, the amount specified for the sizes following:

Size:	
Egg, stove and nut	$0.55
Pea	.50
Buckwheat and rice	.45
Barley	.35
Sizes smaller than barley	.30

(All other lake cargo coal is priced under § 1340.254).

2. In § 1340.254 (b), a new undesignated paragraph is added preceding Rule 1A to read as follows:

The maximum price for Pennsylvania anthracite yard screenings shall be the highest price charged by the dealer in December 1941 for the same fuel plus 50 cents per net ton.

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6615; Filed, April 28, 1943; 4:30 p. m.]

PART 1340—FUEL

[Rev. MPR 122,[1] Amendment 4]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 122 is amended in the following respects:

1 § 1340.256 (c) is amended to read as follows:

(c) *Certain lake cargo coal.* Notwithstanding the provisions of Rule 1 of § 1340.254 of this regulation, the maximum price of solid fuel received via water transportation facilities at, and sold from, a dock on the United States bank of Lake Superior or on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois shall be a price for like sales calculated by Rule 1A of § 1340.254, plus:

(1) in the case of bituminous coal prepared at the dock as double-screened or lump sizes, the amount per net ton specified for the solid fuels following:

From mines in Districts Nos. 1, 2, 4, or 6	$0.55
From mines in District No. 3 (except medium volatile in Price Classification A)	.55
From mines in District No. 3 and in Price Classification A: medium volatile	.80
From mines in Districts Nos. 7 or 8: low volatile	1.10
From mines in Districts Nos. 7 or 8: medium or high volatile	.80

The maximum price for each size and kind of dock-run bituminous coal shall be 50 cents per net ton lower than the maximum price for the same size and kind of coal when rescreened at the dock.

(2) in the case of bituminous coal in all other sizes, the amount per net ton specified for the solid fuels following:

From mines in Districts No. 7 or 8: low volatile screenings and run-of-mine	$0.50
From mines in Districts Nos. 1, 2, 3, 4, 6, 7, or 8: high volatile screenings and run-of-mine	.40
From mines in Districts Nos. 1, 2, 3, 4, or 6: high volatile stoker size	.40
From mines in Districts Nos. 7 or 8: high volatile stoker size	.70
From mines in Districts Nos. 7 or 8: low volatile stoker size	.50

(3) in the case of Pennsylvania anthracite, the amount specified for the sizes following:

Size:	
Egg, stove and nut	$0.55
Pea	.50
Buckwheat and rice	.45
Barley	.35
Sizes smaller than barley	.30

(All other lake cargo coal is priced under § 1340.254).

2. In § 1340.254 (b), a new undesignated paragraph is added preceding Rule 1A to read as follows:

The maximum price for Pennsylvania anthracite yard screenings shall be the highest price charged by the dealer in December 1941 for the same fuel plus 50 cents per net ton.

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6627; Filed, April 28, 1943; 4:32 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 51, Amendment 4]

COCOA BEANS AND COCOA BUTTER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 51 is amended in the following respects:

1. Section 1351.61 (a) (2) is amended to read as follows:

(2) If the services of a broker or brokers are required a commission or commissions, which in the aggregate shall not exceed 1% of the net maximum prices set forth in § 1351.61 (b) of this schedule, may be added to such maximum prices, provided such commissions have actually been paid.

2. Section 1351.61 (b) is amended to read as follows:

(b) The maximum prices for cocoa beans shall be as follows:

	Cents per pound ex dock New York City
F. F. Accra (main crop)	8.90
F. A. Q. Lagos	8.75
Ivory Coast (main crop)	8.90
F. A. Q. Cameroons	8.70
F. F. Belgian Congo (main crop)	8.85
Fine St. Thome	9.25
Superior Bahia	8.70
Sanchez	8.55
Superior Red Summer Arriba	11.50
Superior Seasons Arriba	10.75
La Guayra Caracas	11.25
Trinidad Caracas	12.25
Trinidad Estates	13.90
Grenada Estates	13.65
Fermented Panama	9.35
Fermented Costa Rican	9.35
Haiti	8.45
Java Estates #1	20.25
Ceylon Estates	16.75
Samoan	16.25

The maximum prices for cocoa beans imported from any other country, or for grades of better or inferior quality not named, shall be determined by applying the customary trade differentials to the maximum price for the grade listed above which is most closely related in quality.

3. Section 1351.61 (c) (1) is added to read as follows:

(1) The price ex dock U. S. Pacific Ports, for Costa Rican cocoa beans, shipped from the West Coast of Costa Rica, shall be 55 cents per hundred pounds higher than the ex dock New York price.

This amendment shall become effective May 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6609; Filed, April 28, 1943; 4:33 p. m.]

PART 1352—FLOOR COVERINGS

[RPS 65,[1] Amendment 2]

RESALE OF FLOOR COVERINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 65 is amended in the following respects:

1. Section 1352.57 is amended to read as follows:

§ 1352.57 *Records.* Every distributor making sale of wool floor coverings in the course of trade or business or otherwise dealing therein after March 8, 1942, shall keep for inspection by the Office of Price Administration, complete and accurate records of each sale, showing the date thereof, the name and address of the buyer, the name, number, or other designation and the manufacturer of each unit, the net price received for each unit and the quantity sold.

2. Section 1352.58 (a) is hereby revoked.

3. Section 1352.58 (b) is redesignated as § 1352.58 (a).

This amendment shall become effective May 4, 1943.

NOTE: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6616; Filed, April 28, 1943; 4:30 p. m.]

PART 1356—COOKERS AND HEATERS

[RPS 64,[1] Amendment 7]

DOMESTIC COOKING AND HEATING STOVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 64 is amended in the following respects:

1. Section 1356.5 is amended to read as follows:

§ 1356.5 *Records.* Every manufacturer making sales of stoves, on or after January 5, 1942, shall keep for inspection by the Office of Price Administration complete and accurate records of each such sale showing the date of billing, the name and address of the buyer, the name, number or other designation and the price received for each stove, the quantity of each stove sold, and discounts and allowances of any nature given.

2. Section 1356.1 (c) (2) is hereby revoked.

3. Section 1356.6 (c) is hereby revoked.

4. Section 1356.6 (e) (1), (2) are hereby revoked.

5. Section 1356.6 (f) is hereby revoked.

6. Section 1356.6 (g) (1), (2) are hereby revoked.

NOTE: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

This amendment shall become effective May 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6619; Filed, April 28, 1943; 4:30 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3096, 3849, 4347, 4486, 4848.

[2] 7 F.R. 1362, 2000, 2132, 2169, 2303, 2512, 2543, 3821, 6771, 7920, 8948; 8 F.R. 3703.

[1] 8 F.R. 440, 1200, 3524, 4510.

[1] 7 F.R. 1799, 6681, 8948

[1] 7 F.R. 1329, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974, 4640, 4930.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 341,[1] Amendment 1]

USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 341 is amended in the following respects:

1. Section 1360.501 is amended by the deletion of the last sentence in paragraph (b).

2. Section 1360.505 (d) (2) is amended to read as follows:

(2) *Method of determining amount of allowance; "value when new" of extras.* The "value when new" of the extras shall be the sum of the original retail prices new, or, if such original retail prices are not ascertainable, then the current retail prices new in the area in which the vehicle is being sold (not to exceed applicable maximum prices), for the same or most comparable extras.

3. Section 1360.507 (b) is amended to read as follows:

(b) *Maximum price where alterations made or extras added at purchasers request or for purpose of attaching a new body to form a complete vehicle.* (1) Where a purchaser from a dealer requests that alterations, as distinct from reconditioning operations, be made in a used commercial motor vehicle or chassis, or that the vehicle or chassis be equipped with extras, the maximum price applicable to the sale of such vehicle or chassis by the dealer after the requested alterations have been made or the extras have been added shall be the sum of subdivisions (i), (ii) and (iii). The prices for extras and for parts, materials and services supplied in making the alterations must be separately itemized on the sales invoice or receipt required by § 1360.512.

(i) The maximum price for the vehicle or chassis without alterations or such extras, determined in accordance with other provisions of this Regulation, and

(ii) Prices for extras not to exceed applicable maximum prices. "Extras" are defined in paragraph (d) (3) of § 1360.505, and

(iii) Prices for parts, materials, and services supplied in making the alterations, not to exceed applicable maximum prices for such parts, materials, and services when supplied by the dealer in the course of an alteration job to a regular customer of the same class of customers.

(2) Where a used commercial motor vehicle chassis is altered, as distinct from reconditioned, extras added and a new body attached to form a complete vehicle, the dealer's maximum price for such a vehicle shall be the sum of the prices determined for the used chassis in accordance with subdivisions (i), (ii) and (iii) of subparagraph (1) plus the applicable maximum price for the new body. The prices for the new body, extras and for parts, materials and services supplied in making the alterations must be separately itemized on the sales invoice or receipt required by § 1360.512.

4. Section 1360.512 (g) is amended to read as follows:

(g) The prices, separatey itemized, for any alterations made, extras added, or new body attached, as provided in § 1360.507 (b);

This amendment shall become effective April 28, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6626; Filed, April 28, 1943; 4:32 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169,[1] Amendment 9]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respect:

Sec. 1364.452 (m) (2) is amended by changing the sentence immediately following the table of prices to read as follows:

On contracts made between April 23, 1943 and May 7, 1943, inclusive, for deliveries up to and including May 28, 1943, the seller may add $1.00 per cwt. to the applicable boning plant price.

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6625; Filed, April 28, 1943; 4:32 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 336,[1] Amendment 3]

RETAIL CEILING PRICES FOR PORK CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 336 is amended in the following respects:

Item 5-C prices for Zone 2 and Zone 8 and 9 North are amended and Subitem 3 is added to Item 8 of section 19 "O. P. A. list of retail ceiling prices for pork cuts", to read as follows:

SEC. 19—OPA LIST OF RETAIL CEILING PRICES FOR PORK CUTS—Continued

	Zone 1		Zone 2		Zones 3 and 4		Zone 4A		Zone 5		Zones 6 and 7		Zones 8 and 9 north		Zones 8 and 9 south		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4
5B * * *																		
5C Fresh picnics, round half (fresh, frozen or cured):																		
1. Bone-in			.37	.35									.37	.35				
2. Boneless			.42	.40									.42	.40				
3. Boneless and fatted			.49	.46									.49	.46				
* * *																		
8 Prosciutto hams:																		
1. * * *																		
2. * * *																		
3. Store sliced—boneless and fatted	1.13	1.09	1.13	1.09	1.11	1.07	1.10	1.06	1.10	1.06	1.10	1.06	1.11	1.07	1.11	1.01	1.12	1.08

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6610; Filed, April 28, 1943; 4:32 p. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 111,[2] Amendment 8]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 111 is amended in the following respects:

1. Section 1370.6 is amended to read as follows:

§ 1370.6 *Records.* Every person making sales of household vacuum cleaners and attachments after March 30, 1942, shall keep for inspection by the Office of Price Administration, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer, the model number or other designation of each model sold, the price received for each, the quantity sold and any discounts, allowances or charges.

2. Section 1370.7 (a) (2), (b) and (c) are hereby revoked.

This amendment shall become effective May 4, 1943.

NOTE: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6612; Filed, April 28, 1943; 4:31 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[RPS 102,[1] Amendment 5]

HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 102 is amended in the following respect:

1. Section 1380.55 (a) is amended to read as follows:

§ 1380.55 *Records and information to buyers.* (a) Every manufacturer making sales of household mechanical refrigerators on or after February 9, 1942, shall keep for inspection by the Office of Price Administration, complete and accurate records of each such sale showing the date of billing, the name and address of the buyer, the name, number or other designation and the price received for each household mechanical refrigerator, the quantity of each household mechanical refrigerator sold, and discounts and allowances of any nature given.

NOTE: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

This amendment shall become effective May 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6613; Filed, April 28, 1943; 4:30 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[RPS 86,[1] Amendment 1]

DOMESTIC WASHING MACHINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 86 is amended in the following respects:

1. Section 1380.4 is amended to read as follows:

§ 1380.4 *Records.* Every manufacturer, making sales of washing machines or ironing machines after February 8, 1942, shall keep for inspection by the Office of Price Administration, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer, the model number or other designation of each model sold, the price received for each, the quantity sold and any discounts, allowances, or charges.

2. Section 1380.5 (b), (c), (d) (1) and (2), and (e) are hereby revoked.

This amendment shall become effective May 4, 1943.

NOTE: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6614; Filed, April 28, 1943; 4:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 20 Under § 1499.29 of GMPR]

PENNSYLVANIA SALT MANUFACTURING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.420 *Adjustment of maximum prices for sales of alumina hydrate by the Pennsylvania Salt Manufacturing Company.* (a) Notwithstanding anything to the contrary contained in the General Maximum Price Regulation, the Pennsylvania Salt Manufacturing Company of Philadelphia, Pennsylvania may sell and deliver and the Metals Reserve Company of Washington, D. C. may buy, under the contract which said companies propose to enter into covering deliveries between April 15 and July 15, 1943, a total amount not in excess of 1,500 tons of alumina hydrate produced in the Pennsylvania Salt Manufacturing Company's plant in Natrona, Pennsylvania since August 31, 1942 at prices not in excess of those set forth below; *Provided*, That at least 300 tons of said alumina hydrate is produced from bauxite containing at least 7% silica.

$3.29 per 100 pounds in bags, f. o. b. Natrona, Pennsylvania; trade practices and price differentials in effect during March 1942 by Pennsylvania Salt Manufacturing Company for packages other than bags may be used in determining maximum prices for other packages.

(b) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 20 (§ 1499.420) shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6623; Filed, April 28, 1943; 4:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 421 Under § 1499.3 (b) of GMPR]

SCHUCKL AND COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith *It is ordered:*

§ 1499.1659 *Authorization of maximum prices for sales of Red Bell Pepper Puree and Green Bell Pepper Puree packed in No. 10 size cans by Schuckl and Company Incorporated, Sunnyvale, California.* (a) On and after April 29, 1943, the maximum price for sales by Schuckl and Company Incorporated, Sunnyvale, California, of Red Bell Pepper Puree packed in No. 10 size cans shall be $4.15 per dozen f. o. b. factory, and the maximum price for Green Bell Pepper Puree packed in No. 10 size cans shall be $2.95 per dozen f. o. b. factory.

(b) The applicant, Schuckl and Company, Incorporated, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(c) This Order No. 421 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3971.

[1] 8 F.R. 5097, 4786, 4844, 5170.

[2] 8 F.R. 2858, 4253, 5317.

[1] 7 F.R. 1401, 2132, 2794, 8125, 4425, 7174, 8948.

[2] 7 F.R. 2307, 2794, 3330, 3447, 3776, 4229, 6049, 7839, 8937, 8948; 8 F.R. 3252.

[1] 7 F.R. 1367, 2132, 8948.

This Order No. 421 (§ 1499.1659) shall become effective on the 29th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6611; Filed, April 28, 1943; 4:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 422 Under § 1499.3 (b) of GMPR]

BALLANCE MANUFACTURING CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1630 *Authorization of maximum prices for cherry blocking wood sold by Ballance Manufacturing Co., Inc.* (a) Ballance Manufacturing Co., Inc., 728 East 136th St., New York City, may sell and deliver and any person may buy from said company, cherry blocking wood at prices no higher than those hereinafter set forth:

CHERRY BLOCKING WOOD FOR 18 AND 21 GAUGE PHOTO-ENGRAVING AND PRINTING PLATES

	Cents per sq. ft. delivered
Unglued plain cherry blocking	26
Glued up cherry blocking	31
Paneled cherry blocking	43

(b) All customary discounts and allowances in use by applicant during March 1942 shall apply to the prices authorized herein.

(c) This Order No. 422 may be revoked or amended by the Price Administrator at any time.

This Order No. 422 (§ 1499.1660) shall become effective this 29th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6620; Filed, April 28, 1943; 4:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 423 Under § 1499.3 (b) of GMPR]

ELMHURST PACKERS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1661 *Authorization of maximum prices for sales of Brussels sprouts, 59.1 oz. size can by Elmhurst Packers, Incorporated, Oakland, California and by wholesalers and retailers.* (a) On and after April 29, 1943, the maximum price for sales by the Elmhurst Packers, Incorporated, Oakland, California of Brussels sprouts packed in 59.1 oz. size cans shall be $6.78 per dozen f. o. b. factory.

(b) Wholesale grocers shall determine their maximum price for Brussels sprouts packed in 59.1 size cans by Elmhurst Packers, Incorporated in accordance with the provisions of Maximum Price Regulation No. 237, or such other Maximum Price Regulation as may be issued containing pricing provisions covering this commodity.

(c) Retail grocers shall determine their maximum price for 59.1 oz. size cans of Brussels sprouts packed by Elmhurst Packers, Incorporated in accordance with the provisions of Maximum Price Regulation No. 238, or such other Maximum Price Regulation as may be issued containing pricing provisions covering this commodity.

(d) The applicant, Elmhurst Packers, Incorporated, shall not change its customary allowances, discounts, or price differentials unless such change results in a lower price.

(e) This Order No. 423 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

This Order No. 423 (§ 1499.1661) shall become effective on the 29th day of April, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6622; Filed, April 28, 1943; 4:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 424 Under § 1499.3 (b) of GMPR]

SANDBERG MANUFACTURING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1662 *Authorization of maximum prices for cherry blocking wood sold by Sandberg Manufacturing Company.* (a) Sandberg Manufacturing Company, 1941-1949 Fulton Street, Chicago, Illinois, may sell and deliver and any person may buy from said company, cherry blocking wood at prices no higher than those hereinafter set forth:

CHERRY BLOCKING WOOD FOR 18 AND 21 GAUGE PHOTO-ENGRAVING AND PRINTING PLATES

	Cents per sq. ft. delivered
Plain or solid cherry blocking	24.2
Glued up cherry blocking	29.7
Paneled and cleated cherry blocking	41.8

(b) All customary discounts and allowances in use by applicant during March 1942 shall apply to the prices authorized herein.

(c) This Order No. 424 may be revoked or amended by the Price Administrator at any time.

This Order No. 424 (§ 1499.1662) shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6621; Filed, April 28, 1943; 4:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 425 Under § 1499.3 (b) of GMPR]

HENRY H. SHEIP MANUFACTURING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1663 *Authorization of maximum prices for cherry blocking wood sold by Henry H. Sheip Manufacturing Co.* (a) Henry H. Sheip Manufacturing Co., Columbia Avenue and Sixth Street, Philadelphia, Pennsylvania, may sell and deliver and any person may buy from such company cherry blocking wood at prices no higher than those hereinafter set forth:

CHERRY BLOCKING WOOD FOR 18 AND 21 GAUGE PHOTO-ENGRAVING AND PRINTING PLATES

Glued up cherry blocking	31¢ per sq. ft. delivered

(b) All customary discounts and allowances in use by applicant in March 1942 shall apply to the prices authorized herein.

(c) This Order No. 425 may be revoked or amended by the Price Administrator at any time.

This Order No. 425 (§ 1499.1663) shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6624; Filed, April 28, 1943; 4:32 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

HIGHWAY BRIDGE ACROSS MYSTIC RIVER, MEDFORD, MASS.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), the provisions of § 203.75 (j) of bridge regulations are amended to include the following temporary special regulations for the highway bridge of the Metropolitan District Commission, Commonwealth of Massachusetts, across Mystic River opposite Harvard Street, Medford, Massachusetts:

§ 203.75 *Boston Harbor and the navigable waters tributary thereto; bridges (highway and railroad).* * * *

(j) *Across Mystic River.* * * *

Highway Bridge opposite Harvard Street, Medford, Mass. (1) The owner of, or agency controlling, the bridge will not be required to keep a draw tender in constant attendance at the bridge.

(2) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw between the hours of 8:00 a. m. and 4:30 p. m. on weekdays (Monday to Saturday, inclusive) notice to that effect shall be given to the authorized representative of the owner of, or agency controlling, the bridge at least one hour in advance of the time the vessel desires to pass through the bridge. Whenever an opening is required on weekdays between 4:30 p. m. and 8:00 a. m. notice to that effect shall be given not later than 4:00 p. m. Whenever an opening is required on Sunday or on a legal holiday observed in the locality, notice shall be given not later than 4:00 p. m. of the day preceding the Sunday or holiday on which the opening is required. In case of emergency, the draw shall be opened promptly upon notification. The authorized representative of the owner of this bridge is the Superintendent of Bridges, Metropolitan District Commission, Charles River Dam, Boston, Massachusetts.

(3) The owner of, or agency controlling, the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in a manner that it can easily be read at any time, a copy of these regulations, together with a notice stating how the authorized representative specified in paragraph (2) above may be reached.

(4) These temporary regulations shall be revoked upon the termination of the present national emergency, or prior to that time upon 30 days' notice by the Secretary of War whenever in his judgment the interests of navigation warrant such action.

(28 Stat. 362; 33 U.S.C. 499) [Regs. April 20, 1943 (CE823 (Mystic River—Medford, Mass.—Harvard St.)—SPEKH)]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-6666; Filed, April 29, 1943; 10:09 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6499]

STATE COLLEGE OF WASHINGTON (KWSC)

NOTICE OF HEARING

In re application of State College of Washington (KWSC); dated, February 1, 1943; for, construction permit; class of service, broadcast; class of station, broadcast; location, Pullman, Washington; operating assignment specified, frequency, 1030 kc; power, 1 kw night, 5 kw day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942, or as modified September 22, 1942.

2. To determine the areas and populations which would gain primary service should Station KWSC operate as proposed and what other broadcast service is available to these areas and populations.

3. To determine the areas and populations which would lose primary service should Station KWSC operate as proposed and what other broadcast service is available to these areas and populations.

4. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice.

5. To determine whether the operation of Station KWSC as proposed would be consistent with the Standards of Good Engineering Practice particularly as to the population residing within the "blanket area" (250 mv/m contour).

6. To determine whether the operation of Station KWSC as proposed, would preclude the most efficient use of the frequency 1030 kc.

7. To determine whether there would be an engineering conflict between the operation of Station KWSC as proposed and the operation as proposed by the following applications: (1) B5-ML-1122, The George Harm Station (KARM), Fresno, California; (2) B5-P-3452, Royal Miller (KROY), Sacramento, California; (3) B5-P-2819, Frank E. Hurt (KFXD), Nampa, Idaho; (4) B3-P-2957, Fred Jones Broadcasting Co., Tulsa, Oklahoma and (5) B5-P-3371, News-Review Company (KRNR), Roseburg, Oregon.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: State College of Washington, Radio Station KWSC, College Campus, Mechanic Arts Building, Pullman, Washington.

Dated at Washington, D. C., April 27, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-6681; Filed, April 29, 1943; 11:40 a. m.]

[Order No. 75-C]

QUALIFICATION TO HOLD OPERATOR LICENSE

The Commission having under consideration its Order 75,[1] as amended by Order 75-A[2] on August 6, 1940, and by Order 75-B[3] on September 5, 1940:

It is ordered, That on and after the date of this order every person who holds an outstanding commercial or amateur radio operator license issued by this Commission and every person who has applied or shall apply for such a license or renewal thereof, shall furnish such additional information bearing upon the individual's qualifications to hold an operator license as the Commission may in writing request after examination of the application for license or of the data submitted pursuant to Order 75 as amended.

This order shall take effect on April 27, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-6682; Filed, April 29, 1943; 11:40 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-466]

HOPE NATURAL GAS COMPANY

NOTICE OF APPLICATION

APRIL 27, 1943.

Hope Natural Gas Company filed an application on April 24, 1943, with the Federal Power Commission for a certificate of public convenience and necessity, under section 7 of the Natural Gas Act, authorizing the acquisition of operated leaseholds, unoperated leaseholds, pipelines, a compressor station and miscellaneous structures. The application states that these facilities to be acquired from South Penn Natural Gas Company for $475,000 are located in Lewis and Doddridge Counties, West Virginia.

The facilities to be acquired will be used for storage of large volumes of gas near Hope's markets to meet increased demands for gas, especially on peak days, according to the application.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-6667; Filed, April 29, 1943; 10:09 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1220]

MARKT & HAMMACHER COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and

[1] 5 F.R. 2394.
[2] 5 F.R. 2809.
[3] 5 F.R. 3598.

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the following named persons whose last known addresses are indicated opposite their respective names are nationals of a designated enemy country (Germany):

Names:	*Last known addresses*
Eduard F. Fulvermann.	Westensee, Germany.
Frieda Pulvermann.	Bahrenhof, Germany.

2. Finding that Markt & Hammacher Company is a corporation organized under the laws of the State of New Jersey, does business in the State of New York, and is a business enterprise within the United States;

3. Finding that 6,798 shares of the capital stock of the aforesaid corporation are registered in the names of and owned by the persons whose names, the numbers and classes of shares owned by them, and the percentages which such shares represent of all outstanding capital stock of said corporation are, respectively, as follows:

NAMES

Classes of stock	Eduard F. Pulvermann	Frieda Pulvermann	Totals	Percentages
8% Cumulative First Preferred, par $100	1,782	382	2,164	21.9
8% Cumulative Second Preferred, no par	794	794	1,588	34.
Class A Common, no par	1,043	3	1,046	29.9
Class B Common, no par (having exclusive voting rights)	1,000	1,000	2,000	38.1
			6,798	

4. Finding that the aforesaid shares constitute a substantial part of all outstanding capital stock of said corporation, and represent an interest in said business enterprise;

5. Finding, therefore, that said business enterprise is a national of a designated enemy country (Germany);

6. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of said Eduard F. Pulvermann in and to all obligations, contingent or otherwise and whether or not matured, owing to him by said Markt & Hammacher Company, including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations, and including particularly 6% Serial Regular Bonds in the face amount of $39,900 and 6% Cumulative Income Bonds in the face amount of $93,100 issued by said Markt & Hammacher Company.

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

7. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraphs 3 and 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 5, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6628; Filed, April 29, 1943; 9:27 a. m.]

[Vesting Order 1224]

TAICHIRO SHIMASAKI

Re: Chevrolet automobile owned by Taichiro Shimasaka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Taichiro Shimasaka is a citizen of Japan, whose last known address is Japan, and is a national of a designated enemy country (Japan);

2. Finding that said Taichiro Shimasaki is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property presently stored in the Eveready Garage, 2140 Bush Street, San Francisco, California, and described as follows: One Chevrolet two-door sedan automobile and equipment, 1938 model, motor number 1190210, serial number 64-G-11-3766, is property within the United States owned or controlled by a national of a designated enemy country (Japan);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6629; Filed, April 29, 1943; 9:21 a. m.]

[Vesting Order 1231]

ANNA BORCHERS

Re: Real property, mortgage and claims owned by Anna Borchers.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Anna Borchers is a citizen of Germany, whose last known address is Hanover, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Anna Borchers owns the real property, mortgage and claims described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Anna Borchers, in and to the real property situated at 1329 84th Street, Brooklyn, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Anna Borchers for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest, estate and claim, of any name or nature whatsoever, of Anna Borchers in and to the following obligations (contingent or otherwise and whether or not matured) including but not limited to any and all collateral (including the mortgage hereinafter mentioned) for any or all such obligations and the right to sue for and collect such obligations:

(i) Obligations secured by a first mortgage on the lot and improvements located at 1333 84th Street, Brooklyn, New York, executed by H. K. S. Building Corporation on September 10, 1925 and recorded in the Register's Office of Kings County, New York, on September 14, 1925, in Liber 6153 of Mortgages, page 390, and

(ii) Obligations arising from two bank accounts in the National City Bank of New York, designated as the account of Rabe, Keller & Davis, and the account of Rabe, Keller & Davis, Special Account,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b (ii) hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land lying or being in the Borough of Brooklyn, County of Kings, State of New York, described as follows:

Beginning at a point on the Northerly side of Eighty-fourth Street distant two hundred and forty feet easterly from the corner formed by the intersection of the northerly side of Eighty-fourth Street with the easterly side of Thirteenth Avenue; running thence northerly parallel with Thirteenth Avenue one hundred feet; thence easterly parallel with Eighty-fourth Street twenty feet, thence southerly again parallel with Thirteenth Avenue and part of the distance through a party wall one hundred feet to the northerly side of Eighty-fourth Street, and thence westerly along the northerly side of Eighty-fourth Street twenty feet to the point or place of beginning. Also all the right, title and interest of the mortgagor, of, in and to Eighty-fourth Street, lying in front of and adjoining said premises to the centre line thereof. Together with the rights and subject to any burdens of easements of record and subject to any state of facts an accurate survey might show.

[F. R. Doc. 43-6630; Filed, April 29, 1943; 9:21 a. m.]

[Vesting Order 1236]

COTONIFICIO BRESCIANO OTTOLINI, S. A.

Re: 50 bales of cotton owed by Cotonificio Bresciano Ottolini, S. A.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Cotonificio Bresciano Ottolini, S. A. is a corporation organized under the laws of Italy, with its principal place of business at Milan, Italy, and is a national of a designated enemy country (Italy);

2. Finding that said Cotonificio Bresciano Ottolini, S. A. is the owner of the property described in subparagraph 3 hereof;

3. Finding that the 50 bales of cotton presently in the possession of R. L. Dixon & Bros., 1305 Cotton Exchange, Dallas, Texas, is property within the United States owned or controlled by a national of a designated enemy country (Italy);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6631; Filed, April 29, 1943; 9:21 a. m.]

[Vesting Order 1298]

ESTATE OF HERMAN FURCHERT

In re: Estate of Herman Furchert, deceased; File D-28-1446; E.T. sec. 131.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Auguste Bielinski, Administratrix, 42 Greeley Street, Tiffin, Ohio, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Seneca;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, (Germany,) namely,

Nationals:	*Last known address*
Wilhelm Furchert	Germany.
Paul Furchert	Germany.
August Furchert nee Rumpel	Germany.
Martha Kulke	Germany.
Elsie Furchert	Germany.
Martha Thimchem	Germany.
Minnie Thimchem	Germany.
Marie Thimchem	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm

be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6631; Filed, April 29, 1943; 9:21 a. m.]

Furchert, Paul Furchert, August Furchert nee Rumpel, Martha Kulke, Elsie Furchert, Martha Thimchem, Minnie Thimchem and Marie Thimchem, and each of them, in and to the estate of Herman Furchert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6632; Filed, April 29, 1943, 9:21 a. m.]

[Vesting Order 1299]

ESTATE OF DAVID GEIGER

In re: Estate of David Geiger, deceased; File D–28–3453; E. T. sec. 5473.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George L. Geiger, Executor, 2424 Van Hise Avenue, Madison, Wisconsin, acting under the judicial supervision of the County Court of Dane County of the State of Wisconsin.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Carl Schenkel	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carl Schenkel in and to the estate of David Geiger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6633; Filed, April 29, 1943, 9:22 a. m.]

[Vesting Order 1300]

GUARDIANSHIP OF ESTATE OF GIOVANI GIORDANO

In re: Guardianship of Estate of Giovani Giordano; File D–38–1061; E. T. sec. 3229.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Peoples-Pittsburgh Trust Company, Guardian of the Estate of Giovani Giordano, acting under the judicial supervision of the Orphans' Court for Allegheny County, Pa.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Giovani Giordano	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All property and estate of Giovani Giordano of any nature whatsoever in the possession of Peoples-Pittsburgh Trust Co., as guardian of the Estate of Giovani Giordano,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6634; Filed, April 29, 1943, 9:22 a. m.]

[Vesting Order 1301]

ESTATE OF JULIUS GROSS

In re: Estate of Julius Gross, deceased; File D–28–2037; E. T. sec. 2348

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the County of Cook and State of Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Frau Marie Stempel	47 Steinmetz Strasse Berlin, West, Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Frau Maria Stempel in the sum of $1,000.00 which amount was deposited with the Treasurer of Cook County, Illinois, on September 14, 1942, pursuant to order of the court of September 9, 1942, to the credit of the aforesaid national,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6635; Filed, April 29, 1943; 9:27 a. m.]

[Vesting Order 1302]

ESTATE OF CHARLES GULENTZ

In re: Estate of Charles Gulentz, deceased; File D–28–2203; E. T. sec. 3017.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Commonwealth Trust Company of Pittsburgh, Executor, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Karl Franz Gulentz	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Franz Gulentz in and to the Estate of Charles Gulentz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6636; Filed, April 29, 1943; 9:27 a. m.]

[Vesting Order 1303]

ESTATE OF FRED HAFEN

In re: Estate of Fred Hafen, deceased; File D–28–2297; E. T. sec. 3160.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Clara L. Honig, Executrix, acting under the judicial supervision of the Superior Court of Alameda County, California; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Mrs. Maria Hall	Germany.
Miss Maria Hall	Germany.
Albert Hall	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Maria Hall, Miss Maria Hall and Albert Hall, and each of them, in and to the Estate of Fred Hafen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States,

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6637; Filed, April 29, 1943; 9:27 a. m.]

[Vesting Order 1304]

TRUST UNDER WILL OF FREDERIC MAX HOHLWEG

In re: Trust under the will of Frederic Max Hohlweg, deceased; File D–28–2214; E. T. sec. 2868.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Bank of California, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Marin; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Elise Gleichmann (Gleichman)	Germany.
Auguste Gleichmann (Gleichman).	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elise Gleichmann (Gleichman) and Auguste Gleichmann (Gleichman), and each of them, in and to the trust estate created under the will of Frederic Max Hohlweg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6638; Filed, April 29, 1943; 9.22 a. m.]

[Vesting Order 1305]

TRUST UNDER WILL OF WILLY HUTH

In re: Trust under the will of Willy Huth, deceased; File D–28–1807; E.T. sec. 1087.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Public National Bank & Trust Company of New York and Mathilde Huth, of New York City, New York, Trustees, acting under the judicial supervision of the Surrogate's Court, Bronx County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany; namely,

Nationals:	*Last known address*
Sally Grunebaum	Germany.
Sigmund Steinhardt	Germany.
Solomon Steinhardt	Germany.
Jacob Steinhardt	Germany.
Bernhardt Steinhardt	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Sally Grunebaum, Sigmund Steinhardt, Solomon Steinhardt, Jacob Steinhardt, and Bernhardt Steinhardt, and each of them, in and to the Trust Estate created under the Last Will and Testament of Willy Huth, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6639; Filed, April 29, 1943; 9.22 a. m.]

[Vesting Order 1306]

ESTATE OF WILHELM KOCH

In re: Estate of Wilhelm Koch, deceased; File D–66–525; E. T. sec. 4299.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lina Beck, as Executrix, acting under the judicial supervision of the Surrogate's Court, Union County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Betty Brewisch	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Betty Brewisch in and to the Estate of Wilhelm Koch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6640; Filed, April 29, 1943; 9.22 a. m.]

[Vesting Order 1307]

ESTATE OF THERESA KUEHN

In re: Estate of Theresa Kuehn, deceased; File D–28–2254; E. T. sec. 2972.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lena Siever and George W. Legge, Executors of the Estate of Theresa Kuehn, deceased, acting under the judicial supervision of Orphans' Court of Allegany County, Maryland,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Otto Schulze	Germany.
Ottilie Horn	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following cash:

The sum of $2,000 each of Otto Schulze and Ottilie Horn, the above named nationals, by the Will of Theresa Kuehn, deceased, in possession of the executors,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6641; Filed, April 29, 1943; 9:22 a. m.]

No. 85——4

[Vesting Order 1308]

ESTATE OF CHARLES G. KURZ

In re: Estate of Charles G. Kurz, deceased; File D–28–2252; E. T. sec. 3246.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Peoples-Pittsburgh Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Mary Louise Kurz	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mary Louise Kurz in and to the Estate of Charles G. Kurz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6642; Filed, April 29, 1943; 9.21 a. m.]

[Vesting Order 1309]

ESTATE OF CAROLINE LUCY MORGAN

In re: Estate of Caroline Lucy Morgan, deceased; File No. D–39–1504; E. T. sec. 614, Surrogate's Court, N. Y. County, New York; Index No. P–135–1942.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York in and for New York County.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National:	*Last known address*
Yuki Morgan	Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Yuki Morgan in and to the estate of Caroline Lucy Morgan, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6643; Filed, April 29, 1943; 9.23 a. m.]

[Vesting Order 1310]

ESTATE OF MARY RAUCH

In re: Estate of Mary Rauch, deceased; File D–28–2366; E. T. sec. 4171.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Register of Wills, acting under the judicial supervision of the Orphans' Court, Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Emma Kubler	Germany.
Katarina Wahl	Germany.
Wilhelm Fritz	Germany.
Karl Fritz	Germany.
Gottlieb Wahl	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emma Kubler, Katarina Wahl, Wilhelm Fritz, Karl Fritz and Gottlieb Wahl, and each of them, in and to the estate of Mary Rauch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6644; Filed, April 29, 1943; 9:23 a. m.]

[Vesting Order 1311]

TRUST UNDER WILL OF JOSEPH REININGER

In re: Trust under the will of Joseph Reininger; File D–34–115; E. T. sec. 3227.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Easton Trust Company, Trustee, acting under the judicial supervision of the Orphans Court of Northampton County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National:	*Last known address*
Roza Reininger	Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Roza Reininger in and to the Trust Estate created under the will of Joseph Reininger,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6645; Filed, April 29, 1943; 9:23 a. m.]

[Vesting Order 1312]

ESTATE OF SAMUEL SANDLER

In re: Estate of Samuel Sandler, deceased; File D–28–1876; E. T. sec. 1490.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Title Guarantee and Trust Company, Executor and Trustee of the Estate of Samuel Sandler, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Wilhelm Sandler	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Sandler in and to the Estate of Samuel Sandler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6646; Filed, April 29, 1943; 9:23 a. m.]

[Vesting Order 1313]

ESTATE OF XAVER SCHMIEDER

In re: Estate of Xaver Schmieder, deceased; File D–28–5592; E. T. sec. 1696.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The German Society of the City of New York, Executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Alois Neumaier	Germany.
Josef Neumaier	Germany.
Andreas Neumaier	Germany.
Anna Riehle	Germany.
Afra Dold	Germany.
Sofie Volk	Germany.
Alois Neumaier	Germany.
Fridolin Neumaier	Germany.
Theresia Buchholz	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever, of Alois Neumaier, Josef Neumaier, Andreas Neumaier, Anna Riehle, Afra Dold, Sofie Volk, Alois Neumaier, Fridolin Neumaier and Theresia Buchholz, the heirs at law and next of kin and legal representatives of Theresa Neumaier, deceased, described as "Theresa Neumeier" in the Last Will and Testament of Xaver Schmieder, deceased, and each of them, in and to the Estate of Xaver Schmieder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6647; Filed, April 29, 1943; 9:24 a. m.]

[Vesting Order 1314]

TRUST UNDER WILL OF MARIE SCHREINER

In re: Trust under the will of Marie Schreiner, deceased; File D–28–2446; E. T. sec. 3460.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Miners National Bank of Wilkes-Barre, Pennsylvania, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ferdinand Sauer	Germany.
Ursula Sauer, or her heirs and assigns.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ferdinand Sauer, and Ursula Sauer, or her heirs and assigns and each of them in and to a trust created under the will of Marie Schreiner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6648; Filed, April 29, 1943; 9:24 a. m.]

[Vesting Order 1315]

TRUST UNDER WILL OF MARIE SCHREINER

In re: Trust under the will of Marie Schreiner, deceased; File D–28–2446; E. T. sec. 3460.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Miners National Bank of Wilkes-Barre, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Friederich Koenig	Germany.
Emilie Socl, or his heirs and assigns.	Germany.
Erica Koenig, or her heirs and assigns.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order

or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Friederich Koenig, Emilie Soel, or her heirs and assigns, and Erica Koenig, or her heirs and assigns and each of them in and to a trust created under the will of Marie Schreiner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6649; Filed, April 29, 1943; 9:24 a. m.]

[Vesting Order 1316]

TRUST UNDER WILL OF MARIE SCHREINER

In re: Trust u/w Marie Schreiner, deceased; File D–28–2446; E. T. sec. 3460.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Miners National Bank of Wilkes-Barre, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Mrs. Karoline Kern	Germany.
Little Kindergarten of Deirsheim	Baden, Germany.
Little Kindergarten of Freistet	Baden, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Karoline Kern, Little Kindergarten of Deirsheim, Little Kindergarten of Freistet and each of them, in and to a trust created under the will of Marie Schreiner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6650; Filed, April 29, 1943; 9:23 a. m.]

[Vesting Order 1317]

TRUST UNDER WILL OF MARIE SCHREINER

In re: Trust under the will of Marie Schreiner, deceased; File D–28–2446; E.T. sec. 3460.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Miners National Bank of Wilkes-Barre, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, political subdivisions of a designated enemy country, Germany, namely,

Village of Deirsheim, Baden, Germany.
Village of Freistet, Baden, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the Village of Deirsheim, Baden, Germany; and the Village of Freistet, Baden, Germany, and each of them, in and to the trust estate created under the will of Marie Schreiner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6651; Filed, April 29, 1943; 9:26 a. m.]

[Vesting Order 1318]

TRUST UNDER WILL OF LOUIS SCHUTTE

In re: Trust under the will of Louis Schutte, deceased; File D–28–2450; E. T. sec. 3477.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mary D. Schutte and Tradesmens National Bank and Trust Company, Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Christopher Friese	Germany.
Seehandel A. G. (Seehandle A. G.)	Germany.
Elly Friese	Germany.
Catharine Vassner	Germany.
Anna D. Balleer	Germany.
Frederick W. Vassner	Germany.
Christopher J. Vassner	Germany.
Henrietta E. Reimann	Germany.
Marie Vassner	Germany.
Eva Vassner	Germany.
Hildegarde Vassner	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christopher Friese, Seehandel A. G. (Seehandle A. G.), Elly Friese, Catharine Vassner, Anna D. Balleer, Frederick W. Vassner, Christopher J. Vassner, Henrietta E. Reimann, Marie Vassner, Eva Vassner and Hildegarde Vassner, and each of them, in and to the trust estate created under the will of Louis Schutte, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account of accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6652; Filed, April 29, 1943; 9:26 a. m.]

[Vesting Order 1319]

ESTATE OF CHRISTINA TRAUB

In re: Estate of Christina Traub, deceased; File No. D–9–100–28–2115; E. T. sec. 2484.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Traub and Johanna Zinsmeister, Executors, acting under the judicial supervision of the Surrogate's Court, Onondaga County, New York, and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Helen Weickert, or her issue, if she be deceased.	Gimbsheim, Germany.
Louis Traub, or his issue, if he be deceased.	Gimbsheim, Germany.
Jacob Traub, Jr., or his issue, if he be deceased.	Worms, Germany.
Wilhelm Hoffmann, or his issue, if he be deceased.	Worms, Germany.
Otto Ries, or his issue, if he be deceased.	Worms, Germany.
Wilhelmina Reis, or her issue, if she be deceased.	Worms, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helen Weickert, Louis Traub, Jacob Traub, Jr., Wilhelm Hoffmann, Otto Ries and Wilhelmina Ries, and their respective issue, and each of them, in and to the estate of Christina Traub, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6653; Filed, April 29, 1943; 9:26 a. m.]

[Vesting Order 1320]

ESTATE OF FRANK VARNHORN

In re: Estate of Frank Varnhorn, deceased; File D–28–1553; E. T. sec. 182.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emil B. Schrinner, Administrator, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Hamilton; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Sophia Olberding	Lohne 1 Oldbg, Oldenberg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophia Olberding in and to the estate of Frank Varnhorn, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–6653; Filed, April 29, 1943; 9:26 a. m.]

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6654; Filed, April 29, 1943; 9:26 a. m.]

[Vesting Order 1321]

TRUST UNDER WILL OF HERMAN WALZER

In re: Trust u/w Herman Walzer, deceased; File D-28-6572; E. T. sec. 5028.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William G. Schmidheiser, Trustee of the trust under the will of Herman Walzer, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pa.,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Eugen Ludwig Walzer	Germany.
Richard Walzer	Germany.
Frieda Walzer	Germany.
Lina W. Mineau	Germany.
Albert George	France.

And determining that—

(3) Albert George, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, France, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eugen Ludwig Walzer, Richard Walzer, Frieda Walzer, Lina W. Mineau and Albert George and each of them, in and to a trust created under the will of Herman Walzer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6655; Filed, April 29, 1943; 9:26 a. m.]

[Vesting Order 1322]

ESTATE OF KATHERINE WETZEL

In re: Estate of Katherine Wetzel, deceased; File F-28-3839; E. T. sec. 1210.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Surrogate of Essex County, acting under the judicial supervision of the Essex County Surrogate's Court, Essex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Katherine Shorpp	Germany.
M. Heitz	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katherine Shorpp and M. Heitz and each of them in and to the Estate of Katherine Wetzel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6656; Filed, April 29, 1943; 9:25 a. m.]

[Vesting Order 1327]

TRUST UNDER WILL OF MARIE SCHREINER

In re: Trust under the will of Marie Schreiner, deceased; File D-28-2446; E. T. sec. 3460.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Miners National Bank of Wilkes-Barre, Pennsylvania, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Albert Sauer	Germany.
Dorothe Sauer, or her heirs and assigns.	Germany.
Fritz Sauer, or his heirs and assigns.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Albert Sauer, Dorothe Sauer, or her heirs and assigns, and Fritz Sauer, or his heirs and assigns and each of them in and to a trust created under the will of Marie Schreiner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in

the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: April 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-6657; Filed, April 29, 1943; 9:25 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 185 Under MPR 120]

ETNA COAL AND COKE COMPANY

ORDER GRANTING PERMISSION FOR ADJUSTABLE PRICING

Order No. 185 under Maximum Price Regulation 120—Bituminous Coal Delivered from Mine or Preparation Plant; Docket No. 3120-79.

For the reasons set forth in an opinion which has been issued simultaneously herewith and filed with Division of the Federal Register, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 and in accordance with § 1340.203 of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) On and after February 8, 1943 Etna Coal and Coke Co., 111 Southern Railway Building, Chattanooga, Tennessee may enter into agreements with purchasers for the sale of coals produced at its Nurex Mine, mine Index No. 354, at the applicable maximum prices subject to an agreement to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition thereof.

(b) This order may be revoked or amended by the Price Administrator at any time and in any event is to be effective only to the date upon which said petition is finally determined by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.203 of Maximum Price Regulation No. 120 shall apply to the terms herein.

(d) This Order No. 185 shall become effective April 29, 1943.

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6594; Filed, April 28, 1943; 12:26 p. m.]

[Order 300 Under MPR 188]

NEW ENGLAND BOX COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 300 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The New England Box Company, 100 East 42nd Street, New York, New York, is authorized to sell and deliver its new toy telephone, described in its application of March 10, 1943, at a price to retailers, f. o. b. New York, New York, no higher than $1.20 each.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 29, 1943.

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6597; Filed, April 28, 1943; 12:25 p. m.]

[Order 301 Under MPR 188]

ORIOLE WOOD PRODUCTS

APPROVAL OF MAXIMUM PRICES

Order No. 301 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Oriole Wood Products, 1000 Block N. Montford Avenue, Baltimore, Maryland, is authorized to sell and deliver its new wooden toy gun, designated in its application of March 19, 1943, as "Commando-Paratrooper", at a price to Bernard L. Trupp, 7000 Park Heights Avenue, Baltimore, Maryland, no higher than $.72, f. o. b. Baltimore, Maryland.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 29, 1943.

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6602; Filed, April 28, 1943; 12:24 p. m.]

[Order 302 Under MPR 188]

PHILCO CORPORATION

APPROVAL OF MAXIMUM PRICE

Order No. 302 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 302 sets maximum prices for sales of a new hearing aid manufactured by Philco Corporation, Philadelphia, Pennsylvania.

(1) For a sale by the manufacturer, the maximum price is $19.98 per unit.

(2) For a sale at retail, the maximum price is $39.95 per unit.

(b) To every hearing aid to be shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) The Manufacturer shall notify every person who buys from it of the maximum price set by this Order No. 302, for resale by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(d) This Order No. 302 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in §1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 302 shall become effective April 29, 1943.

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6599; Filed, April 28, 1943; 12:25 p. m.]

[Order 303 Under MPR 188]

THE TOLEDO PORCELAIN ENAMEL PRODUCTS COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 303 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in

the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered*, That:

(a) The Toledo Porcelain Enamel Products Company, Toledo, Ohio, may sell, offer to sell, deliver or transfer its arm bath and foot bath at prices no higher than these specified:

	F. o. b. factory
Arm bath	$14.87
Foot bath	21.90

This Order No. 303 may be revoked or amended by the Price Administrator at any time.

This Order No. 303 shall become effective on the 29th day of April 1943.

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6595; Filed, April 28, 1943; 12:26 p. m.]

[Order A-1 Under MPR 188, Amendment 3]

MANUFACTURERS OF SPECIAL REFRACTORY SHAPES

MODIFICATION OF MAXIMUM PRICES

Amendment No. 3 to Order No. A-1 under § 1499.159 (b) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying Amendment No. 3 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A-1 is amended by adding a new subparagraph (a) (4) to read as follows:

(a) *Modification of maximum prices in Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto are modified in accordance with §1499.159 (b) of Maximum Price Regulation No. 188 as hereinafter provided.

* * * * *

(4) *Modification of maximum prices for special refractory shapes.* (i) On and after April 29, 1943 regardless of any contract, agreement, lease or other obligation, no manufacturer of special refractory shapes shall sell and deliver any special refractory shape, and no person shall buy and receive any special refractory shapes in the course of trade or business, at prices higher than will be determined by the use of the pricing formula or formulae used by said manufacturer in March 1942 to determine the prices at that time of such special refractory shapes. The values given to the factors used in said formulae shall be no higher than the highest values given to the same factors in the determination of March 1942 prices under said formulae and the method used in computing said factors shall be the method used in March 1942.

(ii) For the purposes of this amendment the term "special refractory shapes" means refractory brick and specialties produced from highly refractory materials such as silicon carbide, fused aluminum oxide, electric furnace mullite and kyanite. They include heavy refractories consisting of bricks, plates, fabricated muffles, heavy tubes, batts, saggers, burner blocks and miscellaneous shapes for furnaces. Light refractories or laboratory ware consisting of tubes, cores, small muffles, pyrometer tubes, thermocouple tubes, small furnace parts and specials, thimbles, cones, filter and ignition crucibles, capsules, dishes and other purely laboratory articles; also porous mediums, plates, tubes and shapes, are included in the definition of special refractory shapes.

Special refractory shapes are so classified whenever they are made to the specifications of each individual order and are of sizes which are not considered standard by the "Special Refractories Institute" and are unable to be included in the manufacturer's published price lists.

(iii) On or before June 1, 1943, every manufacturer of special refractory shapes shall file with the Office of Price Administration, Building Materials Branch, Washington, D. C., unless previously submitted:

(*a*) A detailed explanation of the formula or formulae by which it priced its special shapes during March 1942.

(*b*) Calculations setting forth in detail the use of such formulae in determining prices charged for different types of special refractory shapes actually delivered by it during March 1942, or, if no such deliveries were made during that month, the application of such formulae to the prices that would have been charged had the delivery of such products made subsequently to March 1942 actually been delivered during March 1942 as a result of sales made during that month.

(*c*) The gross sales value realized from, and the percentage of total sales of special refractory shapes during the fourth calendar quarter of 1942.

This amendment shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6598; Filed, April 28, 1943; 12:25 p. m.]

[Order 6 Under MPR 207]

R. D. PRINGLE & COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 6 under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 29, 1943, the maximum prices, f. o. b. packing plant, for sales by R. D. Pringle & Company, 1863 Wazee Street, Denver, Colorado, of the following frozen products shall be:

	Cents per pound
4 x 1 frozen apricots in 35 lb. containers	13
9 x 1 frozen apricots in syrup in 35 lb. containers	13
Frozen yellow cling peaches in 30 lb. containers	14½

(b) R. D. Pringle & Company shall apply to its maximum selling prices established in paragraph (a) of this order the same discounts, allowances, and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 6 shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6601; Filed, April 28, 1943 12:24 p. m.]

[Order 2 Under MPR 335]

DERBY FOODS, INC.

ADJUSTMENT OF MAXIMUM PRICE

Order No. 2 under § 1351.2006 (e) of Maximum Price Regulation No. 335—Peanuts and Peanut Butter.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 29, 1943, the maximum price for sales of 6-pound 12-ounce tins of peanut butter to any agency of the United States by the Derby Foods, Inc., 3327 West 47th Place, Chicago, Illinois, shall be $16.30 per dozen, f. o. b. plant.

(b) Derby Foods, Inc. shall apply to the maximum selling price of 6-pound 12-ounce tins of peanut butter for sales to agencies of the United States its customary discounts, allowances and price differentials, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6600; Filed, April 28, 1943; 12:24 p. m.]

[Order 84 Under RPS 64 [1]]

ATHENS STOVE WORKS, INC.

APPROVAL OF MAXIMUM PRICE

Order No. 84 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On March 27, 1943, The Athens Stove Works, Inc., Athens, Tennessee, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of a maximum price for a coal heater designated in the application as Model 20.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The Athens Stove Works, Inc., may sell, offer to sell, transfer or deliver its Model 20 coal heater at a price no higher than $27.07 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable Model 2618.

(b) This Order No. 84 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

This Order No. 84 shall become effective on the 29th day of April 1943.

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6596; Filed, April 28, 1943; 12:25 p. m.]

[Order 4 Under MPR 208]

ISAACS AND COMPANY

ORDER DENYING APPLICATION FOR ADJUSTMENT AND REQUIRING REDOCKETING OF PROTEST

Order No. 4 under Maximum Price Regulation No. 208—Staple Work Clothing; Docket No. 3208-34.

On October 7, 1942, I. C. Isaacs and Company, Bank and Grundy Streets, Baltimore, Maryland, herein called applicant, filed an application for adjustment of its maximum price for Lot 1060 slacks, under § 1389.213 of Maximum Price Regulation No. 208.

After due consideration of the application the Administrator, on January 14, 1943, informed the applicant by letter that the application must be denied for the reasons set forth therein and that a formal order denying the application would not be entered unless the applicant made a written request for such an order within 30 days from the date of the letter. In addition, the applicant was advised by that letter that it was necessary that a formal order be entered if it intended to file a protest under Revised Procedural Regulation No. 1. Applicant did not request the entry of such an order. Instead on February 14, 1943, the applicant filed a protest directed to the letter of the Administrator dated January 14, 1943.

Section 203 (a) of the Emergency Price Control Act of 1942, as amended, provides only for the filing of protests to regulations or orders issued under section 2 of the Act. In order to preserve the applicant's right to obtain review of the denial of its application for adjustment the Administrator deems it appropriate to treat the protest not only as a protest but also as a request for such a formal order.

Therefore, under the authority vested in the Administrator, and in accordance with the Act and Revised Procedural Regulation No. 1: *It is ordered*, That the application for adjustment, Docket No. 3208-34, be denied and that the applicant's protest of February 14, 1943, be docketed as a protest to this order of denial.

Issued and effective this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6617; Filed, April 28, 1943; 4:30 p. m.]

[Order 1 Under MPR 282]

ALLIED PRODUCTS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under § 1396.255 of Maximum Price Regulation No. 282—Certain Private Formula Pharmaceutical Proprietary Drug and Cosmetic Products.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum prices for sales of bath crystals in 18 ounce containers by Allied Products, Inc. having its principal office at 30 Rockefeller Plaza, New York, New York, to Jean Nate, Inc., said bath crystals having the formula submitted by Allied Products, Inc., in a letter to the Office of Price Administration under date of April 9, 1943, are established as follows:

$243.96 per thousand packages, delivered.

(b) This Order No. 1 may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6618; Filed, April 28, 1943; 4:30 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 68-23]

COMMONWEALTH & SOUTHERN CORP.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of April, 1943.

In the matter of Edward Hopkinson, Jr., James E. Gowen, Marshall S. Morgan and Clarence A. Warden, Proposed Stockholders' Committee for Preferred Stock of the Commonwealth & Southern Corporation.

Notice is hereby given that Edward Hopkinson, Jr., James E. Gowen, Marshall S. Morgan, and Clarence A. Warden, proposing to act as members of a committee representing the preferred stock of The Commonwealth & Southern Corporation ("Commonwealth"), have filed with the Commission a petition or declaration regarding the proposed solicitation of authorizations from holders of preferred stock of Commonwealth, and seeking exemption in certain respects from compliance with the requirements of paragraphs (g) and (h) (1) of Rule U-62, or amendment of such Rule as applied to the proposed solicitation by such individuals and their associates. All interested persons are referred to said document, which is on file in the office of this Commission, the substance of which is summarized as follows:

Said petition or declaration indicates that the individuals named therein own beneficially or as trustees, or as officers or directors, or both, of companies which own beneficially or as trustees, stocks of Commonwealth consisting of approximately 67,000 shares of preferred stock having a current market value of approximately $3,850,000 and 25,000 shares of common stock having a current market value of approximately $17,000. In addition, the companies of which the individuals concerned are officers or directors, or both, act as agent with respect to stock of Commonwealth consisting of approximately 11,000 shares of preferred stock having a current market value of approximately $630,000 and 2,000 shares of common stock having a current market value of approximately $1,350.

The petitioners propose to form a committee on behalf of the preferred stockholders of Commonwealth and to apply for leave to intervene or otherwise participate in the pending proceedings before the Commission in connection with the integration and simplification of the Commonwealth holding-company system and particularly in connection with the proceedings relating to the "Plan to Change the Capitalization of The Commonwealth & Southern Corporation" filed with the Commission by the management on April 20, 1943. The petition sets forth specific limitations on members of the Committee and on the companies with which they are connected with respect to their dealings in pre-

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974, 4640, 4930.

ferred and common stock of Commonwealth, which limitations are in some respects less restrictive than the conditions imposed by paragraph (g) of Rule U-62.

It is also stated that petitioners desire to have associated with them as members of the committee other individuals who may have, individually or in a representative capacity, substantial interests in the preferred stock of Commonwealth, the name of such individuals to be supplied by amendment.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said petition or declaration, and that said declaration shall not become effective except pursuant to further order of the Commission.

It is ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder be held on May 7, 1943 at 10:00 a. m., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at such time by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings, shall notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before May 5, 1943.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said petition or declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the requirements of paragraphs (g) and (h) (1) of Rule U-62, as applied to the proposed solicitation, are in any respects not necessary or appropriate in the public interest or for the protection of investors, or consumers, and whether the restrictions proposed in such petition, or any amendment thereto, are an adequate substitute or, under the circumstances, the only restrictions which should be imposed upon dealings in securities of Commonwealth by said committee and the companies with which its members are connected, and whether the Commission should so order pursuant to sections 11 (g), 12 (e) and Rule U-100.

2. Whether said petition, as filed or as it may be amended, should be permitted to become effective as consistent with the standards of sections 11 (g) and 12 (e) of the Act.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to The Commonwealth & Southern Corporation and to the petitioners, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc. 43-6608; Filed, April 28, 1943; 3:38 p. m.]

[File No. 54-52]

PUGET SOUND POWER AND LIGHT CO. AND ENGINEERS PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of April, A. D. 1943.

An application and amendments thereto having been filed by Engineers Public Service Company, a registered holding company, for approval of an amended plan filed herein under section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of fairly and equitably distributing voting power among the security holders of Puget Sound Power & Light Company, a subsidiary of Engineers Public Service Company;

Puget Sound Power & Light Company having joined in the application, the plan, and amendments thereto, for the purpose of submitting itself to the jurisdiction of the Commission;

Hearings having been duly held after appropriate notice, and the Commission having issued its order herein on March 16, 1943, provisionally approving said plan, but reserving jurisdiction to reconsider the same after the terms and conditions of the then proposed refinancing had been determined as a result of competitive bidding;

The Commission now being fully advised, and having this day issued and filed its findings and opinion herein;

The applicants having requested that the Commission's order herein conform to, and set forth the recitals specified in, sections 373 (a) and 1808 (f) of the Internal Revenue Code, as amended; and it appearing that said plan provides among other things for the following transactions:

(a) The issuance of 27,500 new shares of Prior Preference stock by Puget Sound Power & Light Company in extinguishment of dividend arrearages on outstanding Prior Preference stock in the amount of $2,750,000;

(b) The issuance of 2,177,879 shares of new common stock, $10 par value, by Puget Sound Power & Light Company in place of, and in exchange for, 263,995 shares of its presently outstanding Preferred stock (and all dividend arrearages thereon) and 1,318,388 shares of its presently outstanding common stock;

The Commission finds that the foregoing transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and to make effective the Commission's order herein, within the meaning of section 1808 (f) of the Internal Revenue Code, as amended; and

On the basis of the foregoing and the Commission's findings and opinion this day issued and filed, and pursuant to section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935, *It is hereby ordered* Subject to the terms and conditions enumerated below:

(1) That the Commission's order herein dated March 16, 1943, be and it hereby is modified and superseded to the extent not reissued herein, and that said plan as amended to the date hereof be and it hereby is approved;

(2) That the issuance and exchanges of securities above described be and they hereby are authorized, permitted and approved to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, within the meaning of section 373 (a) of the Internal Revenue Code, as amended.

This order is subject to the following terms and conditions:

1. That jurisdiction be and it hereby is reserved to the Commission to approve, disapprove, modify, allocate or award by further order or orders all fees and expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof;

2. That jurisdiction be and it hereby is reserved to the Commission to entertain such further proceedings, to make such supplemental findings, and to take such further action, as it may deem appropriate in connection with the plan, the transactions incident thereto, and the consummation thereof; and

3. That this order shall not be operative to authorize the consummation of transactions proposed in the plan until an appropriate federal district court shall, upon application thereto, enter an order enforcing the plan.

And Engineers Public Service Company having requested the Commission, pursuant to the provisions of section 11 (e) of the Act, to apply to a court in accordance with the provisions of subsection (f) of section 18 of the Act to enforce and carry out the terms and provisions of the plan, *It is further ordered*, That the applicants shall mail to the stockholders of record of Puget Sound Power & Light Company a copy of the Commission's findings and opinion filed herein, together with a copy of this order; and

It is further ordered, That counsel for the Commission be and they hereby are authorized and directed to make application forthwith on behalf of the Commission to an appropriate District Court of the United States to enforce and carry out the terms and provisions of the plan as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6607; Filed April 28, 1943; 3:38 p. m.]

[File No. 59-27]

INTERNATIONAL UTILITIES CORPORATION

ORDER DIRECTING TERMINATION OF EXISTENCE OF HOLDING COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of April, A. D. 1943.

The Commission having instituted proceedings pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 by its notice of and order for hearing of July 15, 1941, as supplemented on October 17, 1941, to determine whether or not the corporate structure and the continued existence of International Utilities Corporation, a registered holding company, conform with the requirements of section 11 (b) (2), and what steps, if any, must be taken by said company to effect compliance with that section;

A hearing having been held after appropriate notice, the Commission being fully advised and having this day issued and filed its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to section 11 (b) (2) of said Act, *It is hereby ordered*, That International Utilities Corporation terminate its existence in a manner consistent with the provisions of the Act;

It is further ordered, That jurisdiction be, and the same hereby is, reserved to enter such further order or orders as may be necessary or appropriate for the purpose of ensuring that the provisions of this order are effectuated in a manner consistent with the provisions of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R. Doc. 43-6658; Filed, April 29, 1943; 10:10 a. m.]

[File No. 70-653]

GREAT FALLS GAS COMPANY AND NORTH CONTINENT UTILITIES CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of April, A. D. 1943.

Notice is hereby given that declarations or applications (or both) and amendments thereto have been filed with this Commission by Great Falls Gas Company ("Great Falls"), a subsidiary of North Continent Utilities Corporation ("North Continent"), a registered holding company, and North Continent, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 11 (e) and 12 thereof and Rules U-42 and U-45 of the Rules and Regulations promulgated thereunder, for approval of the reorganization or recapitalization of Great Falls in compliance with the applicable provisions of the Act.

All interested persons are referred to said document, which is now on file in the office of the Commission, for a full statement of the action proposed, which may be summarized as follows:

1. It is proposed to reduce the existing indebtedness of Great Falls which is presently owing to North Continent from $1,125,000 to $600,000 by issuing new 8% demand notes therefor in the latter principal amount.

2. Great Falls proposes to acquire for cancellation its existing 7% cumulative preferred stock, $100 par value, now held by the public, by offering in payment thereof $110 per share.

3. Great Falls proposes to acquire for cancellation its existing common stock, $100 par value, now held by the public, by offering in payment thereof $1.00 per share.

4. North Continent, which as of March 23, 1943, owned the 6% demand notes in the amount of $1,125,000, 1985 of the outstanding 2455 shares of preferred stock, and 2902 of the outstanding 3500 shares of common stock of Great Falls, proposes to surrender all of said securities to Great Falls for cancellation and will receive in return the entire $600,000 principal amount of new 8% demand notes and all of the 100,000 shares, $1.00 par value, of new common stock to be issued by Great Falls. All of the aforesaid securities to be received by North Continent under the Plan will be pledged by it with the North Continent Bond Indenture Trustee, in lieu of the securities of Great Falls now pledged with said Trustee.

5. Great Falls proposes to cancel 435 shares of its preferred stock and 404 shares of common stock presently held in its treasury.

In connection with the plan of reorganization or recapitalization Great Falls proposes to eliminate certain intangibles presently reflected on its balance sheet.

Great Falls does not propose to solicit the consent of any of its security holders to said plan in view of the large percentage of stock of both classes held by North Continent.

There are 35 shares of preferred stock and 194 shares of common stock of Great Falls owned by public investors.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to such amended Plan, either as filed or as modified;

It is ordered, That hearings on such amended Plan, either as filed or as modified, under the applicable provisions of the Act and the Rules of the Commission thereunder, be held on the 14th day of May, 1943 at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing-room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice; and

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to the Montana Public Service Commission, Great Falls Gas Company and North Continent Utilities Corporation not less than ten days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to the security holders of Great Falls Gas Company, consumers of said company, all States, municipalities and political subdivisions of States within which are located any of the utility assets of Great Falls Gas Company, all State commissions, State securities commissions and all agencies, authorities or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over Great Falls Gas Company; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not later than ten days prior to the date hereinbefore fixed as the date of hearing.

It is further ordered, That any person desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission on or before the 10th day of May, 1943, a written statement relative thereto; and any person proposing to intervene shall file with the Secretary of the Commission on or before such date his application therefor, as provided by Rule XVII of the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of the issues presented by the pending applications or declarations (or both), particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed plan is necessary to effectuate the provisions of section 11 (b) of the Act and is fair and equitable to the persons affected thereby.

2. Whether the securities proposed to be issued, including the proposed interest rate of 8% on the proposed $600,000 demand note, comply with the standards of section 7 of the Act.

3. Whether, and the extent to which, the property account of Great Falls reflects intangibles, write-ups, or other inflationary items, or includes property which is "not used or useful" in the performance of utility services; the appropriateness of retaining such items in the property account.

4. Whether, in view of all the facts and circumstances concerning the acquisition and ownership of the securities of Great Falls now held by North Continent and the manner in which Great Falls has been managed by North Continent, it is necessary or appropriate that in determining the allocation of the securities of Great Falls as between North Continent and other security holders, the securities held by North Continent in Great Falls should be subordinated in

whole or in part to the claims of other security holders, or otherwise accorded participation in a manner different than their purported relative priorities.

5. To what extent, if any, the proposed plan should be modified or amended to render it feasible and fair and equitable to the persons affected and what terms and conditions should be imposed in the public interest and for the protection of investors and consumers.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

It is further ordered, That Great Falls Gas Company shall mail forthwith a true copy of this Notice of Filing and Order for Hearing to each public holder of its preferred and common stock at the last known address of such public holder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6659; Filed, April 29, 1943; 10:10 a. m.]

[File Nos. 54-51, 59-67]

NATIONAL POWER AND LIGHT COMPANY, ET AL.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of April, A. D. 1943.

National Power & Light Company; File No. 54-51 and Carolina Power & Light Company, National Power & Light Company and Electric Bond and Share Company; File No. 59-67.

Interim order, application No. 3.

The Commission having on August 23, 1941 entered its order pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 directing the dissolution of National Power & Light Company, a registered holding company; and

National Power & Light Company, as a step in compliance with said order of dissolution, having filed an application or declaration pursuant to the Public Utility Holding Company Act of 1935 regarding a proposal (a) to sell, in accordance with Rule U-50 promulgated under said Act, 242,664 shares (no par value) of common stock of Houston Lighting & Power Company, and 16,806 shares (no par value) of $7 preferred stock of Carolina Power & Light Company, and (b) to retire shares of its outstanding $6 preferred stock by payment to the holders thereof of cash in the amount of $100 per share plus accumulated dividends thereon to the date fixed for retirement; and

The Commission having on April 10, 1943 issued its notice and order instituting a proceeding under sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of said Act against Carolina Power & Light Company, National Power & Light Company and Electric Bond and Share Company, and having ordered that said proceeding be consolidated with the proceeding upon said application or declaration filed by National Power & Light Company for authority to consummate the transactions hereinabove stated; and

The Commission having directed in said order dated April 10, 1943 that the first issues to be considered in these consolidated proceedings shall be those arising on the proposal of National Power & Light Company to sell said 242,664 shares (no par value) of common stock of Houston Lighting & Power Company and to retire shares of its outstanding $6 preferred stock; and

A public hearing having been held after appropriate notice on said application or declaration, and at such hearing testimony having been adduced with respect to said proposal; and

The Commission having considered the record with respect to the matters above stated and having made and filed its findings and opinion herein (except with respect to the sale price of said shares of common stock of Houston Lighting & Power Company and the spread thereon, as to which matters jurisdiction is hereinbelow reserved); and

The Commission having found that the proposal of National Power & Light Company to sell said shares of common stock of Houston Lighting & Power Company and to retire shares of its $6 preferred stock is an appropriate step in compliance with said order of the Commission dated August 23, 1941 directing the dissolution of National Power & Light Company, and is fair and equitable to the persons affected thereby and is not in contravention of the provisions of the Act, or any rules or regulations promulgated thereunder;

It is ordered, That said application or declaration of National Power & Light Company to sell, in accordance with Rule U-50 promulgated under said Act, 242,664 shares (no par value) of common stock of Houston Lighting & Power Company and to retire shares of its outstanding $6 preferred stock by payment to the holders thereof of cash in the amount of $100 per share plus accumulated dividends thereon to the date fixed for retirement, be and the same hereby is granted and hereby is permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 and to the further conditions, as follows:

1. That the contract between Houston Lighting & Power Company and Ebasco Services Incorporated, providing for the receipt of services, shall be cancelled if the proposed sale of said shares of common stock of Houston Lighting & Power Company shall be consummated, and Houston Lighting & Power Company shall not thereafter enter into any future contract with Ebasco Services Incorporated for managerial, supervisory or other continuing services.

2. That National Power & Light Company shall not declare or pay dividends on any class of stock out of any sums credited to earned surplus account as a result of the sale of said shares of common stock of Houston Lighting & Power Company.

It is further ordered, That jurisdiction be, and the same hereby is reserved to pass upon the sale price of said shares of common stock of Houston Lighting & Power Company and the spread thereon.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6660; Filed, April 29, 1943, 10:10 a. m.]

[File No. 70-693]

GENERAL GAS & ELECTRIC CORPORATION

ORDER APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of April 1943.

General Gas & Electric Corporation, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, having filed an application for approval of the acquisition of 80 shares of the common capital stock of Atlantic Utility Service Corporation, a service company in the Associated Gas and Electric Corporation system, from Dover Gas Light Company, for the total consideration of one dollar ($1), pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935;

Said application having been filed on March 31, 1943, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated pursuant to said Act;

The Commission not having received a request for a hearing with respect to the said application within the period specified in said notice, or otherwise, and not having ordered a hearing therein; and

The Commission finding with respect to the said application that the requirements of section 10 are satisfied and that no adverse findings are necessary thereunder;

It is hereby ordered, pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed by Rule U-24, that the aforesaid application be and hereby is granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6661; Filed, April 29, 1943; 10:10 a. m.]

[File No. 70-695]

THE ASSOCIATED CORPORATION, ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

In the Matter of The Associated Corporation, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation; File No. 70-695.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of April 1943.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and its wholly owned subsidiary, The Associated Corporation, having filed an application-declaration concerning the proposed merger of The Associated Corporation into its parent, Associated Gas and Electric Corporation, as part of which transaction the Trustees of Associated Gas and Electric Corporation propose to acquire all the assets and assume all the liabilities of The Associated Corporation, and to transfer to The Associated Corporation all the outstanding securities issued by the latter for cancellation and retirement;

Said Associated Gas and Electric Corporation being in reorganization under Chapter X of the Bankruptcy Act, and said Denis J. Driscoll and Willard L. Thorp being Trustees appointed by the United States District Court having jurisdiction over said reorganization proceedings;

Sections 9 (a), 10, 12 (b), 12 (c), and 12 (f) of the Act and Rules U-42, U-43, and U-45 promulgated thereunder, appearing applicable to the proposed transaction;

Said application-declaration having been filed on March 31, 1943, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated pursuant to said Act;

The Commission not having received a request for a hearing with respect to the said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing therein;

Applicants-declarants having agreed that the Commission may enter its order that the application-declaration be granted and permitted to become effective subject to the condition hereinafter set forth; and

The Commission finding with respect to the said application-declaration that said condition is appropriate, in the public interest and for the protection of investors;

The Commission further finding with respect to the said application-declaration that the requirements of section 10 of the said Act are satisfied and that no adverse findings are necessary thereunder, and subject to the said condition, the Commission observing no other basis for adverse findings;

It is hereby ordered, That, pursuant to the applicable provisions of the said Act, the said application-declaration, as amended, be and hereby is granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations, and subject to the further condition that the transaction covered by said application-declaration shall not be consummated until the Trustees of Associated Gas and Electric Corporation shall have obtained from the District Court of the United States for the Southern District of New York, in the reorganization proceedings of Associated Gas and Electric Corporation, Debtor, an order:

1. Permitting holders of claims arising out of the uncollected installment subscription accounts referred to in said application-declaration promptly after the consummation of the transactions to file and establish their claims;

2. Fixing such period as the court shall determine as the time within which such claims shall be asserted or be barred; and

3. Directing the Trustees of Associated Gas and Electric Corporation, promptly upon the expiration of time to appeal from the Court's adjudication of such claims, to pay such claims as may have been adjudicated to be valid.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6662; Filed, April 29, 1943; 10:10 a. m.]

[File No. 70-691]

PUBLIC SERVICE COMPANY OF INDIANA, INC.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of April 1943.

Public Service Company of Indiana, Inc., a subsidiary of a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 regarding the issuance and sale at competitive bidding, pursuant to the requirements of Rule U-50, of $38,000,000 principal amount of First Mortgage Bonds, Series E, 3¼%, maturing May 1, 1973, the proceeds of the proposed sale to be used to refund a like principal amount of First Mortgage Bonds, Series A, 4%, maturing September 1, 1969; and the application also requesting that the Commission remove a condition previously imposed by it regarding the debt retirement program of applicant;

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its Findings and opinion herein; and

It appearing to the Commission that there are presently outstanding several conditions applicable to Public Service Company of Indiana, Inc. which have from time to time been imposed by the Commission after proceedings heretofore had; and it further appearing that it is in the public interest and the interest of investors and consumers that all presently effective conditions applicable to Public Service Company of Indiana, Inc. be set forth in this order;

It is ordered, That subject to Commission approval by further order, after the terms of the bond financing have been determined by competitive bidding, that said application, as amended, be and the same hereby is granted, subject, however, to the following four conditions which are in lieu of all existing conditions heretofore imposed upon Public Service Company of Indiana, Inc. and/or its predecessor constituent companies in proceedings before the Commission:

(1) After January 1, 1943, and so long as any long-term debt of Public Service Company of Indiana, Inc. shall be outstanding, Public Service Company of Indiana, Inc. shall not declare or pay any dividends (other than dividends payable in shares of its common stock) on any shares of its common stock, nor shall Public Service Company of Indiana, Inc. make any other distribution on its common stock or purchase or otherwise retire any shares of its common stock out of net income, unless the earned surplus of Public Service Company of Indiana, Inc., after making such declaration, payment, distribution, purchase or retirement, shall not be less than an accumulative amount equal to $750,000 per calendar year beginning with the year 1943 and through the year in which such declaration, payment, distribution, purchase or retirement is made; *Provided, however*, That the maximum amount of accumulated earned surplus required, pursuant to this condition, to remain after declaration or payment of such dividend or after such distribution, purchase or retirement shall be $7,500,000; *and Provided further*, That such earned surplus required to remain after declaration or payment of such dividends or after such distribution, purchase or retirement may be reduced for the purpose of the above computation by the amount of (a) any surplus adjustments at any time resulting from writing down or writing off the excess of carrying value of property, acquired by Public Service Company of Indiana, Inc. at the time of its creation from the companies through whose consolidation Public Service Company of Indiana, Inc. was formed over the original cost of such property when first devoted to public use; (b) all amounts appropriated and credited by Public Service Company of Indiana, Inc. after December 31, 1942, to its "Reserve for Possible Adjustment of Utility Plant and/or Depreciation Reserve"; and (c) any other surplus adjustments otherwise properly applicable to earned surplus. The restrictions contained in this condition are intended to bring about improvement in the debt ratios of Public Service Company of Indiana, Inc., and such restrictions may be reduced or terminated, in whole or in part, conditionally or unconditionally, by this Commission at any time upon application by Public Service Company of Indiana, Inc. in connection with the issuance and sale of additional common stock of Public Service Company of Indiana, Inc., or otherwise; subject, always, to the right of the Commission, in any proceeding under any provision of the Public Utility Holding Company Act of 1935, to make such orders, restrictions or conditions as it may deem necessary or proper in the case.

(2) During the period from January 1, 1943 to December 31, 1946, Public Service Company of Indiana, Inc. shall credit to its "Reserve for Possible Adjustment of Utility Plant and/or Depreciation Reserve" (referred to in condition numbered (1) of this order) an amount aggregating at least $1,000,000 through charges to that portion of the earned surplus restricted by said condition numbered (1): *Provided, further,* That said credit shall aggregate not less than $250,000 by December 31, 1943, not less than $500,000 by December 31, 1944, not less than $750,000 by December 31, 1945 and not less than $1,000,000 by December 31, 1946.

(3) So long as any mortgage bonds of Public Service Company of Indiana, Inc. shall be outstanding, Public Service Company of Indiana, Inc. shall not, except as hereinafter specified, use as a basis

(i) for the issue of mortgage bonds, or

(ii) for the withdrawal of any cash which has been deposited by it with the Trustee under any mortgage as a basis for the issue of bonds,

gross expenditures for additions, extensions, improvements, renewals or replacements made subsequent to September 1, 1939, to the plant and property of Public Service Company of Indiana, Inc. and/or its predecessor constituent companies, except to the extent that the gross expenditures for such additions, extensions, improvements, renewals or replacements, plus cash theretofore expended subsequent to September 1, 1939, by Public Service Company of Indiana, Inc. and/or its predecessor constituent companies in the retirement of first mortgage bonds (exclusive of retirements of first mortgage bonds through funds derived from the sale of mortgaged property) exceed the provisions for depreciation as recorded on the books of Public Service Company of Indiana, Inc. and/or its predecessor constituent companies subsequent to September 1, 1939, by charges to operating expenses (i. e. excluding any appropriations for depreciation from surplus or through reclassification of other accounts): *Provided, however,* That the foregoing condition shall not be applicable in any case of the refunding of mortgage bonds issued or assumed by Public Service Company of Indiana, Inc. or in any case of the purchase by Public Service Company of Indiana, Inc. of utility properties as a going concern, subject, always, to the right of the Commission, in any proceeding before it in respect of any such refunding or purchase of properties, to make such orders, restrictions or conditions as it may deem necessary or proper in such case. The restrictions contained in this paragraph may be reduced or terminated, in whole or in part, conditionally or unconditionally, by the Commission by its motion or upon application by Public Service Company of Indiana, Inc.

(4) Public Service Company of Indiana, Inc., so long as any of its long-term debt is outstanding, shall not declare or pay any dividends (other than dividends payable in shares of its common stock) on any shares of its common stock, nor shall Public Service Company of Indiana, Inc. make any other distribution on its common stock or purchase or otherwise retire any shares of its common stock out of net income, unless Public Service Company of Indiana, Inc. or such successor has, for the period from January 1, 1943, to the date of the proposed payment of such dividends or the making of such declaration, payment, distribution, purchase or retirement, charged against income each year as provision for depreciation an amount of not less than $2,700,000 plus or minus, as the case may be, for each calendar year subsequent to 1943, 3% of the gross book value of additions to depreciable property less retirements of depreciable property made during the period from January 1, 1943, to December 31 of the immediately preceding calendar year.

It is further ordered, That condition numbered (2) of the order dated May 7, 1942, issued by the Commission in In the Matter of Public Service Company of Indiana, Inc. File No. 70-433 be, and the same hereby is, rescinded.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-6663; Filed, April 29, 1943; 10:10 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 29, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Serial No.	Builder	Project location	Issuance date
407 77-065-000059	C. M. Lingle & O. V. Barlow, Route 1, Hattiesburg, Miss.	Lee St., Hattiesburg, Miss.	4-21-43
517 7033-00550	Clair Construction Co., 1301 Western Ave., N. S. Pittsburgh, Pa.	2261/2 225 Ford St., bet. Riverview Ave. & Md. Sts., Lots 250, 253, 256, 258 Mifflin St., bet. Riverview Ave. & Burns Ave.	4-21-43
1026 7013-278	For-Win Realty Co., Hotel Utica, Utica, N. Y.	Arthur St., Webster Ave. & Eagle St., Utica, N. Y.	4-21-43
167 77-114-000230	H. Manning, 8199 Howard Dr., Houston, Tex.	519 South Shaver St., Pasadena, Tex.	4-21-43
243 77-114-000360	H. Manning, 8199 Howard Dr., Houston, Tex.	8255 Bonner Dr., Houston, Tex.	4-21-43
675 77000-673	Modern Carefree Homes, Inc., 1245 24th St. NW., Washington, D. C.	Suitland Dr. at Oakland, Oakland Manor, Prince Georges County, Md.	4-21-43
613 77-034-000557	B. H. Smith, 111 Yale St., York, Pa.	Hollywood Terrace bet. Green Hill Rd. & T. B. Ness Property, York, Pa.	4-21-43
7-126-000060	Thomas F. Deal, 1300 E. Burnside St., Portland, Oreg.	250 ft. south of "A" on 10th St., Portland, Oreg.	4-21-43
7-126-000059	Thomas F. Deal, 1300 E. Burnside St., Portland, Oreg.	5725 N. E. 36th & N. E. 39th, Portland, Oreg.	4-21-43
7-126-000056	Jerry Councils, 4606 S. E. 51st St., Portland, Oreg.	3237 S. E. Milwaukee, Portland, Oreg.	4-21-43
7-126-000033	Stephen O'Neill, 4616 N. Albina Ave., Portland, Oreg.	505 N. E. Portland Blvd., Portland, Oreg.	4-21-43
7-126-000012	C. H. Vandereen, 5717 N. E. Cleveland, Portland, Oreg.	N. W. Corner N. E. Cleveland Ave., Portland, Oreg.	4-21-43

[F. R. Doc. 43-6675; Filed, April 29, 1943; 10:15 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 29, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	117-e	Montana State Highway Comm., Helena, Mont.	U. S. 2 at Chinook, SN-FAP 221 (2) Unit 3.	4-20-43
P-19-e	12-e	Missouri State Hwy. Dept., Jefferson City, Mo.	St. Supplementary Rt. A through Willmathsville, FAS 151) (1).	4-20-43
P-19-e	4-e	Missouri St. Hwy. Dept., Jefferson City, Mo.	S. R. 100-AP betwn. Summerville & Alley Springs St. Park, FAP 395C (1).	4-20-43
P-19-e	61-e	Missouri St. Hwy. Dept., Jefferson City, Mo.	FAP 316A (2), FAP 316E (2), FAP 316F (2), FAP 335B (2), FAP 335 C (2).	4-23-43
P-19-e	118-e	Montana St. Hwy. Comm., Helena, Mont.	FAP 2C (1) Unit 2	4-20-43

[F. R. Doc. 43-6676; Filed, April 29, 1943; 10:15 a. m.]

[Preference Rating Order P-19-e, Serial No. 43499]

SUIATTLE RIVER ROAD PROJECT, WASH.

MODIFICATION OF REVOCATION

Builder: U. S. Dept. of Agriculture, Forest Service, P. O. Box 4137, Portland, Oregon.
Project: Suiattle River Road, DA-RM 22, Washington.

Nothwithstanding the revocation issued February 5, 1943 of the above serially numbered preference rating order, the builder is hereby permitted to construct 17.1 miles of highway giving access to the forest area in the Mt. Baker National Forest; the ratings assigned by said preference rating order are hereby restored to the extent required to acquire materials necessary for such further construction.

Issued April 29, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-6677; Filed, April 29, 1943; 10:15 a. m.]